



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-22:349	SUBJECT PROPERTY:	10 Franklin Ave
ZONE:	"C/S-1364" (Urban Protected Residential and Etc.)	ZONING BY-LAW:	Zoning By-law former City of Hamilton 6593, as Amended 96-125

APPLICANTS: Owner: Jamie Johnny & Ashley Gaskin
Agent: Nataliya Yatsenko

The following variances are requested:

1. A minimum 0.93 m side yard setback is provided instead of the required 1.2m side yard setback.
2. A maximum gross floor area ration of 0.71 shall be provided instead of the required 0.45 gross floor area ratio.

PURPOSE & EFFECT: So as to permit a second storey and rear yard addition to the existing single detached dwelling notwithstanding that:

Notes:

- i. Note, the permitted projection for eaves/ gutters under Section 18 (3)(vi)(b) is 1.0 m or one-half the width of the setback from the side yard (0.465 metres). The projection of the eaves/ gutters on the site plan indicate a projection from the from the principle dwelling to be 0.43 metres. As such, the requested variance to permit an increased projection of the eaves and gutters from the principle dwelling into the required side yard has not been included within the Minor Variance list as the eaves/ gutters provided in the site plan conform to the current requirements of Hamilton Zoning By-Law 6593.
- ii. Note, 2 parking spaces for each Class A dwelling unit, for the first 8 habitable rooms in the dwelling unit plus 0.5 parking space for each additional habitable room of a Single-Family Dwelling is required. As per Building Permit No. 3177, issued on April 3, 1944, zero (0) parking space are required for the existing Single-Family Dwelling with approximately 6+ habitable rooms. A total of 7 habitable rooms have been indicated within the submitted plans and would not constitute an increase to the required

HM/A-22:349

parking spaces as the number of habitable rooms remain eight (8) or below. As such, the requested Minor Variance to reduce the number of required parking spaces for the Single-Family Dwelling to zero (0) has not been included within the Minor Variance list as the existing parking requirement has not been altered due to the increase in habitable rooms.

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, December 8, 2022
TIME:	3:40 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.



DATED: November 22, 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.

