COMMITTEE OF ADJUSTMENT



City Hall, 5th 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

NOTICE OF PUBLIC HEARING

Application for Consent/Land Severance

APPLICATION NUMBER: SC/B-21:06

SUBJECT PROPERTY: 1313 Baseline Rd., Stoney Creek

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): A.J. Clarke & Associates c/o M. Weekes on behalf of

the owner Malatesta Brothers Construction

PURPOSE OF APPLICATION: To permit the conveyance of a parcel of land and retain

two parcels of land for residential purposes.

Severed lands:

12.18m[±] x 30.47m[±] and an area of 371.06m^{2±}

Retained lands: Part 3 on sketch

13.75m[±] x 30.47m[±] and an area of 394.41m^{2±}

Retained lands: Part 5 on sketch

12.17m[±] x 30.47m[±] and an area of 370.76m^{2±}

This application will be heard in conjunction with

Severance Application SC/B-21:05

The Committee of Adjustment will hear this application on:

DATE: Thursday, March 4th, 2021

TIME: 3:15 p.m.

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

details)

To be streamed at

www.hamilton.ca/committeeofadjustment

for viewing purposes only

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.

SC/B-21:06 PAGE 2

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

DATED: February 16th, 2021

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.

STREET

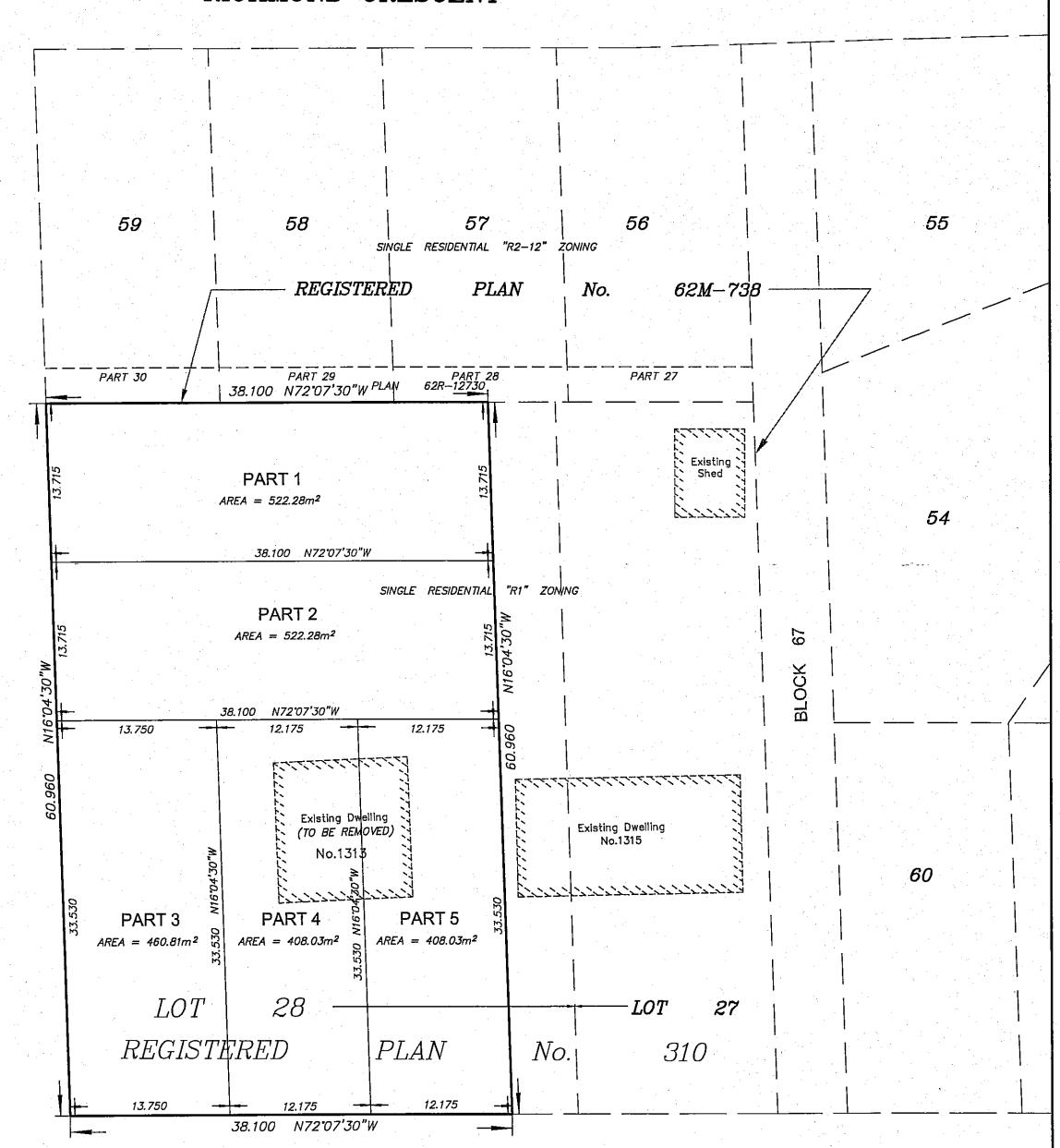
8206

CITY OF HAMILTON

SCALE 1:300

G.G. ALDWORTH O.L.S.

RICHMOND CRESCENT

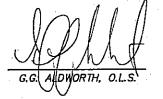


BASE LINE ROAD

(ORIGINAL ROAD ALLOWANCE BETWEEN BROKEN FRONT CONCESSION AND CONCESSION 1)

METRIC:

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

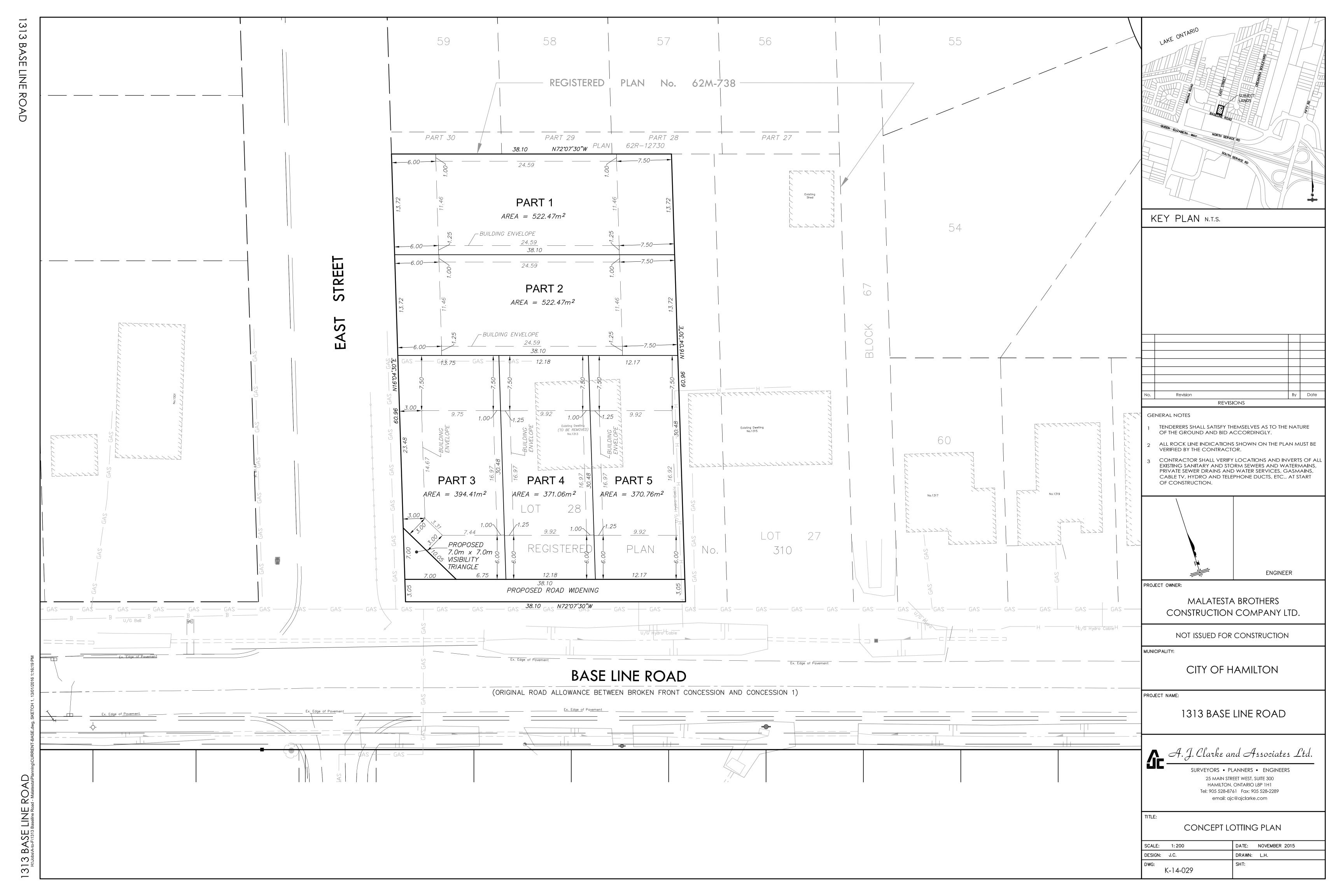


NOV. 25, 2014 DATE



A. J. Clarke and Associates Itd.

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





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

Phone: (905) 546-2424 ext. 4221

Email: cofa@hamilton.ca

APPLICATION FOR CONSENT TO SEVER LAND

				E PLANNING A		Office Use Only
• •		Date Application Deemed Complete:		Submission No	0.:	File No.:
1 APPLICANT IN	FORMATIO	ON				
1.1, 1.2	N	IAME		ADDRESS		
Registered Owners(s)		a Brothers tion c/o Gino				Phone: E-mail:
Applicant(s)*					F	Phone:
					E	E-mail:
Agent or Solicitor	A.J. Clark Associate Miles We	es Ltd. c/o				Phone:
1.3 All corresponder	nce should	be sent to	☐ Owi	ner	ant	cant is not the owner ■ Agent/Solicitor
2 LOCATION OF S 2.1 Area Municipali		Lot Com	`	e applicable line ession		mer Township
Stoney Creek	-9					р
Registered Plan N°. Lot(s) 310			Refe	ence Plan N°.	Part	t(s)
Municipal Address 1313 Baseline Road					Ass	essment 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: 						
 3 PURPOSE OF THE APPLICATION 3.1 Type and purpose of proposed transaction: (check appropriate box) a) <u>Urban Area Transfer</u> (do not complete Section 10): 						

creation of a new lot

Other:

a charge

☐ addition to a lot☐ an easement		☐ 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 no (i.e. a lot containing a resulting from a farm compaddition to a lot	n-farm parcel surplus farm dwelling	Other: a charge a lease a correction of title an easement			
3.2 Name of person(s), if know or charged: Unknown	n, to whom land or interest in	n land is to be transferred, leased			
3.3 If a lot addition, identify the	lands to which the parcel wi	Il be added:			
4 DESCRIPTION OF SUBJE4.1 Description of land intende	ECT LAND AND SERVICING				
Frontage (m)	Depth (m)	Area (m² or ha)			
+-12.18 m	+-30.47 m	+-371.06 sq. m			
Residential	Agriculture (includes a farm dwelling)				
Proposed Use of Property to be severed: Residential					
Building(s) or Structure(s): Existing: Existing single-detached dwelling (to be demolished)				
Proposed: Single-detached dwelling					
Type of access: (check appropring provincial highway municipal road, seasonally municipal road, maintained a	naintained	☐ 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)					
4.2 Description of land intende Frontage (m) Part 3 = +-13.75 m Part 5 = +-12.17 m	Depth (m) Part 3 = +- 30.47 m Part 5 = +-30.47 m	5 on Severance Sketch Area (m² or ha) Part 3 = +-394.41 sq. m Part 5 = +-370.76 sq. m			
Existing Use of Property to be retained: Residential					

