

Authority: Item 7, Planning Committee
Report 22-012 (PED22154)
CM: August 12, 2022
Ward: City Wide

Bill No. 195

CITY OF HAMILTON
BY-LAW NO. 22-195

**To Amend Former City of Hamilton Zoning By-law No. 6593 Respecting
Modifications and Updates to Low Density Residential Zones**

WHEREAS the *City of Hamilton Act, 1999*, Statutes of Ontario, 1999 Chap. 14, Schedule 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 municipality known as the "The Corporation of the City of Hamilton" 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 and the Official Plan of the former regional municipality continue in full force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 (Hamilton) on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951 (File No. P.F.C. 3821);

AND WHEREAS the Council of the City of Hamilton, in adopting Item 7 of Report 22-012 of the Planning Committee at its meeting held on the 12th day of August, 2022, which recommended that Zoning By-law No. 6593, be amended as hereinafter provided;

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 enacts as follows:

1. That the District Maps appended to and forming part of Zoning By-law No. 6593 (Hamilton) are amended by adding Site Specific S-1822 to lands zoned:
 - (i) "B-1" (Suburban Agriculture and Residential, etc.) Districts;
 - (ii) "B-2" (Suburban Residential) Districts;
 - (iii) "C" (Urban Protected Residential, etc.) Districts;

- (iv) "R-4" (Small Lot Single Family Detached) Districts;
- (v) "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) Districts; and,
- (vi) "R-2" (Urban Protected Residential One and Two Family Dwellings, etc.) Districts.

On the lands the extent and boundaries of which are shown on a plan hereto annexed as Schedules "A-1" and "A-2".

2. That SECTION 19: RESIDENTIAL CONVERSION REQUIREMENTS be amended by modifying Section 19.(1) (ii) as follows:
 - i) By adding a clause to Subsection 19.(1) (ii) (a):
 - "1. Notwithstanding Section 19.(1) (ii) (a), one parking space shall be required for a Secondary Dwelling Unit - Detached if it constitutes the fourth Dwelling Unit on a lot."
 - ii) By adding a new Subsection:
 - "(iv) Notwithstanding any applicable regulations of this By-law, no more than four Dwelling Units shall be permitted on a lot in a "B-1", "B-2", "C", "R-4", "D", or "R-2" District."
3. That the "B-1" (Suburban Agriculture and Residential, etc.) District provisions, "B-2" (Suburban Residential) District provisions, "C" (Urban Protected Residential, etc.) District provisions, "R-4" (Small Lot Single Family Detached) District provisions, "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District provisions, and "R-2" (Urban Protected Residential One and Two Family Dwellings, etc.) District Provisions contained in Sections 8A, 8B, 9, 9A, 10, and 10.1 of Zoning By-law No. 6593, applicable to the lands the extent and boundaries of which are shown on Schedules "A-1" and "A-2" to this by-law, be modified to include the following special requirements:
 - a) For the purposes of Section 3 and 4 of this By-law, the definition for Two Family Dwelling shall be modified by deleting the sentence "and shall include a pair of semi-detached single family dwellings" so that it reads:

"Dwelling, Two Family" shall mean a building comprising two self-contained Class A dwelling units, whether or not a private garage or other accessory building is attached to the same, and which may also contain such lodgers' rooms as may be permitted under the provisions of this By-Law in the district in which it is situate."
 - b) That in addition to Sections 8A.(1), 8B.(1), 9.(1), 9A.(1) (a), 10.(1), and 10.1(1), the following uses shall also be permitted:

| Use | "B-1" District | "B-2" District | "C" District | "R-4" District | "D" District | "R-2" District |
|---------------------------|-------------------|-------------------|-----------------|-------------------|-----------------|-------------------|
| Semi-Detached Dwelling | ✓ | ✓ | ✓ | | ✓ | ✓ |
| Two Family Dwelling | ✓ | ✓ | ✓ | ✓ | | |
| Street Townhouse Dwelling | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |

- c) That notwithstanding Section 8A. (3) and (4), in the "B-1" (Suburban Agriculture and Residential, etc.) District, the following provisions shall apply to the uses permitted in Section 3 b) to this By-law:
- i) A Semi-Detached Dwelling shall be subject to the provisions as provided in subsection 9A. (3) (b) and (c).
 - ii) A Two Family Dwelling shall be subject to the provisions as provided in subsection 10B. (3) and (4) (ii).
 - iii) A Street Townhouse Dwelling shall be subject to the provisions as provided in subsection 10F. (4), (5), and (6).
- d) That notwithstanding Section 8B. (3) and (4), in the "B-2" (Suburban Residential) District, the following provisions shall apply to the uses permitted in Section 3 b) to this By-law:
- i) A Semi-Detached Dwelling shall be subject to the provisions as provided in subsection 9A. (3) (b) and (c).
 - ii) A Two Family Dwelling shall be subject to the provisions as provided in subsection 10B. (3) and (4) (ii).
 - iii) A Street Townhouse Dwelling shall be subject to the provisions as provided in subsection 10F. (4), (5), and (6).
- e) That notwithstanding Section 9. (3) and (4), in the "C" (Urban Protected Residential, etc.) District, the following provisions shall apply to the uses permitted in Section 3 b) to this By-law:
- i) A Semi-Detached Dwelling shall be subject to the provisions as provided in subsection 9A. (3) (b) and (c).

