



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: HM/B-21:27

SUBJECT PROPERTY: 75 Burlington St., 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): A.J. Lakatos Planning on behalf of the owners L.J. Ulbanis & P.S. Ulbanis

PURPOSE OF APPLICATION: To permit the conveyance of a new residential lot and to retain a residential lot (existing single family dwelling to be demolished).

Severed lands:

9.1m[±] x 36.72m[±] and an area of 335m^{2±}

Retained lands:

9.1m[±] x 36.72m[±] and an area of 335m^{2±}

The Committee of Adjustment will hear this application on:

DATE: Thursday, May 6th , 2021

TIME: 4:15 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.

MORE INFORMATION

For more information on this matter, 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: April 20th, 2021

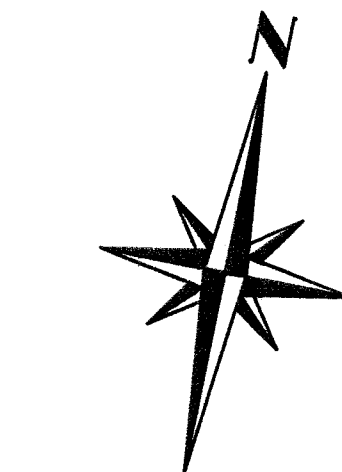
Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

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.

PLAN OF SURVEY OF
**PART OF LOT 13
PART OF BLOCK 14
REGISTERED PLAN 127**
IN THE
CITY OF HAMILTON

SCALE 1:200
0 4 8 12 metres

L.G. WOODS SURVEYING INC.
2021



BAY STREET

McAULAY STREET

LOT 11

LOT 10

LOT 8

LOT 9

20.117 (P1 & SET)

20.117 (P1 & MEAS)

20.117 (P1 & SET)

PART 1
PLAN 62R- 6201
N 76° 41' 40" E

BURLINGTON STREET

(BY REGISTERED PLAN No. 127)
P.I.N. 17154-0191 (LT)

N 76° 41' 40" E REFERENCE BEARING

REGISTERED
PLAN
127

BLOCK
14

REGISTERED
PLAN
127

LOT
13

LOT 14

I REQUIRE THIS PLAN TO
BE DEPOSITED UNDER THE
LAND TITLES ACT.

DATE: FEB 24, 2021

E.G. SALZER O.L.S.

PLAN 62R-21624
RECEIVED AND DEPOSITED
DATE: February 25, 2021
"Eric Noble"
REPRESENTATIVE FOR
LAND REGISTRAR FOR THE LAND
TITLES DIVISION OF WENTWORTH (62)

SCHEDULE

PART	LOT	BLOCK	PLAN	P.I.N.	AREA
1	PART OF LOT 13	PART OF BLOCK 14	REGISTERED PLAN 127	PART OF 17154-0124 (LT)	135.06 SQ.M.
2					135.20 SQ .M.

PARTS 1 AND 2 COMPRISE PART OF PIN 17154-0124 (LT)

ORP'S DERIVED FROM GPS OBSERVATIONS USING THE SOKIA POWERNET NETWORK UTM ZONE 17, CENTRAL MERIDIAN 81° 00' W LONGITUDE, NAD83 (CSRS) COORDINATES ARE TO URBAN ACCURACY AS PER O. REG. 218/10 SEC 14.2 (0.050 M.)		
POINT ID	NORTHING	EASTING
ORP 1	4 791 660.168	592 049.389
ORP 2	4 791 673.227	592 104.668

DISTANCES SHOWN ON THIS PLAN ARE GROUND DISTANCES AND CAN BE CONVERTED TO GRID
DISTANCES BY USING A SCALE FACTOR OF 0.99984

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

LEGEND:

- DENOTES PLANTED MONUMENT
- DENOTES FOUND MONUMENT
- C.C. DENOTES CUT CROSS
- IB DENOTES IRON BAR
- SIB DENOTES STANDARD IRON BAR
- O/U DENOTES ORIGIN UNKNOWN
- P1 DENOTES REGISTERED PLAN 127
- P2 DENOTES PLAN BY S.W. WOODS OLS (1982)
- P3 DENOTES PLAN BY L.G. WOODS SURVEYING INC (2016)
- P4 DENOTES PLAN BY S.W. WOODS SURVEYING INC (1975)
- P5 DENOTES PLAN 62R-21614
- 600 DENOTES SIDNEY W. WOODS OLS
- 1135 DENOTES L.G. WOODS SURVEYING INC.
- O/U DENOTES ORIGIN UNKNOWN
- 655 DENOTES J.T. PETERS OLS
- CITY DENOTES CITY OF HAMILTON
- 1894 DENOTES E.G. SALZER OLS

