

Authority: Item 7, Planning Committee
Report 22-012 (PED22154)
CM: August 12, 2022
Ward: City Wide
Bill No. 194

CITY OF HAMILTON
BY-LAW NO. 22-194

**To Amend Zoning By-law No. 464 (Glanbrook), Respecting
Modifications and Updates to Low Density Residential Zones**

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 area municipality known as "The Corporation of the Town of Glanbrook" 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 and Official Plans of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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. 464 (Glanbrook) was enacted on the 16th day of March, 1992, and approved by the Ontario Land Tribunal on the 31st day of May, 1993;

AND WHEREAS Council, in adopting Item 7 of Report 22-012 of the Planning Committee, at its meeting held on the 12th day of August, 2022, recommended that Zoning By-law No. 464 (Glanbrook) be amended as hereinafter provided; and

AND WHEREAS this By-law is in conformity with the Urban Hamilton Official Plan upon final approval of Official Plan Amendment No. 167;

NOW THEREFORE the Council of the City of Hamilton amends Zoning By-law No. 464 (Glanbrook) as follows:

1. That the TABLE OF CONTENTS be amended by adding a new Section as follows:

"50 SPECIAL FIGURES.....430
2. That SECTION 3: INTERPRETATION, SCOPE AND EFFECT, be amended by adding a new clause to Section 3.1 as follows:

"(i) Special Figures

Section 50: Special Figures exists where figures referenced in the text of Zoning By-law No. 464 are used to more clearly identify areas and/or properties affected by regulations required by this By-law, applicable to the area delineated in the special figure.”

3. That SECTION 11: GENERAL PROVISIONS FOR ALL RESIDENTIAL ZONES, be amended by modifying Section 11.13 by adding a clause to Subsection 11.13 (a) (i) as follows:

“(A) Notwithstanding Section 11.13 (a) (i), one parking space shall be required for a Secondary Dwelling Unit - Detached if it constitutes the fourth Dwelling Unit on a lot.”

4. That SECTION 11: GENERAL PROVISIONS FOR ALL RESIDENTIAL ZONES, be amended by adding a new Section as follows:

“11.14 CONVERTED DWELLINGS

- (a) For the purpose of Section 11.14, a Converted Dwelling shall mean a single detached or duplex dwelling, existing as of XX, 2022, converted to contain greater than two but no more than four Dwelling Units.
- (b) A Converted Dwelling shall only be permitted on a lot in an ER, R1, R2, R3, R4, or RM1 Zone, identified on Figure 1 of Section 50: Special Figures.
- (c) All the regulations of this By-law applicable to the existing dwelling shall continue to apply unless specifically provided in Section 11.14.
- (d) Notwithstanding any applicable regulations of this By-law, no more than four Dwelling Units shall be permitted on a lot subject to Converted Dwelling permissions and identified in Section 11.14 (b).
- (e) No parking spaces are required for Dwelling Units within a Converted Dwelling, provided the required parking spaces which existed on XX, 2022 for the existing dwelling shall continue to be provided and maintained.
 - (i) Notwithstanding Section 11.14 (e), one parking space is required for the following conditions:
 - A. For the fourth Dwelling Unit in a Converted Dwelling; and,
 - B. For the fourth Dwelling Unit on a lot.”

5. That SECTION 12: EXISTING RESIDENTIAL “ER” ZONE, be amended as follows:

- i) By modifying Section 12.1 as follows:
 - (a) By renumbering Section 12.1 (b) as Section 12.1 (c).
 - (b) By modifying new Section 12.1 (c) by deleting “in Paragraph (a)” and replacing it with “in Paragraph (a) and (b)”.
- ii) By adding the following clause to Section 12.1: Permitted Uses:
 - “(b) In addition to the use permitted in Section 12.1 (a), on a lot identified on Figure 1 of Section 50: Special Figures, the following additional uses are permitted:
 - i) One (1) semi-detached dwelling per lot;
 - ii) One (1) duplex dwelling per lot;
 - ii) One (1) Street Townhouse Dwelling per lot, and”
- iii) By modifying Section 12.3 by deleting “IN PARAGRAPH (b)” with “IN PARAGRAPH (c)”.
- iv) By renumbering Section 12.4 as Section 12.5.
- v) By adding new Subsections 12.4 and 12.6 as follows:
 - “12.4 REGULATIONS FOR USES PERMITTED IN PARAGRAPH (b) OF SUBSECTION 12.1
 - (a) Semi-detached dwellings shall be pursuant to the provisions of Subsection 17.4 and the applicable regulations of Section 12.
 - (b) Duplex dwelling shall be pursuant to the provisions of Subsection 17.5 and the applicable regulations of Section 12.
 - (c) Street townhouse dwellings shall be pursuant to the provisions of Subsection 18.2 and the applicable regulations of Section 12.
 - 12.6 REGULATIONS FOR CONVERTED DWELLINGS

Pursuant to the provisions of Subsection 11.14 of this By-law.”

6. That SECTION 13: RESIDENTIAL “R1” ZONE, be amended as follows:
- i) By modifying Section 13.1 as follows:
 - (a) By renumbering Section 13.1 (b) as Section 13.1 (c).
 - (b) By modifying new Section 13.1 (c) by deleting “in Paragraph (a)” and replacing it with “in Paragraph (a) and (b)”.
 - ii) By adding the following clause to Section 13.1: Permitted Uses:

“(b) In addition to the use permitted in Section 13.1 (a), on a lot identified on Figure 1 of Section 50: Special Figures, the following additional uses are permitted:

 - i) One (1) semi-detached dwelling per lot;
 - ii) One (1) duplex dwelling per lot;
 - ii) One (1) Street Townhouse Dwelling per lot, and”
 - iii) By modifying Section 13.3 by deleting “IN PARAGRAPH (b)” with “IN PARAGRAPH (c)”.
 - iv) By renumbering Section 13.4 as Section 13.5.
 - v) By adding new Subsections 13.4 and 13.6 as follows:

“13.4 REGULATIONS FOR USES PERMITTED IN PARAGRAPH (b) OF SUBSECTION 13.1

 - (a) Semi-detached dwellings shall be pursuant to the provisions of Subsection 17.4 and the applicable regulations of Section 13.
 - (b) Duplex dwelling shall be pursuant to the provisions of Subsection 17.5 and the applicable regulations of Section 13.
 - (c) Street townhouse dwellings shall be pursuant to the provisions of Subsection 18.2 and the applicable regulations of Section 13.

13.6 REGULATIONS FOR CONVERTED DWELLINGS

Pursuant to the provisions of Subsection 11.14 of this By-law.”

7. That SECTION 14: RESIDENTIAL “R2” ZONE, be amended as follows:
- i) By modifying Section 14.1 as follows:
 - (a) By renumbering Section 14.1 (b) as Section 14.1 (c).
 - (b) By modifying new Section 14.1 (c) by deleting “in Paragraph (a)” and replacing it with “in Paragraph (a) and (b)”.
 - ii) By adding the following clause to Section 14.1: Permitted Uses:

“(b) In addition to the use permitted in Section 14.1 (a), on a lot identified on Figure 1 of Section 50: Special Figures, the following additional uses are permitted:

 - i) One (1) semi-detached dwelling per lot;
 - ii) One (1) duplex dwelling per lot;
 - ii) One (1) Street Townhouse Dwelling per lot, and”
 - iii) By modifying Section 14.3 by deleting “IN PARAGRAPH (b)” with “IN PARAGRAPH (c)”.
 - iv) By renumbering Section 14.4 as Section 14.5.
 - v) By adding new Subsections 14.4 and 14.6 as follows:

“14.4 REGULATIONS FOR USES PERMITTED IN PARAGRAPH (b) OF SUBSECTION 14.1

 - (a) Semi-detached dwellings shall be pursuant to the provisions of Subsection 17.4 and the applicable regulations of Section 14.
 - (b) Duplex dwelling shall be pursuant to the provisions of Subsection 17.5 and the applicable regulations of Section 14.
 - (c) Street townhouse dwellings shall be pursuant to the provisions of Subsection 18.2 and the applicable regulations of Section 14.

14.6 REGULATIONS FOR CONVERTED DWELLINGS

Pursuant to the provisions of Subsection 11.14 of this By-law.”

8. That SECTION 15: RESIDENTIAL “R3” ZONE, be amended as follows:
- i) By modifying Section 15.1 as follows:
 - (a) By renumbering Section 15.1 (b) as Section 15.1 (c).
 - (b) By modifying new Section 15.1 (c) by deleting “in Paragraph (a)” and replacing it with “in Paragraph (a) and (b)”.
 - ii) By adding the following clause to Section 15.1: Permitted Uses:

“(b) In addition to the use permitted in Section 15.1 (a), on a lot identified on Figure 1 of Section 50: Special Figures, the following additional uses are permitted:

 - i) One (1) semi-detached dwelling per lot;
 - ii) One (1) duplex dwelling per lot;
 - ii) One (1) Street Townhouse Dwelling per lot, and”
 - iii) By modifying Section 15.3 by deleting “IN PARAGRAPH (b)” with “IN PARAGRAPH (c)”.
 - iv) By renumbering Section 15.4 as Section 15.5.
 - v) By adding new Subsections 15.4 and 15.6 as follows:

“15.4 REGULATIONS FOR USES PERMITTED IN PARAGRAPH (b) OF SUBSECTION 15.1

 - (a) Semi-detached dwellings shall be pursuant to the provisions of Subsection 17.4 and the applicable regulations of Section 15.
 - (b) Duplex dwelling shall be pursuant to the provisions of Subsection 17.5 and the applicable regulations of Section 15.
 - (c) Street townhouse dwellings shall be pursuant to the provisions of Subsection 18.2 and the applicable regulations of Section 15.

15.6 REGULATIONS FOR CONVERTED DWELLINGS

Pursuant to the provisions of Subsection 11.14 of this By-law.”
9. That SECTION 16: RESIDENTIAL “R4” ZONE, be amended as follows:

- i) By modifying Section 16.1 as follows:
 - (a) By renumbering Section 16.1 (b) as Section 16.1 (c).
 - (b) By modifying new Section 16.1 (c) by deleting “in Paragraph (a)” and replacing it with “in Paragraph (a) and (b)”.
- ii) By adding the following clause to Section 16.1: Permitted Uses:
 - “(b) In addition to the use permitted in Section 16.1 (a), on a lot identified on Figure 1 of Section 50: Special Figures, the following additional uses are permitted:
 - i) One (1) semi-detached dwelling per lot;
 - ii) One (1) duplex dwelling per lot;
 - ii) One (1) Street Townhouse Dwelling per lot, and”
- iii) By modifying Section 16.3 by deleting “IN PARAGRAPH (b)” with “IN PARAGRAPH (c)”.
- iv) By renumbering Section 16.4 as Section 16.5.
- v) By adding new Subsections 16.4 and 16.6 as follows:
 - “16.4 REGULATIONS FOR USES PERMITTED IN PARAGRAPH (b) OF SUBSECTION 16.1
 - (a) Semi-detached dwellings shall be pursuant to the provisions of Subsection 17.4 and the applicable regulations of Section 16.
 - (b) Duplex dwelling shall be pursuant to the provisions of Subsection 17.5 and the applicable regulations of Section 16.
 - (c) Street townhouse dwellings shall be pursuant to the provisions of Subsection 18.2 and the applicable regulations of Section 16.
 - 16.6 REGULATIONS FOR CONVERTED DWELLINGS

Pursuant to the provisions of Subsection 11.14 of this By-law.”

10. That SECTION 17: RESIDENTIAL “RM1” ZONE, be amended as follows:

- i) By modifying Section 17.1 as follows:
 - (a) By renumbering Section 17.1 (g) as Section 17.1 (h).
 - (b) By modifying new Section 17.1 (h) by deleting “in Paragraphs (a) to (f)” and replacing it with “in Paragraphs (a) to (g)”.
 - ii) By adding the following clause to Section 17.1: Permitted Uses:
 - “(g) In addition to the uses permitted in Section 17.1, on a lot identified on Figure 1 of Section 50: Special Figures, the following additional use is permitted:
 - i) One (1) Street Townhouse Dwelling per lot.”
 - iii) By modifying Section 17.7 by deleting “IN PARAGRAPH (g)” with “IN PARAGRAPH (h)”.
 - iv) By renumbering Section 17.8 as Section 17.9.
 - v) By adding new Subsections 17.8 and 17.10 as follows:
 - “17.8 REGULATIONS FOR USES PERMITTED IN PARAGRAPH (g) OF SUBSECTION 17.1 (STREET TOWNHOUSE DWELLING)

Pursuant to the provisions of Subsection 18.2 and the applicable regulations of Section 17.
 - 17.10 REGULATIONS FOR CONVERTED DWELLINGS

Pursuant to the provisions of Subsection 11.14 of this By-law.”
- 11. That SECTION 50: SPECIAL FIGURES, be amended by adding Figure 1: Additional Permissions in Low Density Residential Zones Outside of Secondary Plans, appended to this By-law.
 - 12. 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*.
 - 13. That this By-law shall not come into force and effect until such time as Official Plan Amendment No. 167 to the Urban Hamilton Official Plan is in full force and effect.
 - 14. That for the purposes of the Ontario Building Code, this By-law or any part of it is not made until it has come into force as provided by Section 34 of the *Planning Act*.

PASSED this 12th day of August, 2022

F. Eisenberger
Mayor

A. Holland
City Clerk

CI 22-G

