



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-20:82

SUBJECT PROPERTY: 118 Fallingbrook Dr., 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):** Urban Solutions c/o M. Johnston on behalf of the owners Rhona Ishbel Harvey & Janet Kennelly  
**PURPOSE OF APPLICATION:** To permit the conveyance of a parcel of land and retain two parcels of land for residential purposes.

**Severed lands: (Lot 2 on sketch)**  
Having an area of 705.48m<sup>2±</sup>

**Retained lands: (Lot 3 on sketch)**  
Having an area of 874.16m<sup>2±</sup>

**Retained lands: (Lot 2 on sketch)**  
Having an area of 836.34m<sup>2±</sup>

The Committee of Adjustment will hear this application on:

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**DATE:** Thursday, August 27th, 2020  
**TIME:** 3:15 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: August 11th, 2020

  
\_\_\_\_\_  
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.***





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

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

Office Use Only

Date Application Received: <i>Sept 26/16</i>	Date Application Deemed Complete:	Submission No.:	File No.: <i>A11B-16-82</i>
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**1 APPLICANT INFORMATION**

1.1, 1.2

Registered Owners(s)
Applicant(s)*
Agent or Solicitor

NAME	ADDRESS	PHONE/FAX
[Redacted]		

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 Ancaster	Lot 62	Concession	Former Township Ancaster
Registered Plan N°. 1076	Lot(s)	Reference Plan N°. 62R-16323	Part(s)
Municipal Address 118 Fallingbrook Drive, Ancaster			Assessment Roll N°. 14023014600

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):

☐ creation of a new lot

☐ creation of a new non-farm parcel

( i.e. a lot containing a surplus farm dwelling  
resulting from a farm consolidation)

☐ addition to a lot

Other: ☐ a charge

☐ a lease

☐ a correction of title

☐ 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)
TBD – see sketch	TBD – See sketch	TBD – See sketch

Existing Use of Property to be severed:

☒ Residential

☐ Agriculture (includes a farm dwelling)

☐ Other (specify) \_\_\_\_\_

☐ Industrial

☐ Agricultural-Related

☐ Commercial

☐ Vacant

Proposed Use of Property to be severed:

☒ Residential

☐ Agriculture (includes a farm dwelling)

☐ Other (specify) \_\_\_\_\_

☐ Industrial

☐ Agricultural-Related

☐ Commercial

☐ Vacant

Building(s) or Structure(s):

Existing: \_\_\_\_\_

Proposed: \_\_\_\_\_

Type of access: (check appropriate box)

☐ provincial highway

☐ municipal road, seasonally maintained

☒ municipal road, maintained all year

☐ right of way

☐ other public road

Type of water supply proposed: (check appropriate box)

☒ publicly owned and operated piped water system

☐ privately owned and operated individual well

☐ lake or other water body

☐ 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) \_\_\_\_\_

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

Frontage (m)	Depth (m)	Area (m <sup>2</sup> or ha)
TBE – See sketch	TBD – See sketch	TBD – See sketch

Existing Use of Property to be retained:

☒ Residential

☐ Agriculture (includes a farm dwelling)

☐ Other (specify) \_\_\_\_\_

☐ Industrial

☐ Agricultural-Related

☐ Commercial

☐ Vacant

Proposed Use of Property to be retained:

☒ Residential

☐ Agriculture (includes a farm dwelling)

☐ Other (specify) \_\_\_\_\_

☐ Industrial

☐ Agricultural-Related

☐ Commercial

☐ Vacant

Building(s) or Structure(s):

Existing:                    **residential dwelling** \_\_\_\_\_

Proposed:                    **residential dwelling** \_\_\_\_\_

Type of access: (check appropriate box)

☐ provincial highway

☐ municipal road, seasonally maintained

☒ municipal road, maintained all year

☐ right of way

☐ other public road

Type of water supply proposed: (check appropriate box)

☒ publicly owned and operated piped water system

☐ privately owned and operated individual well

☐ lake or other water body

☐ 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): \_\_\_\_\_

Urban Hamilton Official Plan designation (if applicable)            **residential** \_\_\_\_\_

5.2 What is the existing zoning of the subject land? **residential**

If the subject land is covered by a Minister's zoning order, what is the Ontario Regulation Number? \_\_\_\_\_

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

An active railway line	<input type="checkbox"/>	
A municipal or federal airport	<input type="checkbox"/>	

6 PREVIOUS USE OF PROPERTY

- ☒ Residential
 ☐ Agriculture
- ☐ Industrial
 ☐ Vacant
- ☐ Commercial
 ☐ 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?

