

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.: GL/A-21:210

APPLICANTS: Agent Abhay Vaid
Owner E. Addezi

SUBJECT PROPERTY: Municipal address **143 Kellogg Ave., Glanbrook**

ZONING BY-LAW: Zoning By-law 464, as Amended by By-law 07-066

ZONING: R4-206 district (Residential "R4" Zone)

PROPOSAL: To permit the construction of an unenclosed porch at the rear of the existing single detached dwelling, notwithstanding,

1. A maximum lot coverage of 44% of the lot area, allowing a maximum lot coverage of 161 square metres, shall be provided instead of the maximum permitted lot coverage of 35% of the lot area, allowing a maximum lot coverage of 128 square metres; and,

2. The proposed unenclosed porch, including eave and gutter projection, shall be permitted to encroach 3.3 metres into the required rear yard instead of the maximum permitted encroachment of 1.5 metres into a required rear yard.

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

DATE: Thursday, July 8th, 2021
TIME: 1:20 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

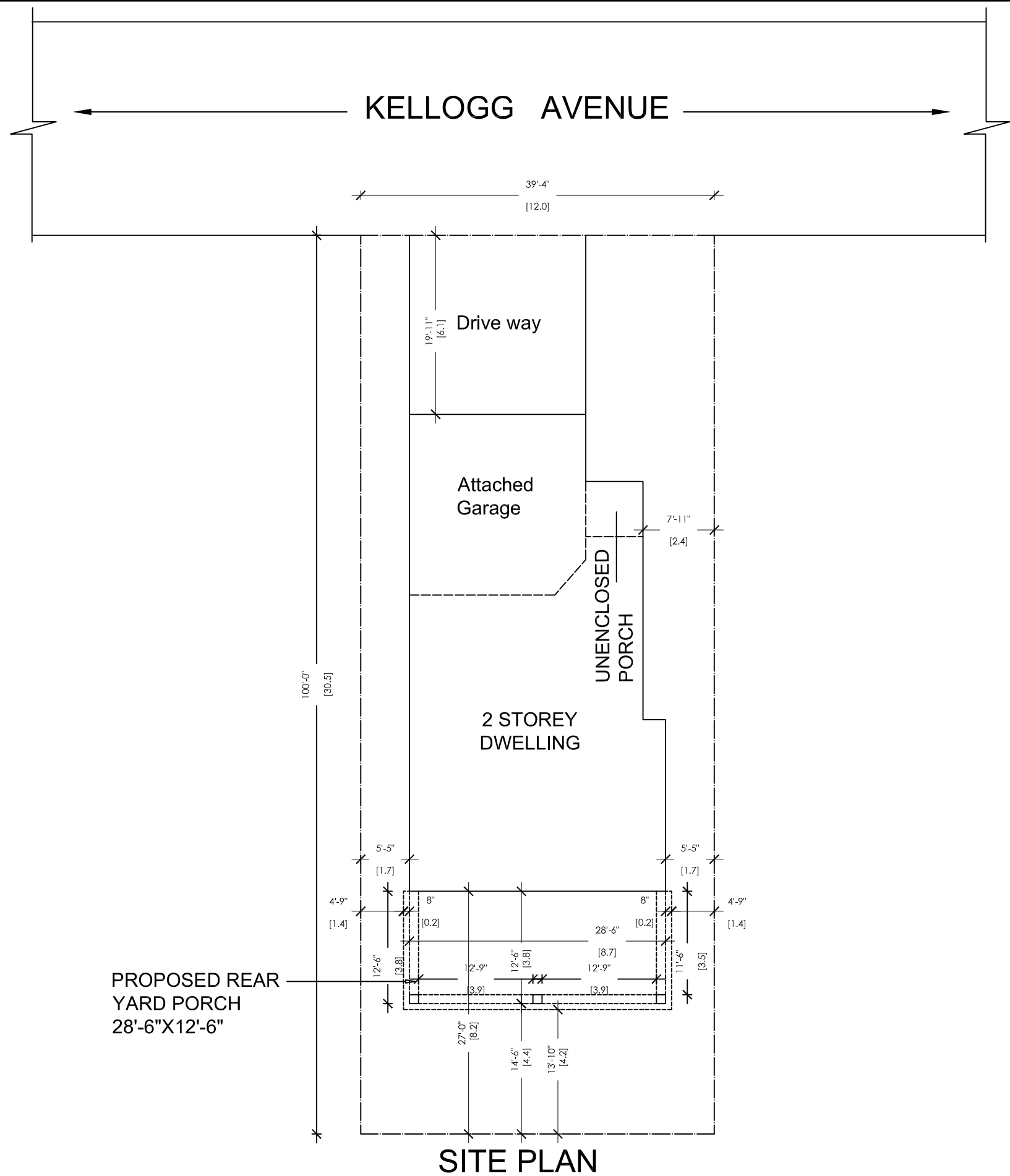
For more information on this matter, including access to drawings illustrating this request:

- 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 22nd, 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.



V.A.ARCHITECT INC.
UNIT 103,
120 TRADERS BLVD. E.,
MISSISSAUGA, ON.
Tel : (905) 501-1000
Email : vaainc@gmail.com
Web : www.vaainc.ca

Revisions:		
No.	Date:	Particular:
-	-	-
By:		
-		

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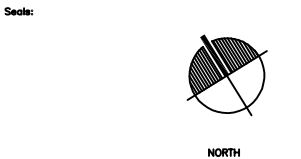
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Client: E.A.

Project: 143 KELLOGG AVENUE
HAMILTON Ontario

Sheet Title: SITE PLAN

Drawn:	AV	Sheet No:	
Checked:	AV		A100
Approved:	-		
Date:	FEB. 2021		
Scale:	1/16"=1'-0"	Project No:	2020-081

ROOF RAFTERS (WHERE NO CEILING IS INSTALLED)

MAXIMUM CLEAR SPAN						
RAFTER SIZE	ROOF SNOW LOAD 21 PSF			ROOF SNOW LOAD 31 PSF		
	RAFTER SPACING			RAFTER SPACING		
	12" O.C.	16" O.C.	24" O.C.	12" O.C.	16" O.C.	24" O.C.
2X4	10'-2"	9'-3"	8'-1"	8'-11"	8'-1"	7'-1"
2X6	16'-0"	14'-7"	12'-9"	14'-0"	12'-9"	11'-1"
2X8	21'-1"	19'-2"	16'-9"	18'-5"	16'-9"	14'-5"
2X10	27'-0"	24'-6"	20'-11"	23'-6"	21'-4"	17'-8"

ROOF JOISTS (WHERE CEILING IS INSTALLED)

MAXIMUM CLEAR SPAN						
JOIST SIZE	ROOF SNOW LOAD 21 PSF			ROOF SNOW LOAD 31 PSF		
	JOIST SPACING			JOIST SPACING		
	12" O.C.	16" O.C.	24" O.C.	12" O.C.	16" O.C.	24" O.C.
2X4	8'-1"	7'-4"	6'-5"	7'-1"	6'-5"	5'-7"
2X6	12'-9"	11'-6"	10'-1"	11'-1"	10'-1"	8'-9"
2X8	16'-9"	15'-2"	13'-3"	14'-7"	13'-3"	11'-7"
2X10	21'-4"	19'-5"	17'-0"	18'-8"	17'-0"	14'-9"

ROOFING

ROOF FRAMING	ROOF SHEATHING
RAFTERS @ 12" O.C.	3/8" PLYWOOD OR 1 1/8" LUMBER
RAFTERS @ 16" O.C.	
RAFTERS @ 24" O.C.	3/8" PLYWOOD W/ 1/4" CLIPS OR 3/4" LUMBER

BEAMS

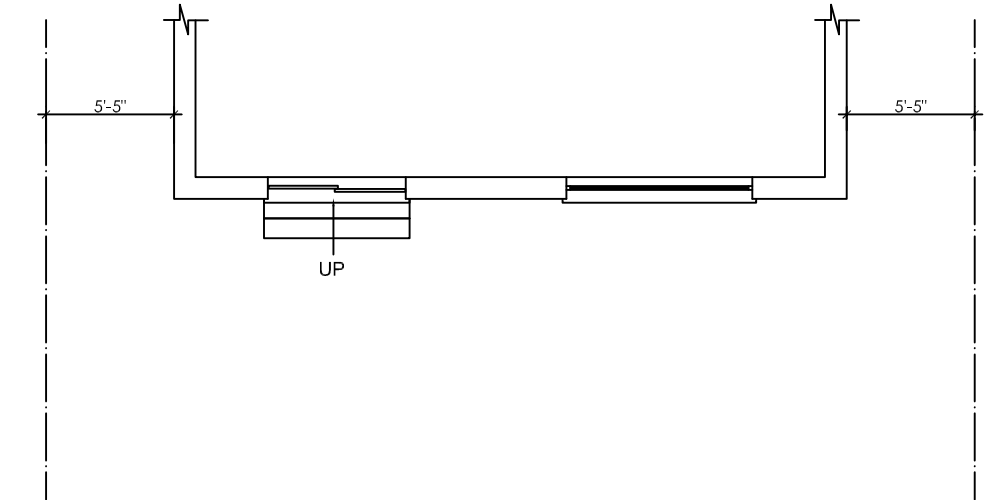
MAXIMUM CLEAR SPAN	ROOF SNOW LOAD		MINIMUM BEAM SIZE
	21 PSF	31 PSF	
	11'-6"	10'-1"	
	14'-9"	12'-10"	2 - 2"x8"
	17'-9"	15'-3"	2 - 2"x10"

PIERS

PIER SIZE	SUPPORTED ROOF AREA IN SQ. FT.					
	ROOF SNOW LOAD 21 PSF			ROOF SNOW LOAD 31 PSF		
	ALLOWABLE BEARING CAPACITY OF SOIL			ALLOWABLE BEARING CAPACITY OF SOIL		
	1500 PSF	2500 PSF	4000 PSF	1500 PSF	2500 PSF	4000 PSF
8" DIA.	21	35	59	15	25	39
10" DIA.	33	55	87	23	39	62
12" DIA.	47	79	126	34	56	90
14" DIA.	64	107	171	46	76	122
16" DIA.	82	140	223	59	100	159

LEGEND

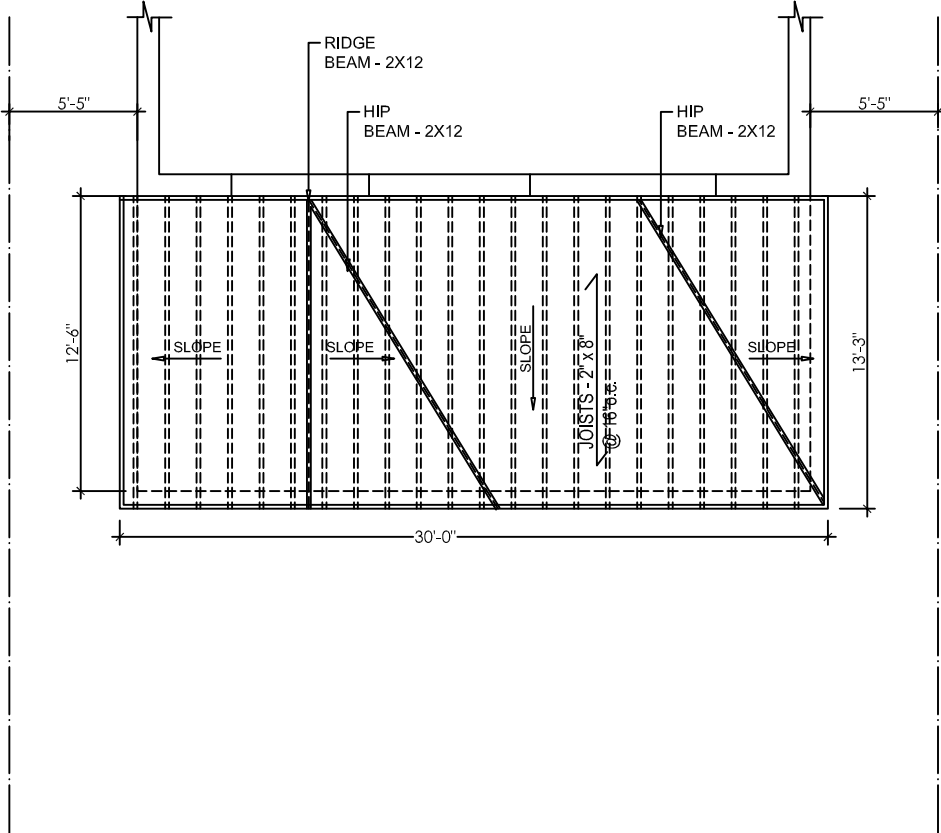
PIER	SUPPORTED ROOF AREA
P1 - 8" x 8"	
◆	POT LIGHTS
BEAMS	SUPPORTED JOIST LENGTH
B1	3 - 2" X 12"
For Structures, Please see Structure drawings	



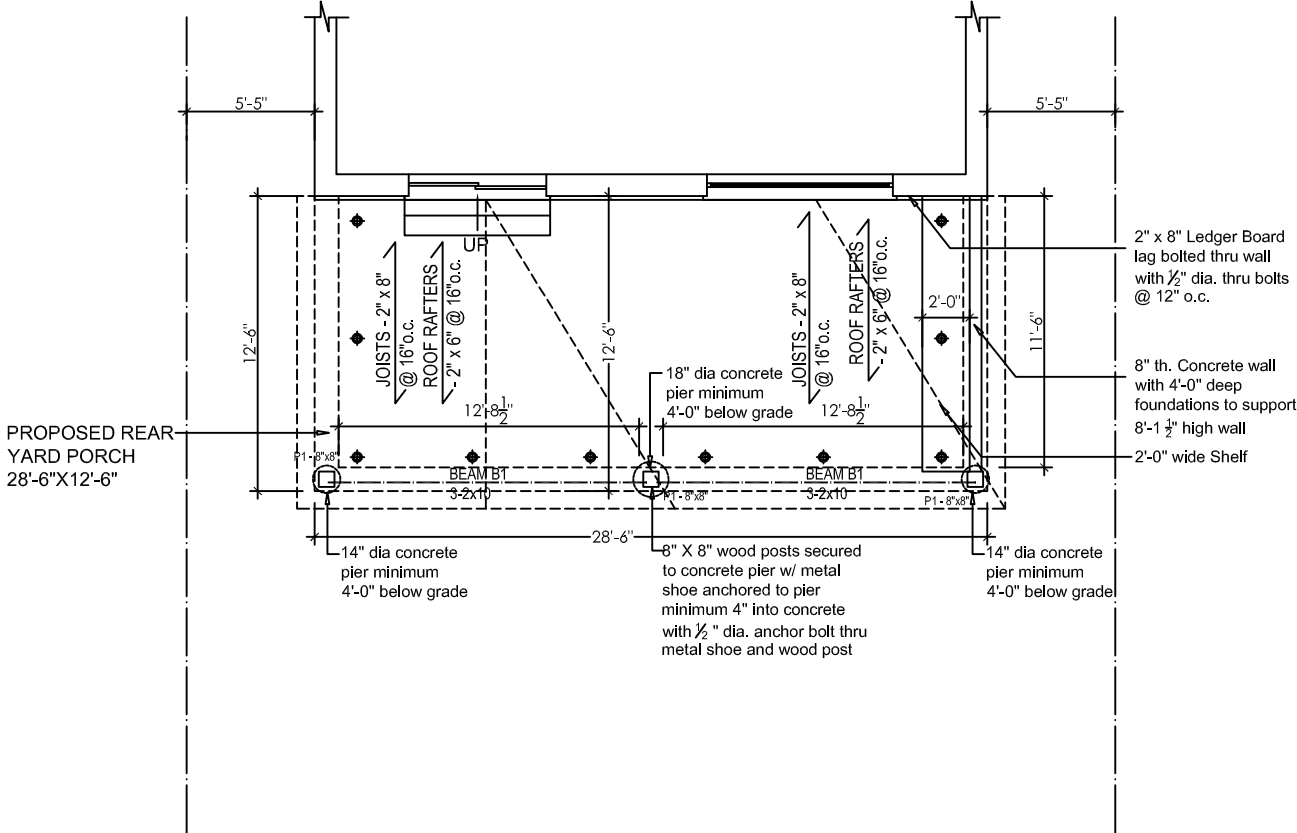
EXISTING PART REAR PLAN

GENERAL NOTES

- ALL LUMBER TO BE NO. 1&2 SPF OR BETTER
- ALL PLYWOOD SHALL BE STAMPED EXTERIOR GRADE
- WOOD POSTS TO BE 8"x8"
- BEARING CAPACITY OF SOIL SHALL BE CONFIRMED PRIOR TO CONSTRUCTION.



PROPOSED ROOF FRAMING PLAN FOR PORCH



PROPOSED PART REAR PLAN FOR PORCH



V.A.ARCHITECT INC.

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Revisions:		
No.	Date:	Particular:
-	-	-
Drawing Issue:		
Date:	Particular:	By:
Mar 07 2021	Issued for Client Approval	-
Mar 23 2021	Issued for Zoning Compliance	-
Mar 29 2021	Issued for Client Review	-
Apr 02 2021	Issued for Client Review	-
May 05 2021	Issued for C of A Minor Variance	-

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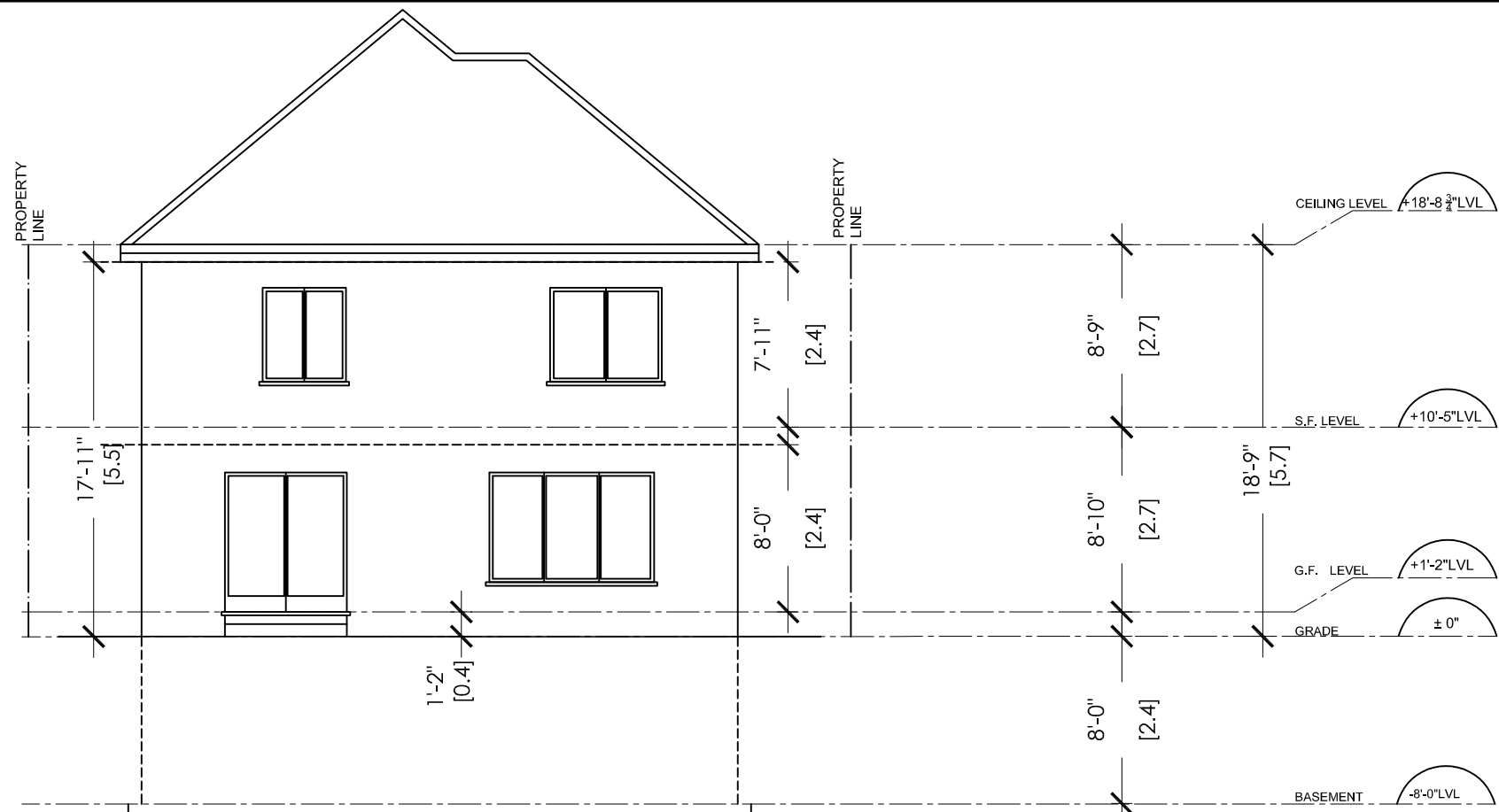
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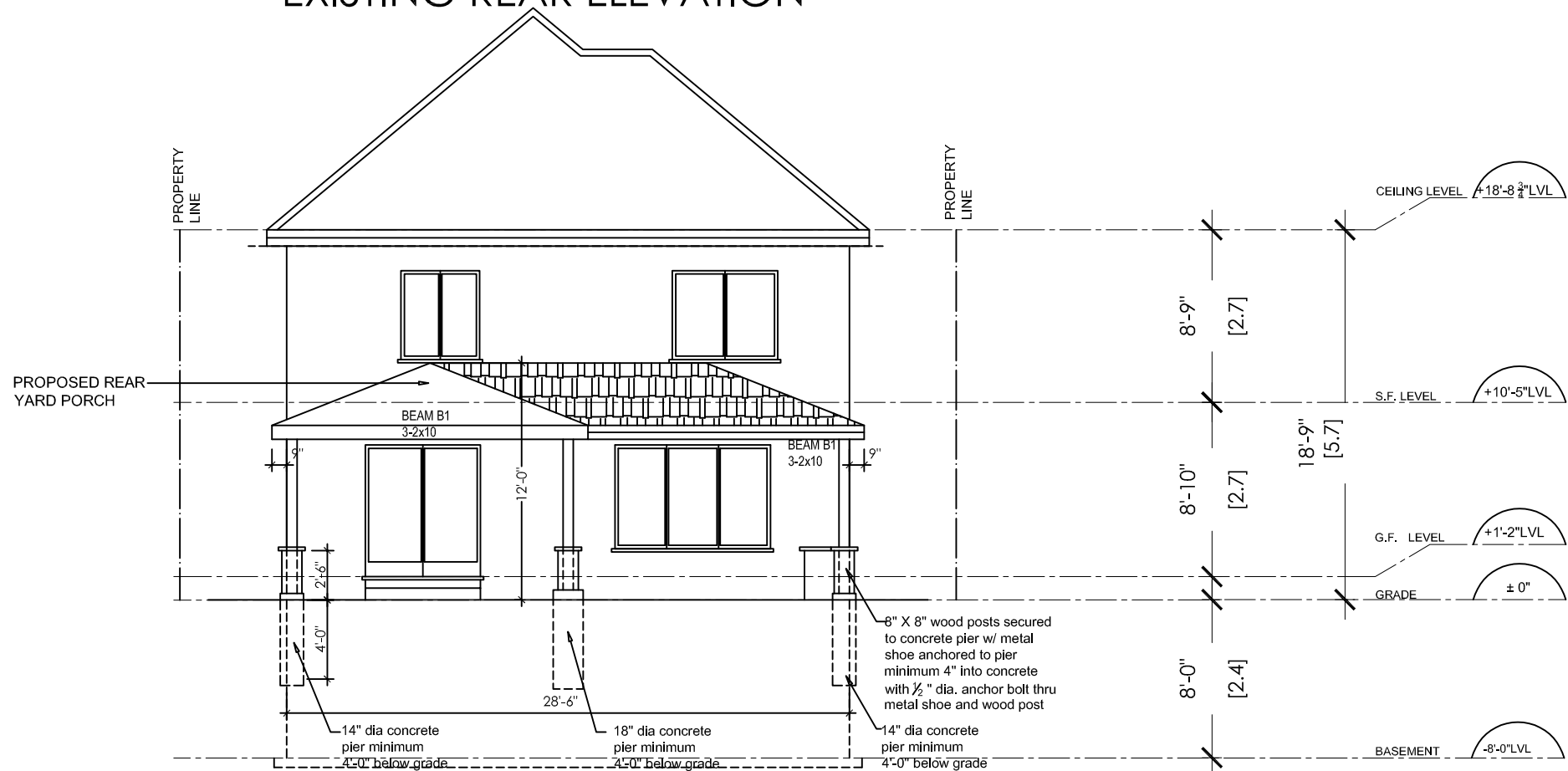
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Scale:	
Client:	E.A.
Project:	143 KELLOGG AVENUE HAMILTON Ontario
Sheet Title:	EXISTING & PROPOSED FLOOR PLANS

Drawn:	AV	Sheet No:
Checked:	AV	A101
Approved:	-	
Date:	FEB. 2021	
Scale:	1/8"=1'-0"	Project No: 2020-081



EXISTING REAR ELEVATION



PROPOSED REAR ELEVATION



V.A.Architect Inc.

UNIT 103,
120 TRADERS BLVD. E.,
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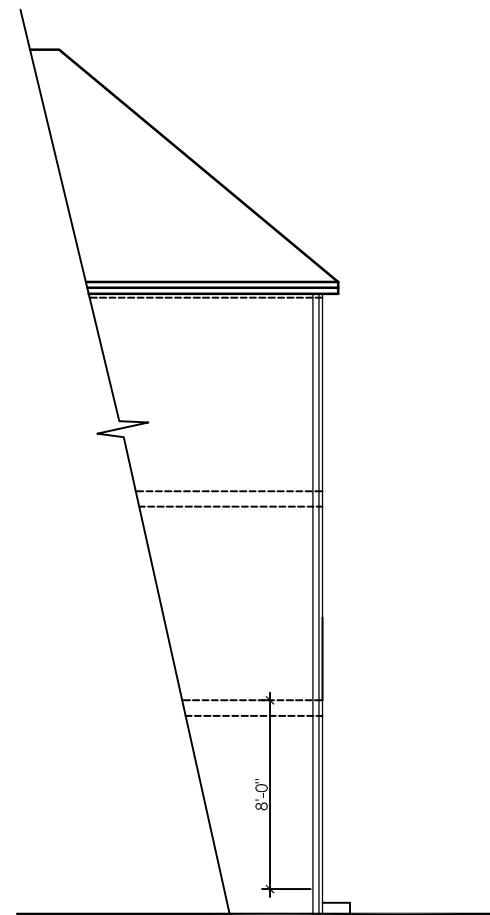
Scale:

Client: E.A.

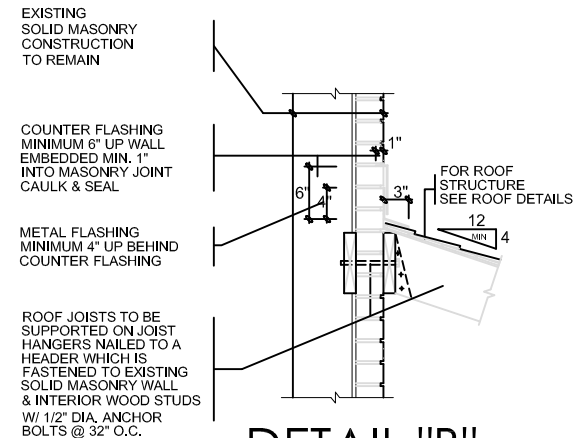
Project: 143 KELLOGG AVENUE
HAMILTON Ontario

Sheet Title: EXISTING & PROPOSED REAR ELEVATIONS

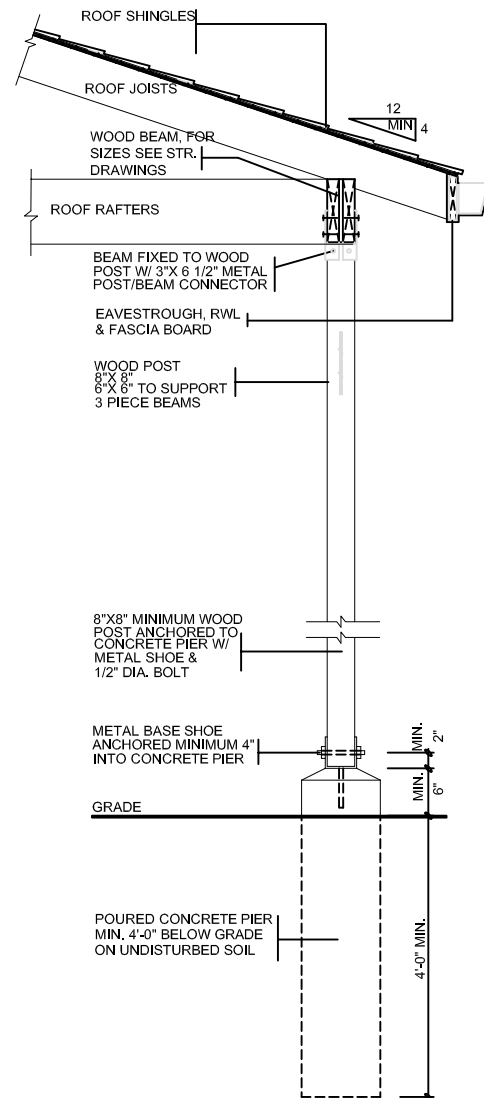
Drawn:	AV	Sheet No:	
Checked:	AV		
Approved:	-		A102
Date:	FEB. 2021		
Scale:	1/8"=1'-0"	Project No:	2020-081



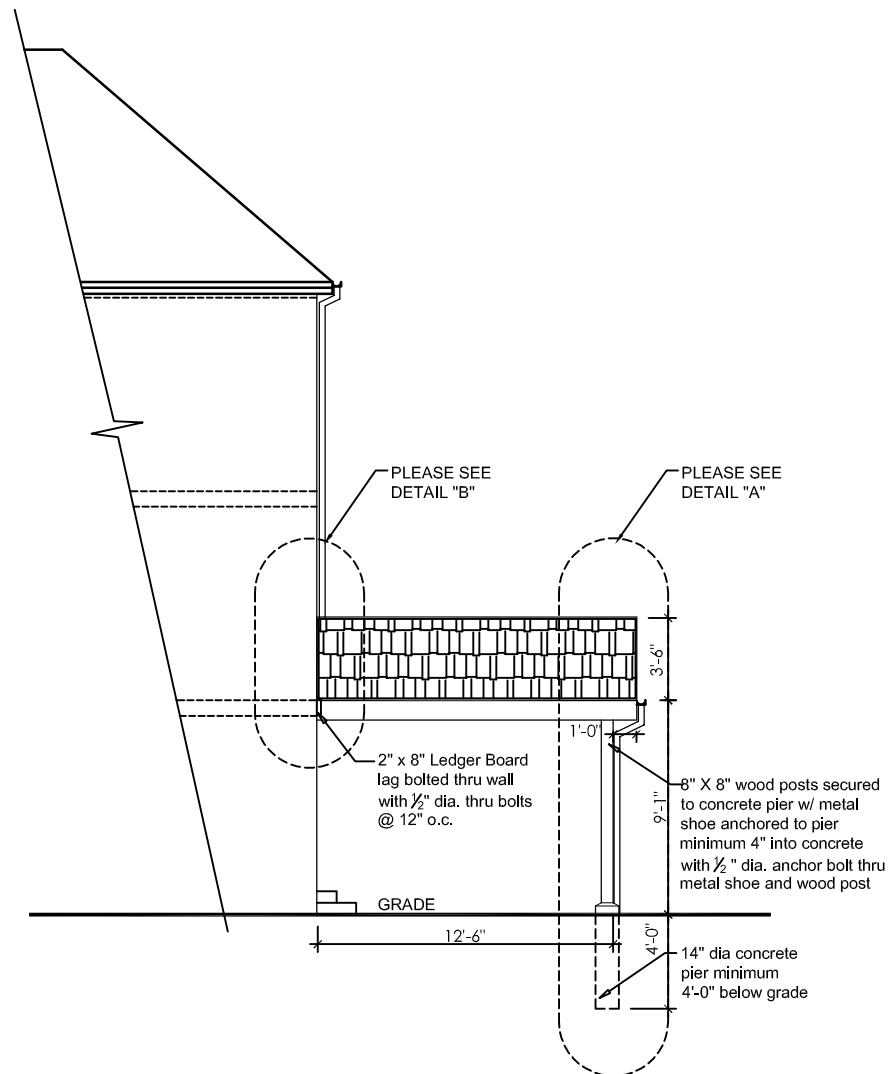
EXISTING SIDE ELEVATION



DETAIL "B"



DETAIL "A"



PROPOSED SIDE ELEVATION



V.A.ARCHITECT INC.
UNIT 103,
120 TRADERS BLVD. E.,
MISSISSAUGA, ON.
Tel : (905) 501-1000
Email : vaainc@gmail.com
Web : www.vaainc.ca

Revisions:			
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Scale:

Client: E.A.

Project: 143 KELLOGG AVENUE
HAMILTON Ontario

Sheet Title: EXISTING & PROPOSED FLANK WALL ELEVATIONS & DETAILS

Drawn: AV Sheet No:

Checked: AV

Approved: - A103

Date: FEB. 2021

Scale: 1/8"=1'-0" Project No: 2020-081



Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Building Division
71 Main Street West
Hamilton, Ontario, Canada, L8P 4Y5
Phone: 905.546.2720 Fax: 905.546.2764
www.hamilton.ca

April 19, 2021

FILE: ALR
FOLDER: 21-115578-00 ALR
ATTENTION OF: Robyn Reid
TELEPHONE NO: (905) 546-2424
EXTENSION: 4769

Abhay Vaid

Attention:

Re: APPLICABLE LAW REVIEW – ZONING BYLAW
Present Zoning: R4-206
Zoning By-law: Glanbrook Zoning By-law 464
Address: 143 KELLOGG AVE GLANBROOK, ON

An Applicable Law Review respecting zoning bylaw compliance has been completed and the following comments are provided.

COMMENTS:

1. The applicant is proposing to construction a rear porch addition to the existing single detached dwelling.
2. Building Division records indicate the recognized use is a single detached dwelling, which is permitted at this location.
3. The proposed development has been reviewed and compared to the standards of the R4-206 zone as indicated in the following chart. Please note; any required calculation will be noted in **blue**, below the provision requiring the calculation.

	Required By By-Law	Provided	Conforming/ Non-Conforming
Section 16: Residential “R4” Zone			
Minimum Lot Frontage Site specific R4-206 zone, Glanbrook Zoning By-law 464	12 metres, except 15 metres for a corner lot	12.0 metres (as shown on the submitted survey)	Conforming
Minimum Lot Area Site specific R4-206 zone, Glanbrook Zoning By-law 464	345 square metres, except 400 square metres for a corner lot	366 square metres (pursuant to building permit 11-110261)	Conforming
Maximum Lot Coverage	35 percent	<u>Existing</u> – 127.5 square metres (pursuant to	Non-conforming

	Required By By-Law	Provided	Conforming/ Non-Conforming
<p>Section 16.2 (c) of Glanbrook Zoning By-law 464</p> <p><i>"LOT COVERAGE" shall mean the percentage of the lot covered by all buildings, but shall not include swimming pools and patio decks</i></p>	<p>Lot area – 366 square metres x 35% = a maximum permitted lot coverage of 128.1 square metres</p>	<p>building permit 11-110261)</p> <p>Proposed – 8.7 metres x 3.5 metres = 30.45 square metres</p> <p>Total – 157.95 square metres</p>	
<p>Minimum Front Yard</p> <p>Site specific R4-206 zone, Glanbrook Zoning By-law 464</p>	6 metres	6.074 metres (to existing dwelling as shown on the submitted survey)	Conforming
<p>Minimum Side Yard</p> <p>Section 16.2 (e) of Glanbrook Zoning By-law 464 and R4-206</p>	<p>1.2 metres (4 feet), except:</p> <p>(i) On an interior lot where no attached garage or attached carport is provided, the minimum side yard on one side shall be 4.2 metres (14 feet); and</p> <p>(ii) On a corner lot, the minimum side yard abutting the flanking street shall be 3 metres, except that an attached garage or attached carport which fronts on the flankage street shall not be located within 6 metres of the flanking street line.</p>	<p>East – 1.642 metres (to existing dwelling as shown on the submitted survey)</p> <p>West – 1.657 metres (to existing dwelling as shown on the submitted survey)</p>	Conforming
<p>Minimum Rear Yard</p> <p>Section 16.2 (f) of Glanbrook Zoning By-law 464</p>	7.5 metres (25 feet)	8.245 metres (to existing dwelling as shown on the submitted survey)	Conforming
<p>Minimum Floor Area per Dwelling</p> <p>Section 16.2 (g) of Glanbrook Zoning By-law 464</p> <p><i>"FLOOR AREA" means the total floor area of all floors within a building, which area is measured between the exterior face of exterior walls or from the centre line of a common wall, excluding:</i></p> <p><i>(a) In the case of an apartment building, any garage, porch, veranda, balcony, mezzanine, lobby, cellar, common hallway, staircase,</i></p>	<p>(i) 1 Storey - 100 square metres (1,075 square feet)</p> <p>(ii) 1½ Storey or Split Level - 110 square metres (1,185 square feet)</p> <p>(iii) 2 or 2½ Storeys - 125 square metres (1,345 square feet)</p>	As defined, the proposed rear porch is not included in the Minimum Floor Area calculation	n/a

	Required By By-Law	Provided	Conforming/ Non-Conforming
<i>elevator shaft area, vestibule, boiler room, common laundry room or common storage room; and (b) In the case of all other dwelling units, any private garage or carport, porch, veranda, balcony, breezeway, attic, basement or cellar; and (c) In the case of all other buildings, cellars and motor vehicle parking areas.</i>			
Maximum Height Section 16.2 (h) of Glanbrook Zoning By-law 464	10.7 metres (35 feet)	The proposed rear porch is shown to be less than 10.7 metres	Conforming
Minimum Parking Requirements Section 16.2 (i) of Glanbrook Zoning By-law 464	Pursuant to the provisions of Subsections 7.35, 11.5 and 11.6 of this By-law	The proposed rear porch addition does not require additional parking; as such, zoning compliance for parking has not been reviewed with this application	n/a
Section 7: General Provisions for All Zones			
Encroachments Into Yards Section 7.26 (b) of Glanbrook Zoning By-law 464	<p>Balconies, canopies, fruit cellars or unenclosed porches which may project into any required front or rear yard a distance of not more than 1.5 metres (5 feet), or into any minimum side yard a distance of not more than 0.5 metres (1.6 feet);</p> <p>The proposed rear porch is permitted to encroach 0.5 metres into the minimum required 1.2 metre side yard; therefore, requiring a minimum side yard setback of 0.7 metres to the proposed rear porch, including any eave and gutter projection</p> <p>The proposed rear porch is permitted to encroach 1.5 metres into the minimum required 7.5 metre rear yard; therefore, requiring a minimum rear yard setback of 6.0 metres to the proposed rear porch, including any eave and gutter projection</p>	<p>It is unclear if the proposed rear porch, as shown on the submitted side plan, includes any proposed eave and gutter projection.</p> <p>The proposed rear porch is not shown to encroach into a minimum required side yard</p> <p>The proposed rear porch is shown to encroach 3.1 metres into the minimum required rear yard</p>	<p>Unable to determine compliance / Non-conforming</p> <p>NOTE: the applicant shall ensure the setbacks provided to the proposed rear porch include all eave and gutter projections</p>

4. Construction of the proposed rear porch addition is subject to the issuance of a building permit in the normal manner. Be advised that Ontario Building Code regulations may require specific setback and construction types.
5. The designer shall ensure that the fire access route conforms to the Ontario Building Code.
6. This review is based on the plans submitted with the application.

Yours truly

for the Manager of Building Engineering and Zoning

**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)	Ernie Addezi	
Applicant(s)*	Ernie Addezi	
Agent or Solicitor	Abhay Vaid	

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:

Ernie Addezi
143 Kellogg Avenue, Glanbrook, ON

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:

Lot area – 366 square metres x 35% = a maximum permitted lot coverage of 128.1 square metres is permitted under Section 16.2 (c) of Glanbrook Zoning By-law 464; while per building permit 11-110261; Existing - 127.5 square metres; Proposed– 8.7 metres x 3.5 metres = 30.45 square metres; Total – 157.95 square metres and relief for 29.85 square metres extra lot coverage is needed. The proposed rear porch is encroaching 3.1m into the rear yard.

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

Section 16.2 (c) of Glanbrook Zoning By-law 464 "LOT COVERAGE" shall mean the percentage of the lot covered by all buildings, but shall not include swimming pools and patio decks; Lot area – 366 square metres x 35% = a maximum permitted lot coverage of 128.1 square metres is permitted under Section 16.2 (c) of Glanbrook Zoning By-law 464; while per building permit 11-110261; Existing - 127.5 square metres; Proposed– 8.7 metres x 3.5 metres = 30.45 square metres; Total – 157.95 square metres; Encroachments Into Yards, Section 7.26 (b) of Glanbrook Zoning By-law 464 - The proposed rear porch is encroaching 3.1m into the rear yard as per proposed rear yard porch.

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 17, PIN 16901-0721 (LT) PLAN 62M-1153
143 KELLOGG AVENUE, GLANBROOK, ON

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?
N/A

- 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.

May 05, 2021

Date


Signature Property Owner

Ernie Addezi

Print Name of Owner

10. Dimensions of lands affected:

Frontage	12.0 metres
Depth	30.5 metres
Area	366 Square metres
Width of street	Appx. 20 metres

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: _

2 Storey residential building; Ground floor area - 88.5 sq. metres; Gross Floor area - 213 sq. metres appx.; W - 7.9 metres; L - 16.18 metres; H - 9.146 metres

Proposed

Single Storey Rear Yard Porch; W -8.7m; L-3.8m; H-3.7m

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

Existing:

Front yard setback - 6.1 m; Rear Yard Setback - 8.2m; Side yard setback - 1.7 m on each side

Proposed:

Front yard setback - 6.1 m; Rear Yard Setback - 4.2m; Side yard setback - 1.4 m on each side

13. Date of acquisition of subject lands:
2012
-
14. Date of construction of all buildings and structures on subject lands:
2011
-
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:
9-10 years
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:
Glanbrook Zoning By-law 464
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.
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.