



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-21:417

APPLICANTS: Owner Zenon Wincza
Agent IBI Group c/o M. Crough

SUBJECT PROPERTY: Municipal address **131 Green Rd., Stoney Creek**

ZONING BY-LAW: Zoning By-law 3692-92, as Amended by By-law No. 21-077 & 21-167

ZONING: R1 district Single Residential

PROPOSAL: To permit an existing accessory building in the rear yard of an existing single detached dwelling to be converted into a Secondary Dwelling Unit – Detached notwithstanding that;

1. A maximum gross floor area of 155.53 m² shall be provided for the proposed secondary dwelling unit – detached, whereas the By-Law states that the maximum gross floor area shall not exceed the lesser of 75.0 square metres or the Gross Floor Area of the Single Detached Dwelling, the Semi-Detached Dwelling Unit or the Street Townhouse Dwelling Unit.

Notes:

Variances have been written as requested by the applicant.

Eaves or gutters, for other than an accessory building, which may project into any required yard a distance of 0.25 metres. Applicant shall ensure that the eaves or gutters do not encroach beyond the maximum permitted distance; otherwise, further variances may be required.

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

DATE: Thursday, April 7th, 2022
TIME: 1:25 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: March 22nd, 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.

CARLA AVENUE

EXISTING SIDEWALK

12'-2 7/8" [3.71]

38.40 N71°04'00"W

29'-9" [9.07]

16.80 N18°56'00"E

4'-0" [1.22] FNDN.

4'-0" [1.22] FNDN.

EXISTING BUILDING
77.76 SQ. M.
TO BE CONVERTED
TO 1 BEDROOM
ACCESSORY UNIT

38'-0" [11.58]

22'-0" [6.71]

10'-7" [3.22] FNDN.

ZONE: R1
LOT AREA: 8340.06 SQ. FT. (774.82 SQ. M.)
TOTAL LOT COVERAGE WITH ALL BUILDINGS:
2329.33 SQ. FT. (216.40 SQ. M.) = 27.93%

30'-0 3/4" [9.40]

M110120.18N 00'00"bE

10'-11 1/2" [3.34]

EXISTING 1 STOREY DWELLING NO. 131

15'-8 1/4" [4.78]

EXISTING ASPHALT DRIVEWAY

26'-0 1/4" [7.93]

3.05M ROAD WIDENING ALLOWANCE

23.55 N18°56'00"E

EXISTING SIDEWALK

GREEN ROAD

PRELIMINARY signature required
12.15.20
Jennifer Boggar review and takes responsibility for the design work described in this document
firm bcn 103416 ■ individual bcn 33001

JB DRAFTING AND DESIGN
193 East 43rd Street ■ Hamilton, ON ■ L8T 3C3
jbdraftinganddesign@live.ca ■ 905-517-6027

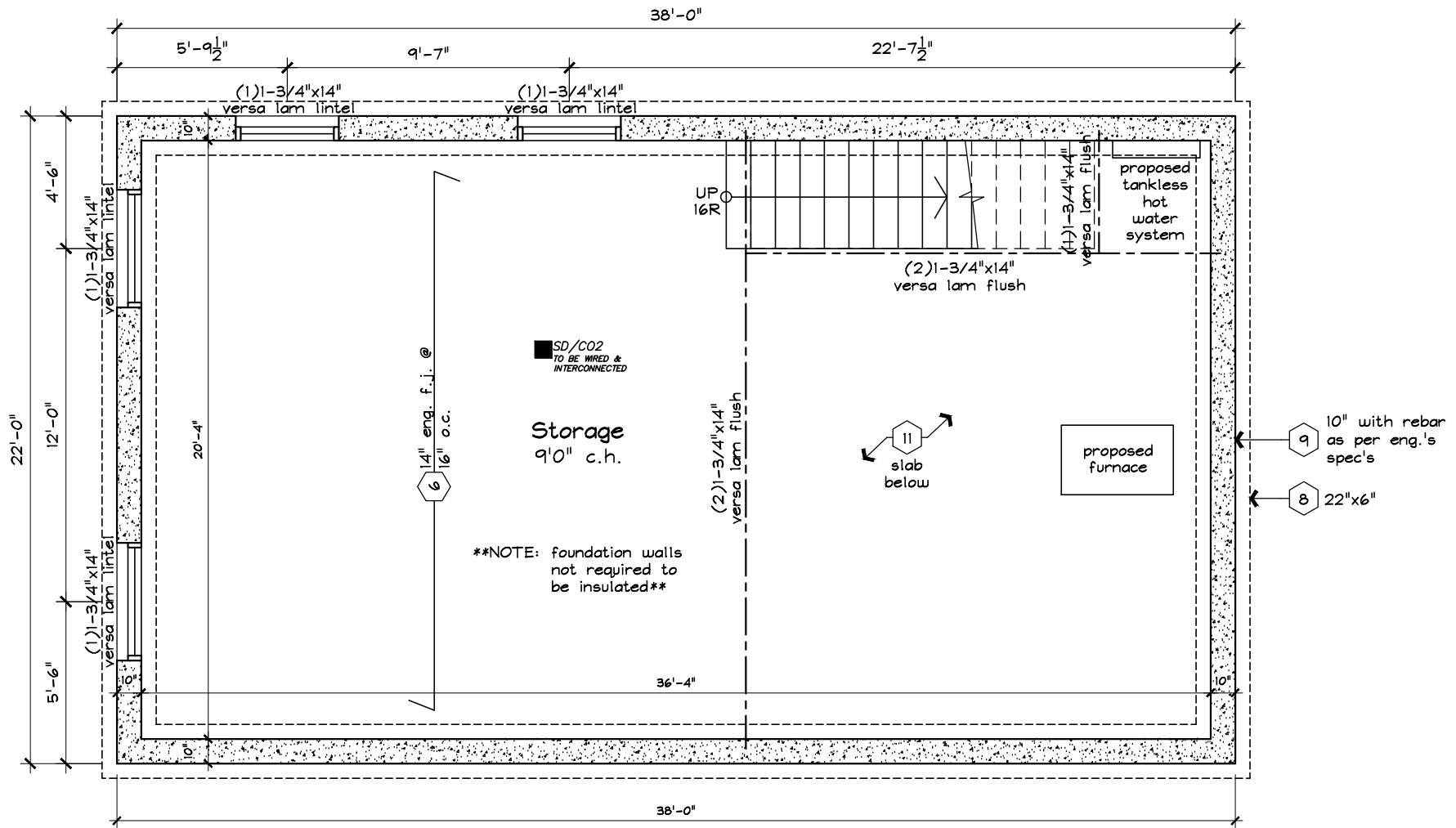
131 GREEN ROAD
STONE CREEK, ON
L8G 3X2

The contractor will check and verify all dimensions and job conditions on the job site prior to the commencement of construction. The designer is not liable for any changes made by the contractor without the designer's knowledge and permission. All drawings are the property of the designer and may not be copied, reproduced or otherwise used without written permission from the designer.

NO.	DATE	ISSUE DESCRIPTION
1	12.15.20	ISSUED FOR APPROVAL

SITE PLAN
1:200

SHEET
A1
OF 9



SHEET

A2

OF 9

EXISTING
BASEMENT
3/16" = 1'-0"

NO.	DATE	ISSUE DESCRIPTION
1	12.15.20	ISSUED FOR APPROVAL

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131 GREEN ROAD
STONEY CREEK, ON
L8G 3X2

