

Authority: Item 7, Planning Committee
Report: 22-012 (PED22154)
CM: August 12, 2022
Ward: City Wide
Bill No. 196

CITY OF HAMILTON

BY-LAW NO. 22-196

To Amend Zoning By-law No. 3692-92 (Stoney Creek) 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 1st, 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 City of Stoney Creek" 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By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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. 3692-92 (Stoney Creek) was enacted on the 8th day of December, 1992, and approved by the Ontario Land Tribunal on the 31st day of May, 1994;

AND WHEREAS Council, in approving 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. 3692-92 (Stoney Creek) 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 amends Zoning By-law No. 3692-92 (Stoney Creek) as follows:

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

“PART 15 SPECIAL FIGURES FIG - 1”

2. That Part 3: INTERPRETATION, be amended by adding a new Section as follows:

“3.11 SPECIAL FIGURES

Part 15 – Special Figures exists where figures referenced in the text of Zoning By-law No. 3692-92 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 Part 6: RESIDENTIAL ZONES, be amended by modifying Section 6.1.7 to add a clause to Subsection 6.1.7 (a) (i) as follows:

“(A) Notwithstanding Section 6.1.7 (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 Part 6: RESIDENTIAL ZONES, be amended by adding a new Section as follows:

“6.1.7.3 Regulations for Converted Dwellings

- (a) For the purpose of Section 6.1.7.3, 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 R1, R2, R3, R4, R5 or R6 Zone identified on Figure 1 of Part 15: Special Figures
 - (i) In addition to Section 6.1.7.3 (b), a Converted Dwelling shall be permitted on a lot in in any RM1 zone shown on Schedule “A” of this By-law.
- (c) All the regulations of this By-law applicable to the existing dwelling shall continue to apply unless specifically provided for in Section 6.1.7.3.

- (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 6.1.7.3 (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 6.1.7.3 (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 6.2: SINGLE RESIDENTIAL “R1” ZONE, be amended as follows:

i) By adding the following clause to Section 6.2.2: Permitted Uses For Each Lot:

“(d) In addition to the uses permitted in Section 6.2.2 (a), (b), and (c), on a lot identified on Figure 1 of Part 15: Special Figures, the following additional uses are permitted:

- 1. A Semi-Detached Dwelling
- 2. A Duplex
- 3. Street Townhouses”

ii) By modifying Section 6.2.3 by adding the following words after the words “Zone Regulations”:

“For The Use Permitted Under Section 6.2.2 (a)”

iii) By adding new Subsections 6.2.3.1 and 6.2.6.2 as follows:

“6.2.3.1 Zone Regulations For Uses Permitted Under Section 6.2.2 (d)

- (a) Semi-detached dwellings shall comply with the provisions of Sections 6.6.3, 6.6.4, 6.6.5, 6.6.5.1, 6.6.5.2, and 6.6.6.
- (b) Duplex dwellings shall comply with the provisions of Sections 6.2.3, 6.7.4, 6.7.5, 6.7.6, 6.7.6.1, and 6.7.6.2.

- (c) Street townhouse dwellings shall comply with the provisions of Sections 6.9.3, 6.9.4, 6.9.5, and 6.9.5.1.

6.2.6.2 Regulations For Converted Dwellings

Converted dwellings are permitted in accordance with Section 6.1.7.3.”

- iv) By modifying Section 6.2.4 by adding the following words after the words “Regulations For Parking”:

“ For The Use Permitted Under Section 6.2.2 (a)”

6. That Section 6.3: SINGLE RESIDENTIAL “R2” ZONE, be amended as follows:

- i) By adding the following clause to Section 6.3.2: Permitted Uses For Each Lot:

“(d) In addition to the uses permitted in Section 6.3.2 (a), (b), and (c), on a lot identified on Figure 1 of Part 15: Special Figures, the following additional uses are permitted:

1. A Semi-Detached Dwelling
2. A Duplex
3. Street Townhouses”

- ii) By modifying Section 6.3.3 by adding the following words after the words “Zone Regulations”:

“For The Use Permitted Under Section 6.3.2 (a)”

- iii) By adding new Subsections 6.3.3.1 and 6.3.6.2 as follows:

“6.3.3.1 Zone Regulations For Uses Permitted Under Section 6.3.2 (d)

- (a) Semi-detached dwelling shall comply with the provisions of Sections 6.6.3, 6.6.4, 6.6.5, 6.6.5.1, 6.6.5.2, and 6.6.6.
- (b) Duplex dwellings shall comply with the provisions of Sections 6.7.3 (c), 6.7.4, 6.7.5, 6.7.6, 6.7.6.1, and 6.7.6.2.
- (c) Street townhouse dwellings shall comply with the provisions of Sections 6.9.3, 6.9.4, 6.9.5, and 6.9.5.1.

6.3.6.2 Regulations For Converted Dwellings

Converted dwellings are permitted in accordance with Section 6.1.7.3.”

- iv) By modifying Section 6.3.4 by adding the following words after the words “Regulations For Parking”:

“For The Use Permitted Under Section 6.3.2 (a)”

- 7. That Section 6.4: SINGLE RESIDENTIAL “R3” ZONE, be amended as follows:

- i) By adding the following clause to Section 6.4.2: Permitted Uses For Each Lot:

“(d) In addition to the uses permitted in Section 6.4.2 (a), (b), and (c), on a lot identified on Figure 1 of Part 15: Special Figures, the following additional uses are permitted:

1. A Semi-Detached Dwelling
2. A Duplex
3. Street Townhouses”

- ii) By modifying Section 6.4.3 by adding the following words after the words “Zone Regulations”:

“For The Use Permitted Under Section 6.4.2 (a)”

- iii) By adding new Subsections 6.4.3.1 and 6.4.6.2 as follows:

“6.4.3.1 Zone Regulations For Uses Permitted Under Section 6.4.2 (d)

- (a) Semi-detached dwelling shall comply with the provisions of Sections 6.6.3, 6.6.4, 6.6.5, 6.6.5.1, 6.6.5.2, and 6.6.6.
- (b) Duplex dwellings shall comply with the provisions of Sections 6.4.3, 6.7.4, 6.7.5, 6.7.6, 6.7.6.1, and 6.7.6.2.
- (c) Street townhouse dwellings shall comply with the provisions of Sections 6.9.3, 6.9.4, 6.9.5, and 6.9.5.1.

6.4.6.2 Regulations For Converted Dwellings

Converted dwellings are permitted in accordance with Section 6.1.7.3.”

- iv) By modifying Section 6.4.4 by adding the following words after the words “Regulations For Parking”:

“For The Use Permitted Under Section 6.4.2 (a)”

- 8. That Section 6.5: SINGLE RESIDENTIAL “R4” ZONE, be amended as follows:

- i) By adding the following clause to Section 6.5.2: Permitted Uses For Each Lot:

“(d) In addition to the uses permitted in Section 6.5.2 (a), (b), and (c), on a lot identified on Figure 1 of Part 15: Special Figures, the following additional uses are permitted:

1. A Semi-Detached Dwelling
2. A Duplex
3. Street Townhouses”

- ii) By modifying Section 6.5.3 by adding the following words after the words “Zone Regulations”:

“For The Use Permitted Under Section 6.5.2 (a)”

- iii) By adding new Subsections 6.5.3.1 and 6.5.6.2 as follows:

6.5.3.1 Zone Regulations For Uses Permitted Under Section 6.5.2 (d)

- (a) Semi-detached dwellings shall comply with the provisions of Sections 6.6.3, 6.6.4, 6.6.5, 6.6.5.1, 6.6.5.2, and 6.6.6.
- (b) Duplex dwelling shall comply with the provisions of Sections 6.5.3, 6.7.4, 6.7.5, 6.7.6, 6.7.6.1, and 6.7.6.2.
- (c) Street townhouse dwellings shall comply with the provisions of Sections 6.9.3, 6.9.4, 6.9.5, and 6.9.5.1.

6.5.6.2 Regulations For Converted Dwellings

Converted dwellings are permitted in accordance with Section 6.1.7.3.”

