

Hamilton

## COMMITTEE OF ADJUSTMENT

City Hall, 5<sup>th</sup> floor, 71 Main Street West, Hamilton, ON L8P 4Y5  
Telephone (905) 546-2424, ext. 4221, 3935 Fax (905) 546-4202  
E-mail: [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

# NOTICE OF PUBLIC HEARING

## Application for Consent/Land Severance

APPLICATION NUMBER: AN/B-20:37

SUBJECT PROPERTY: 657 Mohawk Rd., Ancaster

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You are receiving this notice because you are either:

- Assessed owner of a property located within 60 metres of the subject property
  - Applicant/agent on file, or
  - Person likely to be interested in this application
- 

APPLICANT(S): Owner: Montour Enterprises Inc. c/o Leonard Montour

PURPOSE OF APPLICATION: Agent: Urban Solutions c/o Matt Johnston  
To permit the conveyance of a parcel of land to create a new residential building lot. The existing dwelling will be demolished to facilitate this application.

To be heard in conjunction with AN/A-20:131.

**Severed lands:**

15.24m<sup>±</sup> x 60.87m<sup>±</sup> and an area of 954.9m<sup>2±</sup>

**Retained lands:**

15.24m<sup>±</sup> x 51.02m<sup>±</sup> and an area of 772.8m<sup>2±</sup>

This application will be heard by the Committee as shown below:

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**DATE:** Thursday, August 6<sup>th</sup>, 2020

**TIME:** 3:35 p.m.

**PLACE:** Via video link or call in (see attached sheet for details)

To be streamed at [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment) for viewing purposes only

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### PUBLIC INPUT

**Written:** If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Please see attached page for complete instructions, including deadlines for submitting to be seen by the Committee.

**Orally:** If you would like to speak to this item at the hearing you may do so via video link or by calling in. Please see attached page for complete instructions, including deadlines for registering to participate.

**MORE INFORMATION**

For more information on this matter, including access to drawings illustrating this request:

- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

DATED: July 21<sup>st</sup>, 2020

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Jamila Sheffield,  
Secretary-Treasurer  
Committee of Adjustment

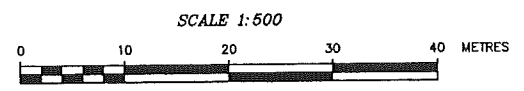
***Information respecting this application is being collected under the authority of the Planning Act, R.S.O., 1990, c. P. 13. All comments and opinions submitted to the City of Hamilton on this matter, including the name, address, and contact information of persons submitting comments and/or opinions, will become part of the public record and will be made available to the Applicant and the general public.***



GREENRAVINE DRIVE  
( BY REGISTERED PLAN M-304 )

