



Hamilton

**COMMITTEE OF ADJUSTMENT**

City Hall, 5<sup>th</sup> floor, 71 Main Street West, Hamilton, ON L8P 4Y5

Telephone (905) 546-2424, ext. 4221

E-mail: [cofa@hamilton.ca](mailto: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

<b>APPLICATION NO.:</b>	<b>A-24:101</b>	<b>SUBJECT PROPERTY:</b>	39 Stanley Avenue, Hamilton
<b>ZONE:</b>	“D” (Urban Protected Residential – One- and Two-Family Dwellings, Etc.)	<b>ZONING BY-LAW:</b>	Zoning By-law former City of Hamilton 6593, as Amended

**APPLICANTS:** Owner: Cameron Bellavia

The following variances are requested:

1. To permit a minimum lot width of 9.0 metres whereas the requires a minimum lot width of 12.0 metres.

**PURPOSE & EFFECT:** So as to permit the creation of a new lot for the construction of a new single-family dwelling.

**Notes:** N/A

**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:

<b>DATE:</b>	<b>Tuesday, June 11, 2024</b>
<b>TIME:</b>	<b>1:20 p.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>City Hall Council Chambers (71 Main St. W., Hamilton)</b>
	<b>To be streamed (viewing only) at</b> <b><a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a></b>

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

## A-24:101

- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Visit Committee of Adjustment staff at 5<sup>th</sup> floor City Hall, 71 Main St. W., Hamilton
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221

## 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, written comments must be received no later than noon June 7, 2024

**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, registration to participate virtually must be received no later than noon June 10, 2024

## FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding A-24:101, you must submit a written request to [cofa@hamilton.ca](mailto: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](mailto: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: May 23, 2024

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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, 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 advance of the meeting. Comments can be submitted by emailing [cofa@hamilton.ca](mailto: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 on the date listed on the Notice of Public Hearing.**

Comments are available the Friday prior to the Hearing and are available on our website: [www.hamilton.ca/committeeofadjustment](http://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 on the day listed on the Notice of Public 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](mailto: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 one business day before the Hearing. Only those registered will be called upon to speak.

##### 2. In person Oral Submissions

Interested members of the public, agents, and owners who wish to participate in person may attend Council Chambers on the date and time listed on the Notice of Public Hearing. Please note, you will be required to provide your name and address for the record. It is advised that you arrive **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](mailto:cofa@hamilton.ca) or by phone at 905-977-1654.

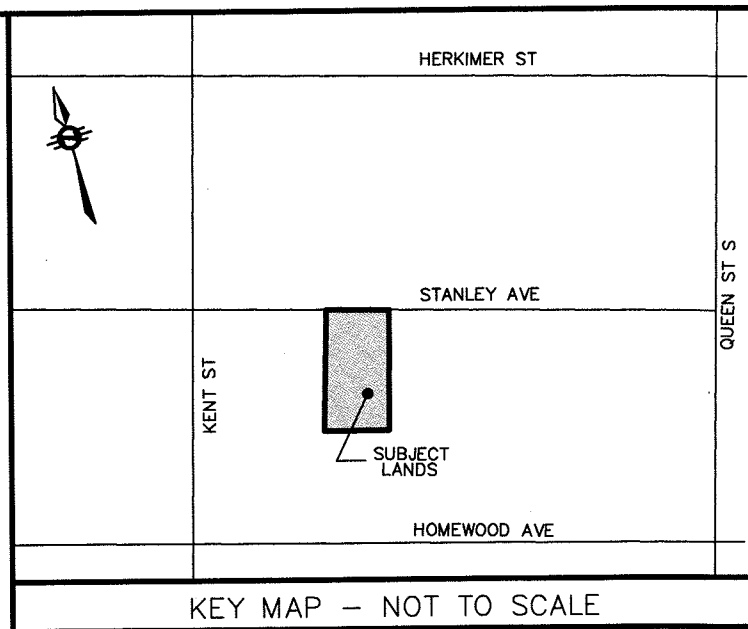
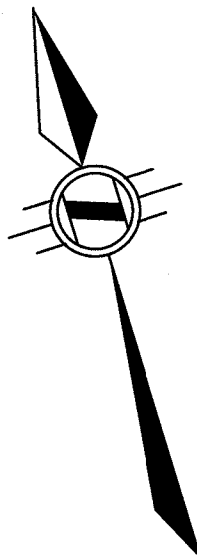
Please note: Webex (video) participation requires either a compatible computer or smartphone and an application (app/program) must be downloaded by the interested party in order to participate. It is the interested party's responsibility to ensure that their device is compatible and operating correctly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

**SKETCH FOR LAND DIVISION  
OF  
39 STANLEY AVENUE  
IN THE  
CITY OF HAMILTON**

SCALE 1:200 METRIC

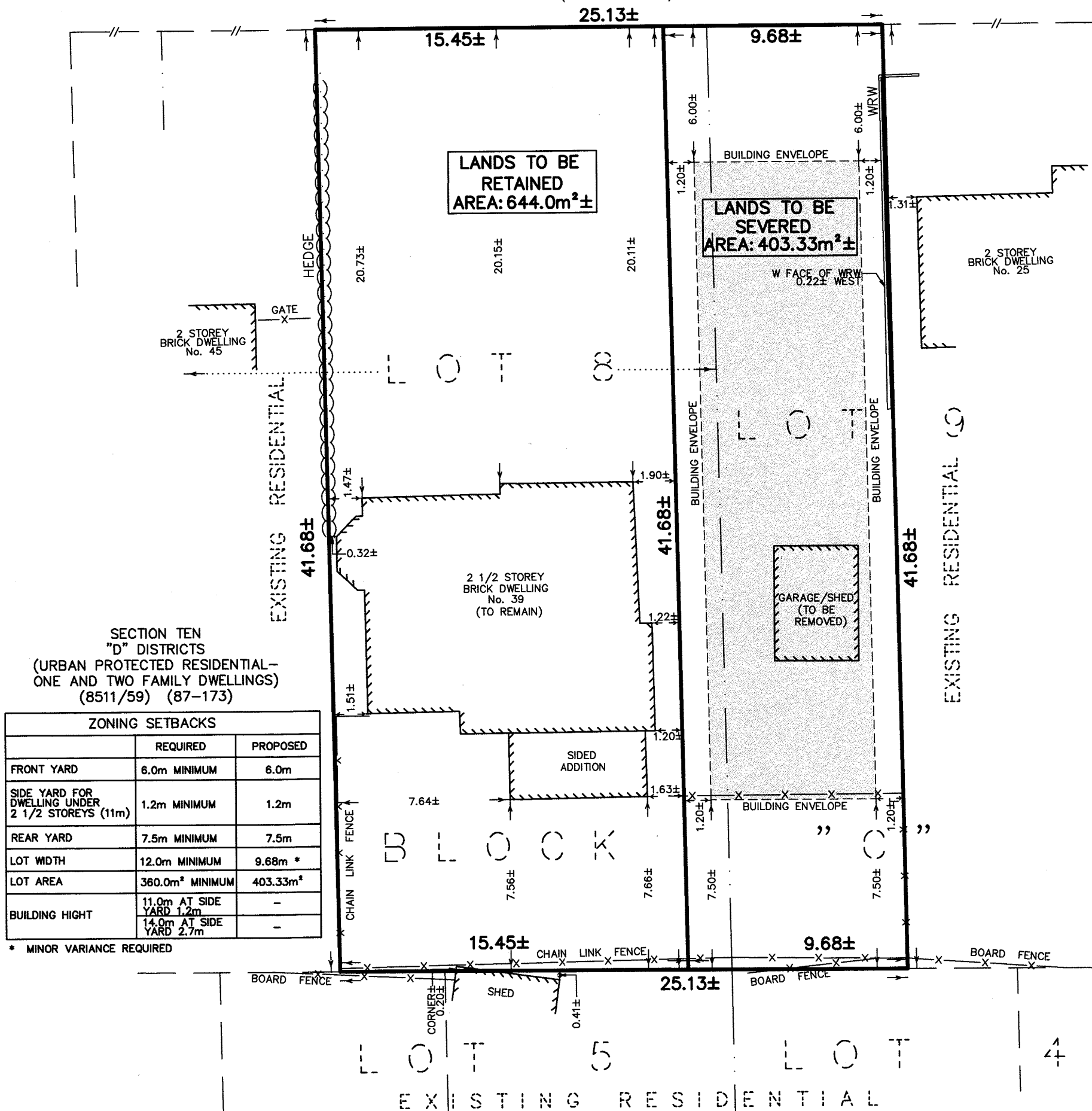


**R.A. McLAREN, O.L.S. - 2023**



**STANLEY AVENUE**

(FORMERLY HERKIMER STREET BY PLAN 187)  
(LYING BETWEEN QUEEN STREET & KENT STREET)  
(18.29m± WIDE)



SECTION TEN  
"D" DISTRICTS  
(URBAN PROTECTED RESIDENTIAL-  
ONE AND TWO FAMILY DWELLINGS)  
(8511/59) (87-173)

ZONING SETBACKS		
	REQUIRED	PROPOSED
FRONT YARD	6.0m MINIMUM	6.0m
SIDE YARD FOR DWELLING UNDER 2 1/2 STOREYS (11m)	1.2m MINIMUM	1.2m
REAR YARD	7.5m MINIMUM	7.5m
LOT WIDTH	12.0m MINIMUM	9.68m *
LOT AREA	360.0m <sup>2</sup> MINIMUM	403.33m <sup>2</sup>
BUILDING HIGHT	11.0m AT SIDE YARD 1.2m	-
	14.0m AT SIDE YARD 2.7m	-

\* MINOR VARIANCE REQUIRED

**NOTE:**  
THIS PLAN COMPRISES  
PART OF LOT 8 AND 9  
BLOCK "C", REGISTERED  
PLAN 187.

**METRIC NOTE:**

DISTANCES AND COORDINATES  
SHOWN ON THIS PLAN ARE IN  
METRES AND CAN BE  
CONVERTED TO FEET  
BY DIVIDING BY 0.3048

**NOTE:**

DISTANCES SHOWN ON THIS  
PLAN ARE DERIVED FROM  
PLAN BY A.T.McLAREN, O.L.S.  
DATED AUGUST 25,2023.

**NOTE:**

- A) THIS IS NOT A PLAN OF SURVEY  
AND SHALL NOT BE USED  
EXCEPT FOR THE PURPOSE  
INDICATED IN THE TITLE BLOCK.
- B) THIS SKETCH IS PROTECTED BY  
COPYRIGHT ©

NOVEMBER 21, 2023  
DATE

**A.T. McLaren Limited**  
LEGAL AND ENGINEERING SURVEYS  
69 JOHN STREET SOUTH, SUITE 230  
HAMILTON, ONTARIO, L8N 2B9  
PHONE (905) 527-8559 FAX (905) 527-0032

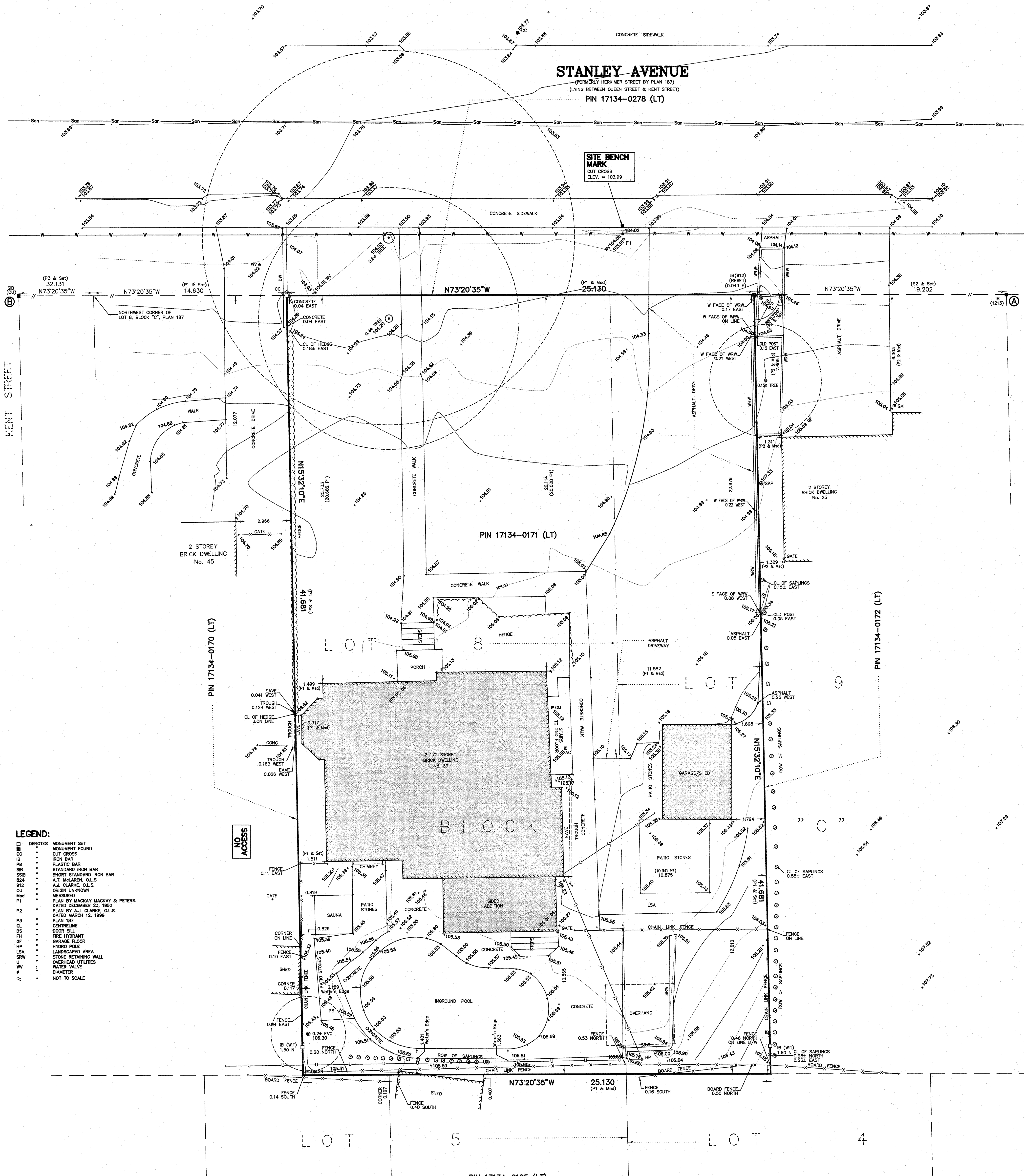
**SURVEYOR'S REAL PROPERTY REPORT**  
 PART 1, PLAN OF PART OF  
**LOTS 8 & 9, BLOCK "C"**  
**PLAN 187**  
 IN THE  
**CITY OF HAMILTON**

SCALE 1:100 METRIC



R.A. McLAREN, O.L.S. - 2023

**SURVEYOR'S REAL PROPERTY REPORT (PART 2)**  
 PART OF LOTS 8 & 9, BLOCK "C", PLAN 187  
 AS ILLUSTRATED ON THE PLAN.  
 THIS PLAN DOES NOT CERTIFY COMPLIANCE  
 WITH ZONING BY-LAWS.  
 THIS PLAN WAS PREPARED FOR  
 CAMERON BELLAWA



- LEGEND:**
- DENOTES MONUMENT SET
  - MONUMENT FOUND
  - CC CUT CROSS
  - IB IRON BAR
  - SB STANDARD IRON BAR
  - SSB SHORT STANDARD IRON BAR
  - S24 A.T. McLAREN, O.L.S.
  - B12 A.J. CLARKE, O.L.S.
  - OU ORIGIN UNKNOWN
  - Med MEASURED
  - P1 PLAN BY MACKAY MACKAY & PETERS, DATED DECEMBER 23, 1982
  - P2 PLAN BY A.J. CLARKE, O.L.S., DATED MARCH 12, 1996
  - P3 PLAN 187
  - CL CENTERLINE
  - DS DOOR SILL
  - PH FIRE HYDRANT
  - GF GARAGE FLOOR
  - HP HYDRO POLE
  - LSA LANDSCAPED AREA
  - SRW STONE RETAINING WALL
  - U OVERHEAD UTILITIES
  - WV WATER VALVE
  - Ø DIAMETER
  - ∅ NOT TO SCALE

**BENCHMARK:**  
 MONUMENT 0011965U651  
 CITY OF HAMILTON BENCH MARK, HOUSE  
 NO. 181 HERKIMER STREET, AT  
 SOUTHWEST CORNER OF QUEEN STREET  
 SOUTH, PLATE IN EAST BRICK WALL NEAR  
 NORTHEAST CORNER.  
 ELEVATION: 106.813 metres CGVD-1928:1978

**BEARING NOTE:**  
 BEARINGS ARE UTM GRID, DERIVED FROM OBSERVED  
 REFERENCE POINTS A AND B, BY REAL TIME NETWORK  
 OBSERVATIONS, UTM ZONE 17, NAD83 (CSRS) (2010.0)

**NOTE:**  
 DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY  
 MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.999689997

**INTEGRATION DATA**

POINT ID	NORTHING	EASTING
CRP @	4789262.228	590621.084
CRP @	4789295.349	590533.838

COORDINATES CANNOT, IN THEMSELVES, BE USED TO  
 RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

**BEARING COMPARISON:**  
 FOR BEARING COMPARISONS A ROTATION OF 06'00"35"  
 CLOCKWISE WAS APPLIED TO BEARINGS ON PLAN P2 TO  
 CONVERT TO GRID BEARINGS.

**NOTE:**  
 UNDERGROUND SERVICE AND UTILITY LOCATIONS WERE  
 LOCATED BY CITY OF HAMILTON DRAWING NO.  
 76-H-864 (SHEET 1 OF 2) & (SHEET 2 OF 2)  
 UNDERGROUND SERVICE AND UTILITY LOCATIONS MUST  
 BE VERIFIED PRIOR TO CONSTRUCTION  
 INVERTS MUST BE VERIFIED PRIOR TO CONSTRUCTION

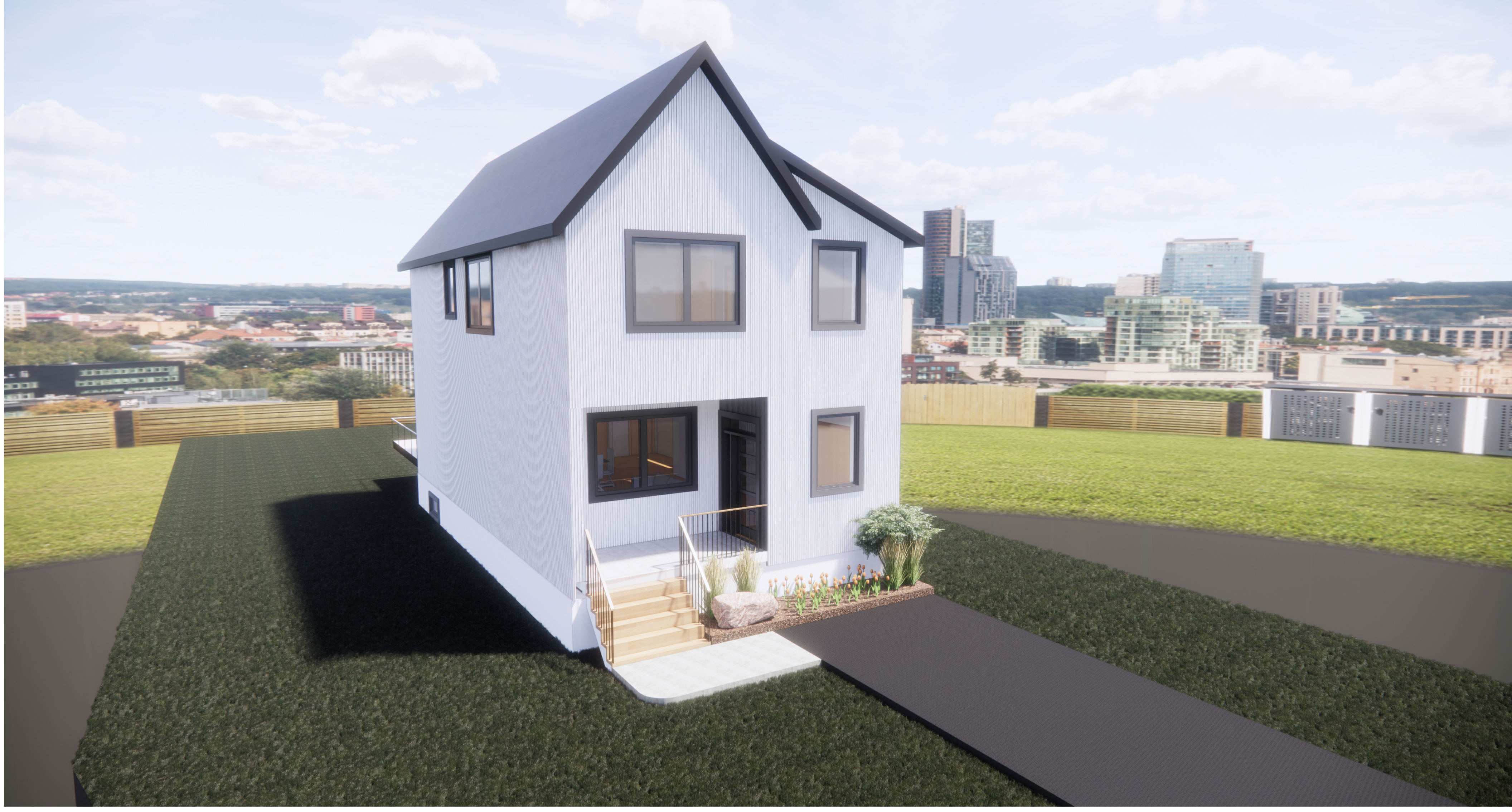
**METRIC NOTE:**  
 DISTANCES AND COORDINATES  
 SHOWN ON THIS PLAN ARE IN  
 METRES AND CAN BE  
 CONVERTED TO FEET  
 BY DIVIDING BY 0.3048

**SURVEYOR'S CERTIFICATE:**  
 I CERTIFY THAT:  
 1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH  
 THE SURVEY ACT, THE SURVEYORS ACT AND THE REGULATIONS  
 MADE UNDER THEM.  
 2. THE SURVEY WAS COMPLETED ON THE 24th DAY OF JULY, 2023  
 DATE: 25 AUG 2023  
 ROB A. McLAREN, O.L.S.

© R.A. McLAREN, O.L.S. - 2023. NO PERSON MAY COPY  
 REPRODUCE, DISTRIBUTE OR ALTER THIS PLAN IN WHOLE OR IN  
 PART WITHOUT THE WRITTEN PERMISSION OF R.A. McLAREN, O.L.S.

**A.T. McLaren Limited**  
 LEGAL AND ENGINEERING SURVEYS  
 69 JOHN STREET SOUTH, SUITE 230  
 HAMILTON, ONTARIO, L8N 2S9  
 PHONE (905) 527-8559 FAX (905) 527-0032

Drawn	Checked	Drew	Scale	Dwg.No.
JB	RBM	JK	1:100	37450



2024.03.11

ISSUED FOR REVIEW (NOT FOR CONSTRUCTION)



**DESIGNER**

IHD (RYAN MAGEE)  
97 COPPELAND CREEK DR.  
TINY ON, LSM 0M/2  
705.528.9634

**CONTRACTOR**

TBD

**ENGINEERING**

QUANTUM ENGINEERING  
97 COPPELAND CREEK DR  
TINY ON, LSM 0M/2  
705.549-1791

# the Beautiful Life



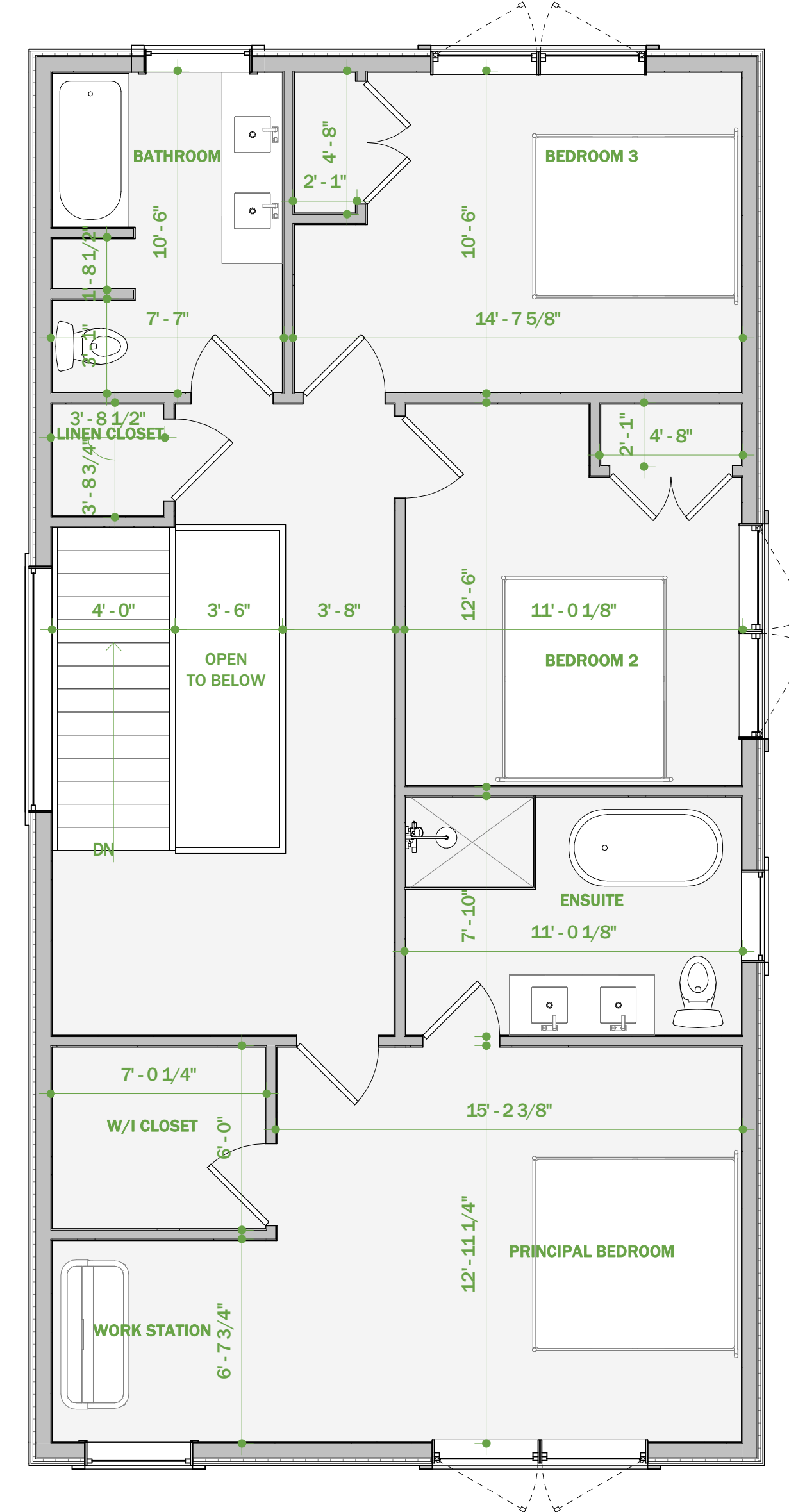
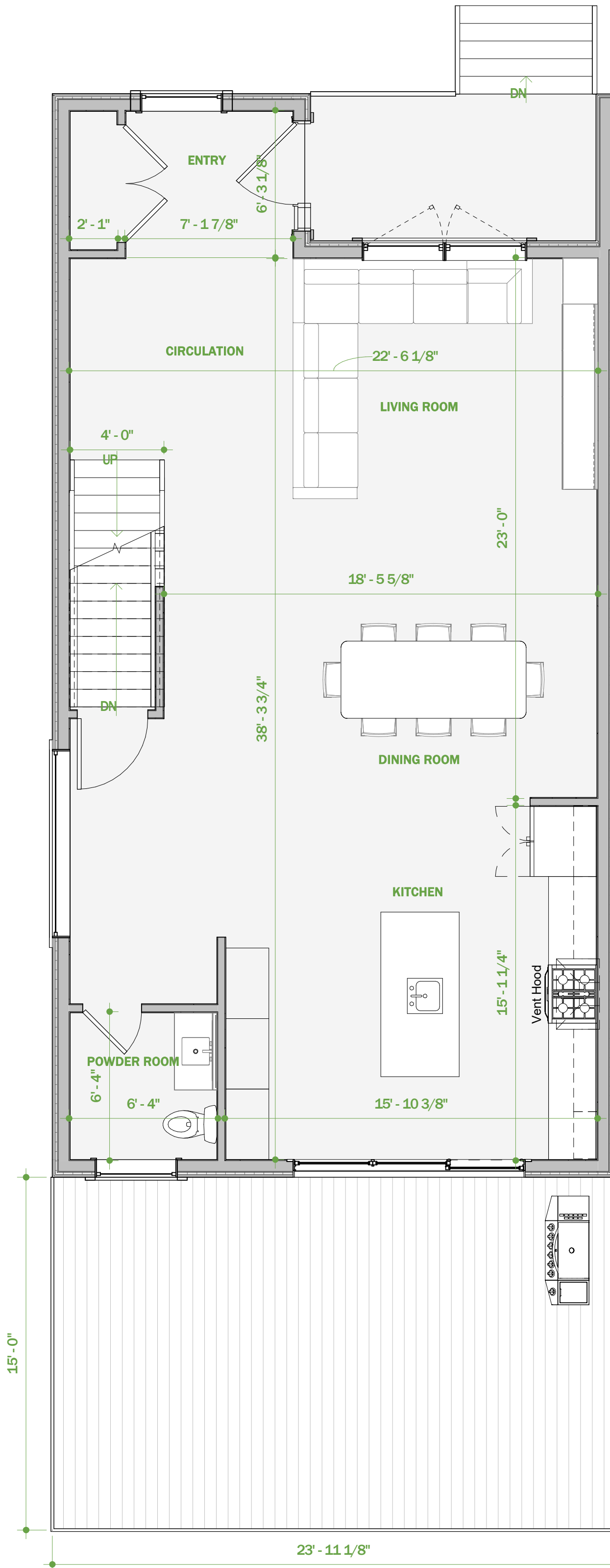
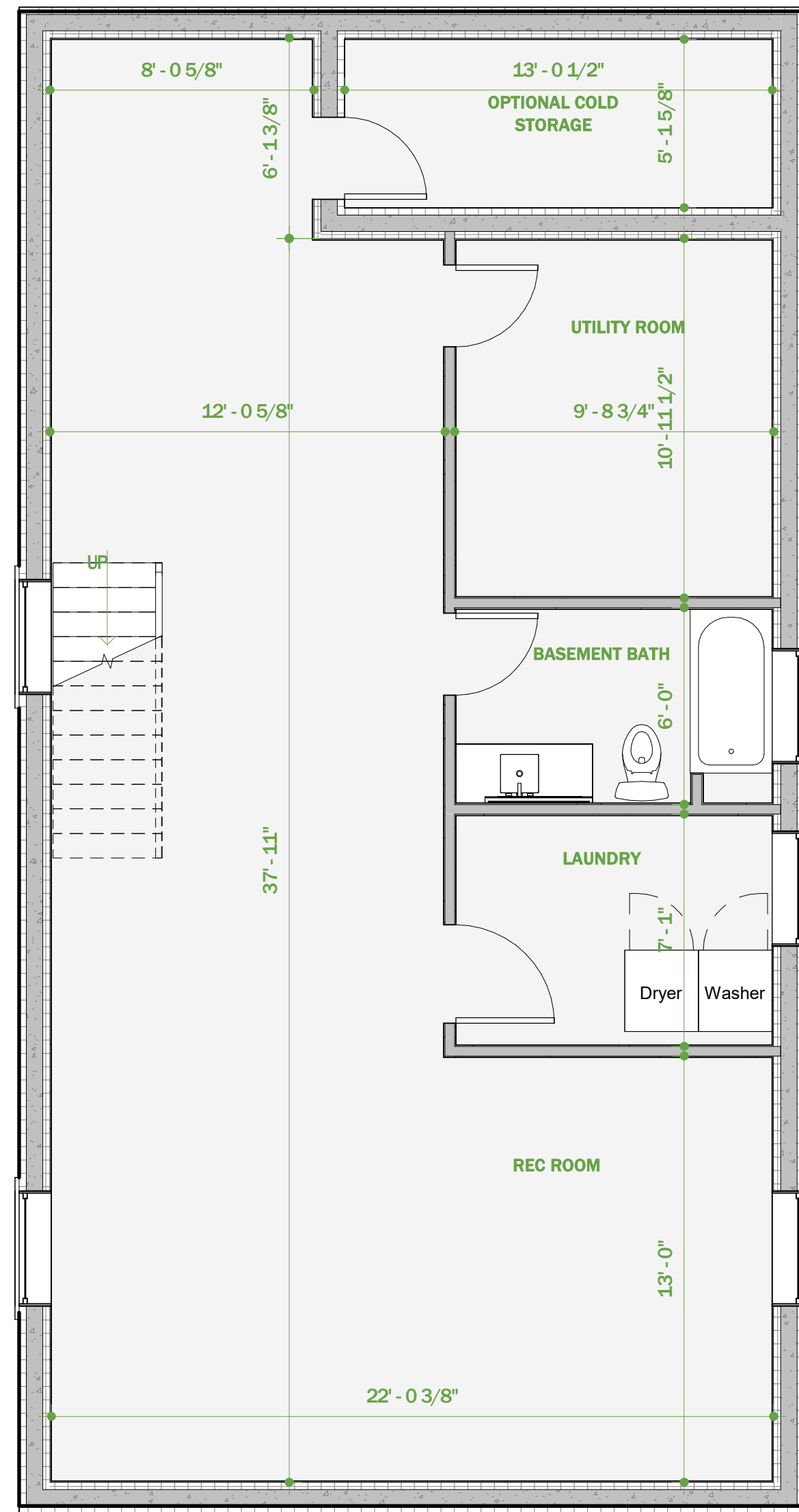
**1** 0. SITE  
SCALE: 1/8" = 1'-0"



