

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	HM/A-22:320	SUBJECT	52 Barton St W, Hamilton
NO.:		PROPERTY:	
ZONE:	"D" (Urban Protected	ZONING BY-	Zoning By-law former City of
	Residential)	LAW:	Hamilton 6593, as Amended

APPLICANTS: Owner: Matthew & Emily Gowing

Agent: Invizij Architects - Emma Cubitt

The following variances are requested:

- A Secondary Dwelling Unit Detached shall be a minimum 0.3m from the rear lot line whereas the building containing a Secondary Dwelling Unit – Detached is required to be a minimum 1.2m from the rear lot line.
- 2. A Secondary Dwelling Unit Detached shall be a minimum 0.2m from an interior side lot line whereas the building containing a Secondary Dwelling Unit Detached is required to be a minimum 1.2m from an interior side lot line.
- 3. A maximum gross floor area of 101.0m² shall be provided instead of the maximum gross floor area of 75.0m² permitted for a Secondary Dwelling Unit Detached.
- 4. A minimum parking space size of 2.7m x 5.5m shall be provided instead of the minimum required parking space size of 2.7m x 6.0m.
- 5. No onsite manoeuvring shall be provided for the required parking space instead of the requirement that a 6.0m manoeuvring space abutting and accessory to each parking space shall be provided and maintained on the lot.
- 6. An access driveway width being 1.8m shall be provided on-site instead of the minimum required 2.8m wide access driveway.

PURPOSE & EFFECT: To permit a new Secondary Dwelling Unit – Detached in the rear yard of the existing Single-Family Dwelling.

HM/A-22:320

Notes:

i. The by-law permits eaves and gutters to project no further than 30cm into a required minimum yard setback and in no case shall extend beyond the property line(s). Insufficient information respecting the distance of the eave and gutter projection has been provided in order to confirm zoning compliance at this time.

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, November 17, 2022	
TIME:	1:35 p.m.	
PLACE:	Via video link or call in (see attached sheet for details)	
	2 nd 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, <u>including deadlines</u> 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: November 1, 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 <u>must register by noon the day</u> <u>before the hearing</u> 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.

RELEVANT SITE DEVELOPMENT DETAILS

MAJOR OCCUPANCY: D (URBAN PROTECTED RESIDENTIAL)

TABLE 3.1.2.1 OF 2012 OBC AND IN ACCORDANCE WITH DEFINISIONS FOR "RESIDENTIAL OCCUPANCY" PER ARTICLE 1.4.1.2 DIVISION A OF 2012 OBC

EXISTING GFA OF PRINCIPAL DWELLING: 247 m² EXISTING GARAGE: 53.7 m² BASEMENT: 108.24 m²

PROPOSED NEW SDU GROSS FLOOR AREA: $75~\text{m}^2$ ZONING MAXIMUM: $75~\text{m}^2$

PERCENTAGE OF SDU TO PRINCIPAL DWELLING: 30.4% ZONING MAXIMUM: 70%

NEW ADDITION HEIGHT: 5.97 m ZONING MAX: 6 m

SIDE YARD - SDU: .2 m ZONING MIN: 1.2 m REAR YARD - SDU: .3 m ZONING MIN: 1.2 m

SOUTH BOUNDARY LOT LINE - SDU: .36 m

ZONING MIN: 1.2 m

NUMBER OF STREETS / ACESS ROUTES: 1

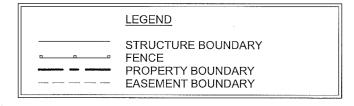
LOT TOTAL AREA: 443.8 m² EXISTING DWELLING COVERAGE: 177.2 m² DECK/PORCH AREA: 11.7 m²

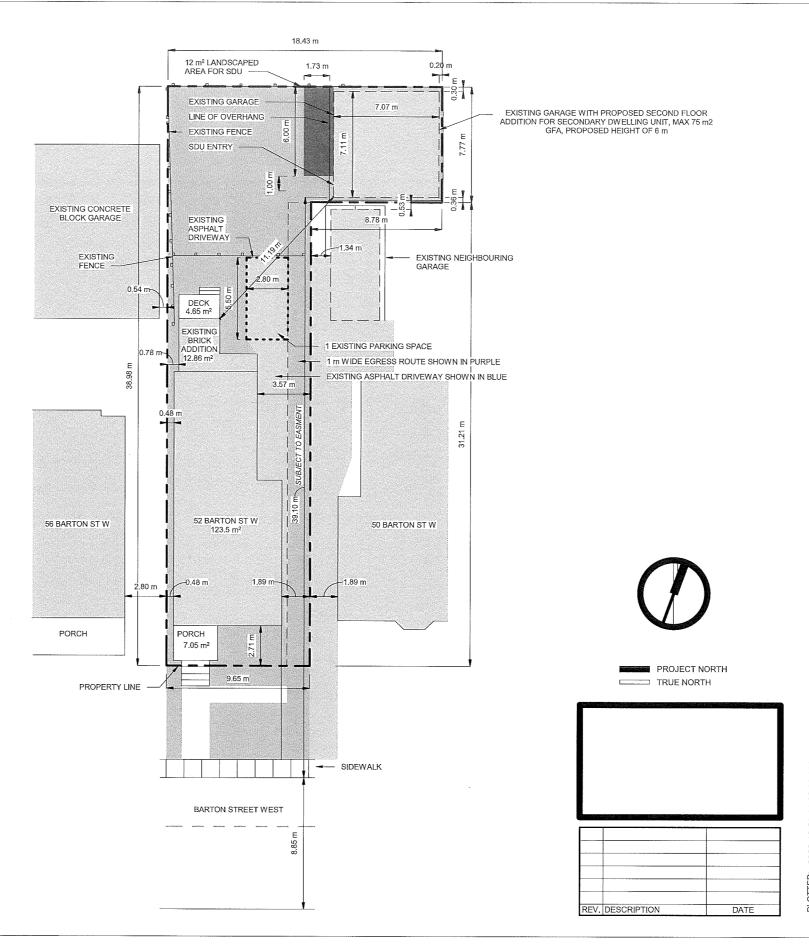
PAVED AREA: 95 m²

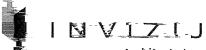
TOTAL LOT COVERAGE FOR ALL STRUCTURES: 42.6% ZONING MAXIMUM: 25%

SOFT LANDSCAPE AREA: 164,39 m² (37%)

PROPERTY LINES AND SETBACKS BASED ON SURVEY BY: LEJAN LAND SURVEYING INC DATED: AUGUST 22, 2022





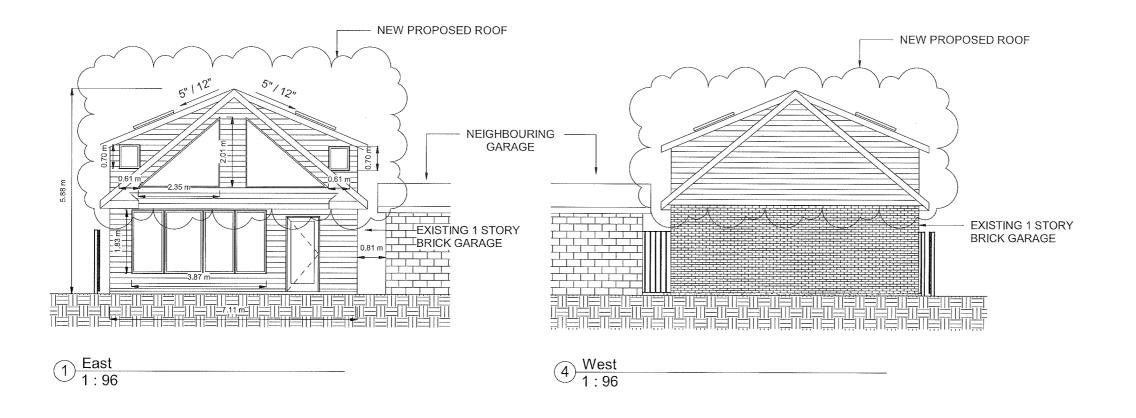


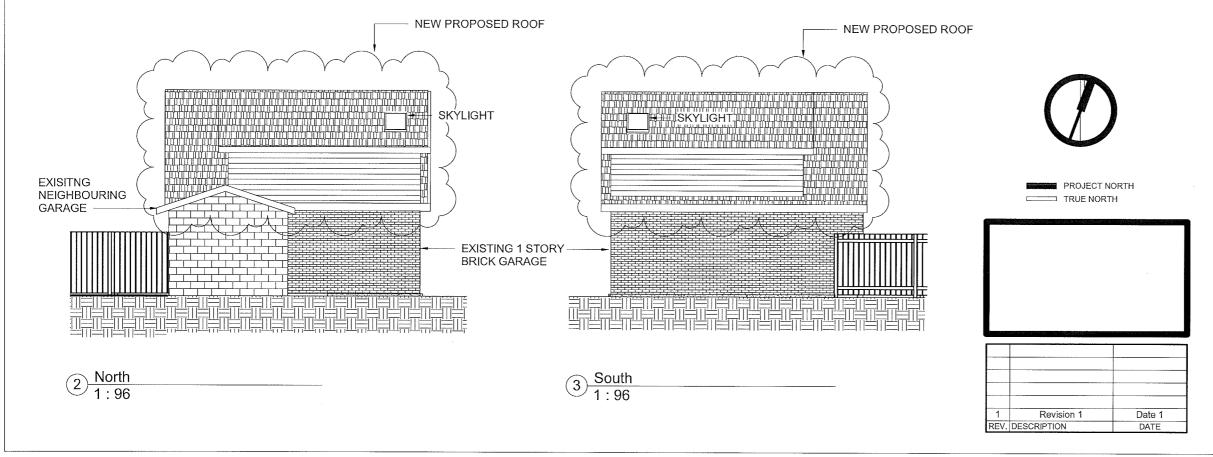
Architects Inc. 185 YOUNG STREET, HAMILTON, ON L89 1V9 T: 905 525 9000 | invizij.ca

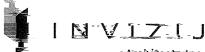
DO NOT SCALE DRAWING. DIMENSIONS ARE TO BE CHECKED AND VERIFIED BY THE CONTRACTOR ON SITE.

ALL DRAWINGS, SPECIFICATIONS, AND RELATED DOCUMENTS ARE THE COPYRIGHT PROPERTY OF THE ARCHITECT AND MUST BE RETURNED UPON REQUEST. REPRODUCTION OF DRAWINGS, SPECIFICATIONS, AND RELATED DOCUMENTS IN WHOLE OR IN PART IS STRICTLY FORBIDDEN WITHOUT THE ARCHITECT'S WRITTEN PERMISSION.

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	PROJECT NAME:	
	GOWING SE)U
	PROJECT ADDRESS:	
	52 BARTON S	TW
	PROJECT NO.:	
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	DRAWING TITLE:	
	SITE PLAN	1
AM	DRAWN BY:	JV
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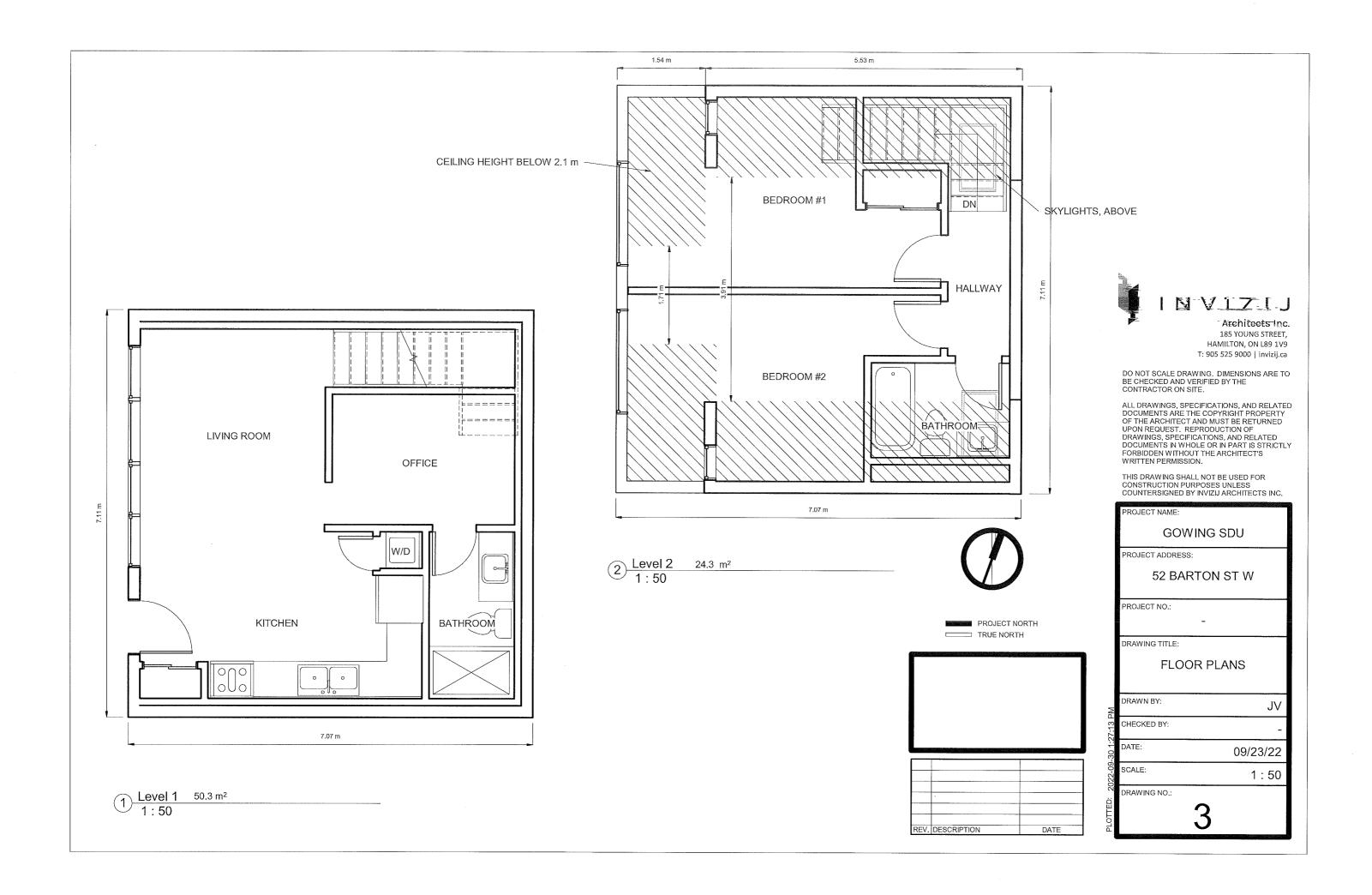


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	PROJECT NO.:	
	project address: 52 BARTON S	TW
	GOWING SE	DU
	PROJECT NAME:	



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NUMBER OF STREETS / ACESS ROUTES: 1

