



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: cofa@hamilton.ca

NOTICE OF PUBLIC HEARING

Application for Consent/Land Severance

APPLICATION NUMBER: AN/B-20:76

SUBJECT PROPERTY: 205 Sunnyridge Rd., Ancaster

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): Agent Christian Zenteno
Owner Herb Mullings

PURPOSE OF APPLICATION: To permit the conveyance of a vacant parcel of land for residential purposes and to retain a parcel of land containing an existing single detached dwelling (dwelling to remain).

Severed lands:
30m[±] x 213.5m[±] and an area of 0.79 ha[±]

Retained lands:
30.9m[±] x 144.1m[±] and an area of 0.4 ha[±]

The Committee of Adjustment will hear this application on:

DATE: Thursday, December 3rd, 2020
TIME: 2:05 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

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: November 17th, 2020

Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

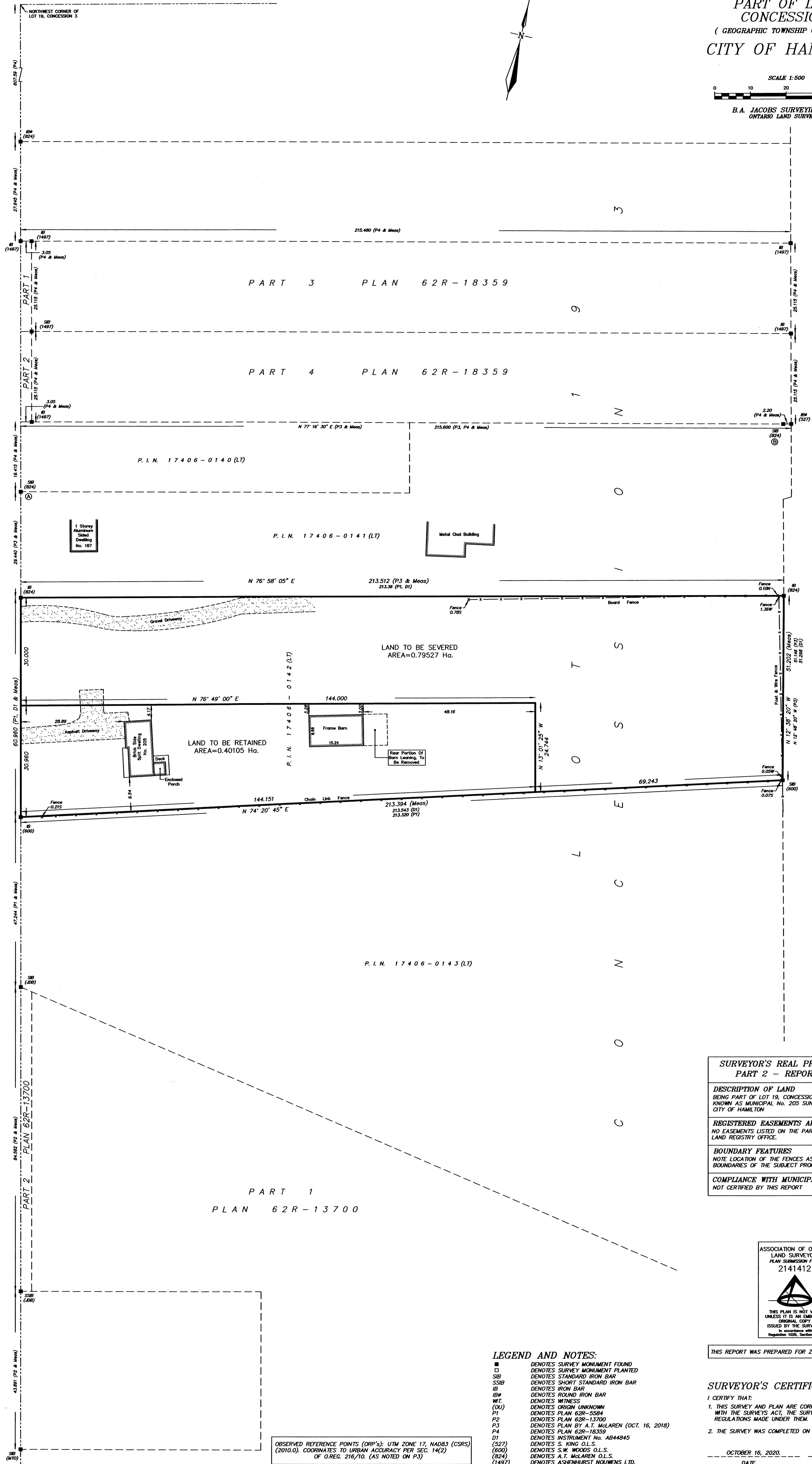
Information respecting this application is being collected under the authority of the Planning Act, R.S.O., 1990, c. P. 13. All comments and opinions submitted to the City of Hamilton on this matter, including the name, address, and contact information of persons submitting comments and/or opinions, will become part of the public record and will be made available to the Applicant and the general public.

