COMMITTEE OF ADJUSTMENT



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

E-mail: cofa@hamilton.ca

NOTICE OF PUBLIC HEARING Consent/Land Severance

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

APPLICATION	APPLICATION SC/B-22:33 SUBJECT 28 GLOVER		28 GLOVER ACCESS RD S,
NO.:		PROPERTY : STONEY CREEK	

APPLICANTS: Owner - Losani Homes (1998) Ltd.

PURPOSE & EFFECT: To sever the vacant lands known as 28 Glover Access Road South, Hamilton, into two separate Industrial lots.

	Frontage	Depth	Area
SEVERED LANDS:	268 m [±]	175 m [±]	4.86008 ha [±]
RETAINED LANDS:	209.28 m [±]	202.79 m [±]	3.03514 ha [±]

Associated Planning Act File(s): N/A

This Notice must be posted by the owner of any land which contains seven or more residential units so that it is visible to all residents.

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

DATE:	Thursday, June 9, 2022	
TIME:	1:15 p.m.	
PLACE:	Via video link or call in (see attached sheet for details)	
	To be streamed (viewing only) at	
	www.hamilton.ca/committeeofadjustment	

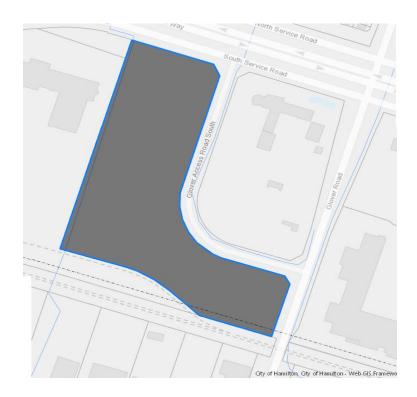
For more information on this matter, including access to drawings illustrating this request and other information submitted:

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

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, <u>including deadlines</u> 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.



Subject Lands

DATED: May 24, 2022

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, and may include posting electronic versions..

If a person or public body that files an appeal of a decision of The City of Hamilton Committee of Adjustment in respect of the proposed consent does not make written submissions to The City of Hamilton Committee of Adjustment before it gives or refuses to give a provisional consent, the Ontario Land Tribunal may dismiss the appeal.

SC/B-22:33

If you wish to be notified of the decision of The City of Hamilton Committee of Adjustment in respect of the proposed consent, you must make a written request to the Secretary-Treasurer of The City of Hamilton Committee of Adjustment by email at cofa@hamilton.ca or by mail through City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5.



COMMITTEE OF ADJUSTMENT

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Telephone (905) 546-2424, ext. 4221, 3935

E-mail: cofa@hamilton.ca

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.

Comments are available two days prior to the Hearing and are available on our website: www.hamilton.ca/committeeofadjustment

Oral Submissions During the Virtual Meeting

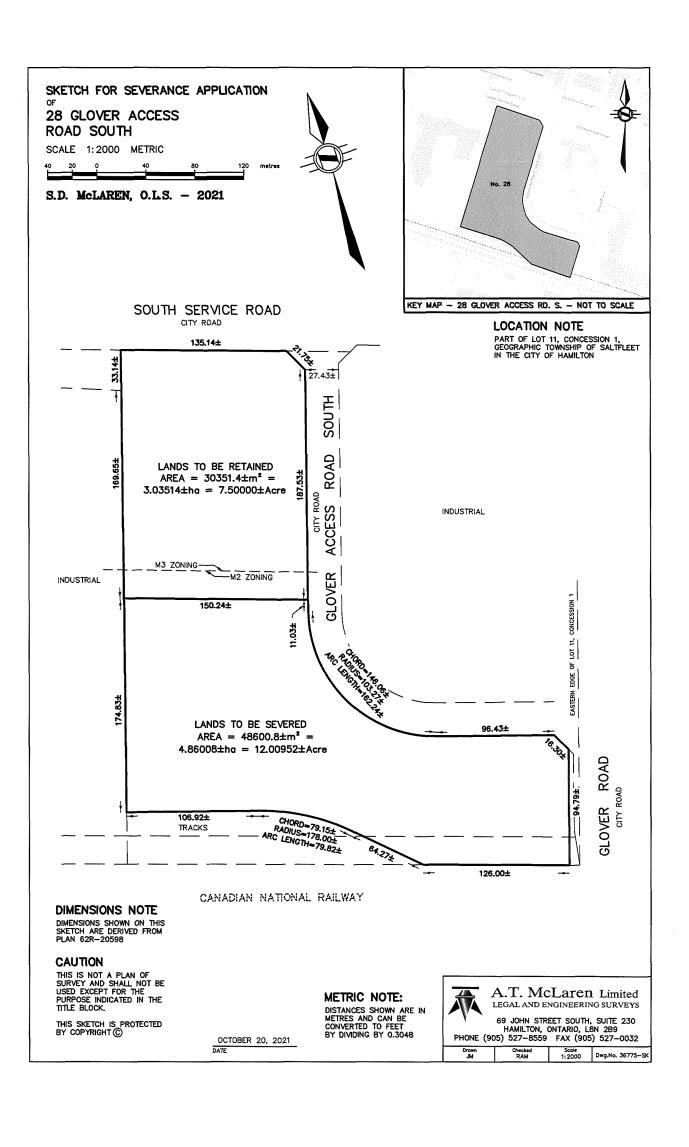
Members of the public are also able to provide oral comments regarding Committee of Adjustment Hearing items by participating through Webex via computer or phone. Participation in this format requires pre-registration in advance. **Interested members of the public must register by noon the day before the hearing.**

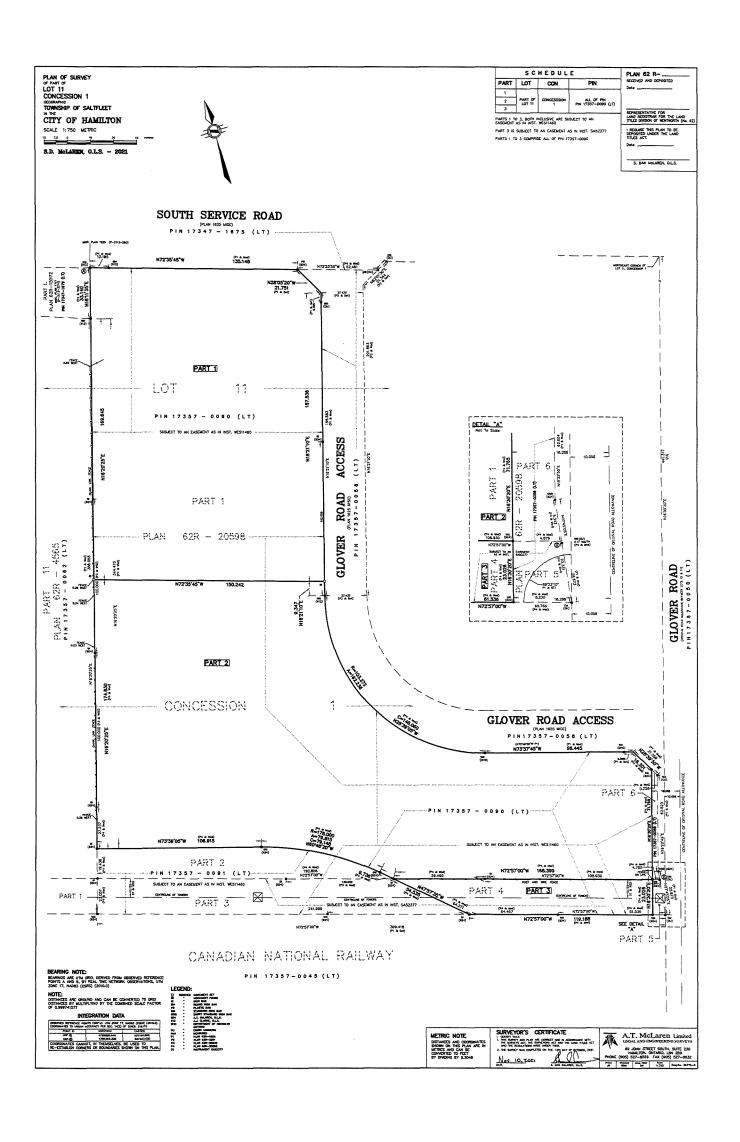
To register to participate by Webex either via computer or phone, please contact Committee of Adjustment staff by email cofa@hamilton.ca or by phone at 905-546-2424 ext. 4221. The following information is required to register: Committee of Adjustment file number that you wish to speak to, the hearing date, 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 Wednesday afternoon before the hearing. 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 cofa@hamilton.ca 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.







Committee of Adjustment City Hall, 5th Floor, 71 Main St. W., Hamilton, ON L8P4Y5

Phone: (905) 546-2424 ext. 4221

Email: cofa@hamilton.ca

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

Office Use Only **Date Application** Date Application File No .: Submission No.: Received: **Deemed Complete:** APPLICANT INFORMATION NAME **MAILING ADDRESS** Purchaser* Phone: E-mail: Registered Losani Homes (1998) Owners(s) Ltd. Losani Homes (1998) Applicant(s)** Ltd. Agent or Phone: Solicitor E-mail: *Purchaser must provide a copy of the portion of the agreement of purchase and sale that authorizes the purchaser to make the application in respect of the land that is the subject of the application. (O. Reg. 786/21) ** Owner's authorisation required if the applicant is not the owner or purchaser. 1.3 All correspondence should be sent to Purchaser] Owner Applicant ☐ Agent/Solicitor 2 LOCATION OF SUBJECT LAND Complete the applicable lines 2.1 Area Municipality Former Township Lot Concession Hamilton 11 Saltfleet Registered Plan N°. Reference Plan N°. Lot(s) Part(s) Municipal Address Assessment Roll N°. 28 Glover Access Road South, Hamilton, ON L8E 5M7

2.2	Are there any easements or restrictive covenants affecting the subject land? Yes No If YES, describe the easement or covenant and its effect:						
Hydro Easement							
3 3.1	PURPOSE OF THE APPLICATION Type and purpose of proposed transaction: (check appropriate box)						
	a) Urban Area Transfer (do	not complete Section 10):					
creation of a new lot addition to a lot an easement			Other: a charge a lease a correction of title				
	b) Rural Area / Rural Settle	ment Area Transfer (Sectio	n 10 must also be completed):				
	creation of a new lot creation of a new not creation of a new not i.e. a lot containing a s 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				
3.2	Name of person(s), if know or charged:	n, to whom land or interest ir	n land is to be transferred, leased				
	Geoff Joseph in trust for a	company to be incorporated	l.				
3.3	If a lot addition, identify the	lands to which the parcel wi	ill be added:				
	N/A						
4 4.1		CT LAND AND SERVICING to be Severed (lease, eas					
1	ontage (m) 286m	Depth (m) +/- 175m	Area (m² or ha) +/- 4.86008 ha				
F	eting Use of Property to be s Residential Agriculture (includes a farm of Other (specify)	☐ Industrial	☐ Commercial ral-Related ■ Vacant				
Proposed Use of Property to be severed: Residential Industrial Commercial Agriculture (includes a farm dwelling) Agricultural-Related Vacant Other (specify)							
	ding(s) or Structure(s): sting: <u>N/A</u>						
Proj	oosed: See attached cover	letter					
Existing structures to be removed: N/A							
F	Type of access: (check appropriate box) provincial highway municipal road, seasonally maintained municipal road, maintained all year						
■ t	Type of water supply proposed: (check appropriate box) publicly owned and operated piped water system privately owned and operated individual well lake or other water body other means (specify)						

pı D	of sewage disposal propose of sewage disposal propose ublicly owned and operated rivately owned and operate ther means (specify)	I sanitary sewa	ge system		
4.2	Description of land intended	d to be Retaine	d (remainder):		
1	ontage (m) 209.28m	Depth (m) +/- 202.79 m		Area (m² (+/- 3.035	
* If ye subje	ficate Request for Retained es, a statement from an On ect land that is owned by th eyed without contravening	tario solicitor in e owner of the	good standing t subject land othe	er than land	
□ R □ A	ing Use of Property to be re esidential griculture (includes a farm ther (specify)	dwelling)	☐ Industrial ☐ Agricultural-	Related	Commercial Vacant
R	osed Use of Property to be esidential griculture (includes a farm ther (specify)	dwelling)	Industrial Agricultural-	Related	Commercial Vacant
Exist	ling(s) or Structure(s): ing: NA osed: TBD				
гюр	osed. 135				
Exist	ing structures to be remove	ed: <u>№</u>			
D pr	e of access: (check appropr rovincial highway nunicipal road, seasonally n nunicipal road, maintained a	naintained] right of wa] other publ	
p	Type of water supply proposed: (check appropriate box) publicly owned and operated piped water system privately owned and operated individual well lake or other water body other means (specify)				
■ p	of sewage disposal propose ublicly owned and operated rivately owned and operate ther means (specify)	sanitary sewa	ge system		
	Other Services: (check if the lectricity		ailable) nool bussing	☐ gar	bage collection
5.1	CURRENT LAND USE What is the existing official Rural Hamilton Official Plar		•	land?	
	Rural Hamilton Official Plan designation (if applicable): Urban Hamilton Official Plan designation (if applicable) Employment (Schedule E) & Business Park (Schedule E-1)				
	Please provide an explanat Official Plan.		,		
	Employment area designations are intended to maintain adequate supply of zoned and serviced lands of varying parcel sizes. The proposal facilitates preservation of employment lands, while providing for further diversification of employment opportunities. Proposed consent meets all criteria for new lot creation for employment uses as noted in Section F 1.14.3.5 Division of Land.				

If the subject land is covered by a Minister's zoning order, what is the Ontario Regulation Number? Prestige Business Park (M3) & General Business Park (M2) in the City of Hamilton's Zoning By-Law No. 05-200				
5.3 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	On the Subject Land	Within 500 Metres of Subject Land, unless otherwise specified (indicate approximate distance)	
	agricultural operation, including livestock facility or ckyard*			
A la	and fill			
A s	ewage treatment plant or waste stabilization plant			
Ар	rovincially significant wetland			
Αp	rovincially significant wetland within 120 metres			
A fl	ood plain			
An	industrial or commercial use, and specify the use(s)	×	Nove Steel (West) & Battlefield Equipment Rentals (East)	
An	active railway line	×	CN Rail line (South)	
A n	nunicipal or federal airport			
*Co	mplete MDS Data Sheet if applicable			
6		mmercial er (specify	<i>(</i>)	
6.1	If Industrial or Commercial, specify use			
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	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 subject land or adjacent lands? ☐ Yes ■ No ☐ Unknown			
6.5	Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands? Yes No Unknown			
6.6	cyanide products may have been used as pesticides and/or biosolids was applied to the lands?			
6.7	 Yes No ☐ Unknown Have the lands or adjacent lands ever been used as a weapons firing range? Yes No ☐ Unknown 			
6.8				
6.9	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)? Yes No Unknown			
		DELICATE -		
	(January 2022)		Page 4 of 10	

5.2 What is the existing zoning of the subject land?

	on the site or adjacent sites? No Unknown				
6.11	What information did you use to determine the answers to 6.1 to 6.10 above?				
	Due Diligence Completed through acquisition process & property ownership records.				
	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 Pi 7.1 a)	ROVINCIAL POLICY Is this application consistent with the Policy Statements issued under subsection of the <i>Planning Act</i> ? (Provide explanation)				
	■ Yes □ No				
	Refer to the following discussion on consistency with the PPS (2020)				
b)	Is this application consistent with the Provincial Policy Statement (PPS)? Yes				
	Provides for opportunity to preserve and develop additional employment lands, promoting economic development and competitiveness on lands identified within provincially significant employment zone.				
c)	Does this application conform to the Growth Plan for the Greater Golden Horseshoe? Yes No (Provide explanation)				
	Provides for opportunity to develop additional employment lands, promoting economic development, job creation and competitiveness on lands identified within a provincially significant employment zone.				
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.) Types No				
	Lands are within a provincially significant employment zone. Proposal facilitates development of additional lands for future employment uses, while ensuring opportunity to retain local industries/employers.				
e)	Are the subject lands subject to the Niagara Escarpment Plan? ☐ Yes ■ 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				
g)	Are the subject lands subject to the Greenbelt Plan? ☐ Yes				

	If yes, does this application conform with the Greenbelt Plan? ☐ Yes ☐ No (Provide Explanation)
	,
-	HISTORY OF THE SUBJECT LAND 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 □ Unknown
	If YES, and known, indicate the appropriate application file number and the decision made on the application.
	SC/B-16:93 (Approved)
	If this application is a re-submission of a previous consent application, describe how it has been changed from the original application.
2 2	N/A
5.3	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?
	5 years
8.5	Does the applicant own any other land in the City? Yes No If YES, describe the lands in "11 - Other Information" or attach a separate page.
	Local Homebuilder & Developer. Various lands & active applications across the City of Hamilton.
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 No Unknown
	If YES, and if known, specify file number and status of the application.
9.2	ls 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 (Specify) Settlement Area Designation

