



Hamilton

COMMITTEE OF ADJUSTMENT

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

Telephone (905) 546-2424, ext. 4221

E-mail: cofa@hamilton.ca

NOTICE OF PUBLIC HEARING
Consent/Land Severance

You are receiving this notice because you are either:

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

APPLICATION NO.:	B-24:27	SUBJECT PROPERTY:	46 Southmeadow Crescent, Stoney Creek
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APPLICANTS: Owner: Nik Miskovic
Agent: A.J. Clarke & Associates Ltd. – Ryan Ferrari

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

	Frontage	Depth	Area
SEVERED LANDS (Part 2):	12.5 m [±]	35.04 m [±]	437 m ² [±]
SEVERED LANDS (Part 3):	12.5 m [±]	35.04 m [±]	438 m ² [±]
RETAINED LANDS (Part 1):	14 m [±]	35.04 m [±]	515 m ² [±]

Associated Planning Act File(s): N/A

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

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

DATE:	Tuesday, June 11, 2024
TIME:	2:35 p.m.
PLACE:	City Hall Council Chambers (71 Main St. W., Hamilton)
	To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment

B-24:27

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

- Visit www.hamilton.ca/committeeofadjustment
- Email Committee of Adjustment staff at cofa@hamilton.ca
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221

PUBLIC INPUT

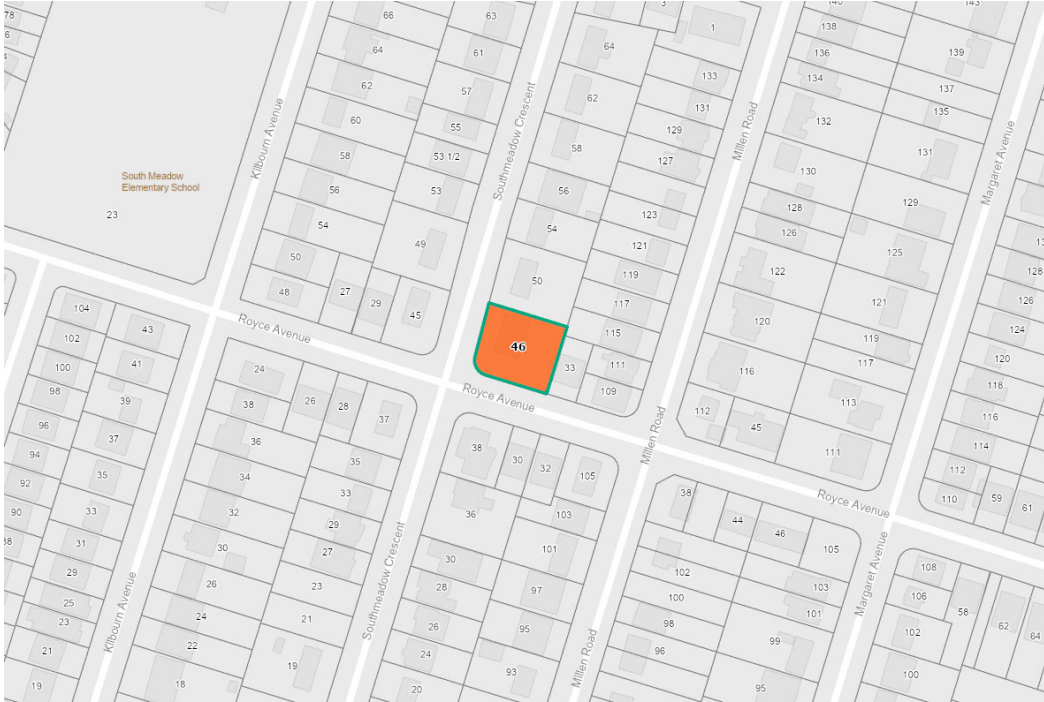
Written: If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Please see attached page for complete instructions, written comments must be received no later than noon **June 7, 2024**

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 **June 10, 2024**

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding B-24:27, you must submit a written request to cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.

If you wish to be provided 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 or by mail through City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5.



 **Subject Lands**

DATED: May 23, 2024

**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.



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COMMITTEE OF ADJUSTMENT

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E-mail: cofa@hamilton.ca

PARTICIPATION PROCEDURES

Written Submissions

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

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. 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 or by phone at 905-977-1654.

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.

OBSERVED REFERENCE POINTS (ORP _s): UTM ZONE 17, NAD83 (CSRS)(2010.0). COORDINATES TO URBAN ACCURACY PER SEC 14 (2) OF O.REG. 216/10		
POINT ID	NORTHING	EASTING
A	4785526.371	603488.376
B	4785490.278	603486.576
COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.		

I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT.

PLAN 62R-21917

RECEIVED AND DEPOSITED

DATE JUNE 29, 2022

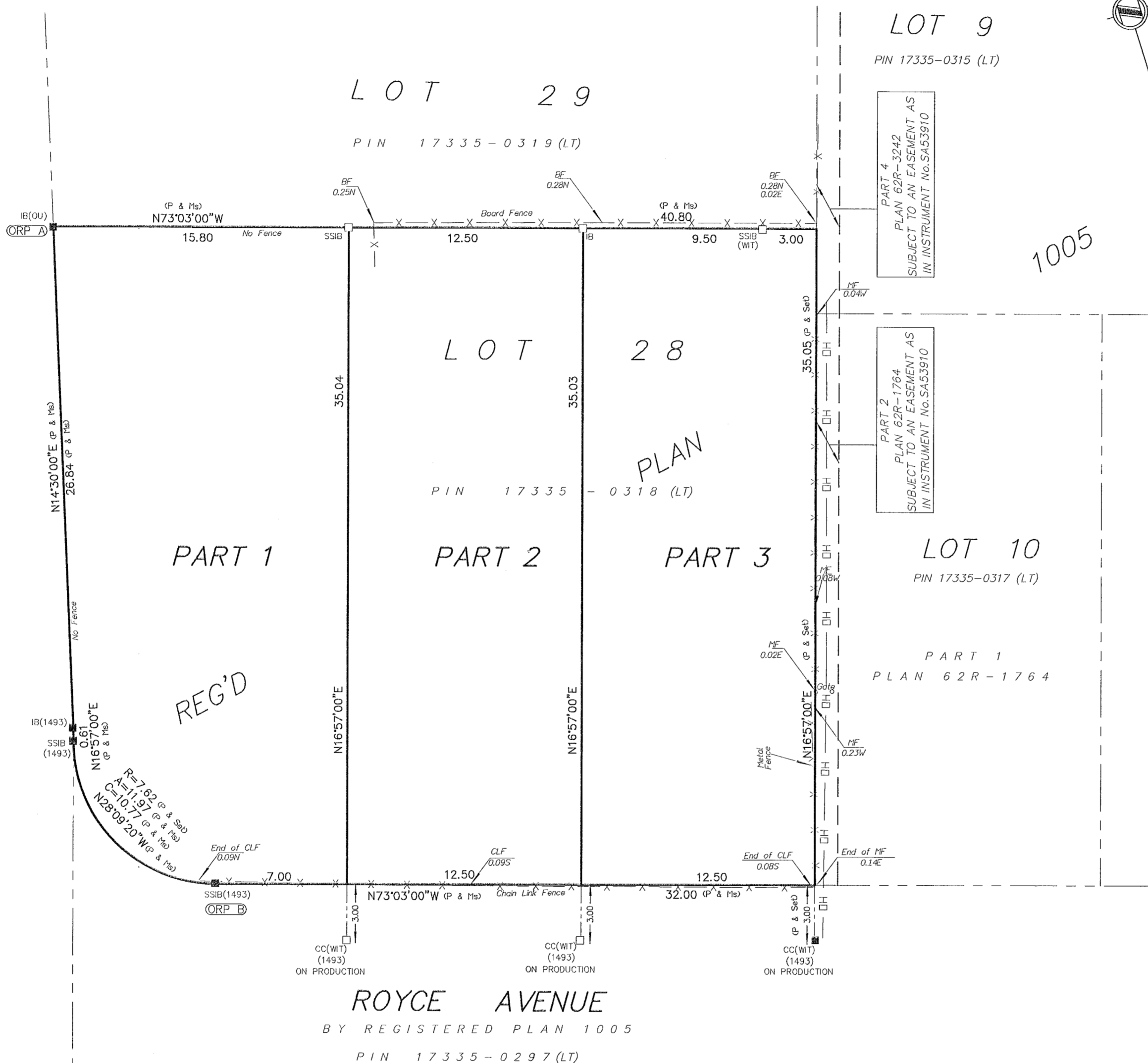
DATE June 22, 2022

G. Sundar
GANESH SUNDAR B.Eng.
ONTARIO LAND SURVEYOR

Erin Noble
REPRESENTATIVE FOR THE LAND REGISTRAR FOR THE LAND TITLES DIVISION OF WENTWORTH (No. 62)

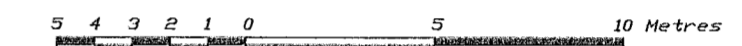
SCHEDULE				
PART	LOT	REGISTERED PLAN	ALL OF PIN	AREA M ²
1				515.6
2	28	1005	17335-0318 (LT)	437.9
3				438.1

SOUTHMEADOW CRESCENT
BY REGISTERED PLAN 1005
PIN 17335-0340 (LT)



PLAN OF SURVEY OF
LOT 28, REGISTERED PLAN 1005
TOWNSHIP OF SALTFLEET
NOW IN THE
CITY OF HAMILTON
REGIONAL MUNICIPALITY OF HAMILTON-
WENTWORTH

SCALE 1:200



MAURO GROUP INC.
ONTARIO LAND SURVEYORS

METRIC

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

BEARING NOTE

BEARINGS ARE UTM GRID, BY REAL TIME NETWORK (TOPNET)
OBSERVATIONS, UTM ZONE 17, NAD83 (ORIGINALX2010.0).

LEGEND

- DENOTES FOUND BAR
- DENOTES PLANTED BAR
- SIB DENOTES STANDARD IRON BAR
- SSIB DENOTES SHORT STANDARD IRON BAR
- IB DENOTES IRON BAR
- Ms DENOTES MEASURED
- CC DENOTES CUT CROSS
- P DENOTES SURVEYOR'S REAL PROPERTY REPORT, BY YOUNG AND YOUNG SURVEYING INC., O.L.S., DATED BY OCTOBER 26, 2021.
- (1493) DENOTES YOUNG AND YOUNG SURVEYING INC., O.L.S.
- OH DENOTES OVERHEAD HYDRO LINES
- MF DENOTES METAL FENCE
- BF DENOTES BOARD FENCE
- N DENOTES NORTH
- E DENOTES EAST
- W DENOTES WEST
- S DENOTES SOUTH

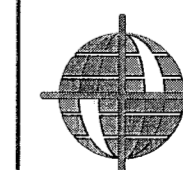
SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT, LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
- THE SURVEY WAS COMPLETED ON THE 13TH DAY OF JUNE, 2022.

JUNE 29, 2022
DATE

G. Sundar
GANESH SUNDAR B.Eng.
ONTARIO LAND SURVEYOR



MAURO GROUP INC.
ONTARIO LAND SURVEYORS

2 HOLLAND DRIVE, UNIT 5, BOLTON, ONTARIO L7E 1E1
PHONE 905.951.6000 - FAX 905.857.4811
www.youngsurveying.ca - info@youngsurveying.ca

PARTY CHIEF: DEV | DRAWN BY: LV | CHECKED BY: GS

CLIENT: WARM HOMES

PATH: F:\PROJECTS\2021\B7551\MSCAD\B7551_R_PLAN.DWG

PROJECT No. 21-B7751



A. J. Clarke and Associates Ltd.

SURVEYORS • PLANNERS • ENGINEERS

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

April 17, 2024

Attn: Ms. Jamila Sheffield
Secretary Treasurer, Committee of Adjustment (email: Jamila.Sheffield@hamilton.ca)

**Re: 46 Southmeadow Crescent (previous file no: SC/B-22:01)
Minor Variance and Severance Application Submission**

Dear Ms. Sheffield:

A.J Clarke and Associates Ltd. has been retained by Warm Homes c/o Nik Miskovic for the purposes of submitting the enclosed Severance (Consent) Applications for the subject lands, municipally known as 46 Southmeadow Crescent, in the City of Stoney Creek.

The purpose of this analysis is in support the Severance (Consent) Applications for the subject lands. The proposed development is to facilitate a severance to create three (3) separate residential lots. Following the proposed severance, one (1) single detached dwelling is proposed to be constructed on each lot.

This application is a resubmission of the previous file SC/B-22:01, which was provisionally approved in March of 2022. The associated Minor Variances requested within file SC/A-22:03 were also approved. This consent lapsed prior to clearing all conditions of severance within the prescribed timelines. As no extensions may be provided, the applicant is required to re-apply for this severance.

Below is a summary of the supporting materials submitted to your attention:

1. One digital copy of the executed Severance Application Form
2. One copy of a cheque in the amount of \$3,360.00 representing the required application fees.
3. One digital copy of the Notice of Conditional Approval for SC/B-22:01, dated February 17, 2022
4. One digital copy of the Notice of Decision for Minor Variance SC/A-22:03, dated February 17, 2022
5. One digital copy of the Final and Binding Notice for SC/A-22:03, dated March 10th, 2022
6. One digital copy (both CAD and PDF) of the deposited Reference Plan 62R-21917, dated June 22, 2022, clearing Condition 1
7. One digital copy of correspondence with City Planning Staff confirming clearance of Condition 5
8. One digital copy of the Applicable Law Review provided by City Staff Matthew Stavroff, clearing Conditions 6 and 7
9. One digital copy of 'Release of Consent Conditions' from City Staff David Santarelli, dated February 12, 2024, clearing Condition 8

I trust that you will find the enclosed satisfactory for your purposes. Please confirm receipt of this submission and we look forward to being scheduled for the next available hearing date. If you have any questions or require additional information, please do not hesitate to contact our office.



Sincerely,

A handwritten signature in black ink that reads "Ryan Ferrari".

Ryan Ferrari, MCIP, RPP, CPT
Senior Planner
A. J. Clarke and Associates Ltd.

Encl.

Cc: Warm Homes c/o Nik Miskovic



Hamilton

Planning and Economic
Development Department

Memorandum

To: Jamila Sheffield
Secretary-Treasurer
Committee of Adjustment

From: David Santarelli
Development Coordinator
Development Engineering

Phone: 905-546-2424 Ext. 3536

Date: February 12, 2024 **File:** SC/B-22:01

Subject: **Release of Consent Conditions for “46 Southmeadow Crescent”**

Please be advised that the following conditions of approval have been satisfied by the Applicant with regard to the above noted application for consent.

Condition “8” - The Owner must enter into with the City of Hamilton and register on title, a Consent Agreement to address issues including but not limited to: lot grading and drainage to a suitable outlet on the conveyed and retained parcels (detailed grading plan required), erosion and sediment control measures (to be included on the grading plan); cash payment requirements for items such as any outstanding servicing cost for the existing municipal services adjacent to the property, street trees (City policy requires one (1) street tree/lot, inspection of grading, stormwater management infrastructure and securities for items that may include: lot grading (\$10,000.00 grading security), water and sewer services inspections, driveway approaches, relocation of any existing infrastructure (such as hydrants) and any damage during construction (unknown costs at this time), to the satisfaction of the City’s Manager of Development Approvals. Cash payments mentioned above are subject to change.

From the point of view of the Development Engineering Section, you may grant final approval to the consent application.

MI:ds

Cc: Patrick MacDonald, Solicitor, Legal Services Division

Cc: applicant



Hamilton

Committee of Adjustment
Hamilton City Hall
71 Main Street West, 5th floor
Hamilton, ON L8P 4Y5
Telephone (905) 546-2424
ext. 4221, 3935
Email cofa@hamilton.ca

COMMITTEE OF ADJUSTMENT
DECISION OF THE COMMITTEE

APPLICATION NO. SC/A-22:03
SUBMISSION NO. A-03/22

APPLICATION NO.: SC/A-22:03

APPLICANTS: Agent A.J. Clarke & Associates
Owner Nikola Njegovan

SUBJECT PROPERTY: Municipal address **46 Southmeadow Crescent,**
Stoney Creek

ZONING BY-LAW: Zoning By-law 3692-92, as Amended

ZONING: "R2" (Single Residential) district

PROPOSAL: To permit the creation of three (3) new lots in accordance with land severance application No. SC/B-22:01 notwithstanding that:

Part 1:

1. A lot frontage of 14.0m shall be provided instead of the minimum 16.5m lot frontage required for a corner lot.

Parts 2 & 3:

2. A lot frontage of 12.5m shall be provided instead of the minimum 15.0m lot frontage required for interior lots.
3. A lot area of 437.0m² shall be provided instead of the minimum 460.0m² lot area required for interior lots.

NOTES:

All future development shall conform to the requirements of the R2 zone contained within Stoney Creek Zoning By-law 3692-92. Details of any future development have not been provided at this time.

These variances are necessary to facilitate land severance application SC/B-22:01.

The owner/applicant shall ensure that the lot frontage indicated for the corner lot (Part 1) has been determined in accordance with the definition of Lot Frontage as provided in Stoney Creek Zoning By-law 3692-92.

THE DECISION OF THE COMMITTEE IS:

That the variances, as set out in paragraph three above, are **GRANTED** for the following reasons:

1. The Committee, having regard to the evidence, is of the opinion that the relief granted is of a minor nature.
2. The relief granted is desirable for the appropriate development of the land and building and is not inconsistent with the general intent and purpose of the By-law and the Official Plan as referred to in Section 45 of The Planning Act, 1990.

CERTIFIED A TRUE COPY

SECRETARY-TREASURER

3. The Committee, having regard to the evidence, is satisfied that there will be no adverse impact on any of the neighbouring lands.
4. The submissions made regarding this matter affected the decision by supporting the granting of the application.

DATED AT HAMILTON this 17 day of February, 2022.

D. Smith (Chairman)

D. Serwatak

L. Gaddy

M. Dudzic

B. Charters

M. Switzer

T. Lofchik

N. Mleczko

M. Smith

NOTE: THE LAST DATE ON WHICH AN APPEAL TO THE ONTARIO LAND TRIBUNAL (OLT) MAY BE FILED IS **March 9, 2022**.

NOTE: This decision is not final and binding unless otherwise noted.

IMPORTANT INFORMATION FOR MINOR VARIANCES

THE LAST DATE OF APPEAL IS:

March 9, 2022

THIS DECISION IS NOT FINAL AND BINDING AND MUST NOT BE ACTED UPON UNTIL THE PERIOD OF APPEAL HAS EXPIRED

THE DECISION DOES NOT RELEASE ANY PERSONS FROM THE NECESSITY OF OBSERVING THE REQUIREMENTS OF BUILDING REGULATIONS, THE LICENSE BY-LAW, OR ANY OTHER BY-LAW OF THE CITY OF HAMILTON.

Appeal to Tribunal

45(12) The applicant, the Minister or any other person or public body who has an interest in the matter may within 20 days of the making of the decision appeal to the Tribunal against the decision of the committee by filing with the secretary-treasurer of the committee a notice of appeal setting out the objection to the decision and the reasons in support of the objection accompanied by payment to the secretary-treasurer of the fee charged by the Tribunal as payable on an appeal from a committee of adjustment to the Tribunal. 2017, c. 23, Sched. 5, s. 98 (3); 2021, c. 4, Sched. 6, s. 80 (5).

Where no appeal

45(14) If within such 20 days no notice of appeal is given, the decision of the committee is final and binding, and the secretary-treasurer shall notify the applicant and shall file a certified copy of the decision with the clerk of the municipality. *Planning Act, R.S.O. 1990*

APPEALS MAY BE FILED:

1. BY MAIL/COURIER ONLY

- 1.1 Appeal package delivered to City Hall and addressed to the Secretary-Treasurer of the Committee of Adjustment, Hamilton City Hall, 5th Floor, 71 Main Street West, Hamilton, ON, L8P 4Y5.
- MUST BE RECEIVED BY THE END OF BUSINESS ON THE LAST DAY OF APPEAL AS NOTED ABOVE
- 1.2 Do not address appeals to any other departments or locations. Appeals received by the office of the Committee of Adjustment after the last date of appeal as a result of second-hand mailing will be time barred and of no effect.
- 1.3 Appeal package must include all of the following:
 - Notice of appeal, setting out the objection to the decision and the reasons in support of the objection;
 - Ontario Land Tribunal (OLT) appeal form, this can be found by contacting Committee of Adjustment staff at cofa@hamilton.ca or at the OLT website <https://olt.gov.on.ca/tribunals/lpat/forms/appellant-applicant-forms/>;
 - Filing fee, the fee is currently \$400 (subject to change) and must be paid by certified cheque or money order, in Canadian funds, payable to the Minister of Finance;
 - All other information as required by the Appeal Form.

2. BY EMAIL AND MAIL/COURIER

- 2.1 Electronic appeal package must be delivered by email to cofa@hamilton.ca.
- MUST BE RECEIVED BY THE END OF BUSINESS ON THE LAST DAY OF APPEAL AS NOTED ABOVE
- 2.2 Physical appeal package must be delivered by mail to City Hall and addressed to the Secretary-Treasurer of the Committee of Adjustment, Hamilton City Hall, 5th Floor, 71 Main Street West, Hamilton, ON, L8P 4Y5.
- 2.3 Electronic appeal package must contain:
 - a copy of the notice of appeal;
 - a copy of the OLT appeal form;
 - a copy of the certified cheque or money order.
- 2.4 Physical appeal package must contain all information as noted in Section 1.3

Questions or Information:
Contact Committee of Adjustment Staff (cofa@hamilton.ca)



Hamilton

Committee of Adjustment
Hamilton City Hall
71 Main Street West, 5th floor
Hamilton, ON L8P 4Y5
Telephone (905) 546-2424
ext. 4221, 3935
Email cofa@hamilton.ca

March 10, 2022

A.J. Clarke & Associates Ltd.
(RYAN FERRARI)
25 MAIN STREET W
SUITE 300
HAMILTON, Ontario, L8L 1H1

Dear Sir:

Re: Application No. SC/A-22:03
Address: 46 SOUTHMEADOW CRESCENT

Pursuant to Subsection 14 of Section 45 of The Planning Act, 1990 notice is herewith given that the period of appeal provided for in Subsection 12 of Section 45 of the said Act has expired and no such appeal has been filed.

Therefore in accordance with Subsection 14 of Section 45 the decision of the Committee is now final and binding.

Yours very truly,



Jamila Sheffield
Secretary-Treasurer



Hamilton

February 14, 2024

FILE: ALR
FOLDER: 24-185879-00 ALR
ATTENTION OF: Matthew Stavroff
TELEPHONE NO: (905) 546-2424
EXTENSION: 5716

RYAN FERRARI
25 MAIN STREET E SUITE 300
HAMILTON, ON L8L 1H1

Attention:

RE: APPLICABLE LAW REVIEW – CLEARANCE OF CONDITIONS
ZONING DISTRICT: R2
FILE NUMBER: SC/B-22:01
ADDRESS: 46 SOUTHMEADOW CRESCENT, STONEY CREEK

The following comments are provided respecting the Zoning Section's conditions for the above noted application(s):

COMMENTS:

1. Minor variance application SC/A-22:03, which became final and binding on March 10, 2022, addresses Condition #6 of land severance applications SC/B-22:01. As such, this condition can now be cleared.
2. Our records indicate that a demolition permit (24-186655) for the existing dwelling was applied for on February 14, 2024. As such, condition #7 of Land Severance application SC/B-22:01 can be cleared.

Yours truly

for the Manager of Zoning and Committee of Adjustment



Hamilton

Planning and Economic
Development Department

Memorandum

To: Jamila Sheffield
Secretary-Treasurer
Committee of Adjustment

From: David Santarelli
Development Coordinator
Development Engineering

Phone: 905-546-2424 Ext. 3536

Date: February 12, 2024 **File:** SC/B-22:01

Subject: **Release of Consent Conditions for “46 Southmeadow Crescent”**

Please be advised that the following conditions of approval have been satisfied by the Applicant with regard to the above noted application for consent.

Condition “8” - The Owner must enter into with the City of Hamilton and register on title, a Consent Agreement to address issues including but not limited to: lot grading and drainage to a suitable outlet on the conveyed and retained parcels (detailed grading plan required), erosion and sediment control measures (to be included on the grading plan); cash payment requirements for items such as any outstanding servicing cost for the existing municipal services adjacent to the property, street trees (City policy requires one (1) street tree/lot, inspection of grading, stormwater management infrastructure and securities for items that may include: lot grading (\$10,000.00 grading security), water and sewer services inspections, driveway approaches, relocation of any existing infrastructure (such as hydrants) and any damage during construction (unknown costs at this time), to the satisfaction of the City’s Manager of Development Approvals. Cash payments mentioned above are subject to change.

From the point of view of the Development Engineering Section, you may grant final approval to the consent application.

MI:ds

Cc: Patrick MacDonald, Solicitor, Legal Services Division

Cc: applicant



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Committee of Adjustment

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

Phone: (905) 546-2424 ext. 4221

Email: cofa@hamilton.ca

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

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

1. APPLICANT INFORMATION

	NAME	MAILING ADDRESS	
Purchaser*	N/A		Phone: E-mail:
Registered Owners(s)	Nik Miskovic		
Applicant(s)**	same as above		
Agent or Solicitor	A.J Clarke and Associates Ltd		

*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 [Redacted]

1.5 All correspondence may be sent by email Yes* No
If Yes, a valid email must be included for the registered owner(s) AND the Applicant/Agent (if applicable). Only one email address submitted will result in the voiding of this service. This request does not guarantee all correspondence will sent by email.

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	46 Southmeadow Crescent		
Assessment Roll Number			
Former Municipality	Stoney Creek		
Lot		Concession	
Registered Plan Number	1005	Lot(s)	28
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)
(i.e. a lot containing a surplus farm dwelling
resulting from a farm consolidation) | |

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

N/A

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

3.4 Certificate Request for Retained Lands: Yes*

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

	Retained	Parcel 1	Parcel 2
Identified on Sketch as:	Part 2	Part 1	Part 3
Type of Transfer	N/A	Sever	Sever
Frontage	12.5m	14.65m	12.5
Depth	35.03m	35.04m	35.03m
Area	437.9m ²	515.6m ²	438.1m ²
Existing Use	Vacant	Vacant	vacant
Proposed Use	SDD	SDD	SDD
Existing Buildings/ Structures	n/a	n/a	n/a
Proposed Buildings/ Structures	n/a	n/a	n/a
Buildings/ Structures to be Removed	n/a	n/a	n/a

4 DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

4.1 Description of subject land:

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

	Retained (remainder)	Parcel 1	Parcel 2	Parcel 3*	Parcel 4*
Identified on Sketch as:	Part 1	Part 2	Part 3		
Type of Transfer	N/A	Sever	Sever		
Frontage	14m	12.5m	12.5m		
Depth	35.04m	35.04m	35.04m		
Area	515m ²	437m ²	438m ²		
Existing Use	Vacant	Vacant	Vacant		
Proposed Use	SDD	SDD	SDD		
Existing Buildings/ Structures	N/A	N/A	N/A		
Proposed Buildings/ Structures	N/A	N/A	N/A		
Buildings/ Structures to be Removed	N/A	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): _____

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.

See Cover Letter

5.2 Is the subject land currently the subject of a proposed official plan amendment that has been submitted for approval?

Yes No Unknown

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

5.3 What is the existing zoning of the subject land? R2 (Single Residential)

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.

SC/B-22:01 (Lapsed) & SC/A-22:03 (approved)

5.5 Are any of the following uses or features on the subject land or within 500 metres of the subject land, unless otherwise specified. Please check the appropriate boxes, if any apply.

Use or Feature	On the Subject Land	Within 500 Metres of Subject Land, unless otherwise specified (indicate approximate distance)
An agricultural operation, including livestock facility or stockyard * Submit Minimum Distance Separation Formulae (MDS) if applicable	<input type="checkbox"/>	N/A
A land fill	<input type="checkbox"/>	N/A
A sewage treatment plant or waste stabilization plant	<input type="checkbox"/>	N/A
A provincially significant wetland	<input type="checkbox"/>	N/A
A provincially significant wetland within 120 metres	<input type="checkbox"/>	N/A
A flood plain	<input type="checkbox"/>	N/A
An industrial or commercial use, and specify the use(s)	<input type="checkbox"/>	N/A
An active railway line	<input type="checkbox"/>	N/A
A municipal or federal airport	<input type="checkbox"/>	N/A

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.

SC/B-22:01 - lapsed

6.2 If this application is a re-submission of a previous consent application, describe how it has been changed from the original application.

No changes. Consent lapsed prior to completing all clearances of conditions.

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?

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.

188 - 192 Fruitland Road, Stoney Creek

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)

See Cover Letter

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

Yes No (Provide explanation)

See Cover Letter

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

Yes No (Provide explanation)

See Cover Letter

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 ² 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 ² 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 ² 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

Previous clearances of conditions, Consent agreemer

Minor Variance decisions, Deposited R-Plan