

WELCOME TO THE CITY OF HAMILTON

Proposed Temporary Use By-law

**Relief from Certain Residential Conversion Zone Regulations in Hamilton Zoning
By-law No. 6593**

December 3, 2019 – Planning Committee Meeting

Purpose of the Proposed Temporary Use By-law

- Proposed By-law directly tied to the Low Density Rental Housing Licensing Pilot Project for Wards 1, 8 and portions of Ward 14.
- Stakeholders identified 1991 Zoning By-law regulations can be a barrier to create accessory dwelling units.
- Proposed By-law amends Zone Regulations under Section 19 – Residential Conversion in Hamilton Zoning By-law No. 6593 for a period of 36 months:
 - Minimum dwelling size and lot size requirements
 - Parking requirements and parking arrangements (east of Hwy 403 only)

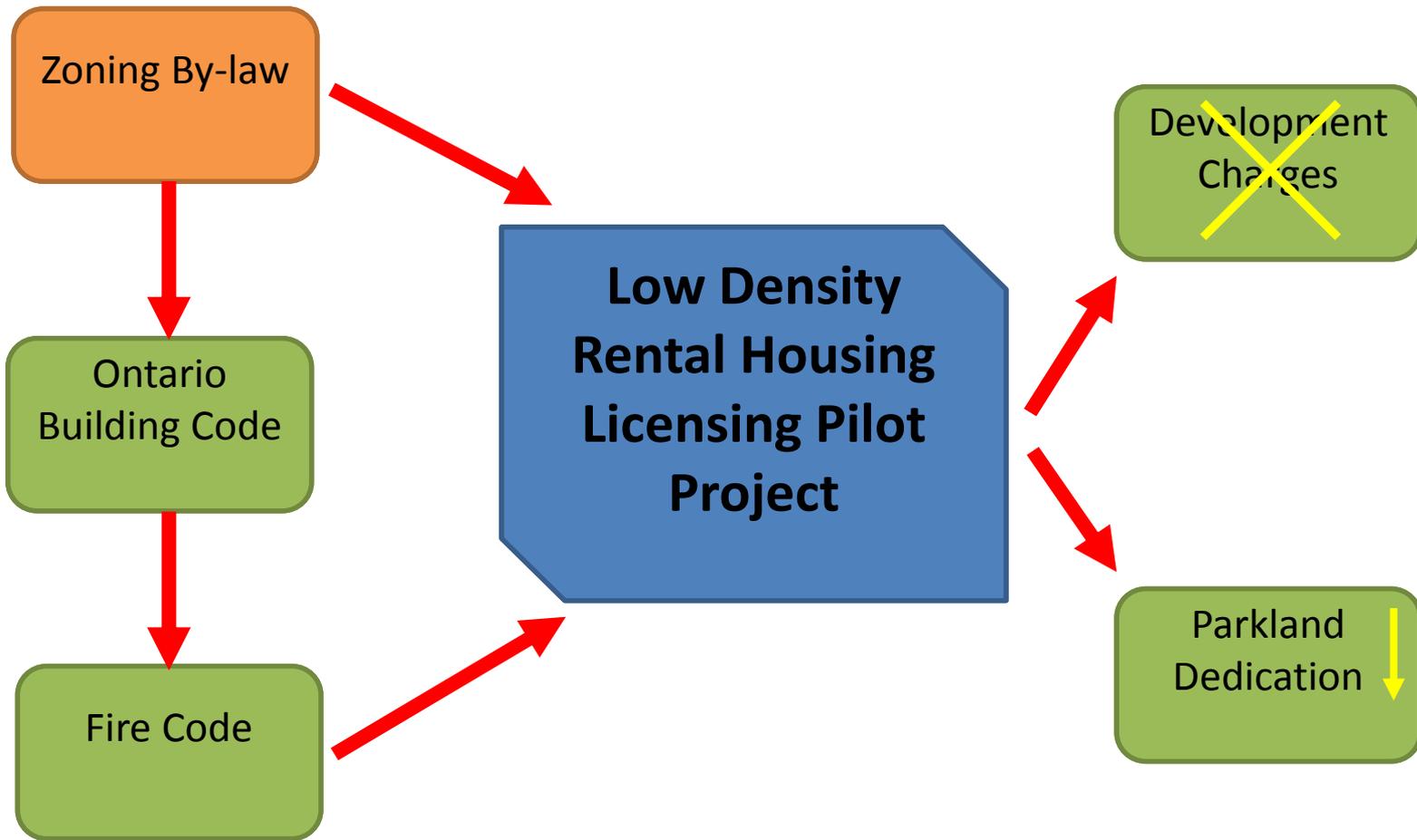
The Proposed Temporary Use By-law applies to Homeowners...

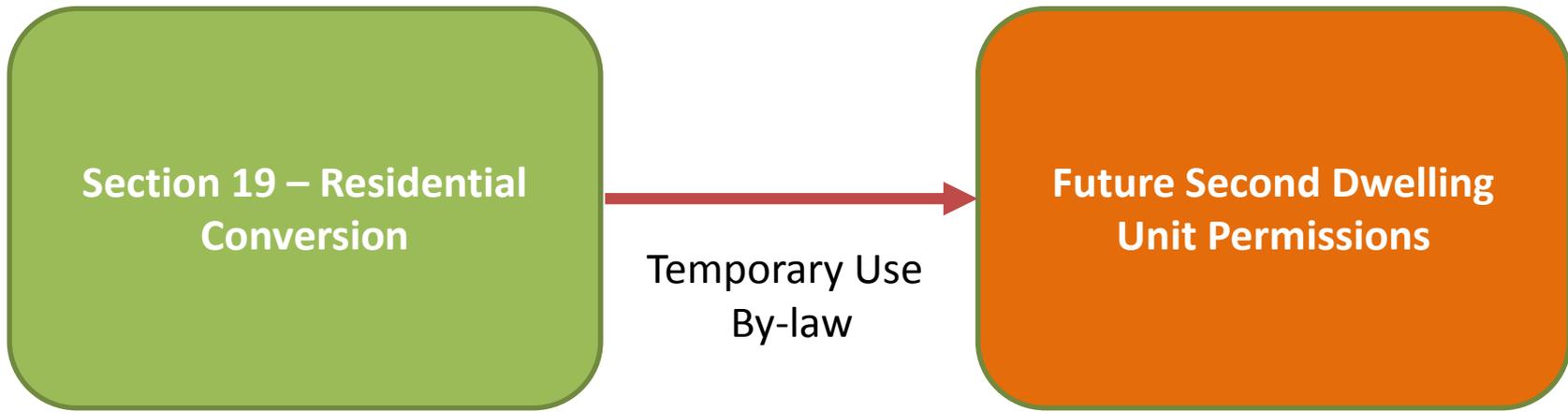
- Who wish to rent out their accessory dwelling units to a tenant.
- Who wish to provide for accommodation to family members.
- Regardless of whether rent is being charged to the tenant, or if for free (\$0).



Chronology of Events

- *September 17, 2019*
 - Brought forward staff report PED19176 to Planning Committee but was deferred to the next meeting.
- *October 1, 2019*
 - Brought forward staff report PED19176 to Planning Committee. Request to add portions of Ward 14 into the draft By-law and address Councillor and delegate concerns.
- *December 3, 2019*
 - Brought forward staff report PED19176 to Planning Committee which now includes Wards 1, 8, and portions of Ward 14, and address concerns from previous Planning Committee.





- Special Exception to recognize properties that have undergone the licensing program and received Building Permits to construct an accessory dwelling unit.

