

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: <u>cofa@hamilton.ca</u>

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

that:

• 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 PROPE	TY: Municipal address 142 Barclay St, Hamilton
ZONING BY-LAW:	Zoning By-law 6593, as Amended by By-law No.96-109
ZONING:	C/S-1361district (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

- 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:

 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 24th, 2022
TIME:	2:50 p.m.
PLACE:	Via video link or call in (see attached sheet for details)
To be strea	med at
www.hamil	ton.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

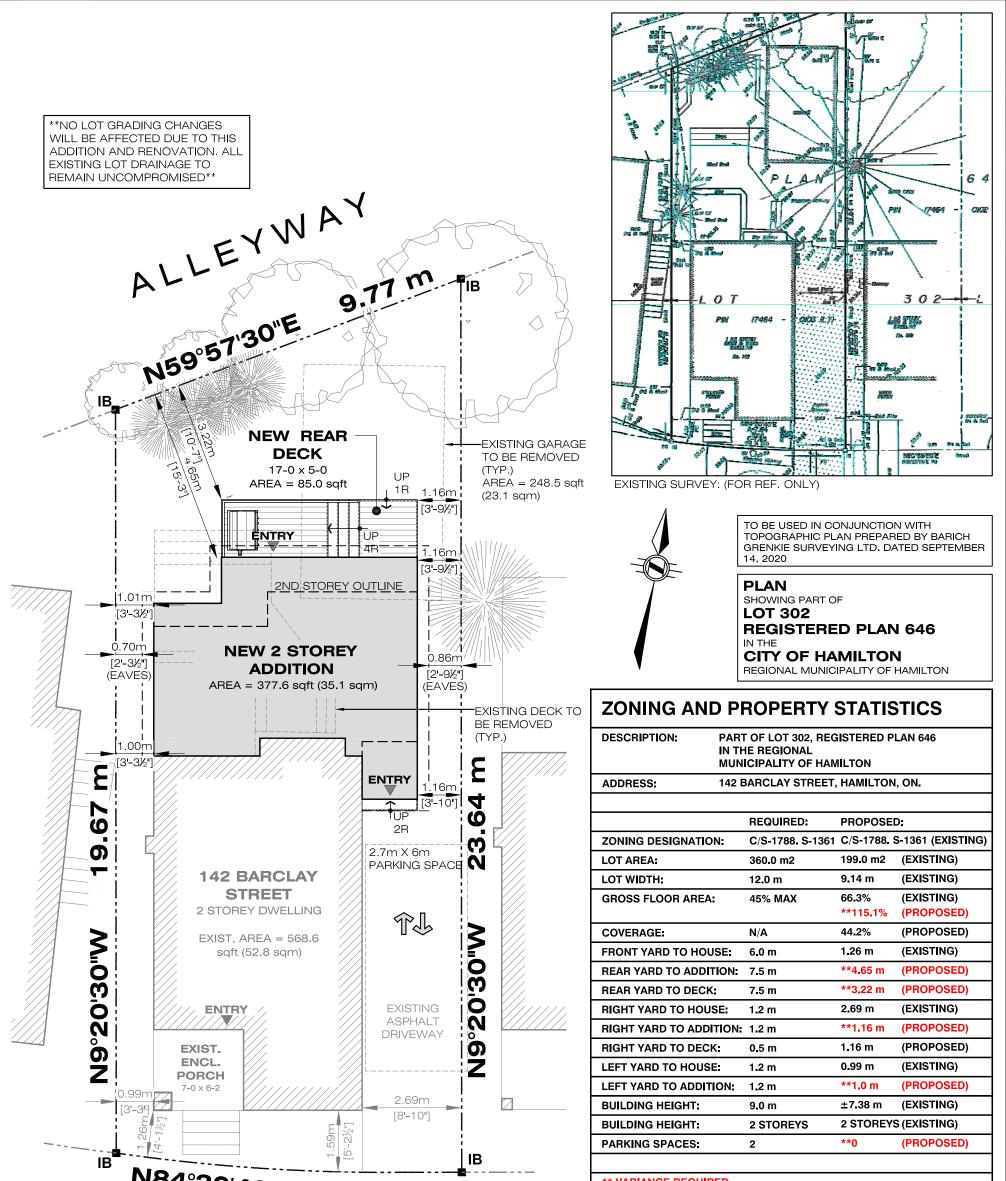
For more information on this matter, including access to drawings illustrating this request:

- 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 <u>cofa@hamilton.ca</u>

DATED: February 8th, 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.



N84°30'40"E N80°39 A=7.64 m 1.52 C=7.63 m	'30"E	GFA EXIS EXIS	TING B, TING M	RED JLATIONS: ASEMENT: IAIN FLOOR: ECOND FLOOR:	501.5 sqft (46.6 sqm) 514.0 sqft (47.8 sqm) 473.8 sqft (44.0 sqm)
BARCLAY STREET		NEW NEW MEC	' SECO HANIC,	MENT: TON MAIN FLOOF ND FLOOR: AL NOT INCLUDE AREA:	288.0 sqft (26.8 sqm)
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 1 No	DEC 16/21 DEC 16/21 DEC 01/21	I ISSUED FOR COFA ISSUED FOR REVIEW Issue/Revision	Drawn By: Checked By: Scale: 1:100 Date: DEC 2021 Project No. 2020-101 By: By:

PRIVATE RESIDENCE REAR ADDITION & INTERIOR RENOVATIONS

142 BARCLAY STREET, HAMILTON, ONTARIO. L8S 1P5

ISSUED FOR COMMITTEE OF ADJUSTMENT



LOCATION MAP:

BUILDING STATISTICS:	
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)
TOTAL GFA	= 2465.7 sq.ft (229.1 m2)
FRONT PORCH	= 54.5 sq.ft. (5.1 m2)
REAR DECK	= 85.0 sq.ft. (7.9 m2)

