



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 APPLICATION **CONSENT**

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-25:014	SUBJECT PROPERTY:	354-360 King Street West, Hamilton
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APPLICANTS: Owner King Street Crossing Inc. c/o Gunther Bluesz
Agent A.J. Clarke and Associates c/o Ryan Ferrari

PURPOSE & EFFECT: To create stratified easements over a portion of lands for access purposes.

	Frontage	Depth	Area
EASEMENT LANDS (Part 7):	N/A	Varies	23 m ² ±
EASEMENT LANDS (Parts 12 & 13):	6 m±	Varies	151 m ² / ha±
EASEMENT LANDS (Part 11):	1.5 m±	10 m±	15 m ² ±
REMAINDER LANDS:	7.0 m± (King Street) 32.0 m± (Queen Street)	Irregular	1,587.8 m ² ±

Associated Planning Act File(s): B-025:013

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 decided upon by the Consent Authority, the Director of Planning and Chief Planning, no earlier than:

Thursday, March 27, 2025

For more information on this matter, including access to drawings illustrating this request and other information submitted:

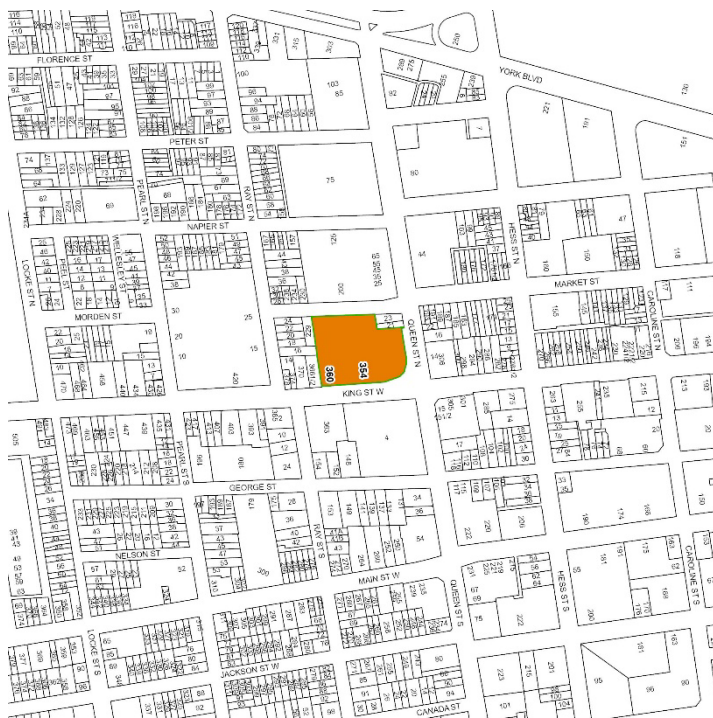
- Visit www.hamilton.ca/committeeofadjustment - Delegated Consent Authority Tab
- Email Committee of Adjustment staff at cofa@hamilton.ca

PUBLIC INPUT

Written: If you would like to submit written comments to the Consent Authority, you may do so via email or hardcopy. Written 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 Date of Decision.**

Comments will be available on **March 26, 2025** on our website:
www.hamilton.ca/committeeofadjustment

Orally: Oral comments are not able to be submitted.



 **Subject Lands**

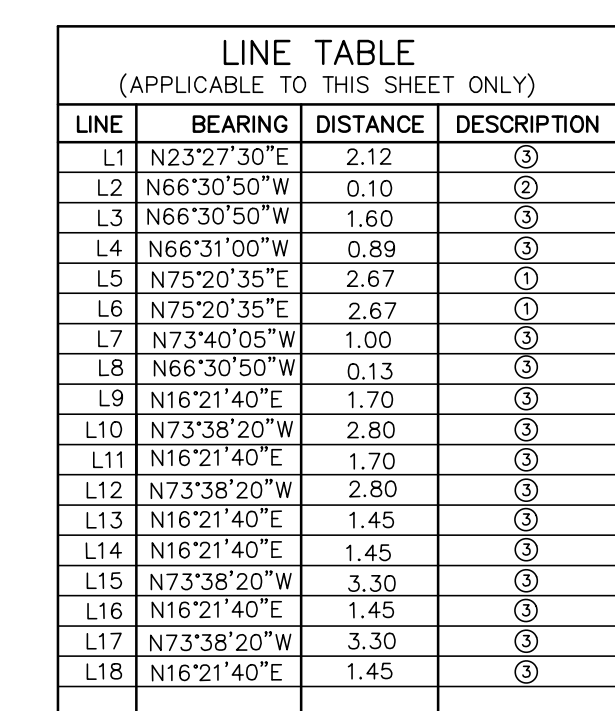
DATED: March 10, 2025

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 in respect of the proposed consent does not make written submissions before the Consent Authority gives or refuses to give a provisional consent, the Ontario Land Tribunal may dismiss the appeal.

If you wish to be notified of the Decision of Consent Authority in respect 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. A copy of the Decision will only be sent to those who request.



PLAN CONFIGURATION OF PARTS 1 TO 7 INCLUSIVE, 10, 11 AND 13 AT ELEVATION 110.70 metres. HCP (GROUND FLOOR AND ABOVE)

SHEET 1 OF 3 SHEETS		
PART LOCATION (FOR CROSS SECTIONS "A"-A", "B"-B", SEE SHEET 2) (FOR CROSS SECTIONS "C"-C", "D"-D", SEE SHEET 3)		
PART	SHEET	CROSS SECTION
1	1,2,3	"A"-A", "B"-B", "C"-C", "D"-D"
2	1,2,3	"A"-A", "D"-D"
3	1,2,3	"A"-A", "B"-B", "C"-C", "D"-D"
4	1,2,3	"B"-B"
5	1,2,3	"C"-C"
6	1,2,3	"C"-C"
7	1,2,3	"D"-D"
8	2	"C"-C"
9	3	"A"-A"
10	1,2,3	"C"-C"
11	2,3	"A"-A"
12	2	"A"-A", "B"-B"
13	1,2	"A"-A"

NOTES AND LEGEND

BEARINGS ARE UTM GRID, DERIVED FROM OBSERVED REFERENCE POINTS (A) AND (B)
BY REAL TIME NETWORK (RTN) OBSERVATIONS UTM ZONE 17, (81° WEST LONGITUDE)
NAD83 (CSRS)(2010)

DISTANCES SHOWN HEREON ARE ADJUSTED GROUND DISTANCES AND CAN BE CONVERTED TO GRID DISTANCES BY MULTIPLYING BY A COMBINED SCALE FACTOR OF 0.999690875.

ELEVATIONS SHOWN HEREON ARE GEODETIC AND ARE REFERRED TO CITY OF HAMILTON
BENCH MARK No. 0011965U649 ELEVATION = 112.302 metres

■	DENOTES	SURVEY MONUMENT FOUND
□	DENOTES	SURVEY MONUMENT PLANTED
SIB	DENOTES	STANDARD IRON BAR
SSIB	DENOTES	SHORT STANDARD IRON BAR
IB	DENOTES	IRON BAR
CC	DENOTES	CUT CROSS
U	DENOTES	ORIGIN UNKNOWN
PB	DENOTES	PLASTIC BAR
CP	DENOTES	CONCRETE PIN
WIT	DENOTES	WITNESS
M/MEAS	DENOTES	MEASURED
N.S.E.W	DENOTES	NORTH, SOUTH, EAST, WEST
PROD	DENOTES	ON PRODUCTION
CALC	DENOTES	CALCULATE
N1	DENOTES	FIELD NOTES FROM R.A.W.S SURVEYING INC. O.L.S., PATER

1525/RA	DENOTES	R. AVIS SURVEYING INC., O.L.S.
RHW	DENOTES	REGIONAL MUNICIPALITY OF HAMILTON--WENTWORTH
824	DENOTES	A.T. McLAREN, O.L.S.
*	DENOTES	UNABLE TO MONUMENT ACCORDING TO SITE CONDITIONS
BA	DENOTES	PLAN BA--653
P1	DENOTES	TOPOGRAPHIC SURVEY BY A.T. McLAREN LIMITED, O.L.S.
		DATED AUGUST 23, 2016

P2	DENOTES	PLAN 62R-3119
P3	DENOTES	PLAN 62R-20958
P4	DENOTES	PLAN 62R-12607
P5	DENOTES	PLAN 62R-20967
P6	DENOTES	PLAN 62R-21304
P7	DENOTES	PLAN 62R-22035
D1	DENOTES	INSTRUMENT No. HL169945
P.I.N.	DENOTES	PROPERTY IDENTIFIER NUMBER
HOP	DENOTES	HORIZONTAL CUTTING PLANE
ELEV	DENOTES	ELEVATION
CIE	DENOTES	CHANGE IN ELEVATION
UL	DENOTES	UPPER LIMIT
LL	DENOTES	LOWER LIMIT
NUL	DENOTES	NO UPPER LIMIT
NEL	DENOTES	NO LOWER LIMIT

①	DENOTES	VERTICAL PLANE ESTABLISHED BY MEASUREMENT
②	DENOTES	VERTICAL PLANE ESTABLISHED BY CENTRE LINE OF WALL/COLUMN/BRICK/ALUMINUM CURTAIN WALL AND PRODUCTION
③	DENOTES	VERTICAL PLANE ESTABLISHED BY FACE OF WALL/COLUMN/BRICK/ALUMINUM CURTAIN WALL AND PRODUCTION
④	DENOTES	HORIZONTAL PLANE ESTABLISHED BY GEODETIC ELEVATION
⑤	DENOTES	HORIZONTAL PLANE ESTABLISHED BY CENTRE LINE OF CONCRETE FLOOR SLAB
⑥	DENOTES	UPPER SURFACE AND PLANE OF CONCRETE SLAB AND PRODUCTION
⑦	DENOTES	FACE OF CONCRETE CURB AND PRODUCTION
⑧	DENOTES	SLOPING PLANE
⑨	DENOTES	LOWER SURFACE AND PLANE OF CONCRETE FLOOR SLAB
⑩	DENOTES	HORIZONTAL PLANE ESTABLISHED BY GEODETIC ELEVATION AND MEASURED 2.10 METRE PERPENDICULAR DISTANCE ABOVE THE CONCRETE FLOOR SLAB
↑ ↓	DENOTES	EXTENT OF PART NOT LIMITED

PART LIMITS ARE VERTICAL, HORIZONTAL AND SLOPING PLANES ESTABLISHED BY MEASUREMENT
UNLESS NOTED OTHERWISE

ALL MEASUREMENTS BETWEEN FOUND MONUMENTS SHOWN ON THIS PLAN ARE IN AGREEMENT WITH PLAN 62B-22035 UNLESS OTHERWISE NOTED.

ALL FOUND MONUMENTS SHOWN ON THIS PLAN ARE BY A.T. McLAREN, O.L.S.
UNLESS OTHERWISE NOTED.

6° UTM ZONE 17 COORDINATES		
NAD83(CSRs-2010) (CENTRAL MERIDIAN 81° WEST LONGITUDE)		
	NORTHING	EASTING
A	4,790,313.821	591,022.619
B	4,790,245.242	591,002.561

- (1) THE UTM COORDINATES LISTED ABOVE ARE TO URBAN ACCURACY AND COMPLY WITH SUBSECTION 14(2) OF ONTARIO REGULATION 216/10 FILED UNDER THE SURVEYORS ACT.
- (2) THE UTM COORDINATES LISTED ABOVE ARE TO BE USED FOR GEOGRAPHIC INFORMATION SYSTEM INTEGRATION ONLY AND CANNOT BE USED TO RE-ESTABLISH THE PROPERTY CORNERS OR BOUNDARIES SHOWN HEREON

I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT. <u>JANUARY 24, 2025</u> DATE	PLAN 62R- RECEIVED AND DEPOSITED DATE REPRESENTATIVE FOR LAND REGISTRAR FOR THE LAND TITLES DIVISION OF THE WENTWORTH REGISTRY OFFICE (No. 62)
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STRATA PLAN OF SURVEY OF
LOTS 9, 10 AND 11 AND
PART OF LOTS 1, 2, 3, 4, 5, 8 AND 13
BLOCK 1, RANGE 1
REGISTERED PLAN 1435
CITY OF HAMILTON

SCALE 1 : 200

R. AVIS SURVEYING INC.

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

SCHEDULE				
PART	LOT	BLOCK	REGISTERED PLAN	P.I.N.
1	PART OF LOTS 2,3,4,5, 8,9,10,11 AND 13	1, RANGE 1	1435	ALL OF 17145-0434 (LT)
2	PART OF LOTS 9,10,11 AND 13			
3	PART OF LOTS 1,2,3,4, 5,8,9,10,11 AND 13			
4	PART OF LOT 8			
5	PART OF LOT 11			
6	PART OF LOT 5			
7	PART OF LOT 10			
8	PART OF LOT 11			
9	PART OF LOT 13			
10	PART OF LOT 11			
11	PART OF LOT 13			
12	PART OF LOTS 8 AND 13			
13	PART OF LOTS 8 AND 13			

PART 4 : SUBJECT TO AN EASEMENT AS IN INST. No. WE1659069

LEGEND

-  DENOTES RESIDENTIAL RENTAL
 DENOTES STACKED TOWNHOUSES
 DENOTES HOTEL

SURVEYOR'S CERTIFICATE

I CERTIFY THAT

1. THE STRUCTURES SHOWN ON THIS PLAN COMPRISING SHEETS 1 TO 3 INCLUSIVE ARE IN EXISTENCE.
2. THE DIMENSIONS SHOWN ON THIS PLAN HAVE BEEN VERIFIED BY ACTUAL MEASUREMENTS.

