

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: <u>cofa@hamilton.ca</u>

NOTICE OF PUBLIC HEARING

Application for Consent/Land Severance

APPLICATION NUMBER: AN/B-22:15

SUBJECT PROPERTY: 205 Taylor Rd., Ancaster

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 - R. Ferrari Owner Mir Nazeerullah Rahimi & Fariha Osmani
PURPOSE OF APPLICATION:	To permit the conveyance of a parcel of land and to retain a parcel of land for residential purposes.
	Severed lands: Part 1 16.97m [±] x 41.72m [±] and an area of 687.6m ^{2±}
	Retained lands: Part 2 17.0m [±] x 41.72m [±] and an area of 623.3m ^{2±}

The Committee of Adjustment will hear this application on:

DATE: TIME:	Thursday, March 17th , 2022 1:50 p.m.
PLACE:	Via video link or call in (see attached sheet for details)
	To be streamed at <u>www.hamilton.ca/committeeofadjustment</u> 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.

AN/B-22: 15 PAGE 2

MORE INFORMATION

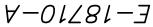
For more information on this matter, including access to drawings illustrating this request:

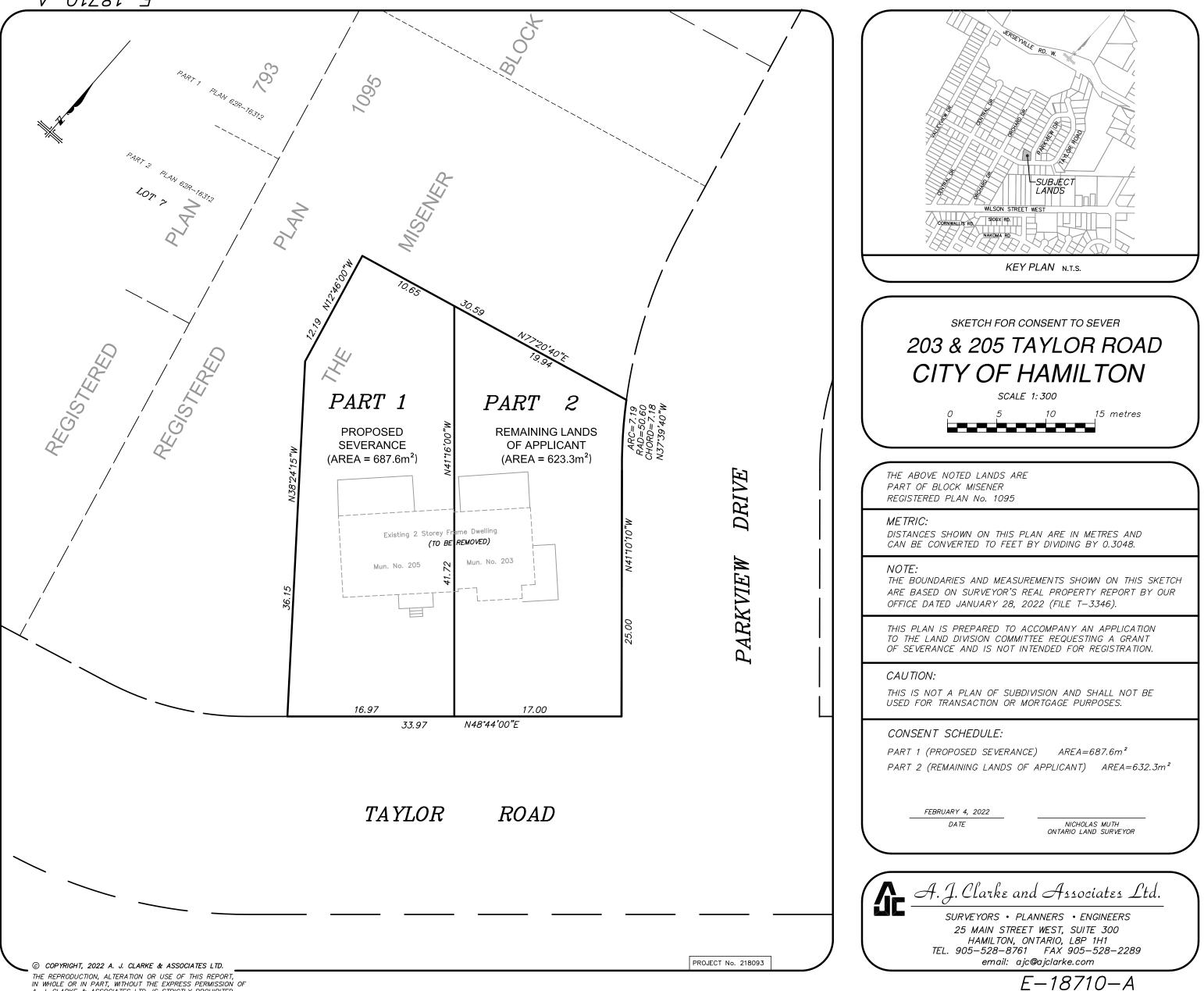
- Visit www.hamilton.ca/committeeofadjustment
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at cofa@hamilton.ca

