



Hamilton

## 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: [cofa@hamilton.ca](mailto: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

<b>APPLICATION NO.:</b>	<b>B-25:047</b>	<b>SUBJECT PROPERTY:</b>	19 Dawson Avenue, Stoney Creek
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**APPLICANTS:** Owner: Habitat for Humanity c/o Sean Ferris  
Agent: Landwise c/o Chloe Simpson

**PURPOSE & EFFECT:** To sever the existing lot into five (5) residential parcels. Each lot will contain a 2.5-storey Street Townhouse dwelling and a Secondary Dwelling Unit. The existing 2-storey Institutional Place of Assembly will be removed to facilitate this application.

	<b>Frontage</b>	<b>Depth</b>	<b>Area</b>
<b>SEVERED LANDS (LOT 1 TO BE SEVERED):</b>	6.46 m <sup>±</sup>	19.05 m <sup>±</sup>	123.06 m <sup>2</sup> <sup>±</sup>
<b>SEVERED LANDS (LOT 2 TO BE SEVERED):</b>	6.46 m <sup>±</sup>	19.05 m <sup>±</sup>	123.06 m <sup>2</sup> <sup>±</sup>
<b>SEVERED LANDS (LOT 3 TO BE SEVERED):</b>	6.46 m <sup>±</sup>	19.05 m <sup>±</sup>	123.06 m <sup>2</sup> <sup>±</sup>
<b>SEVERED LANDS (LOT 4 TO BE SEVERED):</b>	4.33 m <sup>±</sup>	19.05 m <sup>±</sup>	158.11 m <sup>2</sup> <sup>±</sup>
<b>RETAINED LANDS (LANDS TO BE RETAINED):</b>	8.30 m <sup>±</sup>	19.05 m <sup>±</sup>	158.94 m <sup>2</sup> <sup>±</sup>

Associated Planning Act File(s): 22-012-OLT, 22-13-OLT, A-24:81 (*all Final & Binding*)

**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:

<b>DATE:</b>	<b>Thursday, August 14, 2025</b>
<b>TIME:</b>	<b>1:10 p.m.</b>
<b>PLACE:</b>	<b>City Hall Council Chambers (71 Main St. W., Hamilton)</b>

	<b>To be streamed (viewing only) at</b> <b><a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a></b>
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For more information on this matter, including access to drawings illustrating this request and other information submitted:

- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Visit Committee of Adjustment staff at 5<sup>th</sup> floor City Hall, 71 Main St. W., Hamilton

## **PUBLIC INPUT**

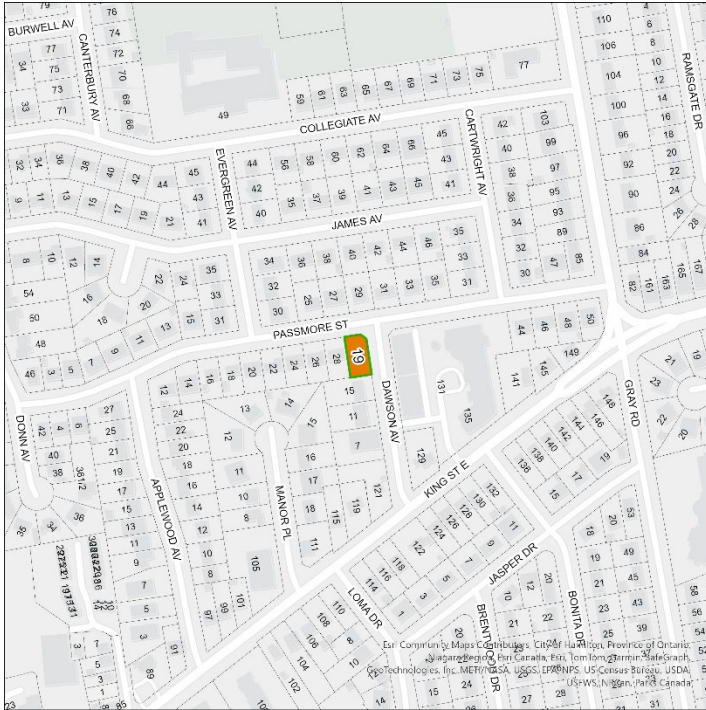
**Written:** If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Please see attached page for complete instructions, written comments must be received no later than noon **August 12, 2025**

**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 **August 13, 2025**

## **FURTHER NOTIFICATION**

If you wish to be notified of future Public Hearings, if applicable, regarding B-25:047, you must submit a written request to [cofa@hamilton.ca](mailto: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](mailto:cofa@hamilton.ca) or by mail through City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5.



**Subject Lands**

**DATED: July 28, 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.



## 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: [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

## PARTICIPATION PROCEDURES

### Written Submission Ahead of the Meeting

Members of the public who wish to provide input without speaking at the Hearing may submit written comments in advance of the meeting. Comments must be received by 12:00 p.m. (noon) on the date listed on the Notice of Public Hearing.

### How to Submit Written Comments:

#### By Email:

Send to: [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

#### By Mail:

Committee of Adjustment  
City of Hamilton  
71 Main Street West, 5th Floor  
Hamilton, Ontario  
L8P 4Y5

All written comments received will be made available to the Committee and the public by the Tuesday prior to the Hearing.

### Oral Submissions During the Hearing

Interested members of the public, agents, and owners may provide oral comments on Committee of Adjustment Hearing items either virtually via Webex (computer or phone) or by attending in person.

#### Speaking Time Limit:

All participants providing oral submissions, either in person or virtually are limited to a maximum of 5 minutes to speak. This is to ensure all parties have an equal opportunity to be heard and that the meeting runs efficiently.

### In-Person Oral Submissions

To participate in person, attend Council Chambers on the date and time listed in the Notice of Public Hearing. You will be required to provide your name and address for the record. It is recommended you arrive at least 10 minutes prior to the scheduled start time.

## **Virtual Oral Submissions**

To participate virtually, you must register by 12:00 p.m. (noon) on the date listed on the Notice of Public Hearing. To register, email [cofa@hamilton.ca](mailto:cofa@hamilton.ca) with the following information:

- Committee of Adjustment file number
- Hearing date
- Name and mailing address of each person wishing to speak
- Method of participation (phone or video), and, if applicable, the phone number to be used
- Each person must register separately

Registered participants will receive a Webex link one business day before the Hearing. Only those registered will be called upon to speak.

## **Presentations**

All presentations are permitted at the discretion of the Committee.

### **Virtual Presentations:**

Presenters participating virtually may be granted permission to share their screen during the Hearing. A copy of the presentation must be submitted to [cofa@hamilton.ca](mailto:cofa@hamilton.ca) no later than 12:00 p.m. (noon) on the business day prior to the Hearing. The submission must be one document in PDF format only.