- ii) A Two Family Dwelling shall be subject to the provisions as provided in subsection 10B. (3) and (4) (ii).
 - iii) A Street Townhouse Dwelling shall be subject to the provisions as provided in subsection 10F. (4), (5), and (6).
- f) That in addition to the provisions of Section 9A. of the "R-4" (Small Lot Single Family Detached) District, the following provisions shall apply to the uses permitted in Section 3 b) to this By-law:
- i) A Two Family Dwelling shall be subject to the provisions as provided in subsection 10B. (3) and (4) (ii).
 - ii) A Street Townhouse Dwelling shall be subject to the provisions as provided in subsection 10F. (4), (5), and (6).
- g) That in addition to the provisions of Section 10. of the "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District, the following provisions shall apply to the uses permitted in Section 3 b) to this By-law:
- i) A Semi-Detached Dwelling shall be subject to the provisions as provided in subsection 9A. (3) (b) and (c).
 - ii) A Street Townhouse Dwelling shall be subject to the provisions as provided in subsection 10F. (4), (5), and (6).
- h) That in addition to the provisions of Section 10.1 of the "R-2" (Urban Protected Residential One and Two Family Dwellings, etc.) District, the following provisions shall apply to the uses permitted in Section 3 b) to this By-law:
- i) A Semi-Detached Dwelling shall be subject to the provisions as provided in subsection 9A. (3) (b) and (c).
 - ii) A Street Townhouse Dwelling shall be subject to the provisions as provided in subsection 10F. (4), (5), and (6).
4. That the SECTION 19: RESIDENTIAL CONVERSION REQUIREMENTS contained in Section 19 of Zoning By-law No. 6593, applicable to the lands the extent and boundaries of which are shown on Schedules "A-1" and "A-2" to this By-law, be amended to include the following special requirements:
- a) That in addition to the requirements of Section 19, the following provisions shall apply to conversions in "B-1", "B-2", "C", "R-4", "D", and "R-2" Districts:

- “i) For the purpose of Section 4 to this By-law, a converted dwelling shall mean a single detached or two family dwelling, existing as of XX, 2022, converted to contain greater than two but no more than four Dwelling Units.
 - ii) All the regulations of Zoning By-law No. 6593 applicable to the existing dwelling shall continue to apply unless specifically provided in Section 4 to this By-law.
 - iii) Notwithstanding any applicable regulations of Zoning By-law No. 6593, no more than four Dwelling Units shall be permitted on a lot.
 - iv) 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.
 - a) Notwithstanding Section 4 a) iv) to this By-law, one parking space is required for the following conditions:
 - 1) For the fourth Dwelling Unit in a converted dwelling; and,
 - 2) For the fourth Dwelling Unit on a lot.”
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 "B-1" (Suburban Agriculture and Residential, etc.) District provisions, "B-2" (Suburban Residential) District provisions, "C" (Urban Protected Residential, etc.) District provisions, "R-4" (Small Lot Single Family Detached) District provisions, "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District provisions, and "R-2" (Urban Protected Residential One and Two Family Dwellings, etc.) District provisions, subject to the special requirements in Section 3 and 4 of this By-law.
6. That the District maps appended to and forming part of Zoning By-law No. 6593, are amended by marking the lands referred to in Section 1 of this By-law as Schedule S-1822.
7. That Zoning By-law No. 6593 is amended by adding this By-law to Section 19B as Schedule S-1822.

8. 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 Section 2 of this By-law.
9. 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*.
10. 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.
11. That for the purposes of the Ontario Building Code, this By-law or any part if 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

To Amend Former City of Hamilton Zoning By-law No. 6593 Respecting Modifications and Updates to Low Density Residential Zones



