#### **COMMITTEE OF ADJUSTMENT**



City Hall, 5<sup>th</sup> 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-21:192

**APPLICANTS:** Agent Rock Kim

Owner Jay Trefethen

SUBJECT PROPERTY: Municipal address 104 Spadina Ave., Hamilton

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

**ZONING:** "C" (Urban Protected Residential, etc.) district

**PROPOSAL:** To permit the construction of a new third storey dormer addition and

to convert the existing single family dwelling to contain a secondary

dwelling unit notwithstanding that:

- 1. A height of three (3) storeys shall be provided instead of the maximum permitted building height of 2.5 storeys.
- 2. A northerly side yard width of 0.6m shall be provided instead of the minimum required side yard width of 1.2m

#### NOTES:

i. Please be advised that eaves and gutters are permitted to project into a required side yard not more than one-half of its width or 1.0m, whichever is the lesser. The distance of any proposed eave and gutter projections have not been provided in order to determine zoning compliance and as such, further variances may be required if compliance cannot be achieved.

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

DATE: Thursday, August 12th, 2021

TIME: 2:50 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.

HM/A-21: 192 Page 2

**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.

CITY OF HAMILTON 29.20 EX. 11.25 sod area EX. SHED/ ∠ ATTIC · 2 1/2 STOREY/ EX. PORCH /SPACE DWELLING 12.87 NO. 104 EX. LOT 271 Parkding<sup>®</sup> space 29.20 TOTAL FRONT YARD - 532 SQ.FT. SOFTLANDSCAPE AREA - 165 SQ.FT(31.0%)

PLAN SHOWS

LOT 271

REGISTERED PLAN 448

# SITE DATA

LOT Area	284.73 Sq.m
Existing building area	
Ground floor area	93.83 Sq.m
Porch area	21.08 Sq.m
Second floor area Shed area	90.12 Sq.m 22.29 Sq.m
Third floor area	49.39 Sq.m

The undersigned has reviewed & taken responsibility for this design, and has the Qualifications and meets the requirements set out in the Ontario Building Code to be a designer.
QUALIFICATION INFORMATION

Required unless design is exempt under 3.2.5.1 of the building code

ROCK KIM

36340

BCIN#

BCINGROUND

BCIN#

JAN. 16, 2021
Signature REGISTRATION INFORMATION

REGISTRATION INFORMATION
Required unless design is exempt under 3.2.4.1 of the building code
ROCKIM DESIGN INC. 45379

Firm Name

REVISIONS

DESCRIPTION

DATE

BY

A

A

PROPOSED
INTERIOR ALTEARTION
+ DORMER ADDITION

104 SPADINA AVENUE HAMILTON, ON

DRAWING TITLE

SITE PLAN

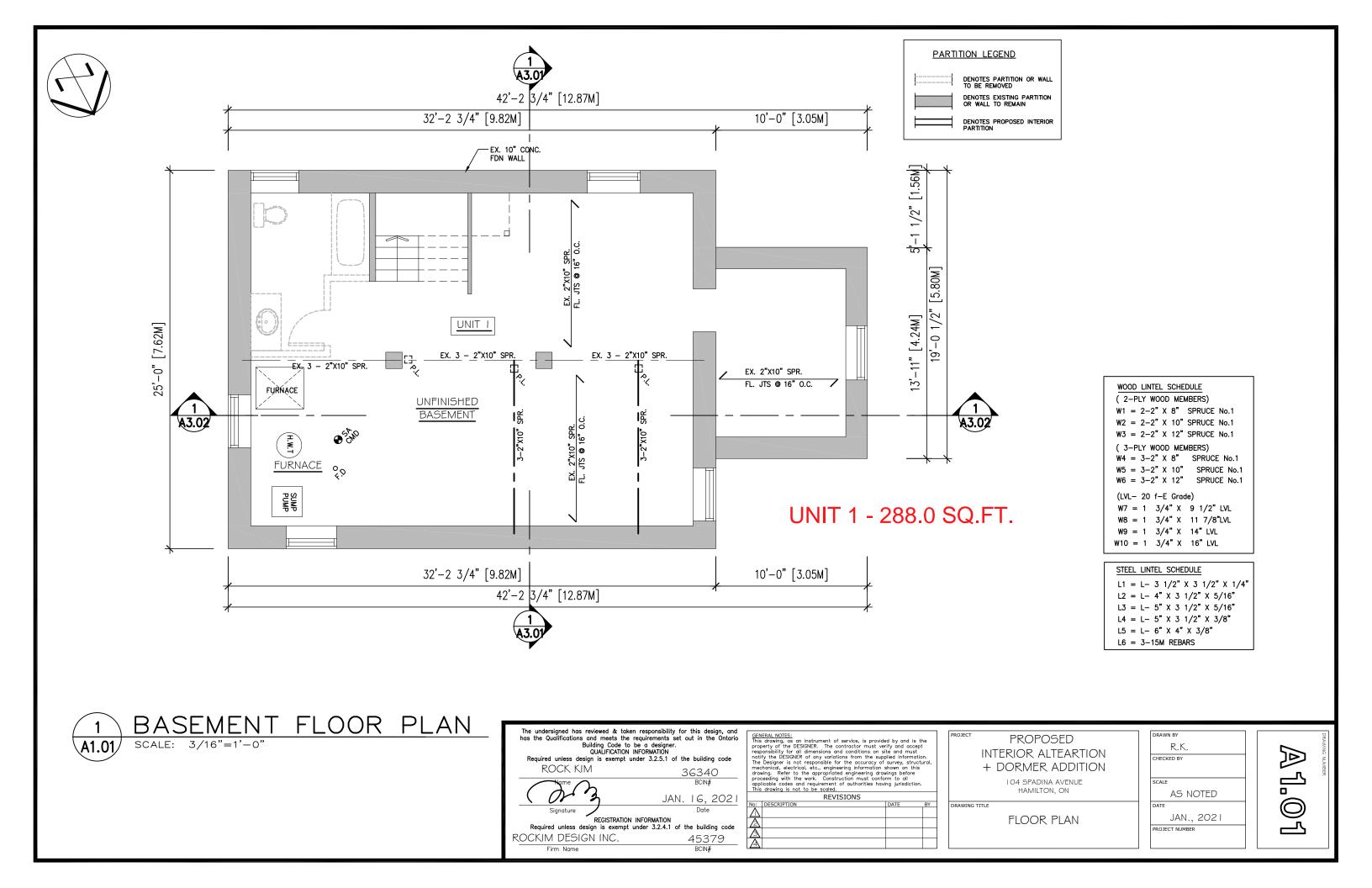
R.K.
CHECKED BY

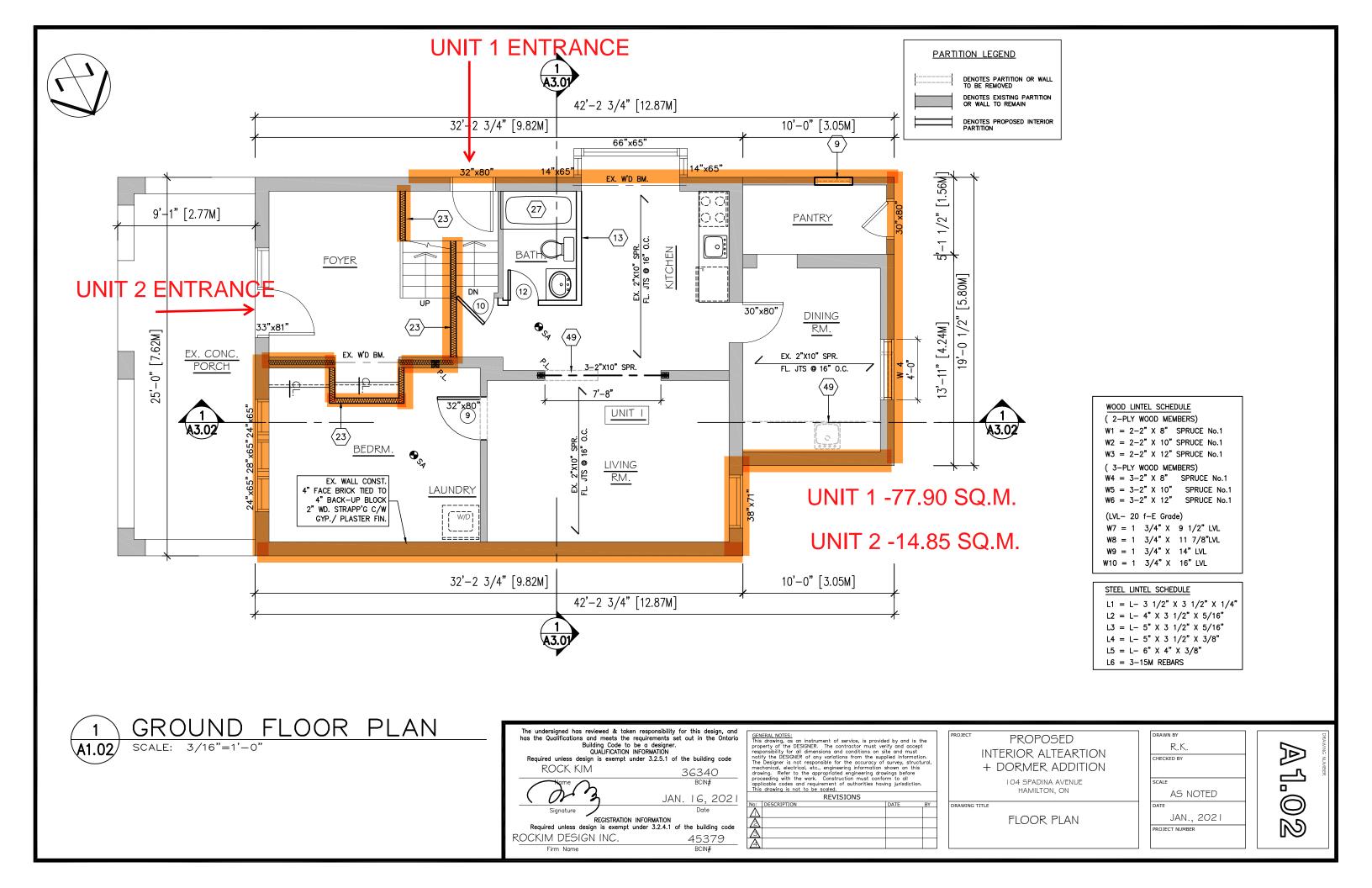
SCALE
1:150