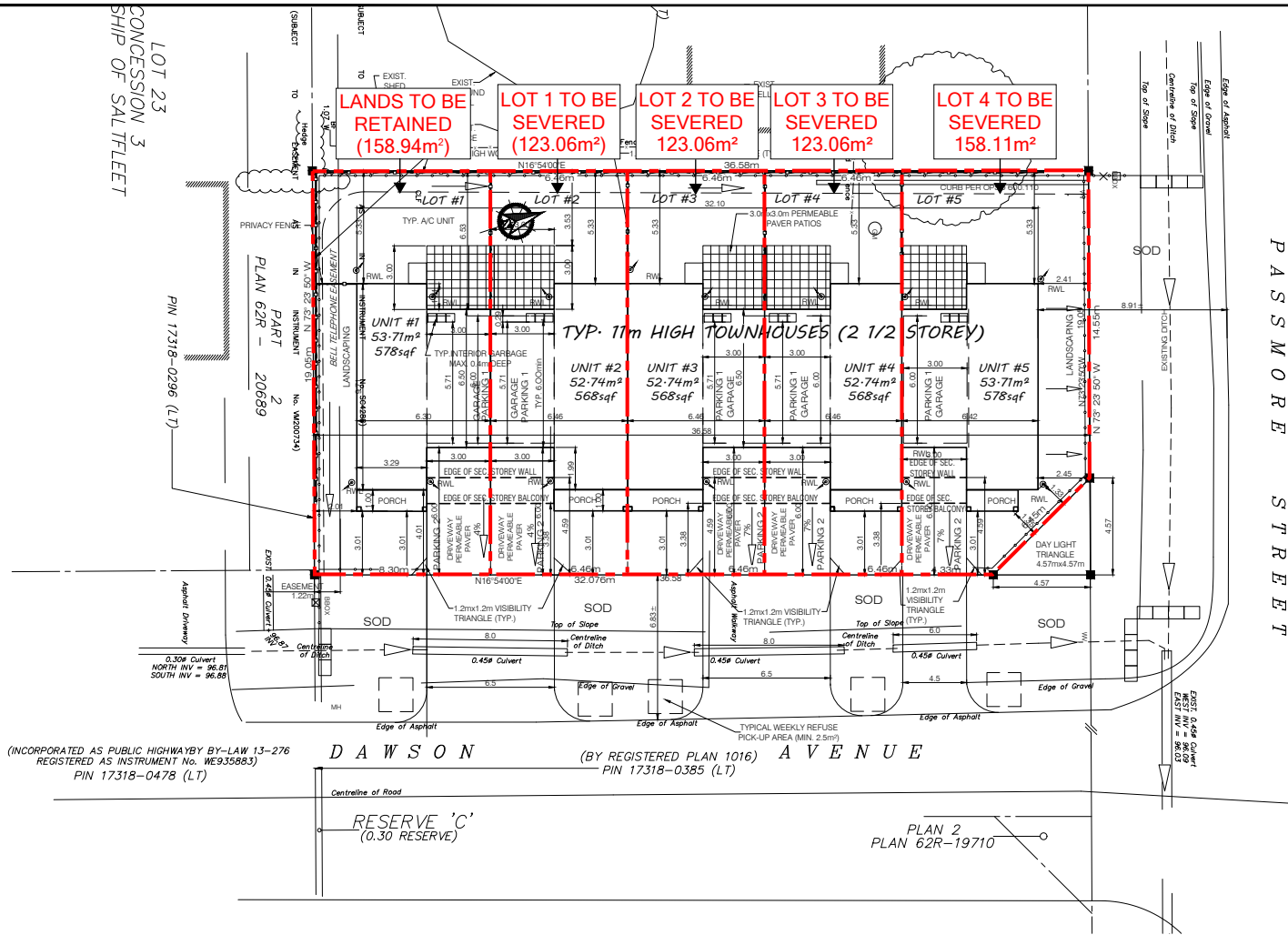
### **In-Person Presentations:**

Presenters attending in person may be granted permission to use the presentation screen. Presentations must be brought on a USB device and opened by the owner/applicant. A copy of the presentation must also be sent to [cofa@hamilton.ca](mailto:cofa@hamilton.ca) by 12:00 p.m. (noon) on the business day prior to the Hearing in PDF format as a single document. Handouts are permitted only if the same content can be displayed on the presentation screen.

## **Additional Notes**

- Webex (video) participation requires a compatible computer or smartphone. The necessary application must be downloaded in advance.
- It is the interested party's responsibility to ensure their device is functional and compatible prior to the Hearing.

**For any questions, contact staff at [cofa@hamilton.ca](mailto:cofa@hamilton.ca) or call 905-546-2424 ext. 4221.**



**SITE STATISTIC**

LOT #1 (INCLUDING EASEMENT)	158.94m <sup>2</sup>
LOT #2	123.06m <sup>2</sup>
LOT #3	123.06m <sup>2</sup>
LOT #4	123.06m <sup>2</sup>
LOT #5	158.11m <sup>2</sup>
TOTAL LOT AREA	686.23m <sup>2</sup>

**PARKING**  
2 PARKING SPACES PER UNIT  
TOTAL 10 PARKING SPACES

**BUILDING AREA**

UNIT #1	51.54m <sup>2</sup>
UNIT #1 PORCH	3.25m <sup>2</sup>
UNIT #2,3	2 x 53.13 = 106.26m <sup>2</sup>
UNIT #2,3 PORCH	2 x 3.41 = 6.82m <sup>2</sup>
UNIT #4	53.55m <sup>2</sup>
UNIT #4 PORCH	3.54m <sup>2</sup>
UNIT #5	52.64m <sup>2</sup>
UNIT #5 PORCH	2.35m <sup>2</sup>
TOTAL BUILDING AREA:	279.95m <sup>2</sup>
LOT COVERAGE	40.80 %
HEIGHT	11m

**REAR YARD AREA (INCL. PATIO)**

LOT #1	47.90m <sup>2</sup>
LOT #2	38.12m <sup>2</sup>
LOT #3	38.12m <sup>2</sup>
LOT #4	38.12m <sup>2</sup>
LOT #5	37.91m <sup>2</sup>

**LANDSCAPE AREA (EXCL. FRONT PORCH & DRIVEWAY)**

LOT #1	86.15m <sup>2</sup>
LOT #2	48.47m <sup>2</sup>
LOT #3	48.47m <sup>2</sup>
LOT #4	48.47m <sup>2</sup>
LOT #5	85.11m <sup>2</sup>
TOTAL:	316.67m <sup>2</sup> (46.15%)

# SITE PLAN

**ELEVATION NOTE**  
ELEVATIONS ARE REFERRED TO THE CANADIAN GEODETIC VERTICAL DATUM (CGVD) 1988 1978 AND ARE DERIVED FROM CITY OF HAMILTON BENCH MARK: NO.00119651153 HAVING AN ELEVATION OF 94.019m.