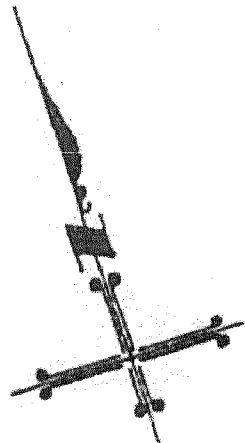
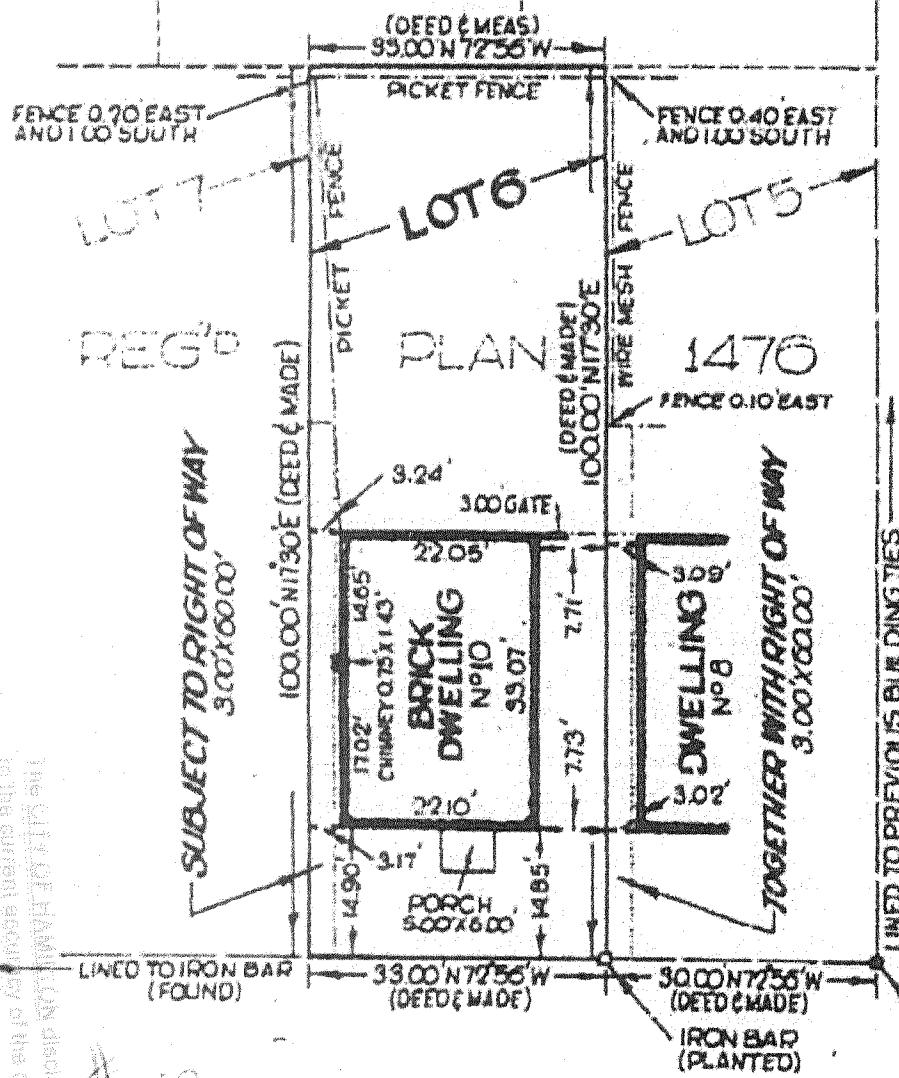
Please note: Webex (video) participation requires either a compatible computer or smartphone and an application (app/program) must be downloaded by the interested party in order to participate. It is the interested party's responsibility to ensure that their device is compatible and operating correctly prior to the Hearing.

BUILDING LOCATION SURVEY

SHOWING
ALL OF LOT 6 - REGISTRAR'S COMPILED PLAN
 REGISTERED PLAN N°1476
 IN THE
CITY OF HAMILTON

IN THE
 REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH
 SCALE 1" = 20'
Sidney W. Woods Inc.
 1985.

REGISTERED PLAN N°902



PARADISE ROAD

CITY OF HAMILTON
 DEPARTMENT OF BUILDINGS
 1993 Oct 12
 Examined by: _____ Date: _____
 Zoning Only for Building
 Commissioner.
 See 2-V-93-R-3292
 STANDARD IRON BAR (FOUND)

FRANKLIN AVENUE

THE BEARINGS SHOWN HEREON ARE REFERRED TO REG'D PLAN N°902.

SURVEYOR'S CERTIFICATE
 I CERTIFY THAT:
 THE FIELD SURVEY REPRESENTED
 ON THIS PLAN WAS COMPLETED ON
 THE 11TH DAY OF JUNE, 1985
 JUNE 14TH 1985
 DATE
 LAWRENCE G. WOODS Q.I.S.

SIDNEY W. WOODS INC.
 ENGINEERS & SURVEYORS
 HAMILTON... ONTARIO

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PREPARED SOLELY FOR THE USE OF SIMPSON & WATSON.

The CITY OF HAMILTON disclaims any liability for the accuracy of the information contained in this document and advises that no reliance can be placed upon the current accuracy of the information.

