

NOTICE OF PUBLIC HEARING
Consent/Land Severance

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

APPLICATION NO.:	HM/B-22:128	SUBJECT PROPERTY:	289 BOWMAN STREET, HAMILTON
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APPLICANTS: Owners: Darrell & Sonya Bramwell

PURPOSE & EFFECT: To permit the conveyance of a parcel of land being the land known as 293 Bowman Street and to retain a parcel of land known municipally as 289 Bowman Street. The existing dwellings are to remain. These properties inadvertently merged in title and the owner wishes to recreate the two original lots.

	Frontage	Depth	Area
SEVERED LANDS (Lot 49 – 293 Bowman Street):	12.192 m [±]	30.48 m [±]	371.61 m ² [±]
RETAINED LANDS (Lot 48 – 289 Bowman Street):	12.192 m [±]	30.48 m [±]	371.61 m ² [±]

Associated Planning Act File(s): N/A

This Notice must be posted by the owner of any land which contains seven or more residential units so that it is visible to all residents.

This application will be heard by the Committee as shown below:

DATE:	Thursday, February 2, 2023
TIME:	2:50 p.m.
PLACE:	Via video link or call in (see attached sheet for details)
	To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment

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

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

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.

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding HM/B-22:128, you must submit a written request to cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.

If you wish to be provided a Notice of Decision, you must attend the Public Hearing and file a written request with the Secretary-Treasurer by emailing cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.



DATED: January 17, 2023

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.

If a person or public body that files an appeal of a decision of The City of Hamilton Committee of Adjustment in respect of the proposed consent does not make written submissions to The City of Hamilton Committee of Adjustment before it gives or refuses to give a provisional consent, the Ontario Land Tribunal may dismiss the appeal.

If you wish to be notified of the decision of The City of Hamilton Committee of Adjustment in respect of the proposed consent, you must make a written request to the Secretary-Treasurer of The City of Hamilton Committee of Adjustment by email at cofa@hamilton.ca or by mail through City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5.

PARTICIPATION PROCEDURES

Written Submissions

Members of the public who would like to participate in a Committee of Adjustment meeting are able to provide comments in writing or via email in advance of the meeting. Comments can be submitted by emailing cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5. **Comments must be received by noon two days before the Hearing.**

Comments can also be placed in the drop box which is located at the back of the 1st Floor of City Hall, 71 Main Street West. All comments received by noon two business days before the meeting will be forwarded to the Committee members.

Comments are available two days prior to the Hearing and are available on our website: www.hamilton.ca/committeeofadjustment

Oral Submissions During the Virtual Meeting

Members of the public are also able to provide oral comments regarding Committee of Adjustment Hearing items by participating through Webex via computer or phone. Participation in this format requires pre-registration in advance. **Interested members of the public must register by noon the day before the hearing.**

To register to participate by Webex either via computer or phone, please contact Committee of Adjustment staff by email cofa@hamilton.ca or by phone at 905-546-2424 ext. 4221. The following information is required to register: Committee of Adjustment file number that you wish to speak to, the hearing date, name and address of the person wishing to speak, if they will be connecting via phone or video, and if applicable the phone number they will be using to call in. A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting the Wednesday afternoon before the hearing. The link must not be shared with others as it is unique to the registrant.

