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-21:49

SUBJECT PROPERTY: 185 Bell 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 A.J. Clarke & Associates

Owner M. & P. Deveau

PURPOSE OF APPLICATION: To permit the establishment of an easement in favour

of 181 Bell Avenue for access purposes.

Severed lands:

2.0m[±] x 24.50m[±] and an area of 49.0m^{2±}

Retained lands:

9.42m[±] x 49.94m[±] and an area of 483.8m^{2±}

This application will be heard in conjunction with

Application HM/B-21:49

The Committee of Adjustment will hear this application on:

DATE: Thursday, July 8th, 2021

TIME: 3:05 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.

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

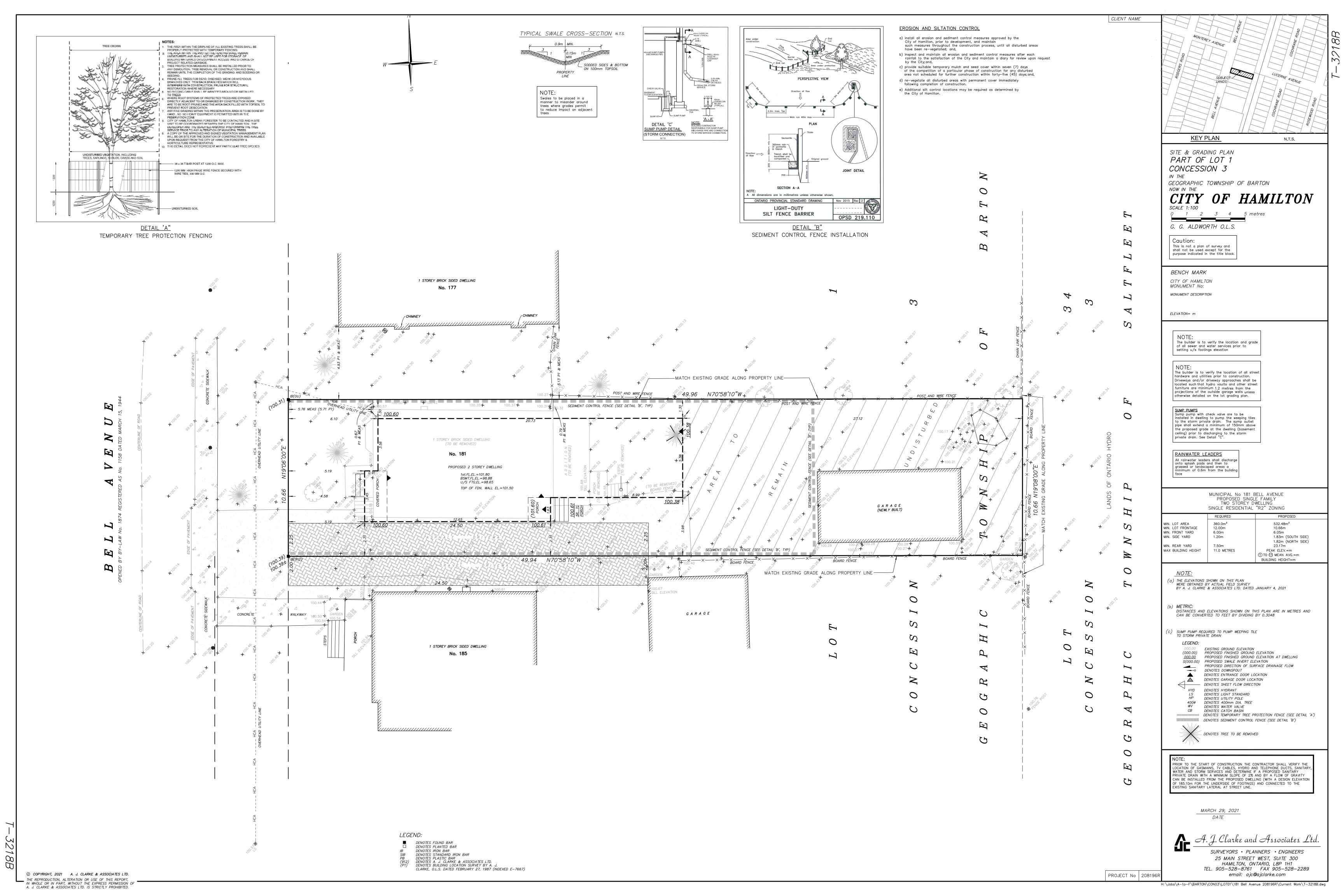
For more information on this matter, including access to drawings illustrating this request:

- 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: June 22nd, 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.