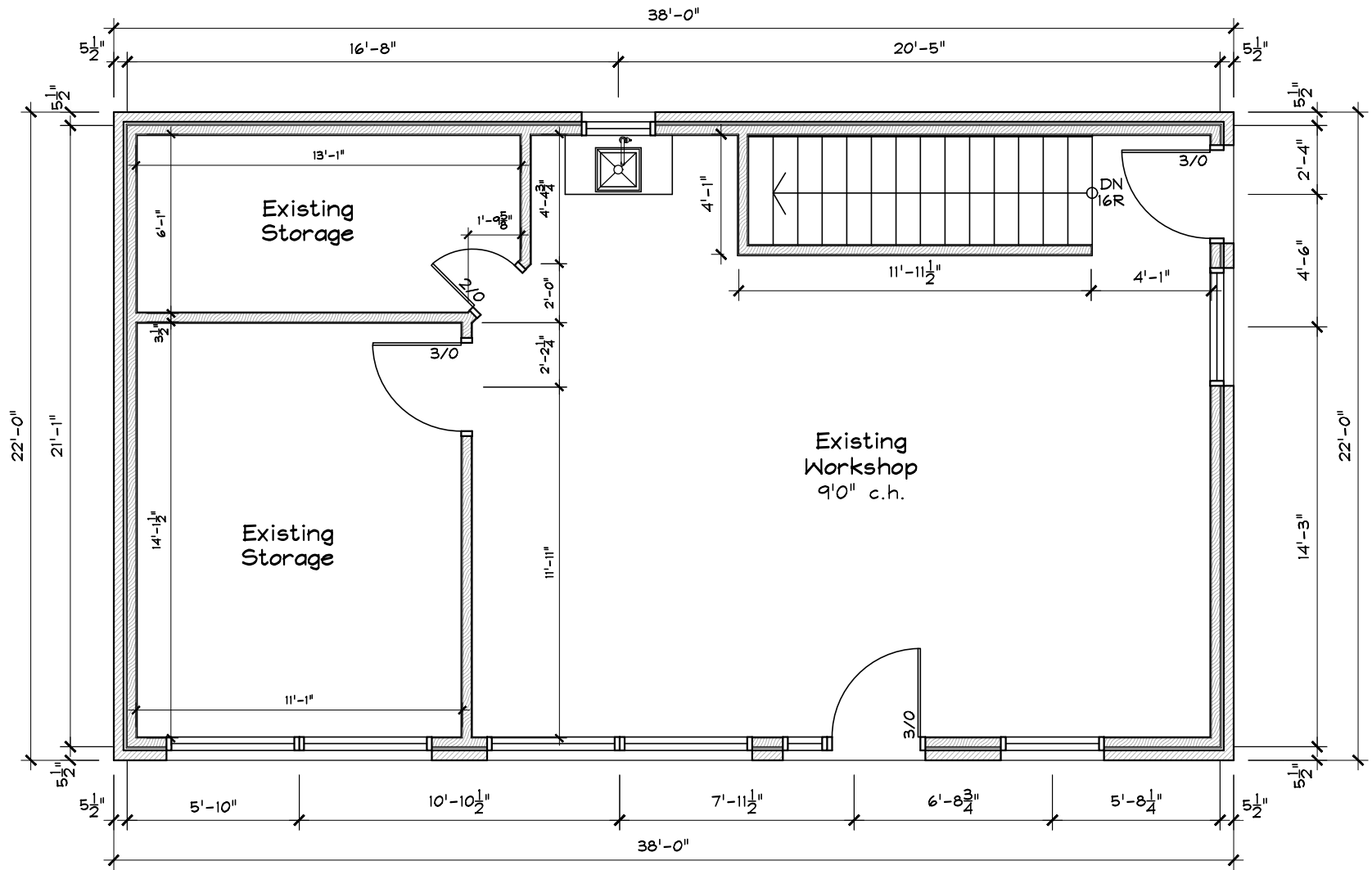
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SHEET

A3

OF 9

EXISTING
FIRST FLOOR
3/16" = 1'-0"

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131 GREEN ROAD
STONE CREEK, ON
L8G 3X2

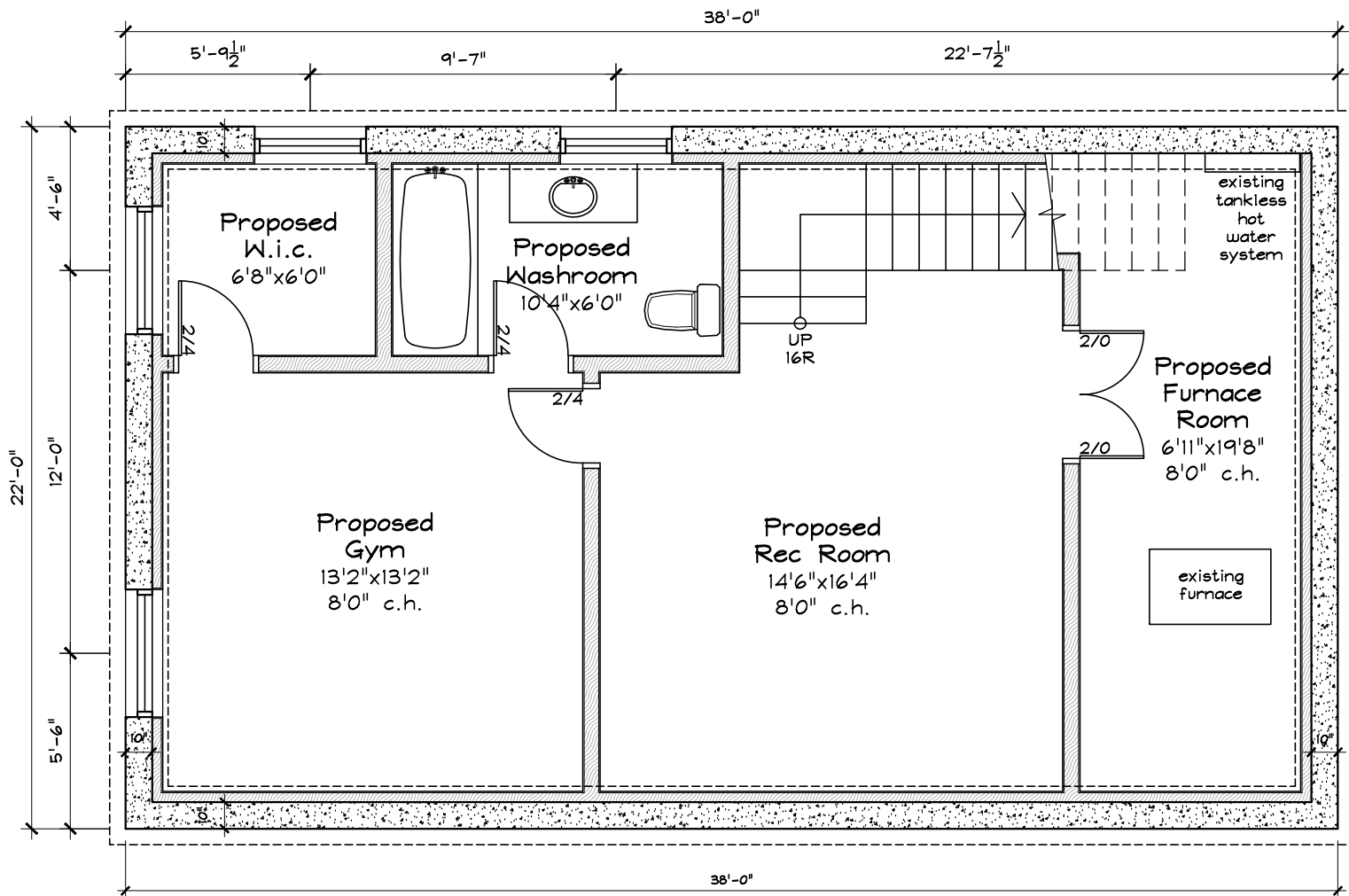
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SHEET

