



INFORMATION REPORT

TO:	Chair and Members Planning Committee
COMMITTEE DATE:	September 20, 2022
SUBJECT/REPORT NO:	Comprehensive Zoning By-law Workplan (PED22193) (City Wide)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Shannon McKie (905) 546-2424 Ext. 1288
SUBMITTED BY:	Steve Robichaud Director, Planning and Chief Planner Planning and Economic Development Department
SIGNATURE:	

COUNCIL DIRECTION

Not applicable.

INFORMATION

The Comprehensive Zoning By-law was initiated in 2005 with the Downtown Zones. Since that time the By-law has been developed in stages based on land use categories. The following sections of the Zoning By-law have been completed:

- Downtown Zones – 2005, 2018;
- Parks and Open Space – 2006;
- Institutional – 2007;
- Industrial
 - West Hamilton Innovation District - 2007;
 - Employment and Industrial Lands – 2010;
 - Airport Employment Growth District – 2015; and,
 - Shipping and Navigation – 2018.
- Rural – 2015;
- Transit Oriented Corridor – 2016, 2018;
- Commercial and Mixed Use – 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.

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

- Utility Zones – 2015, 2017, and 2018; and,
- Waterfront Zones - 2017.

The land use categories reflect the designations of the Rural and Urban Hamilton Official Plans and the applicable policies. Each category required review, analysis, background research, public consultation and Statutory Public Meetings in accordance with the *Planning Act*.

Appeals

Each of the sections that have been brought forward for approval have been under appeal in some fashion, requiring staff to attend and defend Council's decision, participate in negotiations and present settlement options. Staff continue to work through the appeals with owners/appellants to come to a resolution. Where a resolution is not possible, staff are required to attend a hearing in defence of the regulations. It is anticipated that appeals will be received for future Zoning By-law Amendments and staff will be required to support the appeal process with the City's Legal Division.

Other Strategic Projects

During the development of the zoning for the larger land use categories the Zoning By-law Reform team have participated in other strategic projects to advance the Comprehensive Zoning By-law, provide continued service and interpretation for the existing Community Zoning By-laws, and assist in other Corporate Projects. These projects are an important part of the work plan as they often create opportunities and resolve issues in addressing issues related to sustainability, affordable housing, growth and development. Some examples of the strategic projects that have been advanced by the Zoning By-law Reform team include:

- Entertainment on Outdoor Commercial Patios;
- Pleasant View Updates;
- Additional Dwelling Units;
- Waterdown Node Secondary Plan Implementation;
- Centennial Neighbourhood Secondary Plan Implementation; and,
- Municipal Comprehensive Review/GRIDS2 Implementation.

The Zoning By-law Reform Workplan attached as Appendix "A" to Report PED22193 includes other strategic projects that the team will assist in advancing over the next two years.

Housekeeping Amendments and By-law Administration

Zoning By-law No. 05-200 is regarded as a live document. Since the approval of the original zones, staff have continuously monitored and reported on interpretation issues, administrative corrections and technical errors (i.e. typographical and numbering corrections). Staff regularly bring forward housekeeping amendments to avoid unnecessary delays, conflicts or interpretation issues to ensure that the Zoning By-law is up-to-date. Going forward, staff will be planning on bringing forward housekeeping amendments on a more regular basis (i.e. quarterly) to avoid a back log of amendments and to reinforce the importance of maintaining up-to-date regulations.

Residential Zones

Residential Zones are the last to be incorporated into Zoning By-law No. 05-200 and are being implemented in stages. The first phase of the Low Density Residential Zones (LDR), being the Low Density Residential (R1) Zone and Low Density Residential – Small Lot (R1a) Zone were presented at the August 3, 2022 Planning Committee (PED22154) and approved by Council on August 12, 2022. Phase two of the LDR Zones will incorporate low density residential lands in Secondary Plan Areas as well as incorporate new built form standards for purpose built tri-plex and four-plex dwellings. The City will be completing new City Wide Urban Design Standards and Neighbourhood Infill Guidelines to provide design based direction for zoning regulations in all of the new Residential Zones.

The remaining phases, being Medium Density Residential (MDR) and High Density Residential Zones (HDR) are currently being developed. The MDR and HDR zones will incorporate lands that currently exist in higher density form as well as lands that are appropriately located and of an appropriate size to accommodate intensification. Staff will be evaluating lands along arterial and collector roads to determine appropriate zoning to accommodate the City's intensification targets. The future residential zoning phases and will require additional public consultation prior to implementation.

Additional Work to be Completed

While the Residential Zones represent the last of the land use categories, there are other components of the Zoning By-law that require action. Zoning By-law Reform staff will be working on and bringing forward recommendation reports for the following topics areas:

**SUBJECT: Comprehensive Zoning By-law Workplan (PED22193) (City Wide) -
Page 4 of 7**

	Project Leads	Project Inputs/Dependency
Comprehensive Zoning By-law Review – Legislative Consistency		
Residential Zoning		
Secondary Plan Implementation	Zoning By-law Reform; Sustainable Communities	OPA No. 167; Phase 2 of MCR.
Green Building Standards	Zoning By-law Reform; Sustainable Communities; Urban Design	Develop Green Building Standards for the Medium and High Density Residential Zones to be incorporated into the Site Plan Guidelines.
Commercial Zoning		
Arterial Corridor Review	Zoning By-law Reform;	Review of intensification options along the BLAST network and other arterial roads.
Arterial Commercial and District Commercial Zoning Review	Zoning By-law Reform; Sustainable Communities	Review the application of the Arterial Commercial (C7) Zone and the District Commercial (C4) Zone along Upper James Street and Wilson Street.
Commercial and Mixed Use Zoning - Official Plan Alignment	Zoning By-law Reform; Sustainable Communities	Incorporate the lands left out of the CMU Zones (i.e. lands that were subject to a development application or Secondary Plan process).
Commercial and Mixed Use Zoning Appeals	Zoning By-law Reform; Legal	Review and negotiate remaining four appeals for the CMU Zones.

**SUBJECT: Comprehensive Zoning By-law Workplan (PED22193) (City Wide) -
Page 5 of 7**

Rural Zoning		
Rural Zoning Updates	Zoning By-law Reform	Review and consult on regulations relating to farm severances, and adequate servicing, and incorporate the lands left out of the Rural Zones (i.e. lands that were deferred from approval).
Secondary Dwelling Units – Detached (Rural Area)	Zoning By-law Reform;	Review Source Water Protection information related to Secondary Dwelling Units – Detached (SDU-D) in the Rural area and develop associated regulations for public consultation in advance of incorporating Rural SDU-D permissions into the General Provisions Section.
Institutional Zoning		
Section 8 – Institutional Zones Review	Zoning By-law Reform	Uses, commercial parking permissions for excess parking.
Downtown Zoning/Schedule “D” Holding Provisions		
Update Downtown Zoning Maps and Schedule “D” - Holding Provision Update	Zoning By-law Reform	Delete Holding Provision 19 to align with recent <i>Planning Act</i> revisions that deleted and replaced Section 37 – Bonusing with Section 37 – Community Benefits Charge. Mapping revisions also required.

SUBJECT: Comprehensive Zoning By-law Workplan (PED22193) (City Wide) -
Page 6 of 7

Administrative Review		
Section 3 – Definitions Review	Zoning By-law Reform; Licensing and By-law Services	Review and consultation on revisions to the terminology associated with accommodation for the travelling public.
Section 4 - General Provisions Review	Zoning By-law Reform	Review Section 4 – General Provisions Section to reformat and consolidate regulations. Review and consult on general provisions for the adaptive reuse of heritage buildings, and MZO provisions.
Section 5 - Parking Review	Zoning By-law Reform; Transportation Planning.	Review Section 5 – Parking to consolidate and reformat regulations, establish regulations for Electric Vehicles and Commercial Motor Vehicles, review visitor and required parking rates and implement findings of the City-Wide Parking study.
Schedule “A” – Zoning Maps	Zoning By-law Reform	Review remnant parcels of land to determine applicable zoning category (i.e. remnant institutional, industrial, commercial and open space lands not currently incorporated into Zoning By-law No. 05-200). Remove Holding Provision 19 from Downtown Zoning Maps.

**SUBJECT: Comprehensive Zoning By-law Workplan (PED22193) (City Wide) -
Page 7 of 7**

Administrative Review		
Schedule “C” – Special Exceptions Review	Zoning By-law Reform	Review existing Special Conditions to eliminate duplications, align terminology with the parent Zoning By-law Definitions Section, and consolidate exceptions.

The detailed Zoning By-law Reform Workplan is attached as Appendix “A” to Report PED22193 and provides a breakdown of all outstanding tasks and associated timelines for 2023-2025. The Workplan will be amended from time to time to accommodate new and urgent projects.

APPENDICES AND SCHEDULES ATTACHED

Appendix “A” to Report PED22193 - Zoning By-law Reform Workplan
Appendix “B” to Report PED22193 - Remnant Lands to be Incorporated

SM:sd