

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-20:226

APPLICANTS: Shane Van Barneveld on behalf of the owner Teresa Thompson

SUBJECT PROPERTY: Municipal address **251 McNeilly Rd., Stoney Creek**

ZONING BY-LAW: Zoning By-law 05-200, as Amended by By-law 15-173

ZONING: "A1" (Agriculture) A1 Zone

PROPOSAL: To permit the construction of a second-storey addition to the existing single detached dwelling, notwithstanding,

1. A minimum northerly side yard of 1.7 metres shall be permitted instead of the minimum required side yard of 3.0 metres; and,
2. The eave and gutter shall be permitted to project 0.8 metres into the required northerly side yard instead of the maximum permitted projection of 0.6 metres into a required yard.

NOTES:

1. The front lot line is deemed to be the easterly lot line for the purpose of this application.
2. The applicant shall ensure the requested variance for an encroachment into the required northerly side yard is sufficient for the projection of both the eave and gutter.
3. The applicant shall ensure the proposed building height is calculated in accordance with the definition of "Building Height" and "Grade" as defined within the Zoning By-law.

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

DATE: Thursday, November 19th, 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 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.

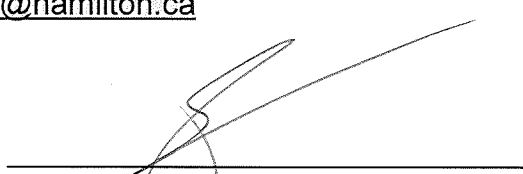
Orally: If you would like to speak to this item at the hearing you may do so via video link or by calling in. Please see attached page for complete instructions, including deadlines for registering to participate.

MORE INFORMATION

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

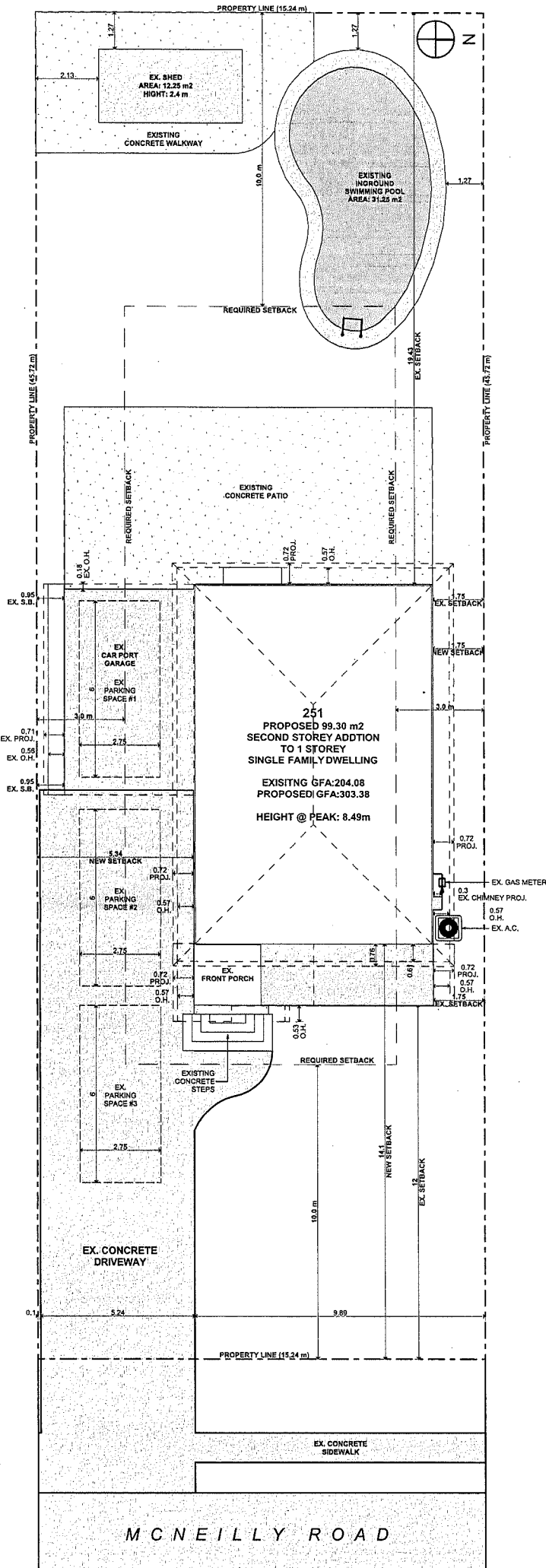
- Visit www.hamilton.ca/committeeofadjustment
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at cofa@hamilton.ca

DATED: November 3rd, 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.



SITE STATS

PROPERTY INFORMATION
 ADDRESS: 251 MCNEILLY RD POSTAL CODE: L8E 5H2
 MUNICIPALITY: STONEY CREEK
 ZONE CODE: A1
 ZONING DESCRIPTION: AGRICULTURE
 PARENT BYLAW NUMBER: 05-200
 BYLAW NUMBER: 15-173
 WARD: 10
 PULLING DIVISION: 6

ZONING INFORMATION

MIN. LOT AREA (m2): 1618.74 LOT AREA (m2): 696.77
 MIN. LOT WIDTH (m): 30 LOT WIDTH (m): 15.24
 MIN. LOT DEPTH (m): N/A LOT DEPTH (m): 45.72

	Allowed:	Existing:	Proposed:
LOT COVERAGE (%) ¹ :	N/A	20.30%	20.30%
FLOOR AREA RATIO ² :	N/A	0.2929:1	0.4354:1
GROSS FLOOR AREA ⁴ (m2)	N/A	204.08	303.36
GROUND FLOOR AREA (m2):	N/A	141.45	141.45
BUILDING HT. (m):	10.5	5.72	8.49
PARKING SPACES ³ :	2	3	3

SETBACKS (m)	Allowed:	Existing:	Proposed:
FRONT:	10.0	12.0	14.10
REAR:	10.0	19.43	19.43
RIGHT SIDE:	3.0	1.75	1.75
LEFT SIDE:	3.0	0.95	5.35

ENCROACHMENTS (m)	Allowed:	Existing:	Proposed:
ROFF PROJECTION:	0.6	AS NOTED	AS NOTED
COVERED PORCH:	1.5	AS NOTED	AS NOTED
CHIMNEY PROJECTION:	0.6	AS NOTED	AS NOTED
DECK:	1.5	N/A	N/A

ACCESSORY BUILDINGS:
 NUMBER OF ACCESSORY BUILDINGS: 1
 ACCESSORY BUILDINGS SIZE (m2): 12.25
 ACCESSORY BUILDINGS HEIGHT (m): 2.4
 DOES THIS SECTION COMPLY WITH ZONING BY-LAW NO. 05-200 - SECTION 4.8.2: YES

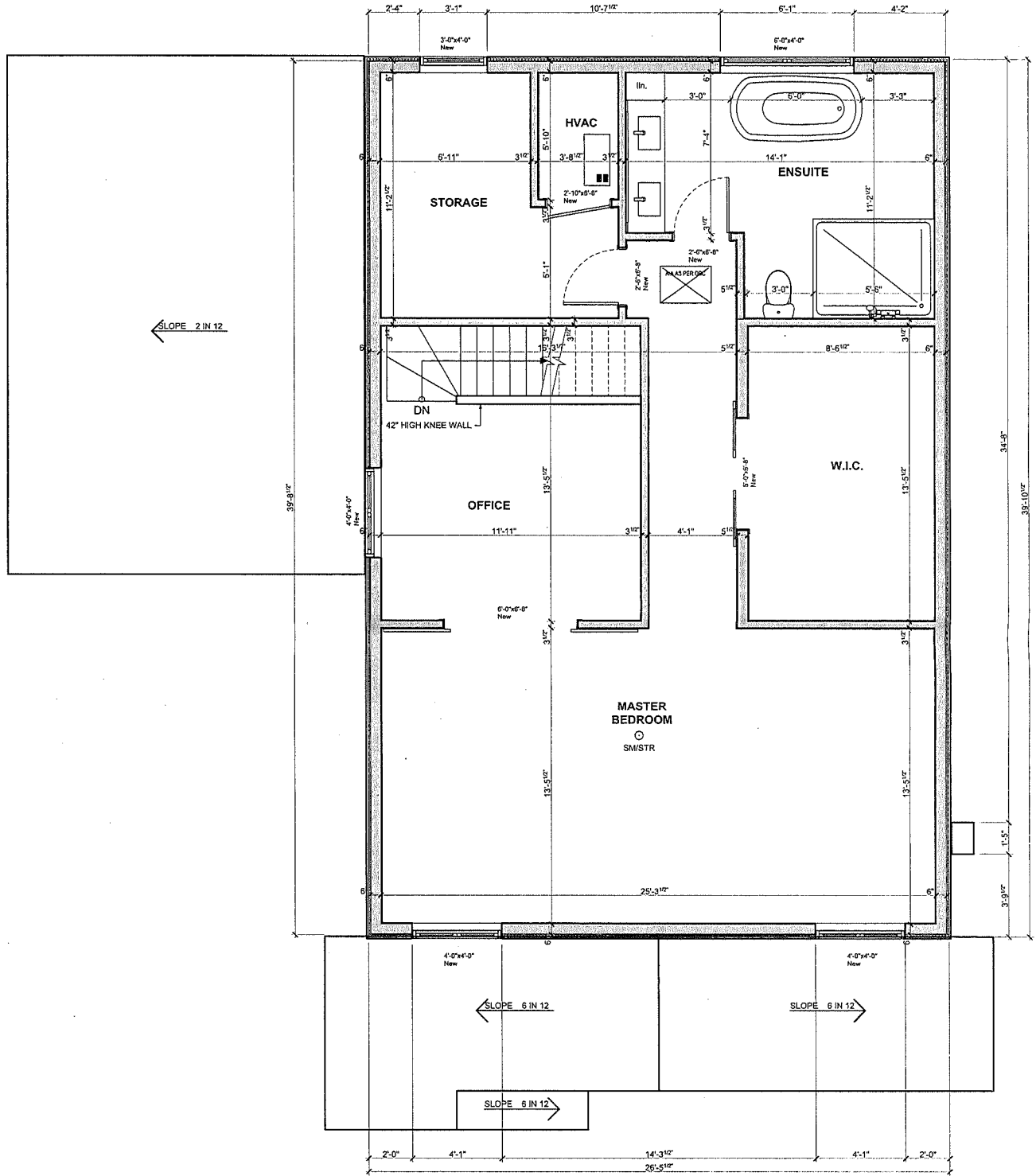
OTHER RETRICTIONS:	Not Req'd:	Req'd:	Approved:
MINOR VARIANCE	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
CONSERVATION AUTHORITY	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
SITE PLAN CONTROL	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
GREENBELT PROTECTED COUNTRYSIDE	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

REFERENCES

- ¹ Proposed lot coverage calculations = Proposed Footprint area / Lot Area
- ² Floor Area Ratio Calculation: Total GFA / Lot Area
- ³ Parking space sizing as follows:
Hamilton: 2.7m x 6.0m
- ⁴ Area of all floors excluding the following:
 1. 100sf for laundry if possible
 2. 70sf for mechanical if possible
 3. Attic spaces
 4. Any area that is uninhabitable

SC/A
20:226

1 SITE PLAN
SCALE: 1:150



SC/A
20:226

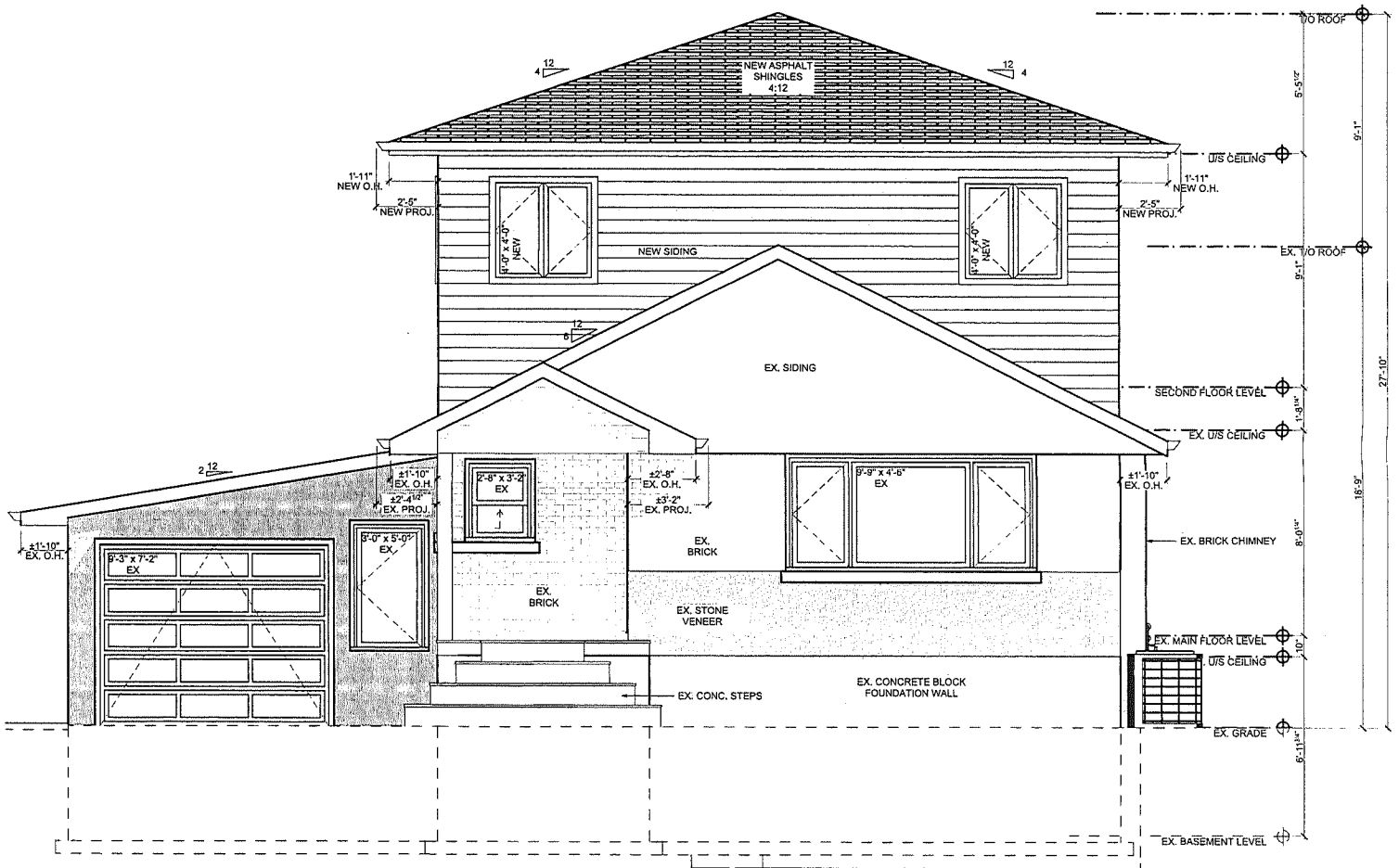
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PROPOSED SECOND FLOOR PLAN

SCALE: 3/16" = 1'-0"

SILVERTHORNE
251 MCNEILLY RD STONEY CREEK ON L8E 5H2
2020-10-15
3/16" = 1'-0"
SILVERTHORNE - 2.0 - variance plans.pln





SC1A
20:226

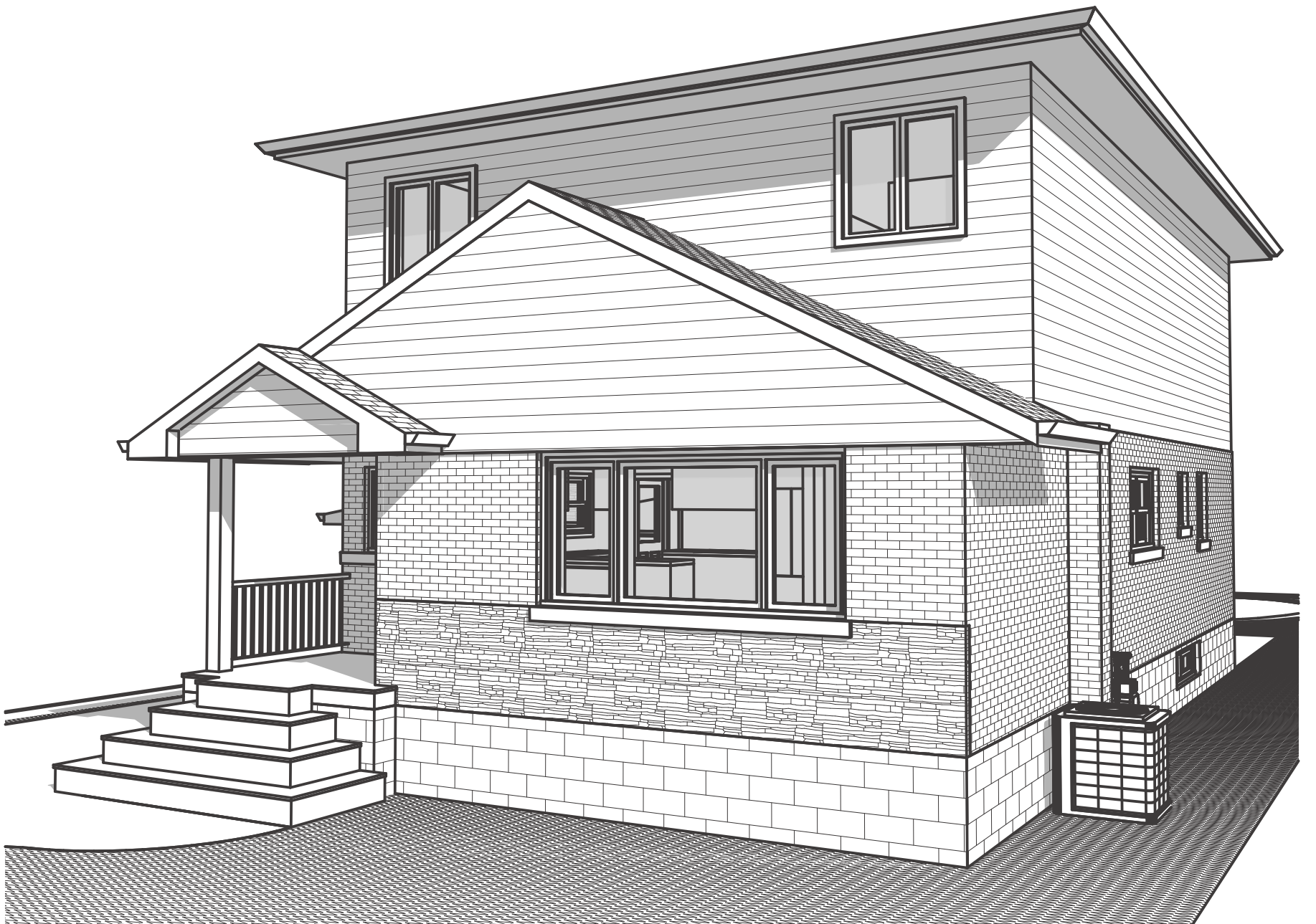
1 PROPOSED FRONT ELEVATION
SCALE: 3/16" = 1'-0"

SILVERTHORNE
251 MCNEILLY RD STONEY CREEK ON L8E 5H2
2020-10-15
3/16" = 1'-0"
SILVERTHORNE - 2.0 - variance plans.pln



RENOVATION TO: SILVERTHORNE

251 MCNEILLY RD STONEY CREEK ON L8E 5H2



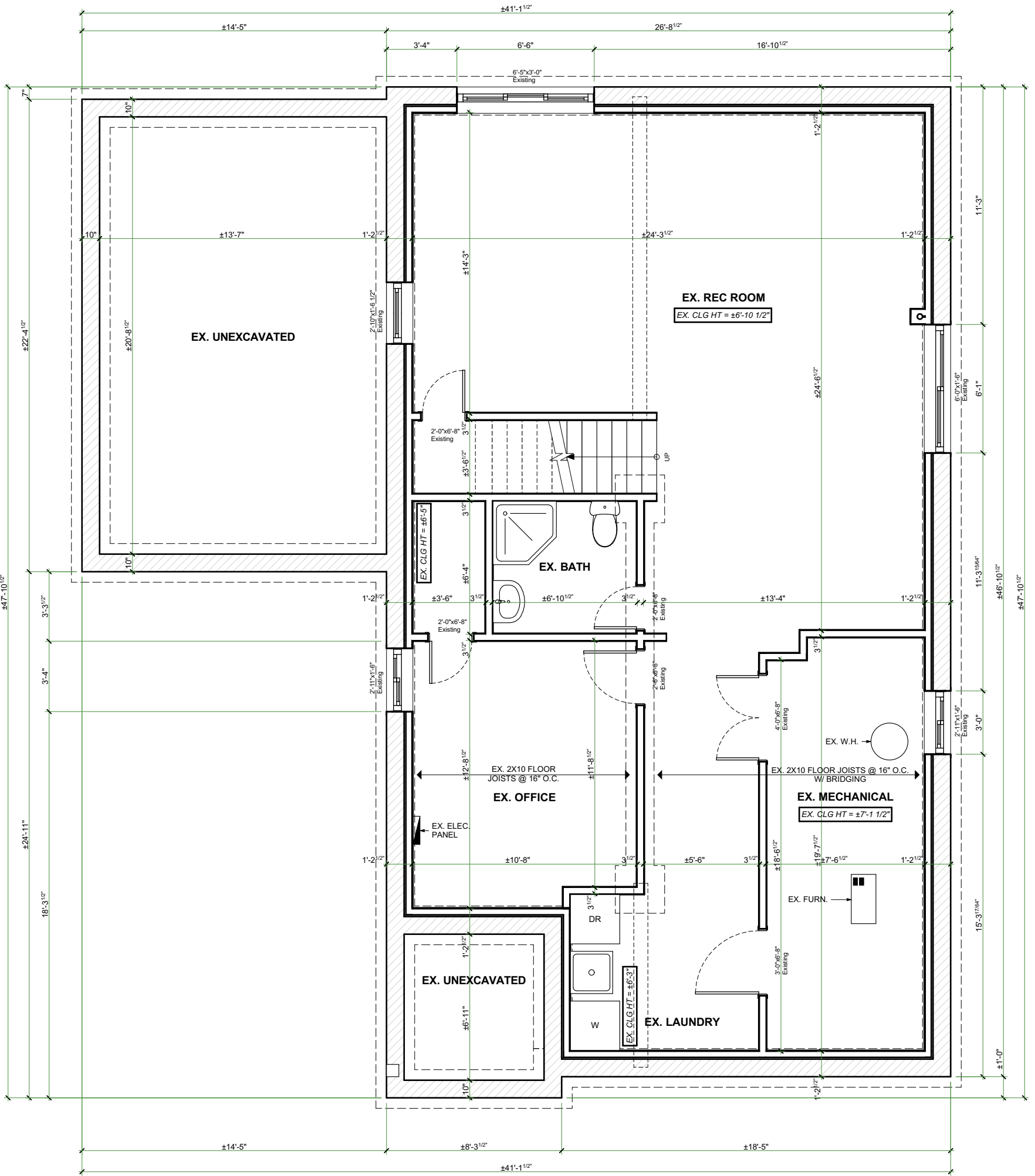
1

3D PERSPECTIVE

SCALE: 3/32" = 1'-0"

SILVERTHORNE
251 MCNEILLY RD STONEY CREEK ON L8E 5H2
2020-10-15
3/32" = 1'-0"
SILVERTHORNE - 2.0 - variance plans.pln

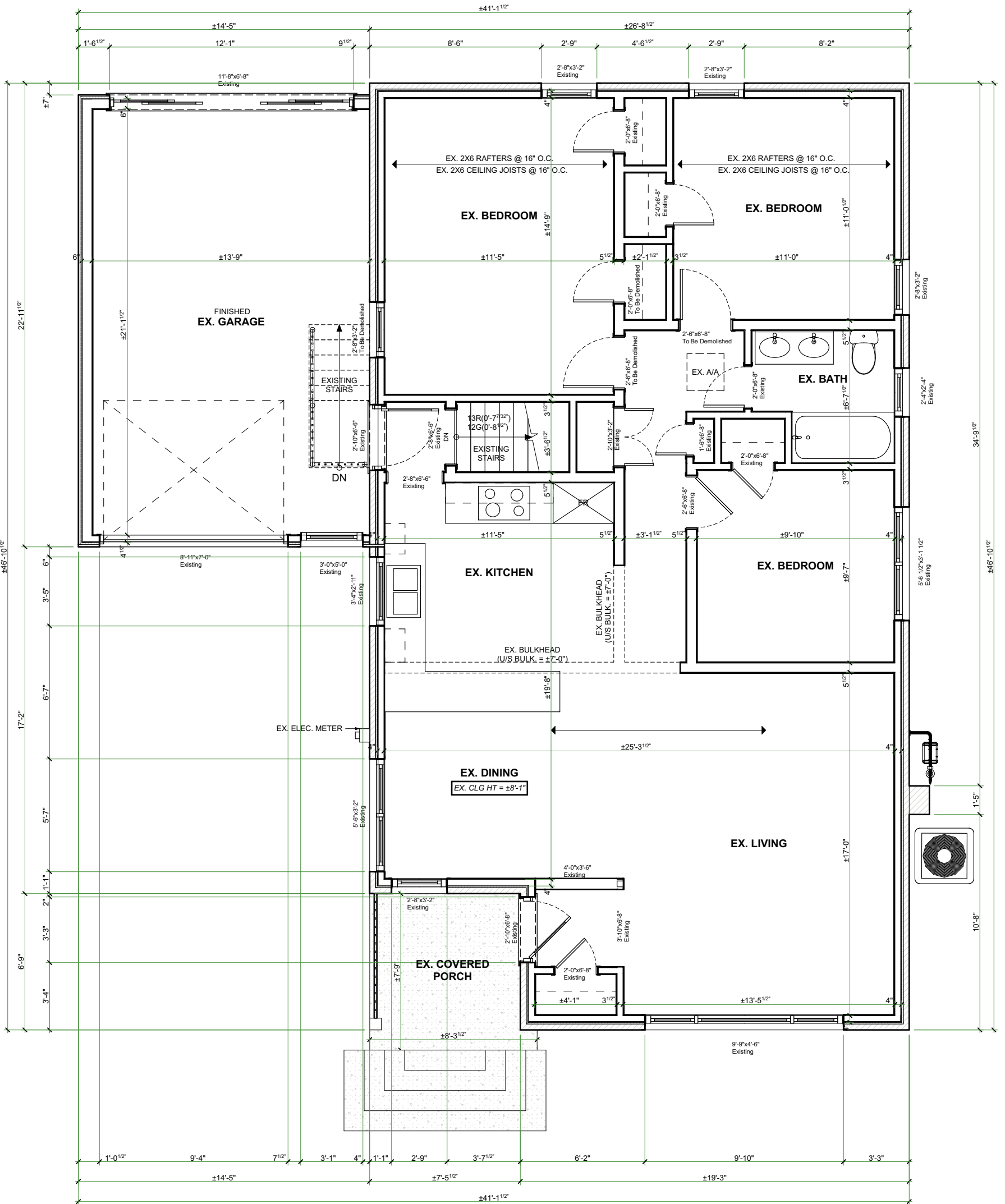




EXISTING BASEMENT PLAN

SCALE: 3/16" = 1'-0"





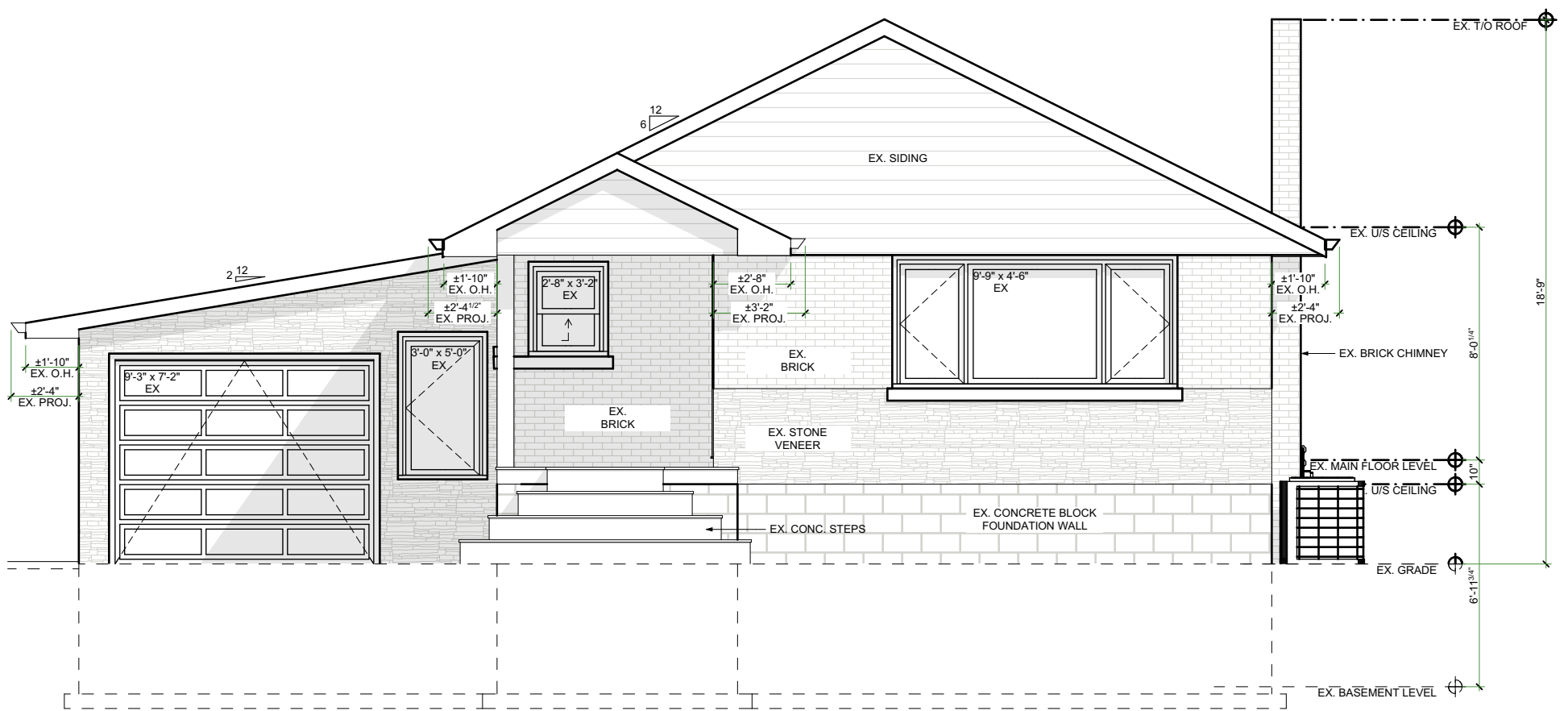
1

EXISTING MAIN FLOOR PLAN

SCALE: 3/16" = 1'-0"

SILVERTHORNE
 251 MCNEILLY RD STONEY CREEK ON L8E 5H2
 2020-10-15
 3/16" = 1'-0"
 SILVERTHORNE - 2.0 - variance plans.pln





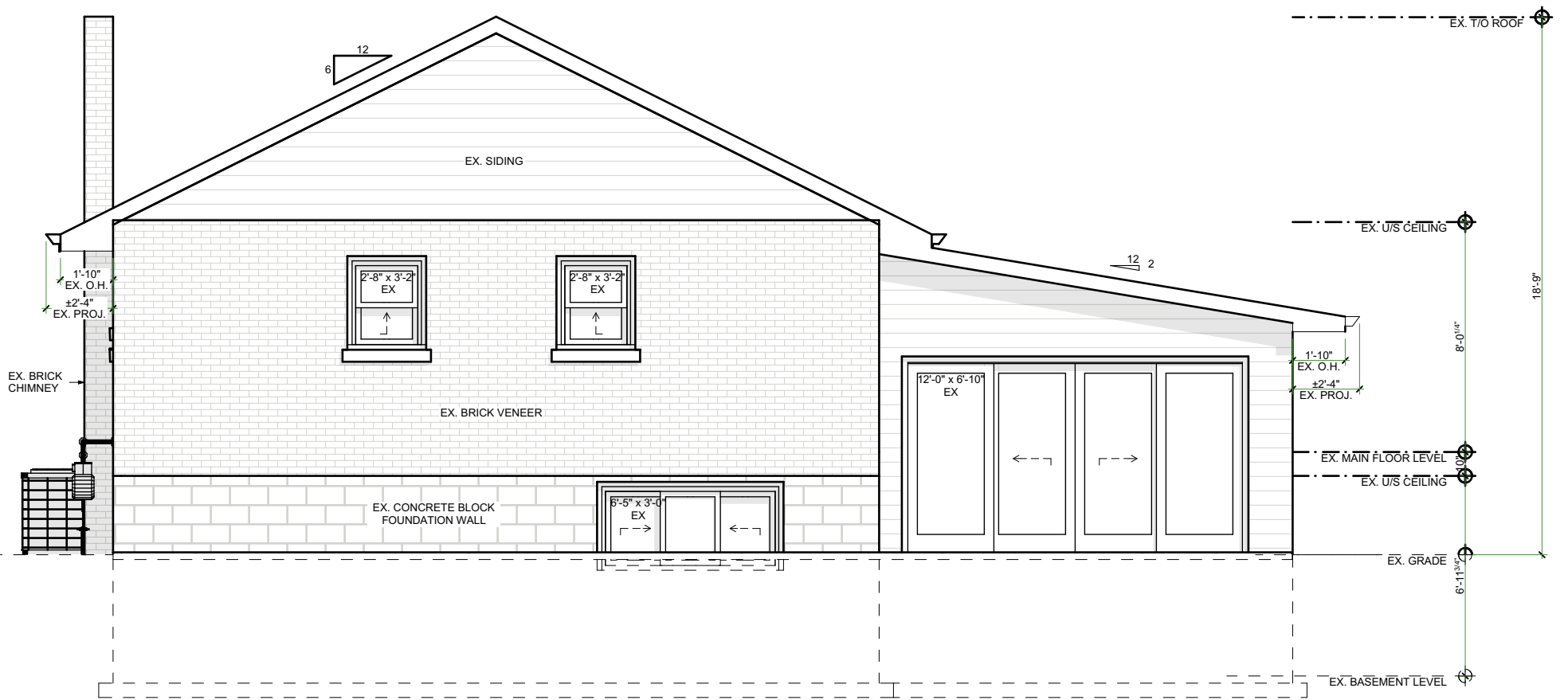
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EXISTING FRONT ELEVATION

SCALE: 3/16" = 1'-0"

SILVERTHORNE
 251 MCNEILLY RD STONEY CREEK ON L8E 5H2
 2020-10-15
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 SILVERTHORNE - 2.0 - variance plans.pln





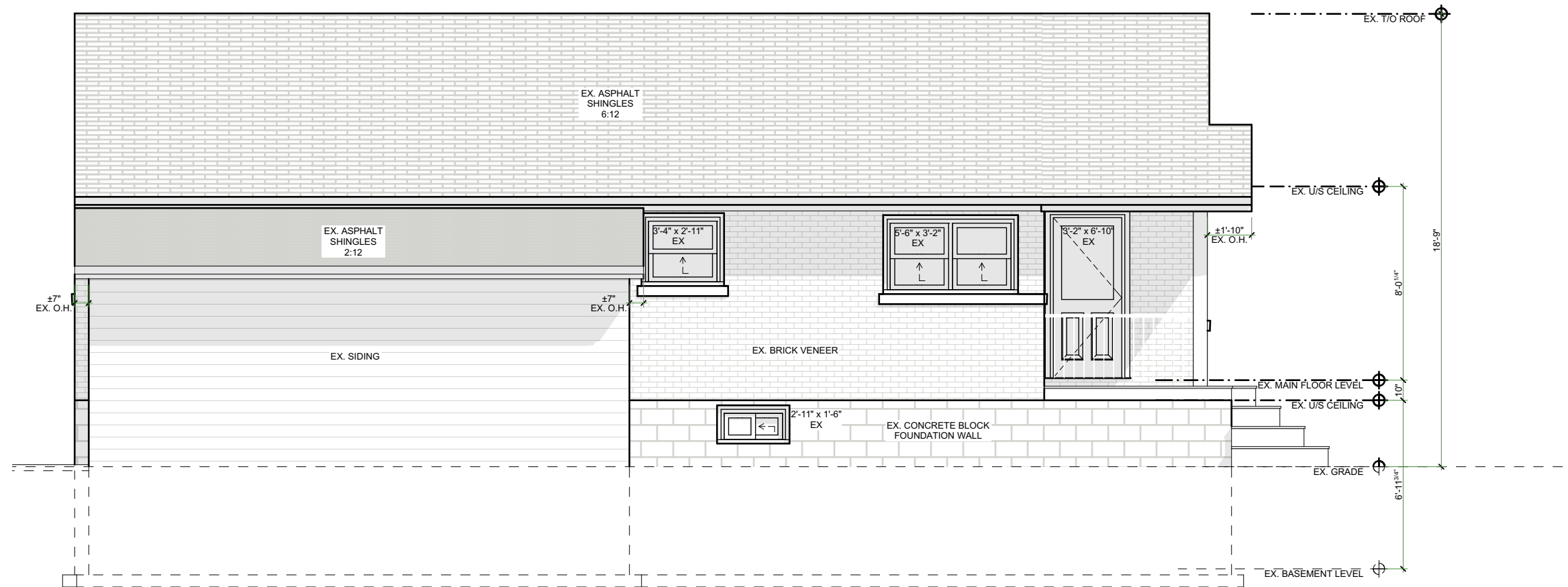
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EXISTING REAR ELEVATION

SCALE: 3/16" = 1'-0"

SILVERTHORNE
 251 MCNEILLY RD STONEY CREEK ON L8E 5H2
 2020-10-15
 3/16" = 1'-0"
 SILVERTHORNE - 2.0 - variance plans.pln





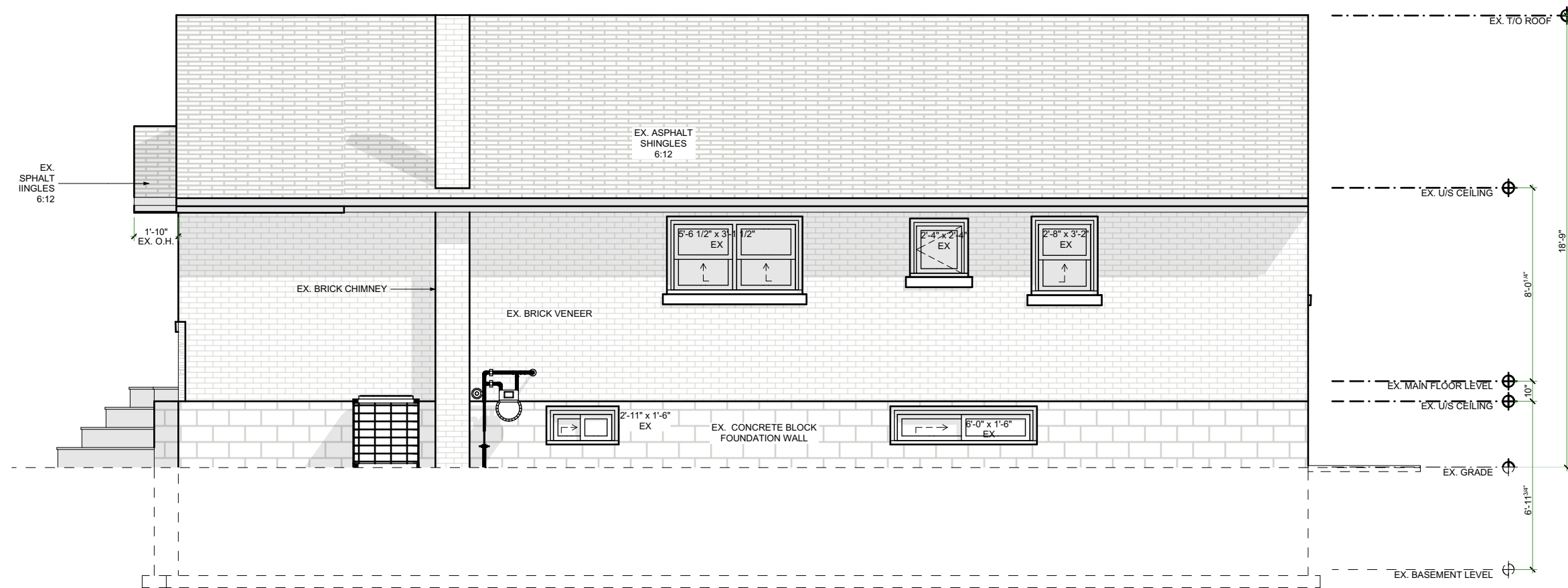
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EXISTING LEFT ELEVATION

SCALE: 3/16" = 1'-0"

SILVERTHORNE
 251 MCNEILLY RD STONEY CREEK ON L8E 5H2
 2020-10-15
 3/16" = 1'-0"
 SILVERTHORNE - 2.0 - variance plans.pln





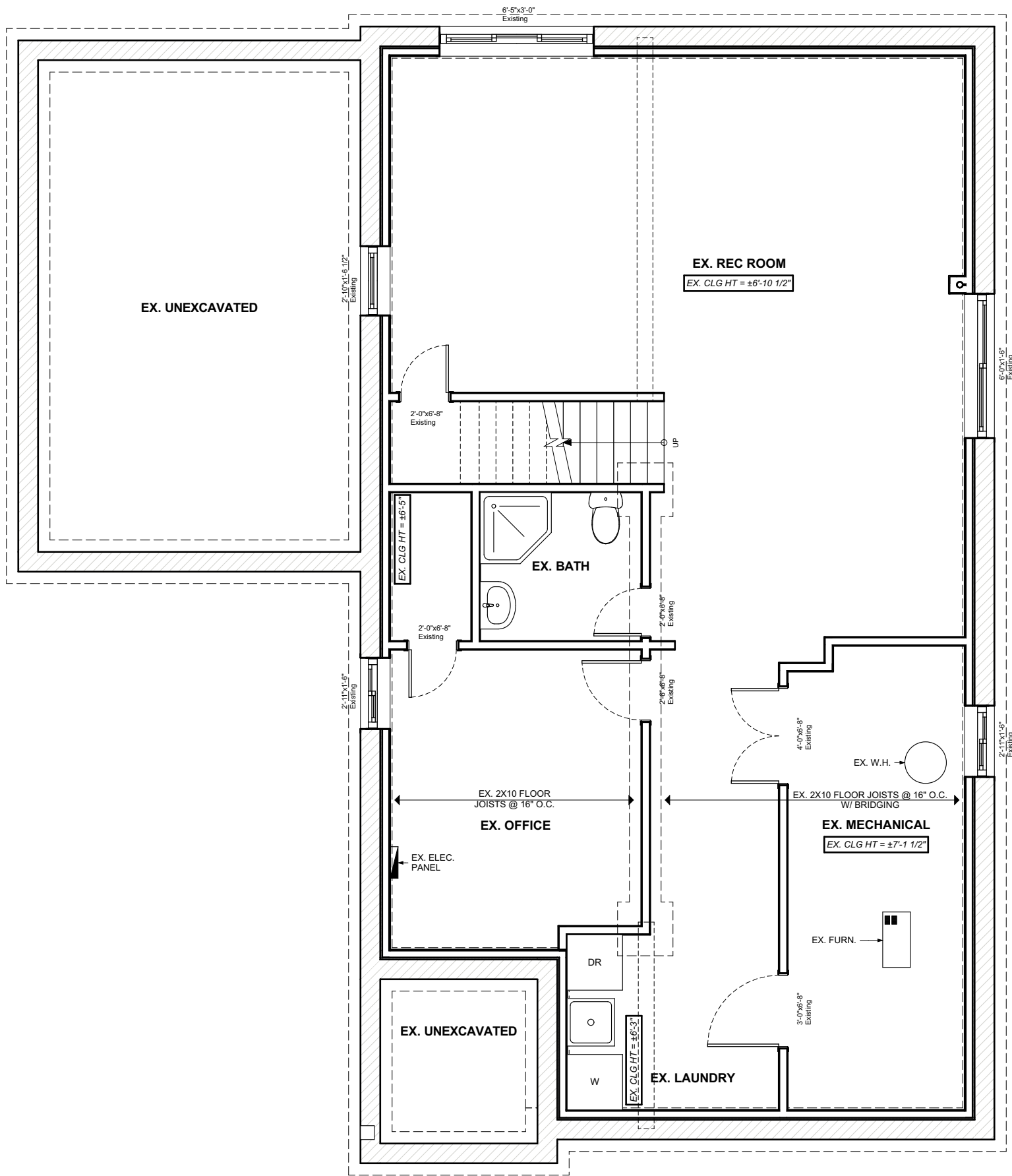
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EXISTING RIGHT ELEVATION

SCALE: 3/16" = 1'-0"

SILVERTHORNE
 251 MCNEILLY RD STONEY CREEK ON L8E 5H2
 2020-10-15
 3/16" = 1'-0"
 SILVERTHORNE - 2.0 - variance plans.pln

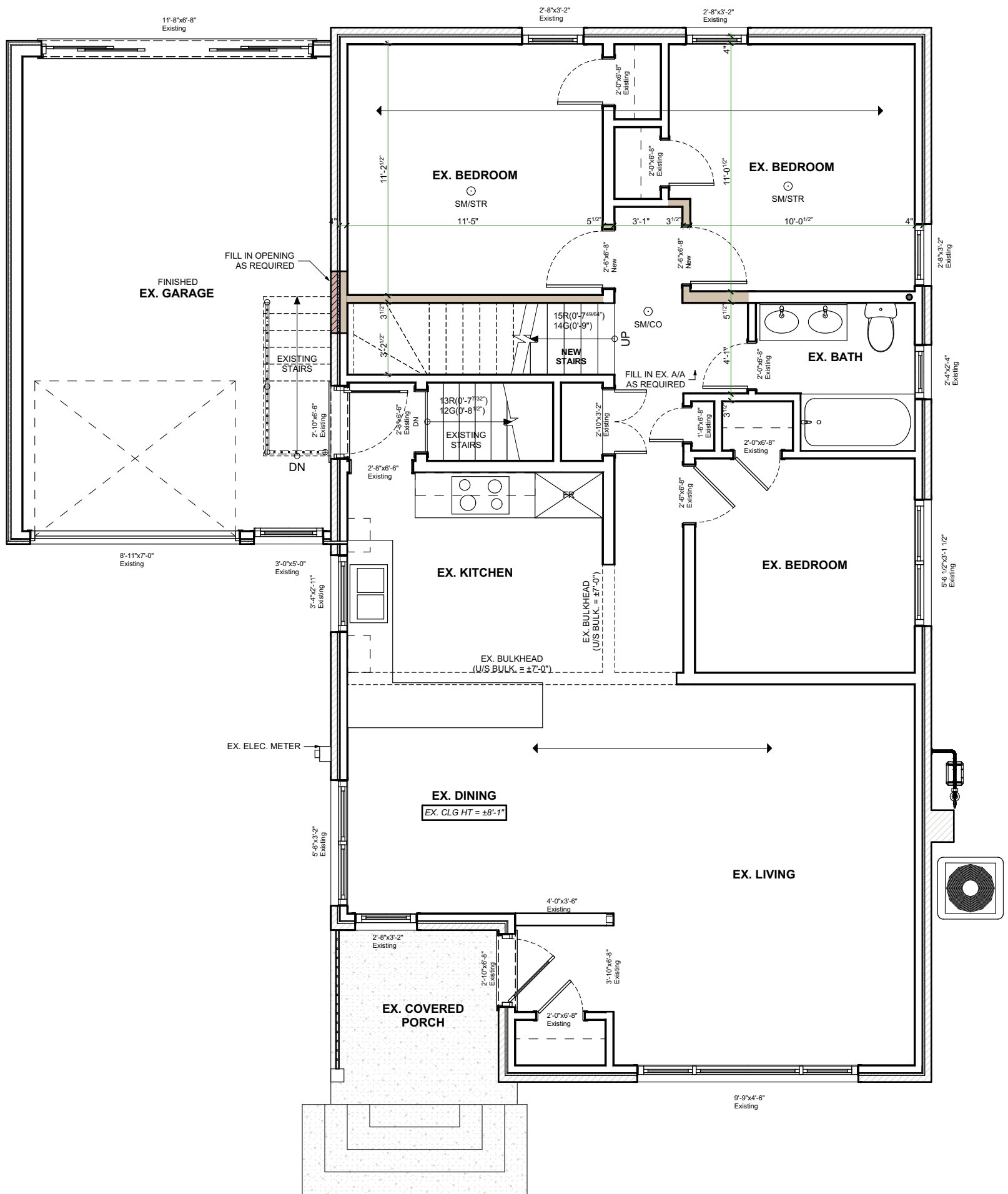




PROPOSED BASEMENT PLAN

SCALE: 3/16" = 1'-0"

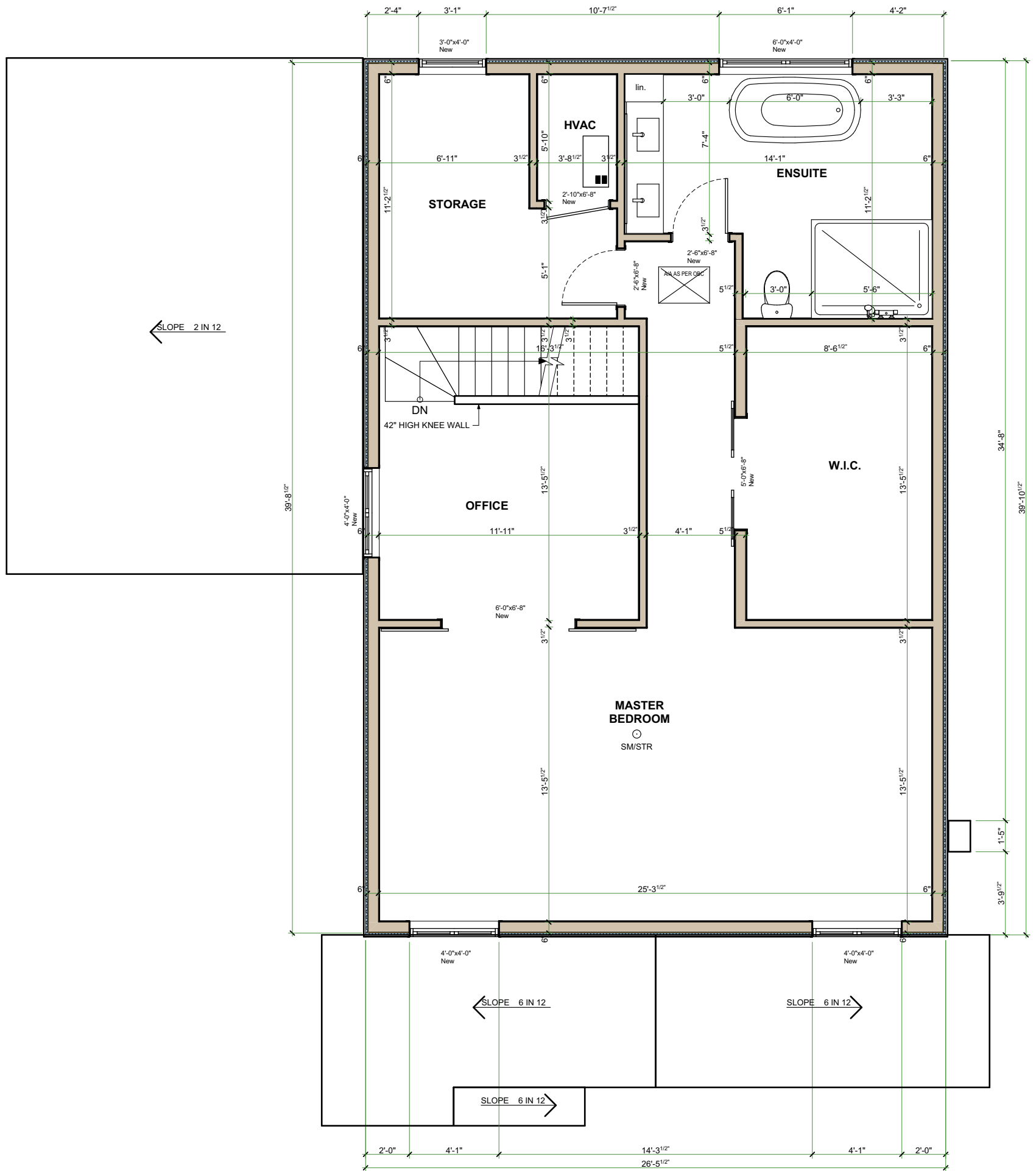




PROPOSED MAIN FLOOR PLAN

SCALE: 3/16" = 1'-0"

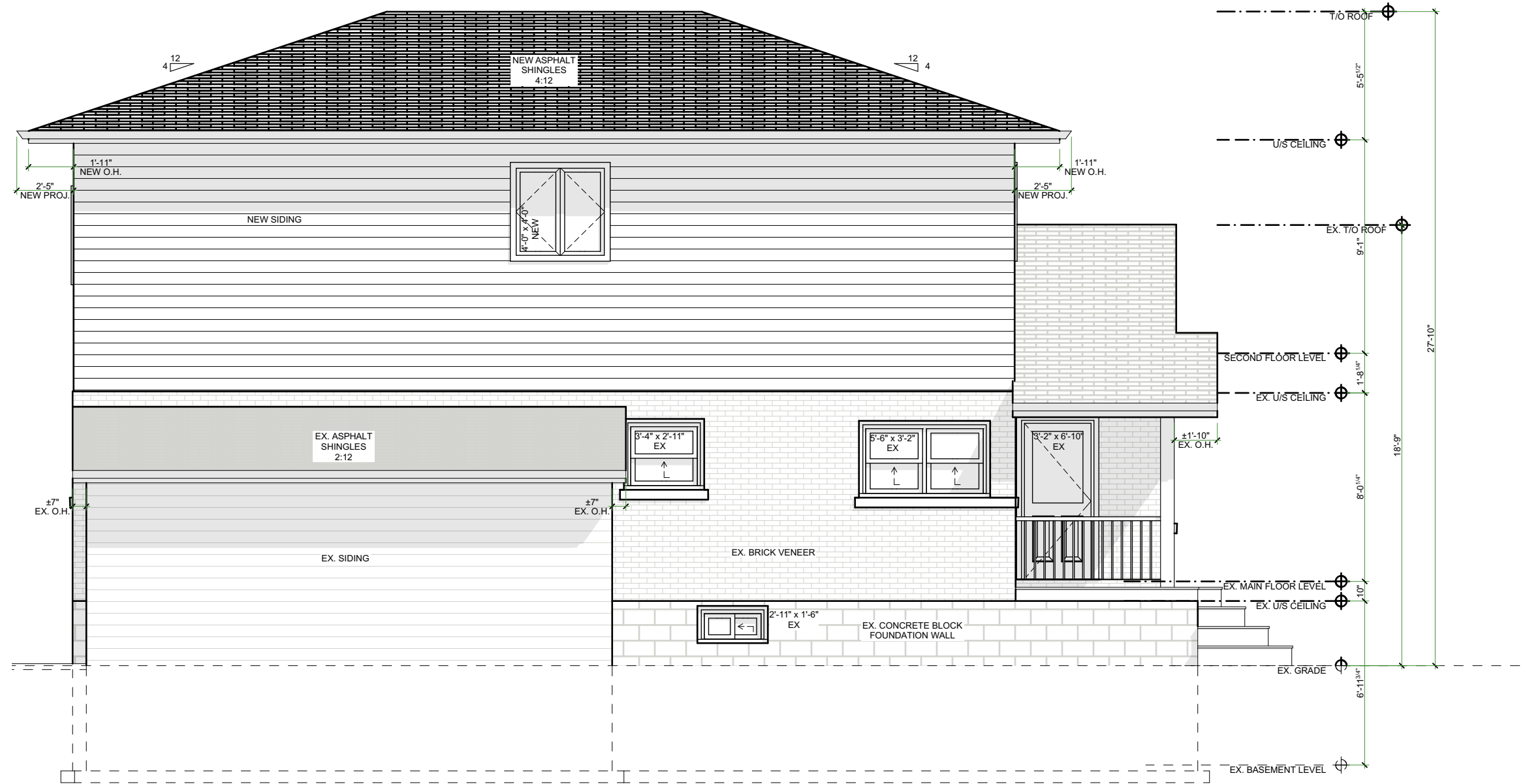




PROPOSED SECOND FLOOR PLAN

SCALE: 3/16" = 1'-0"





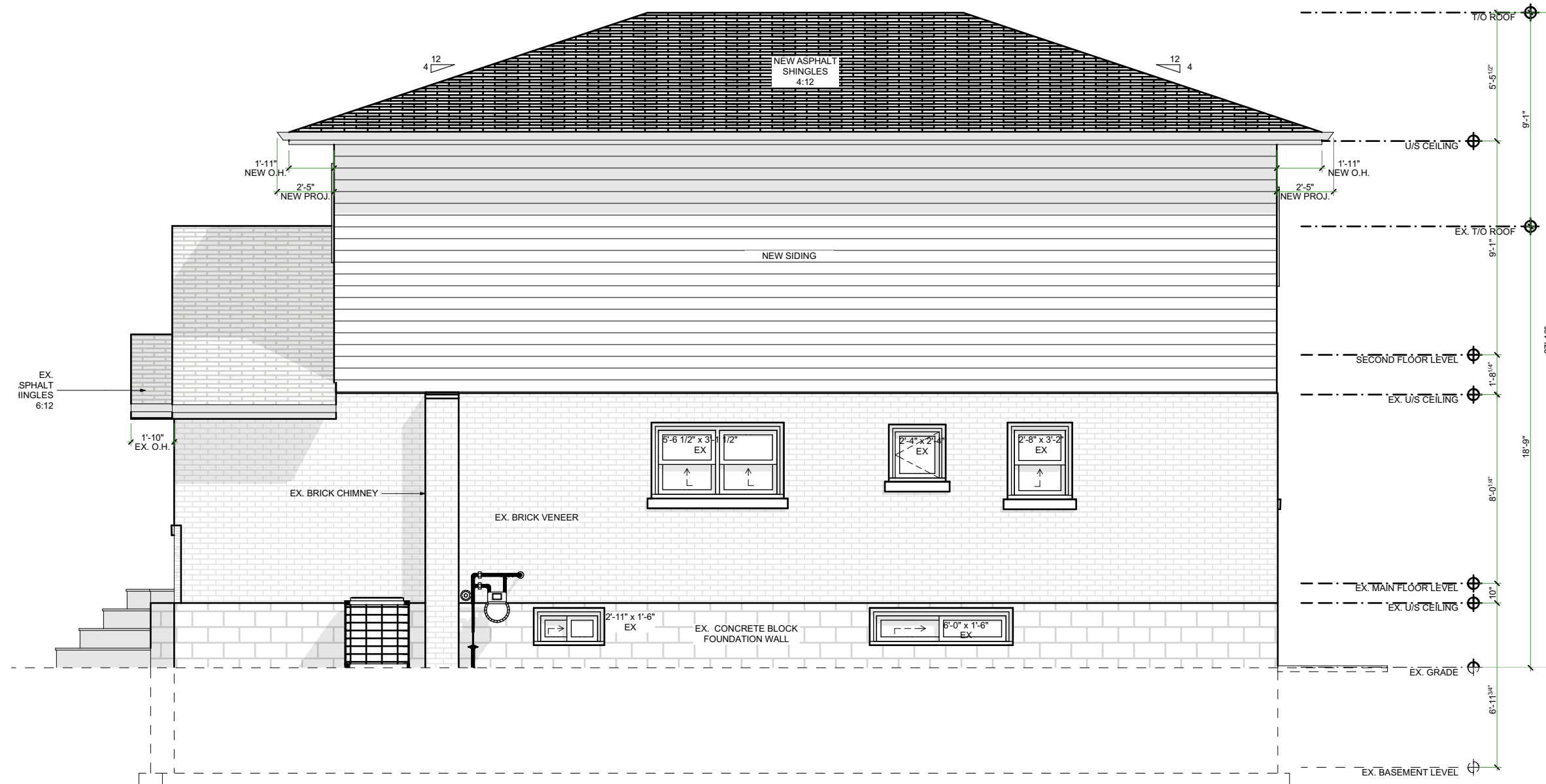
1

PROPOSED LEFT ELEVATION

SCALE: 3/16" = 1'-0"

SILVERTHORNE
 251 MCNEILLY RD STONEY CREEK ON L8E 5H2
 2020-10-15
 3/16" = 1'-0"
 SILVERTHORNE - 2.0 - variance plans.pln





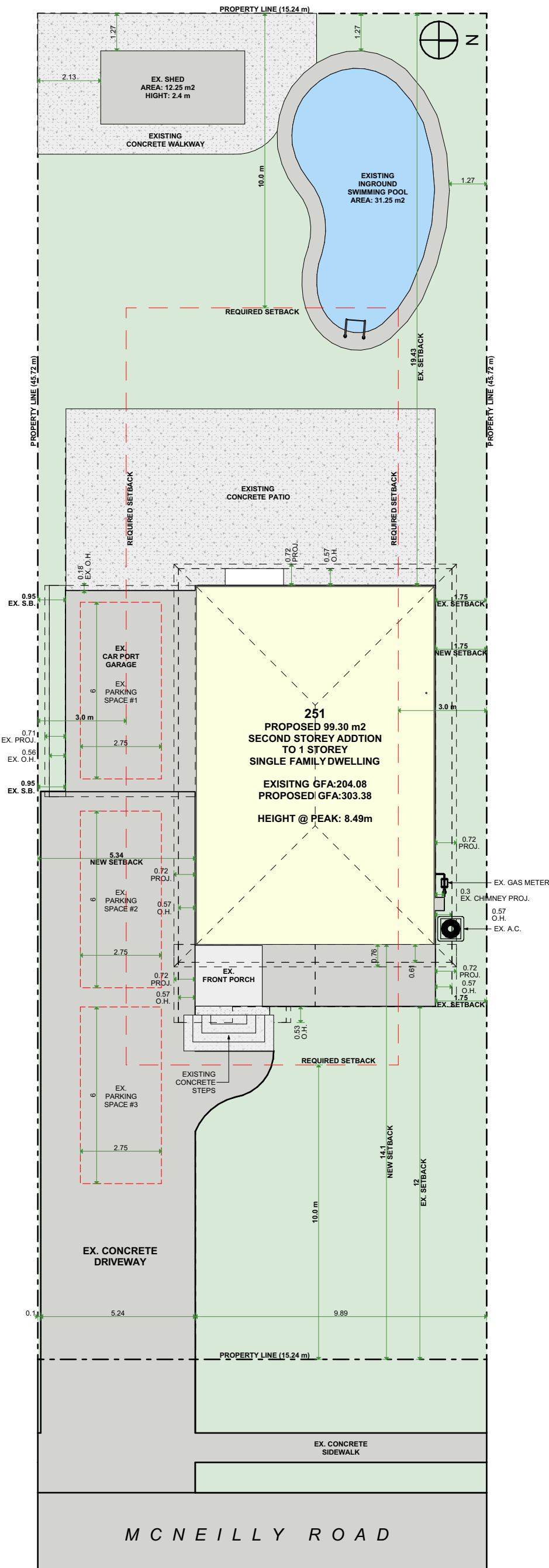
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PROPOSED RIGHT ELEVATION

SCALE: 3/16" = 1'-0"

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 2020-10-15
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 ACCESSORY BUILDINGS HEIGHT (m): 2.4
 DOES THIS SECTION COMPLY WITH ZONING BY-LAW NO. 05-200 - SECTION 4.8.2: YES

OTHER RETRICTIONS:

	Not Req'd:	Req'd:	Approved:
MINOR VARIANCE	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
CONSERVATION AUTHORITY	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
SITE PLAN CONTROL	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
GREENBELT PROTECTED COUNTRYSIDE	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

REFERENCES

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- Parking space sizing as follows:
Hamilton: 2.7m x 6.0m
- Area of all floors excluding the following:
 - 100sf for laundry if possible
 - 70sf for mechanical if possible
 - Attic spaces
 - Any area that is uninhabitable



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. _____	DATE APPLICATION RECEIVED _____
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.

- Name of Owner Teresa Thompson Telephone No. [REDACTED]
FAX NO. - E-mail address. [REDACTED]
- Address [REDACTED]
[REDACTED] Postal Code [REDACTED]
- Name of Agent SHANE VAN BARNEVELD Telephone No. [REDACTED]
FAX NO. - E-mail address. [REDACTED]
- Address [REDACTED]
[REDACTED] Postal Code [REDACTED]

Note: Unless otherwise requested all communications will be sent to the agent, if any.

- 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:
1. TO PERMIT SIDE YARD SETBACK OF 1.75 M INSTEAD OF THE REQUIRED SIDE
YARD SETBACK 3.0 M.
-
7. Why it is not possible to comply with the provisions of the By-law?
THE PROPOSED SECOND STORY EXTERIOR WALLS ADDITION LINE UP WITH EXISTING
SINGLE FAMILY DWELLING NON-CONFORMING 1.75 M SIDE YARD SETBACK.
-
8. Legal description of subject lands (registered plan number and lot number or other legal description and where applicable, street and street number):
251 MCNEILLY ROAD, STONEY CREEK, L8E 5H2.
-
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 X Unknown ___

9.11 What information did you use to determine the answers to 9.1 to 9.10 above?
PREVIOUS USES OF THE SUBJECTED PROPERTY.

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? (N/A) 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.

Oct. 19, 2020
Date



Signature Property Owner

Teresa Thompson
Print Name of Owner

10. Dimensions of lands affected:

Frontage 15.24 m
Depth 45.72 m
Area 696.77 m²
Width of street 7.0 m (TO BE CONFIRMED BY PUBLIC WORKS)

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: GROUND FLOOR AREA: 141.45 m² , LOT COVERAGE: %20.3
GROSS FLOOR AREA: 204.08 m², GFA RATIO: 0.2929
NUMBER OF STORIES: 1, HEIGHT: 5.72m
WIDTH:12.54m , LENGTH: 14.29m

Proposed: GROUND FLOOR AREA: 141.45 m² , LOT COVERAGE: %20.3
GROSS FLOOR AREA: 303.38 m², GFA RATIO: 0.4354
NUMBER OF STORIES: 2, HEIGHT: 8.49m
WIDTH:12.54m , LENGTH: 14.29m

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

Existing: FRONT (SOUTH) SIDE:12.00 m
SIDE (WEST) SIDE:0.95 m
SIDE (EAST) SIDE:1.75 m
REAR (NORTH) SIDE:19.43 m

Proposed: FRONT (SOUTH) SIDE:12.00 m (SAME AS EXISTING)
SIDE (WEST) SIDE:0.95 m (SAME AS EXISTING)
SIDE (WEST) SIDE:1.75 m (SAME AS EXISTING)
REAR (NORTH) SIDE:19.43 m (SAME AS EXISTING)

13. Date of acquisition of subject lands:
Sept 28, 2018
14. Date of construction of all buildings and structures on subject lands:
1950's
15. Existing uses of the subject property: RESIDENTIAL
16. Existing uses of abutting properties: RESIDENTIAL
17. Length of time the existing uses of the subject property have continued:
SINCE BUILT
18. Municipal services available: (check the appropriate space or spaces)
 Water YES Connected -
 Sanitary Sewer YES Connected -
 Storm Sewers YES
19. Present Official Plan/Secondary Plan provisions applying to the land:
N/A
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
Zoning By-law No. 05-200 - A1
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 referred to in Section 5 and be accompanied by the appropriate fee in cash or by cheque made payable to the City of Hamilton.