



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-22:67

APPLICANTS: Owners H. Mederios & C. Couto

SUBJECT PROPERTY: Municipal address **171 Kentley Dr., Hamilton**

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

ZONING: "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) district

PROPOSAL: To permit the construction of a 20.44 square metre inground swimming pool on a residential parcel of land containing an existing single detached dwelling notwithstanding that:

1. An inground swimming pool shall be permitted to be located 1.15 metres from the front lot line, instead of the 6.0 metre setback required.

NOTE:

1. Please note that a zoning compliance review was completed for the proposed inground pool and associated pool pump/filter equipment only and did not include a review of any existing buildings/structures located on the property.
2. Please note that as per Section 18(4)(if), all facilities for changing clothes in conjunction with swimming pools, or other such accessory uses shall be subject to the provisions of this By-Law applicable to accessory buildings.
3. A building permit is required in the normal manner. Be advised that Ontario Building Code regulations may require specific setback and construction types.

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

DATE: Thursday, April 7th, 2022
TIME: 2:50 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

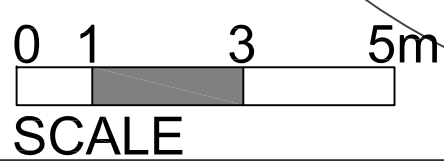
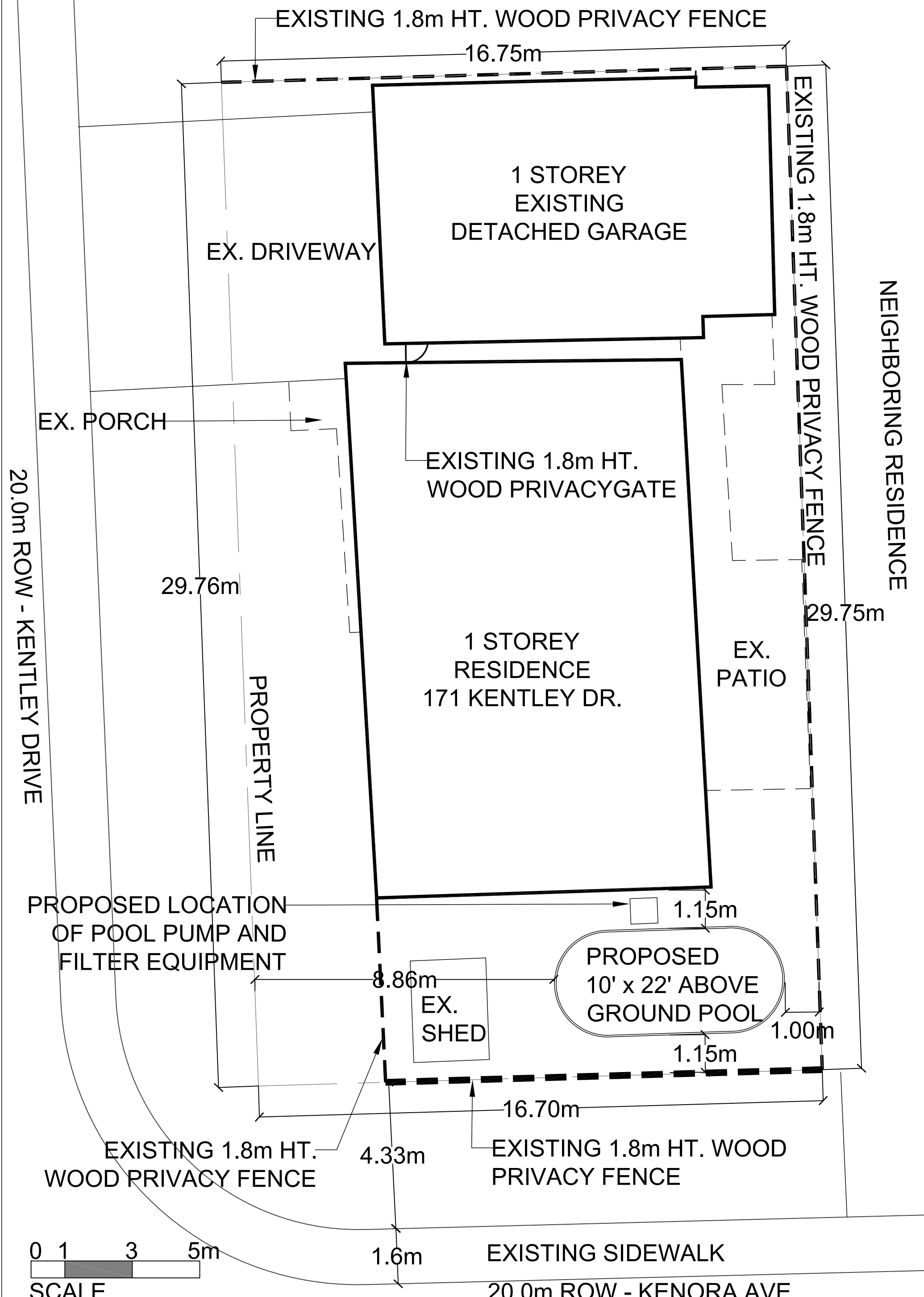
For more information on this matter, including access to drawings illustrating this request:

- 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.



OWNER INFO:
 CIDALIA AND HERCULANO MEDEIROS
 171 KENTLEY DRIVE
 HAMILTON, ON, L8E 1A9
 905-578-6452

SITE PLAN
 SCALE: 1:10 @ 11X17
 DATE: FEB 9, 2022

POOL SUPPLIER INFO:
 TREVI HORS TERRE
 514-228-7384 poste 1303
 12 775 Rue Brault,
 Mirabel, QC J7J 0C4



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

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:

Herculano Medeiros, 171 Kentley Dr, Hamilton, ON L8E 1A9
Cidalia Couto, 171 Kentley Dr, Hamilton, ON, L8E 1A9

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:

Construction of an above-ground swimming pool.

Second Dwelling Unit

Reconstruction of Existing Dwelling

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

Location of proposed pool does not meet minimum setback requirements in the zoning by-law (By-Law 6593 Section 18.4(ib)B). Minimum setback requirement of 6m cannot be achieved within property limits.

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**):

171 Kentley Dr, Hamilton, ON, L8E 1A9.

7. PREVIOUS USE OF PROPERTY

Residential

Industrial

Commercial

Agricultural

Vacant

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?

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.

21 FEBRUARY 2022
Date

Herculano Medeiros Cidalia Couto
Signature Property Owner(s)

HERCULANO MEDEIROS
CIDALIA COUTO
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage 29.9m
Depth 16.7m
Area 499.33m2
Width of street 20.0m ROW

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: _

Residence: 1 storey bungalow with fenced yard; Floor area: 158m2; Area: 15.82m x 10.0m
Detached garage: 1 storey double car garage; Area: 7.55m x 9.61m; Floor area: 72.5m2

Proposed

Pool: 10' x 22' = 220ft2

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

Existing:

Residence: 3.33m to 3.58m from W property line; 3.40m to 3.15m from E property line; 5.47m from S property line
Detached garage: 0.2m from N property line; 4.5m from W property line; 2.75m from E property line

Proposed:

Pool: N side: 1.15m; W side: 8.86m; E side: 1.00m; S side: 1.15m

13. Date of acquisition of subject lands:
November 20, 2001
-
14. Date of construction of all buildings and structures on subject lands:
1966
-
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:
1966 to present (56 years)
-
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:
Centennial Neighbourhoods Secondary Plan - Low Density Residential 2
-
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
Urban Protected Residential - One and Two Family Dwellings - "D" Zone
-
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:
- 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)
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.