



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-22:110

APPLICANTS: Owner L. Park

SUBJECT PROPERTY: Municipal address **20 Tolton Ave., Hamilton**

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

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

PROPOSAL: To permit the construction of a 1.93m (6'4") x 7.75m (25'5") roofed-over one storey front porch at the first storey onto an existing Single Family Dwelling notwithstanding that:

1. The roofed-over unenclosed one storey front porch at the first storey level, including eaves and gutters, shall be permitted to project 5.3m into the required 6.0m front yard shall be distant 0.7m from the front lot line instead of the requirement that a roofed over or screened but otherwise unenclosed one storey porch at the first storey level, including eaves and gutters, may project into a required front yard to a distance of not more than 3.0m and every such projecting porch shall be distant at least 1.5m from the front lot line.
2. A southerly side yard of 0.7m shall be permitted instead of the minimum required side yard of 1.2m.
3. Eaves and gutters shall be permitted to project a maximum of 0.5m into the southerly side yard and may be as close as 0.2m from the southerly side lot line instead of the requirement that an eave or gutter may project into the required side yard (being 0.7m) not more than ½ of its required width (being 0.35m).

NOTE:

- i) The requested variance for the front yard porch setback (being 1.5m) as noted in the Minor Variance Application is incorrect as the Plans submitted show different porch setbacks. As such, the setbacks noted in Variance Nos: 1, 2 and 3 are based on the Plans submitted and the October 28, 1985 survey submitted.

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

DATE: Thursday, May 12th, 2022

TIME: 3:00 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

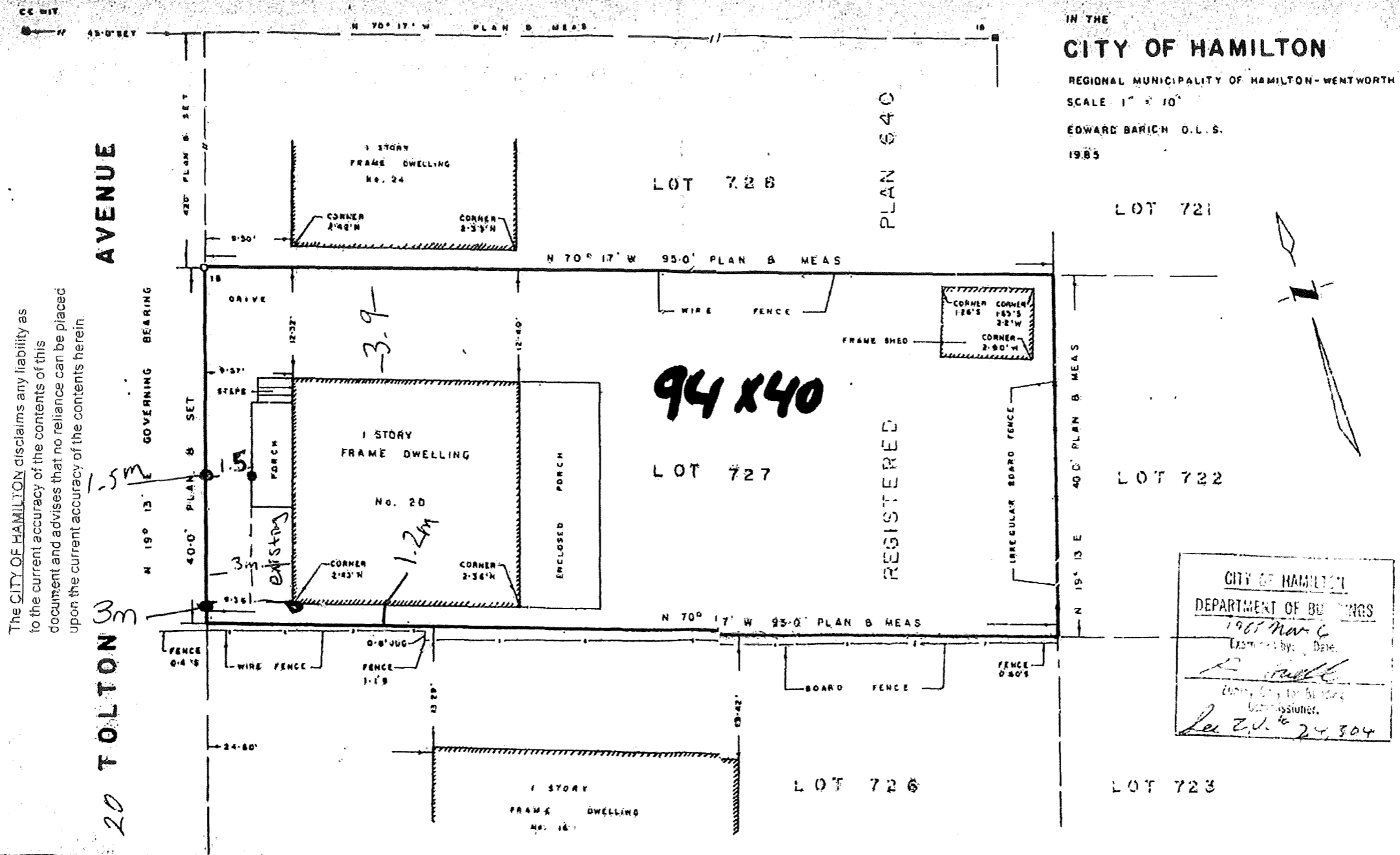
DATED: April 26th, 2022.

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.

DUNSMURE ROAD

BUILDING LOCATION SURVEY OF
 LOT 727
 NORMANHURST ADDITION
 REGISTERED PLAN 640
 IN THE
CITY OF HAMILTON
 REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH
 SCALE 1" = 10'
 EDWARD BARICH O.L.S.
 1985

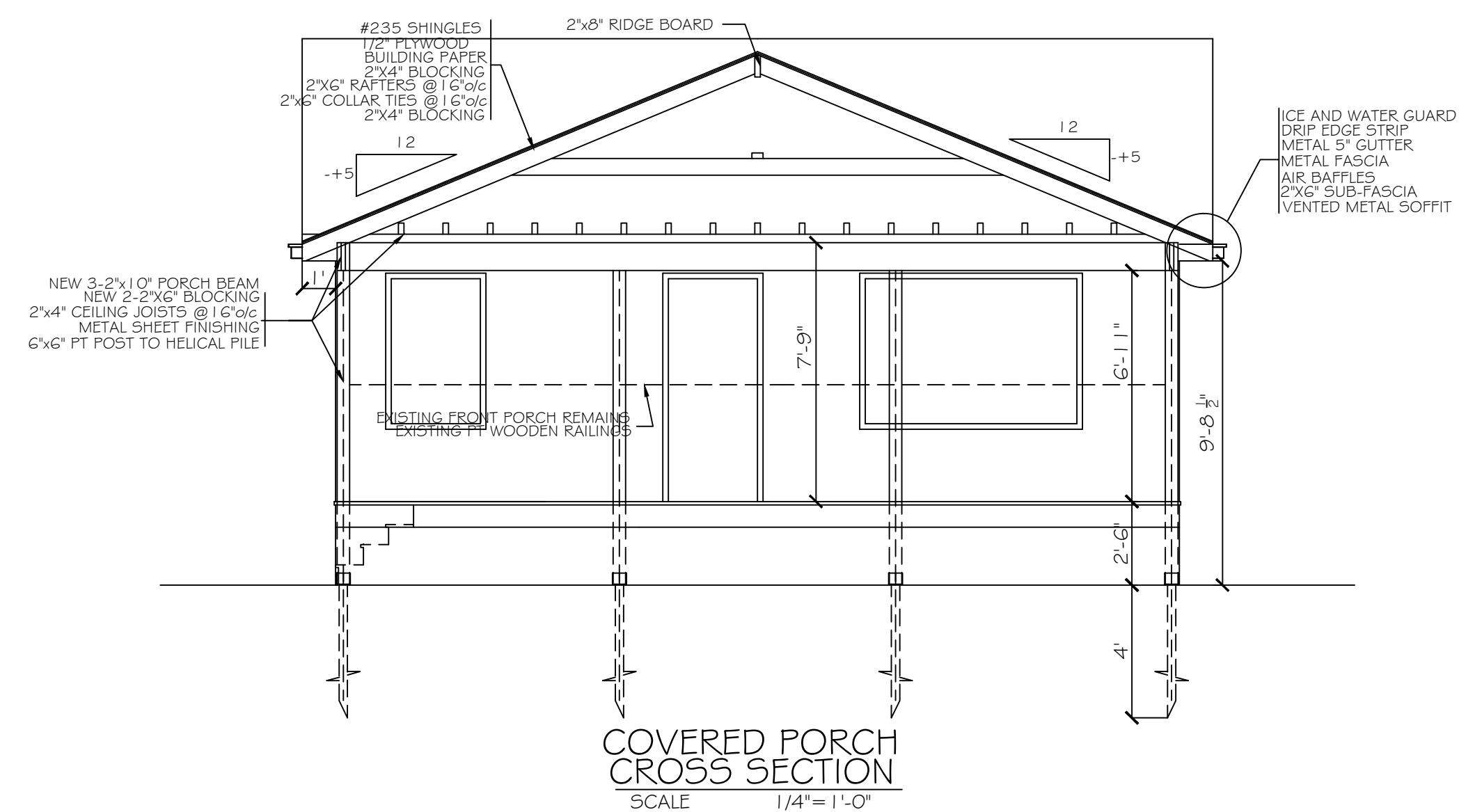


The CITY OF HAMILTON disclaims any liability as to the current accuracy of the contents of this document and advises that no reliance can be placed upon the current accuracy of the contents herein.

20 TOLTON AVENUE

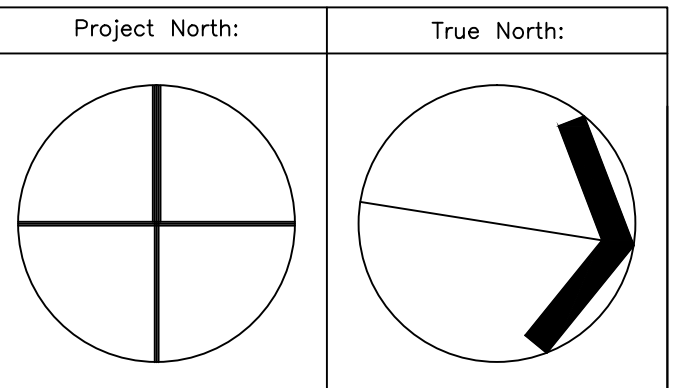
CITY OF HAMILTON
 DEPARTMENT OF BUILDINGS
 1987 Nov 6
 Examined by: Date
[Signature]
 City Engineer
 License No. 24,304

<p>NOTE</p> <p>BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE EASTERN LIMIT OF TOLTON AVENUE AS SHOWN ON REGISTERED PLAN 640 HAVING A BEARING OF N 19° 13' E</p> <p>WIT - WITNESS</p>	<p>LEGEND</p> <ul style="list-style-type: none"> ● DENOTES SURVEY MONUMENT FOUND □ DENOTES SURVEY MONUMENT SET CM DENOTES CONCRETE MONUMENT SIB DENOTES STANDARD IRON BAR QIB DENOTES ROUND IRON BAR IB DENOTES IRON BAR CC DENOTES CUT CROSS 	<p>SURVEYOR'S CERTIFICATE</p> <p>I CERTIFY THAT THE FIELD SURVEY REPRESENTED ON THIS PLAN WAS COMPLETED ON THE 25TH DAY OF OCTOBER 1985.</p> <p>Oct. 28, 1985 <i>Edward Barich</i> EDWARD BARICH ONTARIO LAND SURVEYOR</p>	<p>EDWARD BARICH ONTARIO LAND SURVEYOR HAMILTON 549-6647</p>
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**COVERED PORCH
CROSS SECTION**
SCALE 1/4" = 1'-0"

NOTE:
ALL DIMENSIONS & INFORMATION SHOWN ON THESE DRAWINGS MUST BE CHECKED & VERIFIED ON SITE & ANY DISCREPANCIES REPORTED TO THE DESIGNER PRIOR TO CONSTRUCTION. EXISTING CONDITIONS OR SERVICES BE FOUND TO VARY FROM THAT INDICATED ON THE DRAWINGS, THE DESIGNER MUST BE NOTIFIED IMMEDIATELY. ALL MATERIALS & CONDITIONS MUST COMPLY WITH THE LATEST OBC.



THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DESIGN AND HAS THE QUALIFICATIONS AND MEETS THE REQUIREMENTS AS SET OUT IN THE ONTARIO BUILDING CODE 2.17.4.1.(a) TO BE AN "OTHER DESIGNER"

QUALIFICATION INFORMATION:
RON CRICKMORE RCIN 41922
Ron Crickmore

No.	Date:	Issue/Revision	By:

Notes:
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FEATURES OF CONSTRUCTION NOT FULLY SHOWN ARE ASSUMED TO BE THE SAME CHARACTER AS THOSE NOTED FOR SIMILAR CONDITIONS.
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ALL DRAWINGS AND RELATED DOCUMENTS SHALL REMAIN THE PROPERTY AND COPYRIGHT OF S.D.H. DESIGNS.
USE LATEST REVISED DRAWINGS. DO NOT SCALE DRAWINGS.

CRICKMORE DESIGN
111 Victoria Street, Ancaster, Ontario, Canada L9G 4P9
Tel: 905.876.8533

Consultant

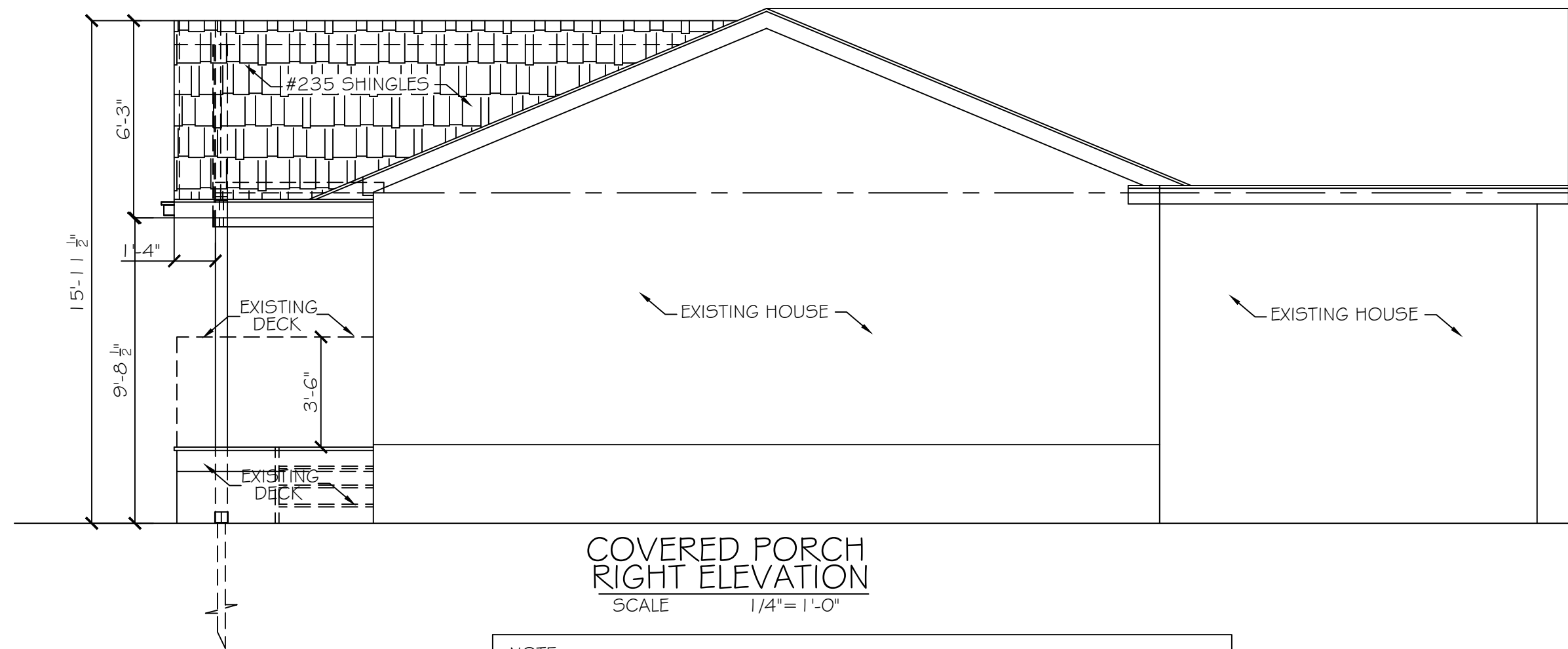
Project:
**LOUIS PARK
COVERED PORCH**
20 TOLTON AVE
HAMILTON ONTARIO

Sheet Title:
**COVERED PORCH PLAN
CROSS SECTION**

Design By: RJC	Drawn By: RJC	Approved By: RJC
Scale: 1/4" = 1'-0"	Date: JAN 2022	Project No.: 21052

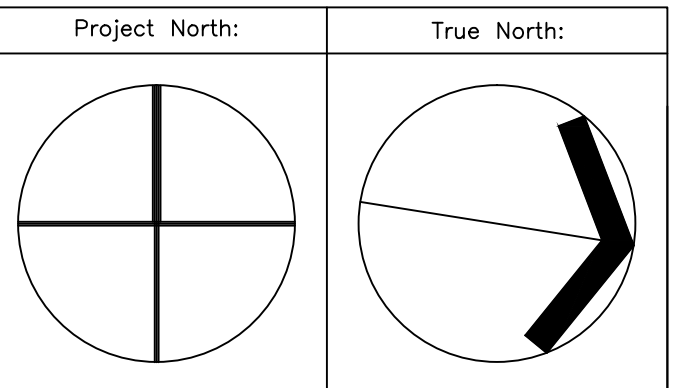
Drawing No:
A5

Drawing Series:



**COVERED PORCH
RIGHT ELEVATION**
SCALE 1/4" = 1'-0"

NOTE:
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QUALIFICATION INFORMATION:
RON CRICKMORE RCIN: 41922
Ron Crickmore

No.	Date:	Issue/Revision	By:

Drawing Issues/Revisions:
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CRICKMORE DESIGN
11 Valwood Street, Ancaster, Ontario, Canada L9G 4M7
Tel: 905.879.8333

Consultant

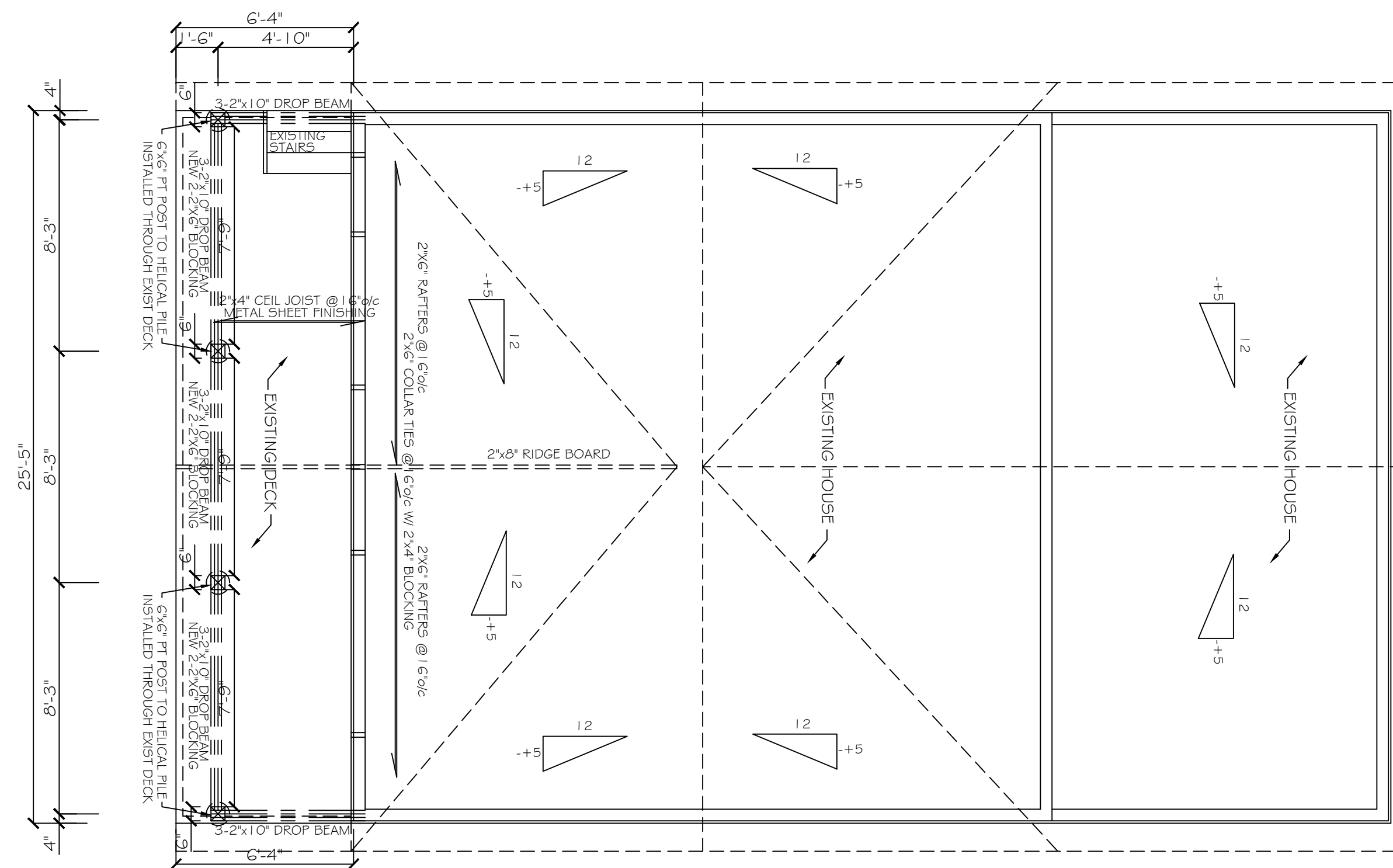
Project:
**LOUIS PARK
COVERED PORCH**
20 TOLTON AVE
HAMILTON ONTARIO

Sheet Title:
**COVERED PORCH PLAN
RIGHT SIDE ELEVATION**

Design By: RJC	Drawn By: RJC	Approved By: RJC
Scale: 1/4" = 1'-0"	Date: JAN 2022	Project No.: 21052

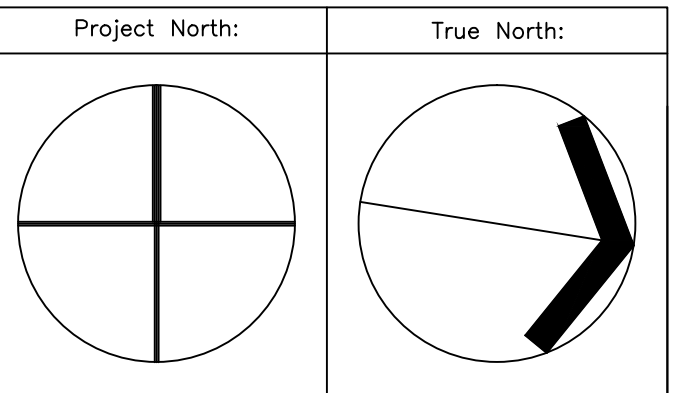
Drawing No:
A4

Drawing Series:



COVERED PORCH
FOUNDATION / MAIN FLOOR PLAN
SCALE 1/4" = 1'-0"

NOTE:
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QUALIFICATION INFORMATION:
RON CRICKMORE RCN: 41922

Ron Crickmore

No.	Date:	Issue/Revision	By:

Drawing Issues/Revisions:

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Tel: 905.879.8533

Consultant

Project:
**LOUIS PARK
COVERED PORCH**
20 TOLTON AVE
HAMILTON ONTARIO

Sheet Title:
COVERED PORCH PLAN

Design By: RJC	Drawn By: RJC	Approved By: RJC
Scale: 1/4" = 1'-0"	Date: JAN 2022	Project No.: 21052

Drawing No:

A1

Drawing Series:



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:

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:

Need to replace my roof structurally. I want to do it in a way to cover my EXISTING porch.
For covered porch, in bylaw 6593 states that setback must be 3m. My existing porch i want to cover is only 1.5m setback.

- Second Dwelling Unit Reconstruction of Existing Dwelling

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

My existing porch is only 1.5M setback.
As stated above i want to cover the existing porch with a new roof, that is structurally needing replaced anyway. As seen in amended drawings V3, i will also be moving the stairs from front of porch to side at driveway

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**):

20 Tolton Ave L8H 5N6 Hamilton Ontario Canada.
Lot #727 Normanhurst Addition Registered plan 640 .

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 8.1 to 8.10 above?

Residential neighborhood developed post war


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.

MAR, 16, 2022
Date


Signature Property Owner(s)

Lewis Park
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage 40'
Depth 94'
Area 3760'sq
Width of street 24'

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: _

One storey Frame dwelling, 39'x28'x15'11"h

Proposed

Replacing exiting roof (framing and all) and rebuild the peak to the front, covering the existing porch.

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

Existing:

Porch to property line is currently 4.93'
foundation to property line is 9.85'

Proposed:

Diamentions to property line will not change

13. Date of acquisition of subject lands:
 oct 2017
-
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 home
-
16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):
 single family home
-
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 yes
 Sanitary Sewer _____ Connected yes
 Storm Sewers _____
19. Present Official Plan/Secondary Plan provisions applying to the land:
 640
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
 89-203
21. Has the owner previously applied for relief in respect of the subject property? (Zoning By-law Amendment or Minor Variance)
 Yes No
 If yes, please provide the file number:

- 21.1 If a site-specific zoning by-law amendment has been received for the subject property, has the two-year anniversary of the by-law being passed expired?
 Yes No
- 21.2 If the answer is no, the decision of Council, or Director of Planning and Chief Planner that the application for Minor Variance is allowed must be included. Failure to do so may result in an application not being "received" for processing.
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 (please include separate sheet if needed)

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.