

Authority: Item 7, Economic Development
and Planning Committee
Report 08- 004 (PED08042)
CM: February 25, 2008

Bill No. 042

CITY OF HAMILTON

BY-LAW NO. 08-042

To Amend Zoning By-law No. 3692-92 (Stoney Creek) Respecting Lands located at the Northwest Corner of Upper Centennial Parkway and Rymal Road East

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1, 2001, the municipality "City Of Hamilton";

AND WHEREAS the City Of Hamilton is the successor to certain area municipalities, including the former area municipality known as "The Corporation of the City of Stoney Creek" and is the successor to the former Regional Municipality, namely, The Regional Municipality of Hamilton-Wentworth;

AND WHEREAS the City Of Hamilton Act, 1999 provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS Zoning By-law No. 3692-92 (Stoney Creek) was enacted on the 8th day of December, 1992, and approved by the Ontario Municipal Board on the 31st day of May, 1994;

AND WHEREAS the Council of the City of Hamilton, in adopting Item 7 of Report 08-004 of the Economic Development and Planning Committee at its meeting held on the 27th day of February, 2008, recommended that Zoning By-law No. 3692-92 (Stoney Creek), be amended as hereinafter provided;

AND WHEREAS this by-law is in conformity with the Official Plan of the City of Hamilton (the Official Plan of the former City of Stoney Creek); approved by the Minister under the Planning Act on May 12, 1986;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That exception "SC2-2" of Subsection 8.10.6, "Special Exemptions", of Section 8.10 Community Shopping Centre "SC2" Zone, of Zoning By-law No.

By-law Respecting Lands located at the Northwest Corner of Upper Centennial Parkway and Rymal Road East

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3692-92 (Stoney Creek), be amended by adding the words, "and a personal service shop" at the end of Paragraph 2, so that it shall read as follows:

"SC2-2 2257-2273 Rymal Road East, Schedule "A", Map No. 16

Notwithstanding the definition of Lot within Part 2, Definitions and Section 4.4.2, Restriction on Change, those lands zoned Community Shopping Centre "SC2-2" by this By-law shall be considered as one lot.

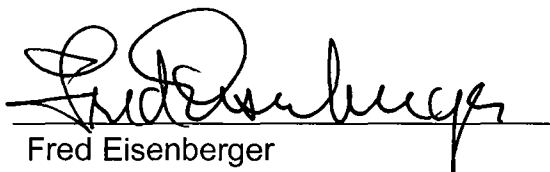
In addition to the uses permitted in Subsection 8.10.2 of the Community Shopping Centre "SC2" Zone, those lands zoned "SC2-2" by this By-law may also be used for a car washing establishment, subject to the provisions of Subsection 8.1.5., and a personal service shop.

Notwithstanding the provisions of Paragraphs (j) and (l) of Section 8.10.3 of the Community Shopping Centre "SC2" Zone, on those lands zoned "SC2-2" by this By-law, the minimum landscaping strip adjacent to another lot within 70 metres of Rymal Road East shall be 1.5 metres and parking spaces located within 70 metres of Rymal Road East may be located 1.5 metres from the westerly property line.

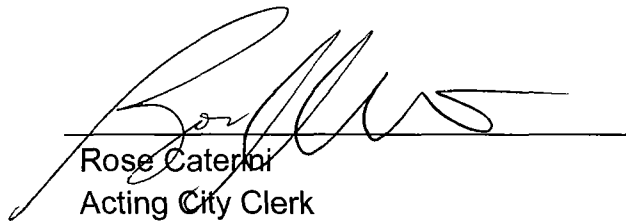
In addition to the provisions of Section 8.10.3, the minimum westerly side yard within 35 metres of Rymal Road East shall be 4 metres."

2. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the Planning Act.

PASSED and ENACTED this 27th day of February, 2008.



Fred Eisenberger
Mayor



Rose Caterini
Acting City Clerk

ZAR-07-069