



Hamilton

**COMMITTEE OF ADJUSTMENT**

City Hall, 5<sup>th</sup> floor, 71 Main Street West, Hamilton, ON L8P 4Y5

Telephone (905) 546-2424, ext. 4221

Fax (905) 546-4202

E-mail: [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

## **NOTICE OF PUBLIC HEARING** **Minor Variance**

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**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
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**APPLICATION NO.:** DN/A-20:70

**APPLICANTS:** Stoney Brook Design Build Limited c/o Tony Brucculieri on behalf of the owner Sharon Tucker

**SUBJECT PROPERTY:** Municipal address **58 Parkside Ave., (Dundas) City of Hamilton**

**ZONING BY-LAW:** Zoning By-law 3581-86, as Amended

**ZONING:** "R2 and OS" (Single Detached Residential Zone and Open Space Conservation Zone)

**PROPOSAL:** To permit the construction of a garage addition and a full second storey addition to the existing single detached dwelling notwithstanding that;

1. A minimum front yard of 1.3m shall be permitted to the dwelling and a minimum front yard of 0.6m shall be permitted to the uncovered front porch instead of the minimum 6.0m front yard required.

2. No onsite manoeuvring shall be permitted instead of the minimum 6.0m manoeuvring space aisle width required.

Note: The zoning By-law permits a maximum height of 10.5m. Please note that the elevation plan does not show height measured from grade. Therefore, the applicant shall ensure that the maximum permitted height is not exceeded; otherwise, further variances will be required.

The proposed additions and renovations to the existing dwelling are shown to be maintained entirely within the portion of the lands zoned "R2" (Single-Detached Residential) zone.

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

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**DATE:** Thursday, July 16<sup>th</sup>, 2020

**TIME:** 2:10p.m.

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

**To be streamed at** [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)  
**for viewing purposes only**

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## 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](http://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](mailto:cofa@hamilton.ca)

DATED: June 30<sup>th</sup>, 2020.

*Original Signed*

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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.***

**CURRENT ZONING - R2**  
**LOT AREA - 1,344.4m<sup>2</sup> (14,471sf)**  
**EXT'G GRND. FLR. AREA - 97.08m<sup>2</sup> (1,045sf)**  
**PROPOSED GRND. FLR. AREA - 117.18m<sup>2</sup> (1,261sf)**

**EXISTING DWELLING #58**  
 1,045sf Gnd. Flr. Area  
 (97.08m<sup>2</sup>)

**SHADED AREA DENOTES**  
 2nd STOREY ADDITION OVER EXISTING PATIO  
 280sf (26m<sup>2</sup>)

**SHADED AREA DENOTES**  
 2nd STOREY ADDITION  
 74sf (6.9m<sup>2</sup>)

**REMOVE SECTION OF WALL SHOWN DOTTED**

**LINE DENOTES EXTENT OF 2ND STOREY ADDITION OVER GARAGE**

**12FT GARAGE EXTENSION**  
 216sf (20.1m<sup>2</sup>)

**PROPOSED PORCH & STEPS**

**PROPOSED DRIVEWAY**

**PARKSIDE DRIVE**

**EDGE OF ASPHALT**

**SCALE: 1:150**

**SITE ACCREDITATION**  
 INFORMATION TAKEN FROM A PLAN PREPARED L.G. WOODS INC. DATED JUNE 26, 2006 FILE No. 06-1919).

**STONEY BROOK REGIONAL UTILITY INC.**  
 (905) 464-3477  
[www.stoneybrookregionalutility.com](http://www.stoneybrookregionalutility.com)  
 ©2006 P 2011

*DN/A sketch*

SCALE: 1:150

**SITE ACCREDITATION**  
INFORMATION TAKEN FROM A SURVEY  
PLAN PREPARED L.G. WOODS SURVEY-  
ING INC. DATED JUNE 26, 2006 (THEIR  
FILE No. 06-1919).

PROPOSED  
DRIVEWAY

EDGE OF ASPHALT

PARKSIDE DRIVE

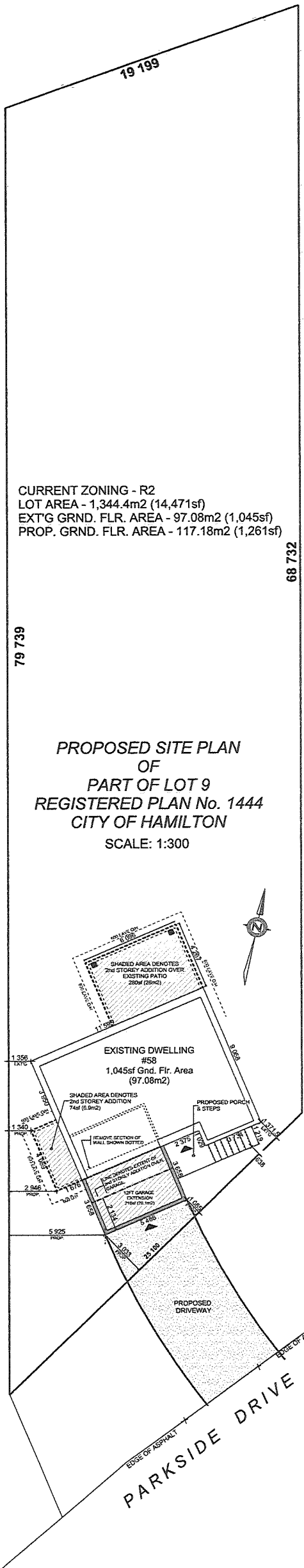
EDGE OF PARKSIDE DRIVE

STONET  
DESIGN  
www.stonetdesign.com  
SCALE

DN



DN/A 2070  
Sketch 1

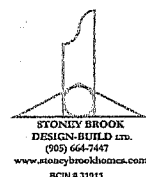


DN/A 20:70  
 sketch 2

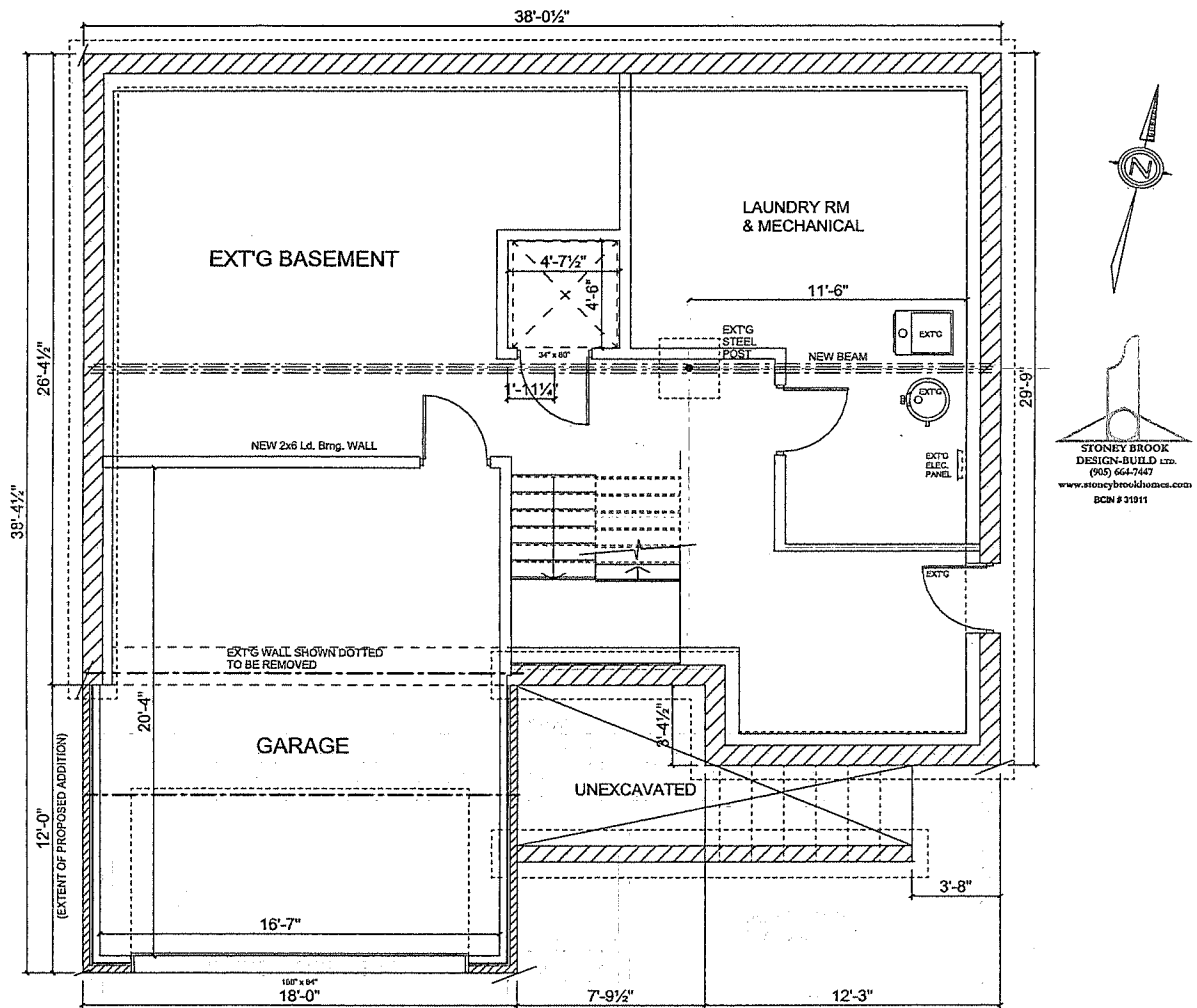


58 PARKSIDE DRIVE  
DUNDAS, ON

FEB.18/20  
SCALE: 1/8" = 1'-0"



DN/A 20:70  
Sketch 3



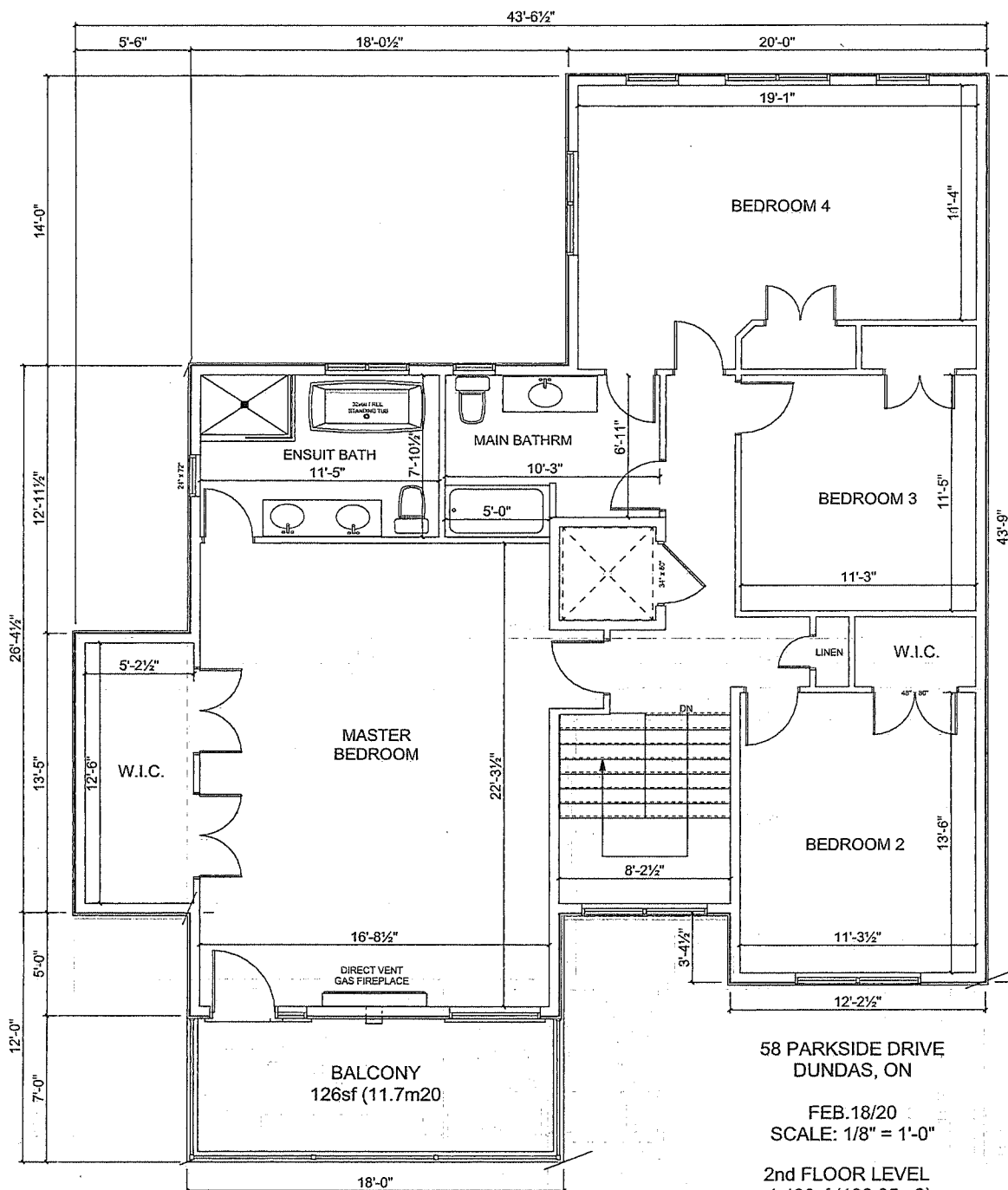
BASEMENT LEVEL - 606sf  
(plus MECH AREA)

