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-21:116

SUBJECT PROPERTY: 7 Church St., 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): Owner Jeremy & Dana Vandermarel

Agent IBI Group c/o Ashley Minns

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

retain two parcels of land for residential purposes.

Severed lands (Parts 2, 3 and 4):

14.46m[±] x 107.1m[±] and an area of 1462.8m^{2±}

Retained lands (Part 1):

14.46m[±] x 107.1m[±] and an area of 1562.2m^{2±}

Retained lands (Parts 5, 6, 7, 8, 9 and 10):

14.46m[±] x 102.1m[±] and an area of 1415.4m^{2±}

The Committee of Adjustment will hear this application on:

DATE: Thursday, January 20th, 2022

TIME: 3:00 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.

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MORE INFORMATION

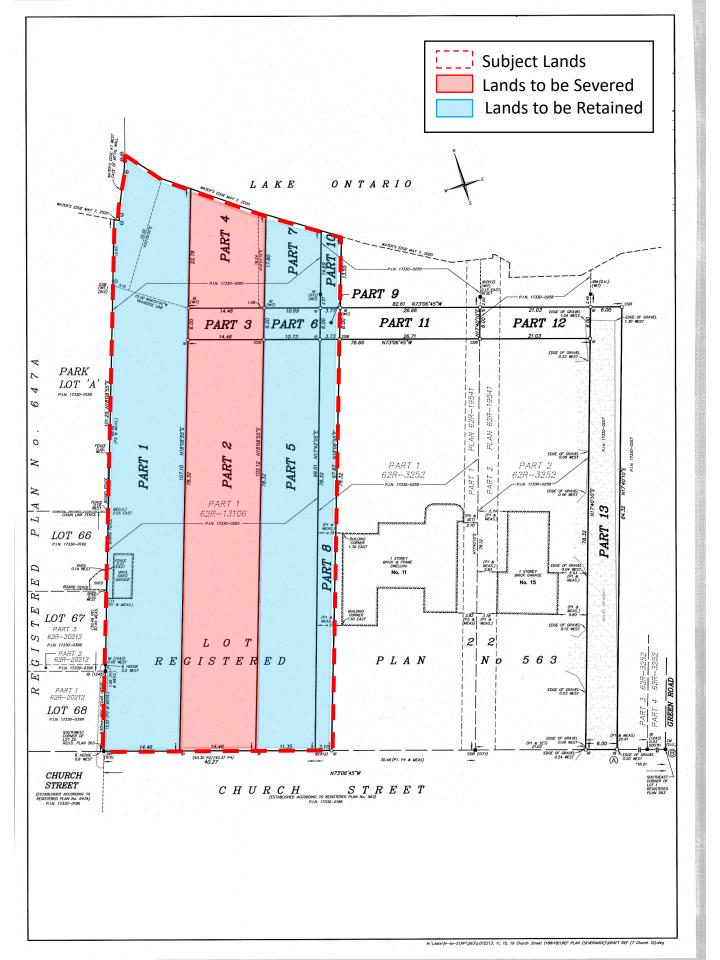
For more information on this matter, including access to drawings illustrating this request:

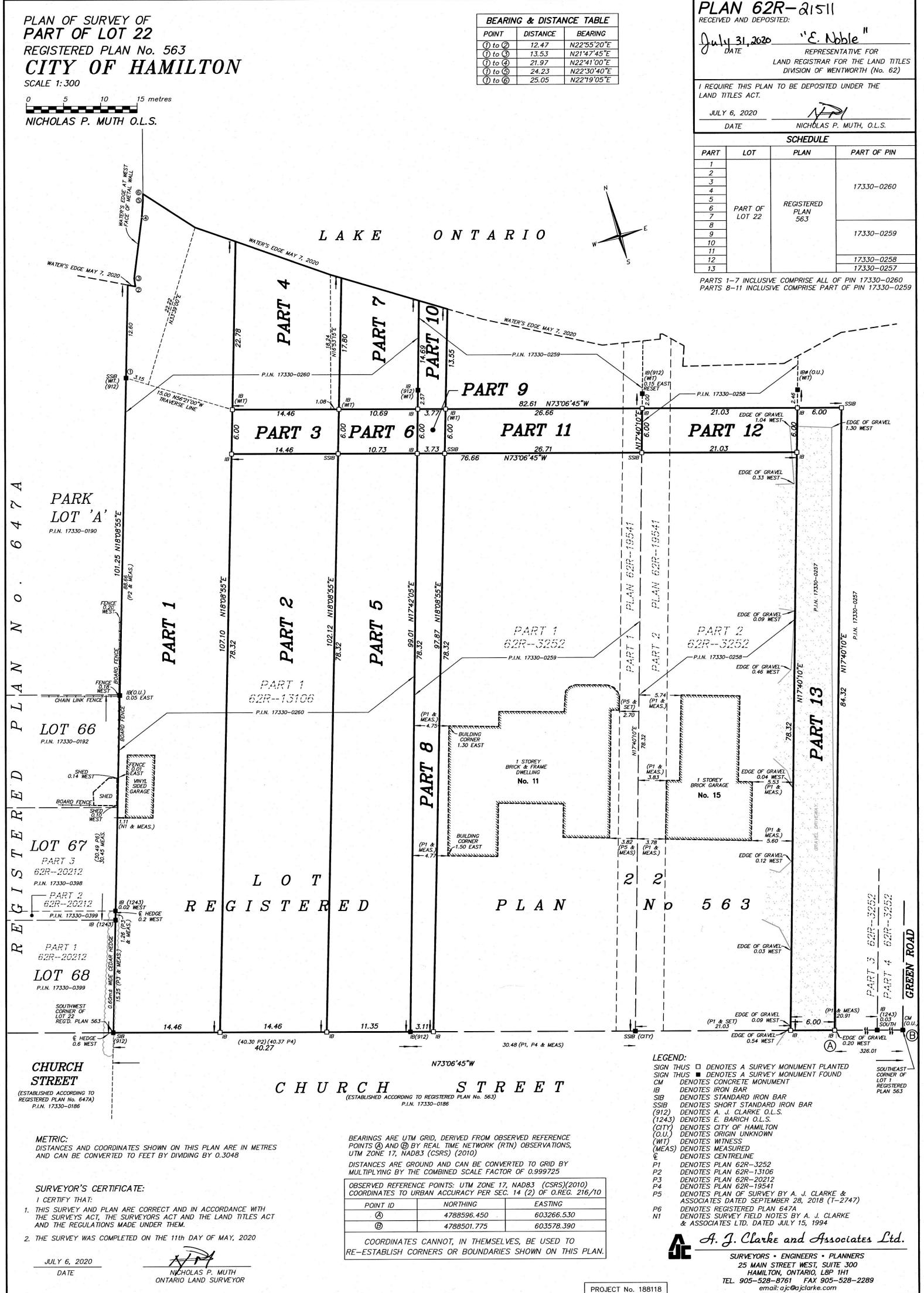
- Visit www.hamilton.ca/committeeofadjustment
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at cofa@hamilton.ca

DATED: January 4th, 2022

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.







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

Office Use Only

Date Application Received:	Date Application Deemed Complete	Submission N	lo.: File No.:
1 APPLICANT INFO	PMATION		
1.1, 1.2	NAME	ADDRESS	
Registered Owners(s)			
Applicant(s)*			
Agent or Solicitor			
1.3 All correspondence LOCATION OF SUE		Owner X Application	es
2.1 Area Municipality	Lot Part of 22	Concession	Former Township Stoney Creek
Registered Plan N°. 563	Lot(s)	Reference Plan N°.	Part(s)
Municipal Address 7 Church Street			Assessment Roll N°.
2.2 Are there any ease X Yes No If YES, describe the	ments or restrictive co		subject land?
Shoreline Mainter	nance Access Easem	ent (parts 3, 6, 9, 11, 1	2 and 23 on Plan 62R-2151
3 PURPOSE OF THE 3.1 Type and purpose		on: (check appropriate	box)
a) <u>Urban Area Tran</u> X creation of a	sfer (do not comple new lot		a charge

DocuSign Envelope ID: 5883EEE1-EEFE-4	4D7-812E-92DC579CB09E			
☐ addition to ☐ an easeme			☐ a lease ☐ a correction o	of title
creation of		_	her: 🔲 a charge	<u>d):</u>
(i.e. a lot cont	a new non-farm parcel aining a surplus farm dwe a farm consolidation) a lot	lling	☐ a lease☐ a correction o☐ an easement	f title
3.2 Name of person(s or charged:	3.2 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, id	entify the lands to which th	ne parcel will be	added:	
727 723	F SUBJECT LAND AND S			
Frontage (m) +/- 14.46m	Depth (m) +/- 107.1m		Area (m² or ha) 1,462.8 sq.m	
Existing Use of Proper Residential Agriculture (include Other (specify)		☐ Industrial ☐ Agricultural-R	Comm	
Proposed Use of Prop X Residential Agriculture (include Other (specify)		☐ Industrial ☐ Agricultural-R	☐ Comm Related ☐ Vacan	
	Building(s) or Structure(s): Existing: A single detached dwelling			
Proposed: Demolish of dwellings.	Proposed: Demolish existing dwelling, sever the lot into 3 individual lots, construct 3 detached dwellings.			detached
Type of access: (checking provincial highway municipal road, sea municipal road, ma	asonally maintained		right of way other public road	
X publicly owned and	proposed: (check appropria l operated piped water sys d operated individual well		lake or other water bother means (specify	•
x publicly owned and	sal proposed: (check appro l operated sanitary sewage d operated individual septi	e system		

(November 2020)

Proposed Use of Property to be retained: X Residential				
Building(s) or Structure(s): Existing: A single detached dwelling				
Proposed: Demolish existing dwelling, add 3 detached dwelli	ngs, one o	n each newly created lot.		
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)				
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) X electricity X telephone X school bussing	X.	garbage collection		
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. It promotes and supports appropriate residential intensification within the urban area while recognizing that the Hamilton neighbourhoods are stable and not static. The proposal will promote and support design which enhances and respects the character of the existing neighbourhood and will also create a vibrant, dynamic and liveable urban place.				
5.2 What is the existing zoning of the subject land? R2-26 Single Residential- Two Modified 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				

T .					
A pr	ovincially significant wetland within 120 metres				
A flo	ood plain				
An ir	ndustrial or commercial use, and specify the use(s)				
An a	ctive railway line				
A mu	unicipal or federal airport				
6	PREVIOUS USE OF PROPERTY X Residential				
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 ☐ Yes ☐ No ☐ Unknown	adjacent la	ands at any time?		
6.4	Has there been petroleum or other fuel stored on the s ☐ Yes X No ☐ Unknown	ubject lan	d or adjacent lands?		
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 Yes No Unknown	weapons	firing range?		
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)?				
6.10	Yes No Unknown Is there reason to believe the subject land may have b	oon conta	minated by former uses		
0.10	on the site or adjacent sites? Yes X No Unknown	een conta	minated by former uses		
6.11	What information did you use to determine the answer Property Owner knowledge	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) 					
	X Yes				
	Complies with Section 53- Consent to Sever Land po	olicies			

(November 2020)

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	b)	Is this application consiste X Yes No	nt with the Provincial Policy Statement (PPS)? (Provide explanation)	
		Complies with policy 1.1.3 infrastructure in current pla	2 a), b) & 1.1.3.6 by Efficiently using and managing land and ice.	
	c)	Does this application confo	orm to the Growth Plan for the Greater Golden Horseshoe? (Provide explanation)	
		Complies with policy 1.1. infrastructure in current pl	3.2 a), b) & 1.1.3.6 by efficiently using and managing land and ace.	
d)	plans? (If YES, provide exconflict with the provincial Yes No This application conforms the Neighbourhoods designation conforms).	n an area of land designated under any provincial plan or oplanation on whether the application conforms or does not plan or plans.) to the Urban Hamilton Official Plan (UHOP) by complying with nation and policies outlined in the UHOP Section 2.6 as well as (ve), PPS (see above), and Growth Plan for the Greater Golden	
	e)	Horseshoe (see above.)	ect to the Niagara Escarpment Plan?	
		If yes, is the proposal in co ☐ Yes ☐ No (Provide Explanation)	enformity with the Niagara Escarpment Plan?	
	f)	Are the subject lands subje ☐ Yes ☒ No	ect to the Parkway Belt West Plan?	
		If yes, is the proposal in co ☐ Yes ☐ No	nformity with the Parkway Belt West Plan? (Provide Explanation)	
	g)	Are the subject lands subje ☐ Yes	ect to the Greenbelt Plan?	
		If yes, does this application ☐ Yes ☐ No	n conform with the Greenbelt Plan? (Provide Explanation)	
8 8.1	Has	odivision or a consent under	_AND the subject of an application for approval of a plan of sections 51 or 53 of the <i>Planning Act?</i> nknown	
	If YES, and known, indicate the appropriate application file number and the decision made on the application.			
	SC	C:B- 19:93 . Approved- cond	tion period lapsed.	
8.2	.2 If this application is a re-submission of a previous consent application, describe how it has been changed from the original application.			
			ed from previous submission.	
8.3	Has any land been severed or subdivided from the parcel originally acquired by the owner of the subject land? ☒ Yes ☐ No			
	If YE	ES, and if known, provide fo	r each parcel severed, the date of transfer, the name of	

1	he transferee and the land use. Lot addition: SC/B - 19:92, Jeremy & Dana Vandermarel		
8.4	low long has the applicant owned the subject land?		
	Does the applicant own any other land in the City? X Yes No If YES, describe the lands in "11 - Other Information" or attach a separate page.		
9.1	OTHER APPLICATIONS Is the subject land currently the subject of a proposed official plan amendment that has been submitted for approval? Yes X No Unknown		
1	If YES, and if known, specify file number and status of the application.		
	ls 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?		
l	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 Rural Specialty Crop Mineral Aggregate Resource Extraction Open Space Utilities Rural Settlement Area (specify)		
	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	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:			

	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:		
10.4	Description of Lands (Abutting Farma) Location of abutting farm:	m Consolidation)		
	(Street)	(Municipality) (Postal Code)		
	b) Description abutting farm:			
	Frontage (m):	Area (m² or ha):		
	Existing Land Use(s):	Proposed Land Use(s):		
	c) Description of consolidated farm (excluding lands intended to be severed for the			
	surplus dwelling): Frontage (m):	Area (m² or ha):		
	Existing Land Use:	Proposed Land Use:		
	Description of supplies the United Land	de accessed to be accessed.		
	d) Description of surplus dwelling land Frontage (m): (from Section 4.1)	Area (m² or ha): (from Section 4.1)		
	Front yard set back:			
	e) Surplus farm dwelling date of cons	truction:		
	Prior to December 16, 2004	After December 16, 2004		
	f) Condition of surplus farm dwelling:			
	☐ Habitable	☐ Non-Habitable		
	g) 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:		
10 5	Description of Lands (Non Abutting Form Consolidation)			
10.5	Description of Lands (Non-Abutting Farm Consolidation)			
	a) Location of non-abutting farm			
	(Street)	(Municipality) (Postal Code)		
	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 lands 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 construction:			
	Prior to December 16, 2004	After December 16, 2004		
	e) Condition of surplus farm dwelling:			

		Habitable	Non-Habitable		
	f)	Description of farm from which the surplus (retained parcel):	dwelling is intended to be severed		
	F		a (m² or ha): (from Section 4.2)		
	E	cisting Land Use: Propo	osed Land Use:		
44 /					
11 (אוכ	ER INFORMATION			
		Is there any other information that you thin Adjustment or other agencies in reviewing attach on a separate page.			
		all conditions cleared. Lot addition register	t applications submitted. SC:B-19:92. Approved, red Approved, all conditions cleared. Easement		
		registered. Decision from current applications previous all cleared.	s decision, attached. Conditions 1, 2, 3, 5 & 11		
		The applicant also owns lands located at 3	394 Winona Drive.		
		TCH (Use the attached Sketch Sheet as application shall be accompanied by a sket	• .		
	(a)	the boundaries and dimensions of any land the owner of the subject land;	abutting the subject land that is owned by		
	(b)	the approximate distance between the sub or landmark such as a bridge or railway cro	,		
	(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 f current owner of the subject land;	rom the parcel originally acquired by the		
	(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,			
		 i) are located on the subject land an on land that is adjacent to it, and ii) in the applicant's opinion, may affect the application; 			
	(f)	the current uses of land that is adjacent to agricultural or commercial);	the subject land (for example, residential,		
	 (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 a	ffecting the subject land.		
13 ACKNOWLEDGEMENT CLAUSE					
reme	diat	ledge that The City of Hamilton is not respondence ion of contamination on the property which fits approval to this Application.			
Nov	/em	ber 22nd, 2021	Jeremy Van Der Marel		
D	ate		Signature of Owner		
			Dana Van Der Marel 8C8F28006E684FD		