



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: 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.: GL/A-20:66

APPLICANTS: Kalos Engineering Inc., on behalf of the owner Martin Raposa

SUBJECT PROPERTY: Municipal address **3659 Upper James St., (Glanbrook) City of Hamilton**

ZONING BY-LAW: Zoning By-law 05-200, as Amended

ZONING: "A2" (Rural) Zone

PROPOSAL: To permit the construction of an accessory building (storage building) in the rear yard of the existing single detached dwelling, notwithstanding,

1. A maximum lot coverage of 8.8% shall be permitted for all accessory buildings prior to the demolition of the "existing metal clad buildings to be demolished" and a maximum lot coverage of 5.7% shall be permitted for all accessory buildings upon demolition of the "existing metal clad buildings to be demolished", instead of the maximum permitted lot coverage of 5% of the total lot area for all accessory buildings;

2. A maximum gross floor area 420 square metres shall be permitted for all accessory buildings prior to the demolition of the "existing metal clad buildings to be demolished" and a gross floor area of 304 square metres shall be permitted for all accessory buildings upon demolition of the "existing metal clad buildings to be demolished", instead of the maximum permitted gross floor area of 200.0 square metres for all accessory buildings; and,

3. A maximum building height of 7.7 metres shall be permitted instead of the maximum permitted height of 6.0 metres for an accessory building.

NOTES:

1. The agent for the applicant has advised that the "existing metal cladding buildings to be demolished", noted to provide a total area of 116.20 square metres, may not be demolished prior to the construction of the proposed accessory building. As such, the variances have been requested to reflect site conditions pre-demolition and post-demolition of such accessory buildings.

2. A building permit is required for the construction of the proposed accessory structure. Be advised that Ontario Building Code regulations may require specific setbacks and construction types.

3. A demolition permit(s) may be required for the demolition of the existing accessory buildings noted to be demolished.

.../2

4. The requested variances have been written for the use of an accessory building which is accessory to the existing single detached dwelling only. *Accessory, as defined in the Zoning By-law, shall mean, when used to describe a use of land, building or structure, shall mean a use which is commonly incidental, subordinate and exclusively devoted to the main use or main building situated on the same lot.* Please be advised, should the intent be to utilize the proposed building for a use other than a building accessory to the existing single detached dwelling further approval will be required.

5. The applicant shall ensure the proposed building height has been provided in accordance with the definition of “*Building Height*” and “*Grade*” as defined within the Zoning By-law.

6. A further variance will be required if the eave and gutter of the proposed accessory building encroach greater than 0.6 metres into the required 1.0 metre northerly side yard setback.

7. The lot area of 3804 square metres obtained from GISNet has been used to determine the proposed lot coverage.

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

DATE: Thursday, November 5th, 2020
TIME: 3:00 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

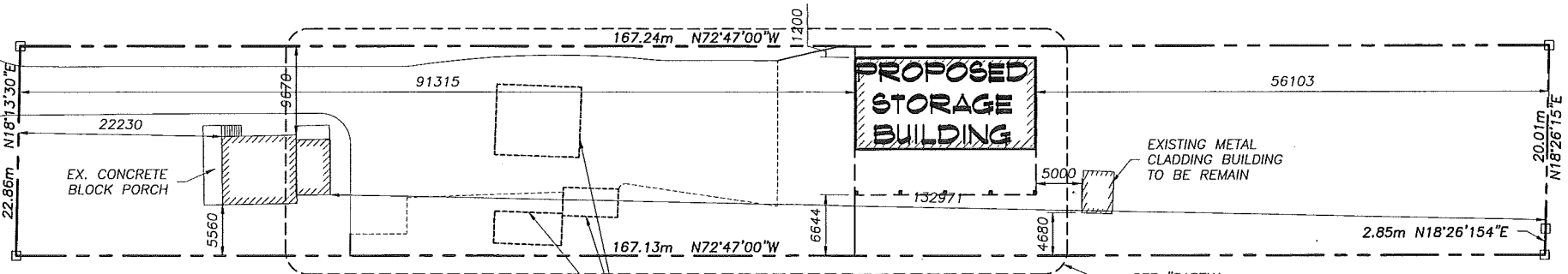
DATED: October 20th, 2020.


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.

PLOT DATE: 2020/02/14 4:04 PM

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OVERALL SITE PLAN
SCALE: 1:500

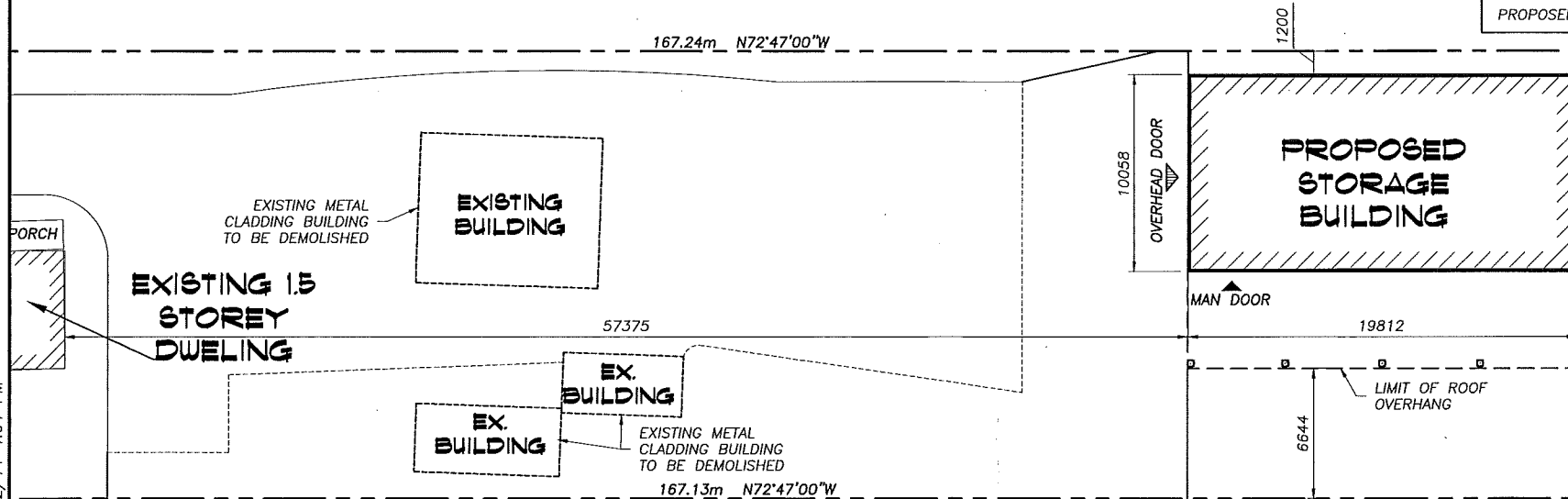


EXISTING METAL
CLADDING BUILDING
TO BE DEMOLISHED

SEE "PARTIAL
SITE PLAN"

ZONING DESIGNATION:
ZONING CODE: A2
ZONING DESCRIPTION: RURAL ZONING
PARENT BY-LAW No.: 05-200
BY-LAW No.: 15-173

SITE STATISTICS:		
SITE AREA:	3821.00 m ²	0.944 acre
EXISTING DWELLING AREA:	215.00 m ²	(5.6%)
EXISTING STORAGE (DEMOLISHED) AREA:	116.20 m ²	(3.04%)
PROPOSED STORAGE BUILDING AREA:	199.30 m ²	(5.20%)
EXISTING. PAVED/CONC. AREA:	0.00 m ²	(0.0%)
EXISTING. GRAVEL AREA:	1005.00 m ²	(26.3%)
PROPOSED GRAVEL AREA:	881.70 m ²	(23.1%)
EXISTING LANDSCAPED AREA	2781.00 m ²	(72.78%)
PROPOSED LANDSCAPED AREA	2441.60 m ²	(63.89%)



PARTIAL SITE PLAN
SCALE: 1:250



OVERHEAD DOOR
MAN DOOR

**PROPOSED
STORAGE
BUILDING**

LIMIT OF ROOF
OVERHANG

GL/A 20:66
Sketch 1

No.	DATE	REVISION
1	19/06/17	ISSUED FOR BUILDING PERMIT

REVISIONS



300 YORK BLVD HAMILTON, ONTARIO L8R 3K6 905-333-9119

**M&R MARBLE & TILE
STORAGE BUILDING**

3659 UPPER JAMES ST.

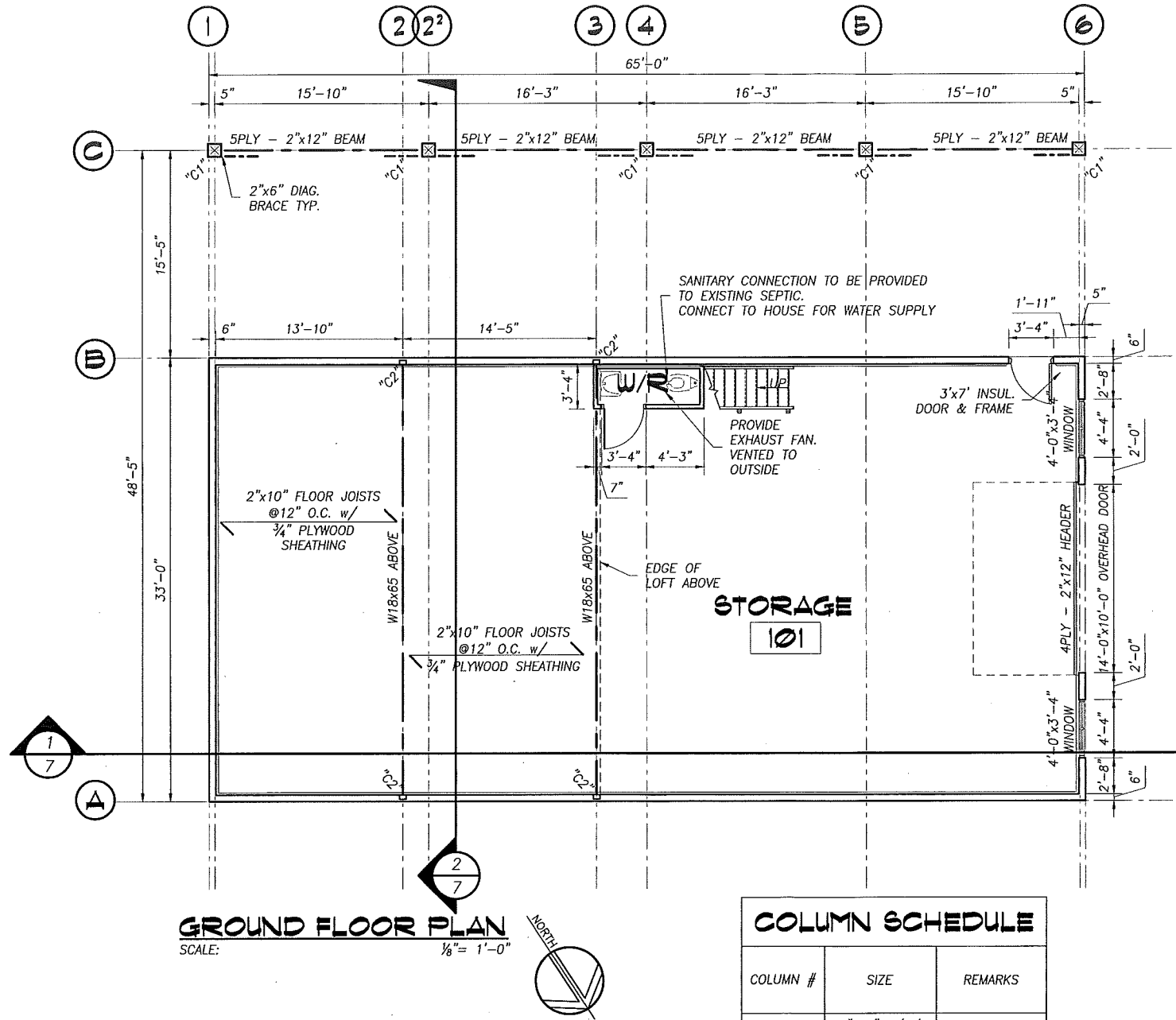
HAMILTON

ONTARIO

SITE PLAN

DATE JUNE 2019	DRAWN BY SYN	DRAWING No. 1 of 11
PROJECT No. 19001	CHECKED BY HAPH	

PLOT DATE: 2019/07/08 5:01 PM



GROUND FLOOR PLAN
SCALE: 1/8" = 1'-0"

COLUMN SCHEDULE

COLUMN #	SIZE	REMARKS
"C1"	10"x10" S/P/F TIMBER COLUMN	*
"C2"	6"x4"x0.25" HSS COLUMN	0.25" BASE PL.

NOTES

1. PROVIDE TEMPORARY SUPPORT UNDER ALL BEAMS UNTIL THEY ARE LATERALLY SUPPORTED

STAIR RAILING NOTE:

1. THE HANDRAILS MUST BE DESIGNED TO WITHSTAND LOADING AS SPECIFIED IN O.B.C.-2012 DIV. B. ARTICLE 3.4.6.5., 3.4.6.6. & GUARD RAILS MUST BE DESIGNED TO WITHSTAND LOADING AS SPECIFIED IN ARTICLES 4.1.5.14. & 4.1.5.16. SHOP DRAWINGS ARE TO BE STAMPED BY A PROFESSIONAL ENGINEER

DESIGN LOADING

LOFT FLOOR:

DEAD LOAD = 12 psf
LIVE LOAD = 100 psf

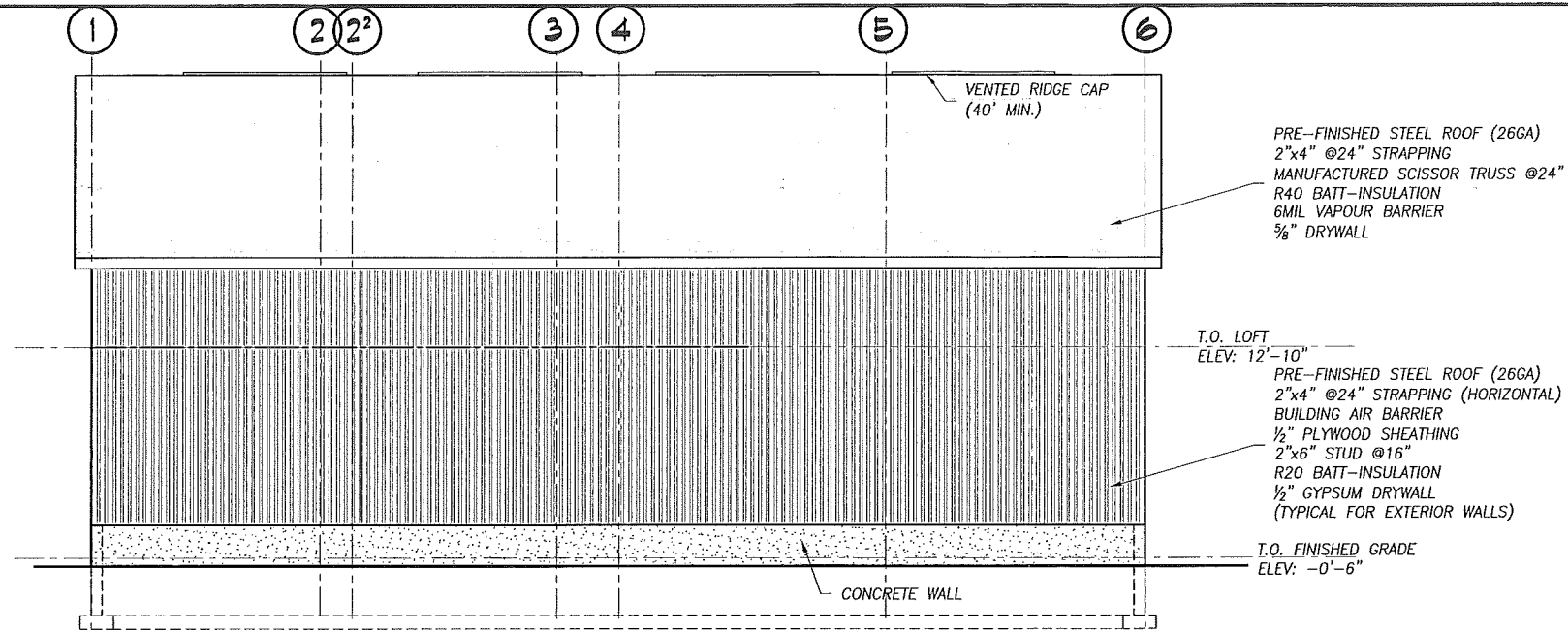
ROOF LOAD:

DEAD LOAD = 15 psf
LIVE LOAD (SNOW) = 30.1 psf

1		
19/06/17		
ISSUED FOR BUILDING PERMIT		
No.	DATE	REVISION
REVISIONS		
300 YORK BLVD HAMILTON, ONTARIO L8R 3K6 905-333-9119		
M&R MARBLE & TILE STORAGE BUILDING		
3659 UPPER JAMES ST.		
HAMILTON ONTARIO		
GROUND FLOOR PLAN		
DATE JUNE 2019	DRAWN BY SYN	DRAWING No. 2 of 11
PROJECT No. 19001	CHECKED BY HAPH	

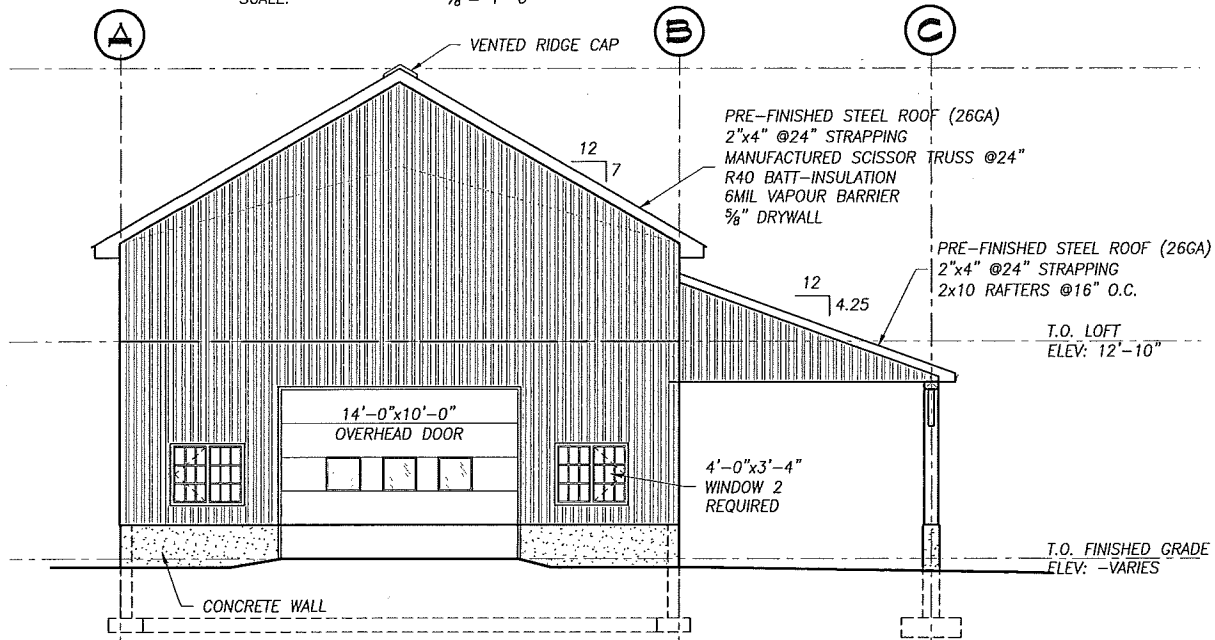
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Sketch 2

PLOT DATE: 2019/07/08 5:02 PM




LEFT ELEVATION

SCALE: 1/8" = 1'-0"



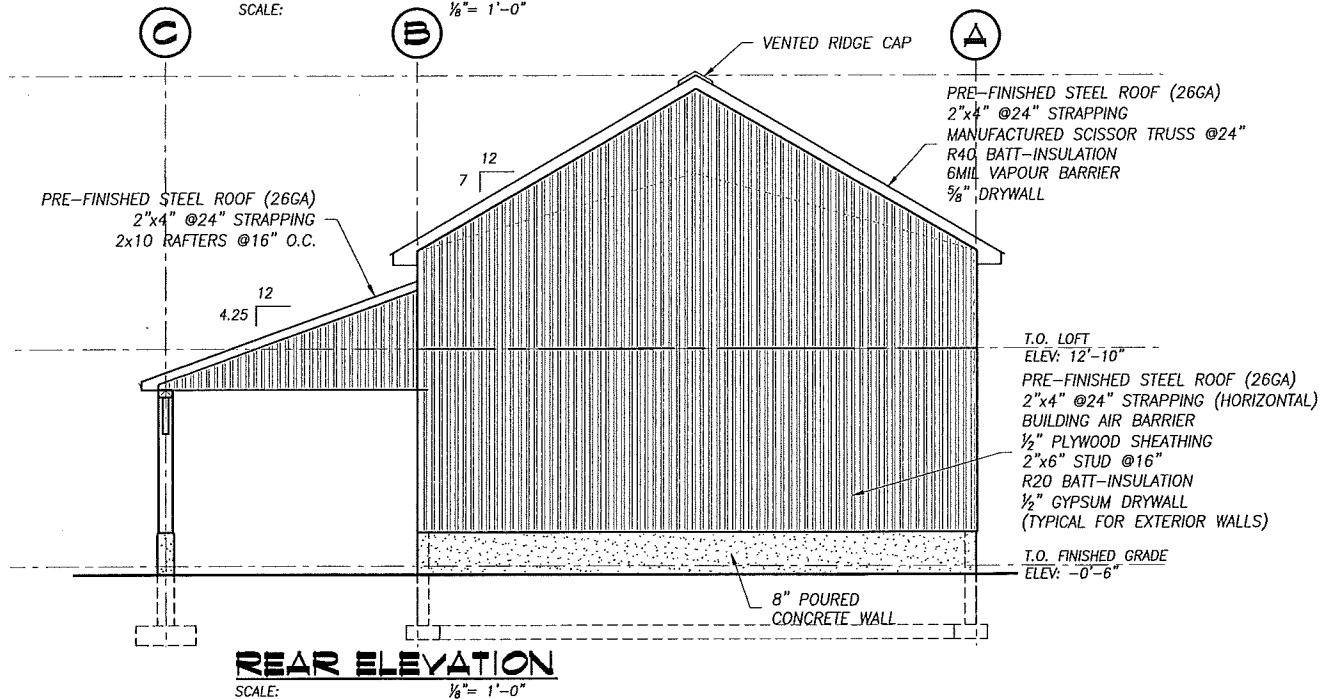
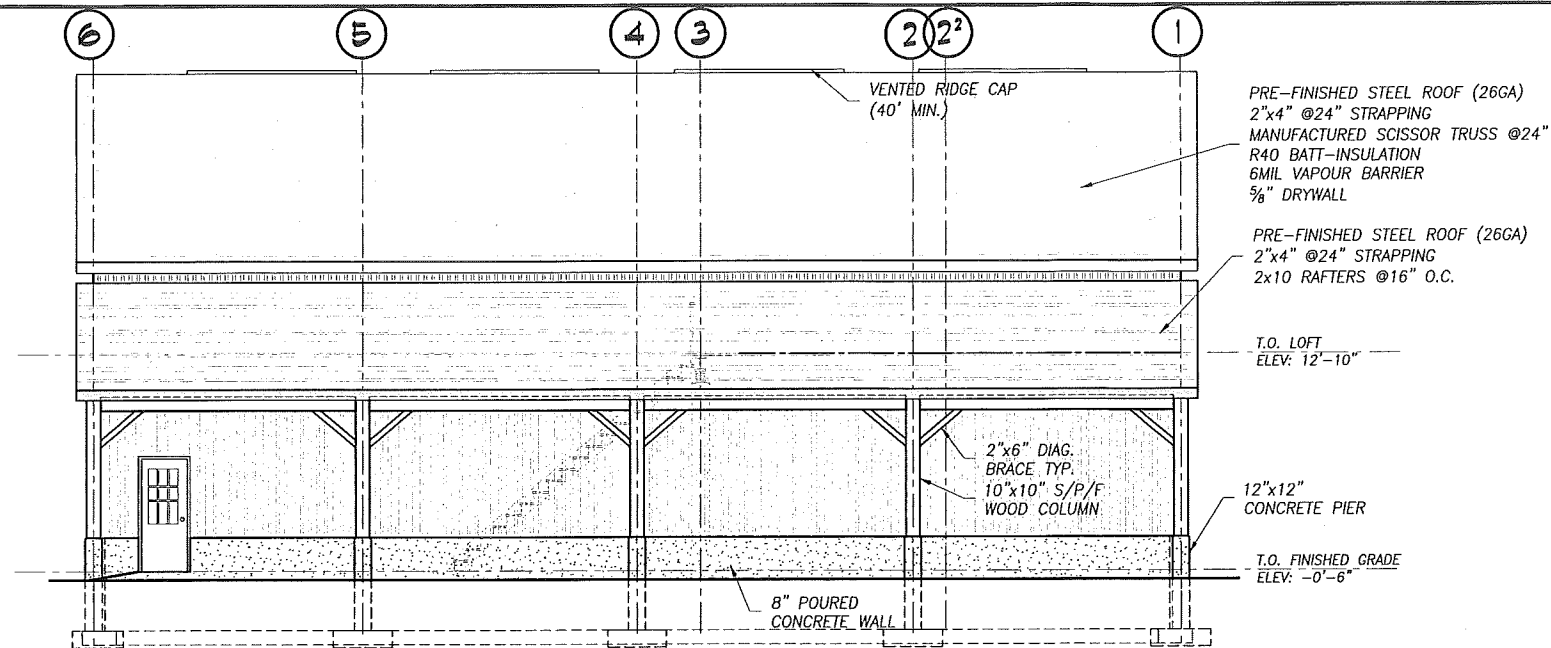
FRONT ELEVATION

SCALE: 1/8" = 1'-0"

1	19/06/17	ISSUED FOR BUILDING PERMIT
No.	DATE	REVISION
REVISIONS		
		
300 YORK BLVD HAMILTON, ONTARIO L8R 3K6 905-333-9119		
M&R MARBLE & TILE STORAGE BUILDING		
3659 UPPER JAMES ST. HAMILTON ONTARIO		
LEFT & FRONT ELEVATION		
DATE JUNE 2019	DRAWN BY SYN	DRAWING No. 5 of 11
PROJECT No. 19001	CHECKED BY HAPH	

GL/A 20:66
Sketch 3

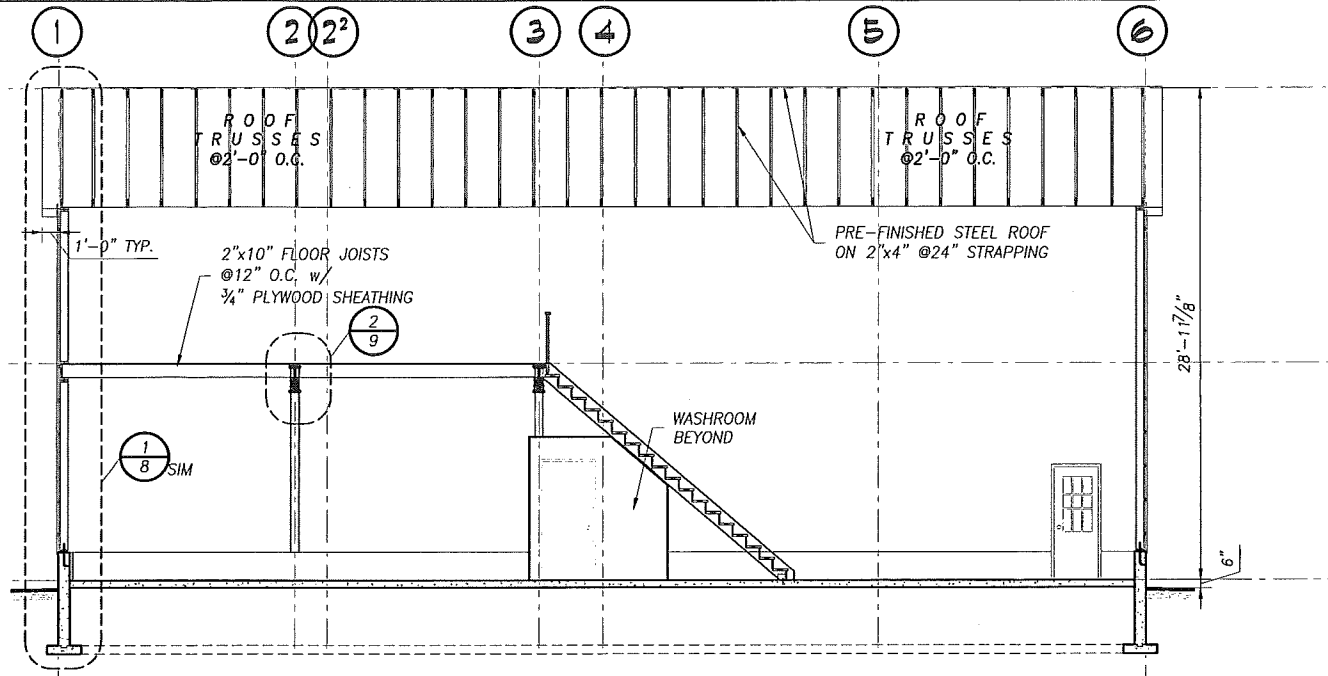
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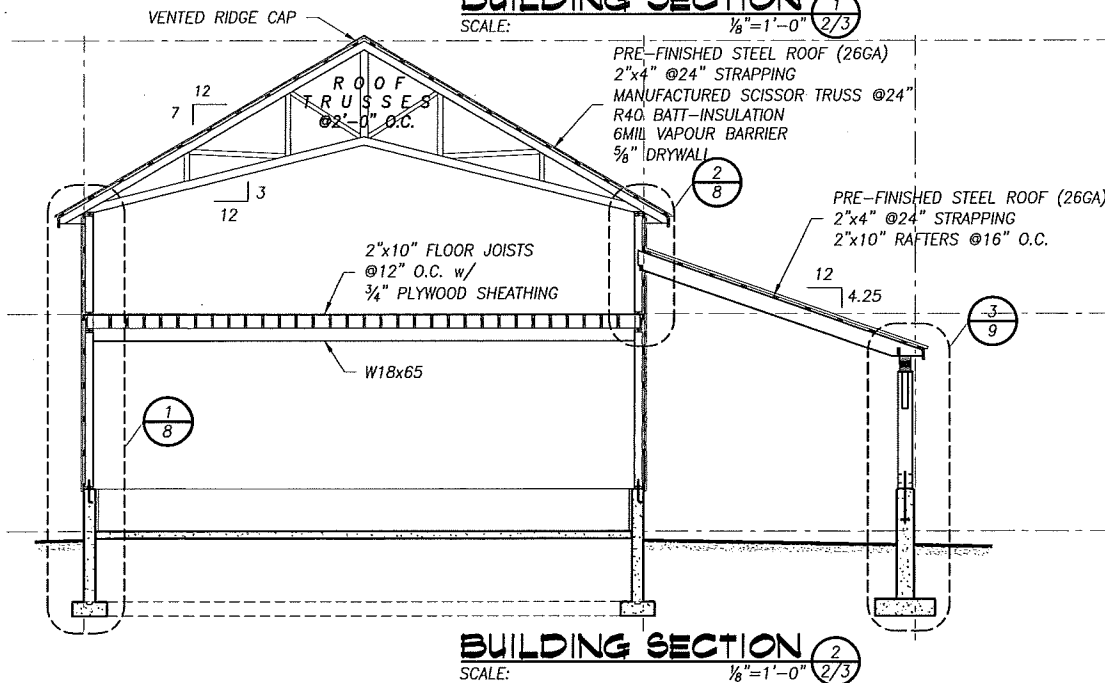
REVISIONS		
1	19/06/17	ISSUED FOR BUILDING PERMIT
No.	DATE	REVISION
KALOS ENGINEERING		
300 YORK BLVD HAMILTON, ONTARIO L8R 3K6 905-333-9119		
M&R MARBLE & TILE STORAGE BUILDING		
3659 UPPER JAMES ST. HAMILTON ONTARIO		
RIGHT & REAR ELEVATION		
DATE JUNE 2019	DRAWN BY SYN	DRAWING No. 6 of 11
PROJECT No. 19001	CHECKED BY HAPH	

GL/A 20:66
Sketch 4

PLOT DATE: 2019/07/08 5:02 PM




BUILDING SECTION 1
SCALE: 1/8" = 1'-0" 2/3



GENERAL NOTES

1. CHECK ALL DIMENSIONS ON THESE DRAWINGS WITH ALL OTHER DRAWINGS, INCLUDING BUT NOT LIMITED TO DRAWINGS PREPARED ARCHITECTURAL, MECHANICAL OR ELECTRICAL CONSULTANTS. REPORT ANY INCONSISTENCIES TO THE ENGINEER PRIOR TO COMMENCING WITH THE WORK. DO NOT SCALE THE DRAWINGS.
2. THE DESIGN LIVE LOADS ARE INDICATED ON THE DRAWINGS. CONSTRUCTION LOADS SHALL NOT EXCEED THE DESIGN LOADS.
3. THE COMPLETED STRUCTURE IS SHOWN ON THE DRAWINGS. THE CONTRACTOR SHALL PROVIDE ALL TEMPORARY BRACING, SHORING AND ANY OTHER TEMPORARY OR PERMANENT MEASURES AS REQUIRED DURING CONSTRUCTION. THE CONTRACTOR SHALL PROVIDE ALL TEMPORARY SUPPORT OF EXISTING OR ADJACENT STRUCTURES AS REQUIRED. ALL BRACING AND SHORING IS THE RESPONSIBILITY OF THE CONTRACTOR.
4. CONSTRUCTION FEATURES NOT FULLY SHOWN ARE COMPARABLE TO SIMILAR CONDITION DETAILS.
5. REFER TO OTHER CONSULTANTS DRAWINGS FOR DETAILS OF OPENINGS, PITS, CHAMFERS, DEPRESSIONS NOT INDICATED ON THE STRUCTURAL DRAWINGS.
6. ALL CONSTRUCTION SHALL BE IN CONFORMANCE WITH THE LATEST ONTARIO BUILDING CODE, LATEST APPLICABLE REGULATIONS AND GOOD CONSTRUCTION PRACTICES.
7. THE STRUCTURAL DRAWINGS SHALL BE READ IN CONJUNCTION WITH ALL OTHER CONTRACT DRAWINGS AND SPECIFICATIONS.
8. CLARIFY ANY QUERIES WITH THE ENGINEER REGARDING THE INTERPRETATION OF THE DRAWINGS, PRIOR TO THE COMMENCEMENT OF ANY WORK.

1	19/06/17	ISSUED FOR BUILDING PERMIT
No.	DATE	REVISION
REVISIONS		
		
300 YORK BLVD HAMILTON, ONTARIO L8R 3K6 905-333-9119		
M&R MARBLE & TILE STORAGE BUILDING		
3659 UPPER JAMES ST. HAMILTON ONTARIO		
BUILDING SECTION		
DATE JUNE 2019	DRAWN BY SYN	DRAWING No. 7 of 11
PROJECT No. 19001	CHECKED BY HAPH	

G/LA 20:66
Sketch 5





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.**

RECEIVED

FOR OFFICE USE ONLY.		FEB 13 2021
APPLICATION NO. <u>GLA-20:66</u>	DATE APPLICATION RECEIVED <u>COM. OF ADJUSTMENT</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.

1. Name of Owner Martin Raposa T

2.

3. Name of Agent Kalos Engineering Inc. T

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:

CIBC

1550 Upper James Street, Hamilton Postal Code L9B 2L6

Postal Code _____

- Page 2

- 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 X Unknown _____
- 9.11 What information did you use to determine the answers to 9.1 to 9.10 above?
Personal knowledge of the property

- 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 X

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.

February 13, 2020
 Date


 Signature of Property Owner

Martin Raposa
 Print Name of Owner

10. Dimensions of lands affected:
 Frontage 22.86m
 Depth 167.24m
 Area 3821.0 sm
 Width of street assumed 30m (former Highway 6 south)
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: Single Family Dwelling - 1 storey - 82.7 sm
Approx 11.8m x 7.46m, height approx 6m
Other existing accessory buildings to be removed

 Proposed: Storage Shed - 1 storey with loft - 199.3 sm
19.8m x 10.05m, 8.83m high

12. Location of all buildings and structures on or proposed for the subject lands;
 (Specify distance from side, rear and front lot lines)
 Existing: Single Family Dwelling
- front - 22.2m
- rear - 132.9m
- sides - 9.76m and 5.56m
 Proposed: Storage Building
- front - 91.3m
- rear - 56.1m
- sides - 1.2m and 6.64m (to lean to at side)

13. Date of acquisition of subject lands:
2017
14. Date of construction of all buildings and structures on subject lands:
circa 1970
15. Existing uses of the subject property:
Single family dwelling
16. Existing uses of abutting properties:
Single family dwelling
17. Length of time the existing uses of the subject property have continued:
estimated 40 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:
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
05-200 and 15-173
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.