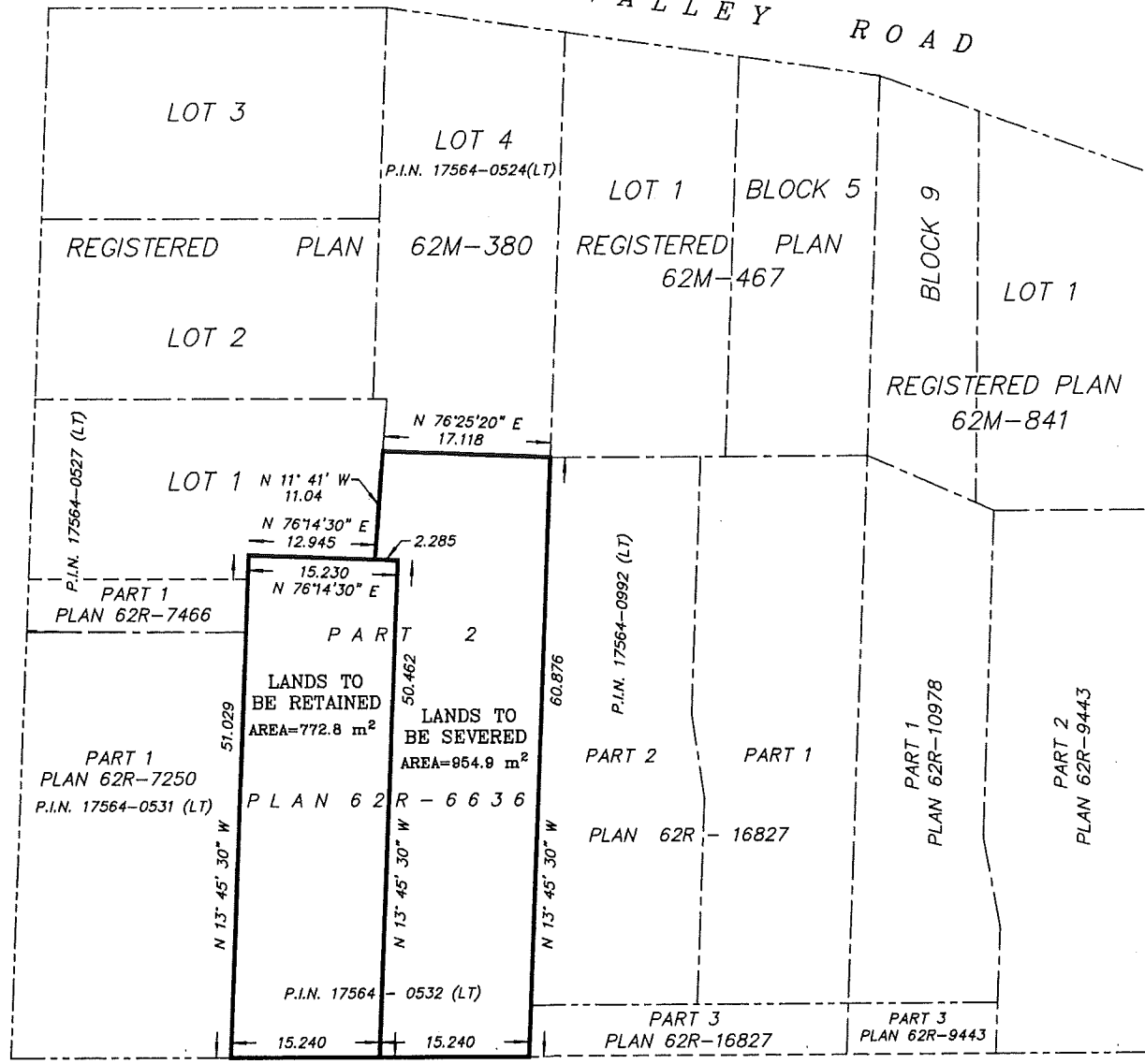
HIGH VALLEY ROAD

PROPOSED LAND DIVISION SKETCH  
( 657 MOHAWK ROAD )  
PART OF LOT 48  
CONCESSION 2  
( GEOGRAPHIC TOWNSHIP OF ANCASTER )  
CITY OF HAMILTON



METRIC NOTE:  
DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN  
BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

NOTE:  
INFORMATION SHOWN ON THIS SKETCH IS DERIVED FROM  
REGISTRY OFFICE DOCUMENTS AND PLANS, NOT FROM  
ACTUAL SURVEY.



N 74° 07' E 20.12  
N 74° 07' E 22.543  
N 74° 07' E 30.480  
MOHAWK ROAD  
( AKA REGIONAL ROAD 215, GIVEN ROAD, WIDTH VARIES )  
P.I.N. 17564-0851 (LT)

JOB No. 19s34-LDS

20-172226



**Hamilton**

Planning and Economic Development Department  
Planning Division

**Committee of Adjustment**  
City Hall  
5th floor, 71 Main Street West  
Hamilton, Ontario L8P 4Y5

Phone (905) 546-2424, ext. 4221  
Fax (905) 546-4202

RECEIVED  
JUN 25 2020  
COM. OF ADJUSTMT

**APPLICATION FOR CONSENT TO SEVER LAND  
UNDER SECTION 53 OF THE PLANNING ACT**

Office Use Only

Date Application Received: <i>June 25/20</i>	Date Application Deemed Complete:	Submission No.: <i>AN/B-20-37</i>	File No.:
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**1 APPLICANT INFORMATION**

1.1, 1.2	NAME	ADDRESS	PHONE/FAX
<b>Registered Owners(s)</b>	Montour Enterprises Inc. c/o Leonard Montour		
<b>Applicant(s)*</b>			
<b>Agent or Solicitor</b>	UrbanSolutions Planning and Land Development c/o Matt Johnston		

\* Owner's authorisation required if the applicant is not the owner.

1.3 All correspondence should be sent to  Owner  Applicant  Agent/Solicitor

**2 LOCATION OF SUBJECT LAND** Complete the applicable lines

2.1 Area Municipality Hamilton	Lot 48	Concession 2	Former Township Ancaster
Registered Plan N°.	Lot(s)	Reference Plan N°.	Part(s)
Municipal Address 657 Mohawk Road, Ancaster			Assessment Roll N°.

