

Authority: Item 1, Planning and Economic
Development Committee
Report 05-025 (PED05170)
CM: November 17, 2005

Bill No. 333

CITY OF HAMILTON

BY-LAW NO. 05-333

**To Amend Zoning By-law No. 3581-86 (Dundas), as amended,
respecting lands located at 310 Governor's Road**

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 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By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

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

AND WHEREAS the Council of the City of Hamilton, in adopting Item 1 of Report 05-025 of the Planning and Economic Development Committee at its meeting held on the 9th day of November, 2005, recommended that Zoning By-law No. 3581-86 (Dundas), be amended as hereinafter provided;

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

1. Schedule "N" of Zoning By-law No. 3581-86 (Dundas), as amended, is hereby further amended by changing from the "UR" (Urban Reserve) Zone to the

Bylaw respecting lands located at 310 Governor's Road
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"PPS/S-108"-H' (Public and Private Service – Holding) Zone, the lands the extent and boundaries of which are shown on Schedule "A" annexed hereto and forming part of this by-law.

2. SECTION 32: EXCEPTIONS of Zoning By-law No. 3581-86 (Dundas), is hereby amended by adding the following new subsection:

PUBLIC AND PRIVATE SERVICE ZONE PPS/S-108-H

Notwithstanding the provisions of Subsection 27.1 PERMITTED USES, of SECTION 27, the following additional use shall be permitted on the lands shown as "PPS/S-108-H" on Schedule "N".

- (a) PERMITTED USES
 - (i) A parking area for Dundas Highland High School and Couldrey Park
 - (b) The 'H' symbol applicable to the lands described in Section 1 of this By-law, shall be removed conditional upon:
 - (i) An archaeological assessment being granted final approval by the Ministry of Culture;
 - (ii) Completion of a final Traffic Impact Study which shall include a functional plan of Governor's Road for the westbound left turn lane, to the satisfaction of the Director of Operations and Maintenance, Public Works Department; and,
 - (iii) Completion of an Environmental Assessment, if the final Traffic Impact Study requires a continuous westbound turn lane from the signalized Governor's Road/Bridlewood Drive intersection to the proposed entrance from Governor's Road; to the satisfaction of the Director of Capital Planning and Implementation, Public Works Department.
 - (c) The 'H' symbol shall be removed by amendment to this by-law and the development of the lands described in Section 1 may at such time proceed in accordance with the "PPS/S-108" (Public and Private Service) Zone provisions.

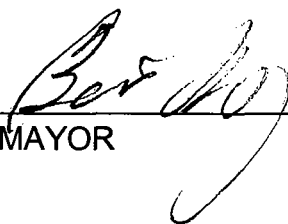
3. All other provisions of Zoning By-law No. 3581-86 (Dundas) as applicable shall continue to apply.


By-law respecting lands located at 310 Governor's Road

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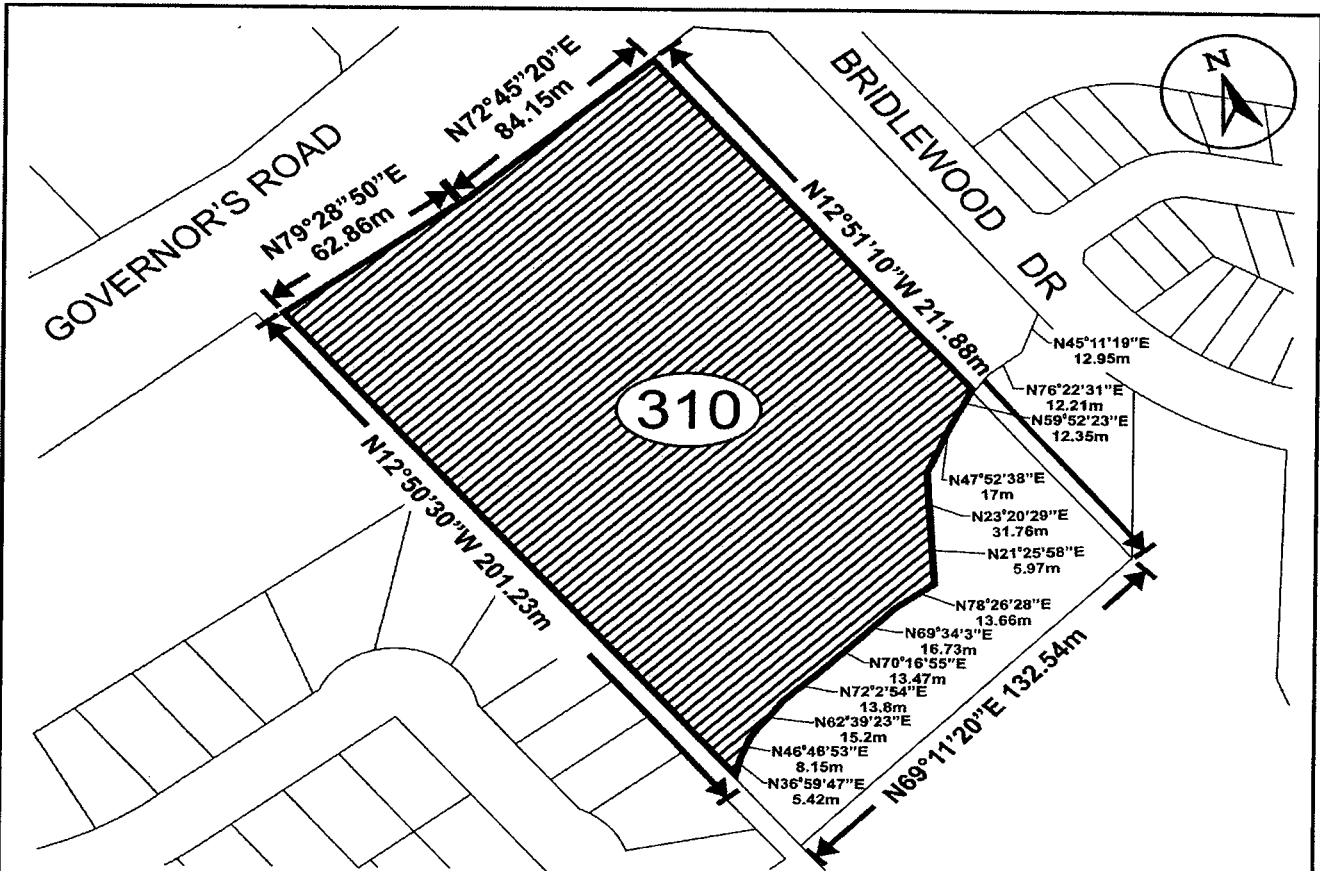
4. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "PPS" Zone provisions, subject to the special provisions in Section 2.
5. The Clerk is hereby authorized 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 17th day of November, 2005.


MAYOR


CLERK

ZAC-05-53



This is Schedule "A" to By-Law No. 05-333

Passed the 17th day of November, 2005

[Signature]
Clerk

[Signature]
Mayor

Schedule "A"

Map Forming Part of
By-Law No. 05-333
to Amend By-Law No. 3581-86

Subject Property 310 Governor's Road, Dundas



Lands to be Rezoned from Urban Reserve "UR" Zone to Public and Private Service "PPS/S-108"-H' Holding Zone.

Planning and Economic Development Department
Hamilton



scale:
Not to Scale

File Name/Number:
ZAC-05-53

Date:
October 11, 2005

Planner/Technician:
CT/LMM