

Authority: Item 3, Planning Committee
Report: 14-015 (PED14205)
CM: September 24, 2014

Bill No. 288

CITY OF HAMILTON

BY-LAW NO. 14-288

**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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 3 of Report 14-015 of the Planning Committee, at its meeting held on the 24th day of September, 2014, recommended that Zoning By-law No. 3581-86 (Dundas), be amended as hereinafter provided;

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 Single Detached Residential "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.

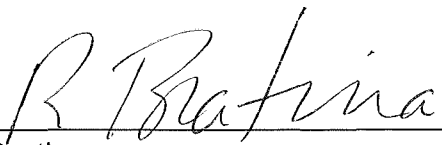
2. That Section 32: "EXCEPTIONS" of Zoning By-law No. 3581-86 (Dundas) is hereby further amended by adding the following Sub-section:

"R1/S-128"

That Notwithstanding Sub-section 8.1 PERMITTED USES of SECTION 8: SINGLE-DETACHED RESIDENTIAL ZONE (R1) and Clause 7.12.2.3 of Sub-section 7.12 OFF-STREET PARKING SPACE REQUIREMENTS of SECTION 7: OFF-STREET PARKING AND LOADING, the following Special Provisions shall apply to lands known municipally as 252 Governor's Road, shown as "R1/S-128" on Schedule "A".

- (i) A Day Nursery having a maximum capacity of 26 children shall also be permitted only within the dwelling existing on the date of the passing of this By-law being the 24th day of September, 2014.
 - (ii) Parking shall be provided at a rate of one space for each 125.0 square metres of gross floor area that accommodates such use and may be provided within the required front yard and in tandem.
 - (iii) Passenger drop-off and pick-up and staff parking shall be provided by the owner, subject to entering and maintaining an agreement with the owner of the lands located at 1-5 Lyndale Drive, to the satisfaction of the Director of Planning.
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.

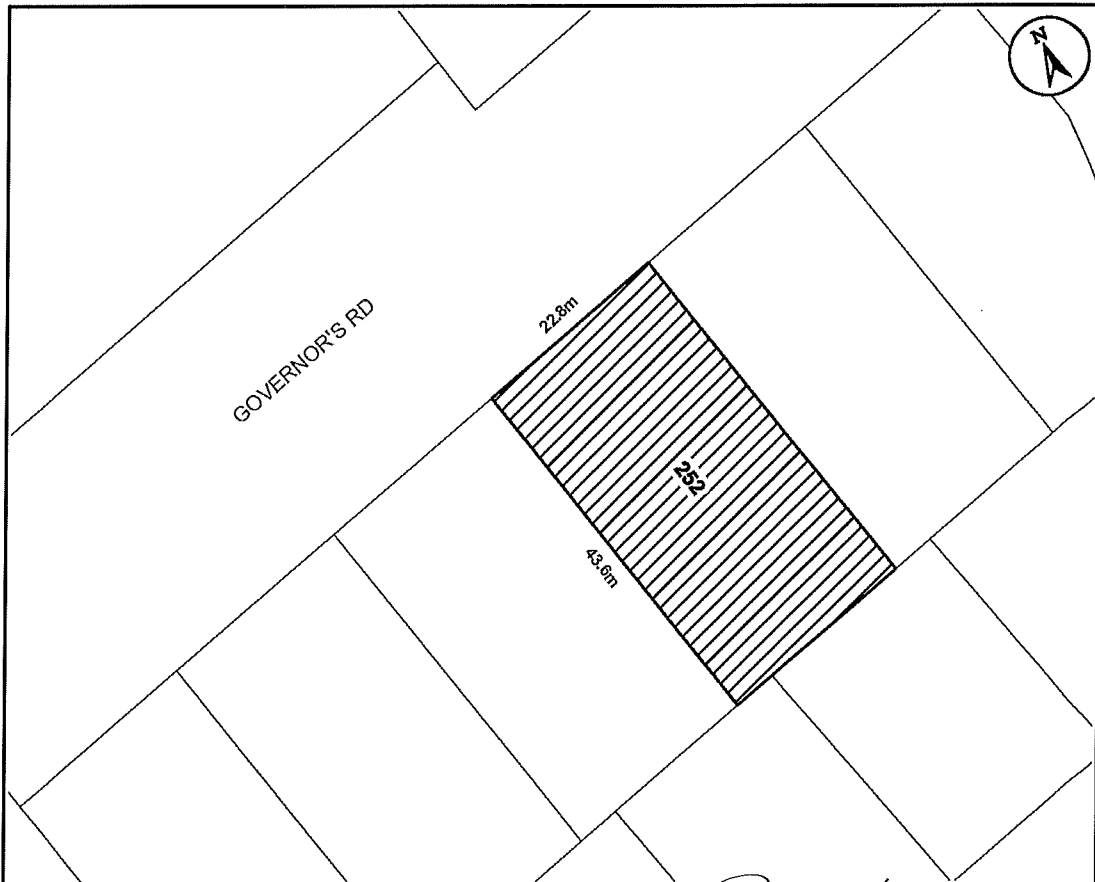
PASSED this 24th day of September, 2014



R. Bratina
Mayor



R. Caterini
City Clerk



This is Schedule "A" to By-law No. 14- 288
 Passed the 24th day of September, 2014

R. Bratina
 Mayor


[Signature]
 Clerk

Schedule "A"

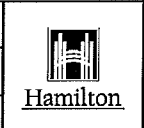
Map Forming Part of
 By-law No. 14- 288

to Amend By-law No. 3581-86

Subject Property
 252 Governor's Road

 Change in Zoning from the Single Detached Residential "R1" Zone, to the Single Detached Residential "R1/S-128" Zone, Modified, with a Special Exception

Scale: N.T.S.	File Name/Number: ZAR-14-017
Date: May 2, 2014	Planner/Technician: TL/AL



PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT