



Hamilton

STAFF COMMENTS

HEARING DATE: September 25, 2025

A-25:181 — 900 Golf Links Road, Ancaster

Recommendation:

Approve variance 1. — Development Planning

Proposed Conditions:

Proposed Notes:

A building permit is required for the alteration to increase the capacity for the existing day nursery.
(Building Engineering)



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Development Planning:

Background

The purpose of the application is to permit the increase of childcare capacity for an existing Day Nursery.

The following variances are requested:

1. A Day Nursery to a maximum designed capacity of ninety-five (95) children shall be permitted instead of a maximum designed capacity of seventy-five (75) children.

Urban Hamilton Official Plan

The subject property is designated “Neighbourhoods” on Schedule E-1 – Urban Land Use Designations of the Urban Hamilton Official Plan. Policy E.3.2.3 a) permits local community facilities/services. Policy E.3.10.1 permits day care centres. Based on the above Volume 1 policies, the subject property permits the existing land use.

Meadowlands Neighbourhood V Secondary Plan

The subject property is further designated “Low Density Residential 2d” and identified as Site Specific Policy – Area “A” on Map B.2.7-1 – Meadowlands Neighbourhood V Secondary Plan Land Use Plan. In accordance with Policy B.2.7.6.1 of Ancaster Secondary Plans in Volume 2 the following policies shall apply:

“In addition to the permitted uses set out in Policy B.2.7.1.3 b), a day nursery with a maximum designed capacity of 75 children shall be permitted at No. 900 Golf Links Road, and identified as Site Specific Policy - Area A on Map B.2.7-1 – Meadowlands Neighbourhood V Neighbourhood – Land Use Plan.”

Based on the above policy, the Secondary Plan limits the existing day nursery on the subject lands to a maximum designed capacity of 75 children. Staff note that the intent of Site Specific Policy “Area A” was to limit the size and scale of a daycare on the subject lands by regulating the design capacity of children. The applicant has indicated that, at the time of the previous planning approvals, the existing building could only accommodate 75 children. Subsequent changes by the Ministry of Education have allowed the capacity of the existing facility to be increased to 95 children without any alterations to the existing facility. Staff are of the opinion that, as the proposed increase in capacity is occurring within the existing day nursery, the intent of Site Specific Policy “Area A” is being maintained. Staff note that no variances for parking, or otherwise were identified as being required to facilitate the design capacity increase.



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Archaeology

No Comments.

Cultural Heritage

No Comments

Ancaster Zoning By-law 87-57, as Amended by By-law 02-031

The subject property is zoned as RM3-185 (Residential Multiple 3) Zone in Zoning By-law No. 87-57. The zone permits the existing Day Nursery with a design capacity of up to 75 children.

The following provisions apply to the RM3-185 Zone, among others:

“RM3-185 (02-031)

1. Notwithstanding any provisions of Sub-section 16.1 of the Residential Multiple “RM3” Zone, only the following use shall be permitted as it affects the lands zoned Residential Multiple “RM3- 185” by this by-law, described as part of lot 51, concession 3, geographic Township of Ancaster and municipally known as 900 Golf Links Road (Former Town of Ancaster):

A day nursery to a maximum designed capacity of seventy-five (75) children.”

Staff note that the design capacity limit of 75 children in the site specific zoning by-law implements Site Specific Policy “Area A” of the Secondary Plan.

Analysis

Variance 1

1. A Day Nursery to a maximum designed capacity of ninety-five (95) children shall be permitted instead of a maximum designed capacity of seventy-five (75) children.

The intent of the policy is to restrict the use of “Day Nursery” to 75 children in accordance with provincial requirements based on the proposed building size and scale. This design capacity was based on Ministry of Education requirements at the time of approval of the previous *Planning Act* applications. Subsequent changes by the Ministry of Education have allowed the capacity of the existing facility to be increased to 95 children without any alterations to the existing facility. The applicant has a license to operate the existing day nursery at a designed capacity of 95 children and have provided a copy to City staff for review. Staff have reviewed the variance and are of the opinion that the City’s policies are in place to recognize the Ministry requirements for day nursery capacity that existed at the time of approval. The maximum design capacity of 75 children was the result of the



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size and scale of the proposed building at the time of the previous *Planning Act* approvals and the previous Ministry requirements. The Ministry license to increase the design capacity to 95 children within the existing building maintains this intent. The proposal does not seek further development in terms of expansion of the existing building nor is it anticipated to generate any impacts on adjacent neighbours. The applicant has advised that provincial policies and guidelines have changed since the approval of the Site Specific Policy “Area A”. The proposal meets the requirements of the Zoning By-law in all other aspects, including with regard to required parking. Based on the above analysis staff recommend that **variance 1 be approved** as it maintains the four tests of a minor variance under the *Planning Act*.

