

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-21:242**

APPLICANTS: Agent John Stirling
 Owner Michelle Cox

SUBJECT PROPERTY: Municipal address **75 Clinton St., Hamilton**

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

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

PROPOSAL: To construct a 2.44m wide x 5.19m long roofed-over unenclosed porch on the ground floor and a 2.44m wide x 5.19m long second floor balcony (without a roof), notwithstanding that:

1. A minimum 0m side yard setback shall be provided for the easterly side yard for the roofed-over portion of an unenclosed porch and for a balcony instead of the minimum required 1.2 metre side yard;
2. A minimum 1.06m side yard setback shall be provided for the westerly side yard for the roofed-over portion of an unenclosed porch and for a balcony instead of the minimum required 1.2 metre side yard;
3. The projection for a balcony shall be 2.5 metres into the rear yard instead of the maximum projection of 1.0 metre into the rear yard;
4. The projection for a balcony shall be 1.2 metres into the easterly side yard instead of the maximum projection of not more than one-third of its width, or 0.4 metres into the side yard;
5. The projection for a balcony shall be 1.06 metres into the westerly side yard instead of the maximum projection of not more than one-third of its width, or 0.4 metres into the side yard.

NOTES:

1. The variances are generally written as requested by the applicant. Additional variances have been identified through the review to address the requirements for roofed over porch and balcony projections.
2. The plans submitted did not include elevations to show the proposed roofed over porch and the second-floor balcony. Please note that the zoning by-law provides additional regulations for porches to address the maximum height of guards

around the perimeter of the porch; the maximum width of columns or piers; the maximum depth of beams, lintels or the crown of an arch and the minimum distance between piers or columns. As such, additional variances may apply if the proposal does not comply with these porch requirements.

3. Please note that the proposed roof-over unenclosed porch at the rear of the dwelling is not permitted to encroach into the side yard as there are no regulations for side yard encroachments. Therefore, variances 1 and 2 have been written for the minimum required 1.2 m side yard width for the principal building (dwelling). The variance for side yards also includes balconies.
4. Eaves and gutters are permitted to project into a required side yard not more than one-half its width. Therefore, the eaves projection for the roofed-over unenclosed porch shall not be greater than 0.5m for the westerly side yard and 0m for the easterly side yard. This information was not identified on the submitted plan.

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

DATE:	Thursday, August 12th, 2021
TIME:	1:55 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

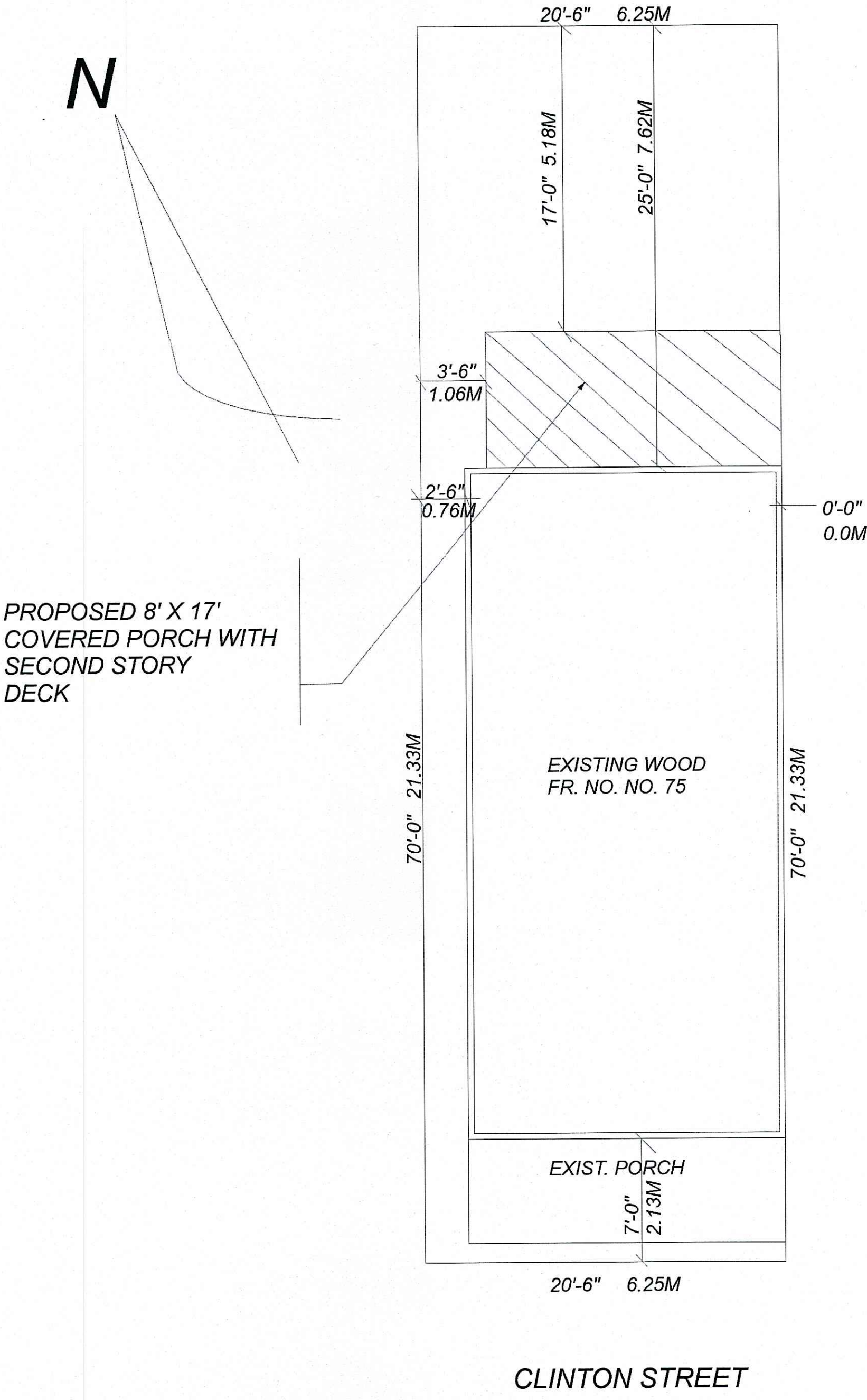
For more information on this matter, including access to drawings illustrating this request:

- 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 27th, 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.



75 CLINTON STREET HAMILTON, ONTARIO

- NOTES:
- PROPOSED COVERED PORCH ADDITION WITH SECOND STORY DECK
 - VARIANCE RELEAF FOR SIDE YARDS AND REAR YARD
 - ZONING - D - single family house
 - LOT AREA - 1,435 SQ. FT.
 - NO. OF STORIES - 2
 - EXISTING HOUSE IS A WOOD FRAME HOUSE WITH SIDING.

SITE PLAN

SCALE 1/2" - 1'



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 _____

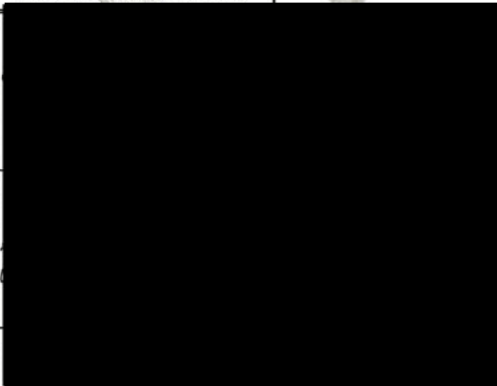
PAID _____ DATE APPLICATION DEEMED COMPLETE _____

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	MAILING ADDRESS
Registered Owners(s)	Michelle Ann Cox	
Applicant(s)*	JOHN STIRLING	
Agent or Solicitor	SAME AS APPLICANT	
		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:

TO ALLOW A BACK YARD AS WELL AS A SECOND STORY DECK PORCH IN THE

☐ Secondary Dwelling Unit ☐ Reconstruction of Existing Dwelling

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

PROPERTY IS SMALL.

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):

75 CLINTON ST. HAMILTON

7. PREVIOUS USE OF PROPERTY

Residential ☒ Industrial ☐ Commercial ☐

Agricultural ☐ Vacant ☐ Other ☐

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 8.1 to 8.10 above?

Records

- 8.12 If previous use of property is industrial or commercial or if YES to any of 8.2 to 8.10, 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.

8

May 21 2021
Date



Michelle A Cox
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage 20.5'
Depth 70'
Area 1435 sq ft
Width of street 25'

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 2 STORY HOUSE GFA-684 sq ft
GROSS FA-1368 sq ft 18' WIDE X 38' LONG
HEIGHT 24'

Proposed 2 STORY HOUSE GFA-820 sq ft
GROSS FA-1504 sq ft 18' WIDE X 46' LONG
HEIGHT 24'

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

Existing: REAR YARD -25' EAST SIDE YARD 0'
WEST SIDE YARD 2.5' FRONT YARD 7'

Proposed: REAR YARD 18' EAST SIDE YARD 0'
WEST SIDE YARD 2.5' FRONT YARD 7'



13. Date of acquisition of subject lands:

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

1970's

15. Existing uses of the subject property (single family, duplex, retail, factory etc.):

SINGLE FAMILY

16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):

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

100 YEARS

18. Municipal services available: (check the appropriate space or spaces)

Water

☒

Connected

☒

Sanitary Sewer

☒

Connected

☐

Storm Sewers

☐

19. Present Official Plan/Secondary Plan provisions applying to the land:

RESIDENT

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

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.