



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.:	FL/B-22:112	SUBJECT PROPERTY:	16 Howard Blvd, Flamborough
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APPLICANTS: Owner: KATHRYN RONALDS
Agent: A.J. CLARKE AND ASSOCIATES – RYAN FERRARI

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:	17 m [±]	30.48 m [±]	539 m ² [±]
RETAINED LANDS:	27.45 m [±]	30.48 m [±]	850 m ² [±]

Associated Planning Act File(s): FL/A-22:335

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, December 8, 2022
TIME:	2:00 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

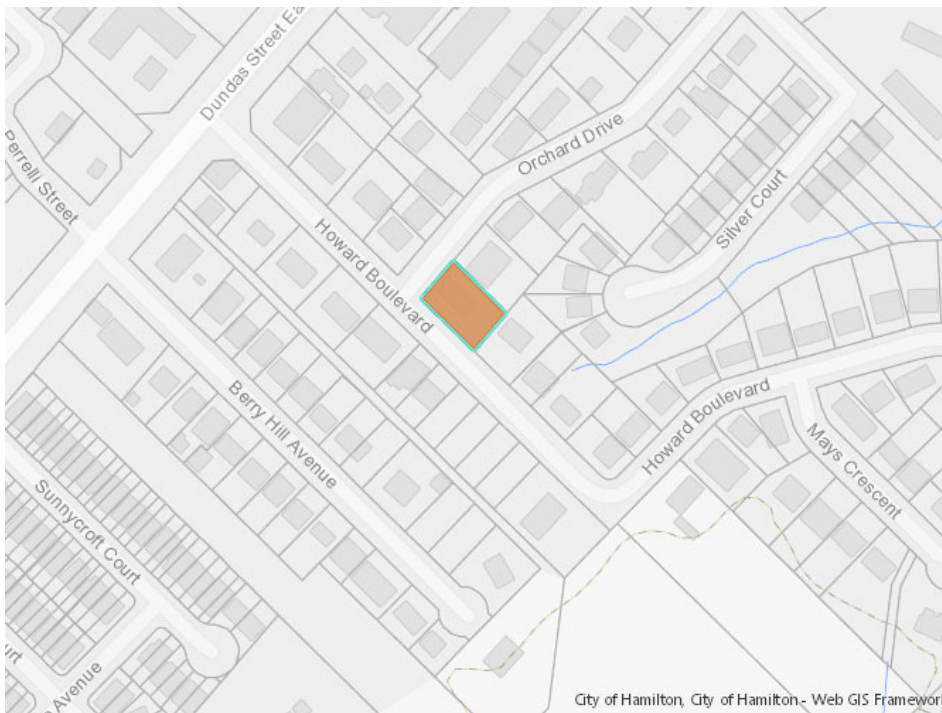
For more information on this matter, including access to drawings illustrating this request and other information submitted:

- 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: November 22, 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..

FL/B-22:112

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

E-mail: 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 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.

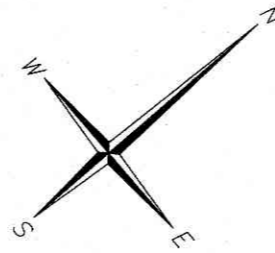
We hope this is of assistance and if you need clarification or have any questions, please email cofa@hamilton.ca or by phone at 905-546-2424 ext. 4221.

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.

ORCHARD DRIVE

(ESTABLISHED BY REGISTERED PLAN 894)

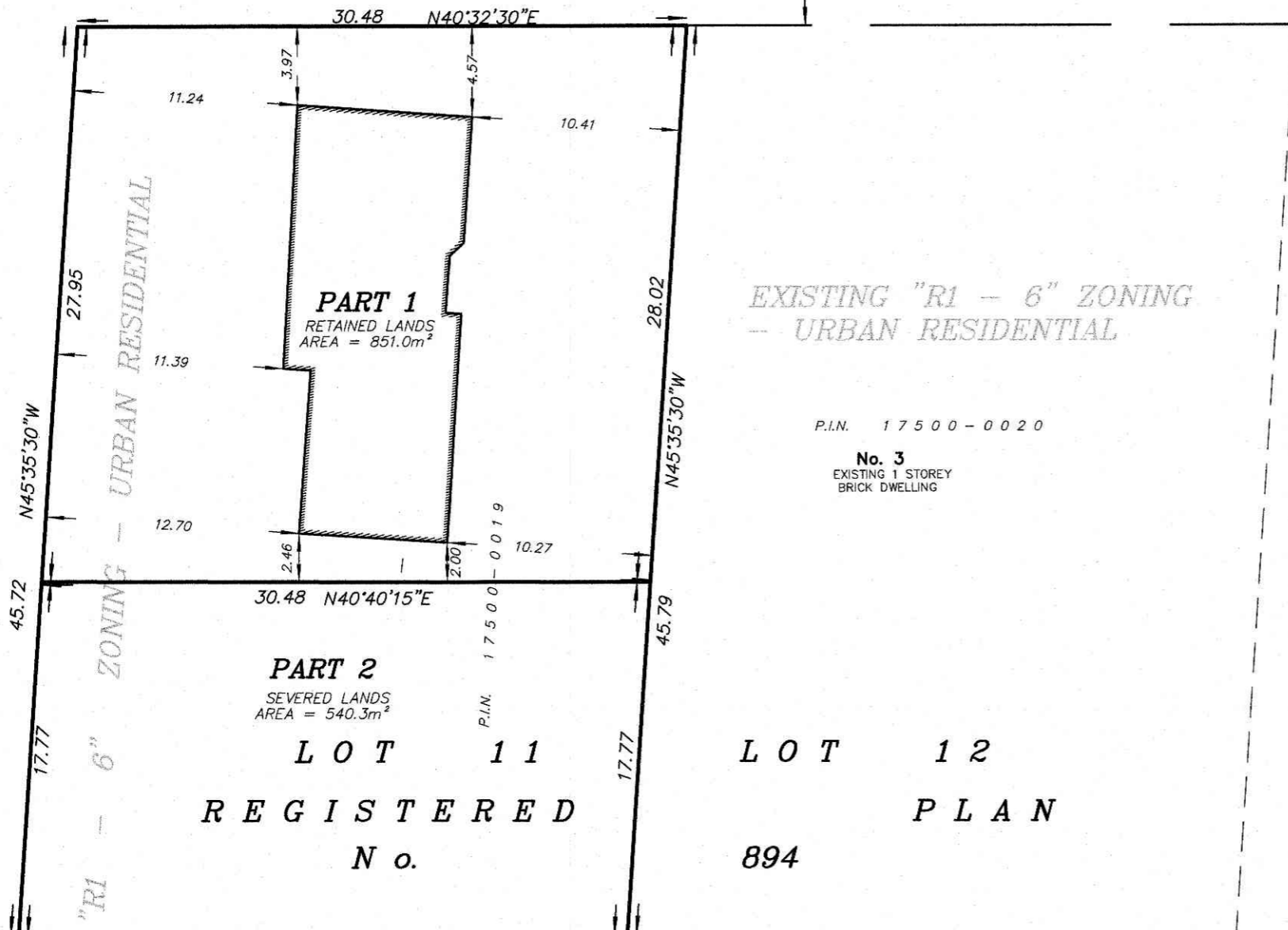
P.I.N. 17500-0032



20.12m WIDE

HOWARD BOULEVARD
(ESTABLISHED BY REGISTERED PLAN 894)

P.I.N. 17500-0001



EXISTING "RI - 6" ZONING
- URBAN RESIDENTIAL

P.I.N. 17500-0020

No. 3
EXISTING 1 STOREY
BRICK DWELLING

LOT 11
REGISTERED
No.

LOT 12
PLAN
894

20.12m WIDE

EXISTING "RI - 6" ZONING - URBAN RESIDENTIAL

LOT 10

P.I.N. 17500-0028

REGISTERED PLAN No. 894

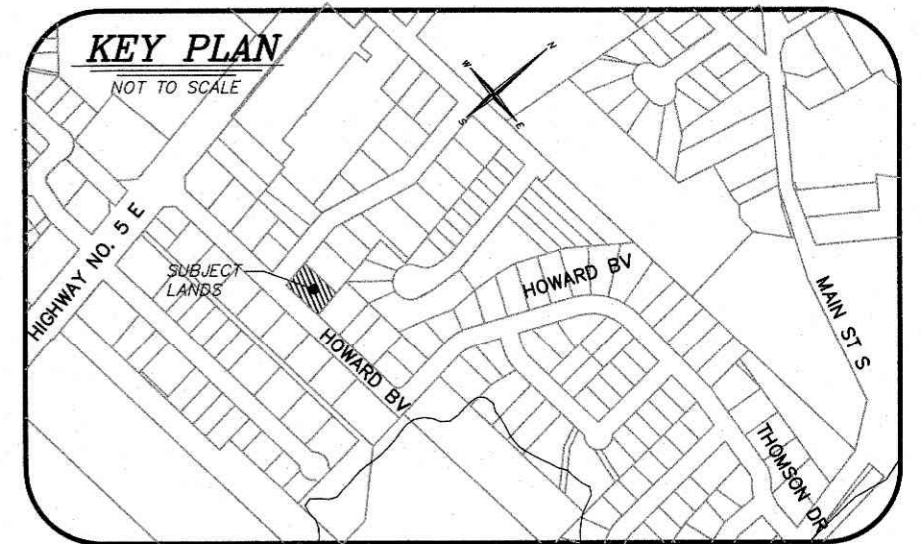
No. 20
EXISTING 1 STOREY
BRICK DWELLING

LOT 18

EXISTING "RI-7" ZONING
- URBAN RESIDENTIAL

PLAN 62M-764

LOT 19

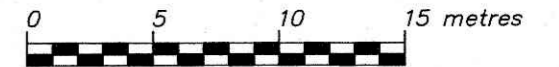


KEY PLAN

NOT TO SCALE

SKETCH FOR CONSENT TO SEVER
16 HOWARD BOULEVARD
CITY OF HAMILTON

SCALE 1:300



THE ABOVE NOTED LANDS ARE LEGALLY DESCRIBED AS:
LOT 11
REGISTERED PLAN No. 894

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

NOTE:
THIS PLAN IS COMPILED FROM PLANS AND RECORDS ON FILE IN THIS OFFICE

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

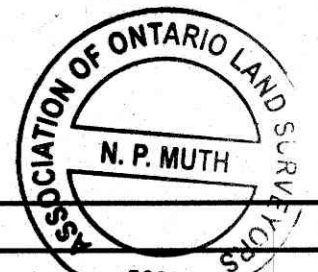
THIS SKETCH IS NOT VALID UNLESS IT IS AN EMBOSSED ORIGINAL COPY OR CERTIFIED DIGITAL COPY ISSUED BY THE SURVEYOR

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

CONSENT SCHEDULE:

PART 1 (RETAINED LANDS)	AREA = 851.0m ²
PART 2 (SEVERED LANDS)	AREA = 540.3m ²

OCTOBER 17, 2022
DATE



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



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

October 20, 2022

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

**Re: 16 Howard Boulevard, Hamilton
Minor Variance and Severance Application Submission**

Dear Ms. Sheffield:

A.J. Clarke and Associates Ltd. has been retained by the property owner, Kathryn Ronalds, for the purposes of submitting the enclosed Minor Variance and Severance (Consent) Applications for the subject lands, municipally known as 16 Howard Boulevard, in the City of Hamilton. 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) electronic copy of the required filled and signed Minor Variance Application Form;
- One (1) cheque in the amount of \$6,450 representing the required Severance and Minor Variance Application fees;
- One (1) electronic copy of the Severance Sketch, prepared by A.J Clarke and Associates Ltd., dated October 17, 2022.
- One (1) electronic copy of the Minor Variance Sketch, prepared by A.J Clarke and Associates Ltd., dated October 17, 2022.

The purpose of this analysis is in support the concurrently submitted Minor Variance and Severance (Consent) Applications for the subject lands. The proposed development is to facilitate a severance to create two (2) separate residential lots. Following the proposed severance, one (1) single detached dwelling is proposed to be constructed on the severed lot and the existing dwelling is to remain on the lands being retained.

The subject land is located at the eastern corner of the intersection at Howard Boulevard and Orchard Drive, south of Dundas Street East, in Flamborough (Hamilton). The subject lands are currently occupied by one (1) single detached dwelling, in ground pool and associated concrete deck, and a metal shed.

The below table details the lot frontages, depth, and areas, following the proposed severance.

	Part 1 (Retained)	Part 2 (Severed)
Lot Frontage	±27 m	±17m
Lot Depth	±30.48m	±30.48m
Lot Area	±850m ²	±539 m ²



The surrounding area is predominantly single-detached residential development, with Rockview Summit Park located southwest of the site, as well as a Municipal Centre and Public Library located to the North. There is a large commercial plaza located southwest of the subject site which includes the Clappison's Power Centre Shopping Mall, Flamborough South Centre Shopping Mall, as well as a Wal-Mart.

The immediate surrounding land uses include:

North	Single-Detached Dwellings
South	Single-Detached Dwellings
West	Single-Detached Dwellings
East	Single-Detached Dwellings

A review of the applicable planning policies has been included below.

Planning Policy Overview

Provincial Policy Statement

The current Provincial Policy Statement (PPS) came into effect on May 1st, 2020. The principles of the PPS are about managing change and promoting efficient, cost-effective development and land use patterns, which encourage strong, sustainable, and resilient communities for people of all ages, a clean and healthy environment, and a strong and competitive economy.

The proposed severance is a more efficient use of land within a built-up, urban area. The density is appropriate for the location and available infrastructure. This development will provide a greater range of housing and add to the housing stock for the area.

Growth Plan for the Greater Golden Horseshoe

The 2020 consolidation of the Growth Plan builds upon the previous Growth Plan (2019) in its direction to prioritize intensification, support the achievement of complete communities, support a range, and mix of housing options, protect, and enhance natural heritage systems, support, and enhance the long-term viability of agriculture, conserve and promote cultural heritage resources, and integrate climate-change considerations into planning and managing growth.

The proposed severance is within a settlement area (built-up, urban area). It is an efficient use of land and infrastructure that adds to the housing stock of the surrounding area with gentle intensification that will contribute to meeting the housing needs for the projected growth of the area.

Niagara Escarpment Plan

The Niagara Escarpment Plan provides a policy framework and objectives to balance development and protection of the Niagara Escarpment and its resources.



The subject lands are designated “Urban Area” as per Map 2 – City of Hamilton in the Niagara Escarpment Plan. The lands to the south of the subject land are identified as “Escarpment Natural Area”.

Policy 1.7.5.5 states that *new lots within Urban Areas shall not be created if such lots encroach into Escarpment Natural, Escarpment Protection, Escarpment Rural or Mineral Resource Extraction Areas adjacent to the Urban Area.* The proposed new lot created via severance does not encroach outside of the Urban Area boundary.

Urban Hamilton Official Plan

The Urban Hamilton Official Plan is the guiding document for where and how the City of Hamilton will grow until 2031 and beyond.

The subject lands are designated ‘Neighbourhoods’ on Schedule E-1 – Urban Land Use Designations in the Urban Hamilton Official Plan (UHOP). The ‘Neighbourhoods’ designation permits uses such as; residential dwellings, including second dwelling units, and housing with supports, open space and parks, local community facilities/services, and local commercial uses.

Chapter F Section 1.14.3 contains specific policy direction pertaining to Lot Creation within the Urban Area. Specifically, Section 1.14.3.1 indicates various conditions that must be met by a proposed severance for lands designated as “Neighbourhoods”. The conditions are as follows;

- a) *The lots comply with the policies of this Plan, including secondary plans, where one exists;*
- b) *The lots comply with 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.*

The proposed severance will create lots that are consistent with the relevant policies and are consistent with existing Neighbourhood Plans. The lots will require a Minor Variance to address minor zone regulation deficiencies, as required. The two (2) lots created via severance will generally reflect the lot pattern and similar frontages as they currently exist within the surrounding neighbourhood. Following the proposed severance, the proposed construction of one (1) single detached dwelling (on the severed lands) is consistent with the surrounding existing uses and character of the neighbourhood. This neighbourhood is in transition, as many new and smaller residential lots have been created along Howard Boulevard and the surrounding neighbourhood.

The proposed dwellings will have access to the existing municipal infrastructure as it exists along both Overdale Avenue and Dennis Avenue.

Additionally, the ‘Neighbourhoods’ designation contains specific policies in relation to ‘Low Density Residential’. As such, ‘Low Density Residential’ uses permit single-detached, semi-detached, duplex, triplex, and street townhouse dwellings. The proposal is to construct one (1) single detached dwelling on



the severed land, which is consistent with the permitted uses under the UHOP. The maximum net residential density shall be 60 units per hectare, and the maximum permitted height shall be three (3) storeys. The proposal will see an overall density of 14.3 units per hectare (2 total units, 0.14 hectares), which is consistent with the maximum permitted density.

Flamborough Zoning By-law No. 90-145-Z

The subject lands are zoned “R1-6 – Urban Residential (Single Detached)”, in Town of Flamborough Zoning By-law. The “R1” zone permits uses such as; a single detached dwelling, an urban farm, and a community garden. The regulations of the “R1-6” Zone are as follows:

Regulation	Requirement
Minimum Lot Area	1390 square metres
Minimum Lot Frontage	30 metres
Minimum Front Yard	7.5 metres
Minimum Interior Side Yard	3 metres
Minimum Exterior Side Yard	7.5 metres
Minimum Rear Yard	10 metres
Maximum Lot Coverage	15%
Maximum Height	8.2 metres
Max Floor Space	1-storey (186 sq m), 1-1/2 storey (186 sq m), 2 storey (372 sq m)

Minor Variance

Several variances are required to facilitate the proposed development. The variances are as follows:

Part 1 (Retained)

1. To permit a minimum lot area of ± 850 square metres, whereas a minimum lot area of 1,390 square metres is required.
2. To permit a minimum lot frontage/width of ± 27 metres, whereas a minimum lot frontage of 30 metres is required.
3. To permit an interior side yard depth of ± 2 metres, whereas a minimum interior side yard depth of 3 metres is required.
4. To permit a lot coverage of 22%, whereas 15% is required.

Part 2 (Severed)

1. To permit a minimum lot frontage of ± 17 metres, whereas 30 metres is required.
2. To permit a minimum lot area of ± 539 square metres, whereas a minimum lot area of 1,390 square metres is required.



This minor variance application is made under the authority of Section 45(1) of the Planning Act. Accordingly, a minor variance must meet the requisite four tests as described in Section 45 (1) of the Act. The tests and professional opinion are outlined below:

1. Do the proposed variances maintain the intent and purpose of the Urban Hamilton Official Plan.

The proposed severance will create lots that conform to the Official Plan policies. The lots will require a Minor Variance to address minor zone regulation deficiencies, as required. The two (2) lots created via severance will generally reflect the lot pattern and similar frontages as they currently exist within the surrounding neighbourhood. Following the proposed severance, the proposed construction of one (1) single detached dwelling (on the severed lands) is consistent with the surrounding existing uses and character of the neighbourhood. The proposed dwellings will have access to the existing municipal infrastructure as it exists along both Overdale Avenue and Dennis Avenue.

Additionally, the 'Neighbourhoods' designation contains specific policies in relation to 'Low Density Residential'. As such, 'Low Density Residential' uses permit single-detached, semi-detached, duplex, triplex, and street townhouse dwellings. The proposal is to construct one (1) single detached dwelling on the severed land, which is consistent with the permitted uses under the UHOP. The maximum net residential density shall be 60 units per hectare, and the maximum permitted height shall be three (3) storeys. The proposal will see an overall density of 14 units per hectare, consistent with the maximum permitted density.

This particular neighbourhood is in a transition period. Over time, many of the larger lots have been severed to create smaller lots. This proposal is consistent with the prevailing trend found within the neighbourhood, being that larger lots have been split up into smaller lots over time.

2. Do the proposed variances maintain the intent and purpose of the Flamborough Zoning By-law No. 90-145-Z?

The required variances to Flamborough Zoning By-law No. 90-145-Z are intended to facilitate a desirable built form which is compatible with the existing neighbourhood.

Lot Frontage/width

Part 1 is proposed to have a Lot Frontage of approximately ± 27 metres and Part 2 proposes a frontage of ± 17 metres. Variances for lot frontage will be required for both Part 1 and Part 2 from the required 30 metres.

The surrounding neighbourhood contains a range of lot frontages, as the surrounding neighbourhood is predominantly zoned R1, with many containing Special Exceptions to allow for differing regulations in lot dimensions. The subject lands are zoned with Special Exception R1-6. These Special Exceptions were mostly developed to allow for the existing built neighbourhood to maintain their lot dimensions and dwelling sizes. The parent R1 Zone permits a lot frontage of 18m.



Directly across the Howard Boulevard right-of-way are new lot developments municipally known as 17, 19, 21, 23, 25 and 27 Howard Boulevard. While zoned with Special Exceptions, these six residential lots have a total frontage of ± 103 metres (averaging ± 17 metres of frontage each). Further, 22 Howard Boulevard is still zoned R1-6 while having a frontage of ± 18.3 metres; 4 and 8 Orchard Drive (both zoned R1-6), feature frontages of ± 17.2 metres and ± 18.2 metres, respectively. This trend continues throughout the surrounding neighbourhood.

The accompanying severance sketch illustrates the widths of the proposed lots. Despite the reduction in frontage from the R1-6 provision, there remains room for appropriate setbacks to accommodate a future residential development within Part 2 as evidenced with the single-detached dwellings within the neighbourhood on smaller frontages than the ± 18.27 metres proposed in this application. Part 1 (retained) is an existing built form which already contains setbacks not meeting the provisions set in R1-6 but still permits a desirable built form for the neighbourhood.

The two (2) lots created via severance will generally reflect the lot pattern and similar frontages as they currently exist within the surrounding neighbourhood. Accordingly, the proposed reduction in the lot frontage/width requirement is appropriate and compatible with the existing streetscape and maintains the intent of the Zoning By-law.

Lot Area

Part 1 is proposed to have a lot area of approximately ± 850 square metres. Part 2 is proposed to have a lot area of approximately ± 539 square metres.

Variances are required to the minimum lot area provision for the proposed development (from 1,390.0 square metres to ± 850 square metres on Part 1, and to ± 539 square metres on Part 2). The surrounding neighbourhood contains a range of lot areas as the surrounding neighbourhood is predominantly zoned R1, with many containing Special Exceptions to allow for differing regulations in lot dimensions. These Special Exceptions were mostly developed to allow for the existing built neighbourhood to maintain their lot dimensions and dwelling sizes. The parent R1 Zone Provisions sets the lot area minimum at 665 square metres. The subject lands are zoned with Special Exception R1-6.

Within the immediate neighbourhood are several lots, also zoned R1-6 which do not meet this provision of the zoning by-law. Below, lists several properties zoned R1-6 in the immediate neighbourhood with areas less than required:

- 2 Orchard Drive = 577m^2
- 17-27 Howard Boulevard = 690m^2
- 4 Orchard Drive = 899.5m^2
- 8 Orchard Drive = $1,265\text{m}^2$
- 7 Orchard Drive = $1,193\text{m}^2$
- 9 Orchard Drive = $1,041\text{m}^2$
- 22 Howard Boulevard = 843m^2



There are numerous other lots with areas below the required provision set in R1-6 zoning throughout the neighbourhood. Further, as described above, 17-27 Howard, 12 Howard, and 2 Orchard Drive are properties located directly across from the subject lands, and while rezoned with special exceptions, have areas like those proposed within this application. 2 Orchard Drive features an area of 577m² and 17-27 Howard Boulevard feature areas approximately 690m² each.

The purpose of this reduction is to permit one single-detached dwelling on each lot; the size of the lots proposed still enables an appropriate building envelope and amenity space for the residents, as shown with similar development within the neighbourhood. Accordingly, the intent of the Zoning By-law is maintained.

Interior Side Yard Depth

As proposed, Part 1 would also feature an interior side yard depth of 2.0 metres, whereas 3.0 metres is required.

The proposed interior side yard will still provide sufficient space between the existing dwelling and the future dwelling to facilitate stormwater infrastructure, maintenance, and provide access between the buildings. Further, there will be very little opportunity for overlook to become an issue as the existing dwelling has only a door located on the lower level and no windows. Accordingly, the intent of the zoning by-law is maintained.

Lot Coverage

Part 1 is proposed to have a Lot Coverage of approximately 22%, whereas 15% is permitted.

The by-law is to maintain the neighbourhoods current yard setbacks and streetscapes while minimizing loss of green space. This, in turn, creates large sprawling lots. Proposed is a gentle intensification and optimization of land use that will require a slight adjustment to coverage. The existing dwelling in Part 1 will still have sufficient green space and appropriate setbacks that maintain the streetscape.

Further, the surrounding neighbourhood maintains lots with higher than permitted lot coverages within the R1-6 zoning. 15 Howard Boulevard features a lot coverage of approximately 21%; 4 Orchard Drive features a lot coverage of approximately 27%; the abutting lot at 3 Orchard Drive features a lot coverage or approximately 18%.

The variance is minor as it is addressing a seven percent (approximately 7.2 square metres) change. Further, the proposed lots would feature a lot coverage similar to those currently existing within R1-6 zoned lots in the neighbourhood. Accordingly, the intent of the zoning by-law is maintained.

3. Are the proposed variances appropriate for the development of the subject lands?

As noted above, the variances are intended to facilitate a desirable built form within an urban neighbourhood. The proposed variances are consistent with the established character of the neighbourhood and recognize an existing situation for the lands to be retained. As such, the variances are appropriate for the development of the subject lands.



4. Are the proposed variances minor in nature?

The proposed variances to lot frontage, lot area and rear yard depth reflect the scale and character of this neighbourhood. There are no perceived impacts stemming from the variances, as they are in keeping with the general built form and existing setbacks found within this neighbourhood. Additionally, and as mentioned previously, the existing dwelling is to remain on the retained lands. As such, the variances to area, and rear yard depths on the retained lands do not change the existing relationship between the existing dwelling and existing property lines. Further, while the reduction in lot area for Part 1 (to be severed) is proposed, there is sufficient room to develop a single-detached dwelling with sufficient amenity space. This has been shown throughout the neighbourhood in already established developments. Therefore, there are no perceived impacts from these variances. While the proposed development does not meet the lot standards prescribed in the Zoning By-law, the proposed minor variances will provide relief from these minor zoning deficiencies. Accordingly, the variances are minor in nature.

As such, the proposed lot is appropriate for the development of the subject lands and has sufficient regard for the matters listed under Section 51 (24) of the *Planning Act*.

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 hearing date. If you have any questions or require additional information, please do not hesitate to contact our office.

Sincerely,

A handwritten signature in blue ink that reads "Ryan Ferrari".

Ryan Ferrari, MCIP, RPP
Planner

A.J. Clarke and Associates Ltd.

Encl.

Cc via email: Kathryn Ronalds
kpronalds@gmail.com



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
and VALIDATION OF TITLE
UNDER SECTION 53 & 57 OF THE PLANNING ACT**

Please see additional information regarding how to submit an application, requirements for the required sketch and general information in the Submission Requirements and Information.

1. APPLICANT INFORMATION

	NAME	MAILING ADDRESS	
Purchaser*			Phone: E-mail:
Registered Owners(s)	Kathryn Ronalds		
Applicant(s)**	Same as owner		
Agent or Solicitor	A.J. Clarke & Associates Ltd. c/o Ryan Ferrari		

*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.

** Owner's authorisation required if the applicant is not the owner or purchaser.

1.2 All correspondence should be sent to Purchaser Owner
 Applicant Agent/Solicitor

1.3 Sign should be sent to Purchaser Owner
 Applicant Agent/Solicitor

1.4 Request for digital copy of sign Yes* No
If YES, provide email address where sign is to be sent kronalds@gmail.com / ryan.ferrari@ajclarke.com

1.5 All correspondence may be sent by email Yes* No
If Yes, a valid email must be included for the registered owner(s) AND the Applicant/Agent (if applicable). Only one email address submitted will result in the voiding of this service. This request does not guarantee all correspondence will sent by email.

2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	16 Howard Boulevard,		
Assessment Roll Number	30333016600		
Former Municipality	Flamborough		
Lot	8	Concession	3
Registered Plan Number		Lot(s)	11
Reference Plan Number (s)	894	Part(s)	

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)

- | | |
|---|--|
| <input checked="" type="checkbox"/> creation of a new lot(s) | <input type="checkbox"/> concurrent new lot(s) |
| <input type="checkbox"/> addition to a lot | <input type="checkbox"/> a lease |
| <input type="checkbox"/> an easement | <input type="checkbox"/> a correction of title |
| <input type="checkbox"/> validation of title (must also complete section 8) | <input type="checkbox"/> a charge |
| <input type="checkbox"/> cancellation (must also complete section 9) | |
| <input type="checkbox"/> creation of a new non-farm parcel (must also complete section 10)
(i.e. a lot containing a surplus farm dwelling
resulting from a farm consolidation) | |

3.2 Name of person(s), if known, to whom land or interest in land is to be transferred, leased or charged:

unknown

3.3 If a lot addition, identify the lands to which the parcel will be added:

N/A

3.4 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)

4 DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

4.1 Description of subject land:

All dimensions to be provided in metric (m, m² or ha), attach additional sheets as necessary.

	Retained (remainder)	Parcel 1	Parcel 2	Parcel 3*	Parcel 4*
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Identified on Sketch as:	PART 1	PART 2			
Type of Transfer	N/A				
Frontage	+/-27.45 m	+/-17 m			
Depth	+/-30.48	+/-30.48 m			
Area	+/- 850 m2	+/- 539 m2			
Existing Use	residential	residential			
Proposed Use	residential	residential			
Existing Buildings/ Structures	single-detached dwelling	none			
Proposed Buildings/ Structures	no change	single-detached dwelling			
Buildings/ Structures to be Removed	none	none			

* Additional fees apply.

4.2 Subject Land Servicing

a) Type of access: (check appropriate box)

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

b) 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)
-

c) 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): _____

Rural Settlement Area: _____

Urban Hamilton Official Plan designation (if applicable) Neighbourhoods

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

Please see attached cover letter.

5.2 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 known, provide the appropriate file number and status of the application.

5.3 What is the existing zoning of the subject land? R1-6

If the subject land is covered by a Minister's zoning order, what is the Ontario Regulation Number? _____

5.4 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 known, provide the appropriate file number and status of the application.
Concurrently submitted minor variance application

5.5 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 * Submit Minimum Distance Separation Formulae (MDS) if applicable	<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 checked="" type="checkbox"/>	medical offices (120m), dentist/insurance (130 m)
An active railway line	<input type="checkbox"/>	
A municipal or federal airport	<input type="checkbox"/>	