



Hamilton

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 NO.:	GL/B-22:37	SUBJECT PROPERTY:	2040 HALL RD, GLANBROOK
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APPLICANTS: Agent David Marshall
Owner Jeffery Albert Barlow

PURPOSE & EFFECT: To permit the conveyance of a new non-farm parcel of land containing a farm house and to retain a parcel of vacant land for agricultural purposes.

	Frontage	Depth	Area
SEVERED LANDS: (Part 1)	55 m [±]	189 m [±]	1.04 ha [±]
RETAINED LANDS:	425 m [±]	915 m [±]	47.8 ha [±]

Associated Planning Act File(s): GL/B-18:57

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:	3:40 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

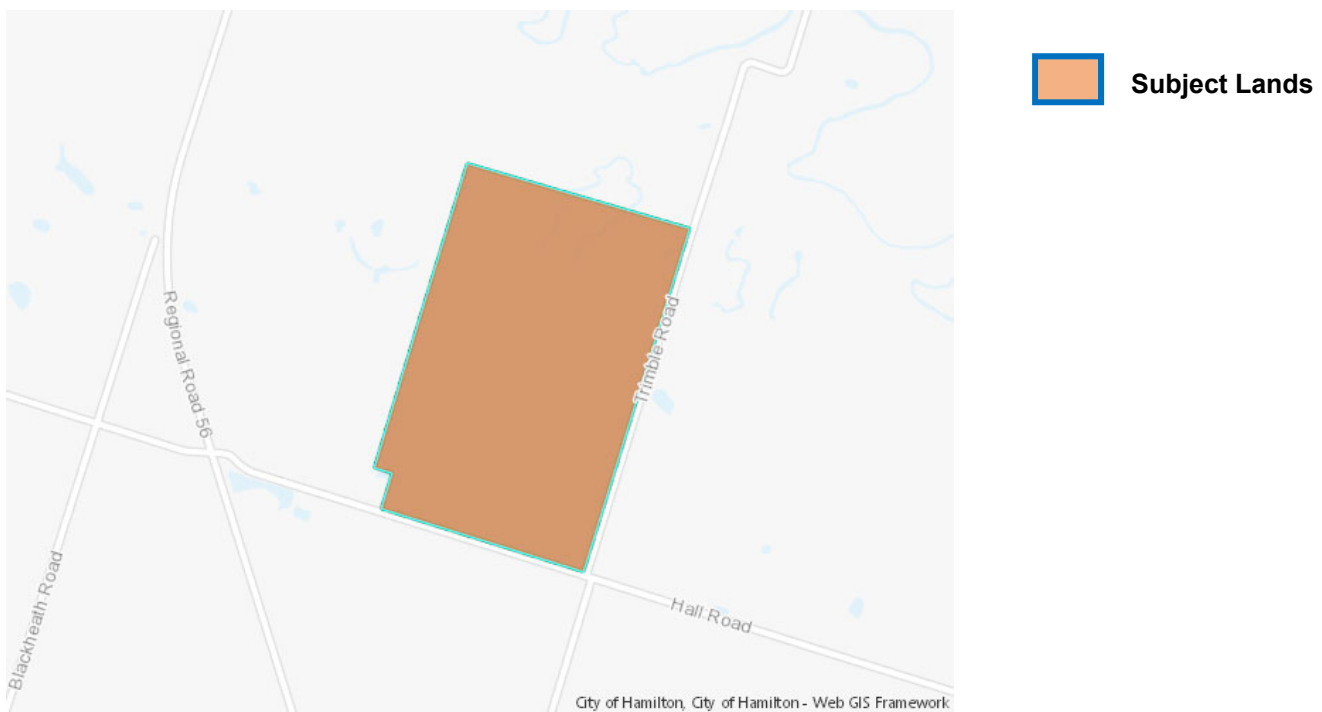
GL/B-22:37

- 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, 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.



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.

GL/B-22:37

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.

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.



