



Hamilton

## COMMITTEE OF ADJUSTMENT

City Hall, 5<sup>th</sup> 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](mailto:cofa@hamilton.ca)

# **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
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**APPLICATION NO.:** HM/A-20:140

**APPLICANTS:** Ken Bekendam on behalf of the owner Neat Nests Inc.

**SUBJECT PROPERTY:** Municipal address **102-104 Wellington St. N., Hamilton**

**ZONING BY-LAW:** Zoning By-law 05-200, as Amended by By-law 18-114

**ZONING:** "D5 and H21" (Downtown Residential (D5) Zone

**PROPOSAL:** To permit the conversion of the existing Semi-Detached Dwelling into a Multiple Dwelling containing eight (8) dwelling units, notwithstanding,

1. A minimum lot area of 254 square metres shall be permitted instead of the minimum required lot area of 300.0 square metres;
2. A minimum lot width of 11.8 metres shall be permitted instead of the minimum required lot width of 12.0 metres;
3. A minimum rear yard of 7.0 metres shall be permitted instead of the minimum required rear yard of 7.5 metres; and,
4. A balcony and exterior stair case at the rear of the building shall be permitted to encroach 3.1 metres into the required rear yard instead of the maximum permitted encroachment of 1.5 metres into a required rear yard for an exterior stair case and the maximum permitted encroachment of 1.0 metres into a required rear yard for a balcony.

### NOTES:

1. Mapping system GISNet shows 102 Wellington St N and 104 Wellington St N to be two separate parcels of land. The applicant shall ensure that the lots are merged in title or registered under identical ownership to allow for consolidated lot development to facilitate the proposed conversion.
2. A further variance will be required if a minimum of 10% of the lot area is not provided as a landscaped area.
3. The variance requested for a further encroachment of an exterior stair case and balcony at the rear of the building is dependent upon approval of the requested variance for a reduced rear yard.

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

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**DATE:** Thursday, October 22nd, 2020  
**TIME:** 1:55 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: October 6th, 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.***

Date Sept 8th 2020  
To: The City of Hamilton  
Planning Department  
Attention: Jamila Sheffield

Re: **Existing Minor Variance Application**  
102-104 Wellington ST N

Application Number: **HM/A-20:140 (102-104 Wellington ST N, Hamilton)**

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1.0

This letter is to request a change to variance #4. We would like to amend the variance to allow a balcony and exterior stair case at the rear of the building to encroach 3.15 meters into the required rear yard. This projection will allow us to build the exterior fire escape as per Ontario Building Requirements and accommodating existing site conditions. The upper balcony on the third floor has been reduce to just a walkway to access the staircase. It would not be used for amenity area.

We trust you will find this letter satisfactory,

Yours Truly,

Ken Bekendam



LEAD ENGINEER  
ROBERT MENDEZ, P. ENG. 100054193  
C: (416)-807-1572  
robertmendez@yahoo.com  
www.legalsecondsuites.com

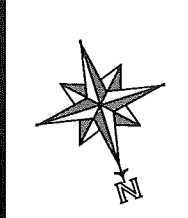
LEAD DESIGNER & CONSULTANT  
KEN BEKENDAM  
kenbekendam@gmail.com  
C: (905)-961-0647  
(855) - KINGHMS (546-4467)

LEGAL  
SECOND  
SUITES  
COM



102 / 104 WELLINGTON STREET N.  
ADDRESS

HAMILTON, ON.  
SITE PLAN

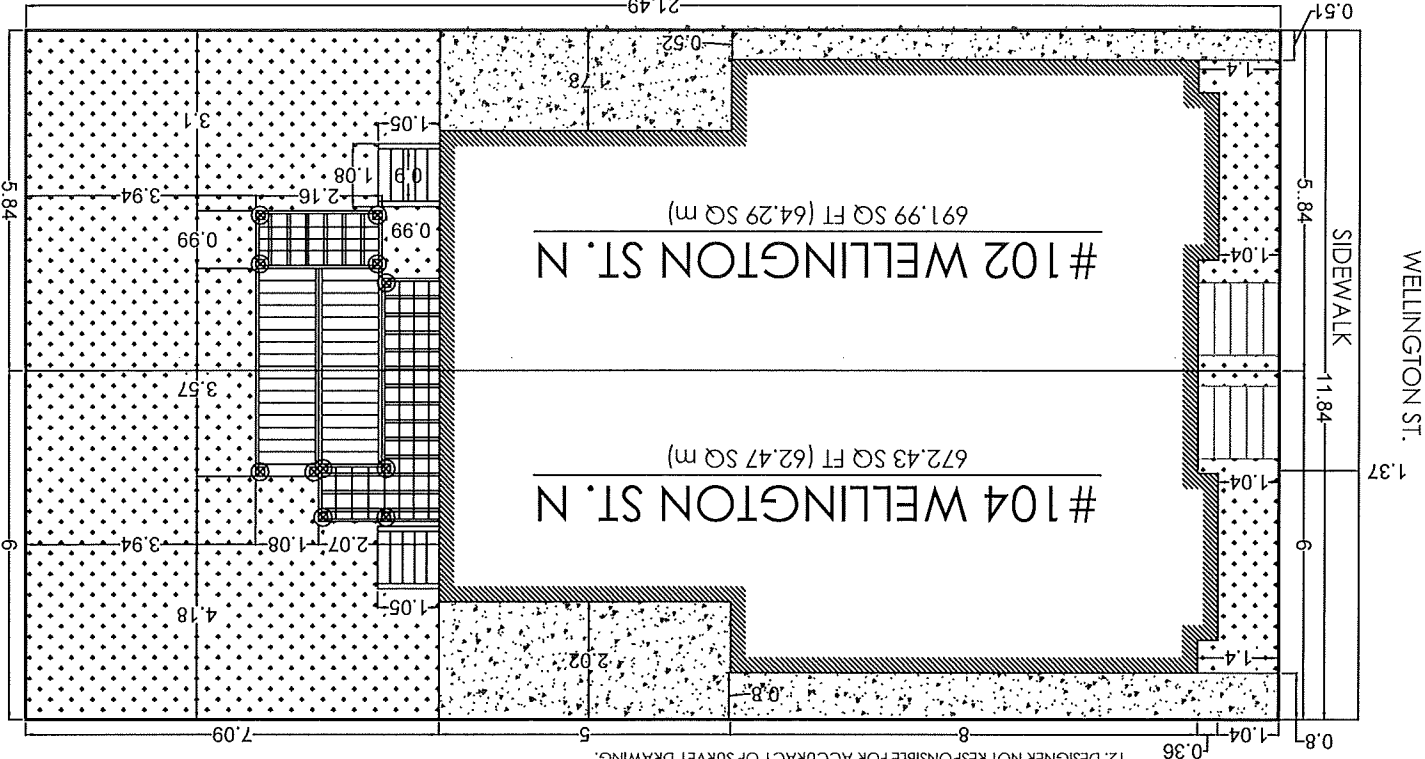


SCALE: 1/8" = 1'

PROJECT: MULTI-UNIT CONVERSION

DATE: SEPT 2020

SHEET#: SP1.01



SITE INFORMATION & STATISTICS			
ADDRESS	102/104 WELLINGTON ST., HAMILTON ON.		
ZONING TYPE	D5 - HOLDING 21		
LOT AREA	2738.22 SQ FT (254.39 SQ M)		
LOT FRONTAGE	38.84 (11.84m)		
FLOOR AREAS	ALLOWED	EXISTING	PROPOSED
BASEMENT			NO CHANGE
MAIN FLOOR			NO CHANGE
SECOND FLOOR			NO CHANGE
THIRD FLOOR			NO CHANGE
SEIBACKS			NO CHANGE
FRONT			NO CHANGE
SIDE			NO CHANGE
BACK			NO CHANGE
SIDE			NO CHANGE

- GENERAL NOTES:
1. ALL CONSTRUCTION TO COMPLY WITH THE REVISED ONTARIO BUILDING CODE 2012 UNLESS OTHERWISE NOTED.
  2. ALL DIMENSIONS ARE MEASURED TO ROUGH FRAMING OR TO MASONRY SURFACES PRIOR TO COMMENCING WORK.
  3. ALL DOORS AND WINDOW OPENINGS ARE MEASURED TO ROUGH FRAMING OR MASONRY OPENINGS.
  4. CONTRACTOR IS TO VERIFY WINDOW OPENINGS WITH WINDOW MANUFACTURER PRIOR TO COMMENCING WORK.
  5. READ ARCHITECTURAL DRAWINGS IN CONJUNCTION WITH STRUCTURAL MECHANICAL AND ELECTRICAL DRAWINGS.
  6. ELEVATION REFERENCES ARE BASED ON 100'-0" = 131.70m GEODETIC ELEVATIONS AS NOTED ON A1 SITE PLAN.
  7. ALL DIMENSIONS MUST BE CHECKED AGAINST THE ARCHITECTURAL DRAWINGS AND THE FIELD CONDITIONS BEFORE COMMENCING FABRICATION, AND INCONSISTENCIES ARE TO BE REPORTED TO THE CONSULTANT BEFORE PROCEEDING WITH THE WORK.
  8. THE CONTRACTOR SHALL PROPERLY SUPERVISE THE WORK AND ENSURE THAT THE WORK IS INSTALLED TO THE CORRECT LINES AND LEVELS, THAT THE CONNECTIONS AND DETAILS CONFIRM TO THE DRAWING DETAILS AND SHALL COORDINATE THE INTERFACING OF ALL WORK WITH ALL SUB-TRADES.
  9. PROVIDE POSITIVE FRONT YARD SLOPE TO MUNICIPAL SEWER FOR WATER RUN-OFF.
  10. CONTRACTOR TO BE RESPONSIBLE FOR VERIFYING THE LOCATIONS OF ALL EXISTING UNDERGROUND AND ABOVE UTILITIES AND SERVICES, VARIOUS UTILITIES CONCERNED TO BE GIVEN REQUIRED ADVANCING NOTICE PRIOR TO ANY DIGGING, FOR STAKE OUT.
  11. REFER TO LANDSCAPING PLAN FOR PLANTING CONFIRM LAYOUT WITH LANDSCAPE CONTRACTOR
  12. DESIGNER NOT RESPONSIBLE FOR ACCURACY OF SURVEY DRAWING.

EXISTING STRUCTURE NOTE:  
OWNER AND CONTRACTOR IS FULLY RESPONSIBLE FOR VERIFYING ALL EXISTING STRUCTURAL CONDITIONS PRIOR TO ANY WORK. ANY AND ALL DISCREPANCIES SHALL BE REPORTED TO THE OWNER PRIOR TO ANY WORK. OWNER AND CONTRACTOR IS FULLY RESPONSIBLE FOR SHORING EXISTING STRUCTURE PRIOR TO ANY WORK.

BUILDING CODE COMPLIANCE NOTE:  
THESE DRAWINGS DO NOT REPRESENT A COMPREHENSIVE AND EXHAUSTIVE GUIDE FOR COMPLIANCE WITH THE ONTARIO BUILDING CODE. IT IS ASSUMED THAT THE CONTRACTOR HAS REASONABLY SUFFICIENT KNOWLEDGE OF THE ONTARIO BUILDING CODE IN ORDER TO PERFORM ALL WORK AS PER THESE DRAWINGS IN SUCH A WAY THAT WILL COMPLY WITH ALL ASPECTS OF THE O.B.C. AND WILL NOT CONTRAVENE ANY OTHER APPLICABLE LAWS.

SITE PLAN:  
BASED ON HAMILTON SITE MAPS  
AND MEASUREMENTS ON SITE  
DESIGNER ASSUMES NO  
RESPONSIBILITY FOR ACCURACY  
OF HAMILTON MAPS.  
THIS SITE SHALL NOT BE USED FOR  
ANY OTHER PURPOSES.  
NO WORK TO ENCROACH  
ONTO ADJOINING PROPERTIES

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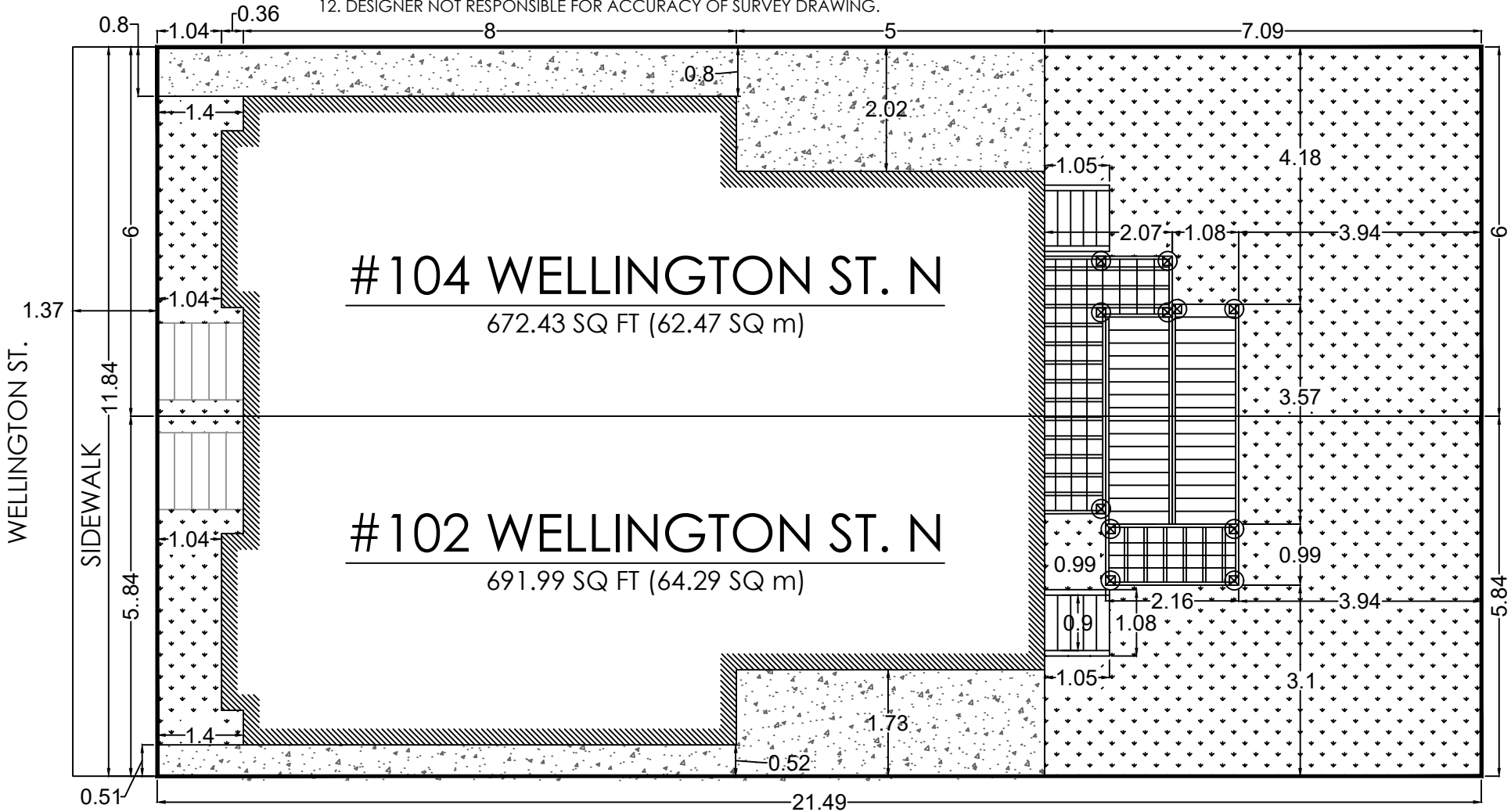
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ELETRONIC STAMP



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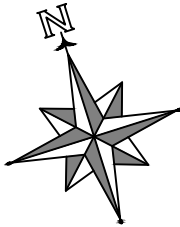
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