



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-21:366

APPLICANTS: Owner Tetyana Holoshchuk
Agent Ken Bekendam

SUBJECT PROPERTY: Municipal address **38 Rendell Boulevard, Hamilton**

ZONING BY-LAW: Zoning By-law 6593, as Amended by By-law 83-66

ZONING: C district (Urban Protected Residential Etc.)

PROPOSAL: To permit the conversion of an existing accessory structure to a secondary dwelling unit – detached in the rear yard on a residential parcel of land, notwithstanding that:

1. Two (2) parking spaces shall be provided instead of the three (3) parking spaces required.

NOTE:

1. Building Permit No. 21-139653, issued on September 7th, 2021, to convert the existing single family dwelling to contain a secondary dwelling unit, remains not finalized.
2. Please note that from the materials provided, apart the replacement of the existing garage door with a new exterior wall and window, no alterations to the exterior of the existing accessory structure have been indicated as part of the conversion to a Secondary Dwelling Unit – Detached. Please note that as per Section 18(30)(vi)(k), an existing building may encroach or further encroach for the purpose only of refacing the building into a required yard to a distance not exceeding 0.15 metres. Additional variances may be required if alterations to the exterior of the existing accessory structure are proposed and compliance with Zoning By-law regulations is not possible.
3. The proposed development is subject to the issuance of a building permit in the normal manner. 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, November 25th, 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: November 9th, 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 INFORMATION & STATISTICS	
ADDRESS	38 RENDELL BLVD. - HAMILTON - ON.
ZONING TYPE	C
LOT AREA	5000 SQ FT (464.51 SQ M)
LOT FRONTAGE	50.00' (15.24m)

GENERAL NOTES:

1. ALL CONSTRUCTION TO COMPLY WITH THE REVISED ONTARIO BUILDING CODE 2012.
2. ALL DIMENSIONS ARE MEASURED TO ROUGH FRAMING OR TO MASONRY SURFACES UNLESS OTHERWISE NOTED.
3. ALL DOORS AND WINDOW OPENINGS ARE MEASURED TO ROUGH FRAMING OR MASONRY OPENINGS.
4. CONTRACTOR IS TO VERIFY WINDOW OPENINGS WITH WINDOW MANUFACTURER PRIOR TO COMMENCING WORK.
5. READ ARCHITECTURAL DRAWINGS IN CONJUNCTION WITH STRUCTURAL, MECHANICAL AND ELECTRICAL DRAWINGS.
6. ELEVATION REFERENCES ARE BASED ON 100'-0" = 131.70m GEODETIC ELEVATIONS AS NOTED ON A1 SITE PLAN.
7. ALL DIMENSIONS MUST BE CHECKED AGAINST THE ARCHITECTURAL DRAWINGS AND THE FIELD CONDITIONS BEFORE COMMENCING FABRICATION. AND INCONSISTENCIES ARE TO BE REPORTED TO THE CONSULTANT BEFORE PROCEEDING WITH THE WORK.
8. THE CONTRACTOR SHALL PROPERLY SUPERVISE THE WORK AND ENSURE THAT THE WORK IS INSTALLED TO THE CORRECT LINES AND LEVELS, THAT THE CONNECTIONS AND DETAILS CONFIRM TO THE DRAWING DETAILS AND SHALL COORDINATE THE INTERFACING OF ALL WORK WITH ALL SUB-TRADES.
9. PROVIDE POSITIVE FRONT YARD SLOPE TO MUNICIPAL SEWER FOR WATER RUN-OFF.
10. CONTRACTOR TO BE RESPONSIBLE FOR VERIFYING THE LOCATIONS OF ALL EXISTING UNDERGROUND AND ABOVE UTILITIES AND SERVICES. VARIOUS UTILITIES CONCERNED TO BE GIVEN REQUIRED ADVANCING NOTICE PRIOR TO ANY DIGGING, FOR STAKE OUT.
11. REFER TO LANDSCAPING PLAN FOR PLANTING CONFIRM LAYOUT WITH LANDSCAPE CONTRACTOR
12. DESIGNER NOT RESPONSIBLE FOR ACCURACY OF SURVEY DRAWING.

EXISTING STRUCTURE NOTE:

OWNER AND CONTRACTOR IS FULLY RESPONSIBLE FOR VERIFYING ALL EXISTING STRUCTURAL CONDITIONS PRIOR TO ANY WORK, ANY AND ALL DISCREPANCIES SHALL BE REPORTED TO THE OWNER PRIOR TO ANY WORK, OWNER AND CONTRACTOR IS FULLY RESPONSIBLE FOR SHORING EXISTING STRUCTURE PRIOR TO ANY WORK.

BUILDING CODE COMPLIANCE NOTE:

THESE DRAWINGS DO NOT REPRESENT A COMPREHENSIVE AND EXHAUSTIVE GUIDE FOR COMPLIANCE WITH THE ONTARIO BUILDING CODE. IT IS ASSUMED THAT THE CONTRACTOR HAS REASONABLY SUFFICIENT KNOWLEDGE OF THE ONTARIO BUILDING CODE IN ORDER TO PERFORM ALL WORK AS PER THESE DRAWINGS IN SUCH A WAY THAT WILL COMPLY WITH ALL ASPECTS OF THE O.B.C. AND WILL NOT CONTRAVENE ANY OTHER APPLICABLE LAWS.

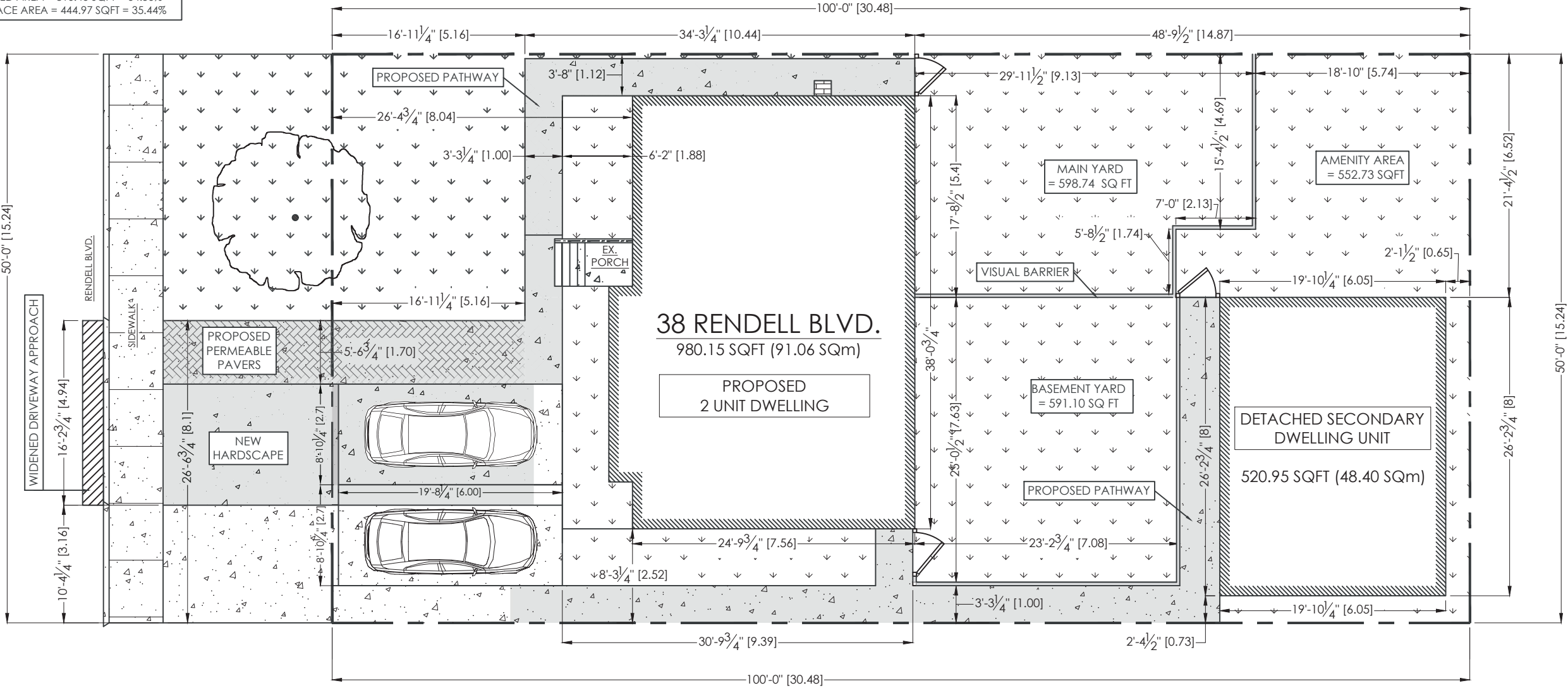
SITE PLAN:

BASED ON HAMILTON SITE MAPS AND MEASUREMENTS ON SITE DESIGNER ASSUMES NO RESPONSIBILITY FOR ACCURACY OF HAMILTON MAPS. THIS SITE SHALL NOT BE USED FOR ANY OTHER PURPOSES. NO WORK TO ENCROACH ONTO ADJOINING PROPERTIES

SECONDARY DWELLING AMENITY AREA SQ.FT (m ²)	
LANDSCAPE AREA	552.73 (51.35)

LANDSCAPED FRONT YARD	
LANDSCAPED AREA = 810.46 SQFT = 64.56%	
HARD SURFACE AREA = 444.97 SQFT = 35.44%	

DETACHED SECONDARY DWELLING UNIT COVERAGE	
TOTAL LOT AREA = 464.51 SQm (5000 SQFT)	
DETACHED DWELLING AREA = 48.40 SQm (520.95 SQFT)(10.42%)	
DETACHED DWELLING LANDSCAPED AREA = 51.35 SQm (552.73 SQFT) (11.05%)	





LEAD DESIGNER & CONSULTANT
Ken Bekendam B.A. BUSCOM, L.T.
kenbekendam@gmail.com
office: 855.546.4467 cell: 905.961.0647

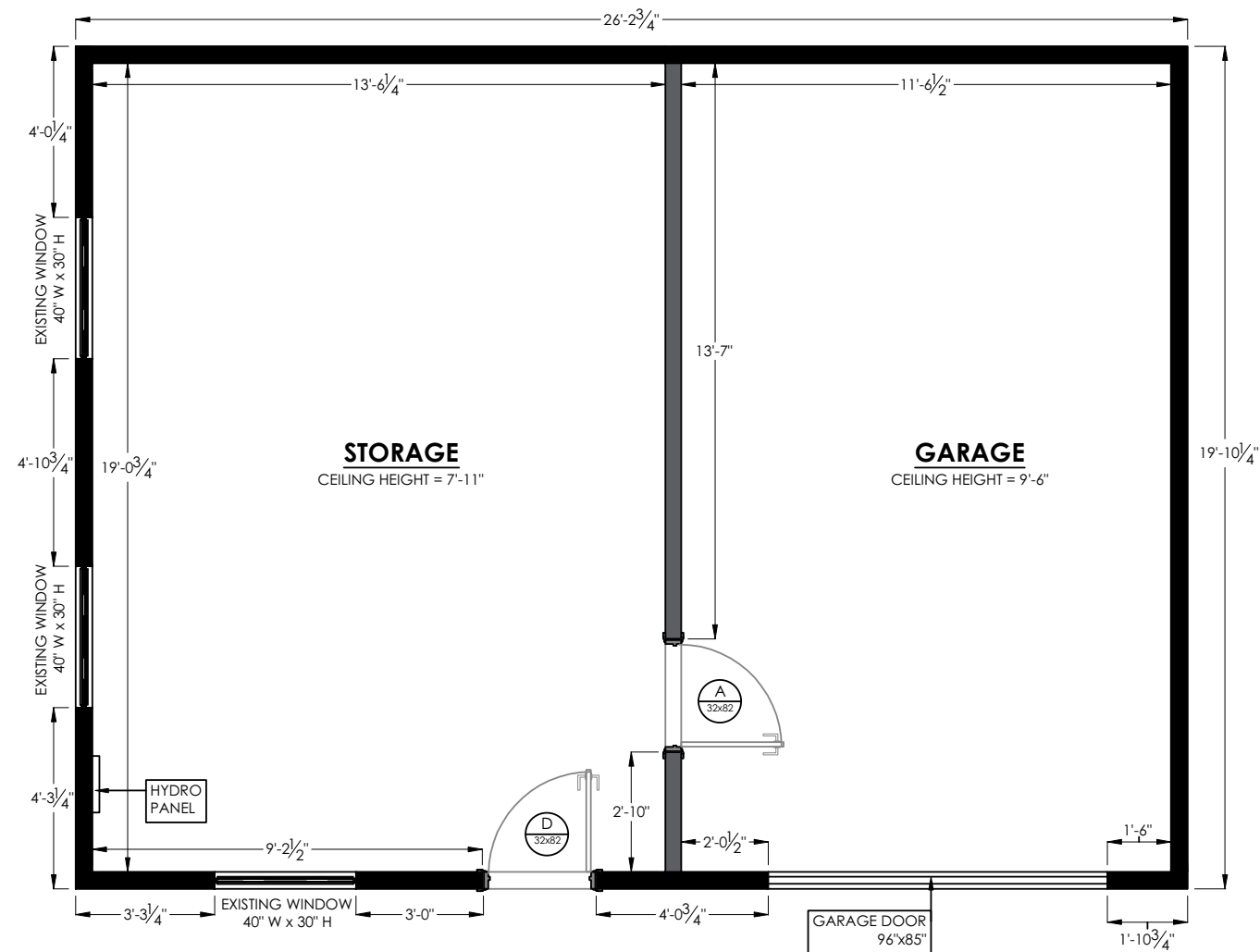
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ADRESS:	38 RENDELL BLVD.- HAMILTON
SUBJECT:	PROPOSED SITE PLAN
PROJECT:	DETACHED SECONDARY DWELLING UNIT
DATE:	OCT 2021

