

From: Jim MacLeod
Sent: January 2, 2021 2:19 PM
To: Van Rooi, James <James.VanRooi@hamilton.ca>
Cc: Ferguson, Lloyd <Lloyd.Ferguson@hamilton.ca>
Subject: Commercial Use--15 Church

I am following up on my question about the relationship between Ancaster Bylaw 87-57 and the Wilson Street Secondary Plan. I did some reading over the holidays and think I have it worked through in my mind.

Thank you for the link to the maps. I note that 15 Church (and all of Maywood) is specifically excluded from the Community Node and the Village Core—I had a different impression from the Staff Report.

However, my point today is one I hope you can point out where I have erred in my logic.

I note in the Wilson Street Secondary Plan Low Density Residential 1 is limited to single family and demi detached. Low Density Residential 3 permits all forms of town homes, but I also note the following (Vol 2, Chapter B, subsection b):

iii) In addition to Policy E.3.4.3 of Volume 1, small scale commercial uses shall be permitted, including business and professional offices, medical office uses or clinics, day nursery, artist studios, funeral homes, and personal services.

There are restrictions to the main floor in mixed use buildings. Parking is pretty much brushed off as being “if feasible”. This use is only permitted in stand alone commercial or mixed-use buildings, and my logic is each unit at 15 Church could be a mixed use building.

Given that these are freehold townhomes, each will have individual title and it appears to me that once these units are built and occupied any one of them would be permitted to have a commercial use in their unit—main floor commercial use, upper floor residential. The fact they are attached by one or two walls would be immaterial—they have separate title. As they are designated Low Density Residential 3 and this is a permitted use it appears they could do this without any further approvals.

I note on the map that virtually all of the Low Density Residential 3 is on Wilson Street, Fiddlers Green and other larger roads so this limited commercial use makes sense. Bringing this into a heritage neighbourhood with a 12 meter road seems problematic.

I truly hope you can tell me that no commercial use could ever happen at 15 Church as a result of the move to Residential 3, and explain why.

Thank you

Jim MacLeod