

CITY OF HAMILTON

REVISED
MOTION

Public Works Committee
Date: December 5, 2016

MOVED BY COUNCILLOR L. FERGUSON.....

SECONDED BY COUNCILLOR.....

That the following motion be amended by deleting sections (a) and (b) and replacing them to read as follows:

Pilot Study Assessment of Increase in Lot Coverage in Rurally Serviced Roadway Neighbourhoods, Community of Ancaster (PW16100) (Ward 12)

- ~~(a) That the City enact an interim control by-law to prevent any further lot severances in any part of urban Ancaster that has a rural cross-section or roads with storm drainage done by roadside ditches when the public is not protected by storm water ponds; and,~~
- ~~(b) That the interim control by-law stay in effect until the approval of Report PW16100 dated November 14, 2016 is completed and the recommendations implemented.~~

WHEREAS, City Council, at its meeting of November 23, 2016, approved Report PW 16100 respecting a Detailed Drainage Assessment Study (Phase 2) of all of the Existing Residential (ER) Neighbourhoods in Ancaster with rural drainage servicing to determine the threshold capacity and break-point of the existing drainage networks; and,

WHEREAS, any severances in these areas be denied until such time as the study has been completed and the final report has been presented to the Public Works Committee; and,
WHEREAS, City Planning staff are of the opinion any severance is premature until the study is complete because of the potential impact on existing drainage works; and,

WHEREAS, the Committee of Adjustment, which is the approval body for severances, has approved severances in the area during phase 1 of this project;

NOW THEREFORE BE IT RESOLVED:

- (a) That the Committee of Adjustment be requested to deny any severance for a single detached dwelling lot in the urban area for lands that have rurally serviced drainage (serviced by ditches not storm sewers) and zoned Existing Residential (ER) Zone in Zoning By-law No. 87-57 until such time as the Detailed Drainage Assessment Study (Phase 2) is completed and the Report has been presented to the Public Works Committee;
- (b) In the event that a severance for a single detached dwelling lot in these areas is approved by the Committee of Adjustment, that the Director of Planning and Chief Planner is hereby authorized to proceed with an appeal of Committee of Adjustment's Decision to the Ontario Municipal Board (OMB);
- (c) That the City Solicitor is hereby authorized to proceed with and defend any appeal of a severance for a single detached dwelling lot in these areas on the basis that City Council has requested severances be denied until the Detailed Drainage Assessment Study (Phase 2) is completed and the Report has been presented to the Public Works Committee; and,
- (d) That the City Solicitor is hereby directed and authorized to defend the denial of a severance application for a single detached dwelling lot in these areas appealed to the OMB by the applicant and/or property owner.