



Hamilton

## COMMITTEE OF ADJUSTMENT

City Hall, 5<sup>th</sup> 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](mailto:cofa@hamilton.ca)

# **NOTICE OF PUBLIC HEARING**

## **Application for Consent/Land Severance**

**APPLICATION NUMBER:** HM/B-21:63

**SUBJECT PROPERTY:** 43-51 King St. E., Hamilton

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**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 Urban Solutions  
Owner King William Residences Inc.

**PURPOSE OF APPLICATION:** To permit the establishment of an easement in favour of property known as 23-25 John St. N.

**Easement Lands: (Part 4)**  
8.74m<sup>±</sup> x 24.5m<sup>±</sup> and an area of 211.0m<sup>2±</sup>

**Retained lands: Irregular parcel**  
Frontage 86.6m<sup>±</sup> and an area of 4,411.6m<sup>2±</sup>

The Committee of Adjustment will hear this application on:

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**DATE:** Thursday, August 12th , 2021  
**TIME:** 2:45 p.m.  
**PLACE:** Via video link or call in (see attached sheet for details)

To be streamed at  
[www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)  
for viewing purposes only

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### **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](http://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](mailto:cofa@hamilton.ca)

DATED: July 27th, 2021

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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.***

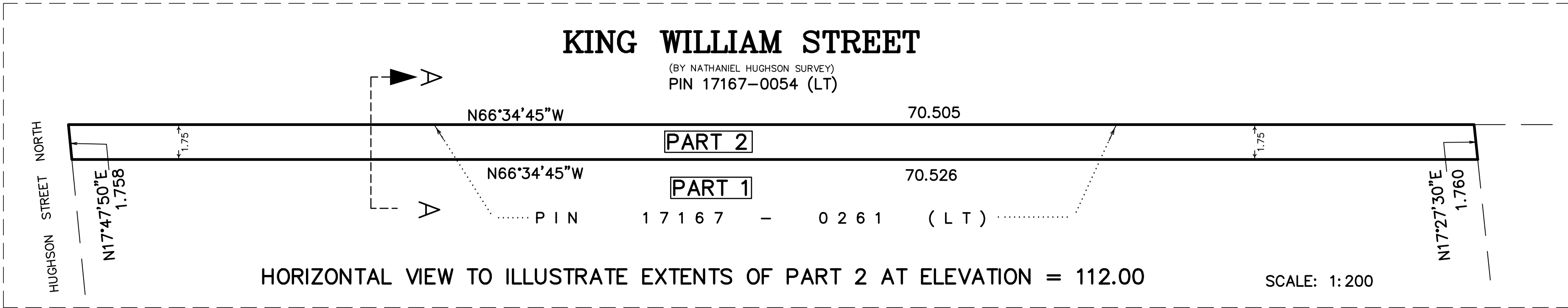
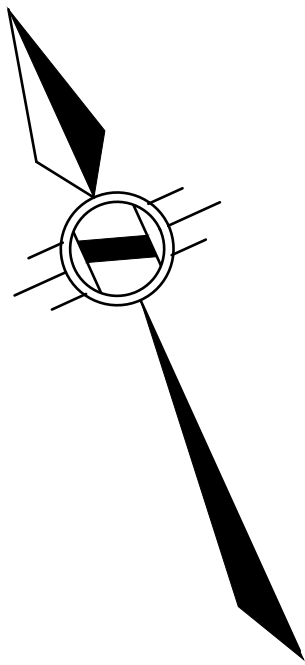
STRATA PLAN OF SURVEY  
OF  
LOT 5  
AND PART OF  
LOT 6  
NORTH SIDE OF KING STREET BETWEEN  
HUGHSON AND JOHN STREET  
AND  
LOT 28  
AND PART OF  
LOTS 26 & 27  
SOUTH SIDE OF KING WILLIAM STREET BETWEEN  
HUGHSON STREET AND JOHN STREET  
AND PART OF  
ALLEYWAY  
BETWEEN HUGHSON STREET, KING WILLIAM STREET, JOHN STREET & KING STREET  
(CLOSED BY BL1159) (CLOSED BY BY-LAW 18-340, AS IN INST. WE1359390)

NATHANIEL HUGHSON SURVEY (UNREGISTERED)

IN THE  
CITY OF HAMILTON

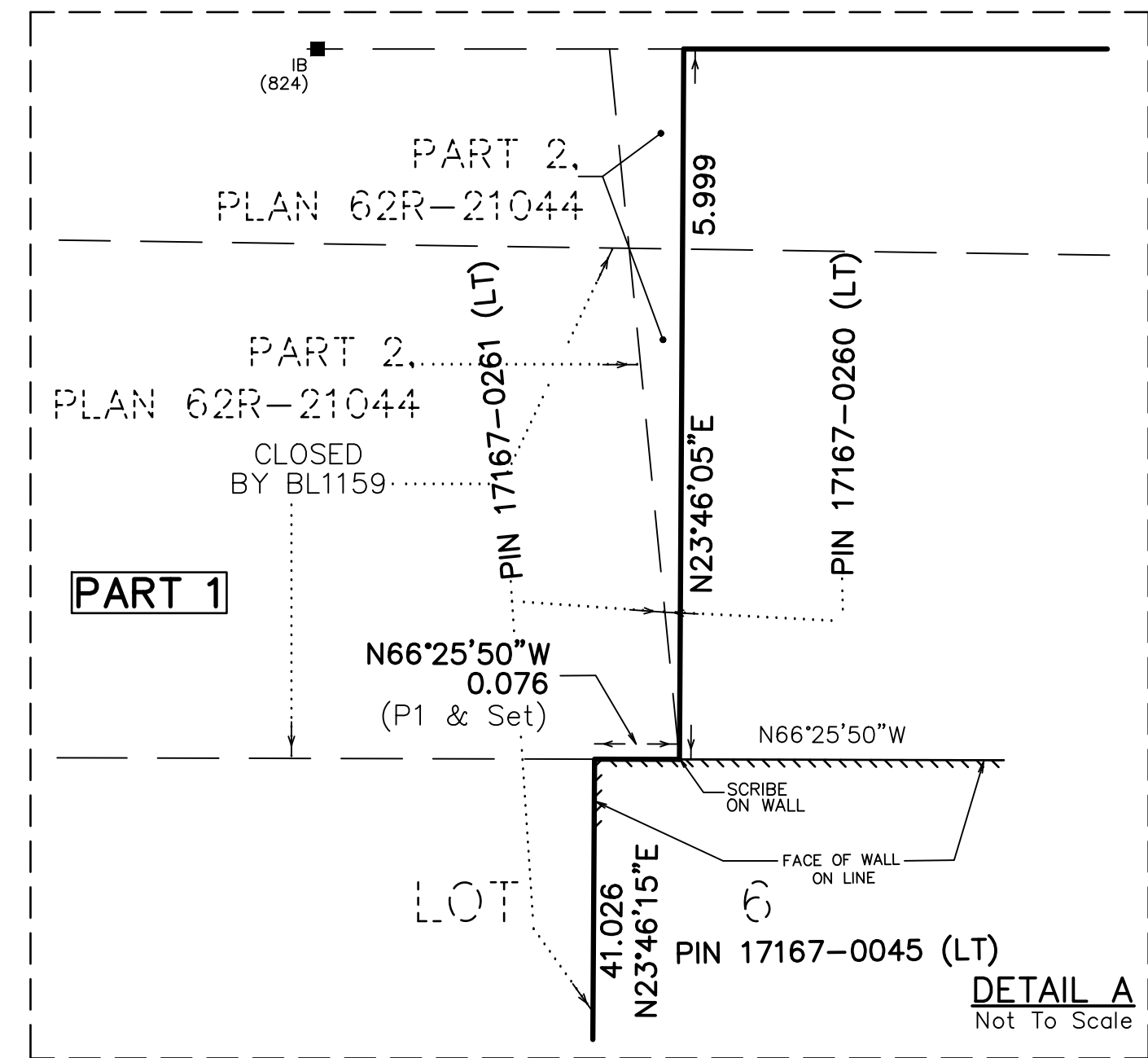
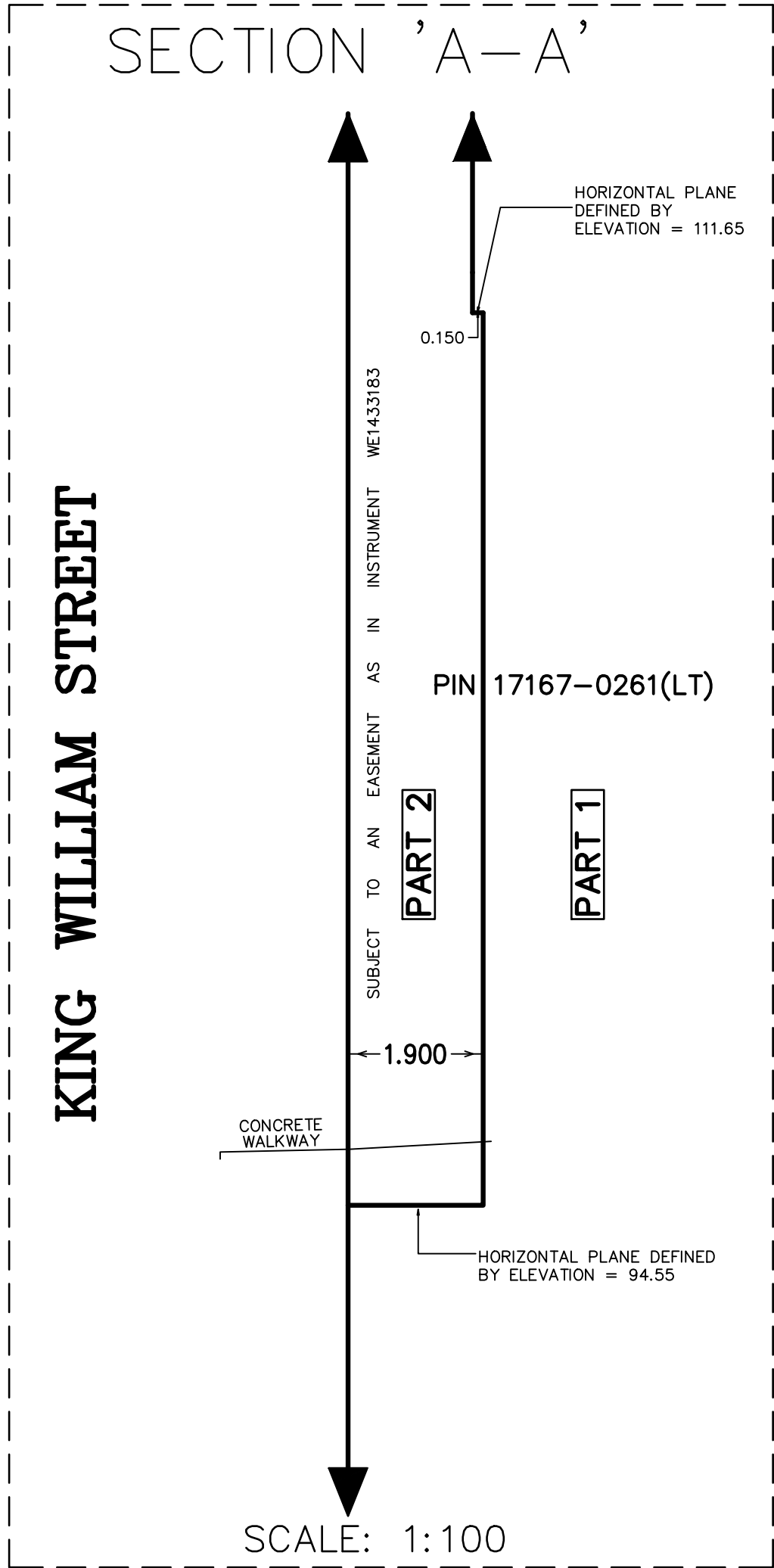
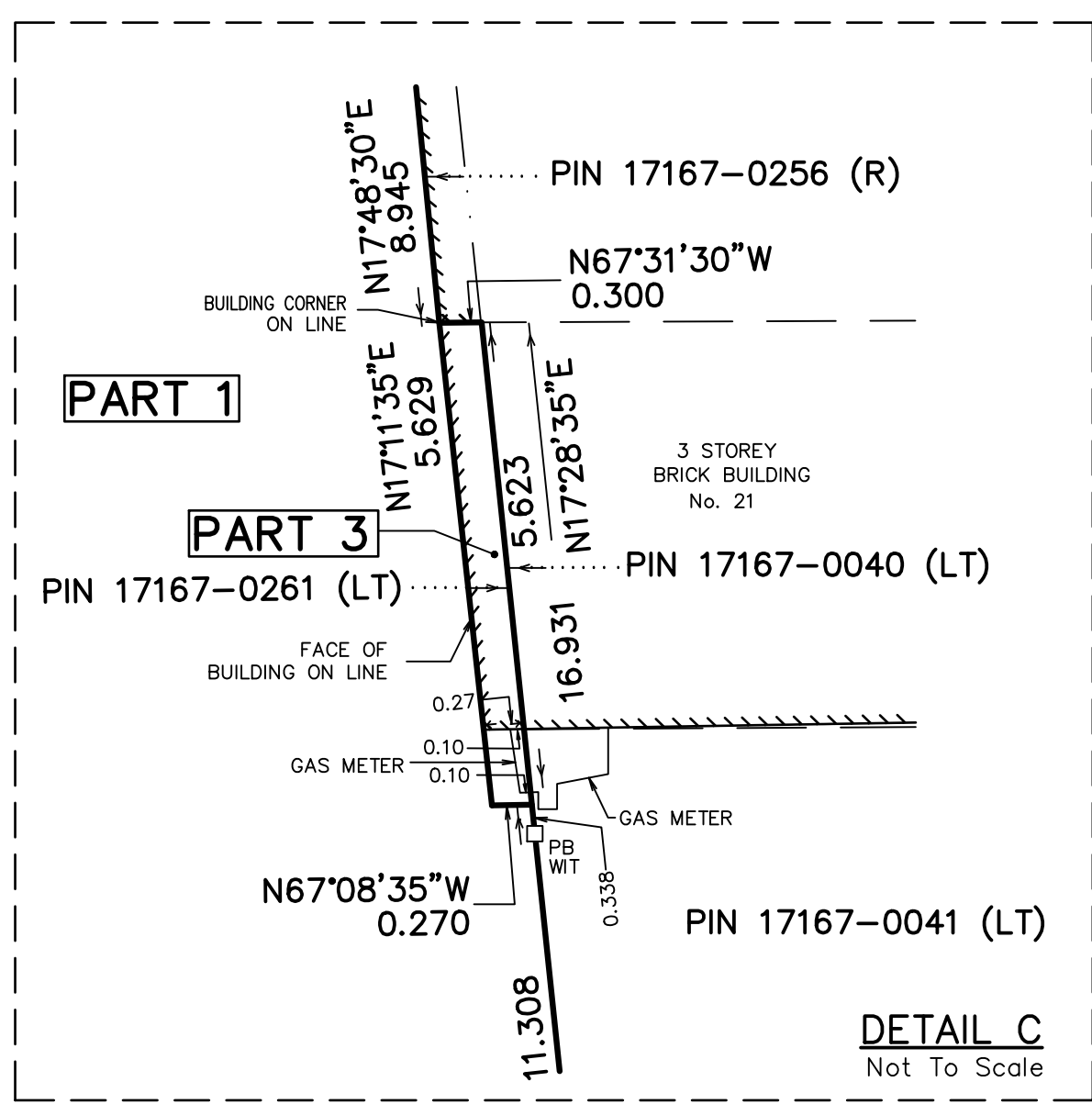
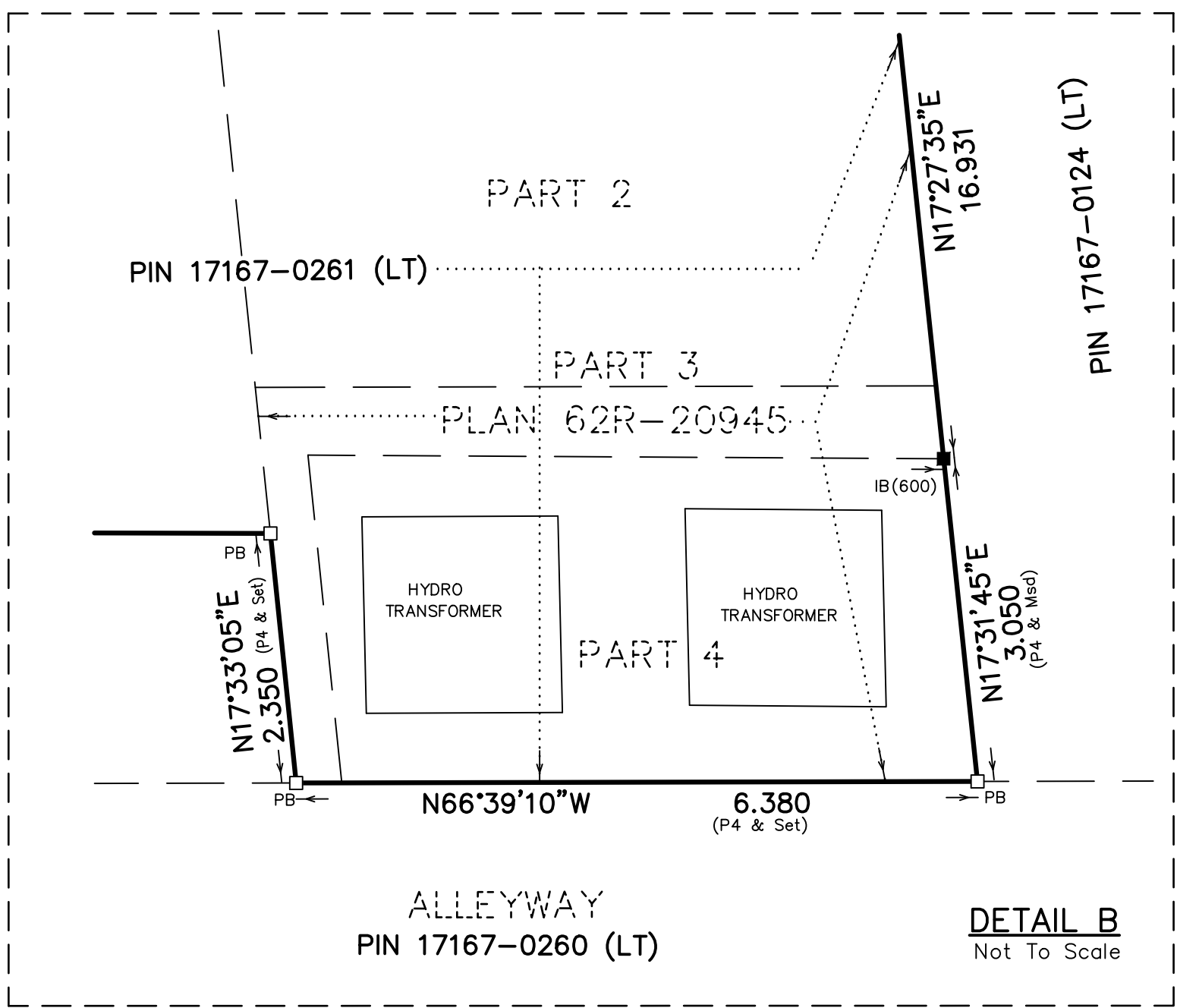
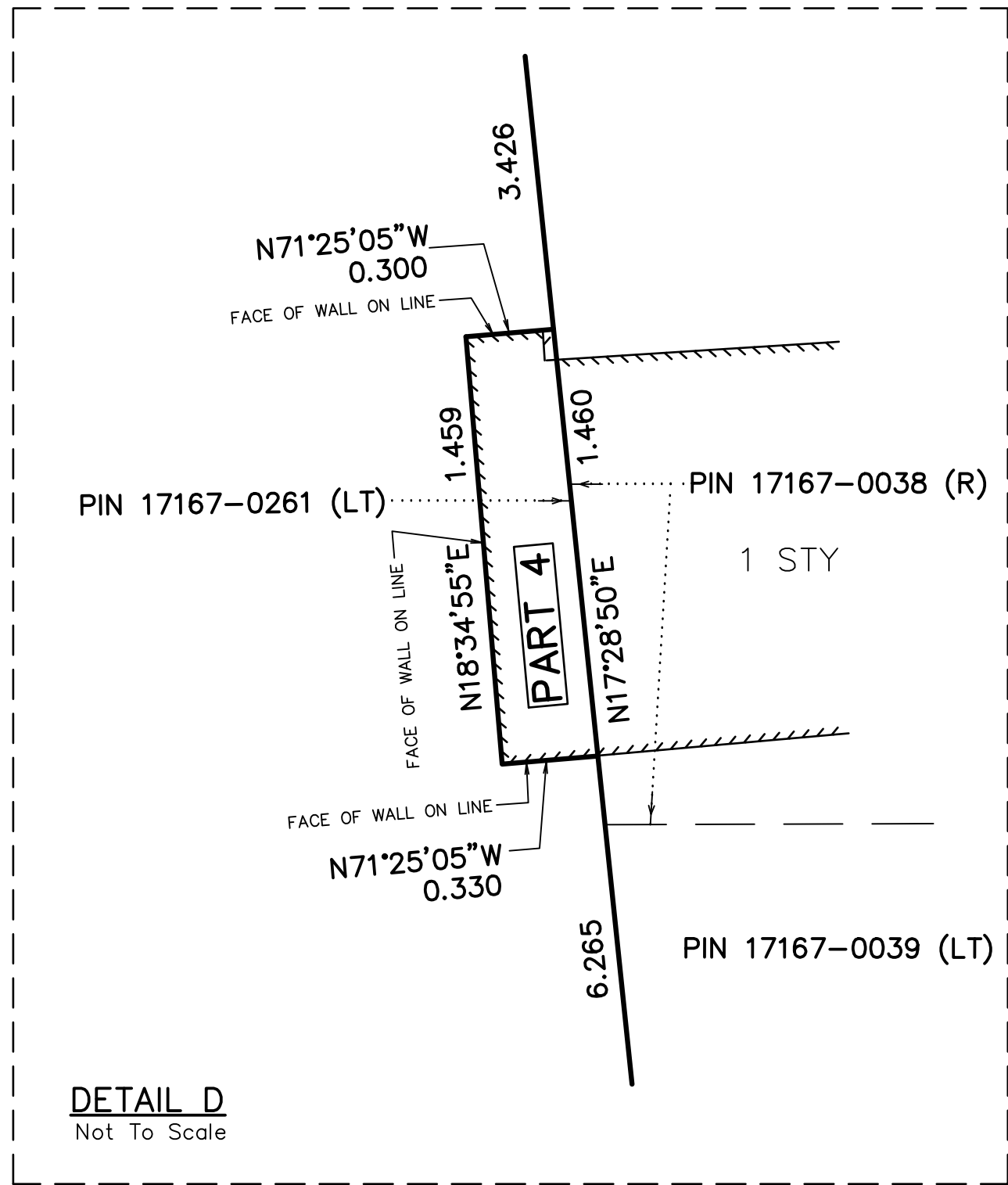
SCALE 1:200 METRIC

S.D. McLAREN, O.L.S. - 2020



SCHEDULE				PLAN 62 R- RECEIVED AND DEPOSITED Date
PART	LOTS	PLAN	P.I.N.	
1	ALL OF LOT 5 AND PART OF LOT 6 NORTH SIDE OF KING STREET BETWEEN HUGHSON STREET AND JOHN STREET AND PART OF LOT LOTS 26, 27 & 28 SOUTH SIDE OF KING WILLIAM STREET BETWEEN HUGHSON STREET AND JOHN STREET AND PART OF ALLEYWAY BETWEEN HUGHSON STREET, KING WILLIAM STREET, JOHN STREET & KING STREET (CLOSED BY BL1159) (CLOSED BY BY-LAW 18-340, AS IN INST. WE1359390)	NATHANIEL HUGHSON SURVEY (UNREGISTERED)	ALL OF P.I.N. 17167 - 0261 (LT)	REPRESENTATIVE FOR LAND REGISTRAR FOR THE LAND TITLES DIVISION OF WENTWORTH (No. 62)  I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT. Date AUGUST 19, 2020  S. DAN McLAREN, O.L.S.
2	PART OF LOT LOTS 26, 27 & 28 SOUTH SIDE OF KING WILLIAM STREET BETWEEN HUGHSON STREET AND JOHN STREET			
3	PART OF LOT LOT 26 SOUTH SIDE OF KING WILLIAM STREET BETWEEN HUGHSON STREET AND JOHN STREET			
4				

PART 2 IS SUBJECT TO AN EASEMENT AS IN INSTRUMENT WE1433183  
PARTS 1, 2, 3, AND 4 ARE SUBJECT TO AN EASEMENT AS IN INSTRUMENT WE1381577



#### LEGEND:

- DENOTES MONUMENT SET
- MONUMENT FOUND
- IRON BAR
- CUT CROSS
- STANDARD IRON BAR
- SHORT STANDARD IRON BAR
- A.T. McLAREN, O.L.S.
- J.D. BARNES LIMITED
- A.L. CLARKE, O.L.S.
- WITNESS
- MEASURED
- PLAN 62R-13039
- PLAN 62R-21021
- PLAN 62R-21044
- PLAN 62R-20945
- PLAN 62R-21365
- PLASTIC BAR
- CONCRETE PIN

#### BEARING NOTE:

BEARINGS ARE UTM GRID, DERIVED FROM OBSERVED REFERENCE POINTS A AND B, BY REAL TIME NETWORK OBSERVATIONS, UTM ZONE 17, NAD83 (CSRS) (2010.0)

#### NOTE:

DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID DISTANCES BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.999954422

#### INTEGRATION DATA

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	
POINT ID	NORTHING	EASTING	
ORP @	4789994.762	581925.500	
ORP @	4789992.348	581923.198	
COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.			

#### SURVEYOR'S CERTIFICATE

- I, THE SURVEYOR, CERTIFY THAT THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEY ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
- THE SURVEY WAS COMPLETED ON THE 25th DAY OF JUNE, 2020

AUGUST 19, 2020  
DATE

S. DAN McLAREN, O.L.S.



A.T. McLaren Limited

LEGAL AND ENGINEERING SURVEYS

69 JOHN STREET SOUTH, SUITE 230

HAMILTON, ONTARIO, L8N 2B9

PHONE (905) 527-8559 FAX (905) 527-0032

Drawn LC Checked DG Drawn M/M Scale 1:200 Drawn No. 35298-17

#### METRIC NOTE

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

HORIZONTAL VIEW TO ILLUSTRATE THE EXTENT OF PARTS AT ELEVATION 95.00

STRATA PLAN OF SURVEY  
OF PART OF  
**LOT 26**  
SOUTH SIDE OF KING WILLIAM STREET BETWEEN  
HUGHSON STREET AND JOHN STREET  
ALL IN  
**NATHANIEL HUGHSON SURVEY (UNREGISTERED)**  
IN THE  
**CITY OF HAMILTON**  
SCALE 1:25 METRIC

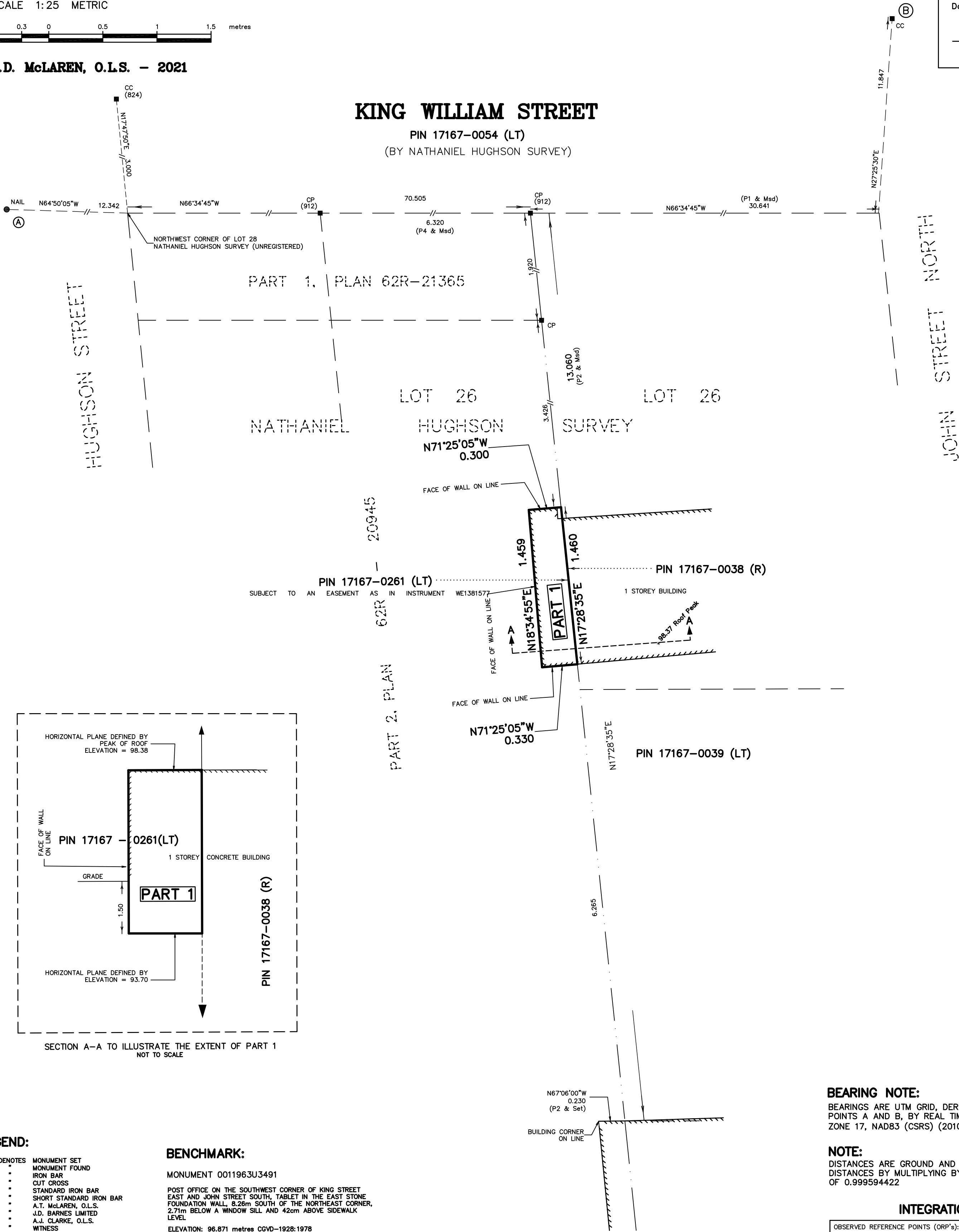


S.D. McLAREN, O.L.S. - 2021

SCHEDULE			
PART	LOTS	PLAN	P.I.N.
1	PART OF LOT LOT 26 SOUTH SIDE OF KING WILLIAM STREET BETWEEN HUGHSON STREET AND JOHN STREET	NATHANIEL HUGHSON SURVEY (UNREGISTERED)	PART OF P.I.N. 17167 - 0261 (LT)

PART 1 IS SUBJECT TO AN EASEMENT AS IN INSTRUMENT WE1381577

**PLAN 62 R-** \_\_\_\_\_  
RECEIVED AND DEPOSITED  
Date \_\_\_\_\_  
  
REPRESENTATIVE FOR  
LAND REGISTRAR FOR THE LAND  
TITLES DIVISION OF WENTWORTH (No. 62)  
  
I REQUIRE THIS PLAN TO BE  
DEPOSITED UNDER THE LAND  
TITLES ACT.  
Date JUNE 1, 2021  
  
S. DAN McLAREN, O.L.S.



- LEGEND:**
- DENOTES MONUMENT SET
  - MONUMENT FOUND
  - IB IRON BAR
  - CC CUT CROSS
  - SIB STANDARD IRON BAR
  - 824 SHORT STANDARD IRON BAR
  - JDB A.T. McLAREN, O.L.S.
  - 912 J.D. BARNES LIMITED
  - WT A.J. CLARKE, O.L.S.
  - WT WITNESS MEASURED
  - P1 PLAN 62R-13939
  - P2 PLAN 62R-20945
  - PB PLASTIC BAR
  - CP CONCRETE PIN

**BENCHMARK:**  
MONUMENT 0011963U3491  
POST OFFICE ON THE SOUTHWEST CORNER OF KING STREET  
EAST AND JOHN STREET SOUTH, TABLET IN THE EAST STONE  
FOUNDATION WALL, 8.28m SOUTH OF THE NORTHEAST CORNER,  
2.71m BELOW A WINDOW SILL AND 42cm ABOVE SIDEWALK  
LEVEL  
ELEVATION: 96.871 metres CGVD-1928:1978

**BEARING NOTE:**  
BEARINGS ARE UTM GRID, DERIVED FROM OBSERVED REFERENCE  
POINTS A AND B, BY REAL TIME NETWORK OBSERVATIONS, UTM  
ZONE 17, NAD83 (CSRS) (2010.0)

**NOTE:**  
DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID  
DISTANCES BY MULTIPLYING BY THE COMBINED SCALE FACTOR  
OF 0.999594422

INTEGRATION DATA		
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		
POINT ID	NORTHING	EASTING
ORP A	4789994.762	591925.500
ORP B	4789962.346	592029.108
COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.		

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

**SURVEYOR'S CERTIFICATE**  
I CERTIFY THAT:  
1. THE STRUCTURES SHOWN ON THIS PLAN ARE IN EXISTENCE.  
2. THE DIMENSIONS SHOWN ON THIS PLAN HAVE BEEN VERIFIED BY ACTUAL MEASUREMENTS.  
JUNE 1, 2021  
DATE S.DAN. McLAREN, O.L.S.

**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 LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.  
2. THE SURVEY WAS COMPLETED ON THE 1st DAY OF JUNE, 2021  
JUNE 1, 2021  
DATE S. DAN McLAREN, O.L.S.

**A.T. McLaren Limited**  
LEGAL AND ENGINEERING SURVEYS  
69 JOHN STREET SOUTH, SUITE 230  
HAMILTON, ONTARIO, L8N 2B9  
PHONE (905) 527-8559 FAX (905) 527-0032  
Drawn DG Checked RBM Crew Chief MW Scale 1:25 Dwg.No. 35298-R6

June 16, 2021

247-17

**Via Email and Delivered**

Jamila Sheffield  
Secretary Treasurer, Committee of Adjustment

City of Hamilton  
71 Main Street West, 5<sup>th</sup> Floor  
Hamilton, ON L8P 4Y5

Dear Ms. Sheffield:

**RE: 43-51 King Street East, 60 King William Street and 23-25 John Street North, City of Hamilton  
Consent Application to Establish Easement**

UrbanSolutions Planning & Land Development Consultants Inc. (UrbanSolutions) is the authorized planning consultants acting on behalf of King William Residences Inc. c/o Hi-Rise Group, the registered owner of the lands municipally known as 43-51 King Street East and 60 King William Street, in the City of Hamilton (subject lands). On behalf of the owner, UrbanSolutions has prepared the enclosed Consent Application to the City of Hamilton to grant an easement to accommodate an encroachment onto the subject lands by a building located on 23-25 John Street North.

The subject lands are designated Downtown Mixed Use Area in the Urban Hamilton Official Plan (UHOP) and are designated as Downtown Mixed Use – Pedestrian Focus in the Hamilton Downtown Secondary Plan. Further, the subject property is located in the Downtown Mixed Use – Pedestrian Focus (D2) Zone of the City of Hamilton Zoning By-law No. 05-200. The subject lands are currently vacant with the exception of the rear portion of a 1-storey building located on 23-25 John Street North, which encroaches onto the subject lands by approximately 0.33 metres.

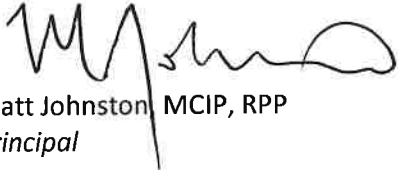
The encroachment was discovered through the land titles process that was carried out to facilitate the development of the subject lands as per DA-18-016. To rectify this matter, the purpose of this application is to grant an easement in favour of the encroaching building at 23-25 John Street North. The area of permitted encroachment will be approximately 0.48 m<sup>2</sup> and will extend from 1.5 metres below grade to the horizontal plane defined by the peak of the roof at 3.2 metres above grade, as shown on the enclosed draft Reference Plan.

In support of this application, please find enclosed the following:

- One (1) copy of the completed Consent to Sever application form;
- One (1) copy of the draft Reference Plan prepared by A.T. McLaren Limited; and,
- One (1) cheque in the amount of **\$2,860.00** made payable to the City of Hamilton.

We trust the enclosed is in order; however, please feel free to contact the undersigned with any questions.

Regards,  
**UrbanSolutions**



Matt Johnston MCIP, RPP  
*Principal*



Scott Beedie, BURPI  
*Planner*

cc: King William Residences Inc.  
The Hi-Rise Group  
Mr. Sergio Manchia, UrbanSolutions Planning & Land Development Consultants Inc.





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)	King William Residences Inc. c/o Hi-Rise Group		
Applicant(s)*	Same as owner		
Agent or Solicitor	UrbanSolutions Planning & Land Development Consultants Inc. c/o Matt Johnston		

\* 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	Concession	Former Township
Registered Plan N°.	Lot(s)	Reference Plan N°.	Part(s)
Municipal Address 43-51 King Street East & 60 King William Street			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:

Refer to Site Plan DA-18-016

**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: Easement in favour of 23-25 John Street North

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

**4 DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION**

4.1 Description of ~~land intended to be Severed:~~ Lands subject to easement

Frontage (m) <u>+/- 8.74 m</u>	Depth (m) <u>+/- 24.5 m</u>	Area (m <sup>2</sup> or ha) <u>+/- 211.0 m2</u>
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Existing Use of Property ~~to be severed:~~ Subject to easement

- ☐ Residential  
☐ Agriculture (includes a farm dwelling)  
☐ Other (specify) \_\_\_\_\_
- ☐ Industrial  
☐ Agricultural-Related  
☒ Commercial  
☐ Vacant

Proposed Use of Property ~~to be severed:~~ Subject to easement

- ☐ Residential  
☐ Agriculture (includes a farm dwelling)  
☒ Other (specify) Use not proposed to change
- ☐ Industrial  
☐ Agricultural-Related  
☐ Commercial  
☐ Vacant

Building(s) or Structure(s):

Existing: 3-storey restaurant

Proposed: N/A

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:~~ Subject Lands

Frontage (m) <u>+/- 86.6 m (Hughson Street North)</u>	Depth (m) <u>+/- 27.4 m</u> <u>+/- 70.5 m</u>	Area (m <sup>2</sup> or ha) <u>+/- 4,411.6 m2</u>
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Existing Use of Property ~~to be retained:~~ Subject Lands

- ☐ Residential  
☐ Agriculture (includes a farm dwelling)  
☐ Other (specify) \_\_\_\_\_
- ☐ Industrial  
☐ Agricultural-Related  
☒ Commercial  
☐ Vacant



Proposed Use of ~~Property to be retained:~~ Subject Lands

- ☒ Residential ☐ Industrial ☐ Commercial  
☐ Agriculture (includes a farm dwelling) ☐ Agricultural-Related ☐ Vacant  
☐ Other (specify) \_\_\_\_\_

Building(s) or Structure(s):

Existing: N/A

Proposed: 30-storey Multiple dwelling containing 581 residential units

Type of access: (check appropriate box)

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

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): N/A

Urban Hamilton Official Plan designation (if applicable): Downtown Mixed Use Area

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

Please refer to cover letter.

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? Downtown Mixed Use - Pedestrian Focus (D2) in Zoning By-law No. 05-200

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"/>	<u>N/A</u>

A land fill	<input type="checkbox"/>	N/A
A sewage treatment plant or waste stabilization plant	<input type="checkbox"/>	N/A
A provincially significant wetland	<input type="checkbox"/>	N/A
A provincially significant wetland within 120 metres	<input type="checkbox"/>	N/A
A flood plain	<input type="checkbox"/>	N/A
An industrial or commercial use, and specify the use(s)	<input type="checkbox"/>	N/A
An active railway line	<input type="checkbox"/>	N/A
A municipal or federal airport	<input type="checkbox"/>	N/A

## 6 PREVIOUS USE OF PROPERTY

- ☐ Residential      ☐ Industrial      ☐ Commercial  
☐ Agriculture      ☐ Vacant      ☒ Other (specify)

Building subject to easement is  
Commercial and subject lands are  
currently under construction to build  
multi-residential development.

- 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?  
Consultation with the owner.
- 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      N/A

## 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

Please refer to cover letter.

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

Please refer to cover letter.

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

Please refer to cover letter.

- 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

N/A

- 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 N/A  
(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 N/A (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 N/A (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.

N/A

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

N/A

- 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.

N/A

- 8.4 How long has the applicant owned the subject land?

10+ years

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

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.

N/A

- 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 N/A

Status N/A

## 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 <sup>2</sup> or ha): (from in Section 4.1)
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Existing Land Use: \_\_\_\_\_ Proposed Land Use: \_\_\_\_\_

#### b) Lands to be Retained:

Frontage (m): (from Section 4.2)	Area (m <sup>2</sup> 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 <sup>2</sup> or ha):
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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 <sup>2</sup> or ha):
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Existing Land Use: \_\_\_\_\_ Proposed Land Use: \_\_\_\_\_

#### d) Description of surplus dwelling lands proposed to be severed:

Frontage (m): (from Section 4.1)	Area (m <sup>2</sup> 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 <sup>2</sup> 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 (m <sup>2</sup> or ha):
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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 (m <sup>2</sup> 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 (m <sup>2</sup> or ha): (from Section 4.2)
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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.

[Please refer to cover letter for additional information.](#)

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## 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:

- the boundaries and dimensions of any land abutting the subject land that is owned by the owner of the subject land;
- the approximate distance between the subject land and the nearest township lot line or landmark such as a bridge or railway crossing;
- 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;
- the location of all land previously severed from the parcel originally acquired by the current owner of the subject land;
- 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,
  - are located on the subject land and on land that is adjacent to it, and
  - in the applicant's opinion, may affect the application;
- the current uses of land that is adjacent to the subject land (for example, residential, agricultural or commercial);
- 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