A4

of 9

PROPOSED
BASEMENT
3/16" = 1'-0"

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STONE CREEK, ON
L8G 3X2

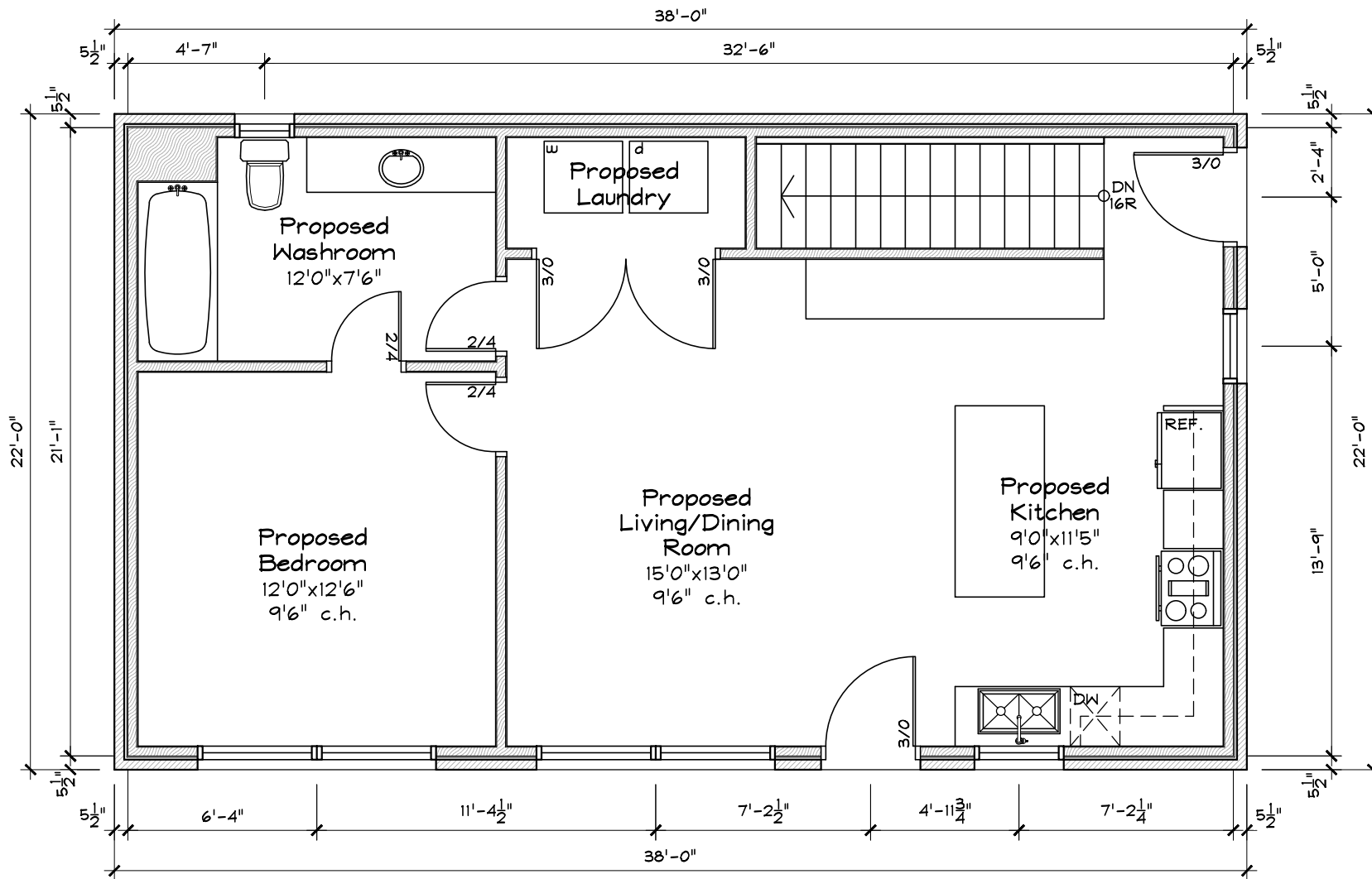
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SHEET

A5

of 9

PROPOSED
FIRST FLOOR
3/16" = 1'-0"

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L8G 3X2

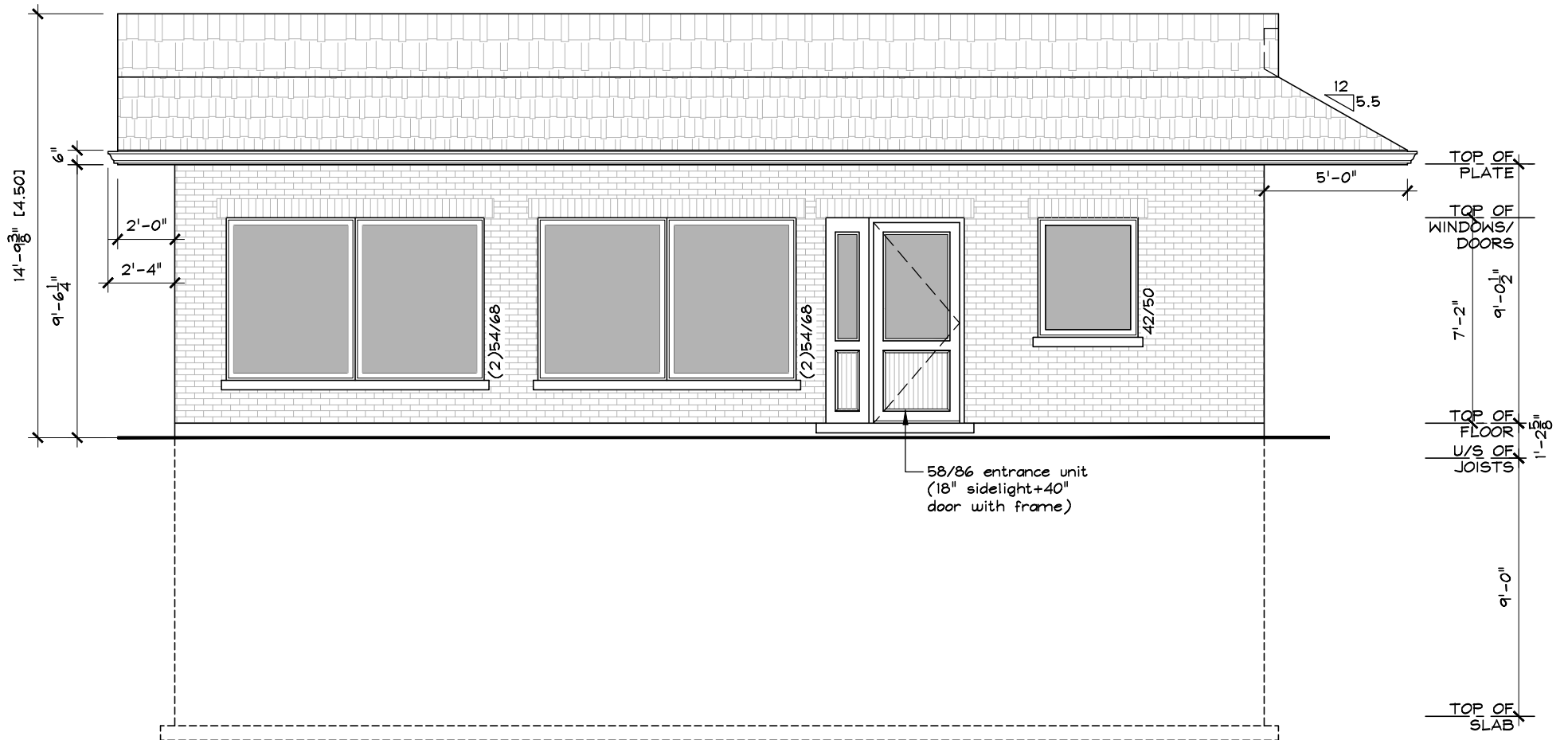
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SHEET

A6

OF 9

EXISTING
FRONT ELEV.
3/16" = 1'-0"

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STONEY CREEK, ON
L8G 3X2

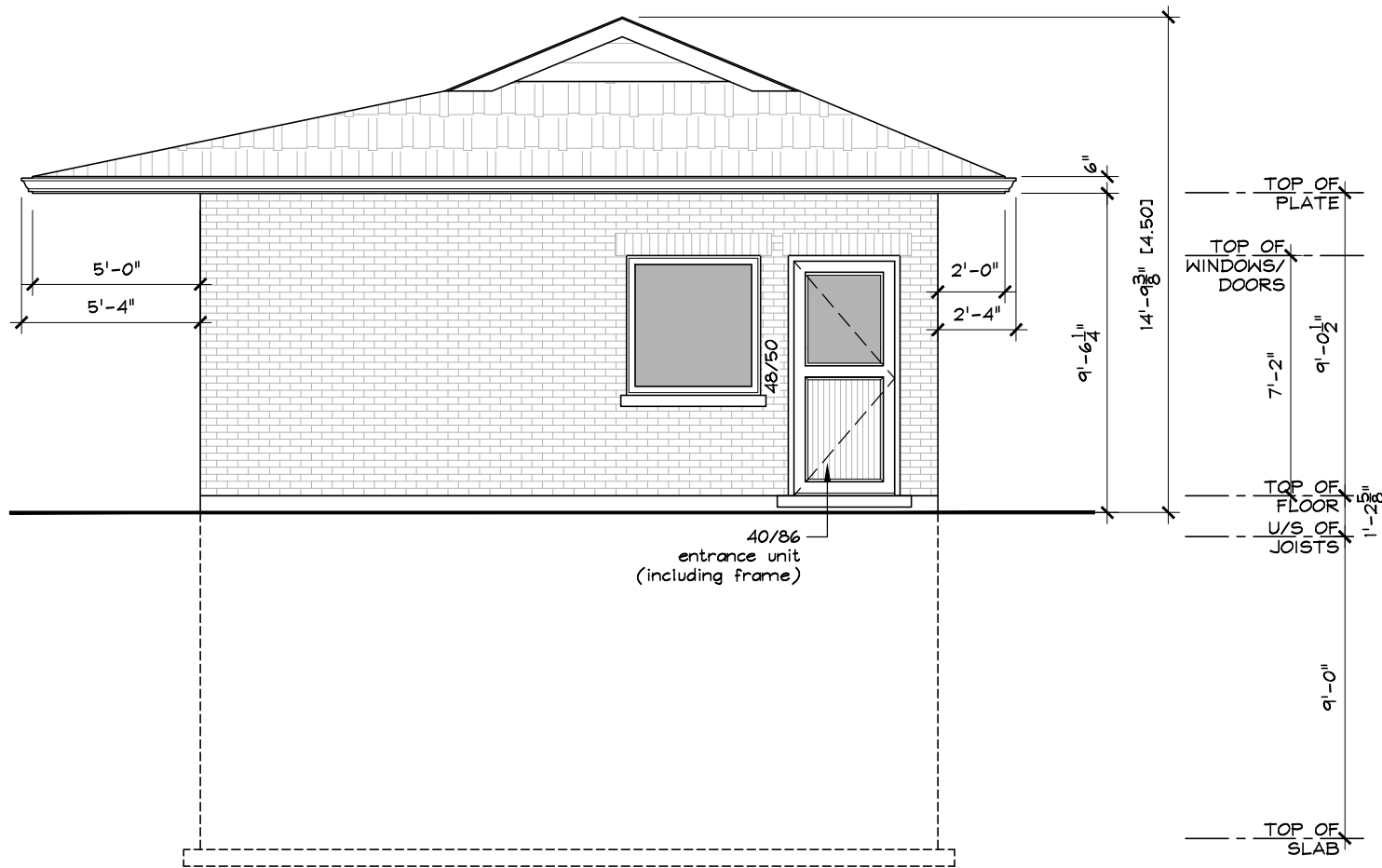
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SHEET

A7

OF 9

EXISTING RIGHT
SIDE ELEV.
3/16" = 1'-0"