SURVEYOR'S REAL PROPERTY REPORT - PART 1
 PLAN OF
 PART OF LOT 19
 CONCESSION 3
 (GEOGRAPHIC TOWNSHIP OF ANCASTER)
 CITY OF HAMILTON

SCALE 1:500
 0 10 20 30 40 METRES

B.A. JACOBS SURVEYING LTD.
 ONTARIO LAND SURVEYOR

SUNNYRIDGE ROAD
 (ROAD ALLOWANCE BETWEEN LOTS 18 AND 19, P.I.N. 17406-0183 (LT))



PART 1 PLAN 62R-20137
 P.I.N. 17406-01333 (LT)

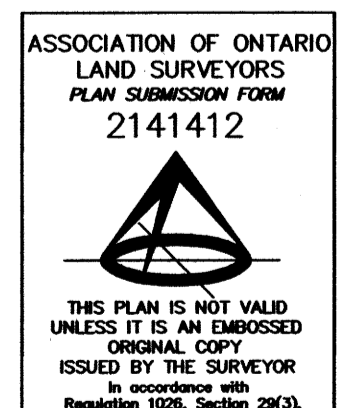
**SURVEYOR'S REAL PROPERTY REPORT
 PART 2 - REPORT SUMMARY**

DESCRIPTION OF LAND
 BEING PART OF LOT 19, CONCESSION 3, TOWNSHIP OF ANCASTER
 KNOWN AS MUNICIPAL No. 205 SUNNYRIDGE ROAD, (ANCASTER)
 CITY OF HAMILTON

REGISTERED EASEMENTS AND/OR RIGHTS OF WAY
 NO EASEMENTS LISTED ON THE PARCEL REGISTER FOUND IN THE
 LAND REGISTRY OFFICE.

BOUNDARY FEATURES
 NOTE LOCATION OF THE FENCES AS THEY RELATE TO THE
 BOUNDARIES OF THE SUBJECT PROPERTY.

COMPLIANCE WITH MUNICIPAL ZONING BY-LAWS
 NOT CERTIFIED BY THIS REPORT



THIS REPORT WAS PREPARED FOR ZENNO DESIGN & BUILD

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:
 1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE
 WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE
 REGULATIONS MADE UNDER THEM.
 2. THE SURVEY WAS COMPLETED ON OCTOBER 5, 2020.

OCTOBER 16, 2020
 DATE
 BRYAN JACOBS
 ONTARIO LAND SURVEYOR

- LEGEND AND NOTES:**
- DENOTES SURVEY MONUMENT FOUND
 - DENOTES SURVEY MONUMENT PLANTED
 - SB DENOTES STANDARD IRON BAR
 - SSIB DENOTES SHORT STANDARD IRON BAR
 - IB DENOTES IRON BAR
 - IB# DENOTES ROUND IRON BAR
 - WT DENOTES WITNESS
 - (OU) DENOTES ORIGIN UNKNOWN
 - P1 DENOTES PLAN 62R-5584
 - P2 DENOTES PLAN 62R-13700
 - P3 DENOTES PLAN BY A.T. McLAREN (OCT. 16, 2018)
 - P4 DENOTES PLAN 62R-18359
 - D1 DENOTES INSTRUMENT No. AB44845
 - (527) DENOTES S. KING O.L.S.
 - (600) DENOTES S.W. WOODS O.L.S.
 - (824) DENOTES A.T. McLAREN O.L.S.
 - (1497) DENOTES ASHENHURST MONUMENTS LTD.
 - (J06) DENOTES J.D. BARNES LTD.
 - (MTO) DENOTES MINISTRY OF TRANSPORTATION, ONTARIO

