



Hamilton

COMMITTEE OF ADJUSTMENT

City Hall, 5th 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

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.: FL/A-21:231

APPLICANTS: Agent Philip Homerski
Owner Lisa Rose Homerski

SUBJECT PROPERTY: Municipal address **4 Cedar St., Flamborough**

ZONING BY-LAW: Zoning By-law 90-145-Z, as Amended

ZONING: "R1" (Urban Residential (Single Detached) district

PROPOSAL: To permit the addition of a roofed-over unenclosed porch at the front of the existing single detached dwelling, notwithstanding that:

1. An roofed-over unenclosed porch shall be permitted to encroach a maximum of 3.45 metres into the required minimum front yard instead of the maximum 1.5 metre encroachment permitted.

NOTE:

1. A building permit is required for the proposed development. Be advised that Ontario Building Code regulations may require specific setback and construction types.

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

DATE: Thursday, July 22nd, 2021
TIME: 1:25 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: July 6th, 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.

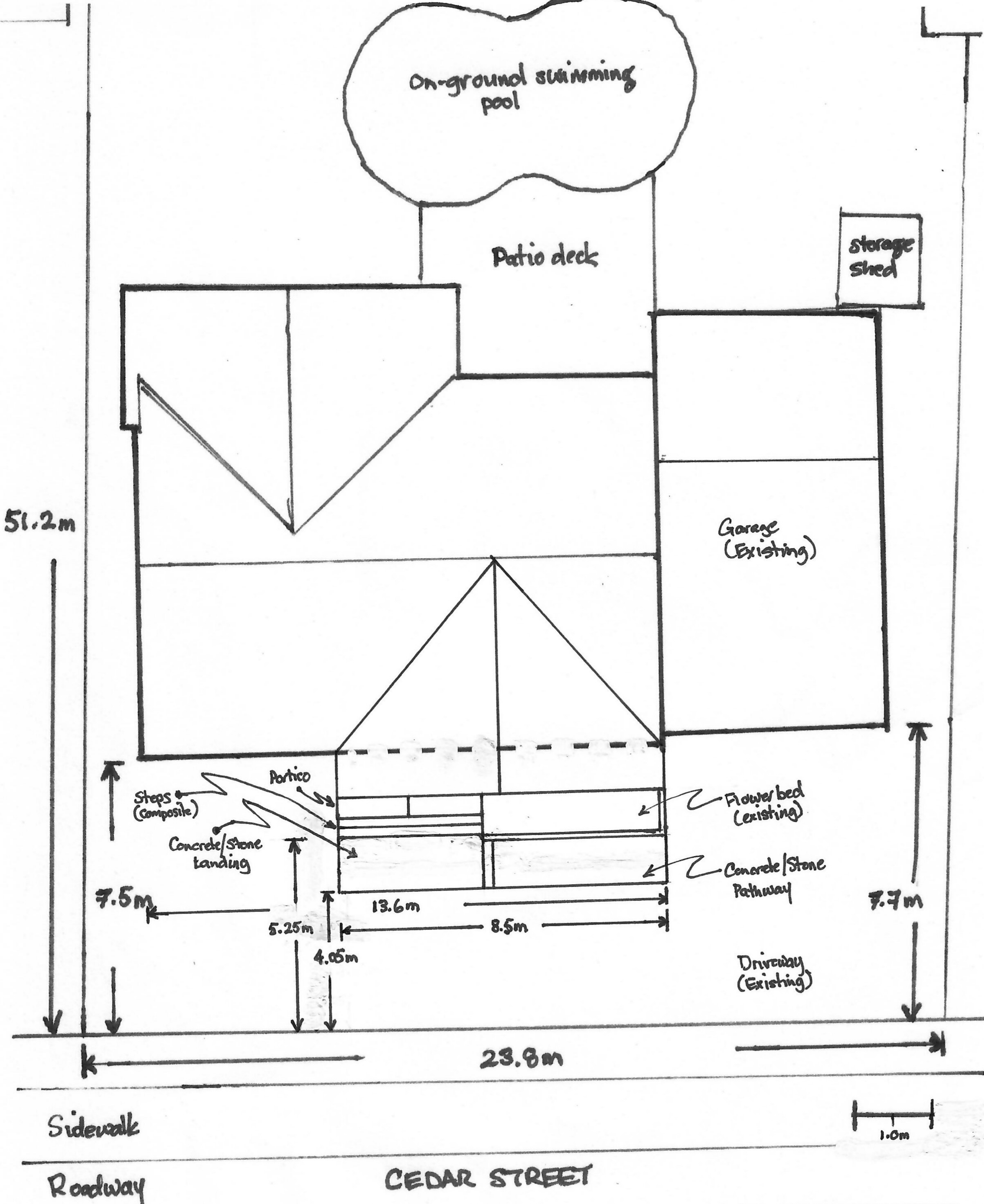


FIGURE B
FRONTAGE DETAIL

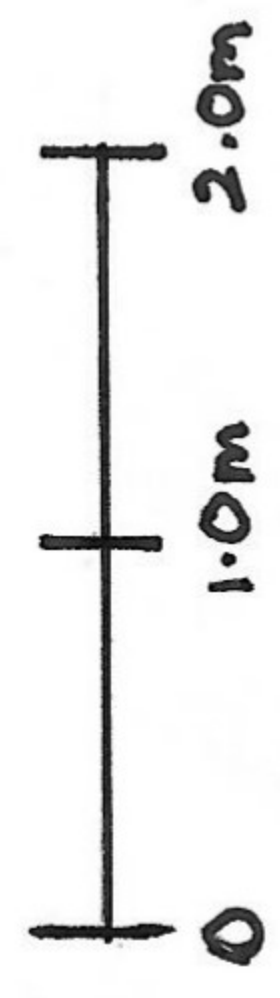
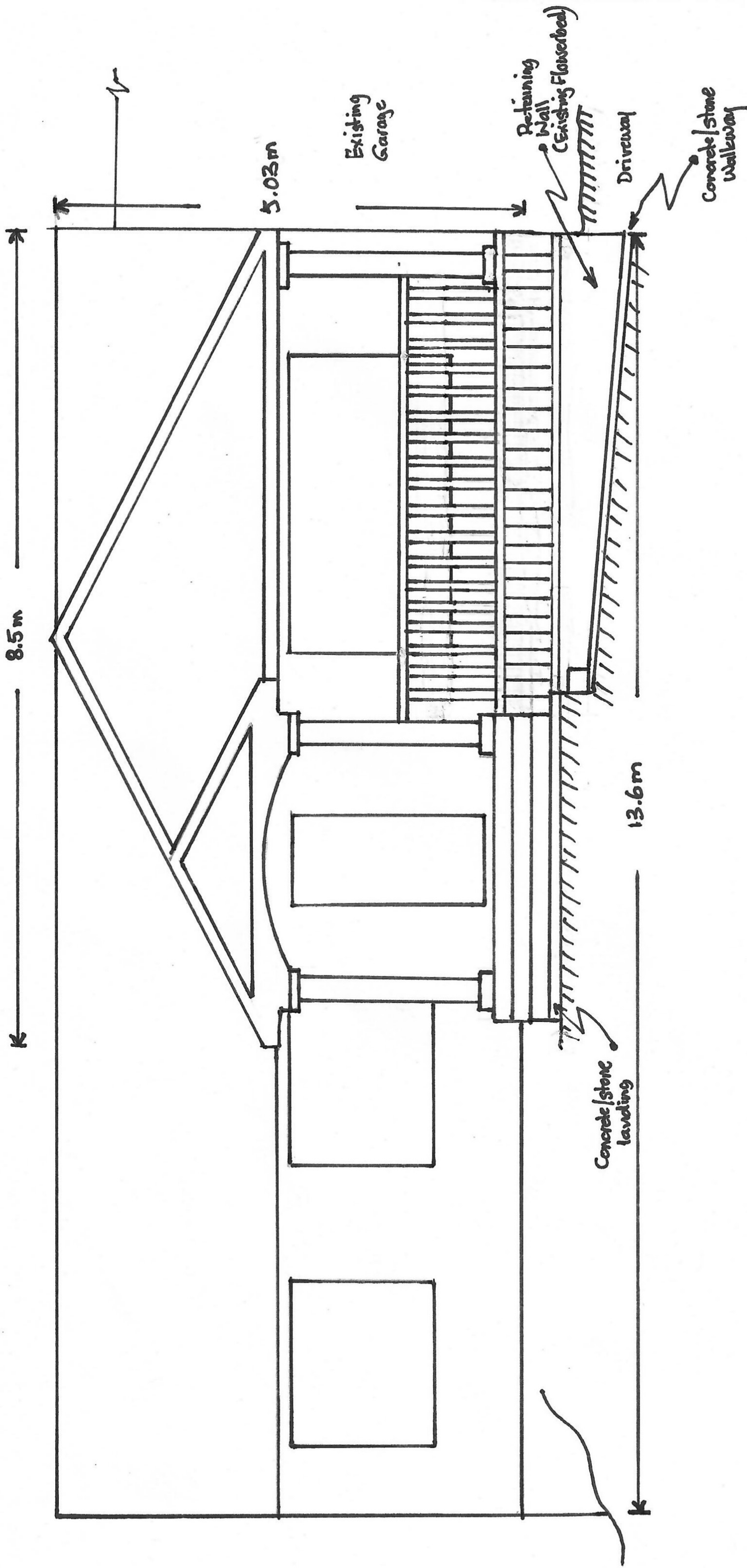
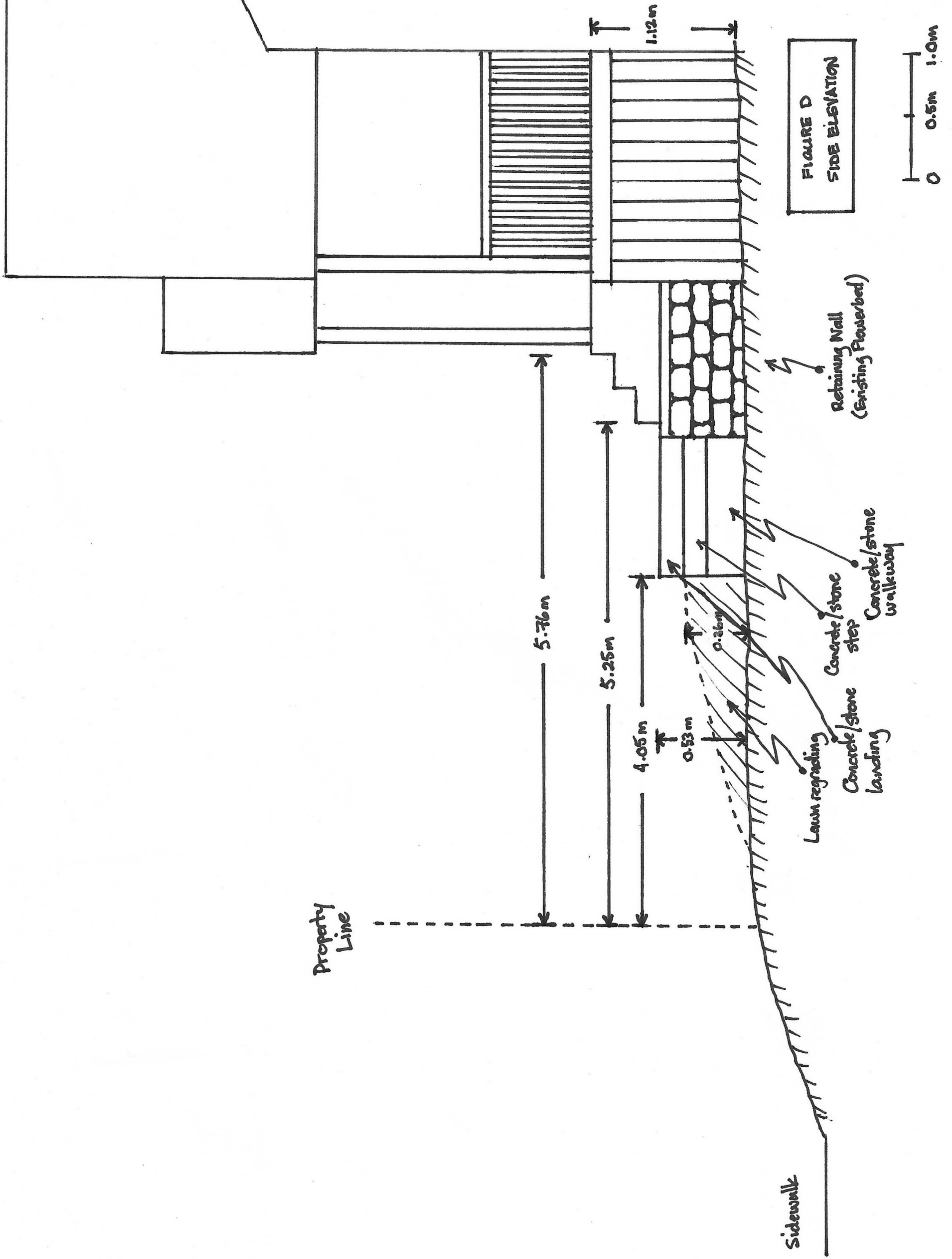


FIGURE C
PROPOSED PORCH
FRONT VIEW



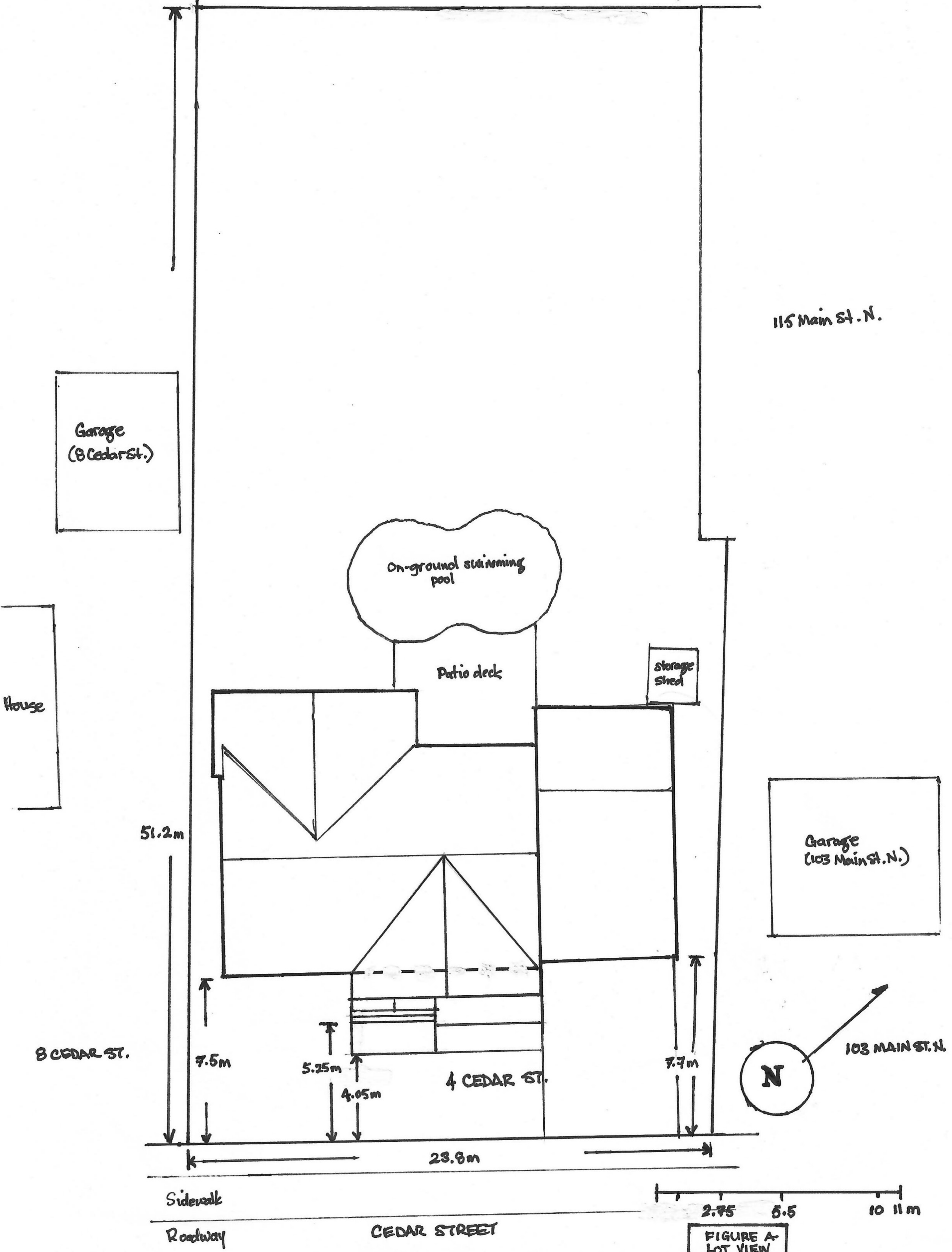


FIGURE A-
LOT VIEW



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 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)	Lisa Homerski	
Applicant(s)*	Lisa & Philip Homerski	
Agent or Solicitor		

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:
N/A

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:

Construction of an unenclosed porch to include safe new steps for enhancing accessibility of primary access to residence. The property owners require relief from the allowed 6.0m setback of 5.25m to the steps attached to the proposed portico and deck (4.05m from the proposed concrete/stone landing and walkway) pursuant to section 6.2 of Flamborough Zoning By-law No. 90-145-Z. +

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

The residence was built exactly to the allowable setback (7.5m) and the addition of a deck/porch for persons with mobility issues would not be safely accommodated with a structure conforming to the yard encroachments allowable under the existing By-law.

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**):

Plan M8, Lot 84

4 Cedar Street, Waterdown

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?

Property has been owned by current owner's family since 1967. Previous owner and builder was known well to current owner and family and shared history of neighbourhood.

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 05 29

Date

Lisa Homerski

Signature Property Owner

Lisa Homerski

Print Name of Owner


Digitally signed by Lisa Homerski
Date: 2021.05.29 21:57:41 -04'00'

10. Dimensions of lands affected:


Frontage 78.00 ft. (23.77m)
Depth 167.92 ft. (51.18m)
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: _


Q11 - Single storey residence with attached two-car garage. Gross floor area: 1,480 sq. ft. (137.5 sq.m.) exclusive of garage (floor area: 480 sq.ft./44.6 sq.m.). There is a 44 in. (1.12 m) elevation difference between the sill of the front entrance door to the level of the driveway currently accessed by two sets of three crumbling concrete steps. 

Proposed

Q11 - Addition of a covered unenclosed porch on the front of the house with a total deck area of 178 sq.ft. (16.5 sq.m.). Dimensions of the proposed porch: 27 ft. (8.23 m) long, 6 ft. (1.83 m) deck depth (8 ft. (2.44 m) deep portico) and approximately 15.5 ft. (4.7 m) in height from the deck to the peak of the roof. 

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

Existing:

Q11 - Single storey residence with attached two-car garage. Gross floor area: 1,480 sq. ft. (137.5 sq.m.) exclusive of garage (floor area: 480 sq.ft./44.6 sq.m.). There is a 44 in. (1.12 m) elevation difference between the sill of the front entrance door to the level of the driveway currently accessed by two sets of three crumbling concrete steps. 

Proposed:

Q11 - Addition of a covered unenclosed porch on the front of the house with a total deck area of 178 sq.ft. (16.5 sq.m.). Dimensions of the proposed porch: 27 ft. (8.23 m) long, 6 ft. (1.83 m) deck depth (8 ft. (2.44 m) deep portico) and approximately 15.5 ft. (4.7 m) in height from the deck to the peak of the roof.

Q12 - Proposed covered porch will be added to the front of the house. From the 

13. Date of acquisition of subject lands:
1995 02 27
-
14. Date of construction of all buildings and structures on subject lands:
c. 1965 (garage added c. 1970)
-
15. Existing uses of the subject property:
Residential
16. Existing uses of abutting properties:
Residential
17. Length of time the existing uses of the subject property have continued:
56 years
18. Municipal services available: (check the appropriate space or spaces)
Water _____ Connected _____
Sanitary Sewer _____ Connected _____
Storm Sewers _____
19. Present Official Plan/Secondary Plan provisions applying to the land:
The Urban Hamilton Official Plan designates the property as Neighbourhoods in Schedule E-1 – Urban Land Use Designations. Policy E.3.4 amongst others, are applicable and permit a single detached dwelling. ⁺
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
Flamborough Zoning By-law No. 90-145-Z
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
City of Hamilton Community Planning staff have confirmed that construction of the proposed roofed-over unenclosed front porch would be permitted under Section 2 b) of Interim Control By-law No. 20-101 which permits "a change to the interior or facade of legally existing buildings or structures." ⁺
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.