

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-21:450

APPLICANTS: Agent David Carrothers & Associates
Owner F. Brown & K. Fairweather

SUBJECT PROPERTY: Municipal address **142 Barclay St, Hamilton**

ZONING BY-LAW: Zoning By-law 6593, as Amended by By-law No.96-109

ZONING: C/S-1361 district (Urban Protected Residential with Special Exceptions)

PROPOSAL: To construct a 229.1 square metre full two storey rear addition for a two storey single family dwelling having 138.4 square metres of gross floor area and a new 7.8 square metre rear deck, notwithstanding that:

1. The floor area ratio for a single family dwelling shall be 1.15 instead of the maximum floor area ratio of 0.45 for property that is zoned C/S-1361 District.
2. The minimum easterly side yard shall be 1.1 metres instead of the minimum required 1.2 metre side yard for a single family dwelling not over 2.5 storeys in height.
3. The minimum westerly side yard shall be 1.0 metre instead of the minimum required 1.2 metre side yard for a single family dwelling not over 2.5 storeys in height.
4. The minimum rear yard shall be 4.6 metres instead of the minimum required 7.5 metres rear yard for a single family dwelling in the C District.
5. No (0) parking space shall be provided for the expanded single family dwelling instead of the minimum required two parking spaces for a single family dwelling having not more than eight (8) habitable rooms.

NOTES:

1. The C/S-1361 Zoning that was created under By-law 96-109 (passed June 25, 1996) provides special zoning provisions for the Westdale South Neighbourhood to address floor area ratio, ceiling height with respect to gross floor area, the height above grade for an attached garage and the maximum height of a single family dwelling.

2. The variances were written as requested by the applicant. An additional variance was requested for the rear deck but is not required because the deck would maintain the required separation from the side and rear lot lines.

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

DATE:	Thursday, February 3rd, 2022
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:

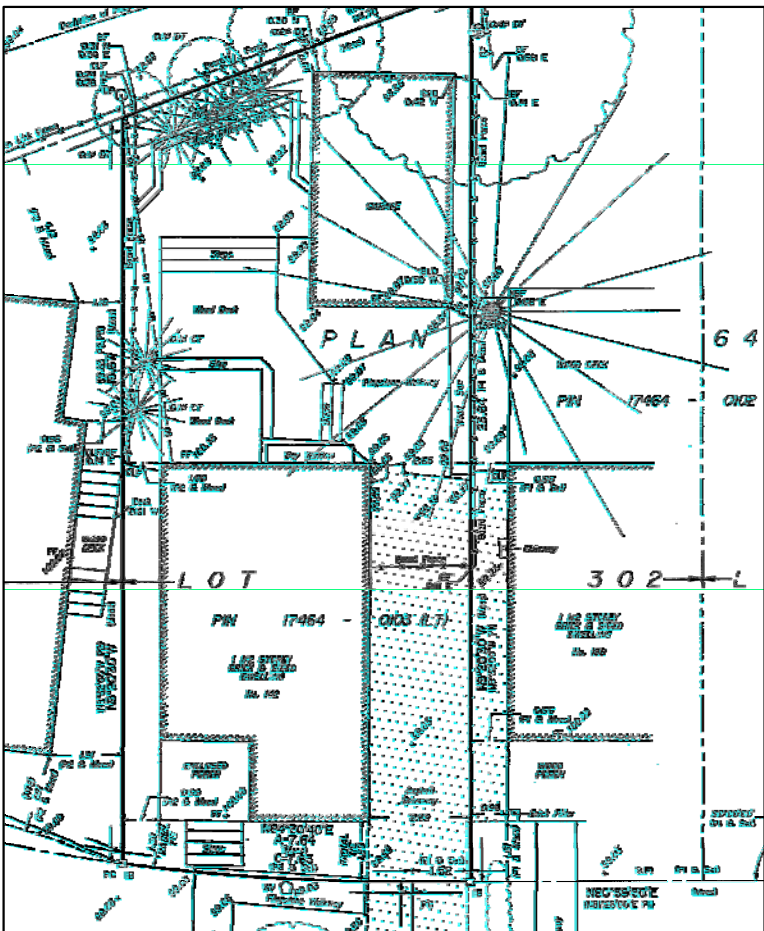
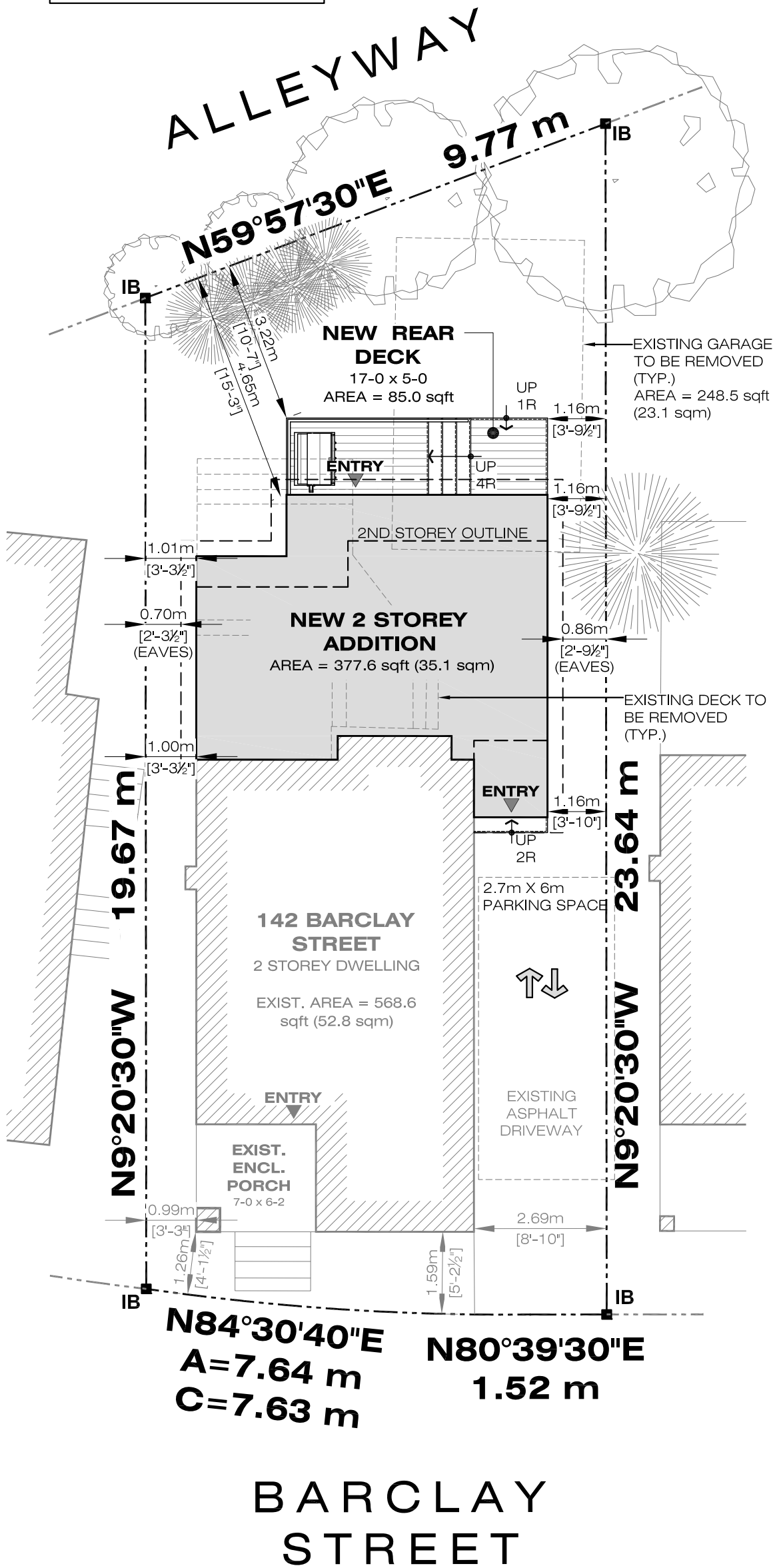
- Visit www.hamilton.ca/committeeofadjustment
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at cofa@hamilton.ca

DATED: January 18th, 2022.

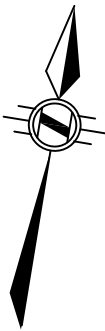
Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

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.

**NO LOT GRADING CHANGES
WILL BE AFFECTED DUE TO THIS
ADDITION AND RENOVATION. ALL
EXISTING LOT DRAINAGE TO
REMAIN UNCOMPROMISED**



EXISTING SURVEY: (FOR REF. ONLY)



TO BE USED IN CONJUNCTION WITH
TOPOGRAPHIC PLAN PREPARED BY BARICH
GRENNIE SURVEYING LTD. DATED SEPTEMBER
14, 2020

PLAN
SHOWING PART OF
LOT 302
REGISTERED PLAN 646
IN THE
CITY OF HAMILTON
REGIONAL MUNICIPALITY OF HAMILTON

ZONING AND PROPERTY STATISTICS

DESCRIPTION: PART OF LOT 302, REGISTERED PLAN 646
IN THE REGIONAL MUNICIPALITY OF HAMILTON

ADDRESS: 142 BARCLAY STREET, HAMILTON, ON.

	REQUIRED:	PROPOSED:
ZONING DESIGNATION:	C/S-1788. S-1361	C/S-1788. S-1361 (EXISTING)
LOT AREA:	360.0 m2	199.0 m2 (EXISTING)
LOT WIDTH:	12.0 m	9.14 m (EXISTING)
GROSS FLOOR AREA:	45% MAX	66.3% (EXISTING) **115.1% (PROPOSED)
COVERAGE:	N/A	44.2% (PROPOSED)
FRONT YARD TO HOUSE:	6.0 m	1.26 m (EXISTING)
REAR YARD TO ADDITION:	7.5 m	**4.65 m (PROPOSED)
REAR YARD TO DECK:	7.5 m	**3.22 m (PROPOSED)
RIGHT YARD TO HOUSE:	1.2 m	2.69 m (EXISTING)
RIGHT YARD TO ADDITION:	1.2 m	**1.16 m (PROPOSED)
RIGHT YARD TO DECK:	0.5 m	1.16 m (PROPOSED)
LEFT YARD TO HOUSE:	1.2 m	0.99 m (EXISTING)
LEFT YARD TO ADDITION:	1.2 m	**1.0 m (PROPOSED)
BUILDING HEIGHT:	9.0 m	±7.38 m (EXISTING)
BUILDING HEIGHT:	2 STOREYS	2 STOREYS (EXISTING)
PARKING SPACES:	2	**0 (PROPOSED)

**** VARIANCE REQUIRED**

GFA CALCULATIONS:

EXISTING BASEMENT: 501.5 sqft (46.6 sqm)
EXISTING MAIN FLOOR: 514.0 sqft (47.8 sqm)
EXISTING SECOND FLOOR: 473.8 sqft (44.0 sqm)

NEW BASEMENT: 380.8 sqft (35.4 sqm)
NEW ADDITION MAIN FLOOR: 377.6 sqft (35.1 sqm)
NEW SECOND FLOOR: 288.0 sqft (26.8 sqm)

MECHANICAL NOT INCLUDED: 70.0 sqft (6.5 sqm)

TOTAL GFA AREA: 2465.7 sqft (229.1sqm)

**ISSUED FOR
COMMITTEE OF ADJUSTMENT**

Project Name:
**PRIVATE RESIDENCE
REAR ADDITION &
INTERIOR RENOVATIONS**
142 BARCLAY STREET,
HAMILTON, ONTARIO. L8S 1P5

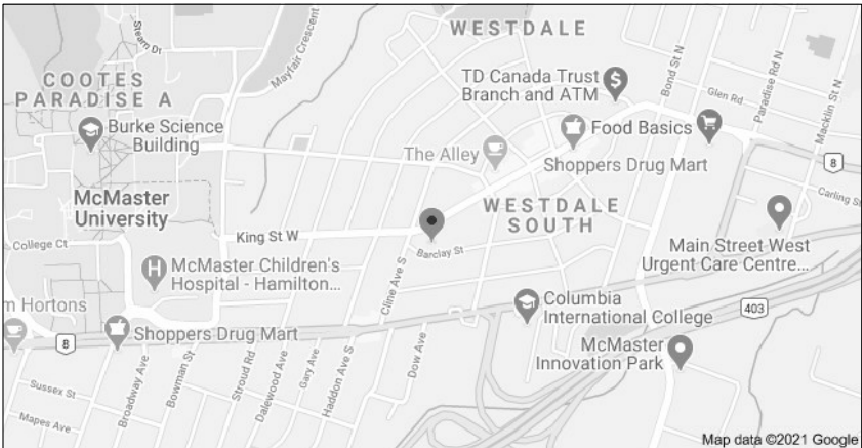
Sheet Title:
SITE PLAN & ZONING STATS.

2	DEC 16/21	ISSUED FOR COFA
1	DEC 01/21	ISSUED FOR REVIEW
No.	Date:	Issue/Revision

Drawn By:
Checked By:
Scale: 1:100
Date: DEC 2021
Project No. 2020-101

SP

ISSUED FOR COMMITTEE OF ADJUSTMENT



LOCATION MAP:

<u>BUILDING STATISTICS:</u>	
BASEMENT PLAN	= 882.3 sq.ft (82.0 m2)
MAIN FLOOR PLAN	= 891.6 sq.ft (82.9 m2)
2ND FLOOR PLAN	= 761.8 sq.ft (70.8 m2)
<u>TOTAL GFA</u>	<u>= 2465.7 sq.ft (229.1 m2)</u>
FRONT PORCH	= 54.5 sq.ft. (5.1 m2)
REAR DECK	= 85.0 sq.ft. (7.9 m2)

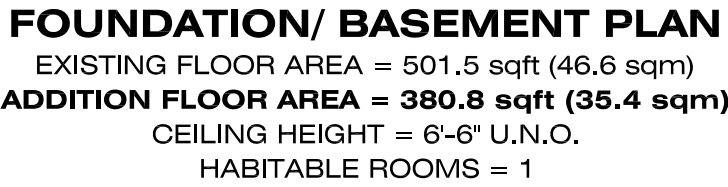


EXISTING REAR ELEVATION: (FOR REF. ONLY)

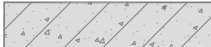
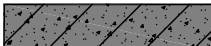




REAR ELEVATION RENDERING: (FOR REF. ONLY)

ISSUED FOR COMMITTEE OF ADJUSTMENT	Project Name: PRIVATE RESIDENCE REAR ADDITION & INTERIOR RENOVATIONS 142 BARCLAY STREET, HAMILTON, ONTARIO. L8S 1P5						Drawn By:	
							Checked By:	
							Scale:	N.T.S.
							Date:	DEC 2021
							Project No.	2020-101
							A1	
	Sheet Title: COVER PAGE AND ZONING							
			2	DEC 16/21	ISSUED FOR COFA			
			1	DEC 01/21	ISSUED FOR REVIEW			
			No.	Date:	Issue/Revision	By:		



WALL LEGEND

	EXISTING FOUNDATION WALLS TO REMAIN
	NEW FOUNDATION WALLS
	EXISTING INTERIOR / EXTERIOR WALLS TO REMAIN
	NEW INTERIOR / EXTERIOR WALLS

ISSUED FOR
COMMITTEE OF ADJUSTMENT

Project Name:

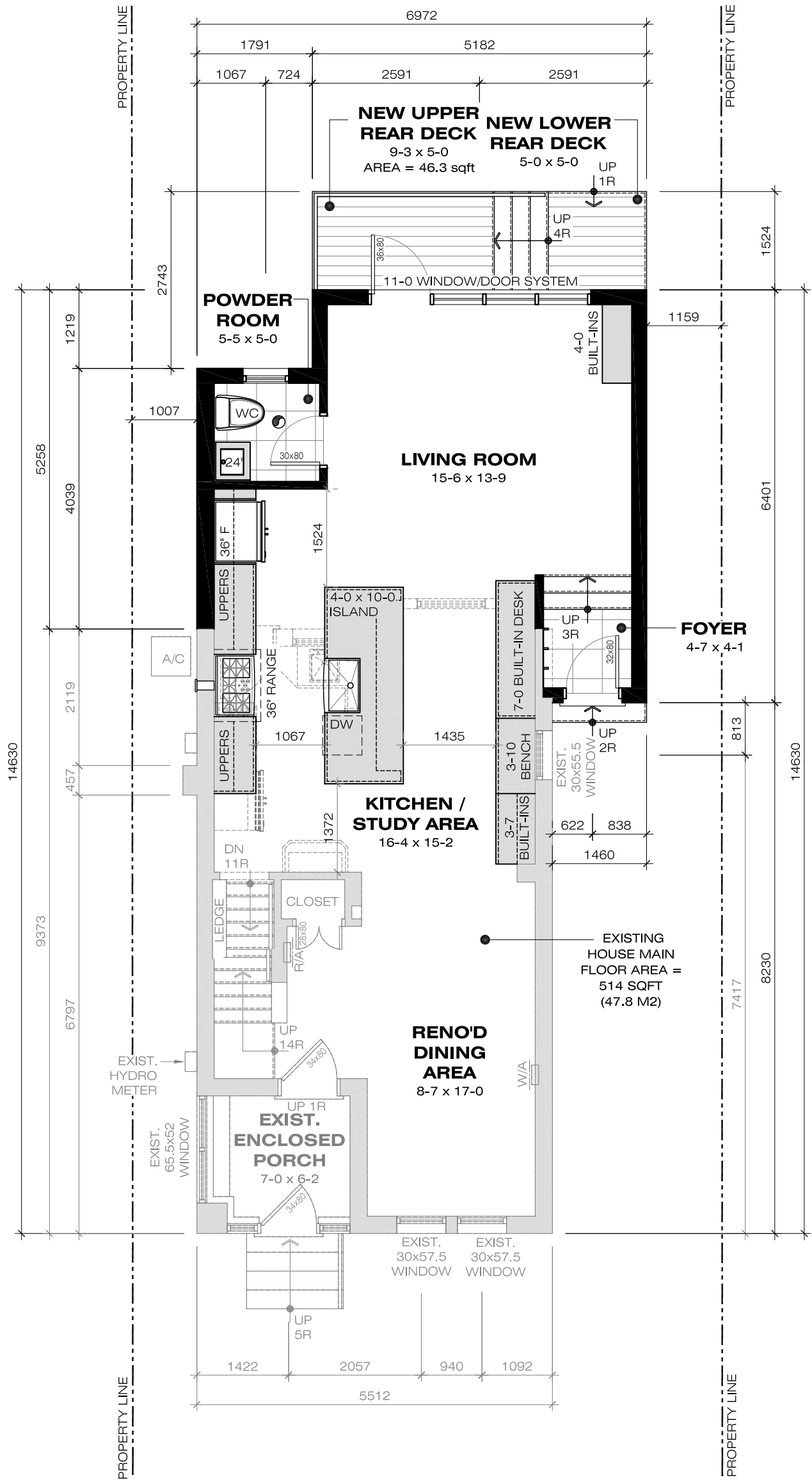
PRIVATE RESIDENCE
REAR ADDITION &
INTERIOR RENOVATIONS
142 BARCLAY STREET,
HAMILTON, ONTARIO. L8S 1P5

Sheet Title:

BASEMENT FLOOR PLAN

					Drawn By:
					Checked By:
					Scale: 1:75
					Date: DEC 2021
					Project No. 2020-101
					A2
2	DEC 16/21	ISSUED FOR COFA			
1	DEC 01/21	ISSUED FOR REVIEW			
No.	Date:	Issue/Revision		By:	

A2



MAIN FLOOR PLAN
EXISTING FLOOR AREA = 514.0 sqft (47.8 sqm)
ADDITION AREA = 377.6 sqft (35.1 sqm)
CEILING HEIGHT = 7'-11"
HABITABLE ROOMS = 3

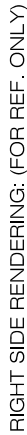
WALL LEGEND

EXISTING INTERIOR / EXTERIOR WALLS TO REMAIN

NEW INTERIOR / EXTERIOR WALLS

EXISTING INTERIOR / EXTERIOR WALLS TO BE REMOVED

ISSUED FOR COMMITTEE OF ADJUSTMENT	Project Name: PRIVATE RESIDENCE REAR ADDITION & INTERIOR RENOVATIONS 142 BARCLAY STREET, HAMILTON, ONTARIO. L8S 1P5			Drawn By:	
	Sheet Title: MAIN FLOOR PLAN			Checked By:	
				Scale: 1:75	
				Date: DEC 2021	
				Project No. 2020-101	
				A3	
		No.	Date:	Issue/Revision	By:
		2	DEC 16/21	ISSUED FOR COFA	
		1	DEC 01/21	ISSUED FOR REVIEW	



RIGHT SIDE ELEVATION

**ISSUED FOR
COMMITTEE OF ADJUSTMENT**

Project Name:

PRIVATE RESIDENCE

**REAR ADDITION &
INTERIOR RENOVATIONS**

142 BARCLAY STREET,
HAMILTON, ONTARIO. L8S 1P5

Sheet Title:

RIGHT SIDE ELEVATION

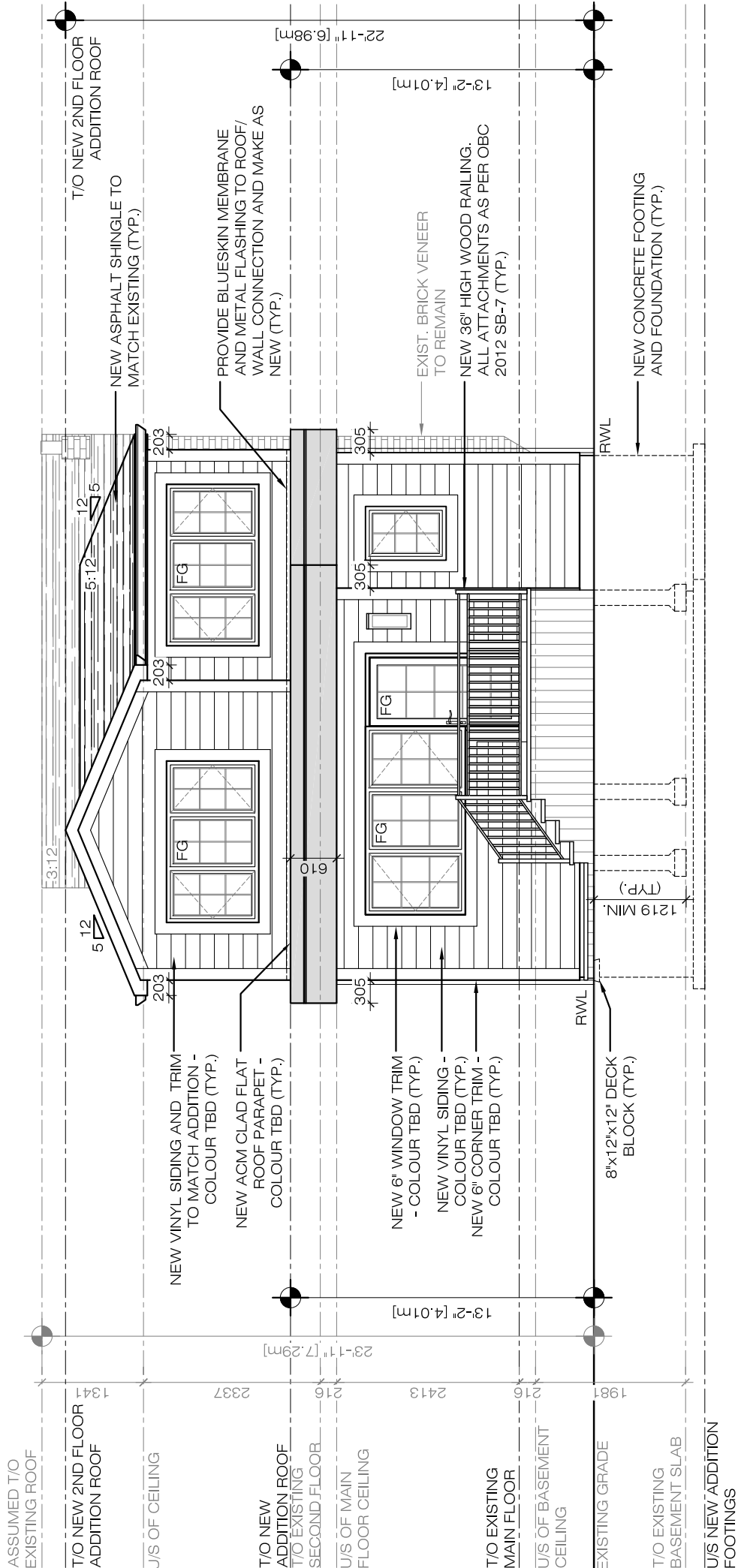
2	DEC 16/21	ISSUED FOR COFA
1	DEC 01/21	ISSUED FOR REVIEW
No.	Date:	Issue/Revision

Drawn By:	
Checked By:	
Scale:	1:75
Date:	DEC 2021
Project No.	2020-101
<h1>A5</h1>	

A5



REAR RENDERING: (FOR REF. ONLY)



ALL EXISTING GRADING TO
REMAIN. ALL EXISTING
DRAINAGE CONDITIONS TO
REMAIN BETWEEN HOUSE
AND PROPERTY LINE

REAR ELEVATION

**ISSUED FOR
COMMITTEE OF ADJUSTMENT**

Project Name:

PRIVATE RESIDENCE

**REAR ADDITION &
INTERIOR RENOVATIONS**

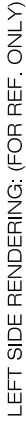
142 BARCLAY STREET,
HAMILTON, ONTARIO. L8S 1P5

Sheet Title:

REAR ELEVATION

2	DEC 16/21	ISSUED FOR COFA
1	DEC 01/21	ISSUED FOR REVIEW
No.	Date:	Issue/Revision

Drawn By:	
Checked By:	
Scale:	1:75
Date:	DEC 2021
Project No.	2020-101
<h1>A6</h1>	



LEFT SIDE ELEVATION

ISSUED FOR
COMMITTEE OF ADJUSTMENT

Project Name:

PRIVATE RESIDENCE

**REAR ADDITION &
INTERIOR RENOVATIONS**

142 BARCLAY STREET,
HAMILTON, ONTARIO. L8S 1P5

Sheet Title:

LEFT SIDE ELVATION

					Drawn By:
					Checked By:
					Scale: 1:75
					Date: DEC 2021
					Project No. 2020-101
					A7
2	DEC 16/21	ISSUED FOR COFA			
1	DEC 01/21	ISSUED FOR REVIEW			
No.	Date:	Issue/Revision		By:	

A7

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:

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:

Proposed 115.1% GFA where max. 45% is permitted. Proposed 4.65m rear yard to house where 7.5m is allowed. Proposed 3.22m rear yard to deck where 7.5m is allowed. Proposed 1.16m right yard to house where 1.2m is allowed. Proposed 1.0m left yard to house where 1.2m is allowed. Proposed 0 parking spaces where min. 2 are required.

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

This design is required to accommodate a growing single family dwelling. The addition will allow them to stay in Westdale, as their roots are in the community. The design will allow them to have the required space to raise their family here, as the existing house size exceeds max GFA ratio. Any addition size will trigger a variance. With the design requirements for the addition we are not able to meet the required setbacks. ■

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**):

Lot 302, Registered Plan 646
142 Barclay Street, Hamilton, ON. L8S 1P5

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 ☐

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 9.1 to 9.10 above?

Homeowner

8.12 If previous use of property is industrial or commercial or if YES to any of 9.2 to 9.10, 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.

Dec 7, 2021

Date



Signature Property Owner

Fraser Brown & Kari Fairweather

Print Name of Owner

10. Dimensions of lands affected:

Frontage	<u>9.14 m</u>
Depth	<u>21.85 m</u>
Area	<u>199.0 m²</u>
Width of street	<u>N/A</u>

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 SFD: Ground floor area 47.8 m², Gross floor area 134.6 m², 2 Storeys, Width 5.51m, Length 9.37m, Height 7.38 m

Existing Detached Garage: Ground and Gross floor area 23.1 m², 1 Storey, Width 3.73m, Length 6.19m

Proposed

Rear yard addition: Ground floor area 35.1m², Second floor area: 47.7m², 2 Storey, Width 6.97m, Length 6.40m, Height 7.07m

Rear yard deck: Total area 7.9m², Width 5.18m, Length 1.52m

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

Existing:

Existing SFD: Front yard 1.26m, Right yard 2.69m, Left yard 0.99m

Existing Detached Garage: Right yard 0.42m, Rear yard 0.64m

Proposed:

Rear yard addition: Right yard 1.16m, Left yard 1.00m, Rear yard 4.65m

Rear yard deck: Right yard 1.16m, Rear yard 3.22m

13. Date of acquisition of subject lands:

14. Date of construction of all buildings and structures on subject lands:

15. Existing uses of the subject property:
Residential
16. Existing uses of abutting properties:
Residential
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:
N/A
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
C/S-1788, S-1361
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.