SUBJECT: Application to Amend Township of Glanbrook Zoning By-law No. 464 for Lands Located at 3332 Regional Road 56 (Glanbrook) (PED08105) (Ward 11)

RECOMMENDATION:

That approval be given to Zoning Application ZAR-08-005, by Richard Lewis, Agent for P & L Livestock Limited, Owner, for a change in zoning from the General Agriculture “A1” Zone to the General Agriculture “A1-236” Zone in order to prohibit residential uses and the use of the existing quonset hut for livestock on Block “1”, and for a change in zoning from the General Agricultural “A1” Zone to the General Agriculture “A1-237” Zone in order to permit a reduction in the minimum lot frontage requirement on Block “2”, for the lands located at 3332 Regional Road 56, (Glanbrook), as shown on Appendix “A” to Report PED08105, on the following basis:

(a) That the draft By-law, attached as Appendix “B” to Report PED08105, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council.

(b) That the amending By-law be added to Schedule “D” of Zoning By-law No. 464.

(c) That the proposed changes in zoning conform to the Hamilton-Wentworth Official Plan and the Township of Glanbrook Official Plan.
EXECUTIVE SUMMARY:

The purpose of the application is for a change in zoning to prohibit the development of a new residential dwelling and the use of the existing quonset hut for the housing of livestock. These modifications in zoning are required as a condition of approval for Consent Application GL/B-07:93, and are necessary to ensure that the retained lands comply with existing Provincial policies. In addition, this application proposes a number of modifications to the General Agricultural “A1” Zone requirements to ensure both the retained and conveyed parcels conform to Zoning By-law No. 464.

The proposed modifications in zoning have merit and can be supported as they are consistent with the Provincial Policy Statement and the Greenbelt Plan, and conform to the Hamilton-Wentworth Official Plan and the “Agricultural” designation of the Township of Glanbrook Official Plan. In addition, approval of the subject application fulfils a condition of approval for Consent Application GL/B-07:93 (Appendix “C” – Condition 2).

BACKGROUND:

Proposal

The applicant has applied for a change in zoning from the General Agricultural “A1” Zone to a site-specific General Agricultural “A1-236” Zone for the retained parcel of 3332 Regional Road 56 (Block “1”). The purpose of this modification is to prohibit future residential uses on the retained farm parcel, to prohibit the existing quonset hut from being used for the housing of livestock, and to reduce the minimum lot frontage requirement from 150 metres to 127 metres on Block “1”. These modifications will satisfy conditions of approval for Consent Application GL/B-07-93 (see Appendix “C” - Conditions 2, 3, and 4).

The applicant has also applied for a change in zoning from the General Agricultural “A1” Zone to a site-specific General Agricultural “A1-237” Zone for the conveyed parcel of 3332 Regional Road 56 (Block “2”). This modification is required to reduce the minimum lot frontage requirement from 30.0 metres to 10.3 metres.

Consent Application GL/B-07:93

Consent Application GL/B-07:93 was conditionally approved by the Committee of Adjustment on August 30, 2007 (Appendix “C”). The Consent application proposed to sever off the existing farm dwelling from the subject lands on the basis that the dwelling was deemed to be surplus as a result of a farm consolidation. The effect of the Consent application was to create a new lot containing an existing single detached dwelling, and to retain a parcel of land containing a quonset hut for agricultural purposes (see Appendix “D”). The conveyed lot has a frontage of 10.37 metres and a lot area of 5,898 square metres. The retained lot has a frontage of 128.3 metres and a lot area of approximately 37.66 hectares. The address of the conveyed lot (Block “2”) will remain known as 3332 Regional Road 56, and the lands to be retained (Block “1”) will be assigned a new municipal address of 3316 Regional Road 56.
SUBJECT: Application to Amend Township of Glanbrook Zoning By-law No. 464 for Lands Located at 3332 Regional Road 56 (Glanbrook) (PED08105) (Ward 11) - Page 3 of 9

The Provincial Policy Statement and the Greenbelt Plan permit lot creations for a residence surplus to a farming operation as a result of farm consolidation, provided that the planning authority ensures that new residential dwellings are prohibited in perpetuity on any vacant remnant parcel of farmland. The Provincial Policy Statement and the Greenbelt Plan also require new lot creations to comply with the minimum distance separation formulae (MDS). With the creation of the proposed new lot, the existing quonset hut on the retained lands would be located in close proximity to the severed residential dwelling. In this respect, the applicant has requested to preclude the use of the quonset hut for the housing of livestock on the retained lands (Block “1”).

Details of Submitted Application

Location: 3332 Regional Road 56 (see Appendix “A”)

Owner: P & L Livestock Limited

Applicant/Agent: Richard Lewis, Paletta International Corporation

Property Description:
- Total Lot Area: +/- 38.7 hectares
- Total Lot Frontage: +/- 128 metres
- Lot Depth: +/- 1224 metres
- Servicing: Existing private services

EXISTING LAND USE AND ZONING

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<thead>
<tr>
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<th>Existing Land Use</th>
<th>Existing Zoning</th>
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<td>Subject Lands</td>
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<td>General Agriculture “A1” Zone</td>
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<td>Existing Single Detached Dwellings</td>
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ANALYSIS/RATIONALE:

1. The proposal has merit and can be supported for the following reasons:

   (i) It is consistent with the policies of the Provincial Policy Statement and the Greenbelt Plan.

   (ii) It conforms with the “Rural Area” policies of the Hamilton-Wentworth Official Plan and is consistent with the policies of the City’s adopted Rural Official Plan.

   (iii) The proposal conforms to the “Agricultural” designation of the Township of Glanbrook Official Plan.

   (iv) The proposed change in zoning satisfies conditions of approval for Consent Application GL/B-07:93, which was approved by the Committee of Adjustment on August 30, 2007 (Conditions 2, 3, and 4 - Appendix “C”).

2. The retained parcel on the subject lands will continue to be zoned for agricultural uses. A wide range of agricultural uses are permitted on the subject lands under the existing General Agricultural “A1” Zoning regulations. The proposed zoning modification will prohibit any new residential development on the retained agricultural lands. Therefore, the only structures that will be permitted by the zoning will be for agricultural uses. This is consistent with the policies of the Provincial Policy Statement and the Greenbelt Plan, which requires that the development of a new residential dwelling be prohibited on any retained lands when a surplus dwelling is severed from a farm property as a result of a farm consolidation. It will ensure that the primary use of the lands remains agricultural, and prevent agricultural lands from losing their viability by becoming fragmented.

   As a result of the proposed zoning modification to prohibit residential uses on the retained farm parcel (Block “1”), farm help houses, home occupations, home professions, home industries, and bed and breakfast establishments can no longer be established since each of these uses are permitted only when accessory to a single detached dwelling.

3. The proposed zoning modifications also prohibit the existing quonset hut from being used for the housing of livestock since it is located in close proximity to the severed dwelling unit. If the building was used for housing livestock, it would not meet the current minimum distance separation formulae (MDS) for separation from residential uses. This would conflict with the policies of the Provincial Policy Statement and the Greenbelt Plan, which require that any severances for surplus dwellings, resulting from farm consolidations, comply with the MDS. The effect of the rezoning application is to preclude livestock operations only within the existing quonset hut, but not on the retained lands.
In addition to compliance with the MDS for the subject lands, the applicant was also required as a condition of Consent (see Appendix “C” - Condition 3) to ensure compliance between the severed residential dwelling and neighbouring farm operations. Staff notes that the rezoning application will only satisfy a portion of the condition, and the applicant is still required to provide proof through documentation, to the satisfaction of the Director of Planning, confirming compliance with the MDS between the existing dwelling and any adjacent farm operation prior to clearing the condition.

4. The applicant has requested modifications to the General Agricultural “A1” Zone that relate to the lot frontage for both the retained farm parcel (Block “1”) and the conveyed parcel containing a single detached dwelling (Block “2”). The proposed modifications are discussed below:

Lot Frontage (Block “1”)

The applicant is proposing a minimum lot frontage of 127.0 metres; whereas the “A1” Zone provisions require a minimum lot frontage of 150.0 metres for agricultural uses. The retained parcel was deficient in lot frontage prior to the conditional approval of Consent Application GL/B-07:93, as a result of previous severances from the property. The proposed reduction in lot frontage is considered minor and can be supported.

Lot Frontage (Block “2”)

The applicant is proposing a minimum lot frontage of 10.3 metres; whereas the “A1” Zone provisions require a minimum lot frontage of 30.0 metres for single detached dwellings. The purpose and intent of the By-law is to maintain consistent lot frontages in order to maintain a rural streetscape character. The proposed dwelling to be severed is currently located a far distance from the other existing dwellings along Regional Road 56. The proposed reduction in lot frontage will not alter the streetscape character, as this is an existing situation.

5. It is also noted that Consent Application GL/B-07:93 to sever the surplus residential dwelling from the subject lands does not comply with the strict interpretation of Lot Creation Policy D.2.2.6 of the Township of Glanbrook Official Plan. Policy D.2.2.6 states that a consent may be considered if it is necessary for the consolidation of productive agricultural holdings by the acquisition of abutting lands for the purposes of increasing the size of, or establishing a viable farming operation.

However, recent decisions by the Ontario Municipal Board on similar severance applications in the Glanbrook agricultural area rejected strict interpretation of the Township of Glanbrook Official Plan. The decision of the Board stated that modern farm consolidations should not be required to directly abut the current land holdings of a farming business to allow the severance of a surplus dwelling. The Board made the following statement in those cases. “The Board finds that it
would be wrong to interpret the Township OP so strictly that land consolidations, which further Provincial and Regional policies, would be discouraged.” For these reasons, Consent Application GL/B-07:93 was deemed to comply with all applicable policies and subsequently approved by the Committee of Adjustment on August 30, 2007. Staff also supports the necessary zoning modifications to enforce the Provincial policies relating to this consent.

6. Staff received one written response (Appendix “E”) as a result of the circulation of the application. The response was requesting clarification on the effect of the application and whether commercial development would be permitted on the subject lands. Staff notes that the application is to prohibit a future residential dwelling from being constructed on the retained farm parcel, and that the permitted uses are limited to Section 8.1 General Agricultural “A1” Zone of Zoning By-law No. 464, in which commercial uses are not permitted, except a kennel, commercial greenhouse operation, and seasonal farm produce stands.

ALTERNATIVES FOR CONSIDERATION:

In the event Council does not support the proposed modification in zoning, the conditional approval of Consent Application GL/B-07-92 will lapse and the applicant will not be able to sever the surplus dwelling from the property. The use of the subject property would continue to be regulated by the existing General Agriculture “A1” Zone provisions contained in Zoning By-law No. 464.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Financial: None.

Staffing: None.

Legal: As required by the Planning Act, Council shall hold at least one Public Meeting to consider an application for a change in Zoning.

POLICIES AFFECTING PROPOSAL:

Provincial Policy Statement

The Provincial Policy Statement (PPS) provides policy direction of provincial interest related to land use planning and development. The Planning Act requires that, in exercising any authority that affects planning matters, planning authorities shall be consistent with policy statements issued under this Act. The application is consistent with the Rural Area policies of Section 1.1.4 and the Agriculture Policies of Section 2.3 of the Provincial Policy Statement which permit the severance of a surplus dwelling as a result of a farm consolidation.
Greenbelt Plan

The subject lands are located within the “Protected Countryside” and designated “Prime Agricultural” within the Greenbelt Plan. Policy 3.1.3.1 states that within prime agricultural areas, as identified in municipal Official Plans, normal farm practices and a full range of agricultural, agricultural-related and secondary uses are supported and permitted. The application is consistent with the Greenbelt Plan, particularly with regards to the following specific policies.

Policy 3.1.3.4 states that new land uses and the creation of lots, as permitted by the policies of the Plan, shall comply with the MDS. The applicant has requested to prohibit livestock to be housed within the agricultural building on the retained lands to satisfy this policy.

