



Hamilton

COMMITTEE OF ADJUSTMENT

City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5

Telephone (905) 546-2424, ext. 4221, 3935

E-mail: 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

APPLICATION NO.:	SC/B-22:74	SUBJECT PROPERTY:	16 Lochside Dr, Stoney Creek
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APPLICANTS: Owner: Lynn Ann Molloy
Agent: IBI Group c/o J. Ariens & Jim Tarbutt – Tarbutt Construction Ltd

PURPOSE & EFFECT: To sever the existing residential lot into two parcels, the severed lands will be a vacant residential building lot and the retained lands will contain the existing dwelling which is intended to be retained.

	Frontage	Depth	Area
SEVERED LANDS:	40.716 m [±]	27.432 m [±]	1,116.921 m ^{2±}
RETAINED LANDS:	48.697 m [±]	84.686 m [±] East 57.184 m [±] West	2,888.19 m ^{2±}

Associated Planning Act File(s): SC/A-22:255

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, November 3, 2022
TIME:	2:10 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

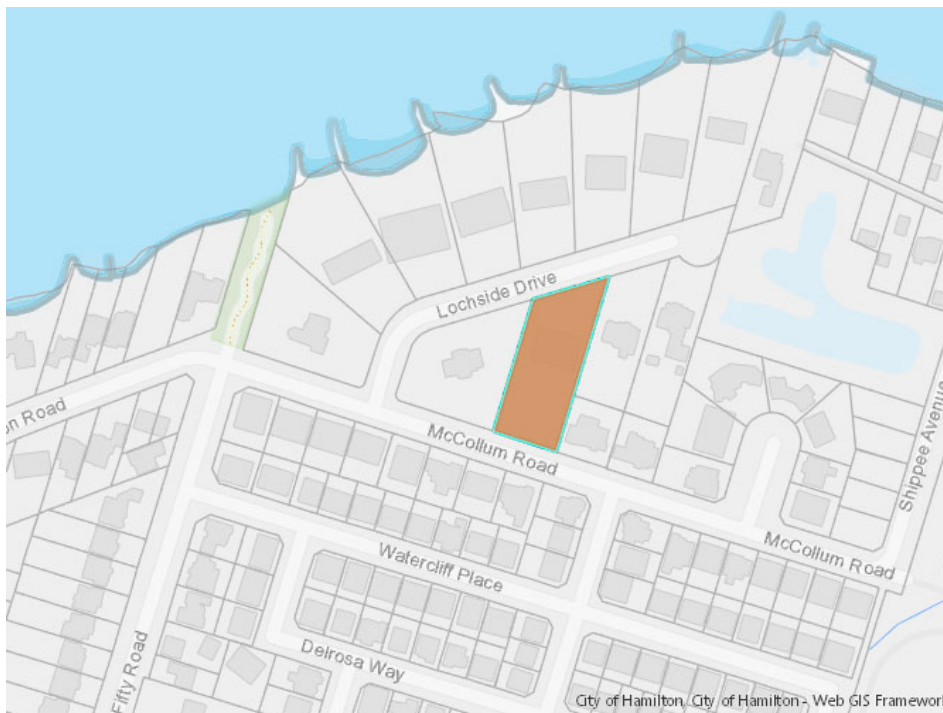
For more information on this matter, including access to drawings illustrating this request and other information submitted:

- 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.



DATED: October 18, 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..

SC/B-22:74

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.



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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. Please include your name and address, hearing date, and file number. Comments can be submitted by emailing 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.**

Comment packages are available two days prior to the Hearing and are available on our website: www.hamilton.ca/committeeofadjustment

Oral Submissions

Members of the public are also able to provide oral comments regarding Committee of Adjustment Hearing items by participating Virtually through Webex via computer or phone or by attending the Hearing In-person. Participation Virtually requires pre-registration in advance. Please contact staff for instructions if you wish to make a presentation containing visual materials.

1. Virtual Oral Submissions

Interested members of the public, agents, and owners must register by noon the day before the hearing to participate Virtually.

To register to participate Virtually by Webex either via computer or phone, please contact Committee of Adjustment staff by email cofa@hamilton.ca. The following information is required to register: Committee of Adjustment file number, hearing date, name and mailing address of each person wishing to speak, if participation will be by 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.

2. In person Oral Submissions

Interested members of the public, agents, and owners who wish to participate in person must sign in at City Hall room 222 (2nd floor) no less than 10 minutes before the time of the Public Hearing as noted on the Notice of Public Hearing.

We hope this is of assistance and if you need clarification or have any questions, please email 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.



IBI GROUP
200 East Wing – 360 James Street North
Hamilton ON L8L 1H5 Canada
tel 905 546 1010
ibigroup.com

September 16, 2022

Chair and Members of Committee of Adjustment c/o Jamila Sheffield
Secretary - Treasurer, Committee of Adjustment
City of Hamilton
71 Main Street West - 5th Floor
Hamilton, Ontario
L8P 4Y5

Dear Ms. Sheffield:

**16 LOCHSIDE DRIVE, STONEY CREEK
CONSENT AND MINOR VARIANCE APPLICATION SC/B-22:74 & SC/A-22:255
CONSENT AND MINOR VARIANCE APPLICATION SC/B-22:74 & SC/A-22:255 - 16
LOCHSIDE DRIVE, STONEY CREEK**

In July 2022, Tarbutt Construction Ltd. submitted concurrent applications for Consent and Minor Variance for the lands located at 16 Lochside Drive, Stoney Creek (herein referred to as the “subject lands”). The Consent Application was submitted to sever the existing lot into a total of two residential parcels (one severed and one retained), while the Minor Variance Application was submitted to permit eight minor variances to accommodate the proposed severance. The variances requested at the time were in line with the provisions of the R1-18 Zone, which was approved for 22 & 28 Lochside Drive. These applications were heard at the Committee of Adjustment Hearing, dated August 25th, 2022. After some discussion on the details of the applications, the applicant decided to table the applications and the Committee moved to accept the tabling.

Since that time, the applicant has retained IBI Group to prepare and submit a revised Minor Variance Application. As such, please accept this second resubmission for the above noted property and applications, following the tabling of the applications at the August 25th, 2022 hearing. This letter provides some information, rationale and analysis to support this resubmission. We re-iterate that the intent of the applications is to permit one new vacant lot, while retaining one lot with the retained dwelling. There are no proposed dwelling designs for the severed lot.

1.0 REVISED MINOR VARIANCES

The subject lands are zoned ‘Rural Residential Estate’ (RRE) in the Former Stoney Creek In the context of establishing the proposed residential lot on the lands to be severed and the resulting retaining lot, which includes the existing single detached dwelling, we have revised the variances for each residential parcel based on our review and interpretation of the Former City of Stoney Creek Zoning By-law 3692-92 to the following:

LANDS TO BE SEVERED:

1. A minimum lot area of 1,110 square metres shall be provided, instead of the minimum lot area required of 4,000 square metres, and;
2. A minimum front yard setback of 6.0 metres, except 7.5 metres to an attached garage shall be provided instead of the minimum required 25.0 metres front yard setback;

Chair and Members of Committee of Adjustment c/o Jamila Sheffield – September 16, 2022

LANDS TO BE RETAINED:

3. A minimum lot area of 2,880 square metres shall be provided instead of the minimum required lot area of 4,000.0 square metres

Planning Act Section 45 (1) Compliance

Section 45 (1) of the Planning Act permits the Committee of Adjustment to grant Minor Variances from the Zoning By-law provided that they meet what is known at the four (4) tests. The four tests are:

1. Is the variance minor in nature?
2. Is the variance desirable and appropriate?
3. Does the variance maintain the general intent and purpose of the Official Plan? and,
4. Does the variance maintain the general intent and purpose of the Zoning By-law?

The following will provide an analysis of the proposed variances against the four tests.

1.1 Variances 1 & 3: Minimum Lot Area

The current zoning requires a minimum lot area of 4,000 square metres. The proposed lot along McCollum Road will require a variance to permit a reduced lot area of 1,110 square metres, while the retained lot along Lochside Drive requires a variance to permit a reduced minimum lot area of 2,880 square metres.

1. Are the Variances Minor in Nature?

The determination of minor is not a matter of quantum of the variance, but rather a consideration of the overall impact of the proposed variance. As such, it is our opinion that the requested variances to the lot area are minor in nature and do not impact the overall character of the neighbourhood. As seen in **Figure 1**, the proposed lot areas are compatible with the existing lots in the neighbourhood, which range from 1,000 to 4,000 square metres. The lots, that are approximately 4,000 square metres, are waterfront lots, which have frontage along Lake Ontario, while the interior lots are primarily on the lower end of the identified range. The subject lands do not have frontage on Lake Ontario and are located within the interior of the neighbourhood. In addition, the subject lands have a generous area and can readily accommodate a new dwelling, while still maintaining the lower density, with lot sizes and shapes compatible with the context.

In the case of the proposed lot, the proposed variance for lot area is consistent with the lot areas of 17 and 19 McCollum Road as well as 3 Avery Circle, which are directly adjacent. The potential size of the new dwelling on the proposed lot will comply with required setbacks as required by the By-law, except for the front yard setback (identified in the second variance), thereby ensuring an appropriate distance between adjacent dwelling and reducing significant privacy and overlook concerns. The existing character of the area and streetscape are being maintained.

In the case of the retained lot, the reduced lot area will accommodate the existing single detached dwelling, deck and pool, while complying with all setbacks, as required by the By-law. Therefore, the proposed development will not have any adverse impacts on the area or upon surrounding homes.

Chair and Members of Committee of Adjustment c/o Jamila Sheffield – September 16, 2022



Figure 1: Surrounding Context around Subject Lands (identified in red), Retrieved from City of Hamilton Mapping

2. Are the Variances Desirable and Appropriate?

The variances are desirable and appropriate because they are compatible within the existing neighbourhood and built form. As illustrated in **Figure 1**, the existing residential lands within the vicinity of the subject lands have a mix and range of lot areas, which range from 1,000 to 4,000 square metres. As such, the proposed reductions to the lot area requirements will facilitate the proposed consent, which maintains the character and built form of the neighbourhood, while simultaneously allowing for mild intensification and generally lower density development and are therefore desirable and appropriate.

3. Do the Variances maintain the general intent and purpose of the Official Plan?

The subject lands are designated as 'Neighbourhoods' in Schedule E- Urban Structure and designated as 'Neighbourhoods' in Schedule E-1 – Urban Land Use Designations. These policies allow for residential uses. In addition, the subject lands are located within the Urban Lakeshore Area Secondary Plan and is designated Low Density Residential 2b, which permits a maximum density 32 units per net residential hectare. The proposed lot is intended to be developed with one single detached residential dwelling and the resulting density of 8.9 units per net hectare complies with the maximum density. The proposed development matches the low-density character of the neighbourhood.

4. Do the variances maintain the general intent and purpose of the Zoning By-law?

The proposed variances to the minimum lot area meet the intent and purpose of the Zoning By-law. The subject lands are located in an established neighbourhood, where

Chair and Members of Committee of Adjustment c/o Jamila Sheffield – September 16, 2022

there is a wide range of lot sizes and frontages. The purpose of a minimum lot area is to ensure there is adequate space to develop the lands without over development. In our opinion, the intent of the minimum lot area of 4,000 square metres for the Rural Residential Estate Zone was to accommodate private services, however, the subject lands and neighbourhood have access to full municipal water and wastewater servicing. Therefore, the reduced lot area is appropriate and can appropriately accommodate the existing single detached dwelling as well as the construction of an additional single detached dwelling.

We understand that Planning Staff are suggesting that a Zoning By-law amendment be processed and approved rather than proceeding with a variance. We respectfully disagree as a single family dwelling is a permitted use as of right subject to certain regulations and no change in use is being requested. These lands are zoned for residential purposes now. A reduction to lot area is in our opinion a “typical” matter that a Committee of Adjustment can approve pursuant to the provisions of Section 45 (1) of the Planning Act which authorize the Committee to consider a variance subject to compliance with the four tests. Proceeding with a variance is also in conformity with Bill 109 which requires expedited processing of land development applications to increase the supply of housing.

1.2 Variance 2: Minimum Front Yard

The current zoning requires a minimum front yard setback of 25.0 metres. The proposed lot along McCollum Road requires a variance to permit a reduced minimum front yard setback of 6.0 metres, except 7.5 metres to an attached garage.

1. Are the Variances Minor in Nature?

The determination of minor is not a matter of quantum of the variance, but rather a consideration of the overall impact of the proposed variance. It is our opinion that the requested minor variance to the minimum front yard is minor in nature, as they do not impact the overall character of the neighbourhood and rather, represent a general theme in the interior of the neighbourhood, consisting of reduced front yard setbacks. The proposed front yard setback is consistent with the existing front yard setbacks along McCollum Road, as seen in **Figure 1**.

2. Are the Variances Desirable and Appropriate?

The requested variance is desirable and appropriate for the neighbourhood, as the majority of dwellings located in the interior of the neighbourhood along McCollum Road are close to the street line and have front yard setbacks in line with what is being requested.

3. Do the Variances maintain the general intent and purpose of the Official Plan?

The variance meets the general intent of the Official Plan and Secondary Plan. As the neighbourhood is designated Low Density Residential, the proposed variance is to accommodate a single detached dwelling, which is a permitted use. The reduced front yard reflects the existing neighbourhood character and maintains the “rhythm” of the street.

4. Do the variances maintain the general intent and purpose of the Zoning By-law?

The variance meets the general intent of the former Zoning By-law, as the proposed reduction to the front yard setback allows the proposed building to be consistent with the adjacent properties. The reduced front yard set back maintains the overall character of the area. The existing zoning was applied by the former City of Stoney Creek when this

Chair and Members of Committee of Adjustment c/o Jamila Sheffield – September 16, 2022

was a more rural estate type area with larger lots situated in a semi rural lakeshore setting. Full municipal services have been provided which allow for a more compact form of development and smaller lots and reduced front yards.

2.0 CONCLUSION AND RECOMMENDATIONS

Based on our review of the existing context, the proposed plan and applicable planning policy and legislation, it is our opinion that the proposed applications should be approved. The proposed development complies with, conforms to and implements the requirement of the Planning Act, the UHOP, the Urban Lakeshore Secondary Plan and the By-law and each of the variances, individually and collectively, meet the four tests as required under the Planning Act. A Zoning By-law amendment application should not be required as no new use is being requested and the reduced lot area and front yard setback are indeed typical variances within the power of the Committee of Adjustment to consider.

Should you have any questions or require additional information, please do not hesitate to contact the undersigned.

Regards,
IBI Group



John Ariens, MCIP, RPP
Associate Director – Practice Lead



Ritee Haider, MCIP, RPP
Planner



Hamilton

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

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

**APPLICATION FOR CONSENT TO SEVER LAND
UNDER SECTION 53 OF THE PLANNING ACT**

Office Use Only

Date Application Received:	Date Application Deemed Complete:	Submission No.:	File No.:
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1 APPLICANT INFORMATION

	NAME	MAILING ADDRESS	
Purchaser*	N/A		Phone: E-mail:
Registered Owners(s)	LYNN ANN MOLLOY		
Applicant(s)**			
Agent or Solicitor	JIM TARBUTT TARBUTT CONSTRUCTION LTD		

*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 CITY OF HAMILTON	Lot 10	Concession	Former Township STONEY CREEK
Registered Plan N°. 62M-444	Lot(s) 10	Reference Plan N°.	Part(s)
Municipal Address 16 LOCHSIDE DR. STONEY CREEK ON L8E 5T6			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: THERE IS AN EASEMENT ON THE LANDS ~~BE~~ BUT IS RETAINED, BUT, NOT THE LANDS TO BE SEVERED

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:

N/A

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 ² or ha)
<u>40.716 m</u>	<u>27.432 m.</u>	<u>1,116.921 m²</u>

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: NONE

Proposed: NOTHING AT THIS TIME

Existing structures to be removed: NONE

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 ² or ha)
48.697 m	84.686 m EASTSIDE 57.134 m WESTSIDE	2,888.19

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: RESIDENCE WITH ATTACHED GARAGE

Proposed: NO CHANGE

Existing structures to be removed: NONE

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)
- WE ARE IN THE PROCESS OF CONNECTING THE EXISTING SEPTIC SYSTEM TO CITY SANITARY LINES.

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): _____

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

THE SURROUNDING LAND IS COMPLETELY DEVELOPED. THIS IS THE LAST PARCEL OF LAND ON THIS STREET THAT CAN BE SEVERED

5.2 What is the existing zoning of the subject land? RRE.
 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?

PRESENT OWNER HAS RESIDED ON THIS PROPERTY FOR 39 YEARS. THIS PROPERTY WAS DEVELOPED AS R.R.E. 39 YEARS AGO

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

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

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

d) Are the subject lands within an area of land designated under any provincial plan or plans? (If YES, provide explanation on whether the application conforms or does not conflict with the provincial plan or plans.)
 Yes No

e) Are the subject lands subject to the Niagara Escarpment Plan?
 Yes No

If yes, is the proposal in conformity with the Niagara Escarpment Plan?
 Yes No
(Provide Explanation)

f) Are the subject lands subject to the Parkway Belt West Plan?
 Yes No

If yes, is the proposal in conformity with the Parkway Belt West Plan?
 Yes No (Provide Explanation)

g) Are the subject lands subject to the Greenbelt Plan?
 Yes No

If yes, does this application conform with the Greenbelt Plan?
 Yes No (Provide Explanation)

8 HISTORY OF THE SUBJECT LAND

8.1 Has the subject land ever been the subject of an application for approval of a plan of subdivision or a consent under sections 51 or 53 of the *Planning Act*?
 Yes No Unknown

If YES, and known, indicate the appropriate application file number and the decision made on the application.

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

8.3 Has any land been severed or subdivided from the parcel originally acquired by the owner of the subject land? Yes No

If YES, and if known, provide for each parcel severed, the date of transfer, the name of the transferee and the land use.

8.4 How long has the applicant owned the subject land?

39 YEARS

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 (m ² or ha): (from Section 4.2)
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Existing Land Use: _____ Proposed Land Use: _____

10.5 Description of Lands (Non-Abutting Farm Consolidation)

a) Location of non-abutting farm

(Street) (Municipality) (Postal Code)

b) Description of non-abutting farm

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

c) Description of surplus dwelling lands intended to be severed:

Frontage (m): (from Section 4.1)	Area (m ² or ha): (from Section 4.1)
----------------------------------	-------------------------------------------------

Front yard set back: _____

d) Surplus farm dwelling date of construction:

Prior to December 16, 2004 After December 16, 2004

e) Condition of surplus farm dwelling:

Habitable Non-Habitable

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

Frontage (m): (from Section 4.2)	Area (m ² or ha): (from Section 4.2)
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Existing Land Use: _____ Proposed Land Use: _____

11 OTHER INFORMATION

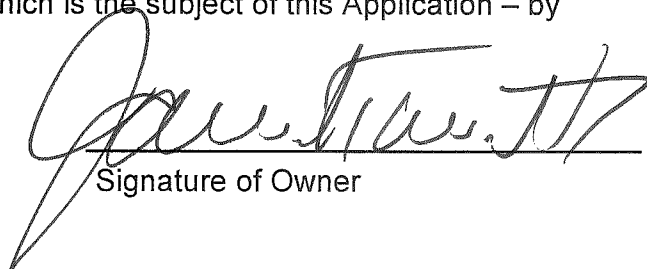
Is there any other information that you think may be useful to the Committee of Adjustment or other agencies in reviewing this application? If so, explain below or attach on a separate page.

WOCOSIDE DR. WAS DEVELOPED APPROXIMATELY 39 YEARS AGO. DURING THE PAST 20 YEARS, ALL THE SURROUNDING LAND HAS BEEN DEVELOPED INTO RESIDENTIAL HOUSING ADJACENT TO FIFTY POINT CONSERVATION AREA

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.

JULY 21, 2022
Date


Signature of Owner