

Authority: Item 8.1, Planning Committee Minutes 26-001 (PED26013)
CM: January 21, 2026 Ward: 4
Written approval for this by-law was given by Mayoral Decision MDE-2026 01
Dated January 21, 2026

Bill No. 013

CITY OF HAMILTON

BY-LAW NO. 26-013

To amend Zoning By-law No. 05-200 with respect to lands located at 70 Hope Avenue, City of Hamilton

WHEREAS Council approved Item 8.1 of Planning Committee Minutes 26-001, at its meeting held on January 21, 2026;

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

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

1. That Schedule “A” – Zoning Maps, Map Nos. 1000 and 1044 are amended by changing the Parking (U3) Zone to the Mixed Use Medium Density (C5, 957, H213) Zone, for the lands known as 70 Hope Avenue, 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:
 - “957. Within the lands zoned Mixed Use Medium Density (C5, 957, H213) Zone, identified on Map Nos. 1000 and 1044 of Schedule “A” – Zoning Maps and described as 70 Hope Avenue, Hamilton, the following special provisions shall apply:
 - a) Notwithstanding Section 5.2.4 (a) the following regulations shall apply:
 - i) Access to parking may be provided via the municipal laneway opened by By-law No. 9746.
 - ii) The adjacent laneway opened by By-law No. 9746 may be used as an access driveway for parking.

- iii) Ingress and egress of vehicles from a Parking Lot to the municipal laneway opened by By-law No. 9746 is not required to be provided in a forward motion only.
- b) Notwithstanding Sections 5.3.1 (a)(i) and (ii), the following regulation shall apply:
 - i) Parking spaces and aisles, giving direct access to abutting parking spaces, excluding driveways extending directly from the street, shall be permitted 0.0 metres from the municipal laneway opened by By-law No. 9746, and no planting strip is required between the municipal laneway opened by By-law No. 9746 and the said parking spaces or aisle.
- c) In addition to Section 10.5.1, the following use shall also be permitted:
 - i) Multiple Dwelling Townhouse
- d) Notwithstanding Section 10.5.1 and in addition to Section 10.5.2 the following uses shall be prohibited:
 - i) Commercial Entertainment
 - ii) Commercial Recreation
 - iii) Conference or Convention Centre
 - iv) Financial Establishment
 - v) Funeral Home
 - vi) Hotel
 - vii) Microbrewery
 - viii) Motor Vehicle Gas Bar
 - ix) Motor Vehicle Service Station
 - x) Motor Vehicle Washing Establishment
 - xi) Transportation Depot
- e) In addition to Section 10.5.3, the following regulations shall apply:
 - i) The total maximum gross floor area of non-residential uses shall be 225.0 square metres.
 - ii) A Multiple Dwelling Townhouse use shall be subject to the following additional regulations:
 - A. Dwelling Unit Arrangement Not more than eight (8) Dwelling Units shall be attached in a continuous row.

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| B. Minimum Unit Width for each Dwelling Unit | <ul style="list-style-type: none"> i) 6.0 metres where the Dwelling Unit contains a garage; and, ii) 5.0 metres where the Dwelling Unit does not contain a garage. |
| C. Minimum Setback from Hope Avenue | 3.0 metres. |
| D. Minimum Distance Between Buildings on a Lot | <ul style="list-style-type: none"> i) Between two exterior walls which contain no windows to a Habitable Room: 3.0 metres; ii) Between two exterior walls, at least one of which contains windows to a Habitable Room: 6.0 metres; and, iii) Between two exterior walls, both of which contain windows to a Habitable Room: 12.0 metres. |
| E. Pedestrian Accesses | Any ground floor Dwelling Unit adjacent to a yard abutting a street must have a minimum of one pedestrian entrance which is located in a façade facing a street. |
| F. Maximum Height of a Principal Pedestrian Entrance | The height of the floor level of any principal pedestrian entrance shall be a maximum of 1.2 metres above grade. |
| G. Waste Storage | Outdoor waste storage shall be fully enclosed and shall not be located in the front yard. |

f) Notwithstanding Sections 10.5.3 a) ii) and iii), c), and d) ii), the following regulations shall apply:

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| a) Maximum Building Setback from a Street Line | 8.0 metres |
| c) Minimum Interior Side Yard | 5.0 metres to the easterly side lot line and 1.5 metres to the westerly side lot line. |
| d) Building Height | ii) Maximum 14.0 metres. |

3. That Schedule “D” –Holding Provisions be amended by adding the additional Holding Provision as follows:

“213. Notwithstanding Section 10.5 of this By-law, on those lands zoned Mixed Use Medium Density (C5, 957) Zone, identified on Map Nos. 1000 and 1044 of Schedule A – Zoning Maps and described as 70 Hope Avenue, Hamilton, no development shall be permitted until such time as:

- a) The Owner submits for review and acceptance, a revised Functional Servicing Report (FSR) to demonstrate that there is a stormwater management tank located within the private lands and a suitable storm sewer and sanitary sewer outlet with sufficient capacity within the existing City’s alleyway extending to Hope Street to service the proposed development, to the satisfaction of the Director of Development Engineering;
- b) The Owner makes satisfactory arrangements to enter into and register on title of the lands an External Works Agreement with the City for the design and construction of the storm sewer and the sanitary sewer within the existing City alleyway, at the Owner’s cost, to the satisfaction of the Director of Development Engineering; and,
- c) The Owner completes a Record of Site Condition, including a notice of acknowledgement of the Record of Site Condition by the Ministry of the Environment, Conservation and Parks, and submission of the City of Hamilton’s current Record of Site Condition administration fee, to the satisfaction of the Director of Development Planning.

4. 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 Mixed Use Medium Density (C5, 957, H213) Zone, subject to the special requirements referred to in Sections 2 and 3 of this By-law.

5. 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 21st day of January, 2026

A. Horwath
Mayor

M Trennum
City Clerk



This is Schedule "A" to By-law No. 26- 013

Passed the 21 day of January, 2026

Mayor

Clerk

Schedule "A"

Map forming Part of
By-law No. 26- 013

to Amend By-law No. 05-200
Map 1000 & 1044

Subject Property

70 Hope Avenue, Hamilton (Ward 4)

 Change in zoning from the Parking (U3) Zone to the Mixed Use Medium Density (C5, 957, H213) Zone

Scale: N.T.S	File Name/Number: 70 Hope Ave	 Hamilton
Date: November 21, 2025	Planner/Technician: JW/NB	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		