



Hamilton

APPLICATION FOR AN OFFICIAL PLAN AMENDMENT
Under Section 22 of the Planning Act

APPLICATION FOR A ZONING BY-LAW AMENDMENT
Under Sections 34 and 36 of the Planning Act

Note: The following items are prescribed by regulation and must be completed:
i) For Official Plan Amendment applications all items except Part V; and
ii) For Zoning By-law Amendment applications all items except Part IV
To avoid delays, other information supplied must be complete and accurate.
A sketch map and legal description are required. Incomplete applications will be returned.
All applications must be signed. Metric units must be used. Please type or print.

Office Use Only

Table with 4 columns: Date Application Received, Date Application Deemed Completed, File No(s), Fees Paid

PART I GENERAL PROPERTY DESCRIPTION

- 1. Application for: [ ] Regional Official Plan Amendment, [X] Local Official Plan Amendment, [X] Zoning By-law Amendment
2. Former Area Municipality: Hamilton
3. All applicants are required to consult with the City of Hamilton prior to the submission of an application for Official Plan Amendment or Zoning By-law Amendment.
3.1 Have you formally consulted with the City of Hamilton prior to submitting this application? [X] Yes [ ] No
3.2 Have the required studies, plans or reports been submitted? [X] Yes [ ] No

4. Applicant Information

Table with 3 columns: NAME, ADDRESS, TELEPHONE NO. Includes contact info for Gateway Development group Inc. and UrbanSolutions Planning & Land Development Consultants Inc.

\* If a numbered company, give name and address of principal owner

5. Location of Property

Municipal Address <b>804 - 816 King Street W</b>	Lot/Parcel No. <b>71, 73 and Part of</b>	Concession <b>Lots 70 and 72</b>	Former Township <b>Hamilton</b>
Registered Plan No. <b>118</b>	Lot(s)/Block(s)	Reference Plan No.	Part(s)

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

Frontage	Depth <b>+/- 30.43m</b>	Area <b>+/- 1,708.3 sq. metres</b>
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**7. Encumbrances**

7.1 Are there any mortgages, easements or restrictive covenants affecting the subject land? N/A  
If yes, provide names and addresses of the holders of any mortgages, charges or other encumbrances in respect of the subject lands. \_\_\_\_\_

7.2 How long have the subject lands been in the owner's possession? Since March 23, 2018

**8. Existing Use of Property**

Residential     Industrial     Commercial     Farmland     Vacant     Other(s)

8.1 How long has this existing use continued? Unknown

**9. Previous Use of Property**

Residential     Industrial     Commercial     Farmland     Vacant     Other(s)

9.1 If Industrial or Commercial, specify use: Office & Commercial Recreation

**9.2 Details of Previous Uses**

		Yes	No	Unknown
9.2.1	Has the grading of the subject land been changed by adding earth or other material, i.e. has filling occurred?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9.2.2	Has a gas station been located on the subject land or adjacent lands at any time?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9.2.3	Has there been petroleum or other fuel stored on the subject land or adjacent lands?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9.2.4	Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9.2.5	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 checked="" type="checkbox"/>	<input type="checkbox"/>
9.2.6	Have the lands or adjacent lands ever been used as a weapons firing range?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9.2.7	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 checked="" type="checkbox"/>	<input type="checkbox"/>
9.2.8	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 checked="" type="checkbox"/>	<input type="checkbox"/>
9.2.9	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 checked="" type="checkbox"/>	<input type="checkbox"/>

9.3 What information did you use to determine the answers to 9.2 above?

Consultation with the landowner.

9.4 If previous use of property is industrial or commercial or if YES to any of 9.2, 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? No

**10. Uses Adjacent to the Subject Lands**

North Residential

South Residential

East Residential

West Commercial, northwest intersection of King Street W and Paradise Road N

10.1 If applicable, describe any adjacent lands owned by the applicant(s)/owner(s) and/or lands in which the applicant(s)/owner(s) have a legal interest.

N/A

Frontage (metric)	Depth (metric)	Area (metric)

**11. Related Planning Applications – Adjacent lands**

11.1 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 land within 120 metres of the subject land?  Yes  No  Unknown

11.2 If yes, and if known, list details below (if multiple applications, attach a separate page).

Approval authority: City of Hamilton

Type of application and File number: Site Plan: DA-09-122 / Zoning Amendment: ZAH-09-054

Description of land that is the subject of the application: 801 King Street West

Purpose of the Application: To construct a seven storey student residence with underground parking.

Effect on **this** application: None.

Status of the application: Approved.

**12. Heritage Features**

12.1 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

12.2 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

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

Yes

No

13. Provide a complete written description of the application with details of the proposed development including, but not limited to: proposed use(s), development details (i.e. height/storeys, floor area(s), number of parking/loading spaces, lot coverage, landscape area, etc.). Indicate type of business proposed with a proposed number of employees. If additional space is needed, attach a separate page.

The proposed development is comprised of a six (6) storey building with 30 purpose-built student residential units and approximately square metres of ancillary commercial space on the ground floor. The proposal includes 13 parking spaces, including one (1) barrier free space as well as bicycle parking and secured bicycle storage.

13.1 Provide details of the Owner/Applicant's proposed strategy for consulting with the public with respect to the application. If additional space is needed, attach a separate page.

Refer to enclosed Public Consultation Strategy prepared by UrbanSolutions, dated December 2018

**PART II | SERVICING (REQUIRED TO BE COMPLETED FOR ALL APPLICATONS)**

**14. Types of Servicing**

*This property will be serviced by (please check appropriate boxes):*

14.1 *Water Supply*

Municipal Piped Water System

Private Well(s) *Specify individual or communal wells:* \_\_\_\_\_

Other (Specify) \_\_\_\_\_

14.2 *Sewage Disposal*

Municipal Sanitary Sewer System

Private Septic Tank and Tile Field *Specify individual or communal septic system:* \_\_\_\_\_

Other (Specify) \_\_\_\_\_

14.3 Storm Drainage

- Sewer
- Ditches
- Swales
- Others (specify and provide explanation) \_\_\_\_\_

14.4 Road Access and/or Frontage

Name of Road Fronts onto King St. W and Paradise Rd N, proposed development will be accessed by Paradise Rd N.

Type of Road (i.e. Provincial Highway, Regional Road, Local Public Road, Private Road, Other)

King Street West is classified as a Major Arterial.

*If Other, specify details, including water and right of ways, if access to the subject land will be by water only, the parking and docking facilities used or to be used, and the approximate distance of these facilities from the subject land and the nearest public road.*

N/A

**PART III PROVINCIAL POLICY**

**15. Provincial Policy and Plans**

15.1 a) *Is the subject land within an area designated under any of the following Provincial Plans?*

- |  |   |  |
|--|---|--|
| Growth Plan for the Greater Golden Horseshoe (P2G) | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No            |
| Greenbelt Plan 2005                                | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No |
| Niagara Escarpment Commission Plan                 | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No |
| Parkway Belt West Plan                             | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No |
| Other (Specify) _____                              | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No |

b) *Explain how the requested Official Plan Amendment and / or Zoning By-law Amendment conforms or does not conflict with each of the applicable Provincial Plan(s). (Incorporate as part of Planning Justification Report if possible).*

Refer to the enclosed Planning Justification Report prepared by UrbanSolutions dated December 2018.

c) *Explain how the requested amendment or rezoning is consistent with the Provincial Policy Statement (PPS) (Incorporate as part of Planning Justification Report if possible).*

Refer to the enclosed Planning Justification Report prepared by UrbanSolutions dated December 2018.

- d) Are the parts of the Official Plan that would be affected by the requested Official Plan Amendment inconsistent with a policy statement issued under subsection 3(1) of the Planning Act or fails to conform or conflicts with a provincial plan?

Yes  No

If yes, explain how. (Incorporate as part of the Planning Justification Report)

N/A

- e) Are the existing parts of the Zoning By-law that would be affected by the requested Zoning By-law Amendment inconsistent with a policy statement issued under subsection 3(1) of the Planning Act, or fail to conform or conflict with a provincial plan?

Yes  No

If yes, explain how. (Incorporate as part of the Planning Justification Report)

N/A

- f) Do the existing parts of the Zoning By-law that would be affected by the requested Zoning By-law Amendment fail to conform with a City of Hamilton Official Plan?

Yes  No

If yes, explain how. (Incorporate as part of the Planning Justification Report)

The amending by-law includes a provision for height that exceeds that which is permitted in the Ainslie Wood Westdale Secondary Plan. The draft Official Plan Amendment brings the requested Zoning Bylaw into conformity with the Urban Hamilton Official Plan.

- g) Is the proposed Zoning By-law Amendment consistent with policy statements issued under subsection 3(1) of the Planning Act and does it conform with or not conflict with a provincial plan?

Yes  No

If yes, explain how. (Incorporate as part of the Planning Justification Report)

Refer to the enclosed Planning Justification Report prepared by UrbanSolutions dated December 2018.



- h) Does the proposed Zoning By-law Amendment conform with a City of Hamilton Official Plan?  Yes  No

If yes, explain how. (Incorporate as part of the Planning Justification Report)

Refer to the enclosed Planning Justification Report prepared by UrbanSolutions dated December 2018.

- 15.2 Is this application to implement an alteration to the boundary of an area of settlement or to implement a new area of settlement?  Yes  No

If yes, provide the current official plan policies if any, dealing with the alteration or establishment of an area of settlement. Also, provide the details of the proposed official plan amendment.

N/A

- 15.3 Is this application to remove land from an area of employment?  Yes  No

If yes, provide the current official plan policies, if any, dealing with the removal of land from an area of employment. Also, provide details of the proposed official plan amendment.

N/A

## 16. Significant Features

- 16.1 All applications under the Planning Act are subject to review for regard to the Provincial Policy Statement issued by the Province of Ontario. Complete the following table and be advised of the potential information requirements in the noted section. **If the information is not submitted, it may not be possible to do a complete and proper planning evaluation.**

### TABLE – SIGNIFICANT FEATURE CHECKLIST

Feature or Development Circumstance	If a feature, is it on site or within 500 m OR If a development circumstance, does it apply?		If a feature, specify distance in metres.	Potential Information Needs
	Yes (X)	No (X)		
Non-farm development near designated urban areas or rural settlement area	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<i>Demonstrate sufficient need within 20-year projections and that proposed development will not hinder efficient expansion of urban or rural settlement areas</i>
Class 1 industry <sup>1</sup>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	m	<i>Assess development for residential and other sensitive uses within 70 metres</i>
Class 2 industry <sup>2</sup>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	m	<i>Assess development for residential and other sensitive uses within 300 metres</i>
Class 3 industry <sup>3</sup>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	m	<i>Assess development for residential and other sensitive uses within 1000 metres</i>
Land Fill Site	<input type="checkbox"/>	<input checked="" type="checkbox"/>	m	<i>Address possible leachate, odour, vermin and other impacts</i>
Sewage Treatment Plant	<input type="checkbox"/>	<input checked="" type="checkbox"/>	m	<i>Assess the need for a feasibility study for residential and other sensitive land uses</i>
Waste Stabilization Pond	<input type="checkbox"/>	<input checked="" type="checkbox"/>	m	<i>Assess the need for a feasibility study for residential and other sensitive land uses</i>
Active Railway line	<input type="checkbox"/>	<input checked="" type="checkbox"/>	m	<i>Evaluate impacts within 100 metres</i>
Controlled access highways or freeways, including designated future routes	<input type="checkbox"/>	<input checked="" type="checkbox"/>	m	<i>Evaluate impacts within 100 metres</i>
Airports where noise exposure forecast (NEF) or noise exposure projection (NEP) is 28 or greater	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<i>Demonstrate feasibility of development above 28 NEF for sensitive land uses. Above the 35 NEF/NEP contour, development of sensitive land uses is not permitted</i>
Electric transformer station	<input type="checkbox"/>	<input checked="" type="checkbox"/>	m	<i>Determine possible impacts within 200 metres</i>
High voltage electric transmission line	<input type="checkbox"/>	<input checked="" type="checkbox"/>	m	<i>Consult the appropriate electric power service</i>
Transportation and infrastructure corridors	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<i>Will the corridor be protected?</i>



Feature or Development Circumstance	If a feature, is it on site or within 500 m OR If a development circumstance, does it apply?		If a feature, specify distance in metres.	Potential Information Needs
	Yes (X)	No (X)		
Prime agricultural land	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<i>Demonstrate need for use other than agricultural and indicate how impacts are to be mitigated</i>
Agricultural operations	<input type="checkbox"/>	<input checked="" type="checkbox"/>	m	<i>Development to comply with the Minimum Distance Separation Formulae</i>
Mineral aggregate resource areas	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<i>Will development hinder access to the resource or the establishment of new resource operations?</i>
Existing Pits and Quarries	<input type="checkbox"/>	<input checked="" type="checkbox"/>	m	<i>Will development hinder continued operation or extraction?</i>
Mineral and petroleum resource areas	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<i>Will development hinder access to the resource or the establishment of new resource operations?</i>
Significant wetlands	<input type="checkbox"/>	<input checked="" type="checkbox"/>	m	<i>Development is not permitted</i>
Significant portions of habitat of endangered species and threatened species	<input type="checkbox"/>	<input checked="" type="checkbox"/>	m	<i>Development is not permitted</i>
Significant fish habitat, woodlands, valley lands, areas of natural and scientific interest, wildlife habitat	<input type="checkbox"/>	<input checked="" type="checkbox"/>	m	<i>Demonstrate no negative impacts</i>
Significant groundwater recharge areas, headwaters and aquifers	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<i>Demonstrate that these features will be protected</i>
Significant built heritage resources and cultural heritage landscapes	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<i>Development should conserve significant built heritage resources and cultural heritage landscapes</i>
Significant archaeological resources	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<i>Assess development proposed in areas of medium and high potential for significant archaeological resources. These resources are to be studied and preserved, or, where appropriate, removed, catalogued and analysed prior to development.</i>
Great Lakes system: A - within defined portions of the dynamic beach and 1:100 year flood level along connecting channels	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<i>A - Development is not permitted.</i>

Feature or Development Circumstance	If a feature, is it on site or within 500 m OR If a development circumstance, does it apply?		If a feature, specify distance in metres.	Potential Information Needs
	Yes (X)	No (X)		
B - on lands subject to flooding and erosion				<i>B - Development may be permitted; demonstrate that hazards can be safely addressed</i>
Erosion hazards	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<i>Determine feasibility within the 1:100 year erosion limits of ravines, river valleys and streams</i>
Floodplains	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<i>Where one-zone floodplain management is in effect, development is not permitted within the floodplain. Where two-zone floodplain management is in effect, development is not permitted within the floodway. Where a floodplain Special Policy Area (SPA) has been established through approval from the Ministry of Natural Resources and the Ministry of Municipal Affairs and Housing, must meet the official plan policies for the SPA.</i>
Hazardous sites <sup>4</sup>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<i>Demonstrate that hazards can be addressed</i>
Contaminated sites	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<i>Assess an inventory of previous uses in areas of possible soil contamination</i>

- 1 *Class 1 industry: Small scale, self-contained plant, no outside storage, low probability of fugitive emissions and daytime operations only.*
- 2 *Class 2 industry: Medium scale processing and manufacturing with outdoor storage, periodic output of emissions, shift operations and daytime truck traffic.*
- 3 *Class 3 industry: Processing and manufacturing with frequent and intense off-site impacts and a high probability of fugitive emissions.*
- 4 *Hazardous sites: property or lands that could be unsafe for development or alteration due to naturally occurring hazard. These hazards may include unstable soils or unstable bedrock.*

**17. Please provide any additional information which may assist staff and other agencies in reviewing**





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**19. Official Plan Information**

19.1 What is the existing Rural Hamilton Official Plan designation on the subject lands?  
N/A

Explain how the subject lands conform to the existing Rural Hamilton Official Plan designation.

N/A

19.2 What is the existing Urban Hamilton Official Plan designation on the subject lands?  
Mixed Use - Medium Density (Schedule E.1)

Explain how the subject lands conform to the existing Urban Hamilton Official Plan designation.

Refer to the enclosed Planning Justification Report prepared by UrbanSolutions dated December 2018.

19.4 Are the subject lands located within an existing Secondary Plan?  Yes  No

If yes, what is the designation on the subject lands?

Mixed Use - Medium Density (Map B.6.2.1) in the Ainslie Wood Westdale Secondary Plan.