SCALE:	3/32"= 1'
SHEET#:	SP 1.02



PLANS LEGEND	BATH	ROOM NAME
	EF	EXHAUST FAN
	2	SPECIFICATION TAG
	S.A.	SMOKE ALARM
	C.M.A.	CARBON MONOXIDE ALARM
	C.H. = 8'-10'	CEILING HEIGHT
	P.S.	PLUMBING STACK
	W.M.	WATER METER
	F.D.	FLOOR DRAIN
	SB	STRUCTURAL BEAM OR WALL
	SC	STRUCTURAL COLUMN
	FW	FOUNDATION WALL
	EEW	EXISTING EXTERIOR WALLS
	NEW EEW	NEW EXTERIOR WALLS
	EEI	EXISTING EXTERIOR WALLS
DOOR LEGEND	AI	EXISTING INTERIOR WALLS
	NEW EI	NEW EXTERIOR WALLS
	NI	NEW INTERIOR WALLS
	SW	STRUCTURAL WALLS
	W	WINDOWS
	A	DOOR TYPE
	30x60	DOOR SIZE
	A.	PANEL DOOR
	B.	FIRE DOOR w/ SELF CLOSER (45 MIN)
	C.	FIRE DOOR w/ SELF CLOSER (20 MIN)
	D.	EXTERIOR DOOR
	E.	BIFOLD CLOSET
	F.	SLIDING DOOR
	G.	POCKET DOOR



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cell: 416.807.1572

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NORTH POSITION:



ADDRESS: 38 RENDELL BLVD. - HAMILTON, ON.

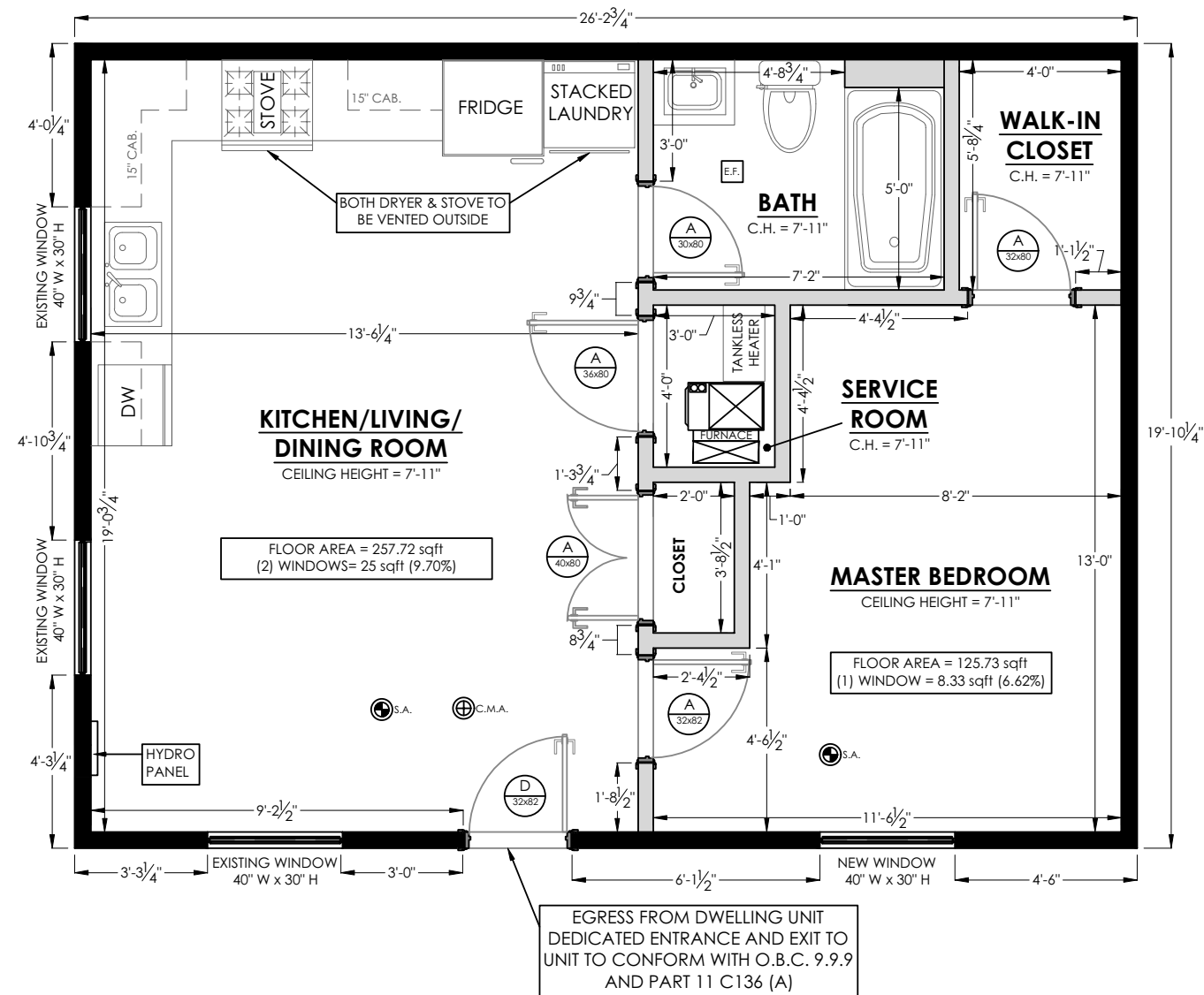
SUBJECT: EXISTING GARAGE

PROJECT: SECONDARY DWELLING UNITS

DATE: JULY 2021

SCALE: 1/4"

SHEET#: A 1.06



SEE HVAC DESIGN

NOTE: ALL SMOKE ALARMS TO BE INTERCONNECTED

ELETRONIC STAMP

PLANS LEGEND	
BATH	ROOM NAME
EF	EXHAUST FAN
2	SPECIFICATION TAG
S.A.	SMOKE ALARM
C.M.A.	CARBON MONOXIDE ALARM
C.H. = 8'-10"	CEILING HEIGHT
P.S.	PLUMBING STACK
W.M.	WATER METER
F.D.	FLOOR DRAIN
SB	STRUCTURAL BEAM OR WALL
SC	STRUCTURAL COLUMN
FW	FOUNDATION WALL
EW	EXISTING EXTERIOR WALLS
NW	NEW EXTERIOR WALLS
EW	EXISTING EXTERNAL WALLS
EW	EXISTING INTERIOR WALLS
NW	NEW EXTERIOR WALLS
NW	NEW INTERIOR WALLS
SW	STRUCTURAL WALLS
W	WINDOWS
DOOR LEGEND	
A	DOOR TYPE
30x60	DOOR SIZE
A	PANEL DOOR
B	FIRE DOOR w/ SELF CLOSER (45 MIN)
C	FIRE DOOR w/ SELF CLOSER (20 MIN)
D	EXTERIOR DOOR
E	BIFOLD CLOSET
F	SLIDING DOOR
G	POCKET DOOR



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NORTH POSITION:



ADDRESS: **38 RENDELL BLVD. - HAMILTON, ON.**

SUBJECT: **PROPOSED DETACHED DWELLING UNIT**

PROJECT: **SECONDARY DWELLING UNITS**

DATE: **JULY 2021**

SCALE: **1/4"**

SHEET#: **A 1.07**

TOP OF ROOF
11' - 4"

U/S CEILING HEIGHT
7' - 11"

TOP OF SLAB
0' - 0"

TOP OF ROOF
11' - 4"

U/S ROOF RAFTERS
9' - 6"

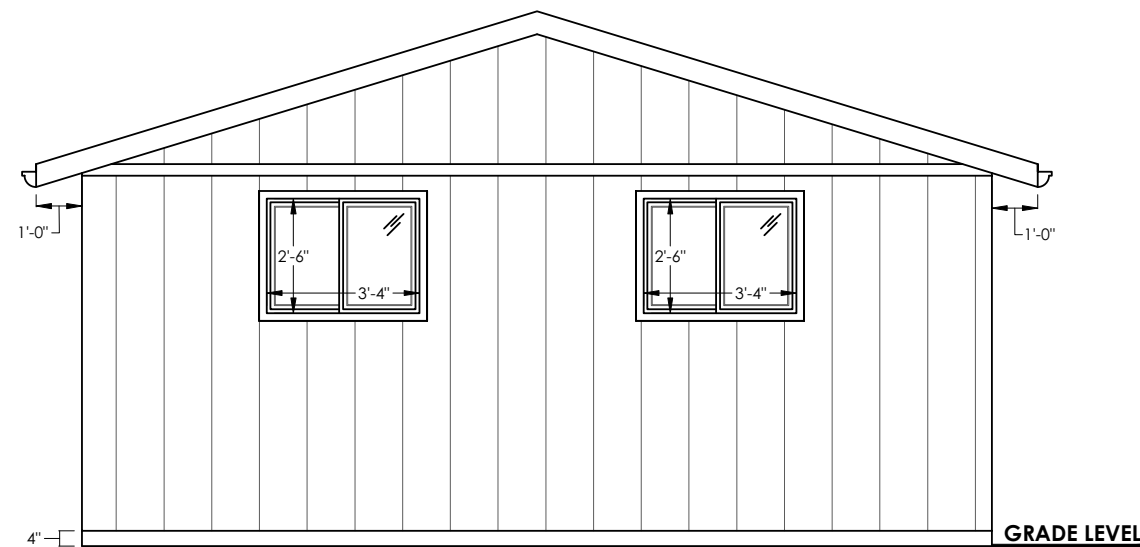
MAIN FLOOR LEVEL
0' - 0"



TOP OF ROOF
11' - 4"

U/S CEILING HEIGHT
7' - 11"

TOP OF SLAB
0' - 0"



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NORTH POSITION:

ADDRESS: **38 RENDELL BLVD. - HAMILTON, ON.**

SUBJECT: **EXISTING GARAGE ELEVATION - WEST & NORTH**

PROJECT: **SECONDARY DWELLING UNITS**

DATE: **JULY 2021**

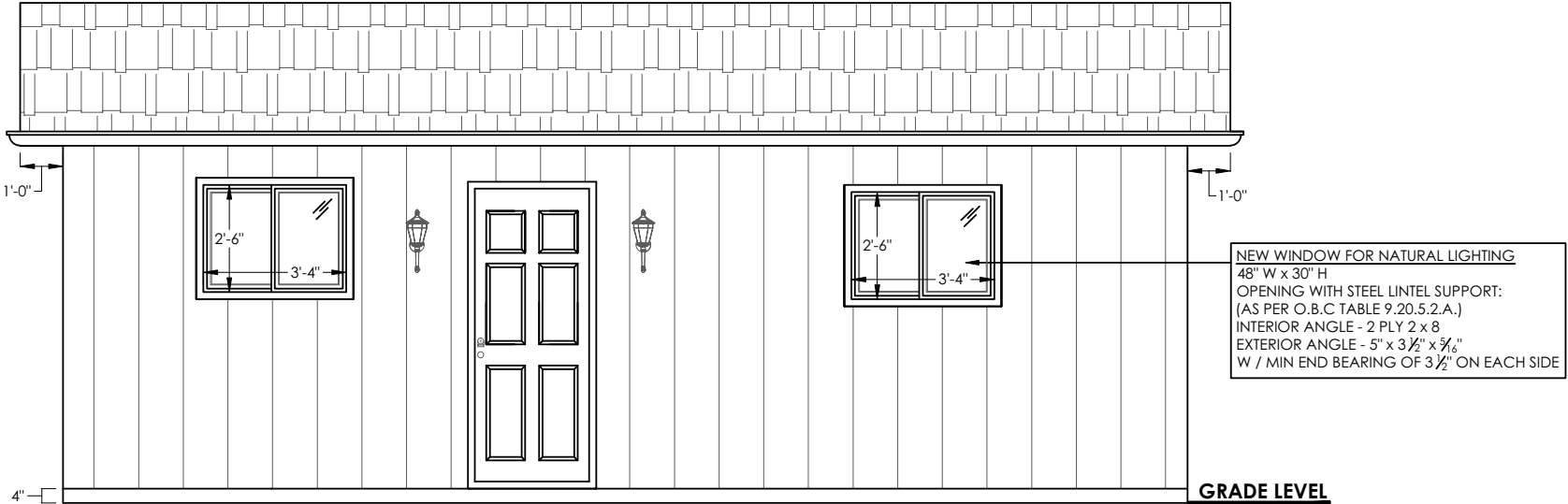
SCALE: **1/4"**

SHEET#: **A 2.03**

TOP OF ROOF
11' - 4"

U/S CEILING HEIGHT
7' - 11"

TOP OF SLAB
0' - 0"



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NORTH POSITION:

ADDRESS: **38 RENDELL BLVD. - HAMILTON, ON.**

SUBJECT: **PROPOSED GARAGE ELEVATION - WEST**

PROJECT: **SECONDARY DWELLING UNITS**

DATE: **JULY 2021**

SCALE: **1/4"**

SHEET#: **A 2.04**

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

Registered Owners(s)	<div></div>
Applicant(s)*	
Agent or Solicitor	

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:
n/a

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 permit two parking spaces total whereas the bylaw requires 3 parking spaces for a secondary dwelling unit and secondary dwelling unit - detached

☒ Secondary Dwelling Unit ☐ Reconstruction of Existing Dwelling

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

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**):
38 Rendell Blvd, Hamilton, ON

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?

Existing residential use

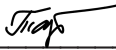
8.12 If previous use of property is industrial or commercial or if YES to any of 8.2 to 8.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.

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.

October 3, 2021
Date


Signature Property Owner(s)
Tetyana Holoshchuk
Print Name of Owner(s)

10. Dimensions of lands affected:
Frontage 50' (15.24m)
Depth 100' (30.48m)
Area 5000sqft (464.51sqm)
Width of street unknown

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: See site plan

Proposed
See site plan

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

Proposed:
See site plan

13.

Date of acquisition of subject lands:
2010-04-01
-
14.

Date of construction of all buildings and structures on subject lands:
unknown
-
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.):

single family
17.

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

Neighbourhoods
20.

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

C - Urban Protected Residential
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.