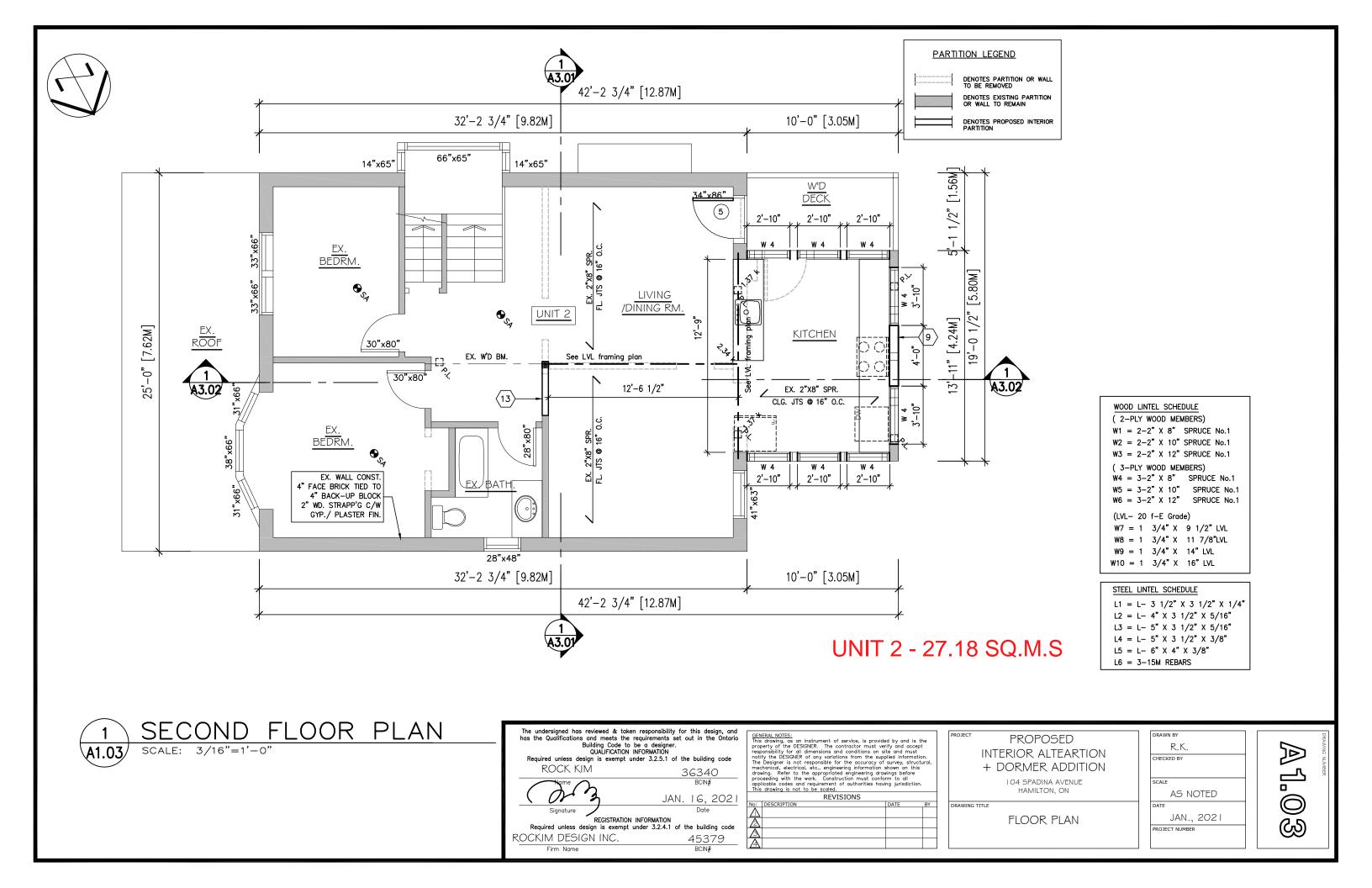
DATE
JAN., 2021

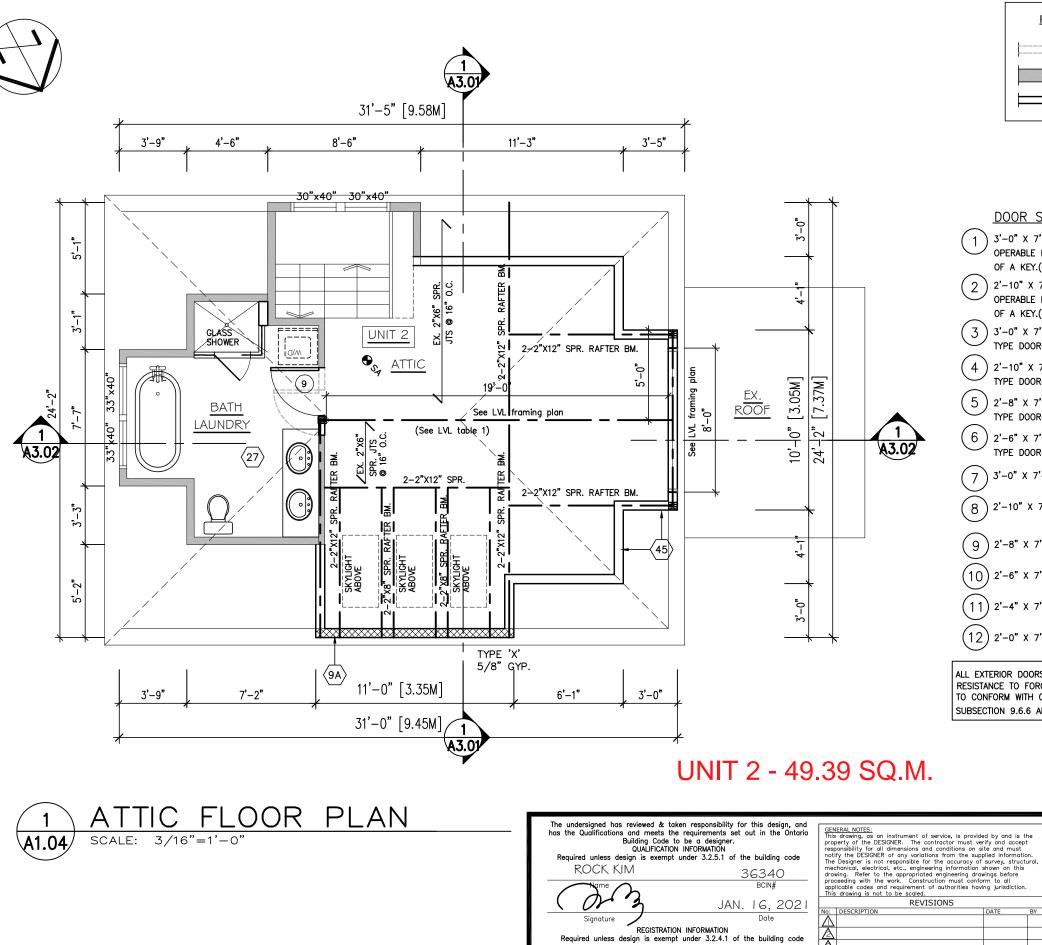
PROJECT NUMBER











ROCKIM DESIGN INC.

Firm Name

45379

BCIN#

# PARTITION LEGEND DENOTES PARTITION OR WALL TO BE REMOVED DENOTES EXISTING PARTITION OR WALL TO REMAIN DENOTES PROPOSED INTERIOR PARTITION

#### DOOR SCHEDULE

- 3'-0" X 7'-6" SOLID WOOD CUSTOM FRONT DOOR OPERABLE FROM THE INTERIOR WITHOUT THE USE OF A KEY.(GLAZING AS SHOWN ON ELEVATION)
- 2) 2'-10" X 7'-0" SOLID WOOD CUSTOM FRONT DOOR OPERABLE FROM THE INTERIOR WITHOUT THE USE OF A KEY.(GLAZING AS SHOWN ON ELEVATION)
- (3) 3'-0" X 7'-0" X 1 3/4" METAL INSULATED EXT. TYPE DOOR(GLAZING AS SHOWN ON ELEVATION)
- $\left(\begin{array}{c}4\end{array}\right)$  2'-10" X 7'-0" X 1 3/4" METAL INSULATED EXT. TYPE DOOR(GLAZING AS SHOWN ON ELEVATION)
- (5) 2'-8" x 7'-0" x 1 3/4" metal insulated ext. TYPE DOOR(GLAZING AS SHOWN ON ELEVATION)
- (6) 2'-6" x 7'-0" x 1 3/4" metal insulated ext. TYPE DOOR(GLAZING AS SHOWN ON ELEVATION)
- 7 ) 3'-0" X 7'-0" X 1 3/8" HOLLOW CORE DOOR
- 8 ) 2'-10" X 7'-0"" X 1 3/8" HOLLOW CORE DOOR
- $\left(\begin{array}{c}9\end{array}\right)$  2'-8" X 7'-0" X 1 3/8" HOLLOW CORE DOOR
- (10) 2'-6" X 7'-0" X 1 3/8" HOLLOW CORE DOOR
- (11) 2'-4" X 7'-0" X 1 3/8" HOLLOW CORE DOOR
- 2'-0" X 7'-0" X 1 3/8" HOLLOW CORE DOOR

ALL EXTERIOR DOORS, WINDOWS, AND SKYLIGHTS RESISTANCE TO FORCED ENTRY TO CONFORM WITH O.B.C. REQUIREMENTS SUBSECTION 9.6.6 AND 9.6.7

#### WOOD LINTEL SCHEDULE

( 2-PLY WOOD MEMBERS)

W1 = 2-2" X 8" SPRUCE No.1 $W2 = 2-2" \times 10" SPRUCE No.1$ 

W3 = 2-2" X 12" SPRUCE No.1

( 3-PLY WOOD MEMBERS)

W4 = 3-2" X 8" SPRUCE No.1

 $W5 = 3-2" \times 10"$  SPRUCE No.1 W6 = 3-2" X 12" SPRUCE No.1

(LVL- 20 f-E Grade)

 $W7 = 1 \quad 3/4" \quad X \quad 9 \quad 1/2" \quad LVL$ 

W8 = 1 3/4" X 11 7/8"LVL

W9 = 1 3/4" X 14" LVL

W10 = 1 3/4" X 16" LVL

#### STEEL LINTEL SCHEDULE

L1 = L - 3 1/2" X 3 1/2" X 1/4"

 $L2 = L - 4" \times 3 \frac{1}{2}" \times \frac{5}{16}"$ 

 $L3 = L - 5" \times 3 \frac{1}{2}" \times \frac{5}{16}"$ 

 $L4 = L - 5" \times 3 \frac{1}{2}" \times \frac{3}{8}"$ 

 $L5 = L - 6" \times 4" \times 3/8"$ 

L6 = 3-15M REBARS

**PROPOSED** 

INTERIOR ALTEARTION + DORMER ADDITION

> 104 SPADINA AVENUE HAMILTON, ON

ROOF PLAN

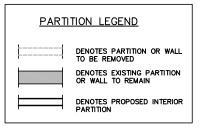
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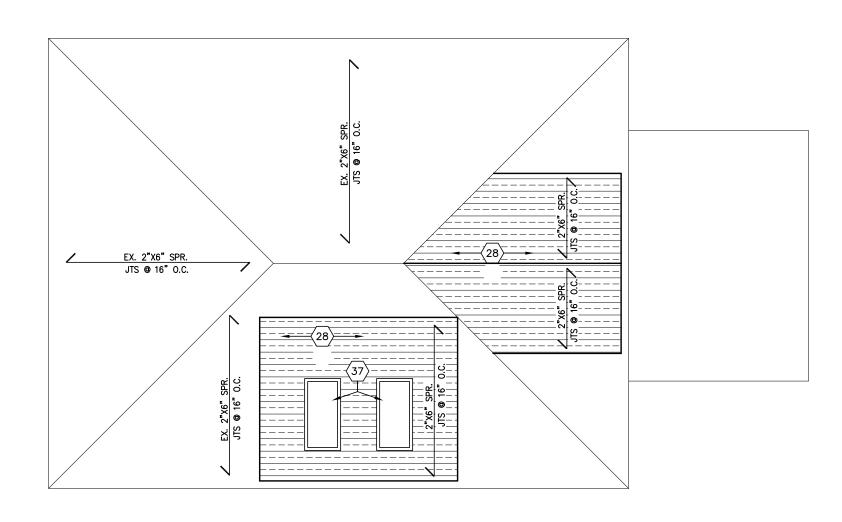
AS NOTED

JAN., 2021









1 ROOF PLAN
A1.05 SCALE: 3/16"=1'-0"



BCIN#

Firm Name

GENERAL NOTES:
This drawing, as an instrument of service, is provided by and is the property of the DESIGNER. The contractor must verify and accept responsibility for all dimensions and conditions on site and must notify the DESIGNER of any variations from the supplied information. The Designer is not responsible for the accuracy of survey, structural, mechanical, electrical, etc., engineering information shown on this drawing. Refer to the appropriated engineering drawings before proceeding with the work. Construction must conform to all applicable codes and requirement of authorities having jurisdiction. This drawing is not to be scaled.

11113	drawing is not to be scaled.		
REVISIONS			
No:	DESCRIPTION	DATE	BY
$\overline{\mathbb{A}}$			
A			
A			
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PROPOSED
INTERIOR ALTEARTION
+ DORMER ADDITION

I 04 SPADINA AVENUE HAMILTON, ON

DRAWING TITLE

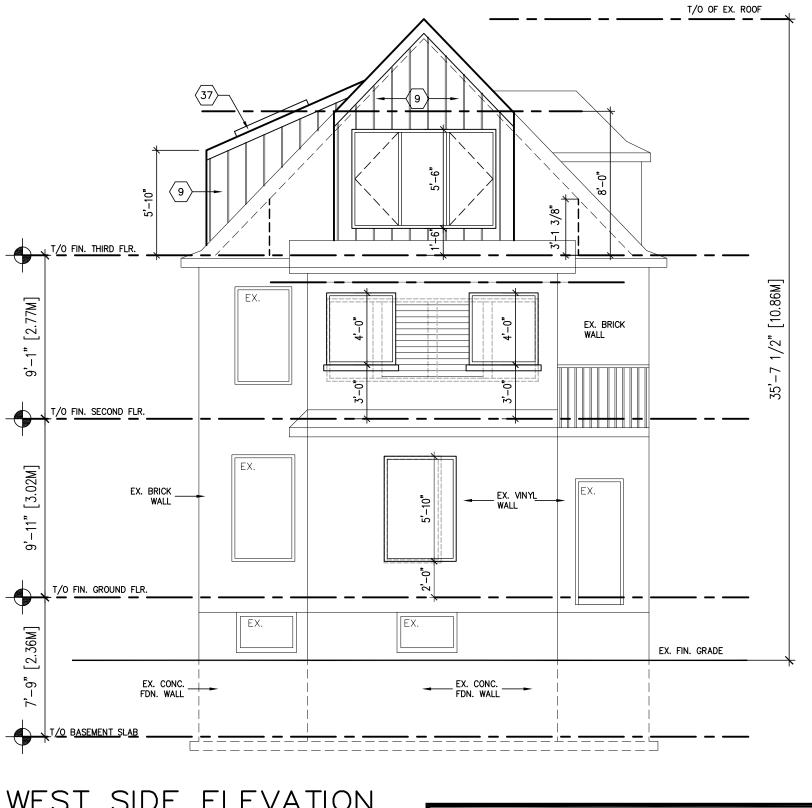
ROOF PLAN

R.K.
CHECKED BY

SCALE
AS NOTED

JAN., 2021





PARTITION LEGEND

DENOTES PARTITION OR WALL
TO BE REMOVED

DENOTES EXISTING PARTITION
OR WALL TO REMAIN

DENOTES PROPOSED INTERIOR
PARTITION

1 WEST SIDE ELEVATION
A2 01 SCALE: 3/16"=1'-0"

The undersigned has reviewed & taken responsibility for this design, and has the Qualifications and meets the requirements set out in the Ontario Building Code to be a designer.

QUALIFICATION INFORMATION

Required unless design is exempt under 3.2.5.1 of the building code

ROCK KIM

36340

BCIN#

JAN. 16, 2021

Date

REGISTRATION INFORMATION

Required unless design is exempt under 3.2.4.1 of the building code

ROCKIM DESIGN INC.

45379

BCIN#

Firm Name

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REVISIONS
DESCRIPTION
DATE
BY

# PROPOSED INTERIOR ALTEARTION + DORMER ADDITION

104 SPADINA AVENUE HAMILTON, ON

DRAWING TITLE

**ELEVATION** 

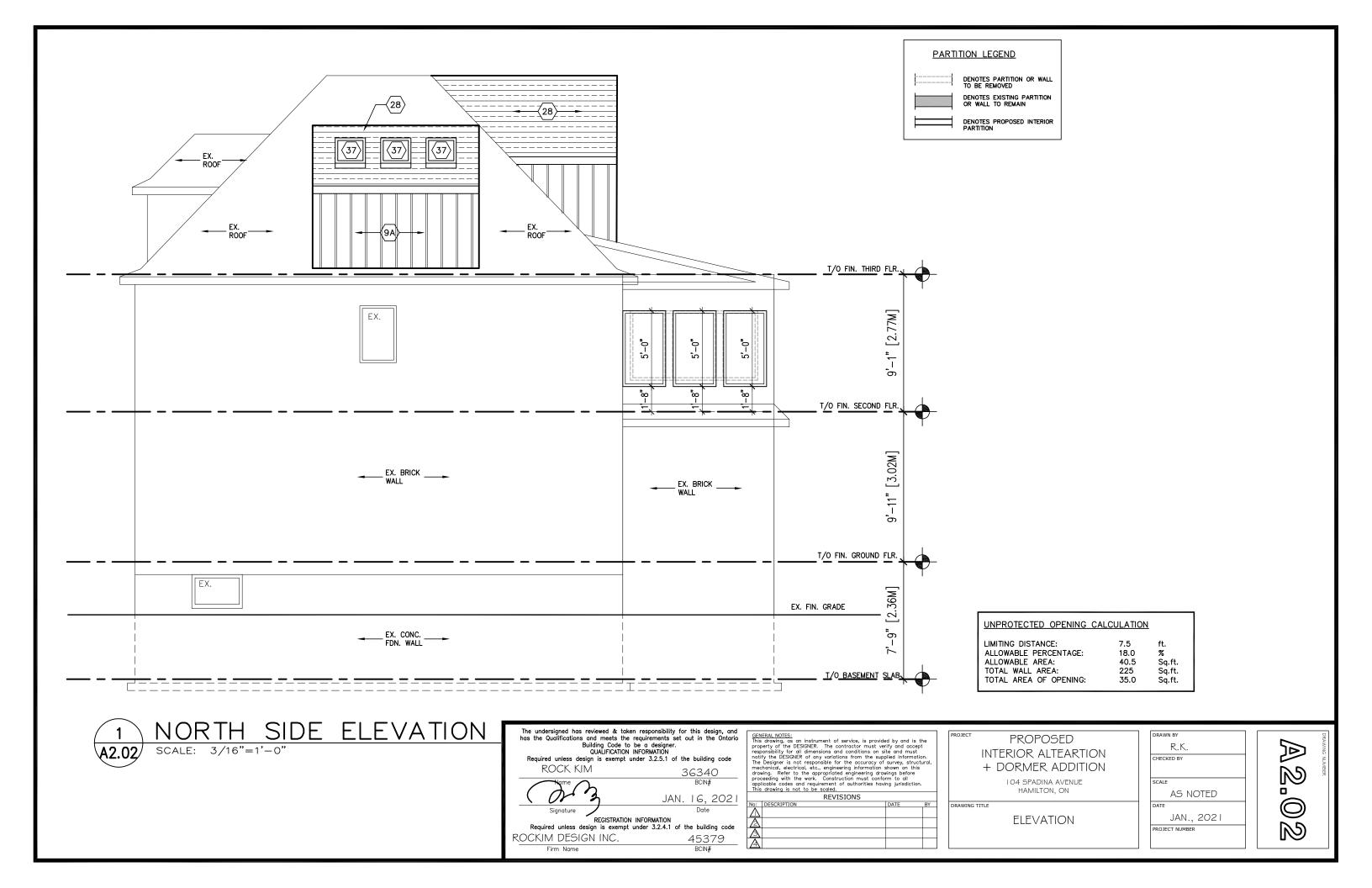
R.K.
CHECKED BY

SCALE

AS NOTED

JAN., 2021

A2.01



## Committee of Adjustment

Address: 104 Spadina Ave, Hamilton, ON

Date: Jun. 19th, 2021

Description of relief applied for Minor Variances.

