

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.: SC/A-21:127

APPLICANTS: Owner 5000933 Ontario Inc.
Agent Allan Buist

SUBJECT PROPERTY: Municipal address **8 Sauvignon Cres., Stoney Creek**

ZONING BY-LAW: Zoning By-law 3692-92, as Amended by By-law 13-130

ZONING: R3-40 district (Single Residential)

PROPOSAL: To permit the establishment of a new single detached dwelling notwithstanding that:

1. The rear yard shall be 4.9 metres instead of the minimum required 6.0 metres as per Committee of Adjustment Application SC/A-20:198.
2. The maximum lot coverage shall be 48% instead of the maximum required 45% as per Committee of Adjustment Application SC/A-20:198

NOTES:

1. The residential lot known as 8 Sauvignon Crescent was created by Part Lot Control removal under By-law 20-243, and passed by City Council on November 24, 2020. The residential parcel was designated as Part 2 on Reference Plan 62R-21489.
2. The variance was written as requested by the applicant.
3. The property is zoned R3-40 in Stoney Creek Zoning By-law 3692-92. The R3-40 Zone was created under amending Bylaw 13-130 and includes special provisions for the minimum front yard and minimum rear yard.
4. Committee of Adjustment Application SC/A-20:198 was approved October 22, 2020 to permit modifications to the minimum lot areas for interior and corner lots; minimum side yards; maximum lot coverage and the minimum rear yard. The decision is now final and binding.
5. A further variance will be required if a minimum of two (2) parking spaces are not provided for each single detached dwelling. Please note; a minimum parking space size of 2.75 metres in width and 5.8 metres in length is required to be provided except for a parking space contained within a private residential garage is required to provide an unobstructed area measuring 3.0 metres in width and 6.0 metres in length.
6. A further variance will be required if the eaves and gutters project greater than 0.5 metres into any required yard.
7. A further variance will be required if a canopy, unenclosed porch or deck, including steps, project greater than 1.5 metres into a required front yard or 4.0 metres into a required rear yard.

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

DATE:	Thursday, May 20th, 2021
TIME:	1:45 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

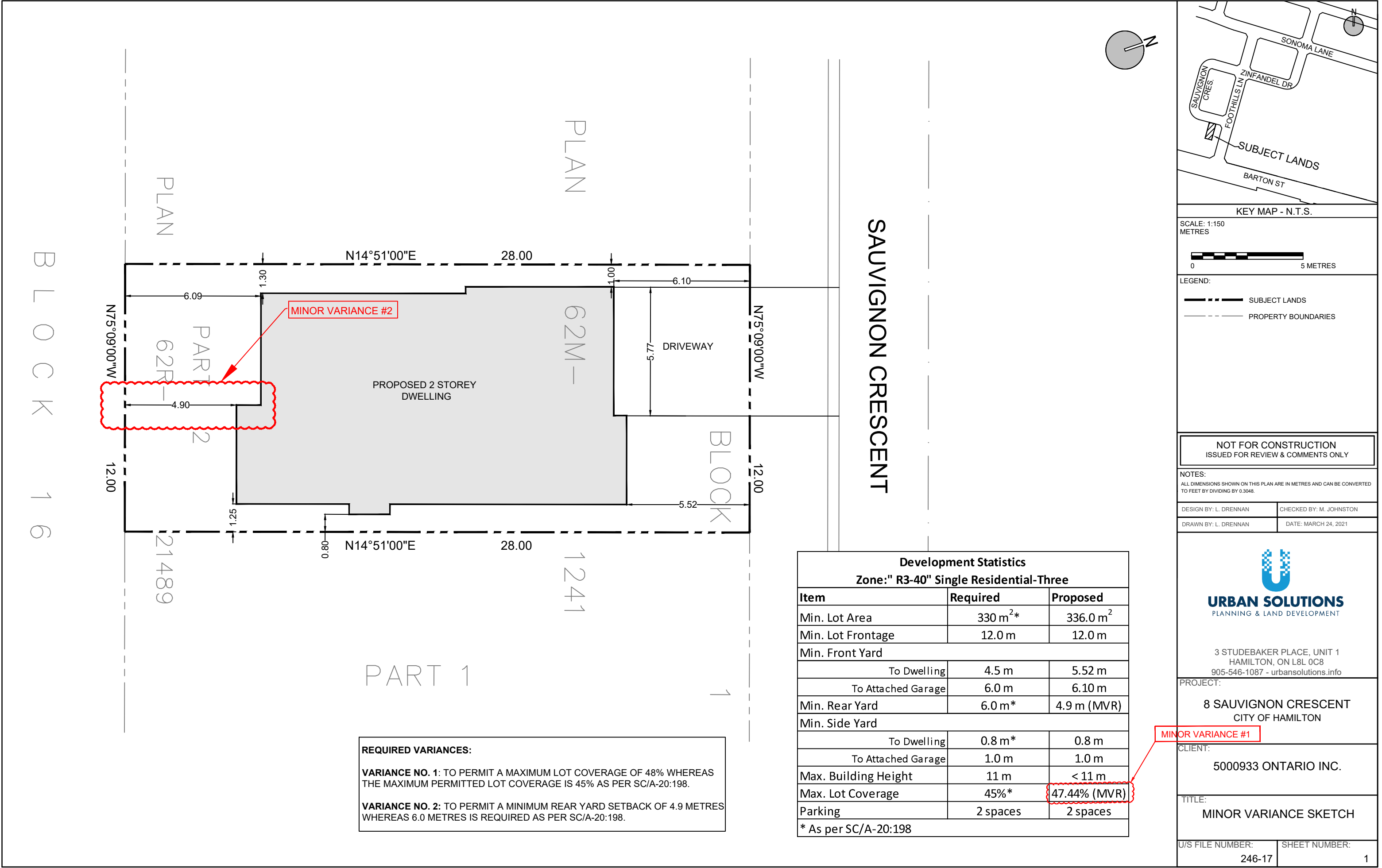
For more information on this matter, including access to drawings illustrating this request:

- 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: May 4th, 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.

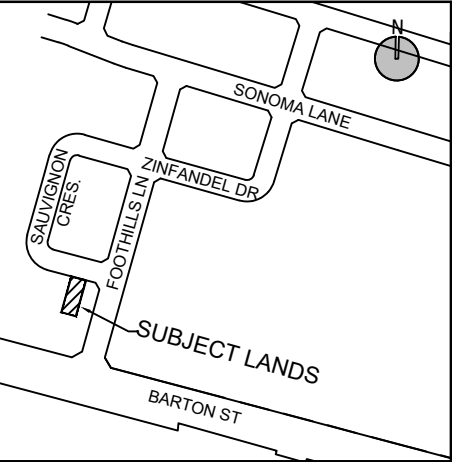


REQUIRED VARIANCES:

VARIANCE NO. 1: TO PERMIT A MAXIMUM LOT COVERAGE OF 48% WHEREAS THE MAXIMUM PERMITTED LOT COVERAGE IS 45% AS PER SC/A-20:198.

VARIANCE NO. 2: TO PERMIT A MINIMUM REAR YARD SETBACK OF 4.9 METRES WHEREAS 6.0 METRES IS REQUIRED AS PER SC/A-20:198.

Development Statistics		
Zone:" R3-40" Single Residential-Three		
Item	Required	Proposed
Min. Lot Area	330 m ² *	336.0 m ²
Min. Lot Frontage	12.0 m	12.0 m
Min. Front Yard		
To Dwelling	4.5 m	5.52 m
To Attached Garage	6.0 m	6.10 m
Min. Rear Yard	6.0 m*	4.9 m (MVR)
Min. Side Yard		
To Dwelling	0.8 m*	0.8 m
To Attached Garage	1.0 m	1.0 m
Max. Building Height	11 m	< 11 m
Max. Lot Coverage	45%*	47.44% (MVR)
Parking	2 spaces	2 spaces
* As per SC/A-20:198		



KEY MAP - N.T.S.

SCALE: 1:150 METRES

0 5 METRES

LEGEND:

--- SUBJECT LANDS

--- PROPERTY BOUNDARIES

NOT FOR CONSTRUCTION
ISSUED FOR REVIEW & COMMENTS ONLY

NOTES:
ALL DIMENSIONS SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

DESIGN BY: L. DRENNAN	CHECKED BY: M. JOHNSTON
DRAWN BY: L. DRENNAN	DATE: MARCH 24, 2021



URBAN SOLUTIONS
PLANNING & LAND DEVELOPMENT

3 STUDEBAKER PLACE, UNIT 1
HAMILTON, ON L8L 0C8
905-546-1087 - urbansolutions.info

PROJECT:

8 SAUVIGNON CRESCENT
CITY OF HAMILTON

CLIENT:

5000933 ONTARIO INC.

TITLE:

MINOR VARIANCE SKETCH

U/S FILE NUMBER: 246-17	SHEET NUMBER: 1
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March 26, 2021

246-17

Via Email

Jamila Sheffield
Secretary Treasurer, Committee of Adjustment

City of Hamilton
71 Main Street West, 5th Floor
Hamilton, ON L8P 4Y5

Dear Ms. Sheffield:

**RE: 8 Sauvignon Crescent, Hamilton, Ontario
Minor Variance Application**

UrbanSolutions Planning and Land Development (UrbanSolutions) is the authorized planning consultant for the Foothills of Winona Subdivision acting on behalf of the owner, 5000933 Ontario Inc., and applicant DiCenzo & Associates Professional Corporation c/o Allan Buist. We are pleased to submit the enclosed Minor Variance Application in regard to the lands municipally known as 8 Sauvignon Crescent, Hamilton Ontario.

The subject lands are designated “Neighbourhoods” in the Urban Hamilton Official Plan and “Low Density Residential 2” in the Fruitland – Winona Secondary Plan. The subject lands are zoned “Single Residential – Three (R3-40)” in the former City of Stoney Creek Zoning By-law No. 3692-92.

Purpose of the Application

The Minor Variance Application is required to achieve relief on the subject lands within a Single Residential – Three “R3-40” Zone. The following variances are required to facilitate the development of the subject lands:

- To permit a maximum lot coverage of 48% whereas the maximum permitted lot coverage is 45% (per SC/A-20:198); and,
- To permit a minimum rear yard setback of 4.9 metres whereas 6.0 metres is required (per SC/A-20:198).

Section 45(1) of the Planning Act, R.S.O. 1990, as amended, requires a Minor Variance to satisfy four tests. In consideration of the above, the requested variance is technical in nature and does promote good Urban Design principles. Single detached dwellings are a permitted use in the Neighbourhoods designation of the Urban Hamilton Official Plan, the Low Density Residential 2 designation of the Fruitland – Winona Secondary Plan, and the Single Residential – Three “R3-40” Zone of the City of Stoney Creek Zoning By-law No. 3692-92. Based on this, it is our opinion that the application for the above minor variances satisfies the four tests outlined in Section 45(1) of the *Planning Act* as the

requested relief is minor in nature, is desirable for the appropriate development of the lands, and meets the general intent and purpose of the Official Plan and Zoning By-law.

In support of our application, please find enclosed the following documentation:

- One (1) copy of the Committee of Adjustment Sketch prepared by UrbanSolutions for 8 Sauvignon Crescent;
- One (1) copy of the completed Minor Variance application form; and,
- A cheque in the amount of **\$3,320.00** made payable to the City of Hamilton.

We trust the enclosed is in order; however, please feel free to contact the undersigned should you have any questions or concerns or require anything further on this matter.

Regards,

UrbanSolutions



Matt Johnston, MCIP, RPP
Principal



Brandon Petter, MPlan
Planner

cc: 5000933 Ontario Inc.
Mr. Allan Buist, DiCenzo & Associates Professional Corporation



Hamilton

Planning and Economic Development Department
Planning Division

Committee of Adjustment
City Hall
5th 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 5000933 Ontario Inc. [REDACTED]
FAX NO. _____ E-mail address [REDACTED]
2. Address 1070 Stone Church Road East, Unit 39, Hamilton, Ontario

Postal Code L8W 3K8
3. Name of Agent DiCenzo & Associates Professional Corporation c/o Allan Buist [REDACTED]
FAX NO. _____ E-mail address [REDACTED]
4. Address 1070 Stone Church Road East, Unit 41, Hamilton Ontario

Postal Code L8W 3K8

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: N/A

Postal Code _____

Postal Code _____

6. Nature and extent of relief applied for:

Please refer to cover letter.

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

Please refer to cover letter.

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

Part of Block 1, Plan 62M-1241

Part 2 of Registered Plan of Subdivision 62R-21489, 8 Sauvignon Crescent,

8 Sauvignon Crescent

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?

Consultation with the owner.

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.

March 15, 2021
Date


Signature Property Owner

Anthony G. DiCenzo
Print Name of Owner

10. Dimensions of lands affected:

Frontage Refer to Plan 62M - 1241 Part 2
Depth _____
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: N/A

Proposed: Refer to enclosed Plot Plan

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

Existing: N/A

Proposed: Please refer to 11 above.

13. Date of acquisition of subject lands:

Unknown

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

N/A

15. Existing uses of the subject property: Vacant

16. Existing uses of abutting properties: North - Residential, East - Future Residential

West - Residential, South - Future Residential

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 _____
Sanitary Sewer X Connected _____
Storm Sewers X _____

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

Secondary Plan - Low Density Residential 2

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

Single Residential - Two "R2-61" in the Stoney Creek By-law No. 3692-92

21. Has the owner previously applied for relief in respect of the subject property?

Yes

No

If the answer is yes, describe briefly.

Application No. SC/A-20:198 approved on October 22, 2020

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