

Authority: Item 5, Planning Committee
Report 23-012 (PED23162)
CM: August 18, 2023
Ward: 14
Written approval of this by-law was given
by Mayoral Decision MDE-2023-01 dated
August 18, 2023

Bill No. 153

**CITY OF HAMILTON
BY-LAW NO. 23-**

**To Amend Zoning By-law No. 05-200 with Respect to Lands Located at
631 and 639 Rymal Road West, Hamilton**

WHEREAS Council approved Item 5 of Report 23-012 of the Planning Committee, at its meeting held on August 18th, 2023;

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 Map No. 1340 of Schedule "A" – Zoning Maps is amended by adding the Transit Oriented Corridor Multiple Residential (TOC3, 864, H157) Zone to the lands as shown on Schedule "A" to this By-law.

2. That Schedule "C" - Special Exceptions is amended by adding the following new Special Exception:

"864. Within the lands zoned Transit Oriented Corridor Multiple Residential (TOC3) Zone, identified on Map No. 1340 of Schedule "A" – Zoning Maps and described as 631 and 639 Rymal Road West, the following special provisions shall apply:

a) Notwithstanding Subsection 4.6 e), a balcony may encroach into any required yard to a maximum of 1.5 metres.

b) Notwithstanding Subsection 5.2 b) vi), the minimum parking space size of not more than 16 required parking spaces may have a width of 2.6 metres and a length of 5.5 metres, provided that any such parking space is clearly identified as being reserved for the parking of small cars only.

c) Section 11.3.1.1 i) 1. shall not apply.

d) Notwithstanding Subsections 11.3.2 a) i), c), and e) ii) and iii), the following regulations shall apply:

i) Building Setback from a Street Line Minimum 0.5 metres;

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|------|----------------------------|---|
| ii) | Minimum Interior Side Yard | 1.6 metres to the portion of the parking structure located above grade; |
| | | 5.5 metres to the 1 st , 2 nd , 3 rd and 4 th storeys; |
| | | 13.6 metres for the 5 th , 6 th and 7 th storeys; |
| | | 20.5 metres for the 8 th storey; |
| | | 25.0 metres for the 9 th and 10 th storeys; |
| | | 26.6 metres for the 11 th storey; and, |
| | | 29.3 metres for the 12 th storey; |
| iii) | Building Height | a) Maximum 40.0 metres. |
| | | b) In addition to Section 11.3.2 e) i) and notwithstanding Section a) above, any building height above 11.0 metres may be equivalently increased as the yard increases beyond the minimum yard requirement established in Section 11.3.2 b) and c), when abutting a Residential or Institutional Zone, to a maximum of 40.0 metres. |

3. That Schedule “D” – Holding Provisions be amended by adding the additional Holding Provision as follows:

“157. Notwithstanding Section 11.3 of this By-law, within the lands zoned Transit Oriented Corridor Multiple Residential (TOC3, 864) Zone, identified on Map 1340 of Schedule “A” – Zoning Maps and described as 631 and 639 Rymal Road West, the following special provisions shall apply:

- a) No development shall be permitted until such time as:
- i) The Owner submits a Sanitary Sewer Capacity Analysis, to the satisfaction of the Director of Growth Management and Chief Development Engineer; and,
 - ii) The Owner makes satisfactory arrangements with the City's Growth Management Division and enters into an External Works Agreement with the City for the design and construction of any improvements to the municipal infrastructure at the Owner's cost, should it be determined that upgrades are required to the municipal infrastructure to support the proposed development, to the satisfaction of the Director of Growth Management and Chief Development Engineer."
4. 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*.
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 provisions of the Modified, Transit Oriented Corridor Multiple Residential (TOC3, 864, H157) Zone, subject to the special requirements referred to in Section No. 2 and 3 of this By-law.

PASSED this 18th day of August, 2023

A. Horwath
Mayor

A. Holland
City Clerk

ZAC-22-028



This is Schedule "A" to By-law No. 23-

Passed the day of, 2023

Mayor

Clerk


Schedule "A"

Map forming Part of
By-law No. 23-_____

to Amend By-law No. 05-200
Map 1340

Subject Property

631 & 639 Rymal Road West, Hamilton (Ward 14)

 Lands to be added to the Transit Oriented Corridor
Multiple Residential (TOC3, 864, H157) Zone

Scale:
N.T.S

File Name/Number:
ZAC-22-028

Date:
June 19, 2023

Planner/Technician:
JL/NB



Hamilton