JANUARY 24, 2025
DATE

D. MIRET
io Land Surveyor

SURVEYOR'S CERTIFICATE

I CERTIFY THAT

1. THIS SURVEY AND PLAN COMPRISING SHEETS 1 TO 3 INCLUSIVE ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.

JANUARY 24, 2025
DATE

D. MIRET
 Civil Land Surveyor

THIS PLAN OF SURVEY RELATES TO A.O.I.S. PLAN SUBMISSION FORM

RAVIS SURVEYING INC

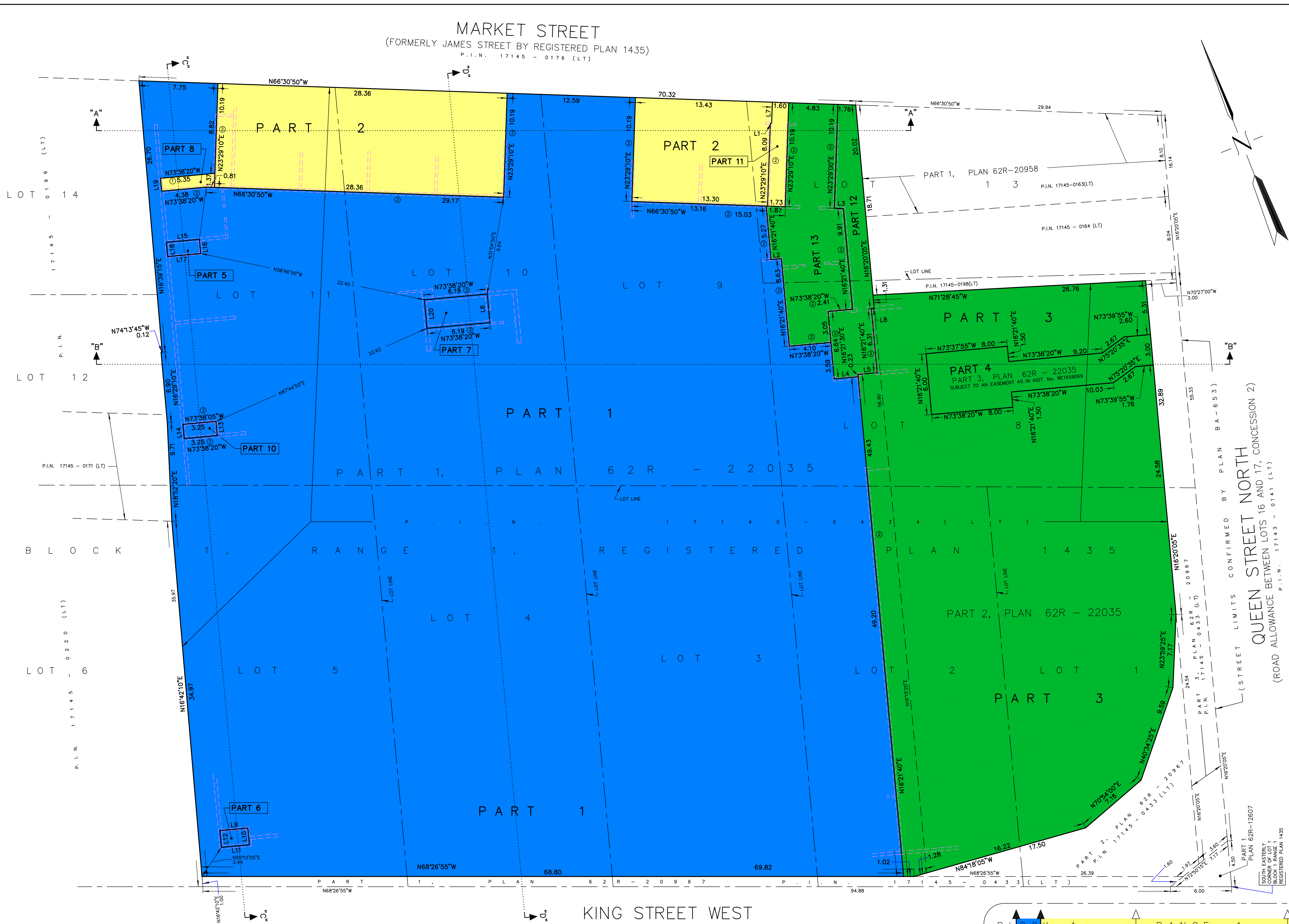
SUITE 203, 235 YORKLAND BOULEVARD, TORONTO, ONT.

[illegible]

DRAWN BY : L. JIN/RK

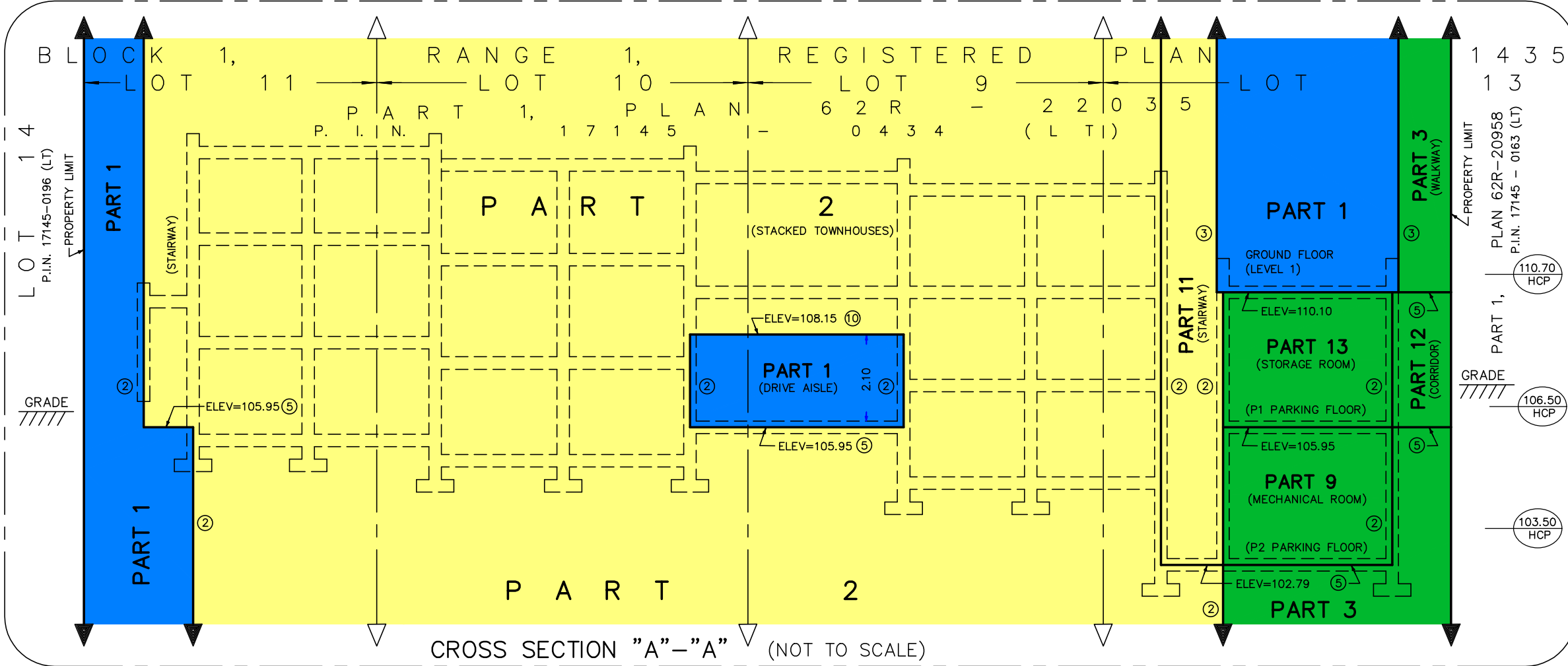
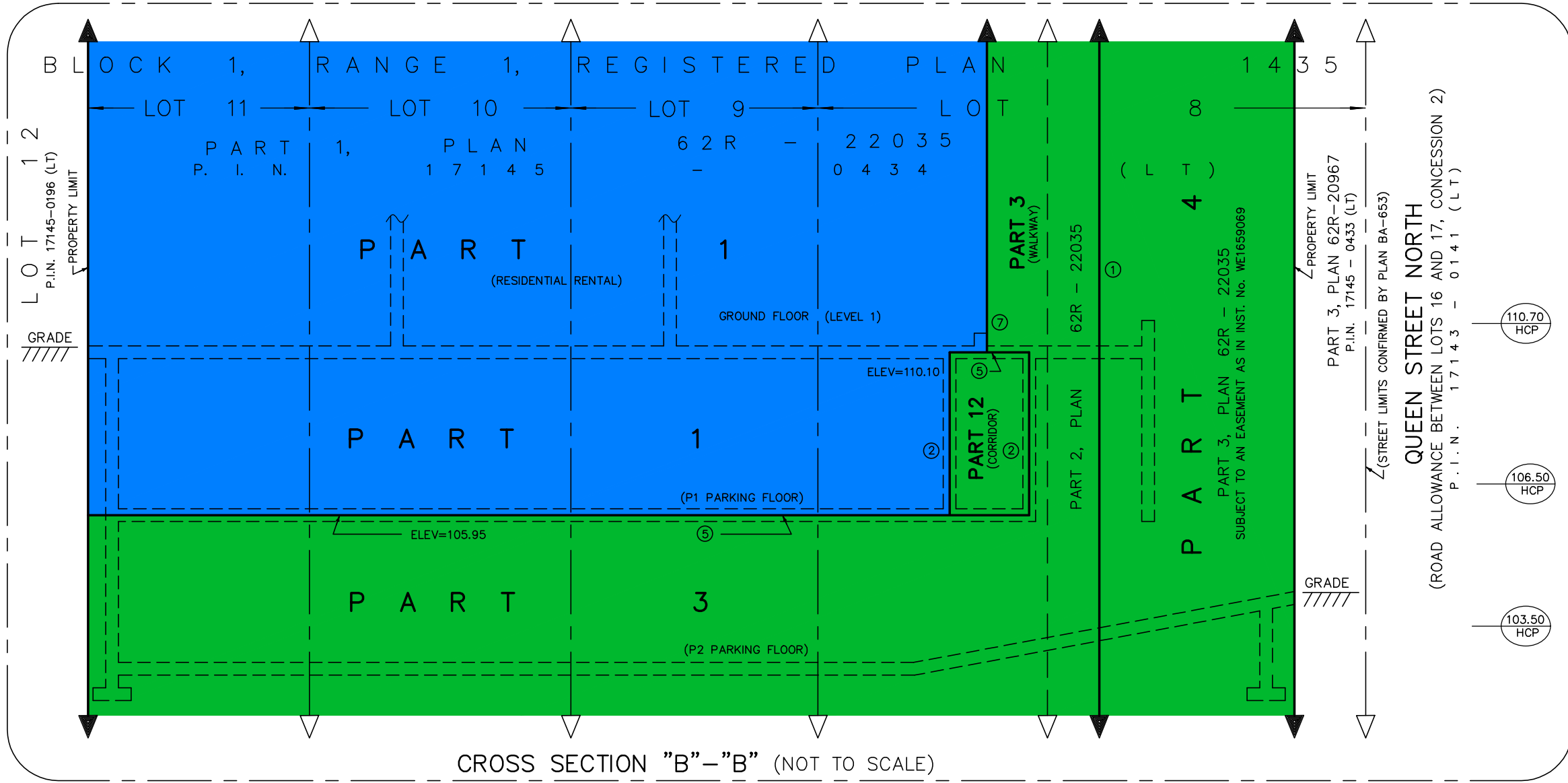
PROJECT No. : 3283-1
DRAWING No. : 3283-1

DRAWING NO. : 5205 TRIDING

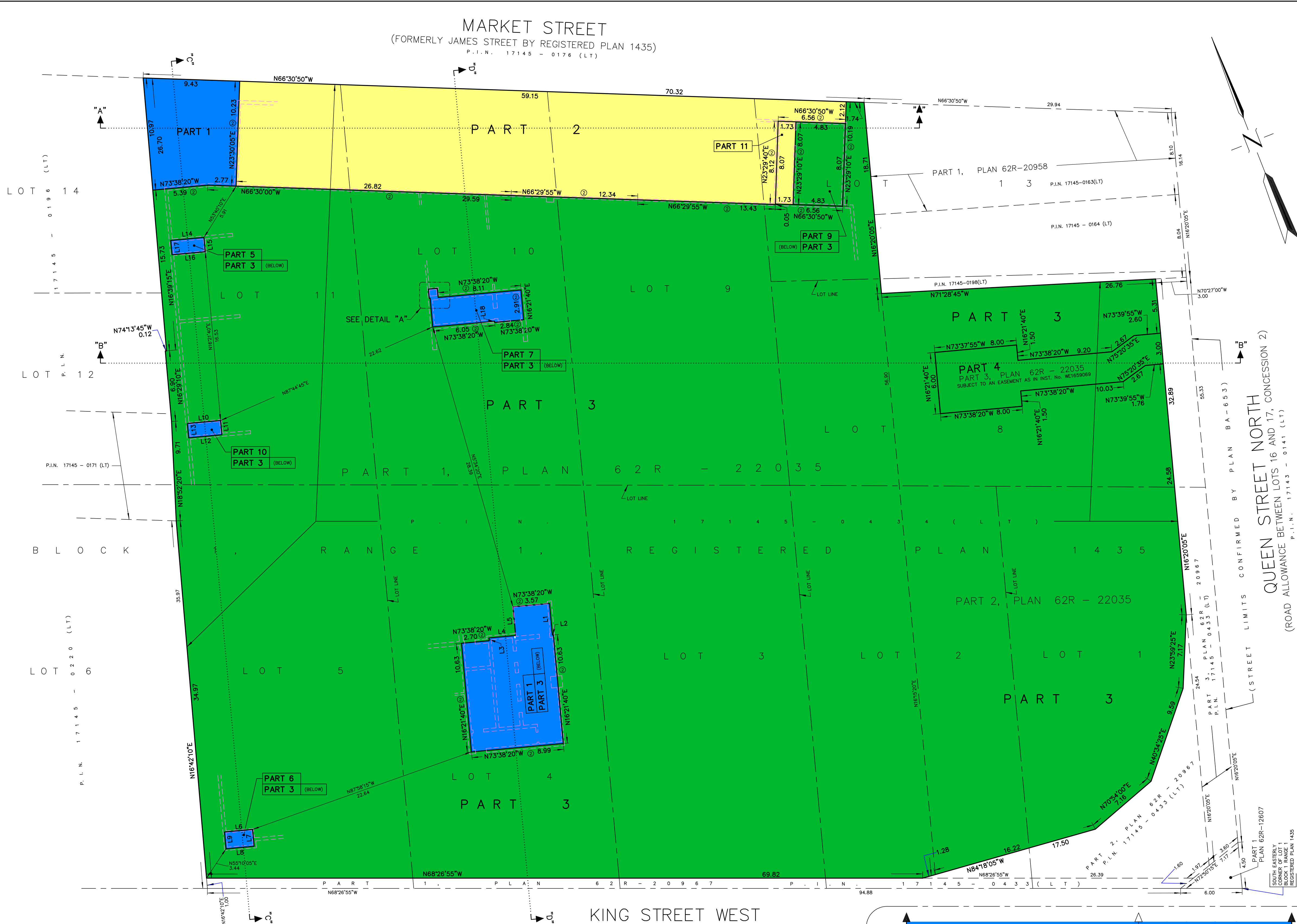


LINE TABLE (APPLICABLE TO THIS SHEET ONLY)			
LINE	BEARING	DISTANCE	DESCRIPTION
L1	N66°30'50"W	0.13	②
L2	N73°38'20"W	1.01	②
L3	N66°30'50"W	0.88	②
L4	N73°38'20"W	2.37	②
L5	N73°38'20"W	1.88	②
L6	N16°21'40"E	2.81	②
L7	N23°29'10"E	2.10	②
L8	N73°38'20"W	0.29	②
L9	N73°38'00"W	2.75	②
L10	N16°20'40"E	1.65	②
L11	N73°38'20"W	2.75	②
L12	N16°21'40"E	1.65	②
L13	N16°21'05"E	1.40	②
L14	N16°21'40"E	1.40	②
L15	N73°38'20"W	3.25	②
L16	N16°21'40"E	1.40	②
L17	N73°38'20"W	3.25	②
L18	N16°21'50"E	1.40	②
L19	N16°21'40"E	1.26	②
L20	N16°21'30"E	2.81	②

PLAN CONFIGURATION OF PARTS 1 TO 8 INCLUSIVE, 10 11, 12 AND 13 AT ELEVATION 106.50 metres. HCP (P1 PARKING FLOOR)



- LEGEND
- DENOTES RESIDENTIAL RENTAL
 - DENOTES STACKED TOWNHOUSES
 - DENOTES HOTEL



LINE TABLE (APPLICABLE TO THIS SHEET ONLY)			
LINE	BEARING	DISTANCE	DESCRIPTION
L1	N16°21'40"E	3.09	②
L2	N73°38'20"W	0.10	②
L3	N16°22'10"E	0.28	②
L4	N73°38'20"W	2.61	②
L5	N16°21'40"E	2.81	②
L6	N73°38'20"W	2.75	②
L7	N16°21'40"E	1.65	②
L8	N73°38'15"W	2.75	②
L9	N16°21'30"E	1.65	②
L10	N73°38'05"W	3.25	②
L11	N16°21'40"E	1.40	②
L12	N73°38'20"W	3.25	②
L13	N16°21'40"E	1.40	②
L14	N73°38'20"W	3.25	②
L15	N16°21'40"E	1.40	②
L16	N73°38'20"W	3.25	②
L17	N16°21'40"E	1.40	②
L18	N16°21'40"E	0.11	②

SHEET 3 OF 3 SHEETS

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

JANUARY 24, 2025
DATE

D. MIRET
ONTARIO LAND SURVEYOR

PLAN 62R-

RECEIVED AND DEPOSITED

DATE

REPRESENTATIVE FOR LAND REGISTRAR FOR THE
LAND TITLES DIVISION OF THE WENTWORTH
REGISTRY OFFICE (No. 62)

STRATA PLAN OF SURVEY OF
LOTS 9, 10 AND 11 AND
PART OF LOTS 1, 2, 3, 4, 5, 8 AND 13
BLOCK 1, RANGE 1
REGISTERED PLAN 1435
CITY OF HAMILTON

SCALE 1 : 200

5m 4 3 2 1 0 5 10 15m

R. AVIS SURVEYING INC.

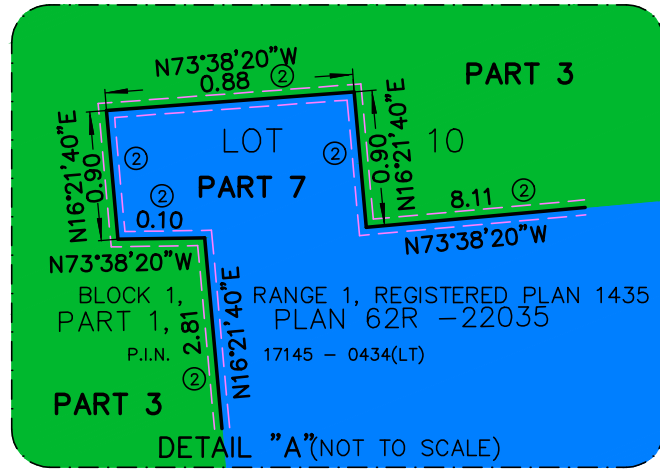
METRIC : DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE
CONVERTED TO FEET BY DIVIDING BY 0.3048.

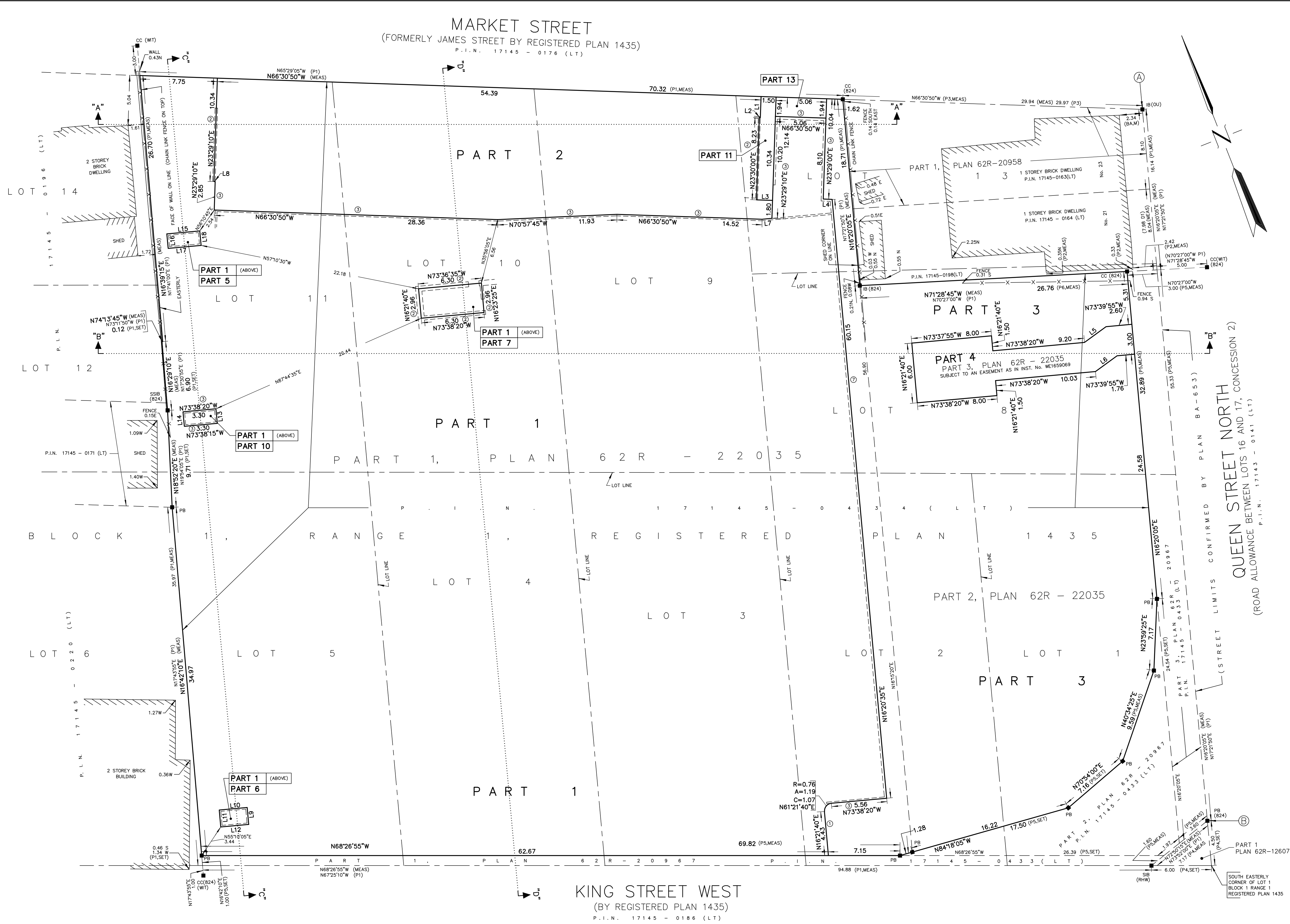
NOTES AND LEGEND

ELEVATIONS SHOWN HEREON ARE GEODETIC AND ARE REFERRED TO CITY OF HAMILTON
BENCH MARK No. 0019650649 ELEVATION = 112.302 metres

P.I.N.	DENOTES	PROPERTY IDENTIFIER NUMBER
HCP	DENOTES	HORIZONTAL CUTTING PLANE
ELEV	DENOTES	ELEVATION
CH	DENOTES	CHANGE IN ELEVATION
UL	DENOTES	UPPER LIMIT
LL	DENOTES	LOWER LIMIT
NUL	DENOTES	NO UPPER LIMIT
NLL	DENOTES	NO LOWER LIMIT
①	DENOTES	VERTICAL PLANE ESTABLISHED BY MEASUREMENT
②	DENOTES	VERTICAL PLANE ESTABLISHED BY CENTRE LINE OF WALL/COLUMN/ BRICK/ALUMINUM CURTAIN WALL AND PRODUCTION
③	DENOTES	VERTICAL PLANE ESTABLISHED BY FACE OF WALL/COLUMN/ BRICK/ALUMINUM CURTAIN WALL AND PRODUCTION
④	DENOTES	HORIZONTAL PLANE ESTABLISHED BY GEODETIC ELEVATION
⑤	DENOTES	HORIZONTAL PLANE ESTABLISHED BY CENTRE LINE OF CONCRETE FLOOR SLAB
⑥	DENOTES	UPPER SURFACE AND PLANE OF CONCRETE SLAB AND PRODUCTION
⑦	DENOTES	FACE OF CONCRETE CURB AND PRODUCTION
⑧	DENOTES	SLOPING PLANE
⑨	DENOTES	LOWER SURFACE AND PLANE OF CONCRETE FLOOR SLAB
⑩	DENOTES	HORIZONTAL PLANE ESTABLISHED BY GEODETIC ELEVATION AND MEASURED 2.10 METRES PERPENDICULAR DISTANCE ABOVE THE CONCRETE FLOOR SLAB
↑↓	DENOTES	EXTENT OF PART NOT LIMITED

PART LIMITS ARE VERTICAL, HORIZONTAL AND SLOPING PLANES ESTABLISHED BY MEASUREMENT,
UNLESS NOTED OTHERWISE





LINE TABLE (APPLICABLE TO THIS SHEET ONLY)			
LINE	BEARING	DISTANCE	DESCRIPTION
L1	N23°27'30"E	2.12	③
L2	N66°30'50"W	0.10	②
L3	N66°30'50"W	1.60	③
L4	N66°31'00"W	0.89	③
L5	N75°20'35"E	2.67	③
L6	N75°20'35"E	2.67	③
L7	N73°40'05"W	1.00	③
L8	N66°30'50"W	0.13	③
L9	N16°21'40"E	1.70	③
L10	N73°38'20"W	2.80	③
L11	N16°21'40"E	1.70	③
L12	N73°38'20"W	2.80	③
L13	N16°21'40"E	1.45	③
L14	N16°21'40"E	1.45	③
L15	N73°38'20"W	3.30	③
L16	N16°21'40"E	1.45	③
L17	N73°38'20"W	3.30	③
L18	N16°21'40"E	1.45	③

PLAN CONFIGURATION OF PARTS 1 TO 7 INCLUSIVE, 10, 11 AND 13 AT ELEVATION 110.70 metres. HCP (GROUND FLOOR AND ABOVE)

PART LOCATION		
(FOR CROSS SECTIONS "A"-"A", "B"-"B", SEE SHEET 2)		
(FOR CROSS SECTIONS "C"-"C", "D"-"D", SEE SHEET 3)		
PART	SHEET	CROSS SECTION
1	1,2,3	"A"-"A", "B"-"B", "C"-"C", "D"-"D"
2	1,2,3	"A"-"A", "D"-"D"
3	1,2,3	"A"-"A", "B"-"B", "C"-"C", "D"-"D"
4	1,2,3	"B"-"B"
5	1,2,3	"C"-"C"
6	1,2,3	"C"-"C"
7	1,2,3	"D"-"D"
8	2	"C"-"C"
9	3	"A"-"A"
10	1,2,3	"C"-"C"
11	1,2,3	"A"-"A"
12	2	"A"-"A", "B"-"B"
13	1,2	"A"-"A"

NOTES AND LEGEND

BEARINGS ARE UTM GRID, DERIVED FROM OBSERVED REFERENCE POINTS (A) AND (B) BY REAL-TIME NETWORK (RTN) OBSERVATIONS UTM ZONE 17, (81° WEST LONGITUDE) NAD83 (CSRS)(2010)

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ELEVATIONS SHOWN HEREON ARE GEODETIC AND ARE REFERRED TO CITY OF HAMILTON BENCH MARK No. 0011965U649 ELEVATION = 112.302 metres

- DENOTES SURVEY MONUMENT FOUND
- DENOTES SURVEY MONUMENT PLANTED
- SSIB DENOTES STANDARD IRON BAR
- IB DENOTES SHORT STANDARD IRON BAR
- CC DENOTES IRON BAR
- OU DENOTES CUT CROSS
- PB DENOTES ORIGIN UNKNOWN
- CP DENOTES PLASTIC BAR
- WIT DENOTES CONCRETE PIN
- M/MEAS DENOTES MEASURED
- N,S,E,W DENOTES NORTH, SOUTH, EAST, WEST
- PROD DENOTES ON PRODUCTION
- CALC DENOTES CALCULATE
- N1 DENOTES FIELD NOTES FROM R.A.V.S. SURVEYING INC. O.L.S., DATED MAY 3, 2019

- 1525/RA DENOTES R. AVIS SURVEYING INC., O.L.S.
- RHW DENOTES REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH
- 824 DENOTES A.T. McLAREN, O.L.S.
- * DENOTES UNABLE TO MONUMENT ACCORDING TO SITE CONDITIONS
- BA DENOTES PLAN BA-653
- P1 DENOTES TOPOGRAPHIC SURVEY BY A.T. McLAREN LIMITED, O.L.S., DATED AUGUST 23, 2016

- P2 DENOTES PLAN 62R-3119
- P3 DENOTES PLAN 62R-20958
- P4 DENOTES PLAN 62R-12607
- P5 DENOTES PLAN 62R-20967
- P6 DENOTES PLAN 62R-21304
- P7 DENOTES PLAN 62R-22035
- D1 DENOTES INSTRUMENT No. HL168945
- P.I.N. DENOTES PROPERTY IDENTIFIER NUMBER
- HCP DENOTES HORIZONTAL CUTTING PLANE
- ELEV DENOTES ELEVATION
- CH DENOTES CHANGE IN ELEVATION
- UL DENOTES UPPER LIMIT
- LL DENOTES LOWER LIMIT
- NO DENOTES NO UPPER LIMIT
- NLL DENOTES NO LOWER LIMIT

- ① DENOTES VERTICAL PLANE ESTABLISHED BY MEASUREMENT
- ② DENOTES VERTICAL PLANE ESTABLISHED BY CENTRE LINE OF WALL/COLUMN/ BRICK/ALUMINIUM CURTAIN WALL AND PRODUCTION
- ③ DENOTES VERTICAL PLANE ESTABLISHED BY FACE OF WALL/COLUMN/ BRICK/ALUMINIUM CURTAIN WALL AND PRODUCTION
- ④ DENOTES HORIZONTAL PLANE ESTABLISHED BY GEODETIC ELEVATION
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- ⑥ DENOTES UPPER SURFACE AND PLANE OF CONCRETE SLAB AND PRODUCTION
- ⑦ DENOTES FACE OF CONCRETE CURB AND PRODUCTION
- ⑧ DENOTES SLOPING PLANE
- ⑨ DENOTES LOWER SURFACE AND PLANE OF CONCRETE FLOOR SLAB
- ⑩ DENOTES HORIZONTAL PLANE ESTABLISHED BY GEODETIC ELEVATION AND MEASURED 210 METRES PERPENDICULAR DISTANCE ABOVE THE CONCRETE FLOOR SLAB

- ↑ DENOTES EXTENT OF PART NOT LIMITED
- ↕ DENOTES PART LIMITS ARE VERTICAL, HORIZONTAL AND SLOPING PLANES ESTABLISHED BY MEASUREMENT, UNLESS NOTED OTHERWISE

ALL MEASUREMENTS BETWEEN FOUND MONUMENTS SHOWN ON THIS PLAN ARE IN AGREEMENT WITH PLAN 62R-22035 UNLESS OTHERWISE NOTED.

ALL FOUND MONUMENTS SHOWN ON THIS PLAN ARE BY A.T. McLAREN, O.L.S. UNLESS OTHERWISE NOTED.

6° UTM ZONE 17 COORDINATES NAD83(CSRS-2010) (CENTRAL MERIDIAN 81° WEST LONGITUDE)		
NORTHING		EASTING
A	4,790,313.821	591,022.619
B	4,790,245.242	591,002.561

- THE UTM COORDINATES LISTED ABOVE ARE TO URBAN ACCURACY AND COMPLY WITH SUBSECTION 14(2) OF ONTARIO REGULATION 216/10 FILED UNDER THE SURVEYORS ACT.
- THE UTM COORDINATES LISTED ABOVE ARE TO BE USED FOR GEOGRAPHIC INFORMATION SYSTEM INTEGRATION ONLY AND CANNOT BE USED TO RE-ESTABLISH THE PROPERTY CORNERS OR BOUNDARIES SHOWN HEREON.

SHEET 1 OF 3 SHEETS		PLAN 62R-	
I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT.		RECEIVED AND DEPOSITED	
JANUARY 24, 2025		DATE	
D. MIRET ONTARIO LAND SURVEYOR		REPRESENTATIVE FOR LAND REGISTRAR FOR THE LAND TITLES DIVISION OF THE WENTWORTH REGISTRY OFFICE (No. 62)	

STRATA PLAN OF SURVEY OF
LOTS 9, 10 AND 11 AND
PART OF LOTS 1, 2, 3, 4, 5, 8 AND 13
BLOCK 1, RANGE 1
REGISTERED PLAN 1435
CITY OF HAMILTON

SCALE 1 : 200

5m 4 3 2 1 0 5 10 15m

R. AVIS SURVEYING INC.

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

SCHEDULE			
PART	LOT	BLOCK	P.I.N.
1	PART OF LOTS 2,3,4,5, 8,9,10,11 AND 13	1, RANGE 1	1435
2	PART OF LOTS 9,10,11 AND 13		
3	PART OF LOTS 1,2,3,4, 5,8,9,10,11 AND 13		
4	PART OF LOT 8		
5	PART OF LOT 11		
6	PART OF LOT 5		
7	PART OF LOT 10		
8	PART OF LOT 11		
9	PART OF LOT 13		
10	PART OF LOT 11		
11	PART OF LOT 13		
12	PART OF LOTS 8 AND 13		
13	PART OF LOTS 8 AND 13		

PART 4 : SUBJECT TO AN EASEMENT AS IN INST. No. WE1659069

SURVEYOR'S CERTIFICATE

I CERTIFY THAT

- THE STRUCTURES SHOWN ON THIS PLAN COMPRISING SHEETS 1 TO 3 INCLUSIVE ARE IN EXISTENCE.
- THE DIMENSIONS SHOWN ON THIS PLAN HAVE BEEN VERIFIED BY ACTUAL MEASUREMENTS.

JANUARY 24, 2025
DATE

D. MIRET
Ontario Land Surveyor

SURVEYOR'S CERTIFICATE

I CERTIFY THAT

- THIS SURVEY AND PLAN COMPRISING SHEETS 1 TO 3 INCLUSIVE ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
- THE SURVEY WAS COMPLETED ON THE 27th DAY OF SEPTEMBER, 2019

JANUARY 24, 2025
DATE

D. MIRET
Ontario Land Surveyor

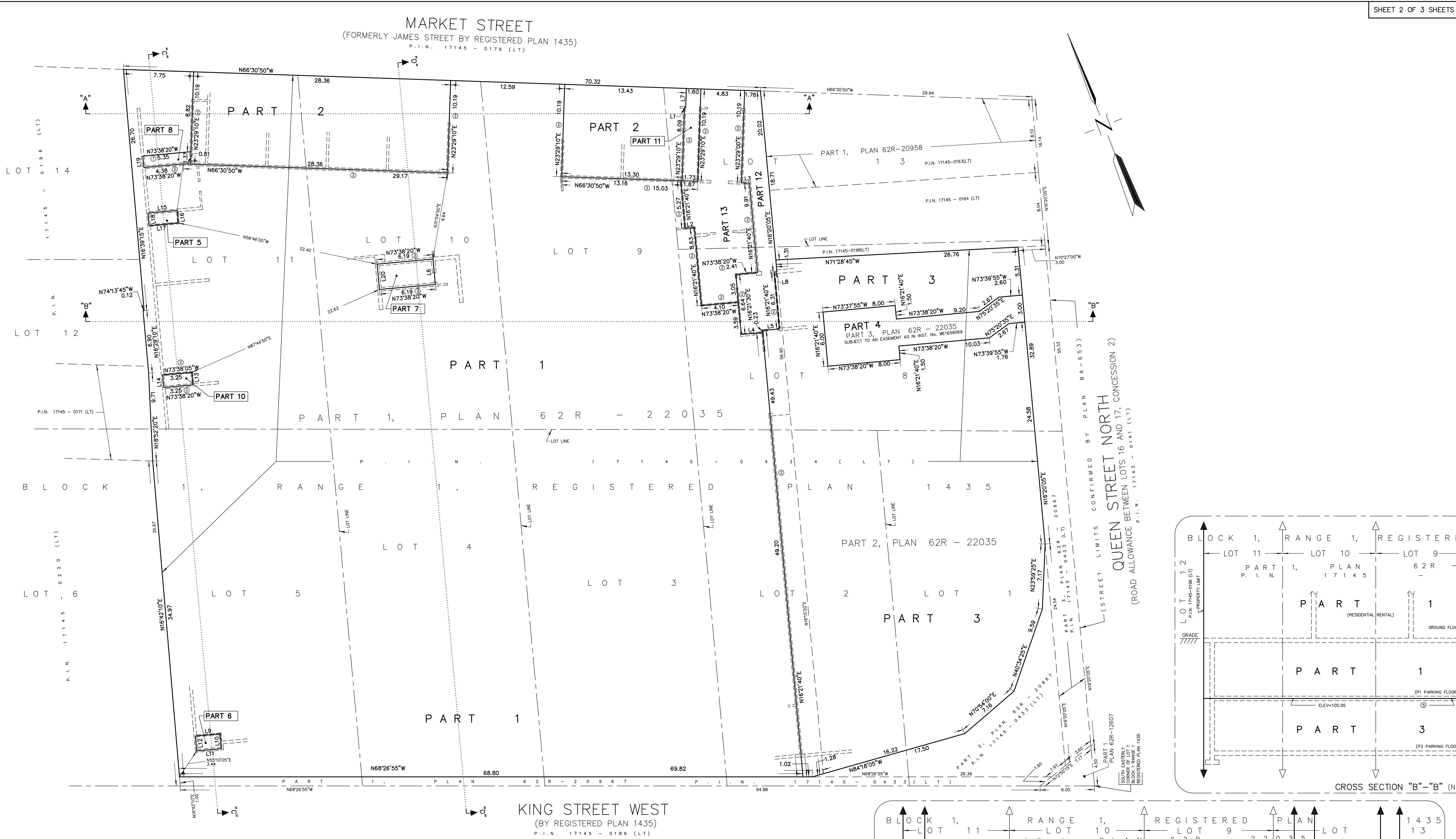
THIS PLAN OF SURVEY RELATES TO A.O.L.S. PLAN SUBMISSION FORM #

R. AVIS SURVEYING INC.
SUITE 203, 235 YORKLAND BOULEVARD, TORONTO, ONTARIO M2J 4Y8
TEL: (416) 490-8352 FAX: (416) 491-6206
www.ravissurveying.com

CALCULATED BY : L. NOBLE
DRAWN BY : L.J.N/R.K.

CHECKED BY : D.M., O.L.S.

PROJECT No. : 3283-1
DRAWING No. : 3283-1R1.DWG



LINE TABLE (APPLICABLE TO THIS SHEET ONLY)			
LINE	BEARING	DISTANCE	DESCRIPTION
L1	N66°30'50"W	0.13	②
L2	N73°38'20"W	1.01	②
L3	N66°30'50"W	0.88	②
L4	N73°38'20"W	2.37	②
L5	N73°38'20"W	1.88	②
L6	N16°21'40"E	2.81	②
L7	N23°29'10"E	2.10	②
L8	N73°38'20"W	0.29	②
L9	N73°38'00"W	2.75	②
L10	N16°20'40"E	1.65	②
L11	N73°38'20"W	2.75	②
L12	N16°21'40"E	1.65	②
L13	N16°21'05"E	1.40	②
L14	N16°21'40"E	1.40	②
L15	N73°38'20"W	3.25	②
L16	N16°21'40"E	1.40	②
L17	N73°38'20"W	3.25	②
L18	N16°21'50"E	1.40	②
L19	N16°21'40"E	1.26	②
L20	N16°21'30"E	2.81	②

PLAN CONFIGURATION OF PARTS 1 TO 8 INCLUSIVE, 10 11, 12 AND 13 AT ELEVATION 106.50 metres. HCP (P1 PARKING FLOOR)

SHEET 2 OF 3 SHEETS

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

JANUARY 24, 2025
DATE

D. MIRET
ONTARIO LAND SURVEYOR

PLAN 62R-

RECEIVED AND DEPOSITED

DATE

REPRESENTATIVE FOR LAND REGISTRAR FOR THE
LAND TITLES DIVISION OF THE WENTWORTH
REGISTRY OFFICE (No. 62)

STRATA PLAN OF SURVEY OF
LOTS 9, 10 AND 11 AND
PART OF LOTS 1, 2, 3, 4, 5, 8 AND 13
BLOCK 1, RANGE 1
REGISTERED PLAN 1435
CITY OF HAMILTON

SCALE 1 : 200

5m 4 3 2 1 0 5 10 15m

R. AVIS SURVEYING INC.

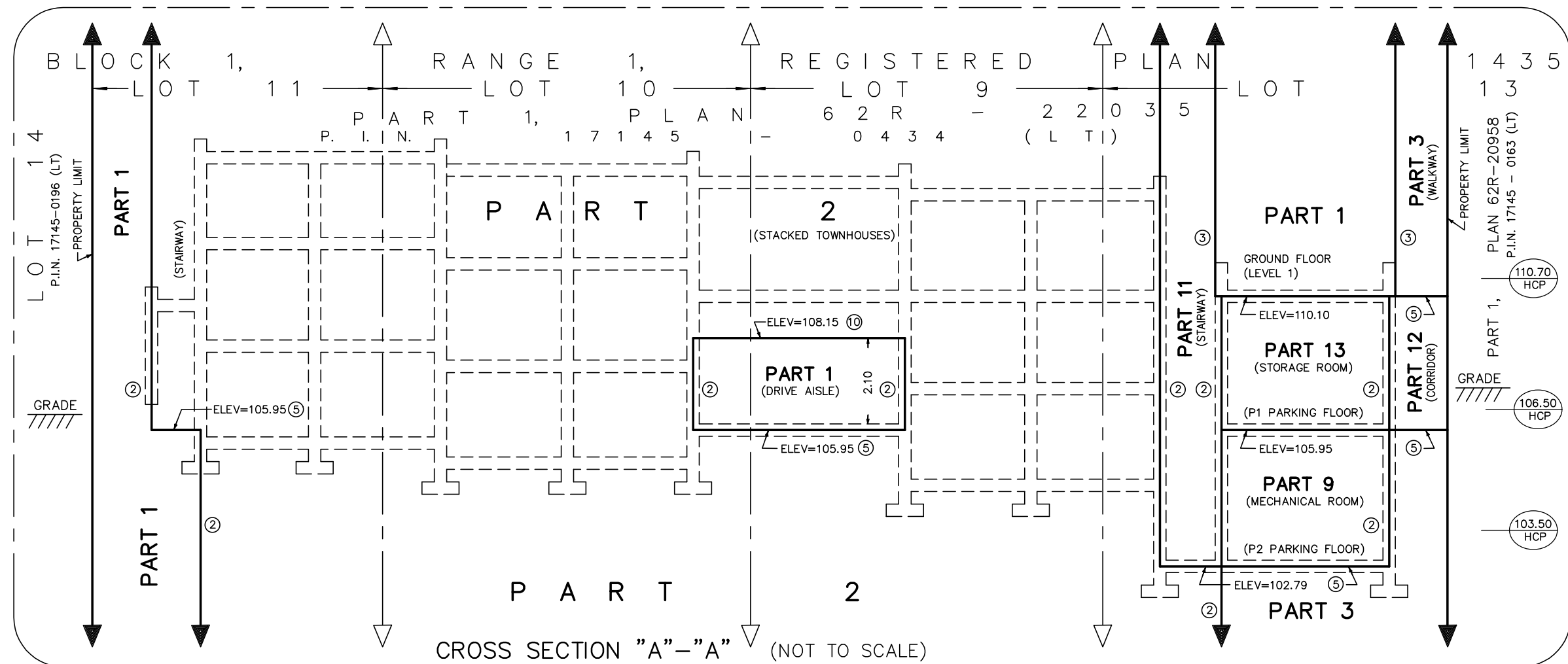
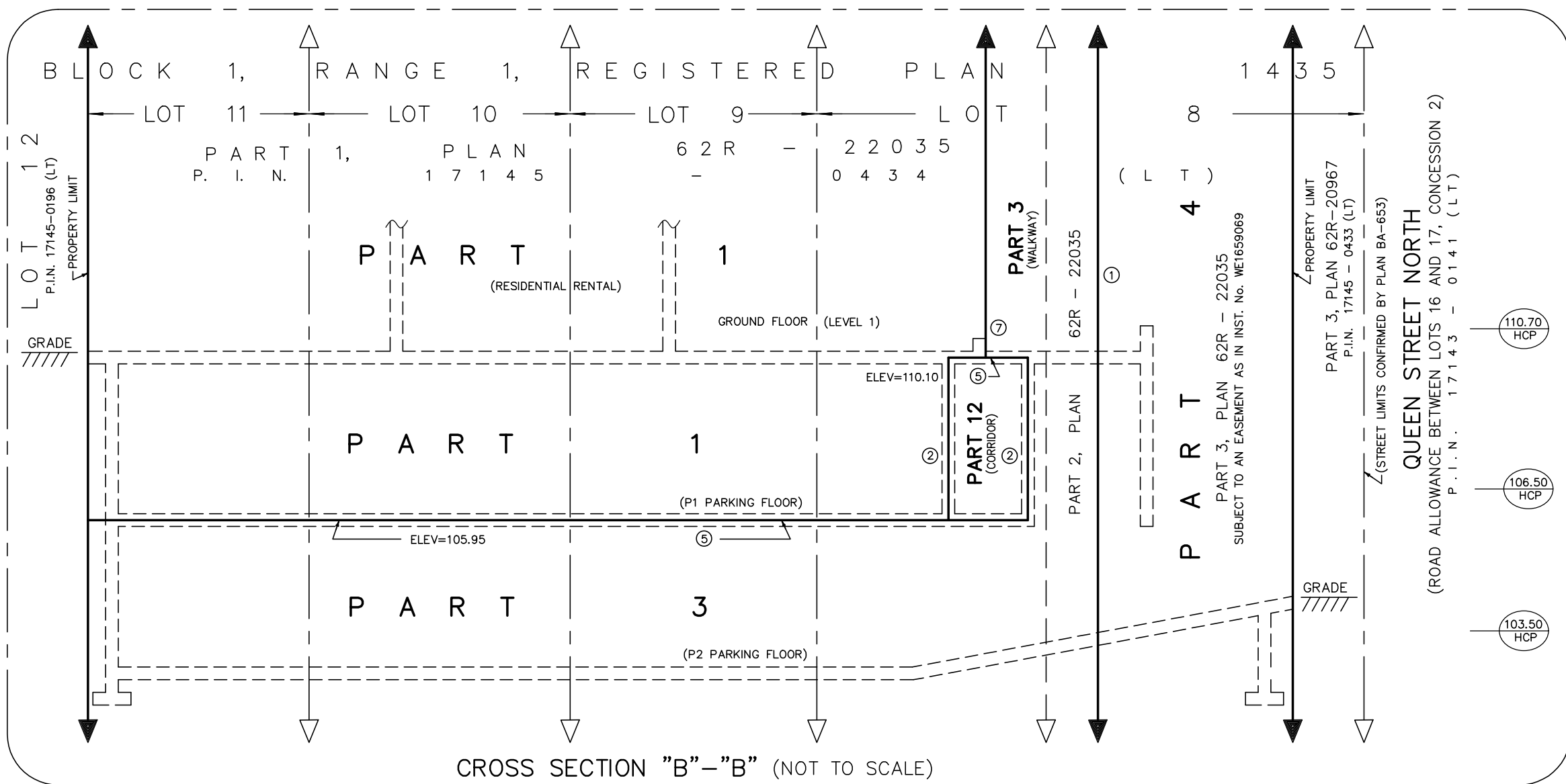
METRIC : DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE
CONVERTED TO FEET BY DIVIDING BY 0.3048.

NOTES AND LEGEND

ELEVATIONS SHOWN HEREON ARE GEODETIC AND ARE REFERRED TO CITY OF HAMILTON
BENCH MARK No. 0011965U649 ELEVATION = 112.302 metres

- | | | |
|--------|---------|--|
| P.I.N. | DENOTES | PROPERTY IDENTIFIER NUMBER |
| HCP | DENOTES | HORIZONTAL CUTTING PLANE |
| ELEV | DENOTES | ELEVATION |
| ΔE | DENOTES | CHANGE IN ELEVATION |
| UL | DENOTES | UPPER LIMIT |
| LL | DENOTES | LOWER LIMIT |
| NUL | DENOTES | NO UPPER LIMIT |
| NLL | DENOTES | NO LOWER LIMIT |
| ① | DENOTES | VERTICAL PLANE ESTABLISHED BY MEASUREMENT |
| ② | DENOTES | VERTICAL PLANE ESTABLISHED BY CENTRE LINE OF WALL/COLUMN/
BRICK/ALUMINIUM CURTAIN WALL AND PRODUCTION |
| ③ | DENOTES | VERTICAL PLANE ESTABLISHED BY FACE OF WALL/COLUMN/
BRICK/ALUMINIUM CURTAIN WALL AND PRODUCTION |
| ④ | DENOTES | HORIZONTAL PLANE ESTABLISHED BY GEODETIC ELEVATION |
| ⑤ | DENOTES | HORIZONTAL PLANE ESTABLISHED BY CENTRE LINE OF
CONCRETE FLOOR SLAB |
| ⑥ | DENOTES | UPPER SURFACE AND PLANE OF CONCRETE SLAB AND PRODUCTION |
| ⑦ | DENOTES | FACE OF CONCRETE CURB AND PRODUCTION |
| ⑧ | DENOTES | SLOPING PLANE |
| ⑨ | DENOTES | LOWER SURFACE AND PLANE OF CONCRETE FLOOR SLAB |
| ⑩ | DENOTES | HORIZONTAL PLANE ESTABLISHED BY GEODETIC ELEVATION AND
MEASURED 2.10 METRES PERPENDICULAR DISTANCE ABOVE THE
CONCRETE FLOOR SLAB |
| ↑↓ | DENOTES | EXTENT OF PART NOT LIMITED |

PART LIMITS ARE VERTICAL, HORIZONTAL AND SLOPING PLANES ESTABLISHED BY MEASUREMENT,
UNLESS NOTED OTHERWISE



R. AVIS SURVEYING INC.

SUITE 203, 235 YORKLAND BOULEVARD, TORONTO, ONTARIO M2J 4Y8

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CALCULATED BY : L. NOBLE
DRAWN BY : L.J.N/R.K

CHECKED BY : D.M., O.L.S.

PROJECT No. : 3283-1
DRAWING No. : 3283-1RA-DWG

RECEIVED AND DEPOSITED

DATE _____

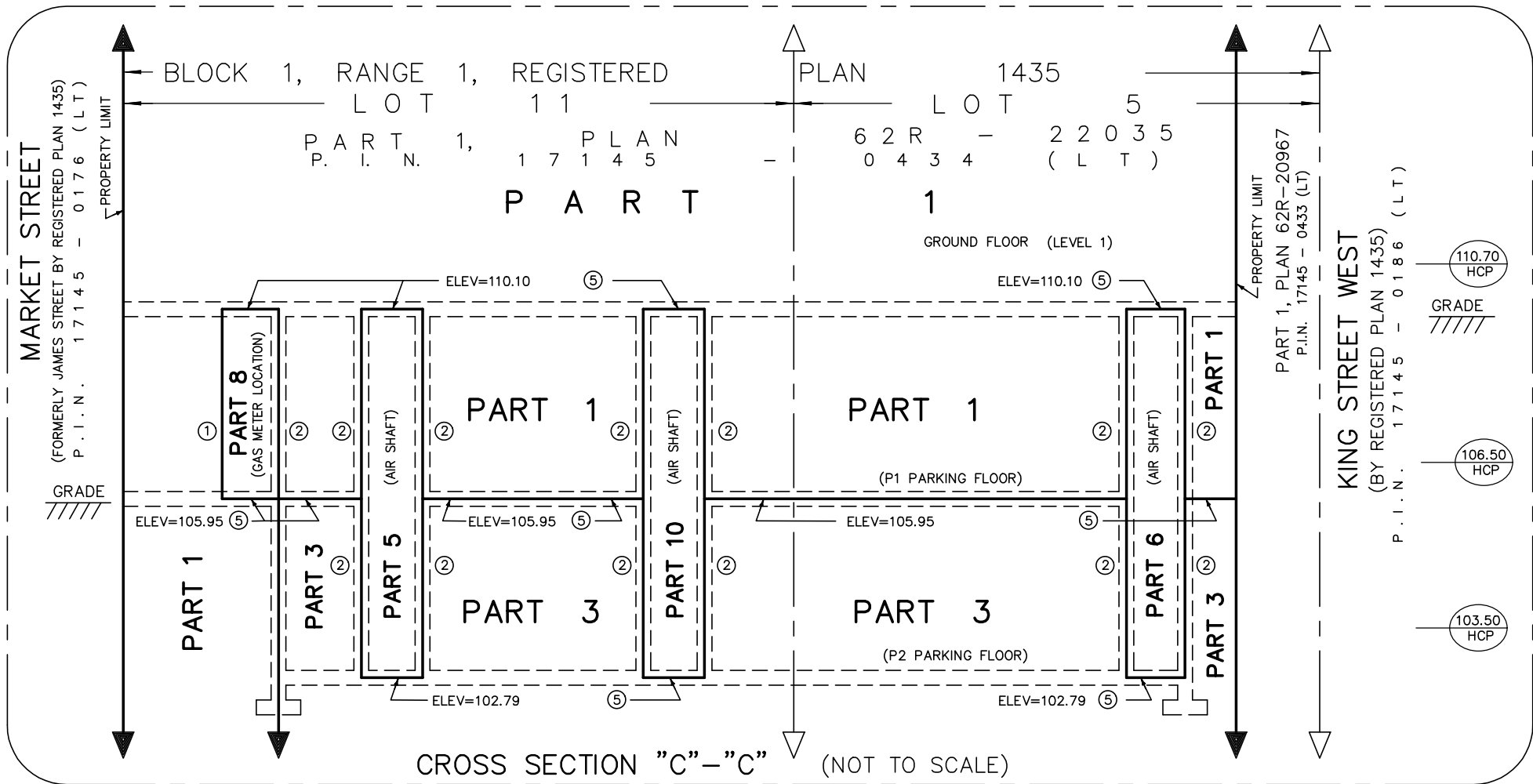
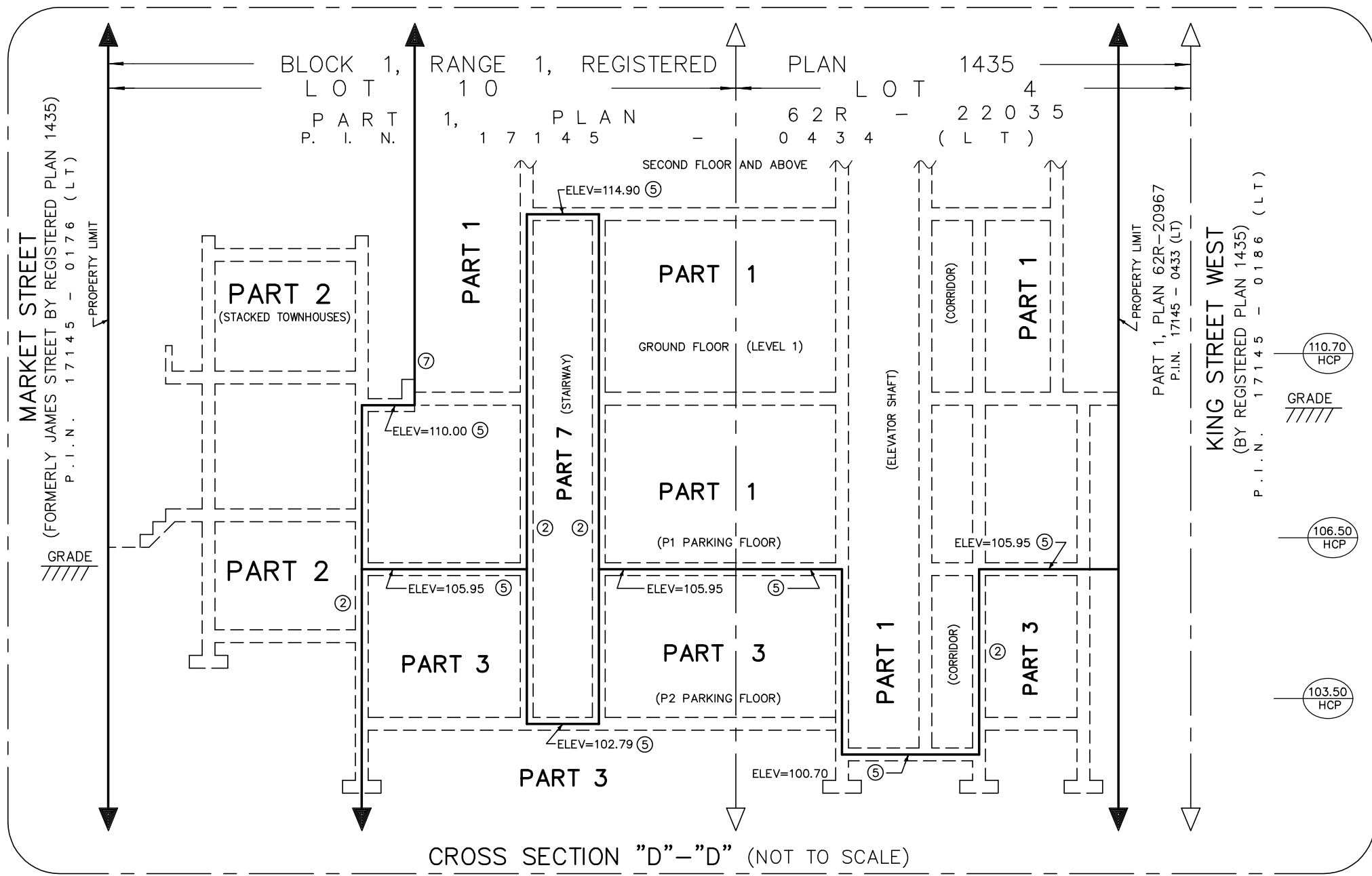
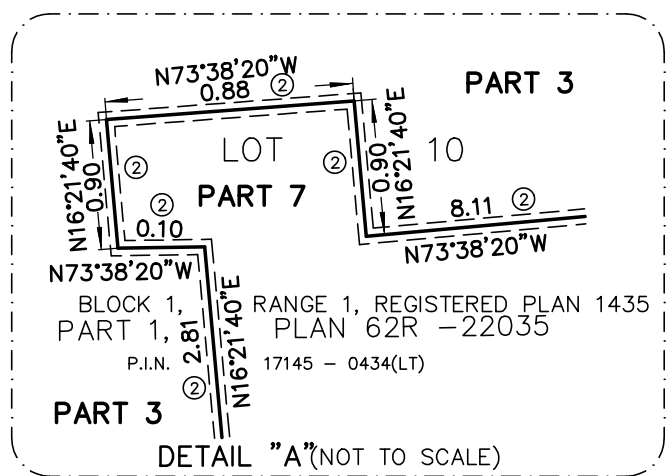
REPRESENTATIVE FOR LAND REGISTRAR FOR THE
LAND TITLES DIVISION OF THE WENTWORTH
REGISTRY OFFICE (No. 62)

CITY OF HAMILTON

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

ELEVATIONS SHOWN HEREON ARE GEODETIC AND ARE REFERRED TO CITY OF HAMILTON
BENCH MARK No. 0011965U649 ELEVATION = 112.302 metres

PART LIMITS ARE VERTICAL, HORIZONTAL AND SLOPING PLANES ESTABLISHED BY MEASUREMENT
UNLESS NOTED OTHERWISE



LINE TABLE (APPLICABLE TO THIS SHEET ONLY)			
LINE	BEARING	DISTANCE	DESCRIPTION
L1	N16°21'40"E	3.09	②
L2	N73°38'20"W	0.10	②
L3	N16°22'10"E	0.28	②
L4	N73°38'20"W	2.61	②
L5	N16°21'40"E	2.81	②
L6	N73°38'20"W	2.75	②
L7	N16°21'40"E	1.65	②
L8	N73°38'15"W	2.75	②
L9	N16°21'30"E	1.65	②
L10	N73°38'05"W	3.25	②
L11	N16°21'40"E	1.40	②
L12	N73°38'20"W	3.25	②
L13	N16°21'40"E	1.40	②
L14	N73°38'20"W	3.25	②
L15	N16°21'40"E	1.40	②
L16	N73°38'20"W	3.25	②
L17	N16°21'40"E	1.40	②
L18	N16°21'40"E	0.11	③

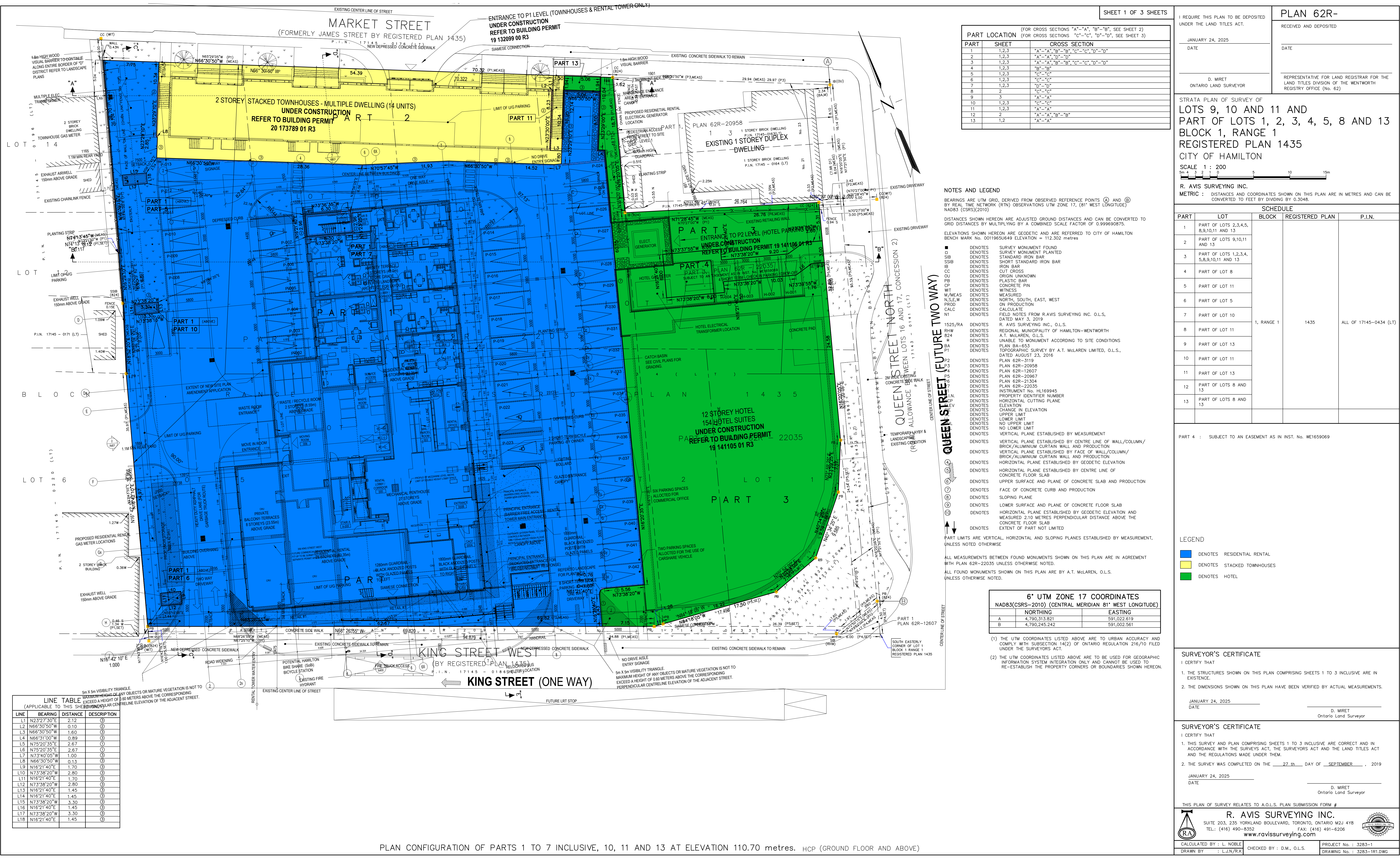
PLAN CONFIGURATION OF PARTS 1 TO 7 INCLUSIVE, 9, 10 AND 11 AT ELEVATION 103.50 metres. HCP (P2 PARKING FLOOR AND BELOW)

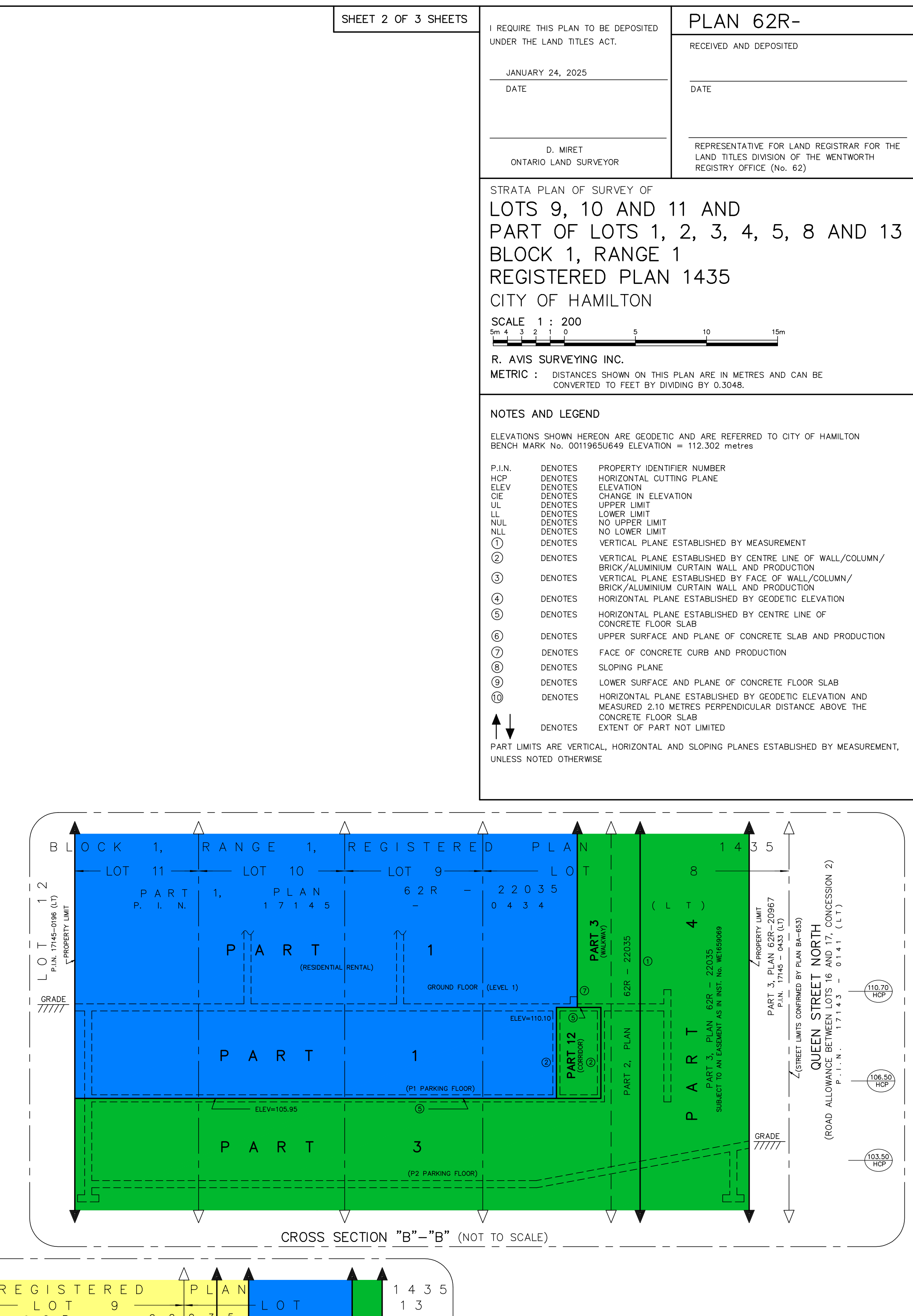
SUITE 203, 235 YORKLAND BOULEVARD, TORONTO, ONTARIO M2J 4Y8
TEL.: (416) 490-8352 FAX: (416) 491-6206



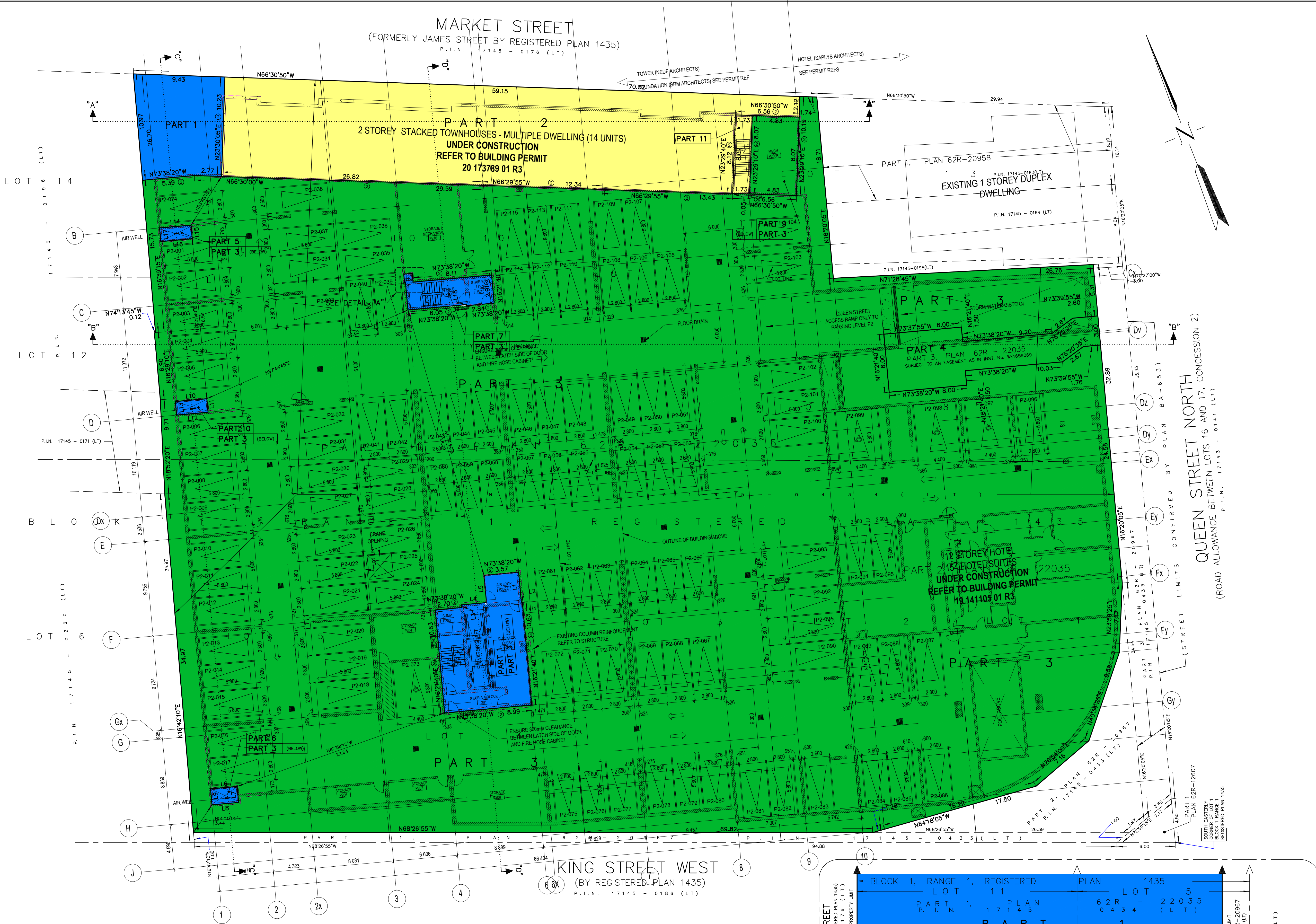
CHECKED BY : D.M., O.L.S

PROJECT No. : 3283-1
DRAWING No. : 3283-1BB DWG





	DENOTES	RESIDENTIAL RENTAL
	DENOTES	STACKED TOWNHOUSES
	DENOTES	HOTEL



LINE TABLE (APPLICABLE TO THIS SHEET ONLY)			
LINE	BEARING	DISTANCE	DESCRIPTION
L1	N16°21'40"E	3.09	②
L2	N73°38'20"W	0.10	②
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L4	N73°38'20"W	2.61	②
L5	N16°21'40"E	2.81	②
L6	N73°38'20"W	2.75	②
L7	N16°21'40"E	1.65	②
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L12	N73°38'20"W	3.25	②
L13	N16°21'40"E	1.40	②
L14	N73°38'20"W	3.25	②
L15	N16°21'40"E	1.40	②
L16	N73°38'20"W	3.25	②
L17	N16°21'40"E	1.40	②
L18	N16°21'40"E	0.11	②

SHEET 3 OF 3 SHEETS

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

JANUARY 24, 2025
DATE

D. MIRET
ONTARIO LAND SURVEYOR

PLAN 62R-

RECEIVED AND DEPOSITED

DATE

REPRESENTATIVE FOR LAND REGISTRAR FOR THE LAND TITLES DIVISION OF THE WENTWORTH REGISTRY OFFICE (No. 62)

STRATA PLAN OF SURVEY OF
LOTS 9, 10 AND 11 AND
PART OF LOTS 1, 2, 3, 4, 5, 8 AND 13
BLOCK 1, RANGE 1
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CITY OF HAMILTON

SCALE 1 : 200

5m 4 3 2 1 0 5 10 15m

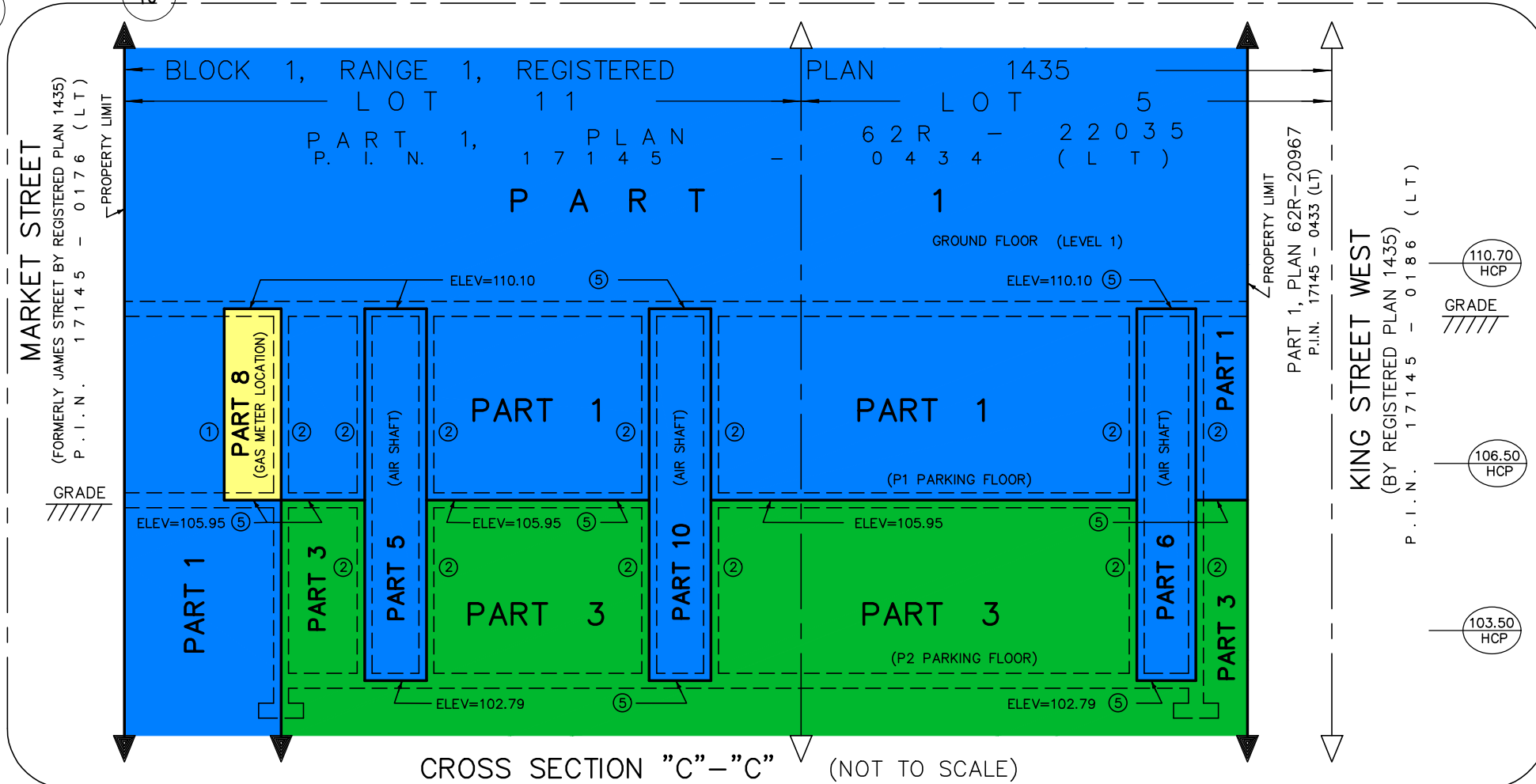
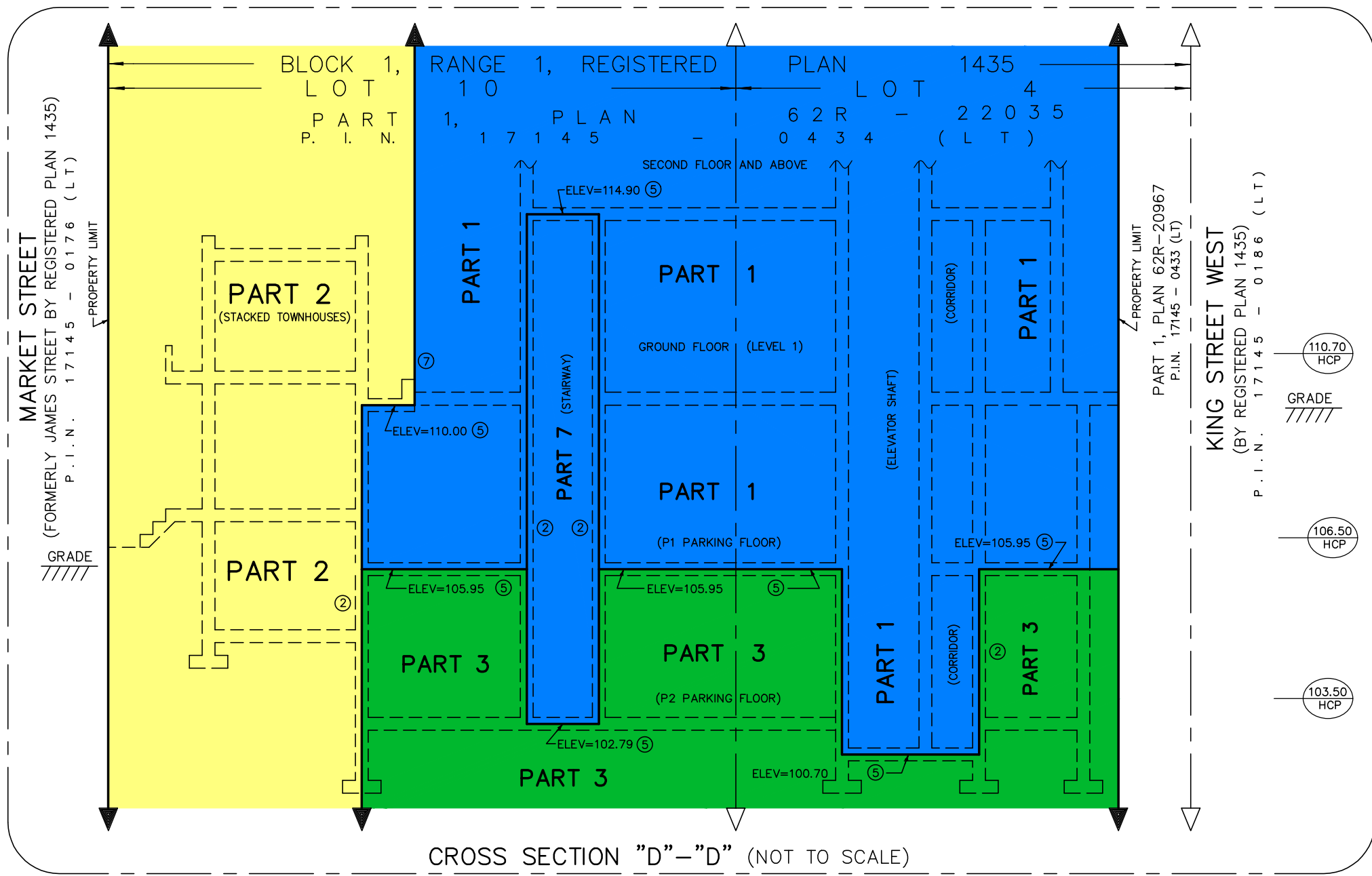
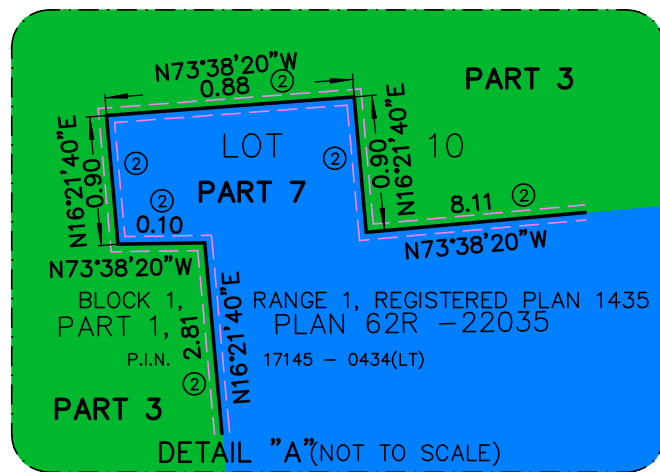
R. AVIS SURVEYING INC.

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

NOTES AND LEGEND

ELEVATIONS SHOWN HEREON ARE GEODETIC AND ARE REFERRED TO CITY OF HAMILTON BENCH MARK No. 0019650649 ELEVATION = 112.302 metres

- | | | |
|--------|---------|--|
| P.I.N. | DENOTES | PROPERTY IDENTIFIER NUMBER |
| HCP | DENOTES | HORIZONTAL CUTTING PLANE |
| ELEV | DENOTES | ELEVATION |
| CH | DENOTES | CHANGE IN ELEVATION |
| UL | DENOTES | UPPER LIMIT |
| LL | DENOTES | LOWER LIMIT |
| UUL | DENOTES | NO UPPER LIMIT |
| NLL | DENOTES | NO LOWER LIMIT |
| ① | DENOTES | VERTICAL PLANE ESTABLISHED BY MEASUREMENT |
| ② | DENOTES | VERTICAL PLANE ESTABLISHED BY CENTRE LINE OF WALL/COLUMN/BRICK/ALUMINUM CURTAIN WALL AND PRODUCTION |
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| ⑪ | DENOTES | EXTENT OF PART NOT LIMITED |
- ↑↓ DENOTES PART LIMITS ARE VERTICAL, HORIZONTAL AND SLOPING PLANES ESTABLISHED BY MEASUREMENT, UNLESS NOTED OTHERWISE



PLAN CONFIGURATION OF PARTS 1 TO 7 INCLUSIVE, 9, 10 AND 11 AT ELEVATION 103.50 metres. HCP (P2 PARKING FLOOR AND BELOW)

LEGEND

- | | | |
|---|---------|--------------------|
| ② | DENOTES | RESIDENTIAL RENTAL |
| ③ | DENOTES | STACKED TOWNHOUSES |
| ④ | DENOTES | HOTEL |



R. AVIS SURVEYING INC.
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www.ravissurveying.com

CALCULATED BY : L. NOBLE
DRAWN BY : L.J.N./R.K.

CHECKED BY : D.M., O.L.S.

PROJECT No. : 3283-1
DRAWING No. : 3283-1RB.DWG



A. J. Clarke and Associates Ltd.
SURVEYORS • PLANNERS • ENGINEERS

City of Hamilton Planning and Development
City Hall 5th Floor
71 Main St W, Hamilton, ON L8P 4Y5

February 12, 2025

Attn: Ms. Jamila Sheffield
Secretary Treasurer, Committee of Adjustment (email: Jamila.Sheffield@hamilton.ca)

Re: 354 – 360 King Street West, Hamilton, ON, L8P 1B3 – Easement Application Submission

Dear Madam:

A.J Clarke and Associates Ltd. has been retained by King Street Crossing Inc., for the purposes of submitting the enclosed Easement Application Submission. Below is a summary of the materials submitted to your attention:

- One (1) electronic copy of the required filled and signed Consent Application Form for 354 – 360 King Street West;
- One (1) cheque in the amount of \$2,140.00 representing the required application fees for the consent application;
- One (1) electronic copy of the Parts List for 354 – 360 King Street West (#3283-1), dated January 24, 2025, provided by R. Avis Surveying Inc.
- One (1) electronic copy of the Draft Reference Plan for 354 – 360 King Street West, dated January 24, 2025, provided by R. Avis Surveying Inc.

The subject lands are designated “Mixed-Use Medium Density” on Schedule E-1 of the Urban Hamilton Official Plan and are further designated as “Mixed-Use Medium Density” as per Map B.6.6-1 of the Strathcona Secondary Plan. The Secondary Plan includes multiple special policy areas (L, C-5, C-6), that restrict building height to 25 storeys, and 12 storeys at the corner of King Street West and Queen Street. The subject lands are zoned “Transit Oriented Corridor” in the City of Hamilton By-law 05-200, which include multiple exemptions relating to providing a maximum building setback, hotel guest parking, and building height. The exceptions also dictate that the properties comprising this project will be considered one when applying by-law provisions. A holding provision has also been placed over the subject lands until such time as the landowner submits a Functional Servicing Report. The lands are currently constructing the residential apartment, while the hotel and townhouse buildings are completed and occupied.

The following easement application is required to permit access to various reciprocal and general easements between the Residential Rental, Stacked Townhouse and Hotel uses on the ground floor and within the two (2) levels of below grade parking. The easements are related to providing access to air shafts, stairways, elevators, exit corridors, access walkways, maintenance bays, service vestibule, mechanical rooms and gas meters, which are all shared within the same parking structure. Please refer to the Parts List provided by R. Avis Surveying Inc. for a comprehensive list of all easements to be read in conjunction with the severance sketches which identify the location of each easement. It should be



noted that one (1) severance applications have been submitted in conjunction with this consent to create various easements and will be described as follows:

Severance #1:

Lands to Retained	Lands to be Severed	Parts	Total Lot Land Area	Street Frontage	Depth	Existing Use/Structures	Proposed Use/Structures
-	Part 1 (Residential Apartment)	1, 5, 6, 7, 10	4,506.6 sq.m	King Street 62m Market Street 7m	Irregular	Residential Apartment	Residential Apartment
Part 2 (Stacked Townhouse)	-	2, 8, 11	717.1 sq.m	Market Street 54m	Irregular	Stacked Townhouse	Stacked Townhouse
Part 3 (Hotel)	-	3, 4, 9, 12, 13	1,587.8 sq.m	King Street 7m Queen Street 32m	Irregular	Hotel	Hotel

Severance #2:

Lands to Retained	Lands to be Severed	Parts	Total Lot Land Area	Street Frontage	Depth	Existing Use/Structures	Proposed Use/Structures
-	Part 2 (Stacked Townhouse)	2, 8, 11	717.1 sq.m	Market Street 54m	Irregular	Stacked Townhouse	Stacked Townhouse
Part 3 (Hotel)	-	3, 4, 9, 12, 13	1,587.8 sq.m	King Street 7m, Queen Street 32m	Irregular	Hotel	Hotel

Purpose of the Concurrent Consent Application

A 13 Part Reference Plan has been prepared by R. Avis Surveying Inc., Parts 1-3 deal with the proposed Severance Application, Part 4 is an existing Easement in favor of Alectra Utilities. The remaining parts are required to establish several reciprocal easements for various areas of access, air shafts, maintenance bays, gas meters and elevator pits. Each Part, their ownership and purpose are listed in the table below:



A. J. Clarke and Associates Ltd.

SURVEYORS • PLANNERS • ENGINEERS

Part No	Current Owner	P.I.N.	Floors	Proposed Owner	Proposed Easement in favor of			Description	Extents (As shown on plan)
1	King West Crossing Ltd.	17145-0434(LT)	1,P1,P2	Residential Rental	Hotel US, B, S, A, E	Stacked Townhouses US, B, S, A, E		balance of the residential rental lands	N/A
2	King West Crossing Ltd.	17145-0434(LT)	1,P1,P2	Stacked Townhouses	Hotel US, B, S, A, E		Residential Rental US, B, S, A, E	balance of the stacked townhouse lands	N/A
3	King West Crossing Ltd.	17145-0434(LT)	1,P1,P2	Hotel		Stacked Townhouses US, B, S, A, E	Residential Rental US, B, S, A, E	balance of the hotel lands	N/A
4	King West Crossing Ltd.	17145-0434(LT)	1,P1,P2	Hotel		Stacked Townhouses US, B, S, A, E	Residential Rental US, B, S, A, E	portion of the hotel lands subject to an existing easement (1)	N/A
5	King West Crossing Ltd.	17145-0434(LT)	1,P1,P2	Residential Rental	Hotel US, B, S, A, E	Stacked Townhouses US, B, S, A, E		Air Shaft	Lower: 102.79m Upper: 110.10m Total Height: 7.31m
6	King West Crossing Ltd.	17145-0434(LT)	1,P1,P2	Residential Rental	Hotel US, B, S, A, E	Stacked Townhouses US, B, S, A, E		Air Shaft	Lower: 102.79m Upper: 110.10m Total Height: 7.31m
7	King West Crossing Ltd.	17145-0434(LT)	1,P1,P2	Residential Rental	Hotel P, US, B, S, A, E	Stacked Townhouses P, US, B, S, A, E		Stairway	Lower: 102.79m Upper: 114.90m Total Height: 12.11m
8	King West Crossing Ltd.	17145-0434(LT)	P1	Stacked Townhouses	Hotel US, B, S, A, E		Residential Rental US, B, S, A, E	Gas Meter Location	Lower: 105.95m Upper: 110.10m Total Height: 4.15m
9	King West Crossing Ltd.	17145-0434(LT)	P2	Hotel		Stacked Townhouses P	Residential Rental P	Mechanical Room	Lower: 102.79m Upper: 105.95m Total Height: 3.16m
10	King West Crossing Ltd.	17145-0434(LT)	1,P1,P2	Residential Rental	Hotel US, B, S, A, E	Stacked Townhouses US, B, S, A, E		Air Shaft	Lower: 102.79m Upper: 110.10m Total Height: 7.31m
11	King West Crossing Ltd.	17145-0434(LT)	1,P1,P2	Stacked Townhouses	Hotel P, US, B, S, A, E		Residential Rental P, US, B, S, A, E	Stairway	N/A
12	King West Crossing Ltd.	17145-0434(LT)	P1	Hotel		Stacked Townhouses P, US, B, S, A, E	Residential Rental P, US, B, S, A, E	Exit Corridor	Lower: 105.95m Upper: 110.10m Total Height: 4.15m
13	King West Crossing Ltd.	17145-0434(LT)	1,P1	Hotel		Stacked Townhouses P, US, B, S, A, E	Residential Rental P, US, B, S, A, E	Maintenance Bay, Service Vestibule	Lower: 105.95m Upper: 110.10m Total Height: 4.15m

Legend

- 1 subject to an easement as set out in Instrument WE1659069 (Alectra Utilities Corporation)
- P easement for pedestrian access
- US easement for the maintenance & repair of utilities & services
- B easement for the maintenance & repair of the buildings
- S easement for support rights
- A easement for unimpeded air flow rights
- E easement for emergency egress



In addition to the above, reciprocal easements between the between the Residential Rental, the Stacked Townhouses and the Hotel will be provided for specific vehicular and pedestrian access easements; general easements will be provided for rights of support, unimpeded and uninterrupted rights to air flow, emergency egress through the stairwells, the maintenance and repair of utilities and services and the maintenance and repair of the buildings over all of PARTS 1 to 13 inclusive.

We require consent for three (3) easements: Part 7, Parts 12 and 13, and Part 11. All other blanket easements will encompass entire future parcels (pending Consent of Stratified Severance) and as such, do not require Planning Act consent and are not subject to this application. The following is how we anticipate each Part will be grouped for issuance of the certificates:

1. The residential rental severance will be PARTS 1, 5, 6, 7 & 10.

Reserving easements in favour of the hotel and the stacked townhouses for:

- The maintenance and repair of utilities & services. (US)
- The maintenance and repair of the buildings. (B)
- Rights of support. (S)
- Unimpeded access to air flow. (A)
- Emergency egress rights. (E)

Over all of PARTS 1, 5, 6, 7 & 10. Reserving an easement in favour of hotel and the stacked townhouses for:

- Pedestrian access over PART 7 (P)

2. The hotel severance will be PARTS 3, 4, 9, 12 & 13.

Reserving easements in favour of the residential rental and the stacked townhouses for:

- The maintenance and repair of utilities & services. (US)
- The maintenance and repair of the buildings. (B)
- Rights of support. (S)
- Unimpeded access to air flow. (A)
- Emergency egress rights (E)

Over all of PARTS 3, 4, 9, 12 & 13. Reserving an easement in favour of residential rental and the stacked townhouses for:

- Pedestrian access over PARTS 12 & 13 (P)

3. The stacked townhouse severance will be PARTS 2, 8 & 11.

Reserving easements in favour of the hotel and the residential rental for:

- The maintenance and repair of utilities & services. (US)
- The maintenance and repair of the buildings. (B)
- Rights of support. (S)
- Unimpeded access to air flow. (A)
- Emergency egress rights (E)

Over all of PARTS 2, 8 & 11. Reserving an easement in favour of the hotel and the residential rental for:

- Pedestrian access over PART 11 (P)



A. J. Clarke and Associates Ltd.

SURVEYORS • PLANNERS • ENGINEERS

I trust that you will find the enclosed satisfactory for your purposes. Please confirm receipt of this submission and we look forward to being scheduled for the next available Committee of Adjustment hearing date. If you have any questions or require additional information, please do not hesitate to contact this office.

Sincerely,

Ryan Ferrari, MCIP, RPP, CPT

Senior Planner

A.J. Clarke and Associates Ltd.

King Street Crossing Inc. c/o Gunther Bluesz, via email



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*	N/A	
Registered Owners(s)	King Street Crossing Inc. C/O Gunther Bluesz	
Applicant(s)**	Same as Owner	
Agent or Solicitor	A.J. Clarke and Associates C/O Ryan Ferrari	

*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
☒ Cheque

☐ Credit over phone*

*Must provide number above

2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	354 - 360 King Street West, Hamilton, ON, L8P 1B3		
Assessment Roll Number			
Former Municipality			
Lot		Concession	
Registered Plan Number	1435	Lot(s)	9 - 11
Reference Plan Number (s)		Part(s)	Pt. 1-5, 8 and 13

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:

Part 4 on Reference Plan, Existing Alectra Easement Registered as WE1659069

3 PURPOSE OF THE APPLICATION

3.1 Type and purpose of proposed transaction: (check appropriate box)

- | | |
|---|--|
| ☐ creation of a new lot(s) | ☐ concurrent new lot(s) |
| ☐ addition to a lot | ☐ a lease |
| ☒ an easement | ☐ a correction of title |
| ☐ validation of title (must also complete section 8) | ☐ a charge |
| ☐ 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:

N/A

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:	See Cover Lette				
Type of Transfer	N/A				
Frontage					
Depth					
Area					
Existing Use					
Proposed Use					
Existing Buildings/ Structures					
Proposed Buildings/ Structures					
Buildings/ Structures to be Removed					

* 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) Mixed Use Medium Density

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

Creation of several reciprocal easements which are for the orderly operation of the subject lands.

- 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? TOC 1 (Exception: 295, 821, 741)

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

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.

HM/B-19:70 - Conditionally Approved

- 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?

2015

- 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.

Yes, Various other parcels that do not relate to the subject parcel.

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)

Yes. Through past planning approvals the development has shown to be consistent with all Policy Statements. Building permits have been issued and is currently under construction.

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

☒ Yes ☐ No (Provide explanation)

Yes. the proposed development has been approved and under construction. The development provides both mixed-use along a transit corridor comprised of hotel and residential use in multiple densities.

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

☒ Yes ☐ No (Provide explanation)

N/A

- 7.4 Are the subject lands subject to the Niagara Escarpment Plan?

☐ Yes ☒ No (Provide explanation)

N/A

7.5 Are the subject lands subject to the Parkway Belt West Plan?

☐ Yes ☒ No (Provide explanation)

N/A

7.6 Are the subject lands subject to the Greenbelt Plan?

☐ Yes ☒ No (Provide explanation)

N/A

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

☐ Yes ☒ No (Provide explanation)

N/A

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

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
