

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.: DN/A-21:422

APPLICANTS: Owners B. Muirhead & T. Kiperovic

SUBJECT PROPERTY: Municipal address **118 Victoria St., Dundas**

ZONING BY-LAW: Zoning By-law 3581-86, as Amended

ZONING: R2 district (Single Detached Residential)

PROPOSAL: To permit the construction of a new addition to an existing Single Detached Dwelling notwithstanding that:

1. A front yard setback of 3.1m shall be provided instead of the minimum required 6.0m front yard setback.
2. An easterly side yard setback of 0.4m shall be provided instead of the minimum required 1.2m side yard setback.
3. A westerly side yard setback of 0.4m shall be provided instead of the minimum required 1.2m side yard setback.
4. A rear yard setback of 3.8m shall be provided instead of the minimum required 7.5m rear yard setback.
5. A manoeuvring space being 3.1m shall be provided on-site instead of the minimum 6.0m manoeuvring space required to be provided abutting a required parking space.

NOTES:

- i. Any intended yard encroachments (eaves and gutters, decks, porches etc.) are required to be provided in accordance with the requirements of Section 6.6 of Dundas Zoning By-law 3581-86. Insufficient information has been provided in order to determine zoning compliance at this time. The applicant shall be advised that further variances may be required if compliance cannot be achieved.
- ii. The current zoning designation permits a maximum building height of 10.5m. Insufficient details have been provided at this time in order to confirm zoning compliance.

- iii. The use of a single detached dwelling requires one (1) parking space to be provided on-site and being a minimum size of 2.7m in width and 6.0m in length. Details pertaining to the provided parking space(s) have not been provided. For purposes of this application, it has been assumed that the required parking space is intended within the proposed attached garage.

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

DATE: Thursday, January 20th, 2022
TIME: 4:05 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:

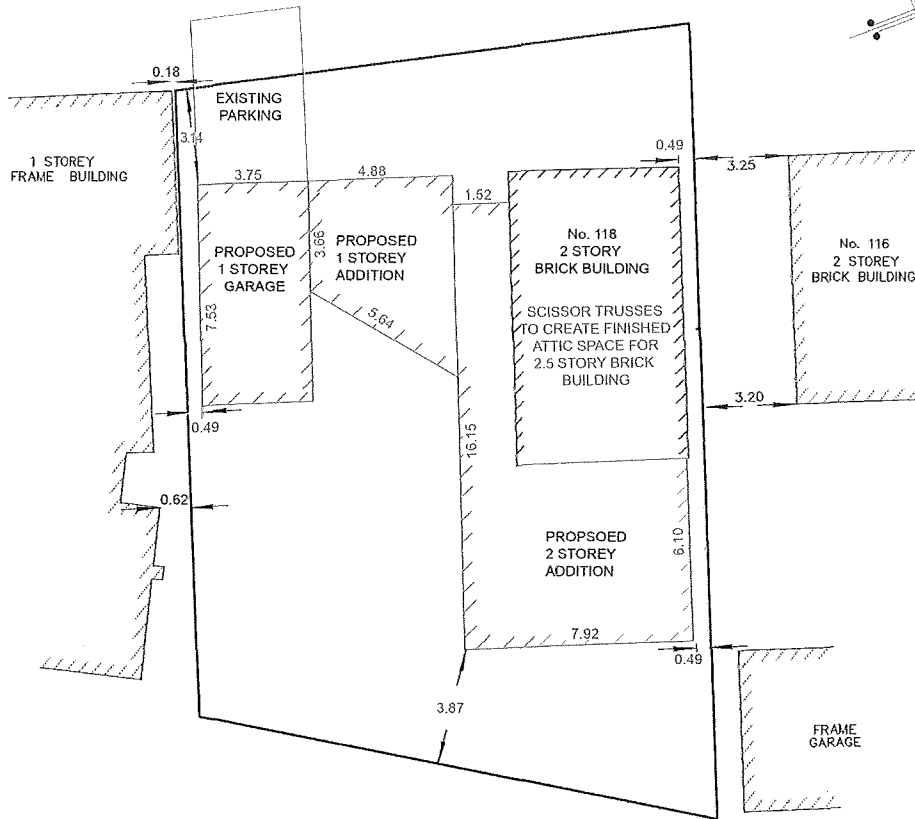
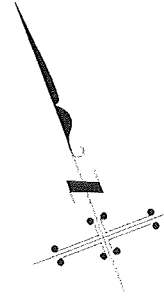
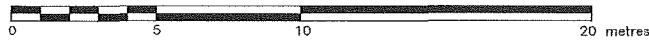
- Visit www.hamilton.ca/committeeofadjustment
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at cofa@hamilton.ca

DATED: January 4th, 2022.

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.

SCALE 1 : 200



Zoning R2 Dundas	Plan # 1474	Lot # 118 Victoria	Lot Area 438 m³	Lot Frontage 17.74m	Lot Depth 27.50m			
Lot Coverage (Including Garage)	Existing	Addition	Total	%	Setbacks	Allowed	Existing	Proposed
	66.0	115.9	181.9	41.5	Front	6.0m	4.37m	3.14m
Gross Floor Area (Including Garage)	132.0	217.9	349.9	79.9	East	1.2m	0.49m	0.49m
Number of Stories/Height	2 stories 7.9m	2.5 stories 1.85m	2.5 stories 9.75m	West	1.2m	11.0m	0.49m	
Width	6.4m	10.4m	16.8m	Rear	7.5m	10.6m	3.87m	
Depth	11m	6.1m	17.1m					
Parking	1 space	1 space	1 space					

IN THE
CITY OF HAMILTON

KNOWN AS MUNICIPAL No. 118 VICTORIA STREET

REPORT SUMMARY (PART 2) (to be read in conjunction with Part 1)

LAND REGISTRY OFFICE TITLE INFORMATION ON SUBJECT PROPERTY INCLUDING
BOUNDARIES, EASEMENTS AND RIGHT OF WAYS - MARCH 11, 2021

REGISTERED EASEMENTS AND/OR RIGHTS-OF-WAY:

NONF

ADDITIONAL REMARKS:

REFER TO PART 1 OF SURVEY FOR THE LOCATION OF BUILDINGS, STRUCTURES, FENCES AND UTILITIES

Note

MacKAY, MacKAY & PETERS LIMITED grants SCOTT STEPHENSON ["The Client(s)"], their solicitor and other related parties permission to use "Original Copies" of the Surveyor's Real Property Report in transactions involving "The Client(s)".

"METRIC"
Legend

S	■	DENOTES A SURVEY MONUMENT FOUND
IB	DENOTES STANDARD IRON BAR	
CP	DENOTES CONCRETE PIN	
IB	DENOTES IRON BAR	
P1	DENOTES PLAN BY MMP LIMITED DATED OCTOBER 3, 2008 (08-198)	
D1	DENOTES INST. No. AB36187	
PN	DENOTES PROPERTY IDENTIFICATION NUMBER	
(OU)	DENOTES ORIGIN UNKNOWN	
B	DENOTES BOUND	
BF	DENOTES BOARD FENCE	
CB	DENOTES CATCH BASIN	
CLF	DENOTES CHAIN LINK FENCE	
WSV	DENOTES WATER SERVICE VALVE	
GM	DENOTES GAS METER	
SAN MH	DENOTES SANITARY MANHOLE	
CL	DENOTES COLUMN	
CWH	DENOTES CONCREE WALKWAY	
M	DENOTES METAL FENCE	
DS	DENOTES DOOR SILL	
STM MH	DENOTES STORM MANHOLE	
G	DENOTES CENTERLINE	

Benchmark Note

GEODETIC SURVEY OF CANADA BENCHMARK No. 0011974U002
ELEVATION = 97.742 METRES CGVD 1928:1978 ADJUSTMENT

TABLET ON POST OFFICE AT INTERSECTION OF KING STREET & MCMURRAY STREET LOCATED IN THE NORTH OR FRONT STONE WALL 0.70 METRES FROM NORTHWEST CORNER AND 1.18 METRES BELOW BRICKWORK

Bearing Reference

BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE SOUTHERLY LIMIT OF VICTORIA STREET AS SHOWN ON P1 HAVING A BEARING OF N69°01'00"W

Surveyor's Certificate

I CERTIFY THAT:

1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.
2. THE SURVEY WAS COMPLETED ON THE 15th DAY OF MARCH, 2021.

MAY 5, 2021
DATE

ROY C. MAYO
ONTARIO LAND SURVEYOR
FOR MACKAY, MACKAY & PETERS

CAD FILE: E:\(82) Hamilton-Wentworth\Registered Plans\RP1474\LOT 94\21-086\21-086.dwg

MMP
MacKay, MacKay & Peters Limited
LAND SURVEYORS & MAPPER
SINCE 1911

3380 South Service Road
Unit 101
Burlington, ON
L7N 3J5
(905) 639-1375
halton@mmpplimited.com
mmpplimited.com

DRAWN BY:	S.S.
PARTY CHIEF:	A.C.
CHECKED BY:	<i>[Signature]</i>
PROJECT NO..	21-086



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 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:
Bruce Muirhead (Applicant's father) is on the mortgage

8 Park Ave W. Elmira, ON, N3B 1L2
519-669-1030
muirhead@uwaterloo.ca

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:

We would like to add to an existing brick structure which is already too close to setbacks. The addition would further encroach on setbacks as described. No other relief is needed.

☐ Secondary Dwelling Unit ☒ Reconstruction of Existing Dwelling

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

The existing home is already too close to the front/east property lines to satisfy by-law. The creation of an adequate family home will require further encroachment in this shallow lot on the rear yard.

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**):

Single detached home at 118 Victoria St. Dundas, L9H 2C3
Plan 1474

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?

The site has been inspected in full and there is no reason to suspect any of the 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.

November 17, 2021

Date


Signature Property Owner(s)

Ben Muirhead, Tanja Kiperovic

Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage	17.74m
Depth	27.5m
Area	438m ²
Width of street	10.5m

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: See site plan

Proposed
See site plan

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:
See site plan

13. Date of acquisition of subject lands:
September 7th, 2021
-
14. Date of construction of all buildings and structures on subject lands:
1918
-
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:
Supplied
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
R2 Dundas
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.