



Hamilton

WELCOME TO THE CITY OF HAMILTON

PLANNING COMMITTEE

April 8, 2025

PED25038 – Strategic and Technical Amendments to the Urban Hamilton Official Plan and City of Hamilton Zoning By-law No. 05-200 to Implement the Residential Zones, and Strategic Amendments to Former City of Hamilton Zoning By-law No. 6593.

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Purpose

- This report contains amendments to the Urban Hamilton Official Plan and City of Hamilton Zoning By-law No. 05-200 which further implement the Residential Zones and improve implementation of residential policies of the Official Plan.
- Amendments to the Urban Hamilton Official Plan and Zoning By-law No. 05-200 better differentiate between Street Townhouse Dwellings, which are considered Low Density Residential uses, and other townhouse built forms which are considered Multiple Dwellings in the Official Plan.
- Amendments to Zoning By-law No. 05-200 improve consistency in permissions and regulations for low density residential uses in certain Downtown, Institutional and Commercial and Mixed Use Zones with residential permissions.
- Amendments to Residential Care Facility regulations in Zoning By-law No. 05-200 and Former City of Hamilton Zoning By-law No. 6593 implement the latest standards developed through the Residential Zones Project, as well as recommendations from Report PED19091(a).
- Strategic Updates to Zoning By-law No. 05-200 correct errors, clarify terminology and add a regulation to address changes to the provincial planning framework.

Background

Official Plan Amendment No. 167 and the Residential Zones Project

- On June 8, 2022, Council approved Urban Hamilton Official Plan Amendment No. 167 which implemented the City's "No Urban Boundary Expansion" growth option and included various amendments to permit an increased range of housing options within the built boundary.
- The Residential Zones Project has been completed in phases to introduce Residential Zones to Zoning By-law No. 05-200, and to implement Official Plan Amendment No. 167.
- Amendments to Zoning By-law No. 05-200 in 2022 (PED22154) and 2024 (PED22154(a)) have introduced three Low Density Residential Zones to Zoning By-law No. 05-200 with updated permissions and performances standards.

Background

Reports PED19091 and PED19091(a) - Residential Care Facility Regulations

- In 2019, Planning staff presented the “Residential Care Facilities and Group Homes - Human Rights and the Zoning By-Laws within the Urban Area – March 2019” Discussion Paper to Planning Committee (PED19091). The Discussion Paper included preliminary recommendations for Zoning By-law changes.
- The first and second phase of the Low Density Residential Zones implemented those and other changes to Residential Care Facilities within the Low Density Residential Zones.

Bill 185 – *Cutting Red Tape to Build More Homes Act, 2024*

- Amends the *Planning Act* to exempt certain undertakings of post-secondary institutions from the requirements of the *Planning Act*.

UHOP Amendments:

- The proposed Official Plan Amendment is required to provide clarification on the built forms intended to be considered a Multiple Dwelling in the Urban Hamilton Official Plan by:
 - amending the definition of Multiple Dwelling to include multiple separate buildings which form part of a comprehensive development to address an existing policy gap and to add language to clarify Street Townhouse Dwellings are not considered a Multiple Dwelling; and,
 - amending Volume 1 policies to provide clear distinction between Street Townhouse Dwellings and Multiple Dwellings, where necessary.

Townhouse Form Differentiation in Zoning By-law No. 05-200

Definitions (Section 3)

- Add new definitions of Multiple Dwelling Townhouse and Unit Width
- Modify the definitions of Street Townhouse Dwelling and Lot

New Multiple Dwelling Townhouse Definition

- The proposed Multiple Dwelling Townhouse definition is intended to capture a broad range of townhouse forms which all constitute a Multiple Dwelling as defined in the Urban Hamilton Official Plan
- Amendments to the definition of Lot and Section 4.3 – Frontage on a Street are intended to achieve consistency in how Zoning By-law No. 05-200 regulates Multiple Dwelling Townhouse developments

Modification to Street Townhouse Dwelling

- The amended definition of Street Townhouse Dwelling will only capture townhouse units with direct frontage on a street

Residential Zones Implementation in Zoning By-law 05-200

Neighbourhood Institutional (I1) Zone and the Community Institutional (I2) Zone

- Add Street Townhouse Dwelling, Triplex Dwelling and Fourplex Dwelling to permitted uses
- Align standards for Low Density Residential uses with those in the Low Density Residential Zones

Downtown Residential (D5) Zone

- Add Triplex Dwelling, Fourplex Dwelling and Multiple Dwelling Townhouse to permitted uses

Residential Character Commercial (C1) Zone

- Add Triplex Dwelling to permitted uses

Legal Non-Conforming Uses (Section 1.11)

- Add Semi-Detached Dwelling, Street Townhouse Dwelling, Triplex Dwelling and Fourplex Dwelling to the uses eligible for recognition and limited permissions in cases where such uses are legal non-conforming

Additional Dwelling Units (Section 4.33)

- Clarify permissions and restrictions for Additional Dwelling Units

Residential Care Facilities in Zoning By-law No. 05-200

Radial Separation Distance and Moratorium Areas

- Eliminate Radial Separation Distance Requirements and the Moratorium Area applicable to Residential Care Facilities
- Eliminate the Moratorium Area under Former City of Hamilton Zoning By-law No. 6593 applicable to Residential Care Facilities

Capacity Restrictions

- Remove capacity restrictions for Residential Care Facilities in zones which permit the use and apply to the urban area

Co-location of Residential Care Facility and Social Services Establishment in the Same Building

- Permit a Residential Care Facility and Social Services Establishment to co-locate within the same building in three Zones: the Major Institutional (I3) Zone, the Transit Oriented Corridor Mixed Use Medium Density (TOC1) Zone and the Mixed Use Medium Density (C5) Zone

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

Section 4 (General Provisions)

- Add a new regulation addressing how zoning applies to undertakings of post-secondary institutions, following amendments made to the *Planning Act* through Bill 185

Consultation

- Staff from the Development Planning and Zoning and Committee of Adjustment Sections, Planning Division and staff from Building Division provided input on proposed amendments respecting townhouse differentiation;
- A summary of the proposed Zoning By-law amendments respecting townhouse form differentiation was presented to the Development Industry Liaison Group on February 12, 2025.
- The Notice of Public Meeting was posted in Hamilton Spectator and individual mail outs were sent.



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