

Summary of Proposed Changes to Zoning By-law No. 05-200

Section 1 - Administration			
Section	Proposed Change	Proposed Revised Zone Regulation	Rationale
Strikethrough text = text to be deleted bolded text = text to be added			
Transitional Provision Section 1.12	1.12 TRANSITIONAL PROVISION Notwithstanding Sections 1.4 and 1.7 of this By-law a building permit may be issued in accordance with the following provisions: a) Within the D1, D2, or D5 Zone, a building permit may be issued to permit the erection of a building or structure in accordance with any minor variance, site specific zoning, site plan, consent, plan of subdivision or plan of condominium that has been approved or conditionally approved by the City of Hamilton or the Local Planning Area Tribunal as it read on the day before By-law No. 18-114 was passed by Council, provided the Building Permit application complies with Zoning By-law 05-200, as amended, that affected the lot before By-law No. 18-114 came into effect. For the purposes of determining zoning conformity the following shall apply: i) This By-law is deemed to be modified to the extent necessary to permit a building	1.12 Transition Provisions Complete Applications for a Building Permit 1.12.1 Nothing in this By-law prevents the development or use of a lot or a building for which a complete application for a building permit was received by the City, if the development or use complies, or the building permit application is amended to comply, with the provisions of the applicable former zoning by-law as it read immediately prior to the passing of the passing of the following By-laws: 1. Commercial and Mixed Use Zoning By-law 17-240, November 8, 2017 2. Downtown Zoning By-law 18-114, May 9, 2018 3. Residential Zones a. Low Density Residential By-law 22-197, August 12, 2022	The Transitional Provision was introduced in 2018 with the Downtown Zones and updated in 2022 to include the Commercial and Mixed Use Zones. The Transitional Provision allows a continuation of site specific modifications in accordance with the previous by-law to avoid deletion of a previous approval The amendment adds clarity to the application of the Transition Provision, application types and applicable By-law. The amendment also introduces a sunset clause that will end the extension of the permissions. Upon completion of Zoning By-law No. 05-200 the Transition Provision will be updated to reflect the last section and further establish an appropriate end date for the additional permissions.

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	<p>or structure that is erected in accordance with Subsection a) above.</p> <p>ii) Once the permit or approval under Subsection a) above, has been granted, the provision</p> <p>b) Within the C1 to C7 Zones, a building permit may be issued to permit the erection of a building or structure in accordance with any minor variance, site specific zoning, site plan, consent, plan of subdivision or plan of condominium that has been approved or conditionally approved by the City of Hamilton or the Ontario Land Tribunal as it read on the day before By-law No. 17-240 was passed by Council, provided the Building Permit Application complies with the Zoning By-law that affected the lot before By-law No. 17-240 came into effect. For the purposes of determining zoning conformity the following shall apply:</p> <p>i) This By-law is deemed to be modified to the extent necessary to permit a building or structure that is erected in accordance with Subsection b) above.</p>	<p>b. Low Density Residential By-law 24-XXX,</p> <p>Other Types of Complete Applications</p> <p>1.12.2 Where a complete application was received by the City on or before the date of passing of this By-law for the development or use of a lot or one or more buildings, approval may be granted in the context of the applicable former zoning by-law as it read immediately prior to the passing of this By-law, for one or more of the following applications where they are consistent with the intent of the complete application:</p> <ol style="list-style-type: none"> 1. Any application under Section 45 of the Planning Act; 2. Site plan control approval pursuant to Section 41 of the Planning Act; 3. Consent pursuant to Section 53 of the Planning Act; 4. Draft plan of subdivision pursuant to Section 51 of the Planning Act or a description 	

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	<p>ii) Once the permit or approval under Subsection b) above, has been granted, the provisions of this By-law apply in all other respects to the land in question. (By-law No. 22-084, April 13, 2022)</p> <p>c) Within the R1 and R1a Zone, a building permit may be issued to permit the erection of a building or structure in accordance with any minor variance, site-specific zoning, site plan, consent, plan of subdivision or plan of condominium that has been approved or conditionally approved by the City of Hamilton or the Ontario Land Tribunal as it read on the day before Bylaw No. 22-197 was passed by Council, provided the Building Permit application complies with the Zoning By-law that affected the lot before Bylaw 22-197 came into effect. For the purposes of determine zoning conformity the following shall apply:</p> <p>i) This By-law is deemed to be modified to the extent necessary to permit a building or structure that is erected in accordance with Subsection c) above.</p>	<p>under the Condominium Act, 1998, S.O. 1998, c.19;</p> <p>5. Payment in lieu of parking agreement pursuant to Section 40 of the Planning Act; and</p> <p>6. A part lot control exemption pursuant to Section 50 of the Planning Act.</p> <p>1.12.3 Where the development or use of a lot or one or more buildings qualifies under Clause 1.12.2, a building permit may be issued after final approval is received for all required applications if the development or use complies, or the building permit application for the development or use is amended to comply, with the provisions of the applicable former Zoning By-law as it read immediately prior to the passing of this By-law, and any amendments thereto.</p> <p>1.12.4 Nothing in this By-law applies so as to continue the exemption provided by Clauses 1.12.1 and 1.12.2 beyond the issuance of the final</p>	

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	ii) Once the permit or approval under Subsection c) above, has been granted, the provisions of this By-law apply in all other respects to the land in question. 1.12 Transition Provisions Complete Applications for a Building Permit 1.12.1 Nothing in this By-law prevents the development or use of a lot or a building for which a complete application for a building permit was received by the City, if the development or use complies, or the building permit application is amended to comply, with the provisions of the applicable former zoning by-law as it read immediately prior to the passing of the following By-laws: 1. Commercial and Mixed Use Zoning By-law 17-240, November 8, 2017	 1.12.5 building permit upon which the exemptions are founded. Clauses 1.12.1, 1.12.2, 1.12.3 and 1.12.4 are repealed in their entirety 10 years after the date of passing of the By-laws listed in Section 1.12.1. 1.12.6 Minor Variances Continuation of Approved Variances 1.12.6.1 During the 10 year period commencing on the date of passing of this By-law or date associated with amendments to the By-law provided in Section 1.12.1 above, and expiring on the date specified in Clause 1.12.5, a building permit may be issued in the context of the applicable former zoning by-law as it read immediately prior to the passing of this By-law for any development subject to one or more approved minor variances under the provisions of the applicable former zoning by-law. 1.12.6.2 After the 10 year period in Clause 1.12.5 expires, minor variances approved under the provisions of	

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	<p>2. Downtown Zoning By-law 18-114, May 9, 2018</p> <p>3. Residential Zones</p> <p style="padding-left: 20px;">a. Low Density Residential By-law 22-197, August 12, 2022</p> <p style="padding-left: 20px;">b. Low Density Residential By-law 24-XXX,</p> <p>Other Types of Complete Applications</p> <p>1.12.2 Where a complete application was received by the City on or before the date of passing of this By-law for the development or use of a lot or one or more buildings, approval may be granted in the context of the applicable former zoning by-law as it read immediately prior to the passing of this By-law, for one or more of the following applications where they are consistent with the intent of the complete application:</p>	<p>the applicable former zoning by-law may be relied upon only if the zoning provision respecting the minor variance is the same or more permissive in this By-law than in the applicable former Zoning By-law.</p>	

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	<ol style="list-style-type: none"> 1. Any application under Section 45 of the Planning Act; 2. Site plan control approval pursuant to Section 41 of the Planning Act; 3. Consent pursuant to Section 53 of the Planning Act; 4. Draft plan of subdivision pursuant to Section 51 of the Planning Act or a description under the Condominium Act, 1998, S.O. 1998, c.19; 5. Payment in lieu of parking agreement pursuant to Section 40 of the Planning Act; and 6. A part lot control exemption pursuant to Section 50 of the Planning Act. 		
	<p>1.12.3 Where the development or use of a lot or one or more buildings qualifies under Clause 1.12.2, a building permit may be issued after final approval is received for all required applications if</p>		

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	<p>the development or use complies, or the building permit application for the development or use is amended to comply, with the provisions of the applicable former Zoning By-law as it read immediately prior to the passing of this By-law, and any amendments thereto.</p> <p>1.12.4 Nothing in this By-law applies so as to continue the exemption provided by Clauses 1.12.1 and 1.12.2 beyond the issuance of the final building permit upon which the exemptions are founded.</p> <p>1.12.5 Clauses 1.12.1, 1.12.2, 1.12.3 and 1.12.4 are repealed in their entirety 10 years after the date of passing of the By-laws listed in Section 1.12.1.</p> <p>1.12.6 Minor Variances</p> <p>Continuation of Approved Variances</p> <p>1.12.6.1 During the 10 year period commencing on the date of</p>		

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	<p>passing of this By-law or date associated with amendments to the By-law provided in Section 1.12.1 above, and expiring on the date specified in Clause 1.12.5, a building permit may be issued in the context of the applicable former zoning by-law as it read immediately prior to the passing of this By-law for any development subject to one or more approved minor variances under the provisions of the applicable former zoning by-law.</p> <p>1.12.6.2 After the 10 year period in Clause 1.12.5 expires, minor variances approved under the provisions of the applicable former zoning by-law may be relied upon only if the zoning provision respecting the minor variance is the same or more permissive in this By-law than in the applicable former Zoning By-law.</p>		

Section 2 – Interpretation			
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Section	Proposed Change	Proposed Revised Zone Regulation	Rationale
Establishment of Classification and Zones Section 2.1 j)	Residential Zones Low Density Residential R1 Low Density Residential – Small Lot R1a Low Density Residential – Large Lot R2	Residential Zones Low Density Residential - R1 Low Density Residential – Small Lot R1a Low Density Residential – Large Lot R2	R2 Zone introduced through this amendment.

Section 3 – Definitions			
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Definition	Proposed Change	Proposed Revised Zone Regulation	Rationale
Additional Dwelling Unit	Shall mean a separate and self-contained Dwelling Unit that is accessory to and located within the principal dwelling and shall not include a Farm Labour Residence.	Shall mean a separate and self-contained Dwelling Unit located within the principal dwelling and shall not include a Farm Labour Residence.	Expanded permissions in Low Density Residential Zones means up to four dwelling units may permitted on a low density residential lot which includes the permission for a triplex and fourplex. Additional dwelling units are no longer required to be accessory to a principal dwelling given the expanded permissions of the zones.
Converted Dwelling	Shall mean a dwelling altered to contain a greater number of dwelling units.		With expanded permissions in Low Density Residential Zones alongside Additional Dwelling Unit regulations, this definition is no longer required.
Motor Vehicle Gas Bar	Shall mean a use on a lot, where fuel or lubricants are offered for sale, or where electric vehicles are charged for a fee , but where no provision is made for the repair or maintenance of motor vehicles and may include the sale of foods and convenience items but shall not include a Motor Vehicle Service Station or a Motor Vehicle Wrecking Establishment.	Shall mean a use on a lot, where fuel or lubricants are offered for sale, or where electric vehicles are charged for a fee, but where no provision is made for the repair or maintenance of motor vehicles and may include the sale of foods and convenience items but shall not include a Motor Vehicle Service Station or a Motor Vehicle Wrecking Establishment.	Modified to incorporate the charging of electric vehicles as a principal or accessory component of a Motor Vehicle Gas Bar use so that such uses are captured in the regulatory framework of the Zoning By-law.
Motor Vehicle Service Station	Shall mean an establishment used for the sale of fuel, automotive accessories and/or convenience goods, the charging of electric vehicles for a fee , the repair or replacement of parts in a motor vehicle and shall include but not be limited to the repair or replacement of mufflers, exhaust systems, shock absorbers, transmissions, gears,	Shall mean an establishment used for the sale of fuel, automotive accessories and/or convenience goods, the charging of electric vehicles for a fee, the repair or replacement of parts in a motor vehicle and shall include but not be limited to the repair or replacement of mufflers, exhaust systems, shock absorbers,	Modified to incorporate the charging of electric vehicles as a principal or accessory component of a Motor Vehicle Service Station use so that such uses are captured in the regulatory framework of the Zoning By-law.

