

## **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-21:45

**APPLICANTS:** Prem Tewari on behalf of the owner Peter Junor

**SUBJECT PROPERTY:** Municipal address **1388 Upper Wellington St., Hamilton**

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

**ZONING:** "AA" and "C/S-1788" (Agricultural District and Urban Protected Residential) district

**PROPOSAL:** To permit the construction of a roofed-over unenclosed porch (roofed-over deck) at the rear of the existing single family dwelling, notwithstanding,

1. A minimum side yard width of 3.0 metres shall be provided instead of providing the minimum required side yard width of 4.5 metres.

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

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**DATE:** Thursday, March 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)

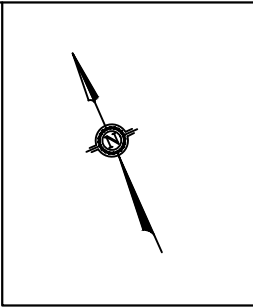
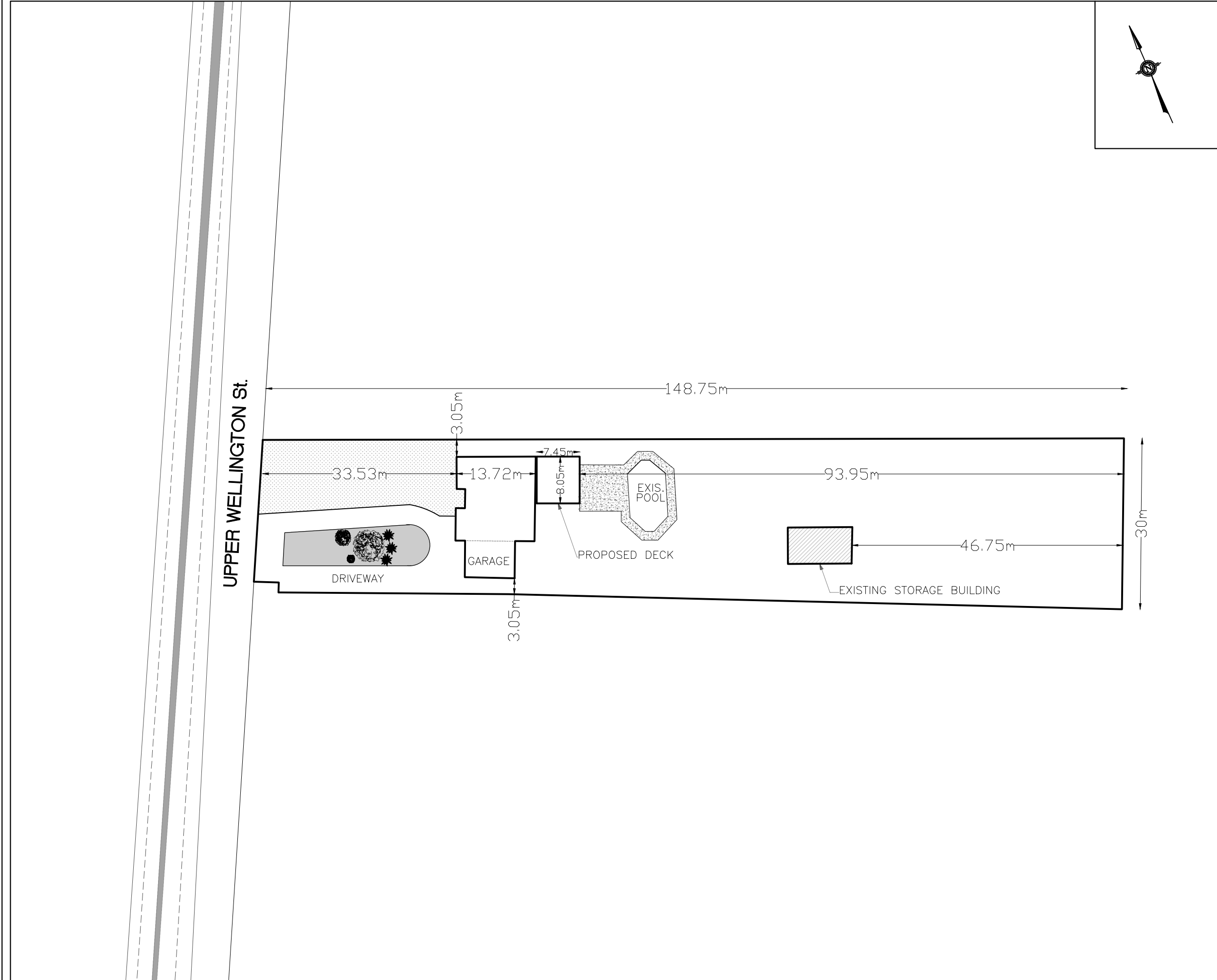
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

DATED: February 16th, 2021.

