



Hamilton

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-20:61

APPLICANTS: A-Railing Inc.

SUBJECT PROPERTY: Municipal address **106 Barnesdale Ave. N., City of Hamilton**

ZONING BY-LAW: Zoning By-law 6593, as Amended by By-law 92-281
(Section 19)

ZONING: "C" (Urban Protected Residential) district

PROPOSAL: To permit the conversion of a single family dwelling to create a second dwelling unit under Section 19 of the Zoning By-law, notwithstanding that:

1. The minimum lot area shall be 183 square metres instead of the required minimum lot area of 270 square metres for a converted dwelling.
2. The required parking shall consist of one (1) parking space for both dwelling units which is based on 0.5 parking spaces per dwelling unit instead of the required two (2) parking spaces which is based on one (1) space per dwelling unit.

NOTES:

1. The variances are written as requested by the applicant.
2. The property is a corner lot. The frontage of the property is recognized as being along Barnesdale Avenue North and the flankage side is along Edward Street.
3. The proposed parking space is intended to be within an existing 3.7m x 7.3m garage which is accessible from Edward Street. The applicant's site plan does not identify a parking space but the garage would be of sufficient size to accommodate one parking space with the required minimum dimensions of 2.7m x 6.0m.
4. No manoeuvring space would be provided for the proposed parking space. However, this would be considered to comply with the Section 19 requirements which permits manoeuvring to be off-site for one of the required parking spaces.

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

DATE: Thursday, July 9th, 2020

TIME: 3:25 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 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

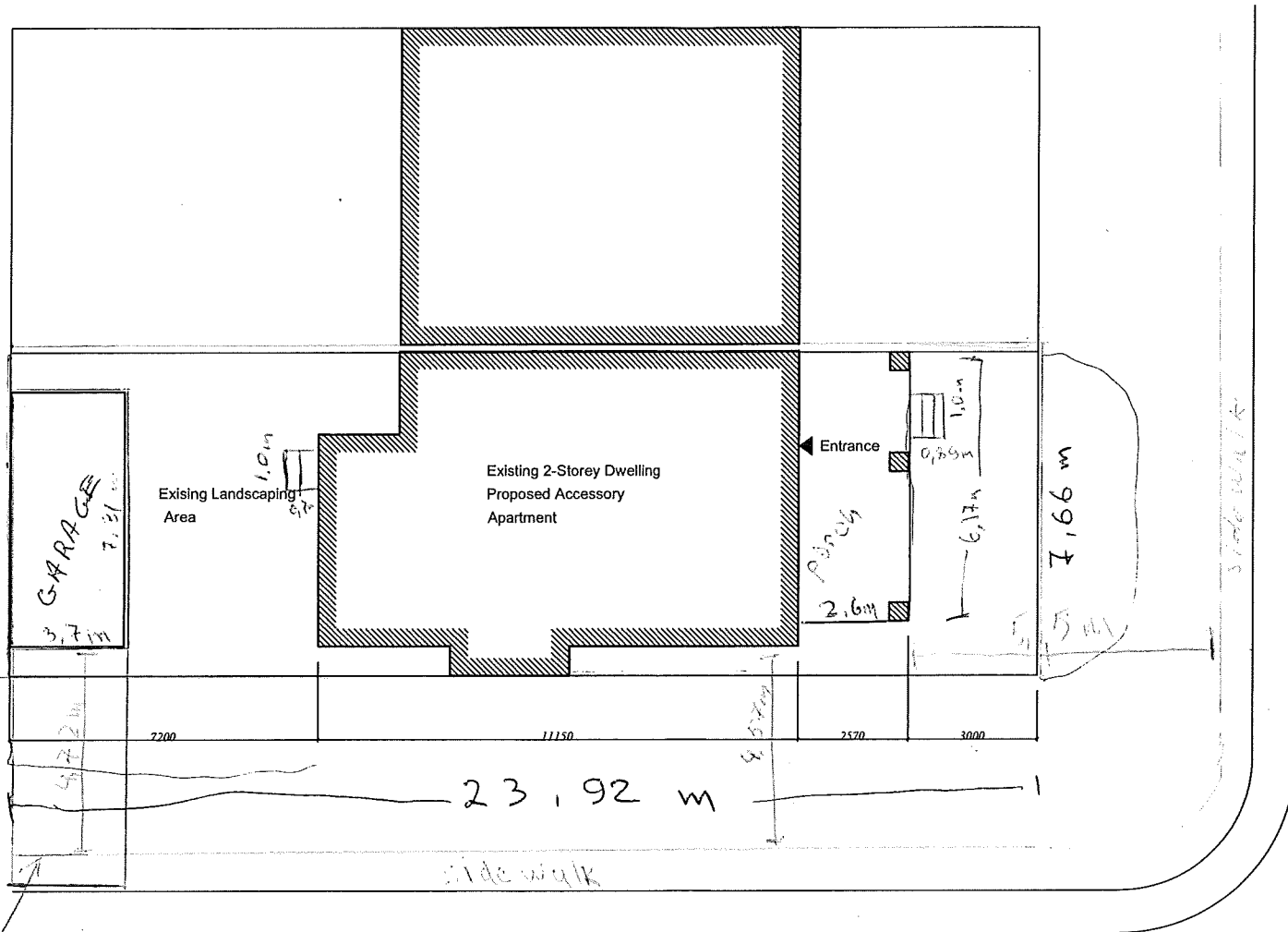
DATED: June 23rd, 2020.

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.

Property
line



① Site Plan
1:30

GENERAL NOTES:
- ALL EXISTING & PROPOSED WORK MUST BE VERIFIED ON SITE PRIOR TO ANY CONSTRUCTION.
- DO NOT SCALE DRAWINGS
- CONTRACTORS AND OWNERS ARE RESPONSIBLE FOR ANY MODIFICATIONS TO THIS PLAN DO TO FIELD CONSTRUCTION CONDITIONS AND CONSTRUCTION METHODS.
- SEE ATTACHED FOR ALL GENERAL NOTES, CONSTRUCTION SPECIFICATIONS AND DETAILS.
- ALL CONSTRUCTION MUST BE ADHERE TO ONTARIO BUILDING CODE REQUIREMENTS AND ANY AUTHORITIES HAVING JURISDICTION
- CONTRACTORS TO REVIEW APPROVED PERMIT DRAWINGS FOR MODIFICATIONS

NOTES AND RELATED DOCUMENTS
- ALL PRODUCTS & COLOUR SELECTIONS ARE THE RESPONSIBILITY OF THE CLIENT AND/OR CONTRACTOR
UNLESS STATED OTHERWISE IN THESE
PLANS
- ARCHITECT'S
SUBSTITUTIONS
MAY BE REQUIRED FOR GREATER RESPONSIBILITY

Date : Description :

Seal :

Drawn By :

Vlad

Date : Andriuca

Issue

Date

Scale : 1:30

Project :

106

Barnesdale

ave North,

Hamilton,

Sheet 1 of 1, L8L

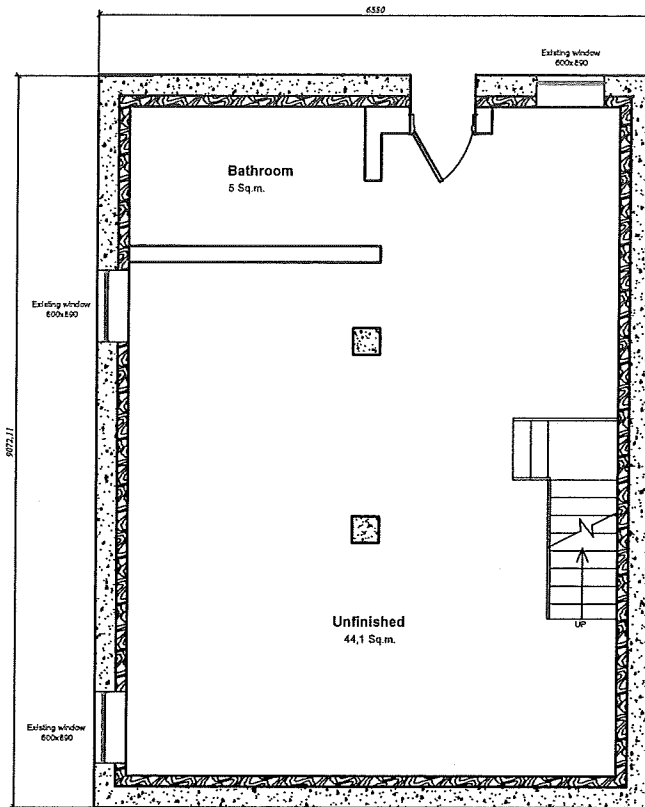
6S5

Site Plan

Sheet Number :

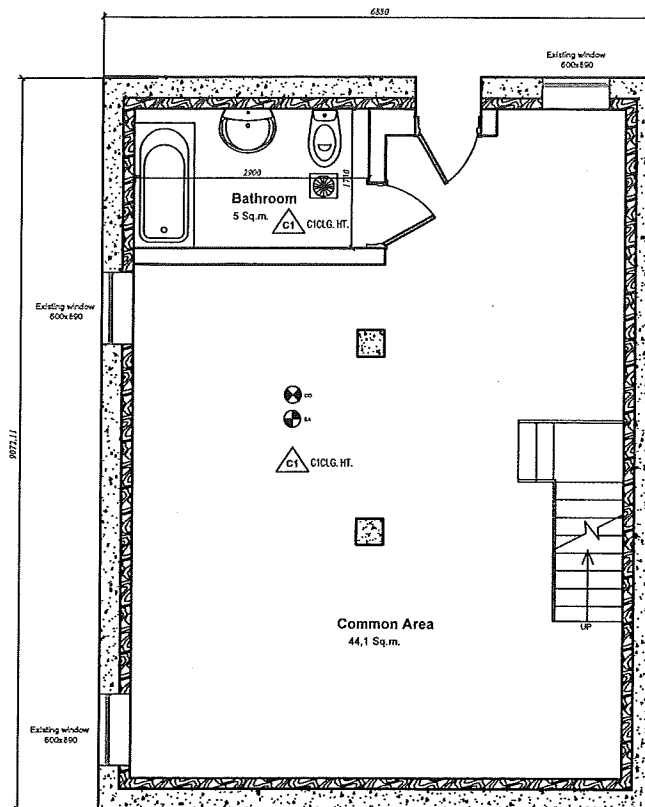
A0

Hm/A 20:6 /
Sketch 1



① 02- Existing Basement
1:30

Provide 950m Ceiling Fire Rated
Refer to Ceiling Legend



② 02- Proposed Basement
1:30

GENERAL NOTES:
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- CONTRACTORS TO REVIEW APPROVED PERMIT DRAWINGS FOR ADDITIONAL NOTES AND RELATED DOCUMENTS.
- ALL PROPOSED & COLOUR SELECTIONS ARE THE RESPONSIBILITY OF THE CLIENT AND/OR CONTRACTOR UNLESS STATED OTHERWISE IN THESE PLANS.
- ANY MATERIALS SUBSTITUTIONS MUST BE OF EQUAL OR GREATER PERFORMANCE.

Date : Description :

Seal :

Drawn By : Viad Andriuca

Date : Issue Date

Scale : 1:30

Project :

106 Barnesdale ave
North, Hamilton,
On, L8L 6S5

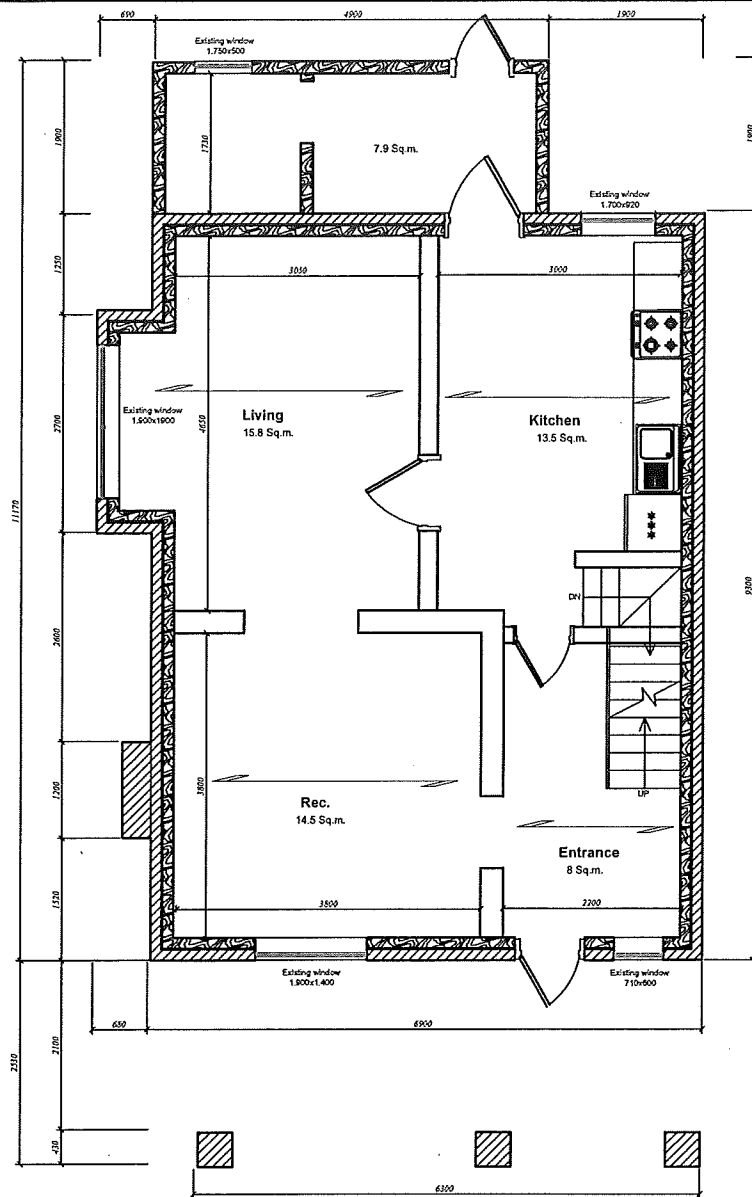
Sheet Title :

Basement

Sheet Number :

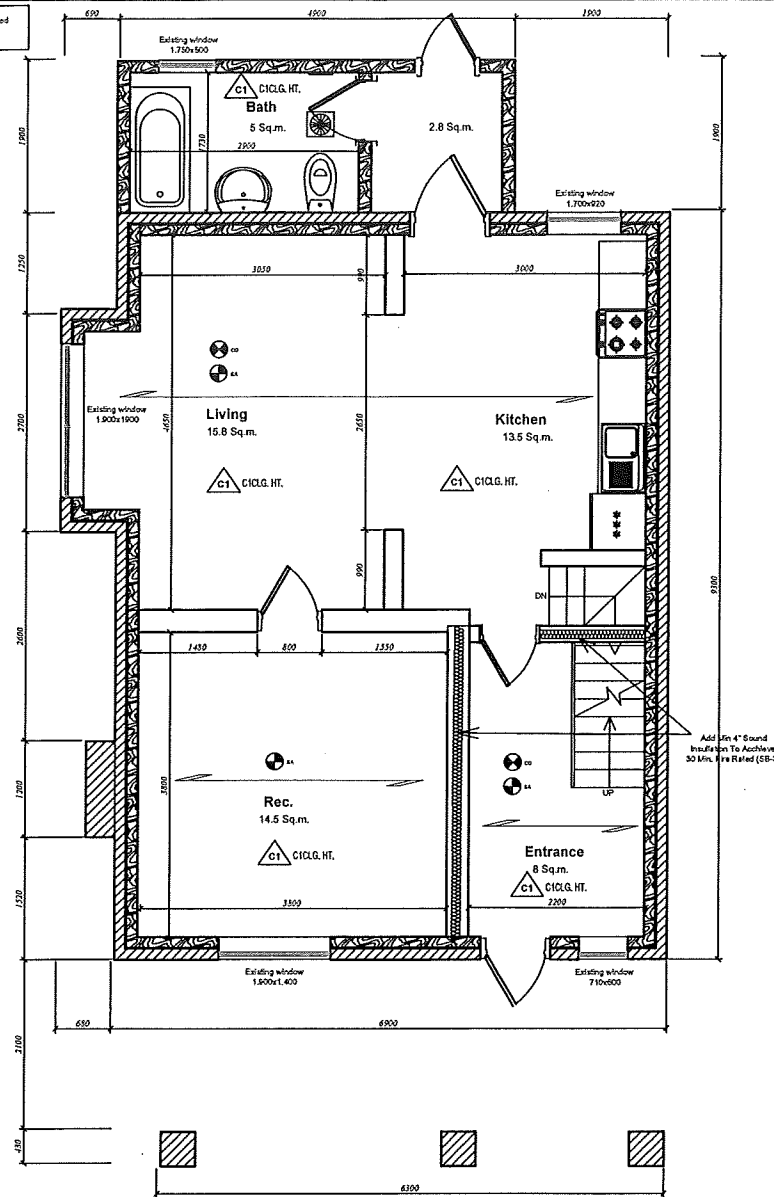
A1

Hm/A 20:61
sketch 2



① 1:30

Provide 300mm Ceiling Fire Rated
Refer to Ceiling Legends



② 02- Proposed First Floor
1:30

- GENERAL NOTES:
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 - ANY MATERIALS SUBSTITUTIONS MUST BE OF EQUAL OR GREATER PERFORMANCE.

Date : Description :

Seal :

Drawn By : Vlad Andriuca

Date : Issue Date

Scale : 1:30

Project :
106 Barnesdale ave
North, Hamilton,
On, L8L 6S5

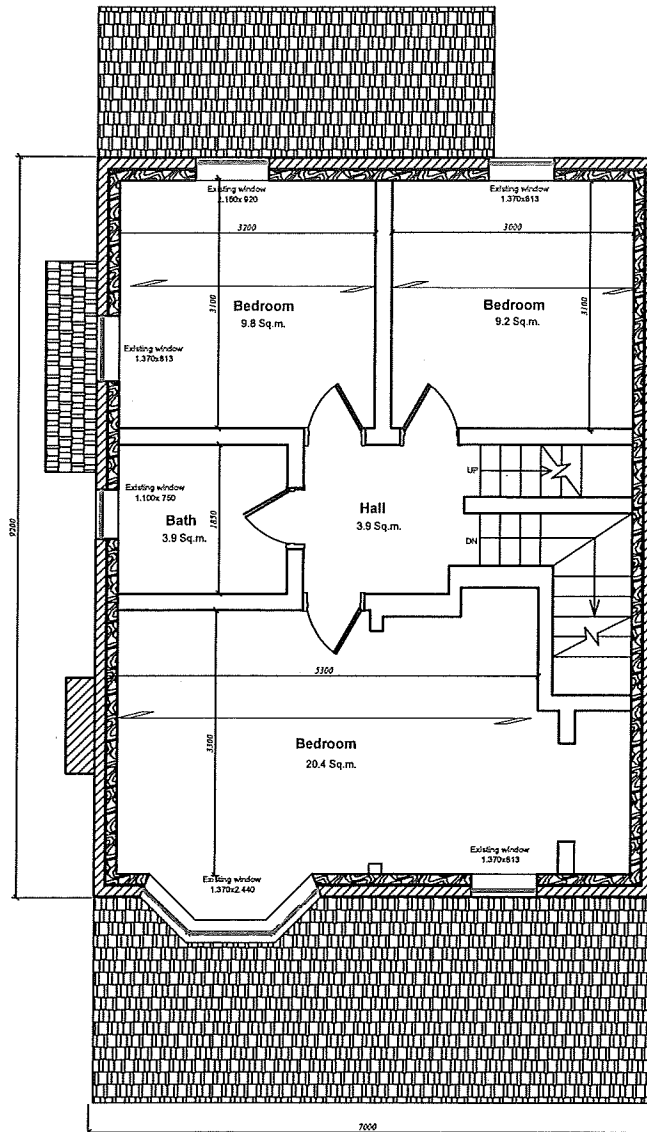
Sheet Title:

First Floor

Sheet Number :

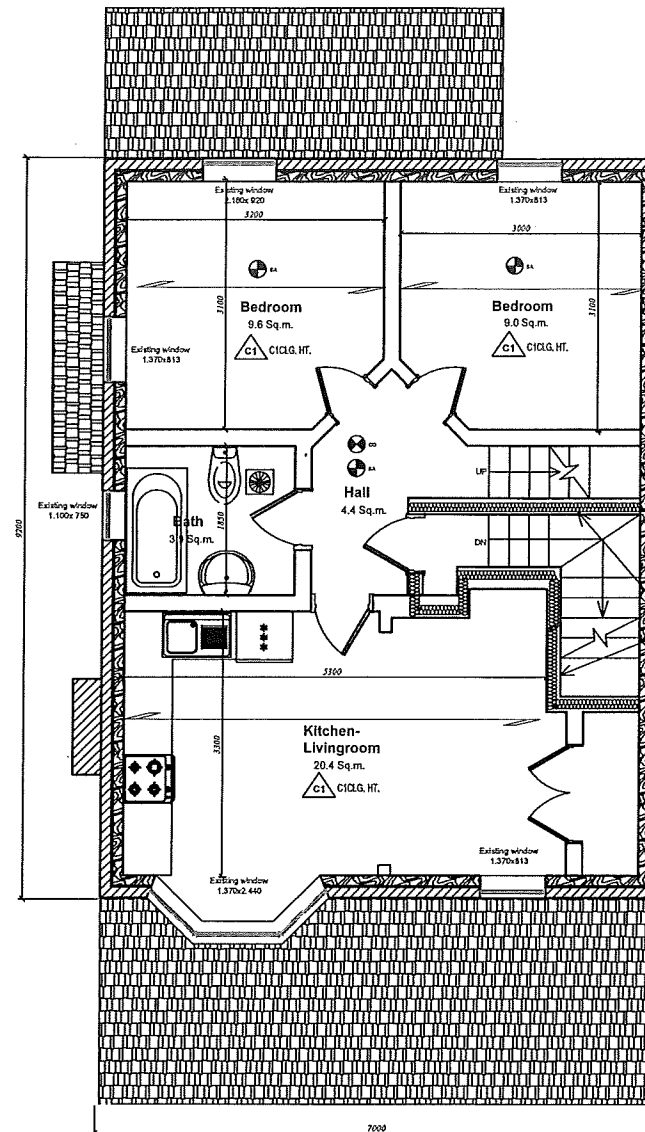
A2

Hm/A 20:61
Sketch 3



① 02- Existing Second Floor
1:30

Provide 50Min Ceiling Fire Rated
Refer to Ceiling Legends



② 02- Proposed Second Floor
1:30

GENERAL NOTES:
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Date : Description :

Scale :

Drawn By : Vlad Andriuca

Date : Issue Date

Scale : 1:30

Project :

106 Barnesdale ave
North, Hamilton,
On, L8L 6S5

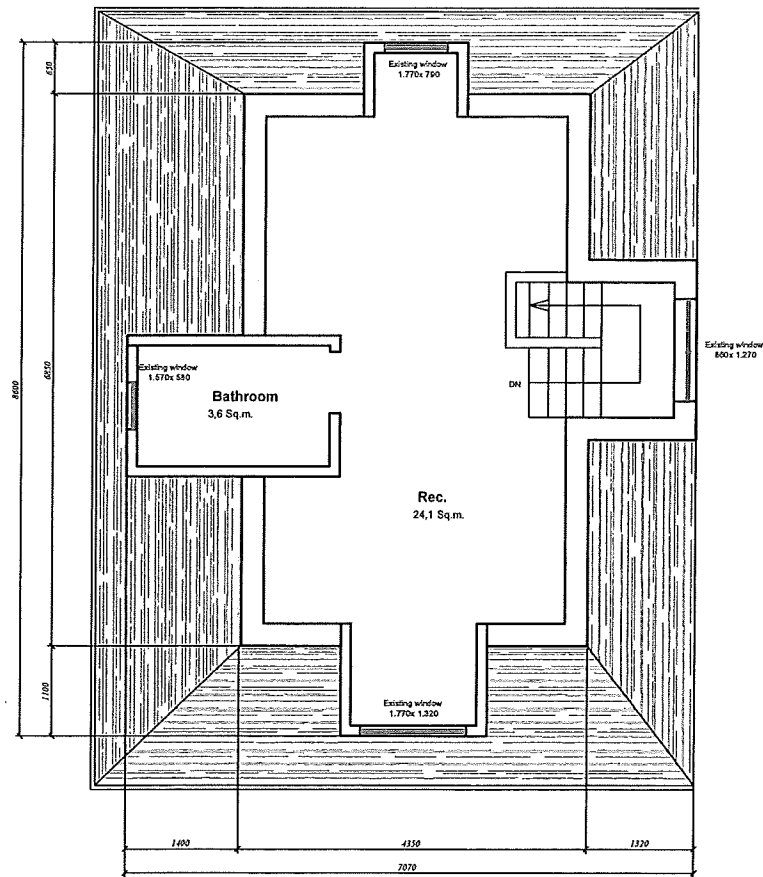
Sheet Title:

Second Floor

Sheet Number :

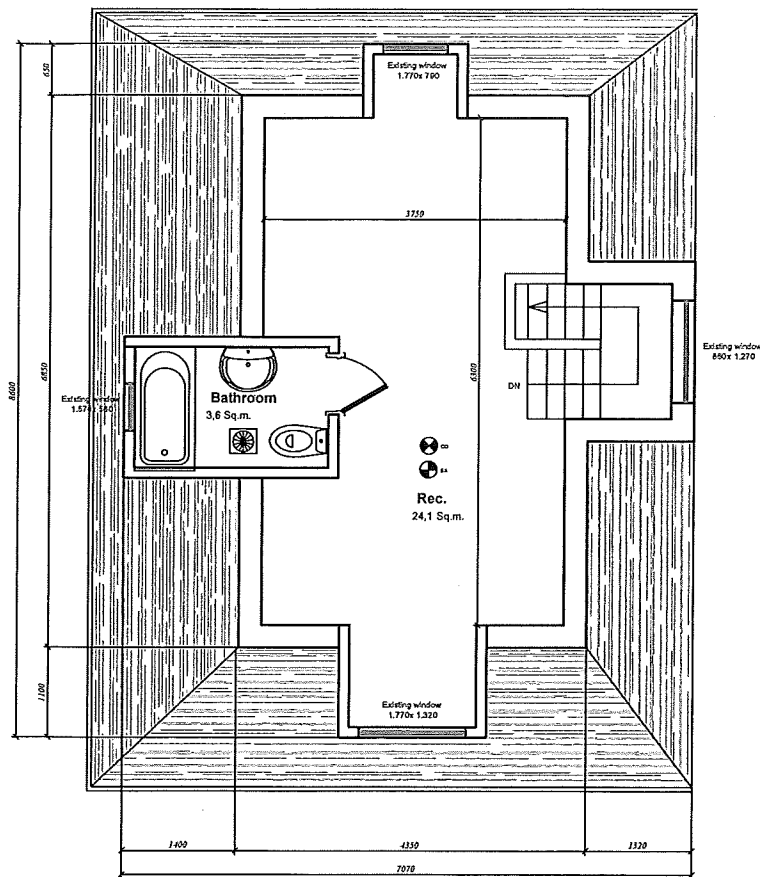
A3

Hm/A 20:61
Sketch 4



① 02- Existing Attic
1:30

Provide 304Stn Ceiling Fire Rated
Refer to Ceiling Legends



② 02- Proposed Attic
1:30

GENERAL NOTES:
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- ANY MATERIALS SUBSTITUTIONS MUST BE OF EQUAL OR GREATER PERFORMANCE

Date : Description :

Seal :

Drawn By :
Vlad Andriuca

Date : Issue Date

Scale :
1:30

Project :
106 Barnesdale ave
North, Hamilton,
On, L8L 6S5

Sheet Title:

Attic

Sheet Number :
A4

Hm/A 20:61
Sketch 5

20.152843



Hamilton

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.

APPLICATION NO. HM/A-20-61 DATE APPLICATION RECEIVED FEB 14 2020

PAID _____ DATE APPLICATION DEEMED COMPLETE _____

SECRETARY'S
SIGNATURE _____

**CITY OF HAMILTON
COMMITTEE OF ADJUSTMENT
HAMILTON, ONTARIO**

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. Name of Owner A-Railing inc Telephone No. [REDACTED]

2. [REDACTED]

3. Name of Agent _____ Telephone No. _____

FAX NO. _____ E-mail address. _____

4. Address _____

_____ Postal Code _____

Note: Unless otherwise requested all communications will be sent to the agent, if any.

5. Names and addresses of any mortgagees, holders of charges or other encumbrances:

_____ Postal Code _____

_____ Postal Code _____

6. Nature and extent of relief applied for:

Minimum lot area of 270 m²
is permitted for legal second unit
conversion
One parking space is required per unit

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

Lot size is (169.5^{m²}) 1,825 sq ft, it has
no space for second parking
required.

8. Legal description of subject lands (registered plan number and lot number or other legal description and where applicable, street and street number):

PA LTS 267, 268 & 269, PL 477, AS IN
VM 8682, S/T VM 8682; HAM
106 Barnesdale ave. N,

9. PREVIOUS USE OF PROPERTY

Residential ☒ Industrial ☐ Commercial ☐

Agricultural ☐ Vacant ☐

Other

- 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 ☐

- 9.4 Has there been petroleum or other fuel stored on the subject land or adjacent lands?

Yes ☐ No ☒ Unknown ☐

- 9.5 Are there or have there ever been underground storage tanks or buried waste on 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 ☒ 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?

Visually inspected

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 ☐

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.

Feb 14, 2020
Date


Signature Property Owner

Andriana Vead
Print Name of Owner

10. Dimensions of lands affected:

Frontage 25 ft
Depth 73 ft
Area 1,825 sq ft
Width of street 2 lines

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: 2 1/2 stories
11.15 m long, 7.58 m wide
Ground floor area 60 m², 147 m²
gross floor area, 8 m high
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: 7.2 m at rear, on line of
the property on left and right
side, 3 m at front
Proposed: same

