



Hamilton

COMMITTEE OF ADJUSTMENT

City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5

Telephone (905) 546-2424, ext. 4221

E-mail: cofa@hamilton.ca

NOTICE OF PUBLIC HEARING
Consent/Land Severance

You are receiving this notice because you are either:

- Assessed owner of a property located within 60 metres of the subject property
- Applicant/agent on file, or
- Person likely to be interested in this application

APPLICATION NO.:	SC/B-23:91	SUBJECT PROPERTY:	486 GLOVER ROAD, STONEY CREEK
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APPLICANTS: Owner: 2452593 ONTARIO INC
Agent: ZELINKA PRIAMO LTD. c/o D. S. Elsenbruch

PURPOSE & EFFECT: To permit the conveyance of a parcel of land for future residential development (existing accessory structures to be removed) and to retain a parcel of land containing the existing single detached dwelling (to remain).

	Frontage	Depth	Area
SEVERED LANDS:	18.3 m [±]	31.3 m [±]	576 m ² [±]
RETAINED LANDS:	18.3 m [±]	29.7 m [±]	541 m ² [±]

Associated Planning Act File(s): N/A

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:	Tuesday, February 13, 2024
TIME:	2:50 p.m.
PLACE:	City Hall Council Chambers (71 Main St. W., Hamilton)
	To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment

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

- Visit www.hamilton.ca/committeeofadjustment

SC/B-23:91

- Email Committee of Adjustment staff at cofa@hamilton.ca
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221

PUBLIC INPUT

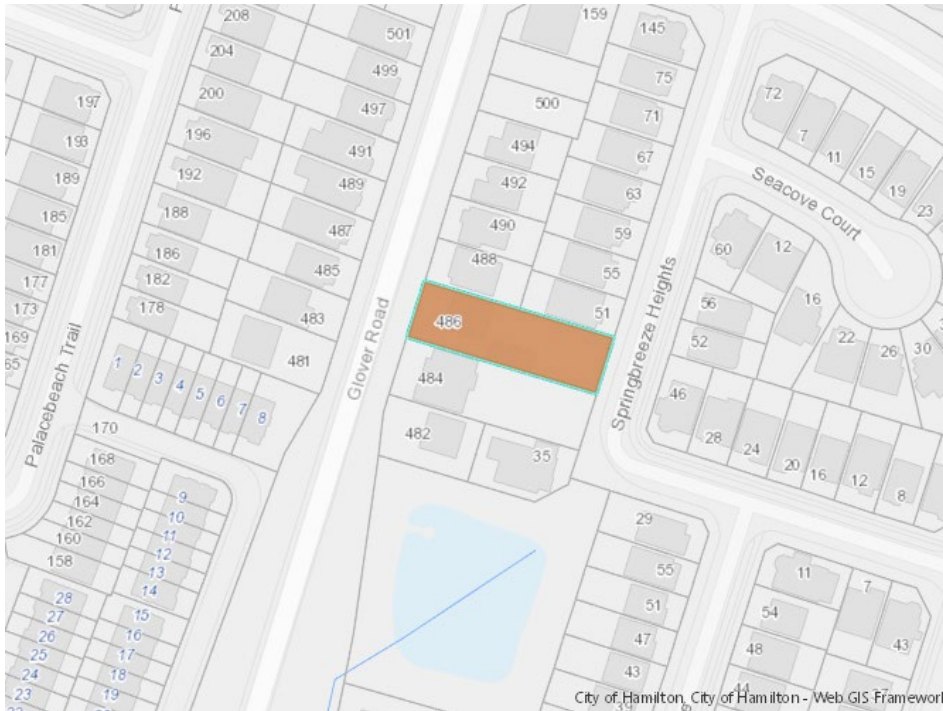
Written: If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Please see attached page for complete instructions, written comments must be received no later than **February 9, 2024**

Orally: If you would like to speak to this item at the hearing you may do so via video link, calling in, or attending in person. Please see attached page for complete instructions, registration to participate virtually must be received no later than **February 12, 2024**

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding SC/B-23:91, you must submit a written request to cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.

If you wish to be provided the Notice of Decision 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.



DATED: January 25, 2024

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.

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.

GLOVER ROAD

SPRINGBREEZE HEIGHTS



CONSENT SKETCH


OF
486 GLOVER ROAD
CITY OF STONEY CREEK

EXISTING ZONE: RR

LOT 1 - LANDS TO BE RETAINED		
	REQUIRED	PROPOSED
LOT AREA	464.5 m ²	541.6 m ²
LOT FRONTAGE	15.0 m	18.3 m
LOT DEPTH	N/A	29.7 m
FRONT YARD SETBACK	10.0 m	10.2 m
REAR YARD SETBACK	7.5 m	7.5 m
INT. SIDEYARD	1.25 m	1.3 m
INT. SIDEYARD (NO ATTACHED GARAGE)	3.0 m	6.5 m
LOT COVERAGE	40%	19%
HEIGHT (max)	11.0 m	<11.0 m
PARKING	2 SPACES	2 SPACES

LOT 2 - LANDS TO BE SEVERED		
	REQUIRED	PROPOSED
LOT AREA	464.5 m ²	576.3 m ²
LOT FRONTAGE	15.0 m	18.3 m
LOT DEPTH	N/A	31.3 m

NO.	REVISION	DATE	INITIAL

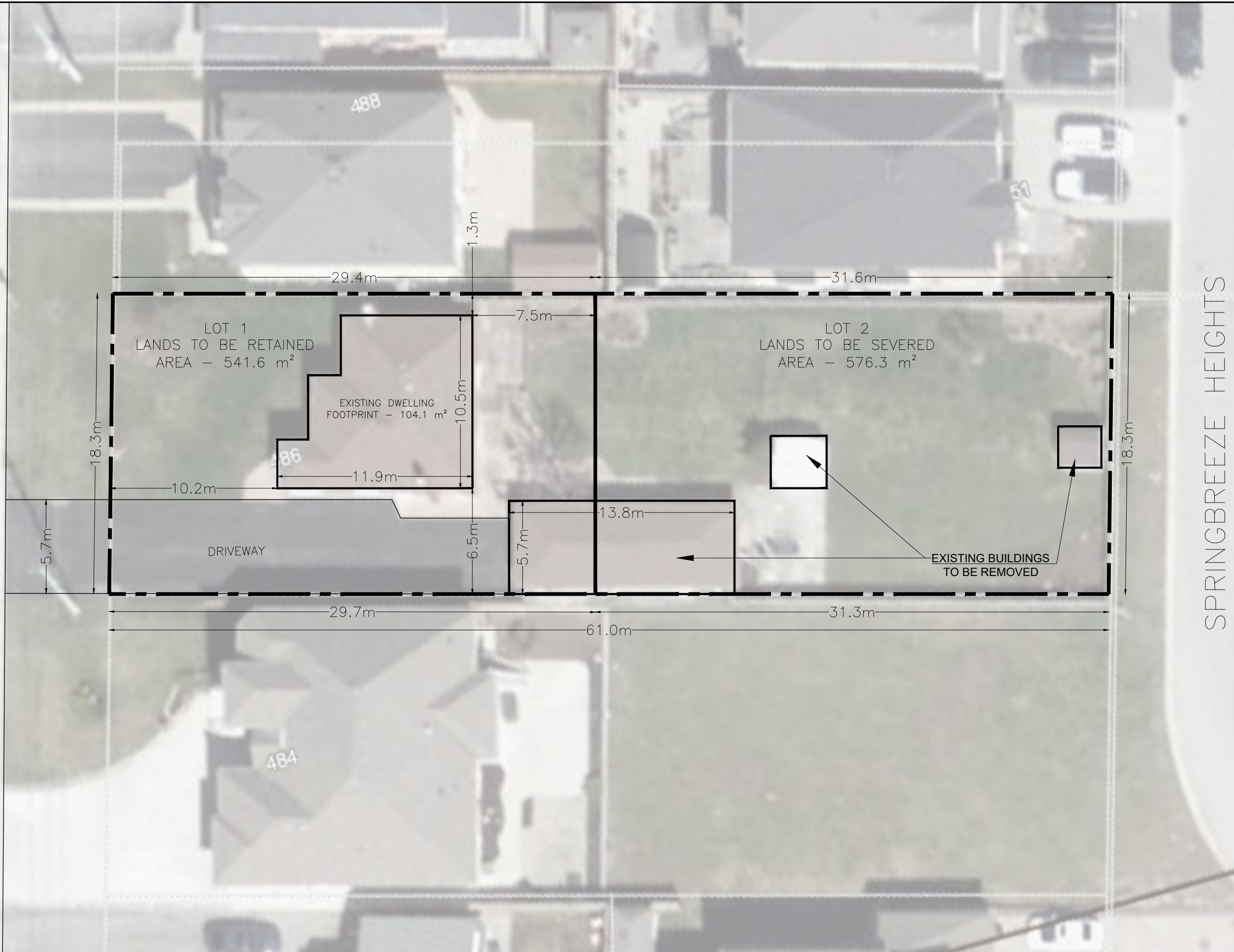

WILLOW BRIDGE HOMES
 486 GLOVER ROAD


ZELINKA PRIAMO LTD
A Professional Planning Practice

318 Wellington Road, London, Ontario N6C 4P4
 Tel: (519) 474-7137 Fax: (519) 474-2284 e-mail: zp@zplian.com

DRAWN BY CM	PROJECT NO. WLW/STO/22-01
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DATE FEBRUARY 2023	SCALE 1:250
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December 8, 2023

Sent via e-mail

Committee of Adjustment
City of Hamilton
City Hall 5th Floor
71 Main Street West
Hamilton, ON
L8P 4Y5

RE: Application for Consent to Sever (New Residential Lot)
486 Glover Road
Stoney Creek, ON
Our File: WLW/STO/22-01

Zelinka Priamo Ltd., on behalf of 2452593 Ontario Inc., is pleased to submit a Consent to Sever Application for the lands known municipally as 486 Glover Road (hereinafter referred to as the “subject lands”). The intent of the application is to sever the subject lands into two separate parcels to create one new lot while retaining the existing residential dwelling on the lands to be retained.

THE SUBJECT LANDS AND SURROUNDINGS

The subject lands are a through-lot located on the east side of Glover Road, approximately 115m from the intersection with Watercrest Drive (Figure 1, following page), and have a lot area of approximately 1,117.9 m², a lot frontage of approximately 18.3 m along Glover Road and Springbreeze Heights, and a lot depth of approximately 61.0 m.

The subject lands are currently occupied by a single-storey, single-detached dwelling, a detached private garage and two accessory buildings (Figure 2). A single-lane driveway along the southerly property line provides vehicular access to the subject lands, leading to the existing private garage.

The subject lands are designated “*Neighbourhoods*” in the Urban Hamilton Official Plan, and designated “*Low Density Residential 2b*” in the Urban Lakeshore Area Secondary Plan. The subject lands are currently zoned “*Rural Residential (RR) Zone*” in the City of Stoney Creek Zoning By-law 3692-92.

The subject lands are within the “*Built-up area*” in the Growth Plan for the Greater Golden Horseshoe, and are outside of the “*Niagara Escarpment Plan Area*”, the “*Parkway Belt West Planning Area*”, and the “*Greenbelt Area*”.

Figure 1 – Location of the Subject Lands (outlined in red)

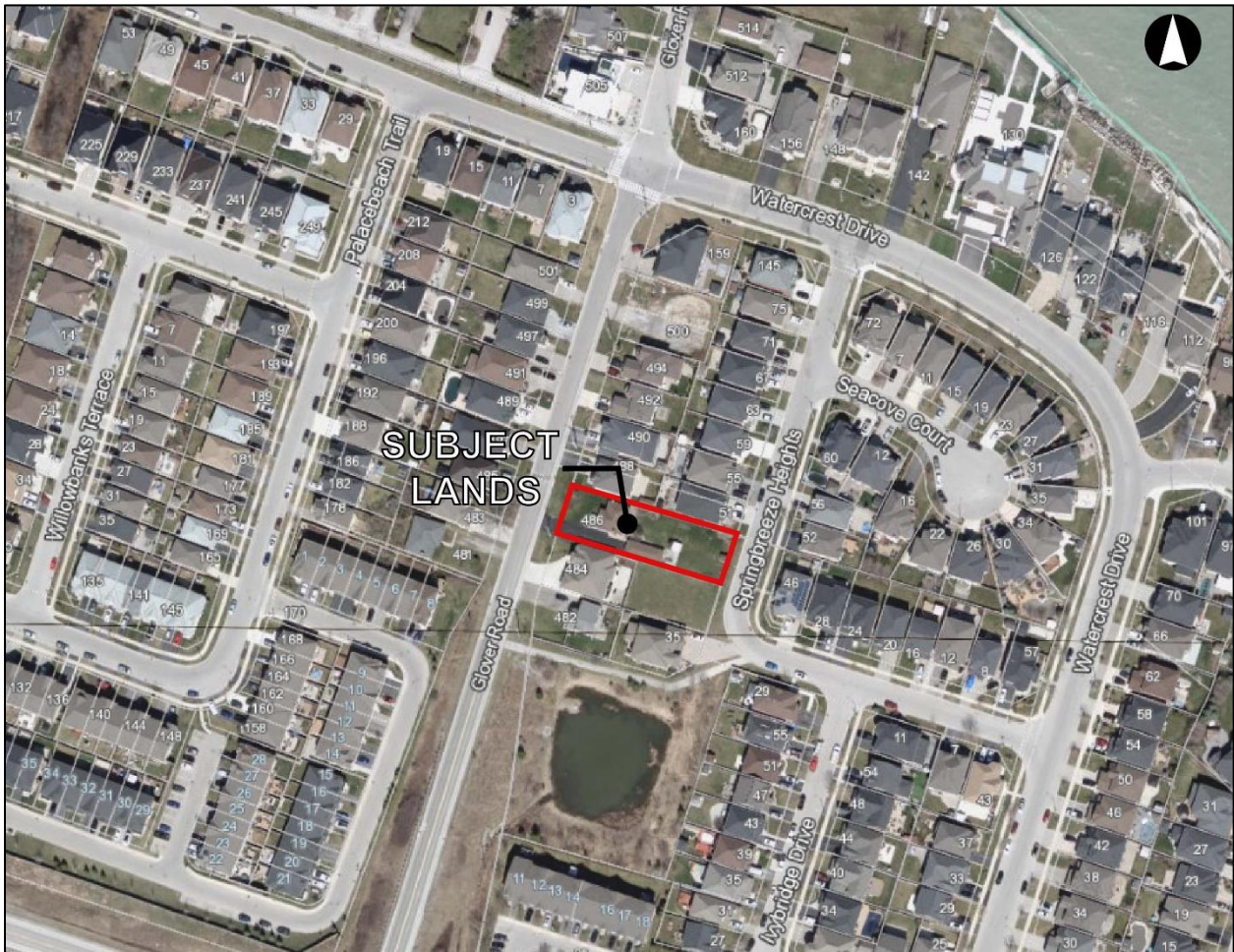


Figure 2 – Streetview of the subject lands (looking east on Glover Road)



Surrounding land uses consist of:

- North: Single-detached dwellings abutting the subject lands. Further north are low-density residential uses;
- South: Single-detached dwelling abutting the subject lands. Further south are low- and medium-density residential uses and an Open Space with a stormwater management pond;
- East: East of Springbreeze Heights are low-density residential uses. Further east are low-density residential uses; and,
- West: West of Glover Road are low-density residential uses and southwest are low- and medium-density residential uses. Further west are low-density residential uses.

PROPOSED CONSENT TO SEVER

The subject lands are proposed to be severed to create one new lot. No changes are proposed for the existing single-storey, single-detached dwelling on the retained parcel, which will maintain its vehicular and pedestrian accesses. The detached private garage and two existing accessory buildings are proposed to be removed, resulting in a vacant area on the lands to be severed.

The retained lands are proposed to have a lot frontage of approximately 18.3 m, a lot depth of approximately 29.7 m, and a lot area of approximately 541.6 m²; and, the severed lands are proposed to have a lot frontage of approximately 18.3 m, a lot depth of approximately 31.3 m, and a lot area of approximately 576.3 m² (see Figure 3)

Figure 3 – Consent Sketch (excerpt)



PLANNING CONSIDERATIONS

The subject lands are designated “*Neighbourhoods*” in the Urban Hamilton Official Plan, and designated “*Low Density Residential 2b*” in the Urban Lakeshore Area Secondary Plan. According to Section 1.14.3.1 of the Urban Hamilton Official Plan, consent to create a new lot is permitted within “*Neighbourhoods*” designation, provided that:

- a) *“The lots comply with the policies of this Plan, including secondary plans, where one exists;*

The proposed severance would result in residential lots that comply with the policies of the “*Neighbourhoods*” designation in the Urban Hamilton Official Plan, and with the “*Low Density Residential 2b*” designation in the Urban Lakeshore Area Secondary Plan. The lands to be retained will maintain their current residential use and the lands to be severed are future planned for residential use, which is a permitted use within the “*Neighbourhoods*” and “*Low Density Residential 2b*” designations.

- b) *The lots are in conformity with the Zoning By-law or a minor variance is approved;*

The subject lands are zoned “*Rural Residential (RR) Zone*” and the proposed lots (retained and severed) fully conform to the zoning regulations of the City of Stoney Creek Zoning By-law 3692-92, providing the required minimum lot areas and lot frontages for both lots and adequate setback, height, parking spaces, and lot coverage for the existing single-detached dwelling on the lands to be retained.

- c) *The lots reflect the general scale and character of the established development pattern in the surrounding area by taking into consideration lot frontages and areas, building height, coverage, mass, setbacks, privacy and overview;*

The proposed severance would result in lots that are consistent with the surrounding area in terms of pattern and lot size, having no significant undue conditions on adjacent properties or on the street character. The existing single-detached dwelling would remain in the lands to be retained and would provide the required minimum lot frontage and lot coverage, as well as adequate setbacks to the abutting properties.

- d) *The lots are fully serviced by municipal water and wastewater systems; and, e) The lots have frontage on a public road.”*

The subject lands are fully serviced by municipal water and sanitary sewage systems and front on a public road.

The subject lands are within the “*built-up area*” in the Growth Plan for the Greater Golden Horseshoe (2020), which identifies that growth will be focused in delineated built-up areas (Section 2.2.1.2.c). This is consistent with the *Provincial Planning Statement* (2020), which identifies settlement areas as the focused areas for lot creation. As such, it is our professional opinion that the proposed severance conforms to the Provincial Planning Statement and Growth Plan for the Greater Golden Horseshoe.

CONCLUSION

As demonstrated above, the proposed severance conforms to the applicable policies of the Provincial Policy Statement and maintains the intent and purpose of the Urban Hamilton Official Plan, the Urban Lakeshore Area Secondary Plan, the Growth Plan for the Greater Golden Horseshoe, and the City of Stoney Creek Zoning By-law. Furthermore, the requested consent to sever will not create any significant undue conditions on the subject lands, or neighboring uses, which includes compatible residential lot fabric.

SUBMISSION MATERIALS

As per the submission requirements for a Consent to Sever application, please find the following materials submitted digitally (PDF format) in support of the application:

- Completed Consent application form and authorizations;
- Cheque made payable to “The City of Hamilton” in the amount of \$3,220.00 for the Consent Application Fee; and,
- Consent Sketch (with site data table).

We trust that the enclosed information is complete and satisfactory and look forward to a timely approval process. Should you have any questions or require additional information, please feel free to contact our office.

Yours very truly,

ZELINKA PRIAMO LTD.



Danieli Sikelero Elsenbruch
Planner

cc. The client (via email)

**APPLICATION FOR CONSENT TO SEVER LAND
and VALIDATION OF TITLE
UNDER SECTION 53 & 57 OF THE *PLANNING ACT***

Please see additional information regarding how to submit an application, requirements for the required sketch and general information in the Submission Requirements and Information.

1. APPLICANT INFORMATION

	NAME	MAILING ADDRESS
Purchaser*		
Registered Owners(s)		
Applicant(s)**		
Agent or Solicitor		

*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.

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

1.2 All correspondence should be sent to Purchaser Owner
 Applicant Agent/Solicitor

1.3 Sign should be sent to Purchaser Owner
 Applicant Agent/Solicitor

1.4 Request for digital copy of sign Yes* No
If YES, provide email address where sign is to be sent [REDACTED]

1.5 All correspondence may be sent by email Yes* No
If Yes, a valid email must be included for the registered owner(s) AND the Applicant/Agent (if applicable). Only one email address submitted will result in the voiding of this service. This request does not guarantee all correspondence will sent by email.

2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address			
Assessment Roll Number			
Former Municipality			
Lot		Concession	
Registered Plan Number		Lot(s)	
Reference Plan Number (s)		Part(s)	

2.2 Are there any easements or restrictive covenants affecting the subject land?

Yes No

If YES, describe the easement or covenant and its effect:

3 PURPOSE OF THE APPLICATION

3.1 Type and purpose of proposed transaction: (check appropriate box)

- | | |
|---|-----------------------|
| creation of a new lot(s) | concurrent new lot(s) |
| addition to a lot | a lease |
| an easement | a correction of title |
| validation of title (must also complete section 8) | a charge |
| cancellation (must also complete section 9) | |
| creation of a new non-farm parcel (must also complete section 10) | |
| (i.e. a lot containing a surplus farm dwelling | |
| resulting from a farm consolidation) | |

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

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

3.4 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)

4 DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

4.1 Description of subject land:

All dimensions to be provided in metric (m, m² or ha), attach additional sheets as necessary.

	Retained (remainder)	Parcel 1	Parcel 2	Parcel 3*	Parcel 4*
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Identified on Sketch as:					
Type of Transfer	N/A				
Frontage					
Depth					
Area					
Existing Use					
Proposed Use					
Existing Buildings/ Structures					
Proposed Buildings/ Structures					
Buildings/ Structures to be Removed					

* Additional fees apply.

4.2 Subject Land Servicing

a) Type of access: (check appropriate box)

provincial highway

municipal road, seasonally maintained

municipal road, maintained all year

right of way

other public road

b) 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)

c) 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):

Rural Settlement Area:

Urban Hamilton Official Plan designation (if applicable)

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

- 5.2 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 known, provide the appropriate file number and status of the application.

- 5.3 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?

- 5.4 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 known, provide the appropriate file number and status of the application.

- 5.5 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 * Submit Minimum Distance Separation Formulae (MDS) if applicable		
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		
A municipal or federal airport		

6 HISTORY OF THE SUBJECT LAND

6.1 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, provide the appropriate application file number and the decision made on the application.

