



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-21:443

APPLICANTS: Agent W.E. Oughtred & Associations Inc.
Owner Mark Anthony Sanchez

SUBJECT PROPERTY: Municipal address **106 Eastbourne Ave., Hamilton**

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

ZONING: "C" (Urban Protected Residential) district

PROPOSAL: To permit the creation of two lots through land severance application HM/B-21: 117 notwithstanding that;

LANDS TO BE RETAINED (LOT 104):

1. A minimum lot area of 297.0 m² shall be provided instead of the minimum lot area required of 360.0 m²; and
2. A minimum front yard depth of 4.1 m shall be maintained instead of the minimum required front yard of 6.0 m; and
3. A minimum south side yard width of 1.0 m shall be maintained instead of the minimum required side yard width of 1.2 m; and
4. A minimum north side yard width of 0.8 m shall be maintained instead of the minimum required side yard width of 1.2 m; and
5. A minimum rear yard depth of 6.5 m shall be maintained instead of the minimum required rear yard depth of 7.5 m; and
6. No parking spaces shall be maintained instead of the minimum required 2 parking spaces

LANDS TO BE SEVERED (LOT 103):

7. A minimum lot area of 297.0 m² shall be provided instead of the minimum lot area required of 360.0 m²; and

Notes: Variances have been written as requested by the applicant. Existing garage straddling newly created lot line to be demolished. These variances are necessary to facilitate Land Severance Application HM/B-21:117

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

DATE: Thursday, February 3rd, 2022
TIME: 2:40 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

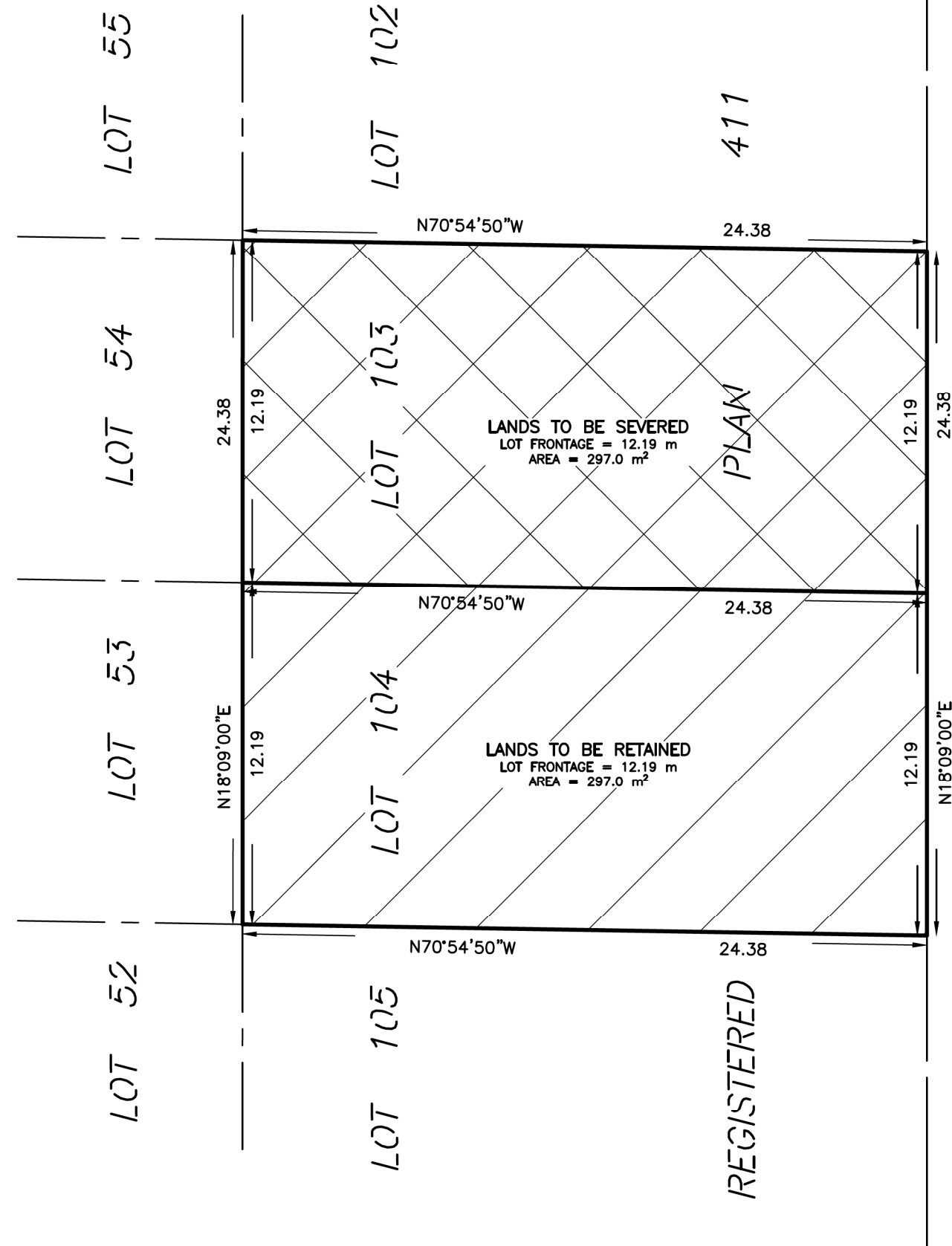
DATED: January 18th, 2021.

Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

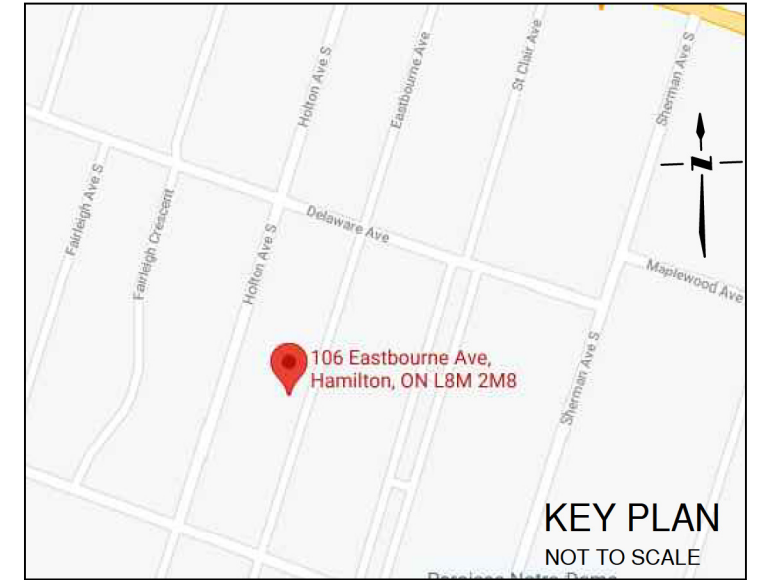
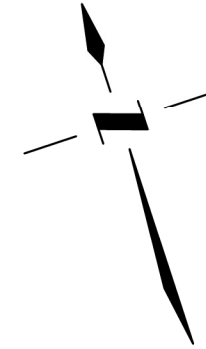
Information respecting this application is being collected under the authority of the Planning Act, R.S.O., 1990, c. P. 13. All comments and opinions submitted to the City of Hamilton on this matter, including the name, address, and contact information of persons submitting comments and/or opinions,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

METRIC

DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048



EASTBOURNE AVENUE
(BY REGISTERED PLAN 411)



SKETCH OF PROPOSED SEVERANCE OF
106 EASTBOURNE AVENUE
LOTS 103 AND 104
REGISTERED PLAN 411
CITY OF HAMILTON
REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

SCALE 1 : 200



DATE JUNE 2, 2021

FILE No. 8924-SK

TARASICK McMILLAN KUBICKI LIMITED
ONTARIO LAND SURVEYORS

4181 SLADEVIEW CRESCENT, UNIT 42
MISSISSAUGA ON L5L 5R2
TEL. 905-569-8849 FAX 905-569-3160
E-MAIL: office@tmksurveyors.com



Hamilton

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	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:
Mark- Anthony Sanchez

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:

see Attached.

- An existing rear yard depth of 6.53m whereas a rear yard depth of 7.5m is required.
 Secondary Dwelling Unit Reconstruction of Existing Dwelling

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

The dwelling is legally existing before the date of the by-law. A consent application is being submitted, relief from the bylaw is requested for the existing front side and rear yard encroachments as well as a deficient side yard setback and lot area variance triggered by the severance application.

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**):

106 Eastbourne Ave - Retained Lot
Lots 103 & 104 Registered Plan 411 city of Hamilton Regional municipality of Hamilton-Wentworth

7. PREVIOUS USE OF PROPERTY

- Residential Industrial Commercial
Agricultural Vacant Other

Other _____

- 8.1 If Industrial or Commercial, specify use N/A
- 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?

Property history from the owner and surrounding neighbourhood

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.

Date

MS

Signature Property Owner(s)

Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage	12.19m
Depth	24.38m
Area	297.0m ²
Width of street	approx 7m

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: _

Existing 2 1/2 storey brick dwelling, ground floor area of approximately 130m² (10m x 13m) , total GFA of approx 325m².

Portion of 1 storey two car detached brick garage (6m x 6m)

Proposed

Garage to be demolished, existing dwelling to remain.

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

Existing:

Front: 4.19m Rear: 6.53m South Side: 1.0m North Side: 0.83m

Proposed:

No Change

North side: 0.83m

13. Date of acquisition of subject lands:
January 2021
-
14. Date of construction of all buildings and structures on subject lands:
-
15. Existing uses of the subject property (single family, duplex, retail, factory etc.):
Single Family Detached
16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):
All Single Family Detached
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 | <input checked="" type="checkbox"/> | Connected | <input checked="" type="checkbox"/> |
| Sanitary Sewer | <input checked="" type="checkbox"/> | Connected | <input checked="" type="checkbox"/> |
| Storm Sewers | <input checked="" type="checkbox"/> | | |
19. Present Official Plan/Secondary Plan provisions applying to the land:
Neighbourhood
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.
N/A
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
N/A
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.