



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-23:22	SUBJECT PROPERTY:	311 RYMAL ROAD E, HAMILTON
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APPLICANTS: **Owner:** SALVATORE AQUINO
Agent: METROPOLITAN CONSULTING INC. C/O PETER DE IULIO

PURPOSE & EFFECT: To permit the conveyance of a parcel of land into four new lots, each new lot will contain half of a single detached dwelling, and to retain a parcel of land containing an existing single detached dwelling and garage to remain.

	Frontage	Depth	Area
RETAINED LANDS:	18.24 m [±]	40.28 m [±]	734.71 m ² [±]
SEVERED LANDS (Unit 1):	7.81 m [±]	40.28 m [±]	314.59 m ² [±]
SEVERED LANDS (Unit 2):	7.81 m [±]	40.28 m [±]	314.59 m ² [±]
SEVERED LANDS (Unit 3):	6.06 m [±]	40.28 m [±]	244.1 m ² [±]
SEVERED LANDS (Unit 4):	6.06 m [±]	40.28 m [±]	275.82 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, May 18, 2023
TIME:	10:20 a.m.
PLACE:	Via video link or call in (see attached sheet for details)

	To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment
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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-23:22, 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.

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.



 Subject Lands

DATED: May 2, 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.



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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

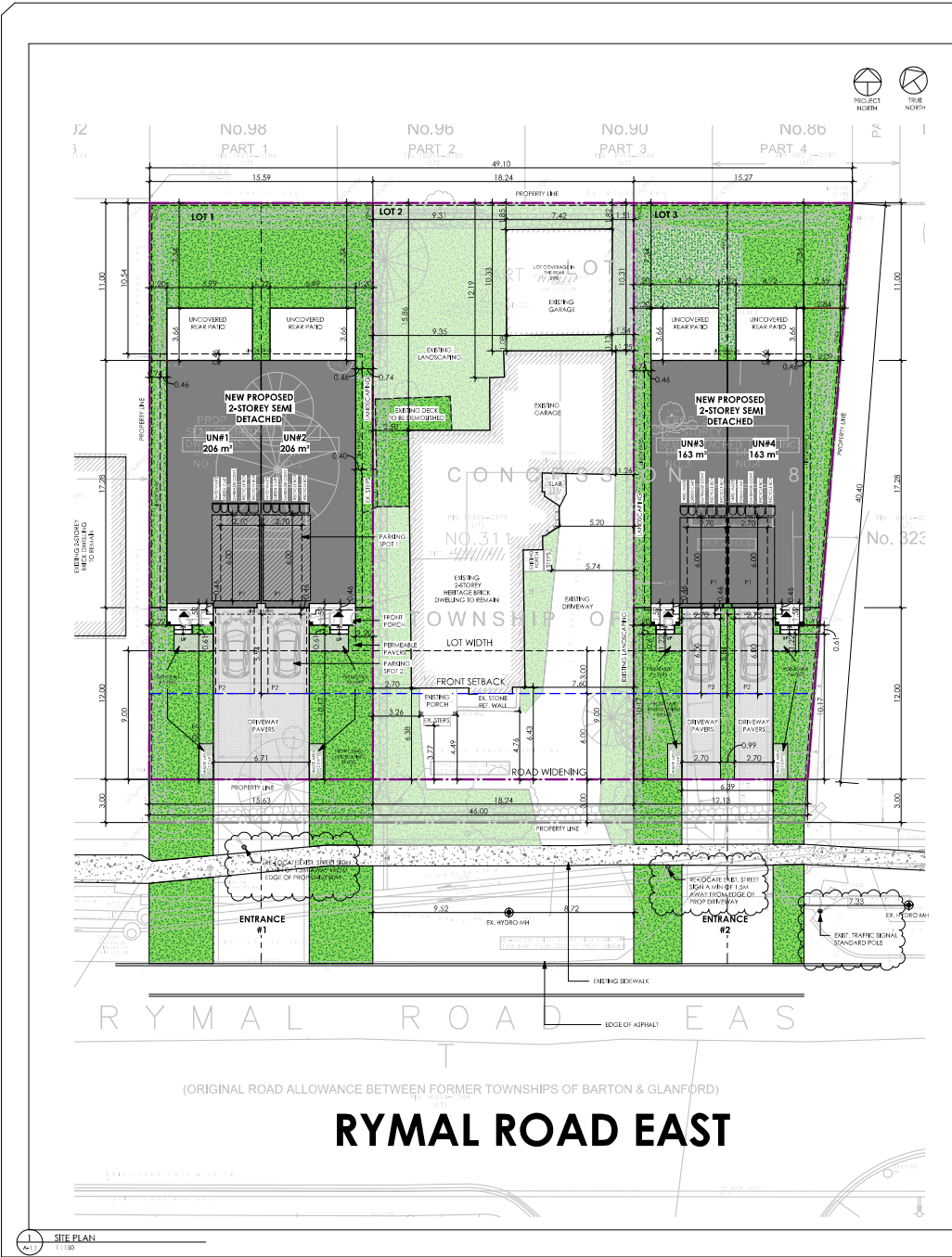
Members of the public are also able to provide oral comments regarding Committee of Adjustment Hearing items by participating through Webex via computer or phone. Participation in this format requires pre-registration in advance. **Interested members of the public must register by noon the day before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



1 SITE PLAN
A-1.1

TRUE NORTH
PROJECT NORTH
KEEP PLAN

311 RYMAL ROAD EAST
CURRENT ZONING DESIGNATION "B DISTRICT"
ZONING DESCRIPTION -SUBURBAN AGRICULTURE AND RESIDENTIAL

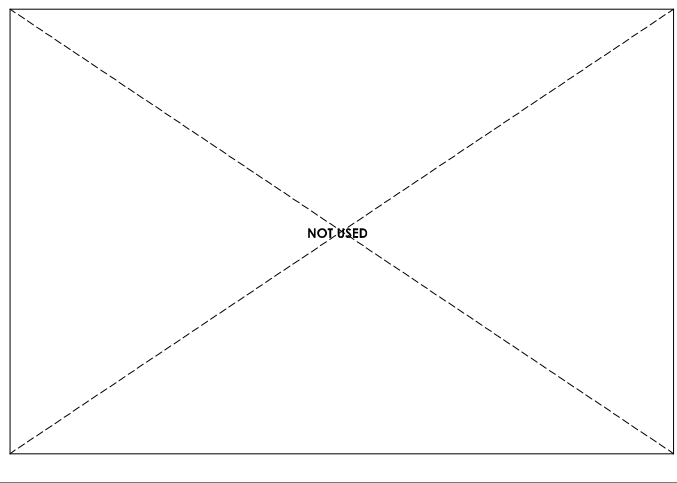
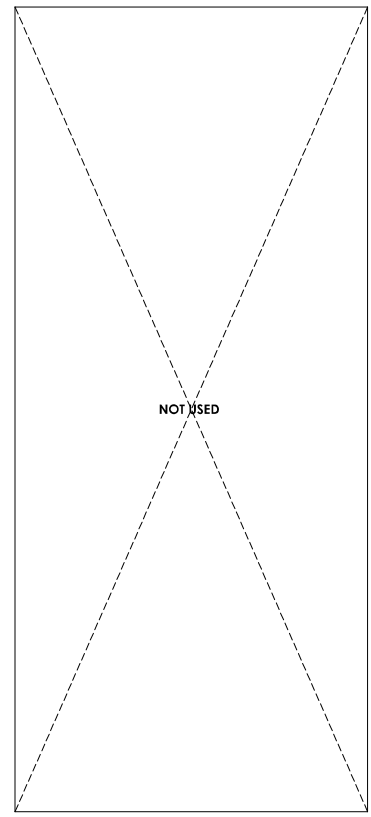
SCOPE: TO CREATE TWO NEW LOTS FOR SEMI DETACHED HOMES (ONE SEMI-DETACHED DWELLING ON EACH LOT (1 & 3) ZONING BY-LAW AMENDMENT REQUIRED TOTAL 4 - UNITS

SITE STATISTICS LOT-1	REQ	PROVIDED
LOT AREA P1 =		628.50M ²
UNIT 1 TOTAL GFA		206M ²
UNIT 2 TOTAL GFA		206M ²
REAR YARD SET BACK	7.5M	11M
SIDE YARD SET BACK	1.2M 1.2M & 1.2M	
FRONT YARD SET BACK	6.0M	12M
RIGHT A WAY (RYMAL RD E)	3M	3M
PARKING STALL SIZE	2.7MX3.6M X2	2.7MX3.6M X2
BUILDING HEIGHT		2-STOREY
BUILDING LENGTH	7.50	12.20M
LOT WIDTH (FM DEPTH)	18.00M	15.63M
FRONT YARD LANDSCAPE	50%	58.74%

SITE STATISTICS LOT-2	REQ	PROVIDED
LOT AREA P1 =		734.66M ²
FRONT WIDTH (FM DEPTH)	18.00M	18.24M
FRONT YARD LANDSCAPE	50%	32.63%

SITE STATISTICS LOT-3	REQ	PROVIDED
LOT AREA P1 =		551.19M ²
UNIT 1 TOTAL GFA		163 M ²
UNIT 2 TOTAL GFA		163 M ²
REAR YARD SET BACK	7.5M	11M
SIDE YARD SET BACK	1.2M 1.2M & 1.2M	
FRONT YARD SET BACK	6.0M	12M
RIGHT A WAY (RYMAL RD E)	3M	3M
PARKING STALL SIZE	2.7MX3.6M X2	2.7MX3.6M X2
BUILDING HEIGHT		2-STOREY
BUILDING LENGTH	7.50	12.20M
FRONT WIDTH (FM DEPTH)	18.00M	12.83M
FRONT YARD LANDSCAPE	50%	52.94%

NOTE: The developer is responsible for all waste removal up until the time that municipal collection services are initiated.



ALL WORK SHALL BE CARRIED OUT IN ACCORDANCE WITH THE LATEST ON HAND BUILDING CODE.

