

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-19:351 (Amended)

APPLICANTS: Mostapha Mohammed on behalf of the owner Erol Najat Agha

SUBJECT PROPERTY: Municipal address **110 Holmes Ave., Hamilton**

ZONING BY-LAW: Zoning By-law 6593, as Amended by By-laws 80-274, 95-02, 95-33 and 19-307

ZONING: "C/S-1335, C/S-1335a, C/S-720, C/S-1788" (Urban Protected Residential) district

PROPOSAL: To permit the establishment of ten (10) habitable rooms in a single family dwelling notwithstanding that:

1. No onsite maneuvering shall be provided for two (2) of the three (3) required parking spaces instead of the requirement that maneuvering space shall be provided and maintained only on the lot on which the principle use, building or structure is located.
2. The accessibility to one (1) of the required parking spaces may be obstructed by one (1) of the required parking spaces whereas the by-law requires every parking space to be unobstructed and freely and readily accessibility from within the lot, without moving any vehicle on the lot or encroaching on any designated parking space.
3. Three (3) required parking spaces may be located in the front yard instead of the requirement which only one of the required parking spaces may be located in the front yard.

NOTES:

1. Items identified in Section 18.(3)(vi) Encroachments on Yards such as eave and gutter projections, bay windows, open stairways, porches, and platforms (deck) projections, etc. have not been reviewed for zoning compliance. Details were not provided on submitted plans to confirm compliance; as such, further variances may be required.
2. The revised floor plans provided by the applicant show ten (10) habitable rooms were not drawn by a qualified designer, floor plans submitted were hand-drawn and not to scale. As such, the determination of ten (10) habitable rooms has been established by the applicant and not through a thorough zoning review of detailed floor plans. Should the single family dwelling prove to have greater than ten (10) habitable rooms, further variances will be required.
3. The gross floor area provided by the applicant was not drawn on plans or calculated by a qualified designer. As such, the gross floor ratio factor calculation has been

determined based on the applicant's own estimations. Gross floor area for determination of floor area ratio factor shall be calculated as defined; if a ratio greater than 0.45 is provided, further variances will be required.

4. The Front Yard Landscaping calculations provided by the applicant were not drawn on plans or calculated by a qualified designer. As such, the Front Yard Landscaping calculation has been determined based on the applicant's own estimations. The applicant shall provide greater than 50% Front Yard Landscaping or further variances will be required.

5. The rear platform (deck) and hot tub have not been reviewed for zoning compliance. Details were not provided on submitted plans to confirm compliance; as such, further variances may be required at such time that a full review is conducted.

6. The accessory building (shed) in the rear has not been reviewed for zoning compliance. Details were not provided on submitted plans to confirm compliance; as such, further variances may be required at such time that a full review is conducted.

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

DATE:	Thursday, March 4th, 2021
TIME:	2:00 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

