



Hamilton

COMMITTEE OF ADJUSTMENT

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

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

E-mail: cofa@hamilton.ca

NOTICE OF PUBLIC HEARING
Consent/Land Severance

You are receiving this notice because you are either:

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

APPLICATION NO.:	AN/B-23:20	SUBJECT PROPERTY:	1634 Shaver Road, Ancaster
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APPLICANTS: **Owner:** BRAUN NURSERY C/O DAVE BRAUN
 Agent: FOTHERGILL PLANNING & DEVELOPMENT INC. C/O ED FOTHERGILL

PURPOSE & EFFECT: To sever the existing residential lot into three parcels, the Severed Land 1 (1634 Shaver Road, Ancaster) will contain a single-family dwelling with a lean-to & silo to be removed. The Severed Lands 2 (1682 Shaver Road, Ancaster) will contain a single-family dwelling & a garage to remain and the retained lands will contain the existing dwelling & farm buildings with a silo to be removed.

	Frontage	Depth	Area
SEVERED LANDS 1 (1634 Shaver Road):	121.9 m [±]	35.7 m [±]	0.41 ha [±]
SEVERED LANDS 2 (1682 Shaver Road):	62.0 m [±]	69.0 m [±]	0.43 ha [±]
RETAINED LANDS:	1102.5 m [±]	612.2 m [±]	39.59 ha [±]

Associated Planning Act File(s): N/A

This Notice must be posted by the owner of any land which contains seven or more residential units so that it is visible to all residents.

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

DATE:	Thursday, December 7, 2023
TIME:	10:45 a.m.
PLACE:	Via video link or call in (see attached sheet for details)
	To be streamed (viewing only) at

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.

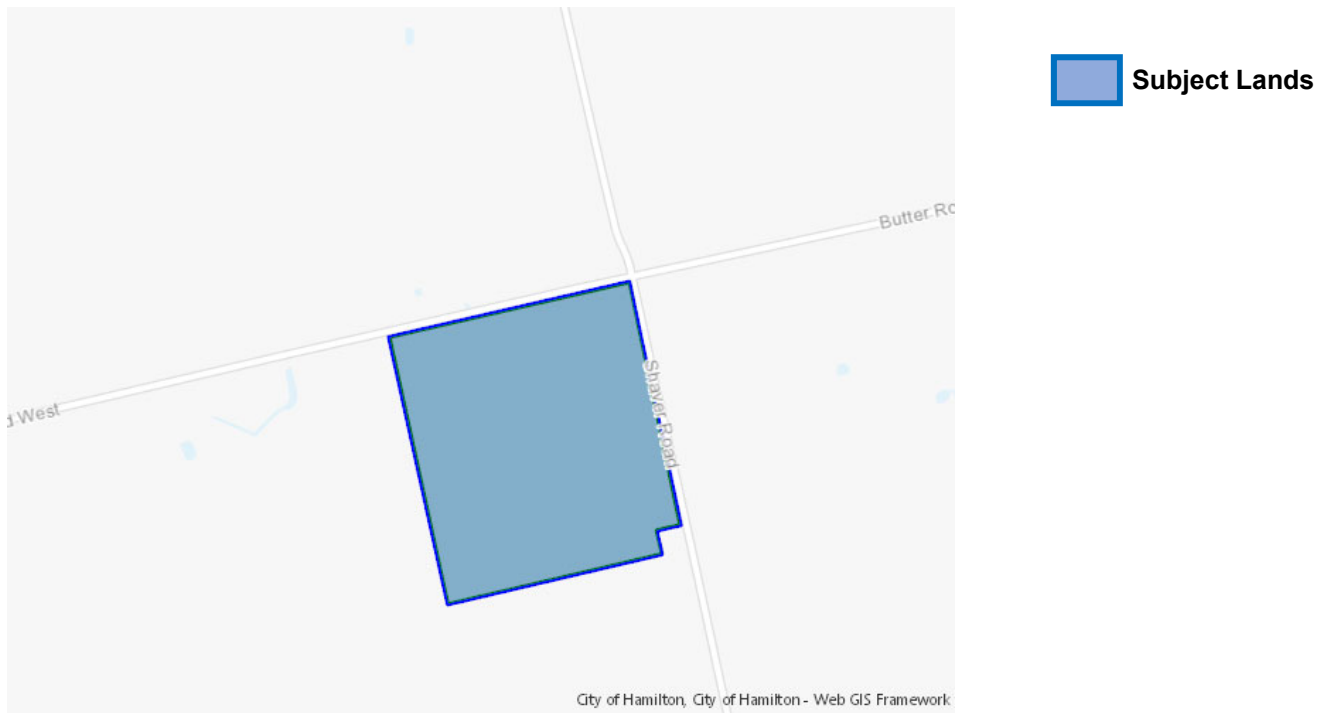
Orally: If you would like to speak to this item at the hearing you may do so via video link or by calling in. Please see attached page for complete instructions, including deadlines for registering to participate.

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding AN/B-23:20, 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.



DATED: November 21, 2023

Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

Information respecting this application is being collected under the authority of the Planning Act, R.S.O., 1990, c. P. 13. All comments and opinions submitted to the City of Hamilton on this matter, including the name, address, and contact information of persons submitting comments and/or opinions, will become part of the public record and will be made available to the Applicant and the general public.



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E-mail: cofa@hamilton.ca

PARTICIPATION PROCEDURES

Written Submissions

Members of the public who would like to participate in a Committee of Adjustment meeting are able to provide comments in writing or via email in advance of the meeting. Comments can be submitted by emailing cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5. **Comments must be received by noon two days before the Hearing.**

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

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

Oral Submissions During the Virtual Meeting

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

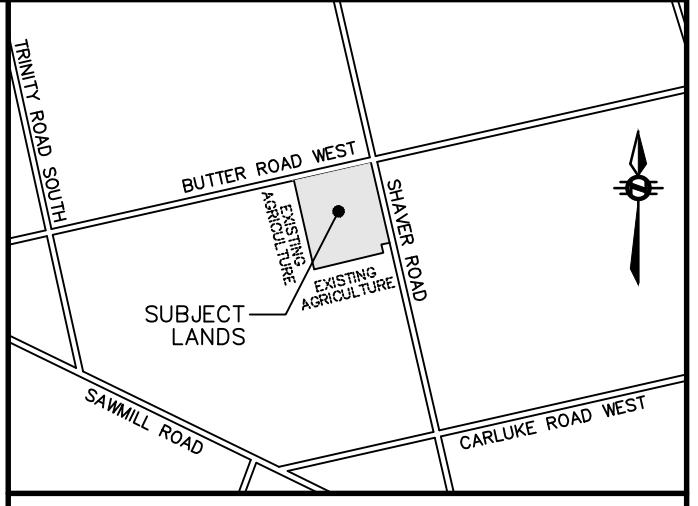
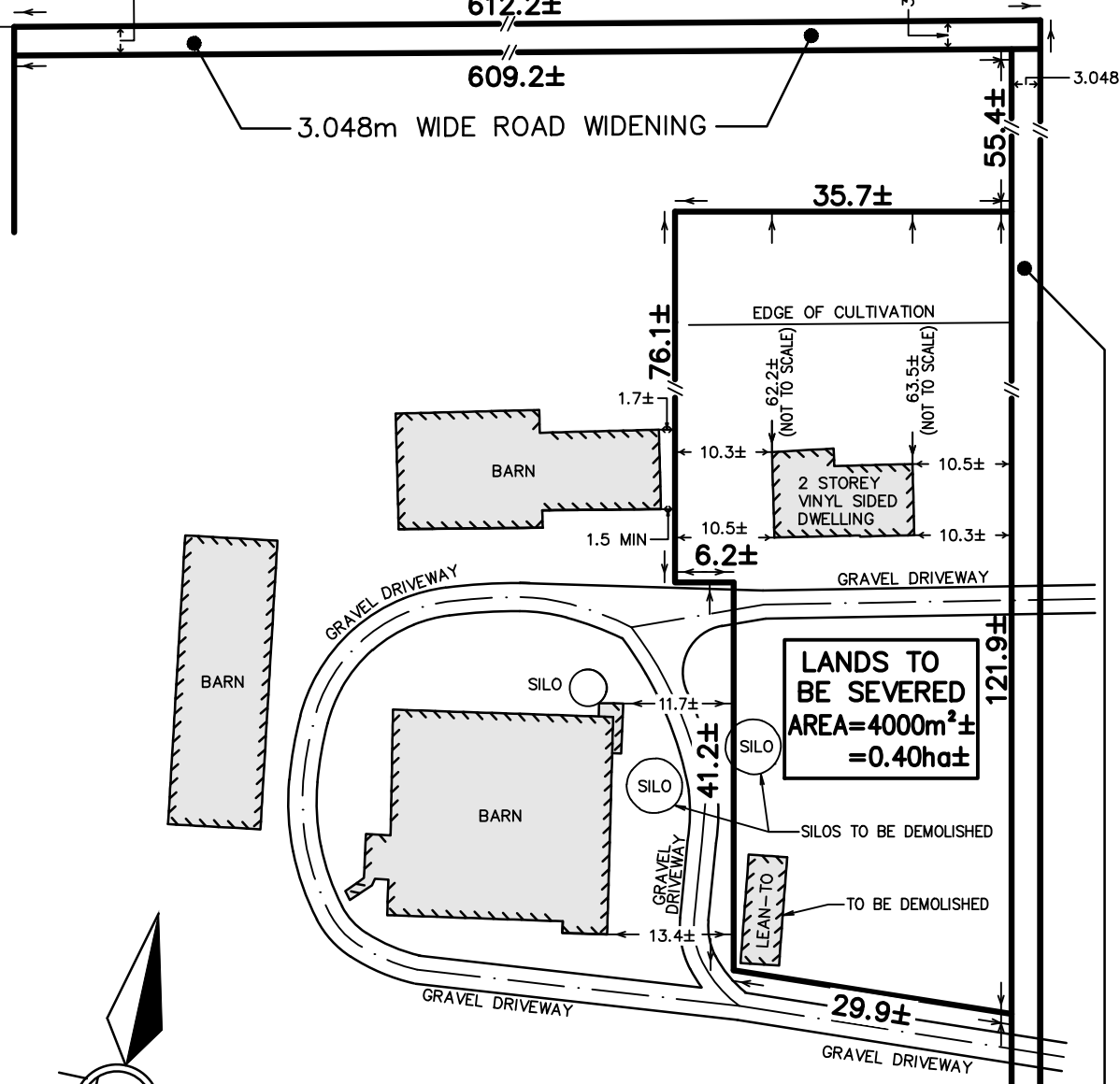
To register to participate by Webex either via computer or phone, please contact Committee of Adjustment staff by email cofa@hamilton.ca or by phone at 905-546-2424 ext. 4221. The following information is required to register: Committee of Adjustment file number that you wish to speak to, the hearing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

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

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

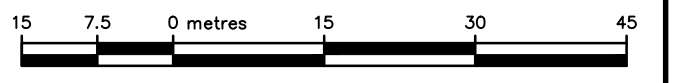
Please note: Webex (video) participation requires either a compatible computer or smartphone and an application (app/program) must be downloaded by the interested party in order to participate. It is the interested party's responsibility to ensure that their device is compatible and operating correctly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

BUTTER ROAD WEST (20.1m± WIDE)
 (ORIGINAL ROAD ALLOWANCE BETWEEN CONCESSIONS 5 & 6)



KEY MAP NOT TO SCALE

SKETCH TO ILLUSTRATE LAND DIVISION
 OF
1634 SHAVER ROAD
 IN THE
CITY OF HAMILTON
 SCALE 1:750 METRIC

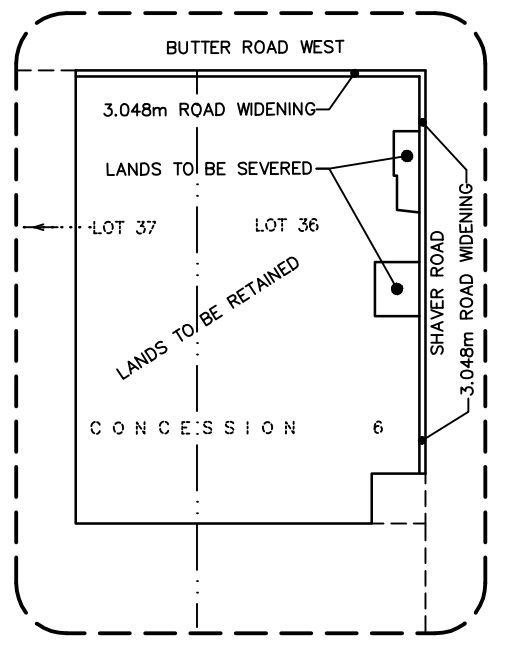


S.D. McLAREN, O.L.S. - 2023

LANDS TO BE RETAINED
 AREA=39.59ha±
 *AREA OBTAINED VIA CITY OF HAMILTON GIS MAPPING

LANDS TO BE SEVERED
 AREA=4000m²±
 =0.40ha±

LANDS TO BE SEVERED
 AREA=4278m²±
 =0.43ha±



NOTE:
 DISTANCES SHOWN ON THIS PLAN WERE DERIVED FROM PLAN 62R-767.

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

CAUTION:
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 B) THIS PLAN IS PROTECTED BY COPYRIGHT ©

MARCH 10, 2023
 DATE

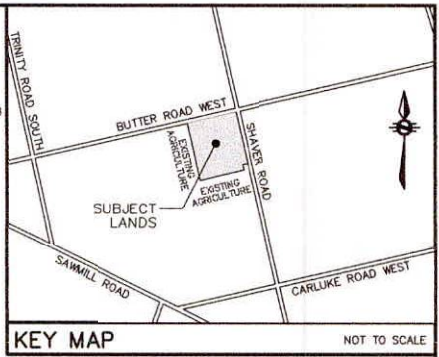
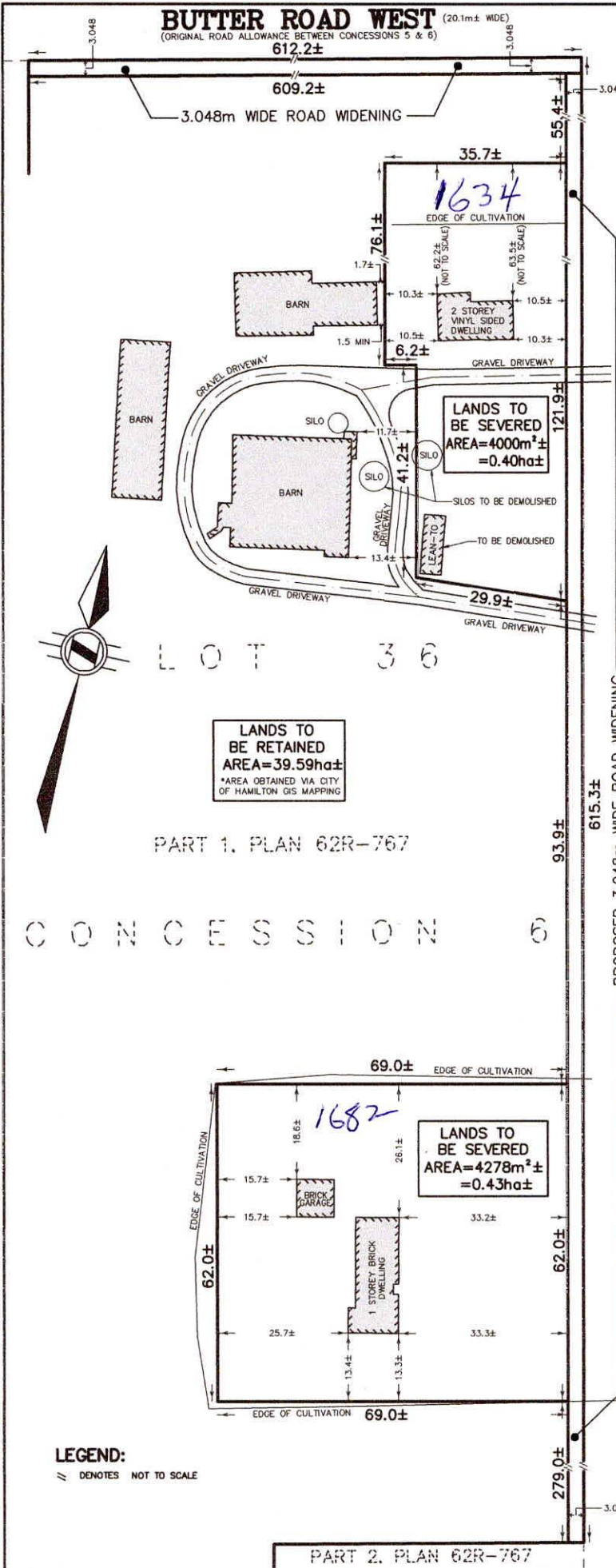
A.T. McLaren Limited
 LEGAL AND ENGINEERING SURVEYS
 69 JOHN STREET SOUTH, SUITE 230
 HAMILTON, ONTARIO, L8N 2B9
 PHONE (905) 527-8559 FAX (905) 527-0032

Drawn JC	Checked KM	Crew Chief DW	Scale 1:750	Dwg.No. 37075-SK
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PART 1, PLAN 62R-767

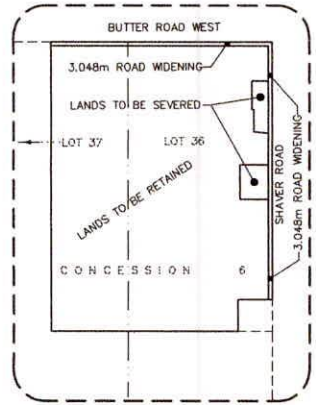
PART 2, PLAN 62R-767

LEGEND:
 ≡ DENOTES NOT TO SCALE



SKETCH TO ILLUSTRATE LAND DIVISION OF 1634 SHAVER ROAD IN THE CITY OF HAMILTON
 SCALE 1:750 METRIC

S.D. McLAREN, O.L.S. - 2023



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Drawn JC	Checked KM	Crew Chief DW	Scale 1:750	Dwg.No. 37075-SK
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PART 2. PLAN 62R-767



FOTHERGILL PLANNING & DEVELOPMENT INC.

62 DAFFODIL CRES. • HAMILTON, ON L9K 1E1 • PHONE: (905) 577-1077 • FAX: (905) 546-0545 • E-MAIL: edf@nas.net

March 27, 2023

Ms. Jamila Sheffield
Secretary-Treasurer
City of Hamilton, City Hall
71 Main St. W.
Hamilton ON L8P 4Y6

Dear Jamila:

Re: Application for Severance – 1634 Shaver Road

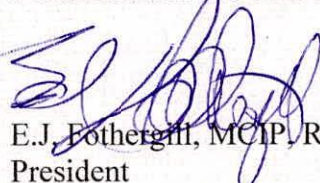
Please find enclosed application for severance of an existing residential dwelling on a farm property that is being submitted pursuant to policies in Section F.1.14.2.8(c) of the Rural Hamilton Official Plan.

The application includes the following:

1. Completed application form signed by the owner.
2. Cheque made payable to the City of Hamilton in the amount of **\$3655.00**
3. Cheque made payable to the Grand River Conservation Authority in the amount of **\$465.00**
4. Planning Report to provide support and justification for the application which includes a survey sketch dated March 2023 prepared by A.T. McLaren
5. A copy of the severance sketch

Sincerely,

FOTHERGILL PLANNING & DEVELOPMENT INC.


E.J. Fothergill, MCIP, RPP
President

cc. Dave Braun, Charlie Toman

encl.

Fothergill Planning & Development Inc.

PLANNING JUSTIFICATION REPORT

**Applications for Consent and Rezoning
Farm Consolidation**

**1634 Shaver Road and 1682 Shaver Road
City of Hamilton**

Date: March 2023

Prepared for: Braun Nursery Limited

1.0 Introduction

This report has been prepared to support the application for a consent for a surplus farm dwelling on the farm property at the above address. In order to ensure that no new dwelling unit is constructed on the lands to be retained, an application for rezoning will be required. This report will be used to support the severance application as well as the application for rezoning.

Braun Nursery operates a significant farming business within the City of Hamilton. Attached as Schedule 1 to this report is a summary of the extent of the Braun farm operation which includes 774 hectares (1912 acres) of land, of which approximately 508 hectares (1255 acres) are owned and 266 hectares (658 acres) are leased. These holdings are illustrated on the attached material. The intent of the applicant, Braun Nurseries Limited, is to use this site for the growing of trees to expand their nursery operation.

2.0 Planning Policy Documents

Planning policy at both the Provincial and local levels seek to preserve agricultural lands for long term agricultural purposes to help sustain a viable agricultural industry. Part of that strategy includes limiting severances in the Rural Area that will take lands away from agricultural production. However, the Provincial Policy Statement, the Growth Plan, and the Rural Hamilton Official Plan all contain policies that allow for the severance of surplus farm dwelling, subject to meeting certain tests as outlined in the Rural Hamilton Official Plan. As noted, these policies only apply in situations where the owner is a bona fide farmer.

The applicant is a bona fide farmer and therefore satisfies the initial test required to consider a surplus farm dwelling severance, found in Section F, Implementation, of the Rural Hamilton Official Plan. An outline of the relevant policies and an overview of how the proposal complies with these policies is as follows:

Surplus Farm Dwelling Severances

1.14.2.8 An existing farm dwelling that is a residence surplus to a farming operation as a result of a farm consolidation may be severed provided all of the following conditions are met:

All Lands

- a) In all cases where surplus farm dwellings are to be severed the following shall apply:
 - i) The farm consolidation shall have been completed prior to the time of application.

The farm consolidation has been put in place prior to submission of the application. The property was purchased in October 2022.

- ii) The farm dwelling shall be determined to be surplus to the farm operation for no reason other than the farm dwelling is surplus to the needs of the farm consolidation. Farm dwellings that have been determined to be surplus to a farm operation prior to December 16, 2004 and prior to the acquisition of the additional farm parcel(s), or as a result of changing agricultural operations, are deemed not to be surplus farm dwellings for the purposes of Section F.1.14.2.8.

The existing dwellings have not been determined to be surplus prior to December 16, 2004.

iii) The proposed surplus farm dwelling:

- 1) shall have been built on or before December 16, 2004; and,

Both of the existing dwellings were constructed prior to December 16, 2004.

- 2) shall be habitable on the date of the application for the surplus farm dwelling severance and shall meet the City's standards for occupancy without requiring substantial demolition and new construction.

The existing dwellings are currently occupied and do not require new construction.

- iv) The surplus dwelling lot shall be a minimum of 0.4 hectares (1 acre), or such larger area as may be required by Section C.5.1, Private Water and Wastewater Services of this Plan. The maximum size of the surplus dwelling lot shall be the size required for servicing in accordance with Section C.5.1, with as little acreage as possible taken out of agricultural production;

The proposed lots are 0.43 and 0.4 hectares in size.

- v) **A private water well and private sewage disposal system shall be provided in accordance with Section C.5.1, Private Water and Wastewater Services of this Plan;**

This will be confirmed as a condition of approval of the consent application.

- vi) **The shape and dimensions of the surplus farm dwelling lot shall:**

1. **not impair agricultural operations on the retained land; and**

The lot configurations as shown in Schedule 2 have been based in part on existing vegetation and existing limit of the cultivated area. The lot configuration has also been designed to exclude existing farm buildings that will remain within the retained lands.

The southerly lot at 1682 Shaver Road generally follows the edge of cultivation and generates a lot size of 0.43 hectares. This lot configuration takes into account a 3.048 metre road widening that will be dedicated to the City on both Butter Road and Shaver Road as a condition of approval.

For the lot to be created at 1634 Shaver Road, the depth of the lot was limited by the presence of the existing barn structures which will remain on the retained lands.

The western limit has been set at a location 1.5 metres east of the existing farm buildings to allow for access to those buildings from the retained parcel. The westerly limit contains a jog to allow the existing driveway access to the farm buildings to remain with the retained lands.

The southern limit of the lot was defined by the existing driveway which will remain to provide continued access to the retained lands. In order to meet the 0.4 hectare minimum lot requirement, the northern lot line is set somewhat further north than the limit of the cultivation. The area of the proposed lot does not include the 3.048 metre road widening.

2. **generally not exceed a depth of 122 metres (400 feet);**

The maximum depth of the proposed lots is 69.0 metres.

vii) The surplus dwelling lot shall not include barns or other farm buildings which are not suitable to be used as accessory structures to a residential use prescribed by the Zoning By-law, and no such buildings or structures shall be used for industrial or commercial purposes.

The farm lean to building and the silo on the lot to be severed at 1634 Shaver Road will be removed. There are no farm buildings on the proposed lot at 1682 Shaver Road.

viii) Where a barn or other farm building exists within the immediate vicinity of the surplus residence, the City may require demolition of the barn.

The existing farm buildings are intended to remain on the retained parcel and will be used in conjunction with the new nursery operation on the retained lands.

c) Land Not Merged in Title

In cases of a farm dwelling made surplus as a result of acquisition as part of a farm operation that does not result in the merging in title of parcels of land, applications for severances of the surplus dwelling shall comply with the following conditions:

- (i) The owner and operator of the farm maintains an existing dwelling on land that is also part of the consolidated farm operation.

Yes.

- (ii) The parcels of land comprising the consolidated farm operation shall generally be a minimum of 38.4 hectares (95 acres) in total in the Agriculture designation and 14.2 hectares (35 acres) in the Rural and Specialty Crop designations.

It is noted the farm consolidation operation is 774 hectares.

- (iii) The parcel of land from which the surplus dwelling is severed shall generally be a minimum of 8.1 hectares (20 acres) in size for lands designated Specialty Crop on Schedule D – Rural Land Use Designations or 16.2 hectares (40 acres) in size for lands designated Agriculture or Rural on Schedule D – Rural Land Use designations:

The retained lands, which are designated Agriculture, comprise 39.59 hectares, after the two severances have been approved and road widenings are taken.

- (iv) Prior to granting of final consent, one of the following conditions shall be met for the retained farm parcel as a result of a surplus farm dwelling severance:

1. **The land owner shall apply for and receive final approval to rezone the farm parcel to prohibit the construction of a dwelling unit; or**

A rezoning application has been prepared and will be submitted to the City shortly after the consent applications.

2. **The land owner shall grant in favour of the City, a restrictive covenant which prohibits the construction of any dwelling unit.**

If the land owner grants a restrictive covenant in favour of the City, the City shall rezone the farm parcel to prohibit the construction of any dwelling unit.

Not applicable.

The configuration of the lot to be severed I believe strikes a proper balance between ensuring the lot is of sufficient size to accommodate an individual well and septic system and meeting the minimum lot size criteria in the official plan while at the same time ensuring there is minimal loss of agricultural lands. The proposed lot configuration ensures that the amount of land available for continued farming operation on the retained lands is similar to the amount currently being used. Some arable land needs to be retained with the dwelling at 1634 Shaver Road in order to meet the minimum lot size requirement of 0.40 hectares. It also allows for the continued use of the existing farm buildings by the owner of the retained lands as part of their ongoing farm operation.

In order to ensure no further development occurs on the lands to be retained, lands will be rezoned to prohibit construction of a dwelling unit. The zoning application can be supported from a planning perspective given that it helps to implement planning policies and ensures that the retained lands will remain undeveloped for the purposes of utilizing all of the retained lands for agricultural uses.

Attached with the report as Schedule 3 is a copy of a draft zoning by-law to be approved as a condition of severance approval.

The three applications, taken together, represent good planning.

Respectfully Submitted,

FOTHERGILL PLANNING AND DEVELOPMENT INC.



Ed Fothergill, MCIP, RPP

President

March 17, 2023

List of Schedules

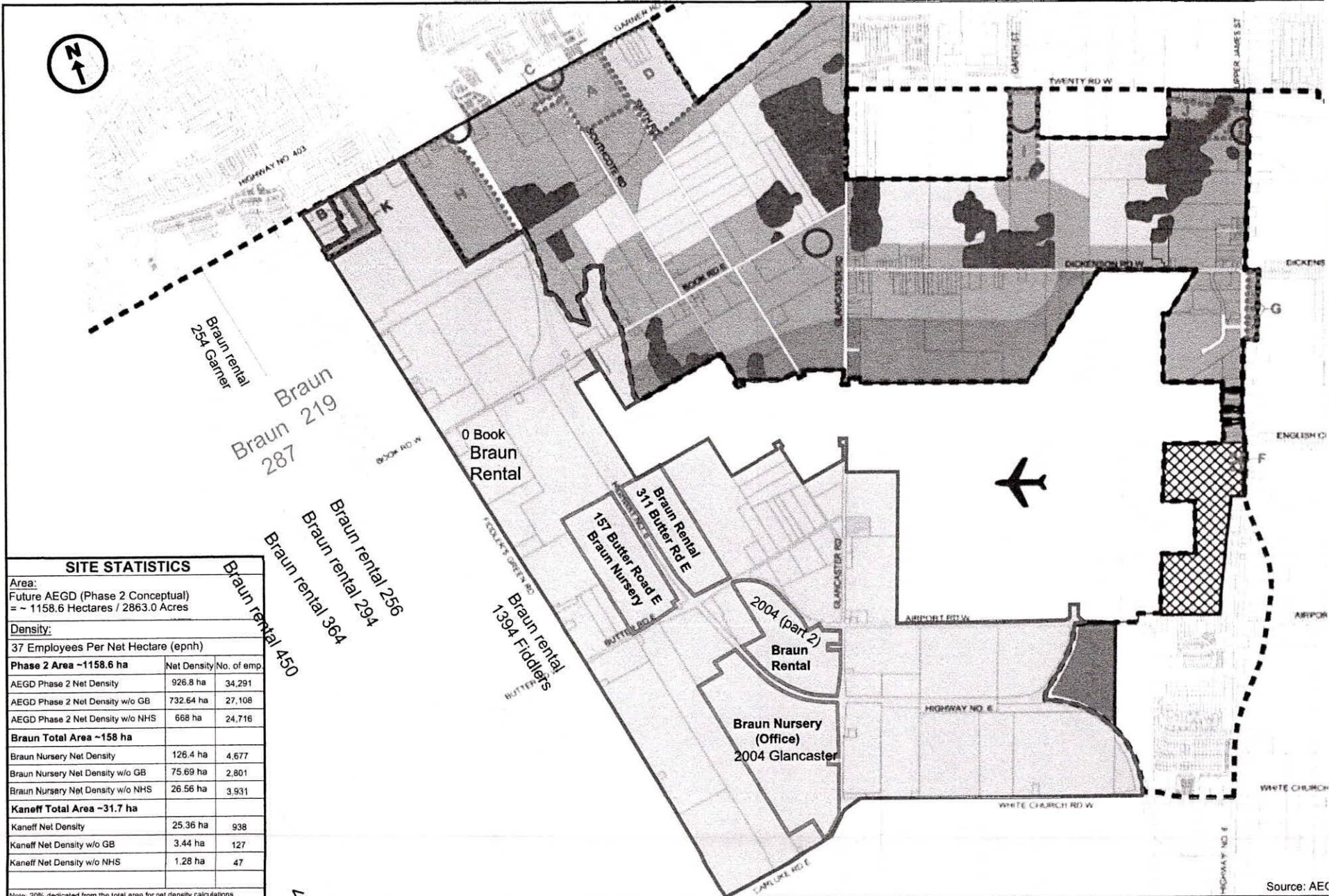
1. List of Properties owned by leased by Braun Nursery operation.
2. Severance Sketch – A.T. McLaren, March 10, 2023.
3. Draft Zoning By-law

SCHEDULE 1

**List of Properties owned or leased
By Braun Nursery operation**

Farm Name

Leased	Acres
2004 Glancaster part 2 (Peter and Sandra Braun)	93.8
294 Book Road West (Voortman Farm)	50.0
311 Butter Road East (Kaneff Farm)	50.0
364 Book Road West (Pond Farm)	80.0
254 Garner Road West (Cemetery Farm)	51.0
439 Book Road West (Bick)	6.0
256 Book Road West (English)	42.0
411 Book Road West (Kapteyn)	10.0
383 Book Road West (B. Smith)	10.0
450 Book Road West (Bartel)	84.1
802 Butter Road West (Group Seven)	41.0
884 Butter Road West (Kranendonk)	15.0
0 Book Road East (Kaneff)	57.0
1394 Fiddlers Green Road (Harvey Farm)	68.5
Total Leased	658.4
Owned	
287 Book Road West (Westyne)	99.3
219 Book Road West (Lindley)	95.4
2004 Glancaster Road (Home Farm)	197.9
157 Butter Road East (Smith Farm)	102.5
1634 Shaver Road (New Farm)	101.3
Total Owned	596.4
Total Farmed	1254.8



SITE STATISTICS		
Area:		
Future AEGD (Phase 2 Conceptual)		
= ~ 1158.6 Hectares / 2863.0 Acres		
Density:		
37 Employees Per Net Hectare (epnh)		
Phase 2 Area ~1158.6 ha	Net Density	No. of emp.
AEGD Phase 2 Net Density	926.8 ha	34,291
AEGD Phase 2 Net Density w/o GB	732.64 ha	27,108
AEGD Phase 2 Net Density w/o NHS	668 ha	24,716
Braun Total Area ~158 ha		
Braun Nursery Net Density	126.4 ha	4,677
Braun Nursery Net Density w/o GB	75.69 ha	2,801
Braun Nursery Net Density w/o NHS	26.56 ha	3,931
Kaneff Total Area ~31.7 ha		
Kaneff Net Density	25.36 ha	938
Kaneff Net Density w/o GB	3.44 ha	127
Kaneff Net Density w/o NHS	1.28 ha	47
Note: 20% dedicated from the total area for net density calculations.		

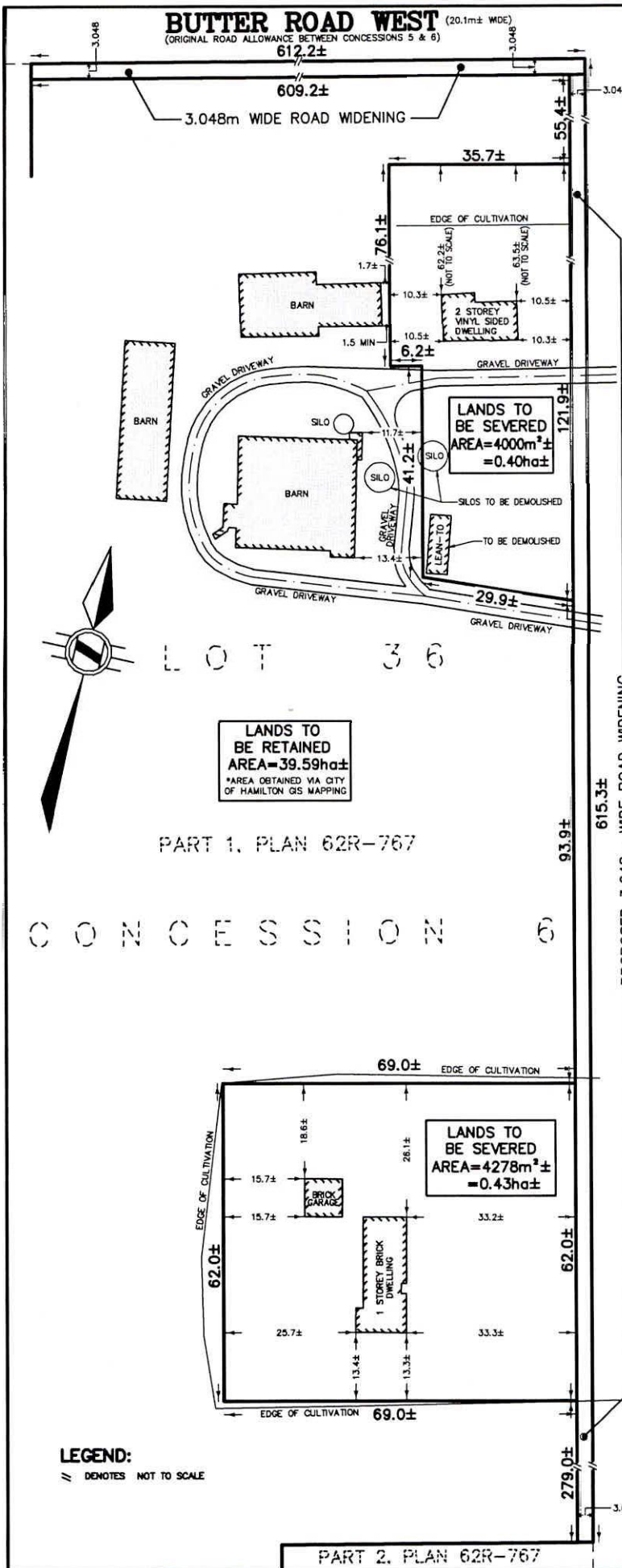
LEGEND	
Subject Lands	
Future Employment (AEGD Phase 2 Conceptual)	

1634 Butter Road (subject property)

SCHEDULE 2

Severance Sketch

A.T. McLaren, March 10, 2023

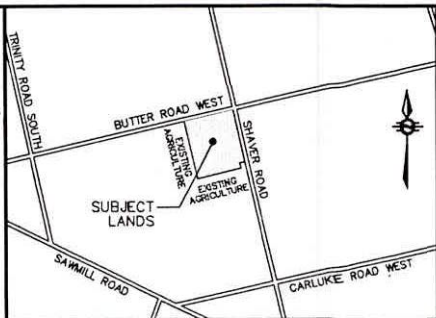


LANDS TO BE RETAINED
AREA=39.59ha±
*AREA OBTAINED VIA CITY OF HAMILTON GIS MAPPING

LANDS TO BE SEVERED
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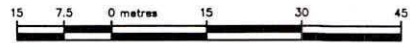
LEGEND:
 ≡ DENOTES NOT TO SCALE

PART 2. PLAN 62R-767

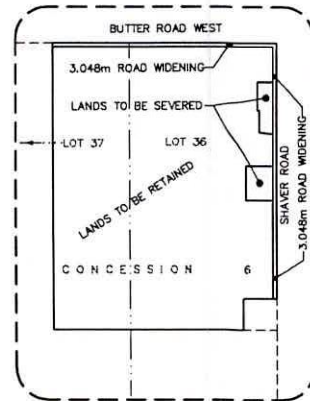


KEY MAP NOT TO SCALE

SKETCH TO ILLUSTRATE LAND DIVISION OF 1634 SHAVER ROAD IN THE CITY OF HAMILTON
 SCALE 1:750 METRIC



S.D. McLAREN, O.L.S. - 2023



NOTE:
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MARCH 10, 2023
 DATE

A.T. McLaren Limited
 LEGAL AND ENGINEERING SURVEYS
 69 JOHN STREET SOUTH, SUITE 230
 HAMILTON, ONTARIO, L8N 2B9
 PHONE (905) 527-8559 FAX (905) 527-0032

Drawn JC	Checked KM	Crew Chief DW	Scale 1:750	Dwg. No. 37075-SK
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SCHEDULE 3

Draft Zoning By-law

Authority: Item __ Planning Committee
Report XXX
CM: XXX
Ward 11

Bill No. XX

CITY OF HAMILTON

BY-LAW NO. 22-XXX

To Amend Zoning By-law No. 05-200 Respecting Lands Located at 1634 Shaver Road

WHEREAS, the City of Hamilton has in force several Zoning By-laws which apply to the different areas incorporated into the City by virtue of the City of Hamilton Act, 1999 S.O. 1999, Chap. 14;

WHEREAS, THE City of Hamilton is the lawful successor of the former Municipalities identified in Section 1.7 of By-law No. 05-200;

WHEREAS, the first stage of Zoning By-law, being By-law No. 05-200 came into force and effect on the 25th day of May 2005; and

WHEREAS, the Council of the City of Hamilton, in adopting Item X of Report 22-XX of the Planning Committee, at its meeting held on the xx day of xx 2023, which recommended that Zoning By-law No. 05-200 be amended as hereinafter provided;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That Map Nos. XXX and XXX of Schedule "A" to Zoning By-law No. 05-200 are amended by changing the zoning from the Agriculture (A1) Zone to the Agriculture Agriculture (A1, XXX) Zone for the lands attached as Schedule "A" to this By-law.
2. That Schedule "C" Special Exceptions is amended by modifying special exception, 118 with the following:
 - a) Adding reference to 1634 Shaver Road and "Map xxx, xxx" to the Property Address and Map Number" table as follows:

Property Address	Map Numbers
1634 Shaver Road	XXX, XXX

b) Adding subsection e) as follows:

“e) The following regulations shall also apply for the property located at 1634 Shaver Road;

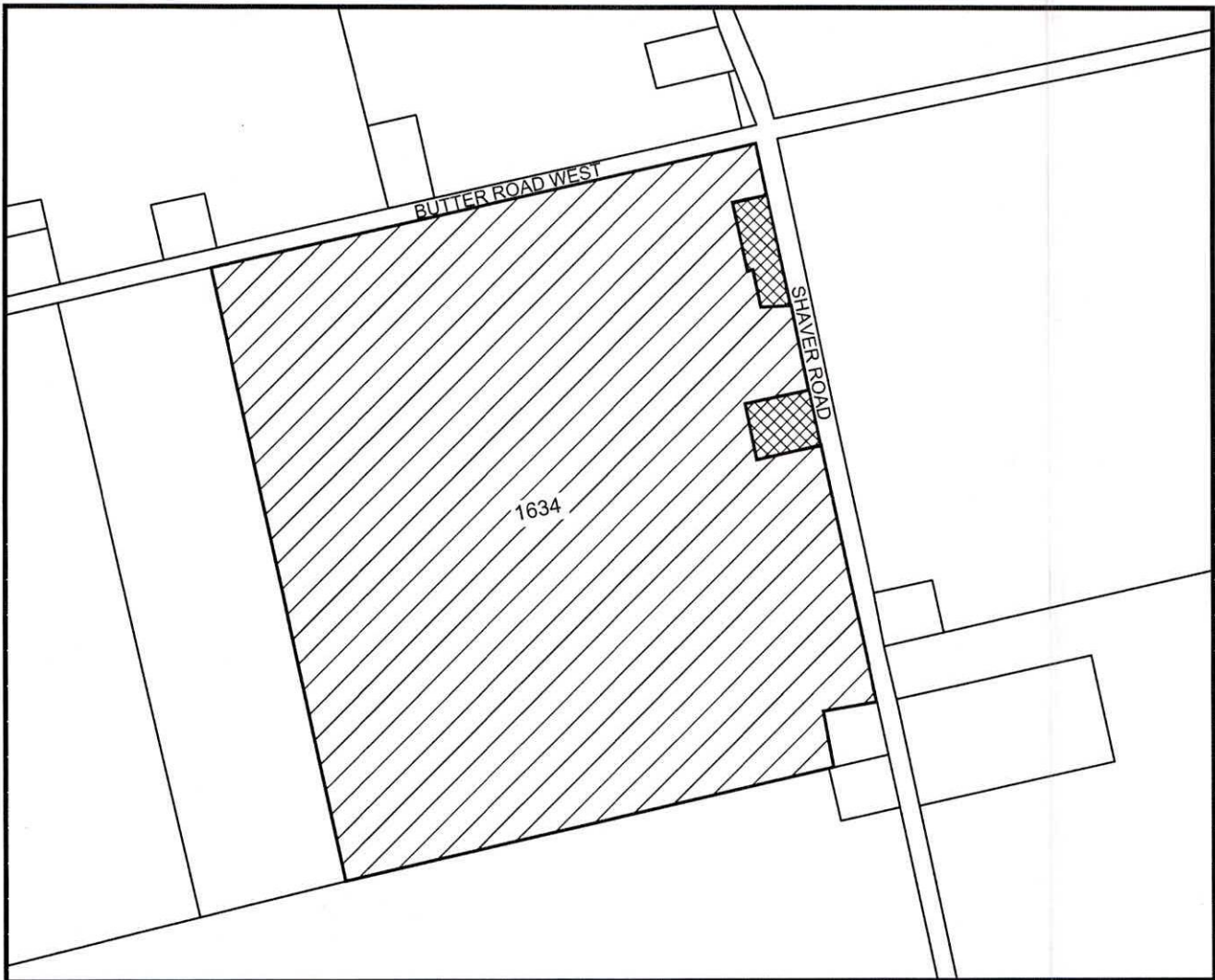
i) Notwithstanding Subsection 12.1.3.1 a), the minimum lot area shall be 38 hectares.”

3. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the *Planning Act*.
4. That this By-law No. 22-XXX shall come into force and be deemed to come into force in accordance with Subsection 34(21) of the *Planning Act*, either upon the date of passage of the By-law, or as otherwise provided by the said Subsection.

PASSED this xx day of xxx, 2023.

Mayor

City Clerk




This Schedule "A" to By-law No. ___ - ___
 Passed the ___ day of ___, 20__


 Mayor

 Clerk

Schedule "A"
 Mapping Forming Part of
 By-law No. ___ - ___
 To Amend By-law No.05-200

Subject Property
 1634 Shaver Road
 Ancaster, Ontario

 Change in Zoning from the Agriculture (A1) Zone to the Agriculture (A1-XX) Zone, Modified.

 Change in Zoning from the Agriculture (A1) Zone to the Agriculture (A1-XX) Zone, Modified.

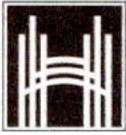
Scale:
 N.T.S

Planner/Technician:

Date:

File Name/Number:
 ZAC-___-___

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT



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*		
Registered Owners(s)		
Applicant(s)**		
Agent or Solicitor		

*Purchaser must provide a copy of the portion of the agreement of purchase and sale that authorizes the purchaser to make the application in respect of the land that is the subject of the application.

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

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

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

1.4 Request for digital copy of sign Yes* No

If YES, provide email address where sign is to be sent [REDACTED]

1.5 All correspondence may be sent by email Yes* No

If Yes, a valid email must be included for the registered owner(s) AND the Applicant/Agent (if applicable). Only one email address submitted will result in the voiding of this service. This request does not guarantee all correspondence will sent by email.

2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	1634 SHAVER ROAD		
Assessment Roll Number			
Former Municipality	ANCASTER		
Lot	36	Concession	6
Registered Plan Number		Lot(s)	
Reference Plan Number (s)		Part(s)	

2.2 Are there any easements or restrictive covenants affecting the subject land?

Yes No

If YES, describe the easement or covenant and its effect:

3 PURPOSE OF THE APPLICATION

3.1 Type and purpose of proposed transaction: (check appropriate box)

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

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

UNKNOWN

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

3.4 Certificate Request for Retained Lands: Yes*

* If yes, a statement from an Ontario solicitor in good standing that there is no land abutting the subject land that is owned by the owner of the subject land other than land that could be conveyed without contravening section 50 of the Act. (O. Reg. 786/21)

4 DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

4.1 Description of subject land:

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

	Retained (remainder)	Parcel 1	Parcel 2	Parcel 3*	Parcel 4*

Identified on Sketch as:	RETAINED	SEVERED ¹⁶³⁴	1682 SEVERED		
Type of Transfer	N/A				
Frontage	1102.5	121.9	62.0		
Depth	612.2 M	35.7 M	69.0		
Area	40.02 39.52 HA	0.41 HA	0.43 HA		
Existing Use	Agriculture	Agriculture	AGRICULTURE		
Proposed Use	Agriculture	Residential	RESIDENTIAL		
Existing Buildings/ Structures	single fam dwl + farm bldgs	single fam dwl Silo & Lean-To	SINGLE FAM. DWL + GARAGE		
Proposed Buildings/ Structures	NO CHANGE	NO CHANGE	NO CHANGE		
Buildings/ Structures to be Removed	Silo	Lean-To & Silo	NONE		

* Additional fees apply.

4.2 Subject Land Servicing

a) Type of access: (check appropriate box)

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

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

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

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

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

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

- | | | | |
|---|---|--|--|
| <input checked="" type="checkbox"/> electricity | <input checked="" type="checkbox"/> telephone | <input checked="" type="checkbox"/> school bussing | <input checked="" type="checkbox"/> garbage collection |
|---|---|--|--|

5 CURRENT LAND USE

5.1 What is the existing official plan designation of the subject land?

Rural Hamilton Official Plan designation (if applicable): AGRICULTURE

Rural Settlement Area: _____

Urban Hamilton Official Plan designation (if applicable) _____

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

SEE ATTACHED REPORT.

- 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? A1 - AGRICULTURE

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 checked="" type="checkbox"/>	
A land fill	<input type="checkbox"/>	NO
A sewage treatment plant or waste stabilization plant	<input type="checkbox"/>	NO
A provincially significant wetland	<input type="checkbox"/>	NO
A provincially significant wetland within 120 metres	<input type="checkbox"/>	NO
A flood plain	<input type="checkbox"/>	NO
An industrial or commercial use, and specify the use(s)	<input type="checkbox"/>	NO
An active railway line	<input type="checkbox"/>	NO
A municipal or federal airport	<input type="checkbox"/>	NO

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?

OCTOBER 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.

SEE ATTACHED.

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)

SUPPORTIVE OF AGRICULTURE.

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

Yes No (Provide explanation)

CONSISTENT WITH LOT CREATION POLICY 2.3.4.1(c)

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

Yes No (Provide explanation)

SUPPORTS AGRICULTURE SYSTEM POLICIES IN 4.2.6.

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)

CONFORMS TO LOT CREATION POLICY 4.6.1(f)

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)

UNKNOWN

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	SEE ATTACHED SUMMARY		
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.

AGRICULTURE

10.4 Description of farm consolidation property:

Frontage (m): SEE ATTACHED	Area (m ² or ha): 507.8 HA
----------------------------	---------------------------------------

Existing Land Use(s): AGRICULTURE Proposed Land Use(s): AGRICULTURE

10.5 Description of abutting consolidated farm (excluding lands intended to be severed for the surplus dwelling)

Frontage (m):	Area (m ² or ha):
---------------	------------------------------

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) 121.9 M	Area (m ² or ha): (from Section 4.1) 0.40 HA
---	--

Front yard set back: 10.3 M

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
