



Committee of Adjustment
Hamilton City Hall
71 Main Street West, 5th floor
Hamilton, ON L8P 4Y5
Telephone (905) 546-2424
ext. 4221, 3935
Fax (905) 546-4202

COMMITTEE OF ADJUSTMENT
NOTICE OF DECISION

APPLICATION FOR CONSENT\LAND SEVERANCE

APPLICATION NO. AN/B-20:30
SUBMISSION NO. B-30/20

APPLICATION NUMBER: AN/B-20:30

SUBJECT PROPERTY: 822 Book Rd. W., Ancaster

APPLICANT(S): Owner: Knollwood Golf Ltd.
Agent: Urban Solutions c/o Matt Johnston

PURPOSE OF APPLICATION: To permit the conveyance of a parcel of land containing an existing dwelling known as 822 Book Rd. W. and to retain lands for use as a golf course.

To be heard in conjunction with AN/B-20:31 and AN/B-20:32.

Severed lands:
61m[±] x 71m[±] and an area of 0.4 ha[±]

Retained lands:
758m[±] x 1002m[±] and an area of 112.4 ha[±]


THE DECISION OF THE COMMITTEE IS:

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

1. The proposal does not conflict with the intent of the Urban Hamilton Official Plan.
2. The Committee considers the proposal to be in keeping with development in the area.
3. The Committee is satisfied that a plan of subdivision is not necessary for the proper and orderly development of the lands.

Having regard to the matters under subsection 51(24) of the Planning Act, R.S.O. 1990, c.P. 13, the said application shall be subject to the following conditions:

1. The owner shall submit a deposited Ontario Land Surveyor's Reference Plan to the Committee of Adjustment Office, unless exempted by the Land Registrar. The reference plan must be submitted in pdf and also submitted in CAD format, drawn at true scale and location and tied to the City corporate coordinate system.
2. The applicant shall ensure compliance with Ontario Building Code requirements regarding spatial separation distances of any structures to the satisfaction of the Planning and Economic Development Department (Building Division – Plan Examination Section).

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3. The applicant shall provide confirmation of the existing uses on the lands to be retained/conveyed in order to determine compliance with the permitted uses of the "P4" and "P6" Zones or alternatively apply for and receive final approval of a Zoning By-law Amendment as determined necessary by the Planning and Economic Development Department (Building Division – Zoning Section).
4. The owner shall submit survey evidence from a BCIN Qualified Designer (Part 8 Sewage System) or Professional Engineer that the existing septic system complies with the clearance requirements of Part 8 of the Ontario Building Code for the lands to be severed and or retained, to the satisfaction of the Planning and Economic Development Department (Building Division - Building Engineering Section).
5. The owner shall pay any outstanding realty taxes and/or all other charges owing to the City Treasurer.
6. The owner submits to the Committee of Adjustment office an administration fee of \$20.00, payable to the City of Hamilton, to cover the costs of setting up a new tax account for each newly created lot.
7. That the Owner enter into with the City of Hamilton and register on title of the lands, a Consent Agreement, having an administrative fee of \$4,310.00 (2020 fee) to address issues including but not limited to: lot grading and drainage to a suitable outlet on the conveyed and retained parcels (detailed grading plan required), erosion and sediment control measures (to be included on the grading plan); cash payment requirements for items such as street trees (City policy requires one (1) street tree/lot, inspection of grading, stormwater management infrastructure and securities for items that may include: lot grading (\$10,000.00 grading security), driveway approaches, and any damage during construction (unknown costs at this time). Cash payments mentioned above are subject to change.
8. That the Owner submits a Geotechnical and Hydrogeological Report(s) to demonstrate that of the proposed lot size can support the residential development from water supply and wastewater disposal point of view to the satisfaction of the Source Water Protection Section staff and the Manager of the Engineering Approvals Section.
9. The applicant / proponent shall submit a Hydrogeological Study to the satisfaction of the Director, Hamilton Water.
10. The application / proponent shall submit and receive approval of a zoning by-law amendment to rezone the residential parcels so as to permit a residential use.
11. Approximately 8.0 metres are to be dedicated to the right-of-way on Book Road, as per the Council Approved Rural Official Plan: Chapter C - City Wide Systems and Designations, 4.5 Road Network, 4.5.2. Collector Roads (Book Road) are to be 36.0 metres, if required.
12. Approximately 3.5 metres are to be dedicated to the right-of-way on Shaver Road, as per the Council Approved Rural Official Plan: Chapter C - City Wide Systems and Designations, 4.5 Road Network, 4.5.2. Collector Roads (Shaver Road) are to be 36.0 metres, if required.