Based on the forgoing, staff recommend the **approval of variance 1** as it maintains the general intent and purpose of the Official Plan and Zoning By-law, is minor in nature and is desirable for the appropriate development of the subject lands.

Zoning:

Recommendation:	Comments Only
Proposed Conditions:	
Comments:	<p>1. Please be advised that a portion of this property is within an area regulated by Hamilton Conservation Authority. Please contact (905) 525-2181 or nature@conservationhamilton.ca prior to any development.</p> <p>2. The lands are subject to Site Plan Control. As such, development or redevelopment may require application to Development Planning. For further information, please contact pdgeninq@hamilton.ca.</p>
Notes:	

Development Engineering:

Recommendation:	No Comments
Proposed Conditions:	N/A
Comments:	N/A
Notes:	N/A

Building Engineering:

Recommendation:	Comments and Conditions/Notes
Proposed Conditions:	
Comments:	
Notes:	A building permit is required for the alteration to increase the capacity for the existing day nursery.



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HEARING DATE: September 25, 2025

Transportation Planning:

Recommendation:	No Comments
Proposed Conditions:	
Comments:	
Notes:	

Please Note: Public comment will be posted separately, if applicable.

From: Mikiya Hobbs <mhobbs@conservationhamilton.ca>
Sent: Wednesday, September 17, 2025 11:45 AM
To: Committee of adjustment
Subject: HCA Comments for A-25:181 for 900 Golf Links Road, Ancaster

External Email: Use caution with links and attachments

Hello,

Thank you for circulating the Hamilton Conservation Authority (HCA) with the Minor Variance application A-25:181 for the lands at 900 Golf Links Road, Ancaster.

HCA staff understand that the minor variance is requested to permit the increase of children capacity for an existing Day Nursery.

The subject property is regulated by HCA pursuant to *Ontario Regulation 41/24 (Prohibited Activities, Exemptions, and Permits)* and the *Conservation Authorities Act, R.S.O.1990* due to its proximity to a tributary of Tiffany Creek, and the associated potential for flooding and erosion hazards. Written permission will be required for any development within the regulated area. Based on a review of the materials submitted, no development is proposed as a part of the application. HCA is satisfied the application is consistent with the natural hazard policies of the Provincial Planning Statement and staff have no objections to the municipality granting the requested minor variance.

If you have any questions, please let me know.

There will be no fee for HCA's comments on this file.

Best regards,

Mikiya Hobbs

Planner, Watershed Management Services
Hamilton Conservation Authority
838 Mineral Springs Road, P.O. Box 81067
Ancaster, ON L9G 4X1