BEARINGS ARE GRID BEARINGS AND ARE DERIVED
FROM GPS OBSERVATIONS AND ARE REFERRED TO THE UTM
PROJECTION, ZONE 17 NORTH, NAD-83, CSRS-2010

BEARING COMPARISONS:

FOR THE PURPOSE OF BEARING COMPARISONS
PREVIOUS SURVEYS HAVE BEEN ROTATED TO UTM GRID
ROTATION OF - 01° 31' 20" BASED ON MEASUREMENTS
BETWEEN ORP1 AND ORP2 AS SHOWN ON P1

METRIC NOTE:

DISTANCES AND COORDINATES SHOWN ON THIS PLAN
ARE IN METRIC CAN BE CONVERTED TO FEET
BY DIVIDING BY 0.3048.

I CERTIFY THAT:
1. THIS SURVEY AND PLAN ARE CORRECT AND IN
ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS
ACT, THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
2. THE SURVEY WAS COMPLETED ON JANUARY 30, 2021.

FEB 24, 2021
DATE

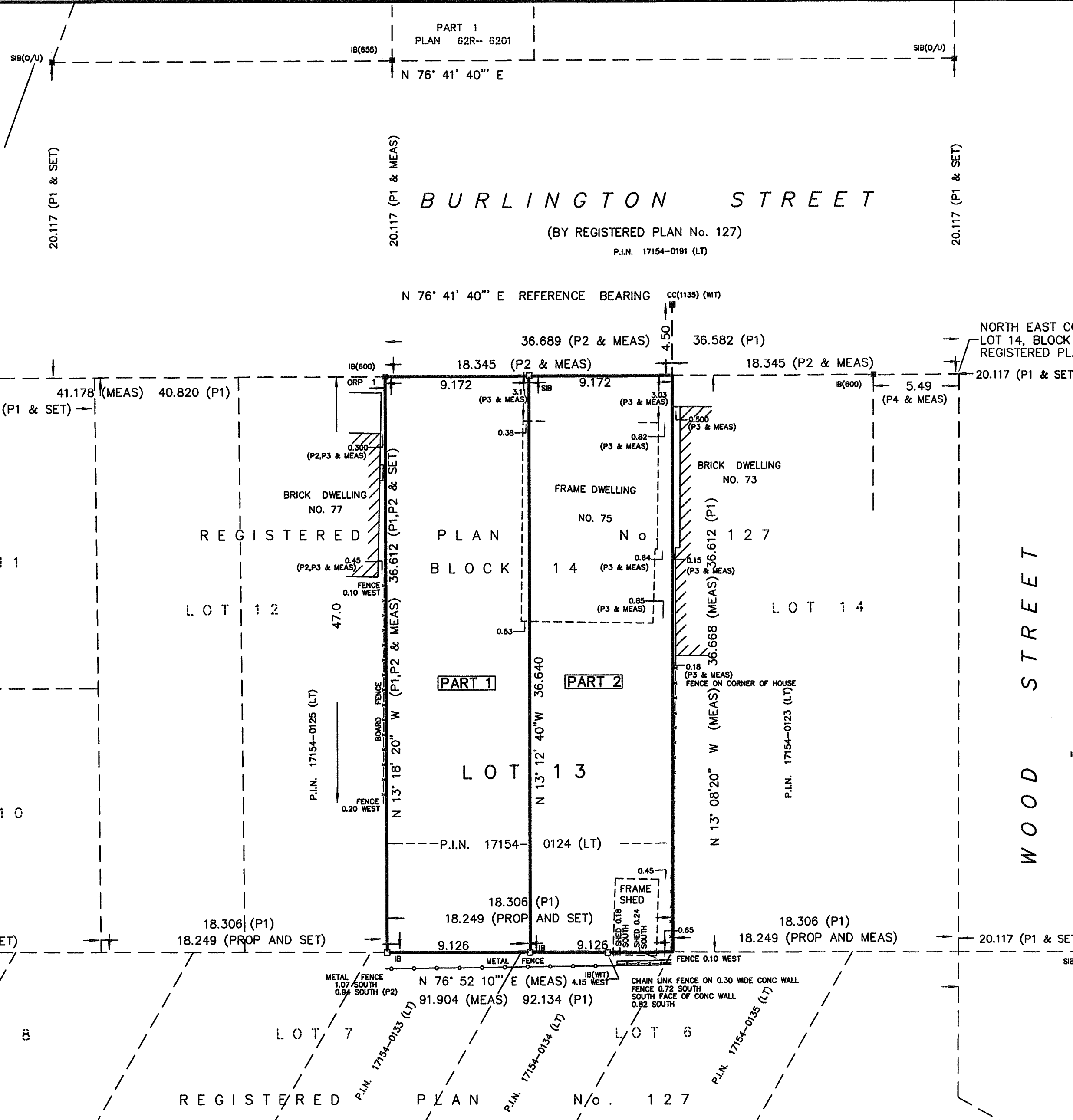
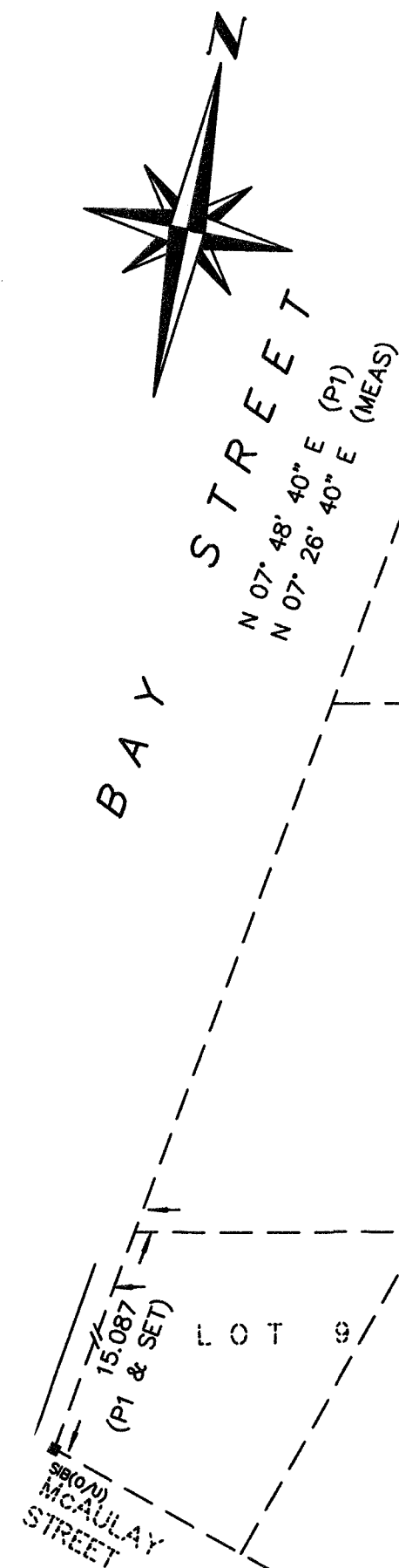
E.G. SALZER, O.L.S., O.L.I.P.

L.G. WOODS SURVEYING INC.
PROFESSIONAL LAND SURVEYORS
334 HATT STREET - DUNDAS DISTRICT
CITY OF HAMILTON, L9H 2H9
TEL (905) 627-0978 - FAX (905) 627-2818

PLAN OF SURVEY OF
LOT 13 BLOCK 14
REGISTERED PLAN 127
IN THE
CITY OF HAMILTON

SCALE 1:200
0 4 8 12 metres

L.G. WOODS SURVEYING INC.
2021



I REQUIRE THIS PLAN TO
BE DEPOSITED UNDER THE
LAND TITLES ACT.
DATE: FEB 2, 2021
E.G. SALZER O.L.S.
PLAN 62R- 21614
RECEIVED AND DEPOSITED
DATE: FEB 02, 2021
C. Adair
REPRESENTATIVE FOR
LAND REGISTRAR FOR THE LAND
TITLES DIVISION OF WENTWORTH (62)

SCHEDULE				
PART	LOT	CON/PLAN	P.I.N.	AREA
1	LOT 13	REGISTERED PLAN 127	ALL OF 17154-0124 (LT)	335.09 SQ.M.
2				335.61 SQ.M.

PARTS 1 AND 2 COMPRISE ALL OF PIN- 17154-0124 (LT)

ORP# DERIVED FROM GPS. OBSERVATIONS USING THE SOKIA POWERNET NETWORK UTM ZONE 17, CENTRAL MERIDIAN 81° 00' W LONGITUDE, NAD83 (CSRS) COORDINATES ARE TO URBAN ACCURACY AS PER O. REG. 216/10 SEC 14.2 (0.050 M.)		
POINT ID	NORTHING	EASTING
ORP 1	4 791 660.168	592 049.389
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DISTANCES BY USING A SCALE FACTOR OF 0.99984

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- DENOTES PLANTED MONUMENT
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- C.C. DENOTES CUT CROSS
- IB DENOTES IRON BAR
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PROJECTION, ZONE 17 NORTH, NAD-83, CSRS-2010

BEARING COMPARISONS:
FOR THE PURPOSE OF BEARING COMPARISONS
PREVIOUS SURVEYS HAVE BEEN ROTATED TO UTM GRID
ROTATION OF - 01° 31' 20" BASED ON MEASUREMENTS
BETWEEN ORP1 AND ORP2 AS SHOWN ON P1

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

I CERTIFY THAT:
1. THIS SURVEY AND PLAN ARE CORRECT AND IN
ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS
ACT, THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
2. THE SURVEY WAS COMPLETED ON JANUARY 17, 2021

FEB 2, 2021
DATE
E.G. SALZER, O.L.S., O.L.I.P.
L.G. WOODS SURVEYING INC.
PROFESSIONAL LAND SURVEYORS
334 HATT STREET - DUNDAS DISTRICT
CITY OF HAMILTON, L9H 2H9
TEL (905) 627-0978 - FAX (905) 627-2818



Hamilton

Committee of Adjustment

City Hall, 5th Floor,

71 Main St. W.,

Hamilton, ON L8P4Y5

Phone: (905) 546-2424 ext. 4221

Email: cofa@hamilton.ca

**APPLICATION FOR CONSENT TO SEVER LAND
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	
Registered Owners(s)	Louis John Ulbanis		Phone:
	Penelope Susan Ulbanis		E-mail:
Applicant(s)*	Louis John Ulbanis		Phone:
			E-mail:
Agent or Solicitor	A.J. Lakatos Planning Consultants c/o Joe Lakatos		

* 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 City of Hamilton	Lot Lot 13, Block 14	Concession	Former Township Hamilton
Registered Plan N°. 127	Lot(s)	Reference Plan N°.	Part(s)
Municipal Address 75 Burlington Street West			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

Other: ☐ a charge

- ☐ addition to a lot
☐ an easement

- ☐ 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:

Unknown

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) 9.1 m	Depth (m) 36.717 m	Area (m ² or ha) 355 sq. m
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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: Single detached dwelling

Proposed: Two (2), semi-detached dwellings. One being the principal dwelling and the other being a rental, secondary dwelling unit.

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) 9.1 m	Depth (m) 36.717 m	Area (m ² or ha) 335 sq. m
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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 detached dwelling.

Proposed: Two (2), semi-detached dwellings. One being the principal dwelling and the other being a rental, secondary dwelling unit.

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) N/A - Designated Low Density Residential under former City of Hamilton Official Plan, Setting Sail (West Harbour) Secondary Plan

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

Proposal provides for a density of 57.1 units per hectare in a semi-detached built form. The proposal will provide for a mix of tenure with the required number of on-site parking spaces. The built form and site design, including lot width and size, is compatible with the existing streetscape and overall neighbourhood.

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? "D" (One and Two Family Dwellings, etc.), Hamilton Zoning By-law No. 6593 varied through HM/A-19:311, final and binding as of October 24, 2019

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?
 Land use history & FC Document
- 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

Provide appropriate residential intensification.

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

Provides appropriate residential intensification.

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

Provides appropriate residential intensification in proximity to a Transit Station and will provide a mix of tenure.

- 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.

HM/B-19:90, approved October 24, 2019 and extended until February 5th, 2021. Approval lapsed.

- 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?

September 2015

- 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 HM/A-19:311

Status Final & Binding as of October 24, 2019

10 RURAL APPLICATIONS

10.1 Rural Hamilton Official Plan Designation(s)

- | | | |
|--|-------------------------------------|---|
| <input type="checkbox"/> Agricultural | <input type="checkbox"/> Rural | <input type="checkbox"/> Specialty Crop |
| <input type="checkbox"/> Mineral Aggregate Resource Extraction | <input type="checkbox"/> Open Space | <input type="checkbox"/> Utilities |
| <input type="checkbox"/> 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)

- | | | |
|---|---|-------------------------|
| <input type="checkbox"/> Agricultural Severance or Lot Addition | } | (Complete Section 10.3) |
| <input type="checkbox"/> Agricultural Related Severance or Lot Addition | | |
| <input type="checkbox"/> Rural Resource-based Commercial Severance or Lot Addition | | |
| <input type="checkbox"/> Rural Institutional Severance or Lot Addition | | |
| <input type="checkbox"/> Rural Settlement Area Severance or Lot Addition | | |
| <input type="checkbox"/> Surplus Farm Dwelling Severance from an Abutting Farm Consolidation | | (Complete Section 10.4) |
| <input type="checkbox"/> 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)
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Existing Land Use: _____ Proposed Land Use: _____