COMMITTEE OF ADJUSTMENT



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

E-mail: cofa@hamilton.ca

NOTICE OF PUBLIC HEARING

Application for Consent/Land Severance

APPLICATION NUMBER:

SC/B-20:34

SUBJECT PROPERTY:

860 Queenston Rd., Stoney Creek

You are receiving this notice because you are either:

Assessed owner of a property located within 60 metres of the subject property

Applicant/agent on file, or

Person likely to be interested in this application

APPLICANT(S):

Owner: Silvercreek Business Park

Agent: GSP Group Inc. c/o Sarah Knoll

PURPOSE OF APPLICATION:

To permit the conveyance of a parcel of land for residential purposes and to retain a parcel of land

containing an existing commercial building.

Severed lands:

90 m[±] x 109 m[±] and an area of 9,753 m^{2 ±}

Retained lands:

35m[±] x varies and an area of 2,672 m^{2 ±}

This application will be heard by the Committee as shown below:

DATE:

Thursday, August 6th, 2020

TIME:

3:00 p.m.

PLACE:

Via video link or call in (see attached sheet for

details)

To be streamed at www.hamilton.ca/committeeofadjustment

for viewing purposes only

PUBLIC INPUT

Written: If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Please see attached page for complete instructions, including deadlines for submitting to be seen by the Committee.

Orally: If you would like to speak to this item at the hearing you may do so via video link or by calling in. Please see attached page for complete instructions, including deadlines for registering to participate.

MORE INFORMATION

For more information on this matter, including access to drawings illustrating this request:

- Visit www.hamilton.ca/committeeofadjustment
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at cofa@hamilton.ca

DATED: July 21st, 2020

Jamila Sheffield, Secretary-Treasurer Committee of Adjustment

Information respecting this application is being collected under the authority of the Planning Act, R.S.O., 1990, c. P. 13. All comments and opinions submitted to the City of Hamilton on this matter, including the name, address, and contact information of persons submitting comments and/or opinions, will become part of the public record and will be made available to the Applicant and the general public.

COMMITTEE OF ADJUSTMENT PARTICIPATION PROCEDURES

Written Submissions

Members of the public who would like to participate in a Committee of Adjustment meeting are able to provide comments in writing or via email in advance of the meeting. Comments can be submitted by emailing cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5. Comments must be received by noon two days before the Hearing.

Comments can also be placed in the drop box which is located at the back of the 1st Floor of City Hall, 71 Main Street West. All comments received by noon two business days before the meeting will be forwarded to the Committee members.

Oral Submissions During the Virtual Meeting

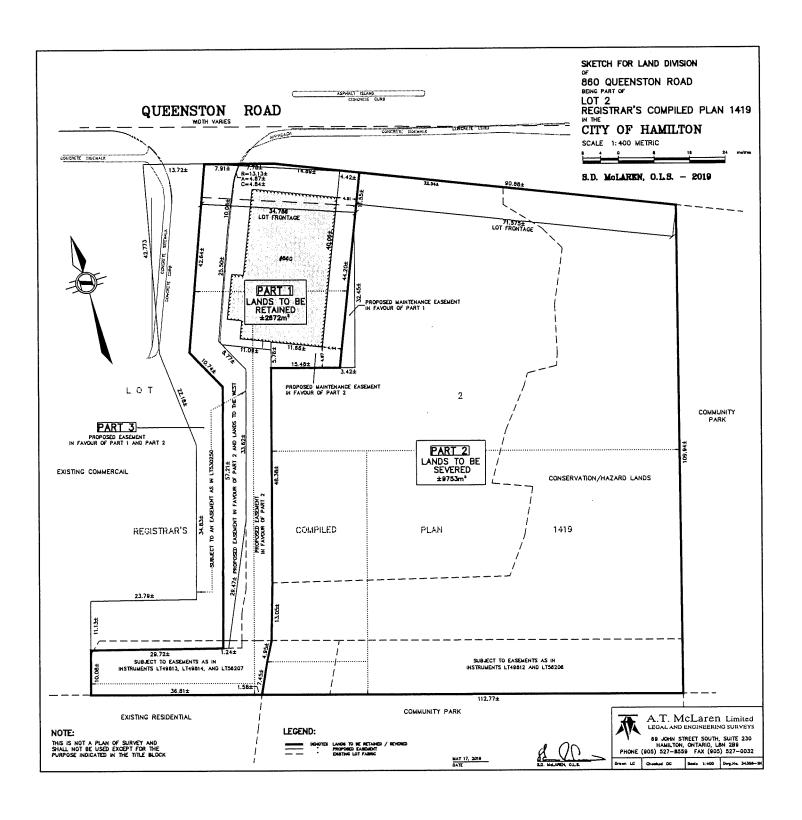
Members of the public are also able to provide oral comments regarding Committee of Adjustment Hearing items by participating through Webex via computer or phone. Participation in this format requires pre-registration in advance. Agents/owners will be sent a link to register via video, unless indicated otherwise. Interested members of the public <u>must register</u> by noon the day before the hearing.

