



Hamilton

**COMMITTEE OF ADJUSTMENT**

City Hall, 5<sup>th</sup> floor, 71 Main Street West, Hamilton, ON L8P 4Y5  
Telephone (905) 546-2424, ext. 4221, 3935 Fax (905) 546-4202  
E-mail: [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

**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
- 

**APPLICATION NO.:** HM/A-21:60

**APPLICANTS:** Owner Jeff Xuereb  
Agent Sadee Piper

**SUBJECT PROPERTY:** Municipal address **1085 Queensdale Ave. E., Hamilton**

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

**ZONING:** C district (Urban Protected Residential)

**PROPOSAL:** To permit the conversion of an existing single-family dwelling under Section 19 to contain a maximum of two (2) dwelling units and the construction of a front porch notwithstanding that;

1. A minimum front yard landscaped area of 30 % shall be provided instead of the requirement in the By-Law which states that no less than 50 % of the gross area of the front yard shall be used for a landscaped area; and

2. The external appearance and character of the dwelling shall be disturbed through the construction of a front porch notwithstanding that the By-Law states that the external appearance and character of the dwelling shall be preserved.

Notes:

Variance # 1 has been written as requested by the applicant.

The area occupied by parking, maneuvering and access driveway shall occupy not occupy more than 50 % of the gross area of the front yard. No details provided to determine compliance; therefore, further variances may be required.

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

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**DATE:** Thursday, March 18th, 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](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: March 2<sup>nd</sup>, 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.***

PROPERTY INFORMATION Variance #:		
BY-LAW SECTION	ALLOWED	PROPOSED
ZONE	C	same
PROPERTY SIZE	360 m2	524 m2
LOT WIDTH	12 m	12.2 m
MAXIMUM HEIGHT	11 m	9.0 m
FRONT SETBACK	6 m	5.2 m
LEFT SETBACK	1.2 m	1.8 m
RIGHT SETBACK	1.2 m	3.4 m
REAR SETBACK	7.5 m	24.93 m
AREA OF WORK		

LINE LEGEND	
LINE TYPE	SYMBOL
PROPERTY	----
SETBACK	- - - -
BUILDING	=====
ROOF LINE	- . - . - .
ADDITION	////
SILT FENCE	==
HOARDING	==

GENERAL NOTES	
TYPE	DESCRIPTION
DIMENSIONS	SITE PLAN IS METRIC. ALL OTHER DRAWINGS ARE IMPERIAL. ALL DIMENSIONS ARE TO THE WOOD STUD, UNLESS TO BRICK.
AREAS	GROSS FLOOR AREA IS TO THE EXTERIOR OF WALLS. ALL OTHER AREAS ARE TO THE INTERIOR OF WALLS.

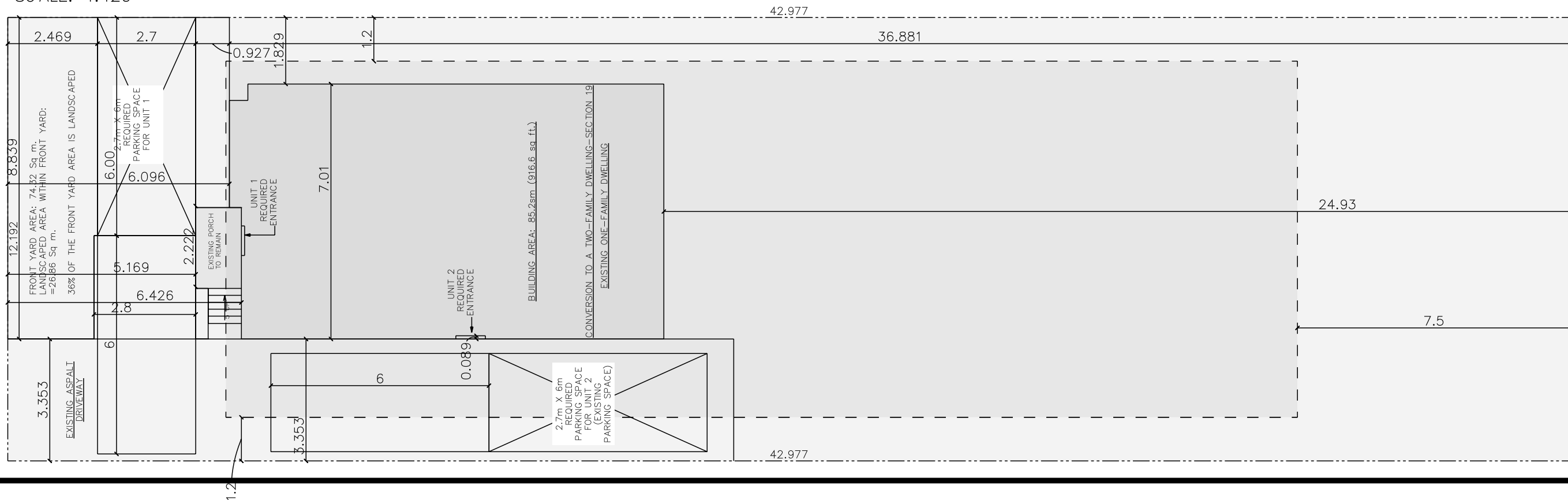
AREA SCHEDULE	
NAME	AREA
Unit 1 FA	1139 sq ft.=105.8 m2
Unit 2 FA	751 sq ft.=69.8 m2

## PROPERTY INFORMATION

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

## SITE

SCALE: 1:120



BCIN Stamp:

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 be a designer.

Qualification Information required under Div. C, Part 3 of the 2012 OBC

Daniel J. Ott 35686  
Name Signature BCIN

White Willow Designs, Inc. 46597  
Company BCIN



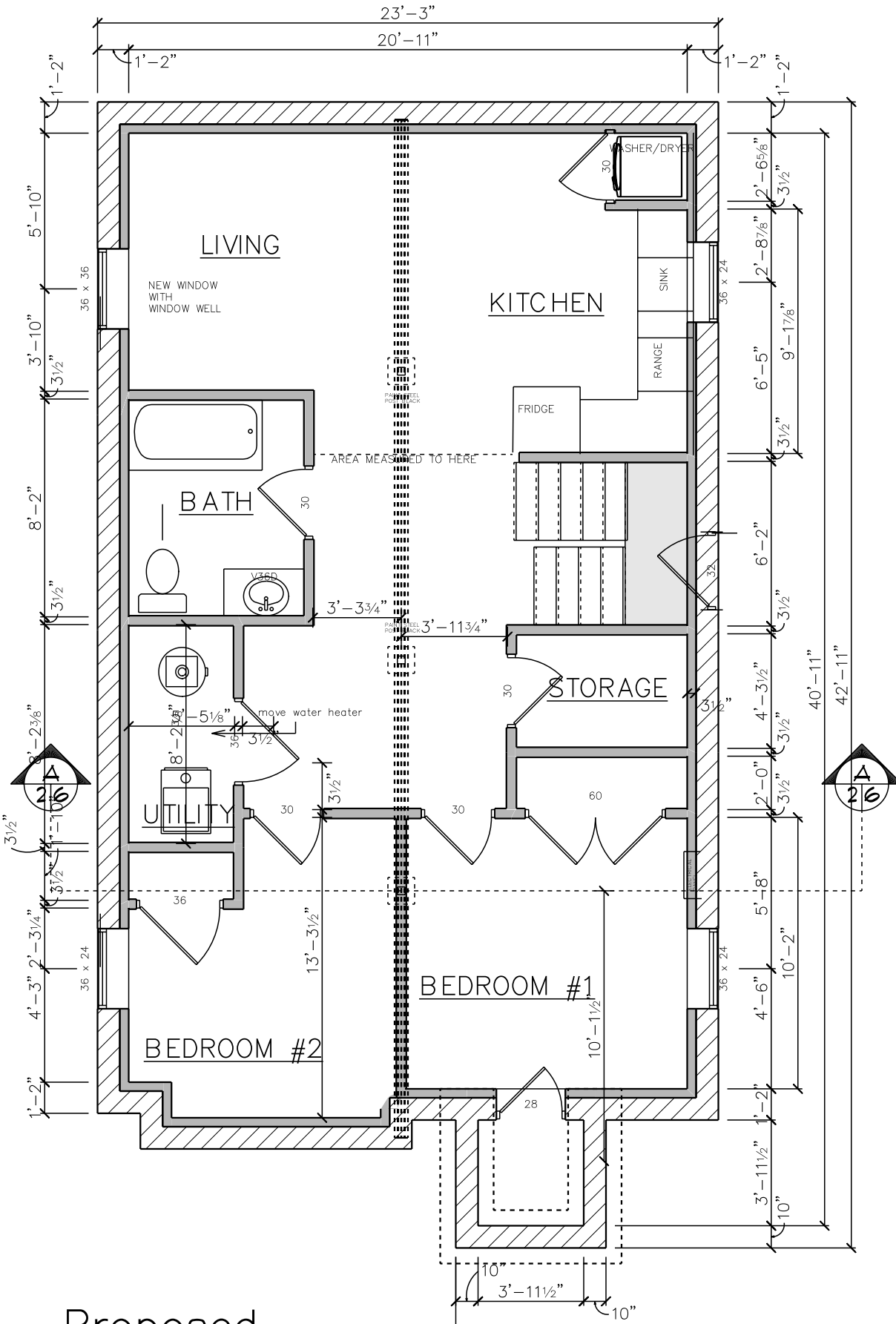
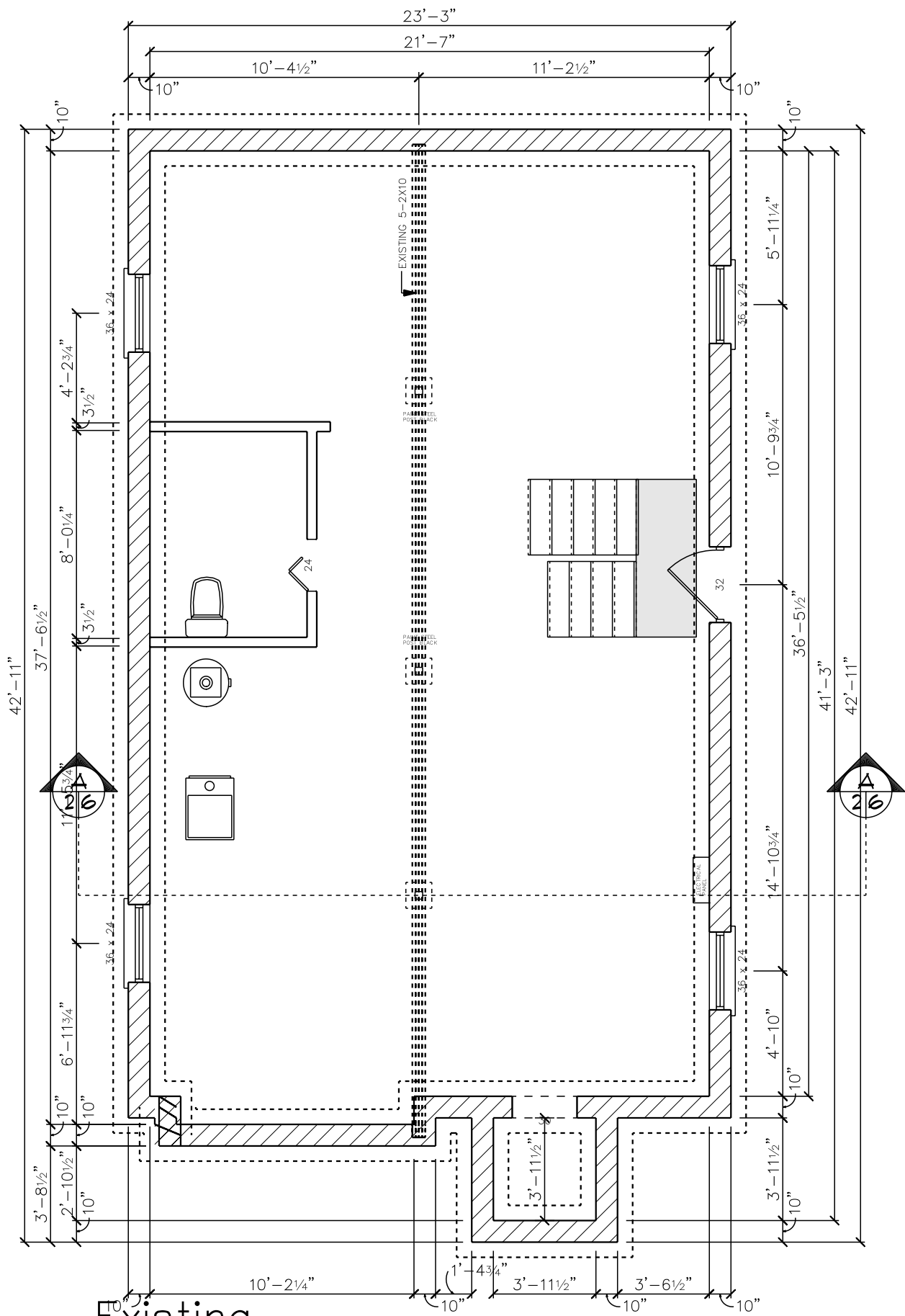
**WhiteWillow**  
DESIGN

439 Bay St N  
Hamilton, ON | L8L 1N2  
C: 905-220-9419

E: daniel@whitewillowdesign.ca

NO.	DATE:	ISSUE / REVISION
1	2021.01.02	MV Application

design by:	drawn by:	approved by:	scale:
S.P.	D.O.	D.O.	As Noted
Project: Xuereb			
1085 Queensdale Ave. E. Hamilton ON			
Sheet Title: SP-01			
page 1 of 6			



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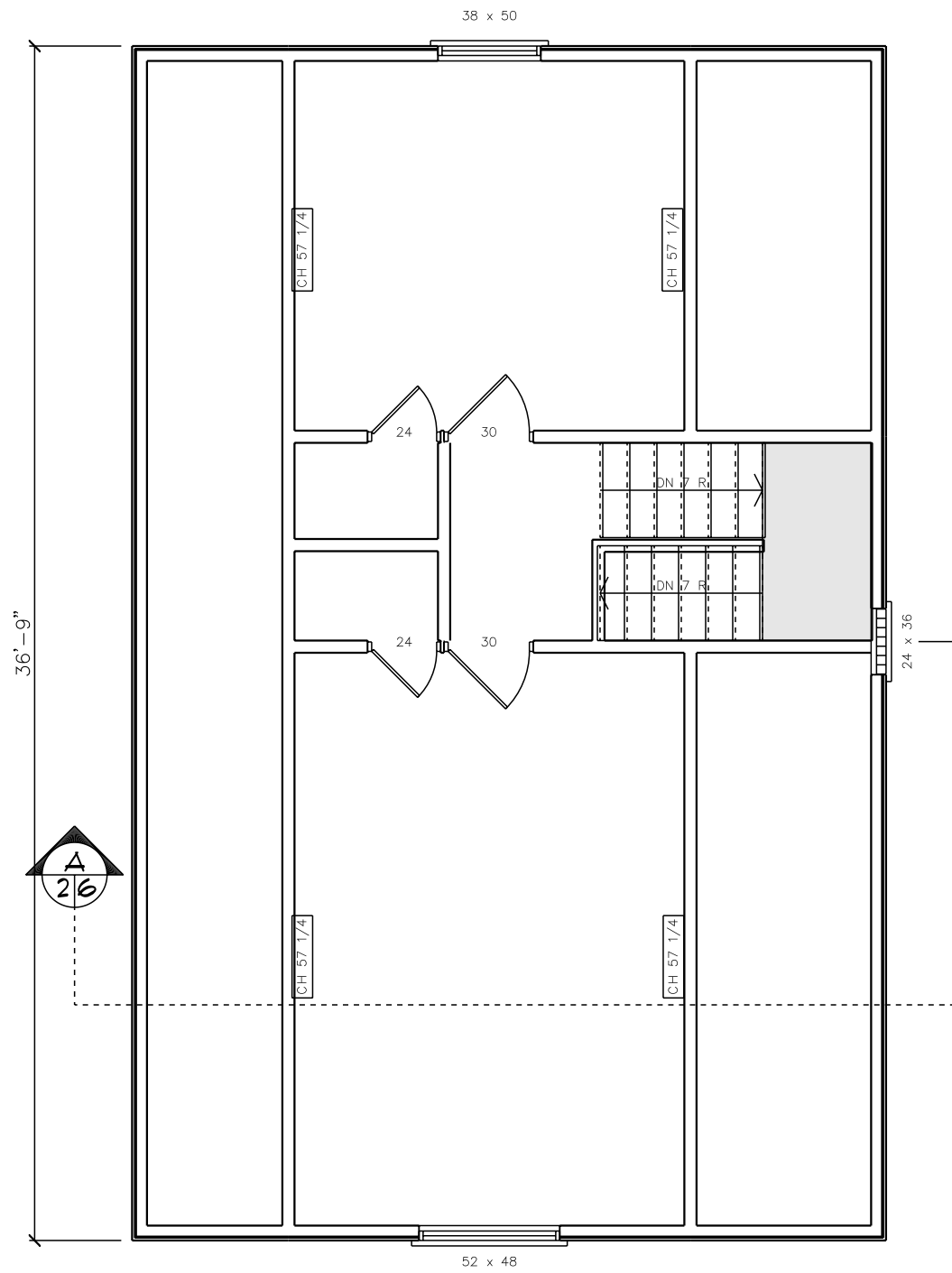
design by: **S.P.** approved by: **D.O.** date: 2/4/2021 scale: As Noted

Project: **Xuereb**  
1085 Queensdale Ave. E. Hamilton ON

Sheet Title: **A1.0 Level 0**

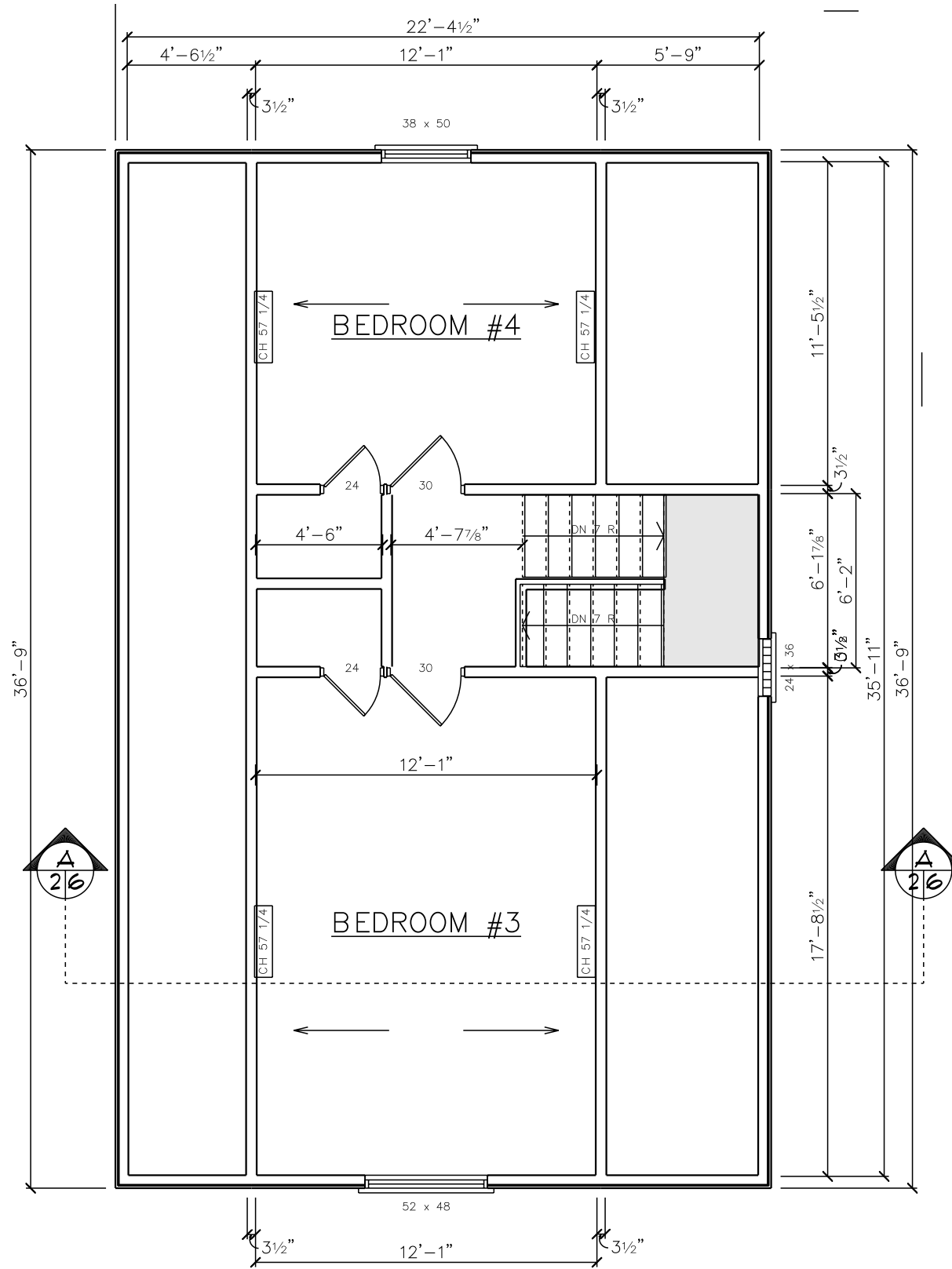
page 2 of 6





Existing

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



Proposed

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

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Company BCIN



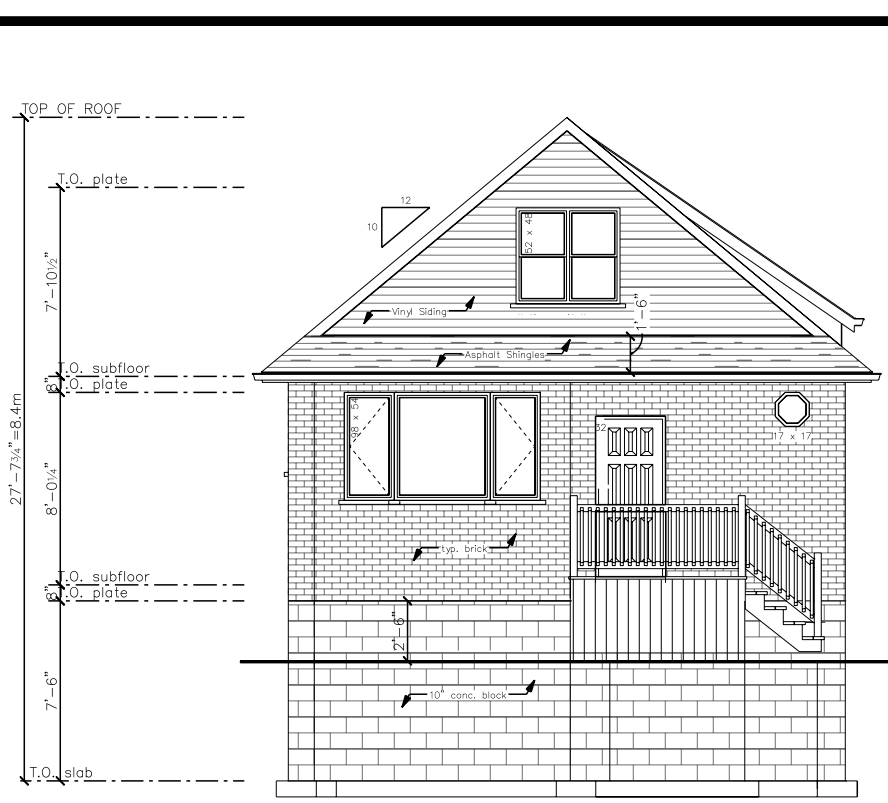
**White Willow**  
DESIGN

439 Bay St N  
Hamilton, ON | L8L 1N2  
C: 905-220-9419

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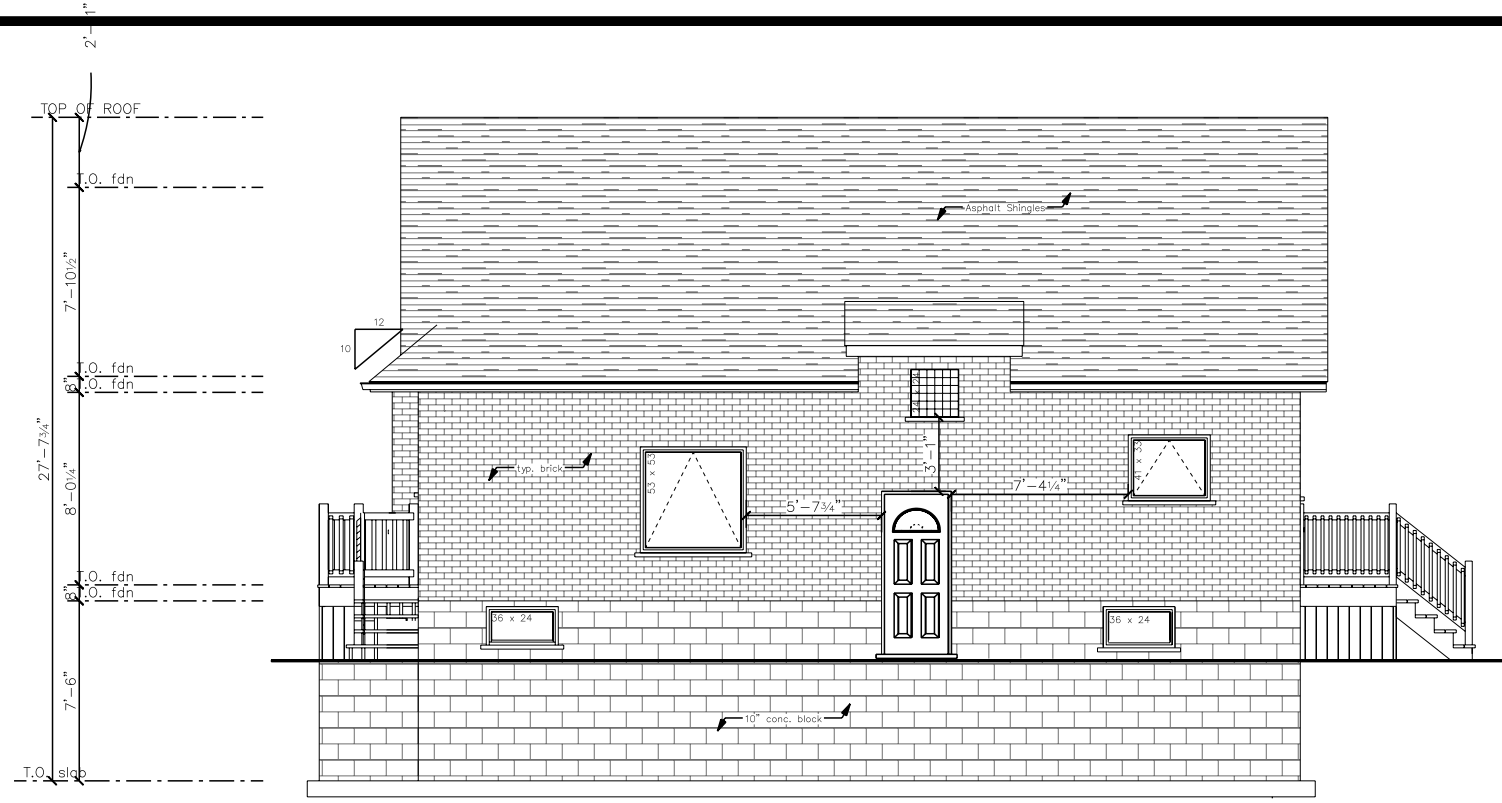
NO.	DATE:	ISSUE / REVISION
1	2021.01.02	MV Application

design by:	S.P.	approved by:	D.O.	date:	2/4/2021	scale:	As Noted
Project:	Xuereb			1085 Queensdale Ave. E. Hamilton ON			
Sheet Title:	A1-02 Level 2						



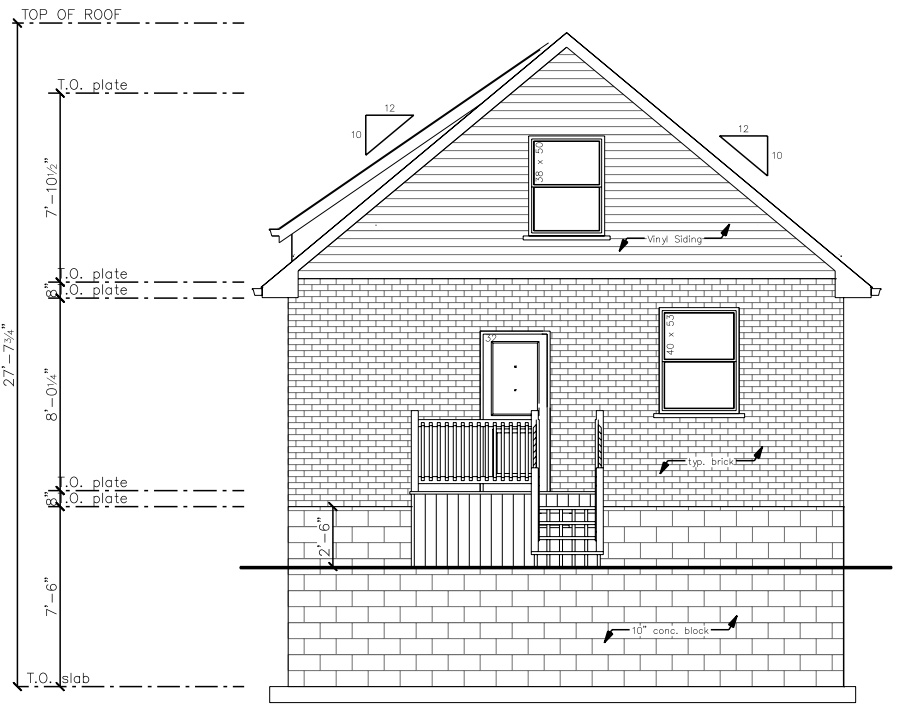
### FRONT ELEVATION

SCALE: 1/8" = 1'-0"



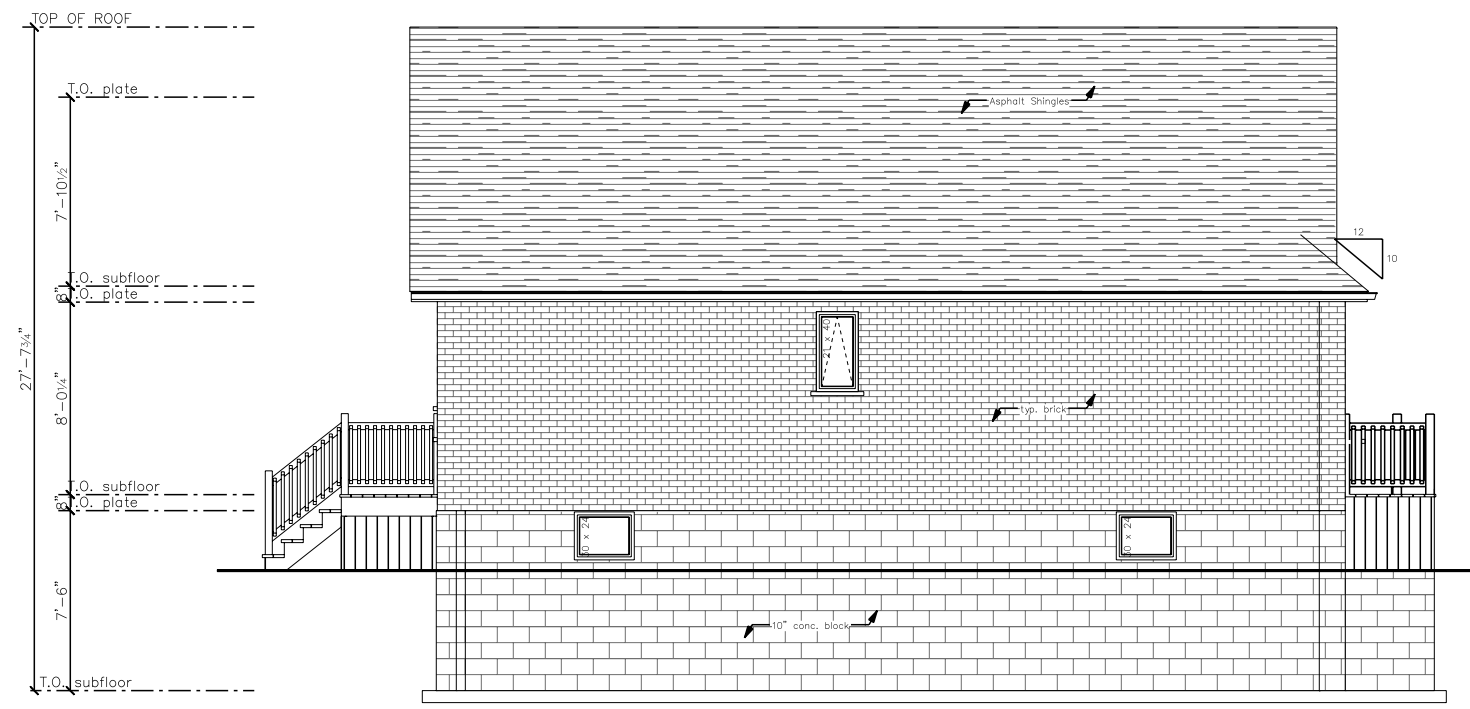
### RIGHT ELEVATION

SCALE: 1/8" = 1'-0"



### REAR ELEVATION

SCALE: 1/8" = 1'-0"



### LEFT ELEVATION

SCALE: 1/8" = 1'-0"

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Name Signature BCIN

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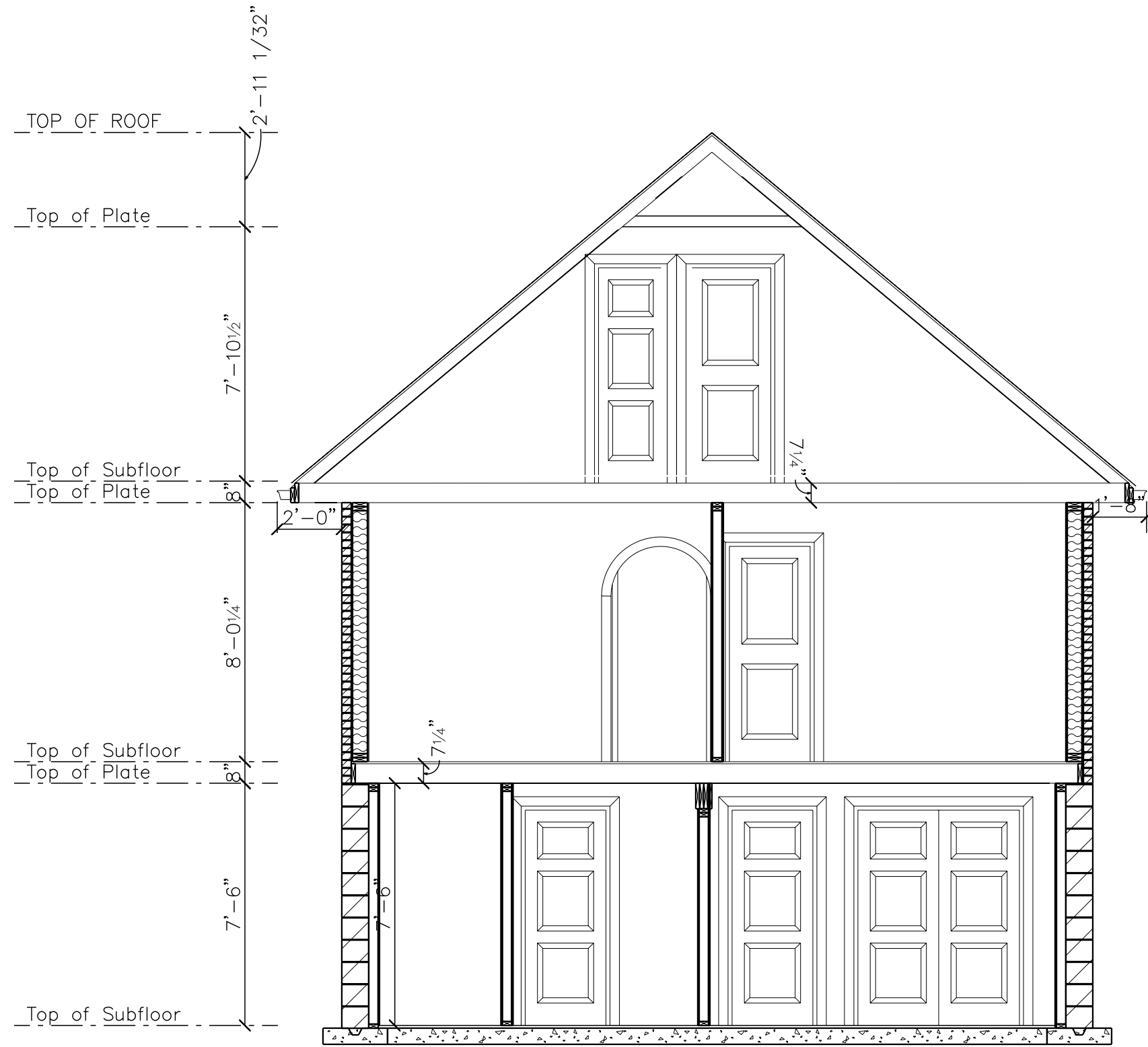
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E: daniel@whitewillowdesign.ca

NO.	DATE:	ISSUE / REVISION
1	2021.01.02	MV Application

design by:	drawn by:	approved by:	scale:
	S.P.	D.O.	As Noted
date:	2/4/2021		
Project:	Xuerb		
	1085 Queensdale Ave. E. Hamilton ON		
Sheet Title:	A2.0 Elevation		
	page 5 of 6		



**A**  
2/6

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

BCIN Stamp:  
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Qualification Information required under Div. C, Part 3 of the 2012 OBC  
Daniel J. Ott 35686  
Name Signature BCIN  
White Willow Designs, Inc. 46597  
Company BCIN



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C: 905-220-9419  
E: daniel@whitewillowdesign.ca

NO.	DATE:	ISSUE / REVISION
1	2021.01.02	MV Application

design by: **S.P.** approved by: **D.O.** date: 2/4/2021 scale: 1/4" = 1'-0"  
Project: **Xuereb** 1085 Queensdale Ave. E. Hamilton ON  
Sheet Title: **A3.0 Section** page 6 of 6





**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.**

<b>FOR OFFICE USE ONLY.</b>	
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.

- Name of Owner Jeff Xuereb Telephone No. \_\_\_\_\_  
FAX NO. 708-5000 E-mail address \_\_\_\_\_
- 
- 
- 

**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:  
\_\_\_\_\_  
\_\_\_\_\_  
Postal Code \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Postal Code \_\_\_\_\_

6. Nature and extent of relief applied for:

- Front yard landscaped area reduced from 50% to 30%

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

Existing conditions of the site do not permit.

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

1085 Queensdale Ave E. Hamilton

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  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?

online B Homeowner

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.

Jan 26 / 21  
Date

[Signature]  
Signature Property Owner

Jeff Swereb  
Print Name of Owner

10. Dimensions of lands affected:

Frontage See attached  
Depth drawings  
Area \_\_\_\_\_  
Width of street \_\_\_\_\_

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: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Proposed: \_\_\_\_\_

13. Date of acquisition of subject lands: \_\_\_\_\_

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

15. Existing uses of the subject property: \_\_\_\_\_

16. Existing uses of abutting properties: Residential

Single Family Detached Dwellings

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

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

Water   X   Connected \_\_\_\_\_

Sanitary Sewer   X   Connected \_\_\_\_\_

Storm Sewers   X   \_\_\_\_\_

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

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

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

referred to in Section 5 and be accompanied by the appropriate fee in cash or by cheque made payable to the City of Hamilton.