Personal knowledge received from the owners and the applicants

- 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?  
☐ Yes      ☒ No

7 PROVINCIAL POLICY

- 7.1 a) Is this application consistent with the Policy Statements issued under subsection 3(1) of the *Planning Act*?  
☒ Yes      ☐ No
- b) Is this application consistent with the Provincial Policy Statement (PPS)?  
☒ Yes      ☐ No      (Provide explanation)  
This severance is consistent with the long-term prosperity and social well-being of Ontario and is consistent with the Provincial Policy Statement as a whole.

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

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- d) Are the subject lands within an area of land designated under any provincial plan or plans?

☐ Yes ☒ No

- 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? N/A

☐ Yes ☐ No

(Provide Explanation)

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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? N/A

☐ Yes ☐ No (Provide Explanation)

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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? N/A

☐ Yes ☐ No (Provide Explanation)

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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.

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- 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.

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8.4 How long has the applicant owned the subject land?

1985 / 12 / 31

8.5 Does the applicant own any other land in the City? ☒ Yes ☐ No

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.

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

Status

## 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

☐ Rural Settlement Area Severance or Lot Addition

(Complete Section 10.3)

☐ 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 (m2 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 (m2 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 (m2 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 (m2 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: \_\_\_\_\_

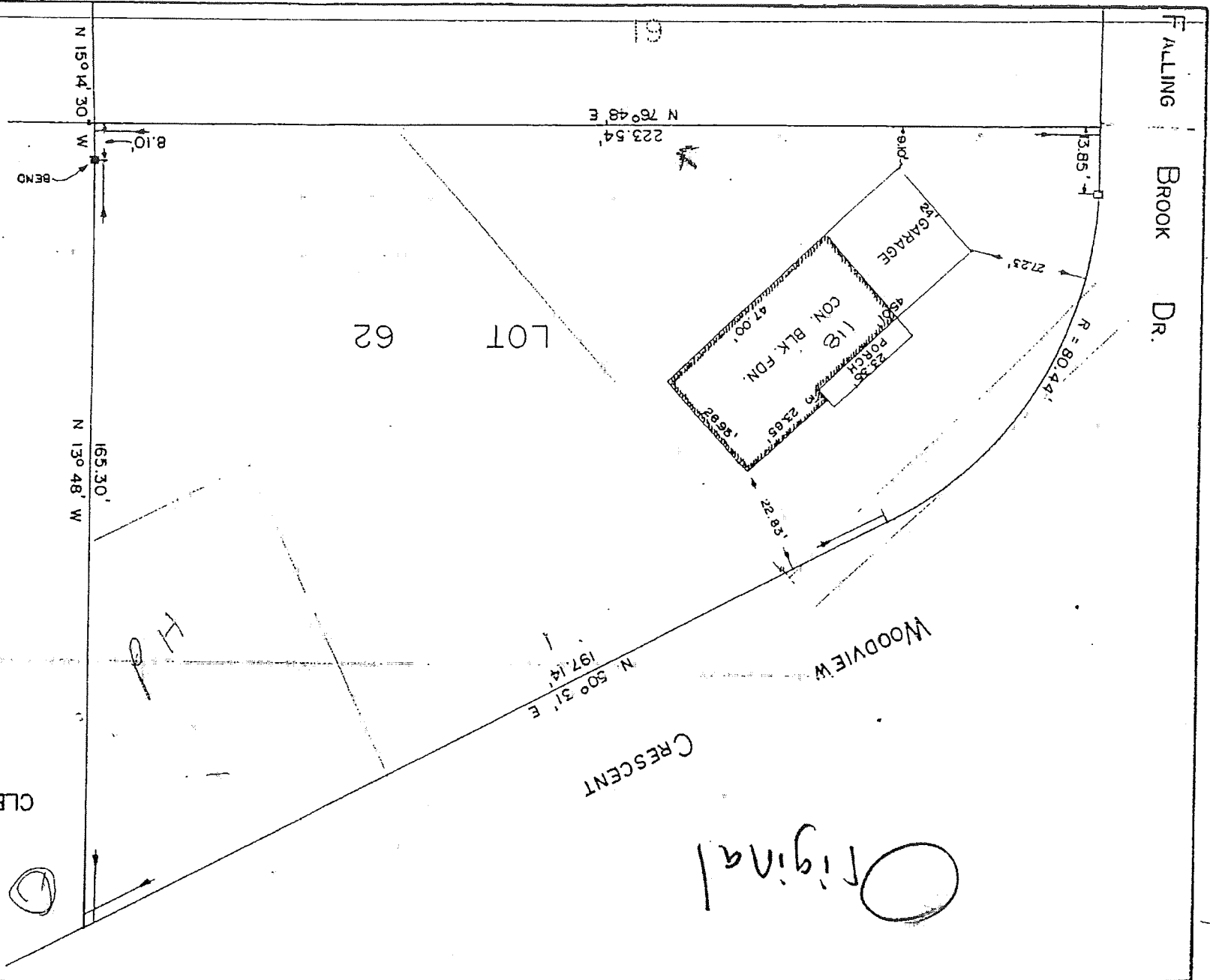


Information on sheet

L-267

PLAN  
OF  
LOT 62  
CLEARVIEW ESTATES SVY. REG. PLAN No. 1076  
IN THE  
TOWNSHIP OF ANCASTER  
SCALE 1 IN. = 30 FT.

ONTARIO LAND SURVEYOR  
HAMILTON, ONTARIO  
MAR. 14, 1967





July 8, 2020

361-20

**Via Email**

Jamila Sheffield  
Secretary Treasurer  
[jamila.sheffield@hamilton.ca](mailto:jamila.sheffield@hamilton.ca)

Committee of Adjustment  
City of Hamilton  
71 Main St. West, 5<sup>th</sup> Floor  
Hamilton, Ontario, L8P 4Y5

Dear Ms. Sheffield,

**RE: 118 FALLINGBROOK DRIVE, ANCASTER  
MUNICIPAL FILE: AN/B-16:82**

As outlined in the attached letter dated June 30, 2020, Urban Solutions Planning & Land Development Consultants Inc. (UrbanSolutions) is the authorized consultant working on behalf of the owner of 118 Fallingbrook Drive, Ancaster.

Our client previously submitted the subject Consent to Sever application for the property in question on September 26, 2016. However, the application was put on hold indefinitely before it could advance to the Committee of Adjustment as a result of the Pilot Study Assessment (PW16100) brought forward on November 14, 2016. As you may know, this study resulted in the passing of an interim moratorium on all severance applications in the area of which the subject property is located.

Now that the City of Hamilton has passed By-law No. 18-105 requiring new regulations for Ancaster Existing Residential 'ER' zoned properties and By-law No. 18-104 requiring site plan control on all new single detached dwellings within the Ancaster Existing Residential 'ER' zoned properties, the issues raised in the initial Pilot Study Assessment have been addressed and it is now appropriate to reactivate the subject application.

Accordingly, please advance the subject application to the next available Committee of Adjustment Agenda. Please feel free to contact the undersigned with any questions or comments.

