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-21:75

APPLICANTS: R. Woolgar & M. Woolgar

SUBJECT PROPERTY: Municipal address 50 Picton St. W., 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 creation of two (2) new lots and to permit the

construction of a two (2) family dwelling on each lot upon demolition

of all existing buildings, notwithstanding,

- 1. A minimum front yard depth of 2.0 metres shall be permitted for both the lands to be conveyed and the lands to be retained instead of the minimum required front yard depth of 6.0 metres:
- 2. A minimum side yard width of 0.9 metres shall be permitted for both the lands to be conveyed and the lands to be retained instead of the minimum required side yard width of 1.2 metres for a building not exceeding two and a half storeys or 11.0 metres in height.
- 3. A minimum lot width of 9.1 metres and a minimum lot area of 412 square metres shall be permitted for both the lands to be conveyed and the lands to be retained instead of the minimum lot width of 18.0 metres and the minimum lot area of 540.0 square metres required to be provided for a two (2) family dwelling;
- 4. A minimum of 22% of the gross area of the front yard shall be provided as landscaped area for both the lands to be conveyed and the lands to be retained instead of providing a minimum of 50% of the gross area of the front yard required to be provided as landscaped area;
- 5. No onsite manoeuvring space shall be provided for both the lands to be conveyed and the lands to be retained instead of providing a manoeuvring space with a minimum of 6.0 metres required to be provided abutting upon and accessory to each required parking space;
- 6. A minimum parking space size of 2.6 metres in width by 6.0 metres in length shall be provided for both the lands to be conveyed and the lands to be retained instead of providing the minimum required parking space size of 2.7 metres in width by 6.0 metres in length;

7. The access driveway for both the lands to be conveyed and the lands to be retained shall be permitted to be composed of permeable and non-permeable materials instead of providing gravel or similar surface or other suitable paving for an access driveway accessory to a two (2) family dwelling.

NOTES:

- 1. The applicant shall ensure the proposed building height is provided in accordance with the definition of Height and Grade as defined within the Zoning By-law.
- 2. Details regarding any proposed yard encroachments have not been provided. Further variances will be required if compliance with Section 18(3)(vi) of the Zoning By-law ("Encroachments on Yards") cannot be complied with for both the lands to be conveyed and the lands to be retained.
- 3. The applicant shall ensure the front yard landscaping calculation has been provided in accordance with Section 18(14) of the Zonign By-law ("Special Requirements for Front Yard Landscaping").
- 4. A further variance will be required should any portion of the required parking spaces be obstructed by any features, including a door swing.
- 5. A further variance will be required if the finished level of the garage floor is not a minimum of 0.3 metres above Grade, as defined within the Zoning By-law.

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

DATE: Thursday, April 1st, 2021

TIME: 1:55 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

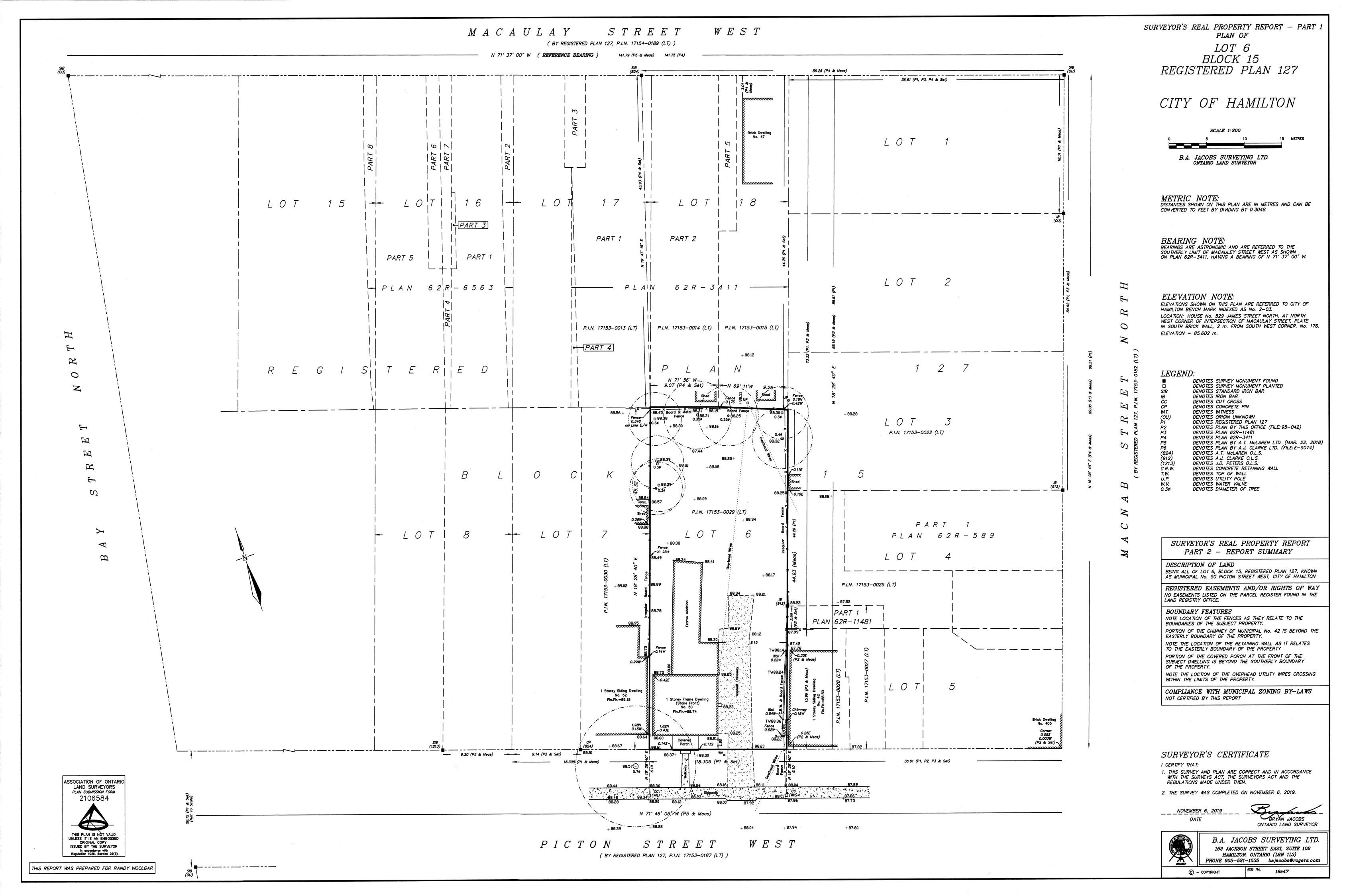
For more information on this matter, including access to drawings illustrating this request:

- Visit <u>www.hamilton.ca/committeeofadjustment</u>
- 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 16th, 2021.

Jamila Sheffield, Secretary-Treasurer Committee of Adjustment HM/A-21: 75 Page 3

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-Storey Wood Dwelling 52 Picton St. West. 48/50 Picton Street 0.9m Side Yard 2.0m Proposed Minor Variances City boulevard -Landscaped Area Landscaping Non-Permeable Driveway Material

Permeable Driveway Material Parking Space 2.6m x 6m Non-Permeable Driveway Material

Non-Permeable Driveway Material Unit B \sim Integrated Garage \gg Unit A Permeable Driveway Material
Non-Permeable Driveway Material Parking Space 0.9m Side Yard 2.6m x 6m Permeable Driveway Material Landscaped Area Proposed Landscaped Area Landscaping Permeable Driveway Material Non-Permeable Driveway Material Permeable Driveway Material

Non-Permeable Driveway Material Parking Space 0.9m Side Yard -2.6m x 6m Front yard areas of 18.3 m² are comprised of 22% Grass/landscaping Permeable Driveway Material

Non-Permeable Driveway Material Unit A Unit B 30% Permeable material (Ecoraster comparable) ✓Integrated Garage 48% Non-permeable material Parking Space Non-Permeable Driveway Material
Permeable Driveway Material Landscaped Area 10 METRES

1-Storey Wood Dwelling

42 Picton St. West.

2.0m ___

Landscaped Area

Landscaped Area

1.06m

48/50 Picton Street

Elevations

Two mirror-image 289m² dwellings featuring two units each.

