



Hamilton

COMMITTEE OF ADJUSTMENT

City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5

Telephone (905) 546-2424, ext. 4221, 3935

E-mail: cofa@hamilton.ca

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-21:129	SUBJECT PROPERTY:	0 Woodvalley Court, Hamilton
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APPLICANTS: Owner: WINZEN ANCASTER HOMES (Phase II) LTD.
Agent: T. JOHNS CONSULTING GROUP LTD. C/O KATELYN GILLIS

PURPOSE & EFFECT: To permit the conveyance of the land for future residential development.

	Frontage	Depth	Area
SEVERED LANDS (Parts 1 & 2):	7.962 m [±]	46.294 m [±]	640 m ² ±
RETAINED LANDS (Parts 3, 4, 5, 6, 7, 8, 9, 10 & 11):	Varies m [±]	46.294 m [±]	1838 m ² ±

Associated Planning Act File(s): HM/B-21:126 & HM/B-21:128 & HM/B-21:130

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, March 9, 2023
TIME:	2:15 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:

HM/B-21:129

- 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

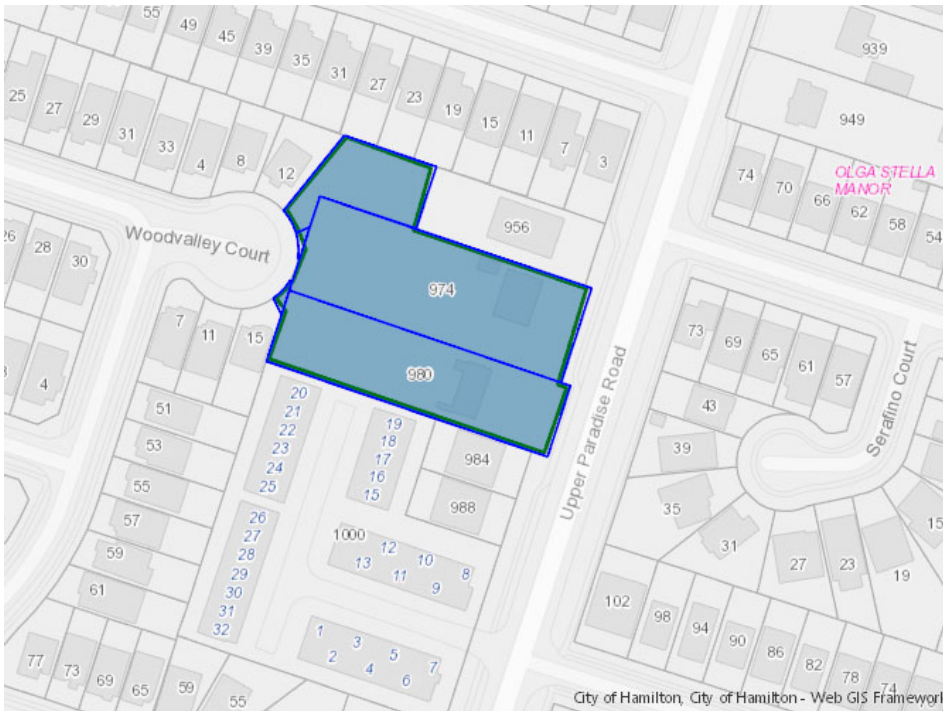
Written: If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Please see attached page for complete instructions, including deadlines for submitting to be seen by the Committee.

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-21:129, 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.



 Subject Lands

DATED: February 21, 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.



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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/committeefadjustment

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.

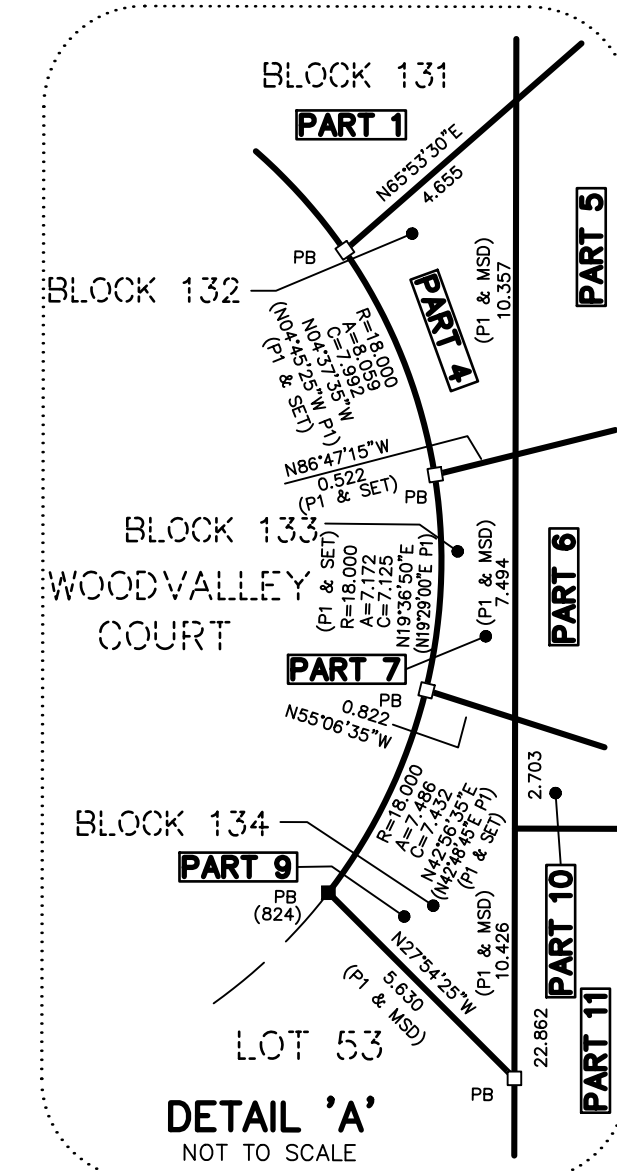
All members of the public who register will be contacted by Committee Staff to confirm details of the registration prior to the Hearing and provide an overview of the public participation process.

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.

PLAN OF SURVEY
OF
BLOCK 131, 132, 133, & 134
PLAN 62M-1085
AND OF PART OF
LOT 21
CONCESSION 8
GEOGRAPHIC
TOWNSHIP OF BARTON
IN THE
CITY OF HAMILTON
SCALE 1:200 METRIC

S.D. McLAREN, O.L.S. - 2021



- LEGEND:**
- DENOTES MONUMENT SET
 - MONUMENT FOUND
 - SB IRON BAR
 - SSB STANDARD IRON BAR
 - SSSB SHORT STANDARD IRON BAR
 - 824 A.T. McLAREN, O.L.S.
 - 1135 L.C. WOOD, O.L.S.
 - Med MEASURED
 - P1 PLAN 62M-1085
 - P2 PLAN 62R-13975
 - P3 PLAN 62R-16452
 - P4 PLAN 62M-469
 - P5 PLAN BY A.T. McLAREN DATED OCTOBER 5, 2012 - FILE NO. 31446-53F
 - D1 INSTRUMENT BR48480
 - D2 INSTRUMENT CD2278850

BEARING COMPARISON
FOR BEARING COMPARISONS A ROTATION OF 00°38'45" COUNTER CLOCKWISE WAS APPLIED TO BEARINGS ON PLAN 62M-1085 TO CONVERT TO GRID BEARINGS

BEARING NOTE:
BEARINGS ARE UTM GRID, DERIVED FROM OBSERVED REFERENCE POINTS A AND B, BY REAL TIME NETWORK OBSERVATIONS, UTM ZONE 17, NAD83 (CSRS) (2010.0)

NOTE:
DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.99969478

INTEGRATION DATA

POINT ID	NORTHING	EASTING
ORP A	4785407.531	587605.706
ORP B	4785541.568	587731.804

COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

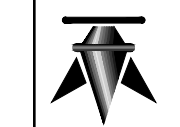
METRIC NOTE:
DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

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 LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
2. THE SURVEY WAS COMPLETED ON THE 20th DAY OF AUGUST, 2021

AUGUST 31, 2021
DATE

S. DAN McLAREN, O.L.S.



A.T. McLaren Limited
LEGAL AND ENGINEERING SURVEYS

69 JOHN STREET SOUTH, SUITE 230
HAMILTON, ONTARIO, L8N 2B9

PHONE (905) 527-8559 FAX (905) 527-0032

Drawn: KM Checked: RBM Drawn/Checked: DW Scale: 1:200 Dwg No.: 35788-R2

SCHEDULE				SCHEDULE			
PART	LOT/BLOCK	CON/PLAN	P.I.N.	PART	LOT/BLOCK	CON/PLAN	P.I.N.
1	PART OF BLOCK 131	PLAN 62M-1085	PIN 17565-3305 (LT)	8	PART OF LOT 21	CONCESSION 8	PART OF PIN 17565-0769 (LT)
2	PART OF LOT 21	CONCESSION 8	PART OF PIN 17565-0768 (LT)	9	ALL OF BLOCK 134	PLAN 62M-1085	PIN 17565-3308 (LT)
3	PART OF BLOCK 131	PLAN 62M-1085	PART OF PIN 17565-3305 (LT)	10	PART OF LOT 21	CONCESSION 8	PART OF PIN 17565-0768 (LT)
4	ALL OF BLOCK 132	PLAN 62M-1085	ALL OF PIN 17565-3306 (LT)	11			
5				12			
6	PART OF LOT 21	CONCESSION 8	PART OF PIN 17565-0768 (LT)	13	PART OF LOT 21	CONCESSION 8	PART OF PIN 17565-0769 (LT)
7	ALL OF BLOCK 133	PLAN 62M-1085	ALL OF PIN 17565-3307 (LT)				

PARTS 1 & 3 COMPRISE ALL OF PIN 17565-3305 (LT)
PARTS 8, 11, 12 & 13 COMPRISE ALL OF PIN 17565-0769 (LT)
PARTS 1, 3, 4, 7 & 9 ARE SUBJECT TO AN EASEMENT AS IN WE482557

PLAN 62 R-

RECEIVED AND DEPOSITED

Date _____

REPRESENTATIVE FOR LAND REGISTRAR FOR THE LAND TITLES DIVISION OF WENTWORTH (No. 62)

I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT.

