

Authority: Item 8.5, Planning Committee Minutes 25-013 (PED24173(a)) and
Item 9.1, Council Minutes 26-002
CM: February 11, 2026 Ward: 8
Written approval for this by-law was given by Mayoral Decision MDE-2026-06
Dated March 4, 2026

Bill No. 052

CITY OF HAMILTON

BY-LAW NO. 26-052

To amend Zoning By-law No. 05-200 with respect to lands located on Upper James Street between the Lincoln M. Alexander Parkway and Christopher Drive, City of Hamilton

WHEREAS Council approved Item 8.5 of Planning Committee Minutes 25-013, at its meeting held on the 8th day of October, 2025, and Item 9.1 of Council Minutes 26-002, at its meeting held on the 11th day of February, 2026;

AND WHEREAS this By-law conforms with the Urban Hamilton Official Plan upon adoption of Official Plan Amendment No. 219;

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

1. That Schedule "A1" – Zoning Maps, Map Nos. 1289, 1290, 1342 and 1343 are amended by changing the zoning from the Arterial Commercial (C7) Zone, the Arterial Commercial (C7, 735) Zone, and the Arterial Commercial (C7, 559) Zone to the Transit Oriented Corridor Mixed Use Medium Density (TOC1, 855) Zone and the Transit Oriented Corridor Mixed Use Medium Density (TOC1, 559, 855) Zone, the extent and boundaries of which are shown on Schedule "A1" to this By-law.
2. That Schedule "A2" – Zoning Maps, Map Nos. 1342, 1343, 1394 and 1395 are amended by changing the zoning from the Mixed Use Medium Density (C5) Zone Transit Oriented Corridor Mixed Use Medium Density (C5, 724) Zone and the Mixed Use Medium Density (C5, 318) Zone to the Transit Oriented Corridor Mixed Use High Density (TOC4, 947, 948) Zone and Transit Oriented Corridor Mixed Use Medium Density (TOC1, 724) Zone the extent and boundaries of which are shown on Schedule "A2" to this By-law.
3. That Schedule "A3" – Zoning Maps, Map Nos. 1394 and 1445 are amended by changing the zoning from the Mixed Use Medium Density (C5, 318) Zone, the Arterial Commercial (C7) Zone, the Arterial Commercial (C7, 560) Zone, Neighbourhood Institutional (I1) Zone and Low Density Residential – Large Lot (R2) Zone to the Transit Oriented Corridor Mixed Use Medium Density (TOC1,

855) Zone and Transit Oriented Corridor Mixed Use High Density (TOC4, 947, 948) Zone, the extent and boundaries of which are shown on Schedule “A3” to this By-law.

4. That Schedule “C”: Special Exceptions is amended as follows:

i) By modifying Special Exception No. 318 as follows:

a) By deleting Map No. 1343 from the preamble so that it reads:

“Within the lands zoned Mixed Use Medium Density (C5) Zone, identified on Maps 1342, 1394 and 1395 of Schedule “A” – Zoning Maps and described as:”

b) By deleting the following properties from the list of lands subject to the Special Exception:

| Property Address | Map Number |
|--|---------------------|
| 20 Rymal Road East | 1394 |
| 1367 Upper James Street | 1343 |
| 1379 Upper James Street | 1343 |
| 1389 Upper James Street | 1343 |
| 1405 Upper James Street | 1342 and 1343 |
| 1425 Upper James Street | 1342 and 1343 |
| 1451, 1471 Upper James Street | 1342, 1343 and 1395 |
| 1495 Upper James Street | 1342, 1394 and 1395 |
| 1505 and 1515 Upper James Street | 1394 and 1395 |
| 1527 Upper James Street | 1394 |
| 1545 Upper James Street | 1394 and 1395 |
| 1565 Upper James Street | 1394 and 1395 |
| 1587, 1591 and 1599 Upper James Street | 1394 |
| 1595 Upper James Street | 1394 |
| 1616 Upper James Street | 1394 |

c) By modifying b) ii) by replacing “Subsection 5.1 a) v)” with “Subsection 5.3.1 a)” and replacing the word “at” with “a” so that it reads:

“In addition to Subsection 5.3.1 a), for every parking lot and loading space on a lot adjoining a Residential Zone, a Landscaped Area with a Planting Strip of not less than 1.5 metres in width between the parking lot and the lot line abutting a Residential use, and a visual barrier being 2.0 metres in height, shall be provided and maintained.”

ii) By modifying Special Exception No. 724 as follows:

a) By replacing c) with the following:

Sections 5.1.1 d), 5.3.1 a) iii), 5.3.1 e) i), 5.3.1 e) ii), 5.5.1 a) iii) shall not apply.

b) By replacing d) with the following:

Notwithstanding Sections 5.7.1 as it relates to parking requirements for a Multiple Dwelling and Retail, 5.2.1 a) and 5.2.1 b), the following regulations shall apply:

- | | | | |
|-----|-------------------------|----------------------|--|
| i) | Parking Requirements | A) Multiple Dwelling | 1 space for each dwelling unit, except where a dwelling unit is 50 square metres in gross floor area or less, in which case, parking shall be provided at a rate of 0.3 spaces for such unit (excluding 7 spaces from the total required). |
| | | Retail | 1. 0 spaces where a use is less than 450.0 square metres in gross floor area; and, 2. 1 space for each 50 square metres of gross floor area in excess of 450.0 square metres. |
| ii) | Parking Space Dimension | | A minimum parking space size dimension of 2.8 metres by 5.8 metres shall be provided. |

c) By replacing e) with the following:

In addition to Section 11.1.1 and 11.1.1.1 i) and notwithstanding Sections 11.1.3 a) i), 11.1.3 a) ii), 11.1.3 c), 11.1.3 d) i) - iii), 11.1.3 g) iii), 11.1.3 g) iv), 11.1.3 g) vii), 11.1.3 g) viii), 11.1.3 h) i), 11.1.3 h) iii), and 11.1.3 i) i) the following shall apply:

- i) Restricted Uses
 - A) Multiple Dwelling
 - 1. Notwithstanding Section 11.1.1, Block 2, as shown on Figure 21 of Schedule “F” – Special Figures shall be restricted to a maximum of two Multiple Dwelling buildings.
 - 2. Blocks 1 and 2, as shown on Figure 21 of Schedule “F” – Special Figures, shall have a maximum combined density of no greater than 200 uph or a maximum of 358 units, whichever is the lesser.
 - B) Restriction of Uses within a building on Block 1, as shown on Figure 21 of Schedule “F” – Special Figures
 - 1. Uses other than a Multiple Dwelling shall be restricted to the ground floor.
- ii) Setback From a Street Line
 - A) A maximum of 4.5 metres shall be provided for Block 1, as shown on Figure 21 of Schedule “F” – Special Figures.
 - B) A minimum of 2.9 metres shall be provided for Block 2, as shown on Figure 21 of Schedule “F” - Special Figures.
 - C) Notwithstanding ii) A) above, a minimum of 6.5 metres shall be provided abutting the hypotenuse of the daylight triangle for Block 1, as shown on Figure 21 of Schedule “F” – Special Figures.
 - D) In addition to ii) A), above, for any portion of a building on

Block 1, as shown on Figure 21 of Schedule F – Special Figures, greater than 20.0 metres in height the following additional setbacks shall apply:

1. Minimum 4.0 metres from Upper James Street; and,
2. Minimum 6.0 metres from Stone Church Road East.

- iii) Minimum Interior Side Yard 4.5 metres abutting a Residential or Institutional Zone or a lot containing a residential use.
- iv) Building Height
 - A) Maximum 35.0 metres for Block 1, as shown on Figure 21 of Schedule “F” – Special Figures.
 - B) Maximum 17.0 metres for Block 2, as shown on Figure 21 of Schedule “F” – Special Figures.

iii) By deleting Special Exception No. 559 in its entirety and replacing it with the following:

“559. Within the lands zoned Transit Oriented Corridor Mixed Use Medium Density (TOC1) Zone, identified on Map 1290 of Schedule “A” – Zoning Maps and described as 1187 Upper James Street, the following special provisions shall apply:

a) That notwithstanding Subsections 4.20 b) and 4.20 c) i), and in addition to Subsection 4.20, the following regulations shall apply:

- i) Outdoor Commercial Patios
 1. An Outdoor Commercial Patio shall be permitted in the rear yard;
 2. An Outdoor Commercial Patio shall not exceed an area of 30.0 square metres; and,
 3. An Outdoor Commercial Patio shall be set back a minimum of 12.0 metres from the rear lot line.

b) That notwithstanding Subsections 5.2.1 a), 5.2.2 a), b), and

c), the following regulations shall apply:

- i) **Minimum Parking Space Dimensions** Parking space sizes shall be a minimum of 2.6 metres in width and 5.5 metres in length.
 - ii) **Minimum Accessible Parking Space Dimensions** Each accessible parking space shall have a minimum width of 4.4 metres and a minimum length 5.5 metres.
- iv) By deleting Special Exception No. 560 and Special Exception No. 735 in their entirety.
- v) By adding new Special Exception No. 855 as follows:
- “855. Within the lands zoned Transit Oriented Corridor Mixed Use Medium Density (TOC1) Zone, identified on Map Nos. 1289, 1290, 1342, 1343, 1394, 1395, 1445, of Schedule “A” – Zoning Maps and described as:

| Property Address | Map Number |
|--|---------------------------|
| 1151 and 1171 Upper James Street | 1290 |
| 1170 and 1180 Upper James Street | 1290 |
| 1179, 1195, 1183 and 1187 Upper James Street | 1290 |
| 1200 Upper James Street | 1290 |
| 1224 Upper James Street | 1290 |
| 1215, 1221, 1243 and 1245 Upper James Street | 1290 |
| 1242, 1246 and 1250 Upper James Street | 1290 |
| 1270, 1276 and 1286 Upper James Street and 3 Forest Street | 1290 and 1289 |
| 1259 and 1265 Upper James Street | 1290 |
| 1269, 1275, 1289 and 1317 Upper James Street | 1290 and 1343 |
| 1341 Upper James Street and 15 Stone Church Road East | 1343 |
| 1290 and 1294 Upper James Street | 1290 and 1289 |
| 1302, 1304, 1312 and 1316 Upper James Street | 1290 and 1289 |
| 1350 Upper James Street | 1290, 1343, 1289 and 1342 |
| 5 Rymal Rad West | 1394 |
| 20 Rymal Road West | 1394 |

| Property Address | Map Number |
|--|---------------|
| 1632, 1638 and 1642 Upper James Street | 1394 |
| 1660 and 1662 Upper James Street | 1394 |
| 1666 and 1670 Upper James Street | 1394 and 1445 |
| 1625, 1655, 1699, 1715, 1719 Upper James Street and 4, 10 and 20 Bartlett Avenue | 1394 and 1445 |
| 1709 Upper James Street | 1445 |
| 1725 Upper James Street | 1445 |
| 1739 Upper James Street | 1445 |
| 1749 and 1755 Upper James Street | 1445 |

The following special provisions shall apply:

- a) That in addition to Section 4.12 e) i) and notwithstanding Sections 11.1.3 a) ii), 11.1.3 d) i), and 11.1.3 g) ii) and iii), and in accordance with subsection 34(10) of the Planning Act, R.S.O., 1990, c.P.13, an addition or alteration to a use not permitted by the by-law but existing at the date of the passing of the by-law that increases the volume or size of the building shall be permitted as follows:
 - i) The increase shall not exceed a maximum of 10% of the Gross Floor Area of the building existing at the date of passing of the by-law;
- b) That for additions to buildings existing at the date of passing of this By-law, Sections 11.1.3 a) ii), 11.1.3 d) i) and 11.1.3 g) ii), and iii) shall not apply, and the setback of the proposed addition shall be closer to the Street Line than the existing building.
- c) For commercial development existing at the date of passing of this By-law, Section 11.1.3 g) ii) and iii) shall not apply to new commercial buildings subject to the following:
 - i) The maximum Gross Floor Area of each building shall be 650.0 square metres; and,
 - ii) Notwithstanding Section 11.1.3 d) i), the minimum building height shall be 4.5 metres.
- d) An Existing Drive Through Facility shall be permitted to be relocated in accordance with Special Figure 50 of Schedule “F” – Special Figures to this By-law, subject to the following requirements:

- i) A maximum of 4 Drive-Through Facilities shall be permitted in Area 1;
 - ii) A maximum of 2 Drive-Through Facilities shall be permitted in Area 6; and,
 - iii) All relocated Drive Through Facilities shall comply with Section 4.25 - Drive Through Regulations.
- e) That for the lands located at 1739, 1749 and 1755 Upper James Street, the following special provision shall also apply:
- i) That in addition to the requirements of Section 11.1.3, a Motor Vehicle Dealership shall provide and maintain a minimum 3.0 metre wide Planting Strip along the entire southerly lot line.
- vi) By adding new Special Exception No. 947 as follows:

“947. Within the lands zoned Transit Oriented Corridor Mixed Use (TOC4) Zone, identified on Map Nos. 1342, 1343, 1394, 1395, 1342 of Schedule “A” – Zoning Maps and described as:

| Property Address | Map Number |
|--------------------------------|---------------|
| 1379 Upper James Street | 1343 |
| 1400 Upper James Street | 1342 and 1343 |
| 1389 Upper James Street | 1343 |
| 1405 Upper James Street | 1342 and 1343 |
| 1425 Upper James Street | 1342 and 1343 |
| 1441 Upper James Street | 1342 and 1343 |
| 1462 Upper James Street | 1342 |
| 1471 Upper James Street | 1342 and 1343 |
| 1508 Upper James Street | 1394 |
| 1495 Upper James Street | 1394 and 1395 |
| 1505 Upper Jame Street | 1394 and 1395 |
| 1515 Upper James Street | 1394 and 1395 |
| 1508 Upper James Street | 1394 and 1342 |
| 1527 Upper James Street | 1394 |
| 1545 Upper James Street | 1394 and 1395 |
| 1550 Upper James Street | 1394 |
| 1576 Upper James Street | 1394 |
| 1565 Upper James Street | 1394 and 1395 |
| 1587 Upper James Street | 1394 |
| 1599 Upper James Street | 1394 |
| 1588 Upper James Street | 1394 |
| 1694 Upper James Street and 18 | 1445 |

| Property Address | Map Number |
|------------------|------------|
| Alderson Drive | |

The following special provisions shall apply:

- a) That in addition to Section 4.12 e) i) and notwithstanding Sections 11. 4. 3 a) i), 11.4.3 d) 11. 4. 3 i), 11.4.3 g) ii) and iii), and in accordance with subsection 34(10) of the Planning Act, R.S.O., 1990, c.P.13, an addition or alteration to a use not permitted by the by-law but existing at the date of the passing of the by-law that increases the volume or size of the building shall be permitted as follows:
 - i) The increase shall not exceed a maximum of 10% of the Gross Floor Area of the building existing at the date of passing of the by-law;
- b) That for additions to buildings existing at the date of passing of this By-law, Sections 11.4.3 a) i), 11.4.3 d) i) and 11.4.3 g) ii), shall not apply, and the setback of the proposed addition shall be closer to the Street Line than the existing building.
- di) An Existing Drive Through Facility shall be permitted to be relocated in accordance with Special Figure 50 of Schedule “F” – Special Figures to this By-law, subject to the following requirements:
 - a. A maximum of 1 Drive-Through Facility shall be permitted in Area 2;
 - b. A maximum of 2 Drive-Through Facilities shall be permitted in Area 3;
 - c. A maximum of 5 Drive-Through Facilities shall be permitted in Area 4;
 - d. A maximum of 2 Drive-Through Facilities shall be permitted in Area 5;
 - e. All relocated Drive Through Facilities shall comply with Section 4.25 - Drive Through Regulations.
- vii) By adding new Special Exception No. 948 as follows:

“948. Within the lands zoned Transit Oriented Corridor Mixed Use (TOC4) Zone, identified on Map Nos. 1342, 1343, 1394, 1395, 1342, of Schedule “A” – Zoning Maps and described as:

| Property Address | Map Number |
|---|---------------|
| 1379 Upper James Street | 1343 |
| 1400 Upper James Street | 1342 and 1343 |
| 1389 Upper James Street | 1343 |
| 1405 Upper James Street | 1342 and 1343 |
| 1425 Upper James Street | 1342 and 1343 |
| 1441 Upper James Street | 1342 and 1343 |
| 1462 Upper James Street | 1342 |
| 1471 Upper James Street | 1342 and 1343 |
| 1508 Upper James Street | 1394 |
| 1495 Upper James Street | 1394 and 1395 |
| 1505 Upper Jame Street | 1394 and 1395 |
| 1515 Upper James Street | 1394 and 1395 |
| 1508 Upper James Street | 1394 and 1342 |
| 1527 Upper James Street | 1394 |
| 1545 Upper James Street | 1394 and 1395 |
| 1550 Upper James Street | 1394 |
| 1576 Upper James Street | 1394 |
| 1565 Upper James Street | 1394 and 1395 |
| 1587 Upper James Street | 1394 |
| 1599 Upper James Street | 1394 |
| 1588 Upper James Street | 1394 |
| 1694 Upper James Street and 18 Alderson Drive | 1445 |

a) That notwithstanding Section 11.4, for the purposes of this special exception, the title and explanatory note shall read as follows:

“Transit Oriented Corridor Mixed Use High Density (TOC4) Zone”.

“Explanatory Note: The TOC4, 948 Zone is a modified Transit Oriented Corridor Mixed Use High Density (TOC4) Zone that may be applied beyond the Centennial Sub-Regional Service Node, along arterial roads that function or are planned to function as a higher order transit corridor, thereby providing further residential intensification opportunities through a mixture of service commercial, retail, and residential uses in standalone or mixed use buildings. The intent of the built form requirements is to create complete streets that are transit supportive and will provide for active and pedestrian oriented streets.”

- b) That in addition to the permitted uses of Section 11.4.1 Permitted Uses, the following additional use shall be permitted:

Multiple Dwelling

- c) That Sections 11.4.1.1 and 11.4.3 d) iii) and iv) shall not apply.

- d) That notwithstanding Sections 11.4.3 a), 11.4.3 b), and 11.4.3 c), the following regulations shall apply:

- a) Building Setback from a Street Line
- i) Maximum 4.5 metres, except where a visibility triangle is required for a driveway access;

- ii) In addition to Subsection i) above, the minimum setback from a street line shall be 6.0 metres for any portion of a building exceeding 14.0 metres in height;

- iii) Notwithstanding Subsection i) above, a minimum setback of 6.0 metres for that portion of a building providing an access driveway to a garage; and,

- iv) Where a building(s) exists and complies with Subsection 11.4.3 g) ii) and iii), additional building(s) constructed on the lot shall not be subject to Subsections i) and iii) above as it relates to setback from a lot line.

- b) Minimum Setback from the Rear Lot Line

- i) 7.5 metres for the first 14.0 metres in height of a building;

- ii) 14.0 metres for any portion of the building exceeding 14.0 metres in height; and,

- iii) In the case of a corner lot where a rear lot line is abutting a street line, the

requirements of Subsection a) above shall apply.

c) Minimum Setback from a Side Lot Line

For lots abutting a Low Density Residential (R1), Low Density Residential – Small Lot (R1a), Low Density Residential – Large Lot (R2), Neighbourhood Institutional (I1), or Community Institutional (I2) Zone, or where windows of a Habitable Room face a side lot line:

- i) 7.5 metres for the first 14.0 metres in height of a building; and,
- ii) 10.0 metres for any portion of the building exceeding 14.0 metres in height.

