

## **509 Southcote Road Ontario Land Tribunal (OLT) development application update**

January 2025 – A settlement between the parties has been reached and the Ontario Land Tribunal had received a request by (lawyer for the Proponent) Patrick Harrington, with no objections from the parties, to convert the Case Management Conference scheduled to commence on January 20, 2025, to a settlement hearing. The Tribunal has granted the request. The hearing event scheduled to commence on January 20, 2025, is cancelled and a written settlement hearing has been scheduled.

October 2024 – The Case Management Conference (CMC) scheduled for October 4 was adjourned to allow the Parties more time to negotiate. A new CMC date has been set for December 6, 2024 at 10:00 am. Check the status so far [HERE](#)

July 2024 – the Ontario Land Tribunal (OLT) has scheduled the first hearing date, a Case Management Conference (CMC), to take place online on Friday October 4, 2024. Members of the public are encouraged to take part by emailing the Participant Status request form. When filling out the form you may add a written submission that describes your interest in the case, your position on the issues and provide an explanation of your reasons in support of your position. Link to the form is [HERE](#). Please send the completed form to the case coordinator at

[Jessica.Hampton@ontario.ca](mailto:Jessica.Hampton@ontario.ca)

Reference case number: OLT-23-000673

Municipality: Hamilton

Subject Property Address: 509 Southcote Road

Reference Number(s): UHOPA-23-010

August 2023 - Residents will recall that a public meeting was held on March 29, 2023 to give residents the opportunity to talk to and hear from the applicant's consultants. Main considerations that were raised were the added density this infill would bring to the neighbourhood and the proposed removal of all 105 trees on the property. One city tree that is located on city property was not approved for removal by the city and was to stay.

Our office has received notice that owner Carriage Gate Homes operating as "Southcote Hills Inc" has made the decision to end their engagement with city Planning Staff and instead appeal to the Ontario Land Tribunal for approval of the development. The reason listed on the legal filing is 'non-decision' by the City of Hamilton. Current planning rules state that if a plan of condominium has not been approved by the municipality within 120 days, the developer has the right to appeal to the OLT for 'non-decision'. In this case the Planning staff last met with the owner in May and discussed, among other things, the potential to retain more trees in the development. The decision was then taken by the owner in July to instead appeal to the OLT for a decision.

As you likely know, the OLT approval rate currently sits at around 97% in favour of the developer and appealing an application to the OLT turns a planning application into a legal issue, meaning all future City Planning meetings must be conducted in camera behind closed doors and without any public consultation at the municipal level.

Members of the public may apply to the OLT for Participant Status. As a participant you may write a letter that describes your interest in the case, your position on the issues and provide an explanation of your reasons in support of your position. Link to the form is here: <https://olt.gov.on.ca/wp-content/uploads/2023/02/Participant-Status-Request-Form.html>

Below is the link provided to us by Urban Solutions of the first 30 minutes of the neighbourhood meeting.

[https://www.dropbox.com/s/hw2qlf5gnji3z2p/509%20Southcote%20Neighbourhood%20Information%20Meeting-20230329\\_233750-Meeting%20Recording.mp4?dl=0](https://www.dropbox.com/s/hw2qlf5gnji3z2p/509%20Southcote%20Neighbourhood%20Information%20Meeting-20230329_233750-Meeting%20Recording.mp4?dl=0)

Should you have questions about the decision please direct them to:

<https://carriagegatehomes.com/contact/>  
info@carriagegatehomes.com