



Hamilton

**COMMITTEE OF ADJUSTMENT**

City Hall, 5<sup>th</sup> floor, 71 Main Street West, Hamilton, ON L8P 4Y5

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

E-mail: [cofa@hamilton.ca](mailto: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

<b>APPLICATION NO.:</b>	<b>HM/B-23:74</b>	<b>SUBJECT PROPERTY:</b>	238 Mountain Park Ave, Hamilton
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**APPLICANTS:** Owner: M. Berman Homes Inc. c/o Mark Berman  
Agent: T. Johns Consulting Group c/o Katelyn Gillis

**PURPOSE & EFFECT:** To sever the existing residential lot into two parcels, the severed lands will be a vacant residential building lot and the retained lands with also be a vacant residential lot.

	<b>Frontage</b>	<b>Depth</b>	<b>Area</b>
<b>SEVERED LANDS:</b>	7.62 m <sup>±</sup>	30.48 m <sup>±</sup>	232.26 m <sup>2</sup> <sup>±</sup>
<b>RETAINED LANDS:</b>	7.62 m <sup>±</sup>	30.48 m <sup>±</sup>	232.26 m <sup>2</sup> <sup>±</sup>

Associated Planning Act File(s): HM/A-23:299

**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:

<b>DATE:</b>	<b>Thursday, December 7, 2023</b>
<b>TIME:</b>	<b>12:30 p.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>To be streamed (viewing only) at</b> <b><a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a></b>

For more information on this matter, including access to drawings illustrating this request and other information submitted:

- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)

## HM/B-23:74

- Email Committee of Adjustment staff at [cofa@hamilton.ca](mailto: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.

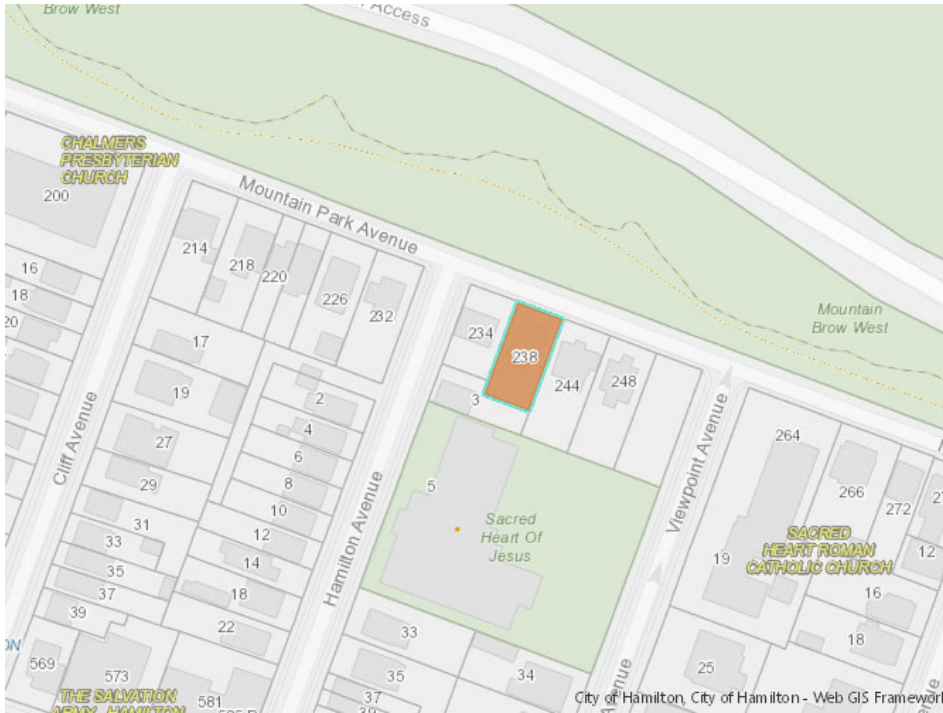
**Orally:** If you would like to speak to this item at the hearing you may do so via video link or by calling in. Please see attached page for complete instructions, including deadlines for registering to participate.

## FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding HM/B-23:74, you must submit a written request to [cofa@hamilton.ca](mailto: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](mailto: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: November 21, 2023

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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.



Hamilton

## COMMITTEE OF ADJUSTMENT

City Hall, 5<sup>th</sup> floor, 71 Main Street West, Hamilton, ON L8P 4Y5

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E-mail: [cofa@hamilton.ca](mailto: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](mailto: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](http://www.hamilton.ca/committeefadjustment)

### Oral Submissions During the Virtual Meeting

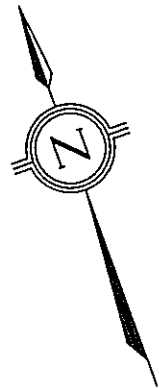
Members of the public are also able to provide oral comments regarding Committee of Adjustment Hearing items by participating through Webex via computer or phone. Participation in this format requires pre-registration in advance. **Interested members of the public must register by noon the day before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

To register to participate by Webex either via computer or phone, please contact Committee of Adjustment staff by email [cofa@hamilton.ca](mailto: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](mailto: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.



**MOUNTAIN PARK AVENUE**  
(BY REGISTERED PLAN 361)  
PIN 17115-0349 (LT)

PLAN OF SURVEY  
(WITH TOPOGRAPHIC DETAIL) OF  
**PART OF LOT 2**  
**REGISTERED PLAN 361**  
IN THE  
**CITY OF HAMILTON**  
SCALE & NOTES  
Scale 1:100

**BARICH GRENKIE SURVEYING LTD.**  
A DIVISION OF GEOMAPLE  
© COPYRIGHT 2023

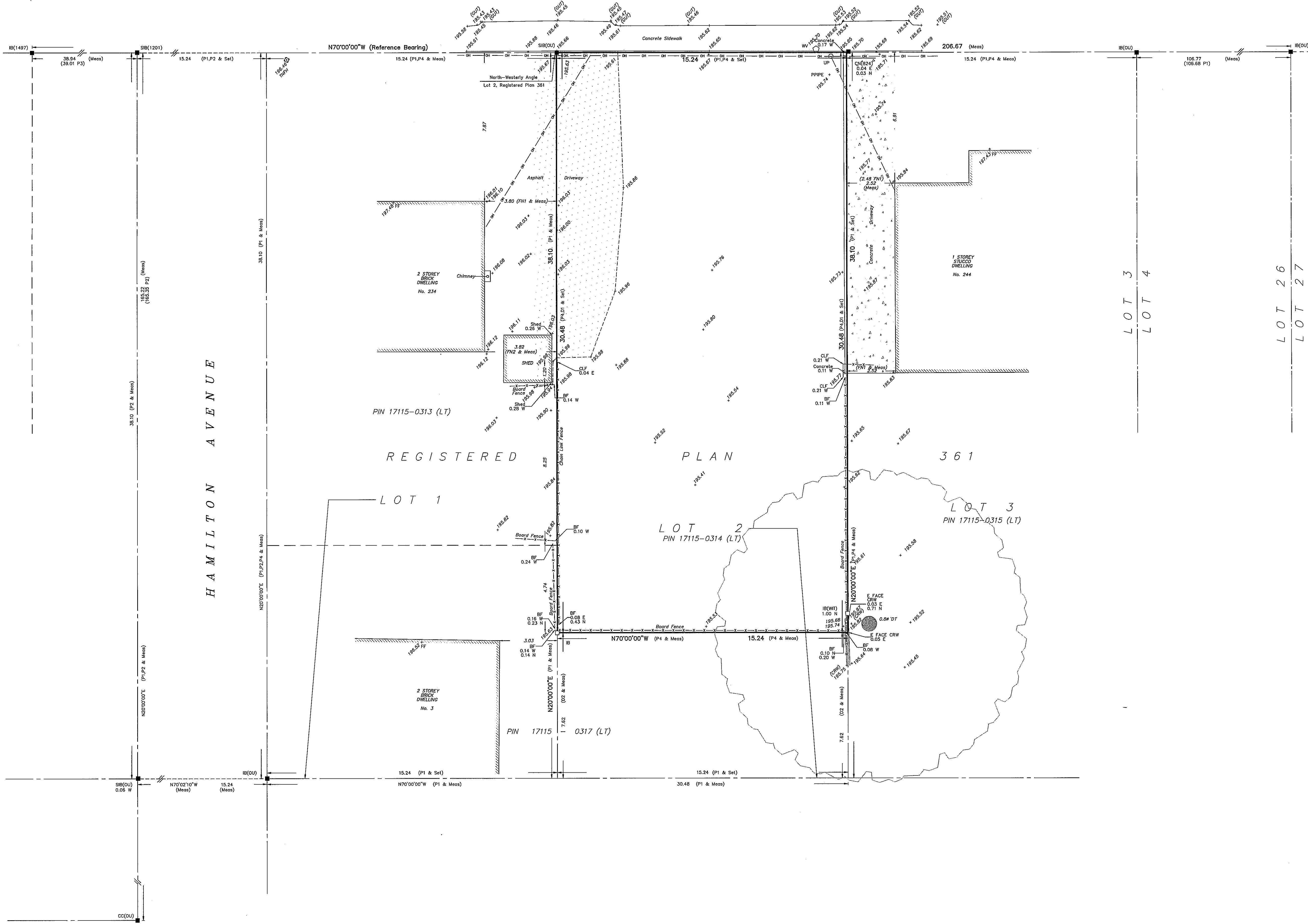
METRIC  
DISTANCES AND ELEVATIONS SHOWN ON THIS PLAN ARE IN METRES AND CAN  
BE CONVERTED TO FEET BY DIVIDING BY 0.3048

ELEVATION NOTE  
ELEVATIONS ARE GEODETIC ORIGIN (CGVD-1928:78), AND ARE DERIVED FROM  
REAL TIME NETWORK (RTN) OBSERVATIONS AND NATURAL RESOURCES  
CANADA'S GEOD MODEL HT2.0

BEARING NOTE  
BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE SOUTHERLY LIMIT  
OF MOUNTAIN PARK AVENUE AS SHOWN ON REGISTERED PLAN 361 HAVING A  
BEARING OF N70°00'00"W.

**LEGEND**

■	DENOTES	SURVEY MONUMENT FOUND
□	DENOTES	SURVEY MONUMENT PLANTED
IB	DENOTES	IRON BAR
SIB	DENOTES	STANDARD IRON BAR
ON	DENOTES	SURVEYORS NAIL SET IN WASHER
CC	DENOTES	CUT CROSS
OU	DENOTES	ORIGIN UNKNOWN
B24	DENOTES	A. T. McLAREN, O.L.S.
1201	DENOTES	R. A. CLARKE, O.L.S.
1497	DENOTES	J. P. NOUWENS, O.L.S.
P1	DENOTES	REGISTERED PLAN 361
P2	DENOTES	REGISTERED PLAN 388
P3	DENOTES	PLAN BY ASHENHURST NOUWENS LTD. DATED SEPTEMBER 11, 2013
P4	DENOTES	PLAN BY GLENN E. GIDDY, O.L.S. DATED MARCH 18, 1987
D1	DENOTES	INSTRUMENT No. W190561
D2	DENOTES	INSTRUMENT No. H1224303
FN1	DENOTES	FIELD NOTES BY GLENN E. GIDDY DATED MARCH 18, 1987
UP	DENOTES	UTILITY POLE
QUT	DENOTES	CUTTER ELEVATION
OH	DENOTES	OVERHEAD UTILITY CABLES
DT	DENOTES	DECIDUOUS TREE
CT	DENOTES	CONIFEROUS TREE
WV	DENOTES	WATER VALVE
FF	DENOTES	FINISHED FLOOR ELEVATION
GF	DENOTES	GARAGE FLOOR ELEVATION
CRW	DENOTES	CONCRETE RETAINING WALL
TNFH	DENOTES	TOP NUT OF FIRE HYDRANT
BF	DENOTES	BOARD FENCE
CLF	DENOTES	CHAIN LINK FENCE
WIT	DENOTES	WITNESS

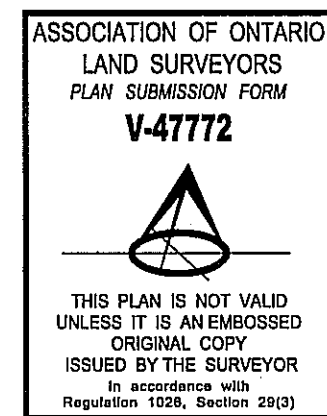


REGISTERED PLAN 361

LOT 1  
LOT 2 PIN 17115-0314 (LT)  
LOT 3 PIN 17115-0315 (LT)

HAMILTON AVENUE

LOT 3  
LOT 4  
LOT 26  
LOT 27



THIS PLAN WAS PREPARED FOR MARK BERMAN AND THE UNDERSIGNED  
ASSUMES NO RESPONSIBILITY FOR USE BY OTHER PARTIES.

**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.  
2. THE SURVEY WAS COMPLETED ON SEPTEMBER 18, 2023.

SEPTEMBER 20, 2023

*Eric G. Salzer*  
ERIC G. SALZER  
O.L.S., O.L.I.P.

**Barich Grenkie**  
Surveying Ltd.  
301 HWY No. 8 (2nd Floor) STONEY CREEK, ON  
L8G 1E3 (905) 662-9787

DWN BY: EWA  
CHK BY: EGS  
JOB No. 23-3173

A DIVISION OF GEOMAPLE

# ZONING CHART

THE CITY OF HAMILTON ZONING BY-LAW 05-200

ZONE: RESIDENTIAL "R1" ZONE

## LANDS TO BE RETAINED

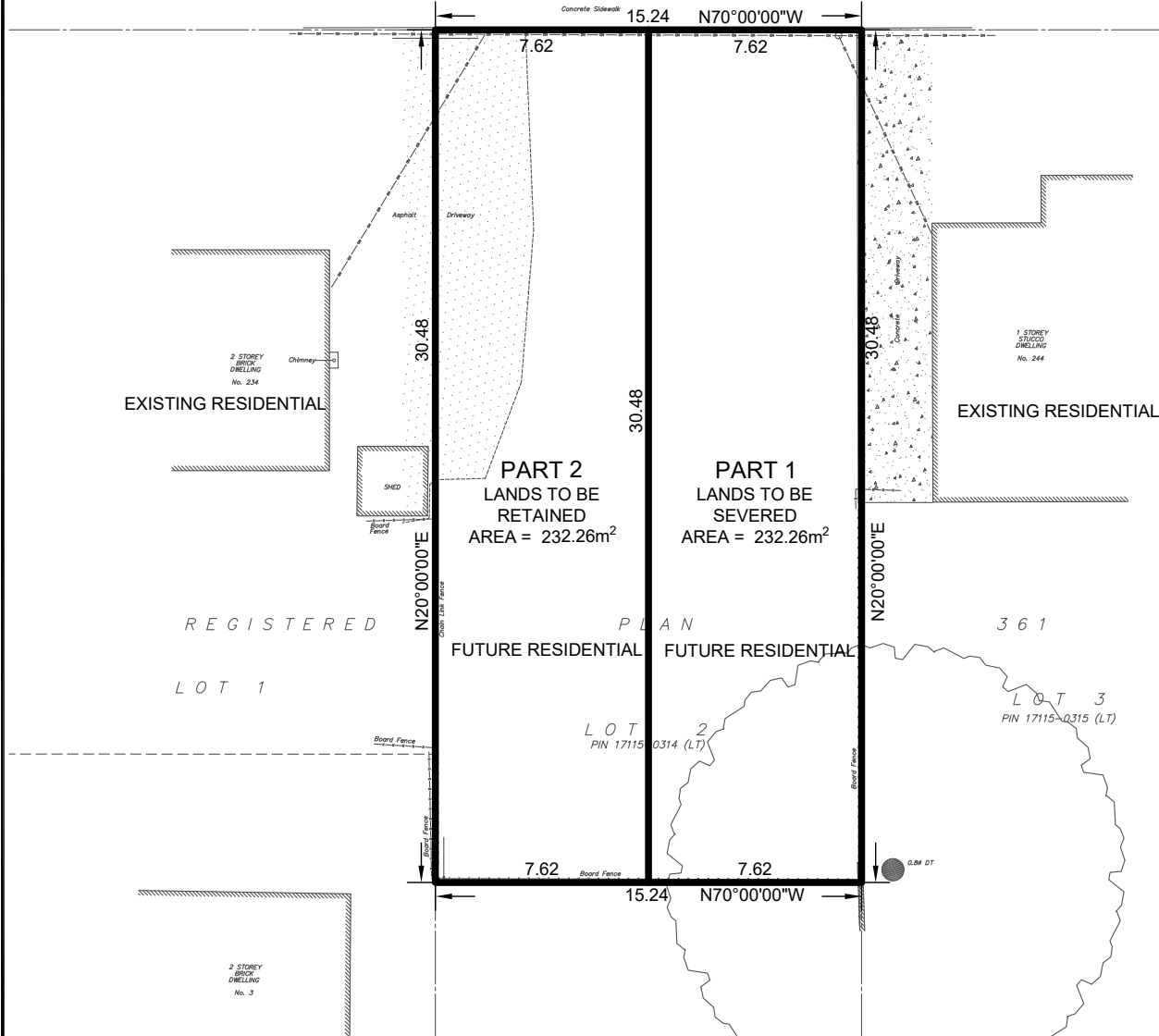
DESCRIPTION	REQUIRED	PROPOSED	CONFORMITY
MIN. LOT AREA	360.0m <sup>2</sup>	232.26m <sup>2</sup>	NO
MIN. LOT FRONTAGE	12.0m	7.26m	NO
MIN. FRONT YARD	6.0m	6.00m	YES
MIN. SIDE YARD	1.2m	0.93m	NO
MIN. REAR YARD	7.5m	7.56m	YES

## LANDS TO BE SEVERED

DESCRIPTION	REQUIRED	PROPOSED	CONFORMITY
MIN. LOT AREA	360.0m <sup>2</sup>	232.26m <sup>2</sup>	NO
MIN. LOT FRONTAGE	12.0m	7.26m	NO
MIN. FRONT YARD	6.0m	6.00m	YES
MIN. SIDE YARD	1.2m	0.93m	NO
MIN. REAR YARD	7.5m	7.56m	YES



## MOUNTAIN PARK AVENUE



### NOTES:

1. DIMENSIONS ARE SHOWN IN METERS.
2. FINAL LOT AREA AND FRONTAGE TO BE DETERMINED VIA FINAL SURVEY PLAN.
3. DIMENSIONS SHOWN ARE BASED ON A SURVEY CONDUCTED IN 2023 BY BARICH GRENKIE SURVEYING LTD.
4. THIS DRAWING IS FOR ILLUSTRATIVE PURPOSES ONLY.
5. ALL BUILDING DESIGN TO BE VERIFIED BY A QUALIFIED PROFESSIONAL.
6. DESIGN SUBJECT TO CHANGE THROUGH PLANNING APPROVAL PROCESS.

**DISCLAIMER**  
THIS DRAWING IS THE INTELLECTUAL PROPERTY OF T. JOHNS CONSULTING GROUP LTD. AND IS PROTECTED UNDER COPYRIGHT.  
ANY DISCREPANCIES SHALL BE REPORTED TO T. JOHNS CONSULTING GROUP LTD. PRIOR TO THE START OF CONSTRUCTION.  
THIS DRAWING IS NOT TO BE USED FOR CONSTRUCTION UNLESS OTHERWISE INDICATED.



310 LIMERIDGE ROAD WEST, SUITE 6  
HAMILTON ONTARIO, L9C 2V2  
P 905-574-1993  
F 905-527-9559

PROJECT TITLE  
**238 MOUNTAIN PARK AVENUE**  
  
HAMILTON, ONTARIO

DRAWING TITLE  
**CONSENT SKETCH**

DRAWN BY <b>HN</b>	DESIGNED BY <b>HN</b>
PRINT DATE <b>20-OCT-2023</b>	PROJECT NUMBER
REVISION <b>A</b>	DRAWING NUMBER <b>CS1-1</b>
SCALE <b>1:250</b>	

Plotted by: Hy Nguyen; 20-OCT-2023; 1:54PM

October 26, 2023

*Via Digital Submission*

**ATTN:** Jamila Sheffield, Secretary-Treasurer

Committee of Adjustment  
City of Hamilton  
Planning and Economic Development Department  
71 Main Street West, 5<sup>th</sup> Floor  
Hamilton, ON L8P 4Y5

**RE: 238 Mountain Park Avenue, Hamilton**  
**Minor Variance & Consent to Sever Applications**

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**T. Johns Consulting Group** (“T. Johns Consulting”) was retained by the landowner of 238 Mountain Park Avenue, Hamilton (“subject lands”) to submit the enclosed Minor Variance and Consent to Sever applications on their behalf.

#### **Site Description**

238 Mountain Park Avenue is located in the Eastmount neighbourhood in Hamilton’s central mountain area. The subject lands are legally described as Part of Lot 2 of Registered Plan 361 in the City of Hamilton. The subject lands are a rectangular-shaped interior lot, with an area of 464.52 square metres (0.05 hectares/0.11 acres), and 15.24 metres (50 feet) of frontage on Mountain Park Avenue and a depth of 30.48 metres (100 feet). The subject property was occupied by a single detached dwelling, which has since been demolished sometime between 2021 and 2022.

#### **Planning Status**

The *Urban Hamilton Official Plan Volume 1* designates the subject lands “Neighbourhoods” which permits a range of residential uses and forms, including single detached dwellings.

The *City of Hamilton Zoning By-law No. 05-200* zones the subject lands “Low Density Residential (R1) Zone”, which permits single detached dwellings.

#### **Proposed Development**

The application for Consent to Sever is to create one (1) new lot fronting Mountain Park Avenue to accommodate two (2) new single detached dwellings. As demonstrated in the submitted Consent Sketch, PART 1 (lands to be retained) and PART 2 (lands to be severed) is proposed to be developed with a single detached dwelling, each with an additional dwelling unit within the principal dwelling, and two (2) parking spaces. Each single detached dwelling is proposed to have a lot area of 232 square metres and lot frontage of 7.62 metres.

The application for Minor variance is to request relief from the R1 Zone of the *City of Hamilton Zoning By-law No. 05-200*, from following provisions: lot area, lot frontage, interior side yard setback, and minimum parking requirements for additional dwelling units.



Please refer to the Site Plan, Consent Sketch, and Appendix A: Planning Rationale dated October 26, 2023, for additional details.

T. Johns respectfully requests the circulation of this letter along with the enclosed documents to all relevant departments in support of the Minor Variance and Consent to Sever applications.

Please find the enclosed:

- This Cover Letter;
- Minor Variance application with signatures;
- Consent to Sever application with signatures;
- Copy of the cheque in the amount of \$3,735.00 to satisfy the Minor Variance application fee, made payable to the City of Hamilton;
  - Note that the cheque was hand delivered to City Hall on October 26, 2023.
- Copy of the cheque in the amount of \$3,220.00 to satisfy the Consent to Sever application fee, made payable to the City of Hamilton;
  - Note that the cheque was hand delivered to City Hall on October 26, 2023.
- Survey Plan;
- Site Plan;
- Consent Sketch; and
- Appendix A: Planning Rationale.

The application and all required documents have been submitted electronically, save and except the cheques that were submitted to the City of Hamilton October 26, 2023.

Should you have any questions or require additional information, please do not hesitate to contact Katelyn Gillis at 905-574-1993 ext. 207.

Respectfully submitted,  
**T. Johns Consulting Group Ltd.**



**Katelyn Gillis, BA**  
Senior Planner

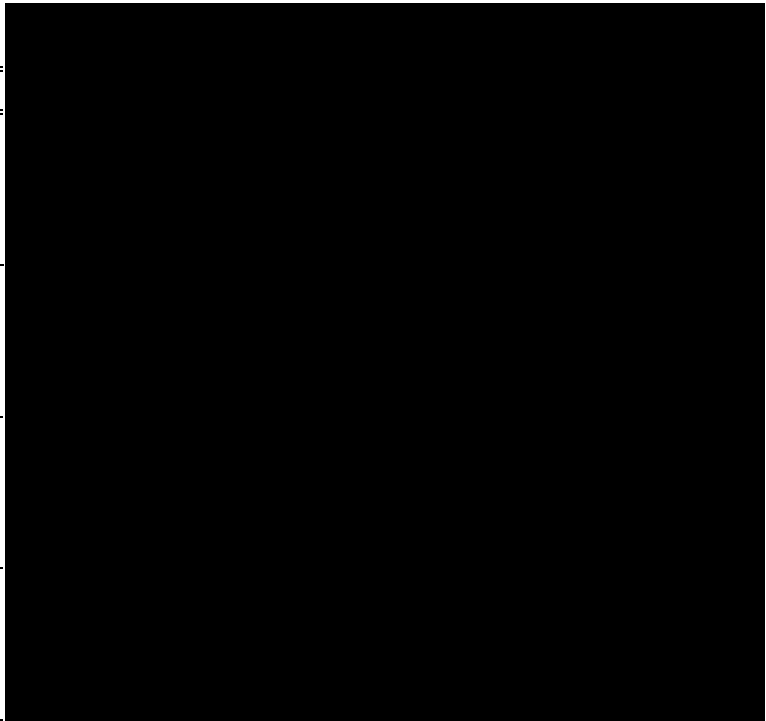


**APPLICATION FOR CONSENT TO SEVER LAND  
and VALIDATION OF TITLE  
UNDER SECTION 53 & 57 OF THE *PLANNING ACT***

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**

	<b>NAME</b>
<b>Purchaser*</b>	N/A
<b>Registered Owners(s)</b>	M. Berman Homes Inc. c/o Mark Berman
<b>Applicant(s)**</b>	Same as Registered Owner
<b>Agent or Solicitor</b>	T. Johns Consulting Group c/o Katelyn Gillis




\*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	238 Mountain Park Avenue, Hamilton		
Assessment Roll Number			
Former Municipality	Hamilton		
Lot	Part of Lot 2	Concession	
Registered Plan Number	361	Lot(s)	
Reference Plan Number (s)		Part(s)	

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

Yes  No

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

---

## 3 PURPOSE OF THE APPLICATION

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

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

TBD

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

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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, m<sup>2</sup> or ha), attach additional sheets as necessary.

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

Identified on Sketch as:	PART 1	PART 2			
Type of Transfer	N/A	N/A			
Frontage	7.62m	7.62m			
Depth	30.48m	30.48m			
Area	232.26m <sup>2</sup>	232.26m <sup>2</sup>			
Existing Use	Vacant	Vacant			
Proposed Use	Residential	Residential			
Existing Buildings/ Structures	None	None			
Proposed Buildings/ Structures	Single Detached w/ Additional Dwelling Unit	Single Detached w/ Additional Dwelling Unit			
Buildings/ Structures to be Removed	None	None			

\* Additional fees apply.

#### 4.2 Subject Land Servicing

a) Type of access: (check appropriate box)

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

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

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

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

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

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

- electricity       telephone       school bussing       garbage collection

### 5 CURRENT LAND USE

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

Rural Hamilton Official Plan designation (if applicable): \_\_\_\_\_

Rural Settlement Area: \_\_\_\_\_

Urban Hamilton Official Plan designation (if applicable) Neighbourhoods

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

The proposed consent will facilitate the creation of one (1) new lot to develop two (2) single detached dwellings, each with an Additional Dwelling Unit within. The proposal shall aid in the residential intensification of Low Density Residential areas, and make efficient use of lands. See attached Rationale Report for additional support.

- 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? Low Density Residential (R1) Zone

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.

Minor Variance application submitted for concurrent review.

- 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)
<b>An agricultural operation, including livestock facility or stockyard</b> * Submit Minimum Distance Separation Formulae (MDS) if applicable	<input type="checkbox"/>	
<b>A land fill</b>	<input type="checkbox"/>	
<b>A sewage treatment plant or waste stabilization plant</b>	<input type="checkbox"/>	
<b>A provincially significant wetland</b>	<input type="checkbox"/>	
<b>A provincially significant wetland within 120 metres</b>	<input type="checkbox"/>	
<b>A flood plain</b>	<input type="checkbox"/>	
<b>An industrial or commercial use, and specify the use(s)</b>	<input type="checkbox"/>	100m to retail
<b>An active railway line</b>	<input type="checkbox"/>	
<b>A municipal or federal airport</b>	<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.

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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.

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6.4 How long has the applicant owned the subject land?

Since September 25th, 2023

---

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.

27 Wood Street East, Hamilton

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## 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)

Yes; the subject lands are located in an urban area and are outside of Greenbelt and the Niagara Escarpment designated lands.

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

Yes       No      (Provide explanation)

Yes; the proposed development will make efficient use of existing urban lands which are supported by municipal services and infrastructure. Please refer to Planning Rationale for further information.

---

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

Yes       No      (Provide explanation)

Yes; the proposed development will provide increase the housing supply and intensify existing residential lands.

---

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

Yes       No      (Provide explanation)

The subject lands are not subject to the Niagara Escarpment Plan area.

---

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

Yes       No      (Provide explanation)

7.6 Are the subject lands subject to the Greenbelt Plan?

Yes       No      (Provide explanation)

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

Yes       No      (Provide explanation)

## **8 ADDITIONAL INFORMATION - VALIDATION**

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

Yes       No      (Provide explanation)

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

Yes       No      (Provide explanation and details on plan)

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

## **9 ADDITIONAL INFORMATION - CANCELLATION**

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

Yes       No      (Provide explanation)

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

Yes       No      (Provide explanation and details on plan)

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

**10 ADDITIONAL INFORMATION - FARM CONSOLIDATION**

10.1 Purpose of the Application (Farm Consolidation)

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

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

10.2 Location of farm consolidation property:

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

10.3 Rural Hamilton Official Plan Designation(s)

If proposal is for the creation of a non-farm parcel resulting from a farm consolidation, indicate the existing land use designation of the abutting or non-abutting farm consolidation property.

10.4 Description of farm consolidation property:

Frontage (m):	Area (m <sup>2</sup> or ha):
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Existing Land Use(s): \_\_\_\_\_ Proposed Land Use(s): \_\_\_\_\_

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

Frontage (m):	Area (m <sup>2</sup> or ha):
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10.6 Existing Land Use: \_\_\_\_\_ Proposed Land Use: \_\_\_\_\_

10.7 Description of surplus dwelling lands proposed to be severed:

Frontage (m): (from Section 4.1)	Area (m <sup>2</sup> or ha): (from Section 4.1)
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Front yard set back: \_\_\_\_\_

a) Date of construction:

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

b) Condition:

- Habitable
- Non-Habitable



## 11 COMPLETE APPLICATION REQUIREMENTS

### 11.1 All Applications

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

### 11.2 Validation of Title

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

### 11.3 Cancellation

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

### 11.4 Other Information Deemed Necessary

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

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