



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-22:13

SUBJECT PROPERTY: 628 Mill Street, 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 Max Kerrigan
Owner William R. MacLean

PURPOSE OF APPLICATION:

To permit the conveyance of a parcel of land and to retain a parcel of land for residential purposes. The existing dwelling is proposed to be demolished.

Severed lands:

24.38m[±] x 42.75m[±] and an area of 1048.12m^{2±}

Retained lands:

24.38m[±] x 44.3m[±] and an area of 1089.75m^{2±}

The Committee of Adjustment will hear this application on:

DATE: Thursday, April 7th , 2022

TIME: 1:15 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: March 22nd, 2022

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.

628 MILL STREET

ANCASTER | CITY OF HAMILTON | ONTARIO

SEVERANCE APPLICATION - DRAWING PACKAGE

RESIDENTIAL R3 ZONE | 87-57 ANCASTER ZONING BY-LAW

Drawings prepared July 2021 by Max Kerrigan MCIP RPP



SCALE 1:250 m.

5 0 5 10 METRES 15

ASHENHURST NOUWENS LIMITED

628 MILL STREET

ANCASTER | CITY OF HAMILTON | ONTARIO

EXISTING CONDITIONS

SEVERANCE APPLICATION

RESIDENTIAL R3 ZONE | 87-57 ANCASTER ZONING BY-LAW

Drawings prepared July 2021 by Max Kerrigan MCIP RPP

SCHEDULE				
PART	LOT	CONCESSION	P.I.N.	AREA (SQ. M.)
1	PART OF LOT 47	2	ALL OF 17564-0235(LT)	2122.03

PLAN 62 R-19244

RECEIVED AND DEPOSITED

2012.01.27
DATE

E. Hall
REPRESENTATIVE FOR
LAND REGISTRAR FOR THE LAND TITLES
DIVISION OF WENTWORTH (62)

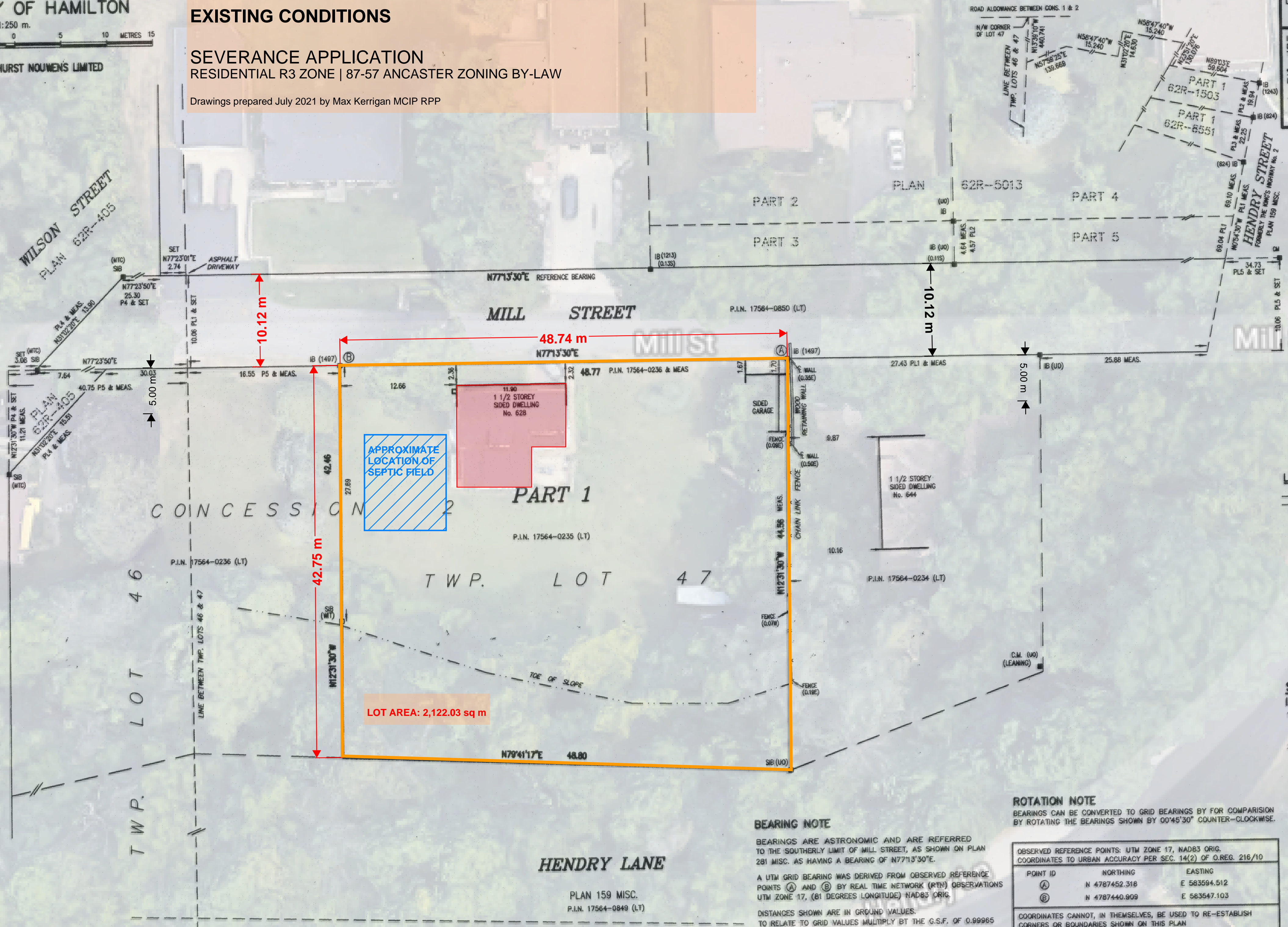
I REQUIRE THIS PLAN TO BE
DEPOSITED UNDER THE LAND
TITLES ACT.

JAN. 25, 2012
DATE *2/1*

GUIDO CONSOLI
ONTARIO LAND SURVEYOR

METRIC NOTE

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



LEGEND

- ☐ S.I.B. DENOTES STANDARD IRON BAR
☐ I.B. DENOTES IRON BAR
 I.P. DENOTES IRON PIPE
 C.M. DENOTES CONCRETE MONUMENT
 W.T. DENOTES WITNESS
 O.U. DENOTES ORIGIN UNKNOWN
☐ - FOUND ☐ - PLANTED
 PL1 = PLAN 281 MISC. (1213) = J.D. PETERS O.L.S.
 PL2 = PLAN 62R-5013 (1243) = E. BARICH O.L.S.
 PL3 = PLAN 62R-8551 (824) = A.T. MCLAREN O.L.S.
 PL4 = PLAN 62R-405 PL5 = PLAN 159 MISC.
 (MTC) = MINISTRY OF TRANSPORTATION & COMMUNICATIONS
 1497 = J.P. NOUWENS, O.L.S.

SURVEYOR'S CERTIFICATE

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. THIS SURVEY WAS COMPLETED ON THE 24th DAY OF JAN. 2012

JAN. 25, 2012
DATE


GUIDO CONSOLI
ONTARIO LAND SURVEYOR

ROTATION NOTE

BEARINGS CAN BE CONVERTED TO GRID BEARINGS BY FOR COMPARISON
BY ROTATING THE BEARINGS SHOWN BY 00°45'30" COUNTER-CLOCKWISE.

POINT ID	NORTHING	EASTING
(A)	N 4787452.318	E 583594.512
(B)	N 4787440.909	E 583547.103

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

BEARING NOTE

BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE SOUTHERLY LIMIT OF MILL STREET, AS SHOWN ON PLAN 281 MISC. AS HAVING A BEARING OF N77°13'30"E.

A UTM GRID BEARING WAS DERIVED FROM OBSERVED REFERENCE POINTS (A) AND (B) BY REAL TIME NETWORK (RTN) OBSERVATIONS UTM ZONE 17, (81 DEGREES LONGITUDE) NAD83 ORIG.

DISTANCES SHOWN ARE IN GROUND VALUES.
TO RELATE TO GRID VALUES MULTIPLY BY THE G.S.F. OF 0.99965

HENDRY LANE

PLAN 159 MISC.
P.I.N. 17564-0849 (LT)

ASHENHURST NOUWENS LIMITED
Professional Engineers & Ontario Land Surveyors

315 YORK BOULEVARD, SUITE 201, HAMILTON, ONTARIO L8R 3K5
(905) 529-6316 (905) 529-4314 1-800-524-6224
FAX: (905) 529-6651 e-mail: ani@AshenhurstNouwen.com

DRAWN BY	B.K.	CALC'D BY	CHK'D BY	G.V.C.
DATE DWG	JAN. 25, 2012		FILE No.	11286-RPL

PLAN OF SURVEY OF:
PART OF LOT 47, CONCESSION 2
IN THE GEOGRAPHIC TOWNSHIP OF ANCASTER
NOW IN THE
CITY OF HAMILTON

SCALE 1:250 m.
5 0 5 10 METRES 15

ASHENHURST NOUWENS LIMITED

628 MILL STREET

ANCASTER | CITY OF HAMILTON | ONTARIO

PROPOSED PARCELS

SEVERANCE APPLICATION - PROPOSED PARCELS
RESIDENTIAL R3 ZONE | 87-57 ANCASTER ZONING BY-LAW

Drawings prepared July 2021 by Max Kerrigan MCIP RPP

SCHEDULE				
PART	LOT	CONCESSION	P.I.N.	AREA (sq. m.)
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I REQUIRE THIS PLAN TO BE
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TITLES ACT.

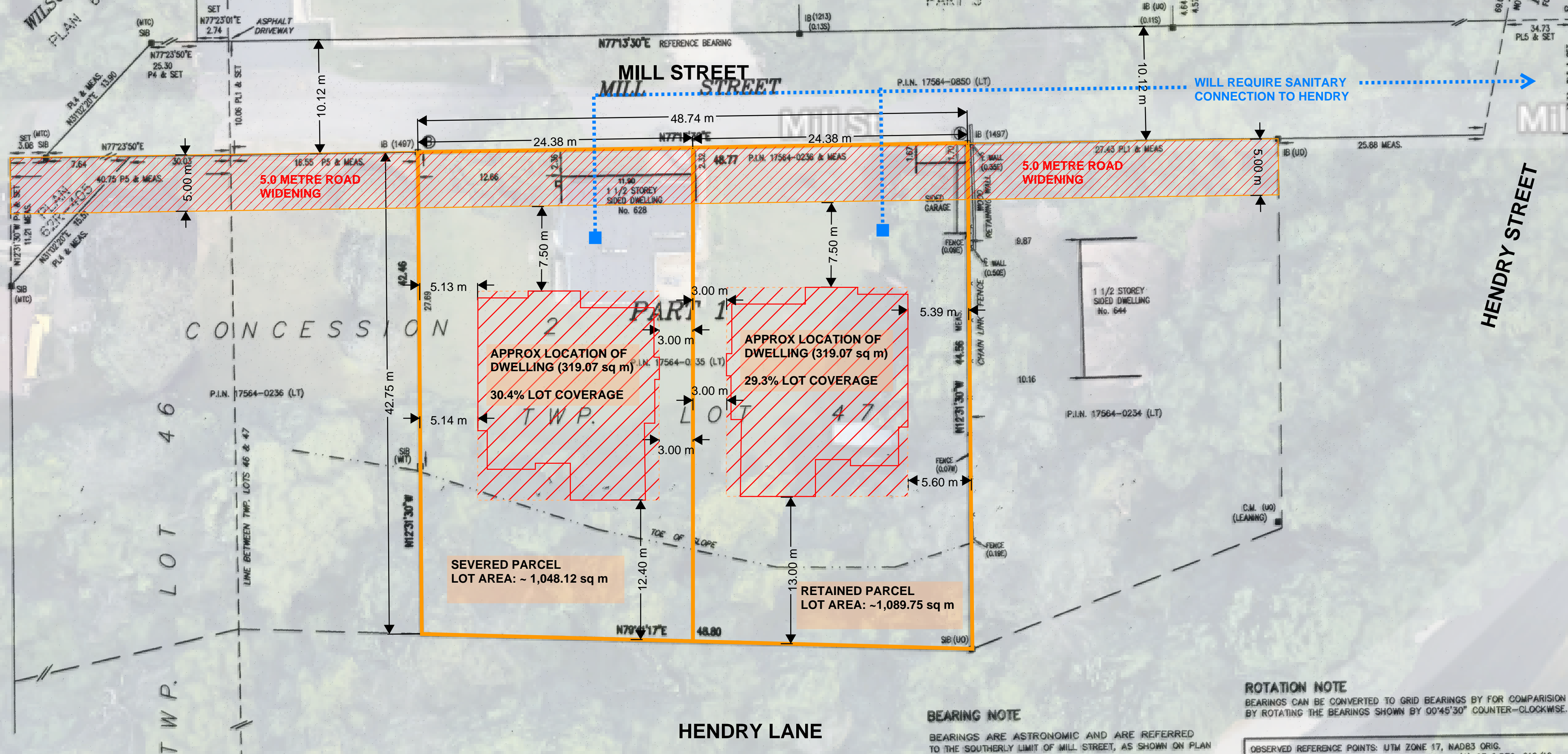
JAN. 25, 2012
DATE

GUIDO CONSOLI
ONTARIO LAND SURVEYOR

METRIC NOTE

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

WILSON STREET
PLAN 62R-403



LEGEND

- S.I.B. DENOTES STANDARD IRON BAR
- I.B. DENOTES IRON BAR
- I.P. DENOTES IRON PIPE
- C.M. DENOTES CONCRETE MONUMENT
- WIT. DENOTES WITNESS
- O.U. DENOTES ORIGIN UNKNOWN
- FOUND DENOTES FOUND
- PLANTED DENOTES PLANTED
- PL1 = PLAN 281 MISC. (1213) = J.D. PETERS O.L.S.
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- PL4 = PLAN 62R-405 PL5 = PLAN 159 MISC.
- (MTC) = MINISTRY OF TRANSPORTATION & COMMUNICATIONS
- 1497 = J.P. NOUWENS, O.L.S.

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I CERTIFY THAT:

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- THIS SURVEY WAS COMPLETED ON THE 24th DAY OF JAN. 2012

JAN. 25, 2012
DATE

GUIDO CONSOLI
ONTARIO LAND SURVEYOR

ROTATION NOTE

BEARINGS CAN BE CONVERTED TO GRID BEARINGS BY FOR COMPARISON BY ROTATING THE BEARINGS SHOWN BY 00°45'30" COUNTER-CLOCKWISE.

OBSERVED REFERENCE POINTS: UTM ZONE 17, NAD83 ORIG. COORDINATES TO URBAN ACCURACY PER SEC. 14(2) OF O.R.G. 216/10		
POINT ID	NORTHING	EASTING
(A)	N 4787452.318	E 583594.512
(B)	N 4787440.909	E 583547.103
COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN		

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DISTANCES SHOWN ARE IN GROUND VALUES. TO RELATE TO GRID VALUES MULTIPLY BY THE G.S.F. OF 0.99965

HENDRY LANE
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PLAN 159 MISC.
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FAX: (905) 529-6651 e-mail: an@ashenhurstnouwens.com

DRAWN BY	B.K.	CALCD BY	CHK'D BY	G.V.C.
DATE	JAN. 25, 2012	FILE No.	11286-RPL	

December 21 2021

Committee of Adjustment
71 Main Street West, 5th Floor
Hamilton, Ontario, L8P 4Y5
Phone: 905-546-2424 Ext. 4221
Email: cofa@hamilton.ca

Project: 628 Mill Street, Hamilton

Subject: Consent to Sever Application

To Whom it may Concern,

On behalf of the Owner, I am pleased to submit an application for consent to create a new lot on the lands known as 628 Mill Street ('subject property') in Ancaster, Hamilton.

Generally, the proposed consent request is to sever the existing lot into two separate lots with the intent to develop two custom single family residential dwellings.

Existing Conditions

The subject property is located on a dead-end residential street consisting of five other single family homes. Homes on Mill Street are serviced by municipal water, however, are not serviced by sanitary. The street is considered a rural cross-section, and does not have sidewalks; nor does it meet the ultimate width identified in the City's Official Plan.

Official Plan

The subject property is zoned Residential 3 (R3) in the Ancaster Zoning By-Law (87-57), and is designated Neighbourhoods in the City of Hamilton Urban Official Plan.

The subject lands are not within a Secondary Plan area.

Zoning

The subject property is zoned Residential 3 (R3) in the Ancaster Zoning By-Law (87-57).

The proposed severed and retained parcels conform to the minimum lot area, lot frontage, and side yard requirements of the By-Law as demonstrated in the enclosed Site Sketch.

Natural Heritage

The subject property sits immediately below a natural heritage 'Core Area' consisting of a Significant Woodland and the Tiffany Falls Environmentally Significant Area (ESA). In order to conform to Official Plan, the development of the subject property shall not negatively impact these natural heritage features, or their ecological functions.

The proposed severance and/or eventual development proposal will not impact the adjacent natural heritage assets. That said, any Environmental Impact Statement (EIS) deemed necessary will be completed in order to demonstrate this.

In addition, it has been brought to our attention that due to the location of the property (Core Areas within and adjacent to it), that under the City's Site Plan Control By-law a Site Plan application would be required. As such, if deemed necessary, we will undertake the necessary planning review.

Development Engineering

The subject property is required to adhere to the City's *Adequate Services By-Law* whereby the properties are required a connection to Sanitary within the urban boundary.

As such, we anticipate engaging in this process in due time.

Additionally, the subject property may be required to adhere to recommendations resulting from the 2016 *Pilot Study Assessment of Increase in Lot Coverage in Rurally Serviced Roadway Neighbourhoods, Community of Ancaster (PW16100) (Ward 12) (Item 8.3)*.

Phase 1 of this Study consisted of an assessment of increases in lot coverage in rurally serviced roadway neighbourhoods in Ancaster, as a result of a large influx of severances and intensification proposals having an impact on local drainage patterns.

Phase 2 of the Pilot Study was to include the undertaking of a *Detailed Drainage Assessment Study* of all of the Existing Residential (ER) Neighbourhoods in Ancaster with rural drainage servicing to determine the threshold capacity and break-point of the existing drainage networks. This Study has yet to be undertaken.

Due to the high level theoretical nature of the Phase 1 Pilot Study Assessment combined with limited geographic scope of the study area, it was recommended that the approval of lot severances in all rural cross section drainage neighbourhoods in Ancaster be deferred until a Detailed Drainage Assessment Study (Phase 2) was completed.

Analysis of Proposal

As per the City's Official Plan - 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 of the City's Official Plan, (for which the subject lands are situated) shall be permitted provided the following conditions are met:

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

The creation of additional lots within the urban area conform/comply to the Official Plan.
The proposed severance demonstrates a form of intensification within the urban boundary that is context sensitive, and aligns with the City's intensification goals.

The lots comply with existing Neighbourhood Plans;

It is my opinion that the creation of an additional lot within a lot fabric that can accommodate a gentle form of intensification is justified.

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

The proposed severance contemplates the creation of two development lots that both conform to the City's Zoning By-Law. The proposed severance is intended for the development of two single family bungalow residences that conform to the regulations of Residential 3 (R3) in the Ancaster Zoning By-Law (87-57).

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;

The two proposed lots would suitably reflect the existing character and scale of Mill Street and the immediate neighbourhood context.

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

As previously indicated, the lots are serviced by municipal water, but not serviced by sanitary. It is anticipated that necessary connections will be established as part of the development process.

The lots have frontage on a public road.

The proposed lots front on Mill Street, which is considered a public road.

Conclusion

Residential intensification is a key component of Hamilton's growth strategy and is essential to meet the City's growth targets. The City's Official Plan supports the intensification of the existing built area, provided the proposed form of intensification is sympathetic in form and character, and is a positive addition to the City, and is in the interest of good planning.

The proposed severance optimizes a notably wide individual lot through a form of gentle intensification that is neighbourhood and context sensitive and consistent with local policy objectives.

Regarding the *Pilot Study Assessment of Increase in Lot Coverage in Rurally Serviced Roadway Neighbourhoods*, it should be noted that the study was intended for ER Zones. The subject property is zoned R3, however, has been captured by a recommendation that came to light following a lack of decision/progress on Phase 2 of the Study.

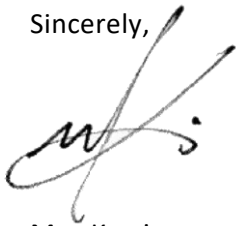
That said, We (the applicant) are sensitive to the intent of the Pilot Study, and intend to actively consult City staff and incorporate preferred stormwater quantity and quality measures on-site to mitigate any adverse impacts associated with increases in lot coverage including but not limited to reducing hardscapes, incorporation of LID strategies, and storing stormwater on-site.

Please find enclosed the following documents to complete our submission:

1. Signed Application Form (incl. Sworn Affidavit);
2. Copy of Cheque payable to the City of Hamilton in the amount of \$3,235.00; and,
3. Site Sketch.

We anticipate that the enclosed application materials and cover letter provide sufficient support for a successful application.

Sincerely,

A handwritten signature in black ink, appearing to read 'MK', with a stylized flourish extending from the end.

Max Kerrigan
MCIP RPP

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

	NAME	MAILING ADDRESS	
Purchaser*			
Registered Owners(s)			
Applicant(s)**			
Agent or Solicitor			

*Purchaser must provide a copy of the portion of the agreement of purchase and sale that authorizes the purchaser to make the application in respect of the land that is the subject of the application. (O. Reg. 786/21)
** Owner's authorisation required if the applicant is not the owner or purchaser.

1.3 All correspondence should be sent to

☐ Purchaser
☒ Applicant

☐ Owner
☒ Agent/Solicitor

2 LOCATION OF SUBJECT LAND Complete the applicable lines

2.1 Area Municipality City of Hamilton	Lot	Concession	Former Township Ancaster
Registered Plan N°.	Lot(s)	Reference Plan N°.	Part(s)
Municipal Address 628 Mill 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:

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

☐ a lease

☐ an easement

☐ a correction of title

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

☐ creation of a new lot

Other: ☐ a charge

☐ creation of a new non-farm parcel

☐ a lease

(i.e. a lot containing a surplus farm dwelling

☐ a correction of title

resulting from a farm consolidation)

☐ an easement

☐ addition to a lot

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 (lease, easement, charge etc.):

Frontage (m)	Depth (m)	Area (m² or ha)
24.38 metres		1048.12 sq m

Existing Use of Property to be severed:

☒ Residential

☐ Industrial

☐ Commercial

☐ Agriculture (includes a farm dwelling)

☐ Agricultural-Related

☐ Vacant

☐ Other (specify) _____

Proposed Use of Property to be severed:

☒ Residential

☐ Industrial

☐ Commercial

☐ Agriculture (includes a farm dwelling)

☐ Agricultural-Related

☐ Vacant

☐ Other (specify) _____

Building(s) or Structure(s):

Existing: 1.5 storey dwelling

Proposed: 1.5 storey bungalow dwelling

Existing structures to be removed: 1.5 storey dwelling

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)

4.2 Description of land intended to be **Retained (remainder)**:

Frontage (m) 24.38 metres	Depth (m)	Area (m ² or ha) 1089.75 sq m
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Certificate Request for Retained Lands: ☐ Yes*

* If yes, a statement from an Ontario solicitor in good standing that there is no land abutting the subject land that is owned by the owner of the subject land other than land that could be conveyed without contravening section 50 of the Act. **(O. Reg. 786/21)**

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: NA

Proposed: 1.5 storey bungalow dwelling

Existing structures to be removed: _____

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) Neighbourhoods

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

This application demonstrates an optimization of the current lot fabric in the form of a context sensitive and appropriate form of gentle density.

- 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? _____
- 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"/>	

*Complete MDS Data Sheet if applicable

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?
- 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

This application demonstrates an optimization of the current lot fabric in the form of a context sensitive and appropriate form of gentle density.
- b) Is this application consistent with the Provincial Policy Statement (PPS)?
☒ Yes ☐ No (Provide explanation)

Efficient use of land within an urban boundary
- c) Does this application conform to the Growth Plan for the Greater Golden Horseshoe?
☒ Yes ☐ No (Provide explanation)

The optimization of land resources within an urban 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?

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)

<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)

- ☐ 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)
----------------------------------	---

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)
----------------------------------	---

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 (m² 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 (m² 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 (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.

Attached

12 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.

2022-02-03

Date

Signature of Owner