Section 3 – Definitions			
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	brakes, clutch assemblies, steering systems, tires, wheels, windshields, windows and other mechanical or electrical parts or systems, the installation of undercoating, engine tuning, lubrication and engine conversion or replacement but shall not include a Motor Vehicle Collision Repair Establishment, Motor Vehicle Sales and Service Establishment, or a Motor Vehicle Wrecking Establishment.	transmissions, gears, brakes, clutch assemblies, steering systems, tires, wheels, windshields, windows and other mechanical or electrical parts or systems, the installation of undercoating, engine tuning, lubrication and engine conversion or replacement but shall not include a Motor Vehicle Collision Repair Establishment, Motor Vehicle Sales and Service Establishment, or a Motor Vehicle Wrecking Establishment.	
Motor Vehicle – Commercial	<p>Shall mean a motor vehicle having permanently attached thereto a truck or delivery body and includes ambulances, hearses, casket wagons, fire apparatus, buses, tractors, and tow trucks used for hauling purposes on the highways, but does not include:</p> <p>a) a commercial motor vehicle, other than a bus, having a gross weight or registered gross weight of not more than 4,500 kilograms;</p> <p>b) a commercial motor vehicle leased for no longer than thirty days by an individual for the transportation of goods kept for that individual's personal use or the gratuitous carriage of passengers;</p> <p>c) a commercial motor vehicle operated under a permit and number plates that is not transporting passengers or goods;</p> <p>d) a commercial motor vehicle operated under the authority of an In-Transit permit; and;</p> <p>e) a bus that is used for personal purposes</p>	<p>Shall mean a motor vehicle having attached to it a truck or delivery body and includes an ambulance, a hearse, a casket wagon, a fire apparatus, a bus, a tractor, and a tow truck used for hauling purposes on a highway, but shall not include:</p> <p>a) a commercial motor vehicle leased for no longer than thirty days by an individual for the transportation of goods kept for that individual's personal use or the gratuitous carriage of passengers,</p> <p>b) a commercial motor vehicle operated under a permit and number plates that is not transporting passengers or goods,</p> <p>c) a commercial motor vehicle operated</p>	<p>Definition of Motor Vehicle - Commercial replaced in order to better reflect its intended application, especially in Residential Zones where it will be applied in coordination with modified restrictions and permissions in the amended Section 5: Parking.</p>

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	<p>without compensation.</p> <p>Shall mean a motor vehicle having attached to it a truck or delivery body and includes an ambulance, a hearse, a casket wagon, a fire apparatus, a bus, a tractor, and a tow truck used for hauling purposes on a highway, but shall not include:</p> <p>a) a commercial motor vehicle leased for no longer than thirty days by an individual for the transportation of goods kept for that individual’s personal use or the gratuitous carriage of passengers,</p> <p>b) a commercial motor vehicle operated under a permit and number plates that is not transporting passengers or goods,</p> <p>c) a commercial motor vehicle operated under the authority of an In-Transit permit; and,</p> <p>d) a bus that is used for personal purposes without compensation.</p>	<p>under the authority of an In-Transit permit; and,</p> <p>d) a bus that is used for personal purposes without compensation.</p>	
Parking Space, Electric Vehicle [new]	Shall mean a Parking Space equipped with electric vehicle charging equipment which provides, or which is capable of providing	Shall mean a Parking Space equipped with electric vehicle charging equipment which provides, or which is capable of providing	Introduced to establish a technical standard which must be met where Electric Vehicle Parking Spaces are required.

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	Level 2, or greater, electric vehicle charging in accordance with the SAE International J1772 standard, as amended.	Level 2, or greater, electric vehicle charging in accordance with the SAE International J1772 standard, as amended.	
Planting Strip	Shall mean an area of land growing ornamental shrubs or trees or both, suitable to the soil and climatic conditions of the area of land for the sole purpose of providing a buffer and may include low level architectural walls or features, and fire hydrants, but shall not include charging stations, walkways, and sidewalks unless a walkway or sidewalk traverses the planting strip to provide access to the site.	Shall mean an area of land growing ornamental shrubs or trees or both, suitable to the soil and climatic conditions of the area of land for the sole purpose of providing a buffer and may include low level architectural walls or features, and fire hydrants, but shall not include walkways, and sidewalks unless a walkway or sidewalk traverses the planting strip to provide access to the site.	Modified to reflect that charging stations and charging devices for Electric Vehicle Parking Spaces are to be subject to more specific permissions and restrictions in the amended Section 5: Parking.
Trailer [new]	Shall mean a vehicle that is at any time drawn upon a highway by a motor vehicle, except: a) an implement used for agricultural purposes; b) a mobile home; c) another motor vehicle or any device or apparatus not designed to transport persons or property, temporarily drawn, propelled or moved upon such highway; and, d) a side car attached to a motorcycle, but shall not include major recreational equipment and a commercial motor vehicle.	Shall mean a vehicle that is at any time drawn upon a highway by a motor vehicle, except: a) an implement used for agricultural purposes; b) a mobile home; c) another motor vehicle or any device or apparatus not designed to transport persons or property, temporarily drawn, propelled or moved upon such highway; and, d) a side car attached to a motorcycle, but shall not include major recreational equipment and a commercial motor vehicle.	Introduced to regulate the storage of trailers in Residential Zones and Rural Zones, in coordination with new permissions and restrictions in the amended Section 5: Parking.

Section 3 – Definitions			
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Triplex Dwelling [new]	shall mean a building containing three dwelling units with at least one dwelling unit entirely or partially above another dwelling unit but shall not include a street townhouse dwelling.	shall mean a building containing three dwelling units with at least one dwelling unit entirely or partially above another dwelling unit but shall not include a street townhouse dwelling.	Introduced to align with Urban Hamilton Official Plan permitted uses in Low Density Residential area of the Neighbourhoods Designation of Volume 1.
Fourplex Dwelling [new]	shall mean a building containing four dwelling units with at least one dwelling unit entirely or partially above another dwelling unit but shall not include a street townhouse dwelling.	shall mean a building containing four dwelling units with at least one dwelling unit entirely or partially above another dwelling unit but shall not include a street townhouse dwelling.	Introduced to align with Urban Hamilton Official Plan permitted uses in Low Density Residential area of the Neighbourhoods Designation of Volume 1.
Multiple Dwelling	shall mean a building or part thereof containing three five or more dwelling units but shall not include a street townhouse dwelling or semi-detached dwelling.	shall mean a building or part thereof containing five or more dwelling units but shall not include a street townhouse dwelling.	Modified to align with the Urban Hamilton Official Plan definition of Multiple Dwelling, modified through OPA No. 167.

Section 4 – General Provisions			
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Frontage on a Street Section 4.3	c) Nothing in this By-law shall prevent the erection, repair, restoration, or addition of a dwelling on an existing lot having access to a public road via a private road subject to the provisions of the Zone in which the lot is located. For the purposes this Section, the front lot line shall be the lot line which divides the lot from the private road and all other lot lines shall correspond thereto.	c) Nothing in this By-law shall prevent the erection, repair, restoration, or addition of a dwelling on an existing lot having access to a public road via a private road subject to the provisions of the Zone in which the lot is located. For the purposes this Section, the front lot line shall be the lot line which divides the lot from the private road and all other lot lines shall correspond thereto.	This regulation is carried forward from City of Stoney Creek Zoning By-law No. 3692-92 to recognize existing lots that are located on a private road.
Permitted Yard Encroachments Section 4.6 h) [new]	i) Notwithstanding Section 4.6 d), e), and f) as it applies to the required front yard, for lots identified on Figure 36 of Schedule “F” – Special Figures of this By-law, the encroachment of a feature shall in no cases result in a front yard of less than 0.5 metres.	h) Notwithstanding Section 4.6 d), e), and f) as it applies to the required front yard, for lots identified on Figure 36 of Schedule “F” – Special Figures of this By-law, the encroachment of a feature shall in no cases result in a front yard of less than 0.5 metres.	For lots identified on Figure 36 of Schedule “F” – Special Figures, a building may be erected closer to the front lot line than the minimum setback from the front lot line requirement based on applying an average setback. Due to the potential for smaller front yards, this regulation ensures a minimum front yard is maintained.
Permitted Yard Encroachments Section 4.6 i) [new]	Wall-mounted electric vehicle charging equipment may encroach into any required yard to a maximum of 0.3 metres.	Wall-mounted electric vehicle charging equipment may encroach into any required yard to a maximum of 0.3 metres.	Introduced to permit wall-mounted electric vehicle charging equipment to encroach into any required yard so as to enable the incorporation of electric vehicle charging equipment associated with outdoor Electric Vehicle Parking Spaces.
Reduction of Yards for Non-conforming Lots Section 4.7	Where a lot was legally established prior to the effective date of this By-law without sufficient lot width or lot area to meet the minimum requirements of this By-law, a	Where a lot was legally established prior to the effective date of this By-law without sufficient lot width or lot area to meet the minimum requirements of this By-law, a	This amendment adds rear yard setback requirements to legally established lots to allow residential development while maintaining a rear yard depth.

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	<p>residential building or dwelling, where permitted in the zone applied to the property, may be erected upon it subject to compliance with all other requirements of this By-law, provided however, that each side yard or flankage yard has a width of at least 10% of the width of the lot but in no case less than 0.9 metres, and that the rear yard has a depth of 25% the depth of the lot but of in no case less than 3.0 metres.</p>	<p>residential building or dwelling, where permitted in the zone applied to the property, may be erected upon it subject to compliance with all other requirements of this By-law, provided however, that each side yard or flankage yard has a width of at least 10% of the width of the lot but in no case less than 0.9 metres, and that the rear yard has a depth of 25% the depth of the lot but in no case less than 3.0 metres.</p>	
<p>Buildings Accessory to Residential Uses</p> <p>Section 4.8.1.1</p>	<p>BUILDINGS ACCESSORY TO SINGLE DETACHED DWELLINGS, SEMI DETACHED DWELLINGS, DUPLEX DWELLINGS, TRIPLEX DWELLINGS, FOURPLEX DWELLING, AND STREET TOWNHOUSE DWELLINGS, BLOCK TOWNHOUSE DWELLINGS, STACKED TOWNHOUSE DWELLINGS, AND BACK-TO-BACK TOWNHOUSE DWELLINGS IN ALL ZONES (EXCEPT A1 AND A2 ZONES)</p>	<p>BUILDINGS ACCESSORY TO SINGLE DETACHED DWELLINGS, SEMI DETACHED DWELLINGS, DUPLEX DWELLINGS, TRIPLEX DWELLINGS, FOURPLEX DWELLING, AND STREET TOWNHOUSE DWELLINGS, IN ALL ZONES (EXCEPT A1 AND A2 ZONES)</p>	<p>Introduced to align with Urban Hamilton Official Plan permitted uses in Low Density Residential area of the Neighbourhoods Designation of Volume 1.</p>
<p>Laneways Deemed to be Streets</p> <p>Section 4.14</p>	<p>Name</p> <ol style="list-style-type: none"> Renfrew Avenue Woodland Avenue 	<p>Name</p> <ol style="list-style-type: none"> Renfrew Avenue Woodland Avenue 	<p>To recognize the listed laneways as a street in accordance with the definitions of Zoning By-law No. 05-200 for the purposes of development.</p>

