



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-20:62

APPLICANTS: John Witten on behalf of the owners Grant Ranalli & Bonnie McInnes

SUBJECT PROPERTY: Municipal address **7 Orchard Hill City of Hamilton**

ZONING BY-LAW: Zoning By-law 6593, as Amended by By-law 19-307

ZONING: "C" and "C/S-1787" (Urban Protected Residential, etc.) district

PROPOSAL: To permit the construction a 3.66m (12') x 6.10m (20') rear one storey (sunroom) addition onto the existing single family dwelling and to recognize the location of an existing accessory building (frame shed) notwithstanding that:

1. A westerly minimum side yard width of 0.6m shall be provided instead of the minimum required side yard width of 0.9m.
2. The existing accessory building (frame shed) located in the rear yard shall be 0.0m from the easterly 100.0' side lot, the angled 5.65' side lot line and the 21.0' rear lot line instead of the requirement that every accessory building which is located entirely within the rear yard shall be distant at least 0.45 metres from the nearest lot line.

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

DATE: Thursday, July 9th, 2020

TIME: 3:40p.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.

LOT COVERAGE %
41.44

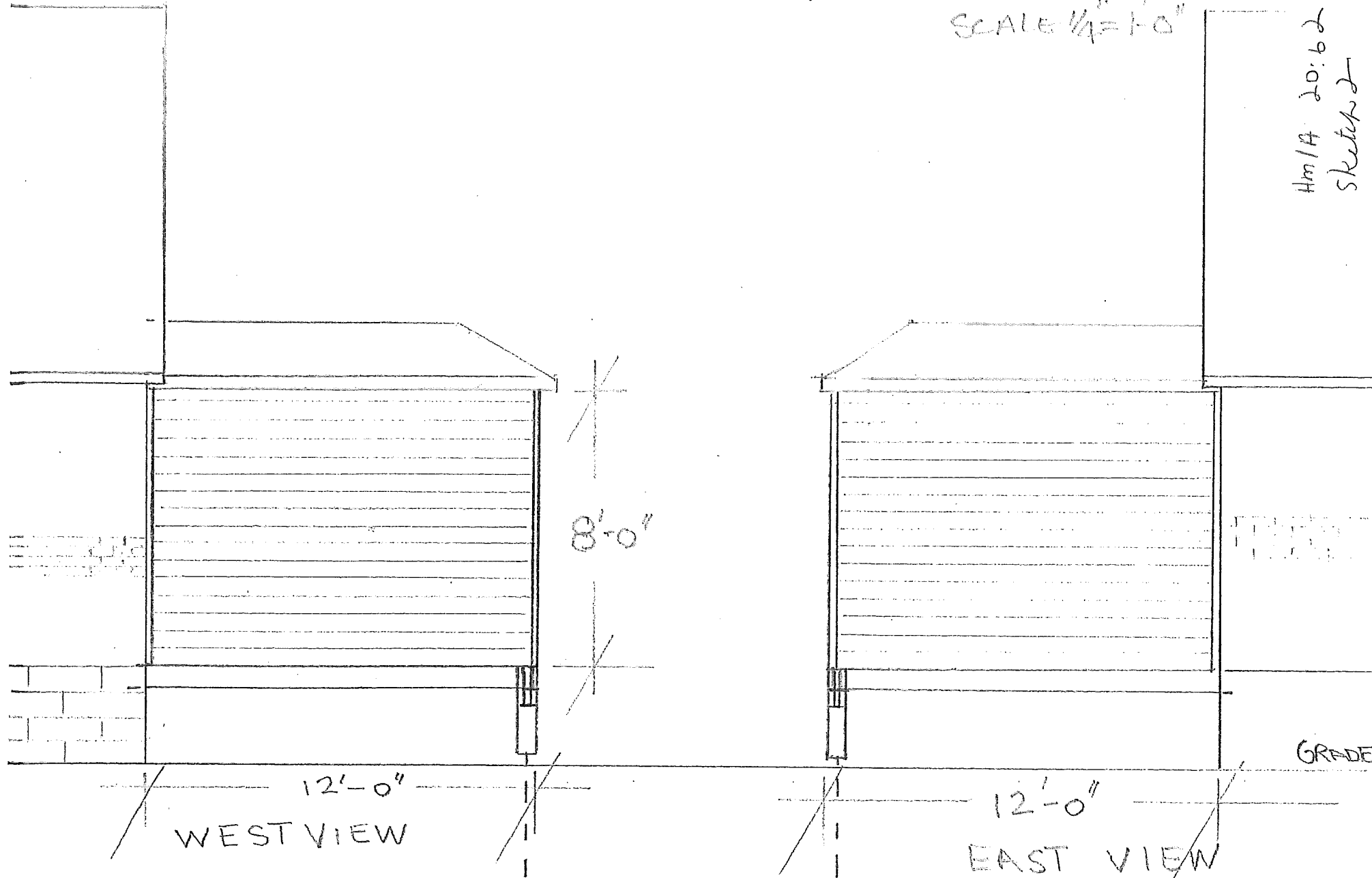
Hm1A 20:62
Sketch 1

PROPOSED ADDITION

7 ORCHARD HILL,

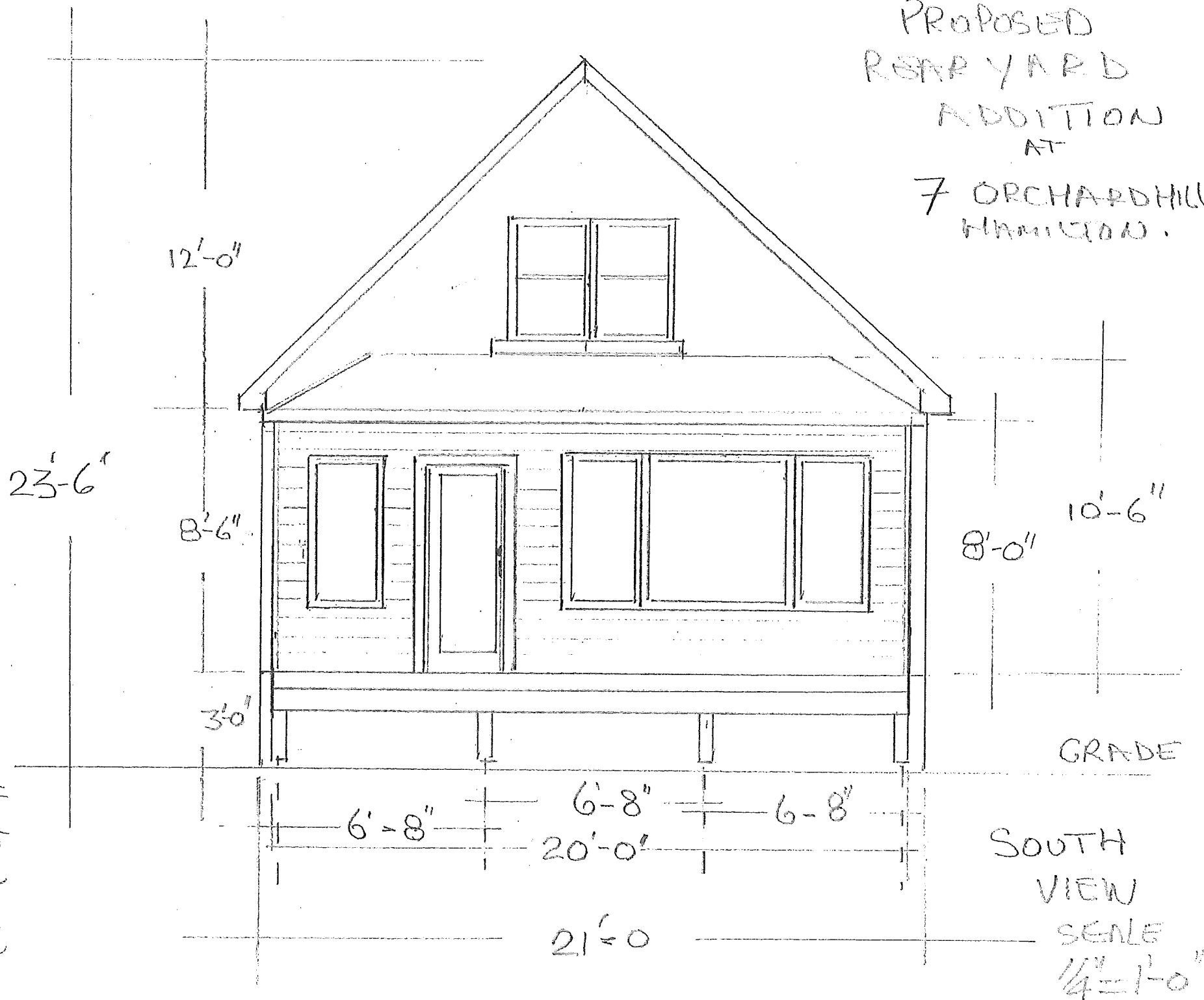
SCALE $\frac{1}{4}'' = 1'-0''$

Hm/A 20:62
Sketch 2



PROPOSED
REAR YARD
ADDITION
AT
7 ORCHARDHILL
HAMILTON.

Am/4 20:62
Sketch 3



20.152856



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. <u>Hm/A-20:62</u>	DATE APPLICATION RECEIVED <u>Feb. 18/20</u>
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.

GRANT RANALLI

1. Name of Owner BONNIE MCINNES Telephone No. [REDACTED]

2. [REDACTED]

3. Name of Agent JOHN WITTEN Telephone No. [REDACTED]

4. [REDACTED]

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:

N/A Postal Code _____

Postal Code _____

6. Nature and extent of relief applied for:

EAST SIDEYARD SETBACK OF 9.144 M
WEST SIDEYARD SETBACK OF 6.096 M
REDUCE/RELIEF FROM 1.2 M SETBACK

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

HOUSE IS LEGAL NON-CONFORMING
ADDITION WILL EXTEND INTO SIDEYARD
ALLOWANCE OF 1.2 SIDEYARD SETBACK.

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

PLAN
LOT
7 ORCHARD HILL HAMILTON

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?

STAFF

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-18/20

Date


Signature Property Owner

GRANT RANALLI - BONNIE MCINNES
Print Name of Owner

10. Dimensions of lands affected:

Frontage

25'-0 FT = 7.62 M

Depth

103.5 FT = 31.54 M

Area

2592.80 FT = 240.79 M²

Width of street

66 FT = 20.11 M

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: GFA 7143 SQFT = 66.33 M² GROSS FA 1250 SQFT = 116.86 M²

NUMBER STORIES = 1 1/2 WIDTH 21'0 = 6.4 M

LENGTH 34 FT = 10.36 M

HEIGHT 23.5 FT = 7.16 M

Proposed: GFA 954 SQFT = 88.62 M² GROSS F.A. 1490 SQFT = 138.21 M²

NUMBER STORIES = 1

LENGTH 40 FT = 14.0 M

HEIGHT 10.6 FT = 3.20 M

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

Existing: HOUSE SIDE (EAST) 2.50 FT = .762 M

SIDE (WEST) 1.24 FT = .377 M

GARAGE SIDE (EAST) 1.10 FT = .335 M

SIDE (WEST) 10 FT = 3.04 M

Proposed: HOUSE SIDE (EAST) .9144 M

SIDE (WEST) .6096 M

13. Date of acquisition of subject lands:
1924
14. Date of construction of all buildings and structures on subject lands:
1924
15. Existing uses of the subject property:
SINGLE FAMILY DWELLING
16. Existing uses of abutting properties:
SINGLE FAMILY DWELLING
17. Length of time the existing uses of the subject property have continued:
1924
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:

20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:

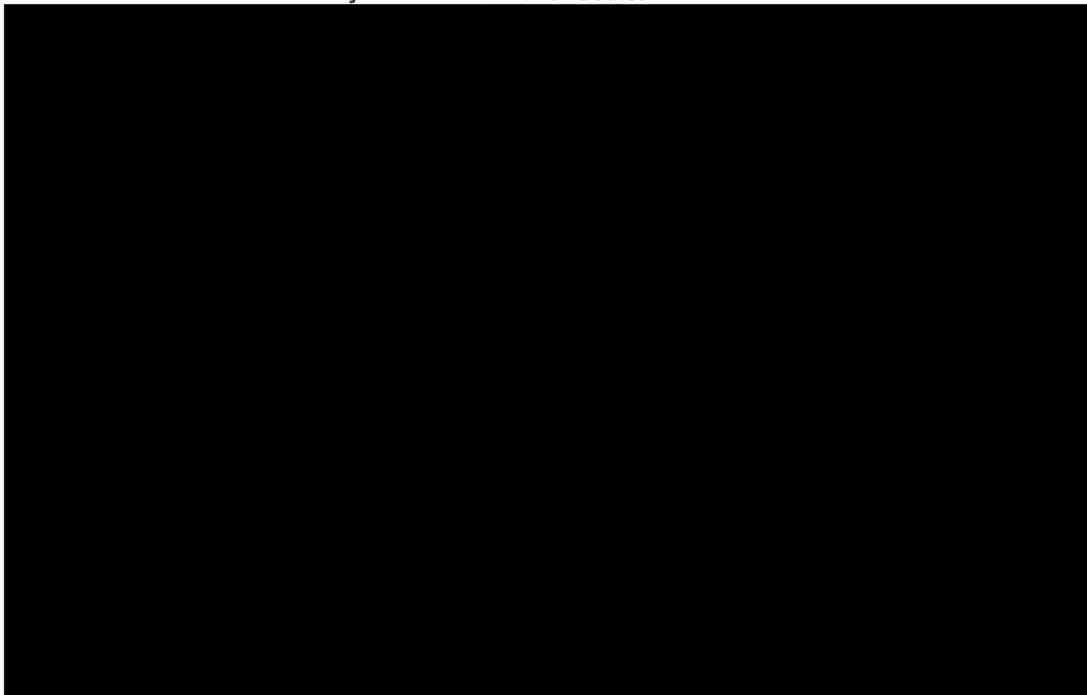
21. Has the owner previously applied for relief in respect of the subject property?
Yes No
If the answer is yes, describe briefly.

22. Is the subject property the subject of a current application for consent under Section 53 of The 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.



PART 25 OWNERS AUTHORIZATION GRANT RANALLI

As of the date of this application, I (NAME) BONNIE MCINNES 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:

JOHN WITTEN of TOWN OF GRIMSBY.

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 17 / 20

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, GRANT RANALLI / BONNIE MCINNES, 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.



Date

Signature of Owner

PART 27 PERMISSION TO ENTER

Date: _____

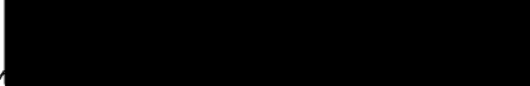
Secretary/Treasurer
Committee of Adjustment
City of Hamilton,
City Hall

Dear Secretary/Treasurer;

Re: Application to Committee of Adjustment

Location of Land: 7 ORCHARD HILL
(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

JOHN WITTEN

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.1324.

From: [Roberts, Kim](#)
To: [Evans, Morgan](#); [Mignano, Martha](#); [Sheffield, Jamila](#)
Subject: FW: Minor Variance Application for 7 Orchard Hill, Hamilton (File No. HM/A-20:62)
Date: Friday, February 28, 2020 8:20:59 AM
Attachments: [image002.png](#)
[image001.png](#)

Hi All

Attached is further information/clarification provided by the applicant.

Regards,

Kim Roberts

Zoning Examiner
Planning and Economic Development
Building, City of Hamilton
(905) 546-2424 Ext.2581



This message, including any attachments, is privileged and intended only for the person(s) named above. This material may contain confidential or personal information which may be subject to the provision of the Municipal Freedom of Information & Protection of Privacy Act and/or is confidential. Any other distribution, copying or disclosure is strictly prohibited. If you are not the intended recipient or have received this message in error, please notify me immediately by telephone, fax or e-mail and permanently delete the original transmission, including any attachments, without making a copy

From: John Witten <jwitten.designer@gmail.com>
Sent: February 28, 2020 7:42 AM
To: Roberts, Kim <Kim.Roberts@hamilton.ca>
Subject: Re: Minor Variance Application for 7 Orchard Hill, Hamilton (File No. HM/A-20:62)

Good morning Kim

Please review my comments.

- 1-the eaves and gutter projection will be 12 inches
 - 2- the rear yard set-back from landing/stairs is 42 ft.
 - 3- the total habitable rooms with the addition will be 6.
 - 4 - spoke with Cetina Farriuggia road programming technician re- encroachment, She E-Mail me back saying since is a not a assumed laneway no encroachment agreement will be required.
- If you need more info please let me know

Thanks

John Witten

On Thu, Feb 27, 2020 at 2:49 PM Roberts, Kim <Kim.Roberts@hamilton.ca> wrote:

Hi John

I am reviewing Minor Variance Application for 7 Orchard Hill, Hamilton (File No. HM/A-20:62) and require further clarification on either the Site Plan or Elevation Plans to determine all necessary variances, specifically:

1. Can you please confirm the total eave and gutter projection for the proposed rear addition into both the side yards and rear yards.
2. Please confirm/show the setback of the addition and the landing/stairs from the rear lot line.
3. Can you please confirm the total number of habitable rooms including the sunroom addition. This information is necessary as the required on-site parking spaces are based on habitable rooms. "Habitable Room" is defined as:

"means any room of a residential building or an institutional building, used or capable of being used by one or more persons for living, eating or sleeping, or as a kitchen serving a dwelling unit; but does not include a bathroom, water-closet compartment, laundry, serving or storage pantry, corridor or other space not for use frequently or during extended periods."

For your information, I have reviewed Building Division records and the rear "frame shed" was relocated on the property in 1955 and its setback from the easterly side lot and the rear lot line does not conform to the minimum required 0.45m setback. As such, I will pick this up as part of the minor variance application.

Be advised that an Encroachment with the Public Works Department may be required as the existing frame shed encroaches onto the public alley/laneway abutting the rear lot line. For further information, please contact Cetina Farruggia at 905-546-2424, ext. 5803.

In order for your application to be heard at the Committee of Adjustment meeting scheduled for April 2, 2020, **the above noted information is required no later than end of day on Wednesday, March 4, 2020** so that I can complete the Notice for the Committee of Adjustment. If the information is received after this date, your application may be held over until a future meeting.

If you have questions or require clarification, please contact me

Regards,

Kim Roberts

Zoning Examiner
Planning and Economic Development
Building, City of Hamilton
(905) 546-2424 Ext.2581



This message, including any attachments, is privileged and intended only for the person(s) named above. This material may contain confidential or personal information which may be subject to the provision of the Municipal Freedom of Information & Protection of Privacy Act and/or is confidential. Any other distribution, copying or disclosure is strictly prohibited. If you are not the intended recipient or have received this message in error, please notify me immediately by telephone, fax or e-mail and permanently delete the original transmission, including any attachments, without making a copy

--

John Witten



jwitten.designer@gmail.com

905-599-2228