

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-21:129

APPLICANTS: Owners E. Duan & K. Hunter
Agent D. Carrothers

SUBJECT PROPERTY: Municipal address **37 Beulah Ave., Hamilton**

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

ZONING: C/S-1787district (Urban Protected Residential, etc.)

PROPOSAL: To permit the construction of a 1.782m x 7.15m one storey southerly addition, a 3.658m x 6.629m first storey rear addition, 3.658m x 4.496m second storey rear addition together with a 2.197m x 4.878m rear second storey balcony and 1.524m x 6.629m rear uncovered porch at the first storey onto a single family dwelling notwithstanding that:

1. A minimum southerly side yard width of 0.9m shall be provided instead of the minimum required side yard width of 0.98m.
2. A minimum northerly side yard width of 0.4m shall be provided instead of the minimum required side yard width of 0.98m.
3. No parking spaces shall be provided instead of the minimum required four (4) parking spaces.

NOTE:

- i) Pursuant to Variance No. 3, a total of 11 habitable rooms are shown within the single family dwelling once the additions are constructed which will require four (4) parking spaces.

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

DATE: Thursday, May 20th, 2021
TIME: 1:40 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.

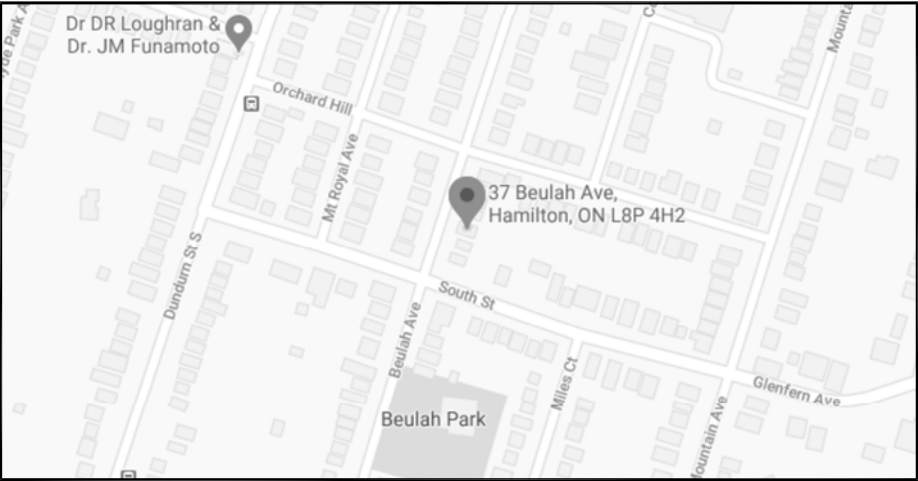
DWN BY: AWS
CHK BY: GVC
JOB No. 17-2

PRIVATE RESIDENCE

NEW 2 STOREY REAR AND SIDE YARD ADDITION

37 BEULAH AVENUE, HAMILTON, ON. L8P 4H2

ISSUED FOR COMMITTEE OF ADJUSTMENT



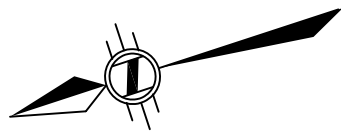
LOCATION MAP:

| BUILDING STATISTICS: | |
|--------------------------|----------------------------|
| BUILDING AREA (EXISTING) | = 832.3 sq.ft (77.3 sqm) |
| NEW TOTAL ADDITION AREA | = 398.5 sq.ft (37.0 sqm) |
| | |
| TOTAL AREA (PROPOSED) | = 1230.8 sq.ft (114.4 sqm) |
| | |
| NEW TOTAL REAR DECK AREA | = 108.8 sq.ft (10.1 sqm) |
| NEW MASTER BALCONY AREA | = 116.3 sq.ft (10.8 sqm) |

