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-21:29

SUBJECT PROPERTY: 65 Seabreeze Crt., 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):	Agent Urban Solutions Owner Seabreeze Estates Inc. c/o P. DeSantis
PURPOSE OF APPLICATION:	To permit the conveyance of a parcel of land and to retain a parcel of land for residential purposes. **Severed lands:** Having a depth of 15.11 - 23.52m± and an area of 439.32m²± **Retained lands:** 24.0m± x 45.98m± and an area of 949.40m²± **This application will be heard in conjunction with Severance Applications SC/B-21:30, SC/B-21:31 and Minor Variance Application SC/A-21:142**

The Committee of Adjustment will hear this application on:

DATE:	**Thursday, May 20th , 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 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.

…/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:

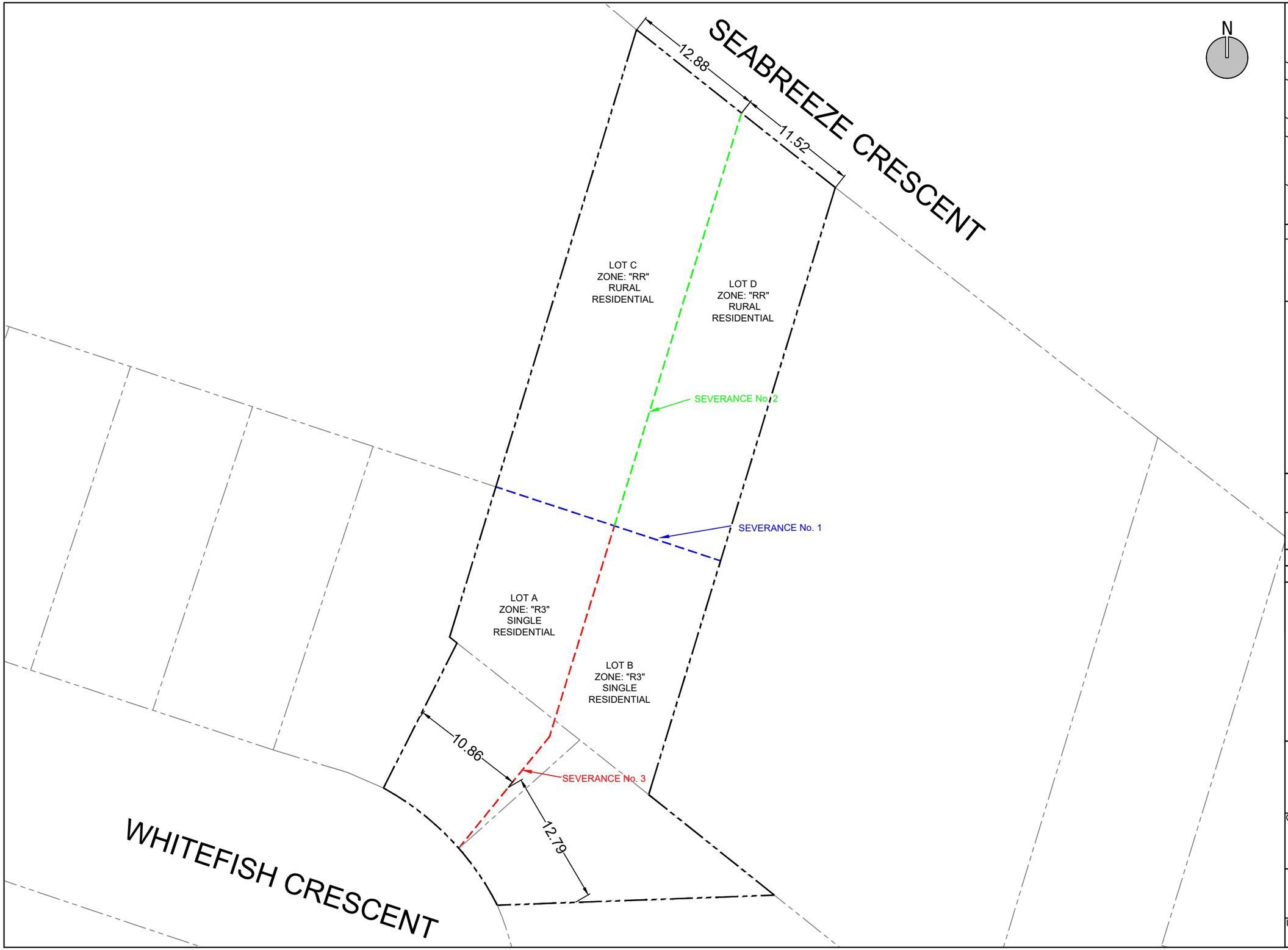
- Visit www.hamilton.ca/committeeofadjustment
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at cofa@hamilton.ca

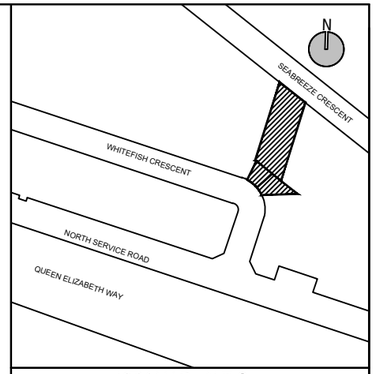
DATED: May 4th, 2021

_____

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.





KEY MAP - N.T.S.

SCALE: 1:350
METRES

0 5 10 15 20 m

LEGEND:

- SUBJECT LANDS
- PROPERTY BOUNDARIES
- PROP. SEVERANCE LINE

NOT FOR CONSTRUCTION
ISSUED FOR REVIEW & COMMENTS ONLY

NOTES:
ALL DIMENSIONS SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

DESIGN BY: L. DRENNAN	CHECKED BY: M. JOHNSTON
DRAWN BY: L. DRENNAN	DATE: MARCH 23, 2021

URBAN SOLUTIONS
PLANNING & LAND DEVELOPMENT

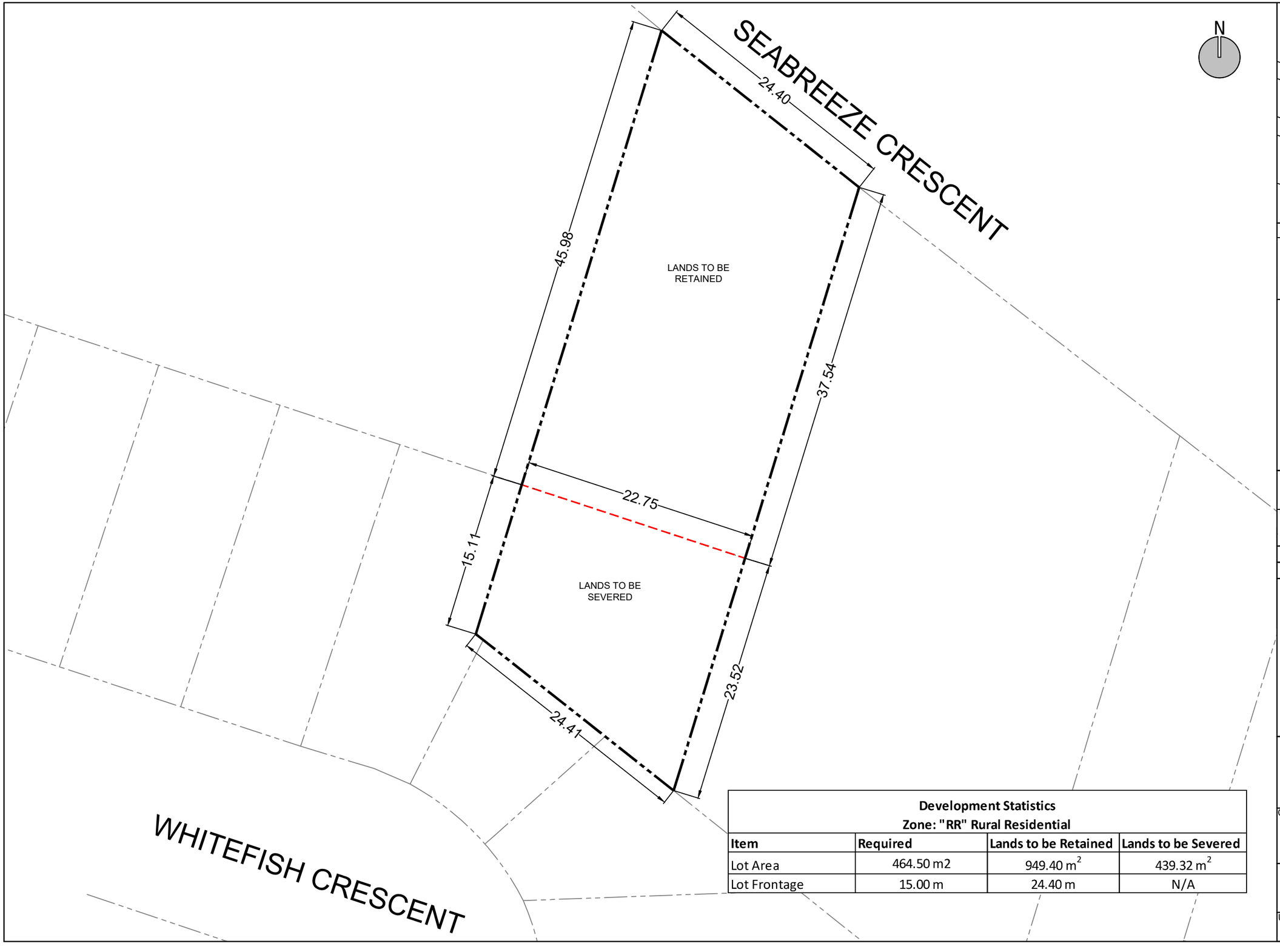
3 STUDEBAKER PLACE, UNIT 1
HAMILTON, ON L8L 0C8
905-546-1087 - urbansolutions.info

