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	HM/B-22:47	SUBJECT	389-427 LIMERIDGE ROAD E,
NO.:		PROPERTY:	HAMILTON

APPLICANTS: Agent Urban Solutions – M. Johnston

Purchaser Wilson St. Ancaster Inc.

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 for the future development of semi-detached residential dwelling.

	Frontage	Depth	Area
SEVERED LANDS:	7.96 m [±]	31.04 m [±]	246.92 m ^{2±}
RETAINED LANDS:	24.88m [±] & 29.85m [±] Limeridge Rd. E. 130.25m [±] Kingfisher Dr.	31.27m & 130.25m [±]	756.70m²± & 3,958.04m²±

Associated Planning Act File(s): HM/B-22:46, 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:

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

HM/B-22:47

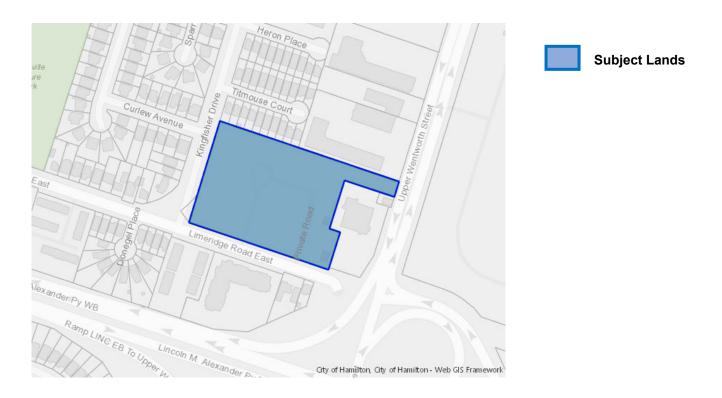
For more information on this matter, including access to drawings illustrating this request and other information submitted:

- 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.



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-22:47

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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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

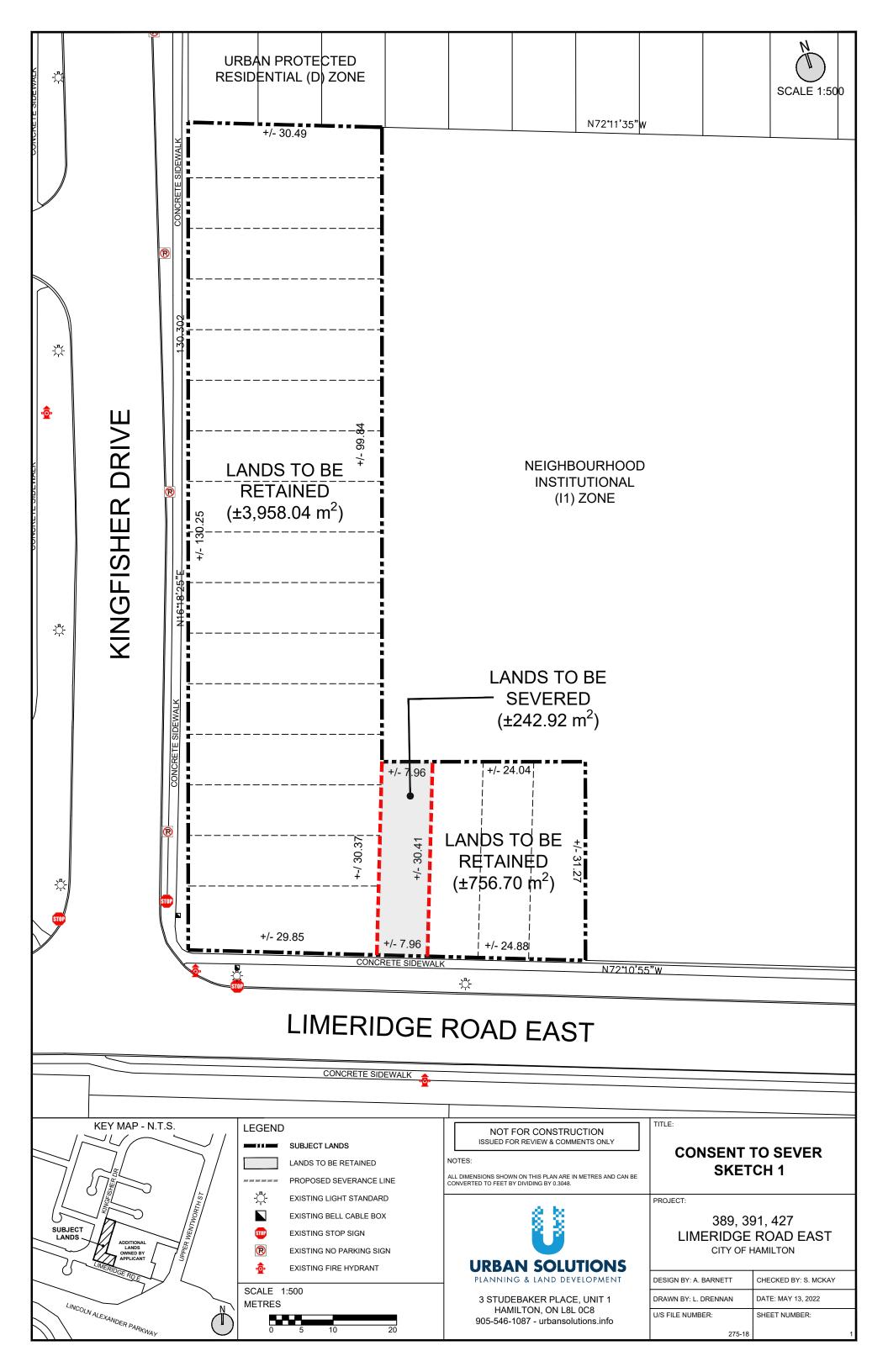
Members of the public are also able to provide oral comments regarding Committee of Adjustment Hearing items by participating through Webex via computer or phone. Participation in this format requires pre-registration in advance. **Interested members of the public must register by noon the day before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



