

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-25:056	SUBJECT PROPERTY:	45 Frid Street, Hamilton
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APPLICANTS: Owner: 45-67-180 Frid Investments Inc c/o KC Daya
Applicant: Fotenn Planning + Design, c/o Miles Weeks
Agent: Mathew Laing

PURPOSE & EFFECT: To permit the conveyance of a vacant parcel of land for future development, and to retain a parcel of land containing an existing office building (to remain).

	Frontage	Depth	Area
SEVERED LANDS (Severed):	77.63 m [±]	78.96 m [±]	3963 m ² [±]
RETAINED LANDS (Retained):	51.20 m [±]	78.96 m [±]	4044 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:	Thursday, September 4, 2025
TIME:	1:20 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-25:056

- Visit www.hamilton.ca/committeeofadjustment
- Visit Committee of Adjustment staff at 5th floor City Hall, 71 Main St. W., Hamilton

PUBLIC INPUT

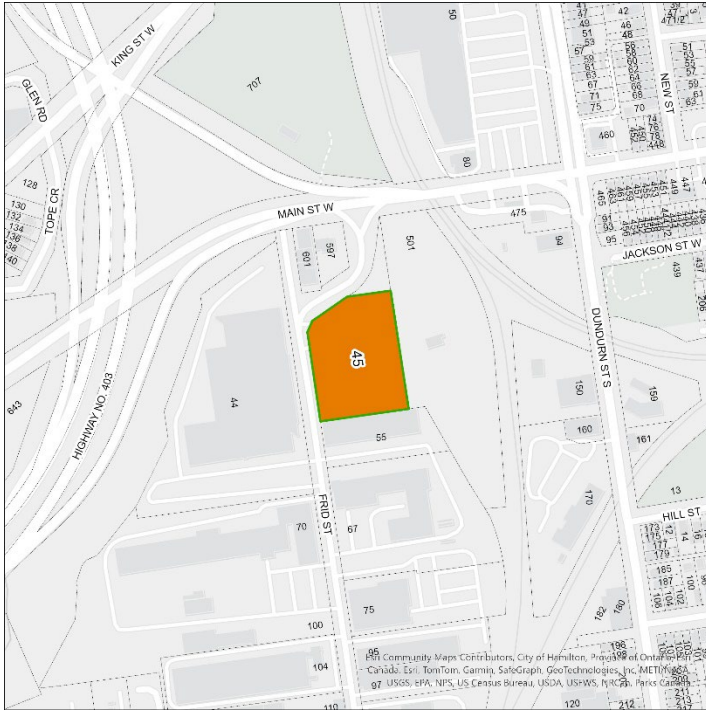
Written: If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Please see attached page for complete instructions, written comments must be received no later than noon **September 2, 2025**

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 **September 3, 2025**

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding B-25:056, 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: August 18, 2025

Justin Leung,
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

PARTICIPATING PROCEDURES

1. Written Submission Ahead of the Meeting

Members of the public who wish to provide input without speaking at the Hearing may submit written comments in advance of the meeting. Comments must be received by 12:00 p.m. (noon) on the deadline date for written comment submissions listed on the Notice of Public Hearing.

How to Submit Written Comments:

By Email:

Send to: cofa@hamilton.ca

By Mail:

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

All written comments received will be made available to the Committee and the public by the Tuesday prior to the Hearing.

2. Oral Submissions During the Hearing

Interested members of the public, agents, and owners may provide oral comments on Committee of Adjustment Hearing items either virtually via Webex (computer or phone) or by attending in person.

Speaking Time Limit:

All participants providing oral submissions, either in person or virtually are limited to a maximum of 5 minutes to speak. This is to ensure all parties have an equal opportunity to be heard and that the meeting runs efficiently.

3. In-Person Oral Submissions

To participate in person, attend Council Chambers on the date and time listed in the Notice of Public Hearing. You will be required to provide your name and address for the record. It is recommended you arrive at least 10 minutes prior to the scheduled start time.

4. Virtual Oral Submissions

To participate virtually, you must register by 12:00 p.m. (noon) on the virtual oral submissions registration deadline date. This is listed on the Notice of Public Hearing.

- Committee of Adjustment file number
- Hearing date
- Name and mailing address of each person wishing to speak
- Method of participation (phone or video), and, if applicable, the phone number to be used
- Each person must register separately

Registered participants will receive a Webex link one business day before the Hearing. Only those registered will be called upon to speak.

5. Presentations

All presentations are permitted at the discretion of the Committee.

Virtual Presentations:

Presenters participating virtually may be granted permission to share their screen during the Hearing. A copy of the presentation must be submitted to cofa@hamilton.ca **by 12:00 p.m. (noon) on the business day prior to the Hearing**. The submission must be one document in PDF format only.

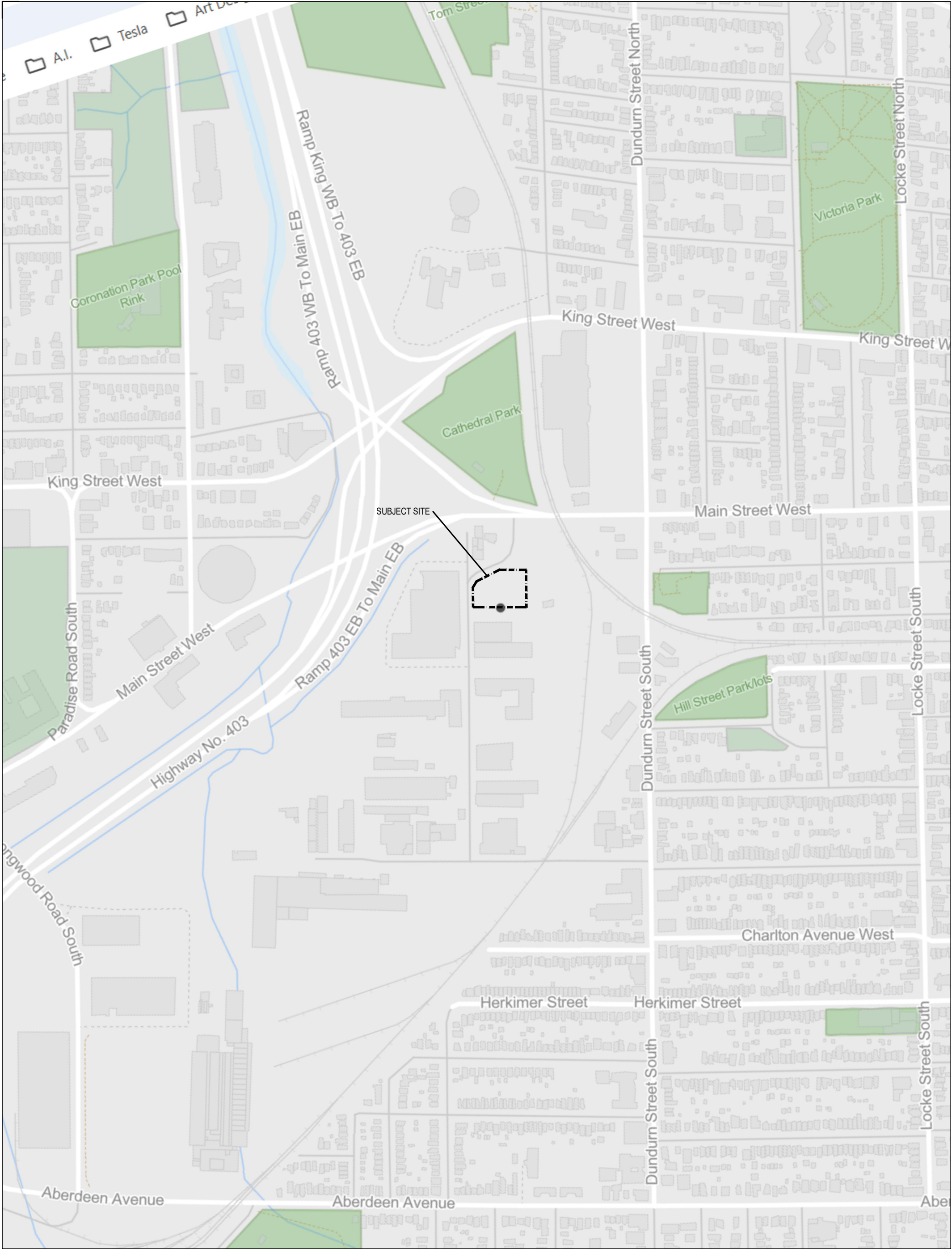
In-Person Presentations:

Presenters attending in person may be granted permission to use the presentation screen. Presentations must be brought on a USB device and opened by the owner/applicant. A copy of the presentation must also be sent to cofa@hamilton.ca **by 12:00 p.m. (noon) on the business day prior to the Hearing**. The submission must be one document in PDF format only. Handouts are permitted only if the same content can be displayed on the presentation screen.

6. Additional Notes

- Webex (video) participation requires a compatible computer or smartphone. The necessary application must be downloaded in advance.
- It is the interested party's responsibility to ensure their device is functional and compatible prior to the Hearing.

For any questions, contact staff at cofa@hamilton.ca or call 905-546-2424 ext. 4221.



CONTEXT PLAN

SCALE = 1: 1: 2500

2
A1

STATISTICS - SEVERED PROPERTY

Lot area	3,963 m ²
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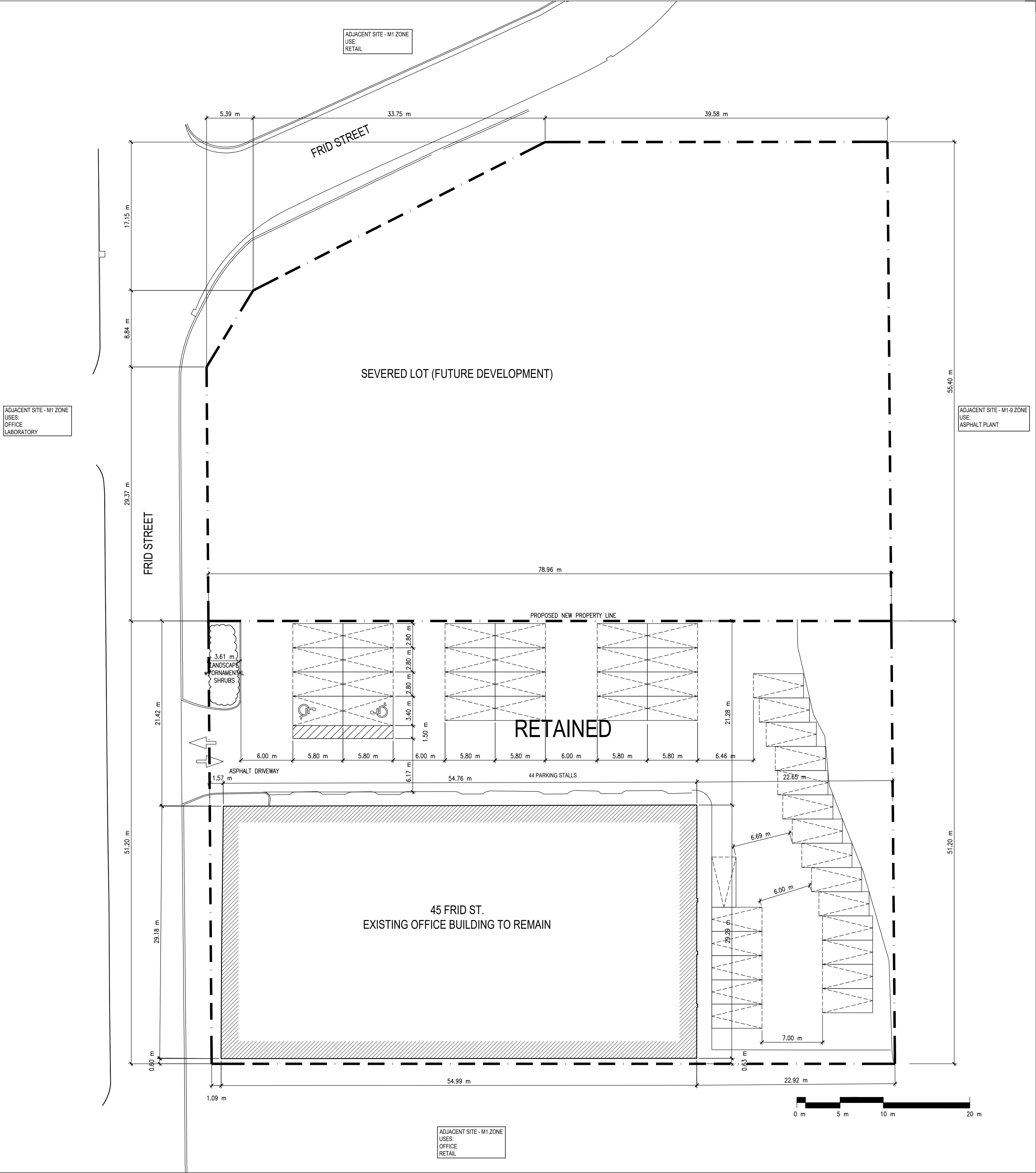
STATISTICS - RETAINED PROPERTY

AREA	Retail/Office	Loading	Storage	Total
Level 1	1,600 m ²			1,600 m ²
Total	1,600 m ²			1,600 m ²

Gross floor area	1,600 m ²
Building area	1,600 m ²
Lot area	4,044 m ²
Lot coverage	39.6%
FSI	0.40

PARKING

Car Stalls Provided	44
Bicycle Long-term Provided	0 (existing building pre-dates Zoning By-law 05-200)
Bicycle Short-term Provided	0



SITE PLAN

SCALE = 1: 1: 250

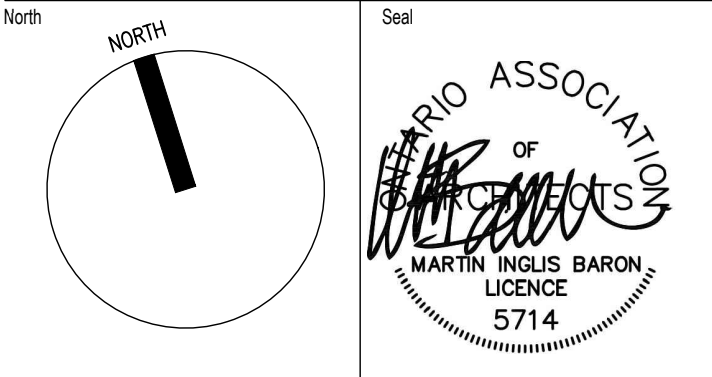
1
A1



Baron Nelson Architects
394 - 47 Mowat Ave., Toronto, Ontario, M6K 3E3
info@bnarch.ca www.bnarch.ca

Issued	Date
ZONING COMPLIANCE REVIEW	2024-12-20
ZONING COMPLIANCE REVIEW	2025-02-05
ZONING COMPLIANCE REVIEW	2025-02-19
LOT SEVERANCE	2025-04-25
LOT SEVERANCE RESUBMISSION	2025-08-01

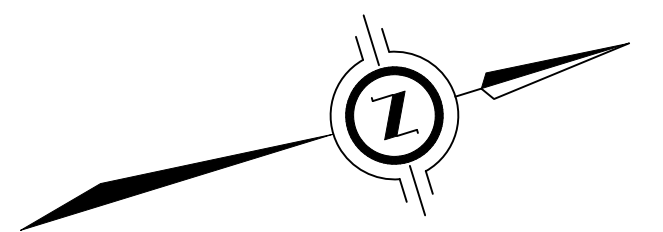
SEVERANCE PLAN FOR
45 FRID STREET
HAMILTON



SITE PLAN

Scale 1: 250 No.

A1



CITY OF HAMILTON

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

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

DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.999690.

THE RESULTANT TIE BETWEEN ORP (A) AND ORP (B) IS 190.89 N 12°41'15" W

LEGEND

■	DENOTES	SURVEY MONUMENT FOUND
□	DENOTES	SURVEY MONUMENT SET
SIB	DENOTES	STANDARD IRON BAR
SSIB	DENOTES	SHORT STANDARD IRON BAR
IB	DENOTES	IRON BAR
PB	DENOTES	PLASTIC BAR
WIT	DENOTES	WITNESS
MEAS	DENOTES	MEASURED
JBN	DENOTES	J.D. BARNES LIMITED
CITY	DENOTES	CITY OF HONOLULU
1213	DENOTES	J.D. PETERS, O.L.S.
912	DENOTES	A.J. CLARKE AND ASSOCIATES LTD., O.L.S.
M&P	DENOTES	MACKEY, MACKEY & PETERS LIMITED, O.L.S.
P1	DENOTES	PLAN OF SURVEY BY J.D. BARNES, LTD., O.L.S.
		DATED DECEMBER 10th, 2024
CLF	DENOTES	CHAIN LINK FENCE
FG	DENOTES	FENCE GATE

CERTIFY THAT:


1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
2. THE SURVEY WAS COMPLETED ON THE 20th DAY OF NOVEMBER, 2024.

DRAFT

DATE

NAME

ONTARIO LAND SURVEYOR

THIS PLAN OF SURVEY RELATES TO ADLS PLAN SUBMISSION FORM NUMBER XXXXXXXX		
	J.D. BARNES LIMITED LAND INFORMATION SPECIALISTS 411 RICHMOND ST. EAST, SUITE 107, TORONTO, ON M5A 3S3 T: (416) 368-3737 F: (416) 368-5308 www.jdbarnes.com	
	SURVEYING MAPPING GIS	
	DRAWN BY: EC/JR CHECKED BY: AK REFERENCE NO.: 24-22-323-02-RP	
	DATED: JULY 14/2024	



Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Building Division
71 Main Street West
Hamilton, Ontario, Canada, L8P 4Y5
Phone: 905.546.2720 Fax: 905.546.2764
www.hamilton.ca

May 7th, 2025

FOLDER: ALR
ATTENTION OF: Morgan Gowans
PHONE: 905-546-2424 ext. 5865
EMAIL: morgan.gowans@hamilton.ca

Miles Weekes (Fotenn Consultants Inc)

Attention:

Re: Applicable Law Review – Zoning By-law Compliance
Zoning District: Research and Development (M1)
Zoning By-law: Hamilton Zoning By-law No. 05-200
Address: 45 Frid Street

An Applicable Law Review respecting zoning by-law compliance has been completed and the following comments are provided.

COMMENTS:

1. The applicant proposes to sever a lot with an existing office building into two (2) separate lots. The Lot to be Retained will be located at the south and will include the existing office building. The Lot to be Severed will be located to the adjacent north of the Lot to be Retained and is proposed to be vacant.
2. Lot line determination:
 - a. Lot to be Severed: This is considered a corner lot. As per the definition of Front Lot Line for a corner lot, in the City of Hamilton's Zoning By-law 05-200, the shorter of the lot lines abutting a street is considered the front lot line.

Front Lot Line	The north-westerly lot line along Frid Street.
Rear Lot Line	The most easterly lot line.
Flankage Lot Line	The northerly lot line.
Interior Lot Line	The south-westerly lot line that is to the adjacent north of the proposed lot to be retained.
 - b. Lot to be Retained: This property is considered an Interior Lot.

Front Lot Line	The westerly lot line along Frid Street.
Rear Lot Line	The most easterly lot line.
Interior Lot Line	The south-westerly lot line.
Interior Lot Line	The north-easterly lot line that is to the adjacent south of the proposed lot to be severed.

3. The lot to be retained and severed are within the Research and Development (M1) Zone of the City of Hamilton's Zoning By-law 05-200. The existing Office is permitted within the Research and Development (M1) Zone.
4. The property to the east (501 Main Street West) is zoned Research and Development M1-9 and the property to the south (55 Frid Street) is zoned Research and Development M1 in Hamilton Zoning By-law 05-200.
5. Please note that the subject land is located within 30 metres of the Metrolinx Transit Corridor. For this reason, a Corridor Development Permit is required from Metrolinx to construct any buildings, structure, road, utility infrastructure, or to conduct any excavation, dewatering or other Prescribed Work pursuant to the Building Transit Faster Act and its Regulation. Please contact development.coordinator@metrolinx.com for further information.
6. The severance of the land is required to go through a consent application with our Committee of Adjustment department, you can find the application, fees and how to apply at the following: <https://www.hamilton.ca/build-invest-grow/planning-development/committee-adjustment-delegated-consent-authority/land>
7. The lands are subject to Site Plan Control. As such, development or redevelopment may require application to Development Planning. For further information, please contact pdgening@hamilton.ca.
8. All new fences proposed for this development must comply with the regulations contained within the Fence By-law.
9. All new signs proposed for this development must comply with the regulations contained within the Sign By-law.
10. The designer shall ensure that the fire access routes conform to the Ontario Building Code.
11. The designer shall ensure that the fire access routes conform to the Ontario Building Code.
12. The review of this application is based on the submitted Site Plan, Ground Floor Plan, Exterior Elevations (Drawings A1-A3), dated December 20, 2024, as prepared by Baron Nelson Architects.

13. The proposed development for the lots to be retained and severed have been reviewed separately, and compared to Section 9.1 Research and Development (M1) Zone, and Section 5 Parking Regulations of the City of Hamilton Zoning By-law 05-200, as shown in the following chart:

	Required By By-Law	Provided	Conforming/ Non-Conforming
Section 9.1 – M1 Requirements			
Maximum Yard Abutting a Street [as per section 9.1.3(a) of Hamilton Zoning By-law 05-200]	<p>i) Maximum 2.0 metres for the ground floor of a building, except where a visibility triangle shall be provided for a driveway access;</p> <p>ii) Where a building(s) exists on a lot in conformity with i) above, with a ground floor façade being equal to 25% or more of the measurement of any street line, section i) above shall not apply to any additional building(s); and,</p> <p>iii) Notwithstanding i) and ii) above for any lot abutting the existing Frid Street and Chatham Street, no minimum or maximum yard shall apply.</p>	<p>i) existing – not provided</p> <p>ii) N/A property fronts on Frid Street</p> <p>iii) property fronts on Frid st</p>	<p>N/A</p> <p>N/A</p> <p>Conforms</p>
Maximum Building Height [as per section 9.1.3(b) of Hamilton Zoning By-law 05-200]	38.0 metres	Existing – not provided	Existing Condition
Maximum Gross Floor Area for Office Use [as per section 9.1.3(c) of Hamilton Zoning By-law 05-200]	No office building shall have a gross floor area of 10,000 square metres or greater.	Existing building is office = 1,600 sq m	Existing Condition
Location and Screening of Outdoor Storage and Outdoor Assembly [as per section 9.1.3(e) of Hamilton Zoning By-law 05-200]	<p>Outdoor Storage and Outdoor Assembly of goods, materials or equipment shall be permitted in conjunction with a building and the following regulations shall apply:</p> <p>i) Outdoor Storage and Outdoor Assembly shall not be permitted in a Front Yard or a required Flankage Yard;</p> <p>ii) Outdoor Storage and Outdoor Assembly shall not exceed 85% of the total lot area;</p> <p>iii) Outdoor Storage and Outdoor Assembly shall be screened from view from any abutting street by a Visual Barrier in accordance with Section 4.19 of this By-law.</p>	Doesn't appear outdoor storage is proposed as part of this proposal	N/A

	Required By By-Law	Provided	Conforming/ Non-Conforming
Size and Location Restriction of Commercial and Institutional Uses within a Building [as per section 9.1.3(f) of Hamilton Zoning By-law 05-200]	i) Except where located within an existing Planned Business Centre, the following uses shall only be permitted on the ground floor of a building in which the building has a minimum gross floor area of 2,000 square metres having a minimum 2 storey building height: Day Nursery; Financial Establishment; Personal Services; Restaurant; and Retail ii) In the case of i) above, the second storey shall not be less than 75% of the gross floor area of the ground floor; and, iii) In addition to i) above, an individual retail establishment shall be restricted to a maximum gross floor area of 500 square metres.	i)N/A Office is primary use	N/A
Location of Alcohol Production Facilities, Manufacturing, Motor Vehicle Service Station, Repair Service, and Warehouse Uses [as per section 9.1.3(g) of Hamilton Zoning By-law 05-200]	The following uses shall only be permitted within an existing building: Alcohol Production Facility Manufacturing; Motor Vehicle Service Station; Repair Service; Warehouse.	Existing building is office	N/A
Maximum Combined Gross Floor Area for Accessory Retail Showroom Area and Tasting Room [as per section 9.1.3(j) of Hamilton Zoning By-law 05-200]	i) 25% of the gross floor area of the principal use or 500.0 square metres gross floor area, whichever is the lesser; and, ii) Notwithstanding i) above, retail or accessory retail associated with a motor vehicle service station shall be limited to a maximum gross floor area of 280 square metres.	Existing building is office, no accessory retail proposed	N/A
Accessory Buildings - <i>In accordance with the requirements of Sections 9.1.3 of Hamilton Zoning By-law 05-200</i>			
	In addition to the requirements of 9.1.3, no accessory building shall be permitted within a front yard or a flankage yard.	No accessory building proposed	N/A
Parking – <i>In accordance with the requirements of Section 5 of Hamilton Zoning By-law 05-200</i>			
	Notwithstanding Section 5.6(c)(iv) of this By-law, no parking shall be required for any of the following uses: - Financial Establishments;	Please note	N/A

	Required By By-Law	Provided	Conforming/ Non-Conforming
	<ul style="list-style-type: none"> - Personal Services; - Restaurant; and, - Retail 		
5.1 PARKING SUPPLY REQUIREMENTS AND RESTRICTIONS			
Minimum Number of Required Parking Spaces [as per section 5.1.1 (a) of Hamilton Zoning By-law 05-200]	The minimum number of required parking spaces which must be provided shall be the result of applying: <ul style="list-style-type: none"> i) The minimum amount in accordance with the Minimum Required Parking Rate Schedule in Section 5.7.1; ii) Any eligible exception in this Section; and, iii) Any eligible deductions in this Section 	Please note	Please note
Exception for Existing Buildings in All Zones [as per section 5.1.1 (b) of Hamilton Zoning By-law 05-200]	Notwithstanding Section 5.7.1, for any use located in all or part of a building existing on the effective date of this By-law, no parking spaces are required, provided that the number of parking spaces which existed on the effective date of this By-law shall continue to be provided, except that: <ul style="list-style-type: none"> i) a use shall not be required to provide additional parking beyond that which is required by Section 5.7.1; and, ii) where an addition, alteration or expansion of an existing building is proposed, the parking requirements of Section 5.7.1 shall only apply to the increased gross floor area of the building. 	Please note for existing office building	Please note
Rounding Calculations [as per section 5.1.1 (c) of Hamilton Zoning By-law 05-200]	<ul style="list-style-type: none"> i) Where the application of the parking standards in Section 5.7.1, 5.7.2, 5.7.4, and 5.7.5 results in a numeric fraction, fractions shall be rounded down to the nearest whole number. ii) Where the application of the minimum accessible parking standards in Section 5.7.3 results in a numeric fraction, fractions shall be rounded up to the nearest whole number. iii) Where the calculations in Sections 5.7.1, 5.7.2, 5.7.3, 5.7.4 or 5.7.5 apply to multiple uses, rounding shall only be applied to the sum of the 	Please note	N/A

	Required By By-Law	Provided	Conforming/ Non-Conforming
	requirements for all uses on the lot.		
Required Parking to be Provided on Same Lot [as per section 5.1.1 (d) of Hamilton Zoning By-law 05-200]	All required parking spaces shall be located on the same lot as the use for which they are required, unless the parking spaces are provided on another lot in compliance with Section 5.6.1.	All proposed parking is located on the same lot as the use	Conforms
Provision of Parking on a Lot Subject to Multiple Zones [as per section 5.1.1 (e) of Hamilton Zoning By-law 05-200]	Where more than one zone applies to a lot, parking spaces provided for any use on the lot may be located within any zone within the boundaries of the lot, except: i) where a portion of a lot is within one of the Open Space and Park Zones, no parking spaces may be located within such portion of the lot except parking spaces required for a permitted use located within such portion.	N/A property only zoned M1	N/A
Maximum Permitted Number of Parking [as per section 5.1.2 of Hamilton Zoning By-law 05-200]	a) Maximum Permitted Number of Parking Spaces Where Section 5.7.2 specifies a maximum permitted number of parking spaces, the number of parking spaces located on a lot shall not exceed that number.	N/A	N/A
	b) Reduction of Excess Parking Spaces Where the number of existing parking spaces exceeds the maximum permitted in accordance with Section 5.7.2, the parking spaces provided in excess of the maximum parking standard may be eliminated. However, in no case may the number of parking spaces provided be less than the minimum parking requirements in Section 5.7.1.	Existing Office building revising parking to meet today's standards	Please note
Minimum Required Number of Accessible Parking Spaces [as per section 5.1.3 of Hamilton Zoning By-law 05-200]	a) Minimum Number of Accessible Parking Spaces Accessible parking shall be designated and provided in accordance with the requirements of the Minimum Accessible Parking Rate Schedule in Section 5.7.3.	Please note	Please note
	b) Exception for Certain Residential Uses Section 5.7.3 shall not apply to Single Detached Dwellings, Semi-Detached Dwellings, Duplex Dwellings, Triplex	N/A	N/A

	Required By By-Law	Provided	Conforming/ Non-Conforming
	Dwellings, Fourplex Dwellings and Street Townhouse Dwellings.		
Minimum Required Number of Electric Vehicle Parking Spaces [as per section 5.1.4 of Hamilton Zoning By-law 05-200]	<u>a) Minimum Required Number of Electric Vehicle Parking Spaces</u> Where parking spaces are provided, Electric Vehicle Parking Spaces shall be provided in accordance with: i) The minimum rates in accordance with the Parking Schedule in Section 5.7.4; and, ii) Any eligible exception in this Section.	PLEASE NOTE: The definition of Parking Space, Electric Vehicle is under appeal. The electric vehicle parking requirements of Section 5 that are not subject to a City-wide appeal shall be deemed to come into force and effect at the same time the definition of Parking Space, Electric Vehicle comes into force and effect.	
	<u>b) Exception for the Agriculture (A1) Zone, Rural (A2) Zone, and any Open Space and Park Zone</u> The minimum requirement for Electric Vehicle Parking Spaces shall not apply to any parking space located within one of the following Zones: i) Agriculture (A1) Zone; ii) Rural (A2) Zone; and, iii) Any Open Space and Park Zone.		
	<u>c) Exception for Existing Buildings in All Zones</u> Notwithstanding Section 5.7.4, for any use within any Zone, located in all or part of a building existing on the effective date of this By-law, no Electric Vehicle Parking Spaces are required, except that: i) where an addition or expansion of an existing building is proposed, the Electric Vehicle Parking requirements of Section 5.7.4 shall only apply to such addition or expansion.		
	<u>d) Exception for Existing Parking Lots in All Zones</u> Notwithstanding Section 5.7.4, for any Parking Lot or portion thereof within any Zone, existing on the effective date of this By-law, no Electric Vehicle Parking Spaces are required, except that: i) where an expansion or enlargement of such parking is proposed, the electric vehicle parking requirements of Section 5.7.4 shall only apply to such expansion or enlargement.		
	<u>e) Regulations for Electric Vehicle</u>		

	Required By By-Law	Provided	Conforming/ Non-Conforming
	Parking Spaces Electric Vehicle Parking Spaces shall be subject to the regulations in Section 5.6.7.		
5.2 FUNCTIONAL DESIGN REQUIREMENTS			
Minimum Parking Space Dimensions [as per section 5.2.1 of Hamilton Zoning By-law 05-200]	<u>a) Minimum Parking Space Dimensions</u> Unless permitted by another regulation in this By-law, parking space sizes shall be a minimum of 2.8 metres in width and 5.8 metres in length.	Existing (retained) – 2.8m x 5.8m	Conforms
	<u>b) Required Increase in Width due to Obstruction</u> Where a wall, column, or any other obstruction is located abutting or within any parking space, the minimum width of a parking space shall be increased by 0.3 metres for each side which is obstructed by a wall, column, or other obstruction;	Additional 0.3m is provided for cars abutting a wall	Conforms
	<u>c) Exceptions to Increase in Width due to Obstruction</u> Notwithstanding Subsection 5.2.1 b), an additional 0.3 metres shall not be required provided all of the following conditions are met: i) the maximum length of the wall, column or other obstruction shall not exceed 1.15 metres, measured along the side of the parking space, from the front or rear of the space towards the side's midpoint; ii) the wall, column or other obstruction is located at the front, rear, or both ends of the parking space; and, iii) the wall, column or other obstruction does not project more than 0.15 metres into the width of the parking space.	No parking space are abutting a wall	N/A
	<u>e) Light Standards Not Considered Obstructions</u> Notwithstanding Section 5.2.1 b), light standards, including the base, located at the intersection of four parking spaces shall not be considered as an obstruction.	Doesn't appear a light standard is proposed within the parking area	N/A
	<u>f) Optional Reduction in Minimum</u>	Doesn't appear to be	N/A

	Required By By-Law	Provided	Conforming/ Non-Conforming
	<u>Dimensions for Small Car Parking</u> Notwithstanding Subsection 5.2.1 a), where 10 or more parking spaces are provided on a lot, the minimum parking space size of not more than 10% of such required parking spaces may be a width of 2.6 metres and a length of 5.5 metres, provided that any such parking space is clearly identified as being reserved for the parking of small cars only.	proposed as part of this proposal	
	<u>g) Minimum Parallel Parking Space Dimensions</u> Notwithstanding Subsection 5.2.1 a), each parallel parking space shall have a minimum width of 2.4 metres and a minimum length of 6.7 metres, except that end spaces which have a clear, unobstructed approach, may have a minimum length of 5.5 metres.	N/A	N/A
Minimum Accessible Parking Space Dimensions and Minimum Accessibility Aisle Requirements [as per section 5.2.2 of Hamilton Zoning By-law 05-200]	<u>a) Minimum Accessible Parking Space Width and Accessibility Aisle Requirement</u> Each accessible parking space shall have: i) a minimum width of 3.4 metres, notwithstanding Section 5.2.1 a) above and subject to Section 5.2.2 b) below; ii) a minimum length of 5.8 metres; and, iii) a minimum of one side must continuously abut an accessibility aisle, provided in accordance with Section 5.2.2 c) and d) below	i) Existing (retained) – 3.4m ii) Existing (retained) – 5.8m iii) Existing (retained) – one side continuously abuts a accessibility aisle	Conforms Conforms Conforms
	<u>b) Permitted Reduction in Width for Accessible Parking Spaces</u> Where two or more accessible parking spaces are provided, a maximum of 50% of such spaces, rounded up to the nearest whole number in the case of a numeric fraction, may have a reduced minimum width of 2.4 metres.	N/A doesn't appear to be proposed as part of this development	N/A

	Required By By-Law	Provided	Conforming/ Non-Conforming																
	<u>c) Accessibility Aisle Requirements</u> A minimum of one side of each accessible parking space shall continuously abut an unobstructed accessibility aisle which shall: i) have a minimum width of 1.5 metres; ii) have a minimum length which extends the full length of each abutting accessible parking space; and, iii) be clearly identified and marked.	 i) Existing (retained) – 1.5m ii) Existing (retained) – full length of parking space iii) Existing (retained) – accessibility aisle marked	 Conforms Conforms Conforms																
	<u>d) Sharing of Accessibility Aisle</u> A maximum of two accessible parking spaces may abut one accessibility aisle, provided such spaces continuously abut opposite sides of the shared accessibility aisle.	N/A doesn't appear to be proposed as part of this development	N/A																
Drive Aisle Requirements [as per section 5.2.3 of Hamilton Zoning By-law 05-200]	<u>a) Minimum Drive Aisle Width</u> The drive aisle abutting any parking space shall be designed and provided in accordance with the following minimum width requirements	Existing (retained) – 6.0m	Conforms																
	<table><tr><th>Parking Angle Degree</th><th>One-Way and Two-Way Aisle Width</th></tr><tr><td>0°</td><td>3.7m</td></tr><tr><td>15°</td><td>3.7m</td></tr><tr><td>30°</td><td>3.7m</td></tr><tr><td>45°</td><td>4.5m</td></tr><tr><td>60°</td><td>5.5m</td></tr><tr><td>75°</td><td>6.0m</td></tr><tr><td>90°</td><td>6.0m</td></tr></table>			Parking Angle Degree	One-Way and Two-Way Aisle Width	0°	3.7m	15°	3.7m	30°	3.7m	45°	4.5m	60°	5.5m	75°	6.0m	90°	6.0m
	Parking Angle Degree			One-Way and Two-Way Aisle Width															
	0°			3.7m															
	15°			3.7m															
	30°			3.7m															
	45°			4.5m															
	60°			5.5m															
	75°			6.0m															
90°	6.0m																		
Access Requirements	<u>a) Access Design Requirements</u>																		

	Required By By-Law	Provided	Conforming/ Non-Conforming
[as per section 5.2.4 of Hamilton Zoning By-law 05-200]	<p>Access to all parking shall:</p> <p>i) be arranged so as to not interfere with normal public use of the street or laneway;</p> <p>ii) be provided by means of an access driveway:</p> <ol style="list-style-type: none"> located on the lot; or, located partly on the lot in the case of a mutual driveway; or, by means of a Right-of-Way; and, <p>iii) in the case of a Parking Lot, provide ingress and egress of vehicles to and from a street in a forward motion only.</p>	<p>i) access to parking is arranged to not interfere with the normal public use of the street</p> <p>ii) access to parking is by a driveway located on the lot</p> <p>iii) access to the parking lot provides ingress and egress to and from the street in forward motion only</p>	<p>Conforms</p> <p>Conforms</p> <p>Conforms</p>
	<p><u>b) Minimum Access Driveway Width</u></p> <p>The width of any driveway providing access to a parking space shall be a minimum of 2.7 metres</p>	Greater than 2.7m	Conforms
	<p>c) Tandem and Stacked Parking Restriction and Exceptions All parking spaces shall have adequate means of ingress and egress to and from the street or laneway without the necessity of moving any other motor vehicle, except:</p> <p>i) the accessibility to a maximum of one of the parking spaces for a Single Detached Dwelling may be obstructed by another motor vehicle; and,</p> <p>ii) where a parking attendant is on site or a valet service is provided in association with a Commercial Parking Facility or Hotel, parking spaces may</p>	No tandem or stacked lanes proposed	N/A
5.3 LOCALITIONAL, LANDSCAPING AND SURFACE MATERIAL REQUIRMENTS			
<p>Locational and Landscaping Requirements for All Uses</p> <p>[as per section 5.3.1 of Hamilton Zoning By-law 05-200]</p>	<p><u>a) Streetline Setback and Planting Strip Requirement</u></p> <p>Unless identified as exempt in Section 5.3.1 b), parking spaces and associated drive aisles, excluding driveways extending directly from the street, shall be subject to all of the following:</p>		Appears to

	Required By By-Law	Provided	Conforming/ Non-Conforming
<p>Planting strip: Shall mean an area of land growing ornamental shrubs or trees or both, suitable to the soil and climatic conditions of the area of land for the sole purpose of providing a buffer and may include low level architectural walls or features, and fire hydrants, but shall not include walkways, and sidewalks unless a walkway or sidewalk traverses the planting strip to provide access to the site</p>	<p>i) Shall not be located within 3.0 metres of a street line;</p> <p>ii) Shall provide a 3.0 metre wide Planting Strip being required and permanently maintained between the street line and the parking spaces or aisle, except for that portion of a lot line;</p> <p>1. Notwithstanding 5.3.1 a) iii), no Planting Strip shall be required for any portion of a lot line abutting the Red Hill Valley Parkway or the Lincoln Alexander Parkway; and,</p> <p>iii) Where a Planting Strip is provided, as per 5.3.1 a) ii) above, any architectural wall or feature within the Planting Strip shall be limited to a maximum height of 0.6 metres.</p>	<p>i) Existing (retained) – 3.61m from the streetline</p> <p>ii) Existing (retained) – 3.61m</p> <p>property not abutting RHVP or LAP</p> <p>Please note</p>	<p>conform</p> <p>Conforms</p> <p>N/A</p>
	<p>b) Exemption for Certain Uses</p> <p>The setback and Planting Strip requirements of Section 5.3.1 a) shall not apply to parking provided in association with the following uses:</p> <p>i) Single Detached Dwelling; ii) Semi-Detached Dwelling; iii) Street Townhouse Dwelling; iv) Duplex Dwelling; v) Triplex Dwelling; and vi) Fourplex Dwelling.</p>	N/A	N/A
	<p>d) Landscape Strip and Visual Barrier Requirement for Parking Lots</p> <p>Where a Parking Lot is situated on a lot which abuts a Residential Zone, Settlement Residential (S1) Zone, Downtown (D5), or Downtown (D6) Zone, the following shall be provided and maintained along that portion of the lot line that abuts a Residential Zone, Settlement Residential (S1) Zone, Downtown (D5) Zone, or Downtown (D6) Zone:</p> <p>i) A minimum 1.5 metre wide landscape strip which shall contain a Visual Barrier in accordance with</p>	Property does not abut a Residential Zone, Settlement Residential (S1) Zone, Downtown (D5), or Downtown (D6) Zone	N/A

	Required By By-Law	Provided	Conforming/ Non-Conforming
	<p>Section 4.19 of this By-law.</p> <p><u>e) Landscaped Area and Landscaped Parking Island Requirements for Surface Parking Lots Containing 50 or More Parking Spaces in All Zones</u></p> <p>In addition to Section 5.3.1 b), the following requirements shall apply to surface Parking Lots in all zones which contain 50 or more parking spaces:</p> <p>i) Landscaped Area(s) and Landscaped Parking Island(s) with a minimum combined area of 10% of the area of the Parking Lot and associated access driveway and manoeuvring areas shall be provided and maintained;</p> <p>ii) Each Landscaped Area and Landscaped Parking Island shall have a minimum area of 10.0 square metres;</p> <p>iii) The calculation for Landscaped Area(s) and Landscaped Parking Island(s) shall not include the area of landscaping provided to satisfy the minimum requirement of any other Section of this By-law;</p> <p>iv) A Landscaped Area or Landscaped Parking Island may be traversed by a pedestrian walkway; and,</p> <p>v) When calculating the minimum number of parking spaces in accordance with Section 5.7.1, such number may be reduced by the number needed to accommodate the minimum Landscaped Parking Island requirement of this section, up to a maximum of 10% of the required parking spaces.</p>	N/A less than 50 parking spaces for retained and severed lot	N/A
<p>Parking Facility Surface Material Requirements [as per section 5.3.4 of Hamilton Zoning By-law 05-200]</p>	<p><u>a) Parking Spaces, Driveways and Widening(s) in All Zones</u></p> <p>Parking spaces, driveways and widening(s) in all zones shall be provided and maintained with stable surfaces such as asphalt, concrete or other hardsurfaced material, crushed stone, permeable pavers or gravel, and shall be maintained in a dust free condition.</p> <p>i) Notwithstanding Section 5.3.4 a), on a lot containing a residential use in</p>	Existing (retained) - Asphalt driveway	Conforms

	Required By By-Law	Provided	Conforming/ Non-Conforming
	<p>a Residential Zone, any parking provided beyond that which is required by Section 5.7.1 of this By-law shall be maintained with permeable material and shall not be deemed landscaped area in the calculation of total landscaped area on a lot.</p> <p>ii) Notwithstanding Section 5.3.4 a), in the Industrial Zones, where crushed stone or gravel is provided, the access driveway shall be designed such that a minimum of 10.0 metres extending from the streetline shall be constructed and maintained with asphalt, concrete or other hard surfaced material, and shall be maintained in a dust free condition.</p>		
	<p><u>b) Parking Lots in All Zones, except the Rural Zones</u></p> <p>Parking Lots in all zones, except the Rural Zones, shall be designed and maintained with stable surfaces such as asphalt, concrete, or other hardsurfaced material, or permeable pavers.</p>	Existing (retained) - Asphalt driveway	Conforms
5.4 BICYCLE PARKING REQUIREMENTS			
Minimum Bicycle Parking Requirements [as per section 5.4.1 of Hamilton Zoning By-law 05-200]	<p><u>a) Minimum Number of Required Bicycle Parking Spaces</u></p> <p>The minimum required number of short-term and long-term bicycle parking spaces which must be provided for each building on a lot in accordance with Section 5.4.2 shall be the result of applying:</p> <p>i) The minimum amount in accordance with the Minimum Bicycle Parking Schedule in Section 5.7.5; and,</p> <p>ii) Any eligible exception in this Section.</p>	Please note	Please note
	<p><u>b) Exception for Existing Buildings</u></p> <p>Notwithstanding Section 5.7.5, for any use located in all or part of a building existing on the effective date of this By-law, no additional bicycle parking spaces are required, provided that the number of bicycle parking spaces which existed on the effective date of this By-law shall continue to be provided and maintained, except</p>	No new GFA appears to be proposed for existing building	N/A

	Required By By-Law	Provided	Conforming/ Non-Conforming
	<p>that:</p> <p>i) a use shall not be required to provide additional bicycle parking beyond that which is required by Section 5.7.5; and,</p> <p>ii) where an addition, alteration or expansion of an existing building is proposed, the bicycle parking requirements of Section 5.7.5 shall only apply to the increased gross floor area of the building.</p>		
Bicycle Parking Regulations [as per section 5.4.2 of Hamilton Zoning By-law 05-200]	<p><u>a) Bicycle Parking Locational Requirements</u></p> <p>i) Short-term Bicycle Parking Spaces shall be publicly accessible and located within a bicycle parking area at grade, which includes the first floor of a building or an exterior surface area.</p> <p>ii) Long-term Bicycle Parking Spaces shall be located in a secure enclosed bicycle parking area.</p>	<p>No short-term bicycle parking is proposed</p> <p>No long-term bicycle parking proposed</p>	<p>N/A</p> <p>N/A</p>
5.5 LOADING FACILITIES			
Loading Facility Regulations [as per section 5.5.1 of Hamilton Zoning By-law 05-200]	<p>a) The location of loading doors and associated loading facilities shall be subject to the following:</p> <p>i) Shall not be permitted within a Front Yard;</p> <p>ii) Shall not be permitted in any yard abutting a street, except where screened from view by a Visual Barrier in accordance with Section 4.19 of this By-law; and,</p> <p>iii) Shall not be permitted in a required yard abutting a Residential Zone or an Institutional Zone and shall be screened from view by a Visual Barrier in accordance with Section 4.19 of this By-law.</p>	Existing (Retained) – no loading area proposed	N/A
5.6 GENERAL PARKING REGULATIONS			
Electric Vehicle Parking Space Regulations [as per section 5.6.7 of Hamilton Zoning By-law 05-200]	<p><u>a) Permission for Chargers to Encroach Within Required Landscaping Features and Planting Strips</u></p> <p>Notwithstanding any other Section of this By-law, except Section 5.6.7 b) below, a charging device associated with an Electric Vehicle Parking Space, including any such space</p>	<p>PLEASE NOTE: The definition of Parking Space, Electric Vehicle is under appeal. The electric vehicle parking requirements of Section 5 that are not subject to a City-wide appeal shall be deemed to come into force and effect at the same time the definition of Parking Space, Electric Vehicle comes into force and effect.</p>	

	Required By By-Law	Provided	Conforming/ Non-Conforming
	<p>required by Section 5.1.4, may be located within any of the following required features and will not constitute a reduction of that feature's provision:</p> <p>i) Planting Strip; ii) Landscape Strip; iii) Landscaped Area; and, iv) Landscaped Parking Island.</p> <p><u>b) Restrictions for Chargers Encroaching Within Required Landscaping Features and Planting Strips</u></p> <p>Despite Section 5.6.7 a) above, the permission to encroach within the noted features shall not apply to any of the following:</p> <p>i) A transformer or mechanical enclosure other than a charging device; or, ii) A charging device with a hard-surfaced base exceeding an area of 1.0 square metres.</p> <p><u>c) Permission for Chargers to Encroach Within any Required Yard</u></p> <p>Notwithstanding any other Section of this By-law, a charging device associated with an Electric Vehicle Parking Space may be located within any required yard, except that any such charging device may not be located:</p> <p>i) less than 0.6 metres from any lot line; or, ii) within a visibility triangle.</p>		
5.7 PARKING SCHEDULES			
Parking Schedules [as per section 5.7 of Hamilton Zoning By-law 05-200]	<p><u>a) Parking Rate Areas</u></p> <p>Where this By-law indicates that a Parking Rate Area (PRA) applies for the purpose of calculating a parking requirement or permission, such Parking Rate Area shall apply to lands and shall be indicated as Parking Rate Area (PRA1), (PRA2) and (PRA3) on Schedule "A" – Zoning Maps.</p>	Parking Rate Area 1	Please note

	Required By By-Law	Provided	Conforming/ Non-Conforming
	<p><u>b) Application of Parking Rate Areas</u></p> <p>Where a parking rate or requirement contained in this By-law does not contain reference to a Parking Rate Area (PRA), such parking rate shall apply to all lands throughout the City. Only where a parking rate refers to a specific Parking Rate Area, and where such use is located within that specified Parking Rate Area, shall there be any modification to the parking rate, and only in the manner prescribed.</p>	Please note	N/A
<p>Minimum Required Parking Rate Schedule [as per section 5.7.1 of Hamilton Zoning By-law 05-200]</p>	<p><u>a) Minimum Required Parking Rate Schedule</u></p> <p>Parking spaces shall be provided in the minimum quantity specified in Column 2 hereunder for each use listed in Column 1:</p> <p>Office - In PRA 1, 1.25 for each 100.0 square metres of gross floor area in excess of 450 square metres</p> <p>$1600 - 450 = 1150 / 100 = 11.5 \times 1.25 = 14.375 = 14$ parking spaces required for existing office (retained lands)</p>	Existing (retained) – 44 parking spaces provided	Conforms
<p>Maximum Permitted Parking Rate Schedule [as per section 5.7.2 of Hamilton Zoning By-law 05-200]</p>	<p><u>a) Maximum Permitted Parking Rate Schedule</u></p> <p>For any use listed in Column 1, the number of parking spaces provided shall not exceed the number in Column 2:</p> <p>Refer to table in By-law 5.7.2</p>	N/A	N/A
<p>Minimum Accessible Parking Rate Schedule [as per section 5.7.3 a) of Hamilton Zoning By-law 05-200]</p>	<p><u>a) Minimum Accessible Parking Rate Schedules</u></p> <p>The minimum number of accessible parking spaces which must be provided shall be the greater minimum number resulting from the calculations in Sections 5.7.3 b) and 5.7.3 c) below, with numeric fractions rounded up in accordance with Section 5.1.1 c) ii) and iii).</p>	Please note	N/A
<p>Minimum Accessible Parking Calculation 1 - Proportionate to Parking Provision [as per section 5.7.3 b) of Hamilton Zoning By-law]</p>	<p><u>b) Minimum Accessible Parking Calculation 1 - Proportionate to Parking Provision</u></p> <p>On a lot containing 5 or more parking spaces, a minimum number of the parking spaces provided shall meet</p>	Existing (retained) – 2 accessible parking spaces provided	Conforms

	Required By By-Law	Provided	Conforming/ Non-Conforming
05-200]	the requirements of the Minimum Accessible Parking Rate Schedule below:		
	<u>Column 1</u> Total Number of Parking Spaces Provided	<u>Column 2</u> Minimum Number of Accessible Parking Spaces	
	5 – 100 spaces	Minimum 4% of the total number of parking spaces provided;	
	101 – 200 spaces	Minimum 1 space + 3% of the total number of parking spaces provided;	
	201 - 1000 spaces	Minimum 2 spaces + 2% of the total number of parking spaces provided; and,	
	1000 or more spaces	Minimum 11 + 1% of the total number of required parking spaces.	
	Existing (retained) – 44 x 0.04 = 1.76 = 2 accessible parking spaces required		
Minimum Accessible Parking Calculation 2 - Where Total Parking Provision is Reduced Pursuant to a Parking Rate Area or Downtown Zone [as per section 5.7.3 c) of Hamilton Zoning By-law 05-200]	<u>c) Minimum Accessible Parking Calculation 2 - Where Total Parking Provision is Reduced Pursuant to a Parking Rate Area or Downtown Zone</u> The minimum number of accessible parking spaces which must be provided shall be: i) In any Zone, except a Downtown Zone, the result of: a) applying the requirements of Section 5.7.1 to all uses, excluding the existing gross floor area within	N/A	N/A see Calculation 1 above

	Required By By-Law	Provided	Conforming/ Non-Conforming
	<p>any existing building, and excluding the application of any Parking Rate Area or Downtown Zone, to produce a total number of parking spaces; and, b) applying the corresponding requirement listed in Column 2 of Schedule 5.7.3</p> <p>b) to the total number of parking spaces resulting from the calculation in Section 5.7.3 c) i) a) immediately above to produce the minimum required number of accessible parking spaces.</p> <p>ii) In any Downtown Zone, the result of applying Column 2 hereunder for each use listed in Column 1, excluding any existing gross floor area within any existing building:</p> <p>Retail - 5.5 for each 100.0 square metres of gross floor area between 450.0 square metres and 4,000 square metres; and,</p> <p>No parking required for the retail portion of the building</p> <p>Warehouse - In all other areas, 3.33 for each 100.0 square metres of gross floor area which accommodates the Office component of the use.</p> <p>$303/100 - 3.03 \times 3.33 = 10.08 = 10$ parking spaces required</p> <p>$10 \times 0.04 = 0.4 = 1$ accessible parking space required</p> <p>Office - In all other areas, 3 spaces for each 100.0 square metres of gross floor area in excess of 450 square metres.</p> <p>$1600 - 450 = 1150 / 100 = 11.5 \times 3 = 34.5 = 34 \times 0.04 = 1.36 = 2$ accessible parking spaces</p>		
<p>Minimum Electric Vehicle Parking Rate Schedule [as per section 5.7.4 a) of Hamilton Zoning By-law 05-200]</p>	<p>a) Minimum Electric Vehicle Parking Rate Schedule Of the parking spaces provided on a lot, a minimum percentage shall be provided as Electric Vehicle Parking Spaces, as specified in Column 2 hereunder for each associated use listed in Column 1, and any such Electric Vehicle Parking Spaces shall be subject to Section 5.6.7:</p> <p>Refer to table in By-law 5.7.4</p>	<p>PLEASE NOTE: The definition of Parking Space, Electric Vehicle is under appeal. The electric vehicle parking requirements of Section 5 that are not subject to a City-wide appeal shall be deemed to come into force and effect at the same time the definition of Parking Space, Electric Vehicle comes into force and effect.</p>	

	Required By By-Law	Provided	Conforming/ Non-Conforming
Minimum Bicycle Parking Rate Schedule [as per section 5.7.5 a) of Hamilton Zoning By-law 05-200]	a) Minimum Required Bicycle Parking Rate Schedule For each building containing one or more of the uses listed in Column 1 in the following schedule: i) Short-term Bicycle Parking Spaces shall be provided in the minimum quantity specified in Column 2 and subject to the regulations in Section 5.4.2; and Warehouse - In PRA 1 and PRA 2, 0.2 for each 100 square metres of gross floor area which accommodates the Office, Retail, and Showroom component of the use. $303/100 = 3.03 \times 0.2 = 0.6 = 0$ short-term bicycle parking required	0 short-term bicycle parking provided	Conforms
	ii) Long-term Bicycle Parking Spaces shall be provided in the minimum quantity specified in Column 3 and subject to the regulations in Section 5.4.2. No bicycle parking required for the existing building as GFA is remaining the same	0 long-term bicycle parking spaces provided	Conforms

Yours truly

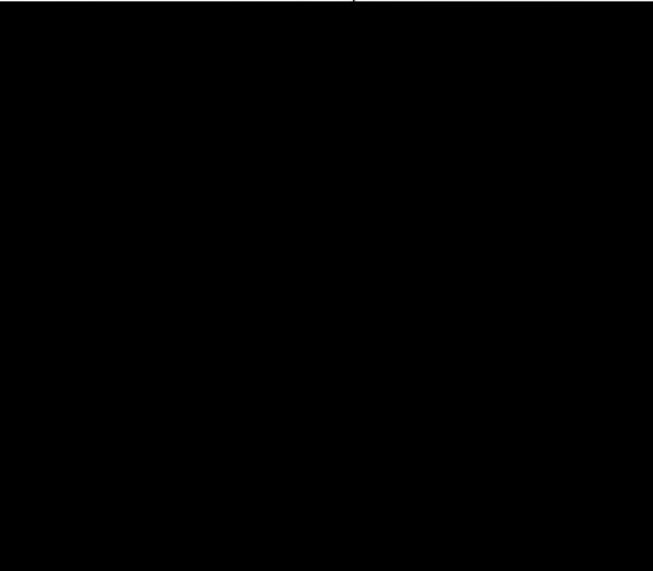
Morgan Gowans

 for the Manager of Zoning and Committee of Adjustment

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*	45-67-180 Frid Investments Inc.	
Registered Owners(s)	45-67-180 Frid Investments Inc. c/o KC Daya	
Applicant(s)**	Fotenn Planning + Design, c/o Miles Weekes	
Agent or Solicitor	Mathew Laing	

*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

☒ Credit over phone*

☐ Cheque

*Must provide number above

2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	45 Frid Street, Hamilton, ON, L8P 4M3		
Assessment Roll Number	251801009154330		
Former Municipality	Barton		
Lot	19	Concession	3
Registered Plan Number	McNab's Survey	Lot(s)	Part of Park Lot 3
Reference Plan Number (s)	62R8824	Part(s)	Part 1

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)

☒ creation of a new lot(s)

☐ concurrent new lot(s)

☐ addition to a lot

☐ a lease

☐ an easement

☐ a correction of title

☐ validation of title (must also complete section 8)

☐ a charge

☐ cancellation (must also complete section 9)

☐ 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:

Unknown

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	Severed			
Type of Transfer	N/A	Lot creation			
Frontage	51.20	77.63			
Depth	78.96	78.96			
Area	4,044	3,963			
Existing Use	Office	N/A			
Proposed Use	No change	None proposed			
Existing Buildings/ Structures	Office Building	N/A			
Proposed Buildings/ Structures	N/A	N/A			
Buildings/ Structures to be Removed	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) Business Park within Employment Area

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

The proposed application does not involve a change in land use. The applicant is seeking to sever a parcel of land, which is permitted under the City of Hamilton Official Plan. Therefore, the application conforms to the intent and policies of the Official Plan.

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? M1 Zone (By-law 05-200)

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 type="checkbox"/>	
A provincially significant wetland within 120 metres	<input type="checkbox"/>	
A flood plain	<input type="checkbox"/>	
An industrial or commercial use, and specify the use(s)	<input checked="" type="checkbox"/>	Adjacent
An active railway line	<input type="checkbox"/>	+/-77 m
A municipal or federal airport	<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.

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 February 2020

- 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.

180 Chatham St., Hamilton, ON, L8P 2B6

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)

The proposal supports efficient use of land within the settlement area, and will facilitate new commercial/employment growth within the business park.

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

☒ Yes ☐ No (Provide explanation)

See above. In addition, the 2024 Provincial Planning Statement promotes intensification in serviced areas which will efficiently utilize existing servicing, road, and transit infrastructure. The severed lot will support more efficient development of the business park area.

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

☒ Yes ☐ No (Provide explanation)

The Growth Plan does not apply to the Subject Lands (outside the Greenbelt Plan and within a settlement area).

- 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 Not Applicable

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 Not Applicable

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**Not Applicable****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):
---------------	------------------------------

10.6 Existing Land Use: _____ Proposed Land Use: _____

10.7 Description of surplus dwelling lands proposed to be severed:

Frontage (m): (from Section 4.1)	Area (m 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
