



Hamilton

COMMITTEE OF ADJUSTMENT

City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5
Telephone (905) 546-2424, ext. 4221, 3935 Fax (905) 546-4202

E-mail: 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
-

APPLICATION NO.: HM/A-20:108

APPLICANTS: Emma Cubitt, owner

SUBJECT PROPERTY: Municipal address **220 Charlton Ave. W., Hamilton**

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

ZONING: "D/S-1787" (Urban Protected Residential – One and Two Family Dwellings, etc. – Special Exception) district

PROPOSAL: To permit the construction of a detached one and a half storey accessory building to be used as a garage and workshop for an existing two family dwelling, notwithstanding that:

1. The building height shall be a maximum of 6.0m instead of the required 4.0m maximum height for an accessory building.

NOTES:

1. The zoning by-law requires that any projection of eaves into the side yard not exceed the lesser of 1.0 metre or one half of the width of the side yard. Therefore, the eaves for the proposed accessory building shall not project more than 0.53 metres into the westerly side yard.

2. The zoning by-law requires that the surface elevation of the floor for an accessory building shall not exceed 0.5m above the mean elevation of the nearest portion of the roadway opposite. As this information has not been confirmed, variances would be required if the surface elevation of the garage exceeds the 0.5m requirement.

3. The existing dwelling was constructed around 1915 and is recognized as legal non-complying in terms of the front yard and easterly side yard.

4. Exception 1787 is a temporary zoning created by amending by-law 10-307 to allow for the creation of second dwelling units under Section 19 of Zoning By-law 6593 through modified regulations.

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

DATE: Thursday, July 23rd, 2020

TIME: 2:45 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

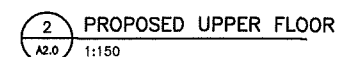
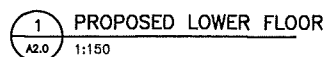
DATED: July 7th, 2020.

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.



165 YOUNG STREET,
HAMILTON, ON L8N 1V9
T: 905.525.9000 | info@jca.ca



O	MINOR VARIANCE	2020/05
SDF	INTERMEDIATE	E-LITE



DO NOT SCALE DRAWING. DIMENSIONS ARE TO BE CHECKED AND VERIFIED BY THE CONTRACTOR ON SITE.

ALL DIMENSIONS, SPECIFICATIONS AND RELATED DOCUMENTS ARE THE SOLE PROPERTY OF THE ARCHITECT AND MUST BE OBTAINED FROM THE ARCHITECT. NO REPRODUCTION OF DIMENSIONS, SPECIFICATIONS, OR RELATED DOCUMENTS IN WHOLE OR IN PART IS STRICTLY FORBIDDEN WITHOUT THE ARCHITECT'S WRITTEN PERMISSION.

THIS DRAWING SHALL NOT BE USED FOR CONSTRUCTION PURPOSES.

PROJECT NAME:	
PROPOSED GARAGE & WORKSHOP	
PROJECT ADDRESS:	
220 CHARLTON AVE. W. HAMILTON, ONTARIO	
PROJECT NO.:	
20-010	
DRAWING TITLE:	
PROPOSED FLOOR PLANS	
PLOT DATE: 12-May-20	
DRAWN BY:	BS
CHECKED BY:	EC
DATE:	
SCALE:	AS NOTED
DESIGNED BY:	

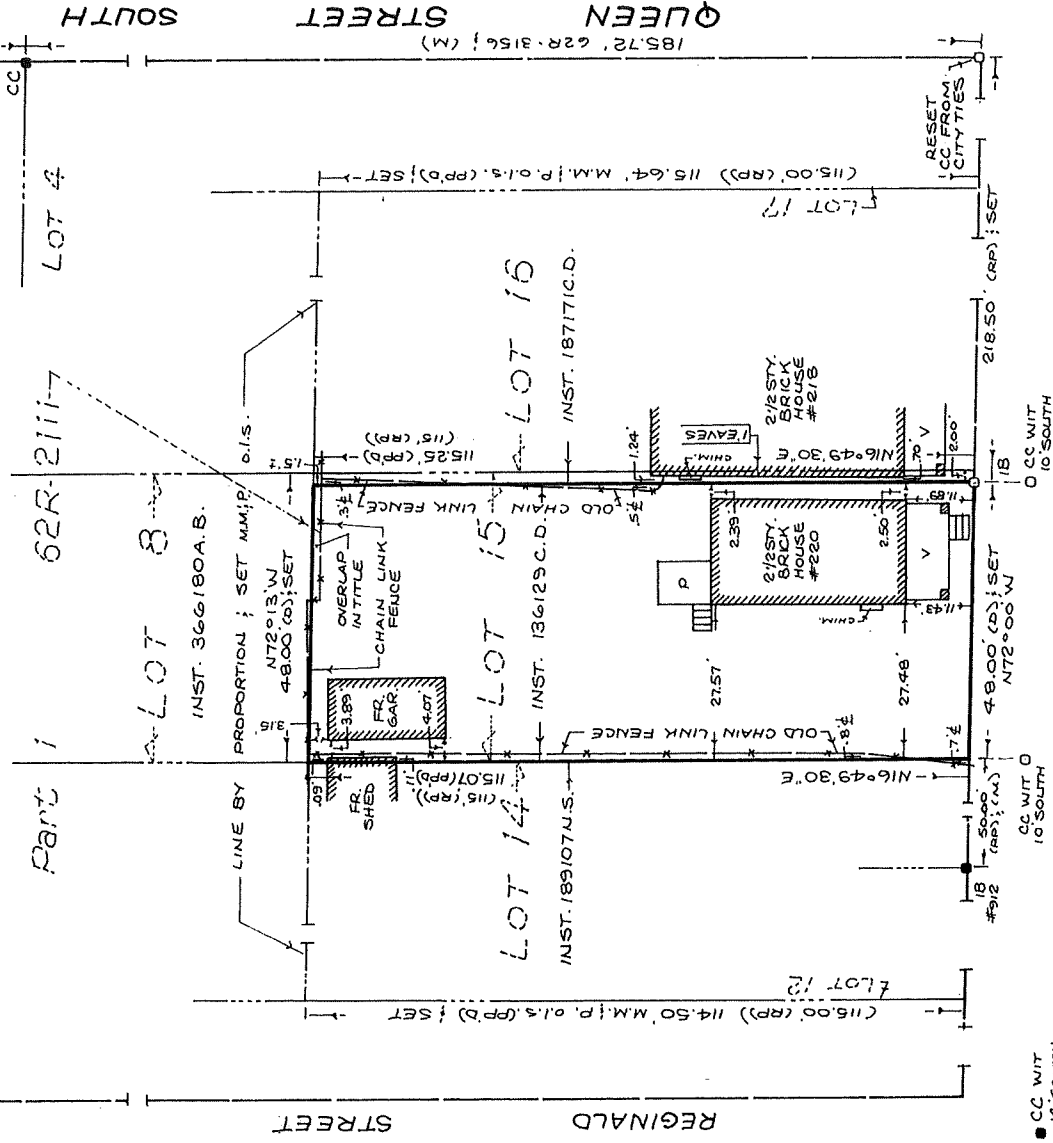
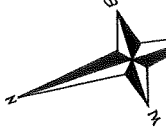
A2.0

ROBINSON STREET

**BUILDING LOCATION SURVEY OF
PART OF LOT 15
REGISTERED PLAN N^o 80
ELIZA AINSLIE SURVEY
IN THE**

CITY OF HAMILTON

REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH
SCALE: 1 INCH = 20 FEET
GLENN E. GIDDY, O.L.S. - 1987



CHARLTON
AVENUE
WEST

BEARINGS ARE ASTRONOMIC IN NATURE AND ARE REFERRED TO THE NORTHERLY LIMIT OF CHARLTON AVENUE WEST AS SHOWN ON REG'D. PLAN NO. 80, AS HAVING A BEARING OF N72°00'W.

LEGEND

- - SURVEY MONUMENT FOUND
 D - SURVEY MONUMENT SET
 18 - IRON BAR
 S18 - STANDARD IRON BAR
 S18 - SHORT STANDARD IRON BAR
 CC - CUT CROSS
 CM - CONCRETE MONUMENT
 WIT - WITNESS
 PPD - PROPORTIONED
 RD - REGISTERED PLAN
 § - CENTRE LINE

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:
THE FIELD SURVEY REPRESENTED
ON THIS PLAN WAS COMPLETED ON
THE 14TH DAY OF APRIL, 1987

CC - CUT CROSS
CM - CONCRETE MONUMENT
WIT - WITNESS
PP'D - PROPORTIONED
RP - REGISTERED PLAN
¢ - CENTRELINE
IP - IRON PIPE
SM - STONE MONUMENT
Ø - ROUND
M - MEASURED
D - DEED

NOTE

THIS PLAN IS NOT PREPARED FOR REGISTRATION.

GLENN E. GIDDY
ONTARIO LAND SURVEYOR
237 LOCKE ST.S. SUITE 205
HAMILTON - ONTARIO
528-4676 - L8P4T4
(C) - COPYRIGHT 1987

DATE Apr 21/87 Glenn E. Giddy, D.L.S.

20.166755



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.

RECEIVED

FOR OFFICE USE ONLY.	
APPLICATION NO. <u>HM/A-20-108</u>	DATE APPLICATION RECEIVED <u>MAY 5 2020</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.

1. Name of Owner Emma Cubitt

2.

3.

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 _____

6.

Nature and extent of relief applied for:

Replace existing detached garage with a 1 1/2 storey detached garage & workshop. (meets zoning)

New accessory building to be located in the rear yard. (meets zoning)

Building height to exceed 4m maximum height but will not exceed 6m. (variance required)

Rear yard is 267m2, maximum accessory building area = 51.1m2. (19% coverage). Does this meet zoning?
7.

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

We would like to have additional storage area above the garage/ workshop which requires a second floor (partially in the roof). We would also like to match the historic character of other older garages which requires a higher roof pitch than the 4m max accessory building height allows.
8.

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

220 Charlton Ave. West, Hamilton

Part of Lot 15 registered plan no. 80, Eliza Ainslie Survey in the City of 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 ☒
- Minor Variance Application Form (January 1, 2020)

Page 2

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 X _____ 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 X _____ Unknown _____

9.11 What information did you use to determine the answers to 9.1 to 9.10 above?

Visual inspection

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.

May 12, 2020

Date


Signature Property Owner

Emma Cubitt

Print Name of Owner

10. Dimensions of lands affected:

Frontage	<u>48.00'</u>
Depth	<u>114.50'</u>
Area	<u>5496 ft² = 510.78m²</u>
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: House: 58.0 ground floor area, 160m² GFA. 5.5m wide, 10.2m long. 2 1/2 storeys.

Garage: 20.4m² ground floor area, 4m high.

Proposed: House: no change

Garage: 51.1m² ground floor area, 80m² GFA. 6m high. 1 1/2 storeys. 25' wide x 22' long

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

Existing: Garage: 3.89' (1.2m) to side yard, 3.15' (0.96m) to rear yard

Proposed: Garage: 3'-6" (1.07m) to side yard, 4'-7' (1.4m) to rear yard

13. Date of acquisition of subject lands:
2005
14. Date of construction of all buildings and structures on subject lands:
House: 1915, Garage: unknown
15. Existing uses of the subject property: Two family dwelling
16. Existing uses of abutting properties: Single detached dwelling
17. Length of time the existing uses of the subject property have continued:
>100 years
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:
D-S 1787
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