



Hamilton

## COMMITTEE OF ADJUSTMENT

City Hall, 5<sup>th</sup> floor, 71 Main Street West, Hamilton, ON L8P 4Y5  
Telephone (905) 546-2424, ext. 4221, 3935 Fax (905) 546-4202  
E-mail: [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

# NOTICE OF PUBLIC HEARING

## Application for Consent/Land Severance

APPLICATION NUMBER: HM/B-20:98

SUBJECT PROPERTY: 224 Eaglewood Dr., Hamilton

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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
- 

**APPLICANT(S):**

Owner: Sym Construction Inc.  
Agent: A.J. Clarke & Associates c/o Steven Fraser

**PURPOSE OF APPLICATION:**

To permit a creation of a new lot by severing rear portion of the subject property and adding it to the lands to the south (Part of 61 Eleanor Ave.) to facilitate land assembly for future plan of subdivision consisting of single-detached lots.

**Severed lands (Part 1):**

89.80 m<sup>±</sup> x 15.00 m<sup>±</sup> and an area of 1,380 m<sup>2</sup> <sup>±</sup>

**Retained lands (Part 2):**

3.70 m<sup>±</sup> x 39.60 m<sup>±</sup> and an area of 1,260 m<sup>2</sup> <sup>±</sup>

The Committee of Adjustment will hear this application on:

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**DATE:** Thursday, February 4<sup>th</sup>, 2021

**TIME:** 2:05 p.m.

**PLACE:** Via video link or call in (see attached sheet for details)

To be streamed at [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)  
for viewing purposes only

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### PUBLIC INPUT

**Written:** If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Please see attached page for complete instructions, including deadlines for submitting to be seen by the Committee.

**Orally:** If you would like to speak to this item at the hearing you may do so via video link or by calling in. Please see attached page for complete instructions, including deadlines for registering to participate.

## MORE INFORMATION

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

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

DATED: January 19<sup>th</sup>, 2021

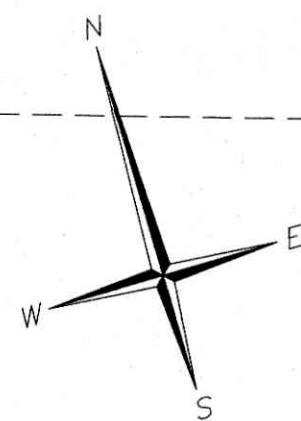
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Jamila Sheffield,  
Secretary-Treasurer  
Committee of Adjustment

***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.***

LOT 8 CONCESSION 8  
GEOGRAPHIC TOWNSHIP OF BARTON  
URBAN PROTECTED RESIDENTIAL 'C' ZONING

PART 1  
PLAN 62R-7372



PART 1  
PLAN 62R-20623

PART 2

0.126 Ha  
(0.311 Acres)

PART 2  
PLAN 62R-7372

LOT 65

PLAN M-199

LOT 64

LOT 63

LOT 62

URBAN PROTECTED RESIDENTIAL 'C' ZONING  
PART 2  
PLAN 62R-20623  
LOT 21

PART 3  
PLAN 62R-20623

PART 2  
PLAN 62R-7372

PART 1  
0.138 Ha  
(0.341 Acres)

BLOCK 'A' LOT 1

PLAN M-249

URBAN PROTECTED RESIDENTIAL 'C' ZONING

MENTINO  
CRESCENT  
(ESTABLISHED BY PLAN M-219)

PLAN M-219

LOT 1

ADDITIONAL LANDS  
OF APPLICANT

PART 1

AGRICULTURAL 'AA' ZONING

REGISTERED PLAN NO.

SUBJECT TO AN EASEMENT AS IN BR37018 AND  
NOTICE OF CLAIM AS IN CO404201

BLOCK B  
(0.30m RESERVE)  
PLAN M-219

URBAN PROTECTED RESIDENTIAL 'C' ZONING

ELEANOR AVENUE  
(ESTABLISHED BY REGISTERED PLAN No. 853)

BLOCK 8  
(0.30m RESERVE)

BLOCK 6

BLOCK 11

BLOCK 12  
(0.30m RESERVE)

BLOCK 10

LOT 6

URBAN PROTECTED RESIDENTIAL 'C' ZONING

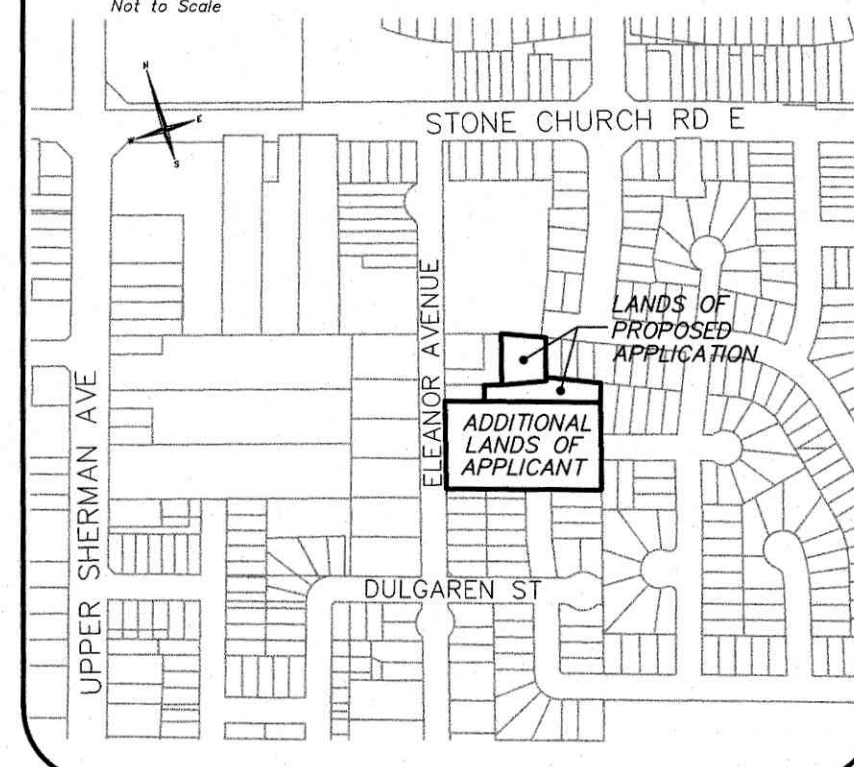
LOT 5

LOT 5

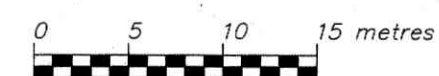
URBAN PROTECTED RESIDENTIAL 'C' ZONING

PROJECT No 208153D

KEY PLAN  
Not to Scale



SKETCH FOR CONSENT TO SEVER  
PART OF LOT 21  
REGISTERED PLAN No. 853  
IN THE  
**CITY OF HAMILTON**  
SCALE 1:400



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

NOTES:  
THIS SKETCH IS COMPILED FROM PLANS AND RECORDS  
ON FILE IN THIS OFFICE AND IS NOT BASED ON AN  
ACTUAL FIELD SURVEY.

THIS SKETCH IS PREPARED TO ACCOMPANY AN APPLICATION  
TO THE LAND DIVISION COMMITTEE REQUESTING A GRANT OF  
SEVERANCE AND IS NOT INTENDED FOR REGISTRATION

THIS SKETCH IS NOT VALID UNLESS IT IS AN EMBOSSED ORIGINAL  
COPY OR CERTIFIED DIGITAL COPY ISSUED BY THE SURVEYOR

CAUTION:  
THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED  
EXCEPT FOR THE PURPOSE INDICATED IN THE TITLE BLOCK

CONSENT SCHEDULE:  
PART 1 - PROPOSED SEVERANCE  
PART 2 - REMAINING LANDS OF APPLICANT  
PART 2 TO MERGE WITH PART 1 OF ADDITIONAL LANDS OF  
APPLICANT

OCTOBER 30, 2020  
DATE

NICHOLAS P. MUTH  
ONTARIO LAND SURVEYOR

**A. J. Clarke and Associates Ltd.**  
SURVEYORS • PLANNERS • ENGINEERS  
25 MAIN STREET WEST, SUITE 300  
HAMILTON, ONTARIO, L8P 1H1  
TEL. 905-528-8761 FAX 905-528-2289  
email: [ajc@ajclarke.com](mailto:ajc@ajclarke.com)



**Hamilton**

Planning and Economic Development Department  
Planning Division

**Committee of Adjustment**  
City Hall  
5th floor, 71 Main Street West  
Hamilton, Ontario L8P 4Y5

Phone (905) 546-2424, ext. 4221  
Fax (905) 546-4202

**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**

1.1, 1.2	NAME	ADDRESS	PHONE/FAX
<b>Registered Owners(s)</b>	Sym Construction Inc.		Business ( ) Fax: ( ) E-mail:
<b>Applicant(s)*</b>	5025299 Ontario Inc. under agreement of purchase and sale		Business ( ) Fax: ( ) E-mail:
<b>Agent or Solicitor</b>	A. J. Clarke and Associates Ltd.		Business ( ) Fax: ( ) E-mail:

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

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

**2 LOCATION OF SUBJECT LAND** Complete the applicable lines

2.1 Area Municipality Hamilton	Lot	Concession	Former Township
Registered Plan N°. Pcl B-1, Sec W852(c), Pl 853	Lot(s) Pt Lt 21	Reference Plan N°. Plan 62R-7372	Part(s) Parts 2, 3, 4
Municipal Address Eaglewood Drive, Hamilton (no municipal # assigned)			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:

Bell Canada easement as in Instrument No. BR37018

**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):

☒ creation of a new lot

☒ addition to a lot

☐ an easement

Other: ☐ a charge

☐ a lease

☐ a correction of title



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

- ☐ creation of a new lot  
☐ creation of a new non-farm parcel  
(i.e. a lot containing a surplus farm dwelling  
resulting from a farm consolidation)  
☐ addition to a lot

- Other: ☐ a charge  
☐ a lease  
☐ a correction of title  
☐ an easement

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

5025299 Ontario Inc.

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

To be added to the south (61 Eleanor Ave) for future plan of subdivision

**4 DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION**

4.1 Description of land intended to be **Severed**: Part 1 on sketch

Frontage (m)	Depth (m)	Area (m <sup>2</sup> or ha)
N/A	+/-15m (irregular)	+/-1,380sq.m

Existing Use of Property to be severed:

- ☐ Residential ☐ Industrial ☐ Commercial  
☐ Agriculture (includes a farm dwelling) ☐ Agricultural-Related ☒ Vacant  
☐ Other (specify) \_\_\_\_\_

Proposed Use of Property to be severed:

- ☒ Residential ☐ Industrial ☐ Commercial  
☐ Agriculture (includes a farm dwelling) ☐ Agricultural-Related ☐ Vacant  
☐ Other (specify) \_\_\_\_\_

Building(s) or Structure(s):

Existing: None

Proposed: Single detached dwellings (lots to be created through  
future plan of subdivision application).

Type of access: (check appropriate box)

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

Type of water supply proposed: (check appropriate box)

- ☒ publicly owned and operated piped water system ☐ lake or other water body  
☐ privately owned and operated individual well ☐ 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**: Part 2 on attached sketch

Frontage (m)	Depth (m)	Area (m <sup>2</sup> or ha)
+/-3.7 m	+/-39.6m (irregular)	+/-1,260sq.m

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: None

Proposed: Residential

Type of access: (check appropriate box)

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

Type of water supply proposed: (check appropriate box)

- ☒ publicly owned and operated piped water system ☐ lake or other water body  
☐ privately owned and operated individual well ☐ 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): \_\_\_\_\_

Urban Hamilton Official Plan designation (if applicable) Neighbourhoods (Sch. E-1)

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

Please see attached cover letter.

5.2 What is the existing zoning of the subject land? "C" District

If the subject land is covered by a Minister's zoning order, what is the Ontario Regulation Number? \_\_\_\_\_

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"/>	

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"/>	
An active railway line	<input type="checkbox"/>	
A municipal or federal airport	<input type="checkbox"/>	

## 6 PREVIOUS USE OF PROPERTY

- ☒ Residential
 ☐ Industrial
 ☐ Commercial  
☐ Agriculture
 ☒ Vacant
 ☐ Other (specify)

- 6.1 If Industrial or Commercial, specify use \_\_\_\_\_
- 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
- 6.10 Is there reason to believe the subject land may have been contaminated by former uses on the site or adjacent sites?  
☐ Yes ☒ No ☐ Unknown
- 6.11 What information did you use to determine the answers to 6.1 to 6.10 above?  
Property owner's knowledge and aerial imagery.
- 6.12 If previous use of property is industrial or commercial or if YES to any of 6.2 to 6.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.  
 Is the previous use inventory attached?  
☐ Yes ☒ No

## 7 PROVINCIAL POLICY

- 7.1 a) Is this application consistent with the Policy Statements issued under subsection of the *Planning Act*? (Provide explanation)

☒ Yes ☐ No

Please refer to concurrently submitted cover letter.

- b) Is this application consistent with the Provincial Policy Statement (PPS)?  
☒ Yes ☐ No (Provide explanation)

Please refer to concurrently submitted cover letter.

