

Authority: Item,
Report (PED22154(a))
CM:
Ward: City Wide

Bill No.

CITY OF HAMILTON
BY-LAW NO.

To Delete and Replace Section 5: Parking of Zoning By-law No. 05-200

WHEREAS Council approved Item ___ of Report _____ of the Planning Committee, at its meeting held on February 23, 2024;

AND WHEREAS this By-law conforms to the Urban Hamilton Official Plan, Rural Hamilton Official Plan, Hamilton-Wentworth Regional Official Plan and City of Hamilton Official Plan;

NOW THEREFORE Council amends Zoning By-law No. 05-200 as follows:

1. That Schedule “A” – Zoning Maps, is amended by adding Parking Rate Areas in accordance with Schedules “A1 – A15” of this By-law.
2. That Section 3: Definitions be amended as follows:
 - a) That the definition of Motor Vehicle Gas Bar be amended by adding the words “, or where electric vehicles are charged for a fee,” after the words “offered for sale” in the definition of Motor Vehicle Gas Bar so that it reads:

“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.”

- b) That the definition of Motor Vehicle Service Station be amended by adding the words “the charging of electric vehicles for a fee,” after the words “and/or convenience goods,” in the definition of Motor Vehicle Service Station so that it reads:

"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, 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."

- c) That the following definition of Parking Space, Electric Vehicle be added in alphabetical order:

"Parking Space, Electric Vehicle Shall mean a Parking Space equipped with electric vehicle charging equipment which provides, or which is capable of providing Level 2, or greater, electric vehicle charging in accordance with the SAE International J1772 standard, as amended."

- d) That the definition of Planting Strip be amended by deleting the words "charging stations," so that it reads:

"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 walkways and sidewalks unless a walkway or sidewalk traverses the planting strip to provide access to the site."

- e) That the following definition of Trailer be added in alphabetical order:

"Trailer 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.

- f) That the definition of Motor Vehicle – Commercial be deleted and replaced with the following:

“Motor Vehicle – Commercial 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:

- 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,
- b) a commercial motor vehicle operated under a permit and number plates that is not transporting passengers or goods,
- c) a commercial motor vehicle operated under the authority of an In-Transit permit; and,
- d) a bus that is used for personal purposes without compensation.”

- 3. That Section 4: General Provisions be amended as follows:

- a) That Section 4.6 be amended by adding the following new subsection:

“i) Wall-mounted electric vehicle charging equipment may encroach into any required yard to a maximum of 0.3 metres.”

- 4. That Section 5: Parking be deleted and replaced by Schedule "B" – Section 5: Parking attached to this By-law.
- 5. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law in accordance with the *Planning Act*.

PASSED this _____ , 2024

A. Horwath
Mayor

J. Pilon
Acting City Clerk

CI-24-A