



Hamilton

COMMITTEE OF ADJUSTMENT

City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5

Telephone (905) 546-2424, ext. 4221, 3935

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-23:273	SUBJECT PROPERTY:	17 ELM AVENUE, STONEY CREEK
ZONE:	“R6, OS” (Residential Six, Open Space)	ZONING BY-LAW:	Zoning By-law former City of Stoney Creek 3692-92, as Amended

APPLICANTS: **Owner:** FATOS MUCOLLI
Agent: BARICH GRENKIE SURVEYING LTD. C/O DEJANA CURCIC

The following variances are requested:

1. A Single Detached Dwelling shall be a permitted use in the “OS” Open Space Zone in the Stoney Creek Zoning By-law 3692-92.

PURPOSE & EFFECT: To permit the construction of a one (1) storey addition to an existing single detached dwelling.

Notes:

1. The subject property falls under conservation management. Please contact the Hamilton Conservation Authority prior to any development.
2. Please be advised the property has dual zoning. The subject property falls under the “R6” and “OS” Zone in the Stoney Creek Zoning By-law 3692-92.
3. Please be advised insufficient information was provided regarding the existing/proposed parking. Additional variances may be required if zoning conformity cannot be achieved.

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, November 16, 2023
TIME:	10:45 a.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.

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding SC/A-23:273, you must submit a written request to cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.

If you wish to be provided a Notice of Decision, you must attend the Public Hearing and file a written request with the Secretary-Treasurer by emailing cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.



 Subject Lands

DATED: October 31, 2023

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.



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PARTICIPATION PROCEDURES

Written Submissions

Members of the public who would like to participate in a Committee of Adjustment meeting are able to provide comments in writing or via email in advance of the meeting. Comments can be submitted by emailing cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5. **Comments must be received by noon two days before the Hearing.**

Comment packages are available two days prior to the Hearing and are available on our website: www.hamilton.ca/committeeofadjustment

Oral Submissions

Members of the public are also able to provide oral comments regarding Committee of Adjustment Hearing items by participating Virtually through Webex via computer or phone or by attending the Hearing In-person. Participation Virtually requires pre-registration in advance. Please contact staff for instructions if you wish to make a presentation containing visual materials.

1. Virtual Oral Submissions

Interested members of the public, agents, and owners must register by noon the day before the hearing to participate Virtually.

To register to participate Virtually by Webex either via computer or phone, please contact Committee of Adjustment staff by email cofa@hamilton.ca. The following information is required to register: Committee of Adjustment file number, hearing date, name and mailing address of each person wishing to speak, if participation will be by phone or video, and if applicable the phone number they will be using to call in.

A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting the Wednesday afternoon before the hearing. The link must not be shared with others as it is unique to the registrant.

2. In person Oral Submissions

Interested members of the public, agents, and owners who wish to participate in person must sign in at City Hall room 222 (2nd floor) no less than 10 minutes before the time of the Public Hearing as noted on the Notice of Public Hearing.

We hope this is of assistance and if you need clarification or have any questions, please email cofa@hamilton.ca or by phone at 905-546-2424 ext. 4221.

Please note: Webex (video) participation requires either a compatible computer or smartphone and an application (app/program) must be downloaded by the interested party in order to participate. It is the interested party's responsibility to ensure that their device is compatible and operating correctly prior to the Hearing.