2.2 Are there any easements or restrictive covenants affecting the subject land?

Yes  No

If YES, describe the easement or covenant and its effect:

**3 PURPOSE OF THE APPLICATION**

3.1 Type and purpose of proposed transaction: (check appropriate box)

a) Urban Area Transfer (do not complete Section 10):

- creation of a new lot
- addition to a lot
- an easement
- Other:  a charge
- a lease
- a correction of title

b) Rural Area / Rural Settlement Area Transfer (Section 10 must be completed):

- |  |  |
|--|--|
| <input type="checkbox"/> creation of a new lot   | Other: <input type="checkbox"/> a charge       |
| <input type="checkbox"/> creation of a new non-farm parcel<br>(i.e. a lot containing a surplus farm dwelling<br>resulting from a farm consolidation) | <input type="checkbox"/> a lease               |
| <input type="checkbox"/> addition to a lot   | <input type="checkbox"/> a correction of title |
|  | <input type="checkbox"/> an easement           |

3.2 Name of person(s), if known, to whom land or interest in land is to be transferred, leased or charged:

Unknown

3.3 If a lot addition, identify the lands to which the parcel will be added:

N/A

**4 DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION**

4.1 Description of land intended to be **Severed**:

Frontage (m)	Depth (m)	Area (m <sup>2</sup> or ha)
15.240m	60.876m	954.9m2

Existing Use of Property to be severed:

- |   |   |                                     |
|---|---|-------------------------------------|
| <input checked="" type="checkbox"/> Residential                 | <input type="checkbox"/> Industrial           | <input type="checkbox"/> Commercial |
| <input type="checkbox"/> Agriculture (includes a farm dwelling) | <input type="checkbox"/> Agricultural-Related | <input type="checkbox"/> Vacant     |
| <input type="checkbox"/> Other (specify) _____                  |   |                                     |

Proposed Use of Property to be severed:

- |   |   |                                     |
|---|---|-------------------------------------|
| <input checked="" type="checkbox"/> Residential                 | <input type="checkbox"/> Industrial           | <input type="checkbox"/> Commercial |
| <input type="checkbox"/> Agriculture (includes a farm dwelling) | <input type="checkbox"/> Agricultural-Related | <input type="checkbox"/> Vacant     |
| <input type="checkbox"/> Other (specify) _____                  |   |                                     |

Building(s) or Structure(s):

Existing: Single detached residential dwelling located in center of lot to be demolished.

Proposed: Residential dwelling unit

Type of access: (check appropriate box)

- |   |  |
|---|--|
| <input type="checkbox"/> provincial highway                             | <input type="checkbox"/> right of way      |
| <input type="checkbox"/> municipal road, seasonally maintained          | <input type="checkbox"/> other public road |
| <input checked="" type="checkbox"/> municipal road, maintained all year |  |

Type of water supply proposed: (check appropriate box)

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> publicly owned and operated piped water system | <input type="checkbox"/> lake or other water body    |
| <input type="checkbox"/> privately owned and operated individual well              | <input type="checkbox"/> other means (specify) _____ |

Type of sewage disposal proposed: (check appropriate box)

- |  |
|--|
| <input checked="" type="checkbox"/> publicly owned and operated sanitary sewage system |
| <input type="checkbox"/> privately owned and operated individual septic system         |
| <input type="checkbox"/> other means (specify) _____                                   |

4.2 Description of land intended to be **Retained**:

Frontage (m)	Depth (m)	Area (m <sup>2</sup> or ha)
15.240m	51.029m	772.8m2

Existing Use of Property to be retained:

- |   |   |                                     |
|---|---|-------------------------------------|
| <input checked="" type="checkbox"/> Residential                 | <input type="checkbox"/> Industrial           | <input type="checkbox"/> Commercial |
| <input type="checkbox"/> Agriculture (includes a farm dwelling) | <input type="checkbox"/> Agricultural-Related | <input type="checkbox"/> Vacant     |
| <input type="checkbox"/> Other (specify) _____                  |   |                                     |

Proposed Use of Property to be retained:

- Residential  Industrial  Commercial  
 Agriculture (includes a farm dwelling)  Agricultural-Related  Vacant  
 Other (specify) \_\_\_\_\_

Building(s) or Structure(s):

Existing: Single detached residential dwelling located in center of lot to be demolished

Proposed: Residential dwelling unit

Type of access: (check appropriate box)

- provincial highway  right of way  
 municipal road, seasonally maintained  other public road  
 municipal road, maintained all year

Type of water supply proposed: (check appropriate box)

- publicly owned and operated piped water system  lake or other water body  
 privately owned and operated individual well  other means (specify) \_\_\_\_\_

Type of sewage disposal proposed: (check appropriate box)

- publicly owned and operated sanitary sewage system  
 privately owned and operated individual septic system  
 other means (specify) \_\_\_\_\_

4.3 Other Services: (check if the service is available)

- electricity  telephone  school bussing  garbage collection

## 5 CURRENT LAND USE

5.1 What is the existing official plan designation of the subject land?

Rural Hamilton Official Plan designation (if applicable): N/A

Urban Hamilton Official Plan designation (if applicable): Neighbourhood

Please provide an explanation of how the application conforms with a City of Hamilton Official Plan.

