

Local Planning Appeal Tribunal
Tribunal d'appel de l'aménagement
local



21-106-LPAT-01

ISSUE DATE: May 18, 2021

CASE NO.:

PL130701

The Ontario Municipal Board (the “OMB”) is continued under the name Local Planning Appeal Tribunal (the “Tribunal”), and any reference to the Ontario Municipal Board or Board in any publication of the Tribunal is deemed to be a reference to the Tribunal.

PROCEEDING COMMENCED UNDER subsection 22(7) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended

Applicant and Appellant: Nebo Group (2006) Inc.
Subject: Request to amend the Official Plan - Failure City of Hamilton to adopt the requested amendment
Existing Designation: Urban Areas – Business Parks
Proposed Designation: Urban Areas – Business Parks SPA No.
Purpose: To recognize a hazardous waste transfer
Property Address/Description: 899 Nebo Road
Municipality: City of Hamilton
Approval Authority File No.: ROPA-12-001
OMB Case No.: PL130701
OMB File No.: PL130701
OMB Case Name: Nebo Group (2006) Inc. v. Hamilton (City)

PROCEEDING COMMENCED UNDER subsection 34(11) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended

Applicant and Appellant: Nebo Group (2006) Inc.
Subject: Application to amend Zoning By-law No. 05-200 – Refusal or neglect of City of Hamilton to make a decision
Existing Zoning: Prestige Business Park ‘M3-354’ Zone
Proposed Zoning: Prestige Business Park ‘M3- (To be determined) ‘ Zone
Purpose: To recognize a hazardous waste transfer
Property Address/Description: 899 Nebo Road

Municipality: City of Hamilton
 Municipal File No.: ZAR-12-071
 OMB Case No.: PL130701
 OMB File No.: PL130702

PROCEEDING COMMENCED UNDER subsection 22(7) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended

Applicant and Appellant: Nebo Group (2006) Inc.
 Subject: Request to amend the Official Plan - Failure of City of Hamilton to adopt the requested amendment
 Existing Designation: Employment area - Business Park
 Proposed Designation: Site Specific to be determined
 Purpose: To permit the additional waste stream of "Hazardous Waste" for the existing Waste Transfer Facility
 Property Address/Description: 899 Nebo Road
 Municipality: City of Hamilton
 Approval Authority File No.: UHOPA-14-003
 OMB Case No.: PL141020
 OMB File No.: PL141020

BEFORE:

SUSAN DE AVELLAR SCHILLER) Tuesday, the 18th
 VICE-CHAIR)
) day of May, 2021

THESE MATTERS having come on for public hearing, and the Board in its Decision issued on September 25, 2015, having withheld its Order pending notification that the matters set out in paragraph 5 of the Minutes of Settlement, filed as Exhibit 2 had been met;

AND THE TRIBUNAL having been notified by parties that the conditions have been satisfied;

THE TRIBUNAL ORDERS that the appeal of the proposed amendment to the City of Hamilton Urban Hamilton Official Plan by Nebo Group (2006), now the Lockwood Auto Group Inc., is allowed in part, as further modified by Attachment “1” to the Decision issued on September 25, 2015;

AND THE TRIBUNAL ORDERS that the appeal of the proposed amendment to the City of Hamilton By-law No. 05-200, by Nebo Group (2006), now the Lockwood Auto Group Inc., is allowed in part as further amended by Attachment “2” to the Decision issued on September 25, 2015.

“Becky Fong”

BECKY FONG
REGISTRAR

If there is an attachment referred to in this document,
please visit www.olt.gov.on.ca to view the attachment in PDF format.

Local Planning Appeal Tribunal

A constituent tribunal of Ontario Land Tribunals

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