GENERAL NOTES

- THIS/ THESE PLANS(S) IS/ ARE NOT TO BE USED FOR CONSTRUCTION UNTIL SEALED BY THE ENGINEER AND INDICATED ISSUED FOR CONSTRUCTION ON THE DRAWING.
- THIS/ THESE PLANS(S) IS/ ARE NOT TO BE REPRODUCED IN WHOLE OR IN PART WITHOUT THE WRITTEN PERMISSION OF BARICH GRENKIE SURVEYING LTD.
- INFORMATION REGARDING ANY EXISTING SERVICES AND/OR UTILITIES SHOWN ON THE APPROVED SET OF CONSTRUCTION DRAWINGS ARE FURNISHED AS THE BEST AVAILABLE INFORMATION. THE CONTRACTOR SHALL INTERPRET THIS INFORMATION AS HE SEES FIT WITH THE UNDERSTANDING THAT THE OWNER AND HIS AGENTS DISCLAIM ALL RESPONSIBILITY FOR ITS ACCURACY AND /OR SUFFICIENCY. THE CONTRACTOR SHALL ASSUME LIABILITY FOR ANY DAMAGE TO EXISTING WORKS.
- SITE PLAN INFORMATION TAKEN FROM SURVEY BY BARICH GRENKIE SURVEYING LTD DATED JANUARY 6, 2023.
- THIS/ THESE PLANS(S) TO BE USED FOR SERVING AND GRADING ONLY, FOR BUILDING LOCATION REFER TO TO THE SITE PLAN.
- MUNICIPAL APPROVAL OF THESE DRAWINGS IS FOR MATERIAL AND COMPLIANCE WITH CITY/TOWN STANDARDS AND PROVINCIAL SPECIFICATIONS AND STANDARDS ONLY. APPROVAL AND INSPECTION OF THE WORKS BY THE CITY/TOWN STAFF DOES NOT CERTIFY THE LINE AND GRADE OF THE WORKS NOR RELIEVE THE CONTRACTOR OF CERTIFICATION OF ALL WORKS BY THE OWNER'S ENGINEER.
- ALTERNATE MATERIALS MAY BE ACCEPTABLE PROVIDED WRITTEN APPROVAL HAS FIRST BEEN OBTAINED FROM THE CITY OF HAMILTON AND THE ENGINEER.
- THE APPROVAL OF THIS PLAN DOES NOT EXEMPT THE OWNER'S BONDED CONTRACTOR FROM THE REQUIREMENTS TO OBTAIN THE VARIOUS PERMITS/APPROVALS NORMALLY REQUIRED TO COMPLETE A CONSTRUCTION PROJECT, SUCH AS, BUT NOT LIMITED TO THE FOLLOWING:
 - ROAD CUT PERMITS
 - SEWER PERMITS
 - APPROACH APPROVAL PERMITS
 - RELOCATION OF SERVICES
 - COMMITTEE OF ADJUSTMENT
 - ENCROACHMENT AGREEMENTS
- PRIOR TO CONSTRUCTION THE CONTRACTOR MUST:
 - CHECK AND VERIFY ALL DIMENSIONS AND EXISTING ELEVATIONS WHICH INCLUDE BUT ARE NOT LIMITED TO THE BENCHMARK ELEVATIONS, EXISTING SERVICE CONNECTIONS, EXISTING INVERTS AND REPORT FINDING IN WRITING TO THE ENGINEER.
 - OBTAIN ALL UTILITY LOCATES AND REQUIRED PERMITS AND LICENSES.
 - VERIFY ALL FINISHED FLOOR ELEVATIONS AND BASEMENT FLOOR ELEVATIONS WHICH MY APPEAR ON THESE PLANS COMPLY WITH THE FINAL ARCHITECTURAL DRAWINGS.
 - CONFIRM ALL DRAWINGS USED FOR CONSTRUCTION ARE OF THE MOST RECENT REVISION.
 NOTIFY THE ENGINEER OF THE PROPOSED CONSTRUCTION SCHEDULE FOR COORDINATION OF NECESSARY INSPECTIONS.
- THE CONTRACTOR IS RESPONSIBLE FOR CONTACTING THE ENGINEER 48 HOURS PRIOR TO THE COMMENCING OF SITE WORKS TO ARRANGE FOR INSPECTION. THE ENGINEER SHALL DETERMINE THE EXTENT OF INSPECTION AND TESTING REQUIRED FOR CERTIFICATION OF THE UNDERGROUND SERVICE INSTALLATION AS MANDATED BY THE ONTARIO BUILDING CODE DIVISION C, PART 1, SECTION 12.2.2 GENERAL REVIEW. FAILURE TO MAKE SUITABLE ARRANGEMENTS FOR INSPECTION WILL LEAD TO POST CONSTRUCTION TESTING AND INSPECTION AS DETERMINED BY THE ENGINEER, THE COSTS OF WHICH INCLUDING ANY DELAYS IN CONSTRUCTION SHALL BE BORNE BY THE CONTRACTOR. FULL PAYMENT FOR UN-INSPECTED WORKS MAY BE WITHHELD UNTIL THE COMPLETION OF THE POST CONSTRUCTION INSPECTION AND TESTING TO THE SATISFACTION OF THE ENGINEER.
- INSPECTION BY THE OWNER'S ENGINEER IS FOR CERTIFICATION AND GENERAL CONFORMANCE PURPOSES AND DOES NOT CERTIFY LINE AND GRADE OR IMPLY AN ASSURANCE OF QUALITY CONTROL. THE CONTRACTOR SHALL BE RESPONSIBLE TO ENSURE THE INSTALLATION OF THE WORKS TO PROPER LINE, GRADE AND QUALITY TO CURRENT INDUSTRY STANDARDS.
- ANY UTILITY RELOCATIONS AND RESTORATIONS DUE TO THE DEVELOPMENT TO BE UNDERTAKEN AT THE EXPENSE OF THE OWNER/DEVELOPER AND SHALL BE COORDINATED BY THE CONTRACTOR.
- ALL RESTORATIONS AND RECONSTRUCTIONS SHALL BE COMPLETED TO MATCH EXISTING CONDITIONS OR BETTER AND ARE TO BE PERFORMED TO THE SATISFACTION OF THE ENGINEER AND THE CITY/TOWN STANDARDS.
- SERVING CONTRACTOR TO MAINTAIN A "CONFINED TRENCH CONDITION" IN ALL SEWER AND WATERMAIN INSTALLATION TRENCHES.
- THE SITE SERVING CONTRACTOR SHALL TERMINATE ALL SERVICES 1.0m FROM THE BUILDING FACE. NO PLASTING WILL BE PERMITTED.

