



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-21:220

**APPLICANTS:** Agent Jenny Bognar  
Owner Chantel Huszar

**SUBJECT PROPERTY:** Municipal address **174 Stanley Ave., Hamilton**

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

**ZONING:** "D/S-1787" (Urban Protected Residential – One and Two Family Dwellings) district

**PROPOSAL:** To permit the construction of an uncovered front porch including stairs to the existing single-family dwelling notwithstanding that;

1. A minimum of 0.7 m setback from the front lot line to the edge of the stairs shall be provided instead of the minimum required 1.5 m distance from the nearest street line; and
2. A minimum of 43.7 % area of the front yard shall be used for landscaping 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.

Notes:

A boulevard parking agreement is required for the parking space located on the road allowance.

An Encroachment Agreement with the Public Works Department may be required for the landscaped pad, steps and walkway shown to encroach on the Road Allowance. For further information, please contact [encroachment@hamilton.ca](mailto:encroachment@hamilton.ca).

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

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**DATE:** Thursday, July 22nd, 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:

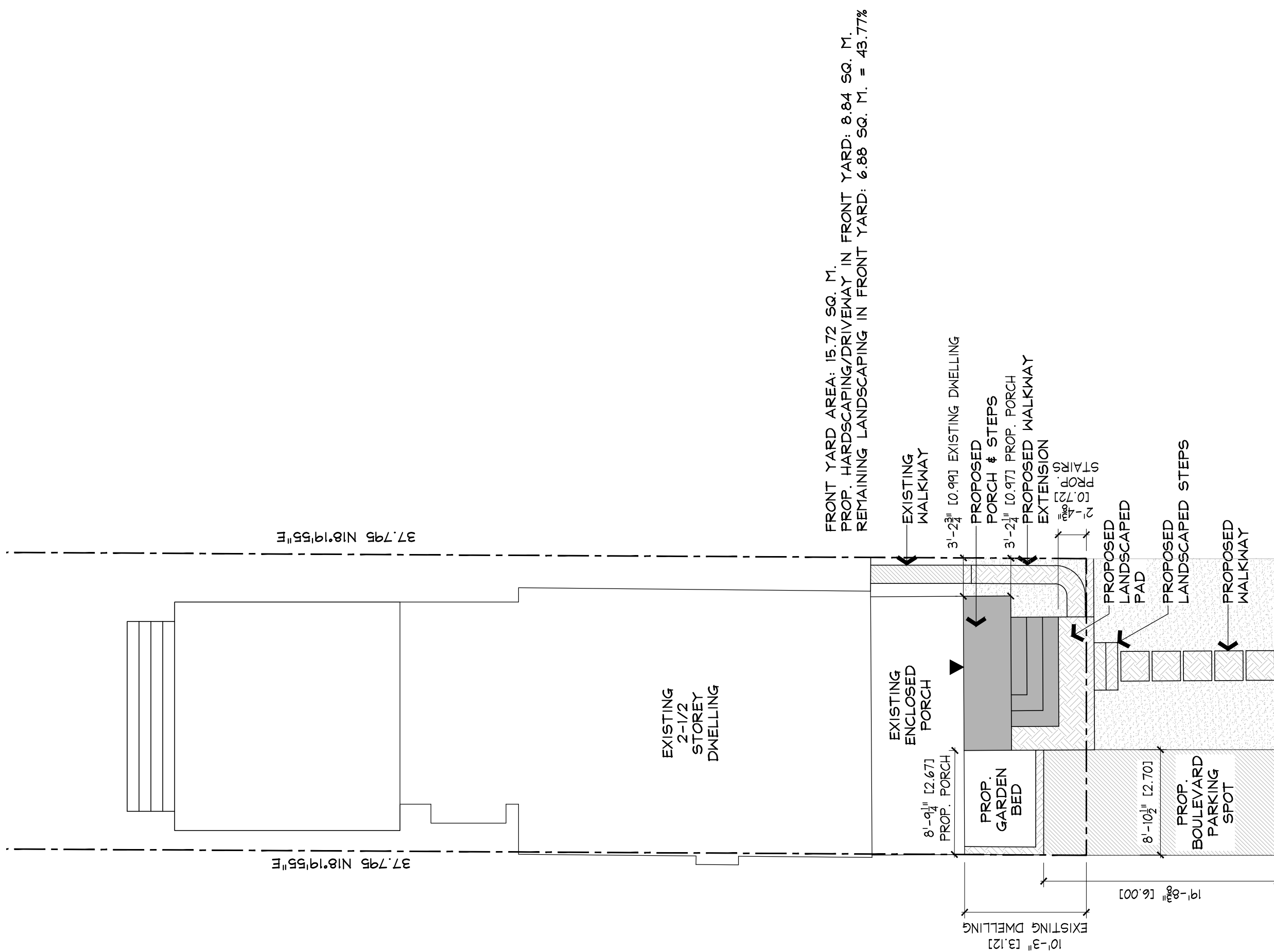
- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

DATED: July 6th, 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.***



THE HUSZAR  
 RESIDENCE  
 174 STANLEY AVENUE  
 HAMILTON, ON  
 L8P 2L4

**drafting + design**

- 193 East 43rd Street
- Hamilton, ON L8T 3C3
- jbdraftinganddesign@live.ca
- 905.517.6027

05.20.21 *Jay Bognar* signature required  
 Jennifer Bognar reviews and takes responsibility for the design work described in this document  
 firm bcin 103416 individual bcin 33001

DATE	ISSUE DESCRIPTION
05.05.21	ISSUED FOR REVIEW
05.20.21	ISSUED FOR C.O.F.A.

ALL DIMENSIONS AND INFORMATION SHOWN ON THESE DRAWINGS MUST BE CHECKED AND VERIFIED ON SITE AND ANY DISCREPANCIES REPORTED TO THE DESIGNER PRIOR TO CONSTRUCTION AND FABRICATION OF ITS COMPONENTS. SHOULD EXISTING CONDITIONS OR SERVICES BE FOUND TO VARY FROM THAT INDICATED ON THE DRAWINGS THE DESIGNER MUST BE NOTIFIED IMMEDIATELY. THE DESIGNER IS NOT LIABLE FOR ANY CHANGES MADE BY THE CONTRACTOR WITHOUT THE DESIGNER'S KNOWLEDGE AND PERMISSION.

FEATURES OF CONSTRUCTION NOT FULLY SHOWN ARE ASSUMED TO BE THE SAME CHARACTER AS THOSE NOTED FOR SIMILAR CONDITIONS.

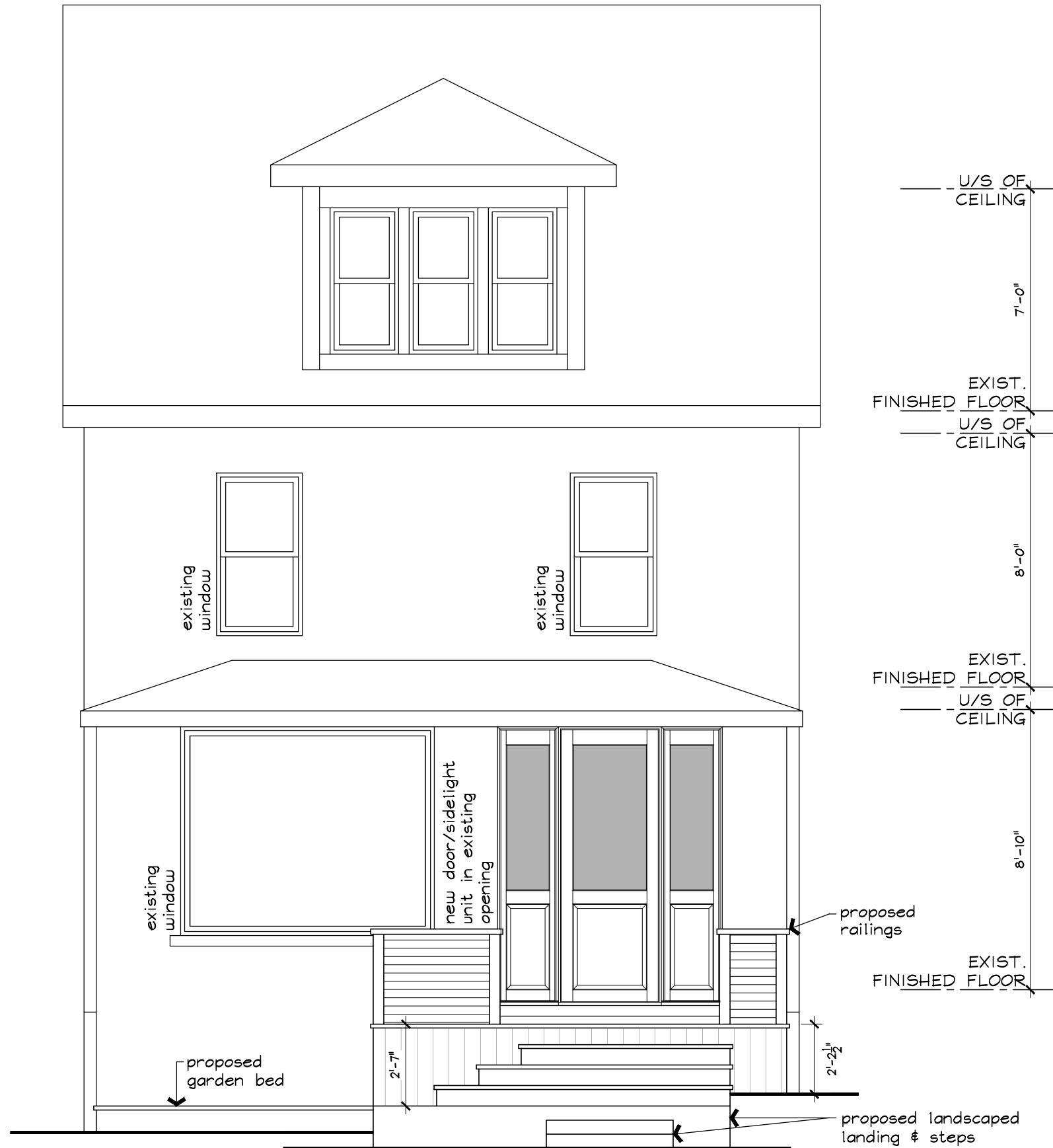
UNLESS SPECIFICALLY NOTED OTHERWISE ON THE DRAWINGS, NO PROVISION HAS BEEN MADE IN THE DESIGN FOR CONDITIONS OCCURRING DURING CONSTRUCTION. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO PROVIDE ALL NECESSARY BRACING, SHORING, SHEET PILING OR OTHER TEMPORARY SUPPORTS TO SAFEGUARD ALL EXISTING OR ADJACENT STRUCTURES AFFECTED BY THIS WORK.

ALL DRAWINGS AND RELATED DOCUMENTS SHALL REMAIN THE PROPERTY AND COPYRIGHT OF JB DRAFTING AND DESIGN. USE LATEST REVISED DRAWINGS. DO NOT SCALE DRAWINGS.

SITE PLAN

1:100

SHEET **A1** of 5



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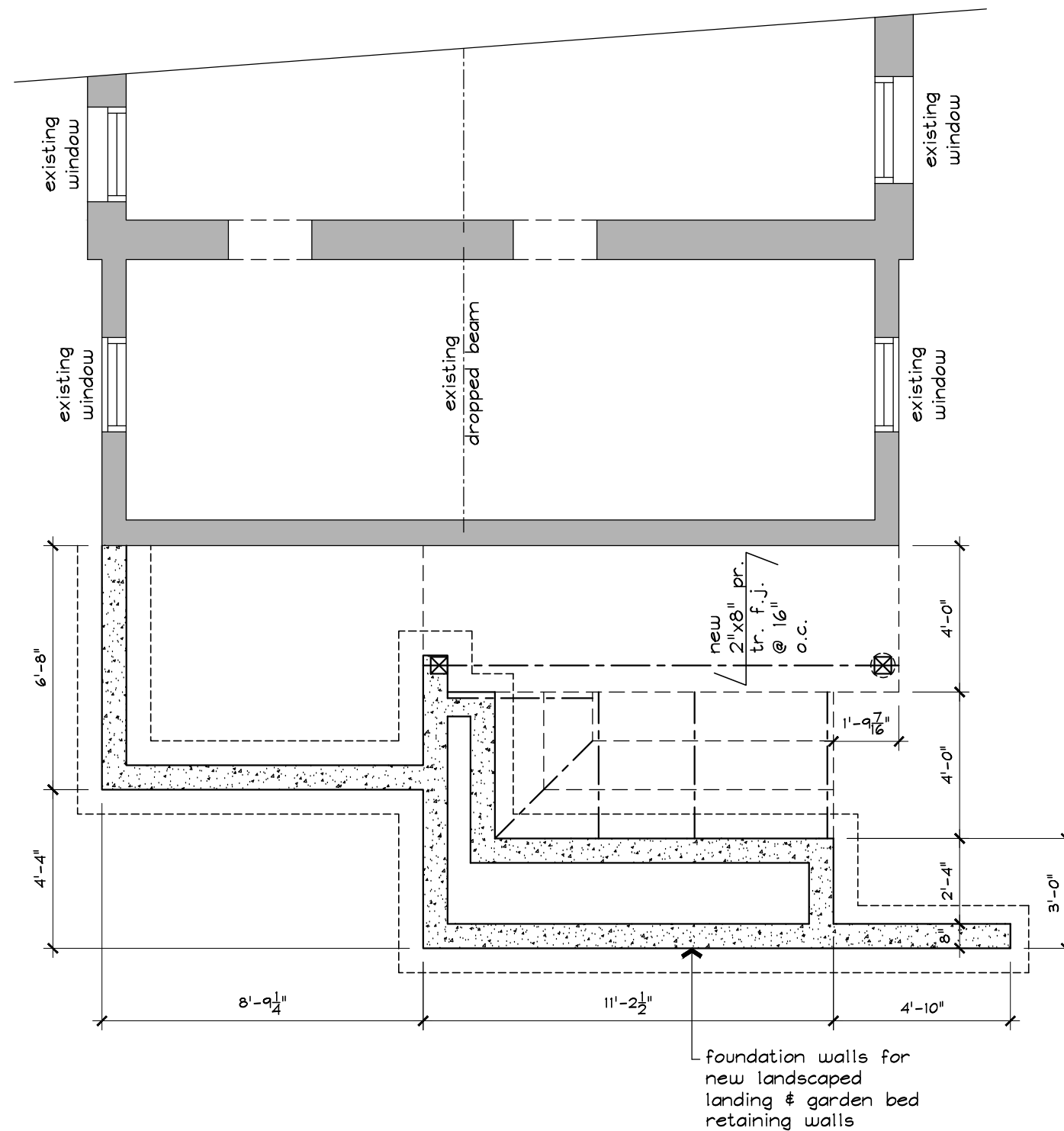
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PROPOSED FRONT  
ELEVATION  
1/4" = 1'-0"

SHEET  
**A4** of 5



THE HUSZAR  
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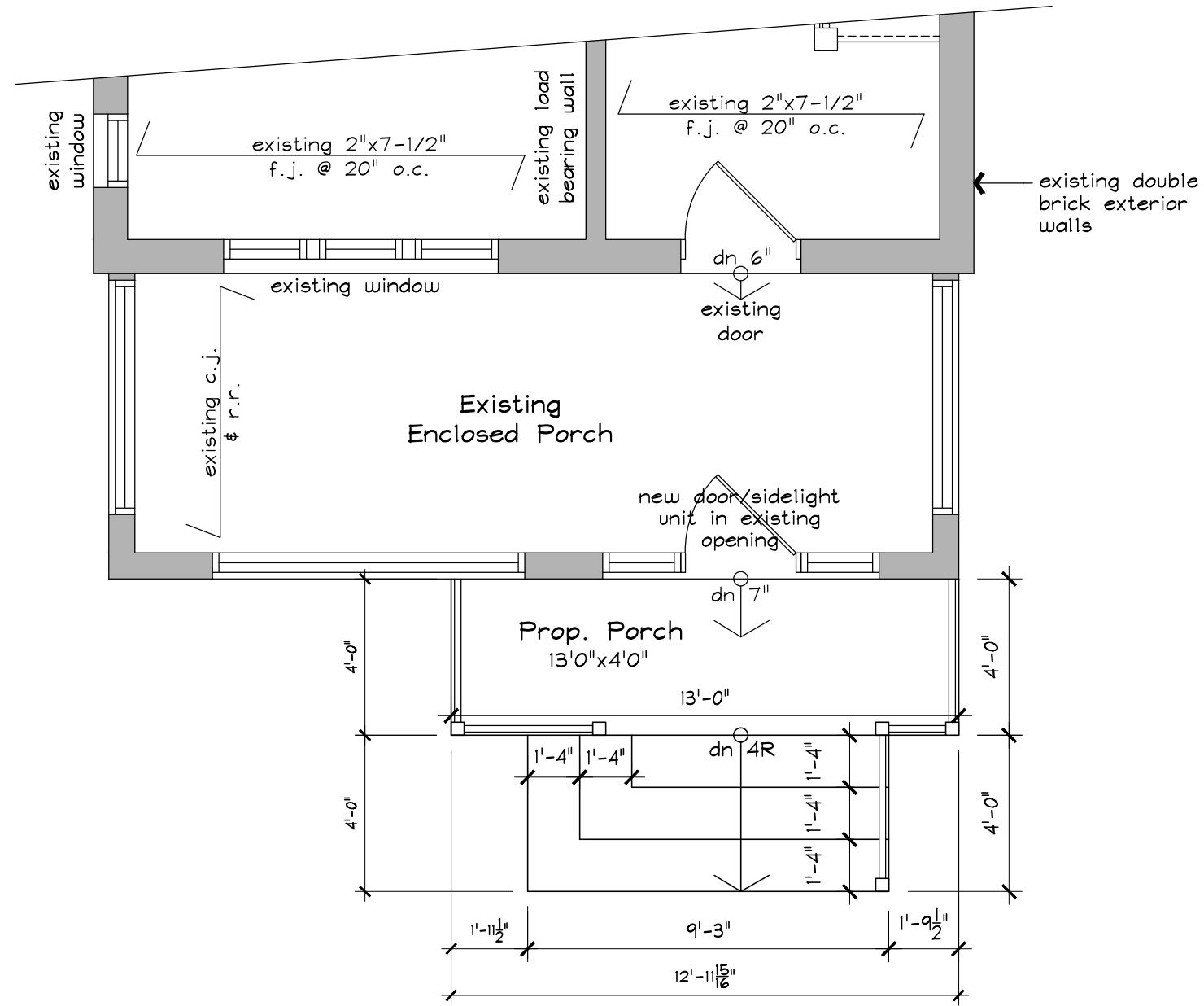
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PROPOSED  
FOUNDATION PLAN  
1/4" = 1'-0"

SHEET **A2** OF 5



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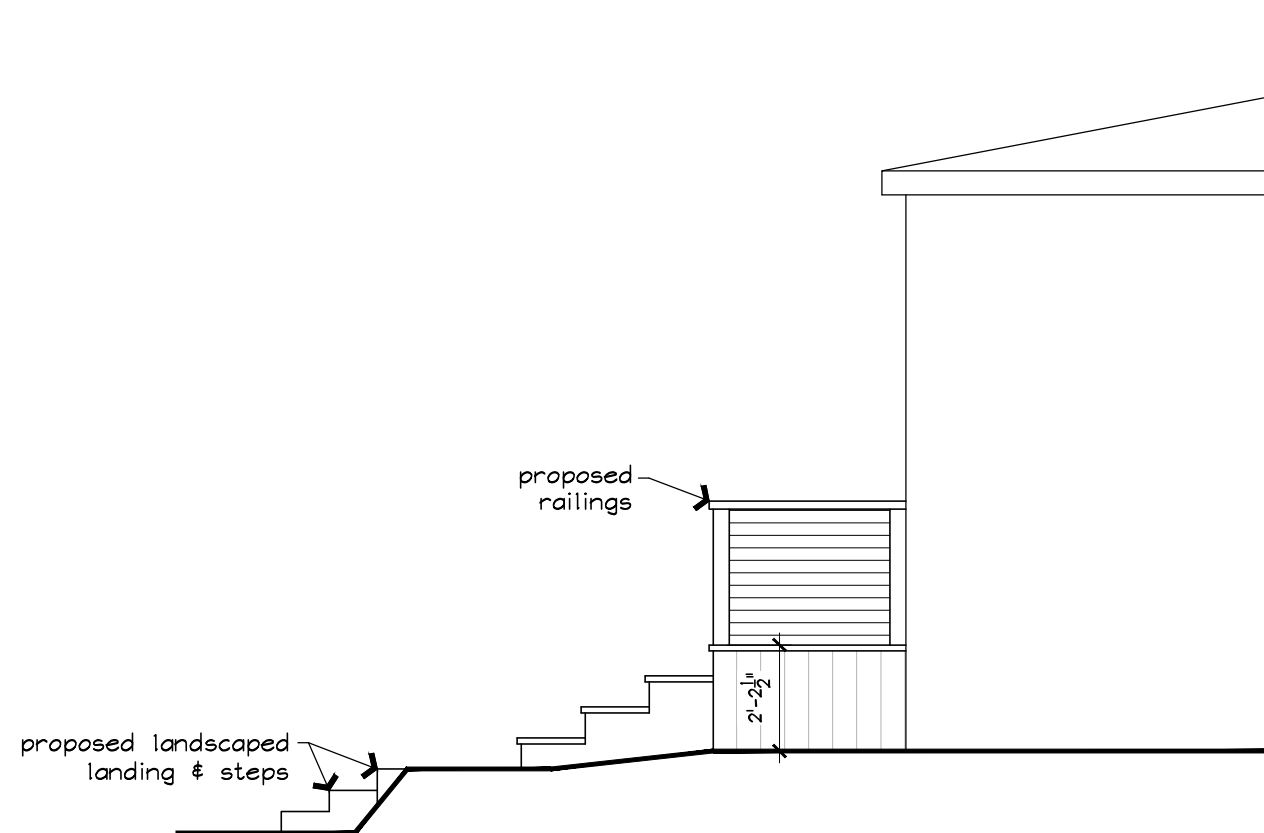
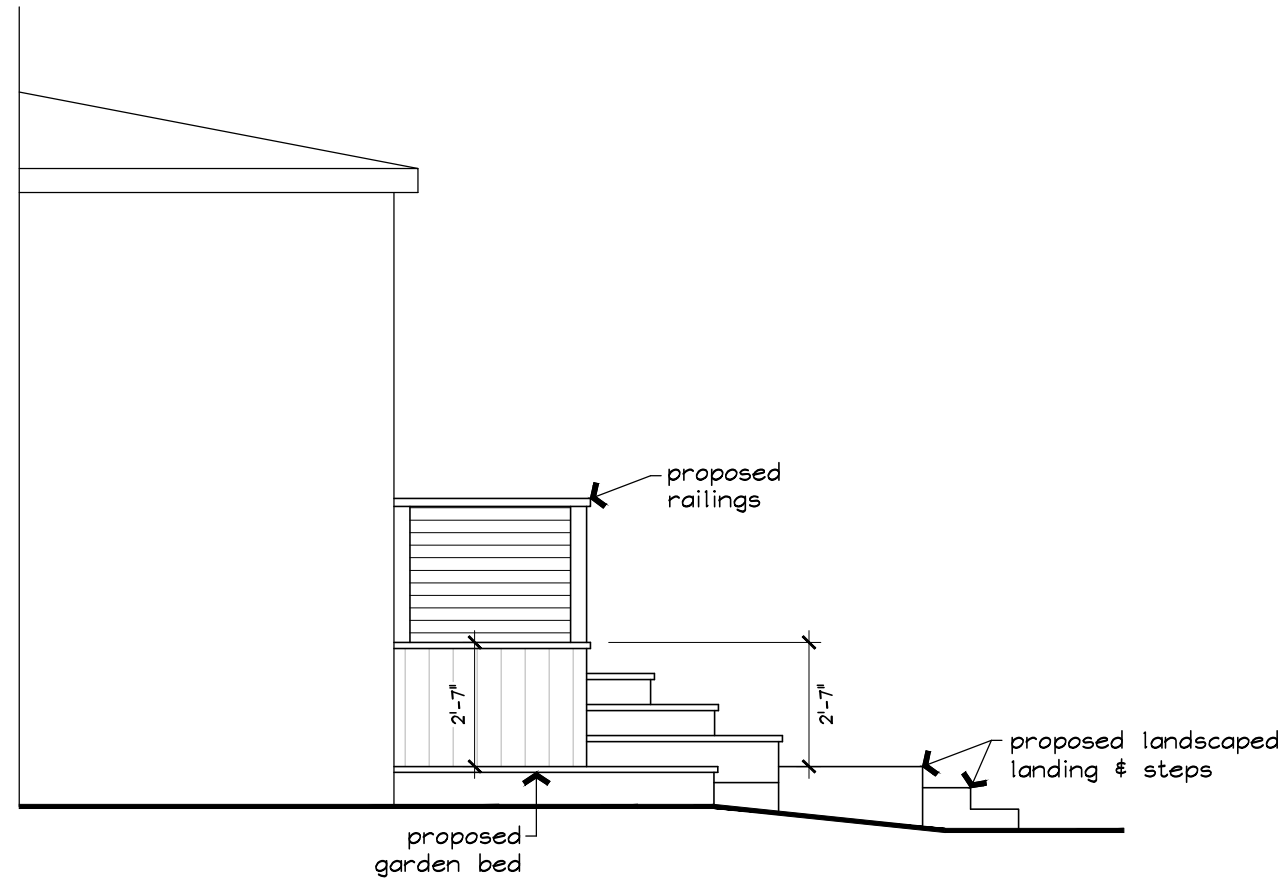
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PROPOSED FLOOR  
PLAN  
1/4" = 1'-0"

SHEET **A3** OF 5



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PROPOSED SIDE  
ELEVATIONS  
1/4" = 1'-0"

SHEET **A5** of 5



Hamilton

Committee of Adjustment

City Hall, 5<sup>th</sup> Floor,

71 Main St. W.,

Hamilton, ON L8P4Y5

Phone: (905) 546-2424 ext. 4221

Email: [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

### 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)			
Applicant(s)*			
Agent or Solicitor			
			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:  
Mortgage with First National



**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:

Reduced front yard setback to front porch steps of 0.72m instead of required 1.50m.  
Reduced front yard landscaped area of 45.39% instead of the required min. 50% - to facilitate a boulevard parking space.

5. Why it is not possible to comply with the provisions of the 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**):

174 Stanley Avenue, Part of lot 233, Registered Plan No. 253

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?  
History of area.


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.  ation – by reason of its approval to this Application.

May 7, 2021  
Date

  
Signature Property Owner  
Chantel Huszar  
Print Name of Owner

10. Dimensions of lands affected:

Frontage 7.62 m.  
Depth 37.80 m.  
Area 287.99 sq. m.  
Width of street 20.0 m.

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:  
95.87 sq. m. ground floor area, 214.74 sq. m. gross floor area, 2.5 stories, 6.87 m. wide x 14.54 m. length, approx. height 10.83 m.

Proposed  
All to remain the same.

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

Existing:  
Dwelling - right = 0.83m., left = 0.0m., front = 3.12 m., rear = 20.16 m.  
Porch Stairs - right = 1.76 m., left = 3.88 m., front = 1.47 m.

Proposed:  
Dwelling to Remain the same.  
Porch Stairs - right = 0.97 m., left = 2.37 m., front = 0.72m.

13. Date of acquisition of subject lands:  
September 6, 2019
- 
14. Date of construction of all buildings and structures on subject lands:  
1918
- 
15. Existing uses of the subject property:  
Single Family Residential
16. Existing uses of abutting properties:  
Residential
17. Length of time the existing uses of the subject property have continued:  
Always
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:  
Urban Protected Residential - One And Two Family Dwellings, Etc.
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:  
6593 Former Hamilton, D/S-1787
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.

## **Reasons for Needing Variances**

### **174 Stanley Avenue**

The existing dwelling placement makes it virtually impossible to put a front porch of any kind on the lot to meet the zoning requirements.

The proposed porch and steps are modest in size and add interest and character to the existing dwelling and streetscape and this application improves the existing parking situation by making it legal.

The porch setback is in keeping with many other houses on the street as small front yard setbacks are typical for this area and these older homes.

Every effort was made to provide as much front yard landscaping area as possible. Significant landscaping area is still provided on the city side of the front lot.

We feel these variances are minor in nature and in keeping with the official plan.