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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/committeefadjustment

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.**

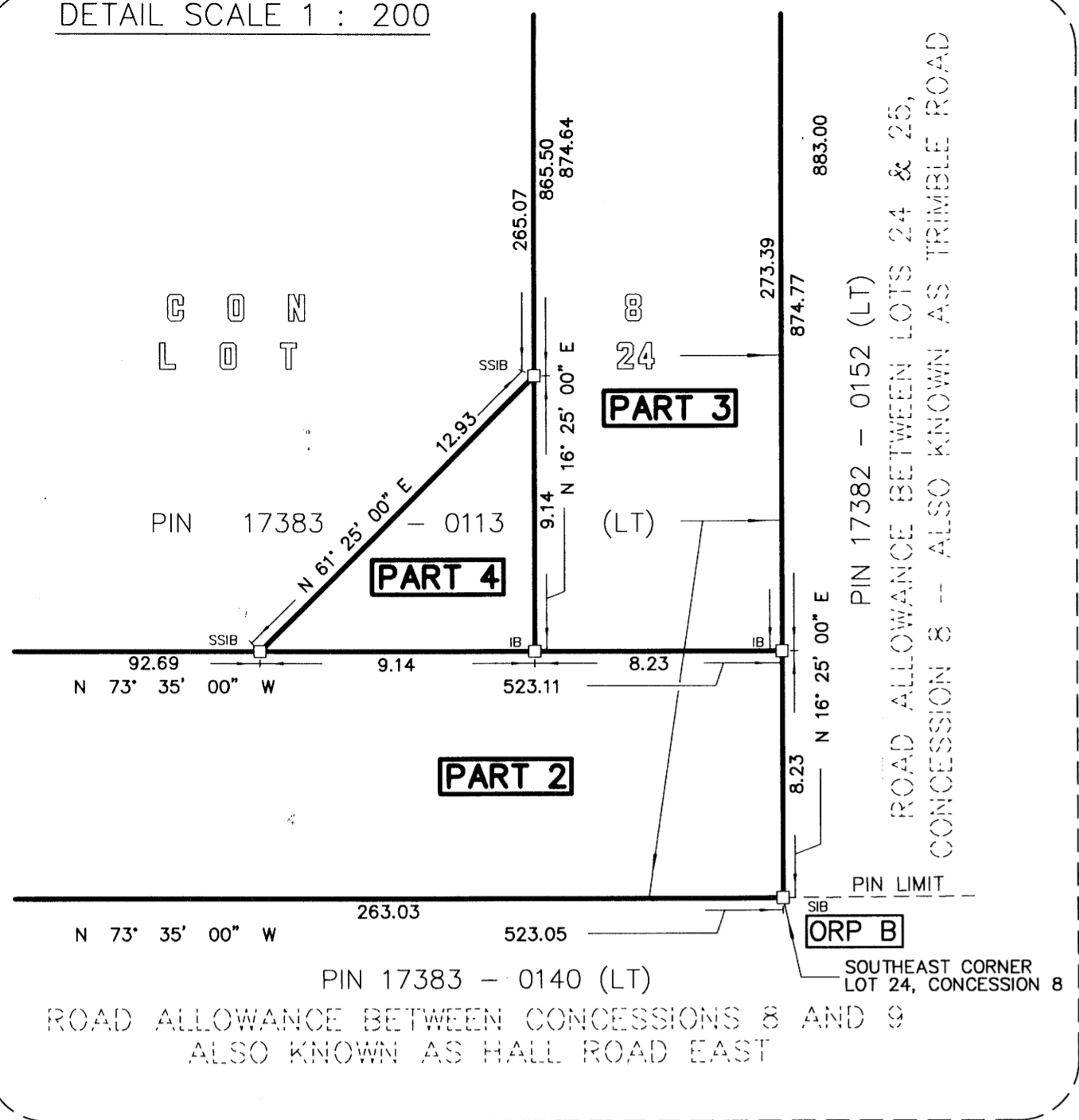
To register to participate by Webex either via computer or phone, please contact Committee of Adjustment staff by email cofa@hamilton.ca or by phone at 905-546-2424 ext. 4221. The following information is required to register: Committee of Adjustment file number that you wish to speak to, the hearing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

DETAIL SCALE 1 : 200



PIN 17383 - 0136 (LT)
PART 2 PLAN 62R-4948

P3 & SET
N74°26'00\"/>

I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT.

