

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-22:59

APPLICANTS: Agent A.J. Clarke & Associates – S. Fraser
Owners W. & V. Casciani

SUBJECT PROPERTY: Municipal address **11 Kilbourn Ave., Stoney Creek**

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

ZONING: “R2” (Single Residential – Two) district

PROPOSAL: To facilitate the creation of two (2) lots in conjunction with Severance Application SC/B-21:112, notwithstanding that:

1. A minimum lot frontage of 13.65 metres shall be provided for both the portion of the lands to be severed (Part 1) and the portion of the lands to be retained (Part 2), instead of the minimum required lot frontage of 15 metres.

NOTE:

1. Specific details regarding the proposed development of the portion of the lands to be conveyed (Part 1) and the portion of the lands to be retained (Part 2) were not included as part of this application; therefore, this Division cannot confirm zoning compliance.
2. Please note that the submitted survey indicates a minimum lot frontage of 13.72 metres for the portion of the lands to be severed (Part 1) and a minimum lot frontage of 13.71 metres for the portion of the lands to be retained (Part 2). The variance requested to permit a minimum lot frontage of 13.65 metres for both the portion of the lands to be severed (Part 1) and for the portion of the lands to be retained (Part 2) has been written as requested by the applicant.
3. This application is required to facilitate Consent Application No. SC/B-21:112.

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

DATE: Thursday, April 7th, 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: 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.



PART OF LOT 29
REGISTERED PLAN 1078
CITY OF HAMILTON
(STONEY CREEK)

PROJECT OWNER:

HILLWOOD HOMES INC.

CITY OF HAMILTON
(STONEY CREEK)

AC

Dr. J. Clarke and Associates Ltd.

SURVEYORS • PLANNERS • ENGINEERS

25 MAIN STREET WEST, SUITE 300
HAMILTON, ONTARIO L8P 1H1
Tel: 705 529-8761 Fax: 705 529-2289
email: ojc@cjclac.com

SCALE: 1:150	DATE: NOV. 2021
DESIGN:	DRAWN: L.H.

SKETCH PREPARED FOR BUILDING
PERMIT APPLICATION

FOR: HILLWOOD HOMES
11 KILBOURNE AVE.
CITY OF STONEY CREEK

PIN 17226-0173 (LT)

SCALE: 1 : 200

2 0 8 METRES

JEWITT AND DIXON LTD.

SITE B.M.#1

SPIKE IN WEST FACE
OF WOOD HYDRO POLE
ELEV = 103.66
(GEODETIC)

LEGEND

BELL BOX	SHOWN	BBX	□
BENCH MARK	SHOWN	BM	⊙
CATCH BASIN	SHOWN	CB	■
TOP OF FOUNDATION	SHOWN	TOF	—
OVERHEAD HYDRO LINE	SHOWN	O/H	—
WATER VALVE	SHOWN	WV	⚠
HYDRO POLE	SHOWN	HP	⚡
GAS METER	SHOWN	GM	Ⓜ
MANHOLE	SHOWN	MH	Ⓜ
GUTTER	SHOWN	G	—
TOP OF CURB	SHOWN	TC	—

NOTES

- (1) - A SURVEY OF THE SUBJECT PROPERTY HAS NOT BEEN MADE AVAILABLE
- (2) - PROPOSED BUILDING POSITIONED BY CALCULATIONS, NOT BY ACTUAL SURVEY
- (3) - PROPOSED FINAL GRADES ARE SHOWN AND ARE IN METERS
- (4) - T.F.W. DENOTES TOP OF FOUNDATION WALL
- (5) - U.S.F. DENOTES UNDERSIDE OF FOOTING
- (6) - F.F. DENOTES FINISHED FLOOR
- (7) - SITE BENCHMARK HAVING A GEODETIC ELEVATION OF 1 meters
- (8) - IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY THE ELEVATION OF THE UPPER LIMIT OF THE GROUND WATER TABLE, SOIL BEARING CAPACITY AND THE ELEVATION OF THE UNDER SIDE OF FOOTING PRIOR TO EXCAVATION.
- (9) - IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY THE SITE BENCH MARK PRIOR TO EXCAVATION
- (10) - ELEVATIONS ARE REFERRED TO CANADIAN GEODETIC DATUM, CGVD 1928 VERTICAL DATUM
- (11) - THIS SKETCH WAS COMPLETED FROM FIELD WORK COMPLETED ON THE

PROPERTY DESCRIPTION:

PART OF LOT LOT 28
REGISTERED PLAN 1078
CITY OF STONEY CREEK
REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

CAUTION

THIS IS NOT A PLAN OF SURVEY OR SURVEYOR'S REPORT AND SHALL NOT BE USED FOR TRANSACTION OR FINANCING PURPOSES

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JEWITT AND DIXON LTD.
ONTARIO LAND SURVEYORS

R.R.1, SIMCOE, ONTARIO, N3Y 4J9
(51 PARK ROAD)

PHONE: (519) 426-0842
E-mail: surveyors@amtelecom.net

F.W. - J.H.

BOOK - LL

CALC. - J.L.M.

PLAN - J.L.M.

CHECK - K.H.

CLIENT-HILLWOOD HOMES
PROJECT No. -21-3201

21-3201-GP

**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:

Please see Cover Letter.

☐ Second Dwelling Unit ☐ Reconstruction of Existing Dwelling

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

Please see Cover Letter.

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**):

Part Lot 29, PI 1078, Except Pt 1, Reg Plan 62R11330
11 Kilbourn Avenue, Stoney Creek, City of Hamilton

7. PREVIOUS USE OF PROPERTY

Residential ☒ Industrial ☐ Commercial ☐

Agricultural ☐ Vacant ☐

Other N/A

- 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 ☒

- 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?

Online mapping and property owner information.

- 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.

February 14, 2022

Date

DocuSigned by:

Wendy Casciani

Signature Property Owner(s)

Wendy Casciani & Valerio Casciani

Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage	<u>Part 1 (13.72m), Part 2 (13.71m)</u>
Depth	<u>Part 1 (38.41m), Part 2 (38.41m)</u>
Area	<u>Part 1 (526.76 sq m), Part 2 (526.76 sq m)</u>
Width of street	<u></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:

One single detached dwelling.

Proposed

One single detached dwelling per lot.

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

Existing:

One single detached dwelling.

Proposed:

One single detached dwelling per lot.

13. Date of acquisition of subject lands:
Unknown.
14. Date of construction of all buildings and structures on subject lands:
Unknown.
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:
Unknown.
18. Municipal services available: (check the appropriate space or spaces)
Water Yes Connected Yes
Sanitary Sewer Yes Connected Yes
Storm Sewers Yes
19. Present Official Plan/Secondary Plan provisions applying to the land:
"Neighbourhoods" UHOP, "Low Density Residential 2b" Western Dev. SP
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
"R2 - Single Residential - Two" City of Stoney Creek Zoning By-law 3692-92.
21. Has the owner previously applied for relief in respect of the subject property? (Zoning By-law Amendment or Minor Variance)
☐ Yes ☒ No
If yes, please provide the file number:
N/A
- 21.1 If a site-specific zoning by-law amendment has been received for the subject property, has the two-year anniversary of the by-law being passed expired?
☐ Yes ☒ No
- 21.2 If the answer is no, the decision of Council, or Director of Planning and Chief Planner that the application for Minor Variance is allowed must be included. Failure to do so may result in an application not being "received" for processing.
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 include separate sheet if needed)
SC/B-21:112
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.