Please refer to cover letter.

5.2 What is the existing zoning of the subject land?

If the subject land is covered by a Minister's zoning order, what is the Ontario Regulation Number? Existing Residential "ER" in the Former Town of Ancaster Zoning By-law 87-57

5.3 Are any of the following uses or features on the subject land or within 500 metres of the subject land, unless otherwise specified. Please check the appropriate boxes, if any apply.

Use or Feature	On the Subject Land	Within 500 Metres of Subject Land, unless otherwise specified (indicate approximate distance)
An agricultural operation, including livestock facility or stockyard	<input type="checkbox"/>	N/A

A land fill	<input type="checkbox"/>	N/A
A sewage treatment plant or waste stabilization plant	<input type="checkbox"/>	N/A
A provincially significant wetland	<input type="checkbox"/>	N/A
A provincially significant wetland within 120 metres	<input type="checkbox"/>	N/A
A flood plain	<input type="checkbox"/>	N/A
An industrial or commercial use, and specify the use(s)	<input type="checkbox"/>	N/A
An active railway line	<input type="checkbox"/>	N/A
A municipal or federal airport	<input type="checkbox"/>	N/A

**6 PREVIOUS USE OF PROPERTY**

- Residential       Industrial       Commercial  
 Agriculture       Vacant       Other (specify)

- 6.1 If Industrial or Commercial, specify use \_\_\_\_\_
- 6.2 Has the grading of the subject land been changed by adding earth or other material, i.e., has filling occurred?  
 Yes       No  Unknown
- 6.3 Has a gas station been located on the subject land or adjacent lands at any time?  
 Yes       No  Unknown
- 6.4 Has there been petroleum or other fuel stored on the subject land or adjacent lands?  
 Yes       No  Unknown
- 6.5 Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?  
 Yes       No  Unknown
- 6.6 Have the lands or adjacent lands ever been used as an agricultural operation where cyanide products may have been used as pesticides and/or biosolids was applied to the lands?  
 Yes       No  Unknown
- 6.7 Have the lands or adjacent lands ever been used as a weapons firing range?  
 Yes       No  Unknown
- 6.8 Is the nearest boundary line of the application within 500 metres (1,640 feet) of the fill area of an operational/non-operational landfill or dump?  
 Yes       No  Unknown
- 6.9 If there are existing or previously existing buildings, are there any building materials remaining on site which are potentially hazardous to public health (e.g., asbestos, PCB's)?  
 Yes       No  Unknown
- 6.10 Is there reason to believe the subject land may have been contaminated by former uses on the site or adjacent sites?  
 Yes       No  Unknown
- 6.11 What information did you use to determine the answers to 6.1 to 6.10 above?  
\_\_\_\_\_ Consultation with owner.
- 6.12 If previous use of property is industrial or commercial or if YES to any of 6.2 to 6.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.  
Is the previous use inventory attached? N/A  
 Yes       No

**7 PROVINCIAL POLICY**

- 7.1 a) Is this application consistent with the Policy Statements issued under subsection of the *Planning Act*? (Provide explanation)  
 Yes       No  
\_\_\_\_\_

Please refer to cover letter.

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- b) Is this application consistent with the Provincial Policy Statement (PPS)?  
 Yes       No      (Provide explanation)

Please refer to cover letter.

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- c) Does this application conform to the Growth Plan for the Greater Golden Horseshoe?  
 Yes       No      (Provide explanation)

Please refer to cover letter.

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- d) Are the subject lands within an area of land designated under any provincial plan or plans? (If YES, provide explanation on whether the application conforms or does not conflict with the provincial plan or plans.)  
 Yes       No

N/A

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- e) Are the subject lands subject to the Niagara Escarpment Plan?  
 Yes       No

If yes, is the proposal in conformity with the Niagara Escarpment Plan?

- Yes       No

(Provide Explanation)

Subject lands are located within the Urban Area where proposed residential use is permitted.

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- f) Are the subject lands subject to the Parkway Belt West Plan?  
 Yes       No

If yes, is the proposal in conformity with the Parkway Belt West Plan?

- Yes       No      (Provide Explanation)

N/A

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- g) Are the subject lands subject to the Greenbelt Plan?  
 Yes       No

If yes, does this application conform with the Greenbelt Plan?

