



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>SC/B-24:07</b>	<b>SUBJECT PROPERTY:</b>	266 MCNEILLY ROAD, STONEY CREEK
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**APPLICANTS:** Owner: 1000693093 ONTARIO INC.  
Agent: GLEN SCHNARR & ASSOCIATES INC. (MARK CONDELLO)

**PURPOSE & EFFECT:** To permit the conveyance of a parcel of land to create two new residential building lots and to retain a parcel of land for a residential building lot. The existing dwelling will be demolished to facilitate this application.

	<b>Frontage</b>	<b>Depth</b>	<b>Area</b>
<b>SEVERED LANDS:</b>	12.18 m <sup>±</sup>	43.58 m <sup>±</sup>	531 m <sup>2</sup> <sup>±</sup>
<b>RETAINED LANDS (A):</b>	12.18 m <sup>±</sup>	43.58 m <sup>±</sup>	531 m <sup>2</sup> <sup>±</sup>
<b>RETAINED LANDS (B):</b>	12.18 m <sup>±</sup>	43.58 m <sup>±</sup>	531 m <sup>2</sup> <sup>±</sup>

Associated Planning Act File(s): SC/A-24:28

**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, March 12, 2024</b>
<b>TIME:</b>	<b>2:50 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>

## SC/B-24:07

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

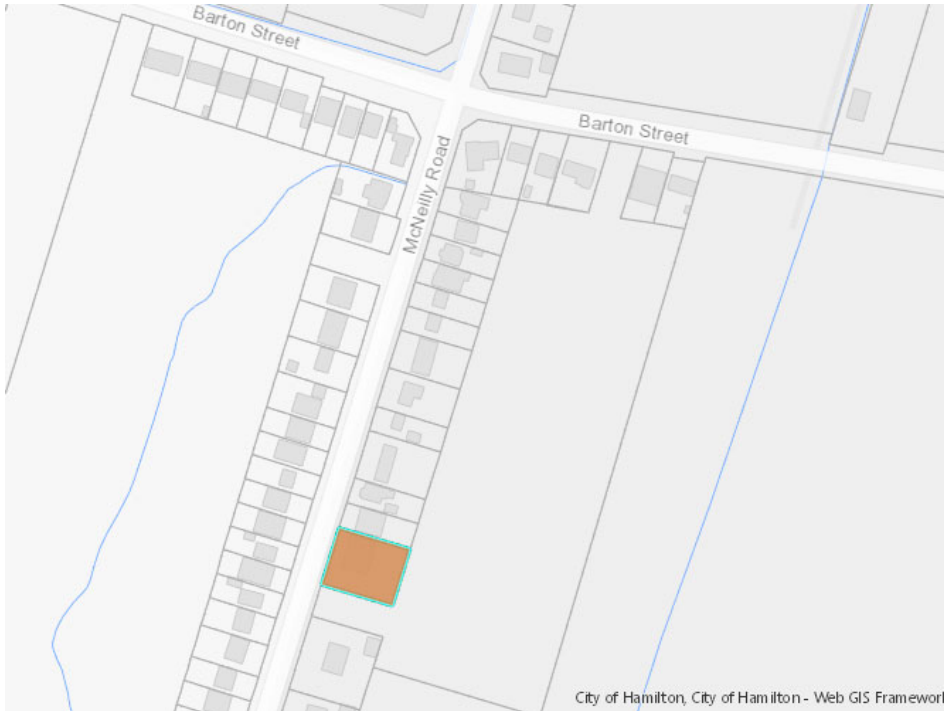
**Written:** If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Please see attached page for complete instructions, written comments must be received no later than noon **March 8, 2024**

**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 noon **March 11, 2024**

## FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding SC/B-24:07, 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: February 22, 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.

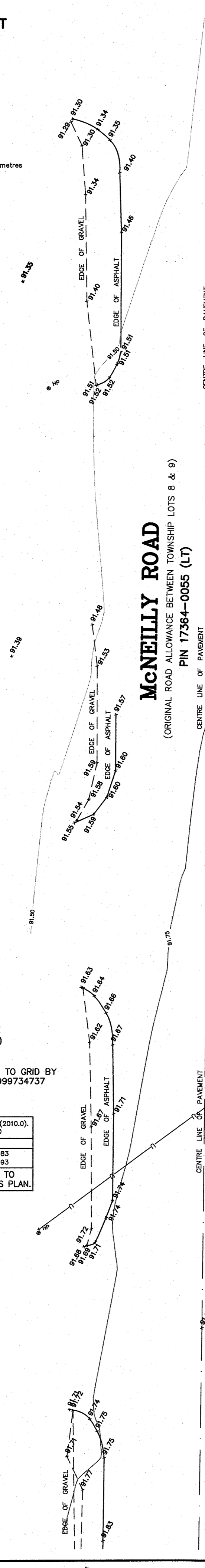
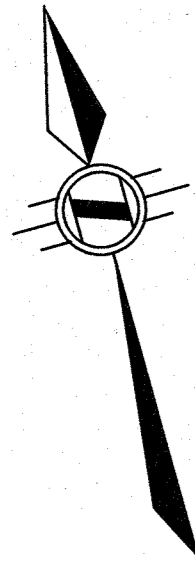
#### 2. In person Oral Submissions

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.

**SURVEYOR'S REAL PROPERTY REPORT**  
 PART 1, PLAN OF PART OF  
**LOT 8**  
**CONCESSION 2**  
 GEOGRAPHIC  
**TOWNSHIP OF SALT FLEET**  
 IN THE  
**CITY OF HAMILTON**  
 SCALE 1:100 METRIC  
**R.A. McLAREN, O.L.S. - 2023**



**BENCHMARK NOTE:**  
 MONUMENT 0011963U3503  
 E.D. SMITH PURE FOODS PRODUCTS BUILDING ON THE SOUTH SIDE OF HIGHWAY NO. 8, 2.1 KM WEST OF THE POST OFFICE 1.8 KM EAST OF GLOVER ROAD, TABLET SET IN THE NORTH CONCRETE FOUNDATION, DIRECTLY BELOW THE CENTRE OF THE SIXTH SET OF WINDOWS EAST OF THE MOST WESTERLY ENTRANCE, 32.30 M EAST OF NORTHWEST CORNER, 2.52 M WEST OF A SMALL OUTWARD JUT IN WALL AND 30 CM BELOW RED BRICK SIDING.  
 ELEVATION : 96.504 CGVD28:78

**NOTE:**  
 UNDERGROUND SERVICE AND UTILITY LOCATIONS WERE LOCATED BY REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH DRAWING No. 89-S-54 (SHEET 2 OF 3)  
 UNDERGROUND SERVICE AND UTILITY LOCATIONS MUST BE VERIFIED PRIOR TO CONSTRUCTION  
 INVERTS MUST BE VERIFIED PRIOR TO CONSTRUCTION

**BEARING NOTE:**  
 BEARINGS ARE UTM GRID, DERIVED FROM OBSERVED REFERENCE POINTS A AND B, BY REAL TIME NETWORK OBSERVATIONS, UTM ZONE 17, NAD83 (CSRS) (2010.0)

**NOTE:**  
 DISTANCES ARE GROUND AND CANOPY TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.999734737

**INTEGRATION DATA**

POINT ID	NORTHING	EASTING
CRP @	4785557.014	608059.083
CRP @	4785284.984	608020.493

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

- LEGEND:**
- DENOTES MONUMENT SET
  - MONUMENT FOUND
  - SB IRON BAR
  - SSB STANDARD IRON BAR
  - SSSB SHORT STANDARD IRON BAR
  - PB PLASTIC BAR
  - CP CUT CROSS
  - CP CONCRETE PIN
  - SB4 A.T. McLAREN, O.L.S.
  - Med MEASURED
  - P1 PLAN 62R-21807
  - P2 PLAN 62R-1754
  - P3 PLAN 62R-17505
  - D1 INSTRUMENT HL48652
  - M1 MANHOLE
  - OH HYDRO POLE
  - GM GAS METER
  - AC AIR CONDITIONER
  - EVG EVERGREEN
  - OF GARAGE FLOOR
  - INV INVERT
  - DS DOORSILL
  - CONC CONCRETE
  - TB TOP OF BANK
  - WV WATERVALVE
  - Ø DIAMETER

**SITE BENCH MARK**  
 NAIL IN ASPHALT  
 ELEVATION: 91.76



**SURVEYOR'S REAL PROPERTY REPORT (PART 2)**  
 PART OF LOT 8, CONCESSION 2, GEOGRAPHIC TOWNSHIP OF SALT FLEET IS NOT SUBJECT TO ANY EASEMENTS.  
 THIS PLAN DOES NOT CERTIFY COMPLIANCE WITH ZONING BY-LAWS.  
 THIS PLAN WAS PREPARED FOR 100693093 ONTARIO INC.

PART 1  
 PLAN 62R-21807  
 PIN 17364 - 0084 (LT)

PART 1  
 PLAN 62R-21807  
 PIN 17364 - 0084 (LT)

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

**SURVEYOR'S CERTIFICATE**  
 I CERTIFY THAT:  
 1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEY ACT, THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM  
 2. THE SURVEY WAS COMPLETED ON THE 13th DAY OF NOVEMBER, 2023  
 DATE: 15 DEC 2023  
 ROB A. McLAREN, O.L.S.

© R.A. McLAREN, O.L.S. - 2023. NO PERSON MAY COPY, REPRODUCE, DISTRIBUTE OR ALTER THIS PLAN IN WHOLE OR IN PART WITHOUT THE WRITTEN PERMISSION OF R.A. McLAREN, O.L.S.  
**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



January 31, 2024

GSAI File: 1514-004

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

**Attention:** Ms. Sheffield  
Secretary-Treasurer, Committee of Adjustment

**RE: Application for Consent to Sever and Minor Variance  
266 McNeilly Road  
Stoney Creek, ON L8E 5H2  
City of Hamilton**

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Glen Schnarr & Associates Inc. (GSAI) is pleased to submit the enclosed Consent Application and Minor Variance Application concerning the lands municipally addressed as 266 McNeilly Road (herein referred to as the "Subject Lands" or the "Site") on behalf of our client, 1000693093 ONTARIO INC. (herein referred to as the "Owner").

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

- One (1) Consent Application Form;
- One (1) Minor Variance Application Form;
- Survey, prepared by A.T. McLaren Limited, dated December 15, 2023;
- Severance Sketch prepared by Glen Schnarr & Associates Inc., dated January 11, 2024;
- Minor Variance sketch prepared by Glen Schnarr & Associates Inc., dated January 11, 2024;
- Payment in the amount of \$3,360 (Consent Application); and,
- Payment in the amount of \$3,900 (Minor Variance Application).

**SUBJECT LANDS AND SURROUNDING CONTEXT**

The Subject Lands are generally located on the east side of McNeilly Road, south of Barton Street and north of Highway No. 8 in Stoney Creek. The Subject Lands have an area of approximately 0.7 hectares (1.74 acres) and frontage of approximately 36.5 metres (206 feet) along McNeilly Road and are currently occupied by an existing two-storey single detached dwelling, refer to Figure 1.

The Subject Lands is legally described as PT LT 8, CON 2 SALTFLEET , AS IN HL49652; STONEY CREEK CITY OF HAMILTON.

Abutting the Subject Lands to the east are lands subject to a Rezoning and Draft Plan of Subdivision Application (City File No. ZAC-20-043 and 25T-202009). The purpose and effect of these Applications is to facilitate the development of 545 residential units, consisting of 156 single dwellings, 192 street townhouses, and two blocks for the purpose of condominium townhouses along Barton Street, as well as the creation of a neighbourhood park, and a block for a stormwater management pond. By way of a Settlement Hearing, on December 14, 2023, the Ontario Land Tribunal provided an oral decision approving the neighbouring development and subsequent planning instruments. At the time of preparing this Letter, the Ontario Land Tribunal had not issued a formal procedural order.

Figure 2 illustrates the Proposed Development in the context of the neighbouring development.

**PROPOSAL SUMMARY**

The objective of the Applications is to create two additional residential lots for a total of three (3). Each lot; Severed, Retained Lot ‘A’ and Retained Lot ‘B’, would have a lot width of 12.18 metres and lot depth of 45.7 metres, resulting in a lot area of approximately 531 square metres for each lot.

<b>Lot</b>	<b>Lot Frontage</b>	<b>Lot Area</b>
Served Lot	12.18 metres	531 square metres
Retained Lot A	12.18 metres	531 square metres
Retained Lot B	12.18 metres	531 square metres

The existing dwelling will be demolished to facilitate the Proposed Development.

**REQUESTED VARIANCES**

To facilitate the severance, three (3) Minor Variances are required.



Retained Lot 'A'

1. *To permit a minimum lot frontage of 12.1 metres; whereas Zoning By-law 3692-92 requires a minimum lot frontage of 15.0 metres.*
2. *To permit a minimum side yard setback of a minimum side yard setback of 1.2 metres on one side and 0.6 metres on the other; whereas Zoning By-law 3692-92 requires a minimum side yard setbacks of 1.25 metres.*
3. *To permit a minimum front yard setback of 8 metres; whereas Zoning By-law 3692-92 requires a minimum front yard setback of 10 metres.*

Retained Lot 'B'

1. *To permit a minimum lot frontage of 12.1 metres; whereas Zoning By-law 3692-92 requires a minimum lot frontage of 15.0 metres.*
2. *To permit a minimum side yard setback of a minimum side yard setback of 1.2 metres on one side and 0.6 metres on the other; whereas Zoning By-law 3692-92 requires a minimum side yard setbacks of 1.25 metres.*
3. *To permit a minimum front yard setback of 8 metres; whereas Zoning By-law 3692-92 requires a minimum front yard setback of 10 metres.*

Severed Lot

1. *To permit a minimum lot frontage of 12.1 metres; whereas Zoning By-law 3692-92 requires a minimum lot frontage of 15.0 metres.*
2. *To permit a minimum side yard setback of a minimum side yard setback of 1.2 metres on one side and 0.6 metres on the other; whereas Zoning By-law 3692-92 requires a minimum side yard setbacks of 1.25 metres.*
3. *To permit a minimum front yard setback of 8 metres; whereas Zoning By-law 3692-92 requires a minimum front yard setback of 10 metres.*

**POLICY AND REGULATION CONTEXT**

Urban Hamilton Official Plan ('UHOP')

On December 6, 2023, Bill 150, the Planning Statute Law Amendment Act, 2023 received royal assent enacting the *Official Plan Adjustments Act, 2023*. The legislation results in all but three of the provincial modifications made on November 4, 2022, to the Urban Hamilton Official Plan (the 'UHOP') Amendment 167, to accommodate population and job growth to the year 2051, as having never been made. The effect of this legislation includes

restoring the no urban boundary expansion growth strategy approved by City Council in June 2022.

The Subject Land are located within City's 'Neighbourhood' Urban Structure as shown on Schedule 'E' (Figure 3). The Subject Lands are designated 'Neighbourhoods' as shown on Schedule 'E-1' (Figure 4).

From a Growth Management perspective, by 2051, the City is expected to grow to achieve a population of 820,000 and 360,000 jobs. The Subject Lands are located within the City's Urban Boundary and are located outside of the Built-up area (Appendix G – Boundary Map). In keeping with Provincial policies, the Subject Lands are identified as Designated Greenfield Area. The UHOP defines "Greenfield Area" as "... *the area within the urban area that is not built-up area.*"

Per Policy A.2.3.4.2, Greenfield areas shall be planned to achieve an overall minimum density of 60 people and jobs per hectare. Furthermore, Section A.2.3.4.3 states that, "notwithstanding policy A.2.3.4.2, the lands within the greenfield area that are not subject to existing development approvals, including lands within the Fruitland-Winona Secondary Plan area, shall be planned to achieve a minimum density of 70 persons and jobs per hectare."

Per Schedule C-2 (Future Right-of-Way Dedications) of the UHOP, McNeilly Road is identified as a 'Collector' with a planned right-of-way width of 26.213 metres.

#### *Fruitland-Winona Secondary Plan*

The Fruitland-Winona Secondary Plan establishes land uses and development standards that guide the development of lands within the Secondary Plan area. The vision for the Secondary Plan indicates the community is generally a low-density community which will support neighbourhood commercial and other high-density residential land uses at appropriate locations. The Secondary Plan was adopted by City Council on May 14th, 2014 and was subsequently appealed to the Ontario Municipal Board. On June 22, 2018, the Tribunal issued a decision, declaring the Secondary Plan is approved in its entirety, except those lands subject to site-specific appeals. The policies specific to the Subject Lands are in force and effect.

The Secondary Plan area comprises 370 hectares (914 acres), including the existing community of Winona, and is planned to accommodate an estimated population of approximately 15,400 people, at a density of 70 persons/jobs per gross hectare.

On Map B.7.4.1 (Land Use Plan) of the Secondary Plan, the Subject Lands are designated "*Low Density Residential 3*" (Figure 5).

Stoney Creek Zoning By-law 3692-92

The Subject Land falls under the Stoney Creek By-law 3692-92 and is currently zoned Rural Residential Zone ('RR'), refer to Figure 6. Single detached dwellings are permitted.

The proposed severance and associated variances intend to create two (2) additional residential lots for the purpose of developing two (2) additional single detached dwellings. To permit the additional detached dwellings as per the RR Zone, a series of variances are required as a result of the severance, as described below.

**ANALYSIS**

CONSENT APPLICATION

*Planning Act*

While this application is a Consent under Section 53 of the *Planning Act*, the determination of whether the approval of the Consent should be granted is noted in Section 53(12). Section 53(12) notes that the granting of approval is based on whether there is sufficient regard for the matters under Section 51(24). In our opinion, the proposed severance does have regard for the matters set out in Section 51(24) of the *Planning Act* as follows:

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

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

With respect to Section 51(24) (a), the application is to sever the existing lot and create two (2) additional lots, for a total of three (3) lots. The proposed lots are consistent with the matters of provincial interest listed in Section 2 of the *Planning Act*, including providing for orderly development, supporting public transit and locating growth and development in an appropriate location.

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

Section 51(24)(b) has been met as the lots are located on an existing municipal road, within the built boundary and serviced by municipal water and wastewater. The consent will result in contiguous and orderly development of the site that is not premature with uses that are permitted within the Official Plan and Zoning By-law.

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

Section 51(24)(c) has been met as the proposal conforms to the UHOP and Fruitland-Winona Secondary Plan.

The Subject Lands are designated 'Neighbourhoods' in the UHOP and 'Low Density Residential 3', which permits residential development. The proposal also meets the criteria for consents outlined in Policy F.1.14.3.1 of the UHOP while helping to meet Hamilton's residential intensification targets through a form of 'gentle intensification'.

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

The severance application aims to create two (2) additional residential parcels, for a total of three (3) parcels which is appropriate for and compatible for the intended development of the lots. The lands are already being used for residential purposes and will continue to be used as such after the lands are severed.

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

No highways or public roads are planned for development. The site has access to the surrounding road network via McNeilly Road.

*f) the dimensions and shapes of the proposed lots;*

The proposal results in the creation of residential lots, that generally comply with the applicable Zoning By-law requirements, with the exception of lot frontage. The proposed parcels are compatible with the existing and proposed residential land uses.

*h) conservation of natural resources and flood control;*

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

*i) the adequacy of utilities and municipal services;*

Section 51(24)(i) has been fulfilled for the retained land as the property is presently fully serviced. Servicing for the proposed severed lots will be provided from McNeilly Road.

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

Land dedications are proposed for the retained and severed lots, consisting of a 2.12 metres right-of-way dedication along McNeilly Road.

*m) the interrelationship between the design of the proposed plan of subdivision and*

*site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41 (2) of this Act.*

Development of the proposed lot will be reviewed and approved through a future building permit application and will be in accordance with existing zoning, as amended to permit a reduced lot frontage.

*Urban Hamilton Official Plan (UHOP)*

Section F.1.14.3.1 of the UHOP addresses Consent policies for the Neighbourhoods land use designation applicable to the Subject Lands, as follows:

*“Consents for new lot creation, for both the severed and retained lands, for residential uses in the Neighbourhoods designation shown on Map E-1 – Urban Land Use Designation, shall be permitted provided the following conditions are met:”*

- a) *The lots comply with the policies of this Plan, including secondary plans, where one exists;*

The Subject Lands are designated ‘Neighbourhoods’ in the UHOP and ‘Low Density Residential 3’, which permits residential development. The proposed lots maintain the scale and character of the surrounding established development pattern and are in keeping with recent development approvals within the surrounding community.

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

A minor variance application has been submitted concurrently with the proposed severance application, with several variances proposed as noted above.

- c) *The lots reflect the general scale and character of the established development pattern in the surrounding area by taking into consideration lot frontages and areas, building height, coverage, mass, setbacks, privacy and overview;*

Section E.2.6 outlines the City’s policies of the “*Neighbourhood*” urban structure. The UHOP identifies that the “*Neighbourhoods element is an all encompassing element representing the concept of complete community at the structural level.*” The UHOP recognizes that, “*residential intensification within Neighbourhoods is part of the evolution of a neighbourhood and can happen at a range of scales and densities provided the intensification is compatible with and respects the built form and character of the surrounding neighbourhood*”. It is our opinion, that the Proposed Development is in keeping with the scale and character of the established development pattern along McNeily Road.

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

The proposed lots will be fully serviced by municipal infrastructure. The severed and retained lots will be serviced from McNeilly Road.

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

The severed and retained lots receive direct access from McNeilly Road.

### *Fruitland-Winona Secondary Plan*

The Secondary Plan contains policies related to Block Servicing Strategies. The Secondary Plan identifies three (3) areas that are subject to Block Servicing Strategies. The BSS 3 area is generally defined from McNeilly Road to 440 metres east of Lewis Road and is bounded by Highway 8 to the south and Barton Street to the north. The Subject Lands are located in the Block 3 Servicing Strategy BSS 3 area. The BSS 3 has been carried out by Urbantech Consulting and was subsequently endorsed by City Council on April 8, 2020.

Policy 7.4.17.1 of the Secondary Plan states that no development application that creates new lots through a plan of subdivision or consent shall be deemed complete unless it implements the Block Servicing Strategy. The Proposal implements the Block Servicing Strategy and does not represent a departure from its recommendations and guiding engineering principles.

### MINOR VARIANCE

Section 45(1) of the *Planning Act* delineates four tests that must be met for the approval of requested minor variances.

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

As previously noted, the Subject Lands are designated 'Neighbourhood' in the UHOP and 'Low Density Residential 3' in the Fruitland-Winona Secondary Plan.

Section B.2.4.2.2 outlines evaluation criteria for residential intensification in the Neighbourhoods designation:

- b) compatibility with adjacent land uses including matters such as shadowing, overlook noise, lighting, traffic, and other nuisance effects;*
- c) the relationship of the proposed buildings with the height, massing, and scale of nearby residential buildings;*
- e) the relationship of the proposed lots with the lot pattern and configuration within the neighbourhood;*
- f) the provision of amenity space and the relationship to existing patterns of private and public amenity space;*

*g) the ability to respect and maintain or enhance the streetscape patterns including block lengths, setbacks and building separations*

The resulting variances maintain the established lot pattern and configuration of the surrounding established neighbourhood. The result of the proposed variance facilitates two additional residential lots that generally align with development patterns and recent approvals within the surrounding area. It is our opinion, that the proposal will not negatively impact existing adjacent land uses, including shadowing, overlook, lighting, traffic, and other nuisance effects which will be further reviewed through a future building permit application. The proposed reduced minimum side yard allows smaller lots as envisioned in the Fruitland-Winona Secondary Plan and provides sufficient separation space between dwellings and adequate access for maintenance.

Chapter E.2.6 provides that “residential intensification within Neighbourhoods is part of the evolution of a neighbourhood and can happen at a range of scales and densities provided the intensification is compatible with and respects the built form and character of the surrounding neighbourhood.” Further, Chapter G – Glossary - Compatibility/compatible: means land uses and building forms that are mutually tolerant and capable of existing together in harmony within an area. Compatibility or compatibility should not be narrowly interpreted to mean “the same as” or even as “being similar to”. Section E.2.7.7 of the UHOP provides that applications for residential intensification within Neighbourhoods shall be reviewed in consideration of the local context, be compatible with the existing function of the neighbourhood, and be evaluated based on the balance of residential intensification criteria as set out in the UHOP.

Section E.3.4.6 c) further states that a mix of lot widths and sizes compatible with streetscape character, and a mix of dwelling unit types and sizes compatible in exterior design, including scale, character, appearance, and design shall be encouraged. The proposed variances provide for lot sizes and widths compatible with the surrounding character and implement the form of ‘gentle intensification’ broadly encouraged within the UHOP. The requested variances therefore maintain the general intent and purpose of the UHOP.

With regards to the Fruitland-Winona Secondary Plan, the Low Density Residential 3 designation permits a net residential density of 40 to 60 units per hectare. Section 7.4.4.2 states that, in accordance with the Greenfield Density Targets of the UHOP, the Fruitland-Winona community has been planned to accommodate a minimum average density of 70 persons and jobs per hectare and that decrease in density shall not be supported that will impact the overall target of the Plan area unless a remedial density transfer is provided. A greenfield density target is measured over Hamilton’s greenfield area. In the context of the Secondary Plan area, several Official Plan Amendments have been approved that support an increase in densities along transit corridors and strategic growth areas.

The Fruitland-Winona Secondary Plan and the Fruitland-Winona Urban Design Principles and Guidelines speak to ensuring that new development provides an attractive, safe and pedestrian-oriented environment. Design variety within streetscapes is to be promoted.

The proposed modification allows for active frontages along the street line with recessed garages, decreasing the prominence of the garage adjacent to the public realm to achieve these development principles, while maintaining sufficient area for a parking space. The proposed development has been designed to be compatible with the existing character and function of the neighbourhood. In our opinion, the proposal balances the City’s growth management objectives while being respecting the character and scale of the existing development pattern along McNeilly Road. The proposal enhances the character of the area by further optimizing an under-utilized parcel to increase the housing stock in the city. It builds upon the established patterns and built forms by keeping the height at two (2) storeys.

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

The Subject Lands are zoned Rural Residential Zone (RR) within Stoney Creek Zoning By-law 3692-92.

The following zone provisions apply to the Subject Lands:

Regulation	RR Zone Requirement	Retained Lot ‘A’	Retained Lot ‘B’	Severed Lot
<b>Min. Lot Area</b>	464.5 square metres	531 square metres	531 square metres	531 square metres
<b>Min. Lot Frontage</b>	15 metres	12.18 metres	12.18 metres	12.18 metres
<b>Min. Side Yard</b>	1.25 metres	To permit a minimum side yard setback of a minimum side yard setback of 1.2 metres on one side and 0.6 metres on the other	To permit a minimum side yard setback of a minimum side yard setback of 1.2 metres on one side and 0.6 metres on the other	To permit a minimum side yard setback of a minimum side yard setback of 1.2 metres on one side and 0.6 metres on the other
<b>Min. Front Yard Set back</b>	10 metres	8 metres	8 metres	8 metres

*Lot Frontage*

The intent of the minimum lot frontage provision of the Zoning By-law is to maintain a consistent lot pattern throughout the surrounding area, and ensure sufficient width is provided to accommodate greenspace and driveway requirements for residential uses. The Proposal results in a minimum lot frontage of 12.18 metres for all three of the lots, whereas the By-law requires a minimum lot frontage of 15 metres. In our opinion, the proposed lot frontage is consistent with other lot frontages in the surrounding area. More specifically, the lands abutting the Subject Lands to the south were recently endorsed by



way of a settlement hearing at the Ontario Land Tribunal for a minimum lot frontage of 10 metres.

*Minimum Side Yard*

Through the Ontario Land Tribunal's approval of the neighbouring Rezoning and Draft Plan of Subdivision, a minimum side yard setback of 1.2 metres on one side and 0.6 metres on the other, was approved. The requested variances maintain a development standard that facilitates efficient urban development while in keeping with the surrounding context.

Except for the three requested variances, all other regulations of the RR Zone within By-law 3692-927 are met with the proposed severance. Based on the above, the requested variances maintain the general intent and purpose of the Zoning By-law.

*Minimum Front Yard Setback*

The general intent of the front yard setback is to ensure that buildings are appropriately setback from the street to allow for sufficient separation from municipal roadways and landscaping, and to ensure a consistent streetscape is maintained. The requested front yard variance meets the intent of the Zoning By-law as the proposed setback is generally in keeping with existing and proposed setbacks along McNeilly Road. The existing dwelling at 270 McNeilly Road is setback approximately 8 metres from the current right-of-way.

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

The proposal is intended to optimize the use of the Subject Lands by facilitating residential development within the City's urban boundary and designated greenfield area, with the overarching goal of contributing to the increased housing stock. It aligns with the City's February 2023 commitment to construct 47,000 new housing units by 2031. The City's Official Plan, as discussed above, states that it is the City's goal to increase the amount of housing within the Urban Area, and encourages residential intensification within Neighbourhoods that is compatible with the local context, as contemplated through this proposal. Similarly, the Zoning By-law permits residential dwellings as contemplated through the proposed severance within the RR Zone, and the proposal is consistent with the City's goals as provided in both the Official Plan and Zoning By-law.

The proposed variances collectively will facilitate the creation of a residential infill lot which represents a form of 'gentle intensification' on a lot that is on the periphery of a neighbourhood, next to a collector road in proximity to public transit. The proposed reductions and variances will not negatively or functionally impact the adjacent parcels, and based on the above are both desirable and appropriate for the development and use of the Subject Lands.

**d) *The variance is minor in nature.***

The requested variances for lot frontage and side yard setbacks are minor in nature, and will not result in any unacceptable or adverse impacts on the Subject Lands or surrounding area. It is our opinion, that the variances do not result in the overdevelopment of the Subject Lands and that the proposal is compatible with the surrounding neighbourhood.

The requested variances will facilitate the creation of two additional residential lots, for a total of three (3) lots, which are in keeping with the Council's direction for compatible development within an existing neighbourhood.

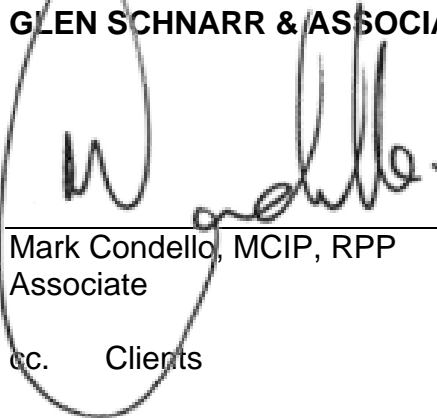
Based on the above, the requested variances are minor in nature.

**CONCLUSION**

In conclusion, the applications for consent address all matters under the *Planning Act*, the UHOP and Fruitland Winona Secondary Plan. The requested variances both individually and cumulatively conform to the general intent and purpose of the Official Plan and Zoning By-law, are desirable for the use of the Subject Lands, and are minor in nature. For the reasons set out above, it is our opinion the requested variances satisfy the four tests set out in Section 45 (1) of the *Planning Act*.

Respectfully Submitted,

**GLEN SCHNARR & ASSOCIATES INC.**



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Mark Condello, MCIP, RPP  
Associate

cc. Clients

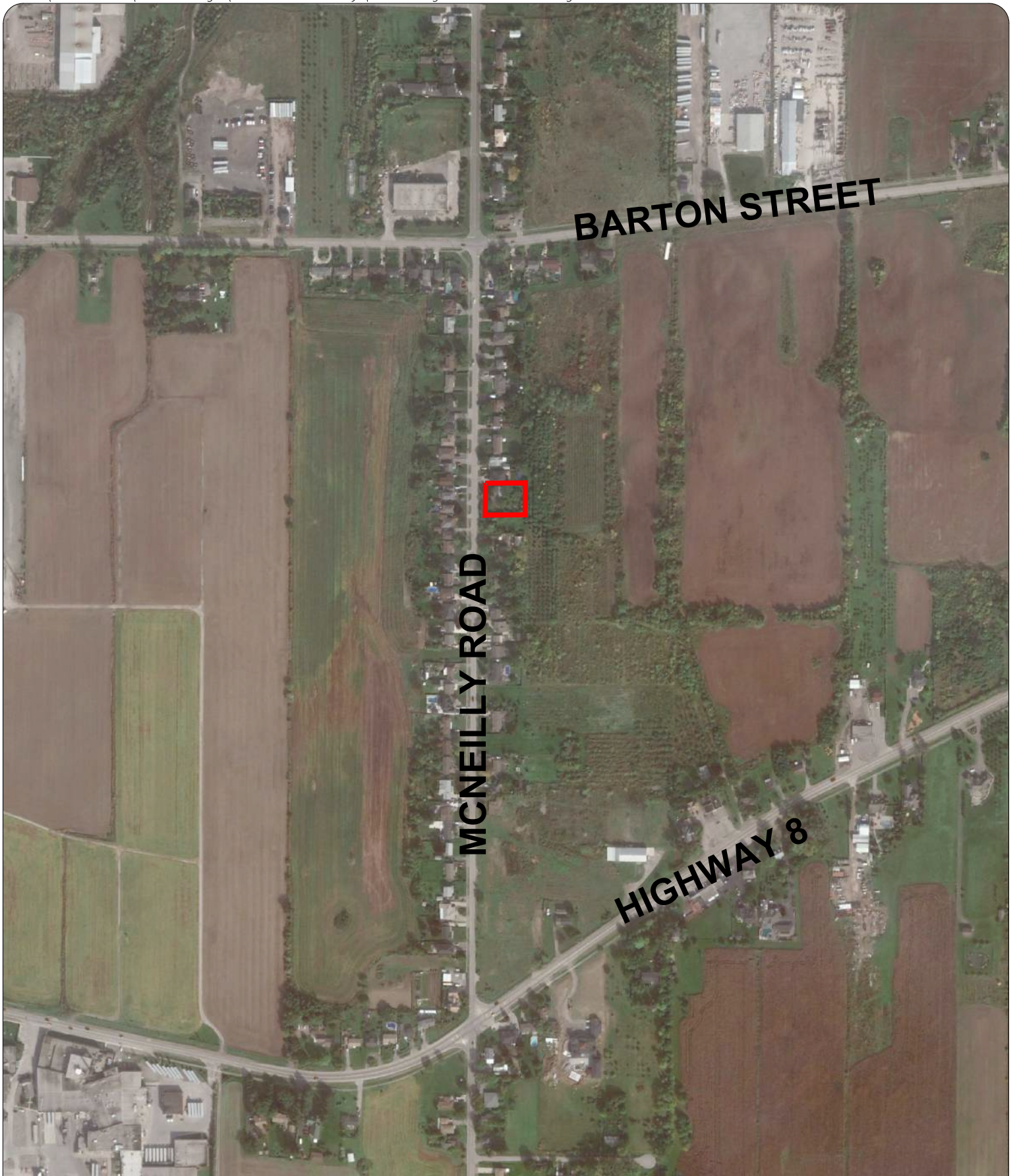


FIGURE **1** **AERIAL CONTEXT PLAN**  
CITY OF HAMILTON

LEGEND

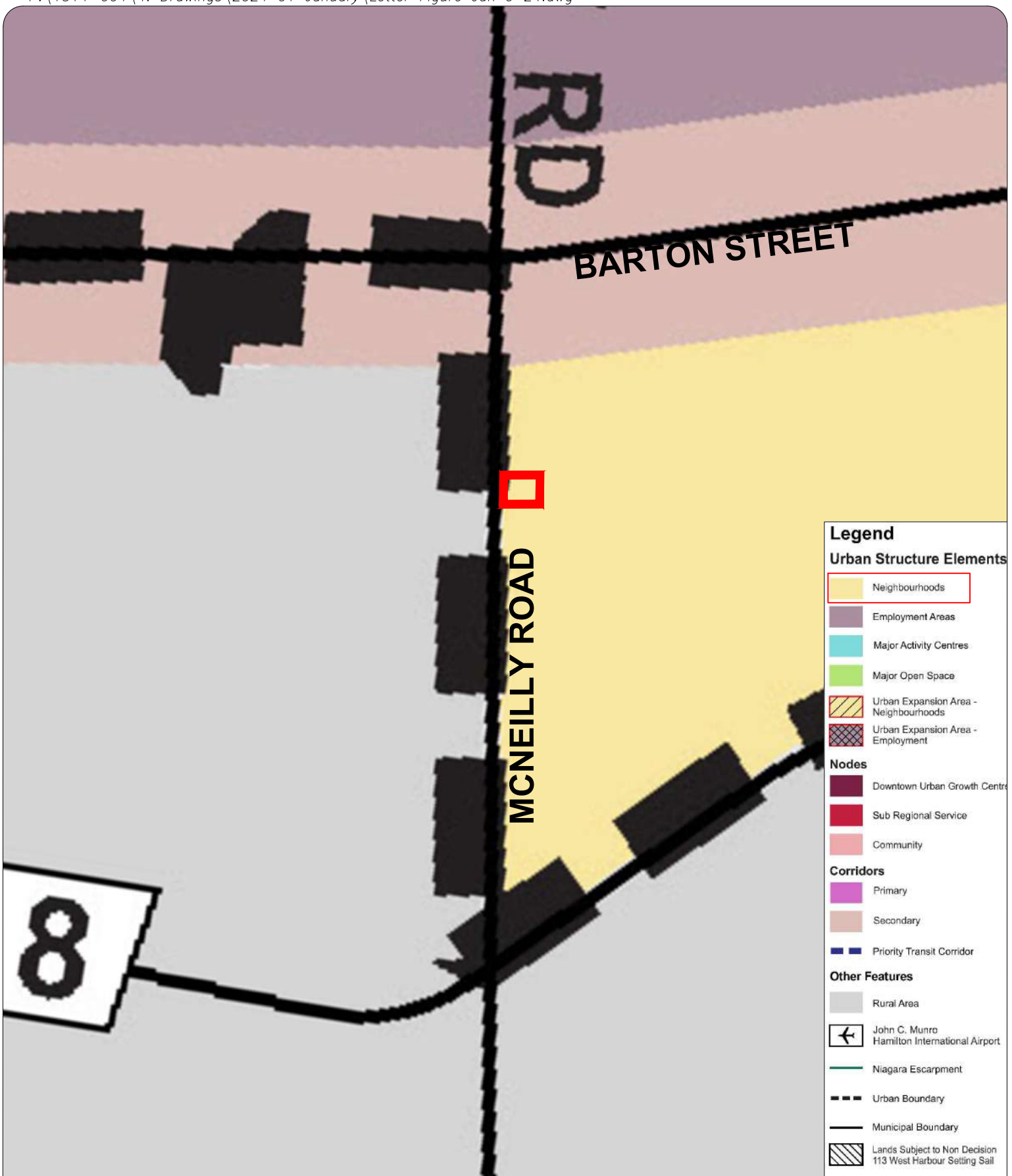
 Subject Lands

266 MCNEILLY ROAD  
PART OF LOT 7 & 8, CONCESSION 2,  
(GEOGRAPHICAL TOWNSHIP OF SALTFLY)  
CITY OF HAMILTON



SCALE NTS  
JANUARY 09, 2024





**Legend**

**Urban Structure Elements**

- Neighbourhoods
- Employment Areas
- Major Activity Centres
- Major Open Space
- Urban Expansion Area - Neighbourhoods
- Urban Expansion Area - Employment

**Nodes**

- Downtown Urban Growth Centre
- Sub Regional Service
- Community

**Corridors**

- Primary
- Secondary
- Priority Transit Corridor

**Other Features**

- Rural Area
- John C. Munro Hamilton International Airport
- Niagara Escarpment
- Urban Boundary
- Municipal Boundary
- Lands Subject to Non Decision 113 West Harbour Setting Sail

FIGURE **3** HAMILTON OFFICIAL PLAN  
SCHEDULE 'E' - URBAN STRUCTURE

**LEGEND**

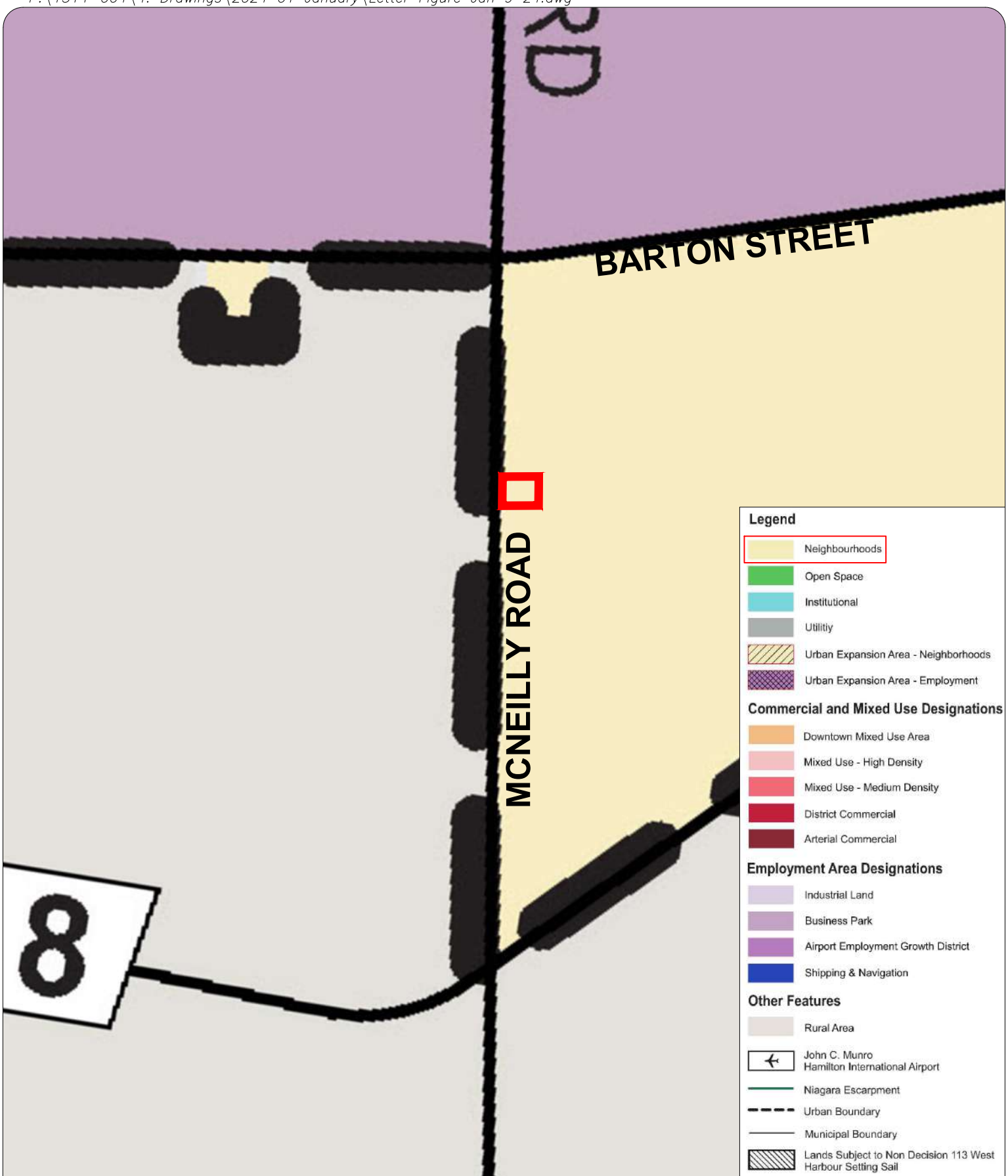
Subject Lands

266 MCNEILLY ROAD  
PART OF LOT 7 & 8, CONCESSION 2,  
(GEOGRAPHICAL TOWNSHIP OF SALTFLY)  
CITY OF HAMILTON



SCALE NTS  
JANUARY 09, 2024





**Legend**

- Neighbourhoods
- Open Space
- Institutional
- Utility
- Urban Expansion Area - Neighborhoods
- Urban Expansion Area - Employment

**Commercial and Mixed Use Designations**

- Downtown Mixed Use Area
- Mixed Use - High Density
- Mixed Use - Medium Density
- District Commercial
- Arterial Commercial

**Employment Area Designations**

- Industrial Land
- Business Park
- Airport Employment Growth District
- Shipping & Navigation

**Other Features**

- Rural Area
- ← John C. Munro Hamilton International Airport
- Niagara Escarpment
- Urban Boundary
- Municipal Boundary
- Lands Subject to Non Decision 113 West Harbour Setting Sail

FIGURE 4 HAMILTON OFFICIAL PLAN SCHEDULE 'E-1' - URBAN STRUCTURE

LEGEND

Subject Lands

266 MCNEILLY ROAD  
PART OF LOT 7 & 8, CONCESSION 2,  
(GEOGRAPHICAL TOWNSHIP OF SALTFLEET)  
CITY OF HAMILTON



SCALE NTS  
JANUARY 09, 2024

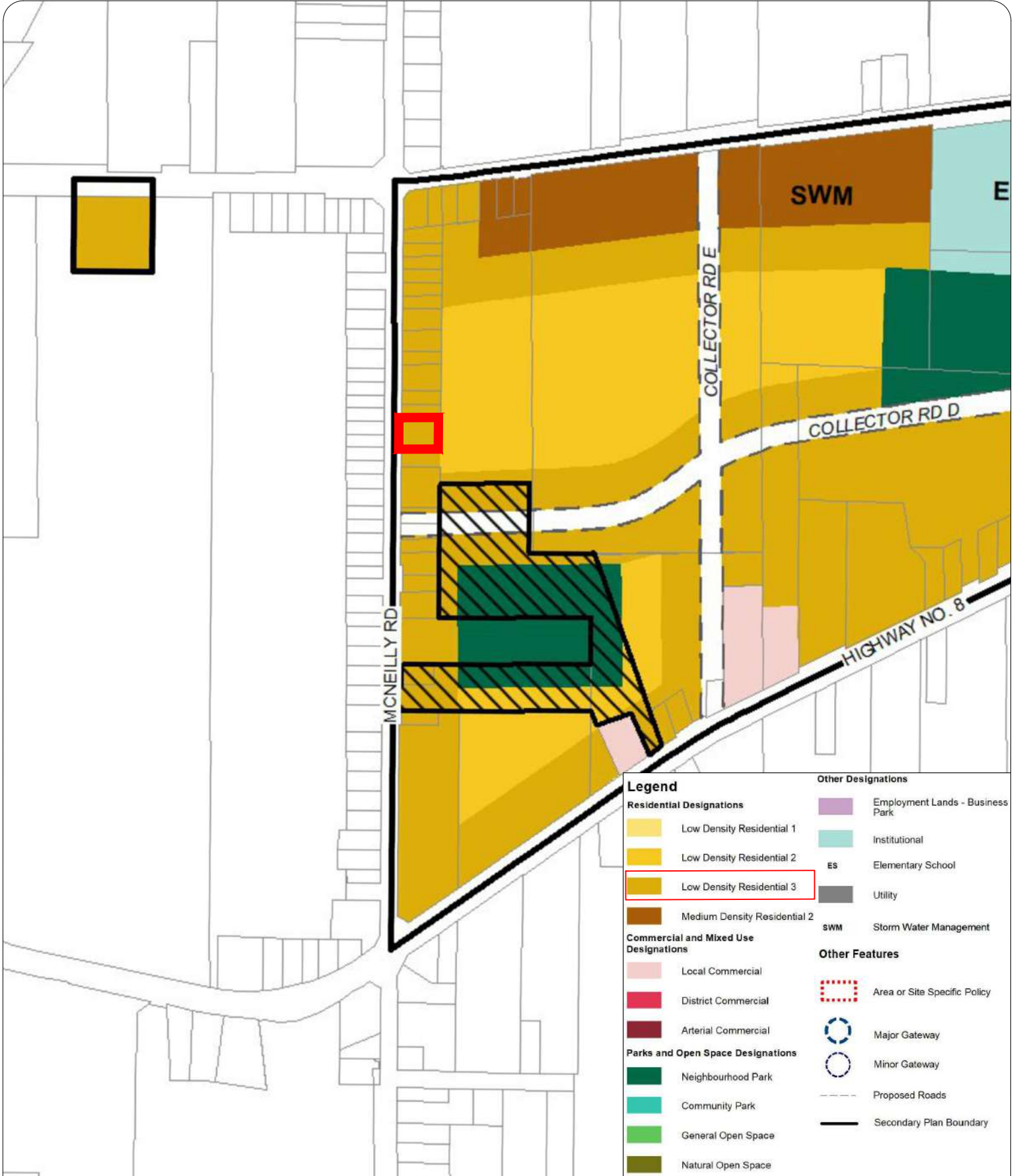


FIGURE 5 HAMILTON OFFICIAL PLAN  
FRUITLAND-WINONA SECONDARY PLAN  
MAP B.7.4-1: LAND USE PLAN

LEGEND

Subject Lands

266 MCNEILLY ROAD  
PART OF LOT 7 & 8, CONCESSION 2,  
(GEOGRAPHICAL TOWNSHIP OF SALT FLEET)  
CITY OF HAMILTON



SCALE NTS  
JANUARY 09, 2024



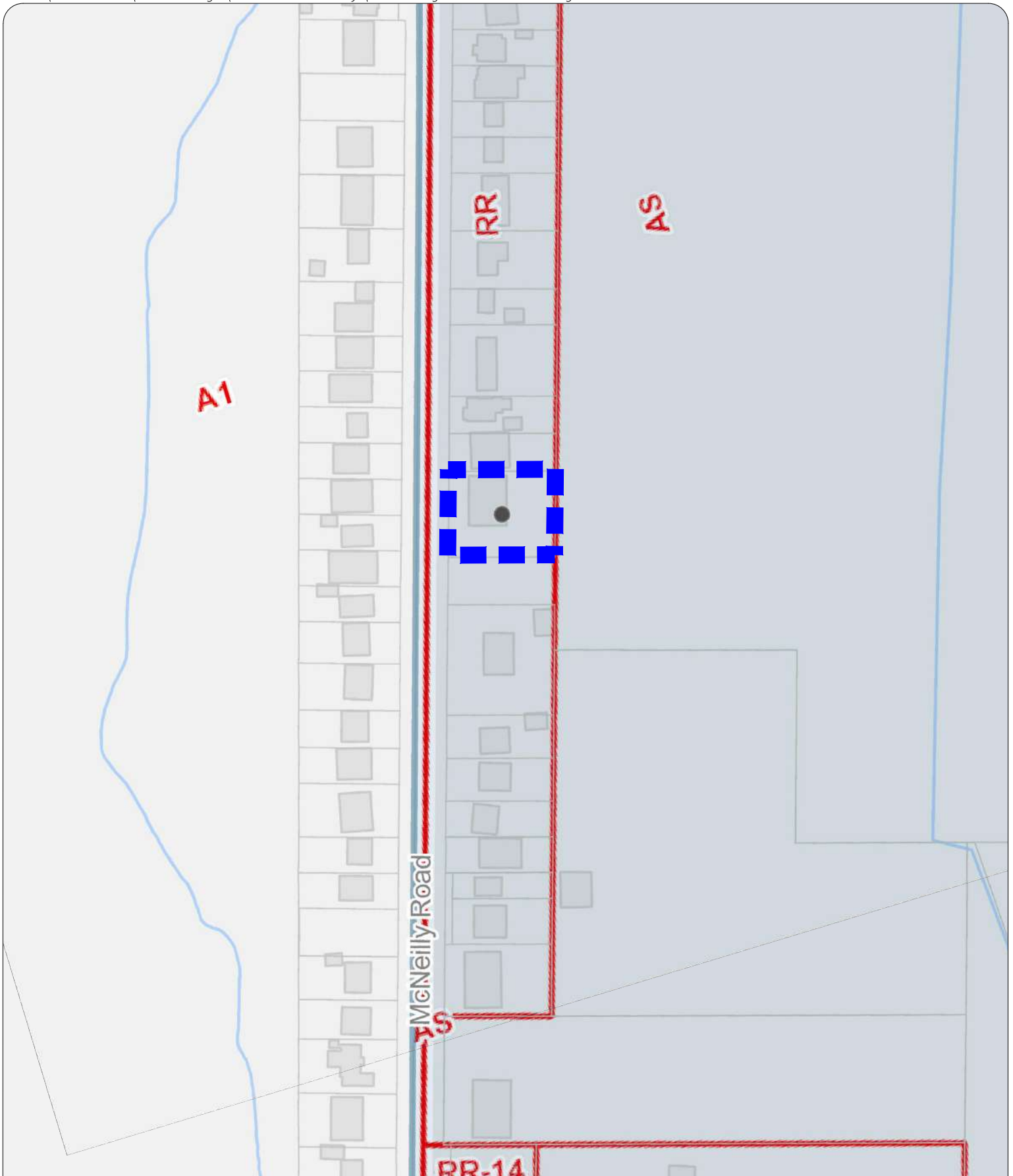



FIGURE **6** **HAMILTON ZONING BY-LAW**  
CITY OF HAMILTON

LEGEND

 Subject Lands

266 MCNEILLY ROAD  
PART OF LOT 7 & 8, CONCESSION 2,  
(GEOGRAPHICAL TOWNSHIP OF SALTFLEET)  
CITY OF HAMILTON



SCALE NTS  
JANUARY 09, 2024



**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>	
<b>Registered Owners(s)</b>	
<b>Applicant(s)**</b>	
<b>Agent or Solicitor</b>	

\*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 Primary contact  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.

1.6 Payment type

In person  
 Cheque

Credit over phone\*

\*Must provide number above

## 2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	266 McNeilly Road, Hamilton, L8E 5H2		
Assessment Roll Number			
Former Municipality			
Lot	PT LT 8	Concession	CON 2 SALTFLEET
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 checked="" type="checkbox"/> addition to a lot                                                                                                                                 | <input type="checkbox"/> a lease               |
| <input type="checkbox"/> an easement                                                                                                                                                  | <input type="checkbox"/> a correction of title |
| <input type="checkbox"/> validation of title (must also complete section 8)                                                                                                           | <input type="checkbox"/> a charge              |
| <input type="checkbox"/> cancellation (must also complete section 9)                                                                                                                  |                                                |
| <input type="checkbox"/> creation of a new non-farm parcel (must also complete section 10)<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:

n/a

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:	Retained A	Retained B	Severed		
Type of Transfer	N/A				
Frontage	12.18m	12.18m	12.18m		
Depth	43.58m	43.58m	43.58m		
Area	531m <sup>2</sup>	531m <sup>2</sup>	531m <sup>2</sup>		
Existing Use	Residential	Residential	Residential		
Proposed Use	Residential	Residential	Residential		
Existing Buildings/ Structures	Detached Dwelling	Vacant	Vacant		
Proposed Buildings/ Structures	Detached Dwelling	Detached Dwelling	Detached Dwelling		
Buildings/ Structures to be Removed	Detached Dwelling	N/A	N/A		

\* Additional fees apply.

##### 4.2 Subject Land Servicing

a) Type of access: (check appropriate box)

- provincial highway  
 municipal road, seasonally maintained  
 municipal road, maintained all year

- right of way  
 other public road

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

- publicly owned and operated piped water system  
 privately owned and operated individual well

- lake or other water body  
 other means (specify) \_\_\_\_\_

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

- publicly owned and operated sanitary sewage system  
 privately owned and operated individual septic system  
 other means (specify) \_\_\_\_\_

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

- electricity     
  telephone     
  school bussing     
  garbage collection

#### 5 CURRENT LAND USE

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

Rural Hamilton Official Plan designation (if applicable): 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.

Please refer to the Cover Letter prepared by Glen Schnarr & Associates Inc.

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? RR - Rural Residential

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.

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 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.

---

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

---

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 31, 2023

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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)

Please refer to the Cover Letter prepared by Glen Schnarr & Associates Inc.

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

Yes  No (Provide explanation)

Please refer to the Cover Letter prepared by Glen Schnarr & Associates Inc.

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

Yes  No (Provide explanation)

Please refer to the Cover Letter prepared by Glen Schnarr & Associates Inc.

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

Yes  No (Provide explanation)

---

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

Yes  No (Provide explanation)

7.6 Are the subject lands subject to the Greenbelt Plan?

Yes  No (Provide explanation)

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

Yes  No (Provide explanation)

## 8 ADDITIONAL INFORMATION - VALIDATION

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

Yes  No (Provide explanation)

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

Yes  No (Provide explanation and details on plan)

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

## 9 ADDITIONAL INFORMATION - CANCELLATION

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

Yes  No (Provide explanation)

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

Yes  No (Provide explanation and details on plan)

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

**10 ADDITIONAL INFORMATION - FARM CONSOLIDATION**

**10.1 Purpose of the Application (Farm Consolidation)**

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

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

**10.2 Location of farm consolidation property:**

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

**10.3**

**Rural Hamilton Official Plan Designation(s)**  
 If proposal is for the creation of a non-farm parcel resulting from a farm consolidation, indicate the existing land use designation of the abutting or non-abutting farm consolidation property.

**10.4**

**Description of farm consolidation property:**

Frontage (m):	Area (m <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):
---------------	------------------------------

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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