COMMITTEE OF ADJUSTMENT



City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5 Telephone (905) 546-2424, ext. 4221 Fax (905) 546-4202

E-mail: morgan.evans@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-20:60

APPLICANTS:

Marina Fensham on behalf of the owners Charles & Jennifer

Warford

SUBJECT PROPERTY:

Municipal address 69 Aikman Ave., City of Hamilton

ZONING BY-LAW:

Zoning By-law 6593, as Amended

ZONING:

"E" (Multiple Dwellings, Lodges, Clubs and etc.) district

PROPOSAL:

To permit the conversion of the existing three (3) family dwelling under Section 19 (Residential Conversion Requirements) of the Zoning By-

law to contain four (4) dwelling units, notwithstanding,

- 1. A minimum lot area of 360 square metres shall be provided instead of the minimum required lot area of 450 square metres;
- 2. No on-site parking spaces shall be provided instead of providing a minimum of five (5) parking spaces, which includes one (1) parking space required to be designated as visitor parking, which are required for a multiple dwelling containing four (4) dwelling units; and,
- 3. The "proposed new fire escape" (open stair and balcony) shall be permitted to encroach the entire width of the required easterly side yard instead of the maximum permitted encroachment of 1.0 metre or 1/3 the width of the required side yard, whichever is lesser.

NOTES:

- 1. A further variance will be required if a minimum floor area of 65 square metres is not contained within each dwelling unit.
- 2. The applicant shall ensure the minimum clear height as required by the Ontario Building Code is provided for the required floor area in each dwelling unit.
- 3. Details have not been provided to calculate the minimum required side yard width to determine the maximum encroachment permitted for the proposed open stair and balcony.
- 4. The requested variances for the location of the existing buildings are not required as these are existing conditions and deemed to be legally established non-complying.

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

DATE:

Thursday, July 9th, 2020

TIME:

3:20 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 <u>www.hamilton.ca/committeeofadjustment</u>
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at cofa@hamilton.ca

DATED: June 23rd, 2020.

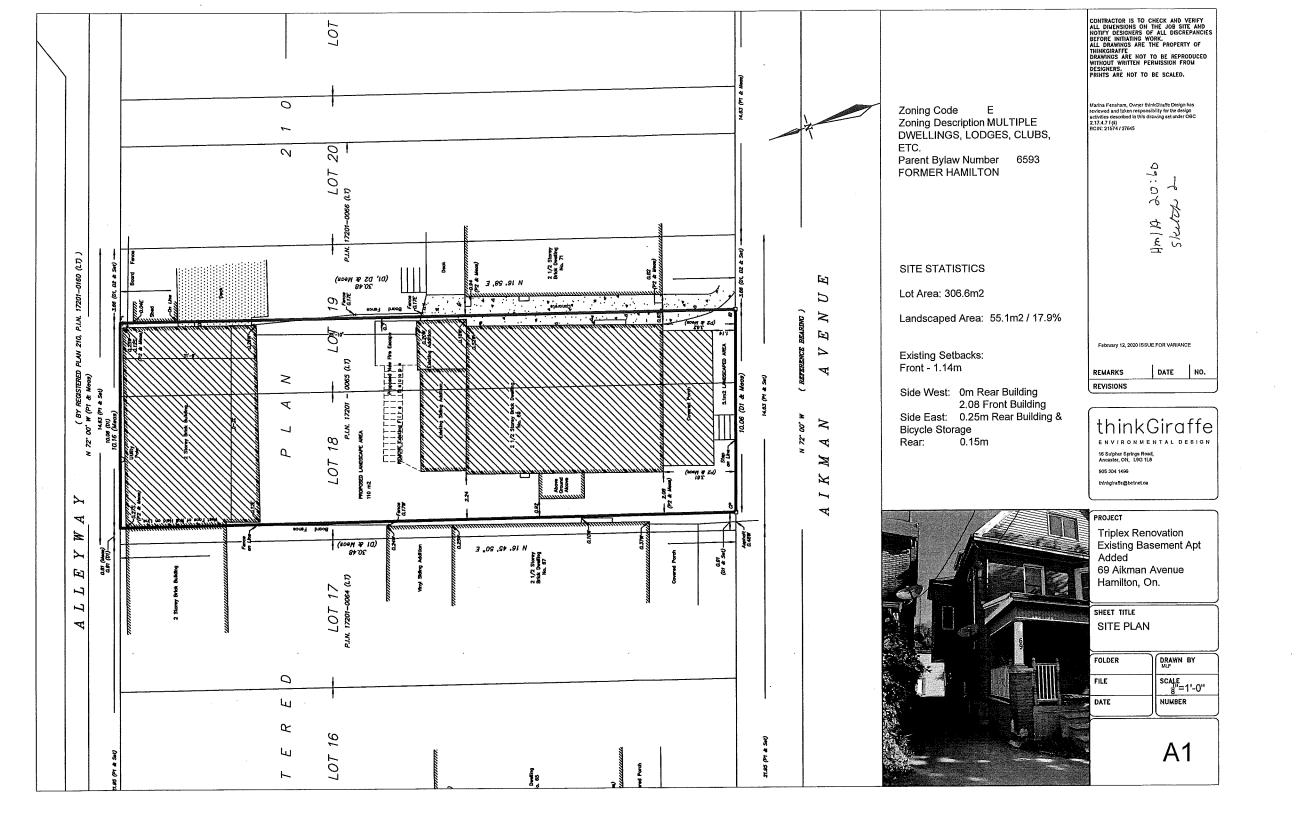
Original Signed

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.

HMITH SO:10

SURVEYOR'S REAL PROPERTY REPORT - PART 1





Planning and Economic Development Department Planning Division

Committee of Adjustment

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

Phone (905) 546-2424 ext.4221 Fax (905) 546-4202

PLEASE FILL OUT THE FOLLOWING PAGES AND RETURN TO THE CITY OF HAMILTON PLANNING DEPARTMENT.

FOR OFFICE	USE ONLY. HM/A · 20: 60							
APPLICATION NO DATE APPLICATION RECEIVED Feb. 14 /30								
PAID	PAID DATE APPLICATION DEEMED COMPLETE							
SECRETAR SIGNATURE	ill in the second secon							
	CITY OF HAMILTON COMMITTEE OF ADJUSTMENT HAMILTON, ONTARIO							
	The Planning Act Planne- Review:							
69 Ail	Man Application for Minor Variance or for Permission Jennifer Allen							
under Section this application	gned hereby applies to the Committee of Adjustment for the City of Hamilton on 45 of the <i>Planning Act</i> , R.S.O. 1990, Chapter P.13 for relief, as described in on, from the Zoning By-law.							
1. Name	e of Owner <u>Charles and Jennifor Warford</u> Telephone No.							
3. Name	e of Agent Marina Fenshann Telephone No							
	et.ca							
Note:	Unless otherwise requested all communications will be sent to the agent, if any.							
	es and addresses of any mortgagees, holders of charges or other mbrances:							
	Postal Code							
	Postal Code.							

	(Multiple)	Astronomic Control of the Control of
6.	Nature and extent of relief applied for: No. 18 (8) 41 Dwelling No. 18 (8) 4	6 Parli
3 (i) b 3 (ii) 3 (ii)	Add Basement Unit to Existing Triplex: Stra Front Yard (Existing) of Applicable b. Side Mard of Applicable on 0.25m b. Rear yold (See Coach House) 0.15m Cet Width and Area (6) Landscape	at Parking Leduction (No Parking)
4 _{7.} (111	Why it is not possible to comply with the provisions of the By-law? 17.9	6 111 000
8. L	Legal description of subject lands (registered plan number and lot number or other legal description and where applicable, street and street number):	
	69 Aikman Ave.	
9.	PREVIOUS USE OF PROPERTY Residential X Industrial Commercial	
	Agricultural Vacant	
9.1	If Industrial or Commercial, specify use	
9.2	Has the grading of the subject land been changed by adding earth or other material, i.e. has filling occurred? Yes No Unknown	
9.3	Has a gas station been located on the subject land or adjacent lands at any time? Yes No Unknown Unknown	
9.4	Has there been petroleum or other fuel stored on the subject land or adjacent lands?	
0.5	Yes No Unknown Are there or have there ever been underground storage tanks or buried waste on	
9.5	the subject land or adjacent lands? Yes No Unknown	
9.6	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	
9.7	Have the lands or adjacent lands ever been used as a weapon firing range? Yes No Unknown	
9.8	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	
9.9	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 <u>V</u> Unknown	