GRADING NOTES

- GENERAL GRADING
 - ALONG ADJOINING PROPERTIES GRADE TO MEET EXISTING OR PROPOSED ELEVATIONS WITH SLOOED SLOPES (MIN. 3% TO 1%) AND/OR RETAINING WALLS AS SPECIFIED.
 - ALL RETAINING WALLS, DRIVEWAYS, CURBS, ETC. SHALL BE PLACED A MIN. OF 0.45m OFF THE PROPERTY LINE. ALL WALLS 1.0m OR HIGHER SHALL BE DESIGNED BY A P.E.N.G.
 - SHOULD A RETAINING WALL BE REQUIRED, THE TOP OF WALL ELEVATIONS SHALL BE SET 150mm ABOVE THE PROPOSED SIDE YARD SWALES.
 - RETAINING WALLS 0.6m IN HEIGHT OR GREATER REQUIRE CONSTRUCTION OF A FENCE OR GUARD RAIL AT THE TOP OF THE REAR OF THE WALL. GUARDS FOR RETAINING WALLS SHALL BE DESIGNED AND CONSTRUCTED IN ACCORDANCE WITH THE REQUIREMENTS OF EXTERIOR GUARDS AS CONTAINED IN THE ONTARIO BUILDING CODE.
 - TOP OF FOUNDATION WALLS FOR BUILDINGS SHALL BE 150mm (MIN) ABOVE FINISHED GRADE.
 - DRIVEWAY SLOPES SHALL NOT BE LESS THAN 2% AND NOT MORE THAN 7.0% REVERSED SLOPED DRIVEWAYS IN NEW DEVELOPMENTS ARE NOT PERMITTED.
- IF GRADING IS REQUIRED ON LANDS ADJACENT TO THE DEVELOPMENT WHICH ARE NOT OWNED BY THE DEVELOPER, THEN THE DEVELOPER MUST OBTAIN WRITTEN PERMISSION FROM THE ADJACENT WRITTEN OWNER TO ALLOW THE DEVELOPER TO GRADE ON THE ADJACENT LANDS, OTHERWISE RETAINING WALLS MUST BE USED.
- THE WRITTEN PERMISSION REQUIRED FROM THE ADJACENT LANDOWNER SHALL BE OBTAINED PRIOR TO ENTERING THE LANDS. SHOULD PERMISSION NOT BE OBTAINED OR IS WITHDRAWN PRIOR TO COMMENCING THE WORK, THEN THE DEVELOPER SHALL LIMIT HIS ACTIVITIES TO THE LIMITS OF THE DEVELOPMENT SITE.
- DRIVEWAY AND DRIVEWAY APPROACHES SHALL BE LOCATED SUCH THAT HYDRO VAULTS AND OTHER STREET FURNITURE ARE A MIN. OF 1.2m FROM THE PROJECTIONS OF THE OUTSIDE GARAGE WALLS.
- ANY CHANGES IN GRADES AND CATCH BASINS REQUIRE THE APPROVAL OF THE CITY'S MANAGER OF DEVELOPMENT ENGINEERING.
- ALL DRIVEWAYS FROM PROPERTY LINES FOR THE FIRST 7.5m SHALL BE WITHIN 5% MAXIMUM GRADE. THEREAFTER, ALL DRIVEWAYS SHALL BE WITHIN 10% MAXIMUM GRADES.
- SLOPES OF SWALES FOR BOTH "BACK TO FRONT" AND "SPLIT" DRAINAGE SHALL BE NO LESS THAN 2.0% GRADE AND NO GREATER THAN 33.0% GRADE (3:1 SLOPE).
- WHEN MATCHING TO EXISTING PROPERTIES WHERE A 2.0% GRADE CANNOT BE ACHIEVED, A 1.5% GRADE IS PERMITTED, PROVIDED A 150mm SUBDRAIN IS INSTALLED BELOW THE BOTTOM OF THE SWALE AND DRAINED TO A SUITABLE OUTLET (WITH A MINIMUM 0.3m COVER OVER THE SUBDRAIN), OR OTHER MITIGATION MEASURES.
- MINIMUM GRADE FOR WRAP-AROUND SWALE IN BACKYARDS SHALL BE 1.0%.
- UNLESS OTHERWISE NOTED, THE GROUND BETWEEN PROPOSED ELEVATIONS ON SIDE LOTS SHALL BE GRADED IN A STRAIGHT LINE.
- GARAGE FLOOR ELEVATIONS TO BE SET 0.3m HIGHER THAN BACK OF WALK, UNLESS OTHERWISE SPECIFIED.
- ALL FILL PLACED ON LOTS SHALL BE COMPACTED TO A MINIMUM 95% S.P.D. (UNLESS OTHERWISE RECOMMENDED BY THE GEOTECHNICAL ENGINEER). ALL MATERIAL SHALL BE PLACED IN LIFTS NOT EXCEEDING 300mm.

