

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-21:399

APPLICANTS: Owners Dan Munday & Rebecca Carmichael

SUBJECT PROPERTY: Municipal address **59 Paisley Ave. S., Hamilton**

ZONING BY-LAW: Zoning By-law 6593, as Amended 96-109

ZONING: "C, S-1361" (Urban Protected Residential, etc.) district

PROPOSAL: To permit the construction of a one-storey addition with a gross floor area of 20 square metres in the rear yard of the existing single family dwelling, notwithstanding:

1. A minimum southerly side yard of 0.0 metres shall be permitted instead of the minimum 0.93 metres required.
2. A maximum floor area ratio factor of 0.90 shall be permitted, permitting a maximum gross floor area of 241 square metres, instead of the permitted maximum floor area ratio factor of 0.45, allowing a maximum gross floor area of 120.31 square metres

NOTE:

1. An eave/gutter may project a maximum of one half of a side yard or 1.0m whichever is the lesser amount. If the requested side yard variance is approved, an eave/gutter may be located 0.0 metres from the southerly side lot line. Please note that the applicant shall ensure that eaves and gutters do not encroach beyond the property line onto the adjacent private property. Otherwise, the 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.
2. The proposed alterations are subject to the issuance of a building permit in the normal manner. Be advised that Ontario Building Code regulations may require specific setbacks and construction types.

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

DATE: Thursday, December 9th, 2021
TIME: 4:05 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

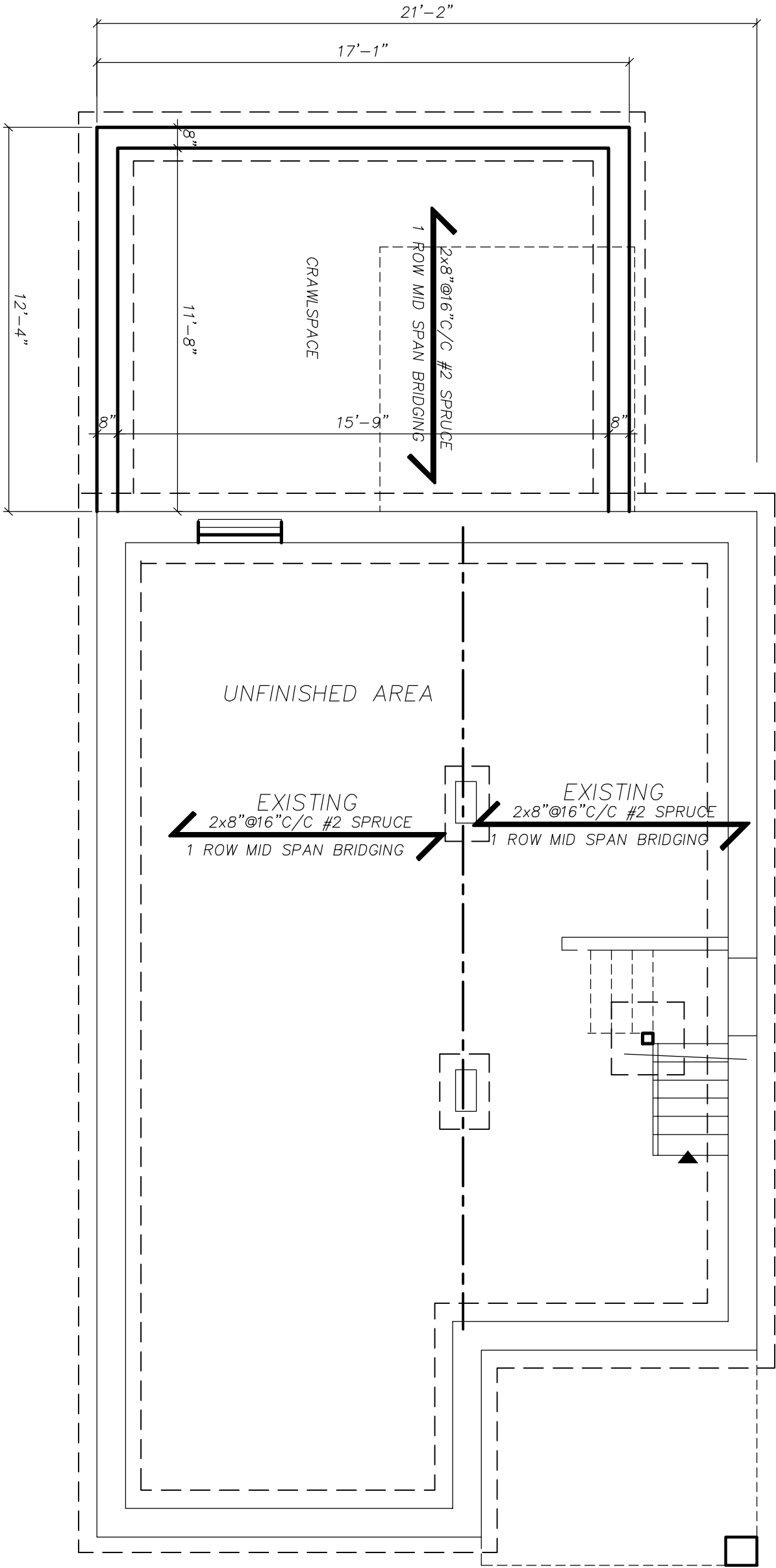
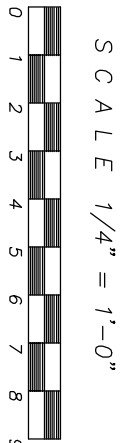
For more information on this matter, including access to drawings illustrating this request:

- 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.



Basement & Fdn Plan

EXISTING

CONTRACTOR TO CHECK AND VERIFY ALL DIMENSIONS AND REPORT ANY ERRORS, OMISSIONS OR DISCREPANCIES TO THE DESIGNER PRIOR TO COMMENCEMENT OF CONSTRUCTION.

3664 AUG.21



R.G.CAD
SERVICE INC.
228 GREEN RD. STONEY CREEK
PHONE (905) 664-8061

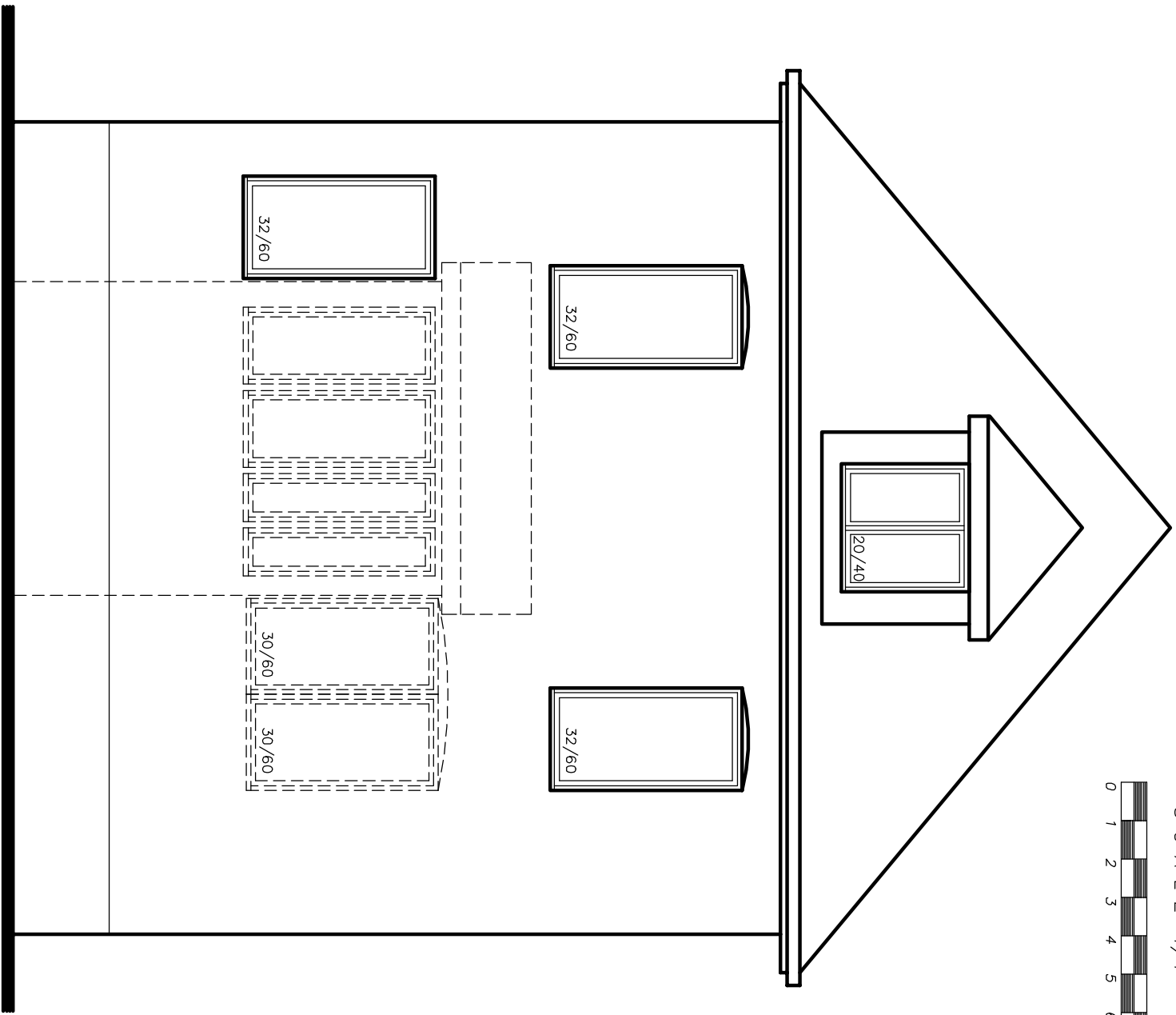
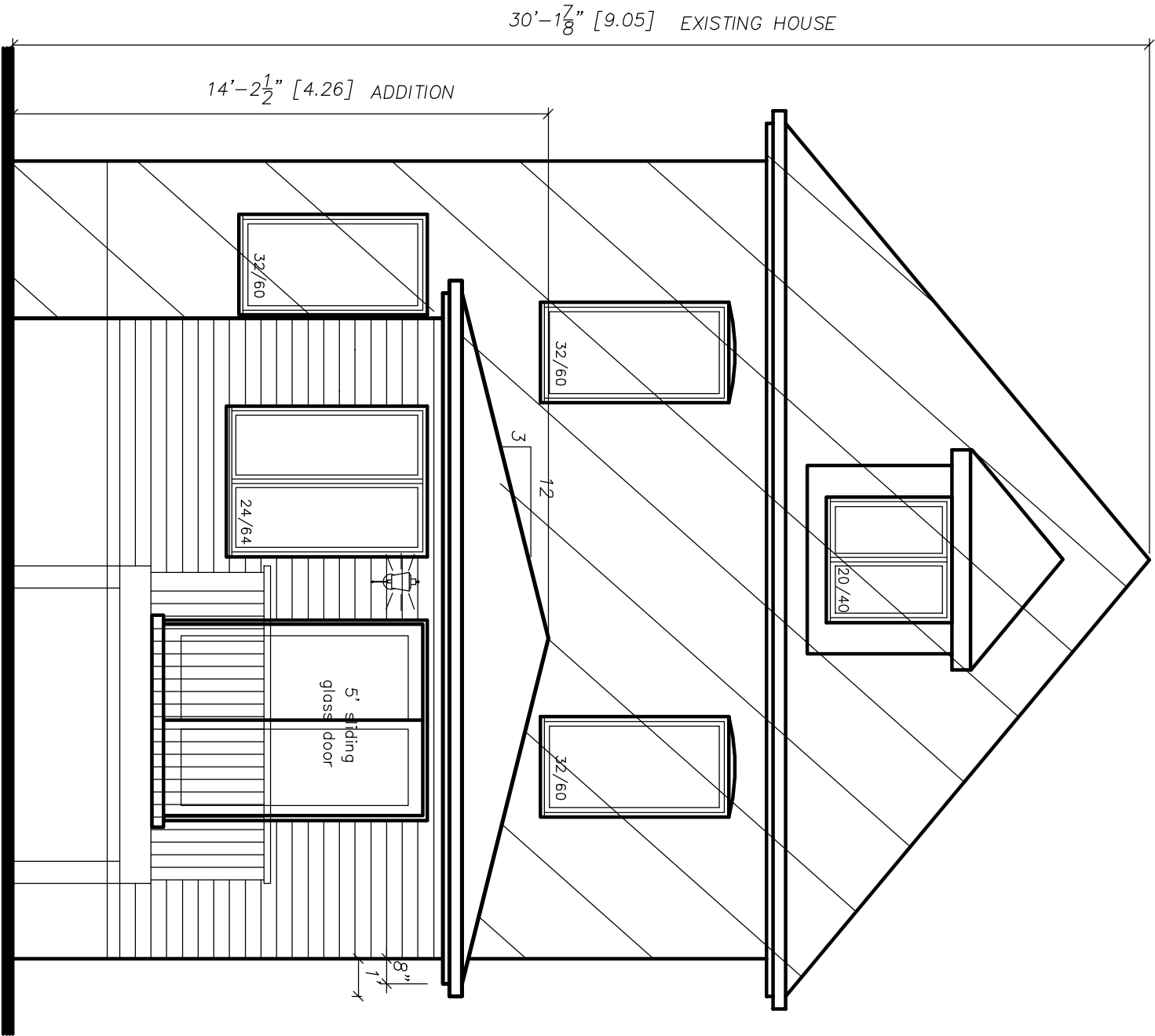
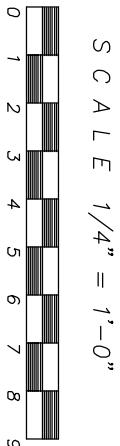
PROPOSED ADDITION/RENOVATION

