

Authority: Item 8.1, Planning Committee Minutes 25-011 (PED25158)
Ward: 4
CM: August 6, 2025
Written approval for this by-law was given by Mayoral Decision MDE-2025 13
Dated, August 6, 2025

Bill No. 151

CITY OF HAMILTON

BY-LAW NO. 25-151

To amend Zoning By-law No. 05-200 with respect to lands located at 785 Britannia Avenue and 384 and 390 Melvin Avenue, Hamilton

WHEREAS Council approved Item 8.1 of Minutes 25-011 of the Planning Committee, at its meeting held on July 29, 2025;

AND WHEREAS this By-law conforms with the Urban Hamilton Official Plan upon adoption of Official Plan Amendment No. 234;

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

1. That Schedule “A” – Zoning Maps, Map Nos. 1046 and 1092 are amended by:
 - a. changing the zoning from the Neighbourhood Institutional (I1) Zone to the Major Institutional (I3, 938, H204) Zone;
 - b. changing the zoning from the Conservation/Hazard Land (P5) Zone to the Major Institutional (I3, 938, H204) Zone; and,
 - c. adding lands to the Major Institutional (I3, 938, H204) Zone;for the lands known as 785 Britannia Avenue and 384 and 390 Melvin Avenue, Hamilton, the extent and boundaries of which are shown on Schedule “A” to this By-law.
2. That Schedule “C”: Special Exceptions is amended by adding the following new Special Exception:
 - “938. Within the lands zoned Major Institutional (I3, 938) Zone, identified on Map Nos. 1046 and 1092 of Schedule “A” – Zoning Maps and described as 785 Britannia Avenue and 384 and 390 Melvin Avenue, the following special provisions shall apply:

- a) Notwithstanding Section 3 as it relates to the definition of “Lot”, the following shall apply:

The extent of lands zoned (I3, 938) shall be deemed one lot for the purposes of zoning.

- b) Notwithstanding Section 4.23 d), all buildings or structures located on a property shall have a minimum setback of 1.3 metres from a Conservation / Hazard Land (P5) Zone boundary.

- c) Notwithstanding Section 5.3.1 c), the following regulations shall apply:

Multiple Dwelling
Front and
Flankage Yard
Parking
Restriction

In addition to
Section 5.3.1 a),
on a lot
containing a
Multiple Dwelling:

Parking for
Multiple
Dwellings may be
located between
the façade and
the front lot line
or between the
façade and
flankage lot line.
In no case shall
any parking be
located within 3.5
metres of a street
line.

- d) Notwithstanding Section 8.3.1, the following use shall be prohibited:

- i) Hospital

- e) Notwithstanding Section 8.3.1, a Multiple Dwelling shall only be permitted on the lands identified as Block 1 on Special Figure 48 with access onto Melvin Avenue.

- f) In addition to Section 8.3.2.2 the following regulations shall apply:

- i) Minimum Front Yard 45 metres.

g) Notwithstanding Section 8.3.2.2 b) and c), and Section 8.3.2.4 e), the following regulations shall apply:

- | | | |
|------|---|--|
| i) | Maximum Building Height | 22.0 metres for a Multiple Dwelling and 11 metres for all of other uses identified in 8.3.2.2. |
| ii) | Location of Multiple Dwelling and Lodging House | Shall not apply. |
| iii) | Minimum Rear Yard | 1.2 metres, except a building may encroach into the required rear yard to a maximum of 1.0 metres for a maximum distance of 7.0 metres." |

3. That Schedule "D" – Holding Provisions is amended by adding the additional Holding Provision as follows:

"204. Notwithstanding Section 8.3.1 of this By-law, on those lands zoned Major Institutional (I3, 938) Zone, identified on Map Nos. 1046 and 1092 of Schedule A – Zoning Maps and described as 785 Britannia Avenue and 384 and 390 Melvin Avenue, Hamilton, development shall be restricted in accordance with the following:

a) For such time as the Holding Provision is in place, these lands shall only be used for permitted uses, buildings and structures listed in the Open Space (P4) Zone.

b) Regulations

For such time as the Holding Provision is in place, these lands shall be subject to the regulations of the Open Space (P4) Zone.

c) Conditions for Holding Removal

The Holding Provision shall, upon application by the landowner, be removed by way of an amending Zoning By-law, from all or part of the lands subject to this provision when the following condition has been satisfied:

- i) The owner receives approval of, and clears the related conditions of a Site Plan Control Application that demonstrates how stormwater quantity and quality controls, including surface-based low impact development per the Green Standards and Guidelines for Site Servicing (Stormwater), will be handled independently on each proposed block, including a separate storm connection into the existing storm relief sewers on Melvin Avenue and Britannia Avenue, or, if this is not feasible, the owner obtaining an exemption from the City to allow a Joint Use Agreement for the shared stormwater management facility to support this development, to the satisfaction of the Director of Development Engineering and the Director of Hamilton Water.
- 4. That Schedule “F” – Special Figures is amended by adding Figure No. 48 attached hereto as Schedule “B”.
 - 5. That no building or structure shall be erected, altered, extended, or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the provisions of the Major Institutional (I3, 938, H204) Zone, subject to the special requirements referred to in Section No. 2 of this By-law.
 - 6. 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 6th day of August, 2025

A. Horwath
Mayor

J. Pilon
Acting City Clerk

CI-25-E



This is Schedule "A" to By-law No. 25-

Passed the day of, 2025

Mayor

Clerk





Schedule "A"

Map forming Part of
By-law No. 25-_____

to Amend By-law No. 05-200
Map 1046 & 1092

Subject Property

785 Britannia Avenue, 384 & 390 Melvin Avenue,
Hamilton (Ward 4)

-  Change in Zoning from Conservation/Hazard Land (P5) Zone to Major Institutional (I3, 938, H204) Zone
-  Change in Zoning from Neighbourhood Institutional (I1) Zone to Major Institutional (I3, 938, H204) Zone
-  Lands to be added to Zoning By-law 05-200 as Major Institutional (I3, 938, H204) Zone
-  Other lands owned by applicant

Scale:
N.T.S

File Name/Number:
CI-25-E

Date:
July 3, 2025

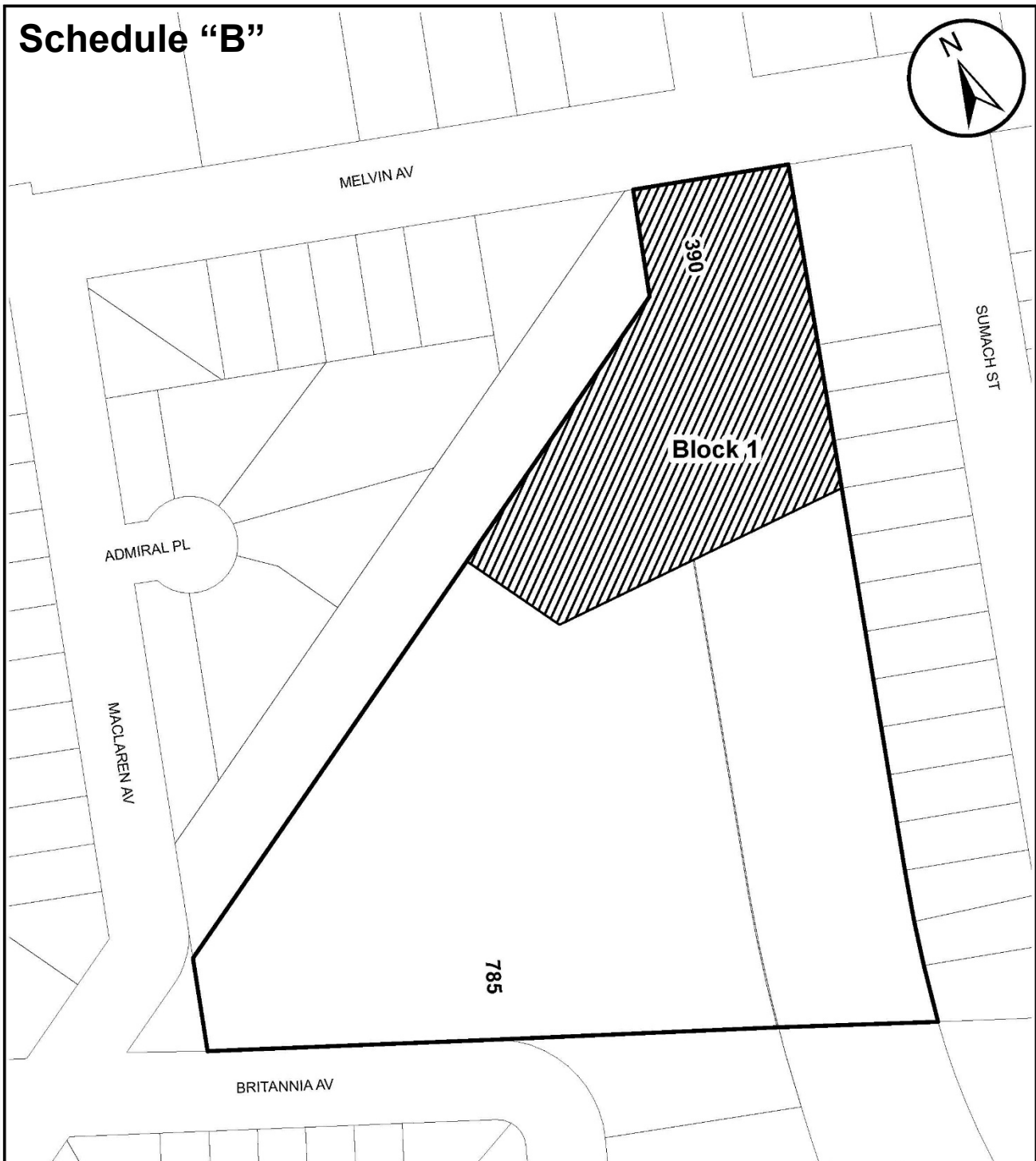
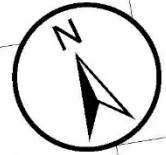
Planner/Technician:
MM/NB



Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT


Schedule "B"



Special Figure 48: 785 Britannia Avenue, 384 & 390 Melvin Avenue, Hamilton

Date:
July 7, 2025

Legend

-  Subject Lands - 785 Britannia Avenue, 384 & 390 Melvin Avenue
-  Block 1



Hamilton
Planning & Economic
Development Department