

**Authority:** Item 3, Planning Committee Report 24-003 (PED24042)

CM: March 27, 2024 Ward: 12

Written approval for this by-law was given by Mayoral Decision MDE-2024 07 dated March 27, 2024

**Bill No. 037**

## **CITY OF HAMILTON**

### **BY-LAW NO. 24-037**

#### **To Amend Zoning By-law No. 05-200 Respecting Lands Located at 237 Springbrook Avenue, Ancaster**

**WHEREAS** Council approved Item 3 of Report 24-003 of the Planning Committee, as its meeting held on March 27, 2024;

**AND WHEREAS** this By-law will be in conformity with the Urban Hamilton Official Plan;

**NOW THEREFORE** Council amends Zoning By-law No. 05-200 as follows:

1. That Map No.1284 of Schedule "A"- Zoning Maps is amended by adding the Low Density Residential (R1, 888, H166) Zone for the lands described as 237 Springbrook Avenue as shown on Schedule "A" to this By-law.
2. That Schedule "C"-Special Exceptions is amended by adding the following new Special Exception:

"888. For the lands zoned Low Density Residential (R1, 888) Zone, on Map No. 1284 of Schedule "A"- Zoning Maps and described as 237 Springbrook Avenue, the following special provisions shall apply:

- a) Notwithstanding Section 15.1.1, the following use shall be prohibited:

Street Townhouse Dwelling

- b) Notwithstanding Section 15.1.2.2 e), the following regulation shall apply:

- i) Minimum Setback from Flankage Lot                      1.2m Line

- c) In addition to Section 15.1.2.1 and 15.1.2.2, the following regulation shall also apply:

i) Maximum Lot Coverage 40 percent”

3. That Schedule “D”- Holding Provision, of By-law No. 05-200, be amended by adding the following Holding Provision:

“166. Notwithstanding Section 15.1 of this By-law , within lands zoned Low Density Residential (R1, 888) Zone on Map No. 1284 on Schedule “A”- Zoning Maps, and described as 237 Springbrook Avenue, Ancaster, no development shall be permitted unit such time as:

- (i) The Owner submitting the letter from the Ministry of Citizenship and Multiculturalism with respect to acknowledgement of Provincial interest with respect to the Archaeological Assessment, to the satisfaction of the Director of Heritage and Urban Design;
- (ii) The Owner submitting and receiving approval of a Tree Protection Plan (and applicable review fee) to evaluate the retention of additional trees on the subject lands, to the satisfaction of the Director of Heritage and Urban Design;
- (iii) The Owner making payment, at the applicable rate, for municipal street trees in the public right of way, to the satisfaction of the Director of Environmental Services, Public Works Department;
- (iv) The Owner making payment for any outstanding cost recoveries to lift the existing 0.3 metre reserves, to the satisfaction of the Director of Development Engineering;
- (v) The Owner completing a two-flow fire hydrant test on existing hydrants on Springbrook Avenue and Chambers Drive and completing any necessary upgrades on the system to support the development, to the satisfaction of the Director of Development Engineering; and,
- (vi) The Owner making payment for any outstanding Municipal Act Sewer and Watermain charges, to the satisfaction of the Director of Development Engineering.”

4. That 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 provisions of the Low Density Residential (R1,

888, H166) Zone, subject to the special requirements referred to in Section Nos. 2 and 3 of this By-law.

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 27<sup>th</sup> day of March, 2024.

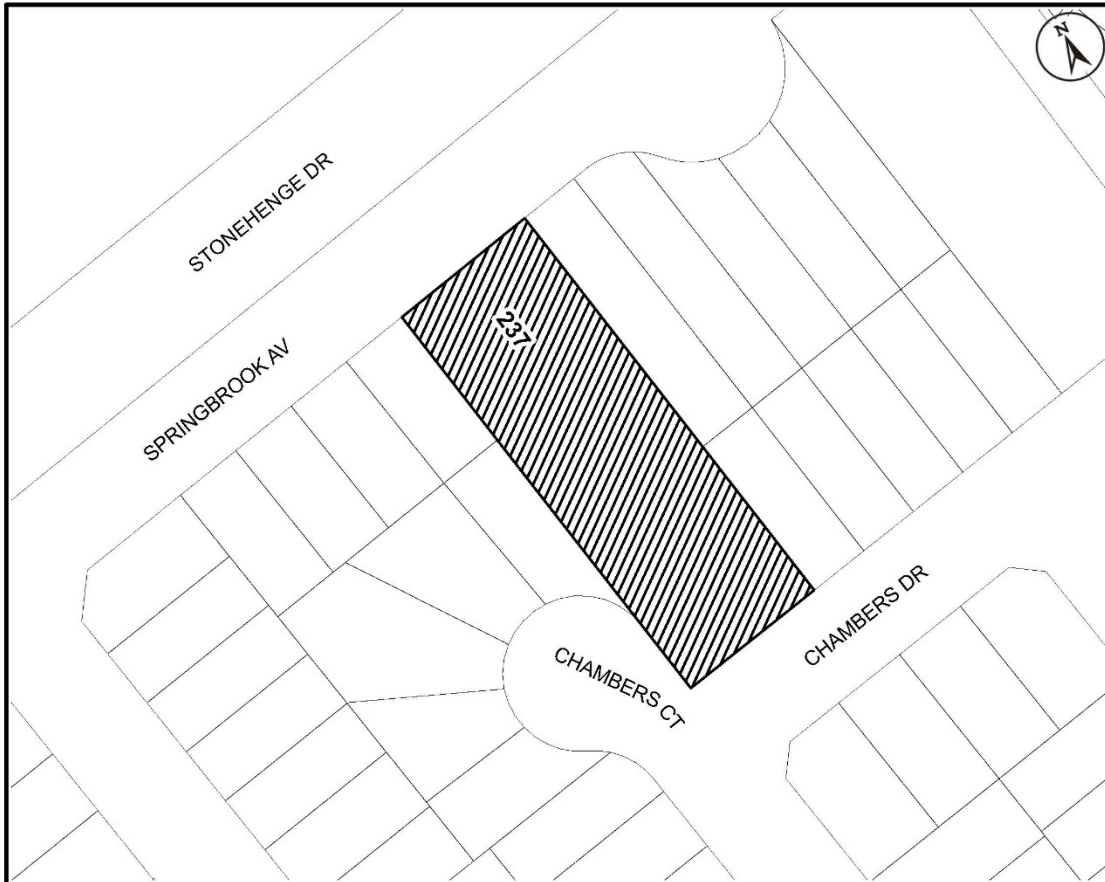
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A. Horwath  
Mayor

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J. Pilon  
Acting City Clerk

ZAC-24-003



This is Schedule "A" to By-law No. 24-  Passed the ..... day of ....., 2024	----- <p style="text-align: center;">Mayor</p> ----- ----- <p style="text-align: center;">Clerk</p> -----
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<h2 style="margin: 0;">Schedule "A"</h2> <p style="margin: 5px 0;">Map forming Part of By-law No. 24-_____</p> <p style="margin: 5px 0;">to Amend By-law No. 05-200 Map 1284</p>	<p><b>Subject Property</b></p> <p>237 Springbrook Avenue</p> <p> Change in zoning from Agricultural "A" Zone to Low Density Residential (R1, 888, H166) Zone</p>
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Scale: N.T.S	File Name/Number: ZAC-24-003	
Date: January 17, 2024	Planner/Technician: DB/AL	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		