

Authority: Item 6, Planning Committee
Report 22-013 (PED22171)
CM: August 12, 2022
Ward: 6

Bill No. 214

CITY OF HAMILTON
BY-LAW NO. 22-214
To Amend Zoning By-law No. 6593, Respecting Lands
Located at 705 and 713 Rymal Road East

WHEREAS the *City of Hamilton Act, 1999*, Statutes of Ontario, 1999 Chap. 14, Schedule C. did incorporate, as of January 1, 2001, the municipality “City of Hamilton”;

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the “The Corporation of the City of Hamilton” and is the successor to 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Plan of the former regional municipality continue in full force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 (Hamilton) on the 25th day of July 1950, which by-law 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 6 of Report 22-013 of the Planning Committee at its meeting held on the 12th day of August, 2022, which recommended that Zoning By-law No. 6593, be amended as hereinafter provided;

AND WHEREAS this By-law will be in conformity with the Urban Hamilton Official Plan, upon finalization of Official Plan Amendment No. 172.

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

1. That Sheet No. E38d of the District Maps, appended to and forming part of Zoning By-law No. 6593 (Hamilton), are amended:
 - a) By changing the zoning from the “AA” (Agricultural) District to the “RT-30/S-RT-30/S-1824” (Street - Townhouse) District, Modified; the lands comprised of Block 1; and,
 - b) By changing the zoning from the “C” (Urban Protected Residential, Etc.) District to the “RT-30/S-1824” (Street - Townhouse) District, Modified; the lands comprised of Block 2;

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, as contained in Section 10F of Zoning By-law No. 6593, applicable to Blocks 1 and 2, be modified to include the following special requirements:
 - a) For the purpose of this By-law, a common element condominium road shall be deemed to be a street, and visitor parking areas, sidewalks, landscaping, waste collection areas, community mailboxes, and other similar ancillary uses are permitted uses within the private roads;
 - b) Notwithstanding any provision of this By-law, for the purpose of this By-law, the lot line abutting a common element condominium road is deemed to be the front lot line;
 - c) Notwithstanding Subsection 10F (3), no building shall exceed two storeys, and no structure shall exceed 10.5 metres in height;
 - d) Notwithstanding Subsection 10F (4) (a), a front yard depth to a garage of at least 6.0 metres and to a dwelling of at least 2.8 metres;
 - e) Notwithstanding Subsection 10F (4) (b), a rear yard depth of at least 6.0 metres;
 - f) Notwithstanding Subsection 10F (4) (c), a side yard abutting a wall that is not a party wall, along each side lot line be a width of not less than 1.5 metres, except for a side yard abutting Rymal Road East and the north property line the depth shall be at least 3.0 metres;
 - g) Notwithstanding Subsection 10F (5) (b), the distance between two end walls shall not be less than 2.4 metres;
 - h) Notwithstanding Subsection 10F (6) (i), there shall be provided a lot area of not less than 150.0 square metres;
 - i) In addition to Subsection 18 (3) (vi) (d), a roofed-over or screened but otherwise unenclosed one-storey porch at the first storey level, including eaves and gutters, may project into a required side yard to a distance of not more than 2.0 metres, and every such projecting porch shall be distant at least 1.3 metres from the nearest street line;
 - j) Notwithstanding Subsection 18 (4) (v) (a), a transformer or transformers may be permitted within a required front yard;

- k) Notwithstanding Subsection 18A. (1) (b), the minimum visitor parking ratio required for a Street Townhouse Dwelling shall be 0.25 spaces per unit;
 - l) Notwithstanding Subsection 18A. (7), every required parking space, other than a parallel parking space, shall have dimensions not less than 2.8 metres wide and 5.8 metres long;
 - m) Notwithstanding Subsection 18A. (9), for the purposes of this By-law, required visitor parking spaces are permitted to be located off-site within the common element condominium road; and,
 - n) Subsections 18A. (7b), (12), and (14g) shall not apply;
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" (Street - Townhouse) District provisions subject to the special requirements referred to in Section 2 of this By-law;
 4. That By-law No. 6593 is amended by adding this By-law to Section 19B as Schedules S-1824;
 5. That Sheet No. E38d of the District Maps are amended by marking the lands referred to in Section 1 of this By-law as S-1824; and,
 6. 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 12th day of August, 2022.

F. Eisenberger
Mayor

A. Holland
City Clerk

ZAC-21-026





This is Schedule "A" to By-law No. 22-
 Passed the day of, 2022


 Mayor

 Clerk

Schedule "A"
Map forming Part of
By-law No. 22-_____
to Amend By-law No. 6593

Subject Property
 705 - 713 Rymal Road East, Hamilton

-  Block 1 - Change in zoning from the "AA" (Agricultural) District to the "RT-30/S-1824" (Street – Townhouse) District, Modified
-  Block 2 - Change in zoning from the "C" (Urban Protected Residential, Etc.) District to the "RT-30/S-1824" (Street – Townhouse) District, Modified

Scale: N.T.S	File Name/Number: ZAC-21-026 & UHOPA-21-012	 Hamilton
Date: July 4, 2022	Planner/Technician: TV/AL	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		