

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: samantha.costa@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.: HM/A-19:190

APPLICANTS: DeFilippis Design on behalf of the owner Reno Aquino

SUBJECT PROPERTY: Municipal address **45 Martimas Ave., City of Hamilton**

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

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

PROPOSAL: To permit the conversion of the existing single family dwelling to a two (2) family dwelling under Section 19 (Residential Conversion Requirements) of the Zoning By-law, notwithstanding,

1. A minimum lot area of 262 square metres shall be provided instead of the minimum required lot area of 270 square metres;
2. Alterations to the front façade of the building to remove the existing garage door shall be permitted instead of preserving the external appearance and character of the dwelling;
3. Two (2) parking spaces occupying a maximum of 86% of the gross area of front yard shall be permitted to be located within the required front yard whereas the By-law only permits one (1) parking space occupying a maximum of 50% of the gross area of the front yard to be located within the required front yard;
4. A minimum of 14% of the gross area of the front yard shall be provided as landscaped area instead of providing a minimum of 50% of the gross area of the front yard required to be provided as landscaped area;
5. Off-site manoeuvring shall be permitted for both parking spaces shall be permitted whereas the By-law only permits off-site manoeuvring for one (1) parking space;
6. A minimum parking space size of 2.4 metres in width by 6.0 metres in length shall be permitted instead of providing the minimum required parking space size of 2.7 metres in width by 6.0 metres in length.

NOTES:

1. A further variance will be provided if a minimum access driveway width of 2.8 metres is not provided.
2. A further variance will be required if gravel or similar surface or other suitable paving is not provided for the parking area and access driveway.

3. The applicant shall ensure the minimum clear height as required by the Ontario Building Code is provided for the required floor area in each dwelling unit.

4. The variances requested for a reduced lot width and reduced side yard width are not required as this is a Lot of Record and conditions are existing.

5. The agent for the applicant has advised that a minimum parking space size length of 6.0 metres shall be provided notwithstanding the revised site plan shows a minimum parking space length of 5.99 metres.

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

DATE: Thursday, October 22nd, 2020
TIME: 1:50 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: October 6th, 2020.


Scott Baldry,
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.

[illegible]

LOT AREA	2,850 sqft (265.00m ²)
APARTMENT #1 MAIN FLOOR	1,100 sqft (102.10m ²)
APARTMENT #2 LOWER LEVEL	
MIN. HEIGHT 6'-11"	1,100 sqft(102.10m ²)
GROUND FLOOR AREA	1,100 sqft (102.10m ²)

FRONT YARD	46.45 m ² (500 sqf)
PAVING	39.67 m ² (427 sqf)
LANDSCAPING	6.78 m ² (73 sqf) 14%

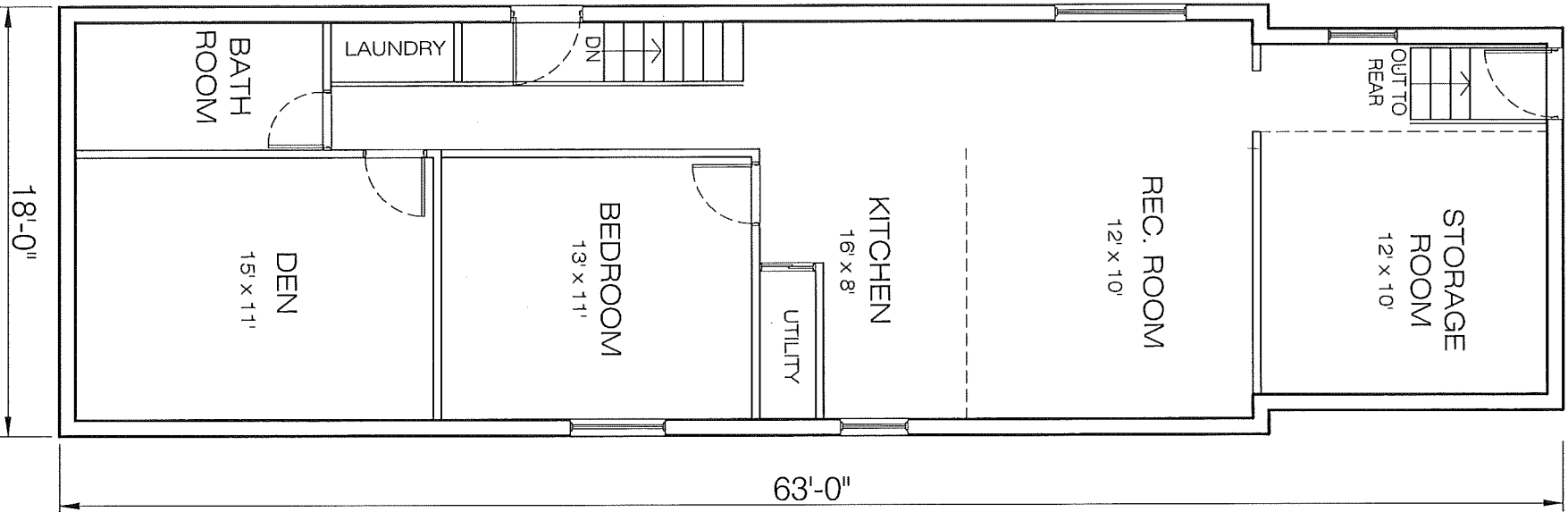
NOTES:

1. OWNER/CONTRACTOR TO VERIFY AND CHECK ALL DIMENSIONS AND SPECS PRIOR TO AND DURING CONSTRUCTION.
2. ANY DEVIATIONS, DEFICIENCIES OR DISCREPANCIES FROM THESE DRAWINGS AND SPECS REQUIRES WRITTEN CLARIFICATION AND/OR APPROVAL FROM THE DESIGNER PRIOR TO CONSTRUCTION.

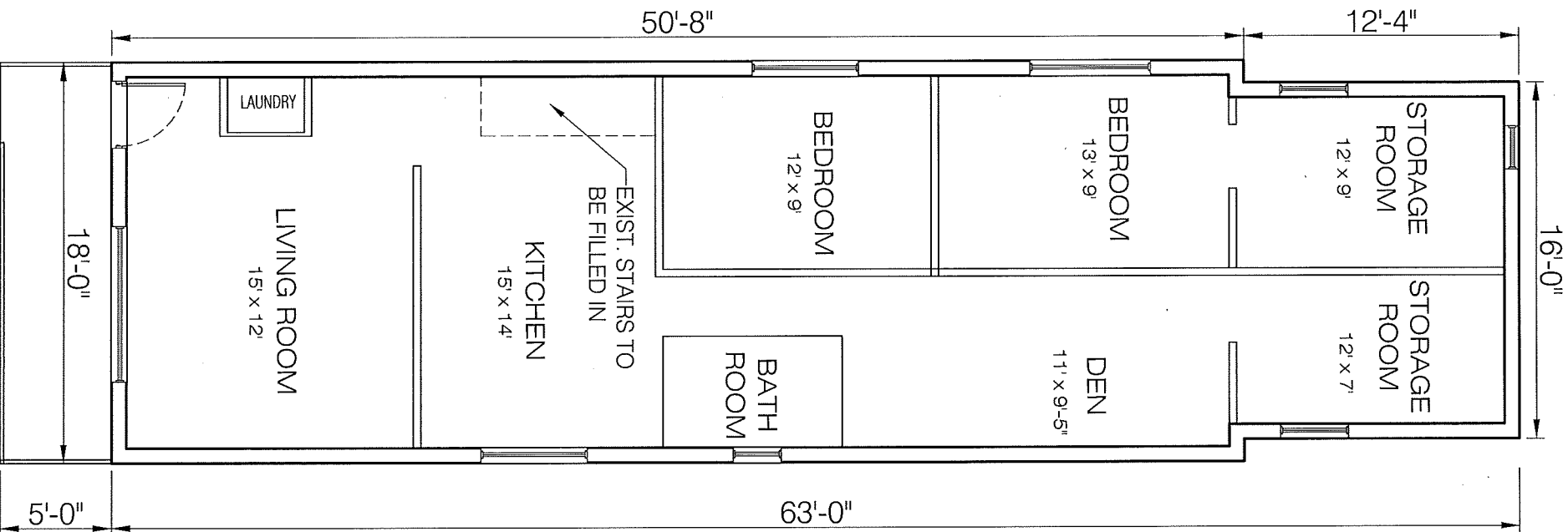
[illegible]

MARTIMAS AVENUE

Amended
4/14/90



LOWER FLOOR
3/16"=1'-0"
APT #2 = 1,100 sqf



UPPER FLOOR
3/16"=1'-0"
APT #1 = 1,100 sqf

- NOTES:
- 1. OWNER/CONTRACTOR TO VERIFY AND CHECK ALL DIMENSIONS AND SPECS PRIOR TO AND DURING CONSTRUCTION.
 - 2. ANY DEVIATIONS, DEFICIENCIES OR DISCREPANCIES FROM THESE DRAWINGS AND SPECIFICATIONS MUST BE REPORTED IMMEDIATELY AND/OR APPROVAL FROM THE DESIGNER PRIOR TO CONSTRUCTION.

4			
3			
2			
1	SEPTEMBER, 2020		
REV.			
JOB NO.		SHEETWORK	
CHGO. BY		AQUINO, RENO	
DRN. BY		HAMILTON, GUSTAFS	
DATE: MAY 2019			
SCALE: AS NOTED			
DWG. NO.	A-1	FLOOR PLAN	



DEFILIPPIS DESIGN
887 BARTON ST., SUITE 201
STONEY CREEK, ONTARIO L6E 5L9
TEL: 905.223.4444
FAX: 905.223.4445
email: defilippisdesign@defilippis.ca

Amended
Hm 1A-19:190

19-122356



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. HMA-19-190 DATE APPLICATION RECEIVED MAY 8 11 9

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.

5. Names and addresses of any mortgagees, holders of charges or other encumbrances:

FIRST NATIONAL
(MAIN BRANCH) Postal Code _____

Postal Code _____

6. Nature and extent of relief applied for:

- TWO FAMILY CONVERSION
- TWO PARKING SPACES IN FRONT YARD WITH
NO ON-SITE MANEUVERING
- NO FRONT YARD LANDSCAPING
- SIDEYARDS OF 3'0", LOT WIDTH OF 7.5m instead of 18.0m

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

- EXIST LOT SIZE, BUILDING SIZE AND
SET BACKS AS IS
- WITHIN EXISTING STREETSCAPE
CHARACTERISTIC - INTENSIFICATION IN
HIGH DEMAND RENTAL NEIGHBOURHOOD

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

45 MARTINAS AVE
HAMILTON, ONTARIO

9. PREVIOUS USE OF PROPERTY

Residential ☒ Industrial ☐ Commercial ☐

Agricultural ☐ Vacant ☐

Other

9.1 If Industrial or Commercial, specify use

N/A

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?

EXISTING RESIDENTIAL USE IN
EXISTENCE MORE THAN 50 years
with no changes

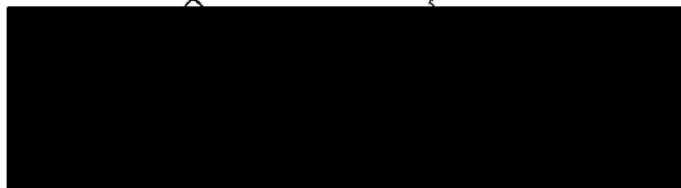
9.12 If previous use of property is industrial or commercial or if YES to any of 9.2 to 9.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.

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 7/19
Date



Print Name of Owner

10. Dimensions of lands affected:

Frontage

7.6 m[±]

Depth

34.4 m[±]

Area

262 sq m[±]

Width of street

20 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:

EXISTING ONE STORY DWELLING
W/ FULL BASEMENT

Proposed:

TWO FAMILY DWELLING WITH
MAIN FLOOR APARTMENT AND
LOWER LEVEL APARTMENT
MIN (2 bedrooms each)

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

Existing:

SEE SITE PLAN

Proposed: _____

See Site Plan

13. Date of acquisition of subject lands: _____

10 years plus

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

30 years plus

15. Existing uses of the subject property: _____

Single Family

16. Existing uses of abutting properties: _____

Single Family AND
DUPLEX

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

30 years plus

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 SETTLE

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

D-Zone Ham 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.

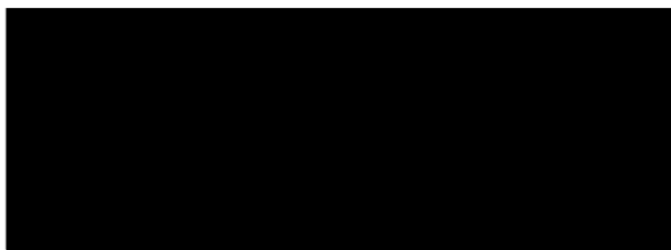
NOTE: It is required that two copies of this application be filed with the secretary-treasurer of the Committee of Adjustment together with the maps

referred to in Section 5 and be accompanied by the appropriate fee in cash or by cheque made payable to the City of Hamilton.

All of the above statements are true and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath.

Minor Variance Application Form (2019)

May 8/19
Date



X

PART 27 PERMISSION TO ENTER

Date: May 8/19

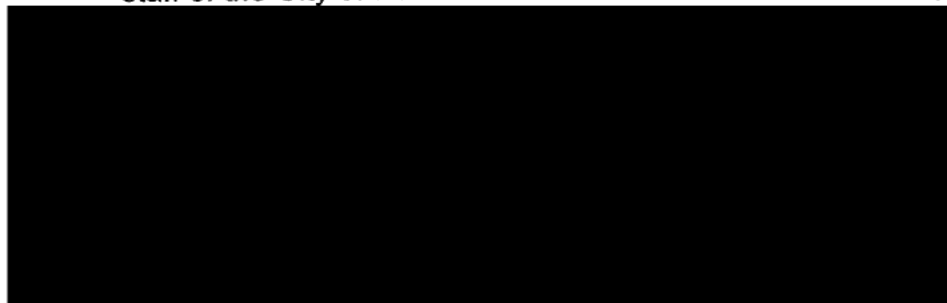
Secretary/Treasurer
Committee of Adjustment
City of Hamilton,
City Hall

Dear Secretary/Treasurer;

Re: Application to Committee of Adjustment

Location of Land: 45 MARTINAS Ave, Hamilton
(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

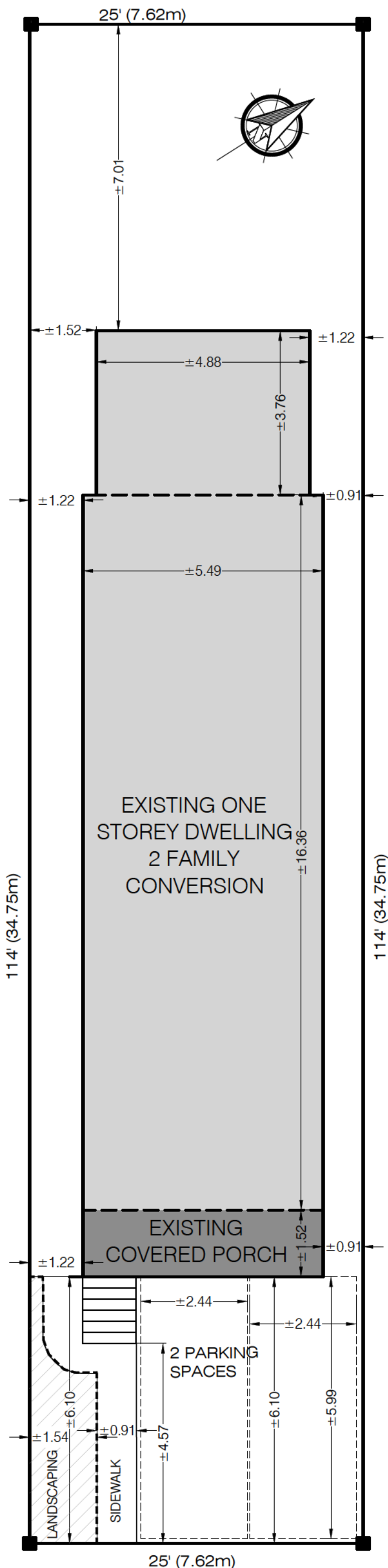


X

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.1284.




MARTIMAS AVENUE

SITE STATISTIC

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		 <div>DeFILIPPIS DESIGN 687 BARTON ST., SUITE 201 STONE CREEK, ONTARIO L8E 5L8 (905) 643-2250 FAX (905) 643-1095 email: defilippisdesign@bellnet.ca</div>	SITE PLAN FOR: AQUINO, RENO 45 MARTIMAS AVE HAMILTON, ONTARIO
4			
3			
2			
1	SEPTEMBER, 2020		
REV.		SITE PLAN	
JOB NO.			
CHKD. BY			
DRN. BY			
DATE: MAY, 2019			
SCALE: AS NOTED			
DWG NO. SP-1			