



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.: HM/A-21:233

APPLICANTS: Agent Sherri Crawford
Owner Dunya Marijan

SUBJECT PROPERTY: Municipal address **52 Homewood Ave., Hamilton**

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

ZONING: "D/S-1787" (Urban Protected Residential) district

PROPOSAL: To permit the construction of a new 48.0m² accessory building in the rear yard of the existing dwelling notwithstanding that:

1. An easterly side yard width of 0.0m shall be provided instead of the minimum 1.2m side yard width required for an accessory building on a corner lot.

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

DATE: Thursday, July 22nd, 2021

TIME: 3:05 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.

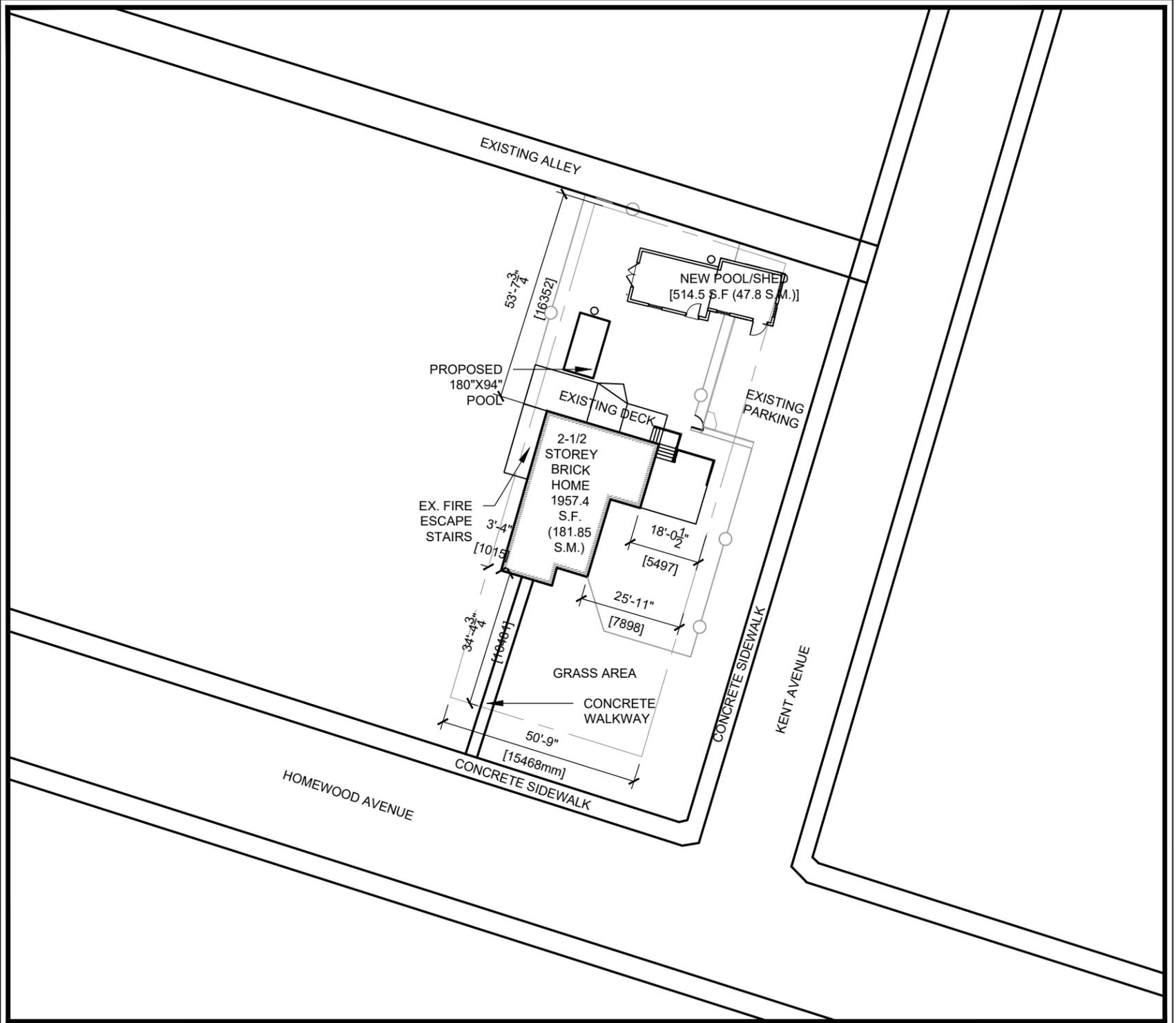
DRAWING LIST

| NO. | TITLE |
|---------|------------------------------|
| ID00 | COVER PAGE, SITE PLAN |
| ID00.01 | ACCESSORY BUILDING SITE PLAN |
| ID01 | SOUTH ELEVATION |
| ID02 | EAST ELEVATION |
| ID03 | NORTH ELEVATION |
| ID04 | WEST ELEVATION |



SITE PLAN DETAILS

| DESCRIPTION | BY-LAW | SITE |
|--------------------------------------|--|---|
| ZONING | DISTRICT D- URBAN PROTECTED RESIDENTIAL 19-307 | |
| BUILDING AREA | | 181.85 S.M. (1954.4 S.F.) |
| LOT AREA | 540 S.M (5812.7 S.F.) | 613 S.M. (6599.23 S.F) |
| LOT WIDTH | 18 M (59.06') | FRONT- 15.2 M (49.9') BACK- 15.3 M (50.3') |
| SIDE YARD | 1.2 M (3.94') | 5.5M & 1.02M (EXISTING) |
| FRONT YARD | 6 M (19.69') | 10.48 M (34.4') |
| REAR YARD | 7.5 M (24.61') | 20 M (66') |
| BUILDING HEIGHT | 3 STOREYS/ 14M (45.93') | EXISTING - NOT PART OF THIS APPLICATION |
| PARKING | D/S-1787 - LEGALLY ESTABLISHED TO REMAIN | |
| ACCESSORY BUILDING & POOL | | |
| LOCATION | REAR YARD | REAR YARD |
| LOT COVERAGE | 30% (183.9 S.M.) OR 97 S.M. MAX. | 47.8 S.M. (514.5 S.F) |
| BUILDING HEIGHT | 5 M (16.4') | 4.65M (15.25') |
| SIDE YARD | 1.2 M (3.94') | EAST: 0M (EXISTING) WEST: 4.35 |
| REAR YARD | 7.5 M (24.61') | 7.8 M (2.5') EXISTING 2.21 M (7.25') NEW |
| POOL SETBACK | 1.25M (4.1') | 1.29M (4.25') |



1

OVERALL PROPOSED SITE PLAN

SCALE: 1/32"=1'-0"



1135 DUNDAS ST. EAST, SUITE 200 TORONTO, ON. M4M 1R9
TEL: 416-462-3084 FAX: 416-462-0526
www.xdesigninc.com

PROJECT
MARIJAN RESIDENCE
52 HOMEWOOD AVE.
HAMILTON, ON.
L8P 2M4

| NO. | DATE | BY | DESCRIPTION |
|-----------------|------|----|-------------|
| REVISION RECORD | | | |

| NO. | DATE | BY | DESCRIPTION |
|--------------|------|----|-------------|
| ISSUE RECORD | | | |

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|------------------------|---------------|------------------------|
| SCALE AS NOTED | | DATE APRIL 26, 2021 |
| DRAWN SC | CHECKED SC | SHEET# |
| PROJ# 20-157 | | ID00 |



WOOD PERGOLA PAINTED WHITE

EXISTING BOARD FENCE

VINYL SIDING IN WHITE

ASPHALT SHINGLES

2'-2" [660mm]
13'-1" [3988mm]
15'-3" [4648mm]

1

SOUTH ELEVATION

SCALE: 3/8"=1'-0"

xdesign

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PROJECT

MARIJAN RESIDENCE

**52 HOMEWOOD AVE.
HAMILTON, ON.
L8P 2M4**

DRAWING

SOUTH ELEVATION

SCALE

AS NOTED

DRAWN

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CHECKED

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PROJ#

20-157

DATE

APRIL 26, 2021

SHEET#

ID01

| NO. | DATE | BY | DESCRIPTION |
|-----------------|------|----|-------------|
| REVISION RECORD | | | |

| NO. | DATE | BY | DESCRIPTION |
|--------------|------|----|-------------|
| ISSUE RECORD | | | |



1

EAST ELEVATION

SCALE: 3/8"=1'-0"

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PROJECT

MARIJAN RESIDENCE

**52 HOMEWOOD AVE.
 HAMILTON, ON.
 L8P 2M4**

DRAWING

EAST ELEVATION

SCALE

AS NOTED

DRAWN

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CHECKED

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PROJ#

20-157

DATE

APRIL 26, 2021

SHEET#

ID02

| NO. | DATE | BY | DESCRIPTION |
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| REVISION RECORD | | | |

| NO. | DATE | BY | DESCRIPTION |
|--------------|------|----|-------------|
| ISSUE RECORD | | | |



1

NORTH ELEVATION

SCALE: 3/8"=1'-0"

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PROJECT
MARIJAN RESIDENCE
52 HOMEWOOD AVE.
HAMILTON, ON.
L8P 2M4

| NO. | DATE | BY | DESCRIPTION |
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REVISION RECORD

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ISSUE RECORD

DRAWING
NORTH ELEVATION

| | |
|------------------------|------------------------|
| SCALE AS NOTED | DATE APRIL 26, 2021 |
| DRAWN SC | CHECKED SC |
| PROJ# 20-157 | SHEET# ID03 |



1

WEST ELEVATION

SCALE: 3/8"=1'-0"

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PROJECT
MARIJAN RESIDENCE
52 HOMEWOOD AVE.
HAMILTON, ON.
L8P 2M4

| NO. | DATE | BY | DESCRIPTION |
|-----------------|------|----|-------------|
| REVISION RECORD | | | |

| NO. | DATE | BY | DESCRIPTION |
|--------------|------|----|-------------|
| ISSUE RECORD | | | |

DRAWING
WEST ELEVATION

| | |
|------------------------|------------------------|
| SCALE AS NOTED | DATE APRIL 26, 2021 |
| DRAWN SC | CHECKED SC |
| PROJ# 20-157 | SHEET# ID04 |



Committee of Adjustment
 City Hall, 5th Floor,
 71 Main St. W.,
 Hamilton, ON L8P4Y5

Phone: (905) 546-2424 ext. 4221
 Email: 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) | DINYA MARIJAN | [REDACTED] |
| Applicant(s)* | X-Design Inc. | |
| Agent or Solicitor | X-Design Inc. | |

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:
Addition to existing rear yard garage to accommodate a pool house with washroom/pool storage and shed encroaches on rear yard set back requirement.
5. Why it is not possible to comply with the provisions of the By-law?
The existing garage is legal non-conforming, so any addition or modification to this structure falls under the new by-law regulations
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**):
Lot 1, Block D, Registered Plan No. 108, 52 Homewood Avenue.

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?

The age of the dwelling and history of the use of the lands, which have been residential.

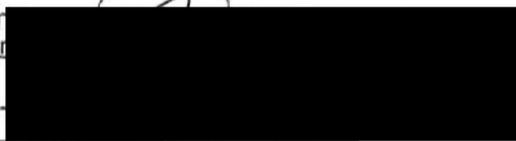
8.12 If previous use of property is industrial or commercial or if YES to any of 9.2 to 9.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.

Is the previous use inventory attached? Yes No

9. **ACKNOWLEDGEMENT CLAUSE**

I acknowledge that the City of Hamilton is not providing any financial assistance for remediation of contamination on the property as a condition of its approval to this Application.

Apr 5, 2021
Date


Signature Property Owner

DUNYA MARJAN
Print Name of Owner

10. Dimensions of lands affected:

| | |
|-----------------|--------------------|
| Frontage | <u>50.75'</u> |
| Depth | <u>130'</u> |
| Area | <u>6597.5 s.f.</u> |
| Width of street | <u>23 feet</u> |

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:
Residential dwelling units
16. Existing uses of abutting properties:
Residential 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 yes _____ Connected yes _____
 Sanitary Sewer yes _____ Connected yes _____
 Storm Sewers yes _____
19. Present Official Plan/Secondary Plan provisions applying to the land:
Urban Official Plan
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
19-307 Special By-Law and D District within the 05-200 Zoning By-Law
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.