- c) Does this application conform to the Growth Plan for the Greater Golden Horseshoe?  
☒ Yes ☐ No (Provide explanation)

Please refer to concurrently submitted cover letter.

- d) Are the subject lands within an area of land designated under any provincial plan or plans? (If YES, provide explanation on whether the application conforms or does not conflict with the provincial plan or plans.)  
☒ Yes ☐ No

The Growth Plan. Please refer to concurrently submitted cover letter.

- e) Are the subject lands subject to the Niagara Escarpment Plan?  
☐ Yes ☒ No

If yes, is the proposal in conformity with the Niagara Escarpment Plan?

☐ Yes ☐ No

(Provide Explanation)

- f) Are the subject lands subject to the Parkway Belt West Plan?  
☐ Yes ☒ No

If yes, is the proposal in conformity with the Parkway Belt West Plan?

☐ Yes ☐ No (Provide Explanation)

- g) Are the subject lands subject to the Greenbelt Plan?  
☐ Yes ☒ No

If yes, does this application conform with the Greenbelt Plan?

☐ Yes ☐ No (Provide Explanation)



## 8 HISTORY OF THE SUBJECT LAND

- 8.1 Has the subject land ever been the subject of an application for approval of a plan of subdivision or a consent under sections 51 or 53 of the *Planning Act*?  
☐ Yes ☐ No ☒ Unknown

If YES, and known, indicate the appropriate application file number and the decision made on the application.

- 8.2 If this application is a re-submission of a previous consent application, describe how it has been changed from the original application.

- 8.3 Has any land been severed or subdivided from the parcel originally acquired by the owner of the subject land? ☐ Yes ☒ No

If YES, and if known, provide for each parcel severed, the date of transfer, the name of the transferee and the land use.

However, the severed lands are intended to be added to lands to the south that will be assembled for a future plan of subdivision.

- 8.4 How long has the applicant owned the subject land?

Applicant is under an agreement of purchase and sale. Owner has owned the lands since August 2018.

- 8.5 Does the applicant own any other land in the City? ☐ Yes ☒ No

If YES, describe the lands in "11 - Other Information" or attach a separate page.

## 9 OTHER APPLICATIONS

- 9.1 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 if known, specify file number and status of the application.

- 9.2 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 if known, specify file number and status of the application(s).

File number \_\_\_\_\_ Status \_\_\_\_\_  
Concurrent consent applications previously submitted and future plan of subdivision and zoning by-law amendment applications forthcoming for the lands the severed parcel is being added to.

## 10 RURAL APPLICATIONS

- 10.1 Rural Hamilton Official Plan Designation(s)

- |  |                                     |   |
|--|-------------------------------------|---|
| <input type="checkbox"/> Agricultural                          | <input type="checkbox"/> Rural      | <input type="checkbox"/> Specialty Crop |
| <input type="checkbox"/> Mineral Aggregate Resource Extraction | <input type="checkbox"/> Open Space | <input type="checkbox"/> Utilities      |
| <input type="checkbox"/> Rural Settlement Area (specify) _____ |                                     |   |

Settlement Area

Designation

If proposal is for the creation of a non-farm parcel resulting from a farm consolidation, indicate the existing land use designation of the abutting or non-abutting farm operation.

- 10.2 Type of Application (select type and complete appropriate sections)

- |  |   |                         |
|--|---|-------------------------|
| <input type="checkbox"/> Agricultural Severance or Lot Addition                    | } | (Complete Section 10.3) |
| <input type="checkbox"/> Agricultural Related Severance or Lot Addition            |   |                         |
| <input type="checkbox"/> Rural Resource-based Commercial Severance or Lot Addition |   |                         |
| <input type="checkbox"/> Rural Institutional Severance or Lot Addition             |   |                         |

☐ Rural Settlement Area Severance or Lot Addition

☐ Surplus Farm Dwelling Severance from an Abutting Farm Consolidation (Complete Section 10.4)

☐ Surplus Farm Dwelling Severance from a Non-Abutting Farm Consolidation (Complete Section 10.5)

### 10.3 Description of Lands

#### a) Lands to be Severed:

Frontage (m): (from Section 4.1)	Area (m <sup>2</sup> or ha): (from in Section 4.1)
----------------------------------	--

Existing Land Use: \_\_\_\_\_ Proposed Land Use: \_\_\_\_\_

#### b) Lands to be Retained:

Frontage (m): (from Section 4.2)	Area (m <sup>2</sup> or ha): (from Section 4.2)
----------------------------------	---