	Residential Agriculture (inclu Other (specify)	ides a farm dwelling)	☐ Industrial ☐ Agricultura	al-Related	☐ Commercial ☐ Vacant
Exis	ding(s) or Struct sting: Existing single-d bosed: Single-detac	etached dwelling (to be demolis	hed)		
PIO	JOSEA. Single-detac	ned dweiling(s)			
☐ p	provincial highwa municipal road, s	eck appropriate box) ay seasonally maintaine maintained all year		☐ right of ☐ other p	way ublic road
Туре	e of water suppl	y proposed: (check a	appropriate box)		
p p	oublicly owned a	and operated piped wand operated individ	vater system	_	other water body neans (specify)
□ p	oublicly owned a	ind operated sanitary and operated individ			
4.3	Other Services	: (check if the service	e is available)		
E 6	electricity	■ telephone	school bussing		garbage collection
5 5.1	CURRENT LAI What is the exis		signation of the subject	ct land?	
	Rural Hamilton	Official Plan designa	ation (if applicable): N	/A	
	Urban Hamiltor	n Official Plan design	ation (if applicable) Lo	w Density Residenti	al 2b (Urban Lakeshore Area Secondary Plan)
	Please provide an explanation of how the application conforms with a City of Hamilton Official Plan.				
	The proposed development application(s) will facilitate the development of an under utilized property within the urban boundary. More compact development will allow for more efficient use of available land and infrastructure resources. The proposed development is within the maximum permitted density per net hectare under the Secondary Plan.				
	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? Single Residential "R3-44" Zone, Modified (By-law 20-235)				
5.3	•	•	tures on the subject l ified. Please check t		
		Use or Feature		On the Subject Land	Within 500 Metres of Subject Land, unless otherwise specified (indicate approximate distance)
III .	•	eration, including l	livestock facility or		
	stockyard A land fill				
A sewage treatment plant or waste stabilization plant					
A provincially significant wetland					

Proposed Use of Property to be retained:

A pro	ovincially significant wetland within 120 metres				
A floo	od plain				
An in	dustrial or commercial use, and specify the use(s)				
An ac	ctive railway line				
A mu	nicipal or federal airport				
6	PREVIOUS USE OF PROPERTY Residential Industrial Commercial Agriculture Vacant Other (specify)				
6.1	If Industrial or Commercial, specify use N/A				
6.2					
6.3	Has a gas station been located on the subject land or a ☐ Yes ■ No ☐ Unknown	adjacent la	ands at any time?		
6.4	Has there been petroleum or other fuel stored on the subject land or adjacent lands? ☐ Yes ☐ No ☐ Unknown				
6.5	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	cyanide products may have been used as pesticides and/or biosolids was applied to the lands?				
6.7	 Yes No ■ Unknown Have the lands or adjacent lands ever been used as a 	weapons	firing range?		
6.8	Yes • No Unknown Is the nearest boundary line of the application within 50 area of an operational/non-operational landfill or dump		(1,640 feet) of the fill		
	Yes • No Unknown				
6.9	If there are existing or previously existing buildings, are remaining on site which are potentially hazardous to pup PCB's)? Yes No Unknown	•	•		
6.10	Is there reason to believe the subject land may have b on the site or adjacent sites? ☐ Yes ☐ No ☐ Unknown	een conta	minated by former uses		
6.11	What information did you use to determine the answer Owner knowledge and historical context.	s to 6.1 to	6.10 above?		
6.12	If previous use of property is industrial or commercial of previous use inventory showing all former uses of the stand adjacent to the subject land, is needed. Is the previous use inventory attached? Yes No		•		
7 P I 7.1 a)	ROVINCIAL POLICY Is this application consistent with the Policy Statement of the <i>Planning Act</i> ? (Provide explanation)	ents issued	d under subsection		
	■ Yes				
	The subject application is consistent with Sections 53	& 54 of th	ne Planning Act.		

