



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-22:219	SUBJECT PROPERTY:	83 JULIAN AVENUE, HAMILTON
ZONE:	“C” (Urban Protected Residential – Single Family Dwellings)	ZONING BY-LAW:	Zoning By-law former City of Hamilton 6593, as Amended

APPLICANTS: Owner – Ralph Bakker

The following variances are requested:

1. The porch shall be permitted to project into the entirety of the front yard and provide a minimum setback of 0.0 metres from the front lot line instead of the maximum 3.0 metre projection permitted and minimum 1.5 metre setback required from the front lot line.

PURPOSE & EFFECT: So as to permit the location of the roofed over unenclosed front porch and provide a 0.0 m setback from the front lot line instead of the minimum required 3.0 m and 1.5 m from the street line:

Notes:

i. The variance request does not specify exact setbacks of the proposed porch and staircase to the property line. As such, the variance provided is based on a review of all materials provided.

ii. The provided sketch of the front porch and staircase does not match the survey as submitted with the Minor Variance application. Setbacks have been determined from a combination of measurements taken from both the submitted Sketch and Property Survey.

iii. Insufficient information has been provided to determine Front Yard Landscaping. Should the porch and staircase exceed the required minimum Front Yard Landscaping of 50%, additional variances may be required.

HM/A-22:219

iv. The materials submitted do not clearly indicate eaves projections from the front porch. Should any eaves project farther than the footprint of the porch as indicated in the drawing, additional variances may be required.

v. An encroachment agreement with the Roads Department may be required for any portion of the porch, including eaves and gutters, which may encroach beyond the property line.

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, July 28, 2022
TIME:	2:30 p.m.
PLACE:	Via video link or call in (see attached sheet for details)
	2nd floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton
	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
- Visit Committee of Adjustment staff at 5th floor City Hall, 71 Main St. W., Hamilton
- 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, calling in, or attending in person. Please see attached page for complete instructions, including deadlines for registering to participate virtually and instructions for check in to participate in person.



 Subject Lands

DATED: July 12, 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.**

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

Oral Submissions

Members of the public are also able to provide oral comments regarding Committee of Adjustment Hearing items by participating Virtually through Webex via computer or phone or by attending the Hearing In-person. Participation Virtually requires pre-registration in advance. Please contact staff for instructions if you wish to make a presentation containing visual materials.

1. Virtual Oral Submissions

Interested members of the public, agents, and owners must register by noon the day before the hearing to participate Virtually.

To register to participate Virtually by Webex either via computer or phone, please contact Committee of Adjustment staff by email cofa@hamilton.ca. The following information is required to register: Committee of Adjustment file number, hearing date, name and mailing address of each person wishing to speak, if participation will be by 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.

2. In person Oral Submissions

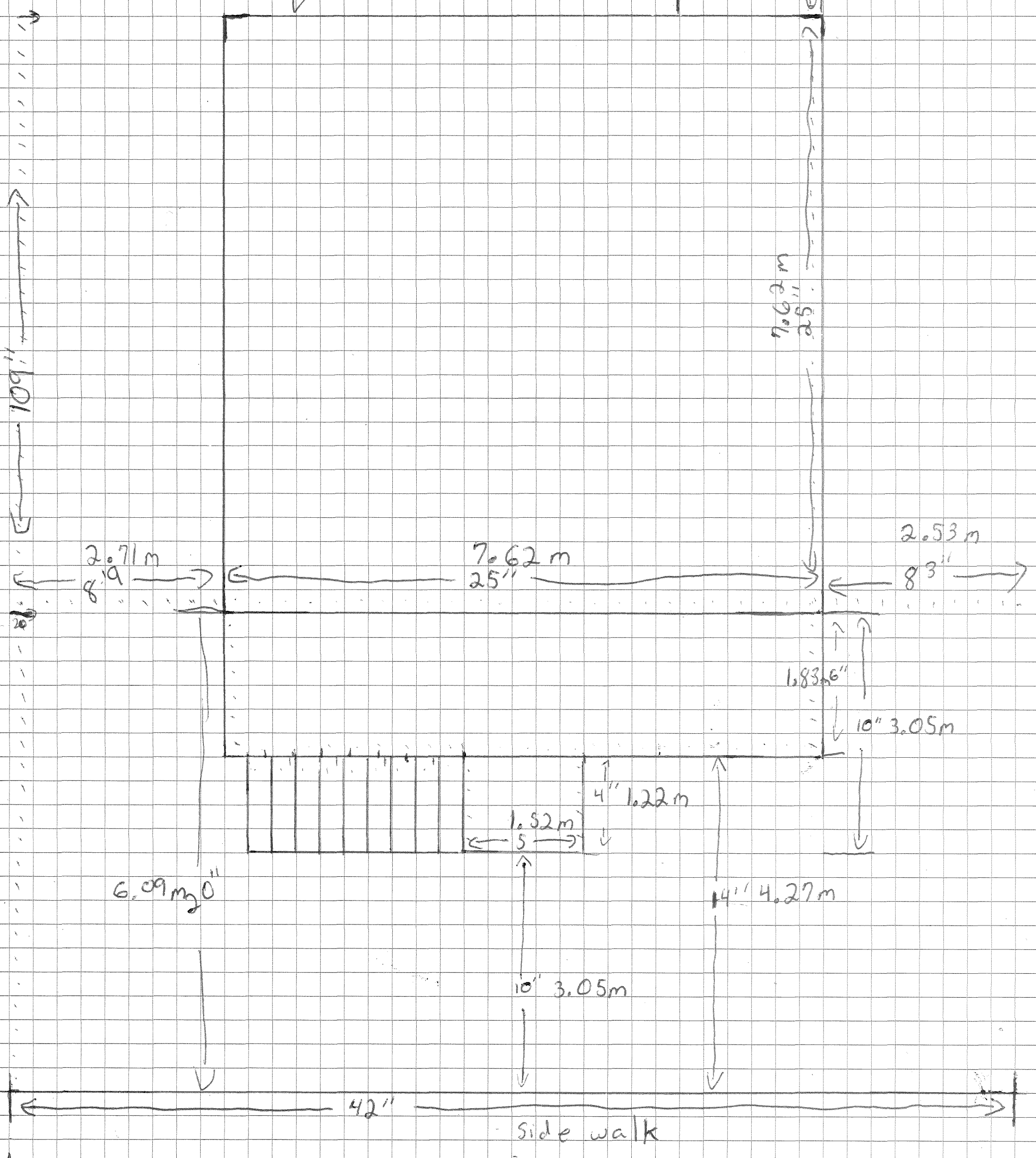
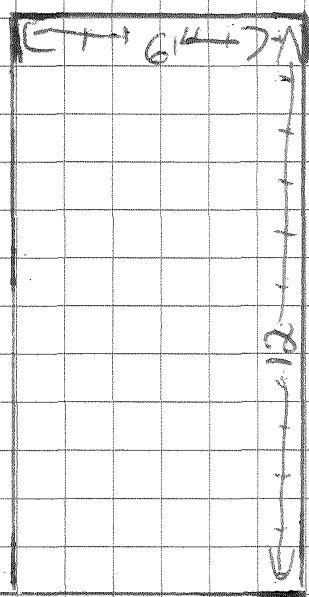
Interested members of the public, agents, and owners who wish to participate in person must sign in at City Hall room 222 (2nd floor) no less than 10 minutes before the time of the Public Hearing as noted on the Notice of Public Hearing.

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.

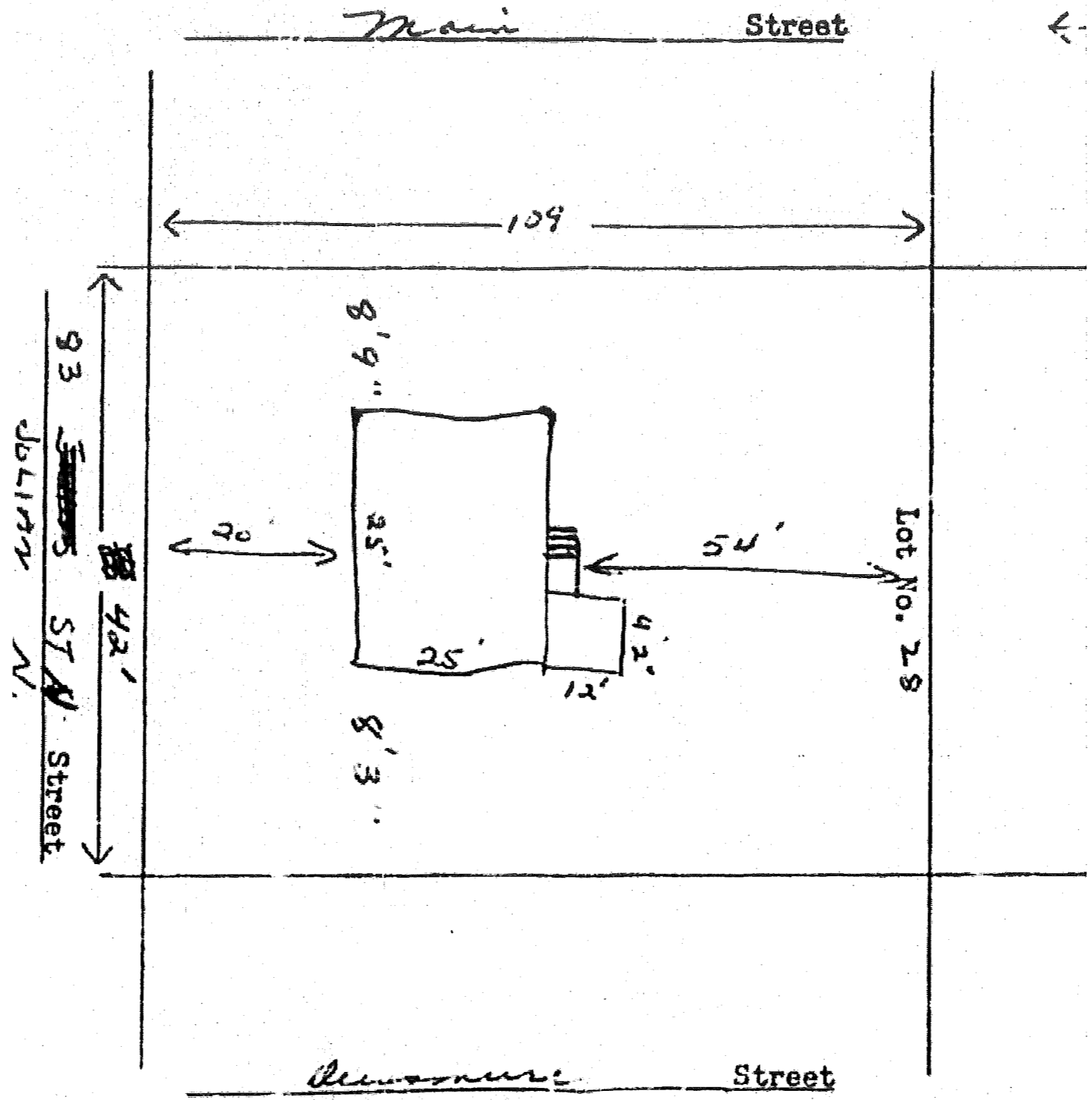
Ralph Bakker
83 Julian Ave
Lot 28
Hamilton on
L8H 5R6

54" 16.46 m



Julian Ave

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.



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MAY-23-1995 11:18 FROM REMAX GRAND TO LOT 20 LOT 21 LOT 27 P. 02 16631-5225734

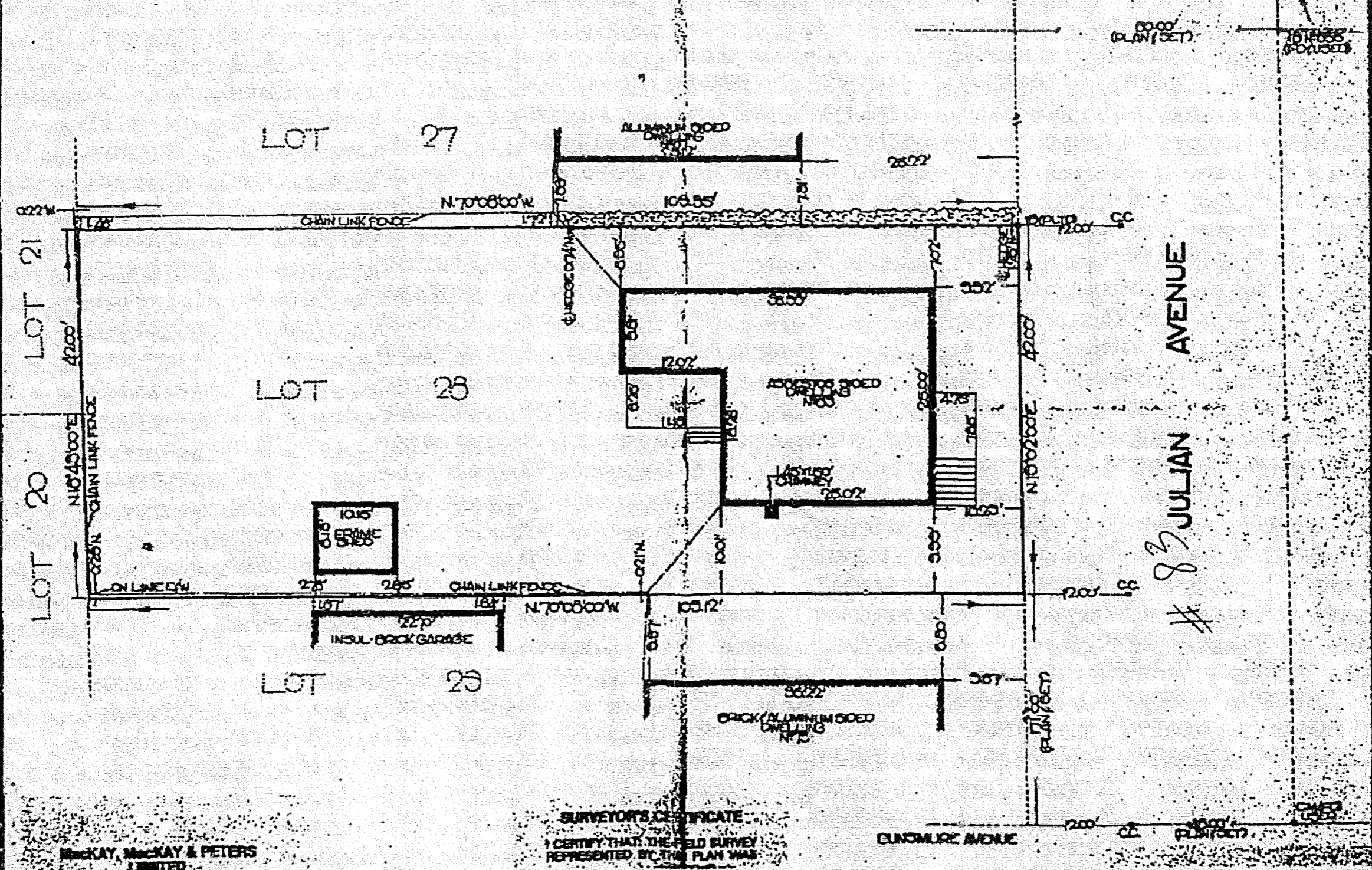
LOT 28 MURRAY PARK SW.
REGISTERED PLAN # 708
IN THE
CITY OF HAMILTON
SCALE 1"=10'

NOTE: READINGS ARE ASSUMED ASTRONOMIC AND ARE REFERRED TO THE EAST LINE OF JULIAN AVENUE ON A COURSE OF N107°20'00"E AS SHOWN ON REGISTERED PLAN # 708.

REGISTERED PLAN # 634

60.00' (PLAN) (SECT.)

101.665' (CONUSSES)



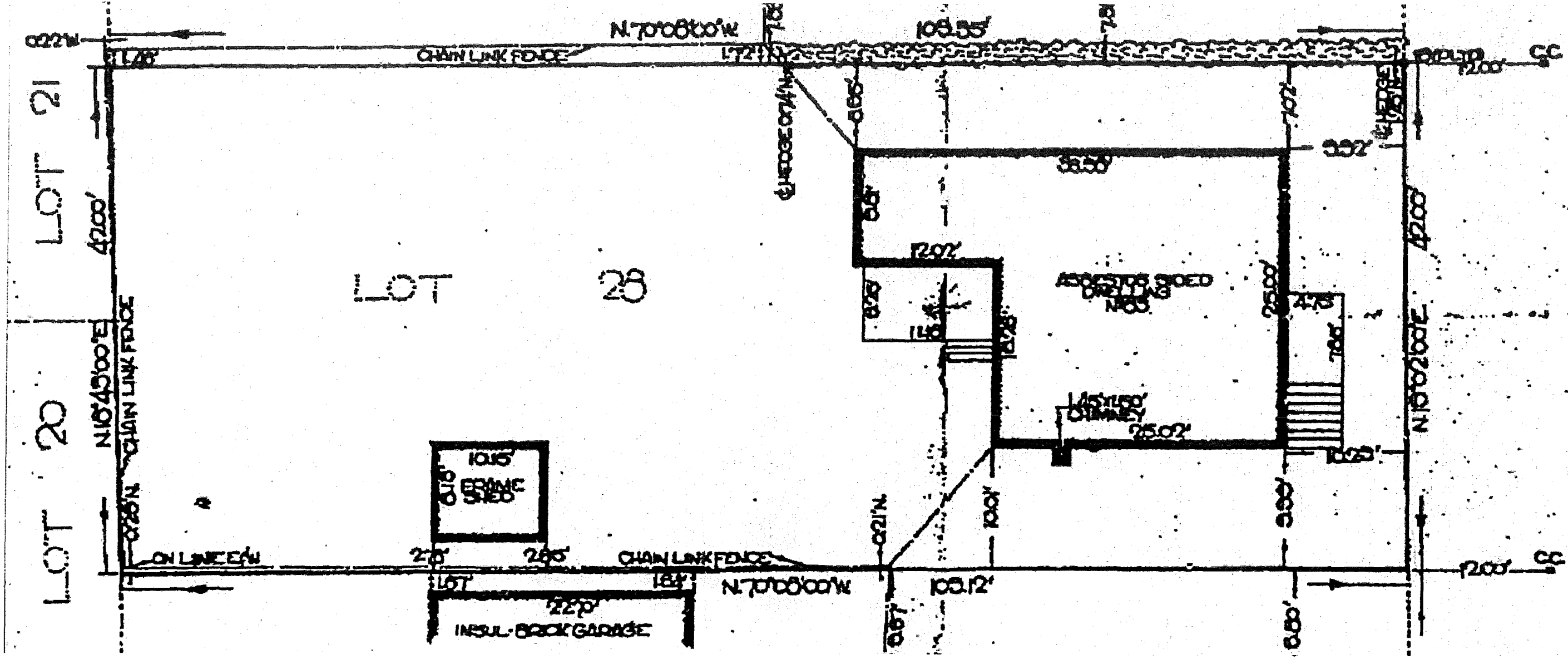
SURVEYOR'S CERTIFICATE
I CERTIFY THAT THE FIELD SURVEY REPRESENTED BY THIS PLAN WAS

MCKAY, MCKAY & PETERS LIMITED

JULIAN AVENUE
83

CUNNIFF AVENUE

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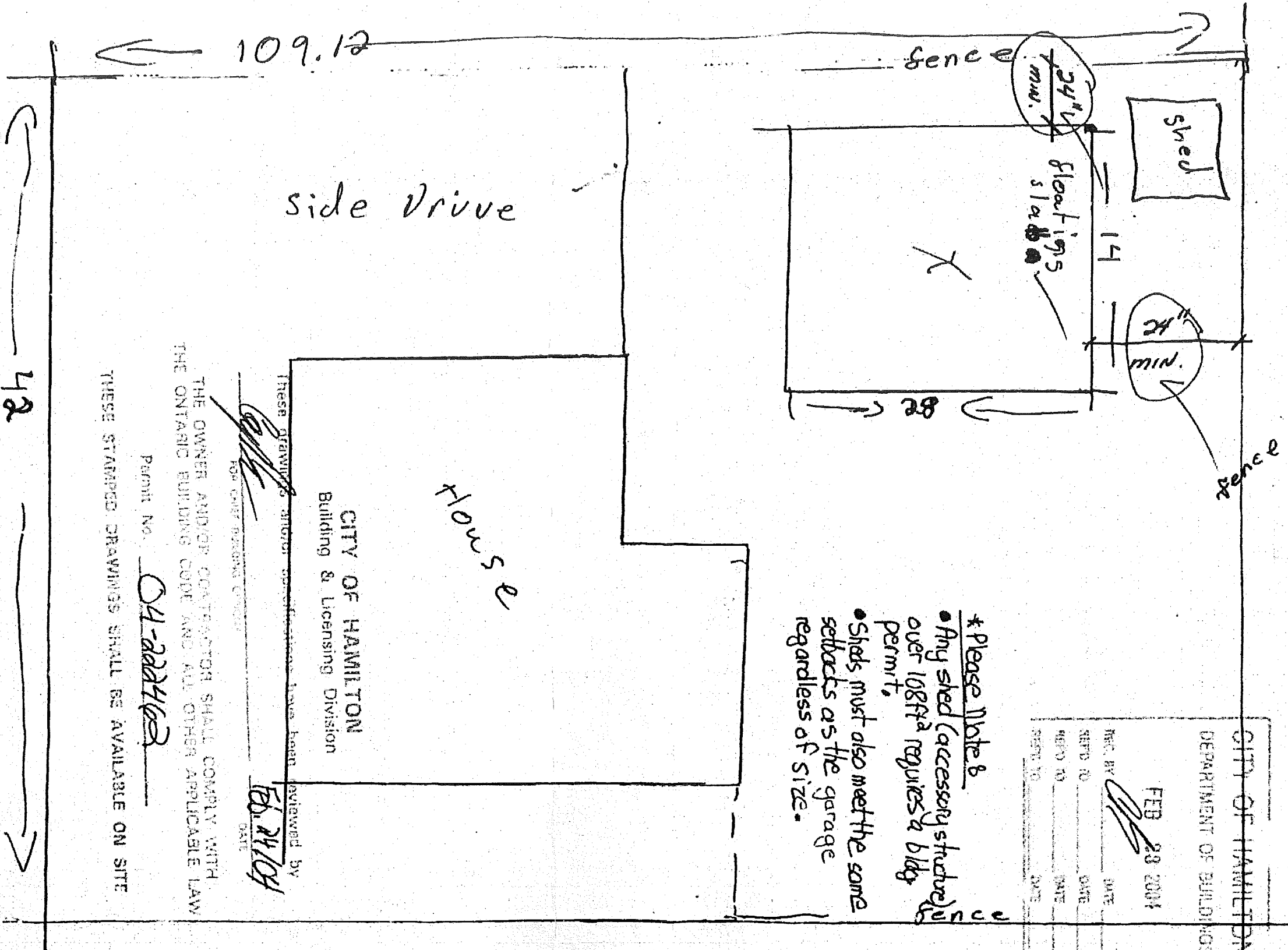


82 JULIAN AVENUE

83 Julian Ave Ham Ont

CITY OF HAMILTON	
DEPARTMENT OF BUILDINGS	
FEB 23 2004	
REC. BY	DATE
SECTD. NO.	DATE
REFD. NO.	DATE
REFD. TO	DATE

- *Please Note:
- Any shed (accessory structure) over 108ft² requires a bldg permit.
 - Sheds must also meet the same setbacks as the garage regardless of size.



CITY OF HAMILTON
Building & Licensing Division

These drawings and/or specifications have been reviewed by
[Signature]
 FOR OUR RECORD ONLY
 DATE: FEB. 24/04

THE OWNER AND/OR CONTRACTOR SHALL COMPLY WITH THE ONTARIO BUILDING CODE AND ALL OTHER APPLICABLE LAW

Permit No. 04-222402
 THESE STAMPED DRAWINGS SHALL BE AVAILABLE ON SITE

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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)	Ralph Bakker	[REDACTED]	
Applicant(s)*			Phone:
			E-mail:
Agent or Solicitor			Phone:
			E-mail:

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:

First Ontario Credit Union LTD 970 South Service RD STE 301 Stoney Creek ON L8E 6A2

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:

Staircase may be too close to city line

Second Dwelling Unit Reconstruction of Existing Dwelling

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

The staircase was too steep for my wife which has a disability with her knee making it hard to do stairs, and to add a ramp to help her

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**):

83 Julian Ave Plan No. 534
Lot No. 28

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 house has been standing since the 1950

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.

2022/05/03
Date

Ralph Bakker
Signature Property Owner(s)

Ralph Bakker
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage 42' 12.8016 m
Depth 109' 33.2232 m
Area 4578' 425.3101 m
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:

House area 692'sqft 210.922m 1story
width 25' 7.62m width 5.6' 1.71m
length 25' 7.62m length 12' 3.66m

Proposed

porch 25x6 length 25' 7.62m
stairs 4x5 width 6' 1.82m
length 4' 1.22m
width 5' 1.52m

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

Existing:

lot 109'x42' Back 54' 16.46m
33.22m x 12.80 front 20' 6.10m
side L 8.9' 2.71m
side R 8.3' 2.53m

Proposed:

Back 54' 16.46m Side L 8.9" 2.71m
front 10' 3.05m R 8.3" 2.53m

13. Date of acquisition of subject lands:
1999
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.):
1950
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:
1950
18. Municipal services available: (check the appropriate space or spaces)
 Water _____ Connected
 Sanitary Sewer _____ Connected
 Storm Sewers _____
19. Present Official Plan/Secondary Plan provisions applying to the land:
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
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.