

Authority: Item10, Planning and Economic
Development Committee
Report 05013 (PED05001)
CM: June 15,2005

Bill No. 163

CITY OF HAMILTON

BY-LAW NO. 05-163

**To Amend Zoning By-law No. 6593
Respecting Lands Located at 75 and 79 Rymal Road West**

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 municipality known as the "The Corporation of the City of Hamilton" 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 and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 (Hamilton) on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of the City of Hamilton, in adopting Item10 of Report 05-013 of the Planning and Economic Development Committee at its meeting held on the 15th day of June, 2005, recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

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

1. Sheets Nos. W-9D and W-9E of the District Maps, appended to and forming part of By-law No. 6593, are amended,
 - (a) by changing Block “1” from the “C” (Urban Protected Residential, etc.) District to the “HH” (Restricted Community Shopping and Commercial) District, Modified;

the lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule “A”.

2. The “HH” (Restricted Community Shopping and Commercial) District regulations, contained in Section 14A of Zoning By-law No. 6593, applicable to Blocks “1” and “2” as shown on a plan hereto annexed as Schedule “A” to this by-law, be modified to include the following special requirements:
 - (a) Notwithstanding Section 14A(3)(a) of By-law No. 6593, a front yard depth of at least 6.0 metres shall be provided and maintained, within which one business identification sign may be permitted not less than 3.0 metres from the front lot line;
 - (b) Notwithstanding Sections 14A(3)(b), (7)(a) and (b) of By-law No. 6593, a planting strip not less than 3.0 metres in width shall be provided and maintained along the westerly lot line, except for any area used for vehicular access;
 - (c) Notwithstanding Section 14A(7)(a) of By-law No. 6593 or any other provision to the contrary, a planting strip not less than 1.5 metres in width and a fence not less than 1.2 metres and not more than 2.0 metres in height shall be provided and maintained along the easterly lot line where it adjoins a residential district, except that no fence shall be permitted less than 18.36 metres from the front lot line. A retaining wall may be permitted to occupy a maximum area of 50% of the planting strip and where a retaining wall is constructed, the fence shall be located on top;
 - (d) Notwithstanding Section 14A(7)(a) of By-law No. 6593, a planting strip not less than 3.0 metres in width and a visual barrier not less than 1.2 metres and not more than 2.0 metres in height shall be provided and maintained along the southerly lot line;
 - (e) Notwithstanding Section 18A(1)(d) of By-law No. 6593, no loading space shall be required for a business or professional person’s office; and

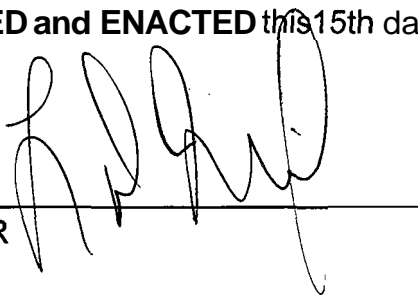
By-law respecting Rymal Road West

(9) Notwithstanding any other provision of By-law No. 6593 to the contrary, a maximum of 4 wall signs shall be permitted not higher than 1.0 metre and not wider than 3.7 metres each.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "HH" (Restricted Community Shopping and Commercial) District provisions, subject to the special requirements referred to in Section 2.
4. By-law No. 6593 (Hamilton) is amended by adding this by-law to Section 19B as Schedule S-1169b.
5. Section 2 of By-law No. 90-286 is repealed and By-law No. 92-307 is repealed in its entirety.
6. Sheet Nos. W-9D and W-9E of the District Maps, is amended by marking the lands referred to in Section 2 of this by-law as S-1169b.
7. 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 15th day of June, 2005.

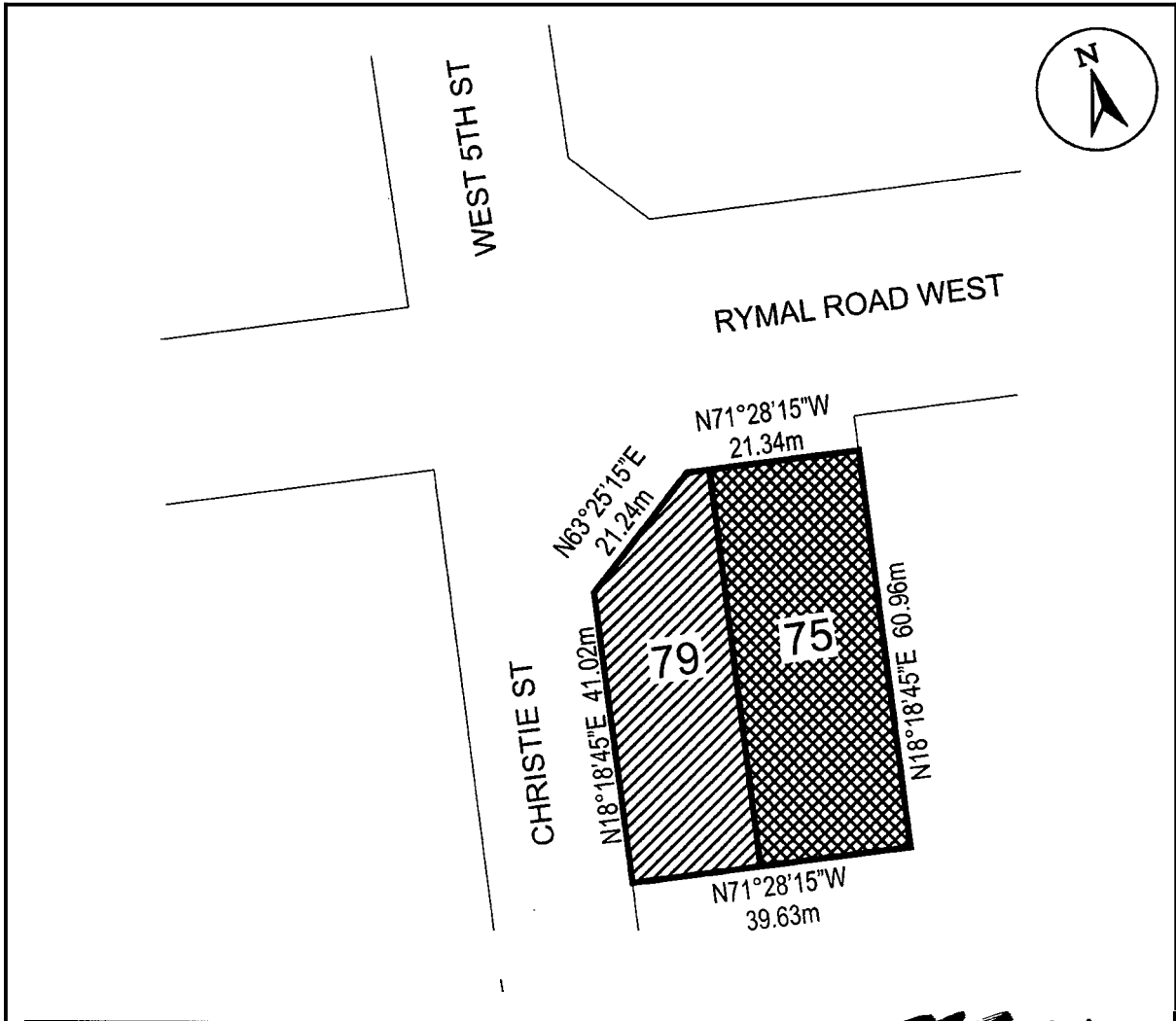
MAYOR



CLERK



ZAC-05-38



This is Schedule "A" to By-Law No. 05-163

Passed the 15th day of June, 2005

[Signature]
Clerk

[Signature]
Mayor

Schedule "A"

Map Forming Part of
By-Law No. 05-163
to Amend By-Law No. 6593


Subject Property




Block 1 - 75 Rymal Road West
Change in Zoning from "C" (Urban Protected Residential, etc) District to "HH" (Restricted Community Shopping and Commercial) District, Modified



Block 2 - 79 Rymal Road West
Further modification to "HH" (Restricted Community Shopping and Commercial) District


Hamilton
Planning and Emnomic Development Department

North 	Scale: Not to Scale	File Name/Number: ZAC-05-38
	Date: April 2005	Planner/Technician: HT/LM

&C File Name: N:\11T&c\Zoning_By-Law_Amendments\By-Law_Schedule_A\2005\April\Core\ZAC-05-38_Sched_A.cdr