



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-23:57	SUBJECT PROPERTY:	727 RYMAL ROAD E , HAMILTON,
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APPLICANTS: Owner: HARKAMAL SAINI & PARVINDER SAINI & MANPREET KHERA
Agent: GURBIR MUNDI (AM ENGINEERING)

PURPOSE & EFFECT: To permit the conveyance of a parcel of land to create two new residential building lots. The existing dwelling will be demolished to facilitate this application.

	Frontage	Depth	Area
SEVERED LANDS (Parcel 1):	13.426 m [±]	54.399 m [±]	710.472 m ² [±]
RETAINED LANDS (Parcel 2):	13.668 m [±]	49.548 m [±]	645.800 m ² [±]

Associated Planning Act File(s): HM/B-21:79

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, October 5, 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

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-23:57, 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: September 19, 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.

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

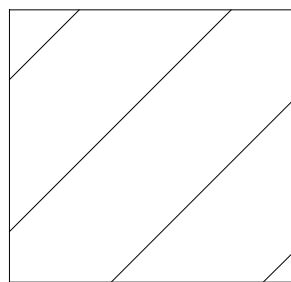
Members of the public are also able to provide oral comments regarding Committee of Adjustment Hearing items by participating through Webex via computer or phone. Participation in this format requires pre-registration in advance. **Interested members of the public must register by noon the day before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

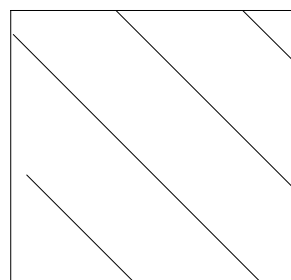
All members of the public who register will be contacted by Committee Staff to confirm details of the registration prior to the Hearing and provide an overview of the public participation process.

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.



PARCEL 1 (SEVERED LOT)



PARCEL 2 (RETAINED LOT)

PROJECT INFORMATION/ZONING CONFORMANCE

ZONED "C" (URBAN PROTECTED RESIDENTIAL, ETC)

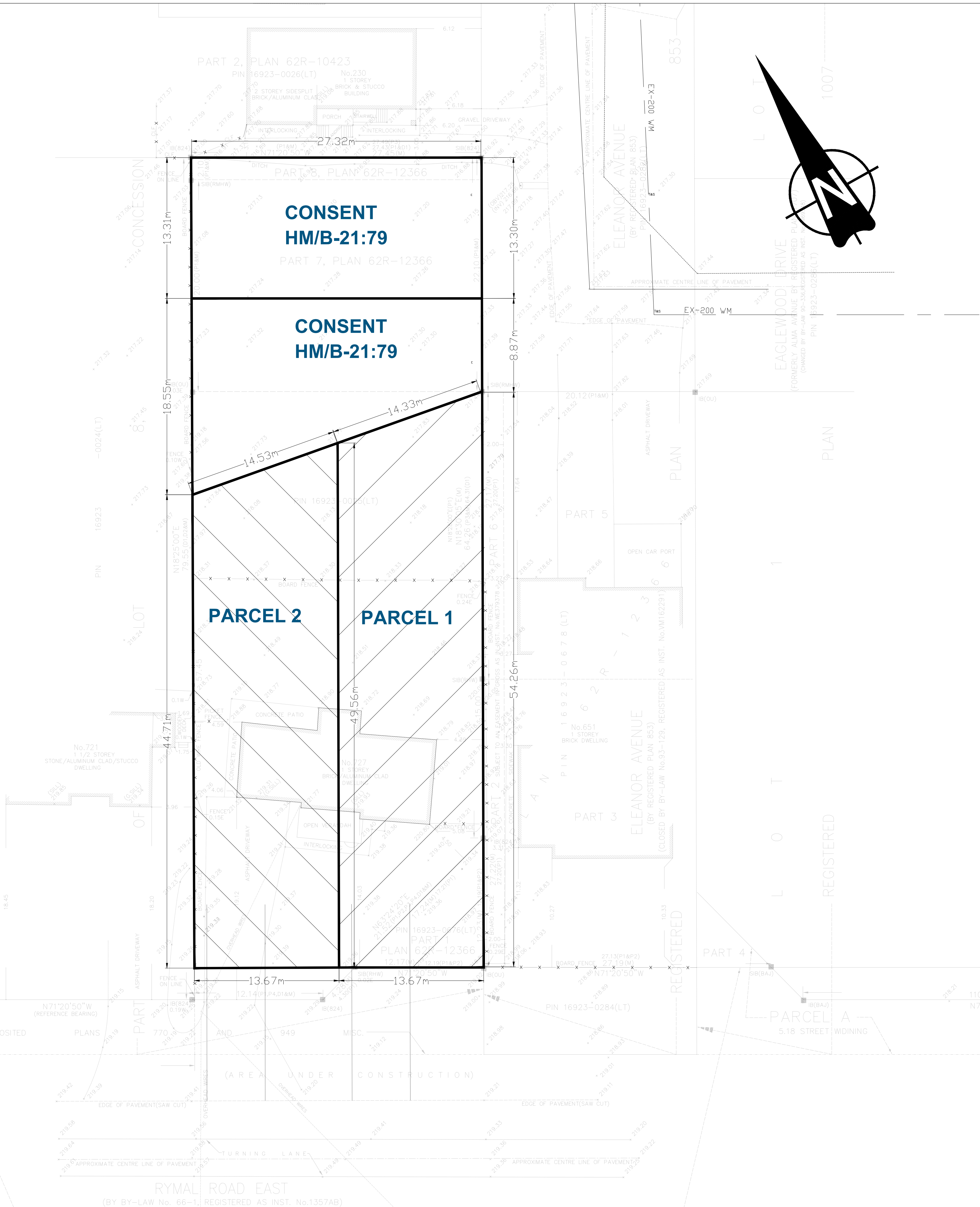
REQUIREMENT PROPOSED

PARCEL 1 (SEVERED LOT)

