**COMMITTEE OF ADJUSTMENT** 



City Hall, 5<sup>th</sup> floor, 71 Main Street West, Hamilton, ON L8P 4Y5 Telephone (905) 546-2424, ext. 4221 E-mail: <u>cofa@hamilton.ca</u>

# 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	B-24:84	SUBJECT	541 Stone Church Road West,
NO.:		PROPERTY:	Hamilton

APPLICANTS: Owner: Subhash Bhalla (1371981 Ontario Inc.) Agent: Richie Khanna, R&R Designs

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

	Frontage	Depth	Area
SEVERED LANDS:	11.7 m <sup>±</sup>	29.86 m <sup>±</sup>	341 m <sup>2 ±</sup>
RETAINED LANDS:	11.6 m <sup>±</sup>	29.87 m <sup>±</sup>	345 m <sup>2 ±</sup>

Associated Planning Act File(s): A-24:279

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, February 13, 2025	
TIME:	3:45 p.m.	
PLACE:	City Hall Council Chambers (71 Main St. W., Hamilton)	
	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 <u>www.hamilton.ca/committeeofadjustment</u>

#### B-24:84

• Visit Committee of Adjustment staff at 5<sup>th</sup> floor City Hall, 71 Main St. W., Hamilton

### 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, written comments must be received no later than noon **February 11, 2025** 

**Orally:** If you would like to speak to this item at the hearing you may do so via video link, calling in, or attending in person. Please see attached page for complete instructions, registration to participate virtually must be received no later than noon **February 12, 2025** 

#### FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding B-24:84, you must submit a written request to <u>cofa@hamilton.ca</u> 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 <u>cofa@hamilton.ca</u> or by mail through City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5.



Subject Lands

DATED: January 27, 2025

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.

# **COMMITTEE OF ADJUSTMENT**



City Hall, 5<sup>th</sup> floor, 71 Main Street West, Hamilton, ON L8P 4Y5 Telephone (905) 546-2424, ext. 4221 E-mail: <u>cofa@hamilton.ca</u>

# 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 advance of the meeting. Comments can be submitted by emailing <u>cofa@hamilton.ca</u> 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 on the date listed on the Notice of Public Hearing.** 

Comments are available the Tuesday prior to the Hearing and are available on our website: <a href="https://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a>

# **Oral Submissions**

Members of the public are also able to provide oral comments regarding Committee of Adjustment Hearing items by participating Virtually through Webex via computer or phone or by attending the Hearing In-person. Participation Virtually requires pre-registration in advance. Please contact staff for instructions if you wish to make a presentation containing visual materials.

# 1. Virtual Oral Submissions

Interested members of the public, agents, and owners **must register by noon on the day listed on the Notice of Public Hearing to** participate Virtually.

To register to participate Virtually by Webex either via computer or phone, please contact Committee of Adjustment staff by email <u>cofa@hamilton.ca</u>. The following information is required to register: Committee of Adjustment file number, hearing date, name and mailing address of each person wishing to speak, if participation will be by phone or video, and if applicable the phone number they will be using to call in.

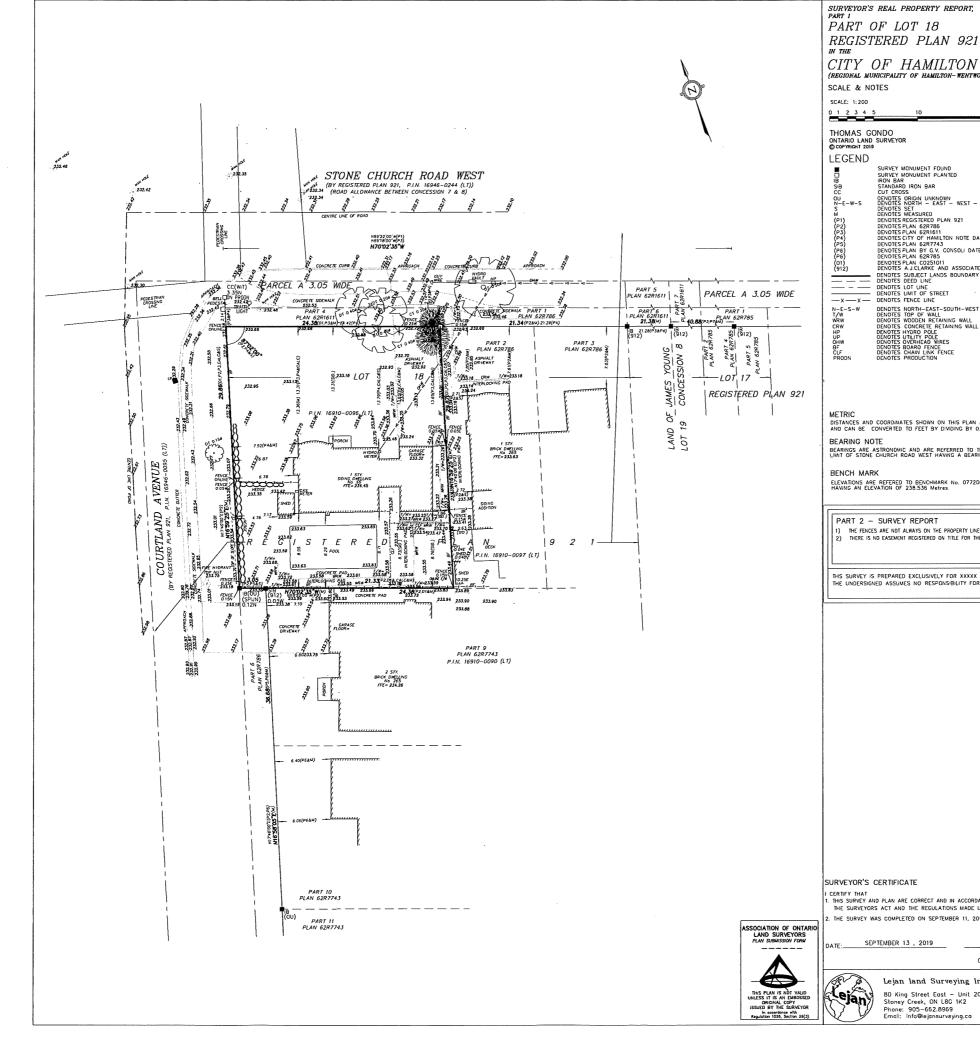
A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting one business day before the Hearing. Only those registered will be called upon to speak.

# 2. In person Oral Submissions

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 on the Notice of Public Hearing.

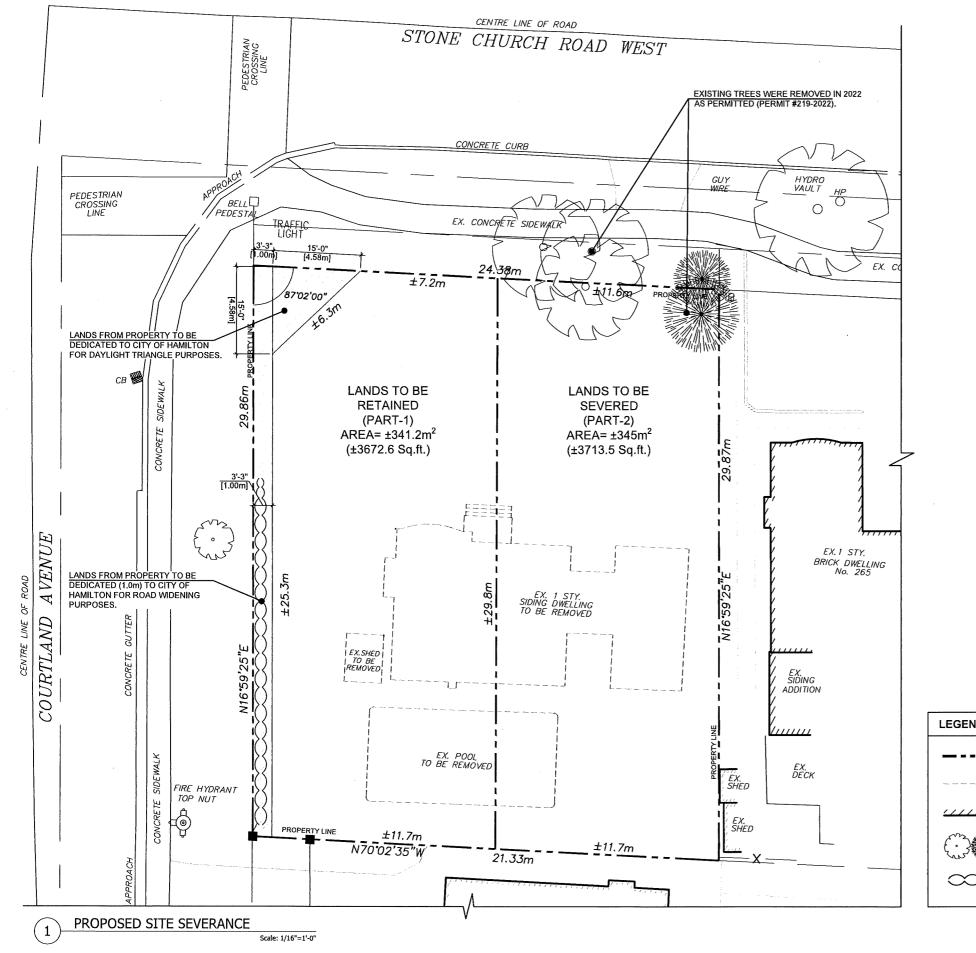
We hope this is of assistance and if you need clarification or have any questions, please email <u>cofa@hamilton.ca</u>.