PLAN 62R-21241

RECEIVED AND DEPOSITED

JULY 30, 2019
DATE

DATE

[Signature]
HAROLD D. HYDE
ONTARIO LAND SURVEYOR

[Signature]
"A. Sarany"
REPRESENTATIVE FOR LAND REGISTRAR FOR THE LAND TITLES DIVISION OF WENTWORTH (NO. 62)

SCHEDULE

PART	LOT	CONCESSION	PIN NO
1			
2	PART OF LOT 24	CONCESSION 8	PART OF PIN 17383-0113 (LT)
3			
4			

PLAN OF SURVEY OF
PART OF LOT 24
CONCESSION 8
GEOGRAPHIC TOWNSHIP OF BINBROOK
CITY OF HAMILTON

SCALE 1 : 2000

RASCH & HYDE LTD.
ONTARIO LAND SURVEYORS

BEARING NOTE

BEARINGS HEREON ARE GRID, UTM ZONE 17, (NAD 83-CSRS : CBNV6 (Epoch 2010.0)) OBSERVED FROM OBSERVED REFERENCE POINTS (ORPs) USING THE CAN-NET VRS NETWORK AND ARE REFERRED TO THE CENTRAL MERIDIAN OF UTM ZONE 17 (81° WEST LONGITUDE)

ROTATION NOTE

FOR COMPARISON PURPOSES, THE ASTRONOMIC BEARINGS SHOWN ON P1 HAVE BEEN ROTATED 01° 02' 00" COUNTER-CLOCKWISE.
FOR COMPARISON PURPOSES, THE ASTRONOMIC BEARINGS SHOWN ON P2 HAVE BEEN ROTATED 00° 53' 10" COUNTER-CLOCKWISE.
FOR COMPARISON PURPOSES, THE ASTRONOMIC BEARINGS SHOWN ON P3 AND P4 HAVE BEEN ROTATED 01° 26' 00" COUNTER-CLOCKWISE.

INTEGRATION DATA

POINT ID	NORTHING	EASTING
ORP A SIB(1321)	4770538.96	596708.47
ORP B SIB	4770391.17	597210.05
ORP C SIB(1327)	4771237.91	597459.54

ALL COORDINATES ARE IN METRES AND ARE UTM-ZONE 17, (NAD 83-CSRS: CBNV6 (Epoch 2010.0)) (CENTRAL MERIDIAN 81° WEST LONGITUDE).

COORDINATE VALUES ARE TO AN URBAN ACCURACY IN ACCORDANCE WITH SECTION 14 (2) OF O. REG 216/10.

CAUTION

COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

DISTANCES ARE ADJUSTED GROUND DISTANCES AND CAN BE CONVERTED TO GRID DISTANCES BY MULTIPLYING BY THE AVERAGE COMBINED SCALE FACTOR (CSF = 0.99970389)

METRIC NOTE

DISTANCES and COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

LEGEND

- DENOTES SURVEY MONUMENT PLANTED
- DENOTES SURVEY MONUMENT FOUND
- SIB DENOTES STANDARD IRON BAR (25mmX25mmX120cm)
- SSIB DENOTES SHORT STANDARD IRON BAR (25mmX25mmX60cm)
- IB DENOTES IRON BAR (15mmX15mmX60cm)
- IBØ DENOTES ROUND IRON BAR (20mm DIA X 60cm)
- PB DENOTES PLASTIC BAR
- WIT DENOTES WITNESS
- OU DENOTES ORIGIN UNKNOWN
- PIN DENOTES PROPERTY IDENTIFIER NUMBER
- ORP DENOTES OBSERVED REFERENCE POINT
- (1827) DENOTES RASCH & HYDE LTD.
- (1321) DENOTES R. D. RASCH O.L.S.
- (1327) DENOTES KIN-MAN LAU O.L.S.
- (1497) DENOTES ASHENHURST NOUWENS O.L.S.
- (892) DENOTES J. G. FLAHERTY O.L.S.
- (824) DENOTES A. T. MCLAREN O.L.S.
- (655) DENOTES J. T. PETERS O.L.S.
- P1 DENOTES PLAN 62R-13274
- P2 DENOTES PLAN 62R-11645
- P3 DENOTES PLAN 62R-4948
- P4 DENOTES PLAN BY J. G. FLAHERTY O.L.S. DATED AUG 28, 1968
- P W F DENOTES POST AND WIRE FENCE
- HP DENOTES HYDRO/UTILITY POLE
- O U L DENOTES OVERHEAD HYDRO/UTILITY POLE LINE

SURVEYOR'S CERTIFICATE

- I CERTIFY THAT :
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
2. THIS SURVEY WAS COMPLETED ON THE 7th DAY OF FEBRUARY 2019.

