

## **NOTICE OF PUBLIC HEARING** **Minor Variance**

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**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-20:111

**APPLICANTS:** Carrothers & Associates c/o Jennifer Concelos on behalf of the owner Matthew Jackson

**SUBJECT PROPERTY:** Municipal address **49 Murray St. E., Hamilton**

**ZONING BY-LAW:** Zoning By-law 6593, as Amended

**ZONING:** "D" (Urban Protected Residential - One and Two Family Dwellings and etc.) district

**PROPOSAL:** To permit the construction of a 39.8m<sup>2</sup> one storey westerly addition and a 6.1m<sup>2</sup> uncovered rear porch (deck) at the first storey onto the existing single family dwelling notwithstanding that:

1. A minimum westerly side yard width of 1.0m shall be provided instead of the minimum required side yard width of 2.7m.
2. Two (2) parking spaces shall be provided instead of the minimum required three (3) parking spaces.
3. No front yard landscaping shall be provided instead of the requirement that not less than 50% of the gross area of the front yard shall be used for a landscaped area excluding concrete, asphalt, gravel, pavers, or other similar materials.

**NOTE:**

- i) Based on the plans submitted, there are 10 habitable rooms within the building (including the addition) which requires three (3) parking spaces.

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

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**DATE:** Thursday, July 23rd, 2020  
**TIME:** 2:50 p.m.

**PLACE:** Via video link or call in (see attached sheet for details)  
To be streamed at [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)  
for viewing purposes only

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## 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:

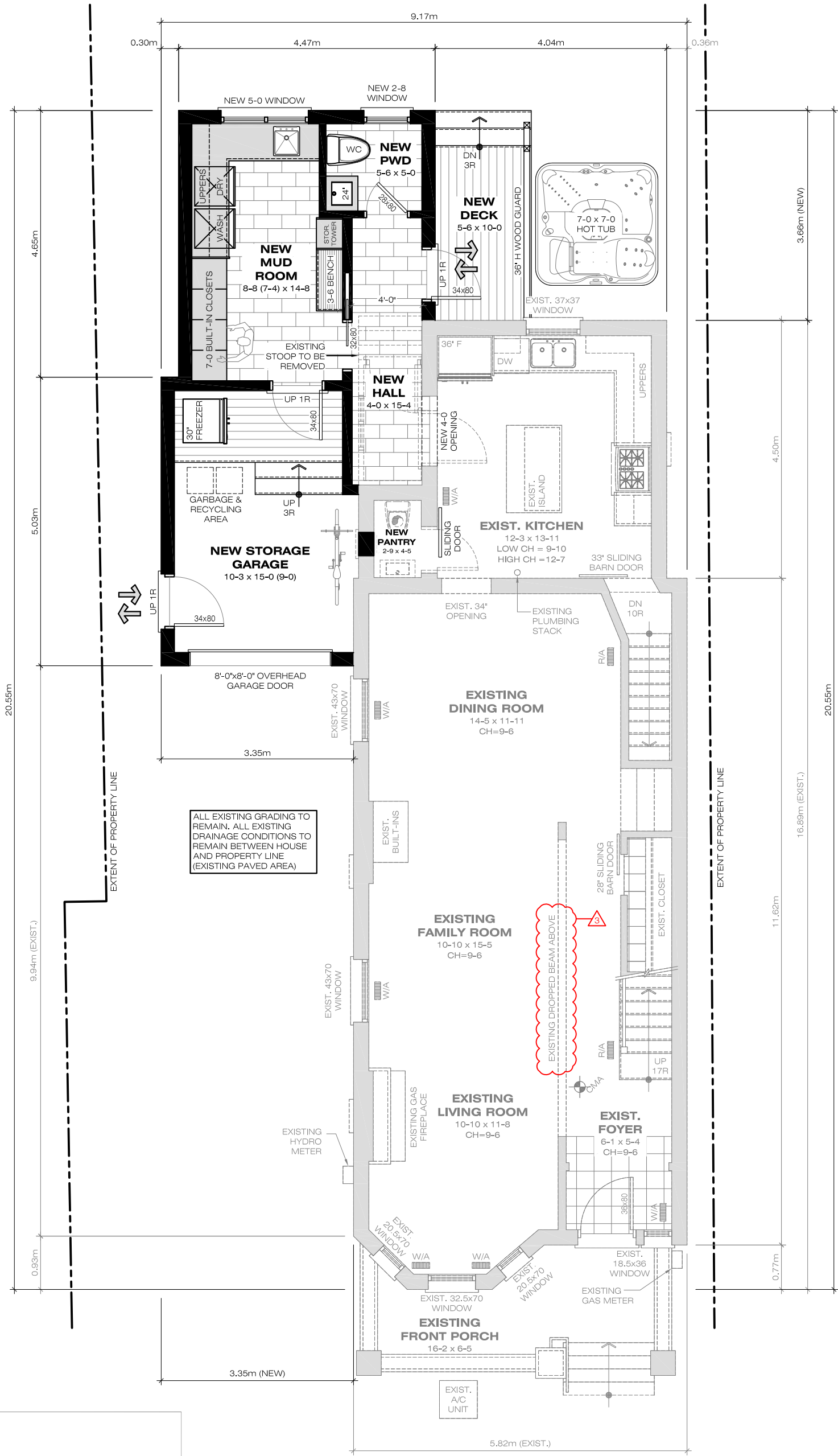
- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

DATED: July 7th, 2020.

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Jamila Sheffield,  
Secretary-Treasurer  
Committee of Adjustment

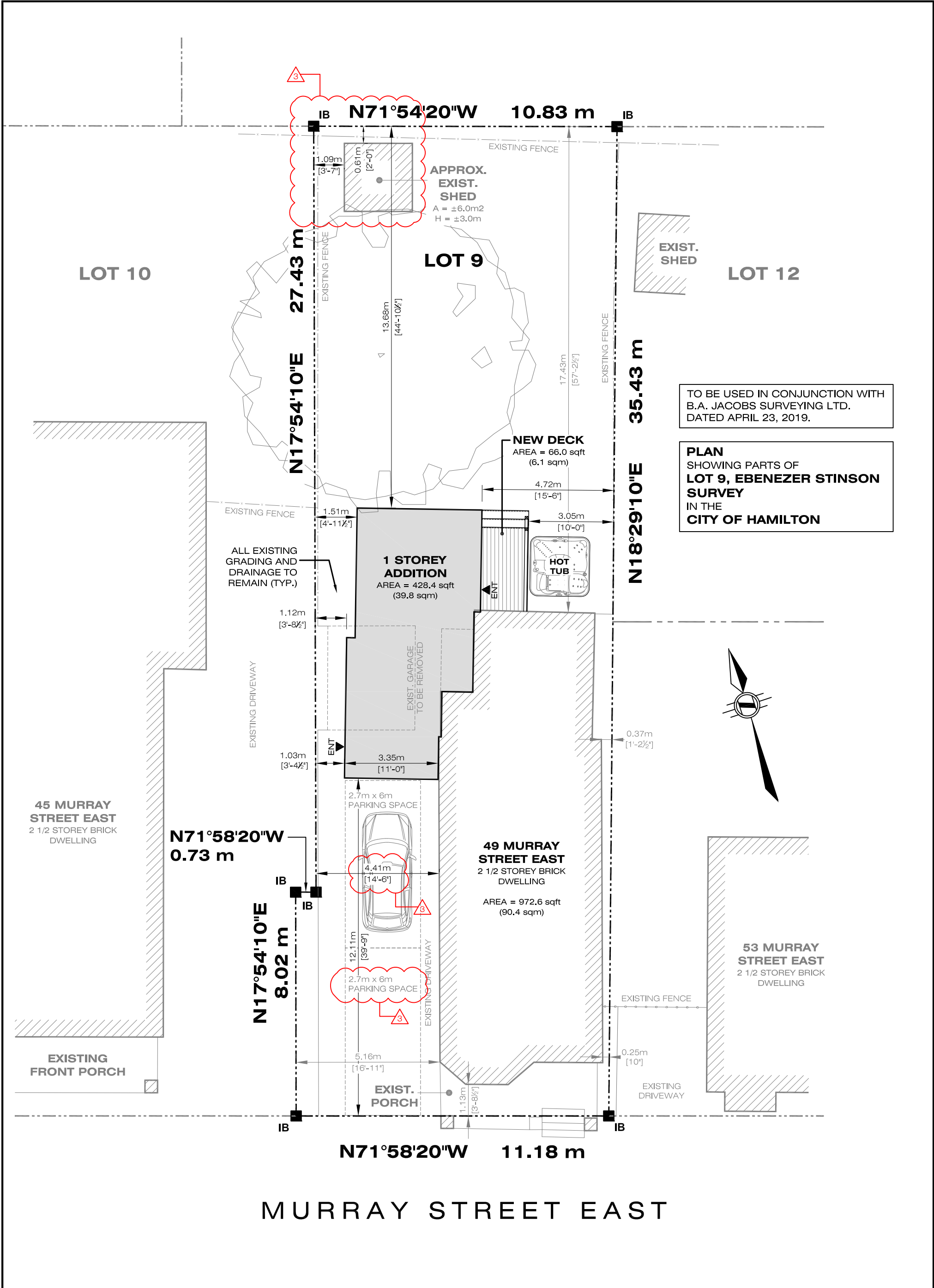
***Information respecting this application is being collected under the authority of the Planning Act, R.S.O., 1990, c. P. 13. All comments and opinions submitted to the City of Hamilton on this matter, including the name, address, and contact information of persons submitting comments and/or opinions, will become part of the public record and will be made available to the Applicant and the general public.***



MAIN FLOOR PLAN

EXISTING AREA = 972.6 sqft (90.4 sqm)  
NEW ADDITION AREA = 428.4 sqft (39.8 sqm)  
TOTAL NEW AREA = 1401.0 sqft (130.2 sqm)  
CEILING HEIGHT = AS NOTED  
HABITABLE ROOMS = 4

ISSUED FOR COMMITTEE OF ADJUSTMENT	Project Name: <b>JACKSON RESIDENCE</b> MAIN FLOOR GARAGE AND MUD ROOM ADDITION  49 MURRAY STREET EAST HAMILTON, ON. L8L 3E8	Sheet Title:  MAIN FLOOR PLAN				Drawn By:	JC
						Checked By:	DC
						Scale:	1:75
						Date:	JUNE 2020
						Project No.	2020-07
						A3	
				<div><div></div><div>JUN 24/20</div></div>	REVISED FOR C OF A	JC	
			2	MAY 16/20	ISSUED FOR C OF A	JC	
			1	MAY 04/20	ISSUED FOR REVIEW	JC	
			No.	Date:	Issue/Revision	By:	



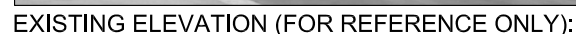
ISSUED FOR COMMITTEE OF ADJUSTMENT	Project Name:			JACKSON RESIDENCE MAIN FLOOR GARAGE AND MUD ROOM ADDITION 49 MURRAY STREET EAST HAMILTON, ON. L8L 3E8						Drawn By:	JC
	Sheet Title:			SITE PLAN						Checked By:	DC
										Scale:	1:125
										Date:	JUNE 2020
										Project No.	2020-07
										SP	

49 MURRAY STREET EAST, HAMILTON, ON. L8L 3E8



	REQUIRED:	PROPOSED:
ZONING DESIGNATION:	D	D (EXISTING)
LOT AREA:	360.0 m2	383.9 m2 (EXISTING)
LOT WIDTH:	12.0 m	11.18 m2 (EXISTING)
FRONT YARD TO HOUSE:	6.0 m	1.13 m (EXISTING)
FRONT YARD TO ADDITION:	6.0 m	12.11 m (PROPOSED)
REAR YARD TO HOUSE:	7.5 m	17.43 m (EXISTING)
REAR YARD TO ADDITION:	7.5 m	13.68 m (PROPOSED)
RIGHT YARD TO HOUSE:	1.2 m	0.25 m (EXISTING)
RIGHT YARD TO ADDITION:	1.2 m	4.72 m (PROPOSED)
RIGHT YARD TO DECK:	0.5 m	3.05 m (PROPOSED)
LEFT YARD TO HOUSE:	1.2 m	5.16 m (EXISTING)
LEFT YARD TO ADDITION:	1.2 m	*1.00 m (PROPOSED)
BUILDING HEIGHT:	3 STOREYS 14.0 m	2 1/2 STOREYS (EXISTING) 10.4 m (EXISTING)
ADDITION HEIGHT:	3 STOREYS 14.0 m	1 STOREYS (PROP.) 4.6 m (PROP.)
PARKING SPACES:	3	*2 (PROPOSED)
HABITABLE ROOMS:	N/A	10 (PROPOSED)
FRONT YARD LANDSCAPING:	50%	0% (EXISTING)

**\*\*\* VARIANCE REQUIRED**



# A1

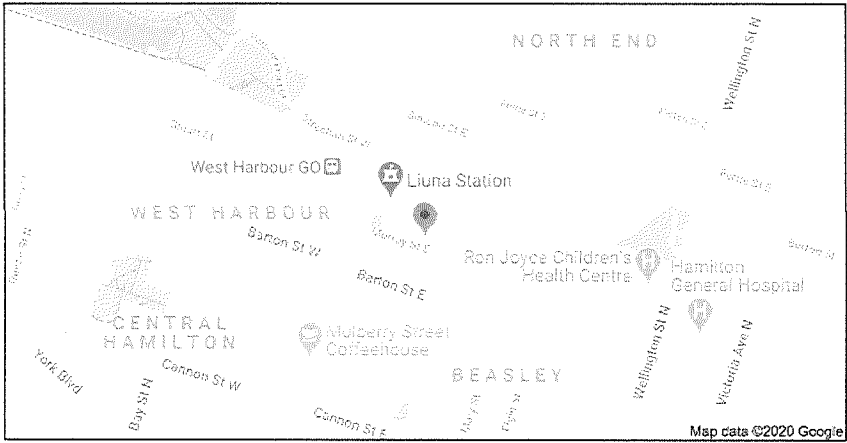


Hm/A-20-111

JACKSON RESIDENCE

MAIN FLOOR GARAGE AND MUD ROOM ADDITION

49 MURRAY STREET EAST, HAMILTON, ON. L8L 3E8



LOCATION MAP:

LIST OF PAGES:

- A1 - COVER PAGE & ZONING STATS
- SP - SITE PLAN
- A2 - BASEMENT / FOUNDATION PLAN
- A3 - MAIN FLOOR PLAN
- A4 - SECOND FLOOR PLAN
- A5 - FRONT ELEVATION
- A6 - RIGHT SIDE ELEVATION
- A7 - REAR ELEVATION

ZONING AND PROPERTY STATISTICS

DESCRIPTION:	LOT 9, EBENEZER STINSON SURVEY IN THE CITY OF HAMILTON		
ADDRESS:	49 MURRAY STREET EAST, HAMILTON, ON.		
	REQUIRED:	PROPOSED:	
ZONING DESIGNATION:	D	D	(EXISTING)
LOT AREA:	360.0 m2	383.9 m2	(EXISTING)
LOT WIDTH:	12.0 m	11.18 m2	(EXISTING)
FRONT YARD TO HOUSE:	6.0 m	1.13 m	(EXISTING)
FRONT YARD TO ADDITION:	6.0 m	12.11 m	(PROPOSED)
REAR YARD TO HOUSE:	7.5 m	17.43 m	(EXISTING)
REAR YARD TO ADDITION:	7.5 m	13.68 m	(PROPOSED)
RIGHT YARD TO HOUSE:	1.2 m	0.25 m	(EXISTING)
RIGHT YARD TO ADDITION:	1.2 m	4.72 m	(PROPOSED)
RIGHT YARD TO DECK:	0.5 m	3.05 m	(PROPOSED)
LEFT YARD TO HOUSE:	1.2 m	5.16 m	(EXISTING)
LEFT YARD TO ADDITION:	1.2 m	*1.00 m	(PROPOSED)
BUILDING HEIGHT:	3 STOREYS 14.0 m	2 1/2 STOREYS 10.4 m	(EXISTING) (EXISTING)
ADDITION HEIGHT:	3 STOREYS 14.0 m	1 STOREYS 4.6 m	(PROP.) (PROP.)
PARKING SPACES:	3	*1	(PROPOSED)
HABITABLE ROOMS:	N/A	10	(PROPOSED)

\*\*\* VARIANCE REQUIRED



EXISTING ELEVATION (FOR REFERENCE ONLY):



NEW ELEVATION RENDERING (FOR REFERENCE ONLY):

ISSUED FOR COMMITTEE  
OF ADJUSTMENT

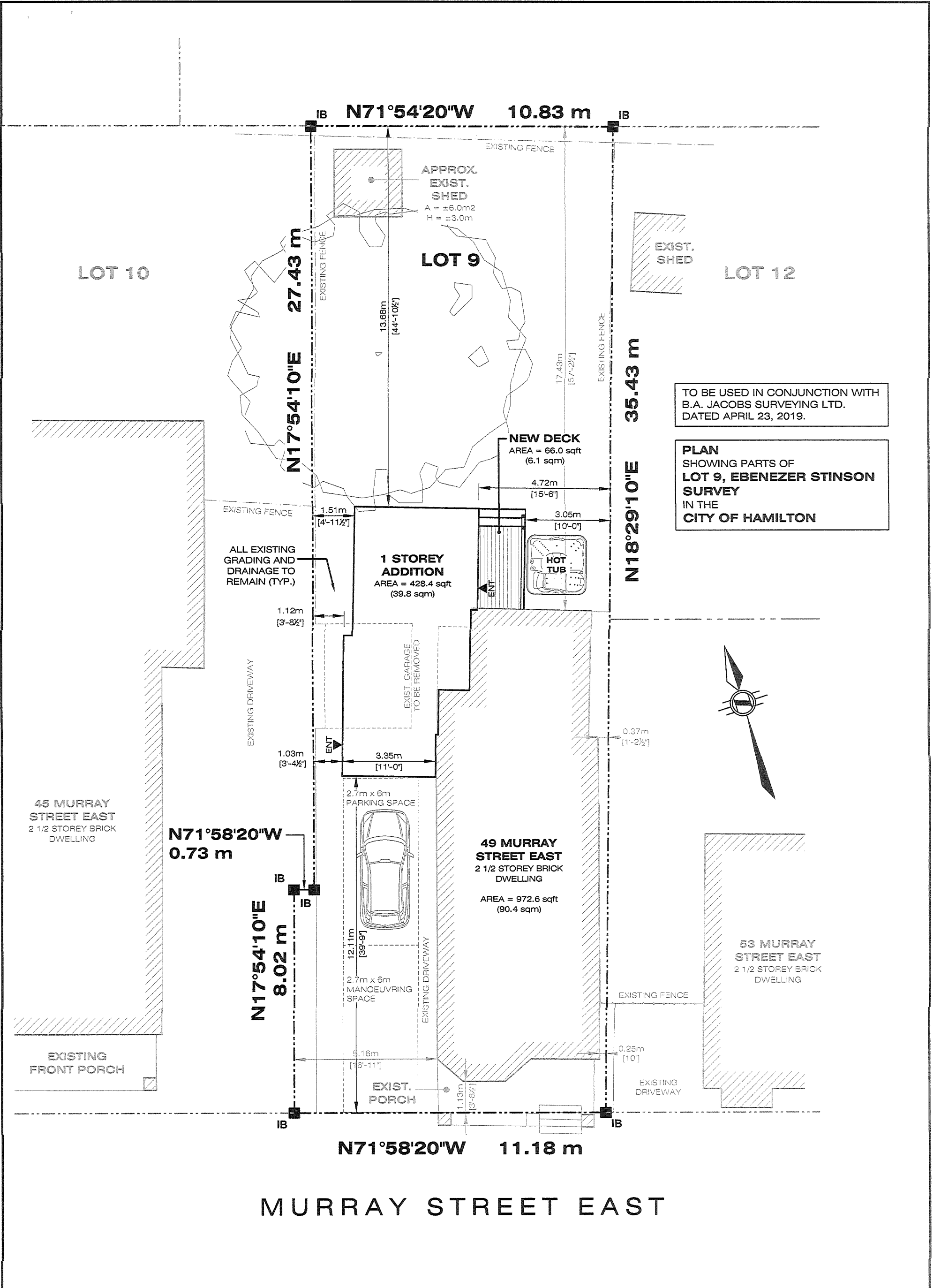
Project Name:  
**JACKSON RESIDENCE**  
MAIN FLOOR GARAGE AND  
MUD ROOM ADDITION  
49 MURRAY STREET EAST  
HAMILTON, ON. L8L 3E8

Sheet Title:  
COVER PAGE  
AND ZONING STATS

2	MAY 16/20	ISSUED FOR C OF A	JC
1	MAY 04/20	ISSUED FOR REVIEW	JC
No.	Date:	Issue/Revision	By:

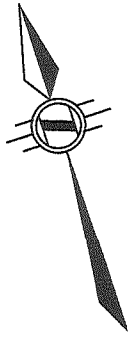
Drawn By:	JC
Checked By:	DC
Scale:	N.T.S.
Date:	MAY 2020
Project No.	2020-07

A1



TO BE USED IN CONJUNCTION WITH  
B.A. JACOBS SURVEYING LTD.  
DATED APRIL 23, 2019.

**PLAN**  
SHOWING PARTS OF  
**LOT 9, EBENEZER STINSON**  
**SURVEY**  
IN THE  
**CITY OF HAMILTON**



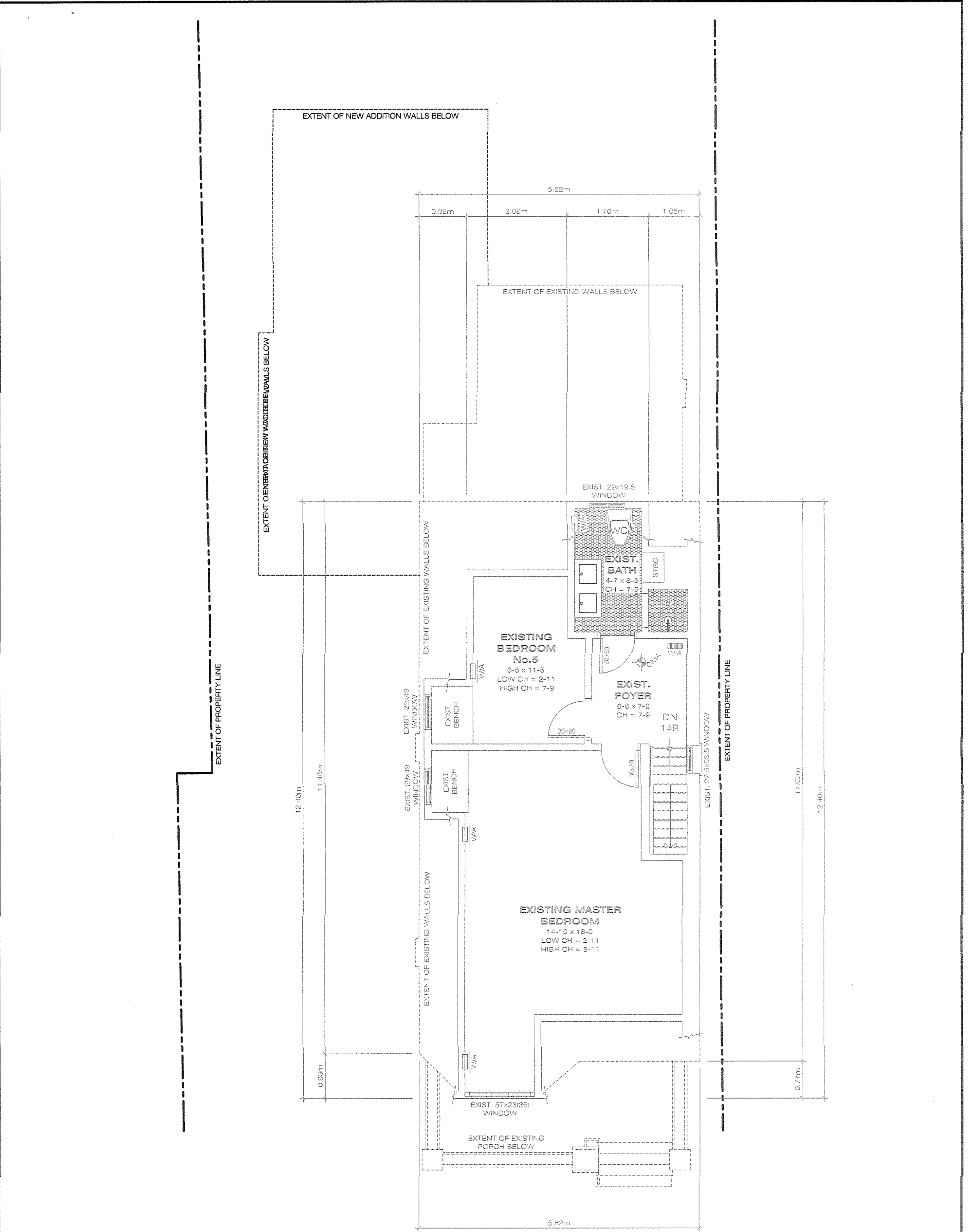
ISSUED FOR COMMITTEE OF ADJUSTMENT	Project Name:		JACKSON RESIDENCE MAIN FLOOR GARAGE AND MUD ROOM ADDITION 49 MURRAY STREET EAST HAMILTON, ON. L8L 3E8				Drawn By:		JC
	Sheet Title:						Checked By:		DC
							Scale:		1:125
							Date:		MAY 2020
							Project No.		2020-07
	SITE PLAN						SP		
		2	MAY 16/20	ISSUED FOR C OF A	JC				
		1	MAY 04/20	ISSUED FOR REVIEW	JC				
		No.	Date:	Issue/Revision	By:				











WALL LEGEND
EXISTING WALLS TO REMAIN

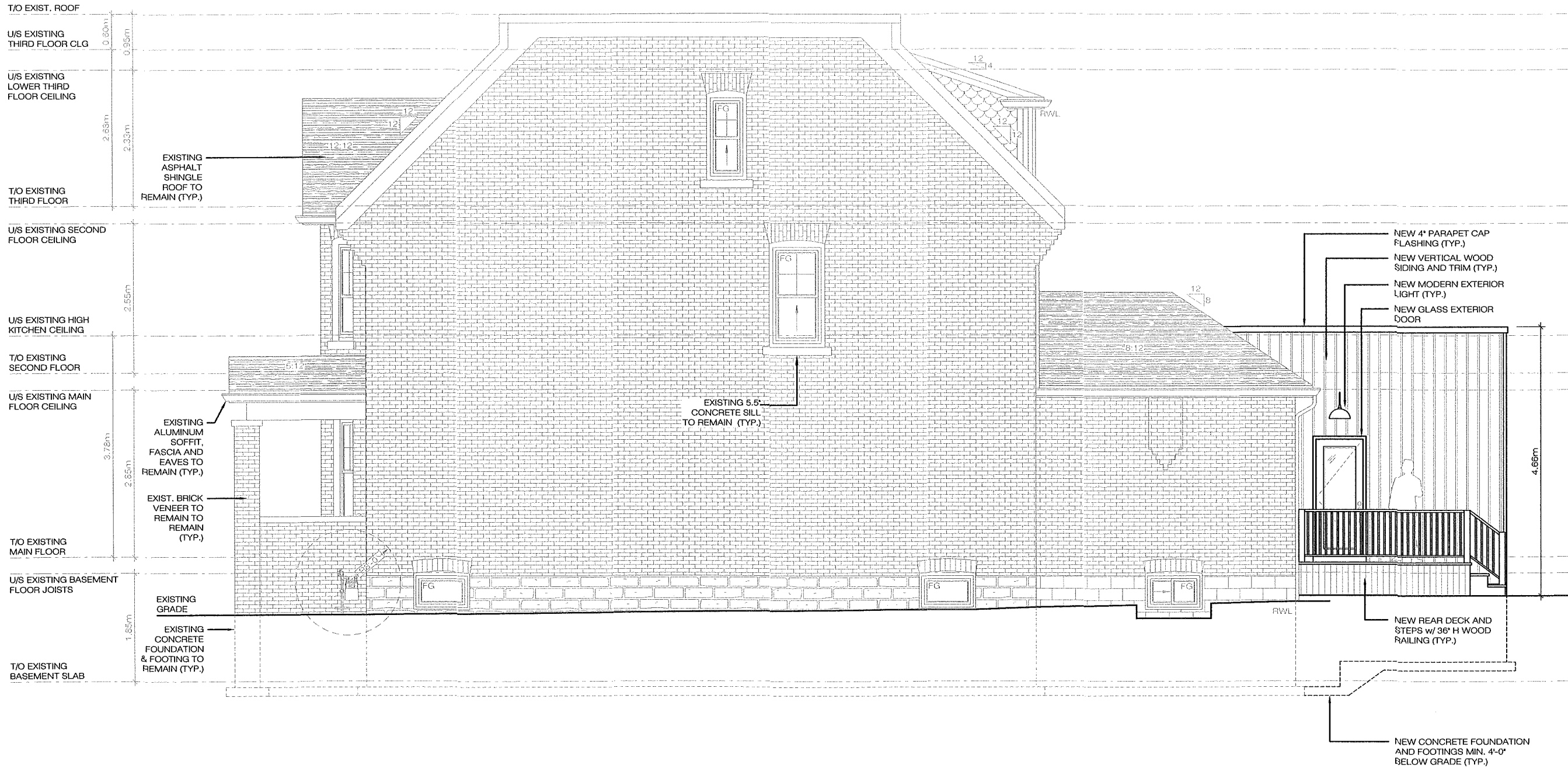
**EXISTING THIRD FLOOR PLAN**  
**(FOR REFERENCE ONLY - NO CHANGES)**  
AREA = 576.9 sqft (53.6 sqm)  
CEILING HEIGHT = AS NOTED  
HABITABLE ROOMS = 2

ISSUED FOR COMMITTEE OF ADJUSTMENT	Project Name: <b>JACKSON RESIDENCE</b> MAIN FLOOR GARAGE AND MUD ROOM ADDITION 49 MURRAY STREET EAST HAMILTON, ON. L8L 3E8						Drawn By: JC
	Sheet Title: <b>THIRD FLOOR PLAN</b>						Checked By: DC
							Scale: 1:75
							Date: MAY 2020
							Project No. 2020-07
							<b>A5</b>
2	MAY 16/20	ISSUED FOR C OF A	JC				
1	MAY 04/20	ISSUED FOR REVIEW	JC				
No.	Date:	Issue/Revision	By:				

A5







RIGHT SIDE ELEVATION

Drawn By: JC

Checked By: DC

Scale: 1/75

Date: MAY 2020

Project No: 2020-07

A7

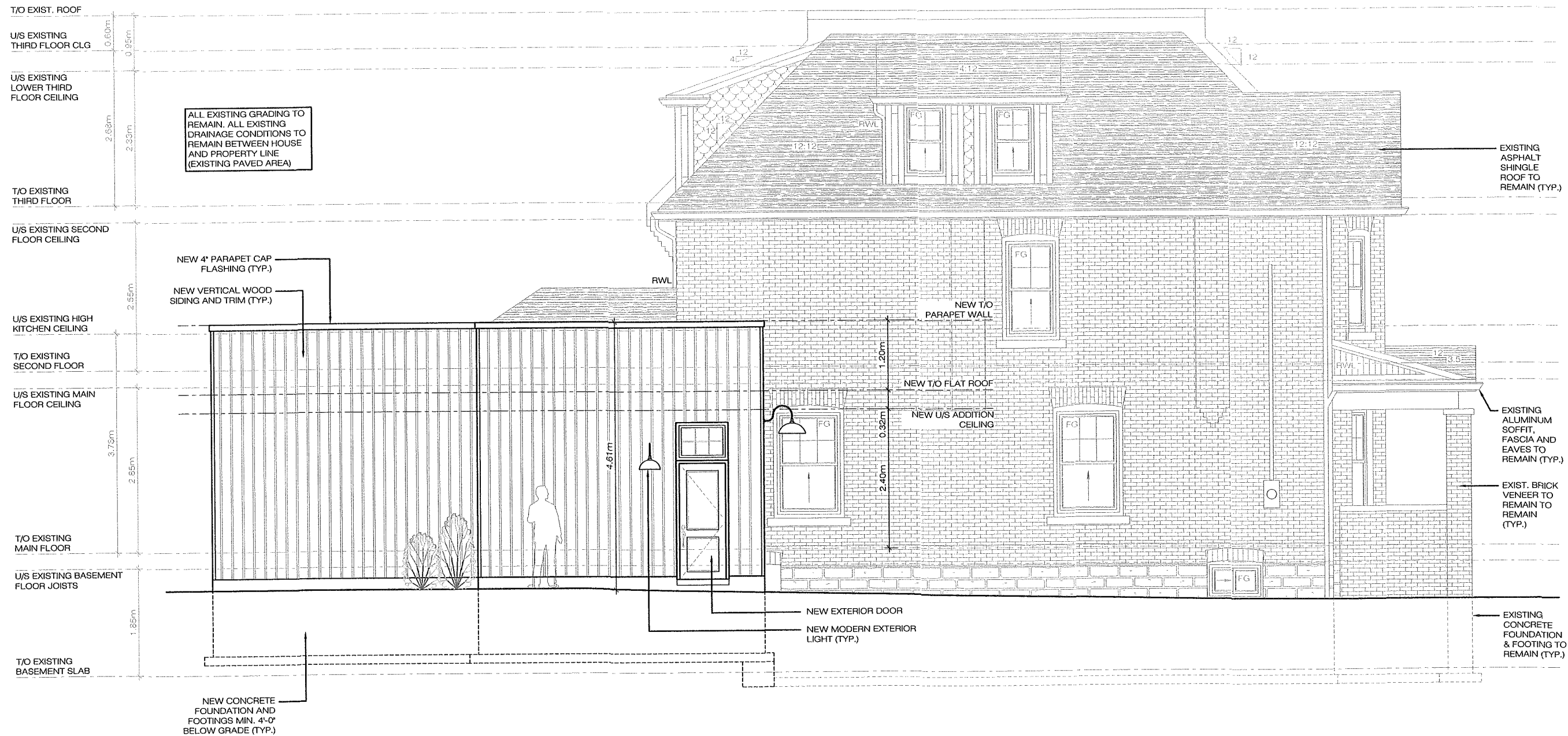
Project Name: JACKSON RESIDENCE  
MAIN FLOOR GARAGE AND  
MUD ROOM ADDITION  
49 MURRAY STREET EAST  
HAMILTON, ON L8L 3E8

Sheet Title: RIGHT SIDE ELEVATION

ISSUED FOR COMMITTEE  
OF ADJUSTMENT

2	MAY 16/20	ISSUED FOR C OF A	JC	By:
1	MAY 04/20	ISSUED FOR REVIEW	JC	
No.	Date:	Name/Revision		





LEFT SIDE ELEVATION

Drawn By:	JC
Checked By:	DC
Scale:	1:75
Date:	MAY 2020
Project No.	2020-07

# A9

No.	Date	Issue/Revision	By
2	MAY 16/20	ISSUED FOR C OF A	JC
1	MAY 04/20	ISSUED FOR REVIEW	JC

**Project Name:** JACKSON RESIDENCE  
**MAIN FLOOR GARAGE AND MUD ROOM ADDITION**  
49 MURRAY STREET EAST  
HAMILTON, ON. L8L 3E8

**Sheet Title:** LEFT SIDE ELEVATION

## ISSUED FOR COMMITTEE OF ADJUSTMENT



Hamilton

Planning and Economic Development Department  
Planning Division

**Committee of Adjustment**  
City Hall  
5<sup>th</sup> 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-20-111 DATE APPLICATION RECEIVED JUN 03 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 MATT + ANNE JACKSON

2.

3. Name of Agent JENNIFER CONCELOS

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:

SCOTIA BANK

Postal Code \_\_\_\_\_

Postal Code \_\_\_\_\_



6. Nature and extent of relief applied for:

· Left side yard setback of 1.0m instead of required 1.2m  
· 1 Parking space instead of the required 3 parking spaces

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

· Home owners need to maximize storage space in the new garage addition  
· Driveway length does not allow for 3 parking spaces

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

Part of Lot 9  
Ebenezer Stinson Survey  
49 Murray Street East

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?

Owner's information  
\_\_\_\_\_  
\_\_\_\_\_

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

X 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 18, 2020  
Date

  
Signature Property Owner

MATTHEW JACKSON Anne Jackson  
Print Name of Owner

10. Dimensions of lands affected:

Frontage 11.18 m  
Depth 35.43 m  
Area 383.9 m<sup>2</sup>  
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: Ground floor area = 90.4 m<sup>2</sup> Gross floor area = 213.5 m<sup>2</sup>  
Storeys = 2.5 Width = 5.82 m Length = 16.89 m  
Height = 10.4 m

Proposed: Ground floor area = 130.2 m<sup>2</sup> Gross floor area = 253.3 m<sup>2</sup>  
Storeys = 2.5 Width = 9.17 m Length = 20.55 m  
Height = 10.4 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: Front Setback = 1.13 m R. side setback = 0.25 m  
L. side setback = 4.38 m Rear setback = 17.43 m

Proposed: Front setback = 1.13 m R. side setback = 0.25 m  
L. side setback = 1.0 m Rear setback = 13.68 m

13. Date of acquisition of subject lands:

December 2017

14. Date of construction of all buildings and structures on subject lands:

1905

15. Existing uses of the subject property: Residential

16. Existing uses of abutting properties: Residential

17. Length of time the existing uses of the subject property have continued:

115 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:

Urban official Plan

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

Zone "D"

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