



Hamilton

COMMITTEE OF ADJUSTMENT

City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5
Telephone (905) 546-2424, ext. 4221, 3935 Fax (905) 546-4202
E-mail: cofa@hamilton.ca

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-21:222

APPLICANTS: Agent Edward Wong
Owner Zingwen Guo

SUBJECT PROPERTY: Municipal address **111 Gibson Ave., Hamilton**

ZONING BY-LAW: Zoning By-law 6593, as Amended 74-60

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

PROPOSAL: To permit the conversion of the existing single family dwelling to contain one (1) Secondary Dwelling Unit, notwithstanding that:

1. A Secondary Dwelling Unit shall be permitted to have a maximum of three bedrooms, instead of the requirement that a Secondary Dwelling Unit shall have a maximum of two bedrooms.
2. A minimum parking space size of 2.7 metres wide by 5.93 metres long shall be provided for one (1) parking space, and a minimum parking space size of 2.69 metres wide by 5.99 metres long shall be provided for one (1) parking space, instead of the minimum required parking space size of 2.7 metres wide by 6.0 metres long.
3. A bay window shall be permitted to project a maximum of 1.2 metres into the required northerly side yard, and may be as close as 0 metres to the northerly lot line, instead of the maximum permitted projection of 0.4 metres.

NOTE:

1. Please note that this application is subsequent to minor variance application HM/A-19:82, for the conversion of the existing dwelling to a two family dwelling, that was granted with conditions. Please note that By-law No. 21-076, to amend Hamilton Zoning By-law No. 6593, respecting secondary dwelling unit regulations, is now in full force and effect; therefore, this application has been reviewed under the current in-force regulations.
2. Please note that Variance No. 3, as it relates to Section 18(3)(vi)(cc) and the projection of a bay window into the northerly side yard has been written as requested by the applicant. As per the email dated May 11th, 2021, the applicant has advised that no changes to the exterior of the existing dwelling have been proposed; therefore, the existing site/building conditions appear to be legal non-complying. Should changes to the exterior of the dwelling be proposed, resulting in an increase in the height, area or volume of the building or structure, further variances may be required.

3. The applicant shall ensure that the appropriate access/maintenance agreements are registered on title if the bay window and eaves and gutters encroach onto the adjacent property.

4. A building permit is required for the conversion of the existing single family dwelling to contain one (1) Secondary Dwelling Unit. 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, July 22nd, 2021
TIME: 3:20 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: July 6th, 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.

GENERAL NOTES:

1. THE EDWARD WONG & ASSOCIATES INC. IS REFERRED AS THE DESIGNER.
2. ALL DRAWINGS AND RELATED DOCUMENTS ARE THE PROPERTY OF THE DESIGNER AND MUST BE RETURNED UPON REQUEST. ANY REPRODUCTION OF DRAWINGS, UNAUTHORIZED USE FOR ANY OTHER PURPOSE AND ANY OTHER ADDRESS BY ANY OTHER PERSON WITHOUT WRITTEN PERMISSION IS PROHIBITED.
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1	ISSUED FOR CLIENT REVIEW	MAR 22, 2021
REV.	ISSUED FOR:	DATE

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 441 ESNA PARK DR. UNIT 19
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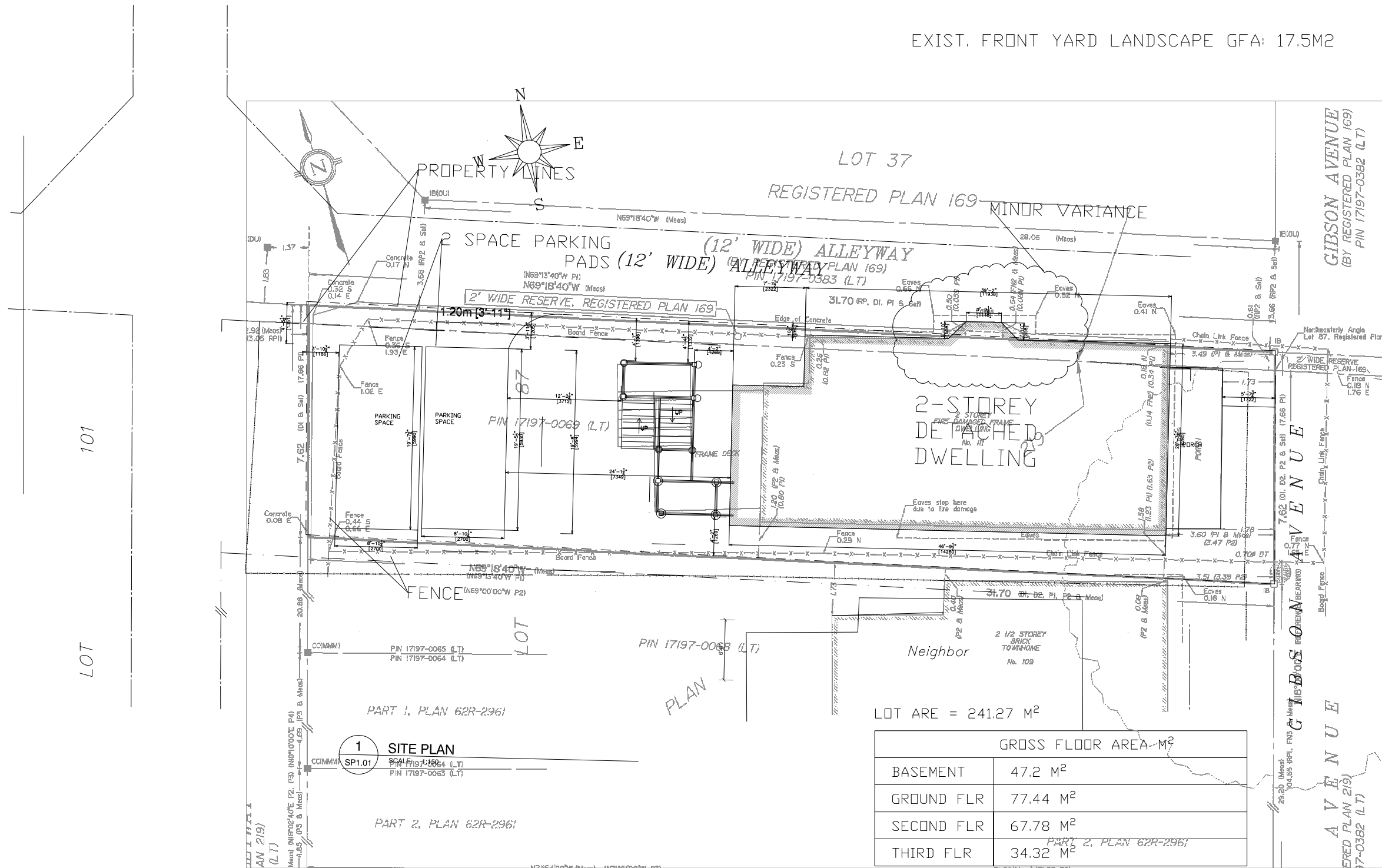
PROJECT AND LOCATION:
NEW SECOND UNIT AND INTERIOR RENOVATIONS
 111 Gibson Avenue
 Hamilton, Ontario

Project No.: Ma005997a
 Date: 2021-3-12
 DRAWN BY: M.L CHECKED BY: EW
 DESIGNED BY: SCALE: 1:150

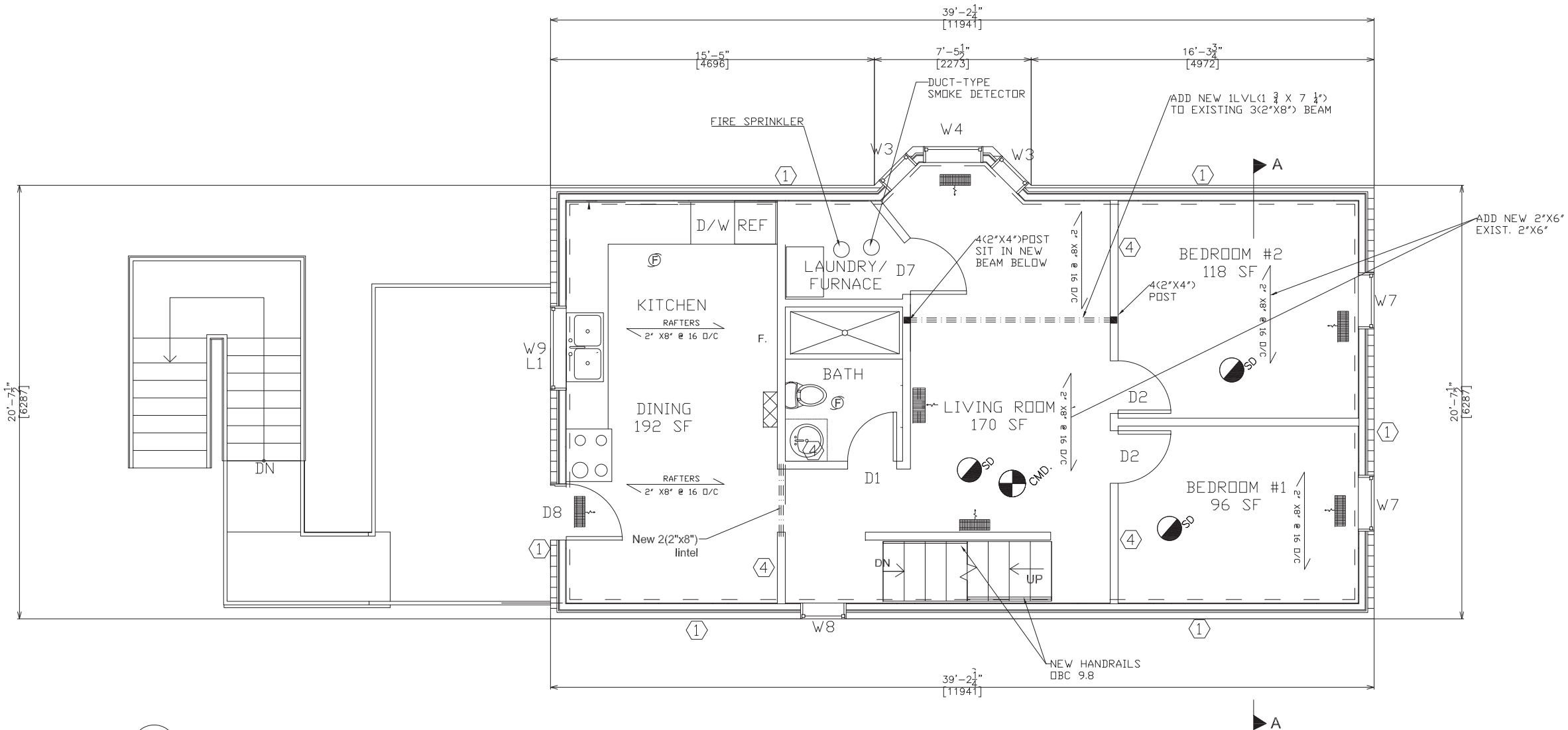
SHEET TITLE:
SITE PLAN

SHEET NUMBER:
SP1

EXIST. FRONT YARD LANDSCAPE GFA: 17.5M²



PRIMARY UNIT (BASEMENT + FIRST)= 124.64M²
 SECONDARY UNIT (SECOND + THIRD)= 102.10M²



1 PROPOSED SECOND FLOOR PLAN
 A7 SCALE: 1:75

ROOMS	FLOOR AREA	MIN. AREA OBC, PART 9	WINDOW AREA PROVIDED	%MIN.(AREA SQFT) REQUIRED, OBC PART 11
LIVING	170 SQFT (15.8 M ²)	145 SQFT (13.40 M ²)	25 SQFT	5% (7.25 SQFT)
DINING/ KITCHEN	192 SQFT (17.8 M ²)	80 SQFT 7.40 M ²)	25 SQFT	5% (4.00 SQFT)
BEDROOM #1	96 SQFT (8.9 M ²)	75 SQFT (6.90 M ²)	10.5 SQFT	2.5% (2.4 SQFT)
BEDROOM #2	118 SQFT (10.9 M ²)	75 SQFT (6.90 M ²)	10.50 SQFT	2.5% (2.4 SQFT)
BEDROOM #3	173 SQFT (16.07 M ²)	75 SQFT (6.90 M ²)	14.44 SQFT	2.5% (2.4 SQFT)

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DESIGNED BY: SCALE: 1:75

SHEET TITLE:
PROPOSED SECOND FLOOR PLAN

SHEET NUMBER:
A7

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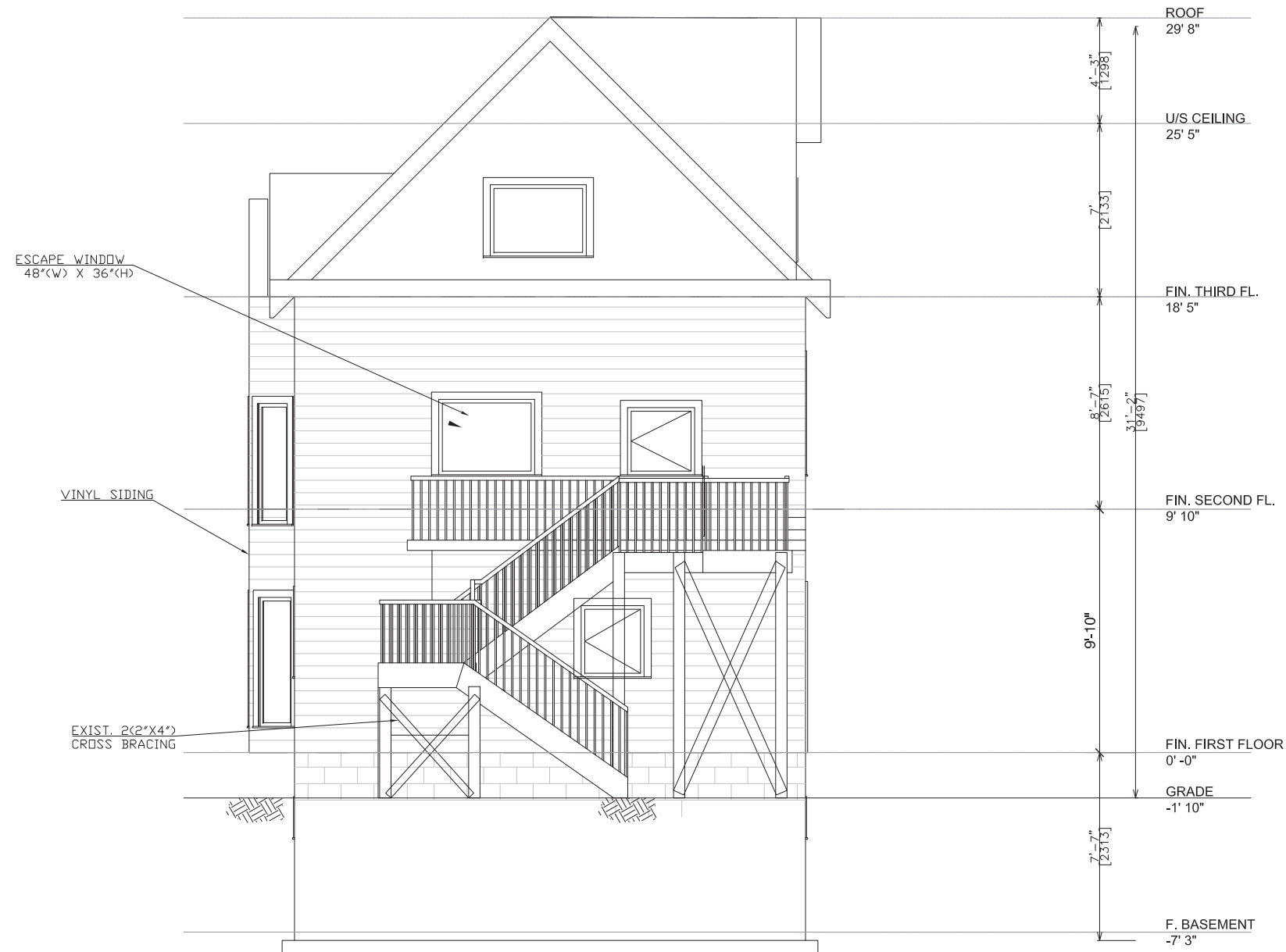
PROPOSED NORTH ELEVATION

SHEET NUMBER:

A11



1 PROPOSED NORTH ELEVATION
 A11 SCALE: 1:75



1 PROPOSED WEST ELEVATION
A13 SCALE: 1:75

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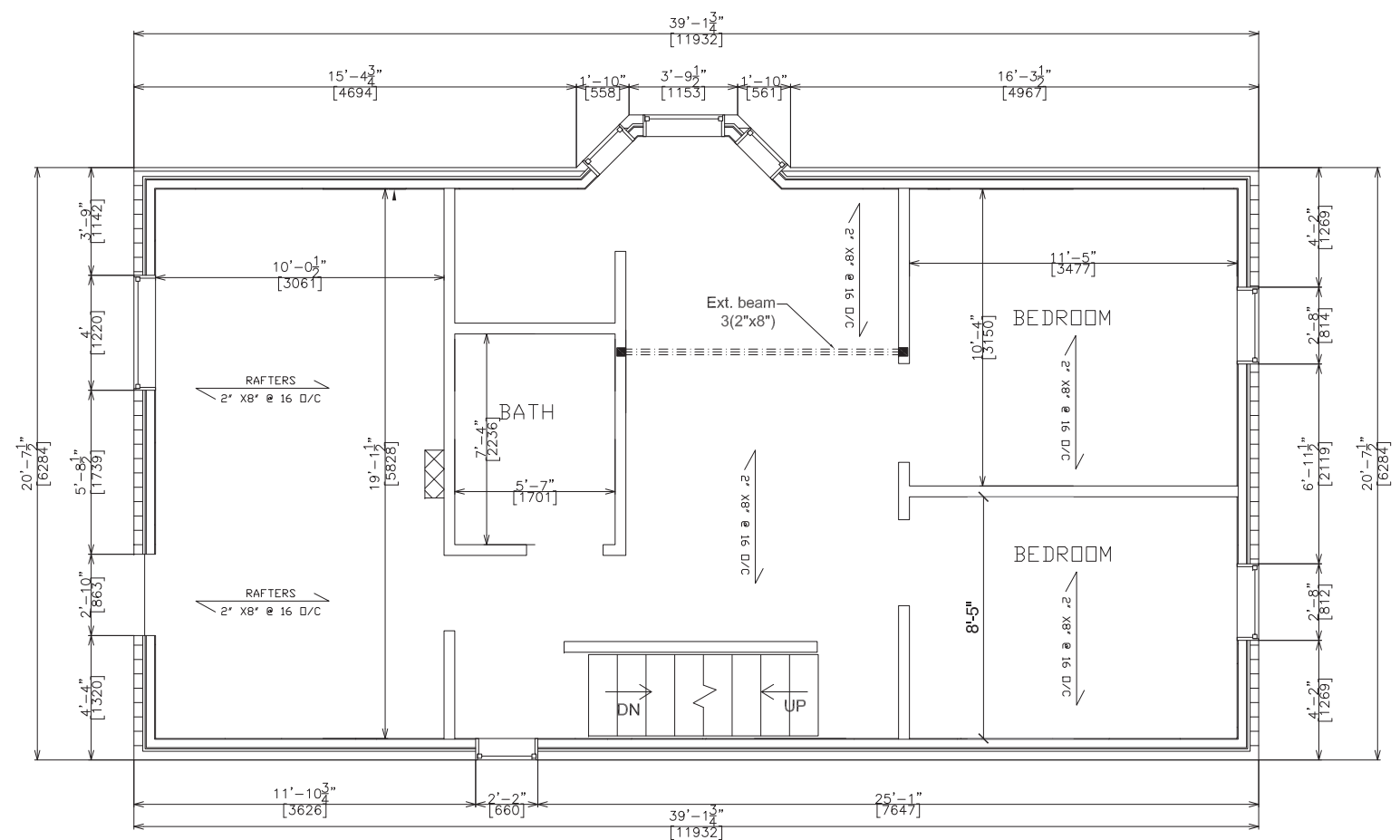
DESIGNED BY: SCALE: 1:75

SHEET TITLE:

PROPOSED WEST ELEVATION

SHEET NUMBER:

A13



1 EXISTING SECOND FLOOR PLAN
 A3 SCALE: 1:75

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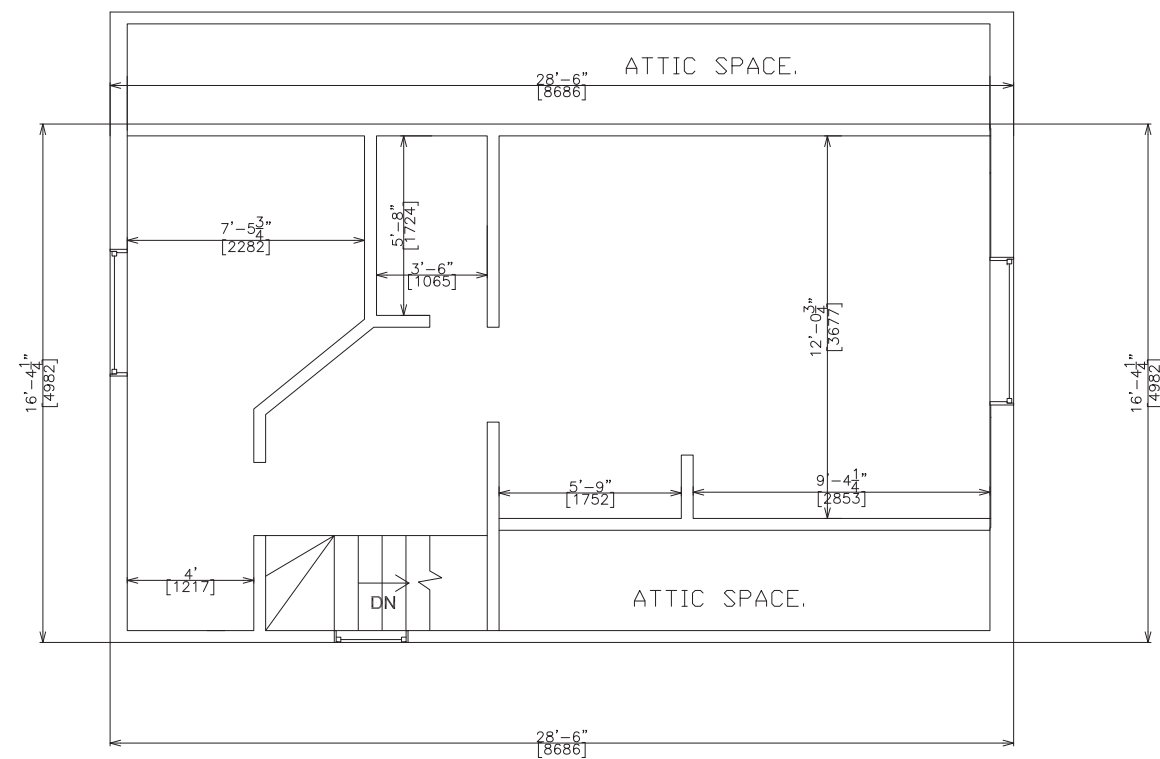
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SHEET TITLE:
 EXISTING SECOND FLOOR PLAN

SHEET NUMBER:
A3

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1 EXISTING THIRD FLOOR PLAN
A4 SCALE: 1:75

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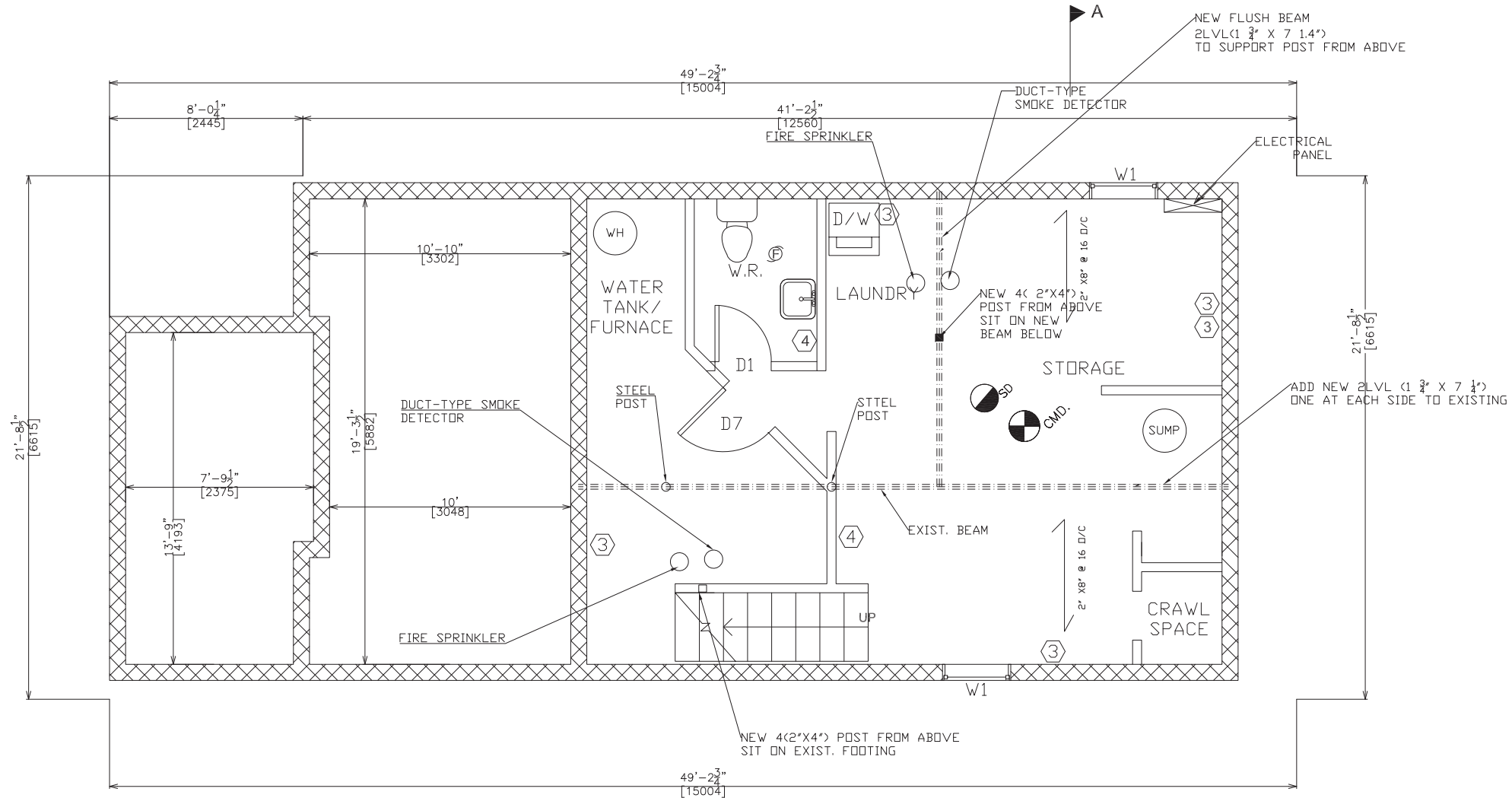
Date: 2021-3-12

DRAWN BY: M.L CHECKED BY: EW

DESIGNED BY: SCALE: 1:75

SHEET TITLE:
EXISTING THIRD FLOOR PLAN

SHEET NUMBER:
A4



1 PROPOSED BASEMENT FLOOR PLAN
 A5 SCALE: 1:75

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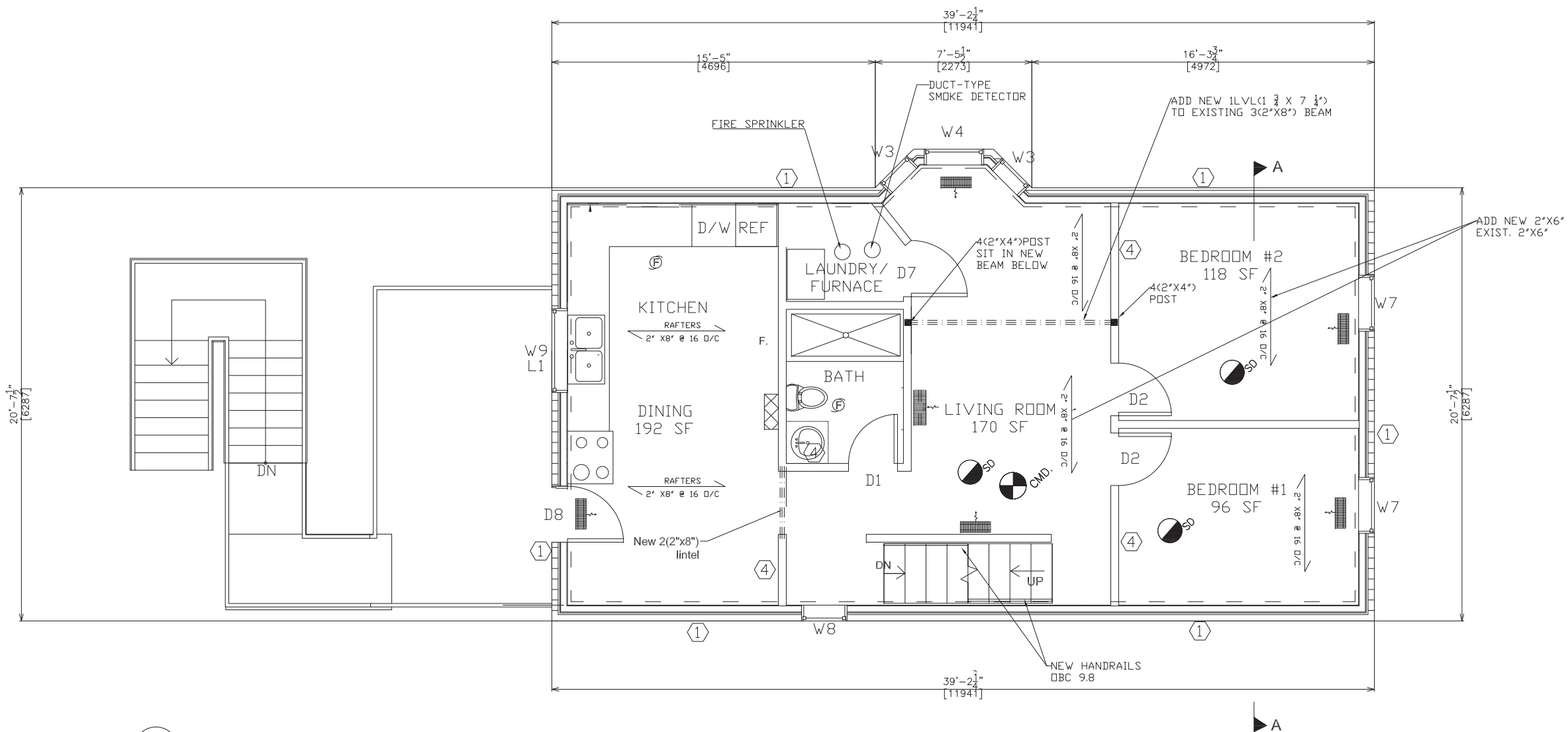
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PROPOSED BASEMENT FLOOR PLAN

SHEET NUMBER:
A5



1 PROPOSED SECOND FLOOR PLAN
 A7 SCALE: 1:75

ROOMS	FLOOR AREA	MIN. AREA OBC, PART 9	WINDOW AREA PROVIDED	%MIN.(AREA SQFT) REQUIRED, OBC PART 11
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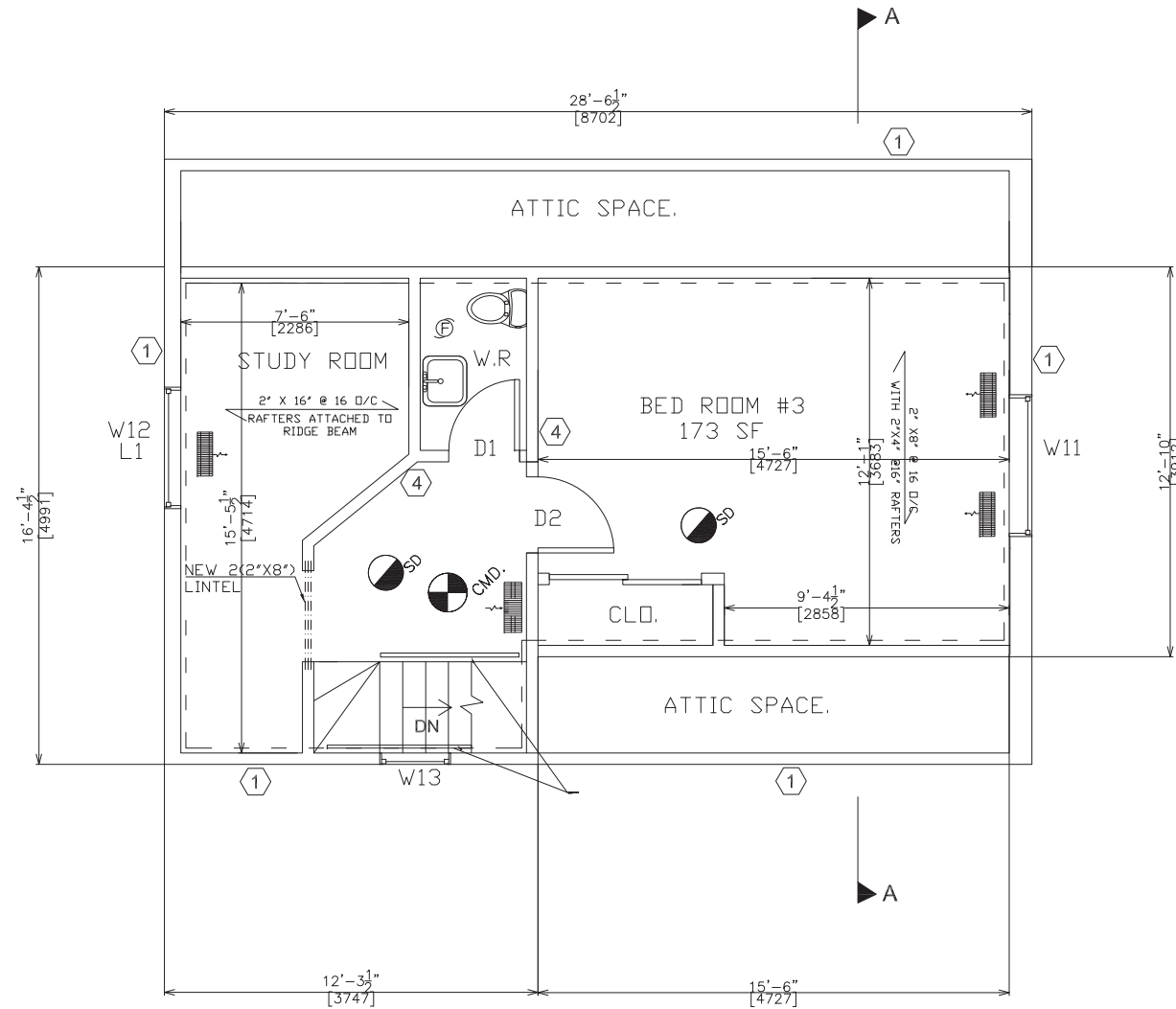
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DRAWN BY: M.L. CHECKED BY: EW

DESIGNED BY: SCALE: 1:75

SHEET TITLE:
PROPOSED SECOND FLOOR PLAN

SHEET NUMBER:
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1 PROPOSED THIRD FLOOR PLAN
 A8 SCALE: 1:75

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9. USE ONLY THE LATEST REVISION OF DRAWINGS OR MARKED "ISSUED FOR CONSTRUCTION".



REV.	ISSUED FOR:	DATE
2	ISSUED FOR PERMIT APPLICATION	MAY 05, 2021
1	ISSUED FOR CLIENT REVIEW	MAR 22, 2021

EW EDWARD WONG
 EDWARD WONG & ASSOCIATES INC.
 441 ESNA PARK DR. UNIT 19
 MARKHAM, ON L3R 1H7
 TEL: (416) 903-4288
 E-MAIL: ED@EDWARDWONGASSOCIATES.COM
 WWW.EDWARDWONGASSOCIATES.COM

PROJECT AND LOCATION:

NEW SECOND UNIT AND
 INTERIOR RENOVATIONS
 111 Gibson Avenue
 Hamilton, Ontario

Project No.: Ma005997a

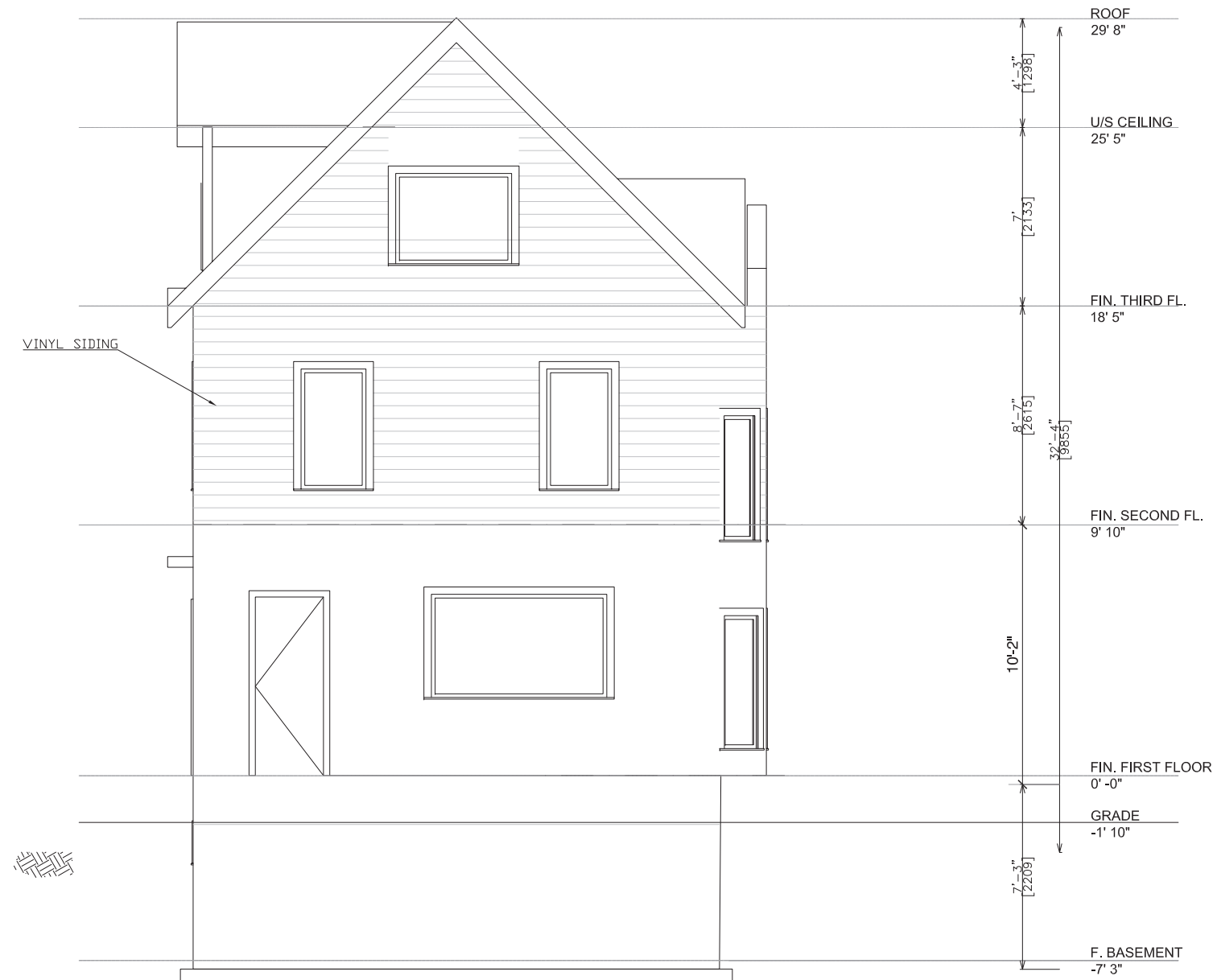
Date: 2021-3-12

DRAWN BY: M.L. CHECKED BY: EW

DESIGNED BY: SCALE: 1:75

SHEET TITLE:
 PROPOSED THIRD FLOOR PLAN

SHEET NUMBER:
A8



1 PROPOSED EAST ELEVATION
A10 SCALE: 1:75

GENERAL NOTES:

1. THE EDWARD WONG & ASSOCIATES INC. IS REFERRED AS THE DESIGNER.
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3. THIS DRAWING IS NOT TO BE SCALED.
4. ALL DISCOVERIES OF ERRORS, OMISSIONS OR DISCREPANCIES MUST BE NOTIFIED THE DESIGNER.
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DESIGNED BY: SCALE: 1:75

SHEET TITLE:

PROPOSED EAST ELEVATION

SHEET NUMBER:

A10

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 Hamilton, Ontario

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Date: 2021-3-12

DRAWN BY: M.L CHECKED BY: EW

DESIGNED BY: SCALE: 1:75

SHEET TITLE:

PROPOSED NORTH ELEVATION

SHEET NUMBER:

A11



1 PROPOSED NORTH ELEVATION
 A11 SCALE: 1:75

GENERAL NOTES:

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Project No.: Ma005997a

Date: 2021-3-12

DRAWN BY: M.L CHECKED BY: EW

DESIGNED BY: SCALE: 1:75

SHEET TITLE:

PROPOSED SOUTH ELEVATION

SHEET NUMBER:

A12



1 PROPOSED SOUTH ELEVATION
 SCALE: 1:75



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)	Guo, Xingwen	[REDACTED]
Applicant(s)*	Guo, Xingwen	
Agent or Solicitor	Edward Wong & Associates Inc	

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:

The bay window and corner of the South side are 1'-6" and 2" off the property line respectively.

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

The above noted bay windows and building corner had been constructed years ago. They are existing construction.

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**):

plan 219 PT LOT 87 plan 169
111 Gibson Ave, Hamilton, Ontario
Two Storey Duplex

7. PREVIOUS USE OF PROPERTY

Residential Industrial Commercial
Agricultural Vacant

Other _____

8.1 If Industrial or Commercial, specify use No, residential

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?

Field observations and discussions with property owner.

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.

Date May 5, 2021

Signature of Property Owner

Guo, XINGWEN
Print Name of Owner

10. Dimensions of lands affected:

Frontage 6'-10" (Bay window) and 7'-6" (corner) of South side
Depth 1'-6" (Bay window) and 2" (corner) of South side
Area 7.7 ft² (Bay window) and 0.625 ft² (corner) of South side
Width of street _____

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: _____

Two storey Duplex - primary unit (Basement + first floor) - 1347 ft²
- secondary unit (Second + Attic) - 1099 ft²
Proposed: _____
- Total lot area = 2597 ft²

No changes - Existing building

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

Existing: North side - 3'-3³/₄" away from property line

South west side - 10¹/₄" away from property line

East side - 11'-3" away from property line

Proposed:

West side - 1'-4" away from property line

South (mid) - 1'-6" off from the property line

South (East) - 2" off from the property line

No changes

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, laneway

17. Length of time the existing uses of the subject property have continued:

over 50 years

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:

No

20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:

No

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.