58 PARKSIDE DRIVE  
DUNDAS, ON

FEB. 18/20  
SCALE: 1/8" = 1'-0"

DN/A 20:70  
Sketch 4





58 PARKSIDE DRIVE  
DUNDAS, ON

FEB. 18/20  
SCALE: 1/8" = 1'-0"

2nd FLOOR LEVEL  
1,430sf (132.85m<sup>2</sup>)

DN/A 20:70  
Sketch 6





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

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

FOR OFFICE USE ONLY.

APPLICATION NO. DN/A-20-70 DATE APPLICATION RECEIVED Feb. 21/20

PAID \_\_\_\_\_ DATE APPLICATION DEEMED COMPLETE \_\_\_\_\_

SECRETARY'S  
SIGNATURE \_\_\_\_\_

Comm. for Adjustment

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 SHARON TUCKER Telephone No. \_\_\_\_\_

2. \_\_\_\_\_

3. Name of Agent TONY BRUCKLIERI Telephone No. \_\_\_\_\_

4. \_\_\_\_\_

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:

Postal Code \_\_\_\_\_

Postal Code \_\_\_\_\_

6. Nature and extent of relief applied for:

APPLYING FOR RELIEF FROM THE REQUIRED FRONT  
YARD SETBACK TO ALLOW A MINIMUM SETBACK OF  
1.085M INSTEAD OF THE REQUIRED 6M. PLANNING A GARAGE  
ADDITION (AS THERE ARE NO LEGAL PARKING SPACES ON THE PROPERTY).  
ALSO ADDING A FULL 2ND STOREY MEASURING 105.44 M<sup>2</sup>)

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

THE EXISTING SETBACK IS NON-CONFORMING.  
THE FRONT YARD SETBACK TO THE SE CORNER OF  
THE EXISTING DWELLING IS 1.37M (WHICH WILL REMAIN  
UNCHANGED).

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

PART OF LOT 9, REG. PLAN # 1444  
58 PARKSIDE AVENUE, 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 ☒ Unknown \_\_\_\_\_

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

INFORMATION OBTAINED FROM CURRENT AND PAST OWNERS.

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.

FEB 21/20  
Date

  
Signature Property Owner

SHARON TUCKER  
Print Name of Owner

10. Dimensions of lands affected:

Frontage 25.1 M

Depth 68.73M (EAST PROP. LINE), 79.74M (WEST PROP. LINE)

Area 1,344.4 M<sup>2</sup>

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: GND FLR AREA = 97.08 M<sup>2</sup>, 1 1/2 STOREYS,  
11.595 M WIDE, 9.07 M DEEP, HEIGHT - N/A

Proposed: GND FLR AREA = 117.18 M<sup>2</sup>, 2 STOREYS,  
13.27 M WIDE (INCL. 2ND FLR ADDITION ON WEST SIDE),  
16.99 M DEEP (INCL. GARAGE ADDITION & 2ND FLOOR  
REAR ADDITION), HEIGHT - 9.9 M (FRONT) 8.32 M (REAR)

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

Existing: PLEASE SEE ATTACHED PLANS

Proposed: PLEASE SEE ATTACHED PLANS

13. Date of acquisition of subject lands:  
OCTOBER 2019
14. Date of construction of all buildings and structures on subject lands:  
N/A
15. Existing uses of the subject property: SINGLE FAMILY DWELLING.
16. Existing uses of abutting properties: SINGLE FAMILY DWELLINGS
17. Length of time the existing uses of the subject property have continued:  
SINCE CONSTRUCTION
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:  
Existing uses of the subject property
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:  
R2
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.