



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-22:134	SUBJECT PROPERTY:	1097 NORTH SERVICE ROAD, STONEY CREEK
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APPLICANTS: Owner J. & D. Colalillo
Agent Arcadis IBI Group – J. Marcus

PURPOSE & EFFECT: To permit the conveyance of a parcel of land containing a single detached dwelling (to remain) and to retain two (2) parcels of land for future residential development.

	Frontage	Depth	Area
RETAINED LANDS: (Part 6)	48.7 m [±]	32.5 m [±]	1580 m ^{2±}
SEVERED LANDS: (Part 1)	8.3 m [±]	48.6 m [±]	1568 m ^{2±}
RETAINED LANDS: (Parts 2-5)	11.8 m [±]	41.8 m [±]	995 m ^{2±}

Associated Planning Act File(s): HM/A-22:413

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, February 16, 2023
TIME:	1:25 p.m.
PLACE:	Via video link or call in (see attached sheet for details)
	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:

SC/B-22:134

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

PUBLIC INPUT

Written: If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Please see attached page for complete instructions, including deadlines for submitting to be seen by the Committee.

Orally: If you would like to speak to this item at the hearing you may do so via video link or by calling in. Please see attached page for complete instructions, including deadlines for registering to participate.

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding SC/B-22:134, you must submit a written request to cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.

If you wish to be provided a Notice of Decision, you must attend the Public Hearing and file a written request with the Secretary-Treasurer 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.



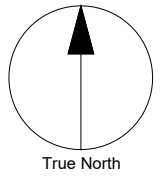
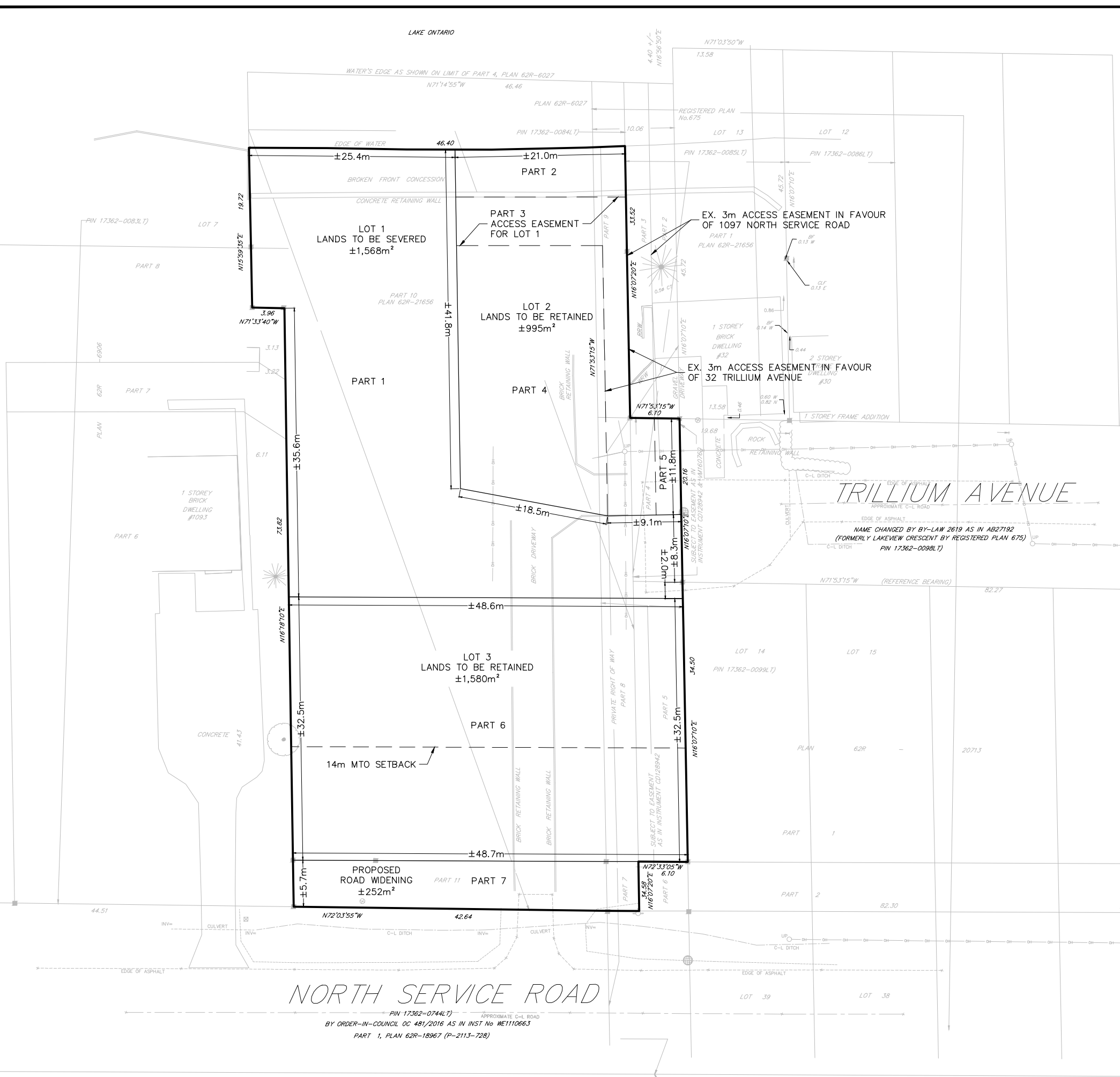
 Subject Lands

DATED: January 31, 2023

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.

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.



SEVERANCE SCHEDULE		
PARTS	DESCRIPTION	AREA (m ²)
PART 1	LANDS TO BE SEVERED	±1,568 m ²
PARTS 2-5	LANDS TO BE RETAINED	±995 m ²
PART 6	LANDS TO BE RETAINED	±1,580 m ²
PART 7	ROAD WIDENING	±252 m ²
TOTAL LAND AREA		±4,395 m ²

CLIENT
PARK MANOR HOMES

PROJECT NAME
1097 NORTH SERVICE ROAD
1097 NORTH SERVICE ROAD,
STONE CREEK

IBI GROUP
Suite 200 - 360 James Street North
Hamilton ON L8L 1H5 Canada
tel 905 546 1010 fax 905 546 1011
ibigroup.com

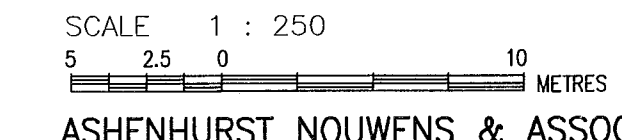
SCALE: 1:500
PROJECT MGR: J. MARCUS
CHECKED BY: J. MARCUS
PROJECT NO: 141054

DATE: 2022-12-21
DRAWN BY: M. ROJAS
APPROVED BY: J. MARCUS
FIGURE NAME: CONSENT SKETCH
FIGURE NO: C1
REVISION: 1

File Location: J:\141054_1097_North_Srv_0_Production\7.02_Conceptual_Design\17_Planning\Sheets\141054C-2022-11-10.dwg
 Last Saved: December 19, 2022, by Jared Marcus Plotted: Wednesday, December 21, 2022 5:13:08 PM by Jared Marcus
 SCALE CHECK 1 in 10mm

LAKE ONTARIO

PLAN OF SURVEY OF
 LOT 13 AND
 PRIVATE OF RIGHT-OF-WAY
 REGISTERED PLAN 675
 AND
 PART OF LOT 7
 BROKEN FRONT CONCESSION AND
 GEOGRAPHIC TOWNSHIP OF SALT FLEET
 (FORMERLY TOWN OF STONEY CREEK)
 IN THE
 CITY OF HAMILTON



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

I REQUIRE THIS PLAN TO BE DEPOSITED
 UNDER THE LAND TITLES ACT.

APRIL 9, 2021
 DATE

APRIL 9, 2021
 DATE

HARRY KALANTZAKOS
 ONTARIO LAND SURVEYOR

REPRESENTATIVE FOR:
 LAND REGISTRAR FOR THE LAND TITLES
 DIVISION OF WENTWORTH (62)

SCHEDULE			
PART	LOT	CONCESSION/PLAN	PIN No.
1	ALL OF LOT 13		
2			
3			
4			ALL OF 17362-0085(LT)
5			
6	PART OF PRIVATE RIGHT-OF-WAY	REGISTERED PLAN 675	
7			
8			
9			ALL OF 17362-0084(LT)
10	PART OF PRIVATE RIGHT-OF-WAY PART OF LOT 7		
11	PART OF LOT 7	BROKEN FRONT CONCESSION	

THIS PLAN IS COMPRISED OF ALL OF PIN 17362-0084(LT) AND PIN 17362-0085(LT)
 PARTS 4, 5, 6, 7 & 8 SUBJECT TO EASEMENT AS IN CD128942
 PART 4 SUBJECT TO EASEMENT AS IN W1160760

INTEGRATION NOTE

UTM ZONE 17, CENTRAL MERIDIAN 81°00' WEST LONGITUDE, NAD83 (ORIGINAL)
 COORDINATES ARE TO AN URBAN ACCURACY PER SEC. 14 (2) OF ONT. REG. 216/10

POINT ID	NORTHING	EASTING
ORP (A)	4786398.737	609040.415
ORP (B)	4786483.521	608972.968

COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH
 CORNERS OR BOUNDARIES SHOWN ON THIS PLAN

BEARING NOTE
 BEARINGS ARE GRID BEARINGS DERIVED FROM (GNSS) OBSERVATIONS ON
 FROM OBSERVED REFERENCE POINTS (ORP) (A) AND (B) SHOWN HEREON HAVING
 A BEARING OF N71°53'15"W REFERRED TO UTM NAD83 (ORIGINAL) COORDINATE
 SYSTEM, ZONE 17, CENTRAL MERIDIAN 81° WEST LONGITUDE.

DISTANCES SHOWN ON THIS PLAN ARE ADJUSTED GROUND DISTANCES AND CAN
 BE CONVERTED TO GRID DISTANCES BY MULTIPLYING BY AN AVERAGED
 COMBINED SCALE FACTOR OF 0.999816.

BEARING COMPARISONS
 BEARINGS ON PLAN 62R-18967 HAVE BEEN ROTATED 00°59'45"
 COUNTER-CLOCKWISE FOR COMPARISONS
 BEARINGS ON REGISTERED PLAN 675 HAVE BEEN ROTATED 01°41'45" COUNTER-
 CLOCKWISE FOR COMPARISONS
 BEARINGS ON PLANS 62R-6027, 62R-4446 AND 62R-6027 HAVE BEEN
 ROTATED 00°49'45" COUNTER-CLOCKWISE FOR COMPARISONS
 BEARINGS ON PLANS 62R-6906 HAVE BEEN ROTATED 00°42'00"
 COUNTER-CLOCKWISE FOR COMPARISONS

- LEGEND**
- DENOTES FOUND
 - DENOTES PLANTED
 - IB DENOTES IRON BAR
 - SIB DENOTES STANDARD IRON BAR
 - RIB DENOTES ROUND IRON BAR
 - M DENOTES MEASURED
 - OU DENOTES ORIGIN UNKNOWN
 - WIT DENOTES WITNESS
 - P1 DENOTES PLAN 62R-6906
 - P2 DENOTES PLAN 62R-6027
 - P3 DENOTES PLAN 62R-4446
 - P4 DENOTES PLAN 62R-428
 - P5 DENOTES REGISTERED PLAN 675
 - P6 DENOTES PLAN 62R-18967
 - P7 DENOTES PLAN 62R-20713
 - BF DENOTES BOARD FENCE
 - CLF DENOTES CHAIN LINK FENCE
 - MF DENOTES METAL FENCE
 - 824 DENOTES A. T. MCLAREN, O.L.S.
 - 812 DENOTES A. J. CLARKE, O.L.S.
 - 1213 DENOTES J. D. PETERS, O.L.S.
 - CITY DENOTES CITY OF HAMILTON
 - D1 DENOTES INSTRUMENT No. CD194975

NOTE
 ALL FOUND BARS ARE 1922 UNLESS NOTES OTHERWISE

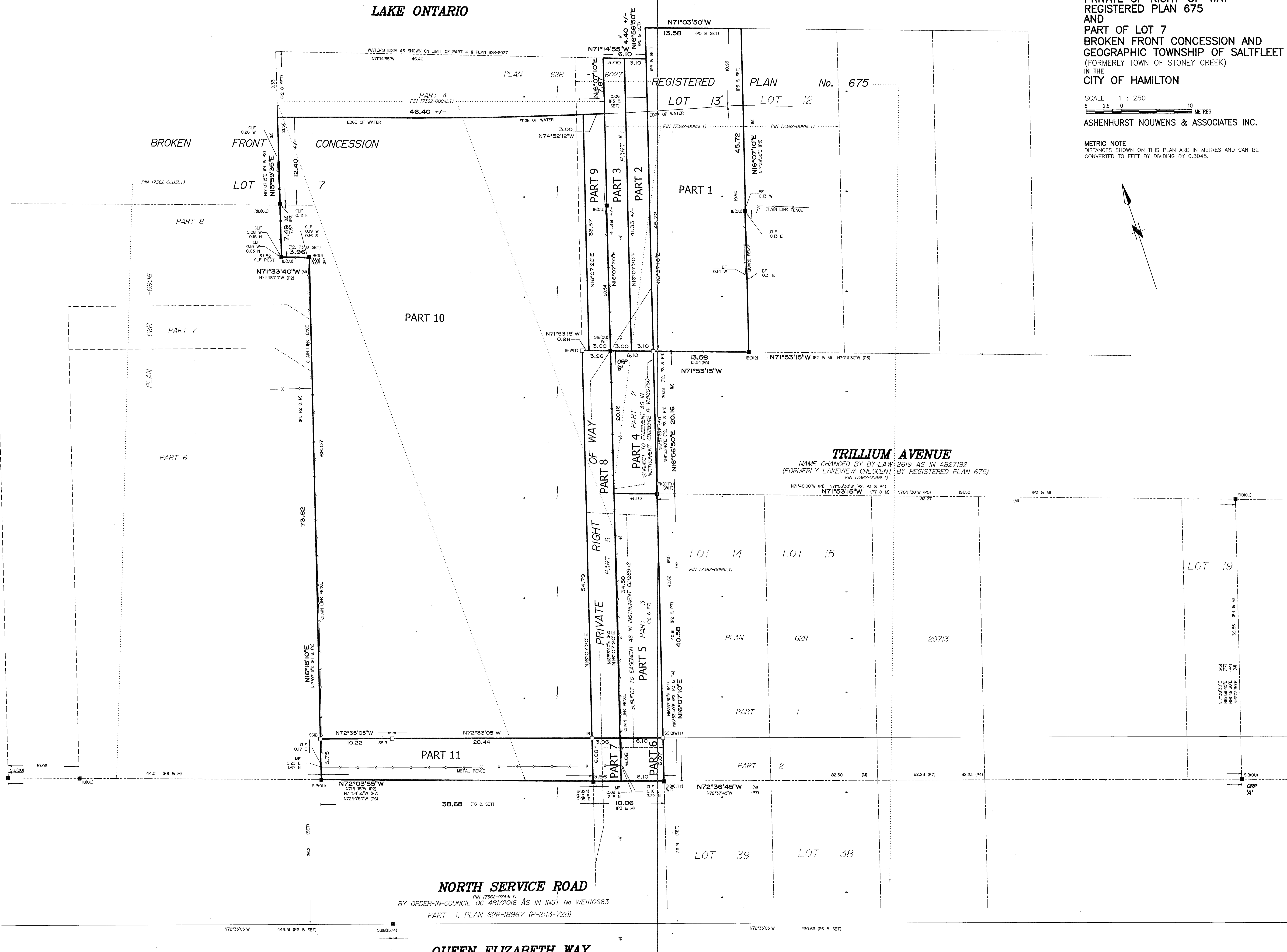
SURVEYOR'S CERTIFICATE
 I CERTIFY THAT:
 1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEY'S ACT,
 THE SURVEYORS ACT, THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
 2. THE SURVEY WAS COMPLETED ON THE 13TH DAY OF SEPTEMBER, 2020

APRIL 09, 2021
 DATE

HARRY KALANTZAKOS
 ONTARIO LAND SURVEYOR

ASHENHURST NOUWENS & ASSOCIATES INC.
 PROFESSIONAL ENGINEERS & ONTARIO LAND SURVEYORS
 225 KING WILLIAM STREET, SUITE 204, HAMILTON, ONTARIO L8R 1B1
 TELEPHONE: (905) 529-6316
 (905) 529-4314
 FAX: (905) 529-6651
 e-mail: onl@AshenurstNouwens.ca

DRAWN BY M.S. CALCD BY H.K. CHKD BY H.K. FILE No. 19164 R-PLAN



NORTH SERVICE ROAD
 PIN 17362-0744(LT)
 BY ORDER-IN-COUNCIL OC 481/2016 AS IN INST No WE110663
 PART 1, PLAN 62R-18967 (P-2113-728)

QUEEN ELIZABETH WAY
 BY ORDER-IN-COUNCIL OC 2042/ 69 PLAN 1808 MISC - P-2113-331
 PART 2, PLAN 62R-18967 (P-2113-728)

TRILLIUM AVENUE
 NAME CHANGED BY BY-LAW 2619 AS IN AB27192
 (FORMERLY LAKEVIEW CRESCENT) BY REGISTERED PLAN 675
 PIN 17362-0086(LT)

December 21, 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:

**1097 NORTH SERVICE ROAD, STONEY CREEK
CONSENT AND MINOR VARIANCE APPLICATIONS**

Arcadis IBI Group has been retained by Jim and Denise Colalillo to provide a planning opinion on the Minor Variance application to the City of Hamilton Committee of Adjustment pertaining to 1097 North Service Road.

The subject lands are located on the north side of the North Service Road with an approximate frontage of 42.6m and an area of approximately 4,395m². The property is generally rectangular in shape and backs onto Lake Ontario with an approximate depth of 93.5m. The property also abuts Trillium Avenue on the east with an approximately frontage of 20.1m. The front half of the subject lands are generally vacant, and a new dwelling was constructed on the west side of the property in 2021.

A Consent application has been submitted concurrently with the Minor Variance application which proposes to sever a lot containing the existing dwelling and would create two retained parcels of land for a total of three lots. The new lots will be subject to the construction of two new single detached dwellings.

Two of the new lots would have frontage on Trillium Avenue and one lot would have frontage on the North Service Road. Variances are proposed to facilitate the new lots, and existing and proposed dwellings on Lots 1 & 2. This letter provides information, rationale, and analysis to support the submission.

1.0 PROPOSED VARIANCES

The subject lands are zoned Rural Residential (RR) in the former City of Stoney Creek Zoning By-law No. 3692-92; based on our review of the By-law the following variances are required:

Lots 1 & 2:

1. A minimum lot frontage of 8.3 metres instead of the required of 15.0 metres; and,
2. A minimum rear yard setback of 1.3 metres instead of the required 7.5 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 as the four (4) tests. The four tests are:

Chair and Members of Committee of Adjustment c/o Jamila Sheffield – December 21, 2022

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 Variance 1: Minimum Lot Frontage

The current zoning requires a minimum lot frontage of 15 metres. Proposed Lots 1 & 2 along Trillium Avenue will require a variance to permit a reduced lot frontage of 8.3 metres for Lot 1 and 11.8 metres for Lot 2.

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.

The proposed lots are oriented in a manner similar to the prevailing development pattern in the area, with dwellings facing in a southerly direction and the private amenity space backing onto Lake Ontario. The westerly side yards for the proposed dwellings are considered a rear yard (more description to follow below), but irrespective of the technical interpretation of these yards they will function as a side yard. The easterly yards of each dwelling will be considered as side yards.

Given that all lots require legal frontage on a municipal right of way, the front part of the lots have been angled in a modified 'L' shape so that each of the lots will have a connection to Trillium Avenue. The westerly terminus of Trillium Avenue abuts the easterly lot line of the subject lands as a straight line, rather than a cul-de-sac, and it is this existing condition that results in the deficient lot width.

It is commonly accepted that the requirement for a minimum lot frontage is to ensure that development lots have an adequate width to support an appropriately sized dwelling, as well as to ensure compatibility with existing development in the area. While the variance requests a reduction to the minimum lot frontage requirement, the orientation of the lot as described above results in an actual development area of approximately 21m for each of the lots. Further, proposed Lot 1 already contains a single detached dwelling that was constructed in 2021 and fits within this proposed lot width. Therefore, the proposed reduction to the lot width will not impact the character of the area and will maintain an appropriately sized building area on the future Lot 2.

As such, it is our opinion that the requested variance to the lot frontage is minor in nature and do not impact the overall character of the neighbourhood.

Chair and Members of Committee of Adjustment c/o Jamila Sheffield – December 21, 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** and discussed above, the existing development pattern in the area features lots that back onto Lake Ontario and face towards the North Service Road. The proposed lots are oriented the same and the reduced lot frontage is only necessary to facilitate legal access to a municipal road. Further, the existing dwelling located on proposed Lot 1 is an example that a future dwelling will be compatible with the area. As such, the proposed reductions to the lot frontage requirement will facilitate the proposed consent, which maintains the character and built form of the neighbourhood, while simultaneously allowing for mild intensification 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 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 are 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 three single detached dwellings and the resulting density of 6.8 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 variance to the minimum lot frontage meets the intent and purpose of the Zoning By-law. The subject lands are located in an established neighbourhood, where there is a wide range of lot sizes and frontages. The purpose of a minimum lot

Chair and Members of Committee of Adjustment c/o Jamila Sheffield – December 21, 2022

frontage is to ensure there is adequate width to appropriately sized dwelling which is compatible within the context of the area. As discussed above, the developable area of each of proposed Lots 1 & 2 exceeds 21m in width and therefore the intent of the By-law has been met.

1.2 Variance 2: Minimum Rear Yard

The current zoning requires a minimum rear yard setback of 7.5 metres. Proposed Lots 1 & 2 require a variance to permit a reduced minimum rear yard setback of 1.25 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 described previously, the orientation of the proposed lots means that the westerly lot lines for both Lots 1 & 2 are interpreted to be a rear lot line, while the orientation of the lots and the building envelopes provides that the private amenity space would back onto Lake Ontario, which in this case is considered as a side yard.

There is existing 2-storey dwelling that along the westerly side yard that was constructed in 2021 and has an existing setback of approximately 1.3m. Given that this dwelling was previously approved in a similar orientation as the future lots we can conclude that the proposed variances will result in no new adverse impact for Lot 1, and similarly, that a future dwelling constructed on Lot 2 would follow the same orientation and create no new adverse impact. Both lots will still maintain an appropriately sized private amenity space in the side yard.

Therefore, the variance can be considered minor in nature.

2. Are the Variances Desirable and Appropriate?

The requested variance is desirable and appropriate for the neighbourhood, as most dwellings located in this area follow the same orientation of dwellings backing onto Lake Ontario with side yards on their east and west. There will be no adverse impact as a result of the variance.

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 rear 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 rear yard setback allows the proposed building to be consistent with the existing development orientation in the neighbourhood. The reduced rear yard set back maintains the overall character of the area. The existing dwelling located on proposed Lot 1 was approved with the proposed yard variance when the interpretation was a side lot line, so now that the lot line is interpreted to be a rear lot line there will be no change in condition and no new adverse impact.

2.0 CONCLUSION AND RECOMMENDATIONS

Chair and Members of Committee of Adjustment c/o Jamila Sheffield – December 21, 2022

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.

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

Regards,

Arcadis IBI Group




Jared Marcus, CPT
Associate, Manager – Planning

**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)			
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.

** 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

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	1097 North Service Road		
Assessment Roll Number	251800302013400		
Former Municipality	Stoney Creek		
Lot	7	Concession	Broken Front
Registered Plan Number	675	Lot(s)	13
Reference Plan Number (s)		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:

WE1553082 - Access easement in favour of 32 Trillium, Inst. CD128942 & VM160760 - I

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:

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 6	Part 1	Parts 2 to 5	Part 3	Par 7
Type of Transfer	N/A	Severed	Retained	Easement	Road Widening
Frontage	48.7m	8.3m	11.8m		42.6m
Depth	32.5m	48.6m	41.8m		5.7m
Area	1580sq.m	1568sq.m	995sq.m	261sq.m	252sq.m
Existing Use	Residential	Residential	Residential		
Proposed Use	Residential	Residential	Residential		
Existing Buildings/ Structures	None	2 storey dwelling	None		
Proposed Buildings/ Structures	single detached dwelling	None	Single detached dwelling		
Buildings/ Structures to be Removed	None	None	None		

* Additional fees apply.

4.2 Subject Land Servicing

a) Type of access: (check appropriate box)

- | | |
|---|--|
| <input type="checkbox"/> provincial highway | <input type="checkbox"/> right of way |
| <input type="checkbox"/> municipal road, seasonally maintained | <input type="checkbox"/> other public road |
| <input checked="" type="checkbox"/> municipal road, maintained all year | _____ |

b) Type of water supply proposed: (check appropriate box)

- | | |
|--|---|
| <input checked="" type="checkbox"/> publicly owned and operated piped water system | <input type="checkbox"/> lake or other water body |
| <input type="checkbox"/> privately owned and operated individual well | <input type="checkbox"/> other means (specify) |
| | _____ |

c) Type of sewage disposal proposed: (check appropriate box)

- | |
|--|
| <input checked="" type="checkbox"/> publicly owned and operated sanitary sewage system |
| <input type="checkbox"/> privately owned and operated individual septic system |
| <input type="checkbox"/> other means (specify) _____ |

4.3 Other Services: (check if the service is available)

- | | | | |
|---|---|--|--|
| <input checked="" type="checkbox"/> electricity | <input checked="" type="checkbox"/> telephone | <input checked="" type="checkbox"/> school bussing | <input checked="" type="checkbox"/> 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) Low Density Residential 2b

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

Application proposes a land use and density that conforms with the Urban Lakeshore Area Secondary Plan

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? Rural Residential - By-law No. 3692-92

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.

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 type="checkbox"/>	
An active railway line	<input type="checkbox"/>	
A municipal or federal airport	<input type="checkbox"/>	

6 HISTORY OF THE SUBJECT LAND

6.1 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, provide the appropriate application file number and the decision made on the application.

SC/B-20:78 - approved

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

6.3 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.

SC/B-20:78 - lot line adjustment to transferred land from 32 Trillium to 1097 North Service Road

6.4 How long has the applicant owned the subject land?

November 2016

6.5 Does the applicant own any other land in the City? Yes No

If YES, describe the lands below or attach a separate page.

7 PROVINCIAL POLICY

7.1 Is this application consistent with the Policy Statements issued under Section 3 of the *Planning Act*?

Yes No (Provide explanation)

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

Yes No (Provide explanation)

The application contributes to an appropriate range and mix of housing options and densities to meet projected market-based needs of current and future residents of the regional market area by directing the development of new housing towards locations with appropriate levels of infrastructure and public service facilities (as per section 1.4.3 c of the PPS).

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

Yes No (Provide explanation)

The application conforms to section 4c) of Growth Plan by providing a diverse range and mix of housing options to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes.

7.4 Are the subject lands subject to the Niagara Escarpment Plan?

Yes No (Provide explanation)

7.5 Are the subject lands subject to the Parkway Belt West Plan?

Yes No (Provide explanation)

7.6 Are the subject lands subject to the Greenbelt Plan?

Yes No (Provide explanation)

7.7 Are the subject lands within an area of land designated under any other provincial plan or plans?

Yes No (Provide explanation)

8 ADDITIONAL INFORMATION - VALIDATION

8.1 Did the previous owner retain any interest in the subject land?

Yes No (Provide explanation)

8.2 Does the current owner have any interest in any abutting land?

Yes No (Provide explanation and details on plan)

8.3 Why do you consider your title may require validation? (attach additional sheets as necessary)

9 ADDITIONAL INFORMATION - CANCELLATION

9.1 Did the previous owner retain any interest in the subject land?

Yes No (Provide explanation)

9.2 Does the current owner have any interest in any abutting land?

Yes No (Provide explanation and details on plan)

9.3 Why do you require cancellation of a previous consent? (attach additional sheets as necessary)

10 ADDITIONAL INFORMATION - FARM CONSOLIDATION

10.1 Purpose of the Application (Farm Consolidation)

If proposal is for the creation of a non-farm parcel resulting from a farm consolidation, indicate if the consolidation is for:

- Surplus Farm Dwelling Severance from an Abutting Farm Consolidation
- Surplus Farm Dwelling Severance from a Non-Abutting Farm Consolidation

10.2 Location of farm consolidation property:

Municipal Address			
Assessment Roll Number			
Former Municipality			
Lot		Concession	
Registered Plan Number		Lot(s)	
Reference Plan Number (s)		Part(s)	

10.3 Rural Hamilton Official Plan Designation(s)

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 consolidation property.

10.4 Description of farm consolidation property:

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

10.5 Description of abutting 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: _____

10.7 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: _____

a) Date of construction:

- Prior to December 16, 2004 After December 16, 2004

b) Condition:

- Habitable Non-Habitable