

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.: HM/A-20:277

APPLICANTS: Garry Ball & Debra Gaeler, owners

SUBJECT PROPERTY: Municipal address **120 McAnulty Blvd., Hamilton**

ZONING BY-LAW: Zoning By-law 6593, as Amended

ZONING: "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) district

PROPOSAL: To Construct a 3.28m (10.75') x 4.06m (13.3') one storey rear addition (labelled "porch overhang") and a 2.29m (7.5') x 4.06m (13.3') uncovered rear porch at the first storey onto the existing single family dwelling and to recognize the location of two (2) existing sheds notwithstanding that:

1. A minimum westerly side yard width of 0.1m shall be provided for the rear addition instead of the minimum required westerly side yard width of 0.9m.
2. The existing easterly shed shall be distant at least 0.2m from the easterly side lot line instead of the requirement that accessory buildings shall be distant at least 0.45m from the nearest side lot line.
3. The eaves and gutters on the existing easterly shed shall be permitted to project a maximum of 0.2m into the required easterly side yard and shall be 0.0m from the easterly side lot line instead of the requirement that eaves and gutter may project into a required side yard not more than one-half of its width (being 0.1m) and shall be distant at least 0.1m from the nearest side lot line.
4. The eaves and gutters on the existing westerly shed shall be permitted to project a maximum of 0.35m into the required westerly side yard and shall be 0.1m from the westerly side lot line instead of the requirement that eaves and gutter may project into a required side yard (being 0.45m) not more than one-half of its width (being 0.225m) and shall be distant at least 0.225m from the nearest side lot line.

NOTE:

- i) The rear "porch overhang" is actually considered an addition due to the partial wall along westerly side.
- ii) Pursuant to Variance # 3 above, the eavestrough of the easterly shed is shown to project 4" (0.10m) over the easterly lot line and onto the neighbouring abutting lot to the east. As such, the following is required:

- an Encroachment Agreement and Maintenance Easement with the abutting easterly neighbor is required; or,
- the eaves and gutters shall be removed so that they are located entirely on the subject lands; or,
- the shed shall be moved so that the shed including its eaves and gutter (eavestrough) are located entirely on the subject lands.

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

DATE:	Thursday, February 4th, 2021
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 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: January 19th, 2021.

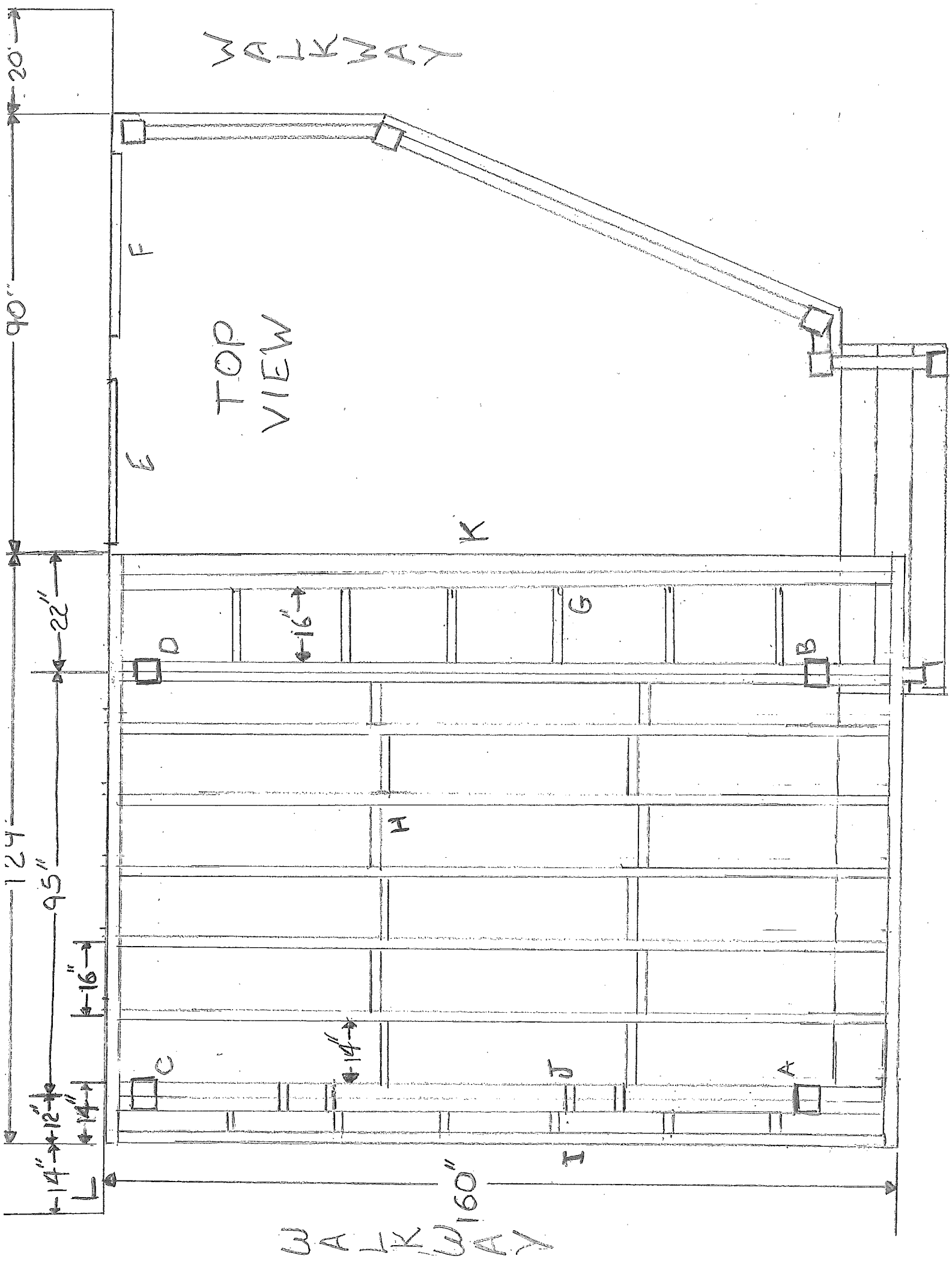
Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

