

Authority: Item [REDACTED]
Planning Committee
Report: 14-[REDACTED] (PED14205)
CM: [REDACTED]

Bill No. [REDACTED]

CITY OF HAMILTON

BY-LAW NO. [REDACTED]

**To Amend Zoning By-law No. 3581-86 (Dundas)
Respecting Lands Located at 252 Governor's Road**

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";

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

AND WHEREAS the City of Hamilton Act, 1999, provides that the Zoning By-laws and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS Zoning By-law No. 3581-86 (Dundas) was enacted on the 22nd day of May, 1986, and approved by the Ontario Municipal Board on the 10th day of May, 1988;

AND WHEREAS the Council of the City of Hamilton, in adopting Item [REDACTED] of Report 14-[REDACTED] of the Planning Committee, at its meeting held on the [REDACTED] day of [REDACTED], 2014, recommended that Zoning By-law No. 3581-86 (Dundas), be amended as hereinafter provided;

AND WHEREAS in accordance with the Planning Act, R.S.O., 1990, Section 39, Council may pass By-laws authorizing the temporary use of land, buildings, or structures for any purposes that is otherwise prohibited by the Zoning By-law;

AND WHEREAS the Urban Hamilton Official Plan was declared in force and effect on August 16, 2013 and is the Official Plan in effect for lands within the Urban Area of the City of Hamilton

AND WHEREAS the By-law is in conformity with the Urban Hamilton Official Plan of the City of Hamilton in accordance with the provisions of the Planning Act.

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

1. That Schedule "H" (Highland Hills West), appended to and forming part of Zoning By-law No. 3581-86 (Dundas) is amended by changing the zoning from the Single Detached Residential "R1" Zone, to the Holding - Single Detached Residential "H-R1/S-128" Zone, Modified, on the lands the extent and boundaries of which are shown on Schedule "A" which forms part of this By-law.
2. That Section 32: "EXCEPTIONS" of Zoning By-law No. 3581-86 (Dundas) is hereby further amended by adding the following Sub-section:

"R1/S-128"

That notwithstanding the provisions of Section 8: Single Detached Residential Zone, the following Special Provisions shall apply to lands known municipally as 252 Governor's Road, shown as "R1/S-128" on Schedule "A".

- (i) Notwithstanding Section 8.1 Permitted Uses, the following special regulation shall apply:

8.1.6 A Day Nursery with a maximum of 41 children within the building existing at the time of the passing By-law, being the [REDACTED] day of [REDACTED], 2014.

- (ii) Notwithstanding Section 7.12 Off-Street Parking, the following special regulations shall apply:

7.12 OFF-STREET PARKING SPACE REQUIREMENTS

7.12.2.3 DAY NURSERIES

Required parking and passenger drop-off/pick-up may be partially provided on lands located at 1-5 Lyndale Drive. The owners of both lots shall enter into an agreement with the City to be registered against the title of both the lot upon which the lot is to be provided and the lot containing the use requiring the parking.

3. That By-law No. 3581-86 of the Town of Dundas Zoning By-law is amended by adding this By-law to Section 32 as Schedule "S-128".

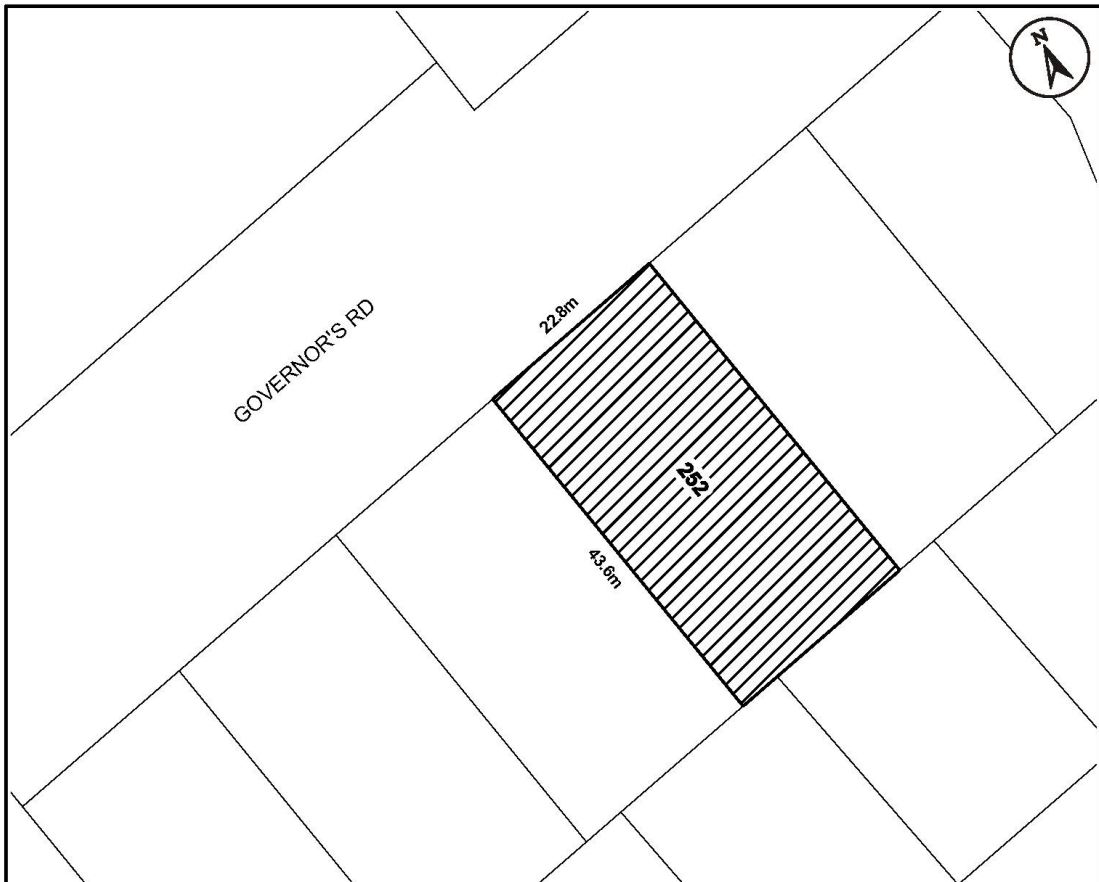
4. That Schedule "H" (Highland Hills West) of the Zoning Schedule Key Map is amended by marking the lands referred to in Section 2 of this By-law as "R1/S-128".
5. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the Planning Act.

PASSED and ENACTED this [REDACTED] day of [REDACTED], 2014

R. Bratina
Mayor

R. Caterini
Clerk

ZAC-14-017



This is Schedule "A" to By-law No. 14- Passed the day of, 2014		----- Mayor ----- Clerk
<h2>Schedule "A"</h2> <h3>Map Forming Part of By-law No. 14-_____</h3> <h3>to Amend By-law No. 3581-86</h3>		<p>Subject Property 252 Governor's Road</p> <p> Change in Zoning from the Single Detached Residential "R1" Zone, to the Single Detached Residential "R1/S-128" Zone, Modified, with a Special Exception</p>
Scale: N.T.S.	File Name/Number: ZAR-14-017	
Date: May 2, 2014	Planner/Technician: TL/AL	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		