- BACKYARD GRADING
 - DEFINITION: "REQUIRED BACK YARD" SHALL MEAN THE LESSER OF THE DISTANCE REGULATED BY THE ZONING BY-LAW OR 6.0m.
 - THE MAXIMUM 5.0% RESTRICTION SHALL NOT APPLY TO THE SIDES OF A SWALE ALONG THE BACK OF THE LOT, PROVIDING THE TOTAL WIDTH OF THE SWALE DOES NOT EXCEED 1.0m ON EACH LOT.
 - WHERE THE 5.0% RESTRICTION ON BACKYARD GRADES RESULTS IN ELEVATION DIFFERENCES BETWEEN DIFFERENT PROPERTIES, RETAINING WALLS SHALL BE CONSTRUCTED ALONG THE SIDES AND THE BACK OF THE LOT. 3:1 SLOPES CAN REPLACE THE WALLS WHERE THE DIFFERENCE IN ELEVATION IS LESS THAN 0.3m.
 - GENERALLY, SLOPES SHALL BE PLACED ON THE LOWER LOT, WHEREAS RETAINING WALLS SHALL BE PLACED ON THE HIGHER LANDS.
 - THERE IS NO CONTROL ON THE STEEPNESS OF THE SLOPES IN SIDE YARDS, FRONT YARDS, AND BACK YARDS, OUTSIDE THE AREAS DEFINED IN ITEM "A" ABOVE, PROVIDING THE SLOPES ARE STABLE FOR THE SOILS OF THE AREA (3:1 MAXIMUM).