JULY 30, 2019
DATE

[Signature]
HAROLD D. HYDE
ONTARIO LAND SURVEYOR

RASCH + HYDE LTD.
Ontario Land Surveyors

P.O. Box 6, 1333 Highway #3 East, Unit B
DUNNVILLE, ONT, N1A 2X1
905-774-7188
(FAX 905-774-4000)

P.O. Box 550, 74 Jarvis Street
FORT ERIE, ONT, L2A 5Y1
905-871-9757
(FAX 905-871-9748)

HAROLD D. HYDE O.L.S.

SCALE 1 : 2000

SURVEY : 19-003

DRWN BY : T. Motheson

PIN 17383 - 0113 (LT)

CONCESSION

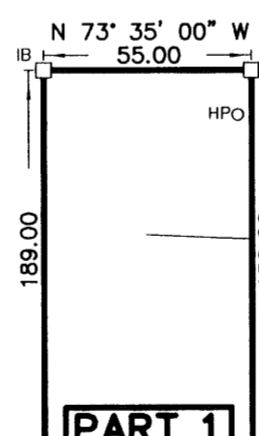
LOT

CONCESSION

LOT

LOT

9

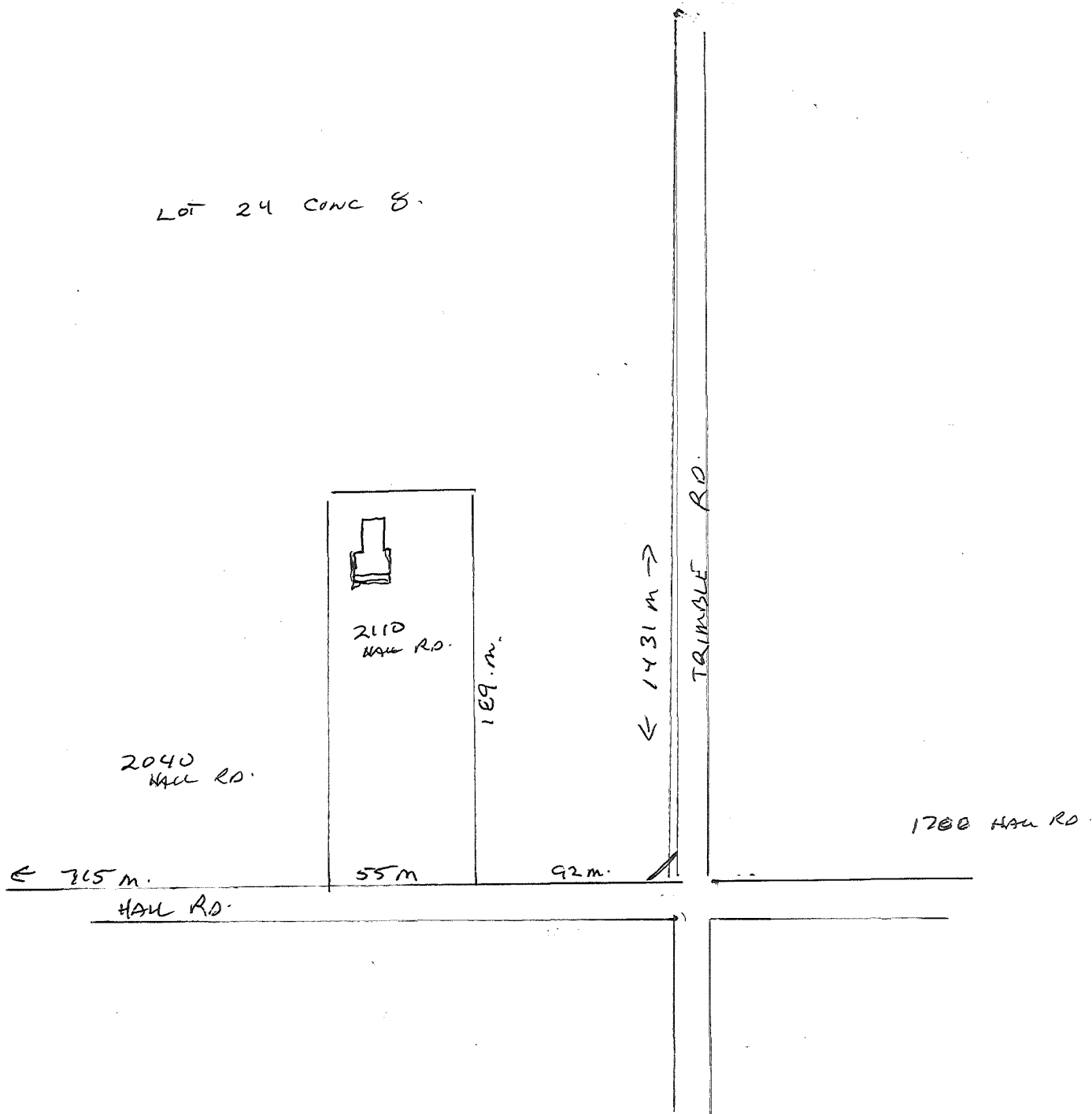


PART 3

PART 4

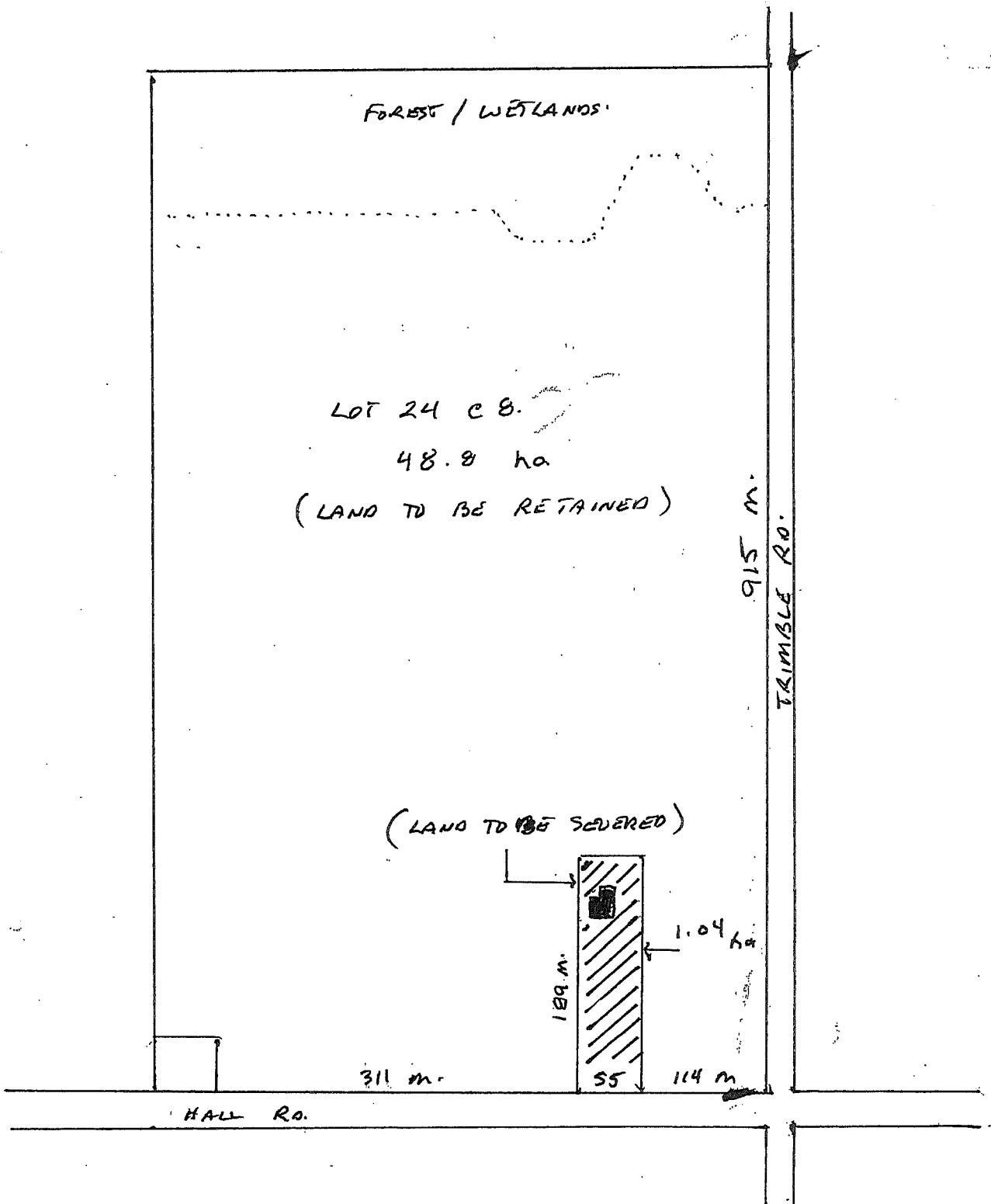
SEE
DETAIL

Schedule "A"
Description of Lands



Schedule "A"
Description of Lands

N





Hamilton

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 Received:	Date Application Deemed Complete:	Submission No.:	File No.:
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1 APPLICANT INFORMATION

1.1, 1.2	NAME	ADDRESS
Registered Owners(s)	JEFFREY JEFFREY ALBERT BARLOW	
Applicant(s)*	↓ SA	
Agent or Solicitor	BENEDICT & FERGUSON DAVID MARSHALL	

* Owner's authorisation required if the applicant is not the owner.

1.3 All correspondence should be sent to Owner Applicant Agent/Solicitor