Phone: 905-525-2181 Ext. 148

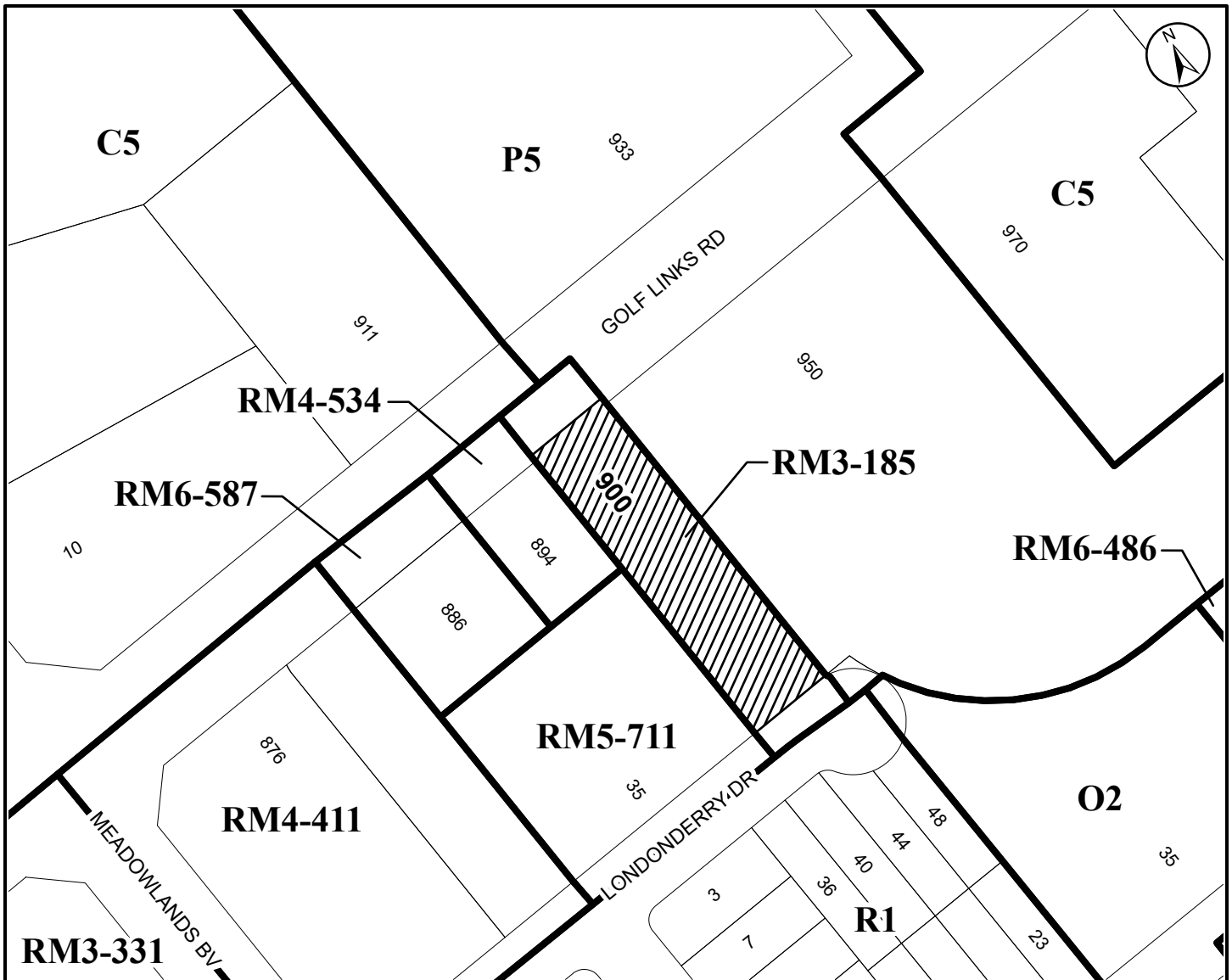
Email: mhobbs@conservationhamilton.ca

www.conservationhamilton.ca

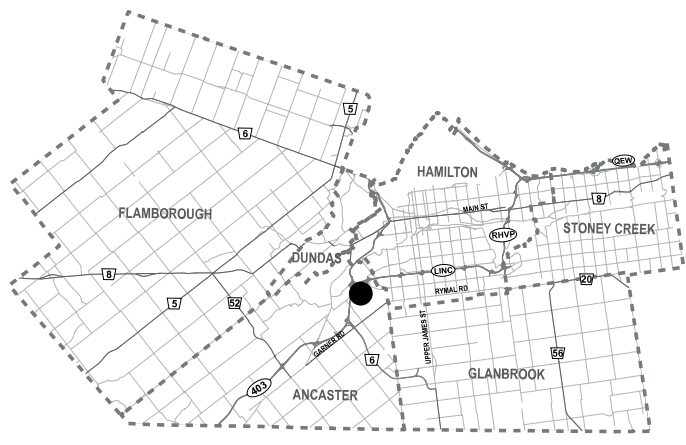


A Healthy Watershed for Everyone

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● Site Location



City of Hamilton

Committee of Adjustments

Subject Property

 900 Golf links Road, Ancaster (Ward 13)

File Name/Number:
A-25:181

Date:
September 15, 2025

Technician:
AL

Scale:
N.T.S.

Appendix "A"



Hamilton