| ZONING AND PROPERTY STATISTICS | | | |
|--------------------------------|---|------------------------|------------|
| DESCRIPTION: | LOT 1, AND PART OF LOTS 2 AND 5 REGISTERED PLAN 519 IN THE CITY OF HAMILTON | | |
| ADDRESS: | 37 BEULAH AVENUE, HAMILTON, ON. | | |
| OWNER: | ERICK DUAN AND KATE HUNTER | | |
| | | | |
| | REQUIRED: | PROPOSED: | |
| ZONING DESIGNATION: | C | C | (EXISTING) |
| LOT AREA: | 360.0 m2 | 311.5 m2 | (EXISTING) |
| LOT WIDTH: | 12.0 m | 9.75 m | (EXISTING) |
| | | | |
| FRONT YARD TO HOUSE: | 6.0 m | 1.82 m | (EXISTING) |
| REAR YARD TO ADDITION: | 7.5 m | 15.75 m | (PROPOSED) |
| REAR YARD TO DECK: | 7.5 m | 14.22 m | (PROPOSED) |
| RIGHT YARD TO ADDITION: | 1.2 m | **0.91 m | (PROPOSED) |
| RIGHT YARD TO DECK: | 0.5 m | 2.69 m | (PROPOSED) |
| RIGHT YARD TO BALCONY: | 1.0 m | 2.70 m | (PROPOSED) |
| LEFT YARD TO ADDITION: | 1.2 m | **0.47 m | (PROPOSED) |
| LEFT YARD TO DECK: | 0.5 m | 0.5 m | (PROPOSED) |
| | | | |
| BUILDING HEIGHT: | 11.0 m | ±9.91 m | (EXISTING) |
| BUILDING STOREYS: | 2 ½ STOREYS | 2 ½ STOREYS (EXISTING) | |
| PARKING SPACES: | 2 | **0 (EXISTING) | |
| | | EXISTING DRIVEWAY | |
| | | NON CONFORMING | |
| **VARIANCE REQUIRED | | | |

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| ISSUED FOR COMMITTEE OF ADJUSTMENT | Project Name: | | | Drawn By: | |
| | PRIVATE RESIDENCE | | | Checked By: | |
| | NEW 2 STOREY REAR AND | | | Scale: | |
| | SIDE YARD ADDITION | | | Date: | |
| | 37 BEULAH AVENUE, | | | Project No. | |
| | HAMILTON, ONTARIO | | | A1 | |
| | Sheet Title: | | | | |
| | COVER PAGE AND | | | | |
| | ZONING STATS | | | | |
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| | No. | Date: | Issue/Revision | By: | |

PLAN
SHOWING
LOTS 1 & PART OF LOTS 2 & 5
REGISTERED PLAN 519
IN THE
CITY OF HAMILTON



LOT 91

LOT 94

35 BEULAH AVENUE
2.5 STOREY BRICK DWELLING

3.66 WIDE ALLEY (NOT TRAVELLED)

FRONT LANDSCAPE CALCS:

**FRONT YARD AREA (EXCLUDING
STEPS & WALKWAY) = 14.5 M2**

LANDSCAPE AREA = 9.2 M2 (63.4%)

N17°57'00"E **9.84 m**

EXTENT OF
EXISTING
WOOD FENCE

**EXISTING DECK
TO REMAIN**

EXISTING AREA = 228,0 sq
(21.2 sqm)
HEIGHT = ±0.4M

**EXISTING
GARAGE TO
REMAIN**

EXISTING AREA
173.9 sqft
(16.2 sqm)

LOT 5

LOT 1

**NEW UPPER-
REAR DECK**
9-1 x 5-0

**NEW LOWER
REAR DECK**
9-1 x 5-0

**NEW 2 STOREY
ADDITION**
AREA = 264.6 sqft
(24.6 sqm)

37 BEULAH AVENUE
2.5 STOREY BRICK DWELLING

EXISTING AREA = 832.2 sqft
(77.3 sqm)

NEW 1 STOREY ADDITION
AREA = 133.9 sqft (12.4 sqm)

LOT 2

N 72° 03' 05" W

39 BEULAH AVENUE
2.5 STOREY BRICK DWELLING

N17°57'00"E

9.75 m

**EXISTING
PORCH TO
REMAIN**

CONCRETE SIDEWALK

BEULAH AVENUE

**ISSUED FOR
COMMITTEE OF
ADJUSTMENT**

Project Name:

PRIVATE RESIDENCE

**NEW 2 STOREY REAR AND
SIDE YARD ADDITION**

37 BEULAH AVENUE,
HAMILTON, ONTARIO

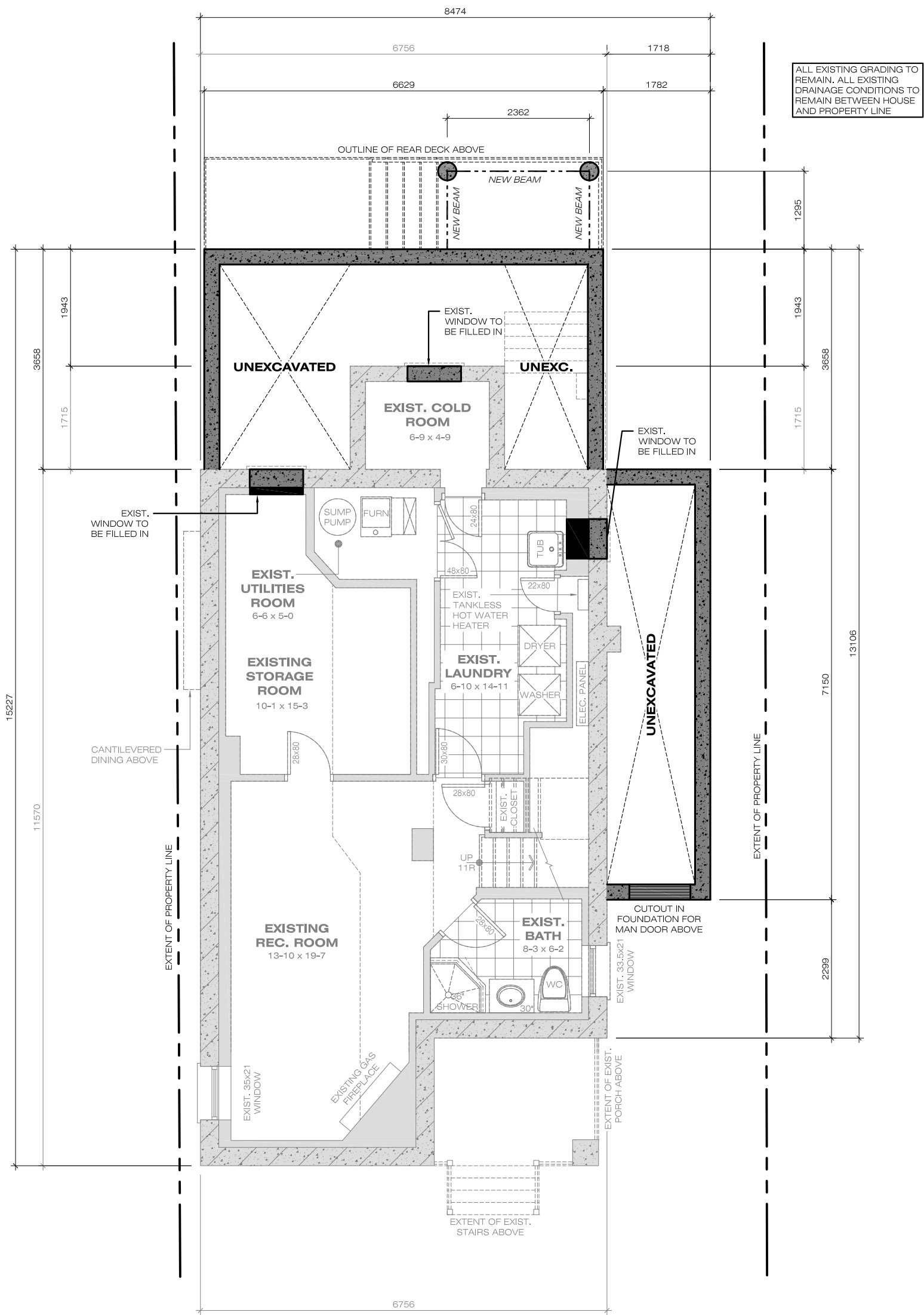
Sheet Title:

SITE PLAN

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| Checked By: | |
| Scale: | 1:125 |
| Date: | APR 2021 |
| Project No. | 2020-35 |

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ALL EXISTING GRADING TO REMAIN. ALL EXISTING DRAINAGE CONDITIONS TO REMAIN BETWEEN HOUSE AND PROPERTY LINE

FOUNDATION/ BASEMENT PLAN
AREA = 821.9 sqft (76.4 sqm)
CEILING HEIGHT = 6'-11"

| WALL LEGEND | |
|-------------|--|
| | EXISTING FOUNDATION WALLS TO REMAIN |
| | NEW FOUNDATION WALLS |
| | EXISTING INTERIOR / EXTERIOR WALLS TO REMAIN |
| | NEW INTERIOR / EXTERIOR WALLS |

