



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-20:239

APPLICANTS: Carrothers & Associates on behalf of the owners Z. Fleming & S. Anstey

SUBJECT PROPERTY: Municipal address **215 George St., Hamilton**

ZONING BY-LAW: Zoning By-law 6593, as Amended by By-law 19-307

ZONING: “D/S-1787” (Urban Protected Residential – One and Two Family Dwellings) district

PROPOSAL: To permit the construction of a 2-storey rear addition and patio to the existing single-family dwelling notwithstanding that;

1. A minimum easterly side yard width of 0.9 m shall be provided for the proposed addition instead of the minimum required side yard width of 1.2 m; and
2. Eaves and gutters shall be permitted to encroach the entire width of the northerly side lot line for the proposed addition instead of the maximum permitted encroachment of one half of the required side yard or 1.0 m whichever is the lesser; and
3. A minimum side yard width of 1.1 m shall be provided for the proposed new roofed-over unenclosed patio at the rear of the proposed addition instead of the minimum required side yard width of 1.2 m.

Notes:

An Encroachment Agreement with the Public Works Department may be required for the existing **front porch and existing stone walkway** shown to encroach on the Road Allowance. For further information, please contact encroachment@hamilton.ca.

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

DATE: Thursday, December 3rd, 2020
TIME: 3:20 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 17th, 2020.

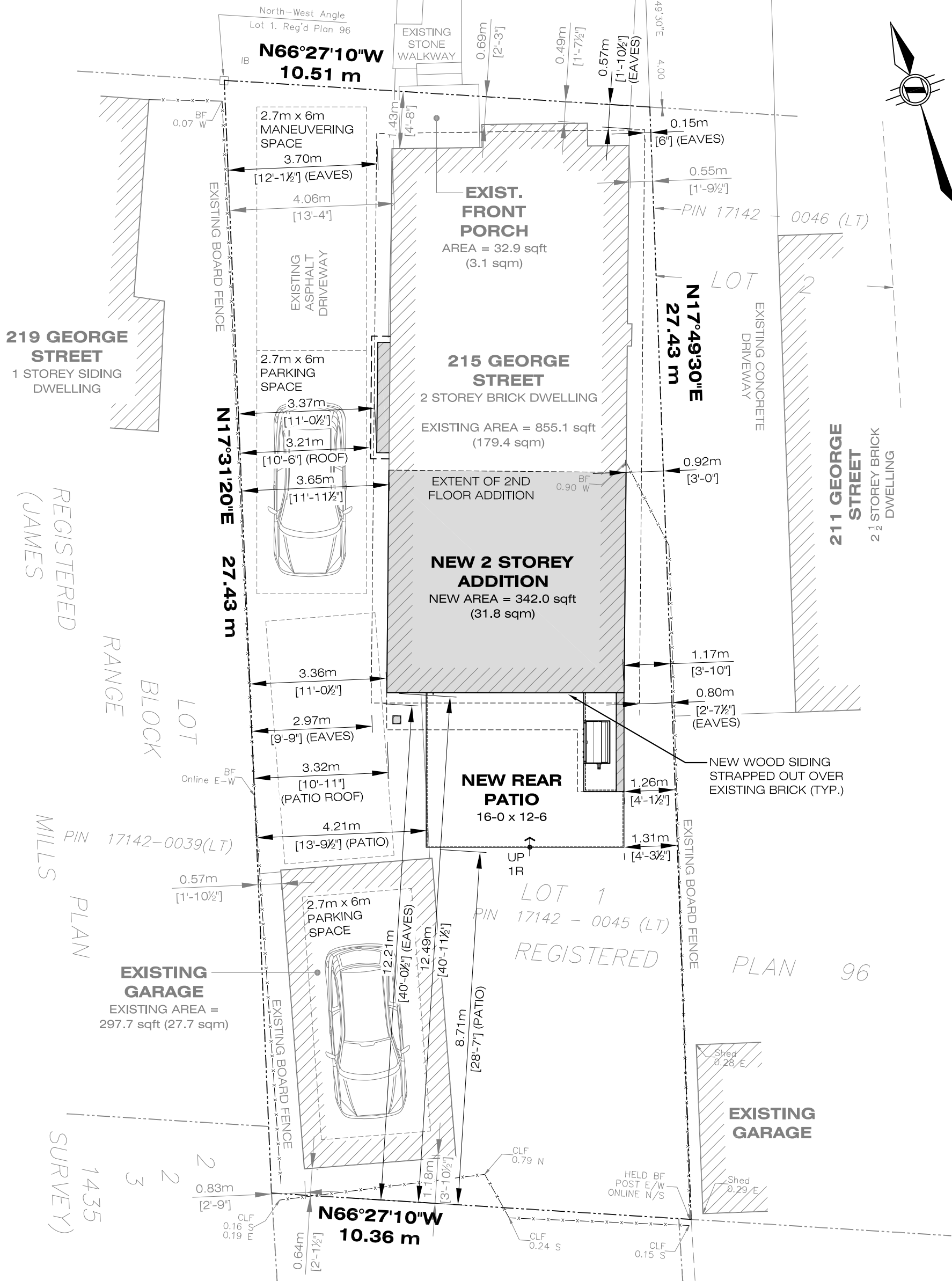
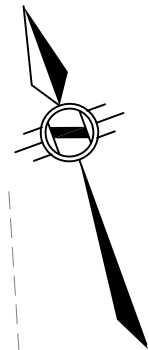
Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

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.

GEORGE STREET

TO BE USED IN CONJUNCTION WITH BARICH GRENKIE SURVEYING LTD., DATED APRIL 14, 2020.

PLAN
SHOWING
LOT 1, REGISTERED PLAN 96
IN THE
CITY OF HAMILTON



ISSUED FOR COMMITTEE OF ADJUSTMENT

Project Name:
PRIVATE RESIDENCE
NEW 2 STOREY REAR YARD ADDITION AND PATIO
215 GEORGE STREET
HAMILTON, ON. L8P 1G2

Sheet Title:
SITE PLAN

No.	Date	Issue/Revision	NY
2	OCT 30/20	ISSUED FOR COFA	NY
1	OCT 26/20	ISSUED FOR DC REVIEW	NY
By:			

Drawn By:	NY
Checked By:	DC
Scale:	1:100
Date:	OCT 2020
Project No.:	2020-27

SP

**ISSUED FOR
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ADJUSTMENT**

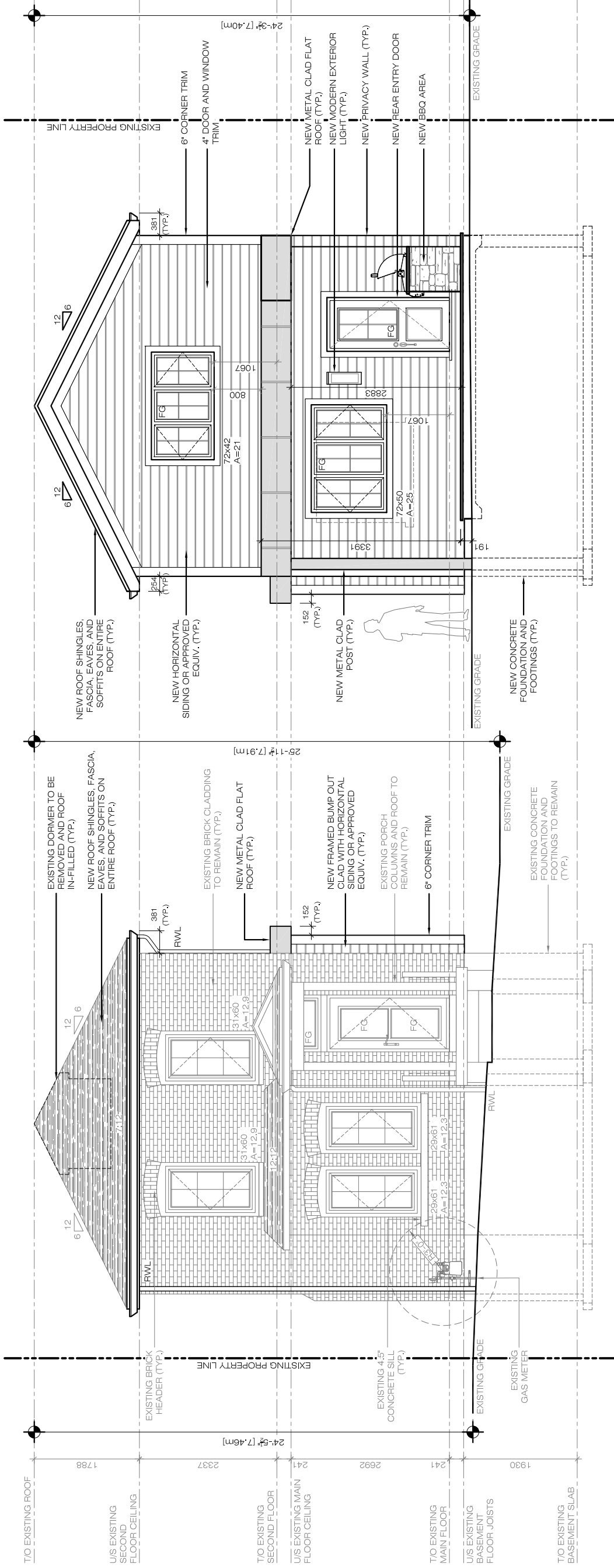
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215 GEORGE STREET
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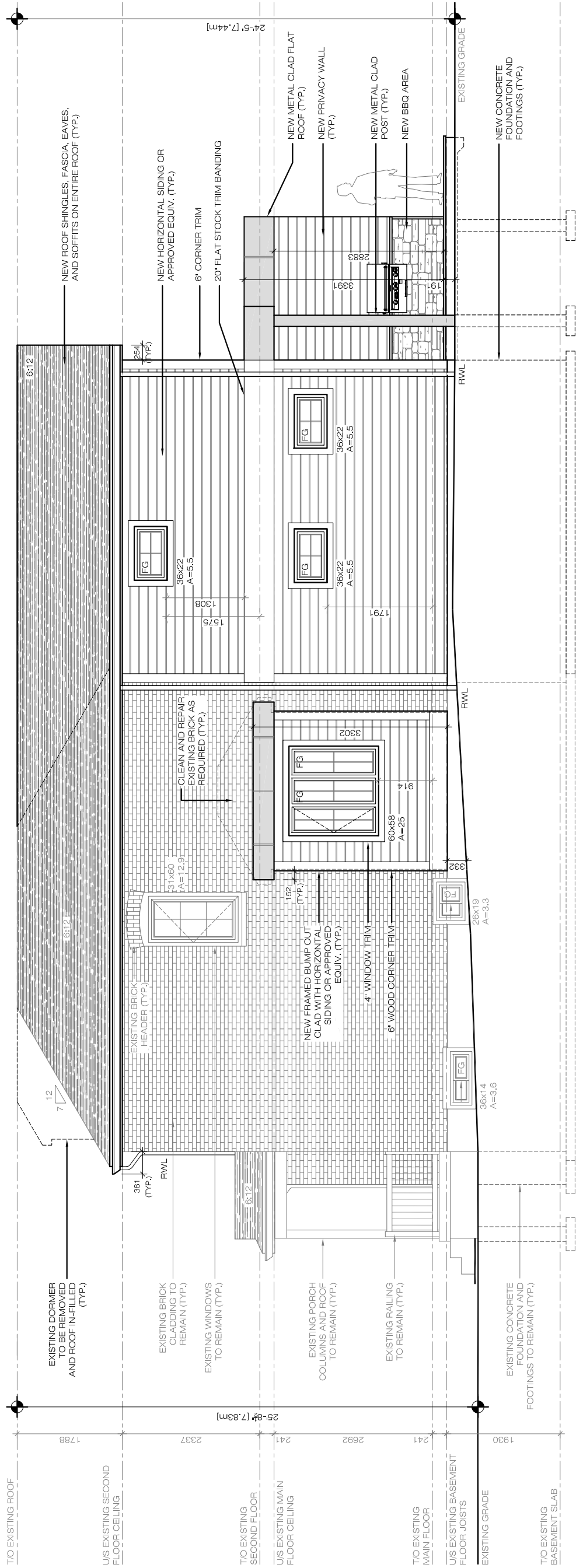
Sheet Title:
**FRONT AND
REAR ELEVATIONS**

No.	Date:	Issue/Revision	NY
2	OCT 30/20	ISSUED FOR COFA	NY
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A5





RIGHT SIDE ELEVATION

**ISSUED FOR
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ADJUSTMENT**

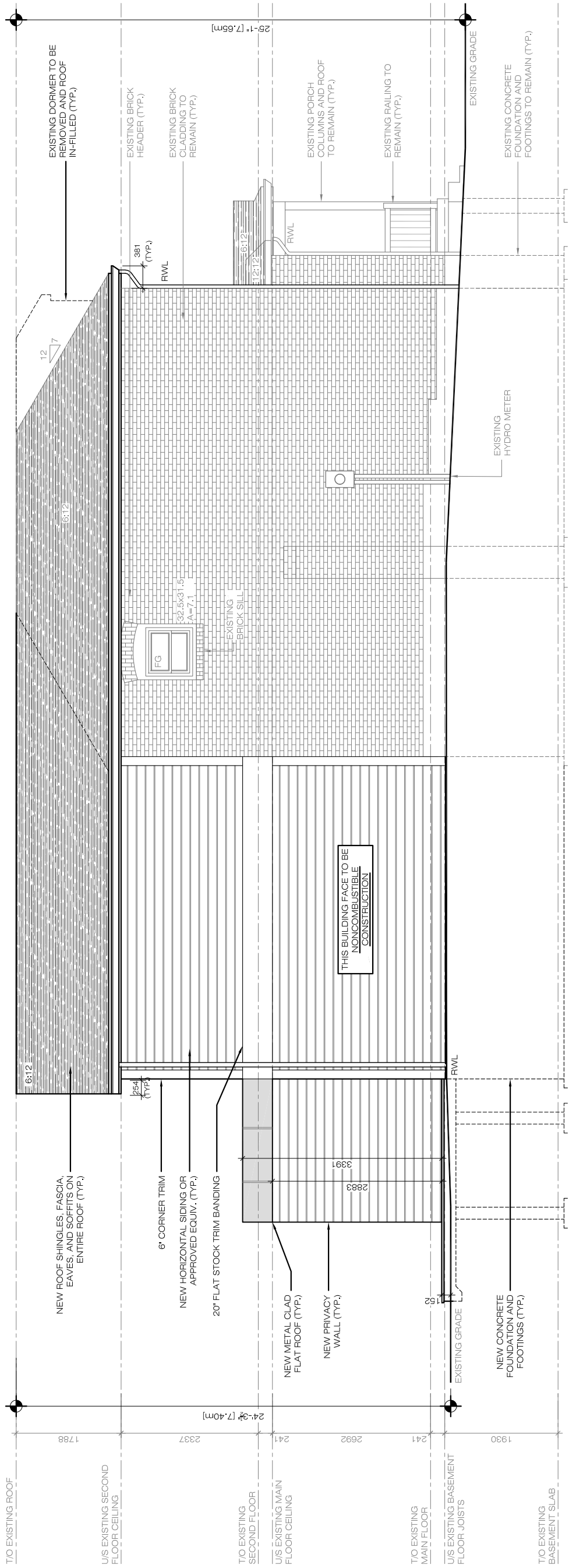
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NEW 2 STOREY REAR YARD
ADDITION AND PATIO**
215 GEORGE STREET
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LEFT SIDE ELEVATION

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**PRIVATE RESIDENCE
NEW 2 STOREY REAR YARD
ADDITION AND PATIO**
215 GEORGE STREET
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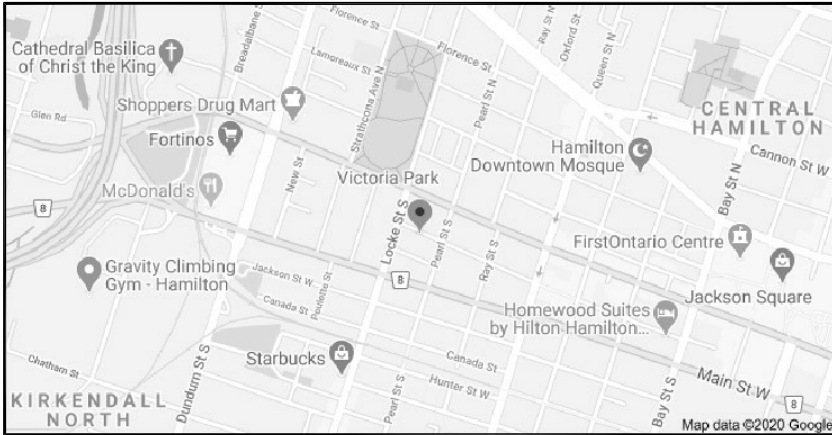
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Checked By:	DC
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A7

PRIVATE RESIDENCE

NEW 2 STOREY REAR YARD ADDITION AND PATIO

215 GEORGE STREET, HAMILTON, ON. L8P 1G2



LOCATION MAP:



EXISTING FRONT ELEVATION (FOR REF. ONLY):



EXISTING REAR ELEVATION (FOR REF. ONLY):

ZONING AND PROPERTY STATISTICS			
DESCRIPTION:	LOT 1, REGISTERED PLAN 96 IN THE CITY OF HAMILTON		
ADDRESS:	215 GEORGE STREET, HAMILTON, ONTARIO		
	REQUIRED:	PROPOSED:	
ZONING DESIGNATION:	D	D	(EXISTING)
LOT AREA:	360.0 m2	285.0 m2	(EXISTING)
LOT WIDTH:	12.0 m	10.51 m	(EXISTING)
FRONT YARD TO HOUSE:	6.0 m	0.49 m	(EXISTING)
FRONT YARD TO ROOF OVERHANG:	4.5 m (1.5 m ENCR.)	**0.57 m	(PROPOSED)
REAR YARD TO NEW ADDITION:	7.5 m	12.49 m	(PROPOSED)
REAR YARD TO ROOF OVERHANG:	6.0 m (1.5 m ENCR.)	12.21 m	(PROPOSED)
REAR YARD TO PATIO:	4.5 m (3.0 m ENCR.)	8.71 m	(PROPOSED)
RIGHT YARD TO NEW ADDITION:	1.2 m	3.36 m	(PROPOSED)
RIGHT YARD TO BUMP OUT:	1.2 m	3.37 m	(PROPOSED)
RIGHT YARD TO ROOF OVERHANG:	0.6 m (0.6 m ENCR.)	2.97 m	(PROPOSED)
RIGHT YARD TO BUMP OUT ROOF OVERHANG:	0.6 m (0.6 m ENCR.)	3.21 m	(PROPOSED)
RIGHT YARD TO COVERED PATIO:	1.2 m	3.32 m	(PROPOSED)
RIGHT YARD TO UNCOVERED PATIO:	0.5 m	4.21 m	(PROPOSED)
LEFT YARD TO HOUSE:	1.2 m	0.56 m	(EXISTING)
LEFT YARD TO NEW ADDITION:	1.2 m	**0.92 m	(PROPOSED)
LEFT YARD TO ROOF OVERHANG:	0.6 m (0.6 m ENCR.)	**0.15 m	(PROPOSED)
LEFT YARD TO COVERED PATIO:	1.2 m	**1.17 m	(PROPOSED)
LEFT YARD TO UNCOVERED PATIO:	0.5 m	1.26 m	(PROPOSED)
BUILDING HEIGHT:	3 STOREYS	2 STOREYS	(EXISTING)
PARKING SPACES:	2	2	(EXISTING)
**VARIANCE REQUIRED			

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HAMILTON, ON. L8P 1G2

Sheet Title:
COVER PAGE AND ZONING

No.	Date:	Issue/Revision	By:
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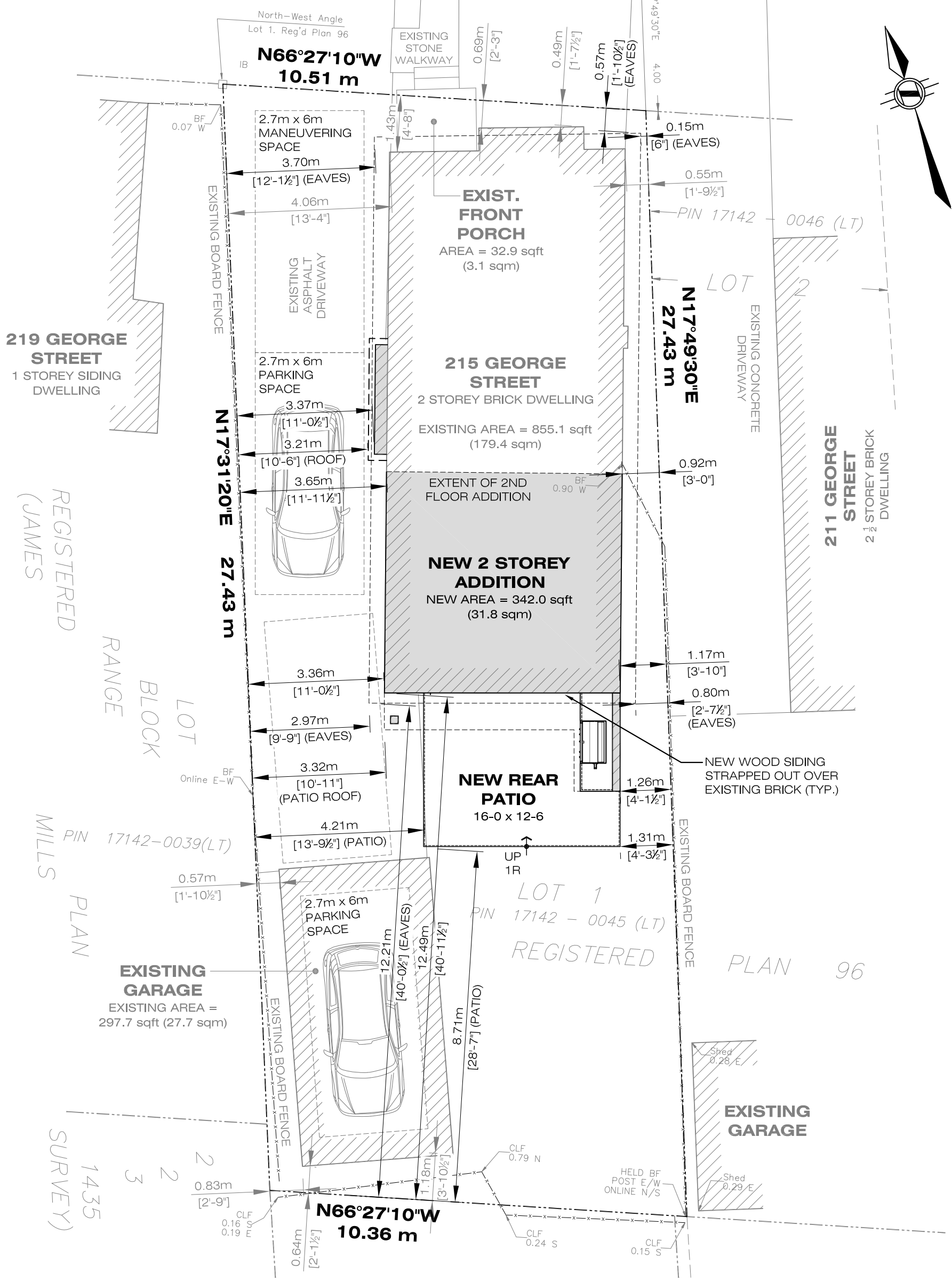
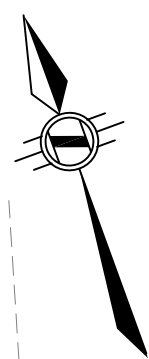
Drawn By: NY
Checked By: DC
Scale: N.T.S.
Date: OCT 2020
Project No.: 2020-27

A1

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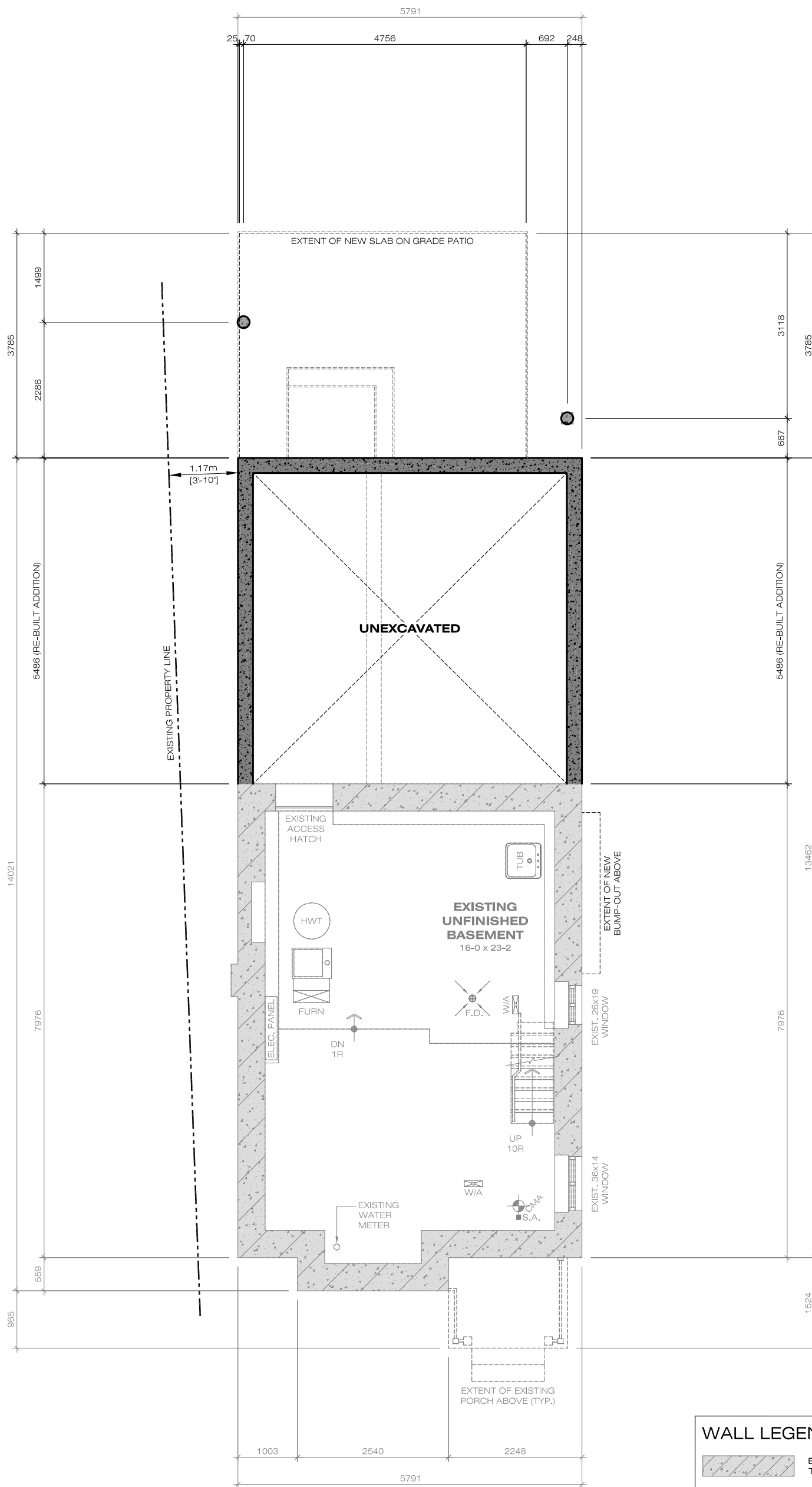
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215 GEORGE STREET
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SP



BASEMENT FLOOR PLAN

AREA = 513.1 sqft (47.7 sqm)
 U/S FLOOR JOISTS LOW = 5'-9"
 U/S FLOOR JOISTS HIGH = 6'-4"
 HABITABLE ROOMS = 0

WALL LEGEND	
	EXISTING FOUNDATION WALLS TO REMAIN
	NEW FOUNDATION WALLS
	EXISTING INTERIOR / EXTERIOR WALLS TO REMAIN
	NEW INTERIOR / EXTERIOR WALLS

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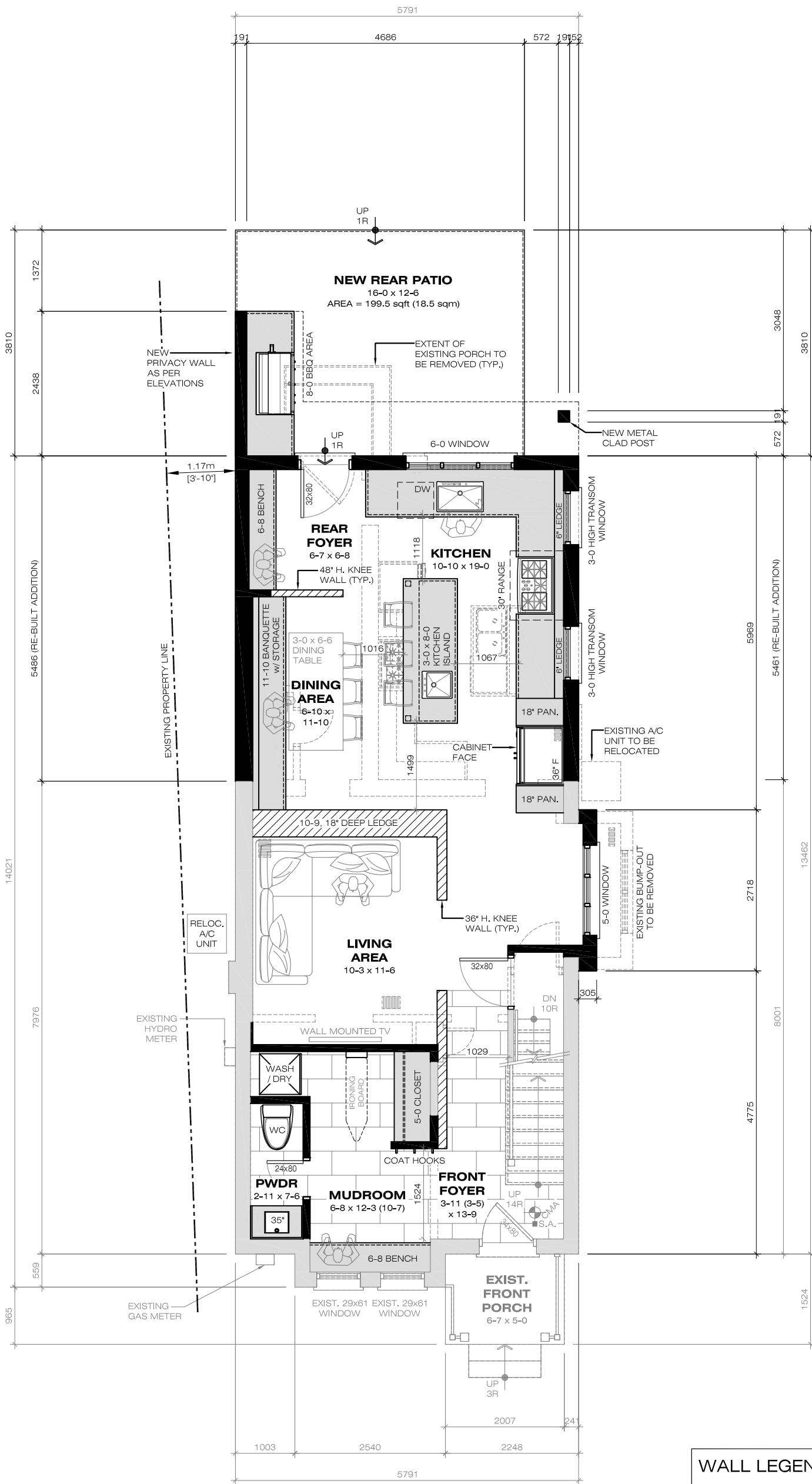
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 215 GEORGE STREET
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BASEMENT FLOOR PLAN

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A2



WALL LEGEND	
	EXISTING INTERIOR / EXTERIOR WALLS TO REMAIN
	NEW INTERIOR / EXTERIOR WALLS
	NEW INTERIOR KNEE WALLS

ISSUED FOR COMMITTEE OF ADJUSTMENT

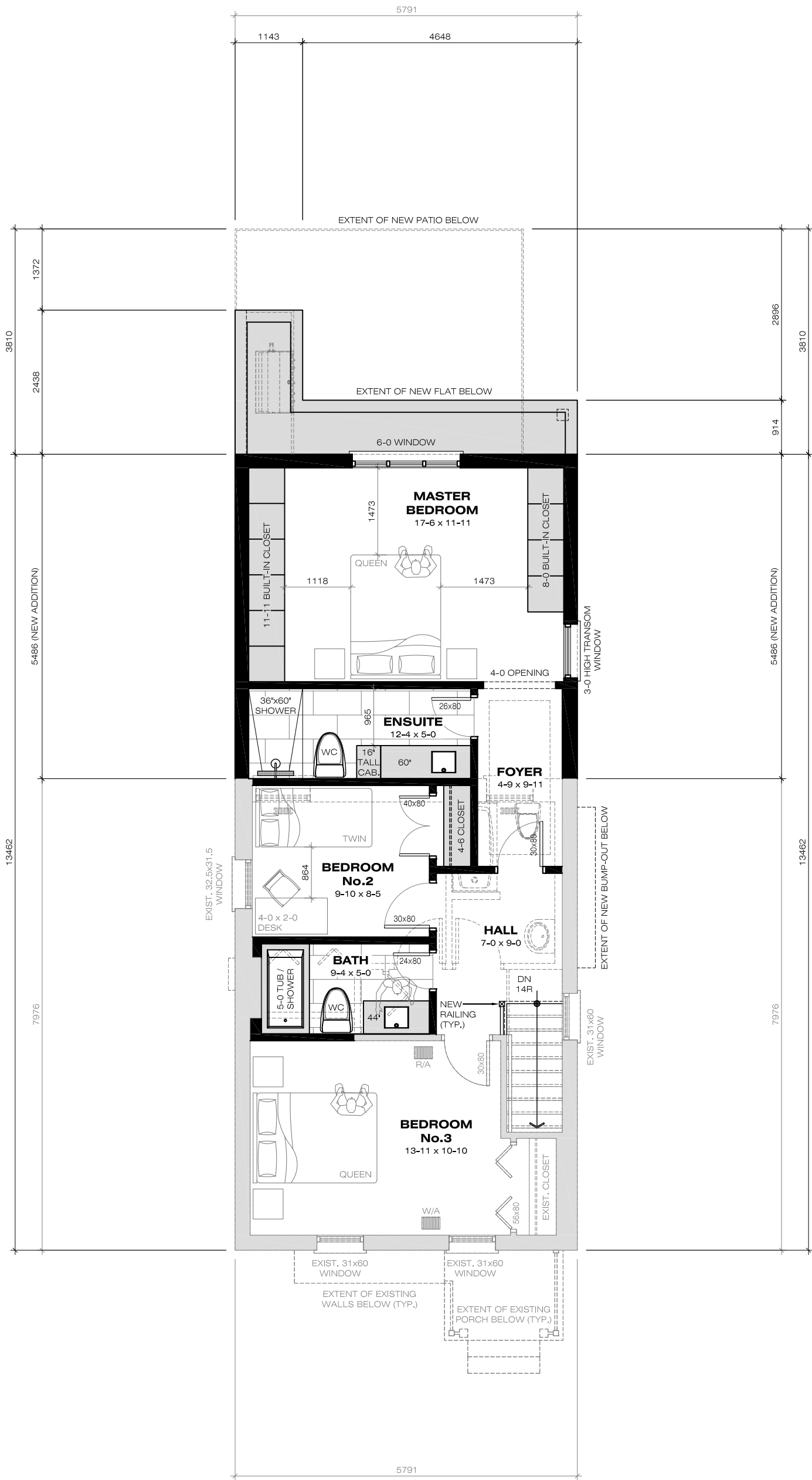
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PRIVATE RESIDENCE
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Sheet Title:
MAIN FLOOR PLAN

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A3



SECOND FLOOR PLAN
 EXISTING AREA = 497.2 sqft (46.2 sqm)
 NEW ADDITION AREA = 342.0 sqft (31.8 sqm)
 CEILING HEIGHT = 7'-8"
 HABITABLE ROOMS = 3

WALL LEGEND	
	EXISTING INTERIOR / EXTERIOR WALLS TO REMAIN
	NEW INTERIOR / EXTERIOR WALLS

ISSUED FOR COMMITTEE OF ADJUSTMENT

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 215 GEORGE STREET
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A4

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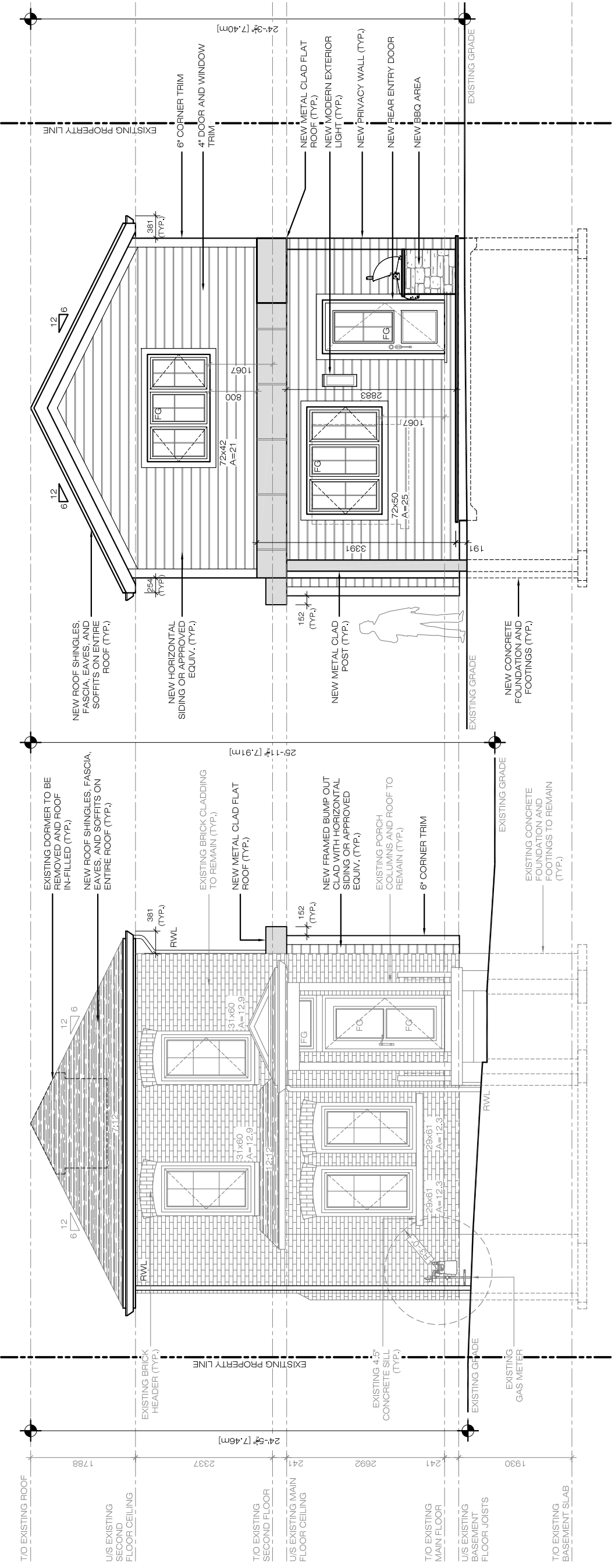
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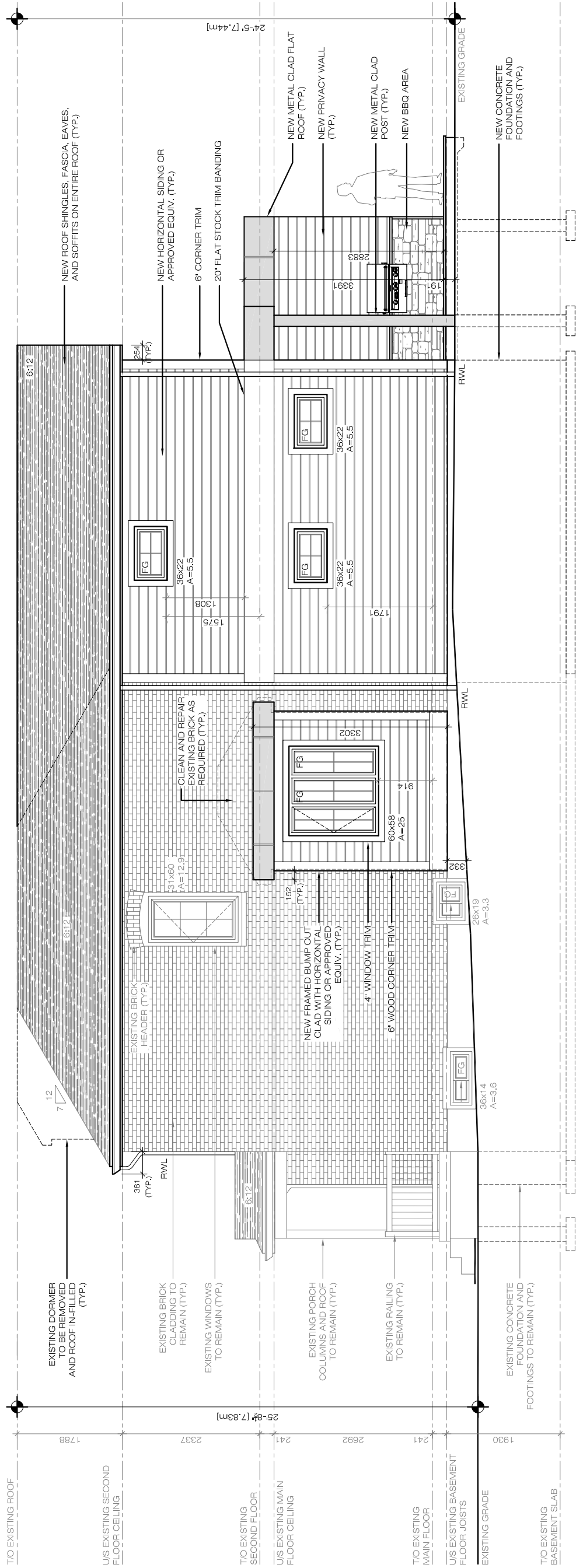
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A5





RIGHT SIDE ELEVATION

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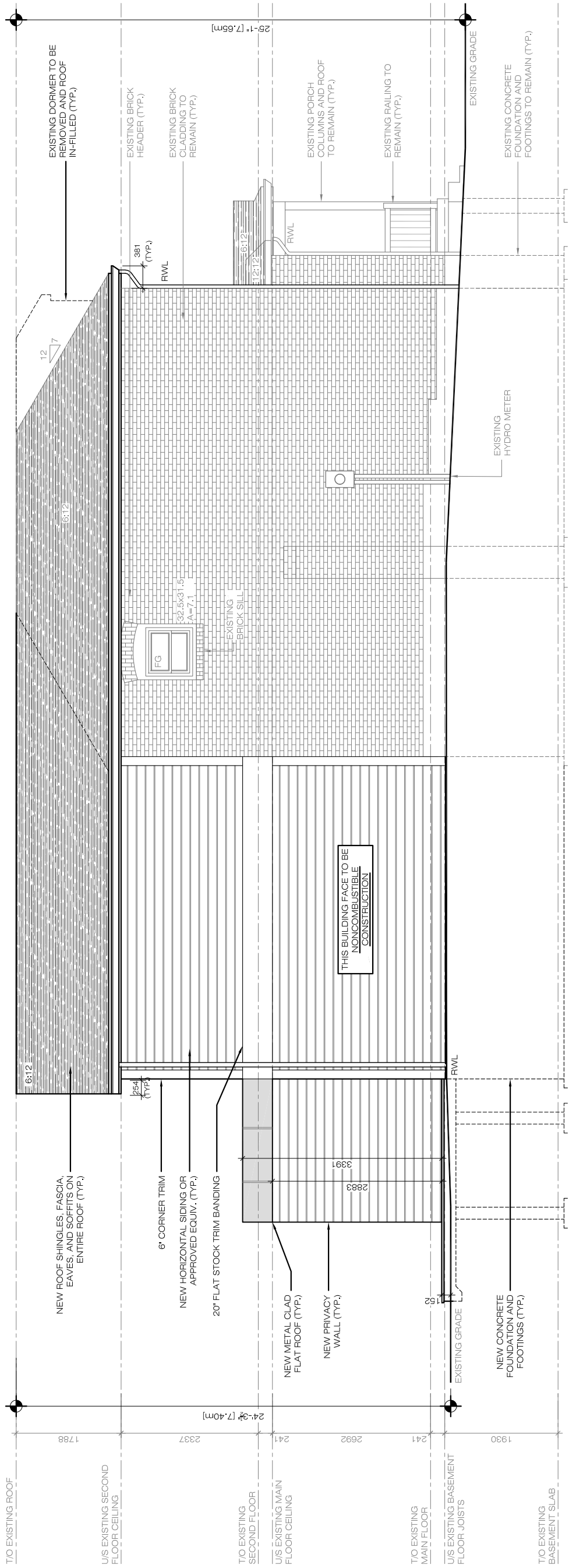
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 215 GEORGE STREET
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A6



LEFT SIDE ELEVATION

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 215 GEORGE STREET
 HAMILTON, ON. L8P 1G2

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A7



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.

- 1. Name of Owner ZACKERY FLEMING Telephone No. [REDACTED]
S HELLEY ANSTLEY
FAX NO. _____ E-mail address. [REDACTED]
- 2. Address [REDACTED]
Postal Code [REDACTED]
- 3. Name of Agent DAVID CARLOTHEUS / carlotheus + ASSOC. Telephone No. [REDACTED]
FAX NO. _____ E-mail address. [REDACTED]
- 4. Address [REDACTED]
Postal Code [REDACTED]

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:
MERIX FINANCIAL - 390 BAY ST, SUITE 1800
TORONTO, ON Postal Code M5H 2Y2

6. Nature and extent of relief applied for:

1. LEFTYARD SETBACK TO 2 STOREY ADDITION OF 0.92m IN LIEU OF 1.2m

2. FRONTYARD SETBACK TO ROOF OVERHANG OF 0.57m IN LIEU OF 4.5m

3. LEFT YARD SETBACK TO ROOF OVERHANG OF 0.15 m IN LIEU OF 0.6m

4. LEFT YARD SETBACK TO COVERED PATIO OF 1.17m IN LIEU OF 1.2m

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

EXISTING HOME ^{SETBACKS} DOESNT CONFIRM TO THE EXISTING BY-LAWS.
ADDITION AND NEW SECOND FLOOR WILL BE BUILT ON
THE EXISTING HOUSE FOOTPRINT WHICH CURRENTLY DOESNT
CONFIRM

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

LOT 1, REGISTERED PLAN 96
215 GEORGE STREET, HAMILTON, L8P 1G2

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

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?

AS PER HOMEOWNER

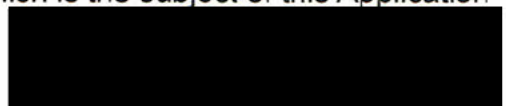
9.12 If previous use of property is industrial or commercial or if YES to any of 9.2 to 9.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.

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.

29 OCT 2020
Date


Signature Property Owner

ZACKERY FLEMING
Print Name of Owner

SHELLEY ANSTEY

10. Dimensions of lands affected:

Frontage 10.51m
Depth 27.43m
Area 285m²
Width of street UNKNOWN

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: EXISTING SINGLE FAMILY DWELLING: GFA 81.9m², GROSS FLOOR AREA 128.1m², 2 STORES, WIDTH 5.79m x LENGTH 14.02m, HEIGHT 7.96m

Proposed: REAR 2 STOREY ADDITION:
AREA 31.8m², HEIGHT TO MATCH EXISTING ROOF RIDGE, TO MATCH EXISTING 2 STOREY, WIDTH TO MATCH EXISTING 5.79m, LENGTH 5.49m.

NEW PATIO AREA 18.0m², LENGTH 3.81m, WIDTH 4.88m

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

Existing: EXISTING SINGLE FAMILY DWELLING:
FRONT 0.49m, REAR 12.49m, LEFT 0.56m, RIGHT 3.36m

Proposed:

REAR YARD ADDITION: REAR 12.49m, LEFT 0.92m, RIGHT 3.36m

REAR YARD PATIO: REAR 8.71m, LEFT 1.14m, RIGHT 5.28m

13. Date of acquisition of subject lands:

MARCH 2020

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

1870's (NOT HERITAGE) RENOVATIONS AND THEREAFTERS

15. Existing uses of the subject property:

SINGLE FAMILY DWELLING

16. Existing uses of abutting properties:

SINGLE FAMILY DWELLINGS

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

1870's (NOT HERITAGE)

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:

N/A

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

ZONE D

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