MIN. LOT AREA= 360M2 710.5M2
MIN. LOT WIDTH= 12M 13.6M

PARCEL 2 (RETAINED LOT)

MIN. LOT AREA= 360M2 645.8M2
MIN. LOT WIDTH= 12M 13.6M



KEY PLAN

Contractor must verify all dimensions on the Project Site and report any discrepancies before proceeding with the Work.

This drawing is a part of the Contract Documents and is to be read in conjunction with all other Contract Documents.


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03		
02		
01	ISSUED FOR REVIEW	08/08/23
REV.	DESCRIPTION	DATE

PROJECT: 727 RYMAL ROAD SEVERANCE

CLIENT: MANPREET KHERA

CONSULTANT: AM ENGINEERING

 4145 North Service Road,
Burlington, ON L7L 6A3
amengineering.ca

DWG TITLE: 727 RYMAL ROAD SEVERANCE

SHEET: A.01	SCALE: 1:200
DRAWN: GM	DATE: AUG 2023

AM ENGINEERING

4145 North Service Road,

Burlington, Ontario L7L 6A3

P: [+1\(519\) 400-3101](tel:+15194003101) E: info@amengineering.ca**August 09, 2023**

Secretary-Treasurer
City of Hamilton
Committee of Adjustment
71 Main Street West, 5th Floor
Hamilton, ON
L8P 4Y5

To Whom it may concern:

RE: 727 RYMAL ROAD EAST, HAMILTON
CONSENT APPLICATION

AM Engineering is pleased to submit this letter on behalf of the owner, information with regards to the Consent for the creation of 2 lots through a severance to allow the future construction of 2 new single detached dwelling units on the property currently municipally known as 727 Rymal Road East. This development is in conjunction with Application No: HM/B-21:79 - 727 Rymal Road East.

The subject lands are zoned Urban Protected Residential "C" District which permits the use of single detached dwellings and structures accessory thereto, in accordance with the applicable provisions. The lotting configuration can allow for dwellings to be constructed in a manner that is compatible with the existing streetscape and match the existing C District zone, similarly to many surrounding dwellings along Rymal Road East. Additionally, the lot configuration also continues a lotting pattern that is established within the surrounding area.

AM Engineering reviewed the adjacent applications that have either been approved or are in the process of gaining approval. Following discussion and review, it was confirmed by the City's Growth Management Section that the Eaglewood Drive extension will not move forward and that a revision to the Eleanor Neighbourhood Plan will happen after the lotting is finalized. Furthermore, it is acknowledged that a 3.0m road widening is to be dedicated to Rymal Road East as per the Council Approved Urban Official Plan: Schedule C-2 - Future Right-of-Way Dedications. It is also noted that the daylighting triangle dedicated at the South East corner of

727 Rymal Road East is no more required. A daylighting triangle at the corner of Rymal Road East and the previous Eleanor Avenue Road allowance exists according to the City's GIS mapping. Transportation Planning no longer requires this daylighting triangle.

With the approval of the severance for application No: HM/B-21:79 - 727 Rymal Road East, we strongly believe that this development is in accordance with City of Hamilton's Zoning By-law and compliments the streetscape and surrounding areas.

AM ENGINEERING

A handwritten signature in black ink, appearing to read 'Gurbir Mundi', written in a cursive style.

Gurbir Mundi, P. Eng



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:
Registered Owners(s)	Manpreet Khara Parvinder Saini Harkamal Saini		
Applicant(s)**	Gurbir Mundi		
Agent or Solicitor			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 _____

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	727 Rymal Road East, Hamilton, ON		
Assessment Roll Number	PIN 16923-0025(LT)		
Former Municipality	CITY OF HAMILTON-WENTWORTH		
Lot	8	Concession	8
Registered Plan Number		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:

Unknown

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:		Parcel 1 Severed	Parcel 2- Retained		
Type of Transfer	N/A	New Lot	New Lot		
Frontage		13.426m	13.668m		
Depth		54.399m	49.548m		
Area		710.472m2	645.800m2		
Existing Use		Zone "C"	Zone "C"		
Proposed Use		Zone "C"	Zone "C"		
Existing Buildings/ Structures		1-Storey Residential	1-Storey Residential		
Proposed Buildings/ Structures		1-Storey Residential	1-Storey Residential		
Buildings/ Structures to be Removed		Existing structure to be demolished	Existing Structure to be demolished		

* 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) C" (Urban Protected Residential, Etc.)

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

- 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? "C" (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.

HM/B-21:79

- 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.

Unknown

- 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.

Please find attached letter

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

3 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.

Manpreet k Khera, 110 Annabelle Street Hamilton

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

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

10.6 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
-
-