- Yes       No      (Provide Explanation)

Subject lands are located in Settlement area outside of Greenbelt

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**8 HISTORY OF THE SUBJECT LAND**

8.1 Has the subject land ever been the subject of an application for approval of a plan of subdivision or a consent under sections 51 or 53 of the *Planning Act*?  
 Yes  No  Unknown

If YES, and known, indicate the appropriate application file number and the decision made on the application.  
\_\_\_\_\_

8.2 If this application is a re-submission of a previous consent application, describe how it has been changed from the original application.  
\_\_\_\_\_

N/A

8.3 Has any land been severed or subdivided from the parcel originally acquired by the owner of the subject land?  Yes  No

If YES, and if known, provide for each parcel severed, the date of transfer, the name of the transferee and the land use.  
\_\_\_\_\_

8.4 How long has the applicant owned the subject land?

February 2020

8.5 Does the applicant own any other land in the City?  Yes  No N/A

If YES, describe the lands in "11 - Other Information" or attach a separate page.

**9 OTHER APPLICATIONS**

9.1 Is the subject land currently the subject of a proposed official plan amendment that has been submitted for approval?  Yes  No  Unknown

If YES, and if known, specify file number and status of the application.  
\_\_\_\_\_

N/A

9.2 Is the subject land the subject of any other application for a Minister's zoning order, zoning by-law amendment, minor variance, consent or approval of a plan of subdivision?  
 Yes  No  Unknown

If YES, and if known, specify file number and status of the application(s).

File number       N/A       Status       N/A      

**10 RURAL APPLICATIONS**

~~10.1 Rural Hamilton Official Plan Designation(s)~~

- ~~Agricultural  Rural  Specialty Crop~~
  - ~~Mineral Aggregate Resource Extraction  Open Space  Utilities~~
  - ~~Rural Settlement Area (specify) \_\_\_\_\_~~
- ~~Settlement Area                      Designation~~

~~If proposal is for the creation of a non-farm parcel resulting from a farm consolidation, indicate the existing land use designation of the abutting or non-abutting farm operation.  
\_\_\_\_\_~~

10.2 **Type of Application** (select type and complete appropriate sections)

- Agricultural Severance or Lot Addition
  - Agricultural Related Severance or Lot Addition
  - Rural Resource-based Commercial Severance or Lot Addition
  - Rural Institutional Severance or Lot Addition
- } (Complete Section 10.3)

Rural Settlement Area Severance or Lot Addition

Surplus Farm Dwelling Severance from an Abutting Farm Consolidation (Complete Section 10.4)

Surplus Farm Dwelling Severance from a Non-Abutting Farm Consolidation (Complete Section 10.5)

**10.3 Description of Lands**

a) Lands to be Severed:

Frontage (m): (from Section 4.1)	Area (m <sup>2</sup> or ha): (from in Section 4.1)
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Existing Land Use: \_\_\_\_\_ Proposed Land Use: \_\_\_\_\_

b) Lands to be Retained:

Frontage (m): (from Section 4.2)	Area (m <sup>2</sup> or ha): (from Section 4.2)
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Existing Land Use: \_\_\_\_\_ Proposed Land Use: \_\_\_\_\_

**10.4 Description of Lands (Abutting Farm Consolidation)**

a) Location of abutting farm:

\_\_\_\_\_  
(Street) (Municipality) (Postal Code)

b) Description abutting farm:

Frontage (m):	Area (m <sup>2</sup> or ha):
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Existing Land Use(s): \_\_\_\_\_ Proposed Land Use(s): \_\_\_\_\_

c) Description of consolidated farm (excluding lands intended to be severed for the surplus dwelling):

Frontage (m):	Area (m <sup>2</sup> or ha):
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Existing Land Use: \_\_\_\_\_ Proposed Land Use: \_\_\_\_\_

d) Description of surplus dwelling lands proposed to be severed:

Frontage (m): (from Section 4.1)	Area (m <sup>2</sup> or ha): (from Section 4.1)
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Front yard set back: \_\_\_\_\_

e) Surplus farm dwelling date of construction:

Prior to December 16, 2004  After December 16, 2004

f) Condition of surplus farm dwelling:

Habitable  Non-Habitable

g) Description of farm from which the surplus dwelling is intended to be severed (retained parcel):

Frontage (m): (from Section 4.2)	Area (m <sup>2</sup> or ha): (from Section 4.2)
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Existing Land Use: \_\_\_\_\_ Proposed Land Use: \_\_\_\_\_

**10.5 Description of Lands (Non-Abutting Farm Consolidation)**

a) Location of non-abutting farm

\_\_\_\_\_  
(Street) (Municipality) (Postal Code)

b) Description of non-abutting farm

Frontage (m):	Area (m2 or ha):
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Existing Land Use(s): \_\_\_\_\_ Proposed Land Use(s): \_\_\_\_\_

c) Description of surplus dwelling lands intended to be severed:

Frontage (m): (from Section 4.1)	Area (m2 or ha): (from Section 4.1)
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Front yard set back: \_\_\_\_\_

d) Surplus farm dwelling date of construction:

- Prior to December 16, 2004       After December 16, 2004

e) Condition of surplus farm dwelling:

- Habitable       Non-Habitable

f) Description of farm from which the surplus dwelling is intended to be severed (retained parcel):

Frontage (m): (from Section 4.2)	Area (m2 or ha): (from Section 4.2)
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Existing Land Use: \_\_\_\_\_ Proposed Land Use: \_\_\_\_\_

**11 OTHER INFORMATION**

Is there any other information that you think may be useful to the Committee of Adjustment or other agencies in reviewing this application? If so, explain below or attach on a separate page.

Please refer to cover letter.

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**12 SKETCH (Use the attached Sketch Sheet as a guide)**

12.1 The application shall be accompanied by a sketch showing the following in metric units:

- (a) the boundaries and dimensions of any land abutting the subject land that is owned by the owner of the subject land;
- (b) the approximate distance between the subject land and the nearest township lot line or landmark such as a bridge or railway crossing;
- (c) the boundaries and dimensions of the subject land, the part that is intended to be severed and the part that is intended to be retained;
- (d) the location of all land previously severed from the parcel originally acquired by the current owner of the subject land;
- (e) the approximate location of all natural and artificial features (for example, buildings, barns, railways, roads, watercourses, drainage ditches, banks of rivers or streams, wetlands, wooded areas, wells and septic tanks) that
  - i) are located on the subject land and on land that is adjacent to it, and
  - ii) in the applicant's opinion, may affect the application;
- (f) the current uses of land that is adjacent to the subject land (for example, residential, agricultural or commercial);
- (g) the location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private



June 24, 2020

331-19

**Via Courier**

**Ms. Jamila Sheffield**  
Secretary Treasurer

Committee of Adjustment  
City of Hamilton  
71 Main Street West, 5<sup>th</sup> Floor  
Hamilton, ON, L8P 4Y5

Dear Ms. Sheffield,

**Re: 657 Mohawk Road, Ancaster**  
**Consent to Sever and Minor Variance Application**

UrbanSolutions Planning & Land Development Consultants Inc. (UrbanSolutions) is the authorized planning consultant acting on behalf of Montour Enterprises Inc. c/o Leonard Montour, for the lands municipally known as 657 Mohawk Road, in the City of Hamilton. Please accept the enclosed Applications for Consent to Sever and Minor Variance to facilitate the severance of the subject property on their behalf.

The subject property is located on the northern side of Mohawk Road and is currently designated as “Neighbourhoods” in the Urban Hamilton Official Plan. The subject lands are located in the Existing Residential “ER” Zone of the Former Town of Ancaster Zoning By-law 87-57.

**Purpose of the Application**

The purpose of the Consent Application is to sever an existing +/- 1,727.7 m<sup>2</sup> parcel with lot frontage of 30.48 m into two (2) lots. The retained lot is proposed to have a lot area of 772.8 m<sup>2</sup> and a frontage of 15.24m. The severed lot will have a lot area of 954.9 m<sup>2</sup> with 15.24m of frontage. The proposed severance is illustrated on the enclosed Severance Sketch.

A Minor Variance Application is required to bring the severed and retained parcels into conformity with the Zoning By-law. The purpose of the Minor Variance Application is to facilitate the Consent to Sever Application with the only proposed variance being:

- To reduce the Minimum Lot Frontage from 18m to 15m for each of the proposed severed lots.

## **Analysis**

To assist in the evaluation of the applications, please refer to the enclosed Severance sketch and Minor Variance sketch.

The Consent Application is in keeping with Section 53(1) of the *Planning Act*, R.S.O, 1990, as amended, as a plan of subdivision is not necessary for the proper and orderly development of the subject lands.

Section 45(1) of the *Planning Act*, R.S.O, 1990, as amended, requires a Minor Variance to satisfy the following four tests:

### ***Test #1 – Is the proposed minor variance in keeping with the general intent of the Official Plan?***

The subject lands are designated as “Neighbourhoods” in the Urban Hamilton Official Plan with this designation permitting the proposed use of the lands. As outlined in Chapter E, Section 3.3.2 of the Official Plan, development and redevelopment shall ensure the height, massing and arrangement of buildings and structures are compatible with existing and future uses of the surrounding area. Chapter B, Section 2.4.1.3(c) indicates that lands designated Neighbourhoods are to accommodate 40% of the City’s growth. The intent of these policies is to encourage and accommodate compatible forms of development which is exemplified in the subject application. The proposed severance is in keeping with the neighbourhood’s residential land use and will continue to be used as such. It is our opinion the proposed application meets the general intent of the Urban Hamilton Official plan.

