



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
-

APPLICATION NO.: SC/A-21:453

APPLICANTS: Agent DeFilippis Design
Owner Manuel Vieira

SUBJECT PROPERTY: Municipal address **564 Fifty Rd., Stoney Creek**

ZONING BY-LAW: Zoning By-law 5068-00, as Amended

ZONING: "RR" (Rural Residential) district

PROPOSAL: To recognize the setbacks for an existing single detached dwelling in order to facilitate zoning compliance for approved Consent Application SC/B-21:57, notwithstanding that:

1. The minimum front yard shall be 9.75 metres instead of the minimum required 10.0 metre front yard;
2. The unenclosed porch and stairs shall encroach 2.2 metres into the existing 9.75 metre front yard instead of the maximum 1.5 metre encroachment into the required front yard.

NOTES:

1. The variance is required to address non-compliance issues that have occurred due to the issuance of a building permit in 2019 in which a road widening transfer had already been issued. The matter was identified in the review of a condition to clear zoning compliance for Consent Application SC/B-21:57 to allow for the creation of a separate lot for this dwelling.
2. The variances are written as requested, however, through the review it was determined that an additional variance for the front porch and stairs is required.
3. The RR Zone requires the provision of two parking spaces of which one parking space may be provided in the front yard. The parking spaces are not identified on the submitted plan however, it appears that the required parking can be provided.

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

DATE: Thursday, February 17th, 2022
TIME: 2:10 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: February 1st, 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.

FIFTY ROAD

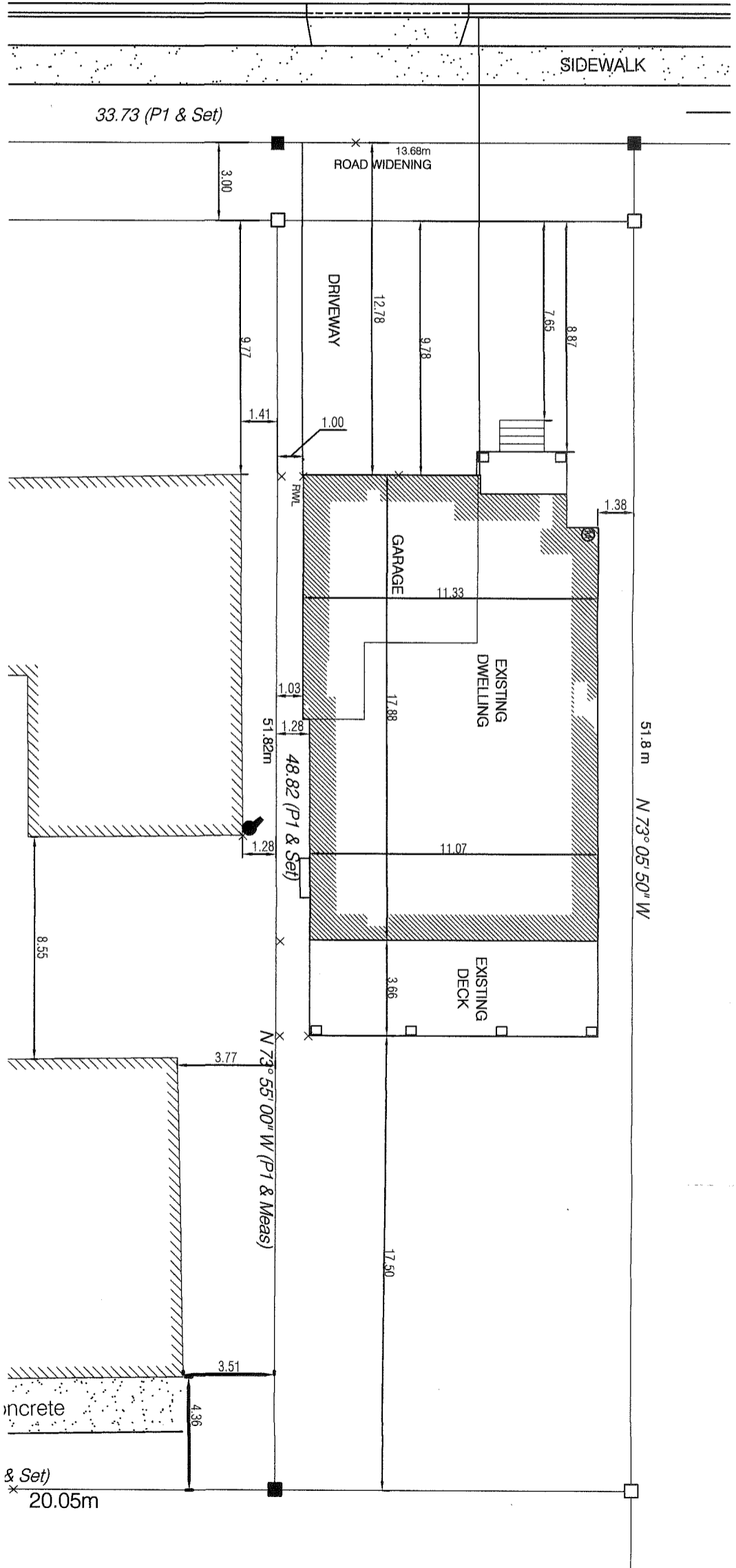
WATER 200mm



STORM 750mm@0.5%
Y 250mm@0.5%

MH

MH



- 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.

JOB NO.	
CHKD. BY	
DRN. BY	
DATE: DECEMBER, 2021	
SCALE: 1:200	
DWG NO. SP-1	

PROPOSED PORCH & SUNROOM FOR
VEIRA RESIDENCE
 564 FIFTY ROAD,
 WINONA, ON

DEFLIPPIS DESIGN
 687 BARTON ST. E., SUITE 201
 STONEY CREEK, ONTARIO L8E 5L6
 (905) 643-2250 FAX: (905) 643-1095

SITE SKETCH



Hamilton

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	NAME	MAILING ADDRESS
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:

Reduction of front yard to 9.75m instead of 10.0m

Secondary Dwelling Unit Reconstruction of Existing Dwelling

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

Road Widening Dedication reduced front yard setback, housekeeping based on Bldg Dept error when issuing permit

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):

564 FIFTY RD., SYDNEY CREEK
PART 1, REG PLAN No
62R-21741

7. PREVIOUS USE OF PROPERTY

Residential Industrial Commercial
Agricultural Vacant Other

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

UNDER SITE PLAN APPROVAL

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?

RECENT CONSTRUCTION OCCURRED ON PROPERTY ENTIRE PROPERTY EXCAVATED

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.

Dec 6/2021
Date

M. Vieira
Signature Property Owner(s)

MANUEL VIEIRA
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage 13.68m
Depth 45.52m
Area 622 sqm ±
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:

TWO STOREY SINGLE FAMILY DWELLING

Proposed

SAME AS ABOVE
(NOTHING NEW)

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

Existing:

Proposed:

SEE SITE SKETCH

13. Date of acquisition of subject lands:
5 yrs ±

14. Date of construction of all buildings and structures on subject lands:
2019

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:
5 yrs - 50 yrs

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:
URBAN SETTLEMENT

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

21. Has the owner previously applied for relief in respect of the subject property?
Yes No

If the answer is yes, describe briefly.
LOT FRONTAGE

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.