

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-21:01

APPLICANTS: Charles MacPhail on behalf of the owners J. & P. Bosanac

SUBJECT PROPERTY: Municipal address **164 Rosslyn Ave. S., Hamilton**

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

ZONING: "D" (Urban Protected Residential - One and Two Family Dwellings etc.) district

PROPOSAL: To permit the expansion of a legally established non-conforming three (3) family dwelling by construction of a 7.925m (26'0") x 8.839m (29'0") accessory building (detached garage) together with a 1.829m (6'0") x 4.877m (16'0") attached covered porch notwithstanding that:

1. The use of a three (3) family dwelling is not permitted in the current zoning district.
2. A minimum side yard depth of 2.4m shall be provided to the proposed accessory building (detached garage) instead of the minimum required side yard of 2.7m.
3. A manoeuvring space of 2.4m shall be provided onsite for each of the two (2) provided parking spaces located in the accessory building (detached garage) instead of the minimum required onsite manoeuvring space of 6.0m.

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

DATE: Thursday, February 18th, 2021
TIME: 3:25 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

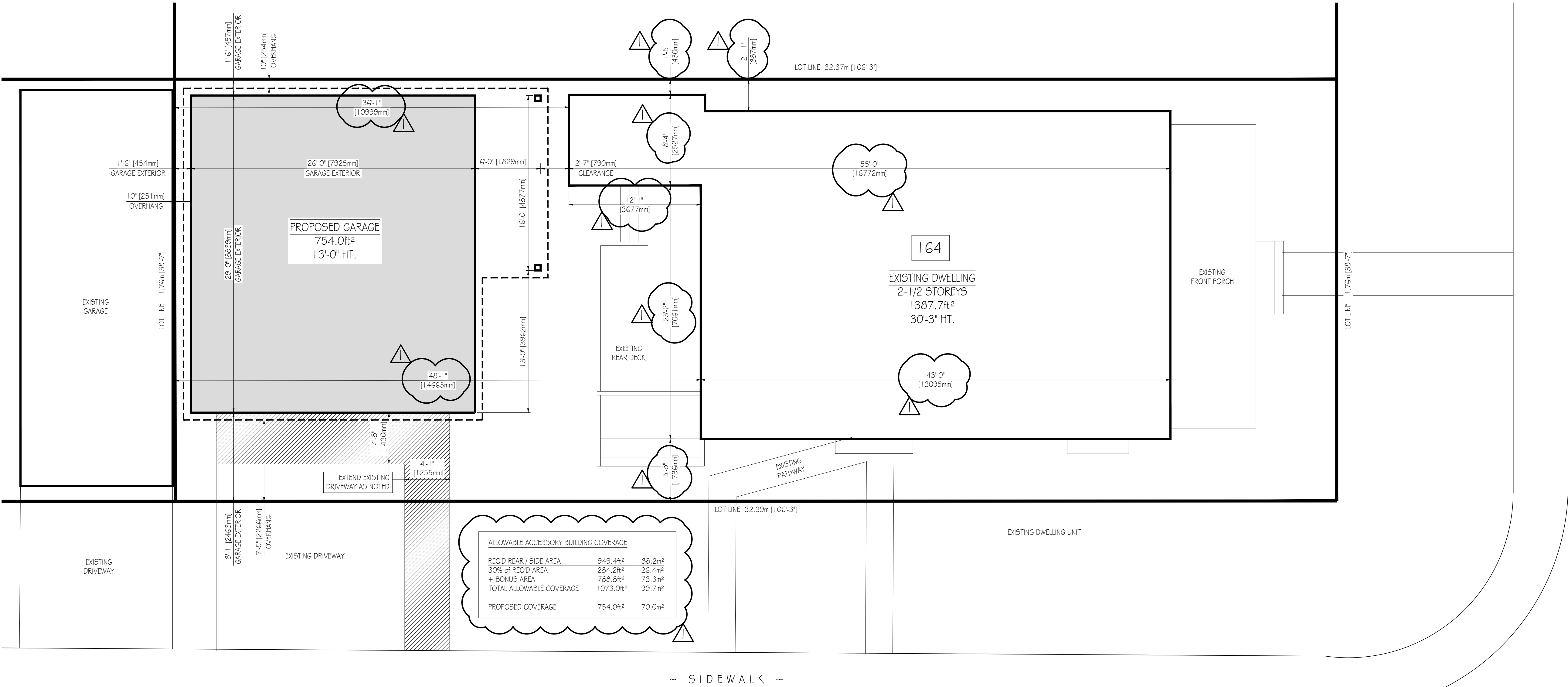
For more information on this matter, including access to drawings illustrating this request:

- 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

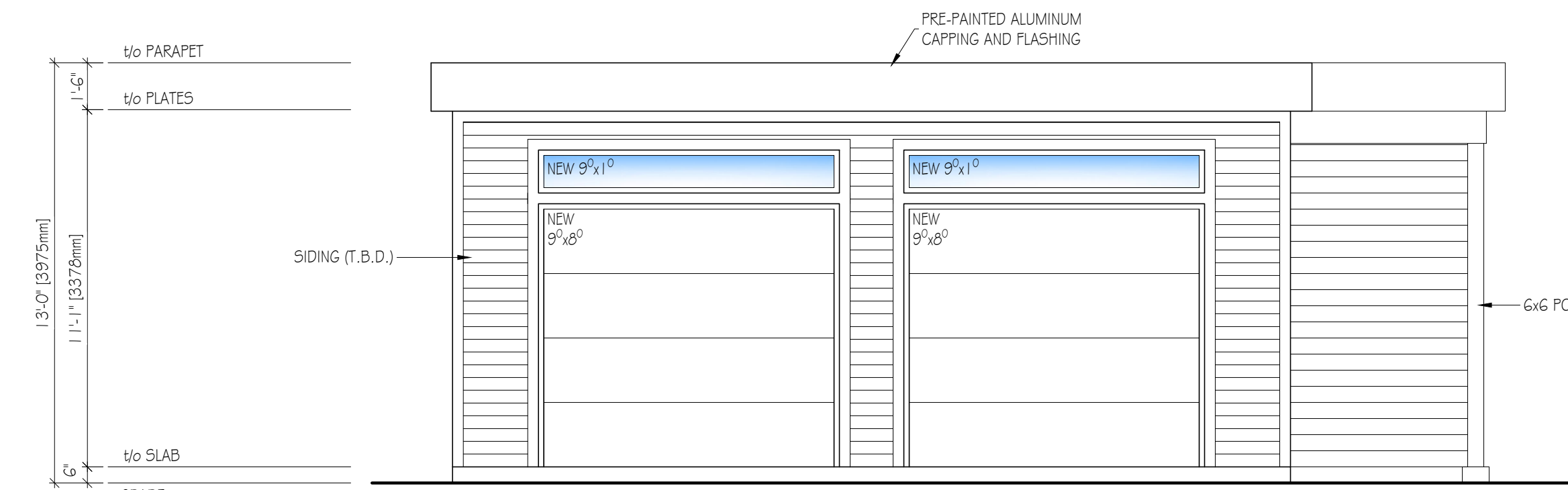
DATED: February 2nd, 2021.

Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

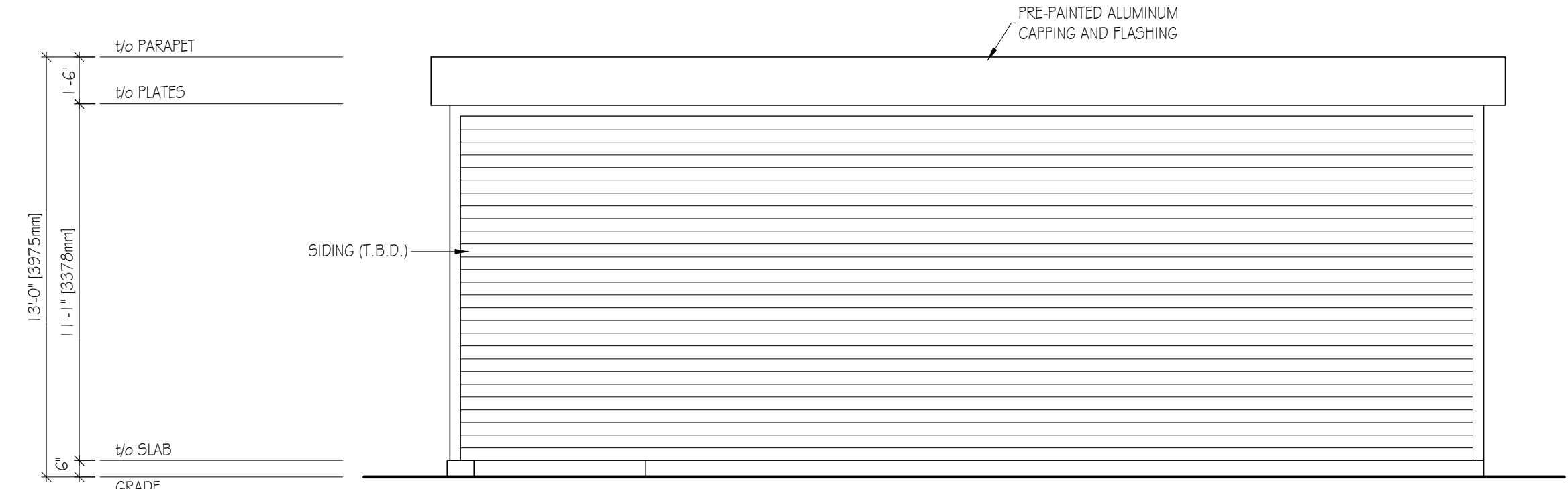
Information respecting this application is being collected under the authority of the Planning Act, R.S.O., 1990, c. P. 13. All comments and opinions submitted to the City of Hamilton on this matter, including the name, address, and contact information of persons submitting comments and/or opinions,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



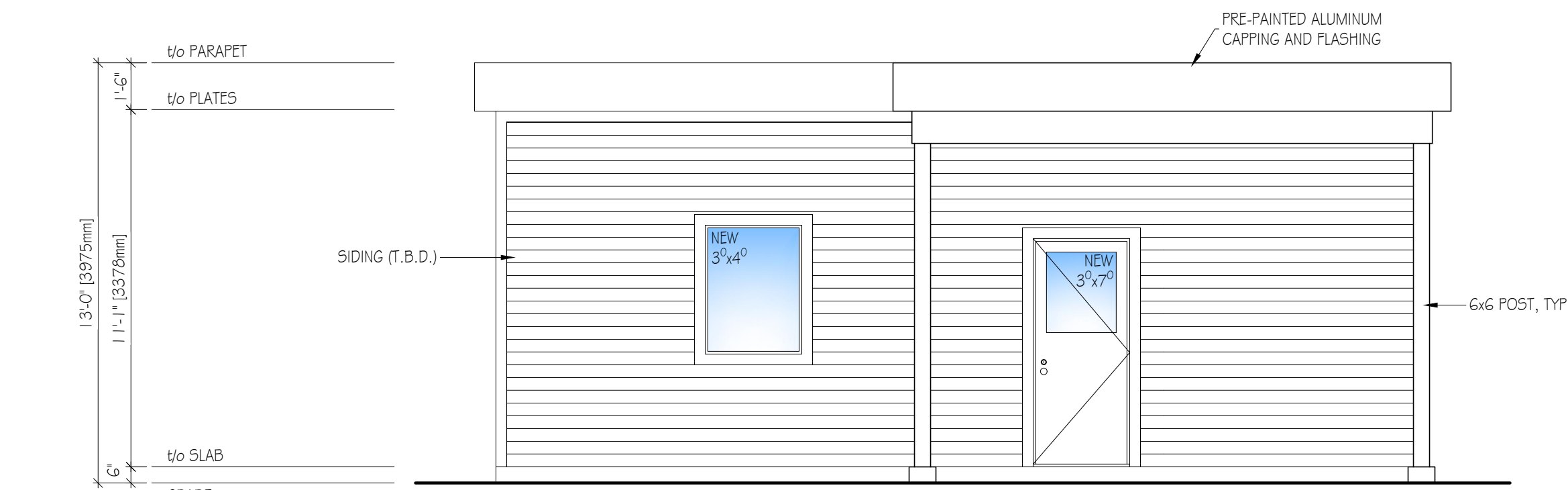
1 SITE PLAN
SCALE: 3/16" = 1'



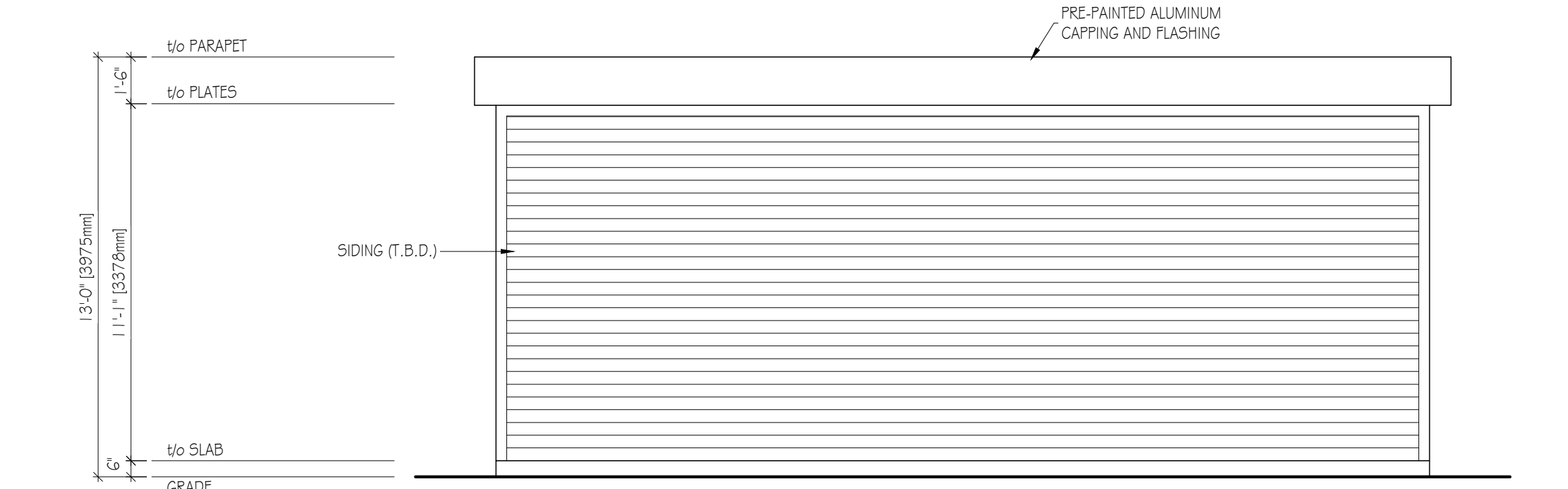
2 FRONT (SOUTH) ELEVATION
SCALE: 1/4" = 1'



4 SIDE (WEST) ELEVATION
SCALE: 1/4" = 1'



3 SIDE (EAST) ELEVATION
SCALE: 1/4" = 1'



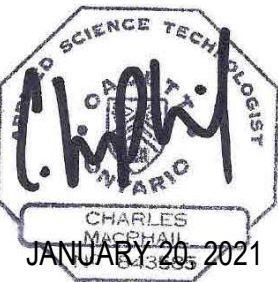
5 REAR (NORTH) ELEVATION
SCALE: 1/4" = 1'



CHARLES LINSEY

& ASSOCIATES LIMITED
37 MAIN STREET SOUTH, TEL: (905) 549-7607
PO BOX 1479 INFO@CHARLESLINSEY.COM
WATERDOWN, ON LOR 2H0 WWW.CHARLESLINSEY.COM

Note:
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 this document.



CHARLES MacPHAIL
CHARLES LINSEY & ASSOCIATES LIMITED
BCIN# 25723
BCIN# 41983

REV	DESCRIPTION	DATE
0	FOR BUILDING PERMIT APPLICATION	OCT 23/20
1	REVISED AS PER ZONING COMMENTS	JAN 20/21

client

HOME OWNER

project

164 ROSSLYN AVENUE SOUTH
HAMILTON, ONTARIO

PROJECT No: 17-134

site

SITE PLAN & ELEVATIONS

drawn C.M. checked C.M.

date OCTOBER 2020 scale AS NOTED

revision number 1 drawing number A1



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 JOHN & PEGGY BOSANAC Telephone No. [REDACTED]

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

2. Address [REDACTED] Postal Code [REDACTED]

3. Name of Agent CHARLES MacPHAIL 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:

_____ Postal Code _____

_____ Postal Code _____

6. Nature and extent of relief applied for:
RELIEF TO ALLOW FOR THE CONSTRUCTION OF A DETACHED ACCESSORY BUILDING
(GARAGE) ON A RESIDENTIAL LEGALLY ESTABLISHED NON-CONFORMING LOT.
7. Why it is not possible to comply with the provisions of the By-law?
ANY EXTENSION OF AN L.N.C. USE IS NOT PERMITTED WITHOUT PERMISSION BY WAY
OF A MINOR VARIANCE.
8. Legal description of subject lands (registered plan number and lot number or other legal description and where applicable, street and street number):
164 ROSSLYN AVENUE SOUTH
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?
BY WAY OF OBSERVATION AT THE SUBJECT AND NEIGHBOURING PROPERTIES.

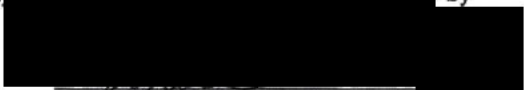
- 9.12 If previous use of property is industrial or commercial or if YES to any of 9.2 to 9.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.

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.

Dec 17/20
Date


Signature Property Owner

JOHN BOSANAC
Print Name of Owner

10. Dimensions of lands affected:
- | | |
|-----------------|--------------------|
| Frontage | <u>11.760 m</u> |
| Depth | <u>32.410</u> |
| Area | <u>381.2 sq.m.</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: DWELLING - 2.5 STOREY, 1,400 sq.ft FOOTPRINT, 3,340 sq.ft. GFA

- Proposed: DWELLING - NO CHANGE

GARAGE - 1 STOREY, 26'W X 29'D x 13'H, 754 sq.ft. GFA

12. Location of all buildings and structures on or proposed for the subject lands;
(Specify distance from side, rear and front lot lines)
- Existing: DWELLING - NO CHANGE

- Proposed: DWELLING - NO CHANGE

GARAGE- SIDE YARDS: 0.457m & 2.463 m. REAR 0.454 m

13. Date of acquisition of subject lands:
~~2018~~ 2017
14. Date of construction of all buildings and structures on subject lands:
APPROX. ~~1950~~ 1920
15. Existing uses of the subject property: RESIDENTIAL TRI-PLEX
16. Existing uses of abutting properties: RESIDENTIAL
17. Length of time the existing uses of the subject property have continued:
2018
18. Municipal services available: (check the appropriate space or spaces)
Water X Connected X
Sanitary Sewer X Connected X
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:
D - URBAN PROTECTED RESIDENTIAL
21. Has the owner previously applied for relief in respect of the subject property?
X Yes No
If the answer is yes, describe briefly.
HM/A-18:134 - TO ALLOW FOR A REDUCTION FROM 5 UNITS TO 3 UNITS.
22. Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*?
Yes X 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 referred to in Section 5 and be accompanied by the appropriate fee in cash or by cheque made payable to the City of Hamilton.