Regards,  
**UrbanSolutions**



Matt Johnston, MCIP, RPP  
*Principal*



Scott Beedie, BURPI  
*Planner*

cc: Martin Kennelly  
Councillor Lloyd Ferguson  
Heather McAdam and Andrew Brown, Brown Lawyers Corporation

June 30, 2020

**Via Email**

Jamila Sheffield  
Secretary Treasurer  
[jamila.sheffield@hamilton.ca](mailto:jamila.sheffield@hamilton.ca)

Committee of Adjustment  
City of Hamilton  
71 Main St. West, 5<sup>th</sup> Floor  
Hamilton, Ontario, L8P 4Y5

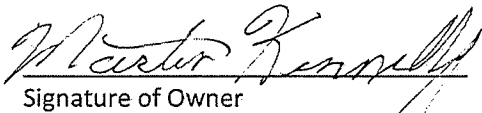
Dear Ms. Sheffield,

**RE: 118 FALLING BROOK DRIVE, ANCASTER  
MUNICIPAL FILE: AN/B-16:82**

*Martin Kennelly c/o Rhona Harvey*

Please accept this letter as confirmation that I, *& Janet Kennelly*, am the owner of the land that is the subject of the application for consent to sever land and I authorize **UrbanSolutions**, as my agent for this application, to provide any of my personal information that will be included in the application and provide planning consulting services for the property of **118 Falling Brook Drive, Ancaster** on my behalf.

Regards,

  
Signature of Owner

**Baldry, Scott**

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**From:** Baldry, Scott  
**Sent:** January-24-17 1:20 PM  
**To:** 'Bryan Mayes'  
**Subject:** RE: Sketch with Dimensions RE; 118 Falling Brook Drive

Hello Bryan:

The report is only completed by staff for the hearing. If the item was not set to an agenda there will be no report. If you are ready to proceed to a hearing we can place you back in the rotation for a hearing. A couple of days before the scheduled hearing you will have the report.

When you are ready to proceed you will need to send me instructions via email advising that you would like to be placed in the agenda rotation. I will place you in the rotation and schedule you to a hearing. Two days before the hearing on the Tuesday the week of the hearing, a report of all comments received will be available.

I hope this helps. I cannot advise what the comments will be at this point in time.

If you have any questions or require clarification of the material contained within this email, please feel free to contact the undersigned.

Scott Baldry,  
Secretary Treasurer,  
Committee of Adjustment  
Planning & Economic Development Department  
71 Main Street West, 5th Floor  
Hamilton, Ontario  
L8P 4Y5  
Phone: 905-546-2424 extension 4144  
Fax: 905-546-4202

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**From:** Bryan Mayes [mailto:bryan@brownlawyerspc.com]  
**Sent:** January-24-17 12:05 PM  
**To:** Baldry, Scott  
**Subject:** RE: Sketch with Dimensions RE; 118 Falling Brook Drive

Hello Scott: :



I need to follow up with respect to this application. You had mentioned a report would be drafted by the end of last year setting out what we are to do with respect to severing the subject property.

Do you have any details about this? I know our Application is currently being tabled. My Client is following up with me and I am not sure what to tell him.

Any advice would be very helpful or direction as to who I may contact to sort this out and proceed with out Application in the most efficient manner.

Thanks Scott,

Bryan Mayes

Lawyer

@BrownLawyers

Dundas	Waterdown	Burlington
5 King Street East	50 Coreslab Drive	39-3455 Harvester Road
Dundas, ON	Flamborough, ON	Burlington, ON
L9H 1B7	L9H 7L6	L7N 3P2
T (905) 627 5487	T (905) 297 5614	T (905) 632-2822
F (905) 627 8083	F (866) 896 0942	F (905) 333-9594

[www.brownlawyerspc.com](http://www.brownlawyerspc.com)

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**From:** Baldry, Scott [<mailto:Scott.Baldry@hamilton.ca>]  
**Sent:** October-18-16 10:53 AM  
**To:** Bryan Mayes <[bryan@brownlawyerspc.com](mailto:bryan@brownlawyerspc.com)>  
**Subject:** RE: Sketch with Dimensions RE; 118 Falling Brook Drive

Hi Bryan:

The cheque was cashed and the file is being held open but not assigned to a hearing. When the application is ready to go back in front of the Committee there will be no additional charges to the file. You only need to let me know that you are ready to proceed and we will place you on the next available agenda.

If you have any questions or require clarification of the material contained within this email, please feel free to contact the undersigned.

