Authority
Item XX, Planning Committee Minutes 26-XXX (Report Number)
Council Meeting September 1, 2026, Ward 10
Mayoral Approval through Decision MDE-2026-XX, <DATE>

Bill No. XXX

CITY OF HAMILTON

BY-LAW NO. 26-XXX

To Amend Zoning By-law No. 05-200

with respect to lands located at 520 Highway No. 8, Stoney Creek

Whereas, Council approved Item __ of Report _____ of the Planning Committee, at its meeting held on September 1, 2026

Whereas, this By-law conforms with the Urban Hamilton Official Plan upon adoption of Official Plan Amendment No. XX;

Now therefore, Council amends Zoning By-law No. 05-200 as follows:

1. That Schedule “A” – Zoning Maps, Map No. 1305 is amended by changing the Neighbourhood Commercial (C2, 579) Zone to the Mixed Use Medium Density (C5, 970, H220) Zone and by adding the Mixed Use Medium Density (C5, 970, H220) Zone, for the lands known as 520 Highway No. 8, Stoney Creek, the extent and boundaries of which are shown on Schedule “A” attached to this By-law.

2. That Schedule “C” – Special Exceptions is amended by adding the following new Special Exception:

   “970. Within the lands zoned Mixed Use Medium Density (C5, 970, H220) Zone identified on Map No. 1305 of Schedule “A” – Zoning Maps and described as 520 Highway No. 8, Stoney Creek, the following special provisions shall apply:

   a) That notwithstanding Section 5.2.4 c), a parking stacker system shall be permitted, which shall permit a parking space that is positioned

above, below or beside another parking space and is accessed by means of an elevating device.

b) That notwithstanding Section 10.5.1, and in addition to Section 10.5.2 ii), the following uses are prohibited, even as an accessory use:

Beverage Making Establishment, Catering Service, Commercial Entertainment, Commercial Parking Facility, Commercial Recreation, Commercial School, Communications Establishment, Conference or Convention Centre, Emergency Shelter, Funeral Home, Hotel, Laboratory, Microbrewery, Motor Vehicle Gas Bar, Motor Vehicle Service Station, Motor Vehicle Washing Establishment, Performing Arts Theatre, Place of Assembly, Place of Worship, Self Storage Facility, and Transportation Depot.

c) That notwithstanding Section 10.5.1.1 i) 1., the finished floor elevation of any Dwelling Unit having frontage on Dewitt Road shall be a minimum of 0.0 metres above grade;

d) In addition to Section 10.5.3 a) i), and notwithstanding Sections 10.5.3 a) ii), 10.5.3 b), 10.5.3 c), and 10.5.3 d) ii), iii), and iv) C., the following regulations shall apply:

i)	Building Setback from a Street Line	A) Minimum 4.5 metres for Dwelling Units on the ground floor facing Dewitt Road; B) Maximum 4.5 metres; C) Notwithstanding B) above, a maximum 6.5 metres along Dewitt Road, except

		where a visibility triangle is required for a driveway access.
ii)	Minimum Rear Yard	A) 13.0 metres; B) Notwithstanding A) above, a minimum of 17.5 metres for any portion of the building exceeding 13.0 metres in Building Height; C) Notwithstanding A) above, a minimum of 25.0 metres for any portion of the building exceeding 19.0 metres in Building Height.
iii)	Minimum Interior Side Yard	A) 7.5 metres; B) Notwithstanding A) above, a minimum of 10.0 metres for any portion of the building exceeding 14.0 metres in Building Height.
iv)	Building Height	A) Maximum 40 metres; and, B) In addition to A) above, the wholly enclosed or partially enclosed structure

belonging to an amenity area, or portion of a building designed to provide access to a rooftop amenity area shall not be greater than 5.0 metres in vertical distance from the uppermost point of the building to the upper most point of the rooftop enclosure.”

3. That Schedule “D” – Holding Provisions is amended by adding the following Holding Provision as follows:

“220. Notwithstanding Section 10.5 of this By-law, on those lands zoned Mixed Use Medium Density (C5, 970) Zone on Map No. 1305 of Schedule “A” – Zoning Maps and described as 520 Highway No. 8, Stoney Creek, development shall be restricted in accordance with the following:

a) For such time as the Holding Provision is in place, these lands shall only be used for permitted uses, buildings and structures listed in the Neighbourhood Commercial (C2, 579) Zone.

b) Regulations

For such time as the Holding Provision is in place, these lands shall be subject to the regulations of the Neighbourhood Commercial (C2, 579) Zone.

c) Conditions for Holding Removal

The Holding Provision shall, upon application by the landowner, be removed by way of an amending Zoning By-law, from all or part of

the lands subject to this provision when the following conditions have been satisfied:

i) That the Owner submit and receive approval of an updated Functional Servicing Report and supporting sanitary sewer analysis demonstrating that sufficient downstream sanitary sewer capacity is available to service the proposed development. The submission shall confirm that the necessary upgrades identified in the 466 Highway No. 8 Proposed LTS Servicing Analysis (GM BluePlan Engineering Limited, August 2019) for the drainage area that includes the subject site, are completed on Highway No. 8 and that any necessary payments are provided for the downstream works on Dewitt Road completed by others, to the satisfaction of the Manager of Development Engineering.

ii) That the Owner submit and receive approval of a Watermain Hydraulic Analysis, identifying the modelled system pressures at the pressure district level under various boundary conditions and demand scenarios, to the satisfaction of the Manager of Development Engineering.

iii) That the Owner submit and receive approval of a revised Visual Impact Assessment, to the satisfaction of the Niagara Escarpment Commission.”

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 provisions of the Mixed Use Medium Density (C5, 970, H220) Zone, subject to the special requirements referred to in Section No. 2 and 3 of this By-law.

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 9th day of September, 2026

A. Horwath Mayor	M. Trennum City Clerk

DPA-2026-00023

This is Schedule "A" to By-law No. 26-

Passed the ..... day of ....., 2026

Mayor

Clerk

Schedule "A"

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

to Amend By-law No. 05-200
Map 1305

Scale: N.T.S	File Name/Number: DPA-2026-00023
Date: April 16, 2026	Planner/Technician: JVR/NB

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

Hamilton

Subject Property

520 Highway No. 8, Stoney Creek (Ward 10)

Change in Zoning from Neighbourhood Commercial (C2, 579) Zone to Mixed Use Medium Density (C5, 970, H220) Zone

Lands being added as Mixed Use Medium Density (C5, 970, H220) Zone