



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-22:224	SUBJECT PROPERTY:	277 BALMORAL AVENUE N, HAMILTON
ZONE:	D (One and Two Family Dwellings and Etc.)	ZONING BY-LAW:	Zoning By-law former City of Hamilton 6593, as Amended

APPLICANTS: Owner – Julie Mota-Teixeira
Agent – Gordon Pappin

The following variances are requested:

1. A side yard setback of 0.11 m shall be provided instead of the minimum required 1.2 m side yard setback
2. An eaves/ gutter encroachment into the required side yard shall be permitted to project the entirety of the required side yard to the lot line instead of the maximum 1.0 m or not more than one-half of the width of the required side yard, whichever is lesser.

PURPOSE & EFFECT: To establish a 2 ½ storey, rear yard addition to the existing Single Family Dwelling.

Notes:

- i. Insufficient information has been provided for any eaves/ gutters of the proposed addition. Due to the setback required for the addition, it would appear that there is insufficient space provided for any eaves/ gutters along the Northern lot line. As such, a variance has been provided to address this.
- ii. Please note that no part of the eave/gutter shall encroach onto the adjacent private property. Otherwise, an Encroachment Agreement and a Maintenance Easement shall be required which shall be entered into and registered on title for both the lot upon which the eave is encroaching onto and the subject lot.
- iii. The By-law requires parking at a rate of two (2) parking spaces for the first eight (8) habitable

rooms plus 0.5 spaces for each additional habitable room. No floor plans were provided to confirm the total number of habitable rooms proposed and as a result the minimum number of parking spaces required could not be determined. Therefore, additional variances may be required.

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, August 11, 2022
TIME:	2:20 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.



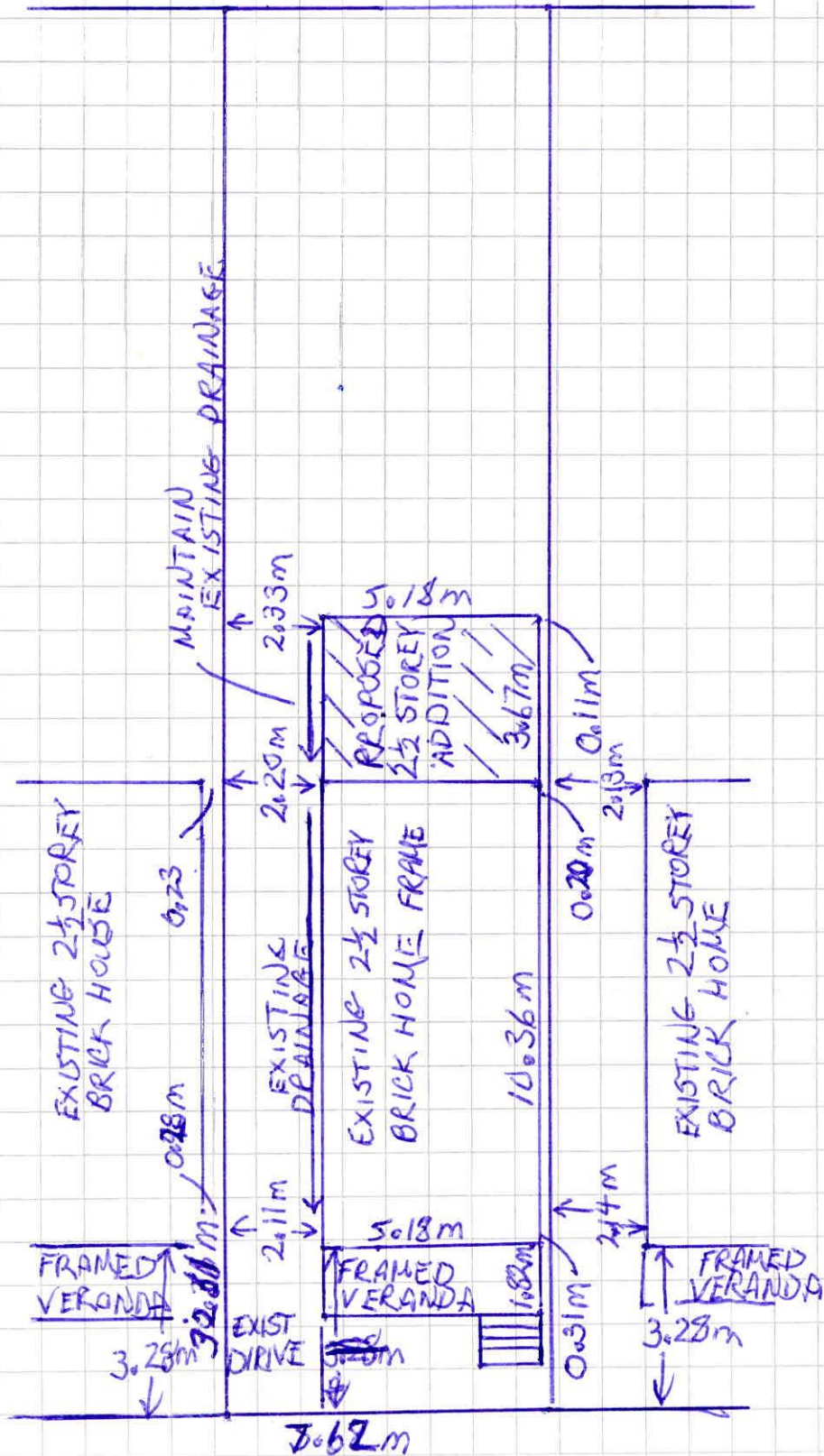
Subject Lands

DATED: July 26, 2022

Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

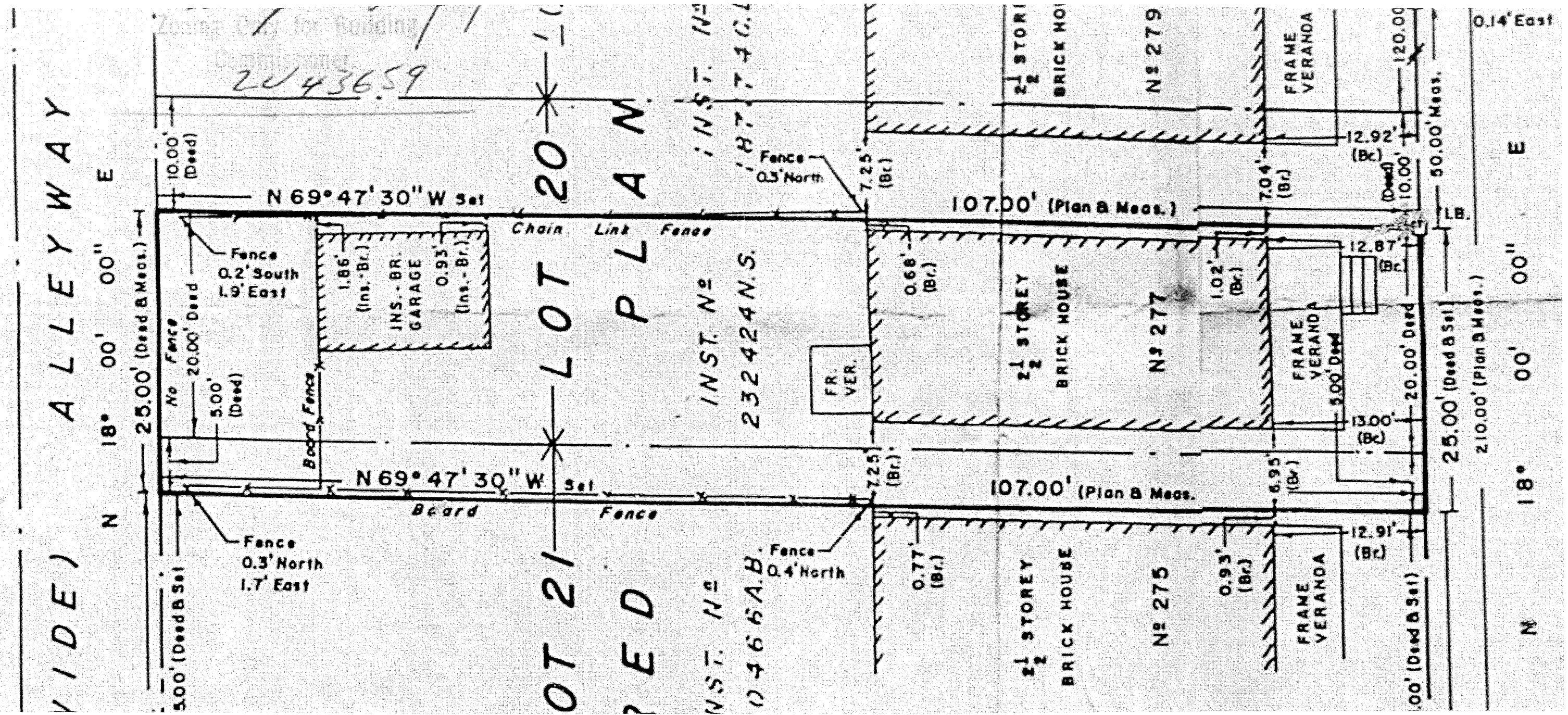
Information respecting this application is being collected under the authority of the Planning Act, R.S.O., 1990, c. P. 13. All comments and opinions submitted to the City of Hamilton on this matter, including the name, address, and contact information of persons submitting comments and/or opinions, 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.

ALLEY



FRONTAGE

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.



LOT 20/21 RESIDENTIAL - EXISTING AND ADDITION TO
BE COMPLETED IN STUCCO
277 BALMORAL AVE. N.
HAMMONT, ONT

	EXISTING	ADDITION	TOTAL	%	ALLOWED %
LOT COVERAGE	58.70 ² m	18.96 ² m	72.66 ² m	17	—
GROSS FLOOR PLAN LANDSCAPED AREA	166.11 ² m	56.87 ² m	217.98 ² m	17	—
NO. OF STOREYS	2 0 STOREY	2 0 STOREY	2 0 STOREY		
HEIGHT	8.94m	8.94m	8.94m		
WIDTH	5.18 ² m	5.18 ² m	5.18 ² m		—
DEPTH	10.36 ² m	3.66 ² m	14.02 ² m		—
PARKING	—	—	—		—

LOT AREA - 248.44²m

LOT FRONTAGE - 7.62m

LOT DEPTH - 32.61m

SET BACKS	EXISTING	PROPOSED
FRONT YARD	3.42m	14.28m
REAR YARD	28.33m	24.67m
INTERIOR SIDE (NORTH)	0.31m	0.11m
INTERIOR SIDE (SOUTH)	2.12m	2.20m

**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)	Julie G. Mota-Teixeira	
Applicant(s)*		
Agent or Solicitor	GORDON PAPPIN	

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: COMPLETE A 2ND STOREY ADDITION AT THE REAR OF THE HOME. CONTINUING THE NORTH WALL OF THE ADDITION WITH THE EXISTING RESIDENCE WITHIN THE EXISTING LIMIT OF BUILDING A STRUCTURE WITHIN PROXIMITY TO PROPERTY LINE.

☐ Secondary Dwelling Unit

☒ Reconstruction of Existing Dwelling

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

EXISTING RESIDENTIAL NORTH WALL SITS 0.21 M FROM PROPERTY LINE. TO CONTINUE THE ADDITION ON THE EXISTING LINE THE ADDITION INFRINGES ON EXISTING BY-LAWS OF NEW STRUCTURE BUILT NEXT TO PROPERTY LINE, IN THIS CASE 0.21 M

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**):

277 BALMORAL AVE. N. LOT 20/21
HAMULTON, ONT.
L8L 7S3

7. PREVIOUS USE OF PROPERTY

Residential ☒

Industrial ☐

Commercial ☐

Agricultural ☐

Vacant ☐

Other ☐

Other _____

8.1 If Industrial or Commercial, specify use N/A

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?

been used a single family Dwelling since was built

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. N/A

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.

Date

June 10/22

Signature Property Owner(s)

Julie Mota-Teixeira

Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage

76.2 m

Depth

32.61 m

Area

248.49 m²

Width of street

8.14 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:

2½ STOREY RESIDENTIAL HOME - GROUND FLOOR AREA - 53.70 m², GROSS FLOOR AREA - 161.11 m², WIDTH - 5.18 m, LENGTH 10.36 m, HEIGHT - 8.94 m. STRUCTURE IS PRESENTLY BRICK FRAMED TO BE COMPLETED IN STUCCO.

Proposed:

ADDITION TO REAR OF HOME, FULL WIDTH AND HEIGHT OF EXISTING RESIDENCE PLUS DEPTH. ADDITION WILL BE 2½ STOREY STUCCO. GROUND FLOOR AREA - 18.96 m², GROSS FLOOR AREA - 56.87 m², WIDTH - 5.18 m, LENGTH - 3.66 m, HEIGHT - 8.94 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:

EXISTING RESIDENTIAL HOME - FROM FRONT LOT LINE: N/E CORNER - 3.92 m, S/E CORNER - 3.96 m, FROM REAR LOT LINE: N/W CORNER - 8.13 m, S/W CORNER - 8.09 m - FROM INTERIOR SIDE: NORTH - N/E CORNER - 0.31 m, N/W CORNER - 0.21 m - FROM INTERIOR SIDE: SOUTH - S/E CORNER - 2.12 m, S/W CORNER - 2.21 m

Proposed:

ADDITION - FROM FRONT LOT LINE: N/E CORNER - 14.28 m, FROM S/E CORNER - 14.32 m, FROM REAR LOT LINE: N/W CORNER - 14.67 m, S/W CORNER - 14.63 m - FROM INTERIOR SIDE - NORTH - N/E CORNER - 0.24 m, N/W CORNER - 0.18 m - FROM INTERIOR SIDE - SOUTH - S/E CORNER - 2.21 m, S/W CORNER - 2.24 m.

13. Date of acquisition of subject lands:

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 DWELLING
16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):
SINGLE FAMILY DWELLINGS
17. Length of time the existing uses of the subject property have continued:
since was built
18. Municipal services available: (check the appropriate space or spaces)
- | | | | |
|----------------|-------------------------------------|-----------|-------------------------------------|
| Water | <input checked="" type="checkbox"/> | Connected | <input checked="" type="checkbox"/> |
| Sanitary Sewer | <input checked="" type="checkbox"/> | Connected | <input checked="" type="checkbox"/> |
| Storm Sewers | <input checked="" type="checkbox"/> | | |
19. Present Official Plan/Secondary Plan provisions applying to the land:
RESIDENTIAL
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
ZONE D.
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.