LOT TOTAL AREA: 443.8 m²

EXISTING DWELLING COVERAGE: 177.2 m²

DECK/PORCH AREA: 11.7 m² PAVED AREA: 95 m²

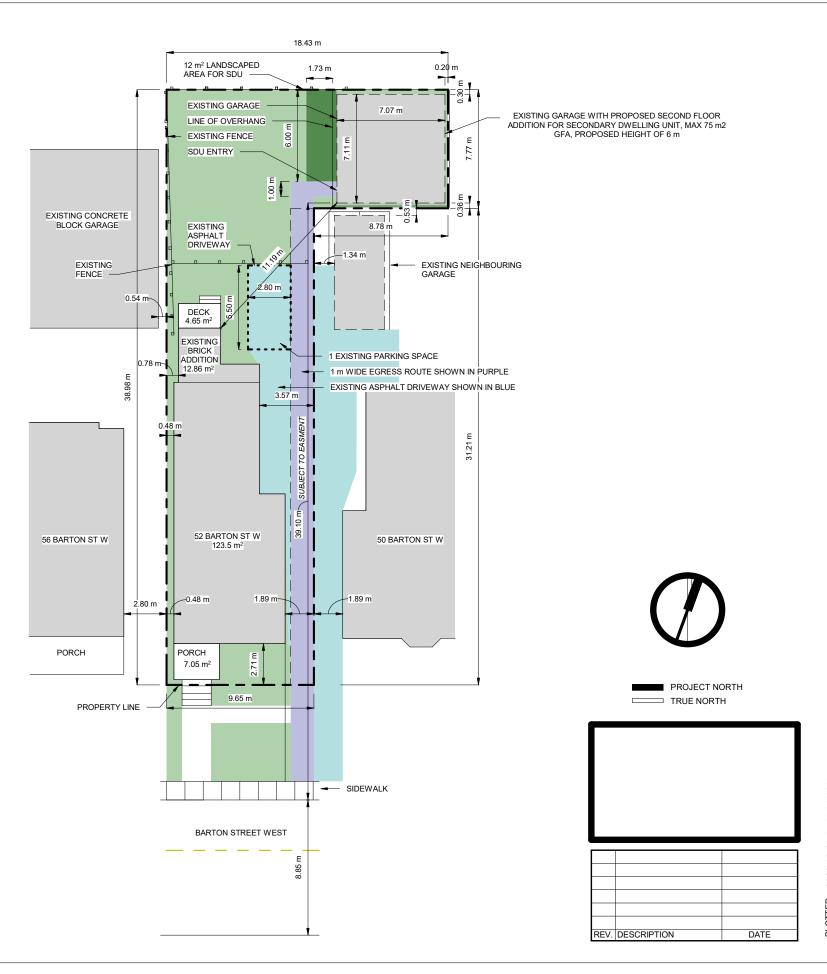
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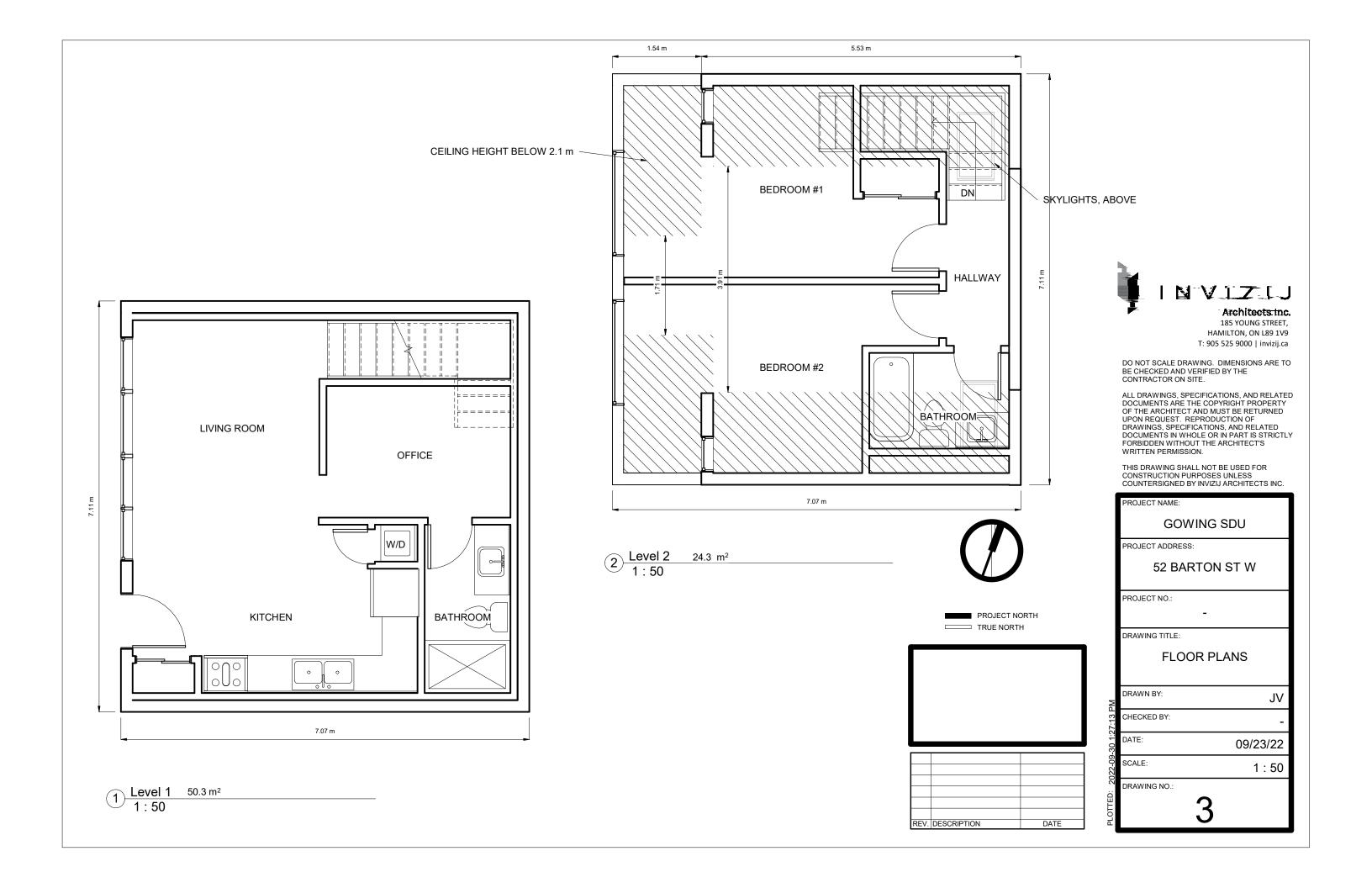
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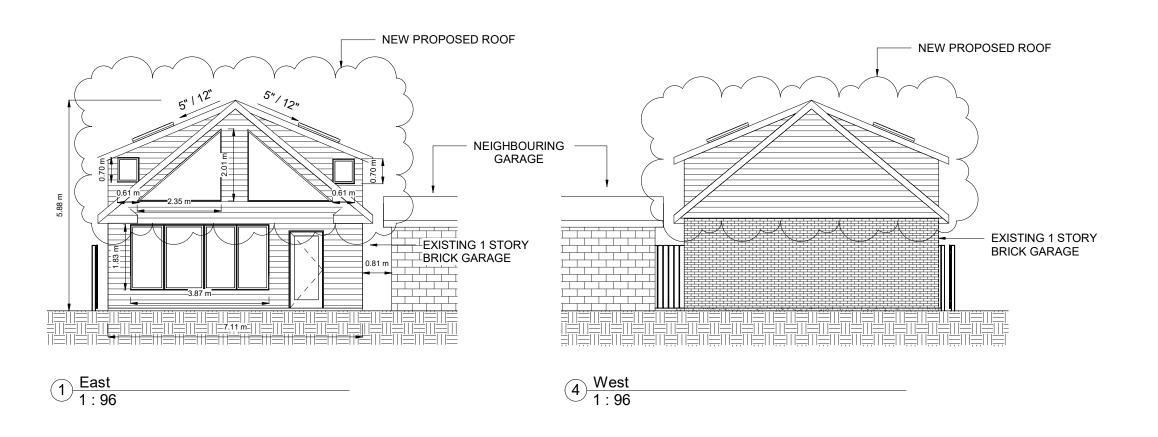
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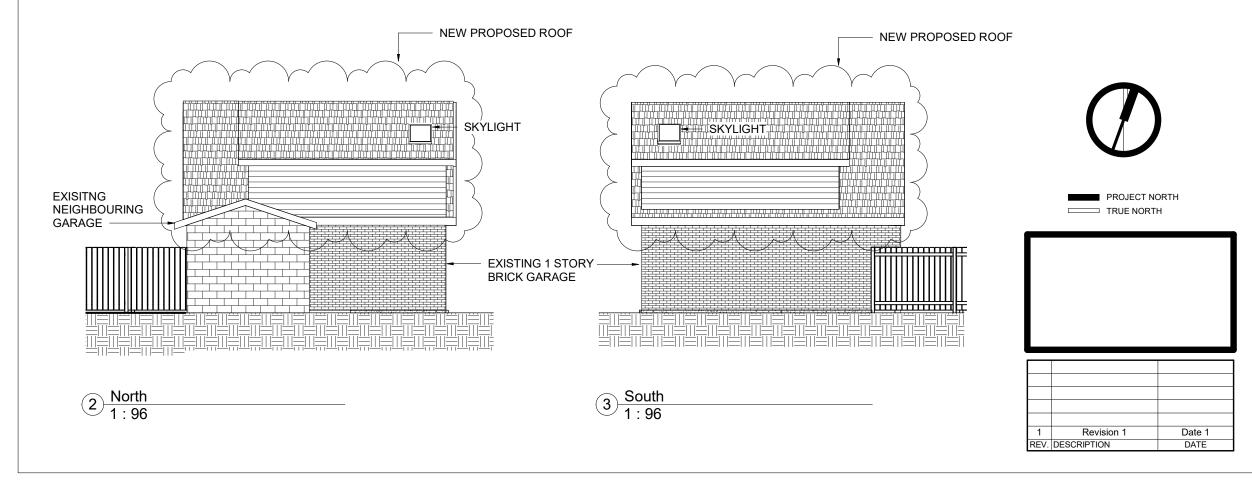
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	PROJECT ADDRESS:
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185 YOUNG STREET,

HAMILTON, ON L89 1V9 T: 905 525 9000 | invizij.ca

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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/PERMISSION

UNDER SECTION 45 OF THE PLANNING ACT

1. APPLICANT INFORMATION

	NAME	MAILING ADDRESS	
Registered Owners(s)	Matthew and Emily Gowing		
Applicant(s)	Matthew and Emily Gowing		
Agent or Solicitor	Invizij Architects, Emma Cubitt		
I.2 All corresponden	ce should be sent to	OwnerAgent/Solicitor	Applicant
.2 All corresponden	ce should be sent to	☐ Purchaser ■ Applicant	OwnerAgent/Solicitor
.3 Sign should be se	ent to	☐ Purchaser ☐ Applicant	OwnerAgent/Solicitor
.4 Request for digital If YES, provide e	, ,	Yes* No is to be sent mattypandg@gmail.c	com
1.5 All correspondence may be sent by email If Yes, a valid email must be included for the registered owner(s) AND the Applicant/Agent (if applicable). Only one email address submitted will result in the voiding of this service. This request does not guarantee all correspondence will sent by email.			
2. LOCATION OF SI	UBJECT LAND		
2.1 Complete the app	licable sections:		

Municipal Address	52 Barton Street W	est, Hamilton ON., L8L1A4	
Assessment Roll Number 020125556400000			
Former Municipality	Hamilton		
Lot	Part of Lot 6	Concession	
Registered Plan Number	127 BLK 21	Lot(s)	·
Reference Plan Number (s)		Part(s)	Part Lot 6 L-SHPD

2.2	Are there any easements or restrictive covenants affecting the subject land? If YES, describe the easement or covenant and its effect:
	Subject to an easement as in instrument no. VM257950
3.	PURPOSE OF THE APPLICATION
	ditional sheets can be submitted if there is not sufficient room to answer the following stions. Additional sheets must be clearly labelled
All c	dimensions in the application form are to be provided in metric units (millimetres, metres, hectares)
3.1	Nature and extent of relief applied for:
	Reduced side and rear yard setbacks for proposed SDU
	■ Second Dwelling Unit
3.2	Why it is not possible to comply with the provisions of the By-law?
	Reduced side and rear yard setbacks (proposing to convert existing structure to SDU).
3.3	Is this an application 45(2) of the Planning Act. Yes No If yes, please provide an explanation:
	Proposed SDU uses an existing historic garage structure which has reduced setbacks

4. DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

4.1 Dimensions of Subject Lands:

Lot Frontage	Lot Depth	Lot Area	Width of Street
31.67 (e)	127.80 Ret	0.11 AC	8.85 meter



Existing: Type of Structure				
Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Garage	0.36m	0.30m	0.20m	Existing/Unknow
Proposed:				
Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Secondary Dwelling Unit	0.36m	0.30m	0.20m	2023
3. Particulars of sheets if nece Existing:	all buildings and struc	area on or proposed	Tor the subject farias	(attaori adamori
		Cross Floor Area	Number of Storeys	Hoight
Type of Structure	Ground Floor Area	Gross Floor Area	I Number of Storeys	Height
Type of Structure Garage	Ground Floor Area 53.7m2	53.7m2	1	4m
Garage	53.7m2 123.5 m2		1 2,5	
Garage House Pe-Existing Back Addition	53.7m2 123.5 m2	53.7m2 123.5 m ² 12.86m ²	1	4m
Garage	53.7m2 123.5 m2	53.7m2	1	4m
Garage House Pre-Exiting Rock Addition Double (Pre-Existing)	53.7m2 123.5 m2	53.7m2 123.5 m ² 12.86m ²	1	4m
Garage House Pre-Exiting Rock Addition Dock (Pre-Existing)	53.7m2 123.5 m2	53.7m2 123.5 m ² 12.86m ²	1	4m
Garage Howso Pre-Exitive Book Addition Double (Pre-Existing) Proposed:	53.7m2 123.5 m2 12.86 m2 4.65 m2	53.7m2 123.5 m ² 12.86m2 4.65m2	1 2.5 1	4m 10m 4m 3m
Garage Houso Pre-Existing Book Addition Double (Pre-Existing) Proposed: Type of Structure	53.7m2 123.5 m2 12.86 m2 4.65 m2 Ground Floor Area	53.7m2 12.5 m ² 12.86m ² 4.65 m ² Gross Floor Area	1 2.5 1 Number of Storeys	4m /Om 4m Sm
Garage House Pre-Existing Back Addition Proposed: Type of Structure	53.7m2 123.5 m2 12.86 m2 4.65 m2 Ground Floor Area	53.7m2 12.5 m ² 12.86m ² 4.65 m ² Gross Floor Area	1 2.5 1 Number of Storeys	4m /Om 4m Sm
Garage Fre-Existive Back Addition Proposed: Type of Structure Secondary Dwelling Unit 1.4 Type of water publicly ov	53.7m2 123.5 m2 12.86 m2 4.65 m2 Ground Floor Area	Gross Floor Area 75m2 oriate box) oed water system	Number of Storeys	Height 5.97m
Garage Proposed: Type of Structure Secondary Dwelling Unit 4.4 Type of water publicly ov privately of the private of the pri	53.7m2 12.86 m² 4.65 m² Ground Floor Area 53.7m2 supply: (check appropried and operated pi	53.7m2 12.86m2 4.65m2 Gross Floor Area 75m2 Driate box) Ded water system Individual well - Dropriate boxes)	Number of Storeys 2 lake or othe	Height 5.97m r water body s (specify)

	 publicly owned and operated sanitary sewage system privately owned and operated individual septic system other means (specify)
4.7	Type of access: (check appropriate box) provincial highway municipal road, seasonally maintained municipal road, maintained all year Type of access: (check appropriate box) right of way other public road
4.8	Proposed use(s) of the subject property (single detached dwelling duplex, retail, factory etc.): Single detached dwelling
4.9	Existing uses of abutting properties (single detached dwelling duplex, retail, factory etc.): Single detached dwelling
7	HISTORY OF THE SUBJECT LAND
7.1	Date of acquisition of subject lands: June 13, 2013
7.2	Previous use(s) of the subject property: (single detached dwelling duplex, retail, factory etc) Single detached home
7.3	Existing use(s) of the subject property: (single detached dwelling duplex, retail, factory etc) Single detached home
7.4	Length of time the existing uses of the subject property have continued: 9.5 years
7.5	What is the existing official plan designation of the subject land?
	Rural Hamilton Official Plan designation (if applicable):
	Rural Settlement Area:
	Urban Hamilton Official Plan designation (if applicable)
	Please provide an explanation of how the application conforms with the Official Plan.
7.6	What is the existing zoning of the subject land? D - residential
7.8	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: