



Committee of Adjustment
Hamilton City Hall
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COMMITTEE OF ADJUSTMENT

NOTICE OF DECISION

APPLICATION FOR CONSENT LAND SEVERANCE

APPLICATION NO. HM/B-16:43
SUBMISSION NO. B-43/16

IN THE MATTER OF The Planning Act, R.S.O. 1990, Chapter P13, Section 53(1);

AND IN THE MATTER OF the Premises known as Municipal number 21 Warrington St., in the City of Hamilton;

AND IN THE MATTER OF AN APPLICATION by the agent Bousfields Inc. c/o David Falletta on behalf of the owner VW Warrington Ltd. c/o Fernando Puga, for consent under Section 53(1) of The Planning Act, R.S.O. 1990, Chapter 13, so as to permit the conveyance of a vacant parcel of land having an area of 1.32ha± shown as Part 2 on the submitted sketch for future development and to retain a parcel of land having an area of 1.23ha± shown as Part 1 on the submitted sketch for industrial purposes together with a 7.5m± access easement shown as Part 3, in favour of the lands shown as Part 2 on the submitted sketch.

THE DECISION OF THE COMMITTEE IS:

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

1. The Committee was of the opinion that the application was premature until the access to the property was addressed.
2. The Committee was concerned that access over two easements, affecting two separate and distinct property owners, was not an appropriate long term access and indicated that this was not appropriate or desirable development.
3. The Committee was of the opinion that the property and its development, including access to the lands, should be dealt with prior to creating the lot and as such was premature.
4. The Committee was of the opinion that the proposal does not comply with the Severance Policies of the Urban Hamilton Official Plan.
5. The Committee was of the opinion that the proposal does not appear to be in the interest of proper planning and development for the area.

6. The Committee was of the opinion that the proposal does not comply with Section 51(24) of The Planning Act.

DATED AT HAMILTON this 23rd day of June, 2016.

M. Dudzic (Chairman)

D. Smith

P. Mallard

N. Mleczko

M. Smith

THE DATE OF GIVING OF THIS NOTICE OF DECISION IS June 30th, 2016.

NOTE: THE LAST DATE ON WHICH AN APPEAL TO THE ONTARIO MUNICIPAL BOARD
MAY BE FILED IS **July 20th, 2016.**

THIS DECISION IS NOT FINAL AND BINDING UNLESS OTHERWISE NOTED.