

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.: DN/A-21:134

APPLICANTS: Shane VanBarneveld on behalf of the owners K. & S. Roszell

SUBJECT PROPERTY: Municipal address **39 Hillside Ave. S., Dundas**

ZONING BY-LAW: Zoning By-law 3581-86, as Amended 14-275

ZONING: "R2" (Single Detached Residential) Zone

PROPOSAL: To permit the construction of a second storey addition to the existing single detached dwelling notwithstanding that;

1. A minimum side yard setback of 1.88 metres shall be provided on the southerly side lot line instead of the minimum required side yard setback of 5.0 m on one side of an interior lot upon which there is no garage or carport.
2. A required parking space shall be permitted to be located in a required front yard, instead of the requirement that no required parking space shall be located in a required front yard, except for the access driveway leading to the required parking space.
3. A canopy, eave or gutter shall be permitted to project a maximum of 3.91 metres into the required southerly side yard and may be as close as 1.09 metres to the southerly lot line instead of the maximum 1.0 metre projection permitted.

NOTE:

1. A building permit is required for the proposed addition. Be advised that Ontario Building Code regulations may require specific setback and construction types.

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

DATE: Thursday, May 20th, 2021
TIME: 1:25 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: May 4th, 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.

RENOVATION TO:
ROSZELL
39 HILLSIDE AVE S DUNDAS ON L9H 4H7

NO.	REVISION	DATE
1	ISSUED FOR VARIANCE	2021.03.31
2		
3		
4		
5		

DRAWING:
**TITLE SHEET / GENERAL
INFO**

PROJECT NAME:
ROSZELL

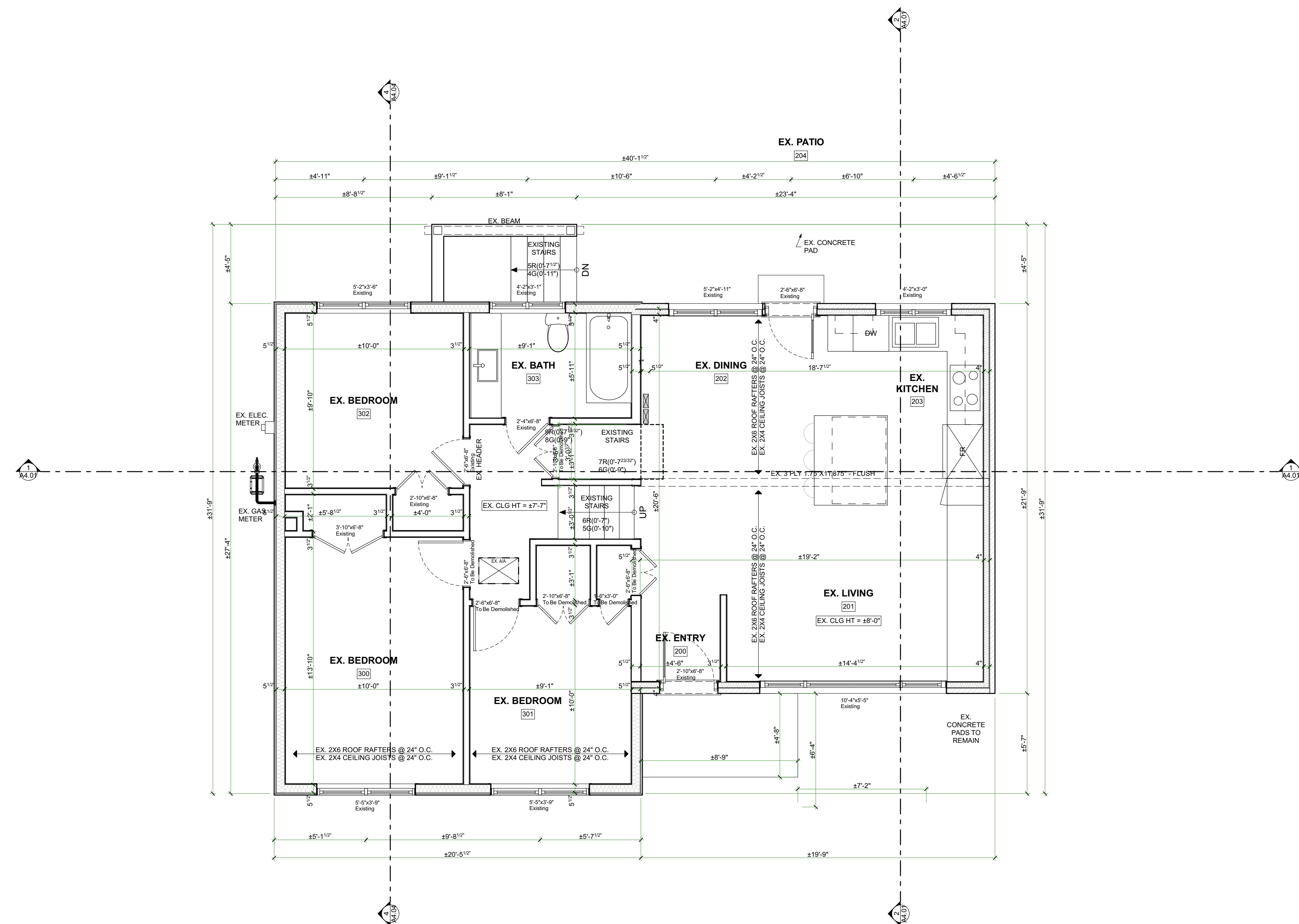
PROJECT ADDRESS:
39 HILLSIDE AVE S DUNDAS ON L9H 4H7

DATE: 4/1/2021		DRAWING NO: A0.01
SCALE: AS NOTED		
PROJECT NO: ---		



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

A1.01



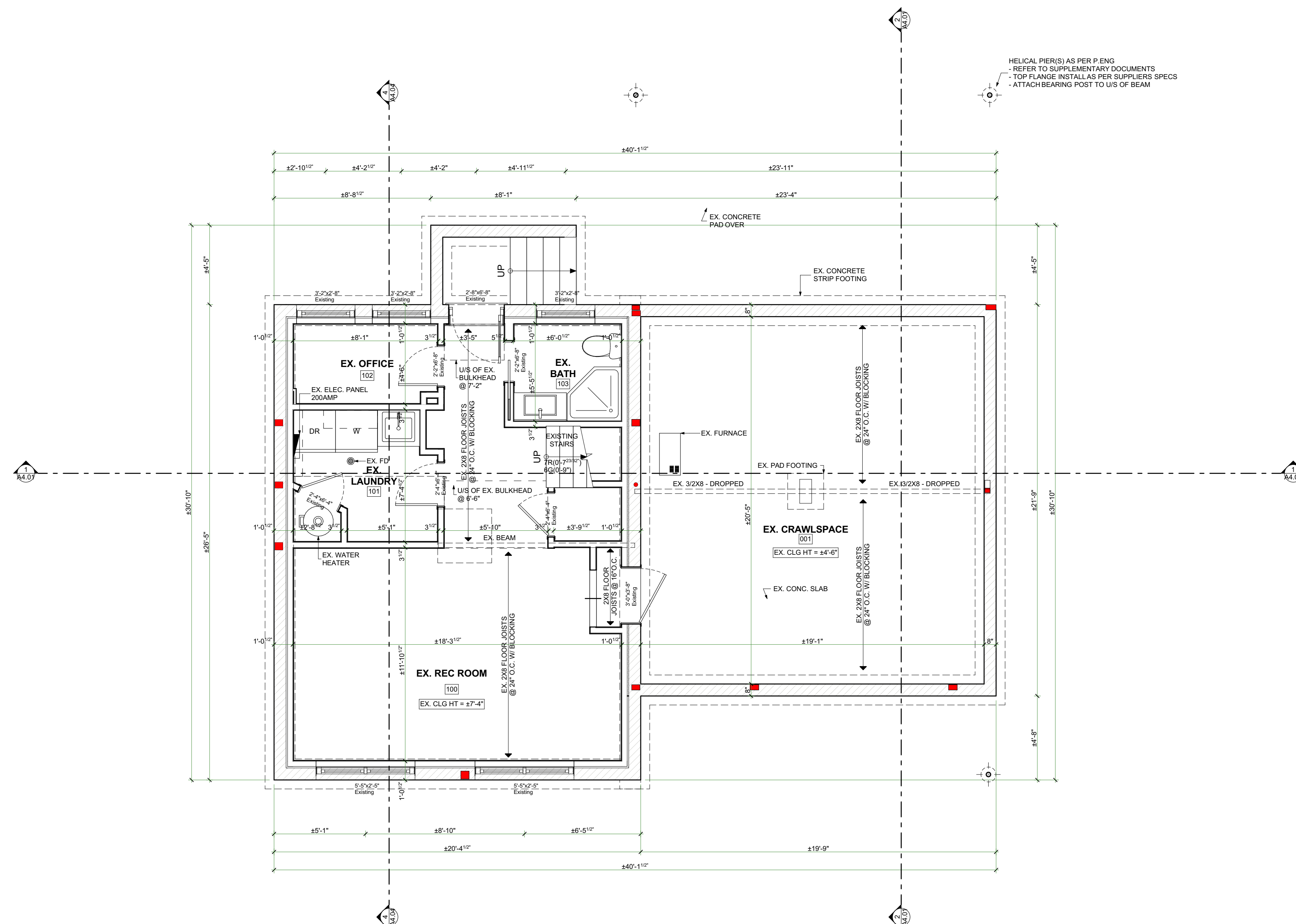
NO.	REVISION	DATE
1	ISSUED FOR VARIANCE	2021.03.31
2		
3		
4		
5		

DRAWING:
**EXISTING MAIN FLOOR
PLAN**

PROJECT NAME:
ROSZELL

PROJECT ADDRESS:
39 HILLSIDE AVE S DUNDAS ON L9H 4H7

DATE: 4/1/2021	DRAWING NO:
SCALE: AS NOTED	A1.02
PROJECT NO: ---	

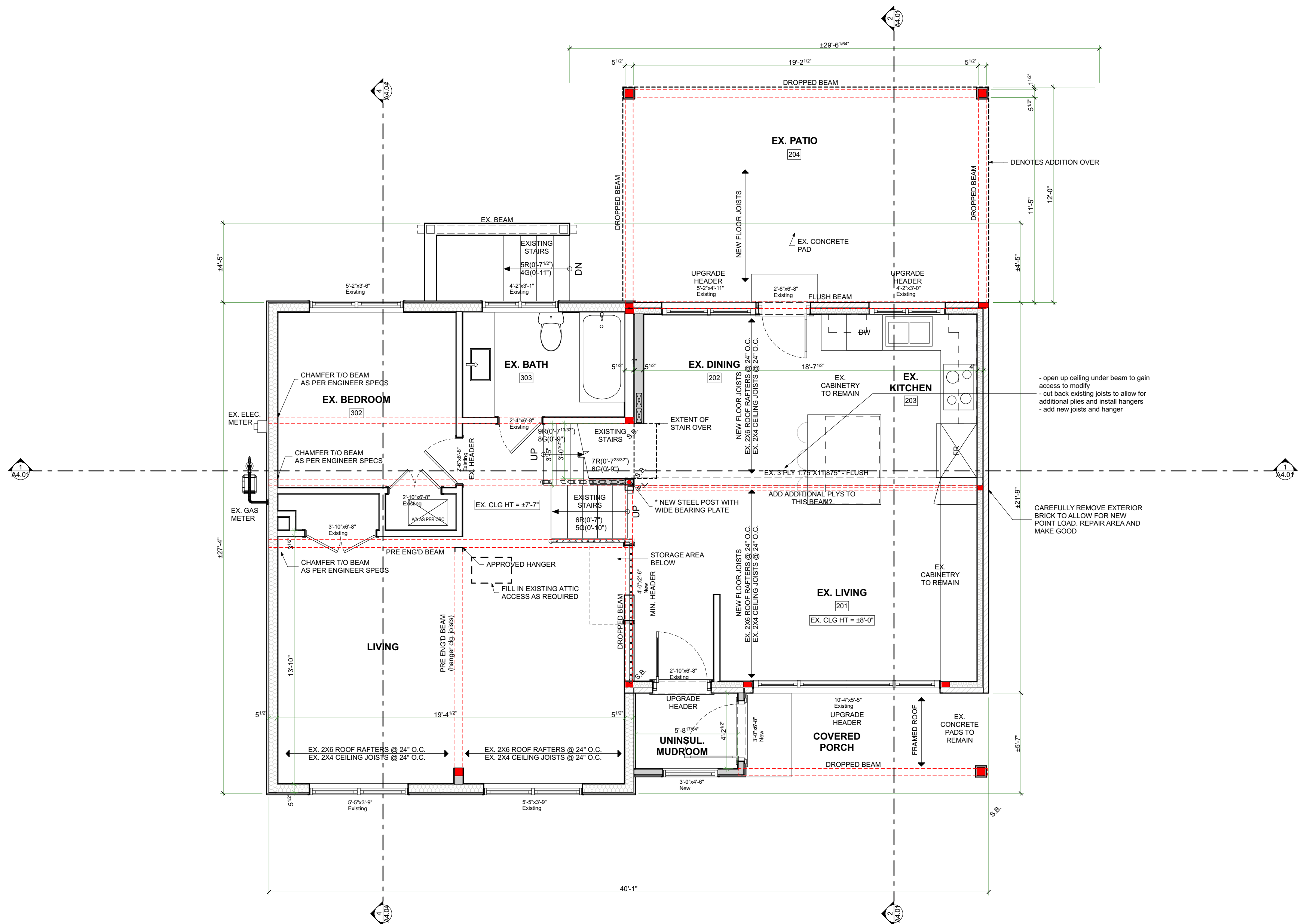
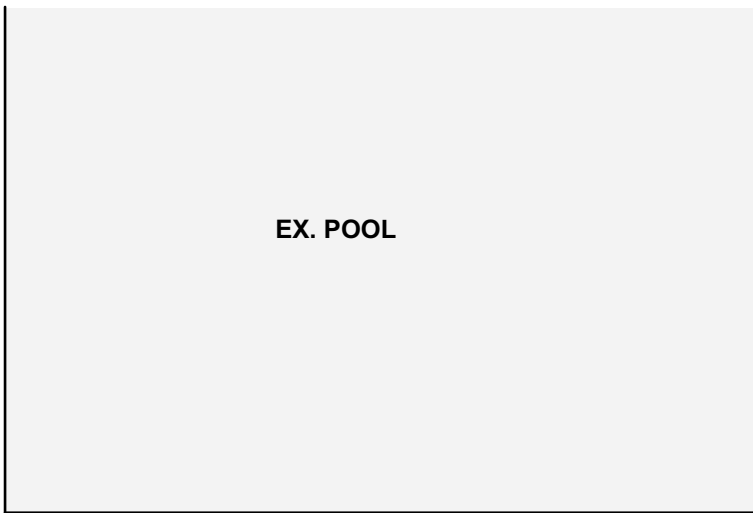


NO.	REVISION	DATE
1	ISSUED FOR VARIANCE	2021.03.31
2		
3		
4		
5		

DRAWING:
**PROPOSED BASEMENT
PLAN**

PROJECT NAME:
ROSZELL
PROJECT ADDRESS:
39 HILLSIDE AVE S DUNDAS ON L9H 4H7

DATE: 4/1/2021		DRAWING NO: A1.03
SCALE:	AS NOTED	
PROJECT NO:		