9.10	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
9.11	What information did you use to determine the answers to 9.1 to 9.10 above? Existing Conditions
9.12	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
ACKI	NOWLEDGEMENT CLAUSE
l ackr	nowledge that the City of Hamilton is not responsible for the identification and diation of contamination on the property which is the subject of this Application – by on of its approval to this Application.
Feb Date	ruary 11, 2020 Signature Property Owner
	Jennifer Warford Charles Warford Print Name of Owner
10.	Dimensions of lands affected:
	Frontage 10.06 M
	Depth 30.48 m
	Area 306.6 m ⁷
	Width of street
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 88.3m Area 219.7m2 Gross Are 2.5 Streys
	In Rear Ugard: 2 storey Coachhouse with
	2 apartments (Permission pending in Filture. Unoccupie Proposed: 21-9 x 32-0 = 64.56 m2 Area 129.1 m2 GFA
	F10005EQ.
	No Additions 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: Sec Sile Dan
	7.C 1.C
	Lot Coverage 1: 306.6 m 2 - 88.3 m - 64.56 m
	- Lot (coerage V: 306.6 m - 88.3 m - 64.56 m = 49.87 J.
	Proposed: 106 Change

PART 24 AFFIDAVIT OR SWORN DECLARATION

	This declaration to be sworn by a Commissioner of Oaths.
	PART 25 OWNERS AUTHORIZATION
	As of the date of this application, I (NAME) Charles and Jennifer Warford am the registered Owner of the lands described in this application, and I have examined the contents of this application and hereby certify that the information submitted with the application is correct insofar as I have knowledge of these facts, and I hereby authorize: Variable Vari
	to act as my agent in this matter and to provide any of my personal information that will be included in this application or collected during the processing of the application.
	DATE February 11, 2020 SIGNED
	PART 26 CONSENT OF THE OWNER Complete the consent of the owner concerning personal information set out below. Consent of Owner to the Disclosure of Application Information and Supporting Documentation
	Application information is collected under the authority of the <i>Planning Act</i> , R.S.O. 1990, c. P.13. In accordance with that Act, it is the policy of the City of Hamilton to provide public access to all <i>Planning Act</i> applications and supporting documentation submitted to the City.
,	I, Charles and Jennifer Warford the Owner, hereby agree and acknowledge (Print name of Owner)
	that the information contained in this application and any documentation, including reports, studies and drawings, provided in support of the application, by myself, my agents, consultants and solicitors, constitutes public information and will become part of the public record. As such, and in accordance with the provisions of the <i>Municipal Freedom of Information and Protection of Privacy Act</i> , R.S.O. 1990, c. M.56, I hereby consent to the City of Hamilton making this application and its supporting documentation available to the general public, including copying and disclosing the
	February 11, 2020 Date Signature of Owner
	V

13.	June 3 2019
14.	Date of construction of all buildings and structures on subject lands:
15.	Existing uses of the subject property: Triplex + Duplex
10.	Existing triplex in front. Existing z units in ocar building - Currently yacant.
16.	Existing uses of abutting properties: Residential St Dwellings as far as we know
17.	Length of time the existing uses of the subject property have continued:
18.	Municipal services available: (check the appropriate space or spaces)
	Water Connected
	Sanitary Sewer Connected
19.	Storm Sewers Present Official Plan/Secondary Plan provisions applying to the land:
20.	Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
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 <i>Planning Act</i> ?
	Yes
23.	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.
	NOTE: It is required that two copies of this application be filed with the secretary-treasurer of the Committee of Adjustment together with the maps referred to in Section 5 and be accompanied by the appropriate fee in cash or by cheque made payable to the City of Hamilton.

Date: PERMISSION TO ENTER
Secretary/Treasurer Committee of Adjustment City of Hamilton, City Hall
Dear Secretary/Treasurer; Re: Application to Committee of Adjustment Location of Land: 69 Альман Аусиис Гамитси (Municipal address)
I hereby authorize the members of the Committee of Adjustment and members of the staff of the City of Hamilton to enter on to the above-noted property for the limited purposes of evaluating the merits of this application.
Signature of Owner or Authorized agent Qrina Fushaw Please print name
Note: The Committee of Adjustment requires that all properties be identified with the municipal address clearly visible from the street. Where there is no municipal address or the property is vacant then the property shall be identified in accordance with the Committee's policy included on the back of the Application Form. Failure to properly identify the subject property may result in the deferral of the application.
PART 28 COLLECTION OF INFORMATION

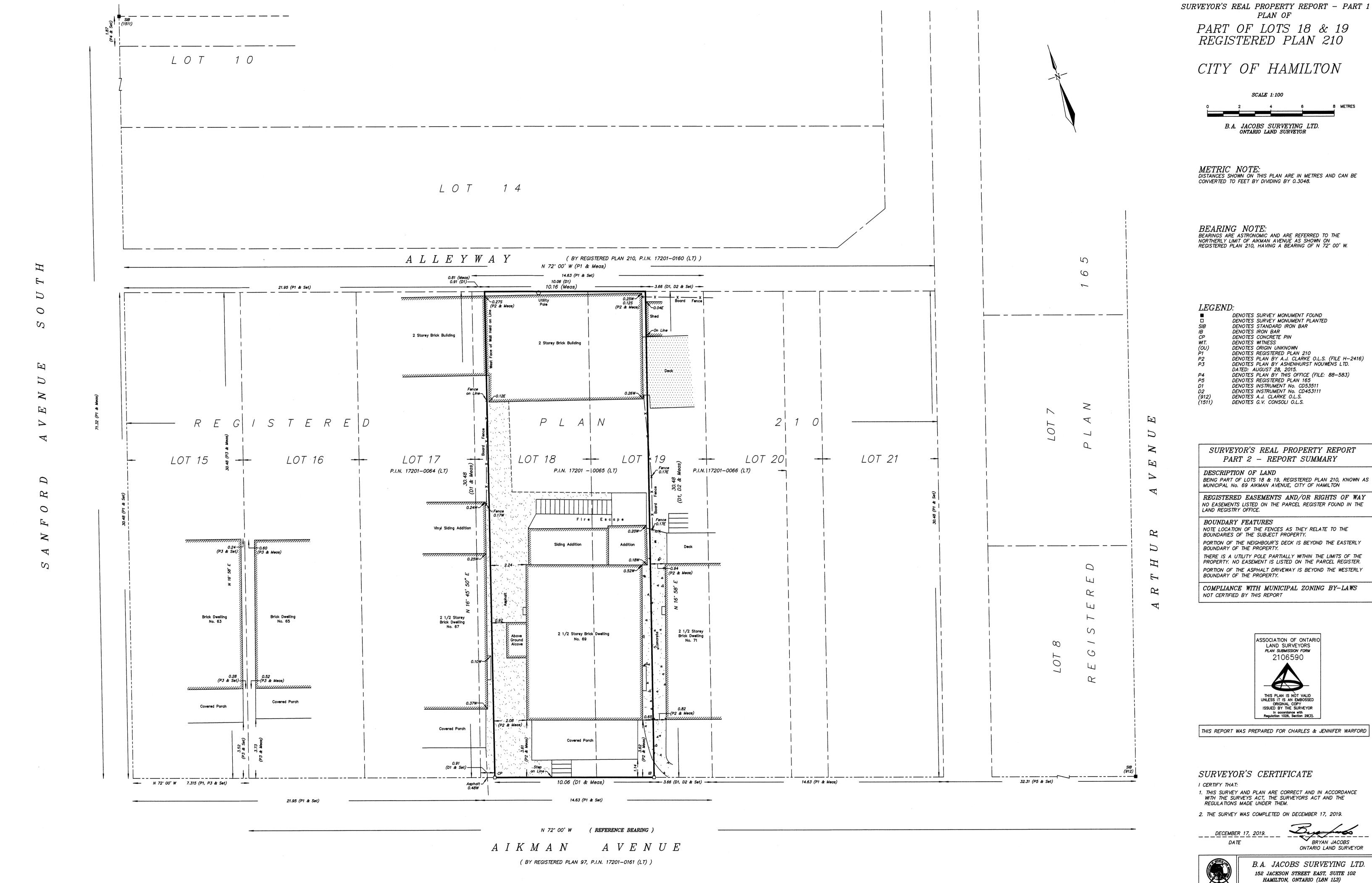
The personal information contained on this form is collected under the authority of the *Planning Act*, R.S.O. 1990, c. P.13, and will be used for the purpose of processing the application. This information will become part of the public record and will be made available to the general public. Questions about the collection of this information should be directed to the Coordinator of Business Facilitation, Planning and Economic Development Department, City of Hamilton, 1st floor, 71 Main Street West, City Hall, Hamilton, Ontario, Telephone: 905-546-2424, ext.1284.

E District Section 18/8 (Multiple Dwellings) Section 8

Parking Reduction for proposed basement unit in existing triplex.

3(i)b Front Yard 1.14 m

3(ii)b Side Yard 0.2 m East Front building 0.26 m East Rear building 0.92 m West Front Building 0.92 m West Rear building 0.92 m West Rear building





PHONE 905-521-1535 bajacobs@rogers.com

C - COPYRIGHT



Planning and Economic Development Department **Building Division** 71 Main Street West Hamilton, Onlario, L8P 4Y5 Phone: 905-546-2720 Fax: 905-546-2764

CERTIFICATE OF ZONING VERIFICATION AND PROPERTY REPORT

Email: building@hamilton.ca Hamilton

PROPERTY ADDRESS: 69 Aikman Ave. .. Hamilton

SECTION No.:

ATTENTION OF:

Kayla Medeiros

PROPOSED USE:

Triplex

TELEPHONE: 905.546.2424 ext. 5867

A. ZONING VERIFICATION

AS OF THIS DATE. Building Division records indicate the property is subject to:

ZONING DISTRICT: E (MULTIPLE DWELLINGS, LODGES, CLUBS, ETC.)

SECTION 11 OF HAMILTON ZONING BY-LAW 6593 AS AMENDED

THE PROPOSED USE IS: SEE COMMENTS

COMMENTS:

Building Division records indicate that the recognized use is a three (3) family dwelling which is permitted.

The term "triplex" is not defined within Hamilton Zoning By Law 6593. The recognized term is a three (3) family dwelling.

The land must have been held in separate registered title from prior to the 25th of July 1950 to be considered an existing Lot of Record.

Tenant improvements, change of use, conversions, renovations, alterations, additions or new buildings are subject to the issuance of a building permit from the Building Division.

No survey submitted showing actual conditions

IMPORTANT:

THIS CERTIFICATE DOES NOT INDICATE THAT AN EXISTING BUILDING OR ITS USE CONFORMS TO THE REQUIREMENTS OF APPLICABLE BY-LAWS, AND REGULATIONS, NOR THAT A LICENCE WILL BE ISSUED IF REQUIRED, OR THAT THE ZONING WILL NOTBE CHANGED ATTERTHE DATE OF ISSUENCE COPPES OF THE CITY BY-LAWS MAY BE OBTAINED FROM THE CITY CLERK)

B. PROPERTY REPORT

AS OF THIS DATE, Building Division records indicate the following:

No outstanding work orders.

NOTE:

PROPERTY REPORTS PERTAIN TO BUILDING DIVISION FILES ONLY AND RELATE TO ENFORCEMENT PROCEEDINGS COMMENCED BY THIS DIVISION. OTHER DIVISIONS/DEPARTMENTS, INCLUDING BUT NOT LIMITED TO THE PARKING AND BY-LAW ENFORCEMENT DIVISION, FIRE DEPARTMENT, PUBLIC HEALTH SERVICES DEPARTMENT AND PUBLIC WORKS DEPARTMENT MAY HAVE COMMENCED ENFORCEMENT PROCEEDINGS. TO OBTAIN INFORMATION CONCERNING ANY SUCH ENFORCEMENT PROCEEDINGS, YOU MUST CONTACT THOSE DIVISIONS/DEPARTMENTS YOURSELF. ALSO NOTE THAT THIS DOES NOT IMPLY THAT A FIELD INSPECTION HAS BEEN CARRIED OUT.

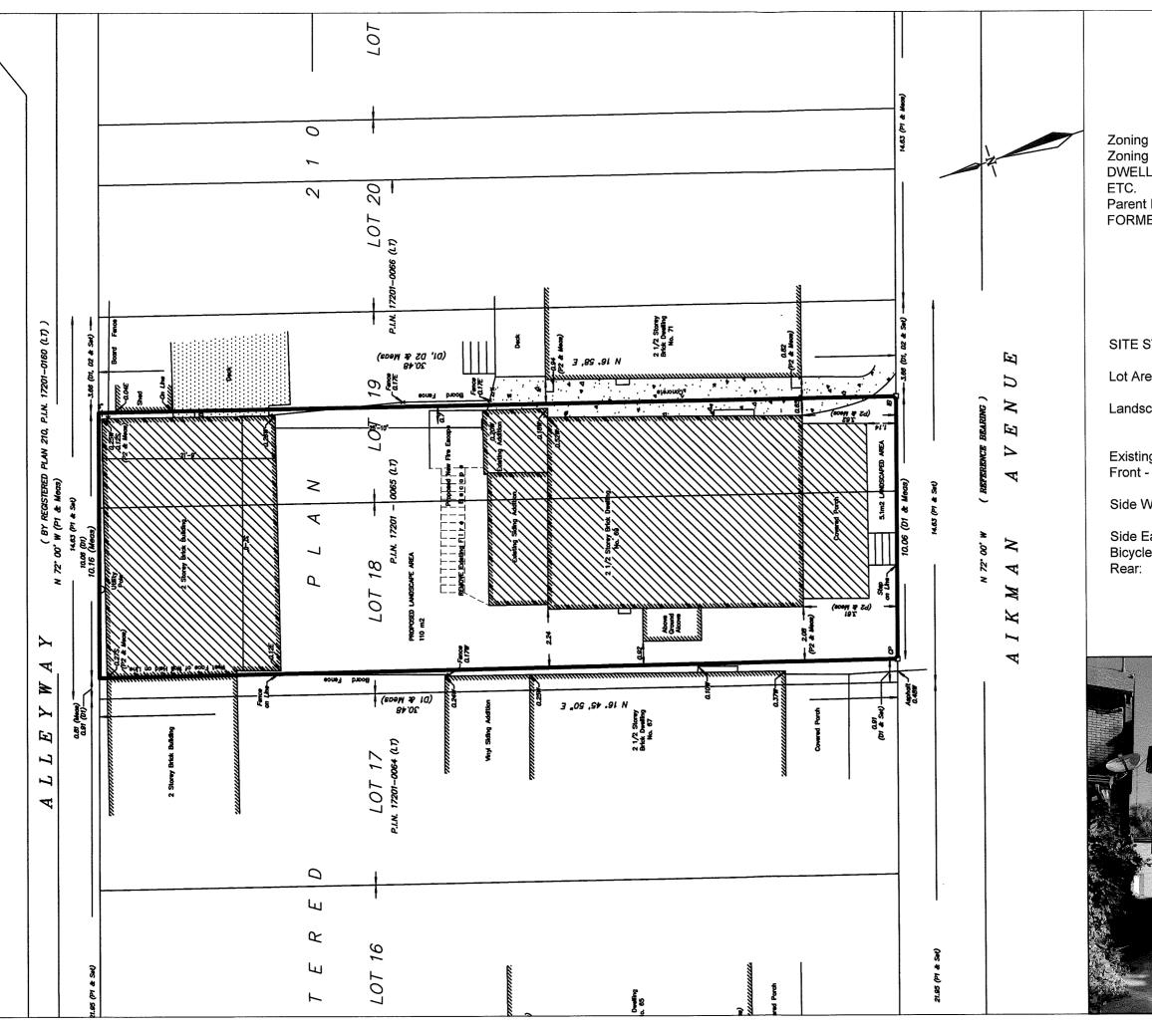
NOTE; THE PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT IS CURRENTLY DRAFTING A NEW COMPREHENSIVE ZONING BY-LAW 05-200 FOR THE ENTIRE CITY OF HAMILTON. HAMILTON ZONING BY-LAW 05-200 WILL BE INTRODUCED IN VARIOUS STAGES FOR RESIDENTIAL, COMMERCIAL, INDUSTRIAL AND RURAL ZONES. AS A RESULT, THE ZONING OF PROPERTIES THROUGHOUT THE CITY MAY BE AFFECTED

*** THIS CERTIFICATE IS ISSUED WITHOUT LIABILITY ON THE PART OF THE CITY OF HAMILTON OR ITS OFFICIALS ***

CERT. NO. [19-125967 00 ZE2]

DATE ISSUED: May 31, 2019

JANELLE MATTHEWS, MITCHELL BATES, 15 BOLD ST., HAMILTON, Ontario, L8P 1T3 MAIL TO:



CONTRACTOR IS TO CHECK AND VERIFY ALL DIMENSIONS ON THE JOB SITE AND NOTIFY DESIGNERS OF ALL DISCREPANCIES BEFORE INITIATING WORK.
ALL DRAWINGS ARE THE PROPERTY OF THINKGIRAFFE DRAWINGS ARE NOT TO BE REPRODUCED WITHOUT WRITTEN PERMISSION FROM DESIGNERS.
PRINTS ARE NOT TO BE SCALED.

Marina Fensham, Owner thinkGiraffe Design has reviewed and taken responsibility for the design activities described in this drawing set under OBC 2.17.4.7 ftg. BCIN: 21574 / 27645

Zoning Code E
Zoning Description MULTIPLE
DWELLINGS, LODGES, CLUBS,
ETC.
Parent Bylaw Number 6593

Parent Bylaw Number 6593 FORMER HAMILTON

SITE STATISTICS

Lot Area: 306.6m2

Landscaped Area: 55.1m2 / 17.9%

Existing Setbacks: Front - 1.14m

Side West: 0m Rear Building 2.08 Front Building

Side East: 0.25m Rear Building &

Bicycle Storage Rear: 0.15m February 12, 2020 ISSUE FOR VARIANCE

REMARKS

DATE NO.

REVISIONS

thinkGiraffe

16 Sulphur Springs Road, Ancaster, ON, L9G 1L8

905 304 1496

hinkgiraffe@belinet.c

PROJECT

Triplex Renovation Existing Basement Apt Added 69 Aikman Avenue Hamilton, On.

SHEET TITLE SITE PLAN

FOLDER

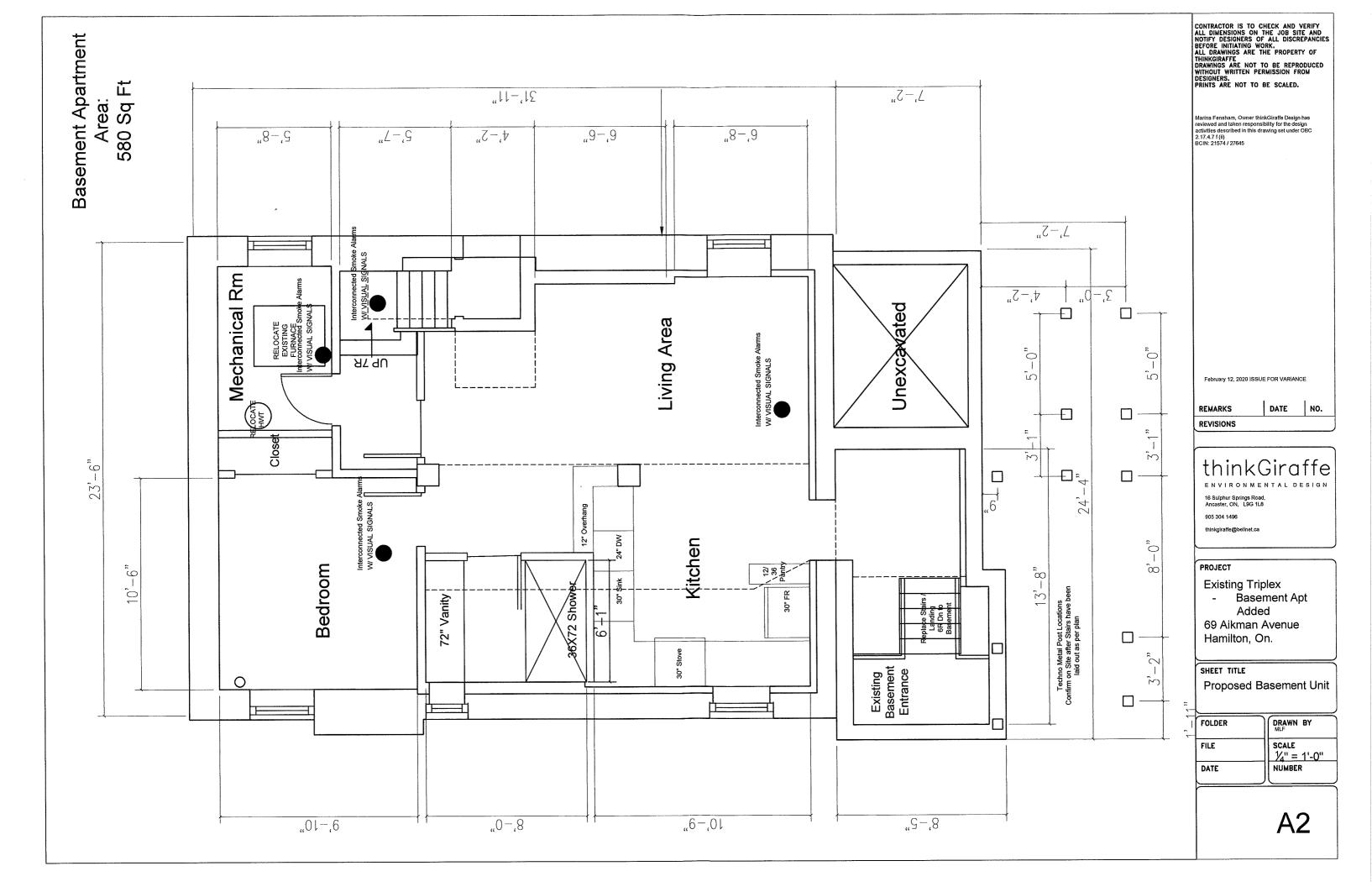
DRAWN BY

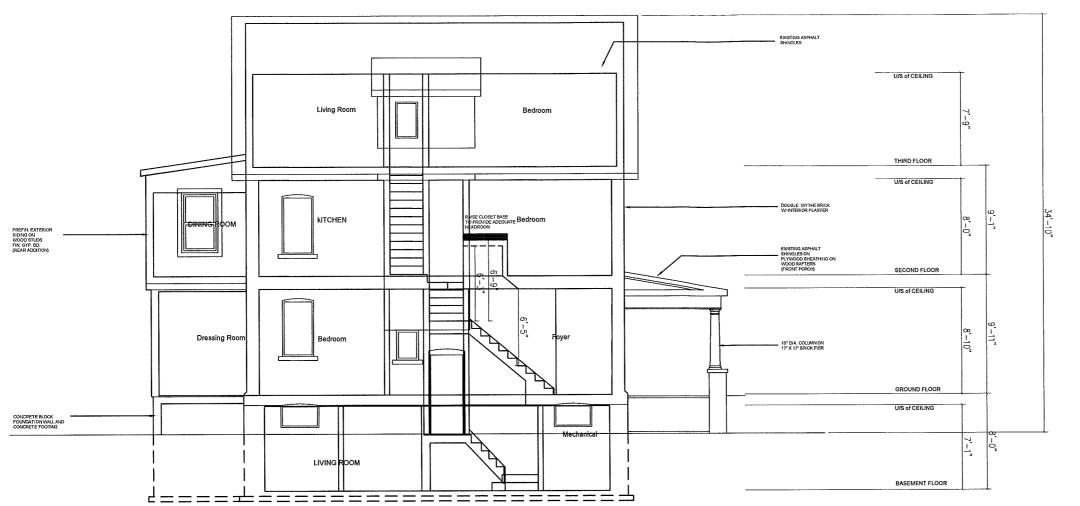
SCALE
8"=1'-0"

DATE

NUMBER

A1





SIDE SECTION (West)

TEM		ON.	TARIO BI	JILDING CODE	DATA N	AATRIX		OBC R	EFEREN	ICE	
1	PROJECT DESCRIPTION: Existing Triplex. Add Basement Apt NEW Ensure Code Compliance ADDITION PART 3 PART 9 Finished Area above grade 187.9m2 CHANGE OF USE								RT 9		
2	MAJOR (C - RESIDEN	TAI			†			
3						M 0 m² TOT/	AL 88.3m2 m²	 			_
4	The state of the s										
5										_	
6	HEIGHT OF BUILDING (m) 10.5 m²										
7				ESS ROUTES	ONE + /	Alfav		 			_
8			FICATION	100 1100 110	4.,4			3.2.2	2.47.		_
9			EM PROPO	SED	□ FN°	TIRE BUILDING		1			
Ĭ	O 110111C	0.0.		.020		SEMENT ONLY					
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					T NO	T REQUIRED		1		İ	
10	STANDPI	PE REQL	JIRED		☐ YES						
11	FIRE AL				O YES	NO		-	-	9.10	.18.2.(1)
12				ADEQUATE	YES						-
13	HIGH BU				☐ YES	S MNO		3.2	2.6.		-
14			RESTRICTIO	NS COMBUSTIBL	E OR NON	-COMBUSTIBLE F	PERMITTED	3.2.2.	47.		-
15			REA m2	N/A							-
16											
17			DESIGN (SEE COMMENT 2				3.8.1,1(0	Duplex.		_
18							<u> </u>	-			
19	REQUIRED HORIZONTAL ASSEMBLIES LISTED DESIGN NO. FIRE FRR (HOURS) OR DESCRIPTION (SG-2)										
	RESISTA	NCE	FLOORS	45 minu	45 minutes OR N/C See A2			7			
	RATING (FRR)		ROOF	N/A				1			
MEZZANINE N/A]						
	FRR OF LISTED DESIGN NO. SUPPORTING OR DESCRIPTION (SG-2)]					
	FLOORS 45 minutes OR N/C See A2										
ļ	ROOF N/A]				
			MEZZANI	NE N/A							
20	SPATIAL SEPARATION - CONSTRUCTION OF EXTERIOR WALLS EXISTING						T.9.10.14.4.				
	WALL	AREA EBF (m2)	(m)	PERMITTED MAX % OF OPENINGS	PROPOSED % OF OPENINGS	FAR	LISTED Design or Description	COMB	COMB C NON C CLADE	OMB	NON COME CONSTR
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	HED!	INO CUC	migo]						_		RENCE

CODE MATRIX

CONTRACTOR IS TO CHECK AND VERIFY ALL DIMENSIONS ON THE JOB SITE AND NOTIFY DESIGNERS OF ALL DISCREPANCIES BEFORE INITIATING WORK.
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February 12, 2020 ISSUE FOR VARIANCE

REMARKS

DATE NO.

REVISIONS

thinkGiraffe

16 Sulphur Springs Road, Ancaster, ON, L9G 1L8 905 304 1496

thinkgiraffe@belinet.ca

PROJECT

Existing Triplex

Basement Apt Added69 Aikman Avenue

Hamilton, On.

SHEET TITLE

Proposed Basement Unit Section. Code Matrix

FOLDER	DRAWN BY
FILE	SCALE
DATE	NUMBER
<u> </u>	

A3