



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 **Minor Variance**

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 NO.: SC/A-20:82

APPLICANTS: DeFilippis Design on behalf of the owners T. & A. Valeri

SUBJECT PROPERTY: Municipal address **49 Millen Rd. (Stoney Creek) City of Hamilton**

ZONING BY-LAW: Zoning By-law 3692-92, as Amended

ZONING: "R2" (Single Residential) Zone

PROPOSAL: To permit the construction of an accessory building (cabana) in the front yard of the existing single detached dwelling, notwithstanding,

1. The proposed cabana shall be permitted to be located within the front yard providing a minimum distance of 0.1 metres to the front lot line whereas the Zoning By-law does not permit an accessory building to be located in a front yard and requires a minimum distance of 8.0 metres to the front lot line.

NOTES:

1. A further variance will be required should an eave and gutter projection along the southerly side of the proposed accessory structure projects greater than 0.25 metres into the required yard.

2. A further variance will be required should the height of the proposed accessory structure exceeds the maximum permitted height of 4.5 metres. The applicant shall ensure building height is provided in accordance with the definition of "Height – Building" and "Grade" as defined within the Zoning By-law.

3. The "New Porch to Replace Existing" and "New Two Storey Addition (Garage Below)", as shown on the submitted site plan have not been reviewed for zoning compliance as it appears such alterations have been reviewed under Building Permit 16-119611.

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

DATE: Thursday, July 16th, 2020

TIME: 1:45p.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:

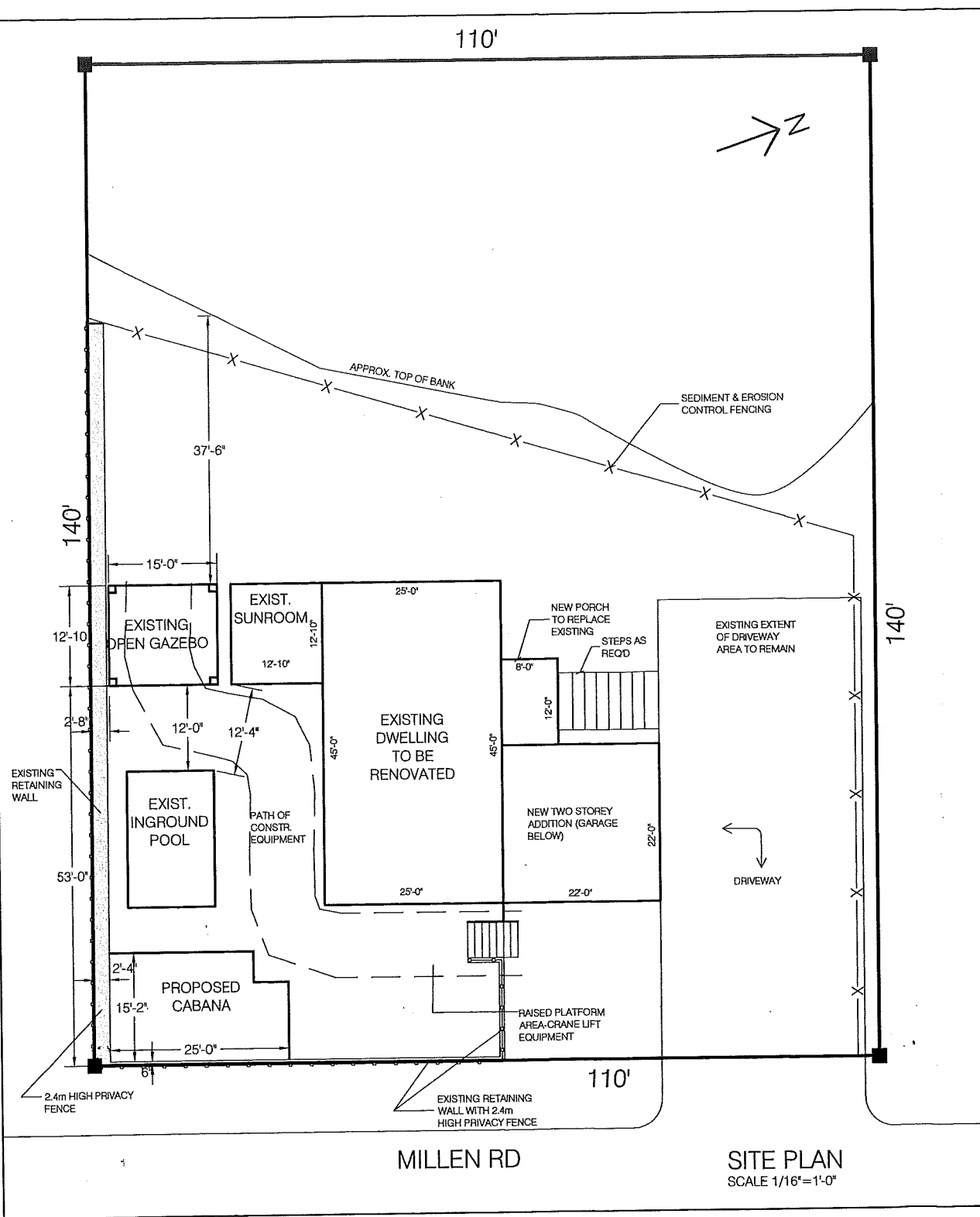
- Visit www.hamilton.ca/committeeofadjustment
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at cofa@hamilton.ca

DATED: June 30th, 2020.

Original Signed

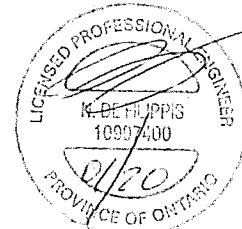
Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

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.



SITE STATISTIC

LOT AREA	15,400 sqf (1,430.70m ²)
EXISTING DWELLING	1,125 sqf (104.51m ²)
EXISTING SUNROOM	165 sqf (15.33m ²)
NEW 2 STOREY ADDITION	484 sqf (44.96m ²)
PORCH W/STAIRS	208 sqf (19.32m ²)
EXISTING OPEN GAZEBO	192 sqf (17.84m ²)
PROPOSED CABANA	358 sqf (33.26m ²)
TOTAL COVERAGE:	2,532 sqf (235.22m ²) (16.44%)



SC/A 20:82 Sketch



DeFILIPPIS DESIGN
687 BARTON ST., SUITE 201
STONEY CREEK, ONTARIO L8E 6L6
(905) 643-2250 FAX (905) 643-1095
email: defilippisdesign@bellnet.ca

PROPOSED DRAWING FOR: NEW OPEN GAZEBO (VALERI)		
SCALE: AS NOTED	ADDRESS:	DRAWN BY:*
DATE: SEPT.19	49 MILLEN RD STONEY CREEK, ON	CHK BY:*
REV 1: JAN., 2020		DWG NO: SP-1
REV 2: MAR., 2020		SH 1 OF 1

Page 1

6. Nature and extent of relief applied for:

TO PERMIT ACCESSORY STRUCTURE (POOL CABANA)
IN FRONT YARD AT A DISTANCE OF 0.15m
(including eaves) TO PROP LINE AND 0.7m sideyard
- TO PERMIT A PRIVACY FENCE

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

2.4m HIGH ON THE SOUTH Side yard and partial
front yard
EXTREME STREET GRADE CREATES AND EXISTING
DIRECTION OF FRONT DOOR OF HOUSE CREATES
TYPICAL REAR YARD AMENITY IN SIDE/FRONT YARD
ACTUAL REAR YARD IS PROTECTED ESA AREA

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

49 MILLAN RD, STONEY CREEK

9. PREVIOUS USE OF PROPERTY

Residential ☒ Industrial ☐ Commercial ☐

Agricultural ☐ Vacant ☐

Other

- 9.1 If Industrial or Commercial, specify use

N/A

- 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 ☒ Unknown _____

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

SINGLE FAMILY USE IN EXCESS
OF 60 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.

MARCH 9/20
Date


Signature Property Owner

TERRI VALERI
Print Name of Owner

10. Dimensions of lands affected:

Frontage

110 ft (33.5 m ±)

Depth

140 ft (42.6 m ±)

Area

1427 sq m

Width of street

20 m

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: See Site Plan

Proposed: ONE STORY ACCESSORY BLDG
36 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: See Site Plan

Proposed: See Site Plan

13. Date of acquisition of subject lands: 3 years ±
14. Date of construction of all buildings and structures on subject lands: 60 years ±
15. Existing uses of the subject property: SINGLE FAMILY
16. Existing uses of abutting properties: SINGLE FAMILY AND MUNICIPAL PARK
17. Length of time the existing uses of the subject property have continued: 60 years p/v
18. Municipal services available: (check the appropriate space or spaces)
 Water ✓ Connected ✓
 Sanitary Sewer ✓ Connected ✓
 Storm Sewers ✓
19. Present Official Plan/Secondary Plan provisions applying to the land: URBAN SETTLEMENT
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land: R-2 RESIDENTIAL
SNYDER CREEK BY-LAW 3692-92
21. Has the owner previously applied for relief in respect of the subject property?
 Yes ☐ No ☒
 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 ☒
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.