

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-22:28

APPLICANTS: Agent Kevin Webster Design Inc.
Owner Maria Barbosa

SUBJECT PROPERTY: Municipal address **185 Park St. N., Hamilton**

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

ZONING: "D" (Urban Protected Residential) district

PROPOSAL: To permit the construction of a new two (2) storey single family dwelling notwithstanding that:

1. A front yard depth of 2.0m shall be provided instead of the minimum required 6.0m front yard depth.
2. A side yard width of 0.6m shall be provided instead of the minimum required 1.2m side yard width.
3. Eaves and gutters shall be permitted to project a maximum of 0.5m into the required side yard and may be as close as 0.1m from the side lot line instead of the maximum 0.3m projection permitted.
4. A rear yard depth of 3.0m shall be provided instead of the minimum required 7.5m rear yard depth.
5. One (1) parking space shall be provided instead of the minimum required two (2) parking spaces.
6. A minimum 2.0m of on-site manoeuvring shall be provided for the required parking space instead of the requirement that a minimum 6.0m manoeuvring space abutting and accessory to each required parking space shall be provided and maintained on the lot.
7. A parking space size of 2.7m x 4.0m shall be provided instead of the minimum required parking space size of 2.7m x 6.0m.
8. A minimum of 39% of the gross area of the front yard shall be provided as landscaped area instead of the minimum 50% gross area of the front yard required as landscaped area
9. The parking area shall be permitted to occupy 61% of the gross area of the front yard instead of the maximum 50.0% gross area of the front yard permitted for parking purposes.

NOTES:

- i. The Hamilton Zoning By-law 6593 requires parking for a Single Family Dwelling to be provided at a rate of two (2) parking spaces for the first eight (8) habitable rooms, plus an additional 0.5 parking spaces for each habitable room in excess of eight (8). Based on the floor plans provided, less than eight (8) habitable rooms are intended. As such, A minimum of two (2) parking spaces are required to be provided.
- ii. The one (1) proposed parking space on-site is intended within the attached garage.
- iii. The variance for a reduced side yard width (variance #2 & #3) is intended to apply to both the Northerly and Southerly side yards.
- iv. The Hamilton Zoning By-law 6593 permits eaves and gutters to project into a side yard not more than one-half of its required width.

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

DATE:	Thursday, March 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

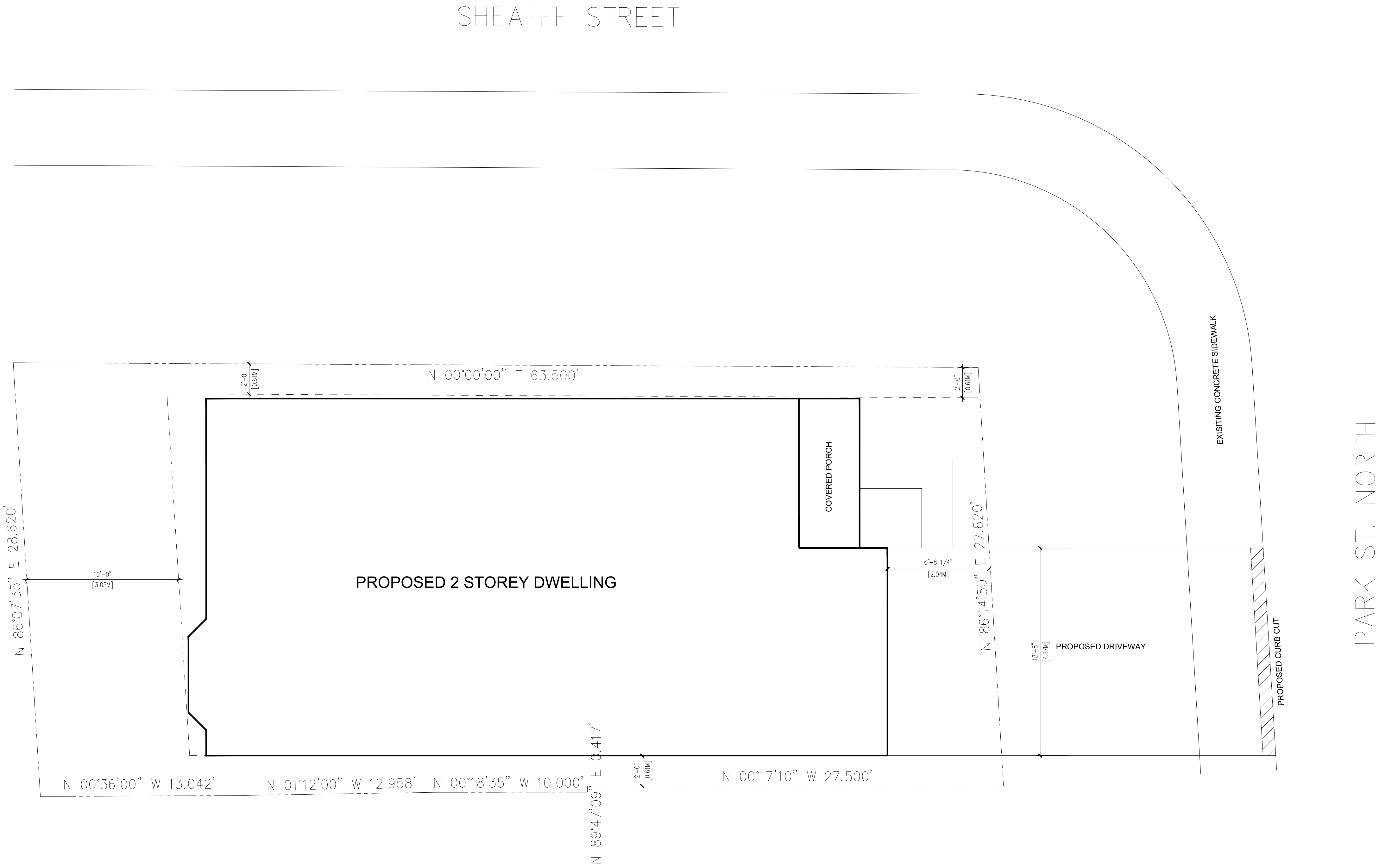
For more information on this matter, including access to drawings illustrating this request:

- 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: February 15th, 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.



ZONING	D		
LOT AREA	1776 S.F. / 164.99 S.M.		
	EXISTING	PROPOSED	REQUIRED
GROSS FLOOR AREA	N/A	1777.8 S.F.	
BUILDING LENGTH	N/A	46'-2" / 12.95 M	
RIGHT SIDE SETBACK	N/A	2'-0" / 0.60 M	4'-0" / 1.2 M
LEFT SIDE SETBACK	N/A	2'-0" / 0.60 M	4'-0" / 1.2 M
FRONT SETBACK	N/A	6'-8" / 2.03 M	19'-8" / 6.0 M
REAR SETBACK	N/A	10'-0" / 3.05 M	24'-8" / 7.5 M
BUILDING HEIGHT	N/A	?	14.0 M MAX.
BUILDING COVERAGE	N/A	1045 S.F. @ 58.84%	

PROJECT NO. 00

DATE: DEC / 2021

PAGE NO. 55

DRAWN BY: JM

PROJECT NAME: BARBOSA

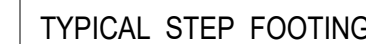
CHECKED BY: KW

68 NORTH VALLEY DR.
WELLAND, ONT
L3C 7L6
905.639.2009
kevin@kwdesigns.ca

KEVIN WEBSTER
DESIGNS INC.

THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DRAWING AND ASSURES THAT THE INFORMATION CONTAINED HEREIN IS SET OUT IN THE DRAWING BUILDING CODE TO BE A DESIGNER.
SIGNATURE: *Kevin Webster*
NAME: KEVIN WEBSTER
DESIGNATION: DESIGNER
REG. NO. OF THE 2006 O.B.C. SETBACK: 12-11
REG. NO. OF THE 2006 O.B.C. SETBACK: 12-11
FIRM NAME: KEVIN WEBSTER DESIGNS INC.
FIRM NO. 12100
FIRM REG. NO. 12100

REVISIONS		DATE	BY
NO.	DESCRIPTION		
0			

TOTAL % OF WINDOW/DOOR OPENINGS:

FLAT ENTRY ROOF/ TERRACE NOTES:

- SLOPE ROOF TO SIDE SCUPPER DRAIN. INSTALL SINGLE LAYER NON-SLIP PLYWOOD MEMBRANE ON 5/8" T&G PLYWOOD ON SLOPED 2"x8" FLOOR JOISTS. WRAP MEMBRANE UP OVER PARAPET WALL UNDER PRE-FINISHED METAL CAP FLASHING. INSTALL MEMBRANE UNDER SIDING 12" MIN. FASTEN AND SEAL TO SHEATHING.

WALK-OUT & PART WALK-OUT LOTS:

- FOR WALK-OUT AND PART WALK-OUT LOTS, STEP CONCRETE FOUNDATION AS REQ'D FOR PROPOSED GRADES ENSURING A MAX. LATALLY UNSUPPORTED WALL DIMENSION OF 3'-11".

PATIO & TERRACE DOORS:

- WHERE A PATIO OR TERRACE DOOR THRESHOLD EXCEEDS 23 3/4" ABOVE FINISHED GRADE, PROVIDE AN SB-7 GUARD OR BLOCKING TO PREVENT THE DOOR FROM OPENING MORE THAN 4".
- PORCH/BALCONY/DECK GUARDS:**
- PROVIDE AN SB-7 GUARD AT ALL PORCHES, BALCONY'S OR DECKS 2'-0" ABOVE FINISHED GRADE OR HIGHER. (KID-OR RAILINGS)

PORCH/BALCONY/DECK GUARDS

- PROVIDE AN SB-7 GUARD AT ALL PORCHES, BALCONY'S OR DECKS 2'-0" ABOVE FINISHED GRADE OR HIGHER. (KOOL-RAY RAILINGS)

WINDOW SIZES

- WINDOW SIZES SHOWN ARE APPROXIMATE, REFER TO MANUFACTURERS SPECIFICATIONS FOR EXACT ROUGH OPENING MEASUREMENTS.



	PROJECT NO.: 00	DRAWN BY: JM	CHECKED BY: KW
	DATE: DEC / 2021	DRAWING ELEVATIONS	
	PAGE NO. 1 OF 5	PROJECT NAME BARBOSA	
<div style="text-align: center;"><h1>KEVIN WEBSTER</h1><h2>DESIGNS INC.</h2><p>68 NORTH VALLEY DR. WELLAND, ONT L3C 7L6 905.639.2009 kevin@kwdesigns.ca</p></div>			
REVISIONS:			
NO.	DESCRIPTION	DATE	BY
1	ISSUED FOR COMMITTEE OF ACQUISITIONS	12/1/21	JM
THE UNDERSIGNED HAS OBTAINED AND TAKES RESPONSIBILITY FOR THIS SET OUT IN THE DRAWING BUILDING CODE TO BE A READER.			
I HAVE READ THESE DRAWINGS AND I AM NOT PROVIDING ANY COMMENTS OR CORRECTIONS TO THEM.			
SIGNATURE OF THE USER OF THE DRAWING: KEVIN WEBSTER			
NAME: KEVIN WEBSTER			
DESIGNATION: DESIGNER			
FIRM: KW DESIGNS INC.			
ADDRESS: 68 NORTH VALLEY DRIVE, WELLAND, ONTARIO L3C 7L6 CANADA			
PHONE: 905-639-2009 FAX: 905-639-2009			
E-MAIL: kevin@kwdesigns.ca			

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905.639.2009
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KEVIN WEBSTER
DESIGNS INC.



SPACE ALL FLOOR
JOISTS @12"O.C. UNDER
ALL CERAMIC TILE AREAS



SPACE ALL FLOOR
JOISTS @12"O.C. UNDER
ALL CERAMIC TILE AREAS

- WINDOW SIZES:**
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PROJECT NO.	00	CHECKED BY:	JM	DRAWN BY:	KW
DATE:	DEC / 2021	DRAWING: FLOOR PLANS			
FACE NO:	2 OF 5	PROJECT NAME: BARDOSA			

68 NORTH VALLEY DR.
WELLAND, ONT
L3C 7L6
905.639.2009
kevin@kwdesigns.ca

KEVIN WEBSTER
DESIGNS INC.

REVISIONS:

NO.	DESCRIPTION	DATE	BY
1	ISSUED FOR COMMITTEE OF ADJUDICATORS	12 / 21	JM

THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DRAWING BEING ACCURATE AND COMPLETE. ANY CHANGES OR COMMENTS SET OUT IN THE CHANGES BUILDING CODE TO BE A DEFENSE.

ANALYST'S SIGNATURE
OF THE 2006 B.C. BUILDING CODE

24.1

KEVIN WEBSTER

24.50

SEAL/STAMP

24.50

REGISTERED BUILDING DESIGNER
OF THE 2006 B.C. BUILDING CODE

23.5.1

ANALYST'S SIGNATURE
OF THE 2006 B.C. BUILDING CODE

23.5.1

KEVIN WEBSTER, DESIGNS INC.

24.7-0

FORM NAME

20.0

20.0



SPACE ALL FLOOR
JOISTS @12"O.C. UNDER
ALL CERAMIC TILE AREAS

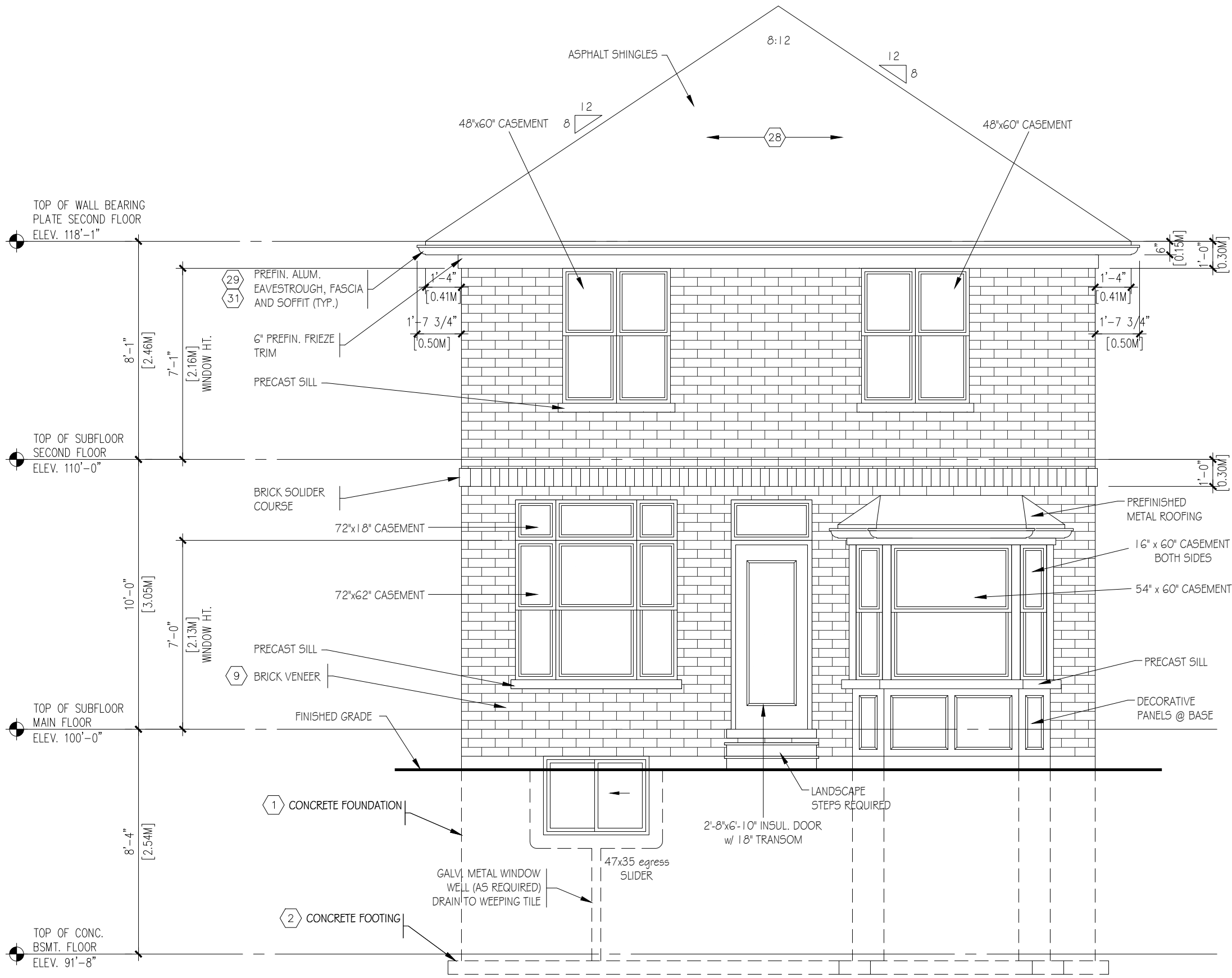


TRUSS MANUFACTURER TO PROVIDE ROOF
TRUSS DRAWINGS FOR REVIEW PRIOR TO
TRUSS MANUFACTURING.

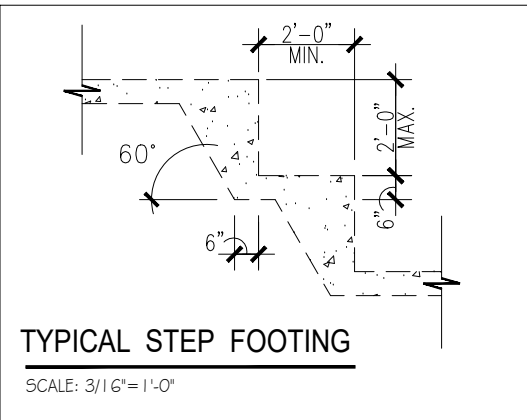
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PROJECT NO:	00	DRAWN BY:	JM	CHECKED BY:	KW
DATE:	DEC / 2021	DRAWING: FLOOR PLANS			
PAGE NO:	3 OF 5	PROJECT NAME: BARBOSA			



7 REAR ELEVATION



FLAT ENTRY ROOF/ TERRACE NOTES:

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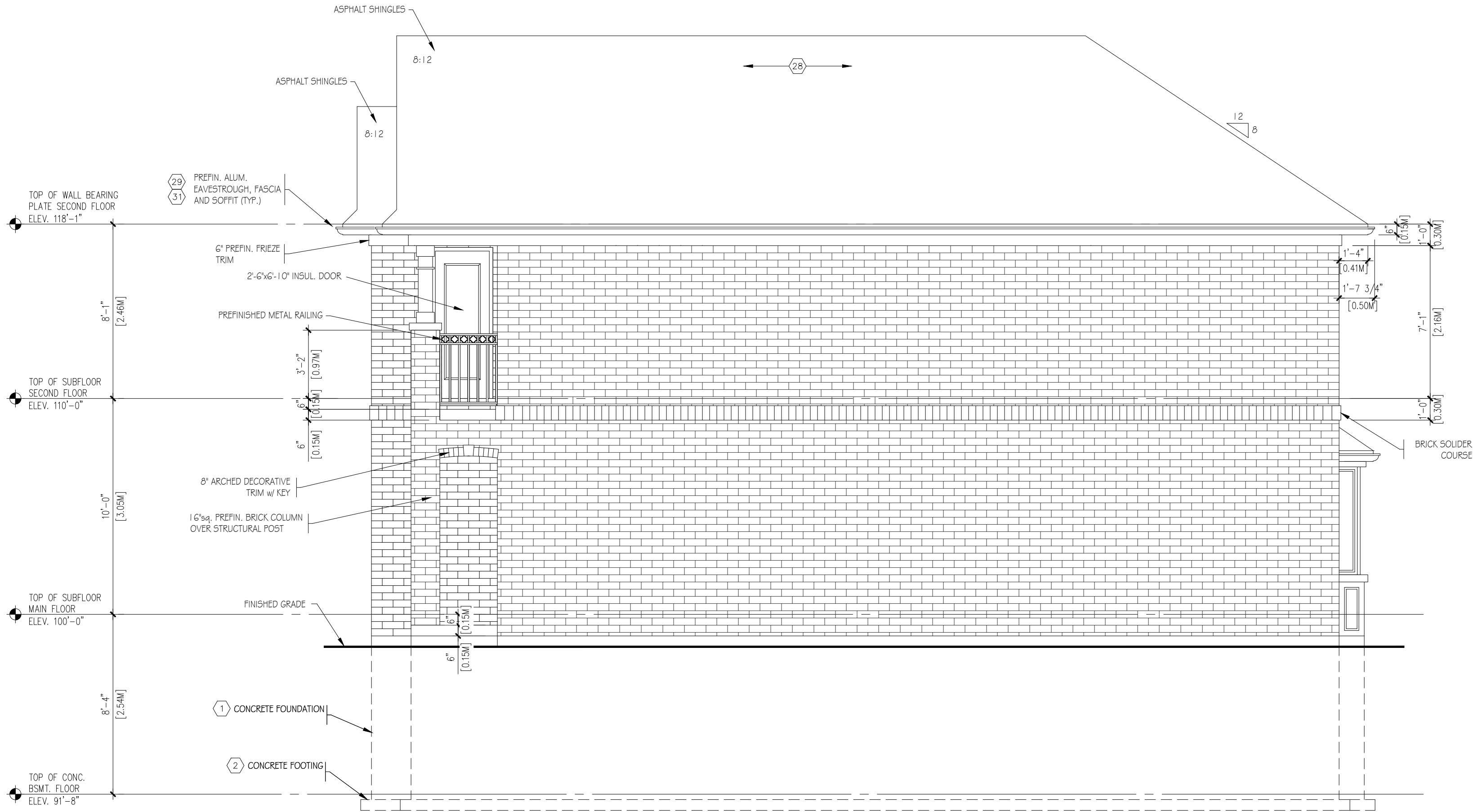
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WINDOW SIZES:

- WINDOW SIZES SHOWN ARE APPROXIMATE. REFER TO MANUFACTURERS SPECIFICATIONS FOR EXACT ROUGH OPENING MEASUREMENTS.

TOTAL AREA OF EXPOSED
BUILDING FACE = 836.0 sq.ft.
ALLOWABLE GLASS AREA BASED
ON 4'-0" SETBACK (7%) = 60.4 sq.ft.
MAX. PROPOSED GLASS AREA ... = 19.8 sq.ft.



8 RIGHT ELEVATION

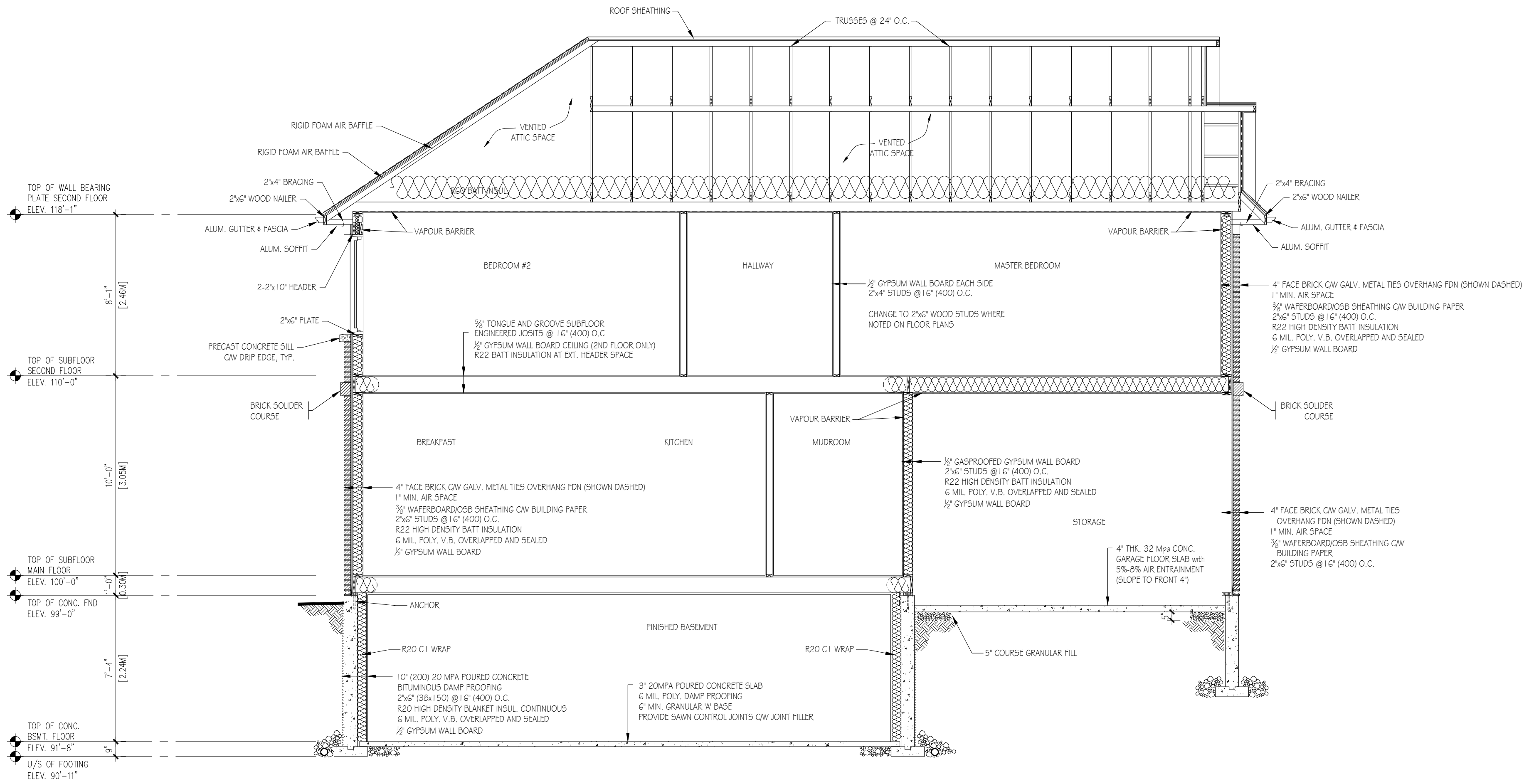
REVISIONS	NO.	DESCRIPTION	DATE	BY
1	ISSUED FOR COMMITTEE OF ADJUSTMENTS	12/21	JM	

THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS SET OF DRAWINGS AND SPECIFICATIONS. I AM A REGISTERED PROFESSIONAL ENGINEER IN THE PROVINCE OF ONTARIO, CANADA.	DATE OF REVIEW: 12/21/2021
NAME: KEVIN WEBSTER	DATE OF REVIEW: 12/21/2021
NAME: KEVIN WEBSTER	DATE OF REVIEW: 12/21/2021
NAME: KEVIN WEBSTER	DATE OF REVIEW: 12/21/2021

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905.639.2009
kevin@kwdesigns.ca

KEVIN WEBSTER
DESIGNS INC.

PROJECT NO. 00	DRAWN BY: JM	CHECKED BY: KW
DATE: DEC / 2021	PREPARED BY: ELEVATIONS	
FACE NO. 4 OF 5	PROJECT NAME: BARBOSA	



REVISIONS		NO.	DESCRIPTION	DATE	BY
1	ISSUED FOR COMMITTEE OF ADJUSTMENTS	12/21	JM		

THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DRAWING BEING ACCORDING TO THE REQUIREMENTS OF THE BUILDING CODE TO BE A DESIGNER.

DATE OF REVIEW: 12/21/21

DESIGNER: KEVIN WEBSTER

SIGNATURE:

NAME: KEVIN WEBSTER

DATE OF REVIEW: 12/21/21

DESIGNER: KEVIN WEBSTER

SIGNATURE:

NAME: KEVIN WEBSTER

DATE OF REVIEW: 12/21/21

DESIGNER: KEVIN WEBSTER

SIGNATURE:

NAME: KEVIN WEBSTER

68 NORTH VALLEY DR.
WELLAND, ONT
L3C 7L6
905.639.2009
kevin@kwdesigns.ca

KEVIN WEBSTER
DESIGNS INC.

PROJECT NO.	00	DRAWN BY:	JM	CHECKED BY:	KW
DATE:	DEC / 2021	DRAWING: BUILDING SECTION			
FACE NO.	5 OF 5	PROJECT NAME: BARBOSA			

**Committee of Adjustment**

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

Phone: (905) 546-2424 ext. 4221

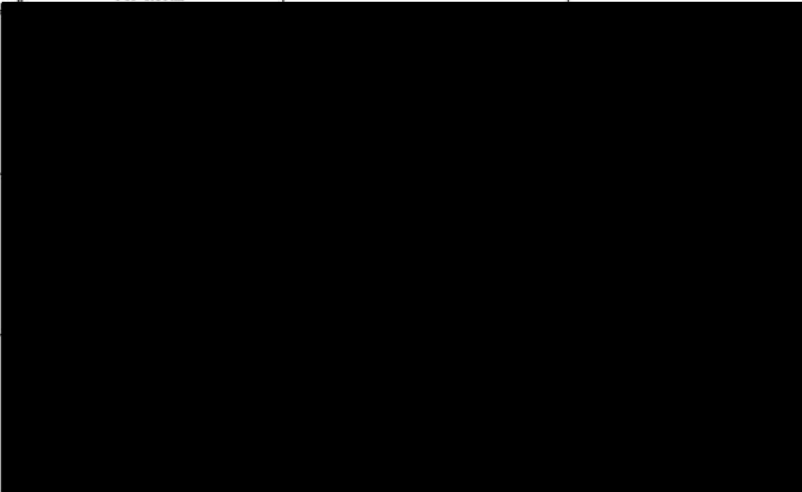
Email: cofa@hamilton.ca

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:

N/A

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:

1. REQUIRE 6.0 m FRONT SETBACK - PROPOSED 2.04m
2. REQUIRE 1.2 m SIDE SETBACK - PROPOSED 0.60m EACH SIDE
3. REQUIRE 7.5 m REAR SETBACK - PROPOSED 3.05 m

☐ Secondary Dwelling Unit ☐ Reconstruction of Existing Dwelling

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

THE PROPERTY IS VERY SMALL TO FIT AN ADEQUATE SIZED DWELLING. THE PROPERTY TO THE SOUTH HAS MINIMAL SET BACKS.

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**):

PART OF LOT 1, BLOCK 25 - 185 PARK ST. NORTH
REGISTERED PLAN 127
IN THE CITY OF HAMILTON

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?

COMMON KNOWLEDGE

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.

NOV. 5/21
Date

X Maria Barbosa
Signature Property Owner(s)

MARIO BARBOSA
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage 8.419 m
Depth 19.355 m
Area 164.99 SQ. m
Width of street 20 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: _

EXISTING PROPERTY IS A VACANT LOT

Proposed

2 STOREY DWELLING.
784 SQ. FT GROUND FLOOR
219.4 SQ. FT GARAGE AREA
996.2 SQ. FT SECOND FLOOR

GROSS AREA: 2078.2 S.F.
HEIGHT: 9.2 m

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

Existing:

N/A

Proposed:

FRONT 2.54 m
LEFT 0.60 m
RIGHT 0.60 m
REAR 3.05 m

13. Date of acquisition of subject lands:
FEB - 2021
14. Date of construction of all buildings and structures on subject lands:
VACANT PROPERTY
15. Existing uses of the subject property (single family, duplex, retail, factory etc.):
VACANT PROPERTY.
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:
SINCE EVER.
18. Municipal services available: (check the appropriate space or spaces)
- | | | | |
|----------------|-------------------------------------|-----------|-----------------------------|
| Water | <input checked="" type="checkbox"/> | Connected | <input type="checkbox"/> NO |
| Sanitary Sewer | <input checked="" type="checkbox"/> | Connected | <input type="checkbox"/> NO |
| Storm Sewers | <input type="checkbox"/> | | |
19. Present Official Plan/Secondary Plan provisions applying to the land:
SINGLE FAMILY
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
'D' ZONE
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.