52 PAISLEY AVE. S.

HAMILTON

3

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Prop. Rear Elevation

Exist Rear Elevation

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3664 SEPT.21

R.G.CAD
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228 GREEN RD. STONEY CREEK
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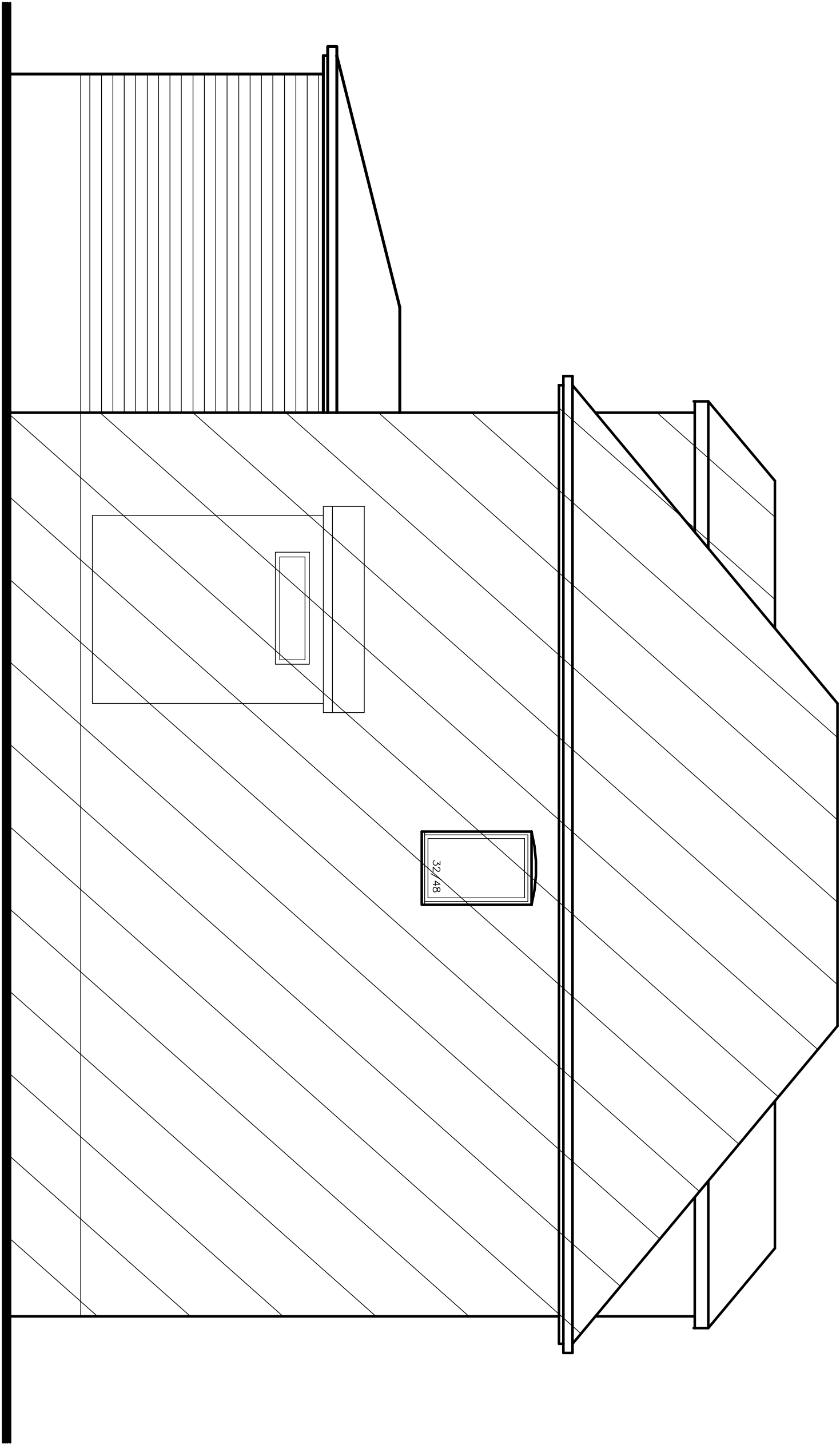
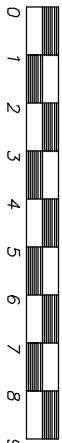
PROPOSED ADDITION/RENOVATION

52 PAISLEY AVE. S.

HAMILTON

1

S C A L E 1/4" = 1'-0"



