

**Authority:** Item 6, Planning Committee  
Report 17-012 (PED17121)  
CM: July 14, 2017  
Ward: 9

**Bill No. 147**

## **CITY OF HAMILTON**

### **BY-LAW NO. 17-147**

#### **To Amend Zoning By-law No. 05-200, Respecting Lands Located at 26 Upper Mount Albion Road, Stoney Creek**

**WHEREAS**, the City of Hamilton has in force several Zoning By-laws which apply to the different areas incorporated into the City by virtue of the *City of Hamilton Act, 1999*, S. O. 1999 Chap. 14;

**WHEREAS**, the City of Hamilton is the lawful successor to the former Municipalities identified in Section 1.7 of By-law No. 05-200;

**WHEREAS**, Zoning By-law No. 05-200 was enacted on the 25<sup>th</sup> day of May, 2005;

**WHEREAS**, the Council of the City of Hamilton, in adopting Item 6 of Report 17-012 of the Planning Committee at its meeting held on the 14<sup>th</sup> day of July, 2017, which recommended that Zoning By-law No. 05-200, be amended as hereinafter provided; and,

**WHEREAS**, this By-law will be in conformity with the Urban Hamilton Official Plan, upon finalization of Official Plan Amendment No. 78;

**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. That Map Nos. 1548 and 1549 of Schedule "A" – Zoning Maps, to Zoning By-law No. 05-200 are amended by incorporating additional Community Institutional (I2) Zone boundaries for the applicable lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A";
2. That Schedule "C": Special Exceptions of Zoning By-law No. 05-200, as amended, are hereby further amended by adding the following site specific Community Institutional (I2, 615) Zone:
  615. Within the lands zoned Community Institutional (I2) Zone, identified on Map Nos. 1548 and 1549 of Schedule "A" and described as 26 Upper Mount Albion Road, the following special provisions shall apply:
    - a) In addition to Section 8.2.1, a Multiple Dwelling, for the purposes of a Residential Care Facility, shall also be permitted;
    - b) For the purpose of this By-law, the regulations of Section 8.2.3.1 shall apply to a Multiple Dwelling;
    - c) Notwithstanding any of the provisions of Section 8.2 and Section 4.8 the dwelling existing on the date of the passing of this By-law, and uses, buildings, and structures accessory thereto, shall also be permitted as an accessory use, including residential for onsite staff;

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Mount Albion Road, Stoney Creek**

- d) Sections 5.1 a) v) and 5.1 d) shall not apply; and,
  - e) No below grade fuel and chemical storage tanks shall be permitted.
3. 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*.
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 Community Institutional (I2) Zone provisions, subject to the special requirements as referred to in Section 2 of this By-law.

**PASSED** this 14<sup>th</sup> day of July, 2017.

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F. Eisenberger  
Mayor

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R. Caterini  
City Clerk

ZAC-17-023  
UHOPA-17-11



This is Schedule "A" to By-law No. 17-

Passed the ..... day of ....., 2017

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Mayor

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Clerk

## Schedule "A"

Map Forming Part of  
By-law No. 17-\_\_\_\_\_

to Amend By-law No. 05-200  
Maps 1548, 1549, 1593 & 1594

### Subject Property

26 Mount Albion Road



Lands to be zoned  
Community Institutional (I2, 615) Zone

Scale:  
N.T.S.

File Name/Number:  
ZAC-17-023 / UHOPA-17-11

Date:  
June 20, 2017

Planner/Technician:  
RC/AL



**Hamilton**

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT