



Hamilton

COMMITTEE OF ADJUSTMENT

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

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

E-mail: cofa@hamilton.ca

NOTICE OF PUBLIC HEARING
Consent/Land Severance

You are receiving this notice because you are either:

- Assessed owner of a property located within 60 metres of the subject property
- Applicant/agent on file, or
- Person likely to be interested in this application

APPLICATION NO.:	FL/B-23:64	SUBJECT PROPERTY:	306-308 PARKSIDE DRIVE, FLAMBOROUGH
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APPLICANTS: **Owner:** THE TRUSTEES OF ST. JAMES UNITED CHURCH OF CANADA; AND, THE TRUSTEES OF WATERDOWN UNITED CHURCH
Agent: MHBC PLANNING C/O DANA ANDERSON

PURPOSE & EFFECT: To sever the existing residential lot into two parcels, the severed lands will be a vacant residential building lot for future multiple dwellings and the retained lands will contain the existing place of worship which is intended to remain. To create easements for access, parking and servicing purposes.

	Frontage	Depth	Area
SEVERED LANDS (Lot 2):	24.5 m [±]	179.74 m [±]	9083 m ^{2±}
RETAINED LANDS (Lot 1):	29.3 m [±]	100.12 m [±]	2996 m ^{2±}
EASEMENT FOR SEVERED PARCEL (PART 3):	VARIES m [±]	VARIES m [±]	VARIES m ^{2±}
EASEMENT FOR RETAINED PARCEL (PART 8 & 9):	6 m [±]	VARIES m [±]	VARIES m ^{2±}
EASEMENT FOR RETAINED PARCEL (PART 3):	VARIES m [±]	VARIES m [±]	VARIES m ^{2±}

Associated Planning Act File(s): FL/A-23:264

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.

FL/B-23:64

This application will be heard by the Committee as shown below:

DATE:	Thursday, November 2, 2023
TIME:	10:25 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.

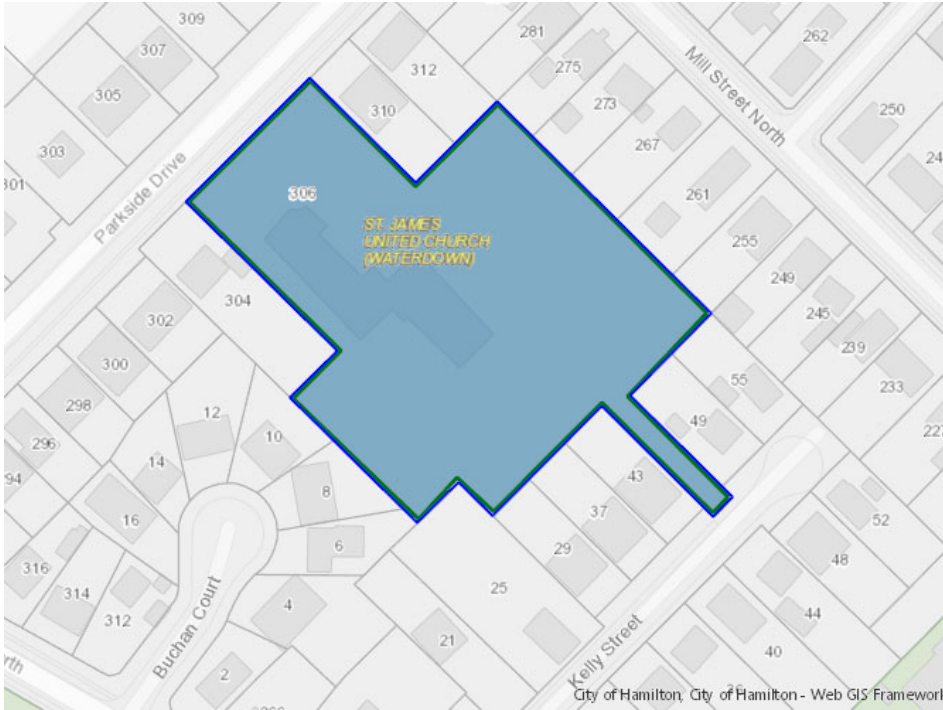
Orally: If you would like to speak to this item at the hearing you may do so via video link or by calling in. Please see attached page for complete instructions, including deadlines for registering to participate.

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding FL/B-23:64, 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: October 17, 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.

SCHEDULE

PART	LOT	REGISTERED PLAN	PIN
1			
2	PART OF 20		
3			
4			
5	PART OF 19, 20 AND 40	M-7	ALL OF 17507-0050(LT)
6			
7			
8	PART OF 20		
9			
10			

**PLAN OF SURVEY OF
ALL OF LOT 20 AND
PART OF LOTS 19 AND 40
REGISTERED PLAN M-7
CITY OF HAMILTON**

SCALE 1 : 250

SPEIGHT, VAN NOSTRAND & GIBSON LIMITED
ONTARIO LAND SURVEYORS

METRIC
DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.
THE INTENDED PLOT SIZE OF THE PLAN IS 118mm IN WIDTH BY 840mm IN HEIGHT WHEN PLOTTED AT A SCALE OF 1:250

INTEGRATION NOTE
BEARINGS SHOWN HEREIN ARE UTM GRID AND ARE DERIVED FROM THE SMARTNET NETWORK AND ARE REFERRED TO UTM ZONE 17, CENTRAL MERIDIAN 81°00' WEST LONGITUDE, NAD 83 (CSRS) (2010).

COORDINATES ARE TO AN URBAN ACCURACY AS PER SEC. 14 (2) OF ONT. REG. 216/10

POINT ID	NORTHING	EASTING
CRP ①	4799027.37	589101.45
CRP ②	4798989.17	589167.05
CRP ③	4799029.38	589206.07
CRP ④	4799123.21	589108.45

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

DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.9996654
COMPARISON BEARINGS ILLUSTRATED HEREON ORIGINATING FROM RP, P, P1, P2 AND P3 HAVE BEEN ROTATED 0°44'50" COUNTERCLOCKWISE FOR COMPARISON PURPOSES

LEGEND

■	DENOTES	SURVEY MONUMENT FOUND
□	WT	SURVEY MONUMENT PLANTED
○	WB	WITNESS MONUMENT
□	SB	STANDARD IRON BAR
□	IB	IRON BAR
□	CB	CUT CROSS
□	RB	ROUND IRON BAR
□	RSB	ROUND STANDARD IRON BAR
□	PB	PLASTIC BAR
□	NLS/EW	NORTH SOUTH EAST, WEST
□	OU	ORIGIN UNKNOWN
□	BO	BURN WOODS, O.L.S.
□	ATM	A.T. MCLAREN, O.L.S.
□	AJC	A.J. CLARKE AND ASSOCIATES LTD., O.L.S.
□	HAM	CITY OF HAMILTON SURVEY
□	RP	REGISTERED PLAN M-7
□	P	PLAN 62R-6847
□	P1	PLAN 62R-13083
□	P2	PLAN 62R-20009
□	P3	PLAN 62R-4392

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 REGULATIONS MADE UNDER THEM.
1. THE SURVEY WAS COMPLETED ON

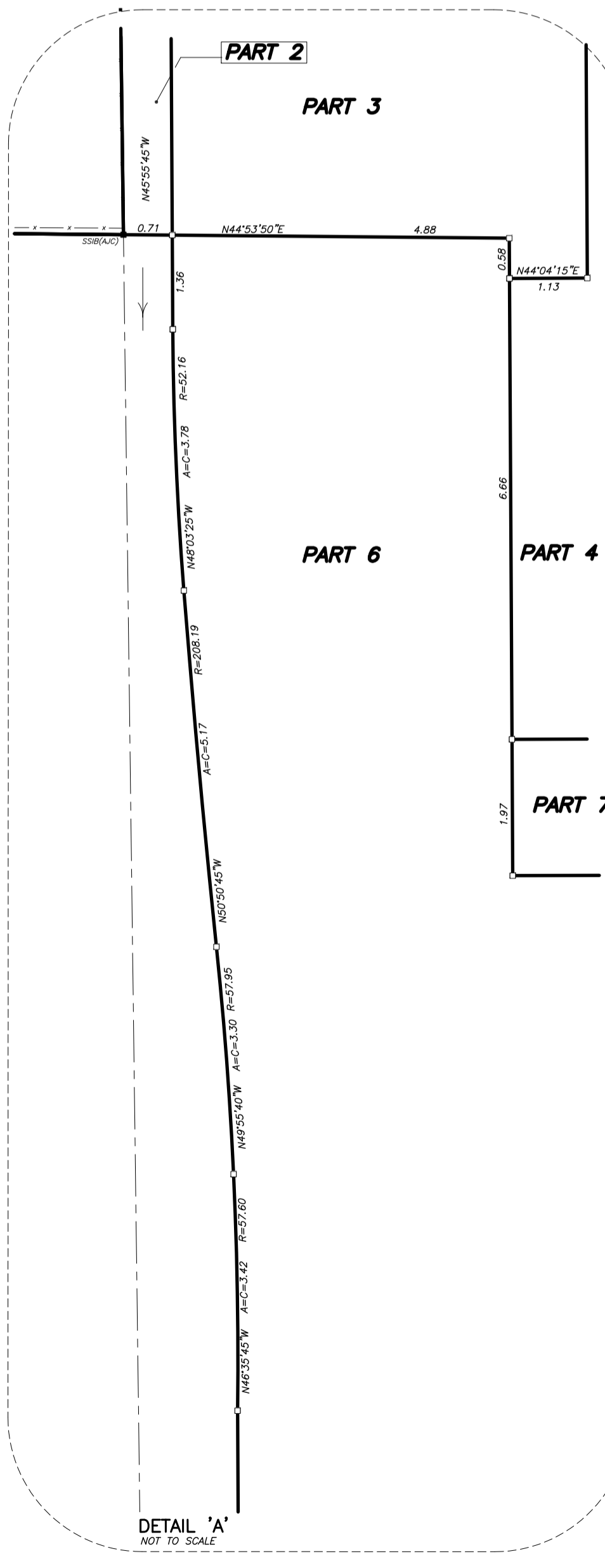
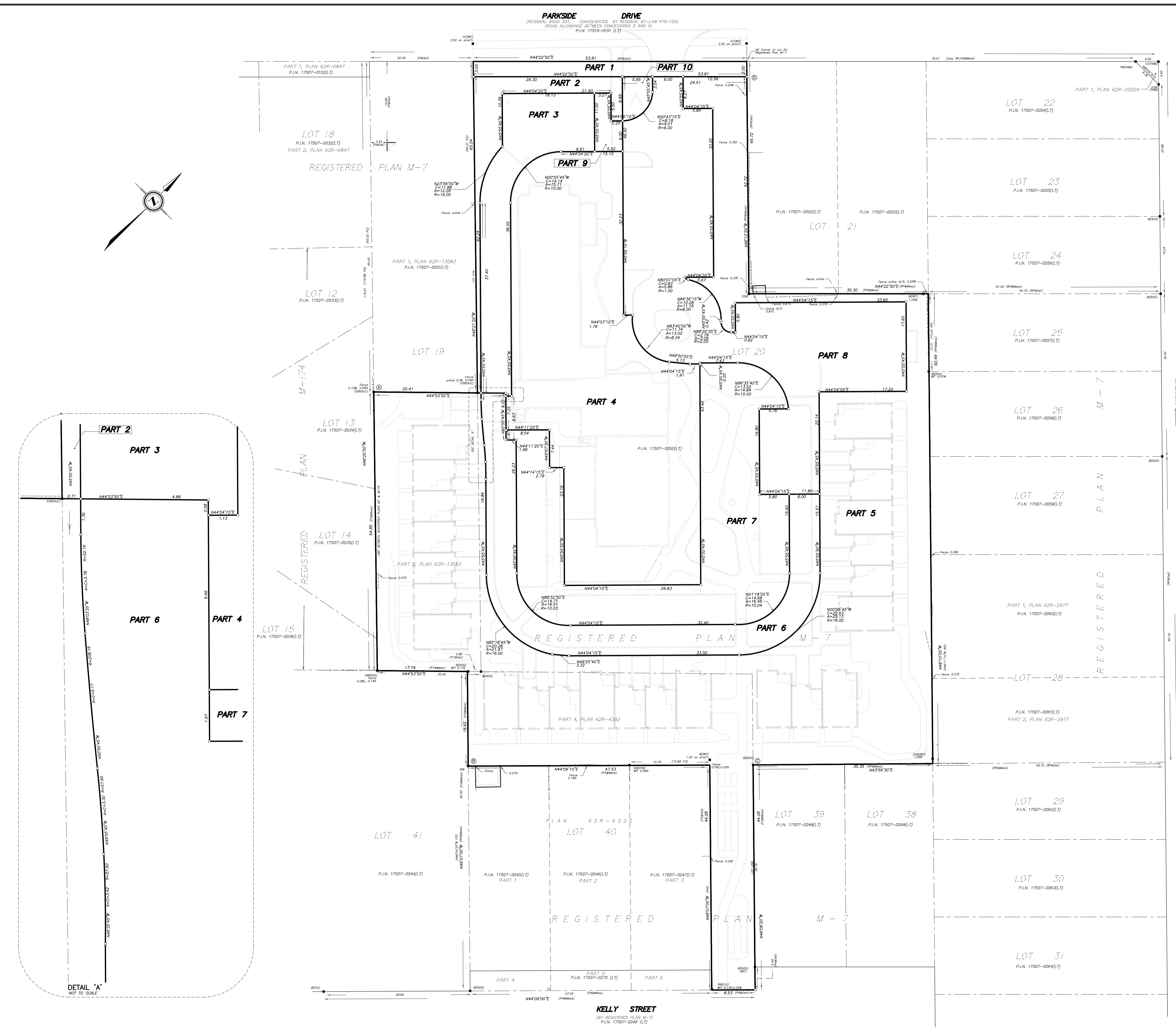
DATE: SEPTEMBER 19, 2023

DRAFT

THIS PLAN OF SURVEY RELATES TO AOLS
PLAN SUBMISSION FORM NUMBER

SPEIGHT, VAN NOSTRAND & GIBSON LIMITED
ONTARIO LAND SURVEYORS
750 DUNDAS ROAD, UNITS 6 & 66, TORONTO, ONTARIO M5N 2Z4
TEL. 416 749-5100/7864 FAX 416 749-7866
E-MAIL: TORONTO@SVOG.COM

DRAWN BY	MM/YR	JOB No.:	201-0017
CHECKED BY	LR	REF. No.:	201-0017



306/308 PARKSIDE DR - ST JAMES WATERDOWN

SEPTEMBER 14, 2023



2nd RE-ISSUE FOR SITE PLAN APPLICATION

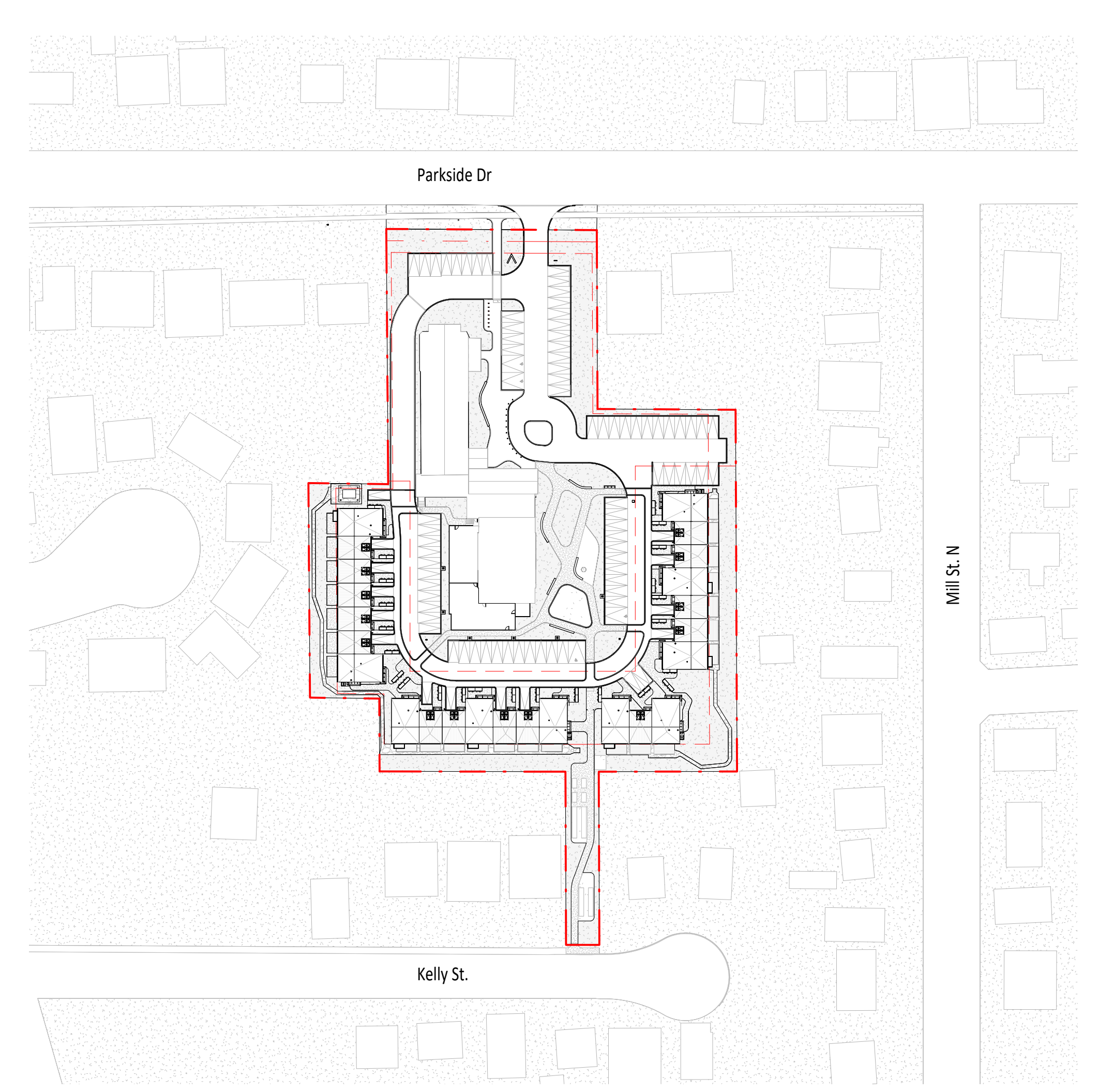
PROJECT TEAM

<p>APPLICANT Kindred Works 8 King Street East Toronto, ON M5C 1B5 T: 416-618-2097</p>	<p>ARCHITECT KPMB Architects Inc. 351 King St E, Suite 1200 Toronto, ON M5A 0L6 T: 416-977-5104</p>	<p>STRUCTURAL ENGINEERS Aspect Structural Engineers 53 Jarvis St, Suite 200 Toronto, ON M5C 2H2 T: 647-954-4004</p>	<p>MECHANICAL ENGINEERS Hammerschlag & Joffe Inc. 43 Lesmill Road Toronto, ON M3B 2T8 T: 4164449263</p>	<p>ELECTRICAL ENGINEERS Mulvey & Banani International Inc. 90 Sheppard Ave E, Suite 500 Toronto, ON M2N 3A1 T: 416-751-2520</p>	<p>TRANSPORTATION, PARKING & WASTE MANAGEMENT BA Consulting Group Ltd 45 St Clair Ave W, Suite 300 Toronto, ON M4V 1K9 T: 416-961-7110</p>
<p>LANDSCAPE ARCHITECT Janet Rosenberg & Studio14 148 Kenwood Ave Toronto, ON M6C 2S3 T: 416-656-6665</p>	<p>PLANNING MHBC 442 Brant St, Suite 204 Burlington, ON L7R 2G4 T: 905-639-8686</p>	<p>SUSTAINABILITY JMV Consulting Toronto, ON T: 819-230-0369</p>	<p>GEOTECH Pinchin Ltd. 50 Wellington St E #200 Toronto, ON M5E 1C8 T: 416-368-6555</p>	<p>CIVIL ENGINEERS WSP Global Inc. 500 -119 Spadina Ave Toronto, ON M5V 2L1 T: 416-260-1560</p>	<p>HERITAGE ERA Architects Inc. 625 Church St, #600 Toronto, ON M4Y 2G1 T: 416-963-4497</p>
					<p>ENVELOPE AND ENERGY MODELING Entuitive 200 University Ave, 7th Floor Toronto, ON M5H 3C6 T: 416-477-5832</p>

SHEET NO.	DRAWING
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A0.00 SERIES - GENERAL & SITE	
A0.00	COVER SHEET
A0.02	PROJECT STATISTICS & OBC MATRIX
A0.03	SITE SURVEY
A0.04	SITE PLAN
A0.05	SITE PERSPECTIVES & PROJECT AXO'S
A0.23	TYPICAL BIN ENCLOSURE
A0.24	UNIT NUMBERING LIST
A0.25	MULTIPLE UNIT IDENTIFICATION SIGN

A2.00 SERIES - BLOCK TYPES	
A2.10	BLOCK 1 ELEVATIONS
A2.30	BLOCK 2 ELEVATIONS
A2.50	BLOCK 3 ELEVATIONS
A2.70	BLOCK 4 ELEVATIONS



CONTEXT PLAN 1:1000

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and/or approved by the Architect to be used
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4. The Architect is not responsible for any claims or damages arising from the use of the drawings.
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11	20/04/2023	Site Plan Submission
12	20/04/2023	Final Design Review
13	20/04/2023	Final Design Review
14	20/04/2023	Final Design Review
15	20/04/2023	Final Design Review
16	20/04/2023	Final Design Review
17	20/04/2023	Final Design Review
18	20/04/2023	Final Design Review
19	20/04/2023	Final Design Review
20	20/04/2023	Final Design Review

No. Date Issue

KPMB Architects
351 King St E, Suite 1200
Toronto, ON, Canada M5A 0L6
416.977.5104

File: 23AC-02-011
Legal Description: Plot 19-2, Site
M7, Pt. L4 19, Pt. M7, Part 2,
621 13682, L4 46, Pt. M7, Enclave Plot
T-6 6206020, L4 20, Pt. M7
Pharmkonoply City, St. Hamilton

Kindred Works
ST JAMES WATERDOWN

306/308 Parkside Dr, Waterdown, ON
L0R 2H0

Project North True North

Project No. 2302
Scale 1:1000
Plot Date 09/14/23

COVER SHEET

306-308 Parkside Drive, Waterdown, ON	
	Pol 19-2, Sec M7 ; Pt L1 19, PI M7 , Part 2 , 62r13083 ; Lt 40, PI M7 , Except Pts 1-6 62r6020 ; Lt 20, PI M7 ; Flamborough City Of Hamilton
1 Legal Address	306-308 Parkside Drive, Waterdown, ON
2 Municipal Address	Bylaw 05-200
3 Applicable Zoning By-Laws	Community Institutional (I2) Zone
4 Zoning Designation	12,241m ²
5 Lot Area (m ²)	4,520m ²
6 Total Building GFA (m ²)	2,716m ²
7 Coverage (Area at Grade, m ²)	n/a
8 Sustainability Target	Geodetic el. 242.933m
9 Established Grade (By-law 05-200 Section 3)	0
10 Total Area of Renovated Space	10,500m
Proposed Building Height	
1 Building Height is measured from Established Grade as defined above	
2 Floor heights are measured from Established Grade at Geodetic el. 242.933m to top of floor levels	

Project Area Breakdown (m2)					
Level	Gross Constructed Area (GCA)	Gross Floor Area (GFA) as per Zoning By-Law 05-200			
		Existing Heritage Church	New Community	New Residential	Total Per Level
BASEMENT	333.90 m ²	0.00 m ²	0.00 m ²	0.00 m ²	0.00 m ²
LOWER LEVEL CHURCH	0.00 m ²	611.89 m ²	0.00 m ²	0.00 m ²	0.00 m ²
LEVEL 1	1481.41 m ²	1132.30 m ²	0.00 m ²	1481.41 m ²	1481.41 m ²
TH LEVEL 2	1514.64 m ²	0.00 m ²	0.00 m ²	1514.64 m ²	1514.64 m ²
TH LEVEL 3	1481.97 m ²	0.00 m ²	0.00 m ²	1219.48 m ²	1219.48 m ²
	4,812 m²	1,744 m²	0 m²	4,216 m²	0.39

Residential Suite Mix				
Group Number	End Walkup	Standard Walkup	Townhouse	Total Unit Count
	0	0	0	0
1	6	3	4	13
2	6	0	1	7
3	6	3	4	13
4	6	0	5	11
	24	6	14	44

Bedroom Mix				
Level	1BR	2BR	3BR	Total Count
LEVEL 1	10	0	14	24
TH LEVEL 2	0	10	0	10
TH LEVEL 3	0	10	0	10
	10	20	14	44

GFA Per Unit as per Zoning By-Law No. 05-200							Comments
	End Walkup (x8)		Standard Walkup (x2)		Townhouse (x14)		
	m ²	sqft	m ²	sqft	m ²	sqft	
Level 1	82.35	886.41	78.55	845.50	50.65	545.19	Zoning By-Law No. 05-200 Gross Floor Area (GFA): The total area of all floors of all buildings on a lot measured from the outside walls (not including cellars, parking or areas with a ceiling height under 1.4 metres).
Level 2	83.66	900.51	79.94	860.47	52.37	563.71	
Level 3	80.36	864.99	81.52	877.47	28.379	305.47	
Total	246.37	2,651.90	240.01	2,583.44	131.40	1,414.37	

Barrier Free Units					Comments
	% of total units required	# of Units Required	% of total units provided	# of units provided	
	20%	8.8	23%	10	

% Greenspace on Site		
	% of greenspace on site	Comments
	38%	

Car Parking as per Zoning By-Law No. 05-200				
Land Use	Units	Standard (spaces per unit)	Parking Required per By-Law	Parking Provided
Residential				
2 Storey Town	14	1	14	
3 Storey Walkups	30	1	30	
Sub-Total			44	44
Effective Resident Ratio (Spaces per unit)			1.00	1.00
Non-Residential				
Place of Worship		1 per 10m ²	174	50
Sub-Total			174	50
Total			218	94

1 Where the application of the parking standards results in a numeric fraction, fractions shall be rounded down to the nearest whole number as per By-law No. 05-200 Section 5.

Bicycle Parking as per Zoning By-Law No. 05-200					
	Units	Rate (per unit)	Spaces Required	Spaces Provided	Spaces Provided/Notes
Multiple Dwelling (Short Term)	44	n/a	5	7	Bicycle parking not required per Zoning By-law No. 05-200 Section 5, within a Community Institutional Zone (I2). Short-term bicycle parking provided as a response to feedback on Formal Consultation Application. Where the application of the bicycle parking standards results in a numeric fraction, fractions shall be rounded down to the nearest whole number as per Zoning By-law No. 05-200 Section 5.
Place of Worship (Short Term)	n/a	n/a	5	7	
Total Short-term			10	14	
Total Bicycle Parking			10	14	

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Rev	Date	Description
1	2023-03-01	ISSUED FOR TENDER
2	2023-03-01	ISSUED FOR TENDER
3	2023-03-01	ISSUED FOR TENDER
4	2023-03-01	ISSUED FOR TENDER
5	2023-03-01	ISSUED FOR TENDER
6	2023-03-01	ISSUED FOR TENDER
7	2023-03-01	ISSUED FOR TENDER
8	2023-03-01	ISSUED FOR TENDER

No. Date Issued

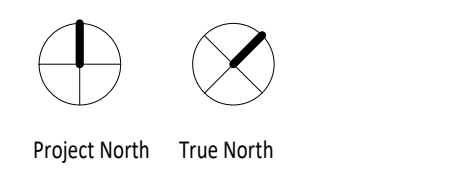


KPMB Architects
351 King St E, Suite 1000
Toronto, ON, Canada M5A 0L6
416.597.5104

File: 24AC-02-031
Legal Description: Pt 19-2, Sec M7, Pt L1 19, PI M7, Part 2, 62r13083; Lt 40, PI M7, Except Pts 1-6 62r6020; Lt 20, PI M7; Flamborough City, ON Hamilton

Kindred Works
ST JAMES WATERDOWN

306/308 Parkside Dr, Waterdown, ON
LOR 2HD



Project No. 2302
Scale 1:1
Plot Date 09/14/23

PROJECT STATISTICS & OBC MATRIX

A0.02

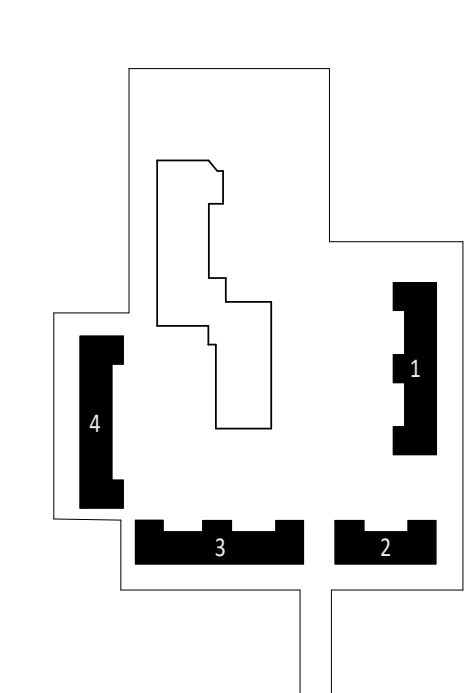
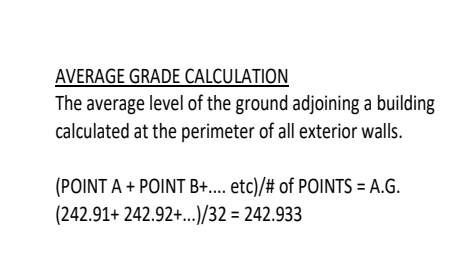
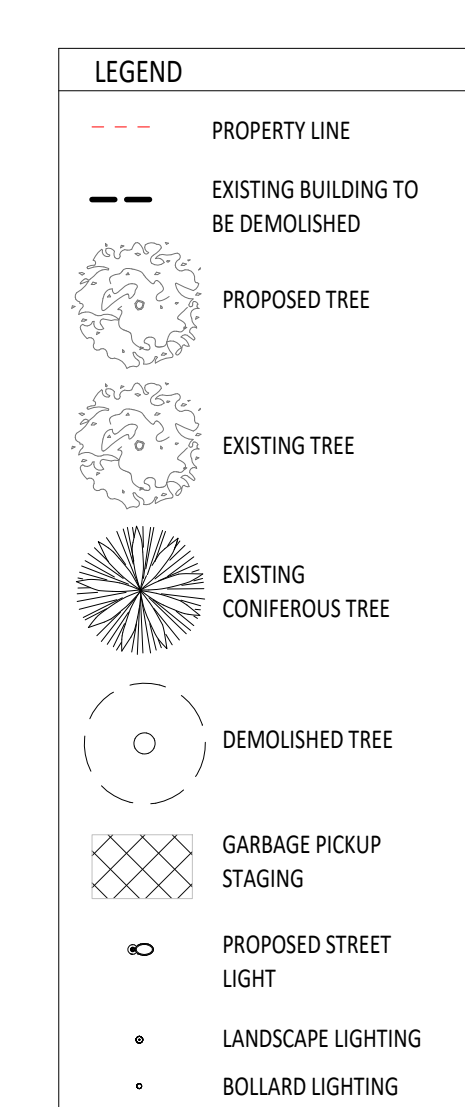
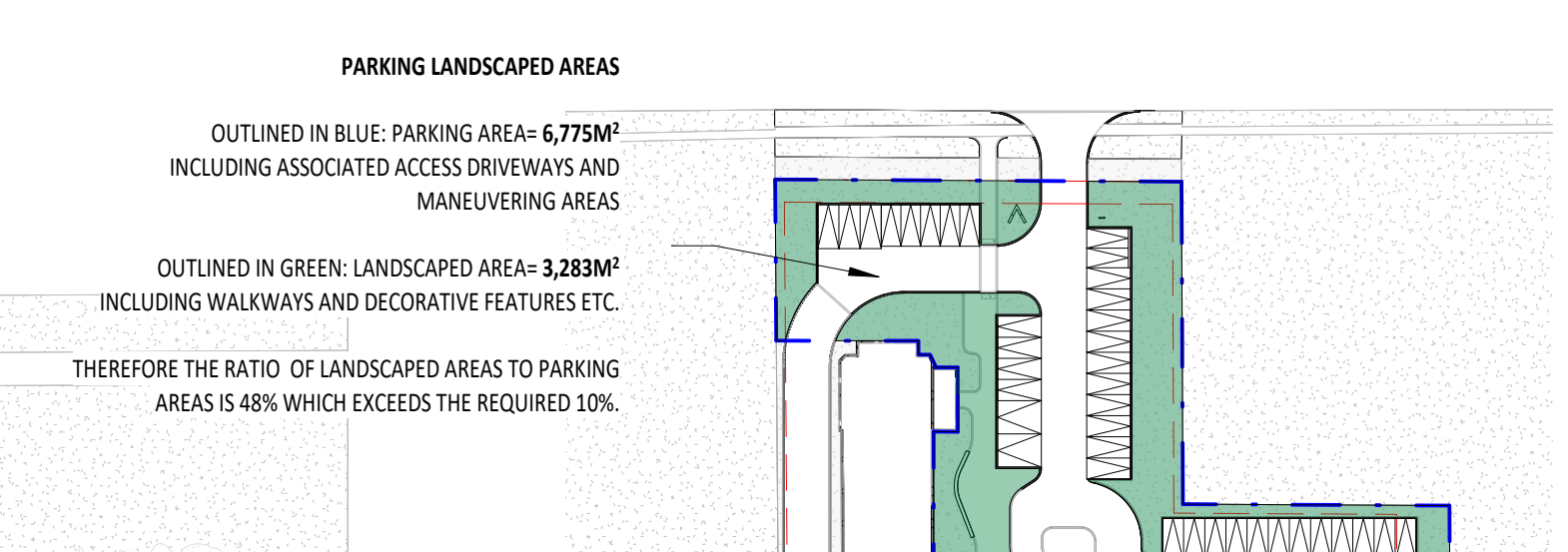
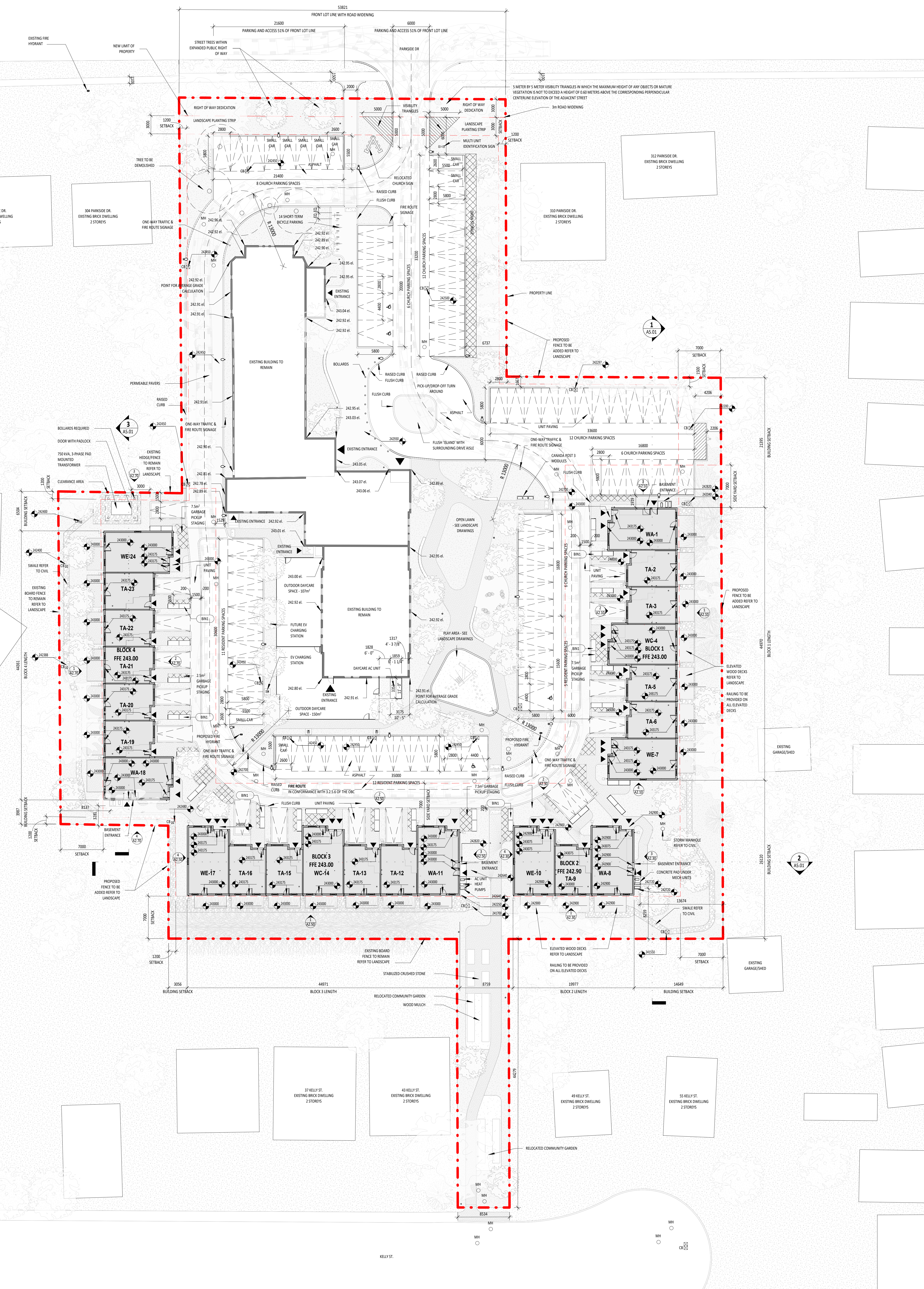
UNDERTAKING:
RE: File No. OA-23-044

1. (Wa) _____ the owner(s) of the land, hereby undertake and agree without reservation, (a) To comply with all the content of this plan and drawing and not to vary therefrom;
- (b) To perform the facilities, works or matters mentioned in Section 417(1)(a) of the Planning Act shown on this plan and drawing(s) in accordance with the conditions of approval as set out in the Letter of Approval dated _____;
- (c) To maintain to the satisfaction of the City and at my (our) sole risk and expense, all of the facilities, works or matters mentioned in Section 417(1)(b) of the said Act, shown in this plan and drawing, including removal of snow from access ramps and driveways parking and loading areas and walkways;
- (d) In the event that the Owner does not comply with the plan dated _____, the owner agrees that the City may enter the land and do the required works, and further the Owner authorizes the City to use the security funds to obtain compliance with this plan;
- (e) That the Owner agrees to physically affix the municipal number or full address to the building or on a sign in accordance with the City's Sign By-Law, in a manner that is visible from the street, to the satisfaction of the Director, Growth Management & Chief Development Engineer;
- (f) That the Owner agrees to affix address plaques to each internal unit, indicating that municipal number or full address including the mailing address unit number in accordance with the City's Sign By-Law, to the satisfaction of the Director, Growth Management & Chief Development Engineer;
- (g) That the Owner acknowledges and agrees to convey any easements if Bell Canada is required to provide this new development. The Owner further agrees and acknowledges to convey such easements at no cost to Bell Canada. The Owner should also provide a conflict survey with existing Bell Canada facilities where a current and valid easement exists within the subject area, the Owner shall be responsible for the relocation of any such facilities or easements at their own cost;
- (h) Enbridge Gas Inc. does have service lines running within the area which may or may not be affected by the proposed Site Plan. Should the proposed site plan impact these services it may be necessary to terminate the gas service and relocate the line according to the new property boundaries. Any service relocation required would be at the cost of the Owner;
- (i) The Owner shall complete to the satisfaction of the Director of Engineering of the City of Hamilton and Canada Post:
- Include on all offers of purchase and sale, a statement that advises the prospective purchaser:
 - that the home/business mail delivery will be from a designated Centralized Mail Box;
 - that the developer/owner is responsible for officially notifying the purchasers of the exact Centralized Mail Box locations prior to the closing of any home sales;
 - The Owner further agrees to:
 - work with Canada Post to determine and provide temporary suitable Centralized Mail Box locations which may be utilized by Canada Post and the curbs, boulevard and sidewalks are in place in the remainder of the subdivision;
 - install a concrete pad in accordance with the requirements of and in locations to be approved by Canada Post to facilitate the placement of Community Mail Boxes;
 - Canada Post's multi-unit policy, which requires that the owner/developer provide the centralized mail facility (Lock Box Assembly) at their own expense (less than 100 units will require a front loading Lock Box Assembly & more than 100 units will require a rear loading Lock Box Assembly which will require a mail room) will be in effect for buildings complexes with a common lobby, common interior or sheltered space;
- (j) To contact Alectra Utilities if the removal, isolation or relocation of existing plant is required, all costs associated are at the owners expense;
- (k) To call before you dig and arrange for underground hydro cable locates before construction by contacting Ontario One Call at 1-800-400-2255;

Dated this _____ day of _____ 20____

Witness (signature) _____ Owner(s) (signature) _____
Witness (print) _____ Owner(s) (print) _____
Address of Witness _____

- NOTES:**
- SITE PLAN NOTES**
- All work involved in the construction, relocation, repair of municipal services for the project shall be to the satisfaction of the Director of Planning and Chief Planner, Planning and Economic Development Department.
 - Fire Route Signs and 3-Way Fire Hydrants shall be established to the satisfaction of the City Fire Department and at the expense of the owner.
 - Main driveway dimensions at the property line, boundaries are: plus or minus 7.5 m unless otherwise stated.
 - All driveways from property lines for the first 7.5 m shall be within 5% maximum grade, thereafter, all driveways shall be within 10% maximum grade.
 - The approval of this plan does not exempt the owners bonded contractor - from the requirements to obtain the various permits/approvals normally required to complete a construction project, such as, but not limited to the following:
 - Building permits
 - Sewer and Water Permits
 - Road cut permits
 - Relocation of Services
 - Approach approval permits
 - Encroachment Agreements
 - Committee of Adjustment
 - Sign Permits;
 - Abandoned access must be removed and the curb and boulevard restored with sod at the Owner's expense to the satisfaction of the Traffic Engineering Section, Public Works Department.
 - For visibility triangles at the vehicular access points, the following note to be provided:
"3.0 metre by 5.0 metre visibility triangles in which the maximum height of any objects or mature vegetation is not to exceed a height of 0.60 metres above the corresponding perpendicular centreline elevation of the adjacent street."
 - Proposed signage shall conform to the City's Sign and Other Devices, By-Law No. 10-197.
 - Lighting must be directed on site and must not spill over to adjacent properties or streets.
- *Caution: Notwithstanding current surface conditions, the property has been determined to be an area of archaeological potential. Although an archaeological assessment is not required by the City of Hamilton, the proponent is cautioned that during development activities, should deeply buried archaeological materials be found on the property the Ontario Ministry of Heritage, Sport, Tourism and Culture Industries (MHSTCI) should be notified immediately (416-322-8888). In the event that human remains are encountered during construction, the proponent should immediately contact both MHSTCI and the Registrar or Deputy Registrar of the Cemeteries Regulation Unit of the Ministry of Government and Consumer Services (416-322-7499)."



ONTARIO ASSOCIATION OF ARCHITECTS
MEMBERShip LICENCE 3876

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Toronto, ON, Canada M5A 0L6
416.977.5104

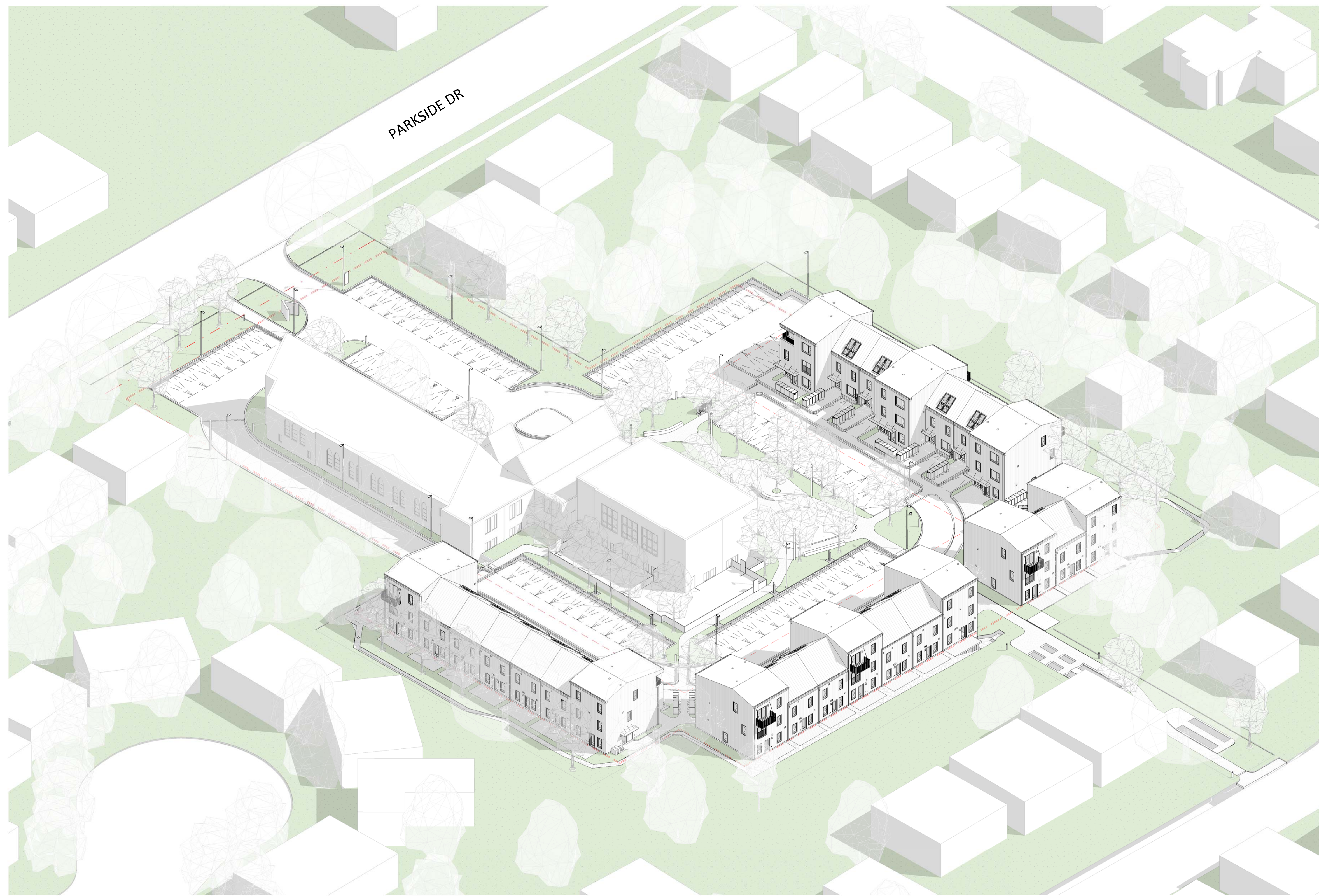
File: 24AC-02-011
Legal Description: Plot 19-2, Sec M7, Pt L1 to Pt M7, Part 2, City of Hamilton, Lt. 46, Pt. 1 of Lt., Enclave Plan T-6 (2006020), Lt. 20, Pt. M7, Part 2, City of Hamilton

Kindred Works
ST JAMES WATERDOWN

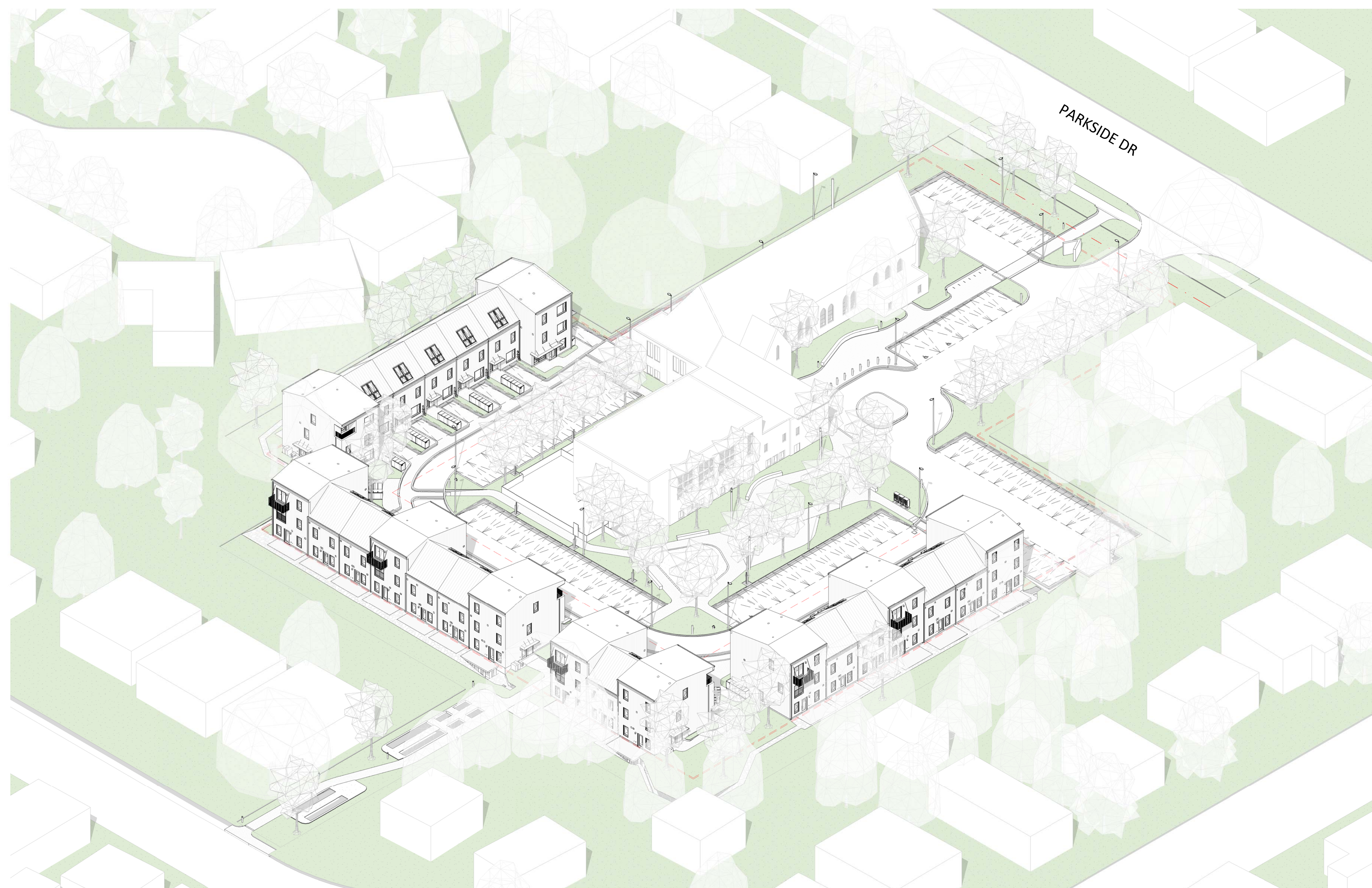
306/308 Parkside Dr., Waterdown, ON L0R 2H0

Project No. 2302
Scale 1:250
Plot Date 09/14/23

SITE PLAN



2 NORTH EAST AXO



1 NORTH WEST AXO



IMAGE 1 - GROUP 1 & 2 TOWNHOMES AND WALKUPS



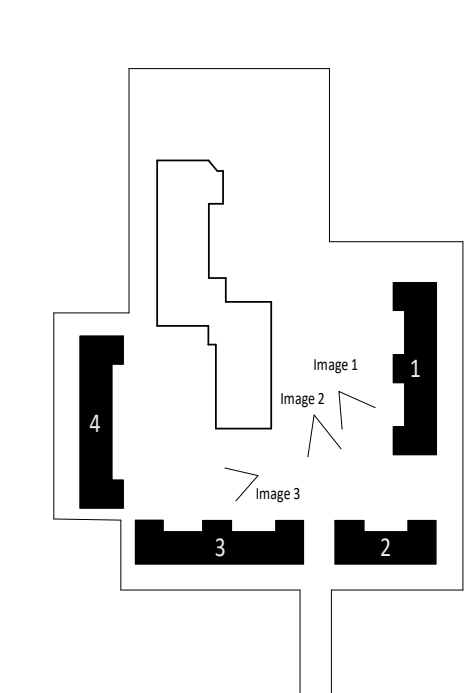
IMAGE 2 - GROUP 2 SOUTH TOWNHOUSES



IMAGE 3 - KELLY STREET ENTRY COMMUNITY GARDEN

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KEY PLAN

No.	Date	Revised
1	2023.03.01	Site Plan Submission
2	2023.03.01	Client Approval
3	2023.03.01	Final Submission
4	2023.03.01	Client Approval (Revised)
5	2023.03.01	Final Submission (Information Only)
6	2023.03.01	Client Approval (Final)
7	2023.03.01	Final Submission (LOI)
8	2023.03.01	Final Submission (LOI)

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 Toronto, ON, Canada M5A 0L6
 416.597.5104

File: 25AC-02-031
 Legal Description: Plot 19-2, Site M7, Pt. L1 to Pt. M7, Part 2, G/L 1-5002; L1-45, Pt. L7, Except Site 7-6 6206020; L1-20, Pt. M7, Part 2, Except Site 7-6 6206020

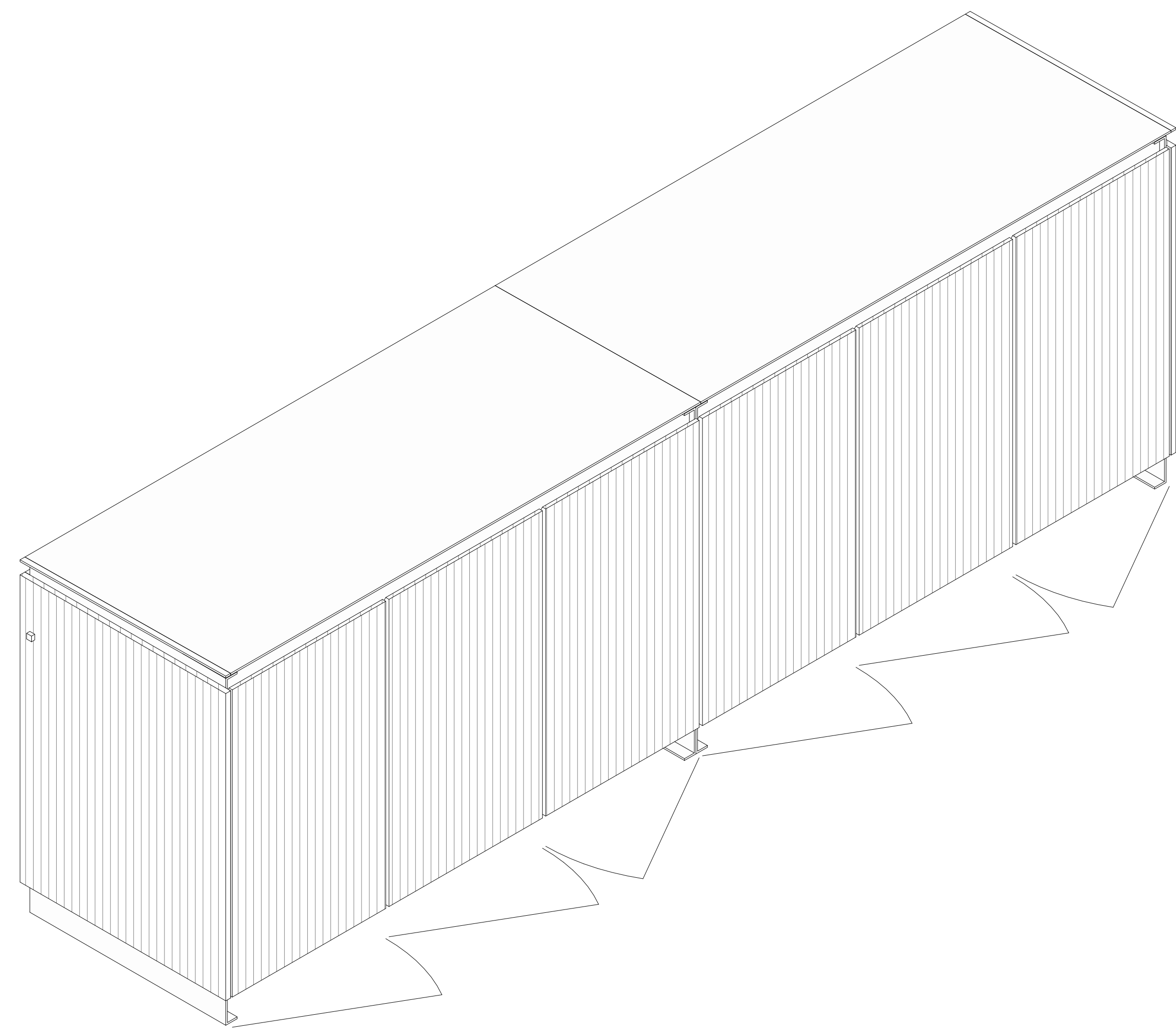
Kindred Works
ST JAMES WATERDOWN

306/308 Parkside Dr, Waterdown, ON
 L0R 2H0

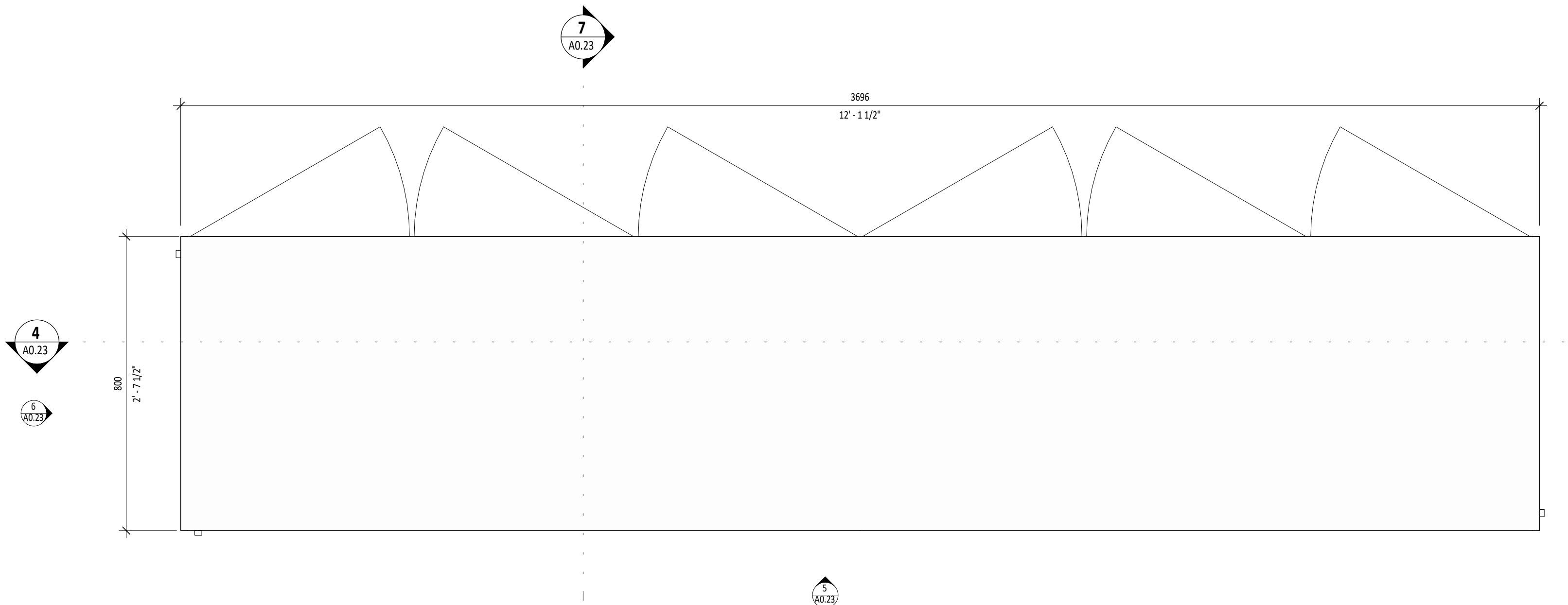
Project No. 2302
 Scale
 Plot Date 09/14/23

SITE PERSPECTIVES & PROJECT AXO'S

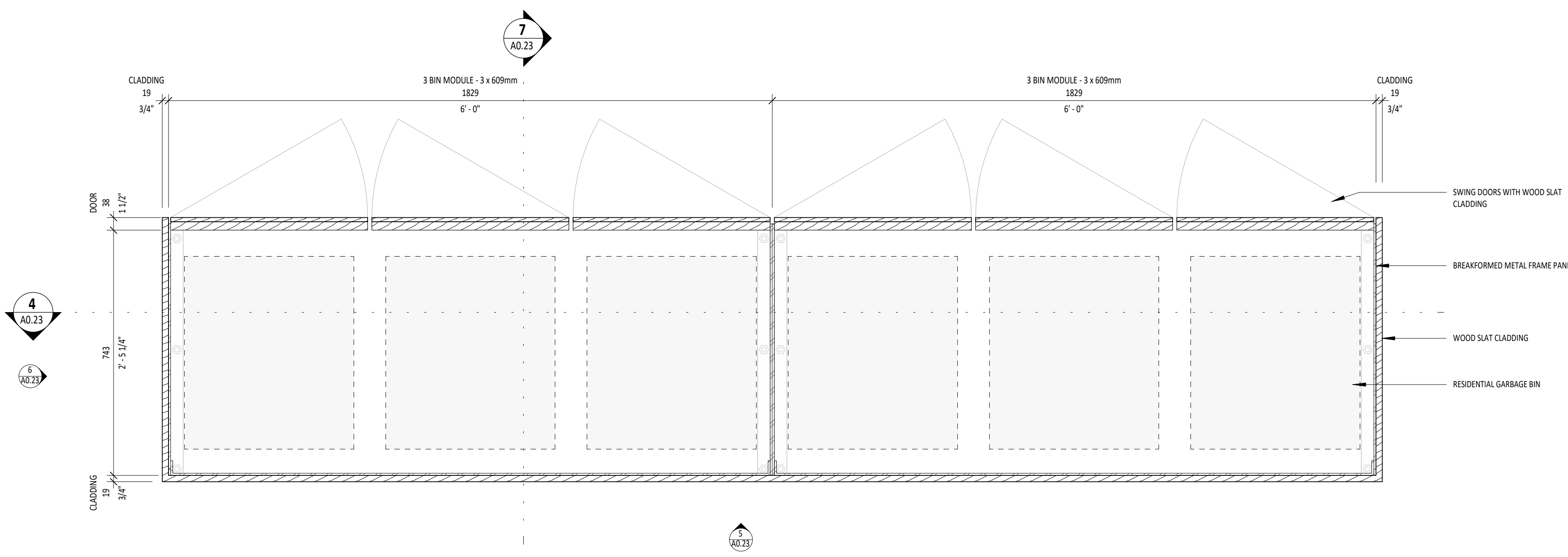
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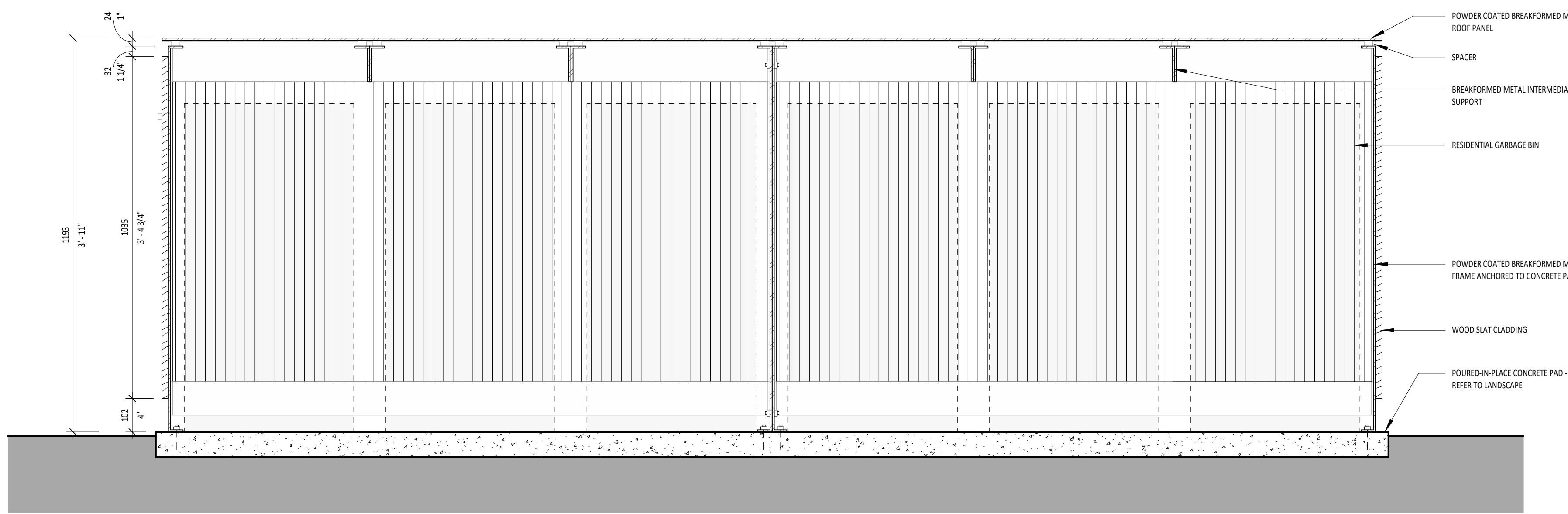
1 AXO - MODULAR BIN ENCLOSURE



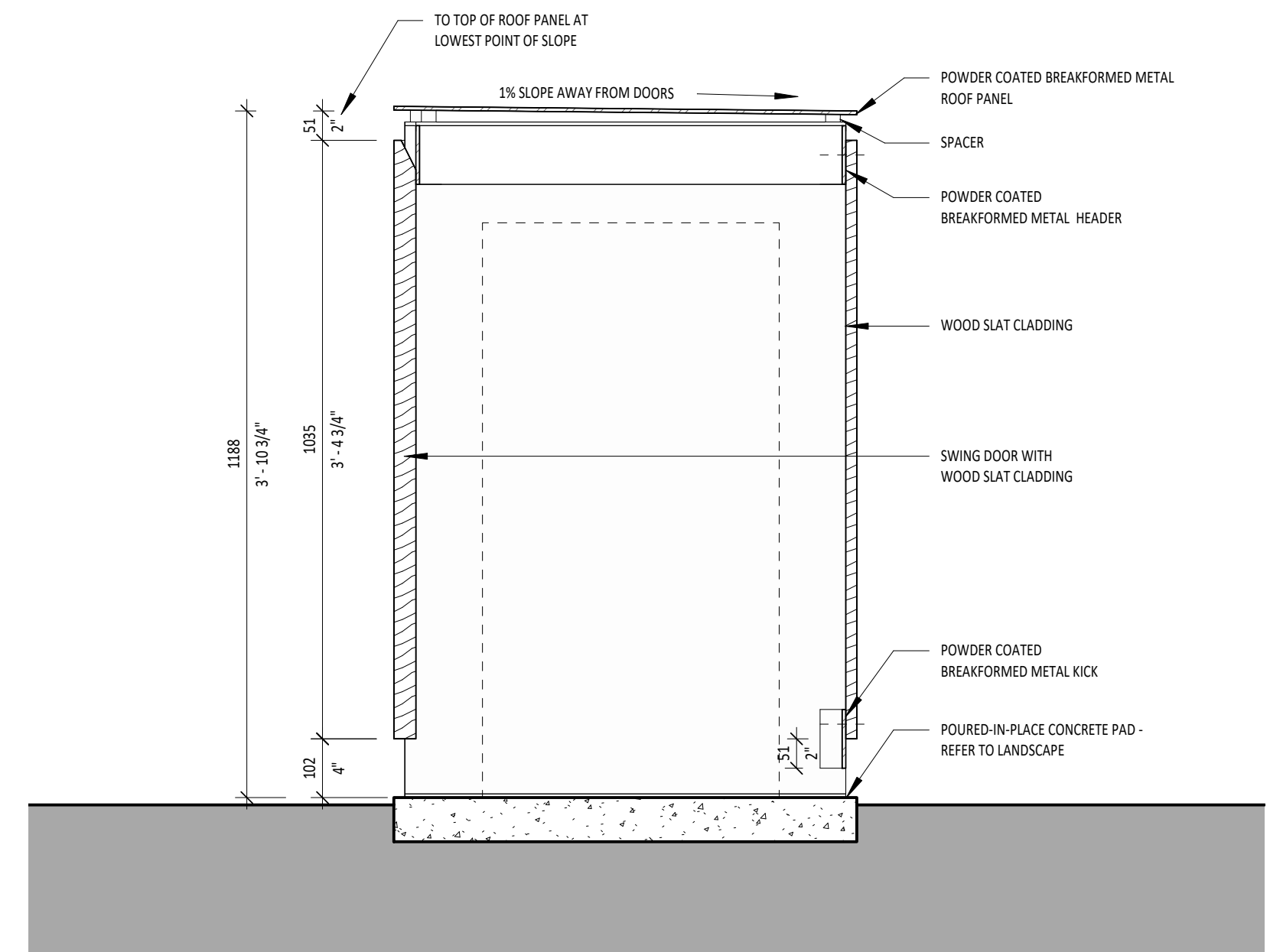
3 TYP. BIN ENCLOSURE TOP PLAN
1:10



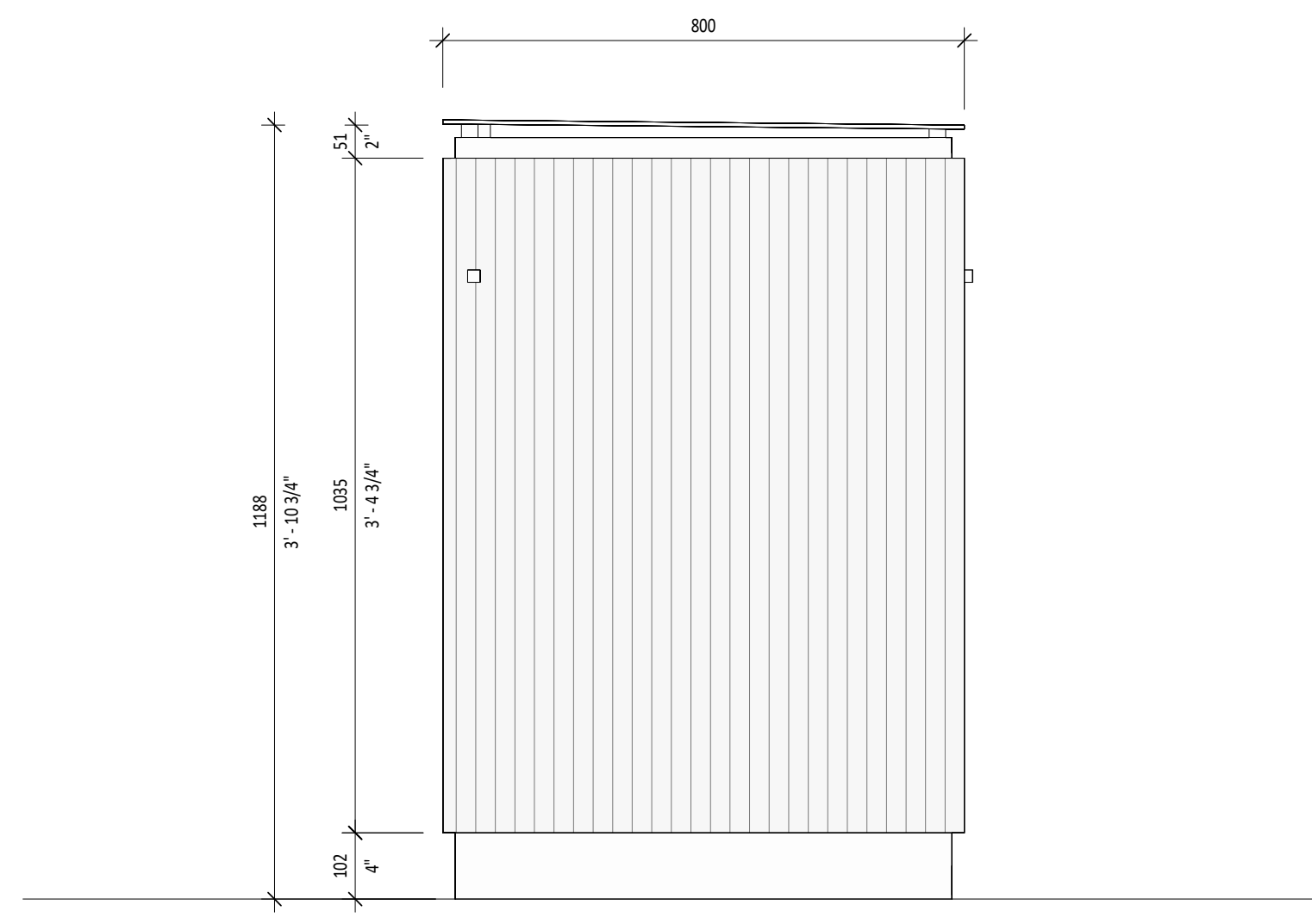
2 TYP. BIN ENCLOSURE PLAN
1:10



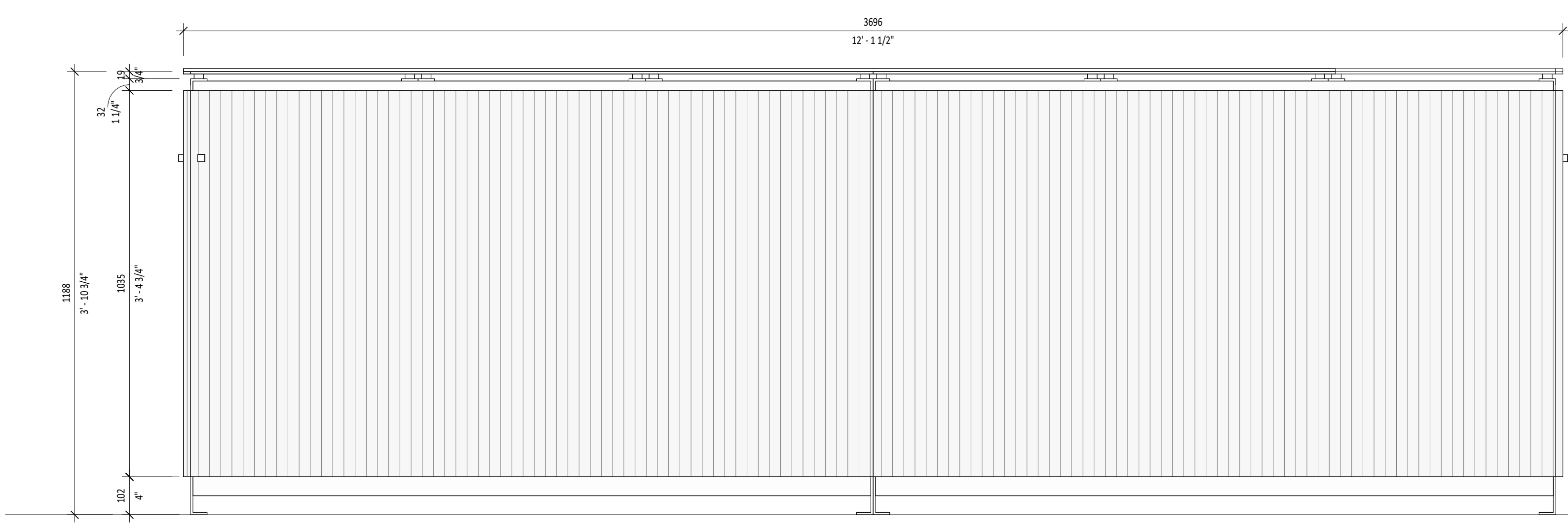
4 LONGITUDINAL SECTION - BIN ENCLOSURE
1:10



7 CROSS SECTION - BIN ENCLOSURE
1:10



6 ELEVATION 2 - BIN ENCLOSURE
1:10



5 ELEVATION 1 - BIN ENCLOSURE
1:10

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2. The Contractor shall be responsible for obtaining all necessary permits and approvals from the relevant authorities.
3. The Contractor shall be responsible for the safety of the construction site and for the protection of the existing structures and utilities.
4. The Contractor shall be responsible for the quality of the work and for the completion of the project within the agreed time and budget.
5. The Contractor shall be responsible for the disposal of any waste materials and for the cleanup of the construction site.
6. The Contractor shall be responsible for the maintenance and repair of the enclosure during its service life.

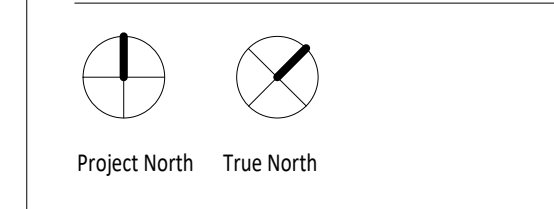
No.	Date	Revised
1	2023-03-01	Initial Design
2	2023-03-15	Final Design
3	2023-04-01	Construction Documents
4	2023-04-15	Final Construction Documents
5	2023-05-01	Final Construction Documents

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416.597.5154

File: 25AC-02-011
Legal Description: Part 19-2, Site M7, Part 19, Part M7, Part 2, 621-1-0002, 1-1-40, Part M7, Enclave Plus F-6 (2006020) - L2-20, Part M7, Scarborough City, ST Hamilton

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ST JAMES WATERDOWN

306/308 Parkside Dr., Waterdown, ON
L0R 2H0



Project No. 2302
Scale 1:10
Plot Date 09/14/23

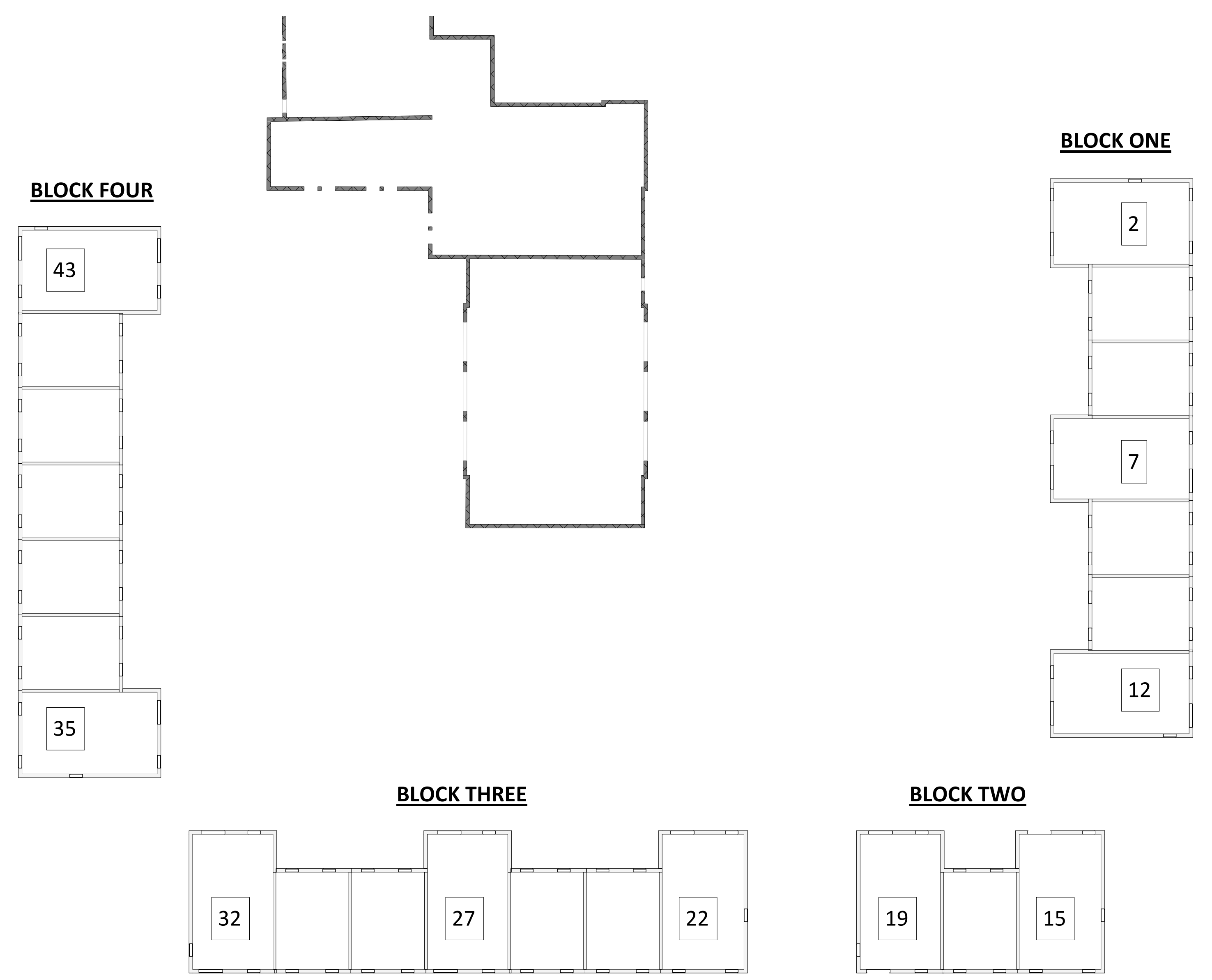
TYPICAL BIN ENCLOSURE

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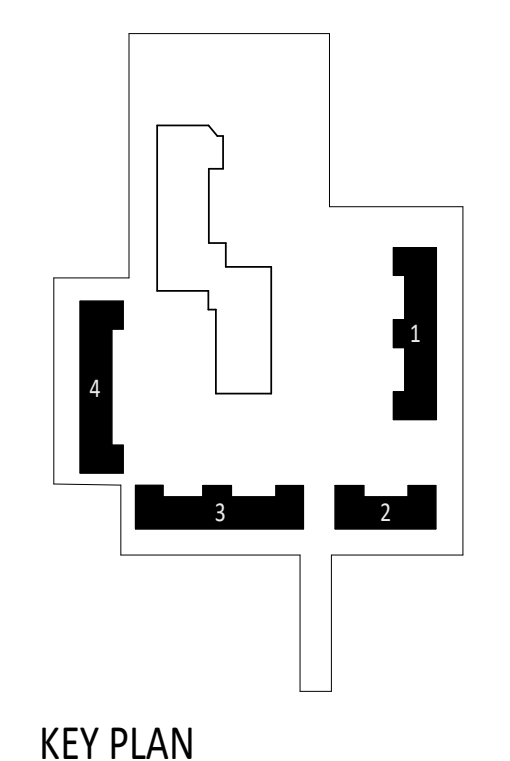
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4. The Architect is not responsible for any errors or omissions in the drawings or for any consequences arising therefrom.
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6. The Architect is not responsible for any errors or omissions in the drawings or for any consequences arising therefrom.

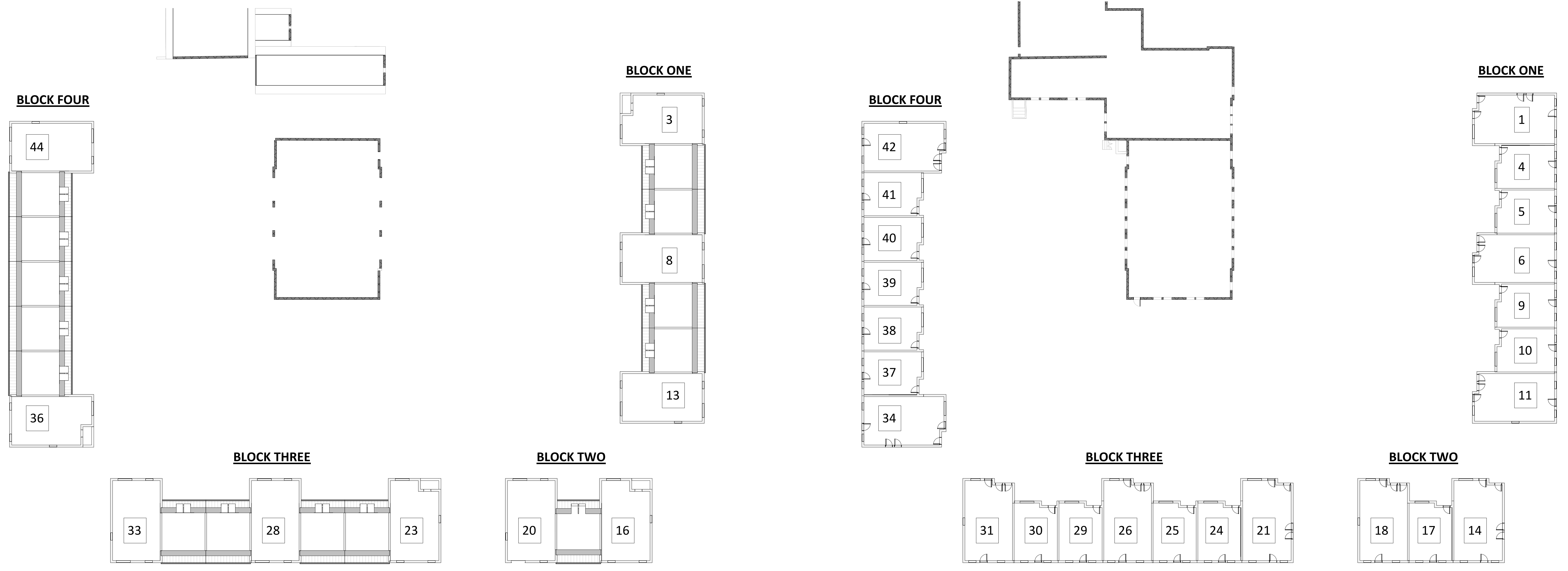
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TWO	14 - 308 PARKSIDE DRIVE 15 - 308 PARKSIDE DRIVE 16 - 308 PARKSIDE DRIVE 17 - 308 PARKSIDE DRIVE 18 - 308 PARKSIDE DRIVE 19 - 308 PARKSIDE DRIVE 20 - 308 PARKSIDE DRIVE	FOUR	34 - 308 PARKSIDE DRIVE 35 - 308 PARKSIDE DRIVE 36 - 308 PARKSIDE DRIVE 37 - 308 PARKSIDE DRIVE 38 - 308 PARKSIDE DRIVE 39 - 308 PARKSIDE DRIVE 40 - 308 PARKSIDE DRIVE 41 - 308 PARKSIDE DRIVE 42 - 308 PARKSIDE DRIVE 43 - 308 PARKSIDE DRIVE 44 - 308 PARKSIDE DRIVE



2 UNIT NUMBERING PLAN LEVEL 2
1:250



KEY PLAN



3 UNIT NUMBERING PLAN LEVEL 3
1:250

1 UNIT NUMBERING PLAN LEVEL 1
1:250

1	20/10/2023	Site Plan Submission
2	20/10/2023	Site Plan Submission

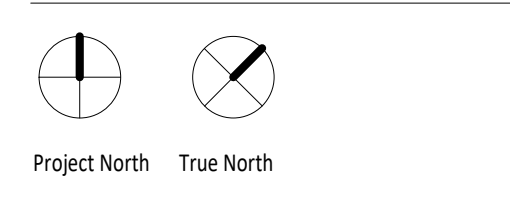


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File: 24AC-02-031
 Legal Description: Plot 19-2, Site M7, Plot 19, Plot M7, Part 2, 621-1362, Lt 40, Pt M7, Eriway Plus T-6 420620, Lt 20, Pt M7, Parkborough City, St Hamilton

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ST JAMES WATERDOWN

306/308 Parkside Dr, Waterdown, ON
 L0R 2H0

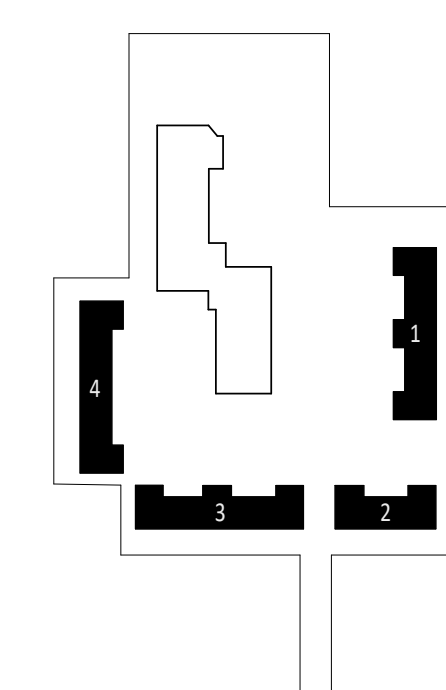
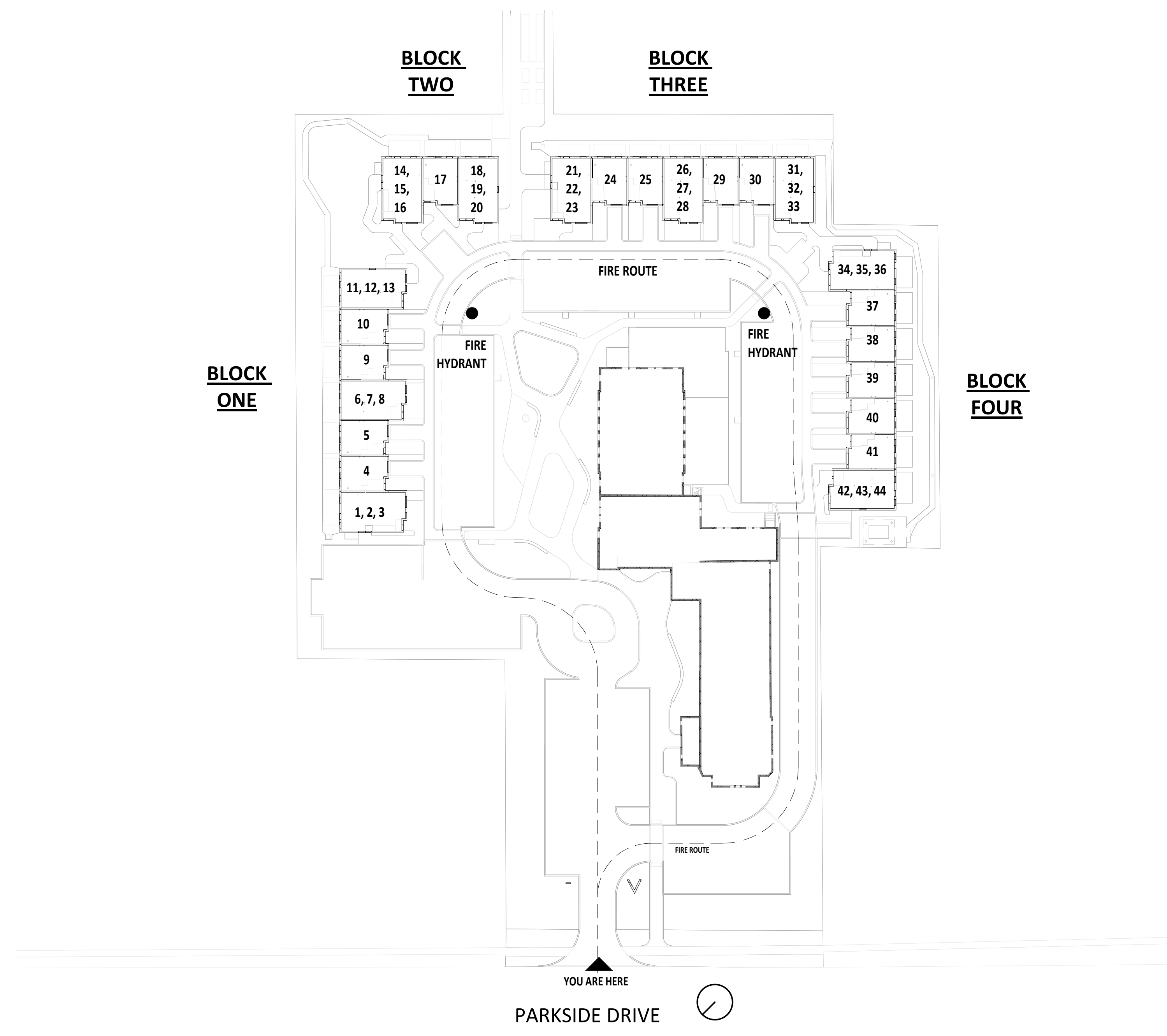


Project No. 2302
 Scale 1:250
 Plot Date 09/14/23

UNIT NUMBERING LIST

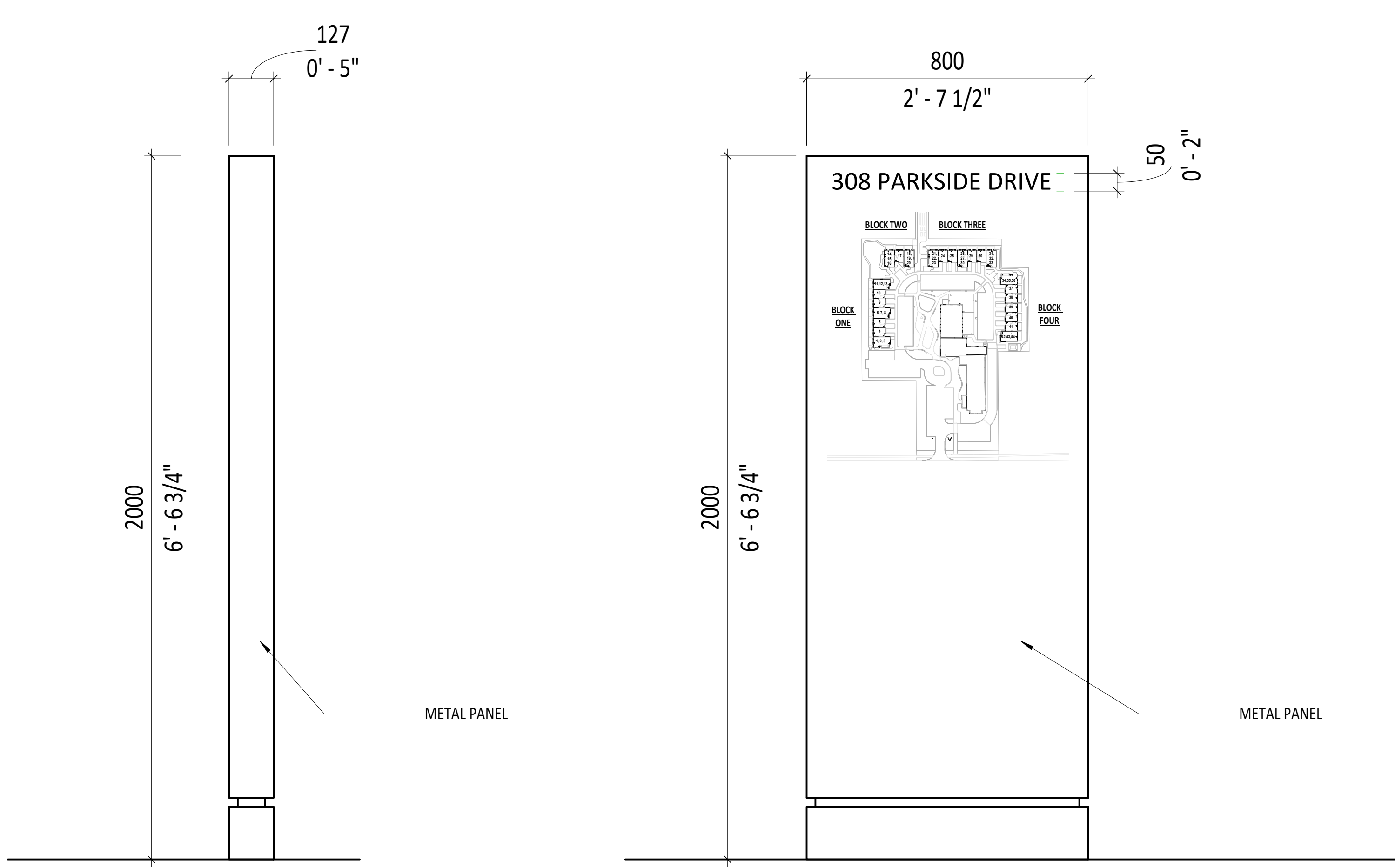
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 2. The Architect is not responsible for any errors or omissions in the drawings. The Contractor shall be responsible for any errors or omissions in the construction.
 3. The Contractor shall be responsible for obtaining all necessary permits and approvals from the relevant authorities.
 4. The Contractor shall be responsible for the safety of all workers and the public during the construction.
 5. The Contractor shall be responsible for the disposal of all waste materials.
 6. The Contractor shall be responsible for the protection of all existing structures and utilities.



KEY PLAN

2 MULTI UNIT SIGN GRAPHIC
 1:500



3 MULTI UNIT SIGN SIDE ELEVATION
 1:100

1 MULTI UNIT SIGN FRONT ELEVATION
 1:100

1: 10/03/2023 10/14/2023

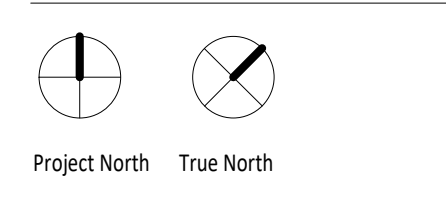
No. Date Issue



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 416.597.5104
 File: 24AC-02-031
 Legal Description: Plot 19-2, Site M7, Pt. L4, Pt. M7, Part 2, C21 S052; Lt. 46, Pt. M7, E-Encage Plus T-6 6206020; Lt. 210, Pt. M7, Planborough City, St. Hamilton

Kindred Works
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306/308 Parkside Dr., Waterdown, ON
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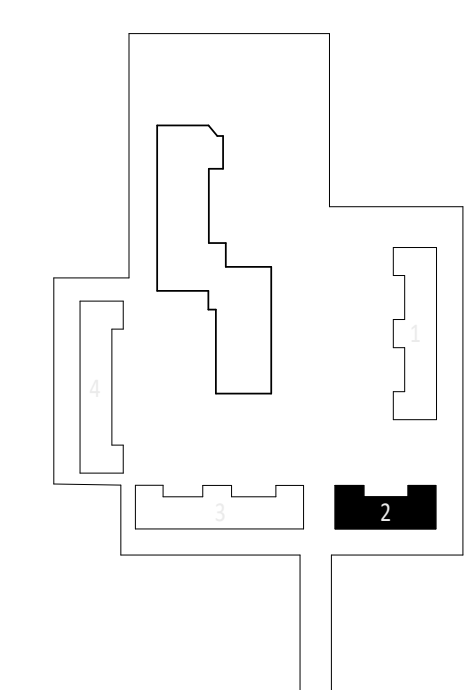
Project No. 2302
 Scale As indicated
 Plot Date 09/14/23

MULTIPLE UNIT IDENTIFICATION SIGN

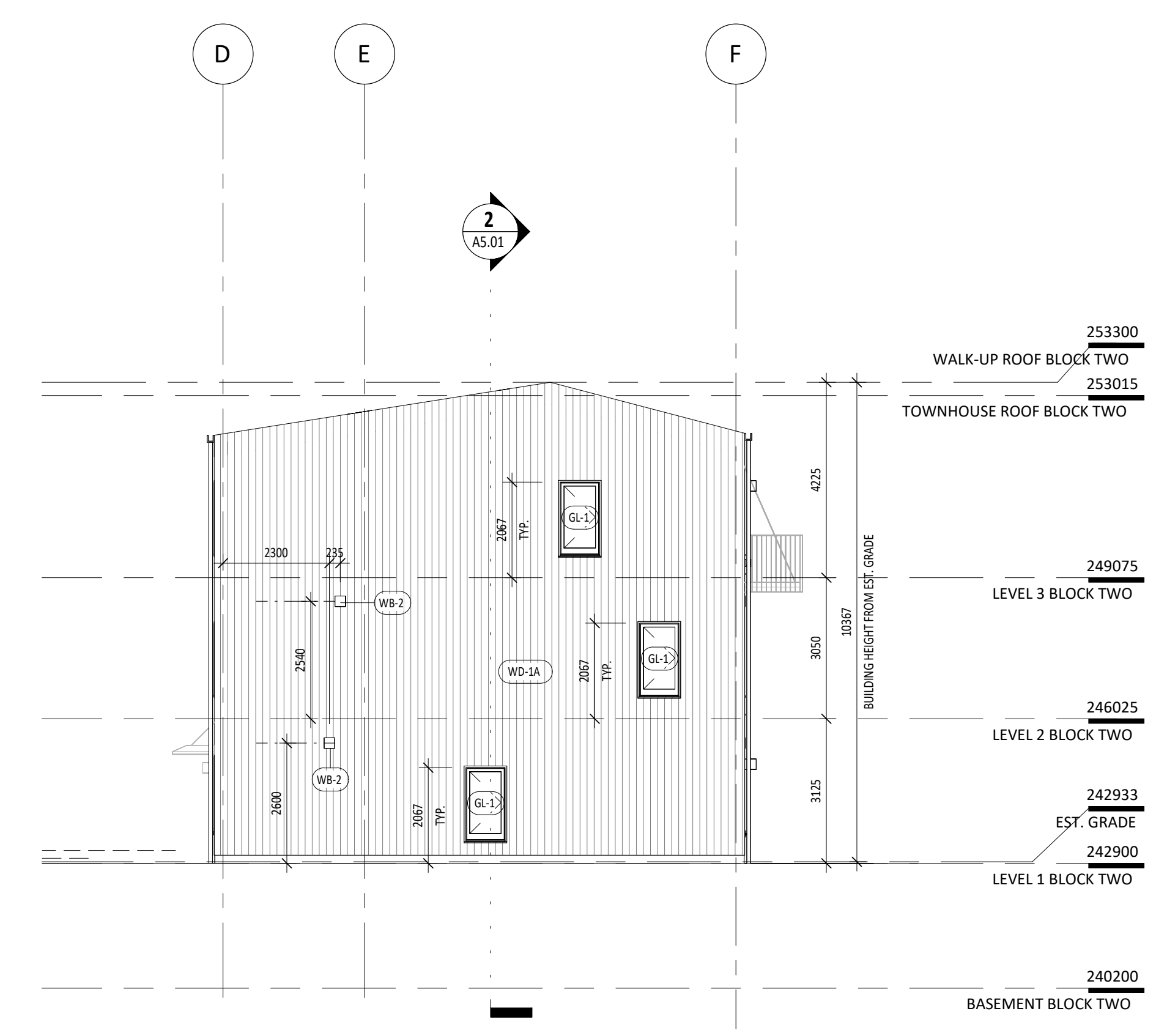
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- LEGEND:**
- PROPERTY LINE
 - - - SETBACK
 - WOOD CLADDING 1
 - WOOD CLADDING 2
 - HOSE BIB
 - EXTERIOR LIGHT FIXTURE
 - WB-1 MECHANICAL BOX FOR 300MM DIA. DUCT
 - WB-2 MECHANICAL BOX FOR 150MM DIA. DUCT



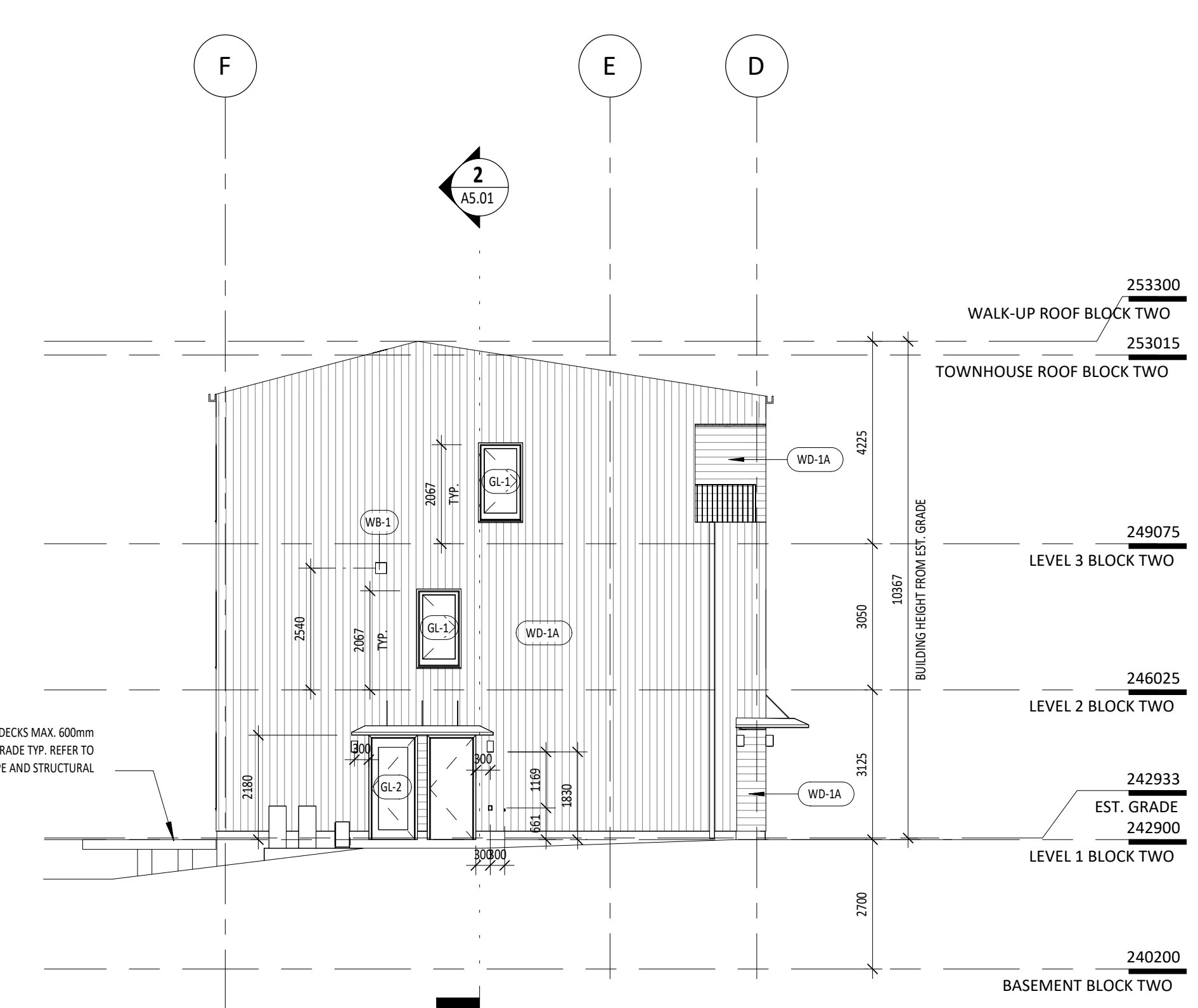
KEY PLAN



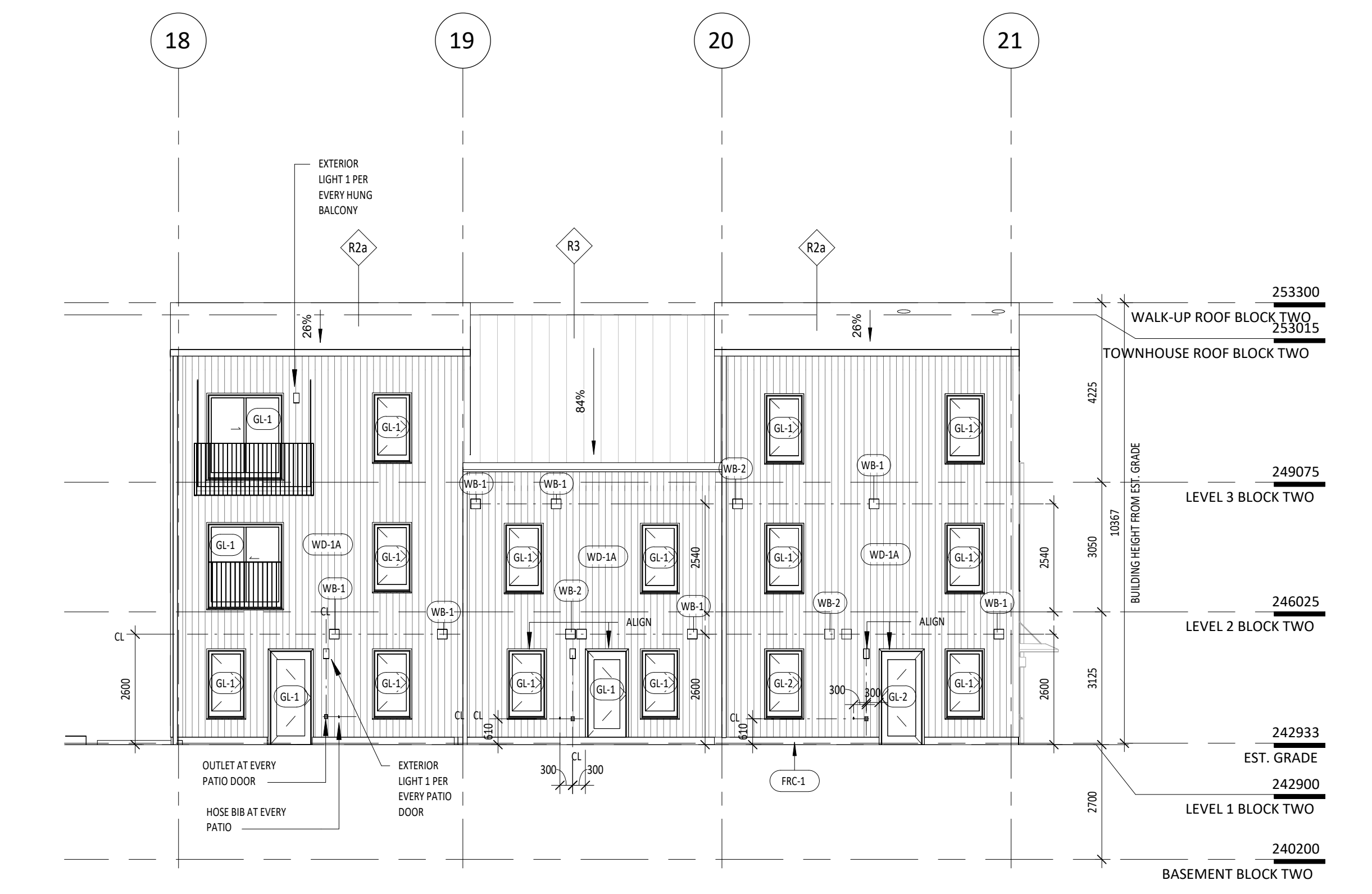
4 BLOCK 2 WEST ELEVATION
1:100



2 BLOCK 2 NORTH ELEVATION
1:100



3 BLOCK 2 EAST ELEVATION
1:100



1 BLOCK 2 SOUTH ELEVATION
1:100

NO.	DATE	DESCRIPTION
1	2024-03-01	ISSUED FOR TENDER
2	2024-03-01	ISSUED FOR TENDER
3	2024-03-01	ISSUED FOR TENDER
4	2024-03-01	ISSUED FOR TENDER
5	2024-03-01	ISSUED FOR TENDER
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7	2024-03-01	ISSUED FOR TENDER
8	2024-03-01	ISSUED FOR TENDER

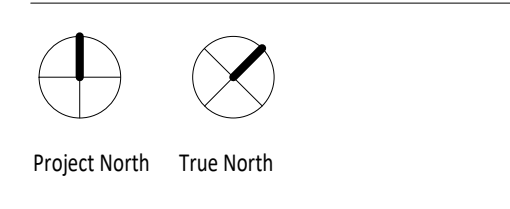
No. Date Issued



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 Toronto, ON, Canada M5A 0L6
 416.597.5154
 File: 24AC-02-011
 Legal Description: Plot 19-2, Site M7, P/L 19, P/L M7, Part 2, G/L 19-02, L1-40, P/L M7, Entrance Pla T-6 (200620) - L210, P/L M7, Parkside Dr. Dr. Hamilton

Kindred Works
ST JAMES WATERDOWN

306/308 Parkside Dr., Waterdown, ON
 L0R 2H0



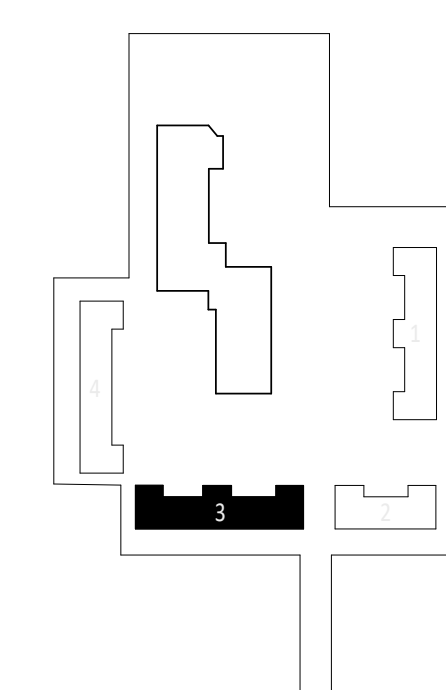
Project No. 2102
 Scale 1:100
 Plot Date 09/14/23

BLOCK 2 ELEVATIONS

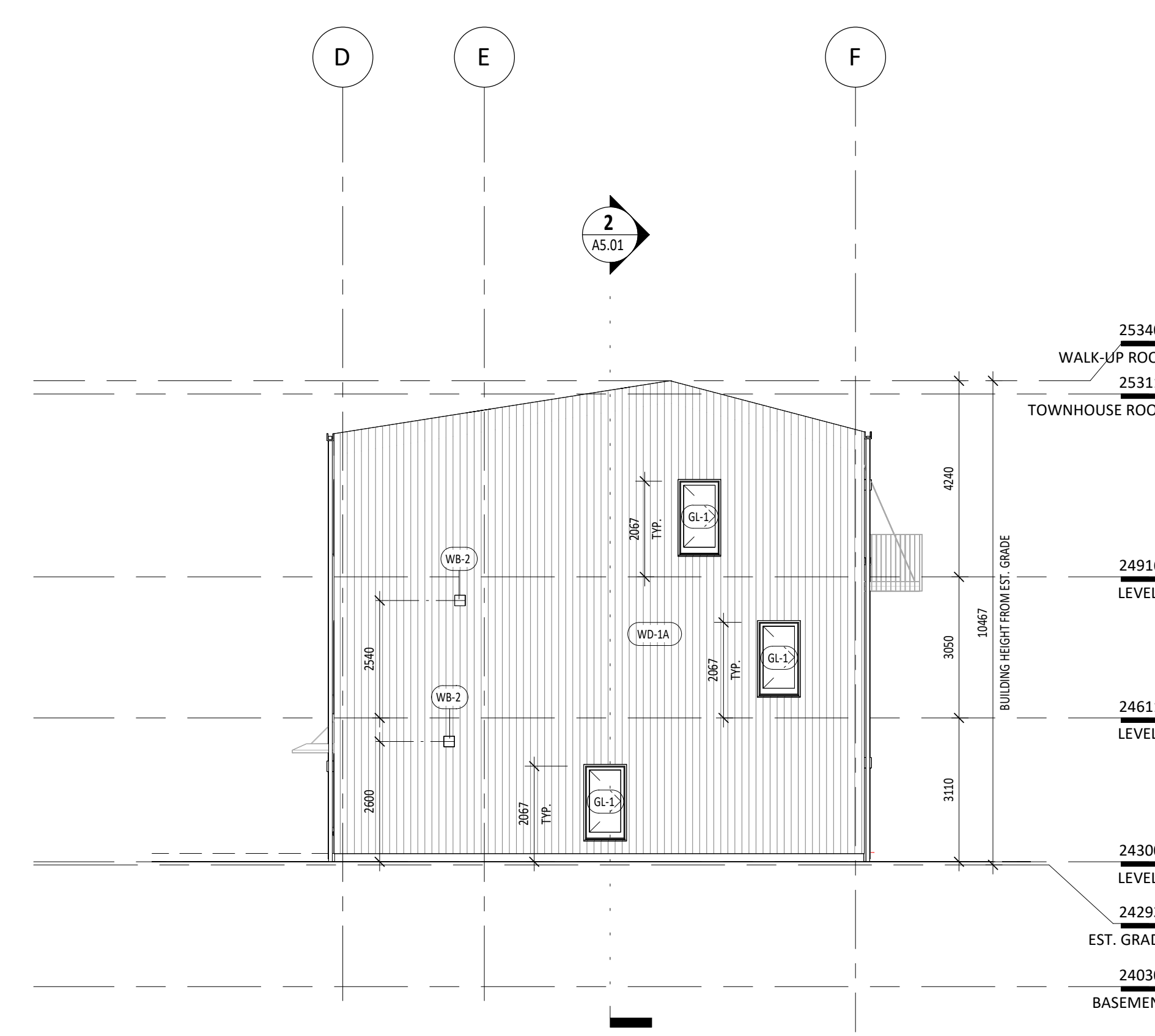
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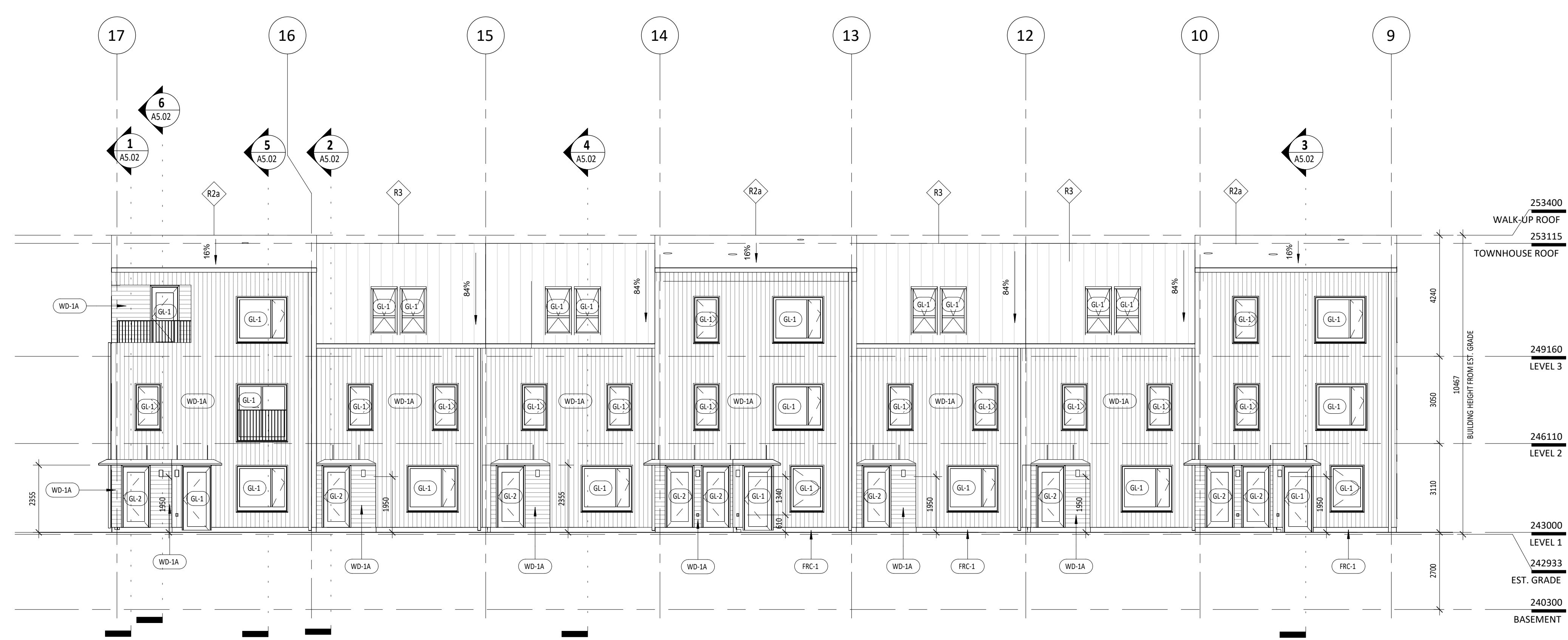
- LEGEND:**
- PROPERTY LINE
 - - - SETBACK
 - WOOD CLADDING 1
 - WOOD CLADDING 2
 - HOSE BIB
 - EXTERIOR LIGHT FIXTURE
 - WB-1 MECHANICAL BOX FOR 300mm IN DIA. DUCT
 - WB-2 MECHANICAL BOX FOR 150mm IN DIA. DUCT



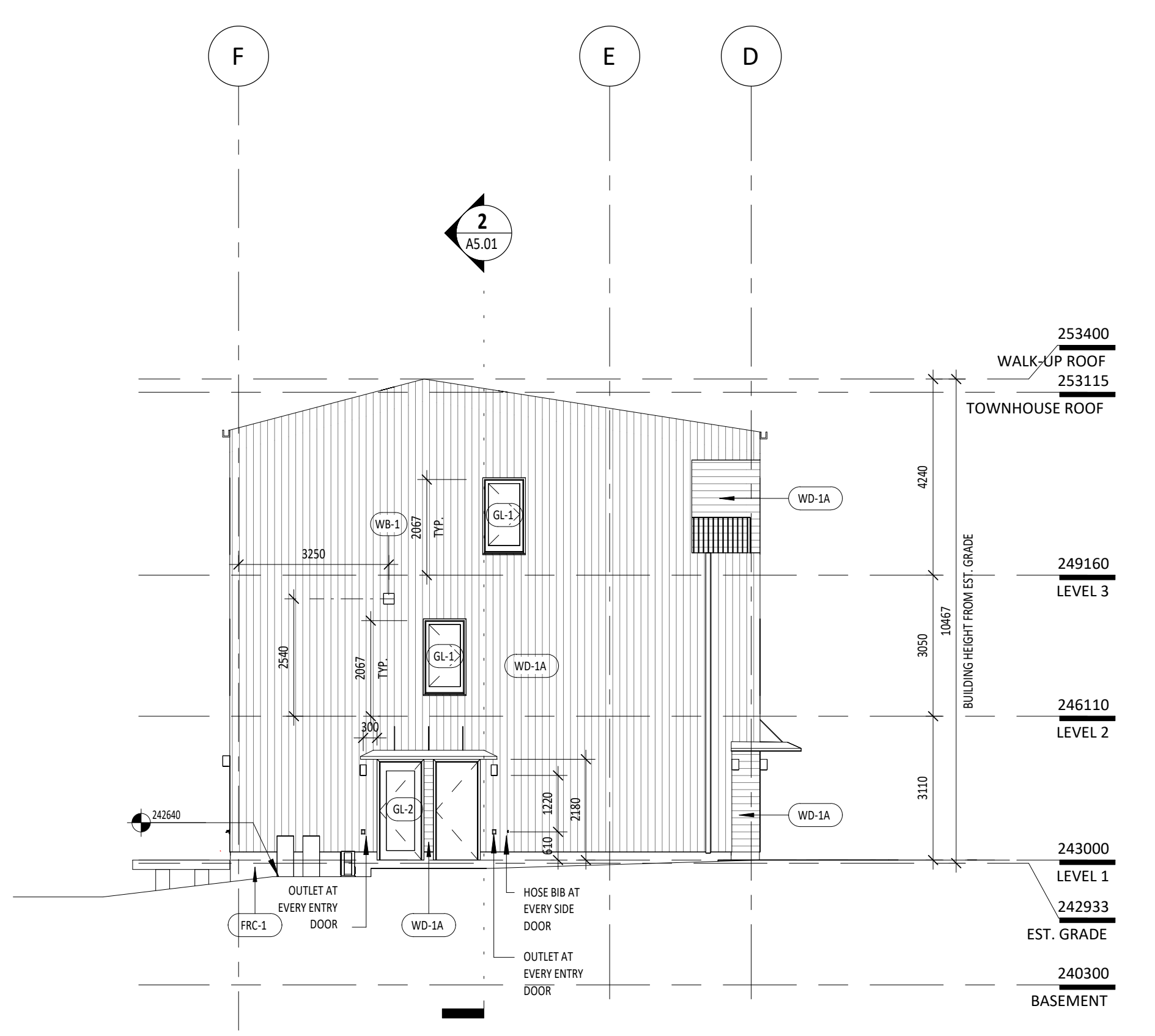
KEY PLAN



4 BLOCK 3 WEST ELEVATION
1:100



2 BLOCK 3 NORTH ELEVATION
1:100



3 BLOCK 3 EAST ELEVATION
1:100



1 BLOCK 3 SOUTH ELEVATION
1:100

No.	Date	Description
1	2023-02-01	Issue for Submission
2	2023-02-15	Issue for Review
3	2023-03-01	Issue for Building Permit
4	2023-03-15	Issue for Construction Start
5	2023-04-01	Issue for Final Approval
6	2023-04-15	Issue for Final Approval

No. Date Issue

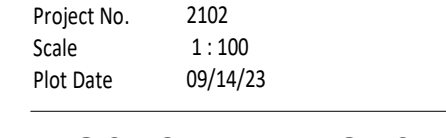


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 Toronto, ON, Canada M5A 0L6
 416.597.5154

File: 24C-02-011
 Legal Description: Plot 19-2, Site M7, Pt. 1 & 2, Part 2, G/F, S/S/S, L1, G/F, Pt. 1, Entrance Plus F & G, 6206202, L2-20, Pt. M7, 19-2-01-01, 19-2-01-02, 19-2-01-03, 19-2-01-04, 19-2-01-05, 19-2-01-06, 19-2-01-07, 19-2-01-08, 19-2-01-09, 19-2-01-10, 19-2-01-11, 19-2-01-12, 19-2-01-13, 19-2-01-14, 19-2-01-15, 19-2-01-16, 19-2-01-17, 19-2-01-18, 19-2-01-19, 19-2-01-20, 19-2-01-21, 19-2-01-22, 19-2-01-23, 19-2-01-24, 19-2-01-25, 19-2-01-26, 19-2-01-27, 19-2-01-28, 19-2-01-29, 19-2-01-30, 19-2-01-31, 19-2-01-32, 19-2-01-33, 19-2-01-34, 19-2-01-35, 19-2-01-36, 19-2-01-37, 19-2-01-38, 19-2-01-39, 19-2-01-40, 19-2-01-41, 19-2-01-42, 19-2-01-43, 19-2-01-44, 19-2-01-45, 19-2-01-46, 19-2-01-47, 19-2-01-48, 19-2-01-49, 19-2-01-50, 19-2-01-51, 19-2-01-52, 19-2-01-53, 19-2-01-54, 19-2-01-55, 19-2-01-56, 19-2-01-57, 19-2-01-58, 19-2-01-59, 19-2-01-60, 19-2-01-61, 19-2-01-62, 19-2-01-63, 19-2-01-64, 19-2-01-65, 19-2-01-66, 19-2-01-67, 19-2-01-68, 19-2-01-69, 19-2-01-70, 19-2-01-71, 19-2-01-72, 19-2-01-73, 19-2-01-74, 19-2-01-75, 19-2-01-76, 19-2-01-77, 19-2-01-78, 19-2-01-79, 19-2-01-80, 19-2-01-81, 19-2-01-82, 19-2-01-83, 19-2-01-84, 19-2-01-85, 19-2-01-86, 19-2-01-87, 19-2-01-88, 19-2-01-89, 19-2-01-90, 19-2-01-91, 19-2-01-92, 19-2-01-93, 19-2-01-94, 19-2-01-95, 19-2-01-96, 19-2-01-97, 19-2-01-98, 19-2-01-99, 19-2-02-00

Kindred Works
ST JAMES WATERDOWN

306/308 Parkside Dr., Waterdown, ON
 L0R 2H0



Project No. 2102
 Scale 1:100
 Plot Date 09/14/23

BLOCK 3 ELEVATIONS



PLANNING
URBAN DESIGN
& LANDSCAPE
ARCHITECTURE

September 20, 2023

Jamila Sheffield, Secretary Treasurer
Committee of Adjustment
City of Hamilton
71 Main Street West, 5th Floor
Hamilton, Ontario
L8P 4Y5

Email: cofa@hamilton.ca
jamila.sheffield@hamilton.ca

Dear Ms Sheffield:

**RE: CONSENT FOR SEVERANCE AND MINOR VARIANCE APPLICATIONS
306 PARKSIDE DRIVE, HAMILTON (WATERDOWN)
Our File: 20365B**

On behalf of our client, the United Property Resource Corporation (the "Applicant") who are the authorized entity to make applications on behalf of The Trustees of St. James United Church of Canada (in their capacity as trustees) and The Trustees of Waterdown United Church (the "Owner"), we are pleased to submit the enclosed Consent for Severance and Minor Variance Applications with respect to the property generally located on the south side of Parkside Drive, between Mill Street and Main Street, and municipally addressed as 306 Parkside Drive in the City of Hamilton and more particularly described in the attached **Schedule "A"** (the "Subject Lands"). This site was the subject of a recent rezoning application approved by staff and Council for the addition of 44 townhouse and walkup apartment (multiple dwelling) uses on March 28, 2023. This letter sets out a description of the proposed consent application, variances, and supporting information.

In support of these applications, please find enclosed the following:

- One (1) copy of the completed Consent Application Form;
- One (1) copy of the completed Minor Variance Application Form;
- One (1) copy of a consent sketch identifying the retained and severed lands, prepared by MHBC Planning;
- One (1) copy of the Draft Reference Plan, prepared by Speight, Van Nostrand & Gibson Limited;
- One (1) copy of the Architectural Package, including Site Plan, Site Survey, and Elevations, prepared by KPMB Architects;
- Fees in the amount of \$3,220.00 made payable to the City of Hamilton being the Consent Application Fee; and,
- Fees in the amount of \$3,735.00 made payable to the City of Hamilton being the Minor Variance Application Fee.

Note that payment will be made via credit card upon submission of the application.

SITE CONTEXT

The Subject Lands are located at 306 Parkside Drive, on the south side of Parkside Drive between Main Street and Mill Street, and with frontage on Kelly Street to the south in the City of Hamilton (Waterdown). The Subject Lands have a total area of 12,241 square metres, and are currently occupied by St. James United Church located towards the north west corner of the property, with a large surface parking lot and green space surrounding.

POLICY CONTEXT

Urban Hamilton Official Plan ("UHOP")

The Subject Lands are designated 'Institutional' within the Waterdown Community Node Secondary Plan, adopted as Official Plan Amendment 165 in April 2022. Parkside Drive is identified as a 'Minor Arterial'.

The development has been designed in accordance with the Institutional designation of the Urban Hamilton Official Plan.

City of Hamilton Zoning By-law 05-200

Within Hamilton Zoning By-law 05-200, the Subject Lands are zoned I2-825 (Community Institutional). The I2-825 Zone permits Multiple Dwelling and Place of Worship uses as proposed, with both uses subject to the Place of Worship use provisions. Special Exception 825 approved in March 2023 and permits site-specific parking, use, and setback provisions to facilitate the proposed development.

The development has been designed in accordance with the applicable zoning standards of the I2-825 zone, and the site-specific zone standards approved through By-law 23-025.

Summary of the Development

A Zoning By-law Amendment for the Subject Lands was approved on March 28, 2023 as Special Exception 825 and permits the residential redevelopment of the site. Following approval of the Zoning By-law Amendment, an application for Site Plan Approval was been submitted to the City and is currently under review. The development provides for the introduction of 14 two-storey townhouse units and 30 three-storey walkup apartment units, for a total of 44 residential dwelling units (defined as Multiple Dwellings within Bylaw 05-200). The existing church is retained in its current location, with all new residential units placed behind the existing church on underutilized portions of the Subject Lands. The development will provide for a total gross floor area (GFA) of 5,206 sq.m., with a density of 35 units per net hectare. A total of 44 new

residential dwelling units will be developed on the Subject Lands, including a mix of 1, 2, and 3 bedroom units. The three-storey walk-ups provide for a unit entirely at grade, which provides for greater levels of accessibility, consistent with the overall affordable housing goals of the proposal.

The purpose of the consent application is to facilitate a severance of the lands, to split the Subject Lands into two parcels, in order to separate the existing church from the new residential development and accommodate proposed CMHC financing requirements for the proposed development. The Retained Parcel (Parts 2, 3 and 4 on the Draft Reference Plan) will have frontage on Parkside Drive, and contain the existing church structure, with a total proposed area of 2,996 square metres. The Severed Parcel (Parts 5, 6, 7, 8, 9 and 10 on the Draft Reference Plan) will have frontage on Parkside Drive and Kelly Street, and contain the remainder of the Subject Lands including the proposed residential development, parking, and greenspace, with a total proposed area of 9,083 square metres. The Retained Parcel and Severed Parcel are further described by Parts on the draft reference plan prepared by Speight, Van Nostrand & Gibson Limited dated September 18, 2023 and included with this submission.

To facilitate the severance and accommodate the new development, one minor variance is required to both the severed and retained parcels, to apply the provisions of the By-law to both parcels as one, notwithstanding the severance of the lands, for the purposes of zoning. This variance will permit the continued function of both parcels as one comprehensive site in compliance with all other provisions of the Zoning By-law.

Given the comprehensive nature of the Subject Lands, the creation of associated blanket reciprocal easements over both the Retained Parcel (Lot 1) and the Severed Parcel (Lot 2) are also requested to facilitate access, parking, and servicing of both Parcels. The proposed new easements are set out in the attached **Schedule "B"**.

The proposed severance and resulting variance are required in order to provide separate parcels for the existing church and proposed residential buildings. Through ongoing coordination with CMHC, the applicant was informed of additional funding requirements which do not permit the proposed residential buildings on the same lot as an existing structure. Accordingly, the proposed severance is a technical requirement in order to facilitate financing.

DESCRIPTION OF VARIANCE

To facilitate the proposed Consent Application and approved development, one variance is required:

1. Notwithstanding the definition of Lot, the lands zoned Community Institutional (I2, 825) Zone shall be considered as one lot for the purposes of applying the regulations of Zoning By-law No. 05-200.

Zoning By-law 05-200, through Section 3, provides a definition for "Lot" which defines a parcel of land which can be legally conveyed pursuant to the provisions of the Planning Act and for which the applicable zone standards apply. The Subject Lands are zoned Community Institutional (I2-825), for which specific development standards apply. As a result of the proposed severance, the existing parcel is to be split into two, the severed and retained parcels. The purpose of this variance is to continue to apply the applicable provisions of the Zoning By-law to both the severed and retained parcels together as one lot, in keeping with the intent of the approved By-law 23-025 and planned development of the Subject Lands. As the purpose of the severance is to split the existing and proposed buildings for financing purposes, both parcels will operationally function as one site and there is no impact caused by this variance to the Council approved site-specific Zoning By-law, nor to the adjacent parcels.

JUSTIFICATION OF PROPOSAL

CONSENT

Planning Act

While this application is a Consent under section 53 of the *Planning Act*, the determination of whether the approval of the Consent should be granted is noted in Section 53(12). Section 53(12) provides that when granting a consent, regard is required with respect to the matters under Section 51(24). In our opinion, the proposed severance does have regard for the matters set out in Section 51(24) of the *Planning Act* as follows:

"In considering a draft plan of subdivision, regard shall be had, among other matters, to the health, safety, convenience, accessibility for persons with disabilities and welfare of the present and future inhabitants of the municipality and to,"

- a) *the effect of development of the proposed subdivision on matters of provincial interest as referred to in section 2;*

With respect to Section 51(24)(a) – a plan of subdivision is not required as no new roads are proposed. The proposed lots implement the matters of provincial interest listed in Section 2 of the *Planning Act*, including providing for orderly development and locating growth and development in an appropriate location.

- b) *whether the proposed subdivision is premature or in the public interest;*

The lots are located on an existing municipal road, and within the built boundary, and will allow for contiguous and orderly development of the site that is not premature.

c) whether the plan conforms to the official plan and adjacent plans of subdivision, if any;

The proposal conforms to the Urban Hamilton Official Plan. The Subject Lands are designated 'Institutional'; which permits the proposed place of worship and residential uses.

d) the suitability of the land for the purposes for which it is to be subdivided;

The proposed severance application will create one additional parcel which is appropriate and suitable for the intended development of the lots.

d.1) if any affordable housing units are being proposed, the suitability of the proposed units for affordable housing;

The suitability of the new units has been reviewed through the approved Zoning By-law Amendment (23-025) and in progress Site Plan Approval application (DA-23-044).

e) the number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them;

No highways or public roads are proposed as part of the development. The site has access to the surrounding road network through Parkside Drive.

f) the dimensions and shapes of the proposed lots;

The proposal results in the creation of one new parcel that generally complies with the applicable Zoning By-law requirements with the exception of the variance proposed. The proposed severance and variance are technical in nature, facilitating the necessary financing and construction of the proposal while functionally continuing to operate as one comprehensive site. The lots share one access so there are no additional access requirements.

g) the restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be erected on it and the restrictions, if any, on adjoining land;

Reciprocal blanket access, parking, and servicing easements will be created in favour of all development blocks.

h) conservation of natural resources and flood control;

Natural resources and flood control is not expected to be impacted through the proposed lot creation.

i) the adequacy of utilities and municipal services;

The adequacy of utilities and municipal services has been assessed through the approved Zoning By-law Amendment and through the in progress Site Plan Approval process. It has been

determined that the utilities and municipal services together with the proposed upgrades to service the development are acceptable to support the proposed development.

j) the adequacy of school sites;

The adequacy of school sites was assessed through the approved zoning. No deficiencies in capacity were identified.

k) the area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;

Land dedications are not proposed through the consents. Required right-of-way dedications and dedication of the daylight triangles will occur through the finalization of the site plan process.

l) the extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy; and,

The proposed development will be subject to Building Code review during which matters regarding energy efficiency and conservation will be addressed. The development provides for appropriate infill and intensification.

m) the interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41 (2) of this Act.

The lot creation serves to support the proposed site plan and the preferred underlying lot fabric to facilitate the development and necessary financing.

Urban Hamilton Official Plan

Section 1.14.3.4 of the Urban Hamilton Official Plan addresses Consent policies for Commercial/Mixed Use designations, including the 'Downtown Mixed Use' designation applicable to the Subject Lands, as follows:

"Consents for new lot creation for both the severed and retained lands for mixed uses, commercial, institutional, or open space uses in the Commercial/ Mixed Use and Institutional designation shall be permitted provided the following conditions are met:"

a) the lots severed for commercial, institutional or open space uses shall comply with the policies of this Plan including secondary plans, where one exists;

The proposed development conforms to the Urban Hamilton Official Plan. The Subject Lands are designated Institutional, which permits the approved residential and place of worship uses.

b) The lots are in conformity with the Zoning By-law or a minor variance is approved;

As a result of the proposed severance, a variance is required to treat both parcels as one for the purposes of zoning, and an application for Minor Variance has been submitted concurrently with the Severance Application.

- c) the lots severed for residential uses, including mixed use buildings which contain residential uses shall comply with Section B.2.4 – Residential Intensification Policies, Section B.3.3 – Urban Design Policies, Section E.3.0 – Neighbourhoods Designation and any other relevant policies of this Plan;*

The proposed development conforms to the applicable policies of the Urban Hamilton Official Plan.

- d) the lots are fully serviced by municipal water and wastewater systems; and,*

The proposed lots are fully serviced by municipal infrastructure, as reviewed through the site plan approval application.

- e) the lots have frontage on a public road.*

The proposed lots have access to the surrounding road network through frontage on Parkside Drive.

MINOR VARIANCE

Section 45(1) of the *Planning Act* identifies four tests which must be satisfied in order for the requested minor variances to be approved. The proposed variances both individually and cumulatively meet the four tests, as demonstrated in the analysis below.

- a) The variance maintains the general intent and purpose of the Official Plan.***

The requested variance is required to facilitate the proposed severance and modest intensification of the Subject Lands to accommodate 44 new residential dwelling units, all to consist of rental tenure. Sections A2.3.3.4 and B.2.4.1 of the UHOP note that Hamilton is required to achieve a minimum of 40% of all residential development as intensification within Neighbourhoods, and that intensification is encouraged throughout the entire built-up area. Section B.3.2.1.6 of the UHOP further notes that within the Urban Area it is the City's goal to increase the mix and range of housing types, forms, tenures, densities, and affordability levels throughout the City.

The Subject Lands are designated Institutional within the UHOP, which permits the proposed residential and existing institutional uses. The development has been designed in accordance with the applicable provisions of the UHOP, as assessed through the approved Zoning By-law Amendment application. The proposed variance to treat both parcels as one lot for the purposes of Zoning is a result of the proposed severance which is a necessity to secure CMHC financing

for the proposal. The proposed variance does not constitute a change in land use or the addition of a use not already permitted.

The requested variance therefore maintain the general intent and purpose of the Urban Hamilton Official Plan.

b) The variance maintains the general intent and purpose of the Zoning By-law.

The Subject Lands are zoned *I2-825 (Community Institutional)* within Zoning By-law 05-200. The I2 Zone permits the existing place of worship, and also permits the proposed Multiple Dwelling use.

The following zone provisions apply to the Subject Lands:

Lot Provisions	I2-825 Zone Requirement	Retained & Severed Parcel
Min. Lot Width	30.0 metres	53.8 metres
Min Front Yard	3.0 metres	>3.0 metres
Min. Side Yard (Place of Worship)	6.0 metres	6.0 metres
Min. Side Yard (Multiple Dwelling)	7.0 metres	7.0 metres
Min. Rear Yard	7.5 metres	7.5 metres
Max. Building Height	10.5 metres	10.5 metres
Min. Landscaped Area	10%	10%

The in-effect I2-825 Zone applicable to the Subject Lands is a result of the approved By-law 23-025 which implements the proposed development for the Subject Lands. As a result of the proposed severance, necessary to obtain CMHC financing, the lands subject to By-law 23-025 are to be split into two parcels. While separate legal parcels are to be created, both parcels will continue to operationally function as one lot for all other purposes, and blanket access, parking, and servicing easements are proposed to ensure the continued function of the site in accordance with the proposed development and approved site-specific zoning.

Zoning By-law 05-200 through Section 3, provides a definition for "Lot" which defines a parcel of land which can be legally conveyed pursuant to the provisions of the Planning Act and for which the applicable zone standards apply. Accordingly, a variance is propose to the definition of "Lot" for the lands subject to site specific By-law 23-025 to continue to apply the standards of the By-law to both parcels as one, as if no consent, severance, partition, or division occurred. This variance will maintain the intent of the approved By-law 23-025 on the Subject Lands and continue to permit and regulate the proposed development as intended, while allowing for the proposed severance to obtain CMHC financing.

With the exception of this variance, all other regulations of the I2-825 Zone are met with the proposed development on both parcels. Based on the above, the requested variance maintain the general intent and purpose of the Zoning By-law.

c) The variance is desirable and appropriate for the development and use of the land.

The proposed development is intended to optimize the use of the Subject Lands, retaining the place of worship while intensifying underutilized surface parking towards the rear with the introduction of 44 new residential dwelling units. Of the 44 new residential units, 100% are to be rental units. The Zoning By-law similarly permits both place of worship and multiple dwelling uses within the I2-825 Zone, and the proposed development is consistent with the City's goals as provided in the Official Plan and Zoning By-law.

The requested variance to treat both parcels as one for the purposes of zoning maintains the intent of the approved By-law 23-025, permits the redevelopment of the Subject Lands as approved, and allows for the severance of the existing church from the proposed residential buildings as required to obtain CMHC financing. As the purpose of the severance is to split the existing and proposed buildings for financing purposes, access and servicing for both the severed and maintained lots will be shared from Parkside Drive, adequate separation of uses is maintained, and both parcels will operationally function as one site. The proposed variance will not negatively or functionally impact the adjacent parcels, and maintain the intent of the approved Zoning By-law Amendment on the Subject Lands.

Based on the above, the requested variance is both desirable and appropriate for the development and use of the Subject Lands.

d) The variance is minor in nature.

The requested variance to treat both the severed and retained parcels as one for the purposes of applying the provisions of the Zoning By-law is minor in nature, maintains the intent of the approved site-specific Zoning By-law 23-025, and will not result in any unacceptable or adverse impacts on the Subject Lands or surrounding area. The proposed variance is a result of the proposed severance which is a necessity to secure CMHC financing for the proposal, and both resulting parcels will continue to function as one comprehensive site supporting the optimal provision of both market and affordable rental housing on the Subject Lands.

Based on the above, the requested variances are minor in nature.

Conclusion

In conclusion, the application for consent and requested easements address all matters under the *Planning Act* and in the UHOP. The requested variance conforms to the general intent and purpose of the Official Plan and Zoning By-law, is desirable for the use of the Subject Lands, and is minor in nature. For the reasons set out above, it can be concluded that the requested variances satisfy the four tests set out in Section 45 (1) of the *Planning Act* and should be approved.

We are pleased to submit additional information as required and respond to any questions you may have.

Thank you.

Yours truly,

MHBC



Dana Anderson, MA, FCIP, RPP
Partner



Andrew Hannaford, BES, MCIP, RPP
Associate

cc: Carly Forrester, Kindred Works

SCHEDULE "A"

LEGAL DESCRIPTION – 306 PARKSIDE DRIVE, HAMILTON

PIN 17507-0050 (LT)

PARCEL 19-2, SECTION M7; PART LOT 19, PLAN M7, DESIGNATED AS PART 2 ON PLAN 62R-13083; LOT 40, PLAN M7, EXCEPT PARTS 1-6 ON PLAN 62R-6020; LOT 20 ON PLAN M7; FLAMBOROUGH, CITY OF HAMILTON

Municipal Address: 306 Parkside Drive, Hamilton

SCHEDULE "B"

PROPOSED NEW EASEMENTS

Proposed Retained Parcel: Parts 2, 3 and 4 on the Draft Reference Plan

Proposed Severed Parcel: Parts 5, 6, 7, 8, 9 and 10 on the Draft Reference Plan

Proposed Easements in Favour of the Retained Parcel over the Severed Parcel

Purpose of Easement in favour of the Retained Parcel (Parts 2, 3 and 4 on the Draft Reference Plan)	Easement Lands Parts on the Draft Reference Plan (subject to)
Non-exclusive pedestrian egress, ingress, access and use of exterior walkways and parking lots for access to the Retained Parcel, parking spaces, private roads and public roads, until the use of the Retained Parcel as a place of worship is permanently ceased	Parts 5, 6, 7, 8, 9 and 10 on the Draft Reference Plan (Blanket easement)
Non-exclusive (i) use of parking spaces; and (ii) vehicular and pedestrian egress, ingress and access to and over the parking lots, private roads and sidewalks for access and use of parking spaces, private roads, public roads and exterior walkways including, without limitation, for the purposes of both emergency and garbage vehicle access and use	Parts 8 and 9 on the Draft Reference Plan
Non-exclusive vehicular and pedestrian egress, ingress and access to and over the private roads and sidewalks for access to parking spaces, private roads and exterior walkways including, without limitation, for the purposes of both emergency and garbage vehicle access	Part 6 on the Draft Reference Plan
Non-exclusive access, installation, connection, use, maintenance, repair and replacement of below grade shared electrical services	Parts 5, 6, 7, 8, 9 and 10 on the Draft Reference Plan (Blanket easement)
Non-exclusive access, installation, connection, use, maintenance, repair and replacement of below grade shared services and utilities, including without limitation: stormwater management facilities, sanitary sewer and catch basins	Parts 5, 6, 7, 8, 9 and 10 on the Draft Reference Plan (Blanket easement)
Non-exclusive access, installation, connection, use, maintenance, repair and replacement of below grade shared stormwater tank	Parts 5, 6, 7, 8, 9 and 10 on the Draft Reference Plan (Blanket easement)

Proposed Easements in Favour of the Severed Parcel over the Retained Parcel

Purpose of Easement in favour of the Severed Parcel (Parts [y])	Easement Lands Parts on the Draft Reference Plan (subject to)
Non-exclusive (i) use of parking spaces; and (ii) vehicular and pedestrian egress, ingress and access over private road for access and use of parking spaces and private roads including, without limitation, for the purposes of both emergency and garbage vehicle access	Part 3 on the Draft Reference Plan
Non-exclusive vehicular and pedestrian egress, ingress, and access, with machinery, for the purposes of installation, maintenance and operation and use of such private road	Parts 2, 3 and 4 on the Draft Reference Plan (Blanket easement)
Non-exclusive access, installation, connection, use, maintenance, repair and replacement of a shared electrical distribution system, including all electrical servicing supply and support equipment and infrastructure, overhead or aboveground lines, wires, cables, grounding electrodes, conductors, apparatus, poles and accessories	Parts 2, 3 and 4 on the Draft Reference Plan (Blanket easement)
Non-exclusive access, installation, connection, use, maintenance, repair and replacement of below grade shared electrical services	Parts 2, 3 and 4 on the Draft Reference Plan (Blanket easement)
Non-exclusive access, installation, connection, use, maintenance, repair and replacement of below grade shared services and utilities, including without limitation: gas, electricity, water, HVAC, sanitary, sewer, telecommunications, cable networks and stormwater management facilitates	Parts 2, 3 and 4 on the Draft Reference Plan (Blanket easement)
Non-exclusive access, installation, connection, use, maintenance, repair and replacement of below grade shared water servicing and management facilitates	Parts 2, 3 and 4 on the Draft Reference Plan (Blanket easement)
Non-exclusive access, installation, connection, use, maintenance, repair and replacement of below grade shared stormwater tank	Parts 2, 3 and 4 on the Draft Reference Plan (Blanket easement)



Hamilton

Committee of Adjustment

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

Phone: (905) 546-2424 ext. 4221

Email: cofa@hamilton.ca

**APPLICATION FOR CONSENT TO SEVER LAND
and VALIDATION OF TITLE
UNDER SECTION 53 & 57 OF THE PLANNING ACT**

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

1. APPLICANT INFORMATION

	NAME	MAILING ADDRESS	
Purchaser*			Phone:
			E-mail:
Registered Owners(s)	The Trustees of St. James United Church of Canada; and, The Trustees of Waterdown United Church		
Applicant(s)**	Kindred Works		
Agent or Solicitor	Dana Anderson, MHBC Planning		

*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	306 308 Parkside Drive		
Assessment Roll Number	251830338008400		
Former Municipality	Flamborough		
Lot		Concession	
Registered Plan Number	62313083	Lot(s)	19,20,40
Reference Plan Number (s)		Part(s)	2

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 checked="" 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:

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*
--	-------------------------	----------	----------	-----------	-----------

Identified on Sketch as:	Lot 1	Lot 2			
Type of Transfer	N/A				
Frontage	29.3	24.5			
Depth	100.12m	179.74m			
Area	2996 sq.m.	9083 sq.m.			
Existing Use	Institutional	Institutional			
Proposed Use	Institutional	Residential			
Existing Buildings/ Structures	Place of Worship	n/a			
Proposed Buildings/ Structures		Residential (Multiple Dwellings)			
Buildings/ Structures to be Removed					

* Additional fees apply.

Note: Refer to Schedule "B" in Cover Letter for description of proposed easements.

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) Institutional _____

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

Please refer to attached Minor Variance and Consent Letter.

- 5.2 Is the subject land currently the subject of a proposed official plan amendment that has been submitted for approval?
 Yes No Unknown

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

- 5.3 What is the existing zoning of the subject land? I2-825 _____

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.

- 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 1954
-

- 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)

Please refer to attached Minor Variance and Consent Letter.

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

Please refer to attached Minor Variance and Consent Letter.

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

Please refer to attached Minor Variance and Consent Letter.

- 7.4 Are the subject lands subject to the Niagara Escarpment Plan?
 Yes No (Provide explanation)

Please refer to attached Minor Variance and Consent Letter.