- v) By modifying Section 6.5.4 by adding the following words after the words “Regulations For Parking”:

“For The Use Permitted Under Section 6.5.2 (a)”

9. That Section 6.6: SINGLE RESIDENTIAL “R5” ZONE, be amended as follows:

i) By adding the following clause to Section 6.6.2: Permitted Uses For Each Lot:

“(d) In addition to the uses permitted in Section 6.6.2 (a), (b), and (c), on a lot identified on Figure 1 of Part 15: Special Figures, the following additional uses are permitted:

1. A Duplex
2. Street Townhouses”

ii) By modifying Section 6.6.3 by adding the following words after the words “Zone Regulations”:

“For The Use Permitted Under Section 6.6.2 (a)”

iii) By adding new Subsections 6.6.3.1 and 6.6.5.2 as follows:

6.6.3.1 Zone Regulations For Uses Permitted Under Section 6.6.2 (d)

- (a) Duplex dwellings shall comply with the provisions of Section 6.7.3 (c), 6.7.4, 6.7.5, 6.7.6, 6.7.6.1, and 6.7.6.2.
- (b) Street townhouse dwellings shall comply with the provisions of Sections 6.9.3, 6.9.4, 6.9.5, and 6.9.5.1.

6.6.5.2 Regulations For Converted Dwellings

Converted dwellings are permitted in accordance with Section 6.1.7.3.”

iv) By modifying Section 6.6.4 by adding the following words after the words “Regulations For Parking”:

“For The Use Permitted Under Section 6.6.2 (a)”

10. That Section 6.7: SINGLE RESIDENTIAL “R6” ZONE, be amended as follows:

i) By adding the following clause to Section 6.7.2: Permitted Uses For Each Lot:

“(f) In addition to the uses permitted in Section 6.7.2 (a), (b), (c), (d), and (e), on a lot identified on Figure 1 of Part 15: Special Figures, the following additional use is permitted:

1. Street Townhouses”

ii) By adding a new clause to Section 6.7.3 as follows:

“(d) A Street Townhouse

The use shall comply with the provisions of Sections 6.9.3, 6.9.4 and 6.9.5, and 6.9.5.1.”

iii) By modifying Section 6.7.4 by adding the following words after the words “Regulations For Parking”:

“For the Uses Permitted in Section 6.7.2 (a), (b), and (c)”

iv) By adding a new Subsection 6.7.6.2 as follows:

6.7.6.2 Regulations For Converted Dwellings

Converted dwellings are permitted in accordance with Section 6.1.7.3.”

11. That Section 6.8: MULTIPLE RESIDENTIAL “RM1” ZONE, be amended as follows:

i) By deleting Section 6.8.2 (f) in its entirety but maintaining the section number as follows:

“6.8.2 (f) (Deleted).”

ii) By adding the following clause to Section 6.8.2: Permitted Uses For Each Lot:

“(j) In addition to the uses permitted in Section 6.8.2 (a), (b), (c), (d), (e), (g), (h), and (i), on a lot identified on Figure 1 of Part 15: Special Figures, the following additional use is permitted:

1. Street Townhouses”

iii) By deleting Section 6.8.3 (f) in its entirety but maintaining the section number as follows:

“6.8.3 (f) (Deleted).”

iv) By renumbering Section 6.8.3 (i) as Section 6.8.3 (j)

v) By adding a new Section 6.8.3 (i) as follows:

“6.8.3 (i) A Street Townhouse

The use shall comply with the provisions of Sections 6.9.3,
6.9.4 and 6.9.5, and 6.9.5.1.”

vi) By deleting and replacing new Section 6.8.3 (j) so that it reads:

“6.8.3 (j) Regulations for Secondary Dwelling Units and Secondary
Dwelling Units – Detached

Secondary Dwelling Units and Secondary Dwelling Units –
Detached are permitted in accordance with Section 6.1.7.”

vii) By adding new Subsection 6.8.3 (k) as follows:

“6.8.3 (k) **Regulations For Converted Dwellings**

Converted dwellings are permitted in accordance with Section
6.1.7.3.”

12. That Part 15: SPECIAL FIGURES be amended by adding Figure 1: Additional Permissions in Low Density Residential Zones Outside of Secondary Plans, appended to this By-law.

13. 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*.

14. 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.

