

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-21:06

APPLICANTS: Owner Mohammed Harif
Agent Serouj Kaloustian

SUBJECT PROPERTY: Municipal address **86 Case St., Hamilton**

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

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

PROPOSAL: To permit dormer additions to an existing 2.5 storey single family dwelling to create a three storey dwelling , notwithstanding that:

1. The minimum front yard shall be 2.5m instead of the required 6.0m.
2. The minimum easterly side yard shall be 0.4 metres instead of the required 2.7 metres. for a building which is above 2.5 storeys.in height.
3. The minimum westerly side yard shall be 0.4 metres instead of the required 2.7 metres. for a building which is above 2.5 storeys.in height.
4. Eaves and gutters may project into the required easterly and westerly side yards for the entire yard width instead of a maximum projection of not more than ½ of its required width or 0.2 metres.

NOTES:

1. The variances are written as requested by the applicant for the front yard and side yards. Additional variances have been identified through the review to address eave and gutter encroachments.

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

DATE: Thursday, February 18th, 2021
TIME: 3:35 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.

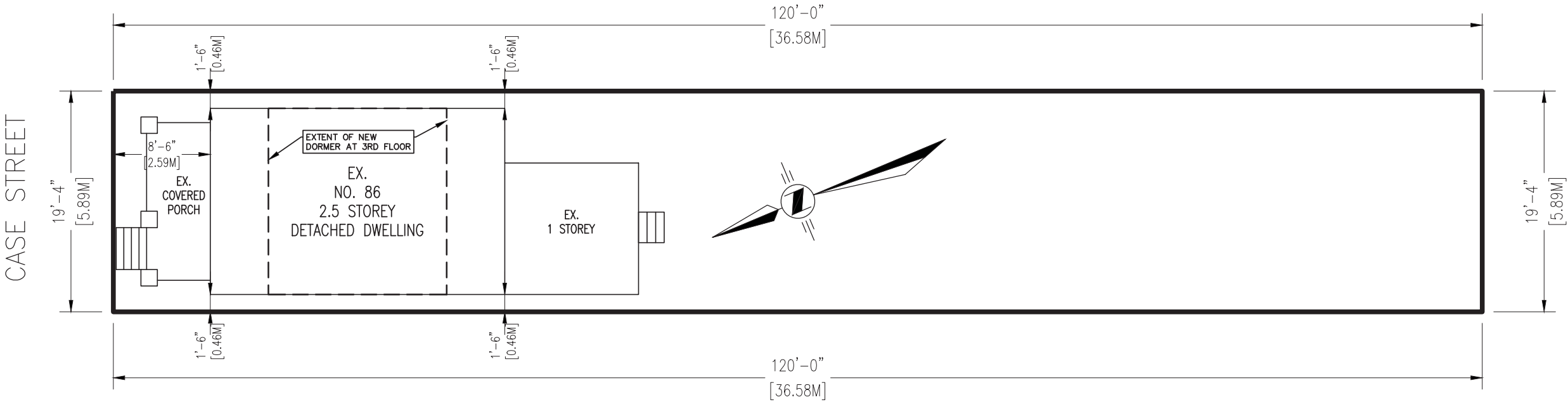
Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

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.

SITEPLAN NOTE:

SITEPLAN BASED ON-SITE
MEASUREMENTS &
HAMILTON GIS MAPS

NO WORK TO ENCROACH ONTO ADJOINING PROPERTIES



THIS DRAWING SHALL REMAIN THE PROPERTY OF THE DESIGNER. THE COPYRIGHT OF THIS DRAWING AND WORK EXECUTED FROM THE SAME BEING RESERVED. THE CONTRACTOR MUST VERIFY AND ACCEPT, RESPONSIBILITY FOR ALL DIMENSIONS AND CONDITIONS ON SITE AND MUST NOTIFY THE DESIGNER OF ANY VARIATIONS FROM THE SUPPLIED INFORMATION. THE DESIGNER IS NOT RESPONSIBLE FOR THE ACCURACY OF SURVEY, STRUCTURAL, MECHANICAL, ELECTRICAL, ETC., ENGINEERING INFORMATION SHOWN ON THIS DRAWINGS. REFER TO THE APPROPRIATE ENGINEERING DRAWINGS BEFORE PROCEEDING WITH THE WORK. CONSTRUCTION MUST CONFORM TO ALL APPLICABLE CODES AND REQUIREMENTS OF AUTHORITIES HAVING JURISDICTION.

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THIS DRAWING IS NOT TO BE SCALED.

DRAWING LIST

- A0.01 COVER SHEET & SITE PLAN
- A1.01 EXISTING BASEMENT PLAN
- A1.02 EXISTING GROUND FLOOR PLAN
- A1.03 EXISTING 2ND FLOOR PLAN
- A1.04 EXISTING 3RD FLOOR PLAN
- A1.05 EXISTING ROOF PLAN
- A1.06 PROPOSED 2NDFLOOR PLAN
- A1.07 PROPOSED 3RD FLOOR PLAN
- A1.08 PROPOSED ROOF PLAN
- A2.01 PROPOSED ELEVATIONS
- A3.01 SPECIFICATIONS
- A3.02 SPECIFICATIONS
- A4.01 BUILDING SECTION



1800A AVENUE ROAD,
TORONTO, ON
M5M-4A3

TEL : 416-781-3136

WWW.HSKDESIGN.CA

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

TOMOR
SODNOMPIL
Designer Name 41177 BCIN

SEPTEMBER 29, 2020

Signed Date:

REGISTRATION INFORMATION

HSK DESIGN 42454
Firm Name BCIN

2.	Sep 29, 2020	ISSUED FOR PERMIT REVIEW
1.	Sep 2, 2020	ISSUED FOR OWNER REVIEW
No.	Date:	Revision / Issued

Project
**3RD FLOOR
ALTERATION**

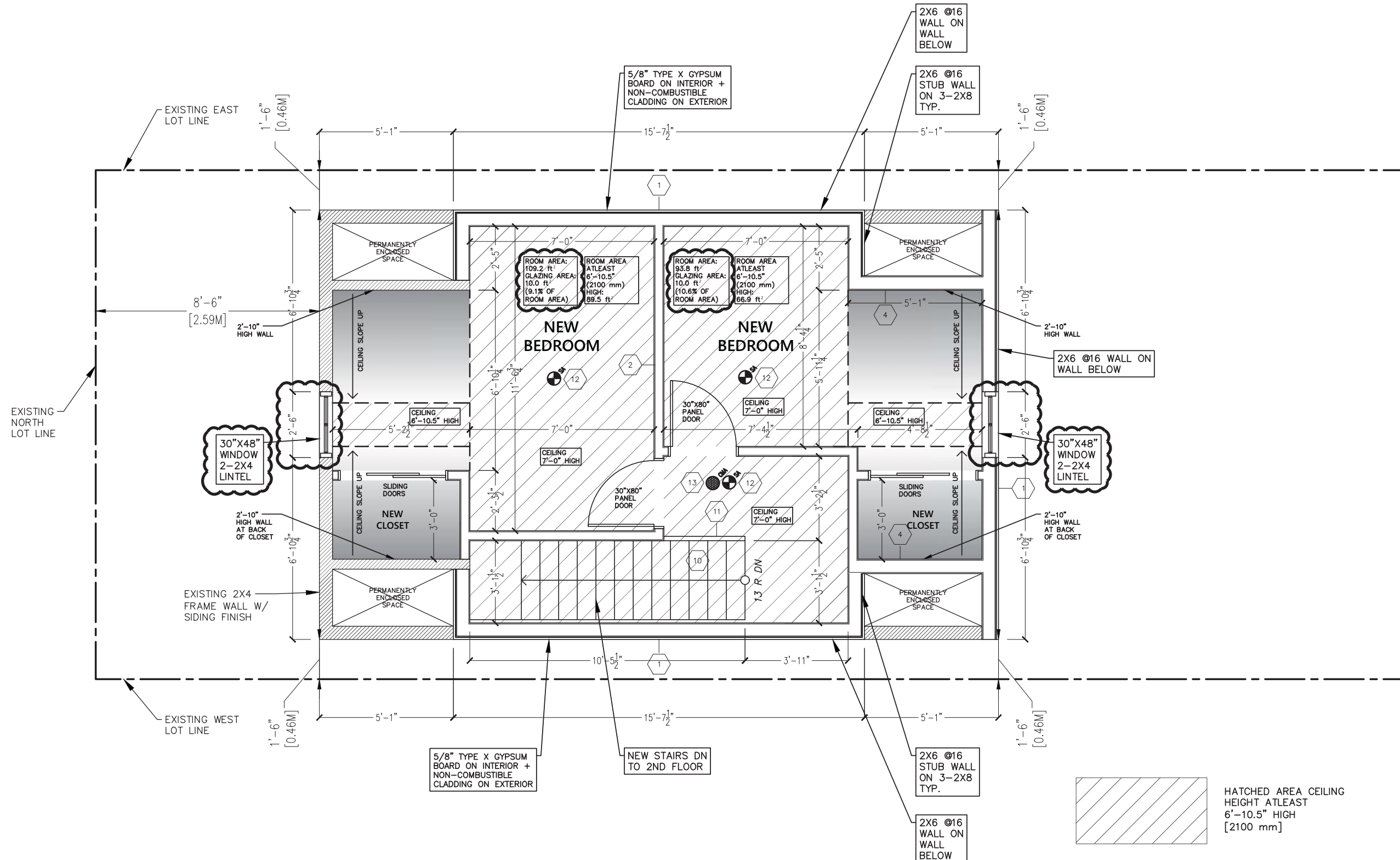
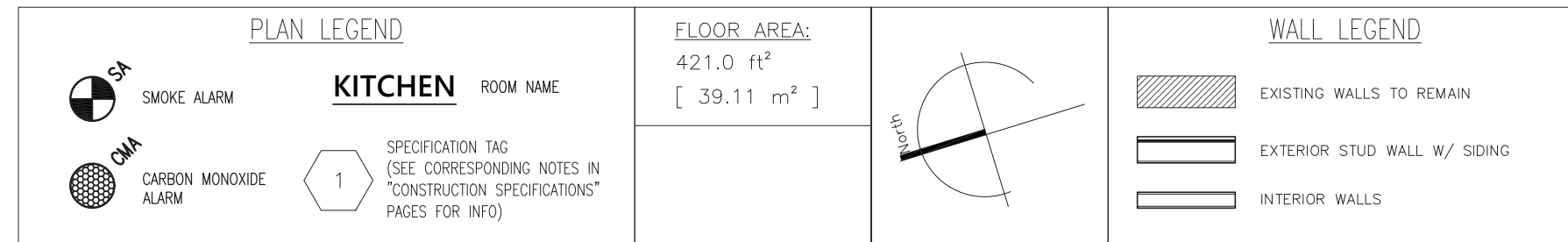
Project
86 Case St
Hamilton, ON L8L 3G9

Plot Date
SEPTEMBER 29, 2020

COVER SHEET
& SITEPLAN

A0.01

PROVIDE WINDOWS IN COMPLIANCE
WITH 9.7.1.2., 9.7.1.6., 9.7.6.,
12.3.2.6. O.B.C.



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QUALIFICATION INFORMATION

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ALTERATION**

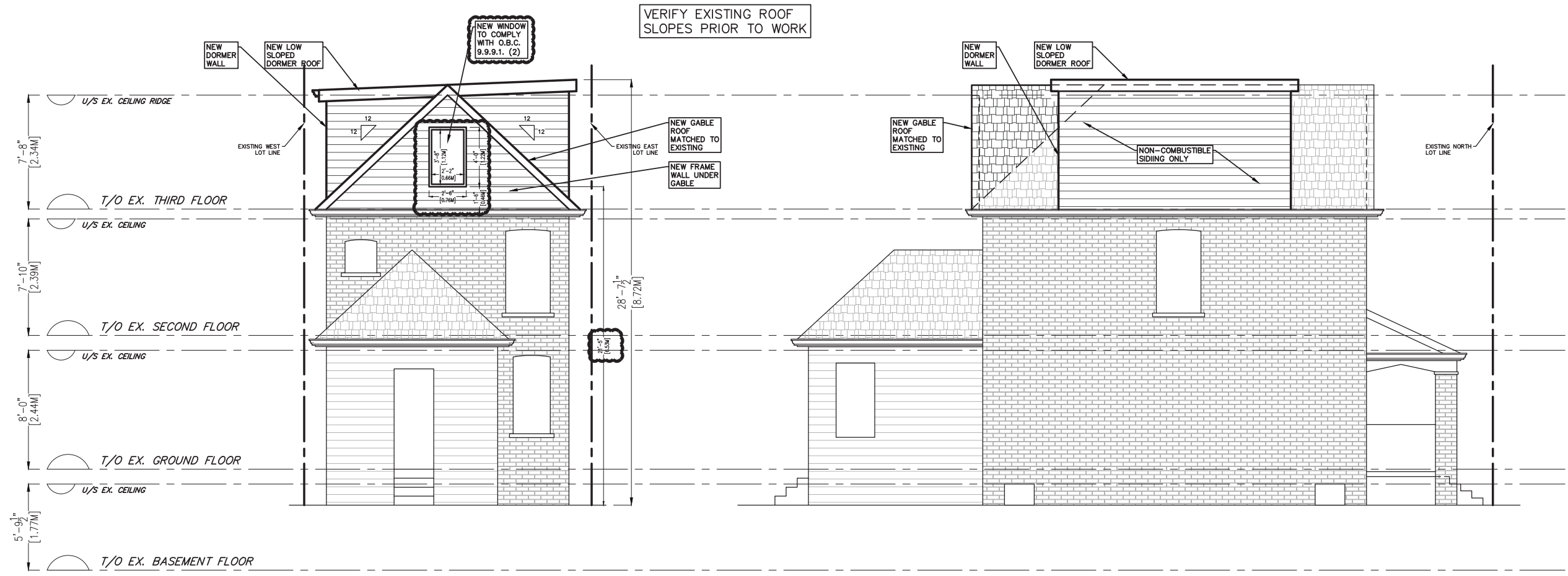
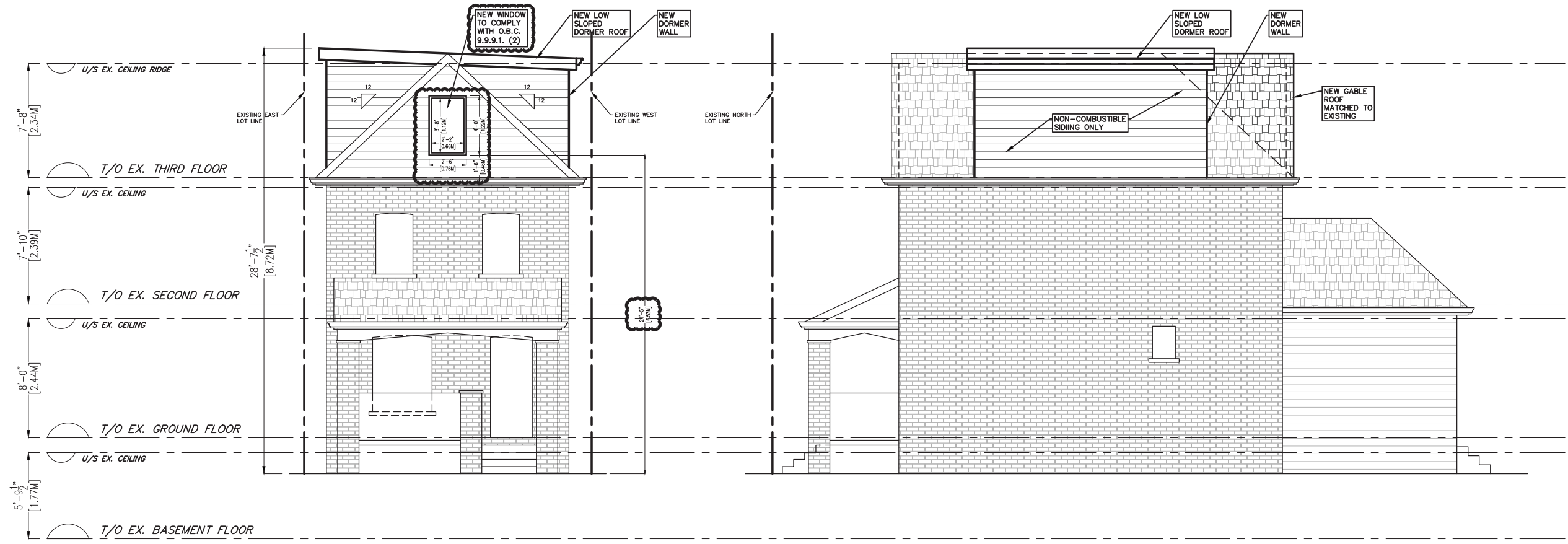
Project
86 Case St
Hamilton, ON L8L 3G9

Plot Date
SEPTEMBER 29, 2020

SCALE : 1/4" = 1' - 0"

PROPOSED 3RD
FLOOR PLAN

A1.07





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Project		
3RD FLOOR ALTERATION		
Project		
86 Case St Hamilton, ON L8L 3G9		
Plot Date		
SEPTEMBER 29, 2020		
SCALE : 1/8" = 1' - 0"		

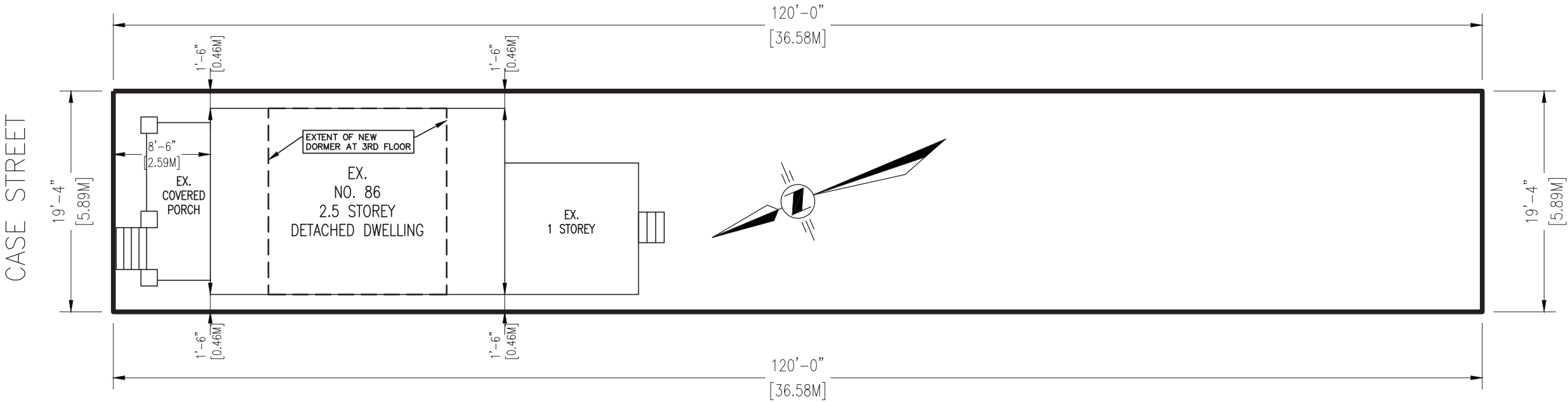
PROPOSED
ELEVATIONS

A2.01

SITEPLAN NOTE:

SITEPLAN BASED ON-SITE
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Project
**3RD FLOOR
ALTERATION**

Project
86 Case St
Hamilton, ON L8L 3G9

Plot Date
SEPTEMBER 29, 2020

COVER SHEET
& SITEPLAN

A0.01

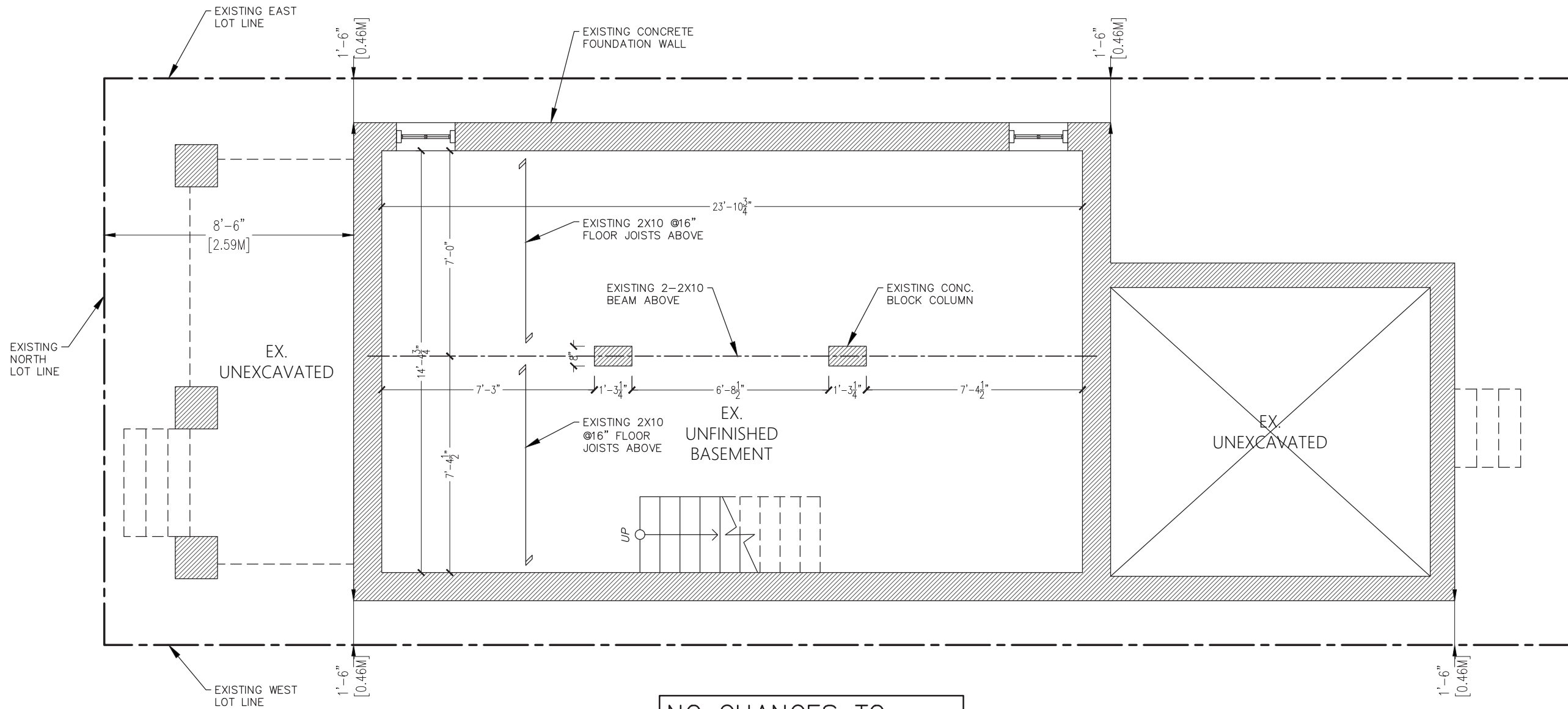
FLOOR AREA:
421.0 ft²
[39.11 m²]

CEILING HEIGHT:
5'-9.5" U.O.N.

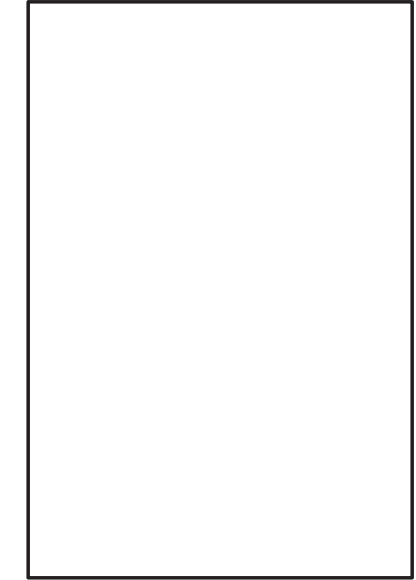
North

WALL LEGEND

EXISTING WALLS TO REMAIN



NO CHANGES TO
BASEMENT PLAN, FOR
REFERENCE ONLY.



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Project

3RD FLOOR
ALTERATION

Project
86 Case St
Hamilton, ON L8L 3G9

Plot Date

SEPTEMBER 29, 2020

SCALE : 1/4" = 1' - 0"

EXISTING
BASEMENT PLAN

A1.01

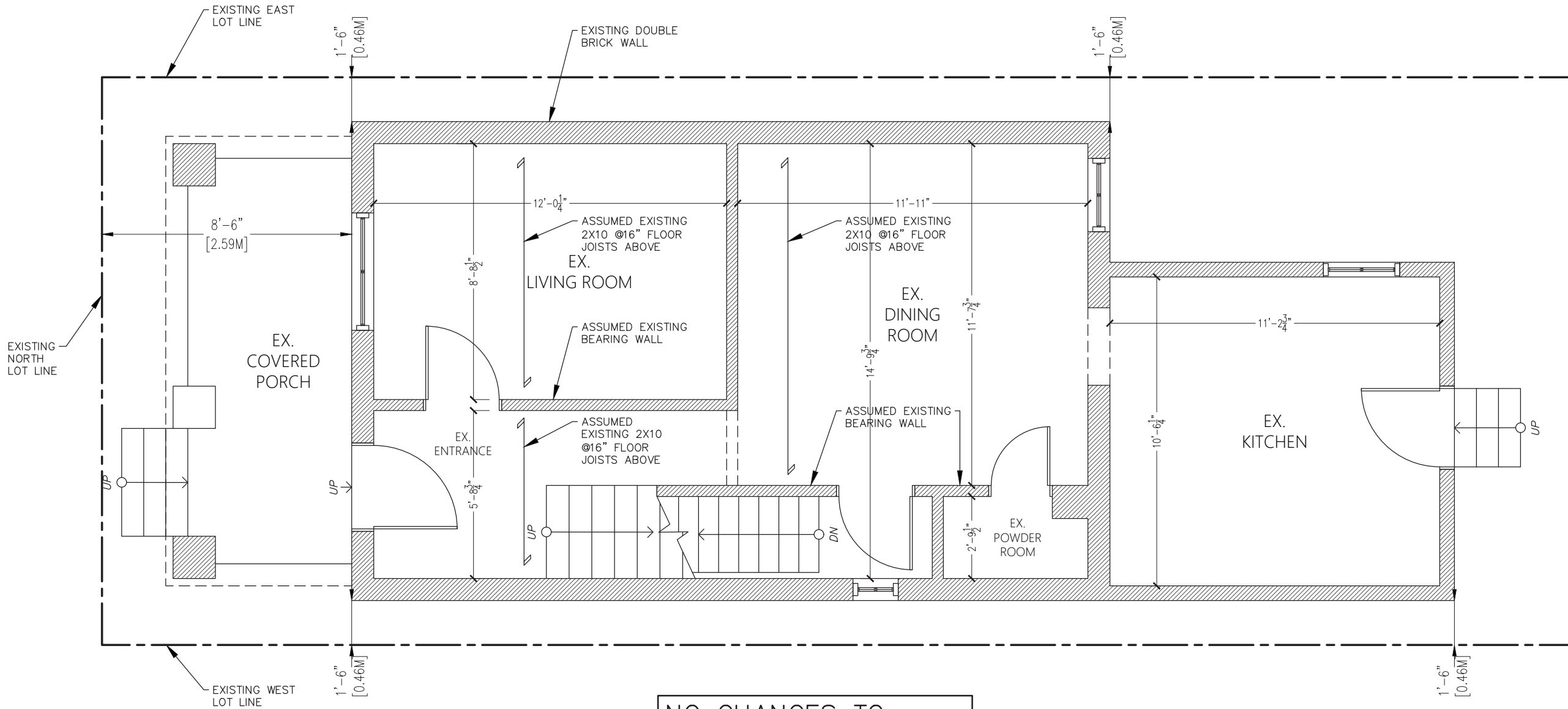
FLOOR AREA:
556.1 ft²
[51.66 m²]

CEILING HEIGHT:
8'-0" U.O.N.

North

WALL LEGEND

EXISTING WALLS TO REMAIN



NO CHANGES TO
GROUND FLOOR PLAN,
FOR REFERENCE ONLY.

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3RD FLOOR
ALTERATION

Project
86 Case St
Hamilton, ON L8L 3G9

Plot Date
SEPTEMBER 29, 2020

SCALE : 1/4" = 1' - 0"

EXISTING
GROUND FLOOR
PLAN

A1.02

FLOOR AREA:
421.0 ft²
[39.11 m²]

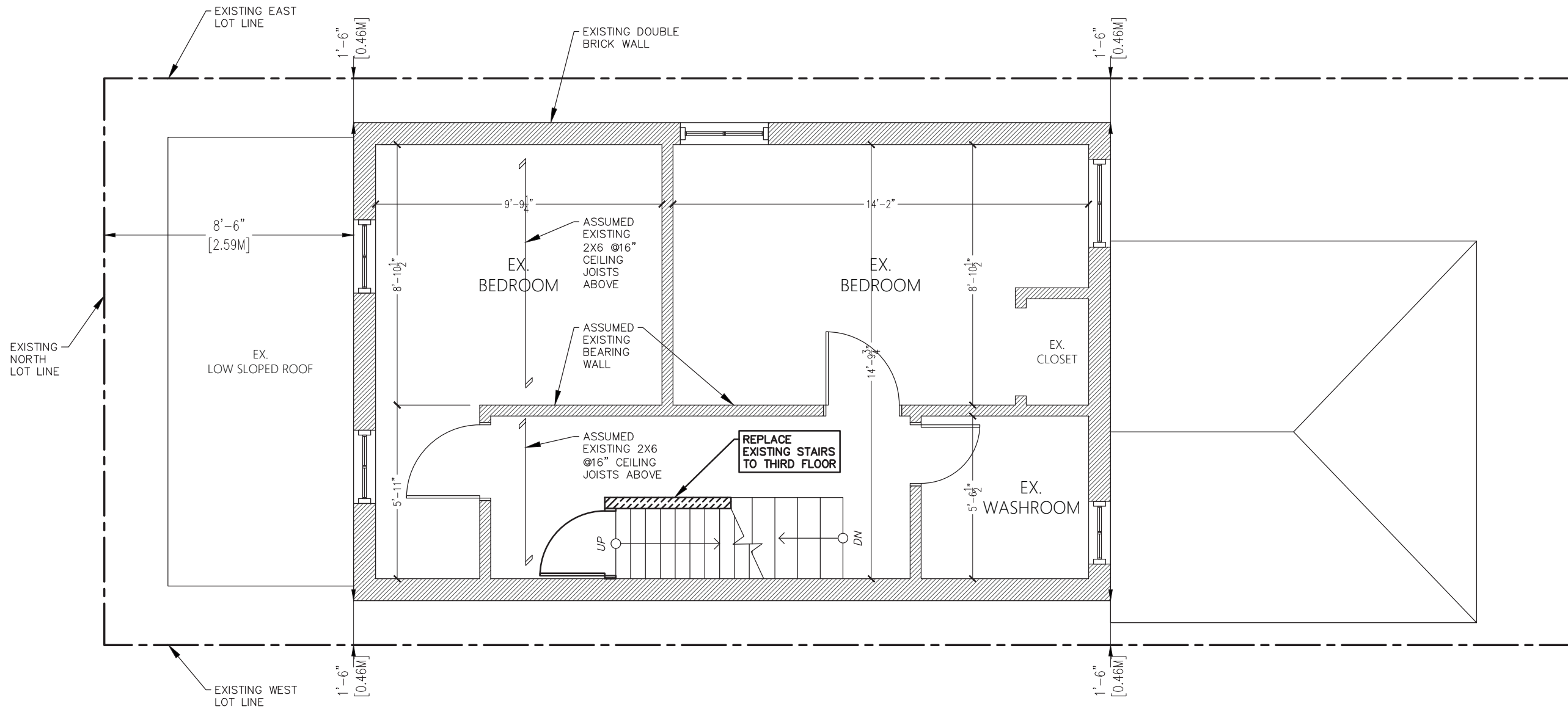
CEILING HEIGHT:
7'-10" U.O.N.

North

WALL LEGEND

EXISTING WALLS TO REMAIN

EXISTING WALLS TO BE REMOVED



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3RD FLOOR
ALTERATION

Project

86 Case St
Hamilton, ON L8L 3G9

Plot Date

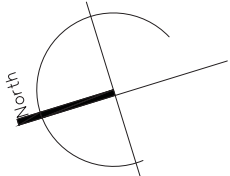
SEPTEMBER 29, 2020

SCALE : 1/4" = 1' - 0"

EXISTING
2ND FLOOR PLAN


A1.03


FLOOR AREA:
421.0 ft²
[39.11 m²]

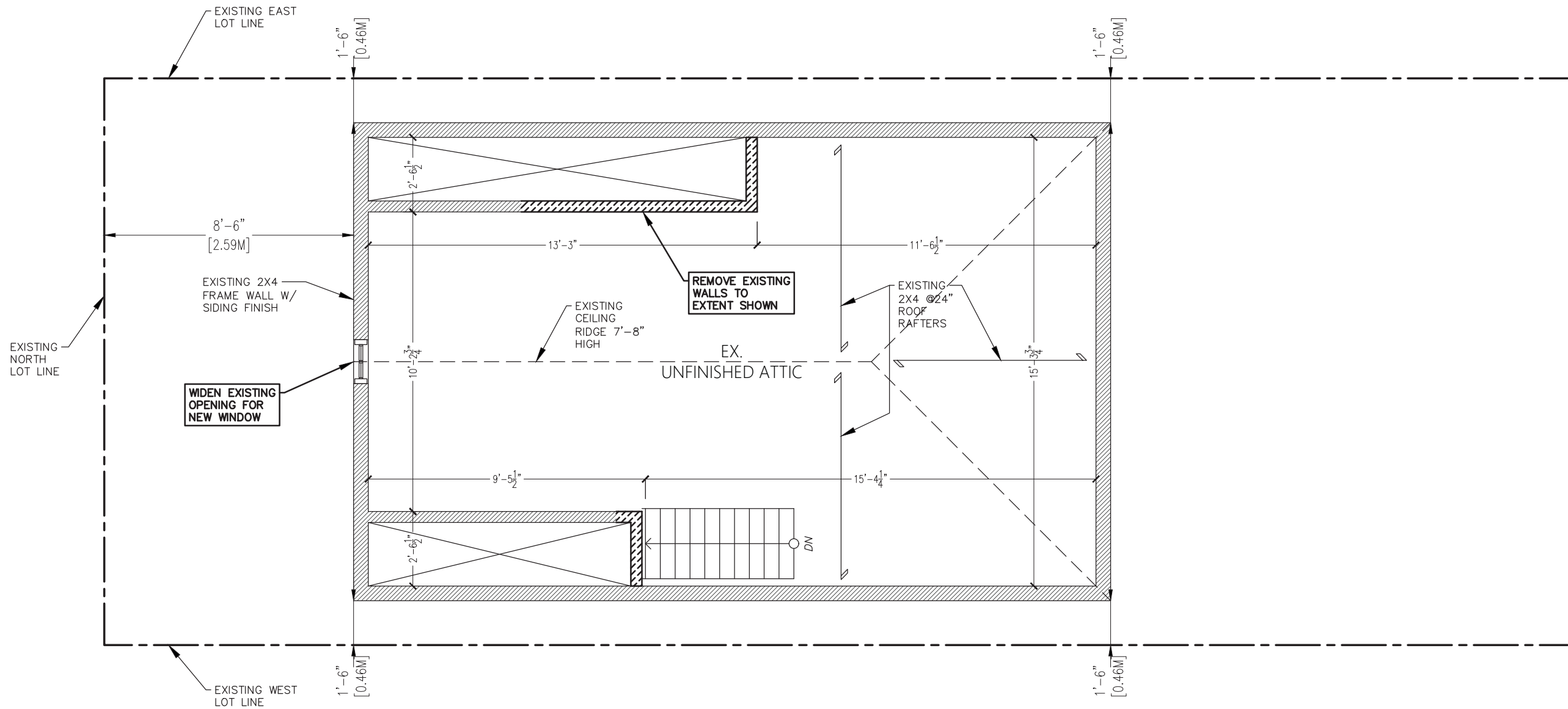


North

WALL LEGEND

 EXISTING WALLS TO REMAIN

 EXISTING WALLS TO BE REMOVED





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Project

3RD FLOOR ALTERATION

Project

86 Case St
Hamilton, ON L8L 3G9

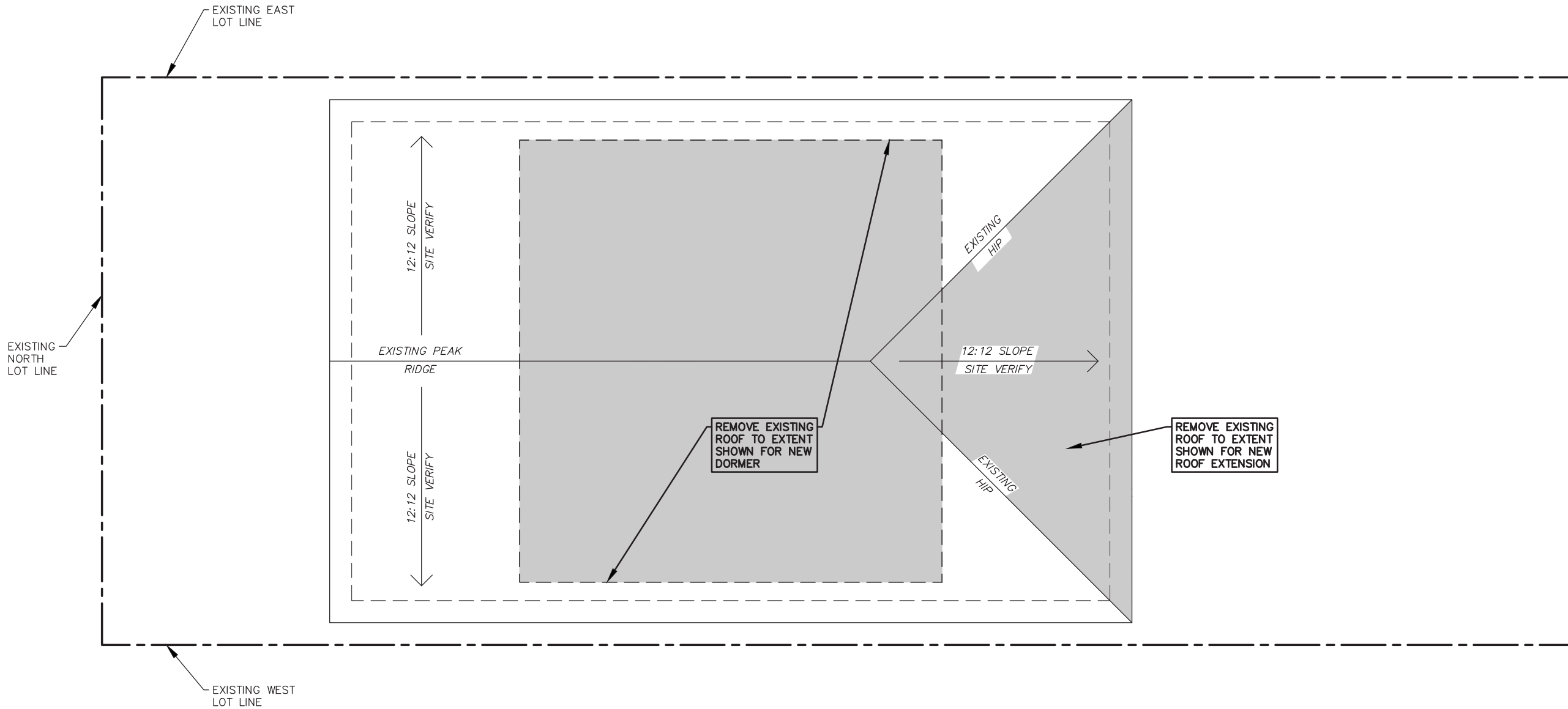
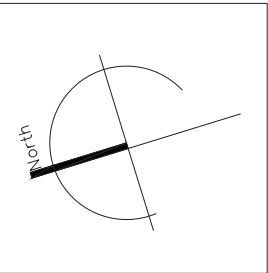
Plot Date

SEPTEMBER 29, 2020

SCALE : 1/4" = 1' - 0"

EXISTING 3RD FLOOR PLAN

A1.04



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Designer Name 41177
BCIN

SEPTEMBER 29, 2020

Signed Date:

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Firm Name BCIN

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Project
**3RD FLOOR
ALTERATION**

Project
86 Case St
Hamilton, ON L8L 3G9

Plot Date
SEPTEMBER 29, 2020

SCALE : 1/4" = 1' - 0"

EXISTING
ROOF PLAN

A1.05

PLAN LEGEND

KITCHEN

ROOM NAME

1

SPECIFICATION TAG
(SEE CORRESPONDING NOTES IN
"CONSTRUCTION SPECIFICATIONS"
PAGES FOR INFO)

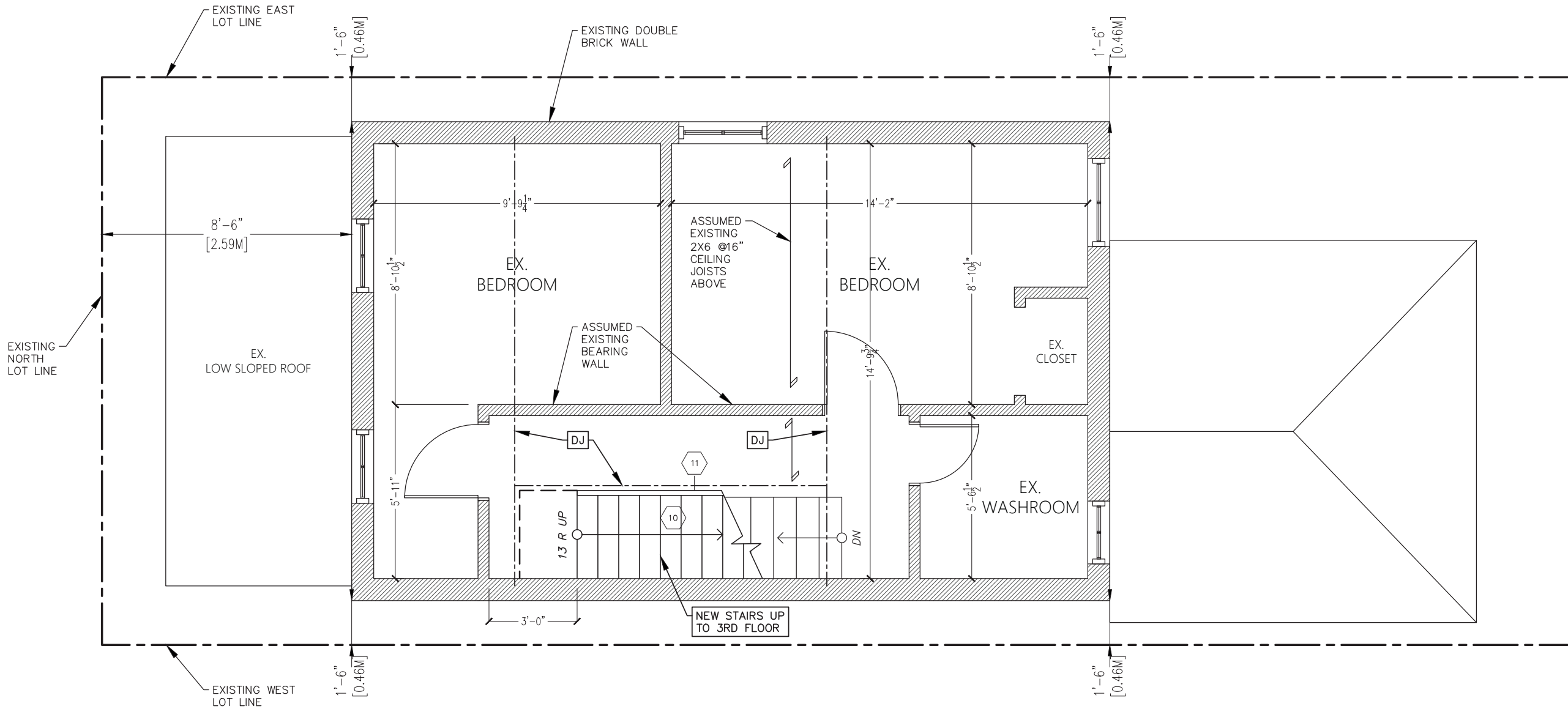
FLOOR AREA:
421.0 ft²
[39.11 m²]

CEILING HEIGHT:
7'-10" U.O.N.

North

WALL LEGEND

EXISTING WALLS TO REMAIN



1800A AVENUE ROAD,
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3RD FLOOR
ALTERATION

Project

86 Case St
Hamilton, ON L8L 3G9

Plot Date

SEPTEMBER 29, 2020

SCALE : 1/4" = 1' - 0"

PROPOSED 2ND
FLOOR PLAN


A1.06

PROVIDE LINTELS PER 9.20.5.2., 9.23.12.3. O.B.C AS REQUIRED


PROVIDE DOORS IN COMPLIANCE WITH 9.6.5., 9.6.8., 12.3.2.7. O.B.C.

PROVIDE WINDOWS IN COMPLIANCE WITH 9.7.1.2., 9.7.1.6., 9.7.6., 12.3.2.6. O.B.C.


PLAN LEGEND

SA

SMOKE ALARM

CMA

CARBON MONOXIDE ALARM



SPECIFICATION TAG
(SEE CORRESPONDING NOTES IN "CONSTRUCTION SPECIFICATIONS" PAGES FOR INFO)

KITCHEN


ROOM NAME

FLOOR AREA:


421.0 ft²

[39.11 m²]


WALL LEGEND



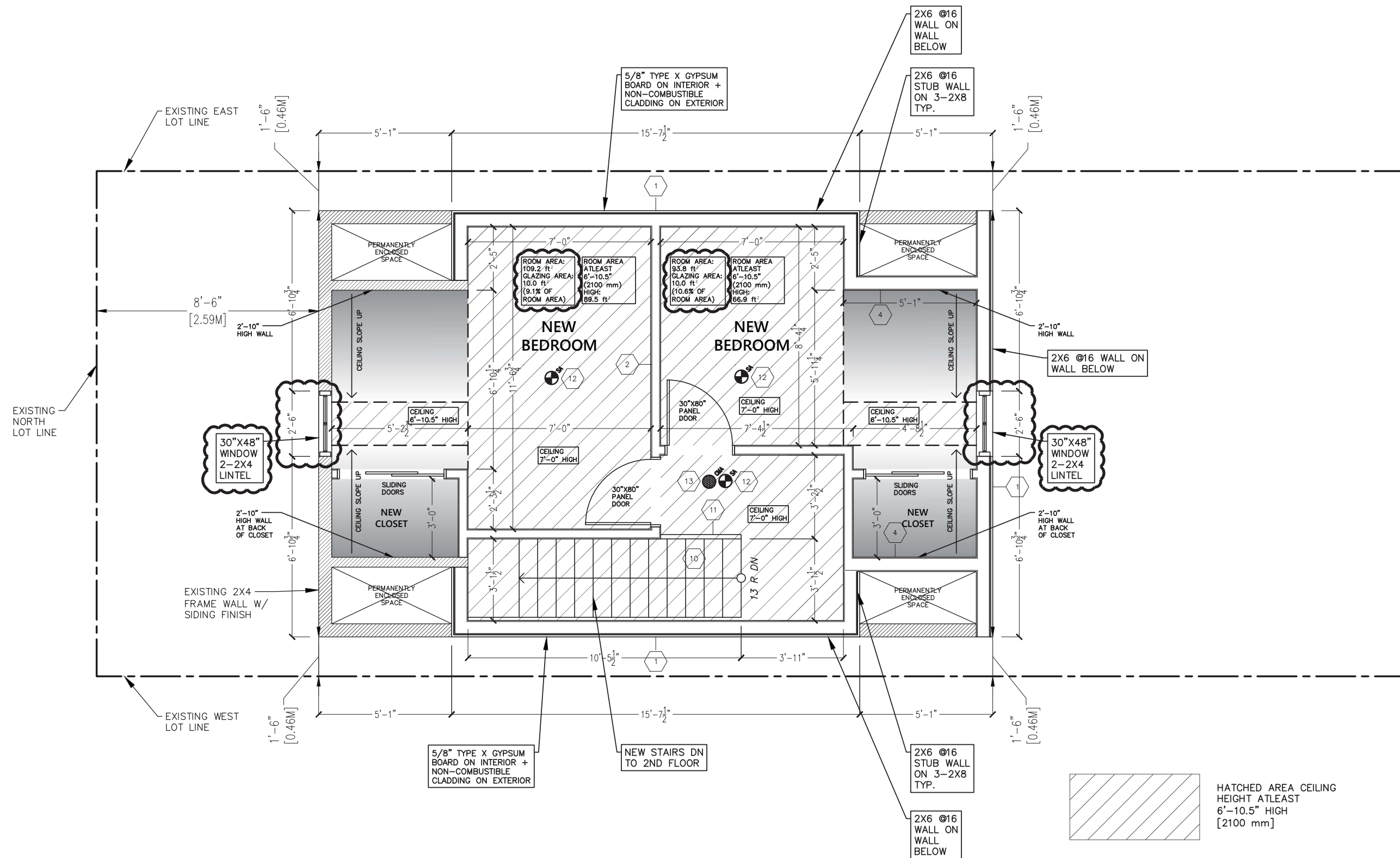
EXISTING WALLS TO REMAIN



EXTERIOR STUD WALL W/ SIDING



INTERIOR WALLS





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3RD FLOOR ALTERATION

Project

86 Case St

Hamilton, ON L8L 3G9

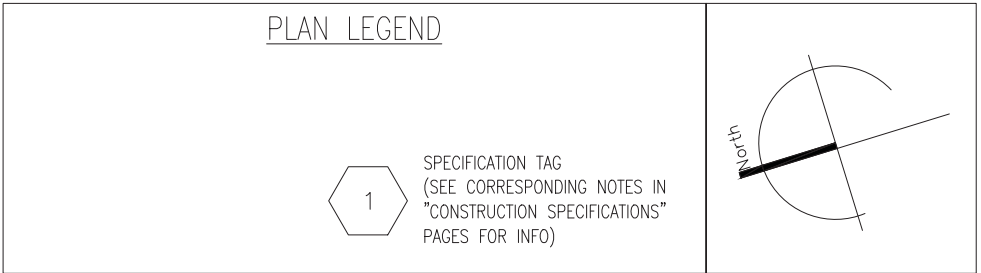
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PROPOSED 3RD FLOOR PLAN

A1.07



WWW.HSKDESIGN.CA

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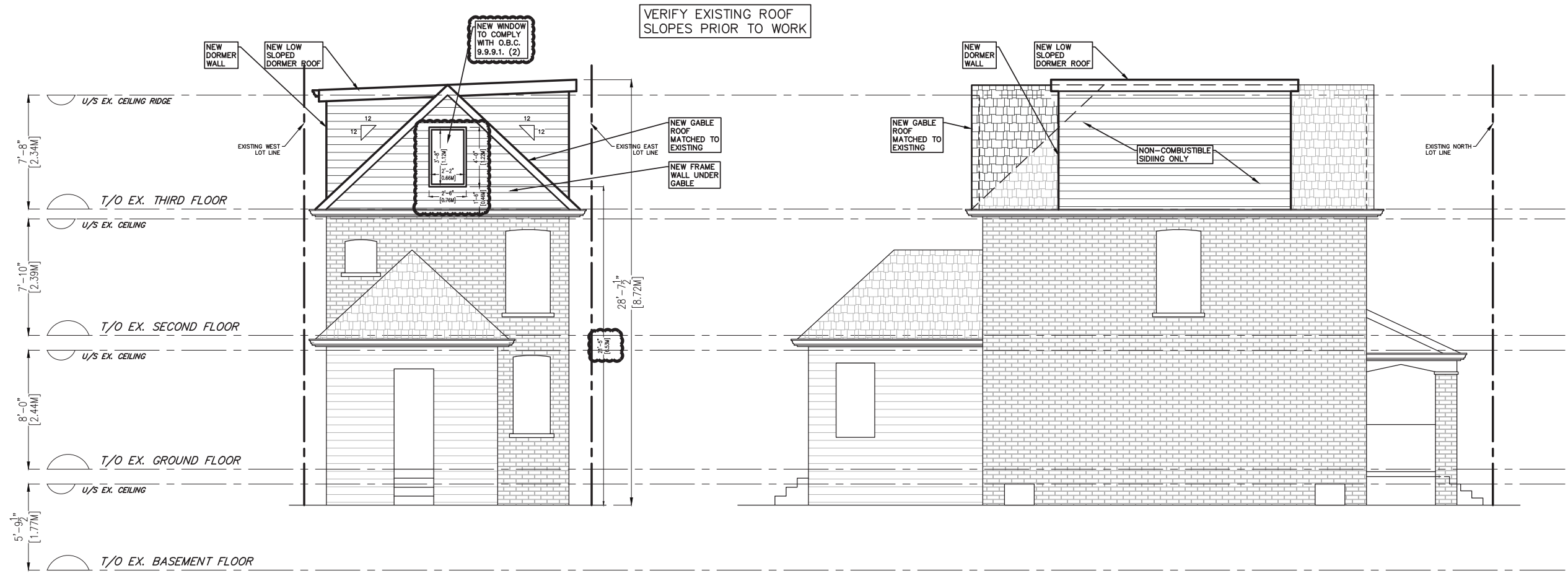
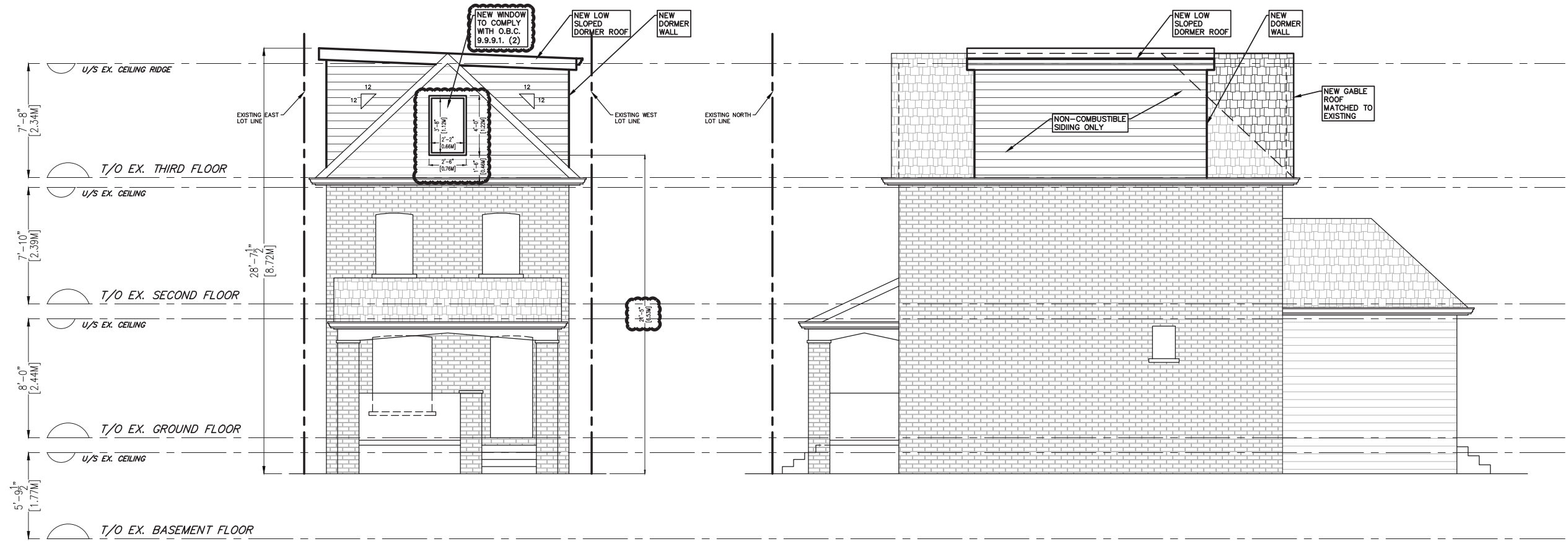
Project
86 Case St
Hamilton, ON L8L 3G9

Plot Date	SEPTEMBER 29, 2020
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SCALE : 1/4" = 1' - 0"

PROPOSED ROOF PLAN

A1.08






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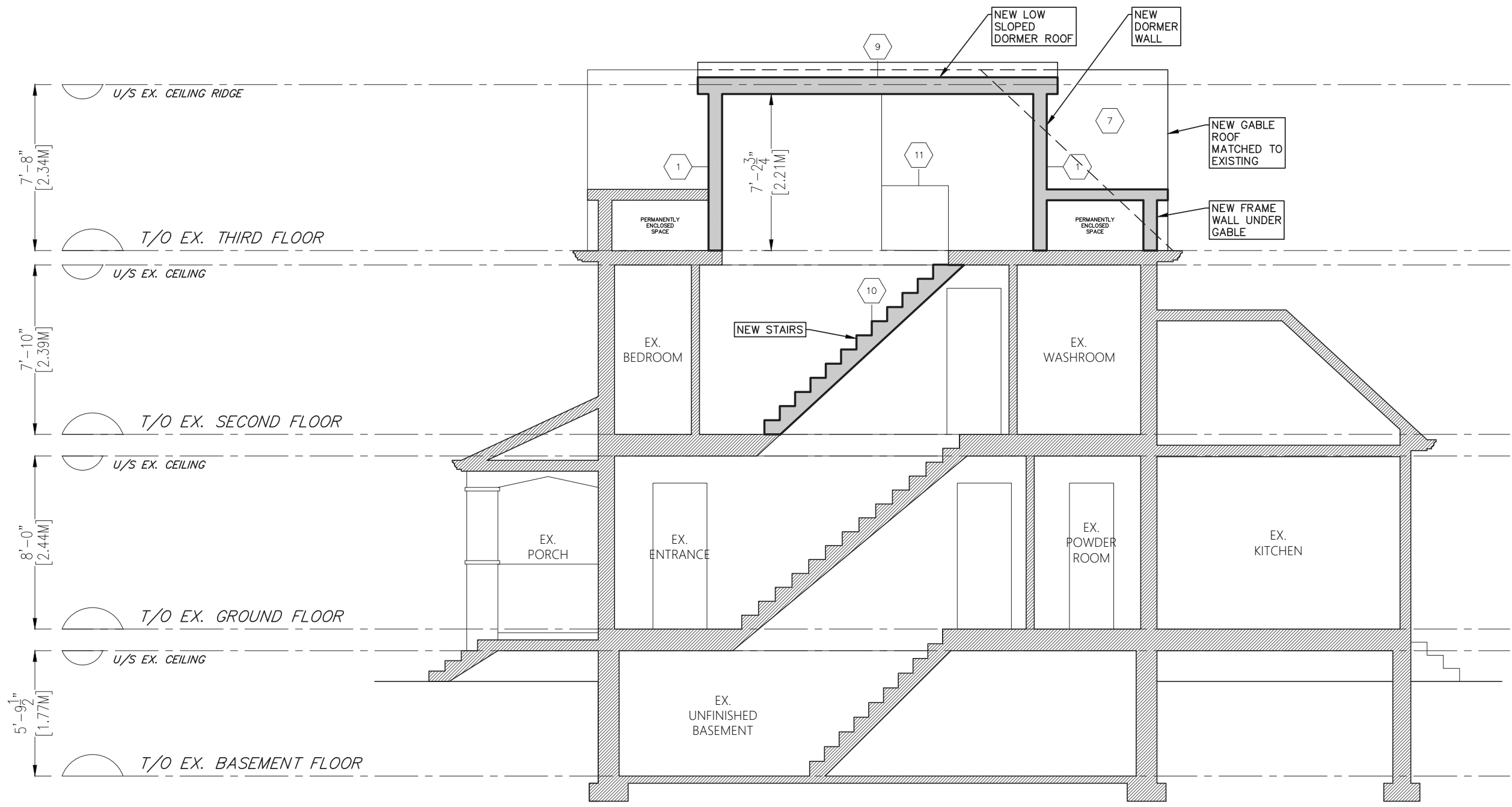
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3RD FLOOR ALTERATION		
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86 Case St Hamilton, ON L8L 3G9		
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PROPOSED
ELEVATIONS

A2.01




VERIFY EXISTING ROOF
SLOPES PRIOR TO WORK



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ALTERATION**
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86 Case St
Hamilton, ON L8L 3G9
Plot Date
SEPTEMBER 29, 2020

BUILDING
SECTION
A3.01



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
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**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 * Mohammed Hanif Telephone No. _____
FAX NO. _____ E-mail address * _____
2. Address * _____
_____ Postal Code * _____
3. Name of Agent Serouj Kaloustian 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:
- 1) The proposed third storey addition is 4.14 m away from the front property line where it is required to be a min. of 6m from the front property line as per bylaw 6593 Section 10 (D Zone).
 - 2) The proposed third storey addition is 0.46 m away from the side property lines where it is required to be a min. of 2.7m from the side property line as per bylaw 6593 Section 10 (D Zone).
7. Why it is not possible to comply with the provisions of the By-law?
- For both items above: Cannot achieve OBC room height requirement for proposed bedrooms without these variances. The proposed Third floor addition will provide the minimum necessary headroom height. The existing side walls of the house are 0.46 m away from the side property lines, the 3rd floor walls will be lined up to these walls. The existing front wall of the house is 2.59 m.
8. Legal description of subject lands (registered plan number and lot number or other legal description and where applicable, street and street number):

86 CASE STREET

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
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9.3 Has a gas station been located on the subject land or adjacent lands at any time?

Yes	No	X	Unknown
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9.4 Has there been petroleum or other fuel stored on the subject land or adjacent lands?

Yes	No	X	Unknown
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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
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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
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9.7 Have the lands or adjacent lands ever been used as a weapon firing range?

Yes	No	X	Unknown
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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
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- 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?
Reasonable belief prior to purchase of property, purchase and sale agreement, and knowledge of property during ownership
-
- 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 8, 2020
 Date

* 
 Signature/Property Owner
 * Mohammed Hanif
 Print Name of Owner

10. Dimensions of lands affected:
 Frontage 5.89 m
 Depth 36.58 m
 Area 215.53 sq.m
 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: Existing 2.5 storey house, GFA 129.88 sq.m

 Proposed: Proposed Third floor addition at existing Attic space, providing dormers to make minimum required headroom space for proposed new bedrooms.

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 Front setback 2.59 m
Existing Rear Setback 22.54 m
Existing Side Setbacks from 0.46 m

Proposed: Proposed 3rd floor setbacks will not exceed existing.

- * 13. Date of acquisition of subject lands:

Dec 10, 2015

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

1960's

15. Existing uses of the subject property: Single Family Dwelling Unit, Residential

16. Existing uses of abutting properties: Single Family Dwelling Unit, Residential

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

Since construction

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

Water	<u>X</u>	Connected	<u>X</u>
Sanitary Sewer	<u>X</u>	Connected	<u>X</u>
Storm Sewers	<u>X</u>		

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:

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