To register to participate by Webex either via computer or phone, please contact Committee of Adjustment staff by email cofa@hamilton.ca or by phone at 905-546-2424 ext. 4221. The following information is required to register: Committee of Adjustment file number that you wish to speak to, name and address of the person wishing to speak, if they will be connecting via phone or video, and if applicable the phone number they will be using to call in. A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting. The link must not be shared with others as it is unique to the registrant.

All members of the public who register will be contacted by Committee Staff to confirm details of the registration prior to the Hearing and provide an overview of the public participation process.

We hope this is of assistance and if you need clarification or have any questions, please email <u>cofa@hamilton.ca</u> or by phone at 905-546-2424 ext. 4221.

Please note: Webex (video) participation requires either a compatible computer or smartphone and an application (app/program) must be downloaded by the interested party in order to participate. It is the interested party's responsibility to ensure that their device is compatible and operating correctly prior to the Hearing.



20.172175



Planning and Economic Development Department Planning Division

Committee of Adjustment City Hall 5th floor, 71 Main Street West Hamilton, Ontario L8P 4Y5

Phone (905) 546-2424, ext. 4221 Fax (905) 546-4202

APPLICATION FOR CONSENT TO SEVER LAND UNDER SECTION 53 OF THE PLANNING ACT

D (1 1) (1						Office Use On	ly
Date Application Received:	D D	ate Application eemed Complet	ate Application eemed Complete:		Submission No.: F		
Llune 17/2	0			SC/	<u>B ·</u>	20:34	_
1 APPLICANT IN							
1 APPLICANT IN: 1.1, 1.2	ORMA		1				71
	Silvercree	NAME ek Business Park Ltd.	0/4	ADDRESS		PHONE/FAX	1
Registered Owners(s)	0.17010,00	on Dusiliess Pain Liu.					
Applicant(s)*							
Agent or Solicitor	GSP Grou c/o Sarah						
1.3 All correspondent	JBJECT		Own	applicable line		X Agent/Solicitor	
2.1 Area Municipality	/	Lot	Conce	ession		ner Township	1
Hamilton					Stoney	Creek	
Registered Plan N°.		Lot(s)	Refere	ence Plan N°.	Part((a)	1
1419		2	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	moo i idii iy .	· and	,o)	
Municipal Address 860 Queenston Road					Asse	ssment Roll N°.	
Are there any easements or restrictive covenants affecting the subject land? X Yes							
PURPOSE OF THE APPLICATION 3.1 Type and purpose of proposed transaction: (check appropriate box)							
a) Urban Area Transfer (do not complete Section 10):							
☑ creation of ☐ addition to a	a new lot a lot			Other:	a ch a lea	•	
an easeme					_] a co	rrection of title	
Consent Application Fo	orm (Jan	uary 1, 2020)					1

