

Authority: Item 12, Economic Development
and Planning Committee
Report 09-009 (PED09077)
CM: April 29, 2009

Bill No. 088

CITY OF HAMILTON

BY-LAW NO. 09-088

To Amend Zoning By-law No. 6593 (Hamilton), respecting lands located at 765 Rymal Road East (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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council or the City of Hamilton;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 12 of Report 09-009 of the Economic Development and Planning Committee, at its meeting held on the 29th day of April, 2009, 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 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:

By-law respecting 765 Rymal Road East (Hamilton)

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1. That Sheet No. E-38d of the District Maps, appended to and forming part of By-law No. 6593 (Hamilton), is amended:
 - (a) by changing from the "C" (Urban Protected Residential, etc.), District to the "C/S-1608" (Urban Protected Residential, etc.) District, Modified, the lands comprised of Block "1";
 - (b) by changing from the "AA" (Agricultural) District to the "C/S-1608" (Urban Protected Residential, etc.) District, Modified, the lands comprised of Block "2";
 - (c) by changing from the "C" (Urban Protected Residential, etc.), District to the "C/S-1608" (Urban Protected Residential, etc.) District, Modified, the lands comprised of Block "3";
 - (d) by changing from the "AA" (Agricultural) District to the "C/S-1608-'H'" (Urban Protected Residential, etc. - Holding) District, Modified, the lands comprised of Block "4"; and,
 - (e) by changing from the "C" (Urban Protected Residential, etc.), District to the "C/S-1608-'H'" (Urban Protected Residential, etc. - Holding) District, Modified, the lands comprised of Block "5";

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

2. That the 'H' symbol, applicable to the lands referred to in Sections 1 (d) and (e) of this By-law, shall be removed conditional upon:
 - (a) The Owner conveying the portion of Block "5" abutting the lands known as 759 Rymal Road East to 759 Rymal Road East, to the satisfaction of the Director of Planning.

City Council may remove the 'H' symbol and thereby give effect to the "C/S-1608" (Urban Protected Residential etc.) District, Modified, by enactment of an amending By-law once the above condition has been fulfilled.

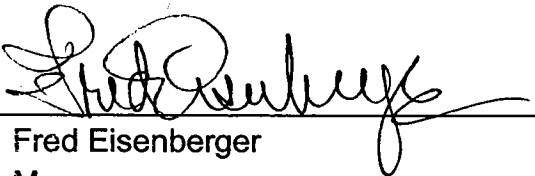
3. That the "C" (Urban Protected Residential, etc.) District regulations, as contained in Section 9 of Zoning By-law No. 6593, be modified to include the following requirements:
 - (a) That notwithstanding Section 9(3)(iii) of Zoning By-law No. 6593, a rear yard of a depth of at least 7.0m shall be provided and maintained.

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- (b) That notwithstanding Section 9(4) of Zoning By-law No. 6593, every lot or tract of land shall have a minimum width of 11.4m and a minimum area of 312m².
4. That Zoning By-law No. 6593 is amended by adding this By-law to Section 19B as Schedule S-1608.
 5. That Sheet E-38d of the District Maps is amended by marking the lands referred to in Section 1 of this By-law as S-1608.
 6. 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.