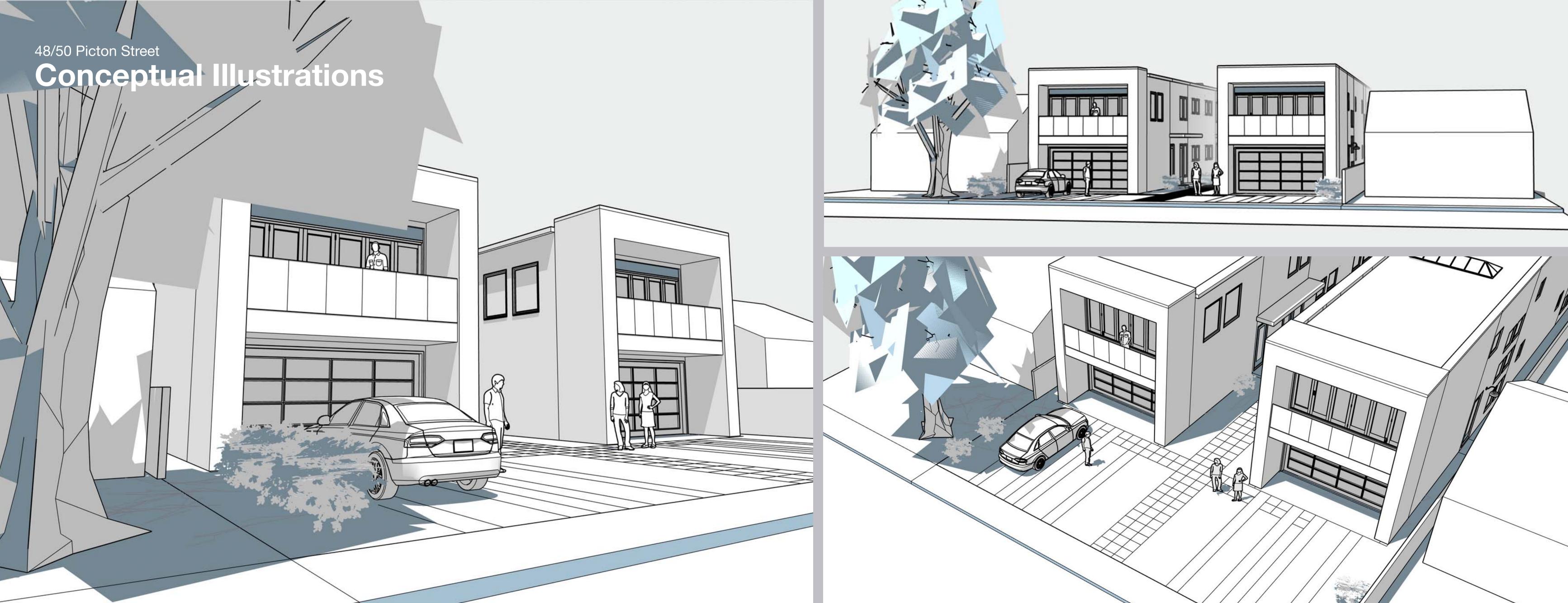
UNIT "A" (118m²)

- 2 Bdrm
- 2 x 3pc Bath
- 2 x Powder Room
- 23.5m² unfinished BSMT

UNIT "B" (171m²)

- 3 Bdrm + Den
- 3 x 3pc Bath
- 2 x Powder Room
- 68m² unfinished BSMT







Committee of Adjustment

City Hall, 5th Floor, 71 Main St. W., Hamilton, ON L8P4Y5

Phone: (905) 546-2424 ext. 4221

Email: cofa@hamilton.ca

APPLICATION FOR A MINOR VARIANCE

FOR OFFICE USE ONLY	ſ.
APPLICATION NO.	DATE APPLICATION RECEIVED
PAID	DATE APPLICATION DEEMED COMPLETE
SECRETARY'S SIGNATURE	

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, 2	NAME	ADDRESS	
Registered Owners(s)			
Applicant(s)*			
Agent or Solicitor			

Note: Unless otherwise requested all communications will be sent to the agent, if any.