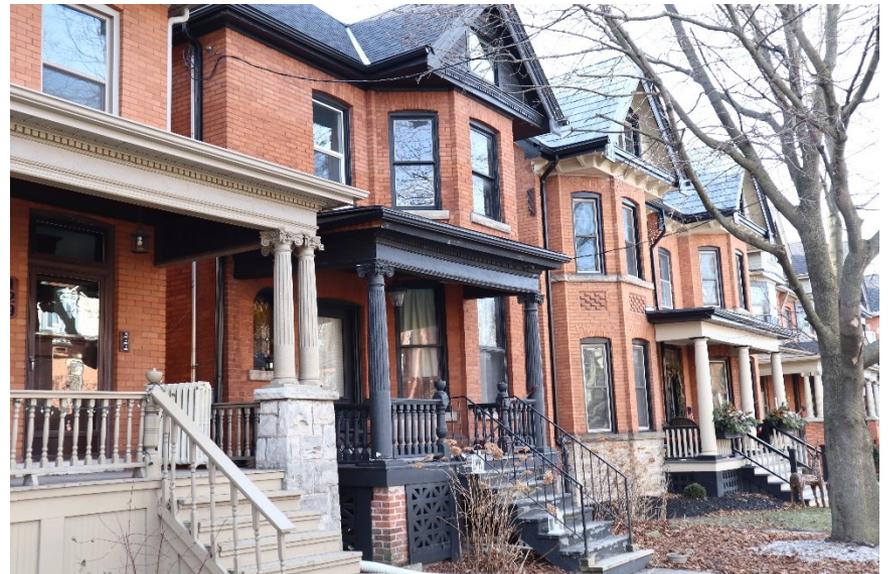
What is Section 19 – Residential Conversion of Hamilton Zoning By-law No. 6593?

- A homeowner or land owner can add one additional dwelling unit such as a basement apartment.
- Must comply with Section 19 Residential Conversion zone regulations and is restrict to one accessory dwelling unit per lot.
- This section only applies to the former City of Hamilton.



What is Section 19 – Residential Conversion of Hamilton Zoning By-law No. 6593?

- Regulations do not control how many people reside in the dwelling unit.
- The Zoning By-law cannot require owner occupancy of the principle dwelling unit.



What is Section 19 – Residential Conversion of Hamilton Zoning By-law No. 6593?

- Minimum 65 square metres (640 square feet) per dwelling unit (main dwelling unit and accessory dwelling unit).
- Minimum 270 square metres (2,906 square feet) lot size.
- Design Regulations controls overall appearance of the dwelling:
 - The external appearance shall be preserved; and,
 - There shall be no exterior stairway other than an exterior exit.

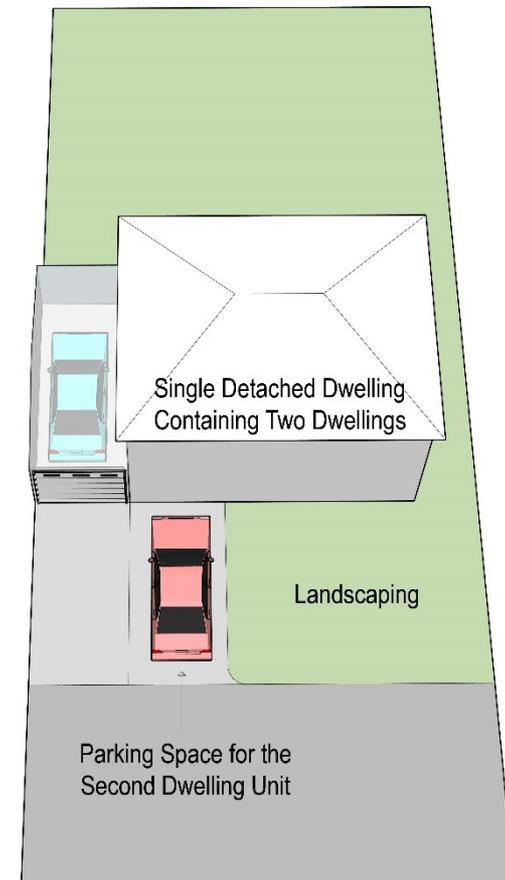
What Section 19 Regulations are being amended?

- Proposed By-law mainly affects Single Detached Dwellings (Section 19.(1) and 19.(2) of the Zoning By-law).
- “Laneway Housing” pilot project (By-law 18-299) was recently added to Section 19 and is not subject to the Temporary Use By-law. Regulations remains as it is.