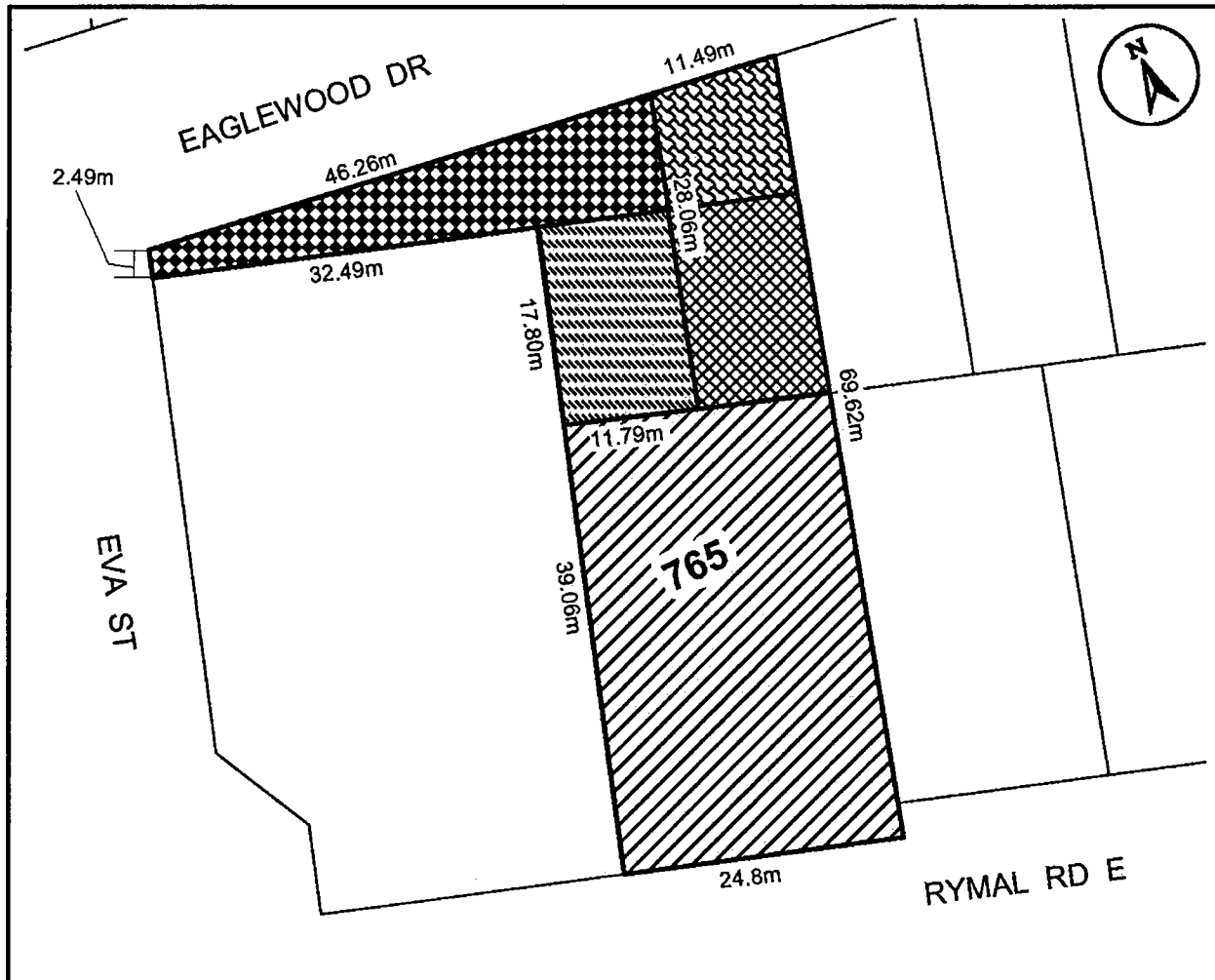
PASSED and ENACTED this 29th day of April, 2009.


Fred Eisenberger
Mayor


Kevin C. Christenson
City Clerk

ZAR-08-080






By-law respecting 765 Rymal Road East (Hamilton)



This is Schedule "A" to By-Law No. 09- 088
 Passed the .29th.. day of ...April....., 2009

[Signature]
 Clerk
 Mayor

Schedule "A"
 Map Forming Part of
 By-Law No. 09- 088
 to Amend By-law No.6593

- Subject Property**
 765 Rymal Road East
-  Block 1 - Lands to be rezoned from "C" (Urban Protected Residential, etc.) District to "C/S-1608" (Urban Protected Residential, etc.) District, Modified.
 -  Block 2 - Lands to be rezoned from "AA" (Agricultural) District to "C/S-1608" (Urban Protected Residential, etc.) District Modified.
 -  Block 3 - Lands to be rezoned from "C" (Urban Protected Residential, etc.) District to "C/S-1608" (Urban Protected Residential, etc.) District Modified.
 -  Block 4 - Lands to be rezoned from "AA" (Agricultural) District to "C/S-1608-H" (Urban Protected Residential etc. -Holding) District, Modified.
 -  Block 5 - Lands to be rezoned from "C" (Urban Protected Residential, etc.) District to "C/S-1608-H" (Urban Protected Residential, etc. - Holding) District, Modified.

Scale: N.T.S.	File Name/Number: ZAR-08-080
Date: March 16, 2009	Planner/Technician: KM/AL

