

## **NOTICE OF PUBLIC HEARING** **Minor Variance**

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**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
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**APPLICATION NO.:** DN/A-21:167

**APPLICANTS:** Agent Martin Whitlock  
Owner Jeffery Warren

**SUBJECT PROPERTY:** Municipal address **35 Park St. E., Dundas**

**ZONING BY-LAW:** Zoning By-law 3581-86, as Amended 14-275

**ZONING:** "R4-FP" (Low Density Residential) Zone

**PROPOSAL:** To permit the construction of a roofed-over unenclosed porch at the front of the existing semi-detached dwelling on a residential parcel of land, notwithstanding that:

1. A roofed-over unenclosed porch, including eaves and gutters, shall be permitted to project a maximum of 3.8 metres into the required front yard and provide a minimum setback of 2.0 metres from the front lot line, instead of the maximum 3.0 metre projection permitted and minimum 4.0 metre setback required from the front lot line.
2. A roofed-over unenclosed porch shall be permitted to project a maximum of 1.2 metres into the required easterly side yard and provide a minimum setback of 0.0 metres from the easterly side lot line, instead of the requirement that a roofed-over unenclosed porch is not permitted to project into a required side yard.

**NOTE:**

1. Please note this application is to be heard in conjunction with Minor Variance Application DN/A-21:168.
2. Construction of the proposed roofed-over unenclosed porch is subject to the issuance of a building permit in the normal manner. Be advised that Ontario Building Code regulations may require specific setbacks and construction types.

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

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**DATE:** Thursday, June 3rd, 2021  
**TIME:** 2:15 p.m.  
**PLACE:** Via video link or call in (see attached sheet for details)  
To be streamed at  
[www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)  
for viewing purposes only

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## **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](http://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](mailto:cofa@hamilton.ca)

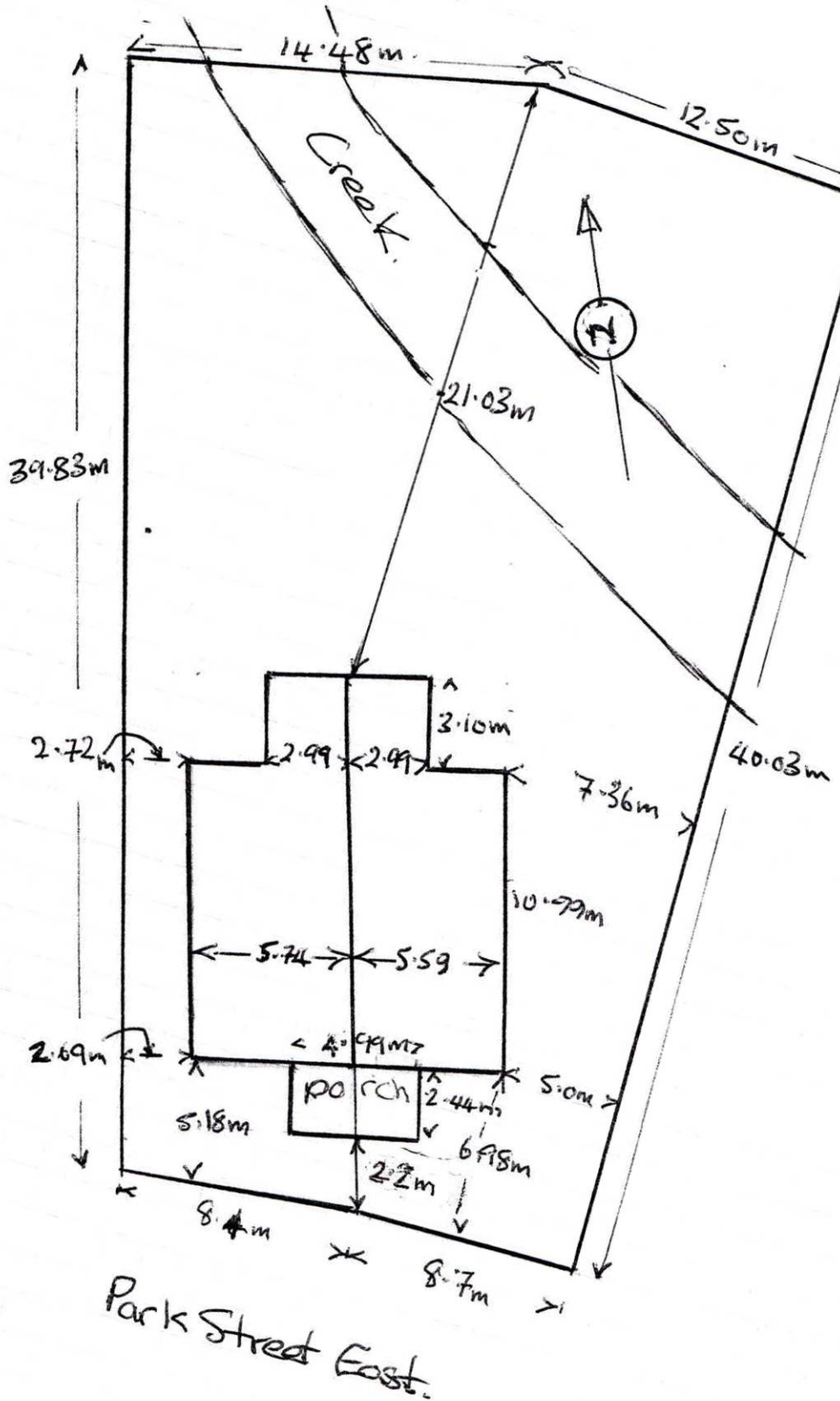
DATED: May 18th, 2021.

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Jamila Sheffield,  
Secretary-Treasurer  
Committee of Adjustment

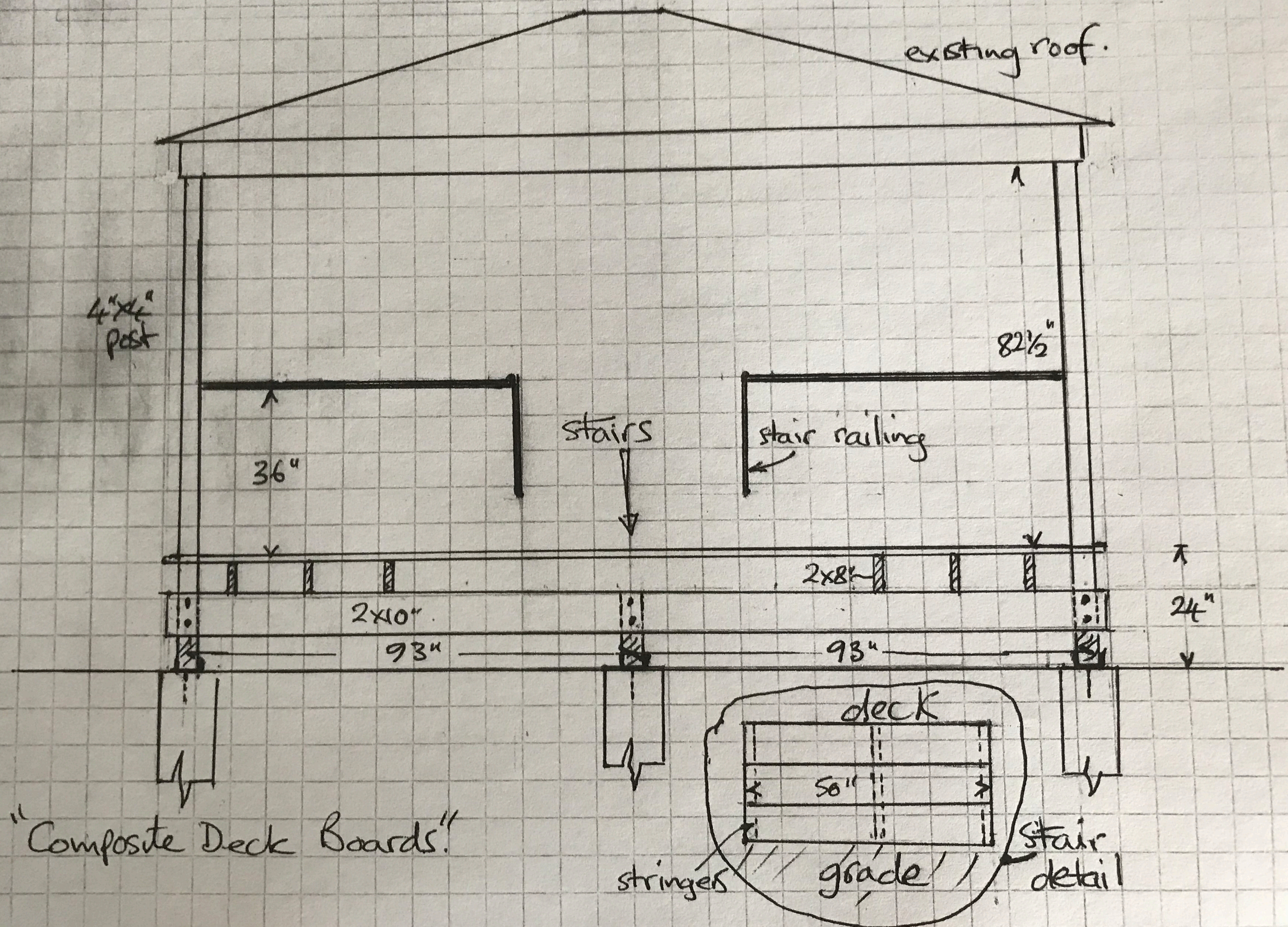
***Information respecting this application is being collected under the authority of the Planning Act, R.S.O., 1990, c. P. 13. All comments and opinions submitted to the City of Hamilton on this matter, including the name, address, and contact information of persons submitting comments and/or opinions, will become part of the public record and will be made available to the Applicant and the general public.***

35 & 37 Park Street  
Dundas





# Front Elevation



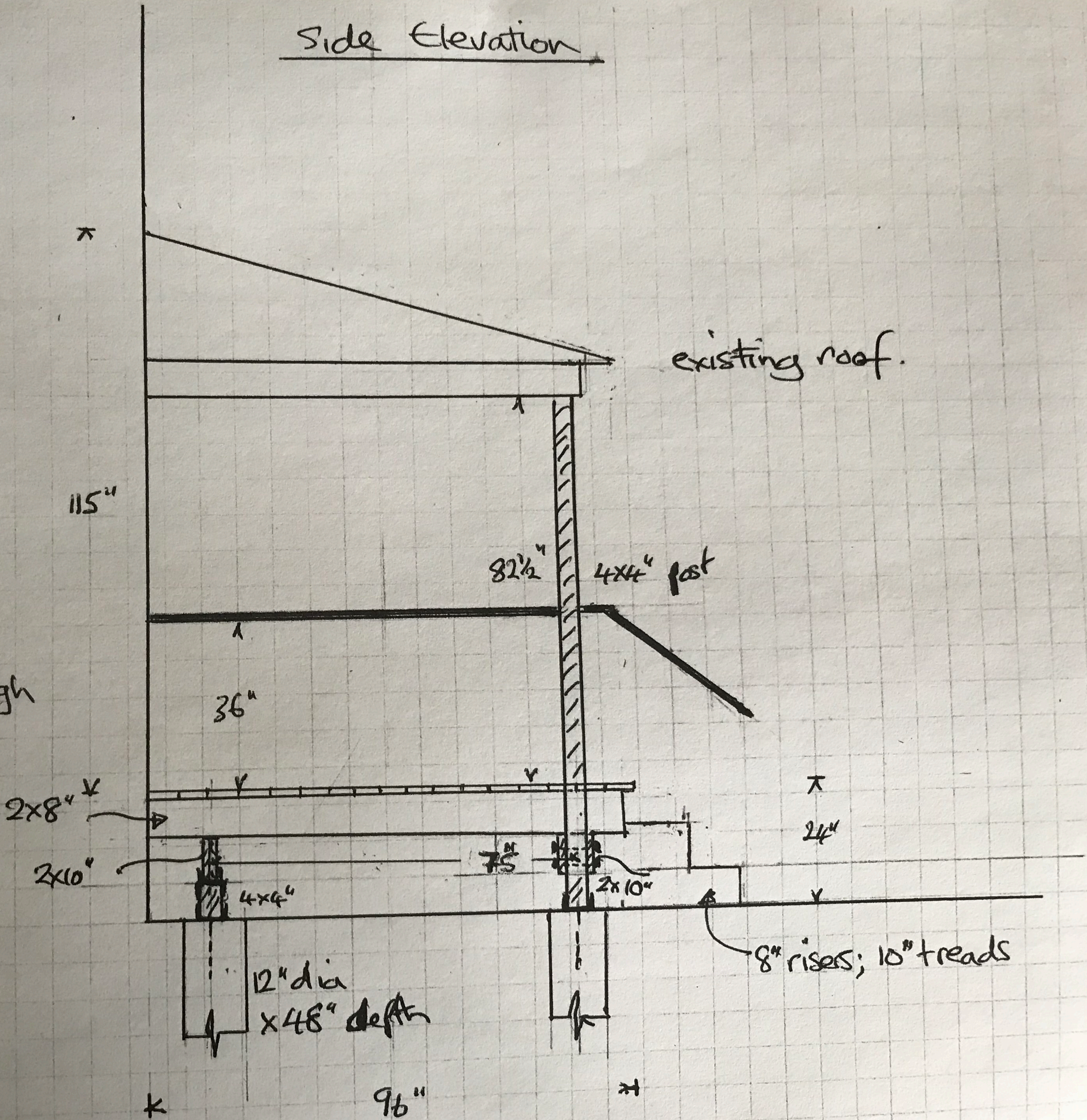


### Side Elevation

existing roof.

### Railing:-

Trex Select Railing  
System @ 36" High







Committee of Adjustment  
City Hall, 5<sup>th</sup> Floor,  
71 Main St. W.,  
Hamilton, ON L8P4Y5

Phone: (905) 546-2424 ext. 4221  
Email: [cofa@hamilton.ca](mailto: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	ADDRESS	
Registered Owners(s)	Jeffrey Warren		
Applicant(s)*	Martin Whitlock		
Agent or Solicitor			
			Phone:
			E-mail:

**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:

TD Bank  
4720 Tahoe Blvd,  
Building 1, Mississauga  
ON, L4W 5P2.

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:

The set back from the front lot line to the porch is 2-2m.

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

The existing roofed porch was built prior to 1962. This porch is to be replaced with a new porch on the same footprint. The porch serves as an elevated entrance to the house.

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**):

Plan No. 13, Lot 5; 35 Park Street East  
Dundas L9H 1C9.

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 9.1 to 9.10 above?


8.12 If previous use of property is industrial or commercial or if YES to any of 9.2 to 9.10, 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.

26 Feb - 2021  
Date

  
Signature Property Owner

Jeffrey Warren  
Print Name of Owner

10. Dimensions of lands affected:

Frontage 17.1m 8.4m  
Depth 40m  
Area 360m<sup>2</sup>  
Width of street 13.7m

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: ground floor = 72.4m<sup>2</sup>  
gross floor = 144.8m<sup>2</sup>  
2 stories: 14m long: 5.74m wide: 6.6m high

Proposed No change

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

Existing: side 2.7m, rear 21m, front 2.2m

Proposed: No change



13. Date of acquisition of subject lands: April 22, 2015
14. Date of construction of all buildings and structures on subject lands: Early 1900's - late 1800's.
15. Existing uses of the subject property: Residential.
16. Existing uses of abutting properties: Residential.
17. Length of time the existing uses of the subject property have continued: Sixty plus years.
18. Municipal services available: (check the appropriate space or spaces)  
Water X Connected \_\_\_\_\_  
Sanitary Sewer X Connected \_\_\_\_\_  
Storm Sewers X \_\_\_\_\_
19. Present Official Plan/Secondary Plan provisions applying to the land: Neighbourhoods
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land: "R4-FP" Low Density.
21. Has the owner previously applied for relief in respect of the subject property?  
☐ Yes ☒ No  
If the answer is yes, describe briefly.
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.