Section 4 – General Provisions			
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	<ol style="list-style-type: none"> 3. Dexter Avenue 4. Wright's Lane 5. Trafalgar Boulevard 6. Turner's Lane 7. Dynes Park 8. Patterson Street 9. Clarence Street 10. Whitehern Place 11. Hunter Place 12. Wesanford Place 13. Tecumseh Street 14. Crooks Street 15. Little Greig Street 16. Nelson Street 17. Richmond Street 18. Hill Street 19. Blanchard Street 20. Fanning Street 21. Bold Street 22. Pearl Street South 23. Tuckett Street 	<ol style="list-style-type: none"> 3. Dexter Avenue 4. Wright's Lane 5. Trafalgar Boulevard 6. Turner's Lane 7. Dynes Park 8. Patterson Street 9. Clarence Street 10. Whitehern Place 11. Hunter Place 12. Wesanford Place 13. Tecumseh Street 14. Crooks Street 15. Little Greig Street 16. Nelson Street 17. Richmond Street 18. Hill Street 19. Blanchard Street 20. Fanning Street 21. Bold Street 22. Pearl Street South 23. Tuckett Street 	

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	24. Woodbine Crescent 25. Spring Street 26. Ford Street 27. Patrick Street 28. Beckley Street 29. Sawyer Road 30. Evans Street 31. Radial Street 32. Birch Avenue 33. Beck Street 34. Normajeau Avenue 35. Holland Road 36. Courtland Avenue 37. Bull's Lane 38. Roscliffe Drive 39. Malta Drive	24. Woodbine Crescent 25. Spring Street 26. Ford Street 27. Patrick Street 28. Beckley Street 29. Sawyer Road 30. Evans Street 31. Radial Street 32. Birch Avenue 33. Beck Street 34. Normajeau Avenue 35. Holland Road 36. Courtland Avenue 37. Bull's Lane 38. Roscliffe Drive 39. Malta Drive	
Regulations for Consolidated Lot Development Section 4.16	b) Where a comprehensive condominium plan of subdivision has received draft plan approval or a conditional stratified severance has been approved , as well as any required site plan approval, and where registration of the plan is intended to occur in	b) Where a comprehensive condominium plan of subdivision has received draft plan approval or a conditional stratified severance has been approved, as well as any required site plan approval, and where registration of the plan is intended to occur in phases and/or stages, the	The Lot Consolidation permissions does not address the option for stratified severances. The amendment allows a property and any building thereon to be considered one for the purposes of applying any zoning regulations. This amendment enables different ownership

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	<p>phases and/or stages, the lands to which the draft approved plan of condominium is to be located, shall be deemed to be one lot for the purposes of applying the provisions of the By-law. Zoning provisions shall apply only to the external lot lines of the overall condominium plan, not to internal lot lines resulting from the registration of any condominium phase.</p>	<p>lands to which the draft approved plan of condominium is to be located, shall be deemed to be one lot for the purposes of applying the provisions of the By-law. Zoning provisions shall apply only to the external lot lines of the overall condominium plan, not to internal lot lines resulting from the registration of any condominium phase.</p>	<p>structures without requiring additional modifications to the zoning regulations.</p>
Home Business Section 4.21 d)	<p>Regulations for Home Businesses in Duplex Dwellings, Dwelling Unit(s), Triplex Dwellings, Fourplex Dwellings, Multiple Dwellings and Street Townhouse Dwellings:</p>	<p>Regulations for Home Businesses in Duplex Dwellings, Dwelling Unit(s), Triplex Dwellings, Fourplex Dwellings, Multiple Dwellings and Street Townhouse Dwellings:</p>	<p>Introduced to align with Urban Hamilton Official Plan permitted uses in Low Density Residential area of the Neighbourhoods Designation of Volume 1.</p>
Special Setbacks Section 4.23	<p>c) Setback from a TransCanada Pipeline Right-of-Way</p> <p>All buildings or structures located on a property shall be setback a minimum of 10.0 metres from a TransCanada Pipeline Right-of-Way.</p> <p>f) Setback from Top of Bank of Lake Ontario Shoreline</p> <p>A minimum setback of 7.5 metres from the top of bank, as determined by the applicable Conservation Authority, shall apply for all buildings and structures on a</p>	<p>c) Setback from a Pipeline Right-of-Way</p> <p>All buildings or structures located on a property shall be setback a minimum of 10.0 metres from a Pipeline Right-of-Way.</p> <p>f) Setback from Top of Bank of Lake Ontario Shoreline</p> <p>A minimum setback of 7.5 metres from the top of bank, as determined by the applicable Conservation Authority, shall apply for all buildings and</p>	<p>For consistency in the application of the special setback as it applies to pipeline infrastructure.</p> <p>This regulation is carried forward from City of Stoney Creek Zoning By-law No. 3692-92 to establish a minimum setback requirement for shoreline properties, subject to the applicable Conservation Authority’s shoreline setback standards.</p>

Section 4 – General Provisions			
Section	Proposed Change	Proposed Revised Zone Regulation	Rationale
<p>Strikethrough text = text to be deleted bolded text = text to be added</p>			
	property abutting the Lake Ontario Shoreline.	structures on a property abutting the Lake Ontario Shoreline.	
<p>Additional Dwelling Unit and Additional Dwelling Unit – Detached</p> <p>Section 4.33</p>	<p>ADDITIONAL DWELLING UNIT AND ADDITIONAL DWELLING UNIT – DETACHED</p> <p>(a) Parking shall be provided in accordance with Section 5: Parking of this By-law and the following:</p> <p>i) For lands within the D5, I1, I2, C1, TOC3, R1, R1a Zones, no additional parking space shall be required for either an Additional Dwelling Unit or an Additional Dwelling Unit – Detached, provided the required parking spaces which existed on May 12, 2021 for the existing dwelling shall continue to be provided and maintained.</p> <p>(A) Notwithstanding Section 4.33 (a) i), one parking space shall be required for a Additional Dwelling Unit – Detached if it constitutes the fourth Dwelling Unit on a lot.</p>		<p>With the additional permissions in Low Density Residential Zones – triplexes and fourplexes, the Additional Dwelling Unit and Additional Dwelling Unit – Detached regulations have been modified to reflect the as-of-right permissions for four dwelling units on a lot through purpose built development or dwellings with additional dwelling units. See new Section 4.33 below.</p>

Section 4 – General Provisions			
Section	Proposed Change	Proposed Revised Zone Regulation	Rationale
<p>Strikethrough text = text to be deleted bolded text = text to be added</p>			
	<p>ii) Notwithstanding Section 5.1 c) iv), a maximum of two parking spaces for an Additional Dwelling Unit and/or Additional Dwelling Unit – Detached may be provided in the required Front Yard.</p> <p>(By-law No. 22-197, August 12, 2022) (By-law NO. 23-079, May 10, 2023)</p> <p>(b) Notwithstanding Section 1.4 of this By-law, the following provisions shall apply:</p> <p>i) A Building Permit application for an Additional Dwelling Unit or Additional Dwelling Unit – Detached, received by the City of Hamilton prior to the date By-law No. 22-132 was approved by Council, will be evaluated against the provisions of Section 4.33 of this By-law, in effect before By-law No. 22-132 came into effect.</p> <p>(A) Notwithstanding Section 4.33 (b) i), if a Building Permit is not issued within 180 days of the effective</p>		

Section 4 – General Provisions			
Section	Proposed Change	Proposed Revised Zone Regulation	Rationale
<p>Strikethrough text = text to be deleted bolded text = text to be added</p>			
	<p>date of this By-law, By-law No. 22-132 shall apply in all respects to the Building Permit in question.</p> <p>ii) A Building Permit may be issued to permit an Additional Dwelling Unit or Additional Dwelling Unit – Detached, in accordance with any Minor Variance that has been approved by the City of Hamilton or the Ontario Land Tribunal as it read on the day before By-law 22-132 was approved by Council, provided the Building Permit application complies with Section 4.33 of this By-law, in effect the day before By-law No. 22-132 came into effect.</p> <p>iii) For the purposes of determining zoning conformity, the following shall apply:</p> <p>(A) This By-law is deemed to be modified to the extent necessary to permit an Additional Dwelling Unit or</p>		

Section 4 – General Provisions			
Section	Proposed Change	Proposed Revised Zone Regulation	Rationale
<p>Strikethrough text = text to be deleted bolded text = text to be added</p>			
	<p>Additional Dwelling Unit – Detached that is constructed in accordance with Section 4.33 (b) i) or ii).</p> <p>(B) — Once a Building Permit has been issued under Section 4.33 (b) i) or ii), or more than 180 days has transpired as per Section 4.33 (b) i) (A), the provisions of this By-law apply in all other respects.</p> <p>(By-law No. 22-132, June 08, 2022)</p>		
<p>Additional Dwelling Unit and Additional Dwelling Unit – Detached</p> <p>Section 4.33 [new]</p>	<p>a) All the regulations of this By-law applicable to the principal dwelling shall continue to apply unless specifically provided in Section 4.33.</p> <p>b) A Single Detached Dwelling, Duplex Dwelling, or Triplex Dwelling built in conformity with this By-law, may be converted to contain a fourth Additional Dwelling Unit.</p>	<p>a) All the regulations of this By-law applicable to the principal dwelling shall continue to apply unless specifically provided in Section 4.33.</p> <p>b) A Single Detached Dwelling, Duplex Dwelling, or Triplex Dwelling built in conformity with this By-law, may be converted to contain a fourth Additional Dwelling Unit.</p>	<p>Section 4.33 (a) is an existing regulation, carried forward into the new Section 4.33.</p> <p>Section 4.33 (b): Section 4.33.1 established the permissions for the number of Additional Dwelling Units permitted within low density residential uses. This regulation establishes how four internal dwelling units are permitted – either through construction of a purpose built fourplex or the conversion of an</p>

Section 4 – General Provisions			
Section	Proposed Change	Proposed Revised Zone Regulation	Rationale
<p>Strikethrough text = text to be deleted bolded text = text to be added</p>			
	<p>c) Notwithstanding any applicable regulations of this By-law, no more than four Dwelling Units shall be permitted on a lot that contains an Additional Dwelling Unit and/or Additional Dwelling Unit – Detached.</p>	<p>c) Notwithstanding any applicable regulations of this By-law, no more than four Dwelling Units shall be permitted on a lot that contains an Additional Dwelling Unit and/or Additional Dwelling Unit – Detached.</p>	<p>existing dwelling (with ADUs) to contain one additional dwelling unit for a total of four.</p>
<p>Additional Dwelling Unit Section 4.33.1</p>	<p>Additional Dwelling Unit</p> <p>(a) For lands within a D5, I1, I2, C1, TOC3, A1, A2 S1, R1, R1a Zone, a maximum of one Additional Dwelling Unit shall be permitted within a Single Detached Dwelling, a Semi-Detached Dwelling, or a Street Townhouse Dwelling on a divided or undivided lot and shall not result in a change to the defined dwelling type on the lot.</p> <p>(b) All the regulations of this By-law applicable to the existing dwelling shall continue to apply unless specifically provided in Section 4.33.1.</p> <p>(c) There shall be no outside stairway above the first floor other than a required exterior exit.</p> <p>(d) A maximum of one entrance shall be permitted on the front façade of a</p>		<p>With the additional permissions in Low Density Residential Zones – triplexes and fourplexes, the Additional Dwelling Unit and Additional Dwelling Unit – Detached regulations have been modified to reflect the as-of-right permissions for four dwelling units on a lot.</p> <p>The regulations of Section 4.33.1 have been modified and relocated to Section 4.33.</p> <p>Existing Section 4.33.1 (c) and (d) have been deleted. Regarding (c), exterior stairways are regulated by the Ontario Building Code and it is the OBC requirements that typically influence the provision of exterior exits.</p> <p>With respect to (d), the existing converted dwelling regulations and proposed fourplex dwelling regulations do not regulate the number of entrances on the</p>

