



Hamilton



# CREATING A HOUSE AND A HOME

A GUIDE TO PROPOSED ZONING BY-LAW REGULATIONS  
FOR SECOND DWELLING UNITS



**RESIDENTIAL  
ZONES**

ZONING BY-LAW NO. 05-200

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As part of the development of new residential zones to be added to the City’s newest Zoning By-law 05-200 as well as recent changes to the Planning Act, new zoning by-law regulations are being proposed to allow Second Dwelling Units within the City’s Urban Area.

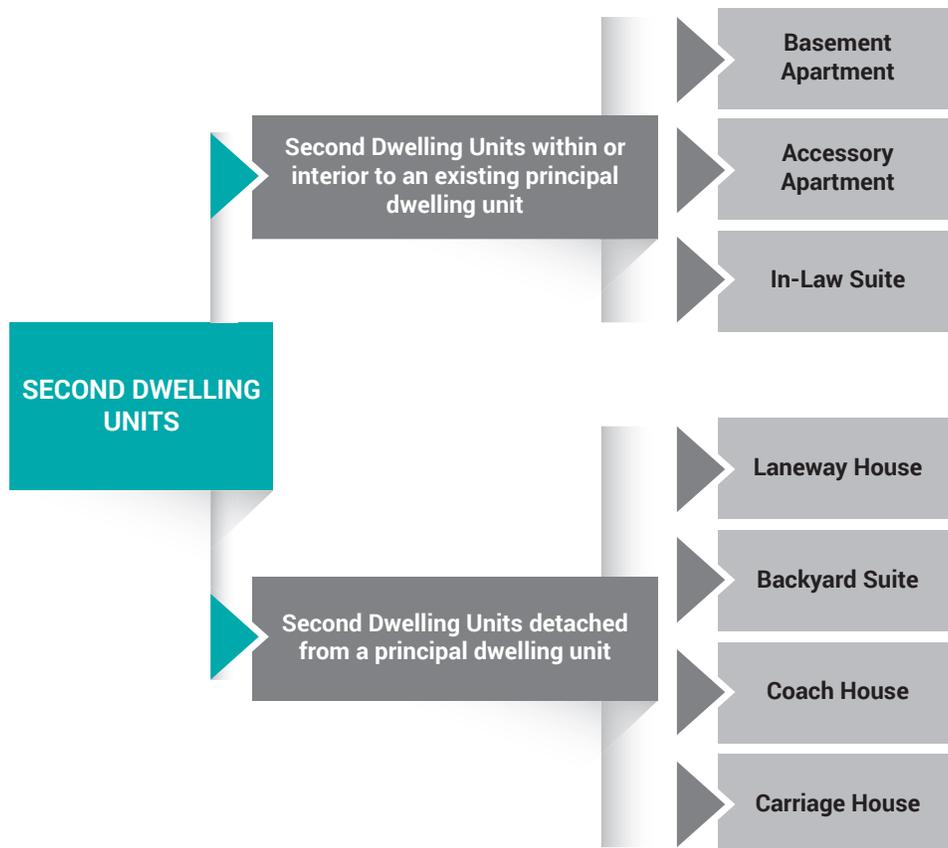
This brochure is a short guide for the proposed regulations. Additional information may be found on the City’s website at: [www.hamilton.ca/residentialzoning](http://www.hamilton.ca/residentialzoning)

## WHAT IS A SECOND DWELLING UNIT?

Regardless of the term used, SDU’s create the opportunity to provide additional housing opportunities in both existing and new neighbourhoods.

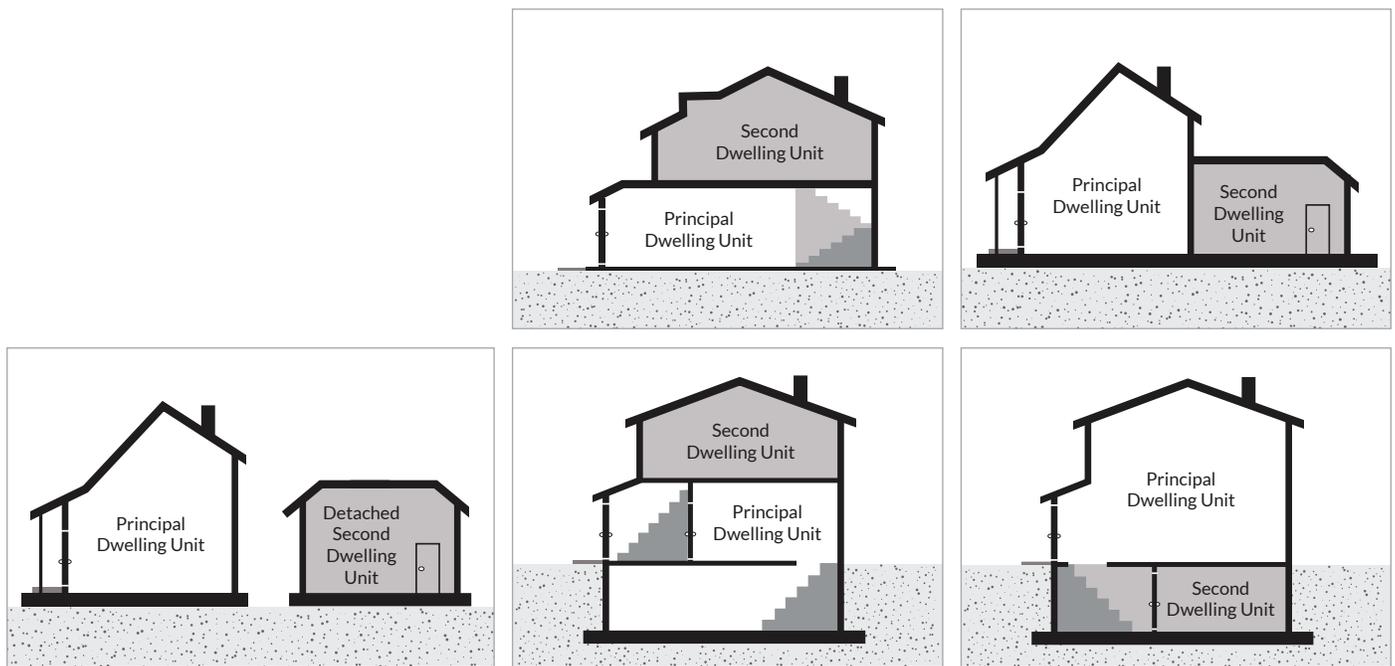
A Second Dwelling Unit (SDU) is that the unit is accessory (or subordinate) to a principal dwelling unit located on the same lot. Accessory means that the SDU is smaller in size than the main dwelling. A Second Dwelling Unit may be: (1) a newly constructed detached unit; (2) conversion of an existing accessory building; (3) within the existing home (such as a basement conversion); or, (4) within an addition to the main dwelling.

