

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-21:271

APPLICANTS: Owner Mike Pacheco
Agent Len Angelici

SUBJECT PROPERTY: Municipal address **71 Miles Rd., Hamilton**

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

ZONING: B district (Suburban Agriculture and Residential, etc.)

PROPOSAL: To permit the construction of a 12.27m (40'3") x 13.37m (43'10½") second storey addition; a 1.88m (6'2") x 13.37m (43'10½") roofed-over, unenclosed one storey front porch with stairs at the first storey; a front open stairway, a 3.76m (12'4") x 7.68m (25'2½") uncovered rear porch (rear deck) and a 3.76m (12'4") x 7.93m (26'0") roofed-over, unenclosed one storey rear porch at the first storey with stairs onto an existing single family dwelling and to recognize the location of an above-ground swimming pool and deck notwithstanding that:

1. A minimum northerly side yard width of 2.4m shall be provided instead of the minimum required side yard width of 3.0m.
2. An uncovered porch (rear deck) at the first storey shall be distant at least 0.2m from the northerly side lot line instead of the requirement that a terrace, uncovered porch, platform or ornamental feature which does not extend more than 1.0m above the floor level of the first storey, may project into a required yard, if distant at least 0.5m from the nearest side lot line.
3. The above-ground pool and deck shall be distant at least 0.6m from the northerly side lot line instead of the requirement that an above-ground swimming pool installed in a rear yard shall be distant from the nearest lot line not less than 1.2 metres.

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

DATE: Thursday, August 26th, 2021
TIME: 1:15 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

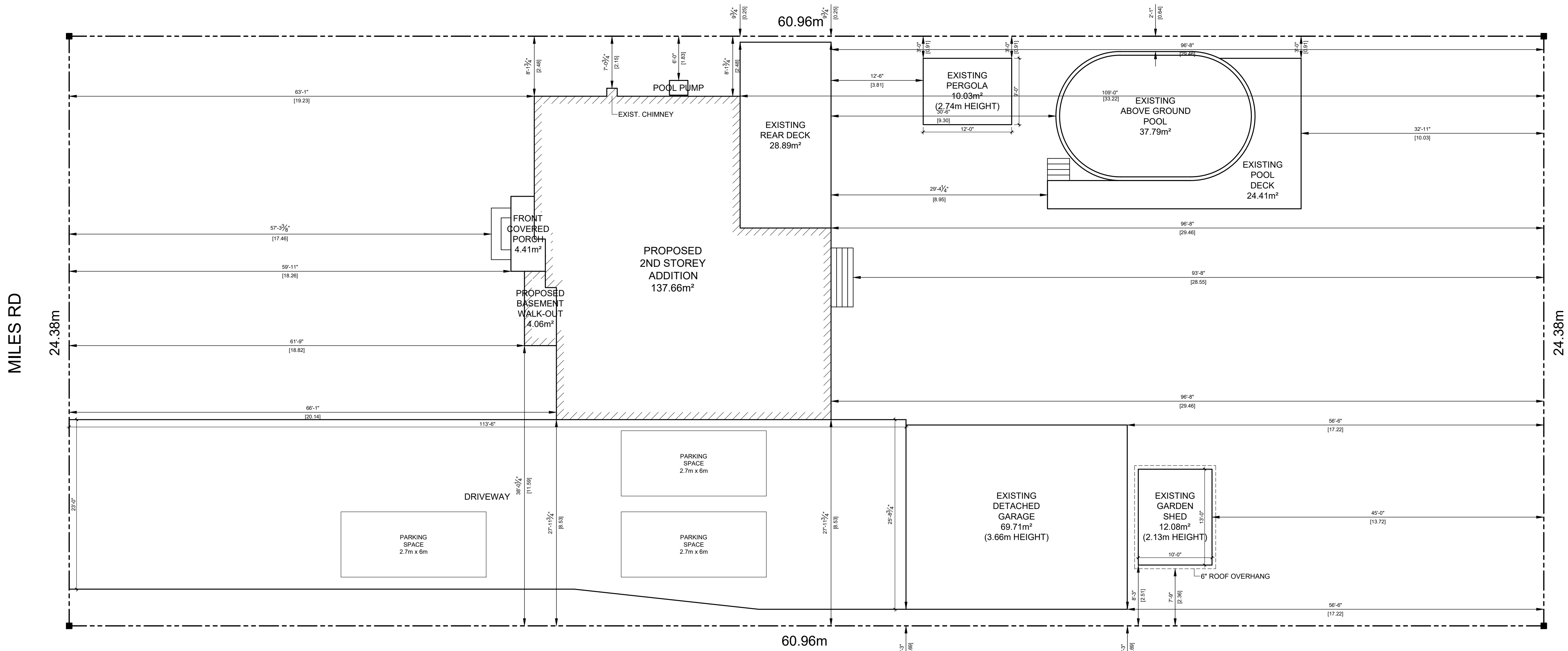
For more information on this matter, including access to drawings illustrating this request:

- 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: August 10th, 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 DATA	
ZONE:	B
LOT AREA:	1486.20m²
EXISTING GARAGE FOOTPRINT:	69.71m²
NEW ADDITION FOOTPRINT:	137.66m²
TOTAL DWELLING FOOTPRINT:	173.91m²
LOT COVERAGE:	16.39%
BUILDING HEIGHT	
No. of STOREYS:	2
EXISTING SETBACKS:	
FRONT (STAIRS):	17.46m
FRONT (DWELLING):	20.14m
LEFT SIDE (DWELLING):	2.48m
LEFT SIDE (DECK):	0.25m
LEFT SIDE (POOL):	0.64m
REAR (POOL):	10.03m
NEW ADDITION SETBACKS:	
FRONT:	19.23m
REAR:	29.46m
RIGHT SIDE:	8.53m
LEFT SIDE:	2.48m
NEW WALK-OUT SETBACKS:	
FRONT:	18.82m
RIGHT SIDE:	11.59m

PROJECT NORTH	TRUE NORTH

No.	REVISION	DATE
01.	DRAWINGS FOR VARIANCE	07/28/2021

1. ALL CONTRACTORS AND/OR TRADES SHALL VERIFY ALL DIMENSIONS, NOTES, SITE AND REPORT ANY DISCREPANCIES PRIOR TO THE COMMENCEMENT OF WORK.
2. THIS DRAWING IS NOT TO BE SCALED. ALL DRAWINGS, PRINTS AND RELATED DOCUMENTS ARE THE PROPERTY OF LEN ANGELICI DESIGN AND MUST BE RETURNED UPON REQUEST.
3. REPRODUCTION OF DRAWINGS AND RELATED DOCUMENTS IN PART OR IN WHOLE IS STRICTLY PROHIBITED WITHOUT WRITTEN CONSENT OF LEN ANGELICI DESIGN.
4. CONTRACTOR SHALL REVIEW ALL DRAWINGS PRIOR TO COMMENCING CONSTRUCTION FOR ANY ERRORS OR OMISSIONS.
5. LEN ANGELICI DESIGN IS NOT RESPONSIBLE FOR THE DESIGN OR PRE-ENGINEERED TRUSSES OR ANY PRE-ENGINEERED PRODUCTS.
6. LEN ANGELICI DESIGN IS NOT RESPONSIBLE FOR HEATING, PLUMBING, OR ELECTRICAL DRAWINGS.
7. DRAWING MAY NOT BE CHANGED, ALTERED OR COPIED WITHOUT WRITTEN CONSENT OF LEN ANGELICI DESIGN. FAILURE TO COMPLY WITH THIS STATEMENT IS NOT THE RESPONSIBILITY OF LEN ANGELICI DESIGN.
8. LEN ANGELICI DESIGN IS NOT RESPONSIBLE FOR POOR CONSTRUCTION PRACTICES.

SEAL

QUALIFICATION INFORMATION	
LEONARD ANGELICI	42391
NAME	BCN
REGISTRATION INFORMATION	
LEN ANGELICI DESIGN	43162
NAME	BCN
07/28/2021	
DATE	SIGNATURE

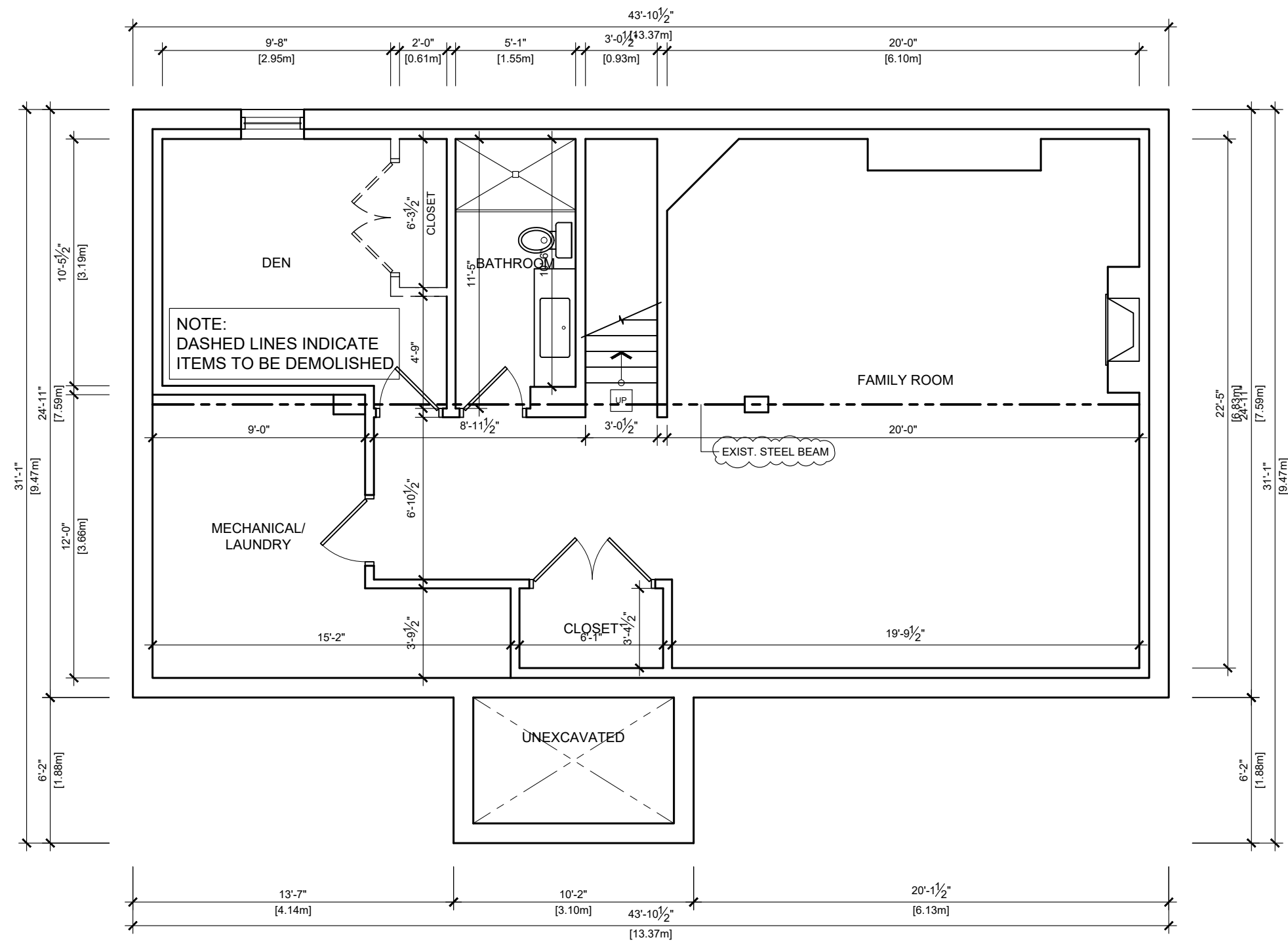
Len Angelici Design

270 SHERMAN AVE N. UNIT OF-269
HAMILTON, ON L8L 6N4
(905) 393-8868
info@lenangelicidesign.ca

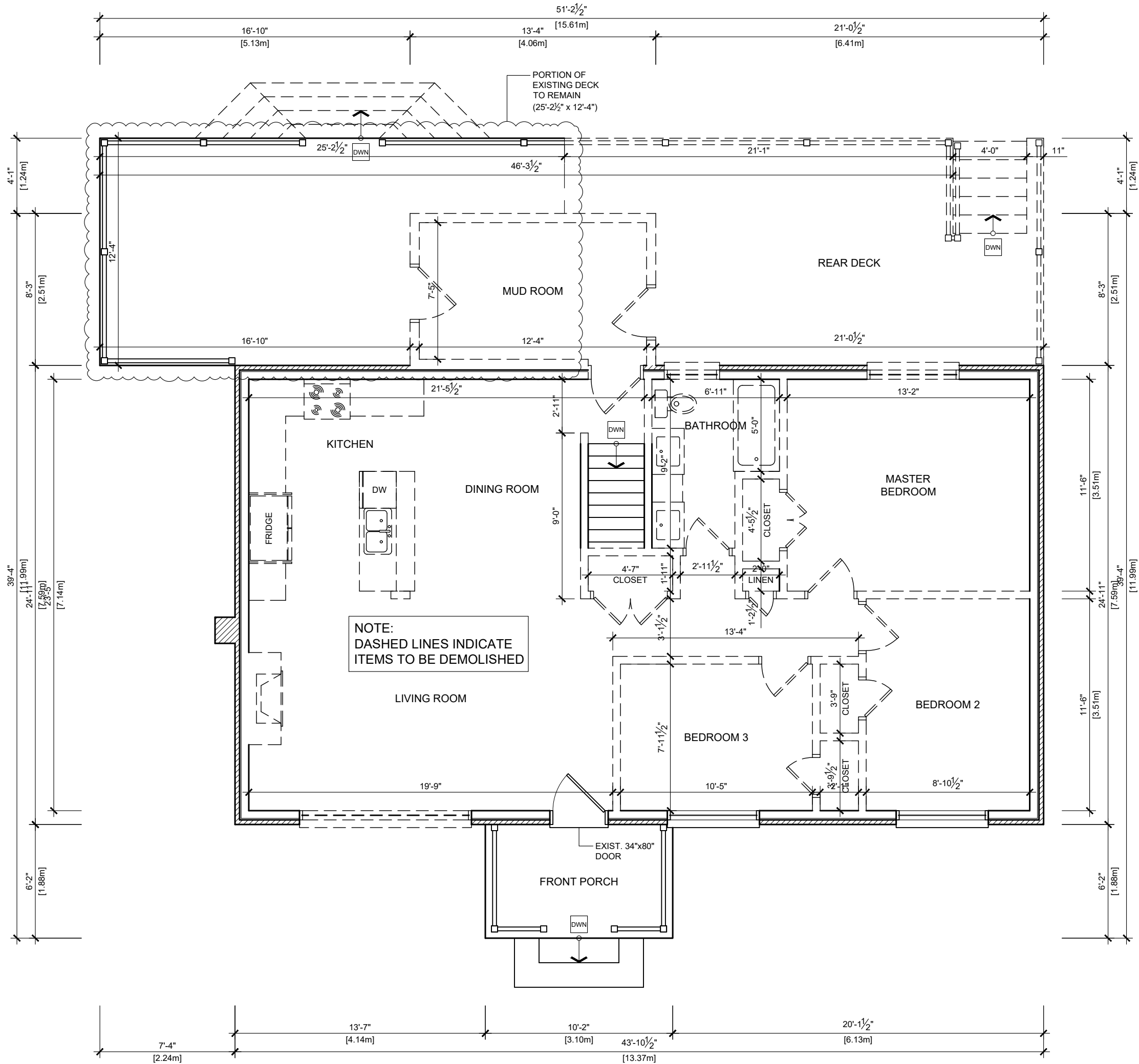
PROJECT

PROPOSED RESIDENCE
71 MILES RD
HAMILTON, ON.

SHEET TITLE	
SITE PLAN	
DRAWN BY	SP1
L. ANGELICI	
DATE	
07/28/2021	
SCALE	
1:100	
PROJECT No.	
2021-001	



EXISTING FOUNDATION PLAN
SCALE 3/16" = 1' - 0"



EXISTING MAIN FLOOR PLAN
SCALE 3/16" = 1' - 0"

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SEAL

THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DESIGN, AND HAS THE QUALIFICATIONS AND MEETS THE REQUIREMENTS SET OUT IN THE ONTARIO BUILDING CODE TO BE A DESIGNER.	
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NAME	BCN
REGISTRATION INFORMATION	
LEN ANGELICI DESIGN	43162
NAME	BCN
07/28/2021	
DATE	SIGNATURE

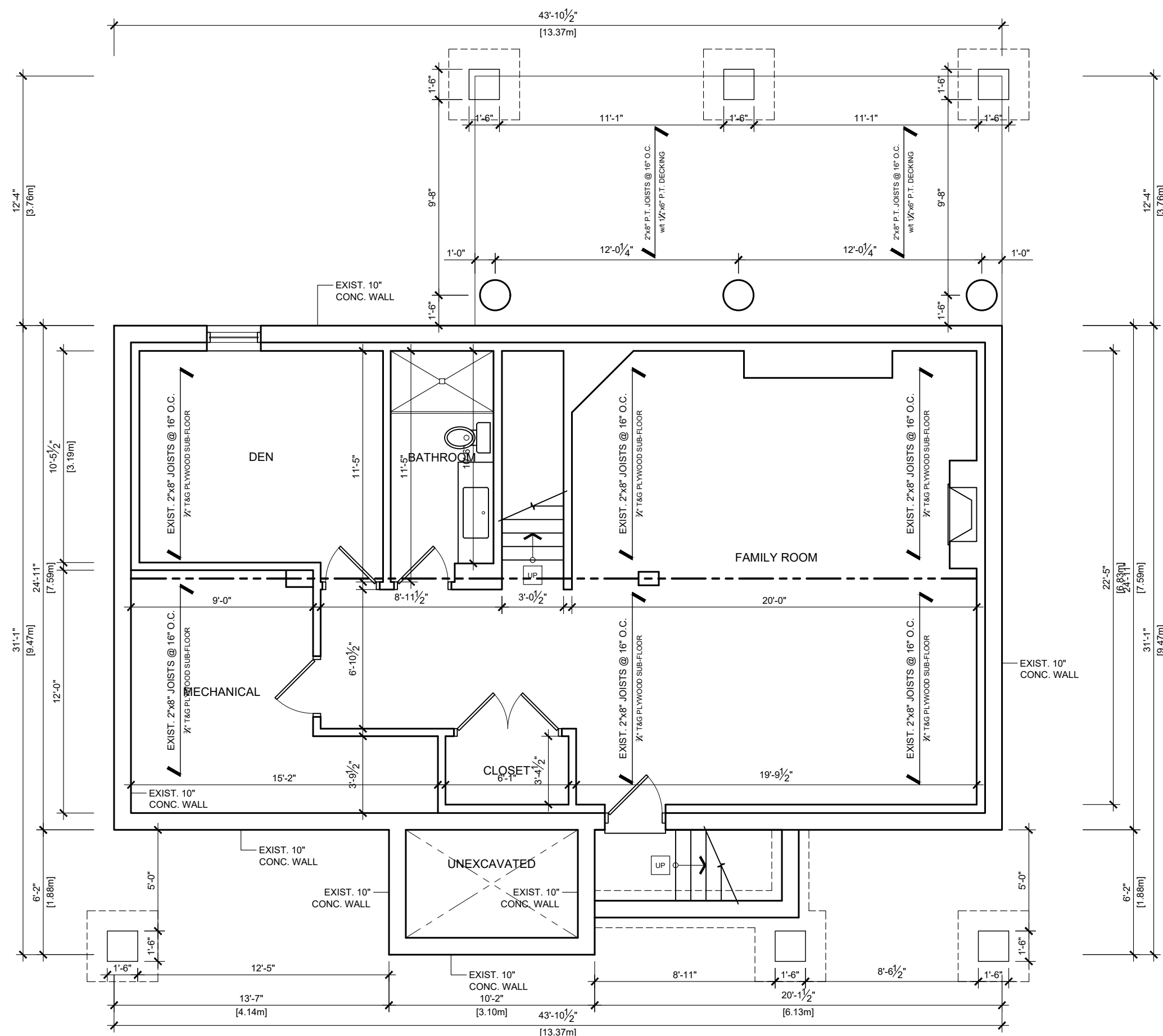
Len Angelici Design

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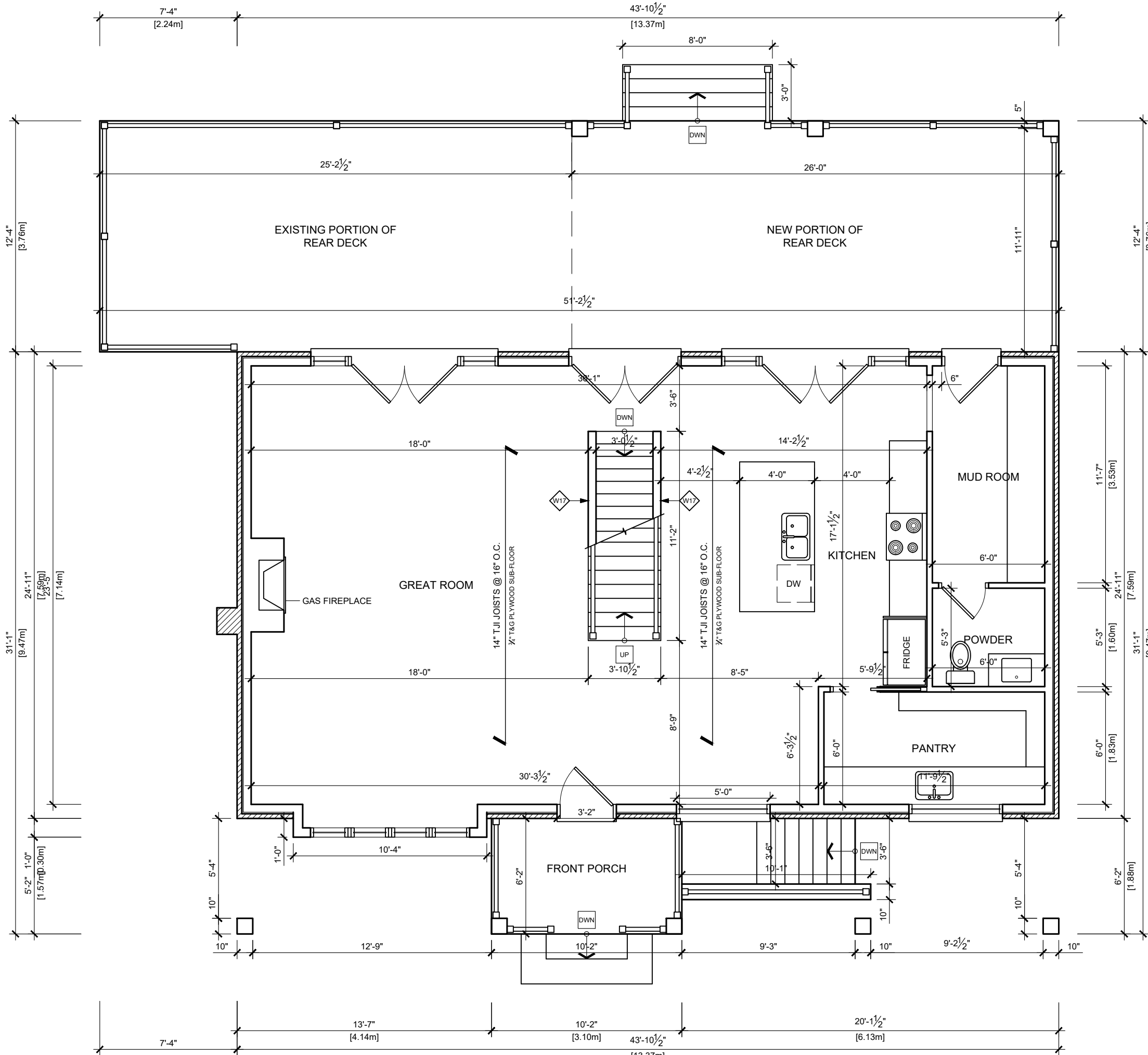
PROJECT
PROPOSED RESIDENCE 71 MILES RD HAMILTON, ON.

SHEET TITLE
EXISTING FLOOR PLANS

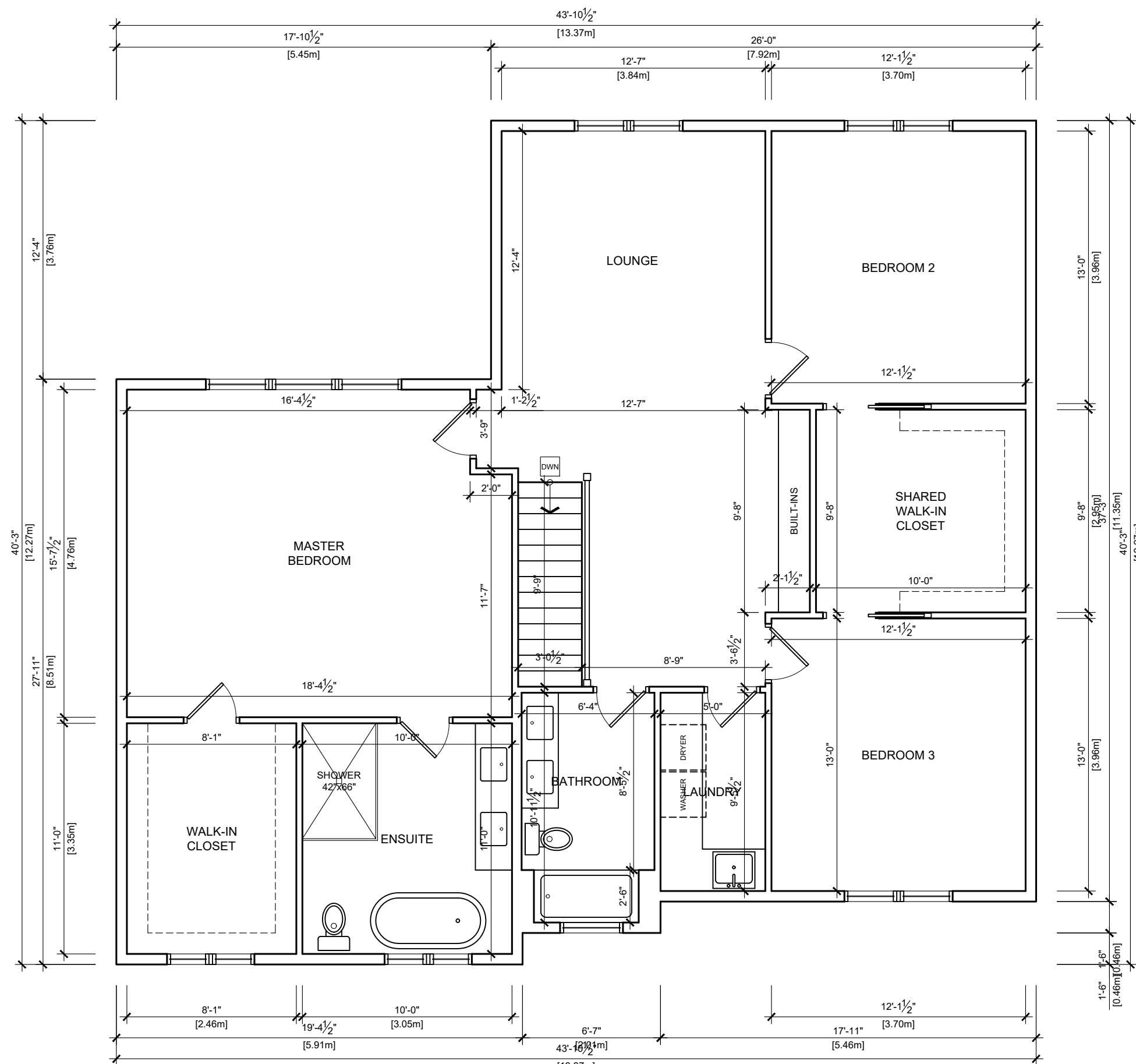
DRAWN BY L. ANGELICI	A1
DATE 07/28/2021	
SCALE 3/16"=1'-0"	
PROJECT No. 2021-001	



PROPOSED FOUNDATION PLAN
SCALE 3/16" = 1' - 0"



PROPOSED MAIN FLOOR PLAN
SCALE 3/16" = 1' - 0"



PROPOSED SECOND FLOOR PLAN
SCALE 3/16" = 1' - 0"

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NAME	BCN
07/28/2021	
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Len Angelici Design

