



Hamilton

STAFF COMMENTS

HEARING DATE: November 12, 2024

B-24:64 – 270 Longwood Road South, Hamilton (Delegated Authority)

Recommendation:

Approve

Proposed Conditions:

1. The owner shall submit a deposited Ontario Land Surveyor's Reference Plan to the Committee of Adjustment Office, unless exempted by the Land Registrar. The reference plan must be submitted in pdf and also submitted in CAD format, drawn at true scale and location and tied to the City corporate coordinate system. (Committee of Adjustment Section)
2. The owner shall pay any outstanding realty taxes and/or all other charges owing to the City Treasurer. (Committee of Adjustment Section)
3. The owner submits to the Committee of Adjustment office an administration fee, payable to the City of Hamilton, to cover the costs of setting up a new tax account for each newly created lot. (Committee of Adjustment Section)

Proposed Notes:

The lands to be conveyed (Parts 1, 2, 3 & 7) will be assigned the address of 180 Longwood Road South (Hamilton).

We ask that the Owner agrees to physically affix the municipal numbers or full addresses to either the buildings or on signs in accordance with the City's Sign By-law, in a manner that is clearly visible from the road.



Development Planning:

Background

	Frontage	Depth	Area
Severed Lands (for Lease, Parts 1, 2, 3 and 7):	138.80 m±	103.72 m±	11307.12 m ² ±
Severed Lands (for Easement, Parts 4, 5 and 6):	12.47 m±	106.89 m±	1439.15 m ² ±
Retained/Remainder Lands:	217 m±	222 m±	45765.33 m ² ±

The purpose of this application is to permit the creation of a stratified lease for a parcel of land for greater than 21 years and to create a stratified easement over a portion of land for access and maintenance purposes.

Staff note that there are associated Planning Act files for the subject lands, being Site Plan application DA-23-028 (which received Conditional Approval on June 28, 2024) and Minor Variance application A-24:230. Site Plan application DA-23-028 was to facilitate a proposed seven storey hotel with 162 hotel rooms, 88 on-site parking spaces and 30 off-site parking spaces. Special Condition #8 of the Conditional Approval requires that the Owner/Applicant apply for and receive approval of a Consent Application for a lease greater than 21 years over a portion of the subject lands, to the satisfaction of the City’s Director of Heritage and Urban Design.

Both the proposed lease and easement are to be stratified. Parts 1, 2, 3 and 7 of the submitted consent sketch are the proposed leased area of the subject lands, with parts 4, 5 and 6 being the proposed easement. Parts 1 and 2 are subject to an easement in favour of the City of Hamilton and Part 7 has strata, being on the ground to a height of 3 metres.

Similarly, Parts 4 and 5 have strata, being on the ground to a height of 3 and 5 metres respectively. Part 6 provides access to Longwood Road South at a signalized intersection. The entirety of the subject lands are to be subject to an environmental easement in favour of Metrolinx and their operations.

Analysis

Urban Hamilton Official Plan

The subject lands are identified as “Employment Areas” in Schedule E – Urban Structure of the Urban Hamilton Official Plan. The subject lands are designated “Business Park” in Schedule E-1 – Urban



Hamilton

Land Use Designations. Policies E.5.4.3, F.1.14.3.7 and Section F.4.2 amongst others, are applicable and permits the proposed hotel.

Policy F.1.14.3.7 permits consents for the purposes of long-term lease agreements for infrastructure works provided a separate lot is not created for a dwelling or any urban land use, except the uses noted in this Section. Based on the foregoing, **staff recommend approval.**

City of Hamilton Zoning By-law No. 05-200

The subject lands are zoned Research and Development (M1, 7) Zone in City of Hamilton Zoning By-law No. 05-200. The proposed hotel is a permitted use.

Zoning:

Recommendation:	No comments
Proposed Conditions:	
Comments:	
Notes:	

Development Engineering:

Recommendation:	Comments Only
Proposed Conditions:	Our Understandings is the severance application is to facilitate the long-term Lease Agreement. All grading and servicing are being reviewed under DA-23-28
Comments:	Proposed Conditions: N/A
Notes:	

Transportation Planning:

Recommendation:	No Comments
Proposed Conditions:	
Comments:	Delegated Authority file does not get circulated to staff
Notes:	

Legislative Approvals:

Recommendation:	Comments and Conditions / Notes
Proposed Conditions:	
Comments:	The lands to be conveyed (Parts 1, 2, 3 & 7) will be assigned the address of 180 Longwood Road South (Hamilton).



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Notes:	We ask that the Owner agrees to physically affix the municipal numbers or full addresses to either the buildings or on signs in accordance with the City's Sign By-law, in a manner that is clearly visible from the road.
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Please Note: Public comment will be posted separately, if applicable.

RE: November 12, 2024 COA Agenda Available

From Mikiya Hobbs <mhobbs@conservationhamilton.ca>
Date Fri 11/1/2024 4:12 PM
To Committee of adjustment <CofA@hamilton.ca>
Cc Laura Warner <lwarner@conservationhamilton.ca>

External Email: Use caution with links and attachments

Good afternoon,

Thank you for circulating the Hamilton Conservation Authority (HCA) with the Consent Application B-24:64 for the lands located at 270 Longwood Road South, Hamilton. HCA staff have reviewed the information provided in accordance with HCA's plan review and regulatory responsibilities under the Conservation Authorities Act and provide the following comments. HCA has Bcc'd our contact for items relating to these properties on this email for their information.

The subject property is located in the Chedoke Creek subwatershed. Portions of the site are regulated by HCA pursuant to the *Conservation Authorities Act* and *Ontario Regulation 41/24* (Prohibited Activities, Exemptions and Permits) due to confined slopes, and flooding and erosion hazards associated with nearby Chedoke Creek.

HCA staff understand that consent is requested to permit the creation of a stratified lease for a parcel of land for greater than 21 years and to create a stratified easement over a portion of land. This consent application is a condition of Site Plan application DA-23-028, which was conditionally approved on July 11, 2024. HCA has been reviewing the proposed development through this site plan application (DA-23-028) and will address any remaining concerns through the site plan application and future HCA Permit. As such, HCA staff have no comments related to the proposed severance.

