



Hamilton

Planning and Economic Development

City Hall, 5th Floor

71 Main St. W., Hamilton, ON L8P 4Y5

Phone: (905) 546-2424 ext. 1355

Email: planningapps@hamilton.ca

APPLICATION FOR PART LOT CONTROL BY-LAW

Under Section 50 of the *Planning Act*

1. APPLICANT INFORMATION

NAME	ADDRESS	CONTACT INFO
Registered Owner*		Phone:
		E-mail:
Applicant		Phone:
		E-mail:
Agent		Phone:
		E-mail:
Solicitor		Phone:
		E-mail:
All correspondence should be sent to (check one):		
<input type="checkbox"/> Owner <input type="checkbox"/> Applicant <input type="checkbox"/> Agent		

* If a numbered company, provide name and address of principal Owner(s).

2. PROPERTY INFORMATION

2.1 Legal Description of the subject lands.

Municipal Address			
Former Municipality			
Lot		Concession	
Registered Plan Number		Lot(s) / Block(s)	
Reference Plan Number(s)		Part(s)	

2.2 Does the Owner / Applicant own:

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

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

2.3 Previous use of the subject lands.

Residential Industrial Commercial Agricultural Vacant Other(s)

If Industrial or Commercial, specify use:

2.4 Details of previous uses.

	Yes	No	Unknown
(a) Has the grading of the subject land been changed by adding earth or other material, i.e. has filling occurred?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(b) Has a gas station been located on the subject land or adjacent lands at any time?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(c) Has there been petroleum or other fuel stored on the subject land or adjacent lands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(d) Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(f) Have the lands or adjacent lands ever been used as a weapons firing range?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(i) Is there reason to believe the subject land may have been contaminated by former uses on the site or adjacent sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2.5 What information did you use to determine the answers to 2.4(a) to (i) above?

2.6 If previous use of property is industrial or commercial, or if Yes to any of 2.4(a) to (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

2.7 Has the subject land, or land within 120 metres of the subject land, been the subject of an application under the Planning Act?

	Yes	No	Unknown	File No.	Status / Approval Date
Official Plan Amendment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Zoning By-law Amendment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Draft Plan of Subdivision	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Draft Plan of Condominium	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Severance/Consent	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Minor Variance	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Site Plan Control	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Minister's Zoning Order	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	O. Reg. No.	

If the lands have been the subject of a prior Land Division Committee application, attach a copy of the decision.

2.8 If Yes to 2.7 above, provide a description of the land subject to the application, the purpose of the application, and the effect on this Part Lot Control application.

2.9 Property is vacant If vacant, complete Section 3.3 below.
Or Property is improved .

If improved, describe nature of improvements.

2.10 List any existing buildings or structures on the subject lands.

Type of Buildings or Structures	All Yard Setbacks (m)				Building Dimensions	Ground Floor Area	Height
	Front	Rear	Side	Side			
1.							
2.							
3.							

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

Heritage Features

2.11 Does the subject land have cultural heritage value or interest recognized by:

a) Designation under Part IV or Part V of the *Ontario Heritage Act*?

Yes No

b) Listing as a non-designated property on the Municipal Heritage Register under Section 27 of the *Ontario Heritage Act*?

Yes No

c) An easement or covenant under the *Ontario Heritage Act*?

Yes No

d) An “H” holding provision in the zoning requiring that requires the submission and approval of a Cultural Heritage Impact Assessment prior to the holding being lifted?

Yes No

2.12 Are any adjacent properties to the subject lands recognized as *protected heritage property* (i.e., designated or subject to an easement or covenant under the *Ontario Heritage Act*)?

Yes No

2.13 If yes to either question above, a Cultural Heritage Impact Assessment is required. Is a Cultural Heritage Impact Assessment attached?

Yes No

3. PURPOSE OF THE APPLICATION

3.1 Indicate the intended purpose of the By-law to Designate Land Not Subject to Part Lot Control

- To transfer a zero lot line easement in part of a lot.
- 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 _____
- Other (please specify)

3.2 Registered Legal Description of land to be designated by requested By-law.

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

3.3 Proposed land use

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

Instructions for Sections 4 – 6 below:

- Use a separate page for each registered owner of the property.
- Where the owner is a Corporation, include the full name of the Corporation and name and title of signing officer.

4. CONSENT OF THE OWNER(S)

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.

4.1 Consent of Owner(s) to the Disclosure of Application Information and Supporting Documentation

I, _____, the Owner(s), hereby 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(s)

5. AUTHORIZATIONS

If the applicant is not the owner of the land that is the subject of this application, the authorizations set out below must be completed.

5.1 Authorization of Owner for Agent to Make the Application

I, _____, am the Owner(s) of the land that is the subject of this application and I authorize _____ to submit this application as my agent.

Date

Signature of Owner(s)

5.2 Authorization of Owner for Agent to Provide Personal Information

I, _____, am the Owner(s) 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(s)

6. ACKNOWLEDGEMENTS

6.1 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(s)

7. AFFIDAVIT OR SWORN DECLARATIONS

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

- Planning Division, City Hall, 5th Floor
- Building 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

Owner / Applicant

8. 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 Planning Division General Inquiry email at pdgeninq@hamilton.ca or 905-546-2424, ext.1355.

APPLICATION FOR PART LOT CONTROL BY-LAW SUBMISSION REQUIREMENTS AND INFORMATION

APPLICATION SUBMISSION REQUIREMENTS:

- Cover Letter** providing a summary of the applications being submitted, including a list of documents included in the submission.
- Application Form** with all applicable sections completed, including the Owner's Consent, Authorization, Acknowledgements, and Affidavit signed in the presence of a Commissioner of Oaths.
- Application Fee(s)** are required to be submitted with the application. Please refer to the current City of Hamilton [Planning Division Fee Structure](#), as all fees are subject to change annually.

Application Fees can be paid by cheque (payable to "City of Hamilton") or by credit card. All cheques submitted to the Planning Division must be accompanied by a cover letter or [Fee Intake Memo](#) indicating the following: municipal address of the development; the application type, description of the fee, fee amount, and cheque number; Owner / Applicant's name and contact information; Agent's name and contact information; and if known, the assigned file number and assigned Planner's name.
- Registered Plan of Subdivision**
- Deposited Reference Plan**
- Certified list of lot area and frontages** for each lot to be created to be prepared by an Ontario Land Surveyor.
- Parcel Register** indicating current owner, legal description and PIN number, dated within 30 days of application submission date.
- Any of the following documents, if applicable to the subject application:
 - 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?

Electronic Documentation

All submission requirements are required to be submitted in digital format. The Planning Division will accept digital submissions in PDF format on a USB stick or via the CitySHARE link.

A CitySHARE link can be requested by emailing planningapps@hamilton.ca.

Electronic files are to be provided with the following naming conventions:

FileName_VersionNumber_Date (with no spaces).

For Example:

- 00_ApplicationForm_v1_yymmdd
- 01_62Mplan_v1_yymmdd
- 02_62Rplan_v1_yymmdd

Disclosure of Information

All information submitted in support of this application will be considered public information, including any reports, studies, drawings or other documentation submitted by applicant(s), agent(s), consultant(s) or solicitor(s). The City of Hamilton is permitted to make the application and any associated supporting information available to the general public, including posting electronic versions of the application form and associated studies and reports online. The City of Hamilton is also permitted to provide copies of the application and any supporting information to any member of the public or other third party which requests the information.

CONTACT

To submit an application email planningapps@hamilton.ca.

For general inquiries or questions related to the application, please contact the Planning Division at pdgeninq@hamilton.ca or 905-546-2424 ext. 1355.