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

<table>
<thead>
<tr>
<th>Date Application Received</th>
<th>Date Application Deemed Complete</th>
<th>File No(s).</th>
</tr>
</thead>
</table>

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 13).

2. **All correspondence should be sent to (one only)**
Owner □ Applicant □ Agent/Solicitor □
3. **Location of Property**

<table>
<thead>
<tr>
<th>Lot</th>
<th>Concession</th>
<th>Former Township</th>
</tr>
</thead>
<tbody>
<tr>
<td>Registered Plan No.</td>
<td>Lot(s)</td>
<td>Reference Plan No.</td>
</tr>
<tr>
<td>Municipal Address</td>
<td>Parcel No.</td>
<td></td>
</tr>
</tbody>
</table>

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

<table>
<thead>
<tr>
<th>Frontage</th>
<th>Depth</th>
<th>Area</th>
</tr>
</thead>
</table>

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.

<table>
<thead>
<tr>
<th>Buildings or Structures</th>
<th>All Yard Setbacks</th>
<th>Building Dimensions</th>
<th>Ground Floor Area</th>
<th>Building Height</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Front</td>
<td>Rear</td>
<td>Side</td>
<td>Side</td>
</tr>
<tr>
<td></td>
<td>1.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>2.</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>3.</td>
<td></td>
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<td></td>
</tr>
</tbody>
</table>

*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:**

<table>
<thead>
<tr>
<th>Intended Use</th>
<th>Residential Units</th>
<th>Lot Nos. Block Nos. or Letters</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single Detached Residential</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Double or Semi-Detached Residential</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Townhouse</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Commercial, other</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Industrial</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Park or Open Space</td>
<td></td>
<td></td>
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<tr>
<td>Institutional (specify)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Easement</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Long Term Lease</td>
<td></td>
<td></td>
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<tr>
<td>Other (please specify)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>TOTAL</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
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 a) to 10 i) above?

k) If previous use of property is industrial or commercial or if YES to any of 10 b) to 10 i), 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
(Print name of Owner)
agree and 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. 1928.

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 $2,650.00 plus additional cost of $240 Per Lot/Unit/Part for an application under Part Lot Control and $1,130.00 for an extension of a Part Lot Control By-law (effective January 1, 2022). 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 $20.00/unit will be collected if a new parcel is created.