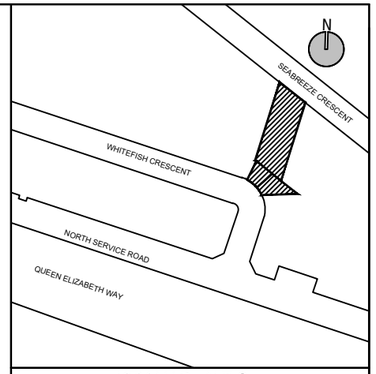
PROJECT:
65 SEABREEZE CRESCENT
CITY OF HAMILTON

CLIENT:
SEABREEZE ESTATES INC.

TITLE:
RESULTING SEVERANCE SKETCH

U/S FILE NUMBER:	SHEET NUMBER:
398-21	1





KEY MAP - N.T.S.

SCALE: 1:350
METRES

0 5 10 15 20 m

LEGEND:

- SUBJECT LANDS
- PROPERTY BOUNDARIES
- PROP. SEVERANCE LINE

Development Statistics
Zone: "RR" Rural Residential

Item	Required	Lands to be Retained	Lands to be Severed
Lot Area	464.50 m2	949.40 m^2	439.32 m^2
Lot Frontage	15.00 m	24.40 m	N/A

NOT FOR CONSTRUCTION
ISSUED FOR REVIEW & COMMENTS ONLY

NOTES:
ALL DIMENSIONS SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

DESIGN BY: L. DRENNAN	CHECKED BY: M. JOHNSTON
DRAWN BY: L. DRENNAN	DATE: MARCH 23, 2021

URBAN SOLUTIONS
PLANNING & LAND DEVELOPMENT

3 STUDEBAKER PLACE, UNIT 1
HAMILTON, ON L8L 0C8
905-546-1087 - urbansolutions.info

PROJECT:
65 SEABREEZE CRESCENT
CITY OF HAMILTON

CLIENT:
SEABREEZE ESTATES INC.

TITLE:
SEVERANCE SKETCH NO. 1

U/S FILE NUMBER:	SHEET NUMBER:
398-21	1

URBAN SOLUTIONS
PLANNING & LAND DEVELOPMENT

April 1, 2021

398-21

Via Email

Jamila Sheffield
Secretary Treasurer, Committee of Adjustment

City of Hamilton
71 Main Street West, 5th Floor
Hamilton, ON L8P 4Y5

Dear Ms. Sheffield:

RE: 65 Seabreeze Crescent, City of Hamilton
Consent to Sever Application No. 1

UrbanSolutions Planning & Land Development Consultants Inc. (UrbanSolutions) is the authorized planning consultants acting on behalf of Seabreeze Estates Inc., the registered owner of the lands municipally known as 65 Seabreeze Crescent, in the City of Hamilton (subject lands). On behalf of the owner, UrbanSolutions has prepared the enclosed Consent to Sever Application to the City of Hamilton.

The subject lands are designated Neighbourhoods in the Urban Hamilton Official Plan (UHOP) and are located in the (Rural Residential) "RR" District in the former City of Stoney Creek Zoning By-law No. 3692-92. The subject lands currently contain a single detached dwelling.

This application is to be heard in conjunction with the Minor Variance Application that has also been submitted for the subject lands; this application is one of three Consent to Sever Applications to be heard in conjunction with one another. The purpose of the Consent to Sever Application No. 1 is to separate the subject lands into two (2) separate parcels. The lands to be severed is approximately 439m^2 while the lands to be retained are proposed to be single detached dwellings and is approximately 949m^2. Please refer to the Resulting Severance Sketch which illustrates all three Consent to Sever applications.

The Consent to Sever application is in keeping with Section 53(1) of the *Planning Act*, R.S.O, 1990, as amended, as a plan of subdivision is not necessary for the proper and orderly development of the subject lands. The subject lands will have access to full municipal services and can be considered a reasonable subdivision of land without being subject to the provisions of a full Draft Plan of Subdivision.

In support of this application, please find the enclosed:

- One (1) copy of the completed Consent to Sever application;
- One (1) copy of the Severance Sketch No. 1 prepared by UrbanSolutions;
- One (1) copy of the Resulting Severance Sketch prepared by UrbanSolutions; and,
- One (1) cheque in the amount of **$2,860.00** payable to the City of Hamilton for the Consent to Sever application.

We trust the enclosed is in order; however, please feel free to contact the undersigned with any questions.

Regards,
UrbanSolutions

Matt Johnston, MCIP, RPP
Principal

Brandon Petter, MPlan
Planner

Cc: Seabreeze Estates Inc.
Mr. Sergio Manchia, UrbanSolutions

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
UNDER SECTION 53 OF THE *PLANNING ACT*

Office Use Only

Date Application Received:	Date Application Deemed Complete:	Submission No.:	File No.:

1 APPLICANT INFORMATION

1.1, 1.2	NAME	ADDRESS	
Registered Owners(s)	Seabreeze Estates Inc. c/o Peter DeSantis	[redacted]	
Applicant(s)*	Same as owner		**Phone:** **E-mail:**
Agent or Solicitor	UrbanSolutions Planning & Land Development Consultants Inc. c/o Matt Johnston	[redacted]	

* 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	Lot	Concession	Former Township
Registered Plan N°.	Lot(s)	Reference Plan N°.	Part(s)
Municipal Address 65 Seabreeze Crescent, Hamilton			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:

N/A

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 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 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:
N/A

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**:

Frontage (m)	Depth (m)	Area (m² or ha)
N/A	15.11 m - 23.52 m	439.32 squared metres

Existing Use of Property to be severed:

☑ Residential
☐ Agriculture (includes a farm dwelling)
☐ Other (specify)

☐ Industrial
☐ Agricultural-Related

☐ Commercial
☐ Vacant

Proposed Use of Property to be severed:

☑ Residential
☐ Agriculture (includes a farm dwelling)
☐ Other (specify)

☐ Industrial
☐ Agricultural-Related

☐ Commercial
☐ Vacant

Building(s) or Structure(s):

Existing: Single detached residential dwelling

Proposed: Lands to be part of future severance to create single detached residential dwelling.

Type of access: (check appropriate box) N/A

☐ 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)

4.2 Description of land intended to be **Retained**:

Frontage (m)	Depth (m)	Area (m² or ha)
24.40 m	45.98 m -37.54 m	949.40 square metres

Existing Use of Property to be retained:

☑ Residential
☐ Agriculture (includes a farm dwelling)
☐ Other (specify)

☐ Industrial
☐ Agricultural-Related

☐ Commercial
☐ Vacant

Proposed Use of Property to be retained:

☑ Residential ☐ Industrial ☐ Commercial
☐ Agriculture (includes a farm dwelling) ☐ Agricultural-Related ☐ Vacant
☐ Other (specify) Please refer to cover letter.

Building(s) or Structure(s):

Existing: Single detached residential dwelling.

Proposed: Lands to be part of future severance to create single detached residential dwelling.

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): N/A

Urban Hamilton Official Plan designation (if applicable) Neighbourhoods

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

Please refer to cover letter.

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? "RR" Rural Residential in Stoney Creek Zoning By-law No. 3692-92.

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	☐	N/A
A land fill	☐	N/A
A sewage treatment plant or waste stabilization plant	☐	N/A
A provincially significant wetland	☐	N/A

A provincially significant wetland within 120 metres	☐	N/A
A flood plain	☐	N/A
An industrial or commercial use, and specify the use(s)	☐	N/A
An active railway line	☐	N/A
A municipal or federal airport	☐	N/A

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?
Consultation with owner.

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? N/A
☐ 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 cover letter.

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

Please refer to cover letter.

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

Please refer to 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

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 N/A
(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)

N/A

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)

N/A

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.

N/A

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

N/A

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