### **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-21:268

**APPLICANTS:** Owner Kevin Moniz

SUBJECT PROPERTY: Municipal address 309 Strathearne Ave. Hamilton

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

**ZONING:** "D" (Urban Protected Residential, etc. – One and two Family

Dwellings) district

**PROPOSAL:** To permit the establishment of two (2) additional dwelling units within the existing building containing a legally established non-conforming multiple dwelling consisting of four (4) dwelling units for a total of six (6) dwelling units overall, notwithstanding that;

- 1. A total of five (5) parking spaces shall be provided instead of the required 8 parking spaces;
- 2. No visitor parking shall be permitted instead of the minimum two (2) visitor parking spaces;
- 3. No loading spaces shall be permitted instead of the minimum one (1) loading space required having minimum dimensions of 3.7m(W) x 9.0m(L) x4.3m(H) for a multiple dwelling having between 5 and 30 dwelling units;
- 4. The southerly boundary of a parking area containing five (5) parking spaces or more shall be permitted to be located 0 metres from a Residential District boundary (C District) instead of the required 1.5 metres to be provided between a parking area and a Residential District boundary.
- 5. A landscaped planting strip shall not be required along the southerly side lot line for the boundary of a parking area instead of the required landscaped planting strip to be provided for a parking area containing five (5) parking spaces or more which abut the Residential District boundary (C District).
- 6. A minimum visual barrier shall not be required along the southerly side lot line for the boundaries of a parking area instead of the required visual barrier of 1.2m to 2.0m in height to be provided for a parking area containing five (5) parking spaces or more which abut the Residential District boundary (C District).
- 7. No bumpers or wheel barriers shall be required for parking spaces instead of the requirement for bumpers or wheel barriers to be provided for parking spaces to prevent physical encroachment beyond the parking area.

# NOTES:

- 1. The existing multiple dwelling is recognized as a legally established non-conforming multiple dwelling in the C District with four (4) dwelling units by the City of Hamilton based on Building Division records.
- 2. The variances are written as requested by the applicant, however additional variances have been included based on the parking requirements for the proposed expanded multiple dwelling.

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

DATE: Thursday, August 26th, 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.

**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:

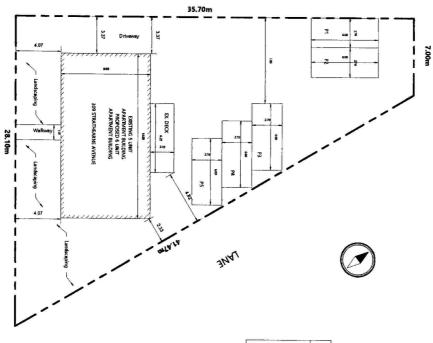
- Visit <u>www.hamilton.ca/committeeofadjustment</u>
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at cofa@hamilton.ca

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.

# STRATHEARNE AVENUE



LOT COVERAGE:	DECK:	BUILDING AREA:	LOT AREA:	SITE STATISTIC
21.19 %	13.25 sqm	119.48 sqm	626.35 sqm	

Sheet Little:	309 S	Project	age.	Da de	Ag URBLO
P	309 Strathearne Ave		1/16" = 1'-0"	May 03, 2021	ď8

A0.01

SITE PLAN



SULATIONS AND INSPECTIONS

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JESTAS SE CALCULATIONS TO BE PROVIDED BY OFFIRE OLAUFED

JCH AS STRUCTURAL HOW, TRUSS, GRADING, SURVEY, ETC.

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\*\*MAX 4" SPACING BETWEEN POLICETS

\*\*MAX 4" SPACING STAIR

MIN HEAD ROOM: 6'-5"

MIN WIDTH: 2'-10" - NESRI MURTS 4 /78 - 7 /78\*
- BUR I MURTS 9 W - 1- 14\*
- BUR I MURTS 9 W - 1- 14\*
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CONTINUOUS HANDRALLS FOR ALL STAIR WITH 3 OR MORE RISERS

MAXIMUM HEIGHT: 34" – 38" WALL/CEILING SCHEDULE EXT. CMU WAII (1hr FRR) (W2) EXT. BRICK CLADDING

PARTICIDE.