There are number of terms used to describe SDU’s such as the ones identified below.



# CREATING A HOUSE AND A HOME

## WHAT DIFFERENT FORMS CAN SDU'S TAKE?



## WHY ARE SECOND DWELLING UNITS IMPORTANT?

There are many community benefits that come from allowing an additional dwelling unit in a home or on the same lot.

Allows for additional income

Provides for additional housing options

Increase the supply of housing, in particular rental housing

Implements provincial regulations



Additional population to support services in the community

Efficient use of existing water and sewer infrastructure

More eyes on the street

Better use of housing stock

## WHERE WOULD SECOND DWELLING UNITS BE ALLOWED TO BE BUILT?

Presently, SDUs are permitted only in certain parts of the City’s urban areas. The proposed zoning regulations will expand the area of the City where second dwelling units would be allowed as-of-right, provided they meet certain regulations.

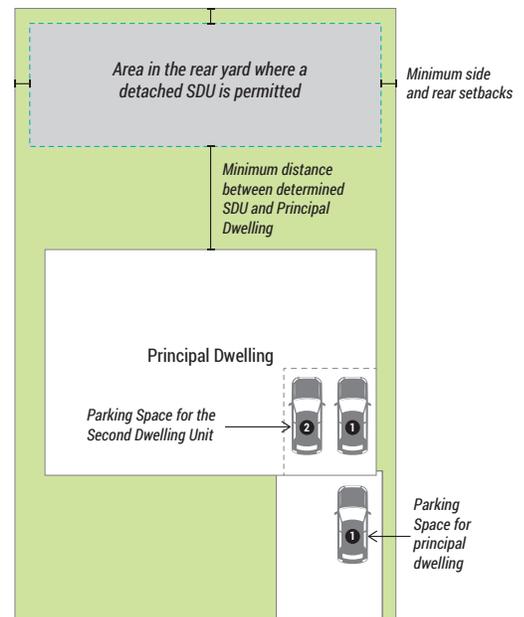
Any residential zone that permits a single-detached, semi-detached or townhouse allowed have a second dwelling unit. Where appropriate there may be an opportunity to permit an SDU in legal non-conforming single-detached, semi-detached or townhouse.

## WHAT ARE THE PROPOSED ZONING REGULATIONS AND WHY ARE THEY NEEDED?

The goal is to make easier for SDU’s to be built or converted. There are certain regulations that are required to minimize neighbourhood impact, ensure neighbourhood compatibility, maintain privacy as well as address safety and environmental issues.

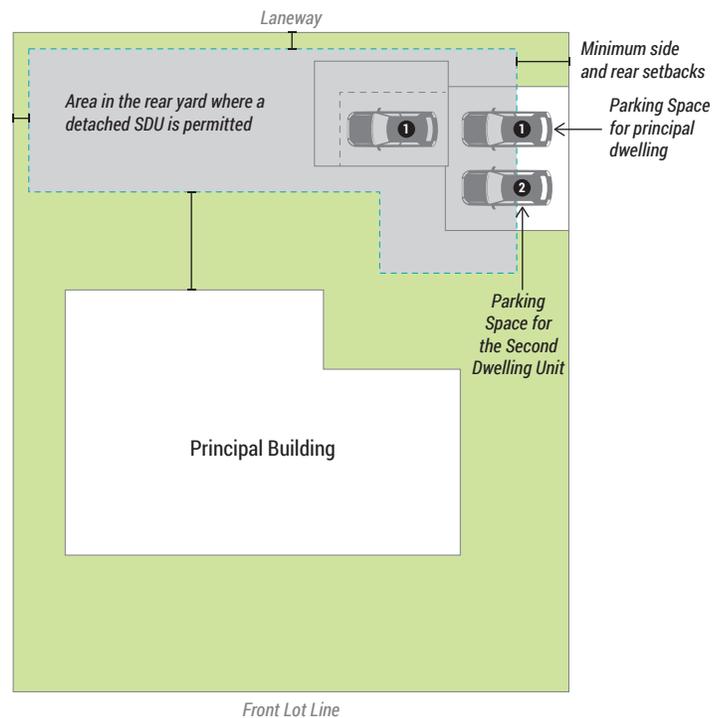
## QUICK GUIDE TO THE PROPOSED ZONING REGULATIONS

