

## **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-21:282

**APPLICANTS:** Owner Ryan McHugh  
Agent Julia Mancini

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

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

**ZONING:** D district Urban Protected Residential - 1 & 2 Family Dwellings  
Etc.)

**PROPOSAL:** To permit alterations to the existing single family dwelling including the replacement of a roofed-over unenclosed porch and associated stairs in the front yard, notwithstanding that;

1. A roofed-over or screened but otherwise unenclosed porch at the first storey level, including eaves and gutters and associated stairs, shall be permitted to project into a required front yard by 3.84 metres, instead of the maximum permitted projection of 3.0 metres.
2. A roofed-over or screened but otherwise unenclosed porch at the first storey level, including eaves and gutters and associated stairs, shall be permitted to project into a required side yard by 0.51 metres, whereas an unenclosed porch/deck is not permitted to project into a required side yard.

Note:

1. Please note that the applicant requested a variance to permit a minimum side yard setback of 0.69 metres, whereas a 1.2 metre minimum side yard is required. The submitted site plan indicates that the proposed eaves/gutters of the proposed roofed-over enclosed porch are 0.69 metres to the southerly side lot line. The projection of a roofed-over unenclosed porch is regulated by Section 18(3)(iv)(d) of Hamilton Zoning By-law No. 6593; therefore, the variance(s) have been requested to Section 18(3)(iv)(d), as opposed to the minimum side yard requirements for the principle dwelling, established by Section 10(3)(ii).

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

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**DATE:** Thursday, September 9<sup>th</sup>, 2021  
**TIME:** 2:35 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: August 24th, 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.***

DO NOT SCALE DRAWINGS

NOTE:

- 1) CONTRACTOR TO CHECK ALL DIMENSIONS, SPECIFICATIONS, ECT.ON SITE AND SHALL BE RESPONSIBLE FOR REPORTING ANY DISCREPANCY TO THE ENGINEER AND/ OR DESIGNER
- 2) ALL WORKS TO BE IN ACCORDANCE WITH THE ONTARIO BUILDING CODE.

NOTE:

ALL DIMENSIONS SHOWN IN METERS UNLESS NOTED OTHERWISE

ZONING CODE = D

ZONING DESCRIPTION= URBAN PROTECTED RESIDENTIAL- ONE AND TWO

MIN. REQUIRED FRONT YARD = 3M  
PROPOSED FRONT YARD= 3M

MIN. REQUIRED SIDE YARD = 1.2M  
PROPOSED SIDE YARD= 0.84M\*  
\*VARIANCE REQUIRED

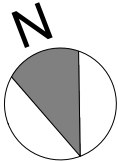
A ROOFED-OVER OR SCREENED BUT OTHERWISE UNENCLOSED ONE-STOREY PORCH AT THE FIRST STOREY LEVEL, INCLUDING EAVES AND GUTTERS, MAY PROJECT INTO A REQUIRED FRONT YARD OR REAR YARD TO A DISTANCE OF NOT MORE THAN 3.0 METRES (9.84 FEET), AND EVERY SUCH PROJECTING PORCH SHALL BE DISTANT AT LEAST 1.5 METRES (4.92 FEET) FROM THE FRONT LOT LINE

29.10 M PROPERTY LINE

13.20 M PROPERTY LINE

13.20 M PROPERTY LINE  
ONTARIO AVE

29.10 M PROPERTY LINE



EXISTING  
SINGLE  
FAMILY  
DWELLING

NEW  
COVERED  
PORCH  
17.55 M<sup>2</sup>

ROOF  
O.H.

3004

2594

3065

2930

3111

240

240

693



Ontario

Ministry of Municipal Affairs & Housing

Qualification Information

The undersigned has reviewed and takes responsibility for this design and has qualifications and meets the requirements set out in the Ontario Building Code to be a Designer.

Signature *Julia Mancini*

Julia Mancini, Manco Design  
BCIN 113168

MANCO  
ARCHITECTURAL DESIGN

Phone | 905-537-9578  
Email | julia@mancodesign.com  
Website | www.mancodesign.com



DRAWING SUBMISSIONS

DATE	TYPE
21-06-03	PERMIT SET

52 ONTARIO AVENUE  
HAMILTON, ONTARIO

DRAWN BY: JM  
PLOT DATE: 2021-06-03

PAGE  
SITE PLAN

SP1.01

1

SP1.01

SITE PLAN

Scale 1:100

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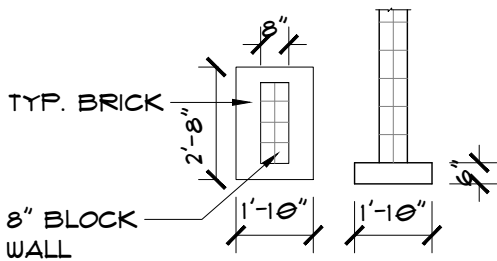
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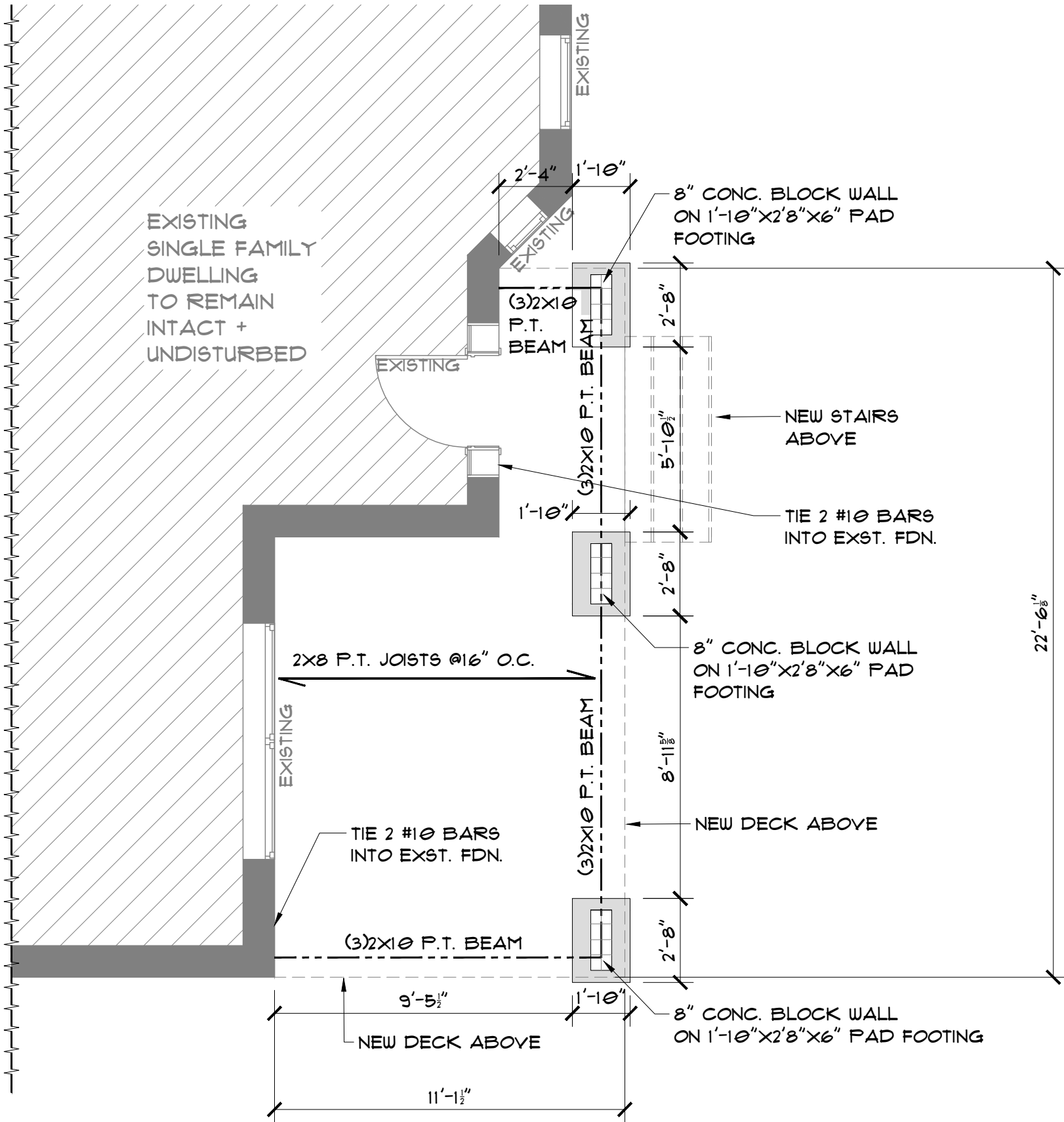
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BLOCK DETAIL- NTS