BOCKNIG MAI HEGHT FOR ALL UNFINISHED MAILS

- ROCKNIG MAI HEGHT FOR ALL UNFINISHED MAILS

- ROCKNIG MAILS

- ROCK

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UCTURES, UTILITIES, ROADS OR SURROLUNDING FATURES
(TO CONFIRM ALL UTILITIES LOCATIONS REPORE DECLAVATION)
DEE AND DRAINAGE LOCATIONS TO BE MAINTAINED UNLESS NOTED
TATETO POLIFICIANES.

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ANN SIZE SOUD BEARING OR THE BOWLAND WOOD BEAT BY OR GEATER
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PRANT DOCUMENTS FOR DIMENSIONS AND INSTALLATION

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UES, SECURITY OR RELIVED DAMAGES,
DRCE EXISTING SUPPORT SYSTEMS, INCLUDING FOUDATIONS

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- PROMOE SOUD MASCHINY BULED TOP COURSE WITH CONTINUOUS 2"M" SULPAIR UNDER ALL FRAMING MEMBER FOR ALL DISTING MASCHINY WALLS FOR THE SUDJECT PRODUCTION WALL THROUGHS TO ALLOW BRICK VENERA (WHILE MARINATING LATERAL SUPPORT)
- MASCHAY OFRE PREMINGS SHALL BE SUPPORTED WITH SHOP PRIMED STEEL UNITELS (MIN 6" BEARING)

(INCL.BEAMS & POSTS):
NS FOR ALL BEAMS AND POST SIZES
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L LOADS TO BE CONTINUOUS & VERTICAL WITH SOLID BEARING OUNDATION

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WOOD POSTS

METRIC

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3-2×4 4-2×4 3-2×6 6×6 P.T.

2 2 2

457 610 METRIC

24 9 9

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1. TO AMY YOUNG, THESE WAR INCLUDE, BITTO, ARE NOT LIMITED TO LEVING RECORD FOR STOLEN AND PROPERTY. BETT.

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BEARING FOR STEEL & WOOD BEAMS 3-PLY OR GREATER

7 OF OBC FOR ALL TYP. SPECIFICATIONS REGARDING RAILINGS, CONNECTION DETAILS OD DECKING ON DECK JOSTS JATED DECK JOSTS AND BEAMS AS PER PLAN JAORED TO METAL SHOE WITH 1/3" BOLTS ON CONCRETE PIER

222222

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3 %" x 3 %" x %" 4" x 3 %" x %" 47/8" x 3 %" x 3/8" 57/8" x 3 %" x 3/8" 57/8" x 4" x %" 71/8" x 4" x %"

METRIC

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MIDIS LOGAL LETTERING JAMES

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TO REPERTY DECAY ON MESTINGS ON CONCRETE RAD

LOAD STAIR SHALL HOT BE IN DIRECT CONTACT WITH GROUND UNILESS TRAITED

TO REPERTY DECAY ON MESTINGS ON CONCRETE RAD

LOAD STAIR SHALL HOT BE ASTINGS ON CONCRETE RAD (P) INT. PARTITION WALL\_ - 1/2" REGULAR GYPSUM
- 2"%4" WOOD STUD @ 16" O.C
- 1/2" REGULAR GYPSUM

FULL HEIGHT CEILING
/C1 1HR FIRE SEPARATION - STC 50 - F9C (SB-3)

- WOOD JOISTS
- 6" SOUND INSULATION
- RESILIENT CHANNEL @ 24" O.C
- 2 LAYERS OF 5/8" TYPE X" GYPSUM

0 2 LAYERS OF 5/8\* TYPE 'X' GYPSUM (NOTE: NO OPENING PERMITTED THIS MEMBRANE)

309 Stratheame Ave AS UMER May 03, 2021 As indicated 8.0

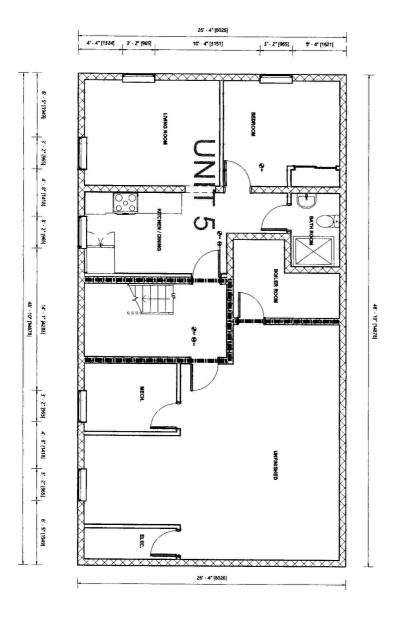
A0.02

NOTES

**«ARCHON** 

- 4" BRICK
- 1" AIR SPACE
- AIR BARRIER
- AIR BARRIER
- 2">- 6" WOOD STUD @ 16" O.C.
- R19 BATT INS.
- 6 MIL POLY VADOUR BARRIER
- 6 MIL POLY VADOUR BARRIER

BULKHEAD/STAIR CEILING 45MIN FIRE SEPARATION (SB-2)