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Jamila Sheffield,  
Secretary-Treasurer  
Committee of Adjustment

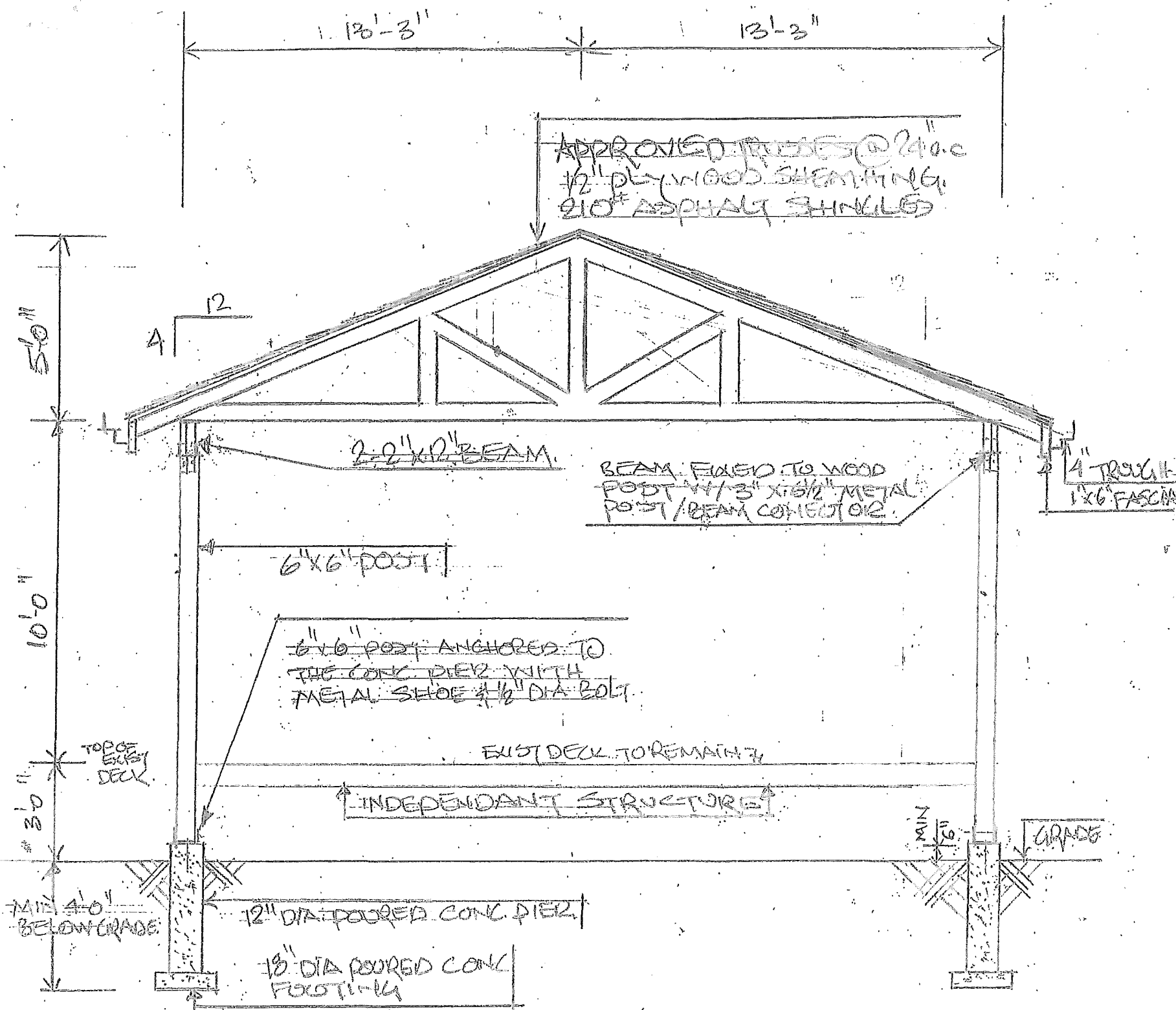
***Information respecting this application is being collected under the authority of the Planning Act, R.S.O., 1990, c. P. 13. All comments and opinions submitted to the City of Hamilton on this matter, including the name, address, and contact information of persons submitting comments and/or opinions,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



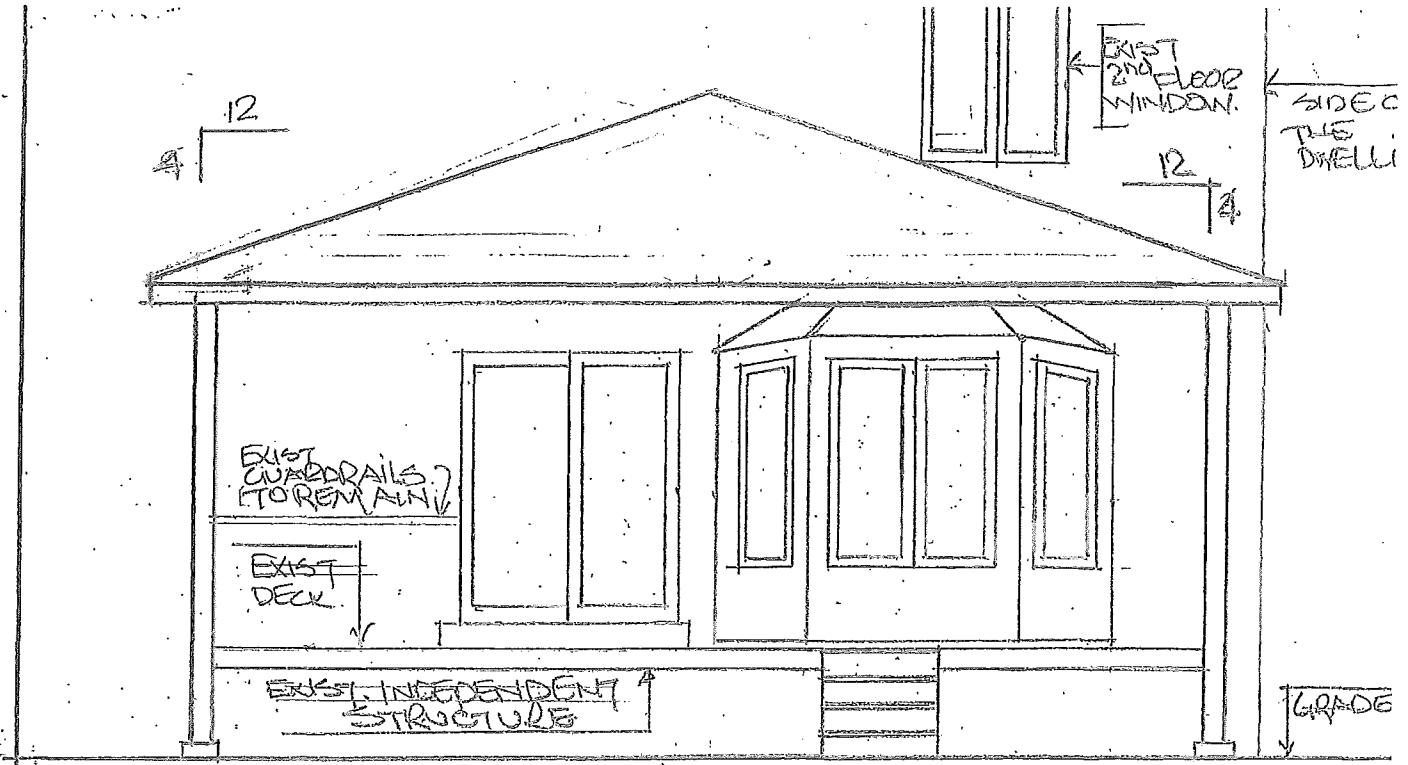
KEY PLAN

No.	Date	By	Revisions		Date
Design	P.T.	Chk'd	P.T.		
Drawn	P.T.	Chk'd	P.T.		
Scale					References
1:200m HOR					
Field Notes					
Manager of Development Services					Bell <input type="checkbox"/> Hydro <input type="checkbox"/> Gas <input type="checkbox"/> Cable <input type="checkbox"/> Traf. <input type="checkbox"/> Water <input type="checkbox"/>
REGIONAL DESIGN OF SANITARY & WATER SERVICES APPROVED SUBJECT TO DETAIL CONSTRUCTION CONFORMING TO CITY OF HAMILTON STANDARDS & SPECIFICATIONS & LOCATION APPROVAL.					Stamp 
Planning & Economic Development					

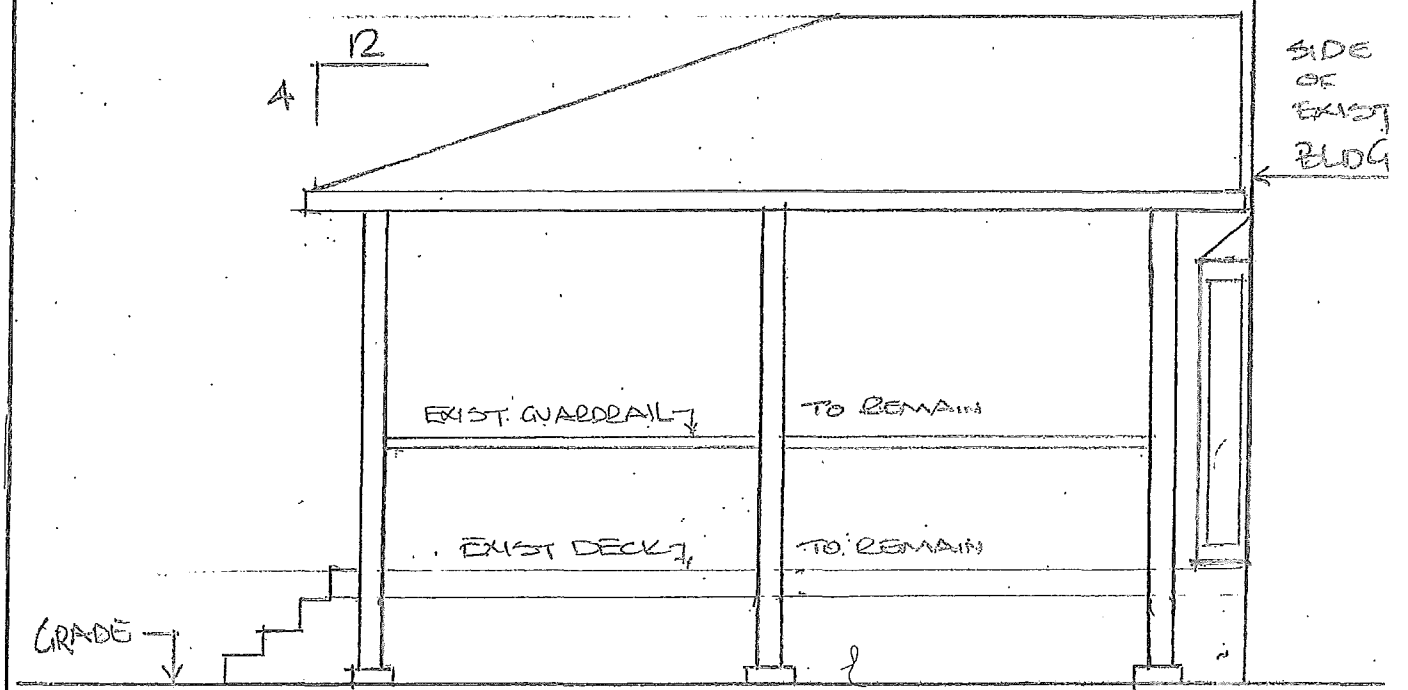
IDM (2005) CONSULTANTS INC. 5325 HARVESTER ROAD BURLINGTON, ONTARIO 5K4 L7L TEL. 905-928-2542	
Municipality  1388 UPPER WELLINGTON St. CITY OF HAMILTON	
Title  SITE PLAN	
Municipal Drawing No.	SCALE
Regional Drawing No.	1 : 25
Project No.	SHEET 1 OF 1




CROSS SECTION  
 SCALE: 1/4" = 1'-0"



FRONT ELEVATION SCALE: 3/16" = 1'-0"



SIDE ELEVATION SCALE: 3/16" = 1'-0"

N. GRUEVSKI  BCIN: 35137  
 1388 UPPER WELLINGTON ST. HAMILTON  
 SCALE: AS NOTED DRAWN BY: N.G.  
 DATE: JULY 2020 DRAWING 1 OF 2

EXIST. BASEMENT

NOTES:

EXIST. DECK TO REMAIN

NEW ROOF CONSTRUCTION  
TO BE DONE ON SEPARATE  
PIERS AND NOT ATTACHED  
TO THE EXIST. DWELLING.

12" DIA. POURED CONC.  
PIERS WITH 6" x 6"  
POSTS ANCHORED WITH  
A METAL SHOE

LINE OF THE EXIST. DECK

FOUNDATION FLOOR PLAN SCALE: 1/4" = 1'-0"

NOTES:

THE ROOF OVER EXISTING DECK IS TO  
BE CONSTRUCTED ON INDEPENDANT  
12" DIA. POURED CONC. PIERS AND 6" x 6"  
POSTS ANCHORED TO THE PIERS WITH  
METAL SHOES

EXIST. 1ST FLOOR

EXIST. BAY  
WINDOW

ROOF NOT TO  
BE ATTACHED  
TO THE WALL

NOTE:

EXIST. DECK TO REMAIN

APPROVED

TRUSSES @ 24" O.C.

6" x 6" POSTS

BEAM 2-2' x 12"

EXIST. GUARDRAILS

EXIST. STEPS

GROUND FLOOR PLAN SCALE: 1/4" = 1'-0"

N. G. VESECI  BIN: 35137

1388 UPPER WELLINGTON ST - HAMILTON

SCALE: AS NOTED DRAWN BY: N. G.

DATE: JULY 1/2020

DRAWING 2 OF 2

## APPLICATION FOR A MINOR VARIANCE

<b>FOR OFFICE USE ONLY.</b>	
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 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, 2	NAME	ADDRESS	
Registered Owners(s)	<i>Peter Juro</i>	[REDACTED]	Phone: [REDACTED] E-mail: [REDACTED]
Applicant(s)*	<i>Prem Tewari</i>	[REDACTED]	Phone: [REDACTED] E-mail: [REDACTED]
Agent or Solicitor	<i>Same as above</i>		Phone: [REDACTED] E-mail: [REDACTED]

**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:  
Side Yard set back from 14 ft to 10 ft
5. Why it is not possible to comply with the provisions of the By-law?  
The existing house is built 10 ft from the property line and the proposed deck will be built in line with the outside of the house
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**):  
PT LT 13, CON 7 BARTON , PART 1, 2 & 4 , 62R7330  
1388 Upper Wellington St
7. PREVIOUS USE OF PROPERTY
- |              |                                     |            |                          |            |                          |
|--------------|-------------------------------------|------------|--------------------------|------------|--------------------------|
| Residential  | <input checked="" type="checkbox"/> | Industrial | <input type="checkbox"/> | Commercial | <input type="checkbox"/> |
| Agricultural | <input type="checkbox"/>            | Vacant     | <input type="checkbox"/> |            |                          |
- 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?

Local Knowledge

- 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.

\_\_\_\_\_

Date

\_\_\_\_\_  
Signature Property Owner

Peter Junor  
\_\_\_\_\_  
Print Name of Owner

10. Dimensions of lands affected:

Frontage 98 ft  
Depth 498 ft  
Area 48,804 sq ft ( 1.04 Acres)  
Width of street 66 ft

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: \_

Main House: Floor Area = 3600 sq ft; Two stories; L = 46 ft; Width = 39 ft; Ht = 18 ft  
Steel Shed at the rear: 20 ft x 20 ft x 10 ft high

Proposed

Proposed Shed: 24 ft long x 24 ft wide x 18 ft high

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 Yard Set back = 110 ft;  
Side Yard Setback = 10 ft on both sides  
Rear Yard Setback = 331 ft

Proposed:

Rear Yard set back = 307 ft  
South Setback = 10 ft  
North Setback = 23 ft  
Front set back = 110 ft



13. Date of acquisition of subject lands:  
April 2020
14. Date of construction of all buildings and structures on subject lands:  
30 years old
15. Existing uses of the subject property:  
Single Family Residential
16. Existing uses of abutting properties:  
Single family homes
17. Length of time the existing uses of the subject property have continued:  
App. 30 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:  
Single Family Residential
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.