**Table 1:  
Second Dwelling Units in an Existing  
House or as an Addition**



CONSIDERED REGULATIONS						
Dwelling Unit Type	Minimum Lot Size	Lot Area	Lot Frontage	Setbacks	Parking for SDU	Additional Entrance
Single detached	No	No	No	No	May be required; depends on area of the City	Yes
Semi-detached	No	No	No	No	May be required; depends on area of the City	Yes
Townhouse	No	No	No	No	May be required; depends on area of the City	Yes (End Unit) No (Interior Unit)

**Table 2:  
New Detached Second Dwelling Units**



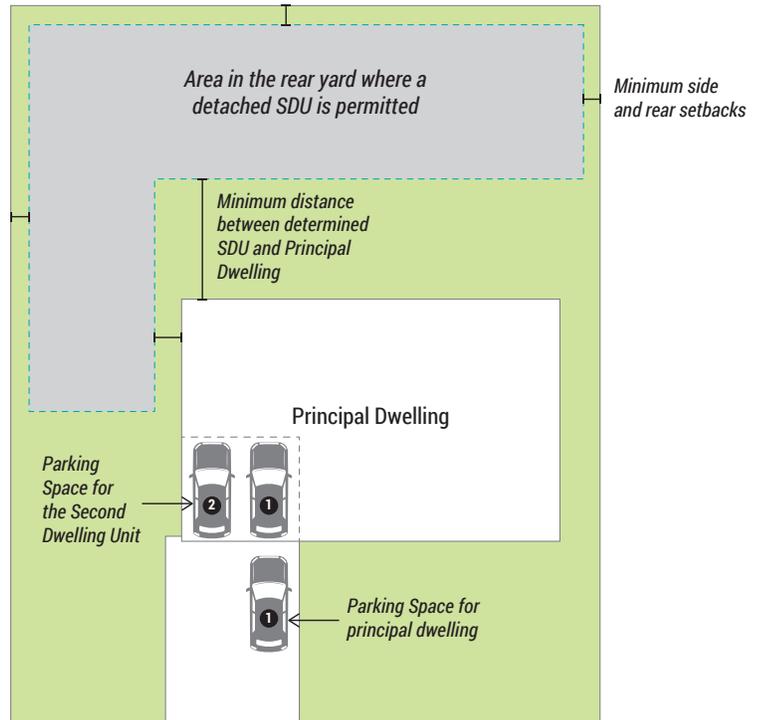
### CONSIDERED REGULATIONS

Dwelling Unit Type	Minimum Lot Size	Lot Area	Lot Frontage	Setbacks for SDU or Principal Dwelling	Parking for SDU	Second Entrance	Location of SDU	Size of SDU	Height of SDU
Single detached	No	No	No	Principal Dwelling	May be required; depends on area of the City	No	Yes	Yes	Yes
Semi-detached	No	No	No	Principal Dwelling	May be required; depends on area of the City	No	Yes	Yes	Yes
Townhouse	No	No	No	Principal Dwelling	May be required; depends on area of the City	No	Yes	Yes	Yes

**Table 3:  
Second Dwelling Units in Converted  
Accessory Buildings**

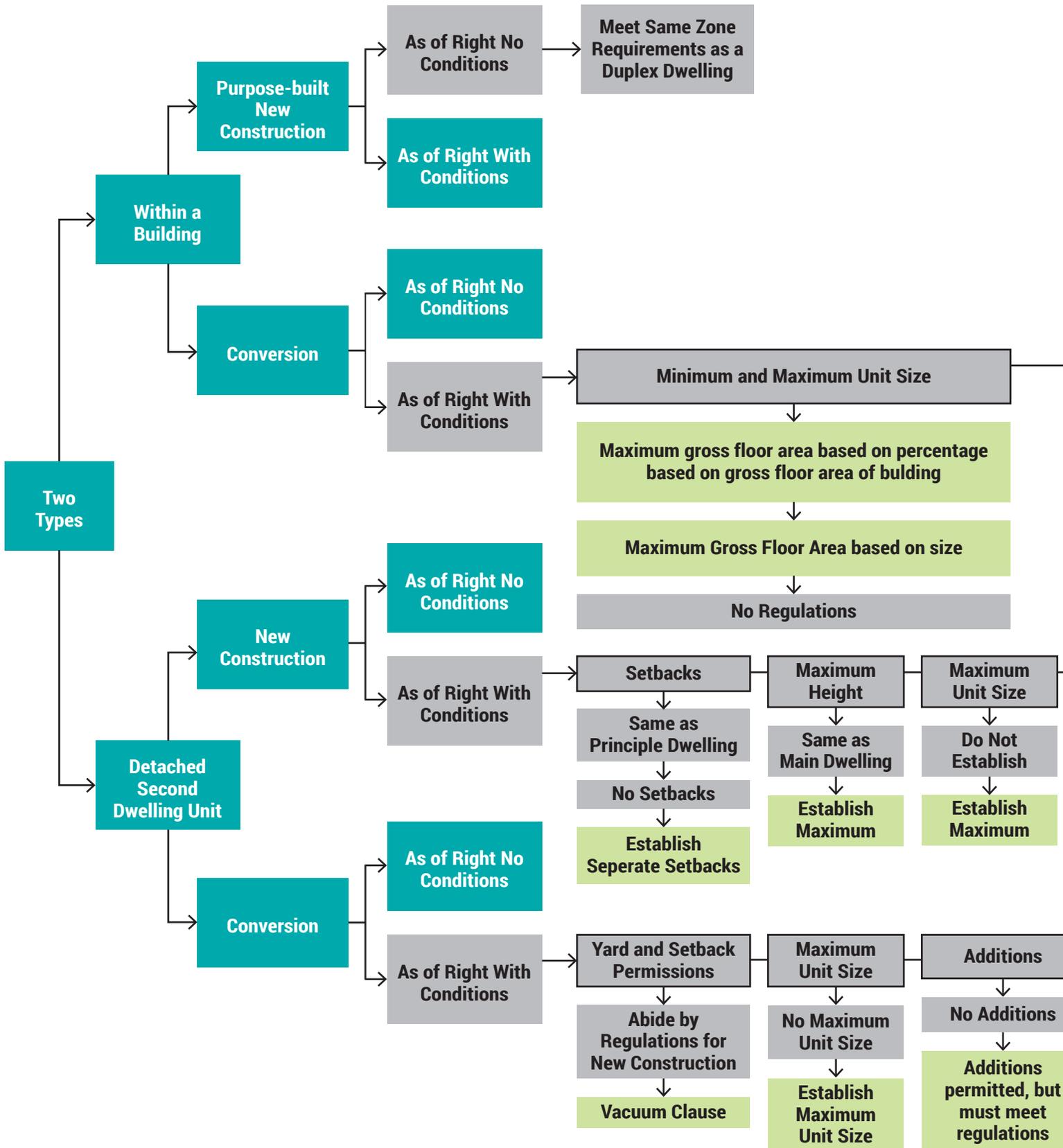
**Q:** May I be able to convert both my basement and detached garage to permit two SDUs as-of-right?

**A:** Yes, provided only one SDU is permitted internal to the house and one detached SDU is permitted. All zone and parking regulations are required to be met.



CONSIDERED REGULATIONS									
Dwelling Unit Type	Minimum Lot Size	Lot Area	Lot Frontage	Setbacks for SDU or Principal Dwelling	Parking for SDU	Second Entrance	Location of SDU	Size of SDU	Height of SDU
Single detached	No	No	No	Principal Dwelling	May be required; depends on area of the City	No	Yes	Yes	Yes
Semi-detached	No	No	No	Principal Dwelling	May be required; depends on area of the City	No	Yes	Yes	Yes
Townhouse	No	No	No	Principal Dwelling	May be required; depends on area of the City	No	Yes	Yes	Yes

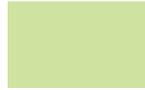
## OPTIONS FOR SECOND DWELLING UNITS IN ZONING BY-LAW 05-200



**LEGEND:**



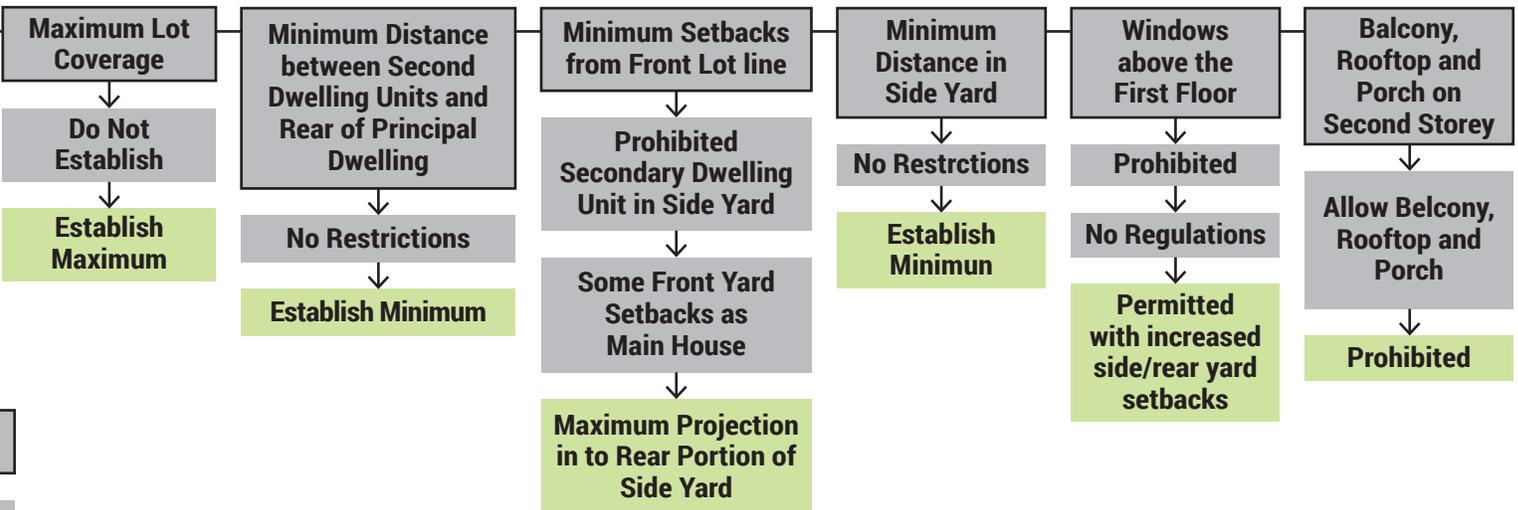
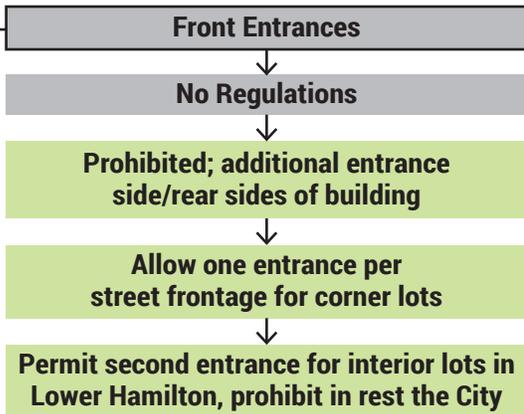
Issues to be Addressed



Suggested Approach



Options for Discussions



## OPTIONS FOR ADDITIONAL ENTRANCE FOR THE SECOND DWELLING UNIT

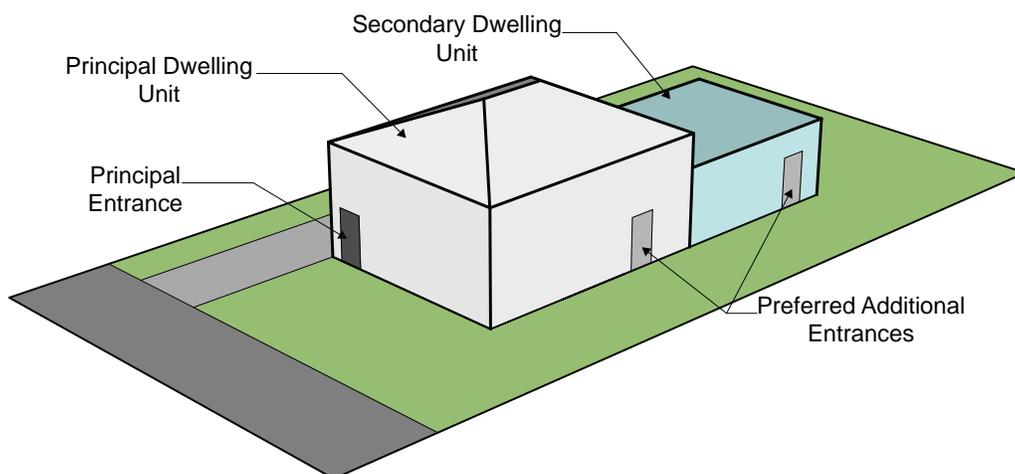
There are many houses in the City's urban area where the opportunity to add another dwelling unit is possible. Some regulations are proposed to ensure these units fit into the neighbourhood and do not impact surrounding neighbours.

## WHERE WOULD ADDITIONAL ENTRANCES BE PERMITTED

Only additional entrances at the side or rear will be permitted to preserve the character of the community.

## WHY ARE ADDITIONAL ENTRANCES NOT PERMITTED AT THE FRONT OF THE HOUSE?

In many instances a second entrance on the front of the house would alter the character of the community since most homes have only one door facing the street. Further, lot widths of Semi-detached dwelling may be narrow but may still allow a homeowner to install a second entrance on the front of the house. There may be an option to allow a second entrance for interior lots in lower Hamilton.



**Q:** Can I put an addition on my house and use this area as part of my SDU?

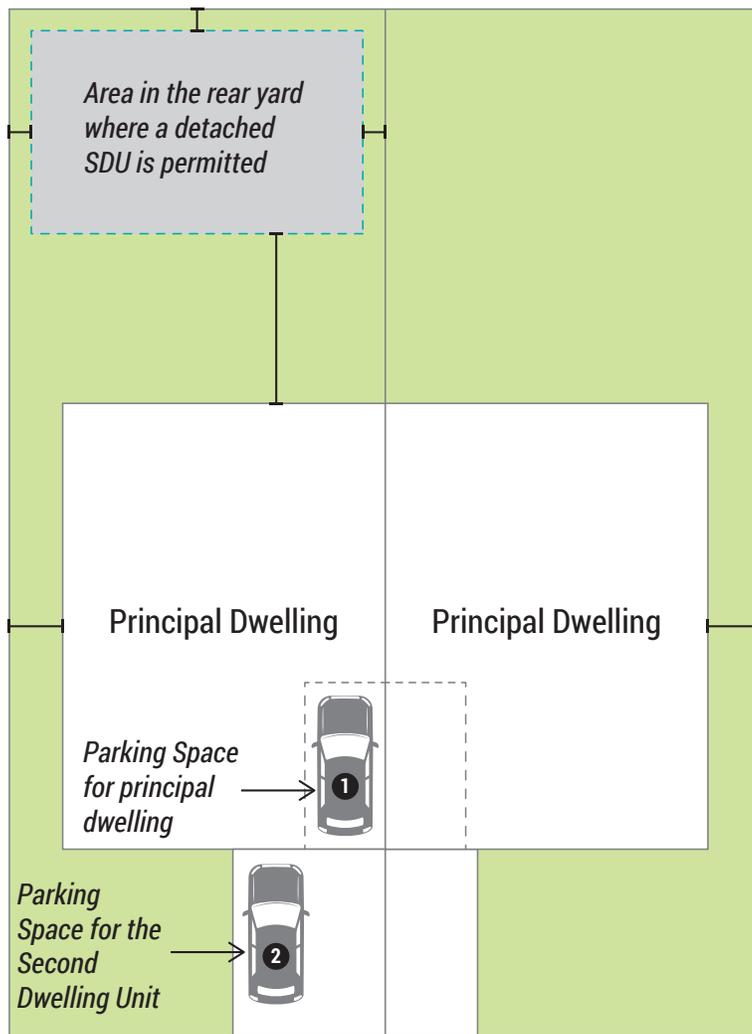
**A:** Yes provided the addition meets all the zoning by-law regulations for the principle dwelling.

**Q:** Is there a minimum or maximum size for a SDU?

**A:** Only a maximum size for a detached Second Dwelling Unit. Minimum size requirements are governed by the Ontario Building Code.

## DETACHED SECOND DWELLING UNIT - NEW STRUCTURE/BUILDING

Smaller SDUs may be built beside or behind an existing house. Minimum setback requirements and maximum building heights minimizes impacts on abutting neighbours. Minimum cleared paths from the street with no obstructions ensure emergency personnel can reach the SDU.

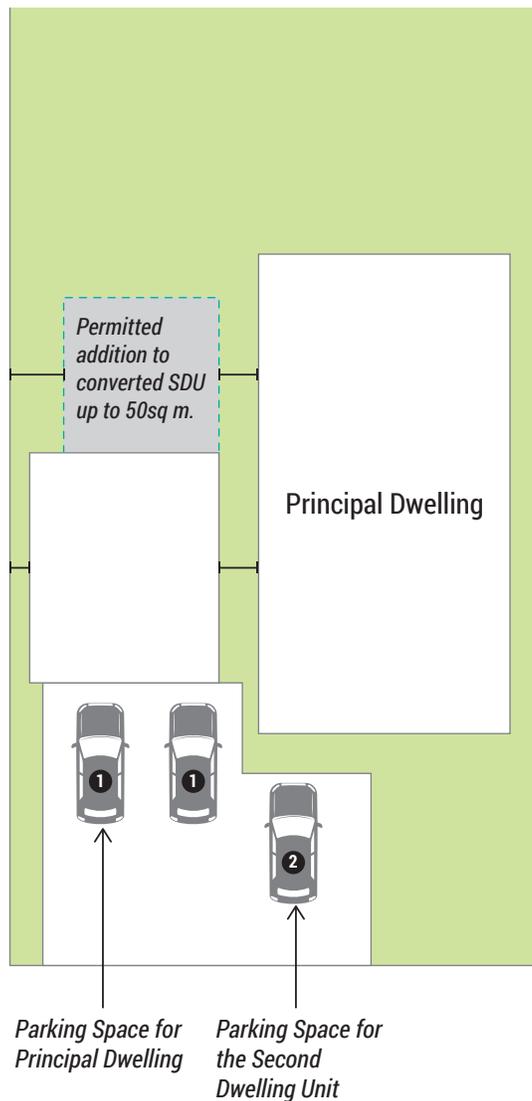


**Q:** Why do we need to keep green space on the lot?

**A:** Make sure there is an open space area for the principle dwelling. Green spaces are important for climate change resilience and storm water management needs.

## DETACHED SECOND DWELLING UNIT - CONVERSION OF AN EXISTING ACCESSORY STRUCTURE

Some lots have a coach house, garage or larger shed that could be repurpose for housing with minimal impact on abutting neighbours.



**Q:** Can I use my garage as a dwelling unit?

**A:** Maybe. All required parking spaces must be provided on site subject to Zoning By-law parking requirements.

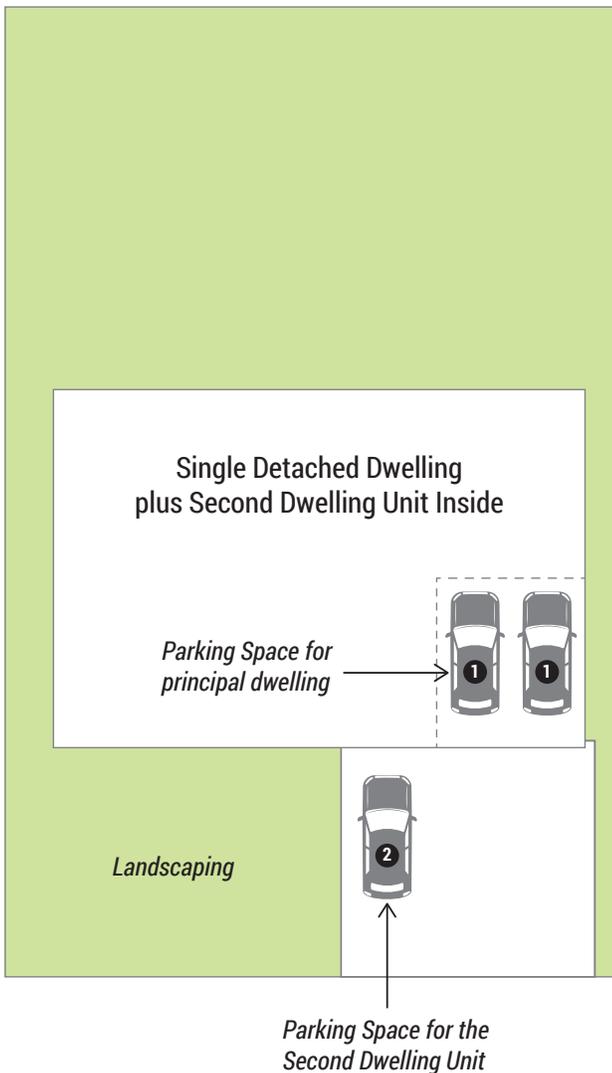
**Q:** If the shed, coach house or detached garage is bigger than 50 sq. m. or doesn't meet the setback requirements, may I convert that building to a residential use?

