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: HM/B-21:23

SUBJECT PROPERTY: 51 Gibson Ave., Hamilton

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): Agent IBI Group c/o J. Marcus

Owner 1937858 Ontario Inc.

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

containing a townhouse dwelling (under construction) and to retain a parcel of land containing townhouse

dwellings.

To be heard in conjunction with HM/B-21:21 and

HM/B-21:22.

Severed lands (Part 6):

5.6m[±] x 31.4m[±] and an area of 193m^{2±}

Retained lands (Part 5):

4.6m[±] x 31.3m[±] and an area of 144m^{2±}

The Committee of Adjustment will hear this application on:

DATE: Thursday, April 22nd, 2021

TIME: 2:15 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.

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

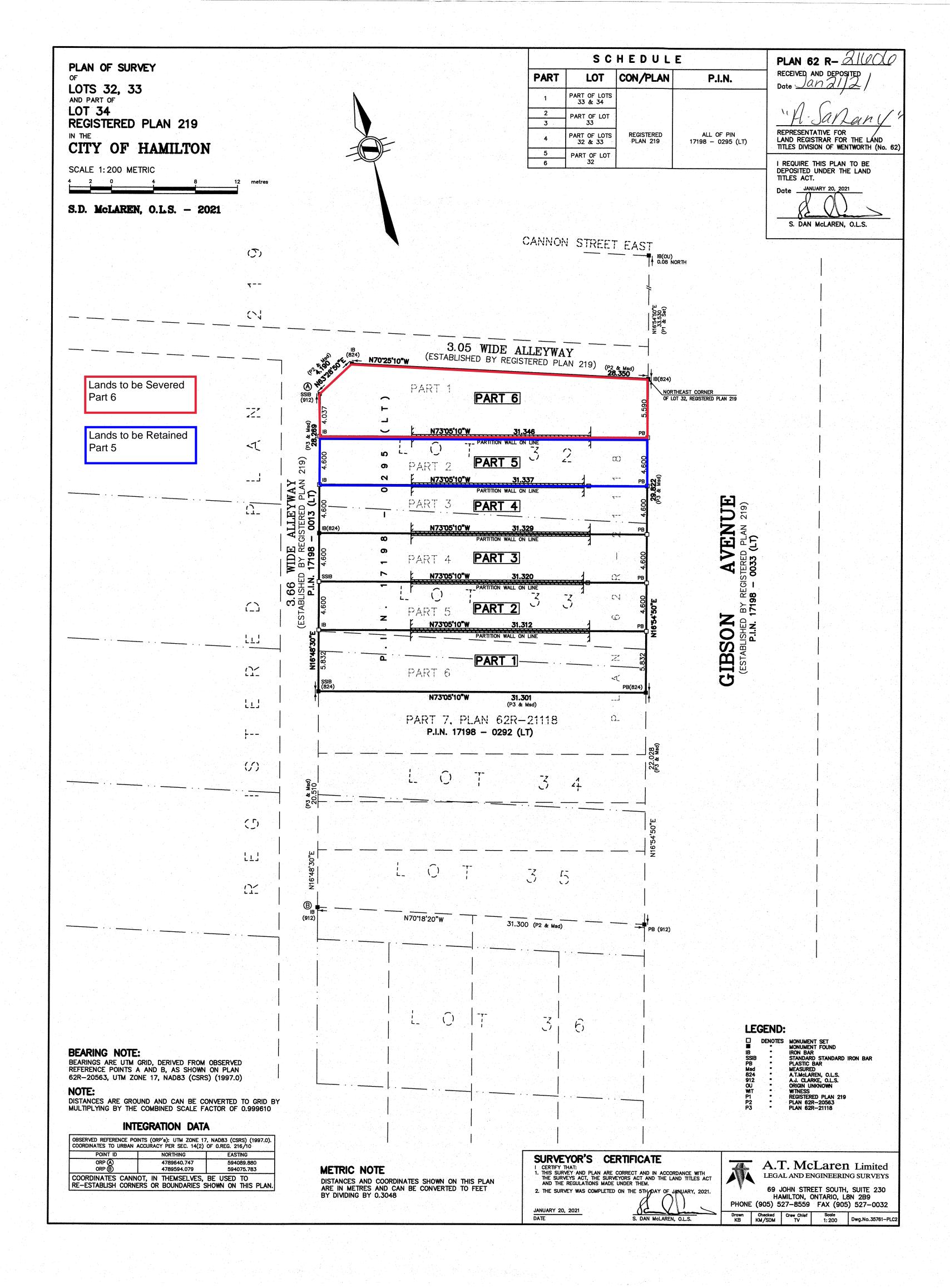
For more information on this matter, including access to drawings illustrating this request:

- 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: April 6th, 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.



