



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-22:255	SUBJECT PROPERTY:	16 LOCHSIDE DRIVE, STONEY CREEK,
ZONE:	RRE (Rural Residential Estate)	ZONING BY-LAW:	Zoning By-law former City of Stoney Creek 3692-92, as Amended

APPLICANTS: Owner - Lynn Ann Molloy
 Agent - Tarbutt Construction Ltd

The following variances are requested:

LANDS TO BE SEVERED:

1. A minimum lot area of 1,116.9 m² shall be provided instead of the minimum lot area required of 4,000 m²; and
2. A minimum front yard setback of 6.0 m, except 7.5 m to an attached garage shall be provided instead of the minimum required 25.0 m front yard setback; and
3. A maximum front yard setback of 7.5 m except 8.0 m to an attached garage or carport instead of the minimum required 25.0 m front yard setback; and
4. A minimum side yard setback of 1.85 m shall be provided instead of the minimum required 4.5 m side yard setback except 12 m for a flankage yard; and
5. A minimum rear yard setback of 7.5 m shall be provided instead of the requirement in the By-Law which states that no dwelling or part thereof shall be located further from the front lot line than 55 m; and
6. A maximum Lot coverage of 40 % shall be provided instead of the 25 % maximum permitted lot coverage; and

SC/A-22:255

LANDS TO BE RETAINED:

1. A minimum lot area of 2, 888.1 m² shall be provided instead of the minimum required lot area of 4,000 m²; and
2. A minimum rear yard setback of 21.3 m shall be provided to the new lot line to be created instead of the requirement in the By-Law which states that no dwelling or part thereof shall be located further from the front lot line than 55 m; and

PURPOSE & EFFECT: To facilitate the creation of two lots through land severance application SC/B-22: 74 notwithstanding that;

Notes:

- i. These variances are necessary to facilitate land severance application SC/B-22: 74.
- ii. Please be advised that a 0.30 m reserve shown as BLOCK 14 (PIN 17370-0878(LT)) abutting McCollum Road shall be incorporated into the road allowance to facilitate access for the new lot (severed) to be created through lands severance application SC/B-22: 74.
- iii. The proposed 25 % lot coverage for the lands to be retained as indicated on e-mail from the applicant dated August 2, 2022 is in compliance with the regulations contained in the RRE Zone. Therefore, no variance is required for the lot coverage for the lands to be retained at this time.

This Notice must be posted by the owner of any land which contains seven or more residential units so that it is visible to all residents.

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

DATE:	Thursday, August 25, 2022
TIME:	1:15 p.m.
PLACE:	Via video link or call in (see attached sheet for details)
	2nd floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton
	To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment

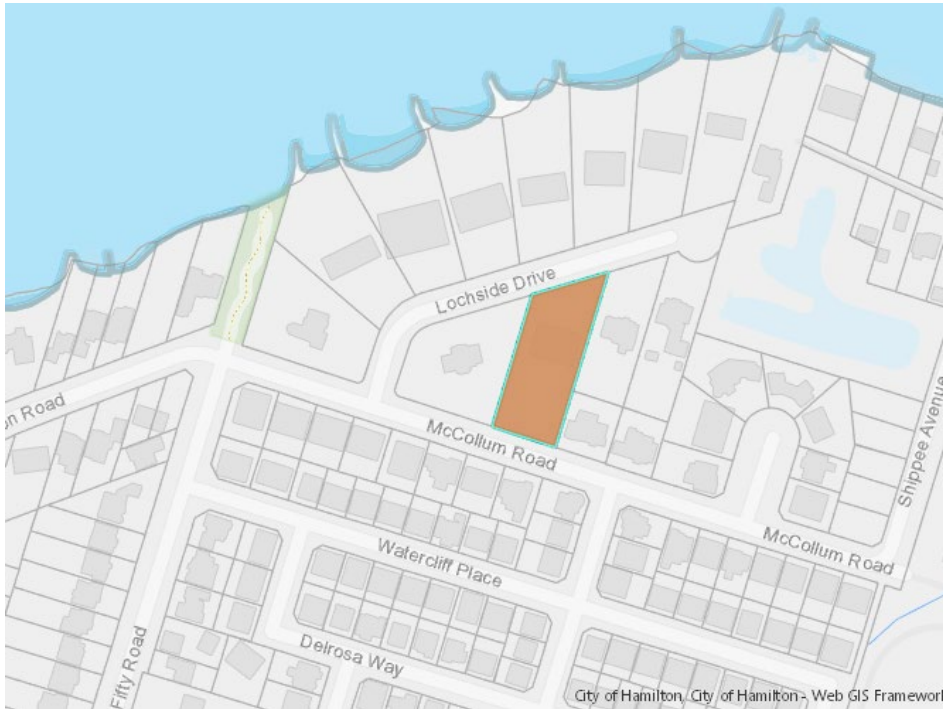
For more information on this matter, including access to drawings illustrating this request and other information submitted:

- Visit www.hamilton.ca/committeeofadjustment
- Visit Committee of Adjustment staff at 5th floor City Hall, 71 Main St. W., Hamilton
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935

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, calling in, or attending in person. Please see attached page for complete instructions, including deadlines for registering to participate virtually and instructions for check in to participate in person.



DATED: August 9, 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, and may include posting electronic versions.



**SURVEYOR'S REAL PROPERTY REPORT
PART 1 - PLAN OF SURVEY OF
LOT 10
REGISTERED PLAN 62M-444
CITY OF HAMILTON**

SCALE 1 : 500

 J.D. BARNES LIMITED
 © COPYRIGHT 2022
 METRIC DISTANCES AND/OR COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

NOTES
 BEARINGS ARE UTM GRID, DERIVED FROM GNSS OBSERVATIONS, UTM ZONE 17, NAD83 (CSRS) (2010.0).
 DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.999600.
 FOR BEARING COMPARISONS, A ROTATION OF 0°50'00" COUNTER-CLOCKWISE WAS APPLIED TO BEARINGS ON P1, P2, P3, P6 AND P7.
 FOR BEARING COMPARISONS, A ROTATION OF 5°48'30" COUNTER-CLOCKWISE WAS APPLIED TO BEARINGS ON P5.

PART 2 - SURVEY REPORT
 - DESCRIPTION
 LOT 10, REGISTERED PLAN 62M-444
 - REGISTERED EASEMENTS AND/OR RIGHTS-OF-WAY
 SUBJECT TO EASEMENT AS IN INST. No. SA26630 AND No. SA37540. AS ILLUSTRATED ON PLAN 62R-7696.
 - BOUNDARY FEATURES
 FENCING ALONG WEST LIMIT AS SHOWN ON PLAN. FENCING AND RAISED BLOCK ALONG EAST LIMIT AS SHOWN ON PLAN.
 - ZONING COMPLIANCE
 NOT VERIFIED BY THIS SURVEY
 - ADDITIONAL REMARKS
 PLAN PREPARED FOR TARBUTT CONSTRUCTION LIMITED

LEGEND
 ■ DENOTES SURVEY MONUMENT FOUND
 □ DENOTES SURVEY MONUMENT SET
 SIB DENOTES STANDARD IRON BAR
 SSIB DENOTES SHORT STANDARD IRON BAR
 IB DENOTES IRON BAR
 P1 DENOTES REGISTERED PLAN 62M-444
 P2 DENOTES REGISTERED PLAN 62M-950
 P3 DENOTES PLAN 62R-18296
 P4 DENOTES PLAN 62R-19142
 P5 DENOTES PLAN 62R-13681
 P6 DENOTES PLAN OF SURVEY BY BARICH GRENKIE SURVEYING LIMITED DATED SEPTEMBER 17, 2021 (FILE: 21-2840)
 P7 DENOTES PLAN OF SURVEY ASHENHURST NOUWENS LIMITED DATED NOVEMBER 7, 1986 (FILE: 86359)
 PB DENOTES PLAN 62R-7696
 MEAS DENOTES MEASURED
 NI DENOTES NOT IDENTIFIABLE
 OU DENOTES ORIGIN UNKNOWN
 M&P DENOTES MACKAY, MACKAY & PETERS LIMITED
 912 DENOTES A.J. CLARKE, O.L.S.
 1213 DENOTES J.D. PETERS, O.L.S.
 1497 DENOTES ASHENHURST NOUWENS LIMITED
 - DENOTES PROPERTY LINE
 X DENOTES FENCE
 N=NORTH / S=SOUTH / E=EAST / W=WEST
 ALL SET SSIB AND PB MONUMENTS WERE USED DUE TO LACK OF OVERBURDEN AND/OR PROXIMITY OF UNDERGROUND UTILITIES IN ACCORDANCE WITH SECTION 11 (4) OF O.R.G. 525/91.

**ASSOCIATION OF ONTARIO
LAND SURVEYORS
PLAN SUBMISSION FORM
2161576**

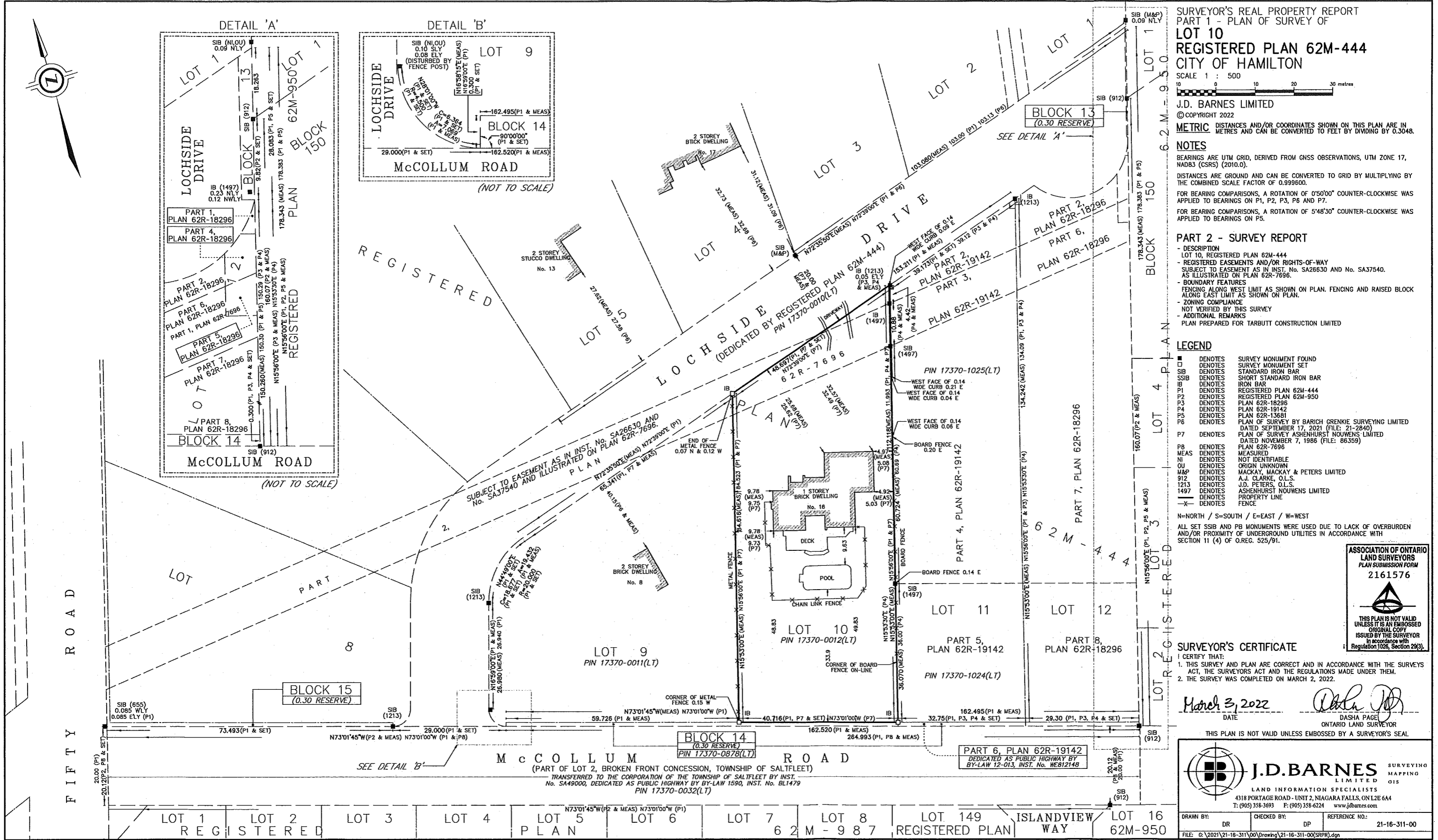
THIS PLAN IS NOT VALID UNLESS IT IS AN EMBOSSED ORIGINAL COPY ISSUED BY THE SURVEYOR in accordance with Regulation 1026, Section 29(3).

SURVEYOR'S CERTIFICATE
 I CERTIFY THAT:
 1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.
 2. THE SURVEY WAS COMPLETED ON MARCH 2, 2022.

March 3, 2022
 DATE
 DASHA PAGE
 ONTARIO LAND SURVEYOR
 THIS PLAN IS NOT VALID UNLESS EMBOSSED BY A SURVEYOR'S SEAL

J.D. BARNES LIMITED
 LAND INFORMATION SPECIALISTS
 4318 PORTAGE ROAD - UNIT 2, NIAGARA FALLS, ON L2E 6A4
 T: (905) 358-3693 F: (905) 358-6224 www.jdbarnes.com

DRAWN BY: DR CHECKED BY: DP REFERENCE NO.: 21-16-311-00
 FILE: G:\2021\21-16-311\00\Drawing\21-16-311-00(SRPP).dgn
 PLOTTED: 3/3/2022



LOT 1 REGISTERED	LOT 2 REGISTERED	LOT 3	LOT 4	LOT 5 PLAN	LOT 6	LOT 7 62M-987	LOT 8	LOT 149 REGISTERED PLAN	ISLANDVIEW WAY	LOT 16 62M-950
---------------------	---------------------	-------	-------	---------------	-------	------------------	-------	----------------------------	-------------------	-------------------



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)	LYNN ANN MOLLOY	
Applicant(s)*		
Agent or Solicitor	JIM TARBUIT TARBUTT CONSTRUCTION LTD	

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:

ADJUST SETBACKS FOR A RESIDENTIAL BUILDING FOR A ~~NEW~~ NEWLY SEVERED LOT

Second Dwelling Unit Reconstruction of Existing Dwelling

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

THE ORIGINAL ZONING IS RRE, SINCE THE LOCAL AREA HAS DEVELOPED OVER THE PAST 20 YEARS, TO ORIGINAL 1 ACRE LOT MAY SEVERE @ A GOOD SIZE BUILDING LOT

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**):

16, LOCKSIDE DR. STONEY CREEK
LOT 10 PLAN 62M - 444 CITY OF HAMILTON
PIN 17370-0012 (LT)

7. PREVIOUS USE OF PROPERTY

Residential Industrial Commercial
Agricultural Vacant
Other _____

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?

LOCKSIDE DR., FORMERLY WINDOIA, WAS DEVELOPED APPROX. 39 YEARS AGO. THE PRESENT OWNER HAD THE EXISTING CONSTRUCTED BY JAY ROBINSON AND RESIDES HERE AT PRESENT

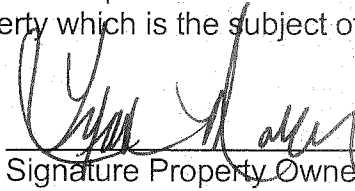
8.12 If previous use of property is industrial or commercial or if YES to any of 8.2 to 8.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.

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.

JULY 21, 2022
Date


Signature Property Owner(s)

WYNNE ANN MOLLOY
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage 40.716 M.
Depth 27.432 M
Area 1,116.921 M²
Width of street 20.12 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: VACANT LAND

Proposed

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

Existing: VACANT LAND

Proposed:

MIN. FRONT YARD 6.0 M EXCEPT 7.5 M TO ATTACHED GARAGE
MIN. SIDE YARD 1.85 M OR CARPORT
MAX. REAR YARD 7.5 M
LOT COVERAGE 40%

MAX. FRONT YARD 7.5 M EXCEPT 3.0 M TO ATTACHED GARAGE OR CARPORT

13. Date of acquisition of subject lands:

1983

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

1983

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:

39 YEARS

18. Municipal services available: (check the appropriate space or spaces)

Water Connected

Sanitary Sewer Connected IN THE PROCESS

Storm Sewers PERMITS ISSUED

19. Present Official Plan/Secondary Plan provisions applying to the land:

Urban Lakeshore Area Secondary Plan

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? (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.

SURVEY ATTACHED