



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-20:272

APPLICANTS: Agent Urban Solution c/o M. Johnston
Owner Stephen Ford

SUBJECT PROPERTY: Municipal address **130 Huxley Ave. S., Hamilton**

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

ZONING: C district (Urban Protected Residential, Etc.)

PROPOSAL: To facilitate the creation of two (2) lots in conjunction with Severance Application HM/B-20:94, and the construction of a single family dwelling on the portion of the lands to be severed, notwithstanding that:

1. A minimum front yard depth of 4.5 metres shall be provided for the portion of the lands to be severed, instead of the minimum required front yard depth of 6.0
2. A minimum northerly side yard width of 0.6 metres shall be provided for the portion of the lands to be severed, instead of the minimum required northerly side yard width of 1.2 metres.
3. A minimum lot width of 7.96 metres shall be provided for the portion of the lands to be severed instead of the minimum required lot width of 12.0 metres.

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

DATE: Thursday, March 18th, 2021

TIME: 1:50 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

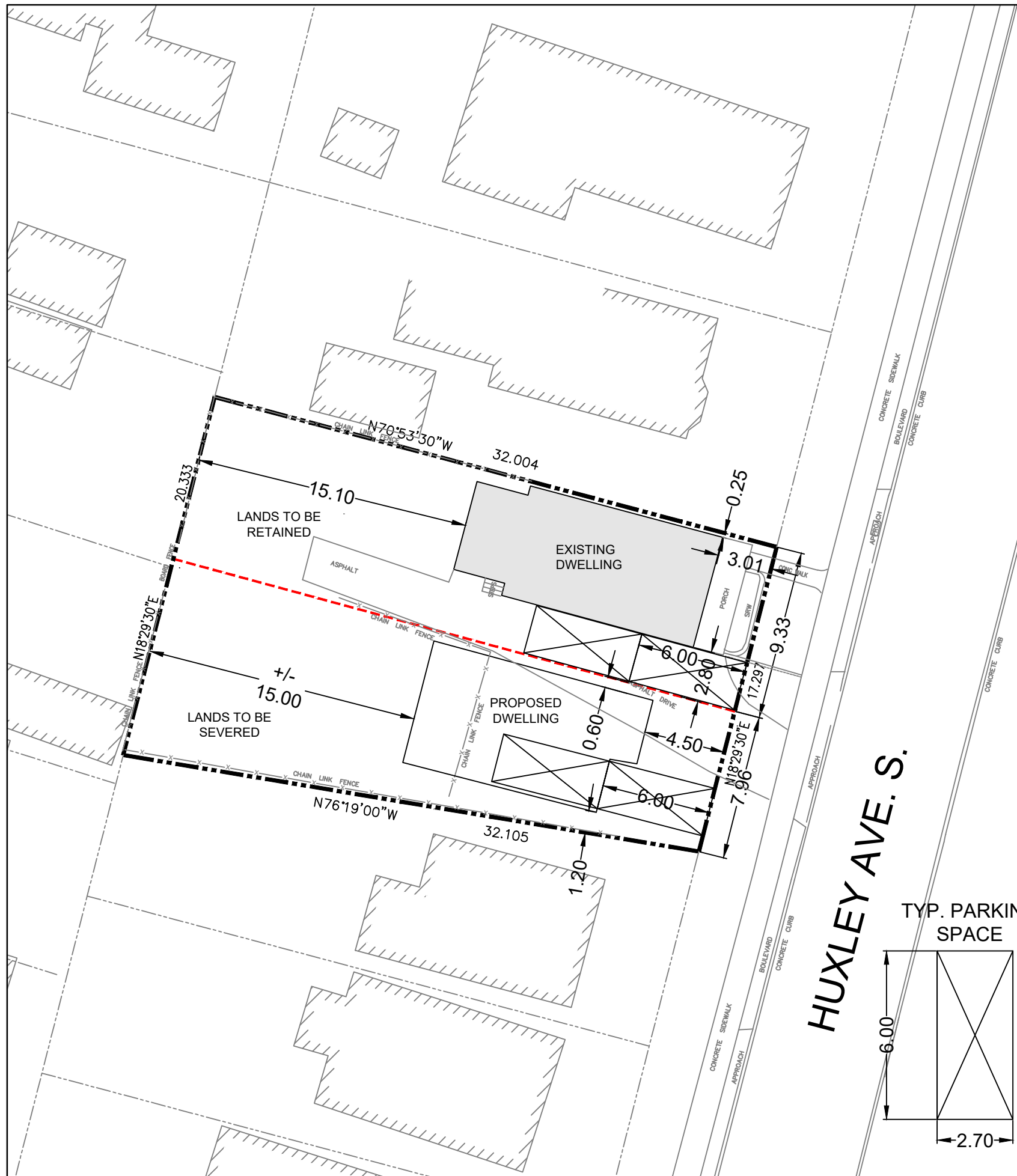
For more information on this matter, including access to drawings illustrating this request:

- 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

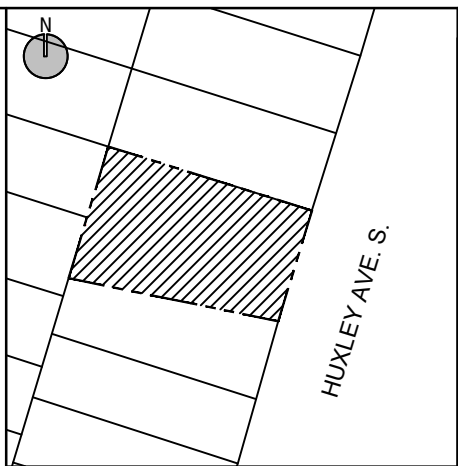
DATED: March 2nd, 2021.

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.



DEVELOPMENT STATISTICS			
Existing Zoning: "C" (Urban Protected Residential)			
Item	Required	Severed	Retained
Permitted Uses: Residential Uses	Single Family Dwelling	Single Family Dwelling	Single Family Dwelling
Max. Building Height	11.0 m	TBC	TBC
Min. Front Yard	6.0 m	4.5 m (MVR 1)	3.01 m
Min. Side Yard	1.2 m	0.6 m (MVR 2)	0.25 m
Min. Rear Yard	7.5 m	7.5 m	15.10 m
Min. Lot Width	12.0 m	7.96 m (MVR 3)	9.33 m (MVR 4)
Min. Lot Area	360.0 m ²	305.67 m ² (MVR 5)	296.44 m ² (MVR 6)
Front Yard Landscaped Area	50%	33% (MVR 10)	67%
Parking	2 spaces	2 spaces	2 spaces



KEY MAP - N.T.S.

SCALE: 1:250

- LEGEND:
- SUBJECT LANDS
 - PROPOSED SEVERANCES
 - EXISTING BUILDINGS
 - EXISTING FENCE

NOT FOR CONSTRUCTION
ISSUED FOR REVIEW & COMMENTS ONLY

NOTES:
ALL DIMENSIONS SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

DESIGN BY: L. DRENNAN CHECKED BY: M. JOHNSTON
DRAWN BY: L. DRENNAN DATE: DECEMBER 2, 2020

URBAN SOLUTIONS
PLANNING & LAND DEVELOPMENT

3 STUDEBAKER PLACE, UNIT 1
HAMILTON, ON L8L 0C8
905-546-1087 - urbansolutions.info

PROJECT:
130 HUXLEY AVE. S.
CITY OF HAMILTON

CLIENT:
Mr. Stephen Ford

TITLE:
COMMITTEE OF ADJUSTMENT SKETCH

U/S FILE NUMBER: **378-20** SHEET NUMBER: **1**

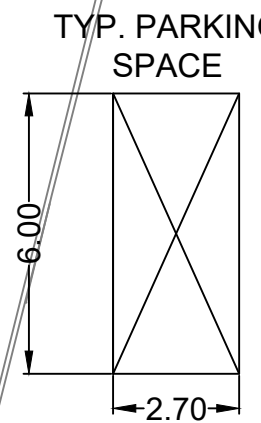
VARIANCES TO ZONING BY-LAW NO. 6593 "C" DISTRICT (SEVERED)

- VARIANCE #1** - A MINIMUM FRONT YARD OF 4.5 METRES SHALL BE PROVIDED FOR THE PORTION OF THE LANDS TO BE SEVERED, INSTEAD OF THE MINIMUM REQUIRED FRONT YARD DEPTH OF 6.0 METRES.
- VARIANCE #2** - A MINIMUM NORTHERLY SIDE YARD WIDTH OF 0.6 METRES SHALL BE PROVIDED FOR THE PORTION OF THE LANDS TO BE SEVERED, INSTEAD OF THE MINIMUM REQUIRED NORTHERLY SIDE YARD WIDTH OF 1.2 METRES.
- VARIANCE #3** - A MINIMUM LOT WIDTH OF 7.96 METRES SHALL BE PROVIDED FOR THE PORTION OF THE LANDS TO BE SEVERED INSTEAD OF THE MINIMUM REQUIRED LOT WIDTH OF 12.0 METRES.
- VARIANCE #5** - A MINIMUM LOT AREA OF 305.76 SQUARE METRES SHALL BE PROVIDED FOR THE PORTION OF THE LANDS TO BE SEVERED INSTEAD OF THE MINIMUM REQUIRED LOT AREA OF 360.0 SQUARE METRES.
- VARIANCE #7** - NO ONSITE MANOEUVRING SHALL BE PROVIDED FOR THE TWO (2) REQUIRED PARKING SPACES FOR THE PORTION OF THE LANDS TO BE SEVERED, INSTEAD OF THE REQUIREMENT THAT A MANOEUVRING SPACE ABUTTING AND ACCESSORY TO EACH REQUIRED PARKING SPACE SHALL BE PROVIDED AND MAINTAINED ON THE LOT.
- VARIANCE #9** - FRONT YARD PARKING SHALL BE PERMITTED.

VARIANCES TO ZONING BY-LAW NO. 6593 "C" DISTRICT (RETAINED)

- VARIANCE #4** - A MINIMUM LOT WIDTH OF 9.33 METRES SHALL BE PROVIDED FOR THE PORTION OF THE LANDS TO BE RETAINED INSTEAD OF THE MINIMUM REQUIRED LOT WIDTH OF 12.0 METRES.
- VARIANCE #6** - A MINIMUM LOT AREA OF 296.44 SQUARE METRES SHALL BE PROVIDED FOR THE PORTION OF THE LANDS TO BE RETAINED INSTEAD OF THE MINIMUM REQUIRED LOT AREA OF 360.0 SQUARE METRES.
- VARIANCE #8** - NO ONSITE MANOEUVRING SHALL BE PROVIDED FOR THE TWO (2) REQUIRED PARKING SPACES FOR THE PORTION OF THE LANDS TO BE RETAINED, INSTEAD OF THE REQUIREMENT THAT A MANOEUVRING SPACE ABUTTING AND ACCESSORY TO EACH REQUIRED PARKING SPACE SHALL BE PROVIDED AND MAINTAINED ON THE LOT.
- VARIANCE #10** - A MINIMUM FRONT YARD LANDSCAPED AREA OF 30% SHALL BE PROVIDED INSTEAD OF THE MINIMUM REQUIRED FRONT YARD LANDSCAPED AREA OF 50%.
- VARIANCE #11** - FRONT YARD PARKING SHALL BE PERMITTED.

SCALE 1:250





February 8, 2021

378-20

Via Email

Jamila Sheffield
Secretary Treasurer, Committee of Adjustment

City of Hamilton
71 Main Street West, 5th Floor
Hamilton, ON L8P 4Y5

Dear Ms. Sheffield:

**RE: 130 Huxley Avenue South, City of Hamilton
Consent to Sever and Minor Variance Applications
HM/B-20:94 & HM/A-20:274**

UrbanSolutions Planning & Land Development Consultants Inc. (UrbanSolutions) is the authorized planning consultants acting on behalf of Stephen Ford, the registered owner of the lands municipally known as 130 Huxley Avenue South, in the City of Hamilton (subject lands). The purpose of the Consent to Sever application is to separate the subject lands in to two (2) separate parcels. The lands to be severed are proposed for a new single detached dwelling with a total lot area of 305.62m². The existing dwelling on the retained lands will remain while having a lot area of 296.44 m².

These applications (HM/B-20:94 & HM/A-20:274) were heard at the February 4, 2021 Committee of Adjustment hearing where the decision was tabled to allow City staff and the public to review the additional variances that were identified but not included on the Notice of Hearing. The purpose of the Minor Variance application is to facilitate the development of a single detached dwelling on the lot that is to be severed. The requested minor variances for the lands to be retained reflect the existing legal non-conformities at 130 Huxley Avenue South. The additional required variances below reflect Variances Nos. 9, 10 and 11 as shown on the enclosed Committee of Adjustment Sketch:

Lands to be Severed

- Variance No. 9: Front yard parking shall be permitted.

Lands to be Retained

- Variance No. 10: A minimum front yard landscaped area of 30% shall be provided instead of the minimum required front yard landscaped area of 50%.
- Variance No. 11: Front yard parking shall be permitted.

The reasoning for the decision by the Committee of Adjustment to table the application was to allow time for City of Hamilton staff to review the additional requested variances noted Variance No. 9, 10 and 11 above. Variance No. 10 relates to required front yard landscaped area. The City of Hamilton Zoning By-law No. 6593 requires 50% of the front yard to be landscaped area. The proposed severed lands meets the requirement and provides 67% landscaped area whereas the proposed retained lands falls to 33% landscaped area. Below includes an image of the existing landscaped area on site which is established and is proposed to remain. The existing landscaped area of the site is similar to the surrounding neighbouring and maintains the general intent of the Zoning by-law to provide landscaped area in the front yard. As there are no proposed changes to the proposed retained lands to the dwelling or front yard the retained lands meets the general intent of the Official Plan, is considered minor in nature and appropriate development for the surrounding neighbourhood.



Image 1: Front Yard Landscape Area (Retained Lands)

Variances Nos. 9 & 11 is regarding front yard parking. Front yard parking is currently occurring on many properties in the surrounding area either due to driveway restrictions or the homeowner choosing to park their car in the front yard as shown in Image 2 below. Front yard parking is common in this neighbourhood and is considered minor in nature and appropriate. The general intent of the Official Plan is maintained as a residential Neighbourhoods lands and will provide the required parking as per the City of Hamilton Zoning By-law and therefore is aligned with the general intent of the City of Hamilton Zoning By-law.

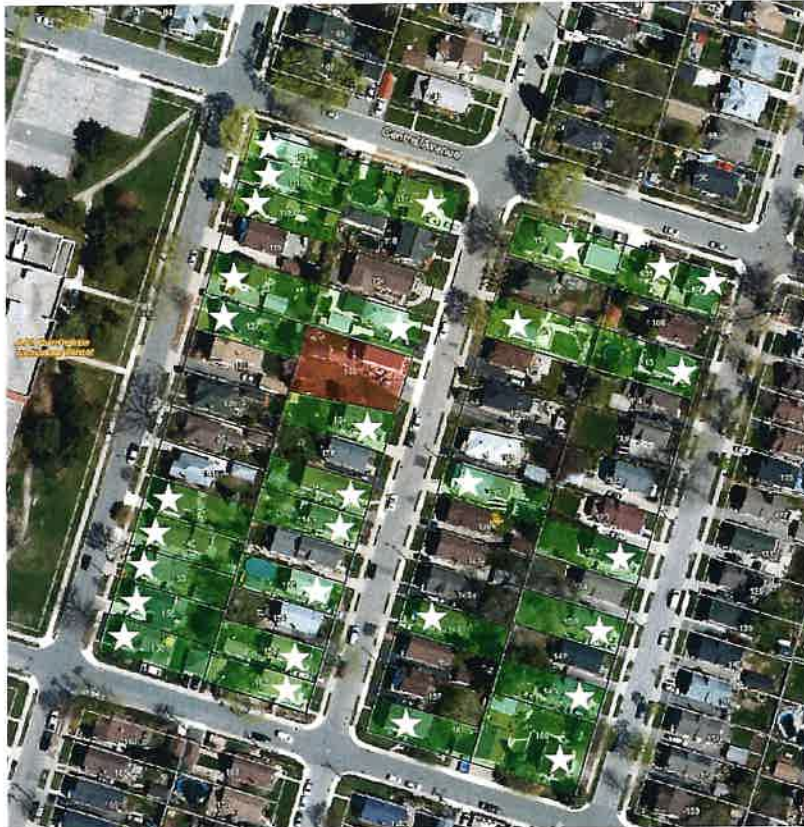
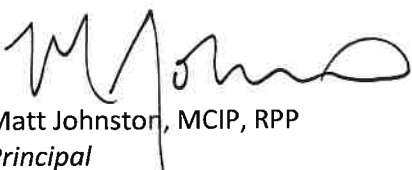


Image 2: ☆ Properties which driveways require front yard parking.

Together, the additional variances and those contained on the initial Notice of Hearing dated January 19, 2021 satisfy the 4 tests in Section 45 of the *Planning Act* and allow for the appropriate severance of the lands as per Section 53 of the *Planning Act*.

In support of this application, please find enclosed one (1) PDF of the revised Committee of Adjustment Sketch. At this time, we request to be put on the next available Committee of Adjustment agenda. We trust the enclosed is in order; however, please feel free to contact the undersigned with any questions.

Regards,
UrbanSolutions


Matt Johnston, MCIP, RPP
Principal


Laura Drennan
Planning Technician

cc: Councillor Merulla, Ward 4
Mr. Stephen Ford
Mr. Charles Wah
Mr. Sergio Manchia, UrbanSolutions Planning & Lands Development Consultants Inc.