



Hamilton

**Farm Labour Residence & Additional Dwelling Unit
– Detach - Rural Area Zoning Changes
November 30, 2023**

Critical Dates: Farm Labour Residence

- **May 4, 2021:** Planning Committee direction to undertake a Farm Labour Residence Policy Review and report back.
- **March 22, 2022:** Planning Committee Direction to undertake Public and Stakeholder Engagement (Discussion Paper for information)
- **March 30, 2022:** Update to Agriculture and Rural Affairs Advisory Committee
- **Public and Stakeholder Engagement (April – Aug 2022):**
 - Hamilton-Wentworth Federation of Agriculture (HWFA)
 - Niagara Escarpment Commission
 - OMAFRA
 - Engage Hamilton platform
 - NVK Nurseries, etc.
- **September 6, 2022:** Update to Agriculture & Rural Affairs Advisory Committee

- ✓ **Public and Stakeholder Engagement (April – June 2022)**
Further identify issues, share ideas and obtain feedback.
- **Review and Analyze Engagement Results**
Staff will consider feedback received as part of this consultation to determine changes/additions/deletions to the Farm Labour Residence policies and zoning regulations.
- **Planning Committee Report**
Staff to report to Planning Committee addressing input received and prepare final policy changes and updates to zoning regulations.

FLR Draft Discussion Paper



Focus Areas: Preliminary Recommendations:

Issue 1: Number of FLRs per lot

Issue 2: FLR size

Issue 3: Built Form

Issue 4: Private Servicing

Issue 5: Compatibility with Additional Dwelling Units – Detached (Rural)

Discussion paper was received and approved by the Planning Committee in March 2022.

Rural Hamilton Official Plan

Policy D.2.1.1.6 (existing)

A farm labour residence may be permitted on the same lot as the primary farm use subject to the following requirements:

- Farm operation must require additional on-site employment;
- A maximum of one Farm Labour Residence (FLR) permitted per lot;
- Must be serviced by same private sewer and water system as principal dwelling; and,
- Must be removed once no longer required for farm help.

Zoning By-law No. 05-200

FLR are currently permitted in: Agriculture (A1) Zone, Rural (A2) Zone and Extractive Industrial (M12) Zone

Permitted forms:

- (a) Accessory detached dwelling of temporary construction, such as a mobile home; or,
- (b) Accessory detached bunk house of temporary construction.

Zoning By-law No. 05-200	
Maximum of one Farm Labour Residence per lot	
Temporary Detached Structure:	Maximum 116.2 m ²
Temporary Bunk house:	Minimum 65.06 m ² or 8.36 m ² , whichever is greater
Shall be located within 30 metres of the farm Dwelling	
Shall utilize the existing driveway to the farm Dwelling	

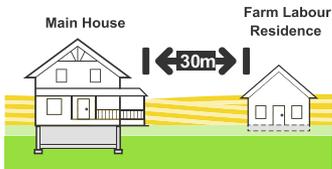
Trends: Development Applications (from 2015 - 2021)



**Demand for Multiple
FLRs Per Lot**



**Variations for
Increased
Gross Floor Area**



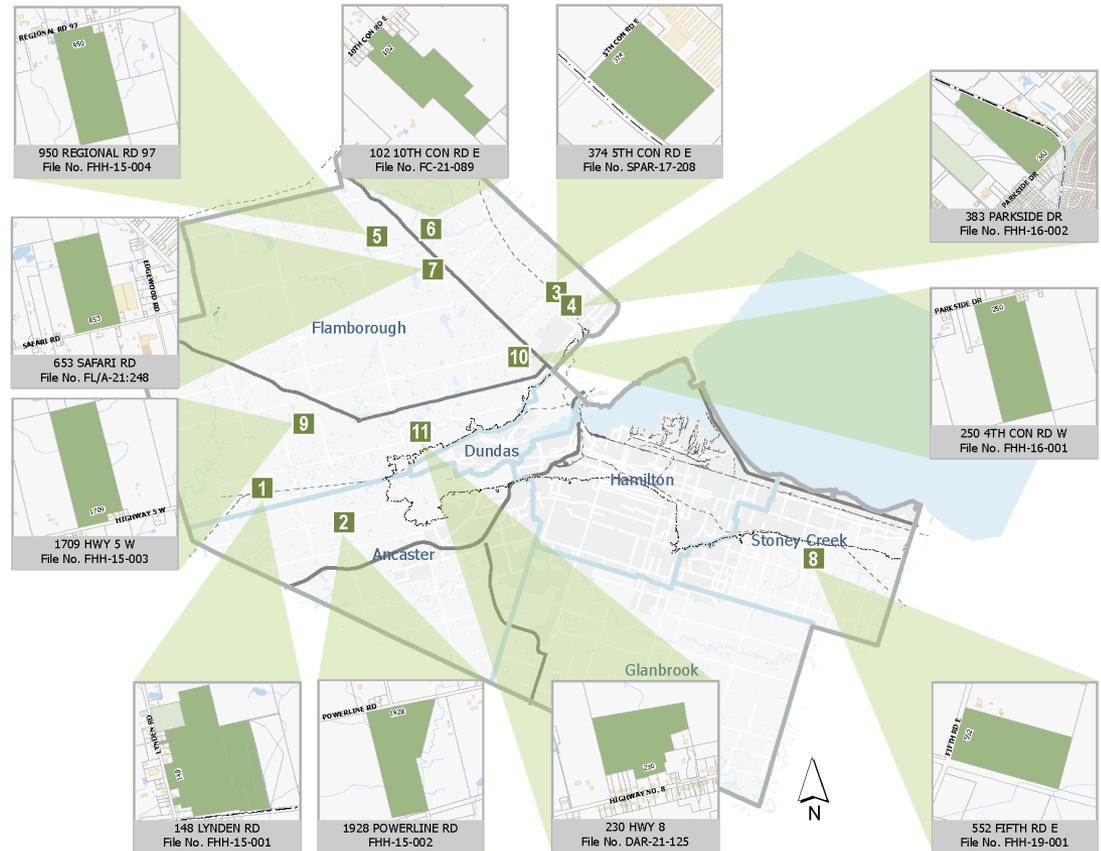
**Variations for
Increased
Separation Distance**



**Convert Primary
Residence to FLR**

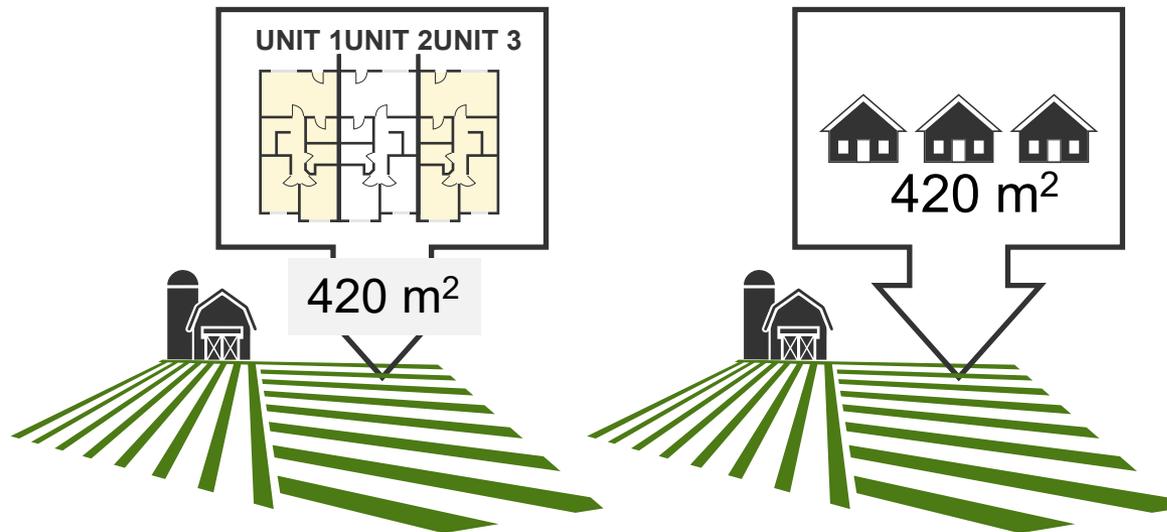


**Request for
Permanent
Construction**



Key Issues and Preliminary Recommendations

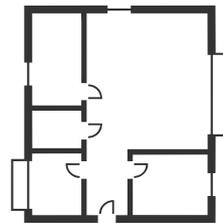
Issue 1. Number of FLRs per lot



Preliminary Recommendation: More than one FLR permitted per lot -
Maximum Aggregate Gross Floor Area of 420 m²

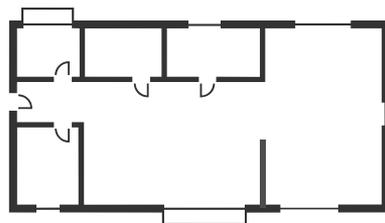
Key Issues and Preliminary Recommendations

Issue 2. Gross Floor Area (Individual FLR)



116m²

As per Zoning
By-law No. 05-200



200m²

Preliminary
Recommendation

Preliminary Recommendation:

More than one FLR on a lot

Maximum Gross Floor Area of 200 m² per FLR

Maximum Aggregate Gross Floor Area of 420 m²

Key Issues and Preliminary Recommendations

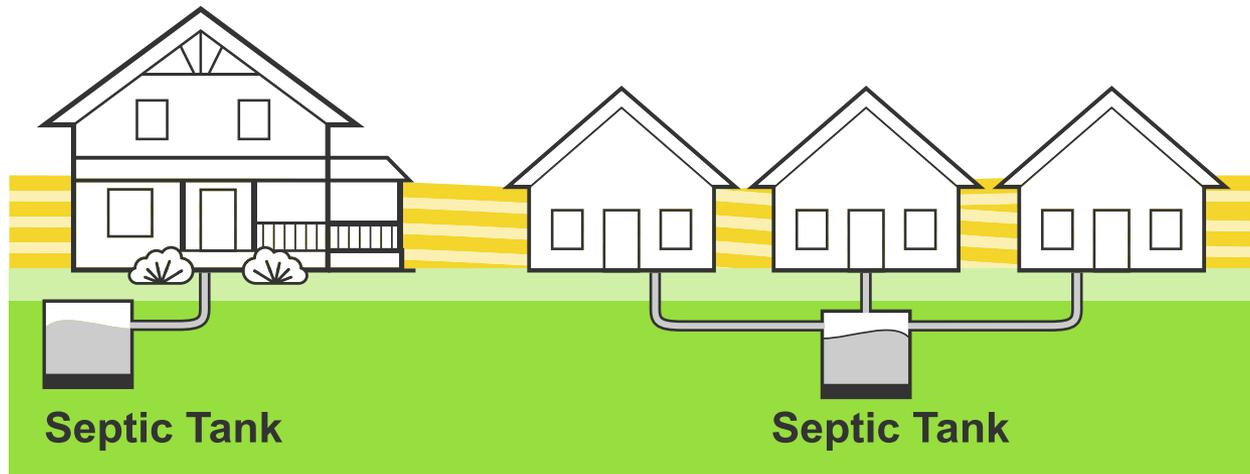
Issue 3: Built Form



Preliminary Recommendation: FLRs to remain as Temporary Structures

Key Issues and Preliminary Recommendations

Issue 4: Private Servicing



Preliminary Recommendation: Separate Private Servicing between FLR and Principal Farm Residence

Private Servicing Considerations

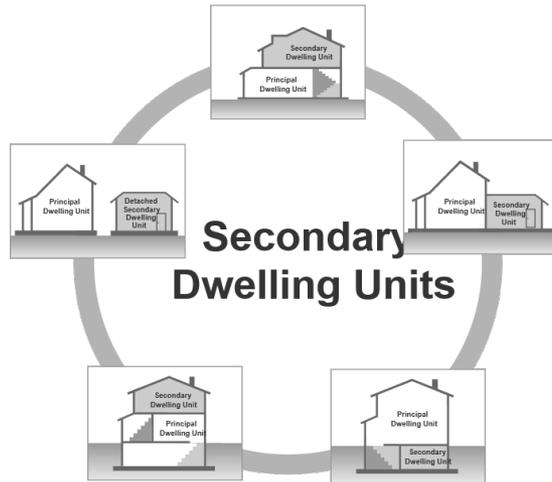
- FLRs are encouraged on larger farm parcels to support sustainable private services.
- Baseline requirements for private sewage system may support increased occupancy and sewage capacity.
- Separate septic systems may reduce groundwater quality risks from increased FLR density.
- The intent of the shared servicing policy is to discourage rural farm severances and farm land fragmentation. The Rural Hamilton Official Plan prohibits severances of farm labour residences.

Figure 1

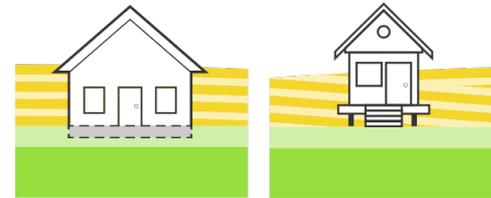


Key Issues and Preliminary Recommendations

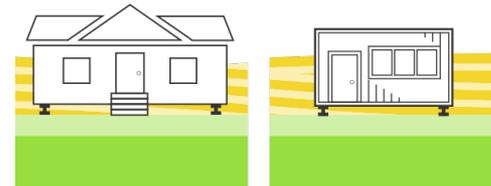
Issue 5: Compatibility with Additional Dwelling Units - Detached



VS



Farm
Labour Residence



Preliminary Recommendation:

- Remove references to Accessory Apartments in RHOP
- Permissions for FLR and Additional Dwelling Unit – Detached on same lot
- Minimum 1.5 ha lot for an ADU-D

Recent Critical Dates

- **November 02, 2023:**
 - Uses Permitted in Prime Agricultural Areas
 - Training Session (OFA & OMAFRA)
 - Agricultural Education Tour & Visits
 - Brenn-B Farms
 - Beverly Greenhouses
- **November 27, 2023:**
 - Hamilton-Wentworth Federation of Agricultural Meeting
- **November 30, 2023:**
 - Update to Agriculture & Rural Affairs Advisory Committee



Proposed Updates to Rural Hamilton Official Plan (RHOP)

Policy D.2.1.1.6

A farm labour residence may be permitted on the same lot as the primary farm use subject to the following requirements:

- Farm operation must require additional on-site employment;
- Removal of “A maximum of one Farm Labour Residence (FLR) permitted per lot” language;
- Removal of servicing by same private sewer and water system as principal dwelling; and,
- Continuing with structure’s temporary nature.

Proposed Updates to Rural Hamilton Official Plan (RHOP) Continued:

Policy: C.3.1.2

- e) A secondary dwelling unit - detached shall not be permitted in Rural Hamilton until such time as the City:
 - i) Has completed a study to address the adequacy of sustainable servicing policies of Section C.5 to address secondary dwelling units - detached; and,
 - ii) Has developed and implemented appropriate policies and regulations for these uses.”

This policy will be amended to allow for and Additional Dwelling Unit – Detached with specific lot requirements to achieve necessary servicing requirements

Proposed Updates to Zoning By-law No. 05-200

FLR's will remain permitted in: Agriculture (A1) Zone, Rural (A2) Zone and Extractive Industrial (M12) Zone

New FLR permissions:

- (a) An accessory detached dwelling of temporary construction, such as a mobile home;
- (b) An accessory detached bunk house of temporary construction, where cooking and sanitary facilities are shared.

The following new regulations will apply:

Zoning By-law No. 05-200
Shall have a maximum building height of 10.5 metres.
A maximum total aggregate gross floor area of 420 square metres.
Maximum gross floor area of 200 square metres per FLR.

Proposed Updates to Zoning By-law No. 05-200 Continued:

Note: Removal of distance separation regulations from the principal farm dwelling and the FLR and minimum gross floor area per resident.

Additional Dwelling Units - Detached:

Section 4.33.2(a) be amended by adding the following new subsection:

- “i) In addition to (a) above, an Additional Dwelling Unit - Detached shall only be permitted on lands within a Agriculture (A1), Rural (A2) or Settlement Residential (S1) Zone on a lot that is greater than 1.5 ha in size.”



Hamilton

THANK YOU

THE CITY OF HAMILTON PLANNING COMMITTEE