

Authority: Item 10, Economic Development
and Planning Committee
Report:10-004 (PED09311(a))
CM: February 16, 2010

Bill No. 038

CITY OF HAMILTON

BY-LAW NO. 10-038

To Adopt:

Official Plan Amendment No. 222 to the former City of Hamilton

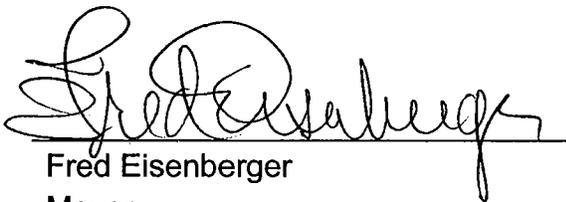
Respecting:

741 Rymal Road East

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

1. Amendment No. 222 to the Official Plan of the former City of Hamilton Planning Area consisting of Schedule "1", hereto annexed and forming part of this by-law, is hereby adopted.

PASSED this 24th day of February 2010.


Fred Eisenberger
Mayor


Rose Caterini
Acting City Clerk

Amendment No. 222
to the
Official Plan of the City of Hamilton

That the following text and Schedule "A" - Land Use Concept, attached hereto, constitutes Official Plan Amendment No. 222 to the Official Plan of the City of Hamilton.

Purpose:

The purpose of this Amendment is for a change in designation from "Residential" to a site-specific "Commercial" designation in order to permit the development of a 2 storey, mixed-use building, with four ground floor commercial units, and five second floor residential units, at 741 Rymal Road East, in the City of Hamilton.

Location:

The lands affected by this Amendment, being approximately 0.19ha, are located at 741 Rymal Road East, on the north side, east of the intersection of Upper Sherman Avenue and Rymal Road East, in the City of Hamilton.

Basis:

The basis for permitting the proposal is as follows:

- The proposal is consistent with the Provincial Policy Statement, and conforms to the Places to Grow Plan and the former Region of Hamilton-Wentworth Official Plan.
- The property is located on a major arterial road, designated as a High-Order Transit Corridor, and in close proximity to a Commercial Node. The proposed mixed-use development is an appropriate form of Residential Intensification.
- The proposal is consistent with the existing building setbacks and massing found within the neighbourhood, while providing for a mix of housing opportunities in terms of unit size, type, and tenure.

Actual Changes:

Schedule Changes:

- “1. Schedule “A” - Land Use Concept - be revised by changing the subject lands to a site-specific “Commercial” designation from the “Residential” designation, as shown on the attached Schedule “A” of this amendment.
2. Schedule “B” - Special Policy Areas - be revised by changing the designation and corresponding legend regarding the subject lands to “Special Policy Area 100”.

Text Changes:

1. That Section A.2.9.3, Other Policy Areas, be amended by adding the following subsection:

“A.2.9.3.93 Lands located on the north side of Rymal Road East, west of Eva Street, known municipally as 741 Rymal Road East, being Lot 1 and Part of Lot 2 of Plan 1007, former City of Hamilton.

Notwithstanding the forms of development and uses permitted in Section A.2.2, Commercial Uses, for the lands known municipally as 741 Rymal Road East and identified as SPECIAL POLICY AREA --- on Schedule B, the form of development shall be limited to a mixed-use building with a minimum height of two storeys. Permitted uses are limited as follows:

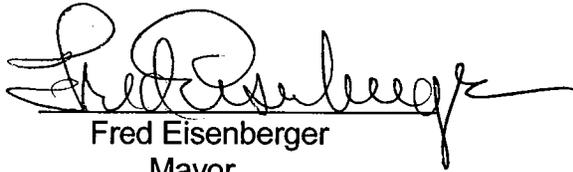
- (a) For the ground floor, permitted uses are limited to commercial uses, as set out in Subsection A.2.2.1. Residential uses are prohibited.
- (b) For the second storey, permitted uses shall be limited to residential uses, and are subject to the provisions as set out in Subsection A.2.2.1 i).

Implementation:

A Zoning By-law Amendment and Site Plan Application will give effect to this Amendment.