1 PROPOSED FOUNDATION  
A1.02 Scale 1/4"=1'-0"

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FOUNDATION

A1.02

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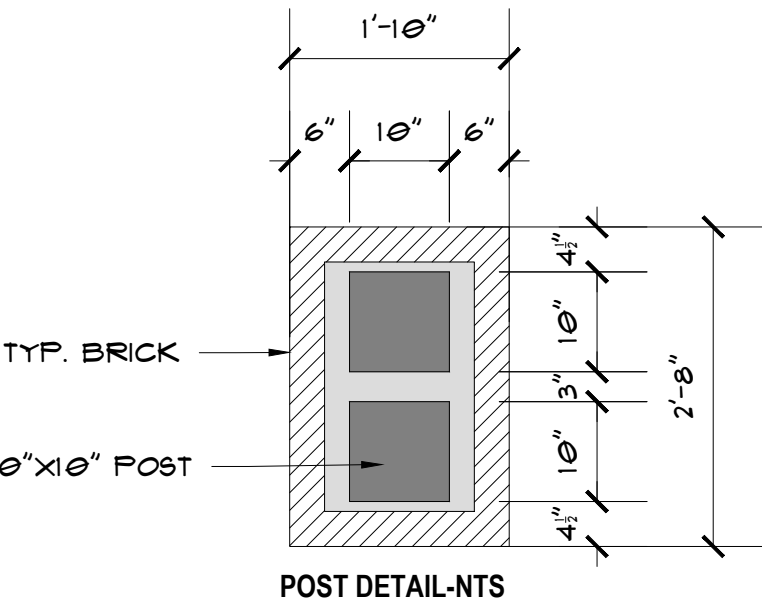
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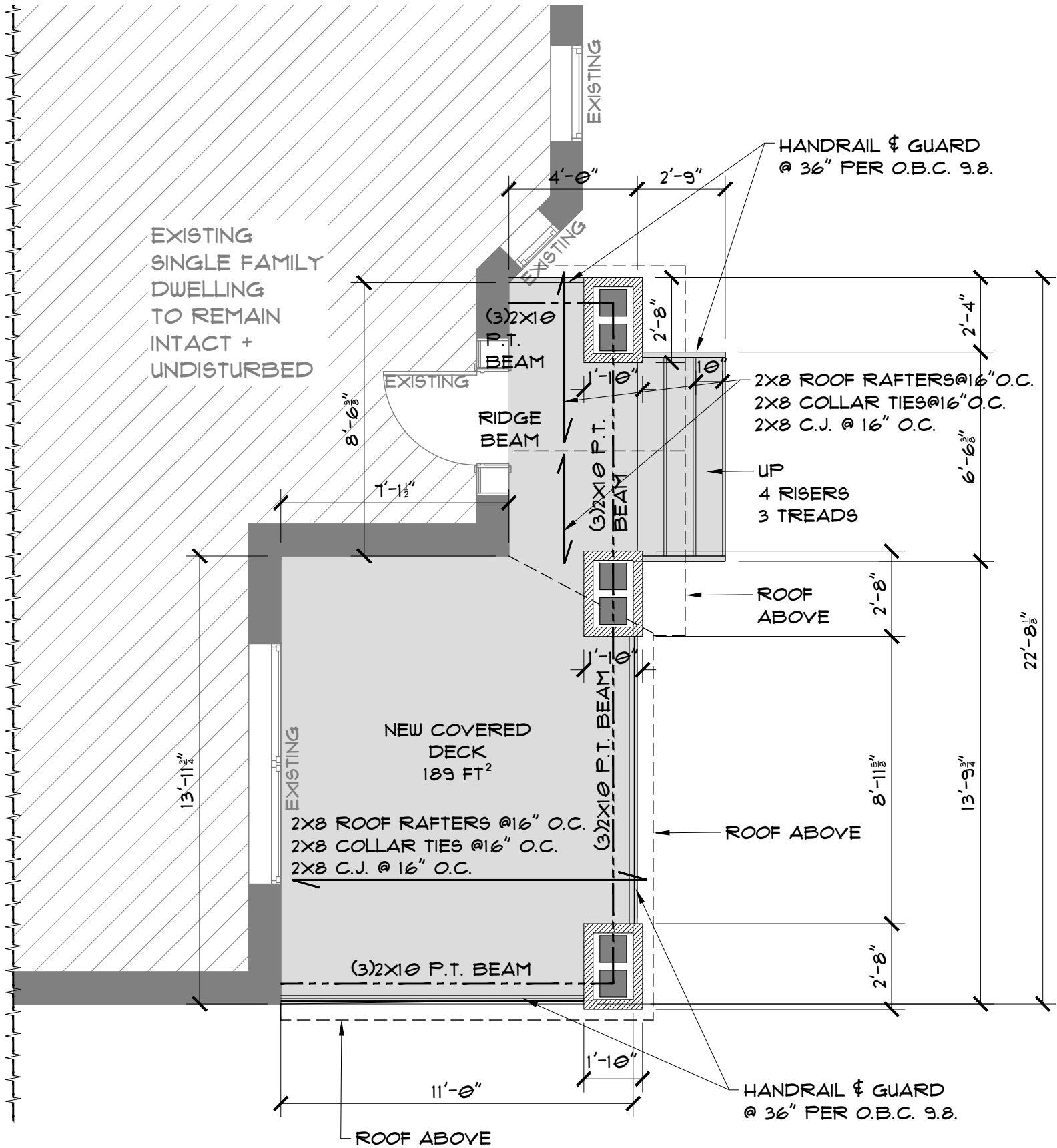
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1  
A1.02

PROPOSED PORCH  
Scale 1/4"=1'-0"



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PORCH

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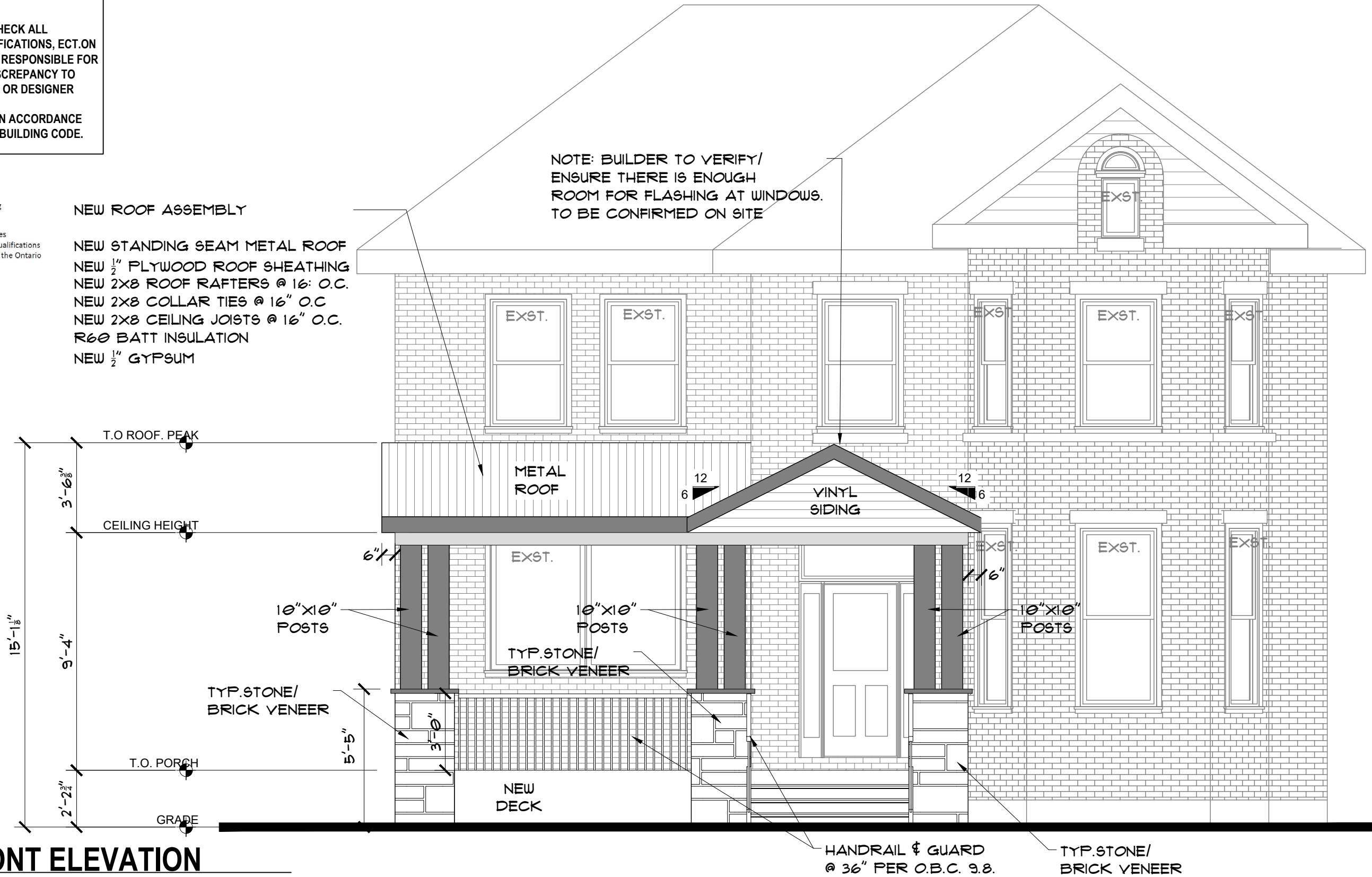
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NEW ROOF ASSEMBLY

NEW STANDING SEAM METAL ROOF  
NEW  $\frac{1}{2}$ " PLYWOOD ROOF SHEATHING  
NEW 2X8 ROOF RAFTERS @ 16" O.C.  
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R60 BATT INSULATION  
NEW  $\frac{1}{2}$ " GYPSUM

NOTE: BUILDER TO VERIFY/  
ENSURE THERE IS ENOUGH  
ROOM FOR FLASHING AT WINDOWS.  
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1 FRONT ELEVATION  
A2.01 Scale  $\frac{1}{4}$ "=1'-0"

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ELEVATION

A2.01



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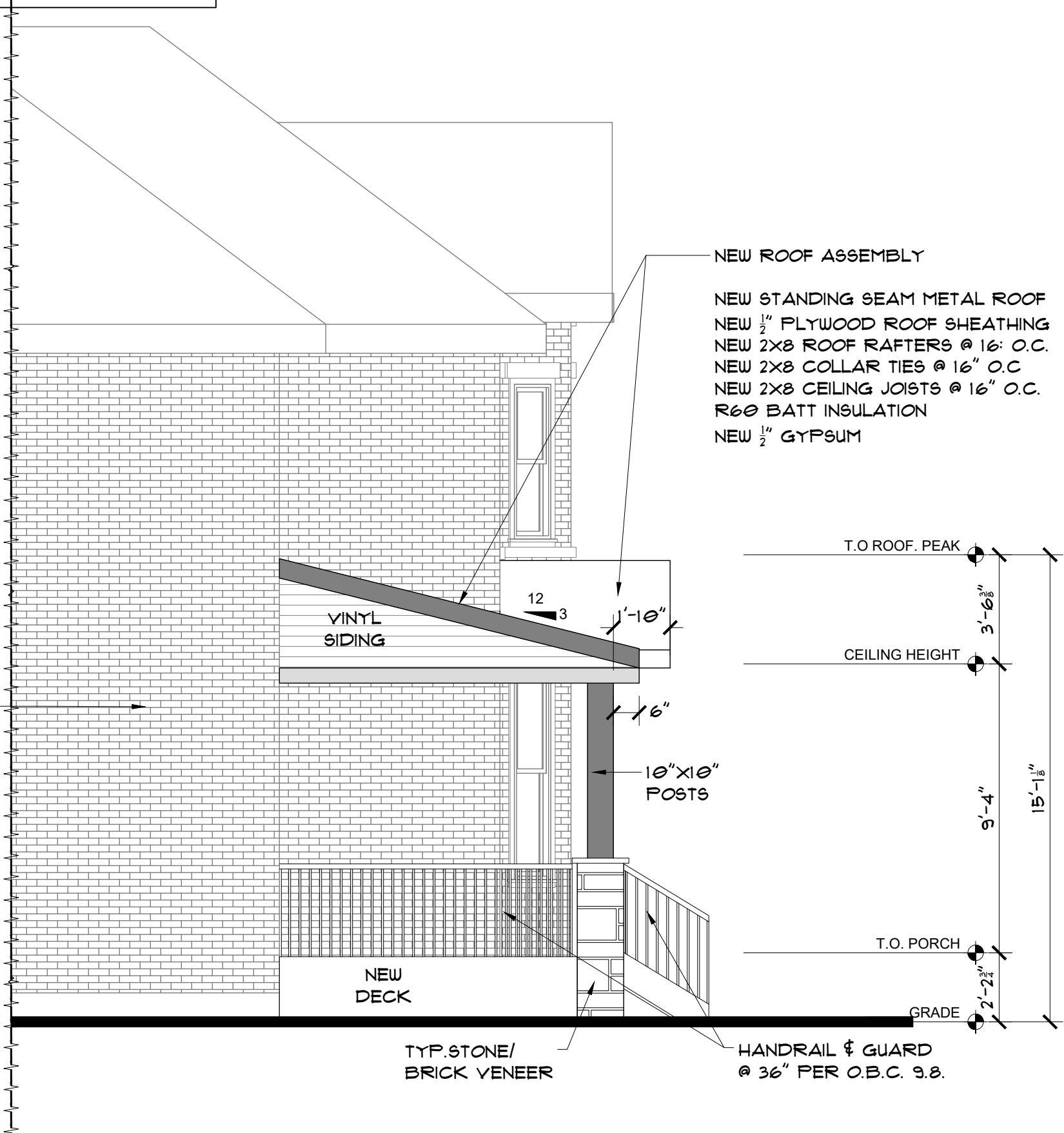


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EXISTING SINGLE FAMILY DWELLING TO REMAIN INTACT + UNDISTURBED



1  
A2.02

**SIDE ELEVATION 1**

Scale  $\frac{1}{4}$ "=1'-0"

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**SIDE ELEVATION**

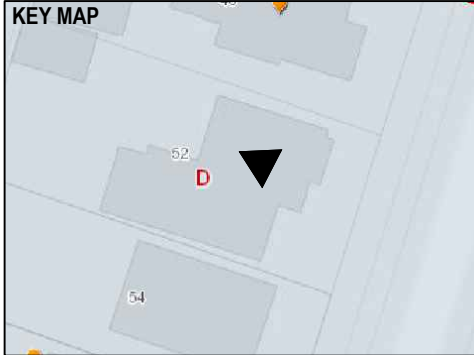
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KEY MAP



SHEET INDEX

- A0.01..... COVER PAGE
- SP1.01..... SITE PLAN
- A1.01..... EXISTING PORCH PLAN
- A1.02..... PROPOSED FOUNDATION
- A1.03..... PROPOSED PORCH PLAN
- A1.04..... PROPOSED ROOF PLAN
- A2.01..... PROPOSED ELEVATIONS

AREA OF WORK (FT²)

NEW COVERED PORCH: 189 FT² (17.55 M²)



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# 52 ONTARIO AVENUE HAMILTON, ONTARIO

## SCOPE OF WORK:

### - NEW COVERED PORCH



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PAGE  
COVER PAGE

A0.01



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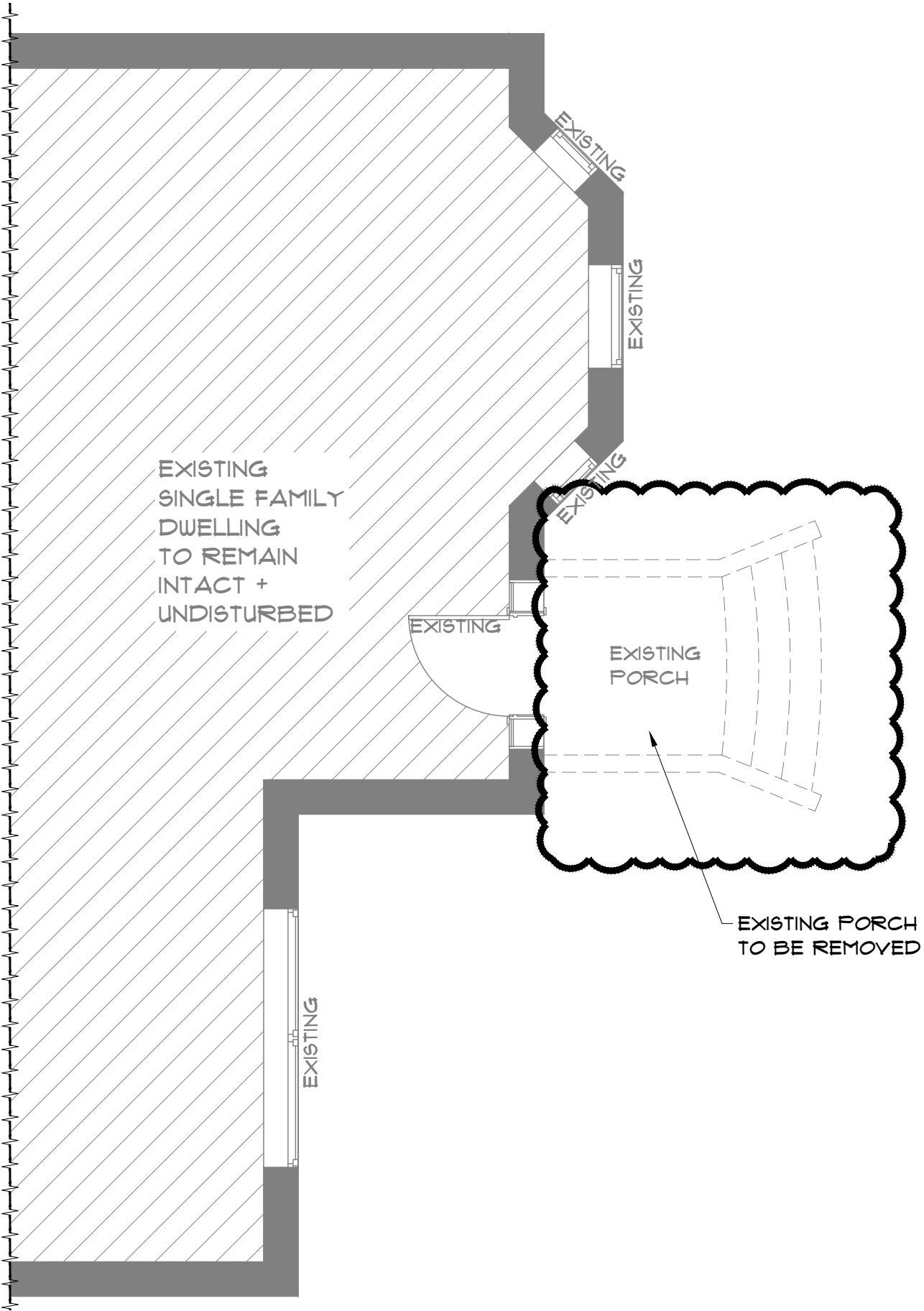
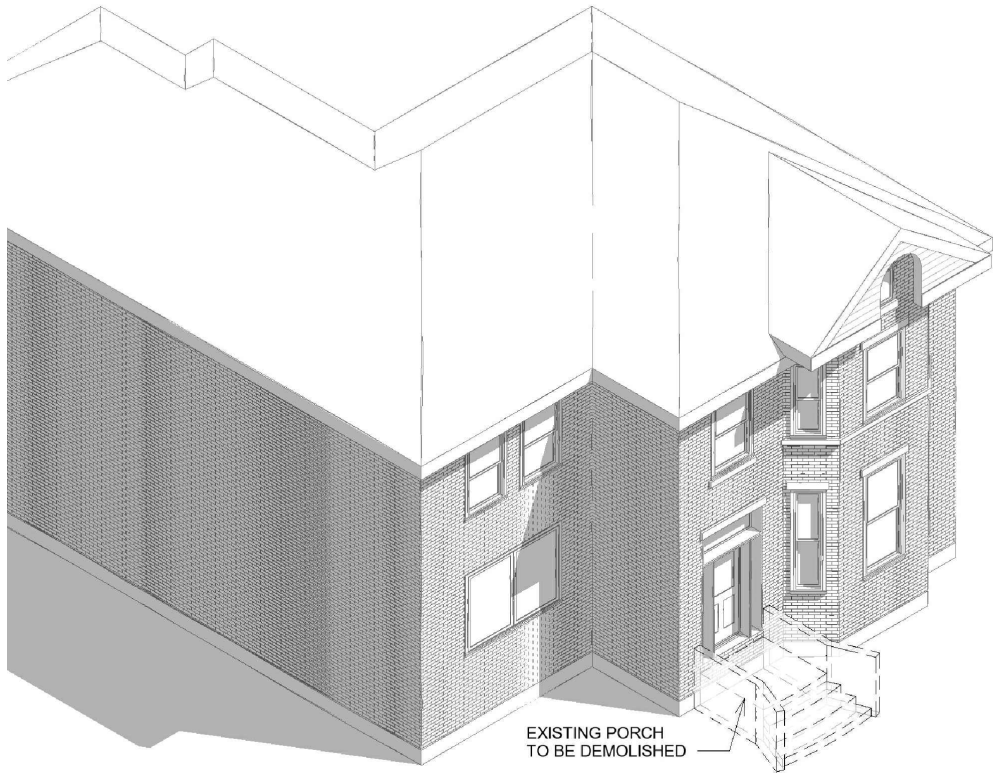
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1  
A1.01

**EXISTING DECK PLAN**  
Scale  $\frac{1}{4}$ "=1'-0"

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PAGE  
**EXISTING  
DECK**

**A1.01**

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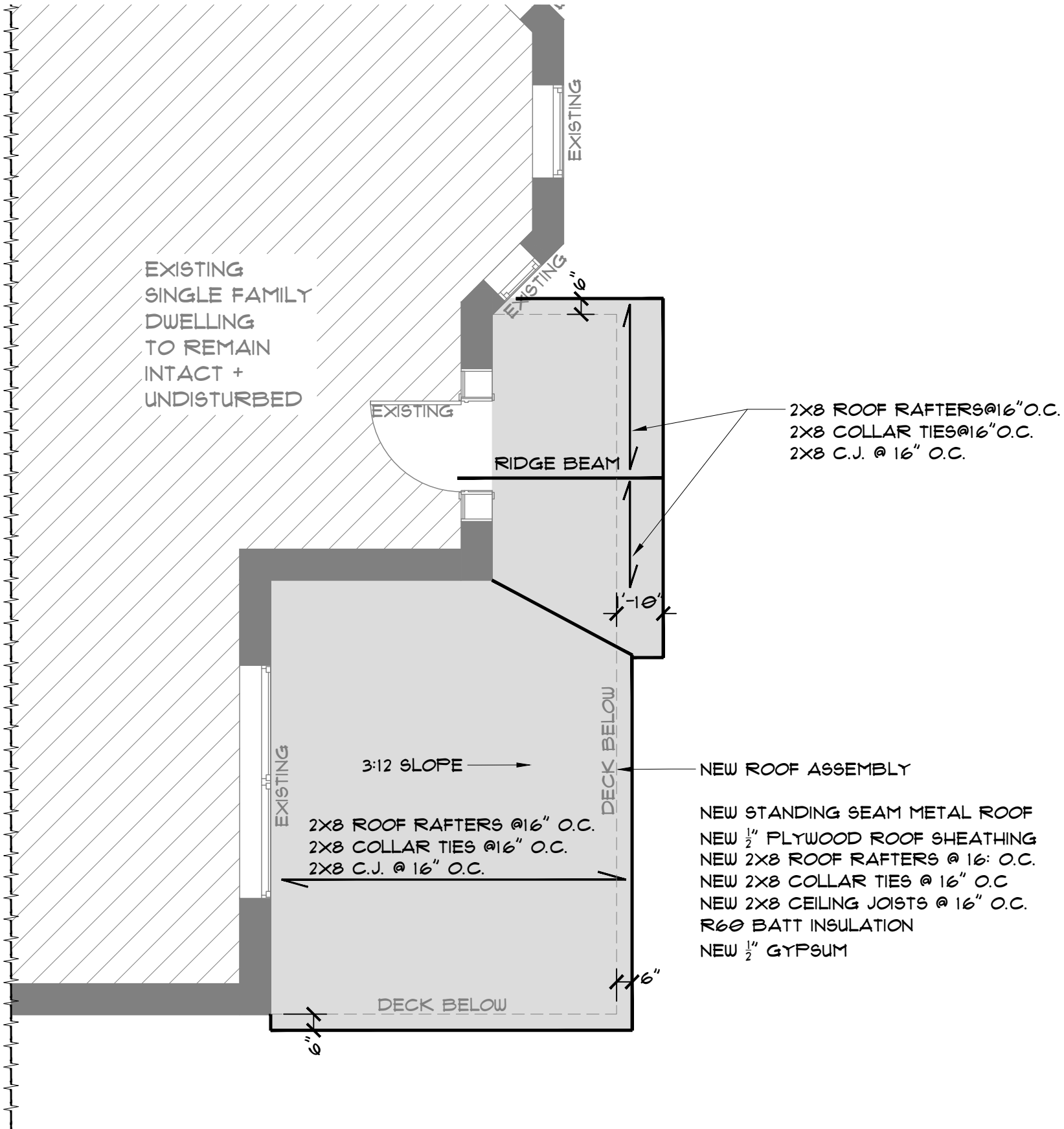
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1  
A1.03

PROPOSED ROOF PLAN  
Scale 1/4"=1'-0"

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A1.03

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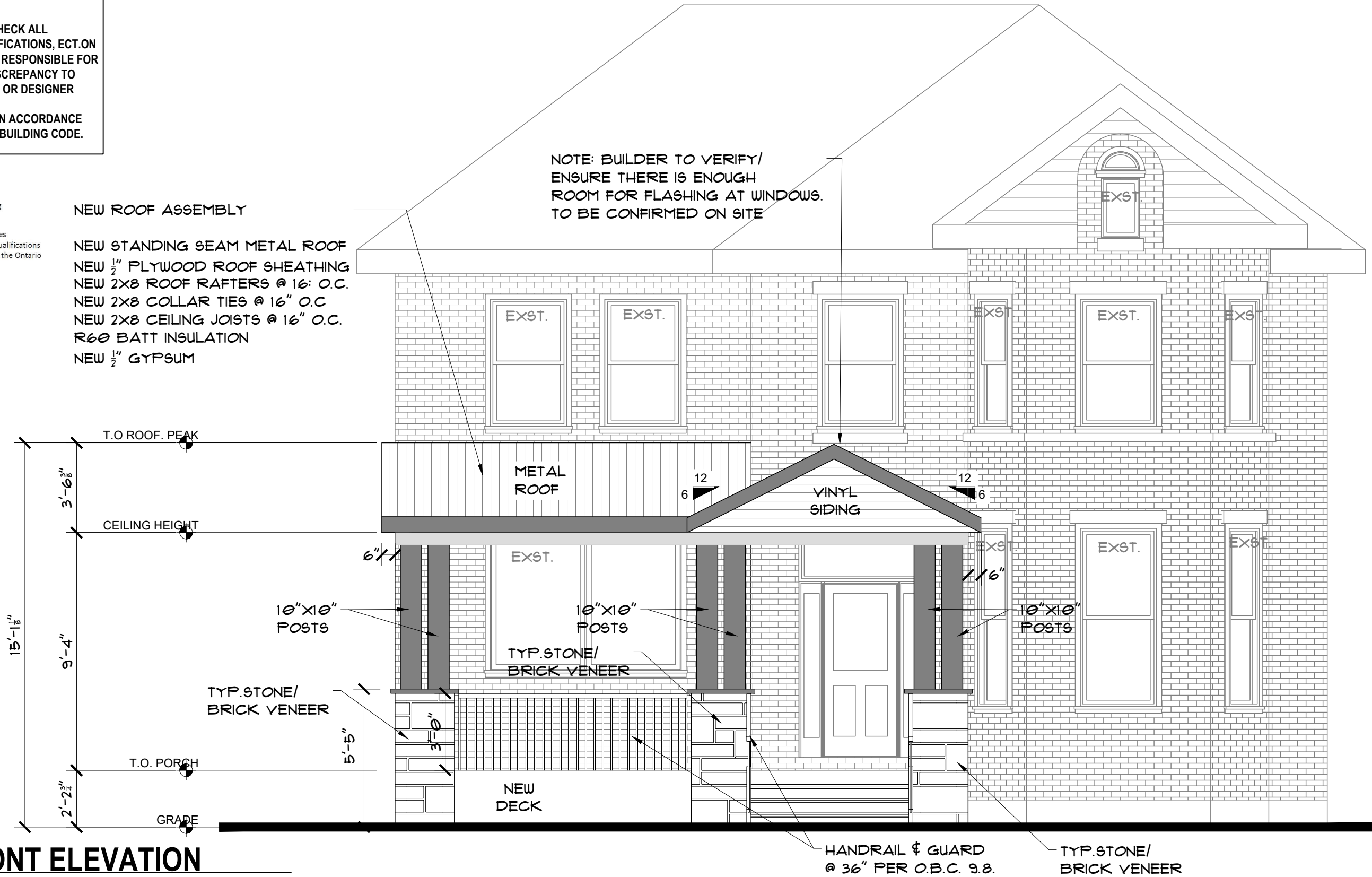
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NEW ROOF ASSEMBLY

NEW STANDING SEAM METAL ROOF  
NEW  $\frac{1}{2}$ " PLYWOOD ROOF SHEATHING  
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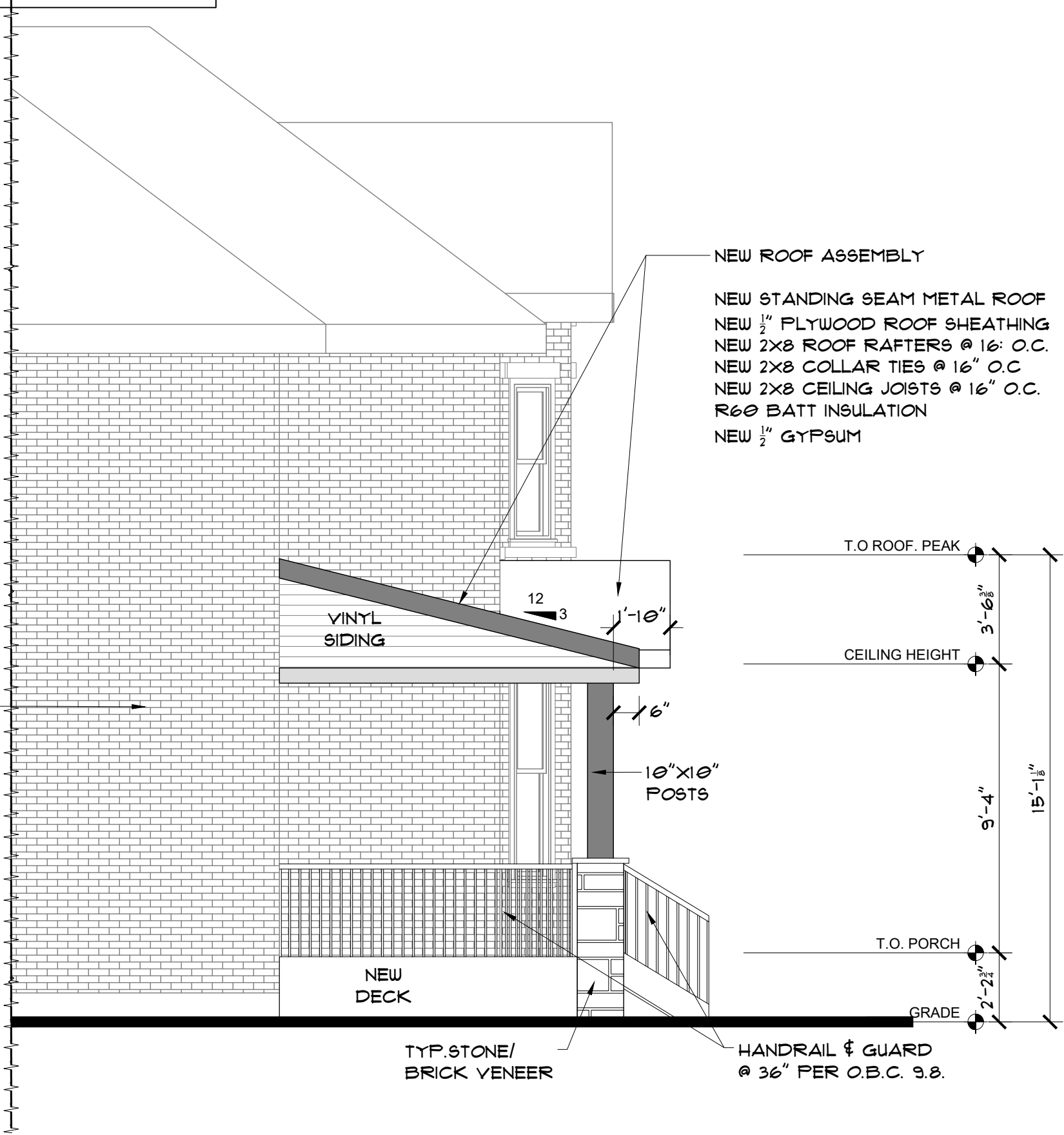


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EXISTING SINGLE FAMILY DWELLING TO REMAIN INTACT + UNDISTURBED



1 SIDE ELEVATION 1  
A2.02 Scale  $\frac{1}{4}$ "=1'-0"

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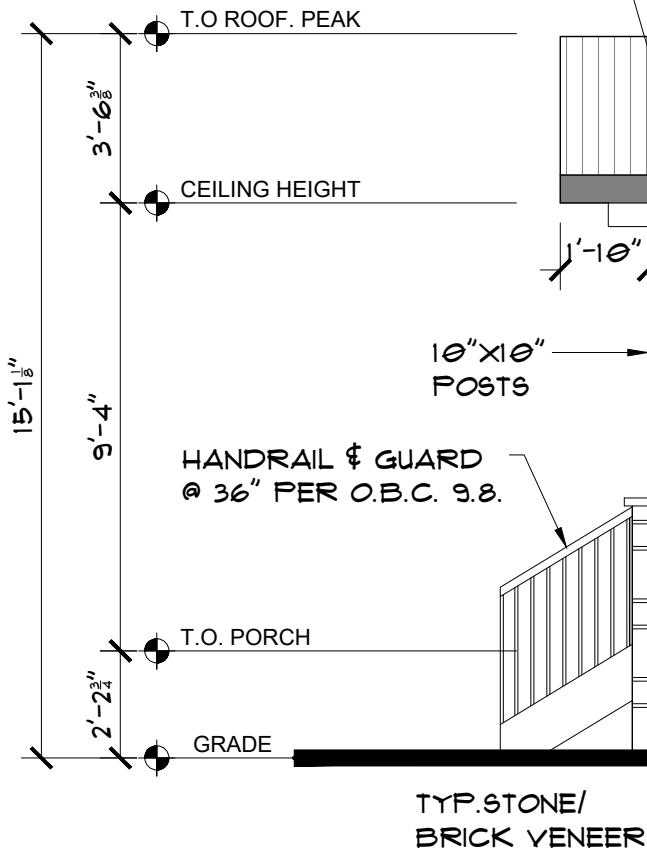
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EXISTING SINGLE  
FAMILY DWELLING TO  
REMAIN INTACT +  
UNDISTURBED

1  
A2.03

SIDE ELEVATION 1

Scale 1/4"=1'-0"

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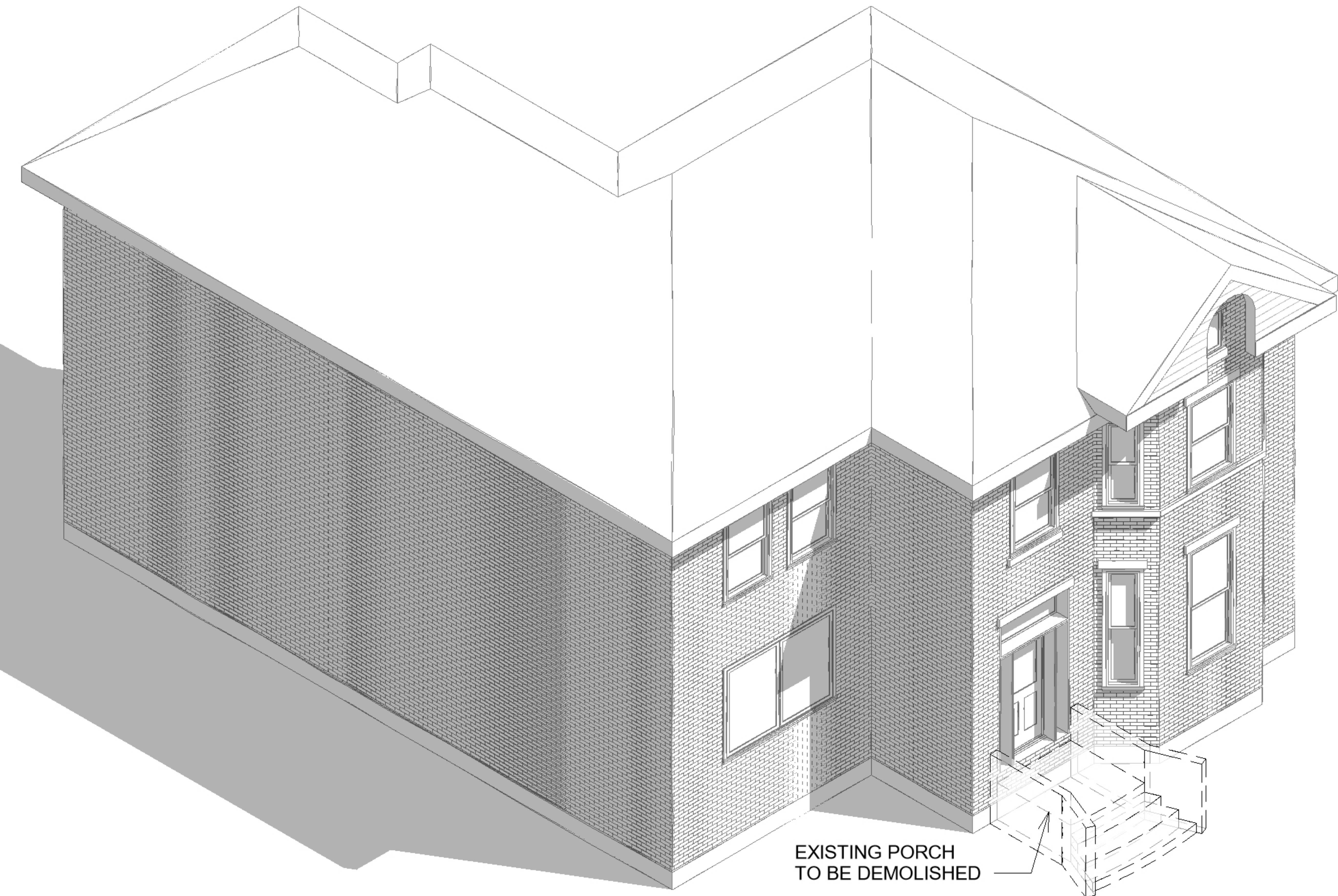
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SIDE  
ELEVATION

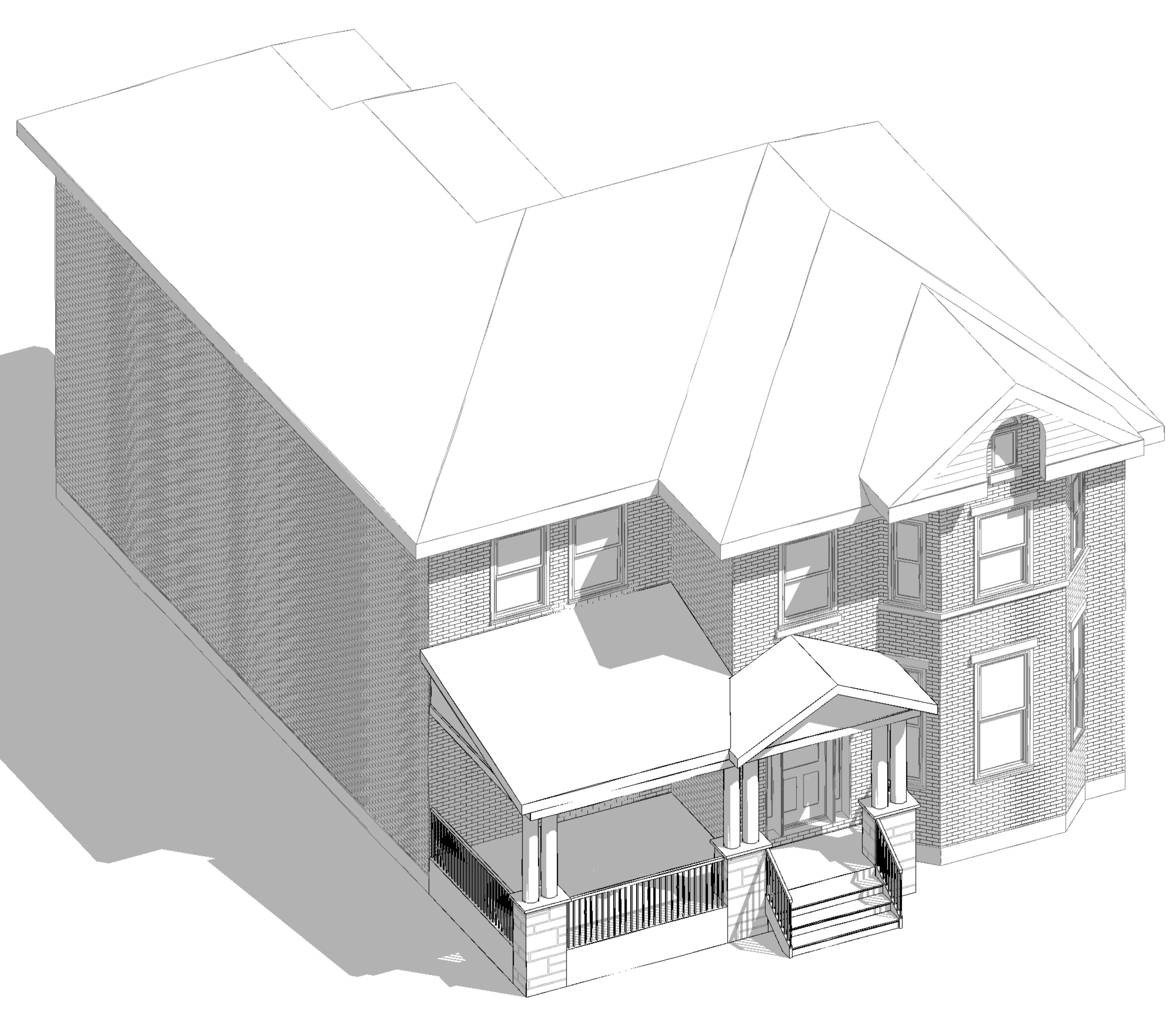
A2.03





EXISTING PORCH  
TO BE DEMOLISHED









## 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) <del>Ryan</del> Ryan <del>Prinya</del> Prinya Sandhu	Ryan McHugh. Prinya Sandhu	
Applicant(s)*	Julia Mancini	
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:



**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:  
Covered porch. To allow for s.y. setback of 0.69 (1.2m required)

☐ Secondary Dwelling Unit      ☐ Reconstruction of Existing Dwelling

5. Why it is not possible to comply with the provisions of the By-law?  
The covered porch extends to the existing house. The existing house s.y. does not comply, therefor the new porch does not comply.

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**):  
52 Ontario Avenue, Hamilton, Ontario

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?

Information provided by client

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.

8/7/2021  
Date

[Signature]  
Signature Property Owner(s)

Priya Sandhu / Ryan McHugh  
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage	<u>13.20m</u>
Depth	<u>29.70m</u>
Area	<u>392.04m<sup>2</sup></u>
Width of street	<u>20m</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: \_

2 stories, 52' L x 36'7"W, 32'H (existing home)

Proposed

2 stories, 52'L x 36'7"W, 32'H (existing house)  
proposed porch - 1 storey, 11'1"W x 28'8"L, 15'1"H

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

Existing:

3.42 F.Y.  
1.2 & 0.84 s.y.

Proposed:

porch ~ 3m F.Y.  
0.69 & 0.84 S.Y.

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 (single family, duplex, retail, factory etc.):

Single Family

16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):

Single Family

17. Length of time the existing uses of the subject property have continued:

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:

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

Zone "D"

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.