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October 11, 2017

City of Hamilton
Planning and Economic Development Department
Development Planning, Heritage and Design – Team
71 Main Street W1est, 5th Floor,
Hamilton, ON L8P 4Y5

DELIVERED BY EMAIL and FACSIMILE
Email: Alicia.West@hamilton.ca Facsimile: 905-546-4202 Pages: 2 Operator's Name: Laura This document is confidential and privileged. Disclosure to other than the named recipient may result in breach of certain laws and infringement of third party rights. If you receive this communication in error, contact us immediately.

Attn. Ms Alicia West

Re: Our Clients: Johannes (Hans) van Woudenberg and Adriana van Woudenberg
Our Clients' Address: 1266 Mohawk Road, Ancaster
Your File No.: ZAC-17-066 (1274-1280 Mohawk Road, Ancaster, the "Property")
Application for Zoning By-law Amendment (the "Application")
Our File No.: G-30779

We are the lawyers for Mr. and Mrs. van Woudenberg. They are the owners of 1266 Mohawk Road, Ancaster. This letter is in response to your Notice regarding the above Application dated September 14, 2017. Please file this letter with the comments that you have requested to be received in response to this Application.

Please take note that my clients object to the Application for the following reasons:

1) The proposed amendment and development requires a significant change in the use of the Property both in the type of use and the number of units that are being placed upon the Property.
2) The proposed development would therefore significantly interfere with our clients' enjoyment and use of their land.
3) The Application incorrectly describes my clients' residence as a two-storey dwelling. It is a one-storey dwelling.

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4) The Application also incorrectly describes 1248 Mohawk Road as a four-storey building. It is a three-storey building.

5) The Property (1274-1280 Mohawk Road) is in an elevated position to our clients' land (1266 Mohawk Road) and any greater use on the Property will also cause there to be interference with our clients' land as a result of grade and elevation issues in addition to the other reasons stated and provided.

6) This proposed development will be inconsistent with the use of our clients of their land which is residential. This proposed development is commercial and retail with multiple units. The proposed use is incompatible with the existing use by my clients, being the immediate neighbours to the west, of their property.

7) The proposed development will cause an increase in the traffic at the entrance of our client's land which will create safety and noise issues.

Our clients reserve the right to supplement the above reasons and to further develop the above as more information and particulars become available.

Please include my clients and our office on all future notices that are to be received with regard to this Application. Thank you.

Yours very truly,

WELLENREITER LLP
Per:

Richard A. Wellenreiter*

RAW/lm
cc. clients

TX Result Report

Addressee	Start Time	Time	Prints	Result	Note
9055464202	10-11 09:00	00:00:28	002/002	OK	

Note TMR:Timer TX, PCL:Polling, ORG:Original Size Setting, FME:Frame Erase TX,
DPG:Page Separation TX, MIX:Mixed Original TX, CALL:Manual TX, CSRC:CSRC,
FWD:Forward, PC:PC-FAX, BND:Double-Sided Binding Direction, SP:Special Original,
FCODE:F-code, RTX:Re-TX, RLY:Relay, MBX:Confidential, BUL:Bulletin, SIP:SIP Fax,
IPADR:IP Address Fax, I-FAX:Internet Fax

Result OK:Communication OK, S-OK: Stop Communication, PW-OFF: Power Switch OFF,
TEL: RX from TEL, NG: Other Error, Cont: Continue, No Ans: No Answer,
Refuse: Receipt Refused, Busy: Busy, M-Full:Memory Full, LOVR:Receiving length Over,
PDVR:Receiving page Over, FIL:File Error, DC:Decode Error, MDN:MDN Response Error,
DSN:DSN Response Error, PRINT:Compulsory Memory Document Print,
DEL:Compulsory Memory Document Delete, SEND:Compulsory Memory Document Send.

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Operator's Name: Laura
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