

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-21:276

APPLICANTS: Owner S Varghese, A Varghese, S Thomas, M Thomas
Agent Sabrina Varghese

SUBJECT PROPERTY: Municipal address **312 Parkside Rd., Flamborough**

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

ZONING: R1-2 district (Urban Residential (Single Detached) Zone)

PROPOSAL: To permit the construction of an uncovered front porch for the existing single detached dwelling notwithstanding that;

1. A minimum 4.5 m setback shall be provided from the lot line to the unenclosed front porch stairs instead of the minimum required setback of 6.0 m; and
2. To permit the proposed unenclosed front porch to provide a minimum southerly side yard setback of 0.5 m instead of the minimum required 1.2 m side yard setback.

Notes:

Variances have been written based on the information provided by the applicant.

Please note that this variance has been written based on the minimum required side yard setback for the principle building since there is no side yard encroachment for an interior lot.

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

DATE: Thursday, August 26th, 2021
TIME: 3:50 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: August 10th, 2021.

Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

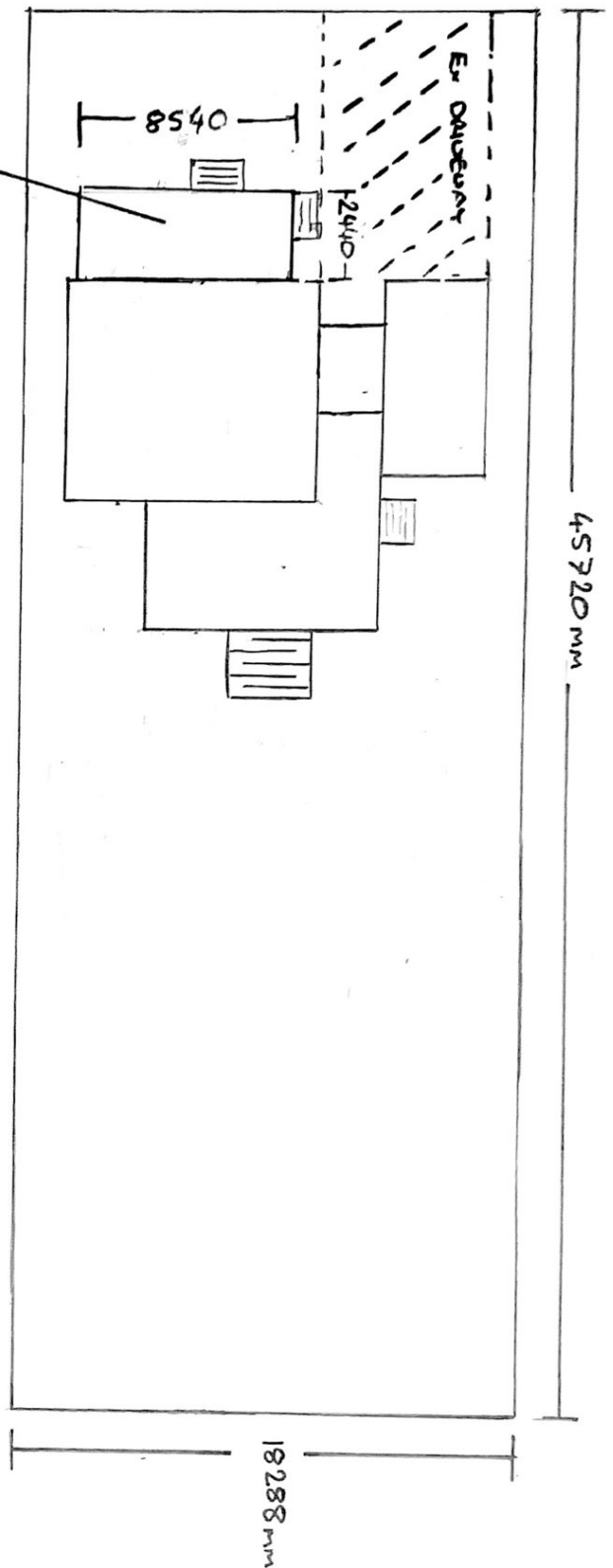
Information respecting this application is being collected under the authority of the Planning Act, R.S.O., 1990, c. P. 13. All comments and opinions submitted to the City of Hamilton on this matter, including the name, address, and contact information of persons submitting comments and/or opinions, will become part of the public record and will be made available to the Applicant and the general public.

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EXISTING
SITE PLAN
312 PARKSIDE DRIVE
WATERLOO, ONTARIO
LEGAL DESCRIPTION:
PCL 21-1, SEC M7, PT LT 21,
PL M7, FLAMBOROUGH
CITY OF HAMILTON

PARKSIDE DRIVE



PROPOSED NEW DECK.

2440 mm x 8540 mm.

TOTAL LOT SIZE 836.13 Sq/m

TOTAL LOT COVERAGE WITH NEW FRONT DECK

AND NEW STAIRS 203.1 Sq/m - 24.2%

* SEE ENLARGED DRAWING A-3
FOR DETAILS

PROPOSED

SITE PLAN

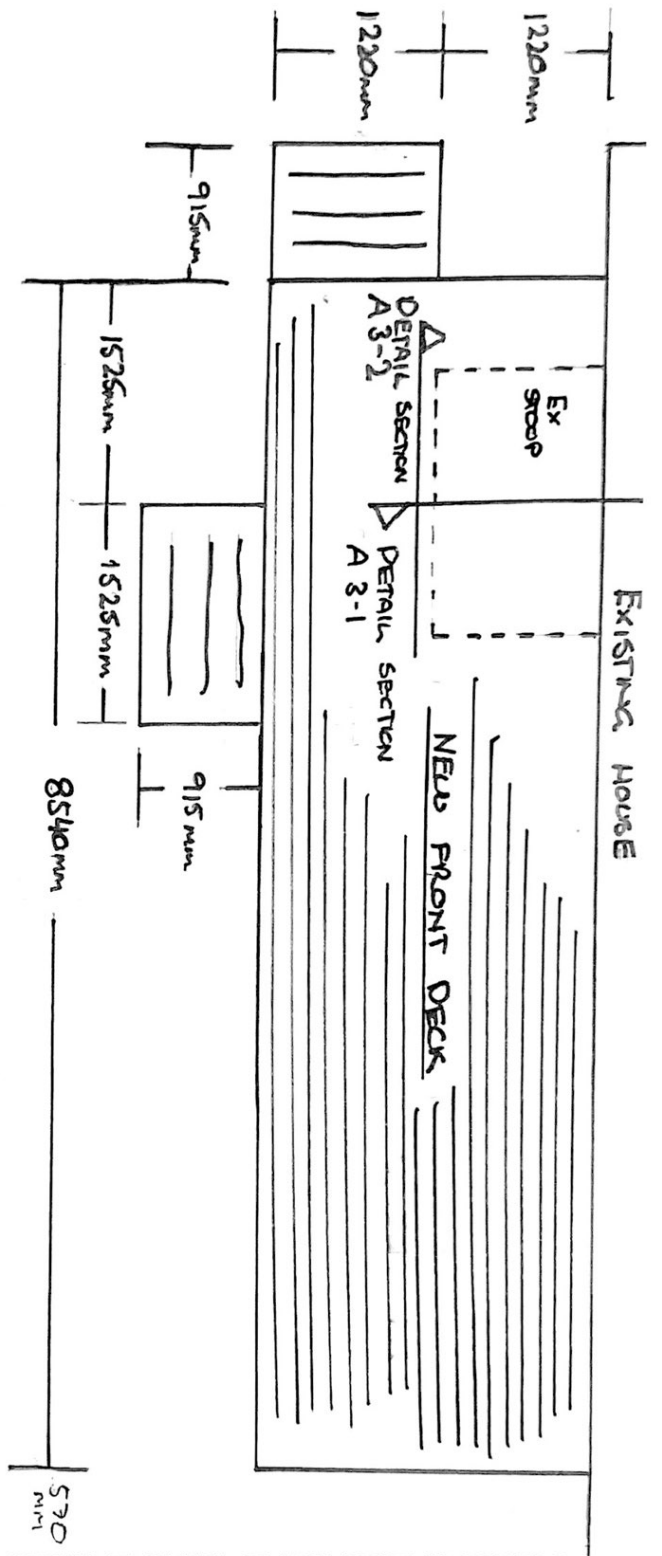
312 PARKSIDE DRIVE
WATERLOO, ONTARIO

LEGAL DESCRIPTION:

PCL 21-1, SEC M7, PT LT 21,
PL M7, FLAMBOROUGH
CITY OF HAMILTON

NORTH





NORTH

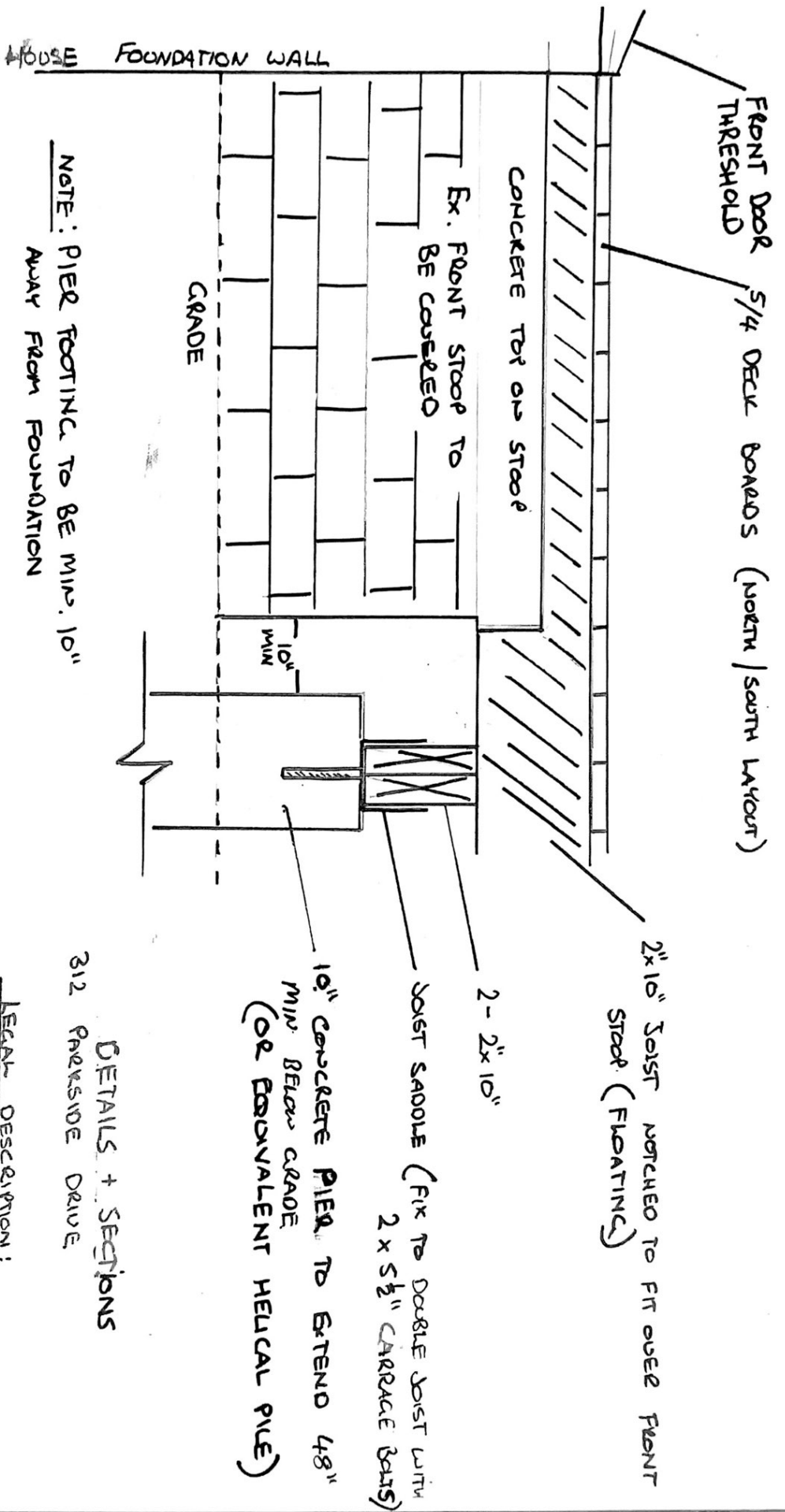


ENLARGE PROPOSED DECK

312 PARKSIDE DRIVE
WATERLOO, ONTARIO

LEGAL DESCRIPTION:

PCL 21-1, SEC M7, PT LT 21,
PL M7, FLAMBOROUGH
CITY OF HAMILTON



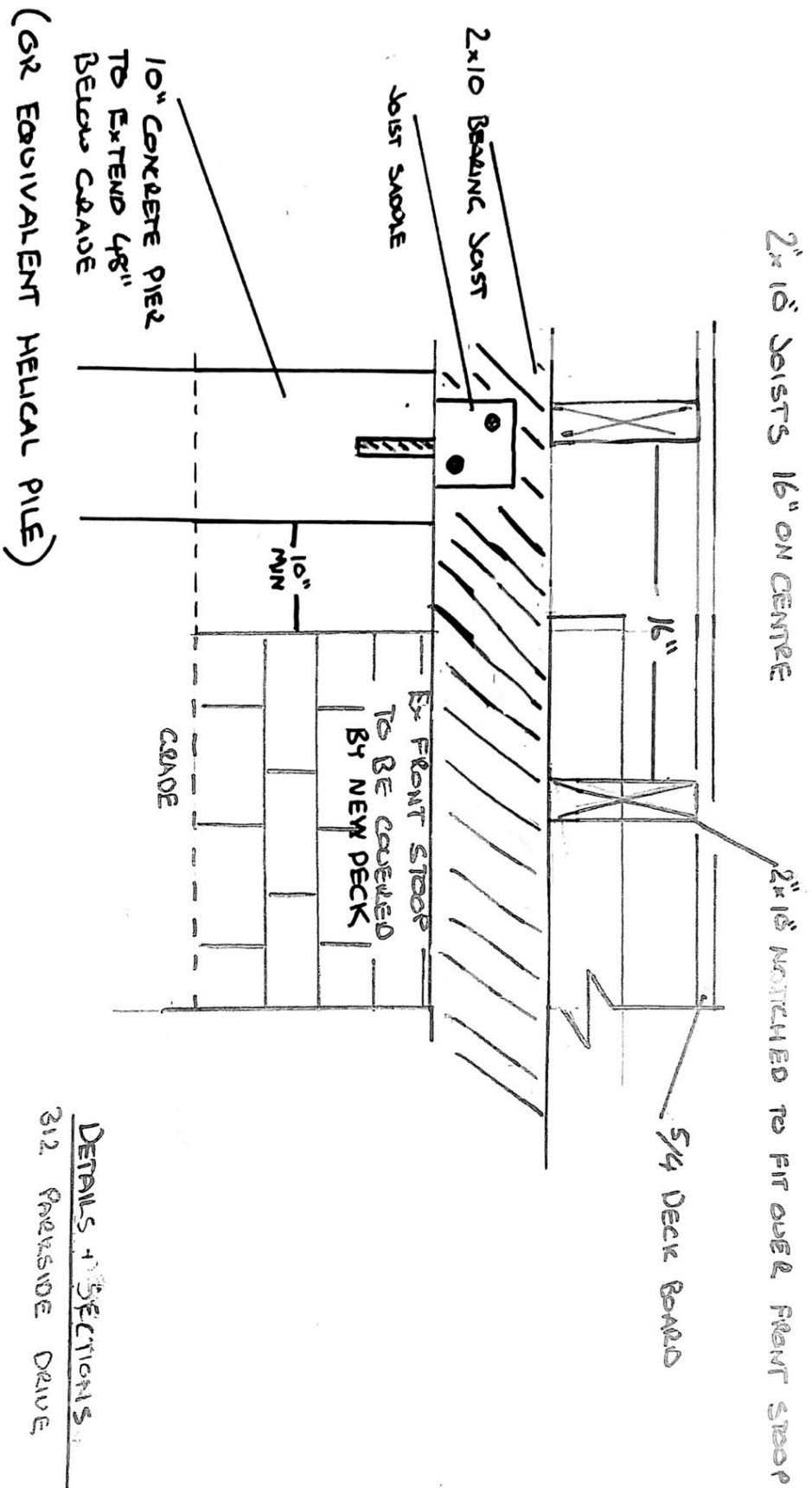
DETAILS + SECTIONS

312 PINESIDE DRIVE

LEGAL DESCRIPTION:

PCL 21-1, SEC M7, PT LT 21,
PL M7, FLAMBOROUGH
CITY OF HAMILTON

A-3.1



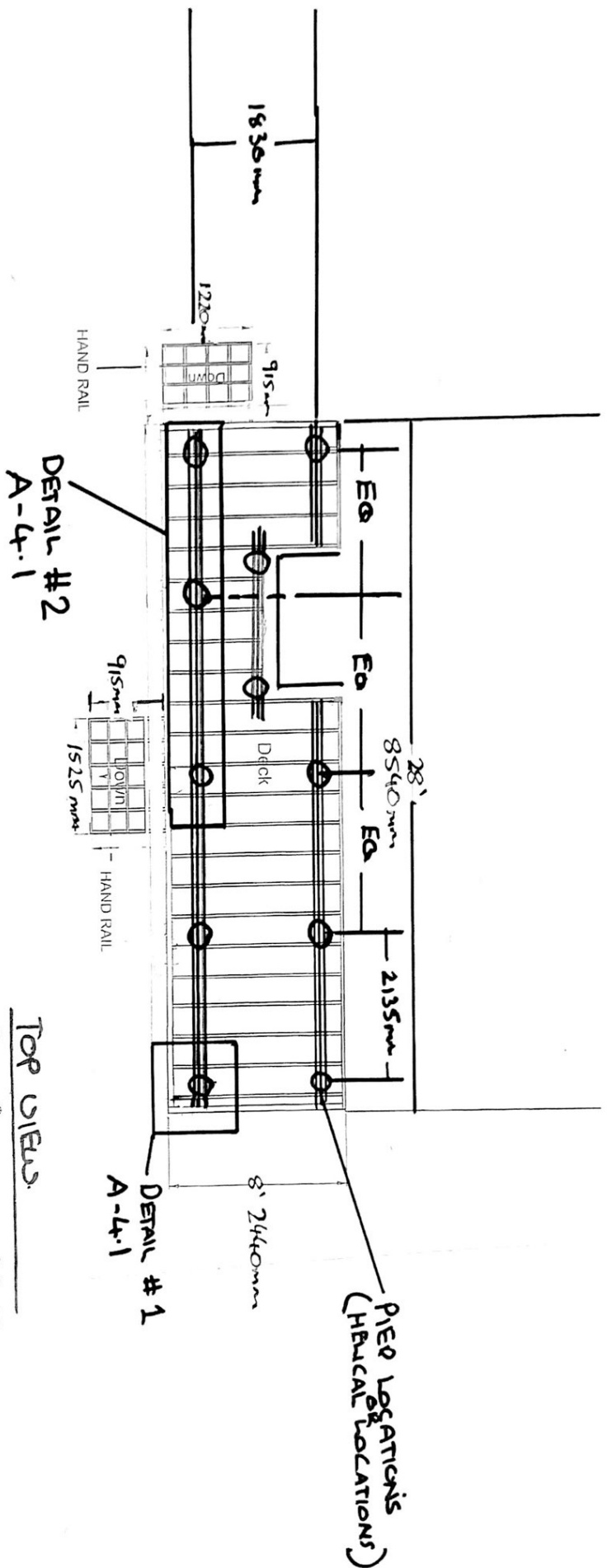
DETAILS + SECTIONS

312. PIER/SIDE DRIVE

LEGEND - DESCRIPTION:

PCL 21-1, SEC M7, PT LT 21,
PL M7, FLAMBOROUGH
CITY OF HAMILTON

A-3.2



DETAIL #2
A-4.1

DETAIL #1
A-4.1

PIED LOGGATIONS
(HIBICAL LOGGATIONS)

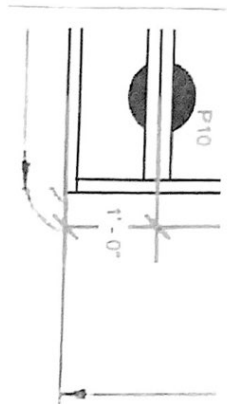
TOP VIEW

312 PINESIDE DRIVE

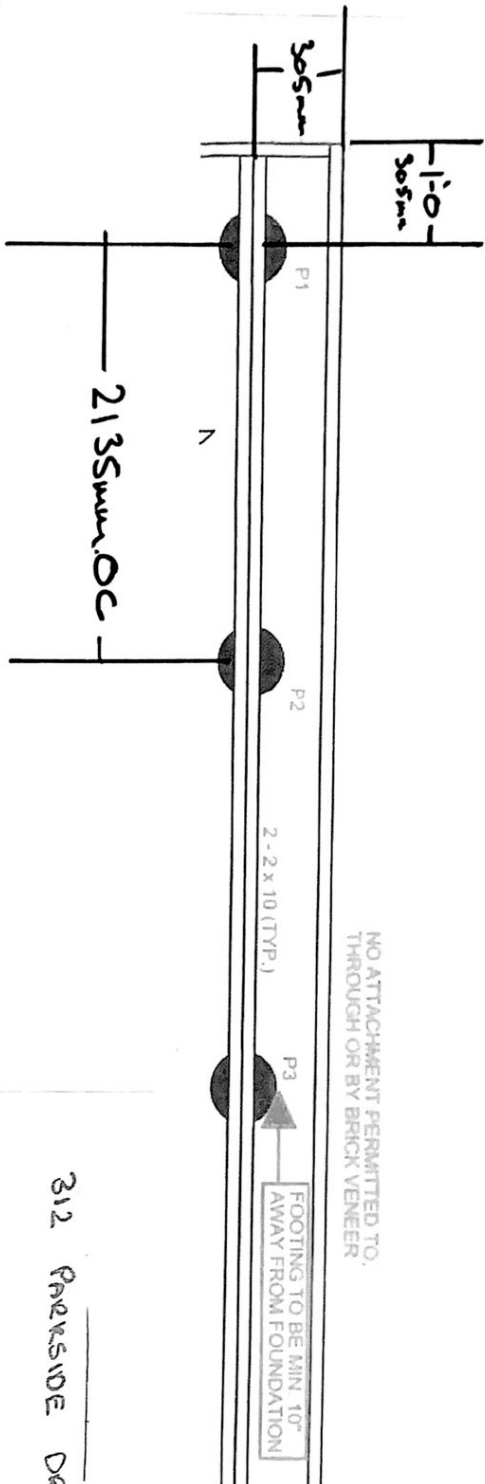
GENERAL DESCRIPTION:

PCL 21-1, SEC M7, PT 17.2,
PL M7, FLAMBOURCH
CITY OF HAMMILTON

A-4



DETAIL #1



DETAIL #2

NO ATTACHMENT PERMITTED TO,
THROUGH OR BY BRICK VENEER

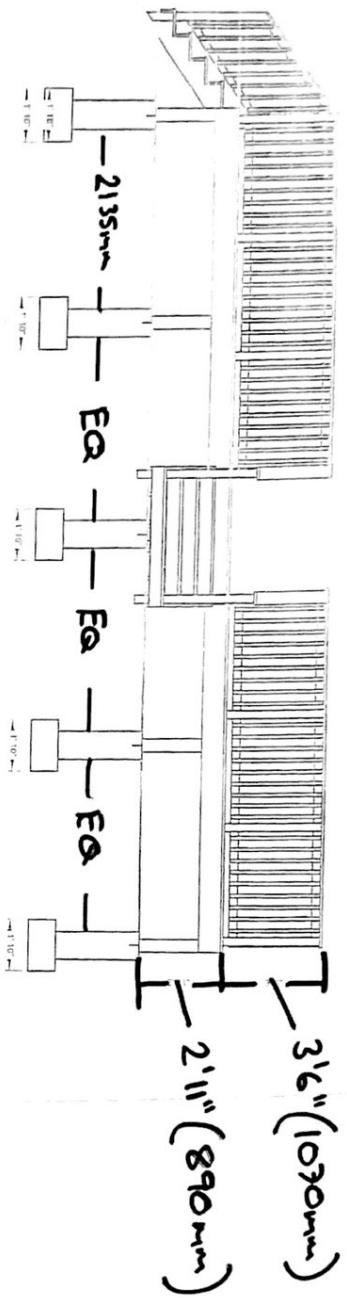
FOOTING TO BE MIN 10"
AWAY FROM FOUNDATION

312 PRESIDE DRIVE

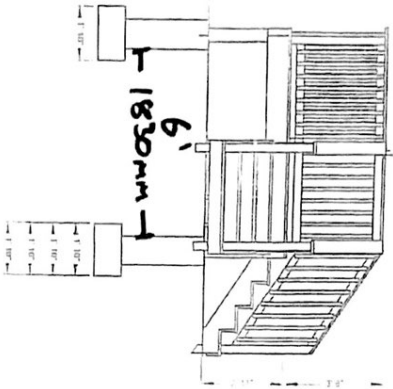
LEGAT- DESCRIPTION:

PCL 21-1, SEC M7, PT LT 21,
PL M7, FLAMBOROUGH
CITY OF HAMILTON

A-4.1



FRONT VIEWS



SIDE VIEWS

312 PINESIDE DRIVE

LEGAL DESCRIPTION:

PCL 21-1, SEC M7, PT 17 21,
PL M7, FLAMBROUCH
CITY OF HAMMILTON

A-4.2

10 m Camera: 425 m 43°20'23"N 79°54'01"W 246 m



PROPOSED FRONT DECK

312 Parkside Dr Hamilton, Ontario

PICTURE #1
VIEW OF 316 PARKSIDE DR



Google

[Report a problem](#) © 2021 Google

Camera: 244 m

Google Maps 312 Parkside Dr

PICTURE #2
VIEW OF 312 PARKSIDE DR



Image capture: Jun 2019 © 2021 Google

Hamilton, Ontario

Google

Street View



312 Parkside Dr Hamilton, Ontario

PICTURE # 3
VIEW OF 310 PARKSIDE DRIVE



**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	MAILING ADDRESS	
Registered Owners(s)	VARGHESE, ALEX / SABRINA THOMAS, MATHEW SUSAN		
Applicant(s)*	VARGHESE, ALEX / SABRINA		
Agent or Solicitor			Phone: 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:

EQUITABLE BANK
P.O. BOX 987, STN. F
TORONTO, ON
M4Y 2N9

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:
1/ To change the current setback from 6 meters to 4.52 meters

☐ Secondary Dwelling Unit ☐ Reconstruction of Existing Dwelling

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

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**):
M7 Lot 21
312 Parkside Drive, Waterdown, ON L0R 2H0

7. PREVIOUS USE OF PROPERTY

Residential ☒ Industrial ☐ Commercial ☐
Agricultural ☐ Vacant ☐ Other ☐

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 8.1 to 8.10 above?

Previous city zoning and neighbors knowledge


8.12 If previous use of property is industrial or commercial or if YES to any of 8.2 to 8.10, 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.

July 6, 2021
Date


Signature Property Owner(s)

S. VARGHESE A. VARGHESE
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage	<u>18.288 meters</u>
Depth	<u>45.72 meters</u>
Area	<u>836.13 sq meters</u>
Width of street	<u>-----</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: _

Single family dwelling - Please see attached drawings for site plan.

Proposed

20.84 sq / meter front deck

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

Existing:

Please see existing site plan A-1

Proposed:

Please see proposed site plan A-2

13. Date of acquisition of subject lands:
November 1, 2019
14. Date of construction of all buildings and structures on subject lands:
1949
15. Existing uses of the subject property (single family, duplex, retail, factory etc.):
Residential- Single family dwellings
16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):
Residential- Single family dwellings
17. Length of time the existing uses of the subject property have continued:
72 YEARS
18. Municipal services available: (check the appropriate space or spaces)
- | | | | |
|----------------|-------------------------------------|-----------|-------------------------------------|
| Water | <input checked="" type="checkbox"/> | Connected | <input checked="" type="checkbox"/> |
| Sanitary Sewer | <input checked="" type="checkbox"/> | Connected | <input checked="" type="checkbox"/> |
| Storm Sewers | <input checked="" type="checkbox"/> | | |
19. Present Official Plan/Secondary Plan provisions applying to the land:
Urban residential- Single family detached Zoning R1
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
None
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.

Question #5

Currently the front porch is 4'-2" x 6'-4" (2.4 sq/m) and without handrails. There is not enough room for the front screen door to swing outwards and is a fall hazard for anyone doing so. Please refer to images # 4, #5, #6. There is a patterned concrete finish on the top of the stoop which gets very slippery in the wintertime, also discouraging us from using it as a full-time entrance. Currently, we are using our side door (second entrance) to enter our premises. This can be frustrating at times when trying to use it as a formal entrance for guests, due to the fact that it is a small, mudroom style entrance, not designed for multiple people coming in and out. Our proposed design will increase the size from 2.4 sq/meters to 23.62 sq/meters and will eliminate the bottle-neck mudroom entrance, allowing us to utilize the original main entrance of our home, which is better designed for guest traffic. Please refer to image #1, #2, #3. Image #1 (316 Parkside Drive) shows their beautiful white fence, projecting out on their property line and picture # 3 (310 Parkside Drive) has a lovely hedge that will eventually fill in, giving them privacy. Both neighbours' fence and hedges have left our home looking dated and bland, see picture #2. Our proposed design will keep with the style of the neighborhood, eliminate the bland, dated-look and create an open, functional space for our family and guests to enter or dwell and enjoy the afternoon sun. This brings us to the variance we are requesting. The current by-law states a minimum 6-meter setback be required. We would like to apply to decrease this setback to 4.52 meters, a small request of 1482 mm or 4'-10". This will give us enough space to use our formal front entrance, place a couple of chairs and a side table at one end of the deck and still have enough room to walk around each other and not feel as though we are falling over the edge. Our proposed plan will not diminish the street's current charm and will enhance the overall aesthetics.