Left Side Elevation

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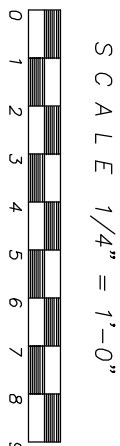
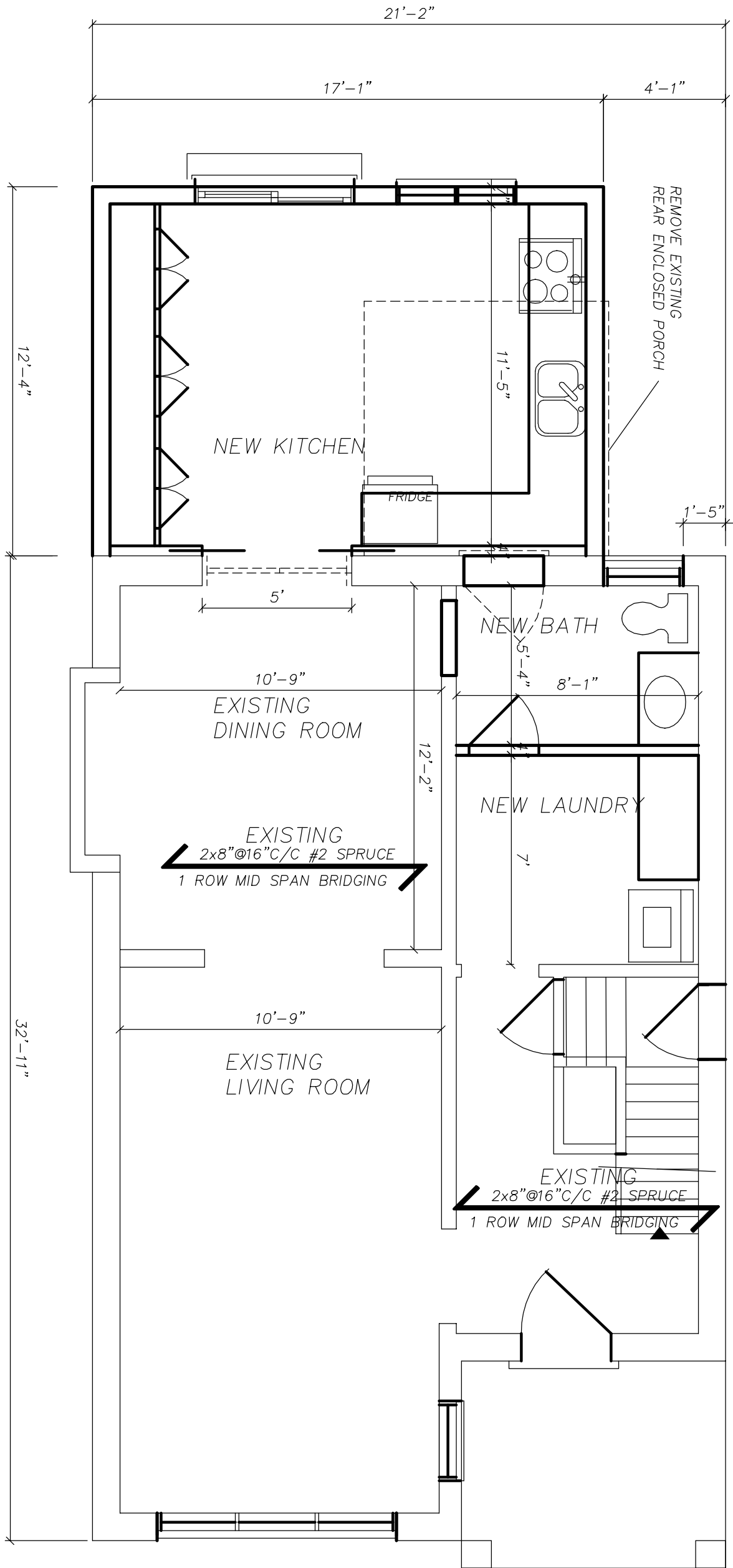
PROPOSED ADDITION/RENOVATION

52 PAISLEY AVE. S.

HAMILTON

2

CONTRACTOR TO CHECK AND VERIFY ALL DIMENSIONS AND REPORT ANY ERRORS, OMISSIONS OR DISCREPANCIES TO THE DESIGNER PRIOR TO COMMENCEMENT OF CONSTRUCTION.



First Floor Plan

EXISTING AND PROPOSED

CONTRACTOR TO CHECK AND VERIFY ALL DIMENSIONS AND REPORT ANY ERRORS, OMISSIONS OR DISCREPANCIES TO THE DESIGNER PRIOR TO COMMENCEMENT OF CONSTRUCTION.

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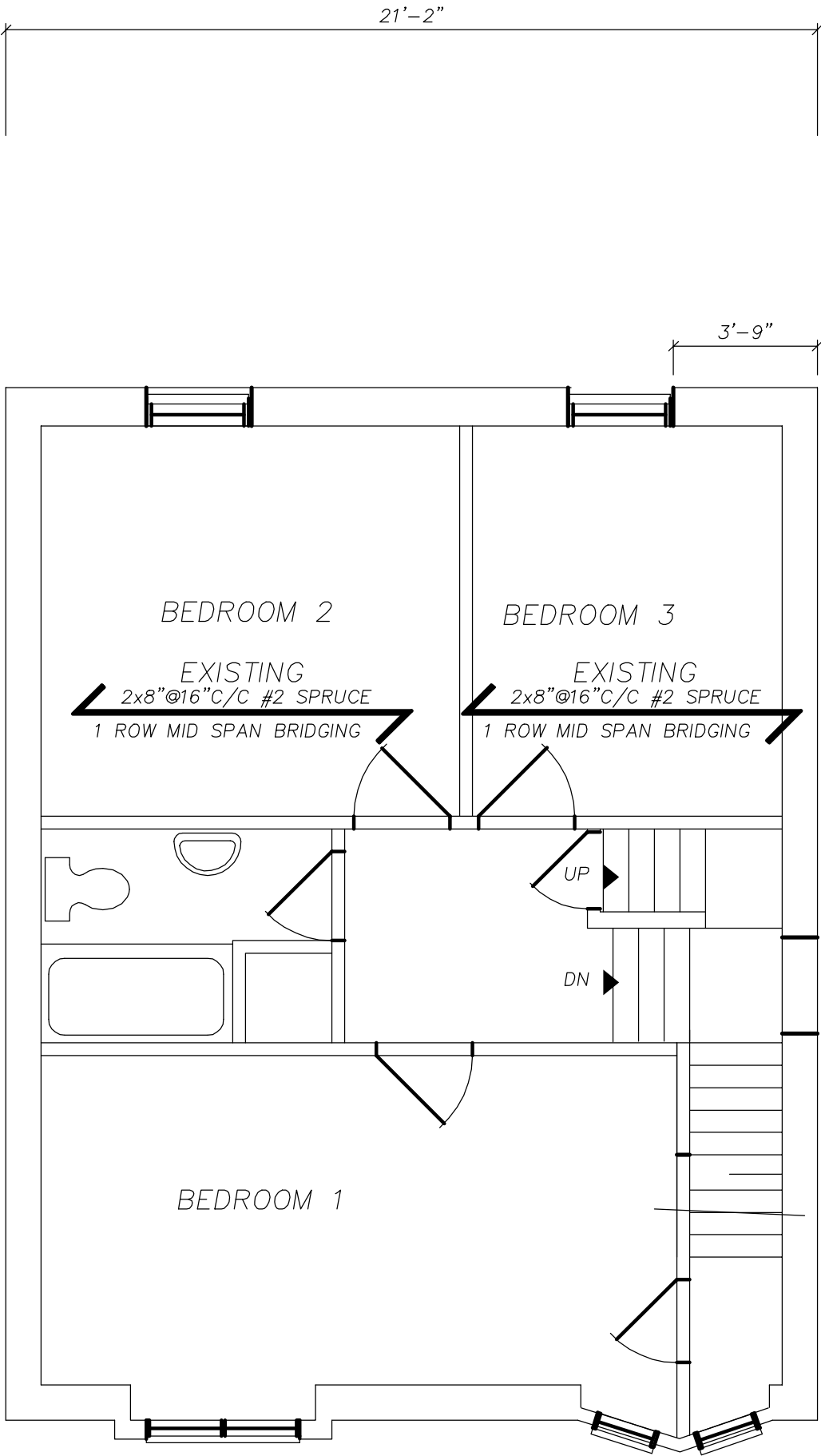
**R.G.CAD
SERVICE INC.**
228 GREEN RD. STONEY CREEK
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PROPOSED ADDITION/RENOVATION

52 PAISLEY AVE. S.

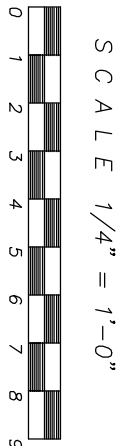
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4



Second Floor Plan

EXISTING



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R.G.CAD

SERVICE INC.