BUILDING LOCATION SURVEY

SHOWING

ALL OF LOT 6-REGISTRAR'S COMPILED PLAN

REGISTERED PLAN N°1476

IN THE

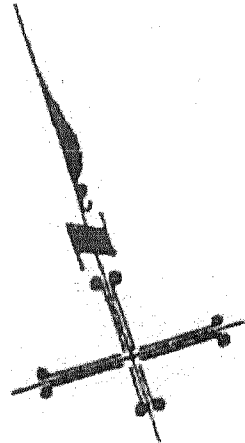
CITY OF HAMILTON

IN THE

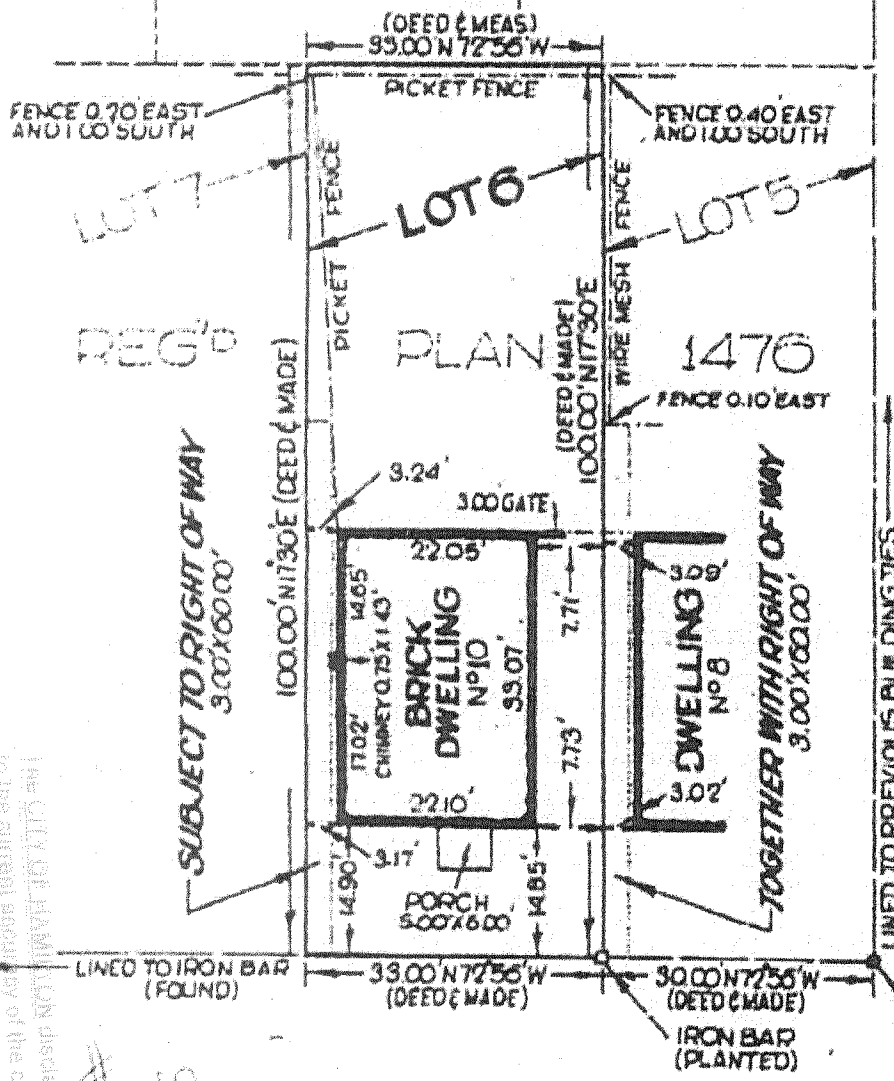
REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

SCALE 1"=20'

Sidney W. Woods Inc.
1985.



REGISTERED PLAN N°902



PARADISE ROAD

CITY OF HAMILTON
DEPARTMENT OF BUILDINGS

1985 Oct 12
Examined by: Date:

[Signature]
Zoning Only for Building
Commissioner.

See 2-V-93-R-3292
STANDARD IRON BAR (FOUND)

THE BEARINGS SHOWN HEREON ARE REFERRED TO REG'S PLAN N°902.

FRANKLIN AVENUE

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:
THE FIELD SURVEY REPRESENTED ON THIS PLAN WAS COMPLETED ON THE 11TH DAY OF JUNE, 1985

JUNE 14TH 1985
DATE *[Signature]* LAWRENCE G. WOODS C.I.S.

