

Authority: Item 5, Planning Committee Report 24-011 (PED24131)
CM: August 16, 2024 Ward: 9
Written approval for this by-law is given by Mayoral Decision MDE-2024-17
Dated August 16, 2024

Bill No. 151

CITY OF HAMILTON
BY-LAW NO. 24-151

To Amend Zoning By-law No. 05-200 with Respect to Lands Located at 2064 and 2070 Rymal Road East, Glanbrook

WHEREAS Council approved Item 5 of Report 24-011 of the Planning Committee, at its meeting held on August 16, 2024;

AND WHEREAS this By-law conforms with the Urban Hamilton Official Plan upon adoption of Official Plan Amendment No. 216;

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

1. That Schedule “A” – Zoning Maps, Map No. 1595 is amended by adding the Community Commercial (C3, 906) Zone and the Community Commercial (C3, 907) Zone, for the lands known as 2064 and 2070 Rymal Road East, Glanbrook, 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:

“906. Within the lands zoned Community Commercial (C3) Zone, identified on Map No. 1595 of Schedule “A” – Zoning Maps and described as 2064 and 2070 Rymal Road East, Glanbrook, the following special provisions shall apply:

- a) In addition to Section 3, the following definition shall apply:

Building Height	Any wholly enclosed or partially enclosed amenity area, or any portion of a building designed to provide access to a rooftop amenity area shall be permitted to project above the uppermost point
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	<p>of the building, subject to the following regulations:</p> <ol style="list-style-type: none">1. The total floor area of the wholly enclosed or partially enclosed structure belonging to an amenity area, or portion of a building designed to provide access to a rooftop amenity area does not exceed 10% of the floor area of the storey directly beneath;2. The wholly enclosed or partially enclosed structure belonging to an amenity area, or portion of a building designed to provide access to a rooftop amenity area shall be setback a minimum of 3.0 metres from the exterior walls of the storey directly beneath; and,3. The wholly enclosed or partially enclosed structure belonging to an amenity area, or portion of a building designed to provide access to a rooftop amenity area shall not be greater than 3.0 metres in vertical distance from the uppermost point of the building to the uppermost point of the rooftop enclosure.
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- b) Notwithstanding Section 5.2.1 c), loading doors and associated loading facilities accessory to a multiple dwelling shall not be permitted within 3.2 metres of a lot line abutting a Residential Zone or Institutional Zone and shall be screened from view by a Visual Barrier in accordance with Section 4.19 of this By-law.
- c) In addition to Section 5.6 c) iv), the number of required parking spaces for commercial uses with a gross floor area of 1,100 square metres or less within a multiple dwelling shall be 13.
- d) Notwithstanding Section 5.6 c) i), as it relates to a Multiple Dwelling:

- i) Dwelling Unit less than 50.0 square metres in gross floor area
 - A. Minimum 0.3 per unit.
 - B. Maximum 1.25 per unit

- ii) Dwelling Units greater than 50.0 square metres in gross floor area
 - A. Minimum:
 - 1. 1 – 14 units 0.7 per unit
 - 2. 15 – 50 units 0.85 per unit
 - 3. 51 + units 1.0 per unit

 - B. Maximum 1.25 per unit.

- e) In addition to Section 5.2 f), in the case of two barrier free parking spaces on opposite sides of a shared 1.5 metre accessibility aisle, each parking space shall have a minimum width of 3.4 metres.

- f) Notwithstanding Section 10.3.1, the following uses shall be permitted:
 - Artist Studio
 - Commercial Entertainment
 - Commercial Recreation
 - Commercial School
 - Craftsperson Shop
 - Day Nursery
 - Dwelling Unit(s)
 - Emergency Shelter
 - Financial Establishment
 - Lodging House
 - Medical Clinic
 - Microbrewery
 - Motor Vehicle Service Station
 - Motor Vehicle Washing Establishment
 - Multiple Dwelling
 - Office, Personal Services
 - Performing Arts Theatre
 - Place of Worship
 - Repair Service
 - Residential Care Facility
 - Restaurant, Retail
 - Retirement Home
 - Social Services Establishment
 - Tradesperson's Shop
 - Urban Farmers Market
 - Veterinary Service

- g) In addition to Section 10.3.1.1 and notwithstanding Section 10.3.1.1 ii), the following regulations shall apply:
- i) Residential Care Facility or Retirement Home:

Maximum Capacity for a Residential Care Facility or Retirement Home shall be 50 residents.
 - ii) Restriction of Residential Uses within a Building
 - 1. The finished floor elevation of any Dwelling Unit shall be a minimum of 0.9 metres above grade; and,
 - 2. Notwithstanding 1. above, Dwelling Unit(s) shall be permitted in a basement or cellar.
- h) In addition to Section 10.3.3 and notwithstanding Sections 10.3.3 a) i), b), c), d), e), g), and i) ii), the following regulations shall apply:
- i) Building Setback from a Street Line Minimum 3.0 metres for a building with Dwelling Units on the ground floor facing a street.
 - ii) Minimum Rear Yard 13.0 metres, except:
 - A. 16.0 metres for any portion of a building greater than 14.0 metres in height;
 - B. 20.0 metres for any portion of a building greater than 17.0 metres in height;
 - C. 24.0 metres for any portion of a building greater than 20.0 metres in height;
 - D. 28.0 metres for any portion of a building greater than 23.0 metres in height;

