

## **NOTICE OF PUBLIC HEARING** **Minor Variance**

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**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-20:280

**APPLICANTS:** C. Brown on behalf of the owners E. Parker & C. Flora

**SUBJECT PROPERTY:** Municipal address **48 Lamoreaux St., Hamilton**

**ZONING BY-LAW:** Zoning By-law 6593, as Amended 19-307

**ZONING:** "D/S-1787" (Urban Protected Residential - One and Two Family Dwellings) district

**PROPOSAL:** To permit the construction of a 1.5 storey detached accessory structure to be located at the back of the existing single-family dwelling notwithstanding that;

1. A maximum height of 6.0 m shall be provided whereas the regulation in the By-Law states that no accessory building shall exceed 4.0 m in height; and

2. A minimum of 4.2 m manoeuvring space aisle width shall be provided for the 2 parking spaces to be located within the proposed detached garage instead of the minimum required 6.0 m manoeuvring space aisle width; and

Notes:

No accessory building shall be used for human habitation.

Please note that the variance requested for 57.87 m<sup>2</sup> GFA is not required.

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

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**DATE:** Thursday, May 6th, 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](http://www.hamilton.ca/committeeofadjustment)  
for viewing purposes only

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### **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:

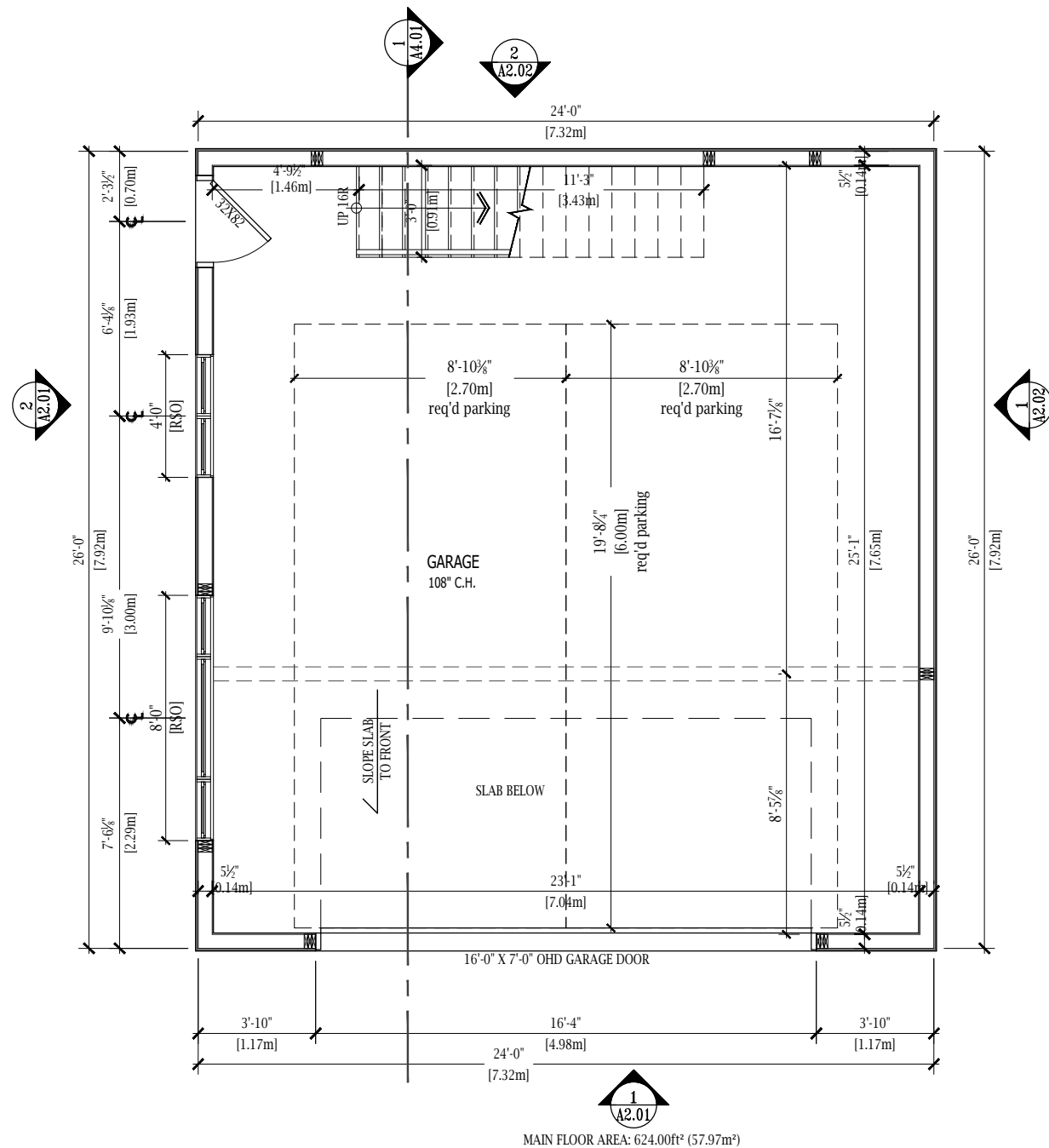
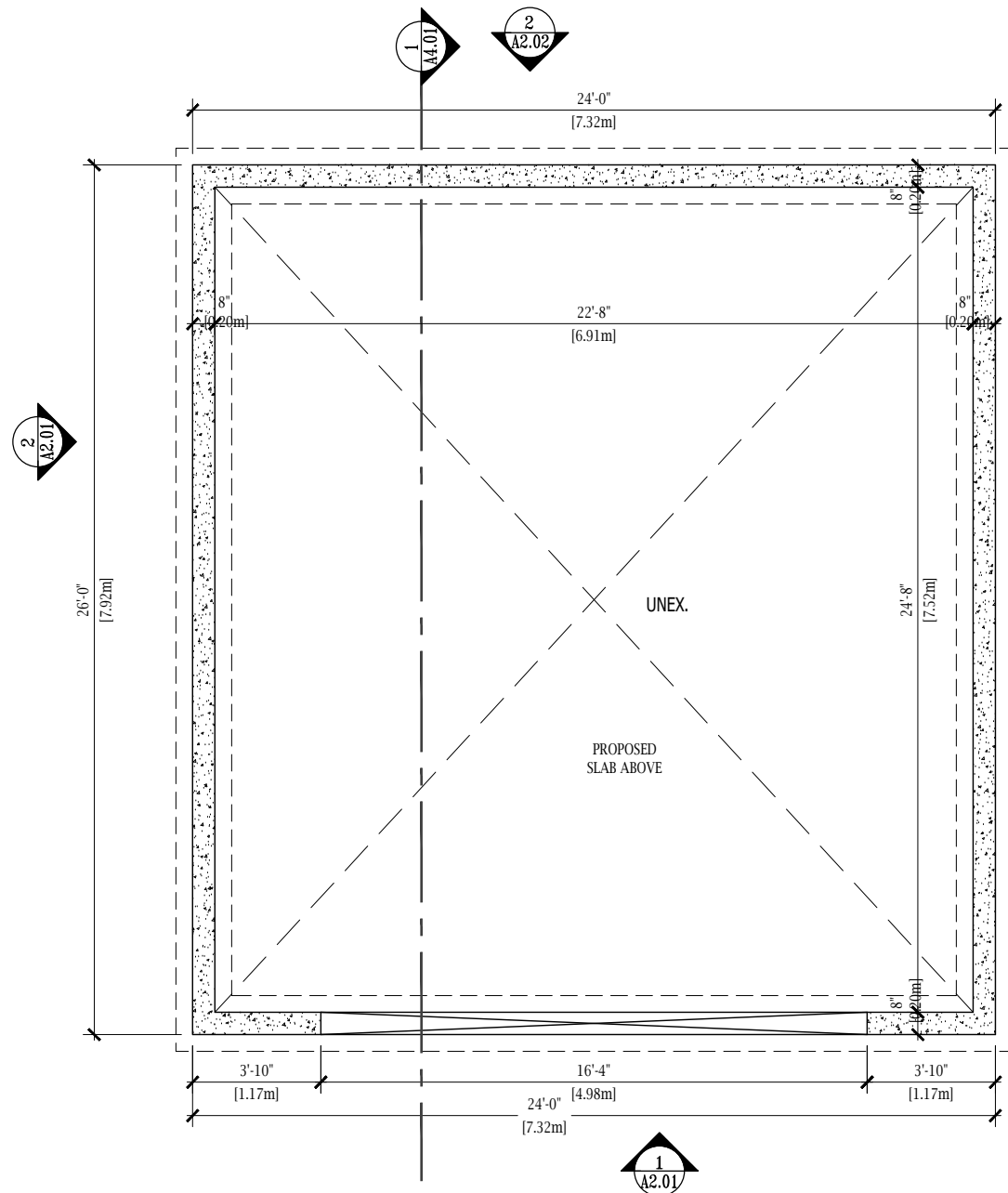
- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

DATED: April 20th, 2021.

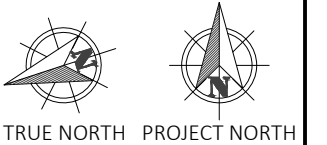
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Jamila Sheffield,  
Secretary-Treasurer  
Committee of Adjustment

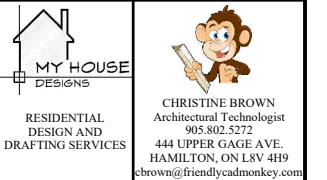
***Information respecting this application is being collected under the authority of the Planning Act, R.S.O., 1990, c. P. 13. All comments and opinions submitted to the City of Hamilton on this matter, including the name, address, and contact information of persons submitting comments and/or opinions,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



Drawings must NOT be scaled. Contractor must check and verify all dimensions, specifications and drawings on site and report any discrepancies to the designer prior to proceeding with any of the work.



4	03.16.21	RECIRCULATED FOR COA
3	12.01.20	ISSUED FOR COA
2	11.02.20	ISSUED FOR PRICING
1	10.01.20	ISSUED FOR PRELIM DESIGNS
REF.	DATE:	DESCRIPTION:



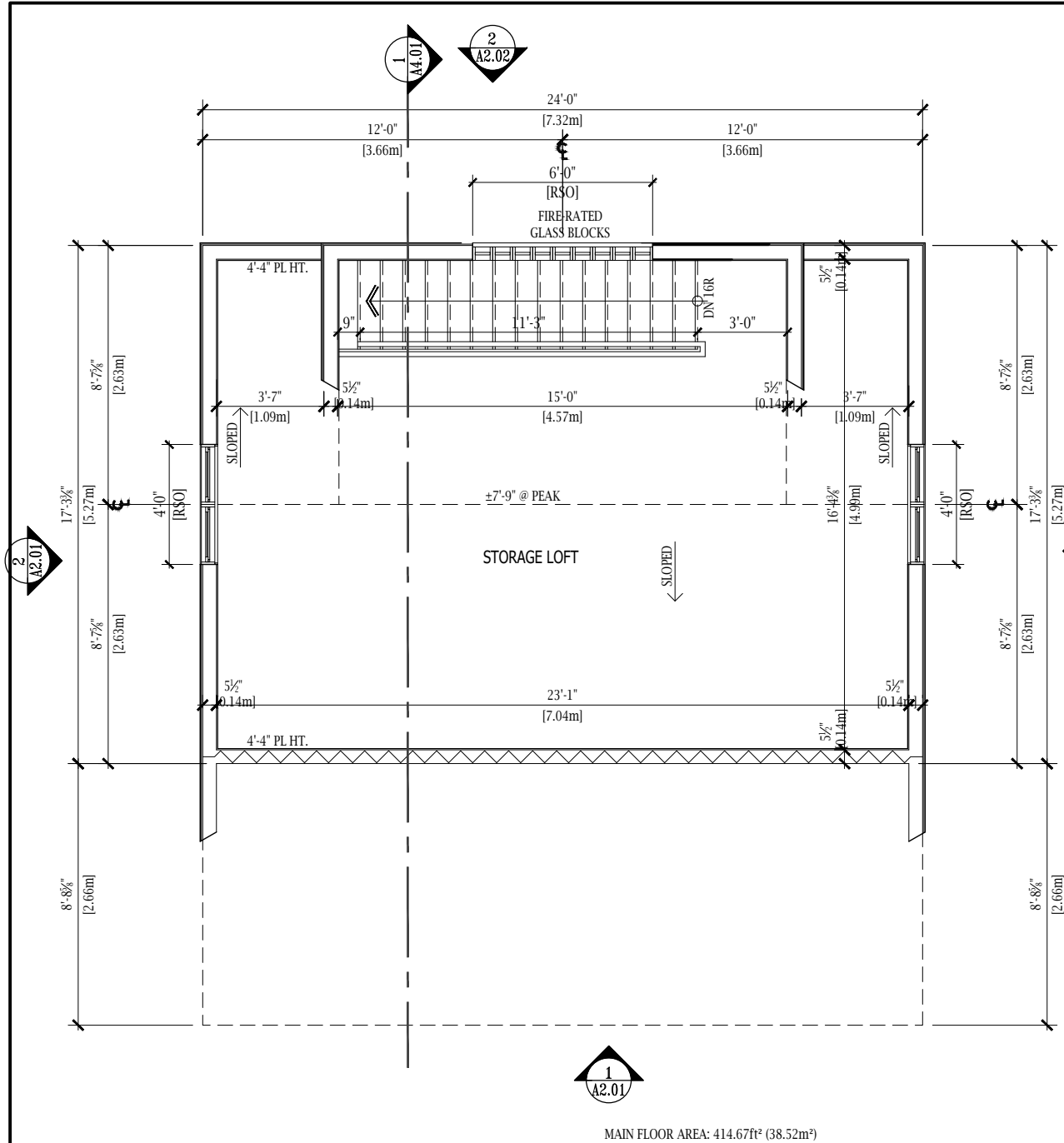
CLIENT:  
PARKER RESIDENCE

ADDRESS: 48 LAMOREAUX STREET  
CITY: HAMILTON, ONTARIO, L8R 1V1

DRAWING TITLE:  
FOUNDATION & MAIN  
FLOOR PLAN

DRAWN: CB	SCALE:
DATE: Mar. 16, 21	AS NOTED
JOB NO.: <b>20-145</b>	SHEET: <b>A1.01</b> of 6

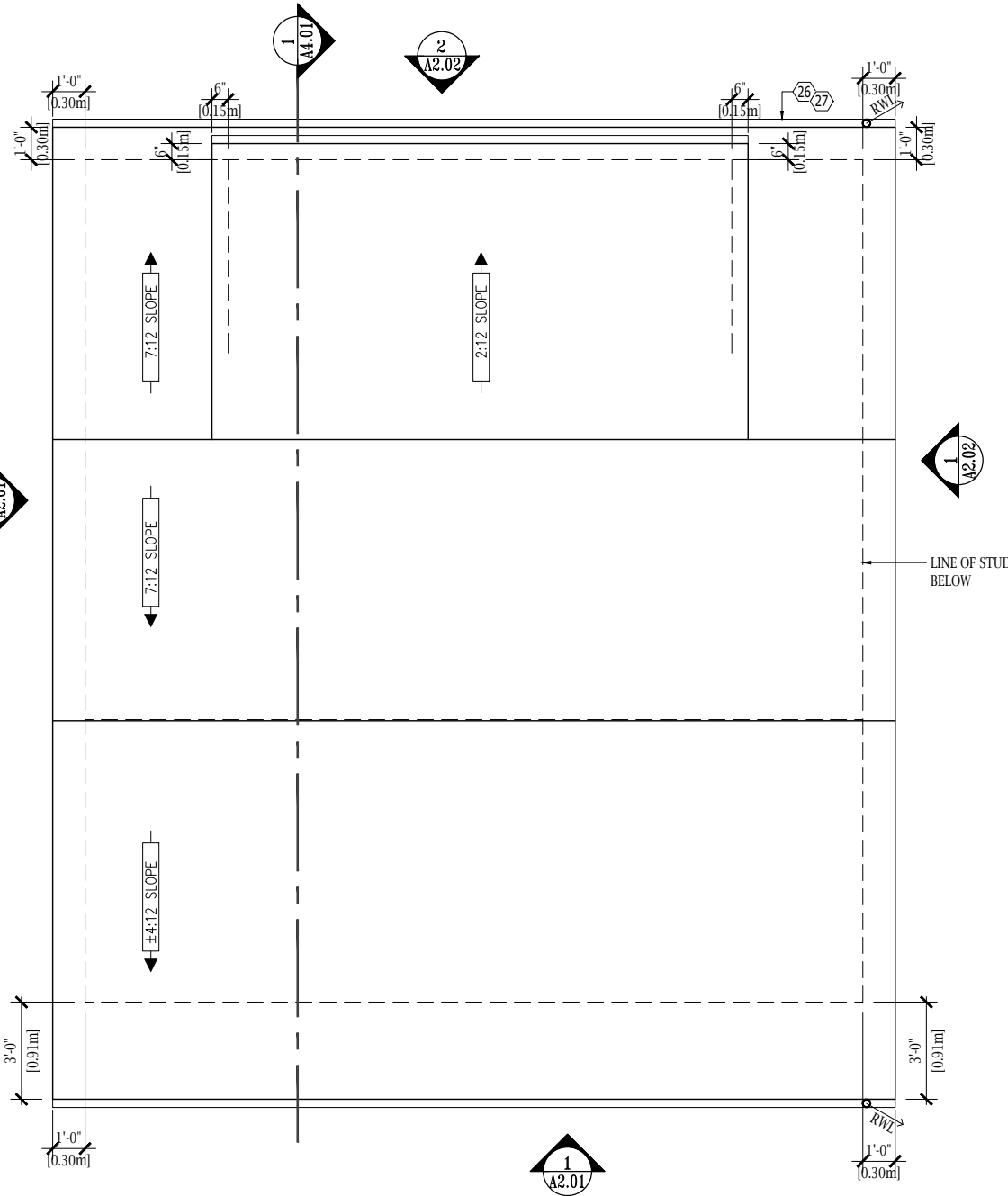
	Ministry of Municipal Affairs and Housing
	<b>QUALIFICATION INFORMATION</b>
THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DESIGN AND HAS THE QUALIFICATIONS AND MEETS THE REQUIREMENTS SET OUT IN THE ONT. BUILDING CODE TO BE A DESIGNER. REQUIRED UNLESS DESIGN IS EXEMPT UNDER DIVISION "C" SECTION 3.2 OF THE O.B.C.	
_____ CHRISTINE BROWN	 BCIN 37240
_____ MY HOUSE DESIGNS	 BCIN 113120



1  
A1.02

LOFT FLOOR PLAN

3/16" = 1'-0"



2  
A1.02

ROOF PLAN

3/16" = 1'-0"

Ministry of Municipal Affairs and Housing

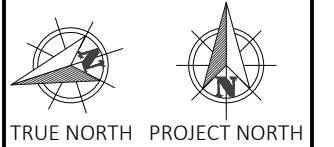
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CHRISTINE BROWN BCIN 37240

MY HOUSE DESIGNS BCIN 113120

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REF.	DATE:	DESCRIPTION:

MY HOUSE DESIGNS

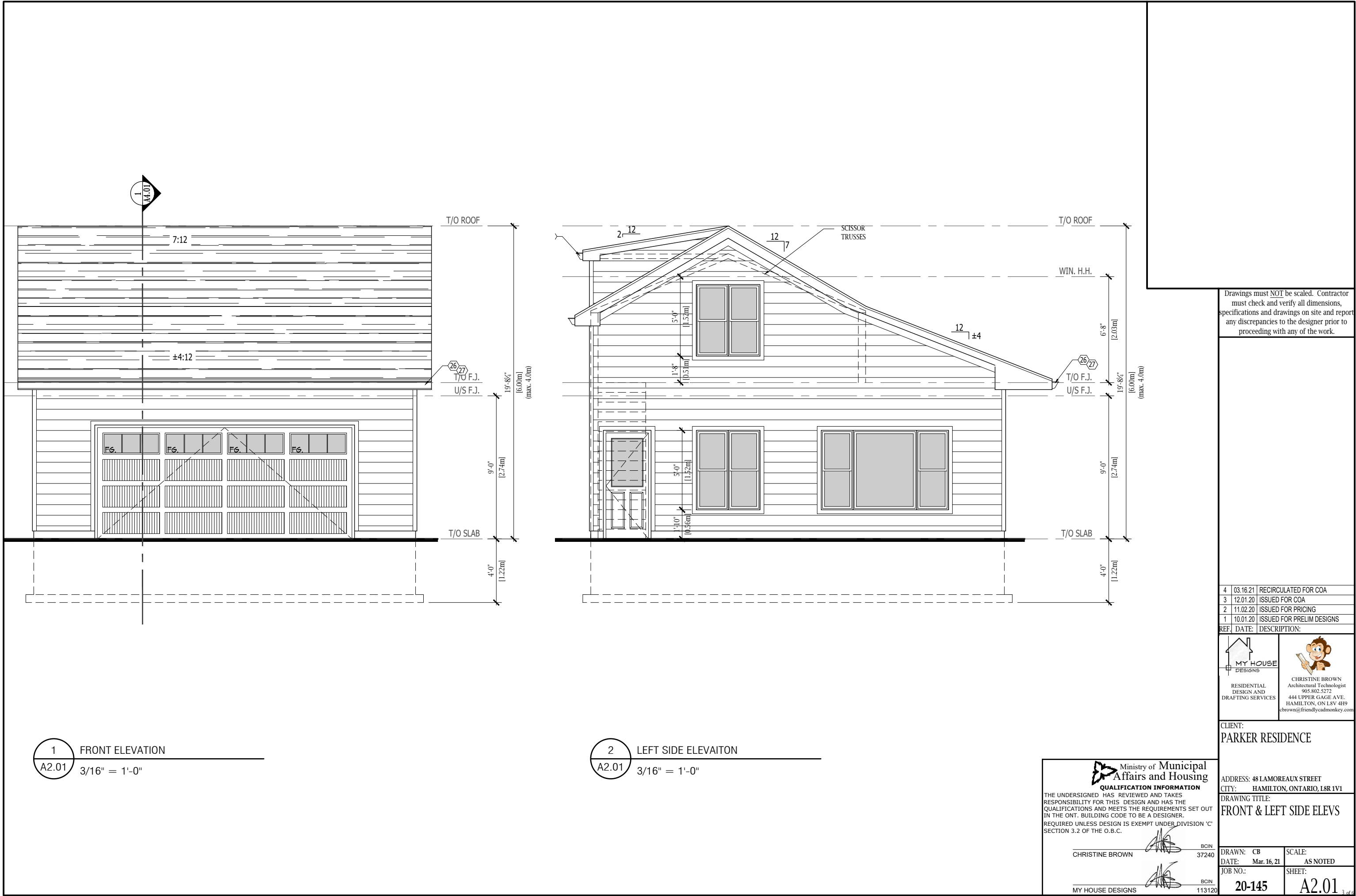
RESIDENTIAL DESIGN AND DRAFTING SERVICES

CHRISTINE BROWN  
Architectural Technologist  
905.802.5272  
444 UPPER GAGE AVE.  
HAMILTON, ON L8V 4H9  
cbrown@friendlycadmonkey.com

CLIENT:  
PARKER RESIDENCE


ADDRESS: 48 LAMOREAUX STREET  
CITY: HAMILTON, ONTARIO, L8R 1V1  
DRAWING TITLE:  
LOFT & ROOF PLAN

DRAWN: CB	SCALE: AS NOTED
DATE: Mar. 16, 21	SHEET:
JOB NO.: 20-145	A1.02




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MY HOUSE  
DESIGNS

RESIDENTIAL  
DESIGN AND  
DRAFTING SERVICES



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905.802.5272  
444 UPPER GAGE AVE.  
HAMILTON, ON L8V 4H9  
cbrown@friendlycadmonkey.com