b) Rural Area / Rural Sett creation of a new location of a new new fine creation of a new new fine containing a resulting from a farm caddition to a lot	ot on-farm parcel surplus farm c		Other: 🗌 a 🗍 a 🔲 a		
3.2 Name of person(s), if known or charged: Queenston Road Holdings Inc.		nd or interest in I	and is to be	e transferred, leased	
3.3 If a lot addition, identify the lands to which the parcel will be added:					
4.1 DESCRIPTION OF SUBJI 4.1 Description of land intende	ECT LAND AN	D SERVICING I	NFORMAT	ION	
Frontage (m)	Depth (m)		Area (m²	or ha)	
90.88m	109.94m		9,7	753 square meters	
Existing Use of Property to be s Residential Agriculture (includes a farm Other (specify)		☐ Industrial ☐ Agricultural	-Related	☐ Commercial ☑ Vacant	
Proposed Use of Property to be severed: Residential Industrial Commercial Agriculture (includes a farm dwelling) Agricultural-Related X Vacant Other (specify)					
Building(s) or Structure(s): Existing:					
Proposed: Residential apartment by	uilding pursuant to 2	ZAC-16-009, LPAT 170	0283 and DA-1	8-075and UHOPA-16-01	
Type of access: (check appropr ☐ provincial highway ☑ municipal road, seasonally n ☐ municipal road, maintained a	naintained	[2	right of w other pub		
Type of water supply proposed:	(chook annuan	, wints based			
Type of water supply proposed: (check appropriate box) Type of water supply proposed: (check appropriate box)					
Type of sewage disposal proposed: (check appropriate box) X					
4.2 Description of land intended	to be Retain e	ed:			
Frontage (m)	Depth (m)		Area (m²	or ha)	
35m	irregular		2,672 squa	· 1	
Existing Use of Property to be retained: Residential Agriculture (includes a farm dwelling) Agricultural-Related Vacant Other (specify)					
		ı			

Proposed Use of Property to be retained: Residential Agriculture (includes a farm dwelling) Other (specify)	☐ Industrial ☐ Agricultural-R	telated	✓ Commercial✓ Vacant	
Building(s) or Structure(s): Existing: 2 storey commercial building Proposed: none				
Type of access: (check appropriate box) provincial highway municipal road, seasonally maintained municipal road, maintained all year		right of wa		
Type of water supply proposed: (check appropriately publicly owned and operated piped water system) privately owned and operated individual well	tem 🔲 I		ner water body ns (specify)	
Type of sewage disposal proposed: (check appropriately publicly owned and operated sanitary sewage privately owned and operated individual seption of their means (specify)	svstem			
4.3 Other Services: (check if the service is available of the service of the service is available of the service of the servic	able) ol bussing	⊠ gar	bage collection	
5 CURRENT LAND USE 5.1 What is the existing official plan designation of the subject land? Rural Hamilton Official Plan designation (if applicable): Urban Hamilton Official Plan designation (if applicable) Mixed Use Med Density, High Density Res 1 ar Natural Open Space Please provide an explanation of how the application conforms with a City of Hamilton Official Plan. See attached cover letter.				
5.2 What is the existing zoning of the subject lan If the subject land is covered by a Minister's z Number? GC-32, RM5-11, P5	d? oning order, wha	at is the C	Intario Regulation	
.3 Are any of the following uses or features on the subject land or within 500 metres of the subject land, unless otherwise specified. Please check the appropriate boxes, if any apply.				
Use or Feature	Sub La	the u	lithin 500 Metres of Subject Land, nless otherwise pecified (Indicate approximate distance)	
An agricultural operation, including livestock stockyard	facility or			