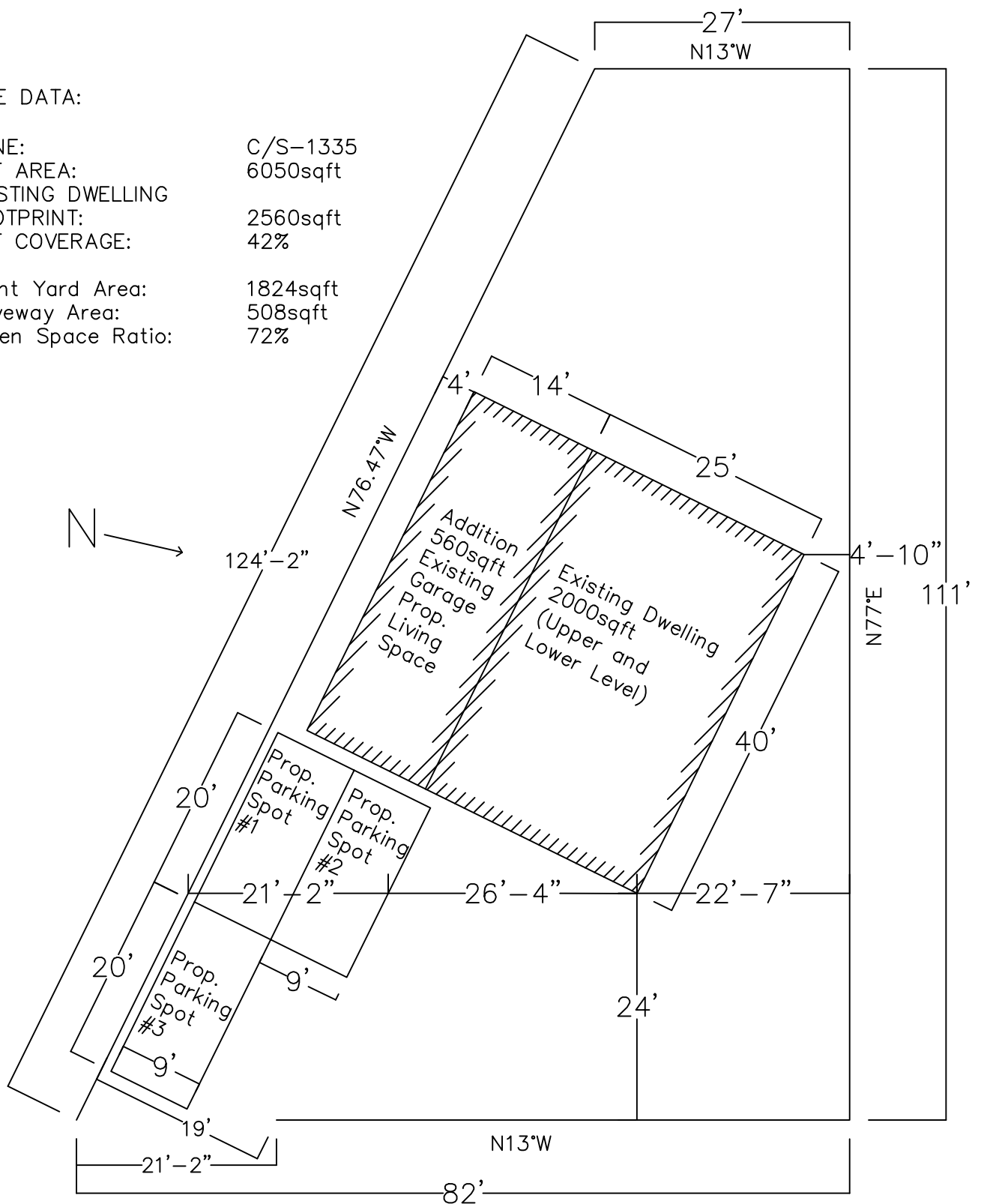
DATED: February 16th, 2021.

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.

SITE DATA:

ZONE: C/S-1335
 LOT AREA: 6050sqft
 EXISTING DWELLING
 FOOTPRINT: 2560sqft
 LOT COVERAGE: 42%
 Front Yard Area: 1824sqft
 Driveway Area: 508sqft
 Green Space Ratio: 72%



Site Plan

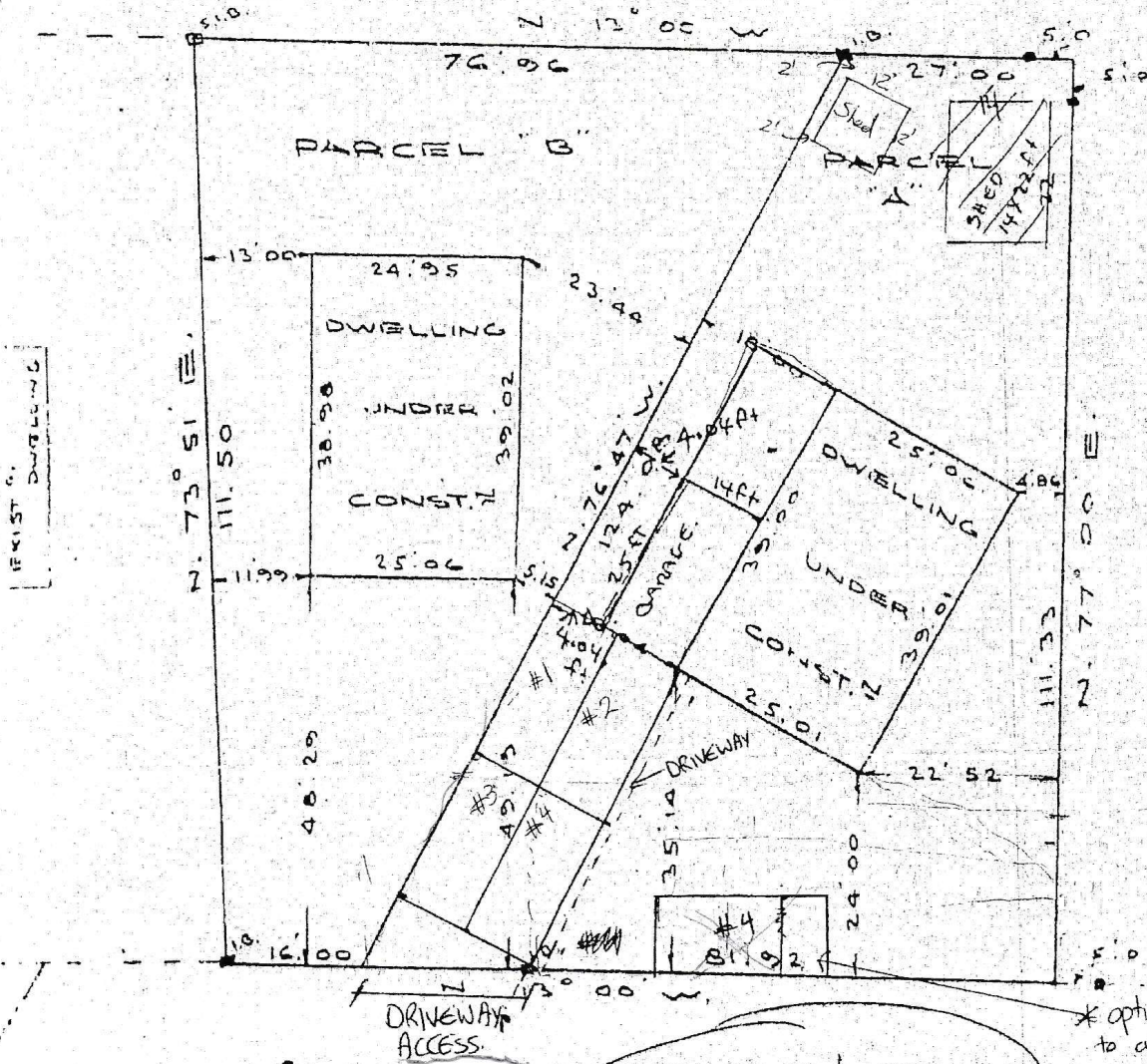
Drawn By: Erol Agha

Note: Dimensions were copied from site plan obtained from city hall.

Holmes Ave

DONALD ADPIS & WIFE CLOTH LTD?

St. Mary's Catholic Secondary School



#110 Holmes

City of Hamilton
Department of Buildings
1993 OCT 18
Examined by: R. G. [Signature]
Date: [Blank]
Zoning Only for Building Commissioner.
[Signature] 24-93-R-3310

PLAN
SHOWING
DWELLINGS UNDER CONST.
OF
PARCEL "B" & PARCEL "A" IN PART
LOT 56 CON. 1
IN THE
TOWNSHIP OF ANCASTER
NOW IN THE
CITY OF HAMILTON

SCALE 1"=20'

DATE JAN 3 1994

SURVEY BY

[Signature]

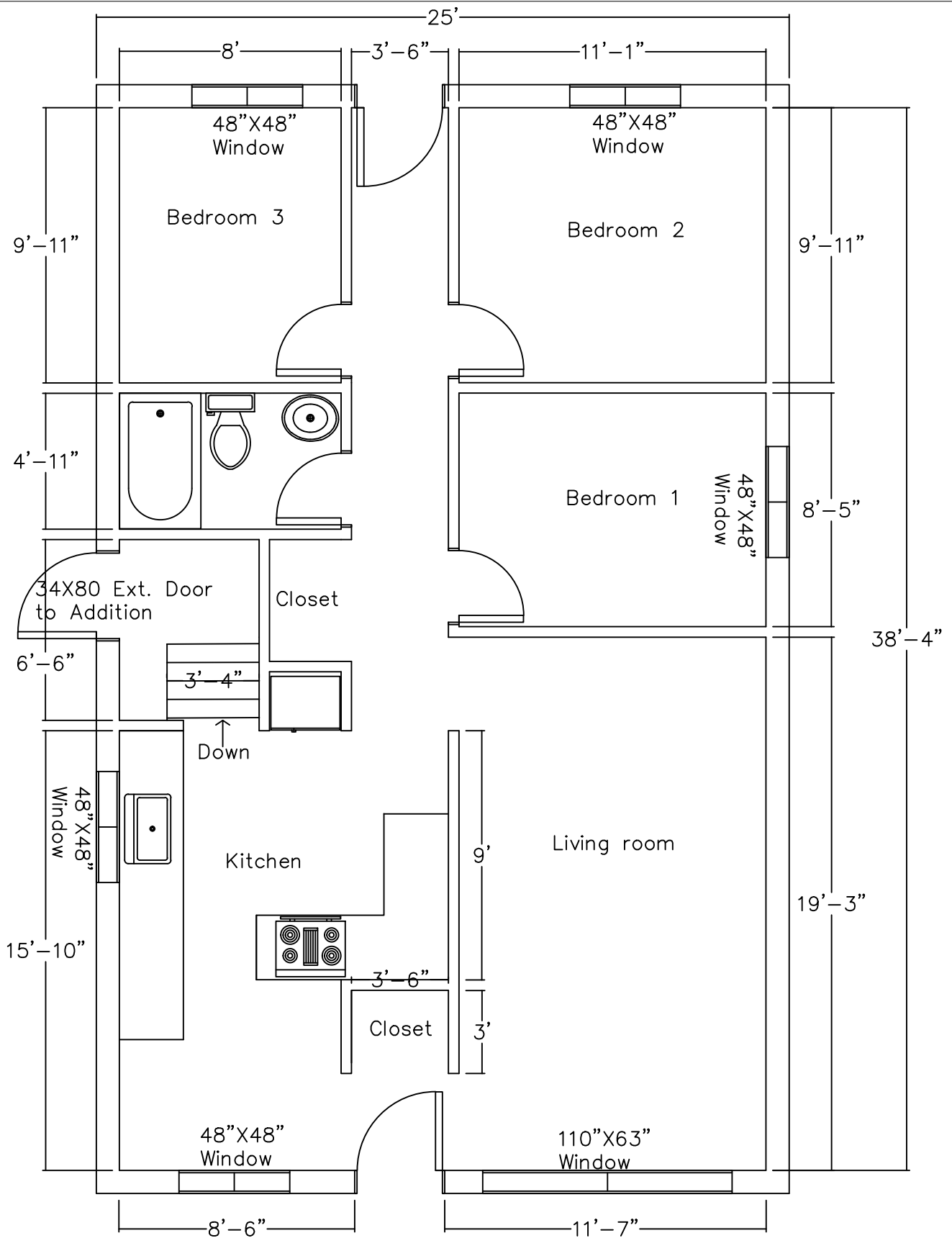
110 HOLMES

110 HOLMES

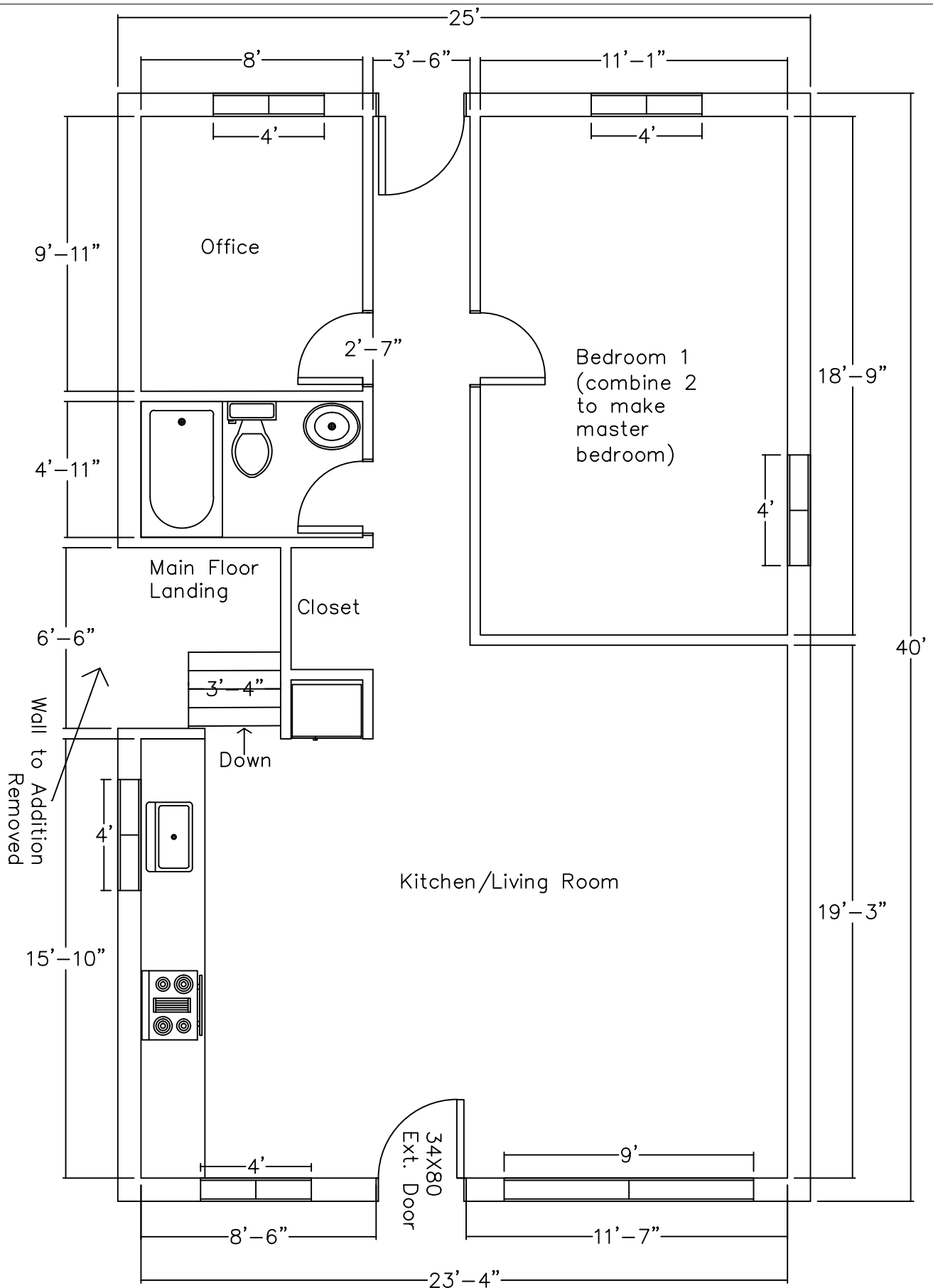
110 HOLMES

110 HOLMES

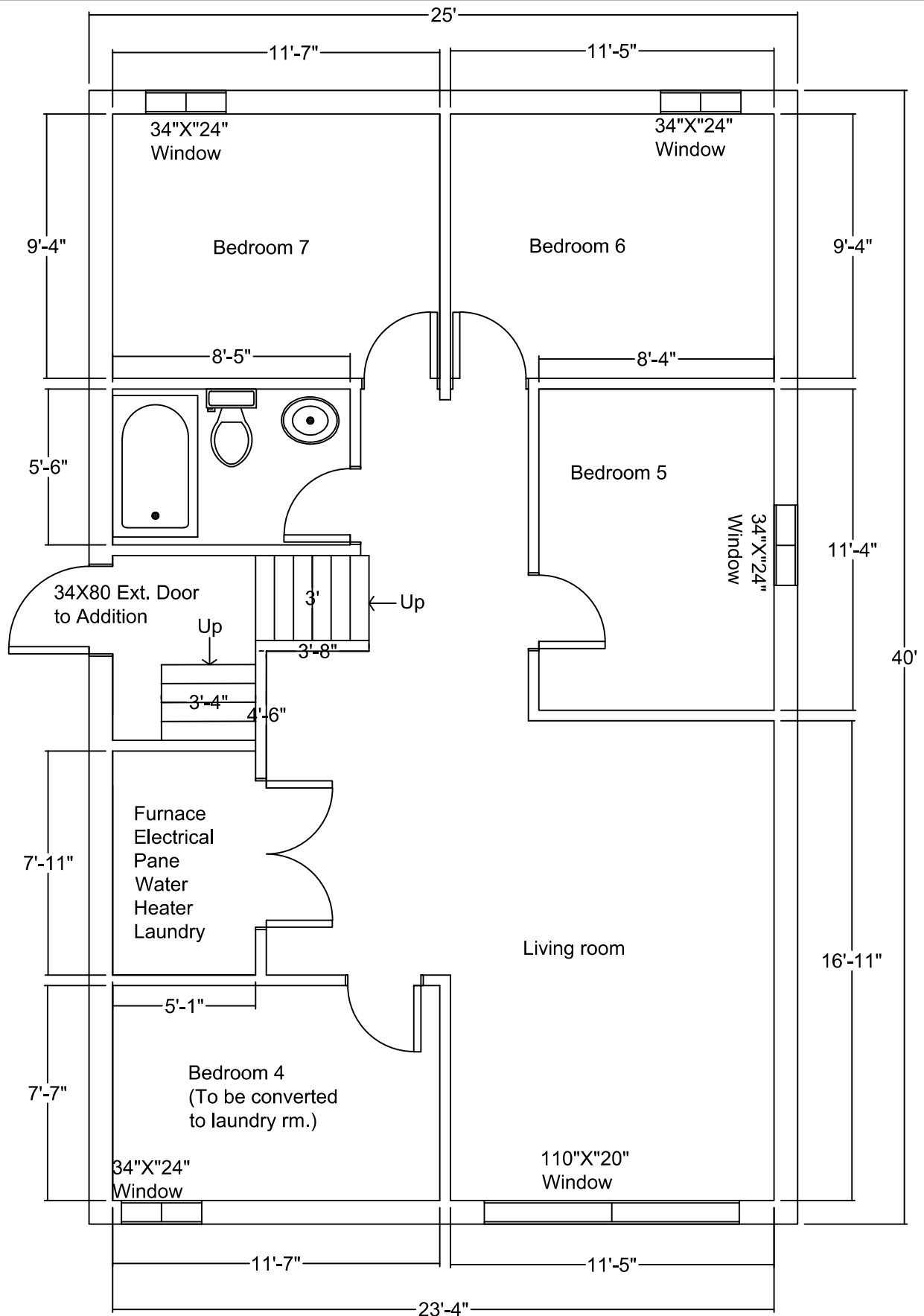
Hm/A
19:351
Sketch 1



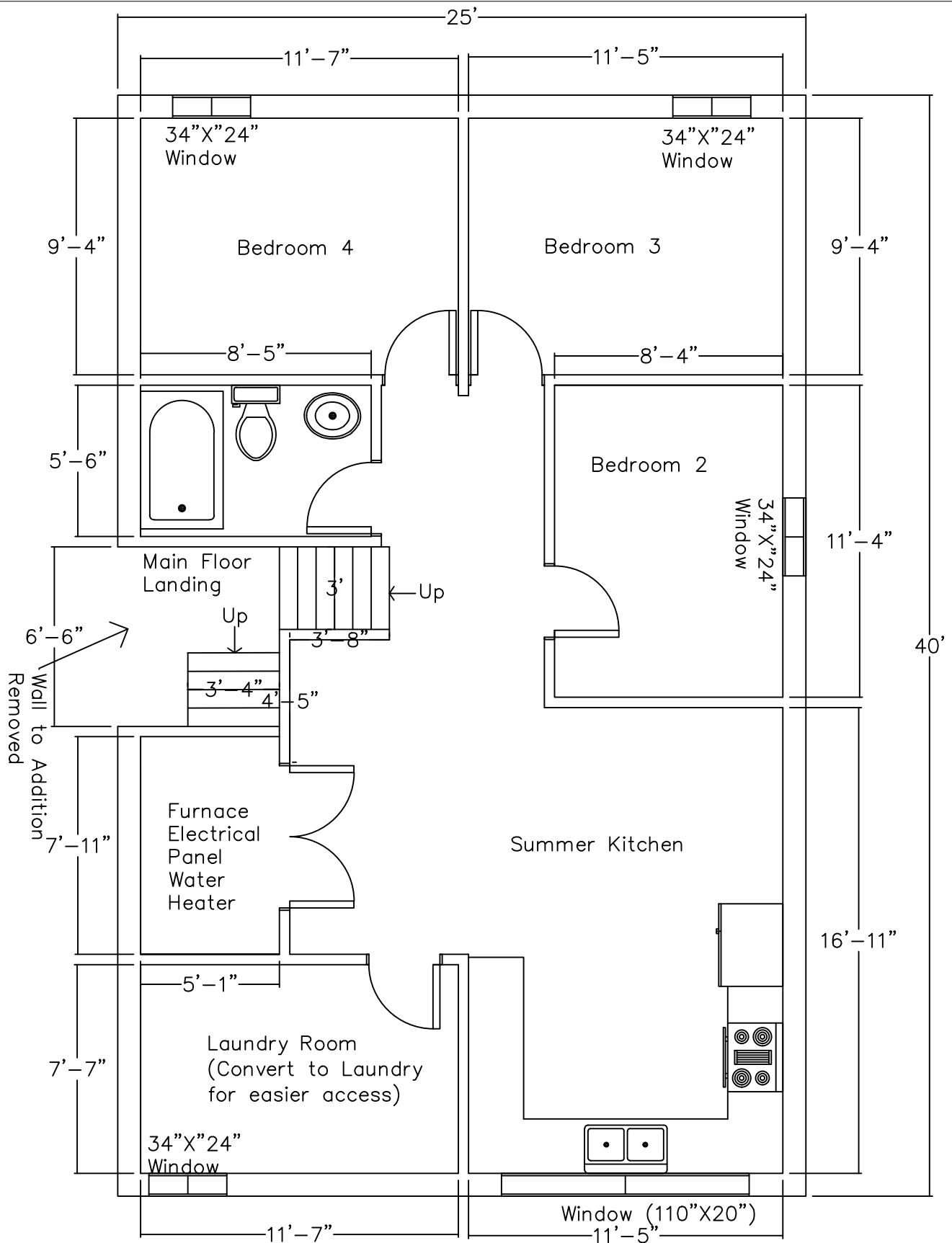
Existing Upper Level Floor Plan
 Drawn By: Erol Agha (Owner)



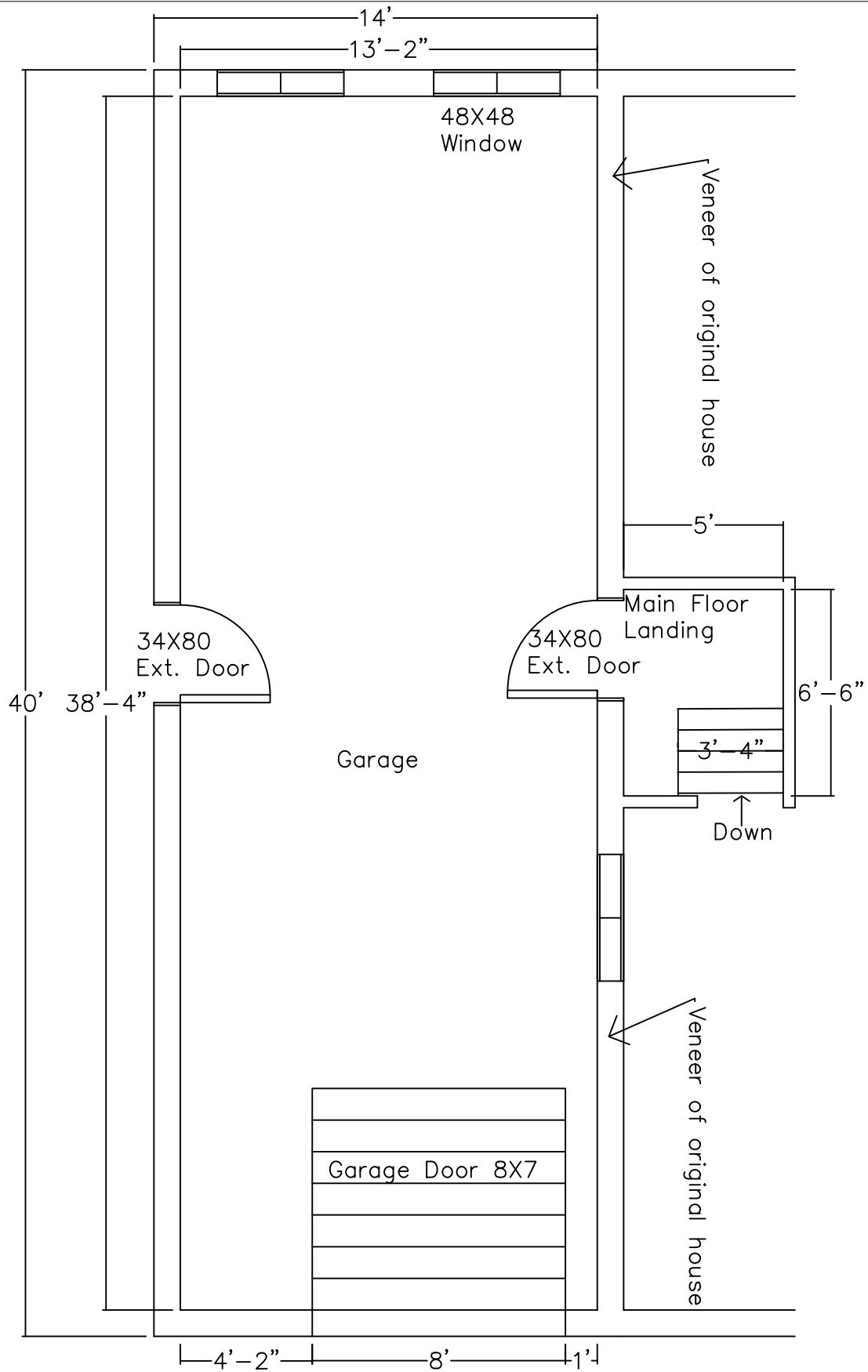
Proposed Upper Level Floor Plan
Drawn By: Erol Agha (Owner)



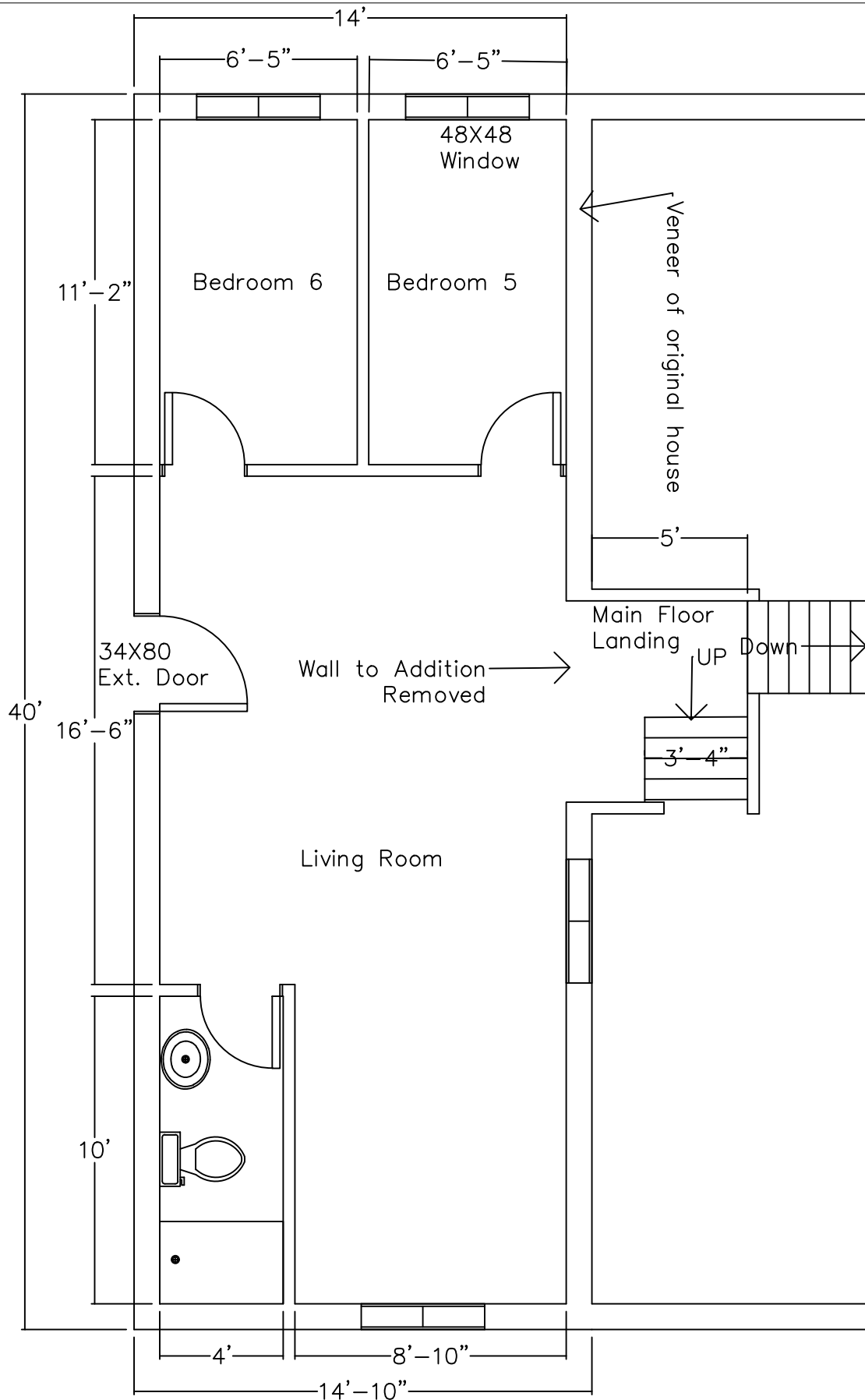
Existing Basement Floor Plan
 Drawn By: Erol Agha (Owner)



Proposed Basement Floor Plan
 Drawn By: Erol Agha (Owner)



Existing Addition Floor Plan
Drawn By: Erol Agha (Owner)



Proposed Addition Floor Plan
Drawn By: Erol Agha (Owner)



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. <u>Hm/A-19-351</u>	DATE APPLICATION RECEIVED <u>Sept. 26/19</u>
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 Erol Agha

2.

3. Name of Agent Mostapha Mohammed

4.

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:

- Off-site maneuvering for 2 vehicles (#3 & #4)
- Tandem parking for 2 vehicles (#1 & #2)
- Permit 4 parking spaces w in front yard

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

Property is located at end of cul-de-sac with no parking on the side.

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

110 Holmes Ave, Hamilton, ON, L8S 2K9

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 ☒ 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?

The survey from 1964

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.

Sept 25, 2019
Date


Signature Property Owner

E. Agha Erol Agha
Print Name of Owner

10. Dimensions of lands affected:

Frontage 81.92'
Depth 111.33'
Area 6061'
Width of street 17' driveway access, Street is 32' wide

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: 39' length, 39' width, height 16' max
1 story, gross floor area 1521 ft sq w/o basement
Shed: 12' x 12' . 11' max height. gross floor area 144 sq ft
975 ft sq.

Proposed: Same as existing

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: 24' from front, 4.86' from side & 4' from other side
Shed: min 2' from rear & side

Proposed: Same as existing

13. Date of acquisition of subject lands:
July 24, 2015
14. Date of construction of all buildings and structures on subject lands:
Dwelling: 1964 Addition to garage: Jan 2019
15. Existing uses of the subject property: Residential, Single Family Dwelling
16. Existing uses of abutting properties: Residential
17. Length of time the existing uses of the subject property have continued:
50+ years
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:
Residential, S.F.D.
low density residential (Westdale secondary plan)
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
~~only 1 parking space in front yard~~
~~only 1 tandem parking~~ Urban protected residential
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 referred to in Section 5 and be accompanied by the appropriate fee in cash or by cheque made payable to the City of Hamilton.