

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-21:44

APPLICANTS: Lee Paule on behalf of the owner David Kuhn

SUBJECT PROPERTY: Municipal address **162 Fernwood Cres., City of Hamilton**

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

ZONING: "C" (Urban Protected Residential and etc.) district

PROPOSAL: To permit the conversion of an existing single family dwelling to contain a two (2) dwelling units and to recognize the location of an existing accessory building (shed) notwithstanding that:

1. One parking space shall be provided instead of the minimum two (2) parking spaces.
2. The existing shed shall be permitted to be located within the required southerly side yard and shall be 0.0m from the southerly side lot line instead of the requirement that no accessory building shall be erected in a required side yard (being 1.2m).

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

DATE: Thursday, March 4th, 2021
TIME: 2:50 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

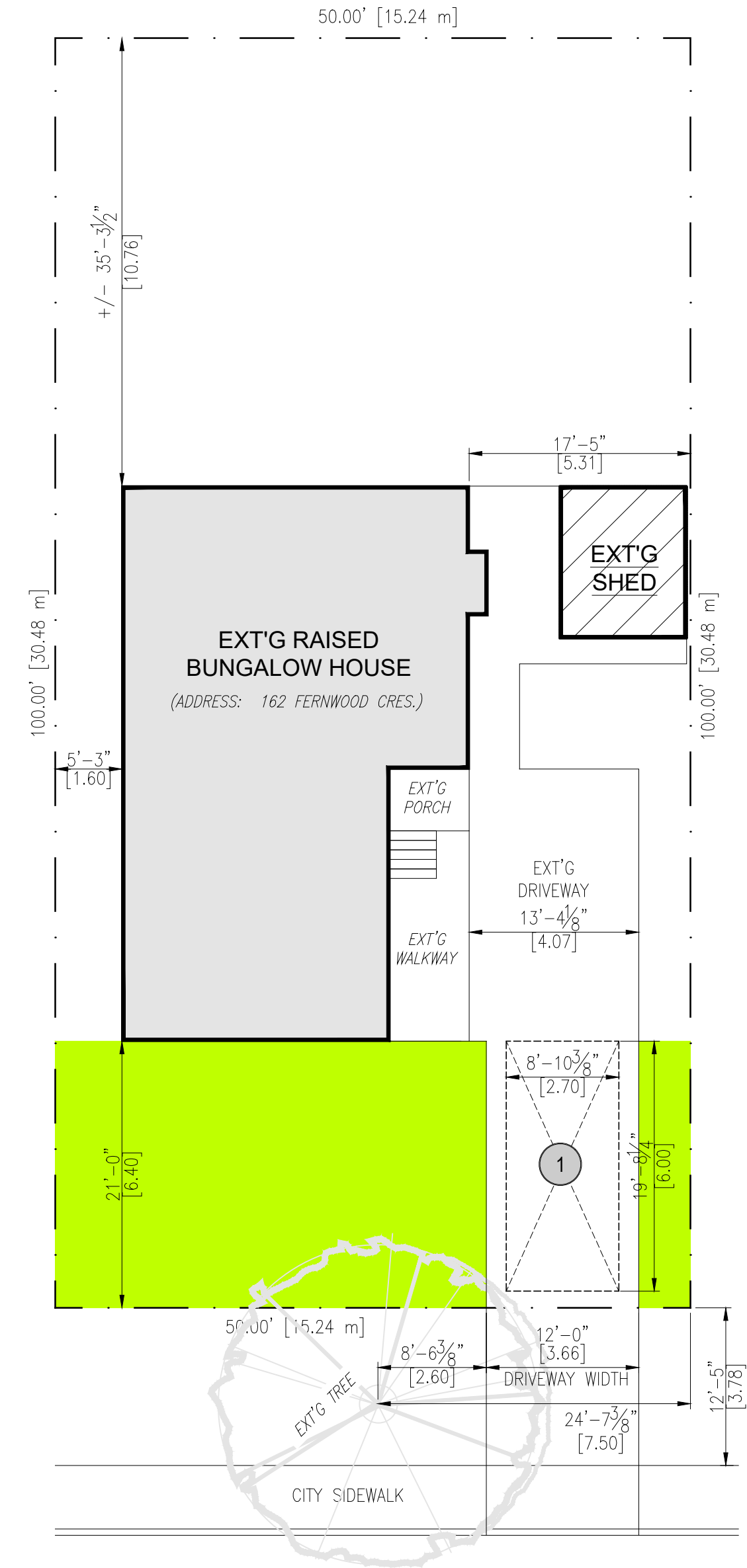
For more information on this matter, including access to drawings illustrating this request:

- 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: February 16th, 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.

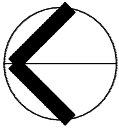


FERNWOOD CRES.

FRONT YARD LANDSCAPE
AREA REQUIREMENTS:

GROSS FRONT YARD AREA = 1050.00 ft² (97.55 m²)
AREA OF WALKWAY & DRIVEWAYS = 252.00 ft² (23.41 m²), 24.0%
FRONT YARD LANDSCAPE AREA = 670.56 ft² (74.14 m²), 76.0%

FRONTYARD LANDSCAPE AREA

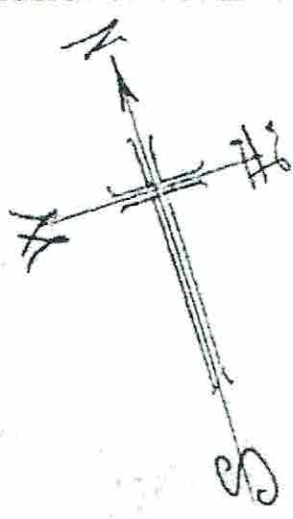


HOVING PROJECT No. 39
FENNEL GARDENS ADDITION SURVEY
Reg. Plan No. 1077
HAMILTON, ONTARIO
Scale: 1" = 30'-0"

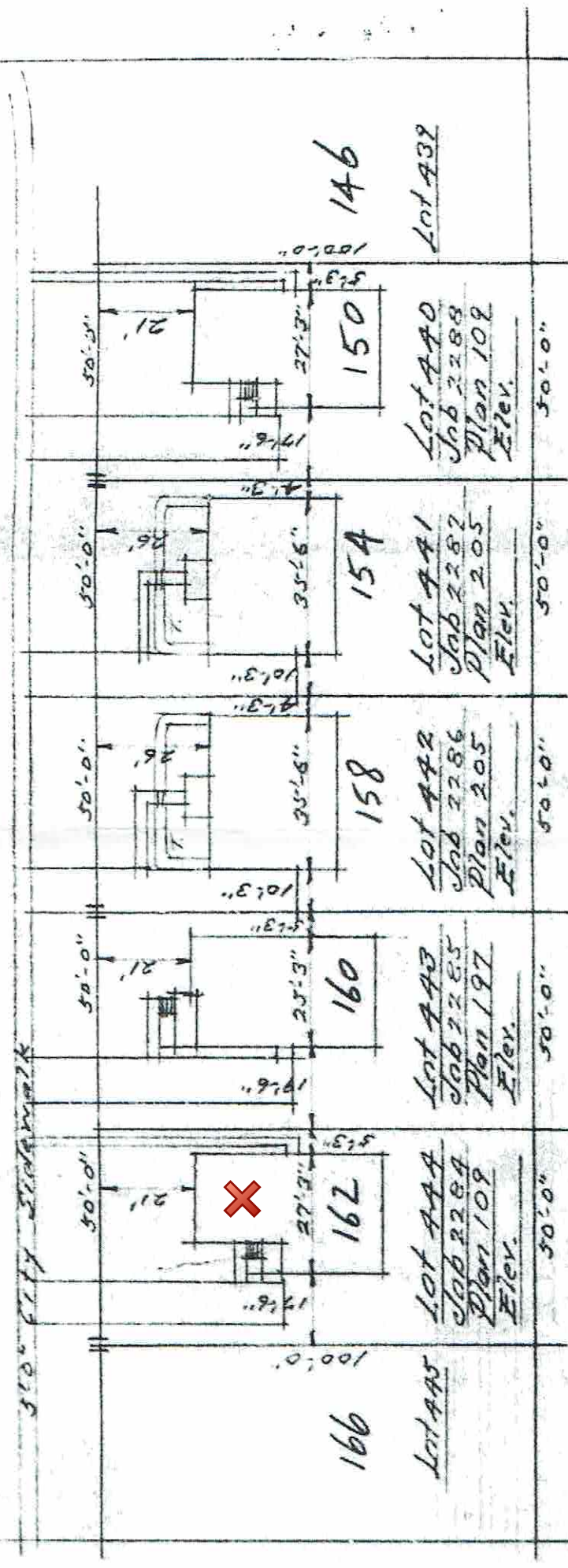
Grisenthwaite Construction Co. Ltd.
Building Contractors
637 Parkdale Ave. N.
Hamilton, Ont.

NOTES

Finished grade to be 7" above
crown of roadway taken at the
centre line of each lot.
Front entrance sidewalks 3'-0" wide.
Side or rear entrance walks 2'-0" wide.
Driveways 10' wide, crushed stone surface.



FERNWOOD (16° 39' E) CRESCENT.



June 14th 1959

APPLICATION FOR A MINOR VARIANCE

FOR OFFICE USE ONLY.

