

**Authority:** Item 11, Planning & Economic  
Development Committee  
Report 05-005 (PD05076)  
CM: April 13, 2005

**Bill No. 079**

## **CITY OF HAMILTON**

### **BY-LAW NO. 05-079**

#### **To Amend Zoning By-law No. 3692-92 (Stoney Creek) Respecting Lands located at 2257 - 2273 Rymal Road East**

**WHEREAS** the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1<sup>st</sup>, 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By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 8<sup>th</sup> day of December, 1992, and approved by the Ontario Municipal Board on the 31<sup>st</sup> day of May, 1994;

**AND WHEREAS** the Council of the City of Hamilton, in adopting Section 11 of Report 05-006 of the Planning and Economic Development Committee at its meeting held on the 13<sup>th</sup> day of April, 2005, recommended that Zoning By-law No. 3692-92 (Stoney Creek), be amended as hereinafter provided;

**AND WHEREAS** this By-law will be in conformity with the Official Plan of the City of Hamilton (formerly the City of Stoney Creek Official Plan), approved by the Minister under the Planning Act on May 12, 1986, upon approval of OPA No. .

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

1. Map No. 16 of Schedule "A", appended to and forming part of By-law No. 3692-92 (Stoney Creek) is amended,

- (a) by changing the zoning from the Neighbourhood Residential "ND" Zone to the Community Shopping Centre "SC2-2" Zone, the lands comprised of Block "1"; and,
- (b) by changing the zoning from the Neighbourhood Shopping Centre "SC1-2" Zone to the Community Shopping Centre "SC2-2" Zone, the lands comprised of Block "2";

the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A" .

- 2. That Subsection 8.10.6, "Special Exemptions" of Section 8.10, Community Shopping Centre "SC2" Zone, of Zoning By-law No. 3692-92 (Stoney Creek), be amended by adding a new special provision "SC2-2" to include the following:

**"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.

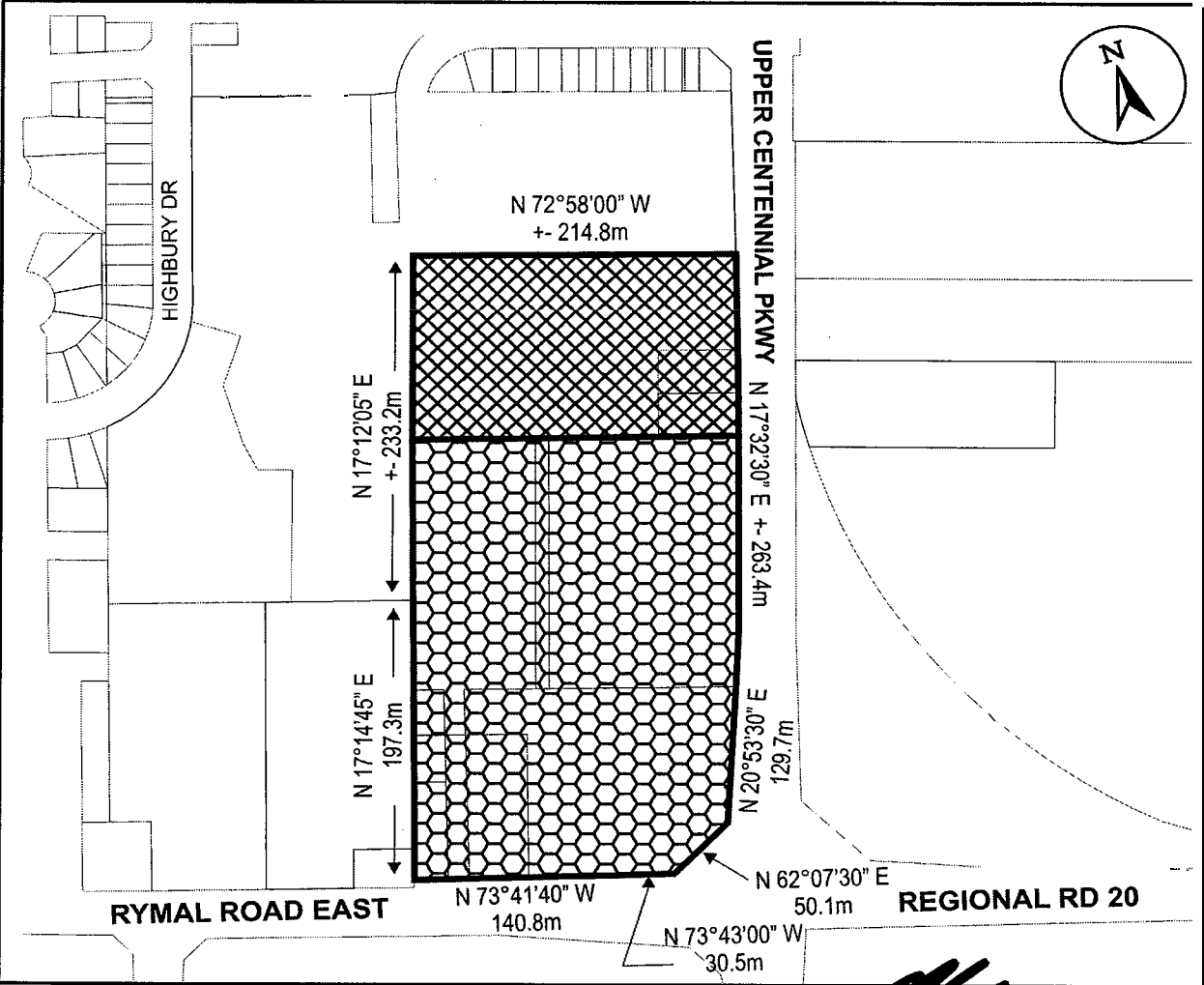
In addition to the uses permitted in Subsection 8.10.2 of the Community Shopping Centre "SC2" Zone, those lands zoned "SC2-2" by this By-law may also be used for a car washing establishment subject to the provisions of subsection 8.1.5. Notwithstanding the provisions of paragraphs (j) and (l) of Section 8.10.3 of the Community Shopping Centre "SC2" Zone, on those lands zoned "SC2-2" Zone 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.

- 3. That Special Exemption "SC1-2" of Subsection 8.9.5 of Zoning By-law No. 3692-92 (Stoney Creek) be deleted in its entirety.
- 4. 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 13<sup>th</sup> day of April, 2005.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CLERK



This is Schedule "A" to By-Law No. 05— 079

Passed the 13th day of April, 2005

*[Handwritten Signature]*  
 Clerk  
 Mayor

**Schedule "A"**

Map Forming Part of  
 By-Law No. 05- 079  
 to Amend By-Law No. 3692-92

**Subject Property**

- Block 1** - Lands to be Rezoned from the Neighbourhood Development "ND Zone to the Community Shopping Centre "SC2-2" Zone.
- Block 2** - Lands to be Rezoned from the Neighbourhood Shopping Centre "SC1-2" Zone to the Community Shopping Centre "SC2-2" Zone.

North 	Scale: <b>Not to Scale</b>	File Name/Number: <b>OPA-04-15 &amp; ZAC-04-82</b>
	Date: March 7, 2005	Planner/Technician: <b>PD/LC</b>

