



Hamilton

Planning and Economic Development Department
Development Planning, Heritage and Design
71 Main Street West, 5th Floor, Hamilton ON L8P 4Y5
Phone: 905-546-2424 Fax: 905-546-4202

**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

Date Application Received	Date Application Deemed Complete	File No(s).
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PART I - BACKGROUND INFORMATION

1. Names	Mailing Address	Telephone Nos.
Registered Owner*		Home
		Business
		Fax
Agent or Solicitor		Home
		Business
		Fax
Ontario Land Surveyor		Home
		Business
		Fax

* 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

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

4. Particulars of Property (in metric units)

Frontage	Depth	Area
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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 ¹	All Yard Setbacks				Building Dimensions	Ground Floor Area	Building Height
	Front	Rear	Side	Side			
1.							
2.							
3.							

¹ 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:

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
- d) Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?
 Yes No Unknown
- e) 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

f) Have the lands or adjacent lands ever been used as a weapons firing range?

Yes No Unknown

g) 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

h) 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

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

Yes No Unknown

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

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

- Planning and Economic Development Department, City Hall, 5th Floor
- Building Services Division, City Hall, 3rd Floor
- City Clerk's Division, City Hall, 1st 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 the owner or applicant is a corporation, the full name of the corporation and the name and title of the signing officer is 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 (Print name of Owner) acknowledge 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, 1st Floor, City Hall., Hamilton, Ontario, Telephone: 905-546-2424, ext. 1284.

APPLICANT'S CHECKLIST

Have you remembered to attach the following:

- 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?¹
- 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 \$2,540.00 plus additional cost of \$230 Per Lot/Unit/Part for an application under Part Lot Control and \$1,080.00 for an extension of a Part Lot Control By-law (effective January 1, 2021). The cheque is to be made payable to the "City of Hamilton".

¹ As of 02/01/05 a Deposited Reference Plan must be submitted with the application.

Note: An additional Finance Fee of \$18.00/unit will be collected if a new parcel is created.