



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-20:207

APPLICANTS: Glenn Spencer, owner

SUBJECT PROPERTY: Municipal address **238 East 11th St., Hamilton**

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

ZONING: "C" (Urban Protected Residential, etc.) district

PROPOSAL: To permit the construction of a roofed-over unenclosed porch addition, including stairs, roof, eaves and gutter, to the easterly side of the existing single family dwelling, notwithstanding,

1. A minimum easterly side yard width of 0.0 metres shall be permitted instead of the minimum required easterly side yard width of 1.2 metres.

NOTES:

1. Pursuant to building permit 11-113304 issued August 12, 2011 for the construction of an accessory structure in the rear yard, the lot line abutting Brucedale Avenue East is deemed to be the front lot line. As such, the lot line abutting East 11th Street is deemed to be a side lot line.

2. As a roofed-over unenclosed porch is not permitted to encroach into a minimum required side yard; therefore, the proposed construction is deemed to be an addition to the existing single family dwelling and principal building setbacks have been applied.

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

DATE: Thursday, November 5th, 2020

TIME: 2:05 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 20th, 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.

SURVEY

238 EAST 11TH ST
HAMILTON ON
L9A 2T7

SCALE

1/32" = 2 FT
CITY PROPERTY
LINE.

← NORTH
PROPOSED CONSTRUCT.

EAST

238 EAST 11 STREET

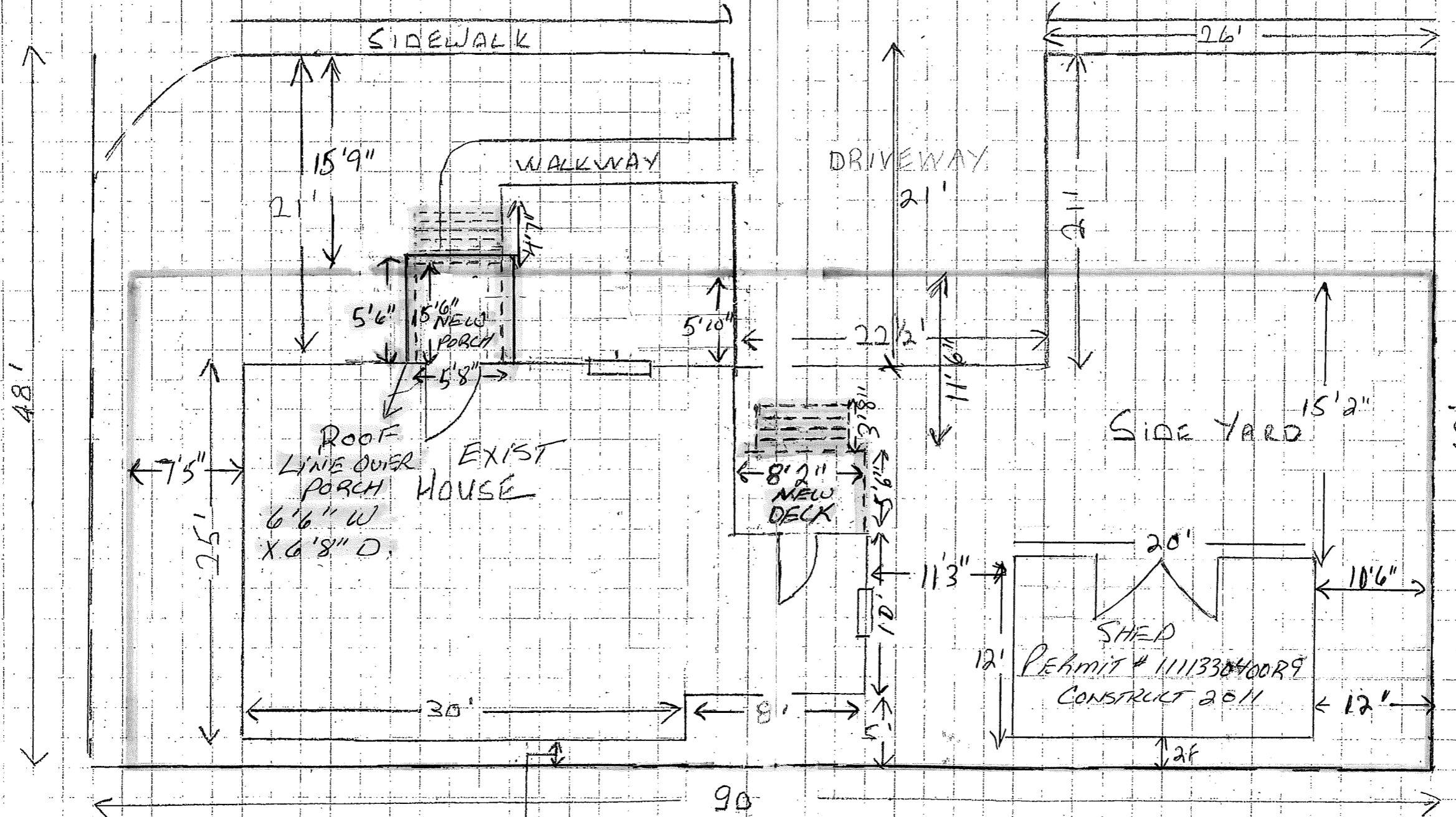
CITY OF HAMILTON
BUILDING SERVICES DIVISION
Planning & Development Department

JUL 27 2011

REC. BY: _____ DATE: _____
REP'D TO: _____ DATE: _____

← NORTH

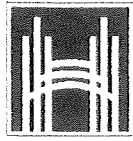
BRUCEDALE AVE



SOUTH

WEST

2 FT



Hamilton

Geographic Information

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Building Division
71 Main Street West - 3rd Floor
Hamilton, Ontario, Canada, L8P 4Y5
Phone: 905.546.2720 Fax: 905.546.2764
www.hamilton.ca

July 23, 2020
GLENN SPENCER
238 EAST 11TH ST.
HAMILTON, ON L9A 3T7

RE: 238 EAST 11TH ST. HAMILTON
Building Permit Application Number 20-173088-00 R9
Building Permit Application Review Letter

The following item(s) are required to be addressed prior to further review of the above-noted building permit application:

Item	Fees/Charges Payable to the City of Hamilton prior to permit issuance	Amount
F1.	A surcharge is applied when construction has taken place prior to issuance of a valid Building Permit.	Fee TBD

Item	Zoning	Reference
Z1. <i>Survey ??</i>	<p>A Site Plan is required indicating the location of the porches as well as the setbacks from the property lines. If an accurate survey showing property line locations cannot be achieved a registered survey will be required.</p> <p>A roofed over unenclosed front porch is required to be a minimum 3m from any front property line. According to our GIS records the property line is approximately 1.8m away from the house. A variance application will need to be approved by the Committee of Adjustment prior to permit issuance. For Variance information contact: 905-546-2424 Ext. 1355 or pd.generalinquiry@hamilton.ca.</p>	Hamilton Zoning By-Law 6593

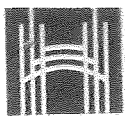
Note: Responding information will only be reviewed if provided in a single comprehensive submission complete with an itemized covering letter. Incomplete submissions will be subject to additional fees.

All documents shall be signed by the applicable required design professional(s). When revised drawings are submitted provide two (2) copies sealed and signed by the design professional(s).

Please be advised that should revised drawings be received that do not address the above-noted issues, there may be additional plan review fees owing in the amount of \$158.00 per hour of review time.

If you require further information, please contact Katelyn Thompson at (905) 546-2424 ext.

Katelyn Thompson
Plan Examiner / Permit Application Specialist
For Director, Building Division



Building Services Division
 71 Main Street West - 3rd Floor
 Hamilton, Ontario L8P 4Y5
 905-546-2720
 Email: building@hamilton.ca

For Inspections Please Call:
 905-546-3950

Hamilton

BUILDING PERMIT *EXISTING SHED*

PERMIT NO. 11 113304 00 R9

238 EAST 11TH ST, HAMILTON

Plan 572 LOT 48

Part 9 - Residential - Single Family Dwelling

Roll Number: 070811033300000 Ward 07

This Permit is issued to:

(APPLICANT)
RHONDA SPENCER
 238 EAST 11TH ST
 HAMILTON ON L9A 3T7
 Home: (905) 388-1081

(OWNER)
JOY PETT
 238 EAST 11TH ST
 HAMILTON ON L9K 1B8
 Home: (905) 388-0436

(CONTRACTOR)

(TENANT)

Description of Work: Plans: **Attached**
To construct a 12' x 20' shed in the rear yard of the existing single family dwelling.

Notes and Conditions:
Please call for inspections at the construction stages indicated on the attached letter.

*Complete
 Aug 13/11
 R. Maloney*

Zoning Data: Front Yard m Rear Yard **0.45 m** Side Yard **0.45 m** Zoning **C**

REVIEWED BY: Robyn Maloney Robyn Maloney
 Zoning Building

NOTICE

PLANS AND DOCUMENTS

The Plans and documents, on the basis of which this Permit was issued, shall be kept on site.

REVOCATION

This permit may be revoked if it was issued on the basis of mistaken or false information or in error, or where the construction has been substantially suspended or discontinued for a period in excess of one year. This permit will be deemed to have lapsed, and will be revoked if construction has not commenced within six months of the date of issue.

CONSTRUCTION

All construction proposed and authorized, hereto, shall, in all respects, conform with the plans submitted and reviewed, the provisions of the Building Code Act and the Ontario Building Code, as amended, the Bylaws of the City of Hamilton and any other applicable law. It is the responsibility of the permit holder to ensure that the work authorized by this permit is carried out in accordance with the requirements set out, hereto.

ISSUED BY: Robyn Maloney
 FOR CHIEF BUILDING OFFICIAL

DATE ISSUED: August 12, 2011

CONSTRUCTION VALUE: \$7,000.00
File Assessment Audit Inspect

SITE PLAN

150 = 2'
PROP. LINE

CITY OF HAMILTON
BUILDING SERVICES DIVISION
Planning & Development Department
JUL 27 2011
REG. BY _____ DATE _____
REFD TO _____ DATE _____

CITY OF HAMILTON
Building Services Division
Permit No. H-113204
THESE STAMPED DRAWINGS SHALL BE AVAILABLE ON SITE
THE OWNER AND/OR CONTRACTOR SHALL COMPLY WITH
THE ONTARIO BUILDING CODE AND ALL OTHER APPLICABLE LAW
These drawings and/or specifications have been reviewed by
Debra Matony July 27/11
FOR CHIEF BUILDING OFFICIAL

EAST

SOUTH

NORTH

48'

CORNER LOT

PROPERTY LINE

SIDEWALK

DRIVEWAY

SIDE YARD

DECK

HOUSE

90 FT WEST

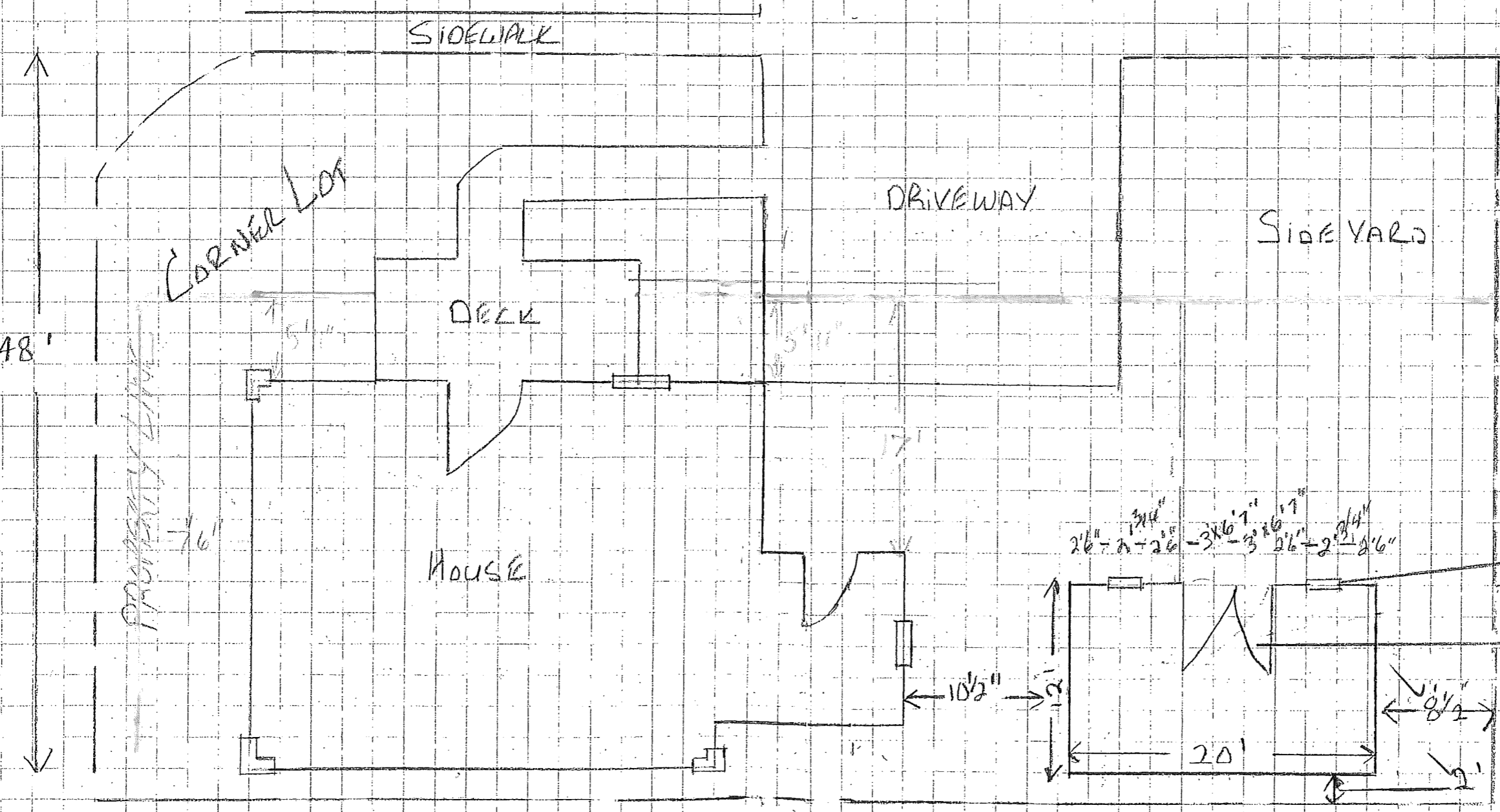
2'6" - 2'6" - 3'6" - 3'6" - 2'6" - 2'6" - 2'6"

WINDOWS - 2 @ 24 3/4" x 33 1/4"

DOORS - 2 @ 3' x 6'7"

SHED WEST ELEVATION - 2' FROM PROPERTY LINE

DIMENSIONS FOR SURVEY SIDE
DRAWING 001





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.**

20-185635



FOR OFFICE USE ONLY.	
APPLICATION NO. <u>Hm/A.20:207</u>	DATE APPLICATION RECEIVED <u>Sept. 28/20</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.

- Name of Owner GLENN P. SPENNER RICHARD SPENCER Telep
FAX NO. _____ E-mail address. G
- 
- 
- Address N/A
Postal Code _____

Note: Unless otherwise requested all communications will be sent to the agent, if any.

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

N/A Postal Code _____

Postal Code _____

6. Nature and extent of relief applied for:

PLEASE SEE ATTACHED

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

PLEASE 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):

LOT # 48 SINGLE FAMILY DWELLING
238 EAST 11th ST. HAMILTON ON L9A3T7

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

(6) NATURE AND EXTENT OF RELIEF APPLIED FOR:

Routine Minor Variance. Set back from roofed over, unenclosed front porch to property line.

Requires a minimum of 3 meters (9 ft10") from any front property line.

According to GIS records, the property line is approx. 1.9 meters (5ft10") distance from the house.

(7) WHY IS IT NOT POSSIBLE TO COMPLY WITH THE PROVISIONS OF THE BYLAW?

The house is located on a corner lot. The distance from the front of the house to the sidewalk is 21ft. (facing East).

The proposed front porch extends 5'6" from the house. A gable install is required to protect front entrance way from harsh elements (build-up of snow etc. along with protection for anyone entering or exiting the house. The front door is located above the cinder block foundation making a porch a requirement.

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 ___ Unknown X

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

SPOKE WITH TWO RESIDENTS WHO HAVE RESIDED ON EAST 11TH FOR PAST 60 YEARS

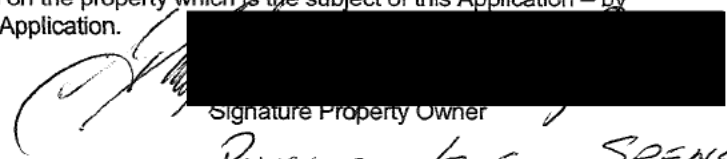
9.12 If previous use of property is industrial or commercial or if YES to any of 9.2 to 9.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.

Is the previous use inventory attached? Yes ___ No N/A

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.

AUG 31, 2020
Date



Signature Property Owner

RHONDA & GLENN SPENCER
Print Name of Owner

10. Dimensions of lands affected:

Frontage 21 FT X 90 FT
Depth 46 FT
Area 4,140 SQ FT
Width of street 24 FT

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 FL, 806 SQ FT, ONE STOREY, BASEMENT 750 SQ FT. TOTAL SQ. FT - 1,556. HOUSE 25 FT X 30 FT PLUS DINING AREA - 8 FT X 9 FT = 72 SQ. FT. - GROUND TO PEAK - 20 FT, 8 FT CEILING. SHED - 12 FT X 20 FT, HEIGHT - 12 FT - GROUND TO PEAK - 8 FT CEILING.

Proposed:

PLEASE SEE ATTACHED INFORMATION SHEET

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

Existing: PLEASE SEE ATTACHED INFORMATION SHEET

(11) PARTICULARS OF ALL BUILDINGS AND STRUCTURES ON OR PROPOSED FOR THE SUBJECT LANDS:

PROPOSED:

Front porch – 5'6" deep by 5'8" wide

Unenclosed roof over front porch – 6'6" deep by 6'8" wide

Five stairs – 4'7" long by 5'8" wide

Porch height – 3'3"

(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

North side of house, according to GIS records is approx. 7'5" from the property line.

East side of house (front) according to GIS records is approx. 5'10" from property line.

West side of house according to GIS records is approx. 2' from property line.

South side of house according to GIS records is approx. 45'5" from the north property line.

South side of house according to GIS records is approx. 41'9" from south property line.

Existing shed

North side of shed according to GIS records is approx. 56'8" to north property line.

North side of shed according to GIS records is approx. 30'6" to south property line.

(con't) Existing shed location from property lines

East side of shed according to GIS records is approx. 15'2" from property line.

West side of shed according to GIS records is approx. 2' from property line.

South side of shed according to GIS records is approx. 1'6" to south property line.

South side of shed according to GIS records is approx. 76'8" to north property line.

Proposed structures

Front porch facing East 11th Street extends 5'6". The property line according to GIS records is approx. 5'10" thus making the porch 4" short of the property line. The stairway extends another 4'7". Remaining front footage is approx. 15'9" from proposed unenclosed roofed front porch. The gable roof extends 6'8" (approx. 1'7" over the property line)

North side of proposed front covered unenclosed porch according to GIS records is approx. 17'5" from the north property line.

South side of proposed front covered unenclosed porch according to GIS records is approx. 23'3" from the north property line.

North side of proposed front covered unenclosed porch according to GIS records is approx. 69'9" to south property line.

South side of proposed front covered unenclosed porch according to GIS records is approx. 64'1" to south property line.

West side of proposed front covered unenclosed porch according to GIS records is approx. 27' from west property line. (including depth of proposed porch the distance to west property line would be 27' plus the width of porch – 5'6" = 32'6").

Proposed side porch

East side of proposed porch according the GIS records is approx. 12' from the East property line.

(con't) proposed side porch lot line locations

South side of proposed porch according to GIS records is approx. 41'9" to south property line

South side of proposed porch according to GIS records is approx. 45'7" to north property line.

North side of proposed porch according to GIS records is approx. 37'5" to north property line.

North side of proposed porch according to GIS records is approx. 50'1" to the south property line.

West side of proposed porch according to GIS records is approx. 15' to west property line. (including depth of proposed porch of 5'6" the distance to the west property line will be 20'6")

Proposed: SIDE ATTACHED STREET

13. Date of acquisition of subject lands:

SEPTEMBER 2010

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

SHED CONSTRUCTED JULY 2011

15. Existing uses of the subject property: SINGLE FAMILY DWELLING

SHED - GARDEN SUPPLIES, TOOLS

16. Existing uses of abutting properties: SINGLE FAMILY DWELLINGS

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

ACCORDING TO LONG TIME RESIDENTS - PROPERTY - RESIDENTIAL - APPROX. 80 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:

ZONING BOUNDARIES: C
URBAN PROTECTED, RESIDENTIAL

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

ZONING BY-LAW 05-200 - SET BACK FROM STREET - URBAN-RESIDENTIAL (CITY OF HAMILTON)

21. Has the owner previously applied for relief in respect of the subject property? Zoning By-law No. 4593
Yes No

If the answer is yes, describe briefly.

N/A

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.

SEE
ATTACHED
CHEQUE