



Hamilton

**COMMITTEE OF ADJUSTMENT**

City Hall, 5<sup>th</sup> floor, 71 Main Street West, Hamilton, ON L8P 4Y5

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

E-mail: [cofa@hamilton.ca](mailto: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

<b>APPLICATION NO.:</b>	<b>HM/B-22:46</b>	<b>SUBJECT PROPERTY:</b>	389-427 LIMERIDGE ROAD E , HAMILTON
-------------------------	-------------------	--------------------------	-------------------------------------

**APPLICANTS:** Agent Urban Solutions – M. Johnston  
**Owner Jewish Congregation Anshe-Sholem, The Anshe-Sholem Trustee – Maria Frank-Davis**

**PURPOSE & EFFECT:** To permit the conveyance of a vacant parcel of land for the future development of semi-detached residential dwelling and to retain a parcel of land containing cemetery lands and dwelling to remain

	<b>Frontage</b>	<b>Depth</b>	<b>Area</b>
<b>SEVERED LANDS:</b>	130.25m <sup>±</sup> Kingfisher & 62.53 m <sup>±</sup> Limeridge	130.25 m <sup>±</sup>	0.5 ha <sup>±</sup>
<b>RETAINED LANDS:</b>	1119.01 m <sup>±</sup> Limeridge	131.02 m <sup>±</sup>	1.89 ha <sup>±</sup>

Associated Planning Act File(s): HM/B-22:47, HM/B-22:48, HM/B-22:49, HM/B-22:50, HM/B-22:51, HM/B-22:52, HM/B-22:53, HM/B-22:54, HM/B-22:55, HM/B-22:56

**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:

<b>DATE:</b>	<b>Thursday, June 23, 2022</b>
<b>TIME:</b>	<b>2:35 p.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>To be streamed (viewing only) at <a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a></b>

## HM/B-22:46

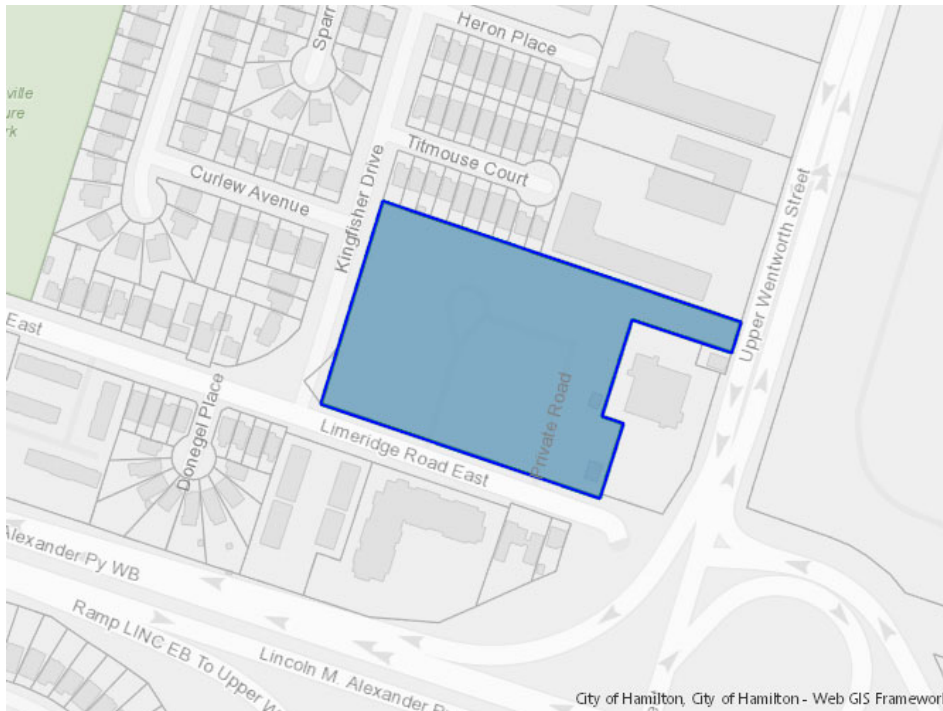
For more information on this matter, including access to drawings illustrating this request and other information submitted:

- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Email Committee of Adjustment staff at [cofa@hamilton.ca](mailto: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.



 Subject Lands

DATED: June 7, 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..

## **HM/B-22:46**

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](mailto:cofa@hamilton.ca) or by mail through City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5.



Hamilton

## COMMITTEE OF ADJUSTMENT

City Hall, 5<sup>th</sup> floor, 71 Main Street West, Hamilton, ON L8P 4Y5

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

E-mail: [cofa@hamilton.ca](mailto: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](mailto: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](http://www.hamilton.ca/committeefadjustment)

### Oral Submissions During the Virtual Meeting

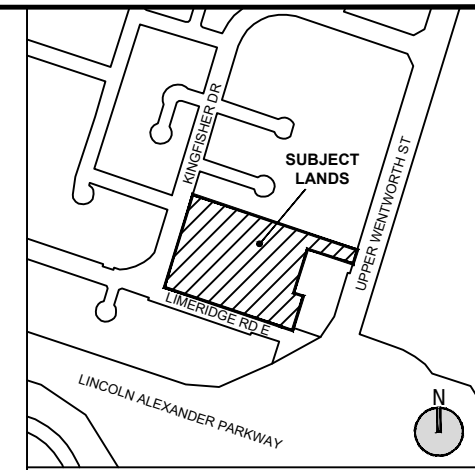
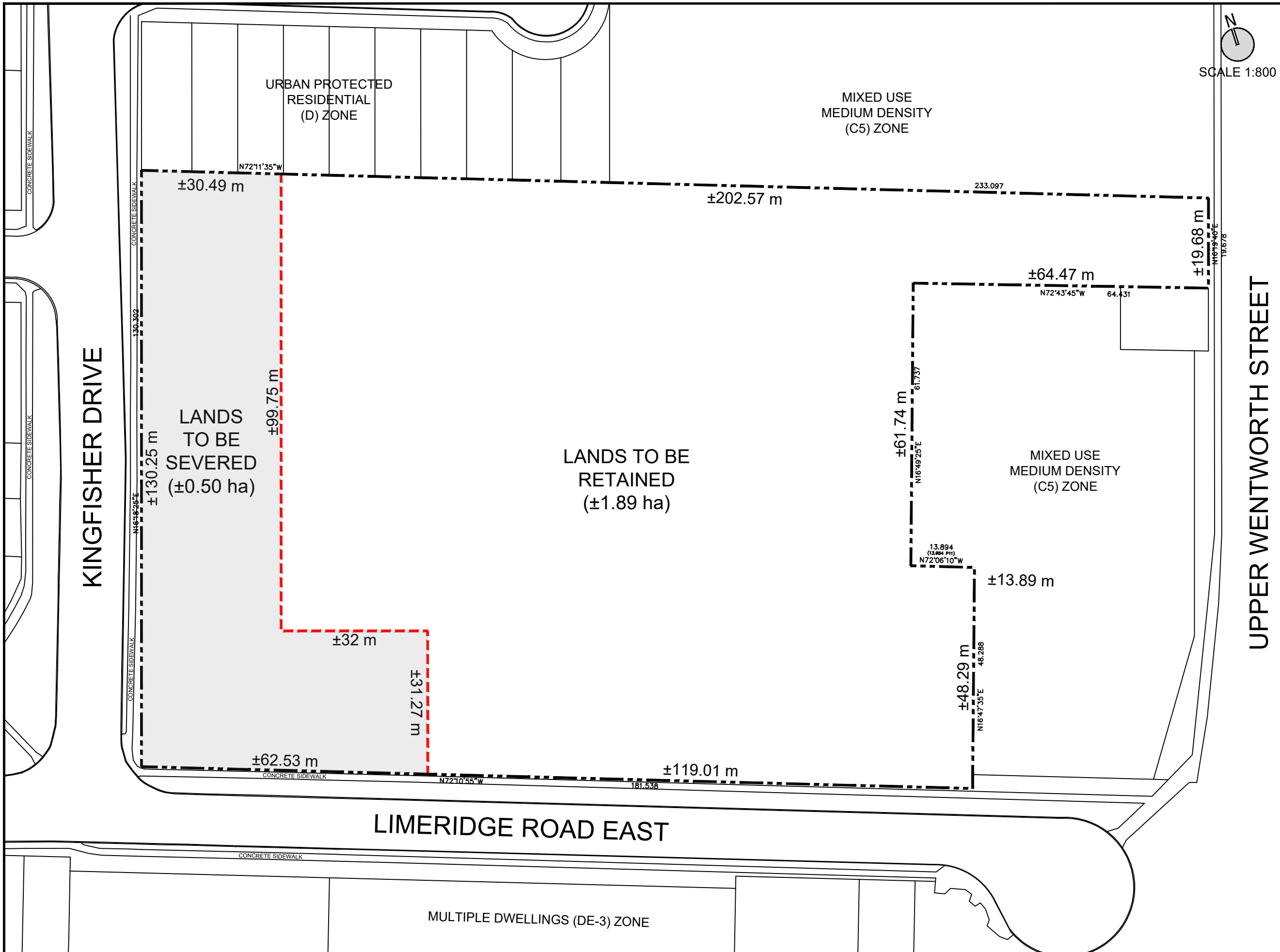
Members of the public are also able to provide oral comments regarding Committee of Adjustment Hearing items by participating through Webex via computer or phone. Participation in this format requires pre-registration in advance. **Interested members of the public must register by noon the day before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

To register to participate by Webex either via computer or phone, please contact Committee of Adjustment staff by email [cofa@hamilton.ca](mailto: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.

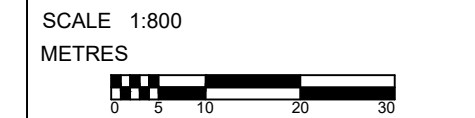
All members of the public who register will be contacted by Committee Staff to confirm details of the registration prior to the Hearing and provide an overview of the public participation process.

We hope this is of assistance and if you need clarification or have any questions, please email [cofa@hamilton.ca](mailto: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.



KEY MAP - N.T.S.



- LEGEND**
- SUBJECT LANDS
  - LANDS TO BE SEVERED
  - PROPOSED SEVERANCE LINE

NOT FOR CONSTRUCTION  
ISSUED FOR REVIEW & COMMENTS ONLY

NOTES:  
ALL DIMENSIONS SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

DESIGN BY: A. BARNETT	CHECKED BY: S. MCKAY
DRAWN BY: L. DRENNAN	DATE: MAY 13, 2022

**URBAN SOLUTIONS**  
PLANNING & LAND DEVELOPMENT  
3 STUDEBAKER PLACE, UNIT 1  
HAMILTON, ON L8L 0C8  
905-546-1087 - urbansolutions.info

PROJECT:  
**389, 391, 427  
LIMERDIGE ROAD EAST  
CITY OF HAMILTON**

TITLE:  
**CONSENT TO SEVER  
SKETCH 1**

U/S FILE NUMBER: 275-18	SHEET NUMBER: 1
----------------------------	--------------------

**BEARING NOTE:**  
BEARINGS ARE UTM GRID, DERIVED FROM OBSERVED REFERENCE POINTS A AND B, BY REAL TIME NETWORK OBSERVATIONS, UTM ZONE 17, NAD83 (CSRS) (2010.0)

**NOTE:**  
DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.9996769515.

**INTEGRATION DATA**

POINT ID	NORTHING	EASTING
ORP A	4785342.866	592090.170
ORP B	4785382.835	591902.414

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

**SCHEDULE**

PART	LOT	CON/PLAN	P.I.N.
1			
2	PART OF LOT 11	CONCESSION 6	ALL OF PIN 16976-0092 (LT)
3			

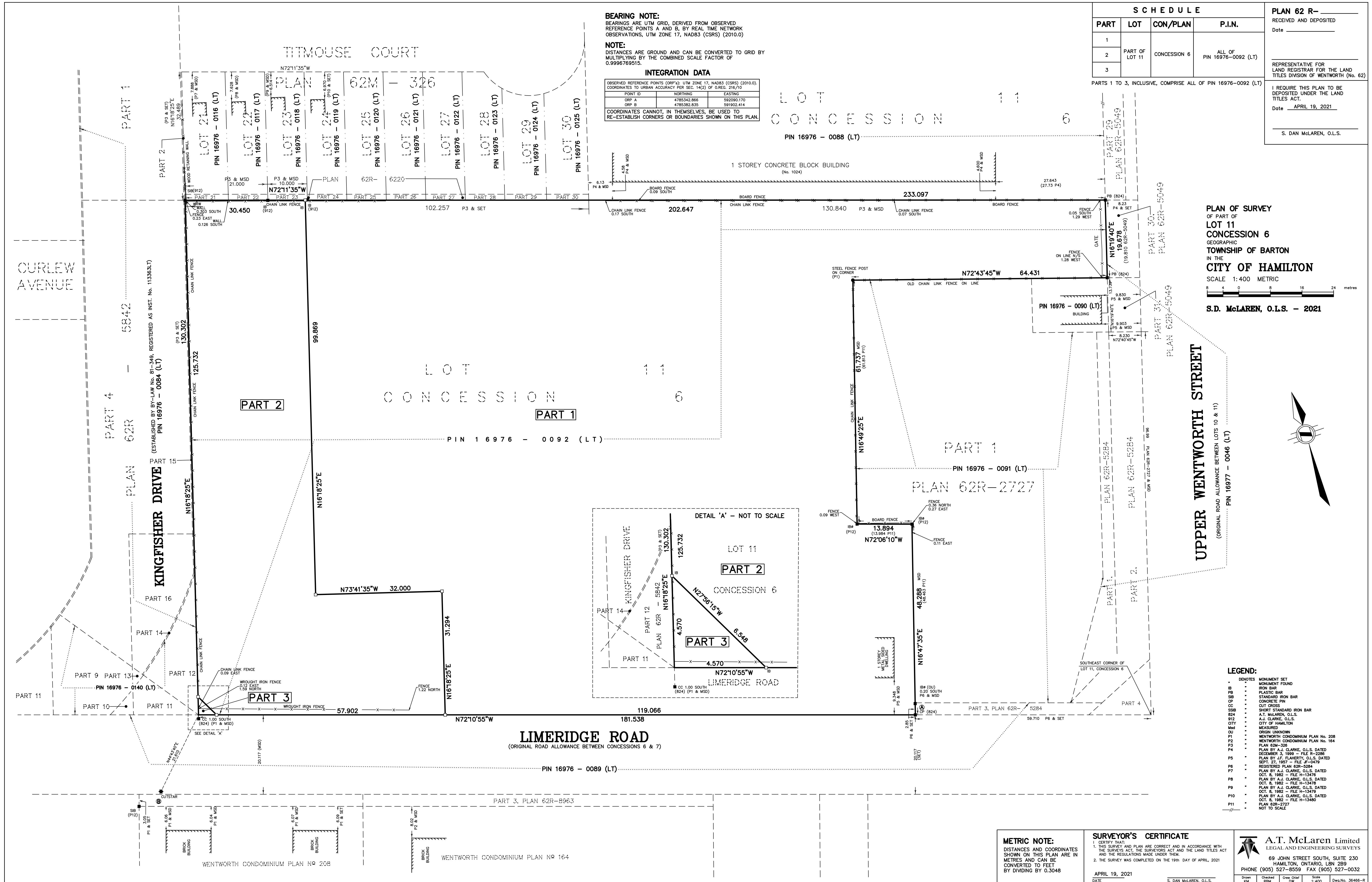
PARTS 1 TO 3, INCLUSIVE, COMPRISE ALL OF PIN 16976-0092 (LT)

**PLAN 62 R-**  
RECEIVED AND DEPOSITED  
Date \_\_\_\_\_

REPRESENTATIVE FOR LAND REGISTRAR FOR THE LAND TITLES DIVISION OF WENTWORTH (No. 62)

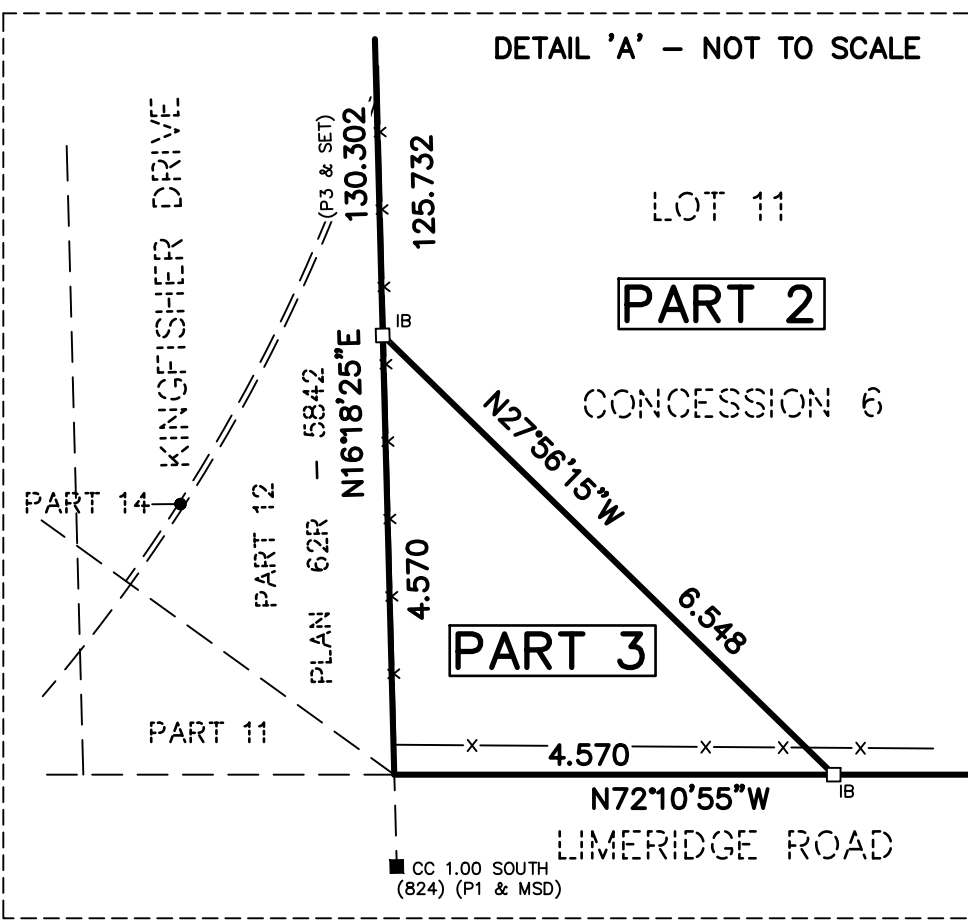
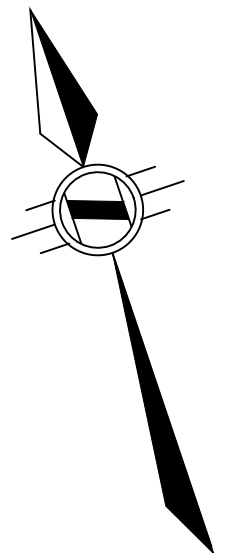
I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT.  
Date APRIL 19, 2021

S. DAN McLAREN, O.L.S.



**PLAN OF SURVEY**  
OF PART OF  
**LOT 11**  
**CONCESSION 6**  
GEOGRAPHIC  
TOWNSHIP OF BARTON  
IN THE  
**CITY OF HAMILTON**  
SCALE 1:400 METRIC

S.D. McLAREN, O.L.S. - 2021



- LEGEND:**
- DENOTES MONUMENT SET
  - MONUMENT FOUND
  - IB IRON BAR
  - SB PLASTIC BAR
  - SB STANDARD IRON BAR
  - CP CONCRETE PIN
  - OC OUT CROSS
  - SSB SHORT STANDARD IRON BAR
  - R24 A.T. McLAREN, O.L.S.
  - 912 A.J. CLARKE, O.L.S.
  - CITY CITY OF HAMILTON
  - Meas MEASURED
  - OU ORIGIN UNKNOWN
  - P1 WENTWORTH CONDOMINIUM PLAN No. 208
  - P2 WENTWORTH CONDOMINIUM PLAN No. 164
  - P3 PLAN 62R-528
  - P4 PLAN BY A.J. CLARKE, O.L.S. DATED DECEMBER 3, 1999 - FILE R-2286
  - P5 PLAN BY J.F. PLAMERTY, O.L.S. DATED SEPT. 27, 1997 - FILE # 0479
  - P6 REGISTERED PLAN 62R-5284
  - P7 PLAN BY A.J. CLARKE, O.L.S. DATED OCT. 8, 1982 - FILE H-13476
  - P8 PLAN BY A.J. CLARKE, O.L.S. DATED OCT. 8, 1982 - FILE H-13479
  - P9 PLAN BY A.J. CLARKE, O.L.S. DATED OCT. 8, 1982 - FILE H-13479
  - P10 PLAN BY A.J. CLARKE, O.L.S. DATED OCT. 8, 1982 - FILE H-13480
  - P11 PLAN 62R-2727
  - /// NOT TO SCALE

**METRIC NOTE:**  
DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

**SURVEYOR'S CERTIFICATE**  
I CERTIFY THAT:  
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.  
2. THE SURVEY WAS COMPLETED ON THE 19th DAY OF APRIL, 2021

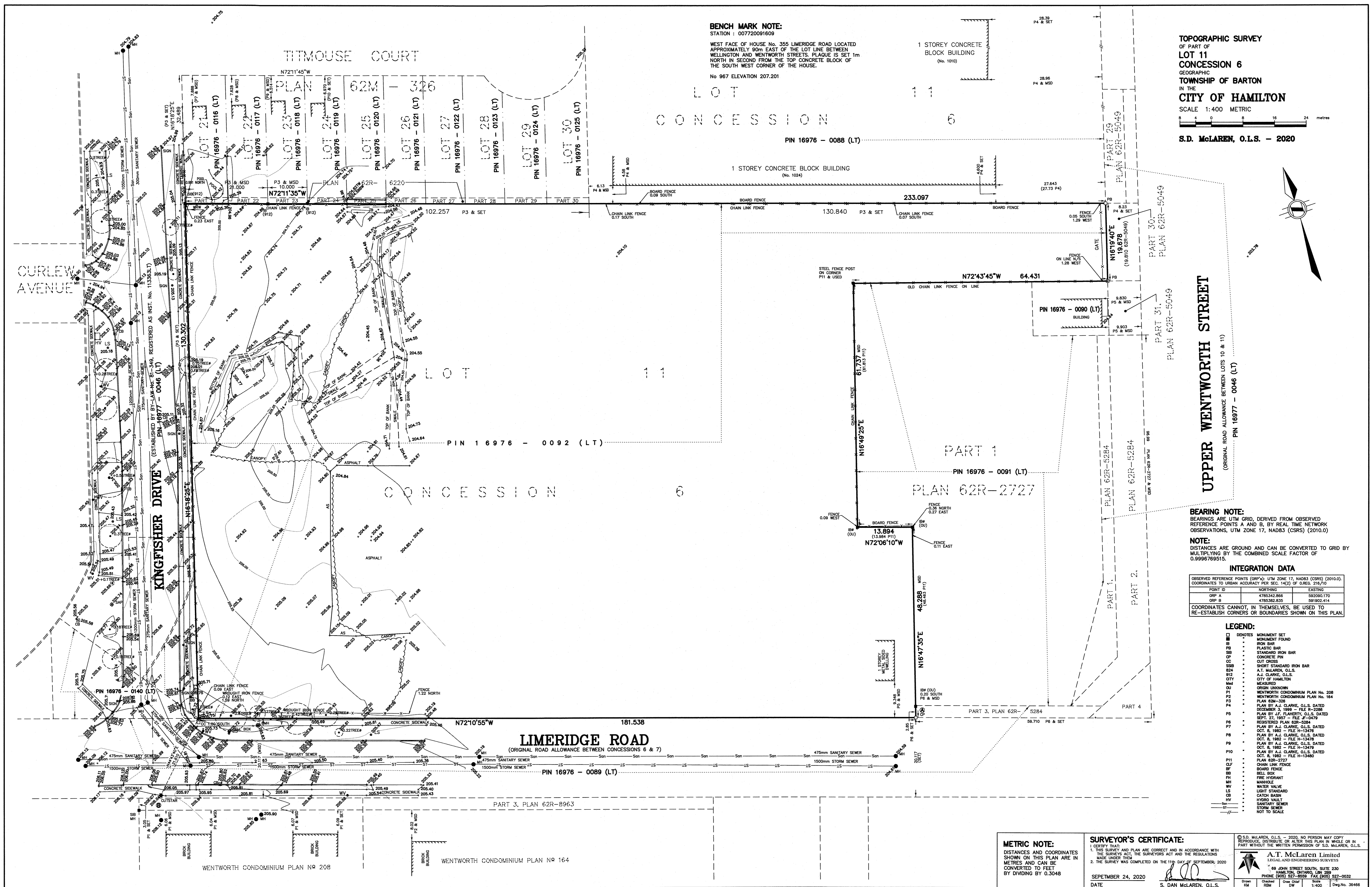
APRIL 19, 2021  
DATE

S. DAN McLAREN, O.L.S.

**A.T. McLaren Limited**  
LEGAL AND ENGINEERING SURVEYS  
69 JOHN STREET SOUTH, SUITE 230  
HAMILTON, ONTARIO, L8N 2B9  
PHONE (905) 527-8559 FAX (905) 527-0032

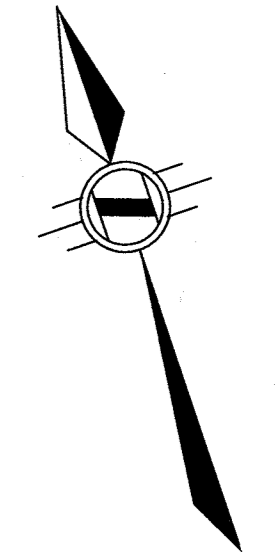
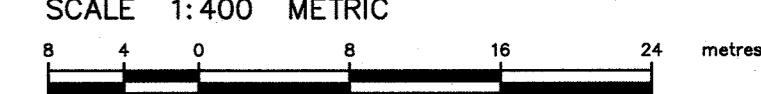
Drawn KM Checked RBM Crew Chief DW Scale 1:400 Dwg.No. 36466-R





**BENCH MARK NOTE:**  
 STATION : 007720091609  
 WEST FACE OF HOUSE No. 355 LIMERIDGE ROAD LOCATED APPROXIMATELY 90m EAST OF THE LOT LINE BETWEEN WELLINGTON AND WENTWORTH STREETS. PLAQUE IS SET 1m NORTH IN SECOND FROM THE TOP CONCRETE BLOCK OF THE SOUTH WEST CORNER OF THE HOUSE.  
 No 967 ELEVATION 207.201

**TOPOGRAPHIC SURVEY**  
 OF PART OF  
**LOT 11**  
**CONCESSION 6**  
 GEOGRAPHIC  
**TOWNSHIP OF BARTON**  
 IN THE  
**CITY OF HAMILTON**  
 SCALE 1:400 METRIC  
 S.D. McLAREN, O.L.S. - 2020



**UPPER WENTWORTH STREET**  
 (ORIGINAL ROAD ALLOWANCE BETWEEN LOTS 10 & 11)  
 PIN 16977 - 0046 (LT)

**BEARING NOTE:**  
 BEARINGS ARE UTM GRID, DERIVED FROM OBSERVED REFERENCE POINTS A AND B, BY REAL TIME NETWORK OBSERVATIONS, UTM ZONE 17, NAD83 (CSRS) (2010.0)  
**NOTE:**  
 DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.9996769915.

**INTEGRATION DATA**

POINT ID	NORTHING	EASTING
GRP A	4785342.868	592090.170
GRP B	4785362.835	591902.414

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

- LEGEND:**
- DENOTES MONUMENT SET
  - DENOTES MONUMENT FOUND
  - IRON BAR
  - PLASTIC BAR
  - ▣ STANDARD IRON BAR
  - ▢ CONCRETE PIN
  - ✂ CUT CROSS
  - SSB SHORT STANDARD IRON BAR
  - S24 A.T. McLAREN, O.L.S.
  - S12 A.L. CLARKE, O.L.S.
  - CITY CITY OF HAMILTON
  - MSD MEASURED
  - OU ORIGIN UNKNOWN
  - P1 WENTWORTH CONDOMINIUM PLAN No. 208
  - P2 WENTWORTH CONDOMINIUM PLAN No. 184
  - P3 PLAN 62R-328
  - P4 PLAN BY A.L. CLARKE, O.L.S. DATED DECEMBER 3, 1999 - FILE R-2286
  - P5 PLAN BY J.F. FLAHERTY, O.L.S. DATED SEPT. 27, 1987 - FILE JF-0478
  - P6 REGISTERED PLAN 62R-5284
  - P7 PLAN BY A.L. CLARKE, O.L.S. DATED OCT. 8, 1982 - FILE H-13478
  - P8 PLAN BY A.L. CLARKE, O.L.S. DATED OCT. 8, 1982 - FILE H-13478
  - P9 PLAN BY A.L. CLARKE, O.L.S. DATED OCT. 8, 1982 - FILE H-13478
  - P10 PLAN BY A.L. CLARKE, O.L.S. DATED OCT. 8, 1982 - FILE H-13480
  - P11 PLAN 62R-2727
  - CF CHAIN LINK FENCE
  - BF BOARD FENCE
  - RF RAIL FENCE
  - PH FIRE HYDRANT
  - MH MANHOLE
  - WV WATER VALVE
  - LS LIGHT STANDARD
  - CB CATCH BASIN
  - HV HYDRO VAULT
  - ST SANITARY STORM SEWER
  - NS NOT TO SCALE

**METRIC NOTE:**  
 DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

**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 REGULATIONS MADE UNDER THEM;  
 2. THE SURVEY WAS COMPLETED ON THE 11th DAY OF SEPTEMBER, 2020  
 SEPTEMBER 24, 2020  
 DATE S. DAN McLAREN, O.L.S.

S.D. McLAREN, O.L.S. - 2020. NO PERSON MAY COPY, REPRODUCE, DISTRIBUTE OR ALTER THIS PLAN IN WHOLE OR IN PART WITHOUT THE WRITTEN PERMISSION OF S.D. McLAREN, O.L.S.

**A.T. McLaren Limited**  
 LEGAL AND ENGINEERING SURVEYS  
 69 JOHN STREET SOUTH, SUITE 230  
 HAMILTON, ONTARIO L8N 2B9  
 PHONE (905) 527-8559 FAX (905) 527-0032

Drawn: DM  
 Checked: RSM  
 Date: 09/24/20  
 Scale: 1:400  
 Dwg. No.: 34666



Hamilton

Committee of Adjustment

City Hall, 5<sup>th</sup> Floor,  
71 Main St. W.,  
Hamilton, ON L8P4Y5

Phone: (905) 546-2424 ext. 4221

Email: [cofa@hamilton.ca](mailto: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.:
----------------------------	-----------------------------------	-----------------	-----------

**1 APPLICANT INFORMATION**

	NAME	MAILING ADDRESS	
<b>Purchaser*</b>			Phone:
			E-mail:
<b>Registered Owners(s)</b>	Jewish Congregation Anshe-Sholem, the Anshe-Sholem Trustee c/o Marla Frank-Davis		
<b>Applicant(s)**</b>	Jewish Congregation Anshe-Sholem, the Anshe-Sholem Trustee c/o Marla Frank-Davis		
<b>Agent or Solicitor</b>	UrbanSolutions Planning & Land Development Consultants Inc. c/o Matt Johnston		

