



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-21:33

**SUBJECT PROPERTY:** 24-26 Graham 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):** KB Civil Constructors Inc., owner

**PURPOSE OF APPLICATION:** To permit the conveyance of a parcel of land to be added to adjacent property (Lot 24) as shown on the attached sketch. Proposal is to construct 2 new residential dwelling on two separate lots. Each building is intended to be used as a Two-Family Dwelling.

**Severed lands:**

12.21m<sup>±</sup> x 30.51m<sup>±</sup> and an area of 372.23m<sup>2±</sup>

**Retained lands:**

9.16m<sup>±</sup> x 30.51m<sup>±</sup> and an area of 279.47m<sup>2±</sup>

**This application will be heard in conjunction with minor variance applications HM/A-21:143 & HM/A-21:144.**

The Committee of Adjustment will hear this application on:

---

**DATE:** Thursday, May 20th , 2021

**TIME:** 3:20 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

---

### **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:

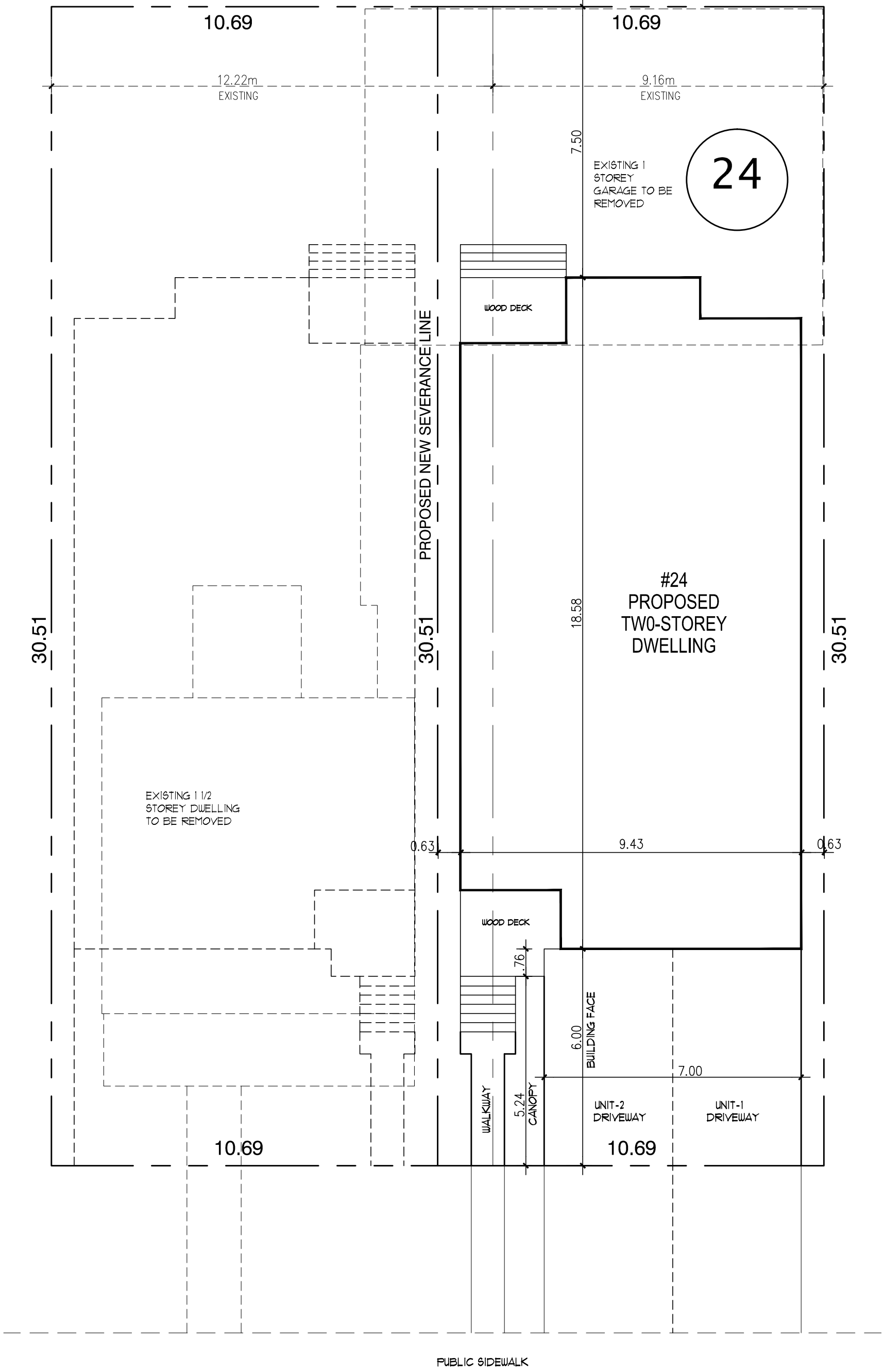
- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

DATED: May 4th, 2021

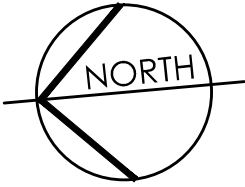
---

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.***



GRAHAM AVENUE NORTH



PROPOSED SITE STATISTICS:

LOT AREA = 342.89 m2  
BUILDING COVERAGE = 168.52 m2 (INCLUDING PORCH)  
BUILDING COVERAGE = 162.20 m2 (EXCLUDING PORCH)

G.F.A LOT 24 UNIT-1	PROPOSED	
	sq. m.	sq. ft.
BASEMENT (EXEMPT)	162.20	1746
MAIN LEVEL	151.98	1636
TOTAL GFA	151.98	1638

G.F.A LOT 24 UNIT-2	PROPOSED	
	sq. m.	sq. ft.
MAIN LEVEL	10.21	110
UPPER LEVEL	156.44	1684
TOTAL GFA	166.65	1794

The drawings are the property of Architecture Unfolded. The drawing and all associated documents are an instrument of service by the Designer. The drawing and the information contained therein may not be reproduced in whole or in part without prior written permission of the designer.

These Contract Documents are the property of the architect. The architect bears no responsibility for the interpretation of these documents by the Contractor. Upon written application the architect will provide written/graphic clarification or supplementary information regarding the intent of the Contract Documents. The architect will review Shop Drawings submitted by the Contractor for design conformance only.

Drawings are not to be scaled for construction. Contractor to verify all existing conditions and dimensions required to perform the work and report any discrepancies with the Contract Documents to the architect before commencing work.

Positions of exposed or finished mechanical or electrical devices, fittings, and fixtures are indicated on architectural drawings. The locations shown on the architectural drawings govern over the Mechanical and Electrical drawings. Those items not clearly located will be located as directed by the architect.

These drawings are not to be used for construction unless noted below as "Issued for Construction"

All work to be carried out in conformance with the Code and bylaws of the authorities having jurisdiction.

The Designer of these plans and specifications gives no warranty or representation to any party about the constructability of the represented by them, all contractors or subcontractors must satisfy themselves when bidding and at all times that they can properly construct the work represented by these plans.

notes:

2 rev. as per city comments 02-11-21  
1 issued for review - 1 01-19-21  
revisions: m-d-yr

architectural team :

eduardo ortiz

planning:

structural:

electrical:

mechanical:

landscape:

site services:

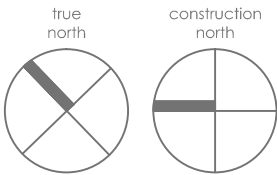
owner:  
family detached  
hamilton, ontario  
L8H 4J7

project:  
graham avenue north  
hamilton, ontario

site plan

feb. 11, 2021

adg



date:  
scale:  
project:  
drawn by:

drawing number:

A101

#24



Hamilton

**Committee of Adjustment**

City Hall, 5<sup>th</sup> Floor,  
71 Main St. W.,  
Hamilton, ON L8P4Y5

Phone: (905) 546-2424 ext. 4221

Email: [cofa@hamilton.ca](mailto: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.:
----------------------------	-----------------------------------	-----------------	-----------

**1 APPLICANT INFORMATION**

1.1, 1.2	NAME	ADDRESS	
<b>Registered Owners(s)</b>	KB CIVIL CONSTRUCTORS INC.	24 GRAHAM AVE N	<b>Phone:</b> 4166978507 <b>E-mail:</b> JKOCIU@KBCIV.COM
<b>Applicant(s)*</b>	KB CIVIL CONSTRUCTORS INC.	171 RIDGEFIELD CREST	<b>Phone:</b> 41666978507 <b>E-mail:</b> JKOCIU@KBCIV.COM
<b>Agent or Solicitor</b>			<b>Phone:</b>  <b>E-mail:</b> 

\* 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 24 GRAHAM AVE N, HAMILTON 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:

**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:

KB CIVIL CONSTRUCTORS INC.

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

PART OF LOT 26 WILL BE ADDED TO LOT 24

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

4.1 Description of land intended to be Severed:

Frontage (m)	Depth (m)	Area (m <sup>2</sup> or ha)
12.21	30.51	372.23

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: 1 1/2 STOREY RESIDENTIAL DWELLING

Proposed: TWO STOREY TWO-FAMILY DWELLING

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) \_\_\_\_\_

4.2 Description of land intended to be Retained:

Frontage (m)	Depth (m)	Area (m <sup>2</sup> or ha)
9.16	30.51	279.47

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) \_\_\_\_\_

Building(s) or Structure(s):

Existing: RESIDENTIAL GARAGE STRUCTURE

Proposed: TWO STOREY TWO-FAMILY 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): \_\_\_\_\_

Urban Hamilton Official Plan designation (if applicable) NEIGHBOURHOODS

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

PROPOSED USE COMPLIES TO DEFINITION OF NEIGHBOURHOODS

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? RESIDENTIAL 'D' DISTRICT

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 checked="" type="checkbox"/>	EMPLOYMENT
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 deed, survey and zoning review
- 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

PROPOSED USE SUPPORTS POLICY FOR URBAN GROWTH CLOSE TO AN EMPLOYMENT DISTRICT

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

PROPOSED USE SUPPORTS POLICY FOR URBAN GROWTH CLOSE TO AN  
EMPLOYMENT DISTRICT

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

PROPOSED USE SUPPORTS POLICY FOR URBAN GROWTH CLOSE TO AN  
EMPLOYMENT DISTRICT

- 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  
(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