LOTS 32 & 33 2143607 ALL OF LOTS 32 & 33 AND PART OF LOT 34, AND PART OF REGISTERED PLAN 219, DESIGNATED AS PARTS 1-6, PLAN 62R-21118 IS NOT SUBJECT TO ANY LOT 34 EASEMENTS. **REGISTERED PLAN 219** THIS PLAN DOES NOT CERTIFY COMPLIANCE THIS PLAN IS NOT VALID UNLESS IT IS AN EMBOSSED ORIGINAL COPY ISSUED BY THE SURVEYOR WITH ZONING BY-LAWS. CITY OF HAMILTON THIS PLAN WAS PREPARED FOR In accordance with Regulation 1026, Section 29(3). 1937858 ONTARIO INC. SCALE 1:150 METRIC S.D. McLAREN, O.L.S. - 2021 CANNON STREET EAST 3.05 WIDE ALLEYWAY (ESTABLISHED BY REGISTERED PLAN 219) P.I.N. 17198 - 0013 (LT) NORTHEAST CORNER N70°25'10"W (P1 & Msd) OF LOT 32, REGISTERED PLAN 219 28.350 6.046 8.792 **(A)** ATTACHED 2 STOREY PART 6 GARAGE DWELLING (UNDER CONSTRUCTION) 6.047 5.448 LOT No. 61 (P1 & Msd) UNENCLOSED 31.346 PORCH (P1 & Msd) 28.269 7 - -N73°05'10"W PARTITION WALL ON LINE RORCH . 5.436 6.026 4.600 (P3 & Set) 2 STOREY DWELLING ATTACHED AREA (UNDER CONSTRUCTION) GARAGE (P3 LOT (P1 & Msd) 31.337 IBSON AVENUE
(ESTABLISHED BY REGISTERED PLAN 219)
P.I.N. 17198 - 0033 (LT) N73°05'10"W PARTITION WALL ON LINE LOT AREA = 144.13m² (\mathcal{L}) ATTACHED 2 STOREY GARAGE PART 4 DWELLING (UNDER CONSTRUCTION) 6.031 5.440 0295 No. 57 (P1 & Msd) UNENCLOSED PORCH N73°05'10"W PARTITION WALL ON LINE UNENCLOSED PORCH 4.600 (P3 & Set) 5.400 6.018 2 STOREY DWELLING 219) PART 3 17198 ATTACHED LOT AREA (UNDER CONSTRUCTION) GIBSON GARAGE ALLEYWAY
EGISTERED PLAN 2
- 0013 (LT) No. 55 (P1 & Msd) 31.320 N73°05'10"W N16.48'30"E (P3 & Set) P.I. N. ATTACHED GARAGE 4.600 (P3 & Set) 2 STOREY <1 DWELLING PART 2 6.043 5.431 (UNDER CONSTRUCTION) 3.66 WIDE (ESTABLISHED BY REG P.I.N. 17198 -<u>[</u> UNENCLOSED N73°05'10"W 31.312 51.850 (P1 & Msd) UNENCLOSED 5.405 6.008 2 STOREY ATTACHED DWELLING GARAGE (UNDER CONSTRUCTION) 5 No. 51 (P3 5 8.752 6.003 SSIB (824) PB(824) N73°05'10"W 31.301 (P1 & Msd) PART 7 P.I.N. 17198 - 0292 (LT) (P1 & Msd) 20.510 $^{\otimes}$ PART 10 **BEARING NOTE:** BEARINGS ARE UTM GRID, DERIVED FROM OBSERVED REFERENCE POINTS A AND B, AS SHOWN ON PLAN 62R-20563, UTM ZONE 17, NAD83 (CSRS) (1997.0) NOTE: METRIC NOTE DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.999610 **LEGEND:** DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048 A.T.M. CONTROL POINTS 1 & 11 HAVE BEEN DENOTES MONUMENT SET MONUMENT FOUND USED TO RE-ESTABLISH THE BOUNDARIES OF INTEGRATION DATA IRON BAR STANDARD STANDARD IRON BAR PARTS 1-6. IB SSIE PB Msd 824 912 OU WIT P1 P2 OBSERVED REFERENCE POINTS (ORP's): UTM ZONE 17, NAD83 (CSRS) (1997.0). PLASTIC BAR MEASURED © S.D. McLAREN, O.L.S. - 2021. NO PERSON MAY COPY REPRODUCE, DISTRIBUTE OR ALTER THIS PLAN IN WHOLE OR IN PART WITHOUT THE WRITTEN PERMISSION OF S.D. McLAREN, O.L.S. COORDINATES TO URBAN ACCURACY PER SEC. 14(2) OF 0.REG. 216/10 SURVEYOR'S CERTIFICATE A.T.McLAREN, O.L.S.
A.J. CLARKE, O.L.S.
ORIGIN UNKNOWN
WITNESS NORTHING EASTING POINT ID THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM. ORP (A) 4789640.747 594089.880 594075.783 4789594.079 A.T. McLaren Limited

PLAN 62R- 21118
PLAN BY A.T.McLAREN LTD. DATED
MARCH 13, 2019
PLAN 62R- 21606

COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

SURVEYOR'S REAL PROPERTY REPORT

PART 1, PLAN OF

SURVEYOR'S REAL PROPERTY REPORT

LEGAL AND ENGINEERING SURVEYS

Crew Chief TV

Checked KM/SDM

69 JOHN STREET SOUTH, SUITE 230 HAMILTON, ONTARIO, L8N 2B9 PHONE (905) 527-8559 FAX (905) 527-0032

Scale 1:150

Dwg.No. 35761-32-34F

2. THE SURVEY WAS COMPLETED ON THE 5th DAY OF JANUARY, 2021.

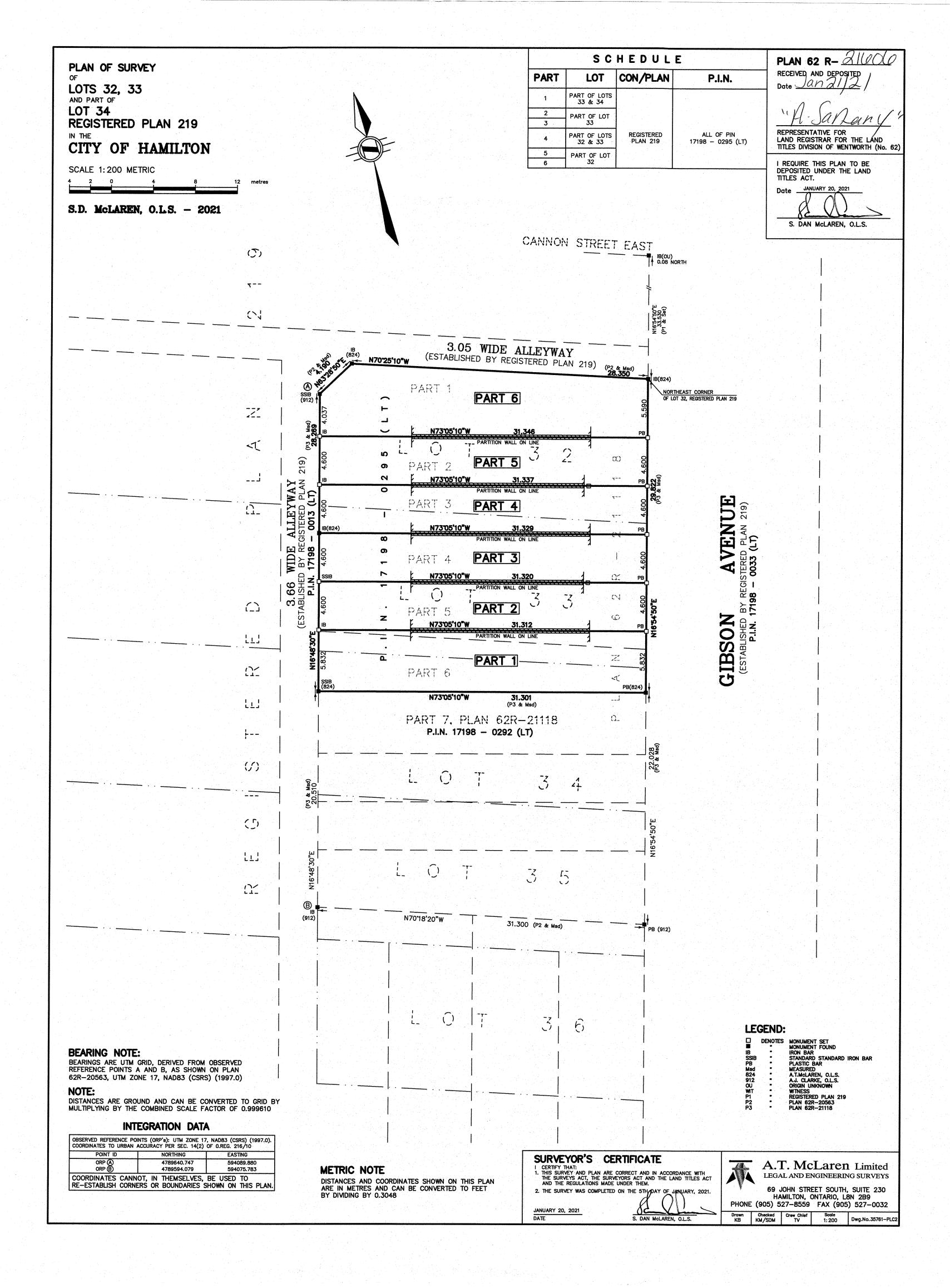
JANUARY 21, 2021.

(PART 2)

ASSOCIATION OF ONTARIO

LAND SURVEYORS

PLAN SUBMISSION FORM





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 **UNDER SECTION 53 OF THE PLANNING ACT**

Date Application Received: Date Application Deemed Complete: Submission No.: File Note that the property of	fice Use On
1.1, 1.2 NAME ADDRESS Registered Owners(s) Applicant(s)* Agent or Solicitor	No.:
1.1, 1.2 NAME ADDRESS Registered Owners(s) Applicant(s)* Agent or Solicitor	
Applicant(s)* Agent or Solicitor	
Agent or Solicitor	
Solicitor	
* Owner's authorisation required if the applicant is	
	not the owne
2. LOCATION OF SUBJECT LAND Complete the applicable lines 2.1 Area Municipality Lot Concession Former Tov	wnship
	-
Registered Plan N°. Lot(s) Reference Plan N°. Part(s)	
Municipal Address Assessmer	nt 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:	
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

Other:

a charge

	☐ addition to a lot ☐ an easement			☐ a le ☐ a co	ase prrection of title	
	b) Rural Area / Rural Settlement Area Transfer (Section 10 must be completed):				completed):	
	☐ creation of a new lot☐ creation of a new no (i.e. a lot containing a resulting from a farm co ☐ addition to a lot	n-farm parcel surplus farm dv		☐ a le ☐ a co	narge ase orrection of title easement	
3.2	2 Name of person(s), if known, to whom land or interest in land is to be transferred, leased or charged:					
3.3	If a lot addition, identify the	lands to which	the parcel will be	e added:		
4 4 1	DESCRIPTION OF SUBJE Description of land intended			FORMATIC	ON	
	ontage (m)	Depth (m)	u.	Area (m² c	or ha)	
☐ F	ting Use of Property to be s Residential Agriculture (includes a farm Other (specify)		☐ Industrial ☐ Agricultural-F	Related	☐ Commercial ☐ Vacant	
□ F	Proposed Use of Property to be severed: Residential Industrial Commercial Agriculture (includes a farm dwelling) Agricultural-Related Vacant Other (specify)					
	ding(s) or Structure(s): ting:			· · · · · · · · · · · · · · · · · · ·		
	posed:					
Type of access: (check appropriate box) provincial highway municipal road, seasonally maintained municipal road, maintained all year						
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)						
	Description of land intended		ed:	Aroa (m² o	ur ha)	
F10	ontage (m)	Depth (m)		Area (m² c	n naj	
☐ F	Existing Use of Property to be retained: Residential 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:						
Proposed:						
Type of access: (check appropriate box) provincial highway municipal road, seasonally maintained municipal road, maintained all year						
Type of water supply proposed: (check appropriate box) publicly owned and operated piped water system privately owned and operated individual well	_	other water body neans (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 Rural Hamilton Official Plan designation (if applicable):	ct land?					
Urban Hamilton Official Plan designation (if applicable)						
Please provide an explanation of how the application conforms with a City of Hamilton Official 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?						
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						
A land fill						
A sewage treatment plant or waste stabilization plant						
A provincially significant wetland						