### ***Test #2 – Is the proposed minor variance in keeping with the general purpose and intent of the Zoning By-law?***

The subject lands are located in an Existing Residential “ER” Zone of the Former Town of Ancaster Zoning By-law 87-57. The variance being requested is to provide a decreased minimum frontage for the severed and retained lots. The intent of the zoning provision is to ensure that the built form and lot fabric are compatible with the surrounding neighbourhood. The requested variance will meet this intent as it will allow the subject lands to have frontages more similar to the properties located directly adjacent to the subject lands. The two severed lots will have lot areas greater than the minimum requirement of 695 m<sup>2</sup> where the retained lot will have an area of +/- 772.9 m<sup>2</sup> and the severed lands will have an area of +/- 954.9 m<sup>2</sup>. In addition, the proposed severance will maintain the existing and permitted use of Single Detached Dwellings and the proposal complies to all other zoning provisions. It is therefore our opinion that the proposed application meets the general purpose and intent of the Town of Ancaster Zoning By-law 87-57.

### ***Test #3 – Is the proposed minor variance desirable for the appropriate development of use of the land?***

The creation of the additional lots represents an appropriate and modest form of intensification which is encouraged by the provincial and local land use policy framework. The requested variance will facilitate the Consent to Sever Application and is in keeping with the existing built form and massing of the surrounding neighbourhood.

Moreover, the requested variance will provide for a built form that is more compatible with the surrounding neighbourhood with respect to the parent by-law. In the surrounding neighbourhood of the subject lands, there have been exceptions made in terms of lot frontages and the proposed new minimum frontage for the subject site is in keeping with the surrounding neighbourhoods. In addition, the subject lands are adjacent to 663, 667, and 671 Mohawk Road which have similar frontages of 17.3 m, 16.0 m, and 15.1 m respectively.

***Test #4 – Is the proposed minor variance minor in nature?***

The requested variance is minor in nature as it is necessary to facilitate the Consent to Sever Application, will not result in any adverse impacts on the surrounding neighbourhood, represents an appropriate form of development, and conforms to all other zone provisions.

In addition to the commentary regarding Section 45(1) and 53(1) of the Planning Act, By-law No. 18-105 was approved to further regulate the construction of new dwellings in the ER Zone and By-law No. 18-104 was approved to require Site Plan Approval for new homes. These two By-laws provide added hard controls to ensure the new lots and dwellings are compatible. Further, these two By-laws provide the necessary controls to address City of Hamilton Public Works Report No. PW16100 in relation to the Pilot Study Assessment of Rurally Serviced Roadways in Ancaster.

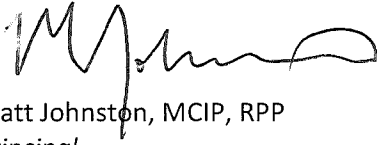
Based on the above analysis, UrbanSolutions believes that the applications represent good land use planning and satisfy Sections 45(1) and 53(1) of the *Planning Act*.

In support of this application, please find enclosed the following:

- Two (2) copies of the completed Consent Application form;
- Two (2) copies of the completed Minor Variance Application form;
- One (1) full size copy and two (2) reduced 11" x 17" copies of the Committee of Adjustment Sketch, prepared by UrbanSolutions;
- One (1) cheque in the amount of **\$3,302.00** made payable to the City of Hamilton for the Minor Variance Application; and,
- One (1) cheque in the amount of **\$2,845.00** made payable to the City of Hamilton for the Consent to Sever Application.

We trust the enclosed is in order; however, please feel free to contact the undersigned with any questions.

Regards,  
**UrbanSolutions**



Matt Johnston, MCIP, RPP  
*Principal*

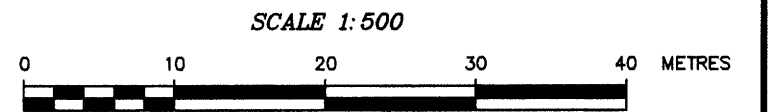


Scott Beedie, BURPI  
*Planner*

cc: Montour Enterprises Inc. c/o Leonard Montour  
Councillor Lloyd Ferguson



PROPOSED LAND DIVISION SKETCH  
 ( 657 MOHAWK ROAD )  
**PART OF LOT 48**  
**CONCESSION 2**  
 ( GEOGRAPHIC TOWNSHIP OF ANCASTER )  
**CITY OF HAMILTON**

