
From: Brynne O'Neill [REDACTED]
Sent: Monday, September 22, 2025 9:58 AM
To: Committee of adjustment; Danielle Braemer; David Falletta
Subject: B25:058 - 196 Weirs Lane - Request to Table Application

External Email: Use caution with links and attachments

Good Morning,

Our severance application for 196 Weirs Lane Road B25:059 is scheduled for Thursday Sept 25th CoA Hearing. After reviewing the report/comments prepared by City Staff, we request that this application be TABLED so a few items can be discussed with Staff in advance of a decision being made.

Please let me know if there is anything else we are required to do to table the application.

Thank you,



Brynne O'Neill

Senior Planner
MCIP, RPP

Bousfields Inc.

[REDACTED] | [REDACTED] | [REDACTED]
[REDACTED]



W. www.bousfields.ca

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From: Adair, Kendra (MNR) <Kendra.Adair@ontario.ca>
Sent: Tuesday, September 23, 2025 7:23 AM
To: Committee of adjustment
Cc: Sperling, Janet (MNR)
Subject: NEC Comments - 196 Weirs Lane - September 25, 2025 Committee of Adjustment Agenda Available
Attachments: SEPTEMBER 25_2025 Agenda.docx; NEC Map_196 Weirs Lane, Hamilton.pdf

External Email: Use caution with links and attachments

Good morning Committee of Adjustment,

Niagara Escarpment Commission (NEC) staff have reviewed the September 25, 2025 CofA agenda and offer the following comments for your consideration.

B-25:059: 196 Weirs Lane, Hamilton

- The subject property is located partially within the Niagara Escarpment Development Control Area. A permit from our office is required for any development affecting the lands in Development Control (DC). **A severance is considered to affect the entire lot and as such, a Development Permit is required from our office prior to any other approvals as per the Niagara Escarpment Planning and Development Act (NEPDA).**
- The subject property is located entirely within the Niagara Escarpment Plan (NEP) area and is largely designated as Minor Urban Centre with underlying Escarpment Rural Area, with the remainder of the lands designated as Escarpment Natural Area (see attached map for reference).
- All development (including lot creation) would be restricted to the Minor Urban Centre designation and shall conform with the policies in Parts 1.6 and 2 of the NEP. The portion of the lands proposed to be severed is located within the Minor Urban Centre designation.
- A Development Permit would not be required from our office for the subsequent construction of a single dwelling, however the policies in Parts 1.6 and 2 of the NEP would continue to apply.

The proposed severance is subject, but not limited to, the following applicable NEC policies:

- Part 1.6.5: *Subject to Part 2, the Development Criteria, the range of permitted uses and the creation of new lots in a Minor Urban Centre will be those in an approved official plan and/or secondary plan not in conflict with the Niagara Escarpment Plan, subject to the Development and Growth Objectives of this designation.*
- Part 1.6.8.1: *Development and growth, including the creation of new lots, shall not extend into the Escarpment Natural Areas.*
- Part 1.6.8.9: *Growth and development in Minor Urban Centres shall be compatible with and provide for:*
 - a) the protection of natural heritage features and functions;*
 - b) the protection of hydrologic features and functions;*
 - c) the protection of agricultural lands, including prime agricultural areas;*
 - d) the conservation of cultural heritage resources, including features of interest to First Nation and Métis communities;*

e) considerations for reductions in greenhouse gas emissions and improved resilience to the impacts of a changing climate;
f) sustainable use of water resources for ecological and servicing needs; and
g) compliance with the targets, criteria and recommendations of applicable water, wastewater and stormwater master plans, approved watershed planning and/or subwatershed plan in land use planning.

- Part 2.4.1: *Lot creation, including lots created within Urban Areas, Minor Urban Centres and Escarpment Recreation Areas, shall be subject to conformity with official plans and/or secondary plans and, where applicable, zoning by-laws that are not in conflict with the Niagara Escarpment Plan, and the criteria set out under Part 2, Development Criteria.*
- Part 2.4.4: *The size and configuration of new lots shall be subject to the requirements of official plans and/or secondary plans, and where applicable, zoning by-laws and the objectives of the designation.*
- Part 2.4.5: *New lots must:*
 - a) maintain and enhance the existing community character and/or open landscape character of the Escarpment; and*
 - b) protect and enhance existing natural heritage and hydrologic features and functions.*
- Part 2.4.7: *Except for new lots permitted under Part 2.4.12, new lots created by consent shall front onto an existing public road that is of a reasonable standard of construction and generally maintained all year round.*

In summary, NEC staff **object** the proposal as a Development Permit is required from our office prior to consent.