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ENGINEERS & SURVEYORS
HAMILTON... ONTARIO

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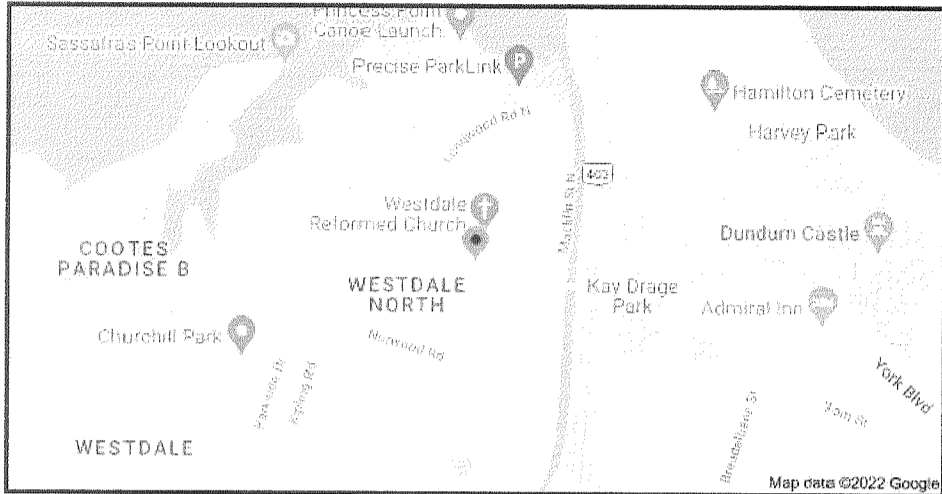
upon the current accuracy of the information shown on this plan. The CITY OF HAMILTON disclaims any liability as to the current accuracy of the contents of this document and advises that no reliance can be placed thereon.

PRIVATE RESIDENCE

REAR ADDITION AND INTERIOR RENOVATION

10 FRANKLIN AVENUE, HAMILTON, ON. L8S 3R4

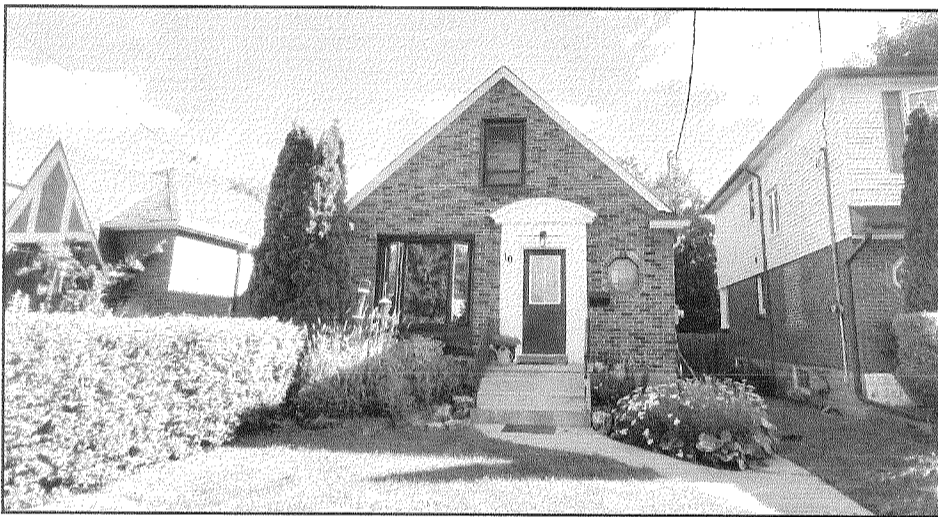
ISSUED FOR COMMITTEE OF ADJUSTMENT



LOCATION MAP:

BUILDING STATISTICS:

BASEMENT PLAN (EXCLUDED)	= 734.3 sq.ft (68.2 m2)
MAIN FLOOR PLAN	= 924.8 sq.ft (85.9 m2)
2ND FLOOR PLAN	= 759.6 sq.ft (70.6 m2)
TOTAL GFA	= 1684.4 sq.ft (156.5 m2)
FRONT PORCH	= 30.0 sq.ft. (2.9 m2)
REAR DECK	= 182.2 sq.ft. (16.9 m2)



EXISTING FRONT ELEVATION (FOR REFERENCE ONLY):



EXISTING REAR ELEVATION (FOR REFERENCE ONLY):



NEW REAR ELEVATION RENDERING (FOR REFERENCE ONLY):

ISSUED FOR
COMMITTEE OF
ADJUSTMENT

Project Name
**PRIVATE RESIDENCE
REAR ADDITION &
INTERIOR RENOVATIONS**
10 FRANKLIN AVE
HAMILTON, ON L8S 3R4

Sheet Title:
COVER PAGE

No.	Date:	Issue/Revision
4	OCT 28/22	ISSUED FOR COA
3	OCT 24/22	ISSUED FOR REVIEW
2	OCT 18/22	ISSUED FOR REVIEW
1	SEP 30/22	ISSUED FOR REVIEW

Drawn By:
Checked By:
Scale: 1/8"=1'-0"
Date: OCT 2022
Project No: 2022-49

A1

TO BE USED IN CONJUNCTION WITH PLAN OF SURVEY PREPARED BY SIDNEY W. WOODS INC., DATED JUNE 11, 1985.

PLAN
OF SURVEY SHOWING
REG. LOT 6, PLAN No. 1476
IN THE
CITY OF HAMILTON
REGIONAL MUNICIPALITY OF HAMILTON

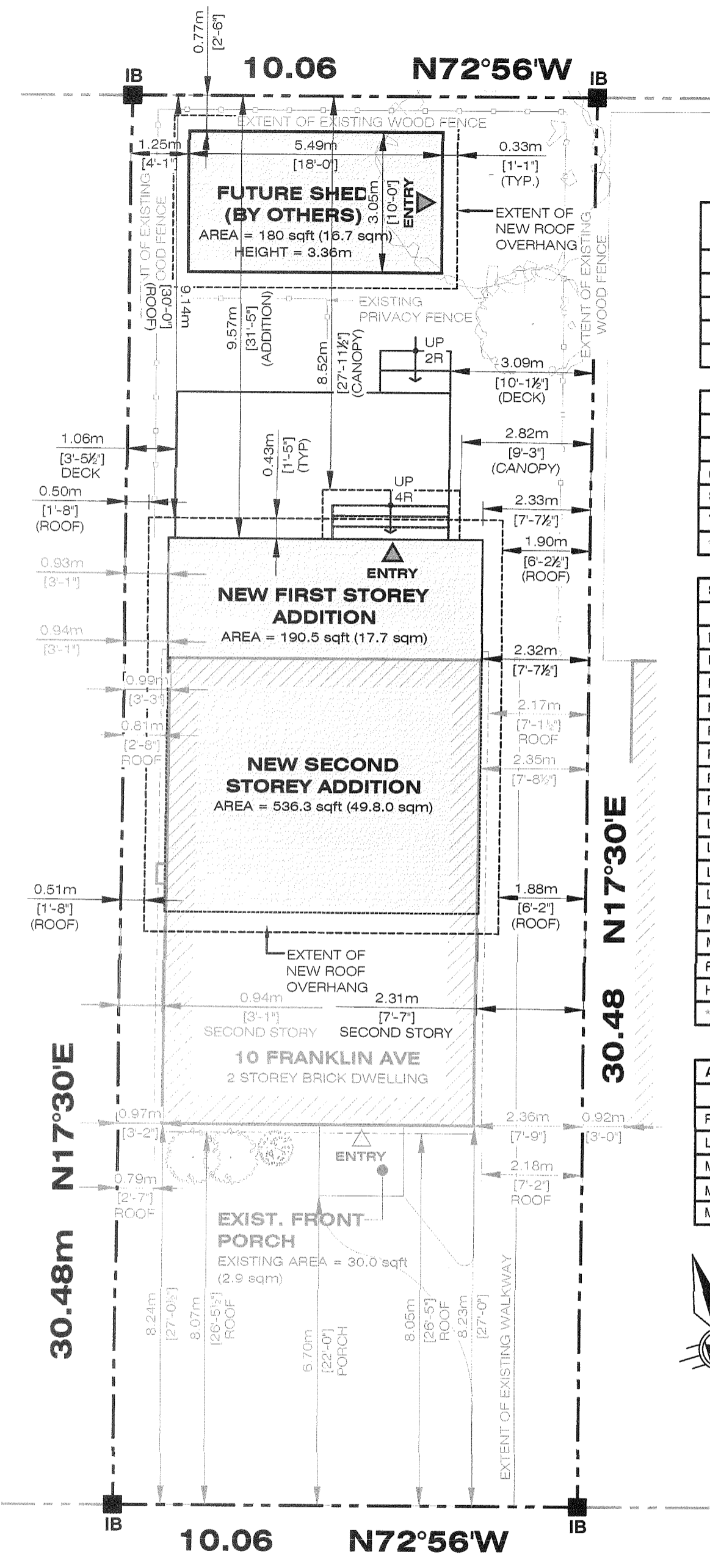
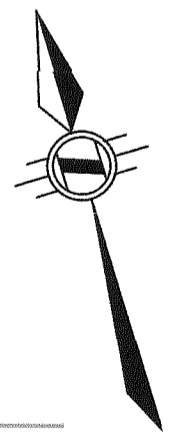
ZONING AND PROPERTY STATISTICS		
ADDRESS:	10 FRANKLIN AVENUE, HAMILTON, ON.	
ZONING:	C/ S-1364	
	BY-LAW:	EXISTING:
MIN. LOT AREA:	360 m ²	306.6 m ²
MIN. LOT WIDTH:	12.0 m	18.19 m