e) In addition to Section 11.4.3 - Regulations, the following new regulations shall apply:

i) Minimum Distance Between Buildings on a Lot

a) Between two exterior walls which contain no windows to a habitable room: 6.0 metres

b) Between two exterior walls, at least one of which contains windows to a habitable room:

1) For any portion of the building equal to or less than 14.0 metres in height. 15.0 metres

2) For any portion of the building exceeding 14.0 metres in height. 20.0 metres

ii) Minimum Landscaped Area 30% of the Lot Area;

5. That Schedule "F" - Special Figures is amended by adding Figure No. 50 attached hereto as Schedule "B" to this By-law.
6. Repeal By-law No. 25-187
7. 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 4th day of March, 2026.

A. Horwath
Mayor

M. Trennum
City Clerk

CI-24-I



This is Schedule "A1" to By-law No. 26- 052

Passed the 4th day of March, 2026

Mayor

Clerk

Schedule "A1"

Map forming Part of
By-law No. 26- 052

to Amend By-law No. 05-200
Maps 1289, 1290, 1342 & 1343

Subject Lands



Change in zoning from Arterial Commercial (C7) Zone to Transit Oriented Corridor Mixed Use Medium Density (TOC1, 855) Zone



Change in zoning from Arterial Commercial (C7, 559) Zone to Transit Oriented Corridor Mixed Use Medium Density (TOC1, 559, 855) Zone



Change in zoning from Arterial Commercial (C7, 735) Zone to Transit Oriented Corridor Mixed Use Medium Density (TOC1, 855) Zone

Scale:
1:6,000

File Name/Number:
Transit Oriented Corridor –
Zoning Reform Team Project

Date:
September 4, 2025

Planner/Technician:
AB/RS



Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT



This is Schedule "A3" to By-law No. 26- 052

Passed the 4th day of March, 2026

 Mayor

 Clerk

Schedule "A3"

Map forming Part of
 By-law No. 26- 052

to Amend By-law No. 05-200
 Maps 1394 & 1445

Subject Lands

-  Change in zoning from Mixed Use Medium Density (C5, 318) Zone to Transit Oriented Corridor Mixed Use Medium Density (TOC1, 855) Zone
-  Change in zoning from Arterial Commercial (C7) Zone to Transit Oriented Corridor Mixed Use Medium Density (TOC1, 855) Zone
-  Change in zoning from Arterial Commercial (C7, 560) Zone to Transit Oriented Corridor Mixed Use Medium Density (TOC1, 855) Zone
-  Change in zoning from Neighbourhood Institutional (I1) Zone to Transit Oriented Corridor Mixed Use High Density (TOC4, 947, 948) Zone
-  Change in zoning from Low Density Residential - Large Lot (R2) Zone to Transit Oriented Corridor Mixed Use High Density (TOC4, 947, 948) Zone

| | | |
|---|---|--|
| Scale: 1:4,200 | File Name/Number: Transit Oriented Corridor – Zoning Reform Team Project |  Hamilton |
| Date: October 7, 2025 | Planner/Technician: AB/RS | |
| PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT | | |



This is Schedule "A2" to By-law No. 26- 052

Passed the 4th day of March, 2026

Mayor

Clerk

Schedule "A2"

Map forming Part of
By-law No. 26- 052

to Amend By-law No. 05-200
Maps 1342, 1343, 1394 & 1395

Subject Lands



Change in zoning from Mixed Use Medium Density (C5, 724) Zone to Transit Oriented Corridor Mixed Use Medium Density (TOC1, 724) Zone



Change in zoning from Mixed Use Medium Density (C5) Zone to Transit Oriented Corridor Mixed Use High Density (TOC4, 947, 948) Zone



Change in zoning from Mixed Use Medium Density (C5, 318) Zone to Transit Oriented Corridor Mixed Use High Density (TOC4, 947, 948) Zone

Scale:
1:7,500

File Name/Number:
Transit Oriented Corridor –
Zoning Reform Team Project

Date:
October 1, 2025

Planner/Technician:
AB/RS



Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT