



Hamilton

COMMITTEE OF ADJUSTMENT

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

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.:	B-24:14	SUBJECT PROPERTY:	3A & 3B North Park Ave., Hamilton
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APPLICANTS: Owner: Habitat for Humanity Hamilton c/o S. Ferris
Agent: Arcadis Professional Services (Canada) Inc. c/o J. Marcus

PURPOSE & EFFECT: To permit the conveyance of a parcel of land containing one half of a semi-detached dwelling (currently under construction) and to retain a parcel of land containing one half of a semi-detached dwelling (currently under construction).

	Frontage	Depth	Area
SEVERED LANDS Part 2:	6.55 m [±]	30.73 m [±]	201 m ² [±]
RETAINED LANDS Part 1:	6.55 m [±]	30.73 m [±]	201 m ² [±]

Associated Planning Act File(s): HM/A-22:403

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:	Tuesday, April 23, 2024
TIME:	2:40 p.m.
PLACE:	City Hall Council Chambers (71 Main St. W., Hamilton)

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

PUBLIC INPUT

Written: If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. 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. Written comments must be received no later than noon, **April 19, 2024**

Comments are available the Friday prior to the Hearing and are available on our website:
www.hamilton.ca/committeeofadjustment

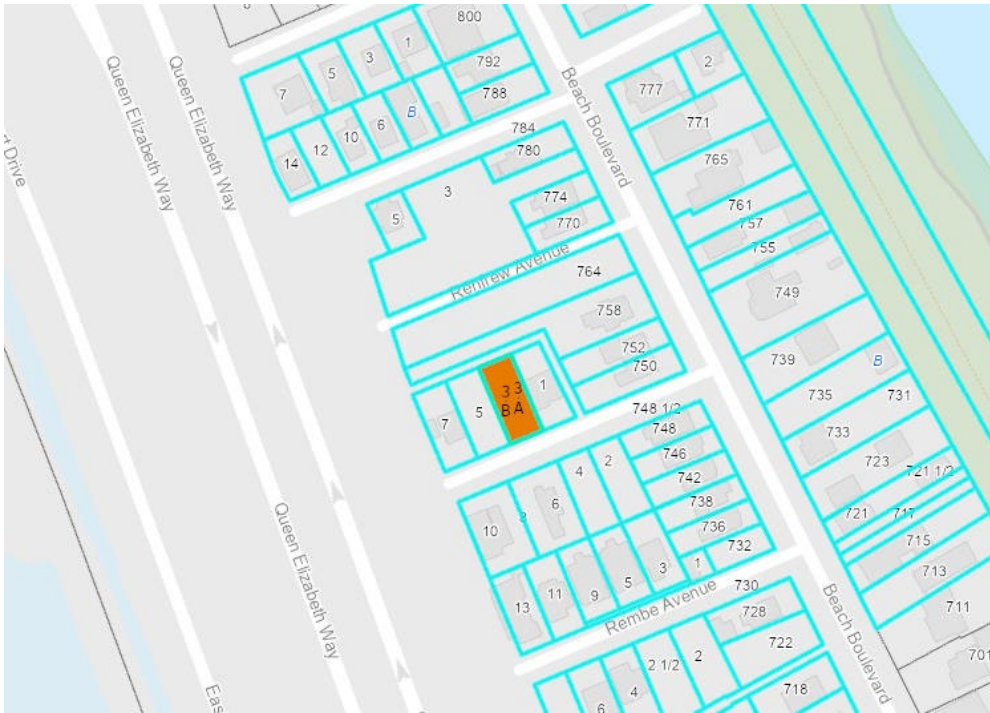
Orally: If you would like to speak to this item at the hearing you may do so by attending in person. Interested members of the public, agents, and owners who wish to participate in person may attend Council Chambers on the date and time listed on the Notice of Public Hearing. Please note, you will be required to provide your name and address for the record. It is advised that you arrive no less than 10 minutes before the time of the Public Hearing, as noted above.

We hope this is of assistance and if you need clarification or have any questions, please email cofa@hamilton.ca

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding B-24:14, 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 the Notice of Decision 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.



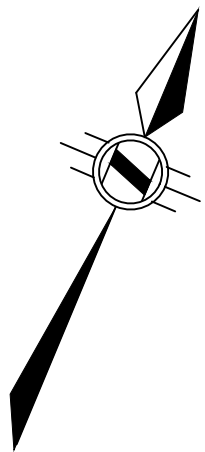
DATED: April 4, 2024

**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.

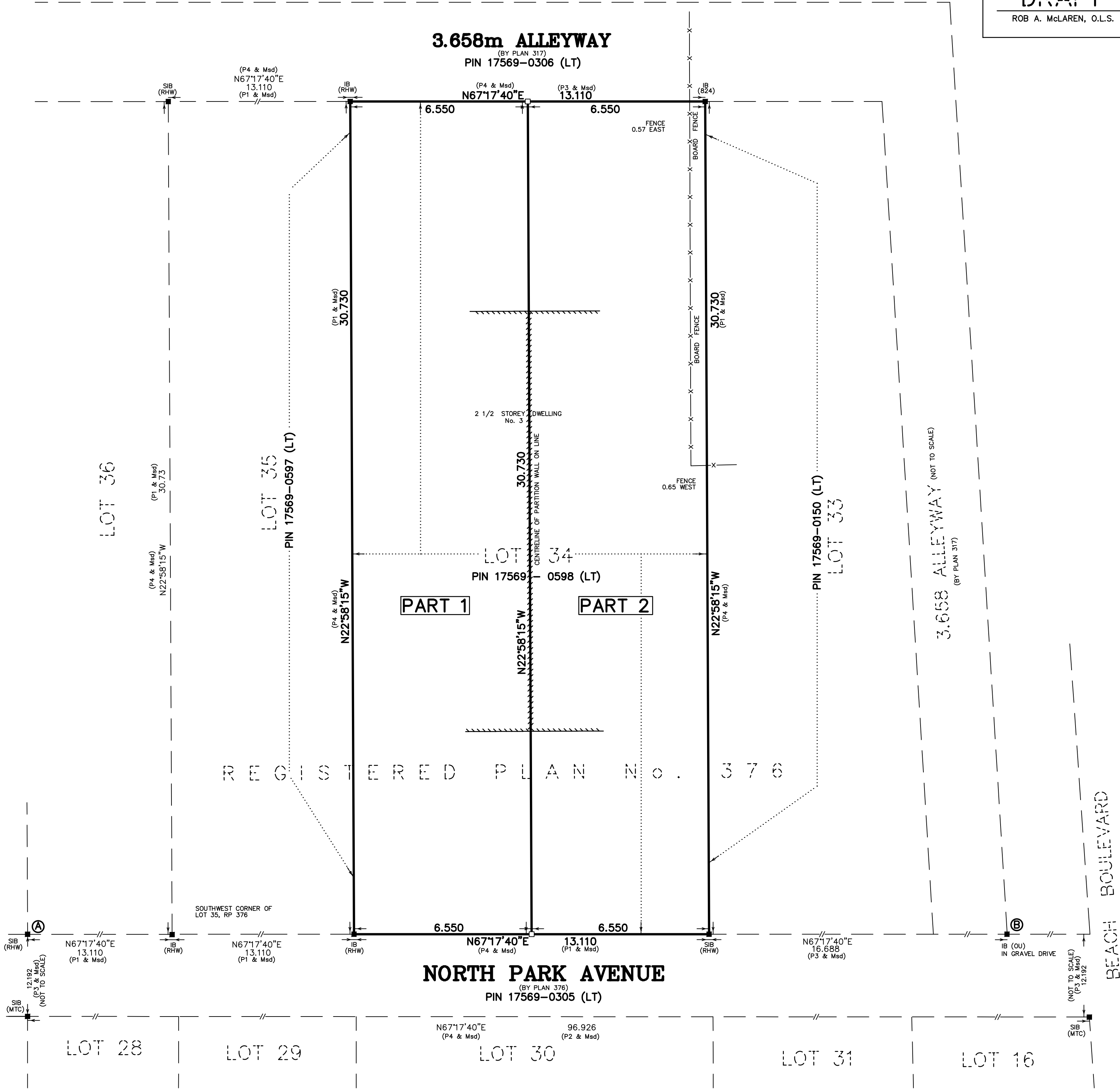
If a person or public body that files an appeal of a decision of The City of Hamilton Committee of Adjustment in respect of the proposed consent does not make written submissions to The City of Hamilton Committee of Adjustment before it gives or refuses to give a provisional consent, the Ontario Land Tribunal may dismiss the appeal.

PLAN OF SURVEY
OF ALL OF
LOT 34
REGISTERED PLAN No. 376
IN THE
CITY OF HAMILTON
SCALE 1:100 METRIC
R.A. McLAREN, O.L.S. - 2024



SCHEDULE			
PART	LOT	PLAN	PIN
1	ALL OF LOT 34	RP 376	ALL OF PIN 17569 - 0598 (LT)
2			

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
DRAFT
ROB A. McLAREN, O.L.S.



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 0.999712524

INTEGRATION DATA

OBSERVED REFERENCE POINTS (ORP's): UTM ZONE 17, NAD83 (CSRS) (2010.0). COORDINATES TO URBAN ACCURACY PER SEC. 14(2) OF O.REG. 216/10		
POINT ID	NORTHING	EASTING
ORP A	4792963.826	598350.458
ORP B	4792985.431	598402.090
COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.		

LEGEND:

DENOTES	MONUMENT SET
IB	IRON BAR
PB	PLASTIC BAR
CC	CUT CROSS
SIB	STANDARD IRON BAR
SSIB	SHORT STANDARD IRON BAR
S24	A.T. McLAREN, O.L.S.
MTC	MINISTRY OF TRANSPORTATION & COMMUNICATIONS
RWH	REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH
OU	ORIGIN UNKNOWN
Msd	MEASURED
P1	PLAN BY BARICH GRENIKE SURVEYING LTD. DATED JUNE 28, 2018 (FILE No. 18-2359) PLAN BY G.E. GIDDY, O.L.S. DATED SEPTEMBER 9, 1998 (FILE No. F-1219) REGISTERED PLAN No. 376 PLAN BY A.T. McLAREN, O.L.S. DATED SEPT. 14, 2021 (FILE No. 36749)
P2	
P3	
P4	

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

DRAFT

DATE ROB A. McLAREN, O.L.S.

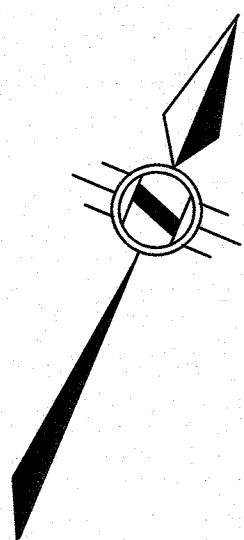
THIS PLAN OF SURVEY RELATES TO AOLS PLAN SUBMISSION FORM NUMBER 71721



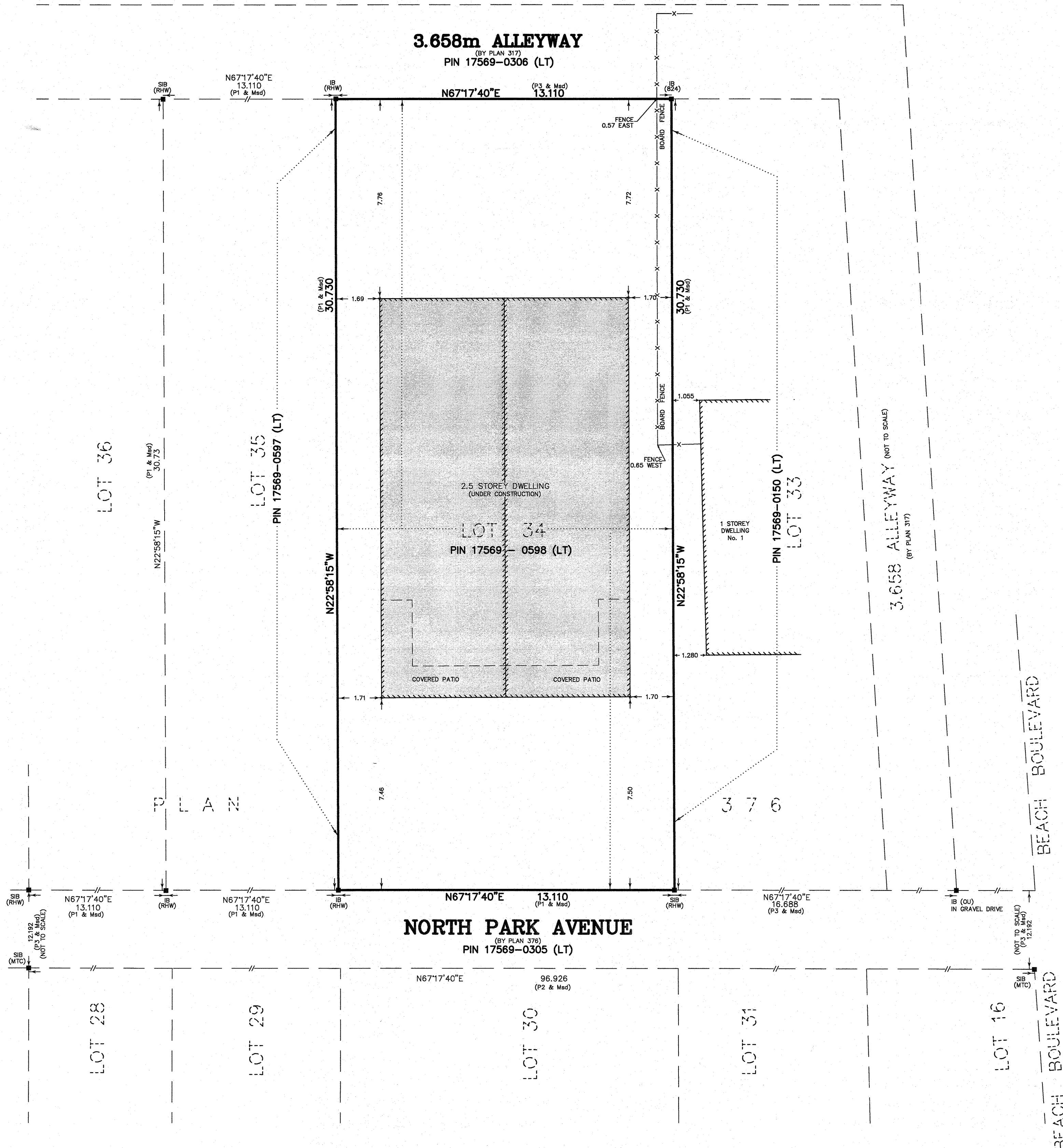
A.T. McLaren Limited
LEGAL AND ENGINEERING SURVEYS
69 JOHN STREET SOUTH, SUITE 230
HAMILTON, ONTARIO, L8N 2B9
PHONE (905) 527-8559 FAX (905) 527-0032

