

Authority: Item 8.1, Planning Committee Minutes 25-003 (PED24208(a))
CM: March 5, 2025 Ward: City Wide
Written approval of this by-law was given by Mayoral Decision MDE-2025-05
Dated March 5, 2025

Bill No. 038

CITY OF HAMILTON

BY-LAW NO. 25-038

To Amend Former City of Hamilton Zoning By-law No. 6593, Respecting Modifications and Updates to Secondary Dwelling Unit and Secondary Dwelling Unit-Detached Regulations to Implement Ontario Regulation 462/24 – Additional Residential Units

WHEREAS the *City of Hamilton Act, 1999*, Statutes of Ontario, 1999 Chap. 14, Schedule C. did incorporate, as of January 1, 2001, the municipality “City of Hamilton”;

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the “The Corporation of the City of Hamilton” and is the successor to the former regional municipality, namely, “The Regional Municipality of Hamilton-Wentworth”;

AND WHEREAS the *City of Hamilton Act, 1999* provides that the Zoning By-laws and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in full force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 (Hamilton) on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951 (File No. P.F.C. 3821);

AND WHEREAS the Council of the City of Hamilton, in adopting Item 8.1 of Minutes 25-003 of the Planning Committee at its meeting held on the 5th day of March, 2025, which recommended that Zoning By-law No. 6593, be amended as hereinafter provided;

AND WHEREAS this By-law is in conformity with the Urban Hamilton Official Plan, Hamilton-Wentworth Regional Official Plan and City of Hamilton Official Plan;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That SECTION 19: RESIDENTIAL CONVERSION REQUIREMENTS be amended as follows:
 - i) By adding a new Section 19.(1)(v) as follows:
 - (v) Notwithstanding any applicable regulations of this By-law, Floor Area Ratio requirements shall not apply to a lot containing a Secondary Dwelling Unit or Secondary Dwelling Unit – Detached.
 - ii) By modifying Section 19.(1).2 (ix)(a) by replacing “7.5 metres” with “4.0 metres” so it reads:

“Where a Secondary Dwelling Unit – Detached is located in the Rear Yard, a minimum distance of 4.0 metres shall be required between the rear wall of the principal dwelling and the Secondary Dwelling Unit – Detached”.
 - iii) By deleting Section 19.(1).2.(xi) (a) in its entirety and replacing it with the following:

“In addition to Sections 19.(1).2.(xi) and 19.(1).2.(xi)(b), and notwithstanding any applicable regulations of this By-law, the maximum lot coverage of all buildings and structures on a lot containing a Secondary Dwelling Unit – Detached shall be 45%”.
2. 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*.
3. That this By-law comes into force in accordance with Section 34 of the *Planning Act*.

PASSED this 5th day of March, 2025.

A. Horwath
Mayor

M. Trennum
City Clerk