(November 2020)

	b)	Is this application consistent with the Provincial Policy Statement (PPS)? ■ Yes □ No (Provide explanation)
	c)	The proposed development application(s) will facilitate the development of an under utilized property within the urban boundary. More compact development will allow for more efficient use of available land and infrastructure resources. Does this application conform to the Growth Plan for the Greater Golden Horseshoe? Yes No (Provide explanation)
		The subject application is located within the Built-up Area of the Growth Plan. Residential intensification is supported within these areas.
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 See above - Growth Plan.
	e)	Are the subject lands subject to the Niagara Escarpment Plan?
	6)	Yes No
		If yes, is the proposal in conformity with the Niagara Escarpment Plan? Yes No (Provide Explanation)
		N/A
	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)
		N/A
	g)	Are the subject lands subject to the Greenbelt Plan? ☐ Yes
		If yes, does this application conform with the Greenbelt Plan? Yes
		N/A
8 8.1	Has subc	TORY OF THE SUBJECT LAND the subject land ever been the subject of an application for approval of a plan of division or a consent under sections 51 or 53 of the <i>Planning Act</i> ? Yes No Unknown
		ES, and known, indicate the appropriate application file number and the decision made ne application.
8.2		s application is a re-submission of a previous consent application, describe how it has changed from the original application.
8.3	Has	any land been severed or subdivided from the parcel originally acquired by the owner e subject land? Yes No
	If YF	ES, and if known, provide for each parcel severed, the date of transfer, the name of

	N/A		
8.4	How long has the applicant owned the subj	ect land?	
8.5	Does the applicant own any other land in the If YES, describe the lands in "11 - Other Interest of the lands in "11 - Othe	<u> </u>	☐ No a separate page.
9 9.1	OTHER APPLICATIONS Is the subject land currently the subject of a been submitted for approval?	a proposed official pl	an amendment that has ■ No □ Unknown
	If YES, and if known, specify file number ar	nd status of the appli	cation.
9.2	Is the subject land the subject of any other by-law amendment, minor variance, conser		
	If YES, and if known, specify file number ar	nd status of the appli	cation(s).
	File number ZAC-16-016	Status Approved (fi	nal and binding per By-law 20-235)
10 10.1	RURAL APPLICATIONS Rural Hamilton Official Plan Designati	on(s)	
	☐ Agricultural	Rural	Specialty Crop
	☐ Mineral Aggregate Resource Extract	ion	ace Utilities
	☐ Rural Settlement Area (specify)		
		Settlement Area	Designation
	If proposal is for the creation of a non-far indicate the existing land use designation		
10.2	2 Type of Application (select type and co	mplete appropriate s	ections)
	Agricultural Severance or Lot Addition Agricultural Related Severance or Lot Rural Resource-based Commercial Sor Lot Addition Rural Institutional Severance or Lot Rural Settlement Area Severance or	ot Addition Severance Addition	(Complete Section 10.3)
	Surplus Farm Dwelling Severance fr Abutting Farm Consolidation	om an	(Complete Section 10.4)
	Surplus Farm Dwelling Severance fr Non-Abutting Farm Consolidation	om a	(Complete Section 10.5)
10.3	Description of Lands		
	a) Lands to be Severed:		
	Frontage (m): (from Section 4.1)	Area (m² or ha): (fi	rom in Section 4.1)
	Existing Land Use:	Proposed Land Use	e:

the transferee and the land use.

b) Lands to be Retained:				
Frontage (m): (from Section 4.2)	Area (m² or ha): (from Section 4.2)			
Existing Land Use:	Proposed Land Use:			
Description of Lands (Abutting Farm Consolidation) a) Location of abutting farm:				
(Street)	(Municipality) (Postal Cod			
b) Description abutting farm:				
Frontage (m):	Area (m² or ha):			
Existing Land Use(s):	Proposed Land Use(s):			
c) Description of consolidated farm (e surplus dwelling):	excluding lands intended to be severed for the			
Frontage (m):	Area (m² or ha):			
Existing Land Use:	Proposed Land Use:			
d) Description of surplus dwelling land Frontage (m): (from Section 4.1)	ds proposed to be severed: Area (m² or ha): (from Section 4.1)			
Front yard set back:				
e) Surplus farm dwelling date of cons Prior to December 16, 2004	After December 16, 2004			
f) Condition of surplus farm dwelling:Habitable	□ Non-Habitable			
	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:			
Description of Lands (Non-Abutting	a Farm Consolidation)			
a) Location of non-abutting farm	,			
(Street)	(Municipality) (Postal Coo			
b) Description of non-abutting farm				
Frontage (m):	Area (m² or ha):			
Existing Land Use(s):	Proposed Land Use(s):			
c) Description of surplus dwelling land	ds 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 cons				
Prior to December 16, 2004	After December 16, 2004			
e) Condition of surplus farm dwelling:				

