

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-21:183

APPLICANTS: Agent DeFilippis Design
Owner Mark Berman

SUBJECT PROPERTY: Municipal address **160 West 2nd St., Hamilton**

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

ZONING: "C and C/S-1788" (Urban Protected Residential, etc.) district

PROPOSAL: To permit the creation of two (2) new lots and the construction of one (1) single family dwelling on each lot, notwithstanding,

1. A minimum side yard width of 0.6 metres shall be provided for the northerly side yard of the lands to be retained (Part 1) and the southerly side yard of the lands to be conveyed (Part 2) instead of the minimum required front yard width of 1.2 metres;

2. A minimum lot width of 7.6 metres shall be provided for both the lands to be retained (Part 1) and the lands to be conveyed (Part 2) instead of the minimum required lot width of 12.0 metres; and,

3. A minimum of 44% of the gross area of the front yard shall be provided as landscaped area instead of providing a minimum of 50% of the gross area of the front yard as landscaped area.

NOTES:

1. Variance 2 is necessary to facilitate land severance application HM/B-21:23, to be heard in conjunction with this application.

2. Floor plans and elevation drawings have not been submitted with this application. As such, a zoning compliance cannot be determined for the proposed single family dwellings.

3. A further variance will be required if the maximum permitted building height exceeds two and a half storey or 11.0 metres when provided in accordance with the definitions of "Height", "Grade" and "Cellar/Basement" as defined within the Zoning By-law.

4. Details regarding proposed yard encroachments have not been provided. Further variances will be required if compliance with Section 18(3)(vi) cannot be provided.

5. The applicant shall ensure the percentage of the front yard provided as landscaped area has been calculated in accordance with Section 18(14) of the Zoning By-law.

6. A further variance will be required should greater than eight (8) habitable rooms be proposed to be contained within each single family dwelling.

7. A further variance will be required if gravel or similar surface or other suitable paving is not provided for the parking areas.

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

DATE:	Thursday, June 17th, 2021
TIME:	2:05 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

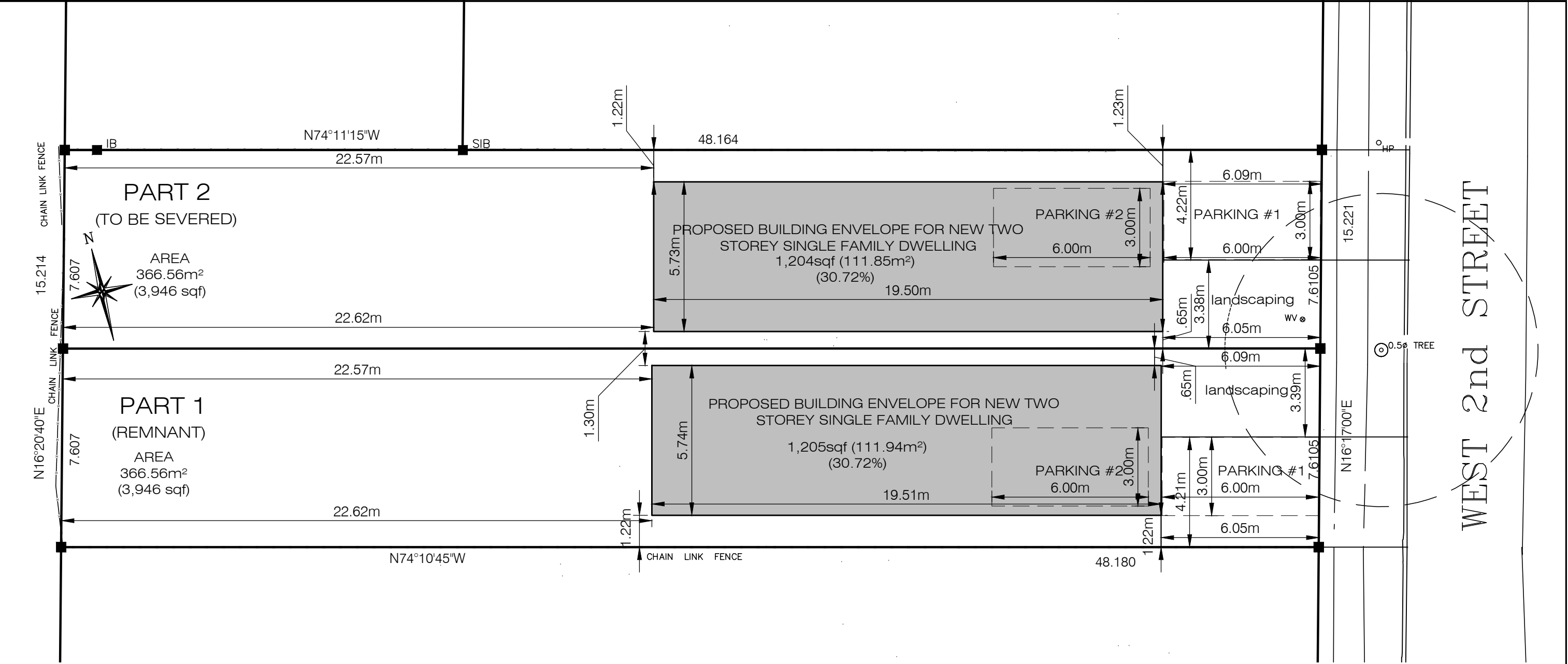
For more information on this matter, including access to drawings illustrating this request:

- 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: June 1st, 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.



SITE STATISTIC

TOTAL AREA BEFORE SEVERANCE					7,891 sqf	(733.12 m²)
PART 1	3,946 sqf	(366.56 m²)				
PROPOSED DWELLING	1,205 sqf	(111.94 m²)				
FRONT YARD	497 sqf	(46.20 m²)				
LANDSCAPING	270 sqf	(20.55 m²)	44.48%			
PAVING	228 sqf	(25.65 m²)	55.42%			
PART 2	3,946 sqf	(366.56 m²)				
PROPOSED DWELLING	1,204 sqf	(111.85 m²)				
FRONT YARD	497 sqf	(46.20 m²)				
LANDSCAPING	270 sqf	(20.55 m²)	44.48%			
PAVING	228 sqf	(25.65 m²)	55.52%			

- NOTES:
1. OWNER/CONTRACTOR TO VERIFY AND CHECK ALL DIMENSIONS AND SPECS PRIOR TO AND DURING CONSTRUCTION.
 2. ANY DEVIATIONS, DEFICIENCIES OR DISCREPANCIES FROM THESE DRAWINGS AND SPECS REQUIRES WRITTEN CLARIFICATION AND/OR APPROVAL FROM THE DESIGNER PRIOR TO CONSTRUCTION.

4			DeFILIPPIS DESIGN 687 BARTON ST., SUITE 201 STONE CREEK, ONTARIO L8E 5L6 (905) 643-2250 FAX (905) 643-1095 email: defilippisdesign@bellnet.ca
3			
2			
1			
REV.			
JOB NO.		SEVERANCE PLAN FOR:	
CHKD. BY		MARK BERMAN	
DRN. BY		160 WEST 2nd STREET HAMILTON, ONTARIO	
DATE: APRIL, 2021			
SCALE: 1 : 150		SITE PLAN	
DWG NO. SP-1			



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 _____

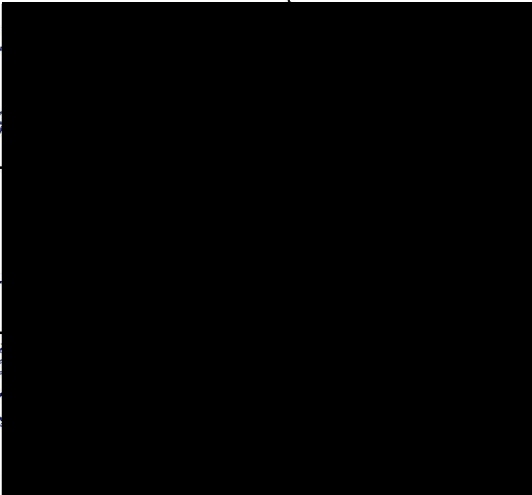
PAID _____ DATE APPLICATION DEEMED COMPLETE _____

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)	MARK BERMAN	
Applicant(s)*	Shane	
Agent or Solicitor	DEFILIPPEL DESIGN	

Note: Unless otherwise requested all c
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:

PART 1 - NORTH SIDE YARD OF 0.65m instead of 1.2m
PART 2 - SOUTH SIDE YARD OF 0.65m instead of 1.2m
LOT FRONTAGE OF 7.6 m instead of 12.0 m

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

~~MAINTAINS MIN LOT AREA~~ REDUCED SIDE YARD ALLOWS FOR MAINTENANCE & DRAINAGE
~~CONFIGURATION OF EXISTING LOTS, TO~~
MAINTAIN SEPARATE DWELLING UNITS
INSTEAD OF SEMI'S AND IN CONFORMANCE WITH STREET SEPARATION

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):

160 WEST 2ND ST, HAMILTON
LOT 120 REG PLAN 279

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 0.1 to 0.10 above?

SINGLE FAMILY STATUS IN EXCESS OF 60 years

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.

04/14/2021

Date



Signature Property Owner

MARK BERMAN

Print Name of Owner

10. Dimensions of lands affected: (INDIVIDUAL PLOTS)

Frontage

7.6 m

Depth

48.16 m

Area

366 sqm ±

Width of street

20 m

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: _

VACANT

Proposed

TWO STOREY SINGLE FAMILY DWELLING
SEE SITE SKETCH

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

Existing:

VACANT

Proposed:

SEE SITE SKETCH

13. Date of acquisition of subject lands:
2021
14. Date of construction of all buildings and structures on subject lands:
SUMMER 2021
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:
60 years plus
18. Municipal services available: (check the appropriate space or spaces)
- | | | | |
|----------------|----------|-----------|----------|
| Water | <u>✓</u> | Connected | <u>✓</u> |
| Sanitary Sewer | <u>✓</u> | Connected | <u>✓</u> |
| Storm Sewers | <u>✓</u> | | |
19. Present Official Plan/Secondary Plan provisions applying to the land:
URBAN SETTLEMENT
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
C - RESIDENTIAL
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.