



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-21:81

SUBJECT PROPERTY: 83 Melbourne 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): Agent A.J. Clarke & Associates c/o F. Kloibhofer
Owner Joseph Marchese

PURPOSE OF APPLICATION: To permit the conveyance of a parcel of land and to retain a parcel of land for residential purposes.

Severed lands:
7.39m[±] x 46.21m[±] and an area of 341.49m^{2±}

Retained lands:
7.39m[±] x 46.21m[±] and an area of 341.49m^{2±}

**This application will be heard in conjunction with
Minor Variance Application HM/A-21:335**

The Committee of Adjustment will hear this application on:

DATE: Thursday, October 7th , 2021

TIME: 3:25 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: September 21st, 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.



City of Hamilton
Committee of Adjustment
71 Main Street West, 5th Floor
Hamilton, ON L8P 4Y5

September 2, 2021

Attn: Ms. Jamila Sheffield
Secretary Treasurer, Committee of Adjustment (email: Jamila.Sheffield@hamilton.ca)

**Re: 83 Melbourne Street
Minor Variance and Severance Application Submission**

Dear Ms. Sheffield:

A.J Clarke and Associates Ltd. has been retained by Falcon Manor Homes for the purposes of submitting the enclosed Minor Variance and Consent Applications for the subject lands, municipally known as 83 Melbourne Street.

The subject site is located on the southern portion of Melbourne Street, in the City of Hamilton. The property is proposed to be redeveloped into two separate dwellings, each containing two dwelling units. A number of variances are required to facilitate the desired built form for the development. An application for severance is required to facilitate conveyance of this portion of the subject lands. A general concept of the proposal is concurrently submitted.

The following supporting materials are submitted to your attention, in support of the subject application:

- 1) One (1) copy of the required filled and signed Minor Variance Application Form;
- 2) One (1) copy of the required filled and signed Severance Application Form;
- 3) One (1) digital copy of the Concept Plan.
- 4) One (1) digital copy of the Consent Plan.
- 5) One (1) cheque made out to the City of Hamilton, in the amount of \$3,230.00 in payment of the Consent Application fee.
- 6) One (1) cheque made out to the City of Hamilton, in the amount of \$2,860.00 in payment of the Minor Variance Application fee.

The subject lands are designated “Neighbourhoods” on Schedule E-1 in the Urban Hamilton Official Plan. The Neighbourhoods designation permits a range of residential uses.

The lands municipally known as 83 Melbourne Street are zoned “D/S-1787 – Urban Protected Residential – One and Two Family Dwellings, Etc.” in City of Hamilton Zoning By-law No. 6593. This zone permits residential uses such as a two family dwelling, institutional uses, and public uses.



Minor Variance

A number of variances are required to facilitate the proposed development. The variances are as follows:

For lands identified as Part 1 (Westerly Lot) on the attached Concept Sketch:

1. To permit a minimum lot width of 7.3 metres; whereas, a lot width of 18.0 m is required for a two-family dwelling;
2. To permit a minimum lot area of 335 square metres; whereas, a lot area of 540 square metres is required for a two-family dwelling;
3. To permit a minimum front yard depth of 2.25m; whereas, 6.0 metres is required;
4. An uncovered porch (being the steps to the front porch) shall be at least 1.2m from the street line, instead of the requirement that an uncovered porch which does not extend more than 1.0m above the floor level of the first storey, may project into a required yard if distant at least 1.5m from the nearest street line;
5. To permit a minimum easterly side yard width of 0.40m; whereas, a minimum side yard width of 1.2m is required;
6. Eaves or gutters shall be permitted to project 0.40m into the required 0.40m side yard so that the eaves and gutters may be as close as 0.0m to the easterly side lot line, instead of the requirement that an eave or gutter may project into the required side yard not more than ½ of its required width (being 0.2m);
7. To permit a minimum front yard landscaped area of 30%; whereas, a minimum of 50% of the front yard shall be used for a landscaped area excluding concrete, asphalt, gravel, pavers or other similar materials;
8. No on-site manoeuvring space shall be provided instead of the requirement that the manoeuvring space shall be provided and maintained only on the lot on which the principal use, building or structure is located;

For lands identified as Part 2 (Easterly Lot) on the attached Concept Sketch:

1. To permit a minimum lot width of 7.3 metres; whereas, a lot width of 18.0 m is required for a two-family dwelling;
2. To permit a minimum lot area of 335 square metres; whereas, a lot area of 540 square metres is required for a two-family dwelling;
3. To permit a minimum front yard depth of 2.25m; whereas, 6.0 metres is required;
4. An uncovered porch (being the steps to the front porch) shall be at least 1.2m from the street line, instead of the requirement that an uncovered porch which does not extend more than 1.0m above the floor level of the first storey, may project into a required yard if distant at least 1.5m from the nearest street line;
5. To permit a minimum westerly side yard width of 0.40m; whereas, a minimum side yard width of 1.2m is required;
6. Eaves or gutters shall be permitted to project 0.40m into the required 0.40m side yard so that the eaves and gutters may be as close as 0.0m to the easterly side lot line, instead of the



- requirement that an eave or gutter may project into the required side yard not more than ½ of its required width (being 0.2 m);
7. To permit a minimum front yard landscaped area of 30%; whereas, a minimum of 50% of the front yard shall be used for a landscaped area excluding concrete, asphalt, gravel, pavers or other similar materials;
 8. No on-site manoeuvring space shall be provided instead of the requirement that the manoeuvring space shall be provided and maintained only on the lot on which the principal use, building or structure is located;

New reciprocal easements proposed over Parts 3 and 4 on Consent Sketch for drainage, access, and maintenance.

This minor variance application is made under the authority of Section 45(1) of the Planning Act. Accordingly, a minor variance must meet the requisite four tests as described in Section 45 (1) of the Act. The tests and professional opinion are outlined below:

1. Do the proposed variances maintain the intent and purpose of the Urban Hamilton Official Plan.

The proposed variances maintain the intent and purpose of the Urban Hamilton Official Plan as the subject site is designated “Neighbourhoods”, which permits two family dwellings. The proposed two family dwellings will assist in the diversification of the available housing stock within the neighbourhood, while also capitalizing on an opportunity for the gentle intensification of the neighbourhood. This development purposes an overall density of 58.56 units per hectare on each future parcel, which is compliant with Section E of the Urban Hamilton Official Plan that permits a maximum residential density of 60 units per hectare.

The proposed development includes two parking spaces located in the rear yard and accessed off a public alleyway, which is compliant with the ZBL parking requirement of one space per dwelling unit. The location of these parking spaces will help to maintain the original character of the neighbourhood, which was characterized by homes located close to Melbourne Street and parking provided in the rear yard. It is acknowledged that this characteristic has waned over several years, as many surrounding properties have successfully obtained Boulevard Parking Agreements from the City of Hamilton.

The proposed development will feature a use that is permitted under the current Official Plan designation and will adhere to the net residential density provisions as detailed throughout Section E of the Urban Hamilton Official Plan. It is our professional opinion that the proposed variances maintain the intent and purpose of the Urban Hamilton Official Plan.

2. Do the proposed variances maintain the intent and purpose of the City of Hamilton Zoning By-law No. 6593.

The required variances to City of Hamilton Zoning By-law No. 6593 are intended to facilitate a desirable built form which is compatible with the existing neighbourhood.



Front Yard

A variance is required to the minimum front yard setback for the proposed development (from 6.0 metres to 2.25 metres). The surrounding neighbourhood is characterized by dwellings which have minimal front yards and dwellings that face the street. Further, despite the reduction, there remains room for a combination of plantings along the Melbourne Street frontage. Accordingly, the proposed reduction in front yard setback is appropriate and compatible with the existing streetscape and maintains the intent of the Zoning By-law.

Side Yard/Lot Width/Lot Area

A reduction in required side yard, lot width, and lot area are required to facilitate the construction on the subject lands. The purpose of these reductions is to permit two - two-family dwellings on the subject site, with associated parking at the rear. The development balances the need for housing, on-site amenity, and parking. Accordingly, the intent of the Zoning By-law is maintained.

Front Yard Encroachment

A variance is required to permit the uncovered porch to encroach into the front yard (from 1.5 metres from the street line to 1.2 metres from the street line). The surrounding neighbourhood and neighbouring properties include dwellings which have uncovered porches which encroach into the front yard. Despite the reduction from 1.5 metres to 1.2 metres, the majority of the front yard will remain untouched. Accordingly, the proposed reduction in front yard encroachment is appropriate and maintains the intent of the Zoning By-law.

3. Are the proposed variances appropriate for the development of the subject lands?

As noted above, the variances are intended to facilitate a desirable built form within an inner-city urban neighbourhood. As noted above, the proposed variances are consistent with the established character of the neighbourhood. The variances are therefore appropriate for the development of the subject lands.

4. Are the proposed variances minor in nature?

The proposed variances reflect the scale and character of this neighbourhood. There are no perceived impacts stemming from the variances to the front yard, side yard, lot width, lot area, or front yard encroachment, as they are in keeping with the general built form and existing setbacks found within this neighbourhood. There are no perceived impacts on the neighbourhood stemming from the proposed development and accordingly, it is our professional planning opinion that the variances are minor in nature.

Severance

The proposed severance application will result in the creation of two parcels, having an area of 340m² and a frontage of 7.35m along Melbourne Street. A severance and minor variance application are concurrently



submitted in order to facilitate the development of the proposed lots. Accordingly, the following policies are applicable to the proposed severance:

Policy F.1.14.3.1 Consents for new lot creation, for both the severed and retained lands, for residential uses in the Neighbourhoods designation shown on Map E-1 – Urban Land Use Designation, shall be permitted provided the following conditions are met:

a) The lots comply with the policies of this Plan, including secondary plans, where one exists;

b) The lots comply with existing Neighbourhood Plans;

c) The lots are in conformity with the Zoning By-law or a minor variance is approved;

d) The lots reflect the general scale and character of the established development pattern in the surrounding area by taking into consideration lot frontages and areas, building height, coverage, mass, setbacks, privacy and overview;

e) The lots are fully serviced by municipal water and wastewater systems; and,

f) The lots have frontage on a public road.

In accordance with the above criteria, variances to permit modified frontage and lot area provisions will be necessary to facilitate the creation of the lots. The existing building on the subject lands is proposed for demolition to facilitate the concept before Committee. The lot is in keeping with the typical lot sizes and frontages in the immediate vicinity. Although the proposed development does not meet the lot standards prescribed in the Zoning By-law, the proposed minor variances will provide relieve from these minor zoning deficiencies.

As such, the proposed lot is appropriate for the development of the subject lands and has sufficient regard for the matters listed under Section 51 (24) of the Planning Act.

I trust that you will find the enclosed satisfactory for your purposes. Please confirm receipt of this submission and we look forward to being scheduled for the next available hearing date. If you have any questions or require additional information, please do not hesitate to contact our office.

Sincerely,

Franz Kloibhofer, MCIP, RPP
Principal Planner
A. J. Clarke and Associates Ltd.



Encl.

Cc: Joseph Marchese, Owner
Falcon Manner Homes c/o Mike Vasallo



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)	Joseph Marchese	[REDACTED]
Applicant(s)*		
Agent or Solicitor	A.J. Clarke & Associates Ltd c/o Franz Kloibhofer	

* Owner's authentication 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 18	Concession 3	Former Township Barton
Registered Plan N°. 253	Lot(s) 66 Block F	Reference Plan N°.	Part(s)
Municipal Address 83 Melbourne Street			Assessment Roll N°. 251801009155560

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:

N/A

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:

N/A

4 DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

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

Frontage (m) +- 7.39 m	Depth (m) +- 46.21 m	Area (m ² or ha) +- 341.49 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: One single detached dwelling (to be demolished)

Proposed: One two family dwelling per lot

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) +- 7.39 m	Depth (m) +- 46.21 m	Area (m ² or ha) +- 341.49 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
 Industrial
 Commercial
 Agriculture (includes a farm dwelling)
 Agricultural-Related
 Vacant
 Other (specify) _____

Building(s) or Structure(s):

Existing: One single detached dwelling (to be demolished)

Proposed: One two family dwelling per lot

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): Neighbourhoods

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

The proposed severance is keeping in character with the surrounding neighbourhood, and does not present a proposed use that is prohibited.

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? No Minister's Zoning Order. "D/S-1787" Zone.

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 N/A
- 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?
Online mapping and discussion with lawyer.
- 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

The proposed severance is keeping in character with the surrounding neighbourhood, and does not present a proposed use that is prohibited.

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

The proposed severance is keeping in character with the surrounding neighbourhood.

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

The proposed severance will assist in the intensification of the surrounding neighbourhood.

- 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)

N/A

- 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)

N/A

- 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)

N/A

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?

1 month.

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.

Unknown.

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 _____ 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
 - Rural Settlement Area Severance or Lot Addition
- } (Complete Section 10.3)
- 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)
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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)
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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):
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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 ² 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 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)
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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 ² 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 ² or ha): (from Section 4.1)
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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 ² 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.

See attached Concept Sketch and Consent Sketch.

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 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.

Sept 10 / 2021
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, Joseph Marchese, 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.

Sept. 01, 2021
Date


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.