Please let us know if there are any questions. The applicant is welcome to contact me for more information and can submit an application to the NEC through our website here: [Development Permit Applications – Niagara Escarpment Commission \(NEC\)](#)

Kind regards,

Kendra Adair (She/Her)

A/Senior Planner | Niagara Escarpment Commission
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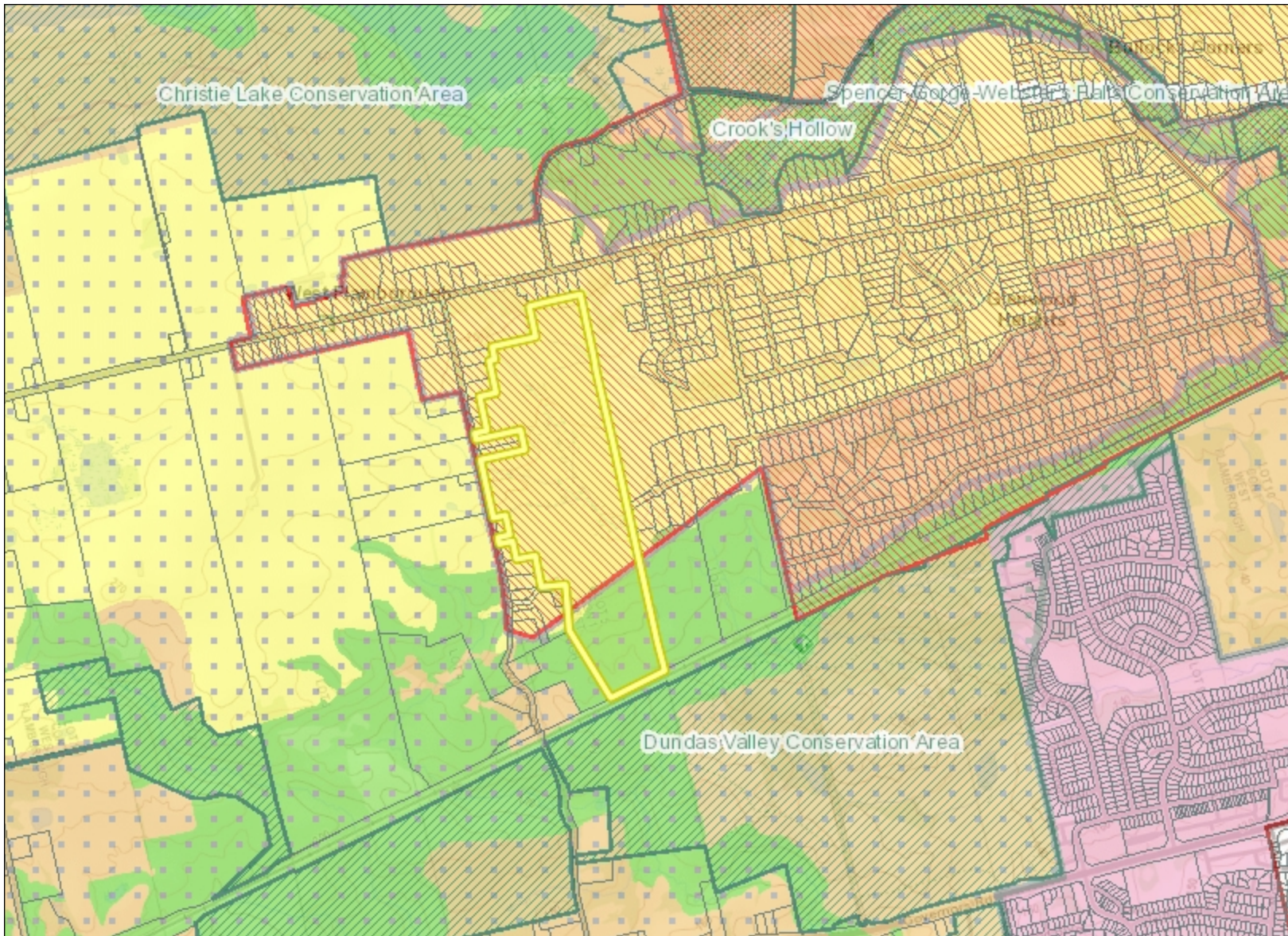


Niagara Escarpment Commission
An agency of the Government of Ontario

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Availability: NEC staff provide services in person, via telephone, or via email. To better serve you, **we ask that you make an appointment if you prefer to meet in person.** You may request an appointment with staff at escarpment.org/appointments.

Did you know: You can now submit Development Permit Applications to the Niagara Escarpment Commission online? Visit our [website](#) to learn more.



- ### Legend
-  Assessment Parcel
 -  Niagara Escarpment Minor Urban Centre
 -  Niagara Escarpment Parks and Open Space System
 -  Niagara Escarpment Plan Area
 -  Area of Development Control
- Niagara Escarpment Plan Designation
-  Escarpment Natural Area
 -  Escarpment Protection Area
 -  Escarpment Rural Area
 -  Escarpment Recreation Area
 -  Mineral Resource Extraction Area
 -  Urban Area



Projection: Web Mercator



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