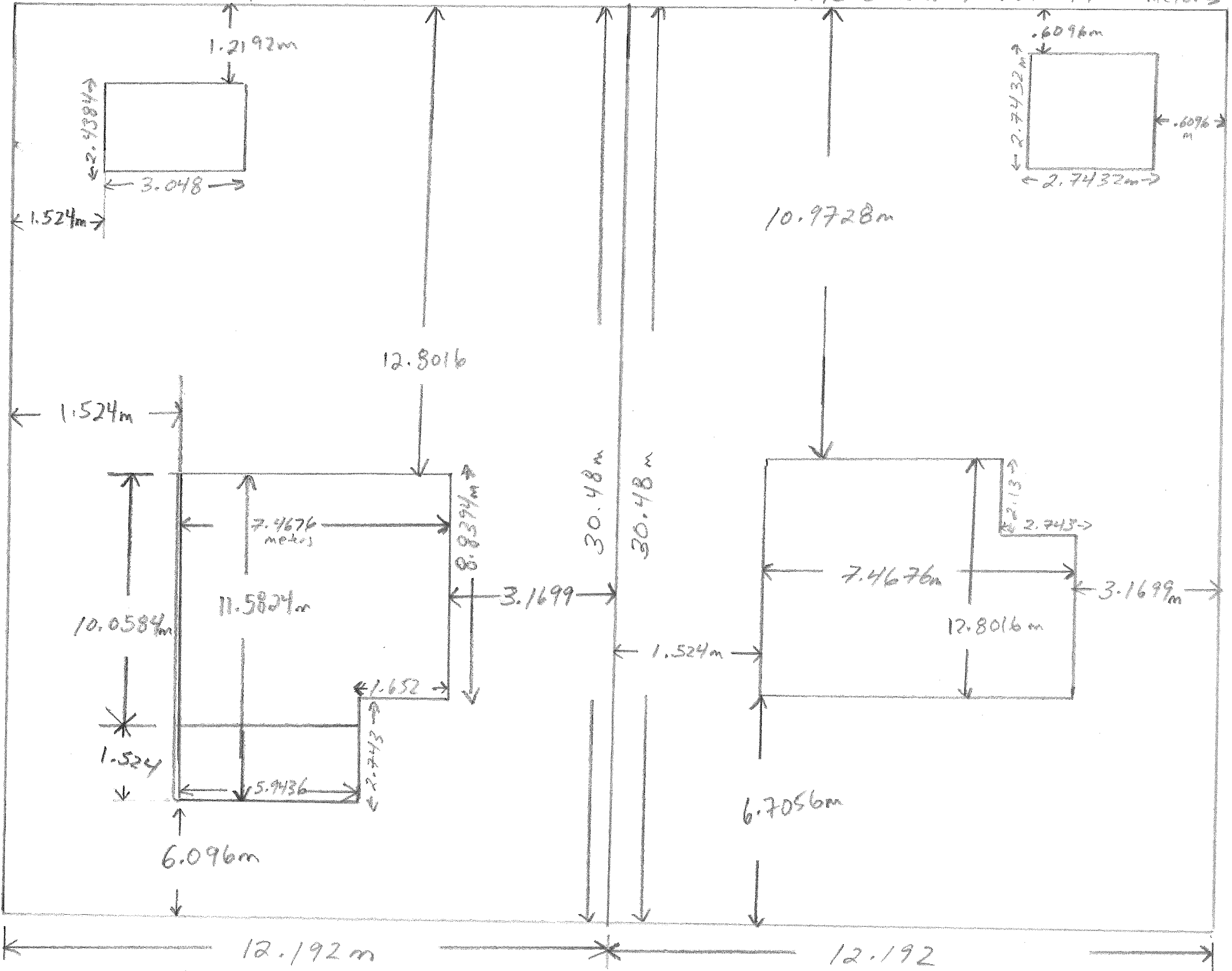
All members of the public who register will be contacted by Committee Staff to confirm details of the registration prior to the Hearing and provide an overview of the public participation process.

We hope this is of assistance and if you need clarification or have any questions, please email cofa@hamilton.ca or by phone at 905-546-2424 ext. 4221.

Please note: Webex (video) participation requires either a compatible computer or smartphone and an application (app/program) must be downloaded by the interested party in order to participate. It is the interested party's responsibility to ensure that their device is compatible and operating correctly prior to the Hearing.

289 bowman Lot 48 in meters

293 bowman Lot 49 in meters





Hamilton

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
and VALIDATION OF TITLE
UNDER SECTION 53 & 57 OF THE PLANNING ACT**

Please see additional information regarding how to submit an application, requirements for the required sketch and general information in the Submission Requirements and Information.

1. APPLICANT INFORMATION

	NAME	MAILING ADDRESS	
Purchaser*	Not Applicable		Phone:
			E-mail:
Registered Owners(s)	Darrell Bramwell and Sonya Bramwell		
Applicant(s)**	Same as above		Phone:
			E-mail:
Agent or Solicitor			Phone:
			E-mail:

*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.

