

## **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-20:244

**APPLICANTS:** Sadee Piper on behalf of the owners Mark Jones & Mark Taylor

**SUBJECT PROPERTY:** Municipal address **209 Manning Ave., Hamilton**

**ZONING BY-LAW:** Zoning By-law 05-200, as Amended by By-law 19-307

**ZONING:** "C/S-1788" (Urban Protected Residential and etc.) district

**PROPOSAL:** To permit the conversion of a *single* family dwelling to create a second dwelling unit under Section 19 of the Zoning By-law, notwithstanding that:

1. One parking space shall be provided instead of the required two (2) parking spaces for a converted dwelling which is based on one (1) space per dwelling unit.
2. The easterly side yard shall be 0.8 metres instead of the minimum required 1.2 metres.

**NOTES:**

1. The variances are written as requested by the applicant except that a further variance was noted for the easterly side yard to recognize an existing built form situation which does not conform to the C District.
2. The C/S-1788 District Zoning applicable to the subject property was created under Amending By-law 19-307. This By-law provides further changes to Section 19 for the creation of second dwelling units by reducing the required minimum lot area and removing the requirement for minimum dwelling units.

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

---

**DATE:** Thursday, December 3rd, 2020

**TIME:** 1:15 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

---

## 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: November 17th, 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.***

PROPERTY INFORMATION Variance #:		
BY-LAW SECTION	ALLOWED	PROPOSED
ZONE	C	same
PROPERTY SIZE	360 m2	374.53 m2
LOT WIDTH	12 m	12.2 m
MAXIMUM HEIGHT	11 m	9.0 m
FRONT SETBACK	6 m	4.8 m
LEFT SETBACK	1.2 m	3.6 m
RIGHT SETBACK	1.2 m	0.81 m
REAR SETBACK	7.5 m	12.0 m
AREA OF WORK		

LINE LEGEND	
LINE TYPE	SYMBOL
PROPERTY	----
SETBACK	----
BUILDING	
ROOF LINE	-----
ADDITION	////
SILT FENCE	==
HOARDING	==

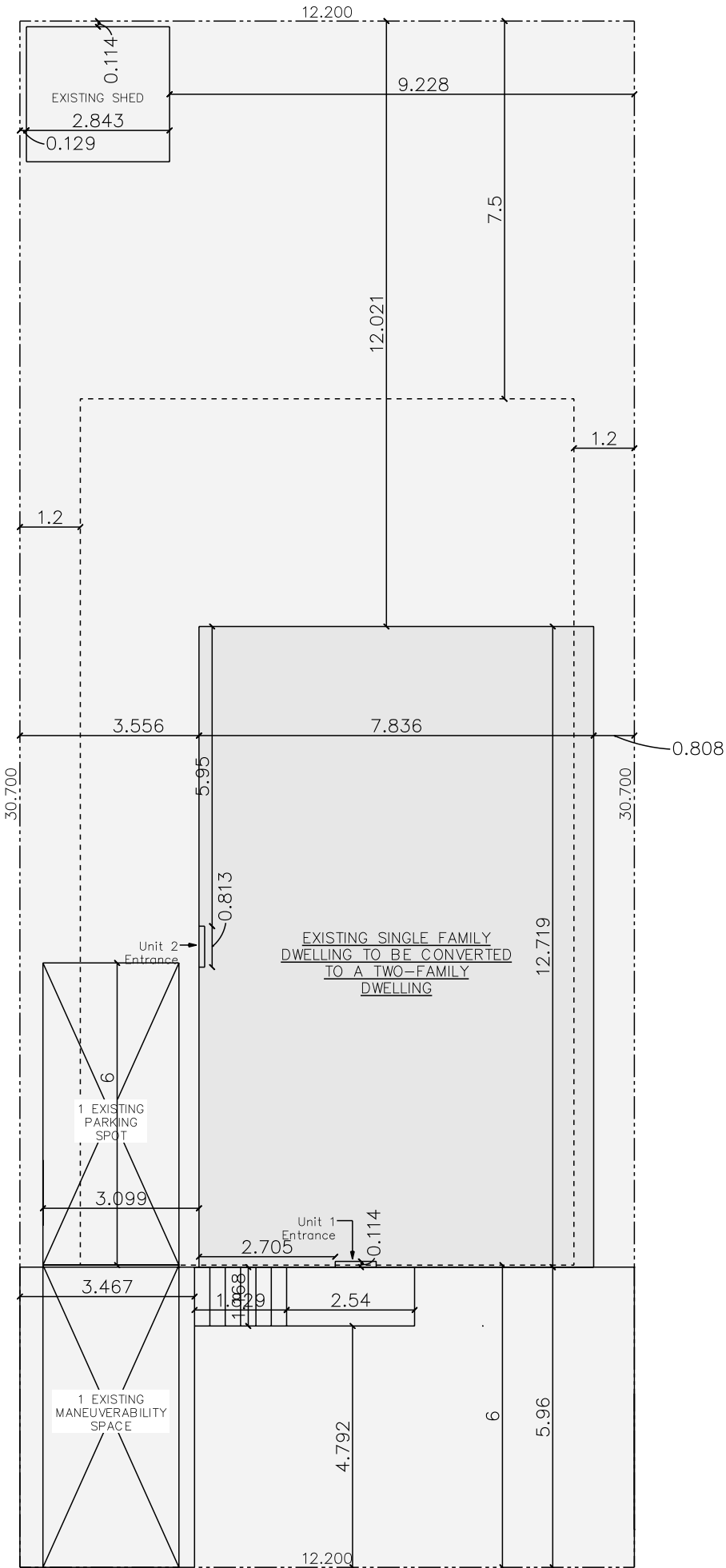
GENERAL NOTES	
TYPE	DESCRIPTION
DIMENSIONS	SITE PLAN IS METRIC. ALL OTHER DRAWINGS ARE IMPERIAL ALL DIMENSIONS ARE TO THE WOOD STUD, UNLESS TO BRICK.
AREAS	GROSS FLOOR AREA IS TO THE EXTERIOR OF WALLS. ALL OTHER AREAS ARE TO THE INTERIOR OF WALLS.

PROPERTY INFORMATION

SCALE: 3/16" = 1'-0"

AREA SCHEDULE	
NAME	AREA
Unit 1 Area	937 sq ft.= 87.1m2
Unit 2 Area	927 sq ft.= 86.1m2
Building Area	1073 sq ft.= 99.7m2

SITE  
SCALE: 1:120



BCIN Stamp:

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 be a designer.

Qualification Information required under Div. C, Part 3 of the 2012 OBC

Daniel J. Ott 35686  
Name Signature BCIN

White Willow Designs, Inc. 46597  
Company BCIN

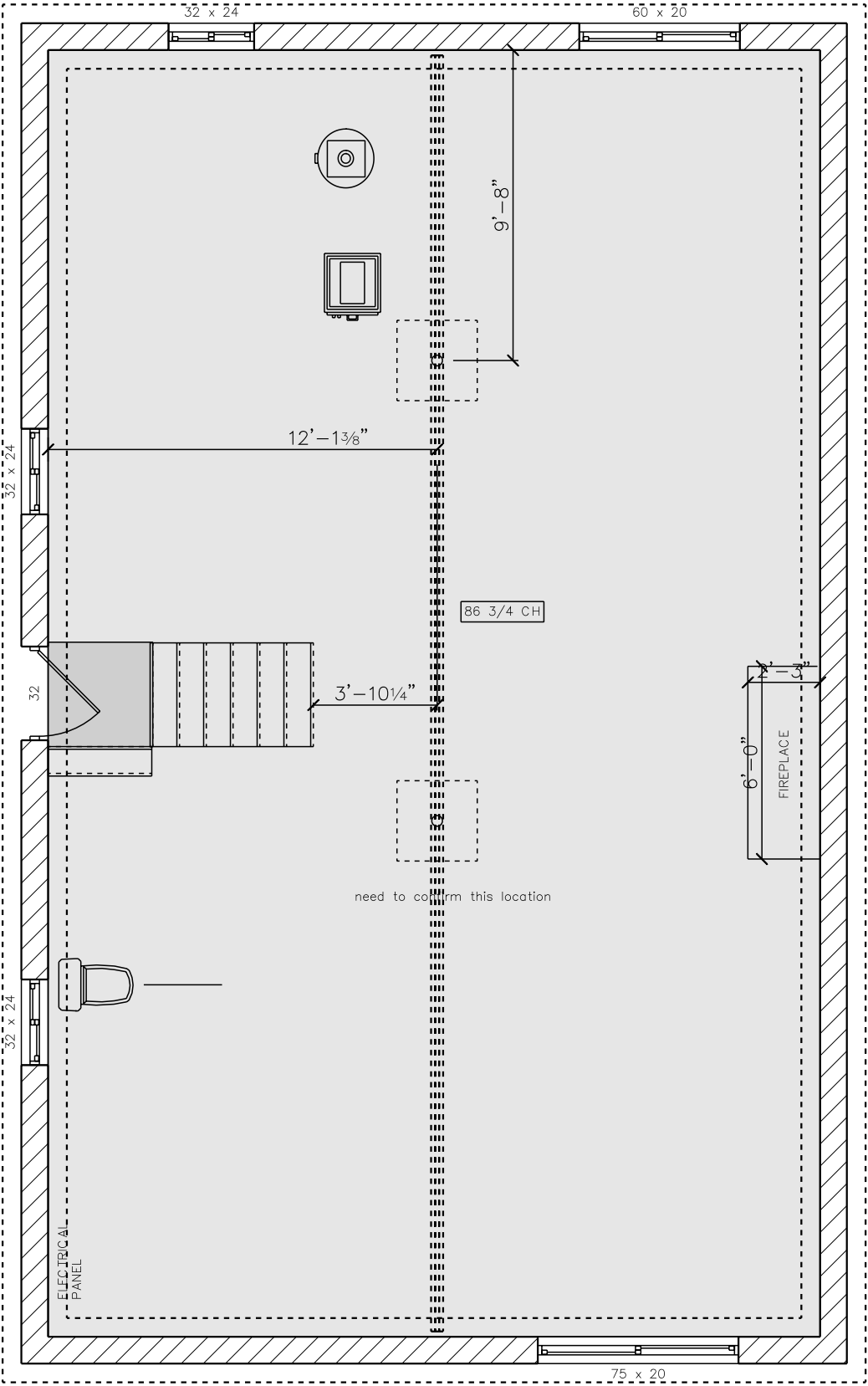


439 Bay St N  
Hamilton, ON | L8L 1N2  
C: 905-220-9419

E: daniel@whitewillowdesign.ca

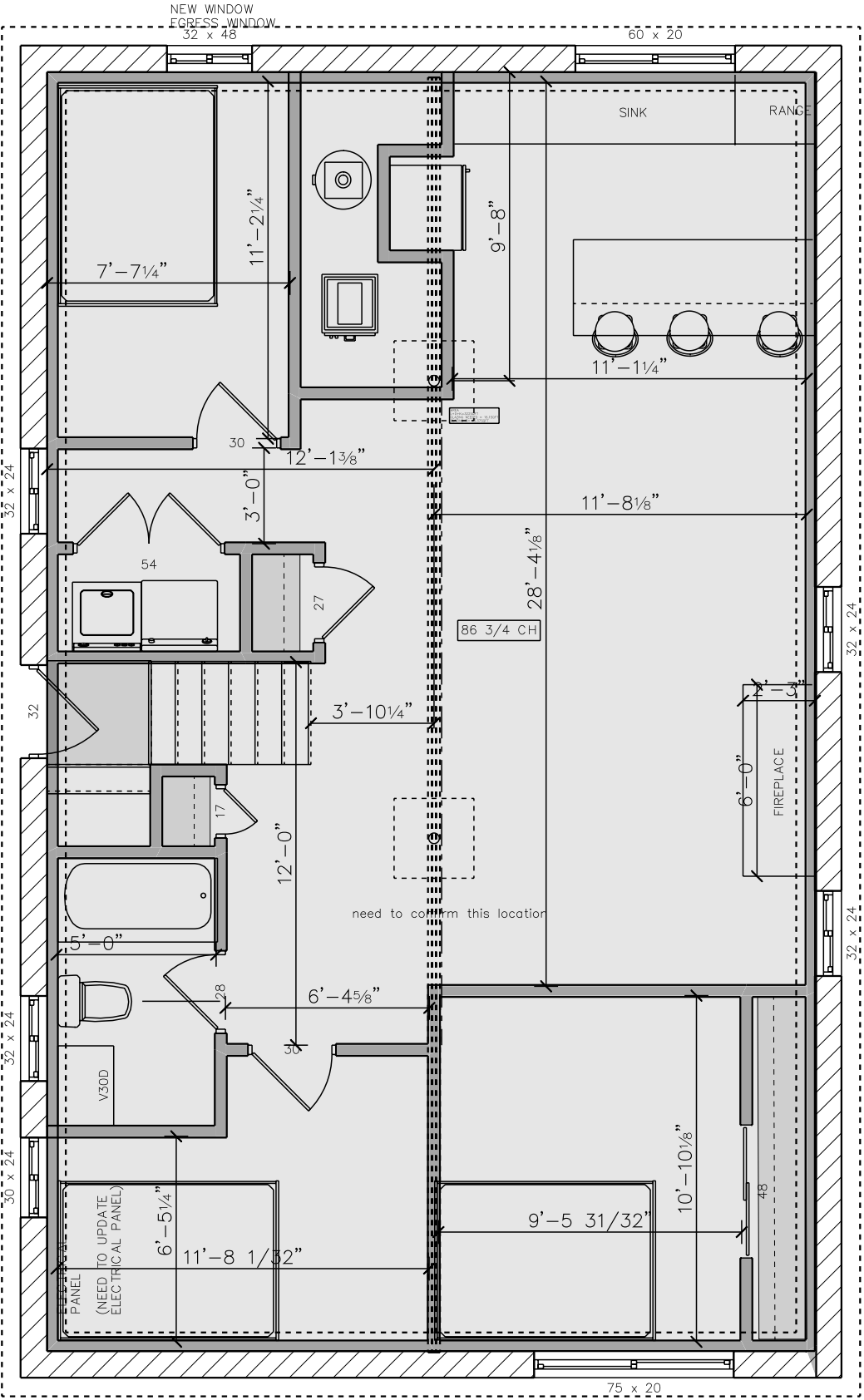
NO.	DATE:	ISSUE / REVISION
1	2020.11.03	BUILDING PERMIT

design by:	drawn by:	approved by:	date:	scale:
	S.P.	D.O.	11/3/2020	As Noted
Project: Duplex Conversion				
209 Manning Ave Hamilton ON L9A 3G3				
Sheet Title: SP0.1 Site Plan				
page 1 of 5				



Existing

SCALE: 1" = 5'-0"



Proposed

SCALE: 1" = 5'-0"

BCIN Stamp:

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 be a designer.

Qualification Information required under Div. C, Part 3 of the 2012 OBC

Daniel J. Ott 35686  
Name Signature BCIN

White Willow Designs, Inc. 46597  
Company BCIN

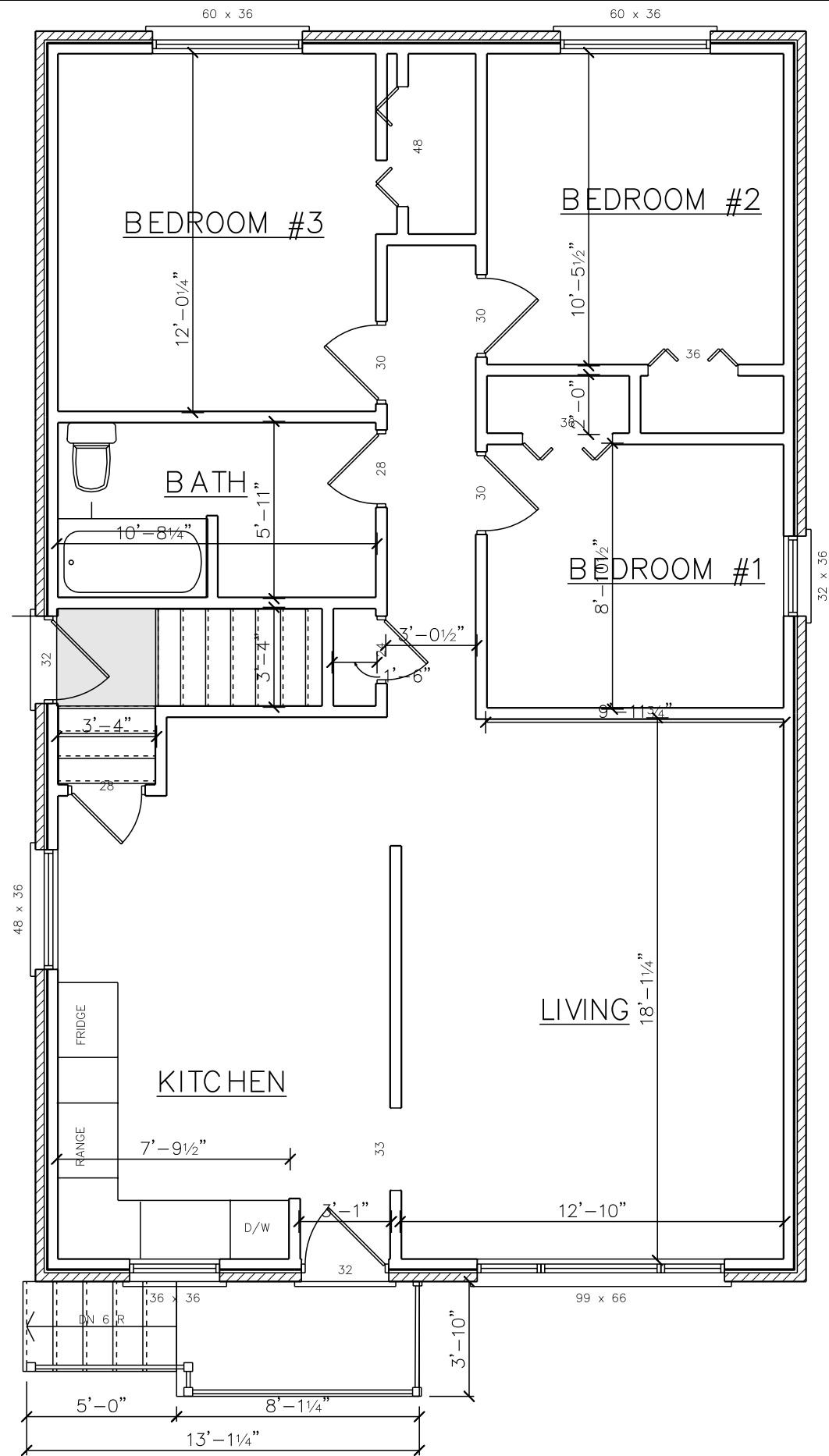
  
**WhiteWillow**  
DESIGN

439 Bay St N  
Hamilton, ON | L8L 1N2  
C: 905-220-9419

E: daniel@whitewillowdesign.ca

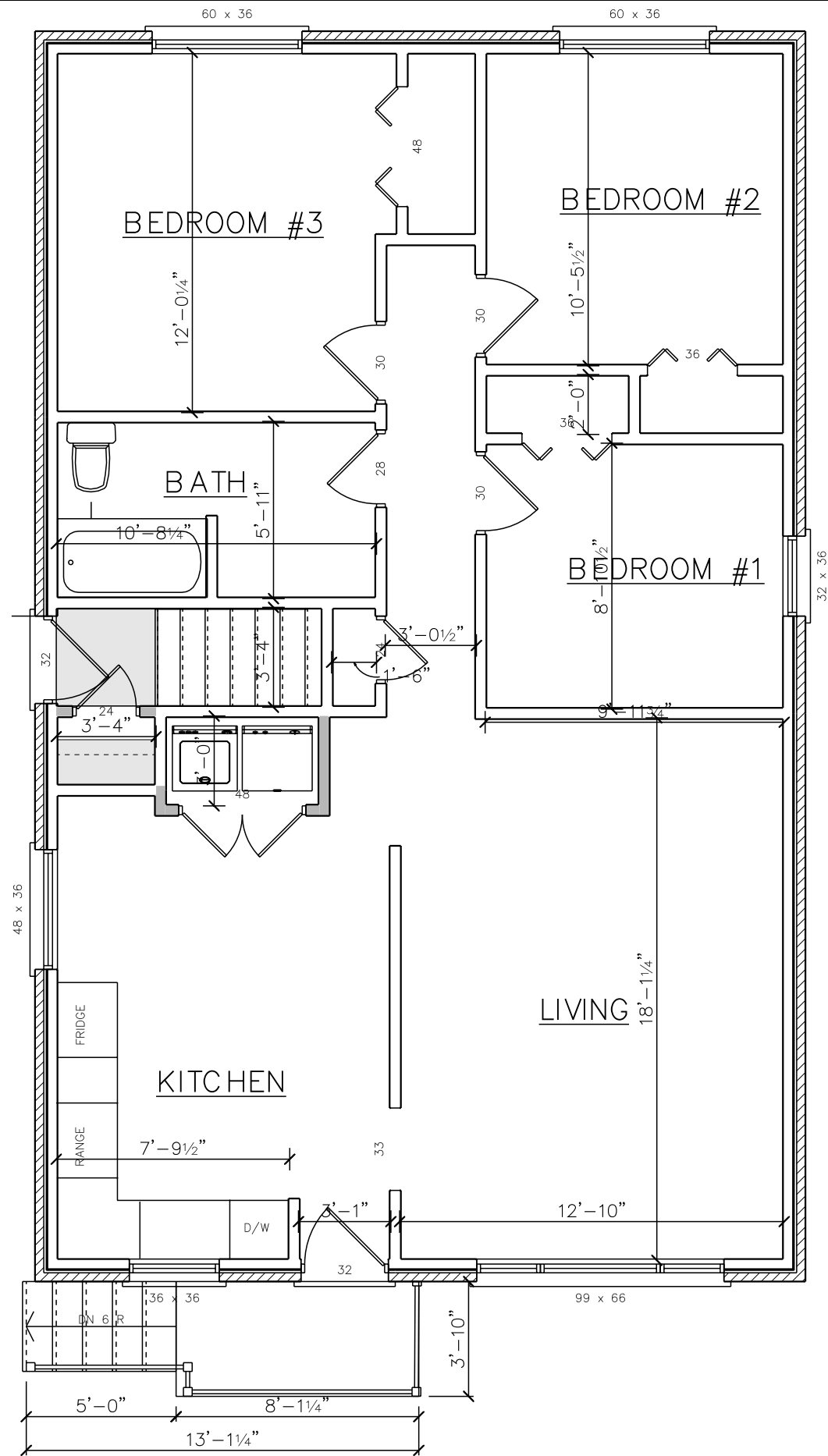
NO.	DATE:	ISSUE / REVISION
1	2020.11.03	BUILDING PERMIT

design by:	drawn by:	approved by:	date:	scale:	As Noted
	S.P.	D.O.	11/3/2020		
Project: Duplex Conversion					
209 Manning Ave Hamilton ON L9A 3G3					
Sheet Title: A1.0 Level 0					
page 2 of 5					



Existing

SCALE: 1" = 5'-0"



Proposed

SCALE: 1" = 5'-0"

BCIN Stamp:

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 be a designer.

Qualification Information  
required under Div. C, Part 3 of the 2012 OBC

Daniel J. Ott	35686
Name	Signature BCIN
White Willow Designs, Inc.	46597
Company	BCIN

  
**WhiteWillow**  
DESIGN

439 Bay St N  
Hamilton, ON | L8L 1N2  
C: 905-220-9419

E: daniel@whitewillowdesign.ca

NO.	DATE:	ISSUE / REVISION
1	2020.11.03	BUILDING PERMIT

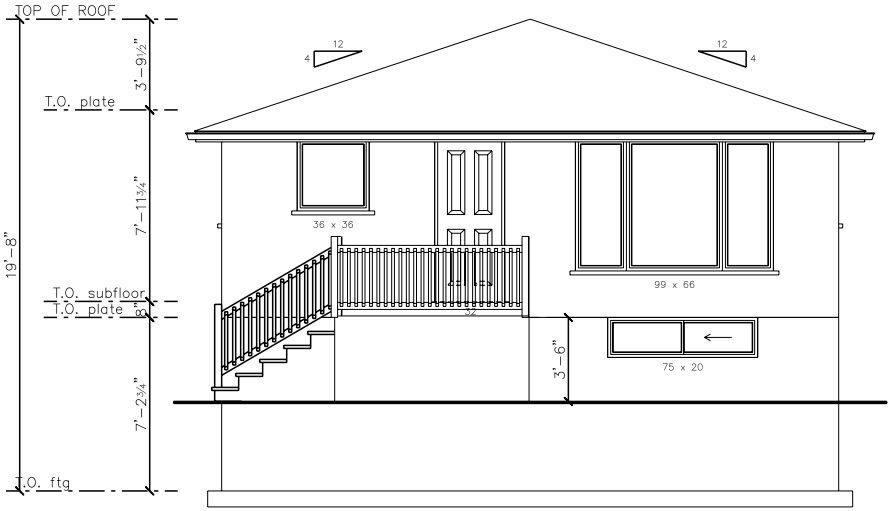
design by:	drawn by:	approved by:	date:	scale:
	S.P.	D.O.	11/3/2020	As Noted

Project:  
**Duplex Conversion**

209 Manning Ave  
Hamilton  
ON L9A 3G3

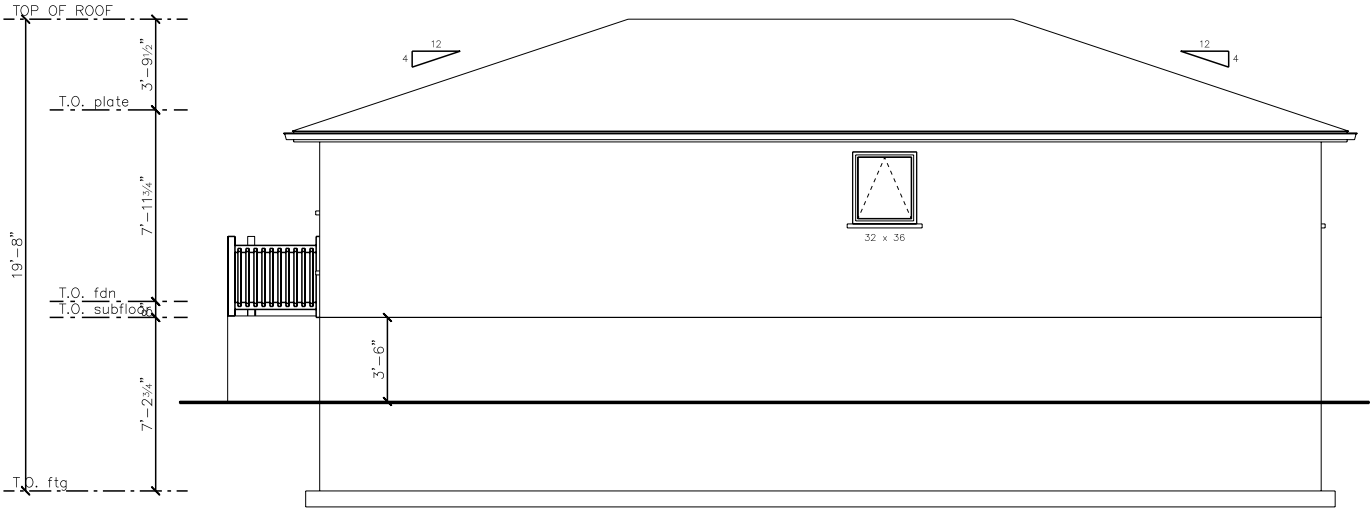
Sheet Title:  
**A1.1 Level 1**

page 3 of 5



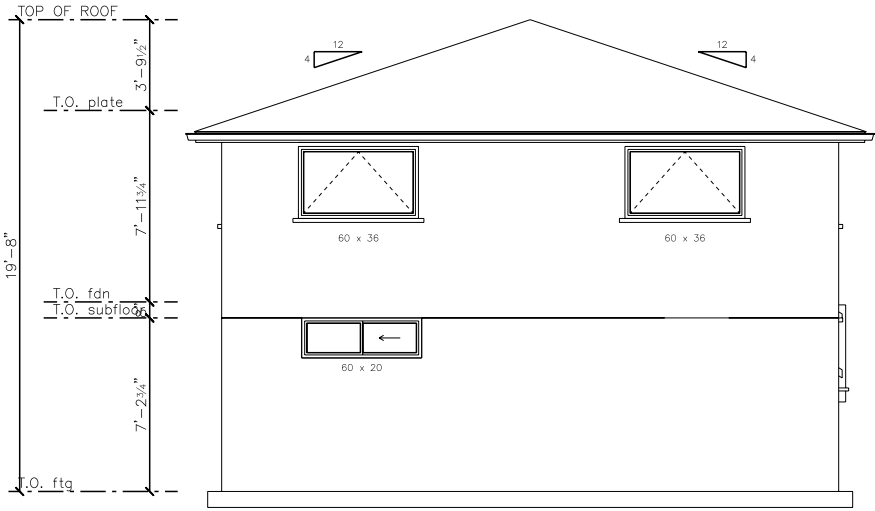
FRONT ELEVATION

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



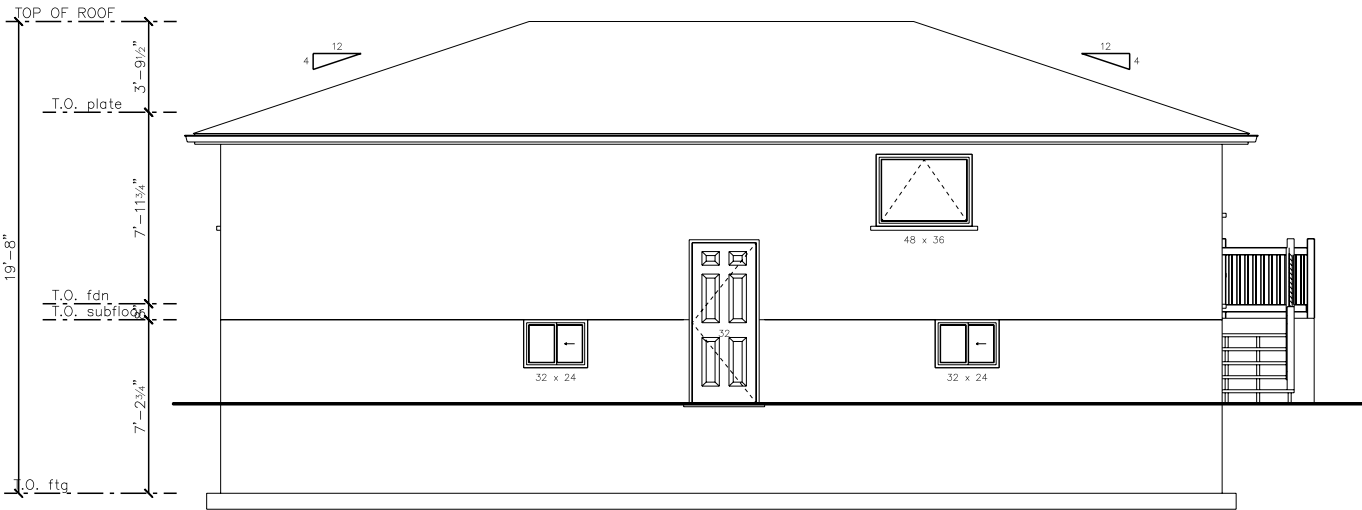
RIGHT ELEVATION

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



REAR ELEVATION

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



LEFT ELEVATION

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

BCIN Stamp:

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 be a designer.

Qualification Information required under Div. C, Part 3 of the 2012 OBC

Daniel J. Ott	35686
Name	Signature
White Willow Designs, Inc.	46597
Company	BCIN

  
**WhiteWillow**  
DESIGN

439 Bay St N  
Hamilton, ON | L8L 1N2  
C: 905-220-9419

E: daniel@whitewillowdesign.ca

NO.	DATE:	ISSUE / REVISION
1	2020.11.03	BUILDING PERMIT

design by:	drawn by:	approved by:	date:	scale:
	S.P.	D.O.	11/3/2020	As Noted
Project:				
Duplex Conversion				
209 Manning Ave				
Hamilton				
ON				
L9A 3G3				
Sheet Title:				
A2.0 Existing Elevations				
page 4 of 5				



Hamilton

Planning and Economic Development Department  
Planning Division

**Committee of Adjustment**  
City Hall  
5<sup>th</sup> 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.

1. Name of Owner Mark Jones & Mark Taylor Telephone No. \_\_\_\_\_

FAX NO. \_\_\_\_\_ E-mail address. \_\_\_\_\_

2. Address \_\_\_\_\_ Postal Code \_\_\_\_\_

3. Name of Agent Sadee Piper Telephone No. \_\_\_\_\_

FAX NO. \_\_\_\_\_ E-mail address. \_\_\_\_\_

4. Address \_\_\_\_\_ Postal Code \_\_\_\_\_

**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:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ Postal Code \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_ Postal Code \_\_\_\_\_

6. Nature and extent of relief applied for:  
Relief to allow 1 parking spot instead of the required 2 parking spots.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
7. Why it is not possible to comply with the provisions of the By-law?  
The existing lot conditions and location of existing house do not  
allow us to achieve the zoning bylaw requirements noted above.  
\_\_\_\_\_  
\_\_\_\_\_
8. Legal description of subject lands (registered plan number and lot number or other legal description and where applicable, street and street number):  
209 Manning Avenue, Hamilton, ON L9A 3G3  
\_\_\_\_\_  
\_\_\_\_\_
9. PREVIOUS USE OF PROPERTY  
Residential   X   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   X   Unknown
- 9.3 Has a gas station been located on the subject land or adjacent lands at any time?  
Yes        No   X   Unknown
- 9.4 Has there been petroleum or other fuel stored on the subject land or adjacent lands?  
Yes        No   X   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   X   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   X   Unknown
- 9.7 Have the lands or adjacent lands ever been used as a weapon firing range?  
Yes        No   X   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   X   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 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 X Unknown \_\_\_\_\_

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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.

2020.10.30

Date

\*

Signature Property

Mark Jones & Mark Taylor

Print Name of Owner

10. Dimensions of lands affected:

Frontage	<u>12.2m</u>
Depth	<u>30.7m</u>
Area	<u>374.53 m2</u>
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: see drawings

\_\_\_\_\_  
\_\_\_\_\_

Proposed: see drawings

\_\_\_\_\_  
\_\_\_\_\_

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

Existing: see drawings

\_\_\_\_\_  
\_\_\_\_\_

Proposed: see drawings

13. Date of acquisition of subject lands:

2020.10.23

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

15. Existing uses of the subject property: Single Family Home

16. Existing uses of abutting properties: Residential

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

18. Municipal services available: (check the appropriate space or spaces)

Water X Connected \_\_\_\_\_  
Sanitary Sewer X Connected \_\_\_\_\_  
Storm Sewers X \_\_\_\_\_

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**