



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-21:448

APPLICANTS: Agent MHBC Planning c/o D. Aston
Owner 2324780 Ontario Inc.

SUBJECT PROPERTY: Municipal address **61 Upper Mount Albion Rd., Stoney Creek**

ZONING BY-LAW: Zoning By-law 3692-92, as Amended

ZONING: "R1" (Single Residential) district

PROPOSAL: To permit the creation of two (2) residential lots (Part 1 and Part 2) as per Consent Application SC/B-21:119, for single detached dwelling purposes, notwithstanding that;

1. A minimum lot frontage of 15.1m shall be permitted for Part 1 and a minimum lot frontage of 15.3m shall be permitted for Part 2 instead of the minimum 18.0m lot frontage required.

Notes: This application is to be heard in conjunction with Consent Application SC/B-21:119.

No elevation plans were provided from which to determine compliance; therefore, further variances may be required.

The zoning By-law requires a minimum parking space size of 3.0m x 6.0m for one parking space within a private residential garage. Insufficient details were provided from which to determine compliance; therefore, further variance may be required.

The shall ensure that any proposed encroachment i.e. eaves, porches etc., shall conform to the requirements of Section 4.19.1 of the Stoney Creek Zoning By-law 3692-92.

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

DATE: Thursday, February 24th, 2022
TIME: 2:00 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 8th, 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.

NOTES:

1. THIS PLAN MUST BE READ IN CONJUNCTION WITH THE APPROVED LOT GRADING PLAN.
2. LOT DIMENSIONS ARE AS SHOWN ON REGISTERED PLAN 62M-1250 AND HAVE NOT BEEN VERIFIED BY SURVEY. PROPOSED BUILDING POSITIONED BY CALCULATION, NOT BY ACTUAL SURVEY.
3. THE POSITION OF ALL POLE LINES, CONDUITS, WATER MAINS, SEWERS AND OTHER UNDERGROUND AND OVERHEAD UTILITIES AND STRUCTURES IS NOT NECESSARILY SHOWN ON THIS PLAN, AND WHERE SHOWN, THE ACCURACY OF THE POSITION OF SUCH UTILITIES AND STRUCTURES IS NOT GUARANTEED. BEFORE STARTING WORK, THE CONTRACTOR SHALL INFORM HIMSELF OF THE EXACT LOCATION OF ALL SUCH UTILITIES AND STRUCTURES, AND SHALL ASSUME ALL LIABILITY FOR DAMAGE TO THEM.
4. ELEVATIONS SHOWN HEREON ARE IN ACCORDANCE WITH THE LOT GRADING PLAN FOR REGISTERED PLAN 62M-1250 AND ARE PROPOSED.

- 300.00 DENOTES PROPOSED GRADE BY BSR&D
- 300.00 DENOTES EXISTING ELEVATION
- DENOTES DIRECTION OF DRAINAGE
- DENOTES IRON PIN TO BE SET ON SITE
- T.F. DENOTES TOP OF FOUNDATION
- U.S.F. DENOTES UNDERSIDE OF FOOTINGS
- B.F. DENOTES BASEMENT FLOOR
- F.F. DENOTES FINISHED FLOOR
- TBR DENOTES TO BE REMOVED
- HP DENOTES HYDRO POLE
- H DENOTES FIRE HYDRANT
- WV DENOTES WATER VALVE
- E DENOTES OVERHEAD ELECTRICAL WIRE
- G DENOTES GAS PIPELINE
- SAN MH DENOTES SANITARY MANHOLE
- CB DENOTES CATCHBASIN
- MH DENOTES MANHOLE

PLAN

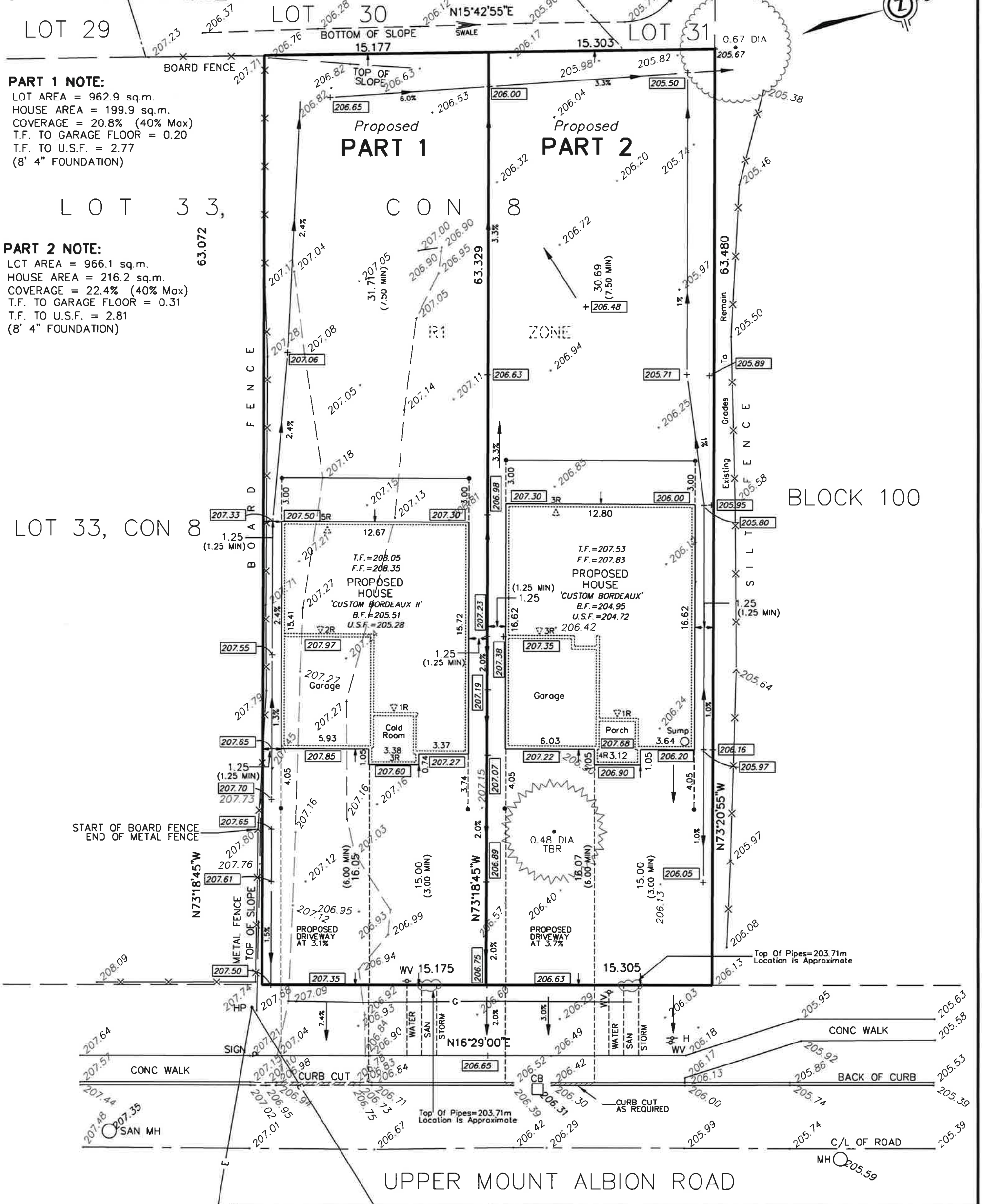
PREPARED FOR BUILDING PERMIT APPLICATION
SCALE 1 : 250



METRIC: DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048
CAUTION: THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED EXCEPT FOR THE PURPOSE INDICATED IN THE TITLE BLOCK.

CITY OF HAMILTON

REGISTERED PLAN 62M-1250



PART 1 NOTE:
LOT AREA = 962.9 sq.m.
HOUSE AREA = 199.9 sq.m.
COVERAGE = 20.8% (40% Max)
T.F. TO GARAGE FLOOR = 0.20
T.F. TO U.S.F. = 2.77
(8' 4" FOUNDATION)

PART 2 NOTE:
LOT AREA = 966.1 sq.m.
HOUSE AREA = 216.2 sq.m.
COVERAGE = 22.4% (40% Max)
T.F. TO GARAGE FLOOR = 0.31
T.F. TO U.S.F. = 2.81
(8' 4" FOUNDATION)

LOT 33, CON 8

BLOCK 100

REVISIONS			
NO.	DATE	BY	DESCRIPTION
1.	OCT 1/21	RA	Move Houses To 15m From Streetline
2.	OCT 7/21	RA	General Revisions

THIS PLAN WAS PREPARED FOR LOSANI HOMES AND THE UNDERSIGNED ACCEPTS NO RESPONSIBILITY FOR USE BY OTHER PARTIES.

Kerry F. Hillis

KERRY F. HILLIS
ONTARIO LAND SURVEYOR

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BSR&D ONTARIO LAND SURVEYORS SURVEYING
URBAN & RURAL PLANNERS MAPPING
A wholly owned subsidiary of J.D. Barnes Ltd. G.I.S.

RPA	DRAWN
CY	CHECKED
DATED: OCT 7, 2021	
Ref. No. 17-14-593-09 BPA 2	

257 WOODLAWN ROAD WEST #101, GUELPH, ON N1H 8J1
T: (519) 822-4031 F: (519) 822-1220 www.jdbarnes.com



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 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:

Relief is requested from the frontage requirement of 18 metres for an interior lot in the Single Residential "R1" Zone to accommodate lots with a frontage of ±15.305 metres (severed) and ±15.175 (retained).

Secondary Dwelling Unit Reconstruction of Existing Dwelling

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

An application to sever the subject lands is being submitted concurrently with this application. The proposed severance results in lots with a frontage of ±15.305 metres (severed) and ±15.175 (retained), whereas the 'Single Residential "R1" Zone' requires a minimum frontage of 18 metres for an interior.

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**):

The subject lands are legally described as Part of Lot 33 Concession 8 Geographic Township of Saltfleet, City of Hamilton. The lands are municipally known as 61 Upper Mount Albion Road, Stoney Creek.

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?

Information from owner.

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.

2021-12-07
Date


Signature Property Owner(s)

2324780 Ontario Inc.
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage	<u>±30.48 metres</u>
Depth	<u>±63.329 m to ±63.480 metres</u>
Area	<u>±1,929 sq. m (962.9 sq. m retained / 966.1 m severed)</u>
Width of street	<u>20.117 metres</u>

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:_
N/A

Proposed
Future residential.

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

Existing:
N/A

Proposed:
Future residential.

13. Date of acquisition of subject lands:
<4 years
-
14. Date of construction of all buildings and structures on subject lands:
N/A
-
15. Existing uses of the subject property (single family, duplex, retail, factory etc.):
Single Family / Vacant
16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):
Single Family / Vacant
17. Length of time the existing uses of the subject property have continued:
<5 years
18. Municipal services available: (check the appropriate space or spaces)
- | | | | |
|----------------|-------------------------------------|-----------|--------------------------|
| Water | <input checked="" type="checkbox"/> | Connected | <input type="checkbox"/> |
| Sanitary Sewer | <input checked="" type="checkbox"/> | Connected | <input type="checkbox"/> |
| Storm Sewers | <input checked="" type="checkbox"/> | | |
19. Present Official Plan/Secondary Plan provisions applying to the land:
Neighbourhoods - Urban Hamilton Official Plan
Low Density Residential 1 - Trinity West Land Use Plan
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
Single Residential "R1" Zone - Stoney Creek Zoning By-law 3692-92
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

Please refer to attached application covering letter.
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.