**\*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 City of Hamilton	Lot Part of 11	Concession Concession 6	Former Township Township of Barton
Registered Plan N°.	Lot(s)	Reference Plan N°. 62R-21681	Part(s) Part 1 & 2
Municipal Address 391, 389 & 427 Limeridge Rd. East, Hamilton ON			Assessment Roll N°. 07083309010 + 07083308990



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:

N/A

**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
- addition to a lot
- an easement

- Other:  a charge  
 a lease  
 a correction of title

b) Rural Area / Rural Settlement Area Transfer (Section 10 must also be completed):

- creation of a new lot
- creation of a new non-farm parcel  
( i.e. a lot containing a surplus farm dwelling  
resulting from a farm consolidation)
- addition to a lot

- Other:  a charge  
 a lease  
 a correction of title  
 an easement

3.2 Name of person(s), if known, to whom land or interest in land is to be transferred, leased or charged:

TBD

3.3 If a lot addition, identify the lands to which the parcel will be added:

N/A

**4 DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION**

4.1 Description of land intended to be **Severed (lease, easement, charge etc.):**

Frontage (m) 130.25 m Kingfisher & 62.53 m Limeridge	Depth (m) +/- 130.25 m	Area (m <sup>2</sup> or ha) +/- 0.5 ha
--	---------------------------	---

Existing Use of Property to be severed:

- Residential
- Agriculture (includes a farm dwelling)
- Other (specify) Surplus lands owned by the Temple Anshe-Sholem
- Industrial
- Agricultural-Related
- Commercial
- Vacant

Proposed Use of Property to be severed:

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

Building(s) or Structure(s):

Existing: No buildings or structures exist on the surplus lands to be severed.

Proposed: Semi-detached residential dwelling units.

Existing structures to be removed: N/A

Type of access: (check appropriate box)

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

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) \_\_\_\_\_

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)

4.2 Description of land intended to be **Retained (remainder)**:

Frontage (m)	Depth (m)	Area (m <sup>2</sup> or ha)
119.01 m (Limeridge Rd.)	131.02 m	1.89 ha

Certificate Request for Retained Lands:  Yes\*

\* If yes, a statement from an Ontario solicitor in good standing that there is no land abutting the subject land that is owned by the owner of the subject land other than land that could be conveyed without contravening section 50 of the Act. **(O. Reg. 786/21)**

Existing Use of Property to be retained:

- Residential
- Agriculture (includes a farm dwelling)
- Other (specify) Active cemetery lands.
- Industrial
- Agricultural-Related
- Commercial
- Vacant

Proposed Use of Property to be retained:

- Residential
- Agriculture (includes a farm dwelling)
- Other (specify) Remain active cemetery lands.
- Industrial
- Agricultural-Related
- Commercial
- Vacant

Building(s) or Structure(s):

Existing: Multiple gravestone markers and 1-storey dwelling

Proposed: Existing uses to remain

Existing structures to be removed: N/A

Type of access: (check appropriate box)

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

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)

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)

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): N/A

Urban Hamilton Official Plan designation (if applicable): Neighbourhoods Designation

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

The subject lands are designated Neighbourhoods in the Urban Hamilton Official Plan. Residential intensification within Neighbourhoods is part of the evolution of a neighbourhood and is encouraged at a range of scales and densities. Section 2.6.2 notes that neighbourhoods shall primarily consist of residential uses and complimentary facilities and services, and Section 2.6.4 encourages a full range of housing forms, types and tenure

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? Neighbourhood Institutional (I1) Zone in the City of Hamilton 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)
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"/>	

\*Complete MDS Data Sheet if applicable

6 PREVIOUS USE OF PROPERTY

- Residential                       Industrial                       Commercial  
 Agriculture                       Vacant                       Other (specify)

- 6.1 If Industrial or Commercial, specify use N/A (cemetery plus surplus lands)
- 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?  

Consultation with owner.
- 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

**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  

This application is in keeping with Section 53(1) of the Planning Act, R.S.O., 1990 as amended, as a plan of subdivision of the land is not necessary for proper and orderly development.
- b) Is this application consistent with the Provincial Policy Statement (PPS)?  
 Yes       No      (Provide explanation)  

This application is in keeping with the Provincial Policy Statement as it supports the implementation of More Homes, More Choice, which encourages an increase in the mix and supply of housing. Furthermore, Section 1.1.1 supports accommodating a range and mix of residential types, and Section 1.1.3 directs settlement areas be the focus of growth and development.
- c) Does this application conform to the Growth Plan for the Greater Golden Horseshoe?  
 Yes       No      (Provide explanation)  

This application exemplifies the Growth Plan's guiding principles including prioritizing intensification and supporting a range and mix of housing options. Section 2.2.1 provides policy direction as to where municipalities should grow, and the subject lands are located in the built up area, where growth is to be focused.
- 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  

N/A
- 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)  

N/A
- 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)  

N/A
- 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)

N/A

**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.

N/A

8.2 If this application is a re-submission of a previous consent application, describe how it has been changed from the original application.

N/A

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.

N/A

8.4 How long has the applicant owned the subject land?

150+ 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.