Scott Baldry,  
Secretary Treasurer,  
Committee of Adjustment  
Planning & Economic Development Department  
71 Main Street West, 5th Floor  
Hamilton, Ontario  
L8P 4Y5  
Phone: 905-546-2424 extension 4144  
Fax: 905-546-4202

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**From:** Bryan Mayes [<mailto:bryan@brownlawyerspc.com>]  
**Sent:** October-18-16 9:48 AM  
**To:** Baldry, Scott  
**Subject:** RE: Sketch with Dimensions RE; 118 Falling Brook Drive

Hello Scott:

Thanks for your emails and phone call today. I will be in touch when the report is released so we can get this moving.

In the interim, what is happening to the Application fee? Just so I may advise my clients as to where those funds are. I assume that you will hold it until the Application is eventually processed?

Thanks,

Bryan Mayes

Lawyer

**We are hosting no charge legal information seminars in the Dundas and Waterdown communities. For more information, click [here](#)**

Brown Lawyers PC - Dundas  
5 King Street East  
Dundas, Ontario  
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**From:** Baldry, Scott [<mailto:Scott.Baldry@hamilton.ca>]  
**Sent:** October 18, 2016 8:58 AM  
**To:** Bryan Mayes <[bryan@brownlawyerspc.com](mailto:bryan@brownlawyerspc.com)>  
**Subject:** RE: Sketch with Dimensions RE; 118 Falling Brook Drive

Good morning Bryan:

Did you know that this area is contained within an area that has a moratorium on lot creation? The moratorium is in respect to the provision of storm water services, which are not present in your area. A report is being prepared by the Public Works Department that will address the issue and provide a course of action to permit future development. Until that time the recommendation from staff is table the application or if pressed deny.

If you have any questions or require clarification of the material contained within this email, please feel free to contact the undersigned.

Scott Baldry,  
Secretary Treasurer,  
Committee of Adjustment  
Planning & Economic Development Department  
71 Main Street West, 5th Floor  
Hamilton, Ontario  
L8P 4Y5  
Phone: 905-546-2424 extension 4144  
Fax: 905-546-4202

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**From:** Bryan Mayes [<mailto:bryan@brownlawyerspc.com>]  
**Sent:** October-14-16 4:05 PM  
**To:** Baldry, Scott  
**Subject:** Sketch with Dimensions RE; 118 Falling Brook Drive

Good Afternoon Scott:

I have attached two sketches. One is a plan without the proposed severances and the other is inclusive of the proposed severances with dimensions.

Feel free to give me a call if you have any questions.

There are currently two properties that have merged to create one large lot. It is this lot that our Client wishes to sever into three smaller lots with the dimensions provided in the second sketch.

Do not hesitate to contact me if I can be of any more help the process.

