

Authority: Item 10, Planning Committee
Report: 19-019 (PED19176(a))
CM: December 11, 2019
Ward: 1, 8, Part of 14
Bill No. 307

CITY OF HAMILTON

BY-LAW NO. 19-307

To Amend Zoning By-law No. 6593 Respecting Second Dwelling Units for Certain Lands Bounded by Queen Street, Hamilton Harbour, the former Hamilton/Dundas Municipal boundary, Niagara Escarpment, Upper Wellington Street, the former Ancaster/Hamilton Municipal boundary, and the former Hamilton/Glanbrook Municipal boundary

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

WHEREAS subsection 39(3) of the *Planning Act* provides that Council may by by-law grant further periods of time that the temporary use is in effect for a period not more than three years;

WHEREAS this By-law adds a Temporary Use expiring three years from the date of the passing of this By-law on December 11, 2019, respecting a pilot project to modify certain clauses of Section 19 of Zoning By-law No. 6593 respecting Residential Conversion requirements for accessory dwelling units and applying to certain lands within Wards 1, 8, and parts of 14; and,

WHEREAS this By-law conforms with the Urban Hamilton Official Plan and Hamilton Official Plan;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That Sheet Numbers W11, W12, W13, W14, W15, W21, W22, W23, W24, W25 of the District Maps, appended to and forming part of Zoning By-law No. 6593 (Hamilton) is amended by adding Site Specific S-1787 to lands zoned:
 - (i) "C" (Urban Protected Residential) District;
 - (ii) "D" (Urban Protected Residential – One and Two Family Dwellings, etc.) District;
 - (iii) "E" (Multiple Dwellings, Lodges, Clubs, etc.) District; and,
 - (iv) "DE" (Low Density Multiple Dwellings) District,

on the lands extent and boundaries of which are shown on a plan hereto annexed as Schedule "A1", but excluding lands zoned "D/S-1745" (Urban Protected Residential – One and Two Family Dwellings, etc.) District, Modified.

2. That Sheet Numbers E6, E7, E8, E9, E9a, E9b, E9c, E9d, E9e, W6, W7, W8, W9, W9a, W9b, W9c, W9d, W9e, W15, W16, W17, W17a, W17b, W17c, W17d, W17e, W21, W22, W23, W24, W25, W26, W27, W27a, W27b, W27c, W27d, W31, W32, W33, W34, W35, W36, W37, W37a, W37b, W37c, W39, W40, W41, W42, W43, W43a, W43b, W43c, W45, W46, W47, W48, W50, W51, and W52 of the District Maps, appended to and forming part of Zoning By-law No. 6593 (Hamilton) is amended by adding Site Specific S-1788 to lands zoned:

- a) "B" (Suburban Agriculture and Residential, etc.) District;
- b) "B-1" (Suburban Agriculture and Residential, etc.) District;
- c) "B-2" (Suburban Residential) District;
- d) "C" (Urban Protected Residential) District;
- e) "D" (Urban Protected Residential – One and Two Family Dwellings, etc.) District;
- f) "R-2" (Urban Protected Residential One and Two Family Dwellings, etc.) District; and,
- g) "DE" (Low Density Multiple Dwellings) District;
- h) "DE-2" (Multiple Dwelling) District;
- i) "E" (Multiple Dwellings, Lodges, Clubs, etc.) District; and,
- j) "E-2" (Multiple Dwellings) District,

on the lands extent and boundaries of which are shown on a plan hereto annexed as Schedules "A2" and "B".

3. "S-1787" and "S-1788"

- a) That Section 19.(1) – Residential Conversion Requirements provisions for Single Family Detached dwellings, as contained in Section 19 of Zoning By-law No. 6593, applicable to the subject lands identified in Schedules "A1", "A2", and "B", be modified to include the following special requirements:

- i) That Sections 19.(1)(i) shall not apply.
- ii) That section 19.(1)(ii) be modified by deleting the number "270" and replacing it with the number "200", so the clause reads as follows:

"The applicable zoning district regulations for a single family detached dwelling shall apply, except the minimum lot are shall be 200 m²;"

- b) That Section 19.(2) – Residential Conversion Requirements provisions for single family detached dwellings, and Two Family Dwellings, as contained in Section 19 of Zoning By-law No. 6593, applicable to the subject lands identified on Schedules "A1", "A2", and "B", be modified to include the following special requirements:

- i) That Section 19.(2)(i) shall not apply.
- ii) That Section 19.(2)(v)(1) be modified by deleting the number “270” and replacing it with the number “200”, so the clause reads as follows:

“a minimum lot area of 200 m² shall be provided and maintained for one to three dwelling units;”

4. “S-1787”

That Sections 19.(1) and (2) – Residential Conversion Requirements provisions for Single Family Detached dwellings, and Two Family Dwellings, as contained in Section 19 of Zoning By-law No. 6593, applicable to the subject lands (Schedule “A1”), be modified to include the following special requirements:

- a) Notwithstanding any other provisions of this by-law, the parking requirements in Tables 1 and 2 of Sections 18A(1)(a) and (b) shall be deemed to comply upon establishing accessory dwelling unit(s) within an existing legally established accessory dwelling unit in a single family detached dwelling or Two-Family dwellings, in cases where the number and location of the parking spaces for the single family detached dwelling and Two Family dwellings have been legally established existing on the effective date of this by-law.

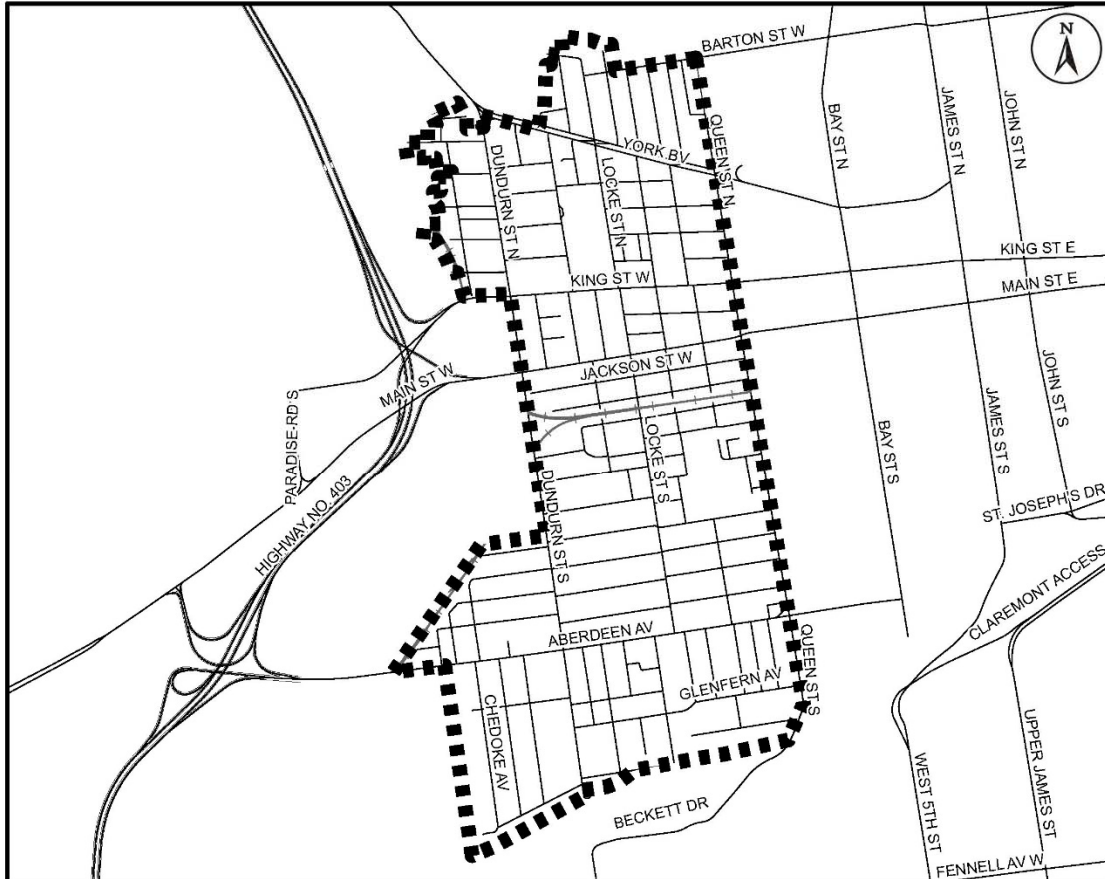
5. That Sheet Numbers E6, E7, E8, E9, E9a, E9b, E9c, E9d, E9e, W6, W7, W8, W9, W9a, W9b, W9c, W9d, W9e, W15, W16, W17, W17a, W17b, W17c, W17d, W17e, W11, W12, W13, W14, W15, W21, W22, W23, W24, W25, W26, W27, W27a, W27b, W27c, W27d, W31, W32, W33, W34, W35, W36, W37, W37a, W37b, W37c, W39, W40, W41, W42, W43, W43a, W43b, W43c, W45, W46, W47, W48, W50, W51, W52 of the District Maps is amended by adding S-1787 and S-1788 to the lands referred to in Sections 1 and 2 of this By-law.

6. That the Clerk is hereby authorized and directed to proceed with the giving of notice of passing of this By-law in accordance with the *Planning Act*.

PASSED this 11th day of December, 2019.

