

June 24th, 2010

**CONSOLIDATION REPORT  
SEVERANCES**

The attached comments have been reviewed with regard to Committee of Adjustment Severance File **FL/B-10:63 (24 McDonald Court, Flamborough)** and the following is submitted:

**Should the Committee grant the severance, an approval should be subject to the following conditions and notes:**

1. The owner shall submit a deposited Ontario Land Surveyor's Reference Plan to the Committee of Adjustment Office, unless exempted by the Land Registrar.
2. The owner/applicant shall include the following warning clause in the consent/development agreement and in all purchase and sale and/or lease/rental agreements:  
  
"Purchasers/tenants are advised that sound levels due to increasing road traffic may occasionally interfere with some activities of the dwelling occupants as the sound levels may exceed the Municipality's and the Ministry of the Environment's noise criteria."
3. The owner/applicant shall receive Rezoning Approval to the satisfaction of the Manager of Development Planning.
4. The owner shall receive final approval of any necessary variances from the requirements of the Zoning By-Law as determined necessary by the Planning and Economic Development Department (Building Services Division).
5. The owner shall submit survey evidence that the existing structures located on the lands to be retained conform to the requirements of the Zoning By-Law or alternatively apply for and receive final approval of any variances from the requirements of the Zoning By-Law as determined necessary by the Planning and Economic Development Department (Building Services Division).
6. The owner shall demolish any accessory building located on the lands to be conveyed to the satisfaction of the Planning and Economic Development Department (Building Services Division) or shall obtain a variance to permit an accessory building on a lot where no principal use has been established or provide proof that there are no accessory structures located on the lands to be conveyed. May be subject to a demolition permit issued in the normal manner.
7. The applicant shall ensure compliance with Ontario Building Code requirements regarding separation distances to the satisfaction of the Planning and Economic Development Department (Building Services Division).

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8. The applicant shall enter into and have registered on the title, a Consent Agreement with the City of Hamilton to deal with grading and drainage on the severed parcel, to the satisfaction of the Manager of Development Engineering. The applicant shall demonstrate that all drainage from the site shall be taken to a suitable outlet.
9. The applicant shall make a cash payment based on the current flat rate fee of \$372.62 per metre frontage of the severed parcel, to the City of Hamilton for the future road urbanization, to the satisfaction of the Manager of Development Engineering.
10. The owner shall submit to the Committee of Adjustment Office an administration fee of \$15.00, payable to the City of Hamilton, to cover the cost of setting up a new tax account for the newly created lot.
11. The owner shall pay any outstanding realty taxes and/or all other charges owing to the City Treasurer.

NOTES:

1. The subject property has been determined to be an area of archaeological potential. It is reasonable to expect that archaeological resources may be encountered during any demolition, grading, construction activities, landscaping, staging, stockpiling or other soil disturbances and the proponent is advised to conduct an archaeological assessment prior to such impacts in order to address these concerns and mitigate, through preservation or resource removal and documentation, adverse impacts to any significant archaeological resources found. Mitigation, by an Ontario-licensed archaeologist, may include the monitoring of any mechanical excavation arising from this project. If archaeological resources are identified on-site, further Stage 3 Testing and Stage 4 Mitigation may be required as determined by the Ontario Ministry of Culture. All archaeological reports shall be submitted to the City of Hamilton for approval concurrent with their submission to the Ministry of Culture.

Should deeply buried archaeological materials be found on the property during any of the above development activities the Ontario Ministry of Culture (MCL) should be notified immediately (416.314.7143). In the event that human remains are encountered during construction, the proponent should immediately contact both MCL and the Registrar or Deputy Registrar of the Cemeteries Regulation Unit of the Ministry of Small Business and Consumer Services (416.326.8392).

2. Based on the attached plans, and on this application being approved and all conditions being met, the owner / applicant should be made aware that the lands to be conveyed will be assigned the municipal address of 22 McDonald Court, and that the lands to be retained will remain as 24 McDonald Court