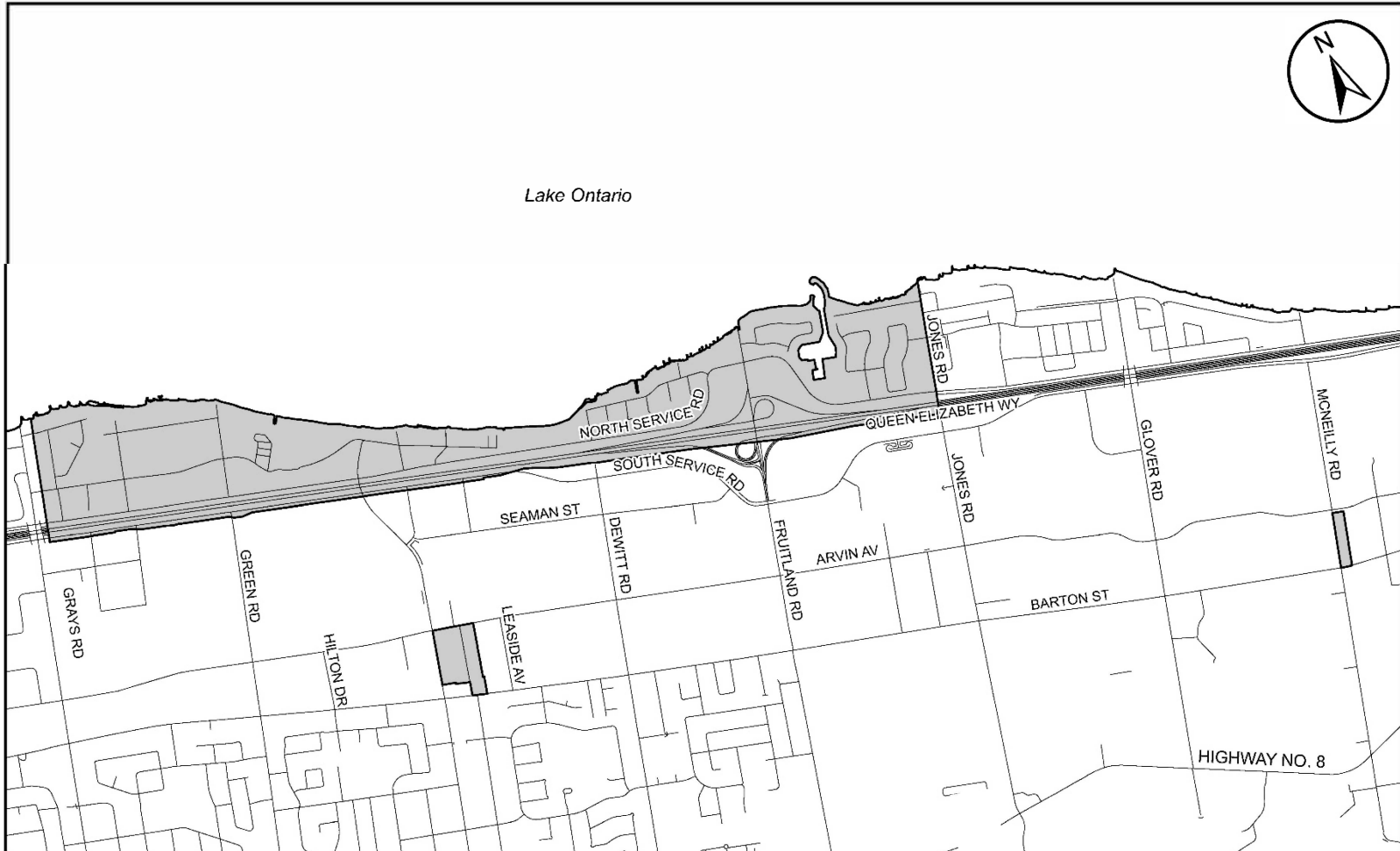
15. That for the purposes of the Ontario Building Code, this By-law or any part of it is not made until it has come into force as provided by Section 34 of the *Planning Act*.

PASSED this 12th day of August, 2022

F. Eisenberger
Mayor

A. Holland
City Clerk

CI 22-G



Special Figure 1: Additional Permissions in Low Density Residential Zones Outside of Secondary Plans

Date:
August 5, 2022

Legend

 Lands Outside of Secondary Plans (excluding employment lands)



Hamilton
 Planning & Economic
 Development Department