

# CITY OF HAMILTON PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT Planning Division

TO:	Chair and Members	
	Planning Committee	
COMMITTEE DATE:	September 21, 2021	
SUBJECT/REPORT NO:	Housekeeping Amendments to the Urban Hamilton Official Plan and Rural Hamilton Official Plan and Modifications and Updates to the City of Hamilton Zoning By-law No. 05-200 and the Zoning By-laws of the Town of Dundas, City of Stoney Creek, Town of Ancaster, City of Hamilton, Town of Flamborough and Township of Glanbrook (PED21167) (City Wide) <b>(Outstanding Business List Item)</b>	
WARD(S) AFFECTED:	City Wide	
PREPARED BY:	Heather Travis (905) 546 - 2424 Ext. 4168 Lauren Vraets (905) 546 - 2424 Ext. 2634	
SUBMITTED BY: SIGNATURE:	Steve Robichaud Director, Planning and Chief Planner Planning and Economic Development Department	
	Cerenter	

#### RECOMMENDATION

- (a) That City Initiative CI-21-D Housekeeping Amendments to the Urban Hamilton Official Plan (UHOP) and Rural Hamilton Official Plan (RHOP), to amend policies, schedules and maps in Volume 1 – Parent Plan, Volume 2 – Secondary Plans and Rural Settlement Areas, and Volume 3 – Area and Site Specific Policies of the UHOP and RHOP, in order to correct and clarify policies and mapping, be APPROVED on the following basis:
  - (i) That the Draft Urban Hamilton Official Plan Amendment, attached as Appendix "A" to Report PED21167, be adopted by Council;
  - (ii) That the Draft Rural Hamilton Official Plan Amendment, attached as Appendix "B" to Report PED21167, be adopted by Council;

OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

- SUBJECT: Housekeeping Amendments to the Urban Hamilton Official Plan and Rural Hamilton Official Plan and Modifications and Updates to the City of Hamilton Zoning By-law No. 05-200 and the Zoning By-laws of the Town of Dundas, City of Stoney Creek, Town of Ancaster, City of Hamilton, Town of Flamborough and Township of Glanbrook (PED21167) (City Wide) - Page 2 of 17
  - (iii) That the proposed Official Plan Amendments are consistent with the Provincial Policy Statement (PPS), 2020 and conform to A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020, as amended and the Greenbelt Plan, 2017.
- (b) That approval be given to **City Initiative CI-21-E** for modifications and updates to the City of Hamilton Zoning By-law No. 05-200 on the following basis:
  - (i) That the Draft By-law, attached as Appendix "E" to Report PED21167, which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council;
  - (ii) That the proposed changes in zoning will be in conformity with the Urban Hamilton Official Plan (UHOP) upon approval of the Draft Urban Hamilton Official Plan Amendment No. XX, attached as Appendix "A" to Report PED21167;
  - (iii) That the proposed changes in zoning will be in conformity with the Rural Hamilton Official Plan (RHOP) upon approval of the Draft Rural Hamilton Official Plan Amendment No. XX, attached as Appendix "B" to Report PED21167;
  - (iv) That the proposed Zoning By-law Amendment is consistent with the Provincial Policy Statement (PPS), 2020 and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020, as amended and the Greenbelt Plan, 2017.
- (c) That approval be given to **City Initiative CI-21-E** for modifications and updates to the Town of Dundas Zoning By-law No. 3581-86 on the following basis:
  - (i) That the Draft By-law, attached as Appendix "E1" to Report PED21167, which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council;
  - (ii) That the proposed changes in zoning are in conformity with the Urban Hamilton Official Plan (UHOP) and the Rural Hamilton Official Plan (RHOP);
  - (iii) That the proposed Zoning By-law Amendment is consistent with Provincial Policy Statement (PPS), 2020 and conforms to A Place to Grow: Growth

OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

SUBJECT: Housekeeping Amendments to the Urban Hamilton Official Plan and Rural Hamilton Official Plan and Modifications and Updates to the City of Hamilton Zoning By-law No. 05-200 and the Zoning By-laws of the Town of Dundas, City of Stoney Creek, Town of Ancaster, City of Hamilton, Town of Flamborough and Township of Glanbrook (PED21167) (City Wide) - Page 3 of 17

Plan for the Greater Golden Horseshoe, 2020 and the Greenbelt Plan, 2017.