USE ONLY LATEST REVISED DRAWINGS MARKED AS "ISSUED FOR CONSTRUCTION"

CONTRACTOR TO CHECK AND VERIFY ALL DIMENSIONS AND LOCATIONS ON THE PROJECT AND REPORT ANY DISCREPANCIES TO THE ARCHITECT BEFORE PROCEEDING WITH THE WORK. DRAWINGS ARE NOT TO BE SCALED.

CONTRACT DOCUMENTS ARE THE COPYRIGHT OF THE CONSULTANTS AND SHALL NOT BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS WITHOUT AUTHORIZATION. DOCUMENTS ARE TO BE RETURNED UPON COMPLETION OF THE PROJECT.

OWNER'S INFORMATION:

LEGEND:

REVISIONS

#	DATE	REMARKS

01 2023 03 14 ISSUED FOR ZONING

ARCHITECT:

LIMA ARCHITECTS INC.
www.limaarchitects.com
E info@limaarchitects.com
T 905-337-6987

SEALS:



PROJECT TITLE

SEMI DETACHED HOMES

311 RYMAL ROAD EAST, HAMILTON, ONTARIO

DRAWING TITLE

SITE PLAN

DRAWN BY DS-IM

SCALE 1 : 150

DATE JULY 2022

CHECKED BY FL

PROJECT NUMBER 21-543

DRAWING NUMBER

A-1.1



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*			Phone:
			E-mail:
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.
 ** 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 _____

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	311 Rymal Rd East Hamilton L9B 1C3		
Assessment Roll Number	251807085100160		
Former Municipality	Hamilton		
Lot	Pt Lot 12	Concession	8
Registered Plan Number	62R10931	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 checked="" 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 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:

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

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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Identified on Sketch as:	Existing 2 Storey	new Proposed 2	new Proposed 2	new Proposed 2	new Proposed 2
Type of Transfer	N/A	n/a			
Frontage	18.24m	7.81m	7.81m	6.06m	6.06m
Depth	40.28	40.28m	40.28m	40.28m	40.28m
Area	734.71m	314.59m	314.59m	244.1m	275.82m
Existing Use	Residential	Residential	Residential	Residential	Residential
Proposed Use	Residential	Residential	Residential	Residential	Residential
Existing Buildings/ Structures	2 Storey Residential Dwelling	2 Storey Residential Dwelling	2 Storey Residential Dwelling	2 Storey Residential Dwelling	2 Storey Residential Dwelling
Proposed Buildings/ Structures	n/a	New 2 storey Semi Detached Dwelling	New 2 storey Semi Detached Dwelling	New 2 storey Semi Detached Dwelling	New 2 storey Semi Detached Dwelling
Buildings/ Structures to be Removed	n/a	n/a	n/a	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): N/A

Rural Settlement Area: N/A

Urban Hamilton Official Plan designation (if applicable) Neighbourhoods (Secondary Corridor)

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

The Owner has already applied for zoning change under Application# ZAR-22-052

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? Suburban Agriculture & Residential

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

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"/>	N/A
A land fill	<input type="checkbox"/>	N/A
A sewage treatment plant or waste stabilization plant	<input type="checkbox"/>	N/A
A provincially significant wetland	<input type="checkbox"/>	N/A
A provincially significant wetland within 120 metres	<input type="checkbox"/>	N/A
A flood plain	<input type="checkbox"/>	N/A
An industrial or commercial use, and specify the use(s)	<input type="checkbox"/>	N/A
An active railway line	<input type="checkbox"/>	N/A
A municipal or federal airport	<input type="checkbox"/>	N/A

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.

N/A

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

N/A

- 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.

N/A

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

November 2007

- 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.

N/A

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)

Intensification in an existing Urban Area.

- 7.2 Is this application consistent with the Provincial Policy Statement (PPS)?
 Yes No (Provide explanation)

Intensification in an existing Urban Area.

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

Intensification in an existing Urban Area.

- 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)

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)

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

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: _____

10.7 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: _____

- a) Date of construction:
 - Prior to December 16, 2004
 - After December 16, 2004
- b) Condition:
 - Habitable
 - Non-Habitable

11 COMPLETE APPLICATION REQUIREMENTS

11.1 All Applications

- Application Fee
- Site Sketch
- Complete Application Form
- Signatures Sheet

11.2 Validation of Title

- All information documents in Section 11.1
- Detailed history of why a Validation of Title is required
- All supporting materials indicating the contravention of the Planning Act, including PIN documents and other items deemed necessary.

11.3 Cancellation

- All information documents in Section 11.1
- Detailed history of when the previous consent took place.
- All supporting materials indicating the cancellation subject lands and any neighbouring lands owned in the same name, including PIN documents and other items deemed necessary.

11.4 Other Information Deemed Necessary

- Cover Letter/Planning Justification Report
- Minimum Distance Separation Formulae (data sheet available upon request)
- Hydrogeological Assessment
- Septic Assessment
- Archeological Assessment
- Noise Study
- Parking Study

