



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-22:23

SUBJECT PROPERTY: 92 & 94 Steven St., 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 Urban Solutions – M. Johnston  
Owner C. Sheppard

**PURPOSE OF APPLICATION:** To permit the conveyance of a parcel of land containing an existing semi-detached dwelling and to retain a parcel of land containing an existing semi-detached dwelling for residential purposes as per the attached sketch.

**Severed lands:**

8.62m<sup>±</sup> x 25.603m<sup>±</sup> and an area of 209.35m<sup>2</sup>±

**Retained lands:**

8.81m<sup>±</sup> x 25.603m<sup>±</sup> and an area of 227.67m<sup>2</sup>±

The Committee of Adjustment will hear this application on:

---

**DATE:** Thursday, May 12<sup>th</sup>, 2022  
**TIME:** 2:20 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)

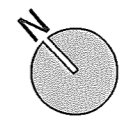
DATED: April 26<sup>th</sup>, 2022

---

Jamila Sheffield,  
Secretary-Treasurer  
Committee of Adjustment

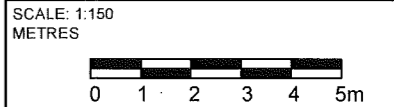
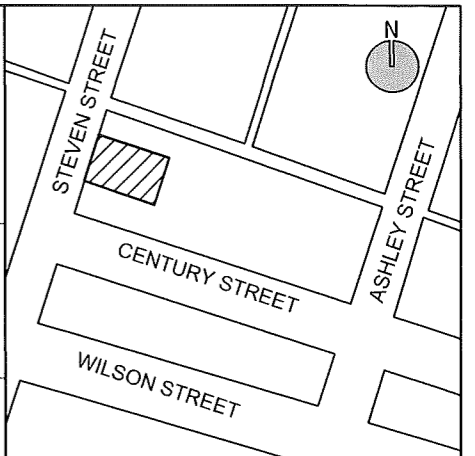
***Information respecting this application is being collected under the authority of the Planning Act, R.S.O., 1990, c. P. 13. All comments and opinions submitted to the City of Hamilton on this matter, including the name, address, and contact information of persons submitting comments and/or opinions, will become part of the public record and will be made available to the Applicant and the general public.***

LOT 19, BLOCK "Bb"



**Development Statistics**  
"D" Urban Protected Residential - One and Two Family Dwellings, Etc.

Item	Required	Proposed (Lands to be Retained)	Proposed (Lands to be Severed)
Lot Area	540.0 m <sup>2</sup>	228.67 m <sup>2</sup>	209.35 m <sup>2</sup>
Lot Frontage	18.0 m	8.81 m	8.62 m
Max. Building Height	3 storeys	1 storey	1 storey
Min. Front Yard	6.0 m	1.80 m	1.73 m
Min. Side Yard	1.2 m	1.16 m	0.62 m
Min. Rear Yard	7.5 m	8.85 m	8.93 m



- LEGEND:
- SUBJECT LANDS
  - PROPERTY BOUNDARIES
  - PROP. FUTURE 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 10, 2022

**URBAN SOLUTIONS**  
PLANNING & LAND DEVELOPMENT

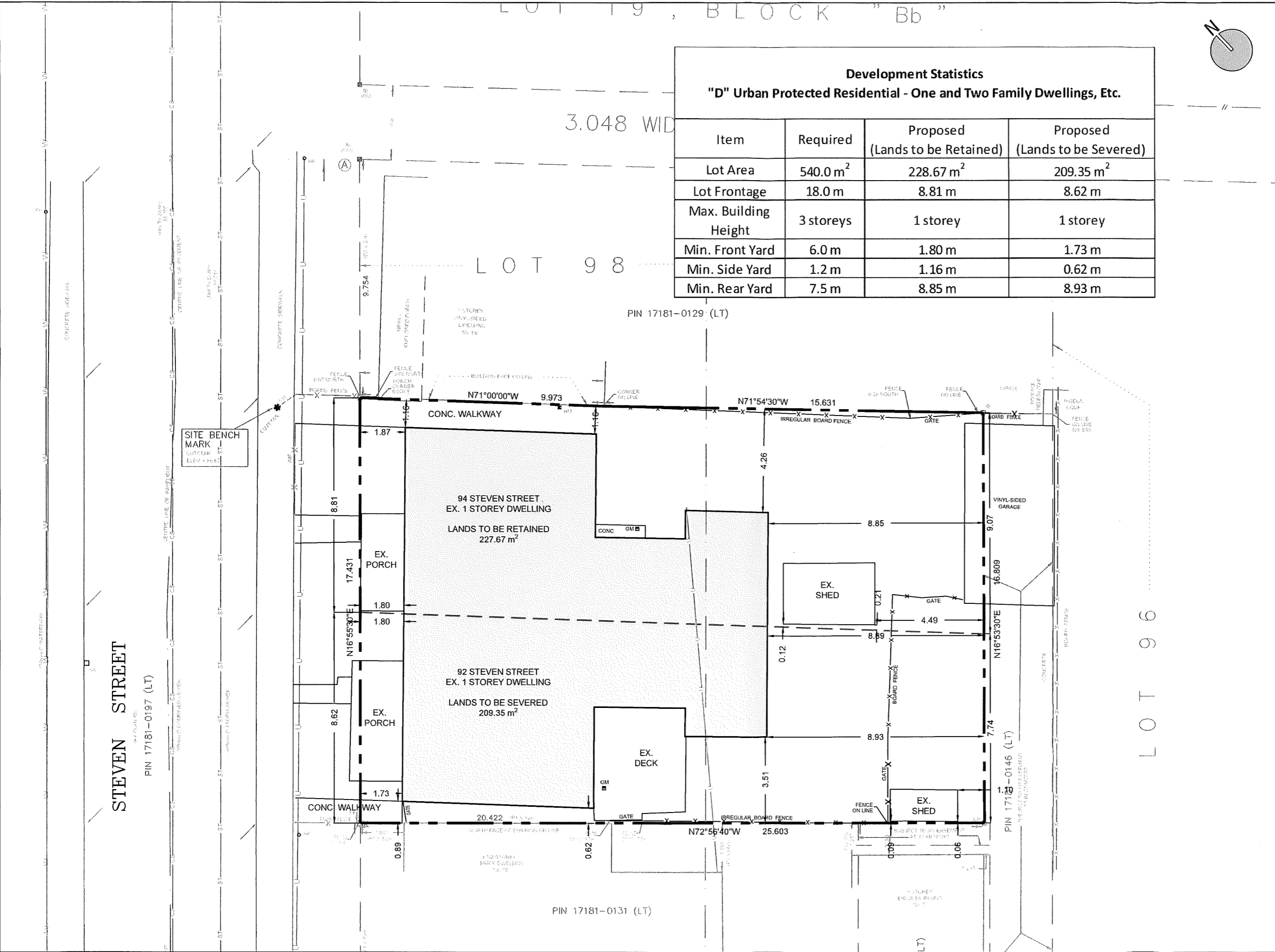
3 STUDEBAKER PLACE, UNIT 1  
HAMILTON, ON L8L 0C8  
905-546-1087 - urbansolutions.info

PROJECT:  
**92 & 94 STEVEN STREET**  
CITY OF HAMILTON

CLIENT:  
**MR. COREY SHEPPARD**

TITLE:  
**CONSENT TO SEVER SKETCH**

U/S FILE NUMBER: 438-22	SHEET NUMBER: 1
----------------------------	--------------------



LOT 96

**STEVEN STREET**  
PIN 17181-0197 (LT)

3.048 WID

LOT 98

PIN 17181-0129 (LT)

PIN 17181-0146 (LT)

PIN 17181-0131 (LT)



March 15, 2022

438-22

**Via Delivered & Email**

Jamila Sheffield  
Secretary Treasurer, Committee of Adjustment

City of Hamilton  
71 Main Street West, 5<sup>th</sup> Floor  
Hamilton, ON L8P 4Y5

Dear Ms. Sheffield,

**RE: Consent to Sever Application  
92 & 94 Steven Street, City of Hamilton**

UrbanSolutions Planning & Land Development Consultants Inc. (UrbanSolutions) is the authorized planning consultants acting on behalf of Mr. Cory Sheppard, the registered owner of the lands municipally known as 92 and 94 Steven Street, in the City of Hamilton. On behalf of the owner, UrbanSolutions has prepared the enclosed Consent to Sever application to the City of Hamilton.

The subject lands are designated as “Neighbourhoods” in the Urban Hamilton Official Plan and are currently zoned “D” (Urban Protected Residential – One and Two Family Dwellings, Etc.) District in the former City of Hamilton Zoning By-law No. 6593.

The purpose of the Consent to Sever application is to sever the subject lands into two (2) separate parcels. The subject lands are currently occupied by two semi-detached one (1) storey brick dwellings and are proposed to remain. The lot area for lands to be retained is approximately 227.67 square metres and has a lot frontage of approximately 8.81 metres. The lands to be severed is proposed to have an approximate lot area of 209.35 square metres and 8.62 metres of frontage.


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 have access to full municipal services and can be considered a reasonable subdivision of lands without being subject to the provisions of a full Draft Plan of Subdivision.


In support of this request, please find enclosed:

- One (1) copy of the completed Consent to Sever application form;
- One (1) copy of the Severance Sketch prepared by UrbanSolutions;
- One (1) cheque in the amount of **\$2,985.00** made payable to the City of Hamilton.

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

For:   
Laura Drennan, CPT  
Planning Technician

cc: Mr. Cory Sheppard (via email)



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**

	NAME	MAILING ADDRESS
Purchaser*	[REDACTED]	
Registered Owners(s)		
Applicant(s)**		
Agent or Solicitor		

\*Purchaser must provide a copy of the portion of the agreement of purchase and sale that authorizes the purchaser to make the application in respect of the land that is the subject of the application. (O. Reg. 786/21)

\*\* Owner's authorisation required if the applicant is not the owner or purchaser.