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.



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THOMAS GONDO

JOB No. 19-5611



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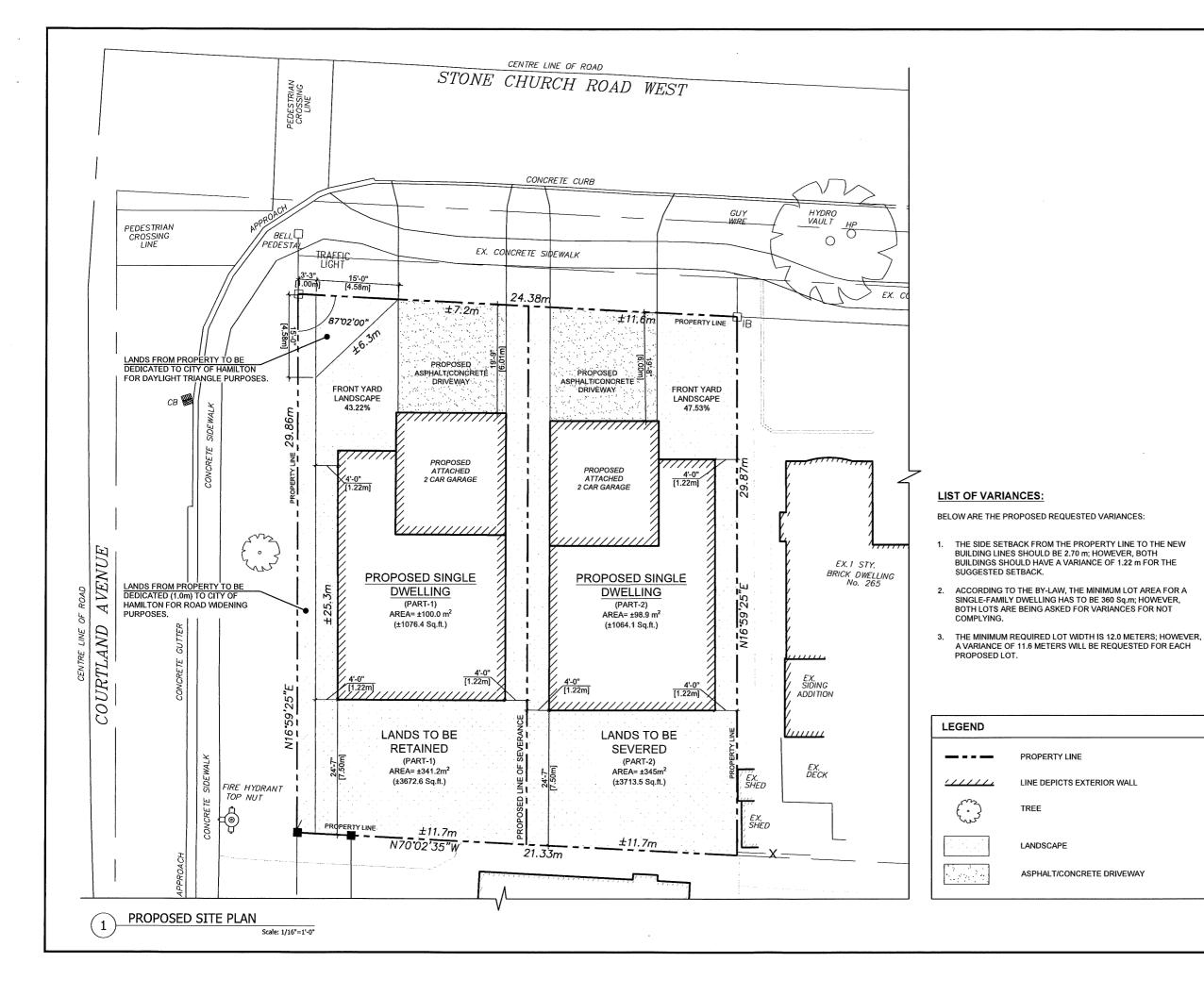
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ARCHITECT/E	NGINEER			
	R&R DESIGNS			
	92 Stapleton Ave.			
	Hamilton, ON 18H 3N6 Tel: 905.547-8668			
designs	Richie Khanna richie@r-rdesigns.net			
NOTES:	WWW.r-rdesigns.net			
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ADDRESS:				
541 STONE CHURCH RD W, HAMILTON, ON L9B 1A5				
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PROPOSED SITE SEVERANCE				
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Committee of Adjustment City Hall, 5th Floor, 71 Main St. W., Hamilton, ON L8P4Y5

