



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

E-mail: [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

**NOTICE OF PUBLIC HEARING**  
**Consent/Land Severance**

**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

<b>APPLICATION NO.:</b>	<b>HM/B-22:29</b>	<b>SUBJECT PROPERTY:</b>	148 CANADA ST, HAMILTON
-------------------------	-------------------	--------------------------	-------------------------

**APPLICANTS:** Agent A.J. Clarke & Associates – S. Fraser  
**Owner David Ionico**

**PURPOSE & EFFECT:** To permit the conveyance of a parcel of land and to retain a parcel of land for residential purposes and the establishment of an easement for access and maintenance purposes. The existing dwelling on the property will be demolished.

	<b>Frontage</b>	<b>Depth</b>	<b>Area</b>
<b>SEVERED LANDS:</b>	7.62 m <sup>±</sup>	29.06 m <sup>±</sup>	220.77 m <sup>2±</sup>
<b>RETAINED LANDS:</b>	7.62 m <sup>±</sup>	28.95 m <sup>±</sup>	221.20 m <sup>2±</sup>

Associated Planning Act File(s):

**This Notice must be posted by the owner of any land which contains seven or more residential units so that it is visible to all residents.**

This application will be heard by the Committee as shown below:

<b>DATE:</b>	<b>Thursday, May 26, 2022</b>
<b>TIME:</b>	<b>1:50 p.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>To be streamed (viewing only) at</b> <a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a>

For more information on this matter, including access to drawings illustrating this request and other information submitted:

- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)

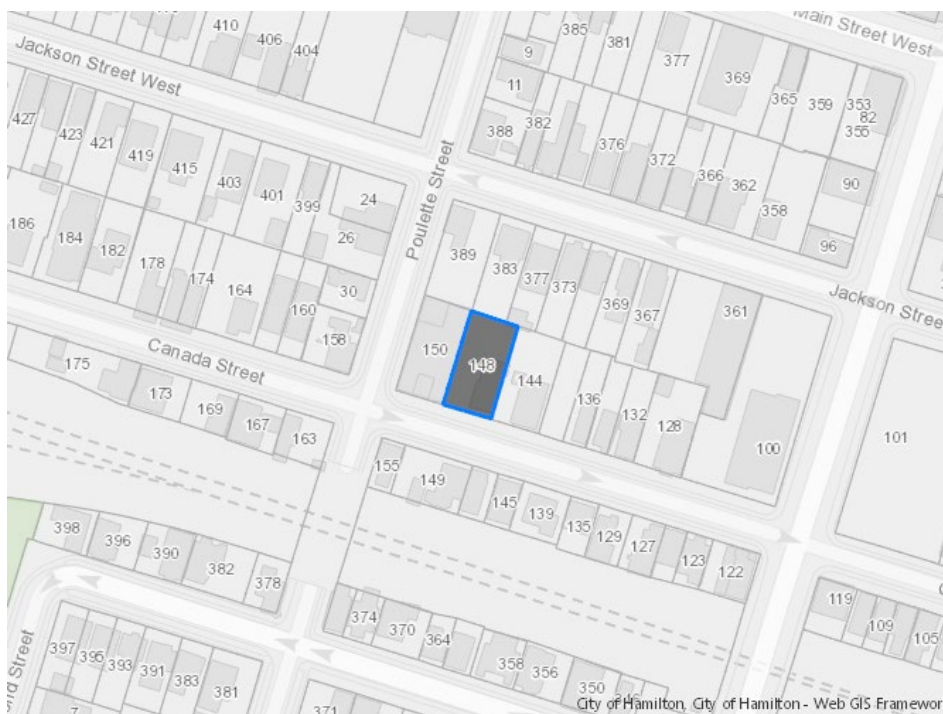
## HM/B-22:29

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

## 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.



DATED: May 10, 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, and may include posting electronic versions.

## **HM/B-22:29**

If a person or public body that files an appeal of a decision of The City of Hamilton Committee of Adjustment in respect of the proposed consent does not make written submissions to The City of Hamilton Committee of Adjustment before it gives or refuses to give a provisional consent, the Ontario Land Tribunal may dismiss the appeal.

If you wish to be notified of the decision of The City of Hamilton Committee of Adjustment in respect of the proposed consent, you must make a written request to the Secretary-Treasurer of The City of Hamilton Committee of Adjustment by email at [cofa@hamilton.ca](mailto:cofa@hamilton.ca) or by mail through City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5.



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

E-mail: [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

## PARTICIPATION PROCEDURES

### Written Submissions

Members of the public who would like to participate in a Committee of Adjustment meeting are able to provide comments in writing or via email in advance of the meeting. Comments can be submitted by emailing [cofa@hamilton.ca](mailto:cofa@hamilton.ca) or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5. **Comments must be received by noon two days before the Hearing.**

Comments can also be placed in the drop box which is located at the back of the 1st Floor of City Hall, 71 Main Street West. All comments received by noon two business days before the meeting will be forwarded to the Committee members.

Comments are available two days prior to the Hearing and are available on our website: [www.hamilton.ca/committeefadjustment](http://www.hamilton.ca/committeefadjustment)

### Oral Submissions During the Virtual Meeting

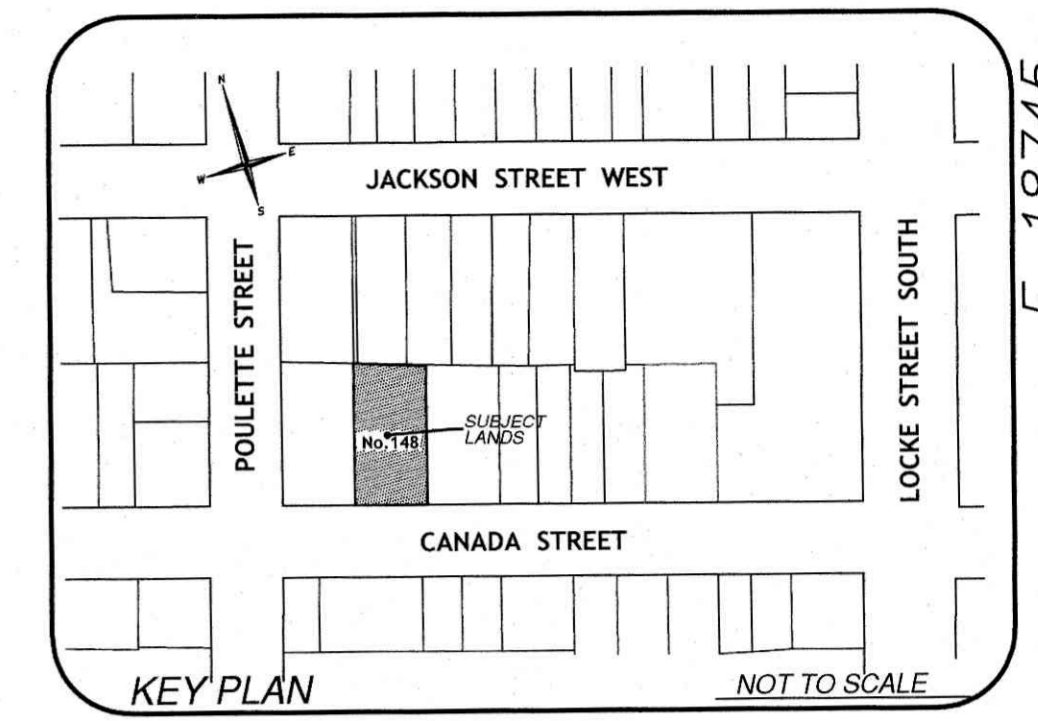
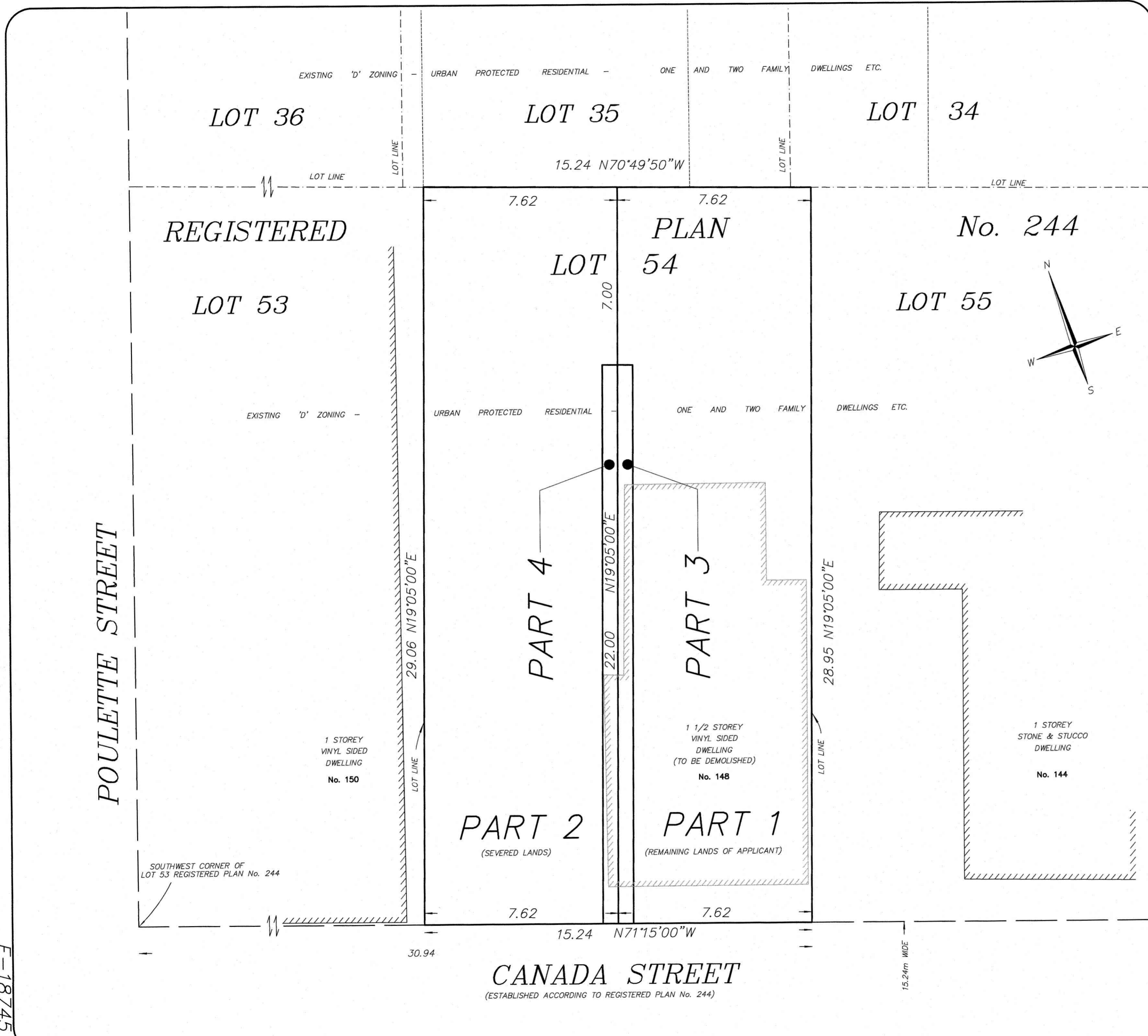
Members of the public are also able to provide oral comments regarding Committee of Adjustment Hearing items by participating through Webex via computer or phone. Participation in this format requires pre-registration in advance. **Interested members of the public must register by noon the day before the hearing.**

To register to participate by Webex either via computer or phone, please contact Committee of Adjustment staff by email [cofa@hamilton.ca](mailto:cofa@hamilton.ca) or by phone at 905-546-2424 ext. 4221. The following information is required to register: Committee of Adjustment file number that you wish to speak to, the hearing date, name and address of the person wishing to speak, if they will be connecting via phone or video, and if applicable the phone number they will be using to call in. A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting the Wednesday afternoon before the hearing. The link must not be shared with others as it is unique to the registrant.

All members of the public who register will be contacted by Committee Staff to confirm details of the registration prior to the Hearing and provide an overview of the public participation process.

We hope this is of assistance and if you need clarification or have any questions, please email [cofa@hamilton.ca](mailto:cofa@hamilton.ca) or by phone at 905-546-2424 ext. 4221.

Please note: Webex (video) participation requires either a compatible computer or smartphone and an application (app/program) must be downloaded by the interested party in order to participate. It is the interested party's responsibility to ensure that their device is compatible and operating correctly prior to the Hearing.



SKETCH FOR CONSENT FOR SEVERANCE  
**148 Canada Street**  
**CITY OF HAMILTON**

SCALE 1:100

THE ABOVE NOTED LANDS ARE  
 ALL OF LOT 54  
 REGISTERED PLAN No. 244

**METRIC:**  
 DISTANCES SHOWN ON THIS SKETCH ARE IN METRES AND  
 CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

**NOTE:**  
 THE BOUNDARIES AND MEASUREMENTS SHOWN ON THIS SKETCH  
 ARE BASED ON A FIELD SURVEY COMPLETED JUNE 25, 2021

THIS SKETCH IS NOT VALID UNLESS IT IS  
 AN EMBOSSED ORIGINAL COPY OR CERTIFIED  
 DIGITAL COPY ISSUED BY THE SURVEYOR

THIS SKETCH IS PREPARED TO ACCOMPANY AN APPLICATION  
 TO THE LAND DIVISION COMMITTEE REQUESTING A GRANT  
 OF SEVERANCE AND IS NOT INTENDED FOR REGISTRATION.

**CONSENT SCHEDULE:**  
 PART 1 & PART 3 (REMAINING LANDS OF APPLICANT) AREA=221.20m<sup>2</sup>  
 PART 2 & PART 4 (PROPOSED SEVERANCE) AREA=220.77m<sup>2</sup>  
 PART 3 & PART 4 (PROPOSED MAINTENANCE & ACCESS EASEMENTS)

**CAUTION:**  
 THIS IS NOT A PLAN OF SUBDIVISION AND SHOULD NOT BE  
 USED FOR TRANSACTION OR MORTGAGE PURPOSES.

APRIL 4, 2022  
 DATE

NICHOLAS P. MUTH  
 2038  
 ONTARIO LAND SURVEYOR

**A. J. Clarke and Associates Ltd.**  
 SURVEYORS • PLANNERS • ENGINEERS  
 25 MAIN STREET WEST, SUITE 300  
 HAMILTON, ONTARIO, L8P 1H1  
 TEL. 905-528-8761 FAX 905-528-2289  
 email: [ajc@ajclarke.com](mailto:ajc@ajclarke.com)

DRAWN BY: MW	CHECKED BY: DS/NPM	PROJECT No. 218094D	INDEX No. E-18745
-----------------	-----------------------	------------------------	----------------------

E-18745

E-18745

© COPYRIGHT, 2022 A. J. CLARKE & ASSOCIATES LTD.  
 THE REPRODUCTION, ALTERATION OR USE OF THIS REPORT,  
 IN WHOLE OR IN PART, WITHOUT THE EXPRESS PERMISSION OF  
 A. J. CLARKE & ASSOCIATES LTD. IS STRICTLY PROHIBITED.

**SURVEYOR'S REAL PROPERTY REPORT  
PART 1**

PLAN OF  
**LOT 54**  
REGISTERED PLAN No. 244  
IN THE  
**CITY OF HAMILTON**  
SCALE 1:150  
NICHOLAS P. MUTH, O.L.S.

THIS REPORT WAS PREPARED FOR  
BLAIR DRINKWATER

**NOTE:**  
TIES ARE TAKEN TO FOUNDATION  
UNLESS OTHERWISE NOTED

**SURVEYOR'S REAL PROPERTY REPORT  
PART 1 - PLAN R-4558**

**PART 2**  
PARCEL IS NOT SUBJECT TO ANY EASEMENTS  
OR RIGHTS-OF-WAY.

PLEASE NOTE PRESENCE OF OVERHEAD  
UTILITY WIRES.

REFER TO THE PLAN FOR SPECIFIC LOCATION  
OF FENCES, BUILDINGS, AND OTHER  
FEATURES RELATIVE TO THE PROPERTY LINE.

REFER TO THE PLAN FOR THE PRESENCE OF  
ANY EAVES AND THEIR LOCATION RELATIVE  
TO THE PROPERTY LINE.

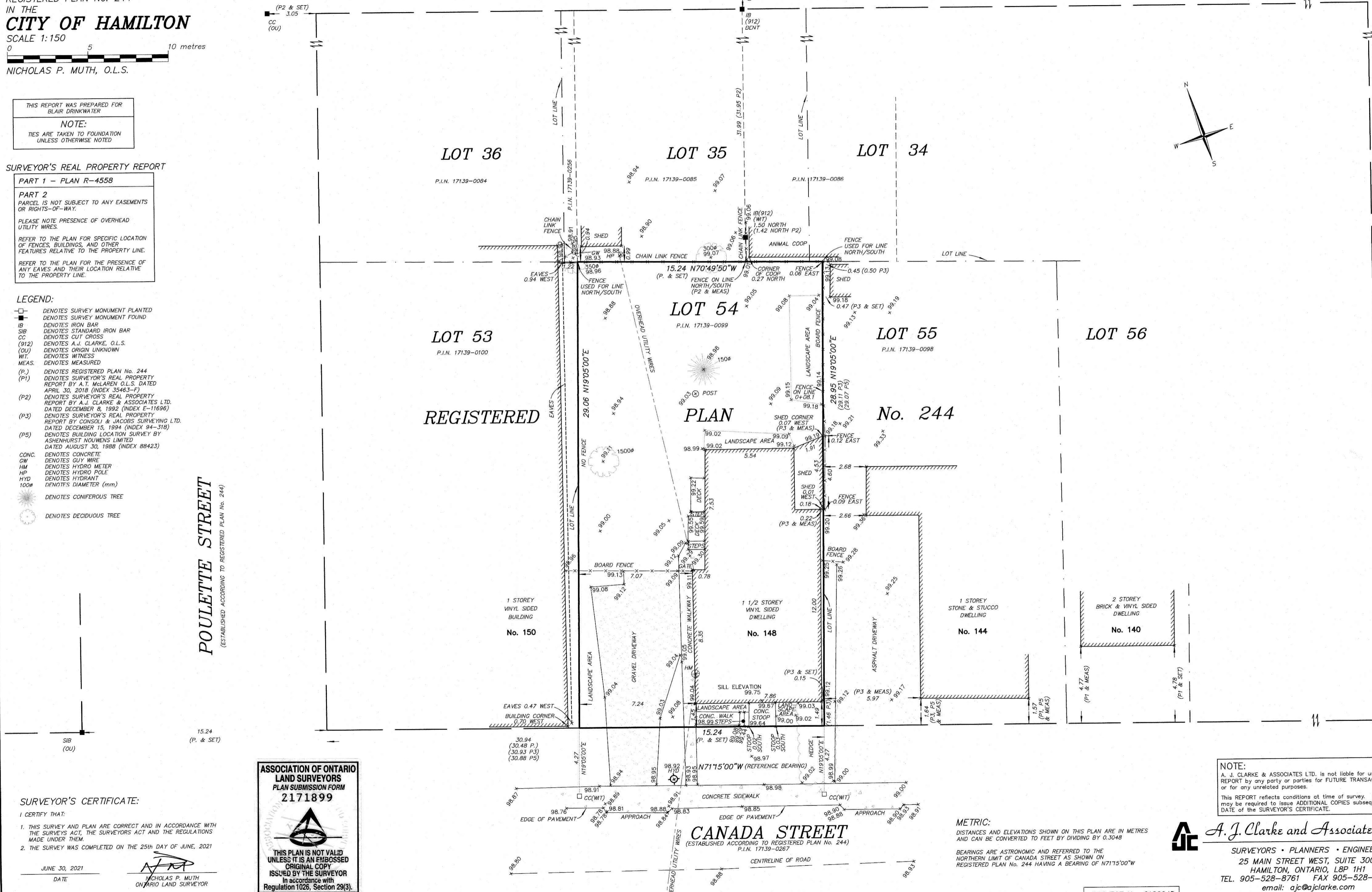
**LEGEND:**

- DENOTES SURVEY MONUMENT PLANTED
- DENOTES SURVEY MONUMENT FOUND
- IB DENOTES IRON BAR
- SIB DENOTES STANDARD IRON BAR
- CC DENOTES CUT CROSS
- (912) DENOTES A.J. CLARKE, O.L.S.
- (OU) DENOTES ORIGIN UNKNOWN
- WT. DENOTES WITNESS
- MEAS. DENOTES MEASURED
- (P.) DENOTES REGISTERED PLAN No. 244
- (P1) DENOTES SURVEYOR'S REAL PROPERTY REPORT BY A.T. McLAREN O.L.S. DATED APRIL 30, 2018 (INDEX 35463-F)
- (P2) DENOTES SURVEYOR'S REAL PROPERTY REPORT BY A.J. CLARKE & ASSOCIATES LTD. DATED DECEMBER 8, 1992 (INDEX E-11696)
- (P3) DENOTES SURVEYOR'S REAL PROPERTY REPORT BY CONSOLI & JACOBS SURVEYING LTD. DATED DECEMBER 15, 1994 (INDEX 94-318)
- (P5) DENOTES BUILDING LOCATION SURVEY BY ASHENHURST NOUWENS LIMITED DATED AUGUST 30, 1988 (INDEX 88423)
- CONC. DENOTES CONCRETE
- GW DENOTES GUY WIRE
- HM DENOTES HYDRO METER
- HP DENOTES HYDRO POLE
- HYD DENOTES HYDRANT
- 100# DENOTES DIAMETER (mm)
- DENOTES CONIFEROUS TREE
- DENOTES DECIDUOUS TREE

**POULETTE STREET**  
(ESTABLISHED ACCORDING TO REGISTERED PLAN No. 244)

**JACKSON STREET**  
(ESTABLISHED ACCORDING TO REGISTERED PLAN No. 244)

**LOCKE STREET**



**SURVEYOR'S CERTIFICATE:**

I CERTIFY THAT:

- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEY ACT, THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.
- THE SURVEY WAS COMPLETED ON THE 25th DAY OF JUNE, 2021

JUNE 30, 2021  
DATE

NICHOLAS P. MUTH  
ONARIO LAND SURVEYOR

**ASSOCIATION OF ONTARIO  
LAND SURVEYORS  
PLAN SUBMISSION FORM  
2171899**

**THIS PLAN IS NOT VALID  
UNLESS IT IS AN EMBOSSED  
ORIGINAL COPY  
ISSUED BY THE SURVEYOR  
In accordance with  
Regulation 1026, Section 29(3).**

**CANADA STREET**  
(ESTABLISHED ACCORDING TO REGISTERED PLAN No. 244)  
P.I.N. 17139-0267

**NOTE:**  
A. J. CLARKE & ASSOCIATES LTD. is not liable for use of this  
REPORT by any party or parties for FUTURE TRANSACTIONS  
or for any unrelated purposes.

This REPORT reflects conditions at time of survey. UPDATING  
may be required to issue ADDITIONAL COPIES subsequent to  
DATE of the SURVEYOR'S CERTIFICATE.

**A. J. Clarke and Associates Ltd.**  
SURVEYORS • PLANNERS • ENGINEERS  
25 MAIN STREET WEST, SUITE 300  
HAMILTON, ONTARIO, L8P 1H1  
TEL. 905-528-8761 FAX 905-528-2289  
email: ajc@ajclarke.com

PROJECT No. 218094D

R-4558

R-4558



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

April 7, 2022

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

**Re: 148 Canada Street – Severance Application Submission**

---

Dear Madam:

A.J. Clarke and Associates Ltd. has been retained by the owner of 148 Canada Street for the purposes of submitting the enclosed Severance (Consent) Application Submission. Below is a summary of the materials submitted to your attention:

- One (1) electronic copy of the required filled and signed Severance (Consent) Application Form.
- One (1) cheque in the amount of \$2,985.00 representing the required application fee.
- One (1) electronic copy of the Severance Sketch.
- One (1) electronic copy of the Survey.

The subject lands are designated “Neighbourhoods” on Schedule E-1 of the Urban Hamilton Official Plan and are zoned “D – Urban Protected Residential – One and Two Family Dwellings Etc.” Zone in City of Hamilton Zoning By-law No. 6593. The subject lands are currently occupied by one single detached dwelling to be demolished as a condition of consent approval.

The intent of the application is to create two lots for single-detached dwellings along with associated easements for access and maintenance as illustrated on the concurrently submitted severance sketch.

### **Policy Consistency and Conformity**

Further to question 5.1 of the attached application form, the following is submitted:

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

The subject land is located within the “Neighbourhoods” designation within the City’s Urban Hamilton Official Plan (UHOP). Section E.3.0 provides policies for lands designated “Neighbourhoods” on Schedule E-1 (Urban Land Use Designations). The designation is broadly supportive of the development of complete communities that are made up of more than just homes but include a variety of land uses. The proposal conforms to the applicable policies of the “Neighbourhoods” designation, as it is a permitted use and will conform to the “Neighbourhoods” policies related to function, scale, and is consistent with the lot fabric within the area.



In addition to the designation specific policies of the UHOP, the proposed severance application is reviewed against the residential intensification policies of Section B.2.4 of the UHOP.

### Residential Intensification

The City's residential intensification policies state that 40% of the City's intensification target is to be accommodated within the "Neighbourhoods" designation (Pol. 2.4.1.3 c)). With respect to the evaluation criteria outlined in Policy B.2.4.1.4, the proposal will enable the creation of two single-detached dwellings which is of compatible built form and character to surrounding development, which consists of similar land uses, small lot single-detached dwellings and will integrate well with surrounding development in terms of use, scale, form, and character. Accordingly, the proposal generally satisfies the criteria outlined in Policy B.2.4.1.4.

Section B.2.4.2 of the UHOP deals specifically with residential intensification within the "Neighbourhoods" designation. Policy 2.4.2.2 of the UHOP outlines further evaluation criteria for residential intensification with the "Neighbourhoods" designation. The proposal will facilitate the creation of two single-detached dwellings. The future single-detached dwellings are intended to be similar in terms of height and massing to the surrounding neighbourhood. Accordingly, the proposed development satisfies the criteria outlined in Policy 2.4.2.2.

### **Provincial Policy**

Further to questions 7.1 a), b), c) & d) of the attached application form, the following is submitted:

"Is this application consistent with the Policy Statements issued under subsection "2" of the Planning Act?"

The proposed development has sufficient regard for the matters of provincial interest outlined in subsection 2 of the Planning Act.

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

This property is appropriate for future development as it is within a settlement area as defined in the PPS, and settlement areas shall be the focus of growth. The subject lands are also within the built-up area and the proposed consent application will facilitate compatible residential intensification through infill development on full municipal water and wastewater services, and with frontage on a municipal road. Furthermore, the application is consistent with the PPS with respect to Section 3.1 - Natural Hazards, which directs development outside of the hazardous lands adjacent to the shorelines of the Great Lakes. As such, this application is consistent with the PPS (2020).

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

The Growth Plan (2020) stresses the importance of optimizing the existing supply of land already within the built-up area for urban development (intensification) within the Greater Golden Horseshoe to avoid over-designating new land for future urban development. The proposal is consistent with the Growth Plan as it will encourage residential intensification through infill development and will optimize the use





of existing infrastructure to support growth in a compact, compatible, and efficient form. As such, the proposal conforms to the Growth Plan.

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 Committee of Adjustment Meeting Date. If you have any questions or require additional information, please do not hesitate to contact this office.

Yours truly,

Stephen Fraser, MCIP, RPP  
Principal, Planner  
**A. J. Clarke and Associates Ltd.**





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

Table with 4 columns: Date Application Received, Date Application Deemed Complete, Submission No., File No.

1 APPLICANT INFORMATION

Table with 4 columns: NAME, MAILING ADDRESS, and two unlabeled columns. Rows include Purchaser\*, Registered Owners(s), Applicant(s)\*\*, and 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 [x] Agent/Solicitor

2 LOCATION OF SUBJECT LAND Complete the applicable lines

Table with 4 columns: 2.1 Area Municipality, Lot, Concession, Former Township; Registered Plan N°, Lot(s), Reference Plan N°, Part(s); Municipal Address, 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:

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  
 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:

Unknown at this time

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 (lease, easement, charge etc.):**

Frontage (m)	Depth (m)	Area (m <sup>2</sup> or ha)
+/- 7.62m	+/- 29.06m	+/- 220.77sq.m

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

Proposed: One single detached dwelling

Existing structures to be removed: One single detached dwelling

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) +- 7.62 m	Depth (m) +- 28.95m	Area (m <sup>2</sup> or ha) +- 221.20sq.m
---------------------------	------------------------	--

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: One single detached dwelling

Proposed: One single detached dwelling

Existing structures to be removed: One single detached dwelling

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): N/A

Urban Hamilton Official Plan designation (if applicable) <sup>\*Neighbourhoods\*</sup> UHOP

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

Please see Cover Letter.

5.2 What is the existing zoning of the subject land?

If the subject land is covered by a Minister's zoning order, what is the Ontario Regulation Number? D - Urban Protected Residential - One And Two Family Dwellings, Etc.

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"/>	+ -90m (Locke St., S)
An active railway line	<input type="checkbox"/>	+ -40-50m to the south
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 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?  
 Property Owner's knowledge, previous consent application approvals on same street.
- 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  
 Please see Cover Letter.
- b) Is this application consistent with the Provincial Policy Statement (PPS)?  
 Yes     No    (Provide explanation)  
 Please see Cover Letter.
- c) Does this application conform to the Growth Plan for the Greater Golden Horseshoe?  
 Yes     No    (Provide explanation)  
 Please see Cover Letter.
- d) Are the subject lands within an area of land designated under any provincial plan or plans? (If YES, provide explanation on whether the application conforms or does not conflict with the provincial plan or plans.)  
 Yes     No  
 See question 7.1b) and c) above and Cover Letter.
- 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.

8.4 How long has the applicant owned the subject land?

**Since March 1/22**

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.

N/A

**9 OTHER APPLICATIONS**

9.1 Is the subject land currently the subject of a proposed official plan amendment that has been submitted for approval?  Yes       No       Unknown

If YES, and if known, specify file number and status of the application.

N/A

9.2 Is the subject land the subject of any other application for a Minister's zoning order, zoning by-law amendment, minor variance, consent or approval of a plan of subdivision?

Yes       No       Unknown

If YES, and if known, specify file number and status of the application(s).

File number N/A      Status N/A

**10 RURAL APPLICATIONS**

10.1 **Rural Hamilton Official Plan Designation(s)**

Agricultural       Rural       Specialty Crop

Mineral Aggregate Resource Extraction       Open Space       Utilities

Rural Settlement Area (specify) \_\_\_\_\_

Settlement Area

Designation

If proposal is for the creation of a non-farm parcel resulting from a farm consolidation, indicate the existing land use designation of the abutting or non-abutting farm operation.

---

**10.2 Type of Application** (select type and complete appropriate sections)

- Agricultural Severance or Lot Addition
  - Agricultural Related Severance or Lot Addition
  - Rural Resource-based Commercial Severance or Lot Addition
  - Rural Institutional Severance or Lot Addition
  - 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.

Please see Cover Letter.

**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.

March 16, 2022  
 \_\_\_\_\_  
 Date

*Adam Iovico*   
 \_\_\_\_\_  
 Signature of Owner