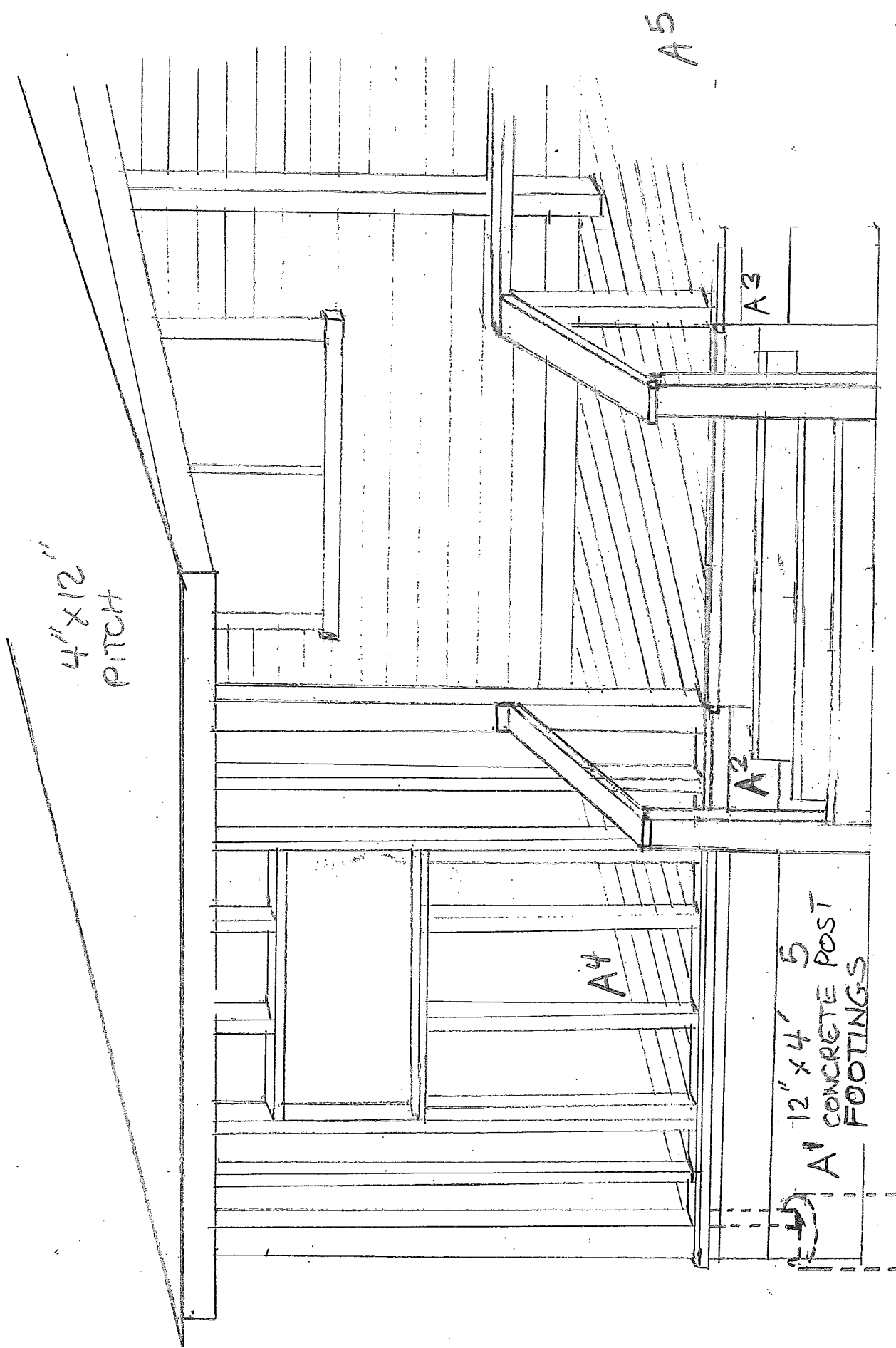
Information respecting this application is being collected under the authority of the Planning Act, R.S.O., 1990, c. P. 13. All comments and opinions submitted to the City of Hamilton on this matter, including the name, address, and contact information of persons submitting comments and/or opinions, will become part of the public record and will be made available to the Applicant and the general public.

120 MCANULTY BLVD.
HAMILTON, ON. L8H 3H4
APPLICATION # 20-181781-00R9

TOP VIEW
PARTS LIST

8- 4"x4" POST ANCHORS
4- 2"x4" JOIST HANGERS
24- 2"x6" JOIST HANGERS
6- 4"x6" JOIST HANGERS
3 1/2" - #10 DECK SCREWS
1 1/2" #8 - DECK SCREWS
4"x4" POST DISTANCE
BETWEEN A AND B 95"
BETWEEN C AND D 95"
E- BACK DOOR
F- WINDOW
G- 6- 2"x6"x16"
H- 10- 2"x6"x14"
I- 6- 2"x6"x8"
J- 4- 2"x4"
K- 14- 2"x6"x156"
L- ROOF OVERHANG 14"