3. Names and addresses of any mortgagees, holders of charges or other encumbrances:

Additional sheets can be submitted if there is not sufficient room to answer the following questions. Additional sheets must be clearly labelled

4.	Nature and ext	ent of relief appli	ed for:
5.	Why it is not po	essible to comply	with the provisions of the By-law?
6.	•		of subject lands (registered plan number and lot number or re applicable, street and street number):
7.		SE OF PROPERT	
	Residential	Industria	al Commercial
	Agricultural	Vacant	
	Other		
8.1	If Industrial or (Commercial spec	cify use
8.2		g of the subject la	and been changed by adding earth or other material, i.e.
	Yes	No	Unknown
8.3	•		on the subject land or adjacent lands at any time?
. .			Unknown
8.4		•	ner fuel stored on the subject land or adjacent lands? Unknown
8.5	Are there or ha	ve there ever bed adjacent lands?	en underground storage tanks or buried waste on the
	Yes		Unknown
8.6		products may ha	s ever been used as an agricultural operation where ave been used as pesticides and/or sewage sludge was
			Unknown
8.7		-	s ever been used as a weapon firing range?
8.8			Unknown
0.0		-	he application within 500 metres (1,640 feet) of the fill area al landfill or dump?
			Unknown
8.9			y existing buildings, are there any building materials entially hazardous to public health (eg. asbestos, PCB's)?
	Yes	No	Unknown

	uses on the site or	adjacent sites?			
	Yes N	lo Ui	nknown		
8.11	What information di	d you use to dete	ermine the answe	ers to 9.1 to 9.10 above?	
8.12		ory showing all fo	ormer uses of the	or if YES to any of 9.2 to 9.10 subject land, or if appropriate	
	Is the previous use	inventory attache	ed? Yes	No	
9.	ACKNOWLEDGEN	MENT CLAUSE			
	I acknowledge that	the City of Hamilt amination on the	property which is	sible for the identification and sthe subject of this Application Randylloofur Walge.	n – by
	Date		Signature F	Property Owner	
			Print Name	e of Owner	
10.	Dimensions of land	s affected:			
	Frontage				
	Depth				_
	Area				_
	Width of street				_
11.		•		sed for the subject lands: (Spess, width, length, height, etc.)	•
	Proposed				
12.	Location of all build distance from side, Existing:	•		d for the subject lands;(Spec	cify
	Proposed:				

Is there any reason to believe the subject land may have been contaminated by former

Date of construction of all buildings and structures on subject lands:
Existing uses of the subject property:
Existing uses of abutting properties:
Length of time the existing uses of the subject property have continued:
Municipal services available: (check the appropriate space or spaces) Water Connected
Sanitary Sewer Connected
Storm Sewers Present Official Plan/Secondary Plan provisions applying to the land:
Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
Has the owner previously applied for relief in respect of the subject property? Yes No
If the answer is yes, describe briefly.
Is the subject property the subject of a current application for consent under Section 53 the <i>Planning Act</i> ?
Yes No
Additional Information
The applicant shall attach to each copy of this application a plan showing the dimension of the subject lands and of all abutting lands and showing the location, size and type of

The *Planning Act*Application for Minor Variance
Subject Property: 50 Picton Street West, Hamilton ON.

Note: An application is also being made simultaneously by the owner for consent to sever land. The intent is to divide the above lot in two parts – minor variances for lands 'retained' and lands 'severed' are described separately below.

Development Context: The owners of the property wish to construct a pair of environmentally sustainable duplex dwellings with extensive use of permeable walkway and driveway surfaces. Proposed construction technique will be Insulated Concrete Forms (ICF) and will result in a highly energy efficient building envelope. The duplex dwellings have the potential to be net-zero when combined with roof-top solar panels.

Item 4. Nature and extent of relief applied for:

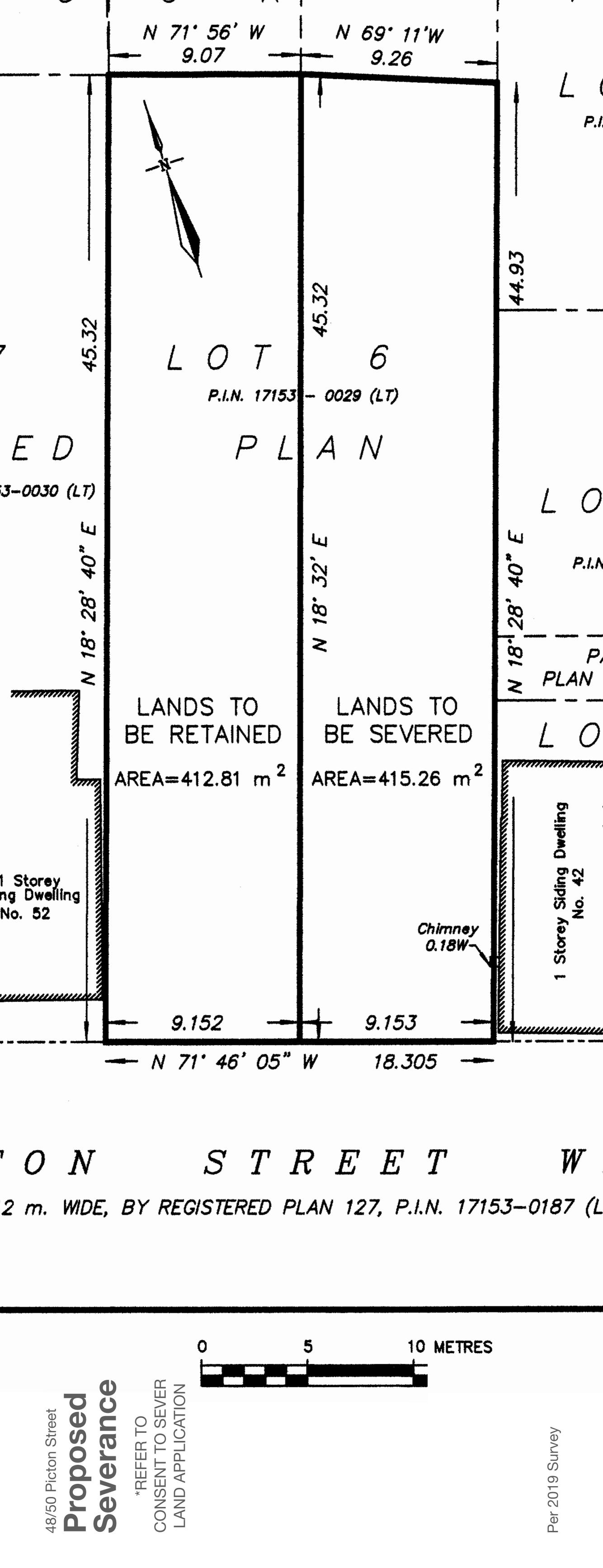
The purpose of this application is to permit a lot to be retained, permit the demolition of the existing single-family dwelling, and permit construction of a new 2 storey, two (2) family dwelling (referred to as 50 Picton Street West). In addition, to permit a lot to be conveyed for the construction of a new 2 storey, two (2) family dwelling (referred to as 48 Picton Street West)

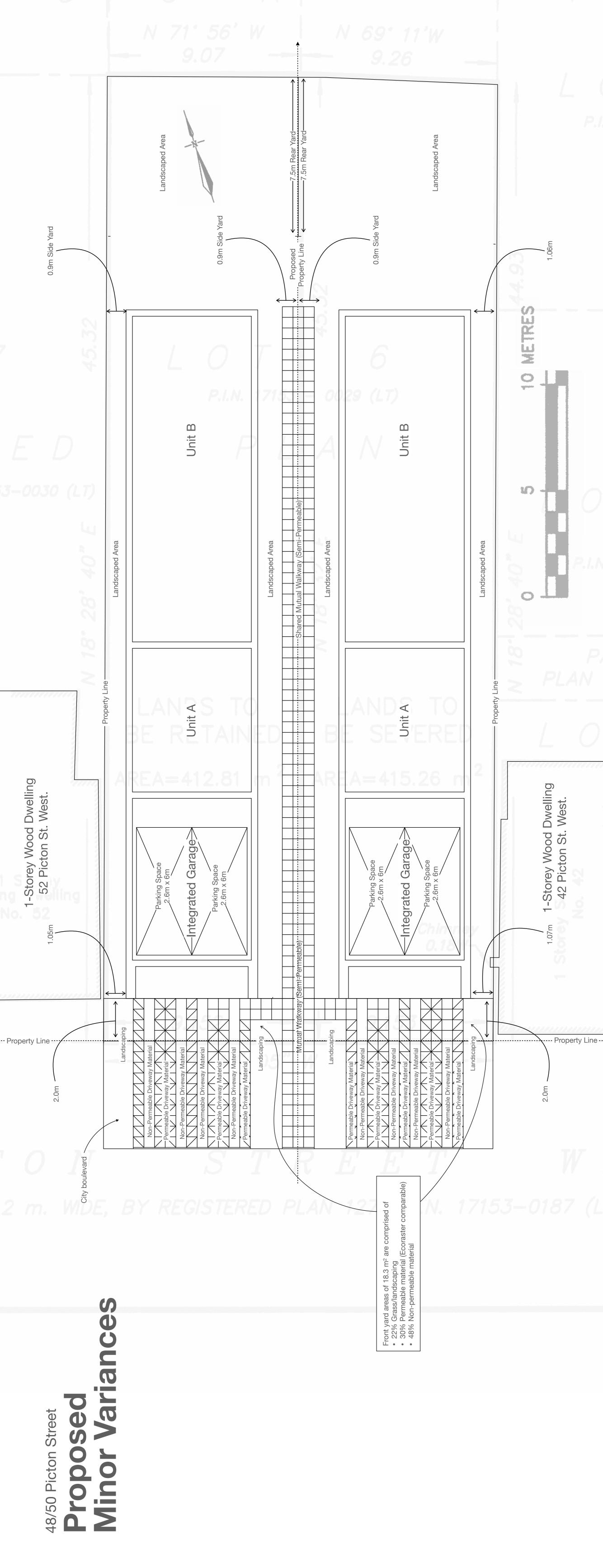
For the lands to be retained (50 Picton Street West):

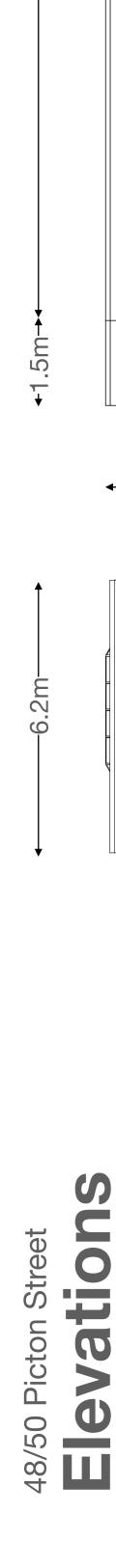
- 1. A minimum lot width of 9.152m instead of a minimum required lot width of 18.0m.
- 2. A minimum lot area of 412.81m instead of the minimum required lot area of 540m2.
- **3.** Minimum side yards of 0.9m instead of the minimum required side yards of 1.2m. (Note that there are numerous precedents in the immediate area where the side yards are less than 0.9m.)
- **4.** A minimum front yard depth of 2.0m instead of the minimum required 6.0m. (Note that there are numerous precedents in the immediate area where the front yard depths are between 0.2m and 2.0m)
- 5. A minimum of 30% of the front yard shall be used for a landscaped area instead of the requirement in the By-Law, which states that no less than 50 % of the gross area of the front yard shall be used for a landscaped area, excluding concrete, asphalt, gravel, pavers or other similar materials. (Note that the proposed front yard is 2.0m deep x 9.152m wide. Applicants propose a blend of approximately 48% non-permeable driveway material, 30% fully permeable, sod covered paving system, and 22% traditionally landscaped area. See sketch.)
- 6. Provision for an easement to construct a shared pedestrian pathway between properties that is a minimum of 1.0m in width.
- **7.** Additional relief may be required depending on the city's definition of habitable rooms. Currently, we have a total of 8 habitable rooms above grade. Below grade unfinished and partially finished storage area is not considered habitable.