Existing Land Use: \_\_\_\_\_ Proposed Land Use: \_\_\_\_\_

### 10.4 Description of Lands (Abutting Farm Consolidation)

#### a) Location of abutting farm:

\_\_\_\_\_  
(Street) (Municipality) (Postal Code)

#### b) Description abutting farm:

Frontage (m):	Area (m <sup>2</sup> or ha):
---------------	------------------------------

Existing Land Use(s): \_\_\_\_\_ Proposed Land Use(s): \_\_\_\_\_

#### c) Description of consolidated farm (excluding lands intended to be severed for the surplus dwelling):

Frontage (m):	Area (m <sup>2</sup> or ha):
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Existing Land Use: \_\_\_\_\_ Proposed Land Use: \_\_\_\_\_

#### d) Description of surplus dwelling lands proposed to be severed:

Frontage (m): (from Section 4.1)	Area (m <sup>2</sup> or ha): (from Section 4.1)
----------------------------------	---

Front yard set back: \_\_\_\_\_

#### e) Surplus farm dwelling date of construction:

☐ Prior to December 16, 2004 ☐ After December 16, 2004

#### f) Condition of surplus farm dwelling:

☐ Habitable ☐ Non-Habitable

#### g) Description of farm from which the surplus dwelling is intended to be severed (retained parcel):

Frontage (m): (from Section 4.2)	Area (m <sup>2</sup> or ha): (from Section 4.2)
----------------------------------	---

Existing Land Use: \_\_\_\_\_ Proposed Land Use: \_\_\_\_\_

### 10.5 Description of Lands (Non-Abutting Farm Consolidation)

#### a) Location of non-abutting farm

\_\_\_\_\_  
(Street) (Municipality) (Postal Code)

b) Description of non-abutting farm

Frontage (m):	Area (m2 or ha):
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Existing Land Use(s): \_\_\_\_\_ Proposed Land Use(s): \_\_\_\_\_

c) Description of surplus dwelling lands intended to be severed:

Frontage (m): (from Section 4.1)	Area (m2 or ha): (from Section 4.1)
----------------------------------	-------------------------------------

Front yard set back: \_\_\_\_\_

d) Surplus farm dwelling date of construction:

☐ Prior to December 16, 2004 ☐ After December 16, 2004

e) Condition of surplus farm dwelling:

☐ Habitable ☐ Non-Habitable

f) Description of farm from which the surplus dwelling is intended to be severed (retained parcel):

Frontage (m): (from Section 4.2)	Area (m2 or ha): (from Section 4.2)
----------------------------------	-------------------------------------

Existing Land Use: \_\_\_\_\_ Proposed Land Use: \_\_\_\_\_

## 11 OTHER INFORMATION

Is there any other information that you think may be useful to the Committee of Adjustment or other agencies in reviewing this application? If so, explain below or attach on a separate page.

\_\_\_\_\_ Please refer to the concurrently submitted cover letter.  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

## 12 SKETCH (Use the attached Sketch Sheet as a guide)

12.1 The application shall be accompanied by a sketch showing the following in metric units:

- the boundaries and dimensions of any land abutting the subject land that is owned by the owner of the subject land;
- the approximate distance between the subject land and the nearest township lot line or landmark such as a bridge or railway crossing;
- the boundaries and dimensions of the subject land, the part that is intended to be severed and the part that is intended to be retained;
- the location of all land previously severed from the parcel originally acquired by the current owner of the subject land;
- the approximate location of all natural and artificial features (for example, buildings, barns, railways, roads, watercourses, drainage ditches, banks of rivers or streams, wetlands, wooded areas, wells and septic tanks) that,
  - are located on the subject land and on land that is adjacent to it, and
  - in the applicant's opinion, may affect the application;
- the current uses of land that is adjacent to the subject land (for example, residential, agricultural or commercial);
- the location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private



*A. J. Clarke and Associates Ltd.*

SURVEYORS • PLANNERS • ENGINEERS

December 9<sup>th</sup>, 2020

The City of Hamilton  
Committee of Adjustment  
Planning and Economic Development Department  
71 Main Street West, 5<sup>th</sup> Floor  
Hamilton, Ontario  
L8P 4Y5

Attn: Ms. Jamila Sheffield - Secretary-Treasurer (via email)

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**Re: Severance Application for Lot Addition to Lands fronting Eleanor Avenue at Eaglewood Drive, Hamilton**

Dear Madam,

Please accept the attached materials in support of an application for municipal consent (severance) on the subject lands. The subject submission proposes to sever the rear portion of the subject lands, shown as Part 1 on the attached sketch and add it to the lands to the south.