4" x 12"
PITCH

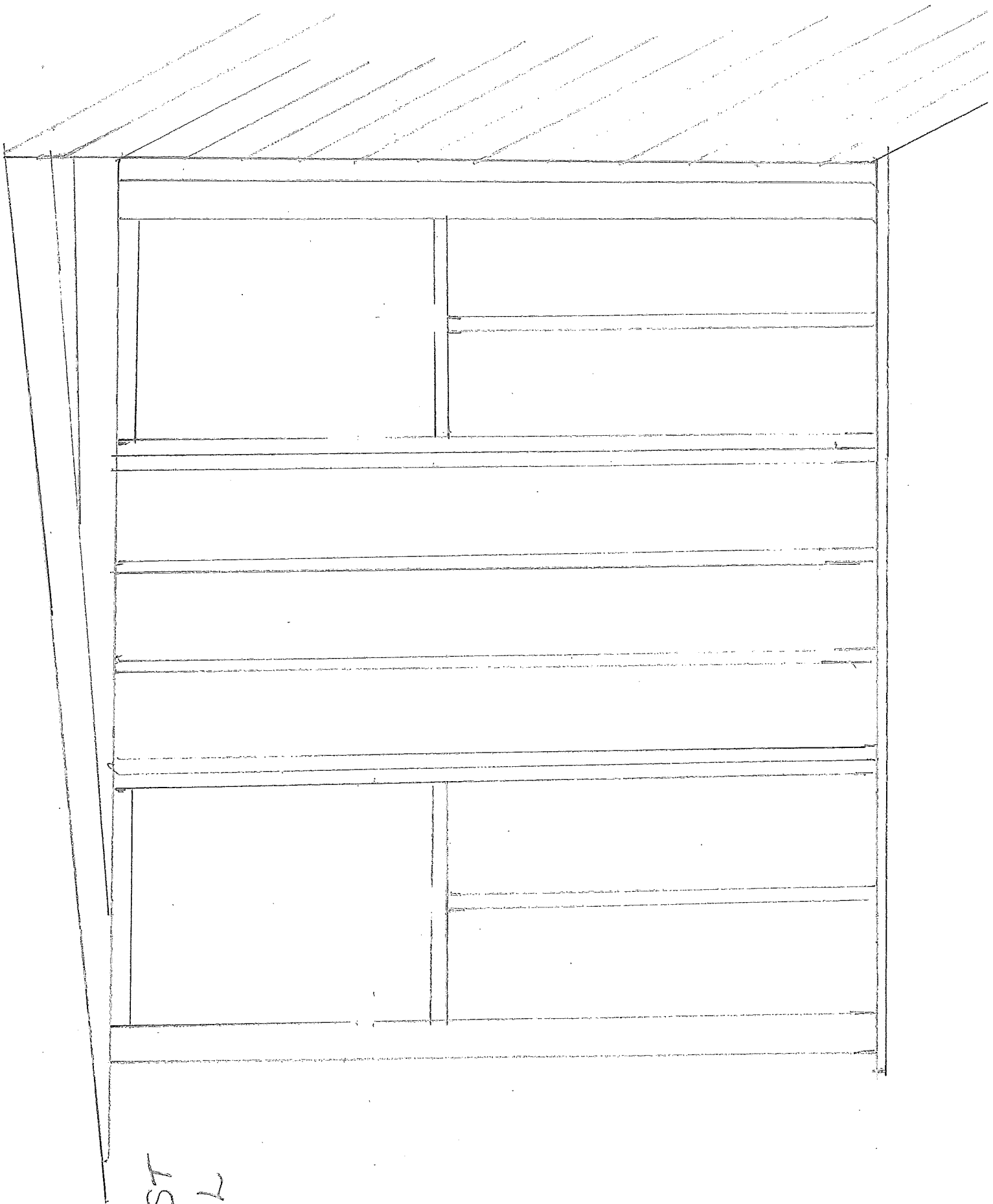
A5

A3

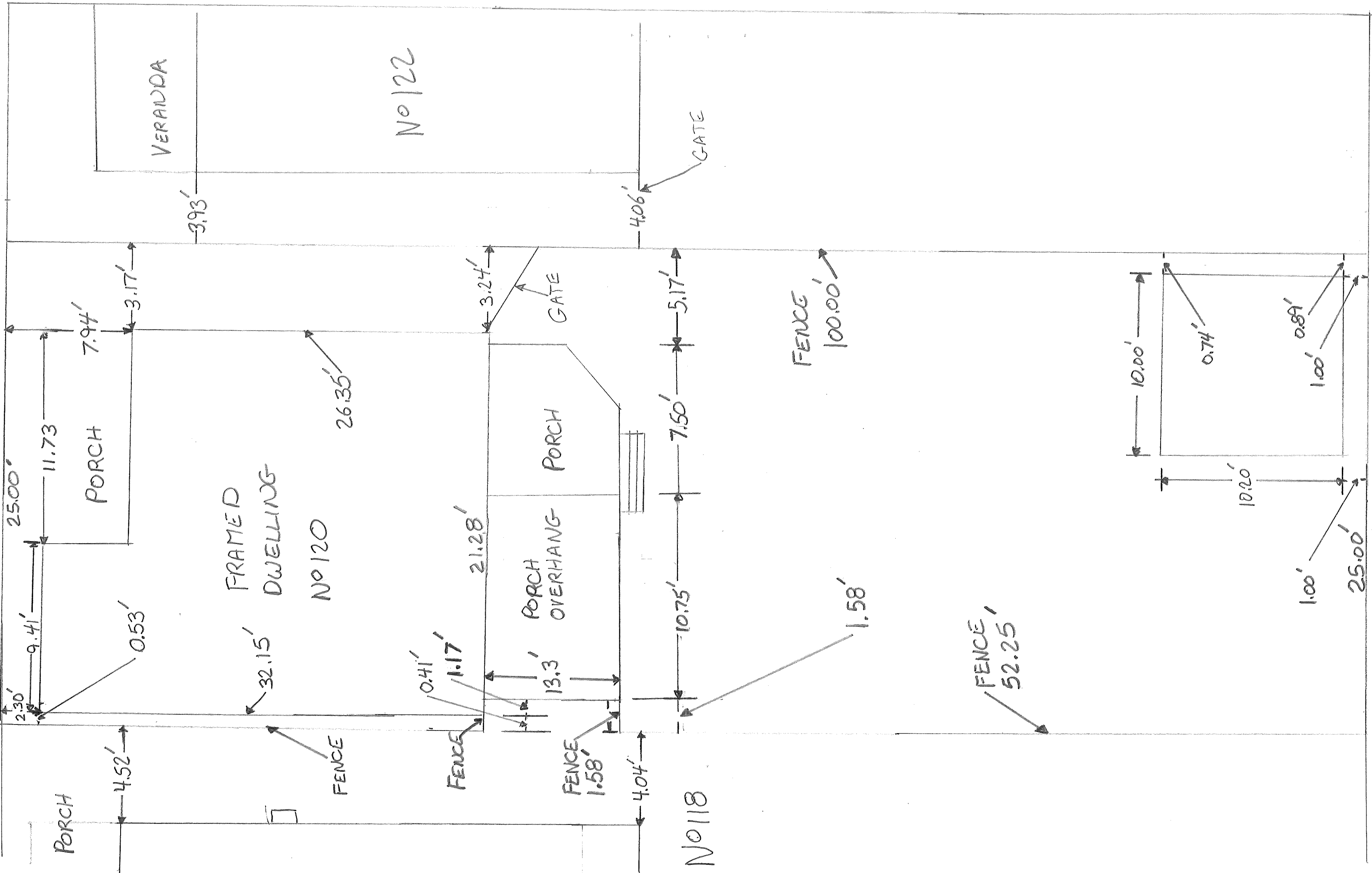
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