

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-21:07

APPLICANTS: Gillian Francis

SUBJECT PROPERTY: Municipal address **109 East 11th St., Hamilton**

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

ZONING: "C" (Urban Protected Residential) district

PROPOSAL: To permit the conversion of the existing Single Family Dwelling to contain two (2) dwelling units notwithstanding that:

1. The floor area of one (1) unit shall be at least 50.0m² instead of the minimum floor area of 65.0m² required for each dwelling unit.
2. A parking space size of 2.5m x 4.4m shall be provided instead of the minimum required parking space size of 2.7m x 6.0m.

NOTES:

- i. Section 19(1)(iii) of Hamilton Zoning By-law 6593 requires that the external appearance and character of the dwelling be maintained and preserved (with the exception of exterior exits). Please be advised that further variances may be required if further changes are intended to the exterior of the existing building.

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

DATE: Thursday, February 18th, 2021
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
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

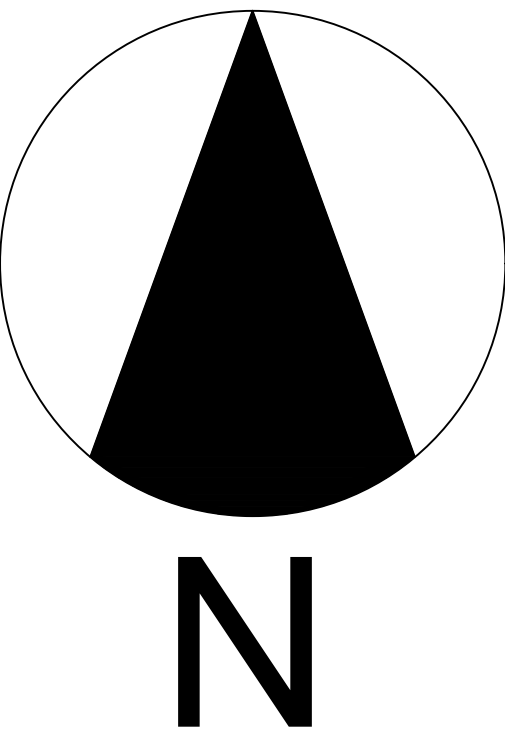
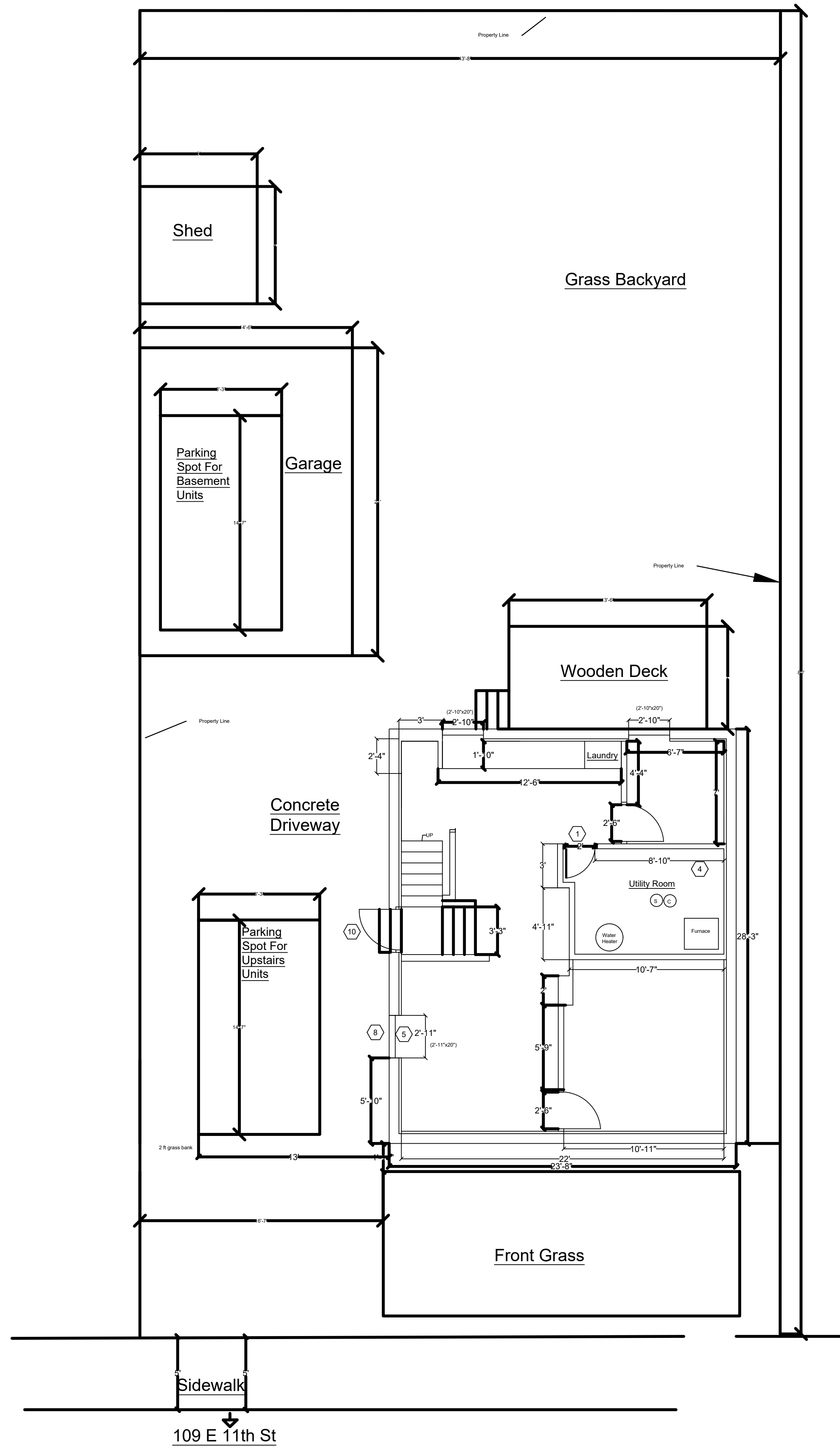
For more information on this matter, including access to drawings illustrating this request:

- 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

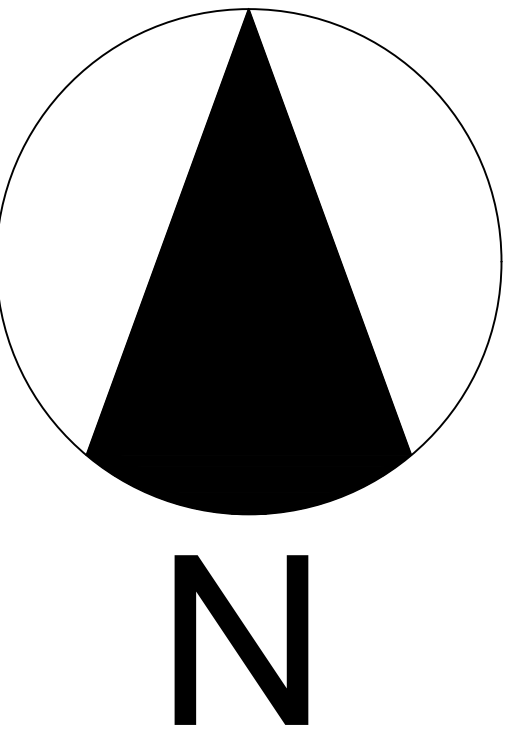
DATED: February 2nd, 2021.

Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

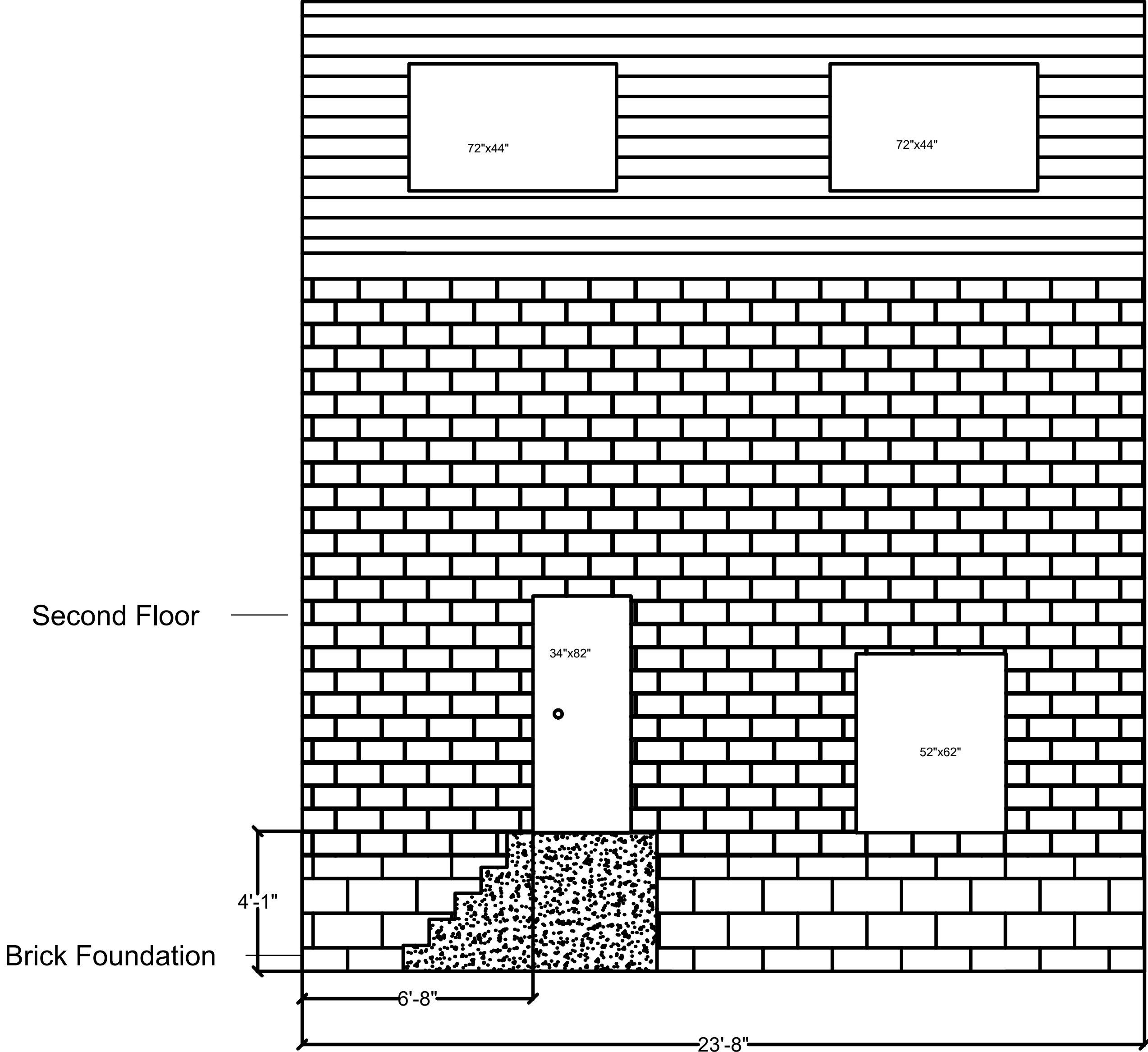
Information respecting this application is being collected under the authority of the Planning Act, R.S.O., 1990, c. P. 13. All comments and opinions submitted to the City of Hamilton on this matter, including the name, address, and contact information of persons submitting comments and/or opinions,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



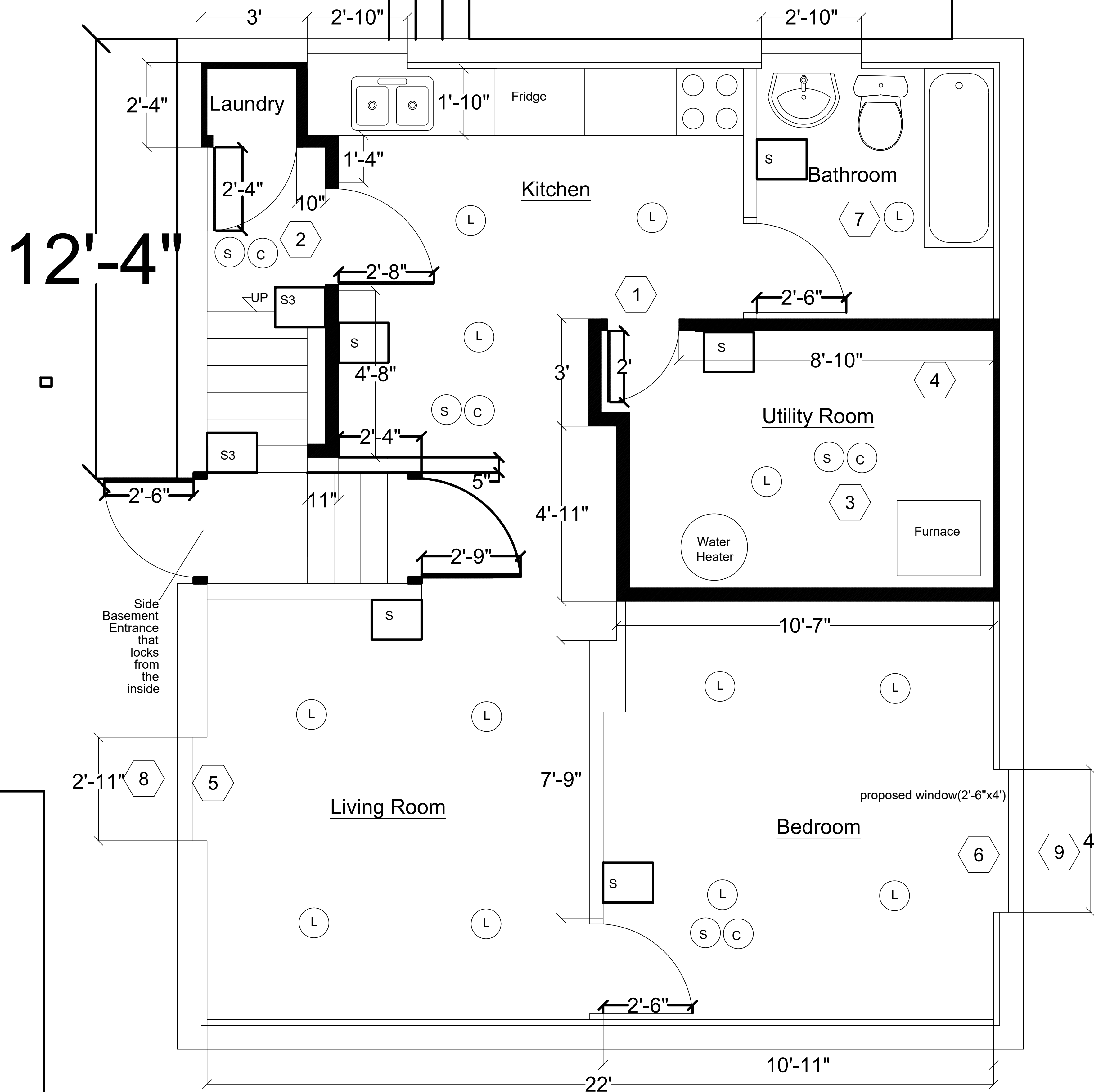
109 11th St Hamilton ON	Scale 1:60
Current Property Line	6



Front Of House



109 11th St Hamilton Ontario	1:30
Front of House	10



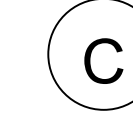
- 1: MINIMUM 30 MINUTE FIRE SEPARATION UNLESS INTERCONNECTED SMOKE ALARMS ARE PROVIDED IN BOTH UNITS AND ALL COMMON AREAS IN WHICH CASE, A 15 MINUTE FIRE SEPARATIONS WOULD ONLY BE REQUIRED. INSTALLING SPRINKLERS IN THE BUILDINGS WOULD WAIVE ALL FIRE SEPARATIONS REQUIREMENTS. Basement entrance between unit including doors, and ceiling between dwelling unit will be fire rated, and $\frac{5}{8}$ fire retardant.
- 2: MINIMUM 30 MINUTE FIRE SEPARATIONS AROUND SHARED EXITS
- 3: SMOKE DETECTOR TO BE INSTALLED BY HARD WIRED AND BATTERY BACK-UP. 1 IN BEDROOM, 1 IN UTILITY ROOM, 1 IN KITCHEN. (Utility room smoke and carbon detector will be in duct work)
- 4: EXISTING FURNACE AND HOT WATER TANK MAY SERVE BOTH UNITS PROVIDED A SMOKE DETECTOR IS INSTALLED IN THE SUPPLY OR RETURN AIR DUCT SYSTEM WHICH WOULD TURN OFF THE FUEL SUPPLY AND ELECTRICAL POWER TO THE HEATING SYSTEM UPON ACTIVATION OF SUCH DETECTORS
- 5: Minimum 5% OF LIVING/DINING FLOOR AREA OF NATURAL LIGHT (GLASS AREA) TO BE PROVIDED
- 6: MINIMUM 2 $\frac{1}{2}$ % OF BEDROOM AND OTHER FINISHED ROOMS FLOOR AREAS OF NATURAL LIGHT (GLASS AREA) TO BE PROVIDED
- 7: 1 SQFT. CLEAR OPENING OF NATURAL VENTILATION REQUIRED FOR BATHROOM. MECHANICAL VENT PROVIDING AIR CHANGE PER HOUR IS ACCEPTABLE
- 8: AN EGRESS WINDOW OR CASEMENT WINDOW AS DESCRIBED ON ATTACHED SHEET, MUST BE PROVIDED IN THE ACCESSORY APARTMENT OR THE ENTIRE BUILDING IS TO BE SPRINKLED AND SMOKE ALARMS INSTALLED IN BOTH UNITS
- 9: FOR WINDOW USED AS MEANS OF ESCAPE, WITHIN WINDOW WELLS, SEE ATTACHED SHEET FOR CLEARANCES
- 10: Side Basement entranced Fire rated and locks from inside



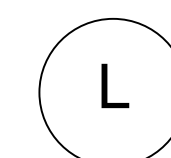
5/8 Fire retardant drywall



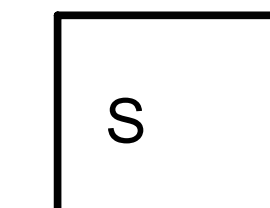
smoke detector



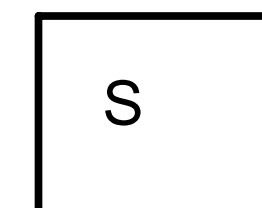
carbon monoxide detector



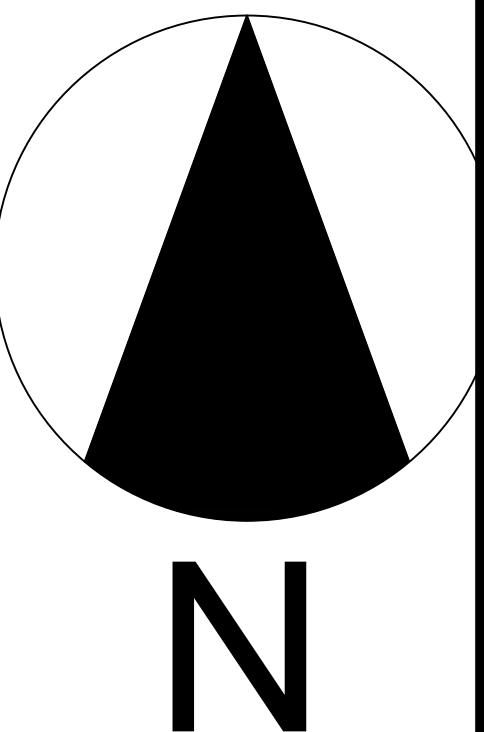
POT LIGHTS



3 WAY LIGHT SWITCH



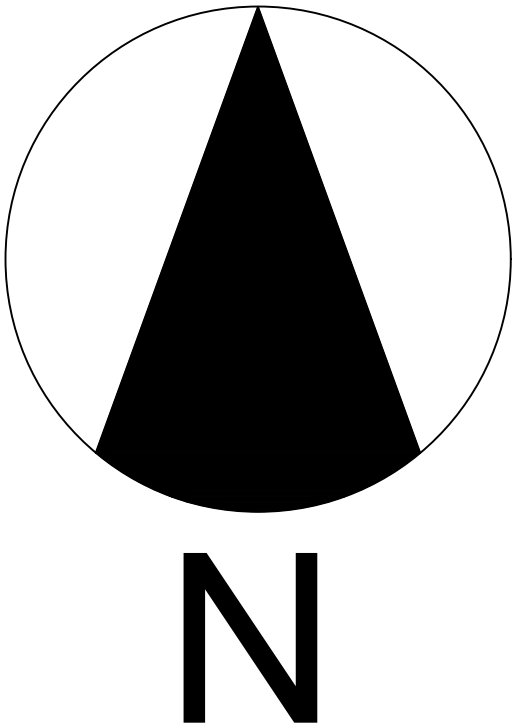
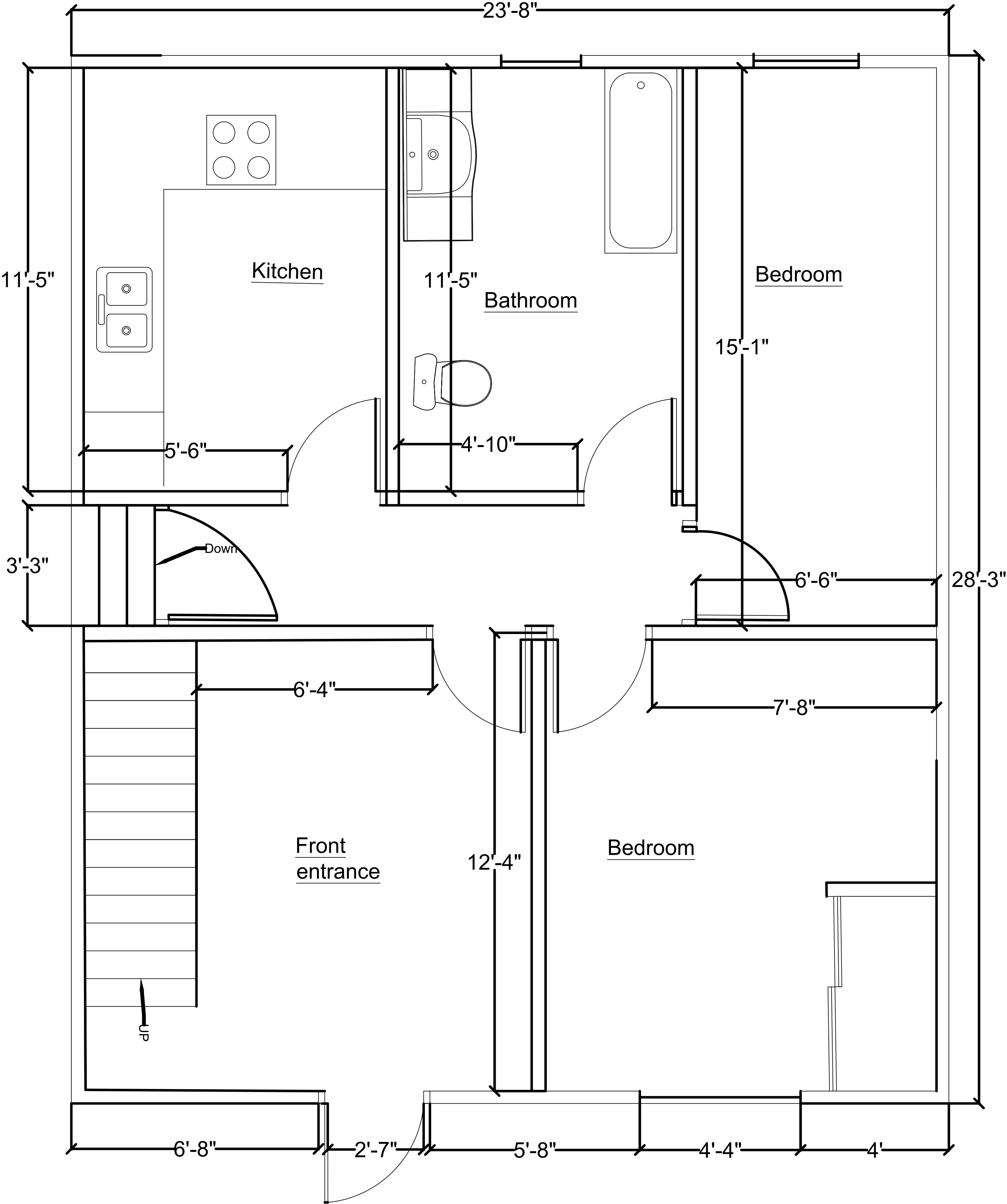
SINGLE WAY LIGHT SWITCH



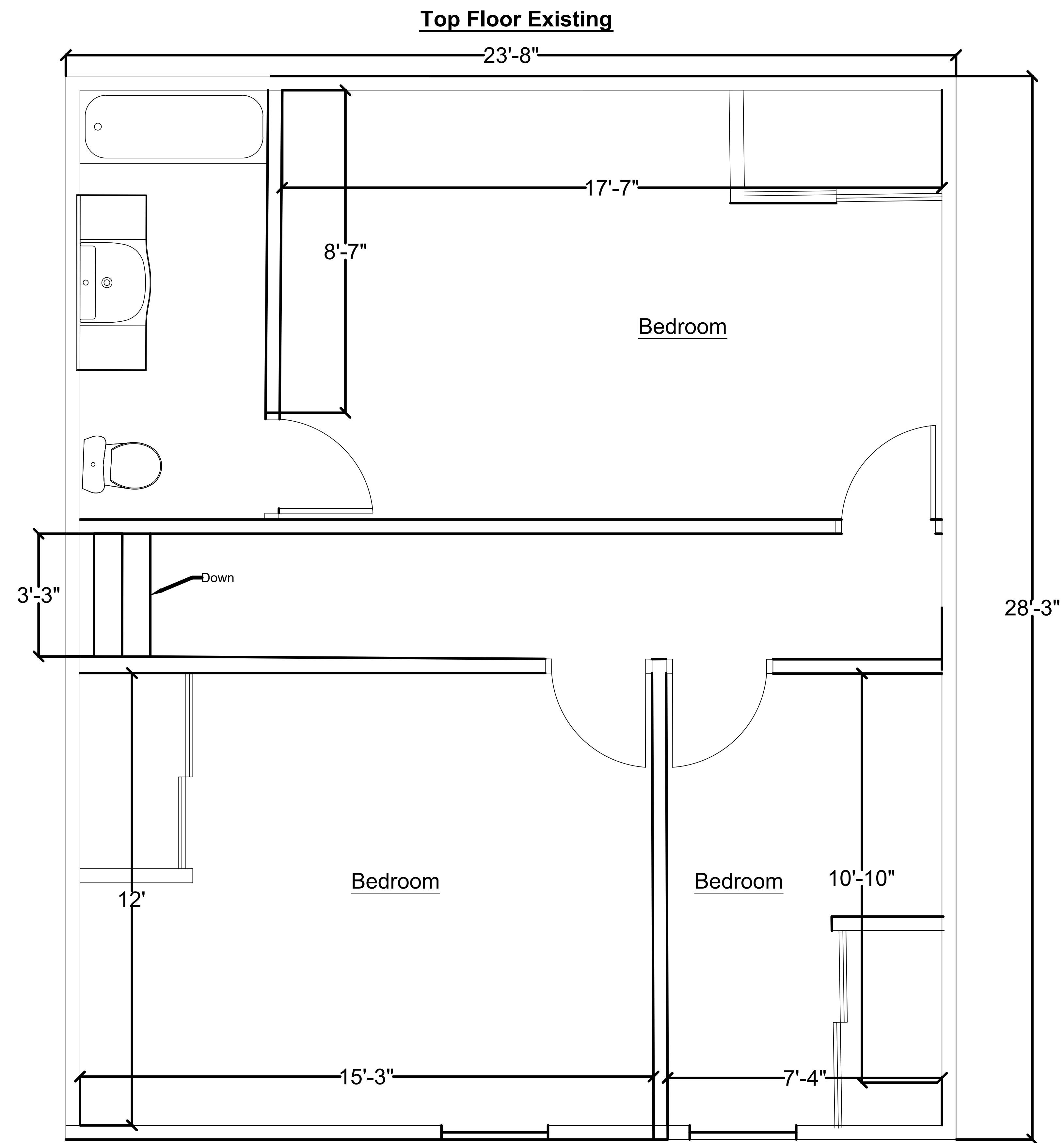
Address: 109 East 11th St, Hamilton Ontario

Page 4

Scale: 1:20



109 11th St Hamilton ON	1:20
Main Floor	2



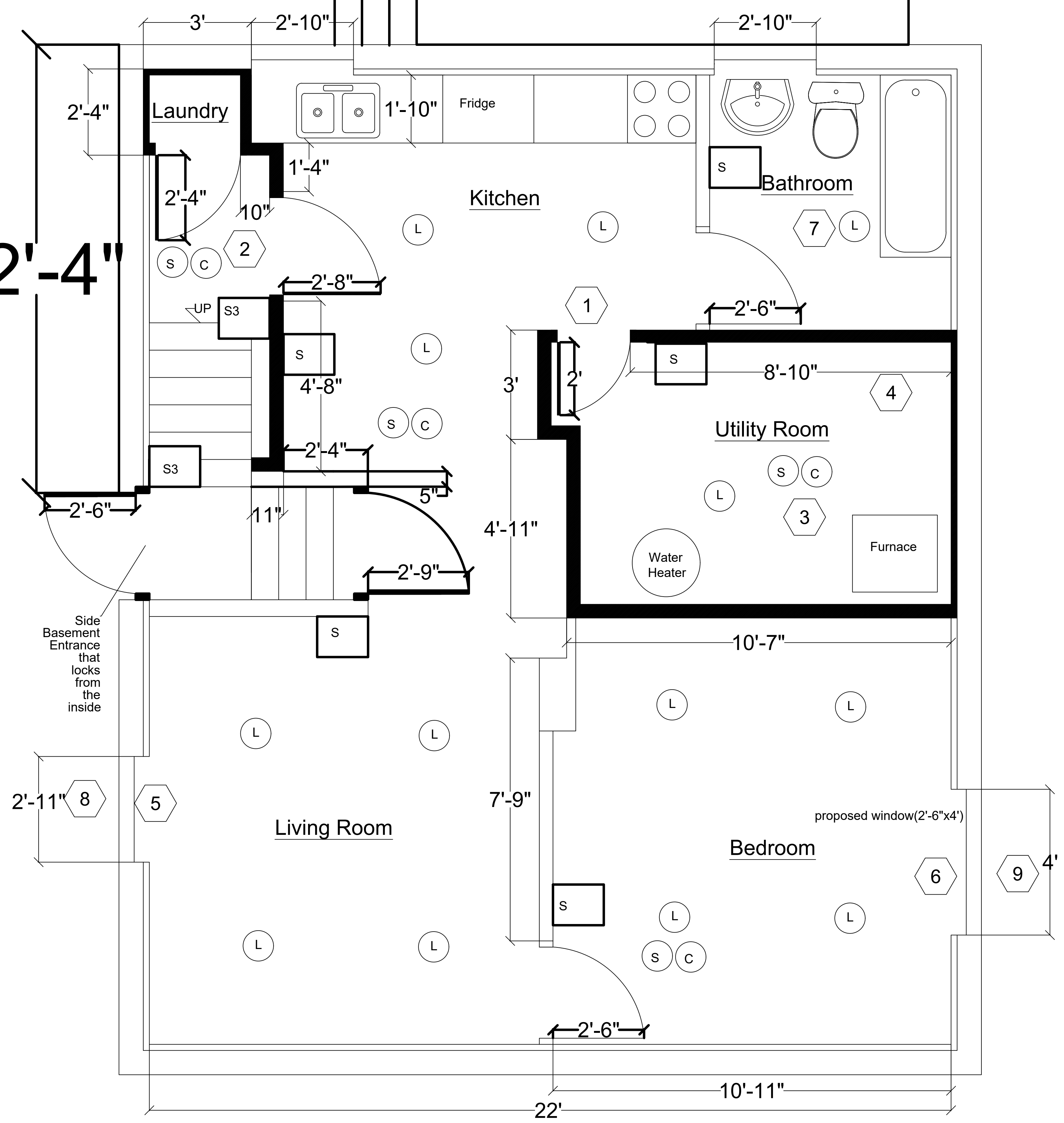
109 11th St Hamilton ON

Scale- 1:20


Top Floor


3

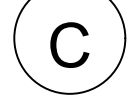
12'-4"





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 5/8 Fire retardant drywall

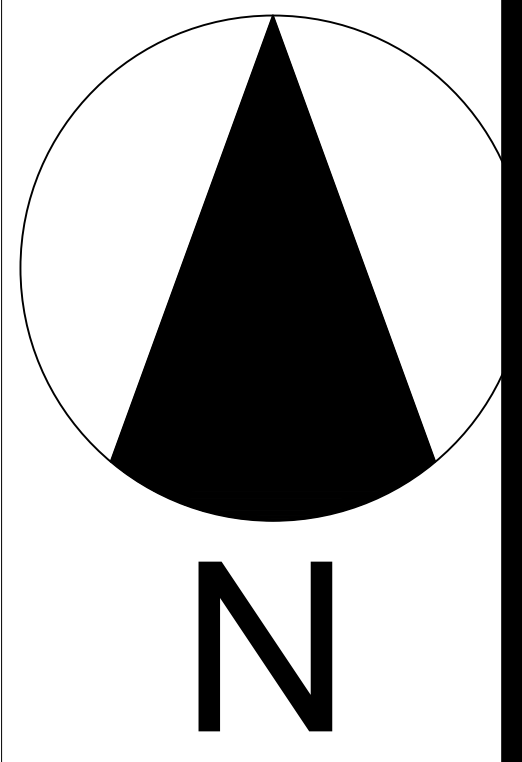
 smoke detector

 carbon monoxide detector

 POT LIGHTS

 3 WAY LIGHT SWITCH

 SINGLE WAY LIGHT SWITCH



Address: 109 East 11th St, Hamilton Ontario

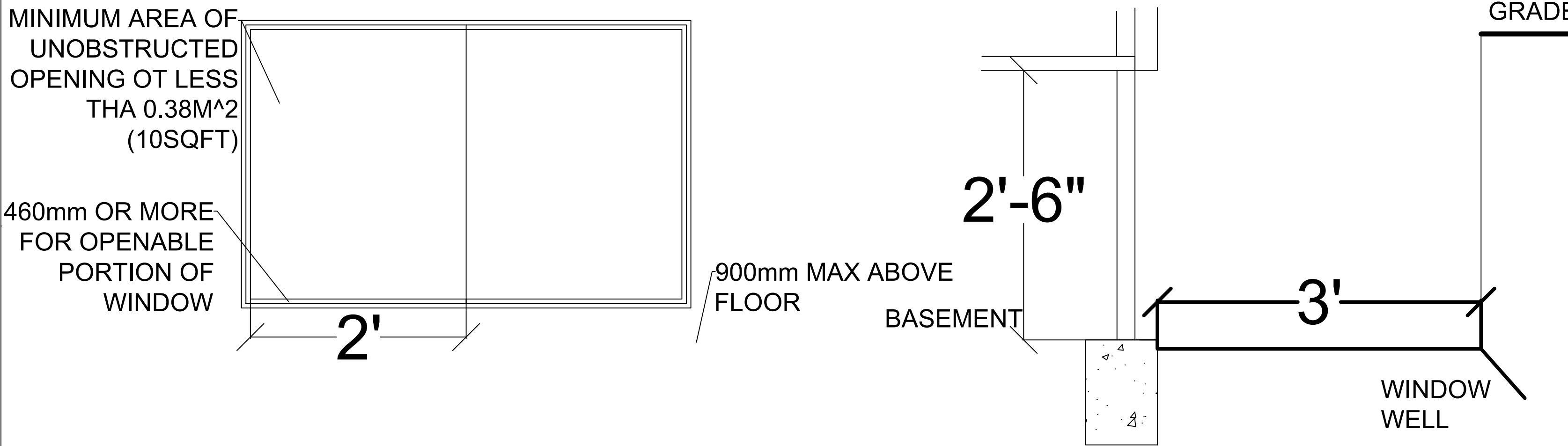
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MINIMUM WINDOW AREAS FOR LIGHT

LOCATION	MINIMUM UNOBSTRUCTED GLASS AREA
LAUNDRY ROOM, KITCHEN, WATER CLOSET ROOM	WINDOW NOT REQUIRED
LIVING/DINING ROOMS	5% OF FLOOR AREA
BEDROOMS AND OTHER FINISHED ROOMS	2 ½% OF FLOOR AREA
<div><div>-</div><div>WHERE A DOOR ON THE SAME LEVEL AS A BEDROOM IS NOT PROVIDED. A WINDOW THAT S ABLE TO BE OPENED FROM THE INSIDE WITHOUT THE USE OF TOOLS PROVIDING AN INDIVIDUAL UNOBSTRUCTED OPEN PORTION HAVING A MINIMUM AREA OF 0.55m^2 WITH NO DIMENSIONS LESS THAN 380MM SHALL BE PROVIDED. IF THIS WINDOW OPENS INTO A WINDOW WELL. A CLEARANCE OF NOT LESS THAN 550mm SHALL BE PROVIDED IN FRONT OF THE OPERATING SASH</div><div>-</div><div>NEW OPENINGS IN EXTERIOR WALLS ARE NOT PERMITTED IF THE DISTANCE FROM THE WALL TO AN ADJACENT LOT LINE IS LESS THAN 1200mm.</div></div>	

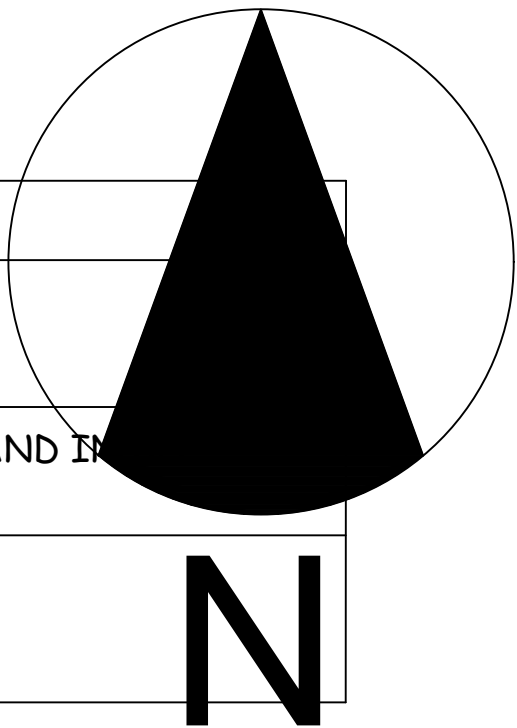
EGRESS REQUIREMENTS

EGRESS PROVIDED FROM APARTMENT	CONDITION
A SEPARATE DOOR LEADING DIRECTLY TO THE EXTERIOR FROM ACCESSORY APARTMENT	SMOKE ALARMS IN EACH DWELLING
A SHARED EXIT, SUCH AS A STAIRWAY USED BY BOTH UNITS	½ HOUR FIRE SEPARATION AROUND EXIT, AND INTERCONNECTED SMOKE ALARMS IN BOTH UNITS AND ALL COMMON AREAS
EGRESS AVAILABLE ONLY THROUGH ANOTHER DWELLINGS	AN EGRESS WINDOW MUST BE PROVIDED. INTERCONNECTED SMOKE ALARMS MUST BE INSTALLED IN BOTH UNITS, AND ALL COMMON AREAS, OR THE ENTIRE BUILDINGS MUST BE SPRINKLED, AND SMOKE ALARMS INSTALLED IN BOTH UNITS.



SEPARATION BETWEEN UNITS

Required	conditions
30 MINUTE FIRE SEPARATION (½ FIRE RETARDANT DRYWALL IN BETWEEN FLOORS)	SMOKE ALARM IN ROOMS AND COMMON AREAS
15 MINUTE HORIZONTAL FIRE SEPARATIONS	INTERCONNECTED SMOKE ALARMS IN BOTH UNITS AND IN COMMON AREAS
20 MINUTES LABELED DOORS, UNLABELLED MINIMUM 48mm THICK SOLID CORE WOOD DOOR OR METAL CLAD	EQUIPPED WITH SELF CLOSURE



SMOKE ALARMS/CARBON MONOXIDE DETECTORS

REQUIRED SMOKE ALARMS within each dwelling unit	MAY BE BATTERY OPERATED EXCEPT WHERE SMOKE ALARMS ARE REQUIRED TO BE INTERCONNECTED DUE TO SEPARATIONS BETWEEN UNITS AND EGRESS REQUIREMENT. ALARMS MUST BE LOCATED ON OR NEAR CEILING WITHIN 5m BEDROOM DOORS
REQUIRED CARBON MONOXIDE DETECTORS within each dwelling each dwelling unit adjacent to each sleeping area	MUST CONFORM TO CAN/CSA-6.19 OR UL2034.CO DETECTORS. MAY BE BATTERY OPERATED OR PLUGGED INTO AN ELECTRICAL OUTLET

PLUMBING, HEATING AND VENTILATION

CENTRAL HEATING SYSTEM	EXISTING SYSTEM MAY SERVE BOTH UNITS PROVIDED <ol style="list-style-type: none">Both units are equipped with smoke alarms andA smoke detector is installed in the supply or return air duct system which would turn off the fuel supply and electrical power to the heating system upon activation
Natural ventilation (openable window/doors) for living/dining rooms,bedrooms,kitchen	Minimum 0.28m^2 (35 sqft) per room or combination of rooms
Natural ventilation (openable window/doors) for bathrooms or water closet rooms	Minimum 0.09m^2 (0.97 sqft)
Mechanical Ventilation if natural ventilation is not provided	One half air change per hour if room is mechanically cooled i summer and one air change per hour if is not

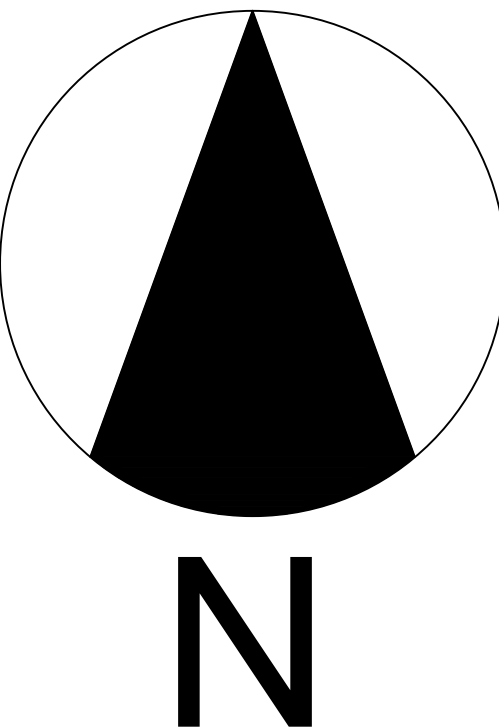
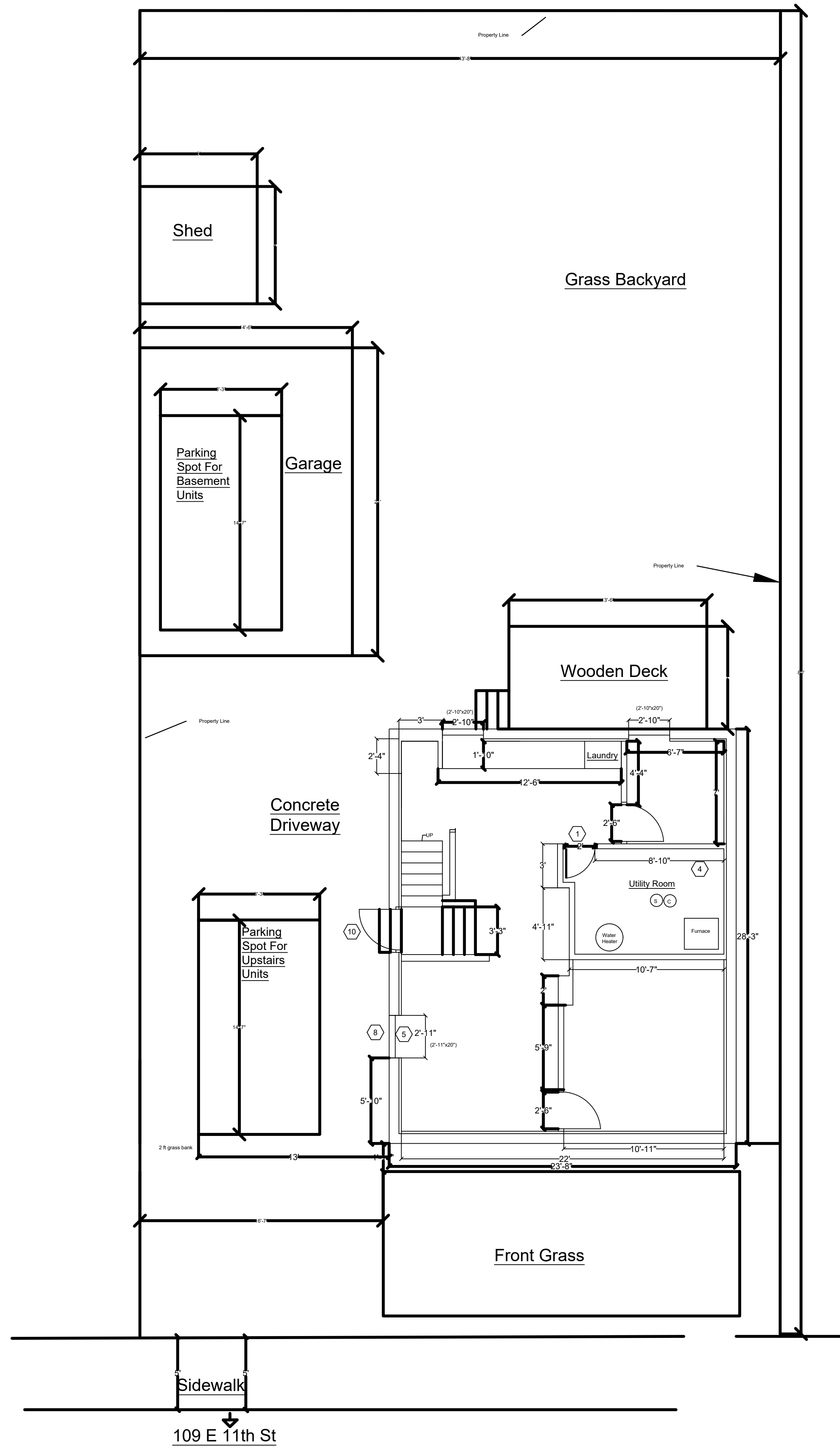
REQUIRED PLUMBING FACILITIES

-Kitchen sink	-Laundry Facilities	-Bathroom with lavatory toilet and bathtub or shower stall
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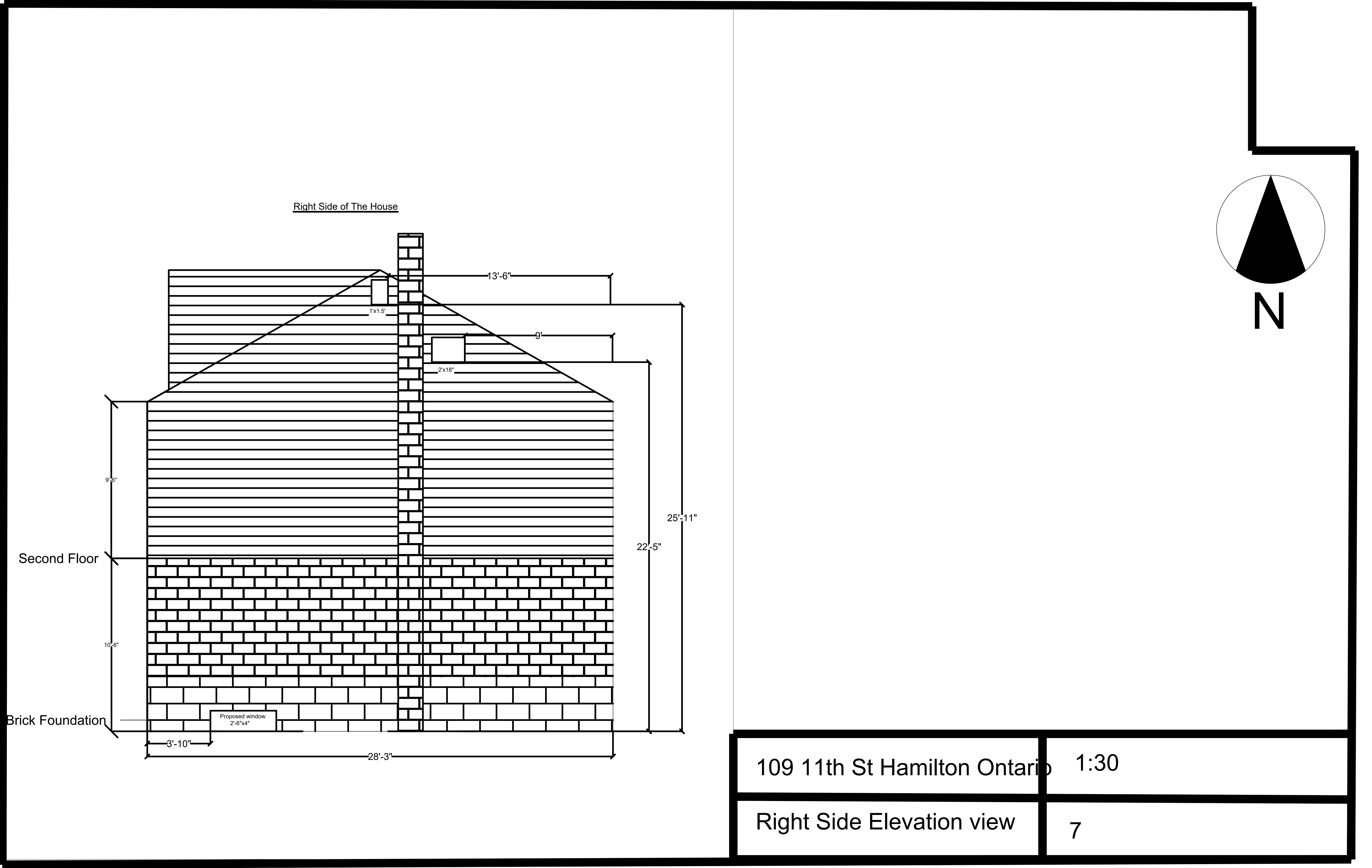
109 11th St Hamilton ON

Scale- 1:1

Notes



109 11th St Hamilton ON	Scale 1:60
Current Property Line	6



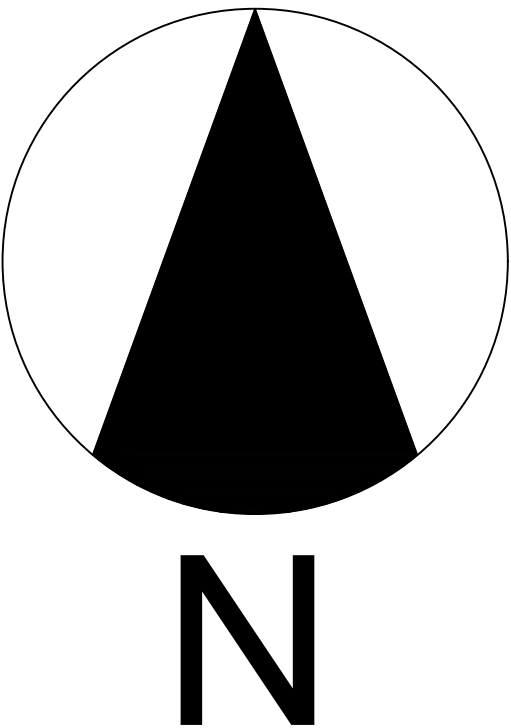
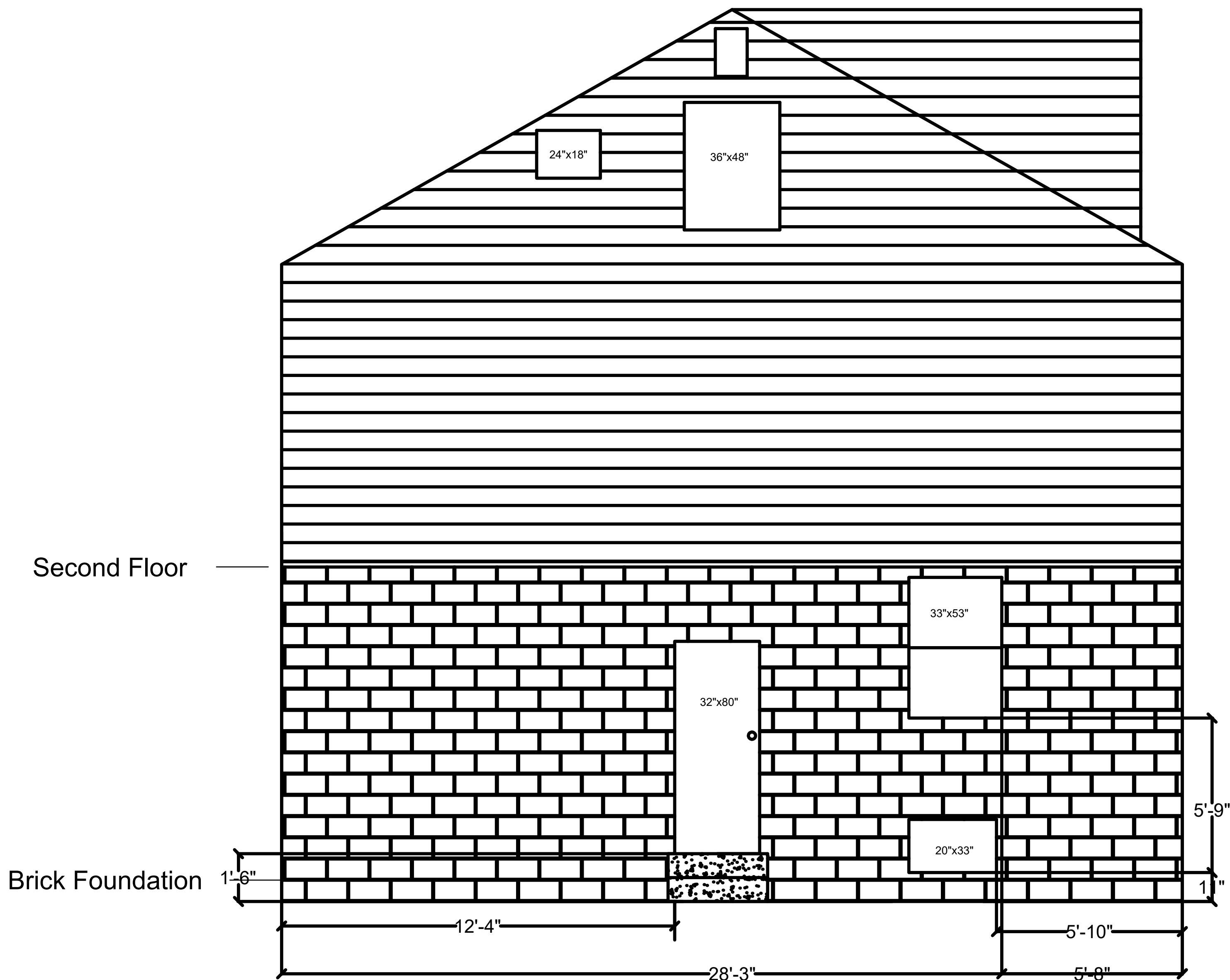
109 11th St Hamilton Ontario

1:30

Right Side Elevation view

7

Left Side of House

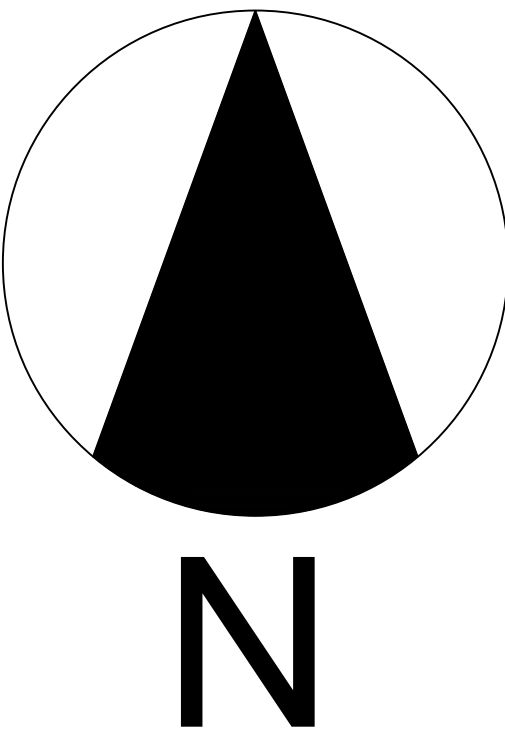
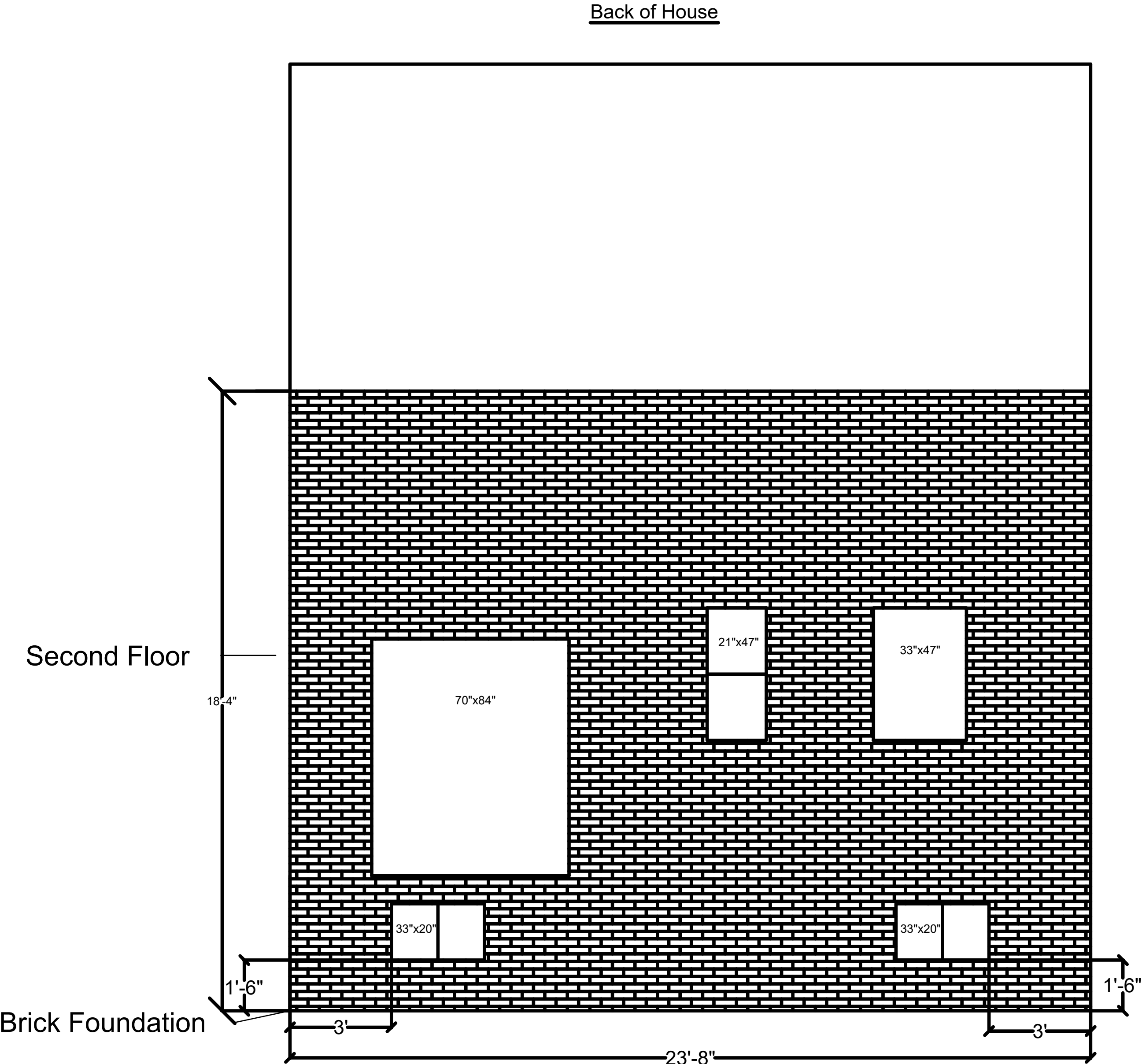


109 11th St Hamilton Ontario

1:30

Left side

8

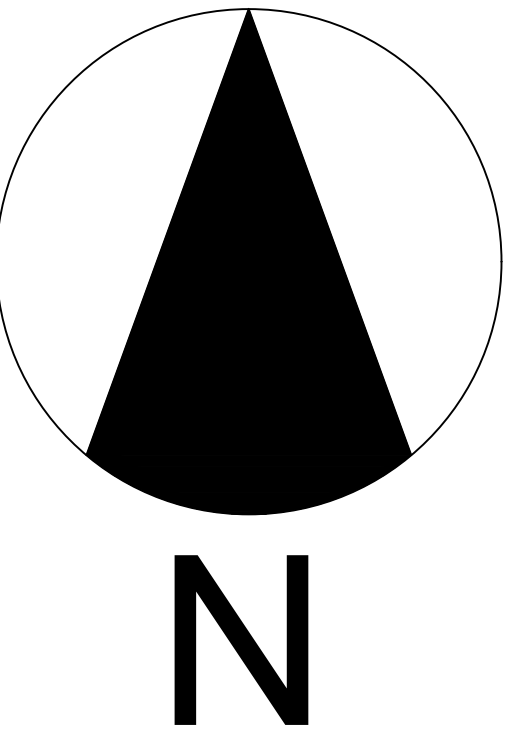


109 11th St Hamilton Ontario

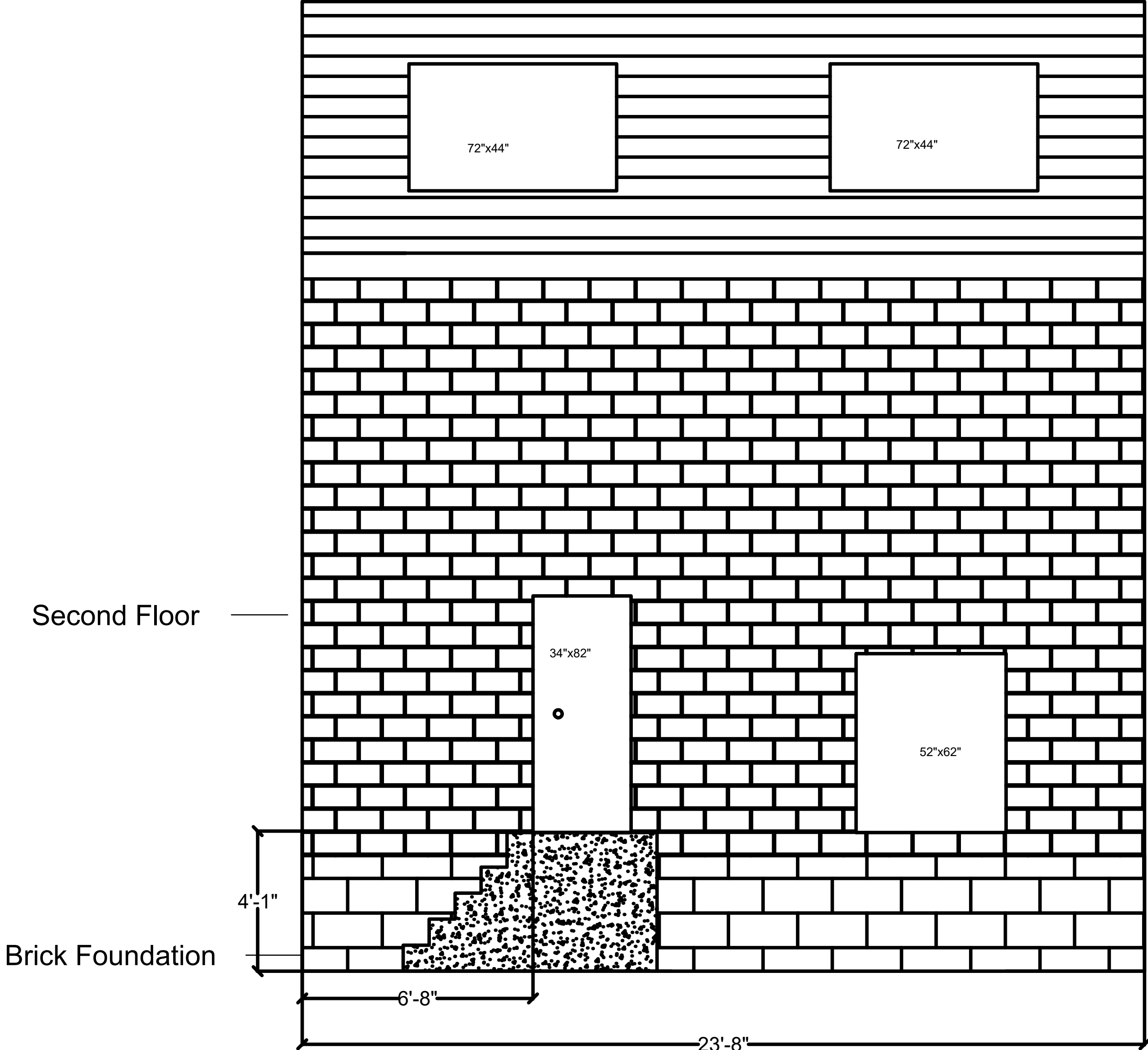
1:30

Back of House

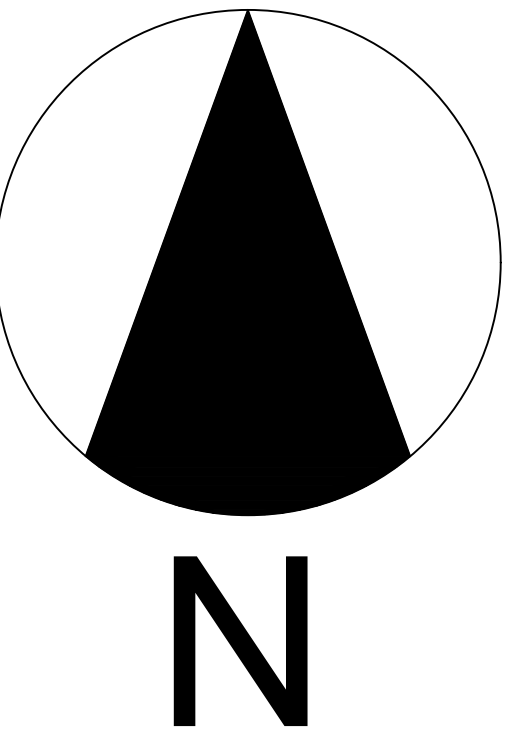
9



Front Of House

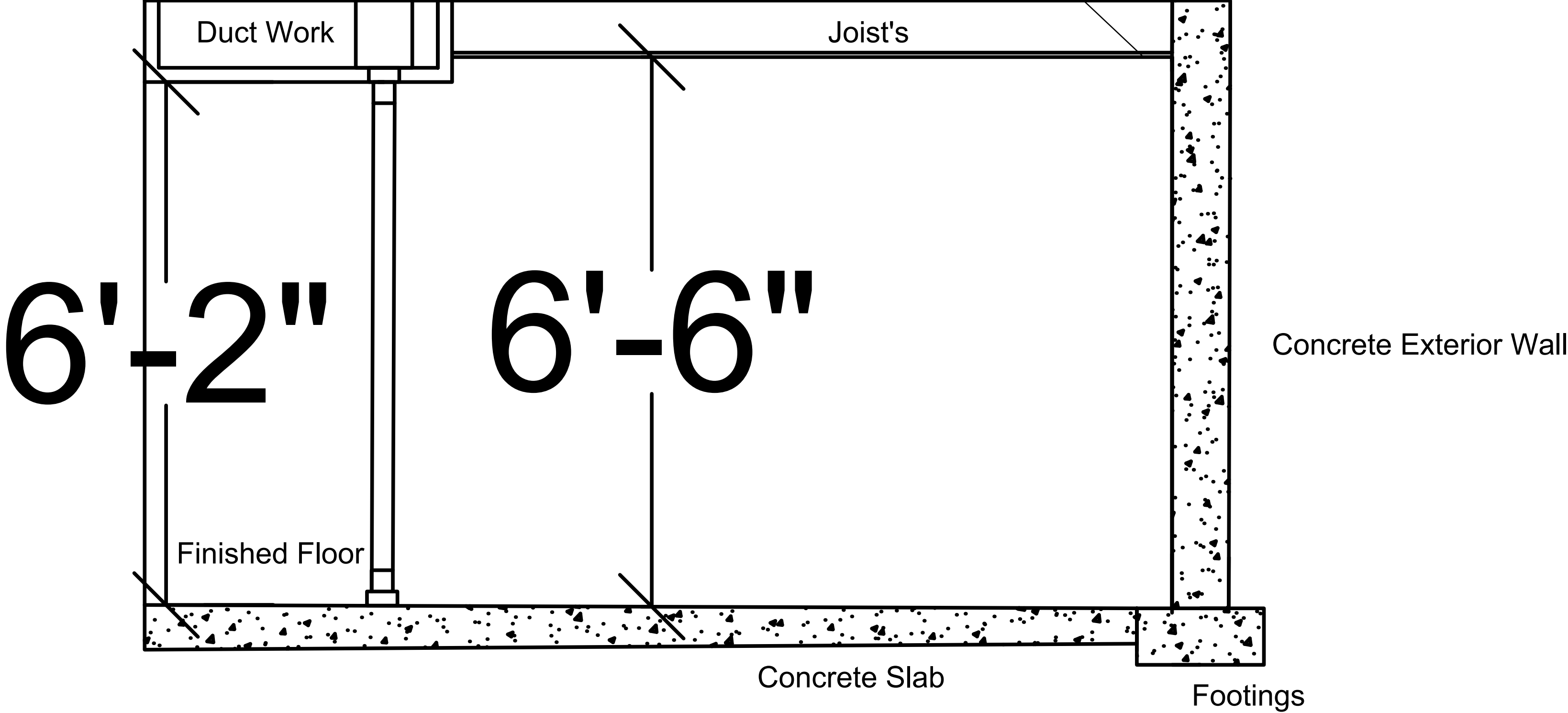


109 11th St Hamilton Ontario	1:30
Front of House	10



Basement Cross section

$\frac{5}{8}$ Fire retardant drywall



109 11th St Hamilton Ontario

1:13

Floor Plan

11

589 PLAN OF CLIFTON SURVEY

BEING A RE-SUBDIVISION OF LOTS 24 & 22, AND PART OF 20, ACCORDING TO MOORE'S SURVEY AND BEING PART OF LOT 12, CONCESSION IV, Township of Barton, Scale: 50 FEET = 1 INCH.

KEY PLAN

PROVINCE OF ONTARIO.

I, William J. Moore, of the City of Hamilton in the County of Westchester, make oath and say that the within plan and map were prepared by me and that the same are true and correct and that I am a subscribing witness to the said plan and map.

Signed before me at the City of Hamilton this 11th day of October, A.D. 1913.

W. J. Moore, A. Commissioner

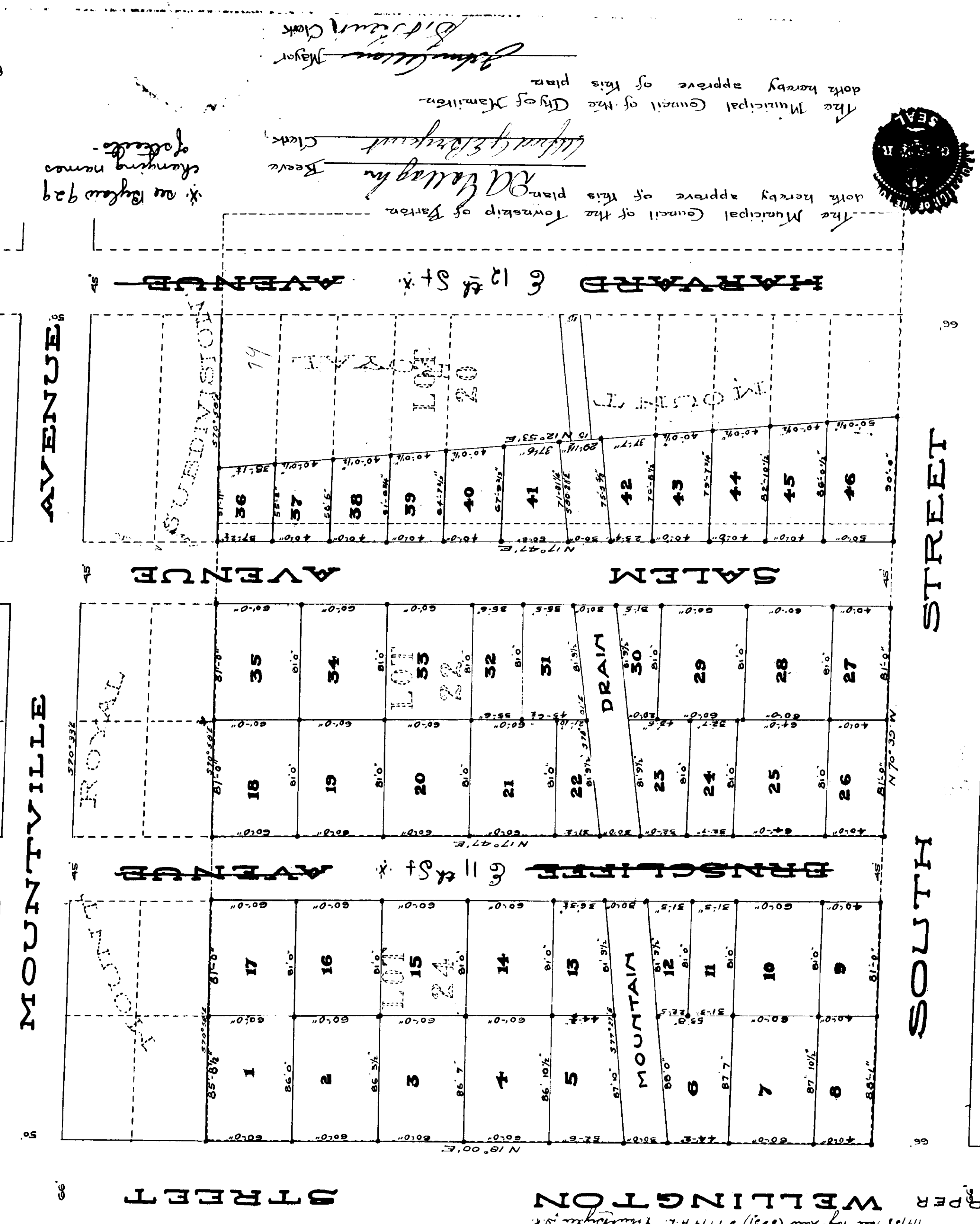
This plan has been prepared under my instructions, and with my approval for filing, on the 11th day of October, 1913.

W. J. Moore, Registrar

I hereby certify that this plan accurately shows the manner in which the land included therein has been surveyed and subdivided by me; and that this plan has been prepared in accordance with the provisions of the Registry Act.

Signed: 11th day of October, 1913.

W. J. Moore, O. Land Surveyor



Received from Messrs. J. W. Moore & Co. the plan and map of the Clifton Survey, as filed for registration, and registered the same on the 11th day of October, 1913, at 10 o'clock - A.M.

W. J. Moore, Registrar

I hereby certify to the Registrar of this Plan that the same are true and correct and that I am a subscribing witness to the said plan and map.

Signed: 11th day of October, 1913.

W. J. Moore, O. Land Surveyor

Approved and certified true copy of 1913.

W. J. Moore, Registrar

Approved and certified true copy of 1913.

W. J. Moore, Registrar

30x



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 GILLIAN FRANCIS Telephone No. [REDACTED]

FAX NO. _____ E-mail address. [REDACTED]

2. Address [REDACTED]

_____ Postal Code [REDACTED]

3. Name of Agent _____ 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:

GILLIAN FRANCIS

109 East 11th St, Hamilton, ON Postal Code L9A 3T3

_____ Postal Code _____

6. Nature and extent of relief applied for:
 We have an application with the city of Hamilton for conversion of this single
~~family dwelling to a two-family dwelling. The only concern with my application is~~
 that the size of the basement unit fails to meet the zoning bylaw, and so I'd like
 to appeal to committee of adjustment for a minor variance in the size of the unit
7. Why it is not possible to comply with the provisions of the By-law?
 The bylaw requires 650 sq ft for each unit, whereas we have 541 sq ft allocated to
~~the basement unit, not including common area of 42 sq ft, and 43 sq ft for utility room.~~
 Each room in the basement is still a fair size. Living room is 101 sq ft, bedroom is
 86 sq ft bedroom, 88 sq ft kitchen, and 47 sq ft bathroom.
8. Legal description of subject lands (registered plan number and lot number or other
 legal description and where applicable, street and street number):
 Residential, urban area
 Conversion application # 20-188839
 109 East 11th St, Hamilton, ON
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 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?
Clifton Survey dated 1913 shows the land has been used as residential property since 1913. And The current buildings on the property were build by the previous owner in 1946

- 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.

22/12/2020
Date


Signature Property Owner

GILLIAN FRANCIS
Print Name of Owner

10. Dimensions of lands affected:
- | | |
|-----------------|------------------------|
| Frontage | <u>14 Meters</u> |
| Depth | <u>26.4 Meters</u> |
| Area | <u>369.6 sq meters</u> |
| Width of street | <u>7 meters</u> |
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: 1 storey Garage: 4.8 x 6.9 meters
2 storey House: 8.0 x 10.2 meters

- Proposed: 1 storey Garage: 4.8 x 6.9 meters
2 storey House: 8.0 x 10.2 meters

12. Location of all buildings and structures on or proposed for the subject lands; (Specify distance from side, rear and front lot lines)
- Existing: _____
Distance from front (to house)- 3.8 meters

Distance from rear - 3.75 meters to garage, 11.5 meters to house
Distance from size- 0.6 meters

	Proposed:_____	
	Distance from front (to house)- 3.8 meters	
	Distance from rear - 3.75 meters to garage, 11.5 meters to house	
	Distance from side- 0.6 meters	
13.	Date of acquisition of subject lands: October 8, 2020	
14.	Date of construction of all buildings and structures on subject lands: 1946	
15.	Existing uses of the subject property:_____ Residential	
16.	Existing uses of abutting properties:_____ Residential	
17.	Length of time the existing uses of the subject property have continued: Since 1913 at least	
18.	Municipal services available: (check the appropriate space or spaces) Water <input checked="" type="checkbox"/> _____ Connected _____ Sanitary Sewer <input checked="" type="checkbox"/> _____ Connected _____ Storm Sewers <input checked="" type="checkbox"/> _____	
19.	Present Official Plan/Secondary Plan provisions applying to the land: Official Plan: NA. Secondary Plan: residential, urban, neighbourhood	
20.	Present Restricted Area By-law (Zoning By-law) provisions applying to the land: Zone C	
21.	Has the owner previously applied for relief in respect of the subject property? <div style="display: flex; justify-content: space-around;"> Yes <input checked="" type="checkbox"/> No </div> 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 <i>Planning Act</i> ? <div style="display: flex; justify-content: space-around;"> Yes <input checked="" type="checkbox"/> No </div>	
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