A pro	ovincially significant wetland within 120 metres					
A flo	od plain					
An in	dustrial or commercial use, and specify the use(s)					
An ac	ctive railway line					
A mu	inicipal or federal airport					
6		nmercial er (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 a ☐ Yes ☐ No ☐ Unknown	adjacent la	ands at any time?			
6.4	Has there been petroleum or other fuel stored on the s ☐ Yes ☐ No ☐ Unknown	ubject land	d or adjacent lands?			
6.5	.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	s to 6.1 to	6.10 above?			
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 \sum No					
 7 PROVINCIAL POLICY 7.1 a) Is this application consistent with the Policy Statements issued under subsection of the <i>Planning Act</i>? (Provide explanation) 						
	☐ Yes ☐ No					

	b)	Is this application ☐ Yes		th the Provincial Policy Statement (PPS)? (Provide explanation)
	c)	Does this applicad ☐ Yes		o the Growth Plan for the Greater Golden Horseshoe? (Provide explanation)
d)	_	rovide explana	area of land designated under any provincial plan or ation on whether the application conforms or does not or plans.)
	e)	Are the subject la ☐ Yes	nds subject to t ☐ No	the Niagara Escarpment Plan?
		If yes, is the prope ☐ Yes ☐ Provide Explana	☐ No	nity with the Niagara Escarpment Plan?
	f)	Are the subject la ☐ Yes	nds subject to t ☐ No	the Parkway Belt West Plan?
		If yes, is the prop∈ ☐ Yes	osal in conform ∐ No	mity with the Parkway Belt West Plan? (Provide Explanation)
	g)	Are the subject la ☐ Yes	nds subject to t ☐ No	the Greenbelt Plan?
		If yes, does this a ☐ Yes	pplication confo ☐ No	form with the Greenbelt Plan? (Provide Explanation)
8 8.1	Has subo	-	ver been the su	subject of an application for approval of a plan of ons 51 or 53 of the <i>Planning Act</i> ?
		ES, and known, incone application.	licate the appro	ropriate application file number and the decision made
8.2		s application is a ron changed from the		of a previous consent application, describe how it has ication.
8.3		any land been seven seven seven subject land?		ivided from the parcel originally acquired by the owner
	If YE	ES, and if known, r	provide for each	ch parcel severed, the date of transfer, the name of

low long has the applicant owned the sub loes the applicant own any other land in the YES, describe the lands in "11 - Other In	ne City?	s 🗌 No		
	, <u>—</u>	s 🗌 No		
		n a separate page.		
OTHER APPLICATIONS s the subject land currently the subject of a een submitted for approval?	a proposed official բ ∐ Yes			
YES, and if known, specify file number a	nd status of the app	olication.		
		olan of subd <u>ivi</u> sion?		
YES, and if known, specify file number a	nd status of the app	olication(s).		
File number	Status			
☐ Agricultural ☐ Mineral Aggregate Resource Extract	☐ Rural	☐ Specialty Crop pace ☐ Utilities		
	Settlement Area	Designation		
 Type of Application (select type and complete appropriate sections) Agricultural Severance or Lot Addition Agricultural Related Severance or Lot Addition Rural Resource-based Commercial Severance or Lot Addition Rural Institutional Severance or Lot Addition 				
_		(Complete Section 10.4)		
Surplus Farm Dwelling Severance fr Non-Abutting Farm Consolidation	rom a	(Complete Section 10.5)		
Description of Lands				
a) Lands to be Severed: Frontage (m): (from Section 4.1)	Area (m² or ha):	(from in Section 4.1)		
Existing Land Use:	Proposed Land Us	se:		
	sthe subject land currently the subject of a gen submitted for approval? YES, and if known, specify file number a sthe subject land the subject of any other y-law amendment, minor variance, consectives, and if known, specify file number a stile number	sthe subject land currently the subject of a proposed official peen submitted for approval? YES, and if known, specify file number and status of the approval of the subject land the subject of any other application for a May-law amendment, minor variance, consent or approval of a period of the subject land the subject of any other application for a May-law amendment, minor variance, consent or approval of a period of the subject land the subject of any other application for a May-law amendment, minor variance, consent or approval of a period of a period of the subject land the		

