

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-20:229

APPLICANTS: Invizij Architects c/o Emma Cubitt on behalf of the owner Lydell Wiebe

SUBJECT PROPERTY: Municipal address **412 Dundurn St. S., Hamilton**

ZONING BY-LAW: Zoning By-law 6593, as Amended by By-laws 18-299 & 19-307

ZONING: "C/S-1787" (Urban Protected Residential) district

PROPOSAL: To permit the construction of a rear second dwelling unit along with an uncovered deck on the same lot containing a single family dwelling notwithstanding that:

1. A maximum gross floor area of 99.0m² shall be permitted for the proposed second dwelling unit instead of the maximum 50.0m² gross floor area permitted.
2. A parking space size having a minimum length of 5.3m shall be permitted for the southerly parking space instead of the minimum 6.0m length required for a 90° parking space.
3. The uncovered deck shall be permitted to be located as close as 0.0m to the southerly side lot line instead of the minimum 0.5m setback required from a side lot line.

Notes: It appears that the lands are two (2) separate parcels. Therefore, the applicant shall confirm that the lands are under identical ownership or merged in title for the proposal. Otherwise, the construction of the proposed dwelling is not permitted, and further variances shall be required.

No dimensions were shown for the southerly parking space. The applicant shall verify that the variance to the parking space size is correct; otherwise, further variances shall be required.

The applicant shall ensure that the minimum width of the opening into the private garage shall be no less than 2.4m; otherwise, further variance shall be required.

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

DATE: Thursday, November 19th, 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:

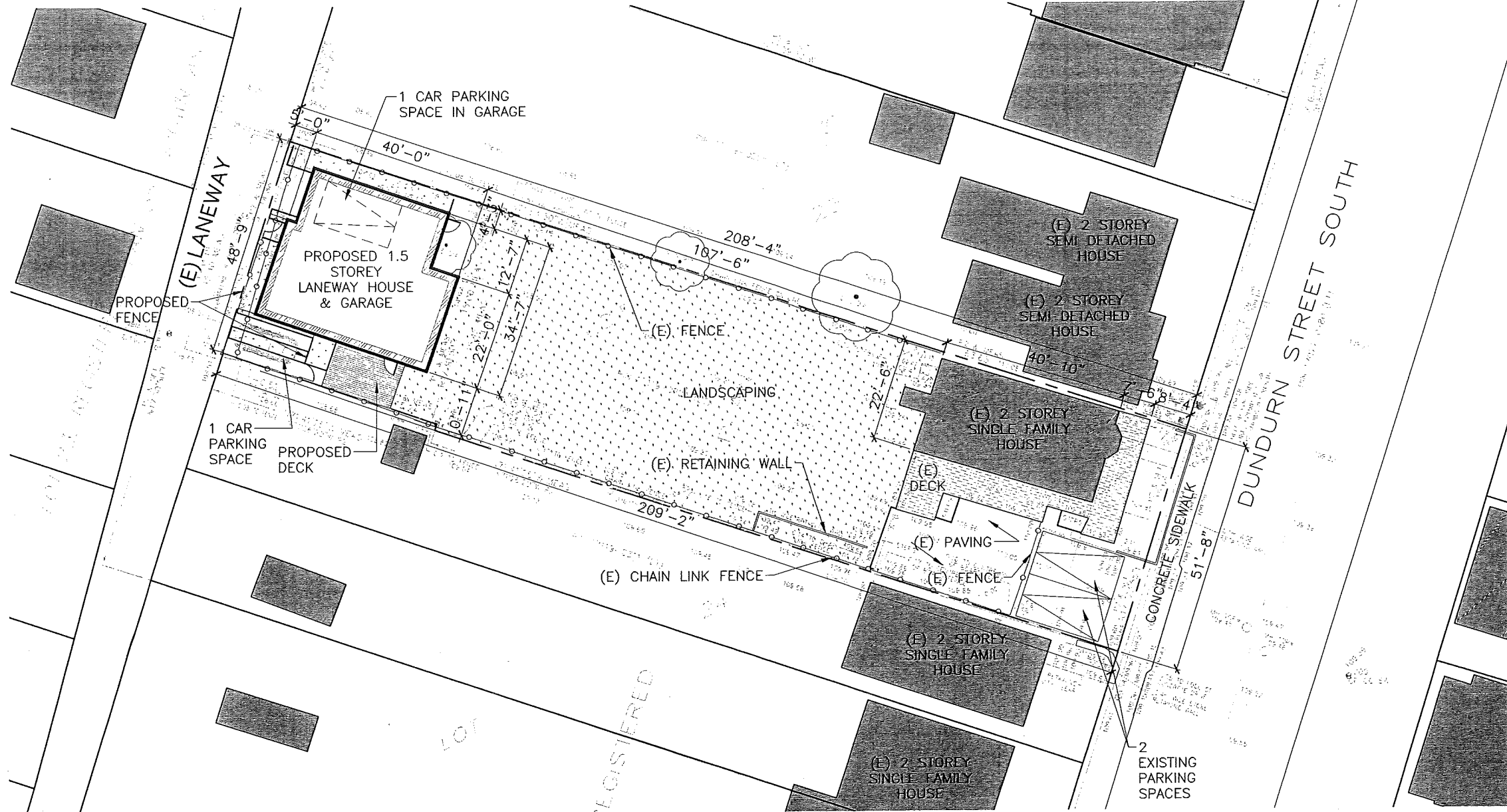
- Visit www.hamilton.ca/committeeofadjustment
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at cofa@hamilton.ca

DATED: November 3rd, 2020.

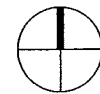


Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

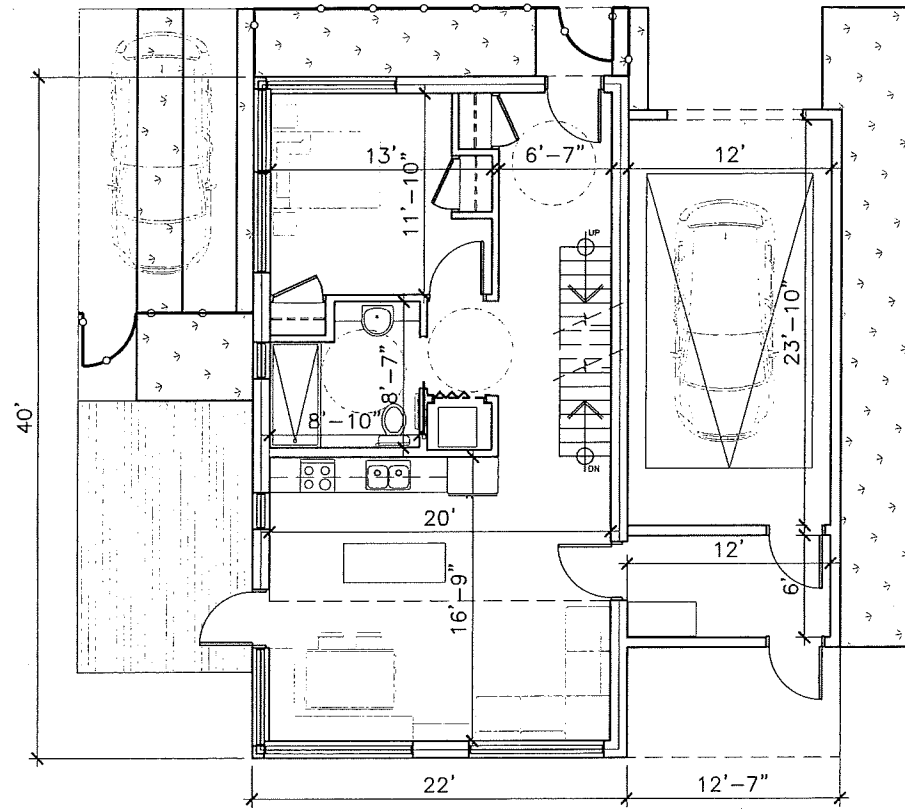
Information respecting this application is being collected under the authority of the Planning Act, R.S.O., 1990, c. P. 13. All comments and opinions submitted to the City of Hamilton on this matter, including the name, address, and contact information of persons submitting comments and/or opinions, will become part of the public record and will be made available to the Applicant and the general public.



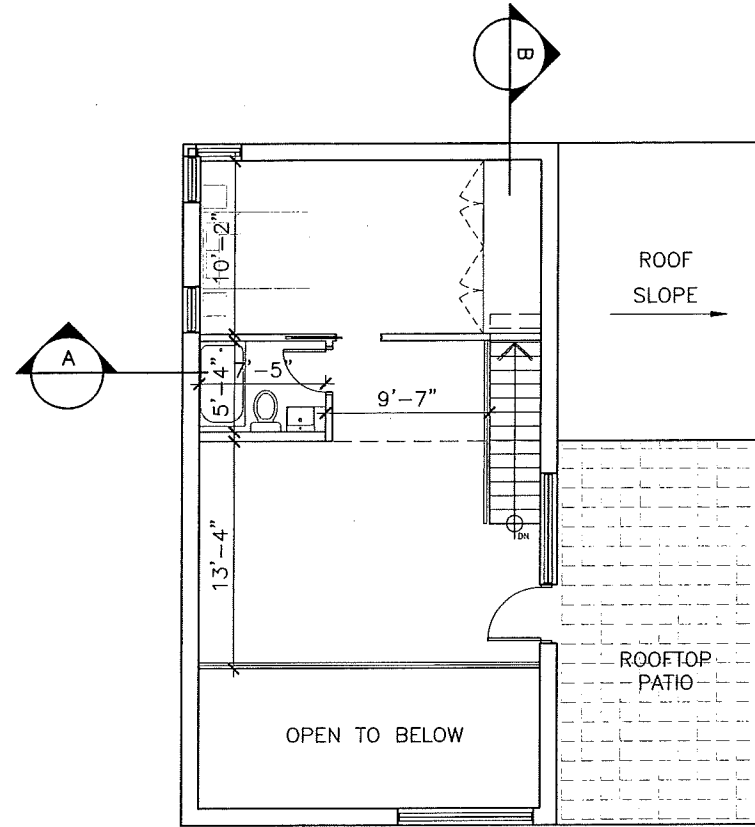
Hm/A 20:229



GROUND FLOOR AREA INCLUDING GARAGE 1276.5 SF
 GROUND FLOOR AREA NOT INCLUDING GARAGE 880 SF
 2ND FLOOR AREA 676.5 SF



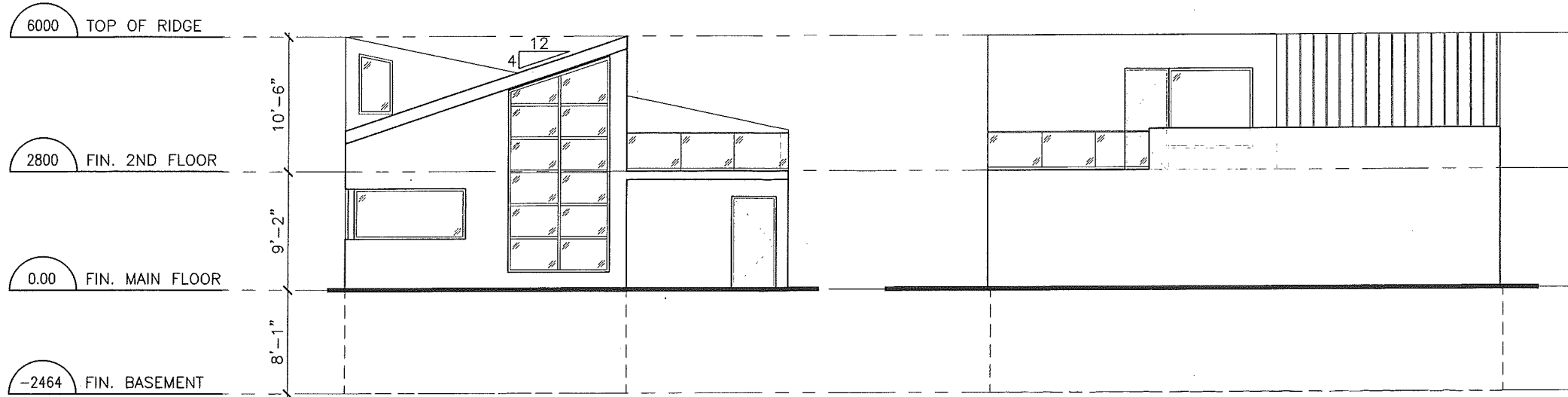
GROUND FLOOR PLAN



2ND FLOOR PLAN

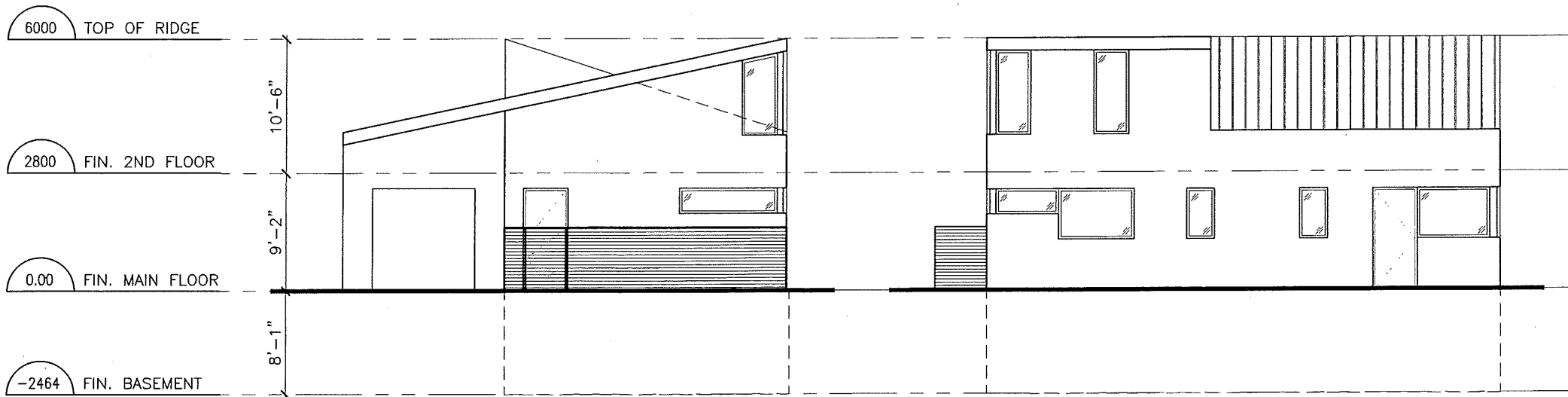
Hm/A 20:229





EAST ELEVATION

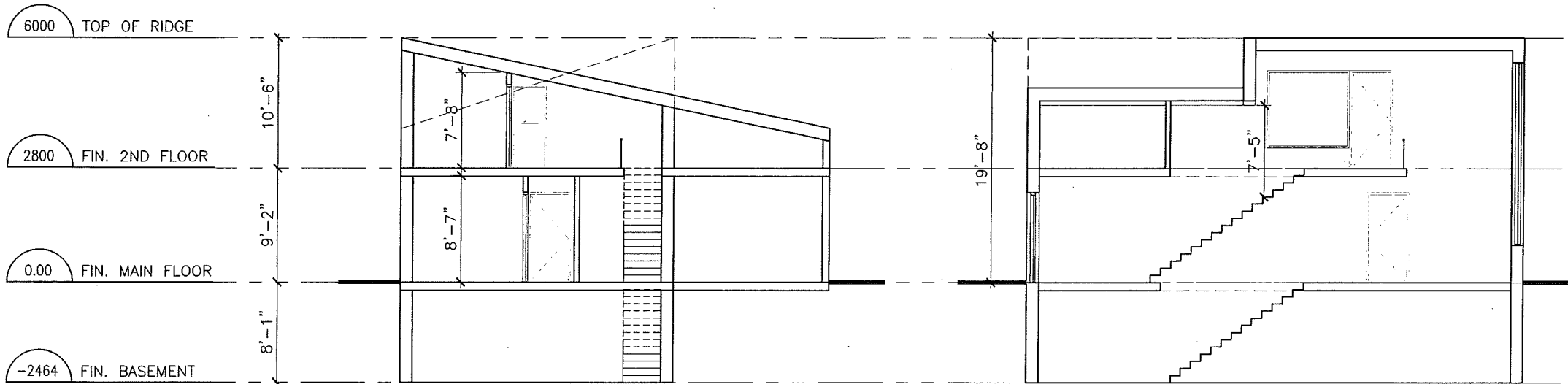
NORTH ELEVATION



WEST ELEVATION

SOUTH ELEVATION

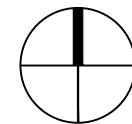
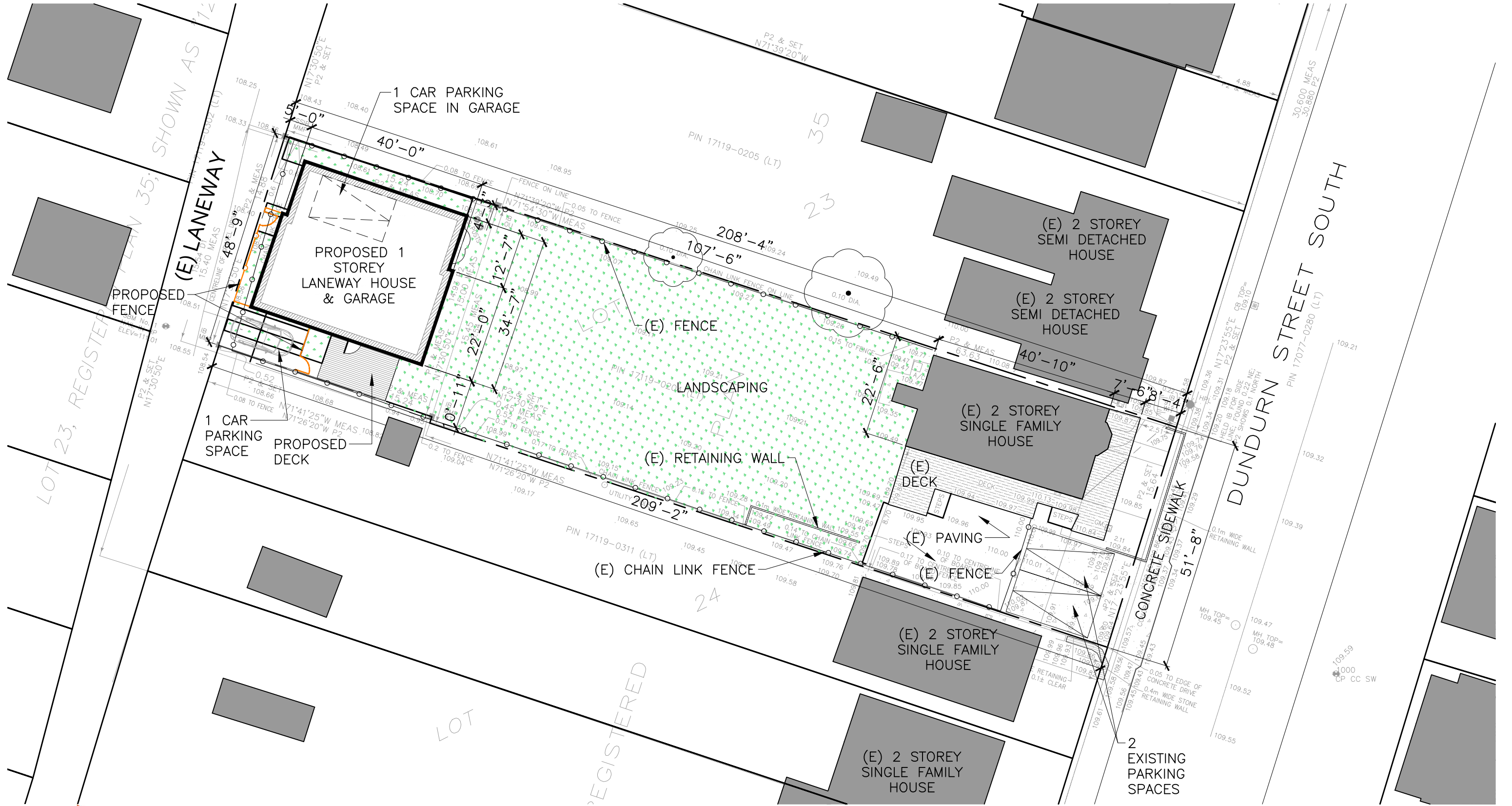
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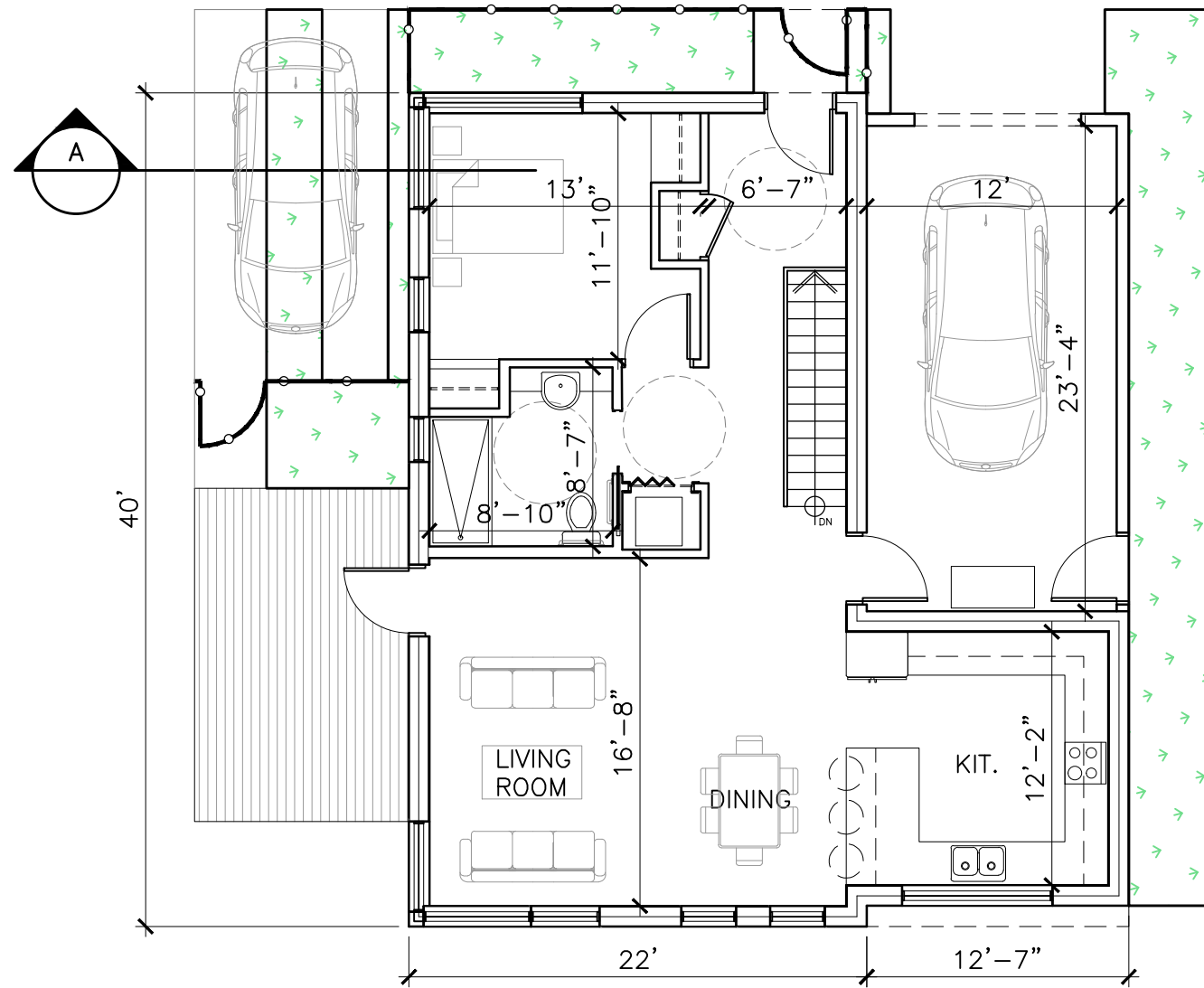
SECTION A-A

