

Authority: Item 31, Planning and
Economic Development
Committee Report 06-005
CM: April 12, 2006
Ward: 9

Bill No. 139

CITY OF HAMILTON

BY-LAW NO. 17-139

To Amend Zoning By-law No. 3692-92 Respecting Lands Located at 136, 144 and 146 Upper Mount Albion Road (Stoney Creek)

WHEREAS the *City of Hamilton Act*, 1999, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1, 2001, the municipality "City of Hamilton";

WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the "The Corporation of the City of Stoney Creek" and is the successor to the former regional municipality, namely, "The Regional Municipality of Hamilton-Wentworth";

WHEREAS the *City of Hamilton Act*, 1999 provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

WHEREAS Zoning By-law No. 3692-92 (Stoney Creek) was enacted on the 8th day of December, 1992, and approved by the Ontario Municipal Board on the 31st day of May, 1994;

WHEREAS the Council of the City of Hamilton, in adopting Section 31 of Report 06-005 of the Planning and Economic Development Committee at its meeting held on the 12th day of April, 2006, which recommended that the Director of Development and Real Estate be authorized to give notice and prepare by-laws for presentation to Council, to remove the "H" Holding provision from By-laws where the conditions have been met;

WHEREAS this By-law is in conformity with the Urban Hamilton Official Plan; and,

WHEREAS the Holding Provision is still applicable to the southerly portion of the subject lands, identified as Block 2 on Schedule A to this By-law, and will require the removal of Holding Provision prior to development occurring.

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

To Amend Zoning By-law No. 3692-92
Respecting Lands Located at 136, 144 and 146 Upper Mount Albion Road (Stoney
Creek)

(Page 2 of 3)

1. That Map No. 15 of Schedule "A", appended to and forming part of By-law No. 3692-92 (Stoney Creek) is amended as follows:
 - (a) Block 1 - By changing the zoning from the Local Commercial (Holding) "LC-7(H)" Zone to the Local Commercial "LC-7" Zone, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".
2. 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 Local Commercial "LC-7" Zone provisions; and,
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*.

PASSED this 14th day of July, 2017.

F. Eisenberger
Mayor

R. Caterini
City Clerk

ZAH-16-076



This is Schedule "A" to By-law No. 17- Passed the day of, 2017	----- Mayor ----- Clerk
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<h2 style="margin: 0;">Schedule "A"</h2> <h3 style="margin: 0;">Map Forming Part of By-law No. 17-_____</h3> <h3 style="margin: 0;">to Amend By-law No. 3692-92</h3>	<p>Subject Property 136, 144 & 146 Upper Mount Albion Road</p> <p> Block 1 - Change in Zoning from the Local Commercial (Holding) "LC-7(H)" Zone to the Local Commercial "LC-7" Zone</p> <p> Block 2 - Additional lands of the Applicant to require a Holding By-law removal from the Local Commercial "LC-7(H)" Zone</p>
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Scale: N.T.S.	File Name/Number: ZAH-16-076	
Date: July 6, 2017	Planner/Technician: MF/AL	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		