R-4510A B E L LA V E N U EOPENED BY BY-LAW No. 1874 REGISTERED AS No. 1158 DATED MARCH 15, 1944 10.67 N19°06'00"E 10.66 N19°06'00"E 9.42 2.00 2.25 PROPOSED SEVERANCE $AREA = 55.12m^2$ PROPOSED SEVERANCE AREA = 49.00m² 4.93 P1 & MEAS -PORCH 0.67 P1 & MEAS . O No. 185 PARTBRICK SIDED DWELLING
No. 181 N70.58,10"W \mathcal{O} PART49.94 REMAINING LANDS OF APPLICANT AREA = 483.81m² - 5.13 P1 & MEAS PARTADDITION PORCH 2.25 4.25 N19°06'00"E 2.00 N70°58'10"W REMAINING LANDS OF APPLICANT AREA = 477.37m² PARTL OC O N C E S S I O N3 G E O G R A P H I CTO WNSHIP B A R T O NO F10.67 N19°08'00"E ×——×——×——×— BOARD FENCE ×——×——×— BOARD FENCE L O T3 4 C O N C E S S I O NLANDS OF ONTARIO HYDRO $G \ E \ O \ G \ R \ A \ P \ H \ I \ C$ T O W N S H I PS A L T F L E E TO FTHIS IS NOT A PLAN OF SUBDIVISION AND SHALL NOT BE USED FOR TRANSACTION OR MORTGAGE PURPOSES. METRIC: DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048. CAUTION: GEOGRAPHIC TOWNSHIP OF BARTON
NOW IN THE

TY OF HAMILTON

SCALE 1:150 J. Clarke and Associates CONCESSION 3 ALDWORTH O.L.S. • PLANNERS • ENGINEERS
TREET WEST, SUITE 300
NN, ONTARIO, LBP 1H1
8761 FAX 905—528—2289 -4510A



A. J. Clarke and Associates Ltd.
SURVEYORS · PLANNERS · ENGINEERS

May 18th, 2021

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

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

Re: Severance Application Submission 185 Bell Avenue, 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 create an easement in favour of the adjoining lands at 181 Bell Avenue for mutual access over the driveway of each abutting property. A concurrent application for 181 Bell Avenue has been submitted for the same purpose. The current dwellings and condition on the subject lands will not change by virtue of this application.

As required for the above-noted application, the following information has been submitted digitally save and except for the City's application fee which will be delivered on today's date to the Committee of Adjustment:

- 1. A cheque in the amount of \$\$2,860.00 made payable to the City of Hamilton in payment of the application fee.
- 2. A copy of the completed and signed application form.
- 3. A copy of the completed and unsigned application to enable full viewing of the responses within the application form.
- 4. One (1) full size copy of the severance sketch.
- 5. One (1) full size copy of the site and grading plan illustrating the existing driveways.

Yours very truly,

Stephen Fraser, RPP, MCIP

Planner

A. J. Clarke and Associates Ltd.

Encl.