Policy 4.6.3 c) states that lot creation is permitted for the severance of a residence surplus to a farming operation as a result of a farm consolidation, provided that the planning authority ensures that a residential dwelling is not permitted on the retained lot of farmland created by the severance.

Hamilton-Wentworth Official Plan

The subject property is designated as “Rural Area - Prime Agricultural Lands” in the Hamilton-Wentworth Official Plan. As the nature of the application is to implement the severance of a surplus residential dwelling, as a result of a farm consolidation; to prohibit the use of the existing agricultural building for the housing of livestock; and to prohibit residential dwellings on the retained lands (Block “1”), the proposal conforms with the policies of the Hamilton-Wentworth Official Plan.

Township of Glanbrook Official Plan

The subject property is designated “Agricultural” in the Township of Glanbrook Official Plan. Section B.1.1.1 of the Plan identifies the predominant use of the lands designated “Agricultural” as agriculture, forestry, and activities connected with the conservation of soil and wildlife. The continued working of all existing farmlands and the preservation of prime agricultural land is encouraged. As such, the application conforms to the “Agricultural” policies of the Plan.

City of Hamilton Rural Official Plan (pending Ministry approval)

The City of Hamilton Rural Official Plan has been adopted by City Council and is pending approval by the Province. As such, the plan does not have legal status at this time. The subject property is located in the “Rural Area” of the Plan, on lands designated as “Prime Agriculture”. The City of Hamilton Rural Official Plan gives agricultural uses a priority in Rural Hamilton. Policy D.2.0 states that the primary intent of the Agriculture designation is to protect the prime agricultural area for agricultural use. The following specific policies, among others, would apply to the subject property:
Policy F.1.13.2.2 c) permits surplus farm dwelling severances where a farm dwelling is made surplus as a result of acquisition as part of a farm operation. Applications for severance must comply with a number of conditions and lot requirements; two of which relate to the proposed zoning modifications.

Policy F.1.13.2.2 c) vi) requires that the land retained as a result of the severance of a surplus dwelling shall be rezoned prior to the granting of final consent to prohibit the construction of any dwelling unit.

Policy F.1.13.2.2 c) vii) requires that barns and farm buildings situated on the land retained as a result of surplus dwelling severance shall comply with the Minimum Distance Separation 1 Formulae of the Province.

Therefore, since the application proposes to sever a surplus dwelling as a result of a farm consolidation, and to prohibit the use of the existing agricultural building for the housing of livestock, the application conforms to the proposed Rural Official Plan policies.

**RELEVANT CONSULTATION:**

The following Departments and Agencies had no comments or objections:

- Traffic Engineering and Operations Section, Public Works Department
- Forestry and Horticulture Section, Public Works Department
- Health Protection Division, Public Health Services Department
- Hamilton Police Service
- Emergency Services Department
- Horizon Utilities Corporation
- Union Gas
- Bell Canada
- Mountain Cable Vision

**Public Consultation**

In accordance with the Public Participation Policy that was approved by Council, preliminary circulation of the application shall not be required if the application is part of the implementation of a planning study or other application, such as a consent, which has been approved within one year of public involvement and participation opportunities. Since the property was also the subject of a Consent application in August 2007, which was a public process, preliminary circulation was not required.

The Consent application was approved by the Committee of Adjustment on August 30, 2007. Two letters were received in response to the circulation of the severance application, and one resident was in attendance at the Committee of Adjustment hearing. The resident raised an issue concerning the use of the farm parcel, and the resident’s concern was addressed at the hearing.
However, in accordance with the new provisions of the Planning Act, 155 notices of Complete Application were mailed to all property owners within 120 metres of the subject property. To date, one formal response has been received (see Appendix “E”) and is discussed in the Analysis/Rationale section of the report (see Comment 6). Further, a Public Notice sign was posted on the property on February 10, 2008, and Notice of the Public Meeting was given in accordance with the requirements of the Planning Act.

**CITY STRATEGIC COMMITMENT:**

By evaluating the “Triple Bottom Line”, (community, environment, economic implications) we can make choices that create value across all three bottom lines, moving us closer to our vision for a sustainable community, and Provincial interests.

**Community Well-Being is enhanced.**  ☑ Yes  ☐ No
The function of the agricultural community is preserved.

**Environmental Well-Being is enhanced.**  ☑ Yes  ☐ No
The proposed zoning will prevent unnecessary residential development in the agricultural area.

**Economic Well-Being is enhanced.**  ☑ Yes  ☐ No
Farm consolidation improves the farm economy by helping farmers to remain economically viable.

Does the option you are recommending create value across all three bottom lines?

☑ Yes  ☐ No

Do the options you are recommending make Hamilton a City of choice for high performance public servants?

☐ Yes  ☑ No

:JD
Attachs: (5)
Appendix “A” to Report PED08105
(Page 1 of 1)

Block “1”
Change in Zoning from the General Agricultural “A1” Zone to the General Agricultural “A1-236” Zone.

Block “2”
WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1, 2001, the municipality “City Of Hamilton”;

AND WHEREAS the City Of Hamilton is the successor to certain area municipalities, including the former area municipality known as “The Corporation of the Township of Glanbrook” and is the successor to the former Regional Municipality, namely, The Regional Municipality of Hamilton-Wentworth;

AND WHEREAS the City Of Hamilton Act, 1999 provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS Zoning By-law No. 464 (Glanbrook) was enacted on the 16th day of March, 1992, and approved by the Ontario Municipal Board on the 31st day of May, 1993;

AND WHEREAS the Council of the City of Hamilton, in adopting Item ______ of Report ______ of the Economic Development and Planning Committee at its meeting held on the ______ day of ______, 2008, recommended that Zoning By-law No. 464 (Glanbrook), be amended as hereinafter provided;

AND WHEREAS this by-law is in conformity with the Official Plan of the City of Hamilton (the Official Plan of the former Township of Glanbrook);

NOW THEREFORE the Council of the City of Hamilton enacts as follows:
1. That Schedule “D”, appended to and forming part of By-law No. 464 (Glanbrook) is amended:

   (a) by changing from the General Agricultural “A1” Zone to the General Agricultural “A1-236” Zone, the land comprised as Block “1”; and,

   (b) by changing from the General Agricultural “A1” Zone to the General Agricultural “A1-237” Zone, the land comprised as Block “2”;

   the extent and boundaries of which are shown on a plan hereto annexed as Schedule “A”.

2. That Section 44, “Exceptions to the Provisions of the By-law”, of Zoning By-law No. 464, be amended by adding a new special provision, “A1-236”, as follows:

   “A1-236” 3332 Regional Road 56

   Notwithstanding SECTION 8: GENERAL AGRICULTURAL “A1” ZONE, Subsection 8.1 – PERMITTED USES, the following uses shall be prohibited on the lands zoned “A1-236”;

   (a) a single detached dwelling; and,

   (b) the use of the quonset hut, existing at the date of passing of this amending By-law, being the day of , 2008, for the housing of livestock.

   Notwithstanding the regulations of SECTION 8: GENERAL AGRICULTURAL “A1” ZONE, Subsection 8.2 – REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 8.1 (AGRICULTURAL USES), Clause (a), the following regulation shall apply to lands zoned “A1-236”;

   (a) Minimum Lot Frontage .................................................. 127.0 metres

3. That Section 44, “Exceptions to the Provisions of the By-law”, of Zoning By-law No. 464, be amended by adding a new special provision, “A1-237”, as follows:

   “A1-237” 3332 Regional Road 56

   Notwithstanding the regulations of SECTION 8: GENERAL AGRICULTURAL “A1” ZONE, Subsection 8.3 – REGULATIONS FOR USES PERMITTED IN PARAGRAPH (b) OF SUBSECTION 8.1 (SINGLE DETACHED DWELLINGS), Clause (a), the following regulation shall apply to the lands zone “A1-237”;

   (a) Minimum Lot Frontage .................................................. 10.3 metres
4. The Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the Planning Act.

PASSED and ENACTED this [date] day of [date], 2008.

__________________________________________  __________________________________________
Fred Eisenberger                           Kevin C. Christenson
Mayor                                      City Clerk

ZAR-08-005
Appendix “B” to Report PED08105
(Page 4 of 4)

Block "1"
Change in Zoning from the General Agricultural “A1” Zone to the General Agricultural “A1-236” Zone.

Block "2"

Schedule "A"
Map Forming Part of By-Law No. 08-____
to Amend By-law No.464

Subject Property
3332 Regional Road 56

Block “1”
Change in Zoning from the General Agricultural “A1” Zone to the General Agricultural “A1-236” Zone.

Block “2”

This is Schedule “A” to By-Law No. 08-
Passed the ............ day of .................., 2008

Clerk

Mayor

Date: March 18, 2008
Planner/Technician: Jd'Ai/BR

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Committee of Adjustment
Hamilton City Centre
4th floor, Suite 400, 77 James St. N.
Hamilton, ON L8R 2K3
Telephone (905) 546-2424, ext. 4221
Fax (905) 546-4202

COMMITTEE OF ADJUSTMENT
NOTICE OF DECISION

APPLICATION FOR CONSENT LAND SEVERANCE

APPLICATION NO.GL/B-07:93
SUBMISSION NO. B-93/07

IN THE MATTER OF The Planning Act, R.S.O. 1990, Chapter P13, Section 53(1);

AND IN THE MATTER OF the Premises known as Municipal number 3332 Highway #56, formerly in the Township of Glanbrook, now in the City of Hamilton;

AND IN THE MATTER OF AN APPLICATION by the agent Turkstra Mazza Associates (Scott Snider) on behalf of the owner P. & L. Livestock Limited, for consent under Section 53(1) of The Planning Act, R.S.O. 1990, Chapter 13, so as to permit the conveyance of an irregular shaped parcel of land having a frontage of 10m± (32.80±) and an area of 5909m² (1.46 acres) containing an existing 2½ storey dwelling for residential (surplus farm dwelling) purposes, and to retain an irregular parcel of land having a frontage of 127m± (416.66±) and an area of 38.7ha (95.62 acres) containing an existing garage.

THE DECISION OF THE COMMITTEE IS:

That the said application IS APPROVED for the following reasons:

1. The Committee having regard to the evidence is of the opinion that the goals of the Provincial Policy Statement, the Regional Official Plan and the Township Official Plan are met as the requested severance will facilitate the consolidation of farmland into economically viable parcels and therefore further sustainability.

2. The Committee is of the opinion that the severance application has regard to all relevant matters set out in Section 51(24) of The Planning Act.

3. The Committee is satisfied that the proposal represents good planning and is in the public interest.

Having regard to the matters under subsection 51(24) of the Planning Act, R.S.O. 1990, c.P. 13, the said application shall be subject to the following 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.

2. That the owner/applicant shall apply for and receive approval of a Rezoning Application prohibiting the construction of any new residential dwellings on the retained portion; and,

3. That the owner/applicant shall confirm to the satisfaction of the Director of Planning, of the City of Hamilton, that the proposed severance is in conformity with the Minimum Distance Separation Formulae.

4. The applicant shall receive final approval of any variances from the requirements of the Zoning By-law as determined necessary by the Planning and Development Department (Building Services Division).
5. The septic system shall be located entirely within the lands to be retained/conveyed, to the satisfaction of the Planning and Economic Development Department (Building Services Division).

6. That sufficient land is dedicated to the City, be deed, along the entire frontage of both the lands to be conveyed and the remnant lands in order to establish the property line 18.29m (60 feet) from the original centreline of Highway #56, if required.

7. That the owner submit to the Committee of Adjustment office an administration fee of $15.00 payable to the City of Hamilton to cover the costs of setting up a new tax account for the newly created lot.

NOTES (TO BE INCLUDED IN DECISION IF APPROVED):

1. The subject property has been determined to be an area of archaeological potential. It is reasonable to expect that archaeological resources may be encountered during any demolition, grading, construction activities, landscaping, staging, stockpiling or other soil disturbances and the applicant is advised to conduct a Stage 1 and 2 archaeological assessment prior to such impacts in order to address these concerns and mitigate, through preservation or resource removal and documentation, adverse impacts to any significant archaeological resources found. Mitigation, by an Ontario-licensed archaeologist, may include the monitoring of any mechanical excavation arising from this project. If archaeological resources are identified on-site, further Stage 3 Testing and Stage 4 Mitigation may be required as determined by the Ontario Ministry of Culture.

Should deeply buried archaeological remains be found on the property during any of the above development activities the Ontario Ministry of Culture (MCL) should be notified immediately (519.675.7724). In the event that human remains are encountered during construction, the applicant/landowner should immediately contact both MCL and the Registrar or Deputy Registrar of the Cemeteries Regulation Unit of the Ministry of Government Services (416.328.8392).

2. Based on the application being approved and all conditions met, the lands to be conveyed will remain as 3332 Regional Road 56. The lands to be retained will be assigned the municipal address of 3316 Regional Road 56 Please note that the street name of Highway No. 56 was changed in 1999 to Regional Road 56.

DATED AT HAMILTON this 30th day of August, 2007.

M. Dizzle, Chairman

__________________________

C. Lewis

__________________________

D. Drury

__________________________

V. Abraham

__________________________

M. Switzer

THE DATE OF GIVING OF THIS NOTICE OF DECISION IS September 6th, 2007. HEREIN NOTED CONDITIONS MUST BE MET WITHIN ONE (1) YEAR OF THE DATE OF THIS NOTICE OF DECISION (September 6th, 2008) OR THE APPLICATION SHALL BE DEEMED TO BE REFUSED (PLANNING ACT, SECTION 53(41)).

NOTE: THE LAST DATE ON WHICH AN APPEAL TO THE ONTARIO MUNICIPAL BOARD MAY BE FILED IS September 26th, 2007.

NOTE: THIS DECISION IS NOT FINAL AND BINDING UNLESS OTHERWISE NOTED.
Appendix "D" to Report PED08105

SKETCH

PART OF LOTS 1, 2, A3
BLOCK 4
CONCESSION 4

CITY OF HAMILTON

LEGEND

METRIC

1. DATE: REASON: PREPARED BY: CHECKED BY: SCALE: DRAWN:

Detail (not to scale)
d’Andrade, Jennifer

From: Antler, Michael
Sent: Monday, March 03, 2008 11:44 AM
To: d’Andrade, Jennifer
Subject: Zoning Amendment Application (File No. ZAR-08-005)

Jennifer,

I had a question for you regarding a letter I received from your office about the zoning for ZAR-08-005. Currently it is my understanding that this proposal is to change A1 to A1 modified will mean that no one can build residential on lot 3332. However does this mean that it no one can build commercial on this lot either?

I also noticed that there is an application under the Planning Act for consent (File No. GL/B-07:93) I was hoping you could get me some more information on this.

This is all new to me but I do own property backing onto this lot and I would like it to stay zoned for Agriculture. For this to happen do I write the Development and planning committee and express interest in it staying A1 or would I only write if I wanted to stop the change from A1 to A1 Modified?

I appreciate any suggestions you have for me,

Regards,

Mike

NOTICE: This message is intended only for the use of the individual or entity to which it is addressed and may contain information which is privileged, confidential or proprietary. Internet communications cannot be guaranteed to be secure or error-free as information could be intercepted, corrupted, lost, arrive late or contain viruses. By communicating with us via e-mail, you accept such risks. When addressed to our clients, any information, drawings, opinions or advice (collectively, “information”) contained in this e-mail is subject to the terms and conditions expressed in the governing agreements. Where no such agreement exists, the recipient shall neither rely upon nor disclose to others, such information without our written consent. Unless otherwise agreed, we do not assume any liability with respect to the accuracy or completeness of the information set out in this e-mail. If you have received this message in error, please notify us immediately by return e-mail and destroy and delete the message from your computer.