SECTION B-B

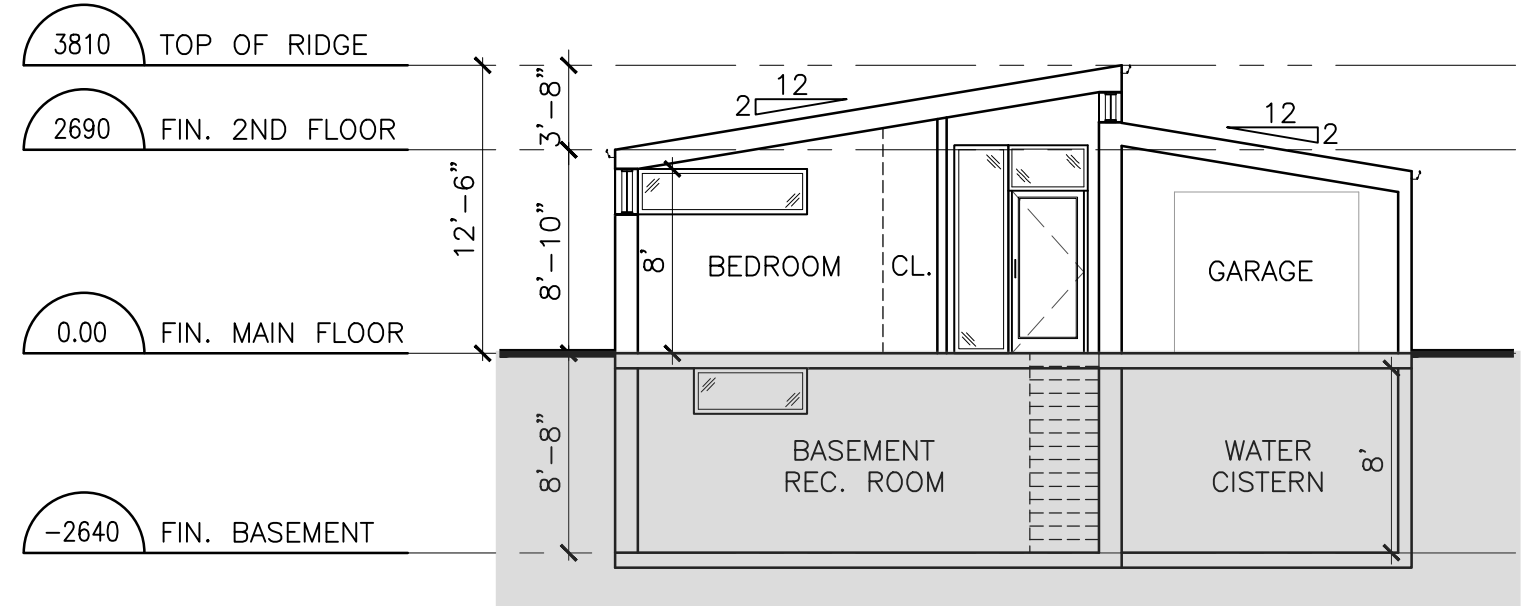
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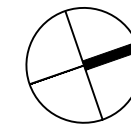
GROUND FLOOR AREA INCLUDING GARAGE 1357.8 SF
 GROUND FLOOR AREA NOT INCLUDING GARAGE 1057.2 SF

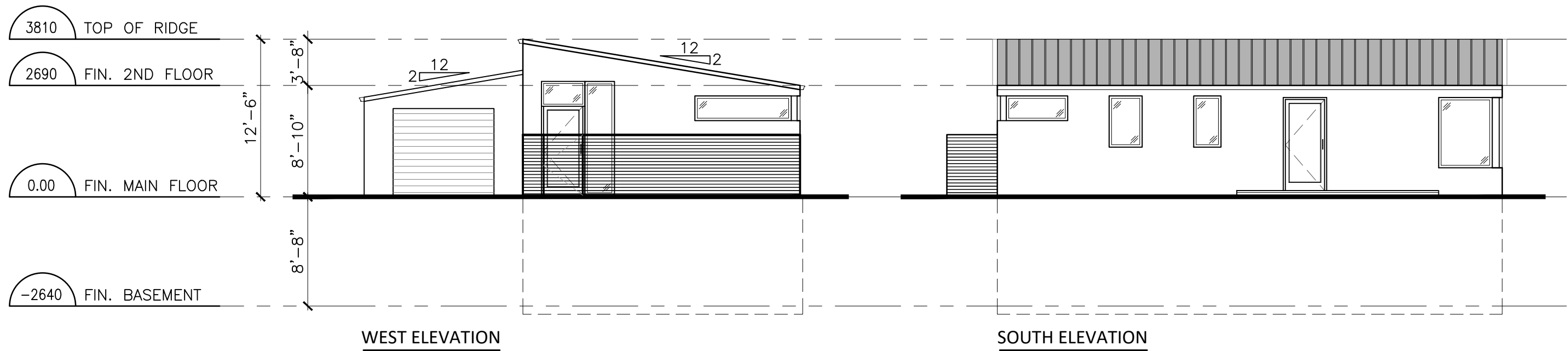
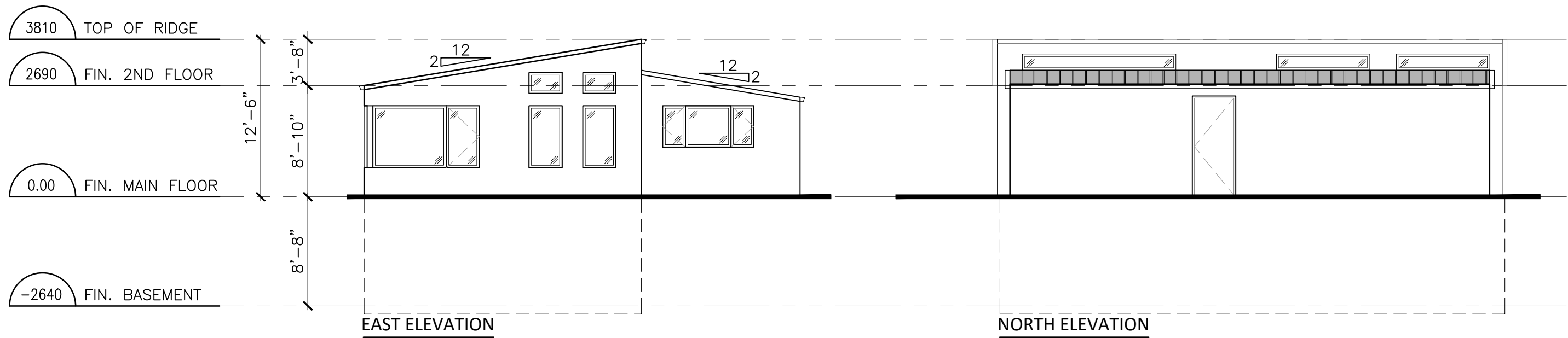


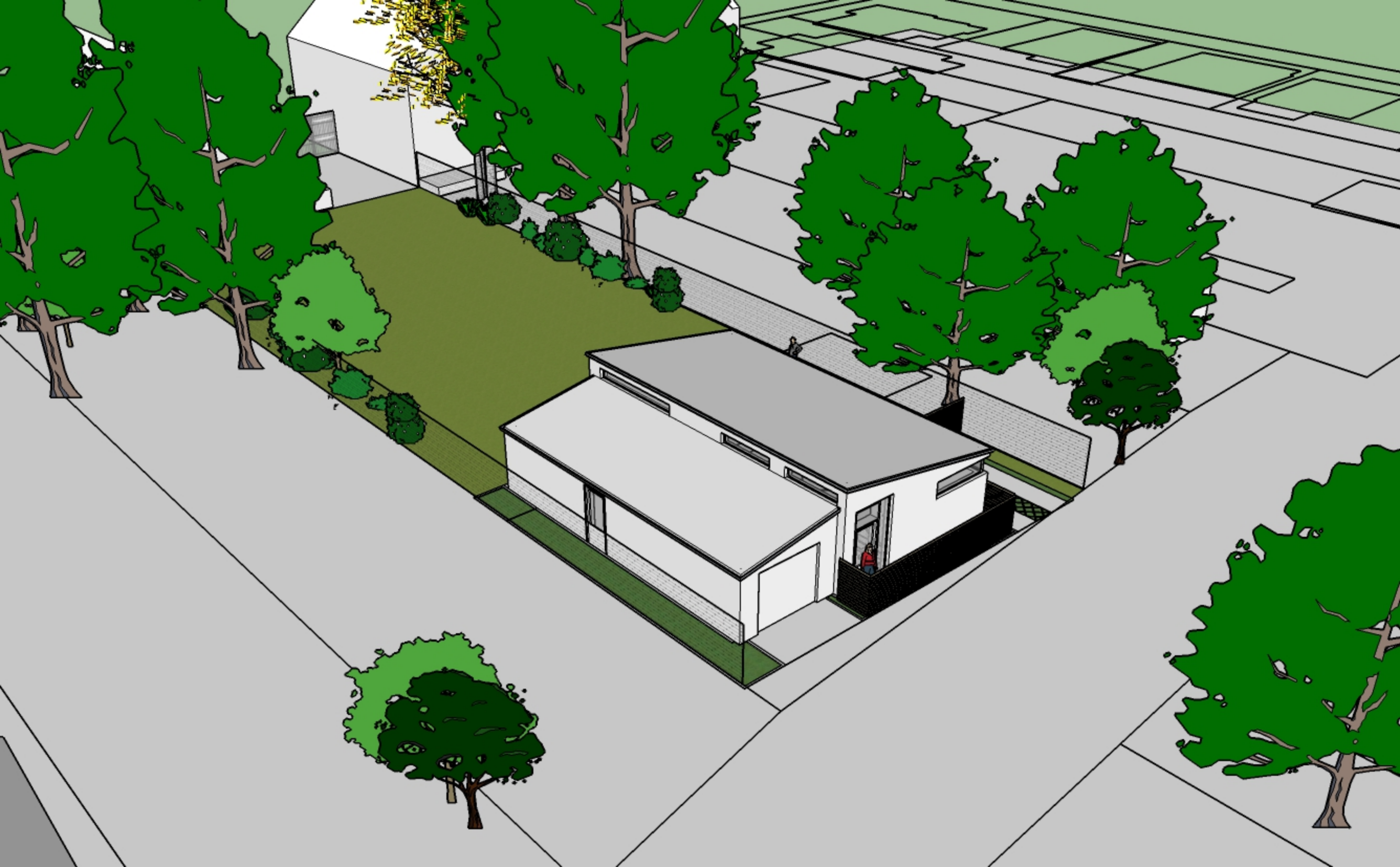
GROUND FLOOR PLAN

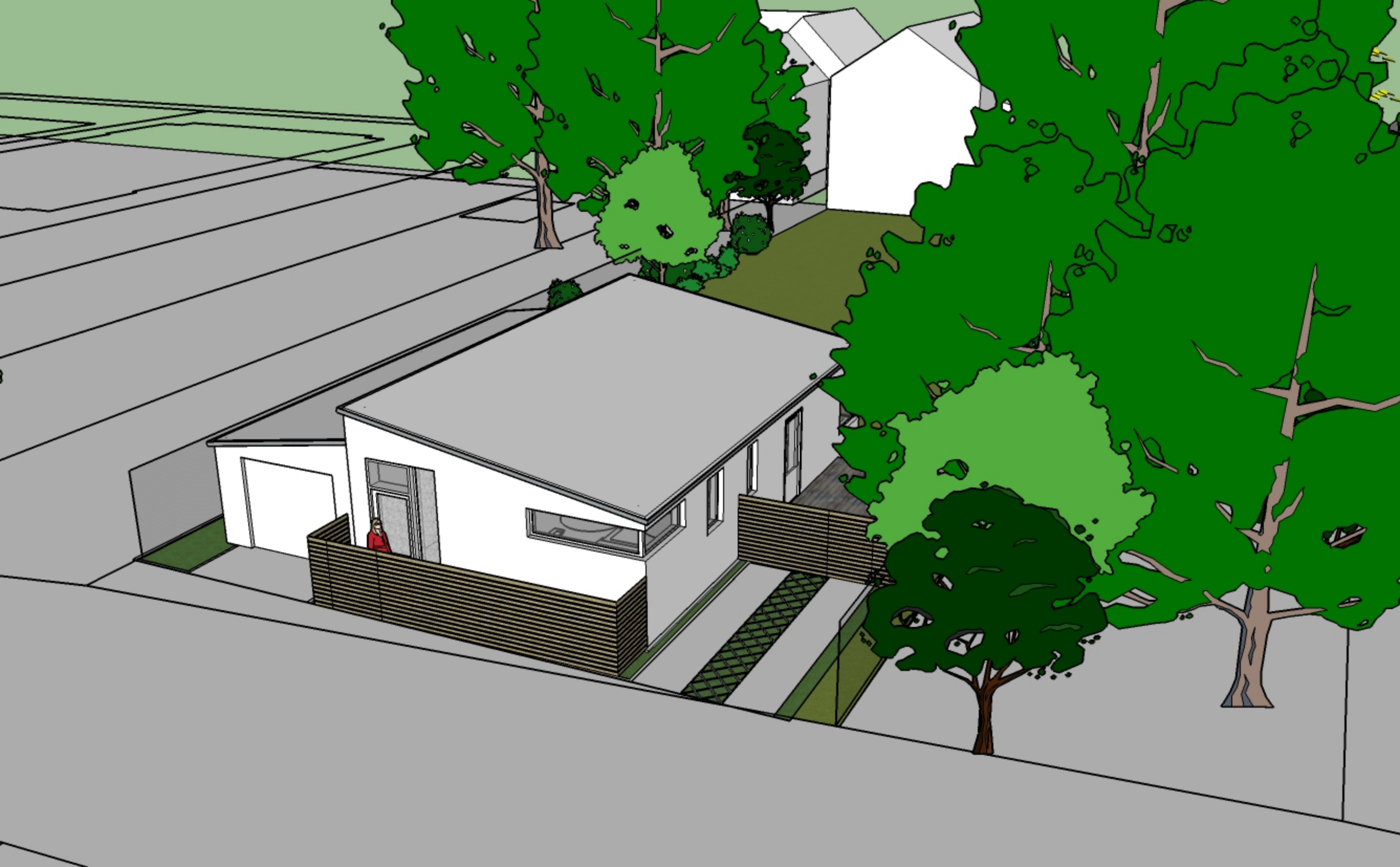


SECTION A-A



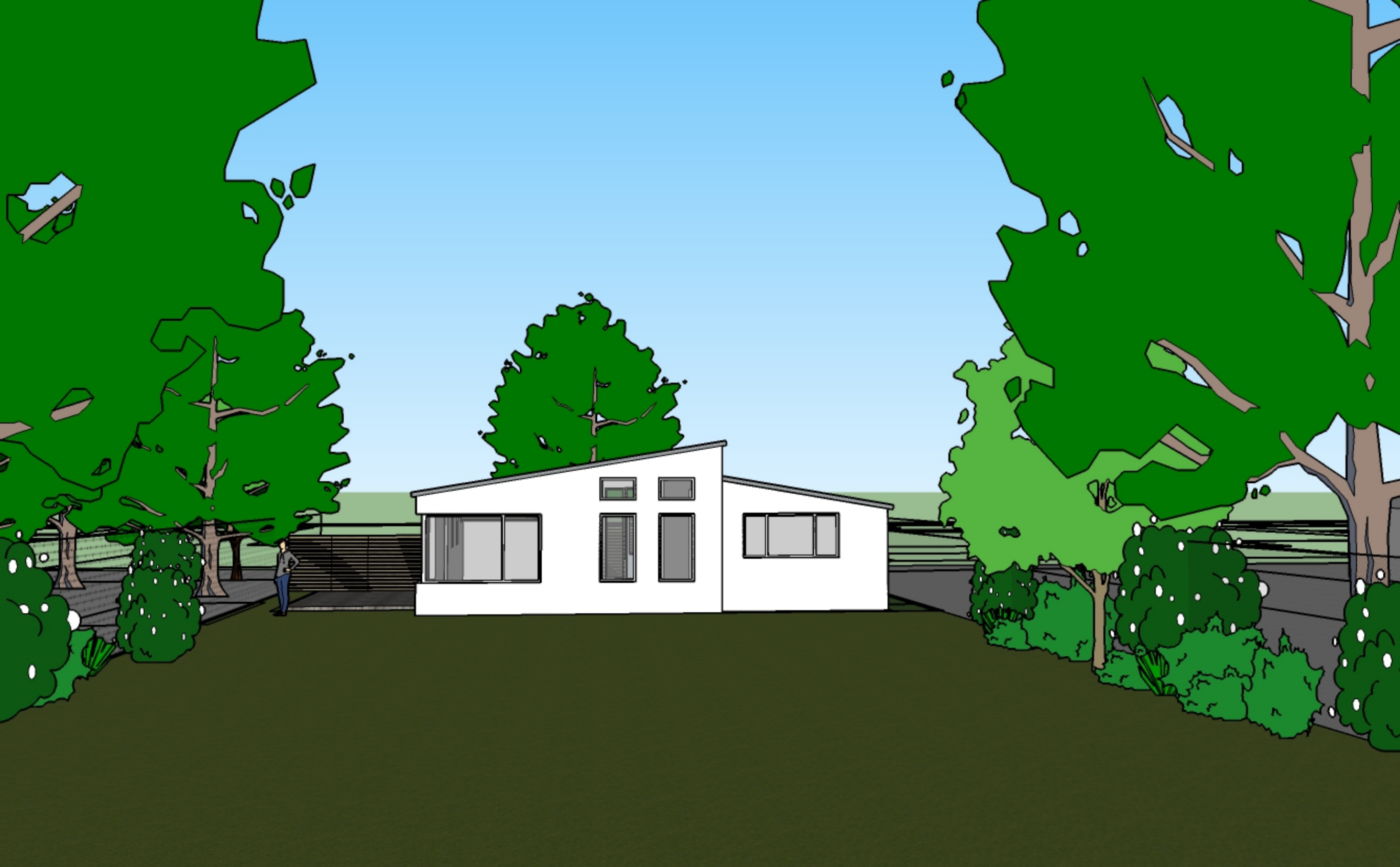














LEGEND:

- DENOTES SURVEY MONUMENT SET
 - DENOTES SURVEY MONUMENT FOUND
 - SIB DENOTES .025 x .025 x 1.20 STANDARD IRON BAR
 - IB DENOTES .015 x .015 x 0.60 IRON BAR
 - 912 DENOTES A.J. CLARKE AND ASSOCIATES LTD.
 - MMP DENOTES MacKAY MacKAY PETERS LIMITED
 - VH DENOTES VAN HARTEN SURVEYING INC., O.L.S.'s
 - P1 DENOTES REGISTERED PLAN 35
 - P2 DENOTES DEPOSITED PLAN 62R-19108 BY (MMP)
 - P3 DENOTES SURVEY PROJECT E-2635 BY (912), DATED JUNE 30, 1992
 - D1 DENOTES INSTRUMENT NS155368
- EXISTING ELEVATION x 206.55
- GUY WIRE (GUY) GATE
 - HYDRO POLE (HP) DECIDUOUS TREE
 - HYDRO METER (HM)
 - GAS METER (GM)
 - CATCHBASIN (CB) CONIFEROUS TREE
 - MANHOLE (MH)
 - OVERHEAD HYDRO
 - FENCELINE
 - CENTRELINE OF ROAD
 - TOP OF BANK
- ASPHALT

BUILDING

CONCRETE

DECK

BEARING AND COORDINATE NOTE:

1. BEARINGS ARE GRID BEARINGS AND ARE DERIVED FROM GPS OBSERVATIONS AND ARE REFERRED TO THE UTM PROJECTION, ZONE 17, NAD 83 (CSRS-2010) ADJUSTMENT.
2. DISTANCES SHOWN ON THIS PLAN ARE ADJUSTED GROUND DISTANCES AND CAN BE CONVERTED TO GRID DISTANCES BY MULTIPLYING BY AN AVERAGED COMBINED SCALE FACTOR OF 0.99968791.
3. COORDINATES ON THIS PLAN ARE UTM, ZONE 17, NAD83 (CSRS-2010) ADJUSTMENT AND ARE BASED ON GPS OBSERVATIONS FROM A NETWORK OF PERMANENT GPS REFERENCE STATIONS.

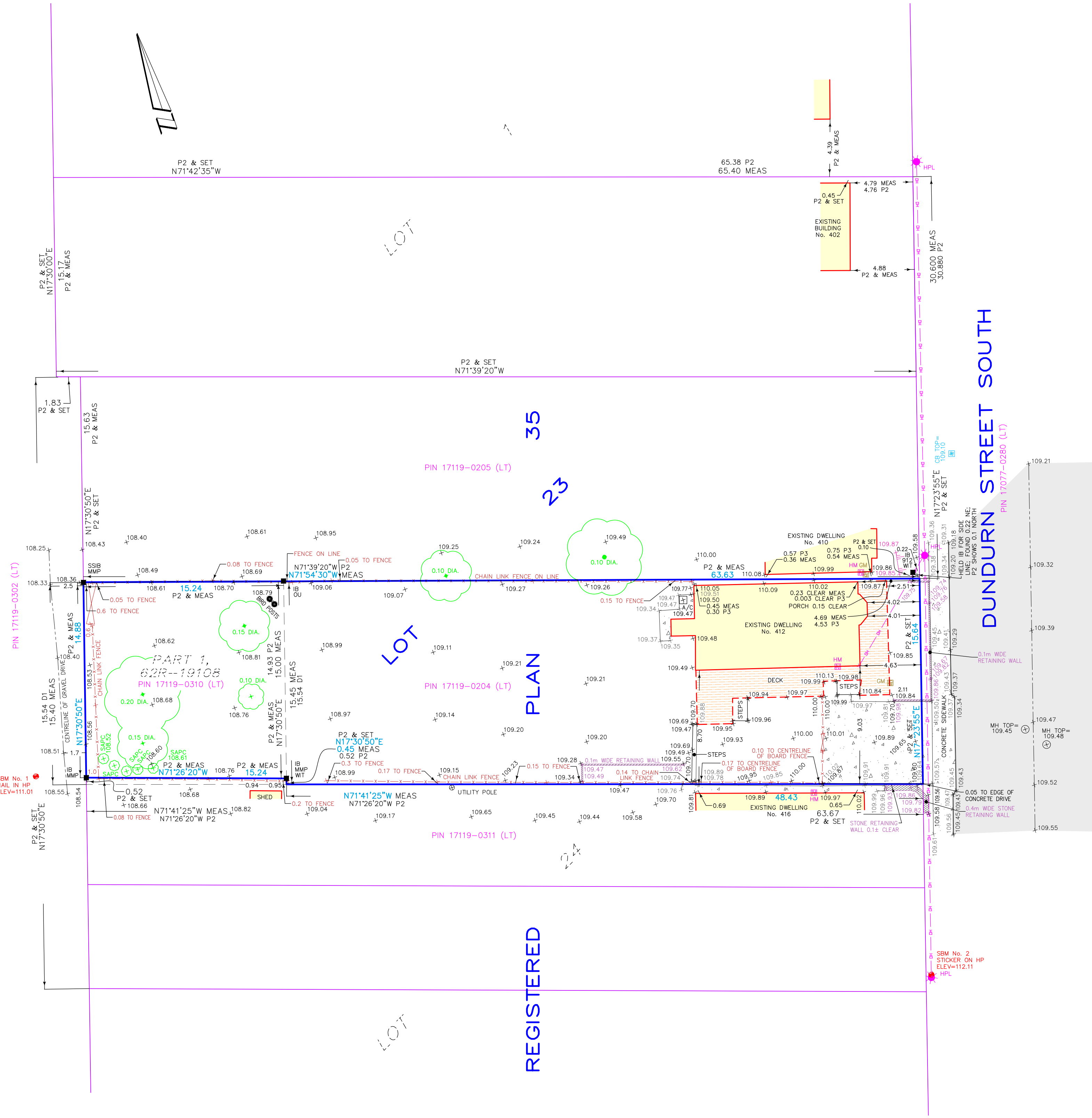
SURVEY INFORMATION:

BENCHMARK REFERENCE:
ELEVATIONS ARE BASED ON GPS OBSERVATIONS FROM PERMANENT REFERENCE STATIONS IN THE NAD83 (CSRS-2010) COORDINATE SYSTEM, WITH HEIGHTS CONVERTED TO ORTHOMETRIC ELEVATIONS ON THE CVGD28 DATUM (1978 ADJUSTMENT) WITH GEOID MODEL HTv2.0, AS SUPPLIED BY NATURAL RESOURCES CANADA.

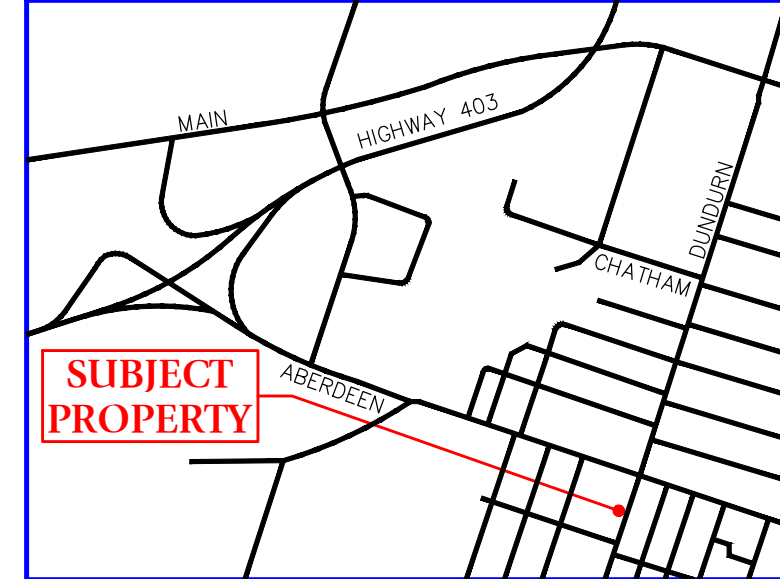
SITE BENCHMARK:

1. NAIL IN HYDRO POLE NEAR PIN NEAR SOUTHWEST CORNER OF SUBJECT PROPERTY HAVING AN ELEVATION OF 111.01 METRES.
2. STICKER ON HYDRO POLE SOUTH OF SOUTHEAST CORNER OF SUBJECT PROPERTY HAVING AN ELEVATION OF 112.11 METRES.

LOT 23, REGISTERED PLAN 35; SHOWN AS "12' WIDE ALLEYWAY" ON P3



KEYMAP:



SUMMARY REPORT:

CLIENT:
THIS PLAN WAS PREPARED FOR **ROBERT ANDREE** AND THE UNDERSIGNED ACCEPTS NO RESPONSIBILITY FOR USE BY OTHER PARTIES.

NOTE:
THIS SURVEY PLAN IS TO BE READ IN CONJUNCTION WITH A WRITTEN SURVEY REPORT DATED SEPTEMBER 24, 2020.

PROPERTY DESCRIPTION:

- PIN 17119-0204 (LT)
- ADDRESS: 412 DUNDURN STREET SOUTH
- PART OF LOT 23, REGISTERED PLAN 35; AS IN INSTRUMENT NS155368
- CITY OF HAMILTON
- PIN 17119-0310 (LT)
- ADDRESS: 412 DUNDURN STREET SOUTH
- PART OF LOT 23, REGISTERED PLAN 35; DESIGNATED AS PART 1, 62R-19108
- CITY OF HAMILTON

ASSOCIATION OF ONTARIO LAND SURVEYORS
PLAN SUBMISSION FORM
2133093

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT AND THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.
2. THIS TOPOGRAPHIC SURVEY WAS COMPLETED ON THE 14th DAY OF AUGUST, 2020.

DATE: SEPTEMBER 24, 2020
JEFFREY E. BUISMAN
ONTARIO LAND SURVEYOR

CAUTION: - THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED FOR TRANSACTION OR MORTGAGE PURPOSES.
- THIS SKETCH IS PROTECTED BY COPYRIGHT. ©

METRIC: DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

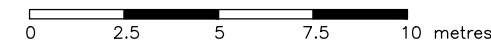
SURVEYOR'S REAL PROPERTY REPORT WITH TOPOGRAPHIC DATA
PART OF LOT 23
REGISTERED PLAN 35
CITY OF HAMILTON

DRAWING REVISION SCHEDULE

NO.	REVISION	DATE
0	INITIAL SUBMISSION	SEPT. 24, 2020

PROJECT No. 28608-20

DRAWING SCALE 1 : 200



Kitchener/Waterloo Ph: 519-742-8371 Guelph Ph: 519-821-2763 Orangeville Ph: 519-940-4110

www.vanharten.com info@vanharten.com

DRAWN BY: S.A.P. CHECKED BY: J.E.B.

Sep 24, 2020-3:05pm
G:\HAMILTON\35\ACAD\TOPO\PTLOT 23 (ANDREE) UTM-17 2010 NR.dwg



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 _____ Telephone No. _____
FAX NO. _____ E-mail address. _____
- Address _____
Postal Code _____
- Name of Agent _____ 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:

Postal Code _____

Postal Code _____

6. Nature and extent of relief applied for:

New 1 1/2 storey laneway house as per bylaw 18:299 with the following requested minor variances:

- Increase proposed GFA from 55 m2 to 99 m2 (does not include garage area)

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

The goal is to provide a residence for our parents to live after downsizing from a much larger home in the country. We believe the proposed dwelling is reasonable considering the extra large lot our house is situated on. We have exceeded the bylaw by providing two (2) parking spaces as well.

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

LOT 23, REGISTERED PLAN 35; SHOWN AS "12' WIDE ALLEYWAY" ON P3

Property Description:

PIN 17119-0204 (LT) ADDRESS: 412 DUNDURN STREET SOUTH PART OF LOT 23, REGISTERED PLAN 35; AS IN INSTRUMENT NS155368 CITY OF HAMILTON

PIN 17119-0310 (LT) ADDRESS: 412 DUNDURN STREET SOUTH PART OF LOT 23, REGISTERED PLAN 35; DESIGNATED AS PART 1, 62R-19108 CITY OF HAMILTON

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 ____

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?

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.

Date

Signature Property Owner

Print Name of Owner

10. Dimensions of lands affected:

Frontage _____

Depth _____

Area _____

Width of street _____

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: _____

Proposed: _____

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

Existing: _____

Proposed: _____

13. Date of acquisition of subject lands:

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

15. Existing uses of the subject property: _____

16. Existing uses of abutting properties: _____

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

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:

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