

## **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-20:162

**APPLICANTS:** Owner: Marie Maganinho

**SUBJECT PROPERTY:** Municipal address **7 Wilmar Crt., Dundas**

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

**ZONING:** R2 (Single-Detached Residential zone) district

**PROPOSAL:** To permit the construction of an accessory building (private garage) for the existing single detached dwelling, notwithstanding that;

1. A minimum 0.7m setback shall be permitted from the rear lot line instead of the minimum 2.0m setback required from the rear lot line.
2. A minimum 0.7m setback shall be permitted from the southerly side lot line instead of the minimum 2.0m setback required from the side lot line.

Note: No elevation plans were provided to confirm compliance; as such, further variances may be required.

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**DATE:** Thursday, September 17<sup>th</sup>, 2020

**TIME:** 1:15 p.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:

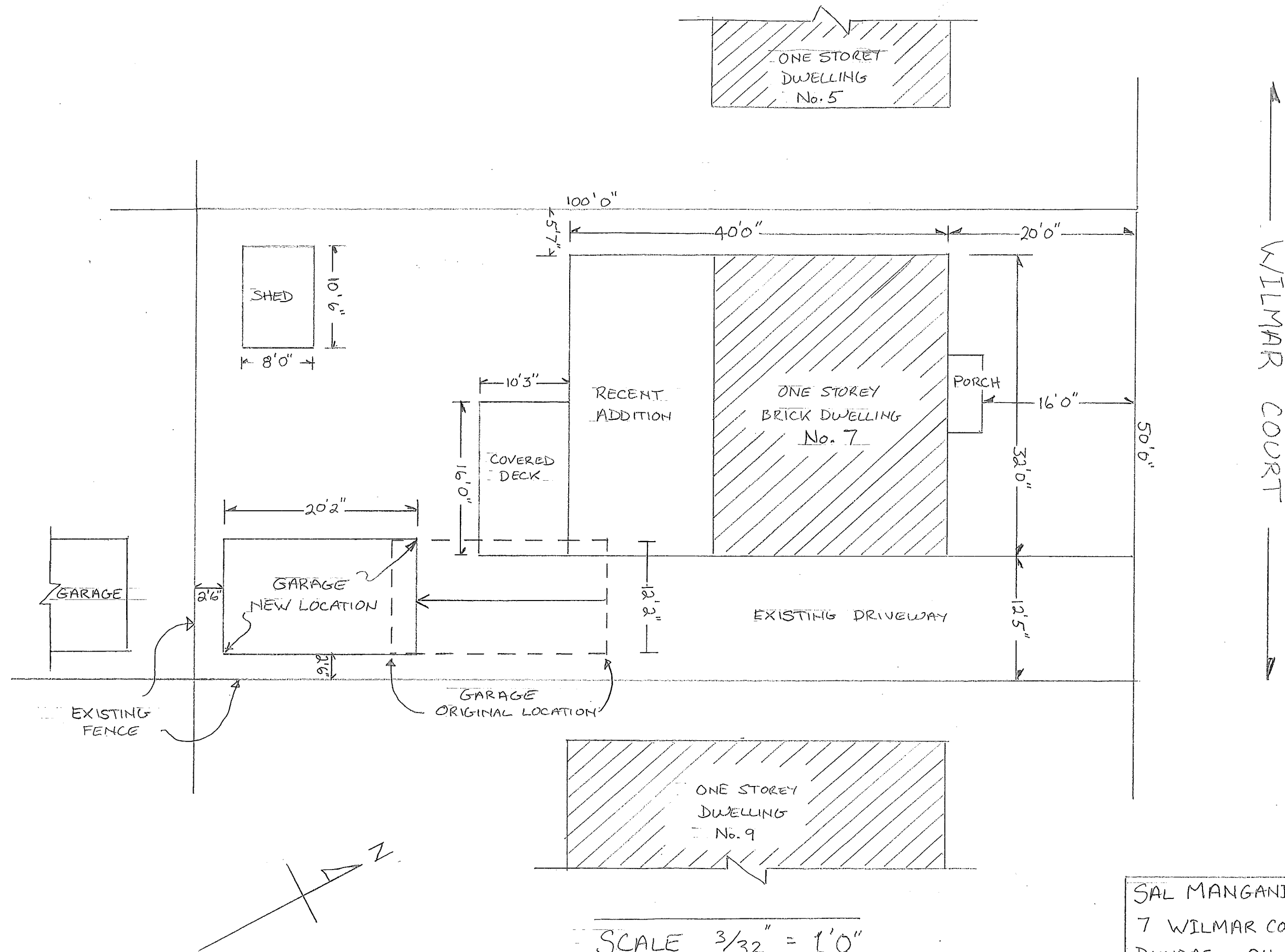
- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 4144
- Email Committee of Adjustment staff at [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