Phone: (905) 546-2424 ext. 4221 Email: <u>cofa@hamilton.ca</u>

#### 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	
Purchaser*	SUBHASH BHALLA (1371981 ONTARIO INC.)	
Registered Owners(s)	RICHIE KHANNA R&R DESIGNS	
Applicant(s)**		Phone:
		E-mail:
Agent or Solicitor		Phone:
		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	Primary contact	<ul> <li>Purchaser</li> <li>Applicant</li> </ul>	<ul> <li>Owner</li> <li>Agent/Solicitor</li> </ul>
1.3	Sign should be sent to	<ul> <li>☐ Purchaser</li> <li>☑ Applicant</li> </ul>	✓ Owner ☐ Agent/Solicitor
1.4	Request for digital copy of sign If YES, provide email address where sign	✓ Yes* ☐ No n is to be sent	
1.5	All correspondence may be sent by ema If Yes, a valid email must be included for applicable). Only one email address sub request does not guarantee all correspon	the registered owner(s) AN mitted will result in the voiding	

APPLICATION FOR CONSENT TO SEVER LAND (January 1, 2024)

1.6 Payment type

□In person ☑Cheque

Credit over phone\*

\*Must provide number above

#### 2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	541 STONE CHURCH RD W				
Assessment Roll Number	251808104107600				
Former Municipality	HAMILTON				
Lot		Concession			
Registered Plan Number	921	Lot(s)	PART OF LOT 18		
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

□ concurrent new lot(s)

a charge

□ a lease □ a correction of title

an easement

validation of title (must also complete section 8)

 $\Box$  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)

3.2 Name of person(s), if known, to whom land or interest in land is to be transferred, leased or charged:

SUBHASH BHALLA (1371981 ONTARIO INC.)

- 3.3 If a lot addition, identify the lands to which the parcel will be added:
- 3.4 Certificate Request for Retained Lands: W 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: SINGLE LOT TO BE SEVERED

All dimensions to be provided in metric (m, m<sup>2</sup> 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	NEWLOT .			
Frontage	11.6 m	11.7 m			
Depth	29.87 m	29.86 m			
Area	±345 m <sup>2</sup>	±341 m²			
Existing Use	RESIDENTIAL				
Proposed Use	RESIDENTIAL	RESIDENTIAL			
Existing Buildings/ Structures	SINGLE DWELLING				
Proposed Buildings/ Structures	SINGLE DWELLING	SINGLE DWELLING			
Buildings/ Structures to be Removed	EX. BUILDING STRUCTURES TO BE DEMOLISHED.				

\* Additional fees apply.

#### 4.2 Subject Land Servicing

- a) Type of access: (check appropriate box)
- provincial highway
- municipal road, seasonally maintained
- I municipal road, maintained all year
- b) Type of water supply proposed: (check appropriate box)
- ✓ publicly owned and operated piped water system
- privately owned and operated individual well

()	Type of	enewaa	dienneal	nronosed.	(chock	appropriate box)
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- 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)

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✓ telephone
☐ school bussing

ussing 🛛 🗹 garbage collection

□ right of way

other public road

□ lake or other water body

□ other means (specify)

# 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: --

Urban Hamilton Official Plan designation (if applicable) URBAN HAMILTON - NEIGHBOURHOODS

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

URBAN HAMILTON OFFICIAL PLAN SCHEDULE - E1

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? D/S 198, D/S-1822 [URBAN PROTECTED RESIDENTIAL - ONE AND TWO FAMILY DWELLING, 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.

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		
A land fill		
A sewage treatment plant or waste stabilization plant		
A provincially significant wetland		
A provincially significant wetland within 120 metres		
A flood plain		
An industrial or commercial use, and specify the use(s)		
An active railway line		
A municipal or federal airport		

# 6 HISTORY OF THE SUBJECT LAND

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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 <i>Planning Act</i> ?
	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.
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 7 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 <i>Planning</i> Act?
	☐ Yes ☑ No (Provide explanation)
7.2	Is this application consistent with the Provincial Policy Statement (PPS)?
	☐ Yes
7.3	Does this application conform to the Growth Plan for the Greater Golden Horseshoe? ☐ Yes
7.4	Are the subject lands subject to the Niagara Escarpment Plan? ☐ Yes

- 7.7 Are the subject lands within an area of land designated under any other provincial plan or plans?

#### 8 ADDITIONAL INFORMATION - VALIDATION

8.1 Did the previous owner retain any interest in the subject land?

 $\Box$  Yes  $\Box$ N o (Provide explanation)

8.2 Does the current owner have any interest in any abutting land?

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?

9.2 Does the current owner have any interest in any abutting land?

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:	
	Booonplion of farm conconductor property.	

10.6

Frontage (m):	Area (m² 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 (m² 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 <sup>2</sup> or ha): (from Section 4.1)
Front yard set back:	
a) Date of construction:	After December 16, 2004
b) Condition:	□ 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