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:

HM/B-20:72

SUBJECT PROPERTY:

80 Bancroft St., Hamilton

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):

Zoltan Engineering on behalf of the owner Brad

Andree

PURPOSE OF APPLICATION:

To permit the conveyance of a parcel of land to be

added to 399 Kenora Ave., Hamilton

Severed lands:

15m[±] x 64m[±] and an area of 960m^{2±}

Retained lands:

42.9m[±] x 64m[±] and an area of 2,746m^{2±}

The Committee of Adjustment will hear this application on:

DATE:

Thursday, November 19th, 2020

TIME:

2:00 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:

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Visit <u>www.hamilton.ca/committeeofadjustment</u>

• Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935

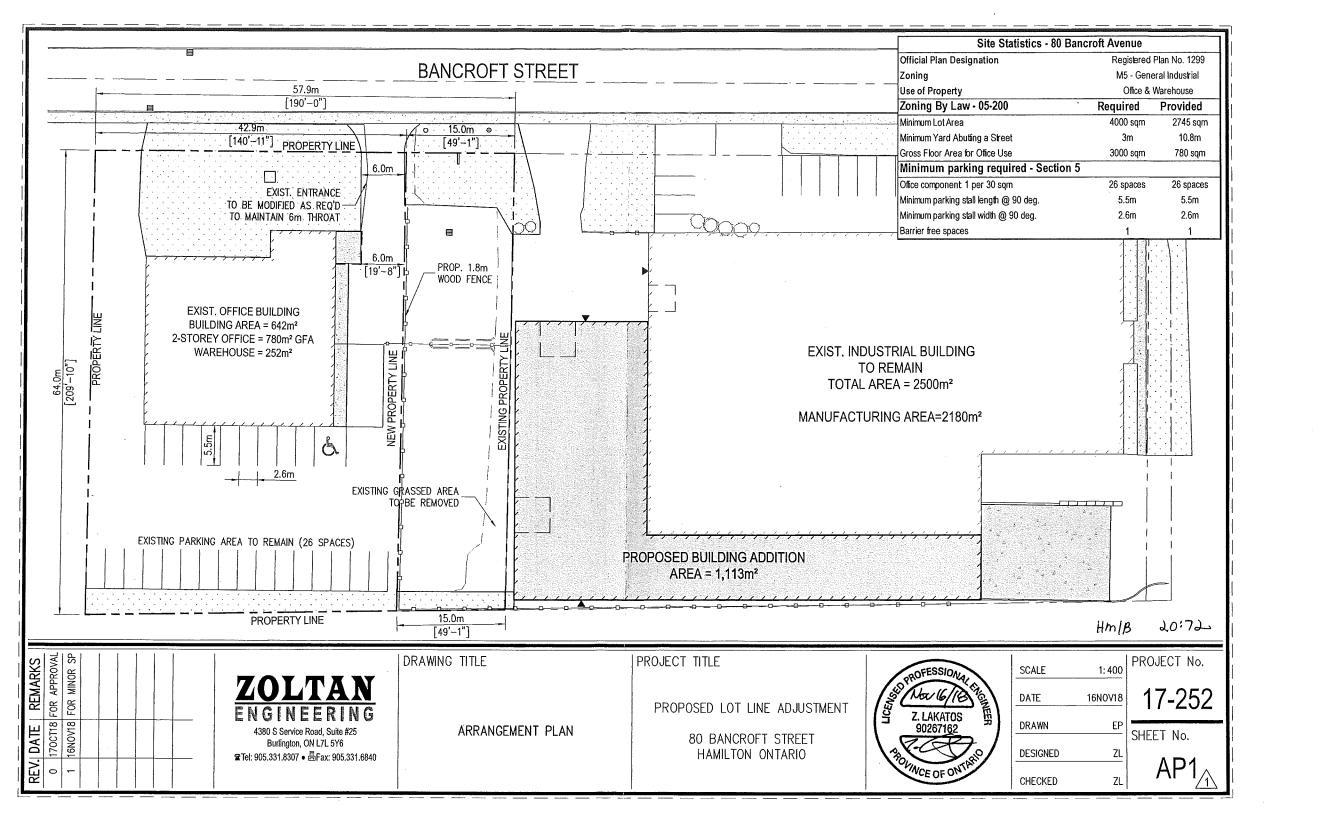
Email Committee of Adjustment staff at cofa@hamilton.ca

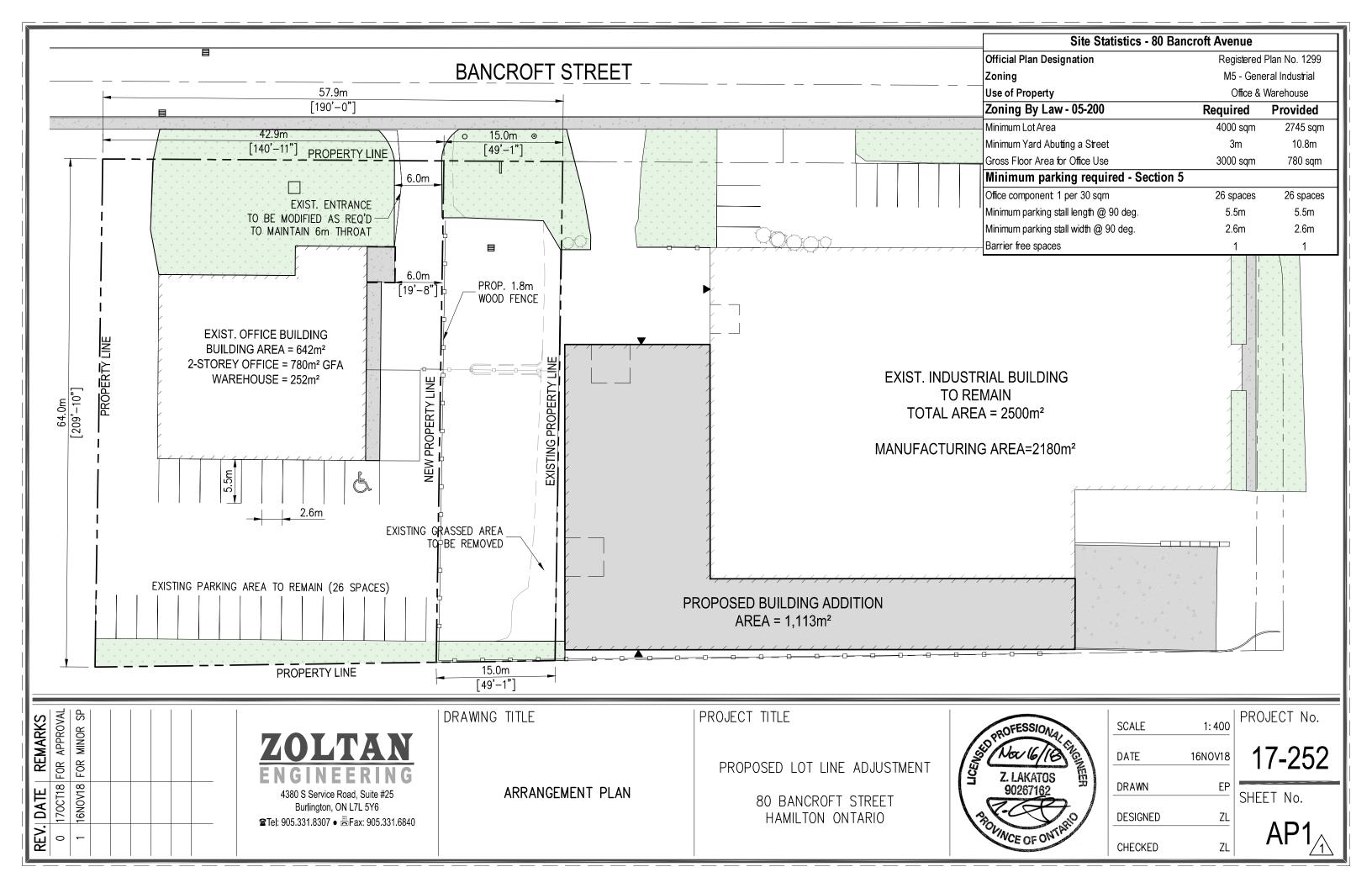
DATED: November 3rd, 2020

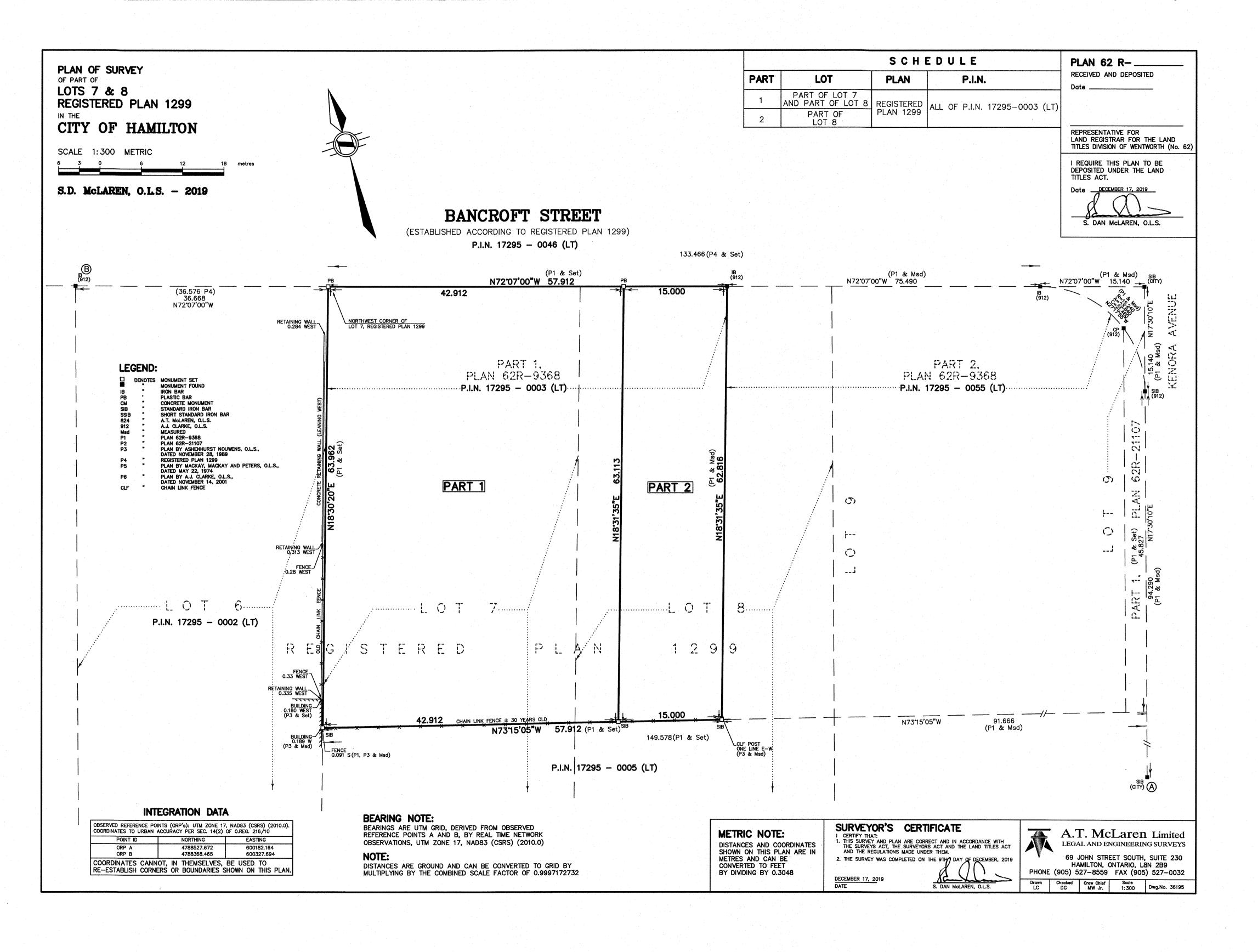
Jamila Sheffield, Secretary-Treasurer

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

City Hall

5th floor, 71 Main Street West Hamilton, Ontario L8P 4Y5

Planning and Economic Development Department Planning Division

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

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

Office Use Only **Date Application** Date Application Submission No.: File No .: Received: Deemed Complete: APPLICANT INFORMATION PHONE/FAX 1.1, 1.2 NAME **ADDRESS** Registered Group Seven Inc. Business (Owners(s) Mr. Len Verhey Fax: (E-mail: Applicant(s)* Zoltan Engineering Inc. Business (Mr. Jonathan Lensink Fax: (E-mail: Zoltan Engineering Inc. Agent or Business () Mr. Jonathan Lensink Solicitor Fax: () E-mail: * Owner's authorisation required if the applicant is not the owner. X Owner X Applicant X Agent/Solicitor 1.3 All correspondence should be sent to 2 LOCATION OF SUBJECT LAND Complete the applicable lines 2.1 Area Municipality Lot Concession Former Township Part of Lot Hamilton 7&8 Registered Plan N°. Reference Plan N°. Part(s) Lot(s) Plan 62R-9368 1299 Municipal Address Assessment Roll N°. 80 Bancroft Street, Hamilton, ON 2.2 Are there any easements or restrictive covenants affecting the subject land? Yes X No If YES, describe the easement or covenant and its effect: 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 a new lot Other: a charge

X addition to a lot

an easement

a lease

a correction of title

b) Rural Area / Rural Settlement Area Transfer (Section 10 must be completed):			
☐ creation of a new lot ☐ creation of a new no (i.e. a lot containing a resulting from a farm co ☐ addition to a lot	n-farm parcel surplus farm dwelling	Other: a charge a lease a correction of title an easement	
or charged:	Name of person(s), if known, to whom land or interest in land is to be transferred, leased or charged: Mr. Len Verhey, Nashdale Estates (owner of 399 Kenora)		
399 Kenora Avenue, Hamilton,	3.3 If a lot addition, identify the lands to which the parcel will be added: 399 Kenora Avenue, Hamilton, ON, L8E 2W3		
4 DESCRIPTION OF SUBJE4.1 Description of land intende	ECT LAND AND SERVICING I	NFORMATION	
Frontage (m)	Depth (m) 64m	Area (m² or ha) 960m2	
Existing Use of Property to be severed: Residential Agriculture (includes a farm dwelling) Other (specify) Simplify: A Industrial Agricultural-Related Vacant			
Proposed Use of Property to be severed: Residential Agriculture (includes a farm dwelling) Agricultural-Related Vacant Other (specify)			
Building(s) or Structure(s): Existing: None on the land to be severed.	vered.		
Proposed: None proposed currently	у.		
Type of access: (check appropriate box) provincial highway municipal road, seasonally maintained municipal road, maintained all year			
Type of water supply proposed: (check appropriate box) X publicly owned and operated piped water system lake or other water body privately owned and operated individual well other means (specify)			
Type of sewage disposal proposed: (check appropriate box) X publicly owned and operated sanitary sewage system privately owned and operated individual septic system other means (specify)			
4.2 Description of land intended to be Retained :			
Frontage (m) 42.9m	Depth (m) 64m	Area (m² or ha) 2,746m2	
Existing Use of Property to be retained: Residential Agriculture (includes a farm dwelling) Other (specify)			

5.2 V If N 5.3 A s	ubject land, unless otherwise specified. In poly. Use or Feature	•		
5.2 V If N 5.3 A s	•	•		
5.2 V	are any of the following uses or features o			
aı -	What is the existing zoning of the subject I the subject land is covered by a Minister umber? M5 (General Industrial)		er, what is the	e Ontario Regulation
-	llow for both properties to remain optimal with the	ir existing uses.		
aı	nd for optimal operation will require the requested	land severed from	om 80 Bancroft	Street. This application wil
	nd adaptation of existing structures. The property	on 399 Kenora	Ave is being re	developed (building addition
ŢĮ	he property is located in the employment area (inc	dustrial land) wh	ich supports us	es through redevelopment
*	**Previously approved under HM/B-18:133 - re-ap	plied as conditio	ns were not co	mpleted in 1-year time.
	Please provide an explanation of how the Official Plan.	application co	onforms with	a City of Hamilton
U	Jrban Hamilton Official Plan designation (if applicable)_	Employment A	Area - Industrial Land
	Rural Hamilton Official Plan designation (if	•		
_	CURRENT LAND USE What is the existing official plan designation	on of the subje	ect land?	
	Other Services: (check if the service is ava ectricity	ailable) nool bussing	X g	arbage collection
X pu ☐ pri	of sewage disposal proposed: (check appolicly owned and operated sanitary sewag vately owned and operated individual sep ner means (specify)	ge system		
	blicly owned and operated piped water sy vately owned and operated individual we			other water body eans (specify)
Туре	of water supply proposed: (check approp	riate box)		
pro	of access: (check appropriate box) ovincial highway unicipal road, seasonally maintained unicipal road, maintained all year		☐ right of v	vay blic road
Propo	osed: Industrial Office Building			
	ng(s) or Structure(s): ng: Industrial Office Building			
□ Re □ Ag	esidential priculture (includes a farm dwelling) ther (specify)	X Industrial ☐ Agricultur	al-Related	☐ Commercial ☐ Vacant

A land fill		
A sewage treatment plant or waste stabilization plant		
A provincially significant wetland		
A provincially significant wetland within 120 metres		
A flood plain		
An industrial or commercial use, and specify the use(s)	X	Equipment Manufacturing (adjacent lot)
An active railway line	X	approx. 30m away
A municipal or federal airport		
	mmercial ner (specify	<i>y</i>)
6.1 If Industrial or Commercial, specify use <u>Industrial Office</u>	Building	
6.2 Has the grading of the subject land been changed by a has filling occurred?☐ Yes X No ☐ Unknown	adding ear	th or other material, i.e.,
6.3 Has a gas station been located on the subject land or ☐ Yes ☐ No ☐ Unknown	adjacent la	ands at any time?
6.4 Has there been petroleum or other fuel stored on the s	subject lan	d or adjacent lands?
6.5 Are there or have there ever been underground storage subject land or adjacent lands? ☐ Yes ☐ Unknown	je tanks or	buried waste on the
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 ☐ No ☐ Unknown		
Have the lands or adjacent lands ever been used as a weapons firing range? ☐ Yes Ⅺ No ☐ Unknown		
6.8 Is the nearest boundary line of the application within 5 area of an operational/non-operational landfill or dump Yes X No Unknown		(1,640 feet) of the fill
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)? ☐ Yes ☒ No ☐ Unknown		
.10 Is there reason to believe the subject land may have been contaminated by former uses on the site or adjacent sites? ☐ Yes ☒ No ☐ Unknown		
6.11 What information did you use to determine the answer	s to 6.1 to	6.10 above?
Information provided by the owner & previous owner.		
If previous use of property is industrial or commercial or if YES to any of 6.2 to 6.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed. Is the previous use inventory attached? Yes No		
 7 PROVINCIAL POLICY 7.1 a) Is this application consistent with the Policy Statements issued under subsection of the <i>Planning Act</i>? (Provide explanation) 		
X Yes		

	This severance will enable economic growth of the property at 399 Kenora Ave, further increasing		
	the density of the urban area. The lot line adjustment is appropriate for the existing infrastructure & environment.		
b)	Is this application consistent with the Provincial Policy Statement (PPS)? X Yes		
	for economic development. The addition of land to 399 Kenora Ave will allow the current business		
	(Canway Equipment Manufacturing) to operate optimally and grow economically.		
c)	Does this application conform to the Growth Plan for the Greater Golden Horseshoe? X Yes		
	and employment opportunities. The proposed addition of land to 399 Kenora will allow the operations		
	to expand and capitalize economically while the current use of 80 Bancroft will still continue.		
d)	Are the subject lands within an area of land designated under any provincial plan or plans? (If YES, provide explanation on whether the application conforms or does not conflict with the provincial plan or plans.) Yes No		
e)	Are the subject lands subject to the Niagara Escarpment Plan? ☐ Yes X No		
	If yes, is the proposal in conformity with the Niagara Escarpment Plan? Yes No (Provide Explanation)		
f)	Are the subject lands subject to the Parkway Belt West Plan? ☐ Yes ☒ No		
	If yes, is the proposal in conformity with the Parkway Belt West Plan? ☐ Yes ☐ No (Provide Explanation)		
g)	Are the subject lands subject to the Greenbelt Plan? ☐ Yes ☒ No		
	If yes, does this application conform with the Greenbelt Plan? Yes No (Provide Explanation)		

8.1	Has the subject land ever been the subject of an application for approval of a plan of subdivision or a consent under sections 51 or 53 of the <i>Planning Act</i> ? Yes No Vinknown			
	If YES, and known, indicate the appropriate application file number and the decision made on the application.			
8.2	If this application is a re-submission of a previous consent application, describe how it has been changed from the original application.			
	Previously approved under HM/B-18:133 - re-applied as conditions were not completed in 1-year time. No change.			
8.3	Has any land been severed or subdivided from the parcel originally acquired by the owner of the subject land? ☐ Yes ☒ No			
	If YES, and if known, provide for each parcel severed, the date of transfer, the name of the transferee and the land use.			
8.4	How long has the applicant owned the subject land? +/- 1 year			
8.5	Does the applicant own any other land in the City? X Yes 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 proposed official plan amendment that has been submitted for approval? Yes X No Unknown			
	If YES, and if known, specify file number and status of the application.			
9.2	Is the subject land the subject of any other application for a Minister's zoning order, zoning by-law amendment, minor variance, consent or approval of a plan of subdivision? ☐ Yes ☑ No ☐ Unknown			
	If YES, and if known, specify file number and status of the application(s).			
	File number Status			
10 10.1	RURAL APPLICATIONS Rural Hamilton Official Plan Designation(s)			
	☐ Agricultural ☐ Rural ☐ Specialty Crop			
	☐ Mineral Aggregate Resource Extraction ☐ Open Space ☐ Utilities			
	Rural Settlement Area (specify)			
	Settlement Area Designation			
	If proposal is for the creation of a non-farm parcel resulting from a farm consolidation, indicate the existing land use designation of the abutting or non-abutting farm operation.			
10.2				
	 ☐ Agricultural Severance or Lot Addition ☐ Agricultural Related Severance or Lot Addition ☐ Rural Resource-based Commercial Severance or Lot Addition ☐ Rural Institutional Severance or Lot Addition 			

HISTORY OF THE SUBJECT LAND

Proposed Land Area (m2 or ha	(Complete Section 10.4) (Complete Section 10.5) a): (from in Section 4.1) d Use: a): (from Section 4.2)
Area (m² or ha Proposed Land Area (m2 or ha Proposed Land	a): (from in Section 4.1) I Use: a): (from Section 4.2)
Proposed Land Area (m2 or ha Proposed Land	I Use:a): (from Section 4.2)
Proposed Land Area (m2 or ha Proposed Land	I Use:a): (from Section 4.2)
Proposed Land Area (m2 or ha Proposed Land	I Use:a): (from Section 4.2)
Area (m2 or ha	a): (from Section 4.2)
Proposed Land	, ,
Proposed Land	, ,
·	l Use:
Consolidation)	
(Municipality)	(Postal Code
Area (m2 or ha	n):
Proposed Land U	Jse(s):
cluding lands inte	ended to be severed for the
Area (m2 or ha	n):
Proposed Land U	Jse:
s proposed to be s	severed [.]
Area (m2 or ha	a): (from Section 4.1)
ruction:	
	cember 16, 2004
	,
☐ Non-Hab	itable
	intended to be severed
Area (m2 or ha	i): (from Section 4.2)
Proposed Land U	Jse:
Farm Consolidat	tion)
(Municipality)	(Postal Code
	Proposed Land Cacluding lands into accluding lands area (m2 or harmonic

b)) Description of non-abutting farm			
F	Frontage (m):	Area (m2 or ha):		
E	Existing Land Use(s): P	roposed Land Use(s):		
c) Description of surplus dwelling lands intended to be severed:				
	Frontage (m): (from Section 4.1)			
F				
d) Surplus farm dwelling date of construction:				
	Prior to December 16, 2004	After December 16, 2004		
e	c) Condition of surplus farm dwelling:			
	☐ Habitable	Non-Habitable		
f)	Description of farm from which the sur (retained parcel):	plus dwelling is intended to be severed		
Ī	Frontage (m): (from Section 4.2)	Area (m2 or ha): (from Section 4.2)		
E	Existing Land Use: P	roposed Land Use:		
11 OTI	HER INFORMATION			
	Is there any other information that you think may be useful to the Committee of Adjustment or other agencies in reviewing this application? If so, explain below or attach on a separate page. Mr. Len Verhey owns both properties, 399 Kenora & 80 Bancroft.			
	ETCH (Use the attached Sketch Sheet application shall be accompanied by a	as a guide) 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 b		
(b)	the approximate distance between the subject land and the nearest township lot line or landmark such as a bridge or railway 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 severed from the parcel originally acquired by the current owner of the subject land;			
(e)	• •	and artificial features (for example, buildings, Irainage ditches, banks of rivers or streams, otic tanks) that,		
	i) are located on the subject land anii) in the applicant's opinion, may affe			
(f)	the current uses of land that is adjacen agricultural or commercial);	t to the subject land (for example, residential,		

(g) the location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private