



## City of Hamilton Report for Consideration

**To:** Chair and Members  
Planning Committee

**Date:** April 8, 2025

**Report No:** PED25054

**Subject/Title:** Applications for a Zoning By-law Amendment and Draft Plan of Subdivision for Lands Located at 204, 212, 220 and 226 Rymal Road West, Hamilton

**Ward(s) Affected:** Ward 8

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### Recommendations

- 1) That **Amended Zoning By-law Amendment Application ZAC-21-029, by Landwise (c/o Edward John), on behalf of Atlas Homes Corporation, Dussin Holdings Inc., Vincent James Lepore (ASO), and Maria and Tonino Di Franco, Owners**, for a change in zoning from the “R-2-H/S-1822” (Urban Protected Residential – One and Two Family Dwellings, Etc.) District, Modified, Holding, “AA” (Agricultural) District, and “C/S-1822” (Urban Protected Residential, etc.) District, Modified, to the Low Density Residential – Small Lot (R1a, 911) Zone and Low Density Residential (R1) Zone to permit a residential subdivision with 42 single detached dwellings, for lands located at 204, 212, 220, and 226 Rymal Road West, Hamilton, Part of Lot 17, Concession 8 and Part of Road Allowance Between Lots 16 and 17, Geographic Township of Barton, in the City of Hamilton, as shown in Appendix A attached to Report PED25054, **BE APPROVED** on the following basis:
  - (i) That the draft By-law, attached as Appendix B to Report PED25054, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
  - (ii) That the proposed changes in zoning are consistent with the Provincial Planning Statement (2024); and,

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- (iii) That the proposed changes in zoning comply with the Urban Hamilton Official Plan.
- 2) That **Amended Draft Plan of Subdivision Application 25T-202108, by Landwise (c/o Edward John), on behalf of Atlas Homes Corporation, Dussin Holdings Inc., Vincent James Lepore (ASO), and Maria and Tonino Di Franco, Owners**, on lands located at 204, 212, 220, and 226 Rymal Road West, Hamilton, Part of Lot 17, Concession 8 and Part of Road Allowance Between Lots 16 and 17, Geographic Township of Barton, in the City of Hamilton, as shown in Appendix A attached to Report PED25054, **BE APPROVED**, in accordance with By-law No. 07-323 being the delegation of the City of Hamilton's Assigned Authority Under the *Planning Act* for the Approval of Subdivisions and Condominium, on the following basis:
- (i) That this approval apply to the Draft Plan of Subdivision "Forest Breeze Estates" certified by S. D. McLaren O.L.S, dated February 23, 2024, consisting of 42 lots for single detached dwellings (Lots 1 to 42), two 0.3 metre reserve blocks (Blocks 43 and 44), four right-of-way widening blocks (Blocks 45 to 48), and extensions of two public rights-of-way, as shown in Appendix C attached to Report PED24054;
- (ii) That the Owner enter into a standard form Subdivision Agreement as approved by City Council and that the Special Conditions of Draft Plan of Subdivision Approval 25T-202108, as show in Appendix D attached to Report PED25054, be received and endorsed by City Council;
- (iii) In accordance with the City's Comprehensive Development Guidelines and Financial Policies Manual, there will be no City of Hamilton cost sharing for this subdivision; and
- (iv) That payment of Cash-in-Lieu of Parkland will be required, pursuant to Section 51 of the *Planning Act*, prior to the issuance of each building permit. The calculation for the Cash-in-Lieu payment shall be based on the value of the lands on the day prior to the issuance of each building permit, all in accordance with the Financial Policies for Development and the City's Parkland Dedication By-law, as approved by Council.

## **Key Facts**

- The application is for a proposed Zoning By-law Amendment to change the zoning from the "R-2-H/S-1822" (Urban Protected Residential – One and Two Family Dwellings, Etc.) District, Modified, Holding, "AA" (Agricultural) District, and "C/S-1822" (Urban Protected Residential, etc.) District, Modified, to the Low Density Residential – Small Lot (R1a, 911) Zone and Low Density Residential (R1) Zone.
- The proposed Draft Plan of Subdivision will facilitate the development of a residential subdivision consisting of 42 lots for single detached dwellings, creation of two new

municipal roads and maintaining the existing single detached dwellings along Rymal Road West thereby completing the planned local use and road pattern in the Sheldon Neighbourhood Plan.

- The proposal was circulated to 83 property owners within 120 metres of the subject lands as per the requirements of the *Planning Act* and no comments were received.
- Staff recommends that the proposed Zoning By-law Amendment and Draft Plan of Subdivision with conditions be approved as shown in Appendix B, C and D attached to Report PED25054.

## **Financial Considerations**

Not applicable.

## **Analysis**

The subject lands are municipally known as 204, 212, 220, and 226 Rymal Road West, Hamilton and described as Part of Lot 17, Concession 8 and Part of Road Allowance Between Lots 16 and 17, Geographic Township of Barton, in the City of Hamilton. The lands are located on the north side of Rymal Road West between West 5<sup>th</sup> Street and Hazelton Avenue. The site is surrounded by low density residential uses, vacant lands, and stormwater management facilities which has been identified in Appendix A1 attached to Report PED25054.

The applicant has applied for an amendment to Zoning By-law No. 05-200 and a Draft Plan of Subdivision to permit 42 lots for single detached dwellings, the creation of two new municipal roads, and to maintain the existing single detached dwellings along Rymal Road West, as shown in Appendix C attached to Report PED25054.

A full review of the applicable Provincial Planning Statement (2024) and Urban Hamilton Official Plan policies is provided in Appendix F attached to Report PED25054.

## **Provincial Planning Statement (2024)**

The Provincial planning policy framework is established through the *Planning Act* (Section 3) and the Provincial Planning Statement (2024). The *Planning Act* requires that all municipal land use decisions affecting planning matters be consistent with the Provincial Planning Statement (2024).

The proposal supports the development of healthy, liveable, and complete communities by permitting residential uses within the urban area on vacant lands. The subject lands are proposed to create a subdivision with 42 single detached dwellings and two municipal roads within the interior of a low density residential area. The proposal is compatible with the surrounding area since it is characterized by low density residential uses and continues to build out and make efficient use of existing municipal infrastructure including the road network, water, and wastewater infrastructure. As well, William Connell Park is located within 400 metres of the proposed residential uses.

Based on the foregoing, the proposal is consistent with the Provincial Planning Statement (2024).

### **Urban Hamilton Official Plan**

The subject lands are designated “Neighbourhoods” on Schedule E-1 – Urban Land Use Designations. Lands designated “Neighbourhoods” are characterized as complete communities that include a range of residential dwelling types, densities and supporting uses to serve local residents. The proposed development would facilitate the development of 42 single detached dwellings and the creation of two new public roads.

The lands fall into the Low Density Residential category of the “Neighbourhoods” designation, which permits single detached dwellings. As the proposal is considered greenfield development, the Residential Greenfield Design policies of Section E.3.7 apply, and the proposal complies by allowing more compact lots through smaller lot widths while being compatible with the surrounding area, continuing an approved street network in the surrounding area, and continues to make efficient use of existing water, wastewater, and stormwater management infrastructure as shown in Appendix C to Report PED25054.

The proposal has also been evaluated against Policy F.1.14.1.2 and it complies with the criteria for Draft Plans of Subdivision since the proposal complies with the policies and land use designations, can be serviced with adequate services and community facilities, does not adversely impact upon the transportation system and natural environment, is integrated with adjacent lands and roadways, and meets all the requirements of the *Planning Act*.

The proposal contributes to the achievement of creating complete communities by providing family friendly homes on underutilized land, extends the existing right-of-way to further improve the connectivity of the area, and completes the existing road network.

Based on the foregoing, the proposal complies with the applicable policies of the Urban Hamilton Official Plan.

### **Sheldon Neighbourhood Plan**

The subject lands are located in the Sheldon Neighbourhood Plan and are identified as “Single and Double”. The Neighbourhood Plan permits single detached dwellings in the interior of the neighbourhood. As part of the Sheldon Neighbourhood Plan, proposed road networks were identified. The subject lands are located in the interior of the neighbourhood and implements the proposed network as identified by the Sheldon Neighbourhood Plan. Staff note that the Zoning By-law Amendment includes four residential properties fronting onto Rymal Road West. The single detached dwellings along Rymal Road West are an existing use and there are no proposed changes to the properties as part of the current application. Therefore, the proposal conforms to the Sheldon Neighbourhood Plan.

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### **City of Hamilton Zoning By-law No. 05-200**

The purpose of the Zoning By-law Amendment application is to add the subject lands to Zoning By-law No. 05-200 as Low Density Residential – Small Lot (R1a, 911) Zone and Low Density Residential (R1) Zone to permit the development of 42 single detached dwellings fronting onto a municipal road and retain the existing single detached dwellings along Rymal Road West. Site specific modifications to the Low Density Residential – Small Lot (R1a, 911) Zone, are proposed to accommodate the proposed development, which are discussed in Appendix G attached to Report PED25054.

### **Rationale For Recommendation**

1. The proposal has merit and can be supported for the following reasons:
  - (i) It is consistent with the Provincial Planning Statement (2024);
  - (ii) It complies with the general intent and purpose of the Urban Hamilton Official Plan; and,
  - (iii) It is compatible with existing land uses in the immediate area and represents good planning by, among other things, increasing the supply of housing units contributing to a complete community through the establishment of housing forms that are in keeping with existing and planned development in the surrounding area, continuation of the previously approved road network as part of Eden Park Phase 2 approval, and Sheldons Gate Ontario Land Tribunal approval, and making efficient use of existing infrastructure within the urban boundary.

2. Zoning By-law Amendment

The proposed Zoning By-law Amendment is to add the lands to Zoning By-law No. 05-200 as Low Density Residential – Small Lot (R1a, 911) Zone and Low Density Residential (R1) Zone to permit the development of 42 single detached dwellings fronting on a municipal road and retain the existing single detached dwelling along Rymal Road West.

The proposed modifications requested to the zoning are discussed in Appendix G attached to Report PED25054. The proposed modifications for reduced side yard setbacks, flankage yard setbacks and front yard landscaping requirements are needed to allow for flexibility in the size of the detached dwelling unit on individual lots while still being compatible with the surrounding neighbourhood. Staff are satisfied that the proposed Zoning By-law Amendment, as amended, complies with the policies of the Urban Hamilton Official Plan, in particular with respect to the policies related to the “Neighbourhoods” designation and infrastructure policies in the Urban Hamilton Official Plan.

Therefore, staff support the proposed Zoning By-law Amendment.

3. Draft Plan of Subdivision

Staff have reviewed the application against criteria set out in the *Planning Act* subsection 51(24) to assess the appropriateness of the proposed subdivision, and advise that:

- (i) It is consistent with the Provincial Planning Statement (2024);
- (ii) The proposal represents a logical and timely extension of existing development and services and is in the public interest;
- (iii) It complies with the applicable policies of the Urban Hamilton Official Plan;
- (iv) The land is suitable for the purposes for which it is to be subdivided;
- (v) The proposal completes the street network envisioned by the Sheldon Neighbourhood Plan upon the approval of the applicable conditions of the draft plan;
- (vi) The dimensions and shape of the lots and blocks are appropriate;
- (vii) Restrictions and regulations for the development of the subdivision are included in the implementing Zoning By-law Amendment (see Appendix B attached to Report PED25054), conditions of draft plan approval (see Appendix D attached to Report PED25054) and in the Subdivision Agreement;
- (viii) The subject lands can be appropriately used for the purposes for which it is to be subdivided and will not negatively impact natural heritage features, and flood control will be addressed through stormwater management plans that will be required as conditions of draft plan approval;
- (ix) Adequate municipal services will be available, the particulars of which will be determined as part of the conditions of draft plan approval and the Subdivision Agreement;
- (x) Public land will be conveyed to create road rights-of-way, the particulars of which will be determined as part of the conditions of draft plan approval, and final registration of the Plan of Subdivision including any required subdivision agreements; and,

- (xi) The proposed development optimizes the available supply, means of supplying, efficient use, and conservation of energy.

Therefore, staff are supportive of the proposed Draft Plan of Subdivision and recommend its approval.

## **Alternatives**

Should the applications be denied, the subject property can be used in accordance with the “C/S-1822” (Urban Protected Residential, Etc.) District, Modified, “R-2-H/S-1822” (Urban Protected Residential One and Two Family Dwellings, Etc.) District, Modified, Holding, and “AA” (Agricultural District) District in Zoning By-law No. 6593.

## **Relationship to Council Strategic Priorities**

Priority 1: Sustainable Economic & Ecological Development

- 1.2: Facilitate the growth of key sectors.

Priority 2: Safe & Thriving Neighbourhoods

- Increase the supply of affordable and supportive housing and reduce chronic homelessness.

## **Consultation**

The applications were circulated to internal departments and external agencies. Refer to the comments provided in Appendix H attached to Report PED25054.

In addition to the requirements of the *Planning Act*, the applicants submitted a Public Consultation Strategy with the supporting materials which stated that a Neighbourhood Meeting would occur if required. To date, no Neighbourhood Meeting was hosted for the proposed development and no public comments were received.

## **Appendices and Schedules Attached**

- Appendix A: Location Map
- Appendix A1: Existing and Surrounding Land Uses and Zoning Chart
- Appendix B: Amendment to Zoning By-law No. 05-200
- Appendix C: Proposed Draft Plan of Subdivision
- Appendix D: Draft Plan of Subdivision Special Conditions
- Appendix E: Historical Background Report Fact Sheet
- Appendix F: Policy Review
- Appendix G: Zoning Modification Table
- Appendix H: Staff and Agency Comments

**Applications for a Zoning By-law Amendment and Draft Plan of Subdivision for  
Lands Located at 204, 212, 220 and 226 Rymal Road West, Hamilton (Ward 8)**

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