

Authority: Item 7, Planning Committee
Report: 11-013 (PED11123)
CM: July 7, 2011

Bill No. 188

CITY OF HAMILTON

BY-LAW NO. 11-188

To Amend Zoning By-law 6593 (Hamilton) as Amended by By-law 80-171, Respecting Lands Located at 95 Rymal Road West (Hamilton)

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario 1999 Chap. 14, Schedule C did incorporate, as of January 1st, 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 Hamilton" and is the successor of 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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council or the City of Hamilton;

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

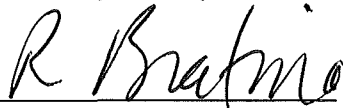
AND WHEREAS the Council of the City of Hamilton, in adopting Item 7 of Report 11-013 of the Planning Committee, at its meeting held on the 7th day of July, 2011, recommended that Zoning By-law No. 6593 (Hamilton) be amended as hereinafter provided;

AND WHEREAS this By-law will be in conformity with the Official Plan of the City of Hamilton (the Official Plan of the former City of Hamilton) in accordance with the provisions of the Planning Act.

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

1. That Sheet No. W-9e of the District Maps, appended to and forming part of By-law No. 6593 (Hamilton), as amended, is further amended by changing the zoning from the "C/S-706" (Urban Protected Residential) District, Modified, to the "C/S-706a" (Urban Protected Residential) District, Modified, on the lands the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".
2. That the "C" (Urban Protected Residential, etc.) District regulations, as contained in Section 9 of Zoning By-law No. 6593, are modified to include the following special provisions:
 - (a) That notwithstanding Section 9(1) of Zoning By-law No. 6593, the following uses shall also be permitted:
 - (i) A bank with a maximum gross floor area of 56 square metres in conjunction with a dwelling unit only within the single-detached dwelling existing on the date of the passing of this By-law, being the 7th day of July, 2011;
 - (b) That notwithstanding Section 2(a)(i) above, drive-thru facilities are prohibited;
 - (c) That notwithstanding Section 9(3)(iii) of Zoning By-law No. 6593, a rear yard of a depth of at least 4.4 metres shall be provided and maintained;
 - (d) That notwithstanding Section 18A(11)(i) of Zoning By-law No. 6593, the boundary of every parking area on a lot containing five or more parking spaces located on the surface of a lot adjoining a residential district shall be not less than 1.3 metres from the adjoining residential district; and,
 - (e) That Sections 18A(14)(c)(i) and (ii) of Zoning By-law No. 6593 shall not apply to the existing parking lot on the date of the passing of this By-law, being the 7th day of July, 2011.
3. That Zoning By-law No. 6593 is amended by adding this By-law to Section 19B as Schedule S-706a.
4. That the Clerk is hereby authorized and directed to proceed with the giving of notice of passing of this By-law, in accordance with the Planning Act.

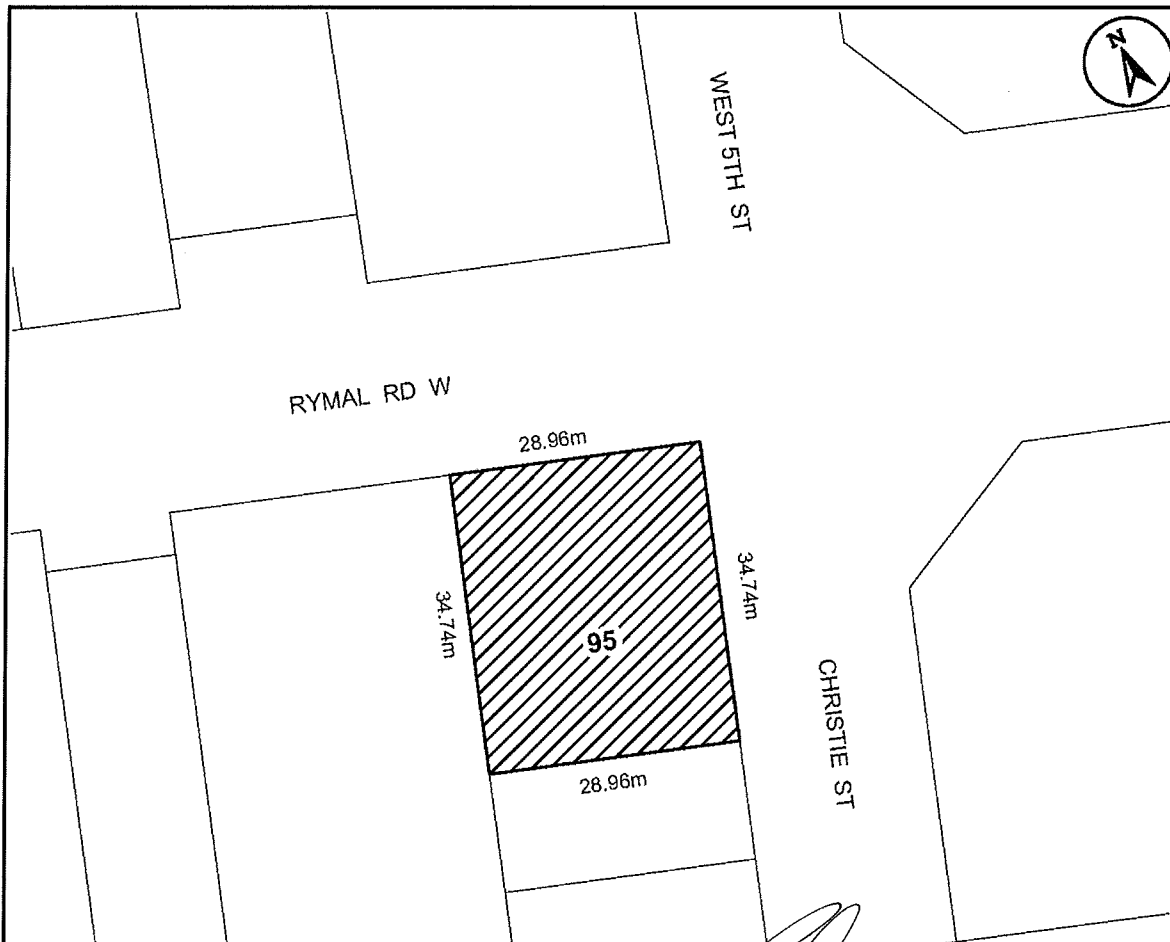
PASSED this 7th day of July, 2011.

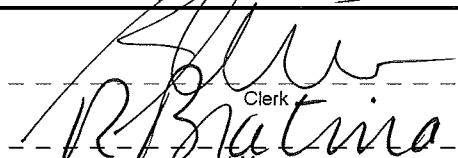



R. Bratina
Mayor



R. Caterini
City Clerk



This is Schedule "A" to By-Law No. 11-188 Passed the 7 th day of ...July....., 2011	 Clerk Mayor
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<h2>Schedule "A"</h2> Map Forming Part of By-Law No. 11- 188 to Amend By-law No. 6593	Subject Property 95 Rymal Road West, Hamilton  Change in Zoning from the "C/S-706" (Urban Protected Residential, etc.) District, Modified, to the "C/S-706a" (Urban Protected Residential, etc.) District, Modified
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Scale: N.T.S.	File Name/Number: ZAR-11-005/OPA-11-002	 Hamilton
Date: May 16, 2011	Planner/Technician: TLJAL	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		