

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-20:127

APPLICANTS: Owner: 5000933 Ontario Inc.
Agent: UrbanCore Developments

SUBJECT PROPERTY: Municipal address **20 Sauvignon Cres., Stoney Creek**

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

ZONING: R2-61 (Single Residential) district

PROPOSAL: To permit the creation of a lot for the future establishment of a single detached dwelling notwithstanding that:

1. A minimum lot frontage of 12.0 metres shall be permitted instead of the minimum required lot frontage of 15.0 metres.

NOTES:

1. Drawings submitted have not been dimensioned noting the 7.5m setback from the parallel of the chord of the lot frontage. Should the lot frontage be measured at a distance of less than 7.5m; further variances may be required.

Lot - Frontage as defined:

Means the horizontal distance between the side lot lines which distance is to be measured along the continuous front lot line to determine the lot frontage but if the front lot line is not continuous then the lot frontage is to be determined by measuring the distance along the longest front lot line, but:

(b) Where the front lot line is not a straight line and the side lot lines are not parallel, the lot frontage is to be determined by measuring the distance of the line drawn 7.5 metres back and parallel to the chord of the lot frontage and for the purposes of this paragraph the chord of the lot frontage is a straight line joining the two points where the side lot lines intersect the front lot line;

2. Variances have been written as requested by the applicant, which are based on lot area and lot frontage only. Insufficient details (i.e. no building envelope, building plans, elevations or parking details etc.) were provided. Therefore, compliance with Section 6.3 of Stoney Creek Zoning By-law 3692-92 shall be determined at building permit stage, and further variances may be required.

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

DATE: Thursday, August 6th, 2020
TIME: 3:25 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

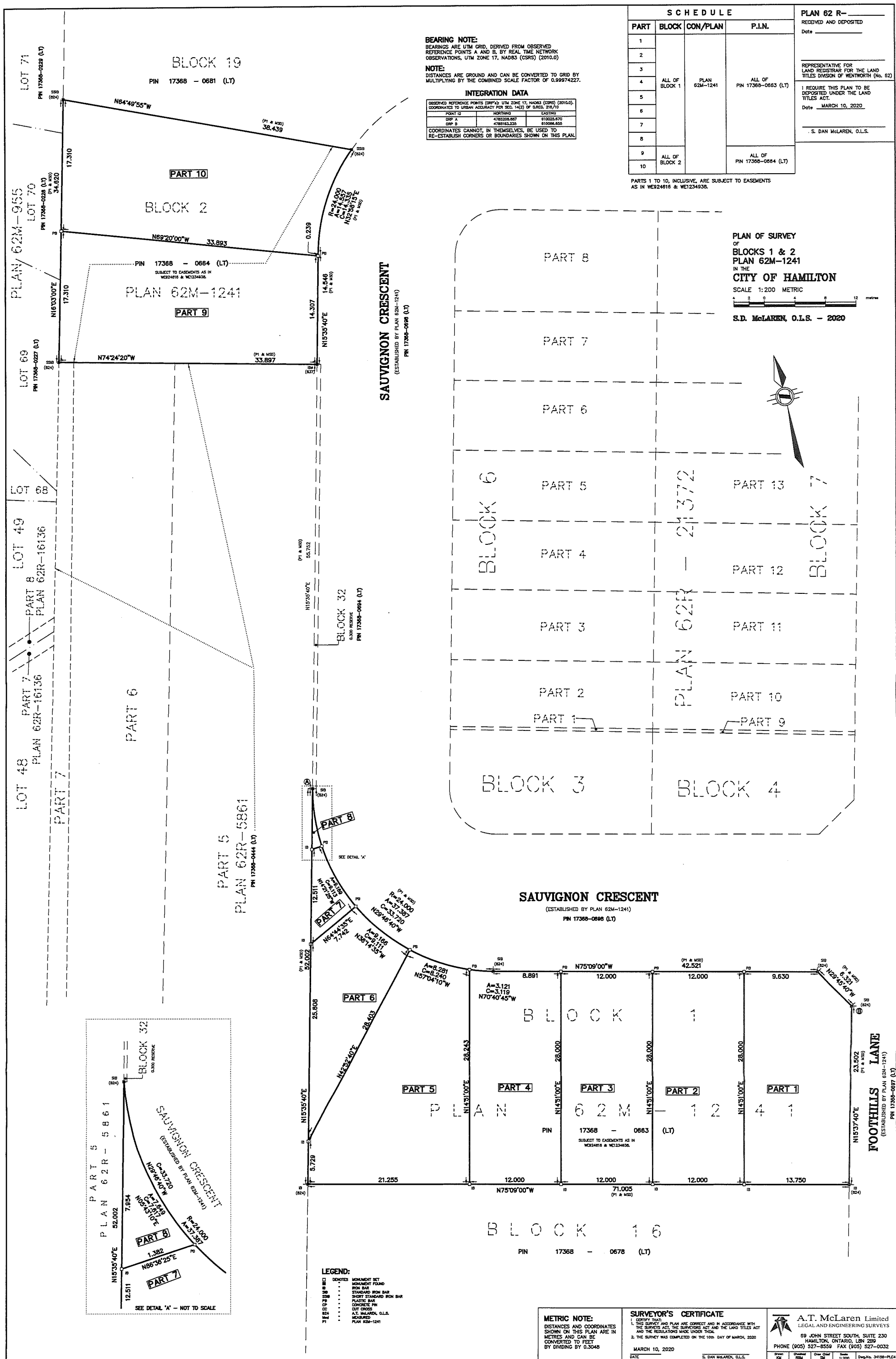
For more information on this matter, including access to drawings illustrating this request:

- 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: July 21st, 2020

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.



20.172198

RECEIVED

JUN 22 2020



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. SC/A-20:127 DATE APPLICATION RECEIVED June 22/20

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 5000933 Ontario Inc. Telephone No. [REDACTED]
2. [REDACTED]
3. Name of Agent Urbancore Developments Telephone No. [REDACTED]
4. [REDACTED]

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:

N/A

Postal Code _____

Postal Code _____

6. Nature and extent of relief applied for:
 To reduce the minimum lot frontage from 15.0 m to 12.0 m.

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

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 Block 1, Registered Plan of Subdivision 62M-1241

9. PREVIOUS USE OF PROPERTY
- Residential _____ Industrial _____ Commercial _____
 Agricultural _____ Vacant X
 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 X No _____ Unknown _____
- 9.3 Has a gas station been located on the subject land or adjacent lands at any time?
 Yes _____ No X Unknown _____
- 9.4 Has there been petroleum or other fuel stored on the subject land or adjacent lands?
 Yes _____ No X 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 X 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 X Unknown _____
- 9.7 Have the lands or adjacent lands ever been used as a weapon firing range?
 Yes _____ No X 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 X 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 X 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?

Consultation with the owner


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. N/A

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.

June 3, 2020
Date


Signature Property Owner
5000933 Ontario Inc.
Anthony DiCenzo
Print Name of Owner

10. Dimensions of lands affected:

Frontage 12.00 m

Depth 28.24 m

Area 473.29 m²

Width of street 18.00 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: N/A

Proposed: This application is to request relief from the minimum lot frontage in order to lift

Part Lot Control for the 5 single detached dwellings in Block 1. No buildings have been proposed
as Part Lot Control needs to be completed in order to create the lots.

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

Existing: N/A

- Proposed: Please refer to 11 above.
13. Date of acquisition of subject lands:
Unknown
14. Date of construction of all buildings and structures on subject lands:
N/A
15. Existing uses of the subject property: Vacant
16. Existing uses of abutting properties: North - Residential, East - Future Residential
West - Residential, South - Future Residential
17. Length of time the existing uses of the subject property have continued:
Unknown
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 Hamilton Official Plan - Neighbourhoods and in the Fruitland Winona Secondary Plan -
Low Density Residential 2
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
Single Residential - Two "R2-61" in the Stoney Creek By-law No. 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.
N/A
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



June 18, 2020

Via Delivered

Ms. Jamila Sheffield
Secretary-Treasurer
Committee of Adjustment

City of Hamilton
71 Main Street West, 5th Floor
Hamilton, ON, L8P 4Y5

Dear Ms. Sheffield,

**Re: Part of Block 1, Registered Plan of Subdivision 62M-1241
20 Sauvignon Crescent, Stoney Creek, Hamilton
Minor Variance Application Submission**

RECEIVED
JUN 22 2020
COM OF ADJUSTMT

290-18

Urbancore Developments on behalf of the owner 5000933 Ontario Inc., is pleased to submit the enclosed Minor Variance application for the lands legally known as Part of Block 1, Registered Plan of Subdivision 62M-1241.

The subject lands are designated Neighbourhoods in the Urban Hamilton Official Plan and Low Density Residential 2 of the Fruitland – Winona Secondary Plan. The subject lands are zoned Single Residential – Two “R2-61” in the City of Stoney Creek Zoning By-law No. 3692-92.

Purpose of the Application

This Minor Variance Application is required to achieve relief on the subject lands within a Single Residential - Two “R2-61” Zone to facilitate a future Part Lot Control application that would subdivide Block 1 into 5 lots. As shown on the enclosed Zoning image, Block 1 is dual zoned as Single Residential – Three “R3-40” which lots 1 – 4 are located in and conform to. The portion of the Block where lot 5 is located is zoned Single Residential – Two “R2-61” where the following minor variance is required to facilitate the Part Lot Control application:

- To permit a minimum lot frontage of 12.0 metres whereas 15.0 metres is the required minimum.

To assist in the evaluation of the application, please refer to the enclosed Minor Variance Sketch.

Section 45(1) of the Planning Act, R.S.O. 1990, as amended, requires a Minor Variance to satisfy four tests. In consideration of the above, the requested variance is technical in nature and does promote good Urban Design principles. The single detached dwelling is a permitted use in the Neighbourhoods designation of the Urban Hamilton Official Plan, the Low Density Residential 2 designation of the Fruitland-Winona Secondary Plan, and the Single Residential - Two "R2-61" Zone of the City of Stoney Creek Zoning By-law No. 3692-92. Based on this, it is our opinion that the application for the above minor variance satisfies the four tests outlined in Section 45(1) of the Planning Act as the relief requested is minor in nature, is desirable for the appropriate development of the lands, and meets the general intent and purpose of the Official Plan and Zoning By-law.

In support of this application, please find enclosed the following:

- Two (2) copies of the completed Minor Variance Application form;
- One (1) copy of the draft R-Plan, prepared by A.T. McLaren;
- One (1) copy of a Zoning Image;
- Two (2) copies of the Minor Variance Sketch; and,
- One (1) cheque payable to the City of Hamilton in the amount of **\$3,302.00**.

We trust the enclosed is in order; however, please feel free to contact the undersigned with any questions.

Regards,
UrbanCore Developments Inc.



Spencer McKay, CPT
Project Manager

cc: Messrs. A. DiCenzo & S. Manchia, 5000933 Ontario Inc.
Councillor Maria Pearson, Ward 10, City of Hamilton (cover letter only)
Mr. Steve Robichaud, Chief Planner, City of Hamilton (cover letter only)