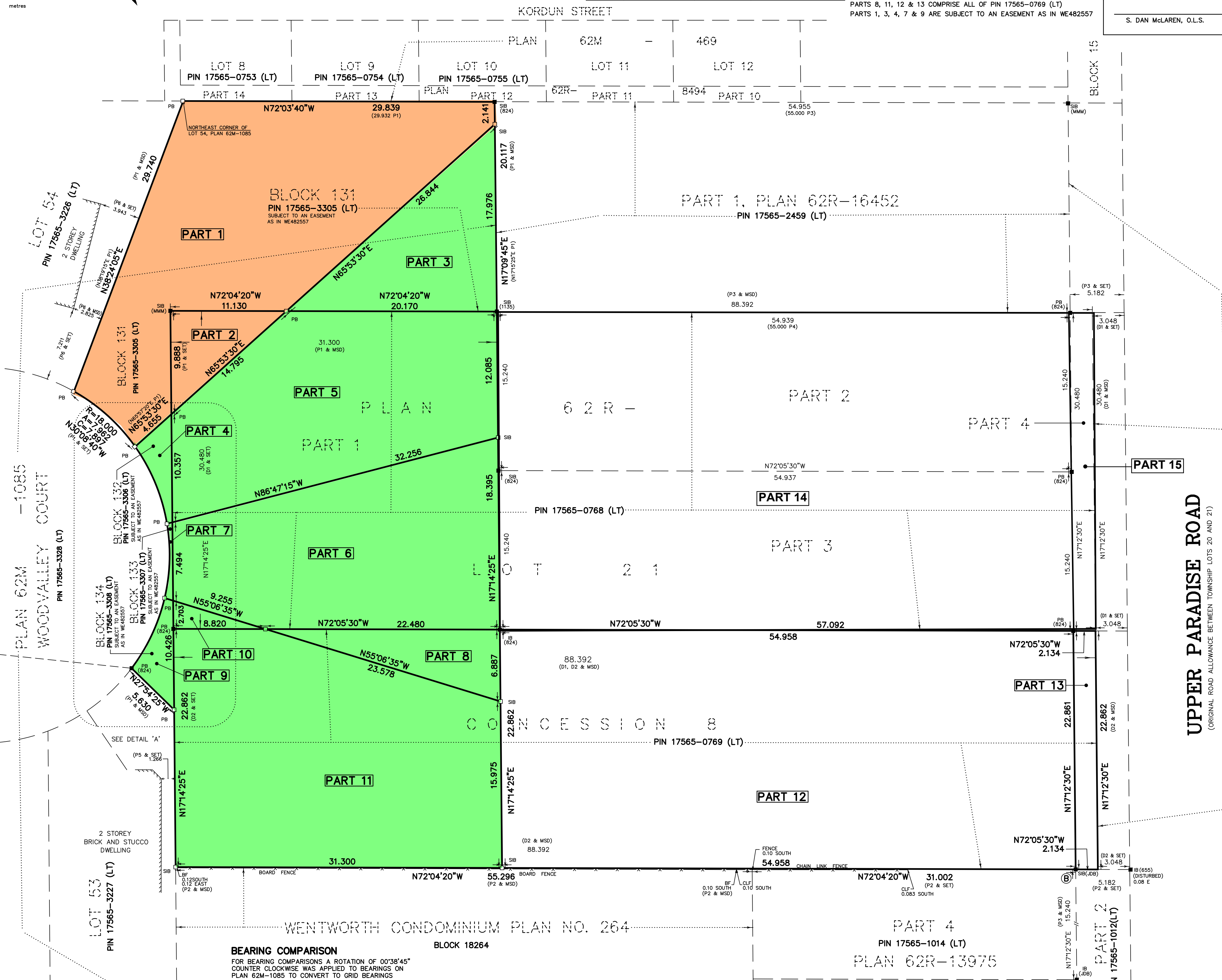
Date AUGUST 31, 2021

S. DAN McLAREN, O.L.S.

CONSENT 3:

SEVER:
PARTS 1 and 2 (+640m²)

RETAIN:
PARTS 3, 4 5, 6, 7, 8, 9, 10 and 11 (+1,838m²)



WENTWORTH CONDOMINIUM PLAN NO. 264
BLOCK 18264

PART 4
PIN 17565-1014 (LT)
PLAN 62R-13975

UPPER PARADISE ROAD
(ORIGINAL ROAD ALLOWANCE BETWEEN TOWNSHIP LOTS 20 AND 21)
PIN 16908-0423

January 24, 2022

Via Email

ATTN: Jamila Sheffield, Secretary-Treasurer

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

Dear Ms. Sheffield,

RE: 974 & 980 Upper Paradise Road, Formerly Blocks 131, 132, 133 and 134 of Registered Plan 62M-1085, Hamilton - Applications for Consent to Sever HM/B-21:126, HM/B-21:127, HM/B-21:128, HM/B-21:129, HM/B-130, HM/B-21:131 and HM/B-21:132

T. Johns Consulting Group Ltd. has been retained by Winzen Ancaster Residential Homes Ltd., the Applicant, to submit applications for Consent to Sever for the above-mentioned lands (“subject lands”). The subject lands were subject to amending Zoning By-law No. 21-088 to permit detached dwellings fronting onto Woodvalley Court, which was approved May 26th, 2021, and was deemed final and binding as of June 22nd, 2021.

The proposed severances are required to complete the original intended development of the “Paradise Green” neighbourhood through land assembly by severing the rear of 974 and 980 Upper Paradise Road to be merged with various parts and blocks formerly within Registered Plan 62M-1058 for four (4) new single detached lots fronting onto Woodvalley Court. Consent to Sever for lot additions and lot creation have been submitted, notably application numbers HM/B-21:126, HM/B-21:128, HM/B-21:129, HM/B-21:130, HM/B-21:131 and HM/B-21:132. The referenced applications were deferred from the March 3rd, 2022 Committee of Adjustment hearing in order to process a Deeming By-law related to Blocks 131, 132, 133 and 134 of Registered Plan 62M-1085.

Deeming By-law No. 22-211 was approved by Council September 7th, 2022 to deem Blocks 131, 132, 133 and 134 of Registered Plan 62M-1085 not be part of a Registered Plan of Subdivision for the purposes of Subsection 50(3) of the Planning Act, in order to complete the above referenced applications. The registration of the Deeming By-law is in progress and shall be completed prior to the proposed consents and new lots being registered. Subject to the registration of the deeming by-law, lands formerly referred to as Blocks 131, 132, 133 and 134 of Registered Plan 62M-1085 will merge on title.

Therefore, in result of Deeming By-law No. 22-211, the nature of the consent applications have become much more straightforward and the submitted applications have been revised. Four (4) applications are required to assemble the various parts as described below instead of six (6) applications. Please note that all landowners are entities of Winzen Group of Companies.

