

Authority: Item 8.3, Planning Committee Minutes 25-016 (PED25279)
CM: December 10, 2025 City Wide
Written approval for this by-law was given by Mayoral Decision MDE-2025-21 Dated December 10, 2025

Bill No. 230

CITY OF HAMILTON
BY-LAW NO. 25-229

To amend Zoning By-law No. 05-200 with respect to Bill 17 (*Protect Ontario by Building Faster and Smarter Act, 2025*) and Permissions for Elementary and Secondary Schools of a School Board

WHEREAS Council approved Item 8.3 of Planning Committee Minutes PLC 25-016, at its meeting held on the 10th day of December 2025;

AND WHEREAS this By-law conforms with the Urban Hamilton Official Plan upon adoption of Official Plan Amendment No. 238.

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

1. That Sections 10.1 - Residential Character Commercial (C1) Zone is amended as follows:
 - i) By modifying Section 10.1.1: Permitted Uses, to add the following use:
Educational Establishment
 - ii) By modifying Section 10.1.2: Prohibited Uses, to add the following use:
Educational Establishment consisting of a College or University
 - iii) By modifying Section 10.1.3 c) as follows:
 - i) By numbering the existing regulation as clause i) and by adding a new clause ii) so that it reads:
 - c) Minimum Interior Side Yard
 - i) 1.5 metres, or 3.0 metres abutting a Residential or Institutional Zone or lot containing a residential use;
 - ii) Notwithstanding Section 10.1.3 c) i), 6.0 metres for an Educational

Establishment if abutting a Residential Zone.

2. That Section 10.4.1: Permitted Uses, be amended by adding the following use:
Educational Establishment
3. That Section 11.3 – Transit Oriented Corridor Multiple Residential (TOC3) Zone is amended as follows:
 - i) By modifying Section 11.3.1: Permitted Uses to add the following use:
Educational Establishment
 - ii) By adding a new section: Section 11.3.1.2: Prohibited Uses, and “Educational Establishment consisting of a College or University” so that it reads:

11.3.1.2	PROHIBITED USES	Educational Establishment consisting of a College or University
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 - iii) By modifying Section 11.3.2 to add “EDUCATIONAL ESTABLISHMENT,” before the words “EMERGENCY SHELTER” so that it reads:

EDUCATIONAL ESTABLISHMENT, EMERGENCY SHELTER, LODGING HOUSE, MULTIPLE DWELLING, RESIDENTIAL CARE FACILITY, RETIREMENT HOME REGULATIONS
 - iv) By modifying Section 11.3.2 c) by deleting the words “Single Detached Dwelling, Semi-detached Dwelling, and Street Townhouse.” and replacing them with “Residential (R1), Residential (R1a), or Residential (R2) Zone.” so that it reads:

7.5 metres for lots abutting a Residential (R1), Residential (R1a), or Residential (R2) Zone.
4. That Section 14.1 – Waterfront – Multiple Residential (WF1) Zone is amended as follows:
 - i) By modifying Section 14.1.1: Permitted Uses, to add the following use:
Educational Establishment

- ii) By adding a new section: Section 14.1.1.2: Prohibited Uses, and “Educational Establishment consisting of a College or University” so that it reads:

14.1.1.2 PROHIBITED USES Educational Establishment
consisting of a College or
University

- 5. That Section 15.1 - Low Density Residential (R1) Zone is amended as follows:

- i) By modifying Section 15.1.1: Permitted Uses to add the following use:

Educational Establishment

- ii) By adding a new section: Section 15.1.1.1: Prohibited Uses, and “Educational Establishment consisting of a College or University” so that it reads:

15.1.1.1 PROHIBITED USES Educational Establishment
consisting of a College or
University

- iii) By modifying Section 15.1.2.1 to add “EDUCATIONAL ESTABLISHMENT,” after the words “DAY NURSERY,” and before the words “LODGING HOUSE” so that it reads:

SINGLE DETACHED, DUPLEX DWELLING, TRIPLEX DWELLING, DAY NURSERY, EDUCATIONAL ESTABLISHMENT, LODGING HOUSE, RESIDENTIAL CARE FACILITY AND RETIREMENT HOME REGULATIONS

- iv) By modifying Section 15.1.2.1 d) by numbering the existing regulation as clause i) and by adding a new clause ii) so that it reads:

- d) Minimum i) 1.2 metres;
Setback from a
Side Lot Line ii) Notwithstanding Section 15.1.2.1 d) i),
6.0 metres for an Educational
Establishment.