Section 4 – General Provisions			
Section	Proposed Change	Proposed Revised Zone Regulation	Rationale
<p>Strikethrough text = text to be deleted bolded text = text to be added</p>			
	<p>dwelling containing an Additional Dwelling Unit.</p> <p>i) Notwithstanding Section 4.33.1 (d) an additional entrance may be located on the front façade of the principal dwelling for lands identified on Figure 24 of Schedule F – Special Figures.</p> <p>(By law No. 22-132, June 08, 2022) (By law No. 22-197, August 12, 2022)</p>		<p>front façade of a building. This approach is to be maintained going forward.</p>
<p>Additional Dwelling Unit</p> <p>Section 4.33.1 [new]</p>	<p>a) Additional Dwelling Units shall be permitted in accordance with the following:</p> <p>i) A Single Detached Dwelling shall be permitted to contain up to two Additional Dwelling Units.</p> <p>ii) A Duplex Dwelling shall be permitted to contain one Additional Dwelling Unit.</p> <p>iii) Each semi-detached dwelling unit of a Semi-Detached Dwelling shall be permitted to contain one Additional Dwelling Unit.</p> <p>iv) A Street Townhouse Dwelling</p>	<p>a) Additional Dwelling Units shall be permitted in accordance with the following:</p> <p>i) A Single Detached Dwelling shall be permitted to contain up to two Additional Dwelling Units.</p> <p>ii) A Duplex Dwelling shall be permitted to contain one Additional Dwelling Unit.</p> <p>iii) Each semi-detached dwelling unit of a Semi-Detached Dwelling shall be permitted to contain one Additional Dwelling Unit.</p> <p>iv) A Street Townhouse Dwelling shall</p>	<p>Establishes the Additional Dwelling Unit permissions for new or existing dwelling types based on existing permissions and the introduction of triplex and fourplex permissions. Within a Low Density Residential Zone, new developments of four dwelling units within a building will be subject to the fourplex regulations established in the R1, R1a and R2 Zones.</p>

Section 4 – General Provisions			
Section	Proposed Change	Proposed Revised Zone Regulation	Rationale
Strikethrough text = text to be deleted bolded text = text to be added			
	shall be permitted to contain one Additional Dwelling Unit.	be permitted to contain one Additional Dwelling Unit.	

<p>Additional Dwelling Unit - Detached</p> <p>Section 4.33.2</p>	<p>a) For lands within a D5, I1, I2, C1, TOC3, R1, R1a Zone, A maximum of one Additional Dwelling Unit – Detached shall be permitted on a lot containing a Single Detached Dwelling, Duplex Dwelling, a Semi-Detached Dwelling, or a Street Townhouse Dwelling, or a Triplex Dwelling.</p> <p>b) In addition to Section 4.33.2 (a), a legally established accessory building existing as of May 12, 2021, may be converted to the one Additional Dwelling Unit – Detached, permitted on a lot containing an existing Single Detached Dwelling, Semi-Detached Dwelling, or Street Townhouse Dwelling subject to the following provision:</p> <p>i) Any additions over 10% of the existing gross floor area of the legally established accessory building converted to an Additional Dwelling Unit – Detached shall be in accordance with the regulations of Section 4.33.2.</p> <p>(c) All the regulations of this By-law applicable to the existing dwelling shall continue to apply unless specifically provided in Section 4.33.2</p>	<p>a) A maximum of one Additional Dwelling Unit – Detached shall be permitted on a lot containing a Single Detached Dwelling, Duplex Dwelling, Semi-Detached Dwelling, Street Townhouse Dwelling, or a Triplex Dwelling.</p> <p>b) In addition to Section 4.33.2 a), a legally established accessory building existing as of May 12, 2021, may be converted to the one Additional Dwelling Unit – Detached, subject to the following provision:</p> <p>i) Any additions over 10% of the existing gross floor area of the legally established accessory building converted to an Additional Dwelling Unit – Detached shall be in accordance with the regulations of Section 4.33.2.</p> <p>c) An Additional Dwelling Unit – Detached shall only be permitted in a Rear and/or interior Side Yard.</p> <p>d) A minimum 1.2 metre setback shall be provided from the interior Side Lot Line and Rear Lot Line.</p> <p>i) Notwithstanding Section 4.33.2 d), an eave or a gutter may extend a maximum of 0.45 metres into a required minimum setback area.</p>	<p>This amendment adds ADU permissions to all zones that legally permit a wider range of low density residential forms to increase housing options.</p> <p>Section 4.33.2 (k) has been deleted. A minimum landscaped area requirement has been introduced to all Low Density Residential uses (with the exception of Street Townhouses). By establishing a minimum landscaped area on each lot, 4.33.2 (k) is deemed redundant.</p>
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	<p>(d)c) An Additional Dwelling Unit – Detached shall only be permitted in a Rear and/or interior Side Yard.</p> <p>(e)d) A minimum 1.2 metre setback shall be provided from the interior Side Lot Line and Rear Lot Line.</p> <p>i) Notwithstanding Section 4.33.2 d) (e), an eave or a gutter may extend a maximum of 0.45 metres into a required minimum setback area.</p> <p>ii) In addition to Section 4.33.2 d) (e), a landscape strip is required to be provided within the required side yard adjacent to an Additional Dwelling Unit – Detached and shall be limited to sod, ground cover, permeable pavers, or a planting strip, and may include a visual barrier.</p> <p>(f) e) An Additional Dwelling Unit – Detached shall not be located closer to the flankage street than the principal dwelling.</p> <p>(g) f) An unobstructed path with a minimum 1.0 metre width and minimum 2.1 metre clearance in height from a street line to the entrance of the Additional Dwelling Unit – Detached shall be provided and maintained.</p>	<p>ii) In addition to Section 4.33.2 d), a landscape strip is required to be provided within the required side yard adjacent to an Additional Dwelling Unit – Detached and shall be limited to sod, ground cover, permeable pavers, or a planting strip, and may include a visual barrier.</p> <p>e) An Additional Dwelling Unit – Detached shall not be located closer to the flankage street than the principal dwelling.</p> <p>f) An unobstructed path with a minimum 1.0 metre width and minimum 2.1 metre clearance in height from a street line to the entrance of the Additional Dwelling Unit – Detached shall be provided and maintained.</p> <p>g) The following building separation shall be provided:</p> <p>i) Where an Additional Dwelling Unit – Detached is in the Rear Yard, a minimum distance of 7.5 metres shall be required between the rear wall of the principal dwelling and the Additional Dwelling Unit – Detached.</p> <p>ii) Where an Additional Dwelling Unit – Detached is in an Interior Side Yard, the following is required:</p>	
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	<p>(h) g) The following building separation shall be provided:</p> <p>i) Where an Additional Dwelling Unit – Detached is in the Rear Yard, a minimum distance of 7.5 metres shall be required between the rear wall of the principal dwelling and the Additional Dwelling Unit – Detached.</p> <p>ii) Where an Additional Dwelling Unit – Detached is in an Interior Side Yard, the following is required:</p> <p>(A) A minimum distance of 4.0 metres shall be provided between the side wall of the principal dwelling and an Additional Dwelling Unit – Detached; and,</p> <p>(B) An Additional Dwelling Unit – Detached shall be set back a minimum 5.0 metres from the front façade of the principal dwelling.</p> <p>(h) h) A maximum height of 6.0 metres shall be permitted.</p> <p>i) Notwithstanding Section 4.33.2 (h) (h), balconies and rooftop patios</p>	<p>(A) A minimum distance of 4.0 metres shall be provided between the side wall of the principal dwelling and an Additional Dwelling Unit – Detached; and,</p> <p>(B) An Additional Dwelling Unit – Detached shall be set back a minimum 5.0 metres from the front façade of the principal dwelling.</p> <p>h) A maximum height of 6.0 metres shall be permitted.</p> <p>i) Notwithstanding Section 4.33.2 h), balconies and rooftop patios shall be prohibited above the first floor level.</p> <p>i) The maximum gross floor area shall not exceed the lesser of 75 square metres or the gross floor area of the principal dwelling.</p> <p>i) Notwithstanding Section 4.33.2 i), the maximum combined lot coverage of all accessory buildings and the Additional Dwelling Unit - Detached shall be 25%.</p> <p>ii) In addition to Section 4.33.2 i), the ground floor area of a Additional Dwelling Unit – Detached shall not exceed 70% of the ground floor area of the principal dwelling when the</p>	
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Section 4 – General Provisions			
Section	Proposed Change	Proposed Revised Zone Regulation	Rationale
<p>Strikethrough text = text to be deleted bolded text = text to be added</p>			
	<p>shall be prohibited above the first floor level.</p> <p>(j) i) The maximum gross floor area shall not exceed the lesser of 75 square metres or the gross floor area of the principal dwelling.</p> <p>i) Notwithstanding Section 4.33.2 i) (j), the maximum combined lot coverage of all accessory buildings and the Additional Dwelling Unit - Detached shall be 25%.</p> <p>ii) In addition to Section 4.33.2 i) (j), the ground floor area of a Additional Dwelling Unit – Detached shall not exceed 70% of the ground floor area of the principal dwelling when the ground floor area of the principal dwelling is less than or equal to 105 square metres.</p> <p>(k) A minimum landscaped area of 12.0 square metres shall be provided and maintained within the rear yard.</p>	<p>ground floor area of the principal dwelling is less than or equal to 105 square metres.</p>	

Section 4 – General Provisions			
Section	Proposed Change	Proposed Revised Zone Regulation	Rationale
<p>Strikethrough text = text to be deleted bolded text = text to be added</p>			
<p>Additional Dwelling Units in Agriculture (A1), Rural (A2) and Settlement Residential (S1) Zone</p> <p>Section 4.33.3</p>	<p>a) An Additional Dwelling Unit shall only be permitted on lands within a Agriculture (A1), Rural (A2) or Settlement Residential (S1) Zone and shall only be permitted on a lot that is greater than 0.6 ha in size.</p> <p>b) Notwithstanding 4.33.3 a), an Additional Dwelling Unit shall not be permitted on lands identified in Special Figures 24.1 to 24.5.</p> <p>c) The waste disposal and water supply systems shall be in accordance with Section 4.22 iii).</p>	<p>a) An Additional Dwelling Unit shall only be permitted on lands within a Agriculture (A1), Rural (A2) or Settlement Residential (S1) Zone and shall only be permitted on a lot that is greater than 0.6 ha in size.</p> <p>b) Notwithstanding 4.33.3 a), an Additional Dwelling Unit shall not be permitted on lands identified in Special Figures 24.1 to 24.5.</p> <p>c) The waste disposal and water supply systems shall be in accordance with Section 4.22 iii).</p>	<p>Technical correction</p>

<p>Converted Dwellings</p> <p>Section 4.34</p>	<p>Repeal in full. Section number to be maintained and left intentionally blank.</p> <p>Converted Dwellings</p> <p>(a) For the purpose of Section 4.34, a Converted Dwelling shall mean a Single Detached Dwelling or Duplex Dwelling, existing as of August 12, 2022, converted to contain greater than two but no more than four Dwelling Units.</p> <p>(b) A Converted Dwelling shall be permitted on a lot in an “R1” or “R1a” Zone.</p> <p>(c) All the regulations of this By-law applicable to the existing dwelling shall continue to apply unless specifically provided in Section 4.34.</p> <p>(d) Notwithstanding any applicable regulations of this By-law, no more than four Dwelling Units shall be permitted on a lot subject to Converted Dwelling permissions as identified in Section 4.34 (b).</p> <p>(e) No parking spaces are required for Dwelling Units within a Converted Dwelling, provided the required parking spaces which existed on August 12, 2022 for the existing dwelling shall continue to be provided and maintained.</p>	<p>Section 4.34</p>	<p>With the introduction of triplex and fourplex permissions to Low Density Residential Zones, achieving four dwelling units on a lot is no longer restricted to conversions of existing dwellings. This section can be deleted.</p>
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Section 4 – General Provisions			
Section	Proposed Change	Proposed Revised Zone Regulation	Rationale
Strikethrough text = text to be deleted bolded text = text to be added			
	(i) Notwithstanding Section 4.34 (e), one parking space is required for the following conditions: A. For the fourth Dwelling Unit in a Converted Dwelling, and, B. For the fourth Dwelling Unit on a lot.		

