



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.:	SC/B-22:114	SUBJECT PROPERTY:	32 SANDBEACH DRIVE, STONE CREEK
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APPLICANTS: **Owner:** MANUEL VIEIRA
 Agent: MICHAEL SABELLI

PURPOSE & EFFECT: To sever the existing vacant lot into four parcels, Part 1, Part 2 and Part 3 are intended to be vacant residential building lots. Part 4 is intended to be added to lands to the south (known as Blocks 187, 188 and 189 for future lot creation).

	Frontage	Depth	Area
SEVERED LANDS (Part 2):	15.24 m [±]	57.91 m [±]	882.55 m ^{2±}
SEVERED LANDS (Part 4 Lot Addition):	10.5 m [±]	57.91 m [±]	608.06 m ^{2±}
RETAINED LANDS (Part 1):	15.24 m [±]	57.91 m [±]	882.55 m ^{2±}
RETAINED LANDS (Part 3):	20.21 m [±]	57.91 m [±]	1,170.36 m ^{2±}

Associated Planning Act File(s): SC/A-22:340

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, August 24, 2023
TIME:	10:50 a.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.

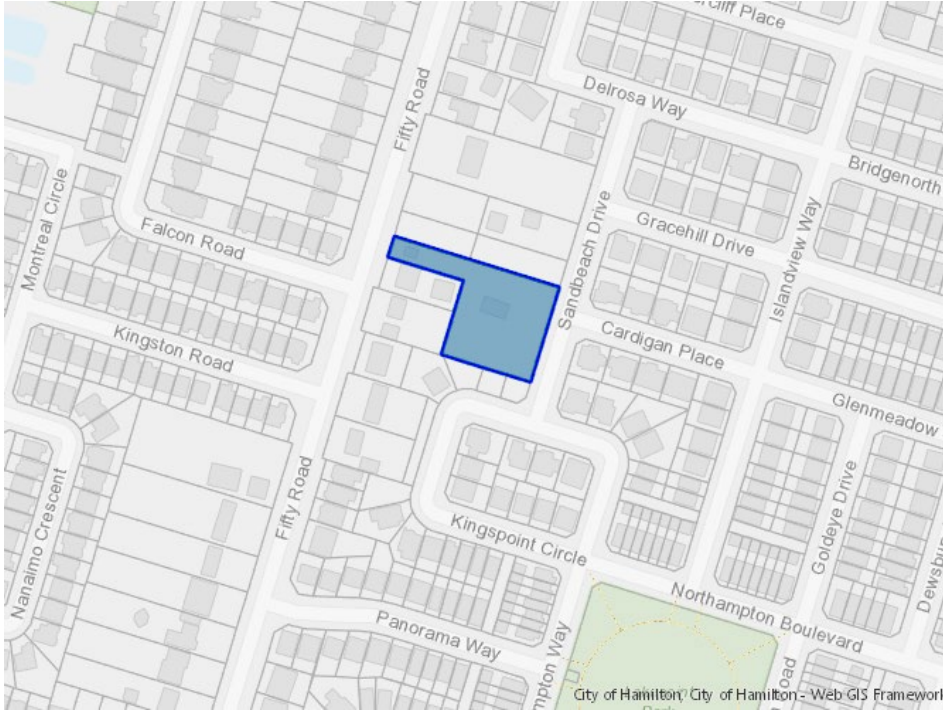
Orally: If you would like to speak to this item at the hearing you may do so via video link or by calling in. Please see attached page for complete instructions, including deadlines for registering to participate.


FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding SC/B-22:114, 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: August 8, 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.

L O T 2

PART 1
PLAN 62R-9370

PART 2 PLAN 62R-21386

PART 5
PLAN 62R-21386

PART 4
PLAN 62R-21386
P.I.N. 17370-1060 (LT)

PART 1 PLAN 62R-21613

PART 3 PLAN 62R-21386
P.I.N. 17370-1063 (LT)

PART 2 PLAN 62R-21613
P.I.N. 17370-1066 (LT)

PART 2
PLAN 62R-21001
P.I.N. 17370-1058 (LT)

LANDS TO BE SEVERED
PART 2

LANDS TO BE RETAINED
PART 3

LANDS TO BE SEVERED
PART 4

BROKEN FRONT

LOT 80
P.I.N. 17370-0486 (LT)

LOT 79
P.I.N. 17370-0485 (LT)

BLOCK 187
P.I.N. 17370-0593 (LT)

BLOCK 188
P.I.N. 17370-0594 (LT)

BLOCK 189
P.I.N. 17370-0595 (LT)

REGISTERED

PLAN

6.2M-9c

BLOCK 190
P.I.N. 17370-0596 (LT)

SEVERED
LANDS TO BE ADDED
KINGSPPOINT CIRCLE
(BY REGISTERED PLAN 62M-987, P.I.N. 17370-0618 (LT))

FIFTY ROAD
(ROAD ALLOWANCE BETWEEN TOWNSHIP LOTS 2 AND 3, P.I.N. 17370-0001 (LT))

SANDBEACH DRIVE
(BY REGISTERED PLAN 62M-987, P.I.N. 17370-0616 (LT))

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

PLAN 62R-0

DATE: AUGUST 18, 2021

DATE: Aug. 25, 2021

Bryan Jacobs
BRYAN JACOBS
ONTARIO LAND SURVEYOR

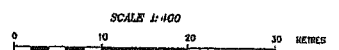
B. Jacobs
REPRESENTATIVE FOR
LAND REGISTRAR FOR THE LAND TITLES
DIVISION OF MONTROSE (P.L. 62)

