

# CITY OF HAMILTON MOTION

Council: September 29, 2021

**MOVED BY COUNCILLOR A. VANDERBEEK.....**

**SECONDED BY COUNCILLOR B. CLARK.....**

**Repeal of Interim Control By-law 20-186 for the Pleasant View Area Lands**

WHEREAS, Section 38 of the *Planning Act*, R.S.O. 1990 c.P. 13, as amended, permits the council of a municipality to pass an interim control by-law where the council has directed that a review or study be undertaken in respect of land use planning policies within the municipality or in any defined area or areas;

WHEREAS, on September 10, 2020, City Council passed Interim Control By-law 20-186 for the Pleasant View Survey lands for the purposes of undertaking a land use study in respect of land use policies and future underlying zoning by-law regulations to ensure the Rural Hamilton Official Plan and underlying Zoning By-laws are in conformity with Provincial policies including the Niagara Escarpment Plan within the Pleasant View Area of the former Town of Dundas;

WHEREAS, on August 13, 2021, City Council passed By-law 21-142 to extend the time period of Interim Control By-law 20-186 for an additional period of one year to expire on September 10, 2022;

WHEREAS, on September 10, 2021, the Ministry of Northern Development, Mines, Natural Resources and Forestry amended Ontario Regulation 826 under the *Niagara Escarpment Planning and Development Act* to include within the Area of Development Control the Pleasant View Survey lands located in the City of Hamilton, making the Niagara Escarpment Commission the approval authority for development in the Pleasant View Area and rendering zoning by-laws no longer in-effect in the Pleasant View Area;

WHEREAS, a Development Permit issued by the Niagara Escarpment Commission must conform to the policies Niagara Escarpment Plan and supersedes the Zoning by-law in effect;

THEREFORE, BE IT RESOLVED:

That the by-law to repeal Interim Control By-law 20-186 (attached hereto), being a by-law to Establish an Interim Control Zoning By-law, respecting lands within Zoning By-law No. 3581-86, in the former Town of Dundas, generally in the area bounded by Patterson Road to the north, Cootes Paradise to the south, Highway No. 6 to the east, and Valley Road / York Road to the west (Pleasant View), be passed.