NO.	DATE	ISSUE DESCRIPTION
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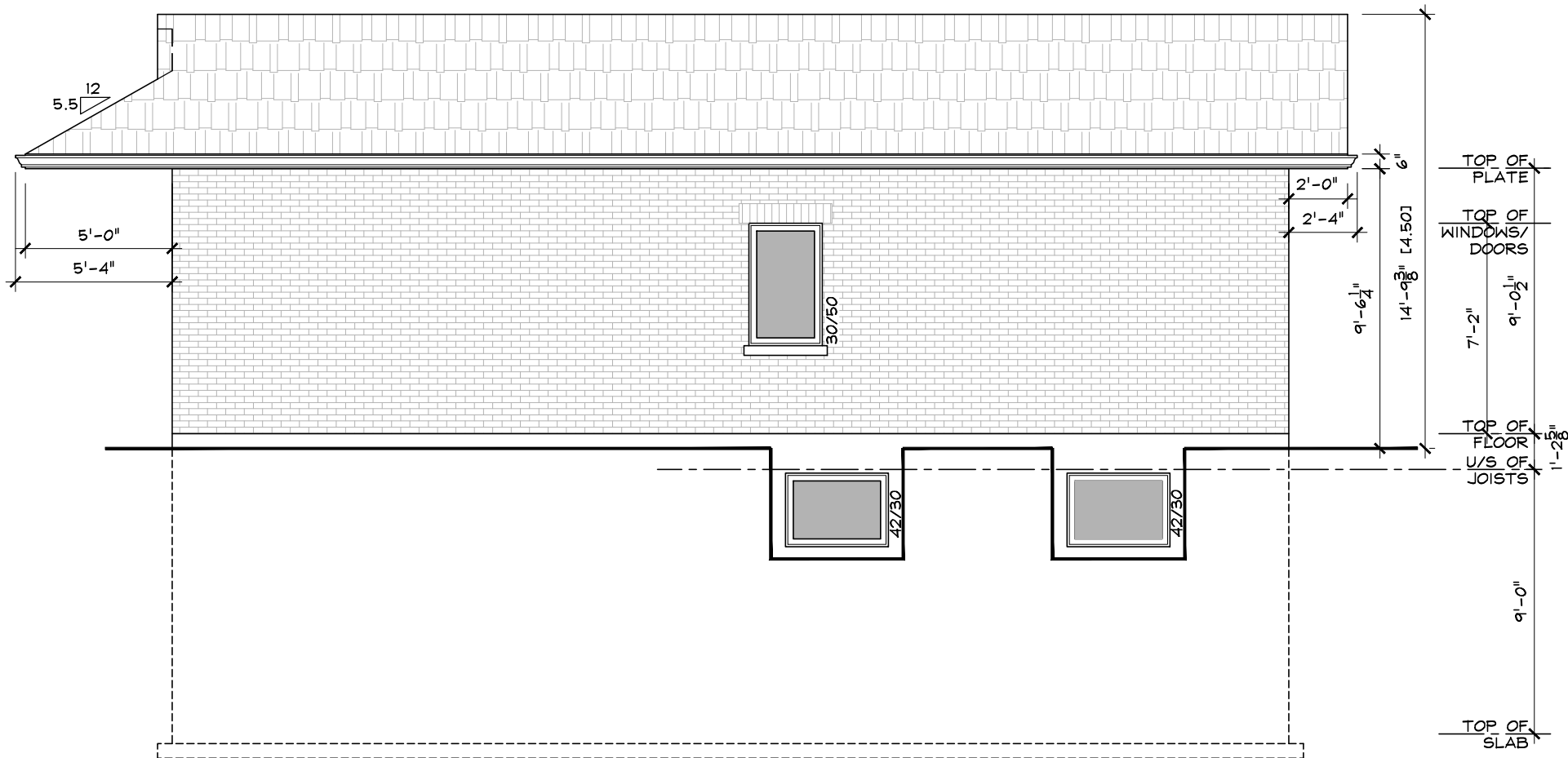
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SHEET

A8

OF 9

EXISTING
REAR ELEV.
3/16" = 1'-0"

NO.	DATE	ISSUE DESCRIPTION
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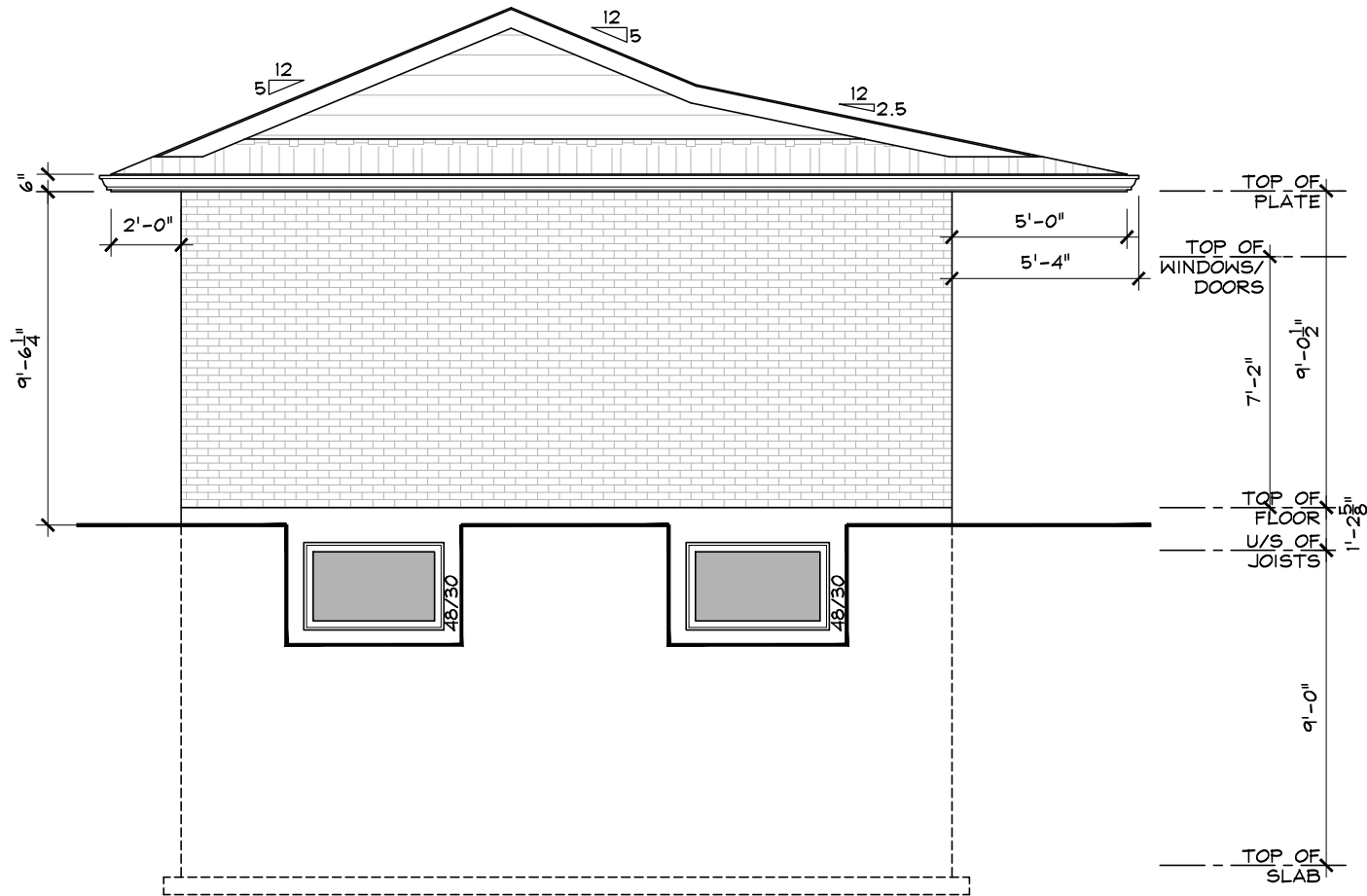
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SHEET

A9

OF 9

EXISTING LEFT
SIDE ELEV.
3/16" = 1'-0"

NO.	DATE	ISSUE DESCRIPTION
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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:

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:
Refer to the planning justification brief

Secondary Dwelling Unit Reconstruction of Existing Dwelling

5. Why it is not possible to comply with the provisions of the By-law?
The secondary unit exceed the Gross Floor Area permitted

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**):
Lot 4 on Registered Plan No. 1186. Known as 131 Green Road, Stoney Creek, City of Hamilton.

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?

Client knowledge

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 2nd, 2021

Date



Signature Property Owner(s)

Zenon Wincza

Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage	23.55 m
Depth	38.40 m
Area	774.82 m ²
Width of street	20.00 m

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: _

Accessory Building:	Width: 6.71 m
Ground Floor Area: 77.76 m ²	Length: 11.58 m
Gross Floor Area: 155.52 m ²	Length: 11.58 m
Number of Storeys: 1 Storey + Basement	Height: 4.50 m

Proposed

Same as existing

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

Existing:

Distance from Existing detached dwelling: 9.4 m
Rear Yard: 1.22 m
Interior Side Yard: 1.22 m
Exterior Side Yard: 9.07 m

Proposed:

Same as existing

13. Date of acquisition of subject lands:
2016
-
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.):
Single Detached Dwelling
16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):
Single Detached Dwellings, and Row Dwellings
17. Length of time the existing uses of the subject property have continued:
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:
Official Plan : Neighbourhoods / Secondary O.P.: Low Density Residential 2b
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
N/A
21. Has the owner previously applied for relief in respect of the subject property?
Yes No
If the answer is yes, describe briefly.
Minor variance approval and a building permit to allow
for the construction of the accessory structure in the rear yard of the subject lands
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.