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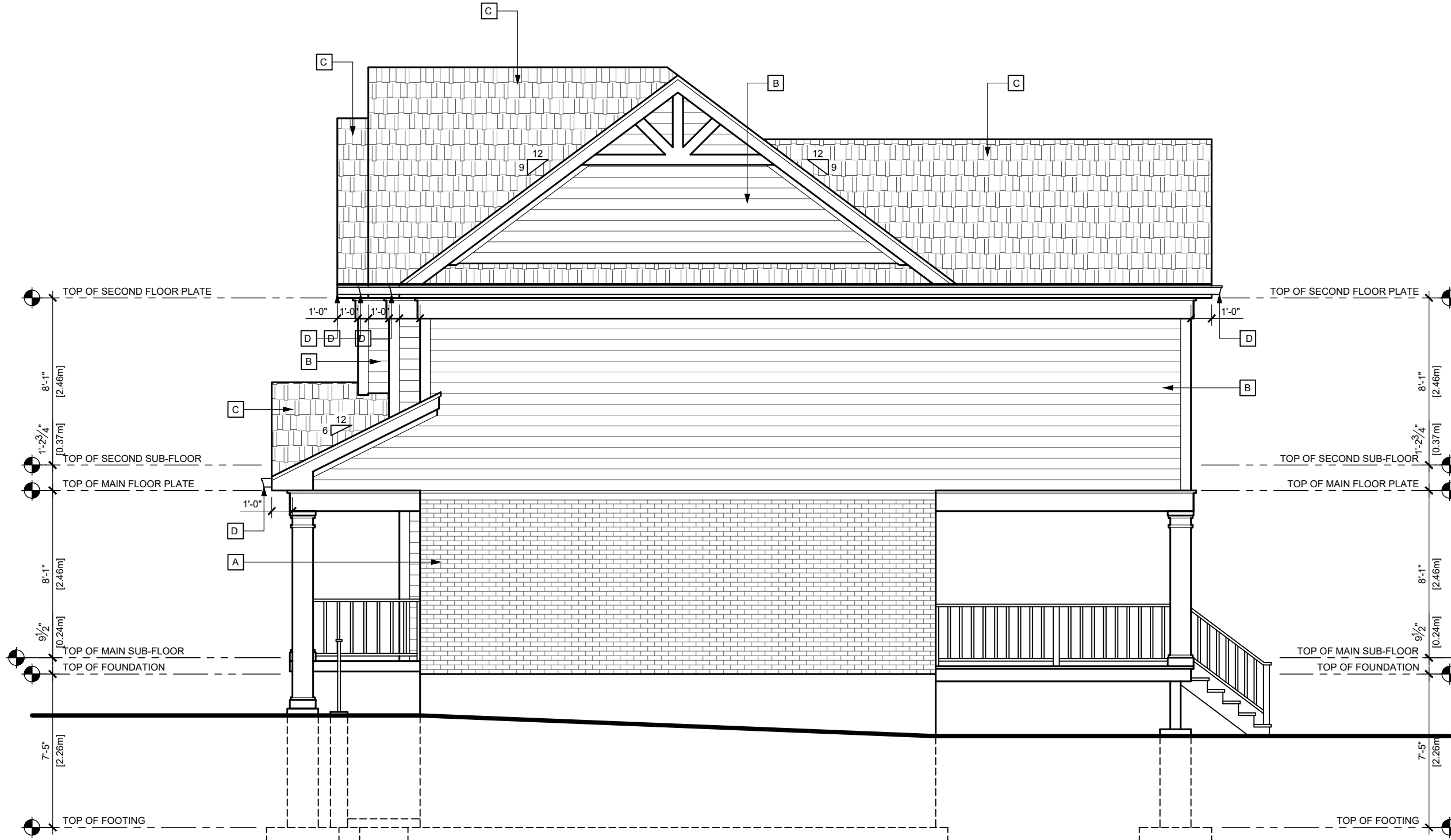
PROJECT
PROPOSED RESIDENCE 71 MILES RD HAMILTON, ON.

SHEET TITLE
PROPOSED FLOOR PLANS

DRAWN BY L. ANGELICI	A2
DATE 07/28/2021	
SCALE 3/16"=1'-0"	
PROJECT No. 2021-001	



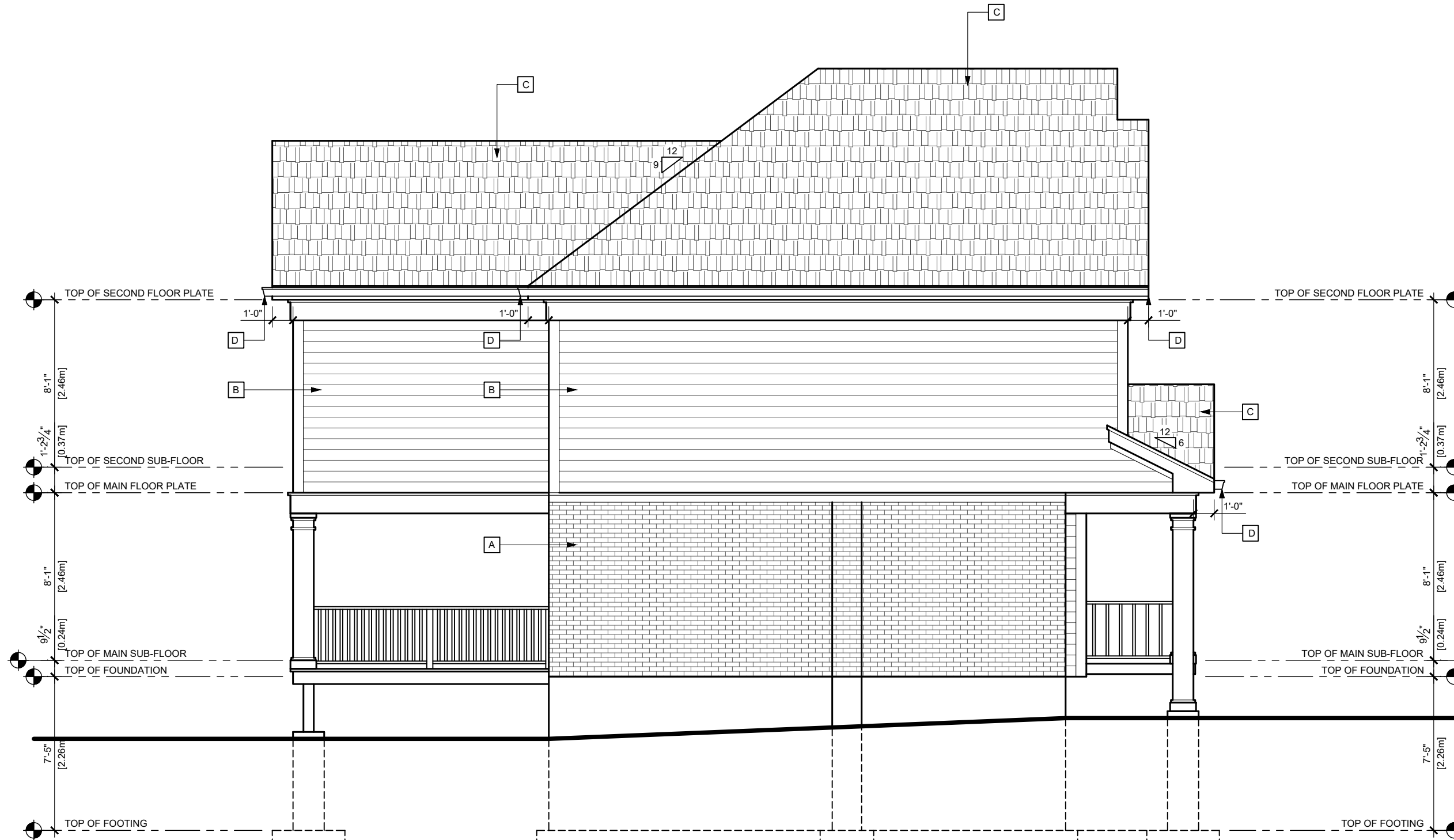
FRONT ELEVATION
SCALE $\frac{3}{16}$ " = 1' - 0"



RIGHT SIDE ELEVATION
SCALE $\frac{3}{16}$ " = 1' - 0"



REAR ELEVATION
SCALE $\frac{3}{16}$ " = 1' - 0"



LEFT SIDE ELEVATION
SCALE $\frac{3}{16}$ " = 1' - 0"

EXTERIOR FINISH INDEX

- A EXIST. BRICK VENEER
- B PRE-FIN. WOOD SIDING
- C ASPHALT SHINGLES
- D 5" PRE-FIN. ALUM. EAVETROUGH ON 8" WITH PRE-FIN. ALUM. FASCIA CW PRE-FIN. ALUM. DOWNSPOUT

PROJECT NORTH	TRUE NORTH

No.	REVISION	DATE
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QUALIFICATION INFORMATION

LEONARD ANGELICI 42391
NAME BCIN

REGISTRATION INFORMATION

LEN ANGELICI DESIGN 43162
NAME BCIN

07/28/2021
DATE SIGNATURE

**Len
Angelici
Design**

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PROJECT

PROPOSED RESIDENCE
71 MILES RD
HAMILTON, ON.

SHEET TITLE

PROPOSED
ELEVATIONS

DRAWN BY	L. ANGELICI
DATE	07/28/2021
SCALE	$\frac{3}{16}$ "=1'-0"
PROJECT No.	2021-001

A3

Letter of Intent
In Support of a Request for Variance

To Whom it may concern,

We, Russ and Alex Hottrum at 65 Miles Rd. Ham ON L8W 1C9 are sending this letter of Intent to support the request for a variance at 71 Miles rd. Ham, ON L8W 1C9.

We are aware of the plans for 71 Miles rd. and have seen the drawings. We have no objections to our neighbors plans and give our full support for them to move forward with their renovations.

Signature



Date

JUNE 28 / 2021 .

Signature



Date

June 28/2021



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)	MIKE PACHECO		
Applicant(s)*	LEN ANGELICI		
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:

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:

RELIEF FROM SIDE SETBACK REQUIREMENT OF 3m FOR PROPOSED SECOND STOREY ADDITION (2.48m) & EXISTING REAR DECK (0.25m). RELIEF FROM SIDE SETBACK REQUIREMENT OF 1.2m FOR EXISTING ABOVE GROUND POOL (0.64m)

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

PROPOSED SECOND FLOOR ADDITION TO BE BUILT WITH THE SAME FOOTPRINT AS THE EXISTING DWELLING, EXISTING DWELLING SETBACK OF 2.48m DOES NOT COMPLY. EXISTING DECK & POOL DO NOT COMPLY WITH SETBACK REQUIREMENTS AS BUILT BY PREVIOUS OWNER.

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**):

71 MILES RD
HAMILTON, ON
L8W 1C9

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?

Area has been residential since construction of subject property

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.

June/29/2021

Date

Signature Property Owner

Mike pacheco

Print Name of Owner

10. Dimensions of lands affected:

Frontage

24.38m

Depth

60.96m

Area

1486.20m²

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:

Ground floor: 111.78m²

1 Storey

Width: 13.37m

Length: 10.11m

Proposed

Ground floor: 102.52m²

2nd floor: 134.92m²

Gross Floor Area: 237.44

2 stories

Width: 13.37m

Length: 13.23m

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

Existing:

Dwelling

Front: 20.14m

Rear: 33.22m

Left side: 2.15m

Right side: 8.53m

Deck

Side: 0.25m

Rear: 29.46m

Pool

Side: 0.64m

Rear: 10.03m

Proposed:

2nd Storey Addition

Front: 19.23m

Rear: 29.46m

Left side: 2.48m

Right side: 8.53m

13. Date of acquisition of subject lands:
N/A
14. Date of construction of all buildings and structures on subject lands:
N/A
15. Existing uses of the subject property:
SINGLE FAMILY DWELLING
16. Existing uses of abutting properties:
SINGLE FAMILY DWELLINGS
17. Length of time the existing uses of the subject property have continued:
SINCE CONSTRUCTION
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:
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
ZONE B: Suburban Agriculture And Residential, Etc.
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.