

**Authority:** Item 3, Planning Committee Report 24-002 (PED24021)  
CM: February 14, 2024 Ward: 8  
Written approval for this by-law was given by Mayoral Decision MDE-2024 02  
Dated February 14, 2024

**Bill No. 023**

**CITY OF HAMILTON  
BY-LAW NO. 24-023**

**To Amend Zoning By-law No. 05-200 with Respect to Lands Located at  
164, 168 and 176 Rymal Road East, Hamilton**

**WHEREAS** Council approved Item 3 of Report 24-002 of the Planning Committee, at its meeting held on February 14, 2024;

**AND WHEREAS** this By-law conforms to the Urban Hamilton Official Plan;

**NOW THEREFORE** Council amends Zoning By-law No. 05-200 as follows:

1. That Schedule “A” – Zoning Maps, Map Nos. 1395 and 1446 are amended by adding the Transit Oriented Corridor Multiple Residential (TOC3, 887, H165) Zone, for the lands known as 164, 168 and 176 Rymal Road East, the extent and boundaries of which are shown on Schedule “A” to this By-law.
2. That Schedule “C”: Special Exceptions is amended by adding the following new Special Exception:
  - “887. Within the lands zoned Transit Oriented Corridor Multiple Residential (TOC3) Zone, identified on Map Nos. 1395 and 1446 of Schedule “A” – Zoning Maps and described as 164, 168 and 176 Rymal Road East, Hamilton, the following special provisions shall apply:
    - a) The building existing on the date of the passing of this By-law located at 164 Rymal Road East, not including accessory structures, shall be retained and adaptively reused in accordance with Sections 11.3.1, 11.3.1.1, 11.3.2 and Sections b) and c) below.
    - b) Notwithstanding Section 5.2 c) i), 5.6 c) i), 5.7 c), and 5.7 e), as it relates to a Multiple Dwelling, the following regulations shall apply:
      - i) Tandem parking shall be permitted.

- ii) That tandem parking outlined in a) i) above, shall only apply to providing additional parking, supplementary to any required parking.
  - iii) A parking ratio of 1.47 parking spaces per unit shall be permitted.
  - iv) 25 short term bicycle parking spaces shall be required.
- c) Notwithstanding Section 11.3.1.1 i) 1., 11.3.2 b), 11.3.2 c) and 11.3.2 e) i) and ii), the following regulations shall apply:
- i) Restriction of Uses within a building      Section 11.3.1.1 i), shall not apply for the lands included in Block 2 of Figure No. 38 of Schedule “F” – Special Figures.
  - ii) Minimum Rear Yard      1.5 metres
  - iii) Minimum Interior Side Yard      A) 3.0 metres for lots abutting a single detached dwelling, semi-detached dwelling or street townhouse dwelling, for the lands included in Block 1 of Figure No. 38 of Schedule “F” – Special Figures.  
  
B) 6.0 metres for lots abutting a single detached dwelling, semi-detached dwelling or street townhouse dwelling for the lands included in Block 2 of Figure No. 38 of Schedule “F” – Special Figures.
  - iv) Minimum Building Height      6.5 metres
  - v) Maximum Building Height      11.0 metres
3. That Schedule “D” – Holding Provision, of By-law No. 05-200, be amended by adding the following Holding Provision:
- “165. Notwithstanding Section 11.3 of this By-law, within lands zoned Transit Oriented Corridor Multiple Residential (TOC3, 887) Zone on Map Nos. 1395 and 1446 on Schedule “A” – Zoning Maps, and described as 164,

168 and 176 Rymal Road East, Hamilton, no development or demolition shall be permitted until such time as:

- i) That the properties municipally known as 164, 168 and 176 Rymal Road East be merged in title, to the satisfaction of the Director of Development Planning;
  - ii) The Owner submitting and receiving approval of a revised Functional Servicing Report demonstrating that the increased wastewater generated from the proposed development will not adversely impact the hydraulic performance of the City's sanitary sewer system by completing a sanitary sewer analysis from the proposed junction to the existing manhole at the intersection of Upper Wellington Street and Byng Street to demonstrate that there is residual capacity in the system to support the proposed development, to the satisfaction of the Director of Development Engineering;
  - iii) The Owner submitting and receiving approval of a revised Functional Servicing Report providing additional storm water management details to demonstrate the feasibility of accommodating the required storm water storage within the site, to the satisfaction of the Director of Development Engineering;
  - iv) The Owner submitting and receiving approval of a revised Tree Protection Plan (and applicable review fee) to evaluate the retention of additional trees, to the satisfaction of the Director of Heritage and Urban Design;
4. 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 provisions of the Transit Oriented Corridor Multiple Residential (TOC3, 887, H165) Zone, subject to the special requirements referred to in Section No. 2 and 3 of this By-law.
5. 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 14<sup>th</sup> day of February, 2024

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A. Horwath  
Mayor

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J. Pilon  
Acting City Clerk

ZAC-23-050



<p>This is Schedule "A" to By-law No. 24-</p> <p>Passed the ..... day of ....., 2024</p>	<p>-----</p> <p style="text-align: center;">Mayor</p> <p>-----</p> <p style="text-align: center;">Clerk</p>
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<p style="text-align: center;"><b>Schedule "A"</b></p> <p style="text-align: center;"><b>Map forming Part of</b> <b>By-law No. 24-_____</b></p> <p style="text-align: center;"><b>to Amend By-law No. 05-200</b></p>	<p><b>Subject Property</b></p> <p>164 - 176 Rymal Road East</p> <p> Lands to be added as Transit Oriented Corridor Multiple Residential (TOC3, 887, H165) Zone</p>
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<p>Scale: N.T.S</p>	<p>File Name/Number: ZAC-23-050</p>	<p>Hamilton</p>	<p>PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT</p>
<p>Date: December 19, 2023</p>	<p>Planner/Technician: JC/AL</p>		



Special Figure 38: 164 - 176 Rymal Road East

Date:  
January 11, 2024

**Legend**

 Block 1

 Block 2

