

December 17, 2024

# Upper West Side

## LANDOWNERS GROUP

Dear Hon. Mayor Horwath,

**Re: Minister Zoning Order Request for Lands South of Twenty Road West, West of Upper Jame Street, North of Dickenson Road and East of Glancaster Road**

The Upper West Side Landowners Group (UWSLG) (formerly Twenty Road West Landowners Group) is seeking the Mayors support in the consideration of a Minister Zoning Order for lands located within the block of Twenty Road West, Upper James Street, Dickenson Road West and Glancaster Road. This request is to expedite affordable housing, bolster housing supply and unlock employment opportunities in the AEGD. The UWSLG lands were within the urban boundary in 2015 and are presently surrounded by the current urban boundary, with existing housing (Twenty Place, Garth Trails, Villages of Glancaster and other low-density subdivisions) and employment (AEGD, east, south and west) immediately adjacent.

As you are aware, the UWSLG has submitted applications to designate remnant parcels as urban along Twenty Road West in August 2020 and an Official Plan Amendment application for a Secondary Plan in November 2023. The UWSLG envisions the creation of a complete community consisting of infill housing opportunities on non-prime agricultural lands which are fully surrounded by the existing urban boundary. The envisioned community features approximately 5,000 residential units and approximately 4 to 5 million square feet of employment space. It is important to note, that extensive consultation was conducted by a third-party public engagement facilitator prior to the submission of the Secondary Plan. Several meetings and open houses were held which elicited considerable positive feedback and support on the UWSLG community.

The UWSLG lands do not contain designated Prime Agricultural nor are they constrained by noise policies for the proposed residential portions. The Ontario Ministry of Agriculture and Rural Affairs (OMAFRA) does not identify the lands as Prime Agricultural as they are surrounded by existing urban uses and lack appropriate infrastructure to support anything beyond cash crops. Pertaining to noise, provincial policy (i.e. PPS, MOE) permits sensitive land uses like schools and residential up to the 30 Noise Exposure Forecast (NEF) which the community has been designed to accommodate. Ongoing improvements to aircraft noise technology have achieved even further reductions in noise levels surrounding John C. Munro International Airport.

In support of the requested MZO, a draft of the implementing policies, standards and permissions has been enclosed. This zoning order is proposed to be relied upon to realize the envisioned community. Great lengths have gone to ensure conformity with the existing and proposed policies of the City-Wide Zoning By-law No.05-200 as well as the proposed policies of the UWS Secondary Plan. In particular, the nomenclature and structure of the City's Zoning By-law has been maintained wherever possible. The by-law has been prepared with standards which align with the design and intent of the City's future greenfield communities, including implementing densities and a variety of missing middle housing forms throughout all proposed residential zones. Finally, the by-law has been prepared to support the achievement of affordable housing to be delivered through an accompanying agreement to the MZO, to be signed by the City and UWSLG, which will stipulate the terms of the delivery of the affordable housing units (alongside other named community benefits) in exchange for the acceptance of the MZO.

# Upper West Side

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## LANDOWNERS GROUP

Specifically, the UWSLG is offering 10% (500 units) of the total dwelling units as affordable housing. To solidify its commitment to deliver the affordable housing units, the UWSLG has reached an Memorandum of Understanding (MOU) with Habitat for Humanity (Habitat Hamilton). The MOU stipulates that the UWSLG achieve the above affordable housing and sets Habitat Hamilton as the preferred partner for affordable homes in the community. Further, the MOU offers a first right of refusal to Habitat Hamilton to purchase a minimum of 2% of the units (100 units) at hard build cost.

In support of the request, the following materials have been compiled and appended to this letter:

- MZO Visual Summary Document, dated December 13, 2024;
- Media Release from Habitat for Humanity Hamilton, dated December 16, 2024;
- Draft Ministerial Zoning Order Request Letter to the Minister of Municipal Affairs and Housing, the Hon. Mr. Paul Calandra, dated December 13, 2024; and,
- Draft Ministerial Zoning Order, dated December 13, 2024.

Overall, the UWSLG lands offer a strategic opportunity to deliver housing and key development funded infrastructure (e.g. Garth Street extension). We ask that the Mayor consider this request which is necessary to immediately achieve affordable housing, missing middle housing, employment and infrastructure. The UWS community is strongly in the public interest, and very much compliments and completes the airport district with a live/work/play function, while averting an expensive and unnecessary appeal that ultimately will elicit a solution not made in Hamilton. We look forward to continuing to work with Council on this basis.

Sincerely,

Upper West Side Landowners Group Inc.

# Upper West Side

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## LANDOWNERS GROUP

Sam Badawi  
Liv Communities

Ward campbell  
Sullstar Twenty Limited (Starward Homes)

Paul Parente  
909940 Ontario Inc.(Parente Group Holdings Limited) / Micor Developments (Lynmount Developments Inc.)

Richard F Martins  
Huron Creek Holdings Inc.


Marcus Gagliardi  
Cachet Homes (Heenco Holdings Inc.)

