



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-21:384

APPLICANTS: Agent White Willow Design c/o S. Piper
Owner Spencer deMan

SUBJECT PROPERTY: Municipal address **445 Catharine St. N., Hamilton**

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

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

PROPOSAL: To permit the construction of a 3rd storey dormer addition along with the increase in the roof height and a 1 storey rear addition to the existing 2½ storey single-family dwelling notwithstanding that;

1. A minimum front yard depth of 3.3 m shall be provided instead of the minimum required front yard depth of 6.0 m; and
2. A minimum side yard width of 0.21 m shall be provided on the northerly side lot line instead of the minimum required side yard width of 2.7 m; and
3. A minimum side yard width of 0.8 m shall be provided on the southerly side lot line instead of the minimum required side yard width of 2.7 m; and
4. A minimum rear yard depth of 2.5 m shall be provided instead of the minimum required rear yard depth of 10.5 m; and
5. Eaves and gutters shall be permitted to encroach the entire width of the northerly side lot line instead of the maximum permitted encroachment of one half of the required side yard.
6. No parking spaces shall be provided on site instead of the minimum required 3 parking spaces for a total of 10 habitable rooms

Notes:

Please note that if variance for the southerly side yard is approved then the eave and gutter encroachment will be in compliance.

Eaves and gutters may project into a required rear yard not more than 1.5 m. No details provided; therefore, further variances may be required.

Applicant shall ensure that eaves and gutters do not encroach beyond the property line. If

so, applicant shall be required to enter into an encroachment agreement and establish the necessary maintenance easements, which must be properly registered on title with the abutting neighbor.

It appears based on the site plan submitted that the front yard setback is taken from the lot line to the eaves and gutters; therefore, there is no encroachments.

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

DATE:	Thursday, December 9th, 2021
TIME:	3:15 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: November 23rd, 2021.

Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

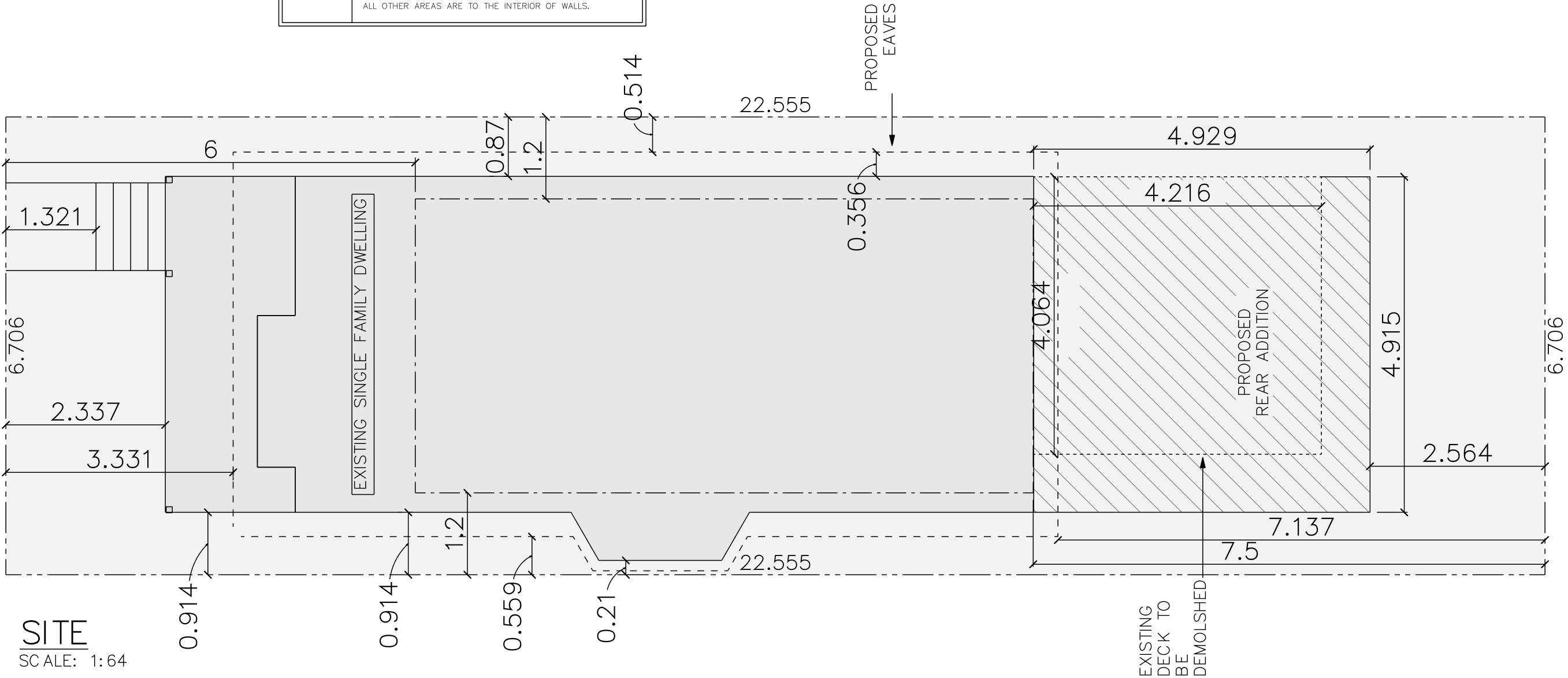
Information respecting this application is being collected under the authority of the Planning Act, R.S.O., 1990, c. P. 13. All comments and opinions submitted to the City of Hamilton on this matter, including the name, address, and contact information of persons submitting comments and/or opinions, will become part of the public record and will be made available to the Applicant and the general public.