<p>Landscape Requirements</p> <p>Section 4.35</p>	<p>On lots containing a single detached dwelling, semi-detached dwelling, duplex dwelling, triplex dwelling, fourplex dwelling, or street townhouse dwelling in all zones, the following shall be provided:</p> <p>a) A minimum 50% landscaped area in the Front Yard; and;</p> <p>b) A minimum 50% landscaped area in the Flankage Yard; and,</p> <p>c) A single area within the required landscaped area for tree protection and/or tree planting, subject to the following:</p> <p style="padding-left: 20px;">i) each side shall be a minimum 3.75 metres in length; and,</p> <p style="padding-left: 20px;">ii) shall not contain hard landscaping or structures.</p> <p>d) On a lot containing a fourplex dwelling, when parking spaces are located in the rear yard, the following shall be provided:</p> <p style="padding-left: 20px;">i) A minimum 1.5 metre wide landscaped strip shall be provided between the parking spaces and/or aisle, and the side lot line, and shall contain a wall or fence in accordance with the requirements of Section 4.19; and,</p>	<p>On lots containing a single detached dwelling, semi-detached dwelling, duplex dwelling, triplex dwelling, fourplex dwelling, or street townhouse dwelling in all zones, the following shall be provided:</p> <p>a) A minimum 50% landscaped area in the Front Yard;</p> <p>b) A minimum 50% landscaped area in the Flankage Yard; and,</p> <p>c) A single area within the required landscaped area for tree protection and/or tree planting, subject to the following:</p> <p style="padding-left: 20px;">i) each side shall be a minimum 3.75 metres in length; and,</p> <p style="padding-left: 20px;">ii) shall not contain hard landscaping or structures.</p> <p>d) On a lot containing a fourplex dwelling, when parking spaces are located in the rear yard, the following shall be provided:</p> <p style="padding-left: 20px;">i) A minimum 1.5 metre wide landscaped strip shall be provided between the parking spaces and/or aisle, and the side lot line, and shall contain a wall or fence in accordance with the requirements of Section 4.19; and,</p>	<p>This amendment applies the same front and flankage yard landscaping requirements to triplex and fourplex dwellings as already exists for other low density residential uses.</p> <p>New subsection (c) establishes a requirement to maintain an area for tree planting / tree preservation which is intended to contribute to the City’s urban tree canopy coverage goal.</p> <p>New subsection (d) applies to lots with fourplexes where rear parking is provided. The minimum landscaped strips and visual barrier / fencing requirements are intended to minimize potential impacts on neighbouring properties by implementing privacy measures.</p>
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Section 4 – General Provisions			
Section	Proposed Change	Proposed Revised Zone Regulation	Rationale
<p>Strikethrough text = text to be deleted bolded text = text to be added</p>			
	<p>ii) A minimum 3 metre wide landscaped strip shall be provided between the parking spaces and/or aisle, and the rear lot line, and shall contain a Visual Barrier in accordance with the requirements of Section 4.19.</p>	<p>ii) A minimum 3 metre wide landscaped strip shall be provided between the parking spaces and/or aisle, and the rear lot line, and shall contain a Visual Barrier in accordance with the requirements of Section 4.19.</p>	

Section 15 – Residential Zones			
15.1 – Low Density Residential (R1) Zone			
15.2 – Low Density Residential – Small Lot (R1a) Zone			
Strikethrough text = text to be deleted bolded text = text to be added			
Section	Proposed Change	Proposed Revised Zone Regulation	Rationale
15.1 – Low Density Residential (R1) Zone			
15.1.1	Community Garden Day Nursery Duplex Dwelling Fourplex Dwelling Lodging House Residential Care Facility Retirement Home Semi-Detached Dwelling Single Detached Dwelling Street Townhouse Dwelling Triplex Dwelling Urban Farm	Community Garden Day Nursery Duplex Dwelling Fourplex Dwelling Lodging House Residential Care Facility Retirement Home Semi-Detached Dwelling Single Detached Dwelling Street Townhouse Dwelling Triplex Dwelling Urban Farm	Introduced to align with Urban Hamilton Official Plan permitted uses in Low Density Residential area of the Neighbourhoods Designation of Volume 1.
15.1.1.1	<p>RESTRICTED USES</p> <p>In addition to Section 15.1.1, the following uses shall be permitted in accordance with the following restrictions:</p> <p>i) Residential Care Facility: 1. Maximum capacity of six residents.</p> <p>ii) Retirement Home: 2. Maximum capacity of six residents.</p>		The Urban Hamilton Official Plan encourages allowing for a mixture of housing with supports throughout the City (Policy B.3.2.16) and these changes will provide for additional flexibility for allow supportive housing in more locations throughout the City with the same requirements of housing in the area.

Section 15 – Residential Zones			
15.1 – Low Density Residential (R1) Zone			
15.2 – Low Density Residential – Small Lot (R1a) Zone			
Strikethrough text = text to be deleted bolded text = text to be added			
Section	Proposed Change	Proposed Revised Zone Regulation	Rationale
15.1.2.1 [note: 15.1.2.1 a), b), d), e), f), g) are unchanged through this amendment]	SINGLE DETACHED, DUPLEX DWELLING, TRIPLEX DWELLING, AND DAY NURSERY, LODGING HOUSE, RESIDENTIAL CARE FACILITY AND RETIREMENT HOME REGULATIONS	SINGLE DETACHED, DUPLEX DWELLING, TRIPLEX DWELLING, DAY NURSERY, LODGING HOUSE, RESIDENTIAL CARE FACILITY AND RETIREMENT HOME REGULATIONS	Triplex dwellings to be subject to the same regulations as single detached and duplex dwellings due to similarities in built form and scale. Lodging House, Residential Care Facility and Retirement Home relocated to Section 15.1.2.1. and subject to the same regulations as for Single Detached Dwelling, Duplex Dwelling, and Day Nursery.
15.1.2.1 c)	Minimum Setback from the Front Lot Line i) 6.0 4.0 metres; ii) Notwithstanding Section 15.1.2.1 c) i), for lots identified on Figure 36 of Schedule “F” – Special Figures of this By-law, a building may be erected closer to the front lot line in accordance with the following: 1. Where two adjacent lots have a front lot line or flankage lot line on the same street, within 10 percent of the average setback from the front lot line or flankage lot line of the two adjacent dwellings;	Minimum Setback from the Front Lot Line i) 4.0 metres; ii) Notwithstanding Section 15.1.2.1 c) i), for lots identified on Figure 36 of Schedule “F” – Special Figures of this By-law, a building may be erected closer to the front lot line in accordance with the following: 1. Where two adjacent lots have a front lot line or flankage lot line on the same street, within 10 percent of the average setback from the front lot line or flankage lot line of the two adjacent dwellings;	The minimum setback from the Front Lot Line has been reduced to 4.0 metres in the R1, R1a, and R2 Zones to provide flexibility and to recognize varied existing conditions across the City. The average setback regulation has been introduced to the R1 and R1a Zones which can be applied to properties in the Lower City (as per Figure 36). The regulation recognizes that the existing streetscape condition may be a front setback of less than 4.0 metres.

Section 15 – Residential Zones			
15.1 – Low Density Residential (R1) Zone			
15.2 – Low Density Residential – Small Lot (R1a) Zone			
Strikethrough text = text to be deleted bolded text = text to be added			
Section	Proposed Change	Proposed Revised Zone Regulation	Rationale
	<p>2. Where one adjacent lot has a front lot line on the same street, within 10 percent of the setback from the front lot line of the one adjacent dwelling;</p> <p>3. In no cases shall the setback from the front lot line be less than 0.5 metres.</p>	<p>2. Where one adjacent lot has a front lot line on the same street, within 10 percent of the setback from the front lot line of the one adjacent dwelling;</p> <p>3. In no cases shall the setback from the front lot line be less than 0.5 metres.</p>	
15.1.2.1 h)	<p>Parking</p> <p>i) In accordance with the requirements of Section 5 of this By-law.</p> <p>—</p> <p>ii) Notwithstanding Section 5.6 c) i., 2 parking spaces shall be required for a Single Detached Dwelling.</p>		Reference to Section 4 not required. Section 4 intended to be read in its entirety, in conjunction with the parent zones.
15.1.2.1 h) [new]	<p>h) Minimum Landscaped Area</p> <p>i) 30%;</p> <p>ii) Within the landscaped area, the requirements of Section 4.35 of this By-law shall apply.</p>	<p>h) Minimum Landscaped Area</p> <p>i) 30%;</p> <p>ii) Within the landscaped area, the requirements of Section 4.35 of this By-law shall apply.</p>	A minimum landscaped area regulation has been introduced to the R1, R1a and R2 Zones to ensure that new development provides an adequate amount of pervious area on a lot to help maintain existing drainage patterns and minimize impacts on surrounding properties.
15.1.2.1 i)	<p>Accessory Buildings</p> <p>In accordance with the requirements of Section 4.8 of this By-law.</p>		Reference to Section 4 not required. Section 4 intended to be read in its entirety, in conjunction with the parent zones.