COMPACTION REQUIREMENTS

UNLESS OTHERWISE NOTED OR DIRECTED BY THE GEOTECHNICAL CONSULTANT, THE FOLLOWING SHALL APPLY:

- ALL BEDDING AND BACKFILL MATERIAL, ROAD SUB-GRADES AND GENERALLY ALL MATERIAL USED FOR LOT GRADING AND FILL SECTIONS, ETC., SHALL BE COMPACTED TO MIN. 95% S.P.D. ALL MATERIAL SHALL BE PLACED IN LAYERS NOT EXCEEDING 300mm LIFTS.
- ALL GRANULAR ROAD BASE MATERIALS SHALL BE COMPACTED TO 98% S.P.D.
- FOR ALL SEWERS AND WATERMANS IN FILL SECTIONS, THE COMPACTION SHALL BE CERTIFIED BY A GEOTECHNICAL ENGINEER PRIOR TO LAYING OF PIPE.

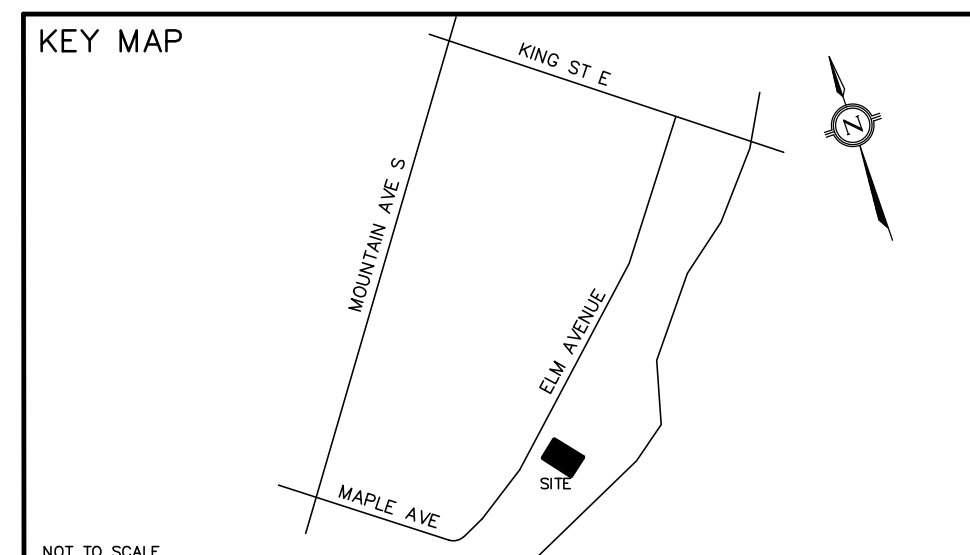
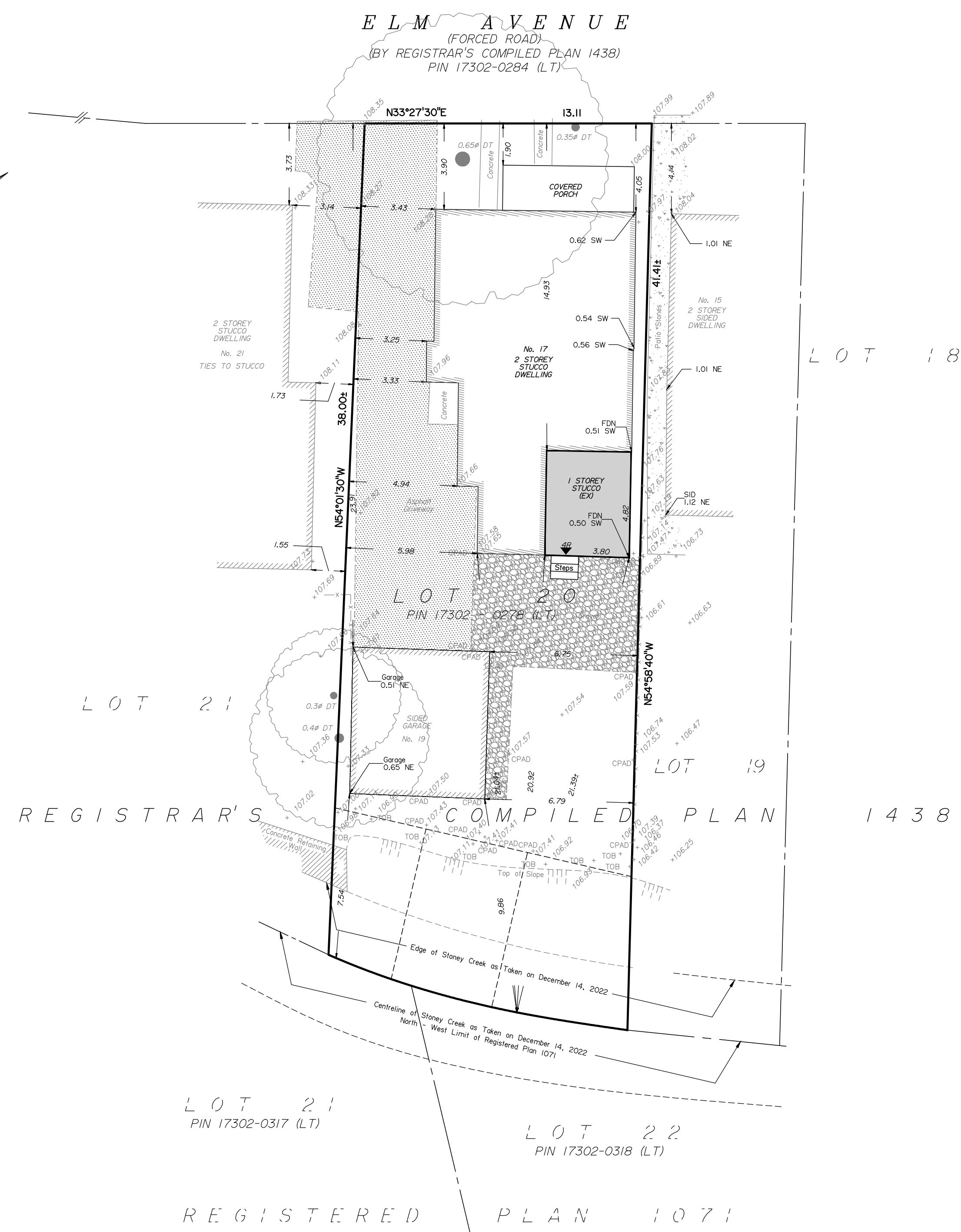
SILTATION AND EROSION CONTROL

- SILTATION CONTROL BARRIERS SHALL BE PLACED AS DETAILED.
- ALL SILTATION CONTROL MEASURES SHALL BE CLEANED AND MAINTAINED AFTER EACH RAINFALL AS DIRECTED AND TO THE SATISFACTION OF THE OF CITY/TOWN AND/OR THE CONSERVATION AUTHORITY.
- ADDITIONAL SILT CONTROL LOCATIONS MAY BE REQUIRED AS DETERMINED BY THE ENGINEER, THE CITY/TOWN AND/OR THE CONSERVATION AUTHORITY.

RESTORATIONS

- ALL TRENCH EXCAVATION WITHIN EXISTING ROAD ALLOWANCES SHALL BE BACKFILLED WITH GRANULAR "A", COMPACTED TO 98% S.P.D. PAVEMENT RESTORATION SHALL BE PERFORMED AS PER RD-100.01 & 100.02.
- ALL BOULEVARDS TO BE RESTORED WITH #1 NURSERY SOG ON 100mm MINIMUM THICK SELECT TOPSOIL.
- BEDDING MATERIALS TO BE AS PER FORM 600. COMPACTION TO BE AS PER FORM 900.

MUNICIPAL ADDRESS		
17 ELM AVENUE, STONEY CREEK		
LEGAL DESCRIPTION		
LOT 20, REGISTRAR'S COMPILED PLAN 1438,		
CITY OF HAMILTON		
ZONING		
RESIDENTIAL ZONE (R6)		
SITE STATISTICS	BYLAW	PROPOSED
LOT AREA	310 m ²	537.27m ² (EX)
LOT COVERAGE	40% (MAX)	21.0%
LOT WIDTH	12.0 m	13.11 m (EX)
SETBACKS		
FRONT YARD	6.0 m	14.93 m
REAR YARD	7.5 m	20.92 m
SIDE YARD (NORTH)	1.25 m	8.95 m
SIDE YARD (SOUTH)	1.25 m	0.5 m



NOT TO SCALE
ADDRESS: 17 ELM AVENUE, STONEY CREEK

SITE AND GRADING PLAN OF
LOT 20
REGISTRAR'S COMPILED PLAN 1438
IN THE
CITY OF HAMILTON

BARICH GRENKIE SURVEYING LTD.
A DIVISION OF GEOMAPLE
© COPYRIGHT 2023

METRIC
DISTANCES AND CO-ORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

LEGEND

CB	DENOTES CATCH BASIN
DT	DENOTES DECIDUOUS TREE
CT	DENOTES CONIFEROUS TREE
S	DENOTES SERVICE VALVE
---	DENOTES SUBJECT LANDS BOUNDARY
---	DENOTES DEED LINE
---	DENOTES LOT LINE
---	DENOTES LIMIT OF STREET
---	DENOTES FENCE LINE
N-E-S-W	DENOTES NORTH-EAST-SOUTH-WEST
100.00	DENOTES EXISTING ELEVATION
100.00	DENOTES PROPOSED ELEVATION
---	DENOTES DOWNSPOUT WITH SPLASH PAD

ELEVATION NOTE
ELEVATIONS ARE REFERRED TO THE CANADIAN GEODETIC VERTICAL DATUM (CGVD-1928:1978) AND ARE DERIVED FROM CITY OF HAMILTON BENCHMARK No. 07720020012 HAVING AN ELEVATION OF 84.543 m.

NO.	DATE	BY	REVISIONS
0	10/05/2023	DC	ISSUED FOR REVIEW
DESIGN	DC	CHK'D	DJ
DRAWN	DC	CHK'D	DJ
OCTOBER 05, 2023			

Scale 1:150
0 2 4 6 8 10 METRES

APPROVALS

STAMP

Barich Grenkie
Surveying Ltd.
301 HWY No. 8 (2ND FLOOR) - STONEY CREEK, ON
(905) 682-6767
A DIVISION OF GEOMAPLE

DWN BY: DC
CHK BY: MF
JOB No. 22-2935I

CLIENT
FATOS MUCOLLI
RESIDENCE

PROJECT NAME
EXISTING ADDITION
17 ELM AVENUE

TITLE
SITE AND GRADING PLAN

PROJECT No. 22-2935I DRAWING No. 22-2935I SGP



Hamilton

Committee of Adjustment

City Hall, 5th Floor,

71 Main St. W.,

Hamilton, ON L8P4Y5

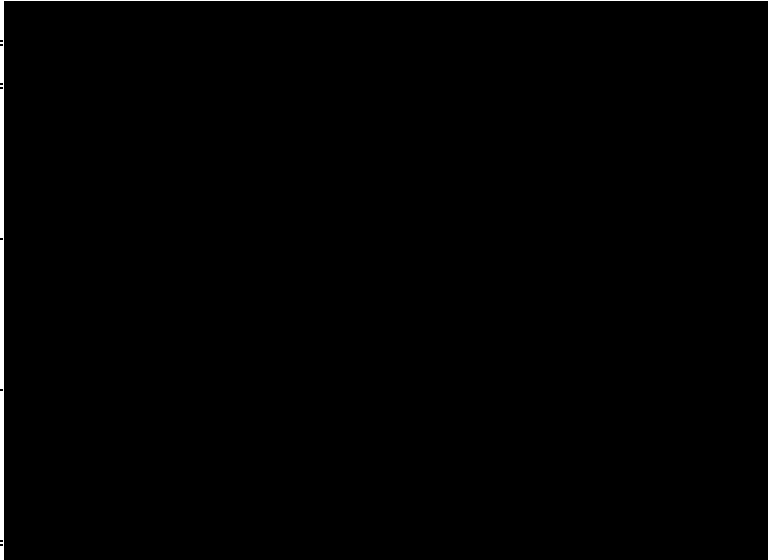
Phone: (905) 546-2424 ext. 4221

Email: cofa@hamilton.ca

APPLICATION FOR A MINOR VARIANCE/PERMISSION UNDER SECTION 45 OF THE PLANNING ACT

1. APPLICANT INFORMATION

Table with 2 columns: Category (Registered Owners(s), Applicant(s), Agent or Solicitor) and Name.



1.2 All correspondence should be sent to

- Purchaser, Applicant

- Owner, Agent/Solicitor

1.3 Sign should be sent to

- Purchaser, Applicant

- Owner, AgentSolicitor

1.4 Request for digital copy of sign

Yes*

If YES, provide email address where sign is to be sent



1.5 All correspondence may be sent by email

Yes* No

If Yes, a valid email must be included for the registered owner(s) AND the Applicant/Agent (if applicable). Only one email address submitted will result in the voiding of this service. This request does not guarantee all correspondence will sent by email.

