

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-21:407

APPLICANTS: Agent DeFilippis Design
Owner Seyed Ali-Hosseini

SUBJECT PROPERTY: Municipal address **368 Caledon Ave., Hamilton**

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

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

PROPOSAL: To permit the construction of a two storey single family dwelling on the lands to be retained (Part 1) and the lands to be severed (Part 2), notwithstanding:

1. A minimum lot area of 329.1 m² will be provided for both Part 1 and Part 2, whereas the Zoning By-law requires a minimum lot area of 360.0 m².

2. A minimum front yard depth of 5.0 m will be provided for the single family dwellings proposed on Part 1 and Part 2, whereas the Zoning By-law requires a minimum front yard depth of 6.0 m².

3. A minimum of 50% of the front yard shall be provided as landscaped area, whereas a minimum of 45% of the front yard of Part 1 and Part 2 will be landscaped area.

Notes:

1. For the purposes of this application, the front lot line is deemed to be the southerly lot line along Aldridge Drive.

2. A demolition permit is required for the demolition of the existing single detached dwelling from the Building Division.

3. These variances are necessary to facilitate consent application HM/B-21:106 to be considered by the Committee of Adjustment of December 9, 2021.

4. The applicant shall ensure the proposed building height conforms with the zoning by-law requirement of 11.0 m and has been calculated in accordance with "Height" and "Grade" as defined within the Zoning By-law.

5. Elevation drawings were not provided with the submission as such, details with respect to the front porch, eaves and gutter projections into the front, rear, and side yards have not been provided. An additional variance(s) may be required if compliance with the Zoning By-law is not possible.

6. Floor Plans were not included with the submission, as such it is not clear if there are more than eight (8) habitable rooms proposed. The proposed parking scenario would not comply if there are more than eight (8) habitable rooms. An additional variance(s) is would be required.

7. The surface material of the driveway was not indicated on the site plan. An additional variance may be required if the surface materials of the proposed driveways is not gravel or similar surface or other suitable paving material.

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

DATE:	Thursday, December 9th, 2021
TIME:	2:20 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: November 23rd, 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.

±88'-0" (±26.8 m)

±44'-0" (13.4 m)

PART 2 (TO BE SEVERED)

AREA: 3542 sqf (329.1 m²)

7.5 m

7.5 m

1.22 m;

1.22 m

- 1.22 m

PROPOSED 2 STOREY
SINGLE FAMILY
DWELLING

**INSIDE
PARKING
SPACE**
3.0 m X 6.0 m

Garage

PARKING
SPACE
3.0 m X 6.0 m

DRIVEWAY

FRONT LANDSCAPE

$\pm 44'-0''$ (13.4 m)

±44'-0" (13.4 m)

0.7 m-

±88'-0" (±26.8 m)

0.7 m

⊙ — EXISTING HP

ALDRIDGE AVENUE

EXISTING SIDEWALK

CALEDON AVENUE

±80'-6" (24.5 m)

EXISTING
TREE TO
REMAIN

SITE STATISTICS

PART 1 (REMNANT)

PROPOSED GROUND FLOOR DWELLING AREA: 1364.22 sqf (126.74 m²)

FRONT YARD LANDSCAPING AREA: 360.6 sqf (33.5 m²) - 45.13%

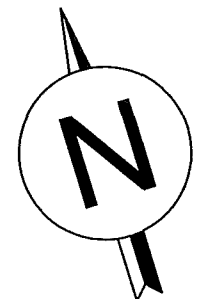
PART 2 (TO BE SEVERED)

TOTAL PART 2 AREA: 3542 sqf (329.1 m²)

PROPOSED GROUND FLOOR DWELLING AREA: 1364.22 sqf (126.74 m²)

FRONT YARD AREA: 798.9 sqf (74.22 m²)


FRONT YARD LANDSCAPING AREA: 360.6 sqf (33.5 m²) - 45.13%



NOTES:

1. OWNER/CONTRACTOR TO VERIFY AND CHECK ALL DIMENSIONS AND SPECS PRIOR TO AND DURING CONSTRUCTION.

2. ANY DEVIATIONS, DEFICIENCIES OR DISCREPANCIES FROM THESE DRAWINGS AND SPECS REQUIRES WRITTEN CLARIFICATION AND/OR APPROVAL FROM THE DESIGNER PRIOR TO CONSTRUCTION.

		 <p>DeFILIPPIS DESIGN 687 BARTON ST. E., SUITE 201 STONE CREEK, ONTARIO L8E 5L6 (905) 643-2250 FAX (905) 643-1095</p>
3		
2		
1		
REV.		
JOB NO.	PROPOSED SITE PLAN FOR:	
CHKD. BY	ALI-HOSSEINI RESIDENCE	
DRN. BY	368 CALEDON AVENUE, HAMILTON, ON	
DATE: SEPTEMBER, 2021		
SCALE: N.T.S.	SITE PLAN	
DWG NO. SP-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:

REDUCE FRONT YARD OF DWELLING ONLY TO 5.0m SETBACK, MAINTAIN GARAGE SET BACK AT 6.0m. REDUCE FRONT YARD LANDSCAPING TO 4.5m INSTEAD OF 5.0m

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

TRYING TO MAINTAIN MAXIMUM REAR YD ANANNIM AREA, MAINTAIN PKG SPACE LENGTH AND BRING FRONT FACADE TO FRONT TO MAINTAIN

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):

ACCESSIBILITY

368 CALEDON AVE., HAMILTON

7. PREVIOUS USE OF PROPERTY

Residential



Industrial



Commercial



Agricultural



Vacant



Other

- 8.1 If Industrial or Commercial, specify use

N/A

- 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?

SINGLE FAMILY USE IN EXCESS
OF 60 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.

Nov. 1 / 2021
Date

S.D.H.
Signature Property Owner

SAEED ALI-HOSSAINI
Print Name of Owner

10. Dimensions of lands affected:

	TOTAL PARCEL	INDIVIDUAL PART 1 & 2
Frontage	29.5m	18.4m
Depth	26.8m	24.5m
Area	658m ²	329.80m ²
Width of street	20m	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 STOREY SINGLE FAMILY
DWELLING TO BE DEMOLISHED.

Proposed

ONE TWO STOREY SINGLE FAMILY
DWELLING ON EACH LOT

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:
MARCH 2021
14. Date of construction of all buildings and structures on subject lands:
60 years plus
15. Existing uses of the subject property:
SINGLE FAMILY
16. Existing uses of abutting properties:
SINGLE FAMILY
17. Length of time the existing uses of the subject property have continued:
60 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:
HWM 6593 - "C" ZONE 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
CONCURRENT
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.

SEE SIDE SKETCH