



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-22:139 | SUBJECT PROPERTY: | 100 AMELIA ST., HAMILTON |
| ZONE: | "C" (Urban Protected Residential) | ZONING BY-LAW: | Zoning By-law 6593, as Amended |

APPLICANTS: Agent Toms & McNally Designs
Owners Laurie Hornell & Pat Kennedy

The following variances are requested:

1. To permit the separate entrance and exit to the Secondary Dwelling Unit to be oriented towards the front lot line whereas the By – Law states that any separate entrance and exit to the Secondary Dwelling Unit shall be oriented toward the Flankage Lot Line, Interior Side Lot Line or Rear Lot Line.
2. A minimum Front Yard Depth of 3.8 m shall be provided instead of the minimum required front yard depth of 6.0 m.
3. A minimum easterly side yard width of 0.9 m shall be provided instead of the minimum required side yard width of 1.2 m.
4. A minimum front yard landscaped area of 31 % shall be provided instead of the requirement in the By-Law which states that no less than 50% of the gross area of the front yard shall be used for landscaped area excluding concrete asphalt, gravel, pavers, or other similar materials.
5. A minimum parking space length of 5.7 m shall be provided for all parking spaces instead of the minimum required parking space length of 6.0 m; and 6. A minimum manoeuvring space of 5.2 m shall be provided for the two covered parking spaces instead of the minimum required manoeuvring space aisle width of 6.0 m.

PURPOSE & EFFECT: To permit the construction of a New Single-Family Dwelling containing a Secondary Dwelling Unit.

Notes:

- i. Please be advised that the “Unfinished room” shown on the Basement Floor Plan for the Secondary Dwelling Unit, (Drawing A2a) shall not be used as a “Bedroom” as compliance will not be achieved, and further variances will be required.
- ii. Please note that variance # 2 has been written based on the closest part of the building shown as metal canopy which is considered to be part of the principle building.

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, June 9, 2022 |
| TIME: | 2:50 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 24, 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.



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

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.

SURVEYOR'S REAL PROPERTY REPORT

PART 1

PLAN OF

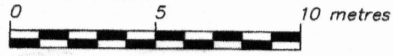
PART OF LOTS 29 AND 30

REGISTERED PLAN No. 275

IN THE

CITY OF HAMILTON

SCALE 1:200



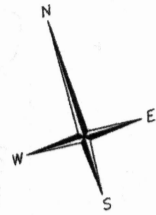
NICHOLAS P. MUTH O.L.S.

SURVEYOR'S REAL PROPERTY REPORT

PART 1 - PLAN E-18575A

PART 2

- SUBJECT PARCEL DESCRIBED AS THE WESTERLY 5.486m OF LOT 29 AND EASTERLY 6.706m OF LOT 30, REGISTERED PLAN 275 AND DESCRIBED IN INST. No. NS258266
- SUBJECT PARCEL NOT SUBJECT TO OR TOGETHER WITH ANY EASEMENTS OR RIGHTS OF WAYS
- PLEASE NOTE THE CONCRETE DRIVE ALONG THE EAST SIDE OF THE SUBJECT DWELLING ENDOACHES ONTO THE LANDS TO THE EAST A MAXIMUM OF 0.14 METRES
- PLEASE NOTE THE LOCATION OF THE HEDGE AND INTERLOCKING BRICK AND ASPHALT DRIVE RELATIVE TO THE WESTERN BOUNDARY
- PLEASE NOTE THE OVERHEAD UTILITY WIRES THAT SERVICE THE SUBJECT DWELLING CROSS OVER THE LANDS TO THE EAST



E-18575A

THIS REPORT WAS PREPARED FOR THE ESTATE OF ROSLYN TAKEFMAN

NOTE:
TIES ARE TAKEN TO FOUNDATION UNLESS OTHERWISE NOTED

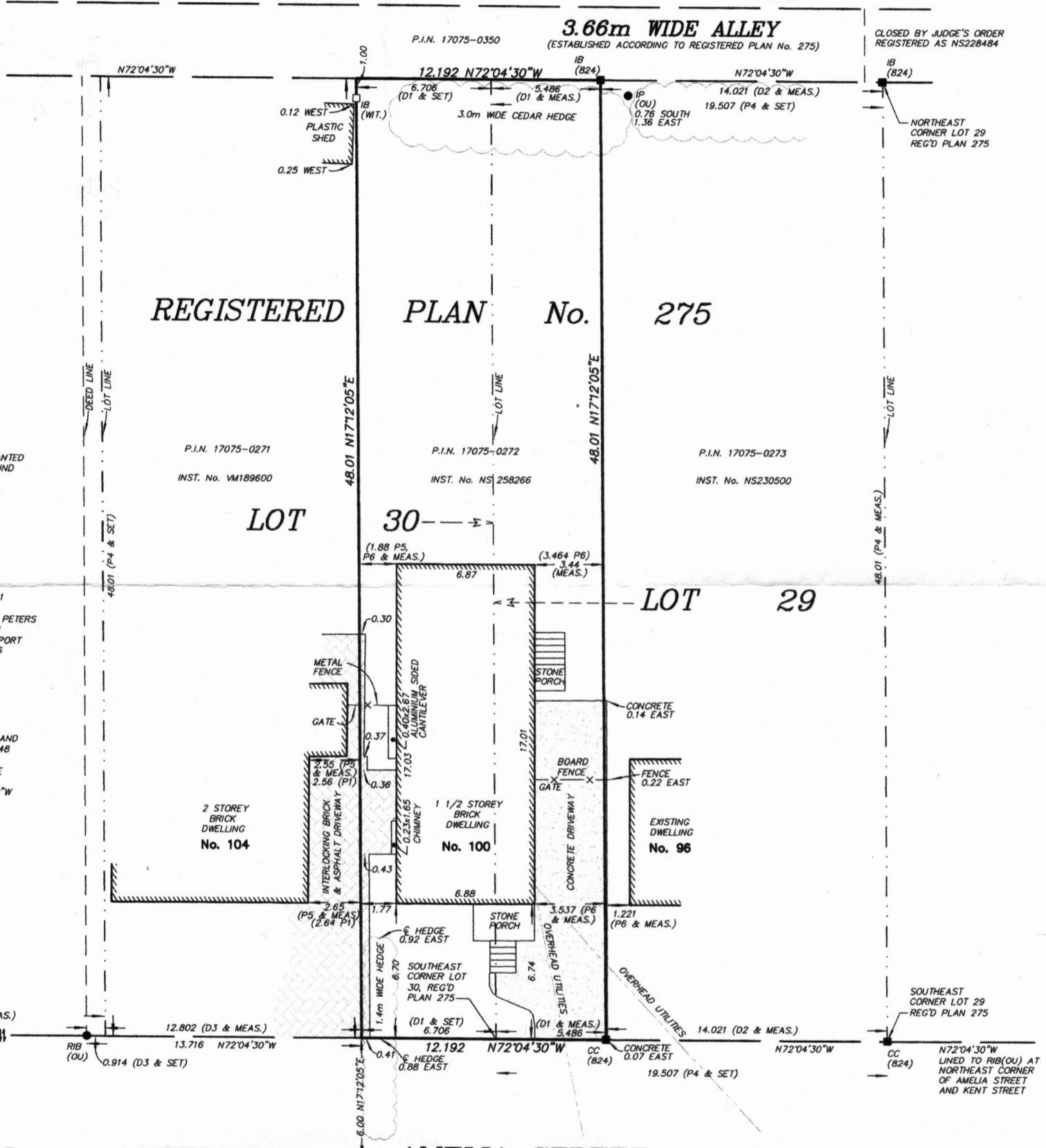
LEGEND:

- SIGN THUS □ DENOTES SURVEY MONUMENT PLANTED
- SIGN THUS ■ DENOTES SURVEY MONUMENT FOUND
- SIB DENOTES STANDARD IRON BAR
- RIB DENOTES ROUND IRON BAR
- IP DENOTES IRON PIPE
- IB DENOTES IRON BAR
- CC DENOTES CUT CROSS
- MEAS. DENOTES MEASURED
- (WT.) DENOTES WITNESS
- (824) DENOTES A. T. McLAREN, O.L.S.
- (912) DENOTES A. J. CLARKE, O.L.S.
- (OU) DENOTES ORIGIN UNKNOWN
- P1 DENOTES PLAN BY MACKAY & MACKAY DATED JUNE 24, 1959 & INDEXED Y-11401
- P4 DENOTES REGISTERED PLAN No. 275
- P5 DENOTES PLAN BY MACKAY & MACKAY & PETERS DATED MAY 24, 1984 & INDEXED Y-19199
- P6 DENOTES SURVEYOR'S REAL PROPERTY REPORT BY A. T. McLAREN DATED AUGUST 3, 2016 (DWG. No. 35036)
- D1 DENOTES INST. No. NS258266
- D2 DENOTES INST. No. NS230500
- D3 DENOTES INST. No. VM189600

METRIC:

DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

BEARINGS ARE ASTRONOMIC AND REFERRED TO THE NORTHERN LIMIT OF AMELIA STREET AS SHOWN ON PLAN 62R-14134 HAVING A BEARING OF N72°04'30"W



SURVEYOR'S CERTIFICATE:

- I CERTIFY THAT:
- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEY ACT, THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.
 - THE SURVEY WAS COMPLETED ON THE 13th DAY OF JUNE, 2019

JUNE 14, 2019
DATE

NPM
NICHOLAS P. MUTH
ONTARIO LAND SURVEYOR

ASSOCIATION OF ONTARIO LAND SURVEYORS
PLAN SUBMISSION FORM
2092260

THIS PLAN IS NOT VALID UNLESS IT IS AN EMBOSSED ORIGINAL COPY ISSUED BY THE SURVEYOR in accordance with Regulation 1026, Section 29(3).

AMELIA STREET

(ESTABLISHED ACCORDING TO REGISTERED PLAN No. 275)

P.I.N. 17075-0311

NOTE:
A. J. CLARKE & ASSOCIATES LTD. is not liable for use of this REPORT by any party or parties for FUTURE TRANSACTIONS or for any unrelated purposes.
This REPORT reflects conditions at time of survey. UPDATING may be required to issue ADDITIONAL COPIES subsequent to DATE of the SURVEYOR'S CERTIFICATE.

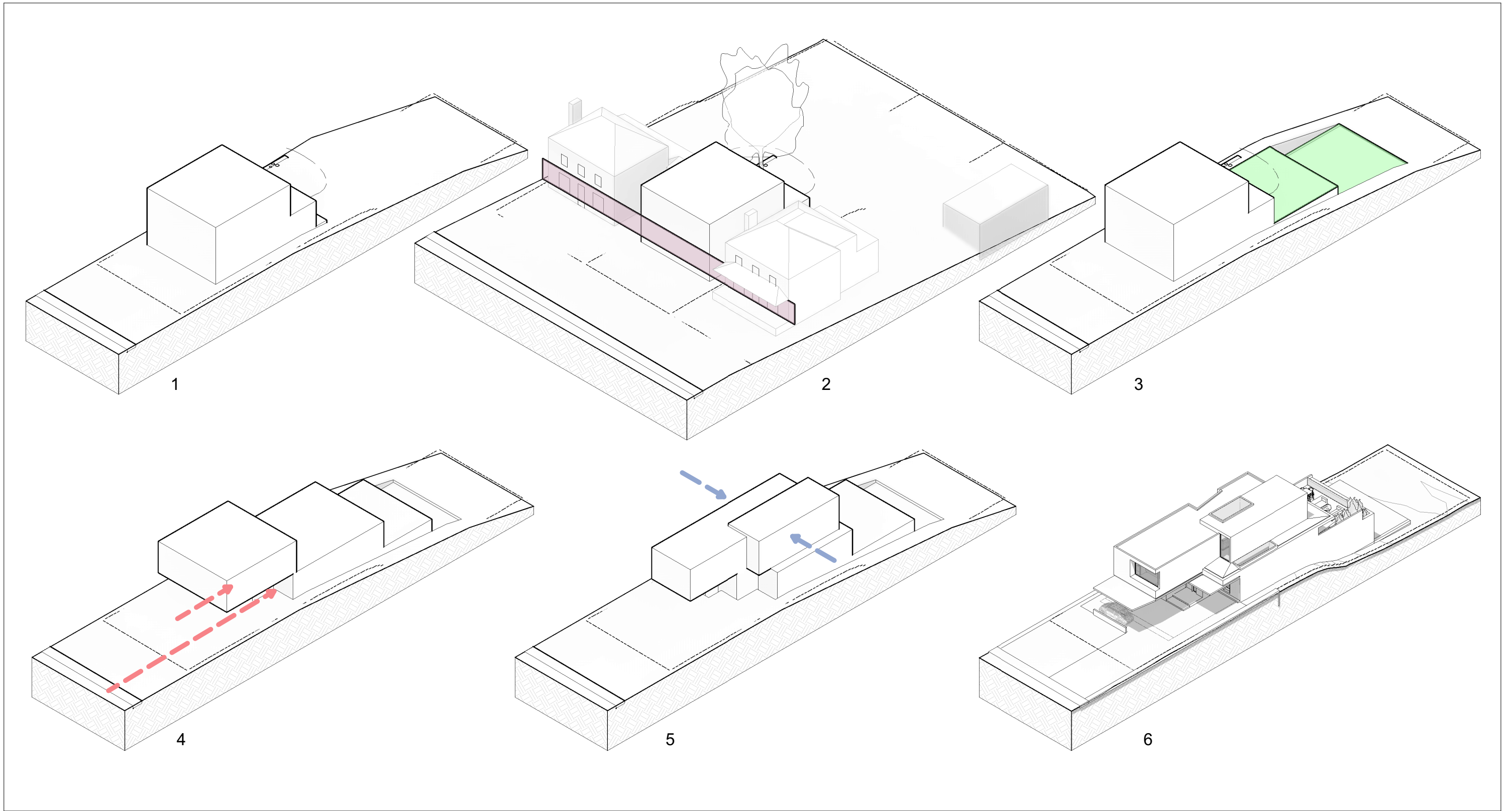
A. J. Clarke and Associates Ltd.
SURVEYORS • PLANNERS • ENGINEERS
25 MAIN STREET WEST, SUITE 300
HAMILTON, ONTARIO, L8P 1H1
TEL. 905-528-8761 FAX 905-528-2289
email: ajc@ajclarke.com

© COPYRIGHT, 2019 A. J. CLARKE & ASSOCIATES LTD.
THE REPRODUCTION, ALTERATION OR USE OF THIS REPORT, IN WHOLE OR IN PART, WITHOUT THE EXPRESS PERMISSION OF A. J. CLARKE & ASSOCIATES LTD. IS STRICTLY PROHIBITED.

PROJECT No. 188114

H:\Jobs\W-to-S\RP\275\LOT29\E-18575A.dwg

E-18575A



SCHEME DIAGRAM
22/04/05

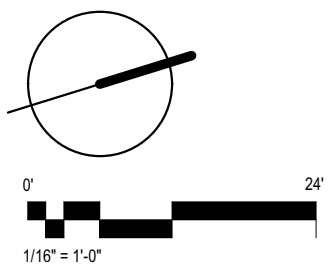
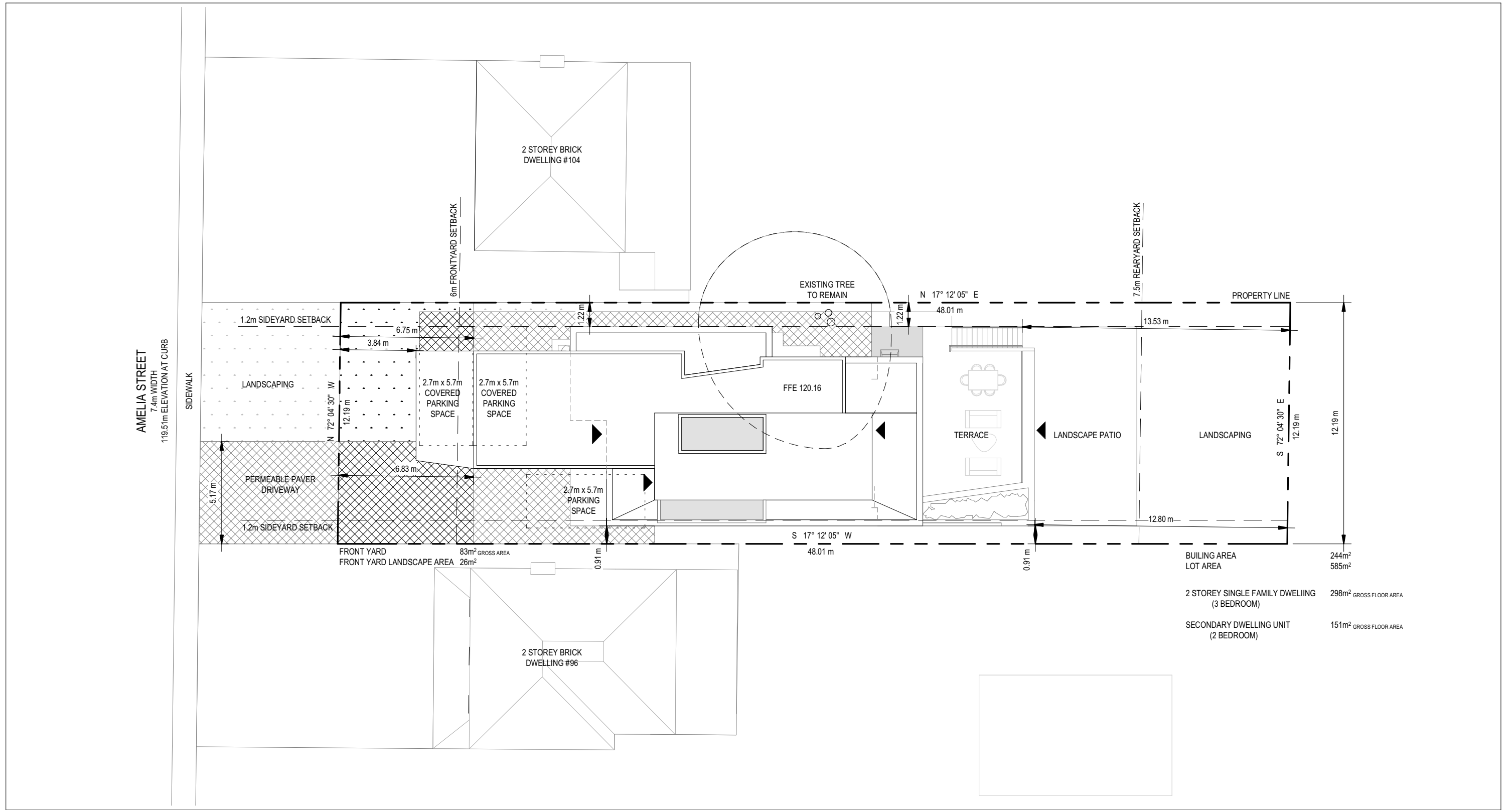
A0



100 AMELIA ST
100 AMELIA STREET, HAMILTON, ON

TOMS + MCNALLY
DESIGN | ARCHITECTURE | URBANISM | CONSTRUCTION

145 King Street East | Hamilton | L8N1B1 | 289 768 2211
www.toms-mcnally.ca

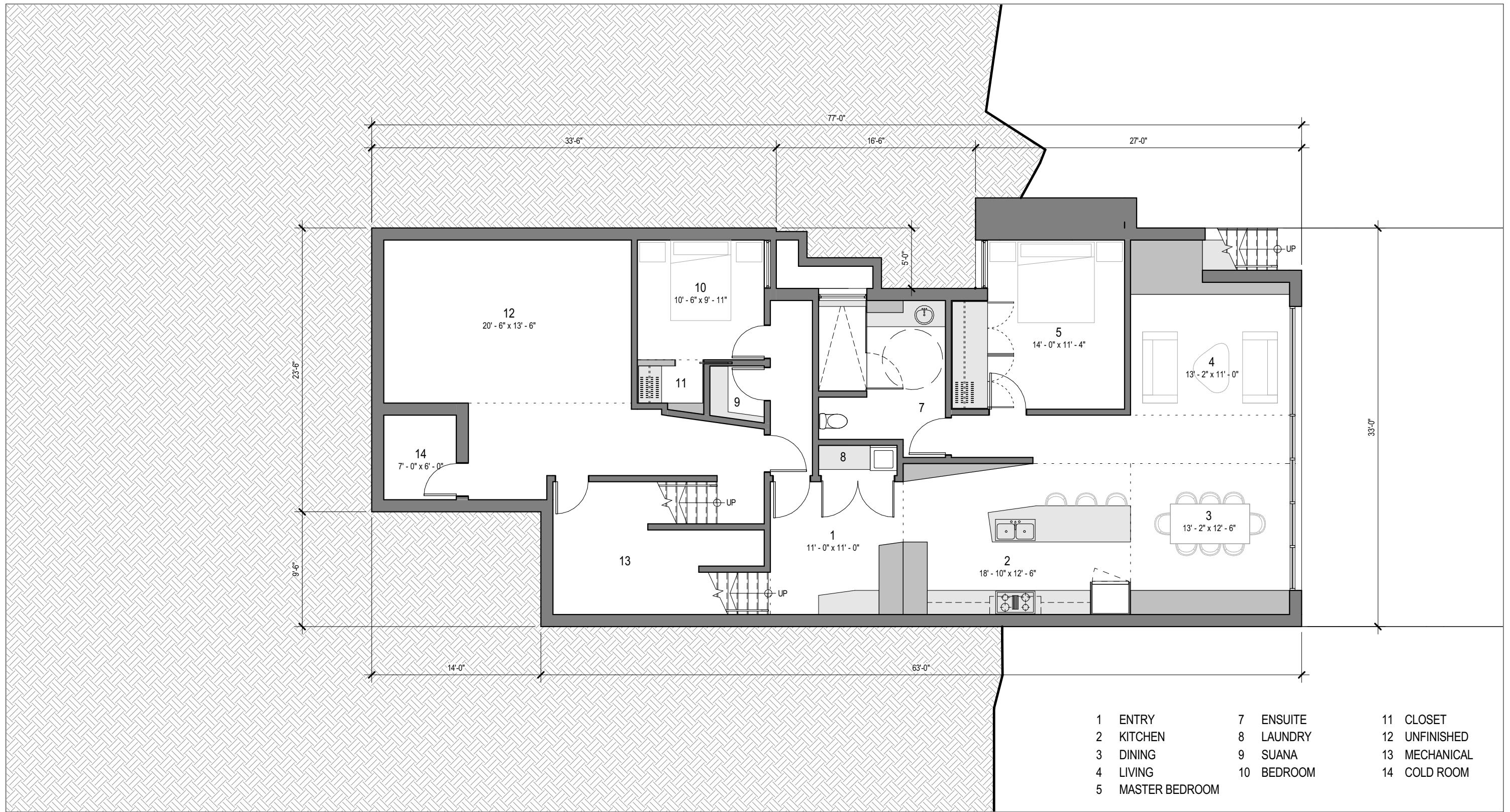


SITE PLAN
22/04/05

A1

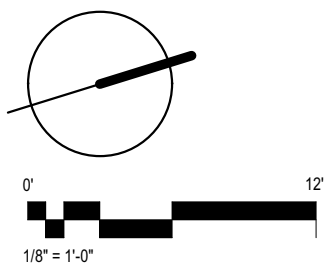
100 AMELIA ST
100 AMELIA STREET, HAMILTON, ON

TOMS + MCNALLY
DESIGN | ARCHITECTURE | URBANISM | CONSTRUCTION



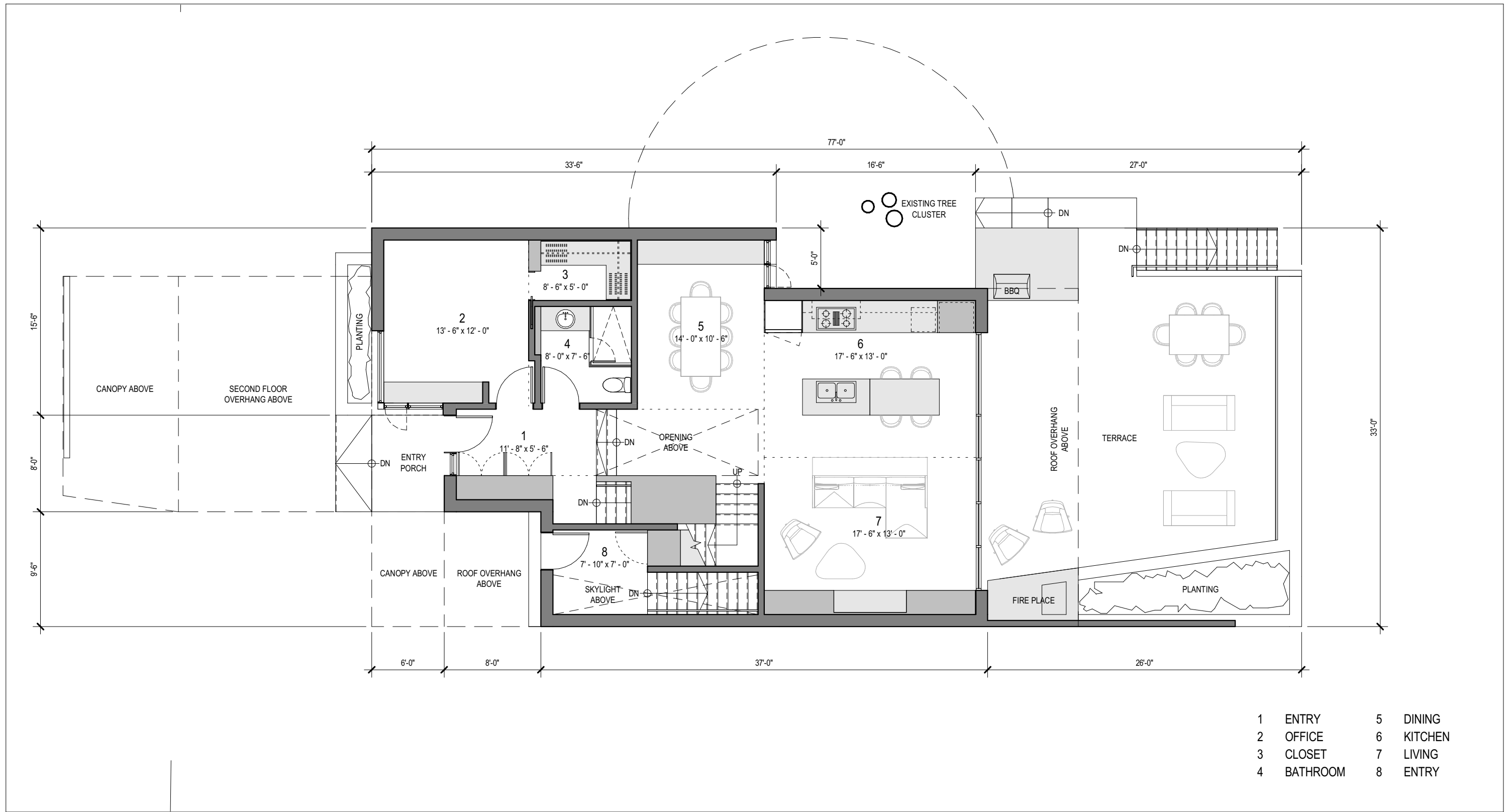
FLOOR PLAN (BASEMENT)
22/04/05

A2a



100 AMELIA ST
100 AMELIA STREET, HAMILTON, ON

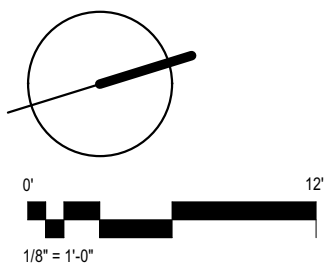
TOMS + MCNALLY
DESIGN | ARCHITECTURE | URBANISM | CONSTRUCTION



- | | | | |
|---|----------|---|---------|
| 1 | ENTRY | 5 | DINING |
| 2 | OFFICE | 6 | KITCHEN |
| 3 | CLOSET | 7 | LIVING |
| 4 | BATHROOM | 8 | ENTRY |

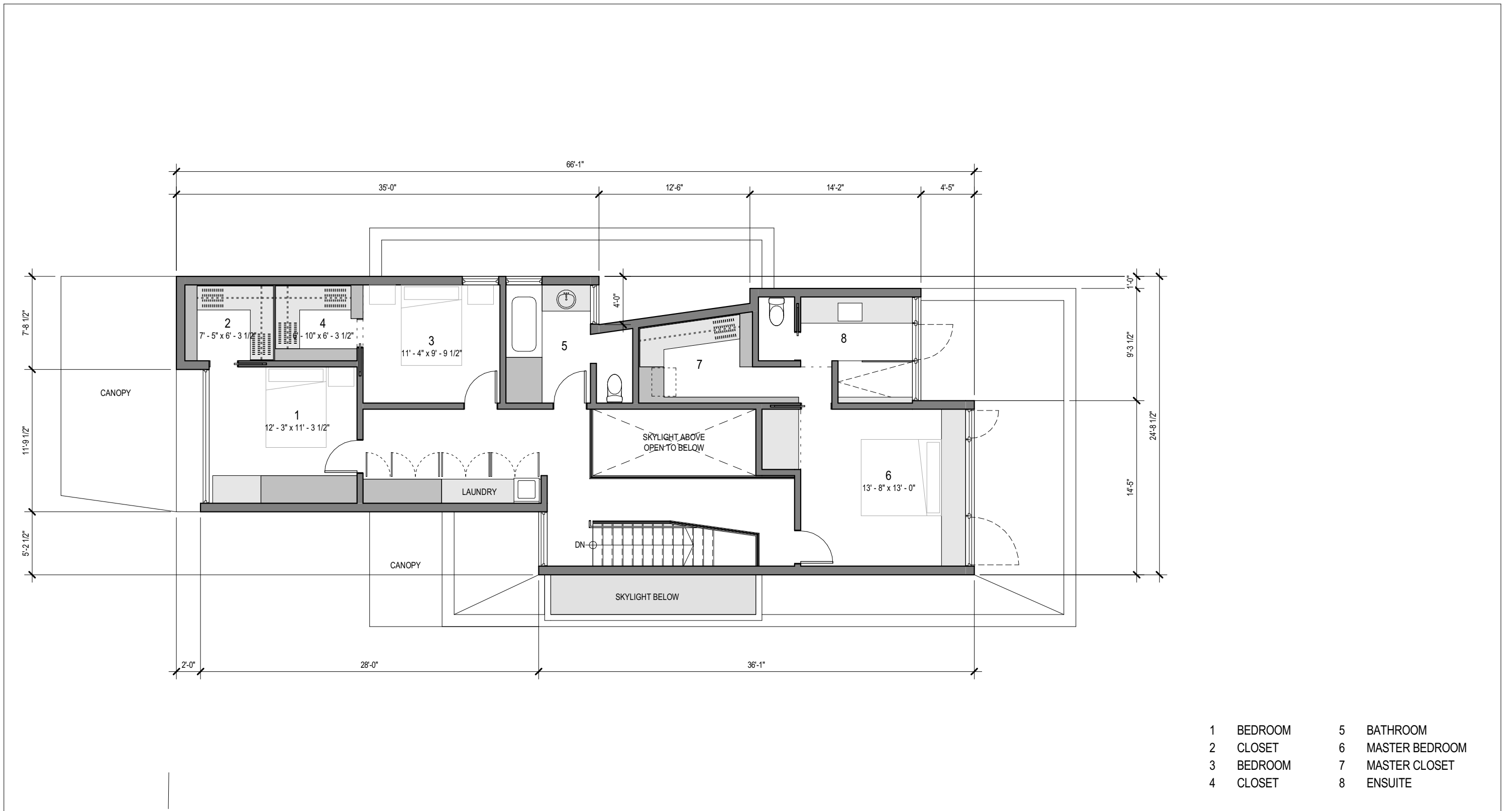
FLOOR PLAN (GROUND)
22/04/05

A2b

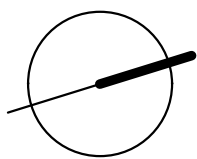


100 AMELIA ST
100 AMELIA STREET, HAMILTON, ON

TOMS + MCNALLY
DESIGN | ARCHITECTURE | URBANISM | CONSTRUCTION



- | | | | |
|---|---------|---|----------------|
| 1 | BEDROOM | 5 | BATHROOM |
| 2 | CLOSET | 6 | MASTER BEDROOM |
| 3 | BEDROOM | 7 | MASTER CLOSET |
| 4 | CLOSET | 8 | ENSUITE |

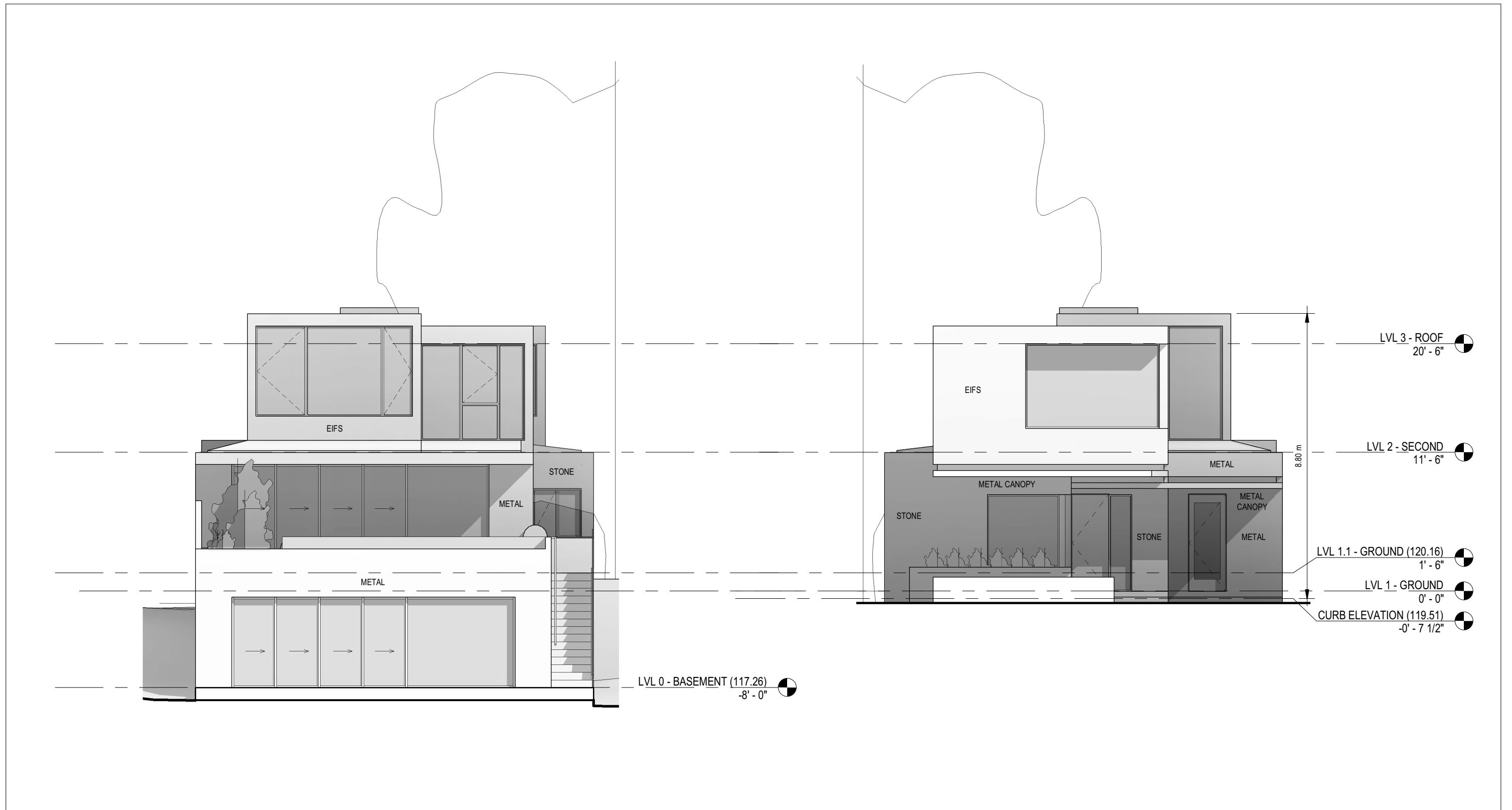


FLOOR PLAN (SECOND)
22/04/05

A2c

100 AMELIA ST
100 AMELIA STREET, HAMILTON, ON

TOMS + MCNALLY
DESIGN | ARCHITECTURE | URBANISM | CONSTRUCTION



NORTH AND SOUTH (FRONT AND REAR) ELEVATIONS
22/04/05

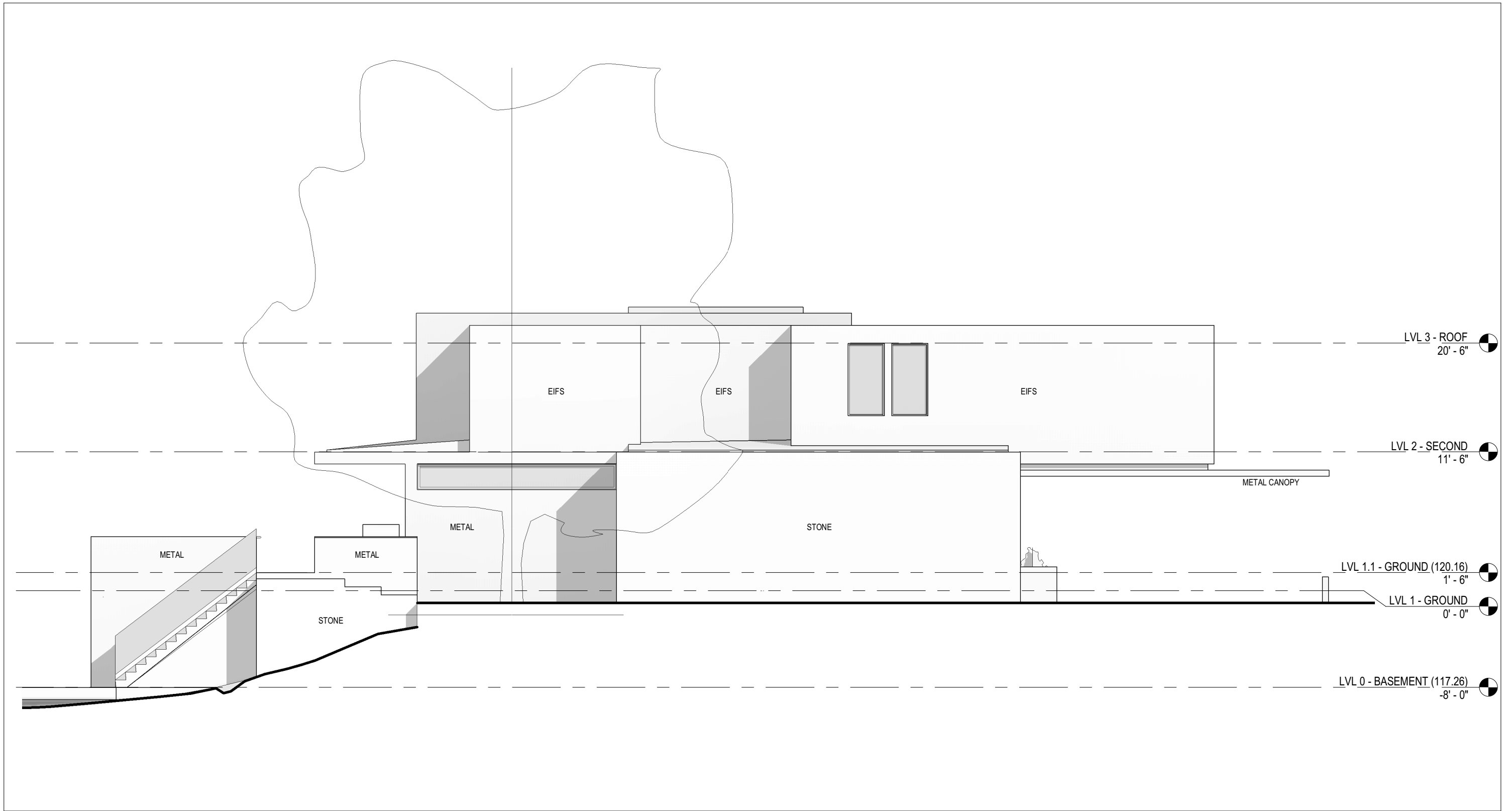
A4a



100 AMELIA ST
100 AMELIA STREET, HAMILTON, ON

TOMS + MCNALLY
DESIGN | ARCHITECTURE | URBANISM | CONSTRUCTION

145 King Street East | Hamilton | L8N1B1 | 289 768 2211
www.toms-mcnally.ca



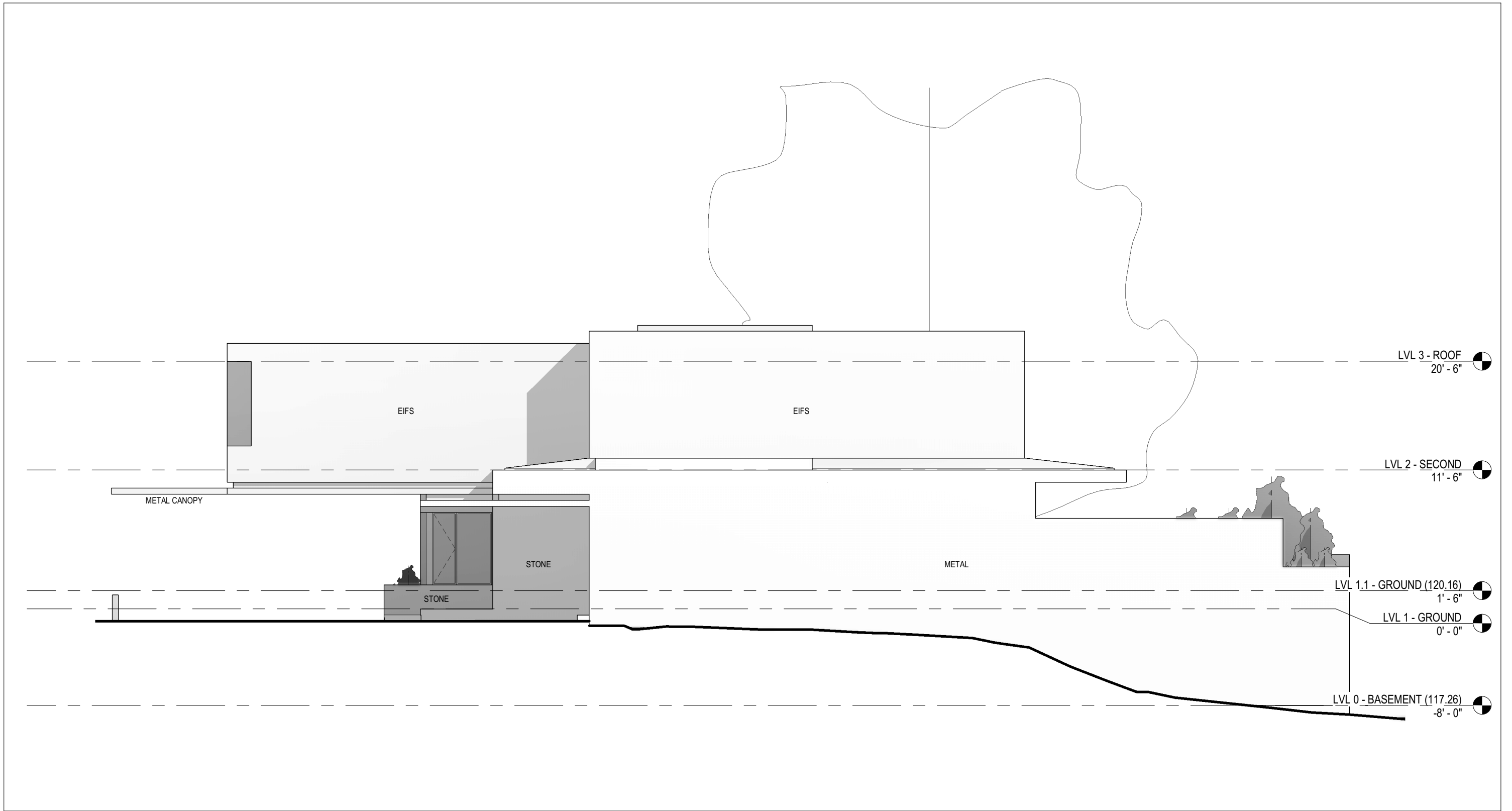
WEST (LEFT) ELEVATION
22/04/05

A4b



100 AMELIA ST
100 AMELIA STREET, HAMILTON, ON

TOMS + MCNALLY
DESIGN | ARCHITECTURE | URBANISM | CONSTRUCTION



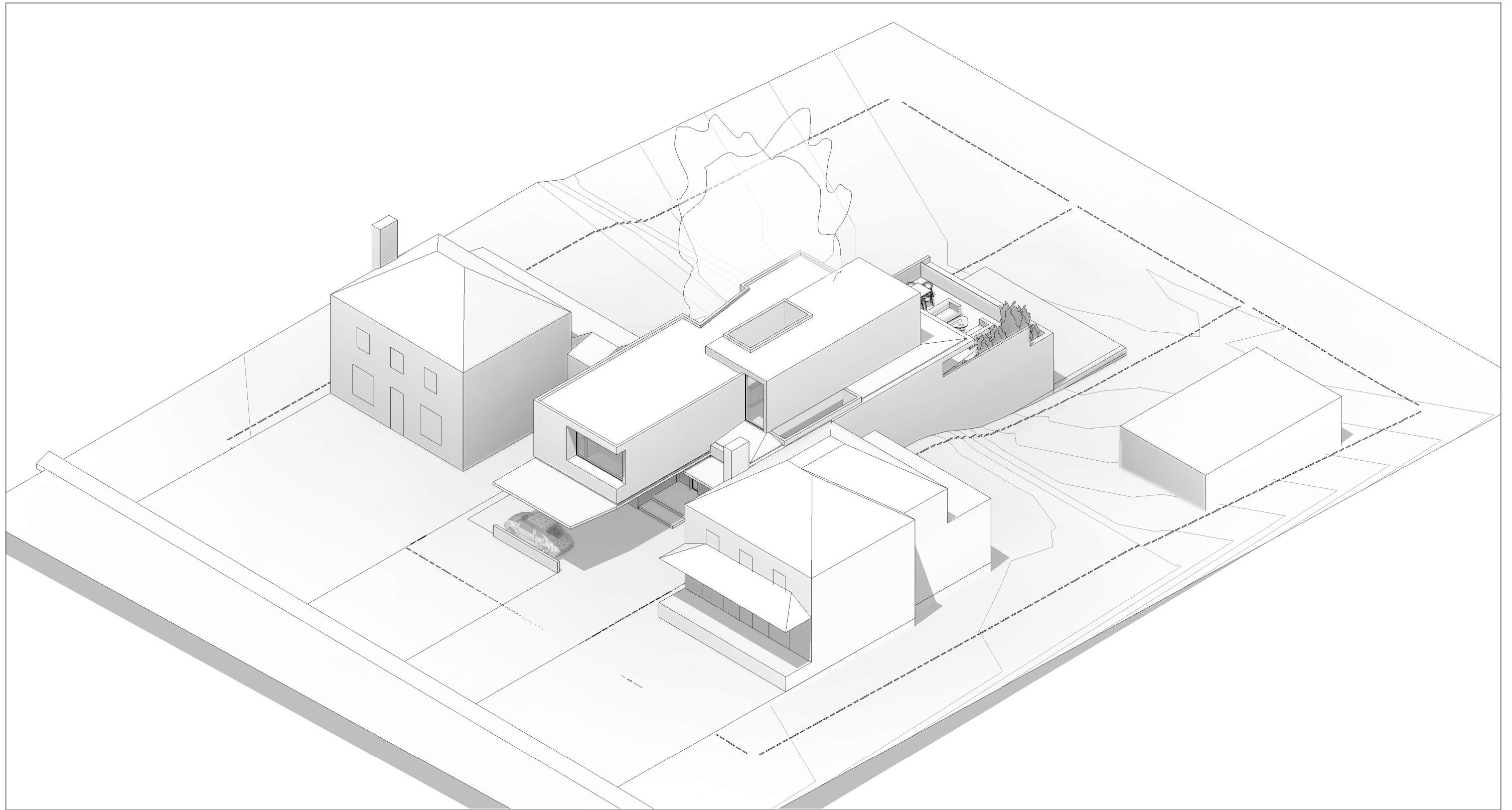
EAST (RIGHT) ELEVATION
22/04/05

A4c



100 AMELIA ST
100 AMELIA STREET, HAMILTON, ON

TOMS + MCNALLY
DESIGN | ARCHITECTURE | URBANISM | CONSTRUCTION



AXOMETRIC FRONT
22/04/05

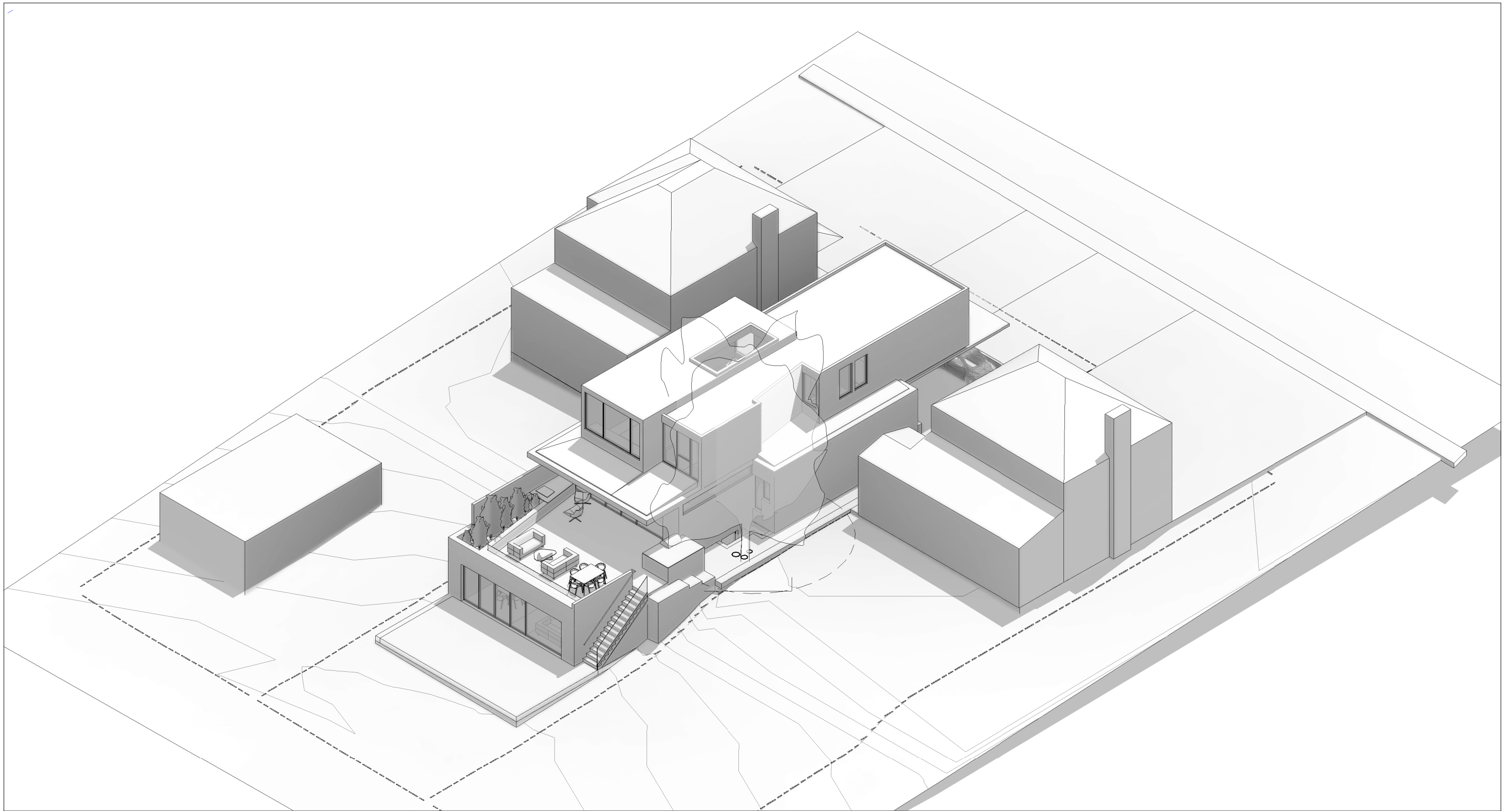
A12a



100 AMELIA ST
100 AMELIA STREET, HAMILTON, ON

TOMS + MCNALLY
DESIGN | ARCHITECTURE | URBANISM | CONSTRUCTION

145 King Street East | Hamilton | L8N1B1 | 289 768 2211
www.toms-mcnally.ca



AXOMETRIC REAR
22/04/05

A12b



100 AMELIA ST
100 AMELIA STREET, HAMILTON, ON

TOMS + MCNALLY
DESIGN | ARCHITECTURE | URBANISM | CONSTRUCTION

145 King Street East | Hamilton | L8N1B1 | 289 768 2211
www.toms-mcnally.ca



PRESPECTIVE FRONT
22/04/05

A12c

100 AMELIA ST
100 AMELIA STREET, HAMILTON, ON

TOMS + MCNALLY
DESIGN | ARCHITECTURE | URBANISM | CONSTRUCTION

145 King Street East | Hamilton | L8N1B1 | 289 768 2211
www.toms-mcnally.ca



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:

| |
|--|
| Royal bank of Canada Locke street Hamilton |
|--|

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. Side yard setback of 0.9m for the east lot line.
- 2. Front yard landscaped area of 31%.
- 3. Minimum parking dimension of 2.7m x 5.7m
- 4. Secondary entrance oriented toward the front lot line.

Second Dwelling Unit Reconstruction of Existing Dwelling

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

Site is uncharacteristically narrow for the neighborhood. Therefore, space for a side yard facing secondary entrance is unavailable.
An attempt is being made to align the front of the proposed dwelling with the adjacent properties, reducing front yard space for landscaping and parking.

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 Lots 29 and 30 Registered Plan No. 275 in the City of Hamilton 100 Amelia Street

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?

The subject lands and surrounding lands have historically been used for residential purposes.

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.

Apr 06 2022

Date

Laurie Hornell Pat Kennedy

Signature Property Owner(s)

Laurie Hornell Pat Kennedy

Print Name of Owner(s)

10. Dimensions of lands affected:

| | |
|-----------------|-------------------|
| Frontage | 12.19m |
| Depth | 48.01m |
| Area | 585m ² |
| Width of street | ±20.1m |

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: _

Two storey residential building:
Ground floor area of approximately 116.5m²
Width and Length of approximately 6.88m and 17.02m

Proposed

Two storey residential building:
Ground floor area of 244m²
Gross floor area of 449m²
Height of 8.8m

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

Existing:

See attached survey

Proposed:

See attached site plan

13. Date of acquisition of subject lands:
September 2019
14. Date of construction of all buildings and structures on subject lands:
±1950
15. Existing uses of the subject property (single family, duplex, retail, factory etc.):
Residential - Single family
16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):
Residential - Single family
17. Length of time the existing uses of the subject property have continued:
Unknown - Indefinite
18. Municipal services available: (check the appropriate space or spaces)
Water Connected
Sanitary Sewer Connected
Storm Sewers Combined with Sewer
19. Present Official Plan/Secondary Plan provisions applying to the land:
Urban Hamilton Official Plans - Neighbourhoods
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
6593 Former Hamilton - Urban Protected Residential Etc. - C C/S-1787
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.