Section 15 – Residential Zones			
15.1 – Low Density Residential (R1) Zone			
15.2 – Low Density Residential – Small Lot (R1a) Zone			
Strikethrough text = text to be deleted bolded text = text to be added			
Section	Proposed Change	Proposed Revised Zone Regulation	Rationale
15.1.2.1 j)	Home Business- In accordance with the requirements of Section 4.24 of this By-law.		Reference to Section 4 not required. Section 4 intended to be read in its entirety, in conjunction with the parent zones.
15.1.2.2 Semi-Detached Dwelling Regulations [note: 15.1.2.2 a), b), d), e), f) g) are unchanged through this amendment]			
15.1.2.2 c)	c) Minimum Setback from the Front Lot Line i) 6.0 4.0 metres; ii) Notwithstanding Section 15.1.2.2 c) i), for lots identified on Figure 36 of Schedule “F” – Special Figures of this By-law, a building may be erected closer to the front lot line in accordance with the following: 1. Where two adjacent lots have a front lot line or flankage lot line on the same street, within 10 percent of the average setback from the front lot line or flankage lot line of the two adjacent dwellings; 2. Where one adjacent lot has a front lot line on the same street, within 10 percent of the setback from the front lot line of the one adjacent dwelling;	c) Minimum Setback from the Front Lot Line i) 4.0 metres; ii) Notwithstanding Section 15.1.2.2 c) i), for lots identified on Figure 36 of Schedule “F” – Special Figures of this By-law, a building may be erected closer to the front lot line in accordance with the following: 1. Where two adjacent lots have a front lot line or flankage lot line on the same street, within 10 percent of the average setback from the front lot line or flankage lot line of the two adjacent dwellings; 2. Where one adjacent lot has a front lot line on the same street, within 10 percent of the setback from the front lot line of the one adjacent dwelling;	The minimum setback from the Front Lot Line has been reduced to 4.0 metres in the R1, R1a, and R2 Zones to provide flexibility and to recognize varied existing conditions across the City. The average setback regulation has been introduced to the R1 and R1a Zones which can be applied to properties in the Lower City (as per Figure 36). The regulation recognizes that the existing streetscape condition may be a front setback of less than 4.0 metres.

Section 15 – Residential Zones			
15.1 – Low Density Residential (R1) Zone			
15.2 – Low Density Residential – Small Lot (R1a) Zone			
Strikethrough text = text to be deleted bolded text = text to be added			
Section	Proposed Change	Proposed Revised Zone Regulation	Rationale
	3. In no cases shall the setback from the front lot line be less than 0.5 metres.	3. In no cases shall the setback from the front lot line be less than 0.5 metres.	
15.1.2.2 h)	Parking In accordance with the requirements of Section 5 of this By-law.		Reference to Section 4 not required. Section 4 intended to be read in its entirety, in conjunction with the parent zones.
15.1.2.2 h) [new]	h) Minimum Landscaped Area i) 30%; ii) Within the landscaped area, the requirements of Section 4.35 of this By-law shall apply.	h) Minimum Landscaped Area i) 30%; ii) Within the landscaped area, the requirements of Section 4.35 of this By-law shall apply.	A minimum landscaped area regulation has been introduced to the R1, R1a and R2 Zones to ensure that new development provides an adequate amount of pervious area on a lot to help maintain existing drainage patterns and minimize impacts on surrounding properties.
15.1.2.2 i)	Accessory Buildings In accordance with the requirements of Section 4.8 of this By-law.		Reference to Section 4 not required. Section 4 intended to be read in its entirety, in conjunction with the parent zones.
15.1.2.2 j)	Home Business In accordance with the requirements of Section 4.21 of this By-law.		Reference to Section 4 not required. Section 4 intended to be read in its entirety, in conjunction with the parent zones.
15.1.2.3 Street Townhouse Dwelling Regulations			

Section 15 – Residential Zones			
15.1 – Low Density Residential (R1) Zone			
15.2 – Low Density Residential – Small Lot (R1a) Zone			
Strikethrough text = text to be deleted bolded text = text to be added			
Section	Proposed Change	Proposed Revised Zone Regulation	Rationale
[note: 15.1.2.3 a), b), d), e), f) g) are unchanged through this amendment]			
15.1.2.3 c)	c) Minimum Setback from the Front Lot Line 6.0 4.0 metres;	c) Minimum Setback from the Front Lot Line 4.0 metres;	The minimum setback from the Front Lot Line has been reduced to 4.0 metres in the R1, R1a, and R2 Zones to provide flexibility and to recognize varied existing conditions across the City.
15.1.2.3 h)	Parking In accordance with the requirements of Section 5 of this By-law.		Reference to Section 4 not required. Section 4 intended to be read in its entirety, in conjunction with the parent zones.
15.1.2.3 h) [new]	h) Landscaped Area In accordance with the requirements of Section 4.35 a) and b) of this By-law.	h) Landscaped Area In accordance with the requirements of Section 4.35 a) and b) of this By-law.	Direct reference has been introduced to the landscaped area requirements of Section 4.35 for front and flankage yard landscaping.
15.1.2.3 i)	Accessory Buildings In accordance with the requirements of Section 4.8 of this By-law.		Reference to Section 4 not required. Section 4 intended to be read in its entirety, in conjunction with the parent zones.
15.1.2.3 j)	Home Business In accordance with the requirements of Section 4.21 of this By-law.		Reference to Section 4 not required. Section 4 intended to be read in its entirety, in conjunction with the parent zones.
15.1.2.4	LODGING HOUSE, RESIDENTIAL CARE FACILITY AND RETIREMENT HOME REGULATIONS		Lodging House, Residential Care Facility and Retirement Home

Section 15 – Residential Zones			
15.1 – Low Density Residential (R1) Zone			
15.2 – Low Density Residential – Small Lot (R1a) Zone			
Strikethrough text = text to be deleted bolded text = text to be added			
Section	Proposed Change	Proposed Revised Zone Regulation	Rationale
			relocated to Section 15.1.2.1. and subject to the same regulations as for Single Detached Dwelling, Duplex Dwelling, and Day Nursery.
15.1.2.4 a)	Minimum Lot Area 360.0 square metres;		
15.1.2.4 b)	Minimum Lot Width 12.0 metres;		
15.1.2.4 c)	Minimum Setback from the Street Line 6.0 metres;		
15.1.2.4 d)	Minimum Setback from a Side Lot Line 1.2 metres;		
15.1.2.4 e)	Minimum Setback from a Flankage Lot Line 3.0 metres;		
15.1.2.4 f)	Minimum Setback from the Rear Lot Line 7.5 metres;		
15.1.2.4 g)	Maximum Building Height 10.5 metres;		
15.1.2.4 h)	Parking In accordance with the requirements of Section 5 of this By-law.		
15.1.2.4 i)	Accessory Buildings In accordance with the requirements of Section 4.8 of this By-law.		
15.1.2.4 [new]	FOURPLEX DWELLING REGULATIONS	FOURPLEX DWELLING REGULATIONS	
15.1.2.4 a)	a) Minimum Lot Area 360.0 square metres;	a) Minimum Lot Area 360.0 square metres;	Consistent with the existing standards of the R1 Zone.

Section 15 – Residential Zones			
15.1 – Low Density Residential (R1) Zone			
15.2 – Low Density Residential – Small Lot (R1a) Zone			
Strikethrough text = text to be deleted bolded text = text to be added			
Section	Proposed Change	Proposed Revised Zone Regulation	Rationale
15.1.2.4 b)	b) Minimum Lot Width 12.0 metres;	b) Minimum Lot Width 12.0 metres;	Consistent with the existing standards of the R1 Zone.
15.1.2.4 c)	<p>c) Minimum Setback from the Front Lot Line</p> <p>i) 4.0 metres;</p> <p>ii) Notwithstanding Section 15.1.2.4 c) i), for lots identified on Figure 36 of Schedule “F” – Special Figures of this By-law, a building may be erected closer to the front lot line in accordance with the following:</p> <ol style="list-style-type: none"> 1. Where two adjacent lots have a front lot line or flankage lot line on the same street, within 10 percent of the average setback from the front lot line or flankage lot line of the two adjacent dwellings; 2. Where one adjacent lot has a front lot line on the same street, within 10 percent of the setback from the front lot line of the one adjacent dwelling; 3. In no cases shall the setback from the front lot line be less than 0.5 metres. 	<p>c) Minimum Setback from the Front Lot Line</p> <p>i) 4.0 metres;</p> <p>ii) Notwithstanding Section 15.1.2.4 c) i), for lots identified on Figure 36 of Schedule “F” – Special Figures of this By-law, a building may be erected closer to the front lot line in accordance with the following:</p> <ol style="list-style-type: none"> 1. Where two adjacent lots have a front lot line or flankage lot line on the same street, within 10 percent of the average setback from the front lot line or flankage lot line of the two adjacent dwellings; 2. Where one adjacent lot has a front lot line on the same street, within 10 percent of the setback from the front lot line of the one adjacent dwelling; 3. In no cases shall the setback from the front lot line be less than 0.5 metres. 	<p>The minimum setback from the Front Lot Line has been reduced to 4.0 metres in the R1, R1a, and R2 Zones to provide flexibility and to recognize varied existing conditions across the City.</p> <p>The average setback regulation has been introduced to the R1 and R1a Zones which can be applied to properties in the Lower City (as per Figure 36). The regulation recognizes that the existing streetscape condition may be a front setback of less than 4.0 metres.</p>
15.1.2.4 d)	d) Minimum Setback from a Side Lot Line	d) Minimum Setback from a Side Lot Line	The minimum setback from a side lot line is larger than the

Section 15 – Residential Zones			
15.1 – Low Density Residential (R1) Zone			
15.2 – Low Density Residential – Small Lot (R1a) Zone			
Strikethrough text = text to be deleted bolded text = text to be added			
Section	Proposed Change	Proposed Revised Zone Regulation	Rationale
	1.2 metres, and a minimum aggregate of 3.5 metres;	1.2 metres, and a minimum aggregate of 3.5 metres;	minimum 1.2 metre requirement per side yard for single detached, duplex, and triplex dwellings in recognition of the larger built form and massing potential of fourplexes. The requirement for additional side yard space along at minimum one side lot line also provides additional space for storage and access to rear yard amenity space, secondary entrances, garbage storage, bike storage etc.
15.1.2.4 e)	e) Minimum Setback from a Flankage Lot Line 3.0 metres;	e) Minimum Setback from a Flankage Lot Line 3.0 metres;	Consistent with existing minimum standard in the R1 Zone.
15.1.2.4 f)	f) Minimum Setback from the Rear Lot Line 7.5 metres;	f) Minimum Setback from the Rear Lot Line 7.5 metres;	Consistent with existing minimum standard in the R1 Zone.
15.1.2.4 g)	g) Maximum Building Height 10.5 metres;	g) Maximum Building Height 10.5 metres;	Consistent with existing maximum permission in the R1 Zone.
15.1.2.4 h)	h) Maximum Lot Coverage 40%;	h) Maximum Lot Coverage 40%;	A maximum lot coverage has been established for fourplex dwellings to place parameters on the maximum building footprint and resulting massing and scale

Section 15 – Residential Zones			
15.1 – Low Density Residential (R1) Zone			
15.2 – Low Density Residential – Small Lot (R1a) Zone			
Strikethrough text = text to be deleted bolded text = text to be added			
Section	Proposed Change	Proposed Revised Zone Regulation	Rationale
			in a neighbourhood context.
15.1.2.4 i)	i) Minimum Landscaped Area i) 30%; ii) Within the landscaped area, the requirements of Section 4.35 of this By-law shall apply.	i) Minimum Landscaped Area i) 30%; ii) Within the landscaped area, the requirements of Section 4.35 of this By-law shall apply.	Consistent with the regulation established for the other uses in the R1 zone to ensure that new development provides an adequate amount of pervious area on a lot to help maintain existing drainage patterns and minimize impacts on surrounding properties.
15.1.2.4 j)	j) Visual Barrier i) A visual barrier shall be required along side lot lines and the rear lot line in accordance with the requirements of Section 4.19 of this By-law. ii) Notwithstanding Section 15.1.2.4 j) i), rear yard parking shall comply with the requirements of Section 4.35 d).	j) Visual Barrier i) A visual barrier shall be required along side lot lines and the rear lot line in accordance with the requirements of Section 4.19 of this By-law. ii) Notwithstanding Section 15.1.2.4 j) i), rear yard parking shall comply with the requirements of Section 4.35 d).	Given the greater intensity of use on a lot, visual barrier requirements in the form of privacy vegetation or a fence have been established along each side lot line of a fourplex development as privacy measures. See Section 4.35 for the rationale for subsection (d).
15.1.2.4 k)	k) Amenity Area Amenity areas shall not be permitted in the side yard or on the roof-top of the dwelling.	k) Amenity Area Amenity areas shall not be permitted in the side yard or on the roof-top of the dwelling.	Amenity Areas are prohibited in the side yard and on the roof-top of the dwelling in order to maintain privacy and minimize the potential for overlook on adjacent properties.
15.1.2.4 l)	l) Waste Storage	l) Waste Storage	Given the waste storage requirements for four dwelling

