

Authority: Item 7, Planning Committee Report 23-019 (PED23234)
CM: November 22, 2023 Ward: 12
Written approval for this by-law was given by Mayoral Decision MDE-2023 10
dated November 22, 2023

Bill No. 224

**CITY OF HAMILTON
BY-LAW NO. 23-224**

**To Amend Zoning By-law No. 05-200, Respecting Lands Located at
1225 Old Golf Links Road, Ancaster**

WHEREAS Council approved Item 7 of Report 23-019 of the Planning Committee, at its meeting held on November 14, 2023;

AND WHEREAS this By-law conforms to the Urban Hamilton Official Plan upon the approval of Official Plan Amendment No. 193;

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

1. That Map Nos. 1178 and 1179 of Schedule "A" – Zoning Maps are amended by adding the Mixed Use Medium Density (C5, 876, H161) Zone for the lands known as 1225 Old Golf Links Road, Ancaster, the extent and boundaries of which are shown on Schedule "A" to this By-law.
2. That Schedule "C" – Special Exceptions is amended by adding the following new Special Exception:

"876. Within the lands zoned Mixed Use Medium Density (C5) Zone, identified on Map Nos. 1178 and 1179 of Schedule "A" – Zoning Maps and described as 1225 Old Golf Links Road, Ancaster, the following special provisions shall apply:

- a) Notwithstanding Section 4.23 e) as it relates to the setback from the Lincoln Alexander Parkway, a minimum setback of 1.0 metre from the Lincoln Alexander Parkway right-of-way, excluding access ramps.
- b) Notwithstanding Section 10.5.3 b), 10.5.3 d) ii), and 10.5.3 g) vii)
 1. the following special provisions shall apply:
 - i) Minimum Rear Yard Setback 1.0 metre.

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|------|-----------------------|---|
| ii) | Maximum
Height | 18.8 metres. |
| iii) | Principal
Entrance | A principal entrance shall be permitted to face westerly and include a direct connection to the street. |

3. That Schedule "D" – Holding Provisions be amended by adding the additional Holding Provision as follows:

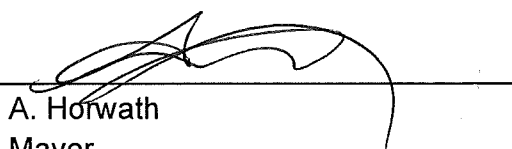
"161 Notwithstanding Section 10.5 of this By-law, within lands zoned Mixed Use – Medium Density (C5) Zone, identified on Map No. 1178 and 1179 of Schedule "A" – Zoning Maps and described as 1225 Old Golf Links Road, no development shall be permitted until such time as:

- i) The Owner submits a revised Functional Servicing Report in accordance with the City's standards, to the satisfaction of the Director of Growth Management and Chief Development Engineer demonstrating that the increased wastewater generated from the proposed development will not adversely impact the hydraulic performance of the City's sanitary sewer system by completing a sanitary sewer analysis to demonstrate that there is a residual capacity in the system to support the proposed development;
- ii) The Owner submits a revised Stormwater Management Report demonstrating that there is a suitable storm outlet for the proposed development, to the satisfaction of the Director of Growth Management and Chief Development Engineer;
- iii) The Owner submits a Watermain Hydraulic Analysis, to the satisfaction of the Director of Growth Management and Chief Development Engineer.
- iv) The Owner makes satisfactory arrangements with the City's Growth Management Division and enters into an External Works Agreement with the City for the design and construction of any required improvements to the municipal infrastructure at the Owner's cost, all to the satisfaction of the Director of Growth Management and Chief Development Engineer.
- v) The Owner submits an acoustical report prepared by a qualified Professional Engineer containing the recommended noise control measures to the satisfaction of the Director of Planning and Chief Planner. Should a peer review of the acoustical report be warranted, all associated costs shall be borne by the owner and

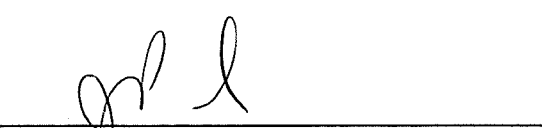
shall be submitted to the satisfaction of the City of Hamilton,
Director of Planning and Chief Planner.

- vi) The Owner submits a revised Tree Protection Plan that addresses the protection of the trees inventoried within the City's right-of-way and finalizes the justification for the removal of the identified trees, to the satisfaction of the Director of Planning and Chief Planner. The resubmission must include the applicable Tree Protection Plan review fee payable to the City of Hamilton.
 - vii) The Owner satisfying all requirements of Hydro One Corporation including lot grading and drainage and entering into a Site Plan Agreement with the City, to the satisfaction of the Director of Planning and Chief Planner.
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 Mixed Use Medium Density (C5, 876, H161) Zone, subject to the special requirements referred to in Section No. 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 22nd day of November, 2023.

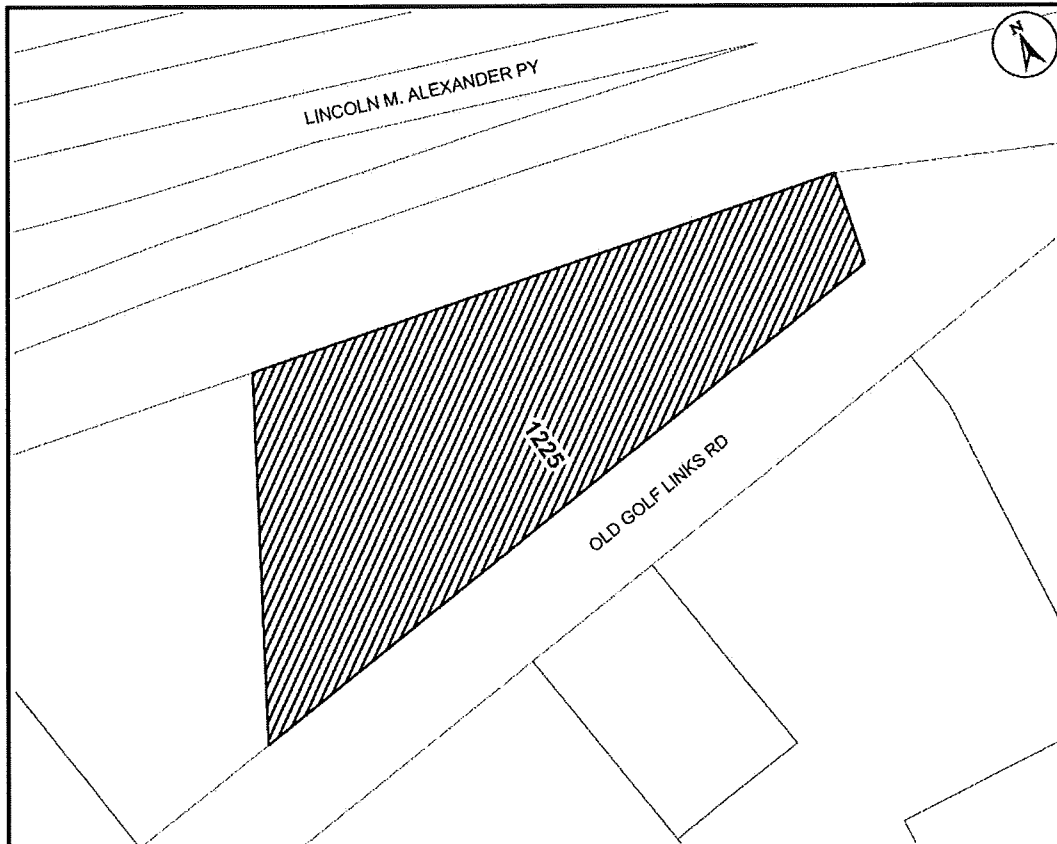


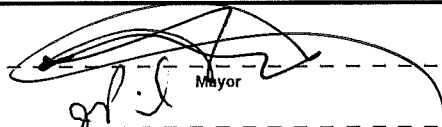

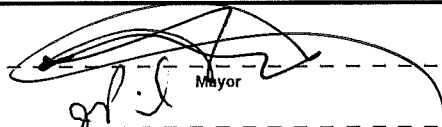

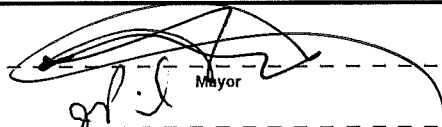

A. Horwath
Mayor




J. Pilon
Acting City Clerk

ZAC-23-041



This is Schedule "A" to By-law No. 23- <u>224</u> Passed the <u>22nd</u> day of <u>November</u> , 2023	<table style="width: 100%; border: none;"> <tr> <td style="border: none; text-align: center;"></td> <td style="border: none; text-align: center;">Mayor</td> </tr> <tr> <td style="border: none; text-align: center;"></td> <td style="border: none; text-align: center;">Clerk</td> </tr> </table>		Mayor		Clerk
	Mayor				
	Clerk				

<h2>Schedule "A"</h2> <p>Map forming Part of By-law No. 23-<u>224</u></p> <p>to Amend By-law No. 05-200 Maps 1178 & 1179</p>	<p>Subject Property</p> <p>1225 Old Golf Links Road, Ancaster (Ward 12)</p> <p> Change in zoning from the Public ("P-242") Zone to the Mixed Use Medium Density (C5, 876, H161) Zone</p>
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Scale: N.T.S	File Name/Number: ZAC-23-041 & UHOPA-23-016	 Hamilton
Date: November 22, 2023	Planner/Technician: JL/AL	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		