Frank Spallacci  
Twenty Road Developments Inc


Frank Spallacci  
Spallacci & Sons Limited

**Signature:**   
[Marcus Gagliardi \(Dec 13, 2024 13:15 EST\)](#)  
**Email:** marcus@cachethomes.com

**Signature:**   
[Frank Spallacci \(Dec 13, 2024 13:18 EST\)](#)  
**Email:** frank@spallaccigroup.com

**Signature:**   
[Paul Parente \(Dec 13, 2024 13:13 EST\)](#)  
**Email:** paul.parente17@gmail.com

**Signature:**   
[Rick Martins \(Dec 13, 2024 12:47 EST\)](#)  
**Email:** rick.martins@huroncreek.com

**Signature:**   
[Ward Campbell \(Dec 13, 2024 16:01 EST\)](#)  
**Email:** wcampbell@starwardhomes.com

**Signature:**   
**Email:** sbadawi@livhere.ca

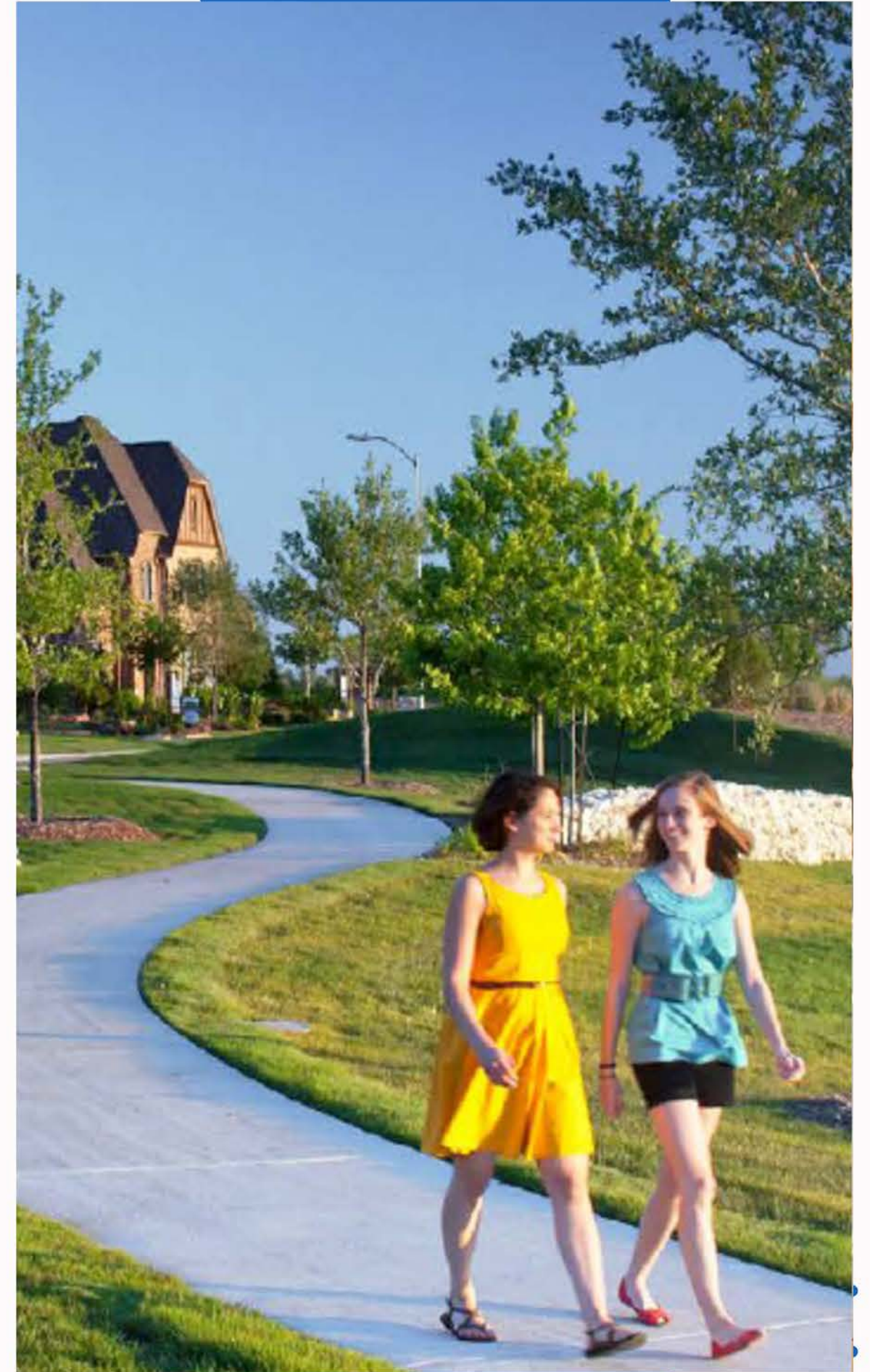




MZO VISUAL SUMMARY

# UPPER WEST SIDE LANDOWNERS GROUP COMPLETE INFILL COMMUNITY

DECEMBER 13 2024





# Contents

Overview

MMAH MZO Requirements

Community Deliverables

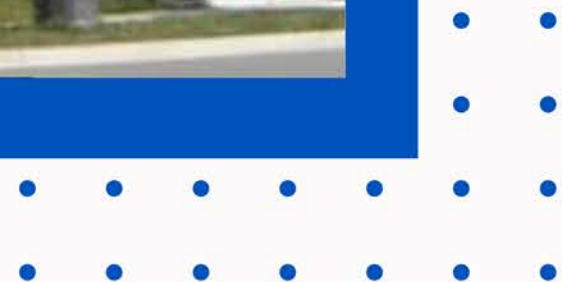
Framework Plan

Timeline

Community Benefits List

Formal Request Letter

Supporting Documents





# Overview

UWSLG consists of landowners and homebuilders with deep roots in the City of Hamilton. The UWSLG has formed to advance the construction of a complete infill community.

01



UWSLG is seeking to construct a community of 5,000 units and 10% of the units to be dedicated for affordable housing (approx. 500)

The community has been designed to achieve approx. 4-5 million square feet of employment



02

03



Overall the community has been assessed to result in \$327 million in development charge revenues and \$21.7 million in annual net fiscal revenues

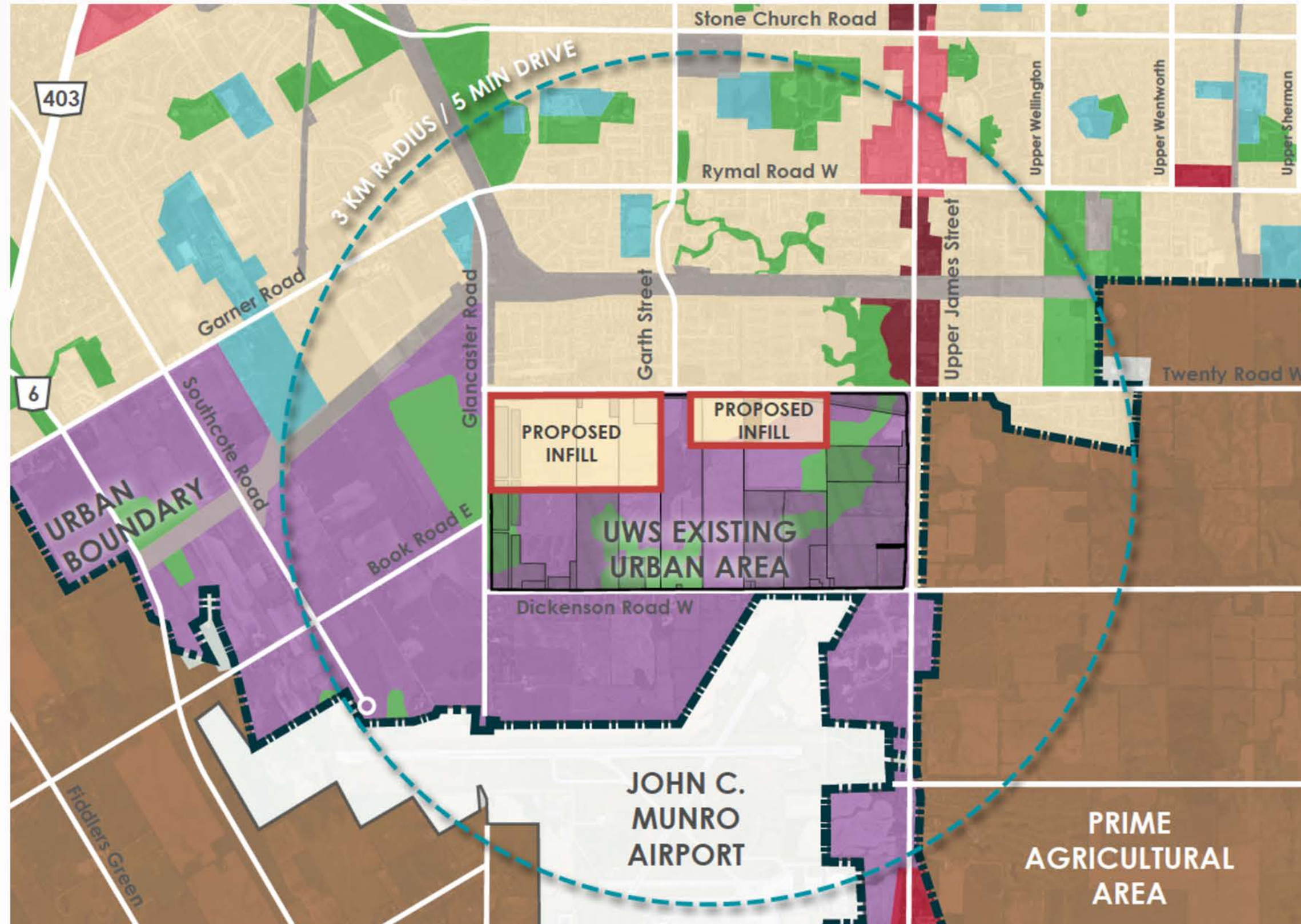
UWSLG has advanced a Secondary Plan submission in November 2023, currently under review, alongside applications for Urban Boundary Expansion.