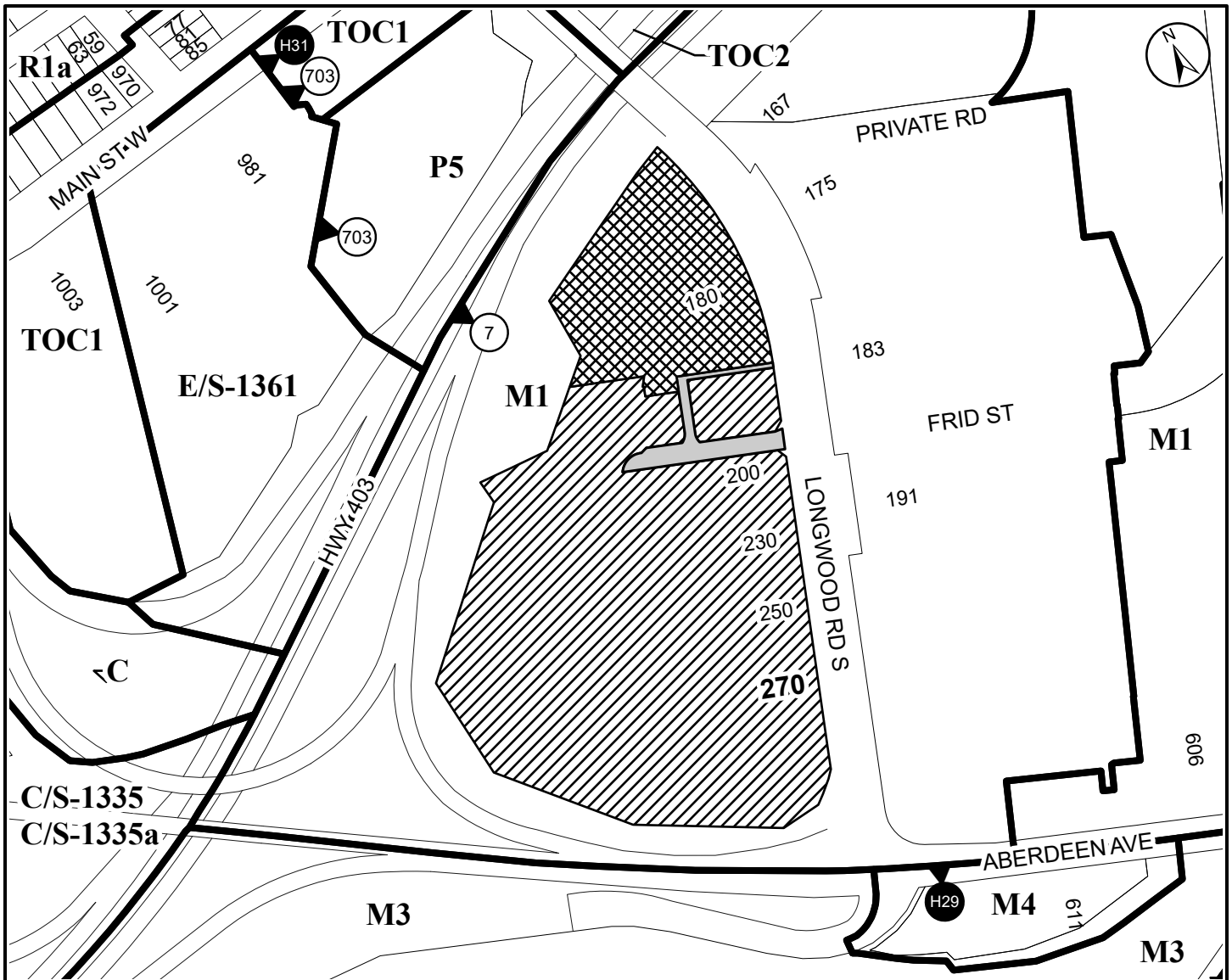
Please contact me if there are any questions regarding these comments.

Kind regards,

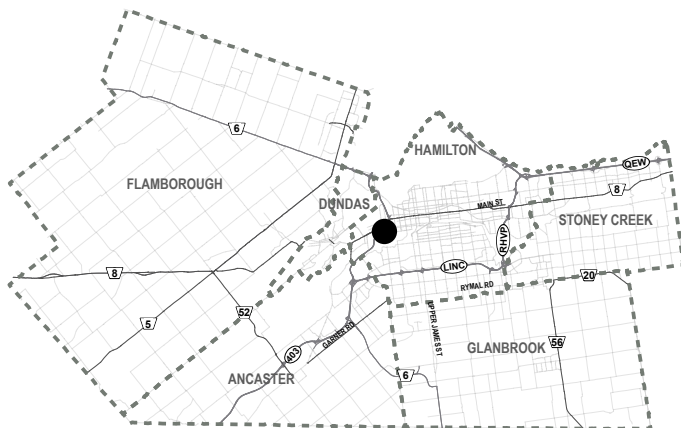
Mikiya Hobbs
Planner, Watershed Management Services
Hamilton Conservation Authority
Phone: 905-525-2181 Ext. 148

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From: Committee of adjustment <cofa@hamilton.ca>
Sent: October 24, 2024 2:10 PM
To: Committee of adjustment <cofa@hamilton.ca>
Subject: November 12, 2024 COA Agenda Available



● Site Location






City of Hamilton

Committee of Adjustments

Subject Property

270 Longwood Road South, Hamilton (Ward 1)

-  Lands to be retained
-  Lands to be leased
-  Proposed access easement

File Name/Number:
B-24:64

Date:
October 30, 2024

Technician:
SH

Scale:
N.T.S.

Appendix "A"



Hamilton