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 Catenini
Acting City Clerk
Schedule “1”

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/INB
Reference File No.: OPA__(H)