04

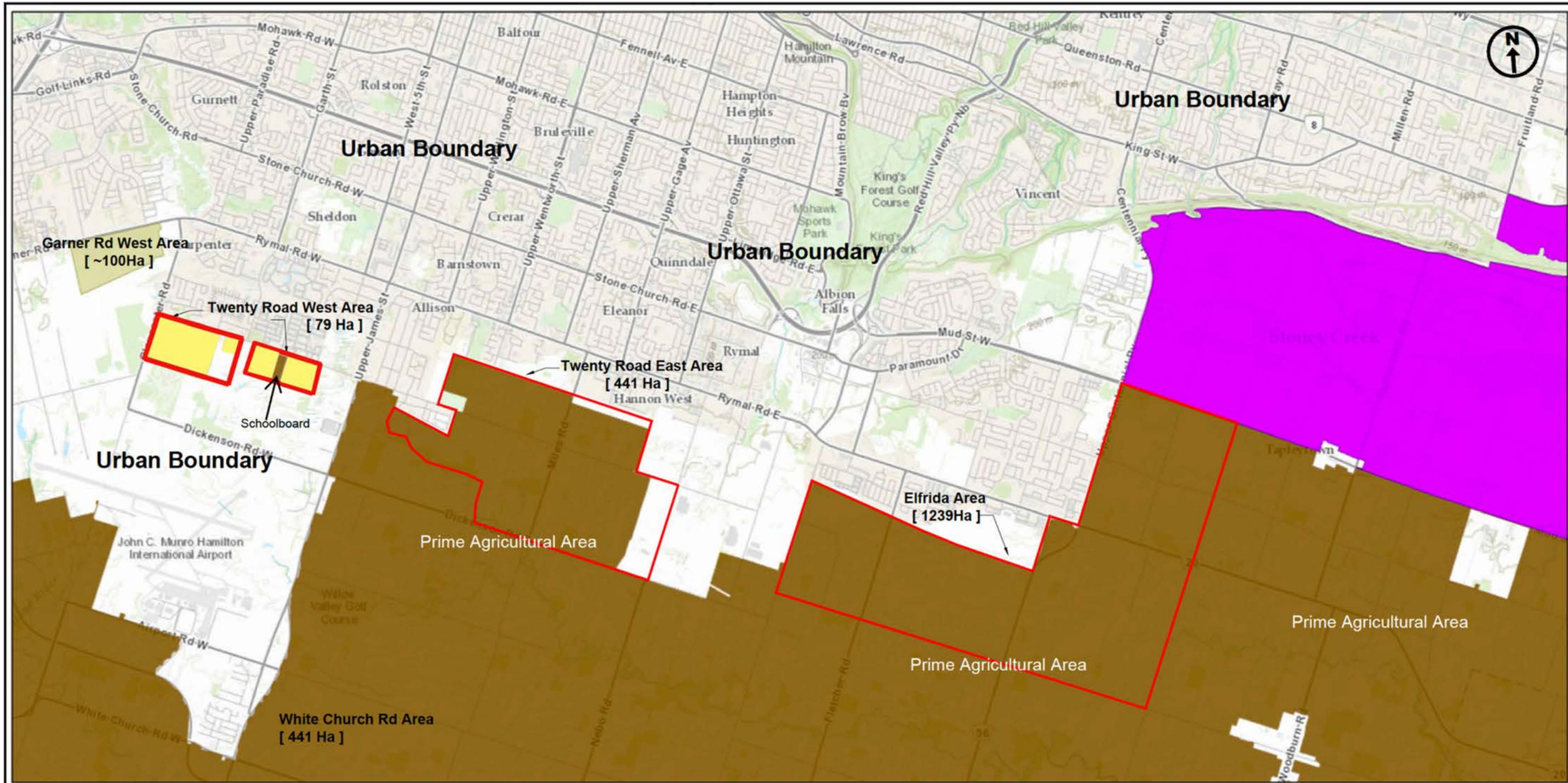


# Context Plan





# Agriculture



LEGEND	
	Prime Agricultural Area
	Candidate Area (Lesser Quality Agricultural Lands)
	Specialty Crop Area

**OMAFRA PRIME AGRICULTURAL MAPPING**  
Future Growth Areas  
Hamilton, Ontario

**CORBETT LAND STRATEGIES INC.**  
VISION • EXPERTISE  
483 Dundas Street W, Unit 212  
Oakville, ON L6M 1L9  
corbettlandstrategies.ca  
Scale: NTS



# MMAH ENHANCED MZO

## MMAH Criteria

*UWS Community*

*Responding Document*

*Project Description,  
Map*



Project Description and subject land visuals contained within the covering request letter, which demonstrates achievement of governmental objectives on housing.

*Draft MZO*



UWS Landowners have prepared a Draft MZO which has been appended to the formal request package.

*Public Consultation*






Considerable public consultation has been advanced to date. Details on the various consultation events including engagement with indigenous communities has been detailed in an appended report.



# MMAH ENHANCED MZO

## MMAH Criteria

	<i>UWS Community</i>	<i>Responding Document</i>
<i>MZO Rationale</i>		MZO rationale has been detailed within the appended cover letter and establishes the necessity for MZO relief.
<i>Implementation</i>		An itemized list of approvals, permissions and permits has been outlined within covering request letter.
<i>Project Justification</i>		MZO rationale on the project justification has been established within formal request letter.



# MMAH ENHANCED MZO

## MMAH Criteria

*UWS Community*

*Responding Document*

*Timeline*



Covering request letter sets out the anticipated timelines for downstream approvals upon MZO issuance including project completion.

*Servicing /  
Infrastructure*



MZO rationale on servicing and infrastructures has been established within appended materials to the formal request letter.



# COMMUNITY DELIVERABLES

## COMMUNITY



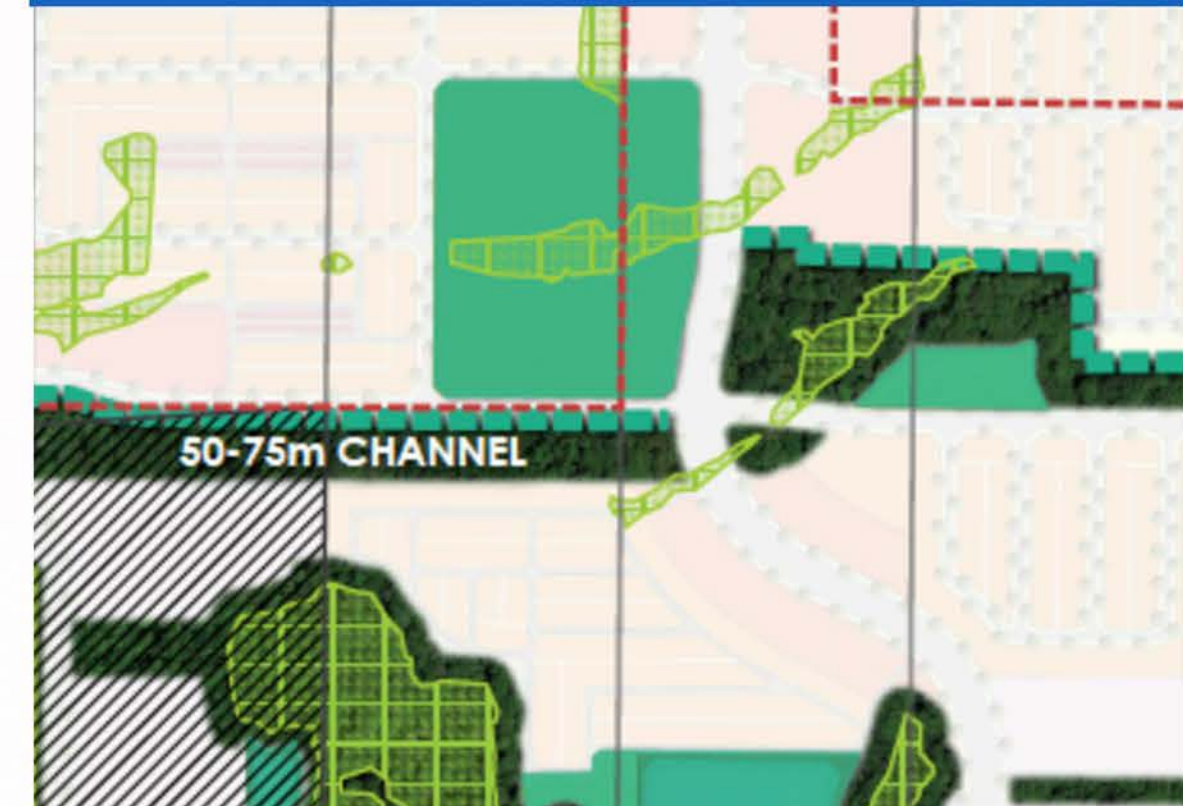
- Overall Number of Units: 5,000 units
- Affordable Housing: 10% of total dwelling units (approx. 500 units)
- Parkland Area: 4.25 ha (Neighbourhood and Community Parks)

## EMPLOYMENT



- Amount of Employment: 35 ha
- Number of Jobs: 1,800 jobs
- Schools: 2 x Elementary Schools

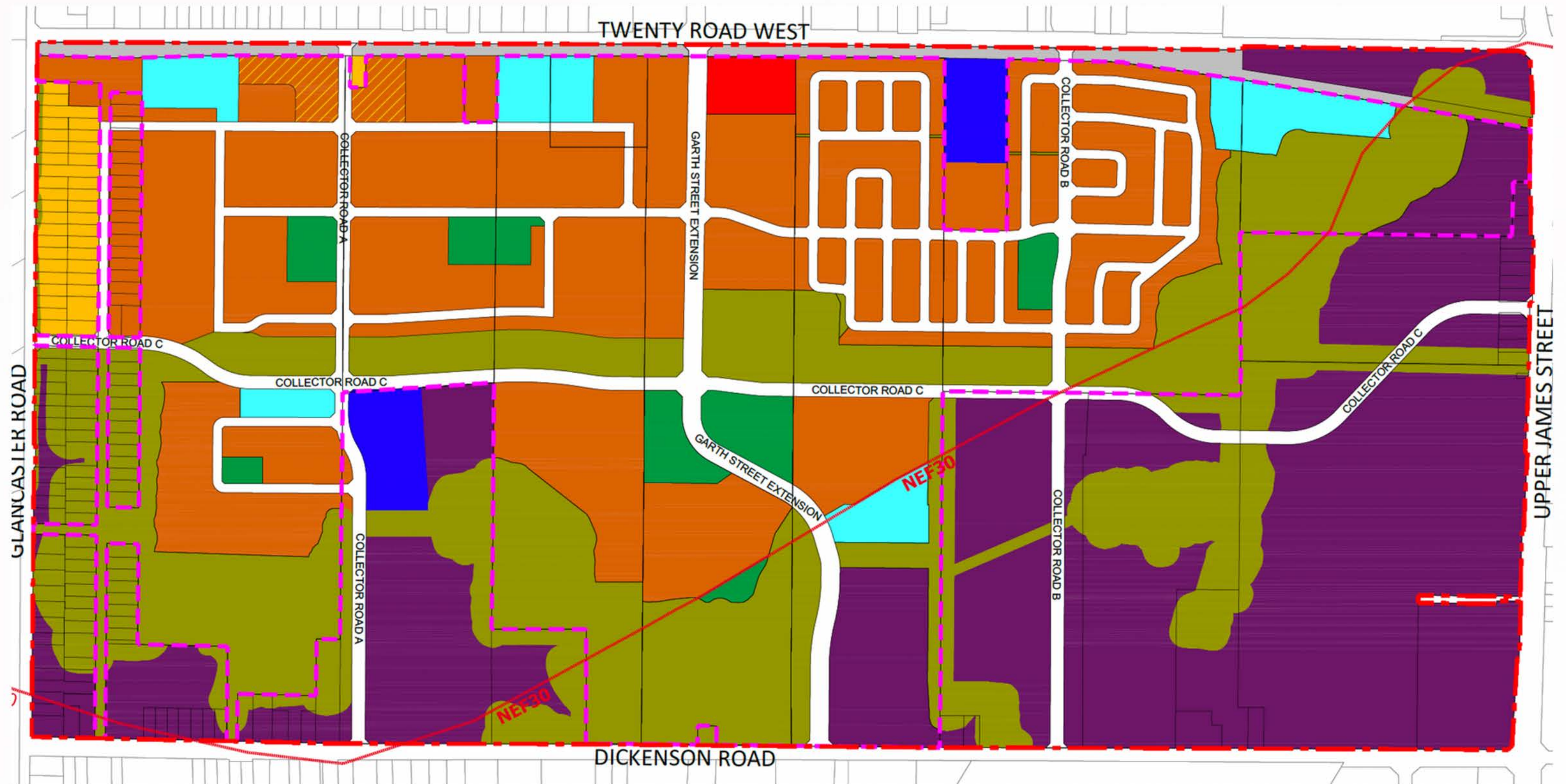
## ENVIRONMENT



- Amount of Existing NHS: 70 ha
- Amount of Proposed NHS: 107 ha
- Proposed NHS Corridor: 50m - 75m
- Transportation Network: +6km of new trails, +20 km of new public roads and +8 km cycling lanes.



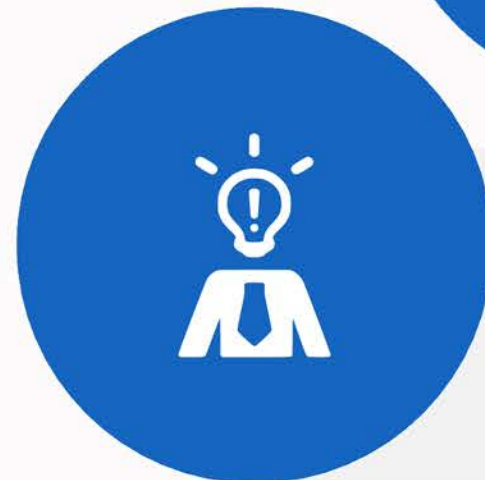
# Framework Plan





# Timeline

Should the Mayor accept the MZO request, the following is a high-level timeline of major milestones.



**Mayor Consideration**  
December 2024



**Council Presentation**  
January 2025



**Mayor Endorsement**  
January 2025



**MZO Issuance**  
February 2025



# COMMUNITY BENEFIT LIST

## Critical benefits gained from UWS Community

- Delivery of Airport employment supportive infrastructure such as the extension of Garth Street from Twenty Road to Dickenson Road.
- 2 Elementary Schools, in accordance with confirmed school board needs.
- 2 neighbourhood parks in accordance with Official Plan requirements with opportunities for new recreational facility.
- Protection of existing Natural Heritage Features and expansion of overall area from 70 ha to 107 ha.
- Introduction of 50 m - 75 m NHS Corridor for ecological linkage and improvements of drainage for communities north of Twenty Road West.
- Delivery of 10% (500 units) of total dwelling units for affordable housing. Partnership with Hamilton Habitat for Humanity has been achieved to deliver affordable housing through Memorandum of Understanding.
- Establishment of employment blocks, allowing workers to live and work in close proximity to homes.
- Landowners to front-end finance servicing and road improvements.
- Equitable allocation of costs through Cosh Sharing Agreement, to be implemented through planning approvals.
- Delivery of approximately 5,000 residential units, of which 70% are envisioned to consist of missing middle forms.
- Pedestrian connectivity including the provision of multi-use paths proposed within the Hydro Corridor and new east/west NHS corridor.
- 50,000 square foot (minimum) grocery store/supermarket.
- Achievement of \$21.7 million in Annual Net Fiscal Revenues.
- Achievement of \$328 million in Development Charge and Residential Building Permit Revenues.



# APPENDIX 1

## FORMAL REQUEST LETTER





Friday, December 13, 2024

**Honourable Mr. Paul Calandra**  
**Minister of Municipal Affairs and Housing**  
17th Floor, 777 Bay St  
Toronto, ON M7A 2J3 Canada

**RE: Minister’s Zoning Order Request Submission – Upper West Side Landowners Group**

On behalf of the Upper West Side Landowners Group (UWSLG) (formerly Twenty Road West Landowners Group), Corbett Land Strategies Inc. (CLS) is pleased to submit the following request and enclosed materials in support of a Minister’s Zoning Order (MZO) for lands located within the development block of Twenty Road West, Upper James Street, Dickenson Road and Glancaster Road in the City of Hamilton. Specifically, the landholdings are known as:

<b>Municipal Address</b>	<b>Legal Description</b>
555 Glancaster Road	Part of Lot 117 and All of Lots 118, 119, 120, 121, 122, 123 and 160 and All of Lots A, B, C, D, E, F and G of Lot 160, Registrar’s Compiled Plan No. 1440
9751 Twenty Road West	Part of Lot 2, Concession 2, Geographic Township of Glanford
9625 Twenty Road West	Part of Lot 2, Concession 2, Geographic Township of Glanford
9585 Twenty Road West	Part of Lot 2, Concession 2, Geographic Township of Glanford
9511 Twenty Road West	Part of Lot 3, Concession 2, Geographic Township of Glanford
9445 Twenty Road West	Part of Lot 3, Concession 2, Geographic Township of Glanford
9285 Twenty Road West	Part of Lot 4, Concession 3, Geographic Township of Glanford
2012 Upper James Street	Lot 5, Concession 2, Geographic Township of Glanford

In accordance with Section 47 of the Planning Act, this MZO is being sought for the purpose of delivering a complete community consisting of infill housing opportunities on non-prime agricultural lands which are fully surrounded by the existing urban boundary. The community offers the Province and City of Hamilton (“City”) a strategic opportunity to deliver affordable housing and key development funded infrastructure (e.g. Garth Street extension) necessary to support the infill development of the Subject Lands as a complete community including a substantial number of new housing units, new retail space and a substantial amount of employment space in close proximity to the John Munro airport. The proposed complete





community features approximately 5,000 residential units with approximately 10% (approximately 500 units) committed for affordable housing. The development of the Subject Lands will result in approximately 4 to 5 million square feet of employment space. The UWSLG have assessed that the community concept will generate over \$327 million in development charge revenues and \$24.9 million in building permit revenues. Moreover, the proposed community will generate approximately \$21.7 million in *net* fiscal revenues *annually*.

## Background

Following the former Minister Clarke's decision to modify and approve OPA No.167 (November 4, 2022), the UWSLG updated the land use disposition of the Subject Lands for the purposes of establishing a complete community. As part of these efforts, the UWSLG completed a formal consultation, conducted multiple public consultation events, advanced an overarching Terms of Reference, completed an exhaustive list of supporting and technical studies and submitted an Official Plan Amendment application to permit a Secondary Plan (UWS Secondary Plan) on the subject lands (November 2023). As you know, though, Bill 150 (Dec. 6 2023) reversed former Minister Clark's approval of OPA 167.

## Ministerial Zoning Order Request

This MZO request is submitted to assist the Province in the achievement of several provincial priorities including (but not limited to) increasing housing stock with a range of forms and types which will accommodate multiple household sizes and types, the provision of affordable housing options, making efficient use of existing and planned infrastructure, front-end financing the delivery of critical infrastructure necessary to achieve the long-standing planning objectives for the broader area, the protection, enhancement and expansion of the existing natural heritage system and the provision of a range of community infrastructure including parks, schools and recreation facilities.

The Subject Lands are largely located within the existing settlement area except for some portions which are entirely surrounding by existing urban area, but remain designated rural. The properties are not located within the Niagara Escarpment Plan boundary and Greenbelt Plan boundary and are not designated Prime Agriculture. The portion of the Subject Lands which are not within the existing urban area are truly holes in the donut.

In support of this request for a Minister's Zoning Order, please find enclosed the following materials:

- Planning Justification Report, prepared by Corbett Land Strategies Inc., dated November 2023;
- Framework Plan for UWS Community, prepared by Corbett Land Strategies Inc., dated November 2024
- DRAFT Minister's Zoning Order, prepared by Corbett Land Strategies Inc., dated December 13, 2024
- Water and Wastewater Servicing Overview Report, prepared by Urbantech Consulting, dated November 2023





**CORBETT LAND STRATEGIES INC.**  
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- Subwatershed & Stormwater Management Overview Report, prepared by Urbantech Engineering, dated November 2023
- Public Consultation Summary, prepared by Corbett Land Strategies Inc., dated November 2023
- Master Environmental Impact Study, prepared by Natural Resources Solutions Inc, dated November 2023
- Financial Impact Assessment, prepared MGP City Plan Ltd., dated November 2023
- Master Transportation Study, prepared R. J. Burnside & Associates, dated November 2023

Should you have any questions concerning this application, please do not hesitate to contact the undersigned.

