



Hamilton

COMMITTEE OF ADJUSTMENT

City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5
Telephone (905) 546-2424, ext. 4221, 3935 Fax (905) 546-4202
E-mail: morgan.evans@hamilton.ca or jamila.sheffield@hamilton.ca

NOTICE OF PUBLIC HEARING

Application for Consent/Land Severance

APPLICATION NUMBER: HM/B-20:24

SUBJECT PROPERTY: 1342 Stone Church Rd. E., Hamilton

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
-

APPLICANT(S): P. J. Daly Contracting Limited on behalf of the owner
82 Ferguson Ave., (Hamilton)

PURPOSE OF APPLICATION: To permit the conveyance of a parcel of land to be added to adjacent property known as 1320 Stone Church Rd. E.

Severed lands:

an irregular parcel of land having an area of 1.5 acres[±]

Retained lands:

93.034m[±] x 252m[±] and an area of 5.5 acres[±]

The Committee of Adjustment will hear this application on:

DATE: Thursday, November 5th , 2020

TIME: 2:15 p.m.

PLACE: Via video link or call in (see attached sheet for details)

To be streamed at

www.hamilton.ca/committeeofadjustment

for viewing purposes only

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, including deadlines for submitting to be seen by the Committee.

Orally: If you would like to speak to this item at the hearing you may do so via video link or by calling in. Please see attached page for complete instructions, including deadlines for registering to participate.

Important note: If a person or public body that files an appeal of a decision of the Committee of Adjustment in respect of the proposed consent does not make written or oral submission

.../2

to the Committee of Adjustment before it gives or refuses to give a provisional consent, the Local Planning Appeal Tribunal (LPAT) may dismiss the appeal.

MORE INFORMATION

For more information on this application, including access to drawings illustrating this request:

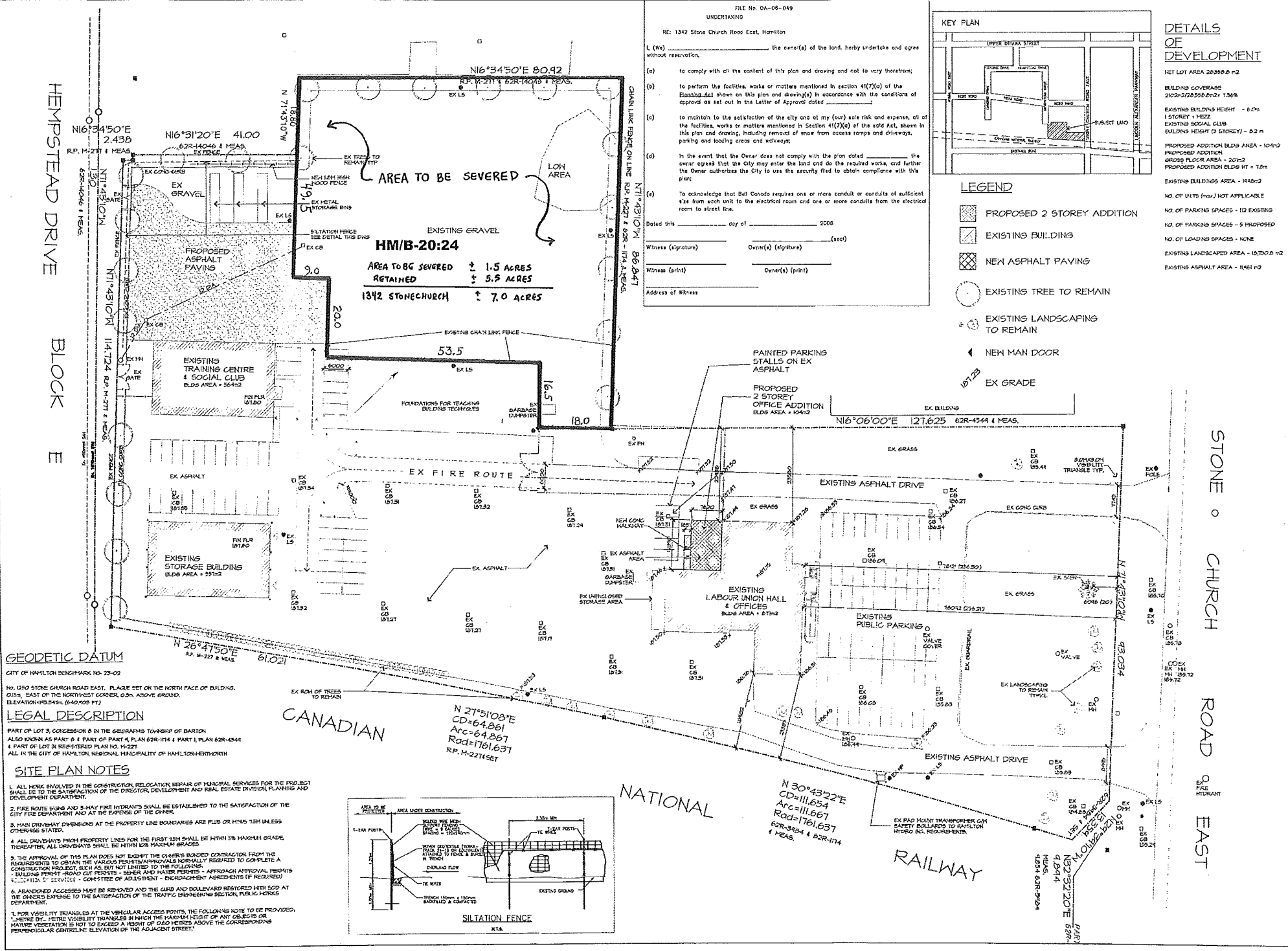
- Visit www.hamilton.ca/committeeofadjustment
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at cofa@hamilton.ca

DATED: October 20th, 2020



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.



FILE NO. DA-06-049
 UNDERTAKING
 RE: 1342 Stone Church Road East, Hamilton

I, (We) _____, 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 therefrom;

(b) to perform the facilities, works or matters mentioned in section 41(7)(a) of the Planning Act shown on this plan and drawing(s) in accordance with the conditions of approval as set out in the Letter of Approval dated _____;

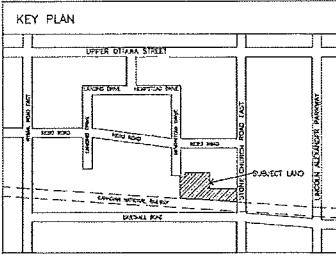
(c) to maintain to the satisfaction of the City and at my (our) sole risk and expense, all of the facilities, works or matters mentioned in Section 41(7)(c) of the said Act, shown in this plan and drawing, including removal of snow from access ramps and driveways, parking and loading areas and walkways;

(d) in the event that the Owner does not comply with the plan dated _____ 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 filed to obtain compliance with this plan;

(e) To acknowledge that Bell Canada requires one or more conduits of sufficient size from each unit to the electrical room and one or more conduits from the electrical room to street line.

Dated this _____ day of _____, 2008

Witness (signature) _____ Owner(s) (signature) _____
 Witness (print) _____ Owner(s) (print) _____
 Address of Witness _____



DETAILS OF DEVELOPMENT

NET LOT AREA 22350.0 m²

BUILDING COVERAGE 2102-2/28516.2m² = 7.36%

EXISTING BUILDING HEIGHT - 6.0m
 1 STOREY + 10.27

EXISTING SOCIAL CLUB BUILDING HEIGHT (2 STOREY) = 8.2 m

PROPOSED ADDITION BLDG AREA = 1044.2
 PROPOSED ADDITION GROSS FLOOR AREA = 2043
 PROPOSED ADDITION BLDG HT = 7.2m

EXISTING BUILDING AREA = 1940m²

NO. OF UNITS (max) NOT APPLICABLE

NO. OF PARKING SPACES - 12 EXISTING

NO. OF PARKING SPACES - 5 PROPOSED

NO. OF LOADING SPACES - NONE

EXISTING LANDSCAPED AREA = 15700.0 m²

EXISTING ASPHALT AREA = 1161 m²

- LEGEND**
- PROPOSED 2 STOREY ADDITION
 - EXISTING BUILDING
 - NEW ASPHALT PAVING
 - EXISTING TREE TO REMAIN
 - EXISTING LANDSCAPING TO REMAIN
 - NEW MAN DOOR

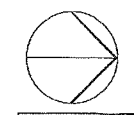
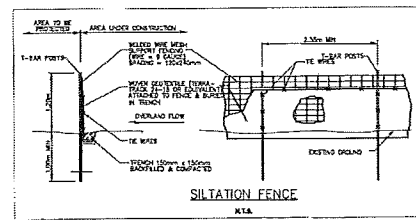
GEODETIC DATUM
 CITY OF HAMILTON BENCHMARK NO. 23-02

NO. 1210 STONE CHURCH ROAD EAST. PLATHE SET ON THE NORTH FACE OF BUILDING, 0.25m EAST OF THE NORTHWEST CORNER, 0.25m ABOVE GRAUND. ELEVATION 180.24m (640.205 FT)

LEGAL DESCRIPTION

PART OF LOT 3, CONCESSION 8 IN THE GREENWICH TOWNSHIP OF BARTON ALSO PART OF PART 8 & 1 PART OF PART 4, PLAN 62R-1174 & PART 1, PLAN 62R-4544 & PART OF LOT 31 REGISTERED PLAN NO. 11-227 ALL IN THE CITY OF HAMILTON REGIONAL MUNICIPALITY OF HAMILTON-NORTH

- SITE PLAN NOTES**
- ALL WORK INVOLVED IN THE CONSTRUCTION, RELOCATION, REPAIR OF MUNICIPAL SERVICES FOR THE PROJECT SHALL BE TO THE SATISFACTION OF THE DESIGNER, DEVELOPER AND REAL ESTATE DIVISION, PLANNING AND DEVELOPMENT DEPARTMENT.
 - FIRE ROUTE SIGN AND 3-MAY 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 15% UNLESS OTHERWISE STATED.
 - ALL DRIVEWAYS FROM PROPERTY LINES FOR THE FIRST 15M SHALL BE WITHIN 5% MAXIMUM GRADE. THEREAFTER, ALL DRIVEWAYS SHALL BE WITHIN 10% MAXIMUM GRADE.
 - THE APPROVAL OF THIS PLAN DOES NOT EXEMPT THE OWNER FROM THE REQUIREMENTS TO OBTAIN THE NECESSARY PERMITS APPROVALS NECESSARY TO COMPLETE A CONSTRUCTION PROJECT, SUCH AS, BUT NOT LIMITED TO THE FOLLOWING:
 - BUILDING PERMIT - HIGH CUT PERMITS - SEWER AND WATER PERMITS - APPROACH APPROVAL PERMITS
 - UTILITY OF SERVICES - COMMITTEE OF ADJUSTMENT - ENCROACHMENT AGREEMENTS (IF REQUIRED)
 - ABANDONED ACCESSES MUST BE REMOVED AND THE GARD AND BOLLIVARD RESTORED WITH SCD AT THE OWNERS 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:
 - 1.5M BY 1.5M VISIBILITY TRIANGLES IN WHICH THE MAXIMUM HEIGHT OF ANY GLOBES OR MAINTENANCE VEGETATION IS NOT TO EXCEED A HEIGHT OF 0.60 METRES ABOVE THE CORRESPONDING PERPENDICULAR CENTRELINE ELEVATION OF THE ADJACENT STREET.



| | | |
|---|------------|-----------------------|
| 1 | July 23/08 | PRELIMINARY PLAN |
| 2 | July 23/08 | FINAL PLAN FOR PERMIT |
| 3 | July 23/08 | FINAL PLAN FOR PERMIT |
| 4 | July 23/08 | FINAL PLAN FOR PERMIT |



McCALLUM SATHER
 Architects Inc.

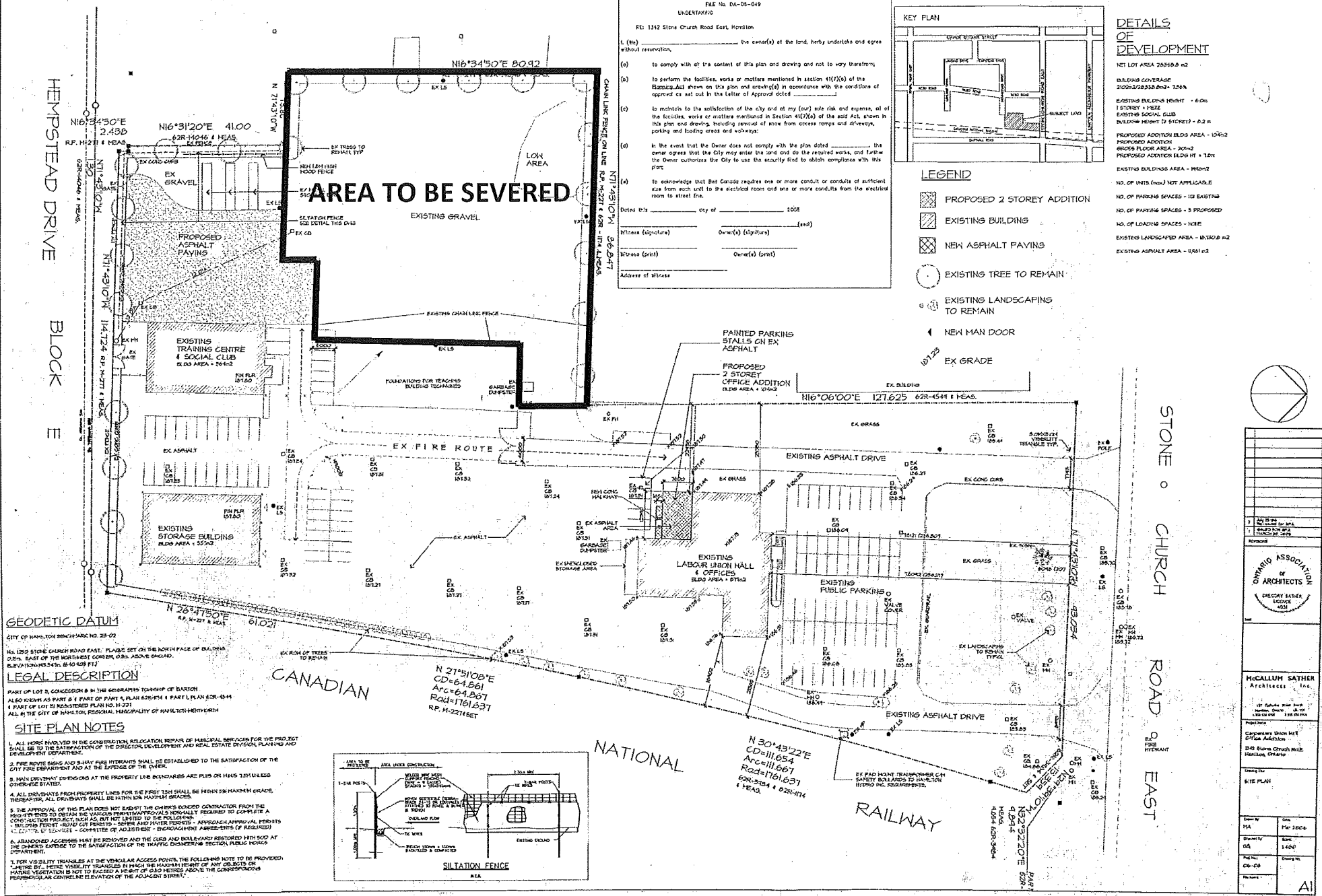
141 Centre Street North
 Hamilton, Ontario L8N 2K5
 Tel: 905.571.1111 Fax: 905.571.1112

Client: The City of Hamilton
 Project: Office Addition
 1342 Stone Church Road, Hamilton, Ontario

Scale: SITE PLAN

| | | | |
|-------------|-------|------------|--------|
| Drawn by: | MS | Scale: | 1:200 |
| Checked by: | MS | Date: | 1/2008 |
| Proj. No.: | DA-06 | Sheet No.: | 1 of 1 |
| File Name: | | | |

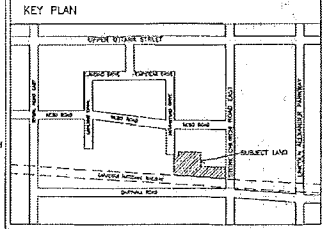
HEMPSTEAD DRIVE
BLOCK E



FEE No. DA-03-049
UNDERTAKING
RE: 1392 Stone Church Road East, Hamilton

1. (a) _____ the center(s) of the land, hereby undertake and agree without reservation,
(b) _____ to comply with all the content of this plan and drawing and not to vary therefrom;
(c) _____ to perform the facilities, works or matters mentioned in section 41(1)(a) of the Planning Act shown on this plan and drawing(s) in accordance with the conditions of approval as set out in the letter of Approval dated _____;
(d) _____ to maintain to the satisfaction of the City and at my (our) sole risk and expense, all the facilities, works or matters mentioned in Section 41(1)(c) of the said Act, shown in this plan and drawing, including removal of snow from access ramps and driveways, parking and loading areas and sidewalks;
(e) _____ in the event that the Owner does not comply with the plan dated _____ 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 fund to obtain compliance with this plan;
(f) _____ to acknowledge that Bell Canada requires one or more conduit or conduits of sufficient size from each unit to the electrical room and one or more conduits from the electrical room to street line.

Dated this _____ day of _____ 2008
Witness (signature) _____ Owner(s) (signature) (read)
Witness (print) _____ Owner(s) (print)
Address of Witness _____



- LEGEND
- PROPOSED 2 STOREY ADDITION
 - EXISTING BUILDING
 - NEW ASPHALT PAVING
 - EXISTING TREE TO REMAIN
 - EXISTING LANDSCAPING TO REMAIN
 - NEW MAN DOOR
 - EX GRADE

DETAILS OF DEVELOPMENT

| | |
|------------------------------------|--------------------------|
| NET LOT AREA | 26550.6 m ² |
| BUILDING COVERAGE | 3100x320x330 Area = 126A |
| EXISTING BUILDING HEIGHT | 6.0m |
| 1 STOREY + PEZZ | EXISTING SOCIAL CLUB |
| BUILDING HEIGHT TO EXISTING | 6.2 m |
| PROPOSED ADDITION BLDG AREA | 1544.2 |
| PROPOSED ADDITION GROSS FLOOR AREA | 2054.2 |
| PROPOSED ADDITION BLDG HT | 7.0m |
| EXISTING BUILDING AREA | 1950m ² |
| NO. OF UNITS (NEW) NOT APPLICABLE | |
| NO. OF PARKING SPACES | 12 EXISTING |
| NO. OF PARKING SPACES | 5 PROPOSED |
| NO. OF LOADING SPACES | 10RE |
| EXISTING LANDSCAPED AREA | 4830.0 m ² |
| EXISTING ASPHALT AREA | 1561.0 m ² |

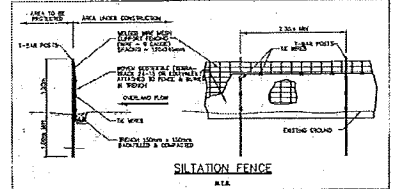
GEODETIC DATUM

CITY OF HAMILTON ENGINEERING NO. 28-02
NA 1250 STONE CHURCH ROAD EAST, PLAINE SET ON THE NORTH FACE OF BUILDING
2.0m. BEAT OFF THE NORTH EAST CORNER, 0.2m ABOVE ANGLAD.
ELEVATION 43.243m, 6.40 409 FT

LEGAL DESCRIPTION
PART OF LOT 5, CONCESSION B IN THE 606881ST TOWNSHIP OF EASTON
ALSO KNOWN AS PART B & F PART A PLAN 62R-1414 & PART L PLAN 62R-4544
A PART OF LOT 51 REGISTERED PLAN NO. H-221
ALL IN THE CITY OF HAMILTON PERSONAL REGISTRY OF HAMILTON HERITAGE

SITE PLAN NOTES

- ALL WORK INVOLVED IN THE CONSTRUCTION, RELOCATION, REPAIR OF MUNICIPAL SERVICES FOR THE PROJECT SHALL BE TO THE SATISFACTION OF THE DESIGNER, DEVELOPER AND REAL ESTATE DEVELOPMENT PLANNING AND DEVELOPMENT DEPARTMENT.
- FIRE ROUTE MARKS AND SAFETY FIRE INTERVENTS SHALL BE ESTABLISHED TO THE SATISFACTION OF THE CITY FIRE DEPARTMENT AND AT THE EXPENSE OF THE OWNER.
- MAN DROPPED EXTENSIONS AT THE PROPERTY LINE BOUNDARIES ARE PLUS OR MINUS 15% UNLESS OTHERWISE STATED.
- ALL DISTURBANCE FROM PROPERTY LINES FOR THE FIRST 10M SHALL BE WITHIN 5M MAXIMUM GRADE, THEREAFTER, ALL DISTURBANCE SHALL BE WITHIN 50M MAXIMUM GRADE.
- THE APPROVAL OF THIS PLAN DOES NOT EXEMPT THE OWNER'S ORDERED CONTRACTOR FROM THE REQUIREMENTS TO OBTAIN THE VARIOUS PERMITS NORMALLY REQUIRED TO COMPLETE A CONSTRUCTION PROJECT SUCH AS, BUT NOT LIMITED TO THE FOLLOWING:
- UTILITIES PERMITS - WATER AND WATER SERVICES - APPROACH APPROVAL PERMITS
- EROSION CONTROL SERVICES - COMPETITIVE OR ADDRESS-ORIENTED - BY-CATCHMENT AGREEMENTS (IF REQUIRED)
- ABANDONED ACCESSES MUST BE REMOVED AND THE CURB AND BULEVARD RESTORED WITHIN 500 AT THE OWNERS EXPENSE TO THE SATISFACTION OF THE TRAFFIC ENGINEERING SECTION PUBLIC WORKS DEPARTMENT.
- FOR VISIBILITY TRIANGLES AT THE VERTICAL ACCESS POINTS, THE FOLLOWING NOTE TO BE PROVIDED:
- LETTERS BEYOND VISIBILITY TRIANGLES IN WHICH THE MAXIMUM HEIGHT OF ANY OBSTACLE OR MAJOR VEGETATION IS NOT TO EXCEED A HEIGHT OF 0.60 METRES ABOVE THE CORRESPONDING PERPENDICULAR CENTRELINE ELEVATION OF THE ADJACENT STREET.



ONTARIO ASSOCIATION OF ARCHITECTS
GREGORY BLENK LEADER 404

McCALLUM SATHER Architects Inc.
10 Dundas Street West
Hamilton, Ontario L8N 3R9
Tel: 905.571.1234
Fax: 905.571.1235

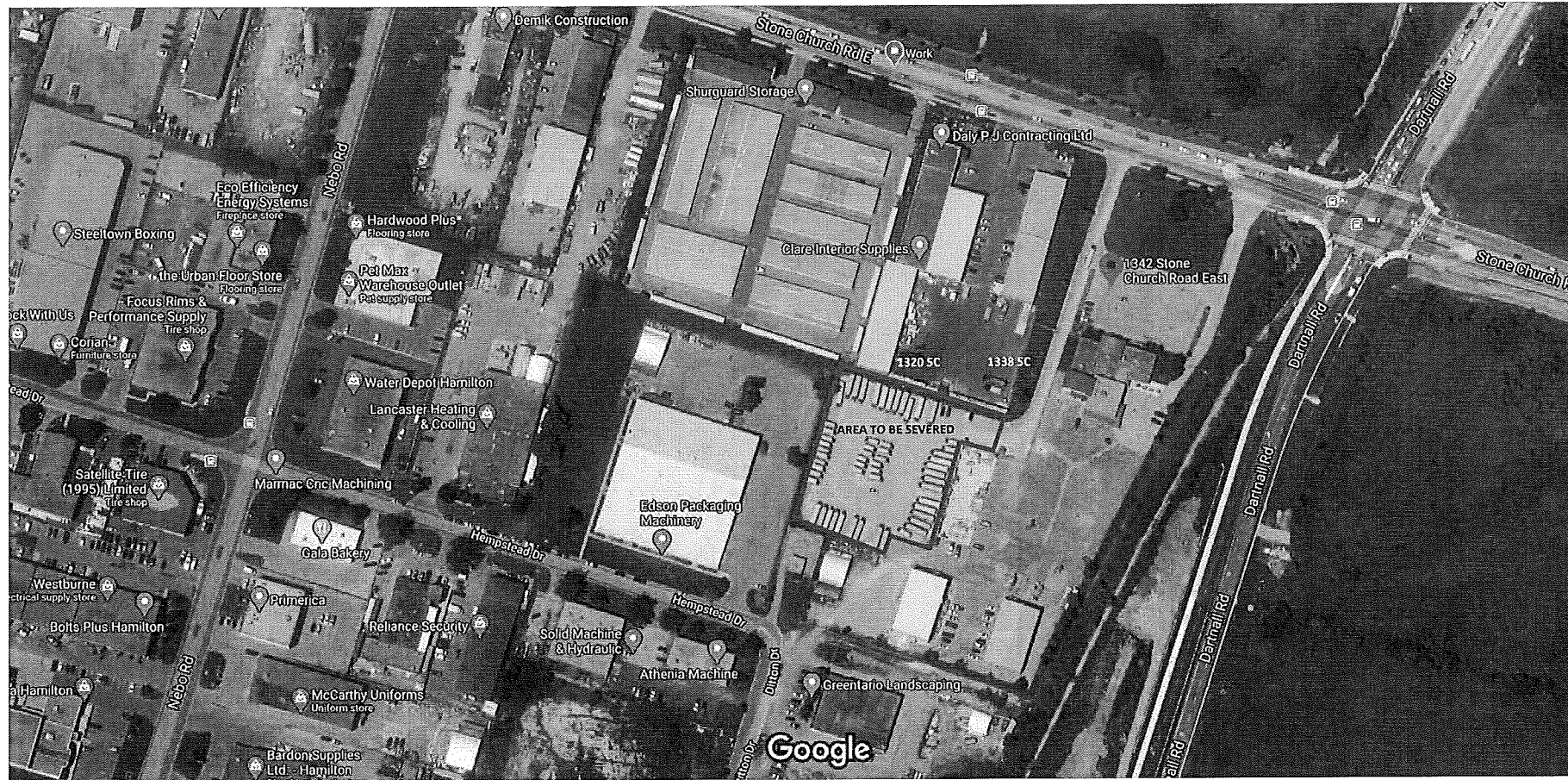
Project Name
Corporate Union Int'l Office Addition
1392 Stone Church Road
Hamilton, Ontario

Drawing Title
SITE PLAN

| | | | |
|------------|-------|-------------|----------|
| Drawn by | MS | Date | Feb 2008 |
| Checked by | GS | Date | 1408 |
| Plot No. | 08-08 | Drawing No. | |
| File Name | | | |

AI

Google Maps 1342 Stone Church Rd E



Imagery ©2020 First Base Solutions, Maxar Technologies, Map data ©2020 50 m



1320 STONECHURCH ROAD EAST, HAMILTON, ONT L8W 2C8
T 905 575-1525 F 905 575-8069

CONTRACTING LTD.

COMMITTEE OF ADJUSTMENTS

CITY OF HAMILTON

71 Main Street West
Hamilton ON L8P 4Y5

Attention: Jamila Sheffield, Secretary-Treasurer

September 22, 2020

RE: COA APPLICATION #HM/B-20:24, 1342 STONE CHURCH ROAD EAST, HAMILTON

Dear Jamila,

COA Application #HM/B-20:24 was "tabled" at the Committee of Adjustment hearing on July 16, 2020. A consolidation report was issued. The following information is submitted to address the five items on the consolidation report and for the subject application to receive approval from the Committee of Adjustments. We request that the "tabled" matter reconvene at the next available COA hearing.

1. Site Plan Control

Yvette Rybensky, Senior Project Manager, Development Planning - Suburban Team, issued a Site Plan Exemption dated September 14, 2020 for 1342 Stone Church Road East - [see 1 page attachment](#). As mentioned in her letter, the proposal is to sever a portion of the lands having an area of approximately 1.5 acres. The severed lands are proposed to be assembled with the property municipally known as 1320 Stone Church Road East. No changes to the site are being proposed that would substantially increase the size or usability of the subject lands. Therefore, the proposal is not considered to be development and is not subject to Site Plan Control.

Under current ownership, the subject lands have been used as a parking lot for school buses. Under proposed ownership, the subject lands will be used as a parking lot for boom trucks and transport trucks.

2. Outstanding Realty Taxes and/or all Other Charges Owing to the City Treasurer.

Payments have been made to the Committee of Adjustment for the application fee for consent to sever land (\$ 2,845.00) and the Hamilton Conservation Authority (\$ 805.00). The owners agree to promptly pay any outstanding realty taxes and/or any other charges owing to the City Treasurer.

3. Ontario Building Code

It is required that the owner comply with Ontario Building Code requirements regarding spatial separation distances of any structures.

There are no buildings on the subject lands to be severed. It is a parking lot. .

The existing buildings on the retained lands will remain as is. There will not be any new buildings.

4. Existing Uses on Lands Retained

The existing uses on the lands to be retained will not change. The retained lands has an existing office building, existing storage building and existing training centre building.

COMMITTEE OF ADJUSTMENTS
CITY OF HAMILTON
71 Main Street West
Hamilton ON L8P 4Y5

Attention: Jamila Sheffield, Secretary-Treasurer

September 22, 2020

RE: COA APPLICATION #HM/B-20:24, 1342 STONE CHURCH ROAD EAST, HAMILTON (CONTINUED)

5. Site Plan

[Three pages/drawings are attached](#) to depict the information applicable to the application.

Architectural Drawing No. A1 by McCallum Sather Architects Inc. shows the site plan for 1342 Stone Church Road East. It shows the existing office building, existing storage building and existing training centre building.

The area outlined by the dark lines is the subject lands to be severed. The dimensions of the lands to be severed are indicated.

Part of the landscaped strip will be removed to allow access from 1320 Stone Church Road to the severed lands.

Hamilton Conservation Authority

Laura Stinson, Planning Technician, at the Hamilton Conservation Authority issued a letter that states that the HCA has no objection to the approval of the subject application - [see 2 page attachment](#).

For reference, please find attached, the COA Consolidation Report dated July 16, 2020 for HM/B-20:24 (1342 Stone Church Rd. E. Hamilton) - [8 pages](#).

For reference, please find attached, the Application for Consent to Sever Land dated March 9, 2020 - [21 pages](#).

We trust that this information will result in the approval of the application for consent to sever land.

Yours very truly,
P. J. Daly Contracting Limited

Reggie Nasu

Attachments

... 2 / 2.



Hamilton

Planning and Economic
Development Department

Memorandum

To: Dio Ortiz
Manager, Building Engineering and Zoning

From: *YR* Yvette Rybensky
Senior Project Manager
Development Planning – Suburban Team

Phone: 905-546-2424 Ext. 5134 **Fax:** 905-546-4202

Date: September 14, 2020

Subject: Site Plan Exemption at 1342 Stone Church Road East (Stoney Creek)
(Ward 10)

In accordance with Section 1.9 of Site Plan Control By-law No. 15-176, development is defined as the “construction, erection or placing of one or more buildings or structures on land or the making of an addition or alteration to a building or structure that has the effect of substantially increasing the size or usability thereof...”

The proposal is to sever a portion of the lands having an area of approximately 1.5 acres. The severed lands are proposed to be assembled with the property municipally known as 1320 Stone Church Road East. No changes to the site are being proposed that would substantially increase the size or usability of the subject lands. Therefore, the proposal is not considered to be development and is not subject to Site Plan Control.

This memo does not exempt the proposal from the requirements of a building permit, nor does it exempt the proposal from the requirements of the Zoning By-law.

If you have any questions, please contact Johanna Black at (905) 546-2424 Ext. 1324 or via email at Johanna.Black@hamilton.ca.

YR/jb

HEMPSTEAD DRIVE

BLOCK E

STONE CHURCH ROAD EAST

ROAD EAST

DETAILS OF DEVELOPMENT

NET LOT AREA 20,550.0 m²

BUILDING COVERAGE
2102m²/20,550.0m² = 1.36%

EXISTING BUILDING HEIGHT - 6.0m
1 STOREY + MEZZ
EXISTING SOCIAL CLUB
BUILDING HEIGHT (2 STOREY) - 8.2 m

PROPOSED ADDITION BLDG AREA - 104m²
GROSS FLOOR AREA - 201m²
PROPOSED ADDITION BLDG HT = 7.2m

EXISTING BUILDINGS AREA - 1990m²

NO. OF UNITS (max) NOT APPLICABLE

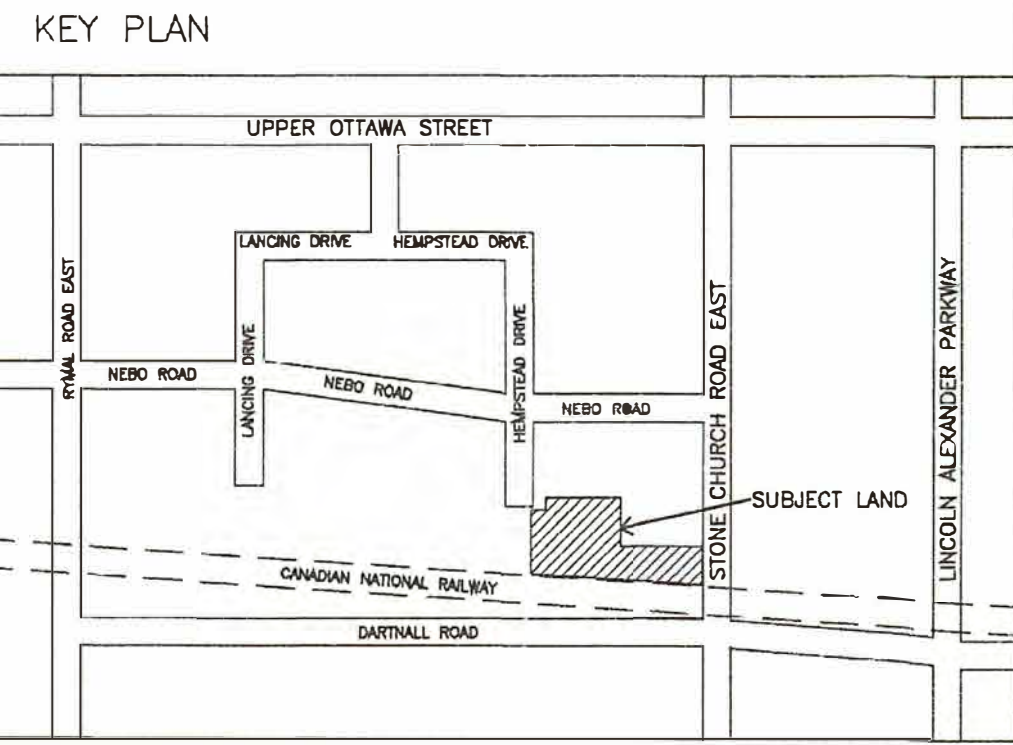
NO. OF PARKING SPACES - 112 EXISTING

NO. OF PARKING SPACES - 5 PROPOSED

NO. OF LOADING SPACES - NONE

EXISTING LANDSCAPED AREA - 15,730.0 m²

EXISTING ASPHALT AREA - 11,961 m²



LEGEND

- PROPOSED 2 STOREY ADDITION
- EXISTING BUILDING
- NEW ASPHALT PAVING
- EXISTING TREE TO REMAIN
- EXISTING LANDSCAPING TO REMAIN
- NEW MAN DOOR
- EX GRADE

FILE No. DA-06-049

UNDERTAKING

RE: 1342 Stone Church Road East, Hamilton

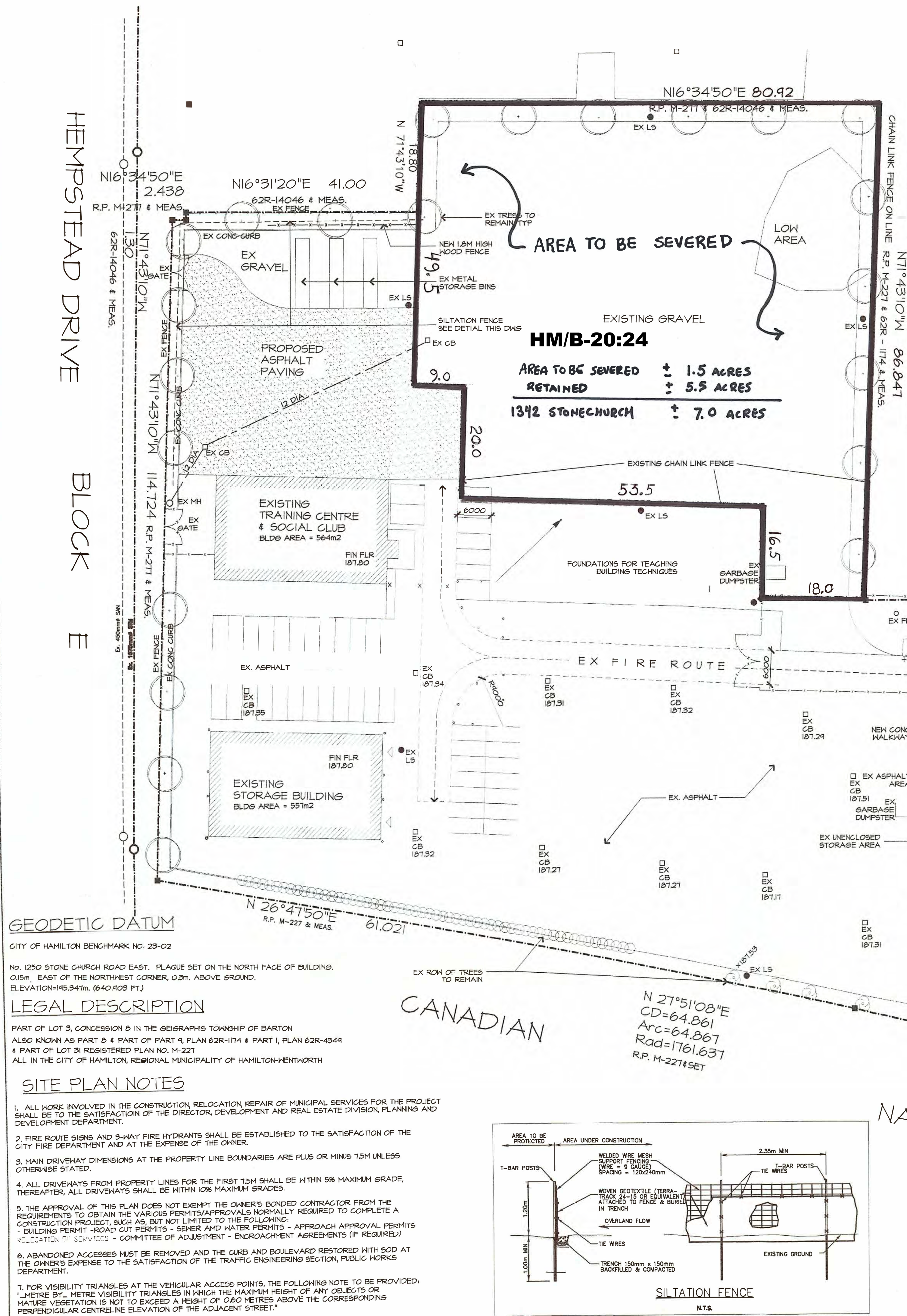
- I, (We) _____ the owner(s) of the land, hereby undertake and agree without reservation,
- (a) to comply with all the content of this plan and drawing and not to vary therefrom;
 - (b) to perform the facilities, works or matters mentioned in section 41(7)(a) of the Planning Act shown on this plan and drawing(s) in accordance with the conditions of approval as set out in the Letter of Approval dated _____;
 - (c) to maintain to the satisfaction of the city and at my (our) sole risk and expense, all of the facilities, works or matters mentioned in Section 41(7)(a) 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;
 - (d) in the event that the Owner does not comply with the plan dated _____ 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 filed to obtain compliance with this plan;
 - (e) To acknowledge that Bell Canada requires one or more conduit or conduits of sufficient size from each unit to the electrical room and one or more conduits from the electrical room to street line.

Dated this _____ day of _____ 2006

Witness (signature) _____ Owner(s) (signature) _____ (seal)

Witness (print) _____ Owner(s) (print) _____

Address of Witness _____



GEODETIC DATUM

CITY OF HAMILTON BENCHMARK NO. 23-02

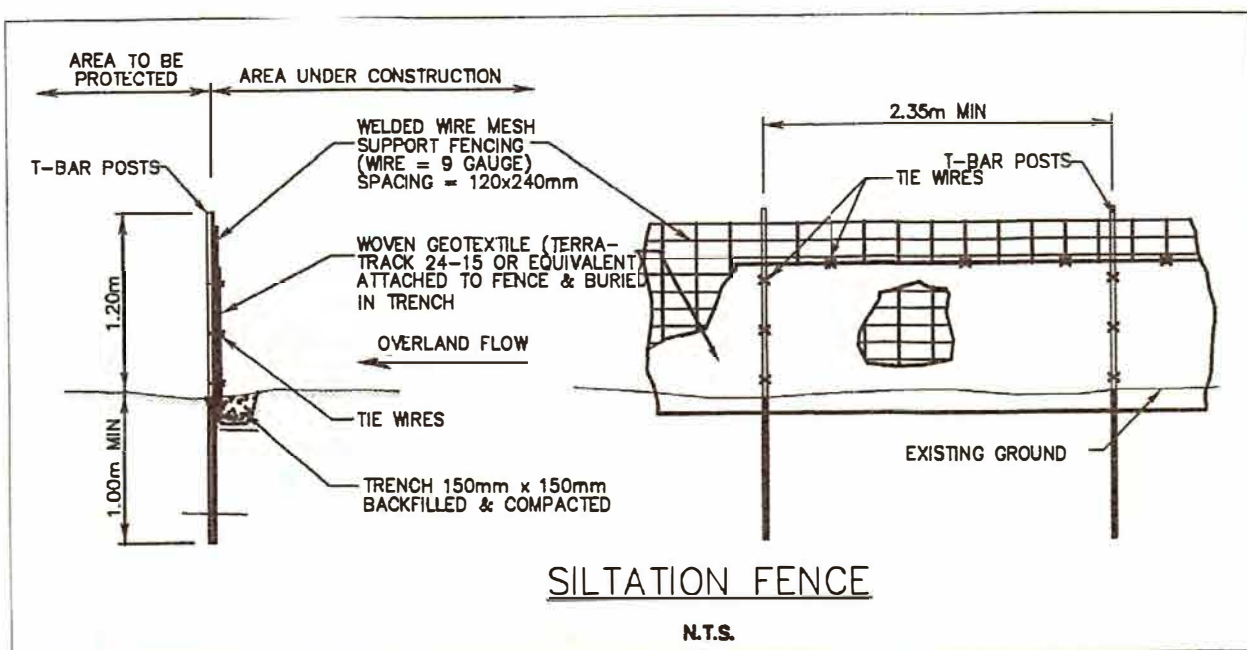
No. 1250 STONE CHURCH ROAD EAST. PLAQUE SET ON THE NORTH FACE OF BUILDING.
0.15m EAST OF THE NORTHWEST CORNER, 0.3m ABOVE GROUND.
ELEVATION=145.341m (640.903 FT.)

LEGAL DESCRIPTION

PART OF LOT 3, CONCESSION D IN THE GEOGRAPHIC TOWNSHIP OF BARTON
ALSO KNOWN AS PART D & PART OF PART 1, PLAN 62R-1174 & PART I, PLAN 62R-4544
& PART OF LOT 31 REGISTERED PLAN NO. M-2271
ALL IN THE CITY OF HAMILTON, REGIONAL MUNICIPALITY OF HAMILTON-KENTWORTH

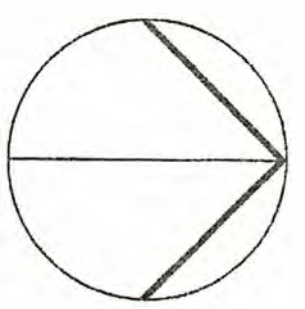
SITE PLAN NOTES

1. ALL WORK INVOLVED IN THE CONSTRUCTION, RELOCATION, REPAIR OF MUNICIPAL SERVICES FOR THE PROJECT SHALL BE TO THE SATISFACTION OF THE DIRECTOR, DEVELOPMENT AND REAL ESTATE DIVISION, PLANNING AND DEVELOPMENT DEPARTMENT.
2. FIRE ROUTE SIGNS AND 3-WAY FIRE HYDRANTS SHALL BE ESTABLISHED TO THE SATISFACTION OF THE CITY FIRE DEPARTMENT AND AT THE EXPENSE OF THE OWNER.
3. MAIN DRIVEWAY DIMENSIONS AT THE PROPERTY LINE BOUNDARIES ARE PLUS OR MINUS 7.5M UNLESS OTHERWISE STATED.
4. ALL DRIVEWAYS FROM PROPERTY LINES FOR THE FIRST 15M SHALL BE WITHIN 5% MAXIMUM GRADE, THEREAFTER, ALL DRIVEWAYS SHALL BE WITHIN 10% MAXIMUM GRADES.
5. THE APPROVAL OF THIS PLAN DOES NOT EXEMPT THE OWNER'S BONDED CONTRACTOR FROM THE REQUIREMENTS TO OBTAIN THE VARIOUS PERMITS/APPROVALS NORMALLY REQUIRED TO COMPLETE A CONSTRUCTION PROJECT, SUCH AS, BUT NOT LIMITED TO THE FOLLOWING:
- BUILDING PERMIT - ROAD CUT PERMITS - SEWER AND WATER PERMITS - APPROACH APPROVAL PERMITS - RELOCATION OF SERVICES - COMMITTEE OF ADJUSTMENT - ENCROACHMENT AGREEMENTS (IF REQUIRED)
6. ABANDONED ACCESSSES 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.
7. FOR VISIBILITY TRIANGLES AT THE VEHICULAR ACCESS POINTS, THE FOLLOWING NOTE TO BE PROVIDED:
"METRE BY METRE VISIBILITY TRIANGLES IN WHICH THE MAXIMUM HEIGHT OF ANY OBJECTS OR MATURE VEGETATION IS NOT TO EXCEED A HEIGHT OF 0.60 METRES ABOVE THE CORRESPONDING PERPENDICULAR CENTRELINE ELEVATION OF THE ADJACENT STREET."



CANADIAN NATIONAL RAILWAY

N 30°43'22"E
CD=111.654
Arc=111.667
Rad=1761.637
62R-3904 & 62R-1174
& MEAS.



| | | |
|---|-------------|-----------------|
| 1 | July 28/06 | Issued for EPA |
| 2 | July 28/06 | Revised for EPA |
| 3 | March 28/06 | Issued for EPA |
| 4 | March 28/06 | March 28/06 |



GREGORY SATHER
LICENCE
4031

McCALLUM SATHER
Architects Inc.

157 Catherine Street North
Hamilton, Ontario L8L 4S4
t: 905 526 8700 f: 905 526 0906

Project Name
Carpenters Union Hall
Office Addition
1342 Stone Church Rd.E.
Hamilton, Ontario

| | | | |
|-------------|-------|--------------|----------|
| Drawn By: | M.A. | Date: | Mar 2006 |
| Checked By: | GS | Scale: | 1:400 |
| Proj. No.: | 06-08 | Drawing No.: | |
| File Name: | | | |

A1



1342 Stone Church Rd E



Imagery ©2020 First Base Solutions, Maxar Technologies, Map data ©2020 50 m

SCALE 1:200 METRIC

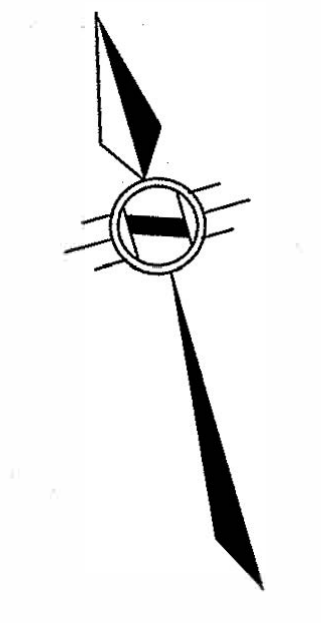
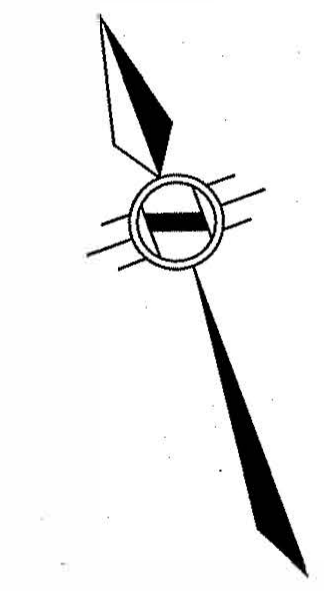
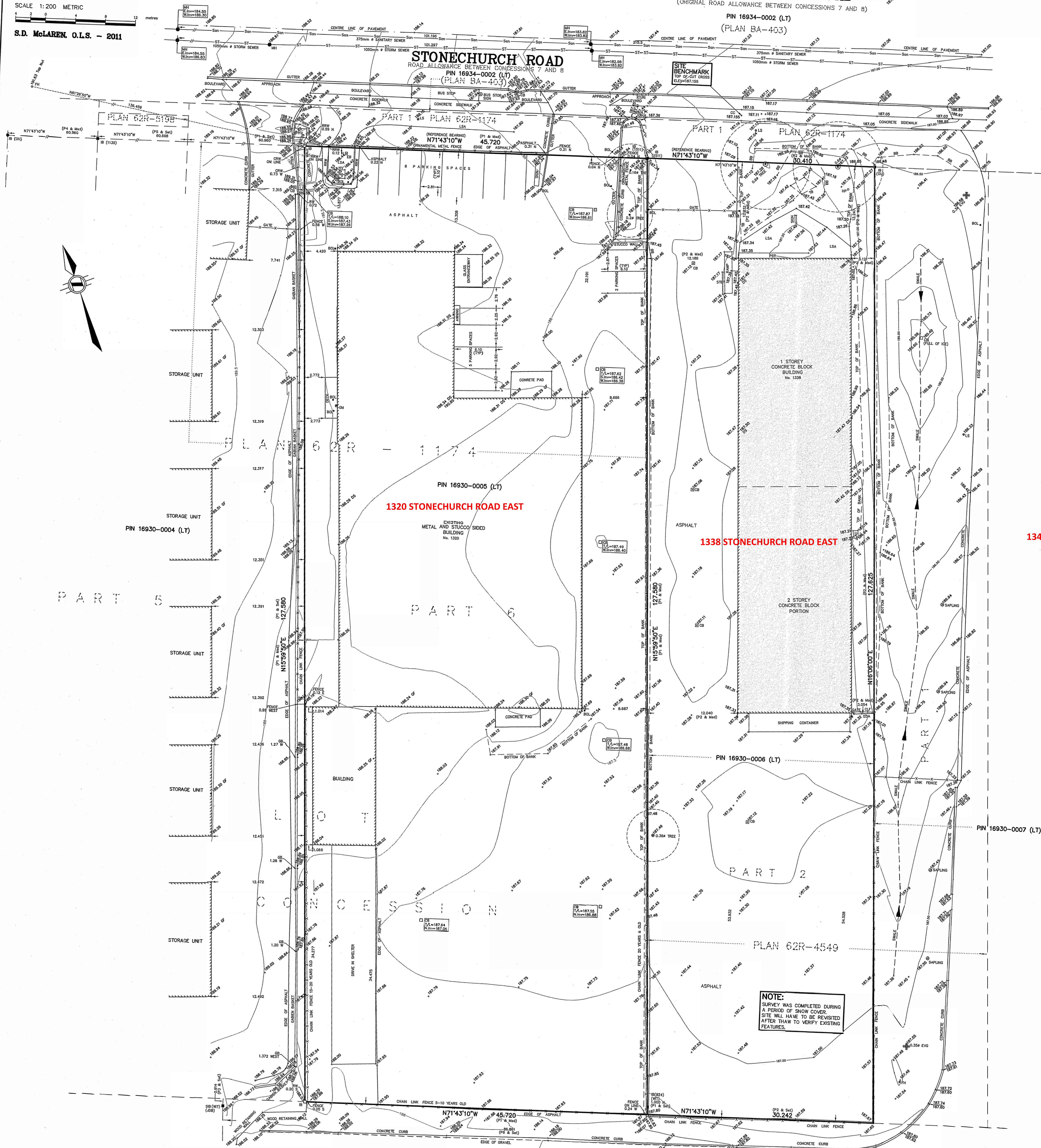
S.D. McLAREN, O.L.S. - 2011

STONE CHURCH ROAD

(ORIGINAL ROAD ALLOWANCE BETWEEN CONCESSIONS 7 AND 8)
PIN 16934-0002 (LT)
(PLAN BA-403)

SCALE 1:200 METRIC

S.D. McLAREN, O.L.S. - 2015



- LEGEND:**
- MONUMENT SET
 - MONUMENT STAKE
 - IRON BAR
 - STANDARD IRON BAR
 - SHORT STANDARD IRON BAR
 - A.T. McLAREN, O.L.S.
 - WITNESS
 - 5/8 BANNER, O.L.S.
 - S.S. WOODS, O.L.S.

- P1 - PLAN 62R-1174
- P2 - PLAN BY CIRCUS CONSULTANTS
- P3 - DATED OCTOBER 3, 2006
- P4 - PLAN BY A.T. McLAREN, O.L.S.
- P5 - DATED MAY 1, 2008
- P6 - PLAN 62R-3287
- P7 - PLAN 62R-5188
- P8 - PLAN 62R-6200
- P9 - DATED SEPTEMBER 17, 1990

- LEGEND:**
- MONUMENT SET
 - MONUMENT STAKE
 - IRON BAR
 - STANDARD IRON BAR
 - SHORT STANDARD IRON BAR
 - A.T. McLAREN, O.L.S.
 - WITNESS
 - 5/8 BANNER, O.L.S.
 - S.S. WOODS, O.L.S.
 - GRASS COURSE
 - EXISTING BRICK WALL
 - JOBBY WALL
 - CHAIN LINK FENCE
 - WOOD SIGN
 - ASPHALT DRIVE
 - CONCRETE DRIVE
 - EXISTING DRIVE
 - EDGE OF ASPHALT
 - MR. LONGFORD
 - PLAN BY A.T. McLAREN, O.L.S.
 - DATED APRIL 20TH 1997
 - PLAN BY CIRCUS CONSULTANTS
 - DATED OCTOBER 3, 2006
 - PLAN BY A.T. McLAREN, O.L.S.
 - DATED MAY 1, 2008

BENCH MARK NOTE:
ELEVATIONS SHOWN ON THIS PLAN ARE GEODETIC AND ARE REFERRED TO CITY OF HAMILTON BENCH MARY NO. 23-02.
1250 STONE CHURCH ROAD EAST. PLAQUE SET ON THE NORTH FACE OF "DEEM" BUILDING, 0.15m EAST OF THE NORTH WEST CORNER, 0.3m ABOVE GROUND.
ELEVATION - 195.347 metres

NOTE:
UNDERGROUND SERVICE AND UTILITY LOCATIONS WERE DERIVED FROM CITY OF HAMILTON ENGINEERING DRAWINGS 97-1-11, AND 22-S-51.
UNDERGROUND SERVICE AND UTILITY LOCATIONS MUST BE VERIFIED PRIOR TO CONSTRUCTION.
INVERTS MUST BE VERIFIED PRIOR TO CONSTRUCTION

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

BEARING NOTE:
BEARINGS AND ASTRONOMIC AND ARE REFERRED TO THE SOUTHERLY LIMIT OF STONE CHURCH ROAD AS SHOWN ON REFERENCE PLAN 62R-1174, AS BEING N71°43'10\"

S.D. McLAREN, O.L.S. - 2015. NO PERSON MAY COPY OR REPRODUCE OR TRANSMIT IN ANY MANNER OR BY ANY MEANS WITHOUT THE WRITTEN PERMISSION OF S.D. McLAREN, O.L.S.

A.T. McLaren Limited
LOCAL AND ENGINEERING SERVICES
45 JOHN STREET SOUTH, SUITE 230
HAMILTON, ONTARIO

FEBRUARY 10, 2015

NOTE:
SURVEY WAS COMPLETED DURING A PERIOD OF SNOW COVER. SITE WILL HAVE TO BE REVISITED AFTER THAW TO VERIFY EXISTING FEATURES

LOT 31
PLAN M - 227
PIN 16930-0061 (LT)

1342 STONECHURCH ROAD EAST



BY E-MAIL

July 13, 2020

HM/B-20:24

Ms. Jamila Sheffield
Committee of Adjustment
City of Hamilton
City Hall
71 Main Street West, 5th Floor
Hamilton, Ontario L8P 4Y5

Dear Ms. Sheffield:

Re: Application for Land Severance, File No. HM/B-20:24, by P. J. Daly Contracting Limited on behalf of the owner 82 Ferguson Avenue, Hamilton 1342 Stone Church East, Hamilton

Thank you for providing the Hamilton Conservation Authority (HCA) with the Notice of Public Hearing for the Committee of Adjustment for the above noted land severance application. HCA staff have reviewed the information provided in accordance with HCA's responsibilities under the *Conservation Authorities Act*, the Memorandum of Understanding between the Ontario Ministry of Natural Resources (MNR), the Ontario Ministry of Municipal Affairs and Housing (MMAH) and Conservation Authorities (CA) relating to provincial interests for natural hazards, and the Memorandum of Agreement between the HCA and the City of Hamilton for planning and technical review services.

Proposal

HCA staff understands that the application by P. J. Daly Contracting Limited on behalf of the owner 82 Ferguson Avenue, Hamilton, is to permit the conveyance of a parcel of land known as 1324 Stone Church East to be added to adjacent property known as 1320 Stone Church Road East. The areas to be severed and retained are described as follows:

Severed Lands: an irregular parcel of land having an area of 1.5 acres[±]

Retained Lands: 93.034m[±] x 252m[±] and an area of 5.5 acres[±]

Memorandum of Agreement Hamilton Conservation Authority and City of Hamilton

The subject property is located between Nebo Road and Dartnall Road and is currently occupied by an office building and two (2) training buildings. The entire property is located within the Hannon Creek subwatershed. East of the subject property is a tributary of Hannon Creek. Both the severed and retained parcels are affected by flooding hazards

associated with Hannon Creek as it is located within a large ineffective flow area due to the backwater effect at the Upper Hannon Creek crossing east of Dartnall Road. The Red Hill Creek Escarpment Valley Environmentally Sensitive Area (ESA) is located northeast of the subject property, which is designated as a Natural Heritage System Core Area in the *City of Hamilton's Urban Official Plan, 2013*.

Ontario Regulation 161/06 under the Conservation Authorities Act

The entire severed and retained parcels are affected by *Ontario Regulation 161/06 (HCA's Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses) made under the Conservation Authorities Act, R.S.O. 1990* due to presence of Hannon Creek and its associated floodplain and potential erosion hazards. While we understand that no new development is being proposed at this time, HCA staff advise that any future development including the construction of any building or structure, the placement or removal of fill material, and grading activities within HCA's regulated area will require the prior written approval from HCA.

MNR/MMAH/CA Memorandum of Understanding – PPS Natural Hazards

As noted above, the severed and retained parcels of land contain flooding and potential erosion hazards associated with a tributary of Hannon Creek located east of the subject property. Since no new development is being proposed at this time, HCA staff are of the opinion that the application is consistent with both HCA and Provincial natural hazard policy.

Summary

Based on the above, HCA has no objection to the approval of the subject application.

Yours truly,



Laura Stinson
Planning Technician

cc. Morgan Evans, City of Hamilton (by email)
82 Ferguson Ave (Hamilton), Owner (by email)

HM/B-20:24 (1342 Stone Church Rd. E., Hamilton)

Consolidation Report

The attached comments have been reviewed with regard to the above noted Committee of Adjustment application and the following comments are submitted:

Should the Committee grant the severance, an approval should be subject to the following condition(s):

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. The reference plan must be submitted in pdf and also submitted in CAD format, drawn at true scale and location and tied to the City corporate coordinate system.
2. The owner shall pay any outstanding realty taxes and/or all other charges owing to the City Treasurer.
3. The owner shall comply with Ontario Building Code requirements regarding spatial separation distances of any structures. Compliance to be confirmed by the Planning and Economic Development Department (Building Division - Building Engineering Section).
4. The owner shall provide confirmation of the existing uses on the lands to be retained in order to determine zoning compliance with the permitted uses of the M3 zone or alternatively apply for and receive final approval of a Zoning By-law Amendment as determined necessary by the Planning and Economic Development Department (Building Division – Zoning Section).
5. The owner shall submit survey evidence that the lands to be retained, including the location of any existing structures, parking, landscaping, outdoor areas used for storage, display and/or training, 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 Division – Zoning Section).

HM/B-20:24 (1342 Stone Church Rd. E., Hamilton)

PLANNING and ECONOMIC DEVELOPMENT DEPARTMENT

Development Planning – Suburban

The purpose of this application is to permit the conveyance of an irregular parcel of land having an area of ±1.5 acres, and to retain a ±93.034 m by ±252 m parcel of land having an area of ±5.5 acres. The severed lands are proposed to be assembled with the property municipally known as 1320 Stone Church Road East.

The drawings submitted in support of this application do not show the dimensions of the subject lands. The dimensions of the lands proposed for severance are not provided. The location and dimensions of all existing buildings, including the setback measurements from the proposed line of severance, are also not provided.

Urban Hamilton Official Plan

The subject lands are identified as “Employment Areas” on Schedule “E” – Urban Structure and designated “Business Park” on Schedule “E-1” – Urban Land Use Designations in the Urban Hamilton Official Plan (UHOP). Policy E.5.4.3 applies, amongst others, and permits uses which primarily support industry, such as the existing industrial office and training buildings.

The lands proposed to be retained and severed are developed and are subject to Site Plan Control applications (DA-04-065; DA-06-049). The severed lands are proposed to be assembled with 1320 Stone Church Rd E, which is developed and subject to a Site Plan Control application (DA-02-028). Site plan control is an important means of encouraging well-designed, functional development (F.1.7). No new applications for Site Plan Control for these properties have been received. The drawings submitted do not show the setbacks of the existing buildings, parking and site circulation of the retained lands in the context of the proposed severance. The existing landscaped areas on site are in accordance with the approved site plans. It is unclear how these will be maintained. There is a landscape strip abutting the rear lot line with 1320 Stone Church Rd E. It is unclear how access will be provided between this property and the severed parcel. In light of the foregoing, staff is of the opinion that this application is **premature** until such time as the proposed site plan of the reconfigured properties is received, circulated, and reviewed by staff.

The entirety of both the severed and retained lands, and the lands municipally known as 1320 Stone Church Rd E, are regulated by the Hamilton Conservation Authority. As a result, staff recommends that the Hamilton Conservation Authority be contacted to determine if they have any requirements with the proposed consent.

Hamilton Zoning By-law No. 05-200

The subject lands are zoned Prestige Business Park (M3) Zone which permits a variety of employment uses, subject to the applicable provisions. The proposed use of the severed lands was not provided.

Recommendation:

Having regard for the matters under subsection 51(24) of the Planning Act, staff is of the opinion that the proposed consent is premature, and that the interrelationship between the proposed consent and site plan control matters relating to the development on the land cannot be adequately assessed as a result. In addition, dimensions of the severed and retained lands have not been provided. Based on the above, staff recommends that the requested consent be **tabled** until such time as site plan control matters have been addressed.

Building Division:

1. The site plan submitted with this application is illegible. The applicant shall submit a site plan clearly delineating the lands to be conveyed and the lands to be retained, the location of all existing buildings, all existing parking areas, landscaped areas and any other outdoors areas which may be used for storage or training facilities.
2. The applicant shall provide confirmation of the existing uses on the lands to be retained, including the specific use of each individual building together with the gross floor area of each existing building.
3. In order to clear conditions, the applicant will be required to make application for Ontario Building Code compliance and pay the relevant fee.
4. In order to clear conditions, the applicant will be required to make application for a Zoning Compliance Review and pay the relevant fees.
5. The lands to be conveyed shall be merged in title with the lands to which they area to be added.
6. The lands are subject to Conservation Management. Please contact the Hamilton Conservation Authority prior to any development.

CONDITIONS:

1. The owner shall comply with Ontario Building Code requirements regarding spatial separation distances of any structures. Compliance to be confirmed by the Planning and Economic Development Department (Building Division - Building Engineering Section).
2. The owner shall provide confirmation of the existing uses on the lands to be retained in order to determine zoning compliance with the permitted uses of the M3 zone or

alternatively apply for and receive final approval of a Zoning By-law Amendment as determined necessary by the Planning and Economic Development Department (Building Division – Zoning Section).

3. The owner shall submit survey evidence that the lands to be retained, including the location of any existing structures, parking, landscaping, outdoor areas used for storage, display and/or training, 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 Division – Zoning Section).

Development Engineering:

This application proposes the conveyance of a parcel of land having an area of approximately 1.5 Ac. which is to be added to the adjacent property known as 1320 Stone Church Road East. Stone Church Road East has a sufficient road allowance width at this location in accordance with the City of Hamilton Urban Official Plan.

Transportation Planning:

1. Transportation Planning has no objection to this land severance application.

CORPORATE SERVICES:

Budgets, Taxation & Policy (outstanding taxes):

The owner shall pay any outstanding realty taxes and/or all other charges owing to the City Treasurer.

See attached for additional comments.



Shannon Clarke, Urban Forest Health Technician
City Centre, 77 James Street North, Suite 400
Hamilton, ON L8R 2K3
Phone (905) 546-2424 Ext. 4219, Fax (905) 546-4473
Email – Shannon.Clarke@hamilton.ca

Hamilton

Forestry & Horticulture Section
Environmental Services Division
Public Works Department

Date: July 10, 2020

To: Jamila Sheffield, Committee of Adjustments Secretary/Treasurer
Development Planning Heritage and Design
City Hall – 71 Main St. W. – 5th Floor

From: Shannon Clarke, Urban Forest Health Technician

Subject: 1342 Stone Church Road East, Hamilton
File: HM/B-20:24

PREAMBLE

In response to your Agenda listing for the upcoming meeting on Thursday, July 16th, 2020, regarding the above subject area under discussion, the Forestry & Horticulture Section has reviewed the submission associated with the Application for Consent/Land Severance for this site and provides the following opinion:

SCOPE

There are municipal tree assets on site although it is determined that no impacts are anticipated therefore no Tree Management Plan is required.

No Landscape Plan required.

TREE MANAGEMENT

Tree Protection is a measure of efforts to preserve existing trees during the Planning of New Developments, Infrastructure Enhancements, Utility Upgrades & Residential Improvements.

LANDSCAPE PLAN

No new Landscape Strips are shown on the submission and none are requested by the Forestry & Horticulture Section.

SUMMARY

- There are municipal tree assets on site although it is determined that no impacts are anticipated therefore no Tree Management Plan is required.
- No Landscape Plan required.

We encourage you to forward a complete copy of our comments to the applicant and should you or the Applicant require clarification or technical assistance, please do not hesitate to contact me at (905) 546- 2424 Ext. 4219.

Regards,

A handwritten signature in black ink that reads "Shannon Clarke". The signature is written in a cursive, flowing style.

Shannon Clarke
Urban Forest Health Technician

HEMPSTEAD DRIVE
BLOCK E

FILE No. DA-08-049
UNDERTAKING

RE: 1342 Stone Church Road East, Hamilton

I, (We) _____ 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 therefrom;

(b) to perform the facilities, works or matters mentioned in section 41(7)(a) of the Planning Act shown on this plan and drawing(s) in accordance with the conditions of approval as set out in the Letter of Approval dated _____;

(c) to maintain to the satisfaction of the city and at my (our) sole risk and expense, all of the facilities, works or matters mentioned in Section 41(7)(a) 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;

(d) in the event that the Owner does not comply with the plan dated _____ 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 filed to obtain compliance with this plan;

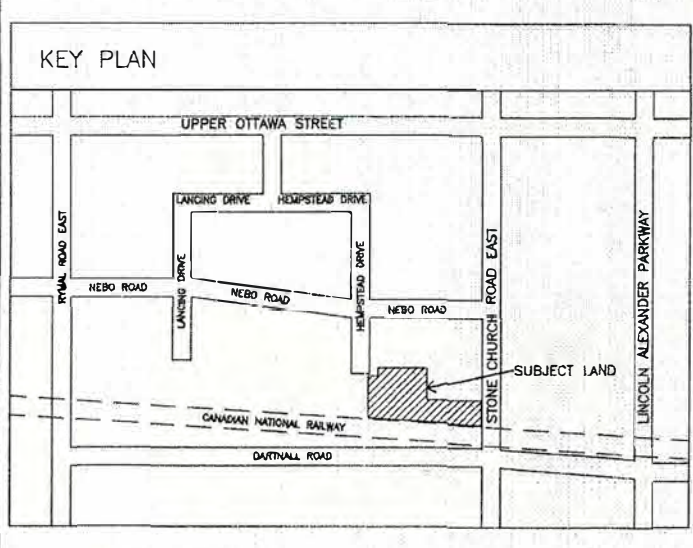
(e) To acknowledge that Bell Canada requires one or more conduit or conduits of sufficient size from each unit to the electrical room and one or more conduits from the electrical room to street line.

Dated this _____ day of _____ 2008

Witness (signature) _____ Owner(s) (signature) _____ (seal)

Witness (print) _____ Owner(s) (print) _____

Address of Witness _____



DETAILS OF DEVELOPMENT

NET LOT AREA 28,558.8 m²

BUILDING COVERAGE 2102m²/28,558.8m² = 7.36%

EXISTING BUILDINGS HEIGHT - 6.0m
1 STOREY + MEZZ
EXISTING SOCIAL CLUB
BUILDING HEIGHT (2 STOREY) - 8.2 m

PROPOSED ADDITION BLDG AREA - 104m²
PROPOSED ADDITION GROSS FLOOR AREA - 201m²
PROPOSED ADDITION BLDG HT - 7.6m

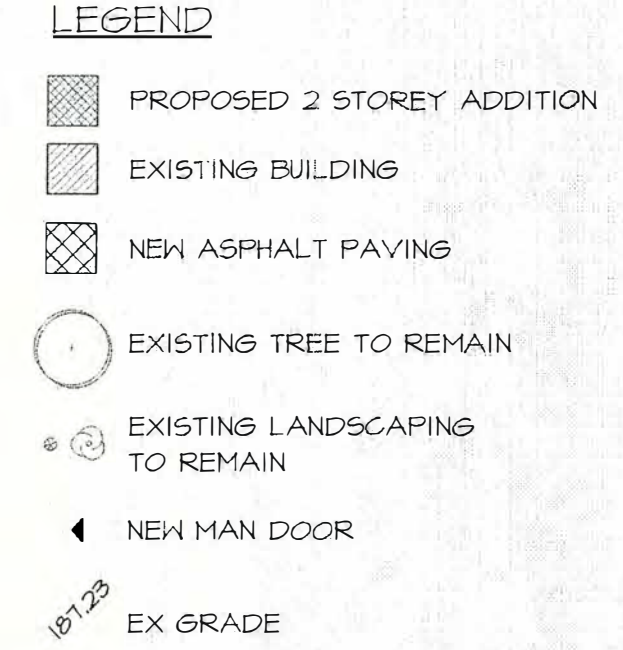
EXISTING BUILDINGS AREA - 1990m²

NO. OF UNITS (max) NOT APPLICABLE

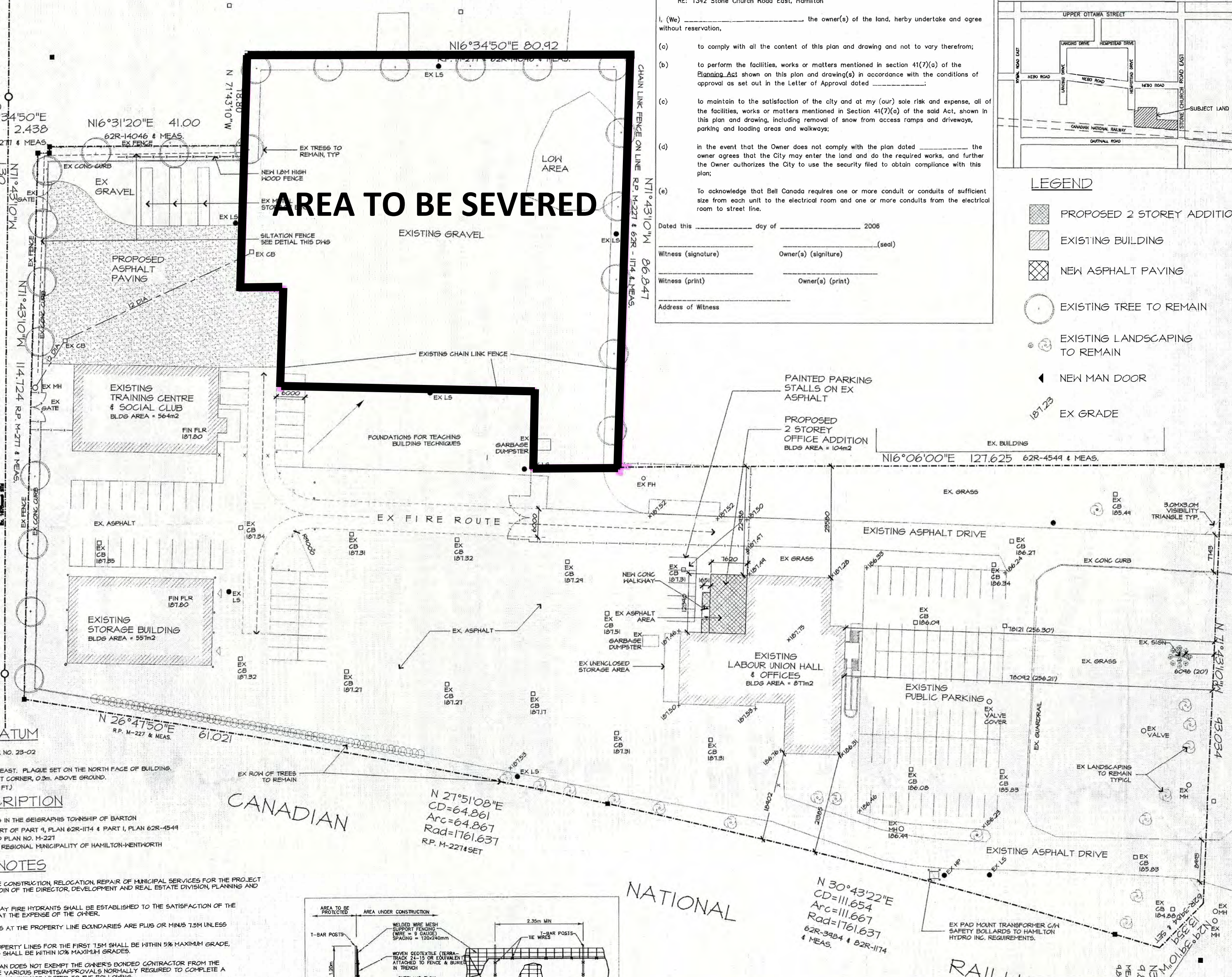
NO. OF PARKING SPACES - 112 EXISTING
NO. OF PARKING SPACES - 5 PROPOSED

NO. OF LOADING SPACES - NONE

EXISTING LANDSCAPED AREA - 18,750.8 m²
EXISTING ASPHALT AREA - 11,861 m²



AREA TO BE SEVERED

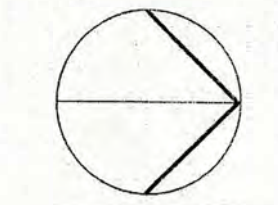
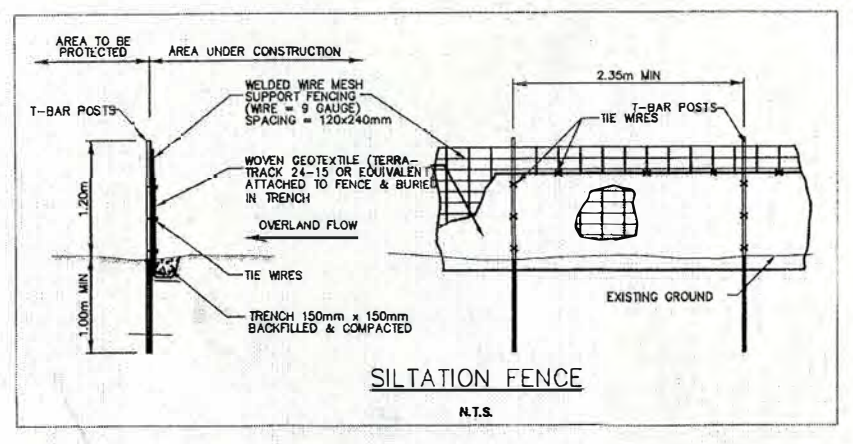


GEODETIC DATUM
CITY OF HAMILTON BENCHMARK NO. 23-02
No. 1250 STONE CHURCH ROAD EAST, PLAQUE SET ON THE NORTH FACE OF BUILDING, 0.15m. EAST OF THE NORTHWEST CORNER, 0.3m. ABOVE GROUND. ELEVATION=145.941m. (640.903 FT)

LEGAL DESCRIPTION
PART OF LOT 3, CONGSSION 8 IN THE SEIGRAPHIS TOWNSHIP OF BARTON ALSO KNOWN AS PART 8 & PART OF PART 9, PLAN 62R-1114 & PART 1, PLAN 62R-4544 & PART OF LOT 31 REGISTERED PLAN NO. M-227 ALL IN THE CITY OF HAMILTON REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

SITE PLAN NOTES

- ALL WORK INVOLVED IN THE CONSTRUCTION, RELOCATION, REPAIR OF MUNICIPAL SERVICES FOR THE PROJECT SHALL BE TO THE SATISFACTION OF THE DIRECTOR, DEVELOPMENT AND REAL ESTATE DIVISION, PLANNING AND DEVELOPMENT DEPARTMENT.
- FIRE ROUTE SIGNS AND 9-HAY 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 75MM UNLESS OTHERWISE STATED.
- ALL DRIVEWAYS FROM PROPERTY LINES FOR THE FIRST 75M 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/APPROVALS NORMALLY REQUIRED TO COMPLETE A CONSTRUCTION PROJECT, SUCH AS, BUT NOT LIMITED TO THE FOLLOWING: CONSTRUCTION PERMIT - ROAD CUT PERMITS - SEWER AND WATER PERMITS - APPROACH APPROVAL PERMITS - BUILDING PERMIT - ROAD CUT PERMITS - COMMITTEE OF ADJUSTMENT - ENCROACHMENT AGREEMENTS (IF REQUIRED) - RELOCATION OF SERVICES - COMMITTEE OF ADJUSTMENT - ENCROACHMENT AGREEMENTS (IF REQUIRED)
- ABANDONED ACCESSSES MUST BE REMOVED AND THE CURB AND BOULEVARD RESTORED WITH 500 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-METRE BY 1-METRE VISIBILITY TRIANGLES IN WHICH THE MAXIMUM HEIGHT OF ANY OBJECTS OR MATURE VEGETATION IS NOT TO EXCEED A HEIGHT OF 0.60 METRES ABOVE THE CORRESPONDING PERPENDICULAR CENTRELINE ELEVATION OF THE ADJACENT STREET.



| | | |
|-----------|------------|-----------------|
| 7 | July 25/08 | Revised for BPA |
| 1 | July 25/08 | Issued for BPA |
| | | March 30, 2008 |
| REVISIONS | | |



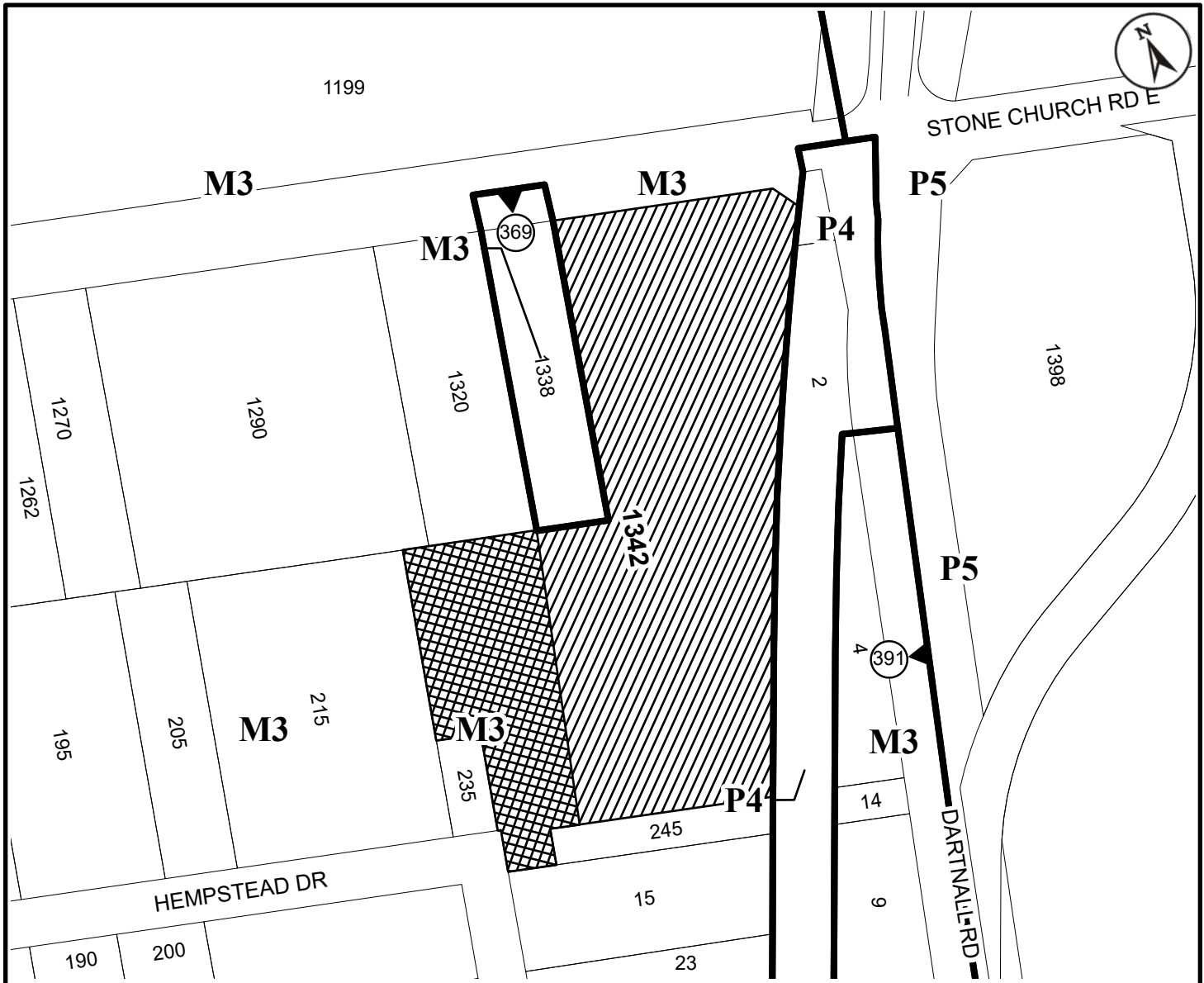
GREGORY SATHER
LICENCE
4031

McCALLUM SATHER
Architects Inc.

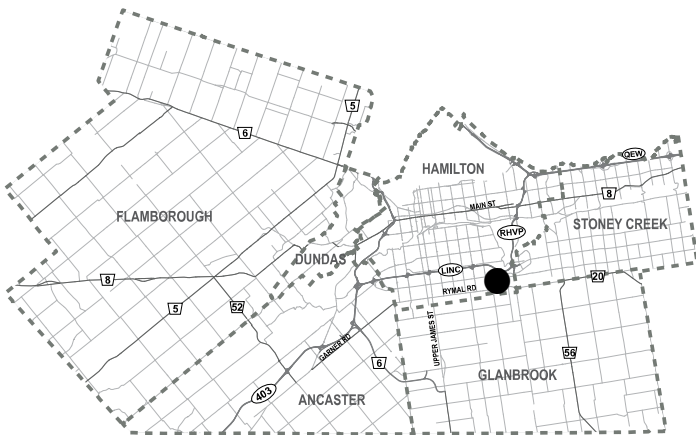
157 Catherine Street North
Hamilton, Ontario L8L 1S1
t: 905 526-9700 f: 905 526-9706

Project Name
Carpenters Union Hall
Office Addition
1342 Stone Church Rd. E.
Hamilton, Ontario

| | |
|--------------------|------------------|
| Drawn By MIA | Date Mar 2008 |
| Checked By GSA | Scale 1:400 |
| Proj. No. 26-08 | Drawing No. |
| File Name | AI |



● Site Location





City of Hamilton

Committee of Adjustment

Subject Property

1342 Stone Church Road East, Hamilton (Ward 6)

-  Lands to be Retained
-  Lands to be Severed

File Name/Number:
HM/B-20:24

Date:
July 9, 2020

Technician:
AL

Map Not To Scale

Appendix "A"



Hamilton



Hamilton

Planning and Economic Development Department
Planning Division

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

Phone (905) 546-2424, ext. 4221
Fax (905) 546-4202

APPLICATION FOR CONSENT TO SEVER LAND
UNDER SECTION 53 OF THE PLANNING ACT

Office Use Only

| | | | |
|----------------------------|-----------------------------------|-----------------|-----------|
| Date Application Received: | Date Application Deemed Complete: | Submission No.: | File No.: |
|----------------------------|-----------------------------------|-----------------|-----------|

1 APPLICANT INFORMATION

| 1.1, 1.2 | NAME | ADDRESS | PHONE/FAX |
|----------------------|----------------------------|---------------------------------|---|
| Registered Owners(s) | 82 FERGUSON AVE (Hamilton) | 1342 STONECHURCH RD E. Hamilton | Business 905 522-0752 Fax: 905 522-0122 E-mail: info@local18.ca |
| Applicant(s)* | OWNER | | Business () Fax: () E-mail: |
| Agent or Solicitor | | | Business () Fax: () E-mail: |

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

1.3 All correspondence should be sent to Owner Applicant Agent/Solicitor

2 LOCATION OF SUBJECT LAND Complete the applicable lines

| | | | |
|-----------------------------|--------------------|-------------------|-----------------|
| 2.1 Area Municipality | Lot | Concession | Former Township |
| HAMILTON | 31 | | |
| Registered Plan N° | Lot(s) | Reference Plan N° | Part(s) |
| 62M-227 | | 62R-14046 | |
| Municipal Address | Assessment Roll N° | | |
| 1342 STONE CHURCH ROAD EAST | | | |

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)

a) Urban Area Transfer (do not complete Section 10):

creation of a new lot

addition to a lot

an easement

Other: a charge

a lease

a correction of title

~~b) Rural Area / Rural Settlement Area Transfer (Section 10 must be completed):~~

- ~~creation of a new lot
 creation of a new non-farm parcel
 (i.e. a lot containing a surplus farm dwelling resulting from a farm consolidation)
 addition to a lot~~
- Other: ~~a charge
 a lease
 a correction of title
 an easement~~

3.2 Name of person(s), if known, to whom land or interest in land is to be transferred, leased or charged:

P.J. DALY CONTRACTING LIMITED

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

1320 STONE CHURCH ROAD EAST, HAMILTON L8W 2C8.

4 DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

4.1 Description of land intended to be Severed:

| | | |
|---------------------------------------|---|--|
| Frontage (m) <u>NOT APPLICABLE</u> | Depth (m) <u>IRREGULAR</u> <u>80M</u> ↓ <u>265' x 285'</u> | Area (m ² or ha) <u>1.5 ACRES</u> <u>6070 M²</u> |
|---------------------------------------|---|--|

Existing Use of Property to be severed:

- Residential
 Agriculture (includes a farm dwelling)
 Other (specify) _____
- Industrial
 Agricultural-Related
 Vacant

Proposed Use of Property to be severed:

- Residential
 Agriculture (includes a farm dwelling)
 Other (specify) _____
- Industrial
 Agricultural-Related
 Vacant

Building(s) or Structure(s):

Existing: NONE

Proposed: NONE

Type of access: (check appropriate box)

- NOT APPLICABLE. NO ACCESS. LANDLOCKED
- provincial highway
 municipal road, seasonally maintained
 municipal road, maintained all year
- right of way
 other public road

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) NOT APPLICABLE

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) NO SEWAGE DISPOSAL

4.2 Description of land intended to be Retained:

| | | |
|--------------------------------|---------------------------|---|
| Frontage (m) <u>93.034M</u> | Depth (m) <u>252 M</u> | Area (m ² or ha) <u>22,257 M²</u> <u>5.5 ACRES</u> |
|--------------------------------|---------------------------|---|

Existing Use of Property to be retained:

- Residential
 Agriculture (includes a farm dwelling)
 Other (specify) _____
- Industrial
 Agricultural-Related
 Commercial
 Vacant

Proposed Use of Property to be retained:

- Residential
- Industrial
- Commercial
- Agriculture (includes a farm dwelling)
- Agricultural-Related
- Vacant
- Other (specify) _____

Building(s) or Structure(s):

Existing: OFFICE BLDG + 2 TRAINING BLDGS

Proposed: " " " " " "

Type of access: (check appropriate box)

- provincial highway
- municipal road, seasonally maintained
- municipal road, maintained all year
- right of way
- other public road

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) _____

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): -

Urban Hamilton Official Plan designation (if applicable) M3 PRESTIGE BUSINESS PARK

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

LAND USE WILL NOT CHANGE

5.2 What is the existing zoning of the subject land?

If the subject land is covered by a Minister's zoning order, what is the Ontario Regulation Number? M3 PRESTIGE BUSINESS PARK.

5.3 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 | <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 PREVIOUS USE OF PROPERTY

- Residential Industrial Commercial
 Agriculture Vacant Other (specify)

- 6.1 If Industrial or Commercial, specify use BELL CANADA OFFICE BLDG.
- 6.2 Has the grading of the subject land been changed by adding earth or other material, i.e., has filling occurred?
 Yes No Unknown
- 6.3 Has a gas station been located on the subject land or adjacent lands at any time?
 Yes No Unknown
- 6.4 Has there been petroleum or other fuel stored on the subject land or adjacent lands?
 Yes No Unknown
- 6.5 Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?
 Yes No Unknown
- 6.6 Have the lands or adjacent lands ever been used as an agricultural operation where cyanide products may have been used as pesticides and/or biosolids was applied to the lands?
 Yes No Unknown
- 6.7 Have the lands or adjacent lands ever been used as a weapons firing range?
 Yes No Unknown
- 6.8 Is the nearest boundary line of the application within 500 metres (1,640 feet) of the fill area of an operational/non-operational landfill or dump?
 Yes No Unknown
- 6.9 If there are existing or previously existing buildings, are there any building materials remaining on site which are potentially hazardous to public health (e.g., asbestos, PCB's)?
 Yes No Unknown
- 6.10 Is there reason to believe the subject land may have been contaminated by former uses on the site or adjacent sites?
 Yes No Unknown
- 6.11 What information did you use to determine the answers to 6.1 to 6.10 above?
PERSONNAL + ASSOCIATES' KNOWLEDGE.
- 6.12 If previous use of property is industrial or commercial or if YES to any of 6.2 to 6.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.
 Is the previous use inventory attached?
 Yes No

7 PROVINCIAL POLICY

- 7.1 a) Is this application consistent with the Policy Statements issued under subsection of the *Planning Act*? (Provide explanation)
- Yes No

b) Is this application consistent with the Provincial Policy Statement (PPS)?
 Yes No (Provide explanation)

c) Does this application conform to the Growth Plan for the Greater Golden Horseshoe?
 Yes No (Provide explanation)

d) Are the subject lands within an area of land designated under any provincial plan or plans? (If YES, provide explanation on whether the application conforms or does not conflict with the provincial plan or plans.)
 Yes No

e) Are the subject lands subject to the Niagara Escarpment Plan?
 Yes No

If yes, is the proposal in conformity with the Niagara Escarpment Plan?
 Yes No
(Provide Explanation)

f) Are the subject lands subject to the Parkway Belt West Plan?
 Yes No

If yes, is the proposal in conformity with the Parkway Belt West Plan?
 Yes No (Provide Explanation)

g) Are the subject lands subject to the Greenbelt Plan?
 Yes No

If yes, does this application conform with the Greenbelt Plan?
 Yes No (Provide Explanation)

8 HISTORY OF THE SUBJECT LAND

8.1 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, indicate the appropriate application file number and the decision made on the application.

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

NOT APPLICABLE

8.3 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.

8.4 How long has the applicant owned the subject land? 33 YEARS

8.5 Does the applicant own any other land in the City? Yes No
If YES, describe the lands in "11 - Other Information" or attach a separate page.

9 OTHER APPLICATIONS

9.1 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 if known, specify file number and status of the application.

9.2 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 if known, specify file number and status of the application(s).

File number _____ Status _____

10 RURAL APPLICATIONS

10.1 Rural Hamilton Official Plan Designation(s)

- Agricultural Rural Specialty Crop
 Mineral Aggregate Resource Extraction Open Space Utilities
 Rural Settlement Area (specify) _____

Settlement Area _____ Designation _____

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 operation.

10.2 Type of Application (select type and complete appropriate sections)

- Agricultural Severance or Lot Addition
 Agricultural Related Severance or Lot Addition
 Rural Resource-based Commercial Severance or Lot Addition
 Rural Institutional Severance or Lot Addition
- } (Complete Section 10.3)

- Rural Settlement Area Severance or Lot Addition
- Surplus Farm Dwelling Severance from an Abutting Farm Consolidation (Complete Section 10.4)
- Surplus Farm Dwelling Severance from a Non-Abutting Farm Consolidation (Complete Section 10.5)

10.3 Description of Lands

a) Lands to be Severed:

| | |
|----------------------------------|--|
| Frontage (m): (from Section 4.1) | Area (m ² or ha): (from in Section 4.1) |
|----------------------------------|--|

Existing Land Use: _____ Proposed Land Use: _____

b) Lands to be Retained:

| | |
|----------------------------------|---|
| Frontage (m): (from Section 4.2) | Area (m ² or ha): (from Section 4.2) |
|----------------------------------|---|

Existing Land Use: _____ Proposed Land Use: _____

10.4 Description of Lands (Abutting Farm Consolidation)

a) Location of abutting farm:

 (Street) (Municipality) (Postal Code)

b) Description abutting farm:

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

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

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

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

Existing Land Use: _____ Proposed Land Use: _____

d) 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: _____

e) Surplus farm dwelling date of construction:

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

f) Condition of surplus farm dwelling:

- Habitable
- Non-Habitable

g) Description of farm from which the surplus dwelling is intended to be severed (retained parcel):

| | |
|----------------------------------|---|
| Frontage (m): (from Section 4.2) | Area (m ² or ha): (from Section 4.2) |
|----------------------------------|---|

Existing Land Use: _____ Proposed Land Use: _____

10.5 Description of Lands (Non-Abutting Farm Consolidation)

a) Location of non-abutting farm

 (Street) (Municipality) (Postal Code)

b) Description of non-abutting farm

| | |
|---------------|------------------|
| Frontage (m): | Area (m2 or ha): |
|---------------|------------------|

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

c) Description of surplus dwelling lands intended to be severed:

| | |
|----------------------------------|-------------------------------------|
| Frontage (m): (from Section 4.1) | Area (m2 or ha): (from Section 4.1) |
|----------------------------------|-------------------------------------|

Front yard set back: _____

d) Surplus farm dwelling date of construction:

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

e) Condition of surplus farm dwelling:

- Habitable Non-Habitable

f) Description of farm from which the surplus dwelling is intended to be severed (retained parcel):

| | |
|----------------------------------|-------------------------------------|
| Frontage (m): (from Section 4.2) | Area (m2 or ha): (from Section 4.2) |
|----------------------------------|-------------------------------------|

Existing Land Use: _____ Proposed Land Use: _____

11 OTHER INFORMATION

Is there any other information that you think may be useful to the Committee of Adjustment or other agencies in reviewing this application? If so, explain below or attach on a separate page.

12 SKETCH (Use the attached Sketch Sheet as a guide)

12.1 The application shall be accompanied by a sketch showing the following in metric units:

- (a) the boundaries and dimensions of any land abutting the subject land that is owned by the owner of the subject land;
- (b) the approximate distance between the subject land and the nearest township lot line or landmark such as a bridge or railway crossing;
- (c) the boundaries and dimensions of the subject land, the part that is intended to be severed and the part that is intended to be retained;
- (d) the location of all land previously severed from the parcel originally acquired by the current owner of the subject land;
- (e) the approximate location of all natural and artificial features (for example, buildings, barns, railways, roads, watercourses, drainage ditches, banks of rivers or streams, wetlands, wooded areas, wells and septic tanks) that,
 - i) are located on the subject land or on land that is adjacent to it, and
 - ii) in the applicant's opinion, may affect the application;
- (f) the current uses of land that is adjacent to the subject land (for example, residential, agricultural or commercial);
- (g) the location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private

road or a right of way;

(h) the location and nature of any easement affecting the subject land

13 ACKNOWLEDGEMENT CLAUSE

I acknowledge that The City of Hamilton is not responsible for the identification and remediation of contamination on the property which is the subject of this Application – by reason of its approval to this Application.

MARCH 9, 2020

Date

x Matthew Creary
Signature of Owner

14 AFFIDAVIT OR SWORN DECLARATION

14.1 Declaration For the Prescribed Information

I, MATTHEW CREARY of the CITY
of HAMILTON ONTARIO make oath and
say (or solemnly declare) that the information contained in this application is true and that the
information contained in the documents that accompany this application in respect of the
application is true.

Sworn (or declared) before me at the

City of Hamilton this

____ day of _____, 20____

A Commissioner, etc.

x Matthew Creary
Applicant's Signature

15 AUTHORIZATIONS

15.1 If the applicant is not the owner of the land that is the subject of this application, the authorization set out below must be completed.

Authorization of Owner for Agent to Provide Personal Information

~~I, _____, am the owner of the land that is the subject of this application for consent to sever land and for the purpose of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. M.56, I authorize _____ as my agent for this application, to provide any of my personal information that will be included in this application or collected during the processing of the application.~~

Date

Signature of Owner

16 CONSENT OF THE OWNER

Complete the consent of the owner concerning personal information set out below.

Consent of Owner to the Disclosure of Application Information and Supporting Documentation

Application information is collected under the authority of the *Planning Act*, R.S.O. 1990, c. P.13. In accordance with that Act, it is the policy of the City of Hamilton to provide public access to all *Planning Act* applications and supporting documentation submitted to the City.

I, MATTHEW CREARY, the Owner, hereby agree and acknowledge
(Print name of Owner)

that the information contained in this application and any documentation, including reports, studies and drawings, provided in support of the application, by myself, my agents, consultants and solicitors, constitutes public information and will become part of the public record. As such, and in accordance with the provisions of the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. M.56, I hereby consent to the City of Hamilton making this application and its supporting documentation available to the general public, including copying and disclosing the application and its supporting documentation to any third party upon their request.

_____ Date

x Matthew Creary
Signature of Owner

17 COLLECTION OF INFORMATION

The personal information contained on this form is collected under the authority of the *Planning Act*, R.S.O. 1990, c. P.13, and will be used for the purpose of processing the application. This information will become part of the public record and will be made available to the general public. Questions about the collection of this information should be directed to the Coordinator of Business Facilitation, Planning and Economic Development Department, City of Hamilton, 1st floor, 71 Main Street West, City Hall, Hamilton, Ontario, Telephone, 905-546-2424, ext. 1284.

A File Number will be issued for complete applications and should be used in all communications with the City.

APPLICANT'S CHECKLIST

Please attach all items listed below:

- Two (2) copies of the completed application form (Ensure you have a copy for yourself);
- Three (3) copies of the prescribed sketch or survey (one (1) full scale size and two (2) no larger than ledger size paper 11" x 17"); and
- The required fee. (A cheque or money order payable to the City of Hamilton)

CITY OF HAMILTON
COST ACKNOWLEDGEMENT AGREEMENT

This Agreement made this 9th day of MARCH, 2020.

BETWEEN: 82 FERGUSON AVE (HAMILTON)
Applicant's name(s)
hereinafter referred to as the "Developer"

-and-

City of Hamilton

hereinafter referred to as the "City"

WHEREAS the Developer represents that he/she is the registered owner of the lands described in Schedule "A" attached hereto, and which lands are hereinafter referred to as the "lands";

AND WHEREAS the Developer has filed for an application for a (circle applicable) consent rezoning/official plan amendment/subdivision approval/minor variance.

AND WHEREAS it is a policy of the City that any City costs associated with an appeal to the Local Planning Appeal Tribunal, by a party other than the Developer, of an approval of a consent, rezoning, official plan amendment, plan of subdivision, and/or minor variance, such as, but not limited to, legal counsel costs, professional consultant costs and City staff costs, shall be paid by the Developer.

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the sum of two dollars (\$2.00) now paid by the City to the Developer, the receipt of which is hereby acknowledged, the parties hereto agree as follows:

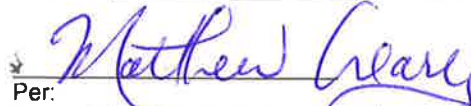
1. In this Agreement:
 - (a) "application" means the application(s) for a (circle applicable) consent rezoning/official plan amendment/subdivision approval or minor variance dated MAR. 9, 2020 with respect to the lands described in Schedule "A" hereto.
 - (b) "Expenses" means all expenses incurred by the City if the application is: (a) approved by the City; (b) appealed to the Local Planning Appeal Tribunal by a party other than the developer; and (c) the City appears before the Local Planning Appeal Tribunal or any other tribunal or Court in support of the application, including but not limited to: City staff time, City staff travel expenses and meals, City disbursements, legal counsel fees and disbursements and all consultant fees and disbursements including, without limiting the generality of the foregoing planning, engineering or other professional expenses
2. The City agrees to process the application and, where the application is approved by the City but appealed to the Local Planning Appeal Tribunal by a party other than the Developer, the Developer shall file an initial deposit, in the form of certified cheque or cash with the General Manager, Finance & Corporate Services within fifteen days of the date of the appeal of the application by a third party in the amount of 50% of the estimated expenses associated with the appeal as estimated by the City Solicitor in his sole discretion which shall be credited against the Expenses.
3. It is hereby acknowledged that if the deposit required pursuant to section 2 of this Agreement is not paid by the Developer the City shall have the option, at its sole discretion, of taking no further steps in supporting the Developer's application before the Local Planning Appeal Tribunal.
4. It is hereby acknowledged that all expenses shall be paid for by the Developer. The Developer shall reimburse the City for all expenses the City may be put to in respect of the application upon demand.

5. It is hereby acknowledged and agreed that all expenses shall be payable by the Developer whether or not the Developer is successful before the Local Planning Appeal Tribunal or any other tribunal or Court in obtaining approval for their application.
6. The City shall provide the Developer with copies of all invoices of external legal counsel or consultants included in the expenses claimed by the City.
7. The City shall provide the Developer with an accounting of all staff costs and City disbursements included in the expenses claimed by the City.
8. The City may, at any time, draw upon the funds deposited in accordance with sections 2 and 9 of this Agreement to satisfy expenses incurred pursuant to the appeal of the application.
9. In the event that the amount deposited pursuant to section 2 of this Agreement is reduced to less than 10% of the initial deposit, the City may halt all work in respect of the appeal of the application until the Developer deposits with the City a sum sufficient to increase the deposit to an amount which is equal to 100% of the expenses estimated pursuant to paragraph 2 of this Agreement and still to be incurred by the City.
10. Within 60 days of: (a) a decision being rendered in respect of the appeal or any legal proceedings resulting from the decision, whichever is later; or (b) the termination of all legal proceedings in respect of the application, the City shall prepare and submit a final account to the Developer. If there are any deposit funds remaining with the City they shall be applied against the account. Any amount owing in respect of the final account in excess of deposit funds shall be paid by the Developer within 30 days of the date of the final account. If any deposit funds are remaining after the final account has been paid they shall be returned to the developer within 30 days of the date of the final account.
11. This Agreement shall not be construed as acceptance of the application and nothing herein shall require or be deemed to require the City to approve the application.
12. This Agreement shall not stand in lieu of or prejudice the rights of the City to require such further and other agreements in respect of the application that the City may deem necessary.
13. Every term, covenant, obligation and condition in this Agreement ensures to the benefit of and is binding upon the parties hereto and their respective heirs, executors, administrators, successors, trustees and assigns.
14. When the context so requires or permits, the singular number is to be read as if the plural were expressed, and the masculine gender as if the feminine, as the case may be, were expressed; and,
15. This Agreement and the schedules hereto constitute the entire agreement between the parties in respect of the subject matter contained herein and is not subject to, or in addition to, any other agreements, warranties or understandings, whether written, oral or implied. This Agreement may not be modified or amended except by instrument in writing signed by the Developer and the City, and,
16. The waiver or acquiescence by the City of any default by the Developer under any obligation to comply with this Agreement shall not be deemed to be a waiver of that obligation or any subsequent or other default under this Agreement.
17. The Developer covenants and agrees to be bound by the terms and conditions of this Agreement and not to seek a release from the provisions thereof until such time as the Developer's obligations hereunder have been assumed by its successor, assignee or transferee by way of written agreement in the form set out in Schedule "B" to this Agreement.

IN WITNESS WHEREOF the parties hereto have set their corporate seals under the hands of their duly authorized officers.

DATED at HAMILTON this 9th day of MARCH, 2020.


WITNESS


Per: _____
I have authority to bind the corporation.

WITNESS

Per: _____
I have authority to bind the corporation

DATED at Hamilton, Ontario this ___ day of _____, 20__.

City of Hamilton

Per: _____
Mayor

Per: _____
Clerk

Schedule "A"
Description of Lands

SCHEDULE "B"
FORM OF ASSUMPTION AGREEMENT

THIS AGREEMENT dated the 9TH day of MARCH, 2020.

BETWEEN

82 FERGUSON AVE (HAMILTON)
(hereinafter called the "Owner")

OF THE FIRST PART

-and-

P.J. DALY CONTRACTING LTD.
(hereinafter called the "Assignee")

OF THE SECOND PART

-and-

CITY OF HAMILTON
(hereinafter called the "Municipality")

OF THE THIRD PART

WHEREAS the owner and the Municipality entered into and executed a Cost Acknowledgement Agreement dated MARCH 9, 2020

AND WHEREAS Assignee has indicated that it will assume all of the Owner's duties, liabilities and responsibilities as set out in the Cost Acknowledgement Agreement.

AND WHEREAS Council for the Municipality has consented to releasing the Owner from its duties, liabilities and responsibilities under said Cost Acknowledgement Agreement subject to the Assignee accepting and assuming the Owner's duties, liabilities and responsibilities and subject to the Assignee the Owner and the Municipality entering into and executing an Assumption Agreement.

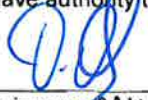
NOW THEREFORE THIS AGREEMENT WITNESSETH THAT in consideration of the mutual covenants hereinafter expressed and other good and valuable consideration, the parties hereto agree as follows.

1. The Assignee covenants and agrees to accept, assume and to carry out the Owner's duties, liabilities and responsibilities under the Cost Acknowledgement Agreement and in all respects to be bound under said Cost Acknowledgement Agreement as if the Assignee had been the original party to the agreement in place of the Owner.
2. The Municipality hereby releases the Owner from all claims and demands of any nature whatsoever against the Owner in respect of the Cost Acknowledgement Agreement. The Municipality hereby accepts the Assignee as a party to the Cost Acknowledgement Agreement in substitution of the Owner, and agrees with the Assignee that the Assignee will be bound by all the terms and conditions of the Cost Acknowledgement Agreement as if the Assignee had been the original executing party in place of the Owner.
3. All of the terms, covenants, provisos and stipulations in the said Cost Acknowledgement Agreement are hereby confirmed in full force save and except for such modifications as are necessary to make said clauses applicable to the Assignee.

IN WITNESS WHEREOF the Parties have hereunto affixed their corporate seals
duly attested to by their proper signing officers in that behalf.

SIGNED, SEALED AND DELIVERED


Owner: MATTHEW CREANEY c/s
Title: President
I have authority to bind the corporation


Assignee: DAN DALY c/s
Title: PRESIDENT
I have authority to bind the corporation

CITY OF HAMILTON

Mayor

Clerk

DETAILS OF DEVELOPMENT

1. All work shall be in accordance with the City of Toronto Building Code and the Ontario Building Code.

2. All work shall be in accordance with the City of Toronto Zoning By-Law and the Ontario Zoning Act.

3. All work shall be in accordance with the City of Toronto Fire Code and the Ontario Fire Code.

4. All work shall be in accordance with the City of Toronto Electrical Code and the Ontario Electrical Code.

5. All work shall be in accordance with the City of Toronto Gas Code and the Ontario Gas Code.

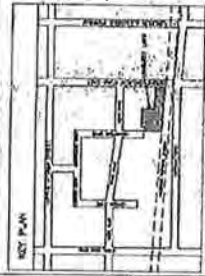
6. All work shall be in accordance with the City of Toronto Plumbing Code and the Ontario Plumbing Code.

7. All work shall be in accordance with the City of Toronto Mechanical Code and the Ontario Mechanical Code.

8. All work shall be in accordance with the City of Toronto Sanitary Code and the Ontario Sanitary Code.

9. All work shall be in accordance with the City of Toronto Health Code and the Ontario Health Code.

10. All work shall be in accordance with the City of Toronto Environmental Code and the Ontario Environmental Code.



LEGEND

- PROPOSED 2-STORY ADDITION
- EXISTING BUILDINGS
- NEW ASPHALT PAVING
- EXISTING TREES TO REMAIN
- EXISTING LANDSCAPING TO REMAIN
- NEW HAY DOOR
- EXISTING ASPHALT DRIVE
- EXISTING ASPHALT DRIVE

NOTES

1. The site is located at the intersection of Stone Church Road East and Hempstead Drive.

2. The site is zoned as R-1 (Residential Single-Family).

3. The site is currently occupied by a single-story building and a parking lot.

4. The proposed development consists of a two-story addition to the existing building, a new hay door, and new asphalt paving.

5. The proposed development is shown in red on the site plan.

6. The existing building is shown in grey on the site plan.

7. The existing parking lot is shown in white on the site plan.

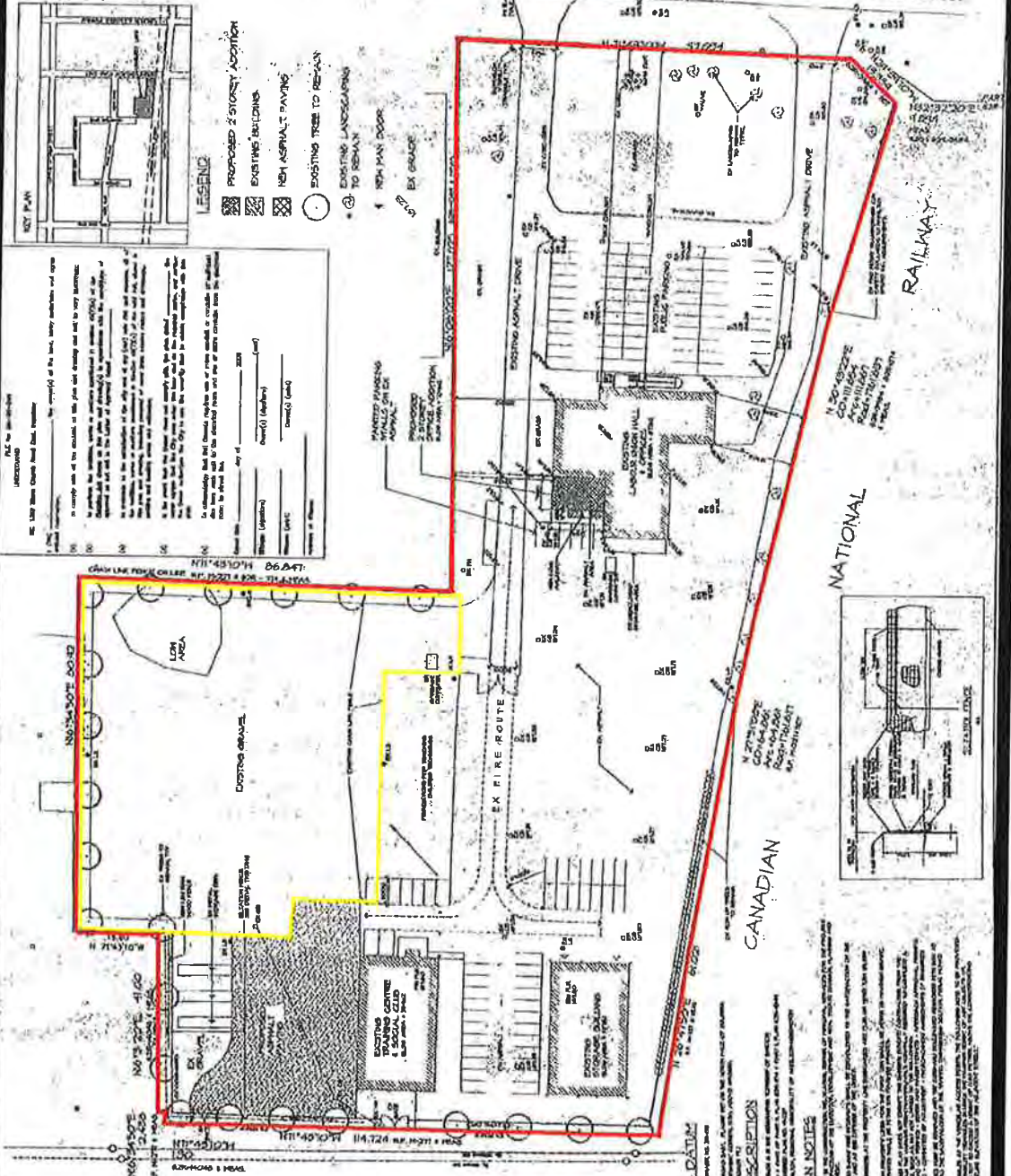
8. The existing trees to remain are shown in green on the site plan.

9. The existing landscaping to remain is shown in light green on the site plan.

10. The new hay door is shown in black on the site plan.

11. The new asphalt paving is shown in yellow on the site plan.

STONE CHURCH ROAD EAST



HEMPSTEAD DRIVE BLOCK E

GEOMETRIC DATA

1. The site is bounded by Stone Church Road East to the north, Hempstead Drive to the west, and National Railway to the east.

2. The site is bounded by the existing building to the south.

3. The site is bounded by the existing parking lot to the south.

LEGAL DESCRIPTION

1. The site is located in Block E, Stone Church Road East, City of Toronto.

2. The site is bounded by the existing building to the south.

3. The site is bounded by the existing parking lot to the south.

SITE PLAN NOTES

1. The site is shown in red on the site plan.

2. The existing building is shown in grey on the site plan.

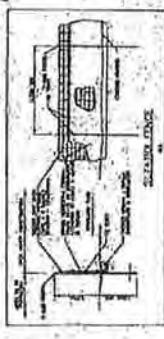
3. The existing parking lot is shown in white on the site plan.

4. The existing trees to remain are shown in green on the site plan.

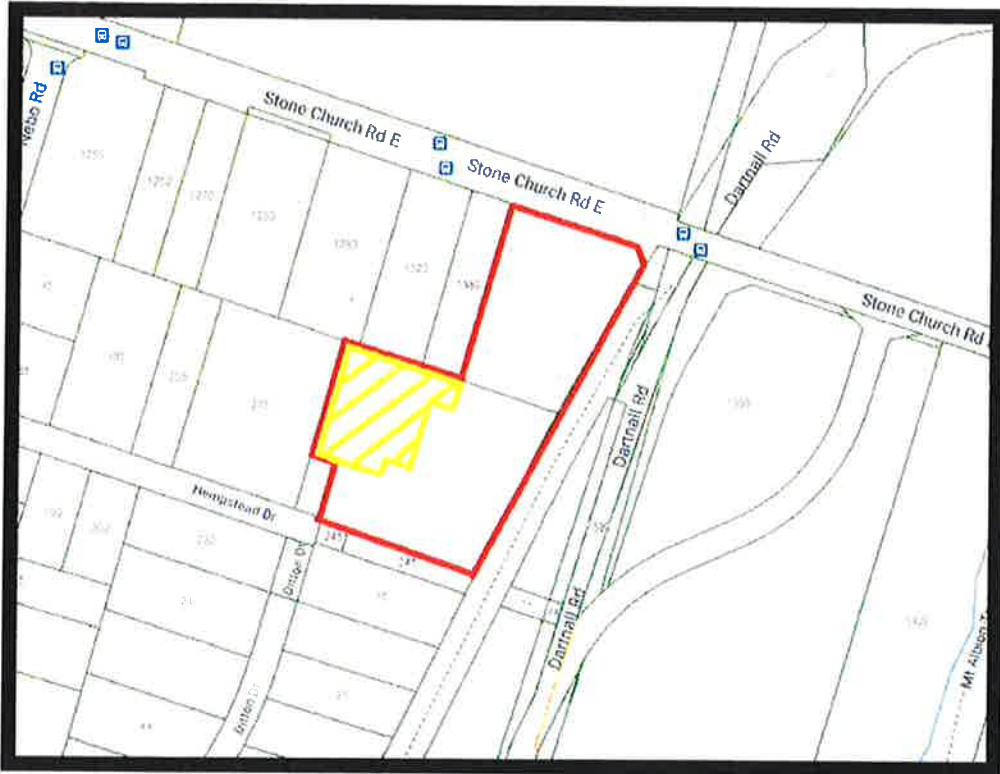
5. The existing landscaping to remain is shown in light green on the site plan.

6. The new hay door is shown in black on the site plan.

7. The new asphalt paving is shown in yellow on the site plan.



| NO. | DESCRIPTION | DATE | BY | CHECKED |
|-----|------------------|------------|----------|----------|
| 1 | PRELIMINARY PLAN | 10/1/2010 | J. SMITH | M. JONES |
| 2 | FINAL PLAN | 10/15/2010 | J. SMITH | M. JONES |



Geo-Warehouse



Aerial View

DATA SHEET – MDS I - (REPLACES AGRICULTURAL CODE OF PRACTICE)

This is to be completed and attached to the application when applying for a new non-farm use within 1000 metres (3,281 feet) of an existing livestock facility. Complete one sheet for each set of farm buildings.

Reference _____ No. _____ Date _____ By _____

Township _____ Lot _____ Concession _____

Closest distance from the livestock facility to the new use. _____ metres

Closest distance from the manure storage to the new use. _____ metres

Tillable Hectares where livestock facility located _____

| Type of Livestock | Existing Housing Capacity # | Manure System (Check one box) | | | |
|-------------------|-----------------------------|-------------------------------|--------------------|------------------|------------------------|
| | | Covered Tank | Open Solid Storage | Open Liquid Tank | Earthen Manure Storage |
| DAIRY | | | | | |
| BEEF | | | | | |
| SWINE | | | | | |
| POULTRY | | | | | |
| HORSES | | | | | |
| SHEEP | | | | | |
| MINK – Adults | | | | | |
| WHITE VEAL CALVES | | | | | |
| GOATS | | | | | |
| OTHER | | | | | |

The above information was supplied by:

Signature: _____ Date: _____

Note: Identify particular animal type for each livestock type under DESCRIPTION from Factor Tables, Table 1 attached as Appendix "A"

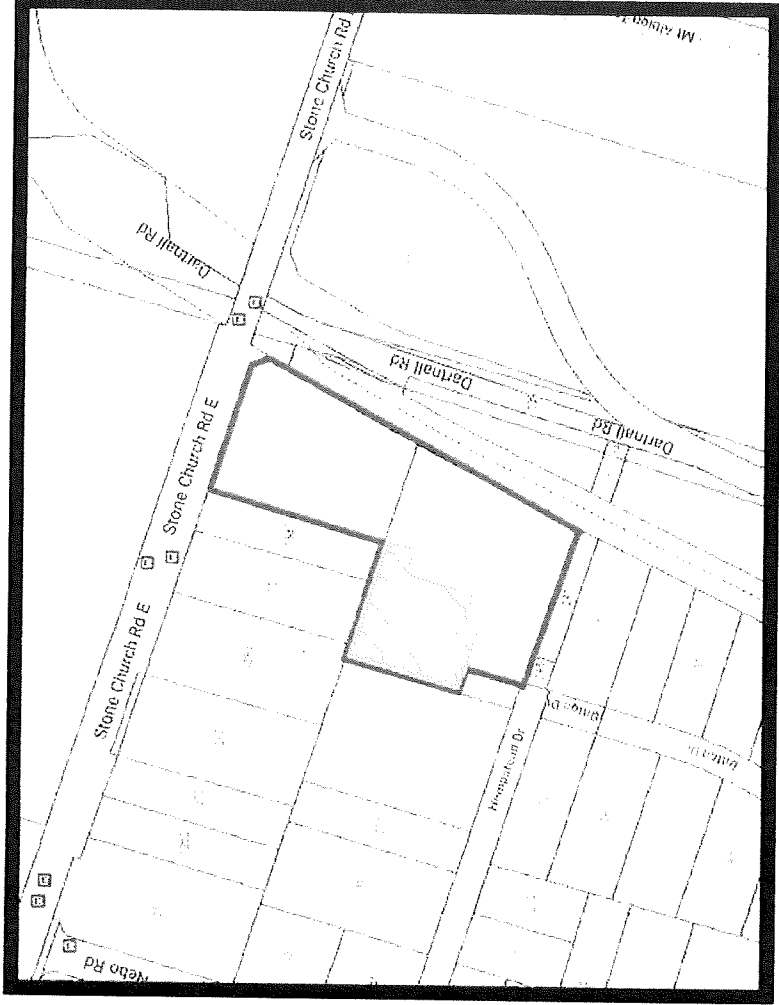
**Table 1 Factor A (Outdoor Potential) and
Factor D (Manure or Material Form in Storage Facility)**

| Animal Type or Material | Description | Number per NU | Factor A | Manure or Material Form in Permanent Storage | |
|---|---|---------------------|----------|--|---|
| | | | | Liquid Manure: Factor D = 0.8 18 to 100% Dry Matter | Solid Manure: Factor D = 0.7 18 to 100% Dry Matter |
| Swine | Sows with litter, dry sows/boars Segregated Early Weaning (SEW) | 3.33 | 1.0 | Most systems have liquid manure stored under the barn slats for short or long periods, or in storages located outside | Systems with solid manure inside on deep bedded packs, or with scraped alleys |
| | Sows with litter, dry sows or boars (non-SEW) | 3.5 | | | |
| | Breeder gilts (entire barn designed specifically for this purpose) | 5 | | | |
| | Weaners (7 kg - 27 kg) | 20 | | | |
| | Feeders (27 kg - 105 kg) | 6 | | | |
| Dairy Cattle ¹ | Milking-age cows (dry or milking) | 0.7 | 0.7 | Free-stall barns with minimal bedding, or sand bedding, or tie-stall barns with minimal bedding and milking centre washwater added | Tie-stall barns with lots of bedding, or loose housing with deep bedded pack, and with or without outside yard access |
| | - Large-framed 545 kg - 636 kg (e.g. Holsteins) | 0.85 | | | |
| | - Medium-framed 455 kg - 545 kg (e.g. Guernseys) | | | | |
| | - Small-framed 364 kg - 455 kg (e.g. Jerseys) | | | | |
| | Heifers (5 months to freshening) | 2 | | | |
| | - Large-framed 182 kg - 545 kg (e.g. Holsteins) | 2.4 | | Free-stall barns with minimal bedding, or sand bedding, or tie-stall barns with minimal bedding and milking centre washwater added | Bedded pens or stalls or heavily bedded calf hutches that are outside |
| | - Medium-framed 148 kg - 455 kg (e.g. Guernseys) | | | | |
| | - Small-framed 125 kg - 364 kg (e.g. Jerseys) | | | | |
| | Calves (0 - 5 months) | 6 | | | |
| | - Large-framed 45 kg - 182 kg (e.g. Holsteins) | 7 | | | |
| - Medium-framed 39 kg - 148 kg (e.g. Guernseys) | | | | | |
| - Small-framed 30 kg - 125 kg (e.g. Jerseys) | | | | | |
| Beef Cattle | Cows, including calves to weaning (all breeds) | 1 | 0.7 | N/A | Bedded pack barns with or without outside yard access |
| | Feeders (7 - 16 months) | 3 | 0.8 | Slatted floor systems, or barns with minimal bedding and yard scraped to a liquid storage | |
| | Backgrounders (7 - 12.5 months) | 3 | 0.8 | | |
| | Shortkeepers (12.5 - 17.5 months) | 2 | 0.8 | | |
| | | | | | |
| Veal | Milk-fed | 6 | 1.1 | Slatted floors or slatted stall system | Heavily bedded pack barns |
| | Grain-fed | 6 | 0.8 | | |
| Goats | Does and bucks (for meat kids; includes unweaned offspring and replacements) | 8 | 0.7 | N/A | Heavily bedded pack barns |
| | Does and bucks (for dairy; includes unweaned offspring and replacements) | 8 | | | |
| | Kids (dairy or feeder kids) | 20 | | | |
| Sheep | Ewes and rams (for meat lambs; includes unweaned offspring and replacements) | 8 | 0.7 | N/A | All sheep systems |
| | Ewes and rams (dairy operation; includes unweaned offspring and replacements) | 6 | | | |
| | Lambs (dairy or feeder lambs) | 20 | | | |
| Horses | Large-framed, mature; > 681 kg (including unweaned offspring) | 0.7 | 0.7 | N/A | All horse systems |
| | Medium-framed, mature; 227 kg - 680 kg (including unweaned offspring) | 1 | | | |
| | Small-framed, mature; < 227 kg (including unweaned offspring) | 2 | | | |
| Chickens | Layer hens (for eating eggs; all transfer from pullet barn) | 150 | 1.0 | Birds in cages, manure bells, no drying of manure, water added | Birds in cages, manure bells and drying, or floor systems |
| | Layer pullets (day olds until transferred into layer barn) | 500 | 0.7 | | |
| | Broiler breeder growers (males/females transferred out to layer barn) | 300 | 0.7 | N/A | Bedded floors |
| | Broiler breeder layers (males/females transferred in from grower barn) | 100 | 0.7 | N/A | |
| | Broilers on an 8 week cycle | 350 | 0.7 | N/A | Bedded floors systems |
| | Broilers on a 9 week cycle | 300 | | | |
| | Broilers on a 10 week cycle | 250 | | | |
| | Broilers on a 12 week cycle | 200 | | | |
| Broilers on any other cycle, or if unknown, use 24.8 m ² /NU | 24.8 m ² | | | | |
| Turkeys | Turkey pullets (day old until transferred to layer turkey barn) | 267 | 0.7 | N/A | Bedded floor systems |
| | Turkey breeder layers (males/females transferred in from grower barn) | 67 | | | |
| | Breeder toms | 45 | | | |
| | Broilers (day olds to 6.2 kg) | 133 | | | |
| | Hens (day olds up to 6.2 kg to 10.8 kg; 7.5 kg is typical) | 105 | | | |
| | Toms (day olds to over 10.8 to 20 kg; 14.5 kg is typical) | 75 | | | |
| | Turkeys at any other weights, or if unknown, use 24.8 m ² /NU | 24.8 m ² | | | |
| Quail Partridge Pheasants Squab Rheas Emus Ostriches | Use 24.8 m ² /NU | 24.8 m ² | 0.7 | N/A | Bedded floor systems |
| | Use 24.8 m ² /NU | 24.8 m ² | | | |
| | Use 24.8 m ² /NU | 24.8 m ² | | | |
| | Use 24.8 m ² /NU | 24.8 m ² | | | |
| | Adults (includes replacements and market birds) | 13 | | | |
| | Adults (includes replacements and market birds) | 12 | | | |
| | Adults (includes replacements and market birds) | 4 | | | |
| Ducks Geese | Peking | 105 | 0.8 | Wire mesh flooring systems | Bedded floor systems |
| | Muscovy, use 24.8 m ² /NU | 24.8 m ² | | | |
| | Use 24.8 m ² /NU | 24.8 m ² | | | |
| Rabbits | Breeding females (including males, replacements & market animals) | 40 | 0.8 | N/A | Cage or floor systems |
| Chinchillas | Breeding females (including males, replacements & market animals) | 320 | | | |
| Fox | Breeding females (including males, replacements & market animals) | 25 | | | |
| Mink | Breeding females (including males, replacements & market animals) | 90 | | | |

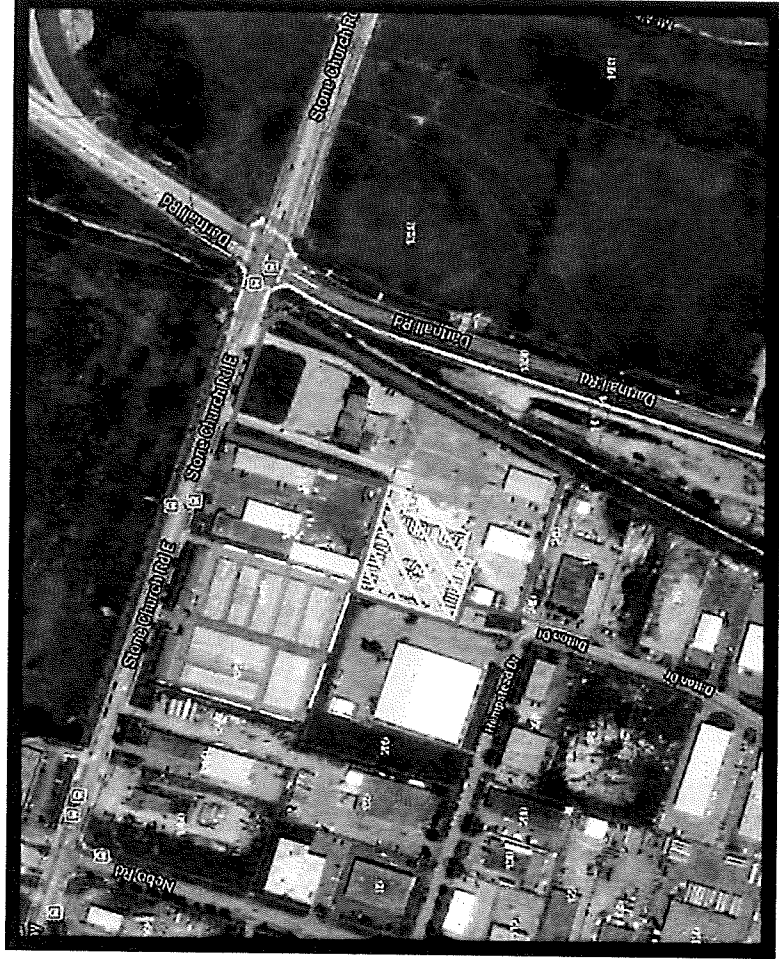
**Table 1 Factor A (Outdoor Potential) and
Factor D (Manure or Material Form in Storage Facility)...cont'd**

| Animal Type or Material | Description | Number per NU | Factor A | Manure or Material Form in Permanent Storage | | | | |
|--|---|--|----------|--|--|-----|-----|--|
| | | | | Liquid Manure: Factor D = 0.8 18 to 100% Dry Matter | Solid Manure: Factor D = 0.7 18 to 100% Dry Matter | | | |
| Bison | Adults (includes unweaned calves and replacements) | 1.3 | 0.7 | N/A | Bedded pack barns with outside access or outside confinement areas | | | |
| | Feeders (170 kg - 477 kg) | 4 | | | | | | |
| Llama | Adults (includes unweaned young and replacements) | 5 | | | | | | |
| | Feeders (45 kg - 86 kg) | 16 | | | | | | |
| Alpaca | Adults (includes unweaned young and replacements) | 8 | | | | | | |
| | Feeders (23 kg - 48 kg) | 26 | | | | | | |
| Wild Boar | Breeding age sows (includes boars, replacements and weaned piglets to 27 kg) | 5 | | | | | | |
| | Finishing boars (27 - 86 kg) | 7 | | | | | | |
| Deer | White tailed deer - Adults > 24 mo (including unweaned offspring) | 11 | | | | 0.7 | N/A | Bedded pack barns with outside access or outside confinement areas |
| | - Feeders | 21 | | | | | | |
| | Red Deer - Adults > 24 MO (including unweaned offspring) | 7 | | | | | | |
| | - Feeders | 14 | | | | | | |
| | Elk - Adults > 24 MO (including unweaned offspring) | 2 | | | | | | |
| | - Feeders | 6 | | | | | | |
| | Elk/deer hybrids - Adults > 24 MO (including unweaned offspring) | 4 | | | | | | |
| | - Feeders | 10 | | | | | | |
| | Fallow deer - Adults > 24 MO (including unweaned offspring) | 13 | | | | | | |
| | - Feeders | 23 | | | | | | |
| Other livestock not listed in this table | To determine the number per NU, add up the total maximum live weight of animals and divide by the weight of animals per NU in the next column | 453.6 kg (1000lbs) | 0.8 | All storages with liquid manure. | All storages with solid manure. | | | |
| Manure imported to a lot not generating manure ¹ | Maximum capacity of permanent storages at any time: solid or liquid capacity. | 19.8 m ³ (700 ft ³) | 1.2 | All storages with liquid manure. | All storages with solid manure. | | | |
| Storages for digestate from an Anaerobic Digester (odours reduced during this process) | Maximum capacity of permanent storages at any time: solid or liquid capacity. | 19.8 m ³ (700 ft ³) | 0.5 | All storages with liquid manure. | All storages with solid manure. | | | |

¹ On farms with 100 milk-age cows (dry and milking), there are usually about 20 replacement calves and 80 replacement heifers



Geo-Warehouse



Aerial View



Hamilton

Planning and Economic Development Department
Planning Division

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

Phone (905) 546-2424, ext. 4221
Fax (905) 546-4202

APPLICATION FOR CONSENT TO SEVER LAND
UNDER SECTION 53 OF THE PLANNING ACT

Office Use Only

| | | | |
|--|-----------------------------------|-------------------------------|-----------|
| Date Application Received: March/20 | Date Application Deemed Complete: | Submission No.: Hm/B-20:24 | File No.: |
|--|-----------------------------------|-------------------------------|-----------|

1 APPLICANT INFORMATION

| 1.1, 1.2 | NAME | ADDRESS | PHONE/FAX |
|----------------------|----------------------------|------------|--------------|
| Registered Owners(s) | 82 FERGUSON AVE (HAMILTON) | [REDACTED] | [REDACTED] |
| Applicant(s)* | OWNER | [REDACTED] | Business () |
| | | | Fax: () |
| | | | E-mail: |
| Agent or Solicitor | PJ DALY CONTRACTS LIMITED | [REDACTED] | [REDACTED] |

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

1.3 All correspondence should be sent to Owner Applicant Agent/Solicitor

2 LOCATION OF SUBJECT LAND Complete the applicable lines

| | | | |
|--|-----------|--------------------------------|--------------------|
| 2.1 Area Municipality HAMILTON | Lot 31 | Concession | Former Township |
| Registered Plan N° 62M-227 | Lot(s) | Reference Plan N° 62R-14046 | Part(s) |
| Municipal Address 1342 STONE CHURCH ROAD EAST | | | Assessment Roll N° |

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)

a) Urban Area Transfer (do not complete Section 10):

- creation of a new lot
- addition to a lot
- an easement

- Other: a charge
 a lease
 a correction of title

~~b) Rural Area / Rural Settlement Area Transfer (Section 10 must be completed):~~

- ~~creation of a new lot
 creation of a new non-farm parcel
 (i.e. a lot containing a surplus farm dwelling resulting from a farm consolidation)
 addition to a lot~~
- ~~Other: a charge
 a lease
 a correction of title
 an easement~~

3.2 Name of person(s), if known, to whom land or interest in land is to be transferred, leased or charged:

P.J. DALY CONTRACTING LIMITED

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

1320 STONE CHURCH ROAD EAST, HAMILTON L8W 2C8.

4 DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

4.1 Description of land intended to be **Severed**:

| | | |
|---------------------------------------|--|--|
| Frontage (m) <u>NOT APPLICABLE</u> | Depth (m) <u>IRREGULAR</u> <u>80M</u> <u>265' x 285'</u> | Area (m ² or ha) <u>1.5 ACRES</u> <u>6070 M²</u> |
|---------------------------------------|--|--|

Existing Use of Property to be severed:

- Residential
 Agriculture (includes a farm dwelling)
 Other (specify) _____
- Industrial
 Agricultural-Related
 Commercial
 Vacant

Proposed Use of Property to be severed:

- Residential
 Agriculture (includes a farm dwelling)
 Other (specify) _____
- Industrial
 Agricultural-Related
 Commercial
 Vacant

Building(s) or Structure(s):

Existing: NONE

Proposed: NONE

Type of access: (check appropriate box)

- NOT APPLICABLE. NO ACCESS. LANDLOCKED
- provincial highway
 municipal road, seasonally maintained
 municipal road, maintained all year
- right of way
 other public road

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) NOT APPLICABLE

Type of sewage disposal proposed: (check appropriate box)

- NO WATER SUPPLY
- publicly owned and operated sanitary sewage system
 privately owned and operated individual septic system
 other means (specify) NO SEWAGE DISPOSAL

4.2 Description of land intended to be **Retained**:

| | | |
|---------------------------------|---------------------------|---|
| Frontage (m) <u>93.034 M</u> | Depth (m) <u>252 M</u> | Area (m ² or ha) <u>22,257 M²</u> <u>5.5 ACRES</u> |
|---------------------------------|---------------------------|---|

Existing Use of Property to be retained:

- Residential
 Agriculture (includes a farm dwelling)
 Other (specify) _____
- Industrial
 Agricultural-Related
 Commercial
 Vacant

Proposed Use of Property to be retained:

- Residential
- Industrial
- Agriculture (includes a farm dwelling)
- Agricultural-Related
- Commercial
- Vacant
- Other (specify) _____

Building(s) or Structure(s):

Existing: OFFICE BLDG + 2 TRAINING BLDGS

Proposed: " " " " " "

Type of access: (check appropriate box)

- provincial highway
- municipal road, seasonally maintained
- municipal road, maintained all year
- right of way
- other public road

Type of water supply proposed: (check appropriate box)

- publicly owned and operated piped water system
- lake or other water body
- privately owned and operated individual well
- other means (specify) _____

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): -

Urban Hamilton Official Plan designation (if applicable) M3 PRESTIGE BUSINESS PARK

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

LAND USE WILL NOT CHANGE

5.2 What is the existing zoning of the subject land?

If the subject land is covered by a Minister's zoning order, what is the Ontario Regulation Number? M3 PRESTIGE BUSINESS PARK

5.3 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 | <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 PREVIOUS USE OF PROPERTY

- Residential Industrial Commercial
 Agriculture Vacant Other (specify)

- 6.1 If Industrial or Commercial, specify use BELL CANADA OFFICE BLDG.
- 6.2 Has the grading of the subject land been changed by adding earth or other material, i.e., has filling occurred?
 Yes No Unknown
- 6.3 Has a gas station been located on the subject land or adjacent lands at any time?
 Yes No Unknown
- 6.4 Has there been petroleum or other fuel stored on the subject land or adjacent lands?
 Yes No Unknown
- 6.5 Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?
 Yes No Unknown
- 6.6 Have the lands or adjacent lands ever been used as an agricultural operation where cyanide products may have been used as pesticides and/or biosolids was applied to the lands?
 Yes No Unknown
- 6.7 Have the lands or adjacent lands ever been used as a weapons firing range?
 Yes No Unknown
- 6.8 Is the nearest boundary line of the application within 500 metres (1,640 feet) of the fill area of an operational/non-operational landfill or dump?
 Yes No Unknown
- 6.9 If there are existing or previously existing buildings, are there any building materials remaining on site which are potentially hazardous to public health (e.g., asbestos, PCB's)?
 Yes No Unknown
- 6.10 Is there reason to believe the subject land may have been contaminated by former uses on the site or adjacent sites?
 Yes No Unknown
- 6.11 What information did you use to determine the answers to 6.1 to 6.10 above?
PERSONAL + ASSOCIATES' KNOWLEDGE.
- 6.12 If previous use of property is industrial or commercial or if YES to any of 6.2 to 6.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed. Is the previous use inventory attached?
 Yes No

7 PROVINCIAL POLICY

- 7.1 a) Is this application consistent with the Policy Statements issued under subsection of the *Planning Act*? (Provide explanation)

- Yes No

b) Is this application consistent with the Provincial Policy Statement (PPS)?
 Yes No (Provide explanation)

c) Does this application conform to the Growth Plan for the Greater Golden Horseshoe?
 Yes No (Provide explanation)

d) Are the subject lands within an area of land designated under any provincial plan or plans? (If YES, provide explanation on whether the application conforms or does not conflict with the provincial plan or plans.)
 Yes No

e) Are the subject lands subject to the Niagara Escarpment Plan?
 Yes No

If yes, is the proposal in conformity with the Niagara Escarpment Plan?
 Yes No
(Provide Explanation)

f) Are the subject lands subject to the Parkway Belt West Plan?
 Yes No

If yes, is the proposal in conformity with the Parkway Belt West Plan?
 Yes No (Provide Explanation)

g) Are the subject lands subject to the Greenbelt Plan?
 Yes No

If yes, does this application conform with the Greenbelt Plan?
 Yes No (Provide Explanation)

8 HISTORY OF THE SUBJECT LAND

8.1 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, indicate the appropriate application file number and the decision made on the application.

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

NOT APPLICABLE

8.3 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.

8.4 How long has the applicant owned the subject land? 33 YEARS

8.5 Does the applicant own any other land in the City? Yes No

If YES, describe the lands in "11 - Other Information" or attach a separate page.

9 OTHER APPLICATIONS

9.1 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 if known, specify file number and status of the application.

9.2 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 if known, specify file number and status of the application(s).

File number _____ Status _____

10 RURAL APPLICATIONS

10.1 Rural Hamilton Official Plan Designation(s)

- Agricultural Rural Specialty Crop
 Mineral Aggregate Resource Extraction Open Space Utilities
 Rural Settlement Area (specify) _____

Settlement Area Designation

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 operation.

10.2 Type of Application (select type and complete appropriate sections)

- Agricultural Severance or Lot Addition
 Agricultural Related Severance or Lot Addition
 Rural Resource-based Commercial Severance or Lot Addition
 Rural Institutional Severance or Lot Addition
- } (Complete Section 10.3)

- Rural Settlement Area Severance or Lot Addition
- Surplus Farm Dwelling Severance from an Abutting Farm Consolidation (Complete Section 10.4)
- Surplus Farm Dwelling Severance from a Non-Abutting Farm Consolidation (Complete Section 10.5)

10.3 Description of Lands

a) Lands to be Severed:

| | |
|----------------------------------|--|
| Frontage (m): (from Section 4.1) | Area (m ² or ha): (from in Section 4.1) |
|----------------------------------|--|

Existing Land Use: _____ Proposed Land Use: _____

b) Lands to be Retained:

| | |
|----------------------------------|---|
| Frontage (m): (from Section 4.2) | Area (m ² or ha): (from Section 4.2) |
|----------------------------------|---|

Existing Land Use: _____ Proposed Land Use: _____

10.4 Description of Lands (Abutting Farm Consolidation)

a) Location of abutting farm:

 (Street) (Municipality) (Postal Code)

b) Description abutting farm:

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

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

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

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

Existing Land Use: _____ Proposed Land Use: _____

d) 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: _____

e) Surplus farm dwelling date of construction:

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

f) Condition of surplus farm dwelling:

- Habitable
- Non-Habitable

g) Description of farm from which the surplus dwelling is intended to be severed (retained parcel):

| | |
|----------------------------------|---|
| Frontage (m): (from Section 4.2) | Area (m ² or ha): (from Section 4.2) |
|----------------------------------|---|

Existing Land Use: _____ Proposed Land Use: _____

10.5 Description of Lands (Non-Abutting Farm Consolidation)

a) Location of non-abutting farm

 (Street) (Municipality) (Postal Code)

b) Description of non-abutting farm

| | |
|---------------|------------------|
| Frontage (m): | Area (m2 or ha): |
|---------------|------------------|

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

c) Description of surplus dwelling lands intended to be severed:

| | |
|----------------------------------|-------------------------------------|
| Frontage (m): (from Section 4.1) | Area (m2 or ha): (from Section 4.1) |
|----------------------------------|-------------------------------------|

Front yard set back: _____

d) Surplus farm dwelling date of construction:

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

e) Condition of surplus farm dwelling:

- Habitable Non-Habitable

f) Description of farm from which the surplus dwelling is intended to be severed (retained parcel):

| | |
|----------------------------------|-------------------------------------|
| Frontage (m): (from Section 4.2) | Area (m2 or ha): (from Section 4.2) |
|----------------------------------|-------------------------------------|

Existing Land Use: _____ Proposed Land Use: _____

11 OTHER INFORMATION

Is there any other information that you think may be useful to the Committee of Adjustment or other agencies in reviewing this application? If so, explain below or attach on a separate page.

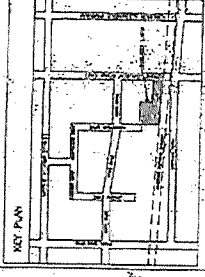
12 SKETCH (Use the attached Sketch Sheet as a guide)

12.1 The application shall be accompanied by a sketch showing the following in metric units:

- (a) the boundaries and dimensions of any land abutting the subject land that is owned by the owner of the subject land;
- (b) the approximate distance between the subject land and the nearest township lot line or landmark such as a bridge or railway crossing;
- (c) the boundaries and dimensions of the subject land, the part that is intended to be severed and the part that is intended to be retained;
- (d) the location of all land previously severed from the parcel originally acquired by the current owner of the subject land;
- (e) the approximate location of all natural and artificial features (for example, buildings, barns, railways, roads, watercourses, drainage ditches, banks of rivers or streams, wetlands, wooded areas, wells and septic tanks) that,
 - i) are located on the subject land and on land that is adjacent to it, and
 - ii) in the applicant's opinion, may affect the application;
- (f) the current uses of land that is adjacent to the subject land (for example, residential, agricultural or commercial);
- (g) the location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private

DETAILS OF DEVELOPMENT

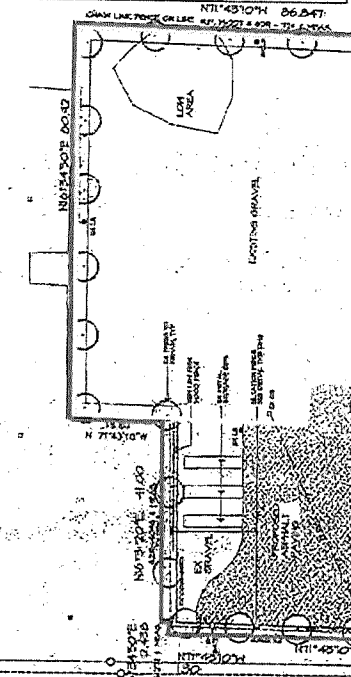
See site plan for details of proposed development. The site plan shows the location of the proposed development and the existing buildings and structures on the site. The site plan also shows the location of the proposed parking area and the proposed access road. The site plan is subject to the approval of the relevant authorities.



- LEGEND**
- PROPOSED 2 STOREY APARTMENT
 - EXISTING BUILDINGS
 - NEW ASPHALT PAVING
 - EXISTING TREES TO REMAIN
 - EXISTING LANDSCAPING
 - TO REMAIN
 - NEAR MAN DOOR
 - EX GRAVE

SECTION

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| | |
|-------|-----------------------------|
| NO. 1 | PROPOSED 2 STOREY APARTMENT |
| NO. 2 | EXISTING BUILDINGS |
| NO. 3 | NEW ASPHALT PAVING |
| NO. 4 | EXISTING TREES TO REMAIN |
| NO. 5 | EXISTING LANDSCAPING |
| NO. 6 | TO REMAIN |
| NO. 7 | NEAR MAN DOOR |
| NO. 8 | EX GRAVE |

STONE CHURCH ROAD EAST

RAILWAY

NATIONAL

CANADIAN

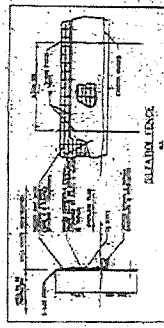
HEMPSTEAD DRIVE BLOCK E

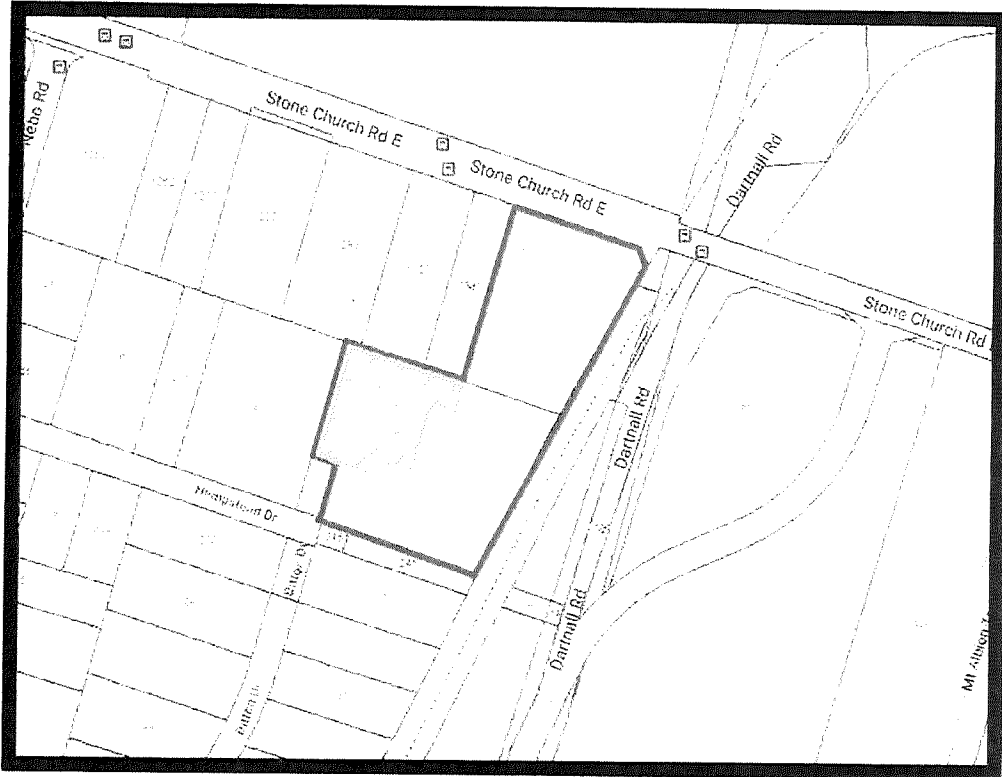
GEOMETRIC DESIGN

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SITE PLAN NOTES

1. The site plan shows the location of the proposed development and the existing buildings and structures on the site. The site plan also shows the location of the proposed parking area and the proposed access road. The site plan is subject to the approval of the relevant authorities.





Geo-Warehouse



Aerial View