2 LOCATION OF SUBJECT LAND Complete the applicable lines

2.1 Area Municipality HAMILTON/ WENTWORTH	Lot 24	Concession 8	Former Township CLANBROOK.
Registered Plan N°.	Lot(s)	Reference Plan N°.	Part(s)
Municipal Address 2040 HALL RD.			Assessment Roll N°. 901 710 300000000

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:

3 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

d) Payment information, either credit card payment form or scan/picture of cheque(s). All physical cheques must be mailed or dropped off at City all as per instructions above.

5.2 HARDCOPY SUBMISSION ONLY

- 1) All information noted below is required for a Hardcopy Only Submission.
- 2) Hardcopy Submission:
 - a) Two (2) copies of the completed application form;
 - b) Two (2) copies of the Survey or Site Sketch, including all required information per Section 5 (one (1) full scale size and one (1) no larger than ledger size paper 11" x 17");
 - c) Five (5) copies of the information/reports if indicated as needed when completing the sections of the application form; and
 - d) Payment, either credit card payment form or cheque(s).

Proposed Use of Property to be retained:

- Residential
 Industrial
 Commercial
 Agriculture (includes a farm dwelling)
 Agricultural-Related
 Vacant
 Other (specify) _____

Building(s) or Structure(s):

Existing: NONE
 Proposed: NONE

Type of access: (check appropriate box)

- provincial highway
 right of way
 municipal road, seasonally maintained
 other public road
 municipal road, maintained all year

Type of water supply proposed: (check appropriate box)

- publicly owned and operated piped water system
 lake or other water body
 privately owned and operated individual well
 other means (specify)

NO WATER NEEDED FOR BARE LAND.

Type of sewage disposal proposed: (check appropriate box)

- publicly owned and operated sanitary sewage system
 privately owned and operated individual septic system
 other means (specify) N/A.

4.3 Other Services: (check if the service is available)

- electricity
 telephone
 school bussing
 garbage 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): Schedule D Agriculture
 Urban Hamilton Official Plan designation (if applicable): _____

Please provide an explanation of how the application conforms with a City of Hamilton Official Plan.