1.3 All correspondence should be sent to  Purchaser  Owner  
 Applicant  Agent/Solicitor

**2 LOCATION OF SUBJECT LAND** Complete the applicable lines

2.1 Area Municipality Hamilton	Lot 97 & 98	Concession	Former Township
Registered Plan N°. 43	Lot(s)	Reference Plan N°.	Part(s)
Municipal Address 92 & 94 Steven Street	Assessment Roll N°. 251803021405600		

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

addition to a lot

an easement

Other:  a charge

a lease

a correction of title

b) ~~Rural Area / Rural Settlement Area Transfer (Section 10 must also 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:

Unknown

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 (lease, easement, charge etc.):**

Frontage (m)	Depth (m)	Area (m <sup>2</sup> or ha)
8.62 m	+/- 25.603	209.35 sq. m

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 storey brick residential dwelling

Proposed: Remain the same

Existing structures to be removed: N/A

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 (remainder)**:

Frontage (m)	Depth (m)	Area (m <sup>2</sup> or ha)
8.81 m	+/- 25.603 m	227.67 sq. m

Certificate Request for Retained Lands:  Yes\* N/A

\* If yes, a statement from an Ontario solicitor in good standing that there is no land abutting the subject land that is owned by the owner of the subject land other than land that could be conveyed without contravening section 50 of the Act. (**O. Reg. 786/21**)

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  Industrial  Commercial  
 Agriculture (includes a farm dwelling)  Agricultural-Related  Vacant  
 Other (specify) \_\_\_\_\_

Building(s) or Structure(s):

Existing: 1 storey brick residential dwelling

Proposed: Remain the same

Existing structures to be removed: N/A

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 enclosed 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? (Urban Protected Residential - One and Two Family Dwellings, Etc.) "D" District in the Former City of

Hamilton Zoning By-law No. 6593.

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 type="checkbox"/>	
An active railway line	<input type="checkbox"/>	
A municipal or federal airport	<input type="checkbox"/>	

\*Complete MDS Data Sheet if applicable

**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. N/A  
 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  
 Residential severances are permitted within the urban area.
- b) Is this application consistent with the Provincial Policy Statement (PPS)?  
 Yes  No (Provide explanation)  
 Proposed Severance application is consistent with PPS as meets Section 1.1.1.
- c) Does this application conform to the Growth Plan for the Greater Golden Horseshoe?  
 Yes  No (Provide explanation)  
 Settlement is permitted and growth is to be directed to Settlement Areas, as the lands are within the Settlement Area the application conforms to the Growth Plan.
- 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  
 N/A
- e) Are the subject lands subject to the Niagara Escarpment Plan?  
 Yes  No N/A  
 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 the transferee and the land use.

8.4 How long has the applicant owned the subject land?

Unknown.

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.

Unknown.

**9 OTHER APPLICATIONS**

9.1 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 RURAL APPLICATIONS**

10.1 ~~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
- } (Complete Section 10.3)
- Surplus Farm Dwelling Severance from an Abutting Farm Consolidation (Complete Section 10.4)
  - Surplus Farm Dwelling Severance from a Non-Abutting Farm Consolidation (Complete Section 10.5)

**10.3 Description of Lands**

a) Lands to be Severed:

Frontage (m): (from Section 4.1)	Area (m <sup>2</sup> 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 (m <sup>2</sup> 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 (m <sup>2</sup> 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 (m <sup>2</sup> or ha):
---------------	------------------------------

Existing Land Use: \_\_\_\_\_ Proposed Land Use: \_\_\_\_\_

d) Description of surplus dwelling lands proposed to be severed:

Frontage (m): (from Section 4.1)	Area (m <sup>2</sup> or ha): (from Section 4.1)
----------------------------------	---

Front yard set back: \_\_\_\_\_

e) Surplus farm dwelling date of construction:

- 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 (m <sup>2</sup> or ha): (from Section 4.2)
----------------------------------	---

Existing Land Use: \_\_\_\_\_ Proposed Land Use: \_\_\_\_\_

### 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 (m <sup>2</sup> 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 <sup>2</sup> 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 dwelling is intended to be severed (retained parcel):

Frontage (m): (from Section 4.2)	Area (m <sup>2</sup> or ha): (from Section 4.2)
----------------------------------	---

Existing Land Use: \_\_\_\_\_ Proposed Land Use: \_\_\_\_\_

### 11 OTHER INFORMATION

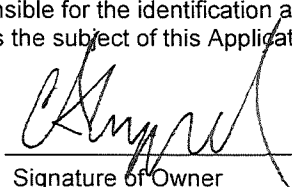
Is there any other information that you think may be useful to the Committee of Adjustment or other agencies in reviewing this application? If so, explain below or attach on a separate page.

Please refer to enclosed cover letter.
--

### 12 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.

March 24, 2022  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Signature of Owner