CLIENT:  
PARKER RESIDENCE

ADDRESS: 48 LAMOREAUX STREET  
CITY: HAMILTON, ONTARIO, L8R 1V1  
DRAWING TITLE:  
FRONT & LEFT SIDE ELEVS



Ministry of Municipal  
Affairs and Housing

**QUALIFICATION INFORMATION**

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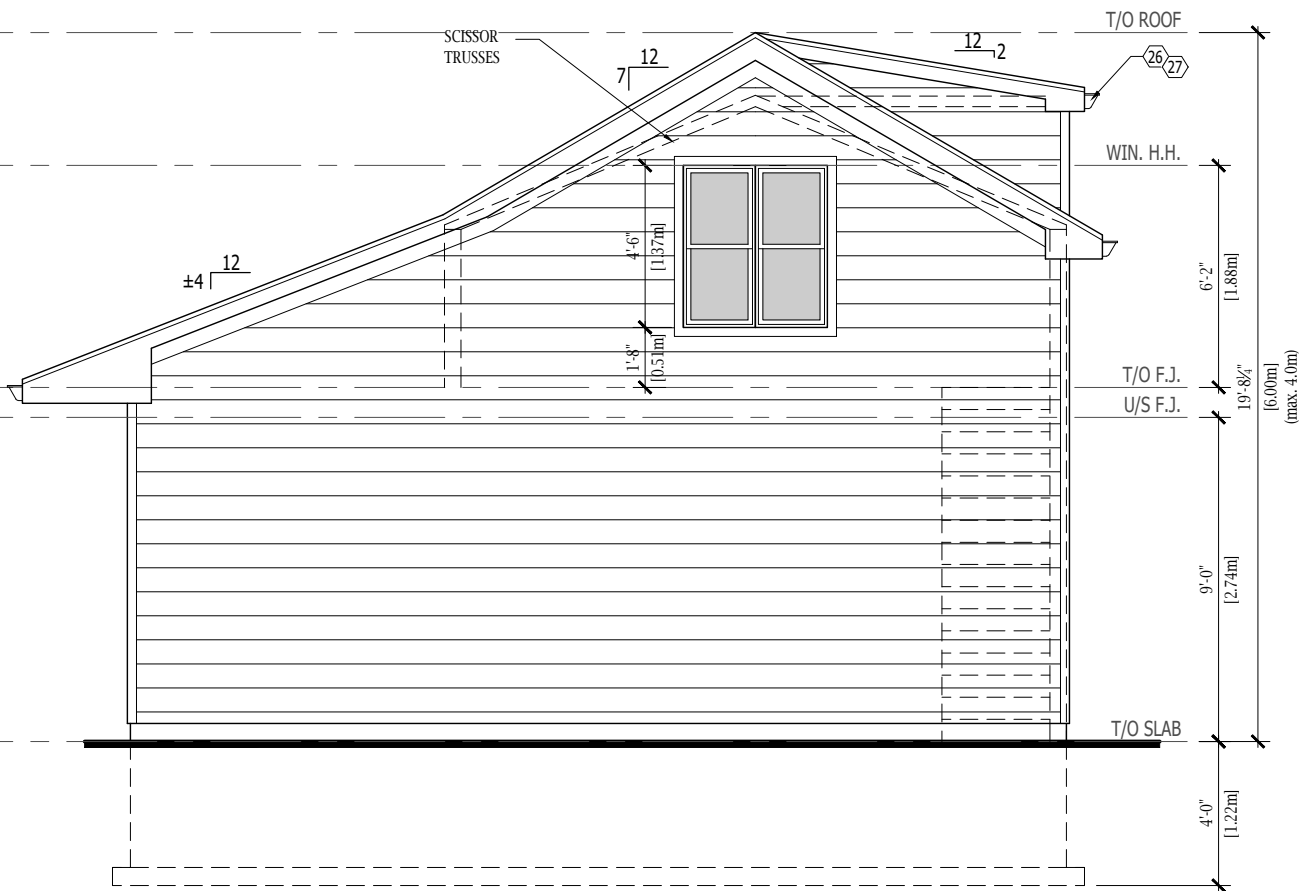
CHRISTINE BROWN

BCIN 37240

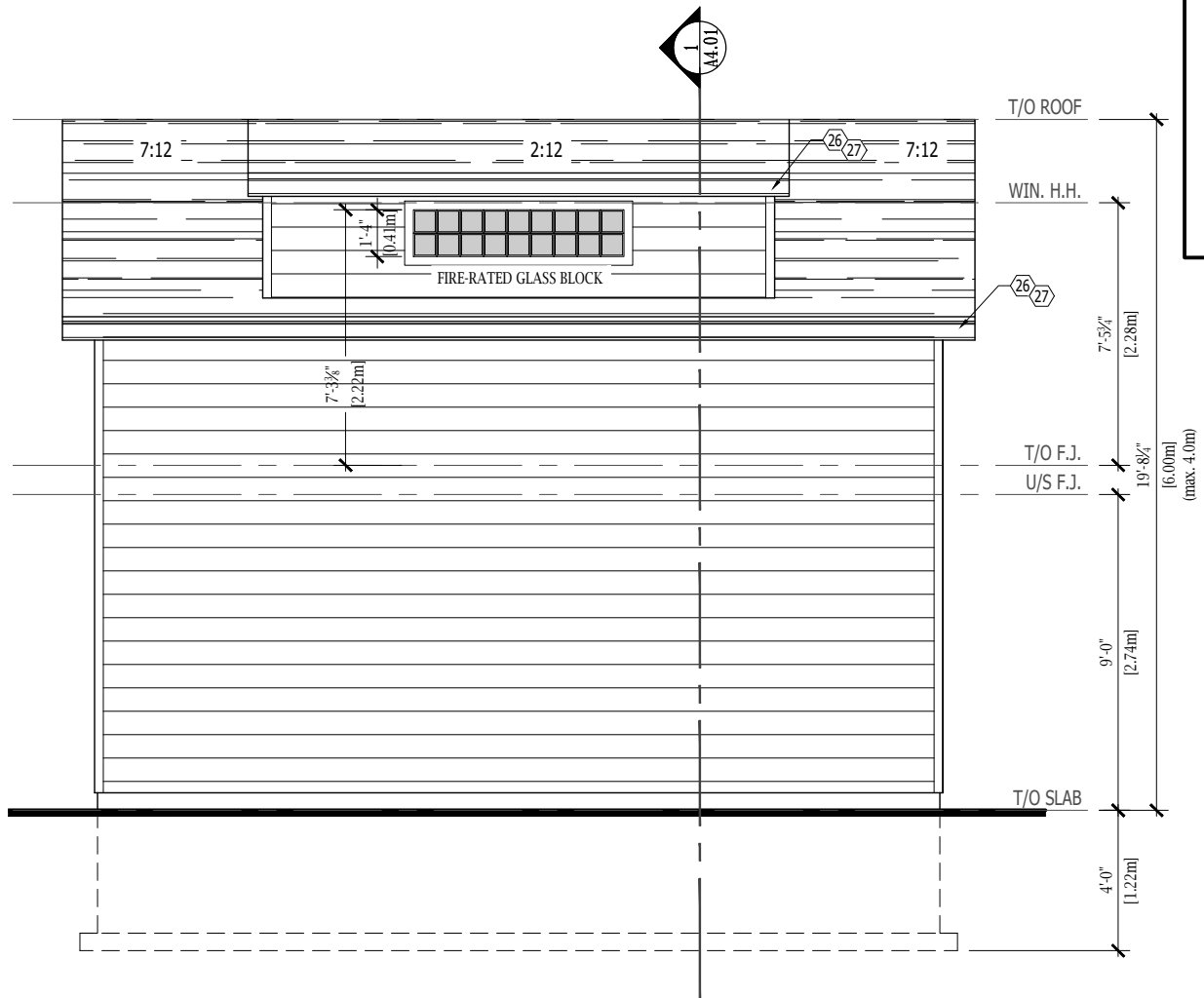
MY HOUSE DESIGNS

BCIN 113120

DRAWN: CB	SCALE:
DATE: Mar. 16, 21	AS NOTED
JOB NO.: 20-145	SHEET: A2.01



1 RIGHT SIDE ELEVATION  
A2.02 3/16" = 1'-0"



2 REAR ELEVATION  
A2.02 3/16" = 1'-0"

Ministry of Municipal Affairs and Housing  
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MY HOUSE DESIGNS BCIN 113120

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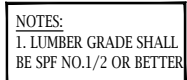
MY HOUSE DESIGNS  
RESIDENTIAL DESIGN AND DRAFTING SERVICES

CHRISTINE BROWN  
Architectural Technologist  
905.802.5272  
444 UPPER GAGE AVE.  
HAMILTON, ON L8V 4H9  
cbrown@friendlycadmonkey.com

CLIENT:  
PARKER RESIDENCE

ADDRESS: 48 LAMOREAUX STREET  
CITY: HAMILTON, ONTARIO, L8R 1V1  
DRAWING TITLE:  
RIGHT & REAR ELEVS

DRAWN: CB	SCALE:
DATE: Mar. 16, 21	AS NOTED
JOB NO.: 20-145	SHEET: A2.02



DRAWN: CB	SCALE:
DATE: Mar. 16, 21	AS NOTED
JOB NO.: <b>20-145</b>	SHEET: <b>A4.01</b> of 5





March 16, 2021

Dear Hamilton City Staff and Committee Members,

Thank you for reviewing our proposal to replace the 100+ year-old two-story barn structure in our backyard. The home we live in is said to be the first on the street and it is possible the lot parcels on the north side of Lamoreaux were cut at 189 feet long to incorporate this old barn into the 48 Lamoreaux property. The alley wraps from Lamoreaux to Lamoreaux in a U-shape and serves Dundurn, Florence and Lamoreaux.

For safety reasons, we had the barn shored up from the inside many years ago. It is listing and in a state of disrepair, but it is standing strongly. Our plan is to replace it with a useable garage / auxiliary building. The new structure will be similar and yet not quite the same.

The size of the newly designed structure is slightly bigger than the original and with a different shape. We would like to set the building in off the alley by a few feet for ease of passing it for all neighbours. Our intentions are to store a car in the ground level and maintain a storage area in the upper level.

We are including pictures of our barn as well as some pictures from our fence line of our neighbour's new studio to the west of our barn.

Thank you,

A handwritten signature in dark ink, appearing to be a stylized combination of 'EP' and 'CF' followed by a long horizontal flourish.

Elizabeth Parker and  
Christopher Flora

## Original Barn and Details

- 16 ft. x. 26 ft. two story wood frame steel clad outbuilding approximately 25 feet high from the ground to the peak
- Situated at the north west corner of the property



Roof line of 50 Lamoreaux studio building in the background



## 50 Lamoreaux New Studio Outbuilding

- Picture is of the south side of the studio building facing into the backyard of 50 Lamoreaux and house





Planning and Economic Development Department  
Planning Division

**Committee of Adjustment**  
City Hall  
5<sup>th</sup> 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.**

<b>FOR OFFICE USE ONLY.</b>	
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

Elizabeth Parker

/Christopher Flora

Telephone No.

905.536.9576

FAX NO.

E-mail address.

parker@judymarsales.com
2.

Address

48 Lamoreaux Street

Postal Code

L8R 1V1
3.

Name of Agent

Christine Brown

Telephone No.

905.802.5272

FAX NO.

E-mail address.

cbrown@friendlycadmonkey.com
4.

Address

444 Upper Gage Avenue

Postal Code

L8V 4H9

**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:  
to permit an accessory building of 57.87s.m. instead of the maximum allowed  
to permit a height of ~~6.5m~~ instead of the maximum allowed 4.0m  
6.0m  
To permit reduced manoeuvring space of 4.2m instead of the min. req'd 6.0m
7. Why it is not possible to comply with the provisions of the By-law?  
the existing barn that is being demolished is too close to the rear and sideyards.  
The existing barn is also 2-storeys and exceeds the height limit. The conditions  
have existed for over 100 years.
8. Legal description of subject lands (registered plan number and lot number or other  
legal description and where applicable, street and street number):  
48 Lamoreaux Street  
Lot 39, Registered Plan No. 359
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 \_\_\_\_\_ Unknown ✓
- 9.11 What information did you use to determine the answers to 9.1 to 9.10 above?  
The property has existed for 100+ years as a single family residence  
\_\_\_\_\_  
The answers to the questions are probably all "NO"  
\_\_\_\_\_  
\_\_\_\_\_
- 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.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature Property Owner

\_\_\_\_\_  
Print Name of Owner

10. Dimensions of lands affected:
- |                 |                   |
|-----------------|-------------------|
| Frontage        | <u>12.8m</u>      |
| Depth           | <u>57.3m</u>      |
| Area            | <u>733.54s.m.</u> |
| Width of street | <u>8.5m</u>       |
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: HOUSE:                      | Accessory Building:                 |
| footprint: 117.83s.m. GFA: 235.66s.m. | Footprint: 51.0s.m. GFA: 102s.m.    |
| 8.6m x 16.25m                         | 4.86m x 10.57m                      |
| 2-storey                              | ht. 2-storey                        |
| Proposed: HOUSE:                      | Footprint: 57.97s.m. GFA: 96.49s.m. |
| no change                             | 7.92m x 7.32m                       |
|                                       | ht <del>6.53m</del> 1.5storeys      |
|                                       | <b>HT: 6.0m</b>                     |
12. Location of all buildings and structures on or proposed for the subject lands;  
(Specify distance from side, rear and front lot lines)
- |                           |                           |
|---------------------------|---------------------------|
| Existing: HOUSE:          | Accessory Building:       |
| front: 1.73m rear:38.69m  | rear: 0.26m               |
| Lside: 2.98m Rside: 1.34m | Lside: 0.34m Rside: 7.02m |



	Proposed: HOUSE:	Accessory Building:
	no change	rear: 1.12m
		Lside: 0.61m Rside:4.24m
13.	Date of acquisition of subject lands: 2007	
14.	Date of construction of all buildings and structures on subject lands: 1900's	
15.	Existing uses of the subject property: Single Family Residential	
16.	Existing uses of abutting properties: Single Family Residential	
17.	Length of time the existing uses of the subject property have continued: approximately 120years at least	
18.	Municipal services available: (check the appropriate space or spaces)	
	Water <input checked="" type="checkbox"/>	Connected <input checked="" type="checkbox"/>
	Sanitary Sewer <input checked="" type="checkbox"/>	Connected <input checked="" type="checkbox"/>
	Storm Sewers <input checked="" type="checkbox"/>	
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 Zone S-1787	
21.	Has the owner previously applied for relief in respect of the subject property?	
	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
	If the answer is yes, describe briefly.	
	HM/A-13:267	
	front dormers & parking	
22.	Is the subject property the subject of a current application for consent under Section 53 of the <i>Planning Act</i> ?	
	<input type="checkbox"/> Yes	<input type="checkbox"/> 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**