N/A

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 Consent Applications being heard      Status City Initiated Zoning By-law Amendment

**10 RURAL APPLICATIONS**

10.1 **Rural Hamilton Official Plan Designation(s)**

- |  |                                     |   |
|--|-------------------------------------|---|
| <input type="checkbox"/> Agricultural                          | <input type="checkbox"/> Rural      | <input type="checkbox"/> Specialty Crop |
| <input type="checkbox"/> Mineral Aggregate Resource Extraction | <input type="checkbox"/> Open Space | <input type="checkbox"/> Utilities      |
| <input type="checkbox"/> 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)	Area (m <sup>2</sup> 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 (m <sup>2</sup> or ha): (from Section 4.2)
----------------------------------	---

Existing Land Use: \_\_\_\_\_ Proposed Land Use: \_\_\_\_\_

**10.4 Description of Lands (Abutting Farm Consolidation)**

a) Location of abutting farm:

\_\_\_\_\_  
 (Street) (Municipality) (Postal Code)

b) Description abutting farm:

Frontage (m):	Area (m <sup>2</sup> or ha):
---------------	------------------------------

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 (m <sup>2</sup> 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 (m <sup>2</sup> 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

f) Condition of surplus farm dwelling:

- Habitable
- Non-Habitable

g) Description of farm from which the surplus dwelling is intended to be severed (retained parcel):

Frontage (m): (from Section 4.2)	Area (m <sup>2</sup> 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) (Postal Code)

b) Description of non-abutting farm

Frontage (m):	Area (m <sup>2</sup> or ha):
---------------	------------------------------

Existing Land Use(s): \_\_\_\_\_ Proposed Land Use(s): \_\_\_\_\_

c) Description of surplus dwelling lands intended to be severed:

Frontage (m): (from Section 4.1)	Area (m <sup>2</sup> or ha): (from Section 4.1)
----------------------------------	---

Front yard set back: \_\_\_\_\_

d) Surplus farm dwelling date of construction:

Prior to December 16, 2004  After December 16, 2004

e) Condition of surplus farm dwelling:

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 (m <sup>2</sup> or ha): (from Section 4.2)
----------------------------------	---

Existing Land Use: \_\_\_\_\_ Proposed Land Use: \_\_\_\_\_

### 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.

Please see cover letter.
--------------------------

### 12 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.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Owner



May 18, 2022

275-18

**Via Delivered & Email**

Ms. Jamila Sheffield  
Secretary-Treasurer, Committee of Adjustment

City of Hamilton,  
71 Main Street West, 5<sup>th</sup> Floor  
Hamilton, ON L8P 4Y5

Dear Ms. Sheffield,

**RE: 389, 391 & 427 Limeridge Road East, Hamilton ON  
Consent to Sever Application**

UrbanSolutions Planning & Land Development Consultants Inc. (UrbanSolutions) has been retained to act as the authorized planning consultant for the Jewish Congregation Anshe-Sholem to pursue a Consent to Sever application for the subject lands.

The site is located at the southeast corner of Limeridge Road East and Kingfisher Drive, encompassing municipal addresses 389, 391 & 427 Limeridge Road East (“subject lands”) in the City of Hamilton. The lands are designated Neighbourhoods on Schedule E-1 – Urban Land Use Designation in the Urban Hamilton Official Plan. Additionally, the lands reside within the Neighbourhood Institutional Zone in the City of Hamilton Zoning By-law No. 05-200.

The current use of the subject lands is that of an active cemetery, however the cemetery is only registered on “Part 1” of the enclosed draft Reference Plan. “Part 2 & 3”, which is the subject of this consent application, comprises surplus lands which remain vacant.

On April 13, 2022, Council for the City of Hamilton passed By-law No. 22-084 as a housekeeping amendment to Zoning By-law No. 05-200. This By-law changed the zoning of the lands from the form Agricultural Zone of By-law No. 6593 to a site specific Neighbourhood Institutional (I1, 776) Zone in By-law No. 05-200. The site specific 776 exception permits a cemetery as a permitted use in addition to the other Neighbourhood Institutional 1 permitted uses that include educational establishments, places of worship, retirement homes as well as single and semi-detached dwellings.

**Purpose of this Application**

The purpose of the Consent to Sever application is to sever a 0.5 ha portion of land from a 2.39 ha existing parcel in order to facilitate the future development of the severed lands as illustrated on Severance Sketch 1 included with this application. Future development will be facilitated through the concurrent submission, under separate cover, of additional 10 consent applications which seek to divide the severed parcel into 20 new lots to accommodate semi-detached dwellings.


As proposed, the sever and the retained lands comply with the Neighbourhood Institutional "I1" Zone. Based on this, the application represents good land use planning and satisfies Section 53(1) of the *Planning Act*, R.S.O. 1990, as amended, as a plan of subdivision is not necessary for the proper and orderly development of the subject lands.

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

- One (1) copy of the Survey Plan prepared by A.T. McLaren;
- One (1) copy of the draft Reference Plan prepared by A.T. McLaren;
- One (1) completed and signed Consent to Sever application form;
- One (1) Severance Sketch, prepared by UrbanSolutions; and,
- One (1) cheque in the amount of **\$2,985.00**, made payable to the City of Hamilton.

We trust the enclosed in in order, however please feel free to contact the undersigned with any questions.

Kind Regards,  
**UrbanSolutions**



Matt Johnston, MCIP, RPP  
*Principal*



Laura Drennan, CPT  
*Planning Technician*

cc: Councillor Esther Pauls, City of Hamilton  
Mr. Steve Robichaud, MCIP, RPP, City of Hamilton  
Jewish Congregation Anshe-Sholem