



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-22:239	SUBJECT PROPERTY:	118 COPE STREET, HAMILTON
ZONE:	“C” (Urban Protected Residential)	ZONING BY-LAW:	Zoning By-law former City of Hamilton 6593, as Amended

APPLICANTS: Owner – Mohrab Al Naif
 Agent – Lee Paule

The following variances are requested:

1. A minimum 0.5m northerly side yard width and a minimum 0.7m southerly side yard width shall be permitted instead of the minimum 0.9m side yard width required.
2. A minimum 7.0m rear yard depth shall be permitted instead of the minimum 7.5m rear yard depth required.
3. No onsite parking spaces shall be permitted instead of the minimum two (2) parking spaces required.
4. An eave or gutter shall be permitted to project into the entire southerly and northerly side yard and therefore may be located as close as 0.0m to a side lot line whereas the zoning by-law permits a maximum ½ of the side yard or 1.0m whichever is the lesser into a required side yard.
5. A terrace, uncovered porch, platform shall be permitted to be located as close as 0.0m to the southerly side lot line instead of the minimum 0.5m setback required.

PURPOSE & EFFECT: To recognize the existing rear addition and rear deck for the for the existing single-family dwelling.

Notes:

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, September 8, 2022
TIME:	2:40 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: August 23, 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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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.**

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.



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)	Moharab Al Naif	
Applicant(s)*	LEE PAULE	
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:

Mortgage Account: BMO Bank of Montreal Brown's Line & Evans Ave. 863 Brown's Line Etobicoke, ON M8W 3V7

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:

TO ALLOW 0.53m AND 0.76m SIDE YARD SETBACK AND 7.07m REAR YARD SETBACK OF A 1-STOREY ADDITION.

Second Dwelling Unit

Reconstruction of Existing Dwelling

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

THE ADDITION HAS BEEN CONSTRUCTED.

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**):

118 COPE ST.

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?

BASED ON ASSUMPTION.

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.

2022-06-20
Date


Signature Property Owner(s)

Moharab Al Naif
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage	7.62m
Depth	28m
Area	214 sqm
Width of street	+/- 7.0m

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: _

1 STOREY SINGLE FAMILY
G.F.A. = 102.4 sqm
WIDTH = 6.3m, LENGTH = 16.15m, HEIGHT = 5.6m
NORTH SETBACK = 0.46m, SOUTH = 0.77m, WEST = 5.02m, EAST = 12.98m

Proposed

NORTH SETBACK = 0.53m, SOUTH = 0.76m, WEST = 5.02m, EAST = 7.07m

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

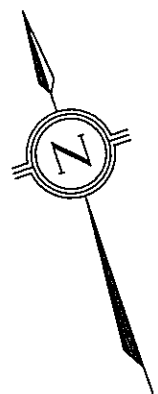
Existing:

NORTH SETBACK = 0.46m, SOUTH = 0.77m, WEST = 5.02m, EAST = 12.98m

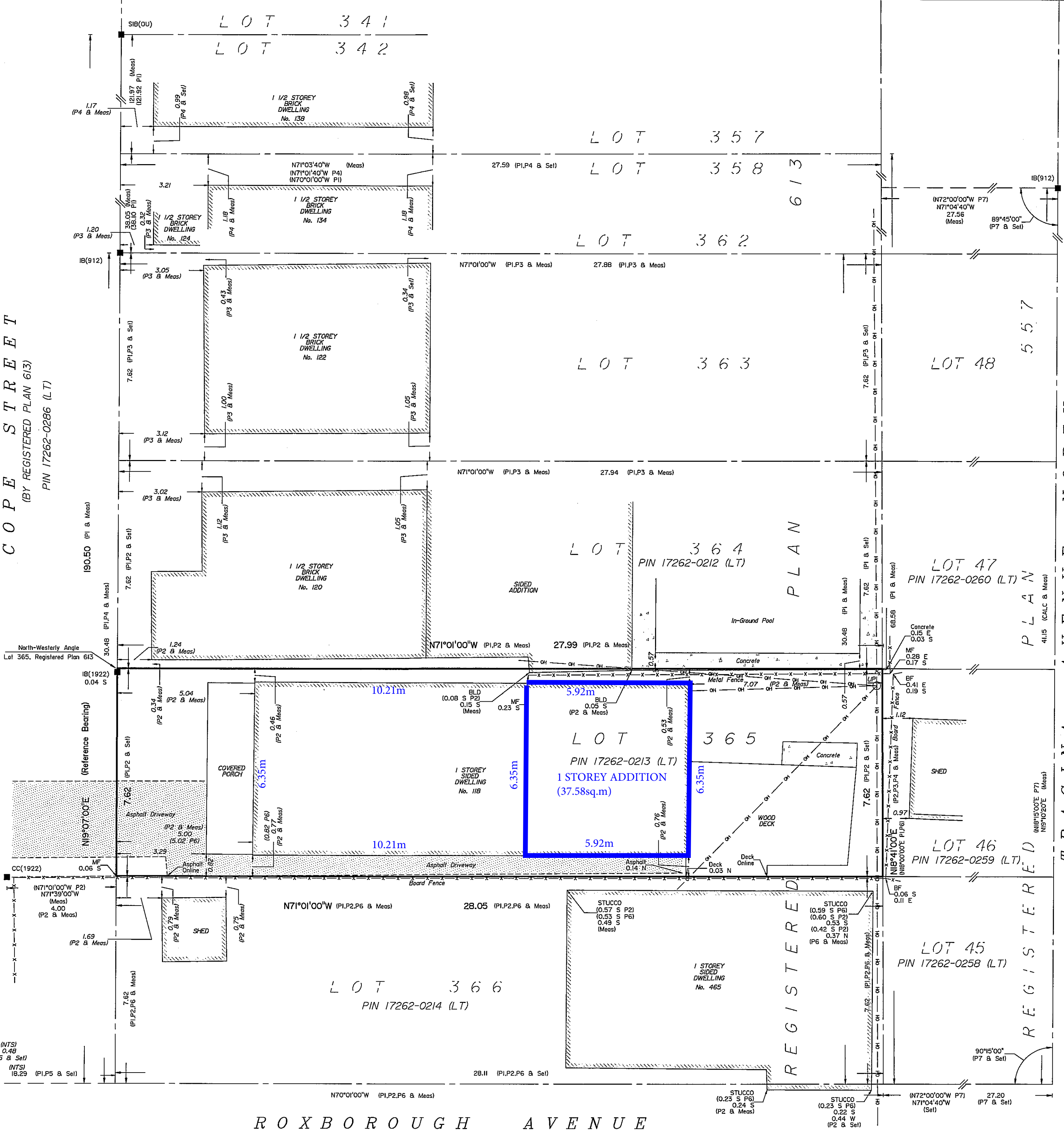
Proposed:

NORTH SETBACK = 0.53m, SOUTH = 0.76m, WEST = 5.02m, EAST = 7.07m

13. Date of acquisition of subject lands:
UNKNOWN
-
14. Date of construction of all buildings and structures on subject lands:
UNKNOWN
-
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:
UNKNOWN
-
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.



COPE STREET
(BY REGISTERED PLAN 613)
PIN 17262-0286 (LT)



ROXBOROUGH AVENUE

SURVEYOR'S REAL PROPERTY REPORT
PART 1
PLAN OF
LOT 365
REGISTERED PLAN 613
IN THE
CITY OF HAMILTON

SCALE & NOTES
Scale 1:100

BARICH GRENKIE SURVEYING LTD.
A DIVISION OF GEOMAPLE
© COPYRIGHT 2022

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

BEARING NOTE
BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE EASTERLY LIMIT OF COPE STREET AS SHOWN ON REGISTERED PLAN 613 HAVING A BEARING OF N19°07'00\".

LEGEND

■	DENOTES	SURVEY MONUMENT FOUND
□	DENOTES	SURVEY MONUMENT PLANTED
IB	DENOTES	IRON BAR
SIB	DENOTES	STANDARD IRON BAR
CC	DENOTES	CUT CROSS
OU	DENOTES	ORIGIN UNKNOWN
P1	DENOTES	REGISTERED PLAN 613
P2	DENOTES	PLAN BY ASHENHURST NOUWENS & ASSOCIATES INC. DATED NOVEMBER 27, 2019
P3	DENOTES	PLAN BY A. J. CLARKE & ASSOCIATES DATED MARCH 23, 1984
P4	DENOTES	PLAN BY GUIDO CONSOLI SURVEYING LTD. DATED JUNE 1, 1989
P5	DENOTES	PLAN BY A. J. CLARKE & ASSOCIATES DATED JUNE 14, 1979
P6	DENOTES	PLAN BY E. BARICH, O.L.S. DATED NOVEMBER 27, 1985
P7	DENOTES	REGISTERED PLAN 557
D1	DENOTES	INSTRUMENT No. VM215970
912	DENOTES	A. J. CLARKE, O.L.S.
1922	DENOTES	H. KALANTZAKOS, O.L.S.
CALC	DENOTES	CALCULATION DERIVED FROM D1 & P7
MF	DENOTES	METAL FENCE
BF	DENOTES	BOARD FENCE
OH	DENOTES	OVERHEAD UTILITY
UP	DENOTES	UTILITY POLE
NTS	DENOTES	NOT TO SCALE
WT	DENOTES	WITNESS

