



City of Hamilton
DELEGATED CONSENT AUTHORITY
AGENDA

Meeting #: 22-2
Date: November 17, 2022
Time: 1:00 p.m.
Location: Meet as per their delegated authority –
Meetings are not livestreamed

Jamila Sheffield, Secretary Treasurer (905) 546-2424 ext. 4144
cofa@hamilton.ca

	Pages
1. Delegated Consent Authority	
1.1. FL/B-22:107600-628 Highway 5 West, Flamborough (Ward 13) Agent Michael Cidylo Owner Lafarge Canada Inc.	3
1.2. HM/B-22:109219 East Avenue North, Hamilton (Ward 3) Agent Ross & McBride c/o J. Putt Owner Indwell Community Homes	17



Hamilton

COMMITTEE OF ADJUSTMENT

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

Telephone (905) 546-2424, ext. 4221, 3935

E-mail: cofa@hamilton.ca

NOTICE OF APPLICATION
CONSENT

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.:	FL/B-22:107	SUBJECT PROPERTY:	600 - 628 Highway 5 W, Flamborough
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APPLICANTS: Owner: Lafarge Canada Inc.
Agent: Michael Cidylo
Applicant: Carmeuse Lime (Canada) Ltd.

PURPOSE & EFFECT: To facilitate the creation of a lease for a period of greater than 21 years.

	Frontage	Depth	Area
SEVERED LANDS: (for Lease) (Parts 3, 4, 7, 8, 10, 11, 12 & 13)	42.67 m [±]	842.56 m [±]	18.768 ha [±]
RETAINED LANDS:	Irregular m [±]	Irregular m [±]	N/A m ² / ha [±]

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 decided upon by the Consent Authority, the Director of Planning and Chief Planning, no earlier than:

Thursday, November 17, 2022

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

- Visit www.hamilton.ca/committeeofadjustment
- Email Committee of Adjustment staff at cofa@hamilton.ca
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935

FL.B.22.107

PUBLIC INPUT

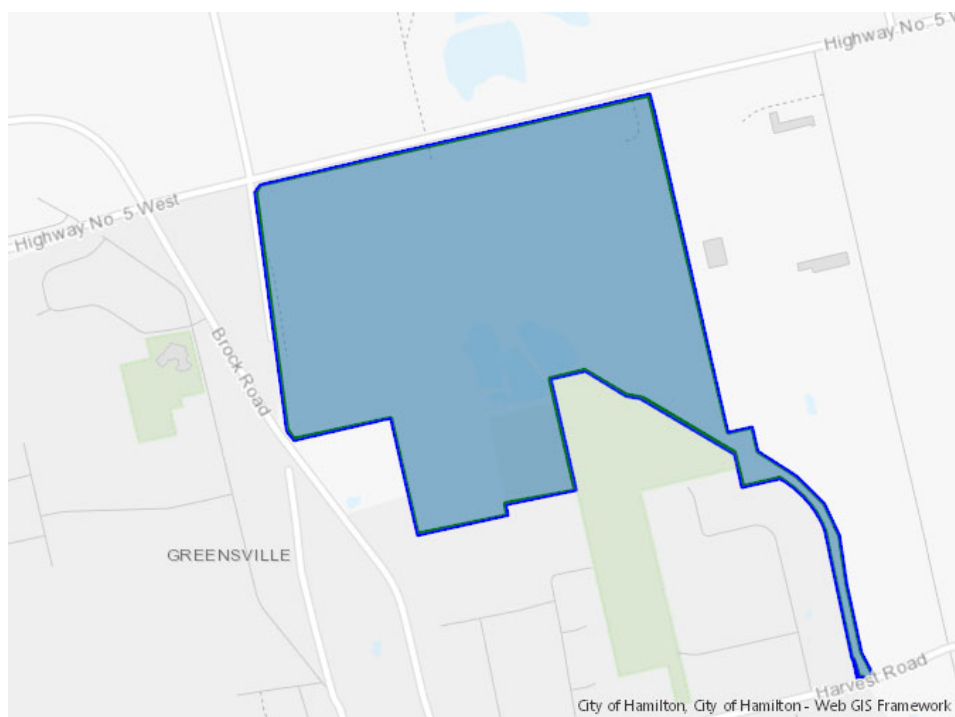
Written: If you would like to submit written comments to the Consent Authority, you may do so via email or hardcopy. Written comments can be submitted by emailing cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5. **Comments must be received by noon two days before the Hearing.**

Comments can also be placed in the drop box which is located at the back of the 1st Floor of City Hall, 71 Main Street West. All comments received by noon two business days before the meeting will be forwarded to the Committee members.

Comments will be available on [Click or tap to enter a date.](#) on our website:

www.hamilton.ca/committeeofadjustment

Orally: Oral comments are not able to be submitted.



DATED: November 1, 2022

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.

FL.B.22.107

If a person or public body that files an appeal of a Decision in respect of the proposed consent does not make written submissions before the Consent Authority gives or refuses to give a provisional consent, the Ontario Land Tribunal may dismiss the appeal.

If you wish to be notified of the Decision of Consent Authority in respect 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.



Hamilton

COMMITTEE OF ADJUSTMENT

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

Telephone (905) 546-2424, ext. 4221, 3935

E-mail: cofa@hamilton.ca

December 15, 2022

Michael Cidylo
10 Morrison Street, TH03
Toronto, ON M5V 2T8

RE: Application No. FL/B-22:107
Address: 600 - 628 Highway 5 W, Flamborough

Pursuant to Section 53(21) of The Planning Act, 1990, notice is herewith given that the period of appeal provided for in Section 53(19) of the said Act has expired and no such appeal has been filed.

Therefore, in accordance with Section 53(21), the Decision of the Consent Authority, together with any conditions, is now final.

Notice is also given, that pursuant to Section 53(41) of the Planning Act, where the applicant has not complied with the conditions of consent within **TWO** years from the date of giving of the Notice of Decision, the application for consent shall be deemed to be **REFUSED**.

Please be advised that it is the applicant's responsibility to ensure all conditions of consent have been satisfied within the above noted time frame by contacting the various agencies and/or departments who have requested conditions.

Common Contacts

Building: building@hamilton.ca Development Planning: pd.generalinquiry@hamilton.ca
Zoning: zoninginquiry@hamilton.ca Transportation Planning: tplanning@hamilton.ca
Development Engineering Approvals: devenapprovals@hamilton.ca

Upon fulfillment of the conditions noted on the Decision, an electronic copy or three (3) physical copies of the deed, mortgage or other document of transaction, must be submitted for endorsement of the Certificate of Consent, one copy of which will be retained in this office for record purposes.

Please note there is a fee (\$230, 2022 rate) for this service and is payable at the time the documents are submitted. Allow a minimum of two (2) business days for our examination and endorsement of these documents.

Regards,

Jamila Sheffield
Secretary-Treasurer
Committee of Adjustment

LEGEND

- Survey Monument Faced
- Survey Monument Set
- Short Standard Iron Bar
- Plastic Bar
- Iron Bar
- Concrete Pin
- Cal Cross
- Concrete Monument
- R. G. Swart, O.L.S.
- A. T. McLean, O.L.S.
- L. G. Woods, O.L.S.
- M. J. P. O'Neil, O.L.S.
- J. D. Peters, O.L.S.
- W.P. Specialty Services Ltd., O.L.S.
- City of Hamilton, O.L.S.
- Van Horne Surveying Inc., O.L.S.
- Department of Highways Monument
- Origin Unknown
- Witness
- Plan 62R-0262
- Pin and Wire Fence
- Chain Link Fence
- CLP

BEARING NOTE

BEARINGS ARE UTM GRID, DERIVED FROM OBSERVED REFERENCE POINTS A TO E, BY REAL TIME NETWORK RTN OBSERVATIONS, UTM ZONE 17, NAD 83 (CSRS) DATA, COORDINATES TO URBAN ACCURACY PER SEC. 1/2 OF 0.06, 2/6/0.

POINT ID	NORTHING	EASTING
ORP A	4 793 838.03	581 438.07
ORP B	4 794 092.36	582 408.81
ORP C	4 793 840.11	582 520.32
ORP D	4 792 844.24	582 756.69
ORP E	4 793 231.60	581 542.64

COORDINATES CANNOT BE USED TO RE-ESTABLISH CORNERS OF BOUNDARIES SHOWN ON THIS PLAN.

Distances shown on this plan are Ground Distances and can be converted to Grid Distances by Multiplying the Combined Scale Factor of 0.999873.

SCHEDULE

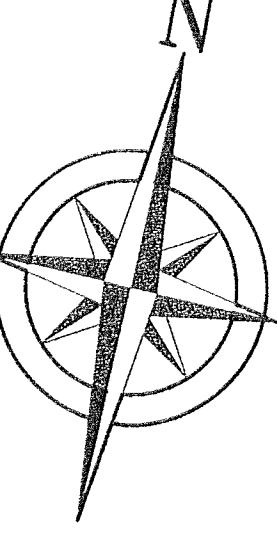
PART	PART OF LOTS	REGD PLAN/CONVESSION	PART OF PIN	AREA (M ²)
I	9, 10, 11 AND 12	17492-0297	17492-0297	56,253
II		17492-0177	17492-0177	4,596
III		17492-0177	17492-0177	1,292
IV		17492-0297	17492-0297	0,000
V		17492-0177	17492-0177	0,000
VI		17492-0297	17492-0297	0,000
VII		17492-0177	17492-0177	0,000
VIII		17492-0177	17492-0177	0,000
IX		17492-0177	17492-0177	0,000
X		17492-0177	17492-0177	0,000
XI		17492-0177	17492-0177	0,000
XII		17492-0177	17492-0177	0,000

PLAN 62R-21848
Received and Deposited
Date: 3 March 2022 Date: March 7, 2022

J. H. Gelbloom
J. H. Gelbloom, O.L.S.
Ontario Land Surveyor
1755 Division of Northwood (No. 62)

C. M. H.
Representative for Land Registrar for the Land Titles Division of Northwood (No. 62)

METRIC: Distances and Coordinates shown on this plan are in metres and can be converted to feet by dividing by 0.3048.

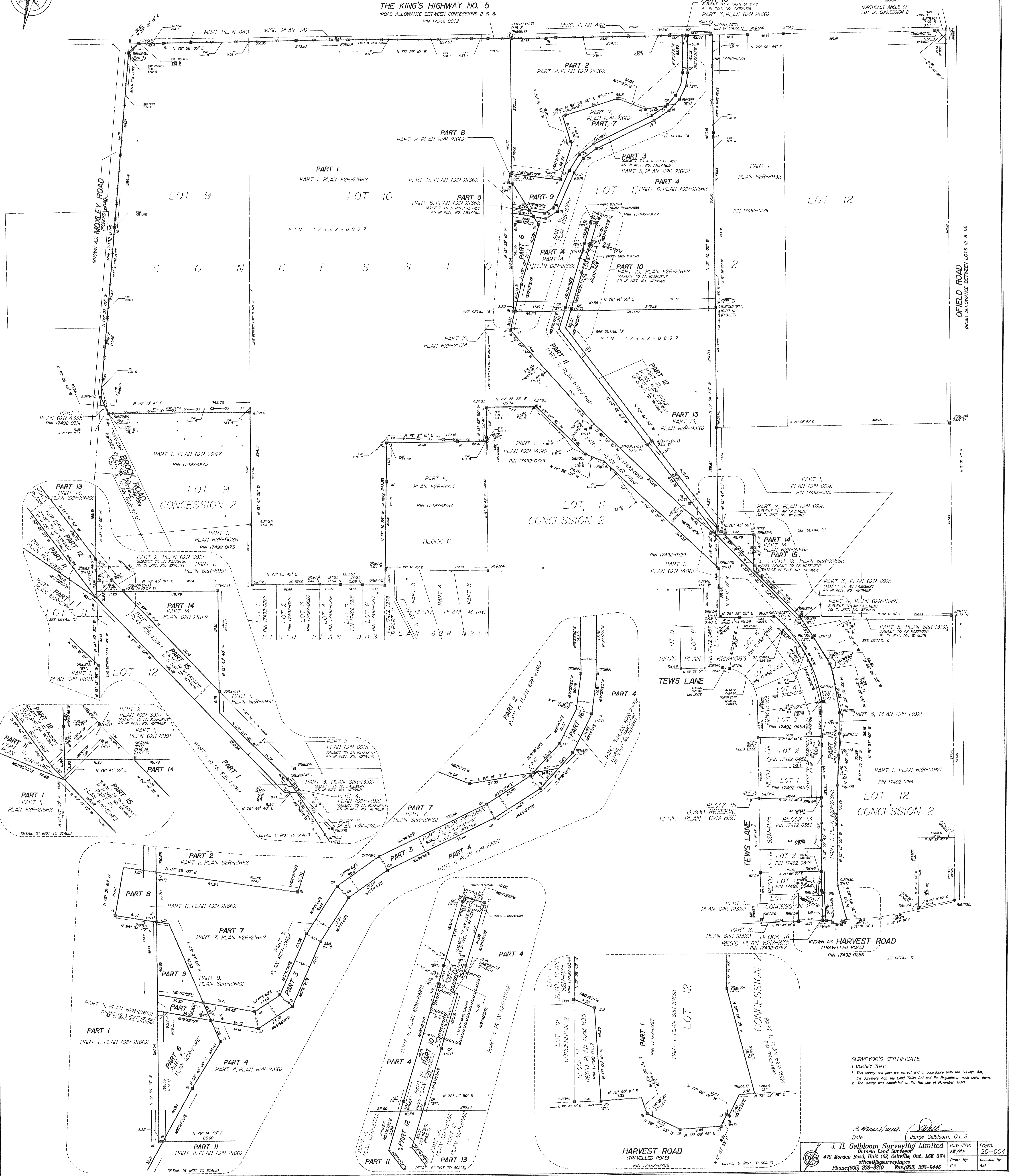


THE KING'S HIGHWAY NO. 5
ROAD ALLOWANCE BETWEEN CONCESSIONS 2 & 3
PIN 17549-0002

PLAN OF SURVEY OF
PART OF LOTS 9, 10, 11 & 12
CONVESSION 2
(GEOGRAPHIC TOWNSHIP OF WEST FLAMBOROUGH)
NOW IN THE
CITY OF HAMILTON

SCALE: 1:2000
NORTH EAST ANGLE OF LOT 12, CONCESSION 2

J. H. Gelbloom Surveying Limited
Ontario Land Surveyor
2022



SURVEYOR'S CERTIFICATE
I CERTIFY THAT:
1. This survey and plan are correct and in accordance with the Survey Act, the Surveyors Act, the Land Titles Act and the Regulations made under them.
2. The survey was completed on the 11th day of November, 2021.

Date: 3 March 2022
J. H. Gelbloom
J. H. Gelbloom, O.L.S.
Ontario Land Surveyor

J. H. Gelbloom Surveying Limited
Ontario Land Surveyor
476 Morden Road, Unit 102, Oakville, Ont. L6K 3T4
office@jhsurveying.ca
Phone (905) 338-8210 Fax (905) 338-9446

Project: 20-004
Checked By: A.M.
Drawn By: G.S.

**Carmeuse Americas**11 Stanwix Street, 21st Floor • Pittsburgh, PA 15222

Phone: 412.995.5500 • Fax: 412.995.5570

info@carmeuse.com

July 15, 2022

VIA Email

Committee of Adjustment
71 Main Street West, 5th Floor
Hamilton, Ontario,
L8P 4Y5

Dear Madam/Sir:

RE: 600-628 Highway No. 5 West – Previous Use Inventory

Based on our information and knowledge, including our review of available public records, we can provide the following description of prior use of the leased premises in question and the use of the larger, overall property of which the leased premises form a part of.

The leased premises are used as a lime plant/facility (the “**Lime Plant**”) and form part of, and are integrated within, the larger, overall property known as the Lafarge Dundas Quarry.

HISTORICAL INFORMATION (GATHERED FROM PUBLIC INFORMATION)

The overall site has been predominantly used for the prior 175 years as a limestone quarry. Quarry operations at the site began under Charles Farquhar in 1847. Farquhar ceased operations around 1880, and the quarry lay unused until 1905 when Charles Doolittle and Horace Wilcox (through a corporate entity called Doolittle & Wilcox, Limited) purchased the abandoned property for \$5,500 and began reconstruction and expansion of the site. Doolittle & Wilcox Limited supplied crushed dolomitic limestone for road improvement, using Rogers Supply Company as a distributor and flux stone to blast furnaces and open-hearth steel plants, with its largest customers including, amongst others, the Steel Company of Canada in Hamilton and Lackawanna Steel Company in Buffalo.

In 1912, Horace Wilcox died, and Doolittle & Wilcox, Limited was re-organized as Canada Crushed Stone with Charles Doolittle as its President & General Manager. Canada Crushed Stone operated the site from approximately 1912-1951. In 1922, a fire damaged much of the old processing plant (the fire was caused by molten metal falling into a storage bin). The plant was operational within weeks, and the finally reconstructed plants was one of the most complete and modern plants in North America.

In 1951, Steetley of Canada, through its Steetly Lime & Aggregates division, purchased and operated the quarry, which included at this time, a modern aggregate plant, stone pulverizing plant, crushing plant and rotary kilns. Steetley produced stone and aggregate products for the construction, steel, glass, agricultural and filler markets, amongst a wide range of products, including, amongst others, the production of “dead-burned dolomite” for use as a refractory product. Steetley operated the quarry until 1975, at which time quarry operations ceased for a period of years (Steetley unsuccessfully attempted for several years to convert the area to a landfill).



Carmeuse Americas

In 1992, the quarry was purchased by Redland Quarries Inc. who, in turn, re-started operations at the site.

PRESENT DAY

In 1998 Lafarge Canada Inc. acquired Redland Quarries, as well as ownership of the overall site (including the leased premises in question, being the Lime Plant). When it acquired the overall site in 1998, a lease for the Lime Plant portion of the site was entered into and this lease for the Lime Plant now requires consent under the *Planning Act* (Ontario). Carmeuse Lime (Canada) Limited is the current tenant under the lease for the Lime Plant and continues to operate a lime plant/facility thereon. Lafarge continues to operate the overall site as a quarry, providing kiln feed stone to Carmeuse for its Lime Plant operations, which Lime Plant supplies Carmeuse's customers in steel, and the manufacture of refractory products. Carmeuse is a global company with core competencies in mining, equipment, material processing, and engineering solutions.

Sincerely,

Nicholas Bonarrigo
Deputy General Counsel



October 5, 2022

VIA Email

Committee of Adjustment
71 Main Street West, 5th Floor
Hamilton, Ontario,
L8P 4Y5

Dear Madam/Sir:

RE: 600-628 Highway No. 5 West – Parts 3, 4, 7, 8, 10, 11, 12, & 13 on Plan 62R-21848
Consent Application for Lease

We are the Land Use Planning consultants for Carmeuse Lime (Canada) Limited (“Carmeuse”), the tenant of Parts 3, 4, 7, 8, 10, 11, 12, & 13 on Plan 62R-21848 (the “Subject Lands”). Carmeuse seeks *Planning Act* consent for a lease exceeding 21 years on the Subject Lands. The owner of 600-628 Highway No. 5 West (the “Property”), Lafarge Canada Inc. (“Lafarge”), consents with the application as proposed.

The Property is 79.76 ha in area and is located on the southeast corner of Moxley Road and Highway No. 5 West. The Property is developed as an aggregate processing area and lime processing facility containing ~50 buildings of varying size and use. The Subject Lands are designated as ‘Rural’ in the Official Plan and are zoned ‘Existing Rural Industrial’ in the City of Hamilton Zoning By-law. The existing development conforms to the Official Plan and Zoning By-law.

The Subject Lands, which are those lands subject to the lease, relate to the Carmeuse Dundas Operations and are delineated in Plan 62R-21848 as ‘Parts 3, 4, 7, 8, 10, 11, 12, & 13’. The lease is between Lafarge, the landlord, and Redland Quarries Inc., the tenant. Carmeuse is the corporate successor to Redland Quarries Inc.

Carmeuse has leased ‘Parts 3, 4, 7, 8, 10, 11, 12, & 13’ for their Dundas operations since June 3rd, 1998 and exercised an extension of the lease with Lafarge on June 3rd, 2019 consisting of an additional 78 years (99 years total).

The requested *Planning Act* consent is consistent with the *Planning Act* and *Provincial Policy Statement*, as further detailed in the attached Application Form.

Land Development Approvals • Zoning Due Diligence • Market Intelligence • Litigation Support



In light of the forgoing, we submit to you this letter and accompanying documents as our client's application for the *Planning Act* consent.

Should you have any questions, please feel free to contact me at (416)-364-5926.

Sincerely,
The Lakeshore Group

A handwritten signature in black ink, appearing to read 'Michael Cidylo'. The signature is fluid and cursive, with a prominent loop at the end.

Michael Cidylo, MES, MCIP, RPP
Planner

CC:
David Ashbourne (Lakeshore)
dashbourne@lakeshoregroup.ca

Nicholas Bonarrigo (Carmeuse)
nick.bonarrigo@carmeuse.com

Cem Gercek (Carmeuse)
Cem.Gercek@carmeusena.com

Christopher Martin (Carmeuse)
Christopher.Martin@carmeusena.com

Mal Wensierski (Lafarge)
malgorzata.wensierski@lafargeholcim.com

Committee of Adjustment

City Hall, 5th Floor,

71 Main St. W.,

Hamilton, ON L8P4Y5



Hamilton

Phone: (905) 546-2424 ext. 4221

Email: cofa@hamilton.ca

**APPLICATION FOR CONSENT TO SEVER LAND
UNDER SECTION 53 OF THE PLANNING ACT**

Office Use Only

Date Application Received:	Date Application Deemed Complete:	Submission No.:	File No.:
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1 APPLICANT INFORMATION

	NAME	MAILING ADDRESS	
Purchaser*	N/A		Phone:
			E-mail:
Registered Owners(s)	Lafarge Canada Inc.	[REDACTED]	
Applicant(s)**	Carmeuse Lime (Canada) Ltd.		
Agent or Solicitor	Michael Cidylo		

***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. (O. Reg. 786/21)**

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

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

2 LOCATION OF SUBJECT LAND Complete the applicable lines

2.1 Area Municipality City of Hamilton (Flamborough)	Lot Part of Lots 9,10,11,& 12	Concession 2	Former Township West Flamborough
Registered Plan N°.	Lot(s)	Reference Plan N°. 62R - 21848	Part(s) 3,4,7,8,10,11,12,&13
Municipal Address 600-628 Highway No.5, Flamborough, ON			Assessment Roll N°.

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:

See attached Plan 62R - 21848

3 PURPOSE OF THE APPLICATION

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

a) Urban Area Transfer (do not complete Section 10):

- | | |
|--|--|
| <input type="checkbox"/> creation of a new lot | Other: <input type="checkbox"/> a charge |
| <input type="checkbox"/> addition to a lot | <input type="checkbox"/> a lease |
| <input type="checkbox"/> an easement | <input type="checkbox"/> a correction of title |

b) Rural Area / Rural Settlement Area Transfer (Section 10 must also be completed):

- | | |
|---|--|
| <input type="checkbox"/> creation of a new lot | Other: <input type="checkbox"/> a charge |
| <input type="checkbox"/> creation of a new non-farm parcel
(i.e. a lot containing a surplus farm dwelling
resulting from a farm consolidation) | <input checked="" type="checkbox"/> a lease |
| <input type="checkbox"/> addition to a lot | <input type="checkbox"/> a correction of title |
| | <input type="checkbox"/> an easement |

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

Carmeuse Lime (Canada) Ltd.

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

N/A

4 DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

4.1 Description of land intended to be **Severed (lease, easement, charge etc.):**

Frontage (m)	Depth (m)	Area (m ² or ha)
42.67m	842.56	18.768 ha

Existing Use of Property to be severed:

- | | | |
|---|--|-------------------------------------|
| <input type="checkbox"/> Residential | <input checked="" type="checkbox"/> Industrial | <input type="checkbox"/> Commercial |
| <input type="checkbox"/> Agriculture (includes a farm dwelling) | <input type="checkbox"/> Agricultural-Related | <input type="checkbox"/> Vacant |
| <input type="checkbox"/> Other (specify) _____ | | |

Proposed Use of Property to be severed:

- | | | |
|---|--|-------------------------------------|
| <input type="checkbox"/> Residential | <input checked="" type="checkbox"/> Industrial | <input type="checkbox"/> Commercial |
| <input type="checkbox"/> Agriculture (includes a farm dwelling) | <input type="checkbox"/> Agricultural-Related | <input type="checkbox"/> Vacant |
| <input type="checkbox"/> Other (specify) _____ | | |

Building(s) or Structure(s):

Existing: About 37 existing buildings/structures related to lime processing facility.

Proposed: Same as 'Existing'. No additional buildings are proposed.

Existing structures to be removed: N/A

Type of access: (check appropriate box)

- | | |
|--|--|
| <input checked="" type="checkbox"/> provincial highway | <input type="checkbox"/> right of way |
| <input type="checkbox"/> municipal road, seasonally maintained | <input type="checkbox"/> other public road |
| <input type="checkbox"/> municipal road, maintained all year | |

Type of water supply proposed: (check appropriate box)

- | | |
|--|--|
| <input checked="" type="checkbox"/> publicly owned and operated piped water system | <input type="checkbox"/> lake or other water body |
| <input type="checkbox"/> privately owned and operated individual well | <input type="checkbox"/> other means (specify) _____ |

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)

4.2 Description of land intended to be **Retained (remainder)**:

Frontage (m)	Depth (m)	Area (m ² or ha)
Irregular	Irregular	

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)**

Existing Use of Property to be retained:

- Residential
- Industrial
- Commercial
- Agriculture (includes a farm dwelling)
- Agricultural-Related
- Vacant
- Other (specify) _____

Proposed Use of Property to be retained:

- Residential
- Industrial
- Commercial
- Agriculture (includes a farm dwelling)
- Agricultural-Related
- Vacant
- Other (specify) _____

Building(s) or Structure(s):

Existing: About 17 existing buildings/structures related to the quarry.

Proposed: Same as 'Existing'. No additional buildings are proposed.

Existing structures to be removed: N/A

Type of access: (check appropriate box)

- provincial highway
- municipal road, seasonally maintained
- municipal road, maintained all year
- right of way
- other public road

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)

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'

Urban Hamilton Official Plan designation (if applicable): _____

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

The proposed lease maintains all existing uses (in conformity with the Official Plan) and does not propose any physical change(s) to the subject lands.

5.2 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? 'Existing Rural Industrial'

5.3 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*	<input type="checkbox"/>	~100m
A land fill	<input type="checkbox"/>	
A sewage treatment plant or waste stabilization plant	<input type="checkbox"/>	
A provincially significant wetland	<input type="checkbox"/>	
A provincially significant wetland within 120 metres	<input type="checkbox"/>	
A flood plain	<input type="checkbox"/>	
An industrial or commercial use, and specify the use(s)	<input checked="" type="checkbox"/>	0m
An active railway line	<input type="checkbox"/>	
A municipal or federal airport	<input type="checkbox"/>	

*Complete MDS Data Sheet if applicable

6 PREVIOUS USE OF PROPERTY

- Residential Industrial Commercial
 Agriculture Vacant Other (specify)

6.1 If Industrial or Commercial, specify use Mineral aggregate quarry and lime processing facility.

6.2 Has the grading of the subject land been changed by adding earth or other material, i.e., has filling occurred?

- Yes No Unknown

6.3 Has a gas station been located on the subject land or adjacent lands at any time?

- Yes No Unknown

6.4 Has there been petroleum or other fuel stored on the subject land or adjacent lands?

- Yes No Unknown

6.5 Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?

- Yes No Unknown

6.6 Have the lands or adjacent lands ever been used as an agricultural operation where cyanide products may have been used as pesticides and/or biosolids was applied to the lands?

- Yes No Unknown

6.7 Have the lands or adjacent lands ever been used as a weapons firing range?

- Yes No Unknown

6.8 Is the nearest boundary line of the application within 500 metres (1,640 feet) of the fill area of an operational/non-operational landfill or dump?

- Yes No Unknown

6.9 If there are existing or previously existing buildings, are there any building materials remaining on site which are potentially hazardous to public health (e.g., asbestos, PCB's)?

- Yes No Unknown



Hamilton

COMMITTEE OF ADJUSTMENT

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Telephone (905) 546-2424, ext. 4221, 3935

E-mail: cofa@hamilton.ca

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CONSENT

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- 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.:	HM/B-22:109	SUBJECT PROPERTY:	219 East Avenue North, Hamilton
-------------------------	--------------------	--------------------------	---------------------------------

APPLICANTS: Owner Indwell Community Homes
Agent Jarrett Francis Putt – Ross & McBride

PURPOSE & EFFECT: To facilitate a charge for mortgage purposes, to create a new registered boundary on the existing lot in order to register a fourth charge on the property.

	Frontage	Depth	Area
SEVERED LANDS: (for Charge for Mortgage) (Part 1)	41.00 m [±]	38.70 m [±]	1235.4 m ² [±]
RETAINED LANDS: (Part 2)	87.31 m [±]	38.86 m [±]	3728.9 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 decided upon by the Consent Authority, the Director of Planning and Chief Planning, no earlier than:

Thursday, November 17, 2022

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

- Visit www.hamilton.ca/committeeofadjustment
- Email Committee of Adjustment staff at cofa@hamilton.ca
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935

HM/B-22:109

PUBLIC INPUT

Written: If you would like to submit written comments to the Consent Authority, you may do so via email or hardcopy. Written comments can be submitted by emailing cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5. **Comments must be received by noon two days before the Hearing.**

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Comments will be available on [Click or tap to enter a date.](#) on our website:

www.hamilton.ca/committeeofadjustment

Orally: Oral comments are not able to be submitted.



 Subject Lands

DATED: November 1, 2022

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.

HM/B-22:109

If a person or public body that files an appeal of a Decision in respect of the proposed consent does not make written submissions before the Consent Authority gives or refuses to give a provisional consent, the Ontario Land Tribunal may dismiss the appeal.

If you wish to be notified of the Decision of Consent Authority in respect 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.



Hamilton

COMMITTEE OF ADJUSTMENTCity Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5

Telephone (905) 546-2424, ext. 4221, 3935

E-mail: cofa@hamilton.ca

December 15, 2022

Jarrett Francis Putt – Ross & McBride
1 King St W, 10th floor
Hamilton ON L8P 1A4

RE: Application No. HM/B-22:109
Address: 219 East Avenue North, Hamilton

Pursuant to Section 53(21) of The Planning Act, 1990, notice is herewith given that the period of appeal provided for in Section 53(19) of the said Act has expired and no such appeal has been filed.

Therefore, in accordance with Section 53(21), the Decision of the Consent Authority, together with any conditions, is now final.

Notice is also given, that pursuant to Section 53(41) of the Planning Act, where the applicant has not complied with the conditions of consent within **TWO** years from the date of giving of the Notice of Decision, the application for consent shall be deemed to be **REFUSED**.

Please be advised that it is the applicant's responsibility to ensure all conditions of consent have been satisfied within the above noted time frame by contacting the various agencies and/or departments who have requested conditions.

Common Contacts

Building: building@hamilton.ca Development Planning: pd.generalinquiry@hamilton.ca
Zoning: zoninginquiry@hamilton.ca Transportation Planning: tplanning@hamilton.ca
Development Engineering Approvals: devengapprovals@hamilton.ca

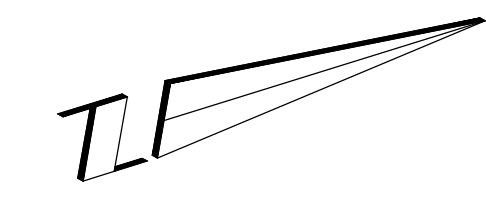
Upon fulfillment of the conditions noted on the Decision, an electronic copy or three (3) physical copies of the deed, mortgage or other document of transaction, must be submitted for endorsement of the Certificate of Consent, one copy of which will be retained in this office for record purposes.

Please note there is a fee (\$230, 2022 rate) for this service and is payable at the time the documents are submitted. Allow a minimum of two (2) business days for our examination and endorsement of these documents.

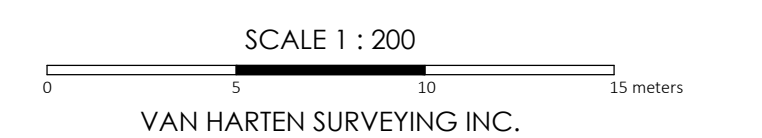
Regards,

Jamila Sheffield
Secretary-Treasurer
Committee of Adjustment

SCHEDULE				
PART	LOT	PLAN	PIN	AREA m ²
1	PART OF 39, 40 & 41	REGISTERED PLAN 286		1235.4
2	ALL OF 88, 89, 90 & 91	ROBERT LAND SURVEY (ALSO KNOWN AS REGISTERED PLAN 1433) WEST SIDE OF EAST AVENUE	PART OF 17183 - 0290 (LT)	3728.9
	PART OF 87			
	PART OF 39	REGISTERED PLAN 286		



**PLAN OF SURVEY OF
 ALL OF LOTS 39, 40 & 41
 REGISTERED PLAN 286
 AND
 ALL OF LOTS 88, 89, 90 & 91
 AND
 PART OF LOT 87
 ROBERT LAND SURVEY
 (ALSO KNOWN AS REGISTERED PLAN 1433)
 WEST SIDE OF EAST AVENUE
 CITY OF HAMILTON**



THE INTENDED PLOT SIZE OF THIS PLAN IS 915 mm
 IN WIDTH BY 610 mm IN HEIGHT WHEN PLOTTED
 AT A SCALE OF 1:200

- LEGEND:**
- DENOTES SURVEY MONUMENT SET
 - DENOTES SURVEY MONUMENT FOUND
 - CC DENOTES CUT CROSS
 - CP DENOTES CONCRETE PIN
 - IB DENOTES .015 X .015 X 0.60 IRON BAR
 - PB DENOTES .025 X .025 X 0.30 PLASTIC BAR
 - SIB DENOTES .025 X .025 X 1.20 STANDARD IRON BAR
 - SSIB DENOTES .025 X .025 X 0.60 SHORT STANDARD IRON BAR
 - WIT DENOTES WITNESS
 - VH DENOTES VAN HARTEN SURVEYING INC.
 - 912 DENOTES A.J. CLARKE AND ASSOCIATES LTD., O.L.S.'S
 - P1 DENOTES DEPOSITED PLAN 62R-21424
 - P2 DENOTES DEPOSITED PLAN 62R-21455
 - P3 DENOTES SURVEY BY (VH), PROJECT NO. 26268-18, DATED OCTOBER 31, 2019

- BEARING AND COORDINATE NOTE:**
- BEARINGS ARE GRID BEARINGS AND ARE DERIVED FROM GPS OBSERVATIONS AND ARE REFERRED TO THE UTM PROJECTION, ZONE 17, NAD 83 (CSRS-2010) ADJUSTMENT.
 - DISTANCES SHOWN ON THIS PLAN ARE ADJUSTED GROUND DISTANCES AND CAN BE CONVERTED TO GRID DISTANCES BY MULTIPLYING BY AN AVERAGED COMBINED SCALE FACTOR OF 0.999699.
 - COORDINATES ON THIS PLAN ARE UTM, ZONE 17, NAD83 (CSRS-2010) ADJUSTMENT AND ARE BASED ON GPS OBSERVATIONS FROM A NETWORK OF PERMANENT GPS REFERENCE STATIONS.

UTM COORDINATES (METRES)		
POINT ID	NORTHING	EASTING
A	4 790 223.32	593 109.26
B	4 790 312.08	593 111.43
C	4 790 338.58	593 145.26

THESE COORDINATE VALUES COMPLY WITH SECTION 14(2) OREG 216/10. THESE COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH THE CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

METRIC:
 DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

SURVEYOR'S CERTIFICATE
 I CERTIFY THAT:
 1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYORS ACT, THE SURVEYORS ACT, THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
 2. THIS SURVEY WAS COMPLETED ON THE Xth DAY OF MONTH, 2022.

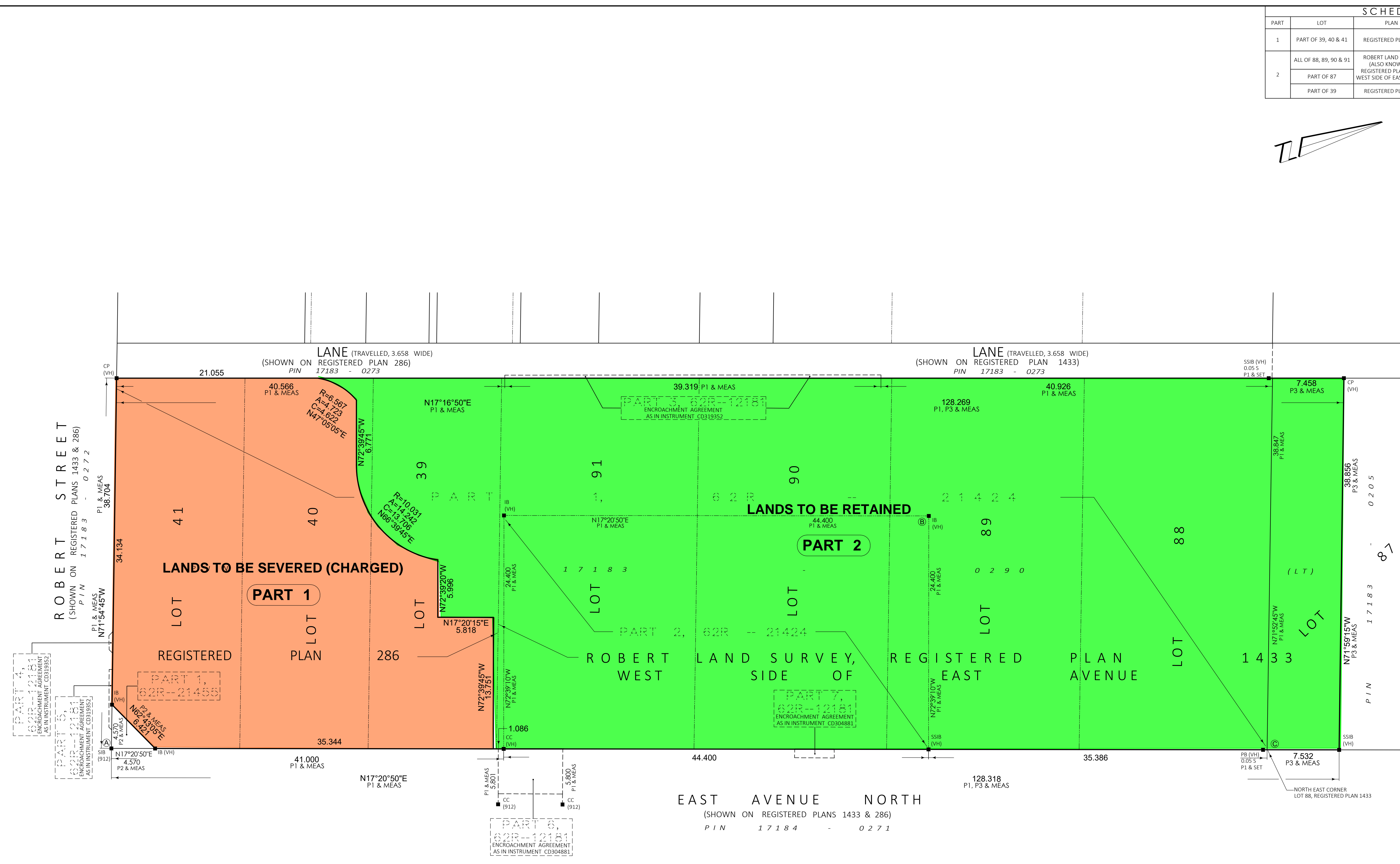
DATE: SEPTEMBER 16, 2022 _____
 ONTARIO LAND SURVEYOR

THIS PLAN OF SURVEY RELATES TO AOLS PLAN SUBMISSION FORM NUMBER 2199522.