Consent Application #	Application	Purpose of Application
<p align="center">CONSENT 1</p>	<p>HM/B-21:126:</p> <p><u>Registered Landowner:</u></p> <p>974 Upper Paradise Road: Winzen Ancaster Homes Ltd.</p> <p>Formerly Blocks 131-134, Registered Plan 62M-1085: Winzen Ancaster Homes (Phase II) Ltd.</p> <p><u>Applicant:</u> Winzen Ancaster Homes Ltd.</p>	<p>Lot Addition to sever the rear of 974 Upper Paradise Road to add lands to lands formerly known formerly as Blocks 131-134, Registered Plan 62M-1085.</p> <p><u>Refer to Consent 1 Sketch:</u></p> <ul style="list-style-type: none"> • Sever Parts 2, 5 6 and 10 ($\pm 963\text{m}^2$) to merge with parts 1, 3, 4, 7 and 9 for frontage onto Woodvalley Court; • Retain Part 14 ($\pm 1,718\text{m}^2$).
<p align="center">CONSENT 2</p>	<p>HM/B-21:128:</p> <p><u>Registered Landowner:</u></p> <p>974 Upper Paradise Road: Winzen Ancaster Homes Ltd.</p> <p>Formerly Blocks 131-134, Registered Plan 62M-1085: Winzen Ancaster Homes (Phase II) Ltd.</p> <p><u>Applicant:</u> Winzen Ancaster Homes Ltd.</p>	<p>Lot Addition to sever the rear of 980 Upper Paradise Road to add lands to lands formerly known as Blocks 131-134, Registered Plan 62M-1085 and lands severed per Consent 1 (HM/B-21:126).</p> <p><u>Refer to Consent 2 Sketch:</u></p> <ul style="list-style-type: none"> • Sever Parts 8 and 11 ($\pm 729\text{m}^2$) to merge with Parts 1, 2, 3, 4, 5, 6, 7, 9 and 10 for frontage onto Woodvalley Court. • Retain Part 12.

<p>CONSENT 3</p>	<p>HM/B-21:129:</p> <p><u>Registered Landowner:</u></p> <p>974 Upper Paradise Road: Winzen Ancaster Homes Ltd.</p> <p>980 Upper Paradise Road: Winzen Townhouses Ltd.</p> <p>Formerly Blocks 131-134, Registered Plan 62M-1085: Winzen Ancaster Homes (Phase II) Ltd.</p> <p><u>Applicant:</u> Winzen Ancaster Homes Ltd.</p>	<p>Lot creation to establish one (1) new residential lot fronting Woodvalley Court.</p> <p><u>Refer to Consent 3 Sketch:</u></p> <ul style="list-style-type: none"> • Sever Parts 1 and 2 ($\pm 640\text{m}^2$) and; • Retain Parts 3, 4, 5, 6, 7, 8, 9, 10 and 11 ($\pm 1,838\text{m}^2$).
<p>CONSENT 4</p>	<p>HM/B-21:130:</p> <p><u>Registered Landowner:</u></p> <p>974 Upper Paradise Road: Winzen Ancaster Homes Ltd.</p> <p>980 Upper Paradise Road: Winzen Townhouses Ltd.</p> <p>Formerly Blocks 131-134, Registered Plan 62M-1085: Winzen Ancaster Homes (Phase II) Ltd.</p> <p><u>Applicant:</u> Winzen Ancaster Homes Ltd.</p>	<p>Lot creation to establish three (3) new residential lots fronting Woodvalley Court.</p> <p><u>Refer to Consent 4 Sketch:</u></p> <ul style="list-style-type: none"> • Sever Parts 6, 7 and 8 ($\pm 515\text{m}^2$), and; • Retain Parts 3, 4, 5 ($\pm 649\text{m}^2$) and Parts 9, 10 and 11 ($\pm 673\text{m}^2$).

Note that we respectfully request that Application No. HM/B-21:127 to establish one (1) new lot fronting Upper Paradise Road continues to be deferred until a later date.

Applications HM/B-21:131 and HM/B-21:132 are no longer required to facilitate the intended land assembly and lot creation.

In support of the revised Consent Applications, please find the enclosed documents:

- Consent 1 Sketch;
- Consent 2 Sketch;
- Consent 3 Sketch, and;
- Consent 4 Sketch.

Should you have any questions or require further documentation, please contact Katelyn Gillis at (905) 547-1993 ext. 207 or kgillis@tjohnsconsulting.com.

Respectfully submitted,
T. Johns Consulting Group Ltd.



Katelyn Gillis, BA
Intermediate Planner

Cc: Winzen Group of Companies c/o R. Zenkovich