10.2 **Type of Application** (select type and complete appropriate sections) Agricultural Severance or Lot Addition Agricultural Related Severance or Lot Addition Rural Resource-based Commercial Severance (Complete Section 10.3) or Lot Addition Rural Institutional Severance or Lot Addition Rural Settlement Area Severance or Lot Addition ☐ Surplus Farm Dwelling Severance from an (Complete Section 10.4) Abutting Farm Consolidation Surplus Farm Dwelling Severance from a (Complete Section 10.5) Non-Abutting Farm Consolidation 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: _ **Description of Lands (Abutting Farm Consolidation)** a) Location of abutting farm: (Street) (Municipality) (Postal Code) b) Description abutting farm: Area (m² or ha): Frontage (m): Existing Land Use(s): _____ Proposed Land Use(s): __ c) Description of consolidated farm (excluding lands intended to be severed for the surplus dwelling): Frontage (m): Area (m² or ha): Existing Land Use: Proposed 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 construction: Prior to December 16, 2004 After December 16, 2004 Condition of surplus farm dwelling: ☐ Habitable П Non-Habitable

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.

	g) Description of farm from which the surplus dwelling is intended to be severed (retained parcel):				
	Frontage (m): (from Section 4.2)	Area (m² or ha): (from Section 4.	2)		
	Existing Land Use:	Proposed Land Use:			
10.5	Description of Lands (Non-Abutting	Farm Consolidation)			
	a) Location of non-abutting farm				
	(Street)	(Municipality) (I	Postal Code)		
	b) Description of non-abutting farm	A (2 l)			
	Frontage (m):	Area (m² or ha):			
	Existing Land Use(s):	Proposed Land Use(s):			
	c) Description of surplus dwelling land Frontage (m): (from Section 4.1)		1)		
	Front yard set back:	to a politica and a second	· · · · · · · · · · · · · · · · · · ·		
	 d) Surplus farm dwelling date of const Prior to December 16, 2004 e) Condition of surplus farm dwelling: 	truction: After December 16, 2004			
	Habitable	☐ Non-Habitable			
	f) Description of farm from which the surplus dwelling is intended to be severed (retained parcel):				
	Frontage (m): (from Section 4.2)	Area (m² or ha): (from Section 4.	2)		
	Existing Land Use:	Proposed Land Use:			
11 (Is there any other information that you Adjustment or other agencies in reviattach on a separate page.				
l ackr reme	CKNOWLEDGEMENT CLAUSE nowledge that The City of Hamilton is no diation of contamination on the property				
	on of its approval to this Application.				
4.12.2	<u> </u>	Signature of Owner			
יט	ate	Signature of Owner			



April 13, 2022

Attn: Jamila Sheffield Committee of Adjustment 71 Main Street West, 5th Floor Hamilton, Ontario, L8P 4Y5

RE: Consent Application – 28 Glover Access Rd. South, Hamilton, ON

Dear Ms. Sheffield, Secretary/Treasurer

We are pleased to file an application to sever the vacant lands known municipally as 28 Glover Access Road South, Hamilton, ("subject site") into separate Industrial Commercial lots.

It is respectfully submitted that the approval of the requested consent and lot addition would satisfy the criteria set out pursuant to Section 51 (24) of the Planning Act and a plan of subdivision is not required. Further no variances are being requested through this application.

In support of the application, please find enclosed the following:

- 2 (Two) copies of the complete application forms for the following (Signed):
 - Consent Application 28 Glover Access Rd. South;
- 2 (Two) copies of the Severance Sketch completed by A.T. McLaren Limited
- 2 (Two) copies of the Draft R Plan completed by A.T. McLaren Limited
- 1 (One) Cheque in the amount of \$2,985 payable to the City of Hamilton
- 1 (One) Cheque in the amount of \$845 payable to the Hamilton Conservation Authority

We trust that the enclosed materials are sufficient to review and process this application. Should you require any additional information or have any questions please do not hesitate to contact the undersigned.

Sincerely, Losani Homes

Travis Skelton, MCIP, RPP

Senior Project Manager & Planner

Losani Homes Land Development