Explain how the subject lands conform to the existing secondary plan designation.

Refer to the enclosed Planning Justification Report prepared by UrbanSolutions dated December 2018.

19.3 Is the proposed Official Plan amendment intended to change, delete or replace an approved (Rural or Urban) official plan policy?  Yes  No

If yes, which policy or policies are proposed to be changed, replaced, or deleted?

N/A

Describe the purpose of the requested amendment

19.4 Is the proposed Official Plan amendment intended to add new policy?  Yes  No

If yes, provide details for the requested new policy

The purpose of the requested amendment is to permit a mixed use development with a maximum density of 176 units per hectare and a maximum height of six (6) storeys in a Mixed Use - Medium Density designation of the Ainslie Wood Westdale Secondary Plan.

Describe the purpose of the requested amendment

See Section 19.3 and enclosed Planning Justification Report.

- 19.5 Is the proposed Official Plan amendment intended to change or replace a land use designation?  Yes  No

If yes, what is the proposed designation on the subject land?

N/A

What land use(s) will be permitted by the proposed designation on the subject land?

N/A

Describe the purpose of the requested amendment

N/A

- 19.6 What are the proposed Land Uses of the Property?

Residential  Commercial  Mixed Use  Industrial  Institutional  Other(s)

- 19.7 Why is this Amendment(s) required? Outline the planning evidence providing justification for the amendment(s). This should address, but not be limited to, why the proposed change is desirable and how it relates to the overall goals and objectives of the Rural Hamilton Official Plan and the Urban Hamilton Official Plan. (Incorporate as part of Planning Justification Report if possible)

Refer to the enclosed Planning Justification Report prepared by UrbanSolutions dated December 2018.

- 19.8 If a policy in the official plan is being changed, replaced or deleted or if a policy is being added, provide the text of the requested amendment(s). (attach to application) Refer to enclosed Planning Justification Report.

- 19.9 If the requested amendment changes or replaces a schedule in the official plan, provide the requested schedule and the text that accompanies it. (attach to application) Refer to enclosed Planning Justification Report.

<b>PART V</b>	<b>ZONING BY-LAW AMENDMENT (MUST BE COMPLETED FOR ZONING BY-LAW AMENDMENT APPLICATIONS)</b>
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**20. Official Plan and Zoning Information**

- 20.1 Do the existing parts of the Zoning By-law that would be affected by the requested Zoning By-law

Amendment fail to conform or conform with the Rural Hamilton Official Plan? Please explain. (Incorporate as part of the Planning Justification Report.

N/A

20.2 Do the existing parts of the Zoning By-law that would be affected by the requested Zoning By-law Amendment fail to conform or conform with the Urban Hamilton Official Plan? Please explain. (Incorporate as part of the Planning Justification Report.

Refer to the enclosed Planning Justification Report prepared by UrbanSolutions dated December 2018.

20.3 What is the existing Zoning on the subject lands? Mixed Use Medium Density (C5), Exception 570

20.4 What is the proposed Zoning? (Provide Reason for Rezoning) "C5,\_\_\_" - Refer to Planning Justification Report.

20.5 Is this application within an area where zoning with conditions may apply?  Yes  No

If yes, provide details of how the application conforms to Official Plan policies relating to the Zoning with conditions. N/A

20.6 Is this application within an area where the municipality has pre-determined the minimum and maximum density requirements, or the minimum and maximum height requirements?  Yes  No

If yes, provide a statement of these requirements. Exception 570 - a maximum building height of 11.0 metres.

Please refer to the enclosed Survey Plan prepared by AJ Clarke.

21. **List any Existing Buildings or Structures on the Property** \* = Zoning Application Only

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

22. **List any Proposed Buildings or Structures on the Property** Please refer to the enclosed Concept Plan prepared by

	*All Yard Setbacks(m)	<u>MSAi</u>		
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Proposed Buildings or Structures					*Building Dimensions	*Ground Floor Area (m <sup>2</sup> )	*Total Floor Area (m <sup>2</sup> )	Building Height and No. of storeys
	Front	Rear	Side	Side				
1.								
2.								
3.								

**23. Related Planning Applications – Subject lands**

23.1 Has the subject land ever been the subject of an Official Plan amendment and/or rezoning application?  Yes  No  Unknown

If yes, state type of application, file number and status. \_\_\_\_\_

N/A

23.2 Has a severance/consent application ever been made?  Yes  No  Unknown

If yes, state type of application, file number and status. \_\_\_\_\_

*Note: If a decision on the severance has been made, please enclose a copy of the decision with this application.*

23.3 Does the proposed amendment involve a subdivision or condominium application?  Yes  No  Unknown

If yes, state type of application, file number and status. \_\_\_\_\_

A future Condominium Application will be submitted.

23.4 Has the subject lands ever been the subject of a Minister's Zoning Order?  Yes  No  Unknown

If yes, provide the Ontario Regulation number of that order and details. \_\_\_\_\_

N/A

**24. For Zoning By-law Amendment applications, a sketch (in metric units) must be attached showing the following:**

- (a) the boundaries and dimensions of the subject lands;
- (b) the location, size and type of all existing and proposed buildings and structures on the subject land, indicating their distance from the front lot line, rear lot line and side lot lines;
- (c) the approximate location of all natural and artificial features (for example, buildings, railways, roads, watercourses, drainage ditches, banks of rivers or streams, wetlands, wooded areas, wells and septic tanks) that,
  - (i) are located on the subject land and on land that is adjacent to it, and
  - (ii) in the applicant's opinion may affect the application;
- (d) the current uses of land that is adjacent to the subject land;
- (e) the location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road or a right of way;
- (f) if access to the subject land will be water only, the location of the parking and docking facilities to be used; and
- (g) the location and nature of any easement affecting the subject land.

**PART VI**

**25. 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.

December 18, 2018  
Date

Per: Charles Wah  
Signature of Owner

**26. AFFIDAVIT OR SWORN DECLARATION**

I, Matt Johnston of the City  
in the Hamilton make oath and say (or solemnly  
declare) that the information contained in this application is true and that the information contained in the  
documents that accompany this application is true.

Sworn (or declared) before me  
at the City of Hamilton  
in the Province of Ontario  
this \_\_\_\_\_ day of December, 2018

Allison Lee Binns, a Commissioner, etc.,  
Province of Ontario, for UrbanSolutions  
Planning & Land Development  
Consultants Inc.  
Expires October 11, 2021.

Allison Binns  
A Commissioner, etc.

M Johnston  
~~Applicant~~ Agent

**27. AUTHORIZATION**

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, Gateway Development group Inc. c/o Charles Wah, am the owner of the land that is the subject of this  
application and I authorize UrbanSolutions to act as my agent in this matter and to  
make this application on my behalf and to provide any of my personal information that will be included in this  
application or collected during the processing of the application.

December 18, 2018  
Date

Per: Charles Wah  
Signature of Owner

**28. 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, Gateway Development group Inc. c/o Charles Wah, the Owner, hereby agree and acknowledge that the information  
(Print name of Owner)

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.

Furthermore, I acknowledge that if the Public Notice Sign is not removed within 30 days of City Council's decision, the City is authorised to enter the land and to remove the sign at my expense.

December 18, 2018  
Date

Per: Charles Wah  
Signature of Owner

**29. 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.1284.



16. The waiver or acquiescence by the City of any default by the Developer under any obligation to comply with this Agreement shall not be deemed to be a waiver of that obligation or any subsequent or other default under this Agreement.
17. The Developer covenants and agrees to be bound by the terms and conditions of this Agreement and not to seek a release from the provisions thereof until such time as the Developer's obligations hereunder have been assumed by its successor, assignee or transferee by way of written agreement in the form set out in Schedule "B" to this Agreement.

**IN WITNESS WHEREOF** the parties hereto have set their corporate seals under the hands of their duly authorized officers.

DATED at City of Hamilton this 18 day of December, 20 18.

A. Linsay  
 WITNESS

Per: Charles Wahn  
 Per: Charles Wahn  
 I have authority to bind the corporation.

\_\_\_\_\_  
 WITNESS

\_\_\_\_\_  
 Per:  
 I have authority to bind the corporation

DATED at Hamilton, Ontario this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

**City of Hamilton**

Per: \_\_\_\_\_  
 Mayor

Per: \_\_\_\_\_  
 Clerk