- (d) That approval be given to **City Initiative CI-21-E** for modifications and updates to the City of Stoney Creek Zoning By-law No. 3692-92 on the following basis:
  - That the Draft By-law, attached as Appendix "E2" to Report PED21167, which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council;
  - (ii) That the proposed changes in zoning are in conformity with the Urban Hamilton Official Plan (UHOP) and the Rural Hamilton Official Plan (RHOP);
  - (iii) That the proposed Zoning By-law Amendment is consistent Provincial Policy Statement (PPS), 2020 and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020, as amended and the Greenbelt Plan, 2017.
- (e) That approval be given to **City Initiative CI-21-E** for modifications and updates to the Town of Ancaster Zoning By-law No. 87-57 on the following basis:
  - That the Draft By-law, attached as Appendix "E3" to Report PED21167, which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council;
  - (ii) That the proposed changes in zoning are in conformity with the Urban Hamilton Official Plan (UHOP) and the Rural Hamilton Official Plan (RHOP);
  - (iii) That the proposed Zoning By-law Amendment is consistent Provincial Policy Statement (PPS), 2020 and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020, as amended and the Greenbelt Plan, 2017.
- (f) That approval be given to **City Initiative CI-21-E** for modifications and updates to the City of Hamilton Zoning by-law 6593 No. on the following basis:

OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

- SUBJECT: Housekeeping Amendments to the Urban Hamilton Official Plan and Rural Hamilton Official Plan and Modifications and Updates to the City of Hamilton Zoning By-law No. 05-200 and the Zoning By-laws of the Town of Dundas, City of Stoney Creek, Town of Ancaster, City of Hamilton, Town of Flamborough and Township of Glanbrook (PED21167) (City Wide) - Page 4 of 17
  - (i) That the Draft By-law, attached as Appendix "E4" to Report PED21167, which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council;
  - (ii) That the proposed changes in zoning are in conformity with the Urban Hamilton Official Plan (UHOP) and the Rural Hamilton Official Plan (RHOP);
  - (iii) That the proposed Zoning By-law Amendment is consistent Provincial Policy Statement (PPS), 2020 and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020, as amended and the Greenbelt Plan, 2017.
- (g) That approval be given to **City Initiative CI-21-E** for modifications and updates to the Town of Flamborough Zoning By-law No. 90-145-Z on the following basis:
  - (i) That the Draft By-law, attached as Appendix "E5" to Report PED21167, which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council;
  - (ii) That the proposed changes in zoning are in conformity with the Urban Hamilton Official Plan (UHOP) and the Rural Hamilton Official Pan (RHOP);
  - (iii) That the proposed Zoning By-law Amendment is consistent Provincial Policy Statement (PPS), 2020 and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020, as amended and the Greenbelt Plan, 2017.
- (h) That approval be given to **City Initiative CI-21-E** for modifications and updates to the Township of Glanbrook Zoning By-law No. 464 on the following basis:
  - (i) That the Draft By-law, attached as Appendix "E6" to Report PED21167, which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council;
  - (ii) That the proposed changes in zoning are in conformity with the Urban Hamilton Official Plan (UHOP) and the Rural Hamilton Official Plan (RHOP);

OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

- SUBJECT: Housekeeping Amendments to the Urban Hamilton Official Plan and Rural Hamilton Official Plan and Modifications and Updates to the City of Hamilton Zoning By-law No. 05-200 and the Zoning By-laws of the Town of Dundas, City of Stoney Creek, Town of Ancaster, City of Hamilton, Town of Flamborough and Township of Glanbrook (PED21167) (City Wide) - Page 5 of 17
  - (iii) That the proposed Zoning By-law Amendment is consistent Provincial Policy Statement (PPS), 2020 and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020, as amended and the Greenbelt Plan, 2017.
- (i) That the matter respecting Temporary Amendments to the Cash-In-Lieu of Parking Policy for the Downtown Secondary Plan Area, Item 21E, Sub-section (c) of the Planning Committee's Outstanding Business List, be considered complete and removed from the Planning Committee's Outstanding Business List.

## **EXECUTIVE SUMMARY**

The purpose of the Urban Hamilton Official Plan (UHOP) and Rural Hamilton Official Plan (RHOP) housekeeping amendments is to undertake policy and map changes required to maintain policy intent and ensure clear implementation of the plans. Housekeeping Amendments form part of the ongoing maintenance of the City's Official Plans and are periodically undertaken to ensure the documents and policy implementation is clear and accurate.

The application of the UHOP policies and mapping, through the development review process has identified areas where revisions to the existing policies are required to provide clarity of intent. Changes are also proposed where policy and mapping are in conflict and/or are inconsistent, which has caused implementation issues.

Similar to the UHOP, the application of the RHOP through the development review process has resulted in the identification of areas where revisions to the existing policies and mapping are required to provide clarity with respect to intent.

Staff continue to monitor the City of Hamilton Zoning By-law No. 05-200 and, where necessary, bring forward amendments to ensure the By-law remains up-to-date, and any clarification and interpretation issues are resolved. Staff propose seven separate Zoning By-law Amendments: City of Hamilton Zoning By-law No. 05-200, and the Zoning By-laws applicable to the Town of Dundas, City of Stoney Creek, Town of Ancaster, City of Hamilton, Town of Flamborough and the Township of Glanbrook.

The purpose of the amendments to the City of Hamilton Zoning By-law No. 05-200 is:

- To amend certain existing definitions;
- To correct inconsistencies in terminology and structure;

OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

- SUBJECT: Housekeeping Amendments to the Urban Hamilton Official Plan and Rural Hamilton Official Plan and Modifications and Updates to the City of Hamilton Zoning By-law No. 05-200 and the Zoning By-laws of the Town of Dundas, City of Stoney Creek, Town of Ancaster, City of Hamilton, Town of Flamborough and Township of Glanbrook (PED21167) (City Wide) - Page 6 of 17
- To amend certain regulations to reflect best practices as a result of By-law implementation and monitoring;
- To add and amend certain Special Exceptions and Holding Provisions; and,
- To refine zoning boundaries for certain properties in the rural area.

The purpose of the amendments to the former municipal by-laws are:

- For a change in zoning from Open Space (O2) to Single Detached Residential (R2) Zone at 194 Pleasant Avenue, Dundas Zoning by-law No. 3581-86;
- To add the lands located at 57-71 East to Stoney Creek Zoning By-law No. 3692-92 and zone them Residential (R1) Zone;
- To clarify regulations in the ER Zone in Ancaster Zoning By-law No. 87-57; and,
- To amend the administration section so that the by-law is administered by the City's Chief Planner.

Some modifications and updates to Zoning By-law No. 05-200 are also subject to the Official Plan's Housekeeping Amendment and are discussed in greater detail in the Policy Implications and Legislated Requirements Section of this Report (Page 9 to Report PED21167).

# Alternatives for Consideration – See Page 15

# FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: N/A

Staffing: N/A

Legal: As required by the *Planning Act*, Council shall hold at least one Public Meeting to consider an Official Plan Amendment and Zoning By-law Amendment. Notice of these Amendments has been posted in the Hamilton Spectator, as required by the *Planning Act*.

# HISTORICAL BACKGROUND

The application of the City's Official Plans through the development review process has resulted in the identification of areas where revisions to the existing policies are required to provide clarity with respect to intent.

OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

## SUBJECT: Housekeeping Amendments to the Urban Hamilton Official Plan and Rural Hamilton Official Plan and Modifications and Updates to the City of Hamilton Zoning By-law No. 05-200 and the Zoning By-laws of the Town of Dundas, City of Stoney Creek, Town of Ancaster, City of Hamilton, Town of Flamborough and Township of Glanbrook (PED21167) (City Wide) - Page 7 of 17

The City of Hamilton Zoning By-law No. 05-200 is being completed in phases. The Downtown, Open Space and Parks, Institutional, Industrial, Rural, Transit Oriented Corridor (TOC), Utility, Waterfront, and Commercial and Mixed Use Zones have been adopted into the By-law, while the Residential Zones are currently being developed. Zoning By-law No. 05-200 is intended to be a "living document" which needs to be monitored and amended on an on-going basis.

Staff continue to identify text and mapping amendments to provide clarity and consistency in the Zoning By-law.

## POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

## **Provincial Planning Policy Framework**

The Provincial planning policy framework is established through the *Planning Act* (Section 3), the Provincial Policy Statement (PPS 2020), A Place to Grow: Growth Plan for the Greater Golden Horseshoe (Growth Plan, 2020, as amended) and the Greenbelt Plan, (2017). The *Planning Act* requires that all municipal land use decisions affecting planning matters be consistent with the PPS and conform to the Growth Plan and the Greenbelt Plan.

The mechanism for the implementation of the Provincial plans and policies is through the Official Plan. Through the preparation, adoption and subsequent Ontario Land Tribunal (formerly the Local Planning Appeal Tribunal) approval of the Urban and Rural Hamilton Official Plans, the City of Hamilton has established the local policy framework for the implementation of the Provincial planning policy framework.

Although there are no direct policies within the Provincial plans respecting Housekeeping Amendments, the proposed amendments are meant to correct errors and clarify policies that implement the Provincial policy framework, and as such, the proposed amendments are consistent with Section 3 of the *Planning Act*, consistent with the PPS, and conform to the Growth Plan and the Greenbelt Plan.

Based on the foregoing, it is staff's opinion that these amendments:

- Are consistent with the Provincial Policy Statement (2020);
- Conform to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020, as amended); and,
- Conform to the Greenbelt Plan (2017).

OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

## SUBJECT: Housekeeping Amendments to the Urban Hamilton Official Plan and Rural Hamilton Official Plan and Modifications and Updates to the City of Hamilton Zoning By-law No. 05-200 and the Zoning By-laws of the Town of Dundas, City of Stoney Creek, Town of Ancaster, City of Hamilton, Town of Flamborough and Township of Glanbrook (PED21167) (City Wide) - Page 8 of 17

## **Urban and Rural Hamilton Official Plans**

The policies of UHOP Volume 1, Chapter F – Implementation provide direction for updating the Plan, as follows:

## "Official Plan Amendments

F.1.1.4 Amendments to this Plan shall be undertaken by the City:

- a) to update this Plan to reflect new provincial or municipal planning policies at the time of Official Plan Five year review or other appropriate time through a City initiative; or,
- b) to update and streamline administration or municipal planning policies.
- F.1.1.5 When considering amendments to this Plan, including secondary plans, the City shall have regard to, among other things, the following criteria:
  - a) the impact of the proposed change on the City's vision for a sustainable community, as it relates to the objectives, policies and targets established in this Plan; and,
  - b) the impact of the proposed change on the City's communities, environment and economy and the effective administration of the public service."

Pursuant to Policy F.1.1.4, staff are initiating a UHOP amendment to update municipal planning policies. The proposed changes meet the criteria set out in F.1.1.5 as they are minor in nature and improve policy interpretation.

The policies of the RHOP mirror the policies of the UHOP that speak to the City undertaking official plan amendments to update municipal planning policies (RHOP Volume 1, Chapter F – Implementation, Policy F.1.1.3).

The extent of the modifications and updates to Hamilton Zoning By-law No. 05-200 are administrative in nature and will be in conformity with the Urban Hamilton Official Plan (UHOP) upon approval of the Draft Urban Hamilton Official Plan Amendment No. XX, attached as Appendix "A" to Report PED21167 and the Rural Hamilton Official Plan (RHOP) upon approval of the Draft Rural Hamilton Official Plan Amendment No. XX, attached as Appendix "B" to Report PED21167.

SUBJECT: Housekeeping Amendments to the Urban Hamilton Official Plan and Rural Hamilton Official Plan and Modifications and Updates to the City of Hamilton Zoning By-law No. 05-200 and the Zoning By-laws of the Town of Dundas, City of Stoney Creek, Town of Ancaster, City of Hamilton, Town of Flamborough and Township of Glanbrook (PED21167) (City Wide) - Page 9 of 17

The extent of the modifications and updates to the remaining Zoning By-laws are minor in nature and in conformity with the Urban and Rural Hamilton Official Plans.

## **RELEVANT CONSULTATION**

Consultation has been undertaken with staff in the Development Planning, Heritage and Design Section of the Planning Division, as well as Zoning staff in the Building Division, Recreation Division, Transportation Planning Services Section and the Hamilton Conservation Authority to discuss any issues that have arisen in the implementation of Zoning By-law No. 05-200 and the Zoning By-laws applicable to the former municipalities of Hamilton, Stoney Creek, Glanbrook, Ancaster, Dundas and Flamborough. The interpretation and implementation related issues have been added to the draft Zoning By-laws (see Appendices "E" to "E6" of Report PED21167), and the rationale for the amendments are located in Appendices "F" - "T5" to Report PED21167.

Notice of these amendments has been posted in the Hamilton Spectator on September 2, 2021.

## ANALYSIS AND RATIONALE FOR RECOMMENDATION

1. UHOP and RHOP Amendments:

The purpose of the amendments to the UHOP and RHOP is to clarify the intent of the policies in the Plans by:

- Adding a new definition for Secondary Dwelling Unit Detached and revising the existing definition for Secondary Dwelling Unit to provide clarity;
- Revising policies related to public notice requirements to include virtual opportunities;
- Adding a policy to acknowledge Provincial legislation (Minister's Zoning Orders);
- Revising policy related to the use of monies collected through the Cash in Lieu of Parking Policy to support micro-mobility initiatives, as directed through Report PED21028, recommendation (c) and as noted on the Planning Committee's Outstanding Business List as Item 21E, subsection (c);
- Clarifying/correcting policy intent by adding, deleting and/or replacing wording; and,
- Creating consistency between policies and schedules and/or maps and correcting mapping errors.

Appendices "C" - "D1" to Report PED21167 identify the above-mentioned issues that require correction, and rationale for the proposed amendments.

OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

## SUBJECT: Housekeeping Amendments to the Urban Hamilton Official Plan and Rural Hamilton Official Plan and Modifications and Updates to the City of Hamilton Zoning By-law No. 05-200 and the Zoning By-laws of the Town of Dundas, City of Stoney Creek, Town of Ancaster, City of Hamilton, Town of Flamborough and Township of Glanbrook (PED21167) (City Wide) - Page 10 of 17

In addition, the following properties are proposed to be assigned site specific policies through amendments to the UHOP and RHOP to inform coordinated updates and special exception policies in Zoning By-law 05-200:

- 1603 Rymal Road East: an amendment to recognize the original permitted uses at the time the property was purchased and zoned M11 under Zoning By-law no. 6593;
- 1289 Upper James Street: an amendment to recognize existing retail and office uses on the property approved through Minor Variance application HM/A-19:458; and,
- 78 Highway No 8: a change in zoning to bring the property into conformity with the existing RHOP designation, as it was mistakenly zoned S1 when the Rural Zones were initially completed. A special exception is required to recognize the permitted uses under the previous SC Zone of Zoning By-law No. 90-145-Z that applied to the lands, which permitted a dwelling unit in conjunction with a commercial use.

The effect of this amendment is that the UHOP and RHOP will be aligned with Provincial legislation, current, accurate, and policy implementation will be more straightforward.

The intent, purpose and effect of the policies and designations are not changed by these technical and administrative amendments.

2. Zoning By-law 05-200 Amendments

The purpose of the amendments to the City of Hamilton Zoning By-law No. 05-200 is (see Appendix "E" to Report PED21167):

(	Section 3 (Definitions) See Appendix "F" to Report PED21167.		To amend existing definitions for Day Nursery and Manufacturing; and, To change the terminology from Dwelling Unit in Conjunction with a Commercial Use to Dwelling Unit, Mixed Use.
(	Section 4 (General Provisions) See Appendix "G" to Report PED21167.	•	<ul> <li>To update the General Provisions section:</li> <li>to add hot boxes to Mechanical and Unitary Equipment; and,</li> </ul>

- to clarify the intent of the Vacuum Clause as it applies to all Rural Zones;
- to add a new regulation permitting the erection of Accessory Structures that have been approved through

OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

SUBJECT: Housekeeping Amendments to the Urban Hamilton Official Plan and Rural Hamilton Official Plan and Modifications and Updates to the City of Hamilton Zoning By-law No. 05-200 and the Zoning By-laws of the Town of Dundas, City of Stoney Creek, Town of Ancaster, City of Hamilton, Town of Flamborough and Township of Glanbrook (PED21167) (City Wide) - Page 11 of 17

minor variances, rezonings etc as it pertains to the Vacuum Clause;

- to permit the retailing of fireworks related to statutory holidays;
- to expand the list of zones that permit the erection of Temporary Tents; and,
- to refine wording to provide clarity and to include missing zones as they pertain to urban farmers markets.
- Section 5

   (Parking Regulations) See Appendix "H" to Report PED21167.
   To provide clarity regarding obstructions such as columns and walls within parking spaces; to add a new regulation regarding stairs projecting into parking spaces; to renumber certain sections; and, to provide clarity regarding the location of Landscaped Parking Islands.
- Section 7

   (Parks and Open Space Regulations)
   To add missing wording and to correct numbering.
  - Section 8 (Institutional Zones) See Appendix "J" to To increase the minimum rear yard setbacks and to renumber certain sections.
- Section 9 (Industrial Zones) See Appendix "K" to Report PED21167. • To add regulations for retail related to Cannabis Growing and Harvesting and to add a cross reference for accessory structures for Industrial Zones within General Provisions.
- Section 10

   (CMU Zones)
   See Appendix "L" to
   Report PED21167.

Report PED21167.

See Appendix "I" to Report PED21167.

Report PED21167.

•

- To correct numbering errors within this section; and,
  To change the terminology from Dwelling Unit in Conjunction with a Commercial Use to Dwelling Unit, Mixed Use throughout this section.
- Section 11 (Transit Oriented Corridor Zones) See Appendix "M" to • To change wording related to height in the TOC1 and TOC3 Zones to be consistent with similar regulations in the CMU Zones and to correct numbering; and,

OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

SUBJECT: Housekeeping Amendments to the Urban Hamilton Official Plan and Rural Hamilton Official Plan and Modifications and Updates to the City of Hamilton Zoning By-law No. 05-200 and the Zoning By-laws of the Town of Dundas, City of Stoney Creek, Town of Ancaster, City of Hamilton, Town of Flamborough and Township of Glanbrook (PED21167) (City Wide) - Page 12 of 17 To change the terminology from Dwelling Unit in Conjunction with a Commercial Use to Dwelling Unit, Mixed Use throughout this section. • Section 12 To replace the term Medical Marihuana with Cannabis; (Rural Zones) To introduce a new regulation to prohibit residential uses in See Appendix "N" to the E1 and E2 Zones; Report PED21167. • To add Community Garden as a permitted use in the A1, A2 and S3 Zones; and, To restrict the permitted uses within the definition of Agriculture to growing of crops, apiaries, agro-forestry and maple syrup production within the S1, S2 and S3 Zones. Section 13 To add Hydro Transmission Line and Associated Facilities (Utility Zones) as a permitted use in the U2 Zone and to add an additional See Appendix "O" to regulation related to minimum yards. Report PED21167. To apply general text amendments for clarity, correct • Section 14 inconsistent language and reword and renumber existing (Waterfront Zones) regulations (does not impact intent); See Appendix "P" to To clarify and modify the bicycle parking regulations Report PED21167. To add clarity to existing vehicular parking regulations; To provide clarity around the what constitutes a window; • and. To prohibit certain vehicular uses within in the WF2 Zone. To correct typographical and structural errors; Schedule "C" (Revisions to Existing To replace the SE number associated with prohibiting a Special Exceptions) single detached dwelling or residential care facility on farm See Appendix "Q" to parcels that have undergone surplus farm dwelling Report PED21167. severances as SE 118; To add additional site specific uses that were previously omitted: To add new regulations to reflect current restrictions in the Fruitland-Winona Secondary Area Specific Policy – Area G: and. To delete certain SE's which have been made redundant.

OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

SUBJECT: Housekeeping Amendments to the Urban Hamilton Official Plan and Rural Hamilton Official Plan and Modifications and Updates to the City of Hamilton Zoning By-law No. 05-200 and the Zoning By-laws of the Town of Dundas, City of Stoney Creek, Town of Ancaster, City of Hamilton, Town of Flamborough and Township of Glanbrook (PED21167) (City Wide) - Page 13 of 17

• Schedule "C" (New Special Exceptions) See Appendix "Q1" to Report PED21167. • To add new SE's to recognize OLT decisions, to bring lands that were re-zoned under a former municipal zoning by-law under Zoning By-law 05-200, to recognize existing uses, to add additional uses for lands taken out of the Escarpment Protection Area by the Province and to add uses that were permitted under a former municipal zoning by-law.

Provision.

• Schedule "D" (Holding Provisions) See Appendix "R" to Report PED21167.

# Mapping Amendments Soc Appendix "S"

See Appendix "S" to Report PED21167.

 To update mapping for properties subject to surplus farm dwelling severances with SE118;

To correct typographical and structural errors; and,

To include the M7 and M11 Zones to the existing H37

- To add lands located at 9-11 Robert Street, 51 and 52 Adair Avenue South, 952-954 Concession Street, 141 King Street East, 3100-3140 Regional Road 56 and Block 131 of Registered Plan of Subdivision 62M-1062, 144 Wilson St E and 118 Hatt Street to Zoning By-law 05-200;
- To correct zone boundary delineations on certain rural properties;
- To remove the lands located at 57-71 East Street from Zoning By-law 05-200;
- To correct inconsistencies and typographical errors;
- Schedule A maps include new changes or additions to the zoning; and,
- Schedule B maps are changes that do not alter the intent of the existing zoning.
- 3. Amendments to Former Municipality Zoning By-laws

The purpose of the amendment to the Town of Dundas Zoning By-law No. 3581-86 is:

- To rezone a portion of the lands located at 94 Pleasant Avenue, Dundas from Open Space (O2) Zone to Single Detached Residential (R2) Zone to reflect a recent transfer of land from the Hamilton Conservation Authority to the Owner (see Appendices "E1" and "S1" to Report PED21167); and,
  - To amend the administration section so that the by-law is administered by the City's Chief Planner (see Appendices "E1" and "T" to Report PED21167).

OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

SUBJECT: Housekeeping Amendments to the Urban Hamilton Official Plan and Rural Hamilton Official Plan and Modifications and Updates to the City of Hamilton Zoning By-law No. 05-200 and the Zoning By-laws of the Town of Dundas, City of Stoney Creek, Town of Ancaster, City of Hamilton, Town of Flamborough and Township of Glanbrook (PED21167) (City Wide) - Page 14 of 17

The purpose of the amendment to the City of Stoney Creek Zoning By-law No. 3692-92 is:

- To add the lands located at 57-71 East Street to Zoning By-law 3692-92 and zone them Residential (R1) (see Appendices "E2" and "S1" to Report PED21167); and,
- To amend the administration section so that the by-law is administered by the City's Chief Planner (see Appendices "E2" and "T1" to Report PED21167)

The purpose of the amendment to the Town of Ancaster Zoning By-law No. 87-57 is:

- To clarify regulations in the ER Zone; and,
- To amend the administration section so that the by-law is administered by the City's Chief Planner (see Appendices "E3" and "T2" to Report PED21167)

The purpose of the amendment to Hamilton Zoning By-law No. 6593 is:

• To amend the administration section so that the by-law is administered by the City's Chief Planner (see Appendices "E4" and "T3" to Report PED21167).

The purpose of the amendment to the Town of Flamborough Zoning By-law No. 90-145-Z is:

• To amend the administration section so that the by-law is administered by the City's Chief Planner (see Appendices "E5" and "T4" to Report PED21167).

The purpose of the amendment to the Township of Glanbrook Zoning By-law No. 464 is:

• To amend the administration section so that the by-law is administered by the City's Chief Planner (see Appendices "E6" and "T5" to Report PED21167).

Greater detail about the existing regulations and mapping, the proposed amendments, and rationale for the proposed amendments discussed above is contained in Appendices "E" – "T5" of this Report.

# ALTERNATIVES FOR CONSIDERATION

If the proposed Official Plan Amendments are not approved, inconsistencies in the interpretation and application of the Official Plans may occur.

OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

## SUBJECT: Housekeeping Amendments to the Urban Hamilton Official Plan and Rural Hamilton Official Plan and Modifications and Updates to the City of Hamilton Zoning By-law No. 05-200 and the Zoning By-laws of the Town of Dundas, City of Stoney Creek, Town of Ancaster, City of Hamilton, Town of Flamborough and Township of Glanbrook (PED21167) (City Wide) - Page 15 of 17

If the proposed By-law Amendments are not approved, inconsistencies in the interpretation and application of the Zoning By-laws may occur.

## ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

## **Economic Prosperity and Growth**

*Hamilton has* a prosperous and diverse local economy where people have opportunities to grow and develop.

## **Clean and Green**

Hamilton is environmentally sustainable with a healthy balance of natural and urban spaces.

## **Built Environment and Infrastructure**

*Hamilton is* supported by state of the art infrastructure, transportation options, buildings and public spaces that create a dynamic City.

## APPENDICES AND SCHEDULES ATTACHED

Appendix "A" to Report PED21167 –	Draft Urban Hamilton Official Plan Amendment No. XX
Appendix "B" to Report PED21167 –	Draft Rural Hamilton Official Plan Amendment No. XX
Appendix "C" to Report PED21167 –	UHOP Text Changes (All Volumes)
Appendix "C1" to Report PED21167 –	UHOP Mapping Changes (All Volumes)
Appendix "D" to Report PED21167 –	RHOP Text Changes (All Volumes)
Appendix "D1" to Report PED21167 –	RHOP Mapping Changes (All Volumes)
Appendix "E" to Report PED21167 –	Draft City of Hamilton Zoning By-law No. 05- 200 Amendment
Appendix "E1" to Report PED21167 –	Draft Town of Dundas Zoning By-law No. 3581-86 Amendment
Appendix "E2" to Report PED21167 –	Draft City of Stoney Creek Zoning By-law No. 3692-92 Amendment
Appendix "E3" to Report PED21167 –	Draft Town of Ancaster Zoning By-law 87-57 Amendment
Appendix "E4" to Report PED21167 –	Draft City of Hamilton Zoning By-law 6593 Amendment
Appendix "E5" to Report PED21167 –	Draft Town of Flamborough Zoning By-law 90-145-Z Amendment

OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

SUBJECT: Housekeeping Amendments to the Urban Hamilton Official Plan and Rural Hamilton Official Plan and Modifications and Updates to the City of Hamilton Zoning By-law No. 05-200 and the Zoning By-laws of the Town of Dundas, City of Stoney Creek, Town of Ancaster, City of Hamilton, Town of Flamborough and Township of Glanbrook (PED21167) (City Wide) - Page 16 of 17

Appendix "E6" to Report PED21167 –	Draft Township of Glanbrook Zoning B7-law
	464 Amendment
Appendix "F" to Report PED21167 –	Summary of Proposed Modifications to Section 3: Definitions
Appendix "G" to Report PED21167 –	Summary of Proposed Modifications to Section 4: General Provisions
Appendix "H" to Report PED21167 –	Summary of Proposed Modifications to Section 5: Parking
Appendix "I" to Report PED21167 –	Summary of Proposed Modifications to Section 7: Open Space and Parks Zones
Appendix "J" to Report PED21167 –	Summary of Proposed Modifications to Section 8: Institutional Zones
Appendix "K" to Report PED21167 –	Summary of Proposed Modifications to Section 9: Industrial Zones
Appendix "L" to Report PED21167 –	Summary of Proposed Modifications to Section 10: Commercial and Mixed Use Zones
Appendix "M" to Report PED21167 –	Summary of Proposed Modifications to Section 11: Transit Oriented Corridor Zones
Appendix "N" to Report PED21167 –	Summary of Proposed Modifications to Section 12: Rural Zones
Appendix "O" to Report PED21167 –	Summary of Proposed Modifications to Section 13: Utility Zones
Appendix "P" to Report PED21167 –	Summary of Proposed Modifications to Section 14: Waterfront Zones
Appendix "Q" to Report PED21167 –	Summary of Proposed Modifications to Schedule "C" – Special Exceptions
Appendix "Q1" to Report PED21167 –	Summary of Additions to Schedule "C" – Special Exceptions
Appendix "R" to Report PED21167 –	Summary of Proposed Modifications to Schedule "D" – Holding Provisions
Appendix "S" to Report PED21167 –	Summary of Proposed Mapping Amendments – 05-200
Appendix "S1" to Report PED21167 –	Summary of Proposed Mapping Amendments – All Other by-laws
Appendix "T" to Report PED21167 –	Summary of Proposed Modifications to Dundas Zoning By-law No. 3581-86
Appendix "T1" to Report PED21167 –	Summary of Proposed Modifications to Stoney Creek Zoning By-law No. 3692-92

OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

SUBJECT: Housekeeping Amendments to the Urban Hamilton Official Plan and Rural Hamilton Official Plan and Modifications and Updates to the City of Hamilton Zoning By-law No. 05-200 and the Zoning By-laws of the Town of Dundas, City of Stoney Creek, Town of Ancaster, City of Hamilton, Town of Flamborough and Township of Glanbrook (PED21167) (City Wide) - Page 17 of 17

Appendix "T2" to Report PED21167 –	Summary of Proposed Modifications to Ancaster Zoning By-law No. 87-57		
Appendix "T3" to Report PED21167 –	Summary of Proposed Modifications to		
Appendix "T4" to Report PED21167 –	Hamilton Zoning By-law No.6593 Summary of Proposed Modifications to		
Appendix "T5" to Report PED21167 –	Flamborough Zoning by-law No. 90-145-Z Summary of Proposed Modifications to Glanbrook Zoning By-law No. 464		