- E. 32.0 metres for any portion of a building greater than 26.0 metres in height; and,
 - F. 36.0 metres for any portion of a building greater than 29.0 metres in height.
 - iii) Minimum Interior Side Yard 29.0 metres abutting a Residential or Institutional Zone.
 - iv) Building Height
 - A. Minimum 4.5 metre façade height for any portion of a building along a street line; and,
 - B. Maximum 32.5 metres.
 - v) Maximum Lot Area 16,000.0 square metres.
 - vi) Maximum Total Gross Floor Area for Commercial Uses Not applicable.
 - vii) Built Form for New Development The minimum width of ground floor façade facing the front lot line shall be greater than or equal to 30.0 metres.
 - v) Maximum Number of Dwelling Units 230.
- i) In addition to Section 10.3.3, the following regulations shall apply to an Emergency Shelter, Lodging House, Place of Worship, Residential Care Facility, Retirement Home, or Social Service Establishment:
 - i) Minimum Side and Rear Yard 7.5 metres.
 - ii) Maximum Building Height 22.0 metres.

- iii) Minimum Landscaped Area 10% of the total Lot Area.”

3. That Schedule “C”: Special Exceptions is amended by adding the following new Special Exception:

“907. Within the lands zoned Community Commercial (C3) Zone, identified on Map No. 1595 of Schedule “A” – Zoning Maps and described as 2064 and 2070 Rymal Road East, Glanbrook, the following special provisions shall apply:

- a) Notwithstanding Section 5.6 c) iv), a minimum of 1 parking space for each 24.0 square metres of gross floor area, except for a Motor Vehicle Service Station (oil and lube service station only) or a Motor Vehicle Washing Establishment, 0 parking spaces are required.
- b) Notwithstanding Section 10.3.1, the following uses shall be permitted:

- Artist Studio
- Commercial Entertainment
- Commercial Recreation
- Commercial School
- Craftsperson Shop
- Day Nursery
- Dwelling Unit(s)
- Emergency Shelter
- Financial Establishment
- Lodging House
- Medical Clinic
- Microbrewery
- Motor Vehicle Service Station
- Motor Vehicle Washing Establishment
- Multiple Dwelling
- Office, Personal Services
- Performing Arts Theatre
- Place of Worship
- Repair Service
- Residential Care Facility
- Restaurant, Retail
- Retirement Home
- Social Services Establishment
- Tradesperson’s Shop
- Urban Farmers Market
- Veterinary Service

- c) In addition to Section 10.3.1.1 and notwithstanding Section 10.3.1.1 ii), the following regulations shall apply:
- i) Residential Care Facility or Retirement Home

Maximum Capacity for a Residential Care Facility or Retirement Home shall be 50 residents.
 - ii) Restriction of Residential Uses within a Building:
 - 1. The finished floor elevation of any Dwelling Unit shall be a minimum of 0.9 metres above grade; and,
 - 2. Notwithstanding 1. above, Dwelling Unit(s) shall be permitted in a basement or cellar.
- d) In addition to Section 10.3, the following regulations shall apply to an Emergency Shelter, Lodging House, Place of Worship, Residential Care Facility, Retirement Home, or Social Service Establishment:
- i) Minimum Side and Rear Yard 7.5 metres.
 - ii) Maximum Building Height 22.0 metres.
 - iii) Minimum Landscaped Area 10% of the total Lot Area.
- e) In addition to Section 10.3.3 and notwithstanding Sections 10.3.3 a) i), a) ii), e), and g), the following regulations shall apply:
- i) Building Setback from a Street Line Minimum 3.0 metres for a building with Dwelling Units on the ground floor facing a street.
 - ii) Building Setback from a Street Line Maximum 25.0 metres for a commercial use existing at the date of the passing of this by-law.
 - iii) Maximum Lot Area 16,000.0 square metres.

- iv) Maximum Total Gross Floor Area for Commercial Uses Not applicable.
- ii) Maximum Density 0 units per net hectare.
- f) In addition to Section 10.3.3, the following regulations shall apply to an Emergency Shelter, Lodging House, Place of Worship, Residential Care Facility, Retirement Home, or Social Service Establishment:
 - i) Minimum Side and Rear Yard 7.5 metres.
 - ii) Maximum Building Height 22.0 metres.
 - iii) Minimum Landscaped Area 10% of the total Lot Area.”

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 Community Commercial (C3, 906) Zone and Community Commercial (C3, 907) Zone, subject to the special requirements referred to in Section Nos. 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 16th day of August, 2024.

A. Horwath
Mayor

M. Trennum
City Clerk



This is Schedule "A" to By-law No. 24-

Passed the day of, 2024

Mayor

Clerk


Schedule "A"


Map forming Part of
By-law No. 24-_____

to Amend By-law No. 05-200
Map 1595

Subject Property

2064 and 2070 Rymal Road East, Stoney Creek

 Lands to be added to Zoning By-law 05-200 as
Community Commercial (C3, 907) Zone

 Lands to be added to Zoning By-law 05-200 as
Community Commercial (C3, 906) Zone

Scale:
N.T.S

File Name/Number:
ZAC-23-017/UHOPA-23-007

Date:
July 16, 2024

Planner/Technician:
MM/NB



Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT