

Authority: Item 9, Planning Committee
Report: 15-012 (PED15091)
CM: August 14, 2015

Bill No. 207

CITY OF HAMILTON

BY-LAW NO. 15-207

To Amend Zoning By-law No. 05-200, Respecting Lands Located at 630 Rymal Road East, Hamilton

WHEREAS the City of Hamilton has in force several Zoning By-laws which apply to the different areas incorporated into the City by virtue of the *City of Hamilton Act, 1999*, S. O. 1999 Chap. 14;

AND WHEREAS the City of Hamilton is the lawful successor to the former Municipalities identified in Section 1.7 of By-law No. 05-200;

AND WHEREAS Zoning By-law No. 05-200 was enacted on the 25th day of May, 2005;

AND WHEREAS the Council of the City of Hamilton, in adopting Item 9 of Report 15-012 of the Planning Committee, at its meeting held on the 11th day of August, 2015, recommended that Zoning By-law No. 05-200 be amended as hereinafter provided;

AND WHEREAS this By-law is in conformity with the Urban Hamilton Official Plan upon finalization of Official Plan Amendment No. 39;

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

1. That Map Nos. 1448, 1497, and 1496 of Schedule "A" - Zoning Maps, to Zoning By-law No. 05-200, is amended by incorporating additional Community Institutional (I2) Zone boundaries for the applicable lands, the extent and boundaries of which are shown on Schedule "A" to this By-law;
2. That Schedule "D" – Holding Provisions of By-law No. 05-200, be amended by adding additional Holding provisions as follows:
 - a. Notwithstanding Section 8.2 of this By-law, within the lands zoned Community Institutional, Holding (I2, H57) identified on Maps 1448, 1496, and 1497 of Schedule "A" and described as 630 Rymal Road East, the (H57) symbol may be removed by further amendment to this By-law at such time as the following conditions have been satisfied:
 1. That a Functional Servicing Report has been submitted to the satisfaction of the City of Hamilton Senior Director of Growth Management and the Hamilton Conservation Authority.

2. That a Stormwater Management Report has been submitted to the satisfaction of the City of Hamilton Senior Director of Growth Management and the Hamilton Conservation Authority.
 3. That a Wastewater Generation Assessment has been submitted to the satisfaction of the City of Hamilton Senior Director of Growth Management.
 4. That an External Works Agreement for the purposes of servicing the subject land, along the Upper Sherman Avenue Extension, and the intersection of Rymal Road East and Upper Sherman Avenue, including but not limited to:
 - (i) pedestrian linkage between the residential lands to the west and the new school;
 - (ii) pavement cross section;
 - (iii) watermains;
 - (iv) sewers;
 - (v) pedestrian sidewalks to be built to the City's satisfaction prior to occupancy;
 - (vi) street lighting; and,
 - (vii) traffic signal upgrade etc. has been entered into with the City and registered on title to the subject lands, to the satisfaction of City of Hamilton Manager, Development Engineering Approvals.
 5. That the necessary road access to the site is established (lands dedicated to the City of Hamilton where required), to the satisfaction of the City of Hamilton Senior Director of Growth Management.
 6. That a Traffic Impact Study, submitted by the applicant must be submitted to the satisfaction of the Director of Engineering Services, Public Works Department.
- b. Notwithstanding Section 8.2 of this By-law, within the lands zoned Community Institutional, Modified, Holding (I2, H59) identified on Maps 1448, 1496, and 1497 of Schedule "A" and described as 630 Rymal Road East, the (H59) symbol may be removed by further amendment to this By-law at such time as the following conditions have been satisfied:
1. That a Noise Study be completed for the stadium component of the school site in order to determine the impact of the audio components of the track on the abutting residential area and establish appropriate mitigation measures for such impacts. In order for the "H" Holding Provision to be lifted a comparative analysis of other track audio systems will be necessary to determine what a reasonable noise level will be and how it can be achieved. The Noise Study must be submitted to the satisfaction of the Manager of Development Planning, Heritage and Design.

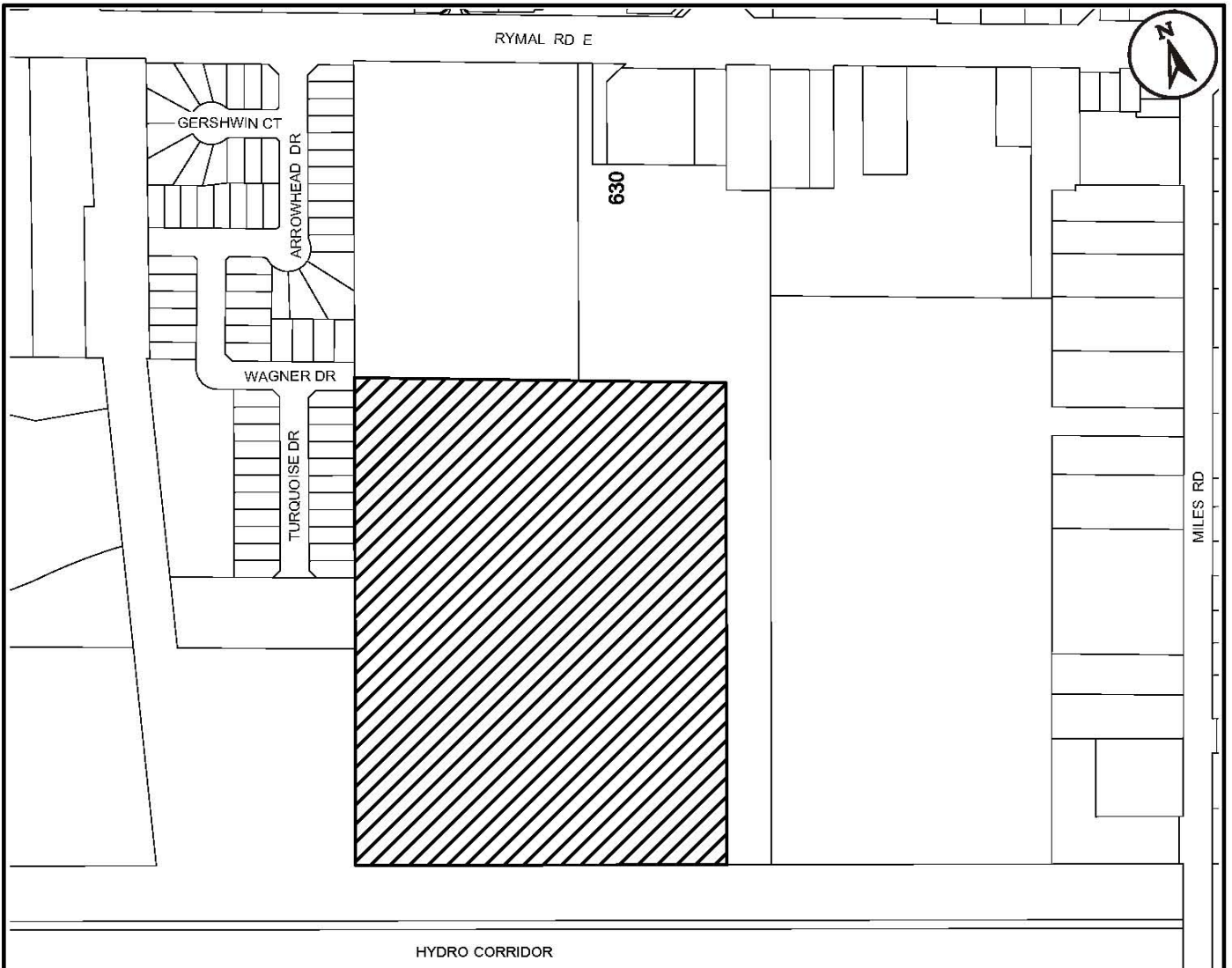
3. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the *Planning Act*.
4. That this By-law No. 15-202 shall come into force, and be deemed to have come into force, in accordance with Sub-section 34(21) of the *Planning Act*, either upon the date of passage of this By-law or as provided by the said Sub-section.

PASSED this 9th day of September, 2015.

Judi Partridge
Deputy Mayor

Rose Caterini
City Clerk

ZAC-14-033



This is Schedule "A" to By-law No. 15- Passed the day of, 2015	_____ Mayor _____ Clerk
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<h2 style="margin: 0;">Schedule "A"</h2> <h3 style="margin: 0;">Map Forming Part of By-law No. 15-_____</h3> <h3 style="margin: 0;">to Amend By-law No. 05-200 Maps 1448, 1496 & 1497</h3>	Subject Property 630 Rymal Road East Lands to be Zoned Community Institutional, Holding (I2, H57, H59) Zone
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Scale: N.T.S.	File Name/Number: ZAC-14-33/UHOPA-14-016	
Date: Sep. 1, 2015	Planner/Technician: RC/NB	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		