Bryan Mayes

Lawyer

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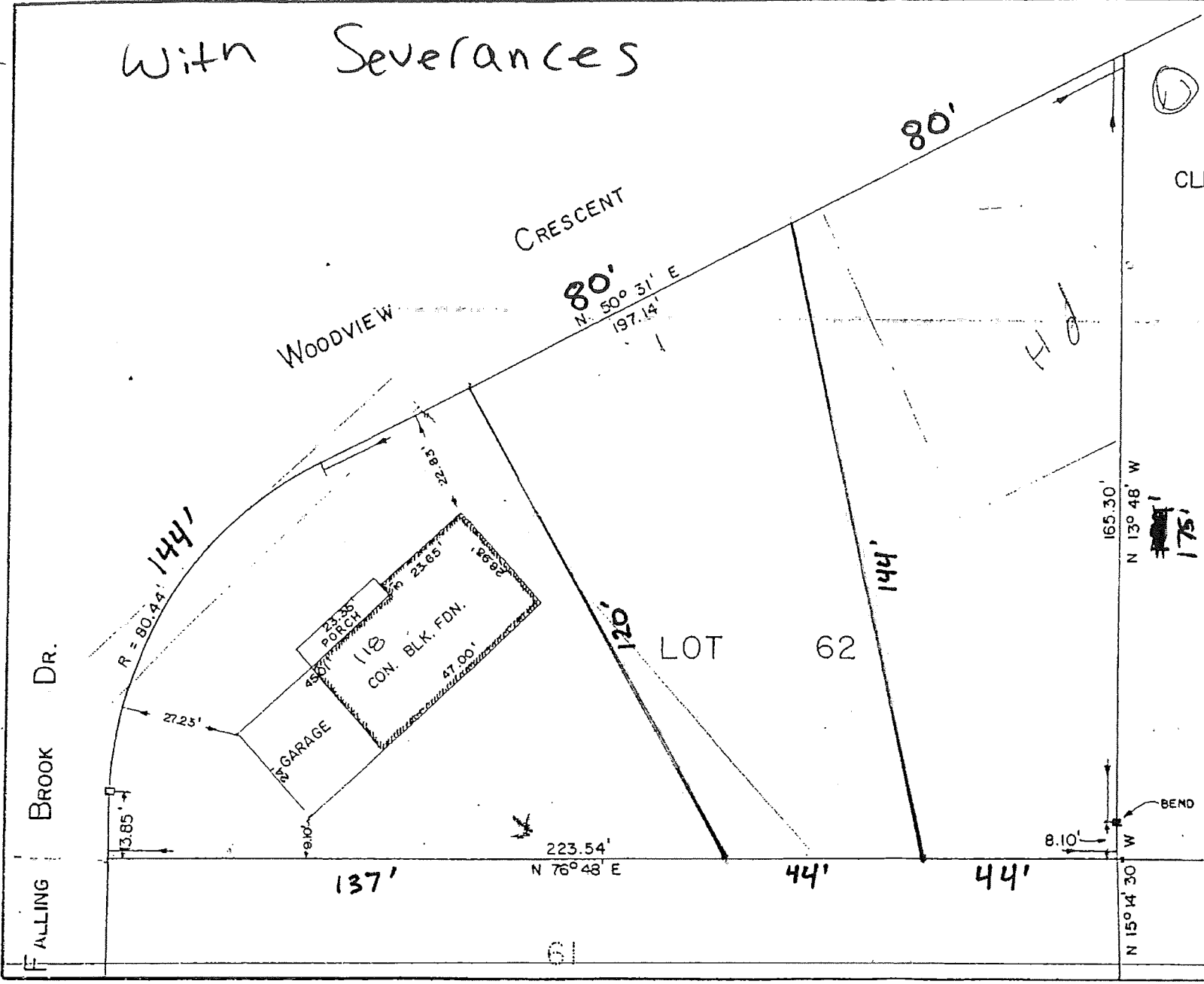
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With Severances

PLAN  
OF  
LOT 62  
CLEARVIEW ESTATES SVY. REG. PLAN No 1076  
IN THE  
TOWNSHIP OF ANCASTER  
SCALE 1 IN. = 30 FT.

Information on idvix



ONTARIO LAND SURVEYOR  
HAMILTON, ONTARIO  
MAR. 14, 1967

CRESCENT

WOODVIEW

N. 50° 31' E  
197.14'

FALLING BROOK DR.

R = 80.44'

27.23'

GARAGE

23.35' PORCH

118  
CON. BLK. FDN.

47.00'

223.54'  
N 76° 48' E

LOT 62

Hd

165.30'  
N 13° 48' W

BEND

8.10' W  
N 15° 14' 30'

PLAN  
OF

LOT 62

CLEARVIEW ESTATES SVY. REG. PLAN No 1076

IN THE  
TOWNSHIP OF ANCASTER

SCALE 1 IN. = 30 FT.

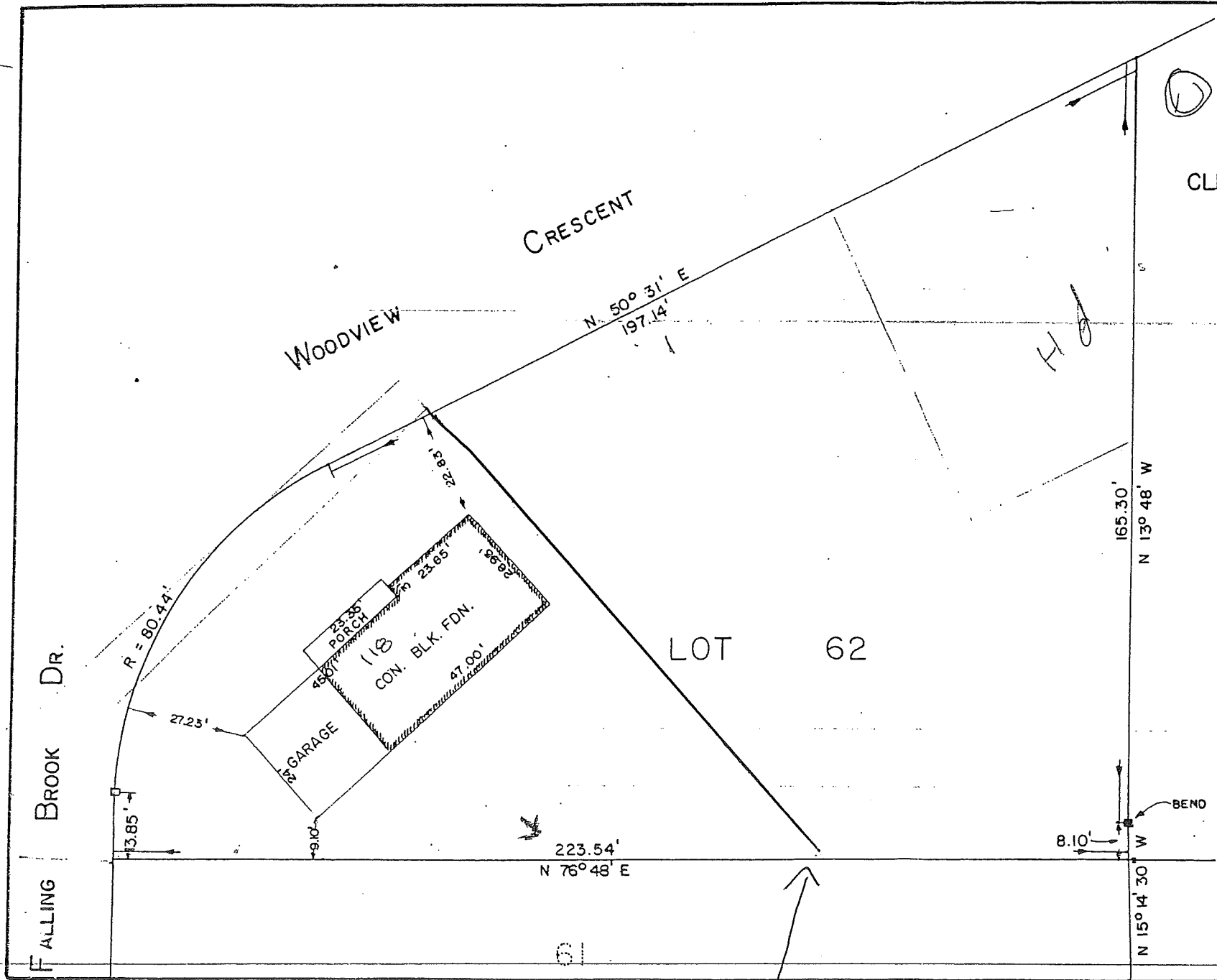


ONTARIO LAND SURVEYOR  
HAMILTON, ONTARIO  
MAR. 14, 1967

Proposed Severance

L-267

Amputation on this



PLAN  
OF  
LOT 62  
CLEARVIEW ESTATES SVY. REG. PLAN No 1076  
IN THE  
TOWNSHIP OF ANCASTER  
SCALE 1 IN. = 30 FT.



*[Signature]*  
ONTARIO LAND SURVEYOR  
HAMILTON, ONTARIO  
MAR. 14, 1967

Proposed Severance

*Information on sheet*