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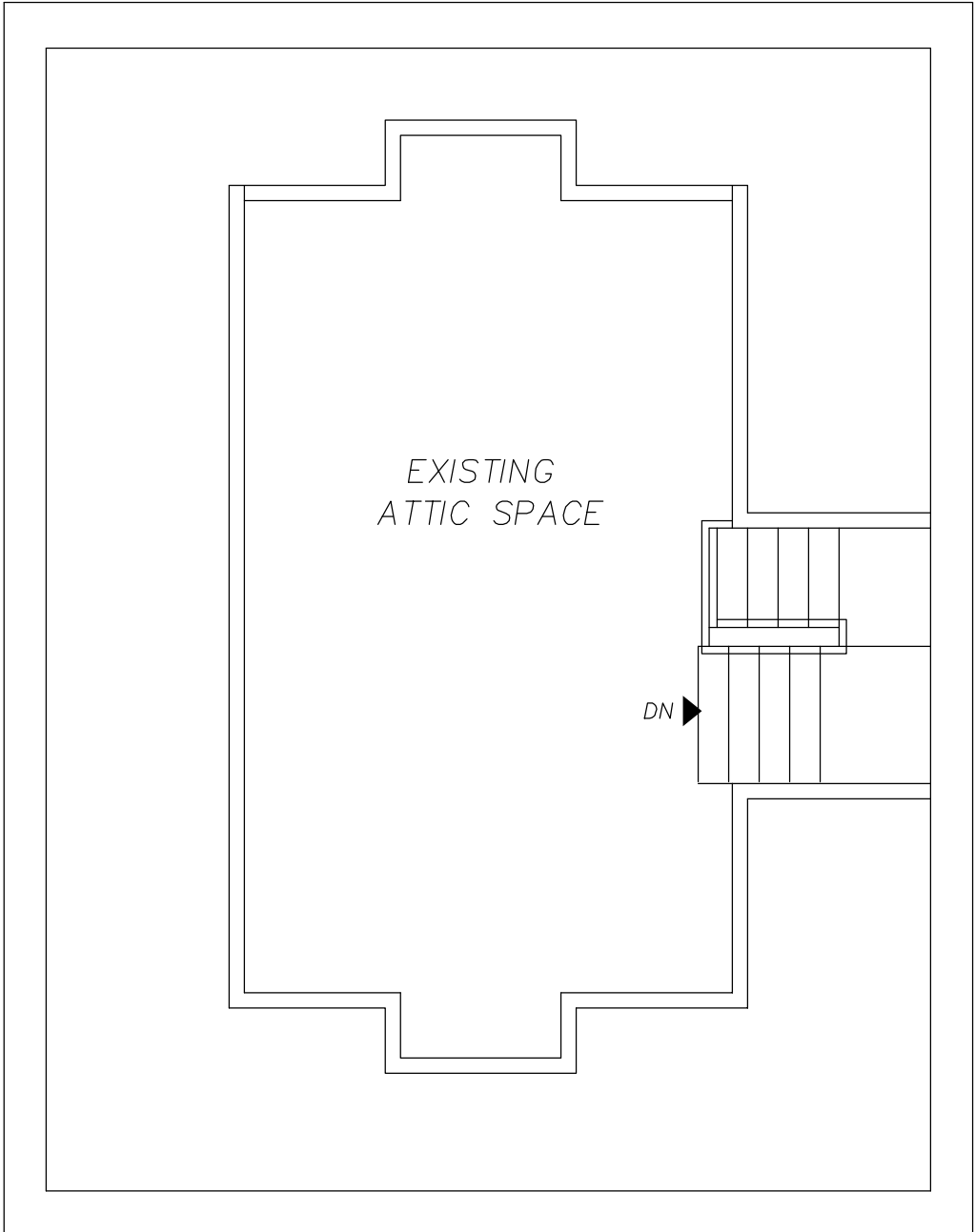
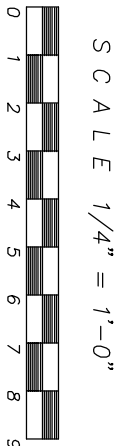
PROPOSED ADDITION/RENOVATION

52 PAISLEY AVE. S.

HAMILTON

5

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Attic Floor Plan

EXISTING

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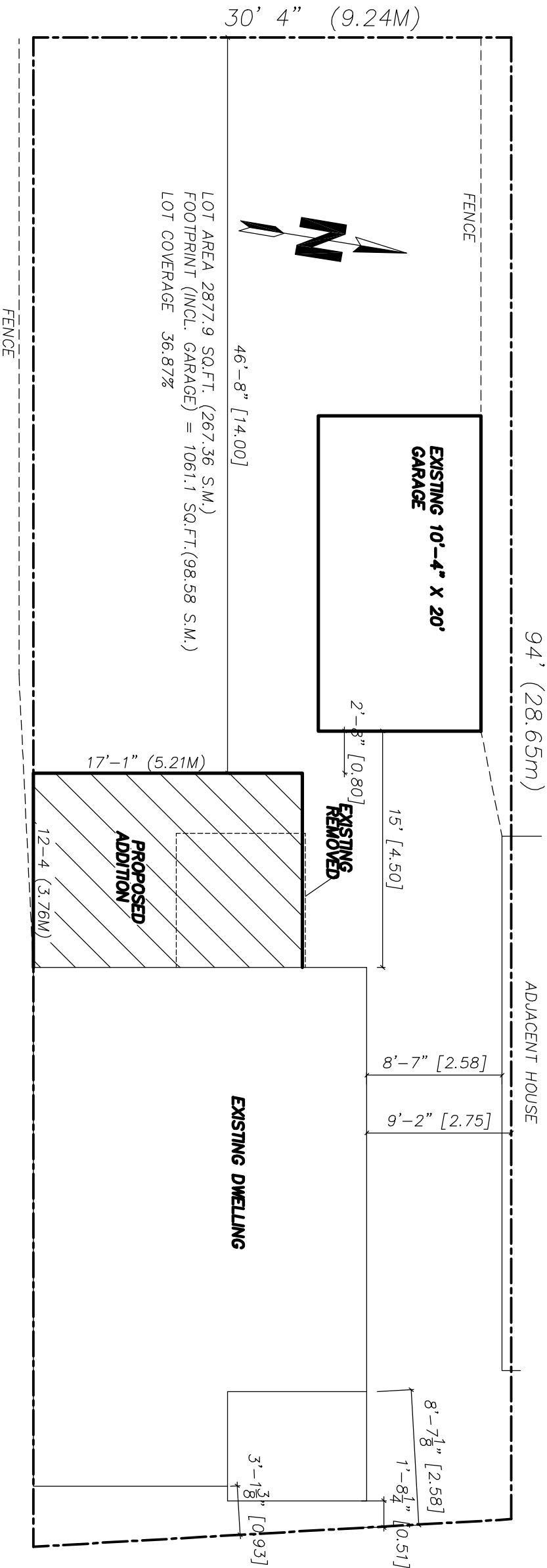
**R.G.CAD
SERVICE INC.**
228 GREEN RD. STONEY CREEK
PHONE (905) 664-8061

PROPOSED ADDITION/RENOVATION

52 PAISLEY AVE. S.

HAMILTON





Site Plan SCALE 1/8" = 1'-0"

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

	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:
 THE TORONTO-DOMINION BANK
 4720 Tahoe Blvd., 5th floor, Mississauga, ON L4W 5P2

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:

We are looking to have a 0.0 metre side yard, on one side, for a planned addition that we are building on the back of our house. Our house is built up to the lot line and the addition would simply run along that same line.

☐ Secondary Dwelling Unit ☐ Reconstruction of Existing Dwelling

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

The purpose of this addition is to allow us to have a kitchen that faces the backyard and allows us to safely monitor our children from inside, enabling direct access to the backyard, and also freeing up the existing kitchen to build a main floor bathroom. Our daughter has a disability which creates safety issues and physical challenges with the current setup of the house. Given that it was designed and built around 1930, seemingly

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**):

P.I.N. 17464-0038 LT, Part Lot 812, Plan 649, City of Hamilton, together with any registered easements that benefit the land.

52 Paisley Ave S, Hamilton, Ontario, L8S 1V3

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?

We spoke to the family that previously owned the property (since the 1930's) and they

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.

Oct 27, 2021

Date

Signature Property Owner(s)

Dan Munday, Rebecca Carmichael

Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage	9.24m
Depth	28.65 m
Area	267.36 m ²
Width of street	7.46 m

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: _

House:

ground floor area: 58.86 m²

gross floor area: 220.62 m²

number of stories: 2.5

width: 6150 mm

Proposed

New addition:

gross floor area: 19.57 m²

number of stories: 1

width: 5207 mm

length: 6750 mm

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

Existing:

House:

distance from side (south): 0.0 mm

distance from side (north): 2794 mm

distance from rear: 17983 mm

distance from front: 6150 mm

Proposed:

New addition:

distance from side (south): 0.0 m

distance from side (north): 4039 mm

distance from rear: 14224 mm

distance from front: 6150 mm

13. Date of acquisition of subject lands:
October 2, 2019
-
14. Date of construction of all buildings and structures on subject lands:
1927-1930
-
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 | <input checked="" type="checkbox"/> | Connected | <input type="checkbox"/> |
| Sanitary Sewer | <input checked="" type="checkbox"/> | Connected | <input type="checkbox"/> |
| Storm Sewers | <input checked="" type="checkbox"/> | | |
19. Present Official Plan/Secondary Plan provisions applying to the land:
Urban Hamilton Official Plan Vol. 2 - Chapter B.
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
Hamilton Zoning By-law 6593
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.