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 (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 lar Frontage (m): (from Section 4.1)	Area (m² or ha): (from Section 4.1)				
Front yard set back:					
 e) Surplus farm dwelling date of con Prior to December 16, 2004 f) Condition of surplus farm dwelling 	After December 16, 2004				
Habitable	g. Non-Habitable				
) 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:				
Description of Lands (Non Abustin	on Form Consolidation)				
Description of Lands (Non-Abuttin a) Location of non-abutting farm	ig Farm Consolidation)				
(Street)	(Municipality) (Postal Cod				
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 la	nds intended to be severed:				
Frontage (m): (from Section 4.1)	Area (m² or ha): (from Section 4.1)				
Front yard set back:	<u>'</u>				
d) Surplus farm dwelling date of con					
Prior to December 16, 2004	After December 16, 2004				
e) Condition of surplus farm dwelling	7.				

		☐ Habitable			Non-Habitable	
	f)	_	from which the su	imlus :	dwelling is intended to be severed	
	(retained parcel):					
	Fr	ontage (m): (from S	Section 4.2)	Area	(m² or ha): (from Section 4.2)	
	Exi	isting Land Use:		Propos	sed Land Use:	
11 C	тн	ER INFORMATION				
	-		r agencies in reviev		may be useful to the Committee of nis application? If so, explain below or	
		evelopment is site p sired tenure of the		this se	verance application will implement	
		TCH (Use the attac application shall be			guide) h showing the following in metric units:	
(1	the boundaries and the owner of the subject land;	dimensions of any	/ land	abutting the subject land that is owned by	
(roximate distance between the subject land and the nearest township lot line nark such as a bridge or railway crossing;			
((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) 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 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, 					
			the subject land an t's opinion, may aff		nd that is adjacent to it, and application;	
((f) the current uses of land that is adjacent to the subject land (for example, residential, agricultural or commercial);					
((g) 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 road or a right of way; 					
((h) the location and nature of any easement affecting the subject land.					
13 ACKNOWLEDGEMENT CLAUSE						
I 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.						
	10	9/3/202	/		(45)	
	Date Signature of Owner					



IBI GROUP

200 East Wing – 360 James Street North Hamilton ON L8L 1H5 Canada tel 905 546 1010 fax 905 546 1011 ibigroup.com

March 12, 2021

Ms. Jamila Sheffield, ACST Secretary Treasurer-Committee of Adjustment City of Hamilton 71 Main Street West, 5th Floor Hamilton, ON L8P 4Y5

Dear Ms. Sheffield:

51-61 GIBSON AVENUNE, HAMILTON CONSENT APPLICATIONS

On behalf of our client, 1937858 Ontario Inc., we are pleased to submit three (3) Consent to Sever applications for the above noted property. The applications seek to create a total of six (6) new townhouse lots and will implement the tenure for a townhouse development that was approved under Site Plan file #DA-17-189. In support of the applications please find enclosed the following information:

- One digital (1) copy of each of the completed Severance application forms;
- One digital (1) copy of each Severance sketch;
- One digital (1) copy of the deposited Reference Plan and as-built survey plan;
- One digital (1) copy of the Article of Incorporation for 1937858 Ontario Inc.; and,
- One (1) cheque in the amount of \$8,580.00 made payable to the City of Hamilton.

Should you require any additional information please do not hesitate to contact the undersigned.

Thanks,

Associate, Manager - Planning

Jared Marcus, CPT

Encl.

Cc: 1937858 Ontario Inc.