



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-23:26	SUBJECT PROPERTY:	186 FRUITLAND ROAD, STONEY CREEK
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APPLICANTS: **Owner:** SERLAND HOLDINGS
Agent: A.J. CLARKE & ASSOCIATES C/O FRANZ KLOIBHOFER
Applicant: Warm Homes c/o Nik Miskovic

PURPOSE & EFFECT: To permit the conveyance of a parcel of land to be added to property known municipally as 669 Highway No. 8, Stoney Creek.

	Frontage	Depth	Area
SEVERED LANDS (Part 2):	N/A m [±]	34.8 m [±]	1,215.2 m ^{2±}
RETAINED LANDS (Part 1):	14.92 m [±]	42.71 m [±]	634 m ^{2±}

Associated Planning Act File(s): SC/B-22:104 & SC/B-22:105

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, June 15, 2023
TIME:	9:40 a.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:

- 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.

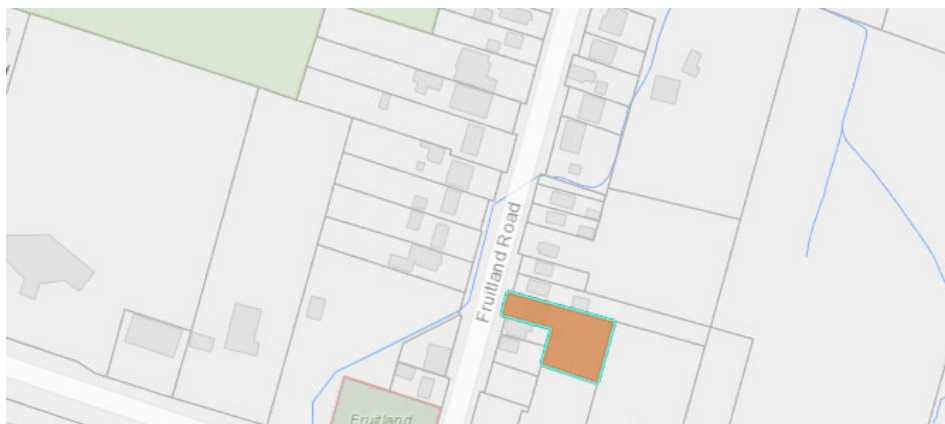
Orally: If you would like to speak to this item at the hearing you may do so via video link or by calling in. Please see attached page for complete instructions, including deadlines for registering to participate.

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding SC/B-23:26, 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.



 **Subject Lands**

DATED: May 30, 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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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.

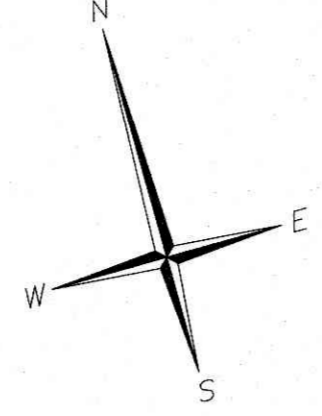
All members of the public who register will be contacted by Committee Staff to confirm details of the registration prior to the Hearing and provide an overview of the public participation process.

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.

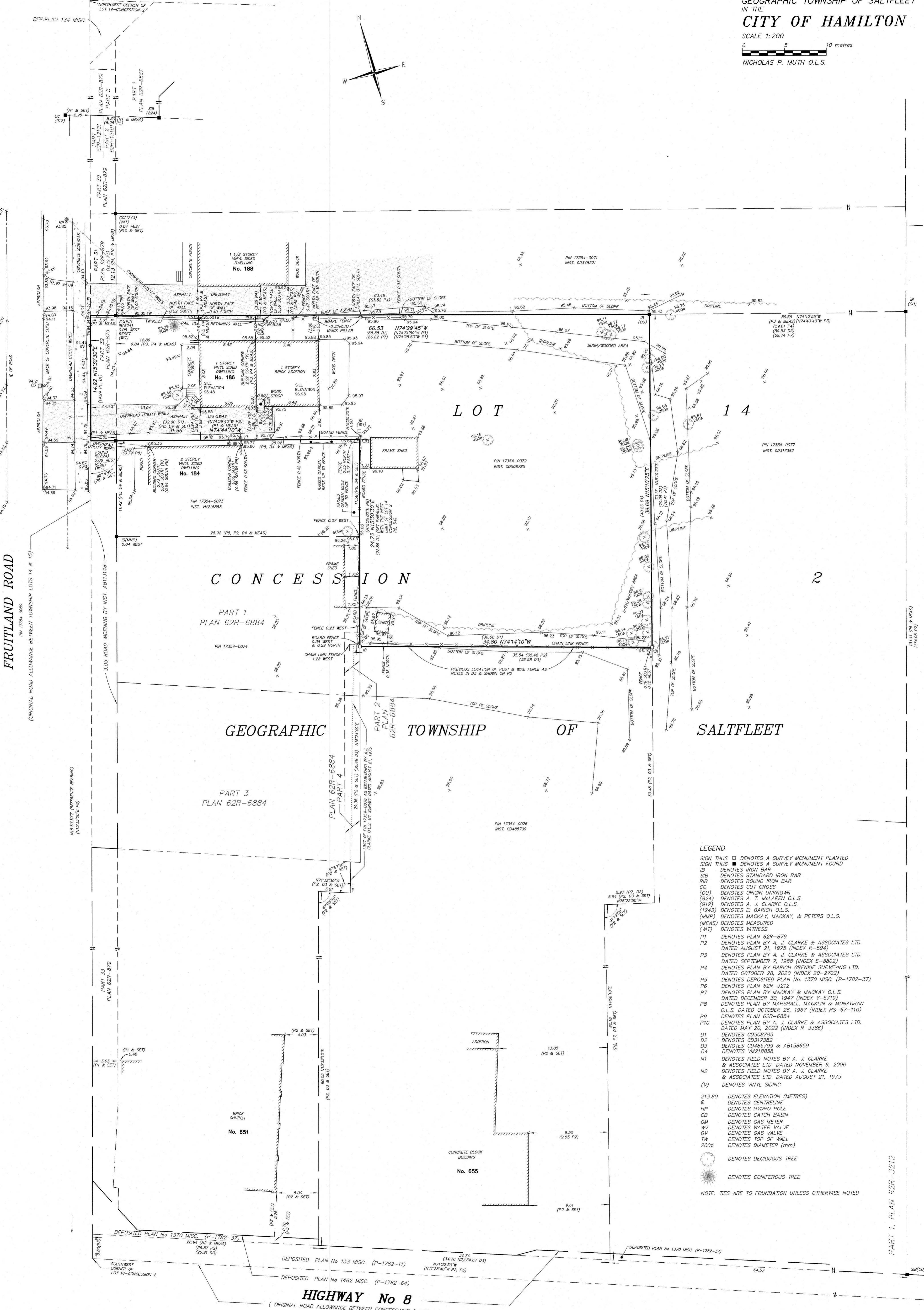
Please note: Webex (video) participation requires either a compatible computer or smartphone and an application (app/program) must be downloaded by the interested party in order to participate. It is the interested party's responsibility to ensure that their device is compatible and operating correctly prior to the Hearing.

PLAN OF SURVEY OF PART OF LOT 14 - CONCESSION 2 GEOGRAPHIC TOWNSHIP OF SALT FLEET IN THE CITY OF HAMILTON

SCALE 1:200
0 5 10 metres
NICHOLAS P. MUTH O.L.S.



BARTON STREET



FRUITLAND ROAD

CONCESSION

LOT

14

2

GEOGRAPHIC TOWNSHIP OF SALT FLEET

PART 3 PLAN 62R-6884

PART 1 PLAN 62R-6884

PART 2 PLAN 62R-6884

PART 4 PLAN 62R-6884

- LEGEND
SIGN THIS DENOTES A SURVEY MONUMENT PLANTED
SIGN THIS DENOTES A SURVEY MONUMENT FOUND
IB DENOTES IRON BAR
SIB DENOTES STANDARD IRON BAR
RIB DENOTES ROUND IRON BAR
CC DENOTES CUT CROSS
(OU) DENOTES ORIGIN UNKNOWN
(824) DENOTES A. T. MCLAREN O.L.S.
(912) DENOTES A. J. CLARKE O.L.S.
(1243) DENOTES E. BARICH O.L.S.
(MMP) DENOTES MACKAY, MACKAY, & PETERS O.L.S.
(MEAS) DENOTES MEASURED
(WI) DENOTES WITNESS
P1 DENOTES PLAN 62R-879
P2 DENOTES PLAN BY A. J. CLARKE & ASSOCIATES LTD. DATED AUGUST 21, 1975 (INDEX R-594)
P3 DENOTES PLAN BY A. J. CLARKE & ASSOCIATES LTD. DATED SEPTEMBER 7, 1988 (INDEX E-8802)
P4 DENOTES PLAN BY BARCH GREWIE SURVEYING LTD. DATED OCTOBER 28, 2020 (INDEX 20-2702)
P5 DENOTES DEPOSITED PLAN No. 1370 MISC. (P-1782-37)
P6 DENOTES PLAN 62R-3212
P7 DENOTES PLAN BY MACKAY & MACKAY O.L.S. DATED DECEMBER 30, 1947 (INDEX Y-5719)
P8 DENOTES PLAN BY MARSHALL, MACKLIN & MONAGHAN O.L.S. DATED OCTOBER 26, 1967 (INDEX HS-67-110)
P9 DENOTES PLAN 62R-6884
P10 DENOTES PLAN BY A. J. CLARKE & ASSOCIATES LTD. DATED MAY 20, 2022 (INDEX R-3386)
D1 DENOTES CD508785
D2 DENOTES CD317382
D3 DENOTES CD485799 & AB158659
D4 DENOTES WM218858
N1 DENOTES FIELD NOTES BY A. J. CLARKE & ASSOCIATES LTD. DATED NOVEMBER 6, 2006
N2 DENOTES FIELD NOTES BY A. J. CLARKE & ASSOCIATES LTD. DATED AUGUST 21, 1975
(V) DENOTES VINYL SIDING
213.80 DENOTES ELEVATION (METRES)
C DENOTES CENTRELINE
HP DENOTES HYDRO POLE
CB DENOTES CATCH BASIN
GM DENOTES GAS METER
WV DENOTES WATER VALVE
GV DENOTES GAS VALVE
TW DENOTES TOP OF WALL
200# DENOTES DIAMETER (mm)
DENOTES DECIDUOUS TREE
DENOTES CONIFEROUS TREE
NOTE: TIES ARE TO FOUNDATION UNLESS OTHERWISE NOTED

SURVEYOR'S CERTIFICATE:
I CERTIFY THAT:
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
2. THE SURVEY WAS COMPLETED ON THE 30th DAY OF JANUARY 2023.
APRIL 19, 2023
DATE
NICHOLAS P. MUTH
ONTARIO LAND SURVEYOR



BENCHMARK
CITY OF HAMILTON
MONUMENT NO. 07720020003
RIB WITH BRASS CAP LOCATED IN STONEY CREEK, 5m WEST OF CENTRELINE OF FRUITLAND ROAD, 11m NORTH OF CENTRELINE OF SHERWOOD PARK ROAD AND 2m EAST OF CENTRELINE OF SIDEWALK
ELEVATION = 90.742m CGVD 28:78

BEARINGS NOTE:
BEARINGS ARE ASTRONOMIC AND REFERRED TO THE EASTERLY LIMIT OF FRUITLAND ROAD AS SHOWN ON PLAN 62R-879 HAVING A BEARING OF N15°30'30".
METRIC:
DISTANCES AND ELEVATIONS SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

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: a.jc@ajclarke.com

R-4793A

FRUITLAND ROAD

(ORIGINAL ROAD ALLOWANCE BETWEEN TOWNSHIP LOTS 14 & 15)

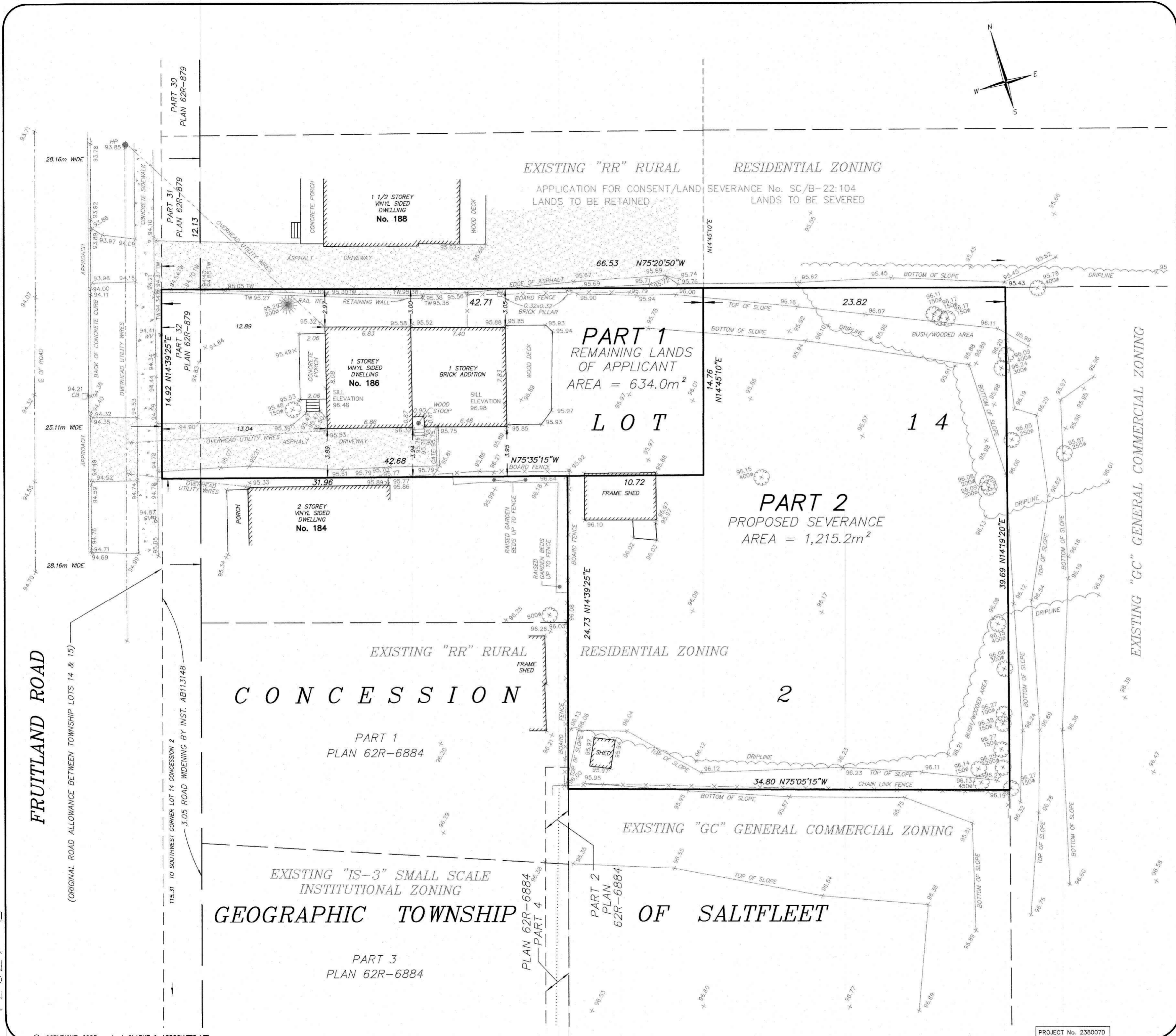
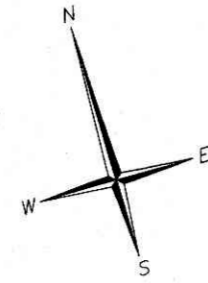
115.31 TO SOUTHWEST CORNER LOT 14 CONCESSION 2

3.05 ROAD WIDENING BY INST. AB113148

28.16m WIDE

25.11m WIDE

28.16m WIDE



EXISTING "RR" RURAL RESIDENTIAL ZONING

APPLICATION FOR CONSENT/LAND SEVERANCE No. SC/B-22:104
LANDS TO BE RETAINED LANDS TO BE SEVERED

PART 1
REMAINING LANDS
OF APPLICANT
AREA = 634.0m²
LOT

PART 2
PROPOSED SEVERANCE
AREA = 1,215.2m²

CONCESSION

PART 1
PLAN 62R-6884

EXISTING "IS-3" SMALL SCALE
INSTITUTIONAL ZONING
GEOGRAPHIC TOWNSHIP

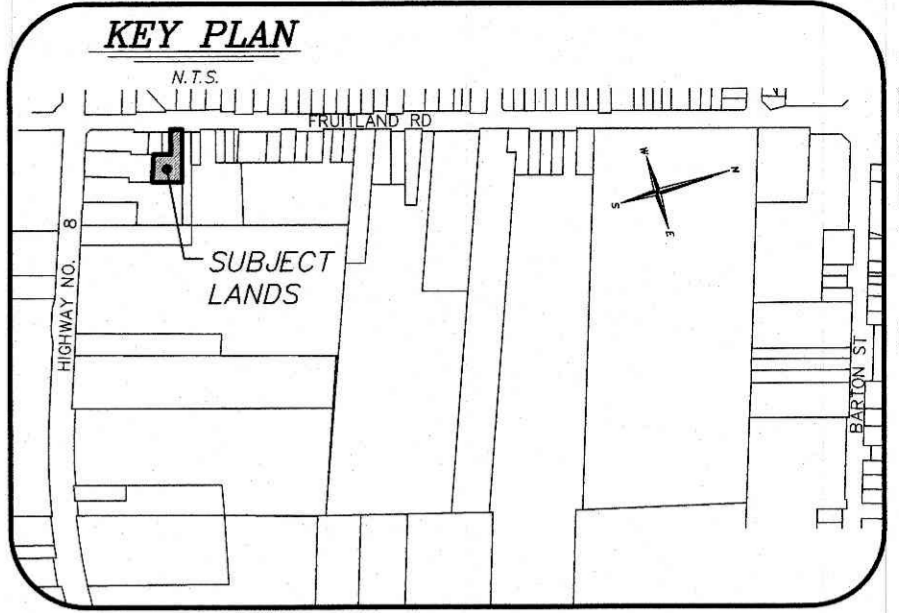
PART 3
PLAN 62R-6884

EXISTING "RR" RURAL RESIDENTIAL ZONING

EXISTING "GC" GENERAL COMMERCIAL ZONING

PART 2
PLAN 62R-6884
OF SALTFLY

EXISTING "GC" GENERAL COMMERCIAL ZONING



SKETCH FOR CONSENT TO SEVER
186 FRUITLAND ROAD
CITY OF HAMILTON

SCALE 1:200
0 5 10 metres

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

NOTES:
THIS SKETCH WAS PREPARED BASED ON A FIELD SURVEY AND
PLAN BY A.J. CLARKE & ASSOCIATES LTD. DATED APRIL 19,
2023 (FILE T-3480)
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.

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

CONSENT SCHEDULE:
PART 1 (LANDS TO BE RETAINED) AREA= 634.0m²
PART 2 (PROPOSED SEVERANCE) AREA= 1,215.2m²



APRIL 21, 2023
DATE

NICHOLAS P. MUTH
ONTARIO LAND SURVEYOR

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

R-4793A



A. J. Clarke and Associates Ltd.

SURVEYORS • PLANNERS • ENGINEERS

City of Hamilton Planning and Development
City Hall 5th Floor
71 Main St W, Hamilton, ON L8P 4Y5

April 28, 2023

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

Re: 186 Fruitland Road, Stoney Creek – Severance Application Submission

Dear Madam:

A.J Clarke and Associates Ltd. has been retained by the Warm Homes, care of Nik Miskovic, for the purposes of submitting the enclosed Severance Application Submission. 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 for 186 Fruitland Road;
- One (1) cheque in the amount of \$3,220.00 representing the required application fees for both severance application;
- One (1) electronic copy of the Plan of Survey, dated April 19, 2023, depicting the subject lands.
- One (1) electronic copy of the Severance Sketch for 186 Fruitland Road (R-4793A)

The subject lands are designated “Neighbourhoods” on Schedule E-1 of the Urban Hamilton Official Plan and are further designated as “Low Density Residential 2” and “Low Density Residential 3” as per Map B.7.4-1 of the Fruitland-Winona Secondary Plan. The subject lands are zoned “RR – Rural Residential” in the City of Stoney Creek Zoning By-law 3692-92. The lands are currently occupied by one single-detached dwelling and one accessory building. The accessory building will be demolished to facilitate the severance.

The owners of 669 Highway No. 8, have active, conditionally approved, consent applications in the adjacent lands of 188 and 192 Fruitland Road (SC/B-22:104 and SC/B-22:105, respectively). The purpose and intent of the proposal is to merge the severed parts proposed with the lands at 669 Highway No. 8, along with 188 and 192 Fruitland Road, for the purpose of future residential land development while retaining the existing single detached dwelling fronting onto Fruitland Road.

The resultant lots will be as follows:

	Area	Frontage
Part 1	634 m ²	14.92m
Part 2	1,215.2 m ²	N/A

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 Committee of Adjustment



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

Yours truly,

Ryan Ferrari MCIP, RPP
Planner
A.J Clarke and Associates Ltd.

Copy: Nik Miskovic
nik@warmhomes.ca

Certificate of Incorporation

Certificat de constitution

Business Corporations Act

Loi sur les sociétés par actions

SERLAND PROPERTIES INCORPORATED

Corporation Name / Dénomination sociale

1000408639

Ontario Corporation Number / Numéro de société de l'Ontario

This is to certify that these articles are effective on

La présente vise à attester que ces statuts entreront en
vigueur le

January 09, 2023 / 09 janvier 2023

V. Quintanilla W.

Director / Directeur

Business Corporations Act / Loi sur les sociétés par actions

The Certificate of Incorporation is not complete
without the Articles of Incorporation.

Certified a true copy of the record of the
Ministry of Public and Business Service Delivery.

V. Quintanilla W.

Director/Registrar



Le certificat de constitution n'est pas complet s'il
ne contient pas les statuts constitutifs.

Copie certifiée conforme du dossier du
ministère des Services au public et aux
entreprises.

V. Quintanilla W.

Directeur ou registrateur



Articles of Incorporation

Business Corporations Act

1. Corporation Name

SERLAND PROPERTIES INCORPORATED

2. Registered Office Address

745 South Service Road, 1, Stoney Creek, Ontario, Canada, L8E 5Z2

3. Number of Directors

Minimum/Maximum

Min 1 / Max 5

4. The first director(s) is/are:

Full Name

BRADLEY ADAMSON

Resident Canadian

Yes

Address for Service

745 South Service Road, 1, Stoney Creek, Ontario, Canada, L8G 5Z2

Full Name

NIKICA MISKOVIC

Resident Canadian

Yes

Address for Service

24 Maple Drive, Stoney Creek, Ontario, Canada, L8G 3C2

5. Restrictions, if any, on business the corporation may carry on or on powers the corporation may exercise. If none, enter "None":

There shall be no restrictions on business the Corporation may carry on or on powers the Corporation may exercise.

A handwritten signature in black ink, appearing to read "V. Quintanilla W.", written over a horizontal line.

6. The classes and any maximum number of shares that the corporation is authorized to issue:

The Corporation is authorized to issue an unlimited number of common shares, the holders of which are entitled, among other things: (i) to vote at all meetings of shareholders, and (ii) to receive the remaining property of the Corporation upon dissolution. The Corporation is authorized to issue an unlimited number of special shares.

7. Rights, privileges, restrictions and conditions (if any) attaching to each class of shares and directors' authority with respect to any class of shares which may be issued in series. If there is only one class of shares, enter "Not Applicable":

(a) The holders of the Special Shares shall in each year in the discretion of the directors, but always in preference and priority to any payment of dividends on the common shares for such year, be entitled to such dividend as may be declared by the board of directors from time to time; (b) The Special Shares shall rank both as regards dividends repayment of capital, in priority to all other shares of the corporation but shall not confer any further rights to participate in profits or assets; (c) The corporation may, upon giving notice as hereinafter provided redeem the whole or any part of the special shares on payment of One Hundred and Five (105%) percent of the amount paid up on each share to be redeemed, together with all dividends declared thereon and unpaid; not less than thirty (30) days notice in writing of such redemption shall be given by mailing such notice to the registered holders of the shares to be redeemed specifying the date and place or places of redemption; if notice of any such redemption be given by the corporation in the manner aforesaid and an amount sufficient to redeem the shares be deposited with any trust company or chartered bank of Canada as specified in the notice, on or before the date fixed for such redemption, dividends on the special shares to be redeemed shall cease after the date so fixed for redemption, and the holders thereof shall thereafter have no rights against the corporation in respect thereof except upon the surrender of certificates for such shares, to receive payment therefore out of the monies so deposited; (d) The corporation may, at any time and from time to time purchase for cancellation the whole or any part of the special shares at the lowest price at which, in the opinion of the directors, such shares are obtainable, but not exceeding One Hundred and Five (105%) percent of the amount paid up thereon together with all dividends declared thereon and unpaid. (e) In the event of the liquidation, dissolution or winding up of the corporation, whether voluntary or involuntary, the holders of the special shares shall be entitled to receive before any distribution of any part of the assets of the corporation among the holders of any other shares, the amount paid upon the special shares and any dividends declared thereon and unpaid and no more; (f) The holders of the special shares shall not, as such having any voting rights for the election of the directors or for any other purpose nor shall they be entitled to attend shareholders' meetings. Holders of special shares shall, however, be entitled to notice of meetings of shareholders called for the purpose of authorizing the dissolution of the corporation or the sale of its undertaking or a substantial part thereof.

8. The issue, transfer or ownership of shares is/is not restricted and the restrictions (if any) are as follows. If none, enter "None":

No share or shares shall be transferred without either: (a) the approval of the directors expressed by a resolution passed at a meeting of the Board of Directors or an instrument or instruments in writing signed by a majority of them, or (b) the approval of the holders of a majority of the common shares of the corporation for the time being outstanding expressed by a resolution passed at a meeting of such shareholders or by an instrument or instruments in writing signed by the holders of a majority of such shares.

9. Other provisions, if any. Enter other provisions, or if no other provisions enter "None":

(a) That the number of its shareholders exclusive of persons who are in its employment and exclusive of persons, who, having been formerly in the employment of the Corporation, were while in that employment, and have continued to be, shareholders of the Corporation, is limited to not more than fifty (50), two (2) or more persons who are the joint registered owners of one or more shares being counted as one shareholder; (b) That any invitation to the public to subscribe for its securities is prohibited; (c) The board of directors may from time to time, in such amounts and on such terms as it deems expedient; (i) borrow money on the credit of the Corporation; (ii) issue, sell or pledge debt obligations (including bonds debentures, notes or other similar obligations, secured or unsecured) of the Corporation; (iii) charge, mortgage, hypothecate or pledge all or any of the currently owned or subsequently acquired real or personal, movable or immovable property of the Corporation, franchises and undertaking, to secure any debt obligations or any money borrowed, or other debt or liability of the Corporation.

10. The name(s) and address(es) of incorporator(s) are:

Full Name

BRADLEY ADAMSON

Address for Service

745 South Service Road, 1, Stoney Creek, Ontario, Canada, L8G 5Z2

Full Name

NIKICA MISKOVIC

Address for Service

24 Maple Drive, Stoney Creek, Ontario, Canada, L8G 3C2

The articles have been properly executed by the required person(s).

V. Quintanilla W.

Supporting Information - Nuans Report Information

Nuans Report Reference #

121786977

Nuans Report Date

January 09, 2023

V. Quintanilla W.



**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	186 Fruitland Road		
Assessment Roll Number	00324021600		
Former Municipality	Saltfleet (Stoney Creek)		
Lot	14	Concession	2
Registered Plan Number	CD508785	Lot(s)	Pt Lt 14
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 type="checkbox"/> creation of a new lot(s) | <input type="checkbox"/> concurrent new lot(s) |
| <input checked="" 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:

Fruitland Property Group Inc.

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

669 Highway No.8

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*

Identified on Sketch as:	Part 1	Part 2			
Type of Transfer	N/A				
Frontage	14.92m	n/a			
Depth	42.71m	34.8m			
Area	634.0m ²	1,215.2m ²			
Existing Use	residential	vacant			
Proposed Use	residential	vacant			
Existing Buildings/ Structures	single-detached dwelling and accessory shed	frame shed			
Proposed Buildings/ Structures	existing dwelling	none			
Buildings/ Structures to be Removed	accessory shed				

* 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: _____

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

Lot addition will facilitate future residential development in line with Fruitland-Winona Secondary Plan, which aims to accommodate an overall density of 70 persons/ jobs per hectare.

- 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 (RR) in S.C. By-law 3692-0

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"/>	±12 metres
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"/>	"GC" - HVAC sales, hair salon, post office adjacent to subject lands
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.

- 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.

- 6.4 How long has the applicant owned the subject land?

Since 2022

- 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.

Owns 188, 190, 192 Fruitland Road, as well as 669 Highway No.8. (severed portion will be added to this property)

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)

Consistent with policy statements and provincial plans.

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

PPS promotes range of housing options to support residential intensification in designated lands that effectively use existing infrastructure. Future development follows this and will help sustain financial well-being of province/ municipality.

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

Future development will support growth of complete communities, make efficient use of land and infrastructure with higher densities of diverse housing options that will manage the projected growth in the area.

- 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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10.6 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