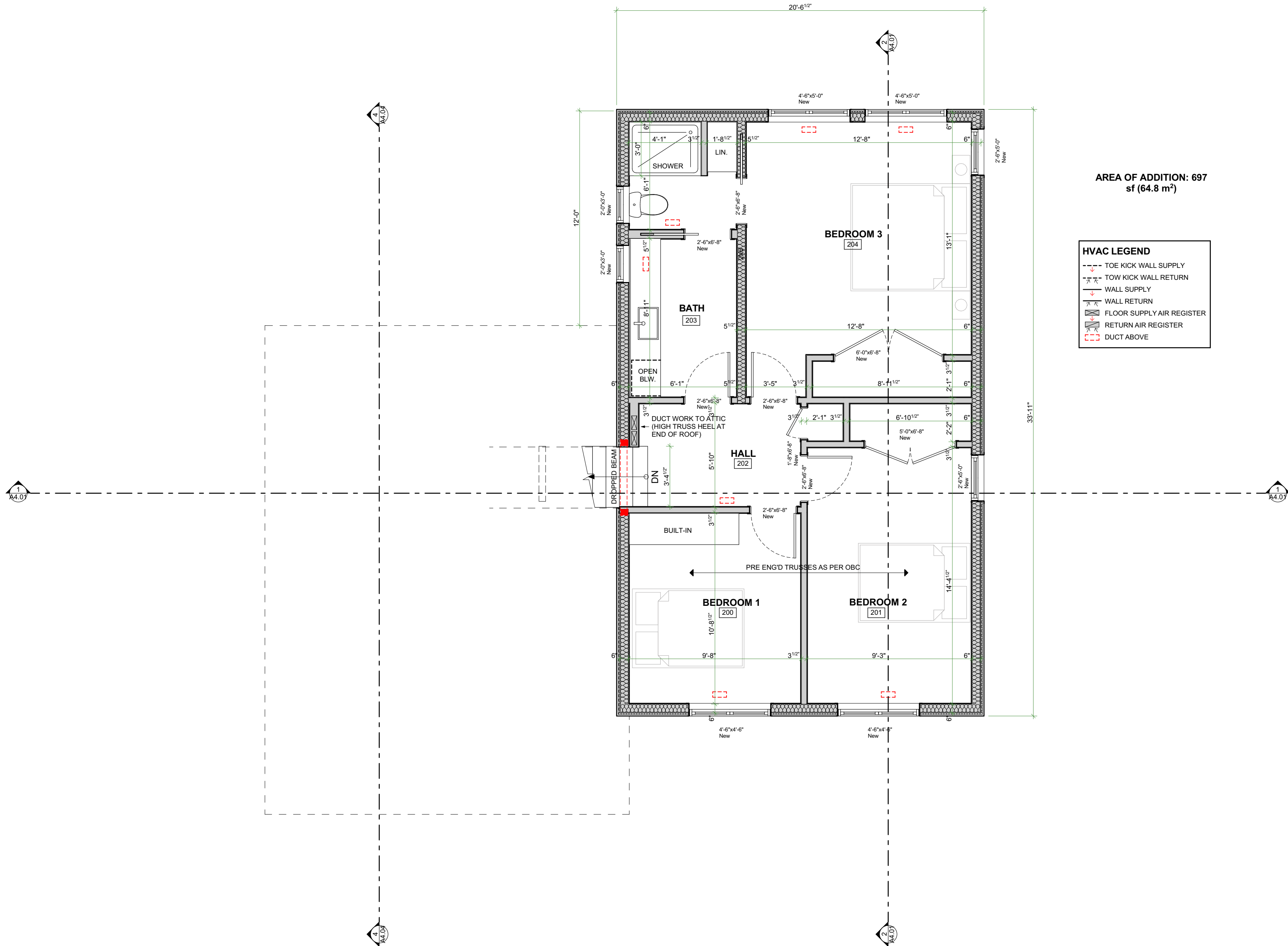
1 PROPOSED MAIN FLOOR PLAN
SCALE: 1/4" = 1'-0"

NO.	REVISION	DATE
1	ISSUED FOR VARIANCE	2021.03.31
2		
3		
4		
5		

DRAWING:
PROPOSED MAIN FLOOR PLAN

PROJECT NAME:
ROSZELL
PROJECT ADDRESS:
39 HILLSIDE AVE S DUNDAS ON L9H 4H7

DATE: 4/1/2021	DRAWING NO:
SCALE: AS NOTED	A1.04
PROJECT NO: ---	



1 PROPOSED SECOND FLOOR PLAN

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

NO.	REVISION	DATE
1	ISSUED FOR VARIANCE	2021.03.31
2		
3		
4		
5		

DRAWING:
**PROPOSED SECOND
FLOOR PLAN**

PROJECT NAME:
ROSZELL

PROJECT ADDRESS:
39 HILLSIDE AVE S DUNDAS ON L9H 4H7

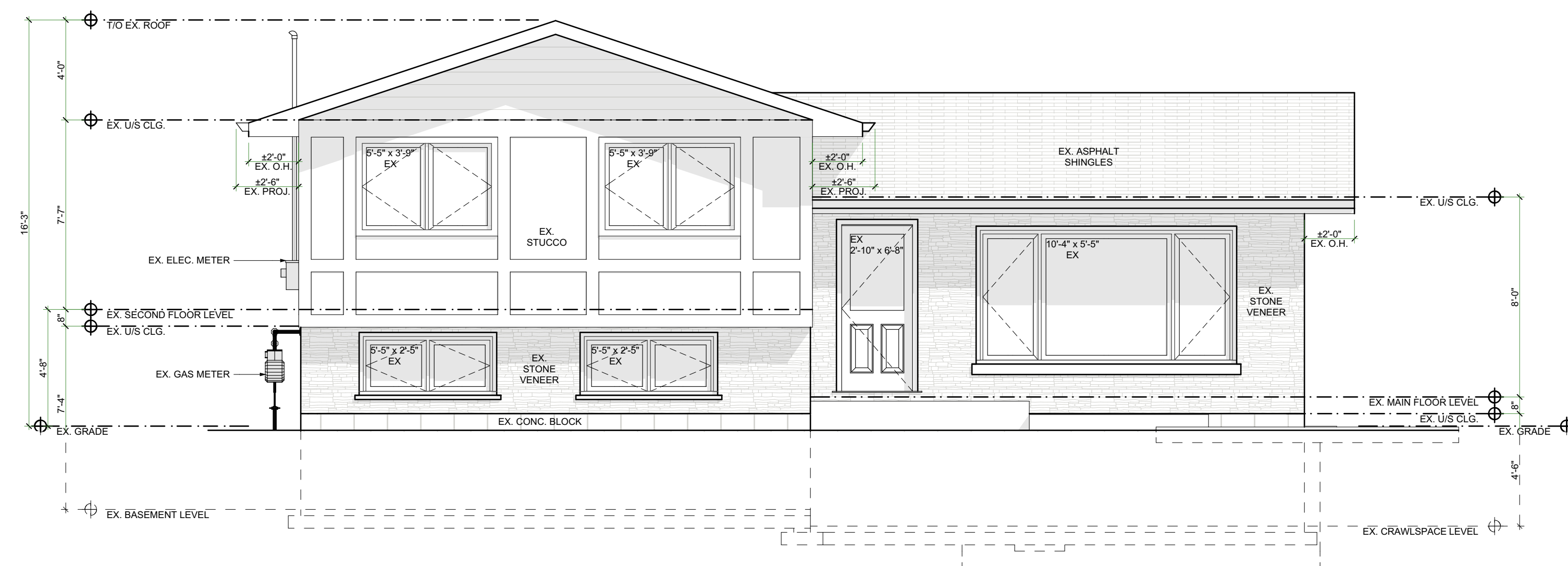
DATE: 4/1/2021

SCALE:
AS NOTED

PROJECT NO:

DRAWING NO:

A1.05



NO.	REVISION	DATE
1	ISSUED FOR VARIANCE	2021.03.31
2		
3		
4		
5		

DRAWING:
**EXISTING FRONT
ELEVATION**

PROJECT NAME:

ROSZELL

PROJECT ADDRESS:

39 HILLSDALE AVE S DUNDAS ON L9H 4H7

DATE: 4/1/2021

SCALE:

AS NOTED

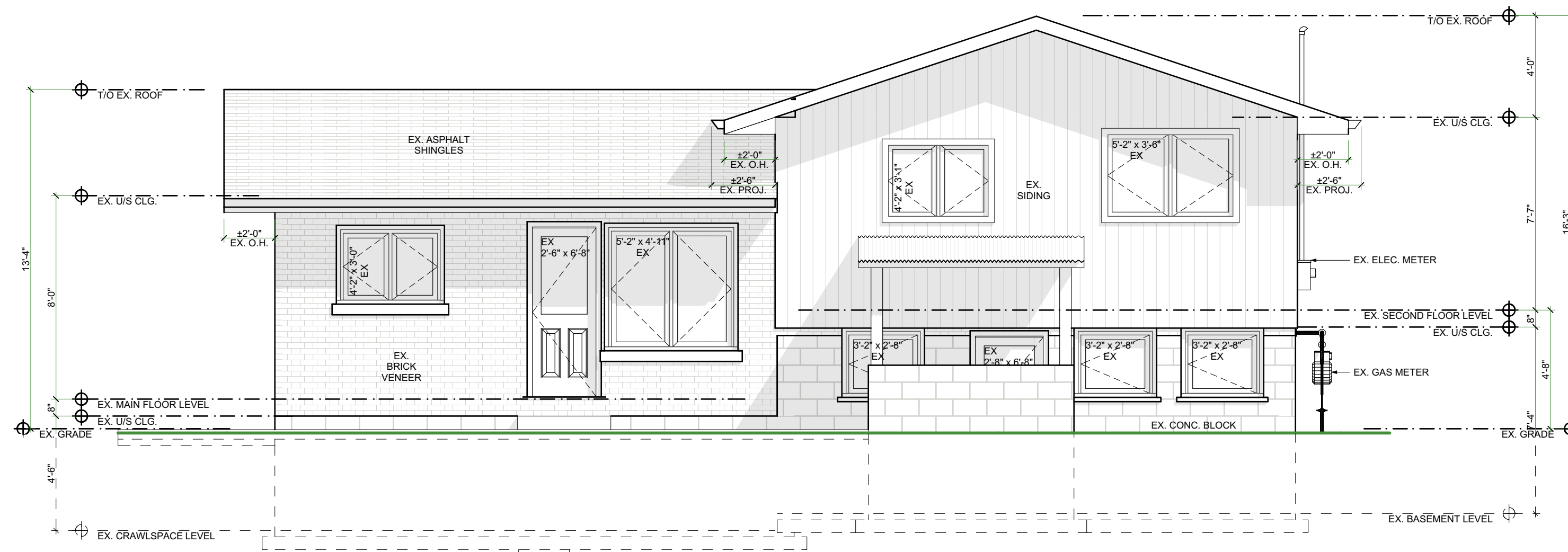
PROJECT N

DRAWING NO:

A0001

A2.01

Printed: 4/1/2021 @ 1:58 PM



NO.	REVISION	DATE
1	ISSUED FOR VARIANCE	2021.03.31
2		
3		
4		
5		

DRAWING:

EXISTING REAR ELEVATION

PROJECT NAME:

ROSZELL

PROJECT ADDRESS:

39 HILLSIDE AVE S DUNDAS ON L9H 4H7

DATE: 4/1/2021

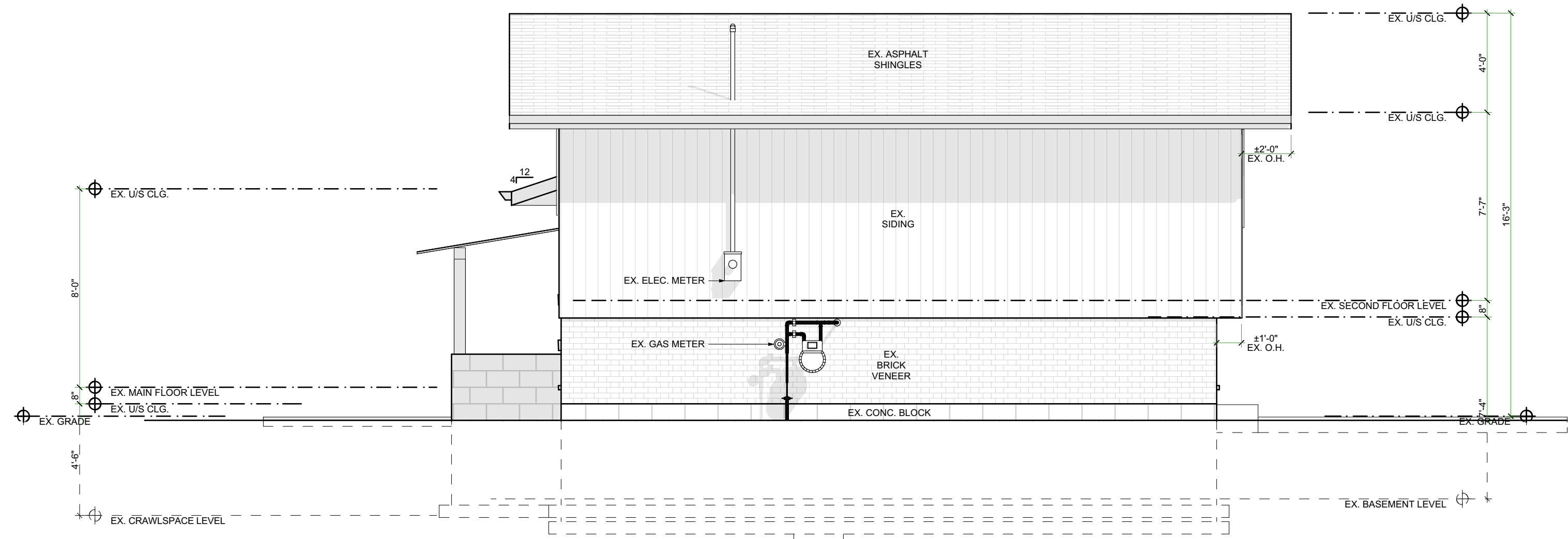
SCALE:

AS NOTED

PROJECT NO:

DRAWING NO:

A2.02

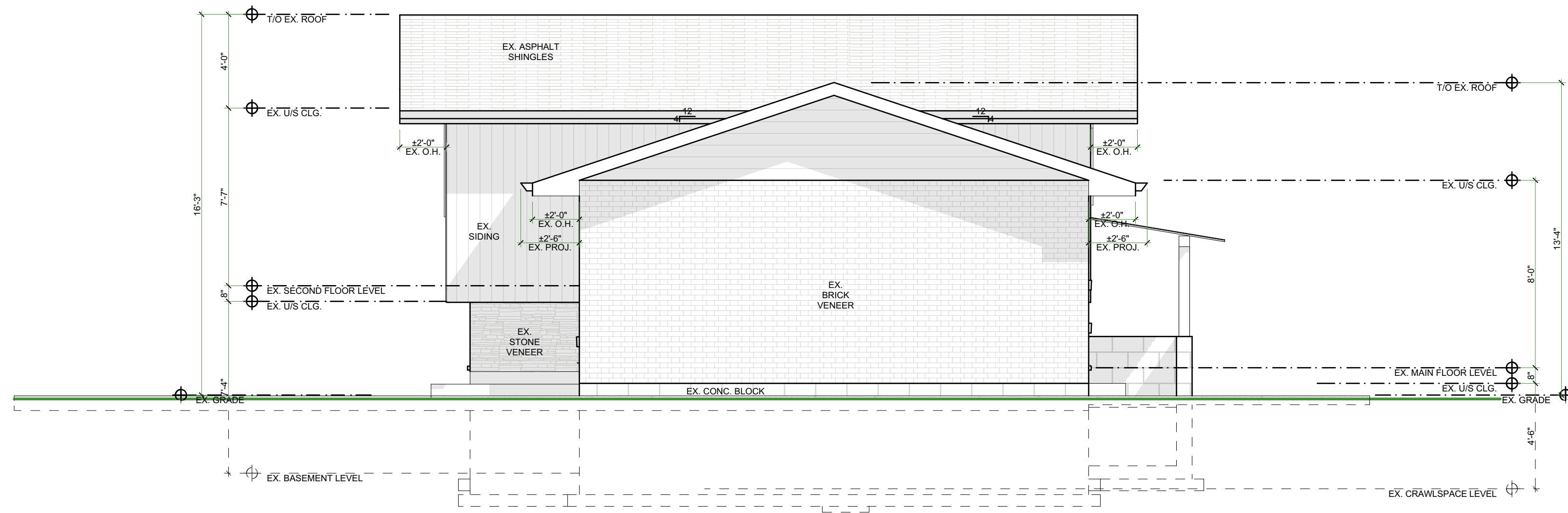


NO.	REVISION	DATE
1	ISSUED FOR VARIANCE	2021.03.31
2		
3		
4		
5		

DRAWING:
EXISTING LEFT ELEVATION

PROJECT NAME:
ROSZELL
PROJECT ADDRESS:
39 HILLSIDE AVE S DUNDAS ON L9H 4H7

DATE: 4/1/2021	DRAWING NO:
SCALE: AS NOTED	PROJECT NO: ---



1

EXISTING RIGHT ELEVATION

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

NO.	REVISION	DATE
1	ISSUED FOR VARIANCE	2021.03.31
2		
3		
4		
5		

DRAWING:
**EXISTING RIGHT
ELEVATION**

PROJECT NAME:
ROSZELL

PROJECT ADDRESS:
39 HILLSIDE AVE S DUNDAS ON L9H 4H7

DATE: 4/1/2021

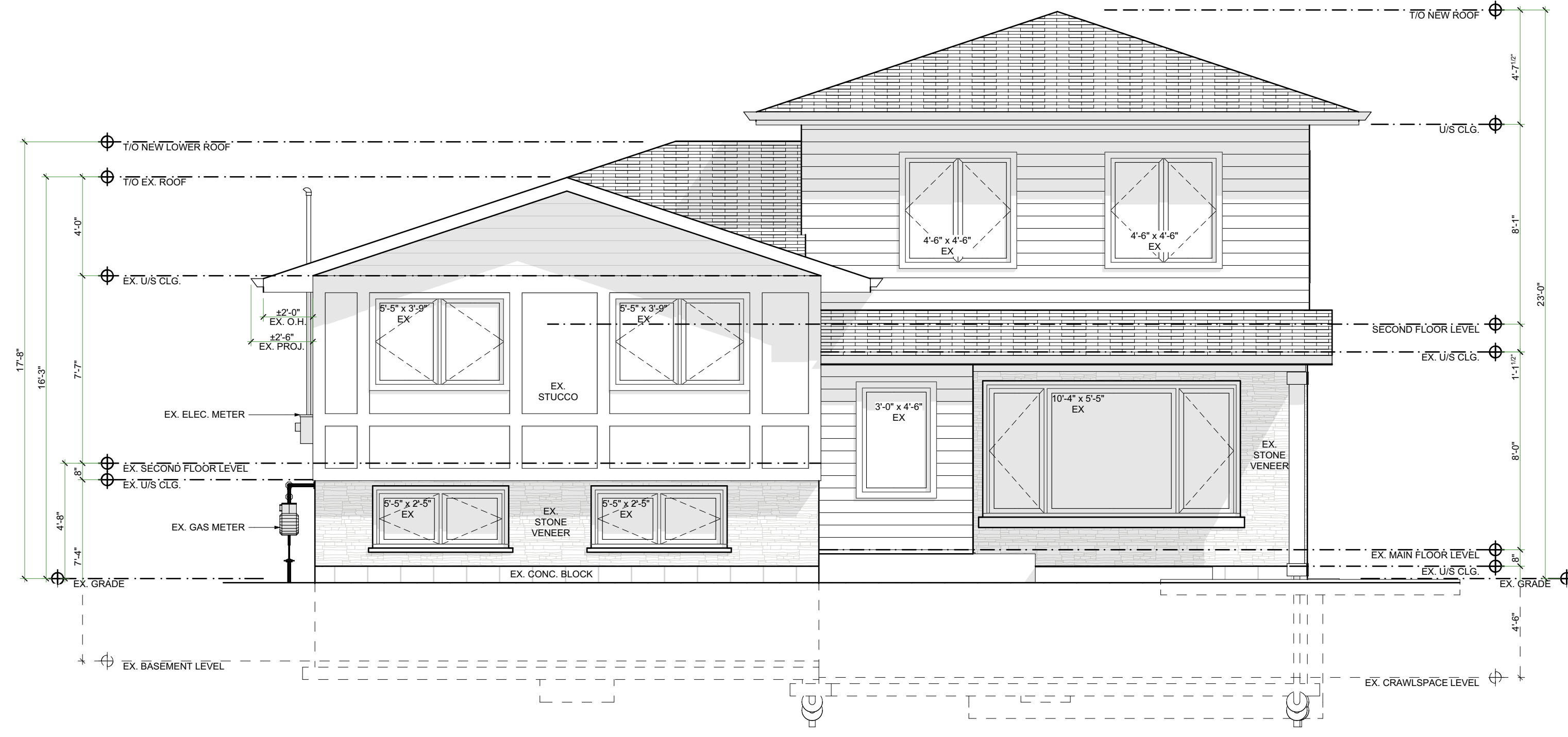
SCALE:
AS NOTED

PROJECT NO:

DRAWING NO:

A2.04

Printed: 4/1/2021 @ 1:58 PM



NO.	REVISION	DATE
1	ISSUED FOR VARIANCE	2021.03.31
2		
3		
4		
5		

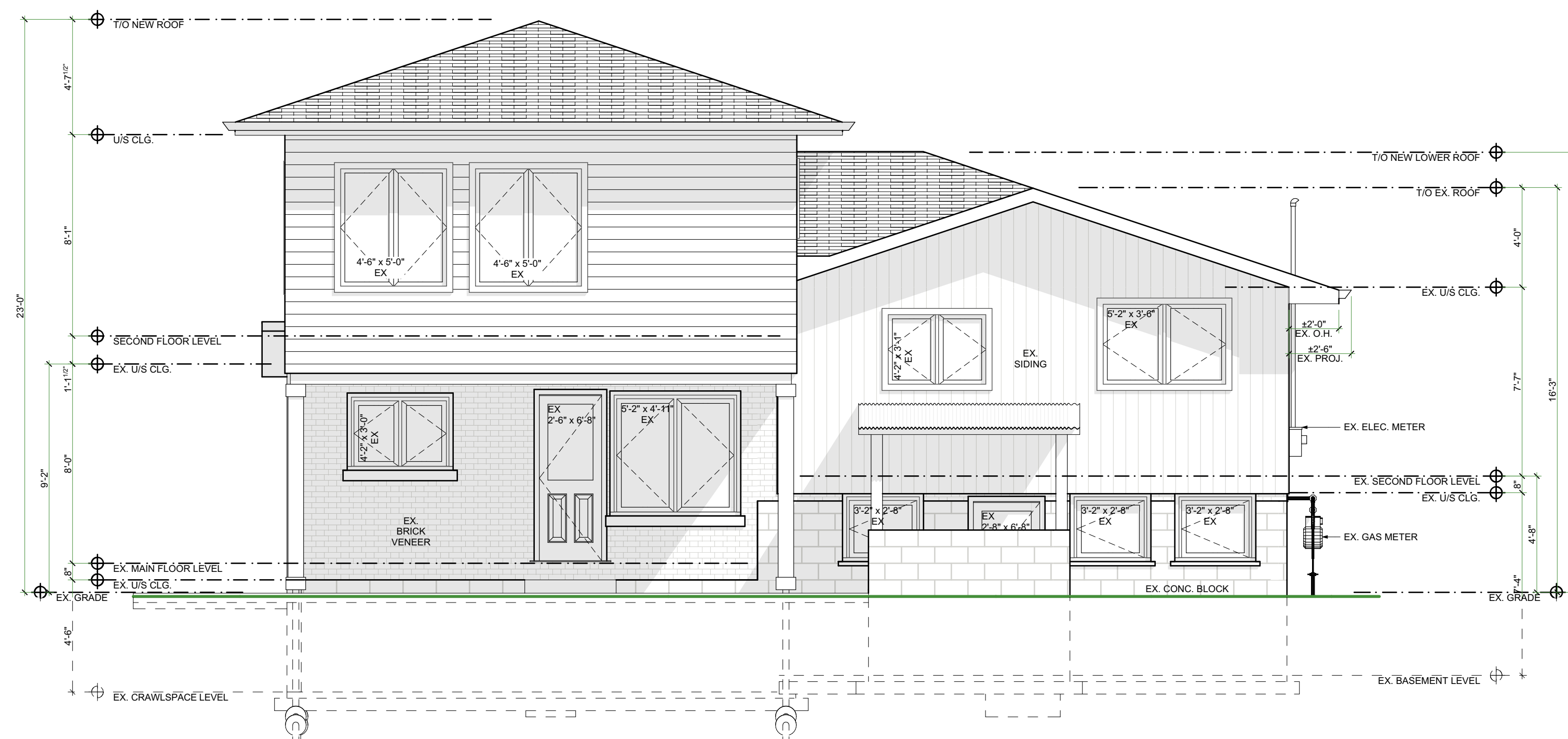
DRAWING:
**PROPOSED FRONT
ELEVATION**

PROJECT NAME:
ROSZELL
PROJECT ADDRESS:
39 HILLSIDE AVE S DUNDAS ON L9H 4H7

DATE: 4/1/2021	DRAWING NO:
SCALE: AS NOTED	A2.05
PROJECT NO: ---	

PROPOSED REAR ELEVATION

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



NO.	REVISION	DATE
1	ISSUED FOR VARIANCE	2021.03.31
2		
3		
4		
5		

DRAWING:

PROPOSED REAR
ELEVATION

PROJECT NAME:

ROSZELL

PROJECT ADDRESS:

39 HILLSIDE AVE S DUNDAS ON L9H 4H7

DATE: 4/1/2021

SCALE:

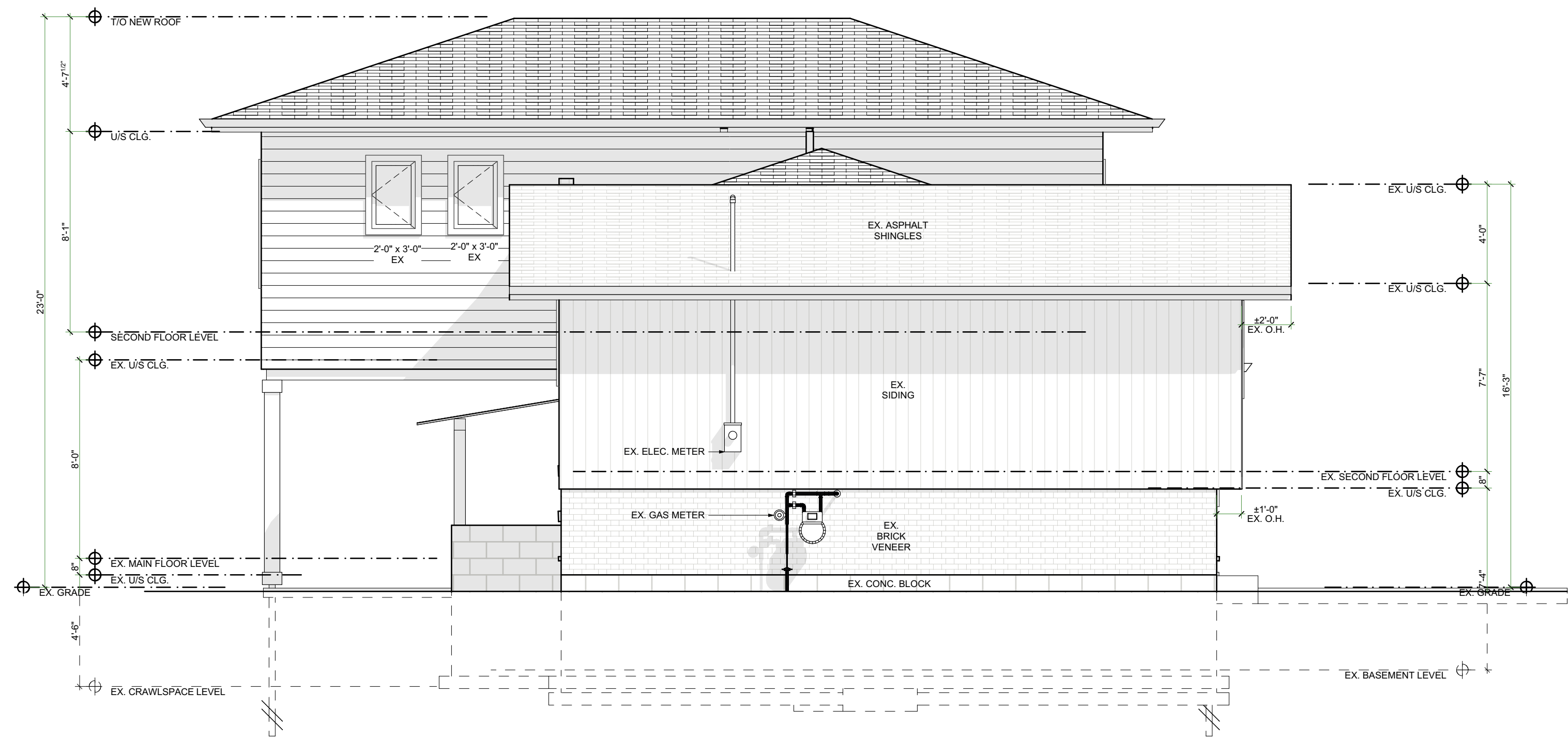
AS NOTED

PROJECT NO:

DRAWING NO:

A2.06

Printed: 4/1/2021 @ 1:58 PM



NO.	REVISION	DATE
1	ISSUED FOR VARIANCE	2021.03.31
2		
3		
4		
5		

DRAWING:
**PROPOSED LEFT
ELEVATION**

PROJECT NAME:
ROSZELL

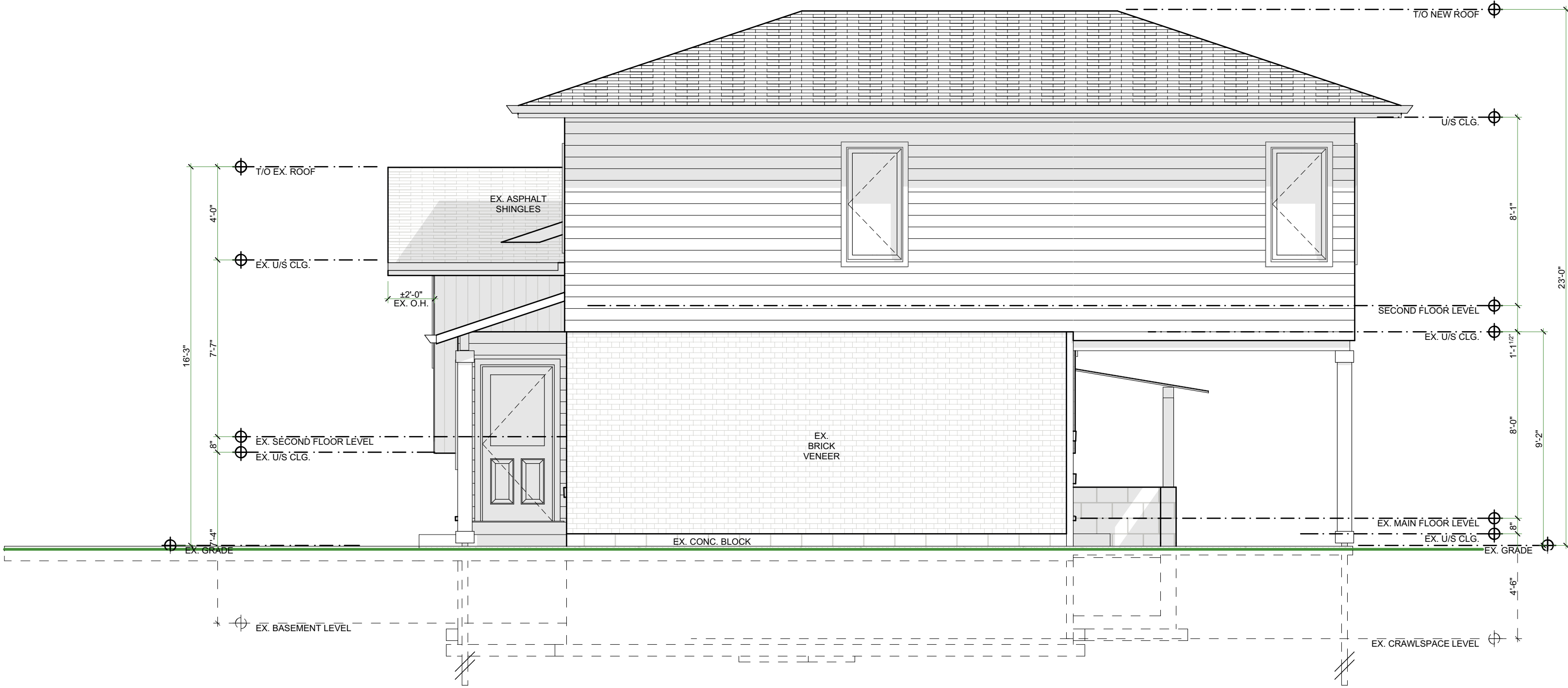
PROJECT ADDRESS:
39 HILLSIDE AVE S DUNDAS ON L9H 4H7

DATE: 4/1/2021

SCALE:
AS NOTEDPROJECT NO:

DRAWING NO:

A2.07



NO.	REVISION	DATE
1	ISSUED FOR VARIANCE	2021.03.31
2		
3		
4		
5		

DRAWING:
**PROPOSED RIGHT
ELEVATION**

PROJECT NAME:
ROSZELL

PROJECT ADDRESS:
39 HILLSIDE AVE S DUNDAS ON L9H 4H7

DATE: 4/1/2021

SCALE:
AS NOTED

PROJECT NO:

DRAWING NO:

A2.08

SITE INFORMATION

Zoning Information taken on: 2021.03.31

ADDRESS: 39 HILLSIDE AVE S
MUNICIPALITY: DUNDAS
POSTAL CODE: L9H 4H7

ZONING INFORMATION

PARENT BYLAW #: 3581-86 DUNDAS
ZONE: R1
BYLAW EXCEPTION #: N/A

	Required:	Existing:	Proposed:	Variance:
LOT AREA (m2):	450 min	607.03	AS EX.	○
LOT WIDTH (m):	15 min	15.24	AS EX.	○
LOT DEPTH (m):	N/A	40.41	AS EX.	○
LOT FRONTAGE(m):	15 min	15.24	AS EX.	○
LOT COVERAGE (%):	N/A	N/A	N/A	○
FLOOR AREA RATIO ² :	N/A	N/A	N/A	○
GROSS FLOOR AREA ¹ :	N/A	N/A	N/A	○
GROUND FLOOR AREA:	N/A	N/A	N/A	○
BUILDING HEIGHT (m):	10.5	4.95	7.01	○
PARKING SPACES ³ :	1	1	1	○
Habitable Rooms:	8	6	8	○

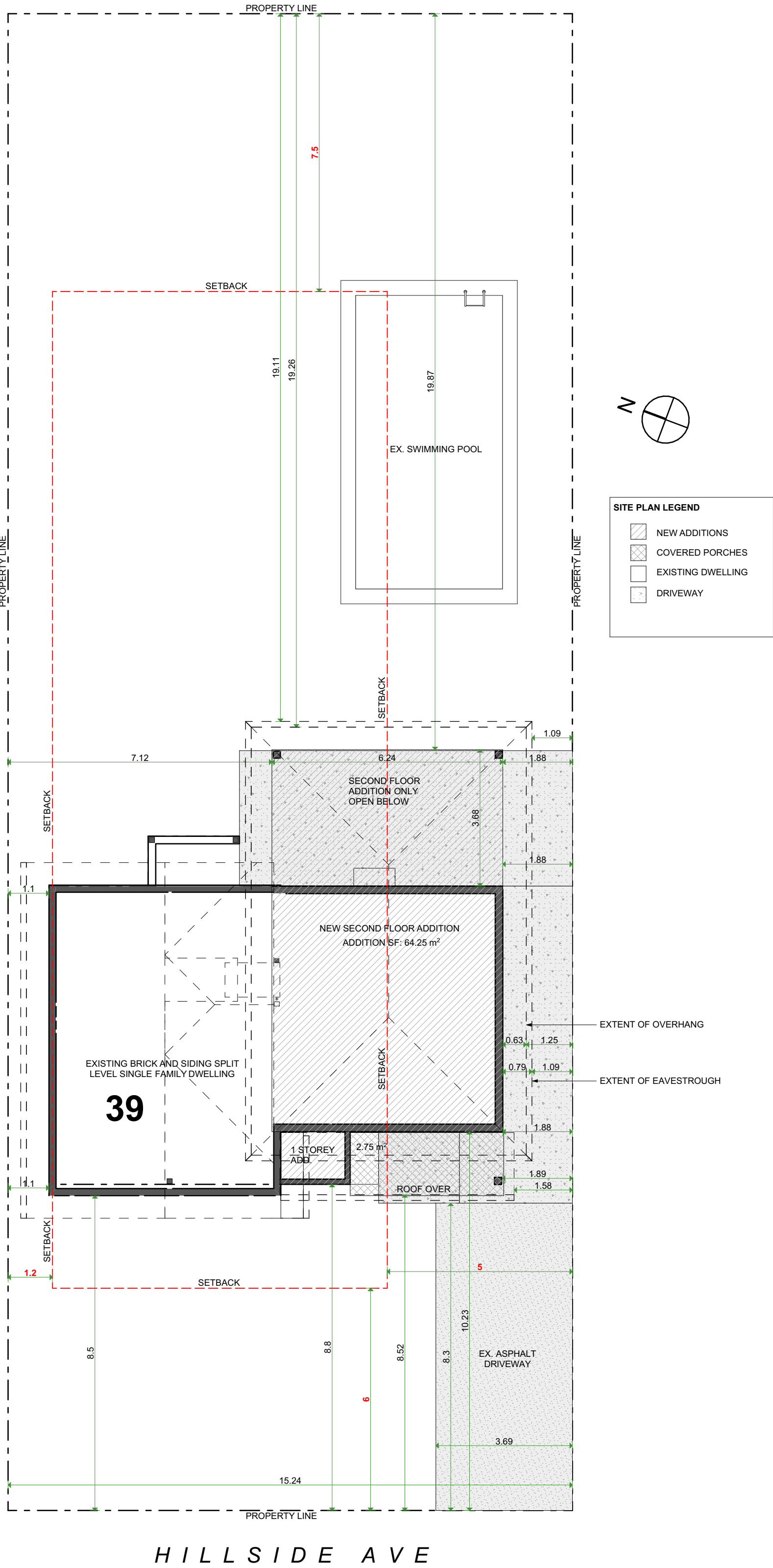
SETBACKS (m)	Required:	Existing:	Proposed:	
FRONT:	6.0	8.5	AS EX.	○
REAR:	7.5	23.53	1987	○
SIDE:	1.2	1.10	1.10	○
EXTERIOR SIDE:	5.0	1.88	1.88	●
CORNER:	n/a	n/a	n/a	○

ENCROACHMENTS (m)	Required:	Existing:	Proposed:	
ROOF PROJECTION:	0.6	0.79	0.79	●
COVERED PORCH:	1.5	N/A	N/A	○
UNCOVERED PORCH:	1.5	N/A	N/A	○
DECK:	1.5	N/A	N/A	○

ACCESSORY BUILDINGS:	Required:	Existing:	Proposed:	
SIZE:	N/A	10 m ²	AS EX.	○
HEIGHT:	N/A	2.4m	AS EX.	○

OTHER RETRICTIONS:	
CONSERVATION AUTHORITY	○
NIAGARA ESCARPMENT CONTROL	○
MTO	○
SEPTIC	○
SITE PLAN CONTROL	○
TREE PROTECTION	○

- REFERENCES
- ¹ Proposed lot coverage calculations = Proposed Footprint area / Lot Area
- ² Floor Area Ratio Calculation: Total GFA / Lot Area
- ³ Parking space sizing as follows:
Hamilton: 2.7m x 6.0m
Burlington: 2.7m x 6.0m
- ⁴ Area of all floors excluding the following:
1. 100sf for laundry if possible
2. 70sf for mechanical if possible
3. Attic spaces
4. Any area that is uninhabitable



1 SITE PLAN
SCALE: 1:100

NO.	REVISION	DATE
1	ISSUED FOR VARIANCE	2021.03.31
2		
3		
4		
5		

DRAWING:
SITE PLAN

PROJECT NAME:
ROSZELL
PROJECT ADDRESS:
39 HILLSIDE AVE S DUNDAS ON L9H 4H7

DATE: 4/1/2021	SCALE: AS NOTED	DRAWING NO:
PROJECT NO: ---	SP0.01	



Hamilton

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.

APPLICATION NO. _____ **DATE APPLICATION RECEIVED** _____

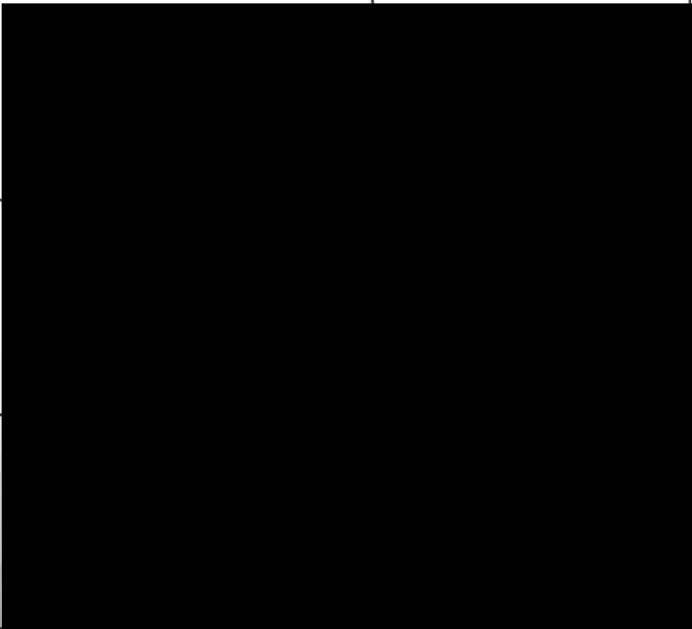
PAID _____ **DATE APPLICATION DEEMED COMPLETE** _____

**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)	MARTIN AND KAITLIN ROSZELL		
Applicant(s)*	SHANE VAN BARNEVELD		
Agent or Solicitor	SHANE VAN BARNEVELD		

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:
N/A

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 extent of relief applied for:

1.To permit right yard side setback of 1.88m instead of the required side yard setback 5.0m.

2.To permit 0.79m right side roof projection instead of the maximum allowable 0.60m roof projection.

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

The proposed second storey addition will be aligned with the existing non-conforming dwelling right yard setback.

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

39 Hillside Ave S
Dundas, ON L9H 4H7

7. PREVIOUS USE OF PROPERTY

Residential ☒ Industrial ☐ Commercial ☐

Agricultural ☐ Vacant ☐

Other N/A

8.1 If Industrial or Commercial, specify use N/A

8.2 Has the grading of the subject land been changed by adding earth or other material, i.e. has filling occurred?

Yes ☐ No ☒ Unknown ☐

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

Yes ☐ No ☒ Unknown ☐

8.4 Has there been petroleum or other fuel stored on the subject land or adjacent lands?

Yes ☐ No ☒ Unknown ☐

8.5 Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?

Yes ☐ No ☒ Unknown ☐

8.6 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 ☐

8.7 Have the lands or adjacent lands ever been used as a weapon firing range?

Yes ☐ No ☒ Unknown ☐

8.8 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 ☐

8.9 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 ☐

8.10 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 ☐

8.11 What information did you use to determine the answers to 9.1 to 9.10 above?

Previous uses of the subjected property.

8.12 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 ☐ (N/A)

9. 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.

April 1, 2021
Date



Signature Property Owner

Martin and Kaitlin Roszell

Print Name of Owner

10. Dimensions of lands affected:

Frontage	<u>15.24 m</u>
Depth	<u>40.41 m</u>
Area	<u>607.03 m²</u>
Width of street	<u>7.0 m (TO BE CONFIRMED BY PUBLIC WORKS)</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: _

See site plan

Proposed

See site plan

12. Location of all buildings and structures on or proposed for the subject lands; (Specify distance from side, rear and front lot lines)

Existing:

See site plan

Proposed:

See site plan

13. Date of acquisition of subject lands:
N/A
-
14. Date of construction of all buildings and structures on subject lands:
60s
-
15. Existing uses of the subject property:
RESIDENTIAL
16. Existing uses of abutting properties:
RESIDENTIAL
17. Length of time the existing uses of the subject property have continued:
SINCE BUILT
18. Municipal services available: (check the appropriate space or spaces)
Water YES Connected -
Sanitary Sewer YES Connected -
Storm Sewers YES
19. Present Official Plan/Secondary Plan provisions applying to the land:
N/A
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
N/A
21. Has the owner previously applied for relief in respect of the subject property?
☐ Yes ☒ No
If the answer is yes, describe briefly.
N/A
22. Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*?
☐ Yes ☒ No
23. Additional Information
N/A
24. 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.