This is Schedule "1" to By-law No. 10-039, passed on the 24th day of February, 2010.

The City of Hamilton



Fred Eisenberger
Mayor



Rose Caterini
Acting City Clerk

Schedule A
 Amendment No.222
 To the Official Plan
 for the
 former City of Hamilton

Legend

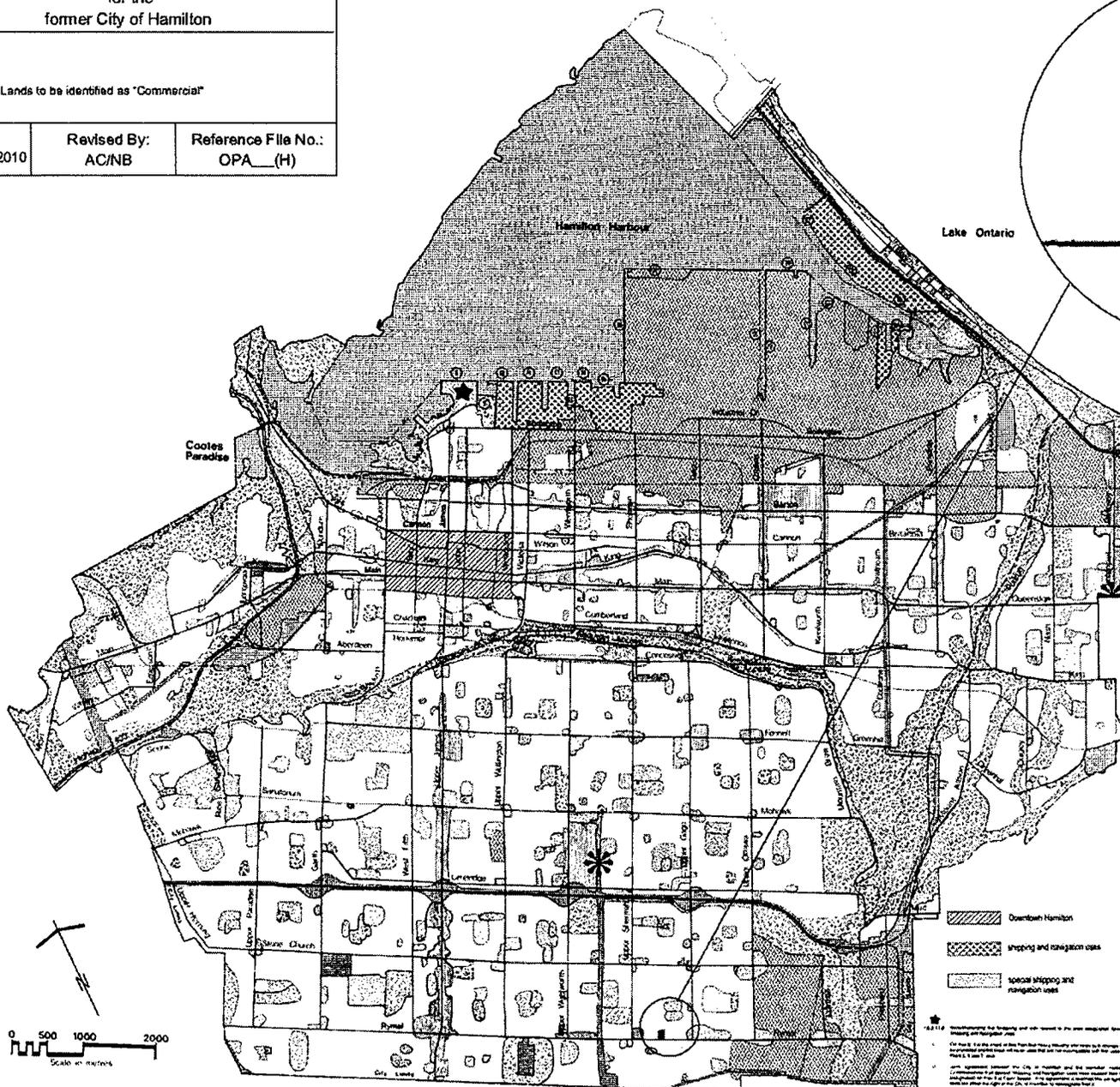


Lands to be identified as "Commercial"

