

**Authority:** Item 5, Planning Committee  
Report 14-011 (PED14143)  
CM: July 11, 2014

**Bill No. 178**

**CITY OF HAMILTON**

**BY-LAW No. 14-178**

**To Amend Zoning By-law No. 05-200,  
Respecting Lands Located at 1910 Rymal Road East,  
Former Township of Glanbrook**

**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 25<sup>th</sup> day of May, 2005;

**AND WHEREAS** the Council of the City of Hamilton, in adopting Item 5 of Report 011 of the Economic Development and Planning Committee, at its meeting held on the 11<sup>th</sup> day of July, 2014, recommended that Zoning By-law No. 05-200 be amended as hereinafter provided;

**AND WHEREAS** the Urban Hamilton Official Plan was declared in force and effect on August 16, 2013 and is the Official Plan in effect for lands within the Urban Area of the City of Hamilton;

**AND WHEREAS** this By-law is in conformity with the Urban Hamilton Official Plan;

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

1. That Map No. 1594 of Schedule "A" to Zoning By-law No. 05-200 is amended by incorporating the Neighbourhood Institutional (I1, 458, H53) Zone boundaries for the lands municipally known as 1910 Rymal Road East, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".
2. That Schedule "C" – Special Exceptions, of By-law No. 05-200, is hereby amended by adding the following subsection:

"458 Notwithstanding Section 8.1 Neighbourhood Institutional (I1) Zone of this By-law, in particular subsection 8.1.1 Permitted Uses, the use on the subject lands shall be restricted to a day nursery."

3. That Schedule "D" – Holding Provisions, of By-law No. 05-200, is amended by adding an additional Holding Provision as follows:


"53. Notwithstanding Section 8.1 Neighbourhood Institutional (I1) Zone of this By-law, on those lands zoned Neighbourhood Institutional (I1, 458) Zone, no development shall be permitted until such time as:

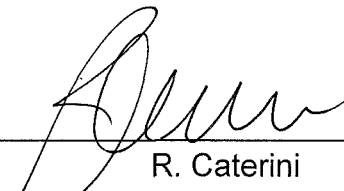
- (i) The owner has paid the proportionate share of the costs associated with the sanitary and storm mainline sewers along Rymal Road East including private drain connections, to the satisfaction of the Senior Director of Growth Management;
- (ii) The owner has applied for and received final Site Plan approval, to the satisfaction of the Manager of Development Planning, Heritage and Design; and,
- (iii) The funded and scheduled reconstruction of Rymal Road East in front of the subject lands has been determined, and coordinated to be completed concurrent with the construction of the development proposal. This shall not be later than the Fall of 2015 or the 'H' Holding Provision can be removed, but the 'H' symbol may be removed earlier if the aforementioned road works are completed sooner. Removal of the 'H' Holding Provision is to the satisfaction of the Director of Planning and the Manager of Engineering Approvals.