Section 15 – Residential Zones			
15.1 – Low Density Residential (R1) Zone			
15.2 – Low Density Residential – Small Lot (R1a) Zone			
Strikethrough text = text to be deleted bolded text = text to be added			
Section	Proposed Change	Proposed Revised Zone Regulation	Rationale
	Outdoor waste storage shall be fully enclosed and shall not be located in the front yard.	Outdoor waste storage shall be fully enclosed and shall not be located in the front yard.	units, screening measures are deemed appropriate should waste be stored outside.
15.1.2.5	URBAN FARM In accordance with the requirements of Section 4.26 of this By-law.		Reference to Section 4 not required. Section 4 intended to be read in its entirety, in conjunction with the parent zones.
15.1.2.6	COMMUNITY GARDEN REGULATIONS In accordance with the requirements of Section 4.27 of this By-law.		Reference to Section 4 not required. Section 4 intended to be read in its entirety, in conjunction with the parent zones.
15.1.2.7	ADDITIONAL DWELLING UNIT AND ADDITIONAL DWELLING UNIT – DETACHED REGULATIONS In accordance with the requirements of Section 4.33 of this By-law.		Reference to Section 4 not required. Section 4 intended to be read in its entirety, in conjunction with the parent zones.
15.1.2.8	CONVERTED DWELLINGS In accordance with the requirements of Section 4.34 of this By-law.		Section 4.34 Converted Dwellings has been deleted in full.
15.2 – Low Density Residential – Small Lot (R1a) Zone			
15.2	Explanatory Note: The R1a Zone applies to low density residential areas where lots are typically smaller than those in the R1 Zone. The R1a Zone is prevalent in older neighbourhoods across the Lower City. The intent of the	Explanatory Note: The R1a Zone applies to low density residential areas where lots are typically smaller than those in the R1 Zone. The intent of the R1a Zone is to	Modified to reflect the city-wide application of this zone.

Section 15 – Residential Zones			
15.1 – Low Density Residential (R1) Zone			
15.2 – Low Density Residential – Small Lot (R1a) Zone			
Strikethrough text = text to be deleted bolded text = text to be added			
Section	Proposed Change	Proposed Revised Zone Regulation	Rationale
	R1a Zone is to permit a range of low density residential housing types to meet the needs of the residents of the city.	permit a range of low density residential housing types to meet the needs of the residents of the city.	
15.2.1	Community Garden Day Nursery Duplex Dwelling Fourplex Dwelling Lodging House Residential Care Facility Retirement Home Semi-Detached Dwelling Single Detached Dwelling Street Townhouse Dwelling Triplex Dwelling Urban Farm	Community Garden Day Nursery Duplex Dwelling Fourplex Dwelling Lodging House Residential Care Facility Retirement Home Semi-Detached Dwelling Single Detached Dwelling Street Townhouse Dwelling Triplex Dwelling Urban Farm	Introduced to align with Urban Hamilton Official Plan permitted uses in Low Density Residential area of the Neighbourhoods Designation of Volume 1.
15.2.1.1	RESTRICTED USES In addition to Section 15.2.1, the following uses shall be permitted in accordance with the following restrictions: i) Residential Care Facility: _____ 1. Maximum capacity of six residents. _____ ii) Retirement Home: _____		The Urban Hamilton Official Plan encourages allowing for a mixture of housing with supports throughout the City (Policy B.3.2.16) and these changes will provide for additional flexibility for allow supportive housing in more locations throughout the City with the same requirements of housing in the area.

Section 15 – Residential Zones			
15.1 – Low Density Residential (R1) Zone			
15.2 – Low Density Residential – Small Lot (R1a) Zone			
Strikethrough text = text to be deleted bolded text = text to be added			
Section	Proposed Change	Proposed Revised Zone Regulation	Rationale
	2. Maximum capacity of six residents.		
15.2.2.1 [note: 15.2.2.1 a), b), d), e), f) g) are unchanged through this amendment]	SINGLE DETACHED, DUPLEX DWELLING, TRIPLEX DWELLING, AND DAY NURSERY, LODGING HOUSE, RESIDENTIAL CARE FACILITY AND RETIREMENT HOME REGULATIONS	SINGLE DETACHED, DUPLEX DWELLING, TRIPLEX DWELLING, DAY NURSERY, LODGING HOUSE, RESIDENTIAL CARE FACILITY AND RETIREMENT HOME REGULATIONS	Triplex dwellings to be subject to the same regulations as single detached and duplex dwellings due to similarities in built form and scale. Lodging House, Residential Care Facility and Retirement Home relocated to Section 15.1.2.1. and subject to the same regulations as for Single Detached Dwelling, Duplex Dwelling, and Day Nursery.
15.2.2.1 c)	c) Minimum Setback from the Front Lot Line i) 3.0 4.0 metres; ii) Notwithstanding Section 15.2.2.1 c) i), for lots identified on Figure 36 of Schedule “F” – Special Figures of this By-law, a building may be erected closer to the front lot line in accordance with the following: 1. Within 10 percent of the average setback from the front lot line or flankage lot line of the two adjacent dwellings, or in the case of a corner lot,	c) Minimum Setback from the Front Lot Line i) 4.0 metres; ii) Notwithstanding Section 15.2.2.1 c) i), for lots identified on Figure 36 of Schedule “F” – Special Figures of this By-law, a building may be erected closer to the front lot line in accordance with the following: 1. Within 10 percent of the average setback from the front lot line or flankage lot line of the two adjacent dwellings, or in the case of a corner lot, within 10% of the setback from	The minimum setback from the Front Lot Line has been reduced to 4.0 metres in the R1, R1a, and R2 Zones to provide flexibility and to recognize varied existing conditions across the City. The average setback regulation has been introduced to the R1 and R1a Zones which can be applied to properties in the Lower City (as per Figure 36). The regulation recognizes that

Section 15 – Residential Zones			
15.1 – Low Density Residential (R1) Zone			
15.2 – Low Density Residential – Small Lot (R1a) Zone			
Strikethrough text = text to be deleted bolded text = text to be added			
Section	Proposed Change	Proposed Revised Zone Regulation	Rationale
	<p>within 10% of the setback from the front lot line of the adjacent dwelling sharing a side lot line.</p> <p>2. In no cases shall the setback from the front lot line be less than 0.5 metres.</p>	<p>the front lot line of the adjacent dwelling sharing a side lot line.</p> <p>2. In no cases shall the setback from the front lot line be less than 0.5 metres.</p>	<p>the existing streetscape condition may be a front setback of less than 4.0 metres.</p>
15.2.2.1 h)	<p>Parking</p> <p>i) In accordance with the requirements of Section 5 of this By-law.</p> <p>ii) Notwithstanding Section 5.6 c) i., 2 parking spaces shall be required for a Single Detached Dwellings.</p>		<p>Reference to Section 4 not required. Section 4 intended to be read in its entirety, in conjunction with the parent zones.</p>
15.2.2.1 h) [new]	<p>h) Minimum Landscaped Area</p> <p>i) 30%;</p> <p>ii) Within the landscaped area, the requirements of Section 4.35 of this By-law shall apply.</p>	<p>h) Minimum Landscaped Area</p> <p>i) 30%;</p> <p>ii) Within the landscaped area, the requirements of Section 4.35 of this By-law shall apply.</p>	<p>A minimum landscaped area regulation has been introduced to the R1, R1a and R2 Zones to ensure that new development provides an adequate amount of pervious area on a lot to help maintain existing drainage patterns and minimize impacts on surrounding properties.</p>
15.2.2.1 i)	<p>Accessory Buildings</p> <p>In accordance with the requirements of Section 4.21 of this By-law.</p>		<p>Reference to Section 4 not required. Section 4 intended to be read in its entirety, in conjunction with the parent zones.</p>

Section 15 – Residential Zones			
15.1 – Low Density Residential (R1) Zone			
15.2 – Low Density Residential – Small Lot (R1a) Zone			
Strikethrough text = text to be deleted bolded text = text to be added			
Section	Proposed Change	Proposed Revised Zone Regulation	Rationale
15.2.2.1 j)	Home Business In accordance with the requirements of 4.21 of this By-law.		Reference to Section 4 not required. Section 4 intended to be read in its entirety, in conjunction with the parent zones.
15.2.2.2 Semi-Detached Dwelling Regulations [note: 15.2.2.2 a), b), d), e), f) g) are unchanged through this amendment]			
15.2.2.2 c)	c) Minimum Setback from the Front Lot Line i) 3.0 4.0 metres; ii) Notwithstanding Section 15.2.2.2 c) i), for lots identified on Figure 36 of Schedule “F” – Special Figures of this By-law, a building may be erected closer to the front lot line in accordance with the following: 1. Within 10 percent of the average setback from the front lot line or flankage lot line of the two adjacent dwellings, or in the case of a corner lot, within 10% of the setback from the front lot line of the adjacent dwelling sharing a side lot line. 2. In no cases shall the setback from the front lot line be less than 0.5 metres	c) Minimum Setback from the Front Lot Line i) 4.0 metres; ii) Notwithstanding Section 15.2.2.2 c) i), for lots identified on Figure 36 of Schedule “F” – Special Figures of this By-law, a building may be erected closer to the front lot line in accordance with the following: 1. Within 10 percent of the average setback from the front lot line or flankage lot line of the two adjacent dwellings, or in the case of a corner lot, within 10% of the setback from the front lot line of the adjacent dwelling sharing a side lot line. 2. In no cases shall the setback from the front lot line be less than 0.5 metres	The minimum setback from the Front Lot Line has been reduced to 4.0 metres in the R1, R1a, and R2 Zones to provide flexibility and to recognize varied existing conditions across the City. The average setback regulation has been introduced to the R1 and R1a Zones which can be applied to properties in the Lower City (as per Figure 36). The regulation recognizes that the existing streetscape condition may be a front setback of less than 4.0 metres.
15.2.2.2 h)	Parking		Reference to Section 4 not required. Section 4 intended to be read in its entirety, in