APPLICATION NO. 1



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

	UN	IDER S	ECTION 53	OF IH	E PLANNING A	107	Office Use	Only
Date Application Received:			Date Application Deemed Complete:		Submission No	0.:	File No.:	
1 APPLICANT IN	FORM	MATIO	١					
		NA	ME	MAI	MAILING ADDRESS			
Purchaser*	Wils Inc.	Wilson St. Ancaster Inc.						
Registered Owners(s)	Ans Ans	Jewish Congregation Anshe-Sholem, the Anshe-Sholem Trustee c/o Marla Frank-Davis						
Applicant(s)**	Wilson St. Ancaster Inc.							
Agent or Solicitor	UrbanSolutions Planning & Land Development Consultants Inc. c/o Matt Johnston							
*Purchaser must p that authorizes the subject of the appl ** Owner's authorisa	purc icatio	haser t n. (O. I	o make the Reg. 786/21	applic	ation in respec	t of th	e land that is t	le he
1.3 All correspondence should be sent to			rchaser olicant	[]	☐ Owner ■ Agent/Solicito	or		
2 LOCATION OF	SUBJ	ECT L	AND Com	plete th	ne applicable lin	es		
2.1 Area Municipality Lot		Cond	cession	Forn	ner Township			
City of Hamilton		F	Part of 11	Сопс	ession 6	Town	ship of Barton	
Registered Plan N	0		Lot(s)	Refe	rence Plan N°.	Part	(s)	
				62R-2	21681	Part	1 & 2	
Municipal Address			1		Asse	essment Roll N°		

