

Authority: Item 8, Planning and Economic
Committee
Report 04-018 (PD04270)
CM: October 27, 04
Bill No. 263

CITY OF HAMILTON

BY-LAW NO. 04- 263

To Amend Zoning By-law No. 90-145-Z (Flamborough) as Amended by By-law No. 01-152 Respecting Lands Located at 2835 Governors Road (Flamborough)

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1st, 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 Corporation of the Town of Flamborough" 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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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. 90-145-Z (Flamborough) was enacted on the 5th day of November 1990, and approved by the Ontario Municipal Board on the 21st day of December, 1992;

AND WHEREAS the Council of the City of Hamilton, in adopting Item 8 of Report 04-018 of the Planning and Economic Development Committee at its meeting held on the 26th day of October, 2004, recommended that Zoning By-law No. 90-145-Z (Flamborough), be amended as hereinafter provided;

AND WHEREAS in accordance with the Planning Act, R.S.O., 1990, Section 39(3), Council may pass By-laws granting further extensions of a temporary use.

AND WHEREAS this By-law is in conformity with the Official Plan of the City of Hamilton (the Official Plan of the former Town of Flamborough) in accordance with the provisions of the Planning Act;

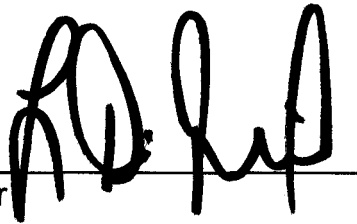
NOW THEREFORE the Council of the City of Hamilton enacts as follows:

By-Law respecting 2835 Governors Road

1. The Agricultural 'A' zone provisions, as contained in Section 33 of By-law No. 90-145-Z (Flamborough) as amended by By-law No. 01-152, is hereby further amended, to the extent that:
 - (a) the existing golf driving range and a portable office/pro shop shall be permitted for a further period of three (3) years from the date of passing of this By-law; and,
 - (b) this amendment only applies to the lands shown as 'A-69' on Schedule "A" annexed hereto.
2. 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 'A-69' provisions of By-law No. 90-145-2 (Flamborough), subject to the special requirements referred to in Section 1.
3. By-law No. 90-145-2 (Flamborough) is amended by adding this By-law to Subsection 33.3.69.
4. 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 day 26th of October, 2004.

Mayor

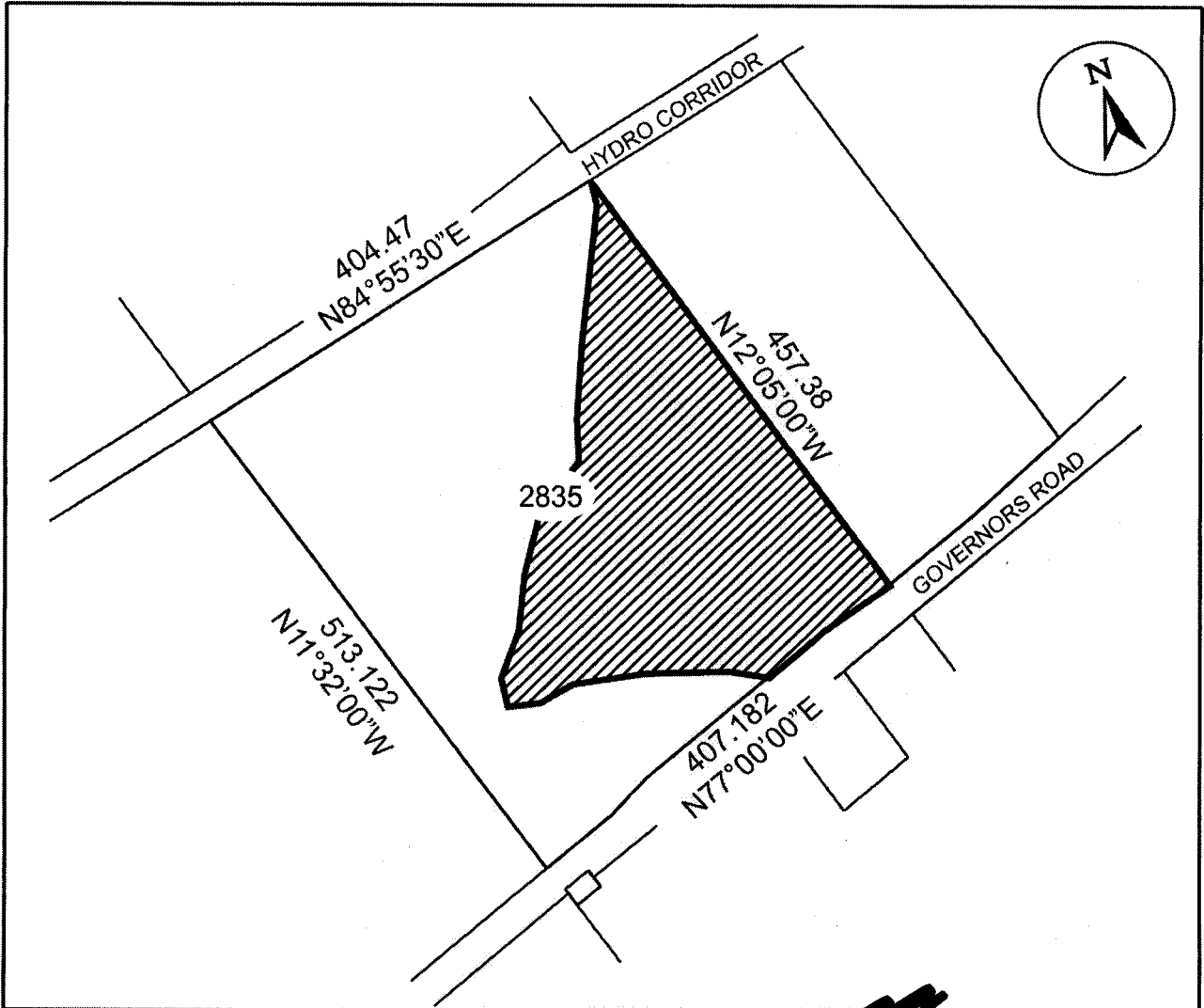


Clerk



ZAR-04-70

By-Law respecting 2835 Governors Road



This is Schedule "A" to By-Law No. 04—263

Passed the 27th day of October, 2004

[Signature]
Clerk
[Signature]
Mayor

Schedule "A"

Map Forming Part of
By-Law No. 04-263
to Amend By-Law No 90-145-Z



Subject Property 2835 Governors Road



Lands Zoned Agricultural - A-69

North



Scale:
Not to Scale

Date:
September 23, 2004

File Name/Number:
ZAR-04-70

Planner/Technician:
MJ/LMM