**A:** Yes, you are able to convert the building provided it meets minimum requirements or seek a Minor Variance approval.

## PARKING

In areas of the City where parking spaces are required for the principle dwelling, one parking space for each of the SDU may be required.

In areas where parking for the principle dwelling is not required then no additional parking would be required for an additional dwelling unit.



**Q:** How do the City ensure that the whole front yard is not paved over?

**A:** There are proposed parking regulations that will restrict the width of driveways and requiring that 50% of the front yard is landscaped.

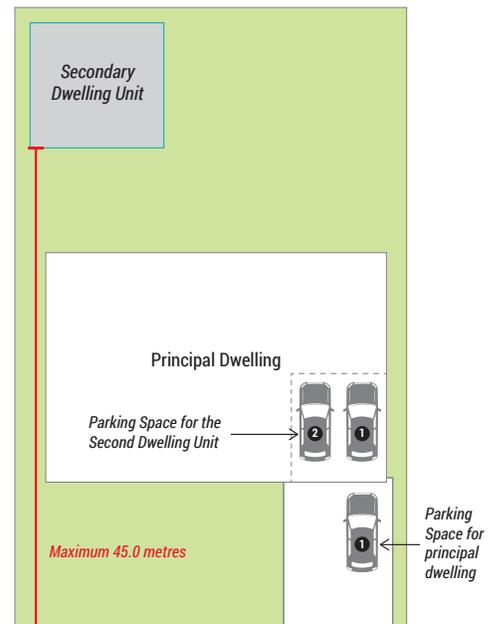
**Q:** If the SDU occupant wishes to have a personal vehicle, could they apply for a On-street parking permit?

**A:** Yes, but the number of permits issued is limited based on the number already issued on the street.

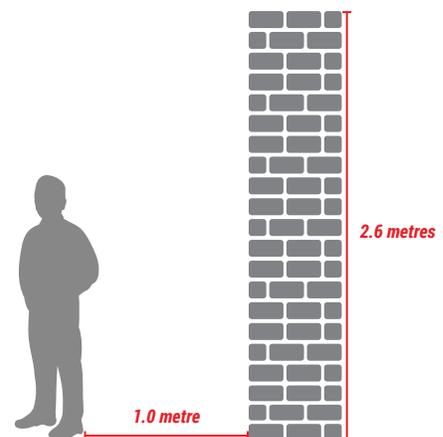
## HEALTH AND SAFETY

For detached Second Dwelling Units, Fire and EMS personnel must have unobstructed access to the rear of the property to respond to emergency calls. Under the Ontario Building Code (OBC), there are certain requirements that restrict the location of a Second Dwelling Unit in the rear yard.

Regulation
Maximum Distance between property line and entry to a detached Second Dwelling Unit of 40.0 metres.
Rationale
The length of a fire hose from a pumper truck is typically 45.0 metres. A pumper truck can only be parked on the street, a maximum physical distance of 40.0 metres between the property line and the entrance to the detached Second Dwelling Unit ensures proper response to emergency calls.



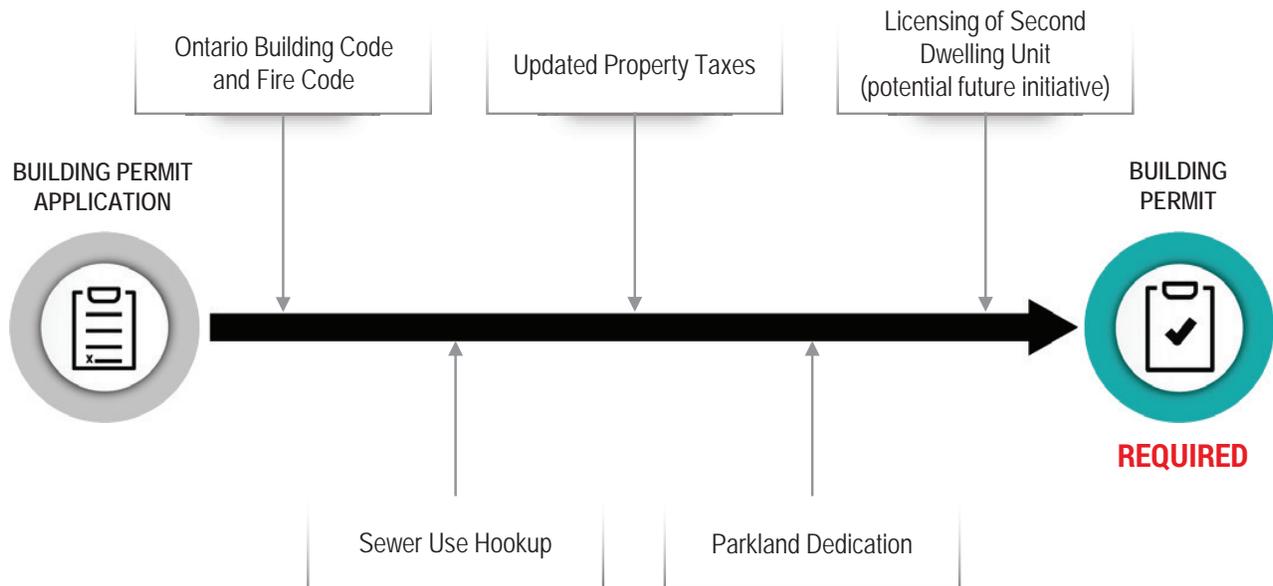
Regulation
Unobstructed access with a 1.0 metre width and 2.6 metres in height between the property line and entry to a detached Second Dwelling Unit.
Rationale
An unobstructed access from the property line and the entry to the detached Second Dwelling Unit and between the side lot line and Principal Dwelling is required to allow safe entry of emergency personnel.



