



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.: DN/A-20:215

APPLICANTS: James Ling on behalf of the owner A. Kroeker & S. Joyce

SUBJECT PROPERTY: Municipal address **278 Park St. W., Dundas**

ZONING BY-LAW: Zoning By-law 3581-86, as Amended

ZONING: "R2" (Single Detached Residential) Zone (R2)

PROPOSAL: To permit the construction of a two storey 6.2m (20'4") x 12.52m (41'1") rear addition, to re-construct a 1.57m (5'2") x 2.13m (8'0") roofed-over unenclosed one-storey front porch at the first storey level, including eaves and gutters and stairs and to construct a 3.05m (10'0") x 3.28m (10'9") roofed-over unenclosed one-storey rear porch at the first storey level, including eaves and gutters and stairs onto an existing single detached dwelling and to recognize the location of an existing accessory building (shed) notwithstanding that:

1. A minimum northerly side yard of 1.2m shall be permitted instead of the minimum required side yard of 5.0 metres on one side of an interior lot upon which there is no garage or carport.
2. The roofed-over unenclosed one-storey front porch at the first storey level, including stairs, eaves and gutters, may project into a required front yard a distance of not more than 4.9m so that the projecting porch shall be distant at least 1.1m metres from the front lot line instead of the requirement that a roofed-over or screened but otherwise unenclosed one-storey porch at the first storey level, including eaves and gutters, may project into a required front yard to a distance of not more than 3.0m, and every such projecting porch shall be distant at least 4.0 metres from the front lot line.
3. A minimum parking space size of 2.5m wide x 6.0m long shall be provided instead of the minimum required parking space size of 2.7m wide x 6.0m long.
4. A minimum access driveway width of 2.5m shall be provided instead of the minimum required driveway width of 2.8m.
5. A minimum setback of 1.2m from the southerly side lot line shall be recognized for the existing accessory building (existing shed) and the principal dwelling shall have a minimum side yard on one side of 1.2m instead of the requirement for an accessory building on properties where a garage does not form part of a principle dwelling shall be a minimum of 2.0m from a side lot line and the principle dwelling must have minimum side yard, on one side of an internal lot, of 3.0 metres.

6. A minimum setback of 1.1m from the rear lot line shall be recognized for the existing accessory building (existing shed) instead of the requirement for an accessory building on properties where a garage does not form part of a principle dwelling shall be a minimum of 2.0m from a rear lot line.

NOTE:

i) Variances are not required for the existing front yard and existing side yards for the existing portion of the single detached dwelling as these setbacks are not being altered and are considered to be legally established non-complying.

ii) A variance is not required to the minimum number of parking spaces as one (1) parking space is required and has been provided.

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

DATE: Thursday, November 19th, 2020
TIME: 1:40 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:

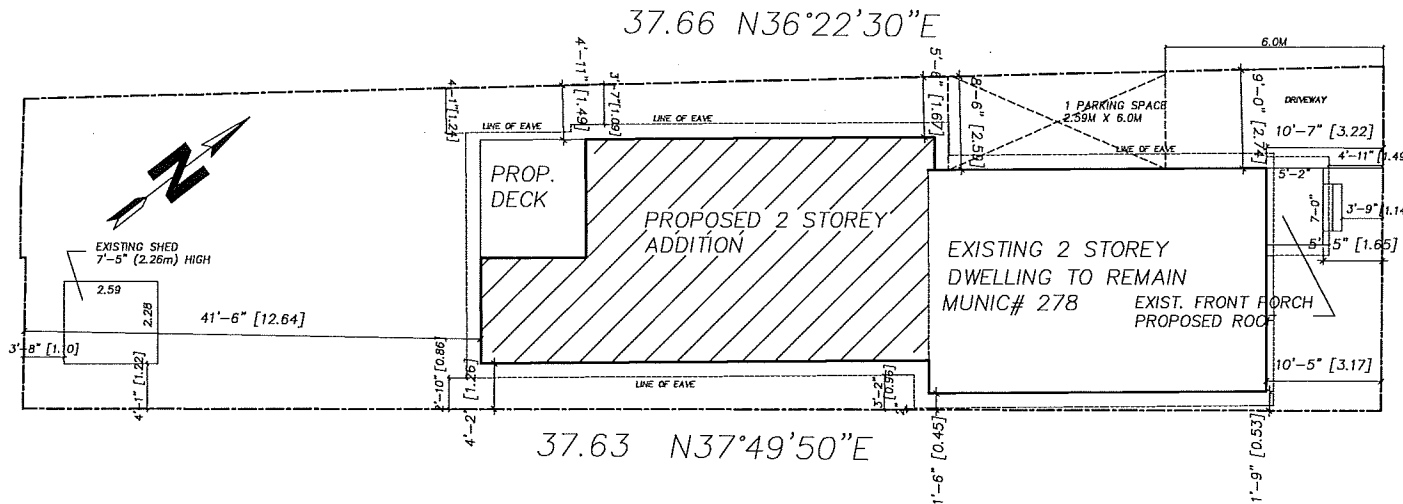
- Visit www.hamilton.ca/committeeofadjustment
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at cofa@hamilton.ca

DATED: November 3rd, 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.



Site Plan

SCALE 1/8" = 1'-0"

FRONT YARD AREA 329 SQ.FT
LANDSCAPED AREA 188 S.F.
% FRONT YARD LANDSCAPED
57.14%

EXISTING FIRST FLOOR 493 SQ.FT.
EXISTING SECOND FLOOR 493 SQ.FT.

TOTAL EXISTING = 986 SQ.FT. 91.60 SQ.M.

ADDITION FIRST FLOOR 729 SQ.FT.
ADDITION SECOND FLOOR 729 SQ.FT.

TOTAL ADDITION = 1458 SQ.FT. 135.45 SQ.M.

TOTAL GFA 2444 SQ.FT. 227.05 SQ.M.

The undersigned has reviewed and takes responsibility for the design and use of the specifications and means the requirements set out in the Ontario Building Code to ensure the work shown on the attached drawings. (Professional seal and signature required)

REGISTERED ARCHITECT
R.G. CAD SERVICE INC. 2022

9.56 N51° 57' W
PARK STREET WEST

CONTRACTOR TO CHECK AND VERIFY ALL DIMENSIONS AND REPORT ANY ERRORS, OMISSIONS OR DISCREPANCIES TO THE DESIGNER PRIOR TO COMMENCEMENT OF CONSTRUCTION.

DN/A 20215

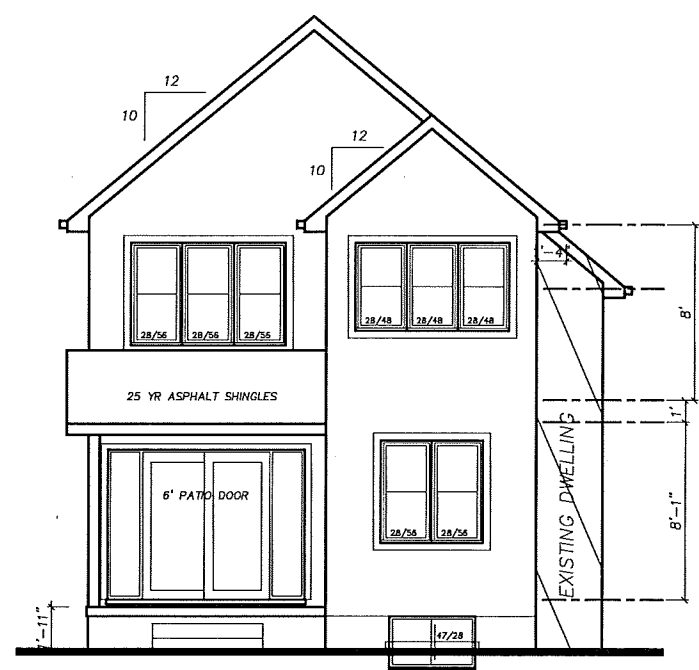
* THESE DRAWINGS HAVE BEEN PRODUCED FOR THE HOMEOWNER AND ARE PROTECTED BY COPYRIGHT.

2553 SEPT. 20
R.G.CAD
SERVICE INC.
228 GREEN RD. STEWART CREEK
PHONE (905) 664-8061

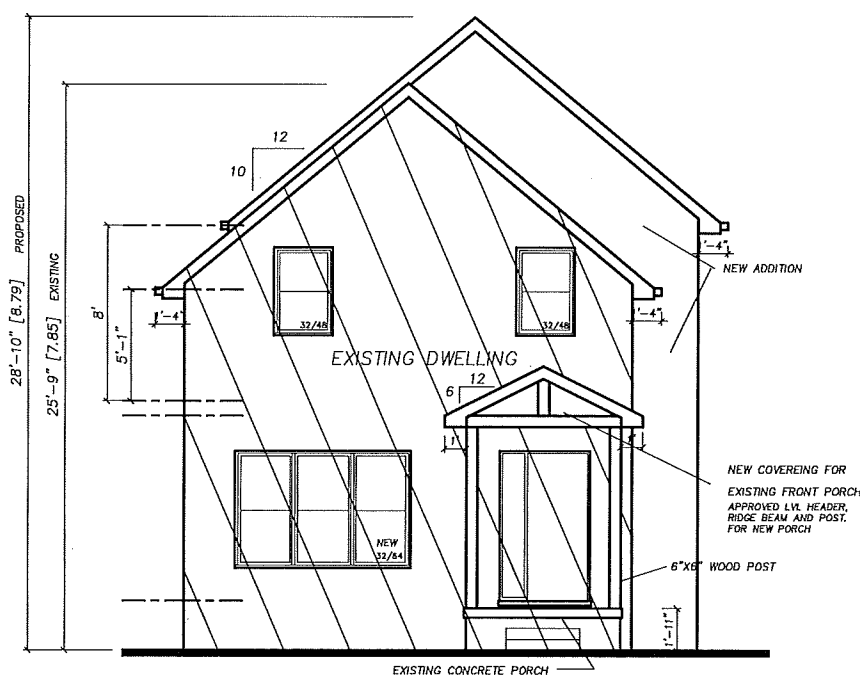
PROPOSED ADDITION/RENOVATION
278 PARK STREET W.
DUNDAS

8

SCALE 1/4" = 1'-0"



Rear Elevation



Front Elevation

The undersigned has reviewed and takes responsibility for this design and has the qualifications and meets the requirements set out in the Ontario Building Code to design the work shown on the attached documents.

QUALIFICATION INFORMATION
 Required unless design is exempt under M.V.C 3.2.5.1 of the building code
 Richard Weatherston 24787
 STATE SIGNATURE BCST

REGISTRATION INFORMATION
 Required unless design is exempt under DIV. C 3.2.4.1 of the building code
 R.G. CAD SERVICE INC. 29747
 FIRM NAME BON

CONTRACTOR TO CHECK AND VERIFY ALL DIMENSIONS AND REPORT ANY ERRORS, OMISSIONS OR DISCREPANCIES TO THE DESIGNER PRIOR TO COMMENCEMENT OF CONSTRUCTION.

DN/A 2015

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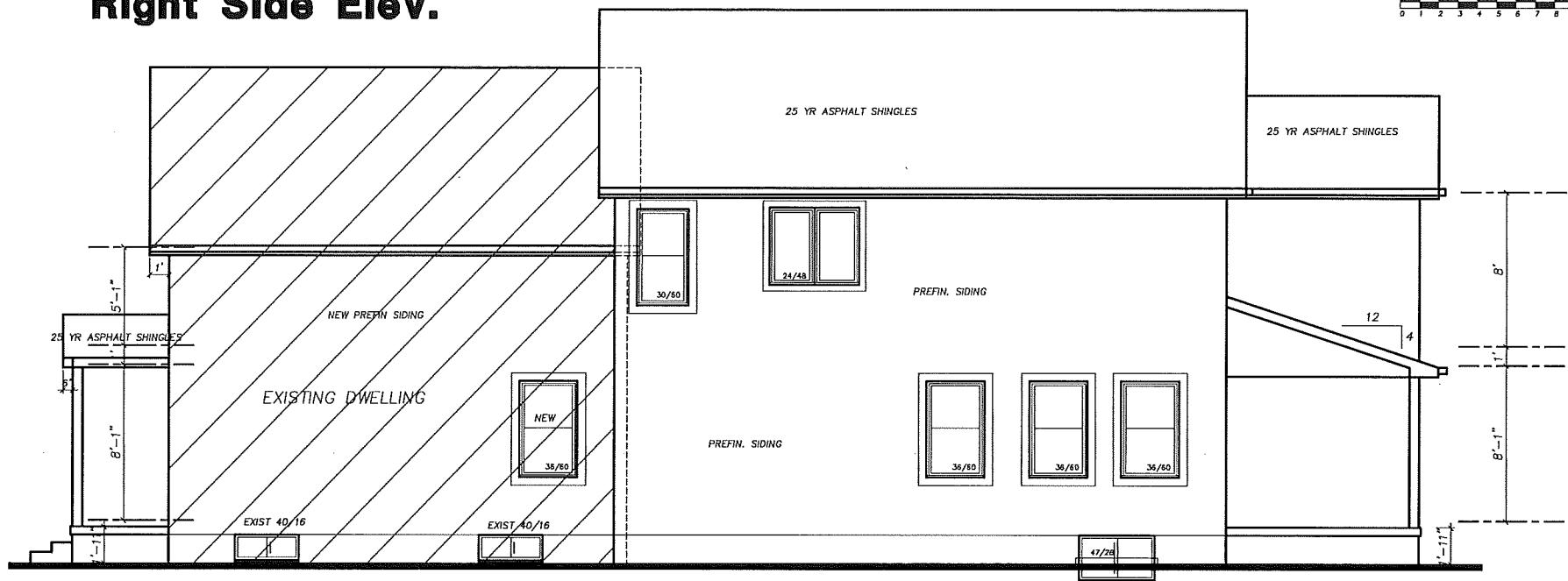
3593 SEPT. 20

R.G.CAD SERVICE INC.
 228 GREEN RD. STONEY CREEK
 PHONE (403) 864-9061

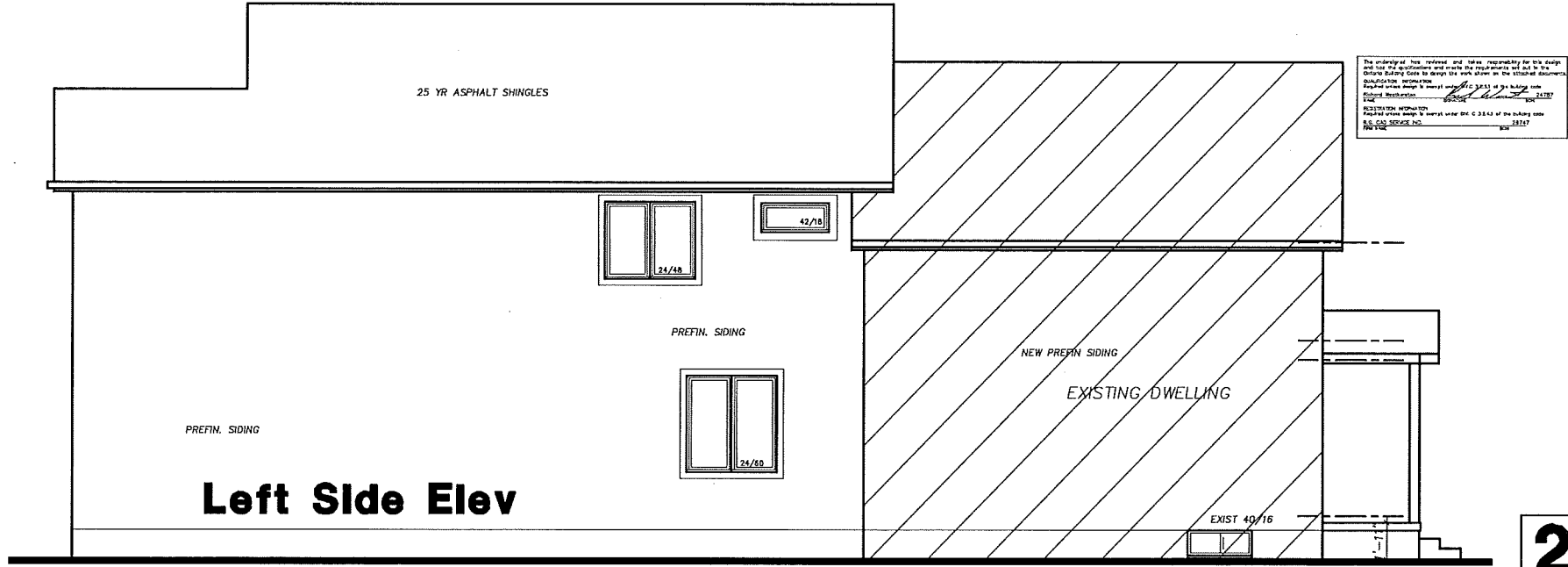
PROPOSED ADDITION/RENOVATION
278 PARK STREET W.
 DUNDAS

1

Right Side Elev.