OBSERVED REFERENCE POINTS (ORP's): UTM ZONE 17, NAD83 (CSRS)
 (2010.0), COORDINATES TO URBAN ACCURACY PER SEC. 14(2)
 OF O.REG. 216/10, (AS NOTED ON P.3)

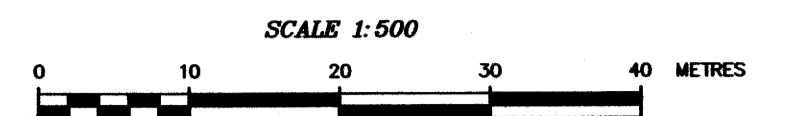
POINT ID	NORTHING	EASTING
A	4782706.834	572699.105
B	4782772.710	572902.795

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

DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN
 METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.
 BEARINGS ARE UTM GRID, DERIVED FROM OBSERVED REFERENCE
 POINTS A AND B, BY REAL TIME NETWORK OBSERVATIONS, UTM
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B.A. JACOBS SURVEYING LTD.
 152 JACKSON STREET EAST, SUITE 102
 HAMILTON, ONTARIO (L3N 1J3)
 PHONE 905-521-1535 ba.jacobs@rogers.com

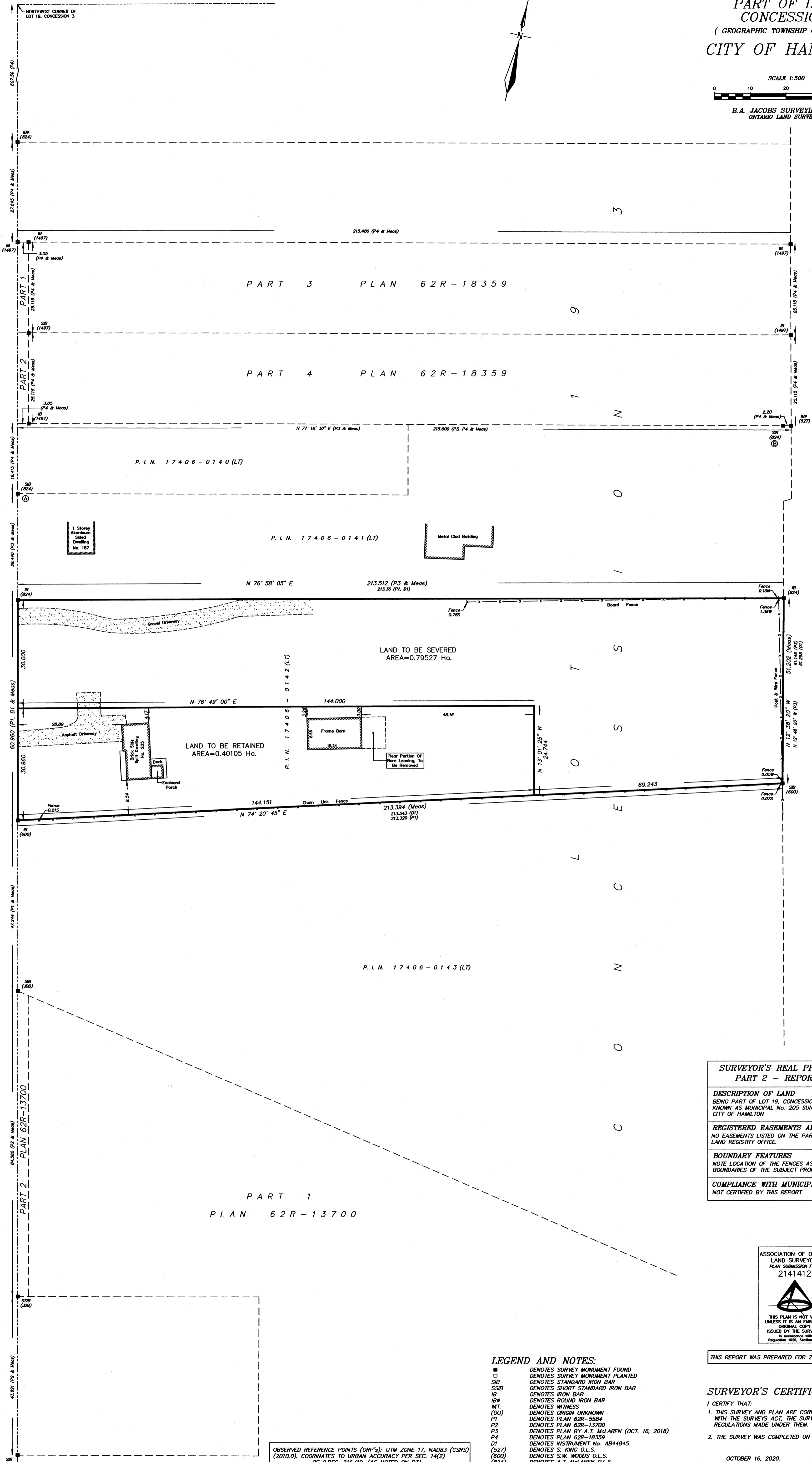
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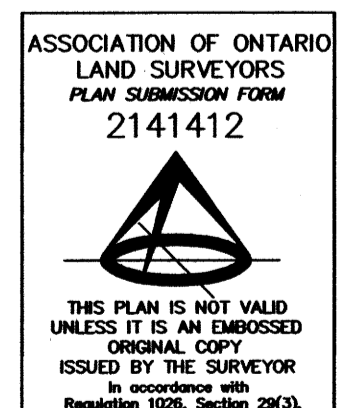


SUNNYRIDGE ROAD
 (ROAD ALLOWANCE BETWEEN LOTS 18 AND 19, P.I.N. 17406-0183 (LT))



PART 1 PLAN 62R-20137
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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.:
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1 APPLICANT INFORMATION

1.1, 1.2	NAME	ADDRESS	PHONE/FAX
Registered Owners(s)	Herb Mullings	[REDACTED]	Business () Fax: () E-mail:
Applicant(s)*	Christian Zenteno	[REDACTED]	Business [REDACTED] 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 HAMILTON	Lot 19	Concession 3	Former Township ANCASTER
Registered Plan N°.	Lot(s)	Reference Plan N°.	Part(s)
Municipal Address 205 Sunnyridge Rd			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:

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

4 DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

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

Frontage (m)	Depth (m)	Area (m ² or ha)
30m	213.512m	0.79527ha

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: vacant

Proposed: Single family two storey

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) _____

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

Frontage (m)	Depth (m)	Area (m ² or ha)
30.960m	144.151m	0.40105ha

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

Building(s) or Structure(s):

Existing: Single family home

Proposed: Single family home

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): Bylaw 15-173

Urban Hamilton Official Plan designation (if applicable) _____

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

Permitted Single family Residential

Complies with minimum setbacks, heights, capacity, parking

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? Settlement Residential S1

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 _____
- 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?

 Previous 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)

Yes, in reference to PPS section 1.4, "Housing," this plan meets the requirements for residential housing and conforms to and implements the (official plan) intensification goals adopted in conformity with the PPS by adding range of housing forms in an area designated for intensification. It is in keeping with the development in the area.

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

This plan contributes to the province's and the city's residential intensification goals, adds to the existing range of built forms (detached homes), and enriches the surrounding residential neighbourhood. It also serves to maintain and support existing character and the proposed character of the surrounding area.

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.

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?

3 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) s1

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) 30m	Area (m ² or ha): (from in Section 4.1) 0.79527ha
---	---

Existing Land Use: Single family Proposed Land Use: single family

b) Lands to be Retained:

Frontage (m): (from Section 4.2) 30.96	Area (m ² or ha): (from Section 4.2) 0.40105ha
---	--

Existing Land Use: single family Proposed Land Use: single family

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)
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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