

## **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-20:278

**APPLICANTS:** Danielle DesJardins on behalf of the owner Don Oakie

**SUBJECT PROPERTY:** Municipal address **189 Melville St. Dundas**

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

**ZONING:** "R2" (Single Detached Residential) Zone

**PROPOSAL:** To permit the construction of a one-storey rear addition to the existing single detached dwelling notwithstanding that;

1. A minimum rear yard of 4.4m shall be permitted instead of the minimum 7.5m rear yard required.

Notes: The applicant shall ensure that the maximum 10.5m height is not exceeded. No elevation plans were provided.

The zoning By-law permits an eave or gutter to project a maximum of 1.5m into a rear yard and permits a projection of an eave or gutter into a side yard to a maximum of one-half of its width or 1.0m whichever is lesser. No details were provided to confirm compliance.

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

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**DATE:** Thursday, February 4th, 2021  
**TIME:** 3:00 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 3935
- Email Committee of Adjustment staff at [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

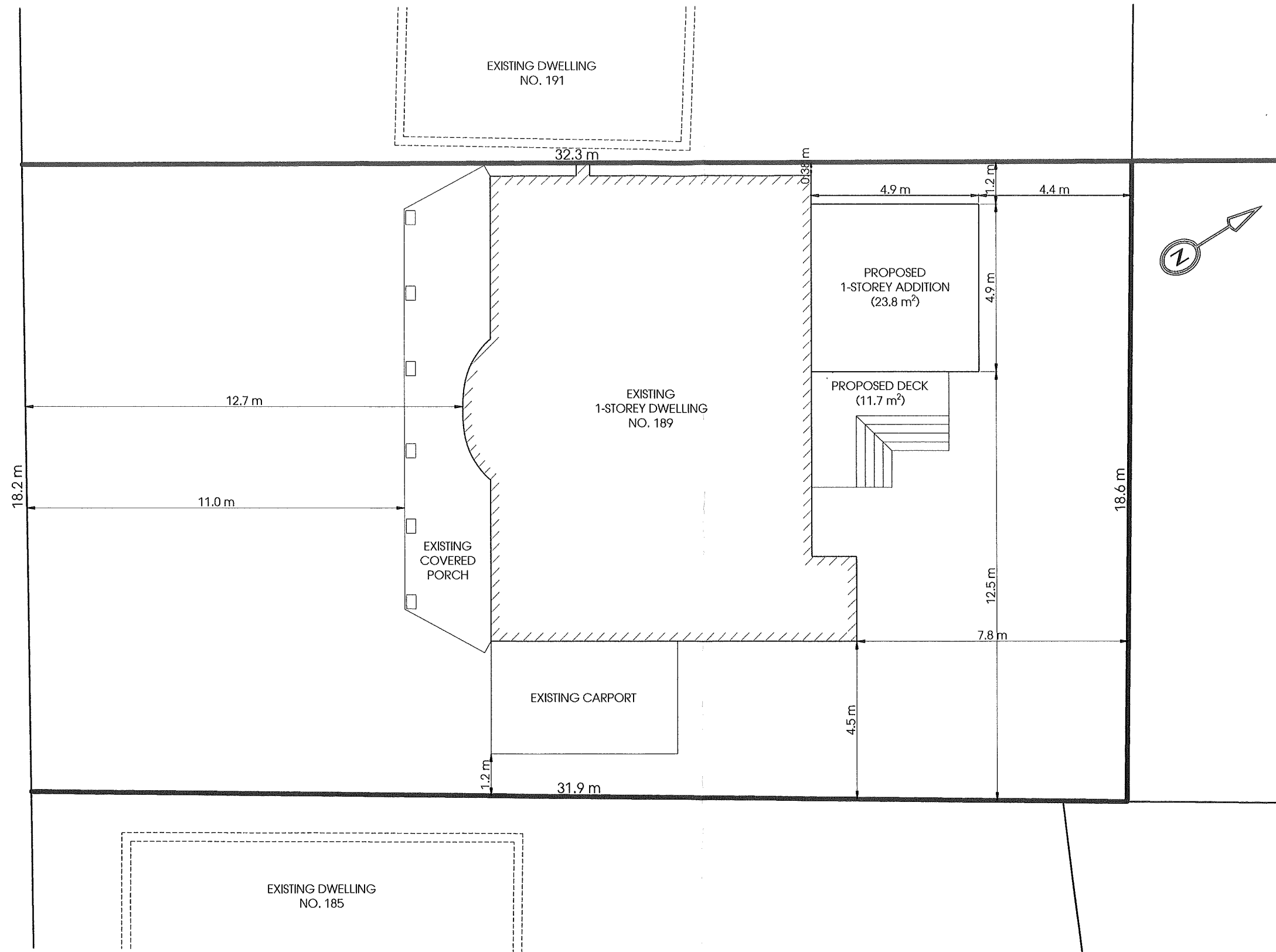
DATED: January 19th, 2021.

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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.***

MELVILLE STREET



**GENERAL NOTES:**  
1. All construction shall conform to the latest edition of the Ontario Building Code.  
2. Do not scale drawings.  
3. All dimensions to be verified by the contractor prior to commencing construction.  
4. Any alteration to design or construction shall not be undertaken until it has been approved by the designer.  
5. These drawings and specifications are the property of the designer, and shall not be used, reproduced or altered without written authorization from the designer.

**BCIN QUALIFICATION & REGISTRATION:**  
The undersigned has reviewed and takes responsibility for this design, and has the qualifications and meets the requirements set out in the Ontario Building Code to design the work shown on the attached documents.

**QUALIFICATION INFORMATION:**  
Name: Danielle Desjardins BCIN: 20301  
Signature: 

**REGISTRATION INFORMATION:**  
Firm: Big Sky Construction Inc. BCIN: 106184

**BIG SKY**  
CONSTRUCTION

DESIGN • BUILD • RENOVATE

905 220 9139 | bigskydesign@outlook.com

**PROJECT:**  
REAR ADDITION & DECK

**REVISION/ISSUE DATES:**  
12/03/20 - ISSUE FOR VARIANCE APPLICATION

**ADDRESS:**  
189 MELVILLE STREET  
DUNDAS

**DRAWING:**  
PROPOSED SITE PLAN

<b>DATE:</b> DEC 2020	<b>SCALE:</b> 1 : 125	<b>DRAWING #:</b> SP1.01
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**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 \_\_\_\_\_

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 DON OAKIE Telephone No. [REDACTED]  
FAX NO. [REDACTED] E-mail address. [REDACTED]

2. Address [REDACTED]  
Postal Code [REDACTED]

3. Name of Agent DANIELLE DESTARONS Telephone No. [REDACTED]  
FAX NO. [REDACTED] E-mail address. [REDACTED]

4. Address [REDACTED]  
Postal Code [REDACTED]

**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:  
CIBC, 197 LAKESHORE RD EAST, OAKVILLE ONTARIO  
Postal Code L6J 5E8  
\_\_\_\_\_  
Postal Code \_\_\_\_\_

6. Nature and extent of relief applied for:

REAR SETBACK OF 4.4m  
WITH FURTHER EAVE PROJECTION

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

EXISTING HOUSE IS ALREADY CLOSE TO REAR PROPERTY LINE  
SETBACK.

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

REG. COMP. PLAN 1474, LOT 67  
189 MELVILLE STREET, OUNDAS

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 HOUSE & NEIGHBOURHOOD

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 N/A

#### 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.

DECEMBER 3, 2020

Date

  
Signature Property Owner

DON OAKIE  
Print Name of Owner

10. Dimensions of lands affected:

Frontage 18.2 m  
Depth 32.1 (AVERAGE)  
Area 592 m<sup>2</sup>  
Width of street 11 m

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: DWELLING GFA: 132.8 m<sup>2</sup> (GROUND & GROSS FLOOR AREA)  
NUMBER OF STORIES: 1  
WIDTH: 13.5 m, LENGTH: 9.4 m (DWELLING)  
HEIGHT: 5.4 m

Proposed: DWELLING GFA: 143.1 m<sup>2</sup> (GROUND & GROSS FLOOR AREA)  
NUMBER OF STORIES: 1  
WIDTH: 13.5 m, LENGTH 14.3 m (DWELLING)  
HEIGHT: 5.4 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: FRONT SB TO DWELLING: 12.7 m FRONT SB TO PORCH: 11 m  
WEST SIDE SB TO DWELLING: 0.38 m  
EAST SIDE SB TO DWELLING: 4.5 m EAST SIDE SB TO CARPORT: 1.2 m  
REAR SB TO DWELLING: 7.8 m

Proposed: FRONT SB TO DWELLING: 12.7m FRONT SB TO PORCH: 11m  
WEST SIDE SB TO DWELLING: 0.38m  
EAST SIDE SB TO DWELLING: 4.5m EAST SIDE SB TO CARPORT: 1.2m  
REAR SB TO DWELLING: 4.4m

13. Date of acquisition of subject lands:  
2007
14. Date of construction of all buildings and structures on subject lands:  
1840
15. Existing uses of the subject property: SINGLE FAMILY DWELLING
16. Existing uses of abutting properties: RESIDENTIAL
17. Length of time the existing uses of the subject property have continued:  
SINCE TIME OF CONSTRUCTION
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:  
N/A
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:  
N/A
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