What Zone Regulations in Section 19 are being amended?

- Parking requirements and Parking arrangement
 - Ward 8, portions of Ward 14, Ward 1 west of Highway 403
 - No changes to parking requirements
 - Each unit has 1 unobstructed parking space per unit.



What Zone Regulations in Section 19 are being amended?

- Parking requirements and Parking arrangement
 - Ward 1 east of Highway 403
 - No additional parking required for second unit;
 - Tandem parking is permitted
 - Lots with no parking on-site will not be required to provide a parking space for either unit.



Summary of Issues raised in the September 17 and October 1, 2019 Public Meetings

Issue	Response
Add the Hamilton Portion of Ward 14 to the Temporary Use By-law	Proposed By-law includes the Hamilton portion of Ward 14.
Making the By-law Permanent and not Temporary	If secondary dwelling units regulations not in effect in Zoning By-law 05-200, staff report back in July 2022 on extending temporary use by-law, make changes to temporary use by-law or cease pilot project
Parking Requirements based on the number of bedrooms	<p>Existing parking requirement under Hamilton Zoning By-law No. 6593 requires additional parking exceeding nine or more habitable rooms.</p> <p>A converted Single Detached Dwelling requires one space per dwelling unit for a total of two parking spaces</p>

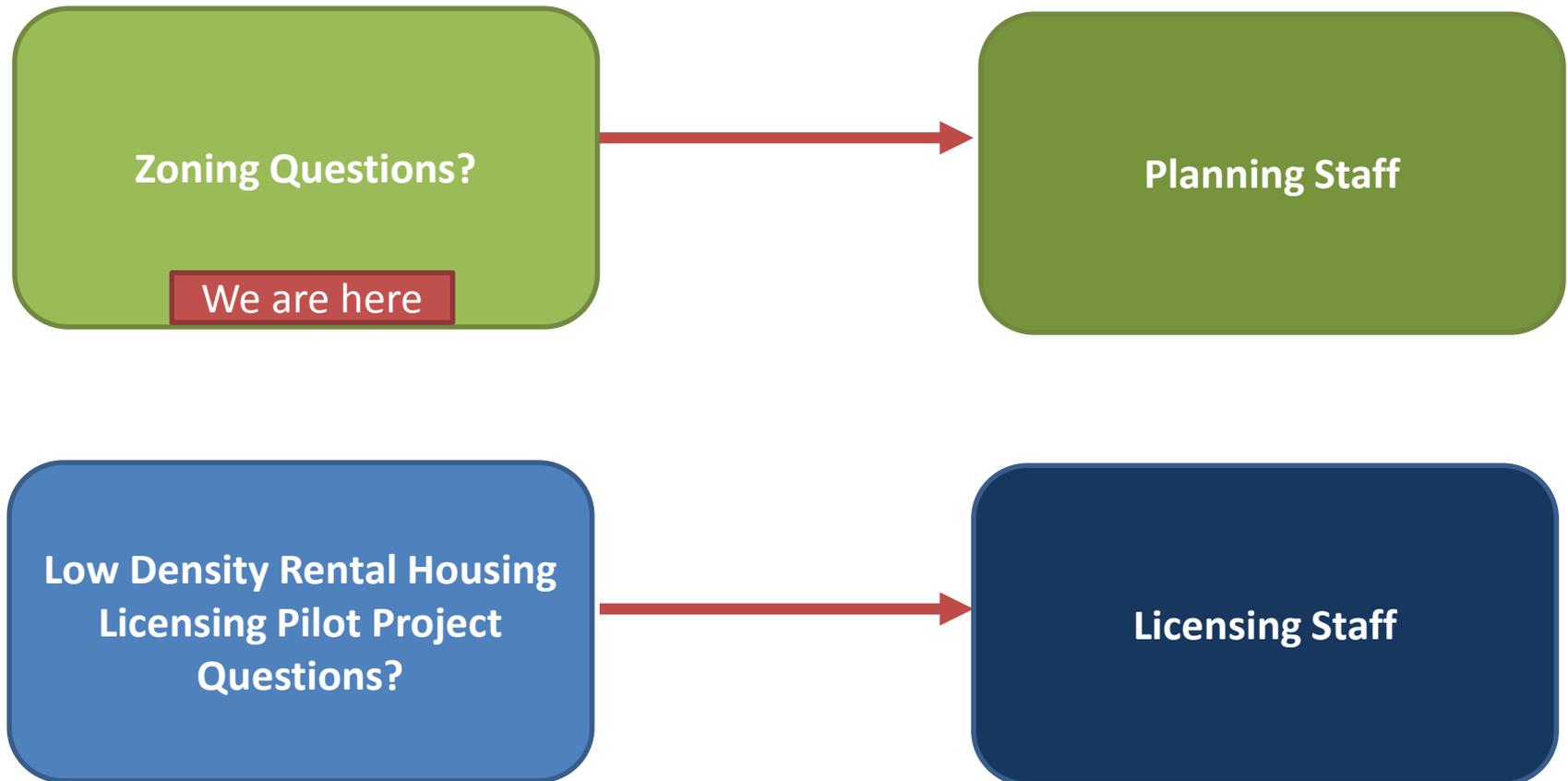
Summary of Issues raised in the September 17 and October 1, 2019 Public Meetings

