

20-149382



Hamilton

Planning and Economic Development Department  
Planning Division

**Committee of Adjustment**  
City Hall  
5<sup>th</sup> floor 71 Main Street West  
Hamilton, Ontario L8P 4Y5

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

**PLEASE FILL OUT THE FOLLOWING PAGES AND  
RETURN TO THE CITY OF HAMILTON PLANNING  
DEPARTMENT.**

<b>FOR OFFICE USE ONLY.</b>	
APPLICATION NO. <u>FL/A-20:32</u>	DATE APPLICATION RECEIVED <u>Jan 27/20</u>
PAID _____	DATE APPLICATION DEEMED COMPLETE _____
SECRETARY'S SIGNATURE _____	

CITY OF HAMILTON  
COMMITTEE OF ADJUSTMENT  
HAMILTON, ONTARIO

*The Planning Act*

**Application for Minor Variance or for Permission**

The undersigned hereby applies to the Committee of Adjustment for the City of Hamilton under Section 45 of the *Planning Act*, R.S.O. 1990, Chapter P.13 for relief, as described in this application, from the Zoning By-law.

1. Name of Owner Derek Noitasik Telephone No. [REDACTED]
2. [REDACTED]
3. Name of Agent \_\_\_\_\_ Telephone No. \_\_\_\_\_  
FAX NO. \_\_\_\_\_ E-mail address. \_\_\_\_\_
4. Address \_\_\_\_\_  
\_\_\_\_\_ Postal Code \_\_\_\_\_

**Note:** Unless otherwise requested all communications will be sent to the agent, if any.

5. Names and addresses of any mortgagees, holders of charges or other encumbrances:  
Investors Group, Ancaster  
\_\_\_\_\_ Postal Code \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ Postal Code \_\_\_\_\_

6. Nature and extent of relief applied for:

- Relief From side yard for garage addition

7. Why it is not possible to comply with the provisions of the By-law?

In order to fit a 2 car garage we would like to exceed the provisions currently outlined.

8. Legal description of subject lands (registered plan number and lot number or other legal description and where applicable, street and street number):

4 Haines ave, Dundas

9. PREVIOUS USE OF PROPERTY

Residential \_\_\_\_\_ Industrial \_\_\_\_\_ Commercial \_\_\_\_\_

Agricultural \_\_\_\_\_ Vacant \_\_\_\_\_

Other \_\_\_\_\_

9.1 If Industrial or Commercial, specify use

\_\_\_\_\_

9.2 Has the grading of the subject land been changed by adding earth or other material, i.e. has filling occurred?

Yes \_\_\_\_\_ No ☒ Unknown \_\_\_\_\_

9.3 Has a gas station been located on the subject land or adjacent lands at any time?

Yes \_\_\_\_\_ No ☒ Unknown \_\_\_\_\_

9.4 Has there been petroleum or other fuel stored on the subject land or adjacent lands?

Yes \_\_\_\_\_ No ☒ Unknown \_\_\_\_\_

9.5 Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?

Yes \_\_\_\_\_ No ☒ Unknown \_\_\_\_\_

9.6 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 ☒

9.7 Have the lands or adjacent lands ever been used as a weapon firing range?

Yes \_\_\_\_\_ No ☒ Unknown \_\_\_\_\_

9.8 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 \_\_\_\_\_

9.9 If there are existing or previously existing buildings, are there any building materials remaining on site which are potentially hazardous to public health (eg. asbestos, PCB's)?

Yes \_\_\_\_\_ No ☒ Unknown \_\_\_\_\_

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

Yes \_\_\_\_\_ No X Unknown \_\_\_\_\_

9.11 What information did you use to determine the answers to 9.1 to 9.10 above?

Previous realtor information and have lived there for 7 years.

9.12 If previous use of property is industrial or commercial or if YES to any of 9.2 to 9.10, 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 \_\_\_\_\_

#### ACKNOWLEDGEMENT CLAUSE

I acknowledge that the City of Hamilton is not responsible for the identification and remediation of contamination on the property which is the subject of this Application – by reason of its approval to this Application.

Jan. 27 / 2020  
Date

[Signature]  
Signature Property Owner

[Redacted]  
Print Name of Owner

10. Dimensions of lands affected:

Frontage

49'

Depth

60.96 M

Area

1517.3 Ft

Width of street

11. Particulars of all buildings and structures on or proposed for the subject lands:  
(Specify ground floor area, gross floor area, number of stories, width, length, height, etc.)

Existing:

1 story

1163.2 sq ft

Main Floor

1200 sq ft

with garage = 2175.4

second story = 1622.3

= 3797.7

Proposed:

2 story

3797.7 sq ft (277.6) sq m

12. Location of all buildings and structures on or proposed for the subject lands;  
(Specify distance from side, rear and front lot lines)

Existing:

Front

12.3 m

Rear

35.9 m

Sides

8.4 m

13 m

Proposed:

South Side garage addition with 2<sup>nd</sup> story = 1.5 m

13. Date of acquisition of subject lands:  
approx Sept. 2013
14. Date of construction of all buildings and structures on subject lands:  
N/A
15. Existing uses of the subject property: Single Family detached dwelling
16. Existing uses of abutting properties: Single Family detached dwellings
17. Length of time the existing uses of the subject property have continued:  
1960's
18. Municipal services available: (check the appropriate space or spaces)  
Water Community well Connected \_\_\_\_\_  
Sanitary Sewer X septic Connected \_\_\_\_\_  
Storm Sewers ✓
19. Present Official Plan/Secondary Plan provisions applying to the land:  
rural settlement area Greenville
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:  
3.0 m required side yard  
SI settlement residential
21. Has the owner previously applied for relief in respect of the subject property?  
Yes \_\_\_\_\_ No (X)  
If the answer is yes, describe briefly.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
22. Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*?  
Yes \_\_\_\_\_ No (X)
23. The applicant shall attach to each copy of this application a plan showing the dimensions of the subject lands and of all abutting lands and showing the location, size and type of all buildings and structures on the subject and abutting lands, and where required by the Committee of Adjustment such plan shall be signed by an Ontario Land Surveyor.

**NOTE:** It is required that two copies of this application be filed with the secretary-treasurer of the Committee of Adjustment together with the maps referred to in Section 5 and be accompanied by the appropriate fee in cash or by cheque made payable to the City of Hamilton.

**PART 24 AFFIDAVIT OR SWORN DECLARATION**

This declaration to be sworn by a Commissioner of Oaths.



**PART 25 OWNERS AUTHORIZATION**

As of the date of this application, I (NAME) \_\_\_\_\_ am the registered Owner of the lands described in this application, and I have examined the contents of this application and hereby certify that the information submitted with the application is correct insofar as I have knowledge of these facts, and I hereby authorize:

\_\_\_\_\_ of \_\_\_\_\_

to act as my agent in this matter and to provide any of my personal information that will be included in this application or collected during the processing of the application.

DATE \_\_\_\_\_ SIGNED \_\_\_\_\_

**PART 26 CONSENT OF THE OWNER**

Complete the consent of the owner concerning personal information set out below.


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, Derek Wojtasik, the Owner, hereby agree and acknowledge  
(Print name of Owner)

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

I \_\_\_\_\_ of the \_\_\_\_\_  
\_\_\_\_\_ in the \_\_\_\_\_ of \_\_\_\_\_

solemnly declare that:

All of the above statements are true and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath.

Declared before me at the \_\_\_\_\_

at the \_\_\_\_\_ of \_\_\_\_\_ )

in the \_\_\_\_\_ )

of \_\_\_\_\_ )

this \_\_\_\_\_ day of \_\_\_\_\_ A.D. 20 \_\_\_\_\_ )

Applicant

A Commissioner, etc.

#### PART 25 OWNERS AUTHORIZATION

As of the date of this application, I (NAME) Caroline Wojtasik am the registered Owner of the lands described in this application, and I have examined the contents of this application and hereby certify that the information submitted with the application is correct insofar as I have knowledge of these facts, and I hereby authorize:

Derek Wojtasik of City of Hamilton

to act as my agent in this matter and to provide any of my personal information that will be included in this application or collected during the processing of the application

DATE 2020-01-27

SIGNED \_\_\_\_\_

#### PART 26 CONSENT OF THE OWNER

Complete the consent of the owner concerning personal information set out below.

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Date

Signature of Owner

**PART 27 PERMISSION TO ENTER**

Date: \_\_\_\_\_

Secretary/Treasurer  
Committee of Adjustment  
City of Hamilton,  
City Hall

Dear Secretary/Treasurer;

Re: Application to Committee of Adjustment

Location of Land: 4 Haines Ave  
(Municipal address)

I hereby authorize the members of the Committee of Adjustment and members of the staff of the City of Hamilton to enter on to the above-noted property for the limited purposes of evaluating the merits of this application.



Signature of Owner or Authorized agent

\_\_\_\_\_  
Please print name

**Note:** The Committee of Adjustment requires that all properties be identified with the municipal address clearly visible from the street. Where there is no municipal address or the property is vacant then the property shall be identified in accordance with the Committee's policy included on the back of the Application Form. Failure to properly identify the subject property may result in the deferral of the application.

**PART 28 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, 1<sup>st</sup> floor, 71 Main Street West, City Hall, Hamilton, Ontario, Telephone: 905-546-2424, ext.1284.