



Hamilton

COMMITTEE OF ADJUSTMENT

City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5

Telephone (905) 546-2424, ext. 4221, 3935

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-22:135	SUBJECT PROPERTY:	173 HOMEWOOD AVE HAMILTON
ZONE:	"D" (Urban Protected Residential)	ZONING BY-LAW:	Zoning By-law 6593, as Amended

APPLICANTS: **Owner Leigh Reid**

The following variances are requested:

1. A minimum side yard width of 0.45m shall be provided for a Detached Secondary Dwelling Unit instead of the minimum required 1.2m side yard width.
2. An unobstructed path leading from the front lot line to the Detached Secondary Dwelling Unit shall be a minimum 0.6m in width instead of the minimum required 1.0m wide unobstructed path.

PURPOSE & EFFECT: So as to permit the construction of a new Secondary Dwelling Unit – Detached in the rear yard of the existing Single Family Dwelling notwithstanding that:

Notes:

1. Please be advised that each parking space is required to be a minimum 2.7m x 6.0m in size. Insufficient information has been provided in order to determine zoning compliance.
2. The applicant shall be advised that the intended 0.45m side yard is also required to be unobstructed and not contain structures, walkways, sidewalks, hard surfaced material, and landscaping other than sod.

This Notice must be posted by the owner of any land which contains seven or more residential units so that it is visible to all residents.

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

DATE:	Thursday, May 26, 2022
TIME:	2:35 p.m.
PLACE:	Via video link or call in (see attached sheet for details)
	To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment

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

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

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.



DATED: May 10, 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, and may include posting electronic versions.



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PARTICIPATION PROCEDURES

Written Submissions

Members of the public who would like to participate in a Committee of Adjustment meeting are able to provide comments in writing or via email in advance of the meeting. Comments can be submitted by emailing cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5. **Comments must be received by noon two days before the Hearing.**

Comments can also be placed in the drop box which is located at the back of the 1st Floor of City Hall, 71 Main Street West. All comments received by noon two business days before the meeting will be forwarded to the Committee members.

Comments are available two days prior to the Hearing and are available on our website: www.hamilton.ca/committeeofadjustment

Oral Submissions During the Virtual Meeting

Members of the public are also able to provide oral comments regarding Committee of Adjustment Hearing items by participating through Webex via computer or phone. Participation in this format requires pre-registration in advance. **Interested members of the public must register by noon the day before the hearing.**

To register to participate by Webex either via computer or phone, please contact Committee of Adjustment staff by email cofa@hamilton.ca or by phone at 905-546-2424 ext. 4221. The following information is required to register: Committee of Adjustment file number that you wish to speak to, the hearing date, name and address of the person wishing to speak, if they will be connecting via phone or video, and if applicable the phone number they will be using to call in. A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting the Wednesday afternoon before the hearing. The link must not be shared with others as it is unique to the registrant.

All members of the public who register will be contacted by Committee Staff to confirm details of the registration prior to the Hearing and provide an overview of the public participation process.

We hope this is of assistance and if you need clarification or have any questions, please email cofa@hamilton.ca or by phone at 905-546-2424 ext. 4221.

Please note: Webex (video) participation requires either a compatible computer or smartphone and an application (app/program) must be downloaded by the interested party in order to participate. It is the interested party's responsibility to ensure that their device is compatible and operating correctly prior to the Hearing.

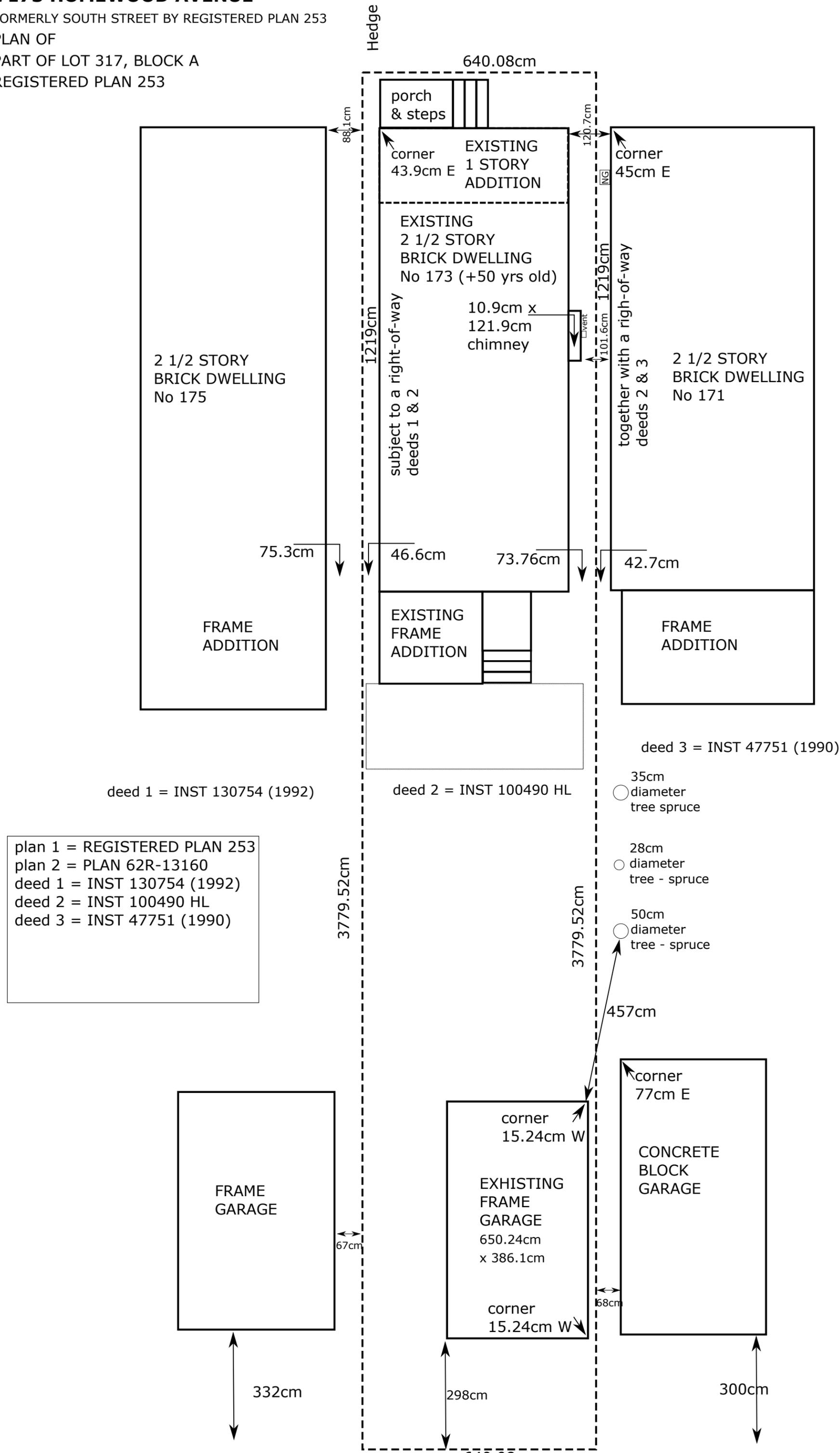
#173 HOMEWOOD AVENUE

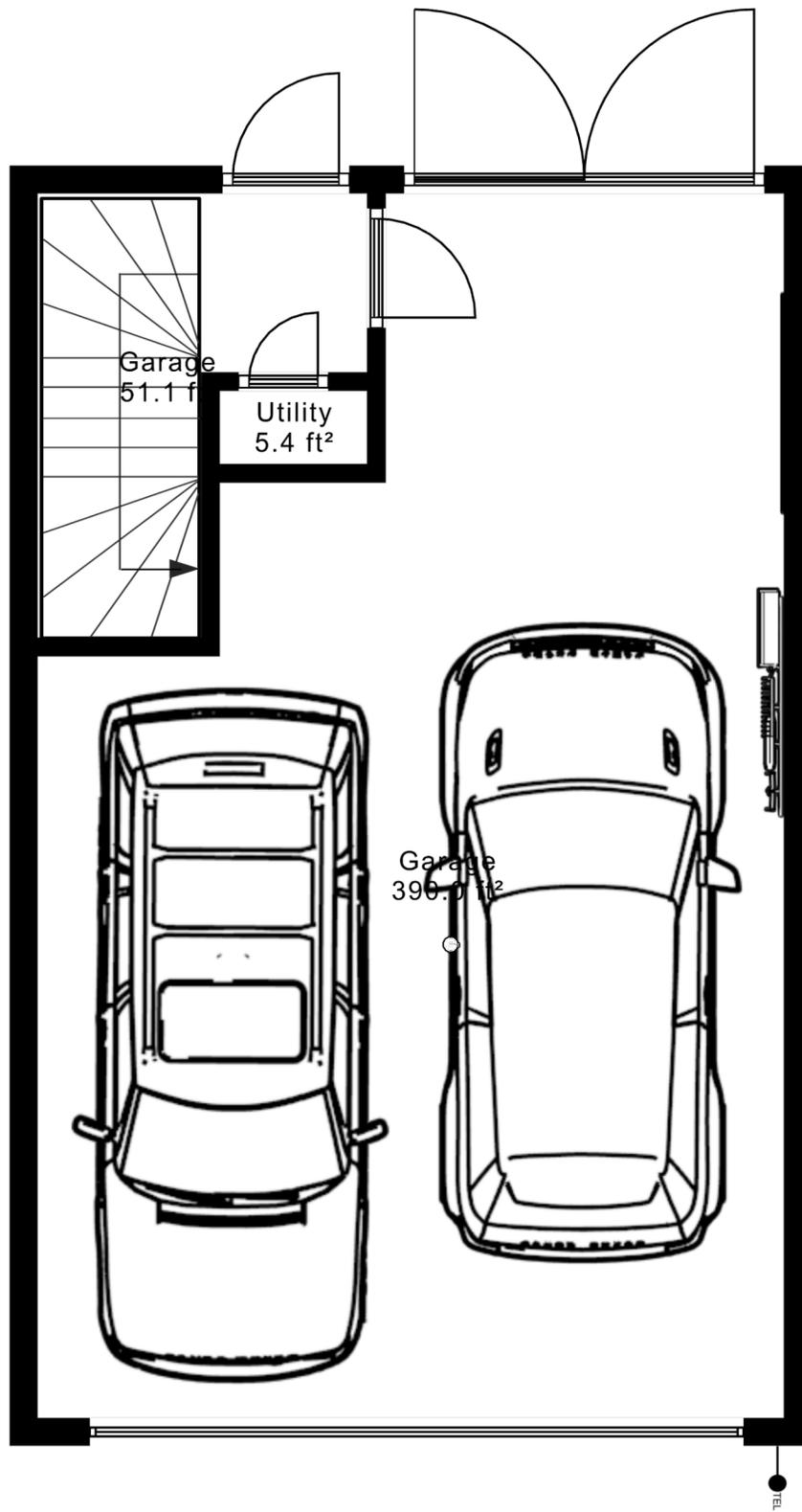
FORMERLY SOUTH STREET BY REGISTERED PLAN 253

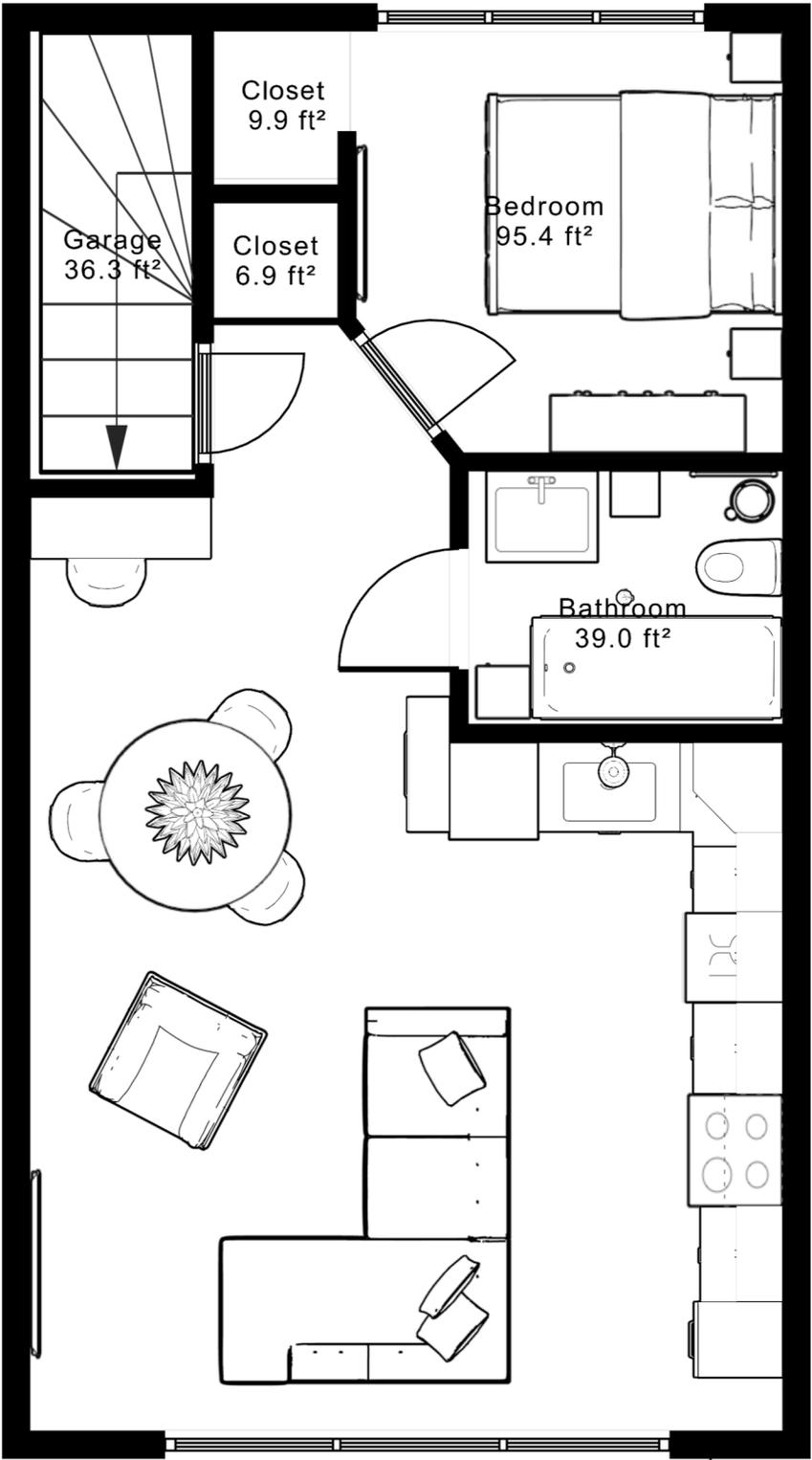
PLAN OF

PART OF LOT 317, BLOCK A

REGISTERED PLAN 253







Closet
9.9 ft²

Bedroom
95.4 ft²

Garage
36.3 ft²

Closet
6.9 ft²

Bathroom
39.0 ft²

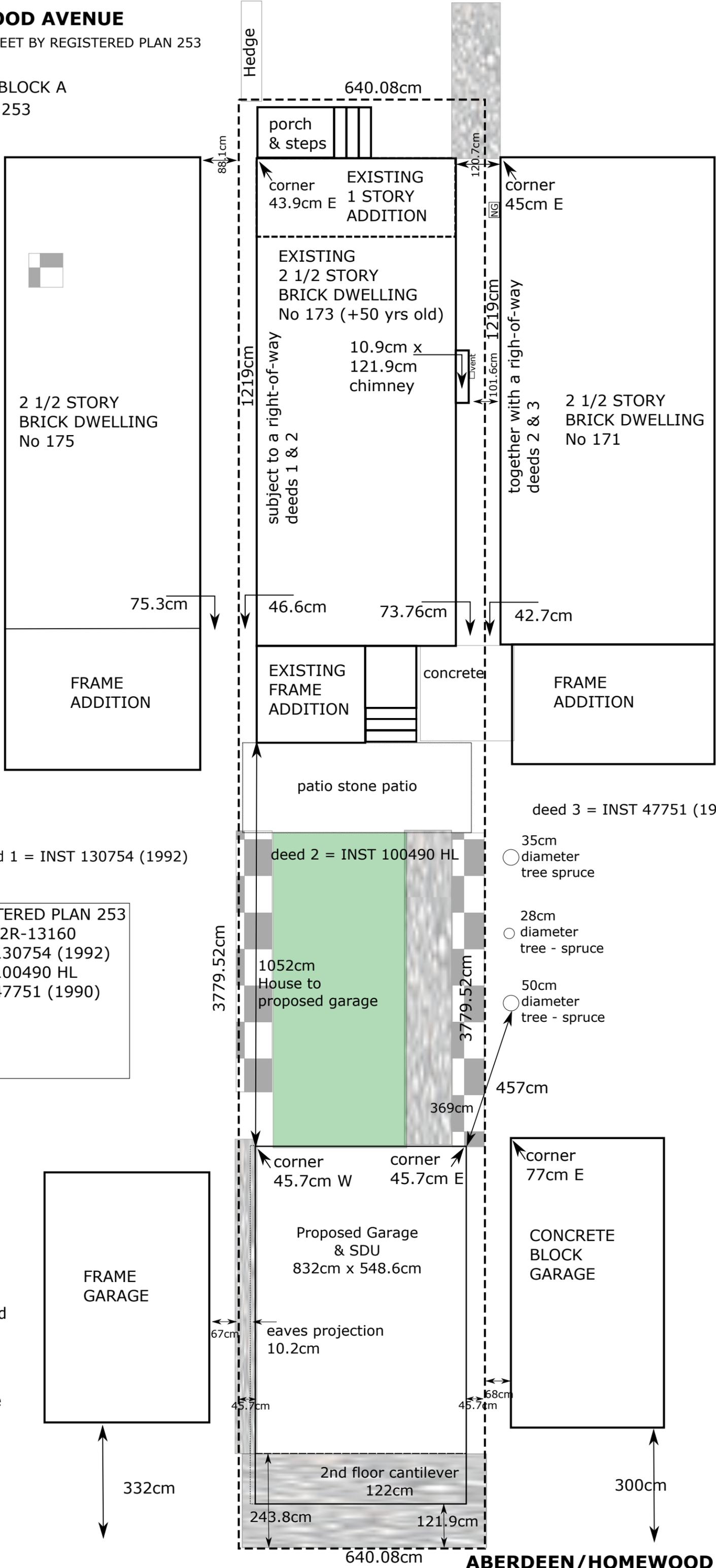
#173 HOMEWOOD AVENUE

FORMERLY SOUTH STREET BY REGISTERED PLAN 253
 PLAN OF
 PART OF LOT 317, BLOCK A
 REGISTERED PLAN 253



plan 1 = REGISTERED PLAN 253
 plan 2 = PLAN 62R-13160
 deed 1 = INST 130754 (1992)
 deed 2 = INST 100490 HL
 deed 3 = INST 47751 (1990)

-  Flower bed
-  Grass
-  Permeable Paver



deed 1 = INST 130754 (1992)

deed 3 = INST 47751 (1990)

EXISTING
 FRAME
 ADDITION

FRAME
 ADDITION

patio stone patio

deed 2 = INST 100490 HL

1052cm
 House to
 proposed garage

corner
 45.7cm W

corner
 45.7cm E

Proposed Garage
 & SDU
 832cm x 548.6cm

corner
 77cm E

CONCRETE
 BLOCK
 GARAGE

FRAME
 GARAGE

2nd floor cantilever
 122cm

ABERDEEN/HOMEWOOD LANEWAY

#173 HOMEWOOD AVENUE

FORMERLY SOUTH STREET BY REGISTERED PLAN 253

PLAN OF
PART OF LOT 317, BLOCK A
REGISTERED PLAN 253

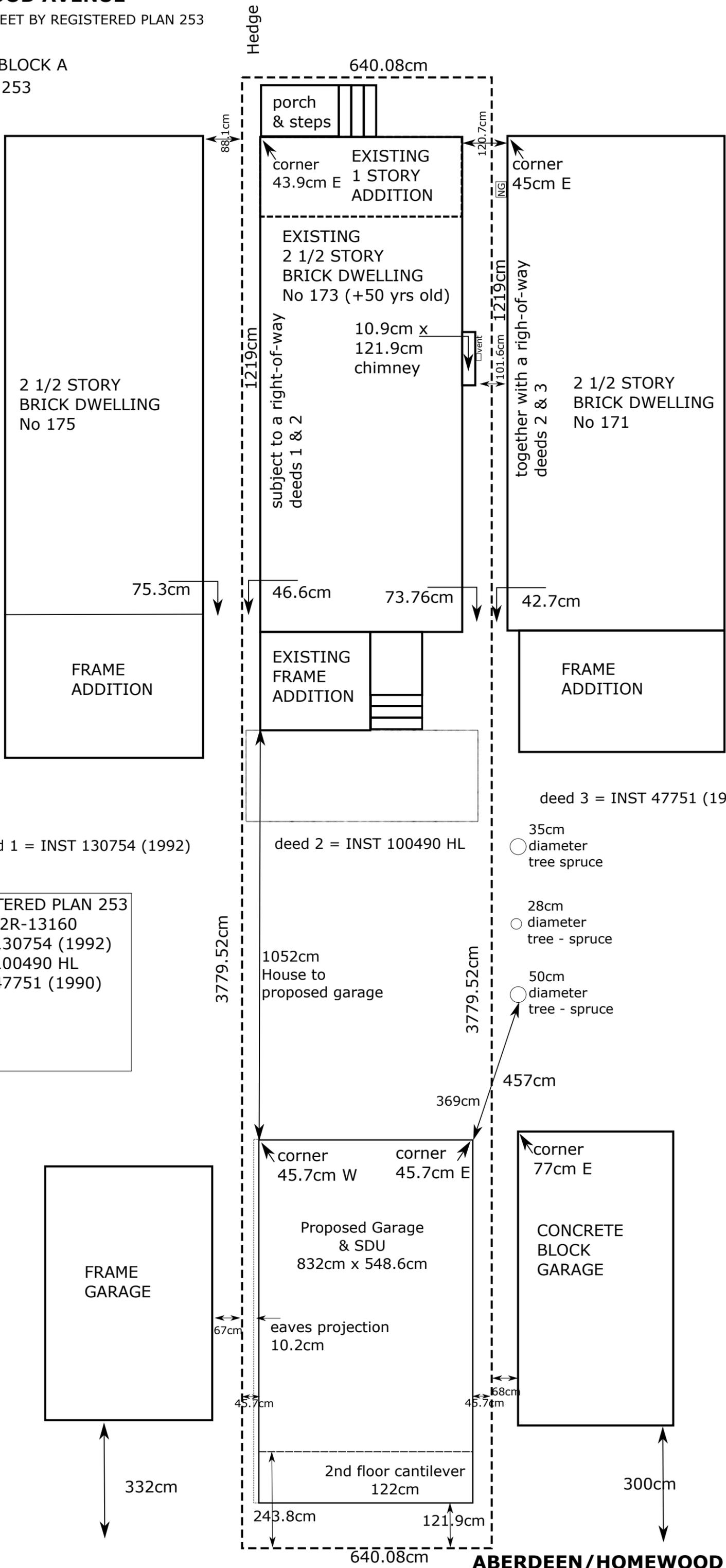


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Hedge

ABERDEEN/HOMEWOOD LANEWAY

Description	Width	Depth	Area	Setback (East)	Setback (West)	Setback (Rear)
173 Homewood Lot	640.08	3779.52	241.92 m ²	n/a	n/a	n/a
Existing House	520.6 cm	1219.2 cm	63.47 m ²	75.6 cm	46.6 cm	n/a
Existing Garage (To be replaced)	386.1 cm	650.24 cm	25.1 m ²	15.24 cm	231.7 cm	298.4 cm
Proposed Detached Garage (1 st story)	548.6 cm	872 cm	47.83 m ²	45.72 cm	45.72 cm	243.8
Proposed Detached SDU (2 nd story)	548.6 cm	994 cm	54.53 m ²	45.72 cm	45.72 cm	121.9
House lot coverage = 26.24%			SDU lot coverage = 22.54%			
Path to SDU	101.6 cm	2700 cm	House to SDU: 980 cm			
Garage/SDU Height:		6.0m				



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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:

MCAP Residential Mortgages 1-800-265-2624 400-200 King Street N. Toronto, ON M5H 3T4

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:

Demolish current garage which abuts a laneway and replace with a larger garage with SDU above. Relief to have sidelot setbacks reduced to 45.7 cm on both sides on lot.

*0.45m (1.48 feet) is the sidelot setback for accessory buildings.

Second Dwelling Unit Reconstruction of Existing Dwelling

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

Narrow lot, without setback reduction it would reduce parking in garage to 1 vehicle, lowering setback would permit 2 vehicles.

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**):

173 Homewood Ave.
PT LT 317, BLK A, PL253, AS IN VM152121, S/T & VM152121; Hamilton
PIN#17133-0195(LT)

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?

Age of house, neighbour has lived in his house for 60 years.

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.

April 7, 2022
Date

[Signature]
Signature Property Owner(s)

Leigh Reid
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage 640.08 cm (21')
Depth 3779.52 cm (141')
Area 241.92 m sq. (2961 sq. ft.)
Width of street _____

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: _

garage area = 25.1 m sq., 1 story
386.1cm x 650.24cm

Proposed

2 story garage with SDU (6m high)
1st floor = 548.6cm x 872cm (47.83 m sq.)
2nd floor = 548.6cm x 994cm (54.53 m sq.)
Gross Floor Area = 102.36 m sq.

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

Existing:

garage area = 25.1 m sq., 1 story
386.1cm x 650.24cm
Garage to house = 1122.7cm, Garage to rearlot line = 294.1cm
Garage to Sidelot line = 15 cm, 208.28 cm

Proposed:

2 story garage with SDU (6m high), 1st floor = 548.6cm x 872cm (47.83 m sq.)
2nd floor = 548.6cm x 994cm (54.53 m sq.), Gross Floor Area = 102.36 m sq.
Garage to house = 980 cm, Garage to rearlot line = 243.8 cm
2nd floor SDU = 121.9cm, Garage to sidelot line = 45.7 cm, 45.7 cm

13. Date of acquisition of subject lands:
December 2, 2014
-
14. Date of construction of all buildings and structures on subject lands:
> 50 years
-
15. Existing uses of the subject property (single family, duplex, retail, factory etc.):
Single family
-
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:
> 50 years
-
18. Municipal services available: (check the appropriate space or spaces)
- | | | | |
|----------------|------------|-----------|------------|
| Water | <u>Yes</u> | Connected | <u>Yes</u> |
| Sanitary Sewer | <u>Yes</u> | Connected | <u>Yes</u> |
| Storm Sewers | <u>Yes</u> | | |
-
19. Present Official Plan/Secondary Plan provisions applying to the land:
"Neighbourhoods"
-
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
19-307
-
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.