Fred Eisenberger
Mayor

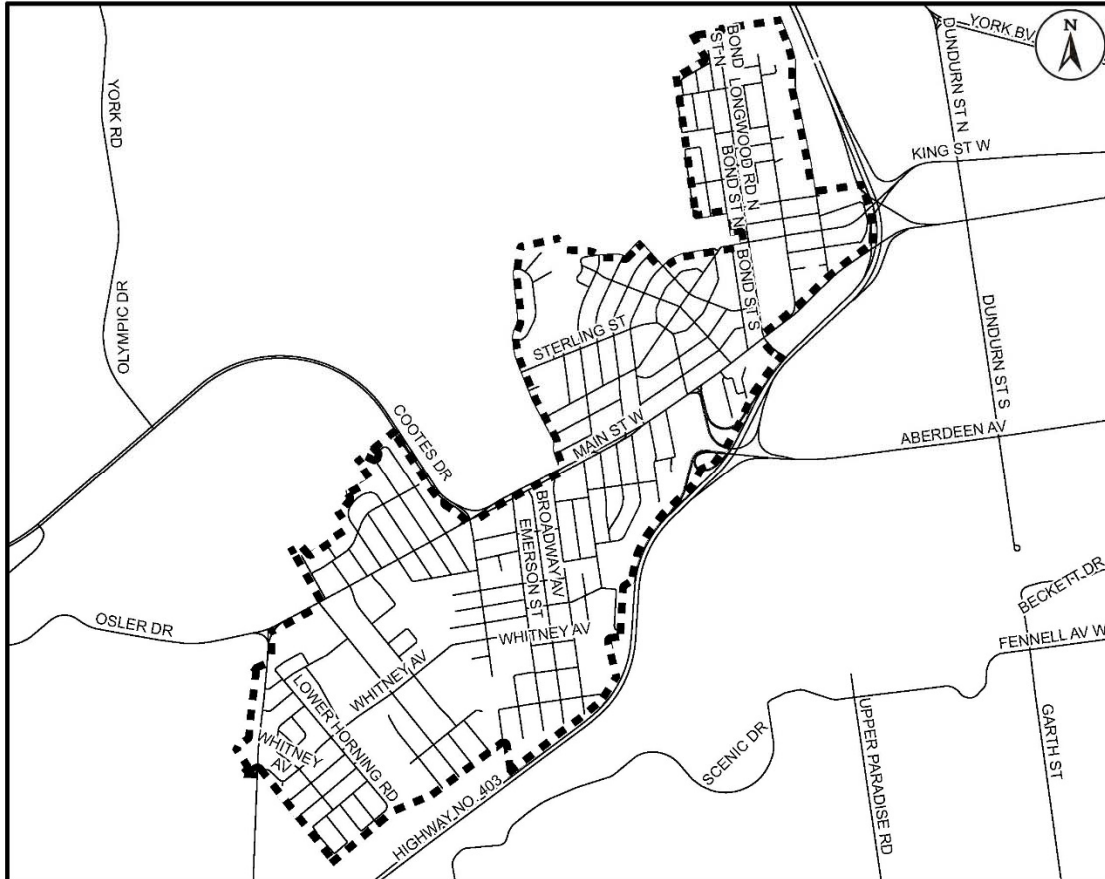
A. Holland
City Clerk



<p>This is Schedule "A1" to By-law No. 19-</p> <p>Passed the day of, 2019</p>	<p>-----</p> <p style="text-align: center;">Mayor</p> <p>-----</p> <p style="text-align: center;">Clerk</p>
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<h2 style="margin: 0;">Schedule "A1"</h2> <p style="margin: 5px 0 0 0;">Map forming Part of</p> <p style="margin: 5px 0 0 0;">By-law No. 19-_____</p> <p style="margin: 5px 0 0 0;">to Amend By-law No. 6593</p>	<p>Subject Area</p> <p>■ ■ ■ ■ Geographic Area Subject to By-law No. 19 _____</p> <p>By-law affecting lands zoned:</p> <p>"C" (Urban Protected Residential, etc.) District;</p> <p>"D" (Urban Protected Residential - One and Two-Family Dwellings, etc.) District;</p> <p>"E" (Multiple Dwellings, Lodges, Clubs, etc.) District; and,</p> <p>"DE" (Low Density Multiple Dwellings) District</p> <p>By adding Site Specific Number "S-1787".</p>
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Scale: N.T.S	File Name/Number: CI-19-D	
Date: August 12, 2019	Planner/Technician: TL/VS	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		

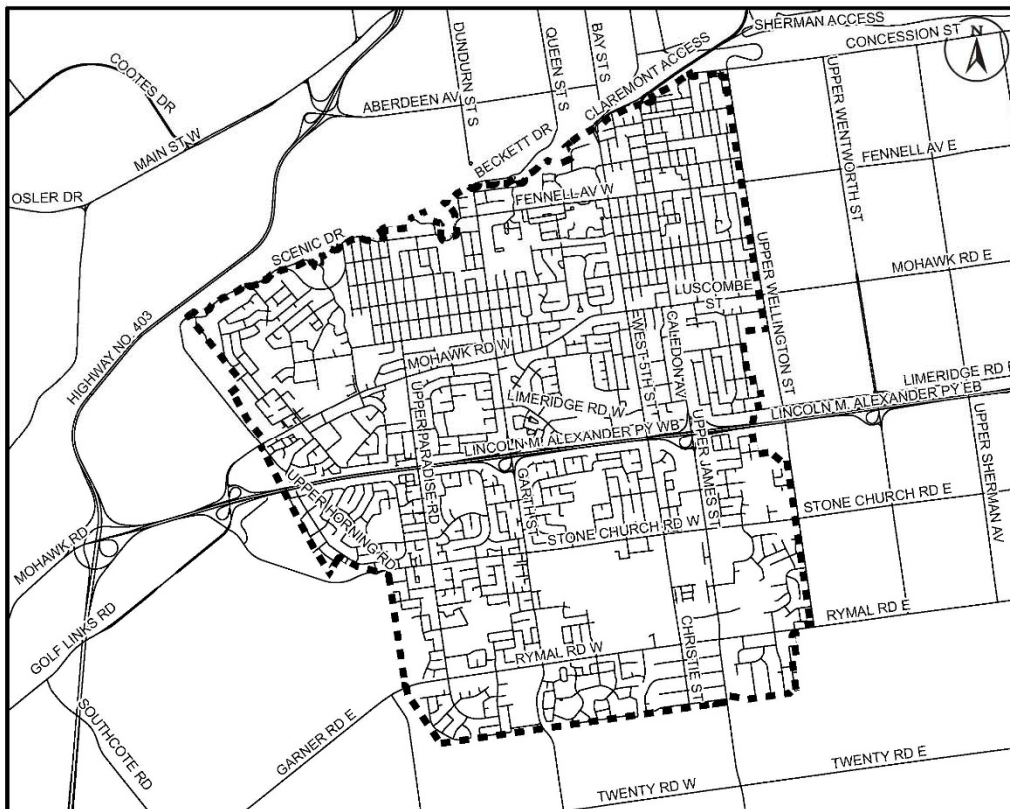


<p>This is Schedule "A2" to By-law No. 19-</p> <p>Passed the day of, 2019</p>	<p style="text-align: center;">-----</p> <p style="text-align: center;">Mayor</p> <p style="text-align: center;">-----</p> <p style="text-align: center;">Clerk</p>
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<h2>Schedule "A2"</h2> <p>Map forming Part of By-law No. 19- _____</p> <p>to Amend By-law No. 6593</p>	<p>Subject Area</p> <p>■ ■ ■ ■ Geographic Area Subject to By-law No. 19 ____</p> <p>By-law affecting lands zoned:</p> <p>"C" (Urban Protected Residential, etc.) District;</p> <p>"D" (Urban Protected Residential - One and Two-Family Dwellings, etc.) District</p> <p>"E" (Multiple Dwellings, Lodges, Clubs, etc.) District</p> <p>By adding Site Specific Number "S-1788".</p>
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Scale: N.T.S	File Name/Number: CI-19-D
Date: August 12, 2019	Planner/Technician: TL/VJS
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT	





<p>This is Schedule "B" to By-law No. 19-</p> <p>Passed the day of, 2019</p>		<p>-----</p> <p style="text-align: center;">Mayor</p> <p>-----</p> <p style="text-align: center;">Clerk</p>
<h2 style="margin: 0;">Schedule "B"</h2> <h3 style="margin: 0;">Map forming Part of By-law No. 19-_____</h3> <h3 style="margin: 0;">to Amend By-law No. 6593</h3>		<p>Subject Area</p> <p> Geographic Area Subject to By-law No. 19 _____</p> <p>By-law affecting lands zoned:</p> <ul style="list-style-type: none"> "B" (Suburban Agriculture and Residential, etc.) District; "B-1" (Suburban Agriculture and Residential, etc.) District; "B-2" (Suburban Residential) District; "C" (Urban Protected Residential, etc.) District; "D" (Urban Protected Residential - One and Two-Family Dwellings, etc.) District; "R-2" (Urban Protected Residential One and Two Family Dwellings, etc.) District; "DE" (Low Density Multiple Dwellings) District; "DE-2" (Multiple Dwelling) District; "E" (Multiple Dwellings, Lodges, and Clubs, etc.) District; and "E-2" (Multiple Dwellings) District <p>By adding Site Specific Number "S-1788" .</p>
<p>Scale: N.T.S</p>	<p>File Name/Number: CI-19-D</p>	<p>Hamilton</p>
<p>Date: October 4, 2019</p>	<p>Planner/Technician: TLVS</p>	
<p>PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT</p>		