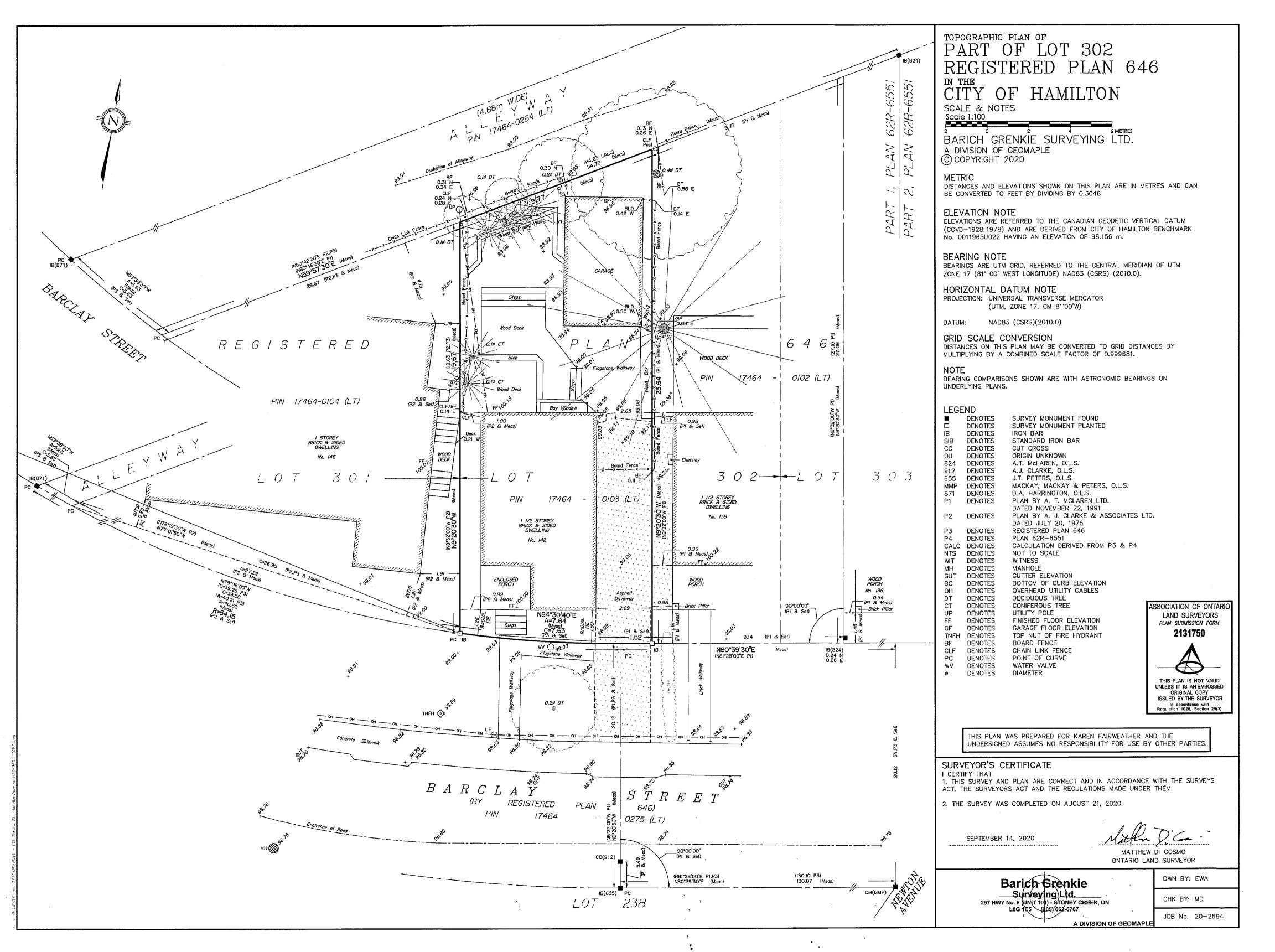


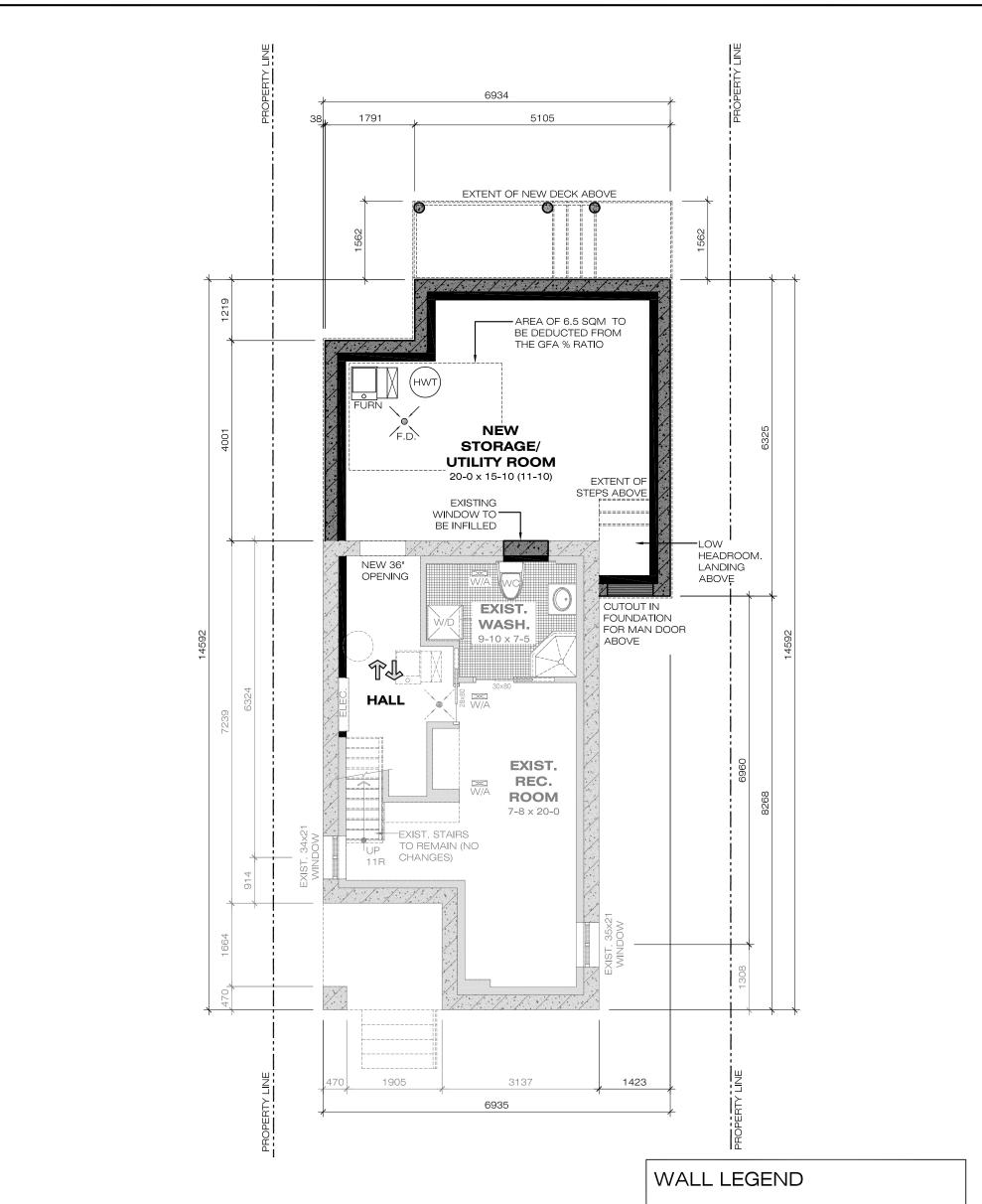
EXISTING REAR ELEVATION: (FOR REF. ONLY)



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
	Sheet Title: COVER PAGE AND ZONING		ISSUED FOR COFA ISSUED FOR REVIEW Issue/Revision	By:	A1





FOUNDATION/ BASEMENT PLAN

EXISTING FLOOR AREA = 501.5 sqft (46.6 sqm) ADDITION FLOOR AREA = 380.8 sqft (35.4 sqm)

CEILING HEIGHT = 6'-6" U.N.O. HABITABLE ROOMS = 1



EXISTING FOUNDATION WALLS TO REMAIN



NEW FOUNDATION WALLS

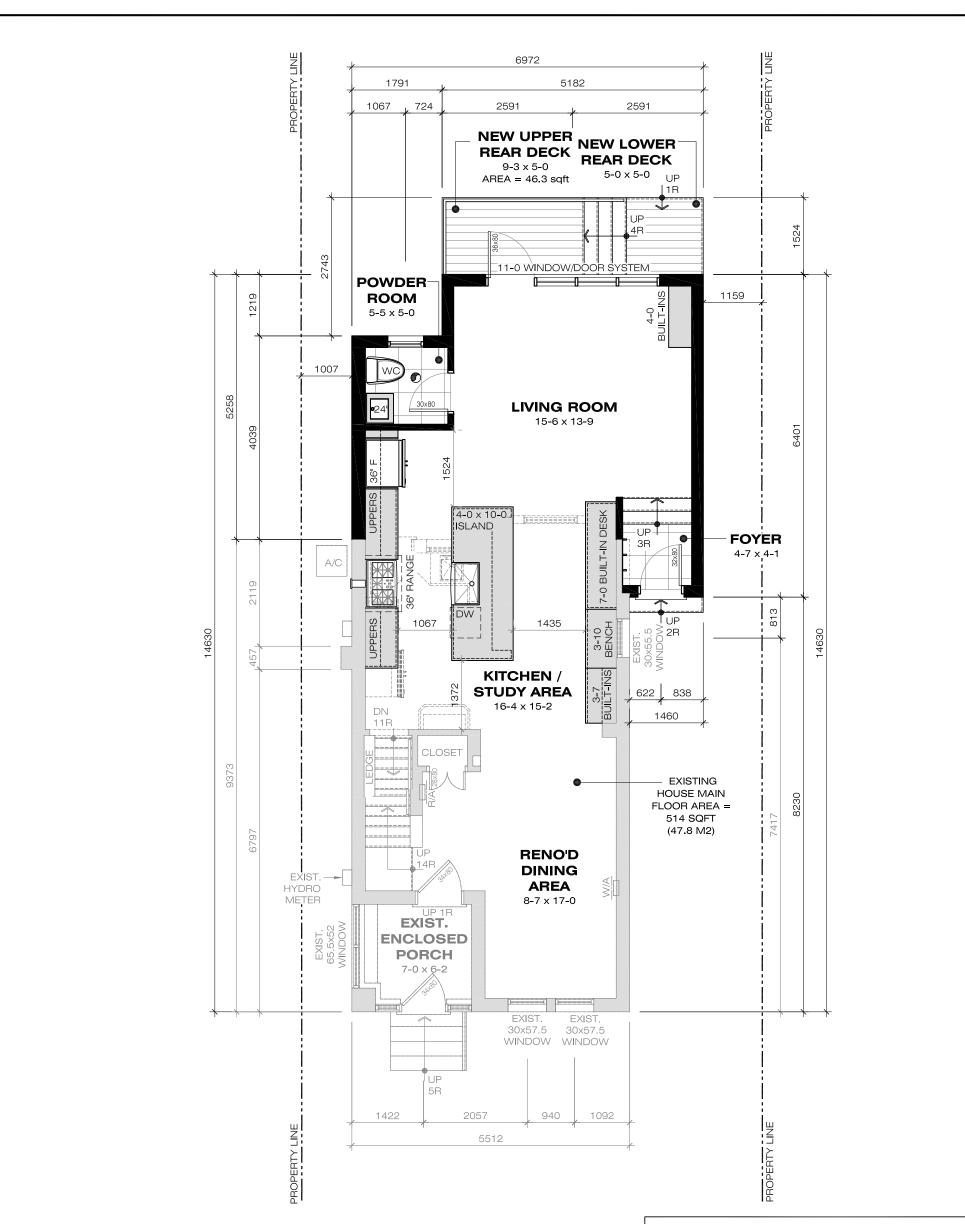


EXISTING INTERIOR / EXTERIOR WALLS TO REMAIN



NEW INTERIOR / EXTERIOR WALLS

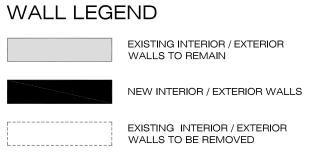
ISSUED FOR COMMITTEE OF ADJUSTMENT	Project Name: PRIVATE RESIDENCE REAR ADDITION & INTERIOR RENOVATIONS 142 BARCLAY STREET, HAMILTON, ONTARIO. L8S 1P5		Drawn By: Checked By: Scale: 1:75 Date: DEC 2021 Project No. 2020-101
	Sheet Title: BASEMENT FLOOR PLAN	2 DEC 16/21 ISSUED FOR COFA 1 DEC 01/21 ISSUED FOR REVIEW No. Date: Issue/Revision	A2



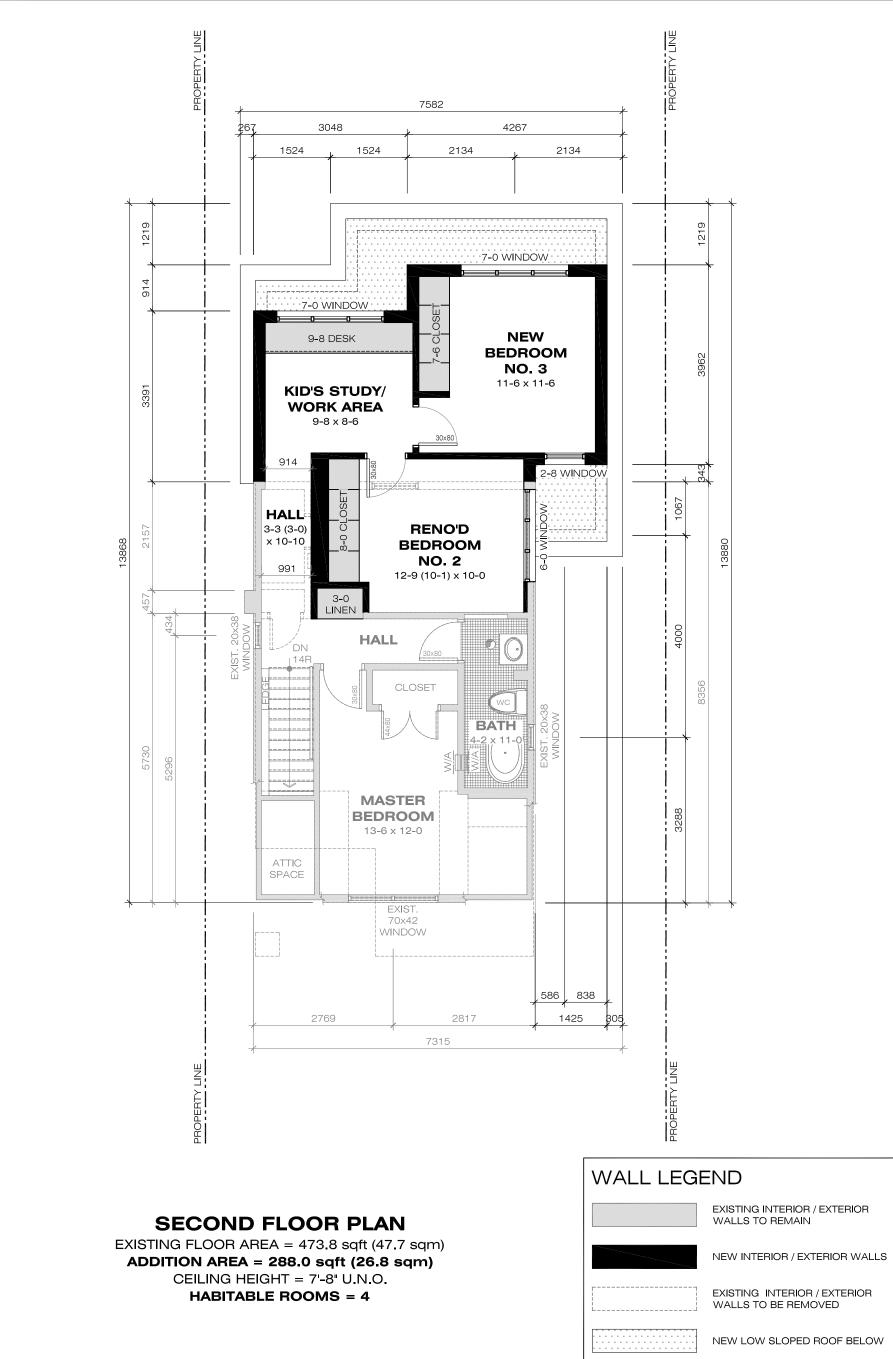
MAIN FLOOR PLAN

EXISTING FLOOR AREA = 514.0 sqft (47.8 sqm) **ADDITION AREA = 377.6 sqft (35.1 sqm)** CEILING HEIGHT = 7'-11"

HABITABLE ROOMS = 3



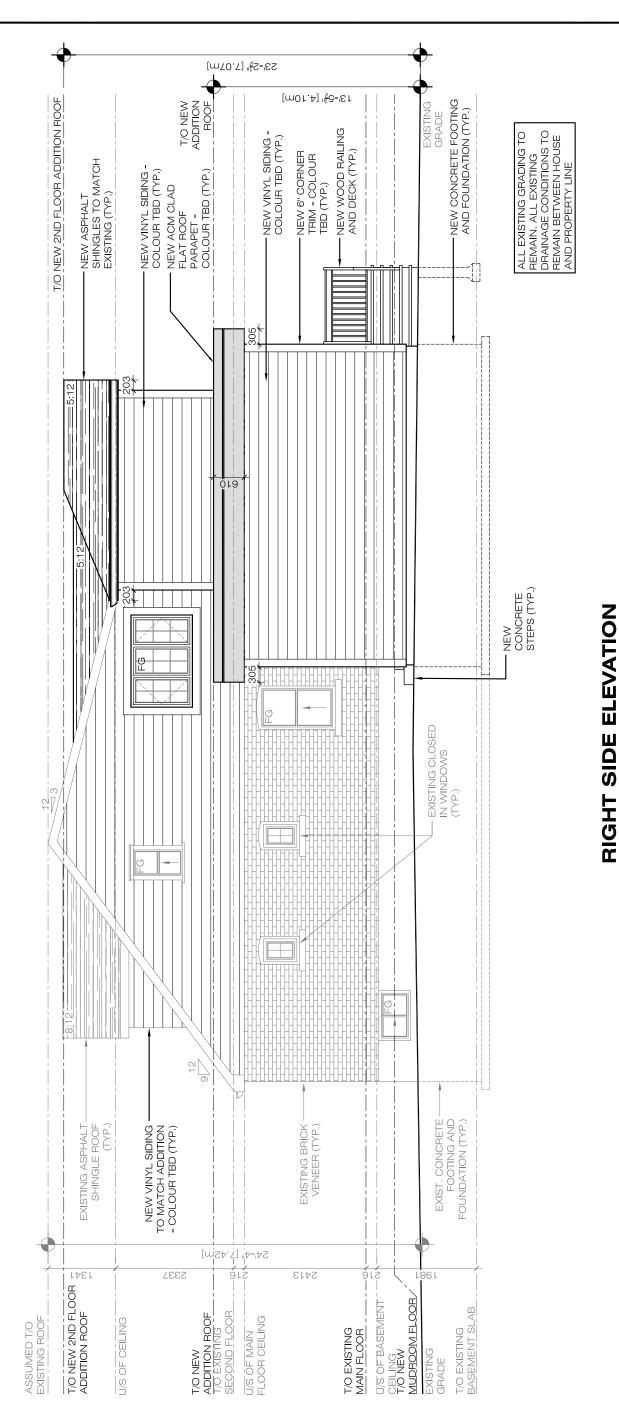
ISSUED FOR COMMITTEE OF ADJUSTMENT	Project Name: PRIVATE RESIDENCE REAR ADDITION & INTERIOR RENOVATIONS 142 BARCLAY STREET, HAMILTON, ONTARIO. L8S 1P5				Drawn By: Checked By: Scale: 1:75 Date: DEC 2021 Project No. 2020-101
	Sheet Tilte: MAIN FLOOR PLAN		ISSUED FOR COFA ISSUED FOR REVIEW Issue/Revision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



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: 1:75 Date: DEC 2021 Project No. 2020-101
	Sheet Title: SECOND FLOOR PLAN		ISSUED FOR COFA ISSUED FOR REVIEW Issue/Revision	By:	A4



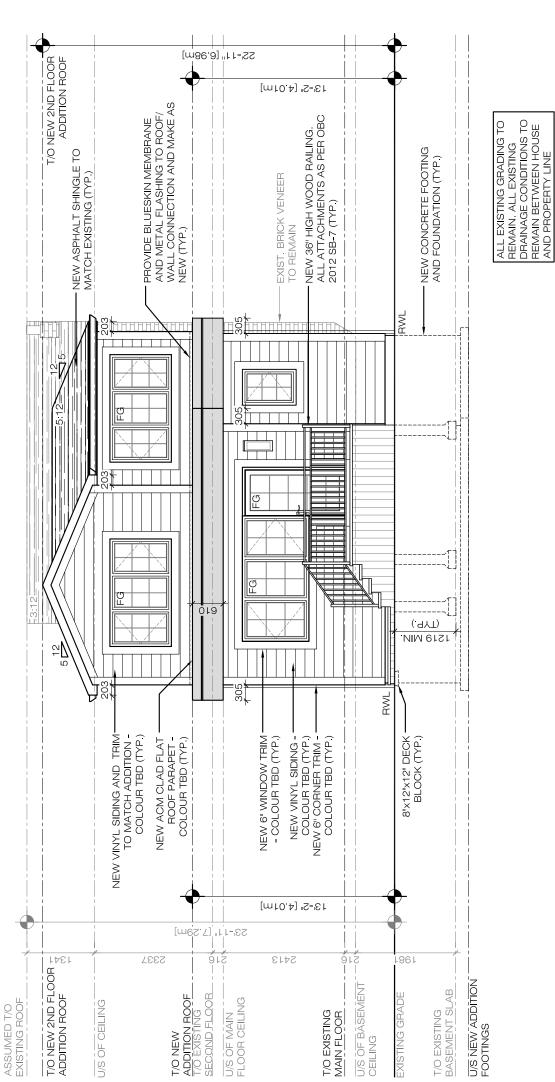
RIGHT SIDE RENDERING: (FOR REF. ONLY)



ISSUED FOR COMMITTEE OF ADJUSTMENT	Project Name: PRIVATE RESIDENCE REAR ADDITION & INTERIOR RENOVATIONS 142 BARCLAY STREET, HAMILTON, ONTARIO. L8S 1P5 Sheet Title:				Drawn By: Checked By: Scale: 1:75 Date: DEC 2021 Project No. 2020-101
			ISSUED FOR COFA ISSUED FOR REVIEW Issue/Revision	By:	A5







REAR ELEVATION

ISSUED FOR	Project Name: PRIVATE RESIDENCE REAR ADDITION & INTERIOR RENOVATIONS					Drawn By: Checked By: Scale: Date:	1:75
COMMITTEE OF ADJUSTMENT	142 BARCLAY STREET, HAMILTON, ONTARIO. L8S 1P5					Project No.	DEC 2021 2020-101
	Sheet Title: REAR ELEVATION	2	-	1 ISSUED FOR COFA			A6
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U/S OF CEILING

T/O NEW ADDITION ROOF T/O EXISTING SECOND FLOOR

U/S OF MAIN FLOOR CEILING

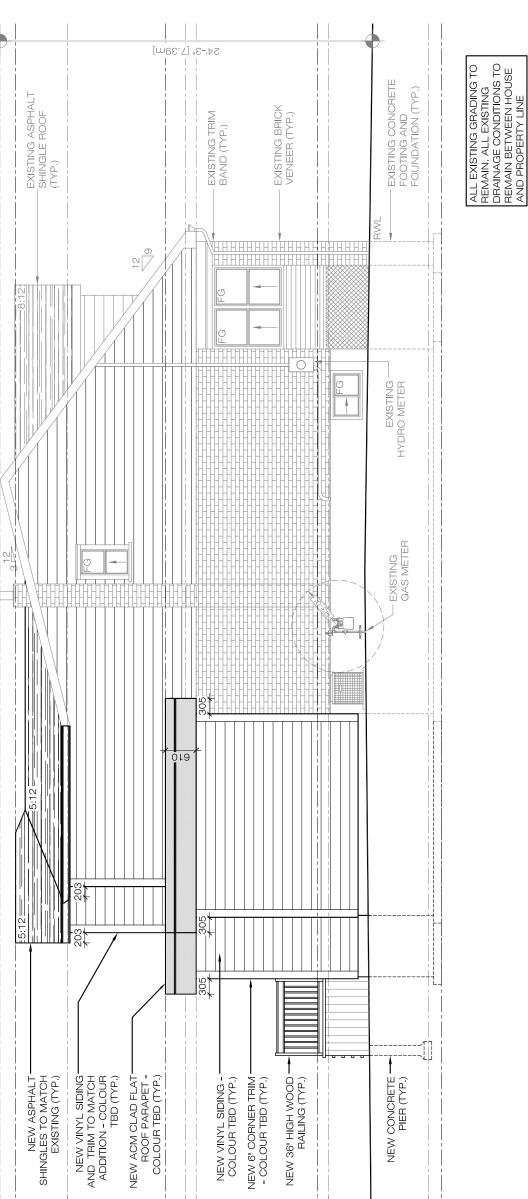
EXISTING GR

T/O EXISTING BASEMENT SLAB

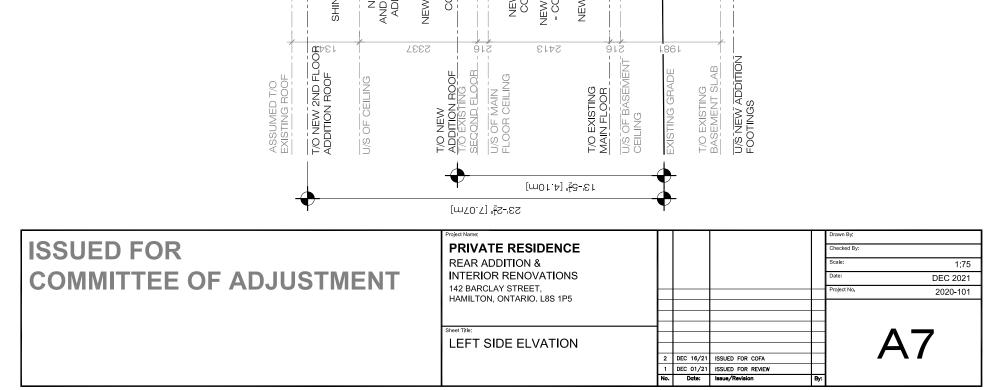
<u>U/S NEW ADDITION</u> FOOTINGS



רברו אטר אבוערבאוואט. (רטא אבר. טארז)



LEFT SIDE ELEVATION





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

Phone: (905) 546-2424 ext. 4221 Email: <u>cofa@hamilton.ca</u>

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)		
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 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 O No O Unknown O
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 O No O Unknown O
8.7	Have the lands or adjacent lands ever been used as a weapon firing range? Yes _O No _O Unknown _O
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 O No O Unknown O

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	0	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?

No	1
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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.

Yes

Dec 7, 2021 Date

12v

Signature Property Owner

Fraser Brown & Kari Fairweather

Print Name of Owner

10. Dimensions of lands affected.

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

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

 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

APPLICATION FOR A MINOR VARIANCE (January 1, 2021)

Page 3 of 6

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 th Water <u>×</u>		
	Sanitary Sewer <u>x</u>	Connected X	
19.	Storm Sewers <u>x</u> Present Official Plan/Secondary Plan p 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 re Ves If the answer is yes, describe briefly.	lief in respect of the subject property?	
22.	the Planning Act?	current application for consent under Section 53 of	
	() 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.