



Committee of Adjustment
Hamilton City Hall
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COMMITTEE OF ADJUSTMENT

NOTICE OF DECISION

APPLICATION FOR CONSENT\LAND SEVERANCE

APPLICATION NO. SC/B-21:29
SUBMISSION NO. B-29/21

APPLICATION NUMBER: SC/B-21:29

SUBJECT PROPERTY: 65 Seabreeze Crt., Stoney Creek

APPLICANT(S): Agent Urban Solutions
Owner Seabreeze Estates Inc. c/o P. DeSantis

PURPOSE OF APPLICATION: To permit the conveyance of a parcel of land and to retain a parcel of land for residential purposes.

Severed lands:

24.0m[±] x 45.98m[±] and an area of 949.40m^{2±}

Retained lands:

Having a depth of 15.11 - 23.52m[±] and an area of 439.32m^{2±}

This application was heard in conjunction with Severance Applications SC/B-21:30, SC/B-21:31 and Minor Variance Application SC/A-21:142

That the said application, as set out above, **IS APPROVED**, for the following reasons:

1. The proposal does not conflict with the intent of the Urban Hamilton Official Plan.
2. The proposal does not contravene Zoning By-law requirements.
3. The Committee considers the proposal to be in keeping with development in the area.
4. The Committee is satisfied that a plan of subdivision is not necessary for the proper and orderly development of the lands.
5. The submissions made regarding this matter affected the decision by supporting the granting of the application, with amendments.

Having regard to the matters under subsection 51(24) of the Planning Act, R.S.O. 1990, c.P. 13, the said application shall be subject to the following condition(s).

1. The owner shall submit a deposited Ontario Land Surveyor's Reference Plan to the Committee of Adjustment Office, unless exempted by the Land Registrar. The reference plan must be submitted in pdf and also submitted in CAD format, drawn at true scale and location and tied to the City corporate coordinate system. (Committee of Adjustment Section)

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2. The owner shall pay any outstanding realty taxes and/or all other charges owing to the City Treasurer. (Committee of Adjustment Section)
3. The owner submits to the Committee of Adjustment office an administration fee, payable to the City of Hamilton, to cover the costs of setting up a new tax account for each newly created lot. (Committee of Adjustment Section)
4. The owner shall de-register the plan of subdivision over Blocks 11 and 12 on 62M-1042 by deeming by-law to ensure that the retained portion can be merged with the existing Blocks 11 and 12. The de-registration by-law shall not come into force until this application (SC/B-21:29) is completed to the satisfaction of the Manger of Development Planning Heritage and Design.
5. That the Owner enter into with the City of Hamilton and register on title of the lands, a Consent Agreement, having an administrative fee of \$5,060.00 (2021 fee) to address issues including but not limited to: lot grading and drainage to a suitable outlet on the conveyed and retained parcels (detailed grading plan required), erosion and sediment control measures (to be included on the grading plan); cash payment requirements for items such as street trees (City policy requires one (1) street tree/lot, inspection of grading, stormwater management infrastructure and securities for items that may include: lot grading (\$10,000.00 grading security), water and sewer service inspections, driveway approaches, relocation of any existing infrastructure (such as hydrants) and any damage during construction (unknown costs at this time). Cash payments mentioned above are subject to change. (Development Engineering)
6. That the Owner pays their share of urbanization fees across the entire frontage of their site along Seabreeze Crescent as per the City of Hamilton "New Roads Servicing Rates" as a condition of approval. (Development Engineering)

DATED AT HAMILTON this 20th day of May, 2021.

D. Smith (Chairman)

D. Serwatuk

M. Dudzic

M. Switzer

N. Mleczko

L. Gaddy

B. Charters

T. Lofchik

M. Smith

THE DATE OF GIVING OF THIS NOTICE OF DECISION IS May 27th, 2021.
HEREIN NOTED CONDITIONS MUST BE MET WITHIN ONE (1) YEAR OF THE DATE OF THIS NOTICE OF DECISION (May 27th, 2022) OR THE APPLICATION SHALL BE DEEMED TO BE REFUSED (PLANNING ACT, SECTION 53(41)).

NOTE: THE LAST DATE ON WHICH AN APPEAL TO THE LOCAL PLANNING APPEAL TRIBUNAL (LPAT) MAY BE FILED IS **JUne 16th , 2021**

NOTE: THIS DECISION IS NOT FINAL AND BINDING UNLESS OTHERWISE NOTED.

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1. Based on this application being approved and all conditions being met, the owner /applicant should be made aware that the lands identified as Lot A will be assigned the address of **117 Whitefish Crescent (Stoney Creek)**, the lands identified as Lot B will be assigned the address of **121 Whitefish Crescent (Stoney Creek)**, the lands identified as Lot C will be assigned the address of **65A Seabreeze Crescent (Stoney Creek)**, and the lands identified as Lot D will remain as **65 Seabreeze Crescent (Stoney Creek)**. (Growth Planning)
2. That the Owner agrees to physically affix the municipal numbers or full addresses to either the buildings or on signs in accordance with the City's Sign By-law, in a manner that is clearly visible from the road. (Growth Planning)