Date:
 February 10, 2010

Revised By:
 AC/NB

Reference File No.:
 OPA_(H)



★ Identifying the history and use of lands in the area designated for
 shipping and navigation uses.
 The City of Hamilton and the Hamilton Harbour Authority have been
 working together to identify lands that may be suitable for shipping and
 navigation uses.
 The City of Hamilton and the Hamilton Harbour Authority have been
 working together to identify lands that may be suitable for shipping and
 navigation uses.
 The City of Hamilton and the Hamilton Harbour Authority have been
 working together to identify lands that may be suitable for shipping and
 navigation uses.

Schedule B
Amendment No.222
To the Official Plan
for the
former City of Hamilton

Legend

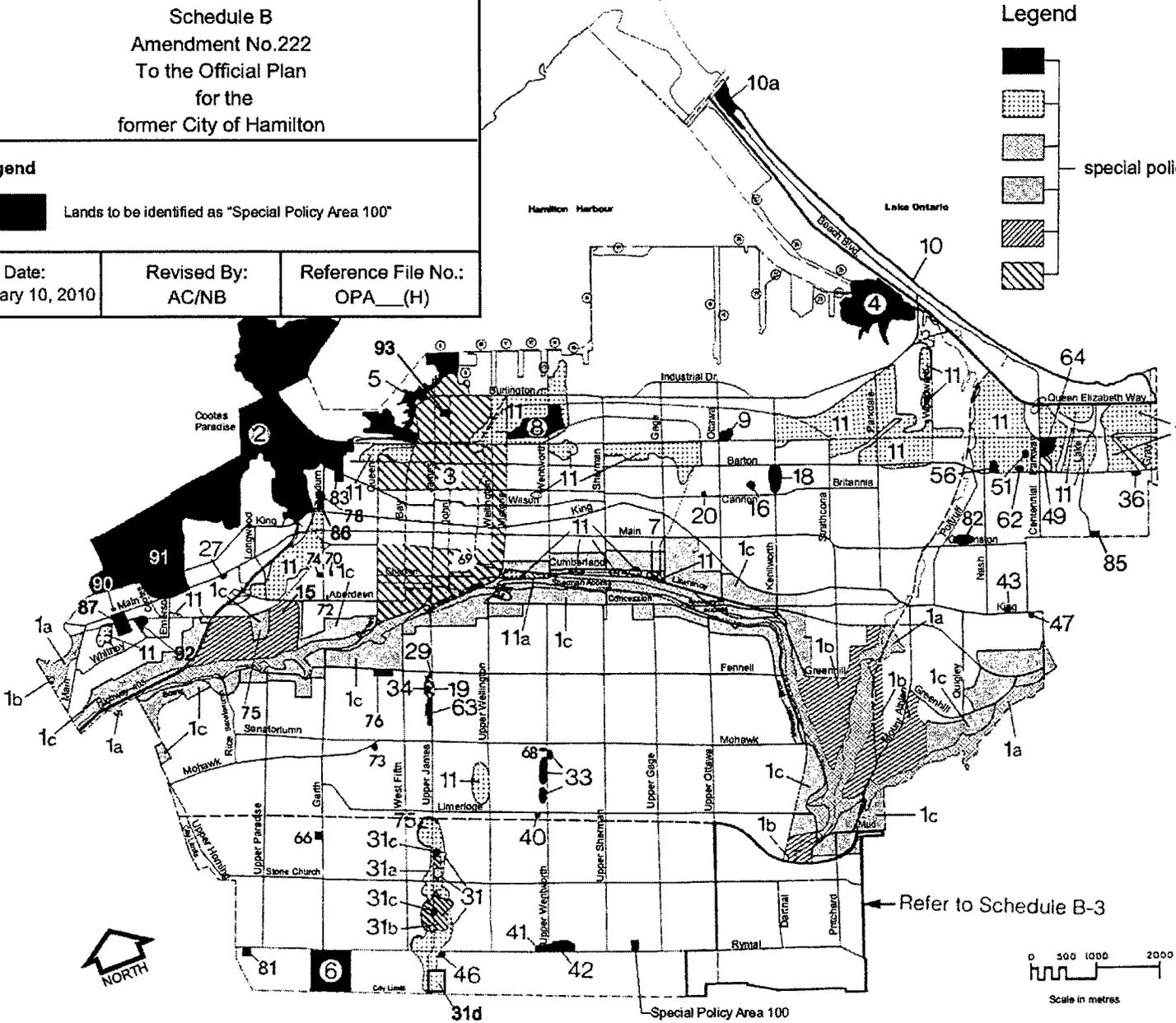
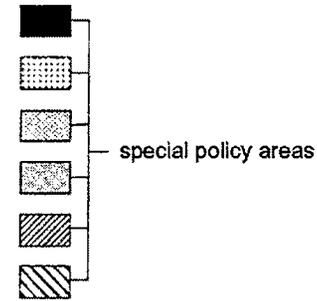
 Lands to be identified as "Special Policy Area 100"