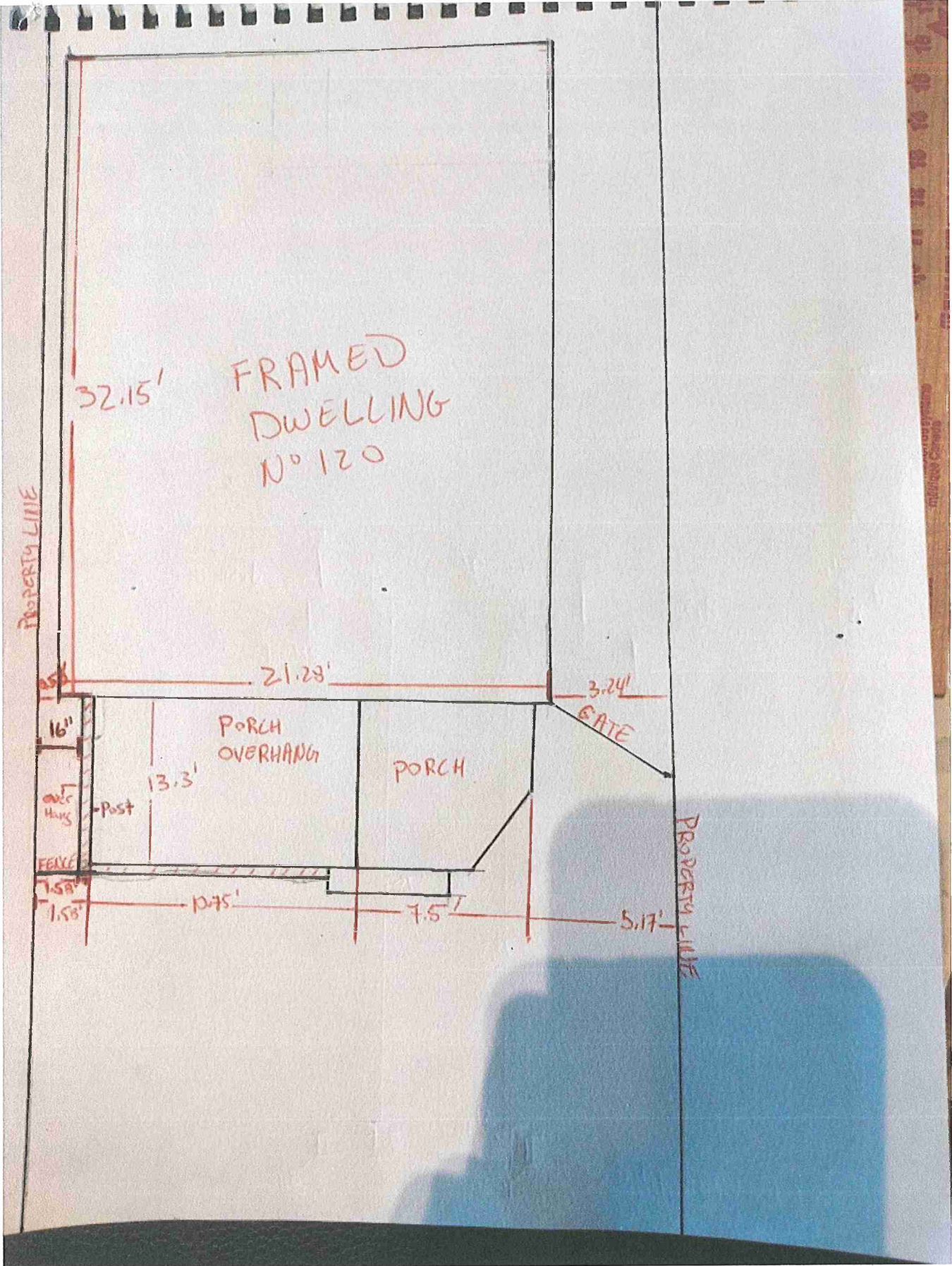
A4

