

**Authority:** Item 5, Economic Development  
and Planning Committee  
Report: 09-020 (PED08265)  
CM: October 14, 2009

**Bill No. 222**

**CITY OF HAMILTON**

**BY-LAW NO. 09-222**

**To Amend Zoning By-law No. 6593**

**Respecting Lands Located at Respecting Lands Located at  
615 to 647 Rymal Road East  
(Rymal Square)**

**WHEREAS** the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap. 14, Sch. 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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 5 of Report 09-020 of the Economic Development and Planning Committee at its meeting held on the 14th day October of 2009, recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided;

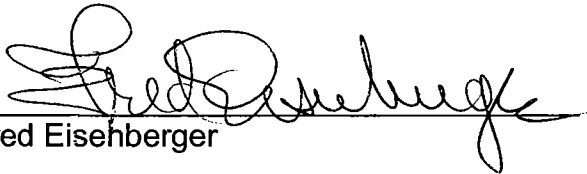
**AND WHEREAS** this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

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

1. That Sheet No. E27d of the District Maps, appended to and forming part of By-law No. 6593 (Hamilton), is amended by changing the zoning from the "E/S-1493" (Multiple Dwellings, Lodges, Clubs, etc.) District, Modified, to the "RT-30" (Townhouse-Maisonette) 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, regulations, as contained in Section 10 of Zoning By-law No. 6593, applicable to this by-law, are modified to include the following special requirements:
  - (a) That a maximum of 69 street townhouse units shall be permitted on a private road, which shall include visitors parking areas.
  - (b) That notwithstanding Section 4(3)(b) and Section 10F(6)(i) of Zoning By-law 6593, for the purposes of frontage, frontage on a public highway shall not be required, provided that vehicular access is provided to each unit by a 6.0 metre wide private driveway within a Registered Plan of Condominium;
  - (c) That notwithstanding Section 10F(4)(a), the following special yard shall apply:
    - (i) the minimum setback from the front face of a dwelling to a condominium road shall be 3.0 metres, however a minimum 6.0 metre setback shall be required to the attached garage from a condominium road, except that a minimum front setback of 5.8 metres shall be permitted for end units which are situated on 2 condominium roads.
  - (d) That notwithstanding Section 10F(4)(b), a minimum rear yard depth of 6 metres shall be provided;
  - (e) That notwithstanding Section 10F(4)(c), the following minimum side yards shall apply:
    - (i) a minimum side yard width of 1.5 metres shall be provided;
    - (ii) a minimum side yard width of 1.0 metre shall be provided to a condominium road; and,
    - (iii) a minimum side yard width of 5.5 metres shall be provided to a public street, being Rymal Road East and Upper Sherman Avenue
  - (f) Section 10F(5) shall not apply.
  - (g) That notwithstanding Section 10F(6)(i), an area of not less than 150 square metres shall be provided for each single family dwelling unit;
  - (h) That notwithstanding Section 18A(7), the minimum size of parking spaces for visitor parking shall be 2.6 metres by 5.5 metres;

- (i) Visitors parking on a condominium road shall consist of a minimum of 25 spaces.
- 3. 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.
- 4. Sheet No. E27d of the District Maps is amended by marking the lands referred to in Section 1 of this by-law as S-1623.
- 5. That Zoning By-law No. 6593 (Hamilton) is amended by adding this By-law to Section 19B as Schedule S-1623.
- 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 and ENACTED** this 28<sup>th</sup> day of October, 2009.