F						
 	nd fill					
R	ewage treatment plant or waste stabilization plant					
	rovincially significant wetland			•		
	rovincially significant wetland within 120 metres					
	ood plain					
B	ndustrial or commercial use, and specify the use(s)		·			
-	active railway line					
A m	unicipal or federal airport					
6	PREVIOUS USE OF PROPERTY Residential Industrial Con Agriculture Vacant SEVERED Oth	nmercial R er (specify	EETAINED			
6.1	If Industrial or Commercial, specify use Office on RETAINED, Vacant on SEVERED					
6.2	Has the grading of the subject land been changed by adding earth or other material, i.e., has filling occurred? ☐ Yes ☐ No ☐ Unknown					
6.3						
6.4	Has there been petroleum or other fuel stored on the st ☐ Yes ☑ No ☐ Unknown					
6.5	•					
6.6	Have the lands or adjacent lands ever been used as an agricultural operation where cyanide products may have been used as pesticides and/or biosolids was applied to the lands? Yes X No Unknown					
6.7	Have the lands or adjacent lands ever been used as a weapons firing range? ☐ Yes					
6.8	Is the nearest boundary line of the application within 50 area of an operational/non-operational landfill or dump? Yes No Unknown					
6.9	If there are existing or previously existing buildings, are there any building materials remaining on site which are potentially hazardous to public health (e.g., asbestos, PCB's)?					
6.10	 Yes No ☐ Unknown Is there reason to believe the subject land may have been contaminated by former uses on the site or adjacent sites? Yes No ☐ Unknown 					
3.11	What information did you use to determine the answers	to 6.1 to 6	.10 above?			
	Knowledge of Landowner					
	If previous use of property is industrial or commercial or previous use inventory showing all former uses of the su land adjacent to the subject land, is needed. Is the previous use inventory attached? Yes No Retained land - vacant than office.	ibject land	, or If appropriate, the			
' PF '.1 a)	ROVINCIAL POLICY Is this application consistent with the Policy Statemen of the <i>Planning Act</i> ? (Provide explanation)	ts Issued ι	under subsection			
Consei	▼ Yes	s ner the	annroyed ADA/ZDA/CDA and	frastructure		

Is this appli Yes	cation consistent with the Provincial Policy Statement (PPS)? No (Provide explanation)
The proposed sev approval of the Of	d cover letter. erance is consistent with the PPS as it intensifies the area through developing a vacant underutilized parcel or PAZBA and SPA applications, thereby efficiently using land and servicing. The severance complies with the pay adding to the range of housing and increasing density through infill development and is transit supportive.
	pplication conform to the Growth Plan for the Greater Golden Horsesho
The severance appreciation of the se	hed cover letter. lication conforms with the applicable policies of the Growth Plan as the lands are within the built up area, utiwater and sanitary infrastructure. The proposed severance and development, pursuant to the OPA/ZBA and to the mix of housing forms, contributing to meeting the intensification target.
plans? (If Y	ect lands within an area of land designated under any provincial plan o ES, provide explanation on whether the application conforms or does not the provincial plan or plans.) No

∐ Yes	ect lands subject to the Niagara Escarpment Plan? INO Proposal in conformity with the Niagara Escarpment Plan? No Dianation)
☐ Yes If yes, is the ☐ Yes	No proposal in conformity with the Niagara Escarpment Plan? No
☐ Yes. is the ☐ Yes. (Provide Expended)	× No proposal in conformity with the Niagara Escarpment Plan? □ No
☐ Yes If yes, is the ☐ Yes (Provide Exposer of the subject of th	x No proposal in conformity with the Niagara Escarpment Plan? □ No planation) ect lands subject to the Parkway Belt West Plan?
☐ Yes If yes, is the ☐ Yes (Provide Exposer of the sub) ☐ Yes If yes, is the	x No proposal in conformity with the Niagara Escarpment Plan? □ No planation) ect lands subject to the Parkway Belt West Plan? No Proposal in conformity with the Parkway Belt West Plan?
☐ Yes If yes, is the ☐ Yes (Provide Exp Are the subj ☐ Yes If yes, is the ☐ Yes ☐ Yes	x No proposal in conformity with the Niagara Escarpment Plan? □ No planation) ect lands subject to the Parkway Belt West Plan? No Proposal in conformity with the Parkway Belt West Plan?

8 8.1	HISTORY OF THE SUBJECT LAND Has the subject land ever been the subject of a subdivision or a consent under sections 51 or 5 ☐ Yes ☐ No ☐ Unknown	n application for app 3 of the <i>Planning A</i>	proval of a plan of pt?	
	If YES, and known, indicate the appropriate apponential on the application.	olication file number	and the decision made	
8.2	If this application is a re-submission of a previous been changed from the original application.	is consent application	on, describe how it has	
8.3	Has any land been severed or subdivided from of the subject land? Yes No	the parcel originally	acquired by the owner	
	If YES, and if known, provide for each parcel se the transferee and the land use.	vered, the date of tr	ansfer, the name of	
8.4	How long has the applicant owned the subject la +-20 years	and?		
8.5	Does the applicant own any other land in the City? Yes X No If YES, describe the lands in "11 - Other Information" or attach a separate page.			
9 9.1	OTHER APPLICATIONS Is the subject land currently the subject of a proposen submitted for approval?	oosed official plan a	mendment that has	
. •	If YES, and if known, specify file number and sta	itus of the applicatio	n.	
9.2	Is the subject land the subject of any other applicable by-law amendment, minor variance, consent or a	approva <u>l o</u> f a plan of	s zoning order, zoning subdivision? No Unknown	
	If YES, and if known, specify file number and sta	tus of the application	n(s).	
	["ila 748.40.000	Status Approved through	• •	
10 10.1	RURAL APPLICATIONS Rural Hamilton Official Plan Designation(s)			
	☐ Agricultural	Rural	Specialty Crop	
	☐ Mineral Aggregate Resource Extraction☐ Rural Settlement Area (specify)	Open Space	Utilities	
		ement Area	Designation	
	If proposal is for the creation of a non-farm par indicate the existing land use designation of the	cel resulting from a e abutting or non-ab	farm consolidation, utting farm operation.	
0.2	Type of Application (select type and complete	appropriate section	ns)	
	Agricultural Severance or Lot Addition Agricultural Related Severance or Lot Addi Rural Resource-based Commercial Severa or Lot Addition Rural Institutional Severance or Lot Addition	ence > (Com	plete Section 10.3)	

	Rural Settlement Area Severance o	r Lot Addition
	 Surplus Farm Dwelling Severance for Abutting Farm Consolidation 	om an (Complete Section 10.4)
	Surplus Farm Dwelling Severance fi Non-Abutting Farm Consolidation	rom a (Complete Section 10.5)
10.3	Description of Lands	
	a) Lands to be Severed:	•
	Frontage (m): (from Section 4.1)	Area (m² or ha): (from in Section 4.1)
	Existing Land Use:	Proposed Land Use:
	b) Lands to be Retained:	
	Frontage (m): (from Section 4.2)	Area (m2 or ha): (from Section 4.2)
	Existing Land Use:	Proposed Land Use:
10.4	Description of Lands (Abutting Farm (a) Location of abutting farm:	Consolidation)
	(Street) (N	funicipality) (Postal Code)
	b) Description abutting farm:	
	Frontage (m):	Area (m2 or ha):
	Existing Land Use(s):F	roposed Land Use(s):
		uding lands intended to be severed for the
	Frontage (m):	Area (m2 or ha):
	Existing Land Use: F	roposed Land Use:
	d) Description of surplus dwelling lands	proposed to be severed:
	Frontage (m): (from Section 4.1)	Area (m2 or ha): (from Section 4.1)
	Front yard set back:	
	e) Surplus farm dwelling date of construc	tion:
	Prior to December 16, 2004	After December 16, 2004
	f) Condition of surplus farm dwelling:	2001
	Habitable	Non-Habitable
	 g) Description of farm from which the sur (retained parcel): 	plus dwelling is intended to be severed
		Area (m2 or ha): (from Section 4.2)
	Existing Land Use:P	roposed Land Use:
0.5	Description of Lands (Non-Abutting Fa	rm Consolidation)
	a) Location of non-abutting farm	
	(Street) (M	unicipality) (Postal Code)