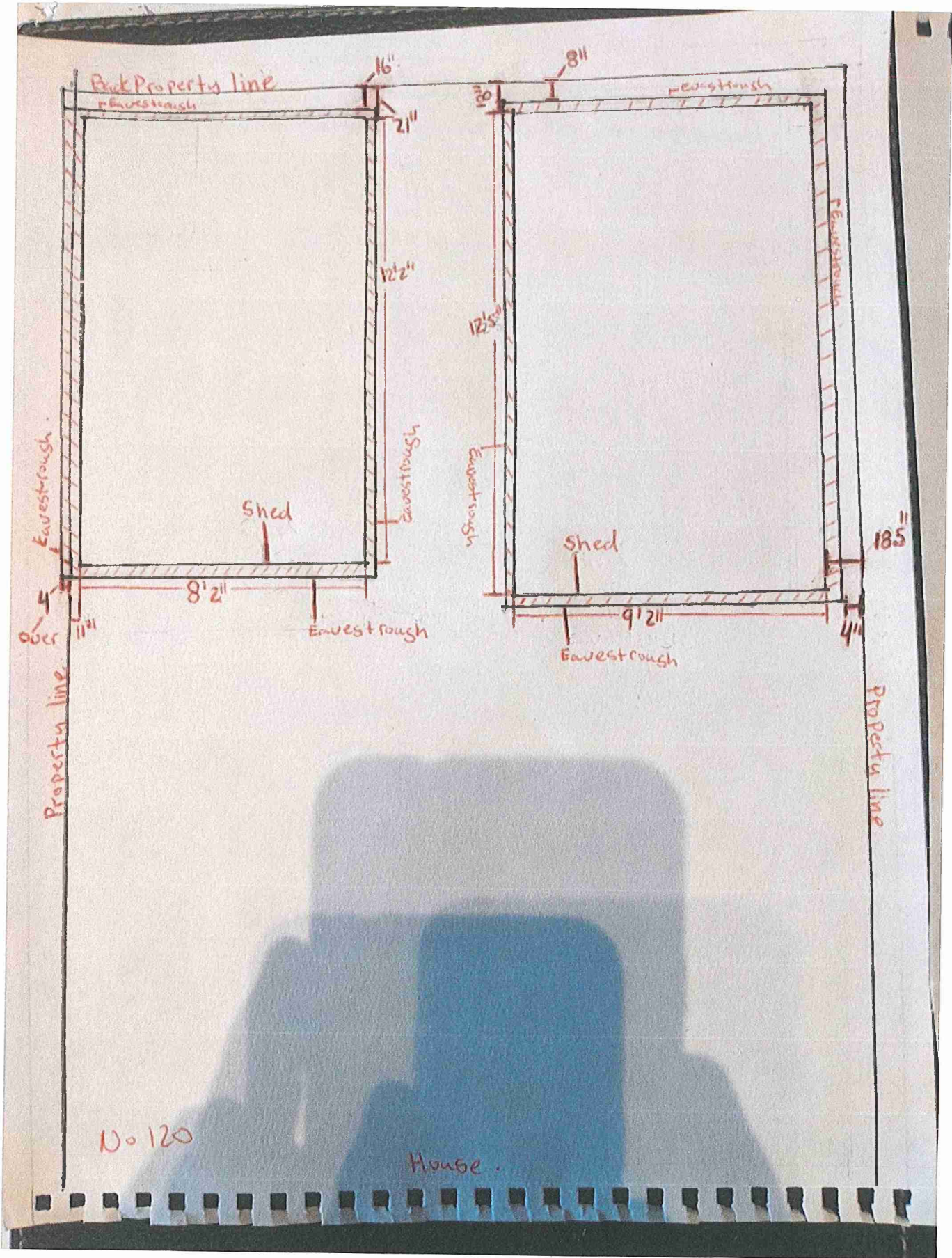
12" x 4" 5'
CONCRETE POST
FOOTINGS

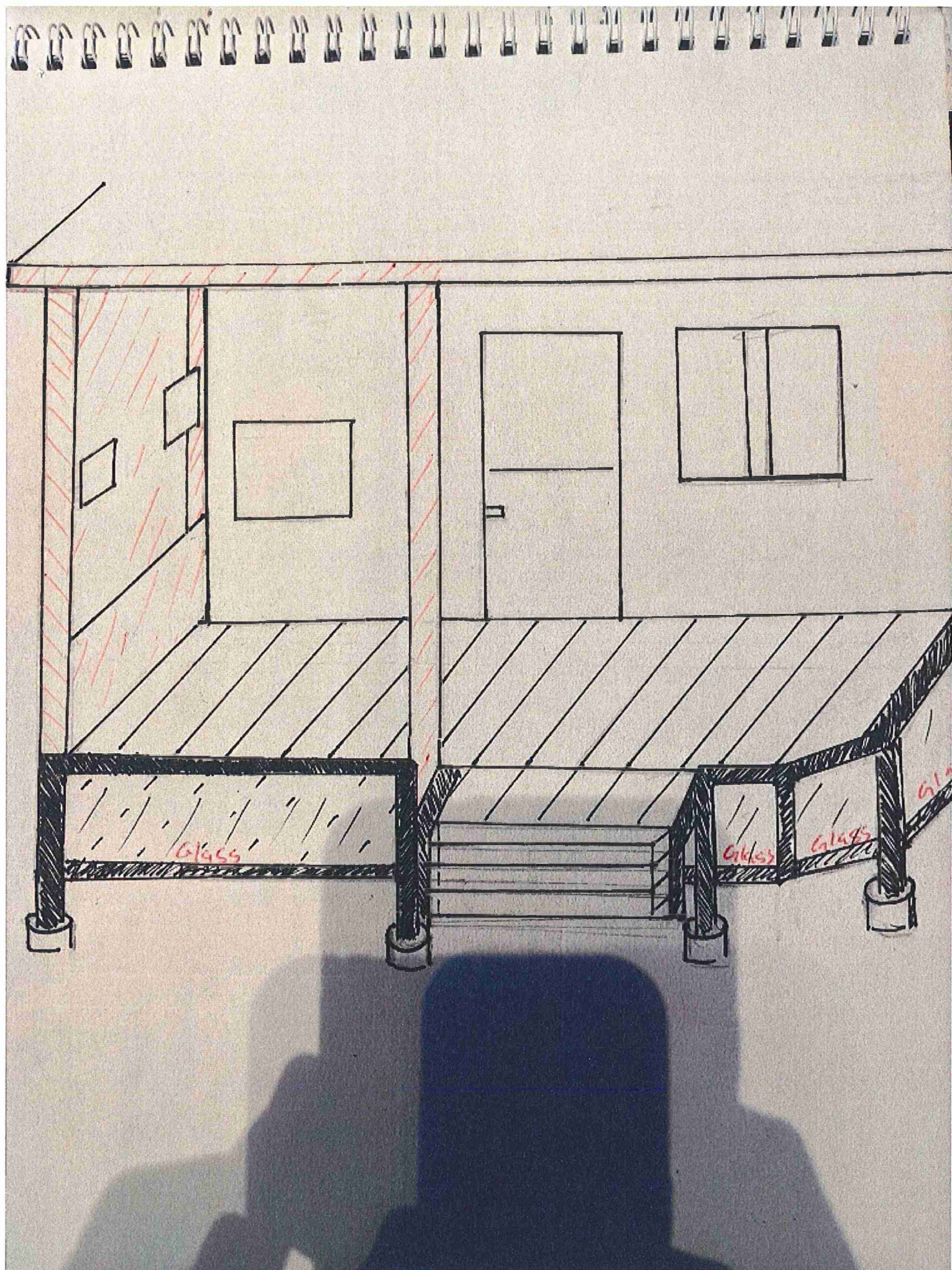


WEST
WALL















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.

1. Name of Owner Garry Ball Debra Gaelet Telephone No. _____
FAX NO. _____ E-mail address. _____
2. Address _____
_____ Postal Code _____
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:

N/A

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

was not aware needed permit

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

Residential Lot number 540
120 McAnulty BLVD

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?

Based on 38 years of residing
at same residence

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.

Dec 01 / 20
Date


Signature Property Owner

X Debra Goelen, GARY BALL
Print Name of Owner

10. Dimensions of lands affected:

Frontage 24.99 F
Depth 100 F
Area 2,499 sq'
Width of street 16 F

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 / gross floor area 640 sq'
number stories one width 20 feet
length 32.15 feet height 24 feet
Proposed: _____

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

Existing: side 3 24 feet rear 65 feet
front 2.3 feet

Proposed: _____

13. Date of acquisition of subject lands:

~~(1985)~~ May 01/1998

14. Date of construction of all buildings and structures on subject lands:

1923

15. Existing uses of the subject property: residential

16. Existing uses of abutting properties: NA

17. Length of time the existing uses of the subject property have continued:

97 years

18. Municipal services available: (check the appropriate space or spaces)

Water yes

Connected yes

Sanitary Sewer yes

Connected yes

Storm Sewers yes

19. Present Official Plan/Secondary Plan provisions applying to the land:

residential

20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:

residential

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