

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

APPLICATION NO.:	SC/B-22:69	SUBJECT PROPERTY:	132 SLINGER AVENUE, STONE CREEK,
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APPLICANTS: Owner – Anthony Longo
Agent – Bousfields Inc. c/o David Falletta

PURPOSE & EFFECT: To permit the conveyance of a parcel of land for residential purposes (existing detached garage to be removed) and to retain a parcel of land containing an existing detached dwelling (to remain).

	Frontage	Depth	Area
SEVERED LANDS:	15.06 m [±]	45.72 m [±]	688.54 m ² [±]
RETAINED LANDS:	15.42 m [±]	45.71 m [±]	704.84 m ² [±]

Associated Planning Act File(s): Previous consent SC/B-16:94

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:

DATE:	Thursday, August 11, 2022
TIME:	3:40 p.m.
PLACE:	Via video link or call in (see attached sheet for details)
	2nd floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton
	To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment

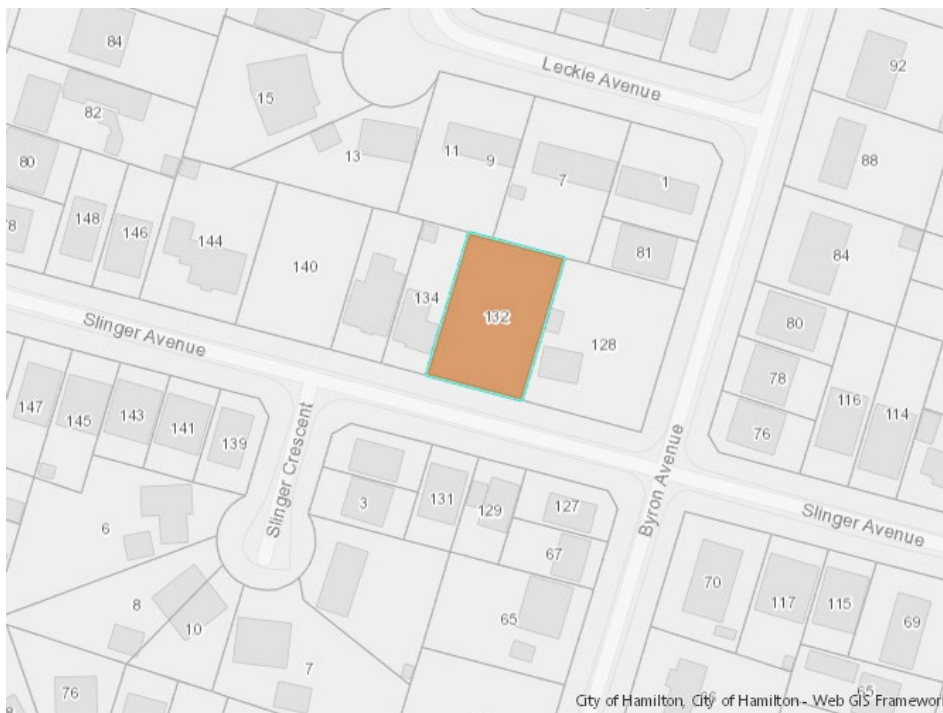
For more information on this matter, including access to drawings illustrating this request and other information submitted:

- Visit www.hamilton.ca/committeeofadjustment
- Visit Committee of Adjustment staff at 5th floor City Hall, 71 Main St. W., Hamilton
- 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, calling in, or attending in person. Please see attached page for complete instructions, including deadlines for registering to participate virtually and instructions for check in to participate in person.



Subject Lands

DATED: July 26, 2022

Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

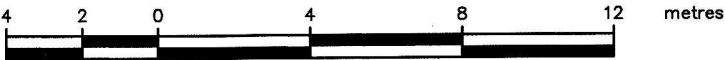
Information respecting this application is being collected under the authority of the Planning Act, R.S.O., 1990, c. P. 13. All comments and opinions submitted to the City of Hamilton on this matter, including the name, address, and contact information of persons submitting comments and/or opinions, 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..

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.

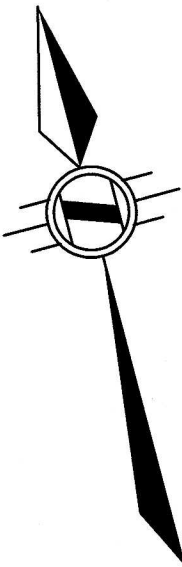
If you wish to be notified of the decision of The City of Hamilton Committee of Adjustment in respect of the proposed consent, you must make a written request to the Secretary-Treasurer of The City of Hamilton Committee of Adjustment by email at cofa@hamilton.ca or by mail through City Hall, 5th floor,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

SKETCH FOR SEVERANCE
OF
LOT 103
REGISTERED PLAN No. 955
IN THE
CITY OF HAMILTON

SCALE 1:200 METRIC

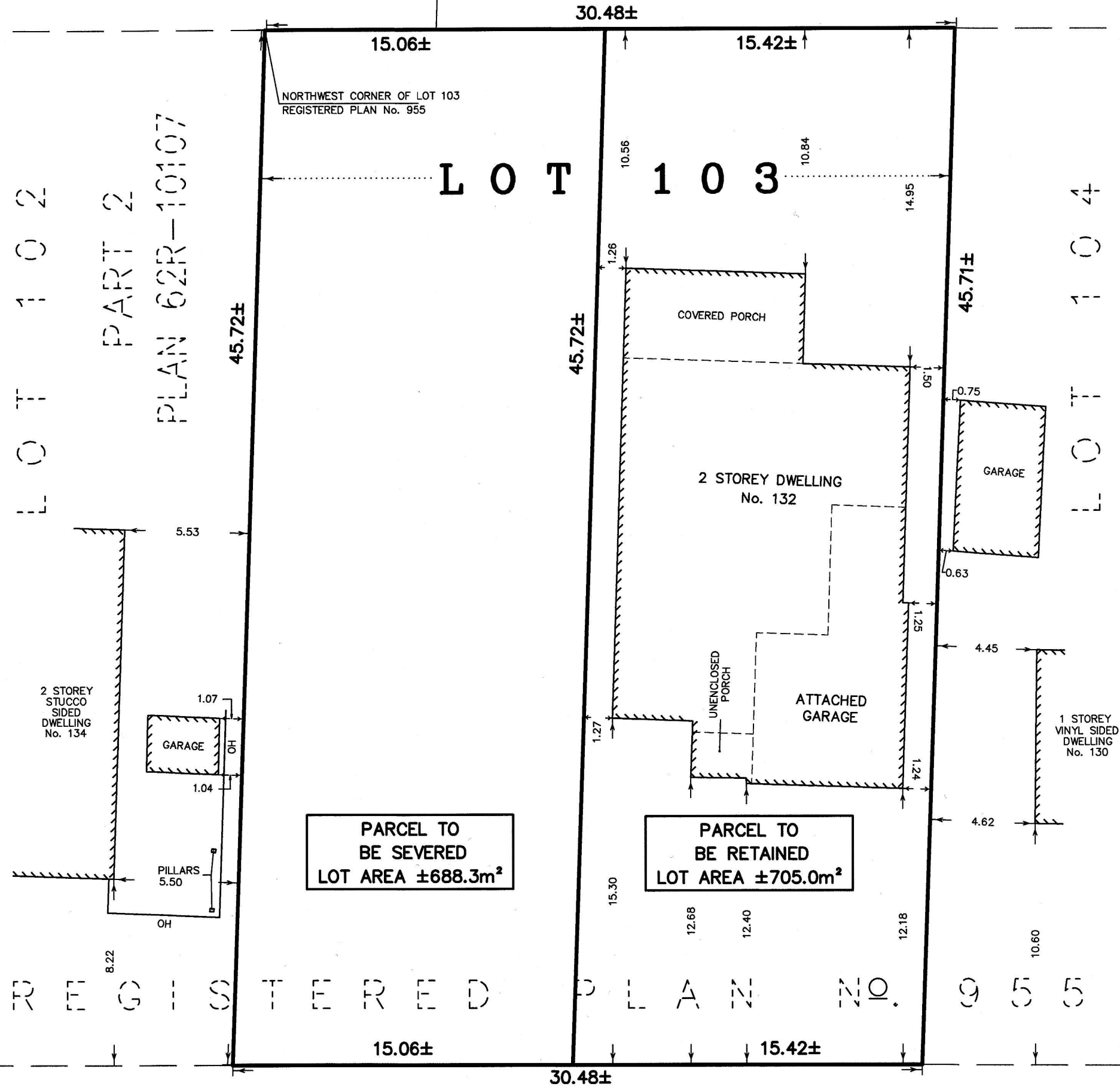


S.D. McLAREN, O.L.S. - 2022



LOT 74

LOT 73



SLINGER AVENUE
(ESTABLISHED BY REGISTERED PLAN 955)

CAUTION:

A) THIS IS NOT A PLAN OF SURVEY
AND SHALL ONLY BE USED FOR THE
PURPOSE INDICATED IN THE TITLE
BLOCK
B) THIS SKETCH IS PROTECTED BY
COPYRIGHT ©

MAY 02, 2022
DATE

S. DAN McLAREN, O.L.S.



A.T. McLaren Limited
LEGAL AND ENGINEERING SURVEYS

69 JOHN STREET SOUTH, SUITE 230
HAMILTON, ONTARIO, L8N 2B9
PHONE (905) 527-8559 FAX (905) 527-0032

Drawn KB	Checked SDM	Crew Chief —	Scale 1:200	Dwg.No. 35152-SK
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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*	n/a		Phone:
			E-mail:
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
Registered Plan N°. 955	Lot(s) 103	Reference Plan N°.	Part(s)
Municipal Address 132 Slinger Avenue			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)
15.06	45.72	688.54

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-storey detached garage

Proposed: 2-storey detached dwelling

Existing structures to be removed: 1-storey detached garage

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)	Depth (m)	Area (m ² or ha)
15.42	45.71	704.84

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: 2-storey detached dwelling

Proposed: no change

Existing structures to be removed: n/a

Type of access: (check appropriate box)

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

Type of water supply proposed: (check appropriate box)

- ☒ publicly owned and operated piped water system
- ☐ privately owned and operated individual well
- ☐ lake or other water body
- ☐ other means (specify)

Type of sewage disposal proposed: (check appropriate box)

- ☒ publicly owned and operated sanitary sewage system
- ☐ privately owned and operated individual septic system
- ☐ other means (specify)

4.3 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.

Application proposes residential use which is permitted in Neighbourhoods designation, and is similar to the surrounding existing uses.

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? R2 (By-law 3692-92 Stoney Creek)

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"/>	various commercial retail uses
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?

Personal knowledge and research of the residential neighbourhood.
- 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

Refer to submitted cover letter.
- b) Is this application consistent with the Provincial Policy Statement (PPS)?
☒ Yes ☐ No (Provide explanation)

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

Refer to submitted 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

Refer to submitted 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)
- 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.

Application for consent which was APPROVED. Application No. SC/B-16:94.

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

Detached dwelling has been built on the retained lands. This application includes a slight reduction in frontage width of the severed parcel compared to original application (~0.18 m).

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)
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Existing Land Use: Proposed Land Use:

10.4 **Description of Lands (Abutting Farm Consolidation)**

a) Location of abutting farm:

(Street)

(Municipality)

(Postal Code)

b) Description abutting farm:

Frontage (m):	Area (m ² or ha):
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Existing Land Use(s): Proposed Land Use(s):

c) Description of consolidated farm (excluding lands intended to be severed for the surplus dwelling):

Frontage (m):	Area (m ² or ha):
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Existing Land Use: Proposed Land Use:

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

Frontage (m): (from Section 4.1)	Area (m ² or ha): (from Section 4.1)
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Front yard set back:

e) Surplus farm dwelling date of construction:

☐ Prior to December 16, 2004 ☐ After December 16, 2004

f) Condition of surplus farm dwelling:

☐ Habitable ☐ Non-Habitable

g) Description of farm from which the surplus dwelling is intended to be severed (retained parcel):

Frontage (m): (from Section 4.2)	Area (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.

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.

Date Signature of Owner



June 20, 2022

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

SENT VIA EMAIL TO: cofa@hamilton.ca

Re: Consent Application
132 Slinger Avenue, City of Hamilton

Bousfields Inc. is the planning consultant to Anthony Longo, the registered owner of 132 Slinger Avenue in the City of Hamilton (the "subject site"). This letter has been prepared in support of the enclosed Consent application to provide relevant information regarding the proposed severance and to assist the Committee in making an informed decision. See enclosed the following digital materials:

- Proposed Severance Sketch showing Lot 103 in Registered Plan No. 955; and,
- Signed and Commissioned Consent Application Form.

The required City Application fee (\$2,985.00 for a property serviced with sanitary sewers and public watermains) will be mailed to the City separately. A scanned copy of the cheque is attached to this letter.

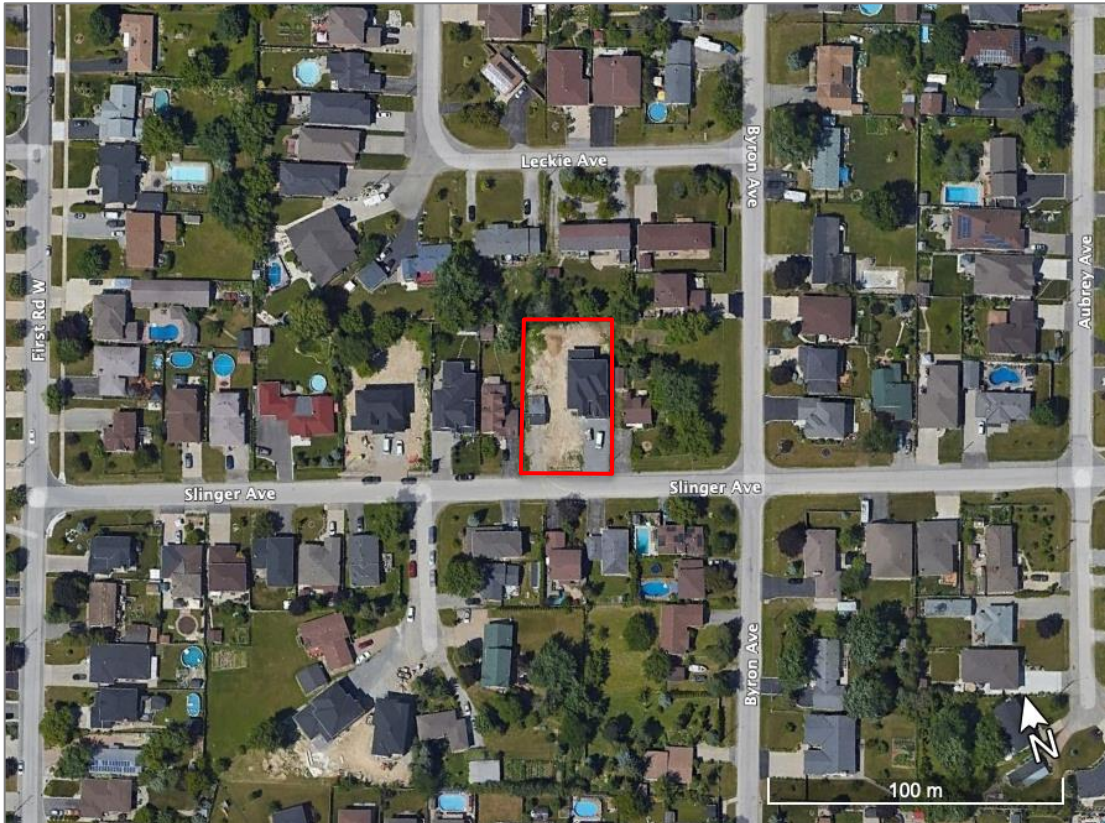
Subject Site

Lot 103 in Registered Plan No. 955 (municipally known as 132 Slinger Avenue) is located in the southeast quadrant of the City of Hamilton Urban Area, formerly within the City of Stoney Creek. The subject site fronts the north side of Slinger Avenue and is approximately 1,394 square metres. The subject site currently has a 2-storey single detached dwelling on the east portion of the site (lands to be retained) and a 1-storey detached garage on the west portion of the site (lands to be severed).

The subject site is located between two existing detached residential dwellings on Slinger Avenue (128 & 134 Slinger Avenue). The surrounding area land use is predominantly residential and is comprised of existing single detached dwellings and semi-detached dwellings, with multiple schools and parks located throughout

community. Commercial uses are located approximately 500 metres to the south and east of the subject site, generally along arterial roads on the edges of the community.

Aerial Photo



Source: Google Earth, 2018

History

The site was subject to a previous Consent application in 2016. On December 22, 2016, the Committee issued a Notice of Decision which approved the Consent Application for 132 Slinger Avenue to permit the conveyance of a parcel of land measuring approximately 675 square metres for residential purposes, and to retain the remaining lands (approximately 675 square metres) for residential purposes as well.

Upon review of the application, the Committee approved the Consent for the following reasons:

- The proposal did not conflict with the intent of the Urban Hamilton Official Plan;

- The Committee considered the proposal to be in keeping with the development in the area; and
- The Committee was satisfied that a plan of subdivision was not necessary for the proper and orderly development of the lands.

The Notice of Decision contained several conditions to be met within one year of the date of the Notice to receive final approval. The conditions of approval were not met within the prescribed period and the application lapsed. Since that time, the existing dwelling, which sat in the centre of the lot, was demolished and a new dwelling was constructed on the east side of the subject site.

Proposed Consent Application

The proposed application is generally consistent with the previous application approved in 2016. Lot 103 is proposed to be severed to create a new residential lot, approximately 688 square metres in size, fronting onto Slinger Avenue. The severed parcel comprises the west half of the subject site and currently has a 1-storey detached garage. The detached garage is intended to be demolished and replaced with a 2-storey single detached dwelling, similar to what currently exists on the retained lands (the east half of the subject site). The new lot and retained lots would comply with the applicable in-force Zoning By-law.

Section 51 of the *Planning Act* (Land Division)

Section 51 of the *Planning Act* authorizes the Committee of Adjustment to make decisions on the division of land. The *Planning Act* sets the standards to which provincial interests, and provincial and local policies and goals are implemented. Accordingly, to assess whether the Consent Application is based on sound planning principles, regard must be had for the criteria listed in subsection 51(24) of the *Planning Act*.

Criteria

The following section provides an assessment of how the proposed application has appropriate regard for the criteria in subsection 51(24) of the *Planning Act*.

(24) In considering a draft plan of subdivision, regard shall be had, among other matters, to the health, safety, convenience, accessibility for persons with disabilities and welfare of the present and future inhabitants of the municipality and to,

Regulation	Response
(a) <i>the effect of development of the proposed subdivision on matters of provincial interest as referred to in section 2;</i>	The proposal is to intensify an underutilized site within the <i>Built Boundary</i> , which is consistent with and conforms to the PPS and Growth Plan.
(b) <i>whether the proposed subdivision is premature or in the public interest;</i>	The Consent will allow for development to occur within an existing residential subdivision with existing public infrastructure and is not premature.
(c) <i>whether the plan conforms to the official plan and adjacent plans of subdivision, if any;</i>	The proposed lot configuration of the severed and retained parcels comply with the in-force zoning by-law and conform with the applicable official plan. The Consent represents a logical pattern of development consistent with the existing residential community.
(d) <i>the suitability of the land for the purposes for which it is to be subdivided;</i>	The Consent will facilitate residential development on lands planned for residential uses in accordance with the in-force zoning by-law and official plan.
(d.1) <i>if any affordable housing units are being proposed, the suitability of the proposed units for affordable housing;</i>	Not applicable.
(e) <i>the number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them;</i>	The Consent will utilize an existing street (Slinger Avenue) and no new ones are proposed.
(f) <i>the dimensions and shapes of the proposed lots;</i>	The proposed lot dimensions (lot frontage, lot area) are consistent with several existing lots in the surrounding community and are in compliance with the in-force zoning regulations.
(g) <i>the restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the</i>	Not applicable.

Regulation	Response
<i>buildings and structures proposed to be erected on it and the restrictions, if any, on adjoining land;</i>	
<i>(h) conservation of natural resources and flood control;</i>	Not applicable.
<i>(i) the adequacy of utilities and municipal services;</i>	The subject site is part of a registered plan of subdivision which is serviced by existing utilities and municipal services. The existing utilities and municipal services are adequate to accommodate the proposed Consent application to create one additional lot, which is supported by the fact that the Consent application was previously been approved by the Committee in 2016. In our opinion, the Consent will contribute to optimizing the use of existing municipal services in the built-up urban area.
<i>(j) the adequacy of school sites;</i>	We do not anticipate the proposed new lot will impact existing school capacity.
<i>(k) the area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;</i>	Not applicable.
<i>(l) the extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy; and</i>	The subject site is part of a registered plan of subdivision. Matters of conservation of energy have been dealt with through the overall draft plan of subdivision and conditions of draft plan approval.
<i>(m) the interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under</i>	The Consent proposes the creation of one new lot for a single detached dwelling, which is not subject to site plan control. The development of the building will be regulated by the building permit process and Ontario Building Code.

Regulation	Response
subsection 41 (2) of this Act or subsection 114 (2) of the City of Toronto Act, 2006. 1994, c. 23, s. 30; 2001, c. 32, s. 31 (2); 2006, c. 23, s. 22 (3, 4); 2016, c. 25, Sched. 4, s. 8 (2).	

Urban Hamilton Official Plan

Chapter F of the Urban Hamilton Official Plan (the “UHOP”) deals with Implementation and section 1.14.3 deals with lot creation within the urban area. Policy 1.14.3.1 states consents for new lot creation, for both severed and retained lands, for residential uses in the Neighbourhoods designation, shall be permitted provided the following conditions are met:

- a) The lots comply with the policies of the UHOP, including secondary plans, where one exists;
- b) The lots comply with the existing *Neighbourhood Plans*;
- c) The lots are in conformity with the Zoning By-law, or a minor variance is approved;
- d) The lots reflect the general scale and character of the established development pattern in the surrounding area by taking into consideration lot frontages and areas, building height, coverage, mass, setbacks, privacy and overview;
- e) The lots are fully serviced by municipal water and wastewater systems; and
- f) The lots have frontage on a public road.

With respect to conditions (a) and (b), the proposed Consent would result in the creation of a new lot and a retained lot, both of which conform with the policies of the UHOP and the applicable Neighbourhood policies, which permit single detached residential dwellings. The subject site is designated Neighbourhoods in the UHOP and is designated Low Density Residential in the Stoney Creek Neighbourhoods Plan – Highland. The proposed Consent would allow residential development on the new lot in a manner that conforms with the UHOP and applicable Neighbourhood Plan.

With respect to conditions (c) and (d), the proposed lots are in conformity with the in-force Zoning By-law (refer to Zoning Compliance below) and the lots reflect the general scale and character of the surrounding existing residential community.

With respect to conditions (e) and (f), the proposed lots can be fully serviced by existing municipal water and wastewater systems and front onto a public road (Slinger Avenue).

Zoning Compliance

The subject site is zoned R2 Single Residential – Two in the City of Stoney Creek Zoning By-law 3692-92. The table below compares the proposed lot frontage and area of the severed and retained parcels compared with the in-force zoning of the subject site.

Lot 103	Min Lot Frontage (m)	Provided Lot Frontage (m)	Min Lot Area (m²)	Provided Lot Area (m²)	Compliance
Severed Parcel	15	15.02±	460	688.3±	Yes
Retained Parcel	15	15.42±	460	705.0±	Yes

The existing dwelling complies with all other requirements of the R2 zone and the proposed dwelling on the severed parcel will be required to comply with the R2 regulations.

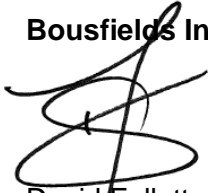
Conclusion

Based on the above analysis, the requested Consent Application is appropriate and represents good planning.

We trust the foregoing is satisfactory however, should you require any additional information or clarification, please contact me or David Milano of our office.

Respectfully submitted,

Bousfields Inc.



David Falletta, MCIP, RPP
DM/df:jobs

Attachments (2)

Cc: A. Longo