**ARCHON**OBSIGN & PERMIT SERVICES

EXISTING FIRE-SEPARATION

AP. ACCESS PANEL

HRE ALARM

BEAM DUCT WORK

20min FIRE RATED SOLID WOOD DOOR

DUCT MOUNTED SMOKE DETECTOR

CARBON MONOXIDE DETECTOR
INTERCONNECTED SMOKE ALARM

RETURN AIR INTAKE

CHAUST FAN

SPINKLER

A1.01

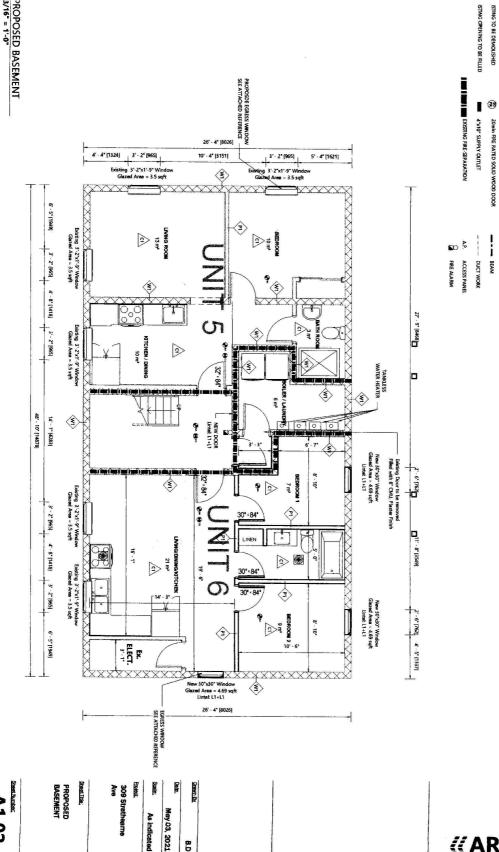
Sheet Title:
EXISTING
BASEMENT

Project: 309 Stratheeme Ave

Scale

May 03, 2021 As indicated

B.D



8.0

A1.02

**«ARCHON** 

ALL LEGEND

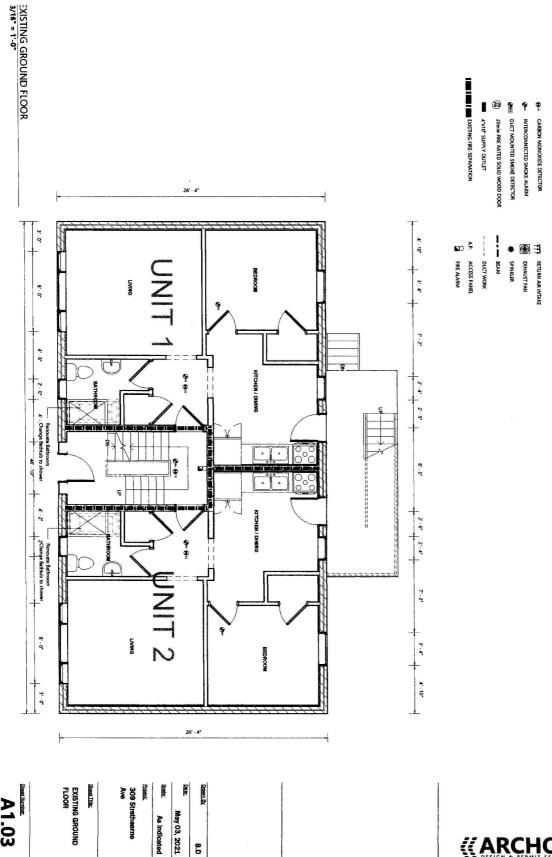
ISTING CONSTRUCTION

Page DUCT MOUNTED SMOKE DETECTOR

CARBON MONOXIDE DETECTOR INTERCONNECTED SMOKE ALARM

RETURN AR INTAKE

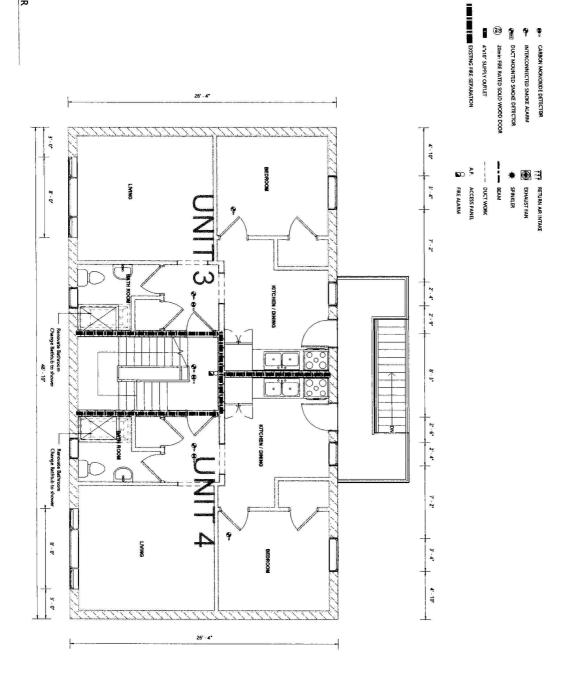
EXHAUST FAN \* SPINKLER



8.0

A1.03

**«ARCHON**DESIGN & PERMIT SERVICES



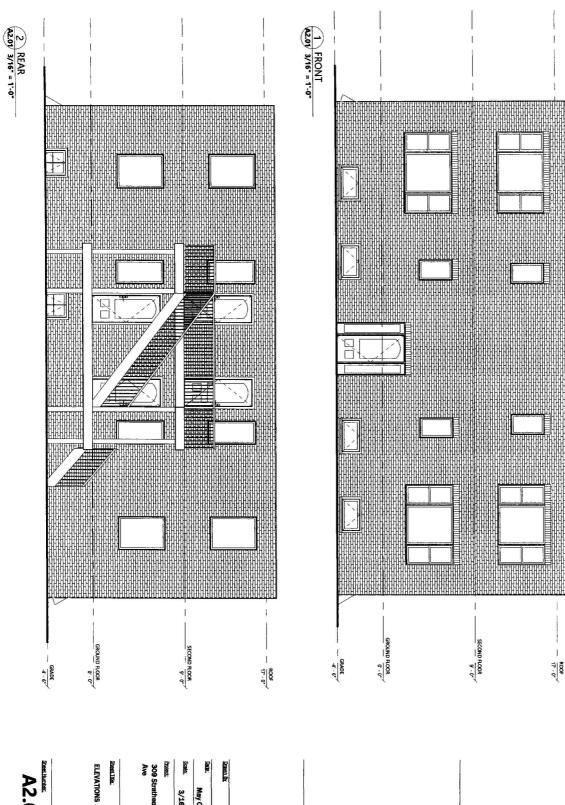
A1.04

EXISTING SECOND FLOOR PLAN Protect 309 Stratheame Ave

May 03, 2021 As Indicated

B.D

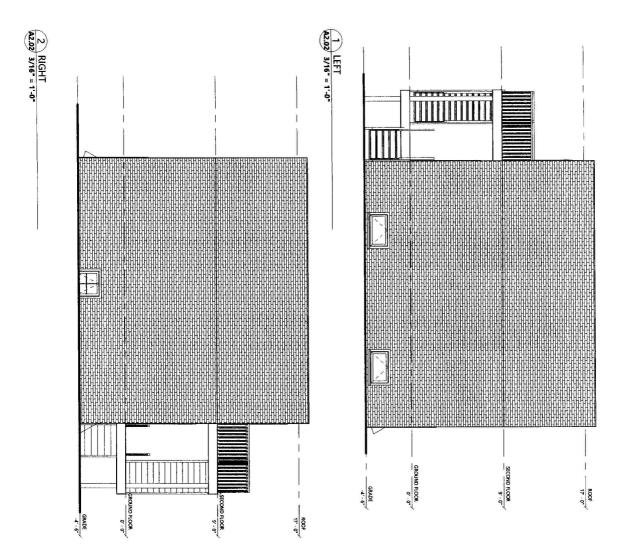
**«ARCHON**DESIGN & PERMIT SERVICES



A2.01

3/16" = 1'-0" May 03, 2021 B.D

**KARCHON**DESIGN & PERMIT SERVICES



A2.02

**EXARCHON**LESIGN & PERMIT SERVICES



**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	
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)	Kevin Moniz		
Applicant(s)*	Kevin Moniz		
Agent or Solicitor		Phon	e:
		E-ma	11:

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:
	Zoning bylaw requirement:1.25 parking spaces per unit. Proposed: 5 parking spaces. As required for legalizing two units in the basement. Number parking spaces to increase form 4 to 6.
5.	Why it is not possible to comply with the provisions of the By-law?
	Can not successfully fit 8 parking spaces within lot boundary without triggering a site plan control application with storm water management implications.
6.	Legal description and Address of subject lands (registered plan number and lot number or other legal description and where applicable, <b>street and street number</b> ):  Multi Unit Dwelling 309 Strathearne Ave
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 O
8.3	Has a gas station been located on the subject land or adjacent lands at any time?  Yes No Unknown O
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 O No O 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 O No Unknown O
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 O No O Unknown O

8.10	uses on the site or a	to believe the subject adjacent sites? lo Unkno	_	ve been conta	aminated by former
8.11		d you use to determin			
8.12	previous use invent	operty is industrial or ory showing all forme subject land, is need	uses of the	r if YES to an subject land, o	y of 9.2 to 9.10, a or if appropriate, the
	is the previous use	inventory attached?	Yes	☐ No	
9.	remediation of conta reason of its approv	IENT CLAUSE the City of Hamilton is amination on the prop al to this Application.	not responsi erty which is	ble for the ide the subject of	ntification and this Application – by
	May 03,2021 Date		Signatura Dr	anoth Owner	
	Date		Kevin Moniz	operty Owner	
			Print Name		
10.	Dimensions of lands		· · · · · · · · · · · · · · · · · · ·	<i>x</i> 0 ((1))	
10.	Frontage	28.04m			
	Depth	34.73m			. ,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,
	Area	624.91sqm			<del>- ***</del>
	Width of street	6.0m			
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 FI. Area - 1 Gross FI. Area - 35 # of stories - 2 Width - 14.88m Proposed				
	Ground Fl. Area - 1 Gross Fl. Area - 35 # of stories - 2 Width - 14.88m Length - 8.04m				
12.	Location of all buildidistance from side, i	ngs and structures on ear and front lot lines	or proposed	for the subjec	t lands; (Specify
	Existing:		,		
	Front - 4.21m Left - 3.33m				
	Right - 1.65m Rear - 23.48m				
	Right - 1.65m				
	Right - 1.65m Rear - 23.48m				

Date of construction of all buildings and structures on subject lands:
Existing uses of the subject property:  Residential Rental Units
Existing uses of abutting properties: Residential
Length of time the existing uses of the subject property have continued: $1952$
Municipal services available: (check the appropriate space or spaces)  Water   Connected   Connected
Sanitary Sewer ✓ Connected ✓
Storm Sewers Present Official Plan/Secondary Plan provisions applying to the land: 1\frac{1}{p}
Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
Has the owner previously applied for relief in respect of the subject property?  Yes  No  If the answer is yes, describe briefly.
Is the subject property the subject of a current application for consent under Section 53 the <i>Planning Act</i> ?
Additional Information
The applicant shall attach to each copy of this application a plan showing the dimension of the subject lands and of all abutting lands and showing the location, size and type of 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.