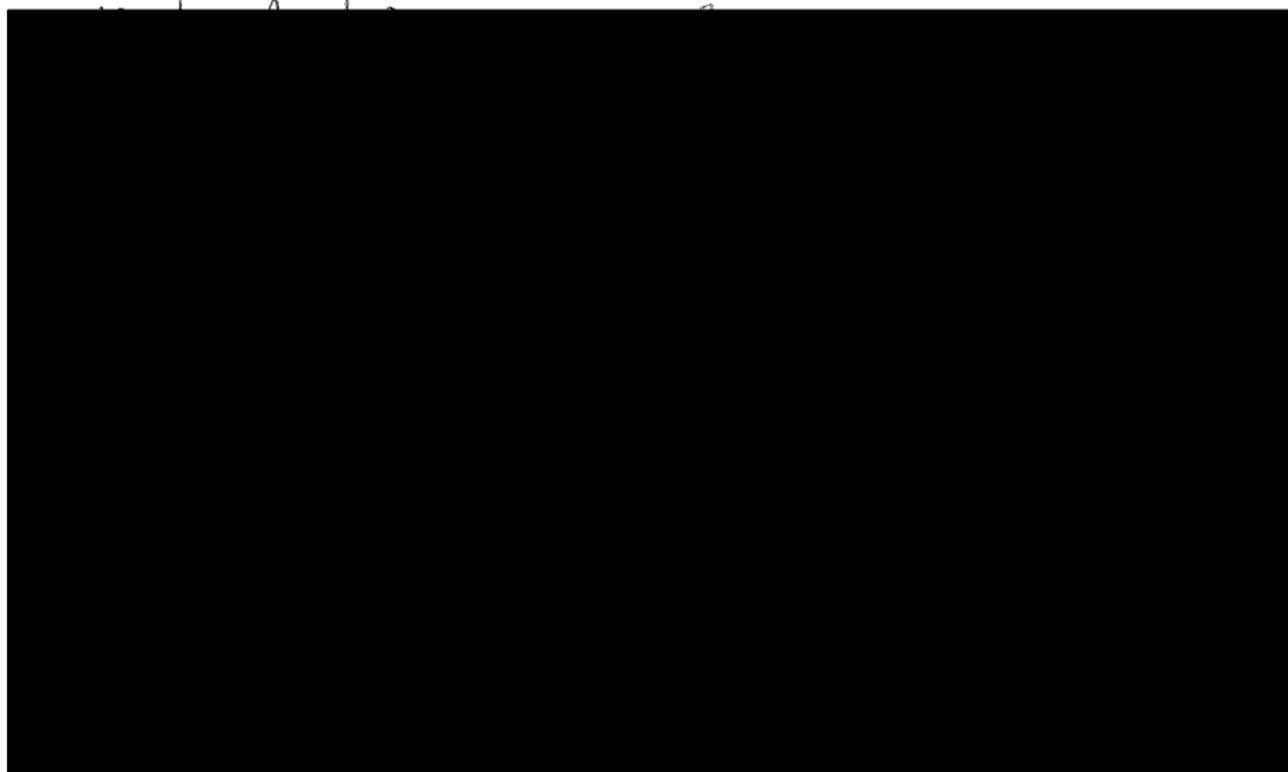
13. Date of acquisition of subject lands:
Nov 29, 2019
14. Date of construction of all buildings and structures on subject lands:
15. Existing uses of the subject property: _____
Single family
16. Existing uses of abutting properties: _____
Single family
17. Length of time the existing uses of the subject property have continued:
N/A
18. Municipal services available: (check the appropriate space or spaces)
Water ✓ Connected _____
Sanitary Sewer ✓ Connected _____
Storm Sewers _____
19. Present Official Plan/Secondary Plan provisions applying to the land:
Pt L & S 267, 268 & 269
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
Zone C
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. 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.

PART 24 AFFIDAVIT OR SWORN DECLARATION

This declaration to be sworn by a Commissioner of Oaths.



Expires July 30, 2022.

PART 25 OWNERS AUTHORIZATION

As of the date of this application, I (NAME) A - Railing 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:

_____ of _____

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 Feb 14, 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 *Planning Act*, 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 *Planning Act* applications and supporting documentation submitted to the City.

I, A - Railing, 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 *Municipal Freedom of Information and Protection of Privacy Act*, 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 application and its supporting documentation to any third party upon their request.

Feb 14, 2020
Date


Signature of Owner

PART 27 PERMISSION TO ENTER

Date: Feb 14, 2020

Secretary/Treasurer
Committee of Adjustment
City of Hamilton,
City Hall

Dear Secretary/Treasurer;

Re: Application to Committee of Adjustment

Location of Land: 106 Barnesdale ave N.
(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

Vlad Andriuca

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.

From: [Thomas, Cameron](#)
To: [Sheffield, Jamila](#)
Cc: [Mignano, Martha](#); [Evans, Morgan](#)
Subject: FW: 106 Barnesdale Ave N - Variances
Date: Wednesday, March 11, 2020 9:12:39 AM

Please print for file

From: Vlad Andriuca <andriucavlad@gmail.com>
Sent: March 11, 2020 8:55 AM
To: Thomas, Cameron <Cameron.Thomas@hamilton.ca>
Subject: Re: 106 Barnesdale Ave N - Variances

Hello Cameron,
First dwelling combined will be basement and first floor for a total of 95.8 square meters and second dwelling will be the second floor and attic for a total of 75 square meters.
Please let me know if you have any questions or concerns
Thank you
Vlad

On Tue, Mar 10, 2020 at 4:13 PM Thomas, Cameron <Cameron.Thomas@hamilton.ca> wrote:

Hello – I am reviewing the variance application for zoning. I wanted to ask you if you can please tell me the size (area) for the 2 dwelling units to be created through conversion so I can check this with our requirements. Thanks in advance,

Regards,

Cam Thomas, RPP
Zoning Examiner
Building Division
City of Hamilton
(905) 546-2424 ext. 4229