Sincerely,

---

**John B. Corbett, MCIP, RPP**  
President  
Corbett Land Strategies Inc.  
[john@corbettlandstrategies.ca](mailto:john@corbettlandstrategies.ca)  
416-806-5164



# APPENDIX 2

## SUPPORTING DOCUMENTS







Habitat for Humanity Hamilton  
285 Nash Road North, Unit 1  
Hamilton, Ontario L8H 7P4  
T: 905.560.6707 | F: 905.560.6703  
[www.habitathamilton.ca](http://www.habitathamilton.ca)  
Charitable # 13893 5267 RR0001

## MEDIA RELEASE

# New Partnership Between Habitat for Humanity Hamilton and the Upper West Side Landowner Group to Create up to 500 New Affordable Homes

HAMILTON, ON (December 16, 2024)

### For Immediate Release

Habitat for Humanity Hamilton is partnering with seven renowned local community and home builders to address the urgent need for affordable housing in Hamilton. Cachet Homes, LIV Communities, Micor Developments, Parente Group Holdings, Starward Homes, Spallacci & Sons Limited, and Huron Creek Holdings Corp. (together, Upper West Side Landowners Group) have officially signed a Memorandum of Understanding with Habitat Hamilton, marking the beginning of a unified effort to bring more urgently needed affordable homes to the city of Hamilton. If successful, this ambitious initiative could become one of the most significant affordable housing developments in the city's history, and set a precedent for what is achievable when collaboration is at the forefront of land use planning.

The proposed development takes a bold and proactive approach to tackling the housing crisis, combining innovative planning, sustainable design, and community-focused solutions. It reflects a shared commitment to ensuring more residents have access to safe, affordable housing while contributing to the city's growth and vitality.

"Housing affordability is at a tipping point in our community," said Sean Ferris, CEO of Habitat for Humanity Hamilton. "This proposed build offers an unprecedented opportunity to deliver tangible results for families and individuals who have been left behind in the housing market. If approved, this initiative will help shape a more inclusive and equitable Hamilton."

The development is designed to integrate a mix of housing options, ensuring a balance between affordable and market-rate units to maintain economic sustainability while maximizing social impact. The vision reflects a collaborative effort between the public, private, and not-for-profit sectors, demonstrating how innovative partnerships can yield out-of-the-box solutions to pressing urban challenges.

By addressing the city's affordability crisis at this scale, the proposed project also aligns with the broader strategic goals of the City of Hamilton, which prioritize sustainable growth, livable communities, and equitable opportunities for all residents.

"This initiative is not just about building homes, it's about building a future where everyone has a place to belong," said Marcus Gagliardi, Senior Land Development Manager with Cachet Homes. "It demonstrates what's possible when diverse partners come together with a shared purpose - to make more housing a reality for more families who need it."



The consortium looks forward to working with City Council and the community to refine and advance the proposal. As housing challenges persist nationwide, this project could stand as a benchmark for other municipalities seeking innovative and impactful solutions.

"We understand the challenges Council faces in approving projects of this scale," added Gagliardi. "However, this is an opportunity to address the housing affordability issue in Hamilton in a substantial way. The time to act is now."

### **About Habitat for Humanity Hamilton**

Habitat for Humanity Hamilton is an independent charity, building affordable housing and promoting homeownership. Since 1991, Habitat Hamilton has built and renovated dozens of homes for underhoused families. Our vision is a world where everyone has a safe and decent place to live. With world-class project build execution, we mobilize local volunteers, community members, donors, and corporate partners, seeking to build strength, stability, and self-reliance through shelter. [www.habitathamilton.ca](http://www.habitathamilton.ca)

### **About the Upper West Side Landowners Group**

The ownership group includes some of Hamilton's most respected developers, each with a long history of creating vibrant, sustainable communities. Their shared vision of incorporating affordable housing into the Upper West Side Development exemplifies their commitment to making Hamilton a more inclusive city. <https://uwshamilton.com/>

### **For inquiries, please contact:**

Jeff Wolfson  
Director, Marketing & Development  
Habitat for Humanity Hamilton  
Phone: 905-560-6707 ext. 110  
Email: [jeff@habitathamilton.ca](mailto:jeff@habitathamilton.ca)





Friday, December 13, 2024

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17th Floor, 777 Bay St  
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**CORBETT LAND STRATEGIES INC.**  
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Sincerely,

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**John B. Corbett, MCIP, RPP**  
President  
Corbett Land Strategies Inc.  
[john@corbettlandstrategies.ca](mailto:john@corbettlandstrategies.ca)  
416-806-5164



December 13, 2024 - CLEAN

## ONTARIO REGULATION XX/XX

made under the

## PLANNING ACT

### ZONING ORDER – CITY OF HAMILTON

#### Definitions

1. In this Order,

“Back-to-Back Townhouse” means a dwelling divided vertically into a minimum of 6 dwelling units and a maximum of 16 dwelling units, with each unit separated by common or parting walls, both at the rear and at the side of the unit, and having one or more private entrance at grade.

“Stacked Townhouse” means a building or group of buildings on a lot or lots, each containing six or more dwelling units, wherein each dwelling unit is divided both vertically (by a common wall) and horizontally from another dwelling unit and in which each dwelling unit has an independent access from outside at grade level, having frontage on a street or a common access to a street.

“Zoning By-law” means Zoning By-law No. 05-200 of the City of Hamilton.

#### Application

2. This Order applies to the following lands:

1. Lands in the City of Hamilton, in the Province of Ontario, being the lands identified as “Subject Lands” on Schedule A and filed at the Toronto office of the Ministry of Municipal Affairs and Housing located at 777 Bay Street, and described as,

#### Non-Application of Policy Statements, etc.

3. Policy statements issued under subsection 3(1) of the Planning Act, provincial plans and official plans do not apply in respect of a license, permit, approval, permission or other matter required before a use permitted in this Order may be established on the lands described in section 2 of this Order.

#### Other By-laws

4. The Zoning By-law shall apply to the Subject Lands except where this Order exempts or otherwise alters the Zoning By-law.

#### Airport

December 13, 2024 - CLEAN

5. All development in the Subject Lands shall comply with the Hamilton Airport Zoning (Height) Regulations established by Transport Canada, which are registered at the local Land Titles Office and which may be amended from time to time. No projections shall be permitted beyond this maximum height.
6. New residential development shall be prohibited above the 30 Noise Exposure Forecast/Noise Exposure Projection (NEF/NEP) as identified as “NEF 30 (2025) Line” on Schedule A.

### **Permitted Uses**

7. Every use of land and every erection, location or use of any building or structure is prohibited on lands described in section 2, except for the following uses:
  1. Uses which are permitted in all zones:
    - i. All public uses permitted in Section 4.4 of the Zoning By-law
    - ii. Accessory Buildings and Structures, subject to Section 4.8 of the Zoning By-law
    - iii. Stormwater Management Facilities/Ponds
  2. Within the Conservation/Hazard Land Zone (P5):
    - i. Conservation of land
    - ii. Flood and Erosion Control Facilities
    - iii. Recreation, Passive
    - iv. Non-motorized Pedestrian Trail
  3. Within the Low Density Residential – Small Lot Zone (R1a):
    - i. All uses permitted in Section 15.2.1 of the Zoning By-law
    - ii. Additional Dwelling Unit, Attached
    - iii. Additional Dwelling Unit, Detached
    - iv. Back-to-Back Townhouse
    - v. Stacked Townhouse
    - vi. Multiple Dwelling



December 13, 2024 - CLEAN

- vii. Home Occupation
- 4. Within the Mid Rise Residential Zone (R3):
  - i. Additional Dwelling Unit, Attached
  - ii. Additional Dwelling Unit, Detached
  - iii. Art Gallery
  - iv. Back-to-Back Townhouse
  - v. Commercial School
  - vi. Community Garden
  - vii. Craftsperson Shop
  - viii. Day Nursery
  - ix. Financial Establishment
  - x. Lodging House
  - xi. Medical Clinic
  - xii. Multiple Dwelling
  - xiii. Office
  - xiv. Personal Services
  - xv. Place of Worship
  - xvi. Repair Service
  - xvii. Restaurant
  - xviii. Retail
  - xix. Residential Care Facility
  - xx. Retirement Home
  - xxi. Social Services Establishment
  - xxii. Stacked Townhouse

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- xxiii. Studio
  - xxiv. Tradesperson Shop
  - xxv. Urban Farm
  - xxvi. Veterinary Service
5. Within the Mixed Use High Density Zone (C4-1):
- i. All uses permitted in Section 10.4.1 of the Zoning By-law
  - ii. All uses permitted in Section 7.1.3 of this Order
  - iii. Commercial Recreation
  - iv. Grocery Store/Supermarket
  - v. Drive Through Facility

**Restricted Uses**

8. The following uses shall be permitted in accordance with the following regulations:
- 1. Where a Residential Care Facility is permitted by this Order, it is limited to a maximum capacity of 24 residents.
  - 2. The following uses which are permitted by Section 7.4 of this Order are only be permitted as an accessory use to a Multiple Dwelling and only within the ground floor of a building:
    - i. Art Gallery
    - ii. Commercial School
    - iii. Craftsperson Shop
    - iv. Day Nursery
    - v. Financial Establishment
    - vi. Medical Clinic
    - vii. Office
    - viii. Personal Services



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- ix. Place of Worship
- x. Repair Service
- xi. Restaurant
- xii. Retail
- xiii. Studio
- xiv. Social Services Establishment
- xv. Veterinary Services

### **Regulations**

9. Within the R1a Zone, the only regulations that apply are those within Section 15.2 of the Zoning By-law, except for the following:
- 1. Semi-Detached, Duplex Dwelling, Triplex Dwelling, Fourplex Dwelling
    - i. Minimum density of 25 units per hectare
  - 2. Single Detached
    - i. Minimum density of 25 units per hectare
    - ii. Minimum lot area of 220 square metres
    - iii. Minimum lot width of 9 metres
    - iv. Minimum front yard setback of 4 metres
    - v. Minimum interior side yard setback of 0.6 metres
    - vi. Minimum exterior side yard setback of 3 metres
    - vii. Minimum rear yard setback of 6 metres
    - viii. Maximum building height of 13 metres
    - ix. Minimum landscaped open space of 25%
  - 3. Street Townhouse Dwelling
    - i. Minimum density of 25 units per hectare
    - ii. Minimum lot area of 96 square metres per dwelling unit

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- iii. Minimum lot frontage of 4.8 metres
  - iv. Minimum front yard setback of 3.0 metres
  - v. Minimum interior side yard setback of 1.2 metres, except for the side yard related to a common wall of the street townhouse dwelling unit, in which case a minimum 0 metre side yard shall be permitted
  - vi. Minimum exterior side yard setback of 1.2 metres
  - vii. Minimum rear yard setback of 6.0 metres
  - viii. Maximum building height of 13.5 metres
4. Back-to-Back Townhouse, Stacked Townhouse, and Multiple Dwelling
- i. Minimum density of 25 units per hectare
  - ii. Minimum lot area of 500 square metres
  - iii. Minimum lot frontage of 20.0 metres
  - iv. Minimum front yard setback of 3.0 metres
  - v. Minimum interior side yard setback of 1.2 metres
  - vi. Minimum exterior side yard setback of 1.5 metres
  - vii. Minimum rear yard setback of 7.5 metres
  - viii. Maximum building height of 15 metres
  - ix. Minimum amenity area of 3.0 square metres per dwelling unit
  - x. Minimum landscaped open space of 25%
  - xi. Maximum encroachment of 1.5 metres into the required front yard setback for stairs
5. Home Occupation
- i. As per Section 4.21 of the Zoning By-law
6. Additional Dwelling Unit, Attached and Detached
- i. As per Section 4.33 of the Zoning By-law



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**10.** Within the R3 Zone, the only zoning regulations that apply are:

1. Regulations for Residential Care Facility, Back-to-Back Townhouse, Stacked Townhouse, Multiple Dwelling, Lodging House, and Retirement Home shall apply as follows:
  - i. Minimum lot area of 500 square metres
  - ii. Minimum lot frontage of 30.0 metres
  - iii. Minimum front yard setback of 3.0 metres
  - iv. Minimum interior side yard setback of 1.2 metres
  - v. Minimum exterior side yard setback of 1.5 metres
  - vi. Minimum rear yard setback of 7.5 metres
  - vii. Maximum building height of 36 metres
  - viii. Minimum amenity area of 3.0 square metres per dwelling unit
  - ix. Minimum landscaped open space of 25%
  - x. Maximum encroachment of 1.5 metres into the required front yard setback for stairs
2. Back-to-Back Townhouse, Stacked Townhouse, Multiple Dwelling
  - i. Minimum density of 50 units per hectare
3. Additional Dwelling Unit, Attached and Detached
  - i. As per Section 4.33 of the Zoning By-law
4. Community Garden
  - i. As per Section 4.26 of the Zoning By-law
5. Urban Farm
  - i. As per Section 4.27 of the Zoning By-law
6. Where a property line abuts a property lot line within a Residential Zone and not a Laneway, a minimum 3.0 metre wide Planting Strip shall be provided and maintained.

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7. Where a property line abuts a Residential Zone, a visual barrier shall be required along the lot line in accordance with Section 4.19 of the Zoning By-law.

**11. Within the C4-1 Zone, the only regulations that apply are:**

1. Single Detached
  - i. Minimum lot area of 220 square metres
  - ii. Minimum lot width of 9 metres
  - iii. Minimum front yard setback of 4 metres
  - iv. Minimum interior side yard setback of 0.6 metres
  - v. Minimum exterior side yard setback of 3 metres
  - vi. Minimum rear yard setback of 6 metres
  - vii. Maximum building height of 13 metres
  - viii. Minimum landscaped open space of 25%
2. Duplex Dwelling, Triplex Dwelling
  - i. As per Section 15.2.2.1 of the Zoning By-law
  - ii. Minimum density of 25 units per hectare
3. Semi-Detached Dwelling
  - i. As per Section 15.2.2.2 of the Zoning By-law
  - ii. Minimum density of 25 units per hectare
4. Street Townhouse
  - i. Minimum density of 25 units per hectare
  - ii. Minimum lot area of 96 square metres per dwelling unit
  - iii. Minimum lot frontage of 4.8 metres
  - iv. Minimum front yard setback of 3.0 metres



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- v. Minimum interior side yard setback of 1.2 metres, except for the side yard related to a common wall of the street townhouse dwelling unit, in which case a minimum 0 metre side yard shall be permitted
  - vi. Minimum exterior side yard setback of 1.2 metres
  - vii. Minimum rear yard setback of 6.0 metres
  - viii. Maximum building height of 13.5 metres
5. Fourplex Dwelling Regulations
- i. As per Section 15.2.2.4 of the Zoning By-law
  - ii. Minimum density of 25 units per hectare
6. Back-to-Back Townhouse, Stacked Townhouse, and Multiple Dwelling
- i. Minimum density of 125 units per hectare
  - ii. Minimum lot area of 500 square metres
  - iii. Minimum lot frontage of 30.0 metres
  - iv. Minimum front yard setback of 3.0 metres
  - v. Minimum interior side yard setback of 1.2 metres
  - vi. Minimum exterior side yard setback of 1.5 metres
  - vii. Minimum rear yard setback of 7.5 metres
  - viii. Maximum building height of 13.5 metres
  - ix. Minimum amenity area of 3.0 square metres per dwelling unit
  - x. Minimum landscaped open space of 25%
  - xi. Maximum encroachment of 1.5 metres into the required front yard setback for stairs
7. Home Occupation
- i. As per Section 4.21 of the Zoning By-law
8. Additional Dwelling Unit, Attached and Detached

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- i. As per Section 4.33 of the Zoning By-law
9. Grocery Stores/Supermarket
    - i. Minimum lot area of 1,575 square metres
    - ii. Minimum gross floor area of 2,700 square metres.
    - iii. Minimum lot frontage of 30 metres
    - iv. Minimum front yard setback of 4.0 metres
    - v. Minimum interior side yard setback of 3.0 metres
    - vi. Minimum exterior side yard setback of 4.0 metres
    - vii. Minimum rear yard setback of 7.5 metres
    - viii. Maximum building height as established by Section 5 of this Order
    - ix. Minimum landscaped open space of 20%
  10. All other permitted uses
    - i. Minimum lot area of 500 square metres
    - ii. Minimum lot frontage of 30 metres
    - iii. Minimum front yard setback of 4.0 metres
    - iv. Minimum interior side yard setback of 3.0 metres
    - v. Minimum exterior side yard setback of 4.0 metres
    - vi. Minimum rear yard setback of 7.5 metres
    - vii. Maximum building height as established by Section 5 of this Order
    - viii. Minimum landscaped open space of 20%
    - ix. Minimum commercial space in a mixed use building of 55 square metres on the ground floor of the building

## 12. Parking

1. The Subject Lands are hereby identified as Parking Rate Area 3 and therefore subject to the provisions of Section 5 in the Zoning By-law.



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### **13. Terms of Use**

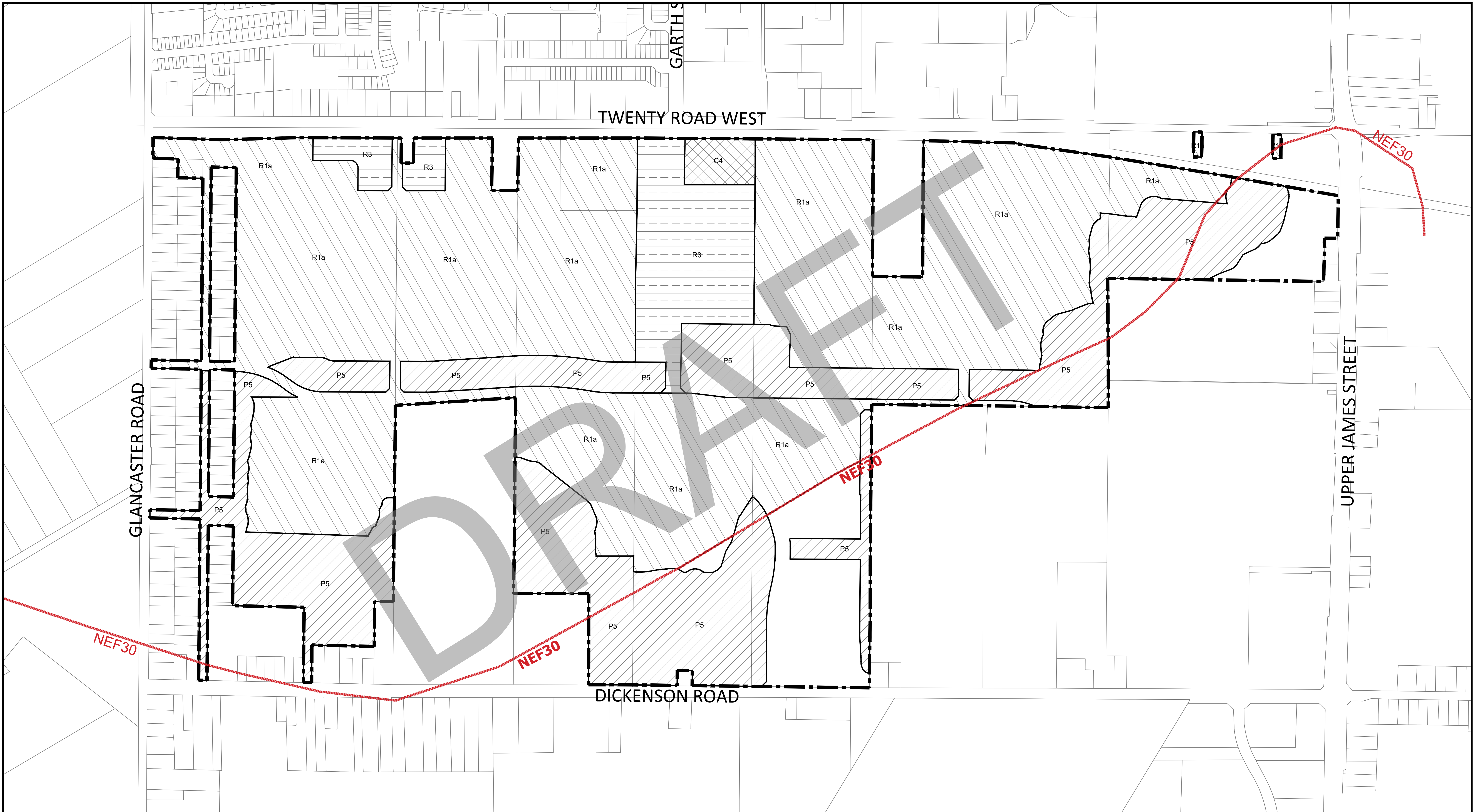
1. Every use of land and every erection, location and use of buildings or structures shall be in accordance with this Order.
2. Nothing in this Order prevents the use of any land, building or structure for any use prohibited by this Order if the land, building or structure is lawfully so used on the day this Order comes into force.
3. Nothing in this Order prevents the reconstruction of any building or structure that is damaged or destroyed by causes beyond the control of the owner if the dimensions of the original building or structure are not increased or its original use is not altered.
4. Nothing in this Order prevents the strengthening or restoration to a safe condition of any building or structure.


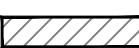
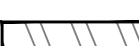



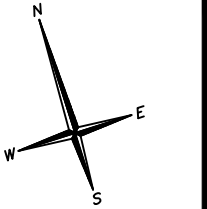

### **14. Deemed By-law**

1. This Order is deemed for all purposes, except the purposes of Section 24 of the Planning Act, to be a by-law passed by the council of the City of Hamilton.

### **15. Commencement**

1. This regulation comes into force on the day it is filed.



<b>LEGEND</b> Subject Lands  Conservation/Hazard Land (P5) Zone  Low Density Residential - Small Lot (R1a) Zone  Mid Rise Residential (R3) Zone  Mixed Use High Density (C4) Zone  NEF 30 (2025) Line 	Schedule A		 
	1:4,000 <small>Scale</small>	12/16/2024 <small>Date</small>	