

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

Bill No. 036

CITY OF HAMILTON

BY-LAW NO. 25-036

To Amend Zoning By-law No. 90-145-Z (Flamborough) 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 1st, 2001, the municipality “City of Hamilton”;

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as “The Corporation of the Town of Flamborough”, and is the successor of 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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council or the City of Hamilton;

AND WHEREAS Zoning By-law No. 90-145-Z (Flamborough) was enacted on the 5th of November 1990 and approved by the Ontario Municipal Board on the 21st of December, 1991;

AND WHEREAS Council, in approving Item 8.1 of Minutes 25-003 of the Planning Committee, at its meeting held on the 5th day of March, 2025, recommended that Zoning By-law No. 90-145-Z (Flamborough) be amended as hereinafter provided;

AND WHEREAS this By-law conforms to the Urban Hamilton Official Plan;

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

1. That Section 5: General Provisions be amended as follows:
 - i) By modifying Section 5.43.2 (h) (i) 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.”

- ii) By deleting Section 5.43.2 (j) (i) in its entirety and replacing it with the following:

“In addition to Sections 5.43.2 (j) and 5.43.2 (j) (ii), and notwithstanding any other provisions of this By-law, the maximum combined 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

CI 25-B