



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-24:38	SUBJECT PROPERTY:	501 Alberton Road, Hamilton
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APPLICANTS: Owner: Dunlea Farms Limited
Agent: **KPMG Law LLP, Pamela A.**

PURPOSE & EFFECT: To permit the conveyance of a parcel of land to create a new surplus dwelling lot. The retained lands are intended to remain for agricultural use where the existing Barn / Garage will be demolished to facilitate this application.

	Frontage	Depth	Area
SEVERED LANDS:	54.0 m [±]	106.2 m [±]	4539.9 m ² [±]
RETAINED LANDS:	644.85 m [±]	414 m [±]	266474.2 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, July 2, 2024
TIME:	2:30 p.m.
PLACE:	City Hall Council Chambers (71 Main St. W., Hamilton)
	To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment

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

B-24:38

- 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

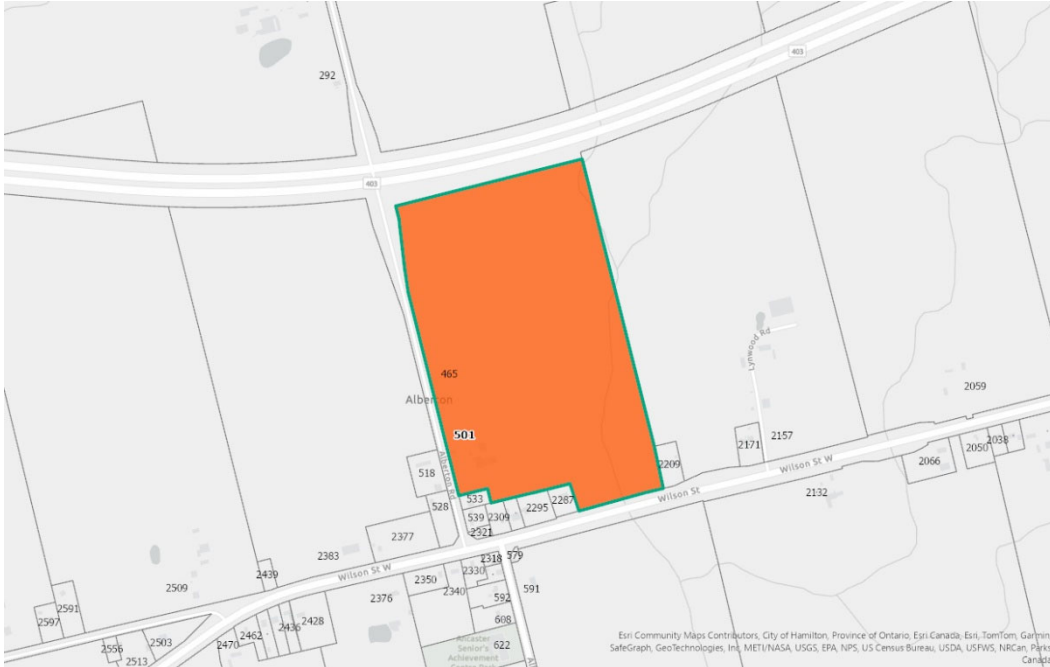
Written: If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Please see attached page for complete instructions, written comments must be received no later than noon **June 28, 2024**

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 28, 2024**

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding B-24:38, 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: June 13, 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.



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

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.

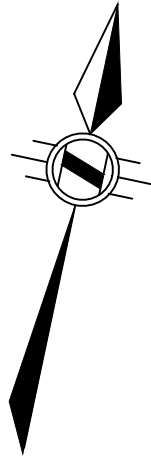
We hope this is of assistance and if you need clarification or have any questions, please email cofa@hamilton.ca or by phone at 905-977-1654.

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.

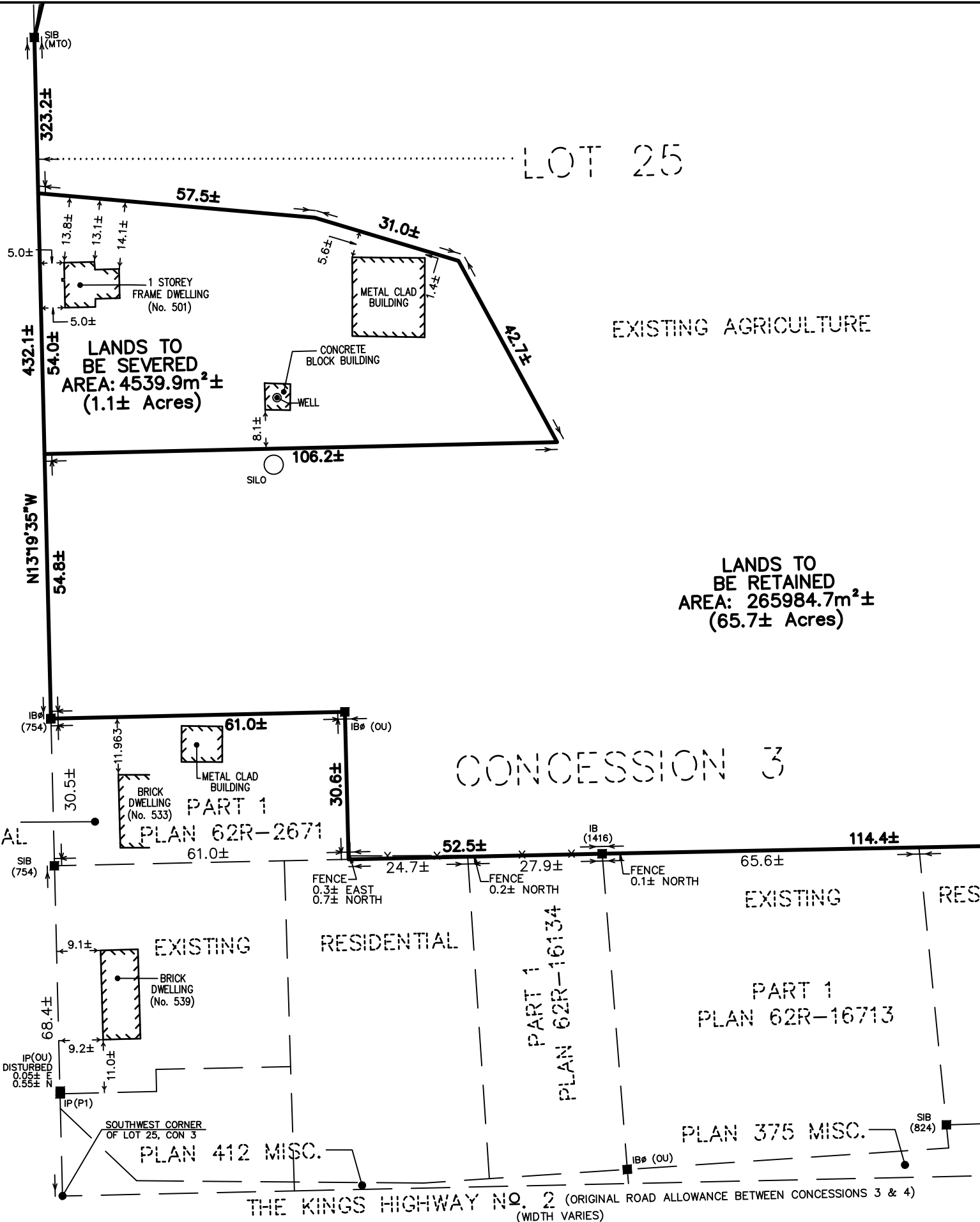
SKETCH FOR LAND DIVISION
OF PART OF
501 ALBERTON ROAD
IN THE
CITY OF HAMILTON
SCALE 1:1000 METRIC



R.A. McLAREN, O.L.S. - 2024



ALBERTON ROAD
(ORIGINAL ROAD ALLOWANCE BETWEEN LOTS 24 & 25)
(20.117m WIDE)



LANDS TO BE SEVERED
AREA: 4539.9m²±
(1.1± Acres)

LANDS TO BE RETAINED
AREA: 265984.7m²±
(65.7± Acres)

CONCESSION 3

EXISTING COMMERCIAL

EXISTING RESIDENTIAL

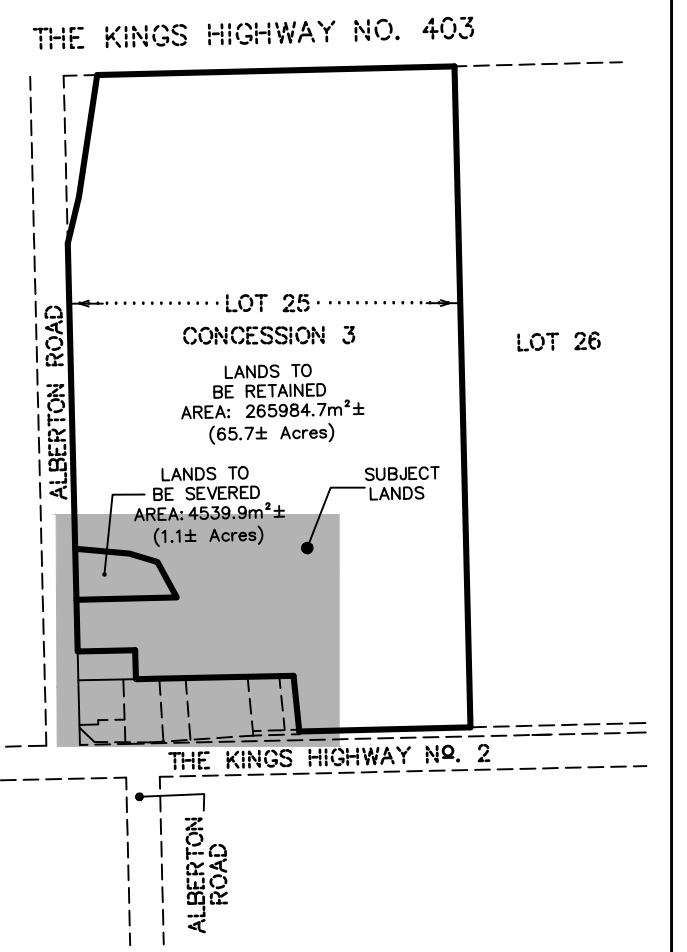
EXISTING RESIDENTIAL

PART 1 PLAN 62R-16713

PLAN 412 MISC.

PLAN 375 MISC.

THE KINGS HIGHWAY NO. 2 (ORIGINAL ROAD ALLOWANCE BETWEEN CONCESSIONS 3 & 4)
(WIDTH VARIES)



KEY MAP - NOT TO SCALE

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 PLAN IS PROTECTED BY COPYRIGHT ©

NOTE:

DISTANCES SHOWN ON THIS PLAN WERE DERIVED FROM PLAN 62R-2671, PLAN 62R-16713, PLAN 62R-12079

NOTE:

THIS PLAN COMPRISES PART OF LOT 25, CONCESSION 3, GEOGRAPHIC TOWNSHIP OF ANCASTER, IN THE CITY OF HAMILTON.

METRIC NOTE:

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

MAY 21, 2024
DATE



A.T. McLaren Limited
LEGAL AND ENGINEERING SURVEYS

69 JOHN STREET SOUTH, SUITE 230
HAMILTON, ONTARIO, L8N 2B9
PHONE (905) 527-8559 FAX (905) 527-0032

Drawn KM	Checked RBM	Crew Chief ZA	Scale 1:1000	Dwg.No. 37584-SK
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KPMG Law

**KPMG Law LLP
Barristers + Solicitors**

21 King St W, Suite 700
Hamilton, Ontario L8P 4W7
Telephone: (905) 523-8200
Fax: (905) 523-5222

www.kpmg.ca/law

May 22, 2024

PRIVATE & CONFIDENTIAL

Jamila Sheffield
Secretary Treasurer
Committee of Adjustment
Hamilton City Hall
71 Main Street West, 5th Floor
Hamilton, Ontario, L8P 4Y5

Pamela A. Green
Business Law
Direct Line: (905) 523-2290
Email: pamelaagreen@kpmg.ca

Dear Ms. Sheffield,

**Re: 501 Alberton Road, Ancaster, Hamilton
Application for Consent to Sever Land**

On behalf of the owner, Dunlea Farms Ltd. (the “**Owner**”), we are pleased to submit a consent to sever application for the property known municipally as 501 Alberton Road, Hamilton, Ontario (hereinafter the “**Subject Land**”).

As a result of a consolidation of the Subject Land with an existing farming operation held by the Owner, there is a surplus residential dwelling on the Subject Land.

The proposed severance is to create a new residential lot by dividing the Subject Land. In support of this consent to sever land application, please find enclosed the following:

- Completed application form;
- A supporting schedule brief to the application, prepared by KPMG Law; and
- A Severance Sketch prepared by A.T. McLaren Limited.

We look forward to hearing from you with the next available Committee date. Should you have any questions or require any additional information, please contact me at 416 943 7772 or via email at pamelaagreen@kpmg.ca

Yours truly,

KPMG Law LLP

PG/mc
Encls.

**SCHEDULE BRIEF
501 ALBERTON ROAD, ANCASTER
MARCH [X], 2024**

On behalf of the owner, Dunlea Farms Ltd. (the “**Owner**”), we are pleased to submit this Schedule Brief in support of a consent to sever land application for the property known municipally as 501 Alberton Road, Hamilton, Ontario (hereinafter the “**Subject Land**”).

As a result of a consolidation of the Subject Land with an existing farming operation held by the Owner, there is a surplus residential dwelling on the Subject Land (the “**Surplus Dwelling**”). The purpose of this proposed severance is to permit the creation of a new residential lot by dividing the Subject Land as follows:

Land to be severed: 54.01m[±] x 106.2m[±] with an area of 4539.9m^{2±}

Retained Lands: 323.2m[±] x 414m[±] and an area of 260159.6m^{2±}

The proposed severance falls within the spirit and purpose of the Growth Related Integrated Development Strategy, City of Hamilton, as residential intensification. A Severance Sketch is attached to this application.

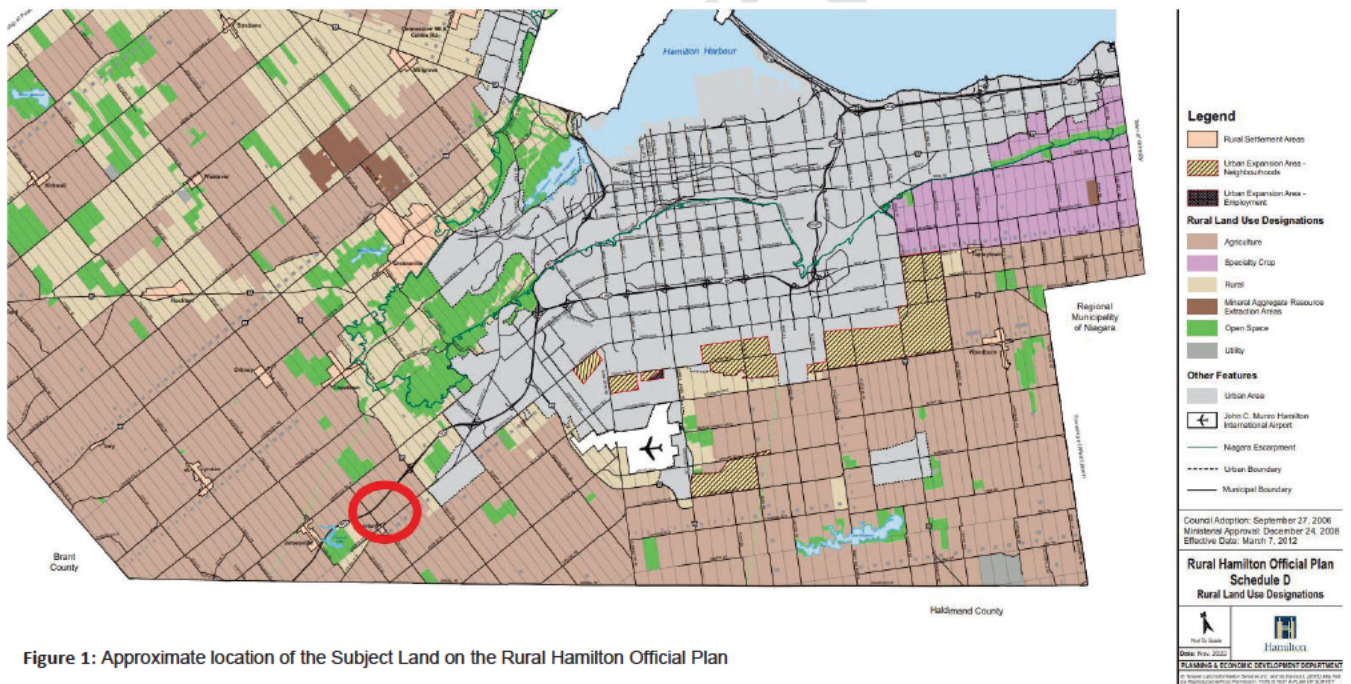
CONTENTS OF SCHEDULE BRIEF

- 1. Subject Site: 501 Alberton Road, Ancaster - OVERVIEW 2
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 - Growth Plan for the Greater Golden Horseshoe..... 5
 - Greenbelt Plan..... 6
 - Parkway West Belt Plan 7
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- 4. Bell Easement 9
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- 6. Rogers Leased Area 12

1. SUBJECT SITE: 501 ALBERTON ROAD, ANCASTER - OVERVIEW

The Subject Land and Surplus Dwelling are designated as Agricultural under the Official Plan by the City of Hamilton.

The Surplus Dwelling is surplus to the farming operation as a result of a farm consolidation. The proposed severance of the Subject Land will not negatively impact the continued farming operations on the retained lands



2. POLICY AND REGULATORY FRAMEWORK

PROVINCIAL POLICY STATEMENT, 2020

The Provincial Policy Statement (the “**PPS**”) aims to promote the protection of (i) agricultural lands and (ii) cultural heritage, while facilitating residential intensification.

PROTECTION OF AGRICULTURAL LANDS

The PPS discourages residential lot creation but provides an exception if a residence surplus is created by farm consolidation. In line with the objective of the PPS to promote the protection of agricultural lands, this proposed severance of the Subject Land will retain the existing residential dwelling and continued farm use of the surrounding lands and therefore this severance will comply with the PPS aims to protect the agricultural lands.

In addition, under the most currently published and proposed draft policy 4.3.3.1(a) and (b), the Proposed Provincial Planning Statement, 2023 (the “**Proposed PPS**”), the government continues to expect to permit residential lot creation in agriculturally designated land in two scenarios:

1. For new residential lots created from a lot or parcel of land that existed on January 1, 2023; or
2. For a residence surplus to an agricultural operation as a result of farm consolidation provided that:
 - a. the new lot will be limited to the minimum size required for appropriate sewage and water services; and
 - b. that no residential dwellings are to be built on any remnant parcel of farmland created by the severance.

This proposed severance falls within the Proposed PPS policy noted above, under ss. 2.

PROTECTION OF CULTURAL HERITAGE

This proposed severance does not impact the preservation or protection of cultural heritage pursuant to the PPS as there is no cultural heritage designation on the Subject Land, and, as confirmed by Development Planning, Heritage and Design, City of Hamilton:

- The property is **not** individually designated under Part IV of the *Ontario Heritage Act*;
- The property is **not** designated as part of a Heritage Conservation District under Part V of the *Ontario Heritage Act*;
- The property is **not** the subject of a Notice of Intention to Designate under Section 29(1) of the *Ontario Heritage Act*;

- The property is **not** on the City's Cultural Heritage Designation Work Plan;
- The property is **not** the subject of an easement or covenant under Section 37 of the *Ontario Heritage Act*; and,
- The property is **not** listed as a non-designated property on the City's Municipal Heritage Register under Section 27 of the *Ontario Heritage Act*.

The property is only listed in the City's Inventory of Heritage Buildings, and as confirmed by Cultural Heritage Planning and Economic Development, City of Hamilton:

"Inventory refers to properties that have been identified as potentially having heritage culture/value to the city. Inventoried properties **do not have any legal status under the Ontario Heritage Act** and are not subject to Heritage Permits or any other heritage requirements as part of the regular Building Permit process." [emphasis added]

RESIDENTIAL INTENSIFICATION

The Alberton Settlement abuts the Subject Land and this proposed severance would promote the vitality and regeneration of this area and facilitate growth of a sustainable economy.



Figure 2: Pinpointing 501 Alberton Road, Ancaster (the "Subject Land") on the Rural Hamilton Official Plan abutting Alberton Settlement. See Figure 1 for the complete Rural Hamilton Official Plan Map.

In sum, this proposed severance and creation of a residential lot conforms to the policies in the PPS and Proposed PPS. The policies within the PPS and Proposed PPS highlight the need to preserve and protect agricultural lands whilst encouraging the growth and development necessary for the vitality and regeneration of the lands for long-term economic prosperity of our communities.

RURAL HAMILTON OFFICIAL PLAN

The Official Plan by the City of Hamilton (the “**Official Plan**”) sets a framework of action for its future: to be a vibrant, healthy and sustainable city. The Official Plan provides direction and guidance on the management of communities and land use change of the City to 2051. The policies of the Rural Hamilton Official Plan (the “**RHOP**”) apply to lands with an Agricultural designation and aim to enable change and transform the City while respecting its history and culture.

The Subject Land holds a RHOP designation of Agricultural (A1) as listed in section 5.1 of the Application for Consent to Sever Land.

The RHOP acknowledges that while the City of Hamilton provides opportunities for agriculture, non-renewable and natural heritage resources – it is also home to many residents not directly involved in any resource related activities. As a result, supporting and enhancing the rural areas requires balancing many interests.

In particular, the RHOP states that the purpose of the Agricultural designation is to protect the prime agricultural lands and enhance the economic well-being of the City and the Province. Accordingly, this proposed severance of the Subject Land conforms with the specific intent to preserve and protect agricultural land as the Retained Lands will remain a farming / agricultural operation.

GROWTH PLAN FOR THE GREATER GOLDEN HORSESHOE

The Subject Land falls within the area overseen by the A Place to Grow: Growth Plan for the Greater Golden Horseshoe (“**A Place to Grow**”). A Place to Grow seeks to plan for growth and development and protect the finite supply of quality agricultural lands that feed the Greater Golden Horseshoe (“**GGH**”).

As previously stated, the agricultural land will continue to contribute to the region’s resilience as this proposed severance will not interfere with the operation of the farm.

A Place to Grow states: “More than anything, the *Greater Golden Horseshoe (GGH)* will continue to be a great place to live, work and play. Its communities will be supported by a strong economy and an approach that puts people first.”

This proposed severance aligns with the guiding principles of A Place to Grow, including the policies that aim to prioritize intensification and put people first.

GREENBELT PLAN

The Subject Land is within the Protected Countryside area under the Greenbelt Plan.

Similar to the PPS and Growth Plan, the objective of the Greenbelt Plan identifies where urbanization should not occur to protect pristine agricultural land and ecological features and functions of the land. In line with the foregoing, the proposed severance falls within the scope of the Greenbelt Plan as the Retained Lands will remain an agricultural/farming operation.

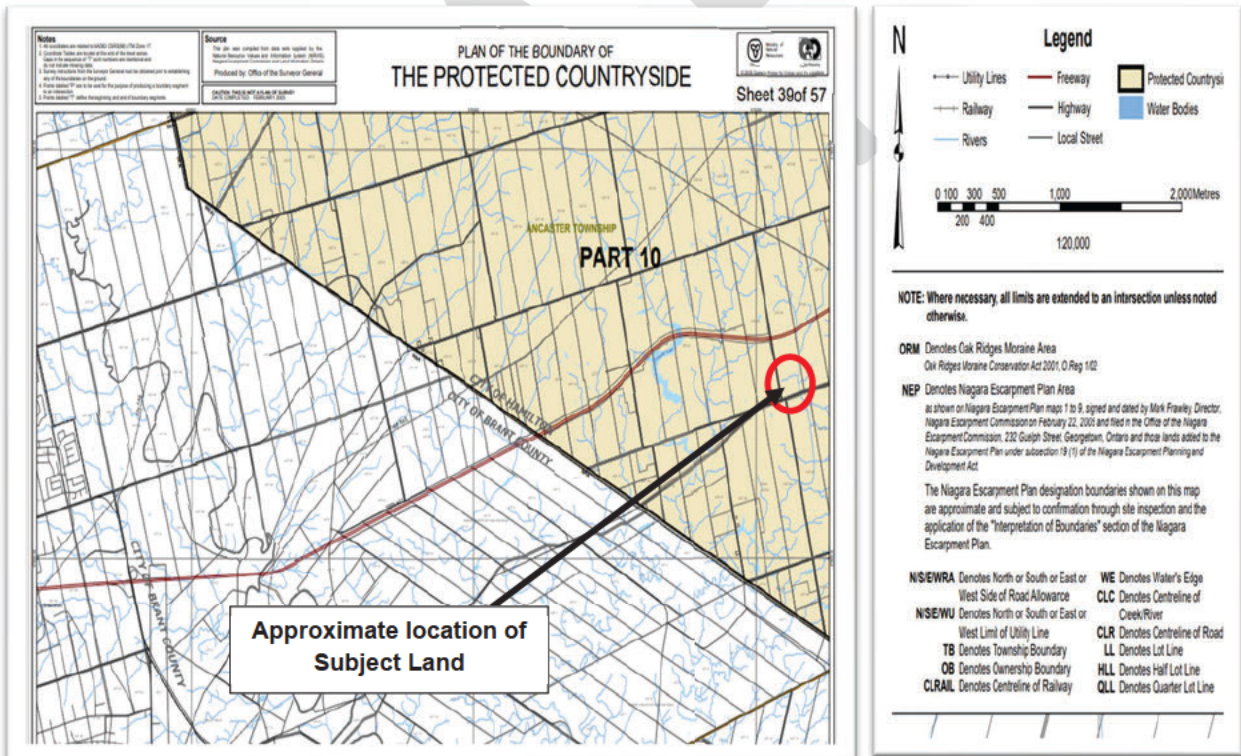


Figure 3: The Subject Land is subject to the Plan of the Boundary of the Protected Countryside falling within the Greenbelt Plan protected area.

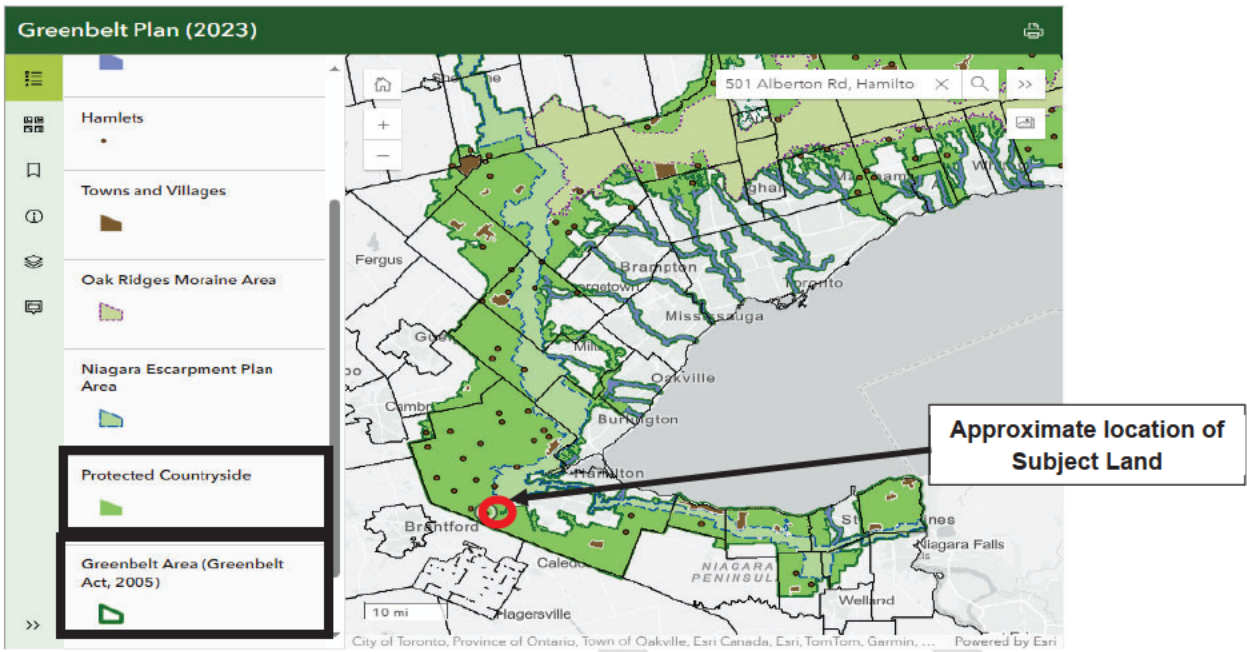


Figure 4: A map of the area protected by the Greenbelt Plan depicting the approximate location of the Subject Land marked by the red circle.

PARKWAY BELT WEST PLAN

The Subject Land is not subject to the Parkway Belt West Plan as stated in section 7.5 of the Application for Consent to Sever Land and illustrated in Figure 5.

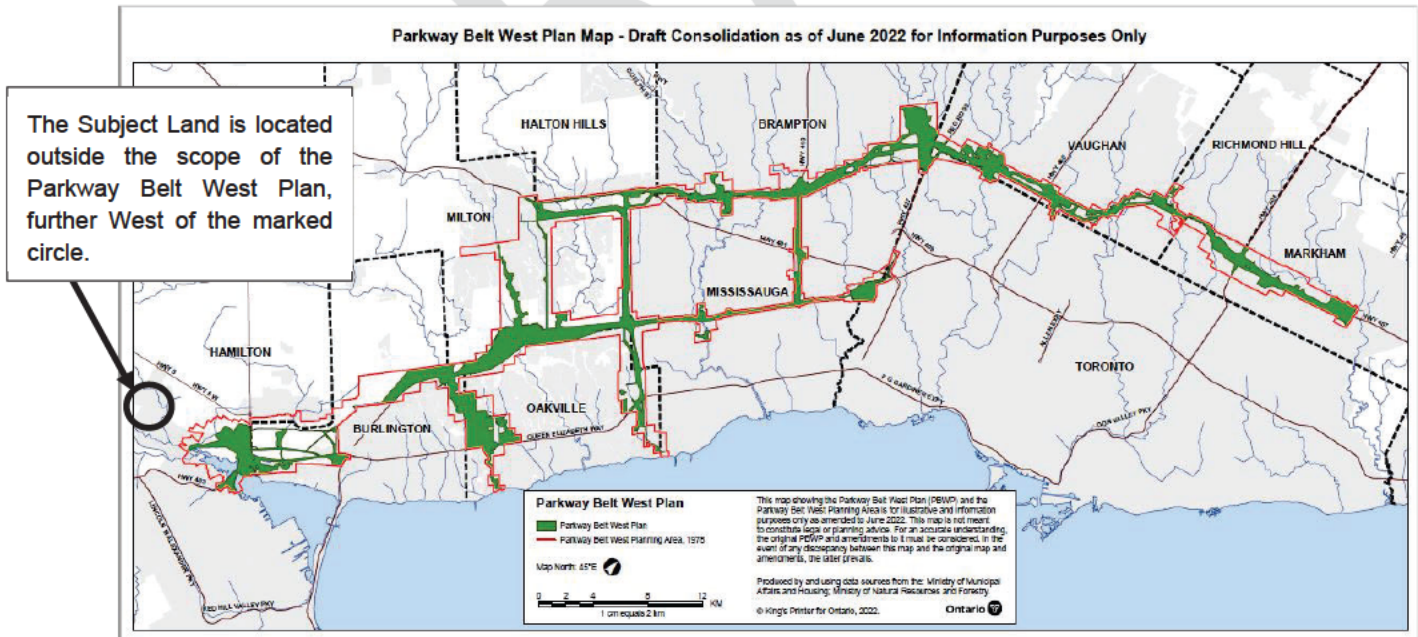


Figure 5: A map of the Parkway Belt West Plan depicting that the Subject Land is not covered by the scope of the Parkway Belt West Plan.

NIAGARA ESCARPMENT PLAN

Pursuant to section 7.4 of the Application for Consent to Sever Land, the Subject Land is not subject to the Niagara Escarpment Plan as depicted in Figure 6 below. Therefore, the Subject Land is not restricted by the policies of this plan.

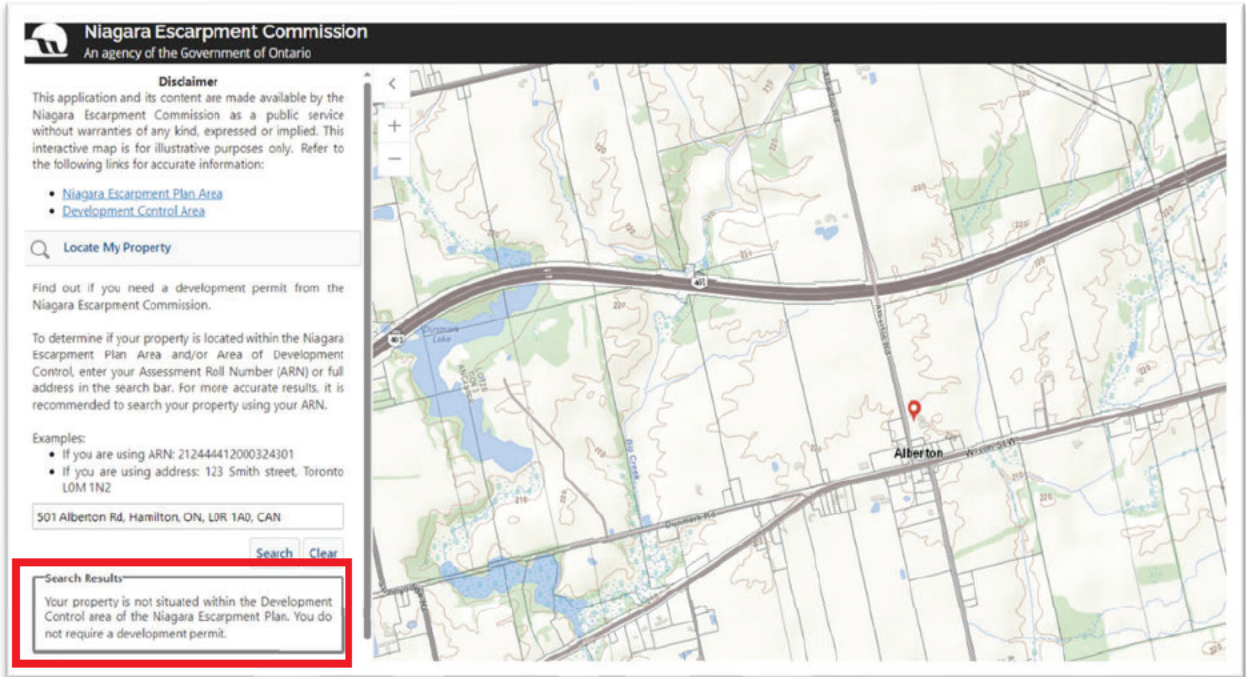


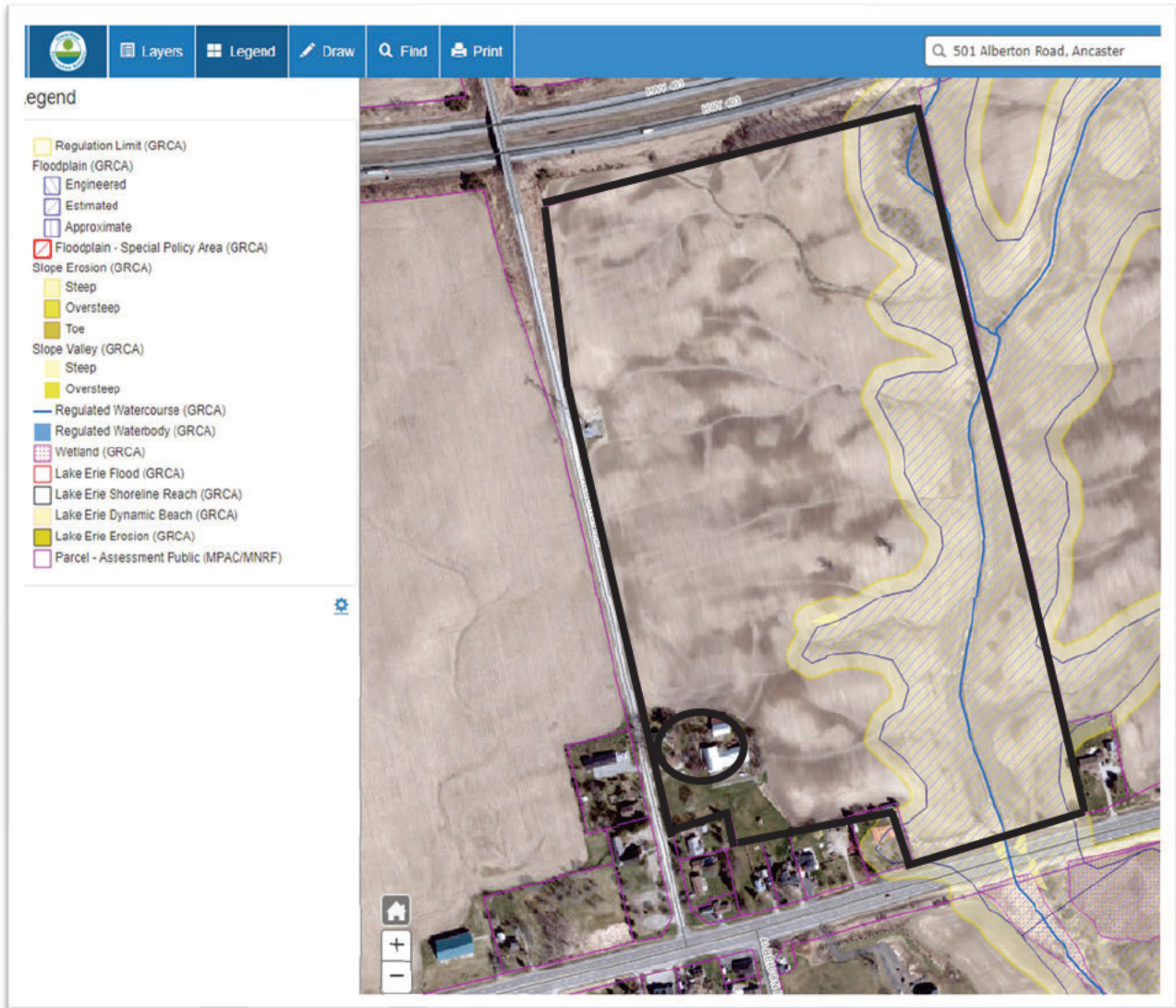
Figure 6: The Niagara Escarpment Commission site confirms that the approximate location of the Subject Land is not situated within the Development Control area of the Niagara Escarpment Plan and therefore no development permit is required.

3. CONSERVATION AUTHORITY MAP

Pursuant to section 5.5 of the Application for Consent to Sever Land, the Subject Land is depicted on the Conservation Authority Maps in Figure 7. A provincially significant wetland and flood plain remain on the Retained Lands but are not a part of the Lands to be Severed / Surplus Dwelling.

Also of note: An industrial or commercial use building is situated across the street and next door to the Subject Land and are currently operating as a wedding venue and repair shop, respectively.

Figure 7: Below is the Conservation Authority Map which depicts the Subject Land to be severed and the surrounding areas of the Subject Land.



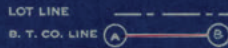
4. BELL EASEMENT

Figure 8 illustrates the proximity of the Bell Easement to the Land to be severed as stated in section 2.2 of the Application for Consent to Sever Land.

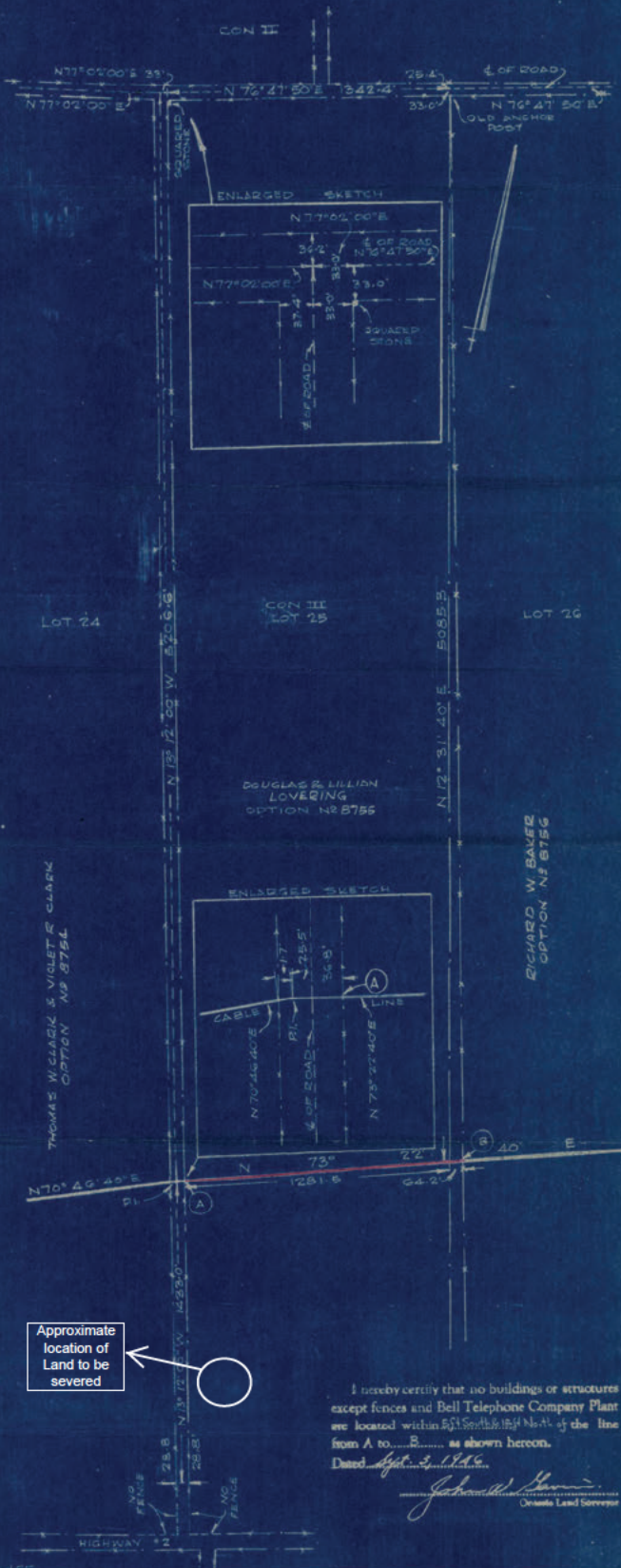
Figure 8: Bell Easement in proximity to the Land to be severed.

THE BELL TELEPHONE COMPANY OF CANADA

T.L. HAMILTON - LONDON CABLE RIGHT OF WAY
 NAME OF OWNER DOUGLAS & LILLIAN LOVE BING OPTION NO. 8755
 LOT OR PART 25 REGISTRY OFFICE HAMILTON
 CONCESSION 3 DATE JULY 23, 1946
 TOWNSHIP OF ANCASTER SCALE: 400' = 1" SURVEYOR John W. Lamer
 COUNTY OF WENTWORTH



N. B. ALL BEARINGS ARE ASTRONOMIC AND REFERRED TO MERIDIAN THROUGH N.E. CORNER OF LOT 49



Approximate location of Land to be severed

I hereby certify that no buildings or structures except fences and Bell Telephone Company Plant are located within 50 feet of the N.E. of the line from A to B as shown hereon.
 Dated Sept. 3, 1946.

John W. Lamer
 Ontario Land Surveyor

5. AIRPORT ZONING

Figure 9 below is an airport zoning map of the John C. Munro Hamilton International Airport location as stated in section 2.2 of the Application for Consent to Sever Land.

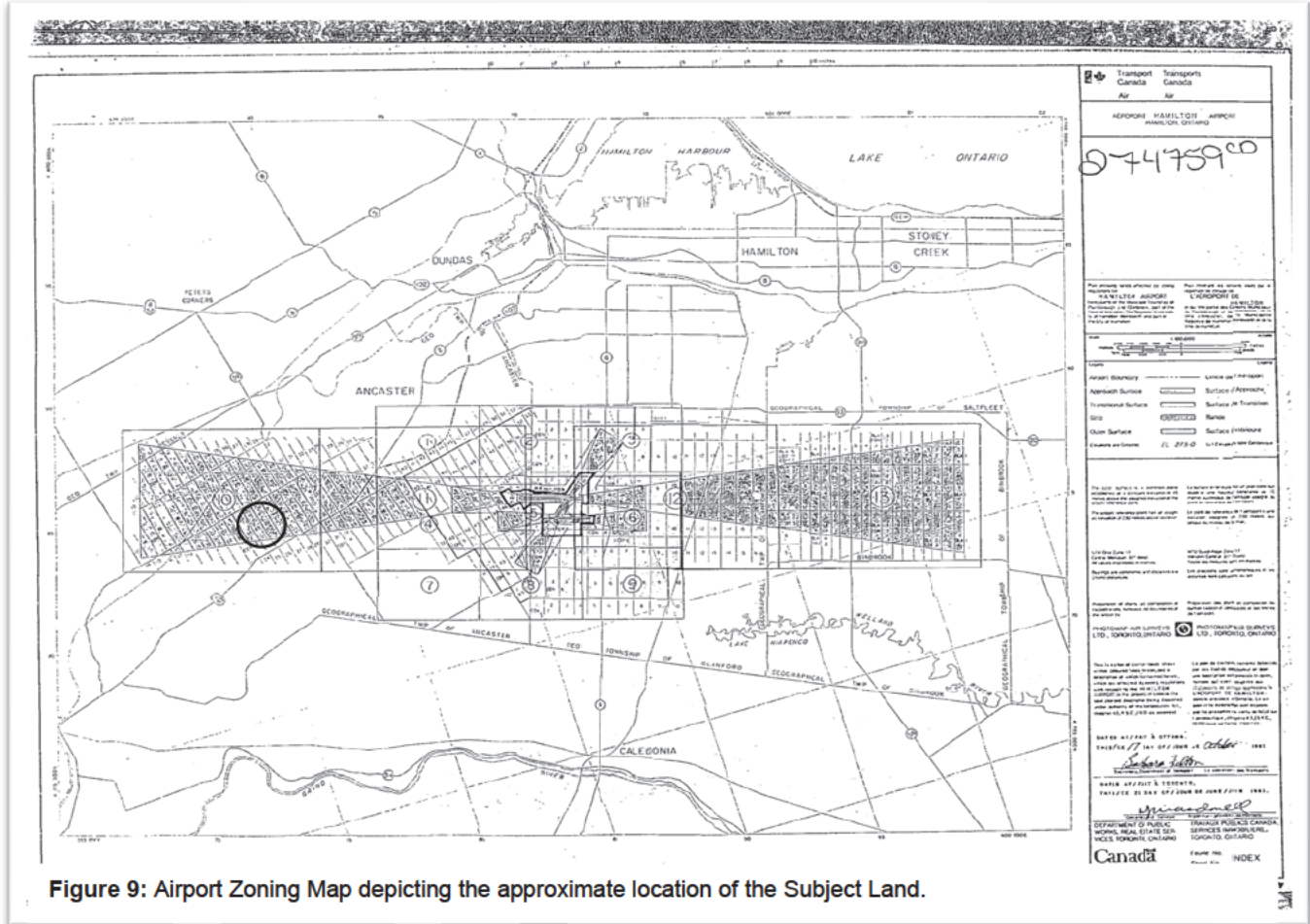


Figure 9: Airport Zoning Map depicting the approximate location of the Subject Land.

6. ROGERS LEASED AREA

Figure 10 below illustrates the Rogers Lease that impacts the Subject Land as stated in section 2.2 of the Application for Consent to Sever Land.

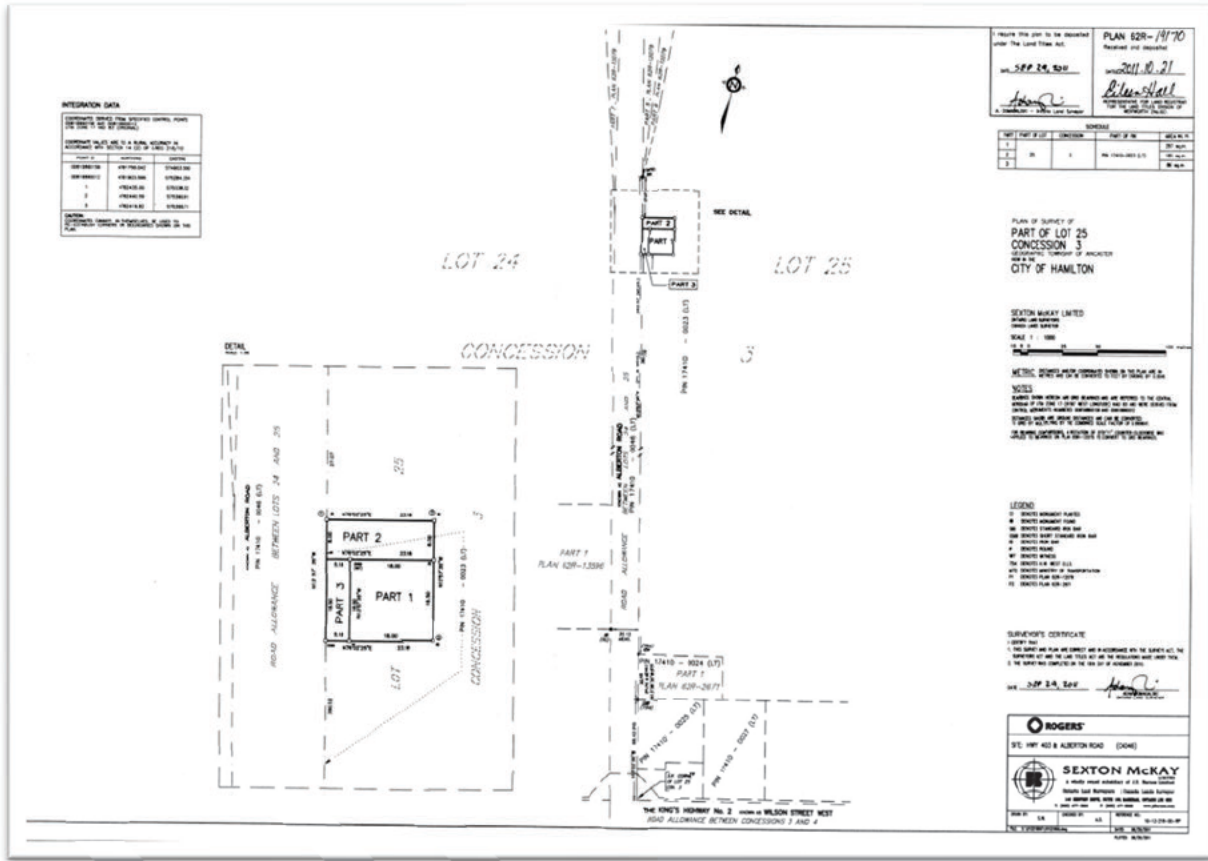
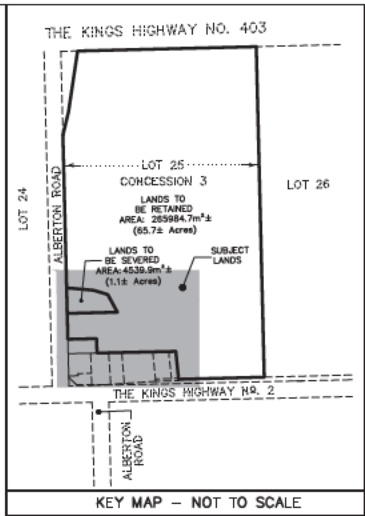
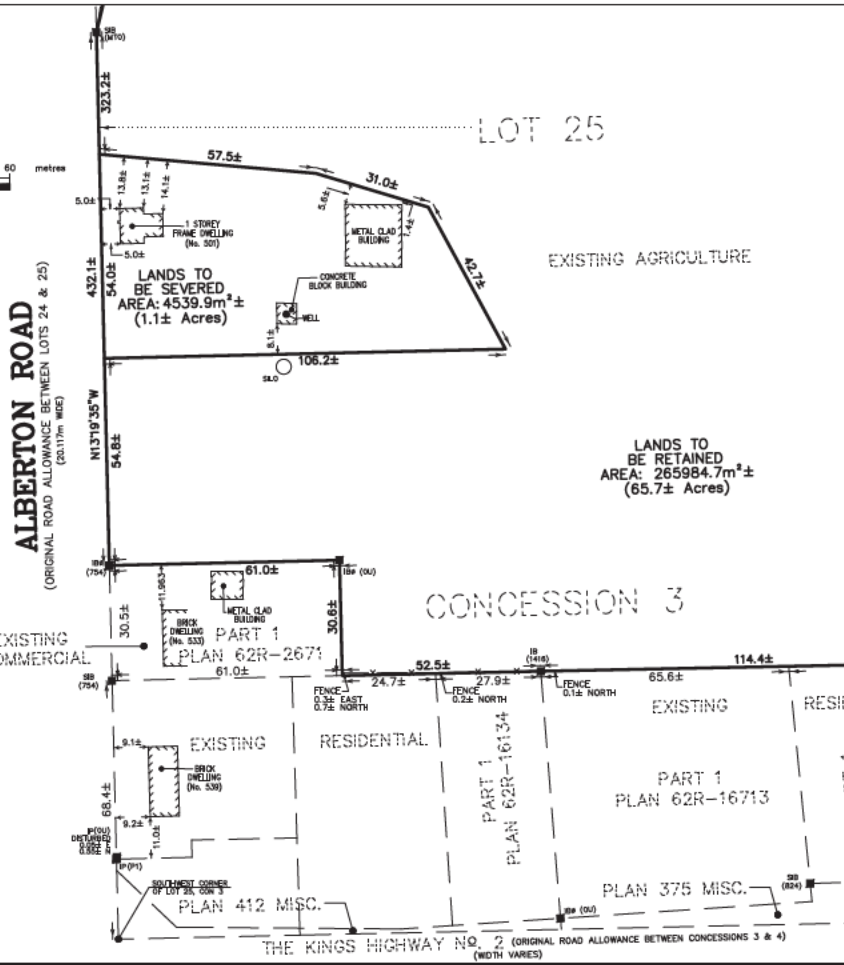


Figure 10: Rogers Leased Area



SKETCH FOR LAND DIVISION
 OF PART OF
501 ALBERTON ROAD
 IN THE
CITY OF HAMILTON
 SCALE 1:1000 METRIC

R.A. McLAREN, O.L.S. - 2024



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 PLAN IS PROTECTED BY COPYRIGHT ©

NOTE:
 DISTANCES SHOWN ON THIS PLAN WERE DERIVED FROM PLAN 62R-2671, PLAN 62R-16713, PLAN 62R-12079

NOTE:
 THIS PLAN COMPRISES PART OF LOT 25, CONCESSION 3, GEOGRAPHIC TOWNSHIP OF ANCASTER, IN THE CITY OF HAMILTON.

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

MAY 21, 2024
 DATE

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

Drawn KM	Checked RBM	Crew Chief ZA	Scale 1:1000	Proj. No. 37584-SK
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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
Purchaser*	N/A
Registered Owners(s)	Dunlea Farms Limited
Applicant(s)**	Dunlea Farms Limited
Agent or Solicitor	KPMG Law LLP, Pamela A.

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

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

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

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

1.4 Request for digital copy of sign Yes* No
 If YES, provide email address where sign is to be sent 

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

2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	501 Alberton Road, Hamilton, ON L0R 1A0		
Assessment Roll Number	14031046800		
Former Municipality	Ancaster		
Lot	PT LT 25	Concession	3
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:

Bell Easement & Notice of Claim, Airport Zoning Regulations, Rogers Lease. See attach

3 PURPOSE OF THE APPLICATION

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

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

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

Dunlea Farms Ltd.

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, m² or ha), attach additional sheets as necessary.

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

Identified on Sketch as:	retained	to be severed			
Type of Transfer	N/A				
Frontage	644.85m	54.0m			
Depth	414m (approx)	106.2m			
Area	266474.2m ²	4539.9m ²			
Existing Use	Agriculture	Residential/Agri			
Proposed Use	Agriculture	Residential			
Existing Buildings/ Structures	House, 2 metal clad buildings, barn/garage	same			
Proposed Buildings/ Structures	none	House, 1 metal clad building, 1 concrete block			
Buildings/ Structures to be Removed	barn/garage	none			

* 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): Agricultural (A1)

Rural Settlement Area: Adjacent to Alberton Settlement

Urban Hamilton Official Plan designation (if applicable) N/A

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

Please see attached schedule for explanation.

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.

N/A

5.3 What is the existing zoning of the subject land? A1 - Agricultural

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.

N/A

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"/>	
A land fill	<input type="checkbox"/>	
A sewage treatment plant or waste stabilization plant	<input type="checkbox"/>	
A provincially significant wetland	<input checked="" type="checkbox"/>	on retained parcel not
A provincially significant wetland within 120 metres	<input checked="" type="checkbox"/>	on retained parcel not
A flood plain	<input checked="" type="checkbox"/>	on retained parcel not
An industrial or commercial use, and specify the use(s)	<input checked="" type="checkbox"/>	Across the street and r
An active railway line	<input type="checkbox"/>	
A municipal or federal airport	<input type="checkbox"/>	

See map of conservation authority attached.

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.

N/A

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.

N/A

6.4 How long has the applicant owned the subject land?

Since April 28, 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.

400 Field Rd., Jerseyville and 2274 Powerline Rd., Ancaster, Ontario.

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 see attached schedule brief - the application is consistent with the Provincial Policy Statement.

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

Yes No (Provide explanation)

Please see attached schedule brief.

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

Yes No (Provide explanation)

Please see attached schedule brief.

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

Yes No (Provide explanation)

See attached schedule brief - the Property is not subject to the Niagara Escarpment Plan.

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

Yes No (Provide explanation)

The lands affected by the plan are not near the Property, see attached schedule brief that includes a map of lands affected by the Parkway Belt West Plan.

7.6 Are the subject lands subject to the Greenbelt Plan?

Yes No (Provide explanation)

The subject lands fall within the area protected by the Greenbelt Plan, see attached schedule brief.

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

Yes No (Provide explanation)

Since the subject Property abuts the Alberton Settlement area, it may be affected by the proposed Provincial Planning Statement, 2023 which will make changes to the existing policy statement and Growth Plan for the Greater Golden Horseshoe, 2019 plan to expand rural settlement areas.

8 ADDITIONAL INFORMATION - VALIDATION

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

Yes No (Provide explanation)

N/A

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

Yes No (Provide explanation and details on plan)

N/A

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

N/A

9 ADDITIONAL INFORMATION - CANCELLATION

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

Yes No (Provide explanation)

N/A

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

Yes No (Provide explanation and details on plan)

N/A

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

N/A

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	400 Field Road, Jerseyville, ON L0R 1R0		
Assessment Roll Number	14021021400		
Former Municipality	Jerseyville		
Lot	PT LTS 16, 17 & 18	Concession	2
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.

The property is zoned A1 Agricultural.

10.4 Description of farm consolidation property:

Frontage (m): approx. 6000 ft	Area (m ² or ha): approx. 1014561m ²
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Existing Land Use(s): Farm Proposed Land Use(s): Farm

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

Frontage (m):	Area (m ² or ha):
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10.6 Existing Land Use: Consolidated Farm U Proposed Land Use: Consolidated Farm Use- Ag

10.7 Description of surplus dwelling lands proposed to be severed:

Frontage (m): (from Section 4.1) 54.0m	Area (m ² or ha): (from Section 4.1) 4539.9m ²
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Front yard set back: 5m

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