- 6. That Section 15.2 - Low Density Residential – Small Lot (R1a) Zone is amended as follows:

- i) By modifying Section 15.2.1: Permitted Uses to add the following use:

Educational Establishment

- ii) By adding a new section: Section 15.2.1.1: Prohibited Uses, and “Educational Establishment consisting of a College or University” so that it reads:

15.2.1.1 PROHIBITED USES Educational Establishment
consisting of a College or
University

- iii) By modifying Section 15.2.2.1 to add “EDUCATIONAL ESTABLISHMENT,” after the words “DAY NURSERY,” and before the words “LODGING HOUSE” so that it reads:

SINGLE DETACHED, DUPLEX DWELLING, TRIPLEX DWELLING, DAY NURSERY, EDUCATIONAL ESTABLISHMENT, LODGING HOUSE, RESIDENTIAL CARE FACILITY AND RETIREMENT HOME REGULATIONS

- iv) By modifying Section 15.2.2.1 d) by numbering the existing regulation as clause i) and by adding a new clause ii) so that it reads:

- d) Minimum Setback from a Side Lot Line
 - i) 1.2 metres;
 - ii) Notwithstanding Section 15.2.2.1 d) i), 6.0 metres for an Educational Establishment.

- 7. That Section 15.3 - Low Density Residential – Large Lot (R2) Zone is amended as follows:

- i) By modifying Section 15.3.1: Permitted Uses to add the following use:

Educational Establishment

- ii) By adding a new section: Section 15.3.1.1: Prohibited Uses, and “Educational Establishment consisting of a College or University” so that it reads:

15.3.1.1 PROHIBITED USES Educational Establishment
consisting of a College or
University

- iii) By modifying Section 15.3.2.1 to add “EDUCATIONAL ESTABLISHMENT,” after the words “DAY NURSERY,” and before the words “LODGING HOUSE” so that it reads:

SINGLE DETACHED, DUPLEX DWELLING, TRIPLEX DWELLING, DAY NURSERY, EDUCATIONAL ESTABLISHMENT, LODGING HOUSE, RESIDENTIAL CARE FACILITY AND RETIREMENT HOME REGULATIONS

- iv) By modifying Section 15.3.2.1 d) by numbering the existing regulation as clause i) and by adding a new clause ii) so that it reads:

- d) Minimum Setback from a Side Lot Line
 - i) 2.0 metres;
 - ii) Notwithstanding Section 15.3.2.1 d) i), 6.0 metres for an Educational Establishment.

- 8. That Section 15.4 – Mid Rise Residential – Small Scale (R3) Zone is amended as follows:

- i) By modifying Section 15.4.1: Permitted Uses to add the following use:

Educational Establishment

- ii) By modifying Section 15.4.1.1: Restricted Uses, by adding a clause ii) as follows:

- ii) A Child Care Centre shall be permitted as a secondary use to an Educational Establishment.

- iii) By adding a new section: Section 15.4.1.2: Prohibited Uses, and “Educational Establishment consisting of a College or University” so that it reads:

15.4.1.2 PROHIBITED USES Educational Establishment consisting of a College or University

- iv) By modifying Section 15.4.2.2 to add “EDUCATIONAL ESTABLISHMENT,” before the words “LODGING HOUSE” so that it reads:

EDUCATIONAL ESTABLISHMENT, LODGING HOUSE, MULTIPLE DWELLING, RESIDENTIAL CARE FACILITY, AND RETIREMENT HOME REGULATIONS

- v) By modifying Section 15.4.2.2 b) by adding a clause iii) as follows:
 - iii) Notwithstanding Section 15.4.2.2 b) i) and ii), 6.0 metres for an Educational Establishment.
9. That Section 15.5 – Mid Rise Residential (R4) Zone be amended as follows:
- i) By modifying Section 15.5.1: Permitted Uses to add the following use:
Educational Establishment
 - ii) By modifying Section 15.5.1.2: Prohibited Uses, to add “Educational Establishment consisting of a College or University” so that it reads:

“Notwithstanding Section 15.5.1, the following uses shall be prohibited, even as an accessory use:

Drive-Through Facility
Educational Establishment consisting of a College or University
 - iii) By modifying Section 15.5.2.1 to add “EDUCATIONAL ESTABLISHMENT,” before the words “LODGING HOUSE” so that it reads:

EDUCATIONAL ESTABLISHMENT, LODGING HOUSE, MULTIPLE DWELLING, RESIDENTIAL CARE FACILITY, AND RETIREMENT HOME REGULATIONS
10. That Section 15.6 – Mid Rise Residential – Large Scale (R4a) Zone be amended as follows:
- i) By modifying Section 15.6.1: Permitted Uses to add the following use:
Educational Establishment
 - ii) By modifying Section 15.6.1.2: Prohibited Uses, to add “Educational Establishment consisting of a College or University” so that it reads:

“Notwithstanding Section 15.6.1, the following uses shall be prohibited, even as an accessory use:

Drive-Through Facility
Educational Establishment consisting of a College or University
 - iii) By modifying Section 15.6.2.1 to add “EDUCATIONAL ESTABLISHMENT,” before the words “LODGING HOUSE” so that it reads:

EDUCATIONAL ESTABLISHMENT, LODGING HOUSE, MULTIPLE DWELLING, RESIDENTIAL CARE FACILITY, AND RETIREMENT HOME REGULATIONS

11. 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 10th day of December, 2025

A. Horwath
Mayor

M. Trennum
City Clerk

CI-25-I