DATED: March 1st, 2022

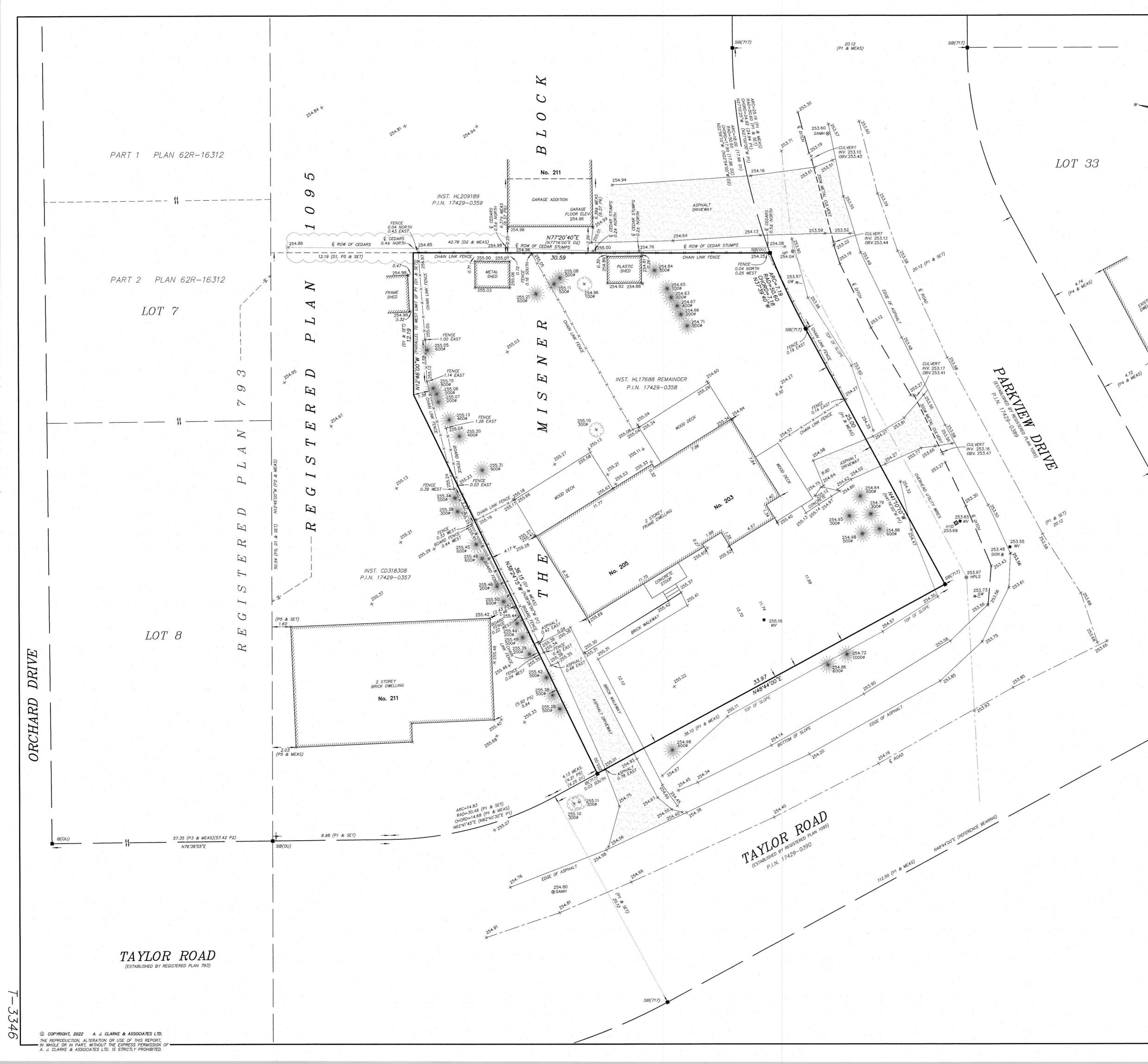
Jamila Sheffield, Secretary-Treasurer Committee of Adjustment

