

## **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.:** HM/A-21:10

**APPLICANTS:** Matteo Canton on behalf of the owner Giacomo Canton

**SUBJECT PROPERTY:** Municipal address **14 Eric Burke Crt., Hamilton**

**ZONING BY-LAW:** Zoning By-law 6593, as Amended 19-307

**ZONING:** "C/S-1788" (Urban Protected Residential, etc.) district

**PROPOSAL:** To permit the construction of an accessory building (storage shed) in the side yard of the existing single family dwelling, notwithstanding,

1. The accessory building shall be permitted to be located within a required side yard whereas an accessory structure is not permitted to be located in a required side yard; and,
2. A minimum side yard width of 0.2 metres shall be provided to the accessory building instead of the minimum required side yard width of 1.2 metres.

**NOTES:**

1. A further variance will be required if all accessory buildings occupy greater than thirty percent of the required rear yard and side yard combined.

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

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**DATE:** Thursday, February 18th, 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](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:

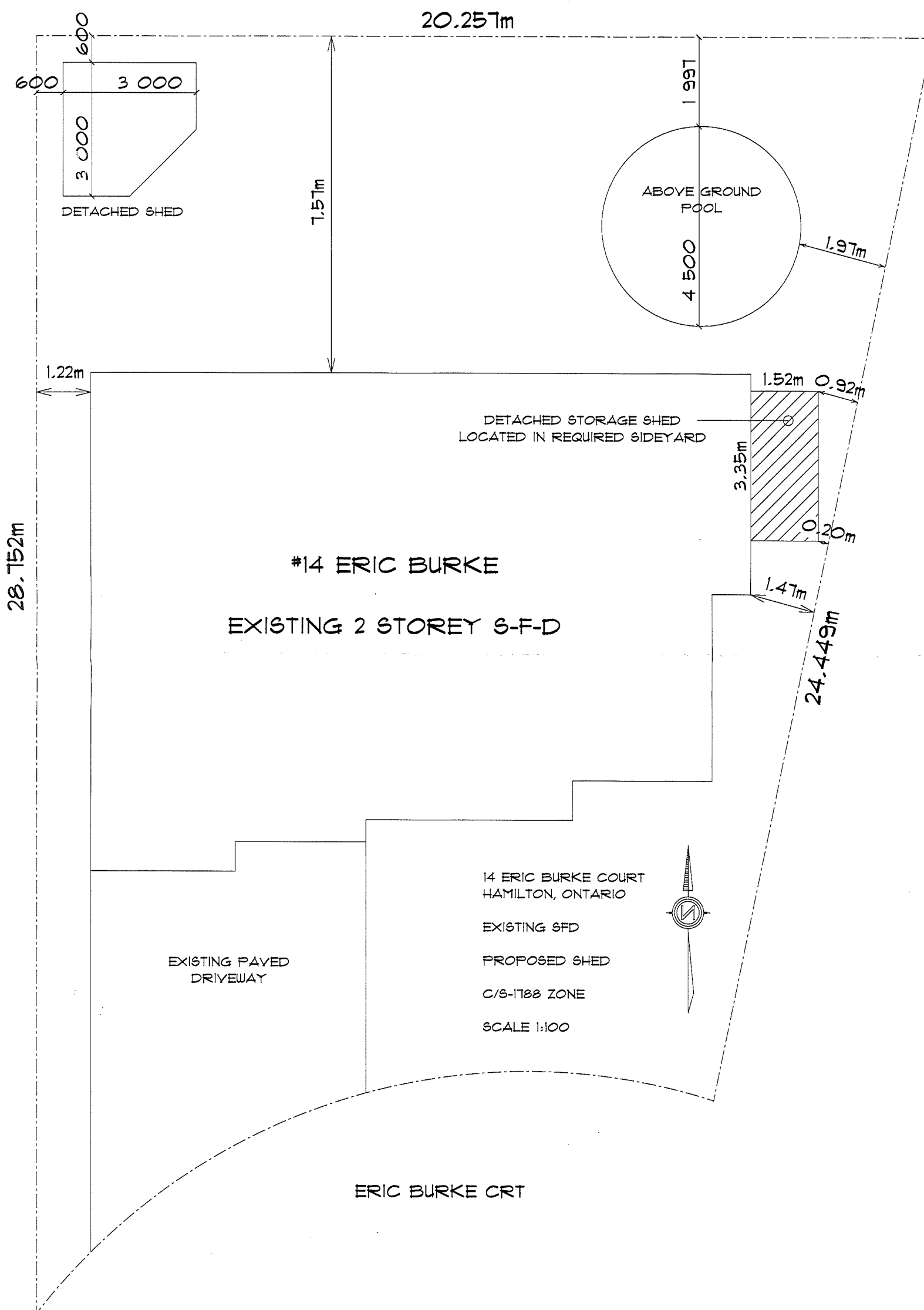
- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

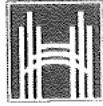
DATED: February 2nd, 2021.

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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.***





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 <u>DEC 22 2020</u>
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 GIOVANNI GANSON Telephone No. [REDACTED]  
FAX NO. \_\_\_\_\_ E-mail address. \_\_\_\_\_
2. Address [REDACTED]  
[REDACTED] Postal Code [REDACTED]
3. Name of Agent MATTEO GANSON Telephone No. [REDACTED]  
FAX NO. \_\_\_\_\_ E-mail address [REDACTED]
4. Address [REDACTED]  
[REDACTED] Postal Code \_\_\_\_\_

**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:

TD BANK  
\_\_\_\_\_  
Postal Code \_\_\_\_\_  
\_\_\_\_\_  
Postal Code \_\_\_\_\_

6. Nature and extent of relief applied for:  
TO ALLOW FOR THE ENVOUCHMENT OF A DETACHED  
STORAGE SHED, INCLUDING EAVES, ACCESSORY TO  
A S.F.D IN THE REQUIRED SIDETARD SIDETARD  
REDUCED FROM MINIMUM 1.2m TO 0.92m AND 0.20m.
7. Why it is not possible to comply with the provisions of the By-law?  
DUE TO THE LIMITED SIZE AND SPACE IN THE  
DEQUINA REAR YARD, CONSTRUCTING THE SHED  
IN THE SIDETARD ALLOWED FOR THE CONTINUED  
FULL USE AND ENJOYMENT OF THE PROPERTY.
8. Legal description of subject lands (registered plan number and lot number or other legal description and where applicable, street and street number):  
14 ERIC BURKE COURT, HAMILTON,  
LOT 82, EFFORT GARDENS, PHASE 1  
62m - 872
9. PREVIOUS USE OF PROPERTY
- Residential ☒ Industrial ☐ Commercial ☐
- Agricultural ☐ Vacant ☐
- Other \_\_\_\_\_
- 9.1 If Industrial or Commercial, specify use  
 \_\_\_\_\_
- 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 X 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?

PERSONAL KNOWLEDGE OF PROPERTY AND  
NEIGHBOURHOOD BASED ON BEING THE ORIGINAL  
OWNER OF THE HOME. NEARBY 2.5 YEARS.

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 X 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.

Dec 01/2010  
Date

Giacomo Cantoni  
Signature Property Owner

GIACOMO CANTONI  
Print Name of Owner

10. Dimensions of lands affected:

Frontage 13.974 m (CURVED FRONTAGE)  
Depth 24.449 m - 28.752 m  
Area +/- 500 m<sup>2</sup>  
Width of street UNKNOWN

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: • 2 STOREY S.F.D. W/ CONTAINED GARAGE  
APPROX 14.9m W x 11.2m D  
• A.C. SWIMMING POOL  
• STORAGE SHED - APPROX 3m x 3m

Proposed:

• ONE STOREY DETACHED STORAGE SHED LOCATED  
IN SIDEYARD - 1.52m W x 3.35m D  
x 3m H (@ PEAK)

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

Existing: SEE PLOT PLAN ATTACHED

Proposed:

SEE PLOT PLAN ATTACHED

3. Date of acquisition of subject lands:

AUGUST 2000

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

HOUSE :

SIDEYARD STORAGE THER

15. Existing uses of the subject property:

RESIDENTIAL (S.F.A.)

16. Existing uses of abutting properties:

RESIDENTIAL (S.F.A.)

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

APPROX 25+ YEARS

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

Water



Connected



Sanitary Sewer



Connected



Storm Sewers



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

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

BY-LAW NO. 6593 - C/S-1788

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