

**Authority:** Item 7, Planning Committee  
Report 21-011 (PED21136)  
CM: July 9, 2021  
Ward: 10

**Bill No. 133**

## **CITY OF HAMILTON**

### **BY-LAW NO. 21-**

#### **To Amend Zoning By-law No. 05-200 Respecting lands located at 466 to 490 Highway No. 8, Stoney Creek**

**WHEREAS** Council approved Item 7 of Report 21-011 of the Planning Committee, at its meeting held on July 9, 2021;

**WHEREAS** this By-law conforms with the Urban Hamilton Official Plan upon the adoption of Urban Hamilton Official Plan Amendment No. 153; and,

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

1. That Maps 1252 & 1305 of Schedule “A” – Zoning Maps of Zoning By-law No. 05-200 are amended as follows:
  - a) Changing the zoning from Neighbourhood Commercial (C2, 579) Zone to Major Institutional (I3, 744, H36) Zone;
  - b) Lands to be added to Zoning By-law No. 05-200 as Major Institutional (I3, 744, H36) Zone; and,
  - c) Changing the zoning from Major Institutional (I3) Zone to Major Institutional (I3, 744, H36) Zone.
  
2. That Schedule “C” – Special Exceptions is amended by adding the following new Special Exception:

“744. Within the lands zoned Major Institutional (I3, 744) Zone, identified on Map 1252 & 1305 of Schedule “A” – Zoning Maps and described as 466 - 490 Highway No. 8, the following special provisions shall apply:

  - a) Notwithstanding the definition of Lot as noted in Section 3: Definitions, and notwithstanding any change in land ownership or any severance, partition or division of the property, lands subject to this special provision shall be considered as one lot for the purposes of the Zoning By-law.
  
  - b) Notwithstanding the definition of Multiple Dwelling, as defined within Section 3 of the Zoning By-law, a Multiple Dwelling shall mean a building or part thereof containing three or more dwelling units, which shall not include a street townhouse dwelling or semi-detached

dwelling but may include uses permitted in accordance with Section 10.2.1 and 10.2.1.1 of the Zoning By-law, and shall not be deemed a Dwelling Unit in Conjunction with a Commercial Use.

## REGULATIONS

### LONG TERM CARE FACILITY

- c) Notwithstanding Section 8.3.2.1 b) the following regulations shall apply:
- i) Minimum Side Yard
    - 1. 3.5 metres abutting a street.
    - 2. 1.8 metres where a lot line abuts the hypotenuse of the daylight triangle.
    - 3. 7.0 metres abutting an interior side lot line.
  - ii) Minimum Rear Yard 7.0 metres

### MULTIPLE DWELLING

- d) Notwithstanding Sections 8.3.2.2a) and b), and in addition to Section 8.3.2.2, the following regulations shall apply:
- i) Minimum Side Yard
    - 1. 2.9 metres abutting a Neighbourhood Park (P1) Zone or a street.
    - 2. 6.0 metres where lot line abuts a Residential Zone lot line.
  - ii) Minimum Rear Yard 8.9 metres
  - ii) Maximum Building Height 30.0 metres
  - iii) Maximum total gross floor area for uses permitted by Section 10.2.1.1 500 square metres

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

“36. Notwithstanding Sections 8.3 and 10.5 of this By-law, within lands zoned Major Institutional (I3, 744) Zone, identified on Maps 1252 & 1305 of Schedule A – Zoning Maps and described as 466 to 490 Highway No. 8, no development shall be permitted until such time as:

- i) Necessary upgrades are completed to the sanitary sewer system and necessary payments are provided, to the satisfaction of the Manager of Engineering Approvals.”

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 13<sup>th</sup> day of August, 2021

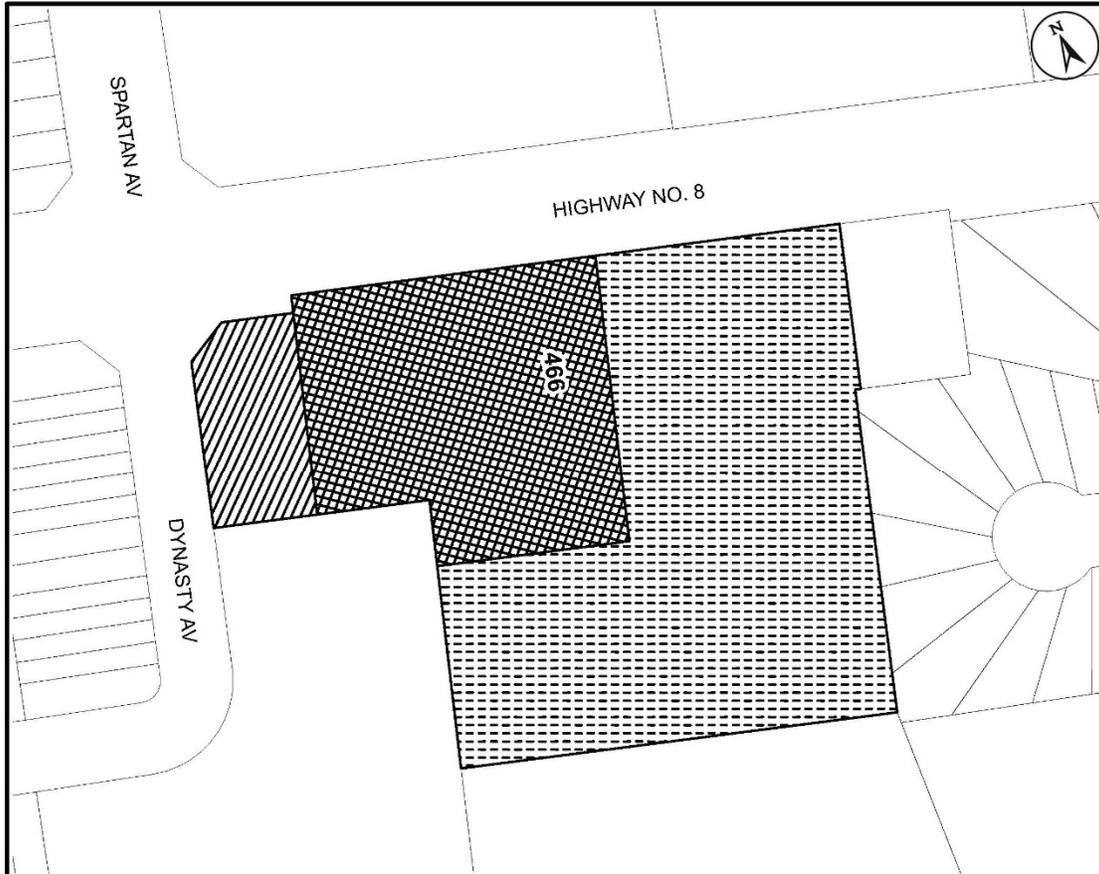
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F. Eisenberger  
Mayor

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A. Holland  
City Clerk

ZAC-18-059  
UHOPA-18-25



This is Schedule "A" to By-law No. 21-  Passed the ..... day of ....., 2021	----- <p style="text-align: center;">Mayor</p> ----- <p style="text-align: center;">Clerk</p> -----
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<h2 style="margin: 0;">Schedule "A"</h2> <p style="margin: 5px 0 0 0;">Map forming Part of By-law No. 21-_____</p> <p style="margin: 5px 0 0 0;"><b>to Amend By-law No. 05-200 Maps 1252 &amp; 1305</b></p>	<p><b>Subject Property</b> 466 Highway No. 8</p> <ul style="list-style-type: none"> <li style="margin-bottom: 10px;">  Block 1 - Change in zoning from the Neighbourhood Commercial (C2, 579) Zone to the Major Institutional (I3, 744, H36) Zone                 </li> <li style="margin-bottom: 10px;">  Block 2 - Lands to be added to Zoning By-law No. 05-200 as Major Institutional (I3, 744, H36) Zone                 </li> <li>  Block 3 - Change in zoning from the Major Institutional (I3) Zone to the Major Institutional (I3, 744, H36) Zone                 </li> </ul>
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Scale: N.T.S.	File Name/Number: ZAC-18-059 & UHOPA-18-025
Date: May 3, 2021	Planner/Technician: MS/AL



PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT