



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

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-23:95</b>	<b>SUBJECT PROPERTY:</b>	270 & 274 OTTAWA ST S, HAMILTON
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**APPLICANTS:** Owner: MICHAEL & DEBORAH PETERS  
Agent: T. JOHNS CONSULTING GROUP LTD.(JOE GRAVINA)

**PURPOSE & EFFECT:** To permit the conveyance of a parcel of land for residential purposes, all existing structures to remain, and to retain a parcel of land for residential purposes, all existing structures to remain. AND also to permit the creation of an easement over a portion of lands for access and maintenance purposes.

	<b>Frontage</b>	<b>Depth</b>	<b>Area</b>
<b>SEVERED LANDS (Part 2):</b>	9.14 m <sup>±</sup>	35.27 m <sup>±</sup>	322.1 m <sup>2±</sup>
<b>RETAINED LANDS (Part 1):</b>	9.14 m <sup>±</sup>	35.27 m <sup>±</sup>	322.1 m <sup>2±</sup>
<b>EASEMENT LANDS (Part 3 – 274 Ottawa St S):</b>	1.00 m <sup>±</sup>	16.00 m <sup>±</sup>	16.0 m <sup>2±</sup>
<b>EASEMENT LANDS (Part 4 – 270 Ottawa St S):</b>	2.00 m <sup>±</sup>	16.00 m <sup>±</sup>	32.0 m <sup>2±</sup>

Associated Planning Act File(s): HM/A-23:341

**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>Tuesday, February 13, 2024</b>
<b>TIME:</b>	<b>1:40 p.m.</b>
<b>PLACE:</b>	<b>City Hall Council Chambers (71 Main St. W., Hamilton)</b>
	<b>To be streamed (viewing only) at</b> <a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a>

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)
- Email Committee of Adjustment staff at [cofa@hamilton.ca](mailto:cofa@hamilton.ca)
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221

## **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, written comments must be received no later than **February 9, 2024**


**Orally:** If you would like to speak to this item at the hearing you may do so via video link, calling in, or attending in person. Please see attached page for complete instructions, registration to participate virtually must be received no later than **February 12, 2024**

## **FURTHER NOTIFICATION**

If you wish to be notified of future Public Hearings, if applicable, regarding HM/B-23:95, 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 the Notice of Decision of the proposed consent, you must make a written request to the Secretary-Treasurer of The City of Hamilton Committee of Adjustment by email at [cofa@hamilton.ca](mailto:cofa@hamilton.ca) or by mail through City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5.



 **Subject Lands**

DATED: January 25, 2024

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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.

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.



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

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 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 on the date listed on the Notice of Public Hearing.**

Comments are available the Friday prior to the Hearing and are available on our website: [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)

### Oral Submissions

Members of the public are also able to provide oral comments regarding Committee of Adjustment Hearing items by participating Virtually through Webex via computer or phone or by attending the Hearing In-person. Participation Virtually requires pre-registration in advance. Please contact staff for instructions if you wish to make a presentation containing visual materials.

#### 1. Virtual Oral Submissions

Interested members of the public, agents, and owners **must register by noon on the day listed on the Notice of Public Hearing** to participate Virtually.

To register to participate Virtually by Webex either via computer or phone, please contact Committee of Adjustment staff by email [cofa@hamilton.ca](mailto:cofa@hamilton.ca). The following information is required to register: Committee of Adjustment file number, hearing date, name and mailing address of each person wishing to speak, if participation will be by 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 one business day before the Hearing. Only those registered will be called upon to speak.

#### 2. In person Oral Submissions

Interested members of the public, agents, and owners who wish to participate in person may attend Council Chambers on the date and time listed on the Notice of Public Hearing. Please note, you will be required to provide your name and address for the record. It is advised that you arrive **no less than 10 minutes** before the time of the Public Hearing as noted on the Notice of Public Hearing.

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.

NOTE: THIS SKETCH IS NOT A PLAN OF SURVEY

SKETCH FOR PLANNING PURPOSES ONLY

# 270 & 274 OTTAWA STREET SOUTH CITY OF HAMILTON

SCALE 1 : 150



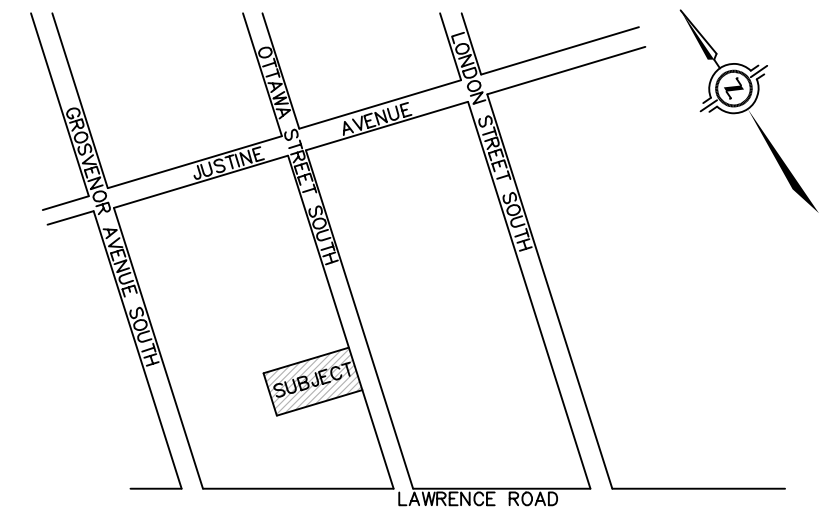
J.D. BARNES LIMITED

© COPYRIGHT 2023

### METRIC NOTE

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

### KEY PLAN (not to scale)



CITY OF HAMILTON

### LEGAL DESCRIPTION

LOTS 27 AND 28, REGISTERED PLAN 554.

BOUNDARY INFORMATION HAS BEEN DERIVED FROM A FIELD SURVEY DATED AUGUST 16, 2023. THIS IS NOT A PLAN OF SURVEY.

DATE

DAVID RECCHIA  
ONTARIO LAND SURVEYOR

LOT 37  
LOT 36  
LOT 35  
LOT 34

LOT

LOT

LOT

LOT

REGISTERED

5 5 4  
**PART 3**  
AREA=16.0 sq.m.  
2 6

**PART 1**  
AREA=306.1 sq.m.  
8.48

**PART 2**  
AREA=290.1 sq.m.  
8.15

**PART 4**  
AREA=32.0 sq.m.  
16.00

1 1/2 STOREY  
BRICK DWELLING  
No. 270  
AREA=56.4 sq.m.  
2 7

1 1/2 STOREY  
BRICK DWELLING  
No. 274  
AREA=75.3 sq.m.  
2 8

2 9

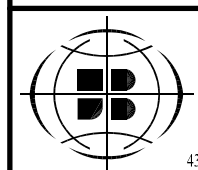
### NEW PARCEL AREAS

- PARCEL No. 1 AREA=322.1 sq.m.  
- PART 1 AND PART 3
- PARCEL No. 2 AREA=322.1 sq.m.  
- PART 2 AND PART 4

### CAUTION

- (A) THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED EXCEPT FOR THE PURPOSE INDICATED IN THE TITLE BLOCK.
- (B) THIS SKETCH IS PROTECTED BY COPYRIGHT.

OTTAWA STREET SOUTH  
(BY REGISTERED PLAN 554)



**J.D. BARNES**  
LIMITED  
SURVEYING  
MAPPING  
GIS  
LAND INFORMATION SPECIALISTS  
4318 PORTAGE ROAD - UNIT 2, NIAGARA FALLS, ON L2E 6A4  
T: (905) 358-3693 F: (905) 358-6224 www.jdbarnes.com

DR	DRAWN
DR	CHECKED
22-AUG-2023	DATED:
23-16-196-00	Ref. No.

G:\2023\23-16-196\00\Drawing\23-16-196-00(LDC).dgn  
8/22/2023  
PLOTTED

December 11, 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: 270 & 274 Ottawa Street South, Hamilton  
Minor Variance & Consent to Sever Applications**

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**T. Johns Consulting Group** (“T. Johns Consulting”) was retained by the landowner of 270 & 274 Ottawa Street South (“subject lands”) to submit the enclosed Minor Variance and Consent to Sever applications on their behalf.

#### **Site Description**

The subject lands are legally described as Lots 27 and 28, Registered Plan 554, municipally known as 270 & 274 Ottawa Street South, Hamilton. 270 & 274 Ottawa Street South are under the same ownership, and as a result have merged on title. The subject lands are located within the Delta West neighbourhood on the west side of Ottawa Street South, in the City of Hamilton.

The subject lands are rectangular in shape with an approximate site area of 647.50m<sup>2</sup> and +18.29m of frontage on Ottawa Street South with a depth of +35.30m. The site is an existing residential lot occupied by two (2) single detached dwellings and two (2) garages within the rear yard that are accessed via a shared driveway. All structures on the property were existing prior to the two lots merging on title.

#### **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 - Small Lot (R1a) Zone”, which permits single detached dwellings.

#### **Proposed Development**

The Minor Variance and Consent to Sever applications are required to reestablish the previously existing property lines, prior to the lots merging on title, and to recognize the existing site conditions. The existing dwellings and accessory structures are proposed to be maintained, and no further development is proposed.

To facilitate the proposed development, the following applications are required:

- Consent to Sever to establish a new lot and to establish access easements;

- Minor Variance to reduce the side yard setback for an accessory building, reduce the minimum landscaped area in the front yard, allow the existing porch, deck and stairs within the front yard to remain, reduce the minimum drive aisle width, and reduce the minimum number of parking spaces.

The development proposes to retain Part 1 and Part 3, and sever Part 2 and Part 4. Part 3 will establish an access easement in favour of 274 Ottawa Street South (Part 2 & Part 4). Part 4 will establish an access easement in favour of 270 Ottawa Street South (Part 1 & Part 3).

Please refer to the Consent Sketch, and Appendix A: Planning Rationale 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:


- 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 December 11th, 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 December 11th, 2023.
- 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 December 11, 2023.

Should you have any questions or require additional information, please do not hesitate to contact Joe Gravina at 905-574-1993 ext. 204.

Respectfully submitted,

**T. Johns Consulting Group Ltd.**



Joe Gravina, CPT  
Project Manager

**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*	[REDACTED]	
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\* | [REDACTED]  
 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	270 & 274 Ottawa Street South Hamilton, ON L8K 2G1		
Assessment Roll Number	251804029305360 & 251804029305390		
Former Municipality	Former City of Hamilton		
Lot	27 & 28	Concession	
Registered Plan Number	554	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 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)<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:

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

N/A

---

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 & 3	Part 2 & 4	Part 3	Part 4	
Type of Transfer	N/A	Creation of a new lot	Easement in favour of 274 Ottawa St S	Easement in favour of 270 Ottawa St S	
Frontage	9.14m	9.14m	1.00m	2.00m	
Depth	35.27m	35.27m	16.00m	16.00m	
Area	322.1m <sup>2</sup>	322.1m <sup>2</sup>	16.0m <sup>2</sup>	32.0m <sup>2</sup>	
Existing Use	Residential	Residential	Residential Driveway	Residential Driveway	
Proposed Use	Residential	Residential	Residential Driveway	Residential Driveway	
Existing Buildings/ Structures	Single detached dwelling and detached garage	Single detached dwelling and detached garage	N/A	N/A	
Proposed Buildings/ Structures	N/A existing buildings to remain	N/A existing buildings to remain	N/A	N/A	
Buildings/ Structures to be Removed	N/A	N/A	N/A	N/A	

\* 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)

- |   |   |   |  |
|---|---|---|--|
| <input checked="" type="checkbox"/> electricity | <input checked="" type="checkbox"/> telephone | <input 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): N/A

Rural Settlement Area: N/A

Urban Hamilton Official Plan designation (if applicable) Neighbourhoods

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

Refer to planning rationale.

- 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 - Small Lot (R1a) Zone

If the subject land is covered by a Minister's zoning order, what is the Ontario Regulation Number?  
N/A

- 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.  
 Concurrent minor variance 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)
<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"/>	
<b>An active railway line</b>	<input checked="" type="checkbox"/>	60 metres
<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.

N/A

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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?

#274: since 1972. #270: since ~1984.

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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.

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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)

Refer to planning rationale.

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

Yes       No      (Provide explanation)

Refer to planning rationale.

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

Yes       No      (Provide explanation)

Refer to planning rationale.

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

Yes       No      (Provide explanation)

Subject lands are subject to the Urban Area designation.

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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)

Subject lands are within the Niagara Escarpment Plan Area.

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

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

**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)
----------------------------------	---

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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**12. OWNER AUTHORIZATION**

One authorization (if applicable) must be completed for every owner registered on title at the time of application.

**12.1 Owner(s) Authorization (Person(s))**

As of the date of this application, I (Name) Michael Peters am the registered Owner(s) of the lands described in this application, and I have examined the contents of this application and hereby certify that the information submitted with the application is correct insofar as I have knowledge of these facts, and I hereby authorize (Name of Agent) Joe Gravina of (Name of Agent Company) T. Johns Consulting Group Ltd. to act as my agent in this matter and to provide any of my personal information that will be included in this application or collected during the processing of the application.

DATE DEC 6/2023 SIGNED [Signature]

**12.2 Owner(s) Authorization (Corporation)**

As of the date of this application, I (Name) \_\_\_\_\_ having signing authority for (Name of Corporation) \_\_\_\_\_, that is the registered Owner of the lands described in this application, and I have examined the contents of this application and hereby certify that the information submitted with the application is correct insofar as I have knowledge of these facts, and I hereby authorize (Name of Agent) \_\_\_\_\_ of (Name of Agent Company) \_\_\_\_\_ to act as my agent in this matter and to provide any of my personal information that will be included in this application or collected during the processing of the application.

DATE \_\_\_\_\_ SIGNED \_\_\_\_\_

**13. ACKNOWLEDGEMENTS**

Acknowledgements may be signed by the owner(s) or the owner's authorized agent as noted above. Initial beside each item and sign below.

13.1 I acknowledge that the City of Hamilton is not responsible for the identification and remediation of contamination on the property which is the subject of this Application – by reason to this Application. Initials JP

13.2 I acknowledge that all information submitted with the application or during the processing of the application is collected under the authority of the Planning Act, R.S.O. 1990, c. P.13. In accordance with that Act, it is the policy of the City of Hamilton to provide public access to all Planning Act applications and supporting documentation submitted to the City. The City of Hamilton is permitted to make the application and any associated supporting information available to the general public, including posting electronic versions of the application form and associated studies and reports online. Questions about the collection of this information should be directed to the Coordinator of Business Facilitation, Planning and Economic Development Department, City of Hamilton, 1st floor, 71 Main Street West, City Hall, Hamilton, Ontario, Telephone: 905-546-2424, ext.1284. Initials JP

13.3 I acknowledge that the members of the Committee of Adjustment and members of staff of the City of Hamilton may enter the subject lands for the limited purposes of evaluating this application. Initials JP



13.4 I acknowledge that a sign is required to be posted on the subject lands, clearly visible and legible from a public highway (road). The sign must be posted no later than 14 days before the Hearing for consents, and no later than 10 days before the Hearing for minor variances. I acknowledge that the sign will remain posted and visible until after the Hearing. Failure to post the sign in accordance with the requirements may result in a deferral of the application. Initials JM

13.5 I acknowledge that it is a policy of the City of Hamilton that any City costs associated with an appeal to the Ontario Land Tribunal, by a party other than the Applicant, of an approval of a consent, rezoning, official plan amendment, plan of subdivision, minor variance, and/or any other development application under the *Planning Act*, such as, but not limited to, legal counsel costs, professional consultant costs and City staff costs, shall be paid by the Applicant. I acknowledge and agree that a Cost Acknowledgment Agreement may be required to be filed in this event. Questions about this agreement should be directed to [cofa@hamilton.ca](mailto:cofa@hamilton.ca).

Initials JM

NAME Joe Gravina

DATE Dec. 11, 2023

SIGNED J. Gravina

**14. AFFIDAVIT OR SWORN DECLARATION**

This declaration must be sworn before a Commissioner of Oaths.

I, (Name) Joe Gravina of the (Town/City etc.) City  
of Hamilton in the (Province/City, etc.) Ontario  
of \_\_\_\_\_ solemnly declare that:

All of the above statements and information submitted with the application are true and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath.

Sworn (or Declared) before me at the City of Hamilton in the Province of Ontario this 11<sup>th</sup> day of December, 2023.

Ursula E Krugel  
A Commissioner, etc.

J. Gravina  
Owner/Agent, etc.

**Ursula Elizabeth Krugel,**  
a Commissioner, etc., Province of Ontario,  
for T. Johns Consulting Group Ltd.  
Expires January 7, 2026.