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COMMITTEE OF
ADJUSTMENT

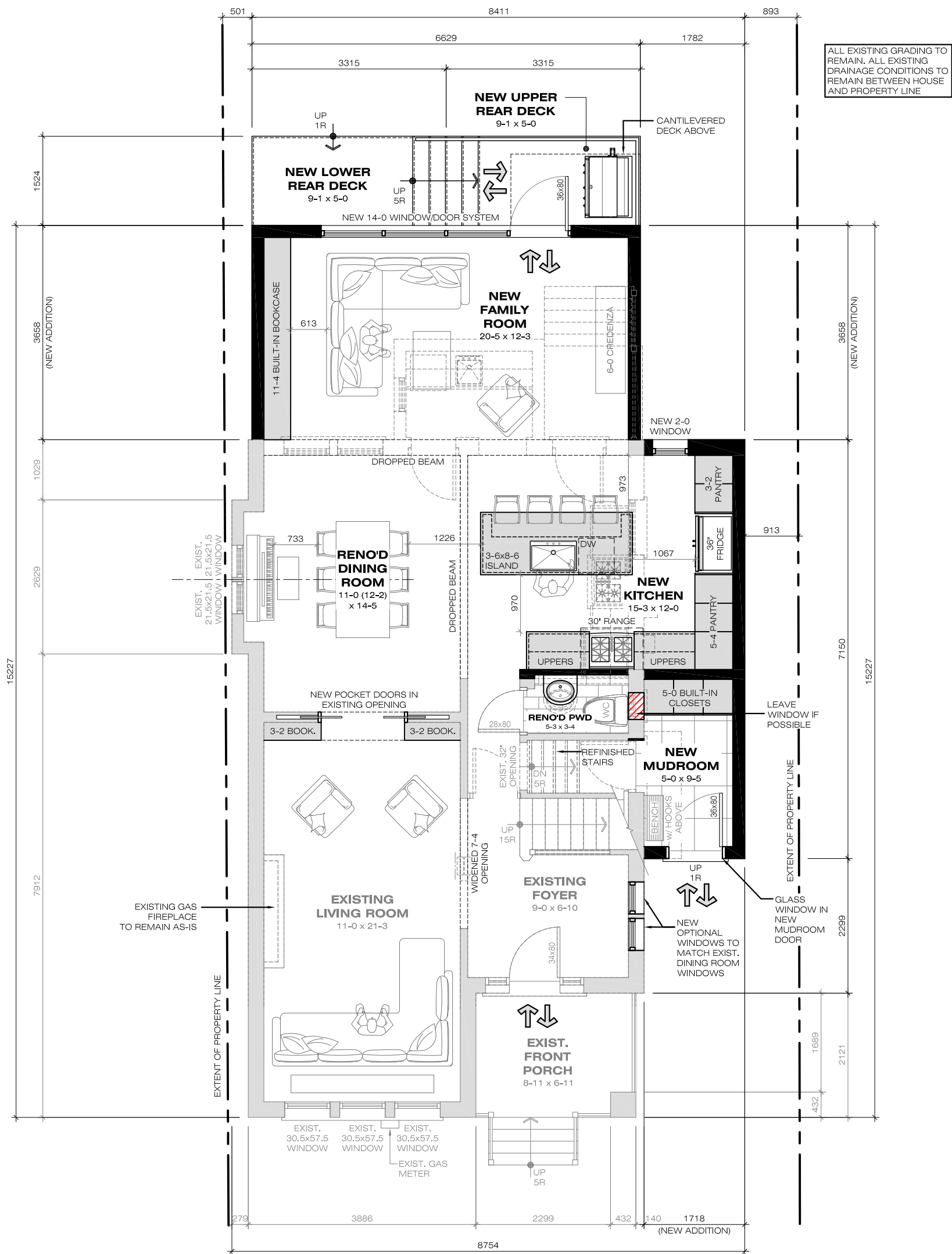
Project Name:
PRIVATE RESIDENCE
NEW 2 STOREY REAR AND
SIDE YARD ADDITION
37 BEULAH AVENUE,
HAMILTON, ONTARIO