Section 15 – Residential Zones			
15.1 – Low Density Residential (R1) Zone			
15.2 – Low Density Residential – Small Lot (R1a) Zone			
Strikethrough text = text to be deleted bolded text = text to be added			
Section	Proposed Change	Proposed Revised Zone Regulation	Rationale
	i) In accordance with the requirements of Section 5 of this By-law. ii) Notwithstanding Section 5.6 c) i., 2 parking spaces shall be required for a Single Detached Dwellings.		conjunction with the parent zones.
15.2.2.2 h) [new]	h) Minimum Landscaped Area i) 30%; ii) Within the landscaped area, the requirements of Section 4.35 of this By-law shall apply.	h) Minimum Landscaped Area i) 30%; ii) Within the landscaped area, the requirements of Section 4.35 of this By-law shall apply.	A minimum landscaped area regulation has been introduced to the R1, R1a and R2 Zones to ensure that new development provides an adequate amount of pervious area on a lot to help maintain existing drainage patterns and minimize impacts on surrounding properties.
15.2.2.2 i)	Accessory Buildings In accordance with the requirements of Section 4.21 of this By-law.		Reference to Section 4 not required. Section 4 intended to be read in its entirety, in conjunction with the parent zones.
15.2.2.2 j)	Home Business In accordance with the requirements of 4.21 of this By-law.		Reference to Section 4 not required. Section 4 intended to be read in its entirety, in conjunction with the parent zones.
15.2.2.3 Street Townhouse Dwelling Regulations [note: 15.2.2.3 a), b), d), e), f) g) are unchanged through this amendment]			
15.2.2.3 c)	c) Minimum Setback from the Front Lot Line 3.0 4.0 metres;	c) Minimum Setback from the Front Lot Line 4.0 metres;	The minimum setback from the Front Lot Line has been reduced to 4.0 metres in the R1, R1a,

Section 15 – Residential Zones			
15.1 – Low Density Residential (R1) Zone			
15.2 – Low Density Residential – Small Lot (R1a) Zone			
Strikethrough text = text to be deleted bolded text = text to be added			
Section	Proposed Change	Proposed Revised Zone Regulation	Rationale
			and R2 Zones to provide flexibility and to recognize varied existing conditions across the City.
15.2.2.3 h)	Parking In accordance with the requirements of Section 5 of this By-law.		Reference to Section 4 not required. Section 4 intended to be read in its entirety, in conjunction with the parent zones.
15.2.2.3 h) [new]	h) Landscaped Area In accordance with the requirements of Section 4.35 a) and b) of this By-law.	h) Landscaped Area In accordance with the requirements of Section 4.35 a) and b) of this By-law.	Direct reference has been introduced to the landscaped area requirements of Section 4.35 for front and flankage yard landscaping.
15.2.2.3 i)	Accessory Buildings In accordance with the requirements of Section 4.21 of this By-law.		Reference to Section 4 not required. Section 4 intended to be read in its entirety, in conjunction with the parent zones.
15.2.2.3 j)	Home Business In accordance with the requirements of Section 4.21 of this By-law.		Reference to Section 4 not required. Section 4 intended to be read in its entirety, in conjunction with the parent zones.
15.2.2.4	LODGING HOUSE, RESIDENTIAL CARE FACILITY AND RETIREMENT HOME REGULATIONS		Lodging House, Residential Care Facility and Retirement Home relocated to Section 15.2.2.1. and subject to the same regulations as for Single

Section 15 – Residential Zones			
15.1 – Low Density Residential (R1) Zone			
15.2 – Low Density Residential – Small Lot (R1a) Zone			
Strikethrough text = text to be deleted bolded text = text to be added			
Section	Proposed Change	Proposed Revised Zone Regulation	Rationale
			Detached Dwelling, Duplex Dwelling, and Day Nursery.
15.2.2.4 a)	Minimum Lot Area 270 square metres;		
15.2.2.4 b)	Minimum Lot Width 9.0 metres;		
15.2.2.4 c)	Minimum Setback from the Street Line 3.0 metres;		
15.2.2.4 d)	Minimum Setback from a Side Lot Line 1.2 metres;		
15.2.2.4 e)	Minimum Setback from a Flankage Lot Line 3.0 metres;		
15.2.2.4 f)	Minimum Setback from the Rear Lot Line 7.5 metres;		
15.2.2.4 g)	Maximum Building Height 10.5 metres;		
15.2.2.4 h)	Parking In accordance with the requirements of Section 5 of this By-law.		
15.2.2.4 i)	Accessory Buildings In accordance with the requirements of Section 4.8 of this By-law.		
15.2.2.4 j)	Home Business In accordance with the requirements of Section 4.21 of this By-law.		

Section 15 – Residential Zones			
15.1 – Low Density Residential (R1) Zone			
15.2 – Low Density Residential – Small Lot (R1a) Zone			
Strikethrough text = text to be deleted bolded text = text to be added			
Section	Proposed Change	Proposed Revised Zone Regulation	Rationale
15.2.2.4 [new]	FOURPLEX DWELLING REGULATIONS	FOURPLEX DWELLING REGULATIONS	
15.2.2.4 a)	a) Minimum Lot Area 300 square metres;	a) Minimum Lot Area 300 square metres;	The minimum lot area requirement for fourplexes in the R1a Zone is smaller than the minimum lot area requirement of the R1 Zone in recognition of the smaller lot fabric of the R1a Zone.
15.2.2.4 b)	b) Minimum Lot Width 10.0 metres;	b) Minimum Lot Width 10.0 metres;	The minimum lot width requirement for fourplexes in the R1a Zone is smaller than the minimum lot width requirement of the R1 Zone in recognition of the smaller lot fabric of the R1a Zone.
15.2.2.4 c)	c) Minimum Setback from the Front Lot Line i) 4.0 metres; ii) Notwithstanding Section 15.2.2.4 c) i), for lots identified on Figure 36 of Schedule “F” – Special Figures of this By-law, a building may be erected closer to the front lot line in accordance with the following: 1. Within 10 percent of the average setback from the front lot line or flankage lot line of the two adjacent	c) Minimum Setback from the Front Lot Line i) 4.0 metres; ii) Notwithstanding Section 15.2.2.4 c) i), for lots identified on Figure 36 of Schedule “F” – Special Figures of this By-law, a building may be erected closer to the front lot line in accordance with the following: 1. Within 10 percent of the average setback from the front lot line or flankage lot line of the two adjacent dwellings, or in the case of	The minimum setback from the Front Lot Line has been reduced to 4.0 metres in the R1, R1a, and R2 Zones to provide flexibility and to recognize varied existing conditions across the City. The average setback regulation has been introduced to the R1 and R1a Zones which can be applied to properties in the Lower City (as per Figure 36).

Section 15 – Residential Zones			
15.1 – Low Density Residential (R1) Zone			
15.2 – Low Density Residential – Small Lot (R1a) Zone			
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Section	Proposed Change	Proposed Revised Zone Regulation	Rationale
	<p>dwelling, or in the case of a corner lot, within 10% of the setback from the front lot line of the adjacent dwelling sharing a side lot line.</p> <p>2. In no cases shall the setback from the front lot line be less than 0.5 metres.</p>	<p>a corner lot, within 10% of the setback from the front lot line of the adjacent dwelling sharing a side lot line.</p> <p>2. In no cases shall the setback from the front lot line be less than 0.5 metres</p>	The regulation recognizes that the existing streetscape condition may be a front setback of less than 4.0 metres.
15.2.2.4 d)	<p>d) Minimum Setback from a Side Lot Line</p> <p>1.2 metres, and a minimum aggregate of 3.5 metres.</p>	<p>d) Minimum Setback from a Side Lot Line</p> <p>1.2 metres, and a minimum aggregate of 3.5 metres.</p>	The minimum setback from a side lot line is larger than the minimum 1.2 metre requirement per side yard for single detached, duplex, and triplex dwellings in recognition of the larger built form and massing potential of fourplexes. The requirement for additional side yard space along at minimum one side lot line also provides additional space for storage and access to rear yard amenity space, secondary entrances, garbage storage, bike storage etc.
15.2.2.4 e)	<p>e) Minimum Setback from a Flankage Lot Line</p> <p>3.0 metres;</p>	<p>e) Minimum Setback from a Flankage Lot Line</p> <p>3.0 metres;</p>	Consistent with existing minimum standard in the R1a Zone.
15.2.2.4 f)	<p>f) Minimum Setback from the Rear Lot Line</p> <p>7.5 metres;</p>	<p>f) Minimum Setback from the Rear Lot Line</p> <p>7.5 metres;</p>	Consistent with existing minimum standard in the R1a Zone.

Section 15 – Residential Zones			
15.1 – Low Density Residential (R1) Zone			
15.2 – Low Density Residential – Small Lot (R1a) Zone			
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Section	Proposed Change	Proposed Revised Zone Regulation	Rationale
15.2.2.4 g)	g) Maximum Building Height 10.5 metres;	g) Maximum Building Height 10.5 metres;	Consistent with existing maximum permission in the R1a Zone.
15.2.2.4 h)	h) Minimum Landscaped Area i) 30%; ii) Within the landscaped area, the requirements of Section 4.35 of this By-law shall apply.	h) Minimum Landscaped Area i) 30%; ii) Within the landscaped area, the requirements of Section 4.35 of this By-law shall apply.	A minimum landscaped area regulation has been introduced to the R1, R1a and R2 Zones to ensure that new development provides an adequate amount of pervious area on a lot to help maintain existing drainage patterns and minimize impacts on surrounding properties.
15.2.2.4 i)	i) Visual Barrier i) A Visual Barrier shall be required along side lot lines and the rear lot line in accordance with the requirements of Section 4.19 of this By-law. ii) Notwithstanding Section 15.2.2.4 i) i), rear yard parking shall comply with the requirements of Section 4.35 d) of this By-law.	i) Visual Barrier i) A Visual Barrier shall be required along side lot lines and the rear lot line in accordance with the requirements of Section 4.19 of this By-law. ii) Notwithstanding Section 15.2.2.4 i) i), rear yard parking shall comply with the requirements of Section 4.35 d) of this By-law.	Given the greater intensity of use on a lot, visual barrier requirements in the form of privacy vegetation and/or fencing have been established along each side lot line of a fourplex development to provide a measure of privacy for adjacent properties. See Section 4.35 for the rationale for Subsection (d).
15.2.2.4 j)	j) Amenity Area Amenity areas shall not be permitted in the side yard or on the roof-top of the dwelling.	j) Amenity Area Amenity areas shall not be permitted in the side yard or on the roof-top of the dwelling.	Amenity Areas are prohibited in the side yard and on the roof-top of the dwelling in order to maintain privacy and minimize the potential for overlook on

Section 15 – Residential Zones			
15.1 – Low Density Residential (R1) Zone			
15.2 – Low Density Residential – Small Lot (R1a) Zone			
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Section	Proposed Change	Proposed Revised Zone Regulation	Rationale
			adjacent properties.
15.2.2.4 k)	k) Waste Storage Outdoor waste storage shall be fully enclosed and shall not be located in the front yard.	k) Waste Storage Outdoor waste storage shall be fully enclosed and shall not be located in the front yard.	Given the waste storage requirements for four dwelling units, screening measures are deemed appropriate should waste be stored outside.
15.2.2.5	URBAN FARM In accordance with the requirements of Section 4.26 of this By-law.		Reference to Section 4 not required. Section 4 intended to be read in its entirety, in conjunction with the parent zones.
15.2.2.6	COMMUNITY GARDEN REGULATIONS In accordance with the requirements of Section 4.27 of this By-law.		Reference to Section 4 not required. Section 4 intended to be read in its entirety, in conjunction with the parent zones.
15.2.2.7	ADDITIONAL DWELLING UNIT AND ADDITIONAL DWELLING UNIT – DETACHED REGULATIONS In accordance with the requirements of Section 4.33 of this By-law.		Reference to Section 4 not required. Section 4 intended to be read in its entirety, in conjunction with the parent zones.
15.2.2.8	CONVERTED DWELLINGS In accordance with the requirements of Section 4.34 of this By-law.		Section 4.34 Converted Dwellings has been deleted in full.