



Hamilton

COMMITTEE OF ADJUSTMENT

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

Telephone (905) 546-2424, ext. 4221

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-25:030	SUBJECT PROPERTY:	39 Norwich Road, Stoney Creek
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APPLICANTS: Owner: 2621929 Ontario Ltd.
Applicant: Joseph DeFilippis
Agent: Joseph DeFilippis

PURPOSE & EFFECT: To permit the conveyance of one half of a semi-detached dwelling and to retain one half of a semi-detached dwelling.

	Frontage	Depth	Area
SEVERED LANDS:	10.0585 m [±]	37.070 m [±]	372.70 m ²
RETAINED LANDS:	10.0585 m [±]	37.070 m [±]	372.70 m ²

Associated Planning Act File(s): N/A

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, May 29, 2025
TIME:	2:05 p.m.
PLACE:	City Hall Council Chambers (71 Main St. W., Hamilton)
	To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment

B-25:030

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

- Visit www.hamilton.ca/committeeofadjustment
- Visit Committee of Adjustment staff at 5th floor City Hall, 71 Main St. W., Hamilton

PUBLIC INPUT

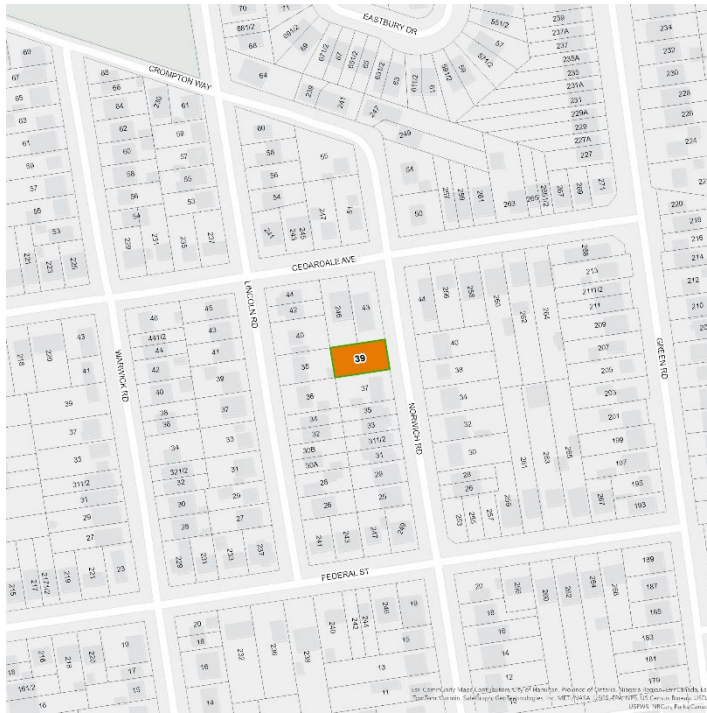
Written: If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Please see attached page for complete instructions, written comments must be received no later than noon **May 27, 2025**

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 **May 28, 2025**

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding B-25:030, 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.



Subject Lands

DATED: May 12, 2025

Justin Leung,
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.

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 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 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: www.hamilton.ca/committeeofadjustment

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 cofa@hamilton.ca. 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 cofa@hamilton.ca.

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.

SURVEYOR'S REAL PROPERTY REPORT
PART 1, PLAN OF ALL OF
LOT 75
REGISTRAR'S COMPILED PLAN No. 1293
IN THE
CITY OF HAMILTON

SCALE 1:150 METRIC



S.D. McLAREN, O.L.S. - 2025

SURVEYOR'S REAL PROPERTY REPORT
(PART 2)

LOT 75, REGISTRAR'S COMPILED PLAN No. 1293
IS NOT SUBJECT TO ANY EASEMENTS.

THIS PLAN DOES NOT CERTIFY COMPLIANCE
WITH ZONING BY-LAWS.

THIS PLAN WAS PREPARED FOR
2621929 ONTARIO LTD.

CEDARDALE AVENUE

LINCOLN ROAD

NORWICH ROAD

FEDERAL STREET

REGISTRAR'S COMPILED PLAN No. 1293

LOT 79
PIN 17324 - 0150 (LT)

LOT 77
PIN 17324 - 0169 (LT)

LOT 76
PIN 17324 - 0168 (LT)

LOT 80
PIN 17324 - 0151 (LT)

LOT 75
PIN 17324 - 0167 (LT)

LOT 81
PIN 17324 - 0152 (LT)

LOT 74
PIN 17324 - 0166 (LT)

LOT 82

LOT 73

LOT 70

- LEGEND:**
- DENOTES MONUMENT SET
 - CC MONUMENT FOUND
 - CM CUT CROSS
 - IB CONCRETE MONUMENT
 - IB IRON BAR
 - SIB STANDARD IRON BAR
 - SSIB SHORT STANDARD IRON BAR
 - B24 A.T. McLAREN, O.L.S.
 - 1243 E. BARICH, O.L.S.
 - 1497 J.P. NOUWENS, O.L.S.
 - 1629 B.A. JACOBS, O.L.S.
 - OU ORIGIN UNKNOWN
 - Med MEASURED
 - P1 REGISTRAR'S COMPILED PLAN No. 1293
 - P2 PLAN 62R-16822
 - P3 PLAN 62R-19304
 - P4 PLAN BY ASHENHURST NOUWENS LTD., DATED SEPT. 19, 1988 (FILE No. 88436)
 - P5 PLAN BY A.T. McLAREN LTD., DATED JUNE 8, 2004 (FILE No. 306327)
 - P6 PLAN 62R-21652
 - P7 PLAN 62R-10380
 - P8 PLAN BY A.T. McLAREN LTD., O.L.S., DATED MARCH 8, 2024 (FILE No. 37678)
 - APP DRIVEWAY APPROACH
 - CHM CHIMNEY
 - CLF CHAIN LINK FENCE
 - CONC CONCRETE
 - DS DOOR SILL
 - GF GARAGE FLOOR
 - MH MANHOLE
 - SRW STONE RETAINING WALL
 - TB TOP OF BANK
 - WRW WOOD RETAINING WALL
 - WV WATER VALVE

BEARING COMPARISON

FOR BEARING COMPARISONS A ROTATION OF 00°48'40"
COUNTER CLOCKWISE WAS APPLIED TO BEARINGS ON
PLAN 62R-16822 TO CONVERT TO GRID BEARINGS

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 0.99973039

INTEGRATION DATA

OBSERVED REFERENCE POINTS (ORP's): UTM ZONE 17, NAD83 (CSRS) (2010.0).
COORDINATES TO URBAN ACCURACY PER SEC. 14(2) OF OREG. 218/10

POINT ID	NORTHING	EASTING
ORP A	4786500.976	602775.243
ORP B	4786365.289	602735.607

COORDINATES CANNOT, IN THEMSELVES, BE USED TO
RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

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:
- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH
THE SURVEYS ACT, THE SURVEYORS ACT AND THE REGULATIONS
MADE UNDER THEM
 - THE SURVEY WAS COMPLETED ON THE 11th DAY OF MARCH, 2025

DATE Mar 24, 2025 S. DAN McLAREN, O.L.S.

THIS PLAN OF SURVEY RELATES TO AOLS PLAN SUBMISSION FORM NUMBER 103417

© S.D. McLAREN, O.L.S. - 2025. NO PERSON MAY COPY
REPRODUCE, DISTRIBUTE OR ALTER THIS PLAN IN WHOLE OR IN
PART WITHOUT THE WRITTEN PERMISSION OF S.D. 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

Drawn MN Checked KM Crew Chief SM Scale 1:150 Dwg.No. 37678-F

**APPLICATION FOR CONSENT TO SEVER LAND
and VALIDATION OF TITLE**
UNDER SECTION 53 & 57 OF THE *PLANNING ACT*

Please see additional information regarding how to submit an application, requirements for the required sketch and general information in the Submission Requirements and Information.

1. APPLICANT INFORMATION

	NAME	MAILING ADDRESS	
Purchaser*			Phone: E-mail:
Registered Owners(s)			
Applicant(s)**			
Agent or Solicitor			

*Purchaser must provide a copy of the portion of the plan that is the subject of the application. yes

** Owner's authorisation required if the applicant is not the owner or purchaser.

1.2 Primary contact ☐ Purchaser ☐ Owner
☒ Applicant ☐ Agent/Solicitor

1.3 Sign should be sent to ☐ Purchaser ☐ Owner
☒ Applicant ☐ Agent/Solicitor

1.4 Request for digital copy of sign ☒ Yes* ☐ No

If YES, provide email address where sign is to be sent

1.5 All correspondence may be sent by email ☒ Yes* ☐ No

If Yes, a valid email must be included for the registered owner(s) AND the Applicant/Agent (if applicable). Only one email address submitted will result in the voiding of this service. This request does not guarantee all correspondence will sent by email.

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	39 Norwich Road, Stoney Creek (Hamilton)		
Assessment Roll Number	003280436000000		
Former Municipality	Saltfleet		
Lot	75	Concession	
Registered Plan Number	1293	Lot(s)	
Reference Plan Number (s)		Part(s)	

2.2 Are there any easements or restrictive covenants affecting the subject land?

☐ Yes ☒ No

If YES, describe the easement or covenant and its effect:

3 PURPOSE OF THE APPLICATION

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

☒ 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:

Pending

3.3 If a lot addition, identify the lands to which the parcel will be added:

N/A

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	N/A			
Frontage	10.0585	10.0585			
Depth	37.070	37.070			
Area	372.70	372.70			
Existing Use	Residential	Residential			
Proposed Use	Residential	Residential			
Existing Buildings/ Structures	semi-detached dwelling	semi-detached dwelling			
Proposed Buildings/ Structures	Existing to remain	Existing to remain			
Buildings/ Structures to be Removed	N/A	N/A			

* 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) Neighbourhoods

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

Lots comply with plan policies, existing Neighbourhoods Plan, conform with zoning by law, reflect the surround area, fully serviced and have road frontage.

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? Low Density Residential (R1)

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

6 HISTORY OF THE SUBJECT LAND

6.1 Has the subject land ever been the subject of an application for approval of a plan of subdivision or a consent under sections 51 or 53 of the *Planning Act*?

☐ Yes ☐ No ☒ Unknown

If YES, and known, provide the appropriate application file number and the decision made on the application.

6.2 If this application is a re-submission of a previous consent application, describe how it has been changed from the original application.

N/A

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?

February, 2024

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 *Planning Act*?

☒ Yes ☐ No (Provide explanation)

Intensification within existing urban growth area, utilizing existing infrastructure.

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

☒ Yes ☐ No (Provide explanation)

Same as 7.1

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

☒ Yes ☐ No (Provide explanation)

Same as 7.1

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

☐ Yes ☒ No (Provide explanation)

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

☐ Yes

☒ No

(Provide explanation)

7.6 Are the subject lands subject to the Greenbelt Plan?

☐ Yes

☒ No

(Provide explanation)

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

☐ Yes

☒ No

(Provide explanation)

8 ADDITIONAL INFORMATION - VALIDATION

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

☐ Yes

☐ No

(Provide explanation)

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

☐ Yes

☐ No

(Provide explanation and details on plan)

8.3 Why do you consider your title may require validation? (attach additional sheets as necessary)

9 ADDITIONAL INFORMATION - CANCELLATION

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

☐ Yes

☐ No

(Provide explanation)

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

☐ Yes

☐ No

(Provide explanation and details on plan)

9.3 Why do you require cancellation of a previous consent? (attach additional sheets as necessary)

10 ADDITIONAL INFORMATION - FARM CONSOLIDATION

10.1 Purpose of the Application (Farm Consolidation)

If proposal is for the creation of a non-farm parcel resulting from a farm consolidation, indicate if the consolidation is for:

- ☐ Surplus Farm Dwelling Severance from an Abutting Farm Consolidation
- ☐ Surplus Farm Dwelling Severance from a Non-Abutting Farm Consolidation

10.2 Location of farm consolidation property:

Municipal Address			
Assessment Roll Number			
Former Municipality			
Lot		Concession	
Registered Plan Number		Lot(s)	
Reference Plan Number (s)		Part(s)	

10.3 Rural Hamilton Official Plan Designation(s)

If proposal is for the creation of a non-farm parcel resulting from a farm consolidation, indicate the existing land use designation of the abutting or non-abutting farm consolidation property.

10.4 Description of farm consolidation property:

Frontage (m):	Area (m ² or ha):
---------------	------------------------------

Existing Land Use(s): _____ Proposed Land Use(s): _____

10.5 Description of abutting consolidated farm (excluding lands intended to be severed for the surplus dwelling)

Frontage (m):	Area (m ² or ha):
---------------	------------------------------

10.6 Existing Land Use: _____ Proposed Land Use: _____

10.7 Description of surplus dwelling lands proposed to be severed:

Frontage (m): (from Section 4.1)	Area (m ² or ha): (from Section 4.1)
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Front yard set back: _____

a) Date of construction:

- ☐ Prior to December 16, 2004 ☐ After December 16, 2004

b) Condition:

- ☐ Habitable ☐ Non-Habitable

11 COMPLETE APPLICATION REQUIREMENTS

11.1 All Applications

- ☒ Application Fee
- ☒ Site Sketch
- ☒ Complete Application Form
- ☒ Signatures Sheet

11.2 Validation of Title

- ☐ All information documents in Section 11.1
- ☐ Detailed history of why a Validation of Title is required
- ☐ All supporting materials indicating the contravention of the Planning Act, including PIN documents and other items deemed necessary.

11.3 Cancellation

- ☐ All information documents in Section 11.1
- ☐ Detailed history of when the previous consent took place.
- ☐ All supporting materials indicating the cancellation subject lands and any neighbouring lands owned in the same name, including PIN documents and other items deemed necessary.

11.4 Other Information Deemed Necessary

- ☐ Cover Letter/Planning Justification Report
- ☐ Minimum Distance Separation Formulae (data sheet available upon request)
- ☐ Hydrogeological Assessment
- ☐ Septic Assessment
- ☐ Archeological Assessment
- ☐ Noise Study
- ☐ Parking Study
