



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, 3935 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.:** SC/A-20:203

**APPLICANTS:** David Cranley, owner

**SUBJECT PROPERTY:** Municipal address **3 Avalon Ave., Stoney Creek**

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

**ZONING:** "R2" (Single Residential - Two) district

**PROPOSAL:** To permit the construction of an unenclosed porch in the side yard on a residential parcel of land, notwithstanding that:

1. A minimum side yard of 1.80 metres shall be provided to the proposed unenclosed porch, instead of the requirement that on a corner lot, the minimum side yard abutting the flankage lot line shall be 3.0 metres.

**NOTE:**

1. A building permit is required for the construction of the proposed unenclosed porch. Be advised that Ontario Building Code regulations may require specific setback and construction types.
2. Note that as per Stoney Creek Zoning By-law No. 3692-92, in the case of a corner lot, the shorter lot line that abuts the street shall be deemed to be the front lot line (lot line abutting Second Street North) and the longer lot line that abuts a street shall be deemed to be the side lot line (lot line abutting Avalon Avenue).
3. Note that as per Section 4.19.1(d) of Stoney Creek Zoning By-law 3692-92, an unenclosed porch/deck is not permitted to encroach into any required side yard; therefore the variance required is to the principal side yard setback established by Section 6.3.3(d)(3).

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

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**DATE:** Thursday, November 5th, 2020

**TIME:** 1:30 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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**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

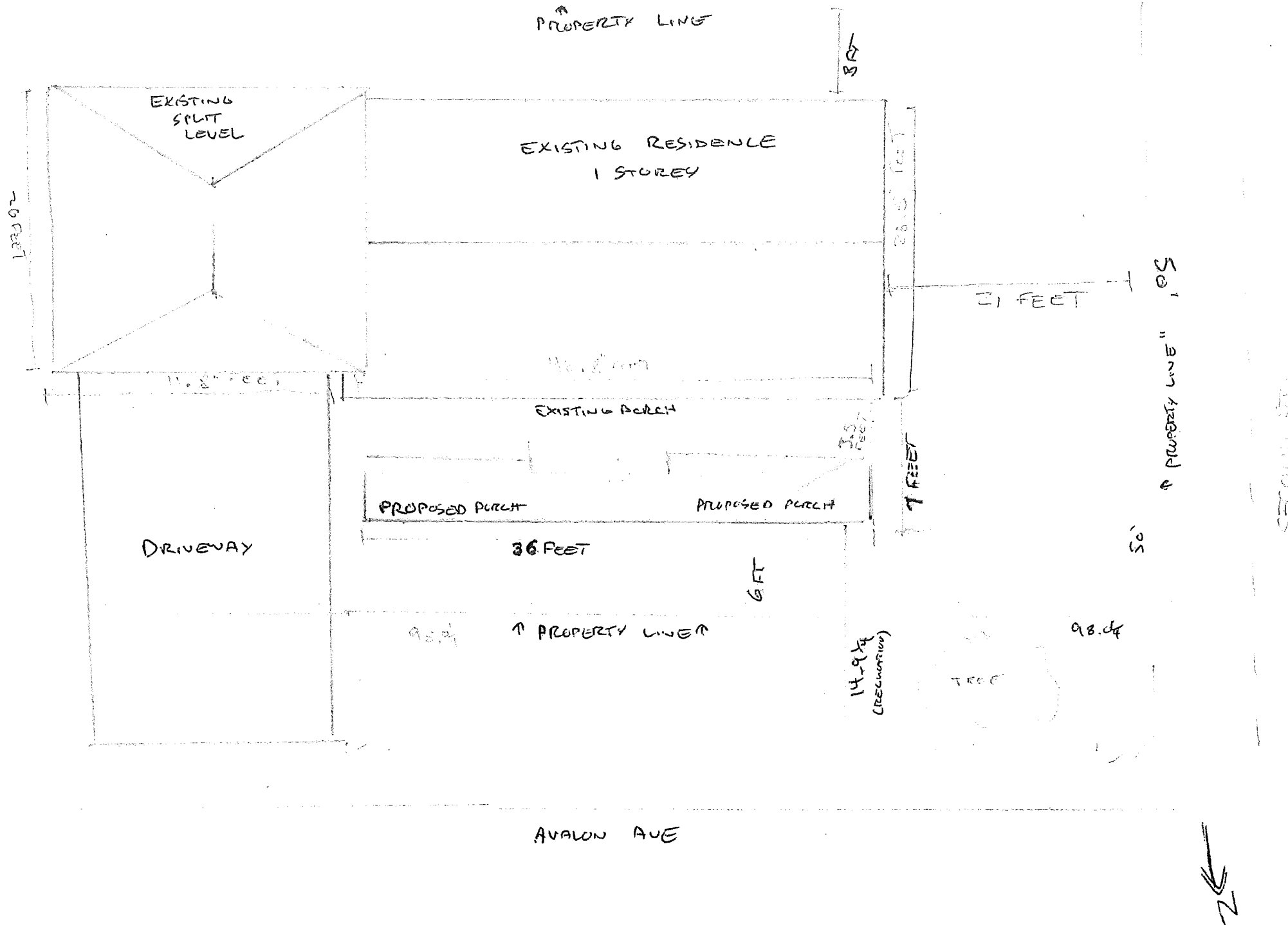
For more information on this matter, including access to drawings illustrating this request:

- 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: October 20th, 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.***







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.**

**FOR OFFICE USE ONLY.**

APPLICATION NO. \_\_\_\_\_ DATE APPLICATION RECEIVED Sept. 17/20

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


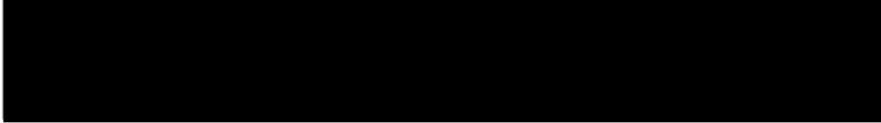
SECRETARY'S  
SIGNATURE \_\_\_\_\_

**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 David Cranley 
2. 
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:

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

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

6. Nature and extent of relief applied for: FRONT PORCH -  
CURRENT SETBACK 18'-7" 5.7m  
REQUIRED SETBACK 14'-9 1/2" 4.5m  
PROPOSED SETBACK 6'-0" 1.8m  
AMOUNT OF RELIEF REQUIRED 8'-8" 2.7m
7. Why it is not possible to comply with the provisions of the By-law?  
FRONT PORCH (PROPOSED) WILL MEASURE APPROX 7 FEET  
OUT FROM DWELLING WHICH DOES NOT PROVIDE  
ENOUGH SPACE BETWEEN STRUCTURE (PORCH) AND  
PROPERTY LINE AS REQUIRED BY BY-LAW NO. 3692-92
8. Legal description of subject lands (registered plan number and lot number or other legal description and where applicable, street and street number):  
3 AVALON AVE (LOT 56) SPLIT LEVEL HOME.
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?

AGE OF ESTABLISHED NEIGHBOURHOOD  
AND HISTORIC KNOWLEDGE OF LAND.

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.

Aug 31/20  
Date

  
Signature Property Owner

D. CRANLEY  
Print Name of Owner

10. Dimensions of lands affected:

Frontage 50'-0"  
Depth 93'-6"  
Area 4925 SQFT  
Width of street 66 FT

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 NO STRUCTURE PRESENT  
BESIDES 3.5 X 36 GARDEN BED AND STEPS  
- TO BE BUILT OVER TOP OF.

Proposed: 252 SQFT PORCH/DECK AREA MEASURING  
2'-6" IN HEIGHT 17' X 36' (WIDTH/LENGTH)

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 NO STRUCTURE PRESENT

Proposed: ATTN 6' TO PROPERTY LINE  
19'-5" TO SIDE LOT LINE  
43'-2" TO SIDE LOT LINE  
41'-4" TO REAR LOT LINE

13. Date of acquisition of subject lands:  
MAY 31 2016
14. Date of construction of all buildings and structures on subject lands:  
UNKNOWN
15. Existing uses of the subject property: RESIDENCE
16. Existing uses of abutting properties: RESIDENCE
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:  
UNKNOWN
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:  
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.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
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.