

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.:	SC/B-24:05	SUBJECT PROPERTY:	1091 HWY 8, STONEY CREEK
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APPLICANTS: Owner: MILAN AND JOVANKA PETKO
Applicant: NGE LAND HOLDINGS INC
Agent: A.J. CLARKE & ASSOCIATES(FRANZ KLOIBHOFER)

PURPOSE & EFFECT: To permit the conveyance of a parcel of land to be added to property known municipally as 1121 Highway 8, Stoney Creek for future development.
Existing structures to remain on retained lands.

	Frontage	Depth	Area
SEVERED LANDS:	N/A m [±]	269.8 m [±]	1.14 ha [±]
RETAINED LANDS:	45.72 m [±]	109.7 m [±]	0.41 ha [±]

Associated Planning Act File(s): SC/A-24:08

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, April 9, 2024
TIME:	2:35 p.m.
PLACE:	City Hall Council Chambers (71 Main St. W., Hamilton)

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

- Visit www.hamilton.ca/committeeofadjustment
- Email Committee of Adjustment staff at cofa@hamilton.ca

PUBLIC INPUT

Written: If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. 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. Written comments must be received no later than noon, **April 5, 2024**

Comments are available the Friday prior to the Hearing and are available on our website: www.hamilton.ca/committeeofadjustment

Orally: If you would like to speak to this item at the hearing you may do so by attending in person. 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 above.

We hope this is of assistance and if you need clarification or have any questions, please email cofa@hamilton.ca

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding SC/B-24:05, 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.

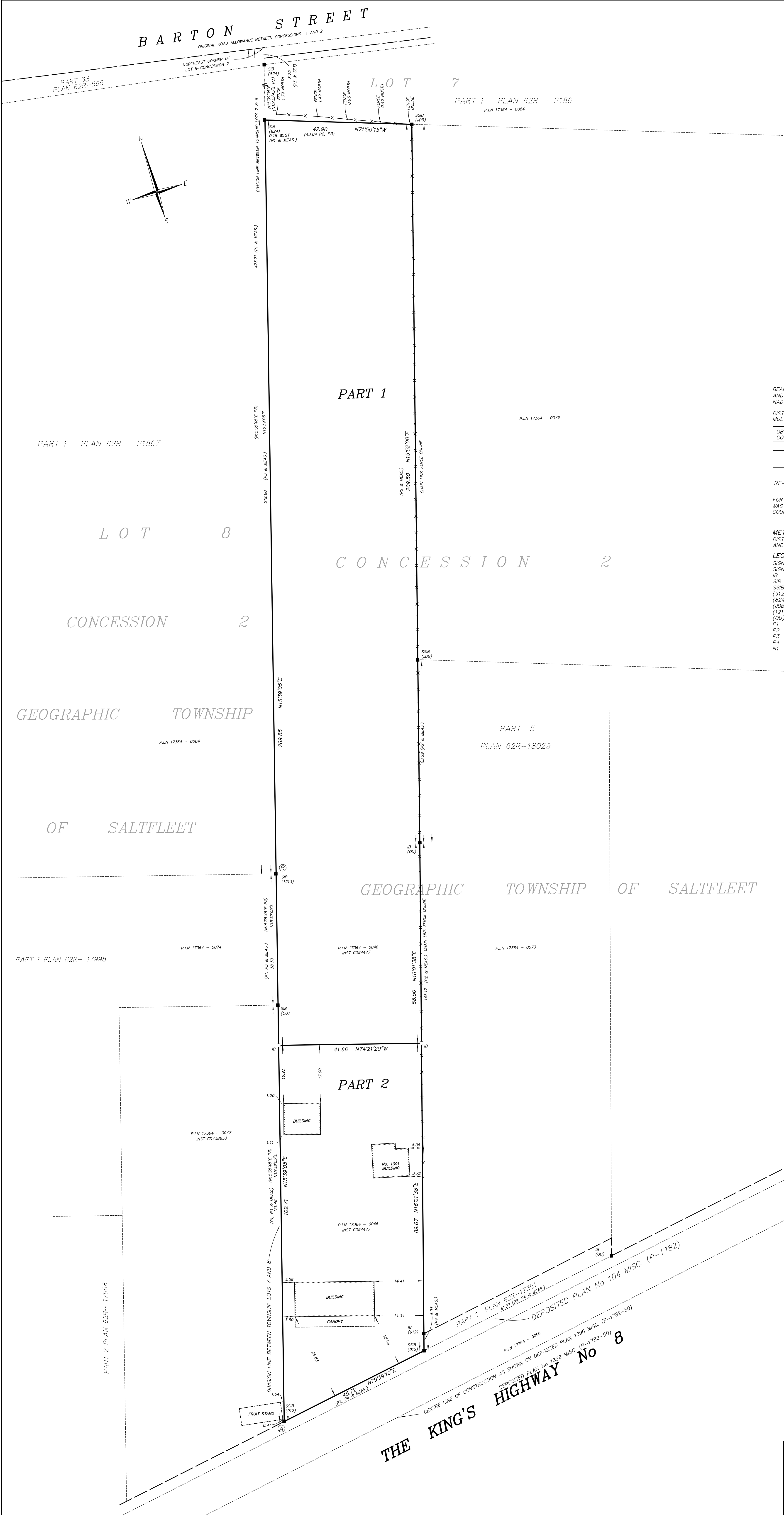
If a person or public body that files an appeal of a decision of The City of Hamilton Committee of Adjustment in respect of the proposed consent does not make written submissions to The City of Hamilton Committee of Adjustment before it gives or refuses to give a provisional consent, the Ontario Land Tribunal may dismiss the appeal.



DATED: March 21, 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.



SCHEDULE			
PART	LOT	CONCESSION	PIN
1	PART OF LOT 7	2	PART OF 17364 - 0046
2			

PARTS 1 & 2 COMPRISE ALL OF PIN 17364-0046

PLAN OF SURVEY OF
PART OF LOT 7
CONCESSION 2
GEOGRAPHIC TOWNSHIP OF SALTFLEET
IN THE
CITY OF HAMILTON

SCALE 1:500
0 10 20 metres

THE INTENDED PLOT SIZE OF THIS PLAN IS 610mm IN HEIGHT BY 914mm IN WIDTH WHEN PLOTTED AT A SCALE 1:500
KEVIN H. BROWN O.L.S.

BEARINGS ARE UTM GRID, DERIVED FROM OBSERVED REFERENCE POINTS (A) AND (B) BY REAL TIME NETWORK (RTN) OBSERVATIONS, UTM ZONE 17, NAD83 (CSRS) (2010)

DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.999735

OBSERVED REFERENCE POINTS: UTM ZONE 17, NAD83 (CSRS)(2010) COORDINATES TO URBAN ACCURACY PER SEC. 14 (2) OF O.REG. 216/10		
POINT ID	NORTHING	EASTING
(A)	4784893.503	608303.035
(B)	4785047.304	608346.126

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

FOR BEARING COMPARISON A ROTATION OF 00°54'10" COUNTERCLOCKWISE WAS APPLIED TO PLANS P1 AND A ROTATION OF 00°53'30" COUNTERCLOCKWISE WAS APPLIED TO P2 TO CONVERT TO GRID BEARINGS.

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

LEGEND:
SIGN THUS: □ DENOTES A SURVEY MONUMENT PLANTED
SIGN THUS: ■ DENOTES A SURVEY MONUMENT FOUND
IB DENOTES IRON BAR
SIB DENOTES STANDARD IRON BAR
SSIB DENOTES SHORT STANDARD IRON BAR
(912) DENOTES A. J. CLARKE & ASSOCIATES O.L.S.
(924) DENOTES A. T. MCLAREN O.L.S.
(JDB) DENOTES J. D. BARNES LTD
(1213) DENOTES J. D. PETERS O.L.S.
(OU) DENOTES ORIGIN UNKNOWN
P1 DENOTES PLAN 62R-17898
P2 DENOTES PLAN 62R-18029
P3 DENOTES PLAN 62R-21807
P4 DENOTES PLAN 62R-17351
N1 DENOTES FIELD NOTES BY A.J. CLARKE & ASSOCIATES LTD.
DATED AUGUST 14, 2007

SURVEYOR'S CERTIFICATE:
I 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 6 DAY OF NOVEMBER, 2023

DECEMBER 7, 2023
DATE
KEVIN H. BROWN
ONTARIO LAND SURVEYOR

THIS PLAN OF SURVEY RELATES TO AOLS PLAN SUBMISSION FORM NUMBER V-----

AJ A. J. Clarke and Associates Ltd.
SURVEYORS • PLANNERS • ENGINEERS
25 MAIN STREET WEST, SUITE 300
HAMILTON, ONTARIO, L8P 1H1
TEL. 905-528-8761 FAX 905-528-2289
email: ajc@ajclarke.com

DRAWN BY: MW CHECKED BY: KB PROJECT No. 188158



A. J. Clarke and Associates Ltd.

SURVEYORS • PLANNERS • ENGINEERS

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

January 12, 2024

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

**Re: 1091 Highway 8, Stoney Creek
Minor Variance and Severance Application Submission**

Dear Ms. Sheffield:

A.J Clarke and Associates Ltd. has been retained by NGE Land Holdings Inc., for the purposes of submitting the enclosed Minor Variance and Severance (Consent) Applications for the subject lands, municipally known as 1091 Highway 8, Stoney Creek, in the City of Hamilton. Below is a summary of the materials submitted to your attention:

- One (1) electronic copy of the required filled and signed Severance (Consent) Application Form;
- One (1) electronic copy of the required filled and signed Minor Variance Application Form;
- One (1) cheque in the amount of \$6,955.00 representing the required fees for the Minor Variance and Severance Applications.
- An additional cheque in the amount of \$305.00 to cover the difference in fees from 2023 to 2024.
- One (1) electronic copy of the Draft Reference Plan, prepared by AJ Clarke & Associates Ltd.

The purpose of this analysis is in support of the concurrently submitted Minor Variance and Severance (Consent) Applications for the subject lands. The application will sever Part 1 of the submitted Draft Reference Plan; this Part will be consolidated with the existing adjacent lot municipally known as 1121 Highway 8, Stoney Creek. The severed lot will facilitate the amalgamation of lands for future development in keeping with the vision of the Fruitland-Winona Secondary Plan Area. The remaining lands of 1091 Highway 8 (Part 2) will be retained to maintain the existing built forms and uses which include a residential use of a single detached dwelling, and the commercial use of the existing restaurant.

The subject lands are located within the urban area of the City of Hamilton and are designated 'Neighbourhoods' per Schedule E-1 of the UHOP. The lands are further designated as 'Local Commercial' and 'Low Density Residential 2 and 3' within the Fruitland-Winona Secondary Plan. The subject lands are generally located along Highway 8 within the former City of Stoney Creek to the west of Lewis Rd, and east of McNeilly Road.

The subject lands are currently being utilized for multiple uses including residential, commercial, and agricultural. This application will have no impact to the current uses permitted and is only to facilitate the merging of lands for future development as directed by the Urban Hamilton Official Plan (UHOP) and the Fruitland-Winona Secondary Plan.



The table below details the lot dimensions following the proposed severance:

	Part 1 (Severed)	Part 2 (Retained)
Lot Frontage	N/A: to be merged with 1121 Highway 8	± 45.72m
Lot Depth	± 269.8m	109.7
Lot Area	± 1.14 hectares	± 0.41 hectares

The immediate surrounding land uses include:

North	Agriculture
South	Agriculture, Single Detached Dwellings
West	Agriculture, Single Detached Dwellings (consolidated development lands)
East	Agriculture, Single Detached Dwellings (consolidated development lands)

Planning Policy Overview

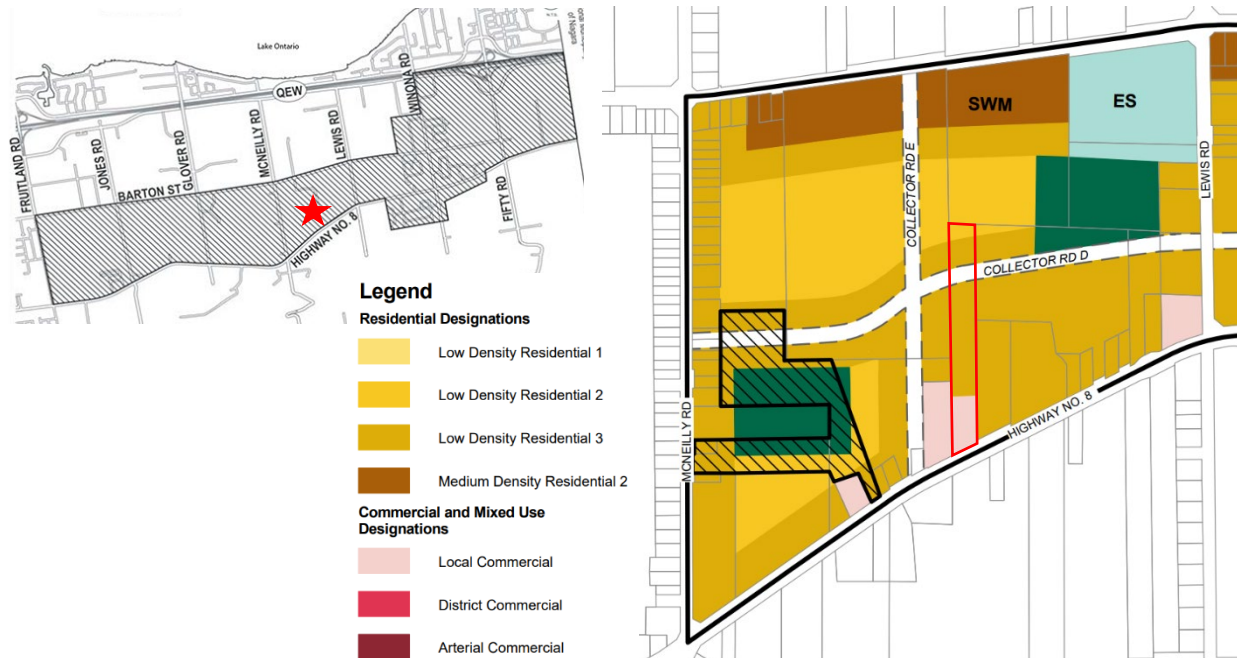
Urban Hamilton Official Plan

The subject lands are within the urban boundary area and are designated ‘Neighbourhoods’ within Schedule E-1 of the Urban Hamilton Official Plan (UHOP). The proposed severance will not create any additional lots and will amalgamate lands for future development.

The retained parcel which fronts Highway 8 will not hinder the existing uses, as the current owners will retain their ability to utilize the lands for residential and commercial purposes. The severance to the existing property will only be reducing the depth of the parcel and will therefore still leave adequate space and access for the require agricultural, residential, and commercial purposes that currently exist. Following the proposed severance, the severed lands will be amalgamated with the adjacent property municipally known as 1121 Highway 8 for future development.

Fruitland-Winona Secondary Plan

The severed lands and the lands retained fall within the Fruitland-Winona Secondary Plan. Within this secondary plan the subject lands of 1091 Highway 8 contain three (3) designations which include the ‘Local Commercial’ designation abutting Highway 8, ‘Low Density residential 3’, and a small portion at the northern extent of the property ‘low density residential 2’.



City of Stoney Creek Zoning By-law No. 3692-92

The subject property is zoned as Rural Commercial RC-2(T) and Agricultural Specialty AS-10(T), each of these zones carry special provisions with the former City of Stoney Creek Zoning By-law 3693-92.

The Agricultural Specialty zone permits agricultural uses, single detached dwellings, and accessory structures for permitted uses.

The Rural Commercial Zone permits the restaurant use, and accessory dwelling unit. This zone is located at the southern extent of the subject property adjacent to Highway 8.

The special exemption present on each of the current zones relates to an additional temporary use that permitted a pitch and putt golf course and required accessory structures. This temporary use was permitted until March 1, 2002, and is no longer present on the subject lands.

The proposed severance to add the severed lands to the adjacent property of 1121 Highway 8 conforms to the regulatory permitted uses in the Zoning By-Law, as the lands are vacant for future development.

The applicable zoning regulations of the Agriculture Specialty “AS” Zone are as follows:

Regulation	Requirement	Proposed (1121 Highway 8)
Minimum Lot Area	10 hectares	±5.57 hectares (existing)
Minimum Lot Frontage	150 metres	22.4 metres (existing)
Max Lot Coverage	20%	N/A
Minimum Front Yard	10 metres	N/A
Minimum Side Yard	3 metres	N/A



The applicable zoning regulations of the Rural Commercial “RC” Zone are as follows:

Regulation	Requirement	Proposed at 1019 Highway 8 (Part 2)
Minimum Lot Area	1 hectare	±0.43 ha
Minimum Lot Frontage	60 metres	45.8m (existing condition)
Max Lot Coverage	20%	12%
Minimum Front Yard	10 metres	15.58m
Minimum Side Yard	10 metres	3.72 (house), 1.11m (cooling shed), 3.59m (restaurant) – existing conditions
Minimum Rear Yard	7.5 metres	16.9m
Max Building Height	10.5 metres	2-storey max (dwelling). No new buildings or structures proposed
Min Landscaped Open Space	10%	±30%
Landscape Strip	5 metres wide at street	±5.5m planting strip in ROW (existing condition)

This application will have no built development or physical effect on the lands, and most of the deficiencies on the subject lands are existing conditions – not exacerbated by this application. This is simply a division of land for the purpose of consolidating lands for future development. As such, the following minor variance is required as a result of this severance application.

The following variances are required for Part 2 (retained lands) to facilitate the proposed severance:

- To permit a minimum lot area of 0.40 hectares, whereas 1 hectare is required.

This minor variance application is made under the authority of Section 45(1) of the *Planning Act*. Accordingly, a minor variance must meet the requisite four tests as described in Section 45 (1) of the Act. The tests and professional opinion are outlined below:

1. Does the proposed variance maintain the intent and purpose of the Urban Hamilton Official Plan.

The subject lands are designated “Neighbourhoods” as per Schedule E-1 of the Urban Hamilton Official Plan. As previously described the lands are further designated within the Fruitland-Winona Secondary Plan. A small northern portion of the subject lands are designated “Low Density Residential 2”, the southern portion containing the existing restaurant and dwelling are designated “Local Commercial”, and the remainder of the lands are designated “Low Density Residential 3.”

This application has no physical or built effect on the lands as it is merely a land acquisition merger for future development. This severance will still allow for the existing restaurant and dwelling to exist, as permitted, except for lot area size. No new development is proposed. In the future, the lands north of the local commercial designation will be developed in keeping with the Residential designations of the Fruitland-Winona Secondary Plan.

The proposed variance maintains the intent and purpose of the Urban Hamilton Official Plan as the application will facilitate the future direction of development set out by the City of Hamilton.



2. Does the proposed variance maintain the intent and purpose of the City of Stoney Creek Zoning By-law 3692-92?

The required variance is to address the lot area of the proposed retained lands at 1091 Highway 8. The Rural Commercial RC Zone applies to previously designated rural areas in Stoney Creek. These areas were typically serviced privately for water and wastewater and as such required much larger parcels to ensure safe use of septic systems. The subject lands have since been provided full municipal services and therefore should no longer need to meet the large rural zoning parcel requirements. These lands have been designated within the Urban Boundary and for future development of commercial and residential land uses.

This application will allow for the continued current permitted uses on the lands to continue with no impact to the surrounding area. As such, the proposed variance maintains the intent and purpose of the City of Stoney Creek Zoning By-law 3692-92.

3. Is the proposed variance appropriate for the development of the subject lands?

As noted, there is no physical development or changes proposed on the lands. This application is for the intended purposes of land consolidation to facilitate the future development of the lands in line with the Urban Hamilton Official Plan and Fruitland-Winona Secondary Plan. As the lands are fully serviced municipally, the zoning requirement of a rural lot should no longer need to be met. The variance is appropriate for the existing use, and future development.

4. Is the proposed variances minor in nature?

The variance is minor in nature, as the previous requirement is to ensure adequate space of previous rural conditions as they relate to septic and water services. The reduction in the current lot area requirement will still allow for appropriate continued use with landscaping and lot coverage requirements still being met. As the site is now fully serviced – the reduction in required area should be seen as a minor in nature.

Conclusion

The proposed minor variance has been reviewed in the context of the four tests set out under Section 45 (1) of the *Planning Act*. It is my professional opinion that the minor variance and proposed severance of lands meets the general intent of the Urban Hamilton Official Plan, Fruitland-Winona Secondary Plan, and the City of Stoney Creek Zoning By-law 3692-92 and, is appropriate for the future development of the lands as the proposed variance is minor in nature.

As such, we are of professional opinion that the proposed severance is appropriate for the development of the subject lands and has sufficient regard for the matters listed under Section 51 (24) of the *Planning Act*.



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

Sincerely,

Franz Kloibhofer, MCIP, RPP, BES (Hons.)
Principal, Planning Manager
A.J. Clarke and Associates Ltd.

Encl.

Cc: cgalli@rogers.com



Hamilton

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*	NGE Land Holdings Inc
Registered Owners(s)	Milan & Jovanka Petko
Applicant(s)**	NGE Land Holdings Inc
Agent or Solicitor	A.J. Clarke & Associates Ltd. c/o Franz Kloibhofer

*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	1091 Highway 8, Stoney Creek		
Assessment Roll Number	251800322039400		
Former Municipality	Stoney Creek		
Lot	7	Concession	2
Registered Plan Number	CD94477	Lot(s)	Pt Lt 7
Reference Plan Number (s)		Part(s)	

2.2 Are there any easements or restrictive covenants affecting the subject land?

☐ Yes ☒ No

If YES, describe the easement or covenant and its effect:

3 PURPOSE OF THE APPLICATION

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

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

NGE Land Holdings Inc

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

1121 Highway 8, Stoney Creek, ARN 251800322039210

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:	Part 2	Part 1			
Type of Transfer	N/A	land addition			
Frontage	45.72m	n/a			
Depth	109.7m	269.8			
Area	0.41 ha	1.14 ha			
Existing Use	comm. and res.	agriculture			
Proposed Use	no change	future develop			
Existing Buildings/ Structures	restaurant, dwelling, cooling shed	none			
Proposed Buildings/ Structures	none	none			
Buildings/ Structures to be Removed	none	n/a			

* Additional fees apply.

4.2 Subject Land Servicing

a) Type of access: (check appropriate box)

☐ provincial highway

☐ municipal road, seasonally maintained

☒ municipal road, maintained all year

☐ right of way

☐ other public road

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

☒ publicly owned and operated piped water system

☐ privately owned and operated individual well

☐ lake or other water body

☐ other means (specify) _____

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

☒ publicly owned and operated sanitary sewage system

☐ privately owned and operated individual septic system

☐ other means (specify) _____

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

☒ electricity

☒ telephone

☐ school bussing

☒ garbage collection

5 CURRENT LAND USE

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

Rural Hamilton Official Plan designation (if applicable): _____

Rural Settlement Area: _____

Urban Hamilton Official Plan designation (if applicable) Neighbourhoods

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

See attached cover letter

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

☐ Yes ☒ No ☐ Unknown

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

- 5.3 What is the existing zoning of the subject land? RC-2(T), and AS-10(T)

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

- 5.4 Is the subject land the subject of any other application for a Minister's zoning order, zoning by-law amendment, minor variance, consent or approval of a plan of subdivision?

☒ Yes ☐ No ☐ Unknown

If YES, and known, provide the appropriate file number and status of the application.
concurrently submitted minor variance application to address lot area of retained lands

- 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 checked="" 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"/>	restaurant
An active railway line	<input type="checkbox"/>	
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.

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

- 6.3 Has any land been severed or subdivided from the parcel originally acquired by the owner of the subject land?
☐ Yes ☒ No

If YES, and if known, provide for each parcel severed, the date of transfer, the name of the transferee and the land use.

- 6.4 How long has the applicant owned the subject land?
applicant is not owner. Owner has owned lands since 1978
-

- 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.

Adjacent lands at 1121 Highway 8 with with severed lands to be merged with.

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 cover letter

- 7.2 Is this application consistent with the Provincial Policy Statement (PPS)?
☒ Yes ☐ No (Provide explanation)

Please see cover letter

- 7.3 Does this application conform to the Growth Plan for the Greater Golden Horseshoe?
☒ Yes ☐ No (Provide explanation)

Please see cover letter

- 7.4 Are the subject lands subject to the Niagara Escarpment Plan?
☐ Yes ☒ No (Provide explanation)
-

7.5 Are the subject lands subject to the Parkway Belt West Plan?
☐ Yes ☒ No (Provide explanation)

7.6 Are the subject lands subject to the Greenbelt Plan?
☐ Yes ☒ No (Provide explanation)

7.7 Are the subject lands within an area of land designated under any other provincial plan or plans?
☐ Yes ☒ No (Provide explanation)

8 ADDITIONAL INFORMATION - VALIDATION

8.1 Did the previous owner retain any interest in the subject land?
☐ Yes ☒ No (Provide explanation)

8.2 Does the current owner have any interest in any abutting land?
☐ Yes ☐ No (Provide explanation and details on plan)

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

9 ADDITIONAL INFORMATION - CANCELLATION

9.1 Did the previous owner retain any interest in the subject land?
☐ Yes ☐ No (Provide explanation)

9.2 Does the current owner have any interest in any abutting land?
☐ Yes ☐ No (Provide explanation and details on plan)

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

10 ADDITIONAL INFORMATION - FARM CONSOLIDATION

10.1 Purpose of the Application (Farm Consolidation)

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

☐ Surplus Farm Dwelling Severance from an Abutting Farm Consolidation

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

10.2 Location of farm consolidation property:

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

10.3 Rural Hamilton Official Plan Designation(s)

If proposal is for the creation of a non-farm parcel resulting from a farm consolidation, indicate the existing land use designation of the abutting or non-abutting farm consolidation property.

10.4 Description of farm consolidation property:

Frontage (m):	Area (m ² or ha):
---------------	------------------------------

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