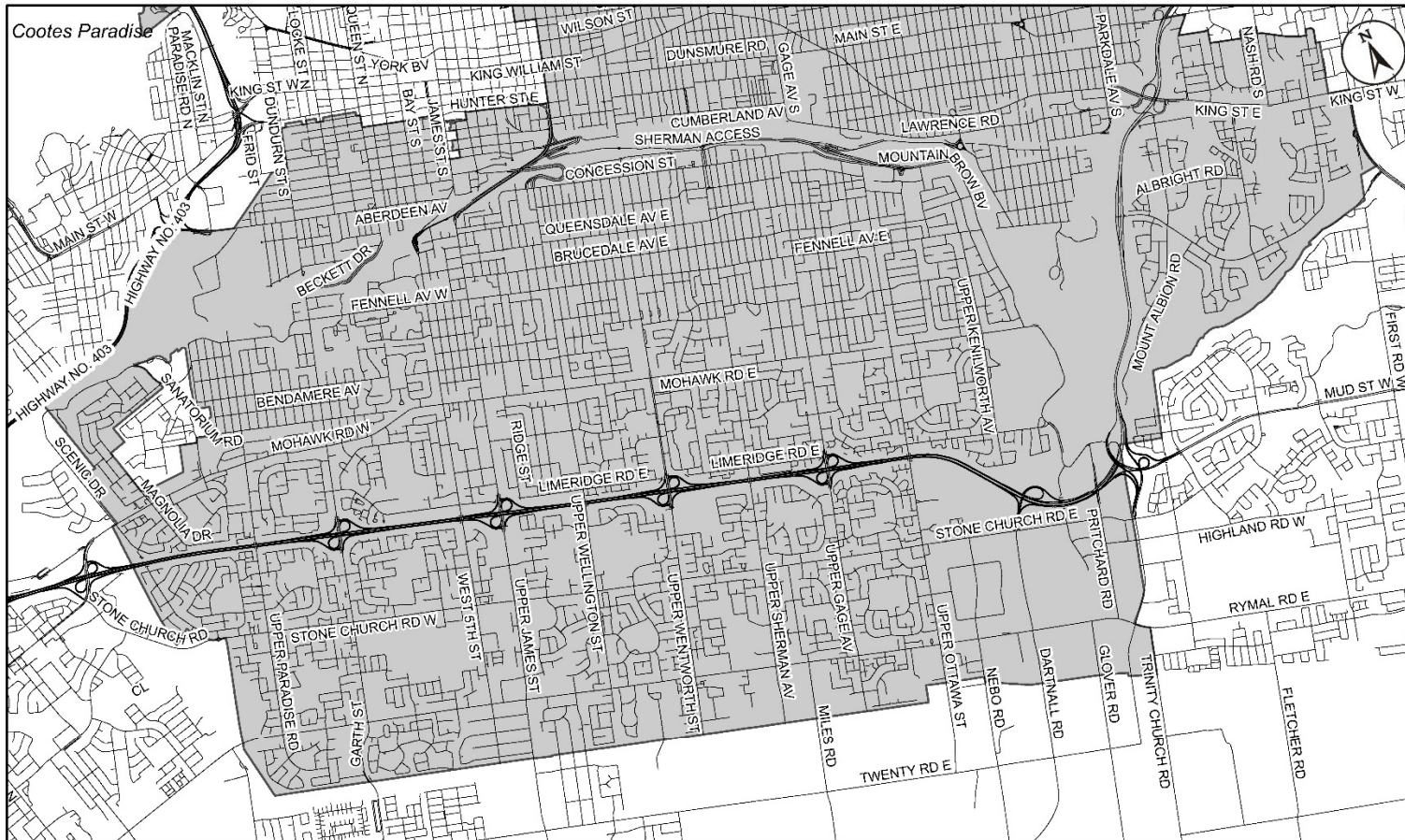
Schedule "A1"
Map forming Part of By-law No. 22-_____ to Amend By-law No. 6593

**This is Schedule "A1" to the By-law No. 22-
Passed the day of, 2022**

Subject Area: Geographic Area Subject to By-law No. 22-____
By-law affecting lands zoned:
"B-1" (Suburban Agriculture and Residential, etc.) District
"B-2" (Suburban Residential) District
"C" (Urban Protected Residential, etc.) District
"R-4" (Small Lot Single Family Detached) District
"D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District
"R-2" (Urban Protected Residential One and Two Family Dwellings, etc.) District
By adding Site Specific Number S-1822

| | | |
|--|-------------------------------------|---------------------|
| ----- Mayor ----- | | Hamilton |
| ----- Clerk ----- | | |
| Scale: N.T.S | File Name/Number: CI-22-G | |
| Date: June 20, 2022 | Planner/Technician: AF/NB | |
| PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT | | |

To Amend Former City of Hamilton Zoning By-law No. 6593 Respecting
 Modifications and Updates to Low Density Residential Zones



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|--|---|---|---|
| <p>Schedule "A2"</p> <p>Map forming Part of By-law No. 22- _____ to Amend By-law No. 6593</p> | <p>This is Schedule "A2" to the By-law No. 22- Passed the day of, 2022</p> | <p>----- Mayor -----</p> <p>----- Clerk -----</p> | |
| | <p>Subject Area: Geographic Area Subject to By-law No. 22-__</p> <p>By-law affecting lands zoned: "B-1" (Suburban Agriculture and Residential, etc.) District "B-2" (Suburban Residential) District "C" (Urban Protected Residential, etc.) District "R-4" (Small Lot Single Family Detached) District "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District "R-2" (Urban Protected Residential One and Two Family Dwellings, etc.) District</p> <p>By adding Site Specific Number S-1822</p> | <p>Scale: N.T.S.</p> <p>Date: June 20, 2022</p> | <p>File Name/Number: CI-22-G</p> <p>Planner/Technician: AF/NB</p> |
| <p>PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT</p> | | | |