



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-20:116

APPLICANTS: Owner: Alan and Laurie Hurman

SUBJECT PROPERTY: Municipal address **988 Concession St., Hamilton**

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

ZONING: B (Suburban Agriculture and Residential) district

PROPOSAL: To permit the construction of an accessory building in the rear yard notwithstanding that the accessory building shall be permitted a height of 5.4 metres whereas the by-law requires no accessory building to exceed 4.0 metres.

NOTES:

Variances have been written exactly as requested by the applicant. A scaled and dimensioned site plan with grading details, elevation drawings, and details of the parking area has not been provided. Therefore, a full zoning review could not be conducted. The applicant shall ensure that the height of the accessory building has been measured from grade as defined in Section 2, and parking is in compliance with Section 18A. Otherwise additional variances may be required.

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

DATE: Thursday, August 6th, 2020

TIME: 3:10 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

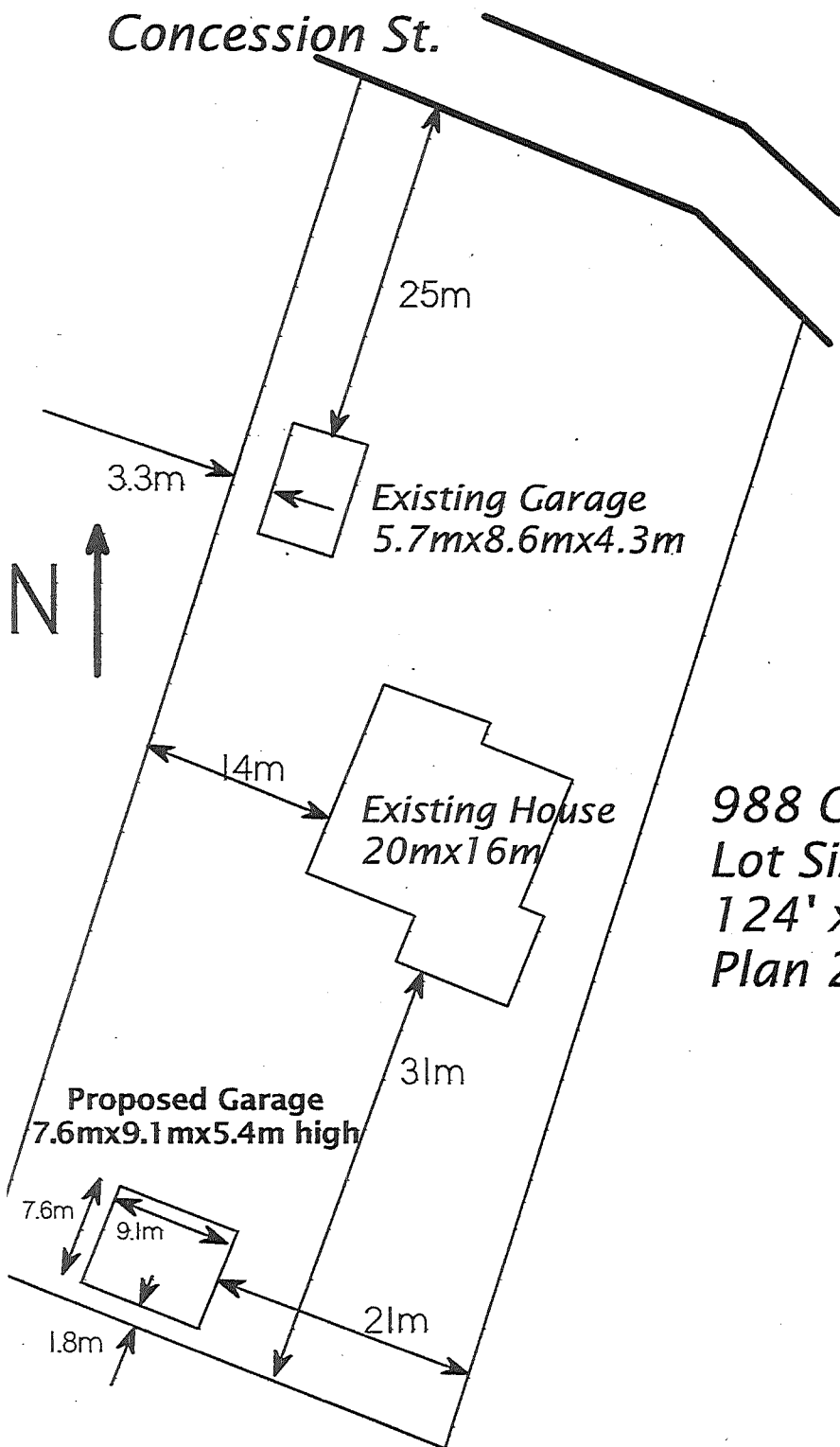
For more information on this matter, including access to drawings illustrating this request:

- 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 21, 2020

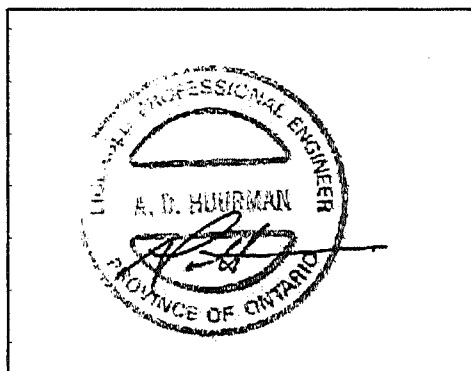
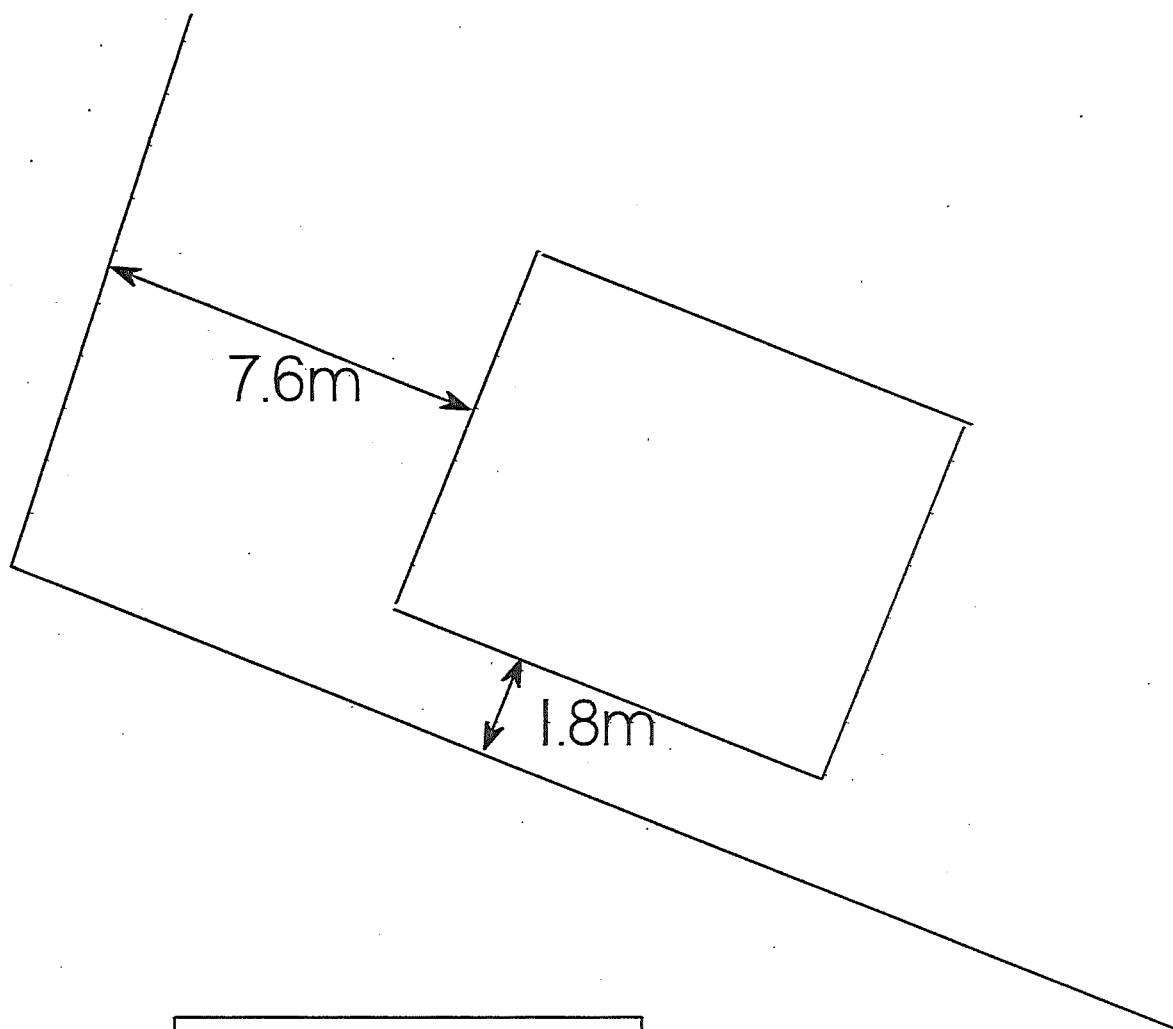
Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

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.

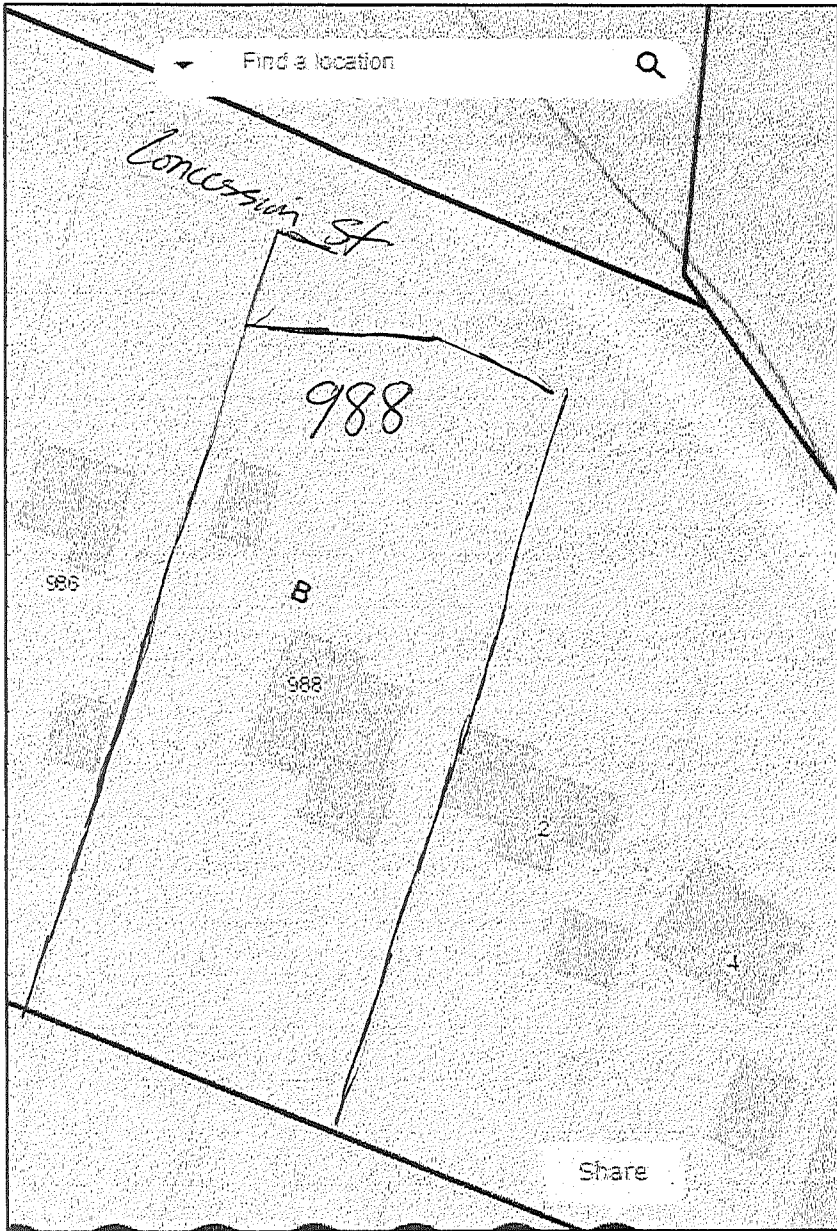


988 Concession St.
Lot Size 37.8m x 91.35m
124' x 300'
Plan 296 Pt Lots 1&2

Proposed Garage
988 Concession St
Garage Location
Scale 1:500



Proposed Garage
988 Concession St
Garage Location Detail
Scale 1:144



988 Concession St.

Lot Size 124' x 300'

**Source: City of Hamilton
Interactive Zoning map**

Proposed Garage
988 Concession St
Lot Buildings

JUN 10 2020

Hamilton

Planning and Economic Development Department
Planning Division

20-171440
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-20-116 DATE APPLICATION RECEIVED June 10/20

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 Alan and Laurie Huerman 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:

None _____ Postal Code _____

_____ Postal Code _____

6. Nature and extent of relief applied for:

By law 6593 Section 18-4 iii) iv)
I wish to build the proposed garage
with a height of 5.4m (Wall height 2.7m, pitch
of roof 8/12). I also wish to locate it 1.8m from
lot line.

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

See attached.

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

988 Concession St.
Plan 296 Pt Lots 1 & 2. 1 RREC
0.83 AC 124.08 FR 300.00 D.

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?

House built in 1855. Was a fruit farm
till ~1930. Residence only since 1945

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.

3 June 20

Date

Signature Property Owner

Alan Hurman

Print Name of Owner

Laurie Hurman

10. Dimensions of lands affected:

Frontage 124
Depth 300'
Area 0.83 AC.
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 - 177m² ground floor, 353m² total, 1.5 Storey
Single Car Garage - 7 ~ 20m x 16m x 7.6m
5.7m x 8.6m x 4.3m
1 storey 49m²

Proposed: Double Car Garage - Single Storey
7.6m x 9.1m x 5.4m high
69.2m²

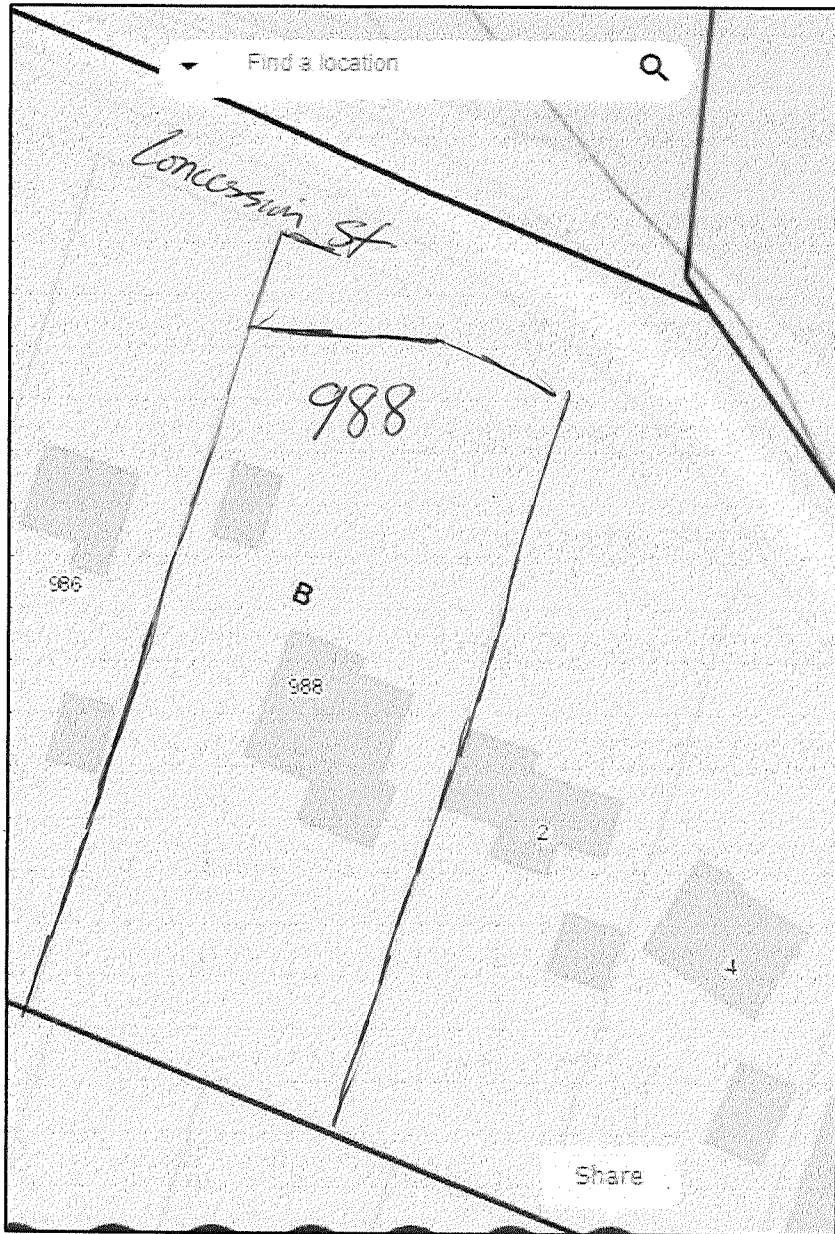
12. Location of all buildings and structures on or proposed for the subject lands;
(Specify distance from side, rear and front lot lines)

Existing: House. FRONT - 39m REAR (south) 31m.
WEST - 14m EAST 4.9m.
Single Car Garage. FRONT - 25m REAR - 56m
WEST - 3.3m EAST - 27m.
Proposed: DOUBLE CAR GARAGE
FRONT - 80m REAR. 1.8m
WEST - 8.2m EAST - 21m.

13. Date of acquisition of subject lands:
2000
14. Date of construction of all buildings and structures on subject lands:
House 1855 Garage - 1945
15. Existing uses of the subject property:
Agriculture 1855 - 1930
Residential 1930 - present
16. Existing uses of abutting properties: Residential
17. Length of time the existing uses of the subject property have continued:
90 years
18. Municipal services available: (check the appropriate space or spaces)
 Water ✓ Connected Yes
 Sanitary Sewer ✓ Connected Yes
 Storm Sewers ✓
19. Present Official Plan/Secondary Plan provisions applying to the land:
OP Designation Schedule E & E-1
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
Zone B By-Law 6593
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.



988 Concession St.

Lot Size 124' x 300'

***Source: City of Hamilton
Interactive Zoning map***

Proposed Garage
988 Concession St
Lot Buildings

Concession St.

25m

3.3m

Existing Garage
5.7m x 8.6m x 4.3m

N

14m

Existing House
20m x 16m

988 Concession St.
Lot Size 37.8m x 91.35m
124' x 300'
Plan 296 Pt Lots 1&2

31m

Proposed Garage
7.6m x 9.1m x 5.4m high

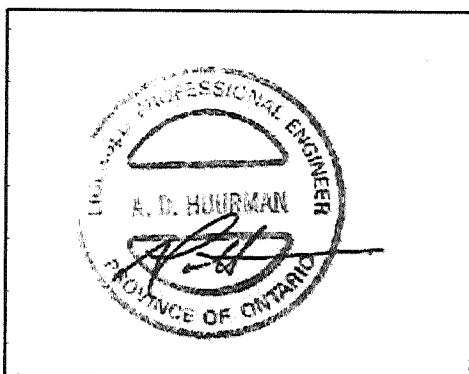
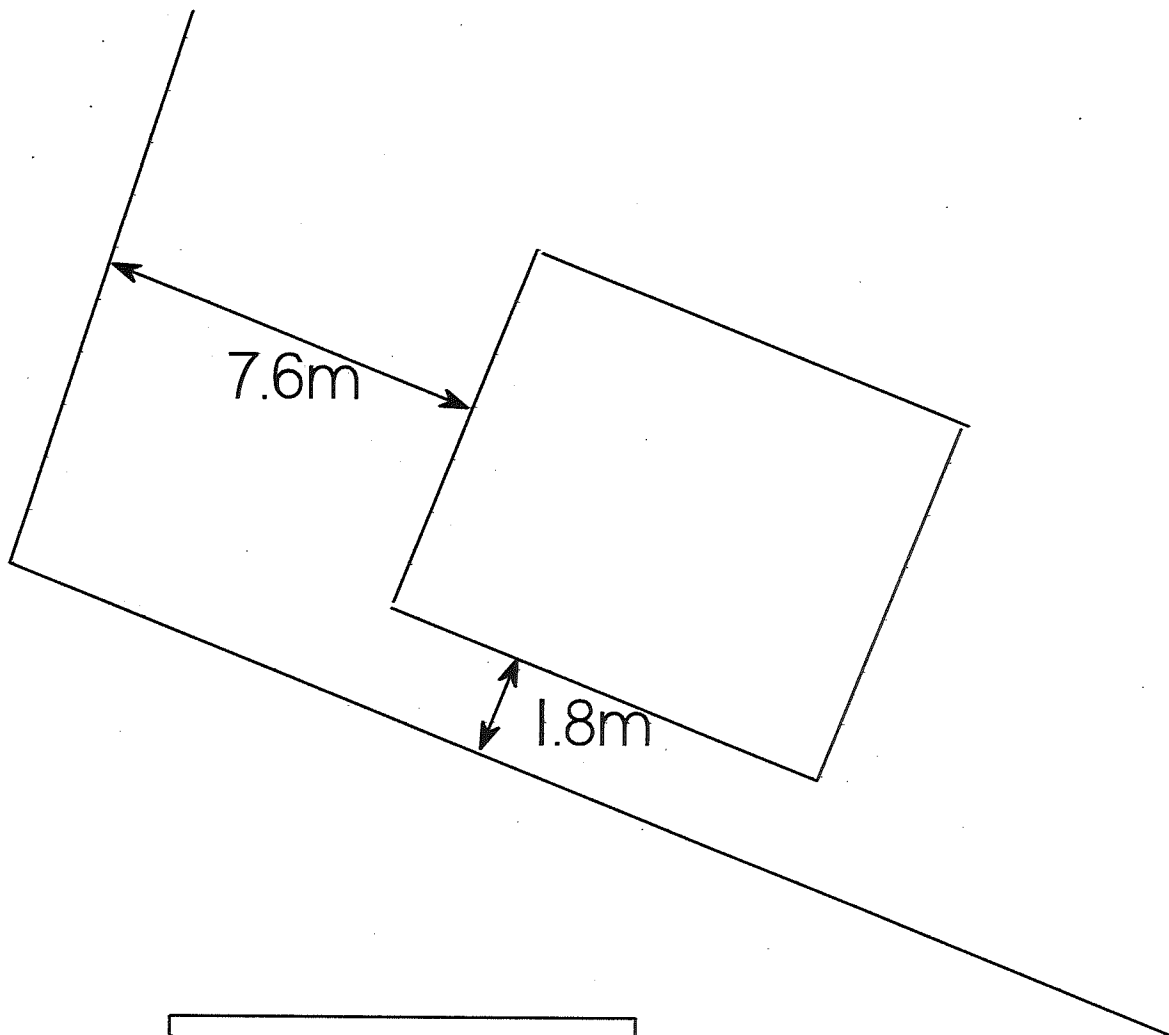
7.6m

9.1m

1.8m

21m

Proposed Garage
988 Concession St
Garage Location
Scale 1:500



Proposed Garage
988 Concession St
Garage Location Detail
Scale 1:144

7. WHY IS IT NOT POSSIBLE TO COMPLY WITH THE PROVISIONS OF THE BY-LAW ?

Building Height 5.4m vs 4.0m limit of Bylaw . It IS possible to build the garage and limit the height to 4.0m with a lower wall height and 7/12 roof pitch. However, as this is a Heritage property it is important to us to have the proposed garage in keeping with the main house style as much as possible. This includes mimicing the architectural details of the house - building proportions, arched brackets supporting the eaves, and exterior colours. The house is a 1.5 storey but the main floor has 11' ceilings. The house peak is approximately 7.6 m(25') and the roof slope varies up to a 12/12 pitch. As such the proposed garage will have 9' wall height and an 8/12 pitch for an overall height of 5.4m, which is proportional to the house. Given the lot size, and the distance between the house and the proposed garage, which is to be located at the back of the property, the proportions will agree with the house but still be diminutive to the house as viewed from the street. Our opinion is that limiting the garage height to 4.0m will require a lower wall height and a 7/12 roof pitch, and actually not look as good - it will look "squat". With reference to the neighbours, the garage will not affect their views or property enjoyment, and in fact give more privacy to our neighbours Ed and Krista Valtenbergs - 57 Sunninghill , whose property and pool is immediately south of the proposed garage.

Distance to Lot Line - 1.8 m vs 3.0m requirement. While the height of the proposed garage is greater than 4.0m it is a single storey structure, so the building will not be "imposing" on the neighbouring property - 57 Sunninghill. If located 1.8m from the lot line, the distance to the existing pool at 57 Sunninghill is 3.5m and ~25m to the rear of the house at 57 Sunninghill. Given the layout of the existing driveway, parking area, gardens and sidewalk, locating the back of the garage 1.8 from the lot allows sufficient turning / manoeuvring room to drive straight and safely into the garage. Also because the driveway extends to the rear of the property, we need sufficient room for cars to turnaround. Locating the garage further forward would risk damage from cars not having sufficient room to manoeuvre. Also we are limited to the west for additional manoeuvring space due to an existing tree, and respecting the distance to the property line at 986 Concession.



Hamilton

Planning and Economic
Development Department

Memorandum

To: Al Huurman

From: Miranda Brunton, Cultural Heritage Planner
Development Planning, Heritage & Design

Phone: 905-546-2424 Ext. 1202 **Fax:** 905-546-4202

Date: March 2, 2020, 2020 **File:** N/A

Subject: Cultural Heritage Exemption Letter for
Proposed garage at 988 Concession Street, Hamilton

The property at 988 Concession Street, Hamilton, is designated Part IV under the *Ontario Heritage Act* with Municipal By-law 90-337. Although the property is designated, the proposed garage will not affect the property's heritage attributes, as set out in the description designation By-law 90-337.

Cultural Heritage Staff have reviewed the plans for proposed garage, which included a location map provide by Al Huurman and a description of the proposed garage. The propose garage will be located near the rear of the lot, behind the heritage resource. In this location, the garage will not obstruct any of the view of the heritage resource from the road. Design wise, the proposed garage will be complementary but distinguishable and subordinate to the heritage resource. Additionally, the landscape is not included in the description of the heritage attributes, as defined in the By-law 90-337. As a result, there are no cultural heritage related concerns with this proposal.

This letter does not exempt the proposal from any other permits, reviews, or approvals.

If you have any questions, please contact Miranda Brunton at 905-546-2424 Ext. 1202 or via email at Miranda.brunton@hamilton.ca.

Regards,

Miranda Brunton
Cultural Heritage Planner

(MB 2020-03-02)