**NOT FOR CONSTRUCTION**







**1** 1. BASEMENT  
SCALE: 1/4" = 1'-0"

**2** 2. MAIN  
SCALE: 1/4" = 1'-0"

**3** 3. SECOND FLOOR  
SCALE: 1/4" = 1'-0"



Revisions  
2022.05.30 SCHEMATIC DRAFT

**NOT FOR CONSTRUCTION**

Notes  
1. Do not scale drawings.  
2. Drawings remain property of HD

Project North



Scale 1/4" = 1'-0"

PLAN VIEW

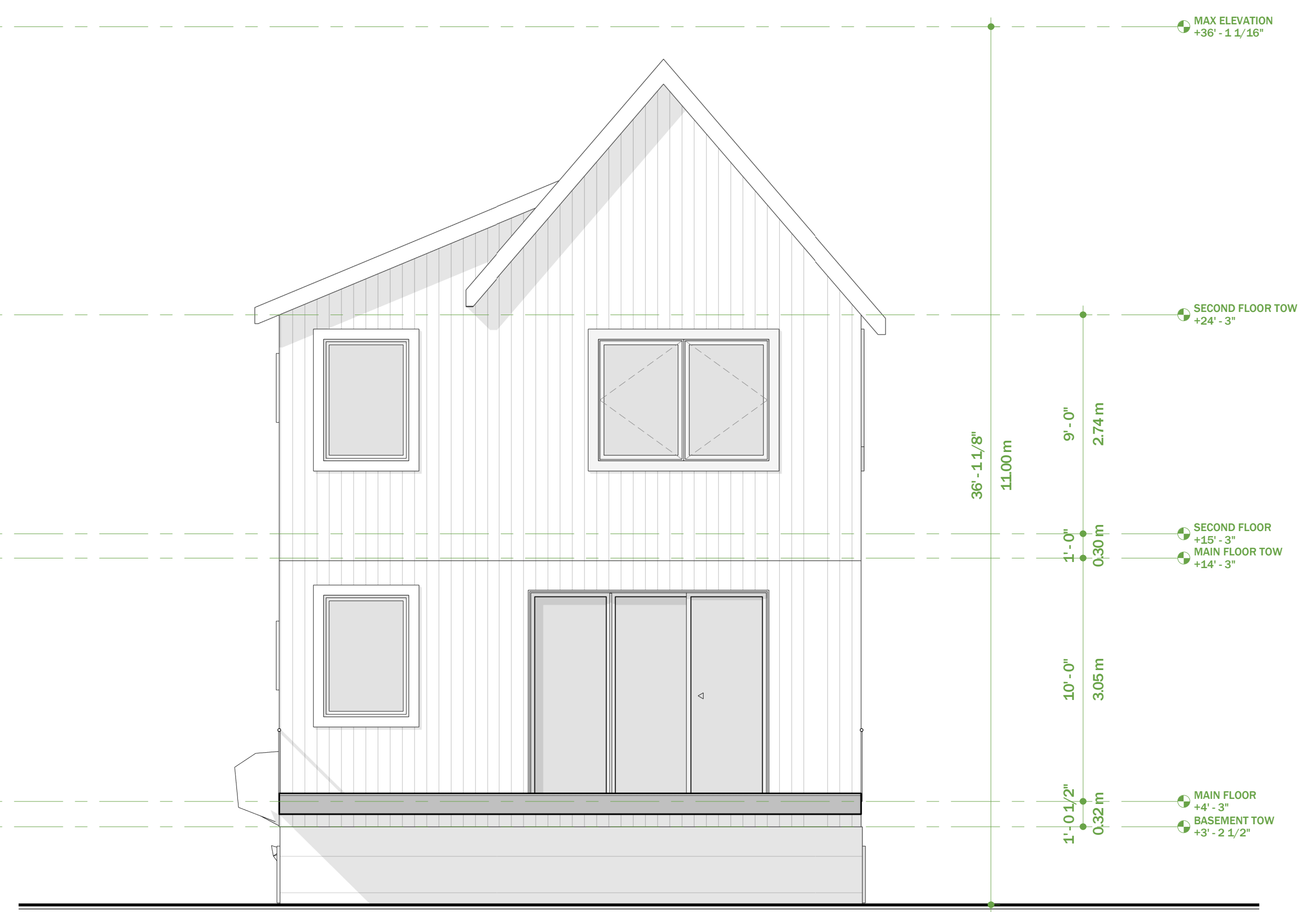
**A1.2**



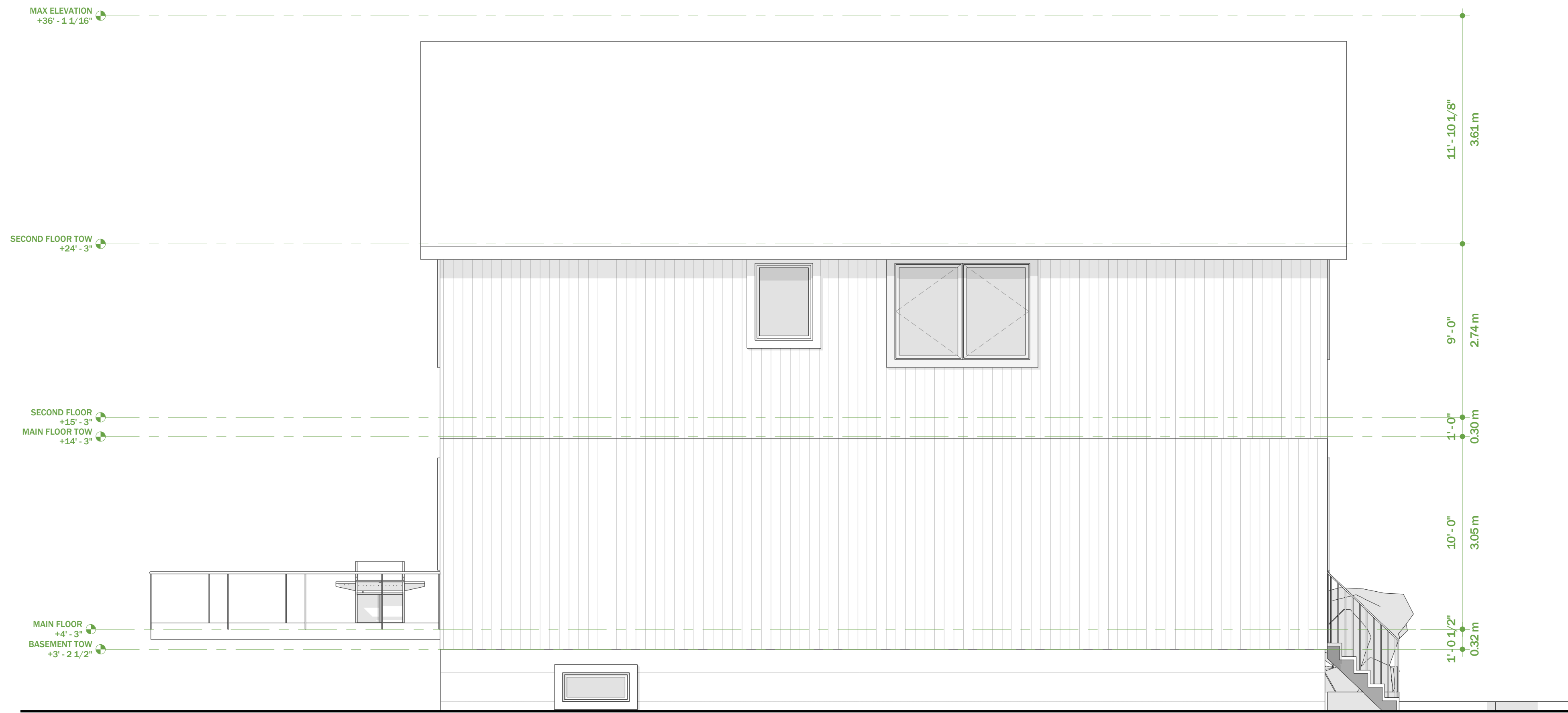
NOT FOR CONSTRUCTION



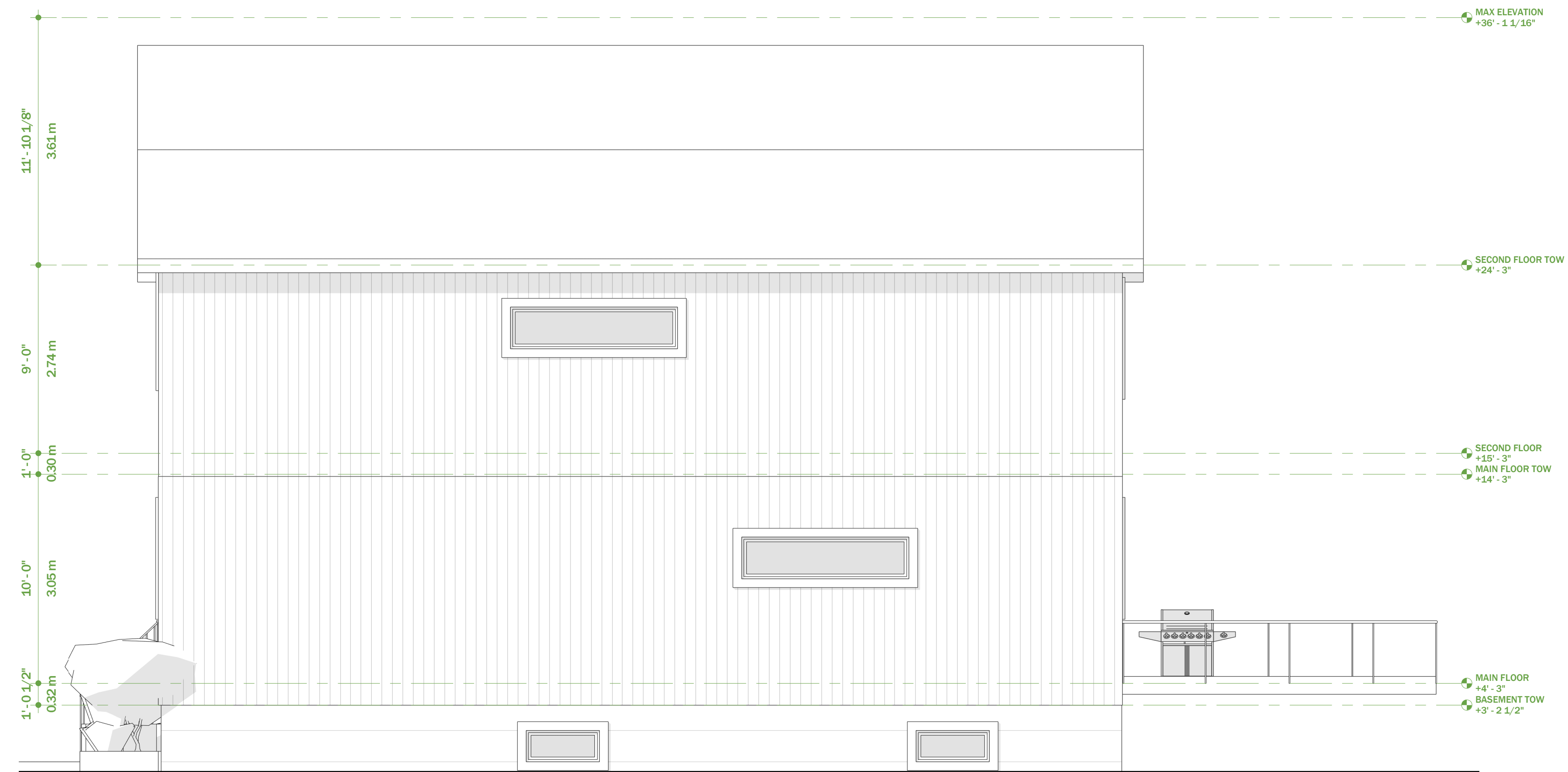
**1** NORTH ELEVATION  
SCALE: 1/4" = 1'-0"



**2** SOUTH ELEVATION  
SCALE: 1/4" = 1'-0"



**1 EAST ELEVATION**  
SCALE: 1/4" = 1'-0"



**2 WEST ELEVATION**  
SCALE: 1/4" = 1'-0"



Revisions  
2022.05.30 SCHEMATIC DRAFT

NOT FOR CONSTRUCTION

Notes  
1. Do not scale drawings.  
2. Drawings remain property of iHD

Project North



Scale 1/4" = 1'-0"

ELEVATIONS - E + W

**A2.2**



Hamilton

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/PERMISSION**  
UNDER SECTION 45 OF THE *PLANNING ACT*

**1. APPLICANT INFORMATION**

NAME	
<b>Registered Owners(s)</b>	Cameron Bellavia
<b>Applicant(s)</b>	Cameron Bellavia
<b>Agent or Solicitor</b>	<b>Phone:</b>
	<b>E-mail:</b>

1.2 Primary contact  Applicant  Owner  Agent/Solicitor

1.3 Sign should be sent to  Applicant  Owner  Agent/Solicitor

1.4 Request for digital copy of sign  Yes\*  No

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

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.

1.6 Payment type  In person  Cheque  Credit over phone\* [Redacted] number above

## 2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	39 Stanley Avenue		
Assessment Roll Number	2518-010-093-03550-0000		
Former Municipality	City of Hamilton		
Lot	Part Lot 8 & 9	Concession	
Registered Plan Number	187	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:

Change the minimum width of the lot for a single family dwelling from 12 metres to a minimum width of 9 metres. This is in conformance with the surrounding properties zoned R1A.

Second Dwelling Unit  Reconstruction of Existing Dwelling

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

If the lot is subdivided it will not be wide enough to service two lots.

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
25.13m	41.68m	1047.42m	18.29m

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
2 1/2 storey brick dwelling	20.11m	7.56m	0.32m + 10.88m	01/01/1950
Garage / Shed	22.98m	13.61m	1.7m + 19.72m	01/01/1990

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
2-3 Storey New building	6m	7.5m	1.2m	01/01/2025

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
2 1/2 storey brick dwelling	150.32m <sup>2</sup>	375.8m <sup>2</sup>	2.5	~11m
Garage / Shed	18.86m <sup>2</sup>	18.86m <sup>2</sup>	1	~4.5m

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
2-3 storey new building	~102m <sup>2</sup>	~306m <sup>2</sup>	2-3	11m

- 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 dwellings

## 7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:

22-Oct-2021

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

Halfway House

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

Triplex

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

Approximately 25 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) Neighbourhoods

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

The creation of an infill lot for a single detached dwelling in a neighbourhood.

7.6 What is the existing zoning of the subject land? \_\_\_\_\_

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: \_\_\_\_\_

---

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: \_\_\_\_\_

## 8 ADDITIONAL INFORMATION

8.1 Number of Dwelling Units Existing: 3

8.2 Number of Dwelling Units Proposed: 3

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

Subject site is zoned from the old City of Hamilton. We would like a minor variance that changes the required minimum width that be similar to that of the new City of Hamilton zoning which is similar to the neighboring properties nearby, which is R1A and allows for a minimum lot frontage of 9m. This would allow the property to be divided and the opportunity to construct another dwelling.



## 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
- 
-