ASSOCIATION OF ONTARIO
LAND SURVEYORS
PLAN SUBMISSION FORM
V-18048

THIS PLAN IS NOT VALID UNLESS IT IS AN EMBOSSED ORIGINAL COPY ISSUED BY THE SURVEYOR in accordance with Regulation 1026, Section 28(3)

THIS PLAN WAS PREPARED FOR INTEGRICON GROUP AND THE UNDERSIGNED ASSUMES NO RESPONSIBILITY FOR USE BY OTHER PARTIES.

SURVEYOR'S REAL PROPERTY REPORT
PART 2
DESCRIPTION SUMMARY - LANDS DESCRIBED IN PIN 17262-0213 (LT).
LOT 365, REGISTERED PLAN 613

REGISTERED EASEMENTS/RIGHTS-OF-WAY - NONE FOUND ON TITLE.

ADDITIONAL REMARKS - MAKE NOTE OF THE LOCATION OF FENCES, PATIOS AND DRIVEWAYS AS SHOWN ON THE FACE OF THE PLAN.

COMPLIANCE WITH MUNICIPAL ZONING BY-LAWS - THIS PLAN DOES NOT CERTIFY COMPLIANCE WITH ZONING BYLAWS

SURVEYOR'S CERTIFICATE
I CERTIFY THAT
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.
2. THE SURVEY WAS COMPLETED ON MAY 9, 2022.

MAY 25, 2022

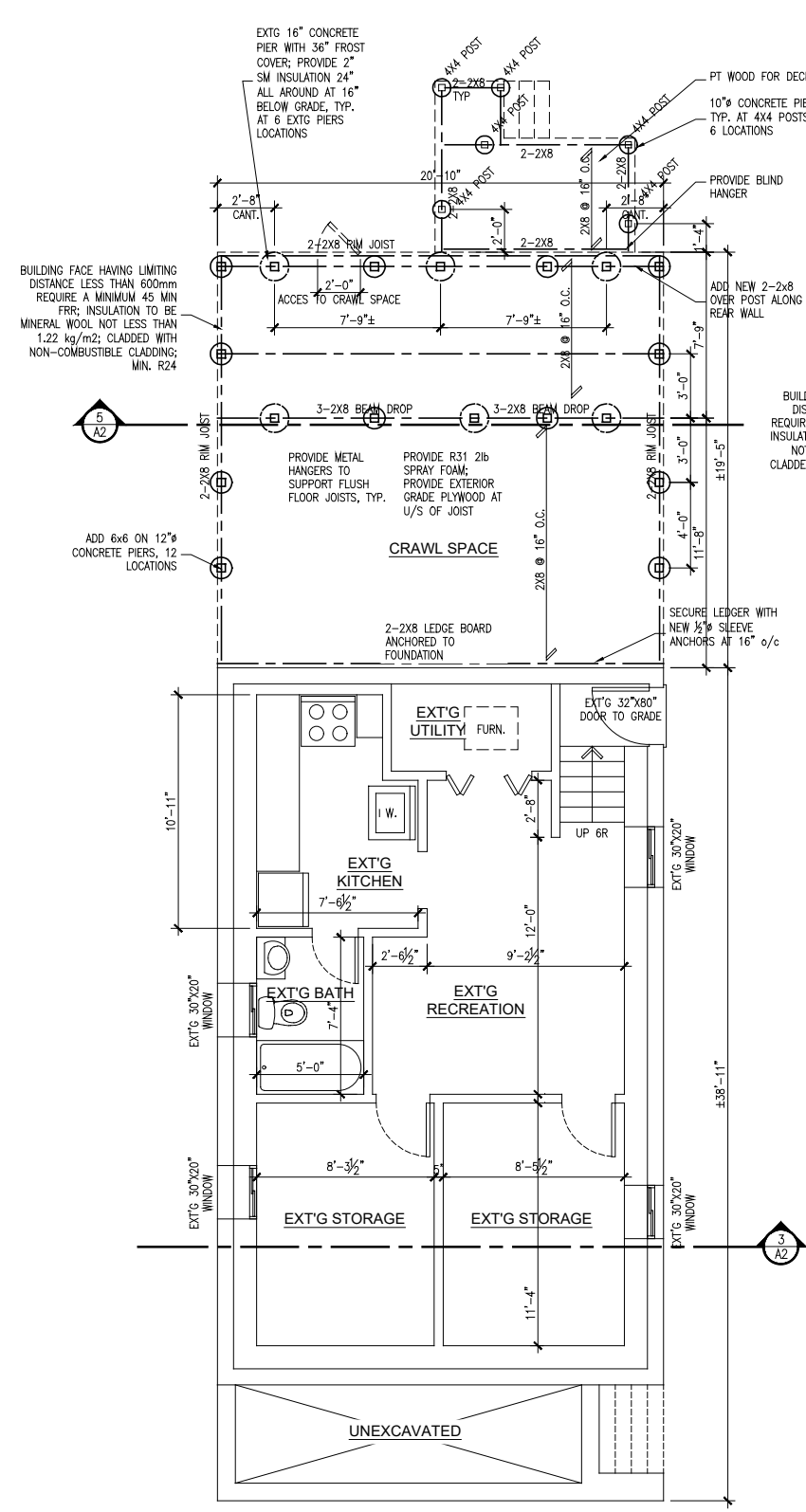
ERIC G. SALZER
O.L.S., O.L.I.P.

Barich Grenkie
Surveying Ltd.
297 HWY No. 8 (UNIT 101) - STONEY CREEK, ON
L8G 1E5 (403) 652-6767

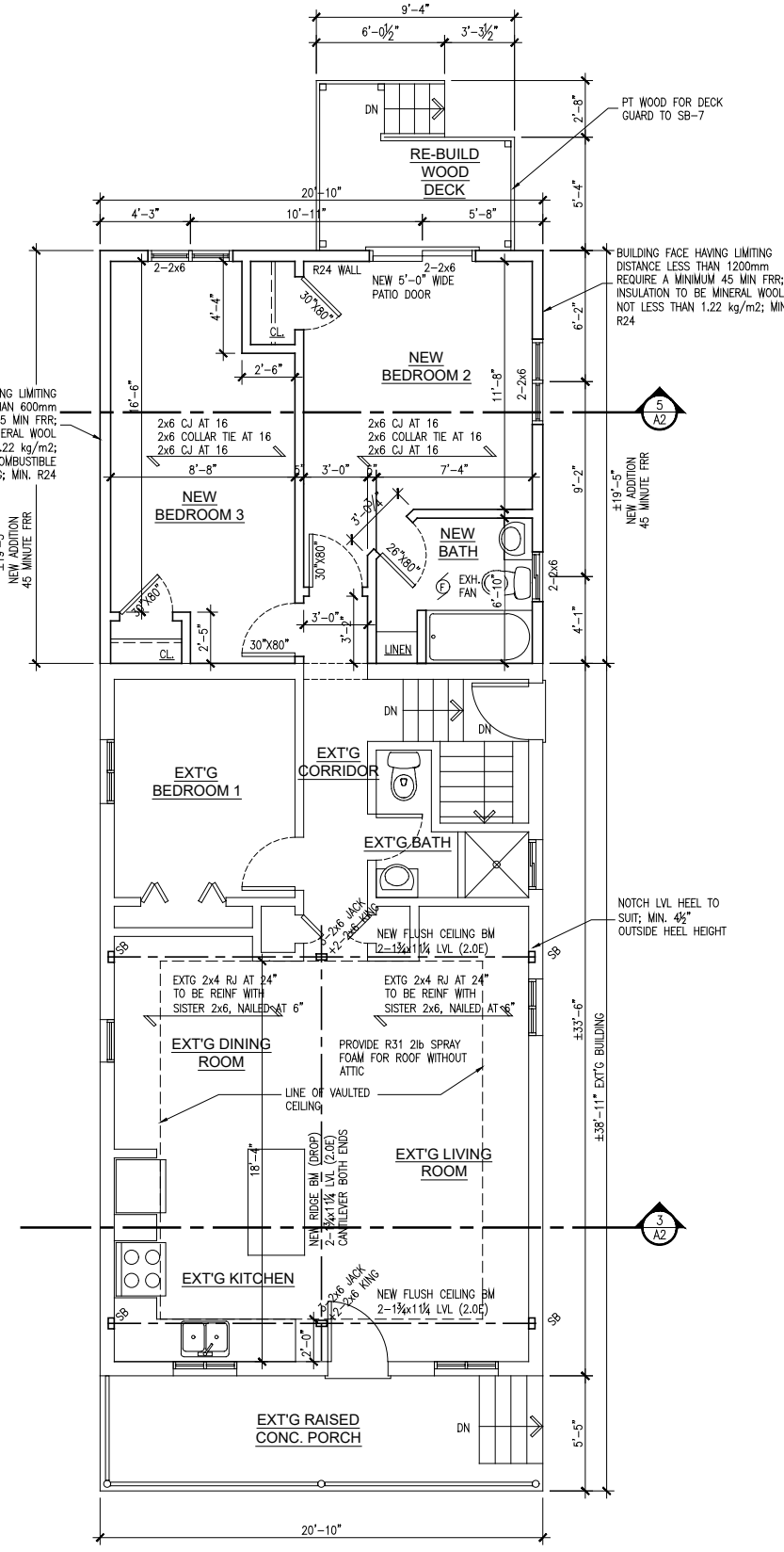
DWN BY: EWA
CHK BY: EGS
JOB No. 22-2967

A DIVISION OF GEOMAPLE

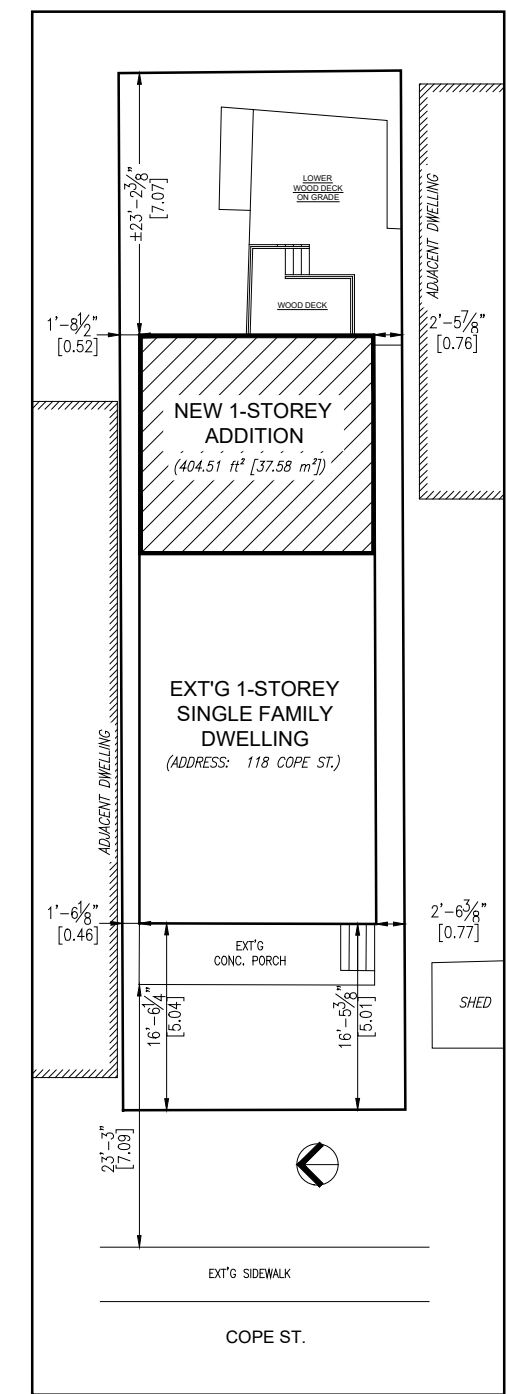
NO.	DATE	PRINTS ISSUED
1	11/08/2021	ISSUED FOR REVISION TO PERMIT



2 BASEMENT FLOOR PLAN
A1 1/4" = 1'-0"



3 BASEMENT FLOOR PLAN
A1 1/4" = 1'-0"



1 SITE PLAN
A1 1/8" = 1'-0"

SITE STATISTICS:
 ZONING: 'C' SINGLE FAMILY
 LOT AREA: 2298.33 ft² (213.51 m²)
 PROPOSED GROSS BUILDING AREA = 1215.28 ft² (112.90 m²)
 GROSS LOT COVERAGE = 52.88%
 GROSS FLOOR AREA (including FINISHED BASEMENT) = 1572.58 ft² (146.09 m²)

NO.	DATE	REVISIONS TO DRAWING
1	12/06/2021	REVISION TO PERMIT

Do not scale drawings. The Contractor shall check and verify all dimensions and report all errors and omissions to the Architect before proceeding with the work.

A A Detail No.
 B B Sheet No. where detailed.

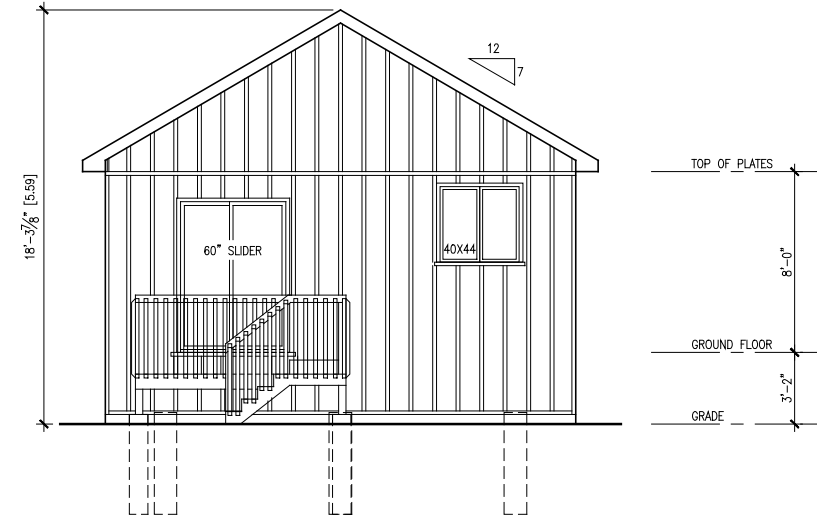
SWS ENGINEERING INC.
 1100 CENTRAL PARKWAY WEST, UNIT 15, 2ND FLOOR
 MISSISSAUGA, ON, L5C 4E5
 TEL: 905-272-1938 FAX: 905-272-8254

PROJECT
 ADDITION TO 118 COPE ST.
 HAMILTON, ONT.

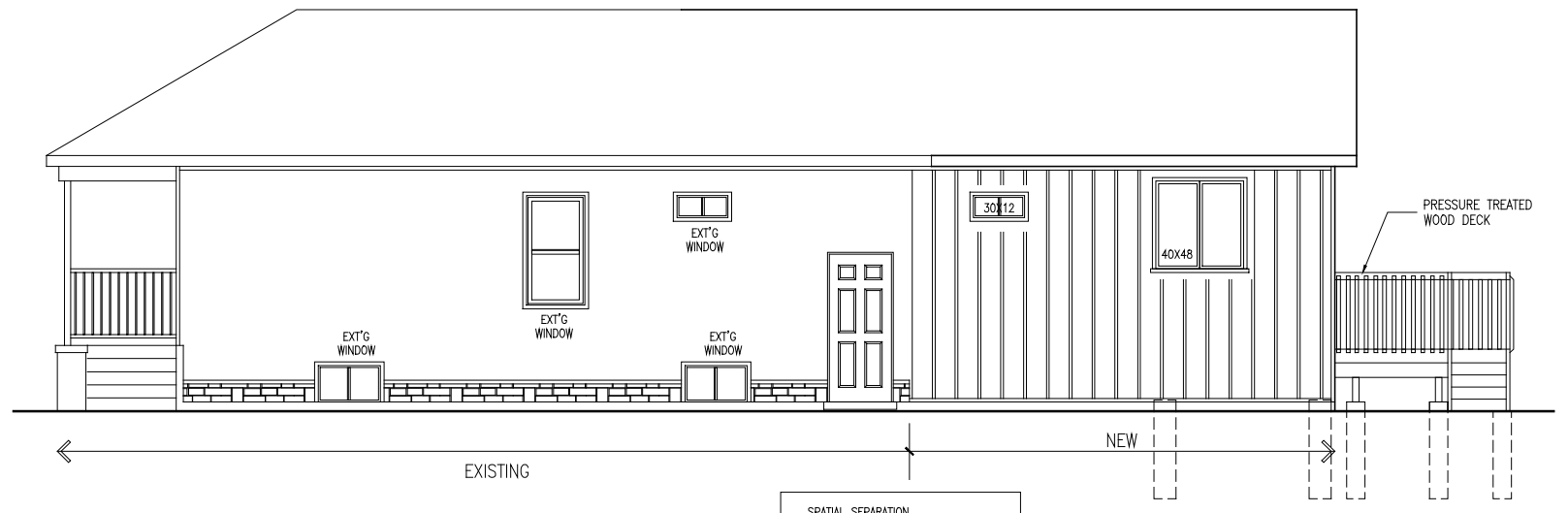
CLIENT

DRAWING	
SITE PLAN FLOOR PLANS	
SCALE AS NOTED	DATE JUNE 1, 2021
DRAWN BY LMP	DRAWING NO.
CHECKED BY SW	
PROJECT NO. 21163	A1

NO.	DATE	PRINTS ISSUED
1	11/08/2021	ISSUED FOR REVISION TO PERMIT

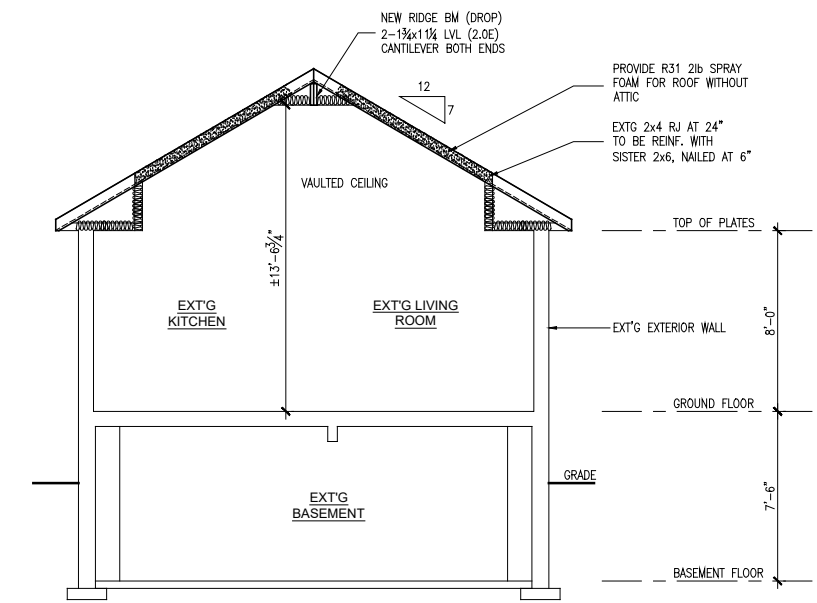


1 EAST ELEVATION
A2 1/4" = 1'-0"

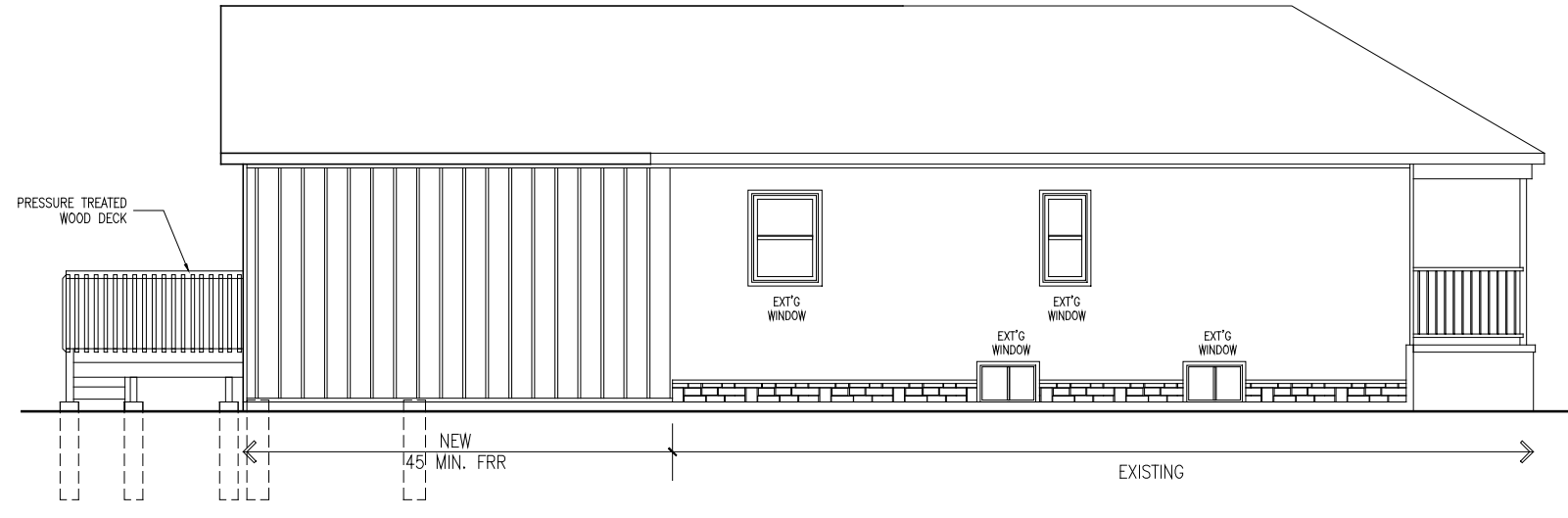


2 SOUTH ELEVATION
A2 1/4" = 1'-0"

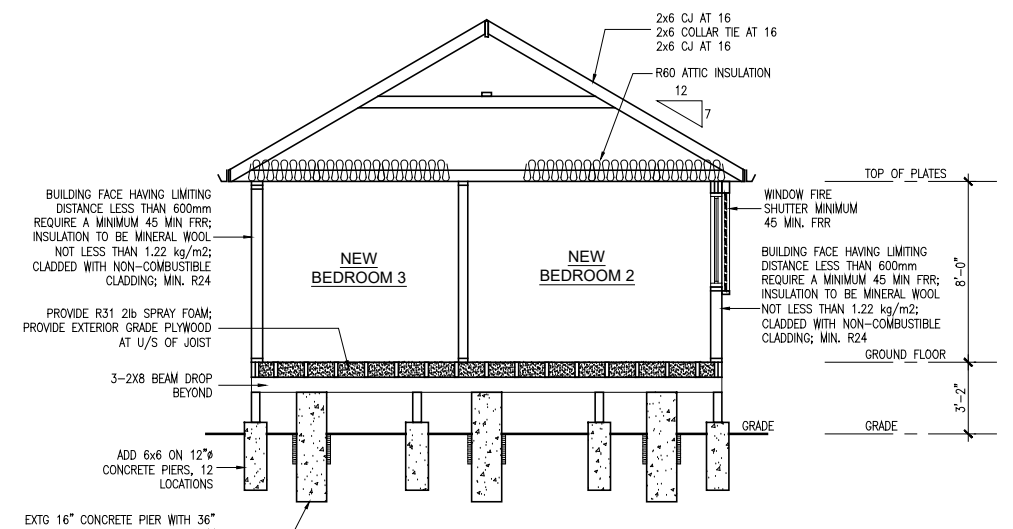
SPATIAL SEPARATION
E.B.F. = 590.90 ft² (54.89 m²)
U.P.O. = 37.76 ft² (3.5 m²) => 6.4%
PERMITTED = 7%



3 SECTION
A2 1/4" = 1'-0"



4 WEST ELEVATION
A2 1/4" = 1'-0"



5 SECTION
A2 1/4" = 1'-0"

NO.	DATE	REVISIONS TO DRAWING
1	12/06/2021	REVISION TO PERMIT

Do not scale drawings.
The Contractor shall check and verify all dimensions and report all errors and omissions to the Architect before proceeding with the work.

A A Detail No.
B B Sheet No. where detailed.

SWS ENGINEERING INC.
1100 CENTRAL PARKWAY WEST, UNIT 15, 2ND FLOOR
MISSISSAUGA, ON, L5C 4E5
TEL: 905-272-1938 FAX: 905-272-8254

PROJECT
ADDITION TO 118 COPE ST.
HAMILTON, ONT.

CLIENT

DRAWING		DATE	
ELEVATIONS SECTIONS		JUNE 1, 2021	
SCALE AS NOTED	DRAWN BY LMP	PROJECT NO. 21163	
CHECKED BY SW	A2		
PROJECT NO. 21163			