For the lands to be conveyed (referred to as 48 Picton Street West):

- 1. A minimum lot width of 9.153m instead of a minimum required lot width of 18.0m.
- 2. A minimum lot area of 415.26m instead of the minimum required lot area of 540m2.
- **3.** Minimum side yards of 0.9m instead of the minimum required side yards of 1.2m. (Note that there are numerous precedents in the immediate area where the side yards are less than 0.9m.)
- **4.** A minimum front yard depth of **2.0**m instead of the minimum required **6.0**m. (Note that there are numerous precedents in the immediate area where the front yard depths are between 0.2m and 2.0m)
- 5. A minimum of 30% of the front yard shall be used for a landscaped area instead of the requirement in the By-Law, which states that no less than 50 % of the gross area of the front yard shall be used for a landscaped area, excluding concrete, asphalt, gravel, pavers or other similar materials. (Note that the proposed front yard is 2.0m deep x 9.152m wide. Applicants propose a blend of approximately 48% non-permeable driveway material, 30% fully permeable, sod covered paving system, and 22% traditionally landscaped area. See sketch.)
- 6. Provision for an easement to construct a shared pedestrian pathway between properties that is a minimum of 1.0m in width.
- **7.** Additional relief may be required depending on the city's definition of habitable rooms. Currently, we have a total of 8 habitable rooms above grade. Below grade unfinished and partially finished storage area is not considered habitable.







dwellings featuring two units each. Two mirror-image 289m²

-m8.8

UNIT "A" (118m²)

- 2 Bdrm
- 2 x 3pc Bath2 x Powder Room

50 Picton Street W. - East Elevation

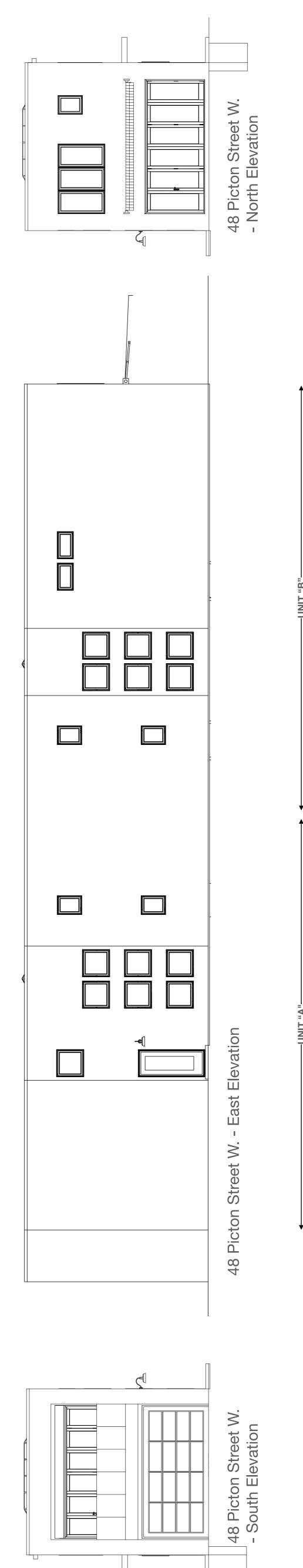
50 Picton Street W.

- South Elevation

- 23.5m² unfinished BSMT

• 3 Bdrm + Den

- 3 x 3pc Bath 2 x Powder Room
- 68m² unfinished BSMT



50 Picton Street W. - North Elevation

Based on informal design

