

**Authority:** Item 4, Planning Committee  
Report: 17-016 (PED17160)  
CM: October 11, 2017  
Ward: 6

**Bill No. 218**

## **CITY OF HAMILTON**

### **BY-LAW NO. 17-218**

#### **To Amend Zoning By-law No. 6593 (Hamilton), Respecting Lands Located at 820 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";

**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";

**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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

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

**WHEREAS**, the Council of the City of Hamilton, in adopting Item 4 of Report 17-016 of the Planning Committee, at its meeting held on the 11<sup>th</sup> day of October, 2017, which recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided;

**WHEREAS**, this By-law will be in conformity with the Urban Hamilton Official Plan upon approval of Official Plan Amendment No. 84.

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

1. That Sheet No. E38e of the District Maps, appended to and forming part of Zoning By-law No. 6593 (Hamilton) is amended, by changing from the "AA" (Agricultural) District to the "RT-30/S-1752" (Street-Townhouse) District, Modified

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

2. That the “RT-30” (Street-Townhouse) District provisions are contained in Section 10F of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following special requirements:
- a) That notwithstanding Section 2 (2) (A) (viid), a Dwelling, Street Townhouse shall mean a townhouse dwelling in which all dwelling units front on a public street or a common element driveway.
  - b) That in addition to Section 2 (2) (J) (xiii), for the lots abutting Rymal Road East, Rymal Road East shall be deemed the front lot line, the lot line opposite to and furthest from the front lot line shall be deemed the rear lot line, and all other lot lines shall be deemed a side lot line.
  - c) That notwithstanding Section 10F (4) (a), a front yard of a depth of not less than 3 metres.
  - d) That in addition to Section 10F (4) (c), (ii) a side yard depth from the hypotenuse of the daylight triangle of 1 metre shall be provided.
  - e) That notwithstanding Section 10F (6) (i) and (ii), a lot area not less than 161 square metres and a lot width of not less than 5.95 metres for each dwelling unit.
  - f) That notwithstanding Section 18A (1) (b), a minimum of seven (7) visitor parking spaces shall be required.
  - g) That notwithstanding Section 18A (1) (f), no on-site manoeuvring space shall be provided for 90 degree parking spaces.
  - h) That notwithstanding Section 18A (9), manoeuvring space for the shall be provided and maintained on the common element road.
  - i) That notwithstanding Section 18A (10), the parking space provided within the attached garage is permitted to be obstructed by another parking space provided on the access driveway.
  - j) That Section 18A (14g), shall not apply.
  - k) That notwithstanding Section 18A (22), the manoeuvring space for the parking provided within the attached garage is permitted to be obstructed by another parking space.
  - l) That a maximum of fourteen (14) street townhouse dwelling units shall be permitted.
  - m) That no individual driveways shall be permitted to Rymal Road East.

- 3) That 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 "RT-30" District provisions, subject to the special requirements in Section 2 of this By-law.
- 4) That By-law No. 6593 (City of Hamilton) is amended by adding this By-law to Section 19B as Schedule S-1752.
- 5) That Sheet No. E38e of the District maps is amended by making the lands referred to in Section 1 of this By-law as Schedule S-1752.
- 6) 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*.

**PASSED** this 25<sup>th</sup> day of October, 2017.

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F. Eisenberger  
Mayor

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R. Caterini  
City Clerk

ZAR-15-063/OPA-17-013



This is Schedule "A" to By-law No. 17-  Passed the ..... day of ....., 2017	----- Mayor  ----- Clerk
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<h2 style="margin: 0;">Schedule "A"</h2> <p style="margin: 10px 0 0 0;">Map Forming Part of By-law No. 17-_____</p> <p style="margin: 10px 0 0 0;">to Amend By-law No. 6593</p>	<p><b>Subject Property</b> 820 Rymal Road East</p> <p> Change in zoning from the "AA" (Agricultural) District to the "RT-30/S-1752" (Street - Townhouse) District, Modified</p>
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Scale: N.T.S.	File Name/Number: ZAC-15-063 / UHOPA-17-013		Date: August 4, 2017	Planner/Technician: DB/AL
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT				