

## **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-20:262

**APPLICANTS:** Owner: Amandeep Sachdeva

**SUBJECT PROPERTY:** Municipal address **118 Lexington Ave., Stoney Creek**

**ZONING BY-LAW:** Zoning By-law 05-200, as amended

**ZONING:** R3-41 district Single Residential

**PROPOSAL:** To permit the construction of a new one (1) storey addition in the rear yard of the existing single detached dwelling notwithstanding that:

1. A rear yard of 4.2m shall be provided instead of the minimum required rear yard setback of 7.0m.

**NOTES:**

- i. The proposed addition is intended to contain an enclosed swimming pool.
- ii. Specific building details of the proposed addition have not been provided at this time. As such, variances have been written as requested by the applicant/owner. All other requirements of the Stoney Creek Zoning By-law 3692-92 shall apply and further variances may be required.
- iii. A variance was also requested to permit an increased lot coverage. Please be advised that pursuant to amending By-law #16-102, the maximum lot coverage requirement for principal buildings does not apply for the R3-41 zone.

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

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**DATE:** Thursday, January 21<sup>st</sup>, 2021

**TIME:** 1:50 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.

**Important note:** *If a person or public body that files an appeal of a decision of the Committee of Adjustment in respect of the proposed consent does not make written submission to the Committee of Adjustment before it gives or refuses to give a provisional consent, the Local Planning Appeal Tribunal (LPAT) may dismiss the appeal.*

## 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: January 5<sup>th</sup>, 2021.

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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.***

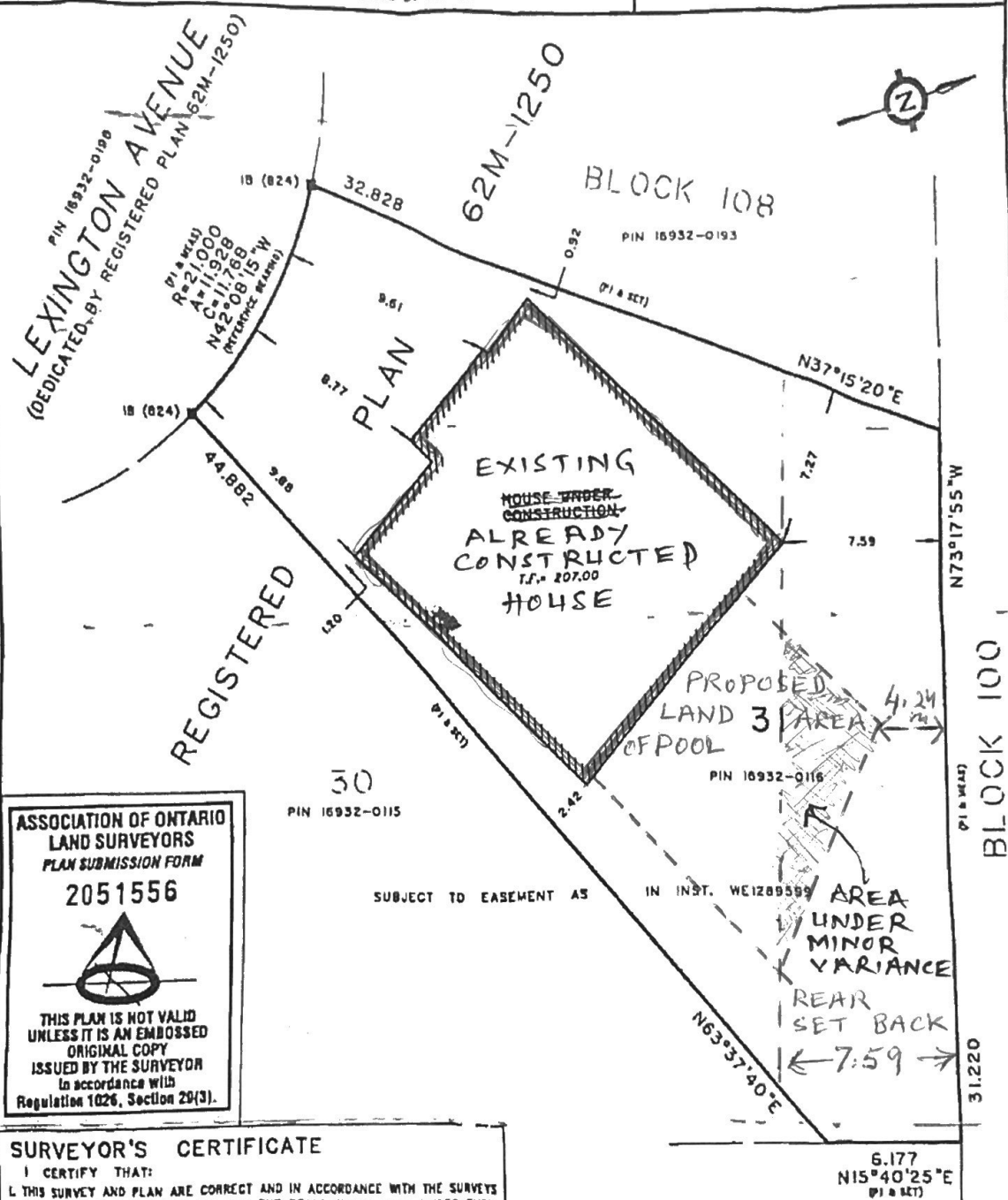
SURVEYOR'S REAL PROPERTY REPORT  
PLAN OF  
LOT 31  
REGISTERED PLAN 62M-1250  
CITY OF HAMILTON

2018-05-10 15

METRIC: DISTANCES SHOWN ON THIS PLAN ARE IN METRES  
AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

1. BEARINGS ARE UTM GRID AND ARE REFERRED TO THE EASTERLY LIMIT OF LEXINGTON AVENUE AS BEING N42°08'15"W AS SHOWN ON REGISTERED PLAN 62M-1230.
2. UNLESS OTHERWISE NOTED, ALL BUILDING TIES SHOWN HEREON ARE PERPENDICULAR TO PROPERTY LINES.
3. PROPERTY LINES ARE NOT FENCED UNLESS SHOWN OTHERWISE.

- |      |  |
|------|--|
|      | DENOTES SURVEY MONUMENT PLANTED                                |
|      | DENOTES SURVEY MONUMENT FOUND                                  |
| IB   | DENOTES IRON BAR   |
| SIB  | DENOTES STANDARD IRON BAR                                      |
| CC   | DENOTES CUT CROSS  |
| 375  | DENOTES BLACK SHOEMAKER, ROBINSON &<br>DONALDSON LTD., O.S.-A. |
| T.F. | DENOTES TOP OF FOUNDATION                                      |
| PI   | DENOTES REGISTERED PLAN 62M-1750                               |
| B24  | DENOTES A.T. McAREN, O.L.S.                                    |



**ASSOCIATION OF ONTARIO  
LAND SURVEYORS  
PLAN SUBMISSION FORM  
2051556**



THIS PLAN IS NOT VALID  
UNLESS IT IS AN EMBOSSED  
ORIGINAL COPY  
ISSUED BY THE SURVEYOR  
In accordance with  
Regulation 1026, Section 20(3).

**SURVEYOR'S CERTIFICATE**

1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT AND THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.

SEPTEMBER 6, 2010

KERRY F. HILLIS  
ONTARIO LAND SURVEYOR

PART OF LOT 33,  
CON. 8

**SUMMARY REPORT:**

THIS REPORT WAS PREPARED FOR  
LOSANI HOMES  
AND THE UNDERSIGNED ACCEPTS  
NO RESPONSIBILITY FOR USE  
BY OTHER PARTIES.

EASEMENTS: LOT 31 IS SUBJECT  
EASEMENT AS DESCRIBED IN INST  
NO. WE1289599.