07083309010 + 07083308

391, 389 & 427 Limeridge Rd. East, Hamilton ON

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:				7	
	N/A					
3 3.1	PURPOSE OF THE APPI Type and purpose of prop		n: (check appr	opriate box)		
	a) Urban Area Transfer (c	io not complete	Section 10):			
	creation of a new k	ot		Other: a charge		
	addition to a lot			☐ a lease☐ a correction of title		
	an easement			a correction of title		
	b) Rural Area / Rural Sett	tlement Area Tra	nsfer (Section	10 must also be completed):		
	creation of a new lo	ot		Other: a charge		
	creation of a new n			a lease		
	(i.e. a lot containing a		velling	a correction of title		
	resulting from a farm of	consolidation)		an easement		
_	aedition to a lot					
3.2	Name of person(s), if kno or charged:	wn, to whom lan	d or interest in	land is to be transferred, leased	i	
	Wilson St. Ancaster Inc.				1	
33	If a lot addition, identify th	e lands to which	the parcel wil	I be added:		
0.0	N/A				٦	
		EOT LAND AND	D CEDVICING	INFORMATION		
4 41	DESCRIPTION OF SUB-	led to be Severe	d (lease, ease	ement, charge etc.):		
	ontage (m)	Depth (m)		Area (m² or ha)		
	6 m Limeridge Rd. E	31.04 m		246.92 m2		
	sting Use of Property to be	severed:	□ Industrial	☐ Commercial		
	Residential Agriculture (includes a farn	n dwelling)		al-Related		
	Other (specify) Surplus lai	nds owned by the	e Temple Ansh	ne-Sholem	_	
D	and Head Draggers to b	o sovered:				
	posed Use of Property to b	e severed.	□ Industrial	Commercial		
-	Residential Agriculture (includes a farr	n dwelling)		al-Related Vacant		
	Other (specify)				_	
Buil	ding(s) or Structure(s):					
	sting: N/A				_	
			- 14-			
Pro	posed: Semi-detached re	sidential dwelling	units.		=	
Exis	sting structures to be remo	ved: N/A			_	
Тур	Type of access: (check appropriate box)					
provincial highway right of way						
municipal road, seasonally maintained other public road other public road other public road						
	пиниранови, панцаше	ali year				
Тур	Type of water supply proposed: (check appropriate box)					
	publicly owned and operated piped water system					
	privately owned and opera	itea individual we	ell .	other means (specify)		
					_	

Type of sewage dis					
■ publicly owned and operated sanitary sewage system □ privately owned and operated individual septic system □ other means (specify)					
4.2 Description of	and intended	to be Retain	ed (remainder):	
Frontage (m)	and interior	Depth (m)	ou (romaniuo)	Area (m²	or ha)
-/- 24 88 m & -/- 29 85 m Limeridge Rd E & -	+/- 130 25 m Kingfisher Driva		& +/-130.25 i	,	m2 & +/- 3,958.04 m2
		, , , , , , , , , , , , , , , , , , , ,			
Certificate Request * If yes, a statemen subject land that is conveyed without e	t from an On owned by the	tario solicitor in e owner of the	n good standing subject land of	ther than land	no land abutting the that could be
Existing Use of Pro	perty to be re	etained:			
Residential			☐ Industrial		Commercial
Agriculture (inclu			Agricultura	al-Related	
Other (specify)	Active cemetery lar	nds.			
Proposed Use of P	roperty to be	retained	□ ladustrial		☐ Commercial
ResidentialAgriculture (incli	udee a farm i	dwelling)	☐ Industrial ☐ Agricultura	al-Related	Vacant
Other (specify)	Jues a lailli (aweiling)	Agriculture	ai i tolatou	
	201				
Building(s) or Struc	ture(s):				
Existing: N/A					
Proposed: Semi detac	hed residential dwe	ellings			
Existing structures	to be remove	ed: N/A			
Type of access: (ch	neck appropr	iate box)			
provincial highw	ay			right of w	
municipal road,				other pub	lic road
municipal road,	maintained a	ılı year			
Type of water supp	ly proposed:	(check approp	riate box)		
publicly owned					her water body
privately owned	and operate	d individual we	ell	other mea	ans (specify)
Type of sewage dis					
publicly owned	and operated	I sanitary sewa	age system		
privately owned other means (sp		d Individual se	plic system		
4.3 Other Services	s: (check if th	e service is av	ailable)		
electricity	telephor	ne 🔳 so	chool bussing	■ ga	rbage collection
5 CURRENT LA 5.1 What is the ex		nlan decianati	on of the subje	ct land?	
	-				
Rural Hamiltor					
Urban Hamilto	n Official Pla	n designation	(if applicable) <u>r</u>	Neighbourhoods Des	signation
Please provide Official Plan.	an explana	tion of how the	application co	nforms with a	City of Hamilton
The subject la	nds are desig	gnated Neighb	ourhoods in the	e Urban Ham	ilton Official Plan.
Residential int	ensification v	vithin Neighbo	urhoods is part	t of the evolut	ion of a
neighbourhood	and is enco	ouraged at a ra	inge of scales	and densities	and complimentary
facilities and s	ervices, and	Section 2.6.4	encourages a f	full range of h	ousing 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. Within 500 Metres of Subject Land, On the unless otherwise Subject Use or Feature specified (indicate L∕and approximate distance) An agricultural operation, including livestock facility or stockyard* 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) An active railway line П A municipal or federal airport *Complete MDS Data Sheet if applicable PREVIOUS USE OF PROPERTY 6 Commercial Residential Industrial Other (specify) Agriculture Vacant If Industrial or Commercial, specify use N/A (cemetery plus surplus lands) 6.1 Has the grading of the subject land been changed by adding earth or other material, i.e., 6.2 has filling occurred? Yes ☐ No ☐ Unknown Has a gas station been located on the subject land or adjacent lands at any time? 6.3 ☐ Yes ■ No Unknown Has there been petroleum or other fuel stored on the subject land or adjacent lands? 6.4 ■ No Unknown Are there or have there ever been underground storage tanks or buried waste on the 6.5 subject land or adjacent lands? Yes ■ No Unknown Have the lands or adjacent lands ever been used as an agricultural operation where 6.6 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? 6.7 ■ No Unknown Yes Is the nearest boundary line of the application within 500 metres (1,640 feet) of the fill 6.8 area of an operational/non-operational landfill or dump? ■ No ☐ Unknown ☐ Yes If there are existing or previously existing buildings, are there any building materials 6.9 remaining on site which are potentially hazardous to public health (e.g., asbestos, PCB's)? No Unknown Yes

