



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: SC/B-22:22

SUBJECT PROPERTY: 5 Southmeadow Crescent, Stoney Creek

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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 T. John's Consulting – D. Morris  
Owner Mina cantone  
Applicant Magam Development Corp

**PURPOSE OF APPLICATION:** To permit the conveyance of a parcel of land for residential purposes and to retain a parcel of land for residential purposes (existing dwelling will be demolished)

**Severed lands: Part 2**

16.46m<sup>±</sup> x 43.66m<sup>±</sup> and an area of 719.2m<sup>2</sup>±

**Retained lands: Part 1**

16.46m<sup>±</sup> x 43.74m<sup>±</sup> and an area of 720.5m<sup>2</sup>±

The Committee of Adjustment will hear this application on:

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**DATE:** Thursday, May 12<sup>th</sup>, 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](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:

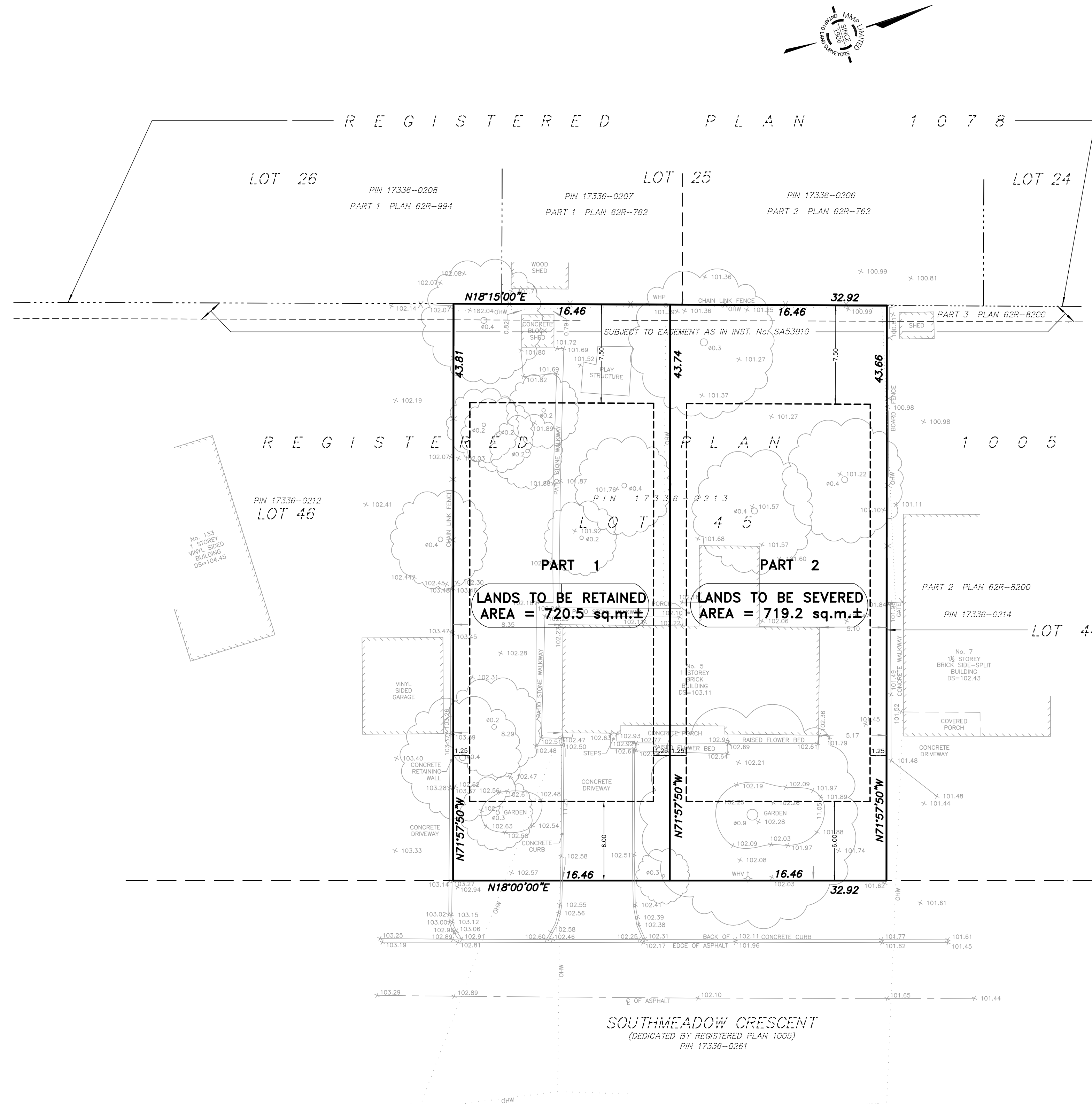
- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

DATED: April 26<sup>th</sup>, 2022

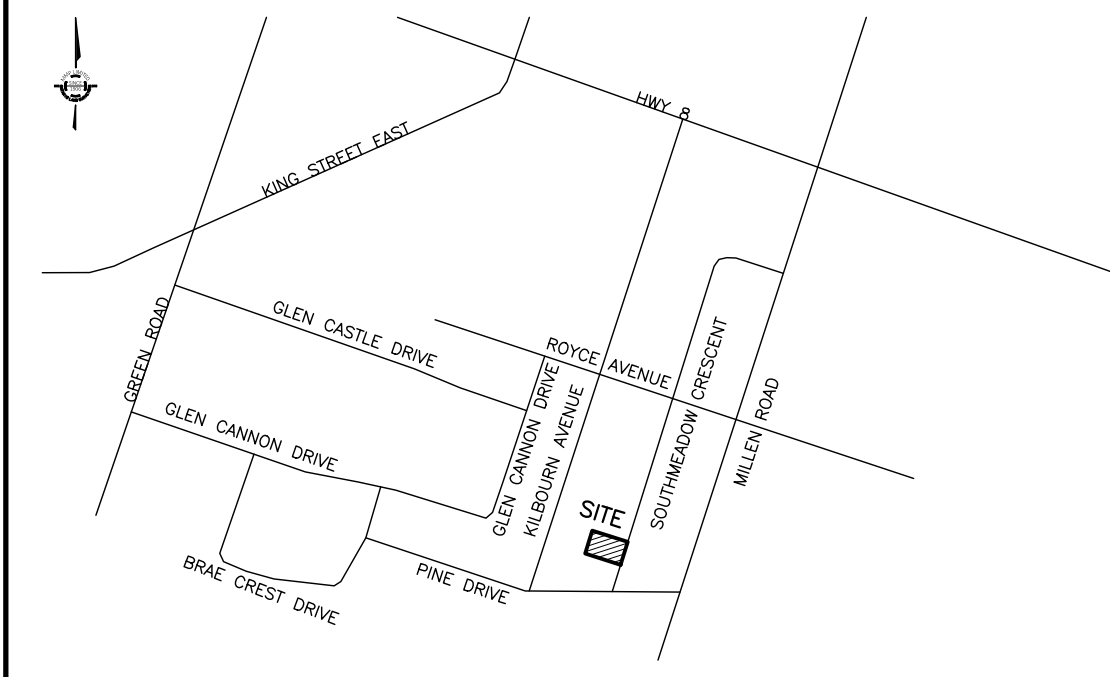
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Jamila Sheffield,  
Secretary-Treasurer  
Committee of Adjustment

***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.***



**5 SOUTHMEADOW CRESCENT**  
**PLAN SHOWING PROPOSED SEVERANCE**



KEYPLAN NOT TO SCALE  
 GEOGRAPHIC LOCATION NOTE  
**LOT 45**  
**REGISTERED PLAN 1005**  
 IN THE  
**CITY OF HAMILTON**

SCALE 1 : 200  
 0 5 10 20 metres  
 MacKAY, MacKAY & PETERS LIMITED-ONTARIO LAND SURVEYORS  
 © 2022

**METRIC** DISTANCES SHOWN HEREON ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048  
**BENCHMARK NOTE**  
 BENCHMARK No. 0772002011  
 ELEVATION = 98.173 METRES (CGVD 1928:1978 ADJUSTMENT)  
 LOCATED IN STONEY CREEK 9 METRES NORTH OF CENTRELINE OF ROYCE AVENUE, 7 METRES WEST OF CENTRELINE OF MILLEN ROAD, 8 METRES NORTHEAST OF MANHOLE & 16 METRES SOUTH OF HYDRO POLE.

**LEGEND**  
 WHP DENOTES WOOD HYDRO POLE  
 OHW DENOTES OVERHEAD WIRE  
 DS DENOTES DOOR SILL  
 WHV DENOTES WATER HYDRANT VALVE  
 C DENOTES CENTRE LINE  
 PIN DENOTES PROPERTY IDENTIFICATION NUMBER  
 ○ DENOTES DECIDUOUS TREE SCALED TO CANOPY, TRUNK SIZE SHOWN IN METRES

**CITY OF HAMILTON ZONING BY-LAW 3692-92 (STONEY CREEK)**  
**ZONING REGULATION - R2**

ZONE	REQUIRED	PROVIDED	
		PART 1 RETAINED	PART 2 SEVERED
LOT FRONTAGE	15 m.(min)	16.46 m	16.46 m
LOT AREA	460 sq.m.(min)	720.5 sq.m.	719.2 sq.m.
FRONT YARD	6 m.(min)		
REAR YARD	7.5 m.(min)		
SIDE YARD	1.25 m.(min)		
BUILDING AREA		288.2 sq.m. MAX	287.6 sq.m. MAX
BUILDING COVERAGE	40% (max)		
BUILDING HEIGHT	11 m.(max)	Max Elev 94.16	Max Elev 94.24

**CAUTION**  
 - THIS IS NOT AN ORIGINAL COPY UNLESS EMBOSSED  
 - THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED FOR TRANSACTION OR MORTGAGE PURPOSES  
 - THIS SITE PLAN IS PROTECTED BY COPYRIGHT INCLUDING ALL RELATED DIGITAL PRODUCTS

**CERTIFICATION NOTE**  
 BOUNDARY DIMENSIONS SHOWN HEREON ARE DERIVED FROM LAND REGISTRY OFFICE RECORDS AND SURVEY RECORDS OF MMP LIMITED  
 FEBRUARY 18, 2022  
 DATE  
 Roy C. Mayo  
 ONTARIO LAND SURVEYOR  
 FOR: MACKAY, MACKAY & PETERS LIMITED

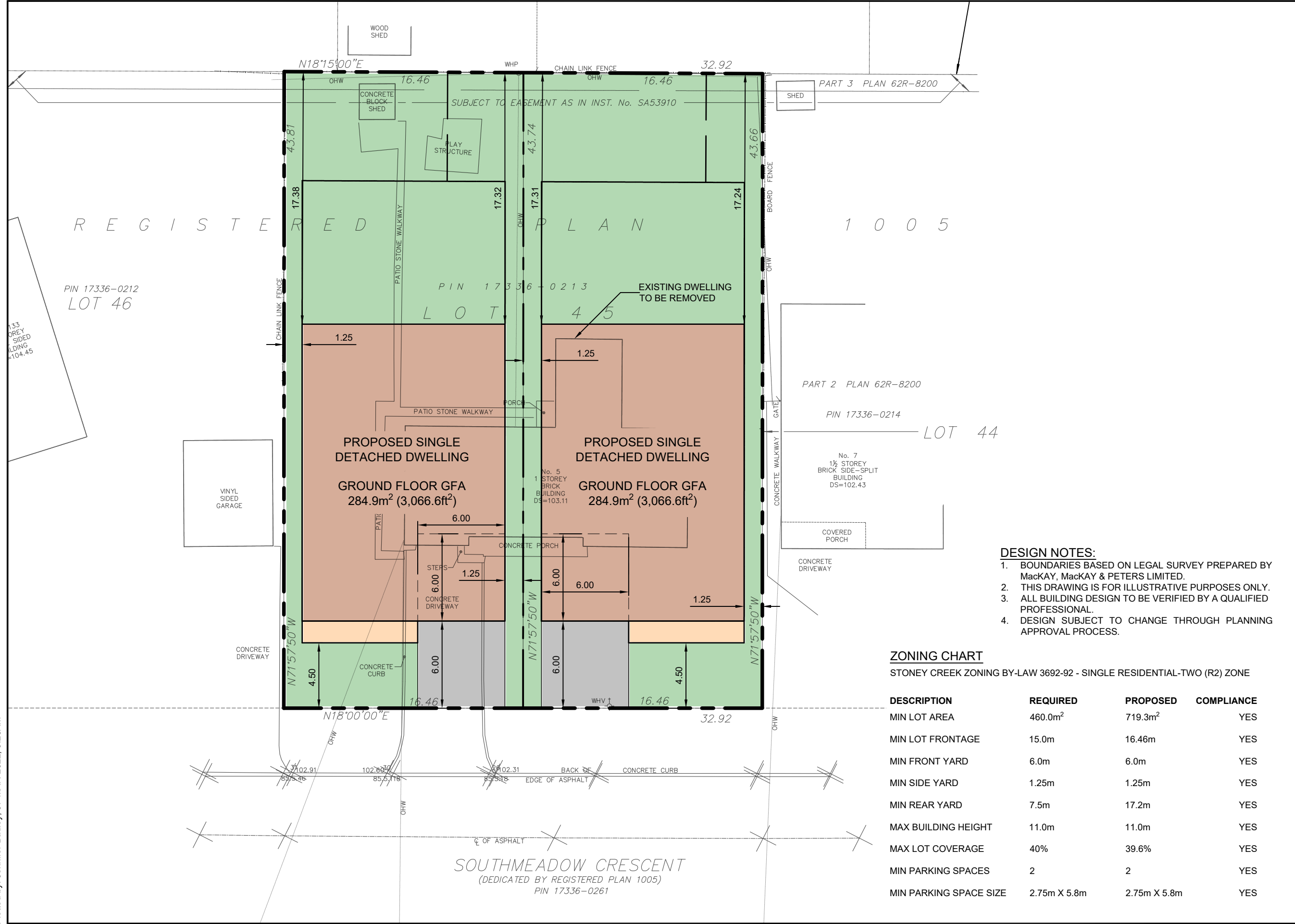
No.	DATE	REVISIONS
1	FEBRUARY 18 2022	SEVERANCE SKETCH COMPLETED

**MMP**  
 MacKay, MacKay & Peters Limited  
 LAND SURVEYORS & MAPPERS  
 SINCE 1906

3380 South Service Road  
 Unit 101  
 Burlington, ON  
 L7N 3J5  
 (905) 639-1375  
 halton@mmplimited.com  
 mmplimited.com

SAN-MH  
 ○ 106.10  
 INVERT  
 W=101.23, #0.2  
 N=101.11, #0.2  
 E=101.28, #0.2

SAN-MH  
 ○ 100.46  
 INVERT  
 N=98.65, #0.2  
 S=98.66, #0.2



**LEGAL DESCRIPTION**  
 LOT 45  
 REGISTERED PLAN 1005  
 IN THE  
 CITY OF HAMILTON



REVISIONS

REV.	DESCRIPTION	DATE	INIT.
A	ISSUED FOR SUBMISSION	07-03-2022	JB

**DISCLAIMER**  
 THIS DRAWING IS THE INTELLECTUAL PROPERTY OF T. JOHNS CONSULTING GROUP LTD. AND IS PROTECTED UNDER COPYRIGHT.  
 ANY DISCREPANCIES SHALL BE REPORTED TO T. JOHNS CONSULTING GROUP LTD. PRIOR TO THE START OF CONSTRUCTION.  
 THIS DRAWING IS NOT TO BE USED FOR CONSTRUCTION UNLESS OTHERWISE INDICATED.

**T. JOHNS CONSULTING GROUP**  
 URBAN PLANNING | DESIGN | PROJECT MANAGEMENT  
 310 LIMERIDGE ROAD WEST, SUITE 6 HAMILTON ONTARIO, L9C 2V2  
 P 905-574-1993 F 905-527-9559

PROJECT TITLE  
**5 SOUTHMEADOW CRES**  
 STONEY CREEK, ONTARIO

DRAWING TITLE  
**CONCEPTUAL SITE PLAN**

DRAWN BY JB	DESIGNED BY JB
PRINT DATE 07-MAR-2022	PROJECT NUMBER
REVISION A	DRAWING NUMBER <b>CSP1-1</b>
SCALE 1:250	

- DESIGN NOTES:**
- BOUNDARIES BASED ON LEGAL SURVEY PREPARED BY MacKAY, MacKAY & PETERS LIMITED.
  - THIS DRAWING IS FOR ILLUSTRATIVE PURPOSES ONLY.
  - ALL BUILDING DESIGN TO BE VERIFIED BY A QUALIFIED PROFESSIONAL.
  - DESIGN SUBJECT TO CHANGE THROUGH PLANNING APPROVAL PROCESS.

**ZONING CHART**  
 STONEY CREEK ZONING BY-LAW 3692-92 - SINGLE RESIDENTIAL-TWO (R2) ZONE

DESCRIPTION	REQUIRED	PROPOSED	COMPLIANCE
MIN LOT AREA	460.0m <sup>2</sup>	719.3m <sup>2</sup>	YES
MIN LOT FRONTAGE	15.0m	16.46m	YES
MIN FRONT YARD	6.0m	6.0m	YES
MIN SIDE YARD	1.25m	1.25m	YES
MIN REAR YARD	7.5m	17.2m	YES
MAX BUILDING HEIGHT	11.0m	11.0m	YES
MAX LOT COVERAGE	40%	39.6%	YES
MIN PARKING SPACES	2	2	YES
MIN PARKING SPACE SIZE	2.75m X 5.8m	2.75m X 5.8m	YES

Plotted by: Jennifer Badley: 07-MAR-2022: 9:26AM

**SURVEYOR'S REAL PROPERTY REPORT**  
**PART 1 - PLAN OF SURVEY SHOWING TOPOGRAPHY OF**  
**LOT 45**  
**REGISTRE PLAN 1005**  
 IN THE  
**CITY OF HAMILTON**  
 SCALE 1 : 200

0 5 10 20 metres  
 THE INTENDED PLOT SIZE OF THIS PLAN IS 930mm IN WIDTH BY 480mm IN HEIGHT  
 WHEN PLOTTED AT A SCALE OF 1:200 (INCLUDING 15mm BEYOND EACH BORDER)  
**MacKAY, MacKAY & PETERS LIMITED - ONTARIO LAND SURVEYORS**  
 © 2022

**KNOWN AS MUNICIPAL No. 5 SOUTHMEADOW CRESCENT**

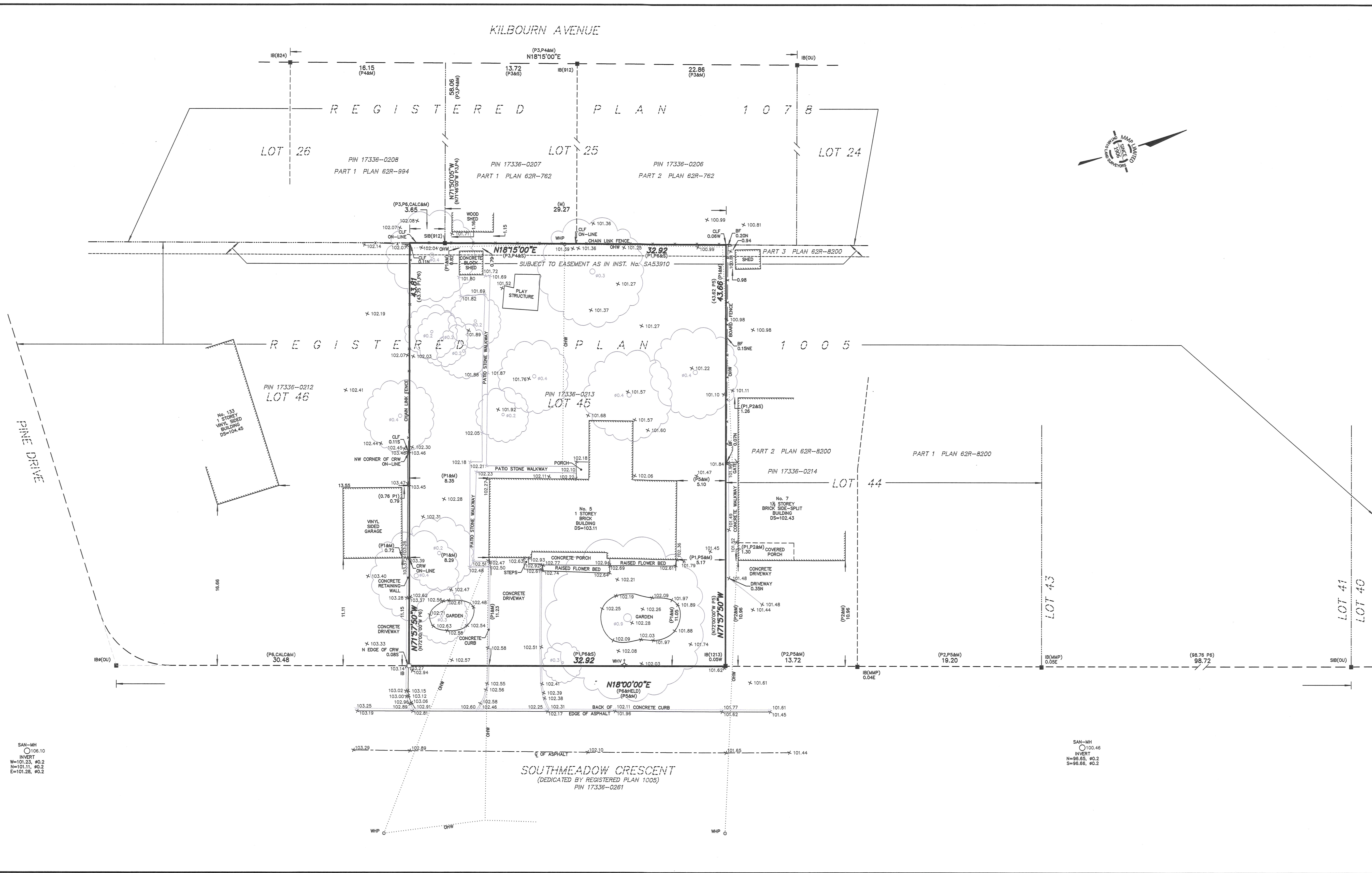
**PART 2 - REPORT SUMMARY** (TO BE READ IN CONJUNCTION WITH PART 1)  
 LAND REGISTRY OFFICE TITLE INFORMATION ON SUBJECT PROPERTY INCLUDING  
 BOUNDARIES, EASEMENTS AND RIGHT OF WAYS - NOVEMBER 2, 2021  
**REGISTERED EASEMENTS AND/OR RIGHTS-OF-WAY:**  
 - SUBJECT TO EASEMENT AS IN INST. No. SA53910

**ADDITIONAL REMARKS:**  
 - REFER TO PART 1 OF SURVEY FOR THE LOCATION OF BUILDINGS, STRUCTURES, FENCES & UTILITIES  
 MacKAY, MacKAY & PETERS LIMITED grants MARK MAGA ("The Client"),  
 their solicitor and other related parties permission to use "Original Copies" of the  
 Surveyor's Real Property Report in transactions involving "The Client"

**METRIC** DISTANCES SHOWN HEREON ARE IN METRES AND  
 CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

**ASSOCIATION OF ONTARIO**  
**LAND SURVEYORS**  
**PLAN SUBMISSION FORM**  
**V-21940**

**THIS PLAN IS NOT VALID**  
**UNLESS IT IS AN EMBOSSED**  
**ORIGINAL COPY**  
 ISSUED BY THE SURVEYOR  
 IN ACCORDANCE WITH  
 REGULATION 1028, SECTION 28(3)



- LEGEND**
- DENOTES A SURVEY MONUMENT FOUND
  - DENOTES A SURVEY MONUMENT PLANTED
  - SIB DENOTES STANDARD IRON BAR
  - IB DENOTES IRON BAR
  - P1 DENOTES PLAN BY MMP LIMITED DATED FEBRUARY 21, 1995 (95-022-18 (L))
  - P2 DENOTES PLAN BY MMP LIMITED DATED NOVEMBER 19, 1986 (Y-20548)
  - P3 DENOTES PLAN 62R-762
  - P4 DENOTES PLAN 62R-3338
  - P5 DENOTES PLAN 62R-8200
  - P6 DENOTES REGISTERED PLAN 1005
  - PIN DENOTES PROPERTY IDENTIFICATION NUMBER
  - C DENOTES CENTRELINE
  - WHP DENOTES WOOD HYDRO POLE
  - OHW DENOTES OVERHEAD WIRE
  - DS DENOTES DOOR SILL
  - CLF DENOTES CHAIN LINK FENCE
  - BF DENOTES BOARD FENCE
  - CRW DENOTES CONCRETE RETAINING WALL
  - WHV DENOTES WATER HYDRANT VALVE
  - DENOTES DECIDUOUS TREE SCALED TO CANOPY TRUNK SIZE SHOWN IN METRES

ALL BUILDING TIES ARE TO FOUNDATION AND ARE PERPENDICULAR TO PROPERTY LINES UNLESS OTHERWISE NOTED  
 A ROTATION OF 0°10'00" HAS BEEN APPLIED TO BEARINGS ON PLANS P3 & P4

**BENCHMARK NOTE**  
 BENCHMARK No. 07720020011  
 ELEVATION = 98.173 METRES (CGVD28: 78 ADJUSTMENT)  
 LOCATED IN STONEY CREEK 9 METRES NORTH OF CENTRELINE OF ROYCE AVENUE, 7 METRES WEST OF CENTRELINE OF MILLEN ROAD, 8 METRES NORTHEAST OF MANHOLE & 16 METRES SOUTH OF HYDRO POLE

**BEARING REFERENCE**  
 BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE WEST LIMIT OF SOUTHMEADOW CRESCENT AS SHOWN ON REGISTERED PLAN 1005 HAVING A BEARING OF N18°00'00"E

**SURVEYOR'S CERTIFICATE**  
 I CERTIFY THAT:  
 1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.  
 2. THE SURVEY WAS COMPLETED ON THE 21st DAY OF JANUARY, 2022

JANUARY 24, 2022  
 DATE  
 AISAR BHERI  
 ONTARIO LAND SURVEYOR  
 FOR MACKAY, MACKAY & PETERS LIMITED

**MMP**  
 MacKAY, MacKAY & PETERS LIMITED  
 LAND SURVEYORS & MAPPERS  
 SINCE 1906

3380 South Service Road  
 Unit 101  
 Burlington, ON  
 L7N 3S5  
 (905) 639-1375  
 halton@mmplimited.com  
 mmplimited.com

DRAWN BY: G.S.  
 PARTY CHIEF: N.C.  
 CHECKED BY: AB  
 PROJECT No.: 21-381

March 21, 2022

*Via Email*

**ATTN:** Jamila Sheffield, Secretary-Treasurer

Committee of Adjustment  
City of Hamilton  
Planning and Economic Development Department  
71 Main Street West, 5<sup>th</sup> Floor  
Hamilton, ON L8P 4Y5

**RE: 5 Southmeadow Crescent, Stoney Creek  
Application for Consent to Sever**

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T. Johns Consulting Group (“T. Johns”) was retained by the applicant, Maga Developments Corporation, September 7, 2021. T. Johns respectfully submits the following Consent to Sever application on their behalf.

#### **Site Description**

5 Southmeadow Crescent (“subject lands”) is located in Stoney Creek, legally described as Lot 45, Registered Plan 1005 in the City of Hamilton. The subject lands are rectangular in shape with an area of 0.14 hectares (0.36 acres) and 32.92 metres (108.01 feet) of frontage along Southmeadow Crescent.

#### **Planning Status**

The subject lands are located within the “*Niagara Escarpment Plan Area*” of the Greenbelt Plan and are identified as “*Urban Area*” in the Niagara Escarpment Plan.

The Urban Hamilton Official Plan (“UHOP”) designates the subject lands “*Neighbourhoods*”. The Neighbourhoods designation permits single detached dwellings.

The *City of Stoney Creek Zoning By-law 3692-92* zones the subject lands Single Residential - Two (R2) Zone. The “R2” Zone permits a single detached dwelling on a lot with a minimum lot area of 460 square metres and a minimum lot frontage of 15 metres.

#### **Proposed Development**

This application for Consent to Sever is to create two (2) lots for a single detached dwelling. To facilitate the proposed development, the existing dwelling is to be demolished. As shown on the submitted Consent Sketch, PART 1 (lands to be retained) would have a lot area of 720.5 square metres and lot frontage of 16.46 metres and PART 2 (lands to be severed) would have a lot area of 719.2 square metres and a lot frontage of 16.46 metres. The proposed lots meet the requirements of the “R2” Zone of Stoney Creek Zoning By-law 3692-92.

T. Johns respectfully requests that this letter and enclosed documents be accepted and circulated to all relevant departments in support of the Consent to Sever application.

Please find the enclosed:

- Consent to Sever Application with signatures;
- Copy of a cheque in the amount of \$2,985.00 to satisfy the application fee, made payable to the City of Hamilton;
  - Cheque hand delivered to City Hall March 21, 2022.
- Survey Plan;
- Conceptual Site Plan; and
- Consent Sketch.

Should you have any questions or require additional information, please do not hesitate to contact Diana Morris at (905) 574-1993 ext. 202.

Respectfully Submitted,  
**T. JOHNS CONSULTING GROUP LTD.**



Diana Morris, BA, MCIP, RPP  
Senior Planner



Hamilton

Committee of Adjustment  
City Hall, 5<sup>th</sup> Floor,  
71 Main St. W.,  
Hamilton, ON L8P4Y5

Phone: (905) 546-2424 ext. 4221  
Email: [cofa@hamilton.ca](mailto: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**

	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  Owner  
 Applicant  Agent/Solicitor

**2 LOCATION OF SUBJECT LAND** Complete the applicable lines

2.1 Area Municipality Stoney Creek	Lot 45	Concession	Former Township
Registered Plan N°. 1005	Lot(s)	Reference Plan N°.	Part(s)
Municipal Address 5 Southmeadow Crescent			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:

INST. No. SA53910

**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 also 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:

Maga Developments Corporation c/o Mark Maga

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 (m <sup>2</sup> or ha)
16.46 m	43.66 m	719.2 m <sup>2</sup>

Existing Use of Property to be severed:

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

Proposed Use of Property to be severed:

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

Building(s) or Structure(s):

Existing: Single detached dwelling

Proposed: Single detached dwelling

Existing structures to be removed: Yes

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 (remainder)**:

Frontage (m)	Depth (m)	Area (m <sup>2</sup> or ha)
16.46 m	43.74 m	720.5 m <sup>2</sup>

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: Single detached dwelling

Proposed: Single detached dwelling

Existing structures to be removed: Yes

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.

The Urban Hamilton Official Plan designates the subject lands "Neighbourhoods" which permits a full range of residential uses. The subject lands have access to local commercial, community facilities/services and parks. The lands are an appropriate location for gentle residential intensification.

5.2 What is the existing zoning of the subject land? Creek Zoning By-law No. 3692-92  
 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?

Owner's knowledge

6.12 If previous use of property is industrial or commercial or if YES to any of 6.2 to 6.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.

Is the previous use inventory attached?

Yes  No

## 7 PROVINCIAL POLICY

7.1 a) Is this application consistent with the Policy Statements issued under subsection of the *Planning Act*? (Provide explanation)

Yes  No

The proposed development provides residential infill development that is compatible with the surrounding neighbourhood and will be serviced by existing municipal infrastructure.

b) Is this application consistent with the Provincial Policy Statement (PPS)?

Yes  No (Provide explanation)

The proposed development provides residential infill development that is compatible with the surrounding neighbourhood and will be serviced by existing municipal infrastructure.

c) Does this application conform to the Growth Plan for the Greater Golden Horseshoe?

Yes  No (Provide explanation)

The proposed development provides residential infill development within the delineated built-up area of Hamilton that is compatible with the surrounding neighbourhood and will be serviced by existing municipal infrastructure.

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.

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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?

The owner property was purchased August 30, 1996.

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.

18 Candlewood Court, Stoney Creek

**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 <sup>2</sup> or ha): (from in Section 4.1)
----------------------------------	--

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):
---------------	------------------------------

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):
---------------	------------------------------

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

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):
---------------	------------------------------

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

Existing Land Use: \_\_\_\_\_ Proposed Land Use: \_\_\_\_\_

### 11 OTHER INFORMATION

Is there any other information that you think may be useful to the Committee of Adjustment or other agencies in reviewing this application? If so, explain below or attach on a separate page.

### 12 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.

3/17/2022

Date

DocuSigned by:

*Mina Cantone*

30FC51A25E774CE

Signature of Owner