Sheet Title:
BASEMENT FLOOR PLAN

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| Date: | APR 2021 |
| Project No. | 2020-35 |

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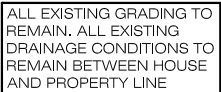
RENOVATED MAIN FLOOR PLAN

EXISTING FLOOR AREA = 832.2 sqft (77.3 sqm)
EXISTING PANTRY TO BE REMOVED = 47.3 sqft (4.4 sqm)
NEW ADDITION AREA = 392.2 sqft (36.4 sqm)
NEW TOTAL MAIN FLOOR AREA = 1177.1 sqft (109.3 sqm)
CEILING HEIGHT = 9'-0"

| WALL LEGEND | |
|-------------|--|
| <div></div> | EXISTING INTERIOR / EXTERIOR WALLS TO REMAIN |
| <div></div> | NEW INTERIOR / EXTERIOR WALLS |

ISSUED FOR
COMMITTEE OF
ADJUSTMENT

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| Project Name: | | Drawn By: | |
| PRIVATE RESIDENCE NEW 2 STOREY REAR AND SIDE YARD ADDITION 37 BEULAH AVENUE, HAMILTON, ONTARIO | | Checked By: | |
| | | Scale: 1:75 | |
| | | Date: APR 2021 | |
| | | Project No. 2020-35 | |
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| Sheet Title: | | | |
| MAIN FLOOR PLAN | | | |
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COMMITTEE OF
ADJUSTMENT

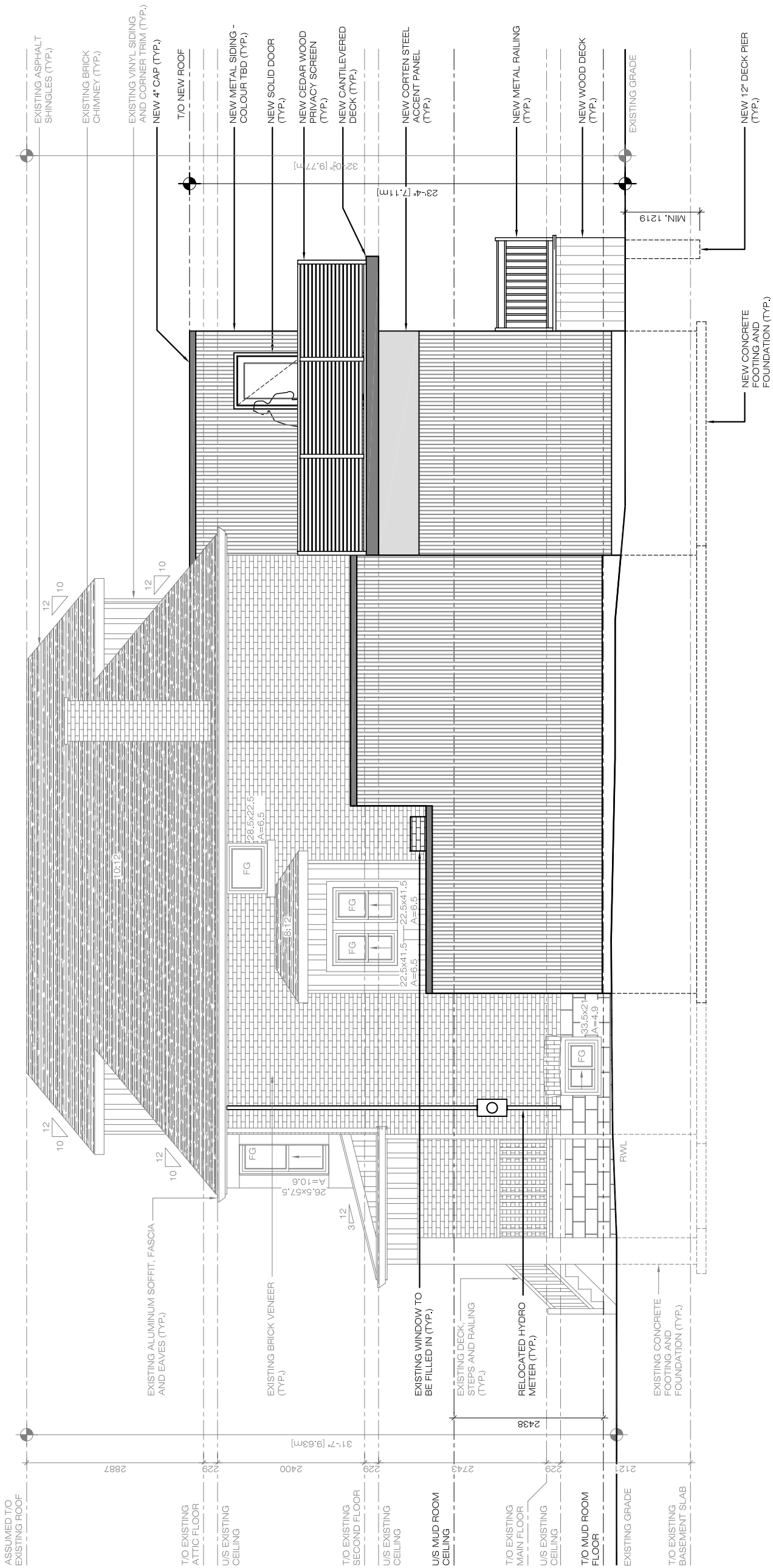
Project Name:
PRIVATE RESIDENCE
NEW 2 STOREY REAR AND
SIDE YARD ADDITION
37 BEULAH AVENUE,
HAMILTON, ONTARIO

Sheet Title:
RIGHT SIDE ELEVATION

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| Date: | APR 2021 |
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RIGHT SIDE ELEVATION

ALL EXISTING GRADING TO
REMAIN. ALL EXISTING
DRAINAGE CONDITIONS TO
REMAIN BETWEEN HOUSE
AND PROPERTY LINE

**ISSUED FOR
COMMITTEE OF
ADJUSTMENT**

Project Name:

PRIVATE RESIDENCE

**NEW 2 STOREY REAR AND
SIDE YARD ADDITION**

**37 BEULAH AVENUE,
HAMILTON, ONTARIO**


Sheet Title:

REAR ELEVATION

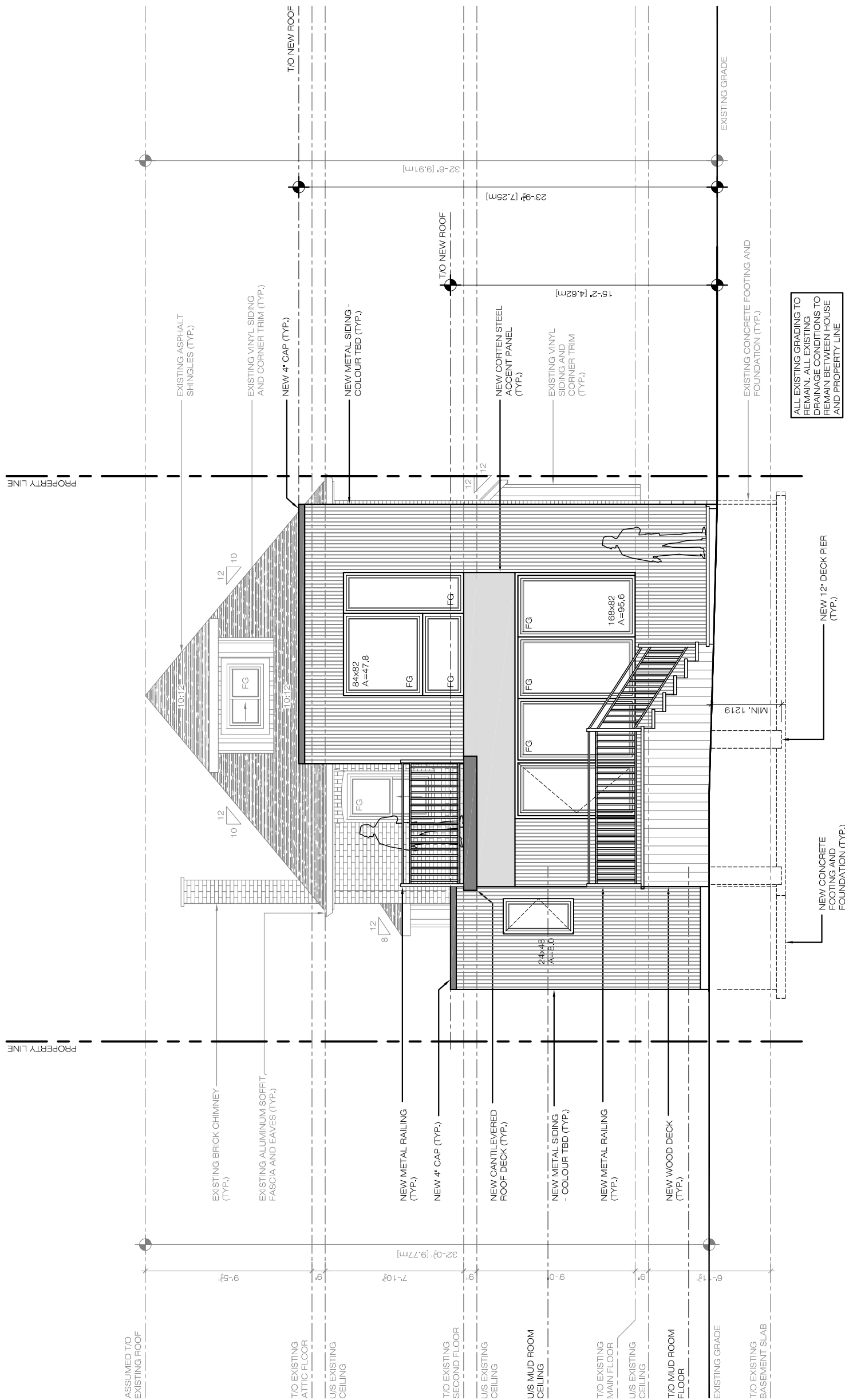
Sheet Title:

REAR ELEVATION

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| Date: | APR 2021 |
| Project No. | 2020-35 |
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REAR ELEVATION

ISSUED FOR
COMMITTEE OF
ADJUSTMENT

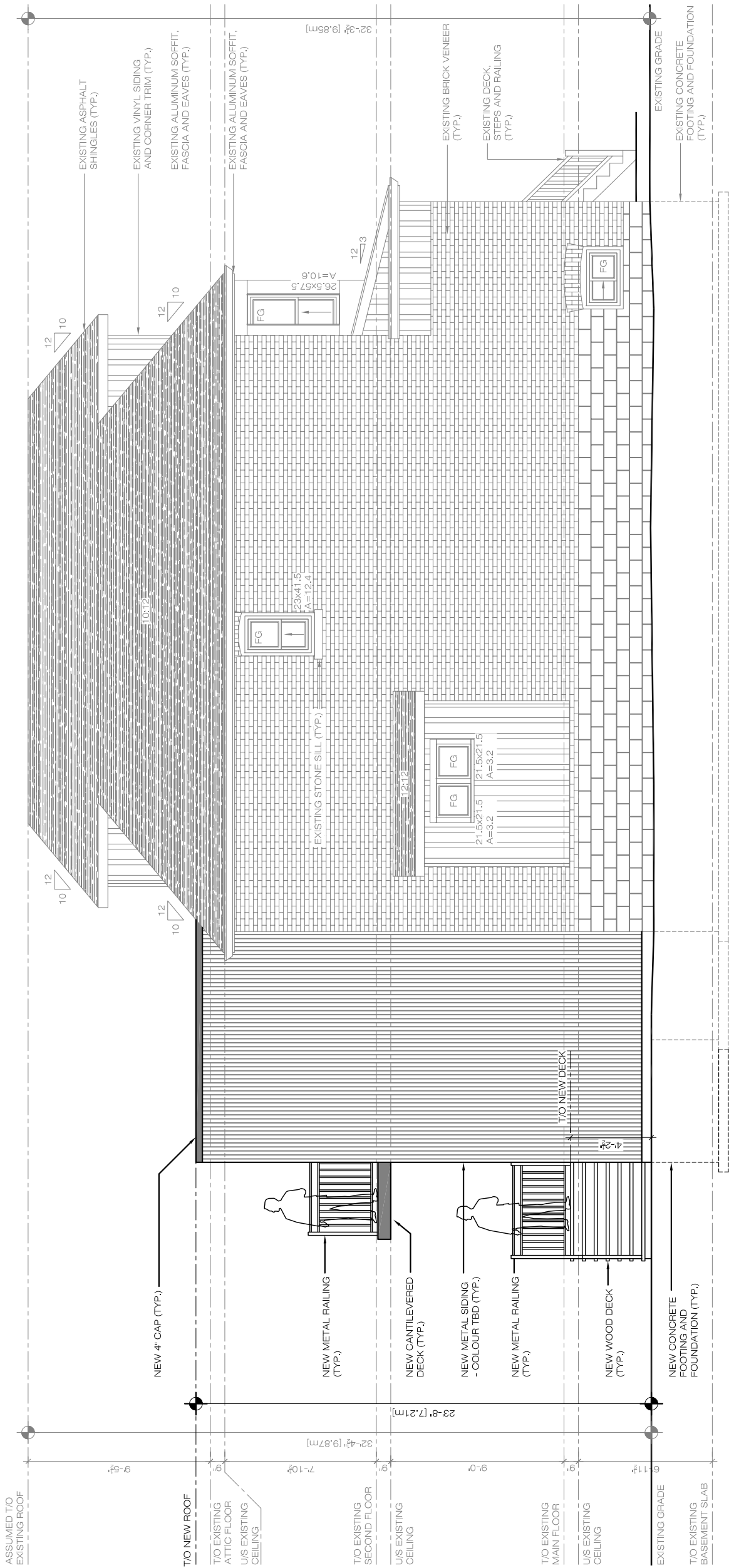
Project Name:
**PRIVATE RESIDENCE
NEW 2 STOREY REAR AND
SIDE YARD ADDITION**
37 BEULAH AVENUE,
HAMILTON, ONTARIO

Sheet Title:
LEFT SIDE ELEVATION

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| Date: | APR 2021 |
| Project No. | 2020-35 |

A8



LEFT SIDE ELEVATION

ALL EXISTING GRADING TO
REMAIN. ALL EXISTING
DRAINAGE CONDITIONS TO
REMAIN BETWEEN HOUSE
AND PROPERTY LINE

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) | Kate Hunter Erick Duan | 37 Beulah Avenue Hamilton, ON. L8P 4H2 | |
| Applicant(s)* | Carrothers and Associates (David Carrothers) dcarrothers@carrother sandassociates.com | | |
| Agent or Solicitor | | | Phone: |
| | | | E-mail: |

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 extent of relief applied for:

1. Right yard setback to addition of 0.91m in lieu of 1.2m
2. Left yard setback to addition of 0.47m in lieu of 1.2m
3. 0 parking spaces provided in lieu of 2

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

In order to obtain the additional living space required for the growing family of 4, a minor variance is required for the encroachment into the required side yard.
0 Parking – the existing driveway width on the house does not confirm to the current zoning by-law standards.

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**):

Lot 1 and Part of Lots 2 and 5, Registered Plan 519
37 Beulah Avenue

7. PREVIOUS USE OF PROPERTY

Residential ☒ Industrial ☐ Commercial ☐

Agricultural ☐ Vacant ☐

Other _____

8.1 If Industrial or Commercial, specify use _____

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?
As per homeowner

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 ☐

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.

February 26, 2021

Date


Signature Property Owner

Kate Hunter and Erick Duan

Print Name of Owner

10. Dimensions of lands affected:

| | |
|-----------------|----------------------|
| Frontage | 9.75 m |
| Depth | 32.82 m |
| Area | 311.5 m ² |
| Width of street | N/A |

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:

Existing SFD

GFA: 77.3 sqm, Gross Floor Area: 198 sqm

2 1/2 storeys, width 6.8m, length 13.3m, height 9.91m

Proposed

Rear 2 storey addition:

GFA: 24.2 sqm, Gross Floor Area: 40.6 sqm, 2 storeys, width 6.63m, length 3.7m, height 7.25m

Side yard 1 storey addition:

GFA & Gross Floor: 12.2 sqm, 1 storey, width 1.8m, length 7.2m, height 4.62

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

Existing:

Existing SFD

Front yard setback 1.82m, right yard setback 2.67m, left yard setback 0.37m

Proposed:

Rear 2 storey addition:

Rear yard setback 15.75m, right yard setback 2.70m, left yard setback 0.47m

Side yard 1 storey addition:

Right yard setback 0.91m

13. Date of acquisition of subject lands:

14. Date of construction of all buildings and structures on subject lands:

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:
18. Municipal services available: (check the appropriate space or spaces)
 Water Yes _____ Connected Yes _____
 Sanitary Sewer Yes _____ Connected Yes _____
 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:
Zone C
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. Additional Information
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.