Drawn MN Checked RBM Crew Chief JS Scale 1:100 Dwg.No. 36749-R

R.A. McLAREN, O.L.S. - 2024



THIS PLAN WAS PREPARED FOR
HABITAT FOR HUMANITY HAMILTON



█	DENOTES	MONUMENT SET
IB	"	MONUMENT FOUND
IP	"	IRON BAR
PB	"	PLASTIC BAR
CC	"	CUT CROSS
SSIB	"	STANDARD IRON BAR
SSIB	"	SHORT STANDARD IRON BAR
824	"	A.T. McLAREN, O.L.S.
NTC	"	MINISTRY OF TRANSPORTATION & COMMUNICATIONS
RWH	"	REGIONAL MUNICIPALITY OF HAMILTON-MEWORTH
CU	"	ORIGIN UNKNOWN
Med	"	MEASURED
P1	"	PLAN BY BARICH GRENNIE SURVEYING LTD. DATED JUNE 28, 2018 FILE NO. 18-2359
P2	"	PLAN BY G.E. GIDDY, O.L.S. DATED SEPTEMBER 9, 1988 FILE NO. F-1219
P3	"	PLAN 378
///	"	NOT TO SCALE

BEARINGS ARE GRID AND ARE
REFERRED TO UTM ZONE 17,
NAD83 (CSRS) (2010.0), AS SHOWN
ON PLAN BY A.T.McLAREN LTD,
O.L.S. DATED SEPTEMBER 14, 2021
FILE No. 36749

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

DISTANCES ARE GROUND AND CAN
BE CONVERTED TO GRID BY
MULTIPLYING BY THE COMBINED
SCALE FACTOR OF 0.999712524

I CERTIFY THAT:

1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.
2. THE SURVEY WAS COMPLETED ON THE 1st DAY OF DECEMBER, 2023

15 JAN 2024

R.A. McLAREN, O.L.S.

THIS PLAN OF SURVEY RELATES TO AOLS PLAN SUBMISSION FORM NUMBER 66267

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REPRODUCE, DISTRIBUTE OR ALTER THIS PLAN IN WHOLE OR IN
PART WITHOUT THE WRITTEN PERMISSION OF R.A. 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

Draw
A6

Check
10

Crew Chief	16
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Scale
1-10

Dwg

Dwg No. 36749-F

Arcadis Inc.
360 James Street North – Suite 200
Hamilton
Ontario L8L 1H5
Canada
Phone: 905-546-1010 ext. 63139
www.arcadis.com



Ms. Jamila Sheffield, ACST
Secretary Treasurer, Committee of Adjustment
City of Hamilton
71 Main Street West, 5th Floor
Hamilton, ON L8P 4Y5

Subject: 3 North Park Avenue, Hamilton – Consent Application
Date: February 28, 2024

Dear Ms. Sheffield,

On behalf of our client, Habitat for Humanity Hamilton, we are pleased to submit a Consent application for the above noted property. Founded in 1991, Habitat Hamilton is an independent, not-for-profit charity that builds affordable housing, promotes homeownership, and completes a variety of home repairs and renovations throughout the greater Hamilton community. They mobilize volunteers, community members and corporate partners and strive to create a world where everyone has a safe and decent place to live.

