

Authority: Item 7, Planning Committee Report
19-006 (PED19030)
CM: April 24, 2019
Ward: 9

Bill No. 083

CITY OF HAMILTON

BY-LAW NO. 19-

To Amend Zoning By-law No. 3692-92 Respecting Lands Located at 1809, 1817 and 1821 Rymal Road East (Stoney Creek)

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By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS Zoning By-law No. 3692-92 (Stoney Creek) was enacted on the 8th day of December, 1992, and approved by the Ontario Municipal Board on the 31st day of May, 1994;

AND WHEREAS the Council of the City of Hamilton, in adopting Item 7 of Report 19-006 of the Planning Committee at its meeting held on the 24th day of April 2019, recommended that Zoning By-law No. 3692-92 (Stoney Creek), be amended as hereinafter provided; and,

AND WHEREAS this By-law will be in conformity with the Urban Hamilton Official Plan, upon adoption of UHOPA No. 121;

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

1. That Map No. 15, 1501 & 1548 of Schedule “A”, appended to and forming part of By-law No. 3692-92 (Stoney Creek), is amended as follows:
 - (a) by changing the zoning from Neighbourhood Development “ND” Zone to Multiple Residential “RM3-57” Zone, Modified, on the lands to the extent and boundaries of which are shown on a Plan hereto annexed as Schedule “A”– Block 5;

- (b) by changing the zoning from Single Residential “R1” Zone to Single Residential “R3-41” Zone, Modified, on the lands to the extent and boundaries of which are shown on a Plan hereto annexed as Schedule “A”– Block 6;
 - (c) by changing the zoning from Single Residential “R1” Zone to Single Residential “R3-41a” Zone, Modified, on the lands to the extent and boundaries of which are shown on a Plan hereto annexed as Schedule “A”– Block 7;
 - (d) by changing the zoning from Neighbourhood Development “ND” Zone to Multiple Residential “RM3-67” Zone, Modified, on the lands to the extent and boundaries of which are shown on a Plan hereto annexed as Schedule “A”– Block 8;
 - (e) by changing the zoning from Multiple Residential “RM2-43” Zone, Modified, to Multiple Residential “RM3-67” Zone, Modified, on the lands to the extent and boundaries of which are shown on a Plan hereto annexed as Schedule “A”– Block 9; and,
 - (f) by changing the zoning from Service Commercial “CS-1” Zone, to Multiple Residential “RM3-67” Zone, Modified, on the lands to the extent and boundaries of which are shown on a Plan hereto annexed as Schedule “A”– Block 10.
2. That Subsection 6.4.7, “Special Exemptions” of Section 6.4 Single Residential “R3” Zone, of Zoning By-law No. 3692-92, be amended by adding a new Special Exemption, “R3-41a”, as follows:

R3 – 41a 16 Columbus Gate (Block 7), Schedule “A”, Map No. 15

For the purposes of this By-law, 16 Columbus Gate shall be considered an interior lot, with Columbus Gate being deemed Lot Line- Frontage.

All other provisions of the Single Residential “R3-41” Zone, Modified shall apply.

3. That Subsection 6.10.7, “Special Exemptions” of Section 6.10 Multiple Residential “RM3” Zone, of Zoning By-law No. 3692-92, be modified by changing the following provisions:

RM3-57 1809, 1817, 1821 and 1831 Rymal Road East (Blocks 4 and 5)

Notwithstanding Section 6.10.3, Multiple Residential “RM3” Zone, Paragraphs (i) and (j), “Zone Regulations”, the following shall apply:

REGULATIONS

- | | | | |
|------|-----|--------------------------|--|
| (ii) | (i) | Density: | A minimum of 75 units per net residential hectare and a maximum of 170 units per net residential hectare shall be permitted. |
| | (j) | Maximum Building Height: | 32.0 metres or 8 storeys, whichever is less. |
4. That Subsection 6.10.7, “Special Exemptions” of Section 6.10 Multiple Residential “RM3” Zone, of Zoning By-law No. 3692-92, be amended by adding a new Special Exemption, “RM3-67”, as follows:

RM3 – 67 1809, 1817, 1821 and 1831 Rymal Road East (Blocks 8, 9 and 10)

Notwithstanding the provisions of Part 2 “Definitions” as it relates to the definition of “Highway” or “Street”, and in addition to Definition “Dwelling – Stacked Townhouses”, Section 6.10.2 “Permitted Uses”, Section 6.10.3 “Zone Regulations”, Paragraphs (c), (d), (f), (h), (i), (j), (l) and (m), Section 6.10.5 (a) 1., the following shall apply:

DEFINITIONS

Notwithstanding the definition of “Highway” or “Street” of Part 2 – Definitions of Zoning By-law No. 3692-92, the following shall apply:

“Highway” or “Street”

For the purpose of this By-law, a condominium road shall be deemed to be a “Highway” or “Street”, and visitor parking, landscaping and amenity areas for the dwellings are permitted within the Highway or Street.