The subject lands are irregular in shape, with approximately  $\pm 3.7$  metres of frontage along Eaglewood Drive and with an approximate overall depth of  $\pm 52$  metres. The lands are zoned Urban Protected Residential "C" District under the City of Hamilton Zoning By-law 6593.

The lot frontage and area requirements of the "C" District are 12 metres and 360 square metres respectively. The current property has a small amount of frontage onto Eaglewood Drive and this proposed severance will not affect this existing situation. The lands being severed will comprise part of land assembly to facilitate orderly development through a draft plan of subdivision application.

### **Policy Consistency and Conformity**

Further to question 5.1 of the attached application form, the following is submitted:

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

The subject land is located within the "Neighbourhoods" designation within the City's Urban Hamilton Official Plan (UHOP). Section E.3.0 provides policies for lands designated "Neighbourhoods" on Schedule E-1 (Urban Land Use Designations). The designation is broadly supportive of the development of complete communities that are made up of more than just homes but include a variety of land uses. The proposal conforms to the applicable policies of the "Neighbourhoods" designation, as it is a permitted use and will conform to the "Neighbourhoods" policies related to function, scale, and design by way of a future plan of subdivision consistent with the lot fabric within the area.

In addition to the designation specific policies of the UHOP, the proposed severance application



is reviewed against the residential intensification policies of Section B.2.4 of the UHOP.

### *Residential Intensification*

The City's residential intensification policies state that 40% of the City's intensification target is to be accommodated within the "Neighbourhoods" designation (Pol. 2.4.1.3 c)). With respect to the evaluation criteria outlined in Policy B.2.4.1.4, the proposal will enable appropriate land assembly for a future plan of subdivision which is of compatible built form and character to surrounding development, which consists of similar land uses, and will integrate well with surrounding development in terms of use, scale, form, and character. Accordingly, the proposal generally satisfies the criteria outlined in Policy B.2.4.1.4.

Section B.2.4.2 of the UHOP deals specifically with residential intensification within the "Neighbourhoods" designation. Policy 2.4.2.2 of the UHOP outlines further evaluation criteria for residential intensification with the "Neighbourhoods" designation. The proposal will facilitate land assembly for a future plan of subdivision consisting of single-detached lots. The future single detached dwellings are intended to be similar in terms of height and massing to the surrounding neighbourhood. Accordingly, the proposed development satisfies the criteria outlined in Policy 2.4.2.2.

### *Provincial Policy*

Further to questions 7.1 a), b) & c) of the attached application form, the following is submitted:

*"Is this application consistent with the Policy Statements issued under subsection "2" of the Planning Act?"*

The proposed development has sufficient regard for the matters of provincial interest outlined in subsection 2 of the *Planning Act*.

*"Is this application consistent with the Provincial Policy Statement (PPS)?"*

This property is appropriate for land assembly and future development as it is within a settlement area as defined in the PPS, and settlement areas shall be the focus of growth. The subject lands are also within the built-up area and the proposed consent application will facilitate compatible residential intensification through land assembly and infill development on full municipal water and wastewater services, and with frontage on a municipal road. Furthermore, the application is consistent with the PPS with respect to Section 3.1 - Natural Hazards, which directs development outside of the hazardous lands adjacent to the shorelines of the Great Lakes. As such, this application is consistent with the PPS (2020).

*"Does this application conform to the Growth Plan for the Greater Golden Horseshoe?"*

The Growth Plan (2019) stresses the importance of optimizing the existing supply of land already within the built-up area for urban development (intensification) within the Greater Golden Horseshoe to avoid over-designating new land for future urban development. The proposal is consistent with the Growth Plan as it will encourage residential intensification through land assembly, infill development and will optimize the use of existing infrastructure to support growth in a compact, compatible, and efficient form. As such, the proposal conforms to





the Growth Plan.

As required for the above-noted application, please find attached the following:

1. A cheque in the amount of \$ \$2,845.00 made payable to the *City of Hamilton* in payment of the Application Fee.
2. A copy of the completed and signed Application Form and an authorization letter from the current owner.
3. One (1) copy of the Severance Sketch reduced to 11x17.

Yours very truly,

Stephen Fraser, RPP, MCIP  
Planner  
**A. J. Clarke and Associates Ltd.**

Encl.

Copy: 5025299 Ontario Inc. (c/o Mr. Ali Alaichi)