2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	17 Elm Avenue, Stoney Creek		
Assessment Roll Number			
Former Municipality			
Lot	20	Concession	
Registered Plan Number	1438	Lot(s)	
Reference Plan Number (s)		Part(s)	

2.2 Are there any easements or restrictive covenants affecting the subject land?

Yes No

If YES, describe the easement or covenant and its effect:

3. PURPOSE OF THE APPLICATION

Additional sheets can be submitted if there is not sufficient room to answer the following questions. Additional sheets must be clearly labelled

All dimensions in the application form are to be provided in metric units (millimetres, metres, hectares, etc.)

3.1 Nature and extent of relief applied for:

Minor variance is required for the addition in the open space zone

Second Dwelling Unit Reconstruction of Existing Dwelling

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

OS do not permit a single dwelling as a use.

3.3 Is this an application 45(2) of the Planning Act.

Yes No

If yes, please provide an explanation:

4. DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

4.1 Dimensions of Subject Lands:

Lot Frontage	Lot Depth	Lot Area	Width of Street
13.11m	40.59m	537.27m ²	8.4m

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

Existing:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
dwelling	3.90m	21.04m	0.51m;3.43m	
garage	23.91m	7.54	0.51m;6.75m	

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
addition	14.93m	21.39m	0.50m	

4.3. Particulars of all buildings and structures on or proposed for the subject lands (attach additional sheets if necessary):

Existing:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
dwelling	114.49m ²		2 storey	

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
addition	18.59m ²	14.40m ²	1 storey	

- 4.4 Type of water supply: (check appropriate box)
 publicly owned and operated piped water system
 privately owned and operated individual well

- lake or other water body
 other means (specify)

- 4.5 Type of storm drainage: (check appropriate boxes)
 publicly owned and operated storm sewers
 swales

- ditches
 other means (specify)

4.6 Type of sewage disposal proposed: (check appropriate box)

publicly owned and operated sanitary sewage

system privately owned and operated individual

septic system other means (specify) _____

4.7 Type of access: (check appropriate box)

provincial highway

right of way

municipal road, seasonally maintained

other public road

municipal road, maintained all year _____

4.8 Proposed use(s) of the subject property (single detached dwelling duplex, retail, factory etc.):

Single detached dwelling

4.9 Existing uses of abutting properties (single detached dwelling duplex, retail, factory etc.):

Single detached dwelling

7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:

November 25, 2020

7.2 Previous use(s) of the subject property: (single detached dwelling duplex, retail, factory etc)

Single detached dwelling

7.3 Existing use(s) of the subject property: (single detached dwelling duplex, retail, factory etc)

Single detached dwelling

7.4 Length of time the existing uses of the subject property have continued:

45+ years

7.5 What is the existing official plan designation of the subject land?

Rural Hamilton Official Plan designation (if applicable): _____

Rural Settlement Area: _____

Urban Hamilton Official Plan designation (if applicable) yes

Please provide an explanation of how the application conforms with the Official Plan.

Changing exterior look of the house

7.6 What is the existing zoning of the subject land? R6 and OS zone

7.8 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: R6 and OS zone

7.9 Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*?

Yes No

If yes, please provide the file number: _____

7.10 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

7.11 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.

8 ADDITIONAL INFORMATION

8.1 Number of Dwelling Units Existing: 1

8.2 Number of Dwelling Units Proposed: _____

8.3 Additional Information (please include separate sheet if needed):

11 COMPLETE APPLICATION REQUIREMENTS

11.1 All Applications

- Application Fee
- Site Sketch
- Complete Application form
- Signatures Sheet

11.4 Other Information Deemed Necessary

- Cover Letter/Planning Justification Report
 - Authorization from Council or Director of Planning and Chief Planner to submit application for Minor Variance
 - Minimum Distance Separation Formulae (data sheet available upon request)
 - Hydrogeological Assessment
 - Septic Assessment
 - Archeological Assessment
 - Noise Study
 - Parking Study
-
-