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	B-25:055	SUBJECT	219 Eleanor Avenue, Hamilton
NO.:		PROPERTY:	

APPLICANTS: Owner: Joe Butera

PURPOSE & EFFECT: To sever the existing residential lot into two (2) parcels, the severed lands will be a vacant residential building lot and the retained lands will contain the existing dwelling which is intended to remain.

	Frontage	Depth	Area
SEVERED LANDS (LAND TO BE SEVERED):	12.0 m [±]	46.8 m [±]	561.4 m ^{2 ±}
RETAINED LANDS (LAND TO BE RETAINED):	17.9 m [±]	46.8 m [±]	841.9 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, September 4, 2025	
TIME:	3:45 p.m.	
PLACE:	City Hall Council Chambers (71 Main St. W., Hamilton)	
	To be streamed (viewing only) at	
	www.hamilton.ca/committeeofadjustment	

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

Visit www.hamilton.ca/committeeofadjustment

B-25:055

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

PUBLIC INPUT

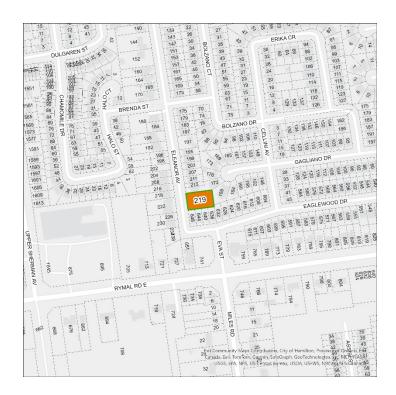
Written: If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Please see attached page for complete instructions, written comments must be received no later than noon **September 2**, **2025**

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 **September 3, 2025**

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding B-25:055, 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: August 18, 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.



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PARTICIPATING PROCEDURES

1. 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 deadline date for written comment submissions listed on the Notice of Public Hearing.

How to Submit Written Comments:

By Email:

Send to: 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.

2. 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.

3. 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.

4. Virtual Oral Submissions

To participate virtually, you must register by 12:00 p.m. (noon) on the virtual oral submissions registration deadline date. This is listed on the Notice of Public Hearing.

- 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.

5. 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 by 12:00 p.m. (noon) on the business day prior to the Hearing. The submission must be one document in PDF format only.

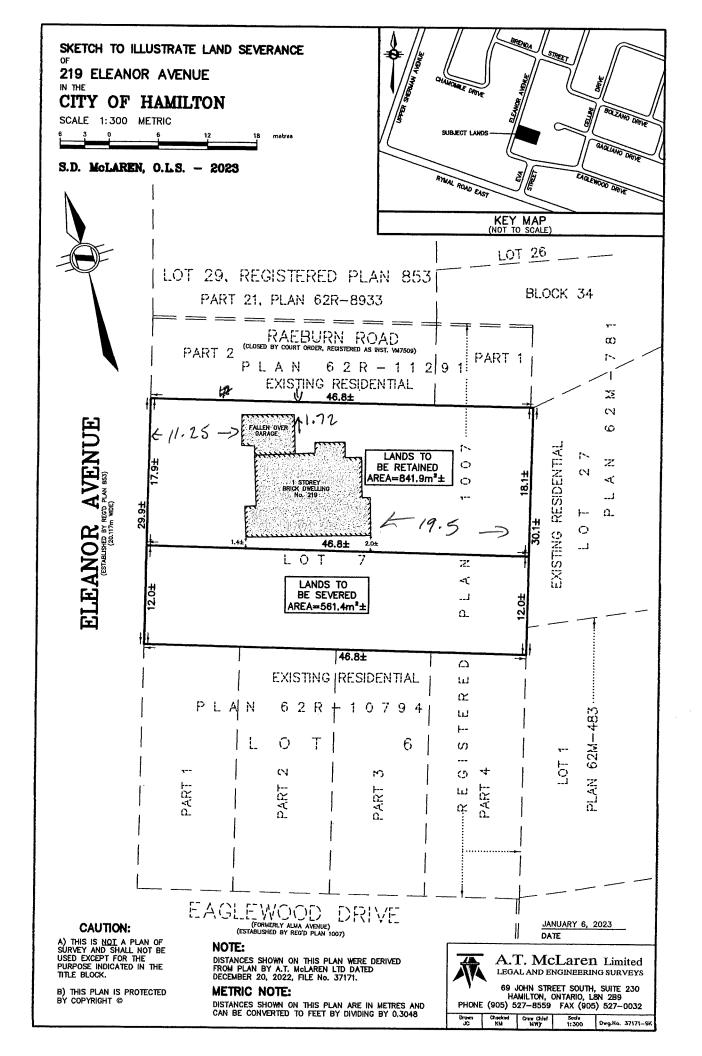
In-Person Presentations:

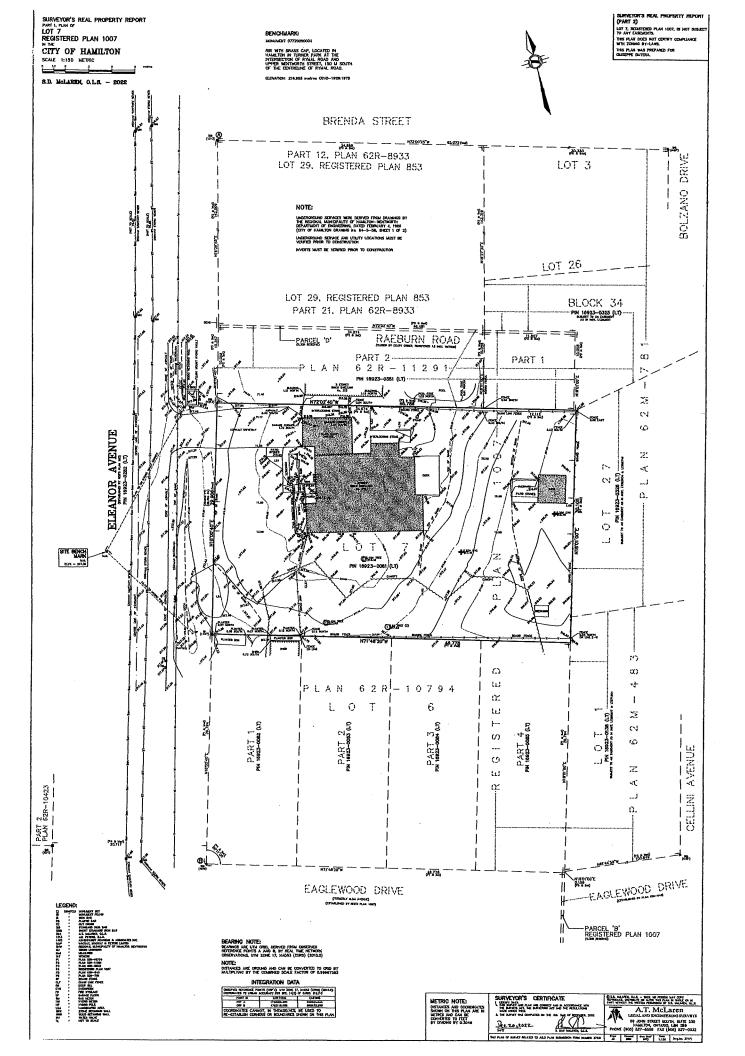
Presenters attending in person may be granted permission to use the presentation screen. Presentations must be brought on a USB device and opened by the owner/applicant. A copy of the presentation must also be sent to cofa@hamilton.ca by 12:00 p.m. (noon) on the business day prior to the Hearing. The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

6. 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 or call 905-546-2424 ext. 4221.







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.

APPLICANT INFORMATION

	NAME	MAILING ADDRESS		
Purchaser*			Phone:	
			E-mail:	
Registered Owners(s)	JOE BUTERA			
Applicant(s)**			Phone:	
	SAME		E-mail:	
Agent or Solicitor			Phone:	
Solicitor			E-mail:	
he purchaser to make	e the application in respe	of the agreement of purcha ct of the land that is the sul nt is not the owner or purch	bject of the application.	rizes
.2 Primary contact	[☐ Purchaser ☐ Applicant	☑ Owner ☐ Agent/Solicitor	
1.3 Sign should be se		☐ Purchaser ☐ Applicant	Owner Agent/Solicitor	
.4 Request for digital	al copy of sign [mail address where sign	☐ Yes*		
.5 All correspondence may be sent by email 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.				
DDI ICATION FOR COM	SENT TO SEVED LAND / Janu	ion (1, 2024)	Page 4 of 40	-

1.6	Payment type	⊠n person □Cheque	☐Credit over phone*
_			*Must provide number above
2.	LOCATION OF SUBJECT	-AND	
2.1	Complete the applicable se	ctions:	
Μι	unicipal Address	219 ELEANOR	AVE
As	sessment Roll Number		
Fc	rmer Municipality		
Lo	t	Conce	ession
	egistered Plan Number	Lot(s)	
Re	eference Plan Number (s)	Part(s)
2.2	☐ Yes No	r restrictive covenants affect ent or covenant and its effec	-
3 3.1	PURPOSE OF THE APPL Type and purpose of propo	CATION sed transaction: (check appr	ronriate hov)
	creation of a new lot addition to a lot an easement validation of title (mu cancellation (must a	(s) st also complete section 8) so complete section 9 n-farm parcel (must also con urplus farm dwelling	☐ concurrent new lot(s) ☐ a lease ☐ a correction of title ☐ a charge
3.2	Name of person(s), if know charged:	n, to whom land or interest ir	land is to be transferred, leased or
3.3	If a lot addition, identify the	lands to which the parcel wil	l be added:
3.4	subject land that is owned I	n Ontario solicitor in good sta	anding that there is no land abutting the and other than land that could be Reg. 786/21)

DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

4.1 Description of subject land:

	Retained (remainder)	Parcel 1	Parcel 2	Parcel 3*	Parcel 4*
Identified on Sketch as:	CAND TO BE RETAINED	LAND TO BE SEVERED			
Type of Transfer	N/A	LOT CREATION			
Frontage	17.9	12.0			
Depth	46.8	46.8			
Area	841.9	561.4			
Existing Use	RESIDENTIAL				
Proposed Use		RESIDENTIAL			
Existing Buildings/ Structures	HOUSE	NOTHING			
Proposed Buildings/ Structures					
Buildings/ Structures to be Removed					
Additional fees	apply.				
.2 Subject Lar	nd Servicing				
☐ provincial ☐ municipal	cess: (check appr highway road, seasonally r road, maintained	maintained		☐ right of way ☐ other public	
publicly ov	ater supply propos wned and operated wned and operate	d piped water sys	oriate box) tem	☐ lake or othe	er water body

marropar roda, n	iankanioa an year		
b) Type of water sup ☑ publicly owned and ☐ privately owned a	pply proposed: (chec nd operated piped w and operated individu	k appropriate box) ater system ual well	☐ lake or other water body ☐ other means (specify)
c) Type of sewage d ☑ publicly owned an ☐ privately owned a ☐ other means (spe	nd operated sanitary and operated individu		
4.3 Other Services: (ch	eck if the service is	available)	
M electricity	☑ telephone	M school bussing	M garbage collection

5.1 What is the existing official plan designation of the subject land? RESIDENTIAL

CURRENT LAND USÉ

5

	Rural Hamilton Official Plan designation (if applicable): _	MUGH	BOURHOOD	
	Rural Settlement Area:			
	Urban Hamilton Official Plan designation (if applicable)	NEIGHL	BOURHOUD	
	Please provide an explanation of how the application con Official Plan. LAND TO BE SEVERED CON	u Form	TO EXISTING	
	AND OFFICIAL PLAN WITH FU	TURE U	ISE AS RESIDE	NTI
5.2	Is the subject land currently the subject of a proposed off submitted for approval? ☐ Yes ☐ Unknown	icial plan a	imendment that has bee	·n
	If YES, and known, provide the appropriate file number a	and status	of the application.	
5.3	What is the existing zoning of the subject land?	? - 18:	22	
	If the subject land is covered by a Minister's zoning order, w	hat is the C	Intario Regulation Numbe	r?
5.4	Is the subject land the subject of any other application for amendment, minor variance, consent or approval of a pla ☐ Yes ☐ Unknown	r a Ministe an of subd	r's zoning order, zoning ivision?	— by-la
	If YES, and known, provide the appropriate file number a	and status	of the application.	
5.5	Are any of the following uses or features on the subject land, unless otherwise specified. Please check the approximation	and or with	nin 500 metres of the sub es, if any apply.	— oject
	Use or Feature	On the Subject Land	Within 500 Metres of Subject Land, unless otherwise specified (indicate approximate distance)	
sto	agricultural operation, including livestock facility or ockyard * Submit Minimum Distance Separation rmulae (MDS) if applicable			
	and fill			
A s	sewage treatment plant or waste stabilization plant			
	provincially significant wetland			
	provincially significant wetland within 120 metres			
	lood plain			
	industrial or commercial use, and specify the use(s)			
	active railway line			
Ar	nunicipal or federal airport			

6.1	Has the subject land ever been the subject of an application for approval of a plan of subdivision or a consent under sections 51 or 53 of the <i>Planning Act</i> ? Yes No Unknown
	If YES, and known, provide the appropriate application file number and the decision made on the application.
	HM/B-23:02 APPROVED
6.2	$\frac{Hm/B-23:02}{APPROVED}$ If this application is a re-submission of a previous consent application, describe how it has been changed from the original application.
	NO CHANGE
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 supped the subject to a do
6.4	How long has the applicant owned the subject land?
6.5	Does the applicant own any other land in the City?
	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? \(\sum_
	∑ Yes
72	Is this application consistent with the Provincial Policy Statement (PPS)?
	Yes
	<i>'</i>
7.3	Does this application conform to the Growth Plan for the Greater Golden Horseshoe?
	Yes
4	
7.4	Are the subject lands subject to the Niagara Escarpment Plan? See No (Provide explanation)
	(i Tovide explanation)

HISTORY OF THE SUBJECT LAND

6

7.5	Are the subject land ☐ Yes	ds subject to t	he Parkway Belt West Plan? (Provide explanation)
7.6	Are the subject land ☐ Yes	ds subject to t	he Greenbelt Plan? (Provide explanation)
7.7	Are the subject land ☐ Yes	ls within an ar	rea of land designated under any other provincial plan or plans? (Provide explanation)
8	ADDITIONAL INFO	PRMATION -	VALIDATION
8.1			y interest in the subject land?
	☐ Yes	∑ 0 ∘	(Provide explanation)
8.2	Does the current ov	vner have any	/ interest in any abutting land?
	Yes	□No	(Provide explanation and details on plan)
	OWNS	215 EL	(Provide explanation and details on plan) EANOR Aいこ
8.3	Why do you conside		ay require validation? (attach additional sheets as necessary)
		^	1/4
9	ADDITIONAL INFO	RMATION - 0	CANCELLATION
9.1			y interest in the subject land?
	□Yes	No D	(Provide explanation)
9.2			interest in any abutting land?
	☐ Yes	No No	(Provide explanation and details on plan)
9.3	Why do you require	cancellation o	of a previous consent? (attach additional sheets as necessary)

	10	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 Dw	elling Severance	e from an Abutting Farr	n Consolidation	
		☐ Surplus Farm Dw	relling Severance	e from a Non-Abutting	Farm Consolidation	
	10.2	Location of farm consoli	dation property:			
	Mun	icipal Address				
	Asse	essment Roll Number				
	Form	ner Municipality				
	Lot			Concession		
	Regi	stered Plan Number		Lot(s)		
	Refe	rence Plan Number (s)		Part(s)		
10.4		Description of farm cons	solidation proper	ty: Area (m² or ha):		
		Existing Land Use(s):			s):	
10.5		Description of abutting consolidated farm (excluding lands intended to be severed for the surplus dwelling)				
		Frontage (m):		Area (m² 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 (m² or ha): (from Section 4.1)		
		Front yard set back:				
		a) Date of construction: ☐ Prior to December	er 16, 2004	☐ After December	16, 2004	
		b) Condition: ☐ Habitable		☐ Non-Habitable		

11.1 All Applications Application Fee Site Sketch X 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. Cancellation 11.3 All information documents in Section 11.1 Detailed history of when the previous consent took place. ceil 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) Septic Assessment Archeological Assessment Noise Study Parking Study

COMPLETE APPLICATION REQUIREMENTS