The following additional definition shall be added to Part 2-Definitions of Zoning By-law No. 3692-92:

“Dwelling - Stacked Townhouses”

Means a “Dwelling - Street Townhouse” containing a maximum of three dwelling units on one lot, where each unit shall have a separate entrance from the Street.

In addition to the permitted uses of Subsection 6.10.2 for the Multiple Residential “RM3” Zone, those lands zoned “RM3-67” by this By-law, Stacked Townhouses shall also be permitted.

ZONE REGULATIONS

- (c) Minimum Front Yard: 3.0 metres
- (d) Minimum Side Yard for
Maisonettes,
Townhouses, Stacked
Townhouses and
Dwelling Groups: 1.2 metres, except for 7.5 metres for a
flankage yard, 7.5 metres abutting a zone
permitting a single detached, semi-detached or
duplex dwellings and 3 metres where an end
unit abuts any lot line of a street townhouse.
- (f) Minimum Rear Yard for a
Townhouse or Stacked
Townhouses: 6.0 metres.
- (h) Minimum Distance
Between Buildings on the
Same Lot:
1. 3.0 metres between end walls; and,
 2. 13.5 metres between front walls.
- (i) Density:
1. Minimum of 50 units per hectare.
 2. Maximum of 75 units per hectare.
- (j) Maximum Building
Height: 13.5 metres or 3 storeys, whichever is the less
of the two.
- (l) Privacy Area: Notwithstanding the yard requirements, privacy
area requirements shall not apply to
maisonette units.
- (m) Minimum Landscaped
Open Space:
1. Not less than 38% of the lot area for
maisonettes, townhouses, stacked
townhouses and dwelling groups shall
be landscaped including privacy areas.
 2. No landscaped strip is required adjacent
to every portion of any lot that abuts a
street.
 3. One outdoor amenity space, having a

minimum area of 480 square metres, shall be provided, and thereafter maintained, excluding easements and excluding the area containing a natural spring and required buffer associated with said spring.

PARKING

- (a) Minimum Number of Parking Spaces: 2 parking spaces and 0.25 visitor parking spaces for each maisonette and townhouse dwelling unit. Tandem parking is permitted for non-visitor parking spaces.
5. 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 Multiple Residential "RM3-41" Zone, Multiple Residential "RM3-41a" Zone, Multiple Residential "RM3-57" Zone and Multiple Residential "RM3-67" Zone provisions, subject to the special requirements referred to in Section 2 of this By-law.
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 this 24th day of April, 2019.

F. Eisenberger
Mayor

J. Pilon,
Acting City Clerk

ZAC-16-064



This is Schedule "A" to By-law No. 19-

Passed the day of, 2019

 Mayor

 Clerk


Schedule "A"


Map Forming Part of
 By-law No. 19-_____


to Amend By-law No. 3692-92


Subject Property


1809, 1817 & 1821 Rymal Road East


 **Block 4** – Modify the existing Multiple Residential "RM3-57" Zone, Modified

 **Block 5** – Change in zoning from Neighbourhood Development "ND" Zone to Multiple Residential "RM3-57" Zone, Modified

 **Block 6** – Change in zoning from Single Residential "R1" Zone to Single Residential "R3-41" Zone, Modified

 **Block 7** – Change in zoning from Single Residential "R1" Zone to Single Residential "R3-41a" Zone, Modified

 **Block 8** – Change in zoning from Neighbourhood Development "ND" Zone to Multiple Residential "RM3-67" Zone, Modified

 **Block 9** – Change in zoning from Multiple Residential "RM2-43"

Scale:
 N.T.S.

File Name/Number:
 ZAC-16-064

Date:
 Jan. 16, 2019

Planner/Technician:
 BN/AL



Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT