

Authority: Item 10, Planning Committee
Report 18-012 (PED18183)
CM: August 17, 2018
Ward: 8

Bill No. 234

CITY OF HAMILTON

BY-LAW NO. 18-234

**To Amend Zoning By-law No. 6593,
as amended by By-law Nos. 79-226, 81-235, 83-221 and 85-165
Respecting Lands Located at 393 Rymal Road West, Hamilton**

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Plan of the former regional municipality continue in full force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 10 of Report 18-012 of the Planning Committee, at its meeting held on the 17th day of August 2018, which recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided; and,

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 paragraph 2 of Section 2 of By-law No. 79-226 is deleted in its entirety.
2. That paragraph 6 of Section 2 of By-law No. 79-226 is deleted in its entirety.
3. That paragraph 7 of Section 2 of By-law No. 79-226 is deleted in its entirety.
4. That paragraph 8 of Section 2 of By-law No. 79-226 is deleted in its entirety.
5. That By-law No. 85-165 is deleted in its entirety.

6. That Sheet No. W17e of the District Maps appended to and forming part of Zoning By-law No. 6593 (Hamilton), is further amended by changing the zoning from DE/S-664", "DE/S-664a", "DE/S-664b" and "DE/S-664c" (Low Density Multiple Dwellings) District, Modified to the "DE/S-664d" (Low Density Multiple Dwellings) District, Modified; the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".
7. That the DE (Low Density Multiple Dwellings) District, provisions as contained within Section 10A of Zoning By-law No. 6593 and further amended by DE/S-664", "DE/S-664a" "DE/S-664b" "DE/S-664c" (Low Density Multiple Dwellings) District, Modified applicable to the subject lands, be further modified to include the following special requirements:
 - a) The townhouse dwelling, containing three dwelling units existing on the date of the passing of the By-law shall be permitted.
 - d) A clubhouse use and cafeteria shall be permitted as an accessory use within a multiple dwelling for the exclusive use of the residents of St. Elizabeth's Village.
 - c) A maximum of 160 dwelling units shall be permitted being a townhouse dwelling containing three dwelling units and a multiple dwelling contain a maximum 157 dwelling units.
 - d) Notwithstanding Section 10A(2), a multiple dwelling shall not exceed six storeys and 24.0 metres in height.
 - e) Notwithstanding Section 10A(3)(i), a front yard of a depth of at least 6.9 metres from Garth Street the existing townhouse dwelling existing at the date of the passing of this By-law.
 - f) Notwithstanding Section 10A(3)(ii)(c), a side yard setback of 3.0 metres shall be provided for the existing townhouse dwelling existing at the date of the passing of this By-law.
 - g) The Trillium Clubhouse, associated uses and parking existing on the date of the passing of the By-law shall be permitted.
 - h) Notwithstanding Section 10A(3)(ii)(c), a minimum setback of 4.7 metres shall be provided to the southerly limits of the "DE/S-664d" zone boundary.
 - i) In addition to Section 10A(4), a minimum at grade building setback of 10 metres shall be provided from the established flood line to the multiple dwelling, not including retaining walls, pathways, patios and similar uses.

- j) Notwithstanding Section 18A Subsection 1b, Table 2 and Section 18(16), a minimum of 30 visitor parking spaces shall be provided at grade.
 - k) Notwithstanding Section 18A Subsection 1c) and table 3, a minimum of two (2) loading spaces shall be provided having a minimum size of 3.7 m by 9.0 m by 4.3 m.
 - l) That Section 18(A)(11) shall not apply.
 - m) That Section 18(A)(12) shall not apply.
 - n) That Section 18(A)(25) shall not apply.
8. 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 “DE-S/664d” (Low Density Multiple Dwellings) District, Modified provisions, subject to the special requirements referred to in Section 7.
9. That Sheet No. W17e of the District Maps is amended by marking the lands referred to in Section 6 of the By-law as “DE-S/664d”.
10. 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 17th day of August, 2018.

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk

ZAC-16-075

To Amend Zoning By-law No. 6593,
as amended by By-law Nos. 79-226, 81-235, 83-221 and 85-165
Respecting Lands Located at 393 Rymal Road West, Hamilton



<p>This is Schedule "A" to By-law No. 18-</p> <p>Passed the day of, 2018</p>	<p style="text-align: center;">-----</p> <p style="text-align: center;">Mayor</p> <p style="text-align: center;">-----</p> <p style="text-align: center;">Clerk</p>
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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. 18-_____</p> <p style="margin: 10px 0 0 0;">to Amend By-law No. 6593</p>		<p>Subject Property 393 Rymal Road West</p> <p> Change in zoning from the "DE/S-664", "DE/S-664a", "DE/S-664b" and "DE/S-664c" (Low Density Multiple Dwellings) District, Modified to the "DE/S-664d" (Low Density Multiple Dwellings) District, Modified</p> <p> Zoning of the lands to remain unchanged</p>				
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 2px;">Scale: N.T.S.</td> <td style="padding: 2px;">File Name/Number: ZAC-16-075</td> </tr> <tr> <td style="padding: 2px;">Date: May 25, 2018</td> <td style="padding: 2px;">Planner/Technician: MF/VS</td> </tr> </table>	Scale: N.T.S.	File Name/Number: ZAC-16-075	Date: May 25, 2018	Planner/Technician: MF/VS		
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<p style="font-size: small; margin: 0;">PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT</p>						