**NOTE:** SURVEY INFO OBTAINED FROM SURVEY BY BARCH GRENKIE SURVEYING LTD., DATED FEBRUARY 24, 2020

**NOTE:**  
1. OWNER/CONTRACTOR TO VERIFY AND CHECK ALL DIMENSIONS AND SPECS PRIOR TO AND DURING CONSTRUCTION.  
2. ANY DEVIATIONS, DEFICIENCIES OR DISCREPANCIES FROM THESE DRAWINGS AND SPACES REQUIRES WRITTEN CLARIFICATION AND/OR APPROVAL FROM THE DESIGNER PRIOR TO CONSTRUCTION.

These drawings are the property of DeFilippis Design and are not to be copied, reproduced or used without the express written consent of the designer.

**UNDERSTANDING**

FILE No. DA-22-086

1. (We) **MASSIMO CENTOFANTI** the owner(s) of the land, hereby undertake and agree without reservation:

(a) to comply with all the content of this plan and drawing and not to vary them;

(b) to perform the facilities, works or services mentioned in Section 43(1)(a) of the Planning Act (hereinafter referred to as the "works or services") in accordance with the conditions of approval as set out in the Letter of Approval dated **JUNE 24, 2022**.

(c) to maintain the satisfaction of the City and/or my (our) self/s us and/or anyone, all of the facilities, works or services mentioned in Section 43(1)(b) of the said Act, shown in this plan and drawing, including removal of snow from access ramps and driveways, parking and loading areas and walkways; and

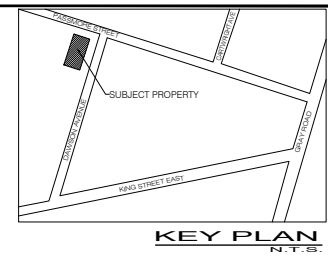
(d) in the event that the Owner does not comply with the plan dated **JULY 28, 2022** the owner agrees that the City may enter the land and do the required works, and further the Owner authorizes the City to use the security funds to obtain compliance with this plan.

(e) **Caution:** Notwithstanding current surface conditions, the property has been determined to be of an area of archaeological potential. Although an archaeological assessment is not required by the City of Hamilton, the proponent is cautioned that during development activities, should develop buried archaeological materials be found on the property the Ontario Ministry of Heritage, Sport, Tourism and Culture Industries (OMHSCI) should be notified immediately (416-314-7143). In the event that human remains are encountered during construction, the proponent should immediately contact both MCHS and the Registrar or Deputy Registrar of the Conveyances Regulation Unit of the Ministry of Small Business and Consumer Services (416-338-8300).

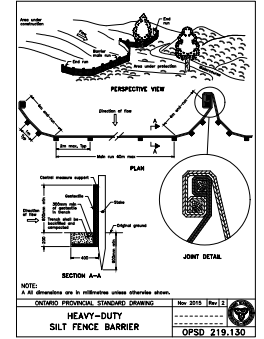
(f) That the Owner agrees to physically affix the municipal numbers or full address to the building or a sign in accordance with the City's sign by law, in a manner that is visible from the street.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_

Witness (signature) \_\_\_\_\_ Owner(s) (signature) \_\_\_\_\_  
Witness (print) \_\_\_\_\_ Owner(s) (print) \_\_\_\_\_  
687 Barch Street, Suite 201, Stoney Creek, ON  
Address of Witness