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 P 7.1 a)	ROVINCIAL POLICY Is this application consistent with the Policy Statements issued under subsection of the Planning Act? (Provide explanation)						
	■ Yes						
	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						
c)	Does this application conform to the Growth Plan for the Greater Golden Horseshoe? ■ Yes □ No (Provide explanation)						
	This application exemplifies the Grown 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						
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 (Provide Explanation)
	N/A
8 8.1	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.
	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.
0 0	N/A Has any land been severed or subdivided from the parcel originally acquired by the owner
8.3	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/AA
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.
	N/A
9	OTHER APPLICATIONS
9.1	Is the subject land currently the subject of a proposed official plan amendment that has been submitted for approval?
	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 N/A Status N/A
10 10.	RURAL APPLICATIONS 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

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 (Complete Section 10.4) ☐ Surplus Farm Dwelling Severance from an Abutting Farm Consolidation (Complete Section 10.5) Surplus Farm Dwelling Severance from a Non-Abutting Farm Consolidation 10.3 Description of Lands a) Lands to be Severed: Area (m² or ha): (from in Section 4.1) Frontage (m): (from Section 4.1) Proposed Land Use: Existing Land Use: _____ b) Lands to be Retained: Area (m² or ha): (from Section 4.2) Frontage (m): (from Section 4.2) roposed Land Use: _____ Existing Land Use: 10.4 Description of Lands (Abutting Farm Consolidation) a) Location of abutting farm: (Postal Code) (Municipality) (Street) b) Description abutting farm: Area (m2 or ha): Frontage (m): Proposed Land Use(s): ____ Existing Land Use(s): c) Description of consolidated farm (excluding lands intended to be severed for the surplus dwelling); Area (m² or ha): Frontage (m): Proposed Land Use: ___ Existing Land Use: d) Description of surplus dwelling lands proposed to be severed: Area (m² or ha): (from Section 4.1) Frontage (m): (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: Non-Habitable 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 (retained parcel):	surplus dwelling is intended to be severed
	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	g Farm Consolidation)
	a) Location of non-abutting farm	
	(Street)	(Municipality) (Postal Code)
	b) Description of non-abutting farm	
	Frontage (m):	Area (m² or ha):
	Existing Land Use(s):	roposed Land Use(s):
	c) Description of surplus dwelling lan Frontage (m): (from Section 4.1)	ds intended to be severed: Area (m² or ha): (from Section 4.1)
	Front yard set back:	
	d) Surplus farm dwelling date of cons	struction:
	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 (retained parcel):	surplus dwelling is intended to be severed
. 3	Frontage (m): (from Section 4.2)	Area (m² or ha): (from Section 4.2)
	Existing Land Use:	Proposed Land Use:
11 C	THER INFORMATION	
	Is there any other information that y Adjustment or other agencies in rev attach on a separate page.	you think may be useful to the Committee of viewing this application? If so, explain below or
	Please see cover letter.	
12 A	CKNOWLEDGEMENT CLAUSE	
remed	nowledge that The City of Hamilton is no diation of contamination on the property n of its approval to this Application.	ot responsible for the identification and y which is the subject of this Application – by
May 3	3, 2022	11/1
	ate	Signature of owner