	F	bescription of non-abutting farm		
	-	Frontage (m):	Area (m2 or ha):	
	E	Existing Land Use(s):	Proposed Land Use(s):	
	Γ	c) Description of surplus dwelling lands Frontage (m): (from Section 4.1)	intended to be severed:	
			Area (m2 or ha): (from Section 4.1)	
	F	Front yard set back:		
	C	 Surplus farm dwelling date of constru 	iction:	
		Prior to December 16, 2004	After December 16, 2004	
	е	e) Condition of surplus farm dwelling:	·	
		☐ Habitable	☐ Non-Habitable	
	f	 Description of farm from which the su (retained parcel); 	rplus dwelling is intended to be severed	
		Frontage (m): (from Section 4.2)	Area (m2 or ha): (from Section 4.2)	
	E	existing Land Use: F	Proposed Land Use:	
11	OT	HER INFORMATION		
		Is there any other information that you Adjustment or other agencies in review attach on a separate page.	think may be useful to the Committee of ving this application? If so, explain below or	
		See attached cover letter.		
		Archaeological Assessment completed,	acknowledged by Ministry and supported by City Staff (processed through OPA/ZBA)	
		Access agreement/right of way providing	access to the subject site, to the satisfaction of the City Solicitor (processed through SPA)	
			,	
12 \$	SKE	ETCH (Use the attached Sketch Sheet	as a guido)	
12.17	Γhe	application shall be accompanied by a	sketch showing the following in metric units:	
•	(a)	the boundaries and dimensions of any the owner of the subject land;	land abutting the subject land that is owned by	
((b)	the approximate distance between the or landmark such as a bridge or railway	subject land and the nearest township lot line / crossing;	
((c)	the boundaries and dimensions of the subject land, the part that is intended to be severed and the part that is intended to be retained;		
((d)	the location of all land previously seven current owner of the subject land;	ed from the parcel originally acquired by the	
(the approximate location of all natural a barns, railways, roads, watercourses, d wetlands, wooded areas, wells and sep	and artificial features (for example, buildings, rainage ditches, banks of rivers or streams, tic tanks) that,	
		 i) are located on the subject land an oii) in the applicant's opinion, may affect 	on land that is adjacent to it, and ct the application;	
(f)	the current uses of land that is adjacent agricultural or commercial);	to the subject land (for example, residential,	
(g)	the location, width and name of any roa indicating whether it is an unopened roa	ds within or abutting the subject land, ad allowance, a public travelled road, a private	



SC/ B-20:34 SHAPING GREAT COMMUNITIES

File No: 14125

June 12, 2020

City of Hamilton

Jamila Sheffield, Secretary Treasurer, Committee of Adjustment Planning & Economic Development Department 71 Main Street West, 5th Floor

Dear Ms. Sheffield:

Hamilton, ON L8P 4Y5

Re: 860 Queenston Road, Hamilton **Consent to Sever Application**

GSP Group is the planning representative for Silvercreek Business Park Ltd., the owner of the above noted lands. An Official Plan Amendment ("OPA") and Zoning By-law Amendment ("ZBA") were approved by the Local Planning Appeal Tribunal ("LPAT") on July 3, 2018 (PL170282) permitting the development of a 19-storey residential building. The City files for the OPA and ZBA are UHOPA-16-01 and ZAC-16-009, respectively. Final site plan approval has been granted, under City file number DA-18-075.

An application for consent to sever is requested in order to create a separate lot of land in which funding can be obtained to construct the affordable housing/market rental building. The intention is to have separate ownership for the new building from the existing commercial building on the site. Specifically, Silvercreek Business Park Ltd. will retain ownership of the lands containing the existing building, and Queenston Road Holdings Inc. will obtain ownership of the severed lands to construct the apartment building.

Important notes:

- The site specific zoning was written to allow for the division of land.
- An Archaeological Assessment was submitted to the City and the Ministry of Tourism, Culture and Sport. The Province acknowledged receipt in a letter

In support of this Consent to Sever application, please find enclosed the following:

- Two (2) copies of the completed application form;
- One (1) cheque in the amount of \$2,845.00 made payable to the City of Hamilton for the Standard Application Fee;
- One (1) cheque in the amount of \$805.00 made payable to the Hamilton Conservation Authority for the plan review fee;
- Three (3) 11" x 17" copies of the consent sketch, prepared by ATMcLaren Ltd (dated May 17, 2019).
- Digital submission.

Should you have any questions or require any additional information, please do not hesitate to contact me at 905-572-7477 or via email at sknoll@gspgroup.ca

Yours truly

GSP Group Inc.

Sarah Knoll, BES, MCIP, RPP

Senior Planner

cc. Quenston Road Holdings Inc. Silvercreek Business Park Ltd.