APPLICATION NO. _____ DATE APPLICATION RECEIVED _____

PAID _____ DATE APPLICATION DEEMED COMPLETE _____

SECRETARY'S
SIGNATURE _____

The Planning Act

Application for Minor Variance or for Permission

The undersigned hereby applies to the Committee
Section 45 of the *Planning Act*, R.S.O. 1990, Chapter
application, from the Zoning By-law.

1, 2	NAME	ADDRESS	
Registered Owners(s)	DAVID KUHN		
Applicant(s)*	LEE PAULE		
Agent or Solicitor			Phone:
			E-mail:

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

3. Names and addresses of any mortgagees, holders of charges or other encumbrances:

Additional sheets can be submitted if there is not sufficient room to answer the following questions. Additional sheets must be clearly labelled

4. Nature and extent of relief applied for:
TO ALLOW ONE PARKING SPACE ON THE SUBJECT PROPERTY WHICH IS A PROPOSED 2 FAMILY DWELLING.
5. Why it is not possible to comply with the provisions of the By-law?
URBAN FOREST HEALTH TECHICIAN WILL NOT ALLOW DRIVEWAY WIDENING TO THE WIDTH REQUIRED FOR 2 CAR PARKING DUE TO CLOSE PROXIMITY TO EXISTING CITY OWNED TREE.
6. Legal description and Address of subject lands (registered plan number and lot number or other legal description and where applicable, **street and street number**):
162 FERNWOOD CRES.

7. PREVIOUS USE OF PROPERTY

Residential ☒ Industrial ☐ Commercial ☐

Agricultural ☐ Vacant ☐

Other _____

- 8.1 If Industrial or Commercial, specify use _____
- 8.2 Has the grading of the subject land been changed by adding earth or other material, i.e. has filling occurred?
Yes ☐ No ☒ Unknown ☐
- 8.3 Has a gas station been located on the subject land or adjacent lands at any time?
Yes ☐ No ☒ Unknown ☐
- 8.4 Has there been petroleum or other fuel stored on the subject land or adjacent lands?
Yes ☐ No ☒ Unknown ☐
- 8.5 Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?
Yes ☐ No ☒ Unknown ☐
- 8.6 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 ☐
- 8.7 Have the lands or adjacent lands ever been used as a weapon firing range?
Yes ☐ No ☒ Unknown ☐
- 8.8 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 ☐
- 8.9 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 ☐

8.10 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 ☐

8.11 What information did you use to determine the answers to 9.1 to 9.10 above?

HOMEOWNER IS A LONG TIME RESIDENCE IN HAMILTON AND IT IS BASE ON THEIR ASSUMPTION.

8.12 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 ☐

9. 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.

2021-01-08

Date

David Kuhn

Signature Property Owner

DAVID KUHN

Print Name of Owner

10. Dimensions of lands affected:

Frontage	<u>50'-0"</u>
Depth	<u>100'-0"</u>
Area	<u>5000 SQFT</u>
Width of street	<u>+/- 20'-0"</u>

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: _

1 STOREY SINGLE FAMILY RAISED BRICK BUNGALOW

G.F.A. = 1068.18 SQFT

WIDTH = 27'-5", LENGTH = 43'-9", HEIGHT = 17'-5"

NORTH SETBACK = 5'-3", SOUTH = 17'-6", WEST = 21'-0", EAST = 35'-2"

Proposed

2 FAMILY DWELLING

UNIT #1 G.F.A. = 1066.39 SQFT (99.07 SQM)

UNIT #2 G.F.A. = 700.0 SQFT (65.0 SQM)

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

Existing:

1 STOREY SINGLE FAMILY RAISED BRICK BUNGALOW

G.F.A. = 1068.18 SQFT

WIDTH = 27'-5", LENGTH = 43'-9", HEIGHT = 17'-5"

NORTH SETBACK = 5'-3", SOUTH = 17'-6", WEST = 21'-0", EAST = 35'-2"

Proposed:

2 FAMILY DWELLING

UNIT #1 G.F.A. = 1066.39 SQFT (99.07 SQM)

UNIT #2 G.F.A. = 700.0 SQFT (65.0 SQM)

13.

Date of acquisition of subject lands:
UNKNOWN
-
14.

Date of construction of all buildings and structures on subject lands:
UNKNOWN
-
15.

Existing uses of the subject property:
SINGLE FAMILY DWELLING
16.

Existing uses of abutting properties:
SINGLE FAIly DWELLING
17.

Length of time the existing uses of the subject property have continued:
UNKNOWN
18.

Municipal services available: (check the appropriate space or spaces)
Water X Connected X
Sanitary Sewer X Connected X
Storm Sewers X
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.
22.

Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*?

☐ Yes

☒ No
23.

Additional Information
24.

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.