A survey conducted by an Ontario Land Surveyor and at the Applicant's expense will determine the ultimate dimensions for the right-of-way widening(s).

DATED AT HAMILTON this 23rd day of July, 2020.

M. Dudzic (Chairman)

N. Mleczko

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D. Serwatak

L. Gaddy

D. Smith

B. Charters

M. Switzer

T. Lofchik

THE DATE OF GIVING OF THIS NOTICE OF DECISION IS July 30, 2020.
HEREIN NOTED CONDITIONS MUST BE MET WITHIN ONE (1) YEAR OF THE DATE
OF THIS NOTICE OF DECISION (July 30, 2021) OR THE APPLICATION SHALL BE
DEEMED TO BE REFUSED (PLANNING ACT, SECTION 53(41)).

NOTE: THE LAST DATE ON WHICH AN APPEAL TO THE LOCAL PLANNING
APPEAL TRIBUNAL (LPAT) MAY BE FILED IS August 19 2020.

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

Note: Based on these applications being approved and all conditions being met, the
owner / applicant should be made aware that the lands to be retained will remain as **822
Book Road West, Hamilton (Ancaster)**, and the lands to be conveyed will be assigned
the address of **828 Book Road West, Hamilton (Ancaster)**.



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COMMITTEE OF ADJUSTMENT
NOTICE OF DECISION

APPLICATION FOR CONSENT LAND SEVERANCE

APPLICATION NO. AN/B-20:31
SUBMISSION NO. B-31/20

APPLICATION NUMBER: AN/B-20:31

SUBJECT PROPERTY: 914 Book Rd. W., Ancaster

APPLICANT(S): Owner: Knollwood Golf Ltd.
Agent: Urban Solutions c/o Matt Johnston

PURPOSE OF APPLICATION: To permit the conveyance of a parcel of land containing an existing dwelling known as 914 Book Rd. W. and to retain lands for use as a golf course.

To be heard in conjunction with AN/B-20:33 and AN/B-20:32.

Severed lands:
66m[±] x 50m[±] and an area of 0.4 ha[±]

Retained lands:
758m[±] x 1002m[±] and an area of 111.6 ha[±]

THE DECISION OF THE COMMITTEE IS:

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

1. The proposal does not conflict with the intent of the Urban Hamilton Official Plan.
2. The Committee considers the proposal to be in keeping with development in the area.
3. The Committee is satisfied that a plan of subdivision is not necessary for the proper and orderly development of the lands.

Having regard to the matters under subsection 51(24) of the Planning Act, R.S.O. 1990, c.P. 13, the said application shall be subject to the following conditions:

1. The owner shall submit a deposited Ontario Land Surveyor's Reference Plan to the Committee of Adjustment Office, unless exempted by the Land Registrar. The reference plan must be submitted in pdf and also submitted in CAD format, drawn at true scale and location and tied to the City corporate coordinate system.
2. The applicant shall ensure compliance with Ontario Building Code requirements regarding spatial separation distances of any structures to the satisfaction of the Planning and Economic Development Department (Building Division – Plan Examination Section).

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3. The applicant shall provide confirmation of the existing uses on the lands to be retained/conveyed in order to determine compliance with the permitted uses of the "P4" and "P6" Zones or alternatively apply for and receive final approval of a Zoning By-law Amendment as determined necessary by the Planning and Economic Development Department (Building Division – Zoning Section).
4. The owner shall submit survey evidence from a BCIN Qualified Designer (Part 8 Sewage System) or Professional Engineer that the existing septic system complies with the clearance requirements of Part 8 of the Ontario Building Code for the lands to be severed and or retained, to the satisfaction of the Planning and Economic Development Department (Building Division - Building Engineering Section).
5. The owner shall pay any outstanding realty taxes and/or all other charges owing to the City Treasurer.
6. The owner submits to the Committee of Adjustment office an administration fee of \$20.00 payable to the City of Hamilton, to cover the costs of setting up a new tax account for each newly created lot.
7. That the Owner submits an assessment prepared by a qualified professional to demonstrate that the existing private services i.e. water well and septic system, if any, are in good working condition to continue to support the existing dwellings and that the lot size is sufficient to provide for a reserve septic bed and/or a new water well if required all supported by the existing soil conditions to the Source Water Protection Section staff and the Manager of the Engineering Approvals Section.
8. A satisfactory Hydrogeological Report be completed to the satisfaction of Director, Hamilton Water. However, Committee should be aware that with the proposed lot sizes, successfully obtaining approval from Hamilton Water may not be possible unless lot sizes were augmented.
9. The application / proponent shall submit and receive approval of a zoning by-law amendment to rezone the residential parcels so as to permit a residential use.
10. Approximately 8.0 metres are to be dedicated to the right-of-way on Book Road, as per the Council Approved Rural Official Plan: Chapter C - City Wide Systems and Designations, 4.5 Road Network, 4.5.2. Collector Roads (Book Road) are to be 36.0 metres, if required.

A survey conducted by an Ontario Land Surveyor and at the Applicant's expense will determine the ultimate dimensions for the right-of-way widening(s).

DATED AT HAMILTON this 23rd day of July, 2020.

M. Dudzic (Chairman)

N. Mleczko

D. Serwatuk

L. Gaddy

D. Smith

B. Charters

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Page 2

M. Switzer

T. Lofchik

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APPEAL TRIBUNAL (LPAT) MAY BE FILED IS August 19 2020.

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Note: Based on these applications being approved and all conditions being met, the
owner / applicant should be made aware that the lands to be retained will remain as **914
Book Road West, Hamilton (Ancaster)**, and the lands to be conveyed will be assigned
the address of **920 Book Road West, Hamilton (Ancaster)**.



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COMMITTEE OF ADJUSTMENT
NOTICE OF DECISION

APPLICATION FOR CONSENT/LAND SEVERANCE

APPLICATION NO. AN/B-20:32
SUBMISSION NO. B-32/20

APPLICATION NUMBER: AN/B-20:32

SUBJECT PROPERTY: 1276 Shaver Rd., Ancaster

APPLICANT(S): Owner: Knollwood Golf Ltd.
Agent: Urban Solutions c/o Matt Johnston

PURPOSE OF APPLICATION: To permit the conveyance of a parcel of land containing an existing dwelling known as 1276 Shaver Rd. and to retain lands for use as a golf course.

To be heard in conjunction with AN/B-20:30 and AN/B-20:31.

Severed lands:
67m[±] x 60m[±] and an area of 0.4 ha[±]

Retained lands:
758m[±] x 1002m[±] and an area of 111.2 ha[±]

THE DECISION OF THE COMMITTEE IS:

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

1. The proposal does not conflict with the intent of the Urban Hamilton Official Plan.
2. The Committee considers the proposal to be in keeping with development in the area.
3. The Committee is satisfied that a plan of subdivision is not necessary for the proper and orderly development of the lands.

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2. The applicant shall ensure compliance with Ontario Building Code requirements regarding spatial separation distances of any structures to the satisfaction of the Planning and Economic Development Department (Building Division – Plan Examination Section).

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3. The applicant shall provide confirmation of the existing uses on the lands to be retained/conveyed in order to determine compliance with the permitted uses of the "P4" and "P6" Zones or alternatively apply for and receive final approval of a Zoning By-law Amendment as determined necessary by the Planning and Economic Development Department (Building Division – Zoning Section).
4. The owner shall submit survey evidence from a BCIN Qualified Designer (Part 8 Sewage System) or Professional Engineer that the existing septic system complies with the clearance requirements of Part 8 of the Ontario Building Code for the lands to be severed and or retained, to the satisfaction of the Planning and Economic Development Department (Building Division - Building Engineering Section).
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7. That the Owner submits an assessment prepared by a qualified professional to demonstrate that the existing private services i.e. water well and septic system, if any, are in good working condition to continue to support the existing dwelling and that the lot size is sufficient to provide for a reserve septic bed and/or a new water well if required all supported by the existing soil conditions to the Source Water Protection Section staff and the Manager of the Engineering Approvals Section.
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DATED AT HAMILTON this 23rd day of July, 2020.

M. Dudzic (Chairman)

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Note: Based on these applications being approved and all conditions being met, the
owner / applicant should be made aware that the lands to be retained will remain as **1276
Shaver Road, Hamilton (Ancaster)**, and the lands to be conveyed will be assigned the
address of **1260 Shaver Road, Hamilton (Ancaster)**.