



Hamilton

COMMITTEE OF ADJUSTMENT

City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5
Telephone (905) 546-2424, ext. 4221, 3935 Fax (905) 546-4202
E-mail: cofa@hamilton.ca

NOTICE OF PUBLIC HEARING

Application for Consent/Land Severance

APPLICATION NUMBER: HM/B-21:08

SUBJECT PROPERTY: 1032 Garth St., Hamilton

You are receiving this notice because you are either:

- Assessed owner of a property located within 60 metres of the subject property
 - Applicant/agent on file, or
 - Person likely to be interested in this application
-

APPLICANT(S): Elvis Klapcic

PURPOSE OF APPLICATION: To permit the conveyance of a vacant parcel of land for residential purposes and to retain a parcel of land containing an existing single family dwelling.

Severed lands:

13.63m[±] x 30.48m[±] and an area of 415m² ±

Retained lands:

13.85m[±] x 30.48m[±] and an area of 422m² ±

The Committee of Adjustment will hear this application on:

DATE: Thursday, March 18th, 2021

TIME: 3:00 p.m.

PLACE: Via video link or call in (see attached sheet for details)

To be streamed at

www.hamilton.ca/committeeofadjustment
for viewing purposes only

PUBLIC INPUT

Written: If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Please see attached page for complete instructions, including deadlines for submitting to be seen by the Committee.

Orally: If you would like to speak to this item at the hearing you may do so via video link or by calling in. Please see attached page for complete instructions, including deadlines for registering to participate.

MORE INFORMATION

For more information on this matter, including access to drawings illustrating this request:

- Visit www.hamilton.ca/committeeofadjustment
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at cofa@hamilton.ca

DATED: March 2nd, 2021

Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

Information respecting this application is being collected under the authority of the Planning Act, R.S.O., 1990, c. P. 13. All comments and opinions submitted to the City of Hamilton on this matter, including the name, address, and contact information of persons submitting comments and/or opinions, will become part of the public record and will be made available to the Applicant and the general public.



Hamilton

Planning and Economic Development Department
Planning Division

Committee of Adjustment

City Hall
5th floor, 71 Main Street West
Hamilton, Ontario L8P 4Y5
Phone (905) 546-2424, ext. 4221
Fax (905) 546-4202

**APPLICATION FOR CONSENT TO SEVER LAND
UNDER SECTION 53 OF THE PLANNING ACT**

Date Application Received:	Date Application Deemed Complete:	Submission No.:	File No.:
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Office Use Only

1 APPLICANT INFORMATION

1.1, 1.2

	NAME	ADDRESS	PHONE/FAX
Registered Owners(s)	Elvis Klapcic		
Applicant(s)*			Business () Fax: () E-mail:
Agent or Solicitor			Business () Fax: () E-mail:

* Owner's authorisation required if the applicant is not the owner.

1.3 All correspondence should be sent to

Owner Applicant Agent/Solicitor

2 LOCATION OF SUBJECT LAND Complete the applicable lines

2.1 Area Municipality Hamilton	Lot 19	Concession 6	Former Township BARTON
Registered Plan N° M-30	Lot(s)	Reference Plan N°	Part(s)
Municipal Address 1032 GARTH ST, HAMILTON	Assessment Roll N° 251808/02106620		

2.2 Are there any easements or restrictive covenants affecting the subject land? Yes No
If YES, describe the easement or covenant and its effect:

3 PURPOSE OF THE APPLICATION

3.1 Type and purpose of proposed transaction: (check appropriate box)

Transfer: creation of a new lot Other: a charge
 addition to a lot a lease
 an easement a correction of title
 other purpose (specify ie. farm consolidation)

3.2 Name of person(s), if known, to whom land or interest in land is to be transferred, leased or charged:

3.3 If a lot addition, identify the lands to which the parcel will be added:

4 DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

4.1 Description of land intended to be Severed:

Frontage (m)	Depth (m)	Area (m ² or ha)
13.63	30.48	415.44

Existing Use of Property to be severed:
 Residential Industrial Commercial Farmland Vacant Other (specify)

Proposed Use of Property to be severed:
 Residential Industrial Commercial Farmland Vacant Other (specify)

Building(s) or Structure(s):
Existing: *single family*
Proposed: *single family*

Type of access: (check appropriate box)
 provincial highway
 municipal road, seasonally maintained
 right of way

municipal road, maintained all year
 other public road
 if access to the land will be by water only, the parking and docking facilities to be used and the approximate distance for these facilities from the land and the nearest public road

Type of water supply proposed: (check appropriate box)
 publicly owned and operated piped water system
 privately owned and operated individual well
 privately owned and operated communal well
 lake or other water body
 other means (specify)

Type of sewage disposal proposed: (check appropriate box)
 publicly owned and operated sanitary sewage system
 privately owned and operated individual septic tank¹
 privately owned and operated communal septic system
 privy
 other means (specify)

4.2 Description of land intended to be Retained:

Frontage (m)	Depth (m)	Area (m ² or ha)
13.85	30.48	422.15

Existing Use of Property to be retained:
 Residential Industrial Commercial Farmland Vacant Other (specify)

Proposed Use of Property to be retained:
 Residential Industrial Commercial Farmland Vacant Other (specify)

Building(s) or Structure(s):
Existing: *single family*
Proposed: *single family*

Type of access: (check appropriate box)
 provincial highway
 municipal road, seasonally maintained
 right of way

municipal road, maintained all year
 other public road
 if access to the land will be by water only, the parking and docking facilities to be used and the approximate distance for these facilities from the land and the nearest public road

Type of water supply proposed: (check appropriate box)
 publicly owned and operated piped water system
 privately owned and operated individual well
 privately owned and operated communal well
 lake or other water body
 other means (specify)

- Type of sewage disposal proposed: (check appropriate box)
- publicly owned and operated sanitary sewage system
 - privately owned and operated individual septic tank
 - privately owned and operated communal septic system
 - privy
 - other means (specify)

- 4.3 Other Services: (check if the service is available)
- electricity
 - telephone
 - school bussing
 - garbage collection

5 CURRENT LAND USE

- 5.1 What are the existing official plan designation(s), if any, of the subject land:
 Regional Official Plan designation:
 Local Official Plan designation:

- 5.2 What is the zoning, if any, of the subject land? *C District*
 If the subject land is covered by a Minister's zoning order, what is the Ontario Regulation Number?

- 5.3 Are any of the following uses or features on the subject land or within 500 metres of the subject land, unless otherwise specified. Please check the appropriate boxes, if any apply.

Use or Feature	On the Subject Land	Within 500 Metres of Subject Land, unless otherwise specified (indicate approximate distance)
An agricultural operation, including livestock facility or stockyard	<input type="checkbox"/>	
A land fill	<input type="checkbox"/>	
A sewage treatment plant or waste stabilization plant	<input type="checkbox"/>	
A provincially significant wetland (Class 1, 2 or 3 wetland)	<input type="checkbox"/>	
A provincially significant wetland within 120 metres	<input type="checkbox"/>	
A flood plain	<input type="checkbox"/>	
An industrial or commercial use, and specify the use(s)	<input type="checkbox"/>	
An active railway line	<input type="checkbox"/>	
A municipal or federal airport	<input type="checkbox"/>	

6 PREVIOUS USE OF PROPERTY

- Residential Industrial Commercial Farmland Vacant Other (specify)

- 6.1 If Industrial or Commercial, specify use
- 6.2 Has the grading of the subject land been changed by adding earth or other material, i.e., has filling occurred?
 Yes No Unknown
- 6.3 Has a gas station been located on the subject land or adjacent lands at any time?
 Yes No Unknown
- 6.4 Has there been petroleum or other fuel stored on the subject land or adjacent lands?
 Yes No Unknown
- 6.5 Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?
 Yes No Unknown
- 6.6 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
- 6.7 Have the lands or adjacent lands ever been used as a weapons firing range?
 Yes No Unknown
- 6.8 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
- 6.9 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

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

Yes No Unknown

6.11 What information did you use to determine the answers to 6.1 to 6.10 above?

Previous discussions with prior owners

6.12 If previous use of property is industrial or commercial or if YES to any of 6.2 to 6.10, 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

7 PROVINCIAL POLICY

7.1 a) Is this application consistent with the Policy Statements issued under subsection 3(1) of the Planning Act?

Yes No

b) Is this application consistent with the Provincial Policy Statement (PPS)?

Yes No

(Provide explanation)

Infill development in existing urban area

c) Is this application consistent with Places to Grow (P2G)?

Yes No

(Provide explanation)

Infill development in existing area (urban)

d) Is the subject lands within an area of land designated under any provincial plan or plans?

Yes No

e) Are the subject lands subject to the Niagara Escarpment Commission Plan?

Yes No

If yes, is the proposal in conformity with the Niagara Escarpment Commission Plan?

Yes No

(Provide Explanation)

f) Are the subject lands subject to the Parkway Belt West Plan?

Yes No

If yes, is the proposal in conformity with the Parkway Belt West Plan?

Yes No

(Provide Explanation)

g) Are the subject lands subject to the Greenbelt Plan 2005?

Yes No

If yes, is the proposal in conformity with the Greenbelt Plan 2005?

Yes No

(Provide Explanation)

8 HISTORY OF THE SUBJECT LAND

- 8.1 Has the subject land ever been the subject of an application for approval of a plan of subdivision or a consent under sections 51 or 53 of the Planning Act? Yes No Unknown

If YES, and known, indicate the appropriate application file number and the decision made on the application.

- 8.2 If this application is a re-submission of a previous consent application, describe how it has been changed from the original application. *NO*

- 8.3 Has any land been severed or subdivided from the parcel originally acquired by the owner of the subject land? Yes No

If YES, and if known, provide for each parcel severed, the date of transfer, the name of the transferee and the land use.

- 8.4 How long has the applicant owned the subject land? *Since Jan 17, 2012*

- 8.5 Does the applicant own any other land in the City? Yes No
If YES, describe the lands in "10.2 - Other Information" or attach a separate page.

9 OTHER APPLICATIONS

- 9.1 Is the subject land currently the subject of a proposed official plan amendment that has been submitted for approval? Yes No Unknown

If YES, and if known, specify file number and status of the application.

- 9.2 Is the subject land the subject of any other application for a Minister's zoning order, zoning by-law amendment, minor variance, consent or approval of a plan of subdivision? Yes No Unknown

If YES, and if known, specify file number and status of the application(s).

10 OTHER INFORMATION (optional)

- 10.1 For a Farm-related Severance:
Is the applicant/owner a full-time farmer? Yes No

If YES, for how long?
What percentage of your total income is derived from the farm?
Identify the type of farming conducted:

- 10.2 Is there any other information that you think may be useful to the Committee of Adjustment or other agencies in reviewing this application? If so, explain below or attach on a separate page.

11 SKETCH (Use the attached Sketch Sheet)

- 11.1 The application shall be accompanied by a sketch showing the following in metric units:
- (a) the boundaries and dimensions of any land abutting the subject land that is owned by the owner of the subject land;
 - (b) the approximate distance between the subject land and the nearest township lot line or landmark such as a bridge or railway crossing;