- A. NOTES ON SITE PLAN**
- All work involved in the construction, relocation, repair of municipal services for the project shall be to the satisfaction of the Director of Planning and Chief Planner, Planning and Economic Development Department.
  - Fire-Road Signs and 5-Way Fire Hydrants shall be established to the satisfaction of the City Fire Department and at the expense of the owner.
  - Main driveway dimensions at the property line boundaries are plus or minus 7.5 m unless otherwise stated.
  - All driveways from property lines for the first 7.5 m shall be within 5% maximum grade, thereafter, all driveways shall be within 10% maximum grades.
  - The approval of this plan does not exempt the owner's bonded contractor from the requirements to obtain the various permits approval normally required to complete a construction project, such as, but not limited to the following:
    - Building permit
    - Access permits
    - Approach approval permits
    - Committee of Adjustment
    - Abandoned accessways must be removed and the curb and boulevard restored with sod at the owner's expense to the satisfaction of the Traffic Engineering Section, Public Works Department.
  - For visibility triangles at the vehicular access points, the following note to be provided: "1.2 metre by 1.2 metre visibility triangles in which the maximum height of any objects or mature vegetation is not to exceed a height of 0.70 metres above the corresponding perpendicular centreline elevation of the adjacent street."
  - Proposed Fencing shall Conform to the City's Sign and other Devices By-law No. 10-197.
  - This property is eligible for weekly collection of garbage, recycling, organics, and leaf and yard waste through the City of Hamilton subject to compliance with specifications indicated by the Public Works Department and subject to compliance with the City's Solid Waste Management By-law 09-067, as amended.
  - Lighting must be directed on-site and must not spill over to adjacent properties or streets. Must provide house shields where needed, to completely eliminate glare to adjacent properties. (No pole lighting proposed)
  - Union Gas
- Union Gas has service lines running within the area which may or may not be affected by the development. Should the Site Plan impact the services it may be necessary to relocate the lines, any service relocation would be at the cost of the property owner.

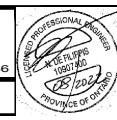


11	SEPTEMBER 2022
10	AUGUST 16, 2022
9	JULY 28, 2022
8	JULY, 2022
7	APRIL, 2022
6	FEBRUARY 2022
5	OCTOBER, 2021
4	SEPT., 2021
3	OCTOBER, 2020
2	APRIL, 2020
1	JANUARY, 2020
REV.	
JOB NO.	
CHECKED BY	
DRN. BY	
DATE: APRIL 2019	
SCALE: 1 : 100	
DWG NO. SP-1	

**DeFilippis Design**  
887 BARTON ST. E., SUITE 201  
STONEY CREEK, ONTARIO L4E 5L6  
(905) 643-2250 FAX (905) 643-1095  
email: defilippisdesign@me.com

**19 DAWSON AVE**  
STONEY CREEK, ONTARIO DA-22-066

# SITE PLAN



July 8, 2024

*Via Digital Submission*

**ATTN:** Justin Leung, Secretary-Treasurer

Committee of Adjustment  
Planning and Economic Development Department  
City of Hamilton  
71 Main Street West, 5<sup>th</sup> Floor  
Hamilton, ON L8P 4Y5

**RE: 19 Dawson Avenue, Hamilton  
Consent to Sever Application**

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Landwise has been retained by Habitat for Humanity Hamilton, the landowner of 19 Dawson Avenue, Hamilton ("subject lands") to submit the enclosed Consent to Sever application on their behalf.

#### **Site Description**

The subject lands are a rectangularly shaped corner lot with an area of approximately  $\pm 686.23\text{m}^2$  ( $\pm 0.07\text{ha}$ ). The subject lands have approximately  $\pm 32.08\text{m}$  of frontage onto Dawson Avenue, and  $\pm 14.55\text{m}$  onto Passmore Street. The subject lands are generally surrounded by low density residential except for a seniors assisted living community to the east. The subject lands are currently occupied by a vacant 2-storey brick building, formerly housing the Stoney Creek Masonic Hall. There is no existing on-site parking and there is one (1) pedestrian entrance from Dawson Ave.

#### **Planning Status**

The *Urban Hamilton Official Plan (UHOP) Volume 1* designates the subject lands "Neighbourhoods" (Schedule E-1). Neighbourhoods are intended to provide a mix of residential uses, community space and local commercial uses. King Street East and Grays Road are both classified as "Minor Arterial" and are within 200m of the subject lands (Schedule C). Passmore Street and Dawson Avenue are not classified on Schedule E-1 and are therefore assumed to be local roads.

The UHOP *Volume 2, Stoney Creek Old Town Secondary Plan* designates the subject lands "Medium Density Residential 3" with Site Specific Policy - Area "I" on Map B.7.2-1, as amended by Official Plan Amendment No. 160. The subject lands are only permitted street townhouses with a density range of 30 to 73 units per net residential hectare and with a maximum building height of 2.5-storeys.

The Former City of Stoney Creek *Zoning By-law 3692-92* zones the subject lands “Multiple Residential “RM2-46” Zone, modified” as amended by By-law No. 22-013-OLT. Street Townhouses are a permitted use under this zone. Modification No. 46 applies site specific regulations for the minimum lot area, minimum lot frontage, minimum setbacks, and maximum building height, to permit the development of five (5) street townhouses.

### **Proposed Development**

The Consent to Sever application will implement the approved OLT Decision via By-law 22-13-OLT, dividing the subject lands into five lots each with a 2.5-storey street townhouse. Each townhouse will contain a 2-bedroom dwelling unit and a 2-bedroom Secondary Dwelling Unit (“SDU”). One driveway parking space per townhouse is proposed.

Landwise requests the circulation of this letter along with the enclosed documents to all relevant departments in support of the Consent to Sever application.

Please find the enclosed:

- Consent to Sever application form with signatures;
- Copy of the cheque in the amount of \$5,600.00 to satisfy the Consent to Sever and Concurrent Lot Creation application fee, made payable to the City of Hamilton;
- Consent Sketch;
- Disconnection of Services Form signed by Bell Canada; and
- Statement from Ontario Solicitor.

Should you have any questions or require additional information, please do not hesitate to contact Chloe Simpson at 905-574-1993 ext. 208.

Respectfully submitted,

**LANDWISE**



**Chloe Simpson, MPlan**  
Junior Planner

Cc: Sean Ferris, Chief Executive Officer, Habitat for Humanity Hamilton  
Peter Walberg, Director of Building Services, Habitat for Humanity Hamilton





**DISCONNECTION OF SERVICES FORM**  
**Building Division**  
**Planning & Economic Development Department**  
**City of Hamilton**  
71 Main Street West, 3rd Floor  
Hamilton, ON L8P 4Y5  
Phone: (905) 546-2720  
Fax: (905) 546-2764

**LOCATION:** 19 Dawson Avenue, Stoney Creek, ON

**CONTRACTOR'S NAME:** Hamilton Habitat for Humanity

**BUSINESS ADDRESS:** [REDACTED]

**TELEPHONE #:** [REDACTED]

**DESCRIPTION OF BUILDING:** Vacant two storey brick building previously used as a Masonic Lodge

**EMAIL AND/OR FAX #:** [REDACTED]

DEPARTMENT	APPROVAL	NAME & SIGNATURE	TITLE & PHONE	DATE
Hamilton Emergency Services -- FIRE Fire Prevention Bureau 55 King William Street - 2nd Floor, Hamilton, ON Phone: (905) 546-2424, ext. 1380 Fax: (905) 546-4566	Inspection	Name:  Signature:	Title:  Phone Number:	
Water Service 330 Wentworth St N, Hamilton ON (905) 546-4426 Fax: (905) 546-2627	Service Request #: Okay to reuse Service <input type="checkbox"/> Substandard Service <input type="checkbox"/> Water Turned Off <input type="checkbox"/> Removal of Water Meter <input type="checkbox"/>	Name:  Signature:	Title:  Phone Number:	
Sewer Lateral Reuse Inspection gmconstruction@hamilton.ca (Must consult with Growth Management Staff) Construction Development Section, Growth Management Division	OK to re-use service <input type="checkbox"/> Relined <input type="checkbox"/> Replaced <input type="checkbox"/> Abandoned <input type="checkbox"/> N/A <input type="checkbox"/>	Name:  Signature:	Title:  Phone Number:	
Enbridge Gas 550 Consumers Road North York, ON M2J 1P8 Phone: 1-877-362-7434	Gas (Exterior)	Name:  Signature:	Title:  Phone Number:	
Union Energy/Reliance Home Comfort 830 Harrington Court, Burlington, ON Phone: (905) 681-4145 Email: ccharters@reliancecomfort.com	Equipment Removal	Name:  Signature:	Title:  Phone Number:	
Bell Canada Phone: 1-800-789-7723 (Ask for Clearance No.) Fax: (905) 527-2187 Email: hamdemos@bell.ca	Clearance No.  15774	Name: Anna Litwin Signature: [Signature]	Title: Co-Ordinator Phone Number: (905)546-6680	May 23, 2025
Electricity Provider (Contact your provider only) Hydro One Electrical (Ask for Clearance No.) Phone: 1-888-652-2302 Fax: (519) 426-9934  <b>OR</b> Alectra Utilities (Ask for Clearance No.) Phone: (905) 317-4575 Fax: 1-877-236-6395	Clearance No.  Clearance No.	Name:  Signature:  Signature:	Title:  Phone Number:  Phone Number:	
Forestry Protection Services Phone: (905) 546-2424, ext. 7375 Fax: (905) 546-4473 urbanforest@hamilton.ca	Forestry	Name:  Signature:	Title:  Phone Number:	

## Abandoned Water Service Requirements Demolition Regulations

### Steps to Take:

1. Obtain a Demolition Permit
2. Schedule a Water Turn-off appointment with the Water Distribution Customer Service
3. Meet with the Water Distribution Operator on the scheduled date to ensure that the water is turned off and to have a size and type done.
4. Schedule an appointment with Water Distribution Customer Service to meet a Water Meter Technician to have the water meter removed.
5. You have 3 months from the date of Demolition Permit purchase to ensure that the Service Line is Abandoned at the city watermain. The City Water Distribution Operator must witness the abandonment of the service activity.
6. Within 3 months, from the date the Demolition Permit is issued, you must schedule an Abandoned Services Inspection with the City Water Distribution Customer Service.
7. Failure to comply with the By-law regulated procedures will result in additional Service Call Fees (Inspection services after 3 months) and all costs associates with the subsequent removal of services by the City of Hamilton.

### Demolition Regulations

As a holder of a valid Demolition Permit, please be advised that there is applicable legislation pertaining to the abandonment of water services, which your proposed demolition is subject to!!!

As per the Waterworks By-law No. R84-026, as amended, where any premises to be demolished has an existing water service of less than 20mm (3/4") diameter or substandard material (non-copper); the existing service line must be Disconnected and Abandoned at the city watermain at the sole cost of the owner. Further, the by-law establishes that the owner has a 3 month time frame in which to complete the abandonment of water services at the city watermain.

The Water & Wastewater Division reserves the right to Deny Approval of al new replacement or additional water services if the New Service Inspection determines that the pre-existing service line, less than 20mm diameter, was not abandoned at the city watermain.

The Water & Wastewater Division further reserves the right to Invoice and Seek Repayment of all additional costs that are incurred by the City of Hamilton – with respect to the Abandonment of Services at the city watermain – that are directly related to the failure of the Premises Owner to adhere to said legislation.

## Sewer Lateral Service Requirements

For Growth Management to sign off on the Sewer Lateral portion of the Disconnection of Services (DoS) Form, abandonments must be completed, and new services installed to the property line.

Prior to inspection, payment for Video Review or Excavation/Road Cut Permit must be received. Please contact [devengapprovals@hamilton.ca](mailto:devengapprovals@hamilton.ca) to make arrangements for payment. For fees, permits and any updates on your permit please contact [devengapprovals@hamilton.ca](mailto:devengapprovals@hamilton.ca).

**48 hours notice is required for our inspectors to be on site. If our inspector is not on site, Disconnections of Service form will not be signed.**

Contractor Options:

- Abandon existing line(s) and install new sanitary/storm lines from the property line to mainline sewer (storm if applicable). To obtain the permit and complete the work, a contractor bonded with the City of Hamilton is required.
  - **Please note:** If you are installing new sanitary and storm line(s), we recommend contacting Hamilton Water and the Building Division to determine if a new water line is also required. If possible, install all infrastructure at once to avoid multiple trips by the bonded contractor.

- Re-use existing sanitary and storm line(s):

To reuse an existing line, you must prove that it is in good condition. You will be required to excavate at the property line so the inspector can see the size of the pipe.

- The pipe must be a minimum 5" diameter line which is videoed from the property line to the mainline. A digital copy of the video must be recorded for City records. **Our inspector must be on site when this work is being done.**
- If the line is not minimum 5" in diameter it cannot be re-used (6" is the current standard for new installs).
- If it is not PVC but 5" or more (and determined by our inspector to be in good condition), it will need to be lined and re-videoed in order to re-use. **Our inspector must be on site when this work is being done.**

**Please note the following:**

- For new construction, if your basement depth is not at the same depth as the current building, re-use may not be an option depending on the minimum slope requirements.
- If only a sanitary drain is present and a storm drain is required, it is likely the sanitary drain will be damaged when the new storm drain is installed. It is recommended both new sanitary and storm are installed.

**Please email Disconnection of Services form to [gmconstruction@hamilton.ca](mailto:gmconstruction@hamilton.ca)**



One James St. S., 14<sup>th</sup> Fl.  
P.O. Box 926, Depot 1  
Hamilton, ON L8N 3P9

**Lawyers and Trade-mark Agents**  
**+Member Canadian Class Action Network**

TEL (905) 523-1333  
FAX (905) 523-5878

Reply to James W. Mahler (P.C.) ext. 240  
[jmahler@shlaw.ca](mailto:jmahler@shlaw.ca)

[www.shlaw.ca](http://www.shlaw.ca)  
[www.classactionlaw.ca](http://www.classactionlaw.ca)

July 7, 2025

**VIA E-MAIL: [cofa@hamilton.ca](mailto:cofa@hamilton.ca)**

Committee of Adjustment  
City Hall, 5<sup>th</sup> Floor  
71 Main Street West  
Hamilton, Ontario  
L8P 4Y5

To: Whom it May Concern

**RE: 25-14998 Habitat for Humanity Hamilton Application for Consent to Sever Land located at  
19 Dawson Avenue, Stoney Creek**

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We are the solicitors for Habitat for Humanity Hamilton ("Habitat") with respect to its Application for Consent to Sever Land located at 19 Dawson Avenue, Stoney Creek and legally described as Part Lot 68, Plan 1016, designated as Parts 2 & 3 on Plan 62R-21990; City of Hamilton (the "subject lands"). We confirm that Habitat is the registered owner of the subject lands. Pursuant to paragraph 3.4 of such Application for Consent, a request has been made for a Certificate of Consent for the Retained Lands. In support of such request, we confirm that there is no land abutting the subject lands that is owned by Habitat.

If you have any further questions, please contact the undersigned.

Yours very truly,

SCARFONE HAWKINS LLP

Per:

**JAMES W. MAHLER (P.C.)**

[jmahler@shlaw.ca](mailto:jmahler@shlaw.ca)

JWM\*sp

**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)	Habitat for Humanity Hamilton c/o Sean Ferris	
Applicant(s)**	Same as owner.	
Agent or Solicitor	Landwise c/o Chloe Simpson	

\*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 ☐ 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	19 Dawson Avenue, Stoney Creek
Assessment Roll Number	Lot 68 Registered Plan 1016 in the City of Hamilton
Former Municipality	
Lot	
Registered Plan Number	
Reference Plan Number (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:

Bell Telephone Easement As In Instrument No. SC4288. Bell has signed off on Disconnection of Service form (form included in this application package).

**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:

No transfer. All lands to be owned/retained by Habitat for Humanity Hamilton

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, 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:	LANDS TO BE RETAINED	LOT 1 TO BE SEVERED	LOT 2 TO BE SEVERED	LOT 3 TO BE SEVERED	LOT 4 TO BE SEVERED
Type of Transfer	N/A	Creation of a new lot	Creation of a new lot	Creation of a new lot	Creation of a new lot
Frontage	8.30m	6.46m	6.46m	6.46m	4.33m
Depth	19.05m	19.05m	19.05m	19.05m	19.05m
Area	158.94m <sup>2</sup>	123.06m <sup>2</sup>	123.06m <sup>2</sup>	123.06m <sup>2</sup>	158.11m <sup>2</sup>
Existing Use	Institutional - Place of Assembly				
Proposed Use	Residential	Residential	Residential	Residential	Residential
Existing Buildings/ Structures	2-storey brick building				
Proposed Buildings/ Structures	2.5-storey townhouse	2.5-storey townhouse	2.5-storey townhouse	2.5-storey townhouse	2.5-storey townhouse
Buildings/ Structures to be Removed	2-storey brick building				

\* 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) Volume 1: Neighbourhoods  
Stoney Creek Old Town Secondary Plan:  
Medium Density Residential 3

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

The application will implement the approved OLT Decision via By-law 22-13-OLT. The creation of 5 separate lots for residential intensification through the form of street townhouses is an appropriate scale and form to provide compatible redevelopment to the neighbourhood.

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.

**Previous** Official Plan Amendment 22-012-OLT - Final and Binding

5.3 What is the existing zoning of the subject land? Multiple Residential (RM2-46) Zone, Modified

If the subject land is covered by a Minister's zoning order, what is the Ontario Regulation Number?

N/A

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.

Zoning By-law Amendment 22-13-OLT - Final and Binding; Minor Variance A-24:81 - Final and Binding

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 checked="" type="checkbox"/>	Misc. commercial uses 130m +
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.

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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

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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.

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6.4 How long has the applicant owned the subject land?

Since February 2024

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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.

Habitat for Humanity Hamilton owns a number of residential parcels around the City of Hamilton which are not impacted by the enclosed application.

## 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 proposed infill development will facilitate an efficient use of serviced urban lands for affordable housing, in an area with access to amenities and public transit. The proposed built form will be compatible with the surrounding neighbourhood.

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

☒ Yes ☐ No (Provide explanation)

The proposed infill development will facilitate an efficient use of serviced urban lands for affordable housing, in an area with access to amenities and public transit. The proposed built form will be compatible with the surrounding neighbourhood.

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

☐ Yes ☐ No (Provide explanation)

N/A

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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 <sup>2</sup> or ha):
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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 <sup>2</sup> or ha):
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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 <sup>2</sup> 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

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