PROPERTY INFORMATION Variance #:		
BY-LAW SECTION	ALLOWED	PROPOSED
ZONE	D	same
PROPERTY SIZE	360 m2	154.6 m2
LOT WIDTH	12 m	22.2 m
MAXIMUM HEIGHT	14 m	9.7 m
FRONT SETBACK	6 m	3.3 m
LEFT SETBACK	1.2 m	0.51 m
RIGHT SETBACK	1.2 m	0.59 m
REAR SETBACK	7.5 m	2.6 m

LINE LEGEND	
LINE TYPE	SYMBOL
PROPERTY	----
SETBACK	----
BUILDING	
ROOF LINE	-----
ADDITION	////
SILT FENCE	==
HOARDING	==

AREA SCHEDULE	
NAME	AREA
Existing GFA	1606 sq ft.
Existing Ground Floor Area	507 sq ft.
Proposed GFA	1977 sq ft.
Proposed Ground Floor Area	740 sq ft.

GENERAL NOTES	
TYPE	DESCRIPTION
DIMENSIONS	SITE PLAN IS METRIC. ALL OTHER DRAWINGS ARE IMPERIAL ALL DIMENSIONS ARE TO THE WOOD STUD, UNLESS TO BRICK.
AREAS	GROSS FLOOR AREA IS TO THE EXTERIOR OF WALLS. ALL OTHER AREAS ARE TO THE INTERIOR OF WALLS.



BCIN Stamp:		
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.		
Qualification Information required under Div. C, Part 3 of the 2012 OBC		
Daniel J. Ott	35686	
Name	Signature	BCIN
White Willow Designs, Inc.	46597	
Company		BCIN



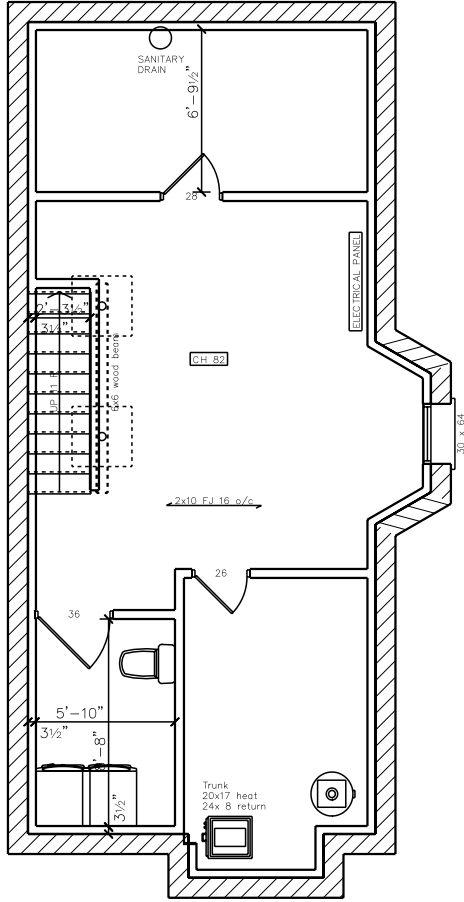
WhiteWillow
DESIGN

439 Bay St N
Hamilton, ON | L8L 1N2
C: 905-220-9419

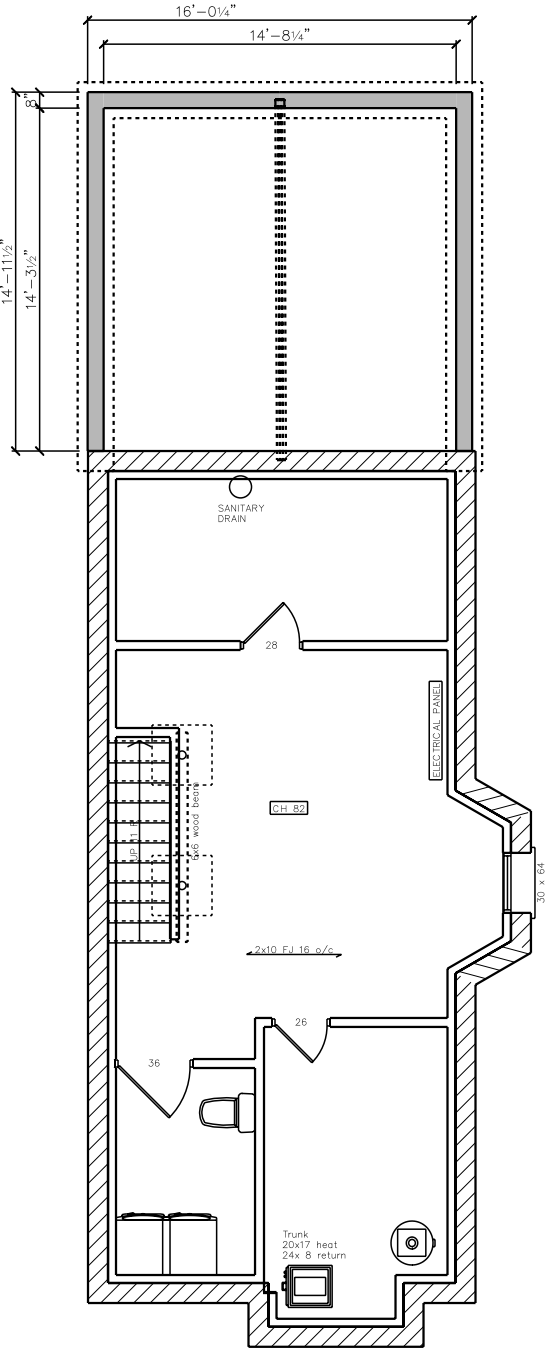
E: daniel@whitewillowdesign.ca

NO.	DATE:	ISSUE / REVISION
1	2021.10.12	MV App

design by:	drawn by:	approved by:	scale:	date:	As Noted
	S.P.	D.O.		10/12/2021	
Project:	deMan	445 Catharine St N	Hamilton	ON	L8L 4T7
Sheet Title:	SP0.1 Site Plan				
	page 1 of 7				



Existing
SCALE: 1/8" = 1'-0"



Proposed
SCALE: 1/8" = 1'-0"

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35686

Name

Signature

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10/12/2021

As Noted

Project:

deMan

445 Catharine St N

Hamilton

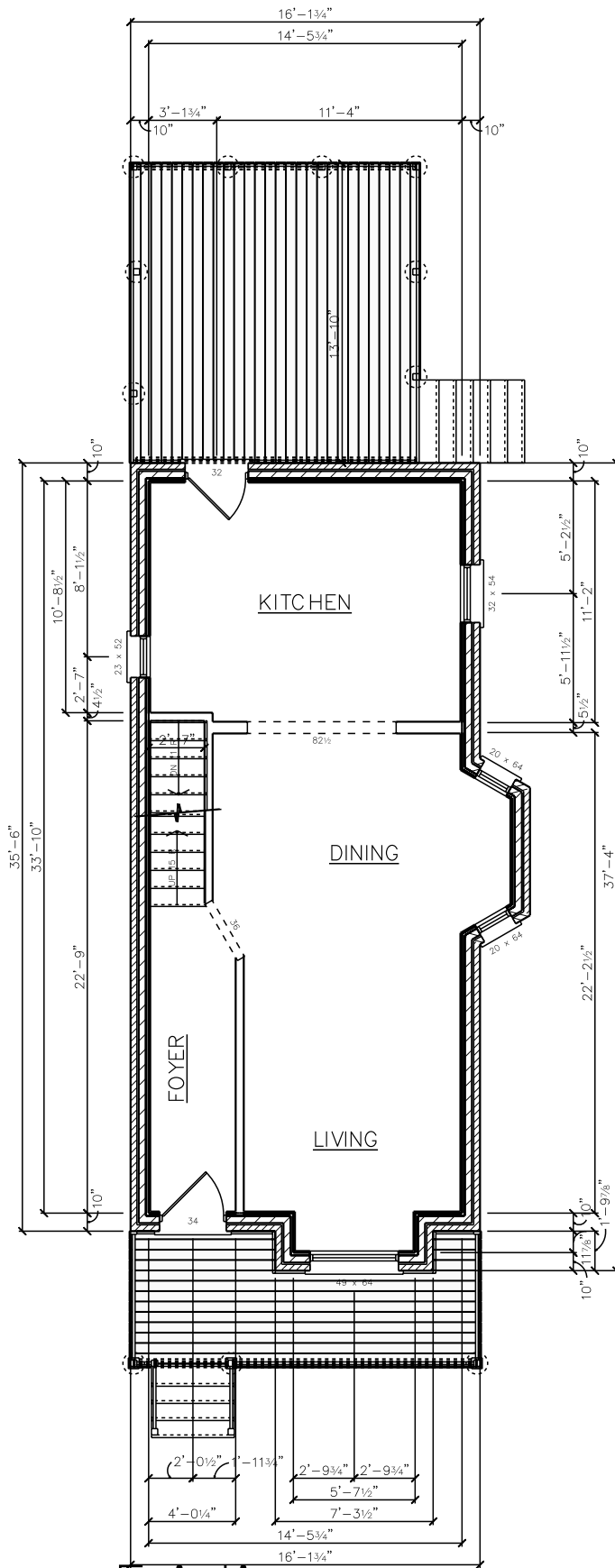
ON

L8L 4T7

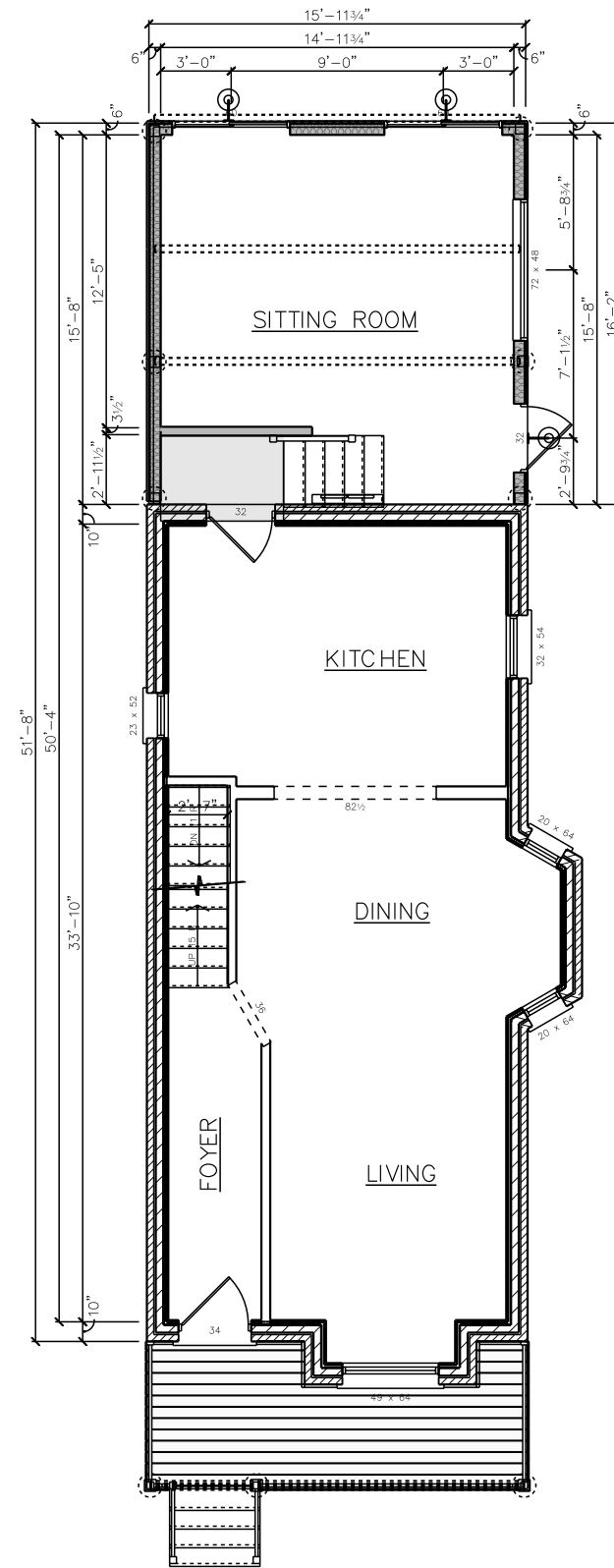
Sheet Title:

A1.0 Level 0

page 2 of 7



Existing
SCALE: 1/8" = 1'-0"



Proposed
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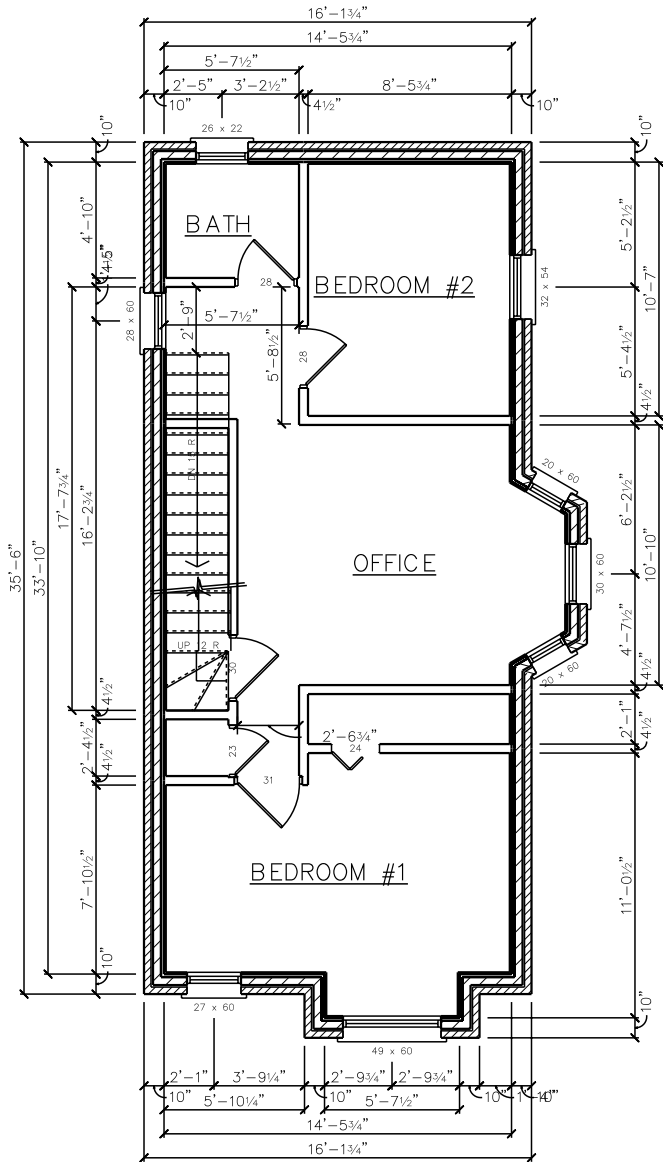
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Hamilton, ON | L8L 1N2
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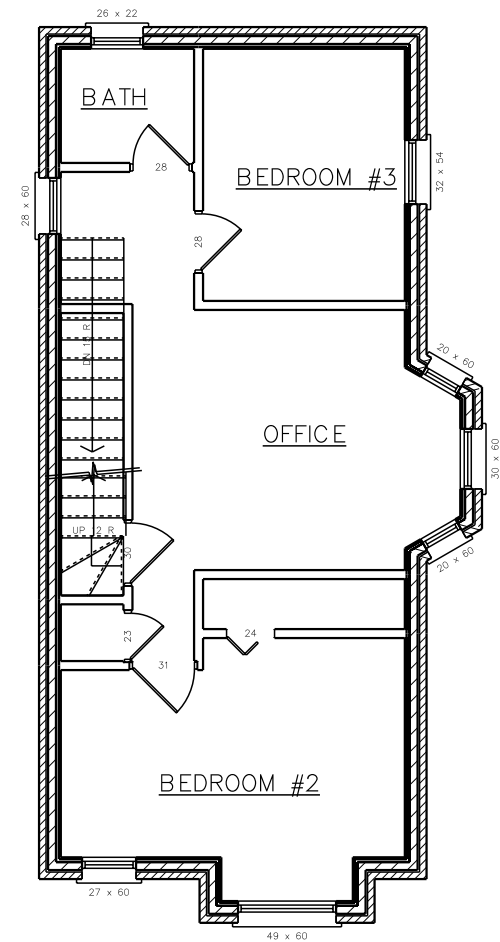
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design by:	drawn by:	approved by:	date:	scale:
	S.P.	D.O.	10/12/2021	As Noted
Project:	deMan			
	445 Catharine St N	Hamilton	ON	L8L 4T7
Sheet Title:	A1.1 Level 1			
	page 3 of 7			



Existing
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Proposed
SCALE: 1/8" = 1'-0"

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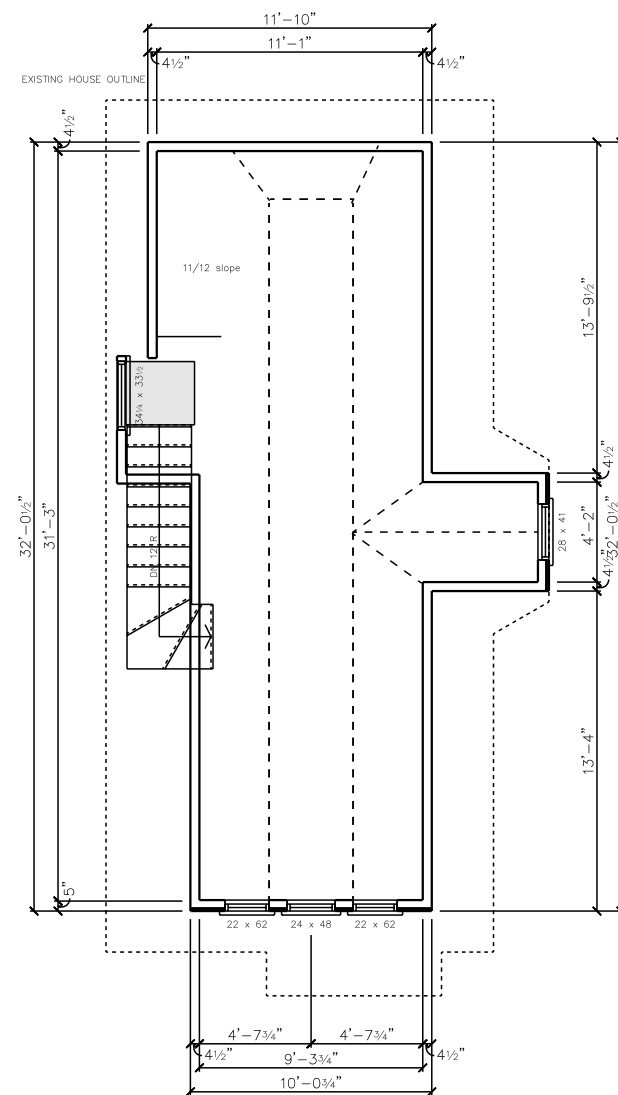
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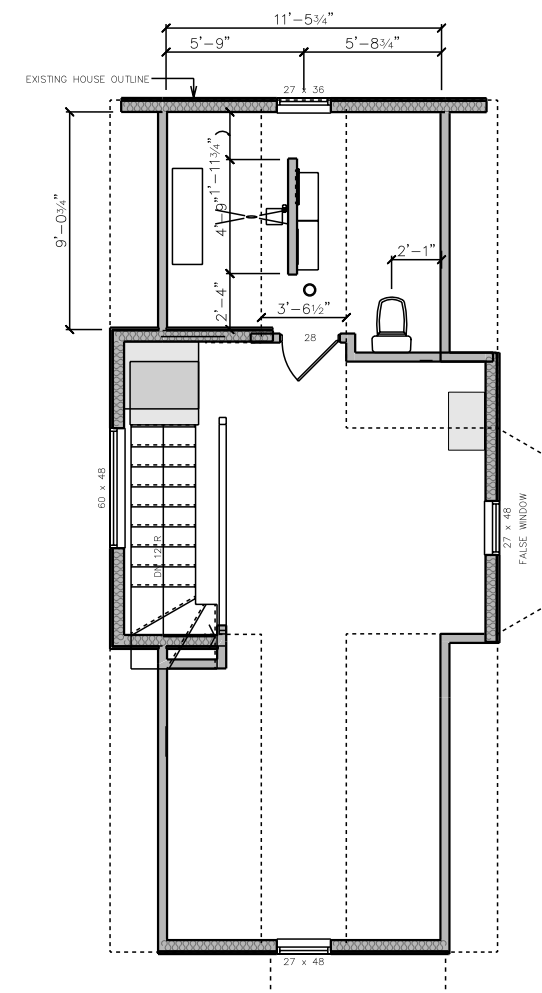
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design by:	drawn by:	approved by:	date:	scale:	As Noted
	S.P.	D.O.	10/12/2021		
Project:					
deMan					
445 Catharine St N					
Hamilton					
ON					
L8L 4T7					
Sheet Title:					
A1.2 Level 2					
page 4 of 7					



Existing

SCALE: $1/8" = 1'-0"$



Proposed

SC ALE: $1/8'' = 1'-0''$

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Company	BCIN



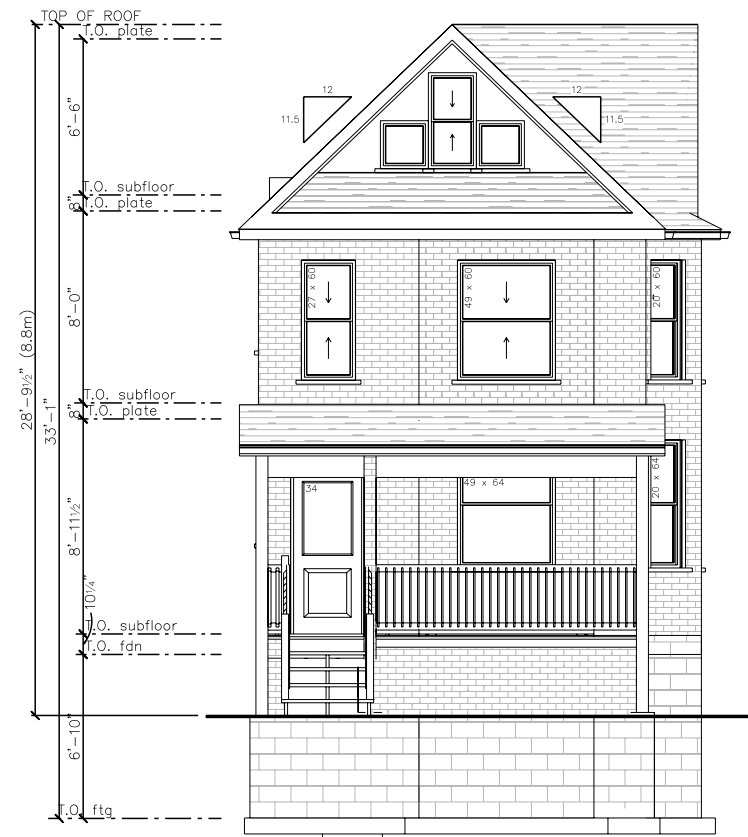
White Willow
DESIGN

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Hamilton, ON | L8L 1N2
C: 905-220-9419

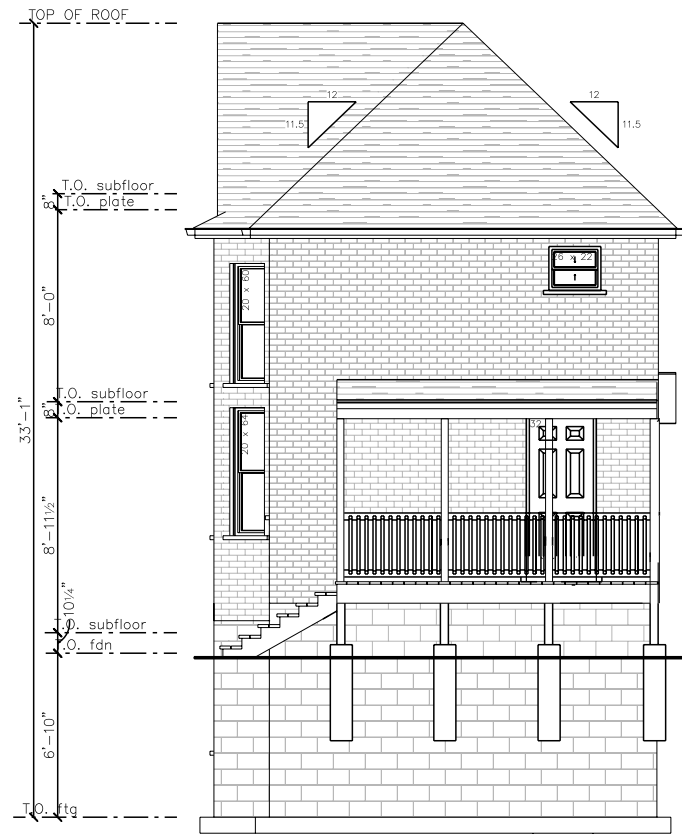
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design by:	S.P.	D.O.	approved by:	date:	scale:
				10/12/2021	As Noted
Project:					
deMan					
445 Catharine St N					
Hamilton					
ON L8L 4T7					
Sheet Title:					
A1.3 Level 2.5					
page 5 of 7					



Front Elevation
SCALE: 1/8" = 1'-0"



Rear Elevation
SCALE: 1/8" = 1'-0"



Right Elevation
SCALE: 1/8" = 1'-0"



Left Elevation
SCALE: 1/8" = 1'-0"

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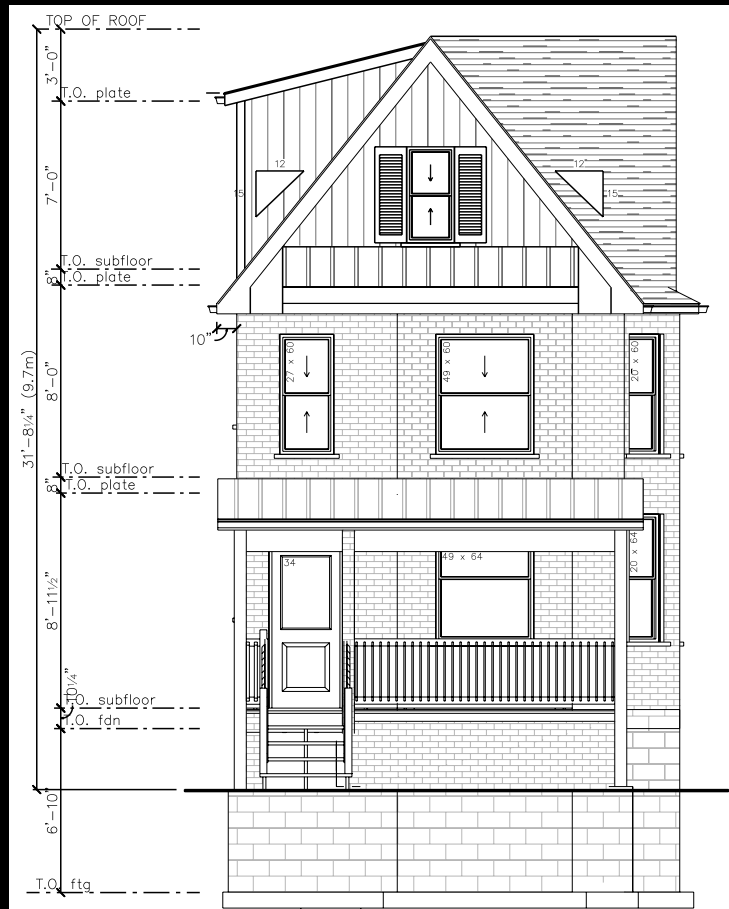