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.





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SURVEYOR'S REAL PROPERTY REPORT PART 1 PLAN OF PART OF THE MISENER BLOCK REGISTERED PLAN 1095 CITY OF HAMILTON SCALE 1:150 10 metres NICHOLAS P. MUTH O.L.S. METRIC: DISTANCES AND ELEVATIONS SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048 BENCHMARK CITY OF HAMILTON MONUMENT No. 0011975U233 LOCATED AT ANCASTER HIGH SCHOOL, BETWEEN JERSEYVILLE ROAD AND HIGHWAY No. 2, 0.3km NORTH OF INTERSECTION OF TAYLOR ROAD WITH HIGHWAY No. 2, TABLET IN SOUTH CONCRETE FOUNDATION OF SOUTHEAST WING OF SCHOOL, 1.58m FROM SOUTHEAST CORNER, 21cm BELOW BRICKWORK. ELEVATION = 257.235m CGVD28:78 LEGEND SIGN THUS 🔳 DENOTES A SURVEY MONUMENT FOUND IB DENOTES IRON BAR SIB DENOTES STANDARD IRON BAR (OU) DENOTES ORIGIN UNKNOWN (717) DENOTES J. J. KISWAY O.L.S. (MEAS) DENOTES MEASURED DENOTES INSTRUMENT CD318308 DENOTES INSTRUMENT HL209189 D2 DENOTES REGISTERED PLAN 1095 DENOTES REGISTERED PLAN 793 P1 P2 P3 DENOTES PLAN 62R-17918 DENOTES PLAN BY A. J. CLARKE & ASSOCIATES LTD. DATED JUNE 6, 1960 (INDEX E-154) P4 DENOTES BUILDING LOCATION SURVEY BY A. T. MCLAREN P5 O.L.S. DATED AUGUST 15, 1985 (INDEX 21247) DENOTES PLAN BY MACKAY, MACKAY & PETERS O.L.S. DATED JUNE 18, 1962 (INDEX Y-12698) P6DENOTES CENTRELINE DENOTES GUY WIRE DENOTES HYDRANT GW HYD HP DENOTES HYDRO POLE DENOTES HYDRO POLE LIGHT STANDARD HPLS DENOTES INVERT INV. OBV. DENOTES OBVERT SAMH DENOTES SANITARY MANHOLE WV DENOTES WATER VALVE 200Ø DENOTES 200mm DIAMETER 213.80 DENOTES ELEVATION (METRES) DENOTES DECIDUOUS TREE DENOTES CONIFEROUS TREE BEARINGS NOTE: SIB(717) BEARINGS ARE ASTRONOMIC AND REFERRED TO THE SOUTHERN LIMIT OF TAYLOR ROAD AS SHOWN ON REGISTERED PLAN 1095 HAVING A BEARING OF N48'44'00"E THIS REPORT WAS PREPARED FOR MIR NAZEERULLAH RAHIMI NOTE: TIES ARE TAKEN TO FOUNDATION UNLESS OTHERWISE NOTED SURVEYOR'S REAL PROPERTY REPORT PART 1 - PLAN T-3346 PART 2 PARCEL IS NOT SUBJECT TO ANY EASEMENTS OR RIGHT-OF-WAYS
REFER TO FACE OF PLAN FOR SPECIFIC LOCATION OF FENCES, SHEDS, AND DRIVEWAY WITH RESPECT TO BOUNDARY LIMITS SURVEYOR'S CERTIFICATE: I CERTIFY THAT: 1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM. 2. THE SURVEY WAS COMPLETED ON THE 2nd DAY OF DECEMBER 2021. N JANUARY 28, 2022 NCHOLAS P. MUTH DATE ASSOCIATION OF ONTARIO ONTARIO LAND SURVEYOR LAND SURVEYORS PLAN SUBMISSION FORM NOTE: 2184952 A. J. CLARKE & ASSOCIATES LTD. is not liable for use of this REPORT by any party or parties for FUTURE TRANSACTIONS or for any unrelated purposes. This REPORT reflects conditions at time of survey. UPDATING may be required to issue ADDITIONAL COPIES subsequent to DATE of the SURVEYOR'S CERTIFICATE. THIS PLAN IS NOT VALID UNLESS IT IS AN EMBOSSED ORIGINAL COPY ISSUED BY THE SURVEYOR 7. J. Clarke and Associates Ltd. A. SURVEYORS . ENGINEERS . PLANNERS In accordance with lation 1026, Section 29(3) 25 MAIN STREET WEST, SUITE 300

PROJECT No. 218093D

HAMILTON, ONTARIO, L8P 1H1 TEL. 905–528–8761 FAX 905–528–2289

email: a jc@a jclarke.com



ff -- Iles Out

Phone: (905) 546-2424 ext. 4221 Email: <u>cofa@hamilton.ca</u>

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)			
Applicant(s)*			
Agent or Solicitor			

* 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 Hamilton	Lot	Concession	Former Township Ancaster
Registered Plan N°.	Lot(s)	Reference Plan N°.	Part(s)
PI 1095	Pt Blk Misener		
Municipal Address 205 Taylor Road			Assessment Roll N°. 251410032035800

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		 a lease a correction of title 		
 b) <u>Rural Area / Rural Settle</u> Creation of a new lot creation of a new no creation of a new no ci.e. a lot containing a settle resulting from a farm co addition to a lot 	n-farm parcel surplus farm dwelling	ther: a charge a lease a correction of title an easement		
3.2 Name of person(s), if know or charged:	n, to whom land or interest in la	and is to be transferred, leased		
3.3 If a lot addition, identify the	lands to which the parcel will b	e added:		
	CT LAND AND SERVICING IN	FORMATION		
4.1 Description of land intende Frontage (m) 16.97	d to be Severed : Depth (m) 41.72	Area (m² or ha) 687.6		
Existing Use of Property to be s Residential Agriculture (includes a farm Other (specify)	Industrial	Commercial Related Vacant		
Proposed Use of Property to be Residential Agriculture (includes a farm Other (specify)	Industrial	Commercial Related Vacant		
Building(s) or Structure(s): Existing: One single detached dwelling	-			
Proposed: One single detached dwelling				
Type of access: (check appropriate box) provincial highway municipal road, seasonally maintained municipal road, maintained all year Type of access: (check appropriate box) right of way other public road				
Type of water supply proposed: (check appropriate box)Image: publicly owned and operated piped water systemImage: privately owned and operated individual wellImage: privately owned and operated individual well				
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 intende Frontage (m) 17.0	d to be Retained : Depth (m) 41.72	Area (m² or ha) 623.3		
Existing Use of Property to be retained: Residential Industrial Agriculture (includes a farm dwelling) Agricultural-Related Other (specify)				

Proposed Use of Property to be retained: Residential Agriculture (includes a farm dwelling) Other (specify) 	☐ Industrial ☐ Commercial ☐ Agricultural-Related ☐ Vacant			
Building(s) or Structure(s): Existing: One single detached dwelling Proposed: One single detached 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				
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) Neighbourhood 				

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

Please see attached 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? <u>"ER Existing Residential"</u> Town of Ancaster Zoning By-law 87-57.
- 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 flood plain				
An industrial or commercial use, and specify the use(s)				
	ctive railway line			
A mu	unicipal or federal airport			
6		mmercial er (specify	/)	
6.1	If Industrial or Commercial, specify use <u>N/A</u>			
6.2	Has the grading of the subject land been changed by a has filling occurred?	adding ear	th or other material, i.e.,	
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	subject lan	d or adjacent lands?	
6.5	Are there or have there ever been underground storag subject land or adjacent lands?	je 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	weapons	firing range?	
6.8	Is the nearest boundary line of the application within 5 area of an operational/non-operational landfill or dump		(1,640 feet) of the fill	
6.9	If there are existing or previously existing buildings, ar remaining on site which are potentially hazardous to p PCB's)? Yes No Unknown			
6.10	Is there reason to believe the subject land may have b 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 Online mapping.	rs to 6.1 to	6.10 above?	
6.12	If previous use of property is industrial or commercial previous use inventory showing all former uses of the land adjacent to the subject land, is needed. Is the previous use inventory attached?			
7 F 7.1 a	PROVINCIAL POLICY Is this application consistent with the Policy Statem of the <i>Planning Act</i> ? (Provide explanation)	ents issue	d under subsection	

Yes No

Please see attached Cover Letter.

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

Please see attached Cover Letter.

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

Please see attached 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
(Provide Explanation)

Please see attached cover letter.

f) Are the subject lands subject to the Parkway Belt West Plan?
 ☐ Yes
 ☐ No

If yes, is the	proposal in conf	ormity 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 t	this application	conform with the Greenbelt Plan	?
Yes	🗌 No	(Provide Explanation)	

Please see attached Cover Letter.

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.

Current 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.

N/A

8.3 Has any land been severed or subdivided from the parcel originally acquired by the owner of the subject land? Yes INo

If YES, and if known, provide for each parcel severed, the date of transfer, the name of

the transferee and the land use. $_{\mbox{\tiny N/A}}$

b) Lands to be Retained:	
Frontage (m): (from Section 4.2)	Area (m ² or ha): (from Section 4.2)
Existing Land Use:	_ Proposed Land Use:

10.4 Description of Lands (Abutting Farm Consolidation)

a) Location of abutting farm:

(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 (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 lan Frontage (m): (from Section 4.1)	Area (m² or ha): (from Sect	tion 4.1)		
Front yard set back:	·			
e) Surplus farm dwelling date of cons	struction:			
Prior to December 16, 2004	After December 16, 2	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 (m ² or ha): (from Sect	tion 4.2)		
Existing Land Use:	Proposed Land Use:			
Description of Lands (Non-Abutting	n Farm Consolidation)			
a) Location of non-abutting farm				
(Street)	(Municipality)	(Postal Code)		
b) Description of non-abutting form				
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 (m ² or ha): (from Sect	ion 4.1)		
Front yard set back:				
d) Surplus farm dwelling date of construction:				
Prior to December 16, 2004	After December 16, 2	.004		
e) Condition of surplus farm dwelling	:			
mber 2020) Berg				

10.5

Habitable

f)	Description of farm from	which the surplus	dwelling is intended	to be severed
	(retained narcel).			

Frontage (m): (from Section 4.2)	Area (m ² or ha): (from Section 4.2)
Existing Land Use:	Proposed Land Use:

Non-Habitable

11 OTHER INFORMATION

Is there any other information that you think may be useful to the Committee of Adjustment or other agencies in reviewing this application? If so, explain below or attach on a separate page.

Please see attached Cover Letter.

12 SKETCH (Use the attached Sketch Sheet as a guide)

12.1The application shall be accompanied by a sketch showing the following in metric units:

- (a) the boundaries and dimensions of any land abutting the subject land that is owned by the owner of the subject land;
- (b) the approximate distance between the subject land and the nearest township lot line or landmark 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,
 - 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 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.

2/8/2022

Date

— DocuSigned by: Mir Kalumi — B94235E0AB16495

Signature of Owner