FENCES:  
NONE AT TIME OF SURVEY

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BLACK, SHOEMAKER, ROBINSON & DONALDSON  
LIMITED

BSR.D

Ontario Land Surveyors  
Urban and Rural Planners  
Fully owned subsidiary of In-Barnes Ltd.

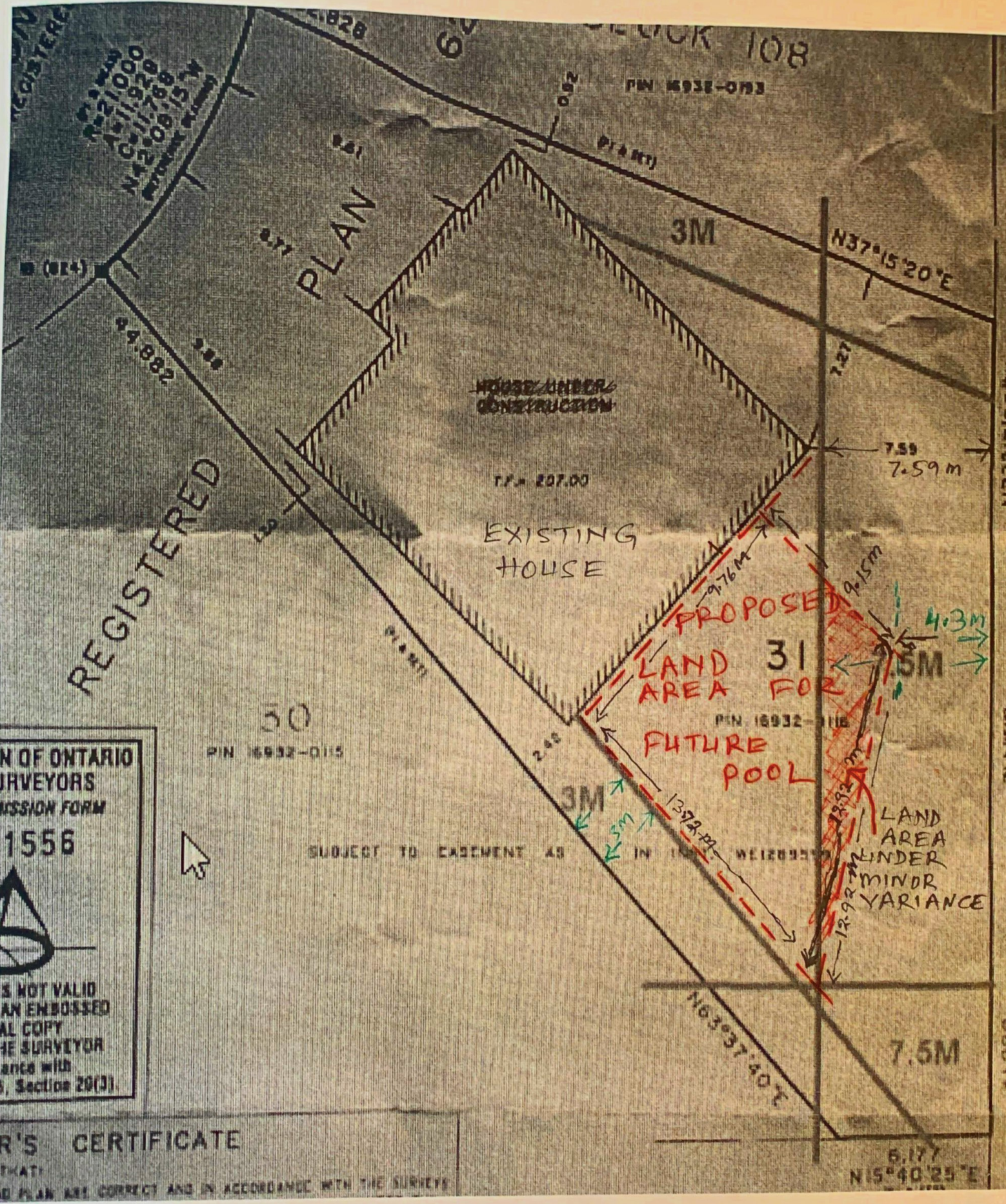
Unit 101-257 Woodlawn Road West FAX: (519) 822-1220  
Guelph, Ontario N1H 8J1 TEL: (519) 822-4031