These OBC requirements are proposed to be added in the Zoning By-law as additional regulations. Based on these restrictions, a homeowner may not be able to construct a Second Dwelling Unit.

## BEFORE CONSTRUCTING A SECOND DWELLING UNIT...

When considering building an SDU, the Zoning By-law is only one of the requirements of the City. The figure below identifies several other municipal requirements.

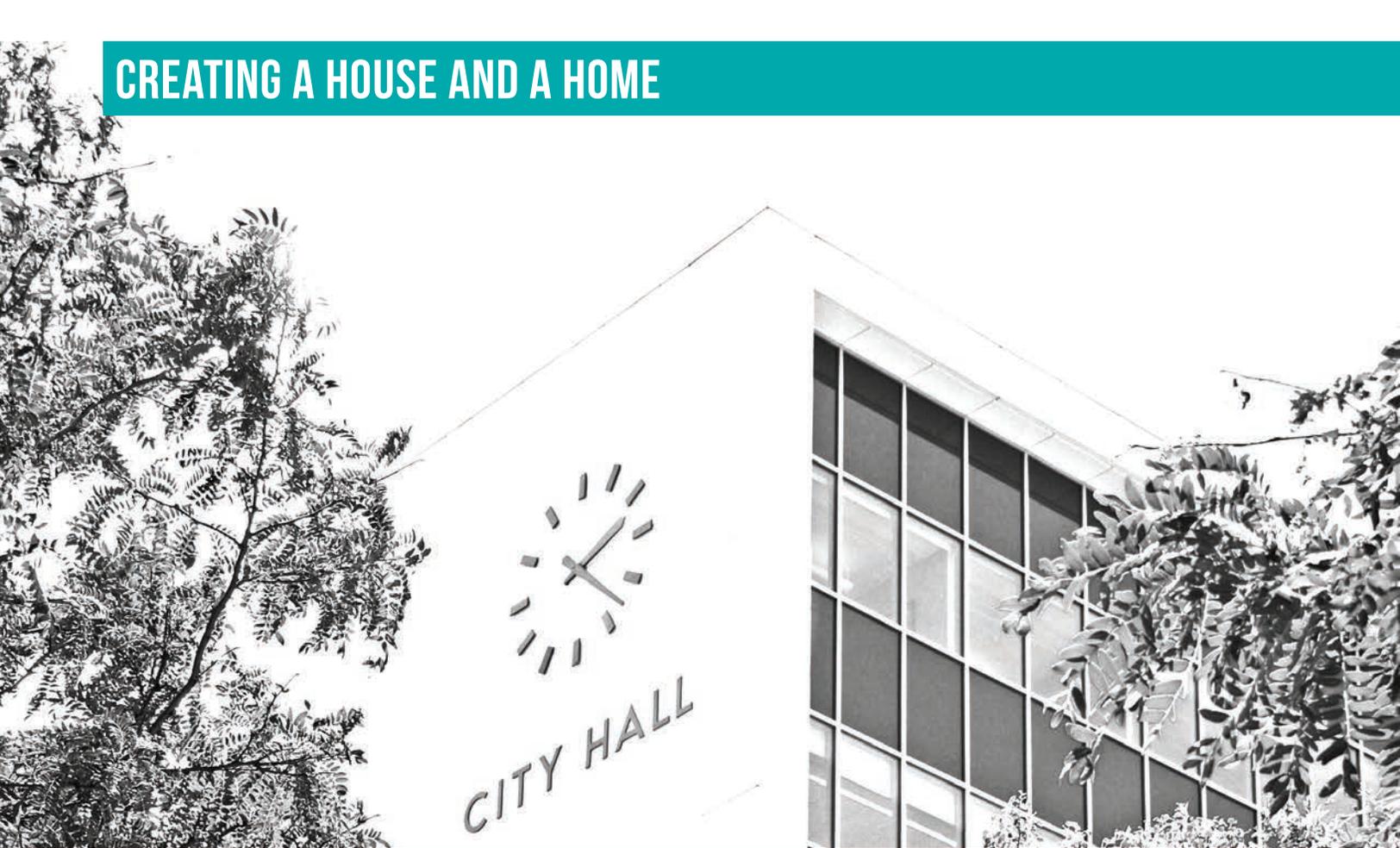


## QUICK RESOURCES:

Please visit the website at [hamilton.ca/residentialzoning](http://hamilton.ca/residentialzoning) for more information on Second Dwelling Units and other initiatives related to the Residential Zoning Project.

- Second Dwelling Units: Options to Increase Hamilton’s Housing Supply
- A Guide to Understanding Hamilton Zoning By-law No. 05-200

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## DO YOU REQUIRE MORE INFORMATION?



### WEB

[hamilton.ca/residentialzoning](https://hamilton.ca/residentialzoning)



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Hamilton, Ontario

Monday - Friday  
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