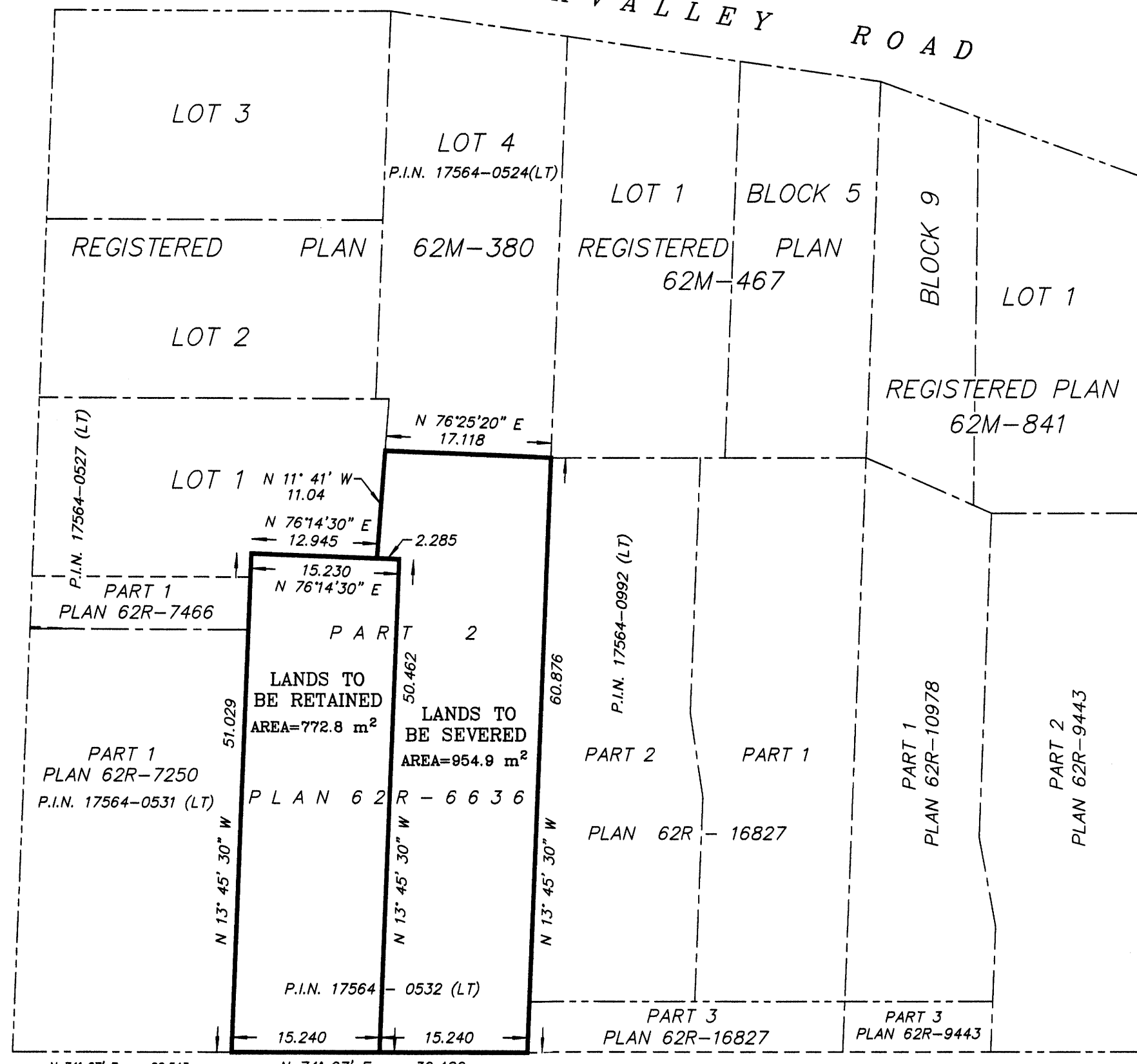


**METRIC NOTE:**  
 DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN  
 BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

**NOTE:**  
 INFORMATION SHOWN ON THIS SKETCH IS DERIVED FROM  
 REGISTRY OFFICE DOCUMENTS AND PLANS, NOT FROM  
 ACTUAL SURVEY.

**GREENRAVINE DRIVE**  
 ( BY REGISTERED PLAN M-304 )

**HIGH VALLEY ROAD**



**MOHAWK ROAD**  
 ( AKA REGIONAL ROAD 215, GIVEN ROAD, WIDTH VARIES )  
 P.I.N. 17564-0851 (LT)