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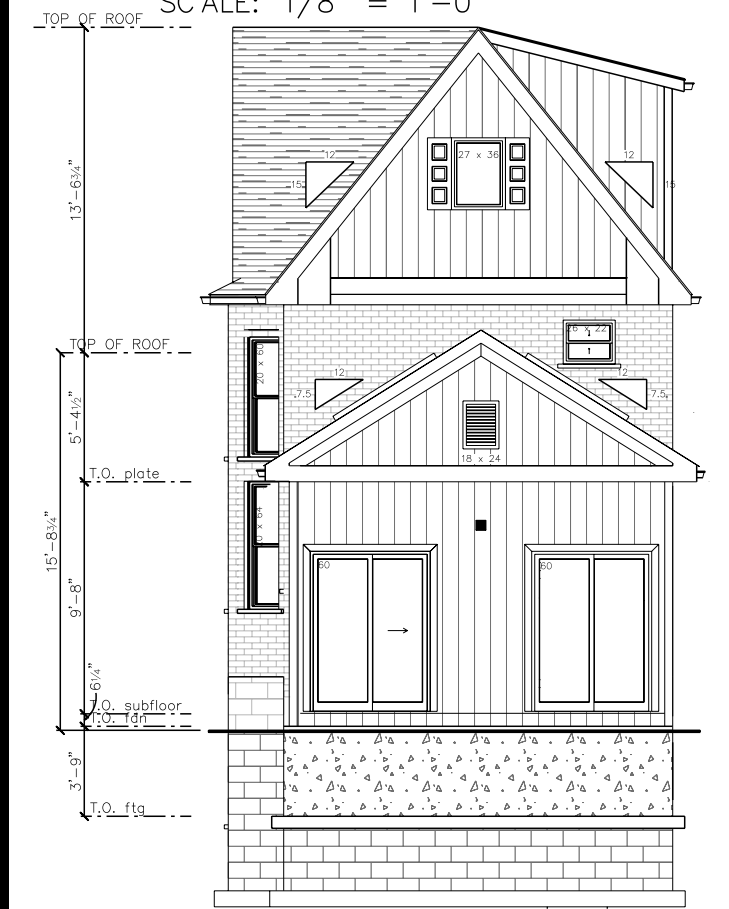
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	S.P.	D.O.	10/12/2021		
Project:	deMan				
	445 Catharine St N	Hamilton	ON	L8L 4T7	
Sheet Title:	A2.0 Existing Elevations				
	page 6 of 7				



Front Elevation
SCALE: 1/8" = 1'-0"



Rear Elevation
SCALE: 1/8" = 1'-0"



Right Elevation
SCALE: 1/8" = 1'-0"



Left Elevation
SCALE: 1/8" = 1'-0"

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Project:	deMan	445 Catharine St N	Hamilton	ON
				L8L 4T7
Sheet Title:	A2.1 Proposed Elevation			
	page 7 of 7			



Committee of Adjustment
City Hall, 5th Floor,
71 Main St. W.,
Hamilton, ON L8P4Y5

Phone: (905) 548-2424 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)		
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.

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 ^{not}
- Proposed rear addition ^{not} within rear and side setbacks
 - Proposed rear ^{not} within rear side or front setbacks

☐ Secondary Dwelling Unit ☐ Reconstruction of Existing Dwelling

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

Existing conditions do not permit

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)

445 Catharine St N. Hamilton, ON L8L 4T7

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?

Online/ homeowner information.

- 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 5, 2021

Date



Spencer deMan

Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage	6.7 m
Depth	22.6 m
Area	154.6 m ²
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 Area: 507 ft²
Gross Floor Area: 1606 ft²
Number of stories: 2.5
Width: 16'-1 1/2"
Length: 37'-4"
Height (from grade): 23'-0 1/2"

Proposed

Ground Floor Area: 240 ft²
Gross Floor Area: 1977 ft²
Number of stories: 2.5
Width: 16'-1 1/2"
Length: 51'-8"
Height (from grade): 31'-8 1/2"

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 drawings

Proposed:

See drawings

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, duplex, retail, factory etc.):

single family dwelling

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

single family dwelling

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

n/a

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:

n/a

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.