Issue	Response
Minimum Floor Area Size requirements for Accessory Dwelling Units	<p>No minimum requirement in numerous municipal Zoning By-laws with the exception of London and Windsor.</p> <p>Ontario Building Code sets out minimum dwelling standards based on open concept or separated by walls (approximately 145 square feet without a bathroom)</p>
Determine maximum floor area of Accessory Dwelling Units	Generally maximum size of a dwelling unit is 50% of the floor area of the main dwelling unit.

Summary of Issues raised in the September 17 and October 1, 2019 Public Meetings

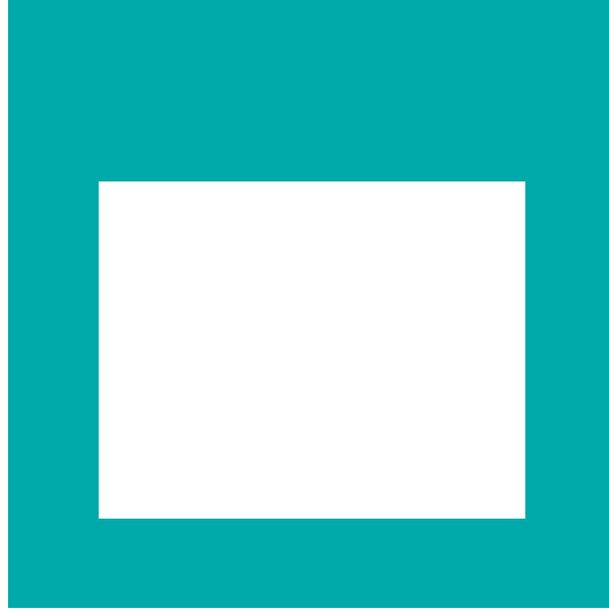
Issue	Response
Maximum number of bedrooms	<p>Some municipalities have a maximum gross floor area for the additional dwelling unit.</p> <p>Not recommending as may limit design options and unit only allowed within existing dwelling units.</p>

Questions and Answers?



Recommendations for Consideration

- Recommendations are to:
 - Approve the Temporary use By-law to amend certain zoning regulations for Section 19 in Zoning By-law No. 6593 for second dwelling units in existing buildings a 36 month period.
 - If the secondary dwelling unit regulations are not in place in Zoning By-law No. 05-200, staff report back in July 2022 (30 months) on whether to:
 1. Extend the Temporary Use by-law; or,
 2. Make changes to the Temporary Use by-law permanent; or,
 3. Cease pilot project.



THANK YOU FOR ATTENDING

THE CITY OF HAMILTON PLANNING COMMITTEE