



Committee of Adjustment
 Hamilton City Hall
 71 Main Street West, 5th floor
 Hamilton, ON L8P 4Y5
 Telephone (905) 546-2424, ext. 4221
 Fax (905) 546-4202

COMMITTEE OF ADJUSTMENT
DECISION OF THE COMMITTEE

APPLICATION NO. AN/A-15:365
SUBMISSION NO. A-365/15

IN THE MATTER OF The Planning Act, R.S.O., 1990, c.P. 13, as amended and of the Zoning By-Law No. 87-57, of the City of Hamilton (formerly Ancaster), Section 11.2.

AND IN THE MATTER OF the Premises known as Municipal number 27 & 29 Oldoakes Pl., formerly in the Town of Ancaster, now in the City of Hamilton and in an "R2" (Residential zone) district;

AND IN THE MATTER OF AN APPLICATION by the agent Urban Solutions Planning & Land Development Consultants Inc., on behalf of the owners Mr. & Mrs. Burwell, for relief from the provisions of the Zoning By-Law No. 87-57, under Section 45 of The Planning Act, R.S.O. 1990, c. P. 13, so as to facilitate the creation of a new lot for a future single detached dwelling, notwithstanding:

27 Oldoakes Place

1. A minimum lot frontage of 19.6 metres shall be provided instead of the minimum required lot frontage of 21 metres, and

29 Oldoakes Place

2. A minimum lot frontage of 10.4 metres shall be provided instead of the minimum required lot frontage of 21 metres.

NOTES:

These variances are necessary to facilitate severance application AN/B-15:106 to be heard in conjunction with this application.


THE DECISION OF THE COMMITTEE IS:

That the variances, as set out in paragraph three above, are **DENIED** for the following reasons:

1. The Committee having regard to the evidence is of the opinion that the relief requested is beyond that of a minor nature.
2. The relief requested is undesirable for the appropriate development of the land and building and is inconsistent with the general intent and purpose of the By-law and of the Official Plan as referred to in Section 45 of The Planning Act, 1990.
3. The Committee having regard to the intensity of use of the subject parcel of land is of the opinion that such development would not be appropriate for the lands.
4. The Committee is of the opinion that the proposal is not in keeping with the character of the area and will be in conflict with the streetscape.

DATED AT HAMILTON this 21st day of January, 2016.


 M. Dúdzic (Chairman)

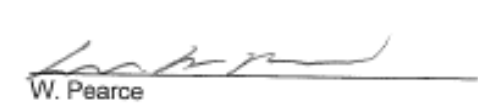

 D. Smith

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P. Mallard


L. Gaddy


M. Smith


W. Pearce

NOTE: THE LAST DATE ON WHICH AN APPEAL TO THE ONTARIO MUNICIPAL BOARD MAY BE FILED IS **February 10th, 2016.**

NOTE: This decision is not final and binding unless otherwise noted.



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COMMITTEE OF ADJUSTMENT
NOTICE OF DECISION

APPLICATION FOR CONSENT LAND SEVERANCE

APPLICATION NO. AN/B-15:106
SUBMISSION NO. B-106/15

IN THE MATTER OF The Planning Act, R.S.O. 1990, Chapter P13, Section 53(1);

AND IN THE MATTER OF the Premises known as Municipal numbers 27 & 29 Oldoakes Place, formerly in the Town of Ancaster, now in the City of Hamilton;

AND IN THE MATTER OF AN APPLICATION by the agent Urban Solutions Planning & Land Development Consultants Inc. on behalf of the owners Mr. & Mrs. Burwell, for consent under Section 53(1) of The Planning Act, R.S.O. 1990, Chapter 13, so as to permit the conveyance of an irregular shaped vacant parcel of land having a frontage of 10.49m± and an area of 965m²± for residential purposes, and to retain an irregular shaped parcel of land having a frontage of 19.61m± and an area of 706m²± containing an existing dwelling for residential purposes.

NOTE: This application is scheduled to be heard in conjunction with minor variance application AN/A-15:365.

THE DECISION OF THE COMMITTEE IS:

That the said application, as set out in paragraph three above, **IS DENIED**, for the following reasons:

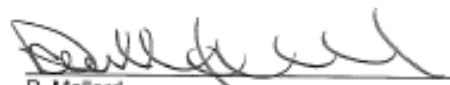


1. The proposal does not comply with the Severance Policies of the City of Hamilton Official Plan.
2. The proposal does not appear to be in the interest of proper planning and development for the area.
3. The proposal does not comply with the requirements of the Zoning By-law.
4. The proposal does not comply with Section 51(24) of The Planning Act.
5. The proposal is not in character or consistent with the existing lot fabric.

DATED AT HAMILTON this 21st day of January, 2016.


M. Dudzic (Chairman)

D. Smith

M. Smith


P. Mallard

L. Gaddy

W. Pearce

THE DATE OF GIVING OF THIS NOTICE OF DECISION IS January 28th, 2016.

NOTE: THE LAST DATE ON WHICH AN APPEAL TO THE ONTARIO MUNICIPAL BOARD MAY BE FILED IS **February 17th, 2016**.

NOTE: THIS DECISION IS NOT FINAL AND BINDING UNLESS OTHERWISE NOTED.