

Authority: Item 6.3 Motion
CM: September 29th, 2021
Ward: 13

Bill No.169

CITY OF HAMILTON

BY-LAW NO. 21-169

A by-law to repeal Interim Control By-law 20-186, as amended, respecting lands 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)

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 thereof;

AND 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;

AND 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;

AND WHEREAS, on September 10, 2021, the Ministry of Northern Development, Mines, Natural Resources and Forestry amended Ontario Regulation 826, R.R.O. 1990, Reg. 826, under the *Niagara Escarpment Planning and Development Act* to include the Pleasant View Survey lands within the Area of Development Control 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;

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

AND WHEREAS, subsequent to the Pleasant View Survey lands being included within the area of Niagara Escarpment Commission Development Control, City Staff will bring forth the appropriate amendments to the Rural Hamilton Official Plan and Zoning By-law to ensure conformity between the Provincial and municipal planning policies and regulatory frameworks.

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

1. That Interim Control By-law 20-186, as amended, is hereby repealed in its entirety.

PASSED this 29th day of September, 2021.

F. Eisenberger
Mayor

A. Holland
City Clerk

DRAFT