

**Authority:** Item 2, Planning Committee Report 23-018 (PED23213)  
CM: November 8, 2023 Ward: 6  
Written approval for this by-law was given by Mayoral Decision MDE-2023 08  
dated November 8, 2023

**Bill No. 209**

**CITY OF HAMILTON**  
**BY-LAW NO. 23-209**

**To Amend Zoning By-law No. 05-200 with Respect to Lands Located at 1280 Rymal Road East, 385 Nebo Road, 1308 and 1318 Rymal Road East, 172 Dartnall Road and 0 Rymal Road East, Hamilton**

**WHEREAS** Council approved Item 2 of Report 23-018 of the Planning Committee, at its meeting held on November 8, 2023;

**AND WHEREAS** this By-law conforms with the Urban Hamilton Official Plan upon adoption of Official Plan Amendment No. 192;

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

1. That Schedule “A” – Zoning Maps is amended as follows:
  - 1.1. That Map Nos. 1499 and 1546 are amended by changing the zoning from the Prestige Business Park (M3) Zone and the Business Park Support (M4) Zone to the Arterial Commercial (C7, 878) Zone, for the lands known as 1280 Rymal Road East and 385 Nebo Road, Hamilton the extent and boundaries of which are shown on Schedule “A1” to this By-law.
  - 1.2. That Map Nos. 1546 and 1547 are amended by changing the zoning from the Arterial Commercial (C7, 605) Zone and Arterial Commercial (C7, 605, 648) Zone to the Prestige Business Park (M3) Zone, for the lands known as 1308 and 1318 Rymal Road East and 172 Dartnall Road the extent and boundaries of which are shown on Schedule “A2” to this By-law.
  - 1.3. That Map No. 1547 is amended by changing the zoning from the Arterial Commercial (C7, 599) Zone to the Prestige Business Park (M3) Zone, for the lands known as 0 Rymal Road East the extent and boundaries of which are shown on Schedule “A3” to this By-law.
2. That Schedule “C”: Special Exceptions is amended by adding the following new Special Exception:

- “878. Within the lands zoned Arterial Commercial (C7) Zone, identified on Map Nos.1499 and 1546 of Schedule “A” – Zoning Maps and described as 1280 Rymal Road East and 385 Nebo Road, Hamilton, the following special provisions shall apply:
- a) Notwithstanding Section 4.25 c) ii), a Drive Through stacking lane may be permitted between buildings and the Rymal Road East street line and the Nebo Road street line.
  - b) Notwithstanding Section 5.2 h) i) and ii), the following regulations shall apply:
    - i) Landscaped Area(s) and Landscaped Parking Island(s) with a minimum combined area of 3% of the area of the parking lot and associated access driveway and manoeuvring areas shall be provided and maintained.
    - ii) Each Landscaped Area and Landscaped Parking Island shall have a minimum area of 8 square metres.
  - c) In addition to Section 10.7.1 and notwithstanding Section 10.7.3 a) and 10.7.4 d), the following regulations shall apply:
    - i) Permitted Uses      Financial Establishment  
   Medical Clinic  
   Office  
   Personal Service  
   Retail
    - ii) Minimum Building      8.0 metres;  
      Setback to a  
      Street Line
    - iii) Maximum Gross      11,000 square metres;  
      Floor Area for  
      Retail
    - iv) Maximum Gross      250 square metres;  
      Floor Area for  
      Accessory Retail  
      uses to a Motor  
      Vehicle Gas Bar

- v) Landscape Area and Planting Strip Requirements
  - 1. Minimum 6.0 metre wide Landscaped Area shall be provided and maintained abutting a street, except for points of ingress and egress;
  - 2. In addition to i) above, within the 6.0 metre Landscaped Area, a minimum 3.0 metre wide Planting Strip shall be required and maintained between parking spaces, aisles or driveways and a street, except for points of ingress and egress;
  - 3. Where a property lot line abuts a property lot line within a Residential Zone or an Institutional Zone, a minimum 3.0 metre wide Planting Strip shall be provided and maintained.

3. 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 8<sup>th</sup> day of November, 2023

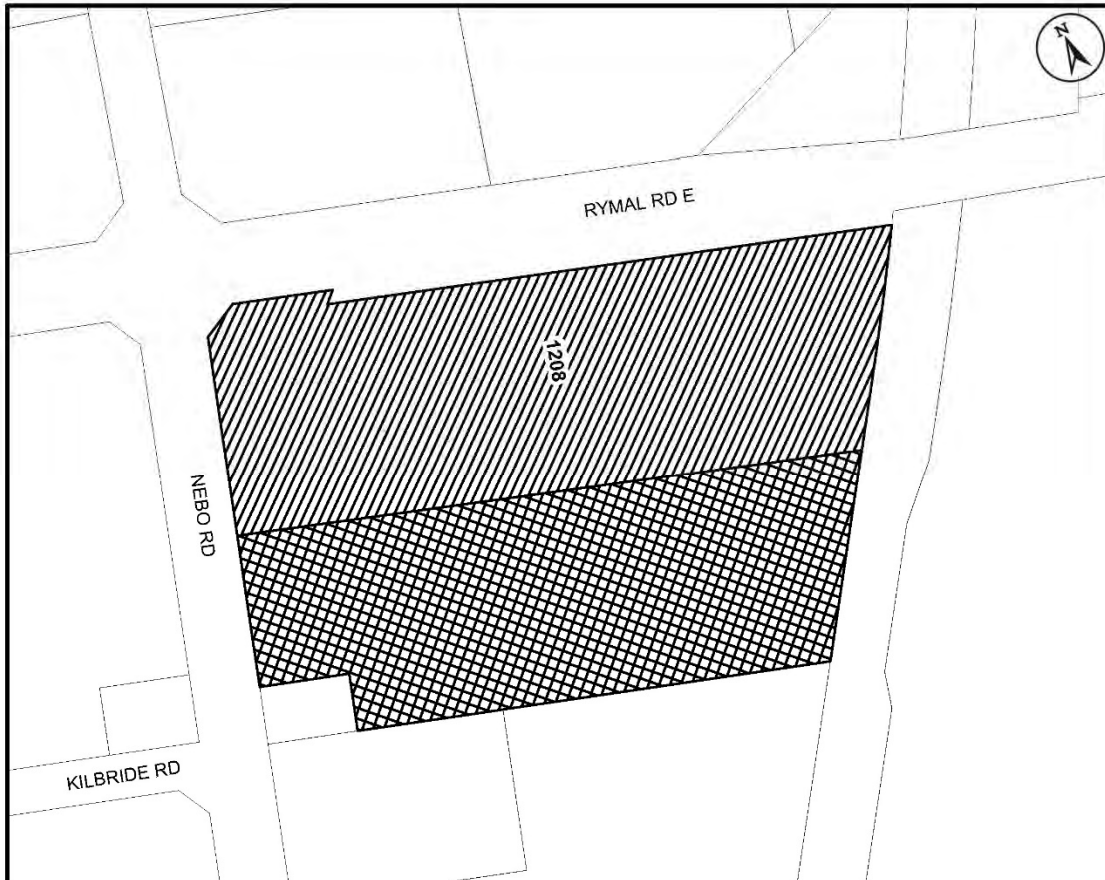
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A. Horwath  
Mayor

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J. Pilon  
Acting City Clerk

CI-23-L



This is Schedule "A1" to By-law No. 23-  Passed the ..... day of ....., 2023	----- Mayor  ----- Clerk
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<h2>Schedule "A1"</h2> <p>Map forming Part of                  By-law No. 23-_____</p> <p>to Amend By-law No. 05-200                  Map 1499, 1546</p>	<p><b>Subject Property</b>                  1280 Rymal Road East and 385 Nebo Road</p> <p> Change in Zoning from the Prestige Business Park (M3) Zone to the Arterial Commercial (C7, 878) Zone</p> <p> Change in Zoning from the Business Park Support (M4) Zone to the Arterial Commercial (C7, 878) Zone</p>
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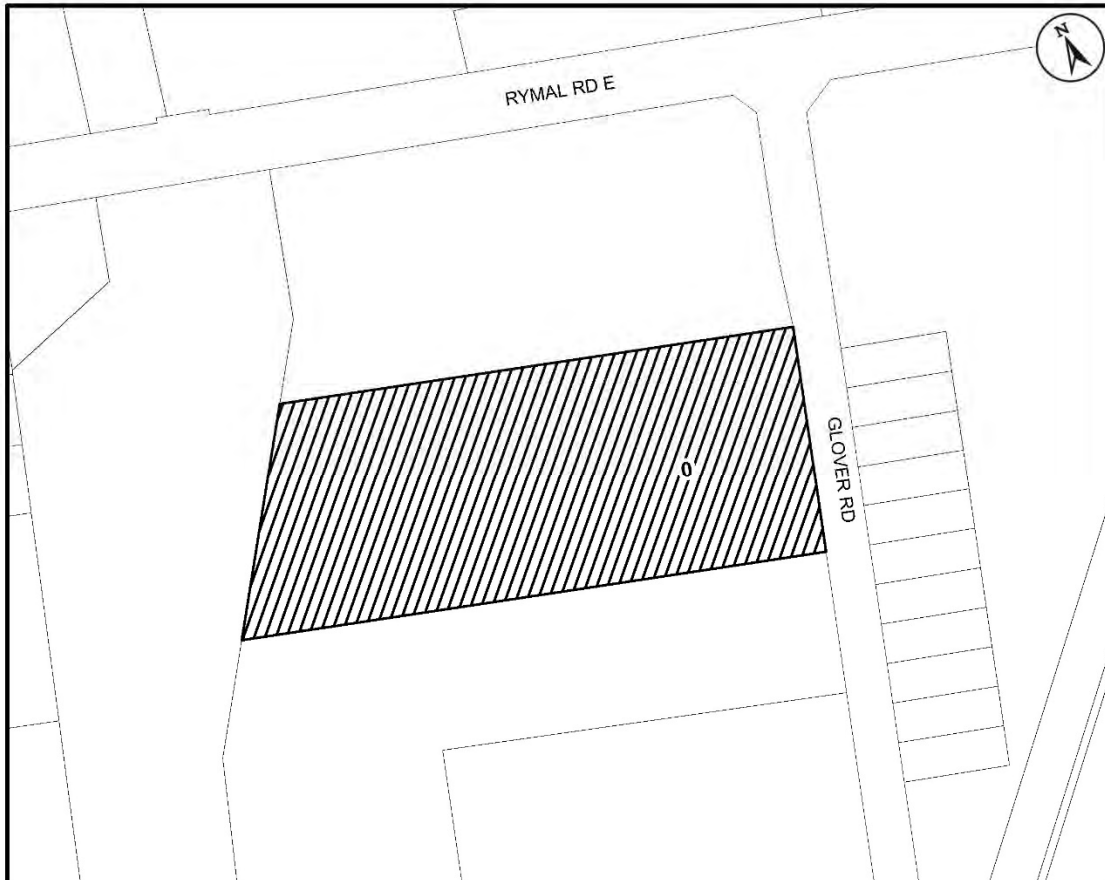
Scale: N.T.S	File Name/Number: CI-23-L	
Date: September 22, 2023	Planner/Technician: SM/NB	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		



This is Schedule "A2" to By-law No. 23-  Passed the ..... day of ....., 2023	----- <p style="text-align: center;">Mayor</p> ----- <p style="text-align: center;">Clerk</p> -----
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<h2 style="margin: 0;">Schedule "A2"</h2> <p style="margin: 10px 0 0 0;">Map forming Part of By-law No. 23-_____</p> <p style="margin: 10px 0 0 0;">to Amend By-law No. 05-200 Map 1546, 1547</p>	<p><b>Subject Property</b> 1308 and 1318 Rymal Road East and 172 Dartnall Road, Hamilton</p> <p> Change in zoning from the Arterial Commercial (C7, 605) Zone to the Prestige Business Park (M3) Zone</p> <p> Change in zoning from the Arterial Commercial (C7, 605, 648) Zone to the Prestige Business Park (M3) Zone</p>
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Scale: N.T.S	File Name/Number: CI-23-L	
Date: October 10, 2023	Planner/Technician: SM/NB	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		



This is Schedule "A3" to By-law No. 23-  Passed the ..... day of ....., 2023	----- <p style="text-align: center;">Mayor</p> ----- <p style="text-align: center;">Clerk</p> -----
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<h2>Schedule "A3"</h2> <p>Map forming Part of                  By-law No. 23-_____</p> <p>to Amend By-law No. 05-200                  Map 1547</p>	<p><b>Subject Property</b>                  0 Rymal Road East, Hamilton</p> <p> Change in zoning from the Arterial Commercial (C7, 599) Zone to the Prestige Business Park (M3) Zone</p>
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