The application would permit the severance of the existing property into two (2) semi-detached lots. The semi-detached dwellings are currently under construction per building permit #23 121910 00 R9, and were subject to prior Committee of Adjustment decision HM/A-22:403. The application seeks to sever Part 2 from the current property and would leave Part 1 as retained land holdings.

In support of the Consent application please find enclosed the following information:

- A digital copy of the completed Consent application form;
- A digital copy of the draft Reference Plan; and,
- A digital copy of the as-built Surveyor's Property Report.

Please note that a cheque in the amount of \$3,360.00, made payable to the City of Hamilton and which represents the City's required application review fee, will be delivered under separate cover.

Should you require any additional information please do not hesitate to contact me.

Regards,

A handwritten signature in black ink, appearing to read 'Jared Marcus', with a stylized flourish at the end.

Jared Marcus, CPT
Associate – Manager, Planning

Cc: Mr. Sean Ferris and Peter Walberg, Habitat for Humanity Hamilton
Nicole Cimadamore, New Horizon Development Group

**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*		
Registered Owners(s)	Habitat for Humanity Hamilton c/o Sean Ferris	
Applicant(s)**	Same as Agent	
Agent or Solicitor	Arcadis Professional Services (Canada) Inc. c/o Jared Marcus	

*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 Primary contact

☐ Purchaser
☐ Applicant

☐ Owner
☒ Agent/Solicitor

1.3 Sign should be sent to

☐ Purchaser
☐ Applicant

☐ Owner
☒ 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.

1.6 Payment type

☐ In person

☐ Credit over phone*

☒ Cheque

*Must provide number above

2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	3A and 3B North Park Avenue		
Assessment Roll Number			
Former Municipality	Hamilton		
Lot		Concession	
Registered Plan Number	376	Lot(s)	34
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)

☒ creation of a new lot(s)

☐ addition to a lot

☐ an easement

☐ validation of title (must also complete section 8)

☐ cancellation (must also complete section 9)

☐ 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)

☐ concurrent new lot(s)

☐ a lease

☐ a correction of title

☐ a charge

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*
Identified on Sketch as:	Part 1	Part 2			
Type of Transfer	N/A	Severance			
Frontage	6.55m	6.55m			
Depth	30.73m	30.73m			
Area	201.28sq.m	201.28sq.m			
Existing Use	Residential	Residential			
Proposed Use	Residential	Residential			
Existing Buildings/ Structures	2.5 storey semi-detached dwelling (under	2.5 storey semi-detached dwelling (under			
Proposed Buildings/ Structures	None	None			
Buildings/ Structures to be Removed	None	None			

* 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) Scheduled E: Neighbourhoods,
Schedule E- 1: Neighbourhoods.

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

Proposed land use is an example of mild intensification within an existing neighbourhood. The proposal includes a proposed residential use and density that conforms with the policies of the Neighbourhoods designation.

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/S-1436b Zone
(Urban Protected Residential, Etc.) District, Modified.
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.

Minor Variance - HM/A-22:403 - Approved

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 checked="" type="checkbox"/>	100m from Lake Ontario
An industrial or commercial use, and specify the use(s)	<input checked="" type="checkbox"/>	HOPA terminal
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.

No

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.

Unknown

6.4 How long has the applicant owned the subject land?

Since 2021

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.

This information is not relevant to the application review.

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)

The only Policy Statement issued under Section 3 of the Planning Act is the PPS; consistency with the PPS has been addressed in question 7.2 below.

7.2 Is this application consistent with the Provincial Policy Statement (PPS)?

☒ Yes ☐ No (Provide explanation)

The application contributes to an appropriate range and mix of housing options and densities to meet projected market-based needs of current and future residents of the regional market area by directing the development of new housing towards locations with appropriate levels of infrastructure and public service facilities (as per section 1.4.3 c of the PPS).

7.3 Does this application conform to the Growth Plan for the Greater Golden Horseshoe?

☒ Yes ☐ No (Provide explanation)

The application conforms to section 4c) of Growth Plan by providing a diverse range and mix of housing options to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes.

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

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

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
-
-