REZONING AS A CONDITION OF A SURPLUS FARM DWELLING SEVERANCE

5.2 What is the existing zoning of the subject land?

If the subject land is covered by a Minister's zoning order, what is the Ontario Regulation Number? A1 Agricultural

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)
An agricultural operation, including livestock facility or stockyard	<input type="checkbox"/>	/
A land fill	<input type="checkbox"/>	/
A sewage treatment plant or waste stabilization plant	<input type="checkbox"/>	/
A provincially significant wetland	<input type="checkbox"/>	/

A provincially significant wetland within 120 metres	<input type="checkbox"/>	/
A flood plain	<input type="checkbox"/>	/
An industrial or commercial use, and specify the use(s)	<input type="checkbox"/>	/
An active railway line	<input type="checkbox"/>	/
A municipal or federal airport	<input type="checkbox"/>	/

6 PREVIOUS USE OF PROPERTY

- Residential Industrial Commercial
 Agriculture Vacant Other (specify)

- 6.1 If Industrial or Commercial, specify use N/A
- 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 adjacent lands at any time?
 Yes No Unknown
- 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 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
- 6.7 Have the lands or adjacent lands ever been used as a weapons firing range?
 Yes No Unknown
- 6.8 Is the nearest boundary line of the application within 500 metres (1,640 feet) of the fill 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)?
 Yes No Unknown
- 6.10 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 answers to 6.1 to 6.10 above?
FARM HAS BEEN IN FAMILY SINCE 1843. !! PERSONAL KNOWLEDGE
- 6.12 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 N/A.

7 PROVINCIAL POLICY

- 7.1 a) Is this application consistent with the Policy Statements issued under subsection of the *Planning Act*? (Provide explanation)
- Yes No

b) Is this application consistent with the Provincial Policy Statement (PPS)?
 Yes No (Provide explanation)

c) Does this application conform to the Growth Plan for the Greater Golden Horseshoe?
 Yes No (Provide explanation)

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 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 HISTORY OF THE SUBJECT LAND

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 *Planning Act*?
 Yes No Unknown

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. *(NO CHANGES)*

RE APPLICATION OF CL/B - 18:57
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?

14 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.

9 OTHER APPLICATIONS

9.1 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.

APPLICATION # GL/B-18:57 SUBMISSION # B 57/18

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 APPLICATION # GL/B-18:57 Status APPROVED
SUBMISSION # B 57/18

10 RURAL APPLICATIONS

10.1 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 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 or Lot Addition
 - Rural Institutional Severance or Lot Addition
 - Rural Settlement Area Severance or Lot Addition
- } (Complete Section 10.3)
- Surplus Farm Dwelling Severance from an Abutting Farm Consolidation (Complete Section 10.4)
 - Surplus Farm Dwelling Severance from a Non-Abutting Farm Consolidation (Complete Section 10.5)

10.3 Description of Lands

a) Lands to be Severed:

Frontage (m): (from Section 4.1) <u>55 m.</u>	Area (m ² or ha): (from in Section 4.1) <u>1.04 ha.</u>
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Existing Land Use: AGRICULTURE Proposed Land Use: RESIDENTIAL

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) 415 425 m	Area (m ² or ha): (from Section 4.2) .47.8 ha.
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Existing Land Use: AGRICULTURE

Proposed Land Use: AGRICULTURE

11 OTHER 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.

THIS IS A RENEWAL OF A PREVIOUSLY APPROVED (64/B-18:57) APPLICATION THAT EXPIRED DUE TO DELAYS INCURRED IN DECOMMISSIONING A NATURAL GAS WELL THAT WAS LOCATED ON THE NEW "TO BE DEDICATED" ROAD ALLOWANCE. I RAN OUT OF TIME AND THEN WITH COVID DECIDED TO WAIT TO RE-APPLY.

12 SKETCH (Use the attached Sketch Sheet as a guide)

12.1 The application shall be accompanied by a sketch showing the following in metric units:

- (a) the boundaries and dimensions of any land abutting the subject land that is owned by the owner of the subject land;
- (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) the approximate location of all natural and artificial features (for example, buildings, barns, railways, roads, watercourses, drainage ditches, banks of rivers or streams, wetlands, wooded areas, wells and septic tanks) that,
 - i) are located on the subject land and on land that is adjacent to it, and
 - ii) in the applicant's opinion, may affect the application;
- (f) the current uses of land that is adjacent to the subject land (for example, residential, agricultural or commercial);
- (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 road or a right of way;
- (h) the location and nature of any easement affecting the subject land.

13 ACKNOWLEDGEMENT CLAUSE

I acknowledge that The City of Hamilton is not responsible for the identification and remediation of contamination on the property which is the subject of this Application – by reason of its approval to this Application.

April 29/2022

Date

[Signature]

Signature of Owner