



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.: HM/A-21:452

APPLICANTS: Agent Lanhack c/o S. Pongracz
Owner 1371981 Ontario Inc.

SUBJECT PROPERTY: Municipal address **541 Stone Church Rd. W., Hamilton**

ZONING BY-LAW: Zoning By-law 6593, as Amended 71-111

ZONING: "D/S-198" (Urban Protected Residential – One and Two Family Dwellings) district

PROPOSAL: To permit the creation of two lots through land severance application HM/B-21: 123 notwithstanding that;

LANDS TO BE RETAINED (PART 1):

1. A minimum lot width of ± 11.6 m shall be provided instead of the minimum required 12.0 m; and
2. A minimum lot area of ± 335.0 m² shall be provided instead of the minimum required lot area of 360.0 m²; and

LANDS TO BE SEVERED (PART 2):

3. A minimum lot width of ± 11.6 m shall be provided instead of the minimum required 12.0 m; and
4. A minimum lot area of ± 348.0 m² shall be provided instead of the minimum required lot area of 360.0 m²; and

Notes: Variances have been written as requested by the applicant. These variances are necessary to facilitate Land Severance Application HM/B-21: 123

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

DATE: Thursday, February 24th, 2022
TIME: 2:05 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:

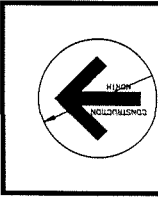
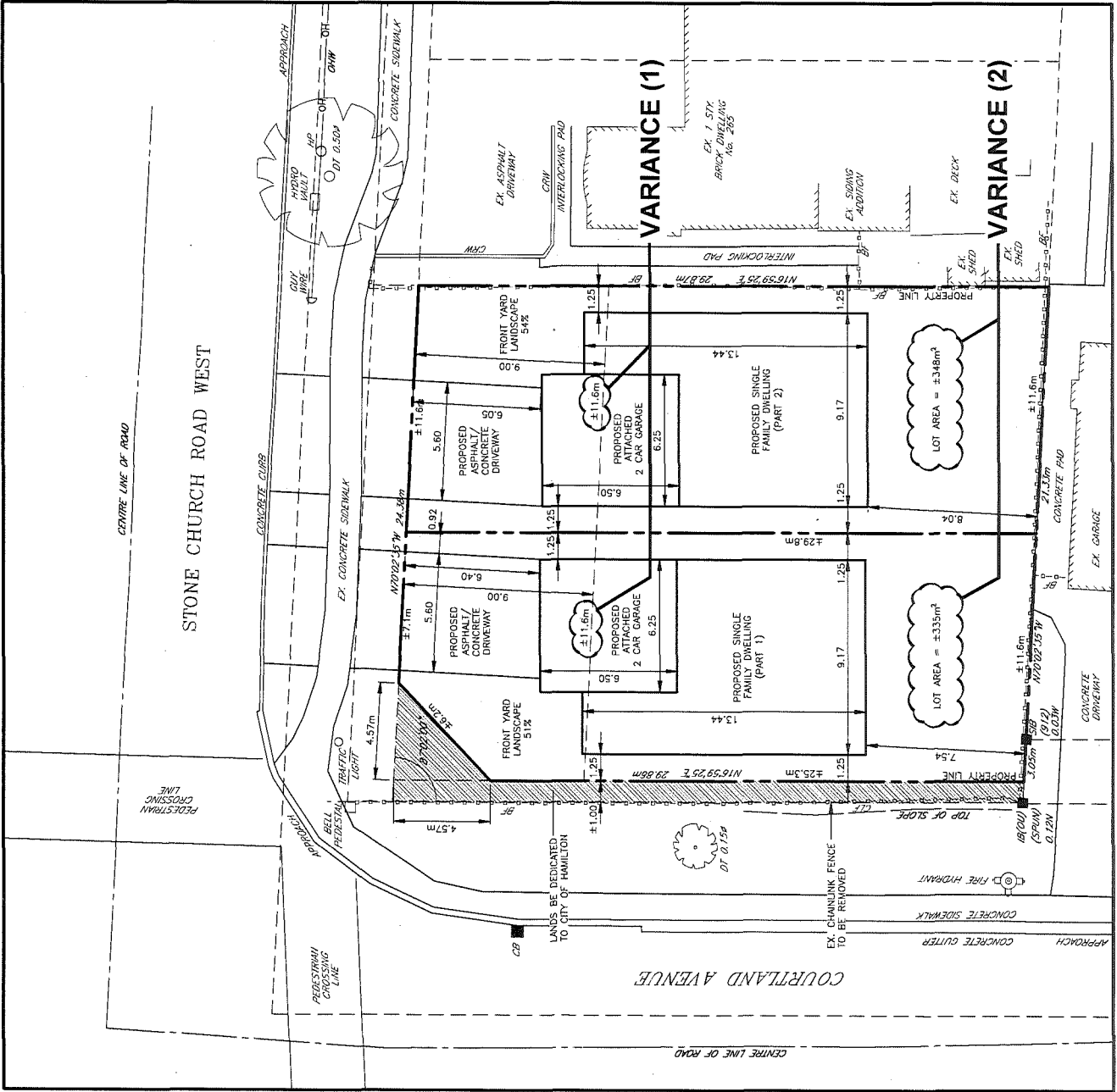
- Visit www.hamilton.ca/committeeofadjustment
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at cofa@hamilton.ca

DATED: 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.

VARIANCE (1)	TO PERMIT A MIN. LOT WIDTH OF $\pm 11.6m$ WHEREAS A MIN. OF 12.0m IS REQUIRED
VARIANCE (2)	TO PERMIT A MIN. LOT AREA OF $\pm 335m^2$ WHEREAS A MIN. OF $360m^2$ IS REQUIRED



Professional seal of architect or engineer is required for all projects. The project owner and architect or engineer are responsible for ensuring that all information provided is true and correct. The architect or engineer is responsible for ensuring that all information provided is true and correct. The architect or engineer is responsible for ensuring that all information provided is true and correct.

Issue Record	No.	Description	Date
A	0001	ISSUED FOR REVIEW	14/10/21

PLANING CONSULTANTS INC.	14/10/21
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PLANING CONSULTANTS INC.	14/10/21
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541 Stonechurch Road West	HAMILTON, ON
DATE: DECEMBER 2021	PROJECT NO: 21044B
DRAWN BY: GUY	CHECKED BY: SJP
SCALE: 1:200	

Minor Variance Sketch	Project No: 21044B
	Drawn By: GUY
	Checked By: SJP
	Scale: 1:200



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:
None

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:

Variance #1, To permit a min lot width of 11.6m+/- whereas a min. of 12.0m is required.
Variance #2, To permit a min lot area of 335m²+/- whereas a min. of 360m² is required.

Secondary Dwelling Unit Reconstruction of Existing Dwelling

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

The existing lot width and area is slightly less than required to create two detached single family lots.

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**):

541 Stone Church Road West.
Part of Lot 18
Registered Plan no. 921

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?

Neighbour consultation and review of Historic on line data

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.

Nov 23/2021
Date

Subhash Bhalia
Signature Property Owner(s)

Subhash Bhalia
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage +/-24.38m before road widening
Depth +/-29.8m
Area +/- 727m2 before road widening
Width of street +/-30m on Stonechurch Rd. W. and +/-23m on Courtland Ave

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 attached

Proposed

See attached

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 attached

Proposed:

See attached

13. Date of acquisition of subject lands:

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

15. Existing uses of the subject property (single family, duplex, retail, factory etc.):
Residential
16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):
Residential
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:
Urban protected residential, one and two family dwellings
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
D/S 198 & D/S-1788 Urban Protected Residential (By-law 6593)
21. Has the owner previously applied for relief in respect of the subject property?
 Yes No
 If the answer is yes, describe briefly.
 Owner applied for a severane for a semi-detached building which has
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
 Owner has made arrangements with Forestry to remove the existing street tree:
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.