



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
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APPLICATION NO.: HM/A-21:342

APPLICANTS: Owners Romy, Mary Ann, & Romerick Obar

SUBJECT PROPERTY: Municipal address **1081 Upper Sherman Ave., Hamilton**

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

ZONING: "C" (Urban Protected Residential, etc.) district

PROPOSAL: To permit a secondary dwelling unit within an existing single family dwelling, notwithstanding that:

1. The front yard landscaped area shall comprise a minimum area of 28% instead of the minimum required 50% front yard landscaped area.

NOTES:

1. The submitted application was not clear in that the additional parking space and reduced front yard was required to accommodate a secondary dwelling unit. The applicant has clarified that the variance is to address the requirements for a secondary dwelling unit.
2. The requested variance for front yard landscaped area was based on the information provided on the submitted sketch.
3. The submitted plan is not a survey and may not reflect existing site conditions. The existing driveway width appears to be wider and extends to the southerly side lot line based on the aerial view, whereas the submitted plan appears to show a landscaped strip between the driveway and side lot line.
4. The parking space width which is identified is to provide for an unobstructed parking space for the secondary dwelling unit.
5. The plan does not show the parking space size within the garage. If the parking space size is less than 2.7 metres by 6.0 metres, an additional variance will be required.

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

DATE: Thursday, October 21st, 2021
TIME: 2:05 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:

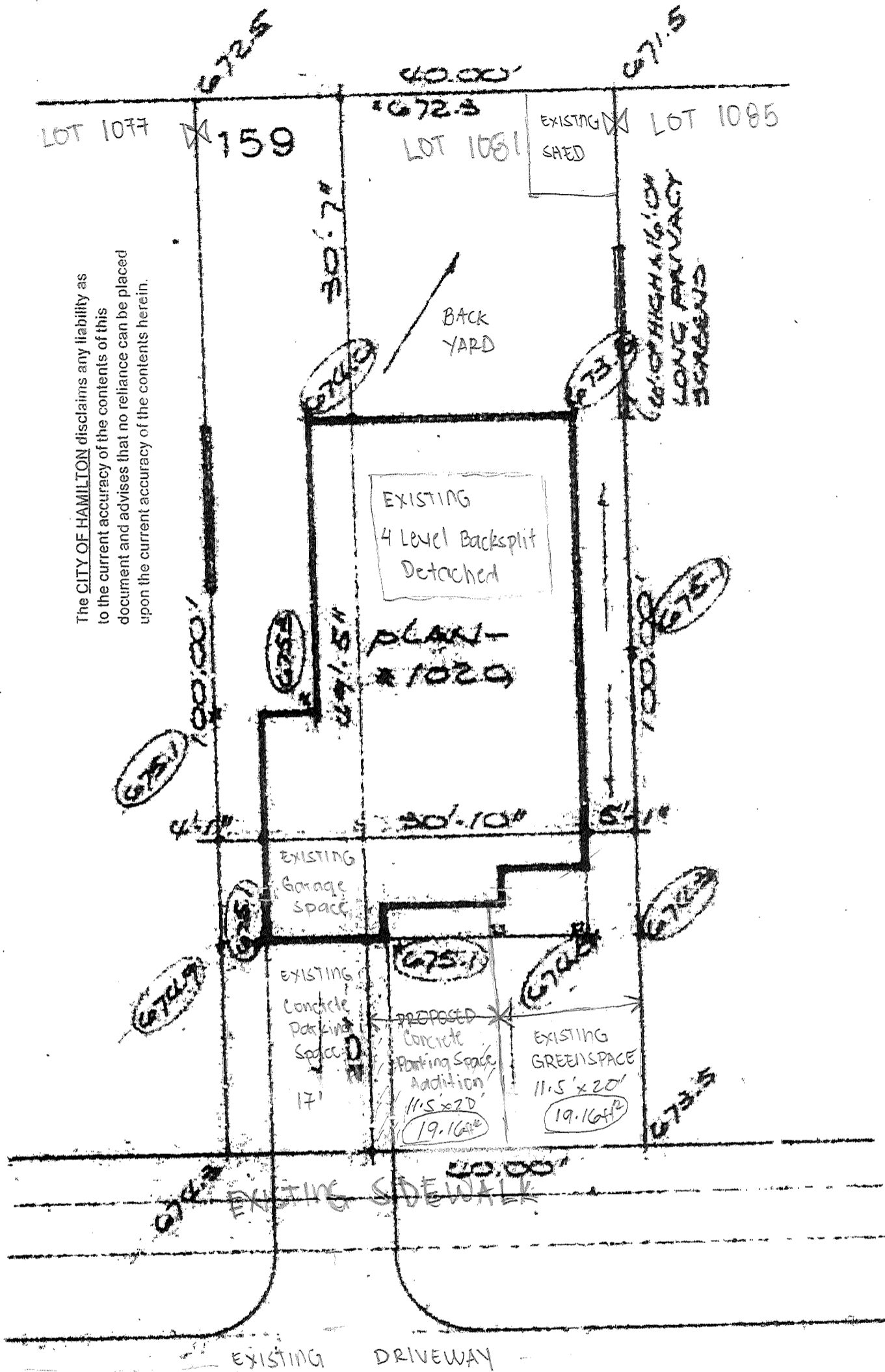
- Visit www.hamilton.ca/committeeofadjustment
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at cofa@hamilton.ca

DATED: October 5th, 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.

The CITY OF HAMILTON disclaims any liability as to the current accuracy of the contents of this document and advises that no reliance can be placed upon the current accuracy of the contents herein.



UPPER SHERMAN AVENUE

SITE PLAN
SCALE 1" = 20' 0"

- * GAR. ELEV. - 675.26
- LIVING RM ELEV - 676.26
- TOP OF BACK - 675.41
- BOTT OF CURB FTG - 677.57
- x 673.5 — EXISTING ELEV
- x 673.5 — PROPOSED ELEV.
- * 19.16ft² — Additional Parking Space (Proposed)



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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
Registered Owners(s)	Romy Obar Mary Ann Obar Romerick Tracy Obar
Applicant(s)*	Romerick Tracy Obar Mary Ann Obar Romy Obar
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:

insufficient landscape on the front yard

Secondary Dwelling Unit Reconstruction of Existing Dwelling

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

50% greenspace was not meet in the front of the property.

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**):

1001 Upper Sherman Avenue.

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?

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.

09/13/2021
Date

[Signature]
Signature Property Owner(s)

Mary Ann Obar / Ronny Obar / Romeck Tracy Obar
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage 40 ft.
Depth 100 ft.
Area 3,900 sq-ft
Width of street 100 ft.

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: 1,640 sq-ft ground floor area
1 1/2 story back split.

Proposed no change

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

Existing: 4-5 ft. side frontline
30 ft. rear yard

Proposed: no change

13. Date of acquisition of subject lands:
July 31, 2020
14. Date of construction of all buildings and structures on subject lands:
30 years ago
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:
40+ 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:
neighbourhood
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
C District by Law #0593
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.
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