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	HM/B-22:53	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 [±]	30.48 m [±]	242.62 m ^{2±}
RETAINED LANDS:	7.96 m [±] & 48.55m [±]	30.48 m [±]	242.62 m ^{2±} &
			1,467.76 m ^{2±}

Associated Planning Act File(s): HM/B-22:46, 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-22:54, 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

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

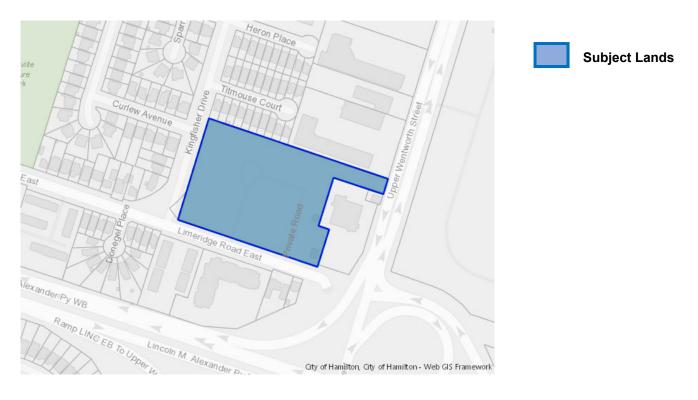
HM/B-22:53

- Visit www.hamilton.ca/committeeofadjustment
- Email Committee of Adjustment staff at <u>cofa@hamilton.ca</u>
- 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..

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

HM/B-22:53

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/committeeofadjustment

Oral Submissions During the Virtual Meeting

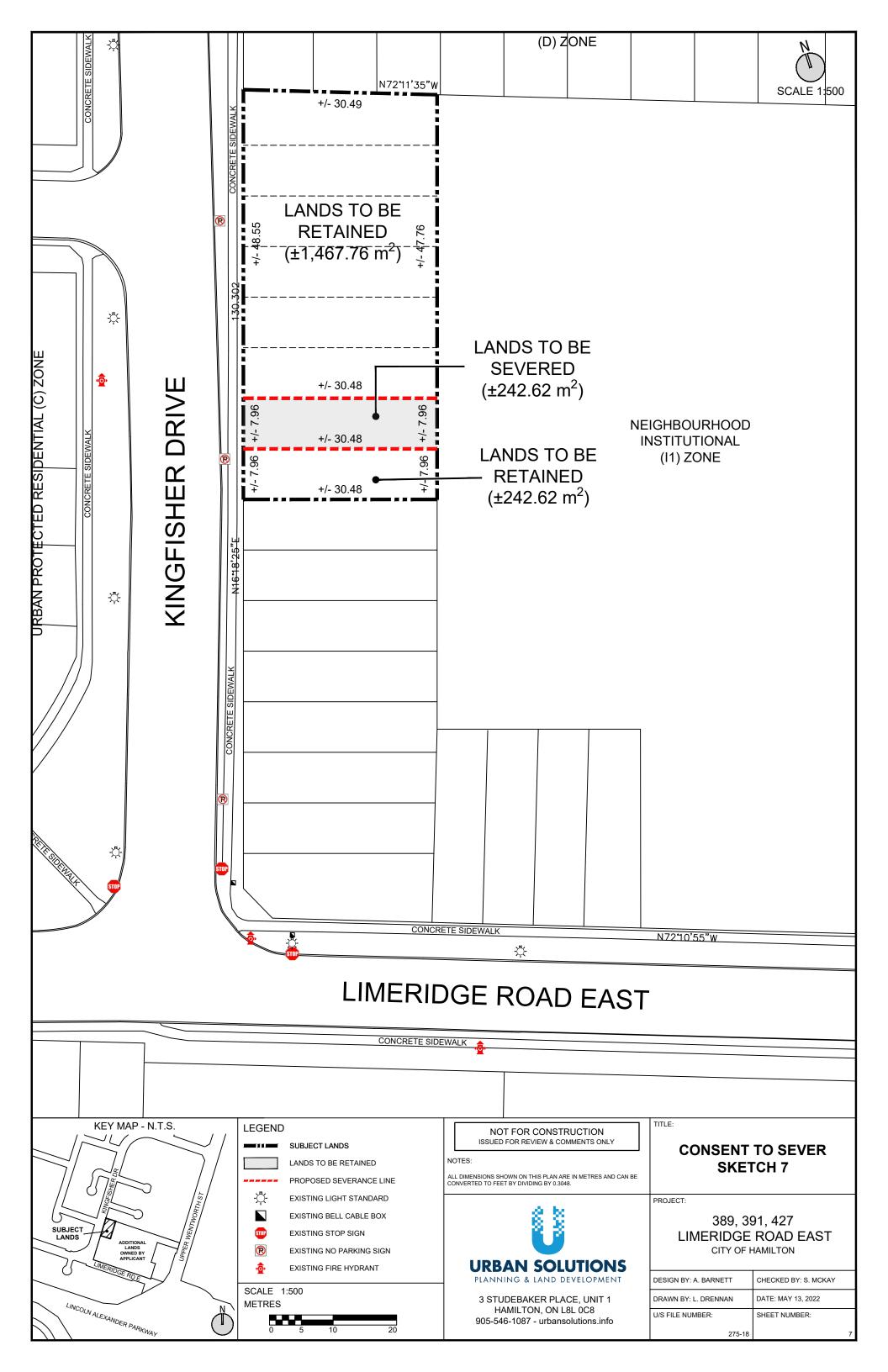
Members of the public are also able to provide oral comments regarding Committee of Adjustment Hearing items by participating through Webex via computer or phone. Participation in this format requires pre-registration in advance. **Interested members of the public must register by noon the day before 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. 7

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

	UN	DER SECTION 53	OF TH	E PLANNING A	Office Use Only
Date Application Received:		Date Application Deemed Complete	e:	Submission No	o.: File No.:
1 APPLICANT IN	FORM	IATION			
		NAME	MA	LING ADDRES	S
Purchaser*	Wilso Inc.	on St. Ancaster			
Registered Owners(s)	Anst Anst	sh Congregation ne-Sholem, the ne-Sholem Trustee Marla Frank-Davis			
Applicant(s)**	Wilso Inc.	on St. Ancaster			
Agent or Solicitor	Plan & La Cons	nSolutions ning nd Development sultants Inc. Matt Johnston			
*Purchaser must p that authorizes the subject of the appl ** Owner's authorisa	purch ication	naser to make the n. (O. Reg. 786/21	applic)	ation in respect	t of purchase and sale t of the land that is the purchaser.
1.3 All corresponde	nce sh	nould be sent to		rchaser plicant	Owner Agent/Solicitor
2 LOCATION OF	SUBJE	CT LAND Con	nplete ti	ne applicable line	es
2.1 Area Municipa City of Hamilton				cession ession 6	Former Township Township of Barton
Registered Plan N	9	Lot(s)		rence Plan N°.	Part(s)
			62R-	21681	Part 1 & 2

Assessment Roll N°.

07083309010 + 07083308

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

Municipal Address

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	lent or coveriant a	id its effect.		
3 3.1	PURPOSE OF THE APPLICATION Type and purpose of proposed transaction: (check appropriate box)				
	a) Urban Area Transfer (do	not complete Se	ection 10):		
	creation of a new lot		Ot	her: 🗌 a d	charge
	addition to a lot				ease
	an easement			∐ad	correction of title
	b) Rural Area / Rural Settle	ement Area Transf	er (Section 1	0 must als	o be completed):
	creation of a new lot		Ot	her: 🔲 a d	charge
	creation of a new no			-	ease
	(i.e. a lot containing a		ing		correction of title
	resulting from a farm co	nsolidation)		∐ an	easement
3.2	Name of person(s), if know or charged:	n, to whom land o	r interest in la	nd is to be	transferred, leased
	Wilson St. Ancaster Inc.				
3.3	If a lot addition, identify the	lands to which the	e parcel will b	e added:	
	N/A				
4 4.1	DESCRIPTION OF SUBJE Description of land intende	CT LAND AND S d to be Severed (ERVICING IN lease, easem	FORMATI ent, charg	ON ge etc.)∶
Fr	ontage (m)	Depth (m)		Area (m²	or ha)
+/-7	7.96m Kingfisher Drive	+/-30.48m		+/-242.62	m2
Exis	sting Use of Property to be s	severed:			
□ F	Residential		Industrial		Commercial
	Agriculture (includes a farm Other (specify) <u>Surplus land</u>	dwelling) Is owned by the Te] Agricultural-l emple Anshe-		Vacant
Pro	posed Use of Property to be	severed:			
	Residential	, 3373, Gui.	Industrial		☐ Commercial
	Agriculture (includes a farm	dwelling)] Agricultural-l	Related	□ Vacant
_	Other (specify)				
	Building(s) or Structure(s): Existing: N/A				
Рго	Proposed: Semi-detached residential dwelling units.				
Exis	sting structures to be remove	ed: <u>N/A</u>			
Typ	e of access: (check appropr	riate box)			
	provincial highway right of way				
	municipal road, seasonally maintained other public road municipal road, maintained all year				
Tvn	Type of water supply proposed: (check appropriate box)				
	publicly owned and operated piped water system				
privately owned and operated individual well			ans (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 (m² or ha))			
+/-7.96 m & +/- 48.55 m Kingfisher Drive +/-30,48m +/-242.62m2 &				
7, 00, 1011				
Certificate Request for Retained Lands: Yes* * If yes, a statement from an Ontario solicitor in good standing that there is no la subject land that is owned by the owner of the subject land other than land that conveyed without contravening section 50 of the Act. (O. Reg. 786/21)	and abutting the could be			
Existing Use of Property to be retained:				
Residential Industrial C	ommercial			
	acant			
Other (specify) Active cemetery lands.				
Trosacritica =	commercial /acant			
Building(s) or Structure(s):				
Existing: N/A				
V				
Proposed: Semi-detached residential dwelling				
Existing structures to be removed: N/A				
Type of access: (check appropriate box)				
□ provincial highway □ right of way □ municipal road, seasonally maintained □ other public road □ municipal road, maintained all year	ad			
Type of water cumply proposed: (check appropriate box)				
Type of water supply proposed: (check appropriate box) publicly owned and operated piped water system privately owned and operated individual well lake or other w other means (s				
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)				
Unter means (specify)				
4.3 Other Services: (check if the service is available)				
electricity telephone school bussing garbage	collection			
5 CURRENT LAND USE5.1 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 Official Plan.	of Hamilton			
The subject lands are designated Neighbourhoods in the Urban Hamilton (Official Plan.			
Residential intensification within Neighbourhoods is part of the evolution of neighbourhood and is encouraged at a range of scales and densities. Sect notes that neighbourhoods shall primarily consist of residential uses and capacitities and services, and Section 2.6.4 encourages a full range of housing and tenure.	f a tion 2.6.2 omplimentary			

S	Are any of the following uses or features on the subject laubject land, unless otherwise specified. Please check tapply.	and or with he approp	nin 500 metres of the riate boxes, if any
	Use or Feature	On the Subject Land	Within 500 Metres of Subject Land, unless otherwise specified (indicate approximate distance)
	gricultural operation, including livestock facility or kyard*		0
A la	nd fill		
A se	wage treatment plant or waste stabilization plant		
A pr	ovincially significant wetland		
A pr	ovincially significant wetland within 120 metres		
A flo	ood plain		
An i	ndustrial or commercial use, and specify the use(s)		
An a	ctive railway line		
A m	unicipal or federal airport		
*Com	plete MDS Data Sheet if applicable		
6		mmercial ner (specify	<i>(</i>)
6.1	If Industrial or Commercial, specify use N/A (cemetery plus		=
6.2			
6.3	Has a gas station been located on the subject land or adjacent lands at any time? ☐ Yes ☐ No ☐ Unknown		
6.4	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 ☐ Yes ■ No ☐ Unknown	weapons	firing range?
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 remaining on site which are potentially hazardous to pPCB's)?	e there an oublic healt	y building materials th (e.g., asbestos,

6.10	s there reason to believe the subject land may have been contaminated by former uses in 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 I 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				
	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 ☐ No (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.
	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/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 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.
	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 10.1	RURAL APPLICATIONS Rural Hamilton Official Plan Designation(s)
	☐ Agricultural ☐ Rural ☐ Specialty Crop
	☐ Mineral Aggregate Resource Extraction ☐ Open Space ☐ Utilities
	Rural Settlement Area (specify)
	Settlement Area Designation

Type of Application (select type and		riate sections)
Agricultural Severance or Lot Add Agricultural Related Severance o Rural Resource-based Commerc or Lot Addition	r Lot Addition	(Complete Section 10.3)
Rural Institutional Severance or L Rural Settlement Area Severance) /
Surplus Farm Dwelling Severance Abutting Farm Consolidation	e from an	(Complete Section 10.4)
Surplus Farm Dwelling Severand Non-Abutting Farm Consolidation		(Complete Section 10.5)
Description of Lands		
•		
a) Lands to be Severed: Frontage (m): (from Section 4.1)	Area (m² or f	na): (from in Section 4.1)
Frontage (III). (IIOIII Section 4.1)	Alea (III oly)	ia). (irom in coolien 4.1)
Existing Land Use:	Proposed Lan	nd Use:
Existing Early Ode.	,	
b) Lands to be Retained: Frontage (m): (from Section 4.2)	Area (m² or h	a): (from Section 4.2)
Frontage (iii). (iioiii Sectioii 4.2)	Alog (III of III	a). (IIOIII OCOUOII 1.2)
—	Dunnand I am	al Han
Existing Land Use:		
Description of Lands (Abutting Far a) Location of abutting farm:	yn Consolidation)
Description of Lands (Abutting Far a) Location of abutting farm: (Street)		nd Use:(Postal Cod
Description of Lands (Abutting Far a) Location of abutting farm:	yn Consolidation) (Postal Cod
Description of Lands (Abutting Far a) Location of abutting farm: (Street) b) Description abutting farm:	(Municipality) Area (m² or ha) (Postal Cod
Description of Lands (Abutting Far a) Location of abutting farm: (Street) b) Description abutting farm: Frontage (m): Existing Land Use(s): c) Description of consolidated farm ((Municipality) Area (m² or have proposed Land (excluding lands in	(Postal Coda): Use(s): tended to be severed for the
Description of Lands (Abutting Far a) Location of abutting farm: (Street) b) Description abutting farm: Frontage (m): Existing Land Use(s):	(Municipality) Area (m² or ha	(Postal Coda): Use(s): tended to be severed for the
Description of Lands (Abutting Far a) Location of abutting farm: (Street) b) Description abutting farm: Frontage (m): Existing Land Use(s): c) Description of consolidated farm (surplus dwelling);	(Municipality) Area (m² or have proposed Land (excluding lands in Area (m² or have proposed Land)	(Postal Coda): Use(s): tended to be severed for the
Description of Lands (Abutting Far a) Location of abutting farm: (Street) b) Description abutting farm: Frontage (m): Existing Land Use(s): c) Description of consolidated farm (surplus dwelling): Frontage (m): Existing Land Use:	(Municipality) Area (m² or have proposed Land (excluding lands in Proposed Land	(Postal Coda): Use(s):tended to be severed for the a): Use:
Description of Lands (Abutting Far a) Location of abutting farm: (Street) b) Description abutting farm: Frontage (m): Existing Land Use(s): c) Description of consolidated farm (surplus dwelling); Frontage (m):	(Municipality) Area (m² or have proposed Land (excluding lands in Proposed Land proposed Land and proposed to be proposed to	(Postal Coda): Use(s):tended to be severed for the a): Use:
Description of Lands (Abutting Far a) Location of abutting farm: (Street) b) Description abutting farm: Frontage (m): Existing Land Use(s): c) Description of consolidated farm (surplus dwelling): Frontage (m): Existing Land Use: d) Description of surplus dwelling lar	(Municipality) Area (m² or have proposed Land (excluding lands in Proposed Land proposed Land and proposed to be proposed to	(Postal Cod
Description of Lands (Abutting Far a) Location of abutting farm: (Street) b) Description abutting farm: Frontage (m): Existing Land Use(s): c) Description of consolidated farm (surplus dwelling): Frontage (m): Existing Land Use: d) Description of surplus dwelling lar Frontage (m): (from Section 4.1)	(Municipality) Area (m² or have a (m² or ha	(Postal Cod
Description of Lands (Abutting Far a) Location of abutting farm: (Street) b) Description abutting farm: Frontage (m): Existing Land Use(s): C) Description of consolidated farm (surplus dwelling): Frontage (m): Existing Land Use: d) Description of surplus dwelling lar Frontage (m): (from Section 4.1) Front yard set back:	(Municipality) Area (m² or have a m² or hav	(Postal Coda): Use(s):tended to be severed for the a): Use:te severed:
Description of Lands (Abutting Far a) Location of abutting farm: (Street) b) Description abutting farm: Frontage (m): Existing Land Use(s): c) Description of consolidated farm (surplus dwelling): Frontage (m): Existing Land Use: d) Description of surplus dwelling lar Frontage (m): (from Section 4.1) Front yard set back: e) Surplus farm dwelling date of con	(Municipality) Area (m² or have proposed Land (excluding lands in Proposed Land and proposed to be Area (m² or have proposed	(Postal Coda): Use(s):tended to be severed for the a): Use:te severed: a): (from Section 4.1)

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					
	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 (m² or ha): (from Section 4.2)				
/	Existing Land Use:	Proposed Land Use:				
11 0	THER INFORMATION					
	Is there any other information that y Adjustment or other agencies in re- 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 AC	CKNOWLEDGEMENT CLAUSE					
remed	owledge that The City of Hamilton is n 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				
Da	ate	Signature of Owner				