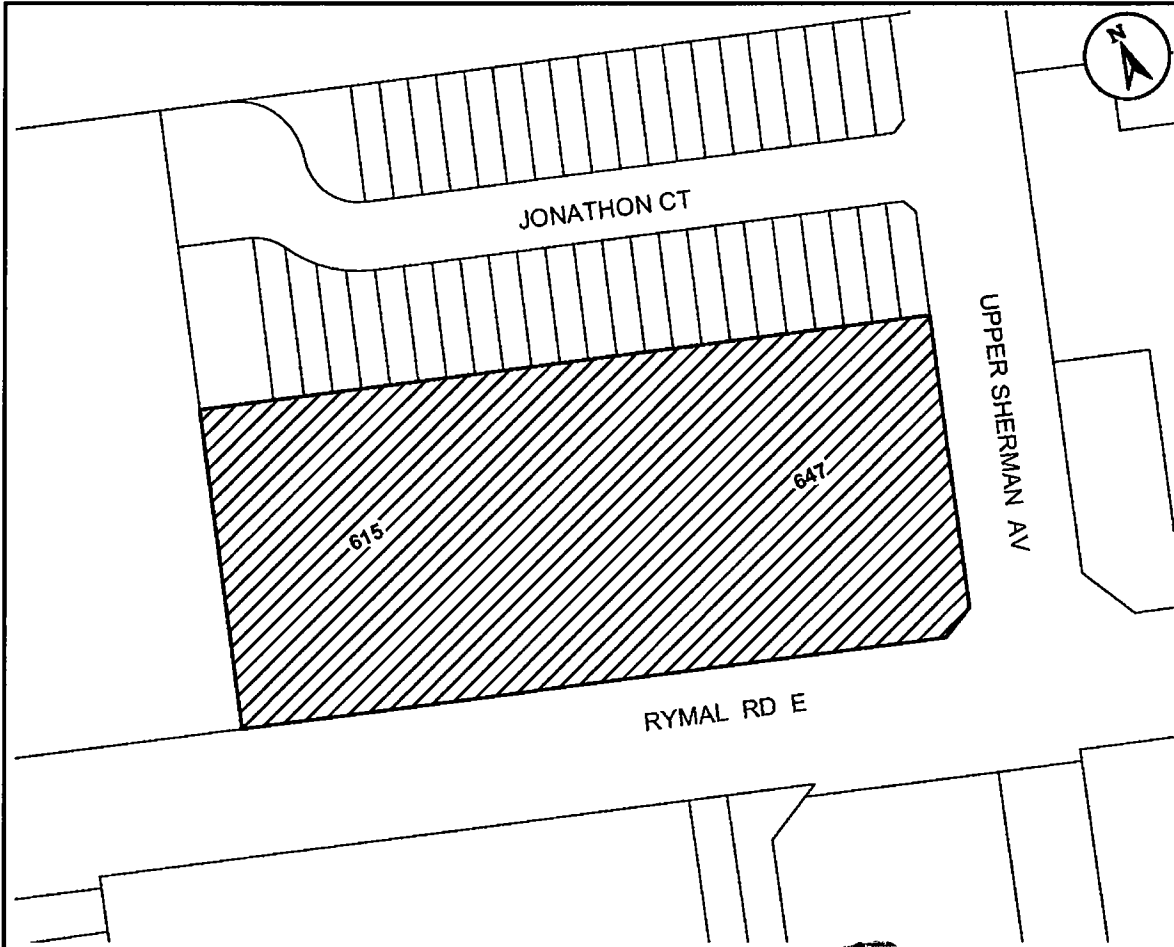


Fred Eisenberger  
Mayor

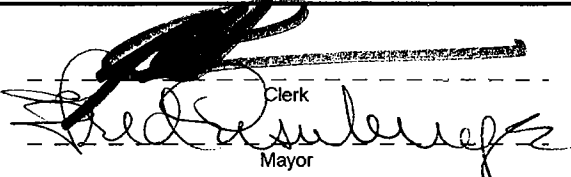


Kevin C. Christensen  
City Clerk


ZAC-07-094




This is Schedule "A" to By-Law No. 09222  
 Passed the 28th..... day of ..October....., 2009

  
 Clerk  
 Mayor

**Schedule "A"**  
 Map Forming Part of  
 By-Law No. 09- 222  
 to Amend By-law No.6593

**Subject Property**  
 615 - 647 Rymal Road East  
 Change in Zoning from the "E/S-1493"  
 (Multiple Dwellings, Lodges, Clubs, etc.)  
 District Modified, to the "RT-30/S-1623"  
 (Townhouse - Maisonette) District, Modified

Scale: N.T.S.	File Name/Number: ZAC-07-094	
Date: October 5, 2009	Planner/Technician: CT/AL	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		<b>Hamilton</b>