Date:
February 10, 2010

Revised By:
AC/NB

Reference File No.:
OPA__(H)

Legend



special policy areas

AREA	REFER TO POLICY	AREA	REFER TO POLICY
1(a)	A.2.9.1	56	A.2.9.3.51
1(b)	A.2.9.1	62	A.2.9.3.57
1(c)	A.2.9.1	63	A.2.9.3.58
2	A.2.9.2	64	A.2.9.3.59
3	A.2.9.3.1	65	A.2.9.3.60
	A.2.9.3.1	66	A.2.9.3.61
4	A.2.9.3.2	67	"Deleted"
5	A.2.9.3.3	68	A.2.9.3.63
6	A.2.9.3.4	69	A.2.9.3.64
7	A.2.9.3.6	70	A.2.9.3.65
8	A.2.9.3.6	71	A.2.9.3.66
9	A.2.9.3.7	72	A.2.9.3.67
10	A.2.9.3.8	73	A.2.9.3.68
10a	A.2.9.3.8	74	A.2.9.3.69
11	A.2.9.3.9	75	A.2.9.3.70
11(a)	A.2.9.3.9	76	A.2.9.3.71
16	A.2.9.3.14	77	A.2.9.3.72
17	A.2.9.3.16	78	A.2.9.3.73
18	A.2.9.3.16	79	"Deleted"
19	A.2.9.3.17	80	Denied by OMB
20	A.2.9.3.18	81	A.2.9.3.76
26	A.2.9.3.21	82	A.2.9.3.77
27	A.2.9.3.22	83	A.2.9.3.78
29	A.2.9.3.24	84	Pending
30	A.2.9.3.25	85	A.2.9.3.80
31	A.2.9.3.26	86	A.2.9.3.81
31(a)	A.2.9.3.26	87	A.2.9.3.82
31(b)	A.2.9.3.26	89	Pending OMB
31(c)	A.2.9.3.26	90	A.2.9.3.85
32	A.2.9.3.27	91	A.6.4.9.1
33	A.2.9.3.28	92	A.6.4.9.2
34	A.2.9.3.29	93	A.2.9.3.86
35	A.2.9.3.30		
36	A.2.9.3.31		
37	A.2.9.3.32		
38	A.2.9.3.32	100	A.2.9.3.93
38	"Deleted"		
40	A.2.9.3.35		
41	A.2.9.3.36		
42	A.2.9.3.37		
43	A.2.9.3.38		
45	A.2.9.3.40		
46	A.2.9.3.41		
47	A.2.9.3.42		
48	"Deleted"		
49	A.2.9.3.44		
50	A.2.9.3.45		
51	A.2.9.3.46		
53	"Deleted"		
54	"Deleted"		
56	A.2.9.3.50		

For other Special Policy Areas numbers, refer to Schedules: B-1, B-2, and B-3.

schedule B

to the official plan
for
the City of Hamilton

January 2007