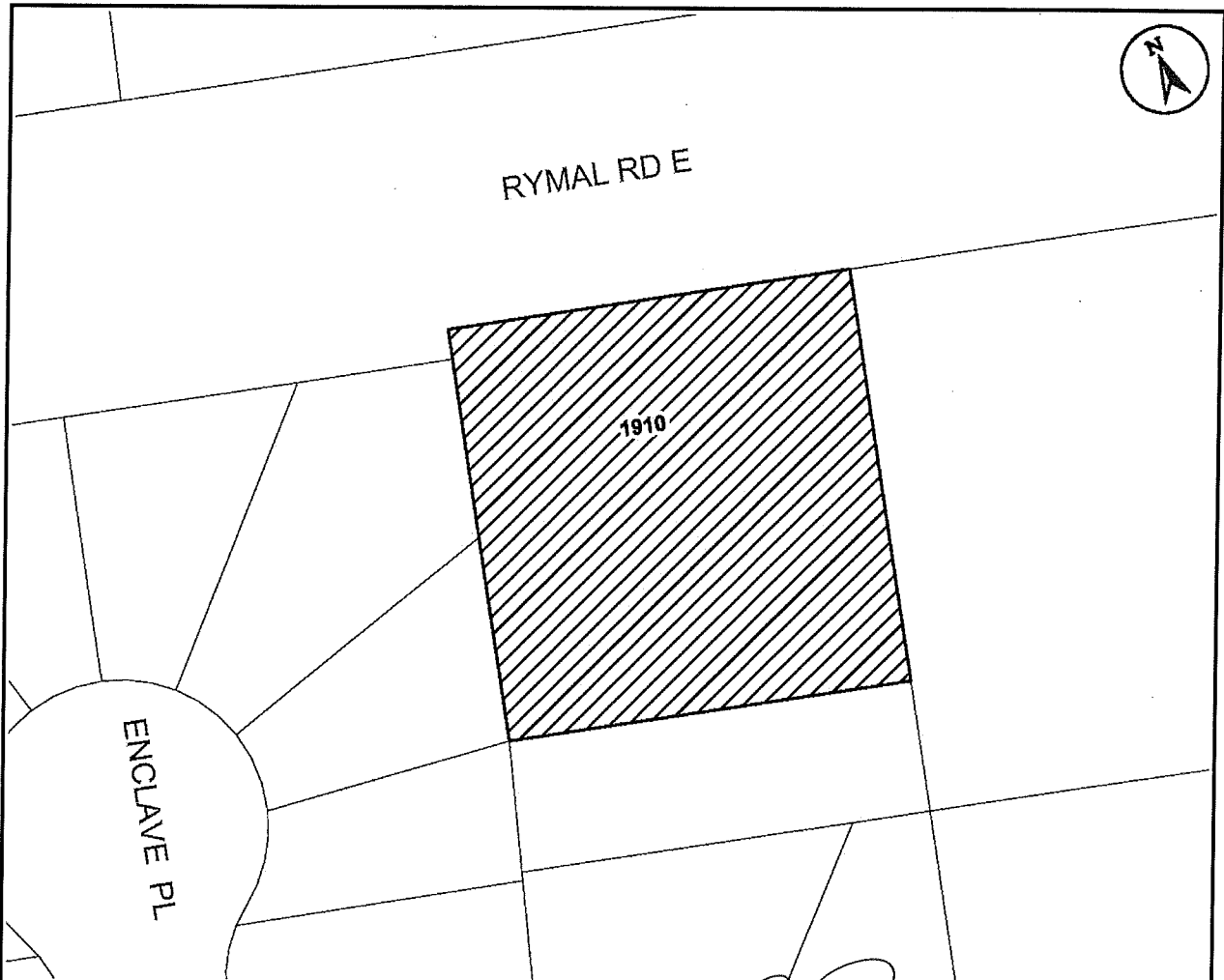
4. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the Planning Act.

5. That this By-law No. 14-178 shall come into force and be deemed to come into force in accordance with Subsection 34(21) of the Planning Act, either upon the date of passage of this By-law or as otherwise provided by the said subsection.

**PASSED** this 11th day of July, 2014.

  
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R. Bratina  
Mayor


  
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R. Caterini  
Clerk



This is Schedule "A" to By-law No. 14- 178  
 Passed the 11th day of July, 2014

*R. Bratina*  
 Mayor  
*[Signature]*  
 Clerk

**Schedule "A"**  
 Map Forming Part of  
 By-law No. 14- 178  
 to Amend By-law No. 05-200  
 Map 1594

**Subject Property**  
 1910 Rymal Road East  
 Lands to be zoned Neighbourhood Institutional (Holding) (I1,458,H53) Zone, Modified

Scale:  
 N.T.S.

File Name/Number:  
 ZAC-13-024

Date:  
 Feb. 18, 2014

Planner/Technician:  
 DM/AL



PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT