



# Hamilton

## Application for Part Lot Control By-law, Under Section 50 of the Planning Act

**Note:** To avoid delays information supplied must be complete and accurate.  
 A reference plan and the registered plan of subdivision are required.  
 Incomplete applications will be returned.  
 All applications must be signed. Metric units should be used. Please type or print.

### Office Use Only

<i>Date Application Received</i>	<i>Date Application Deemed Complete</i>	<i>File No(s).</i>

### PART I - BACKGROUND INFORMATION

<b>1. Names</b>	<b>Mailing Address</b>		<b>Telephone Nos.</b>
<i>Registered Owner*</i>		<i>Postal Code</i>	<i>Home</i>
			<i>Business</i>
			<i>Fax</i>
<i>Agent or Solicitor</i>		<i>Postal Code</i>	<i>Home</i>
			<i>Business</i>
			<i>Fax</i>
<i>Ontario Land Surveyor</i>		<i>Postal Code</i>	<i>Home</i>
			<i>Business</i>
			<i>Fax</i>

\* If a numbered company, give name and address of principal owner  
 If the applicant is not the registered owner(s) of the property that is the subject of this application, written authorization of the owner is required (see Section 26.a.).

2. All correspondence should be sent to (one only) Owner  Applicant  Agent/Solicitor

**3. Location of Property**

	<i>Lot</i>	<i>Concession</i>	<i>Former Township</i>
<i>Registered Plan No.</i>	<i>Lot(s)</i>	<i>Reference Plan No.</i>	<i>Part(s)</i>
<i>Municipal Address</i>			<i>Parcel No.</i>

**4. Particulars of Property** (in metric units)

<i>Frontage</i>	<i>Depth</i>	<i>Area</i>
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**5. Purpose of Application for By-law to Designate Land Not Subject to Part Lot Control**

- (a)  To transfer a zero lot line easement in part of a lot;
- (b)  To enable the registration of a correcting Transfer -- to correct prior Transfer requested contrary to the Part Lot Control prohibition of the Planning Act, namely Transfer registered as Instrument \_\_\_\_\_
- (c)  Other - Please Specify \_\_\_\_\_

**6. Description of land to be designated by requested by-law**

A registered legal description of the land to be described in the requested By-law is to be included in the submission.

A copy of each Reference Plan and other plans referred to in the legal description are to be attached to this Application.

Does applicant own:

- i) Adjacent land?  Yes  No
- ii) Land within 120 metres (400 ft) of the site?  Yes  No

If Yes to i) and/or ii) above, please specify location and dimensions and enclose a copy of Transfer to applicant of the adjacent and/or nearby land.

**7. Existing Use(s) of Property to be Designated by the By-law**

- (a) Property is vacant  or improved . If vacant, complete Section 8.
- (b) If improved, describe nature of improvements  
\_\_\_\_\_
- (c) List any Existing Buildings or Structures on the Property

Information on yard setbacks, building dimensions, ground floor area and building height must be completed.

Buildings or Structures <sup>1</sup>	All Yard Setbacks				Building Dimensions	Ground Floor Area	Building Height
	Front	Rear	Side	Side			
1.							
2.							
3.							

<sup>1</sup> If more than 3 buildings or structures are on the property, please add a separate sheet to describe the buildings or structures.

**8. Proposed Land Use:**

Intended Use	Residential Units	Lot Nos. .Block Nos. or Letters
Single Detached Residential		
Double or Semi-Detached Residential		
Townhouse		
Commercial, other		
Industrial		
Park or Open Space		
Institutional (specify)		
Easement		
Long Term Lease		
Other (please specify)		
TOTAL		

**9. Related Planning Applications**

- a) *Are there any applications under the Planning Act, such as for approval of an official plan amendment, a zoning by-law amendment, a minor variance, a plan of subdivision or a site plan, or for a consent, that includes the subject land and adjacent lands within 120 metres of the subject land?*  
 Yes    No    Unknown
- b) *If Yes to 9a, and if known, list below or attach on a separate page:*  
\_\_\_\_\_
- c) *Approval authority considering the application: \_\_\_\_\_*

- d) *Type of application and the file number: \_\_\_\_\_*
- e) *Description of the land that is the subject of the application: \_\_\_\_\_*
- f) *Purpose of the application and the effect on this application:*
- g) *Status of the application: \_\_\_\_\_*
- h) *Has this land been the subject of a prior Land Division Committee application?  Yes  No  
If yes, please attach a copy of the decision.*

**10. Previous Use of Property**

- Residential    Industrial    Commercial    Farmland    Vacant  
 Other

- a) If Industrial or Commercial, specify use \_\_\_\_\_
- b) Has the grading of the subject land been changed by adding earth or other material, i.e., has filling occurred?  
 Yes    No    Unknown
- c) Has a gas station been located on the subject land or adjacent lands at any time?  
 Yes    No    Unknown
- d) Has there been petroleum or other fuel stored on the subject land or adjacent lands?  
 Yes    No    Unknown
- e) Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?  
 Yes    No    Unknown
- f) Have the lands or adjacent lands ever been used as an agricultural operation where cyanide products may have been used as pesticides and/or sewage sludge was applied to the lands?  
 Yes    No    Unknown
- g) Have the lands or adjacent lands ever been used as a weapons firing range?  
 Yes    No    Unknown
- h) Is the nearest boundary line of the application within 500 metres (1,640 feet) of the fill area of an operational/non-operational landfill or dump?  
 Yes    No    Unknown
- i) If there are existing or previously existing buildings, are there any building materials remaining on site which are potentially hazardous to public health (e.g., asbestos, PCB's)?  
 Yes    No    Unknown

j) Is there reason to believe the subject land may have been contaminated by former uses on the site or adjacent sites?

Yes  No  Unknown

k) What information did you use to determine the answers to 10.1 to 10.10 above?

l) If previous use of property is industrial or commercial or if YES to any of 10.2 to 10.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.

Is the previous use inventory attached?  Yes  No

**11. Heritage Features**

11.1 Are there any buildings or structures on the subject lands that are on the list of Architectural and/or Historical Interest or have been designated under the Ontario Heritage Act?

Yes  No

11.2 Are there any buildings or structures on abutting lands that are on the list of Architectural and/or Historical Interest or have been designated under the Ontario Heritage Act?

Yes  No

11.3 If Yes to either of the above, a Heritage Impact Assessment is needed. Is a Heritage Impact Assessment attached?

Yes  No

**12. AFFIDAVIT OR SWORN DECLARATIONS (Please use a separate page for each owner if more than one.)**

This declaration to be sworn by a Commissioner of Oaths. A Commissioner is available at the following Departments:

- Planning and Economic Development Department, City Hall, 5<sup>th</sup> Floor
- Building Services Division, City Hall, 3<sup>rd</sup> Floor
- City Clerk's Division, City Hall, 1<sup>st</sup> Floor

I, \_\_\_\_\_ of the \_\_\_\_\_  
in the \_\_\_\_\_ make oath and say (or solemnly declare) that to the best of my knowledge and belief that the particulars given in this application are correct and in accordance with the requirements of Section 50 of the Planning Act, R.S.O., 1990 for part lot control.

Sworn (or declared) before me  
at the \_\_\_\_\_  
in the \_\_\_\_\_  
this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Commissioner of Oaths

\_\_\_\_\_  
Applicant

**13. AUTHORIZATIONS (Please use a separate page for each owner if more than one.)**

- a) *If the applicant is not the owner of the land that is the subject of this application, the authorization set out below must be completed.*

**Authorization of Owner for Agent  
to Make the Application**

I/we, \_\_\_\_\_, am/are the owner(s) of the land that is the subject of this application and I/we authorize \_\_\_\_\_ to submit this application as my agent.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Owner(s)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Owner(s)

- b) If the applicant is not the owner of the land that is the subject of this application, complete the authorization of the owner concerning personal information set out below.

**Authorization of Owner for Agent  
to Provide Personal Information**

I, \_\_\_\_\_, am the owner of the land that is the subject of this application and for the purposes of the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. M.56 I authorize \_\_\_\_\_, as my agent for this application, to provide any of my personal information that will be included in this application or collected during the processing of the application.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Owner

**NOTE: Where owner or applicant is a corporation, full name of corporation and name and title of signing officer to be set out.**

**14. CONSENT OF THE OWNER:**

Consent of Owner to the Disclosure of Application Information and Supporting Documentation

Application information is collected under the authority of the *Planning Act*, R.S.O. 1990, c. P.13. In accordance with that Act, it is the policy of the City of Hamilton to provide public access to all *Planning Act* applications and supporting documentation submitted to the City.

I, \_\_\_\_\_, the Owner, hereby agree and acknowledge  
(Print name of Owner)

that the information contained in this application and any documentation, including reports, studies and drawings, provided in support of the application, by myself, my agents, consultants and solicitors, constitutes public information and will become part of the public record. As such, and in accordance with the provisions of the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. M.56, I hereby consent to the City of Hamilton making this application and its supporting documentation available to the general public, including copying and disclosing the application and its supporting documentation to any third party upon their request.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Owner

**15. ACKNOWLEDGEMENT CLAUSE**

I acknowledge that the City of Hamilton is not responsible for identification and remediation of contamination on the property which is the subject of this Application - by reason of its approval to this Application.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Owner

**16. COLLECTION OF INFORMATION**

The personal information contained on this form is collected under the authority of the *Planning Act*, R.S.O. 1990, c. P.13, and will be used for the purpose of processing the application. This information will become part of the public record and will be made available to the general public. Questions about the collection of this information should be directed to the Coordinator of Business Facilitation, Planning and Economic Development Department, City of Hamilton, 71 Main Street West, 1<sup>st</sup> Floor, City Hall., Hamilton, Ontario, Telephone: 905-546-2424, ext. 1324.

## APPLICANT'S CHECKLIST

Have you remembered to attach:

- Copy of deed of subject property to current registered owner?
- Copy of deed of subject property to applicant (if different from above)?
- Copy of deed (if different from above) which, because it is contrary to Part Lot Control is invalid and for which applicant seeks by-law to designate land not subject to Part Lot Control?
- Copy of draft proposed Transfer which applicant would like to sign if the by-law were enacted?
- Copy of Plan of Subdivision which includes the subject property?
- Copy of a Deposited Reference Plan, which defines the parts to be created? <sup>1</sup>
- 1 copy of the Reference Plan reduced to 8 ½ by 11?
- A certified list showing the lot area and frontage of each lot to be created?
- Name, address and phone number of Applicant's lawyer, who will handle City's inquiries on this Application?
- Name, address and phone number of lawyer for the Transferee of the correcting Transfer (if Part Lot Control by-law is enacted)?
- 5 copies of the information/reports if indicated, in support of your application?
- The required fee is \$1,780.00 plus additional cost of \$90 Per Lot/Unit/Part for an application under Part Lot Control and \$760.00 for an extension of a Part Lot Control By-law (effective January 1, 2012). The cheque is to be made payable to the "City of Hamilton".

**Note:** An additional Finance Fee of \$15.65/unit will be collected if a new parcel of land is created.

**Note:** <sup>1</sup> As of February 1, 2005 a Deposited Reference Plan must be submitted with the application.