DATED: September 1<sup>st</sup>, 2020.

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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.***



SAL MANGANINHO  
7 WILMAR COURT  
DUNDAS, ON.



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.

20-179340  
RECEIVED

FOR OFFICE USE ONLY	
APPLICATION NO. <u>DNA-20-162</u>	DATE APPLICATION RECEIVED <u>COM OF ADJUSTMT</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 MARIE MAGANINHO Telephone No. \_\_\_\_\_

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

3. \_\_\_\_\_

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:

N/A  
\_\_\_\_\_  
Postal Code \_\_\_\_\_  
\_\_\_\_\_  
Postal Code \_\_\_\_\_

6. Nature and extent of relief applied for:

WOULD LIKE A GARAGE SITUATED WITH REDUCED  
SET BACKS

EXISTING SIDE YARD .762 m EXISTING REAR YARD 6.67 m  
PROPOSED SIDE YARD .762 m PROPOSED REAR YARD .762 m

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

COMPLIANCE WITH SET BACKS RESULTS IN A  
GARAGE DOOR LOCATION THAT IS NOT ACCESSIBLE  
BY VEHICLE

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

7 WILMAR CRT DUNDAS  
PLAN 820, LOT 28

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?

PROPERTY HAS BEEN CENTRAL IN A SURVEY FOR APPROXIMATELY  
70 YEARS. CANNOT FIND ANY INFORMATION ON THIS  
PROPERTY PRIOR TO THAT

- 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.

July 20/20  
Date

Signature Property Owner

MARIE MAGANINHO  
Print Name of Owner

10. Dimensions of lands affected:

Frontage	<u>50'</u>	<u>15.24 m</u>
Depth	<u>100'</u>	<u>30.48 m</u>
Area		<u>464.5 SQ M.</u>
Width of street	<u>39'</u>	

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 STOREY DWELLING 32' x 40' x 16'5" HEIGHT (1280 SQ FT)  
- ATTACHED COVERED DECK 10'3" x 16', FRONT OPEN PORCH 4' x 8'  
- SHED 7' x 10'6" x 9'6" HEIGHT (73.5 SQ FT)  
- GARAGE 12'2 x 20'2 x 12' HEIGHT (246 SQ FT)

Proposed: SAME AS ABOVE

- WOULD LIKE THE GARAGE IN A NEW LOCATION

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

Existing: HOUSE w/porch + DECK - SIDE 3.67m, SIDE 1.7cm, FRONT 4.3 m,  
SHED SIDE 1.67m, REAR 1.19 m REAR 8.8m  
GARAGE SIDE .762 m, REAR 6.67m, FRONT 20m

Proposed: HOUSE / SHED UNCHANGED

GARAGE SIDE .762 m, REAR .762 m, FRONT 25.9 m

13. Date of acquisition of subject lands:  
APRIL 2 2019
14. Date of construction of all buildings and structures on subject lands:  
DWELLING CIRCA 1950'S, GARAGE/SHED UNKNOWN, ADDITION 2019
15. Existing uses of the subject property:  
SINGLE FAMILY RESIDENTIAL
16. Existing uses of abutting properties: SINGLE FAMILY RESIDENTIAL
17. Length of time the existing uses of the subject property have continued:  
APPROXIMATELY 70 YEARS
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:  
NEIGHBORHOOD DESIGNATION WITHIN UHOP
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:  
R2 SINGLE DETACHED RESIDENTIAL WITHIN 3581-86 DUNDAS ZONING BYLAW
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.