Copy via email: Mr. Marv Taylor



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**

	<u></u>		Office Use Only
Date Application Received:	Date Application Deemed Comple	Submission N	lo.: File No.:
1 APPLICANT INFOI	RMATION	1	,
1.1, 1.2	NAME	ADDRESS	
Registered			Phone:
Owners(s)			
Applicant(s)*			
Agent or Solicitor			
1.3 All correspondence	* Owner's auth	Owner	cant
2 LOCATION OF SUB	SJECT LAND Con	nplete the applicable lin	nes
2.1 Area Municipality	Lot	Concession	Former Township
Registered Plan N°.	Lot(s)	Reference Plan N°.	Part(s)
Municipal Address			Assessment Roll N°.
2.2 Are there any easer Yes No If YES, describe the	ments or restrictive or	_	subject land?
3 PURPOSE OF THE 3.1 Type and purpose of	of proposed transacti		box)
a) <u>Urban Area Tran</u> s	ster (ao not comple	te Section 10):	

creation of a new lot

Other:

a charge

	☐ addition to a lot ☐ an easement			=	ease orrection 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	Ot	her:	narge ease 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:				transferred, leased
3.3	.3 If a lot addition, identify the lands to which the parcel will be added:				
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)				
	Building(s) or Structure(s): Existing:				
	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:	Aron (m² o	or ha)
r-1(ontage (m)	Depth (m)		Area (m² c	ת וומ <i>ן</i>
☐ F	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 Agriculture (includes a farm dwelling) Other (specify)	al-Related	☐ Commercial ☐ Vacant	
Building(s) or Structure(s): Existing:			
Proposed:			
Type of access: (check appropriate box) provincial highway municipal road, seasonally maintained municipal road, maintained all year	☐ right of ☐ other p	way ublic road	
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 land? Rural Hamilton Official Plan designation (if applicable): 			
Urban Hamilton Official Plan designation (if applicable)			
Please provide an explanation of how the application cor Official Plan.	nforms with	n a City of Hamilton	
5.2 What is the existing zoning of the subject land? If the subject land is covered by a Minister's zoning order Number?	r, what is th	ne Ontario Regulation	
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 provincially significant wetland within 120 metres			
A flood plain			
An in	dustrial or commercial use, and specify the use(s)		
An active railway line			
A mu	nicipal or federal airport		
6		nmercial er (specify	<i>'</i>)
6.1	If Industrial or Commercial, specify use		
6.2	Has the grading of the subject land been changed by a has filling occurred? ☐ Yes ☐ No ☐ Unknown	adding ear	th or other material, i.e.,
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 lan	d or adjacent lands?
6.5	Are there or have there ever been underground storag subject land or adjacent lands? ☐ Yes ☐ No ☐ Unknown	e tanks or	buried waste on the
6.6	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 ☐ Yes ☐ No ☐ Unknown	weapons	firing range?
6.8	Is the nearest boundary line of the application within 50 area of an operational/non-operational landfill or dump ☐ Yes ☐ No ☐ Unknown		(1,640 feet) of the fill
6.9	If there are existing or previously existing buildings, are remaining on site which are potentially hazardous to pu PCB's)? Yes No Unknown		
6.10	Is there reason to believe the subject land may have be 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	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 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) 			d under subsection
	☐ Yes ☐ No		

	b)	Is this application ☐ Yes		n the Provincial Policy Statement (PPS)? Provide explanation)
	c)	Does this applicad ☐ Yes		the Growth Plan for the Greater Golden Horseshoe? Provide explanation)
d)	_	rovide explanat	area of land designated under any provincial plan or tion 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 propo ☐ Yes (Provide Explanate	☐ 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 propo ☐ Yes	osal in conform □ No	nity 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	orm with the Greenbelt Plan? (Provide Explanation)
8 8.1	Has subo	-	ver been the su	ubject 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	opriate 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 cation.
8.3		any land been sev e subject land?		rided from the parcel originally acquired by the owner
	If YE	ES, and if known, r	provide for each	n parcel severed, the date of transfer, the name of

8.4	4 How long has the applicant owned the subject land?		
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 9.1	OTHER APPLICATIONS 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		
10 10.1	RURAL APPLICATIONS Rural Hamilton Official Plan Designation(s) Agricultural		
	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) 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		
	 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 (Complete Section 10.5) Non-Abutting Farm Consolidation		
10.3	B 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 Use:		

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):	c) Description of consolidated farm (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				
•	e 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.				