Left Side Elev

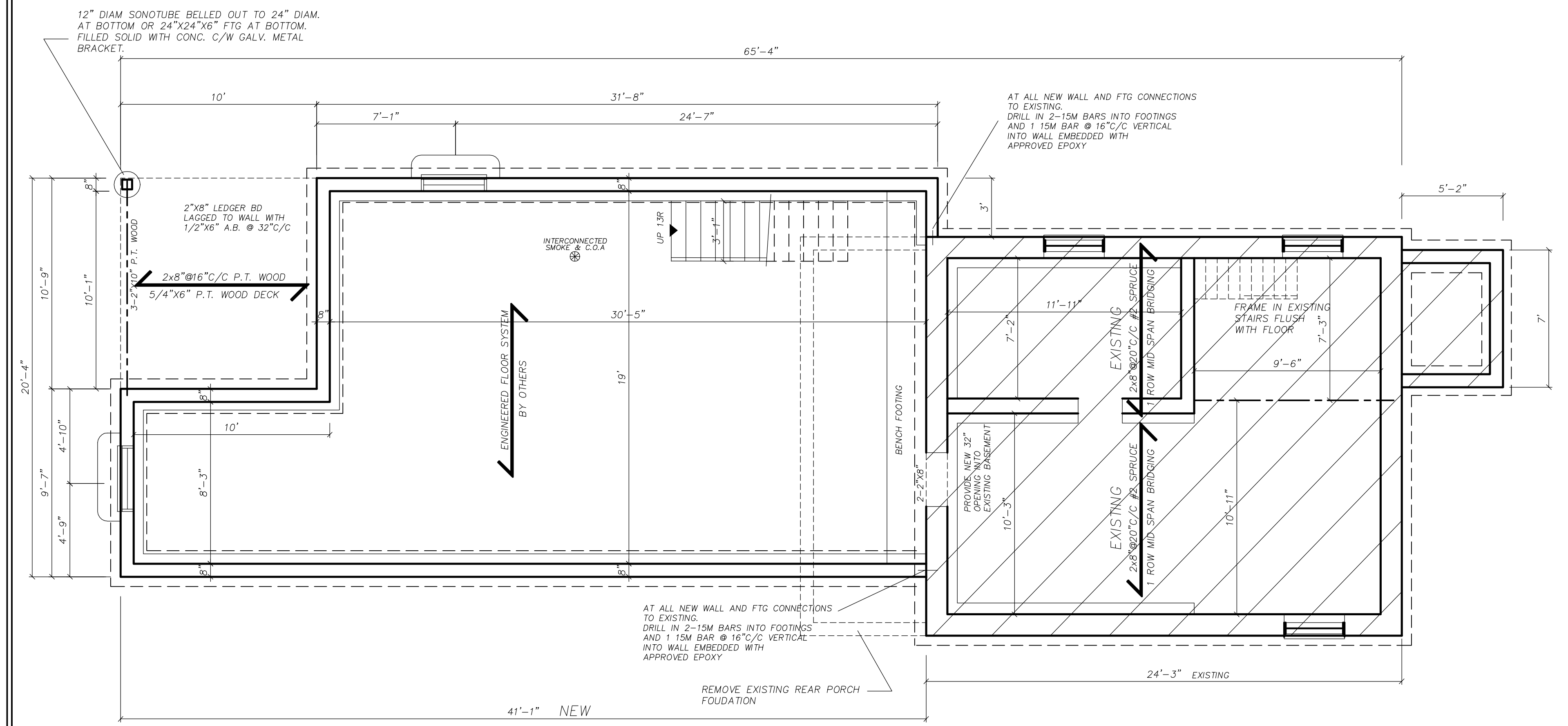


The undersigned has reviewed and taken responsibility for this design and that the application and made the modifications set out in the Design Building Code to design the work shown on the attached documents. I am a duly licensed and qualified professional engineer in the State of California. My license number is 24787. My expiration date is 12/31/2015. My address is 1234 Main Street, San Francisco, CA 94102. My phone number is 415-555-1234. My fax number is 415-555-5678.

CONTRACTOR TO CHECK AND VERIFY ALL DIMENSIONS AND REPORT ANY ERRORS, OMISSIONS OR DISCREPANCIES TO THE DESIGNER PRIOR TO COMMENCEMENT OF CONSTRUCTION.

519:02
DN/A
2015

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Basement & Fdn Plan

- * FOUNDATION WALLS ARE POURED CONCRETE UNLESS OTHERWISE NOTED.
- * ALL FOOTINGS TO BE 4'-0" MINIMUM BELOW THE FINAL GRADE.
- * ALL FOOTINGS TO BE PLACED ON UNDISTURBED SOIL.
- * DOUBLE JOISTS UNDER ALL PARALLEL PARTITIONS.
- * #1 GRADE SPRUCE SPECIFICATION IS ASSUMED 50% #1 AND #2 MIXED, AND SPANS HAVE BEEN CALCULATED ACCORDINGLY.
- * ALL FOOTINGS ARE 20"x6" UNLESS OTHERWISE NOTED

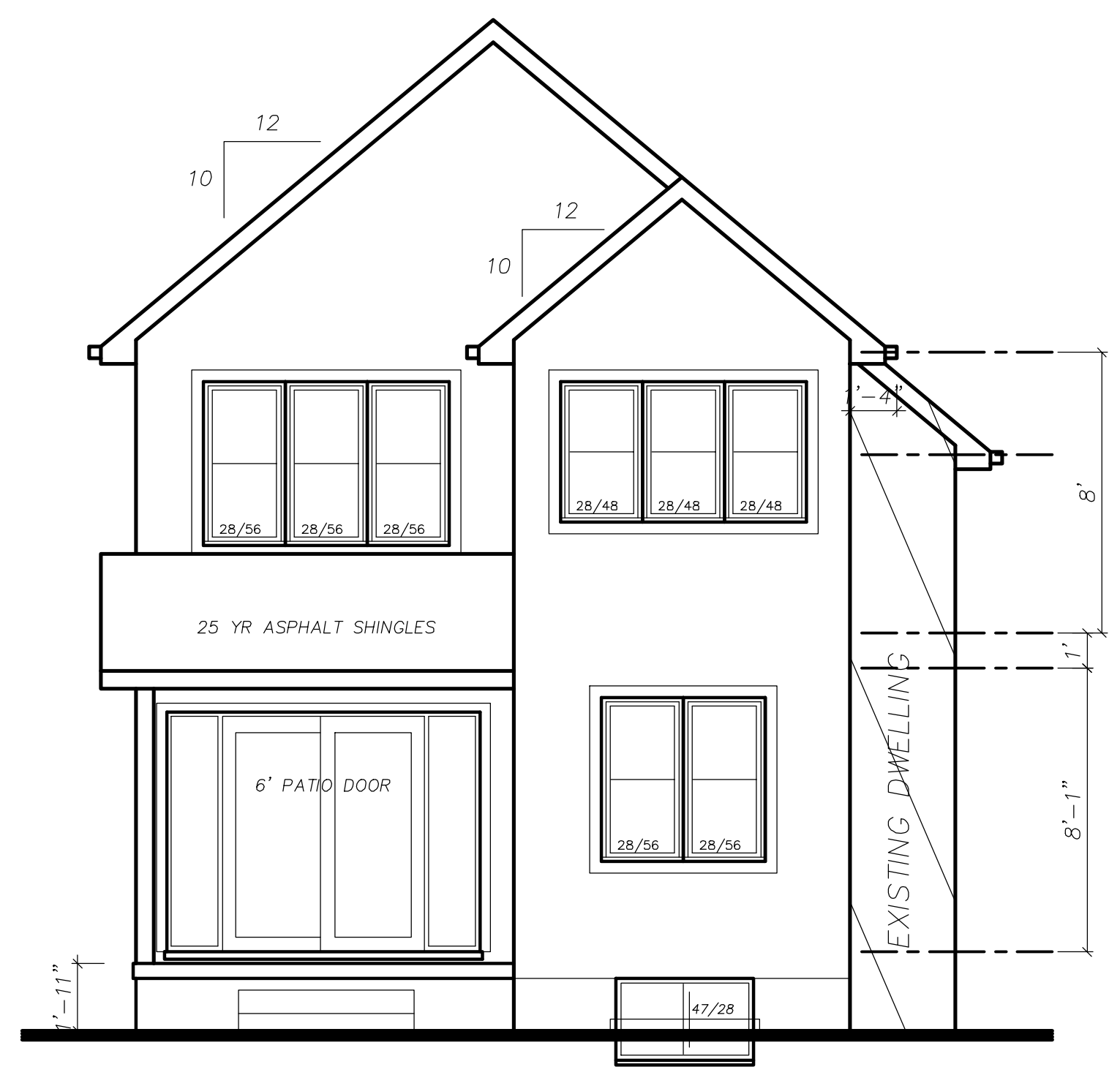
The undersigned has reviewed and takes responsibility for this design and has the qualifications and meets the requirements set out in the Ontario Building Code to design the work shown on the attached documents.

QUALIFICATION INFORMATION
 Required unless design is exempt under R.C. 3.2.5.1 of the building code
 Richard Weatherston 24787
 NAME SIGNATURE BCN

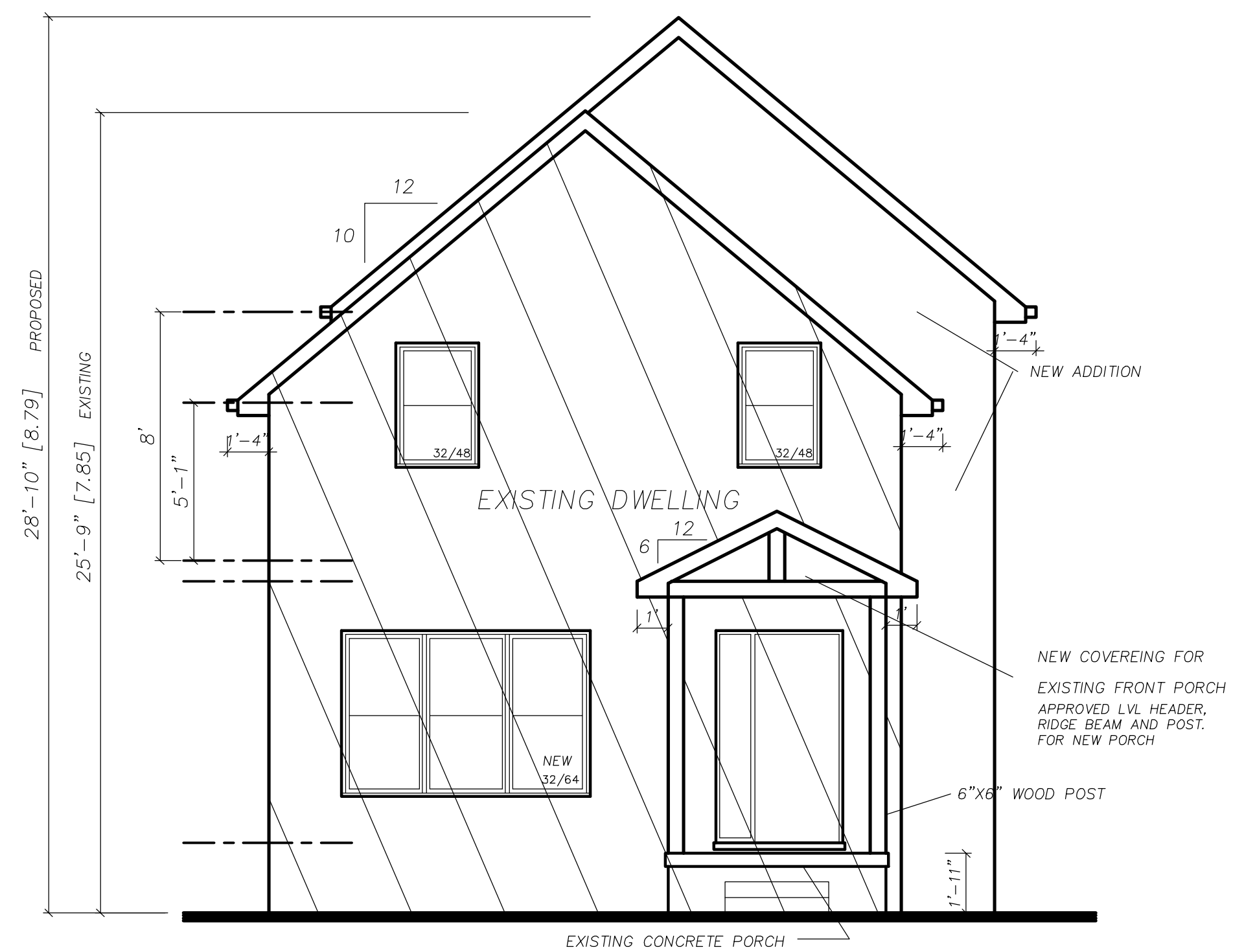
REGISTRATION INFORMATION
 Required unless design is exempt under DIV. C 3.2.4.1 of the building code
 R.C. CAD SERVICE INC. 29747
 FIRM NAME BCN

CONTRACTOR TO CHECK AND VERIFY ALL DIMENSIONS AND REPORT ANY ERRORS, OMISSIONS OR DISCREPANCIES TO THE DESIGNER PRIOR TO COMMENCEMENT OF CONSTRUCTION.

3593 SEPT.20



Rear Elevation



Front Elevation

The undersigned has reviewed and takes responsibility for this design and has the qualifications and meets the requirements set out in the Ontario Building Code to design the work shown on the attached documents.

QUALIFICATION INFORMATION
 Required unless design is exempt under DIV.C 3.2.5.1 of the building code
 Richard Weatherston 24787
 NAME SIGNATURE BCIN

REGISTRATION INFORMATION
 Required unless design is exempt under DIV. C 3.2.4.1 of the building code
 R.G. CAD SERVICE INC. 29747
 FIRM NAME BCIN

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3593 SEPT.20

R.G.CAD SERVICE INC.
 228 GREEN RD., STONEY CREEK
 PHONE (905) 664-8061

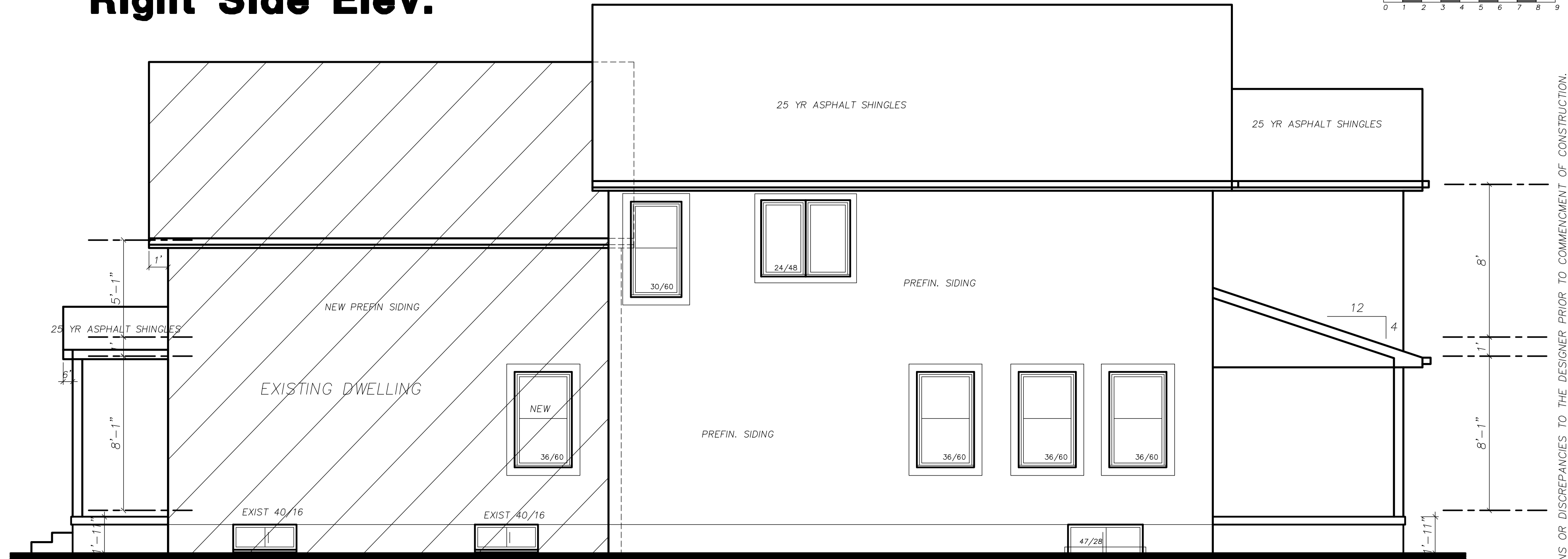
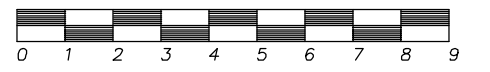
PROPOSED ADDITION/RENOVATION
278 PARK STREET W.
 DUNDAS

1

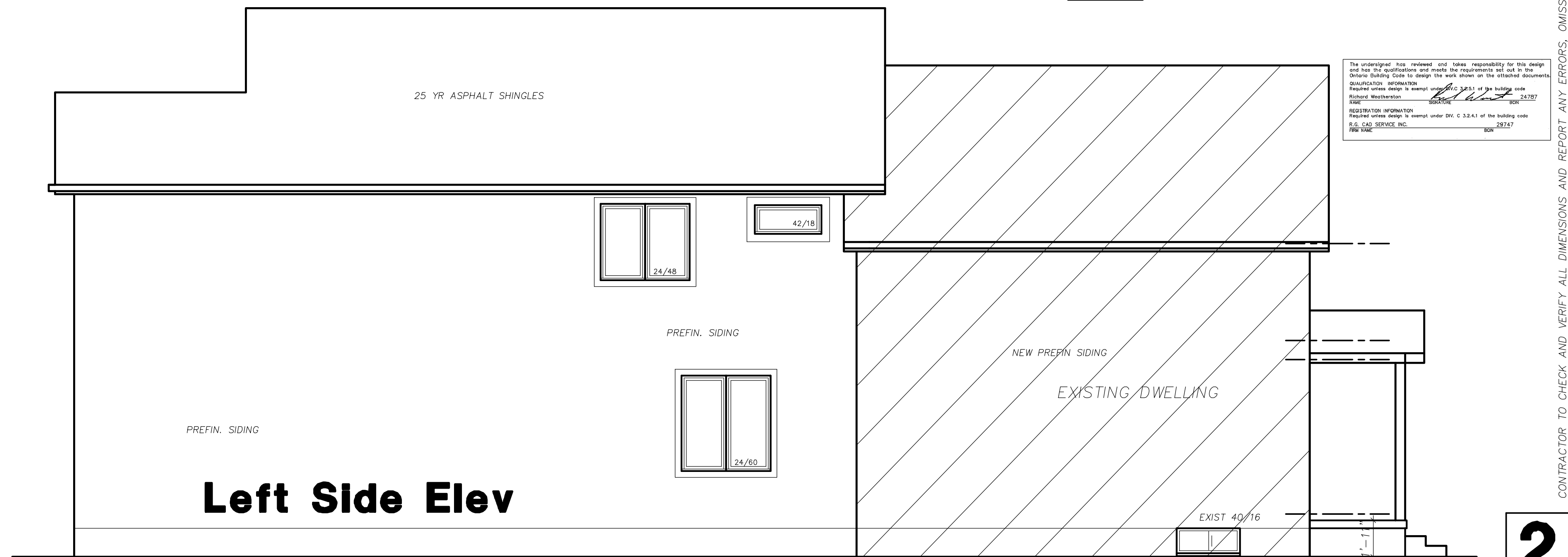
CONTRACTOR TO CHECK AND VERIFY ALL DIMENSIONS AND REPORT ANY ERRORS, OMISSIONS OR DISCREPANCIES TO THE DESIGNER PRIOR TO COMMENCEMENT OF CONSTRUCTION.

Right Side Elev.

SCALE 1/4" = 1'-0"



Left Side Elev



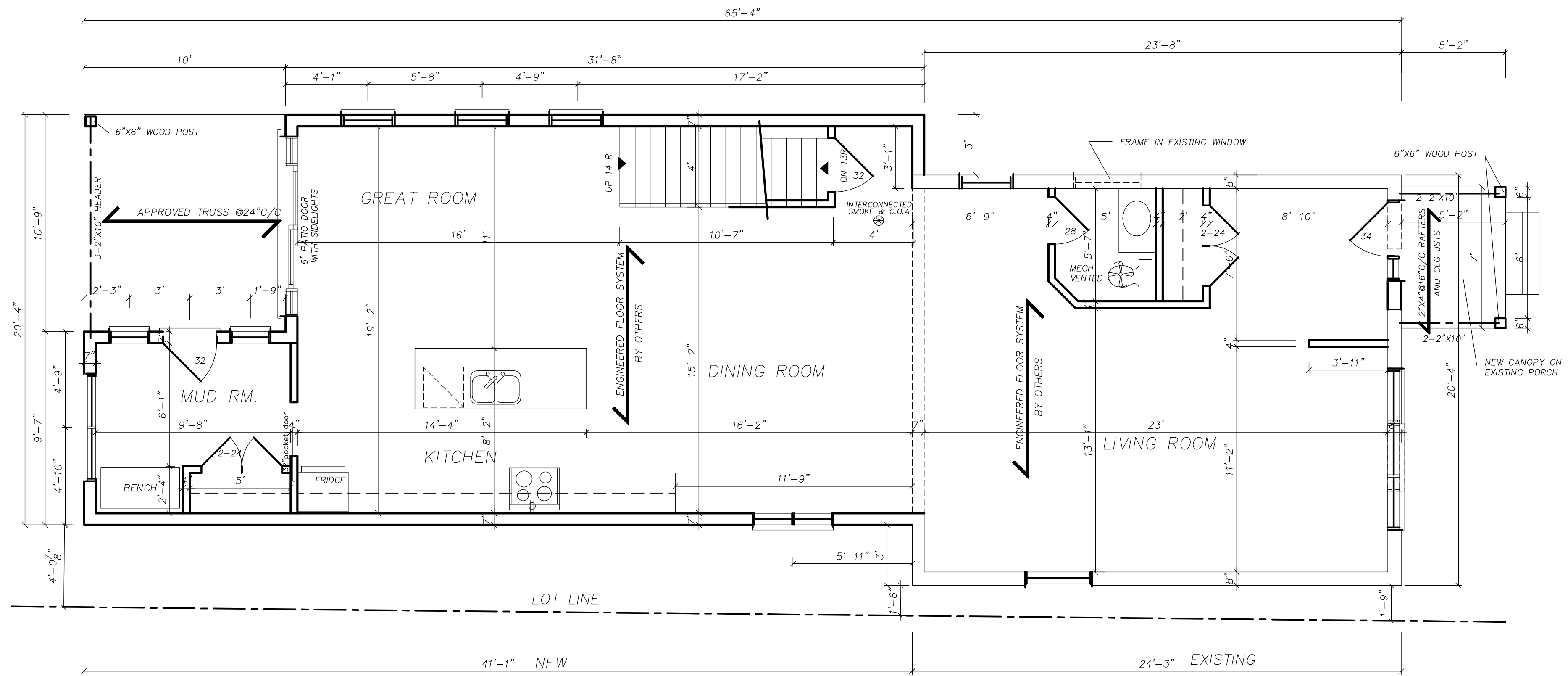
The undersigned has reviewed and takes responsibility for this design and has the qualifications and meets the requirements set out in the Ontario Building Code to design the work shown on the attached documents.

QUALIFICATION INFORMATION
 Required unless design is exempt under R.V.C. 3.2.5.1 of the building code
 Richard Weatherston
 NAME SIGNATURE B.C.N. 247787

REGISTRATION INFORMATION
 Required unless design is exempt under DIV. C 3.2.4.1 of the building code
 R.G. CAD SERVICE INC.
 FIRM NAME 29747 B.C.N.

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CONTRACTOR TO CHECK AND VERIFY ALL DIMENSIONS AND REPORT ANY ERRORS, OMISSIONS OR DISCREPANCIES TO THE DESIGNER PRIOR TO COMMENCEMENT OF CONSTRUCTION.



First Floor Plan

ADDITION FIRST FLOOR 729 SQ.FT.
 ADDITION SECOND FLOOR 729 SQ.FT.
 TOTAL ADDITION = 1458 SQ.FT.

EXISTING FIRST FLOOR 493 SQ.FT.
 EXISTING SECOND FLOOR 493 SQ.FT.
 TOTAL EXISTING = 986 SQ.FT.

The undersigned has reviewed and takes responsibility for this design and has the qualifications and meets the requirements set out in the Ontario Building Code to design the work shown on the attached documents.

QUALIFICATION INFORMATION
 Required unless design is exempt under R.C.O.S. 5.2.1 of the building code
 Richard Weatherston
 NAME SIGNATURE R.C.O.S. 24787
 BCN

REGISTRATION INFORMATION
 Required unless design is exempt under DIV. C 3.2.4.1 of the building code
 R.G. CAD SERVICE INC.
 FIRM NAME 29747
 BCN

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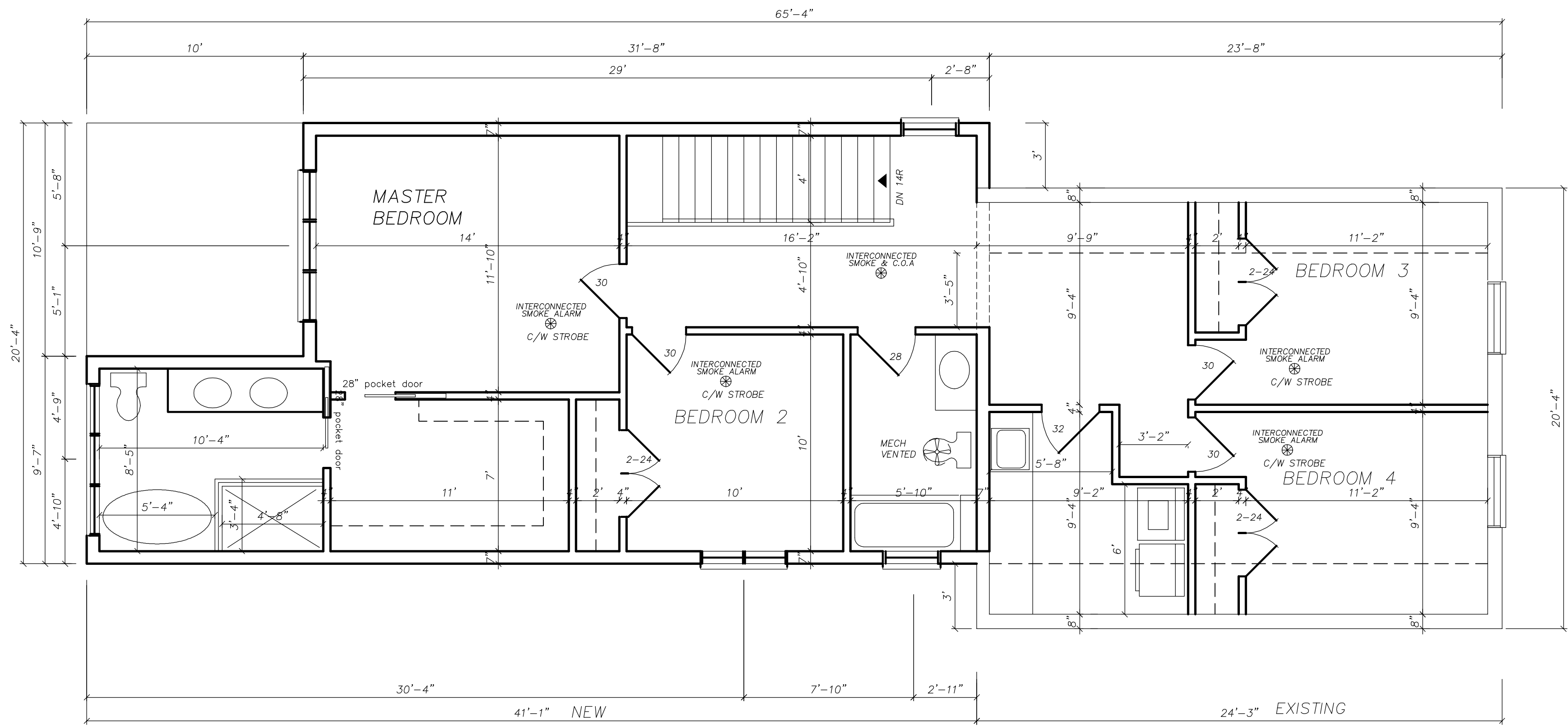
3593 SEPT.20

**R.G.CAD
SERVICE INC.**
 228 GREEN RD., STONEY CREEK
 PHONE (905) 664-8061

PROPOSED ADDITION/RENOVATION
278 PARK STREET W.
 DUNDAS

5

CONTRACTOR TO CHECK AND VERIFY ALL DIMENSIONS AND REPORT ANY ERRORS, OMISSIONS OR DISCREPANCIES TO THE DESIGNER PRIOR TO COMMENCEMENT OF CONSTRUCTION.



Second Floor Plan

The undersigned has reviewed and takes responsibility for this design and has the qualifications and meets the requirements set out in the Ontario Building Code to design the work shown on the attached documents.

QUALIFICATION INFORMATION
 Required unless design is exempt under R.V.C. 3.2.5.1 of the building code
 Richard Weatherston 24787
 NAME SIGNATURE DCB

REGISTRATION INFORMATION
 Required unless design is exempt under DIV. C 3.2.4.1 of the building code
 R.G. CAD SERVICE INC. 28747
 FIRM NAME BCN

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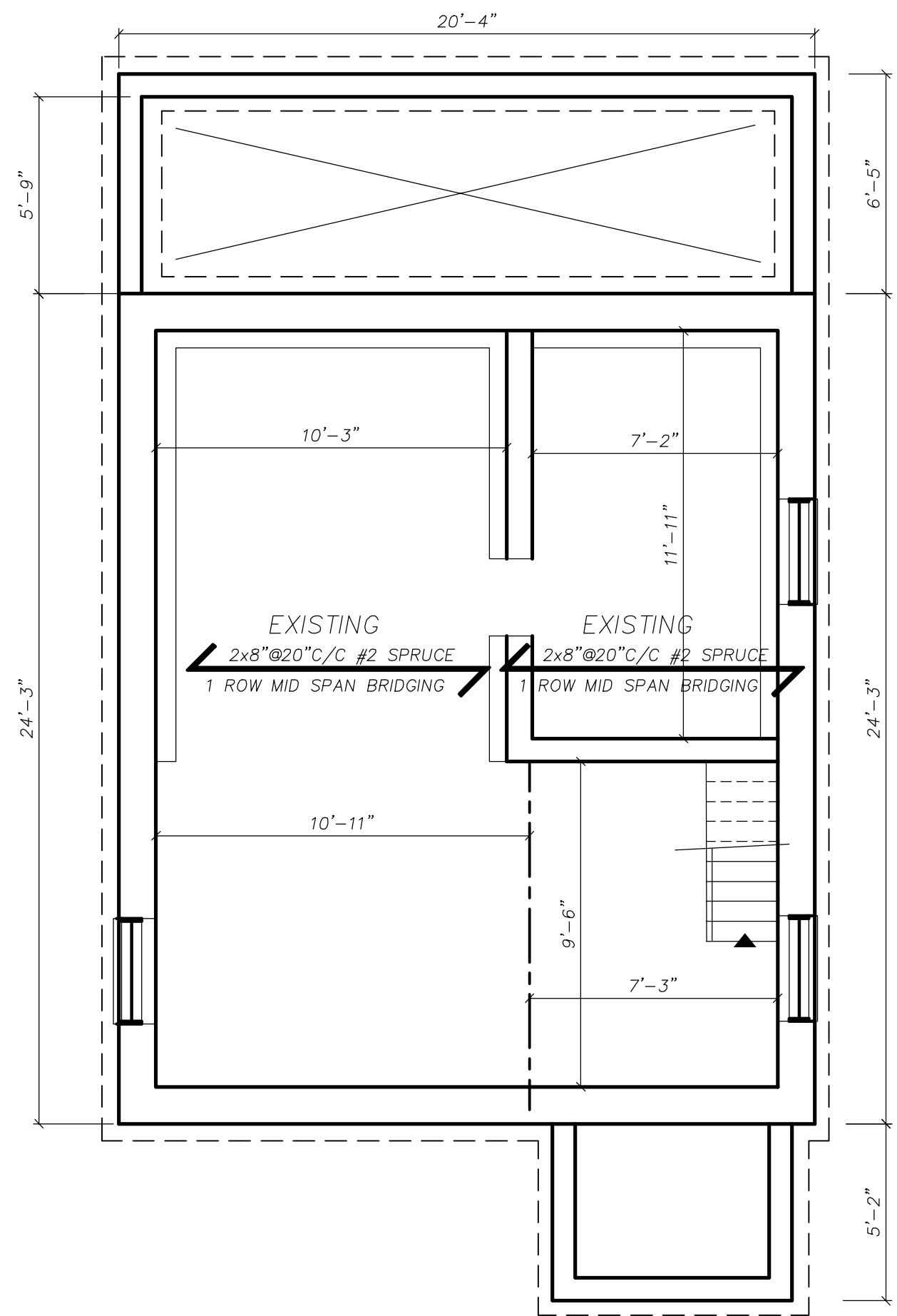
3593 SEPT.20

R.G.CAD SERVICE INC.
 228 GREEN RD. STONEY CREEK
 PHONE (905) 664-8061

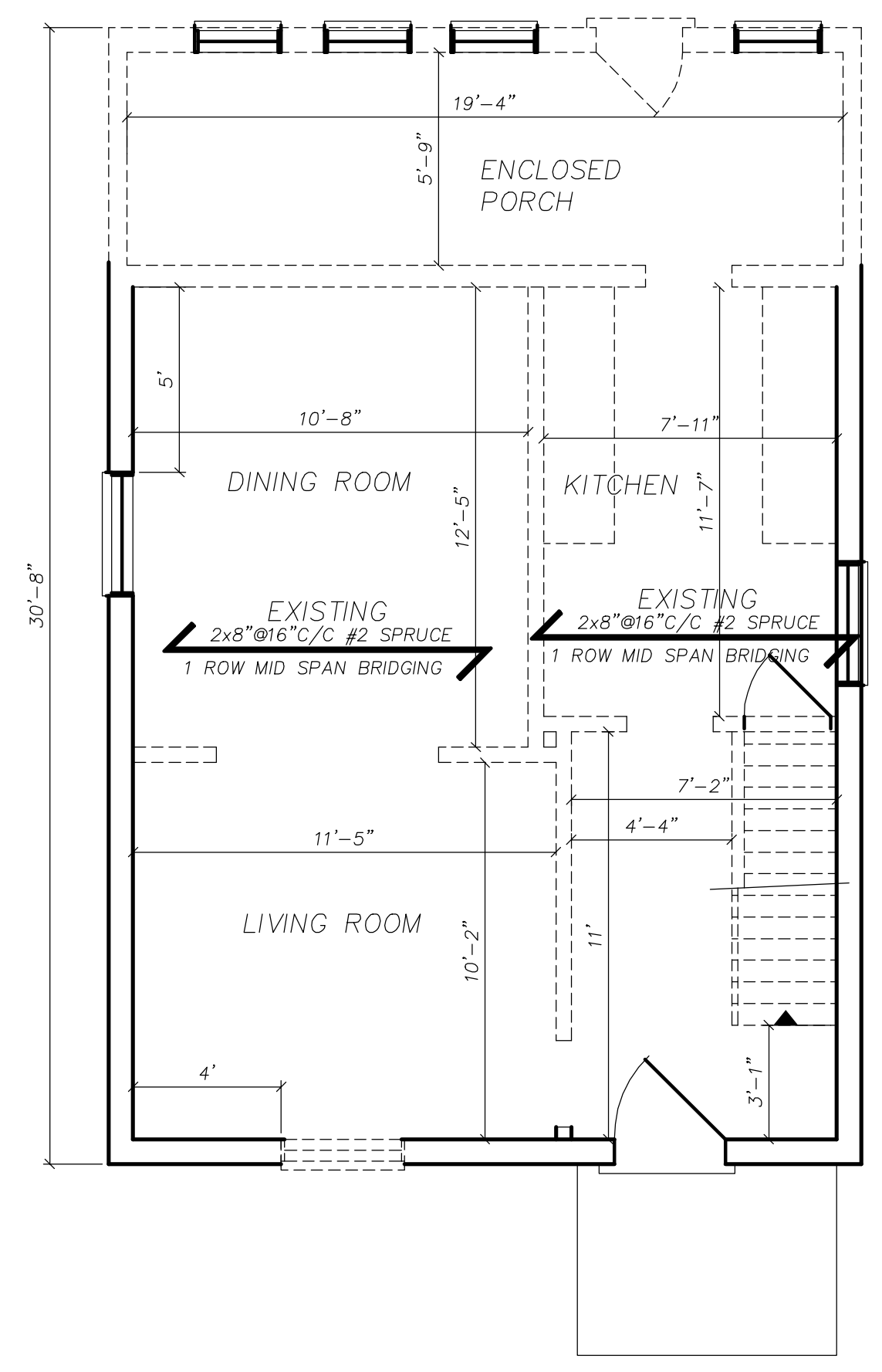
PROPOSED ADDITION/RENOVATION
278 PARK STREET W.
 DUNDAS

6

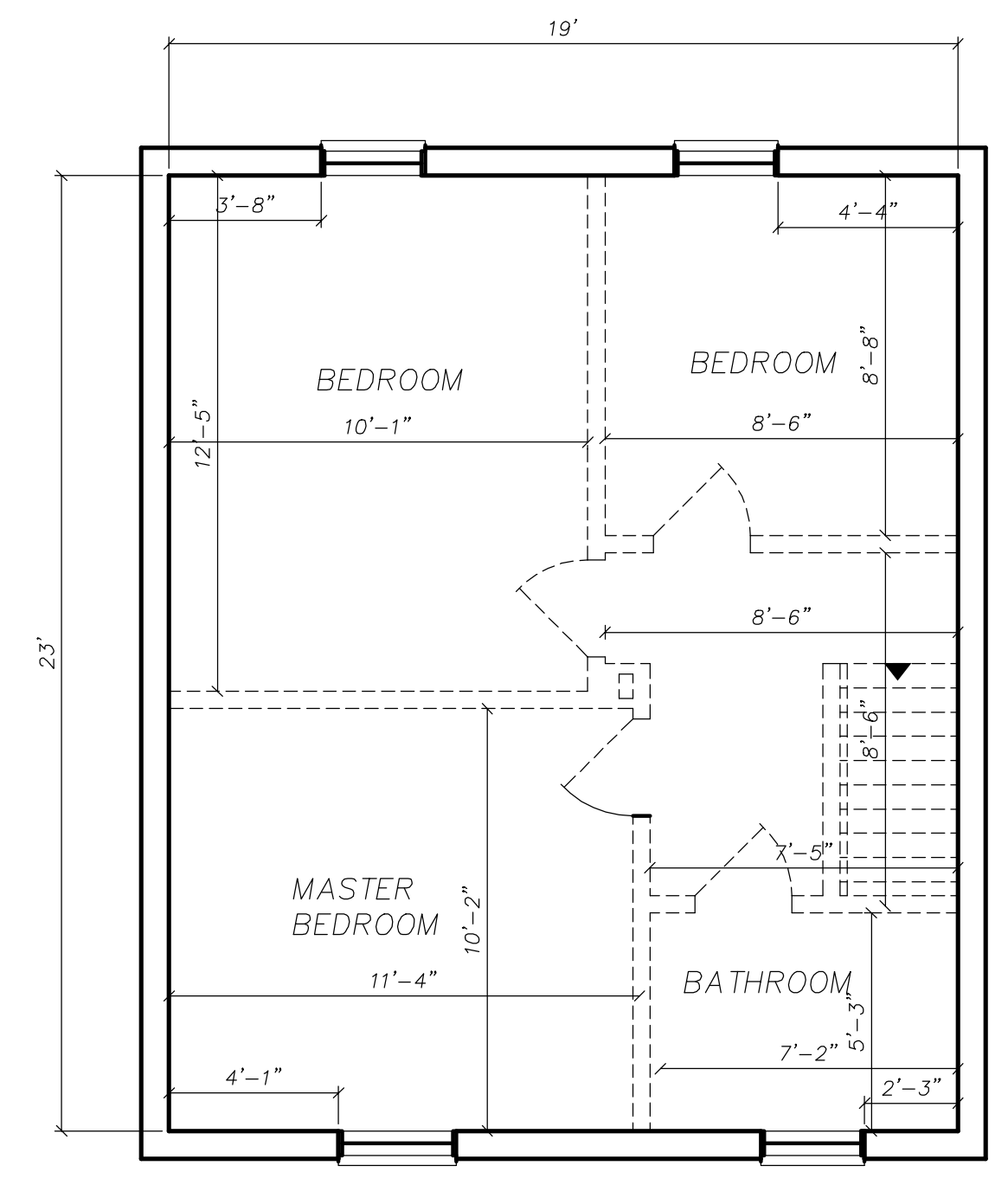
CONTRACTOR TO CHECK AND VERIFY ALL DIMENSIONS AND REPORT ANY ERRORS, OMISSIONS OR DISCREPANCIES TO THE DESIGNER PRIOR TO COMMENCEMENT OF CONSTRUCTION.



Basement & Fdn Plan
EXISTING



First Floor Plan
NOTE: CEILING HGT IS 8'-5" EXISTING



Second Floor Plan
EXISTING

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3593 SEPT. 20

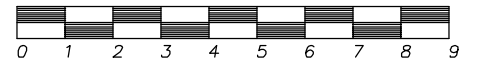
R.G.CAD SERVICE INC.
228 GREEN RD., STONEY CREEK
PHONE (905) 664-8061

PROPOSED ADDITION/RENOVATION
278 PARK STREET W.
DUNDAS

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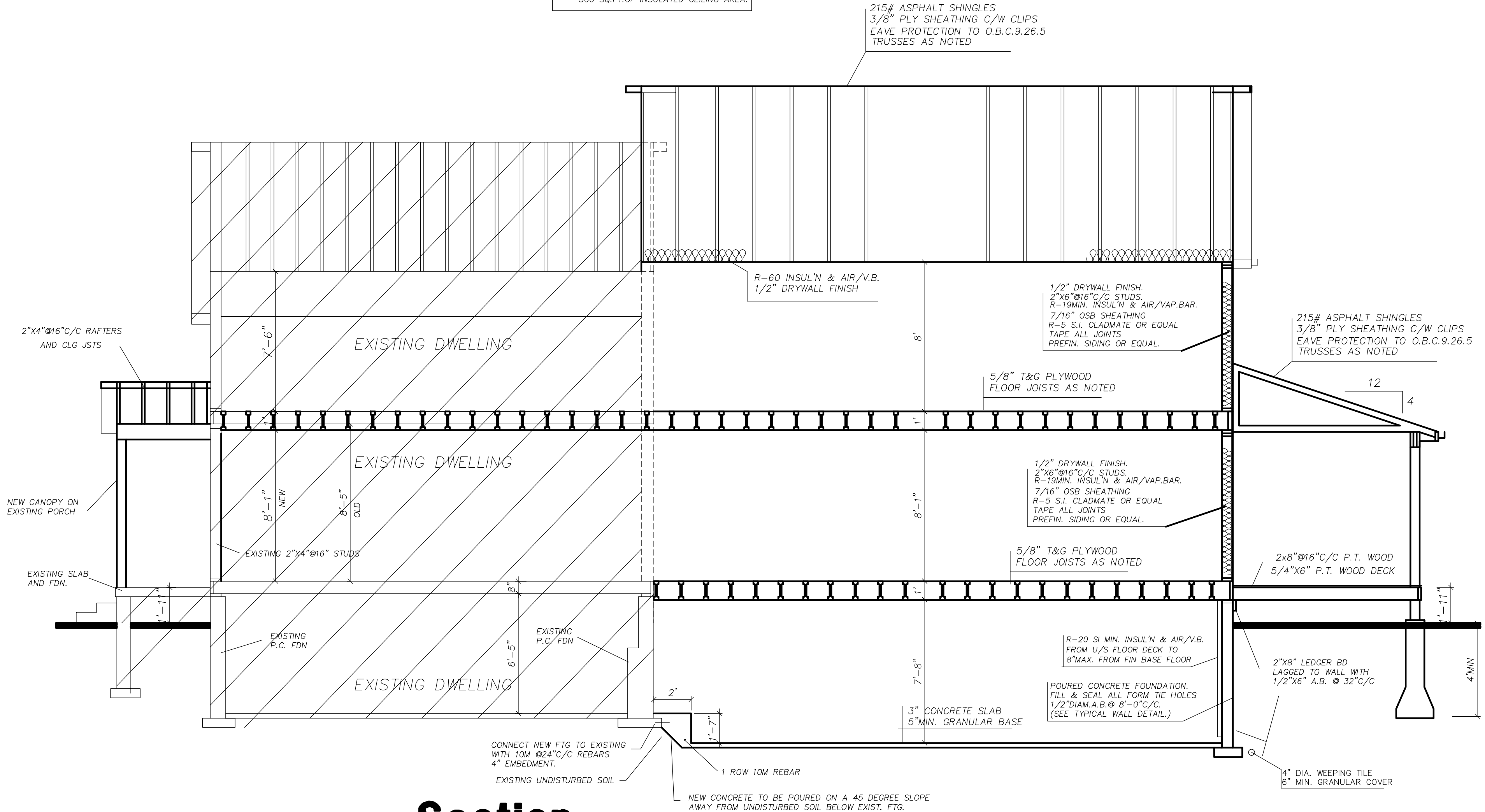
LINTEL SIZE	SUPPORTING 2 FLOORS + ROOF		SUPPORTING 1 FLOOR + ROOF		SUPPORTING ROOF ONLY	
	EXT. BRG. WALLS	INT. WALLS	EXT. BRG. WALLS	INT. WALLS	EXT. BRG. WALLS	INT. WALLS
2-2"x4"	2'-10"	2'-4"	3'-7"	3'-10"	3'-8"	
2-2"x6"	4'-1"	3'-4"	4'-6"	4'-5"	5'-5"	
2-2"x8"	5'-0"	3'-11"	5'-5"	5'-4"	6'-7"	
2-2"x10"	6'-1"	4'-9"	6'-8"	6'-7"	8'-1"	
2-2"x12"	6'-10"	5'-5"	7'-8"	7'-7"	9'-5"	

SCALE 1/4" = 1'-0"



ROOF VENTING TO BE 1 SQ.FT. FOR EVERY 300 SQ.FT. OF INSULATED CEILING AREA.

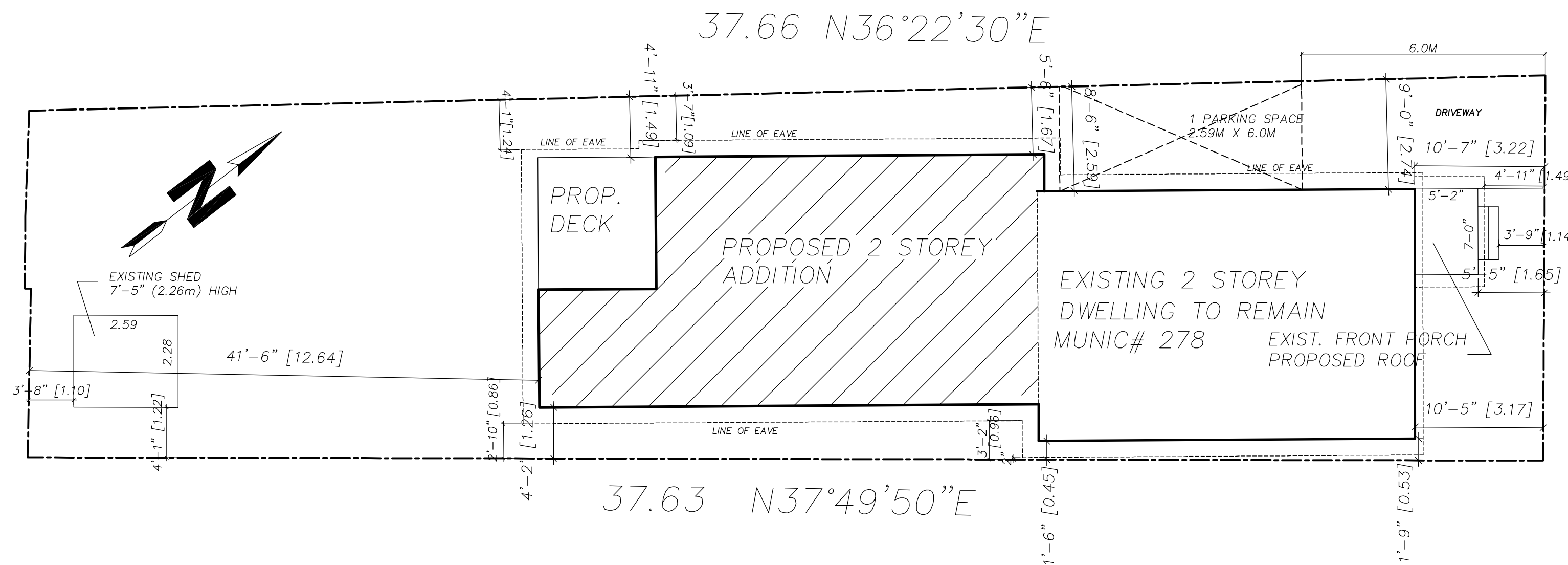
215# ASPHALT SHINGLES
3/8" PLY SHEATHING C/W CLIPS
EAVE PROTECTION TO O.B.C.9.26.5
TRUSSES AS NOTED



Section

CONTRACTOR TO CHECK AND VERIFY ALL DIMENSIONS AND REPORT ANY ERRORS, OMISSIONS OR DISCREPANCIES TO THE DESIGNER PRIOR TO COMMENCEMENT OF CONSTRUCTION.

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9.56 N51° 57' W
PARK STREET WEST

Site Plan

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FRONT YARD AREA 329 SQ.FT
LANDSCAPED AREA 188 S.F.
% FRONT YARD LANDSCAPED
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EXISTING FIRST FLOOR 493 SQ.FT.
EXISTING SECOND FLOOR 493 SQ.FT.

TOTAL EXISTING = 986 SQ.FT. 91.60 SQ.M.

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ADDITION SECOND FLOOR 729 SQ.FT.
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Richard Weatherston 24787
NAME SIGNATURE BON

REGISTRATION INFORMATION
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R.G. CAD SERVICE INC. 29747
FIRM NAME BON

3593 SEPT.20

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3593 SEPT.20

**R.G.CAD
SERVICE INC.**
228 GREEN RD. STONEY CREEK
PHONE (905) 664-8061

PROPOSED ADDITION/RENOVATION
278 PARK STREET W.
DUNDAS

8

CONTRACTOR TO CHECK AND VERIFY ALL DIMENSIONS AND REPORT ANY ERRORS, OMISSIONS OR DISCREPANCIES TO THE DESIGNER PRIOR TO COMMENCEMENT OF CONSTRUCTION.



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. _____	DATE APPLICATION RECEIVED _____
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 Adam Kroeker & Samantha Joyce Telephone No. _____
FAX NO. _____ E-mail address. _____
- Address _____
Postal Code _____
- Name of Agent James Ling Telephone No. _____
FAX NO. _____ E-mail address. _____
- Address _____
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:
Toronto Dominion Bank, 4720 Tahoe Blvd, Building 1
Mississauga, ON Postal Code L4W 5P2

6. Nature and extent of relief applied for:
 1. Relief from Section 9.2.2.2 (iv) Side Yard Requirement
 2. Relief from Section 9.2.2.1 Front Yard Requirement
 3. Relief from Section 7.14 Dimensions for the design of parking areas
 4. Relief from Section 7.12.1.1 Single-Detached Dwellings 1.0 space per dwelling unit.
7. Why it is not possible to comply with the provisions of the By-law?
 1. The size of the lot does not allow for this.
 2. The existing Front Porch is built too close to the street.
 3. The size of the lot does not allow for this
 4. There is no on site parking presently, the homeowner wants to put one in but doesn't have quite the required width; also applying for relief from this width.
8. Legal description of subject lands (registered plan number and lot number or other legal description and where applicable, street and street number):
 Lot 3 - Block 13
 278 Park St. W, Dundas
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 X

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?

9.2- 9.8 to the best of our knowledge, area has been solely residential.
-Asbestos testing returned with None Detected throughout house (Pinchin Ltd- lab reference #b237874)

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.

Asbestos Abatement in basement Completed Aug 12/20

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.

Oct 12, 2020
Date


Signature Property Owner
Adam Kroeker
Print Name of Owner

10. Dimensions of lands affected:

Frontage 9.56 m
Depth 37.63 m / 37.66 m
Area 359.84 m²
Width of street 18.1 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: Ground Floor area 53.88 m²
Gross floor area 94.5 m²
Number of stories 2
Width 6.19m Length 9.35m Height 7.85m

Proposed: Ground Floor area
Gross floor area
Number of stories
Width 6.19m Length 19.91m Height 8.79m

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

Existing: Front lot to house 3.18m to porch 1.64m
East side to house 0.46m West side 2.59m
Rear to house 25.1m

Proposed: Front to house 3.18m to porch 1.64m
East to proposed addition 1.27m
West to proposed addition 1.51m
Rear to proposed addition 14.54m

13. Date of acquisition of subject lands:
June 30, 2020

14. Date of construction of all buildings and structures on subject lands:
1891

15. Existing uses of the subject property:
Residential (single family)

16. Existing uses of abutting properties:
Residential (single family)

17. Length of time the existing uses of the subject property have continued:
130 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:
Zoning R2

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