



## NOTICE OF PUBLIC MEETING OF THE PLANNING COMMITTEE

### **SECONDARY DWELLING UNITS**


Modifications to Zoning By-law No.-05-200 and Six Former Municipal Zoning By-laws in effect in the City of Hamilton  
and  
Repeal of By-laws 18-299 (Laneway Housing) and 19-307 (Temporary Use By-law for Hamilton Zoning By-law No. 6593 – Secondary Dwelling Units)

### **ACCESSORY BUILDING AND OTHER REGULATIONS**

Modifications to Zoning By-law No.-05-200

#### **WHAT? WHY?**

The Planning Committee is holding a Public Meeting under the *Planning Act*:

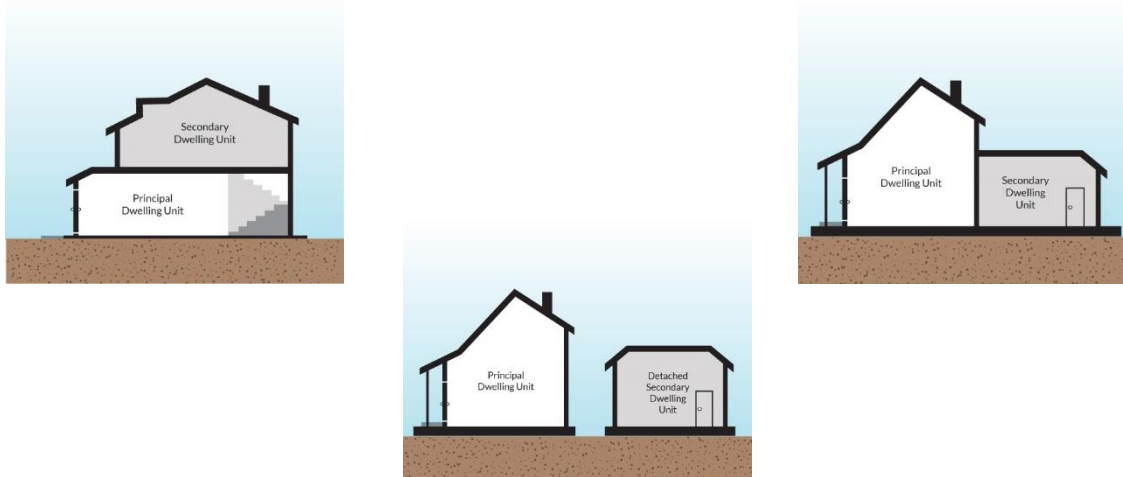
 to consider modifications to Hamilton Zoning By-law No. 05-200, Town of Ancaster Zoning By-law No. 87-57, Town of Dundas Zoning By-law No. 3581-86, Town of Flamborough Zoning By-law No. 90-145-Z, Township of Glanbrook Zoning By-law No. 464, and City of Stoney Creek Zoning By-law No. 3692-92 to amend and/or add new Secondary Dwelling Units (SDUs) regulations to implement the Official Plans :

#### **General SDU Regulations (Urban and Rural Areas):**

A map has not been included in this Notice since the lands affected by the Zoning By-law Amendments are City-Wide.

- Urban Area: Permit SDUs in certain Zones on lots that permit a single-detached, semi-detached, street townhouse, or townhouse dwelling in the following forms:

- Internal to the Principal Dwelling;
- Newly Constructed detached SDUs; and,
- Converted detached SDUs.



- Rural Area: Permit SDUs internal to the principal dwelling on lots greater than 0.6 ha in size containing a single-detached or semi-detached dwelling.

#### Parking Requirements:

- Citywide parking requirement;
  - one parking space per SDU, in addition to the parking requirement of the principal dwelling, except,
  - no additional parking space is required for SDU for properties within a portion of the lower City (roughly bounded by Highway 403 south of the industrial area, the Niagara Escarpment, and Ottawa Street).

#### Urban Area Regulations:

##### Internal SDUs to the Principal Dwelling

- One entrance to the principal dwelling and SDU shall face the street, except lands bounded by Highway 403 south of the industrial area, the Niagara Escarpment, and Ottawa Street where two entrances can face the street.

##### Newly Constructed Detached SDUs

- Locational requirements - side yard and rear yard only, distance from the street and between the SDU and the principle dwelling;

- Minimum landscaped area for each SDU;
- Setbacks from neighbouring properties and swales;
- Height and size limitations; and,
- Design regulations for windows, patios, porches balconies.

#### Converted Detached SDUs

- Vacuum Clause - to recognize the existing location of the existing accessory building; and,
- Additions to existing accessory buildings regulations.

#### **Rural Area Regulations**

##### Internal SDUs to the Principal Dwelling

- Minimum lot size requirements, adequate services provisions, and other technical regulations.

In addition, the following two By-laws will be repealed from Hamilton Zoning By-law No. 6593 since the new SDU regulations in Section 1 have made these By-laws redundant:

- By-law18-299 - Second Dwelling Units (Laneway Houses).
- By-law 19-307, the Temporary Use By-law - Second Dwelling Units for Certain Lands-in the Lower City.



to consider modifications to Hamilton Zoning By-law No. 05-200 to delete and replace the existing Accessory Building Regulations and to add new interpretation regulations:

- Regulations for Accessory Buildings in Residential, Institutional, Commercial, Industrial and Utility, and Agricultural, and Rural, addressing: Height; Setback requirements; Maximum Gross Floor Area.; Location Restrictions.
- Interpretation regulations - Allow use of diagrams for reference purposes and the use of tables and notations for regulations and permitted uses

The purpose and effect of these Zoning By-law Amendments is to ensure Zoning By-law regulations are up to date and current.

**WHEN?** Tuesday, April 6, 2021  
9:30 a.m.

**WHERE?** Due to the COVID-19 and the closure of City Hall all Virtual Meetings can be viewed at:

**City's Website:**

[www.hamilton.ca/MeetingAgendas](http://www.hamilton.ca/MeetingAgendas)

**City's YouTube Channel:**

<https://www.youtube.com/InsideCityofHamilton>

**HOW?** **Accessing the Proposed Zoning By-law Amendments and Report**

The information and material related to the proposal will be available in the staff report for public inspection, which will be available to the public on or after Wednesday, March 31, 2021 and may be obtained from the City's website [www.hamilton.ca/MeetingAgendas](http://www.hamilton.ca/MeetingAgendas) or contact Timothy Lee at 905-546-2424 Ext. 1249 or by e-mail at [timothy.lee@hamilton.ca](mailto:timothy.lee@hamilton.ca) for a copy of the staff report.

**Planning Committee Agenda**

Copies of the Planning Committee agenda, including staff reports, will be available on or after Wednesday, March 31, 2021 and may be obtained from the City's website [www.hamilton.ca/MeetingAgendas](http://www.hamilton.ca/MeetingAgendas) or contact the City Clerks Office by email at [clerk@hamilton.ca](mailto:clerk@hamilton.ca).

**Public Input**

Members of the public who would like to participate in a statutory public meeting are able to provide comments in writing via mail or email in advance of the meeting. Comments can be submitted by emailing [clerk@hamilton.ca](mailto:clerk@hamilton.ca) or by mail to the Legislative Coordinator, Planning Committee, City of Hamilton, 71 Main Street West, 1<sup>st</sup> Floor, Hamilton, Ontario, L8P 4Y5. Comments must be received by noon Thursday, April 1, 2021. Any written comments received after the deadline will be included on the Wednesday, April 14, 2021 Council agenda.

Comments can also be placed in the drop box which is located at the back of the 1<sup>st</sup> Floor of City Hall, 71 Main Street West.

**Pre-Recorded Submissions**

Members of the public can participate in a statutory public meeting by submitting a pre-recorded video by noon Thursday, April 1, 2021. The video

must be no longer than 5 minutes in length and will be reviewed before the meeting to ensure it adheres to the City’s procedures and protocols in presenting to Council. The video can be submitted by emailing [clerk@hamilton.ca](mailto:clerk@hamilton.ca) or dropping off a USB at the City Hall drop box located at the back of the 1<sup>st</sup> Floor of City Hall, 71 Main Street West, to the attention of the Legislative Coordinator, Planning Committee. Any videos that do not adhere to the City’s procedures and protocols will not be presented at the meeting.

### **Oral Submissions During the Virtual Meeting**

Members of the public are also able to provide oral comments, no longer than 5 minutes in length, regarding statutory public meeting items by participating through Webex via computer or phone. Participation in this format requires pre-registration in advance. Interested members of the public **must register** by noon Thursday, April 1, 2021.

To register to participate by Webex either via computer or phone, members of the public must submit a Request to Speak form which can be found at [www.hamilton.ca/RequestToSpeak](http://www.hamilton.ca/RequestToSpeak). Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting. The link must not be shared with others as it is unique to the registrant.

All members of the public who register to participate by Webex will be contacted by City Staff to confirm details of the registration prior to the meeting and provide an overview of the public participation process.

If you need clarification or have any questions on how to participate in a statutory public meeting, please email [clerk@hamilton.ca](mailto:clerk@hamilton.ca) or by phone at 905-546-2424 Ext. 4605.

### **To request a Notice of Decision**

If you wish to be notified of the decision of the City of Hamilton on the proposed Zoning By-law Amendments, you must make a written request to Lisa Kelsey, Legislative Coordinator (contact information below).

Lisa Kelsey, Legislative Coordinator  
City Clerks Office, 1<sup>st</sup> Floor, 71 Main Street West,  
Hamilton, Ontario, L8P 4Y5  
Phone: 905-546-2424 Ext. 4605  
E-mail: [lisa.kelsey@hamilton.ca](mailto:lisa.kelsey@hamilton.ca)

## Appeals

In accordance with the provisions of the *Planning Act*,

### Zoning By-law Amendments

- i. If a person or public body does not make oral submissions at a public meeting or make written submissions to the City of Hamilton before the proposed Zoning By-law amendments are adopted, the person or public body is not entitled to appeal the decision of Council, City of Hamilton to the Local Planning Appeal Tribunal (LPAT).
- ii. If a person or public body does not make oral submissions at a public meeting or make written submissions to the City of Hamilton before the proposed Zoning By-law amendments are adopted, the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal (LPAT) unless, in the opinion of the Tribunal, there are reasonable grounds to add the person or public body as a party.

### Collection of Information

Information respecting this application is being collected under the authority of the *Planning Act*, R.S.O. 1990, c.P.13. All comments and opinions submitted to the City of Hamilton on this matter, including the name, address and contact information of persons submitting comments and / or opinions, will become part of the public record and will be made available to the general public **and will appear on the City's website unless you expressly request within your communication the City remove your personal information.**

**Contact:** For further information, please contact:

**Timothy Lee**, Senior Planner  
Planning & Economic Development Department  
City of Hamilton  
71 Main Street West, 4th Floor, Hamilton, Ontario, L8P 4Y5  
**Phone: 905-546-2424 Ext. 1249**  
**E-Mail: [timothy.lee@hamilton.ca](mailto:timothy.lee@hamilton.ca)**

This Notice is issued March 18, 2021.

(CI-20-E)