



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.:	AN/B-21:53 & AN/B-21:54	SUBJECT PROPERTY:	1304 SCENIC DRIVE, ANCASTER
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APPLICANTS: Owner: Speartacular Inc C/O ANNA SPEARIN

PURPOSE & EFFECT: To sever the existing residential lot into three parcels, the severed lands will be two vacant building lots with lot 2 having the existing dwelling demolished.

	Frontage	Depth	Area
SEVERED LANDS (Lot 1):	18.14 m [±]	49.00 m [±]	888.86 m ² [±]
RETAINED LANDS:	18.15 m [±]	162.85 / Irregular m [±]	6207.28 m ² [±]
SEVERED LANDS (Lot 2):	18.14 m [±]	49.00 m [±]	888.86 m ² [±]

Associated Planning Act File(s): AN/A-21:230

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, March 9, 2023
TIME:	2:25 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:

AN/B-21:53 & AN/B-21:54

- 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.

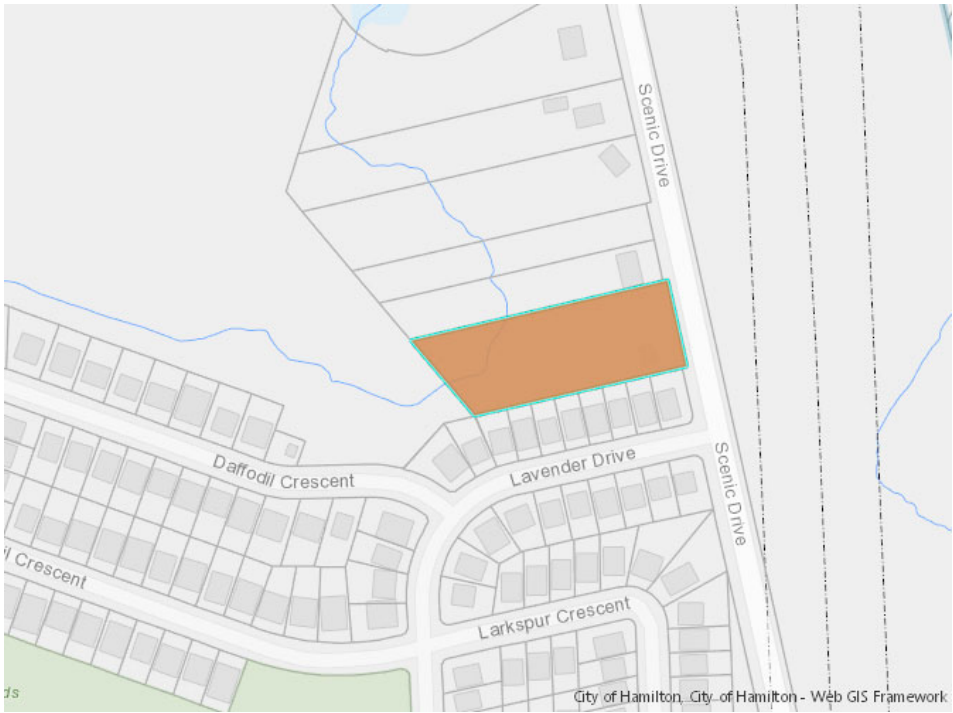
FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding AN/B-21:53 & AN/B-21:54, 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.

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.



DATED: February 21, 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.



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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.**

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

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

Oral Submissions During the Virtual Meeting

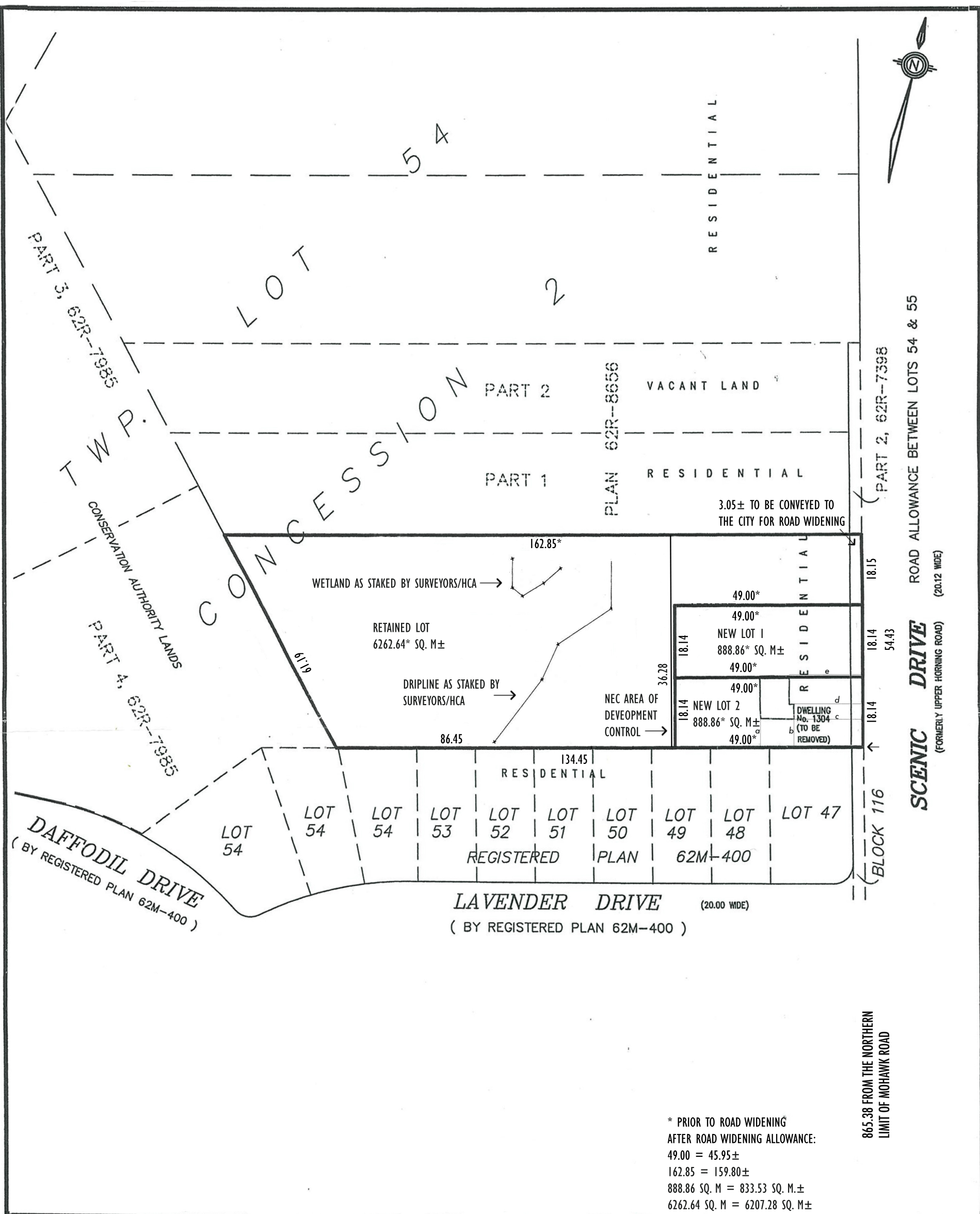
Members of the public are also able to provide oral comments regarding Committee of Adjustment Hearing items by participating through Webex via computer or phone. Participation in this format requires pre-registration in advance. **Interested members of the public must register by noon the day before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

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

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

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

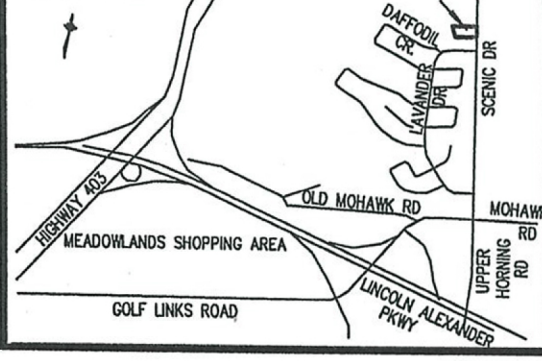


ROAD ALLOWANCE BETWEEN LOTS 54 & 55
 (20.12 WIDE)
SCENIC DRIVE
 (FORMERLY UPPER HORNING ROAD)

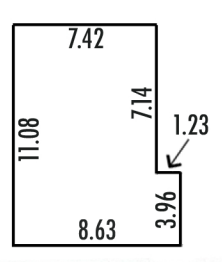
865.38 FROM THE NORTHERN
 LIMIT OF MOHAWK ROAD

* PRIOR TO ROAD WIDENING
 AFTER ROAD WIDENING ALLOWANCE:
 49.00 = 45.95±
 162.85 = 159.80±
 888.86 SQ. M = 833.53 SQ. M ±
 6262.64 SQ. M = 6207.28 SQ. M ±

KEY PLAN
NOT TO SCALE



STRUCTURE/DWELLING DIMENSIONS



SETBACK DIMENSIONS FOR IMAGE ABOVE

- a = 7.52
- b = 7.33
- c = 17.63
- d = 17.56
- e = 18.68

SKETCH SHOWING

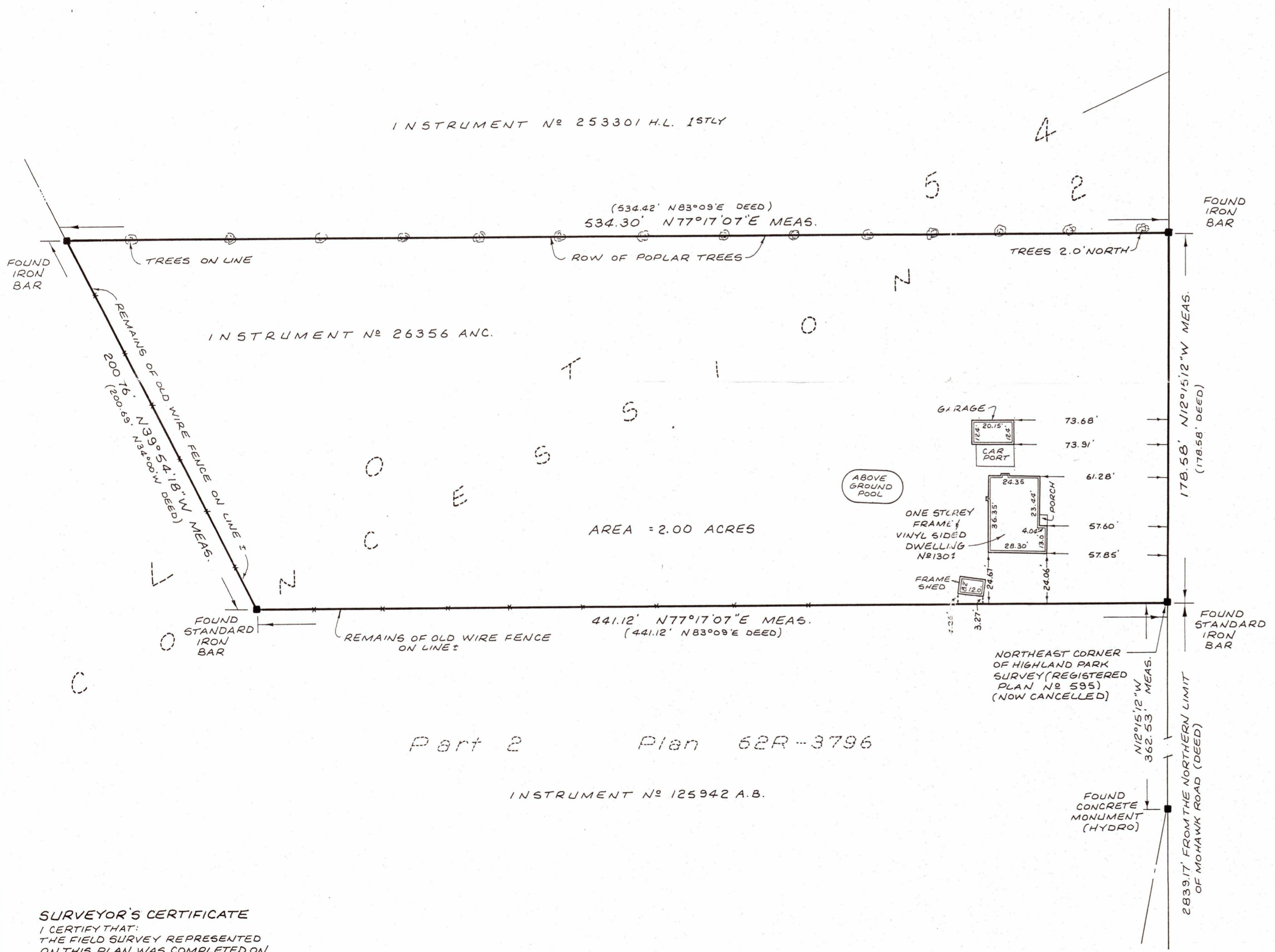
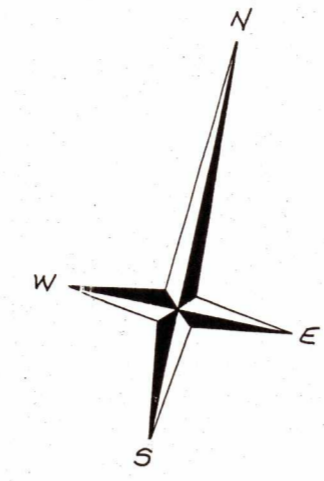
PART OF LOT 54, CONCESSION 2
 IN THE GEOGRAPHIC TOWNSHIP OF ANCASTER
 NOW IN THE
CITY OF HAMILTON

DRAWN BY ANNA SPEARIN

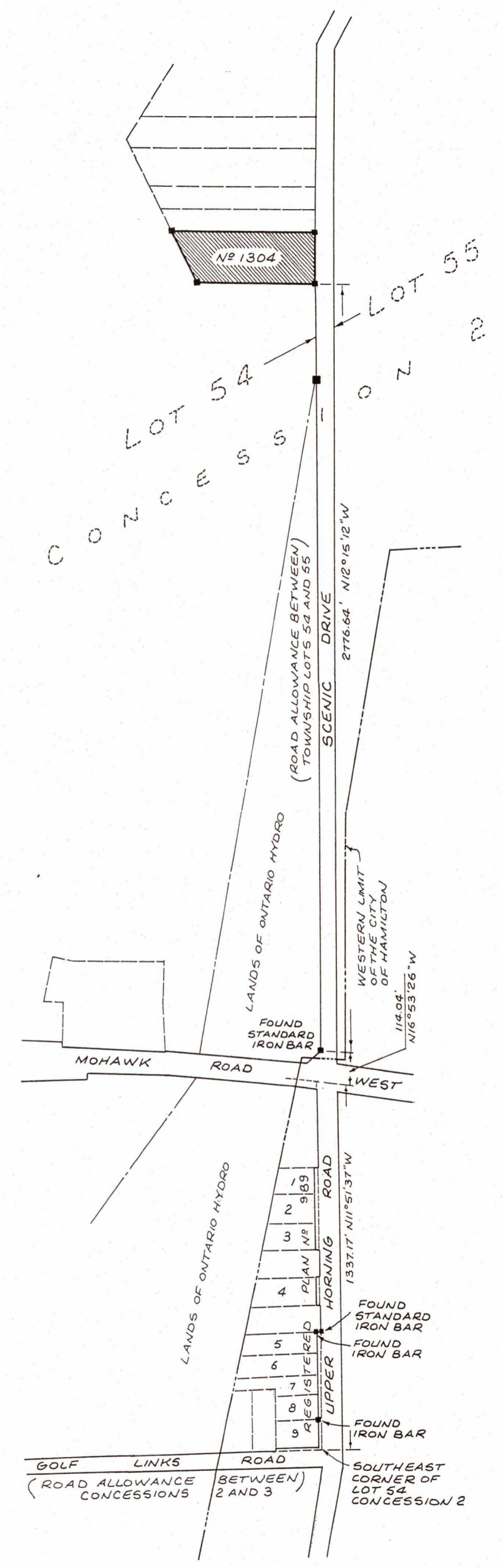
JAN 25 2023

SCALE:
1:1000m.

BUILDING LOCATION SURVEY OF
PART OF LOT 54 - CONCESSION 2
 FORMERLY IN THE
 GEOGRAPHIC TOWNSHIP OF ANCASTER
 NOW IN THE
TOWN OF ANCASTER
 REGIONAL MUNICIPALITY OF HAMILTON - WENTWORTH
 SCALE: 1" = 40'
 A.J. CLARKE O.L.S.
 1984



SCENIC DRIVE
 (ROAD ALLOWANCE BETWEEN TOWNSHIP LOTS 54 & 55)
 (REGIONAL ROAD N# 210)



SURVEYOR'S CERTIFICATE
 I CERTIFY THAT:
 THE FIELD SURVEY REPRESENTED
 ON THIS PLAN WAS COMPLETED ON
 THE 4TH DAY OF MAY, 1984.
 MAY 8, 1984
 A.J. CLARKE
 ONTARIO LAND SURVEYOR

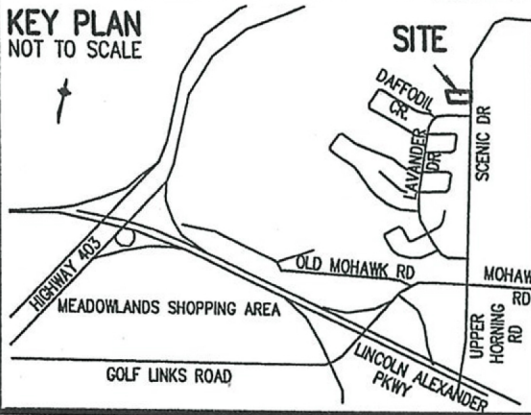
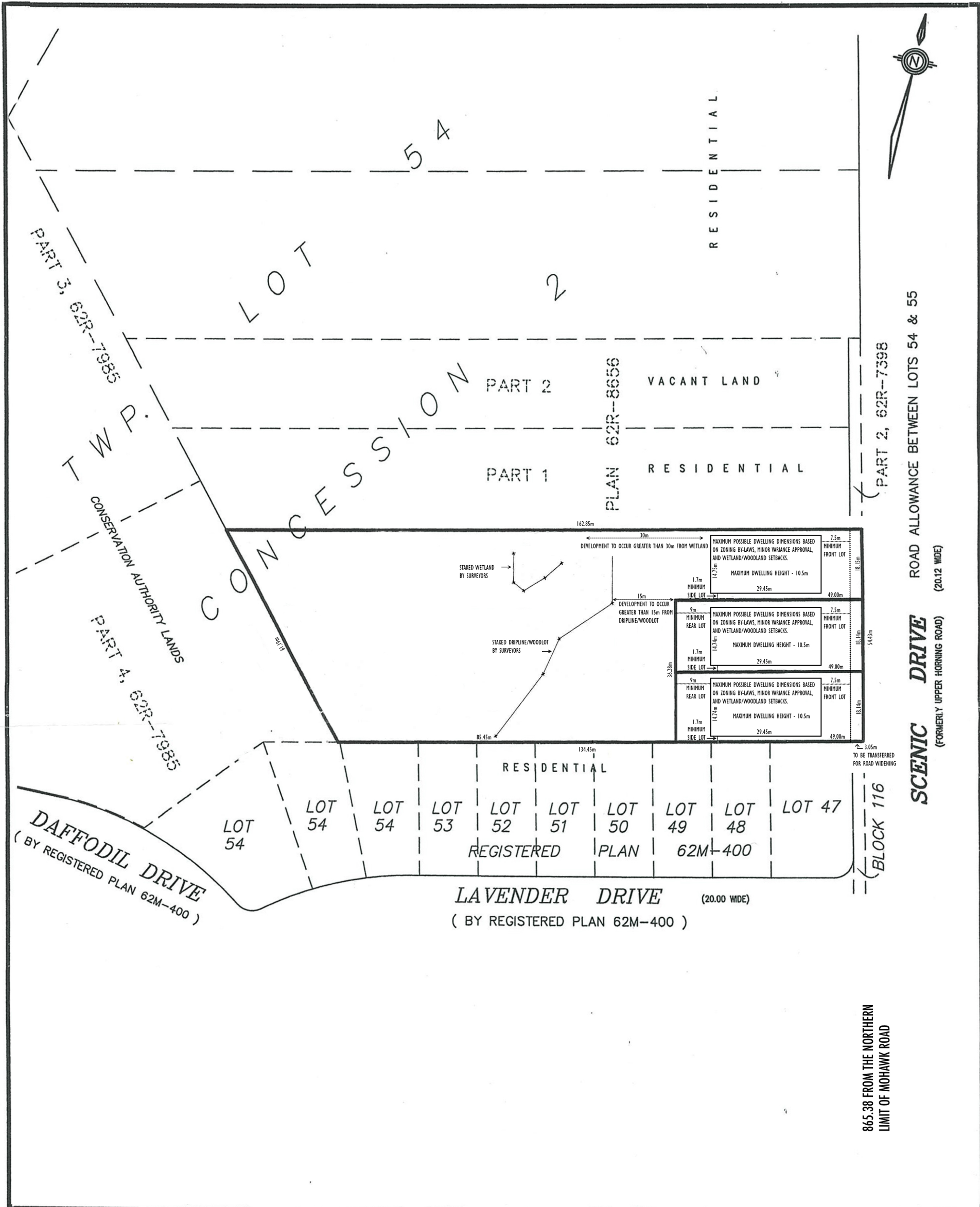
BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE
 WESTERN LIMIT OF SCENIC DRIVE ON A COURSE OF N12°15'12"W
 AS SHOWN ON DEPOSITED PLAN N# 62R-3796.

A.J. CLARKE AND ASSOCIATES
 ENGINEERS AND SURVEYORS
 HAMILTON - ONTARIO

KEY PLAN
 SCALE: 1" = 400'

R-962

R-962

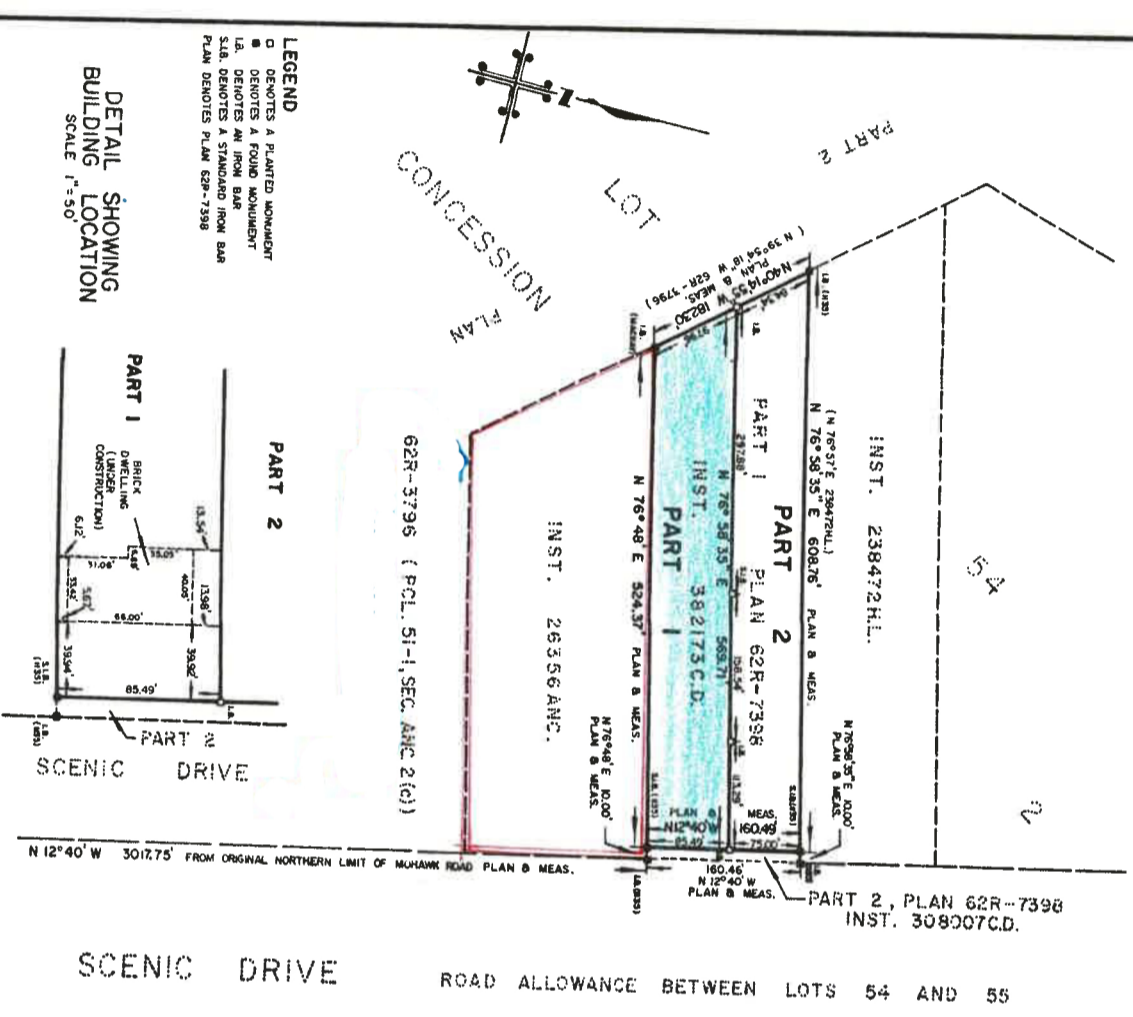


IMPORTANT NOTE:
 THE ABOVE DRAWING DEMARCATES THE LARGEST POSSIBLE BUILDING ENVELOPES FOR THE PURPOSE OF SHOWING THAT THE DEVELOPMENT WILL BE WELL OUTSIDE CITY AND HCA SETBACK REQUIREMENTS FOR WETLANDS AND WOODLANDS. ACTUAL BUILDING ENVELOPES WILL BE SIGNIFICANTLY SMALLER AND WILL FURTHER DECREASE ENCROACHMENT INTO THE NATURAL AREA.

SKETCH SHOWING
PART OF LOT 54, CONCESSION 2
 IN THE GEOGRAPHIC TOWNSHIP OF ANCASTER
 NOW IN THE
CITY OF HAMILTON

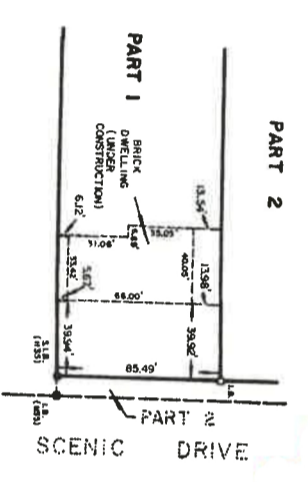
DRAWN BY ANNA SPEARIN JANUARY 3, 2023 SCALE: 1:1000m.

CAUTION: THIS PLAN IS NOT A PLAN OF SUBDIVISION WITHIN THE MEANING OF THE PLANNING ACT.



LEGEND
 □ DENOTES A PLANTED MONUMENT
 ● DENOTES A FOUND MONUMENT
 L.A. DENOTES AN IRON BAR
 S.L.B. DENOTES A STANDARD IRON BAR
 PLAN DENOTES PLAN 62R-7398

DETAIL SHOWING BUILDING LOCATION
 SCALE 1" = 50'



N 12°40' W 3017.75' FROM ORIGINAL NORTHERN LIMIT OF MUHAMM ROAD PLAN & MEAS.

SCENIC DRIVE ROAD ALLOWANCE BETWEEN LOTS 54 AND 55

I require this plan to be deposited under THE REGISTRY ACT.		PLAN 62R-8656 RECEIVED AND DEPOSITED	
Date FEBRUARY 17, 1987		Date 1987 02 26	
L. R. CASTELLANI		M. P. RICHARDS, A.P.E. Land Registrar for the REGISTRY Division of WESTWORTH (No. 62).	
SCHEDULE			
PART	LOCATION	INST. No	AREA
1	PART OF LOT 54 CONCESSION 2 ANCASTER	382173 C.D.	1.084 ACRES ±
2			1.015 ACRES ±

REFERENCE PLAN
 SHOWING PART OF LOT 54 - CONCESSION 2 IN THE FORMER TOWNSHIP OF ANCASTER NOW IN THE TOWN OF ANCASTER REGIONAL MUNICIPALITY OF HAMILTON - WENTWORTH SCALE 1" = 100'
 SIDNEY W. WOODS INC. 1987

SURVEYOR'S CERTIFICATE
 I Certify that:
 1) This survey and plan are correct and in accordance with THE SURVEY ACT and THE REGISTRY ACT and the regulations made thereunder.
 2) The survey was completed on the 13TH DAY OF FEBRUARY, 1987.

HAMILTON, ONTARIO
 FEBRUARY 16, 1987
Edwin G. Woods
 Edwin G. Woods
 Ontario Land Surveyor

BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE WESTERN LIMIT OF SCENIC DRIVE AND SHOWN ON PLAN 62R-7398 AS N 12°40' W.

SIDNEY W. WOODS INC.
 Engineers & Surveyors
 HAMILTON ONTARIO

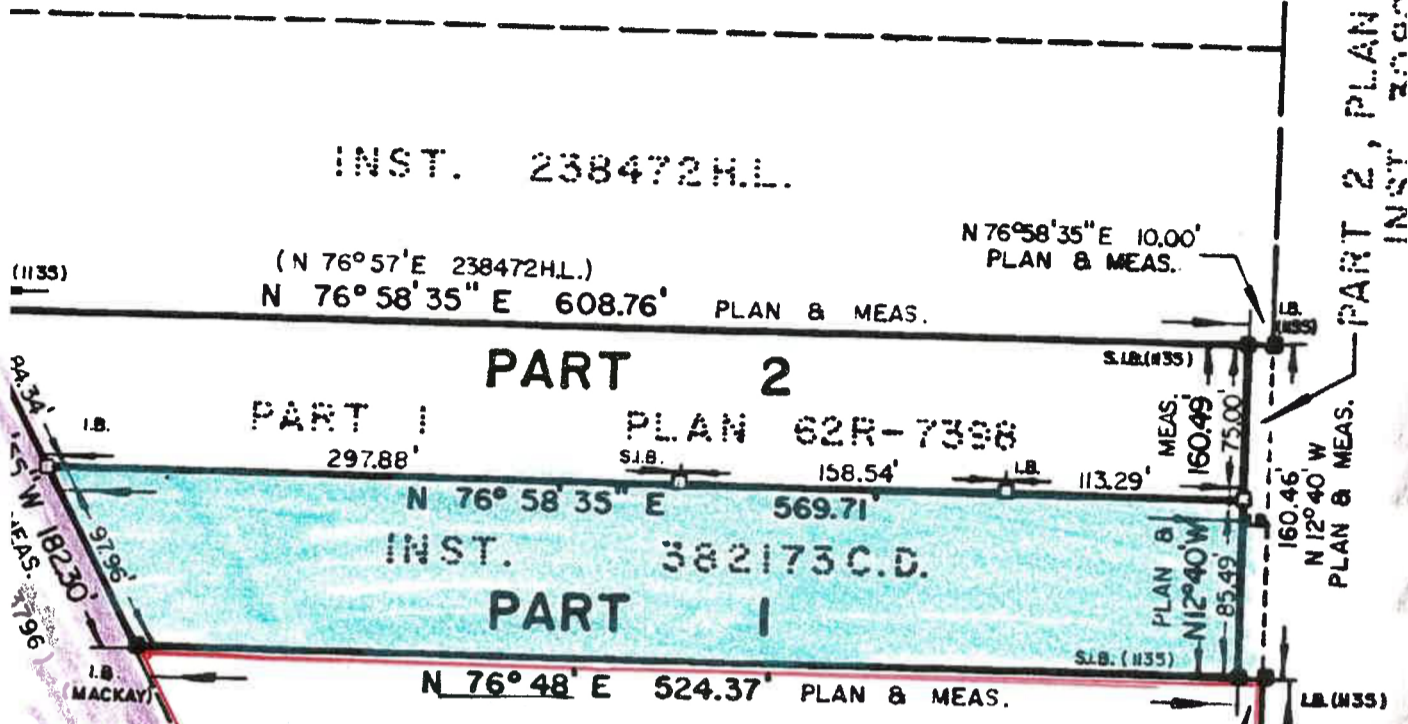
62R-8656

54

2

PART 2, PLAN 62R-7398
INST. 238472 H.L.

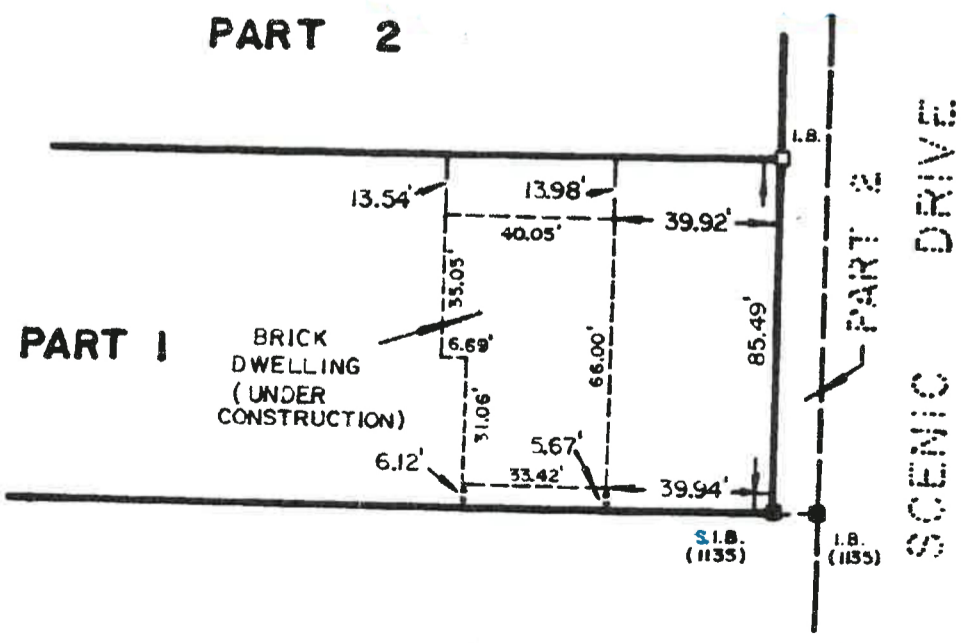
Scenic Drive



INST. 26356 ANC.

62R-3796 (PCL. 51-1, SEC. ANC. 2 (c))

FROM ORIGINAL NORTHERN LIMIT OF MOHAWK ROAD PLAN & MEAS.



N

SOIL-MAT ENGINEERS & CONSULTANTS LTD.

www.soil-mat.ca info@soil-mat.ca TF: 800.243.1922

Hamilton: 130 Lancing Drive L8W 3A1 T: 905.318.7440 F: 905.318.7455

Milton: PO Box 40012 Derry Heights PO L9T 7W4 T: 800.243.1922



PROJECT No.: SM 301324-G

February 16, 2021

ANNA SPEARIN
130 Alderson Drive
Hamilton, Ontario
L9B 1G5

Attention: Anna Spearin

**SLOPE STABILITY ASSESSMENT
PROPOSED SEVERANCE AND DWELLINGS
1304 SCENIC DRIVE
ANCASTER, ONTARIO**

Dear Ms. Spearin,

Further to your authorisation, SOIL-MAT ENGINEERS & CONSULTANTS LTD. has completed the fieldwork, slope stability analysis, and report preparation in connection with the above noted project. Our comments and recommendations based on our field observations and analysis are presented in the following paragraphs.

INTRODUCTION

We understand that the project will involve the severance of the existing property located at 1304 Scenic Drive in Ancaster, Ontario, and the construction of multiple single-family dwellings upon demolition of the existing residence. As the property slopes down to the west to a creek under the jurisdiction of the Hamilton Conservation Authority [HCA], permit approval would be required from the HCA for the proposed construction. The purpose of this slope study was to assess the stability of the slope, including the top of stable slope location, and to provide our comments and recommendations with respect to the design and construction of the proposed addition, from a geotechnical point of view.

This work has been conducted in general accordance with the guideline policies of HCA, including the Natural Hazards Technical Guide by MNR and the supporting document "Geotechnical Principles for Stable Slopes".



PROCEDURE

The site was visited on January 19, 2021 by a representative of SOIL-MAT ENGINEERS & CONSULTANTS LTD. During our site visit two representative slope profiles were measured from or near the existing dwelling down to the toe of the slope, where the slope flattened before approaching the creek located approximately 29 to 33 metres further west. The location of the slope profiles are indicated in the attached Drawing No. 1, Slope Profile Location Plan, while the slope profiles themselves are illustrated in the attached Drawing Nos. 2 and 3, Slope Profile A-A and B-B, respectively

In addition, a Slope Stability Rating Chart, as the Ontario Ministry of Natural Resources publication "Geotechnical Principles for Stable Slopes" [Geotechnical Principles publication] was completed and indicated a Rating Value of 22, which indicates a low potential for slope instability. A copy of the Slope Stability Rating Chart has been attached to this letter report.

The ground surface elevations at the start of the slope profiles were assigned an elevation based off of the rear house elevation of 100.00 meters for convenience.

SITE DESCRIPTION AND SUBSURFACE CONDITIONS

The subject property is located at 1304 Scenic Drive in Ancaster, Ontario. The property is currently occupied by an existing single family dwelling. The rear yard of the property slopes gently to the west at an inclination of approximately 5.1 to 5.4 horizontal to 1 vertical before flattening further before reaching the creek.

A review of available published information [Quaternary Geology of Ontario, Southern Sheet Map 2556] indicate the subsurface soils to consist of fine textured glaciolacustrine deposits of silt and clay, to clay to silt-textured till, consistent with our experience in the area and observations in a series of hand dug test pits along the slope.

SLOPE CONDITIONS AND STABILITY ASSESSMENT

The subject slope was measured to have a total height of approximately 7.5 to 9.5 metres, with inclinations ranging from approximately 4.3 to 6.5 horizontal to 1.0 vertical, and overall inclinations of 5.1 to 5.4 horizontal to 1.0 vertical. The slope was noted as lightly to moderately vegetated, predominately grass covered with occasional trees and scrub vegetation. The toe of the slope was noted to be a sufficient distance from the creek to the west as to not be directly impacted. There was no evidence of significant surficial movements, failure scars, tension cracks, or other signs of slope instability at the time of our site visit.



As with all slopes, there is a reduction in shearing resistance attributed to the effects of freezing and thawing, wetting and drying, burrowing animals, etc. With time, the surface of the slope will degenerate and tend to reach equilibrium within its stress and ambient environment, including vegetative cover. However, this degeneration of the slope angle is a very slow process as is evident by the condition of the existing slope. The slope has evidently remained stable for a long period of time with only imperceptibly slow flattening. It is noted that slopes in native soils at inclinations flatter than 3 horizontal to 1 vertical are generally regarded as being inherently stable. In this case the subject slope has an overall inclinations of 5.1 to 5.4 horizontal to 1 vertical, and as such would be considered stable in the short and long term, without the need for more detailed study or analysis.

As the slope is considered stable in the short and long term, with inclinations of 4.3 horizontal or flatter over the majority of the slope, construction of the proposed development would not be considered to negatively affect the stability of the subject slope, from a geotechnical point of view. With respect to a top of stable slope location, any point along the slope face would be considered stable.

CONSTRUCTION CONSIDERATIONS

It is our opinion, based on our assessment, that the existing slope is considered to be stable in both the short and long-term and that the proposed construction would have no negative impact on the stability of the subject slope, from a geotechnical point of view. The following recommendations should be considered in the proposed construction:

- Drainage over the slope should be unaltered as much as possible. Any surface flows should be in a controlled manner, such as through established grass, to avoid increased or concentrated flows onto the slope.
- Trees and other vegetation on the slope should be protected from damage wherever possible.
- Where the existing grade is altered, such as to provide a slightly flattened area for the proposed addition, the final grade of any section should be not steeper than 3 horizontal to 1 vertical. Proper vegetation must be re-established in all areas of regrading to protect from surface erosion.
- All footings must be provided with 1.2 metres of earth cover or equivalent insulation for frost protection. Foundations for the new dwellings must be designed and constructed in accordance with the requirements of the current Ontario Building Code.

We trust that this slope assessment report is sufficient for your present requirements. Should there be any questions regarding the content or comments within this report please do not hesitate to contact our office.

Yours very truly,
SOIL-MAT ENGINEERS & CONSULTANTS LTD.



Scott Wylie, B. Eng., EIT



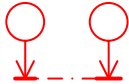
Adam Roemmele, P.Eng.
Project Engineer



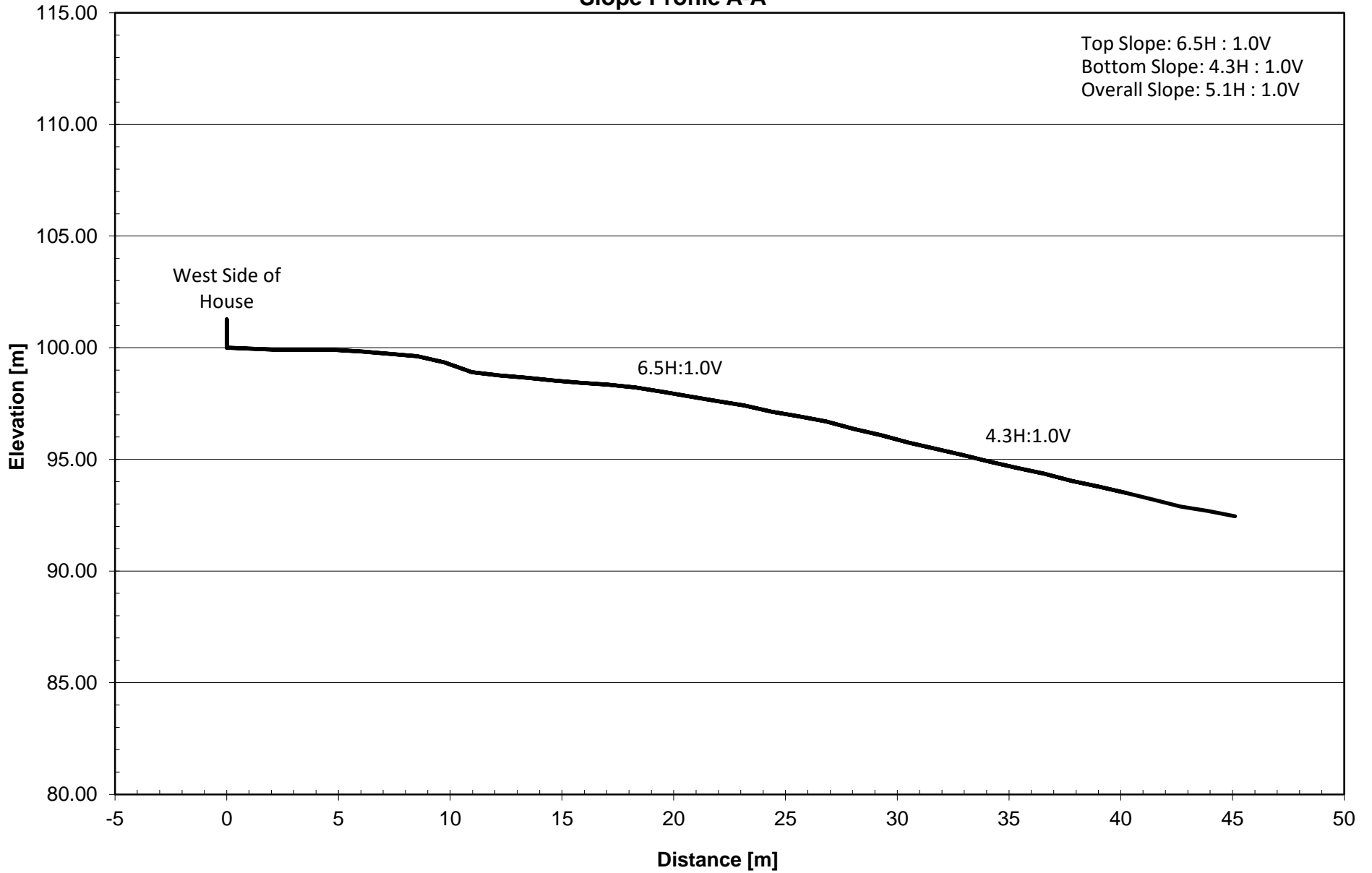
Enclosures: Drawing No. 1, Slope Profile Location Plan
Drawing Nos. 2 and 3, Slope Profile A-A, Slope Profile B-B
Slope Stability Rating Chart

Distribution: Anna Spearin [1, plus pdf]



<p>LEGEND</p>  <p>Slope Profile Location</p>	
<p>NOTES</p> <p>1. This drawing should be read in conjunction with SOIL-MAT ENGINEERS & CONSULTANTS LTD. Report No. SM 301324-G.</p> <p>2. Slope profile and top of stable locations are approximate.</p>	
<p>SOIL-MAT</p> <p>ENGINEERS & CONSULTANTS LTD.</p> <p>Slope Stability Assessment Proposed Severance and Dwellings 1304 Scenic Drive Ancaster, Ontario</p>	
<p>Slope Profile Location Plan</p>	
<p>Project No. SM 301324-G</p>	
<p>Date: January 2021</p>	
<p>Drawn: SW</p>	<p>Checked: AR</p>
<p>SM 301324-G Slope Profile Location Plan</p>	
<p>Drawing No. 1</p>	

**Slope Profile Section
1304 Scenic Drive
Ancaster, Ontario
Slope Profile A-A**



**Slope Profile Section
1304 Scenic Drive
Ancaster, Ontario
Slope Profile B-B**

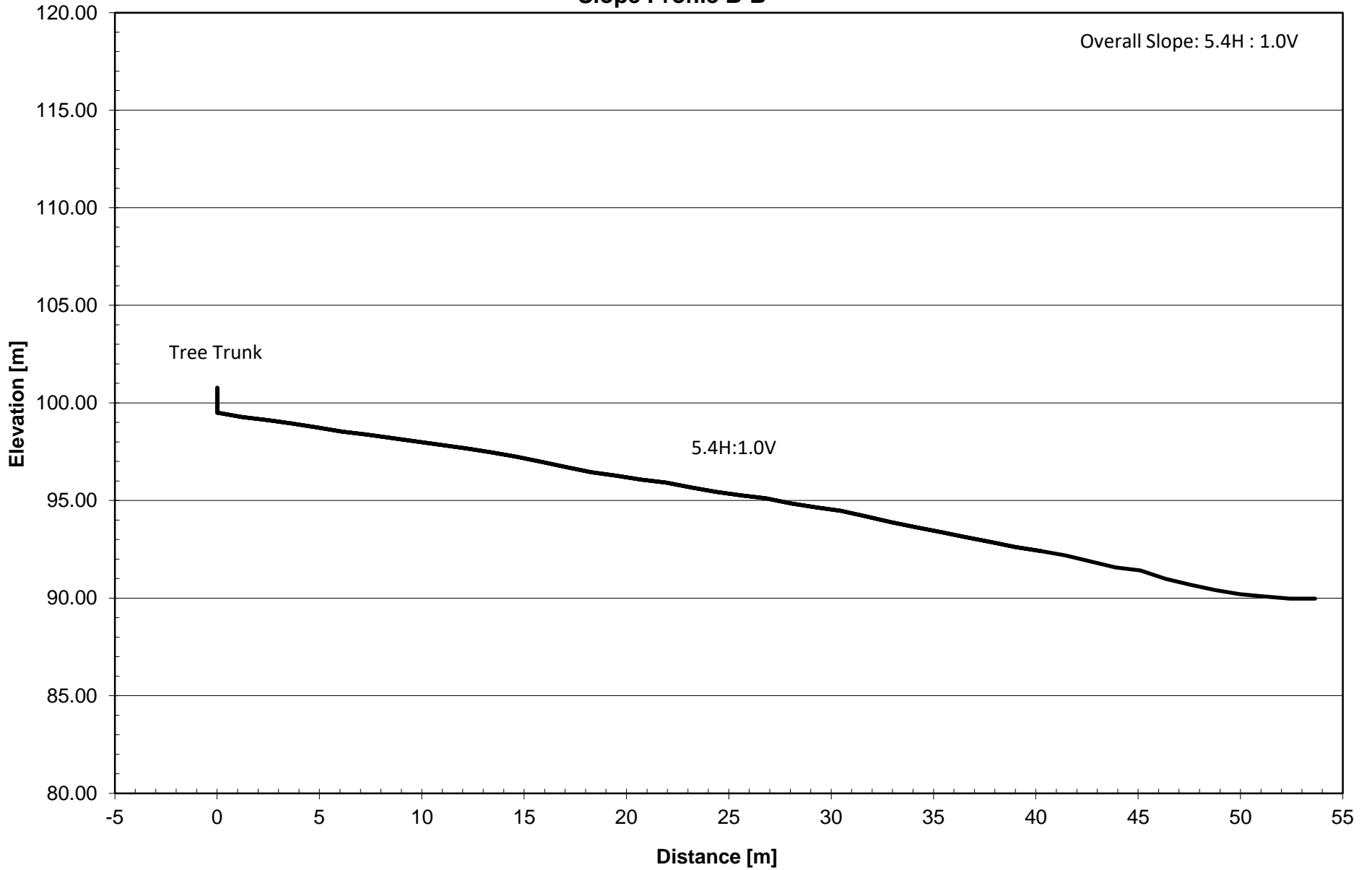


TABLE 8.1 - SLOPE STABILITY RATING CHART

Site Location: 1034 Scenic Drive, Ancaster		File No. 301324-G	
Property Owner:		Inspection Date: January 19th, 2021	
Inspected By:		Weather:	
1.	SLOPE INCLINATION degrees a) 18 or less b) 18 - 26 c) more than 26	horiz. : vert. 3 : 1 or flatter 2 : 1 to more than 3 : 1 steeper than 2 : 1	Rating Value 0 6 16
2.	SOIL STRATIGRAPHY a) Shale, Limestone, Granite (Bedrock) b) Sand, Gravel c) Glacial Till d) Clay, Silt e) Fill f) Leda Clay		0 6 9 16 24
3.	SEEPAGE FROM SLOPE FACE a) None or Near bottom only b) Near mid-slope only c) Near crest only or, From several levels		0 6 12
4.	SLOPE HEIGHT a) 2 m or less b) 2.1 to 5 m c) 5.1 to 10 m d) more than 10 m		0 2 4 8
5.	VEGETATION COVER ON SLOPE FACE a) Well vegetated; heavy shrubs or forested with mature trees b) Light vegetation; Mostly grass, weeds, occasional trees, shrubs c) No vegetation, bare		0 4 8
6.	TABLE LAND DRAINAGE a) Table land flat, no apparent drainage over slope b) Minor drainage over slope, no active erosion c) Drainage over slope, active erosion, gullies		0 2 4
7.	PROXIMITY OF WATERCOURSE TO SLOPE TOE a) 15 metres or more from slope toe b) Less than 15 metres from slope toe		0 6
8.	PREVIOUS LANDSLIDE ACTIVITY a) No b) Yes		0 6
	SLOPE INSTABILITY RATING	RATING VALUES TOTAL	INVESTIGATION REQUIREMENTS
		TOTAL	TOTAL
		22	
1.	Low potential	< 24	Site inspection only, confirmation, report letter.
2.	Slight potential	25-35	Site inspection and surveying, preliminary study, detailed report.
3.	Moderate potential	> 35	Boreholes, piezometers, lab tests, surveying, detailed report.
NOTES:	a) Choose only one from each category; compare total rating value with above requirements. b) If there is a water body (stream, creek, river, pond, bay, lake) at the slope toe; the potential for toe erosion and undercutting should be evaluated in detail and, protection provided if required.		

Dear COFA, HCA, and NEC,

Thank you for taking the time to re-review my severance and minor variance application for 1304 Scenic Drive in Hamilton.

During the committee of adjustment meeting on July 22nd 2021, the planning department provided verbal feedback requesting that an Environmental Impact Assessment be completed prior to providing the committee with severance recommendations. The committee graciously granted my request to table the application until I could have this assessment completed.

As a result of the environmental impact study, I have made the following minor changes to my original application:

1. Completed the requested Environmental Impact Assessment.
2. Decreased both of the new lots' depth from 60m to 49m in order to comply with the 15m dripline setback regulations, 30m wetland setback regulations, and out of the NEC area of development control. Please note that the 49m will be further reduced by ~3.05m (to approximately 45.95m) to comply with the road widening condition previously mentioned in the feedback.
3. As a result of the above depth decreases, the new lots' areas have decreased from 1088.4 sq. m to approximately 833.53 sq.m, while the retained lot's area is now 6207.28 sq. m.
4. Included an additional sketch demonstrating that the proposed development would sit more than 15m from the dripline and 30m from the wetland in accordance with regulations. The drawing shows the maximum building envelopes allowed based upon the zoning by-laws and minor variance application approval. The actual footprint of the new single detached dwellings will be much smaller and have yet to be designed.

Furthermore, I would like to acknowledge that I fully intend to comply with the recommendations made by the Environmental Impact Assessment and intend to conduct an Archeological Assessment as a condition of the severance approval.

Thank you again for your time and consideration,

Anna Spearin
Speartacular Inc

**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*			
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 [REDACTED]

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	1304 Scenic Drive, Hamilton, Ontario, L9K 1J6		
Assessment Roll Number	2514100-28003200		
Former Municipality	Ancaster		
Lot	PT LT 54	Concession	CON 2 as in CD127987
Registered Plan Number		Lot(s)	
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:

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:

Current Owner: Speartacular Inc. / Anna Spearin

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:	Retained Lot	New Lot 1	New Lot 2		
Type of Transfer	N/A	To owner	To owner		
Frontage	18.15m	18.14m	18.14m		
Depth	162.85/irregular	49.00m	49.00m		
Area	6207.28 sq m	888.86 sq m	888.86 sq m		
Existing Use	Residential	Residential	Residential		
Proposed Use	Residential	Residential	Residential		
Existing Buildings/ Structures	N/A	N/A	Single Family Dwelling		
Proposed Buildings/ Structures	Single Family Dwelling	Single Family Dwelling	Single Family Dwelling		
Buildings/ Structures to be Removed	N/A	N/A	Existing Single Family Dwelling		

* 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.

The subject lands are currently designated "Neighbourhoods" in the Urban Hamilton Official Plan. The "Neighbourhoods" designation permits a range of residential housing forms that are compatible with the context of the surrounding neighbourhood. Development will conform to the environmental assessment's recommendations and city feedback.

- 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? Ancaster By-Laws Zoning: Agricultural

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.

Severance and Minor Variance - File Numbers: AN/B-21:53 & AN/A-21:230

- 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"/>	hydro power lines
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.

Severance/Minor Variance: AN/B-21:53 & AN/A-21:230 - tabled for environmental assessment

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

Please see attached cover letter.

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.

6.4 How long has the applicant owned the subject land?

Since February 19th, 2021

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.

I own my home at 130 Alderson Drive, Hamilton, Ontario, L9B 1G5

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)

This application is consistent with Subsection 2 of the Planning Act as it facilitates growth and development, provides additional housing, and will enhance the protection of the natural area located on western portion of the retained lot (via drainage, retaining walls, etc).

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

Yes No (Provide explanation)

This application is consistent with the PPS as it focuses on growth and re-development of the settlement area. It will increase housing supply and better protect the surrounding natural environment (via drainage, retaining walls, etc).

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

Yes No (Provide explanation)

This application conforms to the GGH Growth Plan as it facilitates growth in existing settlement areas and contributes to Hamilton's intensification targets. The area has well-established transit and is supported by municipal water/waste management.

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

Yes No (Provide explanation)

The proposed severance is taking place outside the Area of Development Control. The Western portion of the property is located within the Escarpment Natural Area designation and within the Area of Development Control, however, this portion of the property will remain untouched/unsevered by the proposed severance. Since the proposed severance will not be taking place in the Area of Development Control a NEC Development Permit will not be required. The NEC would like to serve as a commenting agency to the City of Hamilton.

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):
---------------	------------------------------

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

11 COMPLETE APPLICATION REQUIREMENTS

11.1 All Applications

- Application Fee
- Site Sketch
- Complete Application Form
- Signatures Sheet

11.2 Validation of Title

- All information documents in Section 11.1
- Detailed history of why a Validation of Title is required
- All supporting materials indicating the contravention of the Planning Act, including PIN documents and other items deemed necessary.

11.3 Cancellation

- All information documents in Section 11.1
- Detailed history of when the previous consent took place.
- All supporting materials indicating the cancellation subject lands and any neighbouring lands owned in the same name, including PIN documents and other items deemed necessary.

11.4 Other Information Deemed Necessary

- Cover Letter/Planning Justification Report
- Minimum Distance Separation Formulae (data sheet available upon request)
- Hydrogeological Assessment
- Septic Assessment
- Archeological Assessment
- Noise Study
- Parking Study

Slope Stability Assessment

Environmental Impact Study