



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 or scott.baldry@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.: DN/A-19:406

APPLICANTS: Owner: Harp Valley Group c/o Matt Litzen
Agent: Marina Fenshaw

SUBJECT PROPERTY: Municipal address **56 York Rd., Dundas**

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

ZONING: RM2 district (Medium Density Multiple Dwelling)

PROPOSAL: To permit the construction of a three-storey addition to the existing building in order to establish an eight (8) unit apartment as per Site Plan application DA-18-083, notwithstanding that;

1. A minimum lot area of 1339.0m² shall be permitted instead of the minimum 1380.0m² lot area required.
2. A minimum lot frontage of 22.7m shall be permitted instead of the minimum 30.0m lot frontage required.
3. No onsite loading space shall be permitted instead of the minimum one (1) loading space required.
4. The roofed-over unenclosed porches shall be permitted to be located as close as 3.0m from the southerly side lot line instead of the minimum 4.5m setback required.

Note: These variances are necessary to facilitate site plan application DA-18-083.

The revised elevation plans show "Juliet" style balconies along the northerly elevation. Therefore, the applicant shall ensure that the maximum 1.5m projection into a required side yard is not exceeded. Otherwise, further variances may be required.

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

DATE: Thursday, July 16th, 2020
TIME: 2:05 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:

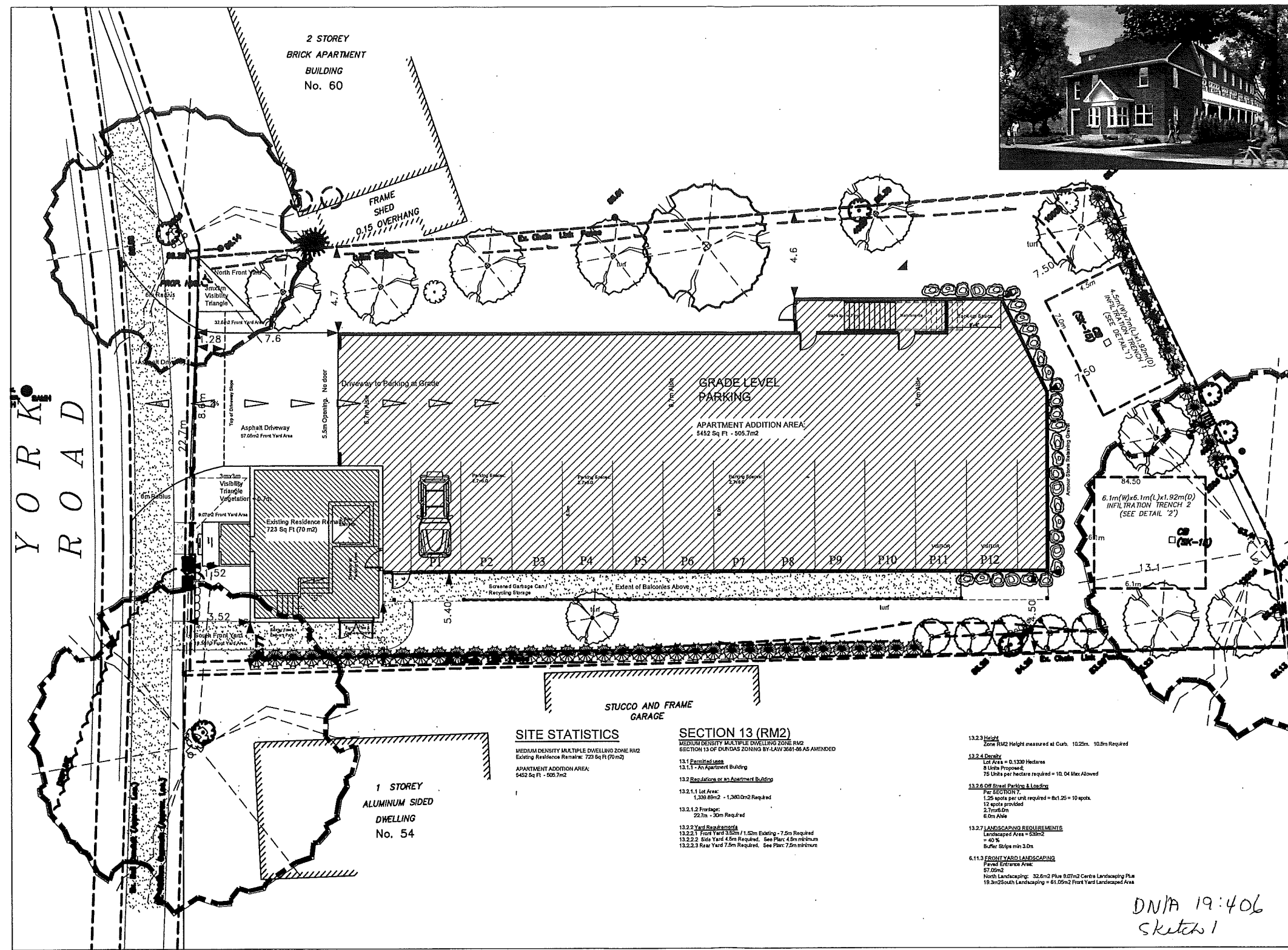
- Visit www.hamilton.ca/committeeofadjustment
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at cofa@hamilton.ca

DATED: June 30th, 2020.

Original Signed

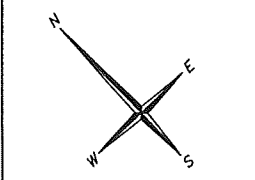
Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

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.



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 (1) BCIN: 21574 / 27645



ISSUED FOR VARIANCE Oct 25, 2019
ISSUED FOR SITE PLAN CONTROL 2 STOREY REV Aug 8, 2019
ISSUED FOR SITE PLAN CONTROL REV Nov 15, 2019
ISSUED FOR SITE PLAN CONTROL April 13, 2018

REMARKS	DATE	NO.
REVISIONS		

thinkGiraffe

ENVIRONMENTAL DESIGN

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

905 304 1496

thinkgiraffe@belfnet.ca

PROJECT

56 York Rd
Dundas
Proposed 8-Unit
Apartment Dwelling

SHEET TITLE

SITE PLAN

FOLDER	DRAWN BY M F / M S
FILE	SCALE 1" = 1'-0"
DATE	NUMBER

A1

SITE STATISTICS

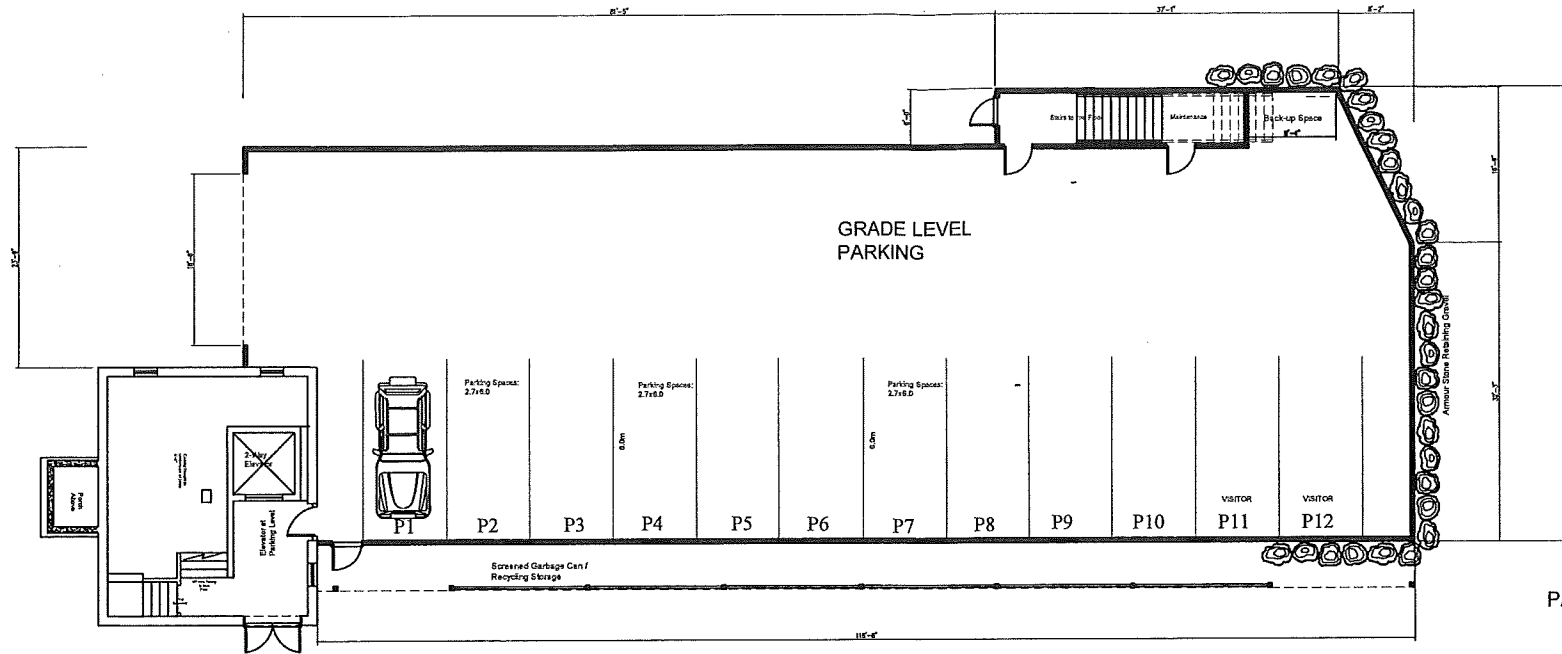
MEDIUM DENSITY MULTIPLE DWELLING ZONE RM2
Existing Residence Remaining: 723 Sq Ft (70 m2)
APARTMENT ADDITION AREA
5452 Sq Ft - 505.7m2

SECTION 13 (RM2)

MEDIUM DENSITY MULTIPLE DWELLING ZONE RM2
SECTION 13 OF DUNDAS ZONING BY-LAW 3681-85 AS AMENDED
13.1 Permitted Uses
13.1.1 An Apartment Building
13.2 Regulations or an Apartment Building
13.2.1.1 Lot Area:
1,339 68m2 - 1,380.0m2 Required
13.2.1.2 Frontage:
22.1m - 30m Required
13.2.2 Yard Requirements
13.2.2.1 Front Yard 3.0m x 1.0m Existing - 7.5m Required
13.2.2.2 Side Yard 4.5m Required. See Plan: 4.5m minimum
13.2.2.3 Rear Yard 7.5m Required. See Plan: 7.5m minimum

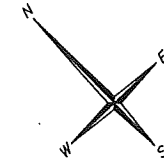
13.2.3 Height
Zone RM2 Height measured at Curb: 10.2m - 10.8m Required
13.2.4 Density
Lot Area = 0.1339 Hectares
8 Units Proposed
75 Units per hectare required = 10.04 Max Allowed
13.2.6 Off Street Parking & Loading
Per SECTION 7:
1.25 spots per unit required = 8x1.25 = 10 spots.
12 spots provided
2.7m x 6.0m
6.0m Aisle
13.2.7 LANDSCAPING REQUIREMENTS
Landscaped Area = 838m2
= 40 %
Buffer 82/ps min 3.0m
6.11.3 FRONT YARD LANDSCAPING
Fenced Entrance Area:
67.05m2
North Landscaping: 32.6m2 Plus 9.07m2 Centre Landscaping Plus
19.3m2 South Landscaping = 61.05m2 Front Yard Landscaped Area

DN/A 19:406
Sketch 1



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REMARKS	DATE	NO.
REVISIONS		

APARTMENT ADDITION AREA:
 5452 Sq Ft - 505.7m²

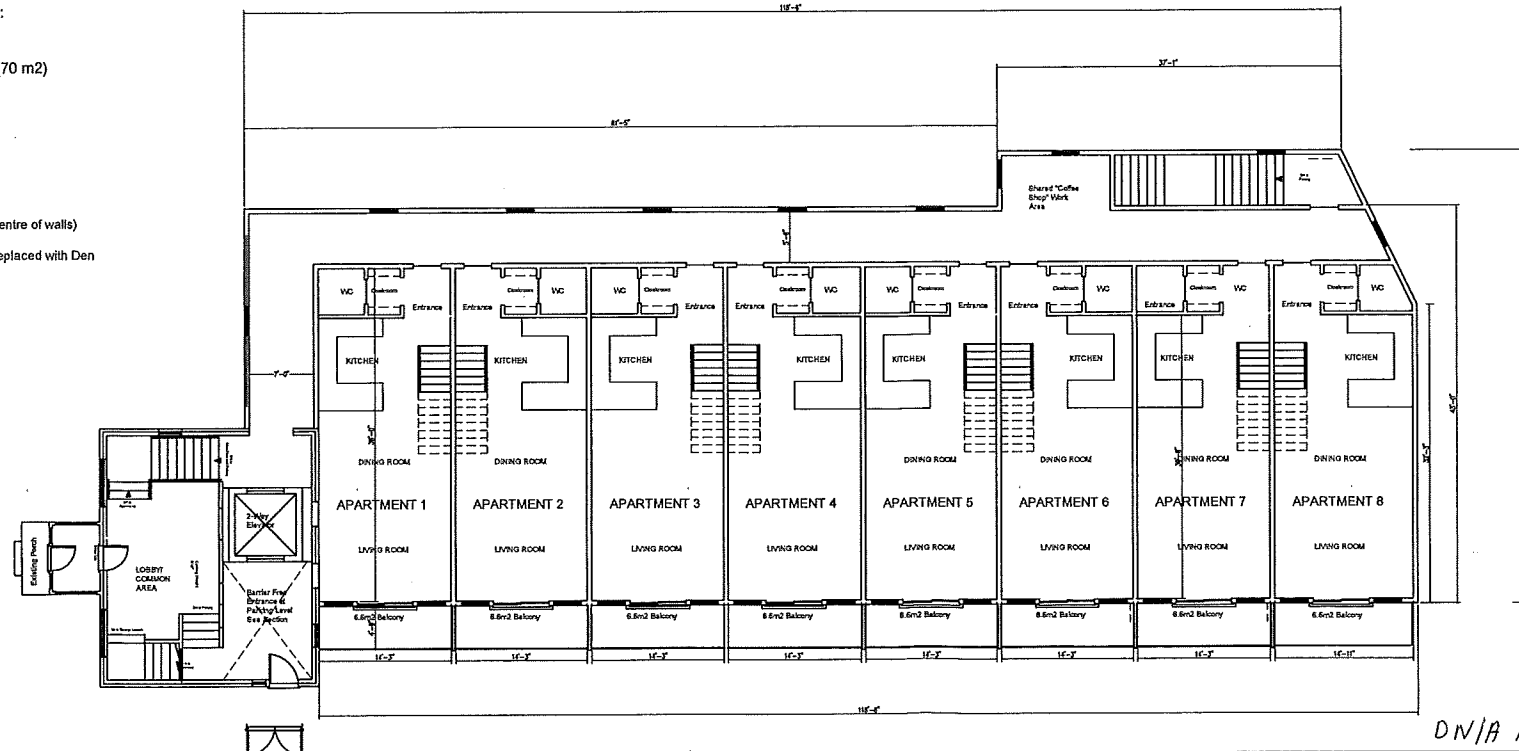
Existing Residence: 723 Sq Ft (70 m²)

APARTMENT SIZES:

545.8 Sq Ft Main Level
 633.3 Sq Ft 2nd Floor

Total: 1,179.1 Sq Ft (Measured to centre of walls)

OPTION: Master Bathroom can be replaced with Den



thinkGiraffe
 ENVIRONMENTAL DESIGN
 16 Sulphur Springs Road,
 Ancaster, ON, L9G 1L8
 905 304 1496
 thinkgiraffe@bellnet.ca

PROJECT

56 York Rd
 Dundas
 Proposed 8-Unit
 Apartment Dwelling

SHEET TITLE
 GRADE LEVEL PARKING /
 MAIN FLOOR

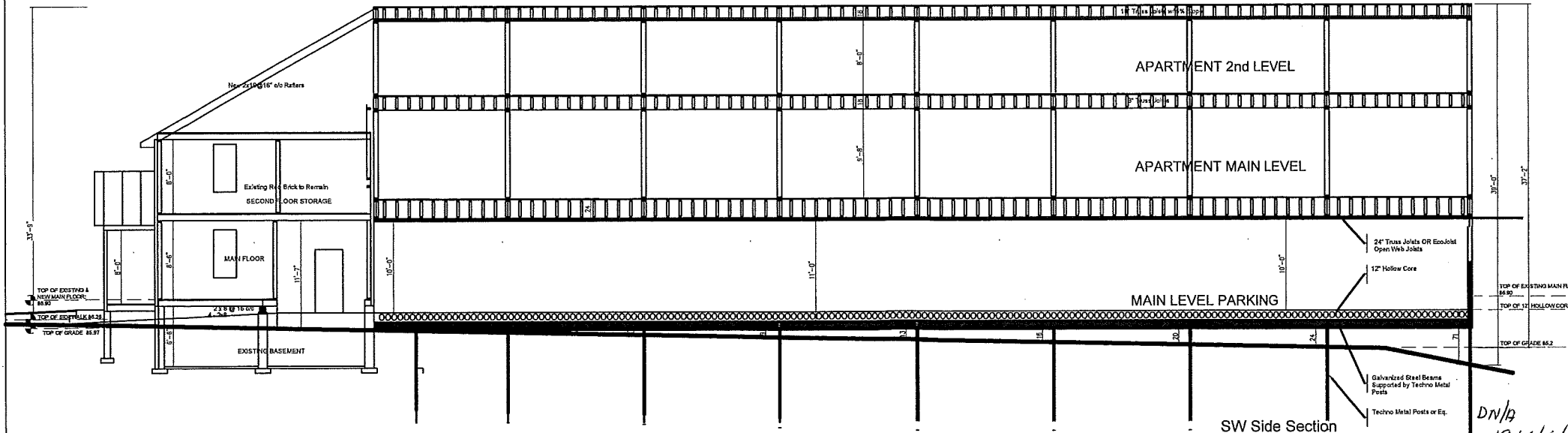
FOLDER	DRAWN BY M F / M S
FILE	SCALE 1/2"=1'-0"
DATE	NUMBER

A3

DN/A 19:406 Sketch 2



SW Side Elevation



SW Side Section

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ISSUED FOR SITE PLAN CONTROL: 2 STOREY REV
Aug 8, 2019
ISSUED FOR SITE PLAN CONTROL REV
Nov 15, 2018
ISSUED FOR SITE PLAN CONTROL
April 13, 2018

REMARKS	DATE	NO.
---------	------	-----

REVISIONS

thinkGiraffe

ENVIRONMENTAL DESIGN
16 Sulphur Springs Road,
Aurora, ON, L5G 1L8
905 304 1496
thinkgiraffe@bellnet.ca

PROJECT

56 York Rd
Dundas
Proposed 8-Unit
Apartment Dwelling

SHEET TITLE
SIDE ELEVATION
SECTION (South West)

FOLDER	DRAWN BY M F / M S
FILE	SCALE 1/8" = 1'-0"
DATE	NUMBER

A6

DN/A
19:406
Sketchy

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

FOR OFFICE USE ONLY.

APPLICATION NO. DN/A-19:406 DATE APPLICATION RECEIVED Nov. 5/19

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 Harp Valley Group Telephone No.

2.

3. Name of Agent Morina Fensham Telephone No. _____

4.

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 _____

- Attached
Site Plan Application OA-18-083
6. Nature and extent of relief applied for:
- | | | | |
|-------------------------|-----------------------|-----------------------|---------------------------------|
| Section 13.2.1.1 | Min Lot Area Required | 1380.0 m ² | Existing 1339.89 m ² |
| Section 13.2.1.2 | Frontage | 30.0 m | Required 22.7 m Existing |
| Section 7.11 / 7.13.1.1 | Parking Height | 3.35 m | |

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

Lot Area + Frontage Existing

Parking Height below building : Smaller 15' U-Haul
has been approved for delivery, 10'6" Height required

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

Plan 1387
Lot 2
56 York Rd. Dundas.

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?

Neighbours / Survey / Maps / Councillor

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.

Date _____

Signature Property Owner _____

Matt Litzen
Print Name of Owner

10. Dimensions of lands affected:

Frontage

22.7 m

Depth

Area

1339.89 m²

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: 70 m² x 2 = 140 m²

Existing Remains

Proposed:

Apartment Addition 505 m² Area
505 m² x 2 Gross Floor : 1010 m²

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

Existing: _____

Proposed: _____

*Listed on Plan Comments
Site Attached*

SITE STATISTICS

MEDIUM DENSITY MULTIPLE DWELLING ZONE RM2
Existing Residence Remains: 723 Sq Ft (70 m2)
APARTMENT ADDITION AREA:
6462 Sq Ft - 605.7m2

SECTION 13 (RM2)

MEDIUM DENSITY MULTIPLE DWELLING ZONE RM2
SECTION 13 OF DUNDAS ZONING BY-LAW 3581-86 AS AMENDED
13.1 Permitted uses
13.1.1 - An Apartment Building
13.2 Regulations for an Apartment Building
13.2.1.1 Lot Area:
1,339.69m2 - 1,380.0m2 Required
13.2.1.2 Frontage:
22.7m - 30m Required
13.2.2 Yard Requirements
13.2.2.1 Front Yard 3.62m / 1.52m Existing - 7.5m Required
13.2.2.2 Side Yard 4.5m Required. See Plan. 4.5m minimum
13.2.2.3 Rear Yard 7.5m Required. See Plan. 7.5m minimum

13.2.3 Height
Zone RM2 Height measured at Curb. 10.25m. 10.5m Required

13.2.4 Density
Lot Area = 0.1339 Hectares
8 Units Proposed
75 Units per hectare required = 10.04 Max Allowed

13.2.6 Off Street Parking & Loading
Per SECTION 7.
1.25 spots per unit required = 8x1.25 = 10 spots.
10 spots provided
2.7mx6.0m
6.0m Aisle

13.2.7 LANDSCAPING REQUIREMENTS
Landscaped Area = 539m2
= 40 %
Buffer Strips min 3.0m

6.11.3 FRONT YARD LANDSCAPING
Paved Entrance Area:
57.05m2
North Landscaping: 32.6m2 Plus 9.07m2 Centre Landscaping Plus
19.3m2South Landscaping = 61.05m2 Front Yard Landscaped Area

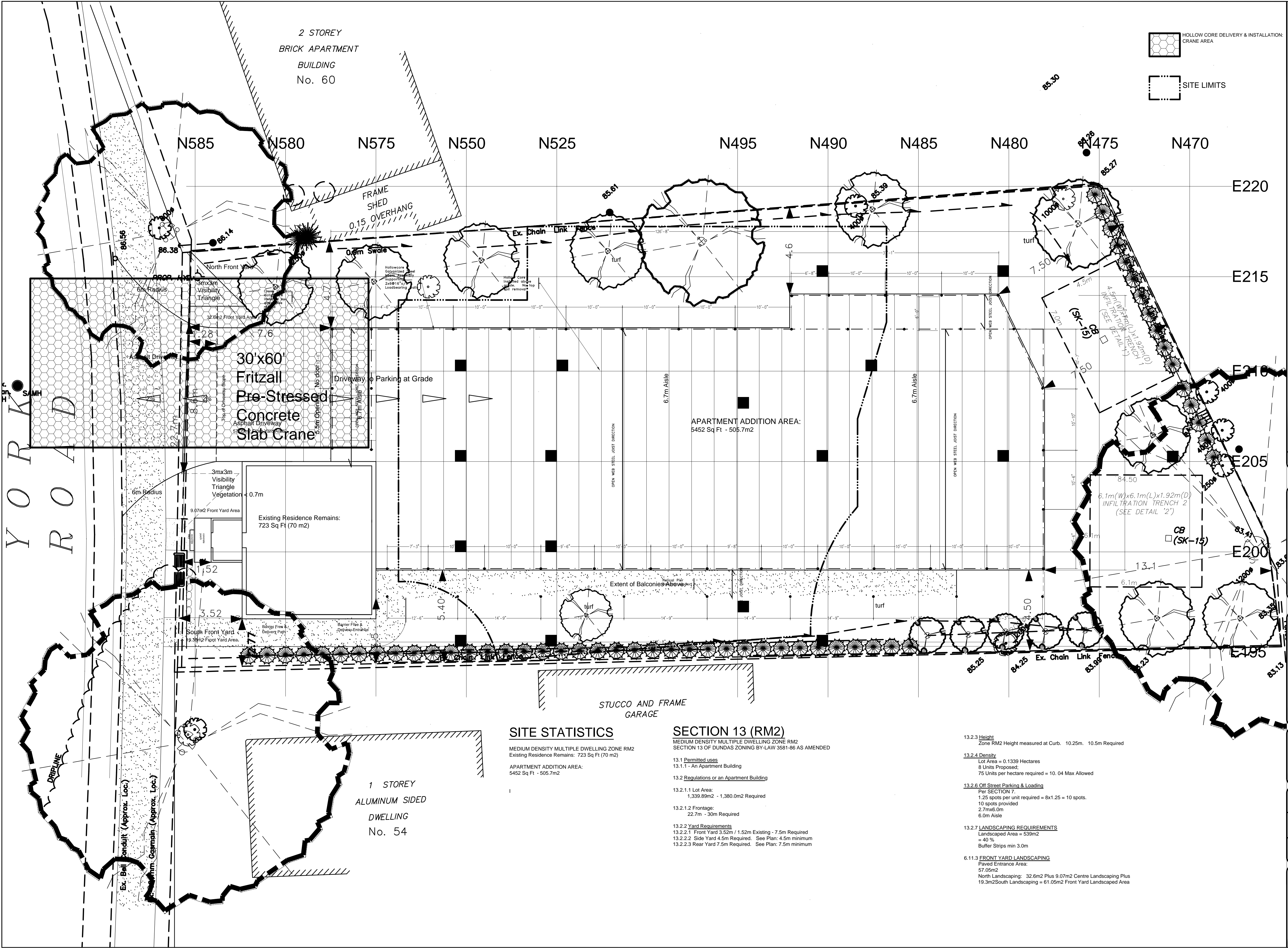
13. Date of acquisition of subject lands:
2018
14. Date of construction of all buildings and structures on subject lands:
Century
15. Existing uses of the subject property:
SF Residential
16. Existing uses of abutting properties:
Mult. - Family North and East. SF South
17. Length of time the existing uses of the subject property have continued:
Century
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 (No)
 If the answer is yes, describe briefly.

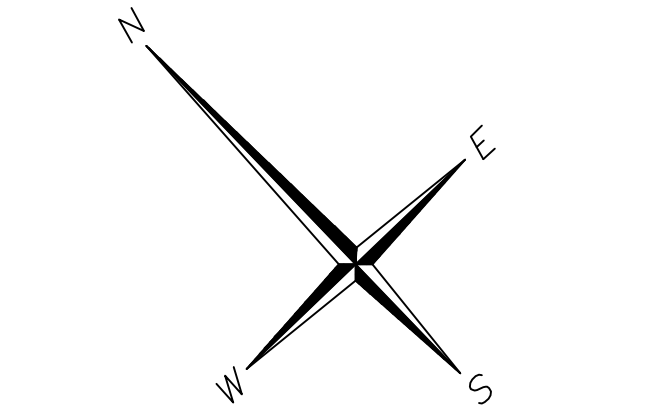
22. Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*?
 Yes _____ DA - 18 - 083 No _____
23. The applicant shall attach to each copy of this application a plan showing the dimensions of the subject lands and of all abutting lands and showing 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.



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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 f (ii) BCIN: 21574 / 27645



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REMARKS	DATE	NO.
REVISIONS		

thinkGiraffe
ENVIRONMENTAL DESIGN

16 Sulphur Springs Road,
Ancaster, ON, L9G 1L8
905 304 1496
thinkgiraffe@bellnet.ca

PROJECT

56 York Rd
Dundas
Proposed 8-Unit
Apartment Dwelling

SHEET TITLE

ARCHAEOLOGICAL
SITE VS FOUNDATION

FOLDER	DRAWN BY M F / M S
FILE	SCALE 1" = 1'-0"
DATE	NUMBER

A2

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PROJECT

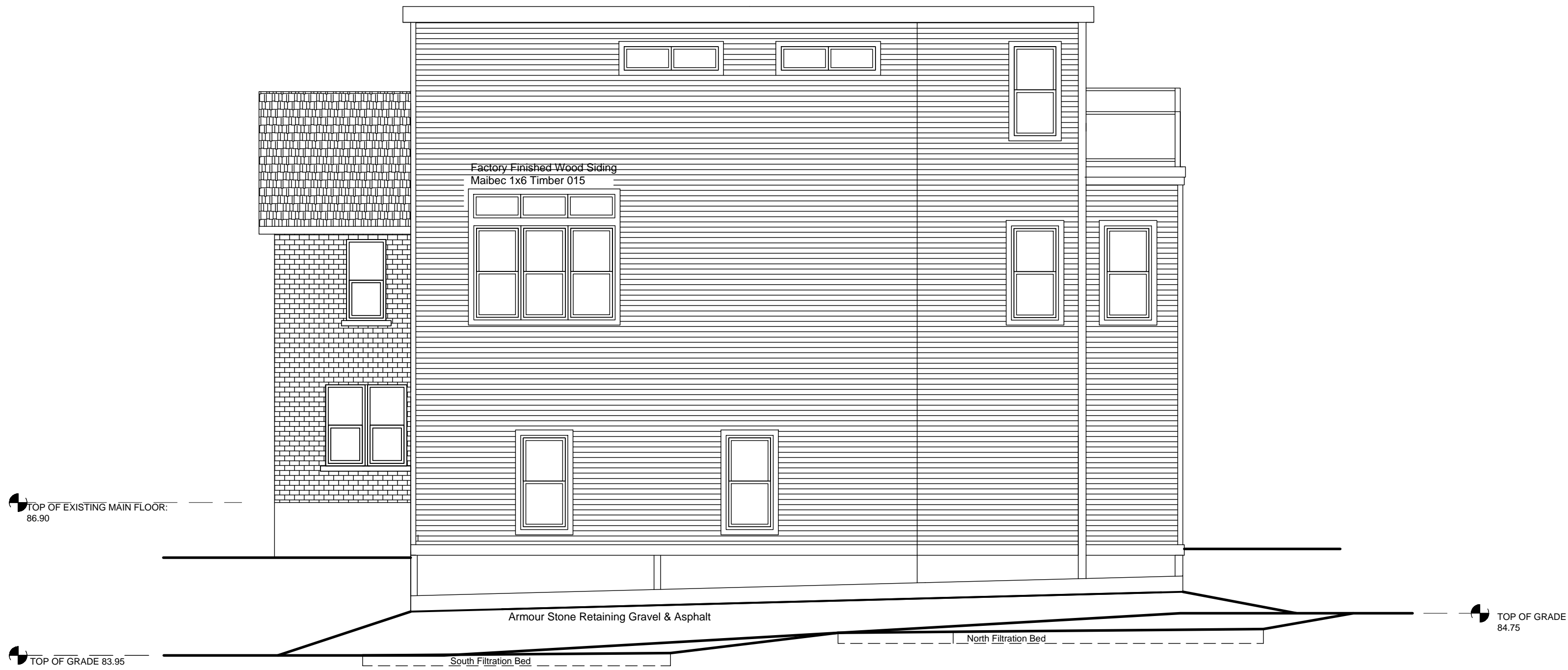
56 York Rd
Dundas
Proposed 8-Unit
Apartment Dwelling

SHEET TITLE

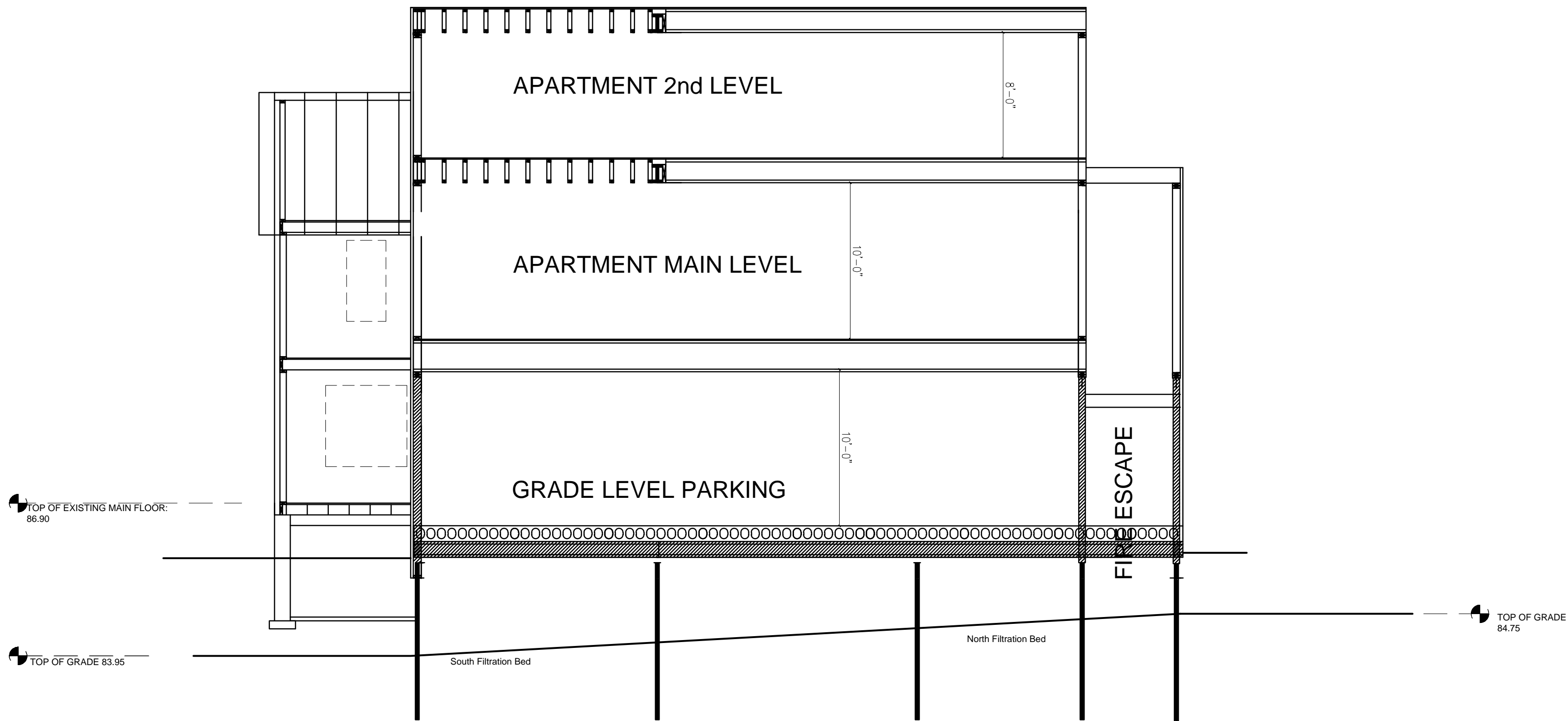
REAR ELEVATION
SECTION

FOLDER	DRAWN BY M F / M S
FILE	SCALE 3/16" = 1'-0"
DATE	NUMBER

A8



Rear Elevation



Rear Section



SW Side Elevation

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Aug 8, 2019
ISSUED FOR SITE PLAN CONTROL REV
Nov 15, 2018
ISSUED FOR SITE PLAN CONTROL
April 13, 2018

REMARKS	DATE	NO.
REVISIONS		

thinkGiraffe

ENVIRONMENTAL DESIGN

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Ancaster, ON, L9G 1L8

905 304 1496

thinkgiraffe@bellnet.ca

PROJECT

56 York Rd
Dundas
Proposed 8-Unit
Apartment Dwelling

SHEET TITLE

SIDE ELEVATION
SECTION (South West)

FOLDER

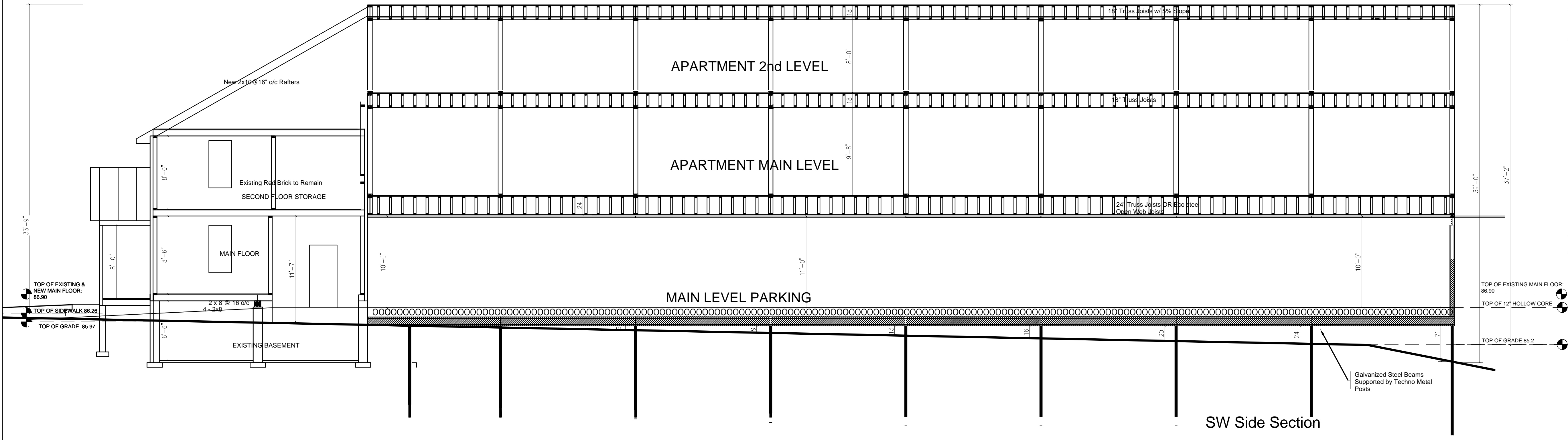
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DATE

DRAWN BY
M F / M S

SCALE

NUMBER

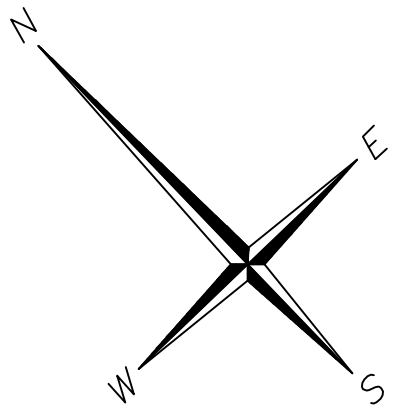


SW Side Section

A6



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BCIN: 21574 / 27645



ISSUED FOR VARIANCE Oct 25, 2019

ISSUED FOR SITE PLAN CONTROL 2 STOREY RE
Aug 8, 2019

ISSUED FOR SITE PLAN CONTROL REV
Nov 15, 2018

ISSUED FOR SITE PLAN CONTROL
April 13, 2018

REMARKS	DATE	NO.
REVISIONS		

ROOF PLAN PENDING

thinkGiraffe
ENVIRONMENTAL DESIGN

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

905 304 1496

thinkgiraffe@bellnet.ca

PROJECT

56 York Rd
Dundas
Proposed 8-Unit
Apartment Dwelling

SHEET TITLE
2nd FLOOR
Roof Plan

FOLDER	DRAWN BY MF / MS
FILE	SCALE $\frac{1}{8}'' = 1'-0''$
DATE	NUMBER

A4