- 1. 1. **Maximum Building Height** [As per Section 9(2) of Hamilton Zoning By-law 6593] Maximum 2.5 storey allowed and proposed 3 storey required.
- 2. Minimum Side Yard [As per Section 9(3) of Hamilton Zoning By-law 6593] Minimum 1.2 m required and proposed dormer addition has 0.6m.



## **Committee of Adjustment**

City Hall, 5<sup>th</sup> 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	<b>7.</b>
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)	JAY TREFETHEN			
Applicant(s)*	ROCK KIM			
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:

Scotiabank 4 King St W 2nd floor, Toronto, ON M5H 1B6 416 350 7400

ID: 0118877

# 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:			
	Existing single family dwelling.			
5.	Why it is not possible to comply with the provisions of the By-law?			
0.	Existing house has 0 parking space.			
	3rd floor is existing and make dormer for windows.			
6.	Legal description and Address of subject lands (registered plan number and lot number or			
<b>O</b> .	other legal description and where applicable, <b>street and street number</b> ):			
LOT 271, REG. PLAN 448 104 SPADINA AVE				
	104 OI ADIIWAAA			
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?			
0.0	Yes No Unknown O			
8.4	Has there been petroleum or other fuel stored on the subject land or adjacent lands?			
	Yes No Unknown U			
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 O			
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 C			
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	Yes No Unknown If there are existing or previously existing buildings, are there any building materials			
2.0	remaining on site which are potentially hazardous to public health (eg. asbestos, PCB's)?			
	Yes No Unknown U			

8.10	uses on the site or a	_		ve been contaminated by former
	res i	IO _O	WII	
8.11	What information did Legal survey and 0	-	e the answer	s to 9.1 to 9.10 above?
8.12 If previous use of property is industrial or commercial or if YES to any of 9.2 to 9. previous use inventory showing all former uses of the subject land, or if approprial 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 identificate remediation of contamination on the property which is the subject of this Approval to this Application.				
	APR. 29, 2021 Date		Signature Pr	operty Owner
			JAY TREFE	
			Print Name	
10.	Dimensions of lands Frontage Depth Area Width of street	s affected: 9.75 m 29.26 m 285 sq.m. 6.5m		
11.	ground floor area, g Existing:_ Ground floor area	gross floor area, num	ber of stories loor area -23	ed for the subject lands: (Specify, width, length, height, etc.)  3.34 sq.m. 2 1/2 storey
	Ground floor area - 93.83 sq.m. Gross floor area -233.34 sq.m. 3 storey 7.62m width x 12.87 m length x 10.86m height			
	Shed-22.29 sq.m.			
12.	distance from side, Existing:	rear and front lot lines 5 m Side setback - 0.	s) · ·	for the subject lands; (Specify back - 1.6 m
	Proposed:			
	Front setback- 4.99 Rear setback-11.3	5 m Side setback - 0. 3 m	5m Side setb	pack - 1.6 m

Date of acquisition of subject lands: DEC. 2020	
Date of construction of all buildings and structur 1950	res on subject lands:
Existing uses of the subject property:	
Single family dwelling	
Existing uses of abutting properties:	
Single family dwelling	
Length of time the existing uses of the subject p	property have continued:
Since it built	
Municipal services available: (check the approp	, ,
Water X	Connected X
Sanitary Sewer X	Connected X
Storm Sewers	ann de de alla de de la contra
Present Official Plan/Secondary Plan provisions Urban Protected Residential / 6593 Former Ha	
orban i fotested residential / 0333 i office i i	armitori
Present Restricted Area By-law (Zoning By-law 76-205	) provisions applying to the land:
Has the owner previously applied for relief in res	spect of the subject property?  No
If the answer is yes, describe briefly.	
Is the subject property the subject of a current a the <i>Planning Act</i> ?  Yes	application for consent under Section 53 of
	<b>(</b> )110
Additional Information	
The applicant shall attach to each copy of this a	