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

6.3 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.

6.4 How long has the applicant owned the subject land?

6.5 Does the applicant own any other land in the City? Yes No
If YES, describe the lands below or attach a separate page.

7 PROVINCIAL POLICY

7.1 Is this application consistent with the Policy Statements issued under Section 3 of the *Planning Act*?

Yes No (Provide explanation)

7.2 Is this application consistent with the Provincial Policy Statement (PPS)?

Yes No (Provide explanation)

7.3 Does this application conform to the Growth Plan for the Greater Golden Horseshoe?

Yes No (Provide explanation)

7.4 Are the subject lands subject to the Niagara Escarpment Plan?

Yes No (Provide explanation)

7.5 Are the subject lands subject to the Parkway Belt West Plan?

Yes No (Provide explanation)

7.6 Are the subject lands subject to the Greenbelt Plan?

Yes No (Provide explanation)

7.7 Are the subject lands within an area of land designated under any other provincial plan or plans?

Yes No (Provide explanation)

8 ADDITIONAL INFORMATION - VALIDATION

8.1 Did the previous owner retain any interest in the subject land?

Yes N o (Provide explanation)

8.2 Does the current owner have any interest in any abutting land?

Yes No (Provide explanation and details on plan)

8.3 Why do you consider your title may require validation? (attach additional sheets as necessary)

9 ADDITIONAL INFORMATION - CANCELLATION

9.1 Did the previous owner retain any interest in the subject land?

Yes No (Provide explanation)

9.2 Does the current owner have any interest in any abutting land?

Yes No (Provide explanation and details on plan)

9.3 Why do you require cancellation of a previous consent? (attach additional sheets as necessary)

10 ADDITIONAL INFORMATION - FARM CONSOLIDATION

10.1 Purpose of the Application (Farm Consolidation)

If proposal is for the creation of a non-farm parcel resulting from a farm consolidation, indicate if the consolidation is for:

Surplus Farm Dwelling Severance from an Abutting Farm Consolidation

Surplus Farm Dwelling Severance from a Non-Abutting Farm Consolidation

10.2 Location of farm consolidation property:

Municipal Address			
Assessment Roll Number			
Former Municipality			
Lot		Concession	
Registered Plan Number		Lot(s)	
Reference Plan Number (s)		Part(s)	

10.3 Rural Hamilton Official Plan Designation(s)

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 consolidation property.

10.4 Description of farm consolidation property:

Frontage (m):	Area (m ² or ha):
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Existing Land Use(s):

Proposed Land Use(s):

10.5 Description of abutting consolidated farm (excluding lands intended to be severed for the surplus dwelling)

Frontage (m):	Area (m ² or ha):
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10.6 Existing Land Use:

Proposed Land Use:

10.7 Description of surplus dwelling lands proposed to be severed:

Frontage (m): (from Section 4.1)	Area (m ² or ha): (from Section 4.1)
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Front yard set back:

a) Date of construction:

Prior to December 16, 2004

After December 16, 2004

b) Condition:

Habitable

Non-Habitable

11 COMPLETE APPLICATION REQUIREMENTS

11.1 All Applications

Application Fee

Site Sketch

Complete Application Form

Signatures Sheet

11.2 Validation of Title

All information documents in Section 11.1

Detailed history of why a Validation of Title is required

All supporting materials indicating the contravention of the Planning Act, including PIN documents and other items deemed necessary.

11.3 Cancellation

All information documents in Section 11.1

Detailed history of when the previous consent took place.

All supporting materials indicating the cancellation subject lands and any neighbouring lands owned in the same name, including PIN documents and other items deemed necessary.

11.4 Other Information Deemed Necessary

Cover Letter/Planning Justification Report

Minimum Distance Separation Formulae (data sheet available upon request)

Hydrogeological Assessment

Septic Assessment

Archeological Assessment

Noise Study

Parking Study