Van Harten
SURVEYING INC.
LAND SURVEYORS and ENGINEERS

Kitchener/Waterloo Ph: 519-742-8371	Guelph Ph: 519-821-2763	Orangeville Ph: 519-940-4110
www.vanharten.com		info@vanharten.com
DRAWN BY: PJ	CHECKED BY: MS	PROJECT NO: 26268-18

Sep 26, 2022 8:55:19 AM
 M:\Geographic\KW\Hamilton\1433\ACAD\PLAN 17 39-41, 88-91 PL 1433 (26268-18) (UTM2010).dwg



- LEGEND:**
- DENOTES SURVEY MONUMENT SET
 - DENOTES SURVEY MONUMENT FOUND
 - SIB DENOTES .025 x .025 x 1.20 STANDARD IRON BAR
 - IB DENOTES .015 x .015 x 0.60 IRON BAR
 - SSIB DENOTES .025 x .025 x 0.60 SHORT STANDARD IRON BAR
 - CC DENOTES CUT CROSS
 - CP DENOTES CONCRETE PIN
 - WT DENOTES WITNESS
 - VH DENOTES VAN HARTEN SURVEYING INC., O.L.S.'s
 - 655 DENOTES I.T. PETERS, O.L.S.
 - 824 DENOTES A.T. McLAREN, O.L.S.
 - 912 DENOTES A.J. CLARKE AND ASSOCIATES LTD., O.L.S.'s
 - JDB DENOTES J.D. BARNES, O.L.S.
 - P1 DENOTES DEPOSITED PLAN 62R-12181 BY (912)
 - P2 DENOTES REGISTERED PLAN 286

- FINISHED FLOOR ELEVATION** FF=88.89
TOP OF FOUNDATION TF=88.89
EXISTING ELEVATION x 88.89

- WATER VALVE HYDRO METER
- HYDRO POLE CATCHBASIN
- LIGHT STANDARD FENCE POST
- FIRE HYDRANT SIGN
- GAS LID GAS METER
- FLUSH MOUNT WELL HEAD M/W FLUSH
- SITE BENCHMARK SITE BENCHMARK #1

- SANITARY SEWER
- STORM SEWER
- UNDERGROUND TEL
- WATERMAIN
- CENTRELINE OF ROAD
- FENCELINE
- OVERHEAD HYDRO
- UNDERGROUND HYDRO
- GAS LINE
- UNDERGROUND PIPE
- TOP OF BANK

- ASPHALT
- CONCRETE
- GRAVEL
- CONCRETE SIDEWALK

BEARING AND COORDINATE NOTE:

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BEARING COMPARISONS:

FOR THE PURPOSES OF BEARING COMPARISONS, PREVIOUS SURVEYS HAVE BEEN ROTATED TO UTM BEARINGS BY THE ANGLES SHOWN BELOW.

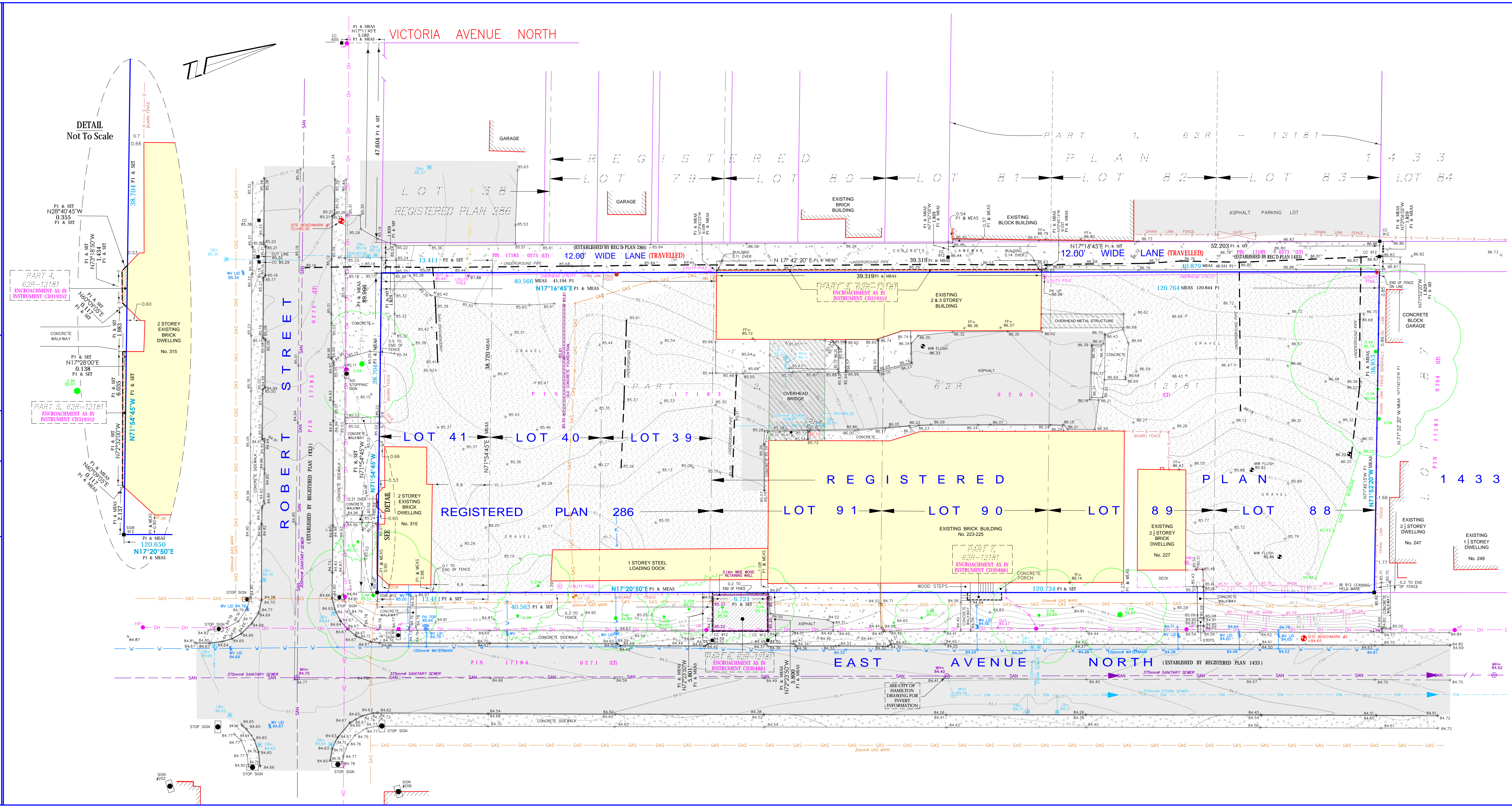
PLAN	ROTATION FOR NORTHEAST BEARINGS
P1	-1°02'15"

UNDERGROUND SERVICE SOURCES:

- GAS SERVICES AND WATERMAIN LOCATION BASED LOCATE REPORT No. 2018-0552 DATED SEPTEMBER 7, 2018 BY URBAN X.
- ALL ABOVE GROUND FEATURES SUCH AS OVERHEAD HYDRO, CATCH BASINS, FIRE HYDRANTS AND VALVES WERE OBTAINED FROM FIELD WORK BY VAN HARTEN SURVEYING DATED SEPTEMBER 13, 2018.
- CITY OF HAMILTON SERVICE DRAWING No. 74-H-601, SHEET 2 OF 2, PROJECT NO. ER-74-1 DATED APRIL 5, 1974 USED FOR SERVICES ALONG EAST AVENUE NORTH.
- CITY OF HAMILTON SERVICE DRAWING No. 08-H-46, SHEET 2 OF 3, DATED JUNE, 2008 AND SERVICE DRAWING No. 07-H-03, SHEET 1 OF 4, DATED APRIL 1, 1997 USED FOR SERVICES AT THE INTERSECTION OF EAST AVENUE NORTH AND BARTON STREET.

CALL BEFORE YOU DIG

THE LOCATION OF SERVICES ON THIS DRAWING ARE ONLY APPROXIMATE AND BASED ON SURFACE FEATURES LOCATED AT THE TIME OF THE TOPOGRAPHIC SURVEY. PRIOR TO ANY CONSTRUCTION IT IS THE RESPONSIBILITY OF THE CONTRACTOR/BUILDER TO ENSURE THE EXACT LOCATION OF ALL UTILITIES.



DETAIL Not To Scale

PART 4, 62R-12181 ENCROACHMENT AS IN INSTRUMENT CD319352

PART 5, 62R-12181 ENCROACHMENT AS IN INSTRUMENT CD319352

SEE CITY OF HAMILTON DRAWING FOR INVERT INFORMATION

KEYMAP



PROPERTY DESCRIPTION:

- ALL OF PIN 17185-0203(1)
- ADDRESS 225 & 227 EAST AVENUE NORTH, HAMILTON
- ALL OF LOTS 39, 40 AND 41, REGISTERED PLAN 286 AND ALL LOTS 88, 89 AND 91, ROBERT LAND SURVEY (ALSO KNOWN AS OM1433) BEING ON THE WEST SIDE OF EAST AVENUE, BEING PART 2, PLAN 62R-12181, CITY OF HAMILTON
- ENCROACHMENT AGREEMENTS:
 - PARTS 3, 4 & 5, PLAN 62R-12181, INST. CD319352.
 - PART 6 & 7, PLAN 62R-12181, INST. CD304881.

NOTE: THIS SURVEY PLAN IS TO BE READ IN CONJUNCTION WITH A WRITTEN SURVEY REPORT DATED OCTOBER 9, 2018.

BENCHMARK:

ELEVATIONS ARE BASED ON GPS OBSERVATIONS FROM PERMANENT REFERENCE STATIONS IN THE NAD83 (CSRS-2010) COORDINATE SYSTEM, WITH HEIGHTS CONVERTED TO ORTHOMETRIC ELEVATIONS ON THE CGVD28 DATUM (1978 ADJUSTMENT) WITH GEOID MODEL HTV2.0, AS SUPPLIED BY NATURAL RESOURCES CANADA.

ELEVATIONS HAVE BEEN ADJUSTED TO MATCH CITY OF HAMILTON BENCHMARK MONUMENT No. 07720100045 & No. 07720100046.

SITE BENCHMARK #1: BASED ON CUT CROSS IN SIDEWALK AT THE SOUTHWEST CORNER OF SUBJECT PROPERTY HAVING AN ELEVATION OF 85.30 METRES.

SITE BENCHMARK #2: BASED ON CUT CROSS IN SIDEWALK NEAR THE NORTHEAST LIMIT OF SUBJECT PROPERTY HAVING AN ELEVATION OF 84.65 METRES.

SURVEYOR'S CERTIFICATE:

1. THIS TOPOGRAPHIC SURVEY WAS COMPLETED ON THE 13th DAY OF SEPTEMBER, 2018.

DATE: OCTOBER 9, 2018
JEFFREY E. BUISMAN, O.L.S.

METRIC: DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

TOPOGRAPHIC SURVEY

ALL OF LOTS 39, 40 AND 41
REGISTERED PLAN 286
AND ALL OF LOTS 88, 89, 90 AND 91
ROBERT LAND SURVEY
(ALSO KNOWN AS OM1433)
BEING ON THE WEST SIDE OF EAST AVENUE
CITY OF HAMILTON

PREPARED FOR: INDWELL

PROJECT No.: 26268-18

DRAWING SCALE 1 : 200

DRAWING REVISION SCHEDULE

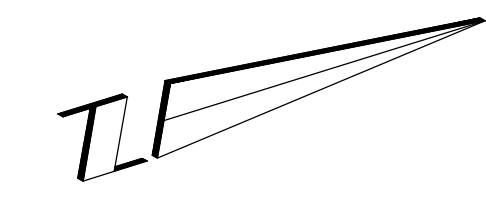
NO.	REVISION	DATE



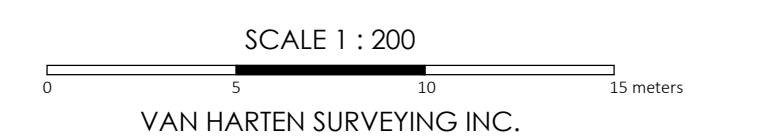
Kitchener Ph: 519-742-8371	Guelph Ph: 519-821-2763	Orangeville Ph: 519-940-1110
www.vanharten.com		info@vanharten.com
DRAWN BY: NCH		CHECKED BY: JEB

Oct 10, 2018 8:51:07 AM
G:\HAMILTON\1433\ACAD\TOPO\TLOTS39-41&88-91 (INDWELL) UTM 2010.dwg

SCHEDULE				
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	PART OF 87			
	PART OF 39	REGISTERED PLAN 286		



**PLAN OF SURVEY OF
 ALL OF LOTS 39, 40 & 41
 REGISTERED PLAN 286
 AND
 ALL OF LOTS 88, 89, 90 & 91
 AND
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 (ALSO KNOWN AS REGISTERED PLAN 1433)
 WEST SIDE OF EAST AVENUE
 CITY OF HAMILTON**



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 IN WIDTH BY 610 mm IN HEIGHT WHEN PLOTTED
 AT A SCALE OF 1: 200

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 - P1 DENOTES DEPOSITED PLAN 62R-21424
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SURVEYOR'S CERTIFICATE
I CERTIFY THAT:
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2. THIS SURVEY WAS COMPLETED ON THE Xth DAY OF MONTH, 2022.

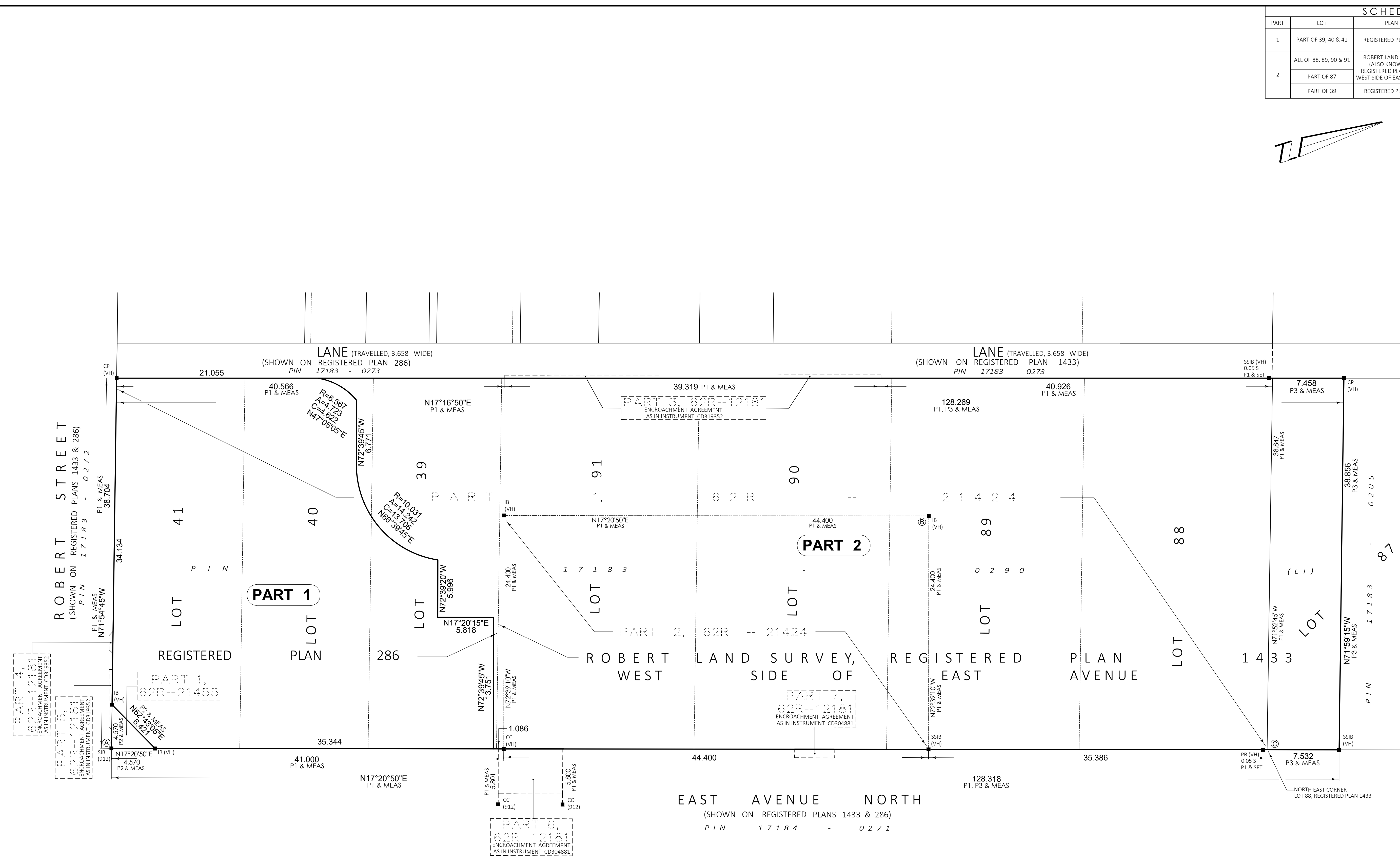
DATE: SEPTEMBER 16, 2022 _____
ONTARIO LAND SURVEYOR

THIS PLAN OF SURVEY RELATES TO AOLS PLAN SUBMISSION FORM NUMBER 2199522.

Van Harten
SURVEYING INC.
LAND SURVEYORS and ENGINEERS

Kitchener/Waterloo Ph: 519-742-8371	Guelph Ph: 519-821-2763	Orangeville Ph: 519-940-4110
www.vanharten.com		info@vanharten.com
DRAWN BY: PJ	CHECKED BY: MS	PROJECT NO: 26268-18

Sep 26, 2022 8:55:19 AM
M:\Geographic\KW\Hamilton\1433\ACAD\PLAN LT 39-41, 88-91 PL 1433 (26268-18) (UTM2010).dwg



ROBERT STREET
(SHOWN ON REGISTERED PLANS 1433 & 286)
PIN 17183 - 0272

EAST AVENUE NORTH
 (SHOWN ON REGISTERED PLANS 1433 & 286)
 PIN 17184 - 0271



**Ross &
McBride** LLP

JARRETT PUTT
Associate

Direct Dial: (905) 572-5802
E-mail: jputt@rossmcbride.com

October 12, 2022

SENT VIA EMAIL

Committee of Adjustment
City Hall, 5th Floor
71 Main Street West
Hamilton, ON L8P4Y5

To Whom It May Concern,

Re: 219 East Avenue North, Hamilton, ON L8L5J4
Indwell Community Homes
Our File Number: 9911080-145

Please find enclosed my client, Indwell Community Homes' application for a Consent to Sever for the property municipally located at 219 East Avenue North in Hamilton, along with the requisite cheque for the application fee in the amount of \$2,985.00.

The purpose of this application is to create a new registered boundary on the existing lot in order to register a 4th charge on the property. There are currently 3 charges registered on the entirety of the lot, which have been used to fund Phase 1 and 2 of Indwell Community Homes' low-income housing project on-site. However, a 4th charge is necessary to complete phase 3, the last remaining phase of the project. In canvassing with potential 4th mortgagees, it has become clear to my client that a mortgage will not be granted in 4th priority. Therefore, this application serves as a method whereby a registered boundary will separate phase 1 and 2 from phase 3. The existing 3 mortgages will de-register their interest in the phase 3 lands, and the original 4th mortgagee will become the 1st mortgagee on the new phase 3 lands.

Please feel free to reach out with any questions or concerns related to our application, or the project generally.

Yours very truly,
ROSS & McBRIDE LLP

Per:



Jarrett Putt

JFP:



Ecl: Application for a Consent to Sever, Cheque payable to the City of Hamilton in the amount of \$2985.00.

Committee of Adjustment

City Hall, 5th Floor,
71 Main St. W.,
Hamilton, ON L8P4Y5

Phone: (905) 546-2424 ext. 4221

Email: cofa@hamilton.ca

Hamilton

**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*			Phone:
			E-mail:
Registered Owners(s)	Indwell Community Homes		
Applicant(s)**	Indwell Community Homes		
Agent or Solicitor	Jarrett Francis Putt - Ross & McBride		

*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 jputt@rossmcbride.com

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	219 East Avenue North, Hamilton, Ontario L8L 5J4		
Assessment Roll Number	030-216-05030-0000		
Former Municipality	See attached		
Lot		Concession	
Registered Plan Number	286	Lot(s)	41, PT40 and PT39
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)

- | | |
|---|--|
| <input type="checkbox"/> creation of a new lot(s) | <input type="checkbox"/> concurrent new lot(s) |
| <input type="checkbox"/> addition to a lot | <input type="checkbox"/> a lease |
| <input type="checkbox"/> an easement | <input type="checkbox"/> a correction of title |
| <input type="checkbox"/> validation of title (must also complete section 8) | <input checked="" type="checkbox"/> a charge |
| <input type="checkbox"/> cancellation (must also complete section 9) | |
| <input type="checkbox"/> 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:

N/A

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

N/A

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*
--	-------------------------	----------	----------	-----------	-----------

2.1 Complete the applicable sections

- Subject land is all of Lot 41, and parts of lot 40 and 39 on Reference Plan Number 286.

Identified on Sketch as:	Parcel 2	Parcel 1			
Type of Transfer	N/A	Charge			
Frontage	87.31m	41.00m			
Depth	38.86m	38.70m			
Area	3728.9 Sq.m.	1235.4 Sq.m.			
Existing Use	Existing residential	Vacant			
Proposed Use	N/A	Residential			
Existing Buildings/ Structures	One 4-6 storey apartment with 95 units. One 3 storey building with 13 units. One not-for-profit office.	N/A			
Proposed Buildings/ Structures	N/A	One 3 storey residential building with 23 units. Refer to site plan application SPA-22-055			
Buildings/ Structures to be Removed	N/A	N/A			

* 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): N/A

Rural Settlement Area: N/A

Urban Hamilton Official Plan designation (if applicable) Neighborhoods with a special policy area which is UHN-29

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

See attached

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? E/S-1812 District, Modified of zoning by-law number 6593, as amended.

If the subject land is covered by a Minister's zoning order, what is the Ontario Regulation Number? N/A

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	<input type="checkbox"/>	
A land fill	<input type="checkbox"/>	
A sewage treatment plant or waste stabilization plant	<input type="checkbox"/>	
A provincially significant wetland	<input type="checkbox"/>	
A provincially significant wetland within 120 metres	<input type="checkbox"/>	
A flood plain	<input type="checkbox"/>	
An industrial or commercial use, and specify the use(s)	<input type="checkbox"/>	Yes, Barton street east corridor, approximately 145 meters.
An active railway line	<input type="checkbox"/>	
A municipal or federal airport	<input type="checkbox"/>	

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

- The intent of the proposed consent application maintains the intent of site specific policy of UHN-29