	☐ Habitable	Non-Habitable				
•	(retained parcel):	rplus dwelling is intended to be severed				
F	rontage (m): (from Section 4.2)	Area (m² or ha): (from Section 4.2)				
Ex	sisting Land Use: F	Proposed Land Use:				
11 OTH	ER INFORMATION					
	Adjustment or other agencies in review attach on a separate page.	think may be useful to the Committee of wing this application? If so, explain below or				
w	This application is together with a second severance application which (if approved) will facilitate the subject application described herein. The first severance application would have the effect of severing Part 2 from the retained lands (Parts 1, 3, 4, & 5).					
12 SKE 12.1The	TCH (Use the attached Sketch Shee application shall be accompanied by a	et as a guide) I sketch showing the following in metric units:				
(a)	the boundaries and dimensions of any the owner of the subject land;	y land abutting the subject land that is owned by				
(b)	the approximate distance between the or landmark such as a bridge or railway	e subject land and the nearest township lot line ay crossing;				
(c)	(c) 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;					
(d)	 (d) the location of all land previously severed from the parcel originally acquired by the current owner of the subject land; 					
(e)	the approximate location of all natural barns, railways, roads, watercourses, wetlands, wooded areas, wells and se	and artificial features (for example, buildings, drainage ditches, banks of rivers or streams, eptic tanks) that,				
	are located on the subject land ar in the applicant's opinion, may aff	n on land that is adjacent to it, and fect the application;				
(f)	the current uses of land that is adjace agricultural or commercial);	ent to the subject land (for example, residential,				
(g)	the location, width and name of any reindicating whether it is an unopened road or a right of way:	oads within or abutting the subject land, road allowance, a public travelled road, a private				
(h) the location and nature of any easement affecting the subject land.						
13 ACKNOWLEDGEMENT CLAUSE						
l acknowledge that The City of Hamilton is not responsible for the identification and remediation of contamination on the property which is the subject of this Application – by						
reason	of its approval to this Application.					
Jan 19/2021						
Date	1 / 1	Signature of Owner				



A. J. Clarke and Associates Ltd.

City of Hamilton Committee of Adjustment 71 Main Street West, 5th Floor Hamilton, ON L8P 4Y5 February 1, 2021

Attn: Ms. Jamila Sheffield

Secretary Treasurer, Committee of Adjustment

Re: 1313 Baseline Road

Consent Application #2 of 2

Dear Ms. Sheffield:

A.J Clarke and Associates Ltd. has been retained by Malatesta Brothers Construction for the purposes of submitting the enclosed application for Consent to sever the subject lands, municipally known as 1313 Baseline Road. Please note that the enclose submission consists of the first of two severance applications for the same lands. The subject application is intended to sever Part 4 (as per the concurrently submitted Lotting Plan). Parts 3 & 5 comprise the retained lands.

The following supporting materials are submitted to your attention, in support of the subject application:

- 1) One (1) copy of the required filled and signed Consent Application Form;
- 2) One (1) cheque in the amount of \$2,860 made payable to the City of Hamilton in payment of the requisite application fee;
- 3) One (1) digital copy of the Plan of Survey E-18206, prepared by A.J. Clarke & Associates Ltd., dated Nov 25, 2014;
- 4) One (1) digital copy of the Conceptual Lotting Plan, prepared by A.J. Clarke & Associates Ltd., dated November, 2015;

I trust that you will find the enclosed satisfactory for your purposes. If you have any questions or require additional information, please do not hesitate to contact our office.

Sincerely,

Miles Weekes, MCIP, RPP

A. J. Clarke and Associates Ltd.

Encl.

Cc: Malatesta Brothers Construction (via e-mail)