COMMITTEE OF ADJUSTMENT



City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5
Telephone (905) 546-2424, ext. 4221, 3935

E-mail: cofa@hamilton.ca

NOTICE OF PUBLIC HEARING Consent/Land Severance

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

APPLICATION	FL/B-20:46	SUBJECT	13 HERBERT PL.,
NO.:		PROPERTY:	FLAMBOROUGH

APPLICANTS: Agent Lakatos Planning – J. Lakatos

Owners Dragana Anna & Steve Suykens

PURPOSE & EFFECT: To permit the conveyance of a vacant parcel of land and to retain a parcel of land for residential purposes.

	Frontage	Depth	Area
SEVERED LANDS:	84.74 m [±]	92.7 m [±]	0.85 ha [±]
RETAINED LANDS:	40.39 m [±]	92.7 m [±]	4,425.5 m ^{2±}

Associated Planning Act File(s): FL/B-03:16 (Approved with Conditions but Application Lapsed)

This Notice must be posted by the owner of any land which contains seven or more residential units so that it is visible to all residents.

This application will be heard by the Committee as shown below:

DATE:	Thursday, June 23, 2022
TIME:	3:20 p.m.
PLACE:	Via video link or call in (see attached sheet for details)
	To be streamed (viewing only) at
	www.hamilton.ca/committeeofadjustment

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

- Visit www.hamilton.ca/committeeofadjustment
- Email Committee of Adjustment staff at cofa@hamilton.ca

FL/B-20:46

Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935

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, <u>including deadlines</u> 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.



DATED: June 7, 2022

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, and may include posting electronic versions..

FL/B-20:46

If a person or public body that files an appeal of a decision of The City of Hamilton Committee of Adjustment in respect of the proposed consent does not make written submissions to The City of Hamilton Committee of Adjustment before it gives or refuses to give a provisional consent, the Ontario Land Tribunal may dismiss the appeal.

If you wish to be notified of the decision of The City of Hamilton Committee of Adjustment in respect of the proposed consent, you must make a written request to the Secretary-Treasurer of The City of Hamilton Committee of Adjustment by email at cofa@hamilton.ca or by mail through City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5.



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PARTICIPATION PROCEDURES

Written Submissions

Members of the public who would like to participate in a Committee of Adjustment meeting are able to provide comments in writing or via email in advance of the meeting. Comments can be submitted by emailing cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5. Comments must be received by noon two days before the Hearing.

Comments can also be placed in the drop box which is located at the back of the 1st Floor of City Hall, 71 Main Street West. All comments received by noon two business days before the meeting will be forwarded to the Committee members.

Comments are available two days prior to the Hearing and are available on our website: www.hamilton.ca/committeeofadjustment

Oral Submissions During the Virtual Meeting

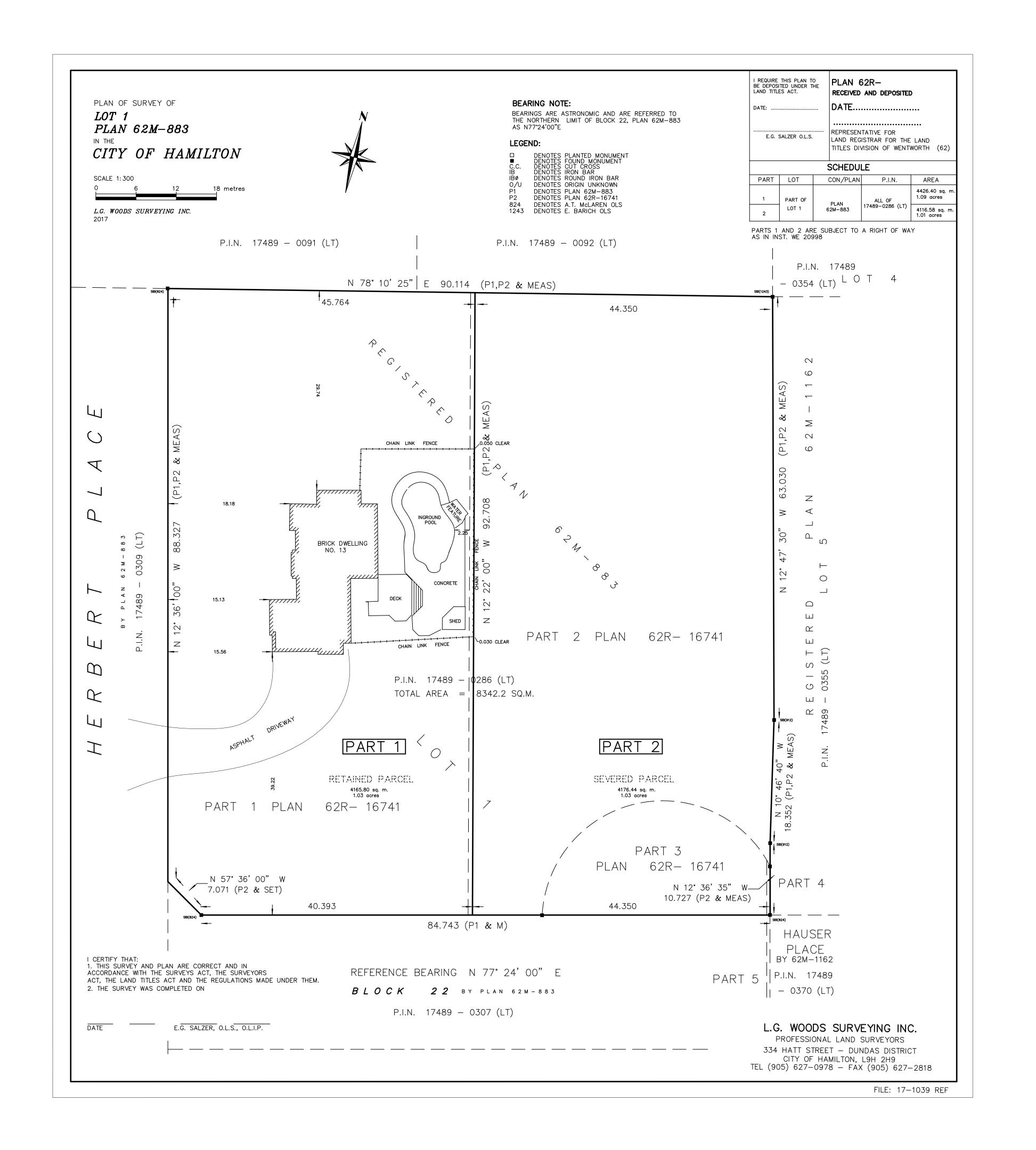
Members of the public are also able to provide oral comments regarding Committee of Adjustment Hearing items by participating through Webex via computer or phone. Participation in this format requires pre-registration in advance. **Interested members of the public must register by noon the day before the hearing.**

To register to participate by Webex either via computer or phone, please contact Committee of Adjustment staff by email cofa@hamilton.ca or by phone at 905-546-2424 ext. 4221. The following information is required to register: Committee of Adjustment file number that you wish to speak to, the hearing date, name and address of the person wishing to speak, if they will be connecting via phone or video, and if applicable the phone number they will be using to call in. A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting the Wednesday afternoon before the hearing. The link must not be shared with others as it is unique to the registrant.

All members of the public who register will be contacted by Committee Staff to confirm details of the registration prior to the Hearing and provide an overview of the public participation process.

We hope this is of assistance and if you need clarification or have any questions, please email cofa@hamilton.ca or by phone at 905-546-2424 ext. 4221.

Please note: Webex (video) participation requires either a compatible computer or smartphone and an application (app/program) must be downloaded by the interested party in order to participate. It is the interested party's responsibility to ensure that their device is compatible and operating correctly prior to the Hearing.





If you require copy of the Hydro G please contact cofa@hamilton.ca

HYDROGEOLOGICAL INVESTIGATION **13 HERBERT PLACE HAMILTON (DUNDAS), ONTARIO** for MR. LUKE HEWITT

PETO MacCALLUM LTD. 45 BURFORD ROAD HAMILTON, ONTARIO L8E 3C6

Phone: (905) 561-2231 Fax: (905) 561-6366

Email: hamilton@petomaccallum.com

Distribution:

PML Ref.: 17HX016 1 cc: Mr. Luke Hewitt (via email)

1 cc: AJ Lakatos Planning Consultant (via email) Report: 1 (Revised) 1 cc: PML Hamilton

April 2021



Committee of Adjustment

City Hall

5th floor, 71 Main Street West Hamilton, Ontario L8P 4Y5

Planning and Economic Development Department Planning Division

Phone (905) 546-2424, ext. 4221 Fax (905) 546-4202

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

					Office Use Onl
Date Application Received:		te Application emed Complete	Submission e:	No.:	File No.:
1 APPLICANT IN	FORMATI	ON			
1.1, 1.2		NAME	ADDRESS		PHONE/FAX
Registered Owners(s)	_	na Anna Suykens			
Applicant(s)*		as above.			
Agent or	AJ Lak				
Solicitor	Planni Consul Joe La	tant c/o			
2 LOCATION OF S 2.1 Area Municipalit City of Hami	У	LAND Comp	olete the applicable it Concession	For	mer Township lamborough Greensville)
Registered Plan N°.		Lot(s)	Reference Plan N°.		
62M-883		1			
Municipal Address 13 Herbert P	lace			Ass	essment Roll N°.
2.2 Are there any ear Yes V No If YES, describe				subjec	t land?
B PURPOSE OF TO 3.1 Type and purpose			: (check appropriate	e box)	
a) <u>Urban Area Tra</u>	ansfer (do	not complete	Section 10):		
☐ creation of ☐ addition to ☐ an easeme	a lot		Other	🔲 a k	harge pase correction of title

b) Nurai Area / Nurai Selli					
creation of a new lo	ot		Other: 🔲 a	charge	
creation of a new no				lease	
(i.e. a lot containing a	•			correction of title	
resulting from a farm or			=	in easement	
addition to a lot	ondolladdion)			in cascinent	
.2 Name of person(s), if know or charged:					
Daryl and Gayle Le	wis of 40	Marshboro	Ave, Cit	y of Hamilton	(Dund
.3 If a lot addition, identify the	e lands to whic	h the parcel will	be added:		-
DESCRIPTION OF SUBJI 1 Description of land intende			INFORMA	ΓΙΟΝ	
Frontage (m)	Depth (m)		Area (m	ı² or ha)	
• , ,	' ' /		-	a (2.1ac)	i
34.74m	92.7m				
xisting Use of Property to be s Residential Agriculture (includes a farm Other (specify)	dwelling)	☐ Industrial ☐ Agricultura	al-Related	☐ Commercial ▼ Vacant	_
roposed Use of Property to be	e severed:			☐ Commercial	
Residential Agriculture (includes a farm Other (specify)		☐ Industrial ☐ Agricultura	al-Related	☐ Vacant	_
Agriculture (includes a farm Other (specify)uilding(s) or Structure(s):		Agricultura	al-Related		_
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Proposed Use of Property to be retained: ✓ Residential	l ral-Related	☐ Commercia	al 	
Building(s) or Structure(s): Existing: Refer to Plan of Survey Proposed: No new buildings are proposed or	n retain	ed lot.		
Type of access: (check appropriate box) provincial highway municipal road, seasonally maintained municipal road, maintained all year	☐ right of			
Type of water supply proposed: (check appropriate box) ☐ publicly owned and operated piped water system ✓ privately owned and operated individual well		other water body neans (specify)		
Type of sewage disposal proposed: (check appropriate box) publicly owned and operated sanitary sewage system privately owned and operated individual septic system other means (specify)				
4.3 Other Services: (check if the service is available) ✓ electricity ✓ telephone ✓ school bussing	\mathbf{Q}	garbage collection	1	
5 CURRENT LAND USE5.1 What is the existing official plan designation of the subjection	ect land?			
Rural Hamilton Official Plan designation (if applicable):				
Rural Hamilton Official Plan designation (if applicable): Urban Hamilton Official Plan designation (if applicable) Please provide an explanation of how the application co	Greensv Settlem	ille Rural S ent Resident a City of Hamilton	ial	Area Pla
Urban Hamilton Official Plan designation (if applicable)_	Greensv Settlem Informs with	ent Resident	ial	Area Pla
Urban Hamilton Official Plan designation (if applicable)_ Please provide an explanation of how the application co Official Plan.	Greensv Settlem Informs with	ent Resident	ial	Area Pla
Urban Hamilton Official Plan designation (if applicable)_ Please provide an explanation of how the application co Official Plan.	Greensv Settlem Informs with	ent Resident a City of Hamilton	ial n	Area Pla
Urban Hamilton Official Plan designation (if applicable) Please provide an explanation of how the application co Official Plan. Refer to Planning Justification Brief 5.2 What is the existing zoning of the subject land? Sett If the subject land is covered by a Minister's zoning orde	Greensv Settlem Informs with Sef. Iement R r, what is the	ent Resident a City of Hamilton esidential (e Ontario Regulat	(S1) Zone	Area Pla
Urban Hamilton Official Plan designation (if applicable) Please provide an explanation of how the application co Official Plan. Refer to Planning Justification Brief Sett If the subject land is covered by a Minister's zoning order Number? Not Applicable. Not Applicable. Are any of the following uses or features on the subject land, unless otherwise specified. Please check to	Greensv Settlem Informs with Sef. Iement R r, what is the	ent Resident a City of Hamilton esidential (e Ontario Regulat	ial n (S1) Zone cion ne res id, se ate	Area Pla

A la	nd fill					
A se	wage treatment plant or waste stabilization plant					
A pr	ovincially significant wetland					
A pr	ovincially significant wetland within 120 metres					
A flo	od plain					
An ir	ndustrial or commercial use, and specify the use(s)					
An a	ctive railway line					
A mı	unicipal or federal airport					
6		nmercial er (specify	')			
6.1	If Industrial or Commercial, specify use					
6.2	Has the grading of the subject land been changed by a has filling occurred? ☐ Yes ✓ No ☐ Unknown	dding earl	th or other material, i.e.,			
6.3	Has a gas station been located on the subject land or a ☐ Yes ✓ No ☐ Unknown	adjacent la	inds at any time?			
6.4	Has there been petroleum or other fuel stored on the s ☐ Yes ☑ No ☐ Unknown	ubject land	d or adjacent lands?			
6.5	_ _					
6.6	Have the lands or adjacent lands ever been used as ar cyanide products may have been used as pesticides at lands? Yes No Unknown	n agricultui nd/or biosc	ral operation where olids was applied to the			
6.7	Have the lands or adjacent lands ever been used as a ☐ Yes	weapons f	firing range?			
6.8	Is the nearest boundary line of the application within 50 area of an operational/non-operational landfill or dump? Yes No Unknown		(1,640 feet) of the fill			
6.9						
6.10	Is there reason to believe the subject land may have be on the site or adjacent sites? Yes No Unknown	en contar	ninated by former uses			
6.11	What information did you use to determine the answers Owner's knowledge.	to 6.1 to (6.10 above?			
6.12						
7 P (7.1 a)	ROVINCIAL POLICY Is this application consistent with the Policy Statement of the <i>Planning Act</i> ? (Provide explanation)	nts issued	under subsection			
	✓ Yes □ No Refer to Planning Justification Br	ief.				

	☐ No (Provide explanation)
Refer t	to Planning Justification Brief.
Does this a Yes	pplication conform to the Growth Plan for the Greater Golden Hors No (Provide explanation)
Refer	to Planning Justification Brief.
plans? (If Y	ject lands within an area of land designated under any provincial pl ÆS, provide explanation on whether the application conforms or do the provincial plan or plans.) ☑ No
Yes	ect lands subject to the Niagara Escarpment Plan? No proposal in conformity with the Niagara Escarpment Plan? No planation)
Are the subj	ect lands subject to the Parkway Belt West Plan? ☑ No
_ Yes	ect lands subject to the Parkway Belt West Plan? ✓ No proposal in conformity with the Parkway Belt West Plan? ☐ No (Provide Explanation)
」Yes f yes, is the ☐ Yes	✓ No proposal in conformity with the Parkway Belt West Plan?

8 8.1	HISTORY OF THE SUBJECT LAND 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 <i>Planning Act</i> ? ✓ Yes □ No □ Unknown
	If YES, and known, indicate the appropriate application file number and the decision made on the application.
	FL/B - 03:16 - Approved with Conditions. Approval Lapsed.
8.2	If this application is a re-submission of a previous consent application, describe how it has been changed from the original application.
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? September 2002
8.5	Does the applicant own any other land in the City? Yes VNo If YES, describe the lands in "11 - Other Information" or attach a separate page.
9 9.1	OTHER APPLICATIONS Is the subject land currently the subject of a proposed official plan amendment that has been submitted for approval? Yes V 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?
	If YES, and if known, specify file number and status of the application(s).
	File number Status
10 10.1	RURAL APPLICATIONS Rural Hamilton Official Plan Designation(s)
	☐ Agricultural ☐ Rural ☐ Specialty Crop
	☐ Mineral Aggregate Resource Extraction ☐ Open Space ☐ Utilities ☐ Rural Settlement Area (specify) ☐ Greensville Settlement Residential
	☐ Rural Settlement Area (specify) ☐ Greensville Settlement Residential Settlement Area Designation
	If proposal is for the creation of a non-farm parcel resulting from a farm consolidation,
	indicate the existing land use designation of the abutting or non-abutting farm operation.
10.2	Type of Application (select type and complete appropriate sections)
	Agricultural Severance or Lot Addition
	Agricultural Related Severance or Lot Addition Rural Resource-based Commercial Severance or Lot Addition Rural Institutional Severance or Lot Addition (Complete Section 10.3)

✓ Rural Settlement Area Se	everance or Lot Addition	
Surplus Farm Dwelling Se Abutting Farm Consolidate	everance from an tion	(Complete Section 10.4)
Surplus Farm Dwelling Some Non-Abutting Farm Const		(Complete Section 10.5
.3 Description of Lands		
a) Lands to be Severed:		
Frontage (m): (from Section	4.1) Area (m² or	ha): (from in Section 4.1)
44.35m		3 sq.m.
Existing Land Use: <u>vacant</u>	Proposed La	nd Use: <u>Residential</u>
b) Lands to be Retained:		
Frontage (m): (from Section	4.2) Area (m2 or	ha): (from Section 4.2)
40.39m	4426	.4 sq.m.
Existing Land Use: Resider	<u>rtial</u> Proposed La	nd Use: Residential
.4 Description of Lands (Abutt	ing Farm Consolidation)
a) Location of abutting farm:		
(Street)	(Municipality)	(Postal Code
b) Description abutting farm:		
Frontage (m):	Area (m2 or h	na):
Existing Land Use(s):	Proposed Land	Use(s):
 c) Description of consolidated surplus dwelling): 	farm (excluding lands in	tended to be severed for the
Frontage (m):	Area (m2 or h	na):
Existing Land Use:	Proposed Land	Use:
d) Description of surplus dwel	ling lands proposed to be	severed:
Frontage (m): (from Section 4	.1) Area (m2 or h	a): (from Section 4.1)
Front yard set back:		
e) Surplus farm dwelling date	of construction:	
·		200mh an 40, 2004
Prior to December 16, 2	<u>—</u>	ecember 16, 2004
f) Condition of surplus farm d	_	L:L-L1_
	☐ Non-Ha	
g) Description of farm from whe (retained parcel):		
Frontage (m): (from Section 4	.2) Area (m2 or h	a): (from Section 4.2)
Existing Land Use:	Proposed Land	Use:
Description of Lands (Non-A	butting Farm Consolida	ation)
a) Location of non-abutting far	m	
(Street)	(Municipality)	(Postal Code)
•	,,	(, 5512, 5666

	Frontage (m):	Area (m2 or ha):
•	Existing Land Use(s):	Proposed Land Use(s):
	c) Description of surplus dwelling lar	ado intordad to be possessi
	Frontage (m): (from Section 4.1)	Area (m2 or ha): (from Section 4.1)
	Front yard set back:	
•	d) Surplus farm dwelling date of cons	struction:
	Prior to December 16, 2004	After December 16, 2004
(e) Condition of surplus farm dwelling	
	☐ Habitable	☐ Non-Habitable
f	 Description of farm from which the (retained parcel): 	surplus dwelling is intended to be severed
	Frontage (m): (from Section 4.2)	Area (m2 or ha): (from Section 4.2)
i	Existing Land Use:	Proposed Land Use:
11 OT	HER INFORMATION	
	Is there any other information that y Adjustment or other agencies in rev attach on a separate page.	you think may be useful to the Committee of viewing this application? If so, explain below or
	and on a copulate page.	
	Refer to Planning Just	
		and comment responses.
2 SK 2.1The	ETCH (Use the attached Sketch She application shall be accompanied by	eet as a guide) y a sketch showing the following in metric units:
(a)	the boundaries and dimensions of a the owner of the subject land;	any land abutting the subject land that is owned by
(b)	the approximate distance between to rlandmark such as a bridge or rail	the subject land and the nearest township lot line way crossing;
(c)	the boundaries and dimensions of the severed and the part that is intended	ne subject land, the part that is intended to be d to be retained;
(d)	the location of all land previously se current owner of the subject land;	vered from the parcel originally acquired by the
(e)	the approximate location of all natur barns, railways, roads, watercourse wetlands, wooded areas, wells and	ral and artificial features (for example, buildings, s, drainage ditches, banks of rivers or streams, septic tanks) that,
	i) are located on the subject landii) in the applicant's opinion, may a	an on land that is adjacent to it, and affect the application;
(f)	the current uses of land that is adjac agricultural or commercial);	cent to the subject land (for example, residential,
(g)	the location, width and name of any	roads within or abutting the subject land, road allowance, a public travelled road, a private

b) Description of non-abutting farm