SCHEDULE

PART	LOT	CONCESSION/PLAN	P.I.N.
1	PART OF LOT 1	BROKEN FRONT CONCESSION	PART OF P.I.N. 17370-1059 (LT)
2	PART OF LOT 2	BROKEN FRONT CONCESSION	PART OF P.I.N. 17370-1060 (LT)
3	PART OF LOT 2	BROKEN FRONT CONCESSION	PART OF P.I.N. 17370-1060 (LT)
4	PART OF LOT 2	BROKEN FRONT CONCESSION	PART OF P.I.N. 17370-1060 (LT)
5	PART OF LOT 2	BROKEN FRONT CONCESSION	PART OF P.I.N. 17370-1060 (LT)
6	PART OF BLOCK 193	REGISTERED PLAN 62M-987	PART OF P.I.N. 17370-0599 (LT)

PARTS 1, 2, 3, 4 & 5: COMPRISE ALL OF P.I.N. 17370-1058 (LT).
PARTS 1, 2, 3, 4 & 5: SUBJECT TO AN EASEMENT IN CROSS AS IN INSTRUMENT No. W61336944.

PLAN OF SURVEY OF
PART OF LOT 2
BROKEN FRONT CONCESSION
(GEOGRAPHIC TOWNSHIP OF SALTBLEET)
AND
PART OF BLOCK 193
REGISTERED PLAN 62M-987
CITY OF HAMILTON



B.A. JACOBS SURVEYING LTD.
ONTARIO LAND SURVEYOR

LEGEND & NOTES:

- DENOTES SURVEY MONUMENT FOUND
- DENOTES SURVEY MONUMENT PLANNED
- DENOTES STANDARD IRON BAR
- DENOTES SHORT STANDARD IRON BAR
- DENOTES IRON BAR
- DENOTES WIRELESS
- DENOTES ORIGINAL LINK/NOV
- DENOTES PLAN 62R-21001
- DENOTES J.T. PETERS O.L.S.
- DENOTES A.L. CLARKE O.L.S.
- DENOTES J.G. PETERS O.L.S.
- DENOTES B.A. JACOBS O.L.S.

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

BEARINGS ARE UTM GRID, DERIVED FROM SPECIFIED CONTROL POINTS 00919723329 AND 00919723347, UTM ZONE 17, NAD83 (ORIGINAL).

DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.9997424.

SPECIFIED CONTROL POINTS (SCP): UTM ZONE 17, NAD83 (ORIGINAL). COORDINATES TO UTM ACCURACY PER SEC. 14 (2) OF O.Reg. 216/10.

POINT ID	NORTHING	EASTING
SCP 00919723329	4785191.053	610329.910
SCP 00919723347	4786111.748	610783.200

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

SURVEYOR'S CERTIFICATE

- I CERTIFY THAT:
- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEY'S ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
 - THE SURVEY WAS COMPLETED ON AUGUST 17, 2021

AUGUST 18, 2021
DATE

Bryan Jacobs
BRYAN JACOBS
ONTARIO LAND SURVEYOR

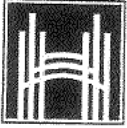


B.A. JACOBS SURVEYING LTD.
162 JACKSON STREET EAST, SUITE 102
HAMILTON, ONTARIO (L9N 1L3)
PHONE 905-521-1635 bjacobs@rogers.com

16e187-01

SCP 00919723347

SCP 00919723329



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)	[REDACTED]		
Applicant(s)**			
Agent or Solicitor			

*Purchaser must provide contact information for 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			
Assessment Roll Number	25180030/002800		
Former Municipality	SALT FLEET		
Lot	PART OF PART 1 & 2	Concession	BROKEN FRONT SALT FLEET
Registered Plan Number	-	Lot(s)	-
Reference Plan Number (s)	62R-21741	Part(s)	PART OF LOT 5

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 checked="" 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:

1377866 ONTARIO LIMITED

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

PART OF PART 5 ON 62R-21741

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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	RETAINED	RETAINED	SEVERED	SEVERED	
Identified on Sketch as:	PART 1	PART 3	PART 2	PART 4	
Type of Transfer	CREATION OF A NEW LOT	CREATION OF A NEW LOT	CREATION OF A NEW LOT	ADDITION TO A NEW LOT	
Frontage	15.24 M	20.21 M	15.24 M	10.5 M	
Depth	57.91 M	57.91 M	57.91 M	57.91 M	
Area	882.55 m ²	1,170.36 m ²	882.55 m ²	608.06 m ²	
Existing Use	VACANT	VACANT	VACANT	VACANT	
Proposed Use	RESIDENTIAL	RESIDENTIAL	RESIDENTIAL	TO BE ADDED TO LANDS TO THE SOUTH	
Existing Buildings/ Structures	VACANT	VACANT	VACANT	VACANT	
Proposed Buildings/ Structures	SINGLE-FAMILY DWELLING	SINGLE-FAMILY DWELLING	SINGLE-FAMILY DWELLING	TO BE ADDED TO LANDS TO THE SOUTH	
Buildings/ Structures to be Removed	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): _____

Rural Settlement Area: _____

Urban Hamilton Official Plan designation (if applicable) "NEIGHBOURHOODS" SP-
LOW RESIDENTIAL 2B

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

SUBJECT LANDS WILL BE DEVELOPED AS LOW
RESIDENTIAL (SINGLE-FAMILY)

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? "ND" NEIGHBOURHOOD DEVELOPMENT

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.
SC/B-22-114 AND SC/A-22-340 (BOTH APPLICATIONS TABLED)

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.
REVISED APPLICATION IS NOW CONCURRENT WITH LANDS TO BE ADDED.

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?
MORE THAN 10 YEARS

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.

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)

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):	
---------------	--	------------------------------	--

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)	
----------------------------------	--	---	--

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

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
- _____
- _____