DATE: SEPTEMBER 6, 2018

MLH

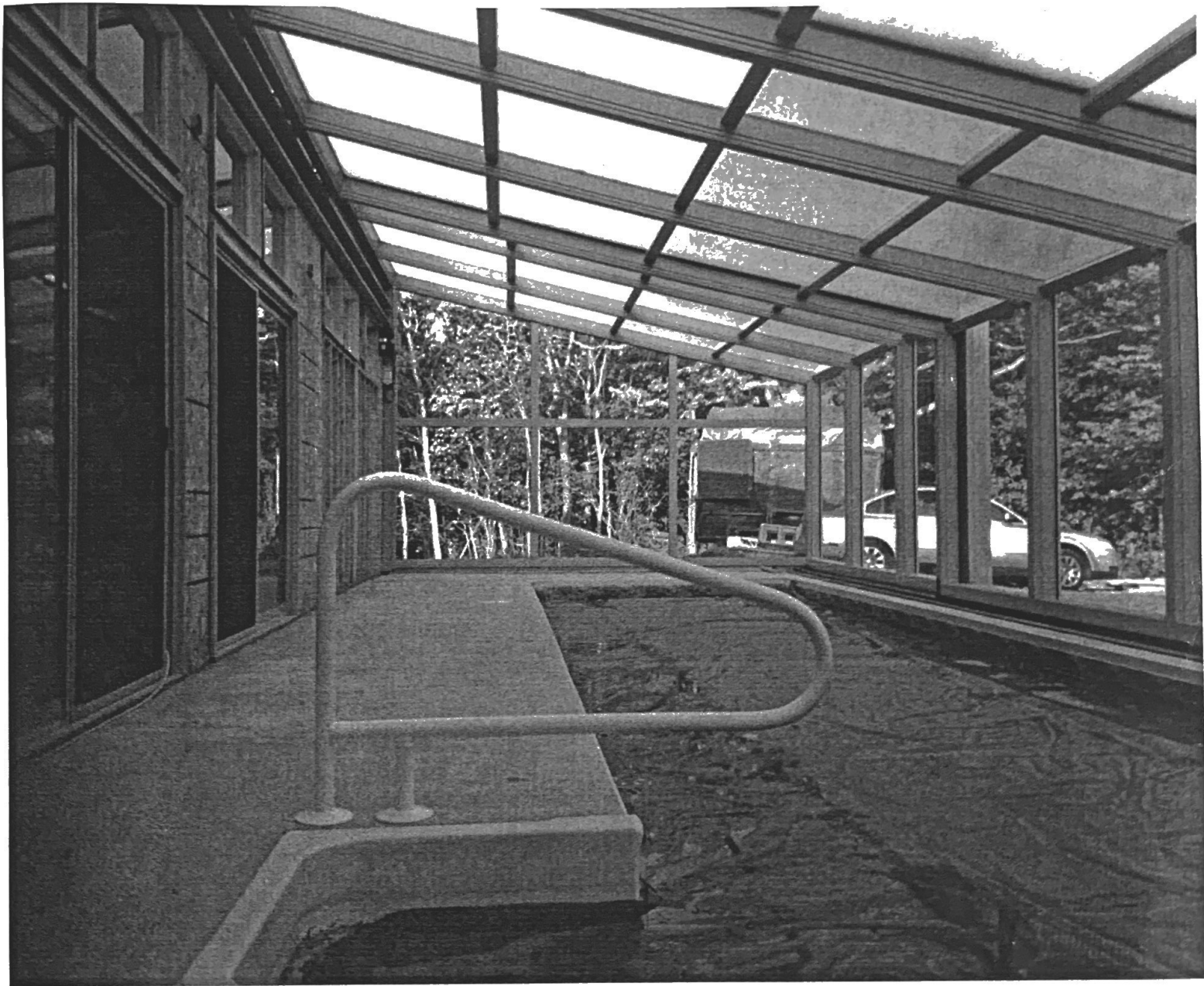
PROJECT 17-14-593-44-BLS







EXAMPLE OF POOL AND ENCLOSURE  
TO BE CONSTRUCTED IN FUTURE IN REAR YARD





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.**

<b>FOR OFFICE USE ONLY.</b>	
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.

1. Name of Owner AMANDEEP SACHDEVA Telephone No. [REDACTED]  
FAX NO. \_\_\_\_\_ E-mail address. [REDACTED]
2. Address [REDACTED] Postal Code [REDACTED]
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:  
ROYAL BANK OF CANADA, 15 PLAINS  
Rd. E BURLINGTON Postal Code L7T 2B8  
\_\_\_\_\_  
Postal Code \_\_\_\_\_

6. Nature and extent of relief applied for: PERMISSION FOR MINOR VARIANCE TO REDUCE REAR SET BACK FROM 7.5 M. TO 4.3 M.  
AND TO INCREASE THE LOT COVERAGE UP TO 25 SQ. M.  
OVER AND ABOVE THE PERMITTED LOT COVERAGE  
SO THAT APPLICANT CAN PLAN AND APPLY TO BUILD  
A POOL WITH ENCLOSURE IN REAR YARD IN FUTURE.

7. Why it is not possible to comply with the provisions of the By-law?  
BECAUSE THE SIZE OF THE POOL AND ENCLOSURE  
TO BE BUILT IN FUTURE WILL BE BIGGER THAN  
THE SIZE OF LAND AVAILABLE IN REAR YARD  
WITHIN THE APPLICABLE BYE-LAWS.

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

LOT 31 REGISTERED PLAN 62M-1250

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?

BECAUSE IT IS A NEW HOME DULY BUILT BY  
BUILDER UNDER REGISTERED PLAN 62M-1250

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. NOT APPLICABLE

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.

12 Nov, 2020  
Date

  
Signature Property Owner

(Amandeep Sachdev)  
Print Name of Owner

10. Dimensions of lands affected:

Frontage 14.6304 m  
Depth Long Side: 44.882 m. Short side 32.828 m.  
Area 882.78 m.  
Width of street AS PER REGISTERED PLAN 62M-1250

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: NONE IN REAR BACK YARD FOR WHICH  
APPLICATION FOR MINOR VARIANCE IS SUBMITTED.

Proposed: POOL WITH FIXED LEAN TO STYLE  
ENCLOSURE TO BE BUILT IN FUTURE;

GROUND FLOOR AREA: 132 Sq. m. Number of stories: SINGLE STORY

I.E. POOL ON G.F. WITH ENCLOSURE. WIDTH FRONT: 9.76 m. WIDTH REAR: 12.92 m.  
LENGTH SHORT SIDE: 9.15 m. LENGTH LONG SIDE 13.72 m. HEIGHT: ~~12.92 m.~~ 4.8 m.

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

Existing: NONE



Proposed: 3 M. FROM SIDE BOUNDARY OF LOT.  
SHORT SIDE: 4.3 M. from rear boundary of lot.  
LONG SIDE: 7.0 M. from rear boundary of lot.

13. Date of acquisition of subject lands: GOT POSSESSION OF THIS HOUSE  
ON JUNE 27, 2019

14. Date of construction of all buildings and structures on subject lands:  
AS PER REGISTERED PLAN 62M-1250

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 JUNE 27, 2019

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:  
REGISTERED PLAN 62M-1250

20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:  
R3 (SINGLE RESIDENTIAL ZONE) UNDER  
THE 369298 STONEY CREEK BYE LAW

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 ✓

Sec 44  
& Sec 54.

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