

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-21:364

APPLICANTS: Agent DeFilippis Design c/o Nick DeFilippis
Owner Kathy Hollands

SUBJECT PROPERTY: Municipal address **78 Stanley Ave., Hamilton**

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

ZONING: "D" (Urban Protected Residential - One and Two Family Dwellings and etc.) district

PROPOSAL: To replace the existing stairs of the front porch with new stairs, notwithstanding:

1. The roofed over unenclosed porch will be located 0.9 m from the westerly lot line, whereas a side yard with of 2.7 m is required.
2. The roofed over unenclosed porch including the stairs will encroach the entire depth of the required front yard and be located 0 m from the front lot line, whereas a roofed over unenclosed porch including the stairs is permitted to encroach a maximum of 3.0 m into the required front yard while maintaining 1.5 m from the front lot line.
3. No front yard landscaping will be provided, whereas a minimum of 50% of the front yard shall be provided and maintained as landscaping.

Notes:

1. The front lot line is the southerly lot line.
2. Pursuant to Building Divisions policy ZON-021, the existing dwelling is deemed to be a three storey building, as such the minimum required side yards are 2.7 metres and the minimum required yard is 10.5 m pursuant to Section 18(2) of the Zoning By-law.
3. Elevation drawings were not included in the submission. Additional variance(s) may be required if the eaves and gutters encroach greater than 1/3 (0.90 m) of the width of the required side yard width of 2.7 metres.
4. A further variance may be required should the minimum required side yard width of 2.7 m not be provided from the porch to the easterly lot line.
5. Details with respect to front yard landscaping have not been provided, however, pursuant to aerial photos on GISNET it does not appear any landscaping can be provided within the front yard.

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

| | |
|---------------|--|
| DATE: | Thursday, November 4th, 2021 |
| TIME: | 2:45 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

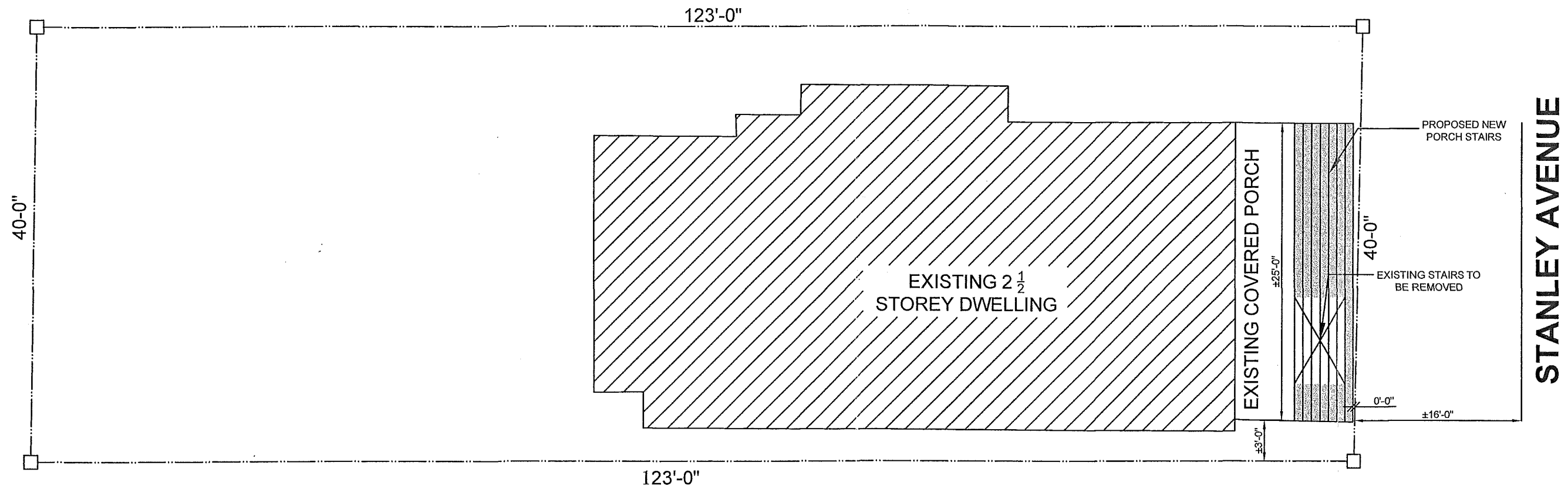
For more information on this matter, including access to drawings illustrating this request:

- 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

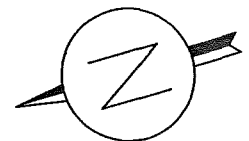
DATED: October 19th, 2021.


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.



SITE PLAN



| | | | | | | |
|----------|--------------|--|---|------------------|--|--|
| 3 | |  DeFILIPPIS DESIGN 687 BARTON STREET, SUITE 201 STONEY CREEK, ONTARIO L8E 5L6 (905) 643-2250 FAX (905) 643-1095 | KATHARINE HOLLANDS 78 STANLEY AVENUE HAMILTON, ONTARIO | SITE PLAN | | |
| 2 | | | | | | |
| 1 | | | | | | |
| REV. | DATE | | | | | |
| JOB NO. | | | | | | |
| CHKD. BY | | | | | | |
| DRN. BY | | | | | | |
| DATE: | AUGUST, 2021 | | | | | |
| SCALE: | 1:125 | | | | | |
| DWG NO. | A-1 | | | | | |



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 |
| Registered Owners(s) |
| Applicant(s)* |
| Agent or Solicitor |

Note: Unless
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:

0.0m FRONT YARD SETBACK TO
~~PROPOSED~~ PROPOSED NEW STAIRS
0.90m SETBACK ON WEST SIDE YARD
TO PROPOSED NEW STAIRS

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

LOCATION OF EXISTING DWELLING
AND STAIRS IN RELATION TO LOT LINE

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):

78 STANLEY AVE., HAMILTON

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?

RESIDENTIAL USE ON
PROPERTY IN EXCESS OF 70 years

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 which is the subject of this Application – by reason of its approval to this Application.

SEPT 17/2021
Date

K. Hollands
Signature Property Owner

Katherine Hollands
Print Name of Owner

10. Dimensions of lands affected:

Frontage

40'-0" (12.2m)

Depth

123'-0" (37.5m)

Area

4920 SQ FT (457 sq m)

Width of street

20m +

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 2 1/2 STOREY DWELLING

Proposed

SAME WITH NEW FRONT STEPS

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

Existing:

SEE SITE PLAN

Proposed:

13. Date of acquisition of subject lands:
May 2014
14. Date of construction of all buildings and structures on subject lands:
70 years plus
15. Existing uses of the subject property:
RESIDENTIAL
16. Existing uses of abutting properties:
RESIDENTIAL
17. Length of time the existing uses of the subject property have continued:
70 years plus
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 settlement
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
C - RESIDENTIAL
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.