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

1.2 All correspondence should be sent to ☐ Purchaser ☒ Owner
☒ Applicant ☐ Agent/Solicitor

1.3 Sign should be sent to ☐ Purchaser ☒ Owner
☒ Applicant ☐ Agent/Solicitor

1.4 Request for digital copy of sign ☒ Yes* ☐ No
If YES, provide email address where sign is to be sent darrell.bram@gmail.com

1.5 All correspondence may be sent by email ☒ Yes* ☐ No
If Yes, a valid email must be included for the registered owner(s) AND the Applicant/Agent (if applicable). Only one email address submitted will result in the voiding of this service. This request does not guarantee all correspondence will sent by email.

2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	289 Bowman Street, Hamilton, Ontario L8S 2T9		
Assessment Roll Number	25 18 010 041 07850 0000		
Former Municipality	Hamilton		
Lot	48	Concession	
Registered Plan Number	Registrar's Complied Plan 1482	Lot(s)	
Reference Plan Number (s)		Part(s)	

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)

- | | |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------|
| <input type="checkbox"/> creation of a new lot(s) | <input type="checkbox"/> concurrent new lot(s) |
| <input type="checkbox"/> addition to a lot | <input type="checkbox"/> a lease |
| <input type="checkbox"/> an easement | <input checked="" type="checkbox"/> a correction of title |
| <input type="checkbox"/> validation of title (must also complete section 8) | <input type="checkbox"/> a charge |
| <input type="checkbox"/> cancellation (must also complete section 9) | |
| <input type="checkbox"/> creation of a new non-farm parcel (must also complete section 10)
(i.e. a lot containing a surplus farm dwelling
resulting from a farm consolidation) | |

3.2 Name of person(s), if known, to whom land or interest in land is to be transferred, leased or charged:

Darrell Bramwell as registered owner

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

not applicable

3.4 Certificate Request for Retained Lands: ☒ Yes*

* 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)

4 DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

4.1 Description of subject land:

All dimensions to be provided in metric (m, m² or ha), attach additional sheets as necessary.

	Retained (remainder)	Parcel 1	Parcel 2	Parcel 3*	Parcel 4*
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2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	293 288 Bowman Street, Hamilton, Ontario L8S 2T9		
Assessment Roll Number	25-18-010-041-07850-0000 251801004107820		
Former Municipality	Hamilton		
Lot	49	Concession	
Registered Plan Number	Registrar's Complied Plan 1482	Lot(s)	
Reference Plan Number (s)		Part(s)	

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

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- | | |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------|
| <input type="checkbox"/> creation of a new lot(s) | <input type="checkbox"/> concurrent new lot(s) |
| <input type="checkbox"/> addition to a lot | <input type="checkbox"/> a lease |
| <input type="checkbox"/> an easement | <input checked="" type="checkbox"/> a correction of title |
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Darrell Bramwell as registered owner

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not applicable

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4 DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

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	Retained (remainder)	Parcel 1	Parcel 2	Parcel 3*	Parcel 4*

Identified on Sketch as:	Lot 48	Lot 49	Lot 48	Lot 49	
Type of Transfer	N/A	N/A	N/A	N/A	
Frontage	40 feet	40 Feet	12.192 m	12.192m	
Depth	100 feet	100 Feet	30.48 m	30.48m	
Area	4000 feet	4000 Feet	371.61 Sgm	371.61 Sgm	
Existing Use	single family residential	S.F.R.	Single Family	Single Family Residential	
Proposed Use	single family residential	S.F.R.	Single Family Res	Single Family Res.	
Existing Buildings/ Structures	house	house	house	house	
Proposed Buildings/ Structures	house	house	house	house	
Buildings/ Structures to be Removed	n/a	n/a			

* Additional fees apply.

4.2 Subject Land Servicing

a) Type of access: (check appropriate box)

☐ provincial highway

☐ municipal road, seasonally maintained

☒ municipal road, maintained all year

☐ right of way

☐ other public road

b) 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) _____

c) 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): _____

Rural Settlement Area: _____

Urban Hamilton Official Plan designation (if applicable) Schedule E-1 neighbourhoods
Ainslie Wood Westdale Secondary Plan
Please provide an explanation of how the application conforms with a City of Hamilton Official Plan. Low Density Res. 2

The properties are already in existence and were inadvertently merged

5.2 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 known, provide the appropriate file number and status of the application.

5.3 What is the existing zoning of the subject land? Urban Protected Residential Etc.

If the subject land is covered by a Minister's zoning order, what is the Ontario Regulation Number? _____

5.4 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 known, provide the appropriate file number and status of the application.

5.5 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 * Submit Minimum Distance Separation Formulae (MDS) if applicable	<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"/>	

6 HISTORY OF THE SUBJECT LAND

- 6.1 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, provide the appropriate application file number and the decision made on the application.

- 6.2 If this application is a re-submission of a previous consent application, describe how it has been changed from the original application.
-

- 6.3 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.

- 6.4 How long has the applicant owned the subject land?

Since October 27th, 2006 (289 Bowman) and October 15, 2004 (293 Bowman)

- 6.5 Does the applicant own any other land in the City? ☒ Yes ☐ No

If YES, describe the lands below or attach a separate page.

See Attached

7 PROVINCIAL POLICY

- 7.1 Is this application consistent with the Policy Statements issued under Section 3 of the *Planning Act*?

☐ Yes ☐ No (Provide explanation)

- 7.2 Is this application consistent with the Provincial Policy Statement (PPS)?

☐ Yes ☐ No (Provide explanation)

- 7.3 Does this application conform to the Growth Plan for the Greater Golden Horseshoe?

☐ Yes ☐ No (Provide explanation)

- 7.4 Are the subject lands subject to the Niagara Escarpment Plan?

☐ Yes ☒ No (Provide explanation)

7.5 Are the subject lands subject to the Parkway Belt West Plan?

☐ Yes

☒ No

(Provide explanation)

7.6 Are the subject lands subject to the Greenbelt Plan?

☐ Yes

☒ No

(Provide explanation)

7.7 Are the subject lands within an area of land designated under any other provincial plan or plans?

☐ Yes

☒ No

(Provide explanation)

8 ADDITIONAL INFORMATION - VALIDATION

8.1 Did the previous owner retain any interest in the subject land?

☐ Yes

☒ No

(Provide explanation)

8.2 Does the current owner have any interest in any abutting land?

☒ Yes

☐ No

(Provide explanation and details on plan)

- Property owner of 289 + 293 Bowman

8.3 Why do you consider your title may require validation? (attach additional sheets as necessary)

9 ADDITIONAL INFORMATION - CANCELLATION

9.1 Did the previous owner retain any interest in the subject land?

☐ Yes

☒ No

(Provide explanation)

9.2 Does the current owner have any interest in any abutting land?

☒ Yes

☐ No

(Provide explanation and details on plan)

- Property owner of 289 + 293 Bowman

9.3 Why do you require cancellation of a previous consent? (attach additional sheets as necessary)

n/a

10 ADDITIONAL INFORMATION - FARM CONSOLIDATION

10.1 Purpose of the Application (Farm Consolidation)

If proposal is for the creation of a non-farm parcel resulting from a farm consolidation, indicate if the consolidation is for:

- ☐ Surplus Farm Dwelling Severance from an Abutting Farm Consolidation
- ☐ Surplus Farm Dwelling Severance from a Non-Abutting Farm Consolidation

10.2 Location of farm consolidation property:

Municipal Address			
Assessment Roll Number			
Former Municipality			
Lot		Concession	
Registered Plan Number		Lot(s)	
Reference Plan Number (s)		Part(s)	

10.3 Rural Hamilton Official Plan Designation(s)

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 consolidation property.

10.4 Description of farm consolidation property:

Frontage (m):	Area (m ² or ha):
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Existing Land Use(s): _____ Proposed Land Use(s): _____

10.5 Description of abutting consolidated farm (excluding lands intended to be severed for the surplus dwelling):

Frontage (m):	Area (m ² or ha):
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Existing Land Use: _____ Proposed Land Use: _____

10.6 Description of surplus dwelling lands proposed to be severed:

Frontage (m): (from Section 4.1)	Area (m ² or ha): (from Section 4.1)
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Front yard set back: _____

10.7 Surplus farm dwelling

a) Date of construction:

- ☐ Prior to December 16, 2004 ☐ After December 16, 2004

b) Condition:

- ☐ Habitable ☐ Non-Habitable