COMMITTEE OF ADJUSTMENT



City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5 Telephone (905) 546-2424, ext. 4221, 3935 E-mail: <u>cofa@ham</u>ilton.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-22:54	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 [±] & 32.63 m [±]	30.48 m [±]	242.62 m ^{2±} &
			982.52 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-22:53, 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:

- Visit <u>www.hamilton.ca/committeeofadjustment</u>
- 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-22:54

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 <u>cofa@hamilton.ca</u> or by mail through City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5.

COMMITTEE OF ADJUSTMENT



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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

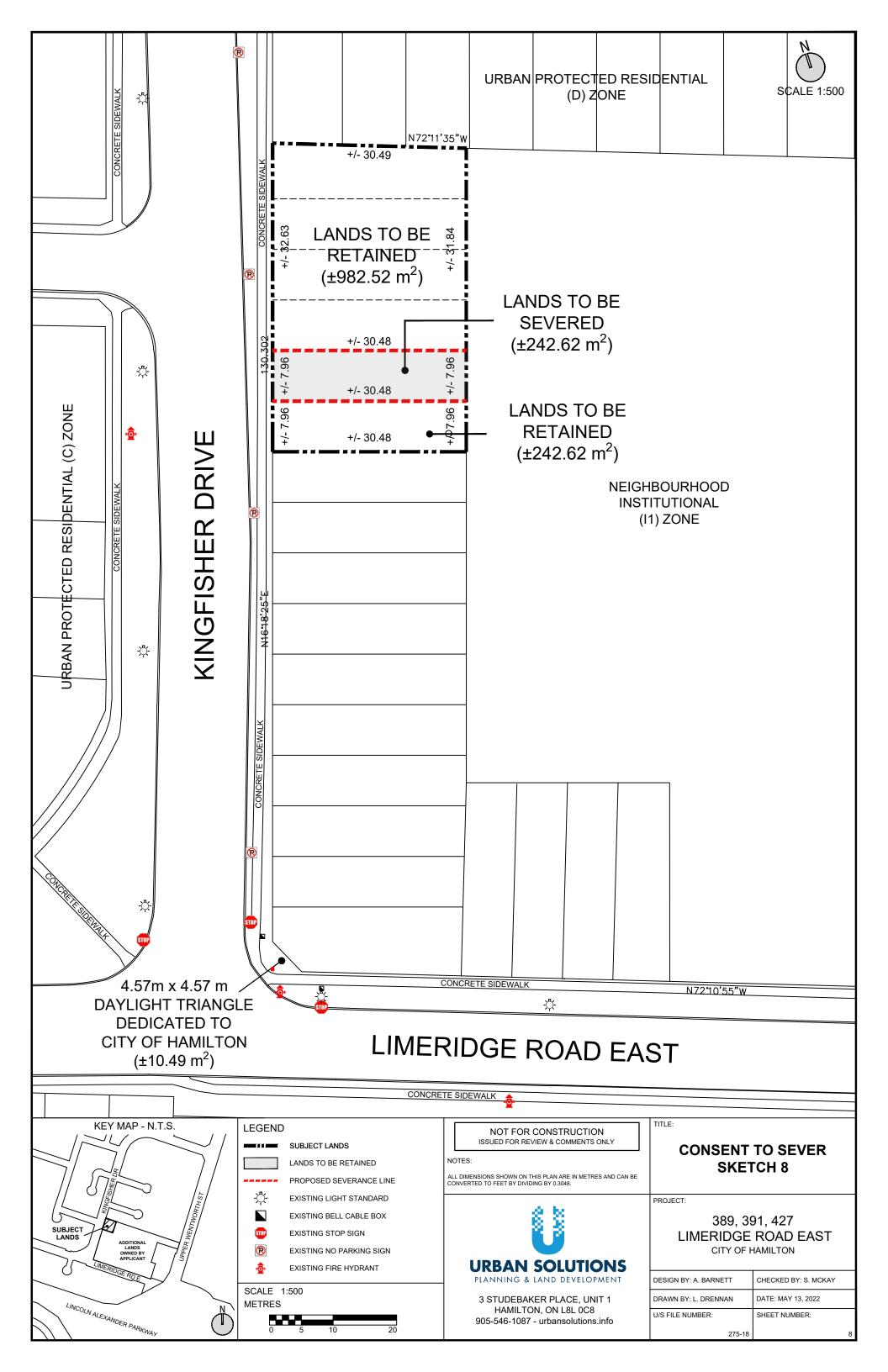
Members of the public are also able to provide oral comments regarding Committee of Adjustment Hearing items by participating through Webex via computer or phone. Participation in this format requires pre-registration in advance. **Interested members of the public must register by noon the day before 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. 8

Phone: (905) 546-2424 ext. 4221 Email: cofa@hamilton.ca

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

 Date Application Received:
 Date Application Deemed Complete:
 Submission No.:
 File No.:

	NAME	MAILING ADDRESS	
Purchaser*	Wilson St. Ancaster Inc.		
Registered Owners(s)	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 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
Applicant

Owner Agent/Solicitor

2 LOCATION OF SUBJECT LAND Complete the applicable lines

2.1 Area Municipality	Lot	Concession	Former Township
City of Hamilton	Part of 11	Concession 6	Township of Barton
Registered Plan N°.	Lot(s)	Reference Plan N°.	Part(s)
		62R-21681	Part 1 & 2
Municipal Address		Assessment Roll N°.	
391, 389 & 427 Limeridge Rd. East, Hamilton ON		07083309010 + 07083308	

2.2	🗌 Yes 🔳 No	or restrictive covenants affect ment or covenant and its effe	
	N/A		
3 3.1	PURPOSE OF THE APP Type and purpose of prop	LICATION osed transaction: (check app	propriate box)
	a) <u>Urban Area Transfer</u> (o	lo not complete Section 10)	<u>i.</u>
	creation of a new lo	ot	Other: 🗌 a charge
	addition to a lot		a lease
	b) Rural Area / Rural Set	lement Area Transfer (Sectio	on 10 must also be completed):
	creation of a new lo	ot	Other: a charge
	creation of a new n		a lease a correction of title
	(i.e. a lot containing a resulting from a farm of	surplus farm dwelling	an easement
	addition to a lot	Shidationy	
N.			the state of the second lange of
3.2	 Name of person(s), if kno or charged: 	wn, to whom land or interest i	in land is to be transferred, leased
	Wilson St. Ancaster Inc.		
3.3	2 Section	e lands to which the parcel w	vill be added:
0.0	N/A		
		ECT LAND AND SERVICING	
4 4.1	Description of land intend	ed to be Severed (lease, eas	sement, charge etc.):
_	Frontage (m)	Depth (m)	Area (m ² or ha)
+/	-7.69m Kingfisher Drive	+/-30.48m	+/-242.62 m2
	isting Use of Property to be Residential Agriculture (includes a farm Other (specify) <u>Surplus la</u>	🗌 Industria	Iral-Related
-	oposed Use of Property to t Residential	Industria	al Commercial
	Agriculture (includes a farr	n dwelling) 🗌 Agricultu	ural-Related
	Other (specify)		
	uilding(s) or Structure(s):		
Pr	oposed: Semi-detached re	sidential dwelling units.	
Ex	tisting structures to be remo	ved: <u>N/A</u>	
Ту	pe of access: (check appro	priate box)	
	provincial highway		right of way
	municipal road, seasonally		other public road
2	municipal road maintained	t all vear	
Τv	municipal road, maintained	-	
	municipal road, maintained pe of water supply propose publicly owned and operat	d: (check appropriate box)	lake or other water body

2 <u>2</u>

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)

and tenure

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

Frontage (m)		Area (m² or ha)
+/-7.96 m & +/- 32.63m Kingfisher Drive	+/-30.48m	+/-242.62 m2 & +/- 982.52 m2

Certificate Request for Retained Lands: Q 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)

11 f D du to b tair _ _

	ting Use of Propert Residential griculture (includes other (specify) <u>Active</u>	s a farm dwelling		☐ Industrial ☐ Agricultur	al-Related	Commercial
	osed Use of Prope esidential griculture (include other (specify)	-		☐ Industrial ☐ Agricultur	al-Related	Commercial
Exist	ling(s) or Structure ting: <u>N/A</u>					ś
Prop	osed: Semi-detached r	esidential dwelling				
Exis	ting structures to b	e removed: <u>N/A</u>				
p n	e of access: (check rovincial highway nunicipal road, sea nunicipal road, mai	sonally maintain			☐ right of w ☐ other put	
D p	e of water supply p ublicly owned and rivately owned and	operated piped v	water s	ystem		her water body ans (specify)
p	e of sewage dispose ublicly owned and rivately owned and ther means (speci	operated sanitar operated individ	ry sewa	ge system		
	Other Services: (c lectricity	heck if the servic telephone		ailable) hool bussing	🔳 ga	rbage collection
5 5.1	CURRENT LAND What is the existin		esignatio	on of the subje	ect land?	
	Rural Hamilton Of	ficial Plan design	nation (i	f applicable):	N/A	
	Urban Hamilton O	fficial Plan desig	nation	(if applicable)	Neighbourhoods De	signation
	Please provide an Official Plan	explanation of h	now the	application co	onforms with a	a City of Hamilton
	Residential intens neighbourhood ar notes that neighbo	ification within N nd is encouraged ourhoods shall p	eighboi I at a ra rimarily	urhoods is par nge of scales consist of res	t of the evolu and densities idential uses	ilton Official Plan. tion of a . Section 2.6.2 and complimentary nousing forms, types

- 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.

On the Subject Land	of Subject Land, unless otherwise specified (indicate approximate distance)

PREVIOUS USE OF PROPERTY 6 Industrial Residential Vacant Agriculture

Commercial
Other (specify)

If Industrial or Commercial, specify use <u>N/A (cemetery plus surplus lands)</u> 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 🗌 Yes
- Are there or have there ever been underground storage tanks or buried waste on the 6.5 subject land or adjacent lands? No Unknown 1 Yes
- 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?
 - No Unknown Yes
- 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? Yes No Unknown
- 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)?

Yes	No	🔄 Un	known
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6.10	Is there reason to believe the subject land may have been contaminated by former uses
	on the site or adjacent sites?

	on the site or adjacent sites?			
6.11	What information did you use to determine the answers to 6.1 to 6.10 above?			
	Consultation with owner.			
	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?			
7 PI 7.1 a)	ROVINCIAL POLICY Is this application consistent with the Policy Statements issued under subsection of the <i>Planning Act</i> ? (Provide explanation)			
	Yes No			
	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?			
	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.)			
	N/A			
e)	Are the subject lands subject to the Niagara Escarpment Plan?			
	If yes, is the proposal in conformity with the Niagara Escarpment Plan?			

N/A

a.

Are the subject lands subject to the Parkway Belt West Plan? f)

If yes, is the proposal in conformity with the Parkway Belt West Plan?

N/A

Are the subject lands subject to the Greenbelt Plan? g)

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 INO 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 INO

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

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?

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?

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 Designa	tion(s)	
	Agricultural	Rural	Specialty Crop
	Mineral Aggregate Resource Extra	ction Open Space	Utilities
	Rural Settlement Area (specify)		
		Settlement Area	Designation
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.

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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 				
Surplus Farm Dwelling Severa Abutting Farm Consolidation	ance from an (Complete Section 10.4			
Surplus Farm Dwelling Sever Non-Abutting Farm Consolida				
Description of Lands				
a) Lands to be Severed:				
Frontage (m): (from Section 4.1)				
Existing Land Use:	Proposed Land Use:			
b) Lands to be Retained:				
Frontage (m): (from Section 4.2)				
Tionage (iii): (iioin Section 4.2)	Area (m ² or ha): (from Section 4.2)			
Existing Land Use: Description of Lands (Abutting	Proposed Land Use:			
Existing Land Use: Description of Lands (Abutting a) Location of abutting farm:	Proposed Land Use:			
Existing Land Use: Description of Lands (Abutting a) Location of abutting farm: (Street)	Proposed Land Use:			
Existing Land Use: Description of Lands (Abutting a) Location of abutting farm:	Proposed Land Use:			
Existing Land Use: Description of Lands (Abutting a) Location of abutting farm: (Street) b) Description abutting farm:	Proposed Land Use: Farm Consolidation) (Municipality) (Postal Coo			
Existing Land Use: Description of Lands (Abutting a) Location of abutting farm: (Street) b) Description abutting farm: Frontage (m): Existing Land Use(s): c) Description of consolidated far	Proposed Land Use: Farm Consolidation) (Municipality) (Postal Coo			
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Frontage (m): (from Section 4.2)	Area (m ² or ha): (from S	Section 4.2)
Existing Land Use:	Proposed Land Use:	
Description of Lands (Non-Abuttin	ng Farm Consolidation)	
a) Location of non-abutting farm		
(Street)	(Municipality)	(Postal Code
b) Description of non-abutting farm		
Frontage (m):	Area (m ² or ha):	
Existing Land Use(s):	Proposed Land Use(s): _	
c) Description of surplus dwelling la	nds intended to be severed:	
Frontage (m): (from Section 4/1)	Area (m ² or ha): (from S	Section 4.1)
Front yard set back:		
d) Surplus farm dwelling date of cor	nstruction:	
Prior to December 16, 2004	After December 1	6, 2004
e) Condition of surplus farm dwelling	g:	
Habitable	Non-Habitable	
a Declaration of the state of the	e surplus dwelling is intende	d to be severed
		1 1 1 0 1
 f) Description of farm from which the (retained parcel): Frontage (m): (from Section 4.2) 	Area (m ² or ha): (from S	Section 4.2)

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.

May 3, 2022

Date

Signature of owner