GROSS FLOOR AREA		
	BY-LAW:	PROPOSED:
BASEMENT FLOOR		62.6 m ²
MAIN FLOOR		85.9 m ²
SECOND FLOOR (VOIDS EXCLUDED)		67.6 m ²
TOTAL GFA	0.45:1 (138.0 m²)	**0.71:1 (216.1 m²)
**VARIANCE REQUIRED		

SETBACKS		
	BY-LAW:	PROPOSED:
FRONT YARD	6.0 m	8.23 m (EXIST.)
FRONT YARD (PORCH)	3.0 m	6.70 m
REAR YARD (ADDITION)	7.5 m	9.57 m
REAR YARD CANOPY	6.0 m	8.52 m
RIGHT YARD (HOUSE)	1.2 m	2.35 m (EXIST.)
RIGHT YARD (ADDITION)	1.2 m	2.32 m
RIGHT YARD EAVES	0.6 m	1.90 m
RIGHT YARD (DECK)	0.5 m	3.09 m
LEFT YARD (HOUSE)	1.2 m	0.97 m (EXIST.)
LEFT YARD (ADDITION)	1.2 m	**0.93 m
LEFT YARD EAVES	0.6 m	**0.50 m
LEFT YARD (DECK)	0.5 m	1.06 m
MAX. STOREYS	2	2
MAX. HEIGHT	9.0 m	7.65 m
PARKING SPACES	2	**0 (EXIST.)
HABITABLE ROOMS	8	8
**VARIANCE REQUIRED		

ACCESSORY BUILDING		
	BY-LAW:	PROPOSED:
REAR YARD	0.45 m	0.77 m
LEFT YARD	0.45 m	1.25 m
MAX. FLOOR AREA	30% (22.6 m ²)	22.1% (16.7 m ²)
MAX. STOREY	1	1
MAX. HEIGHT (PEAKED ROOF)	4.0 m	3.36 m

ALL EXISTING GRADING TO REMAIN. ALL EXISTING DRAINAGE CONDITIONS TO REMAIN BETWEEN HOUSE AND PROPERTY LINE



FRANKLIN AVENUE

ISSUED FOR COMMITTEE OF ADJUSTMENT

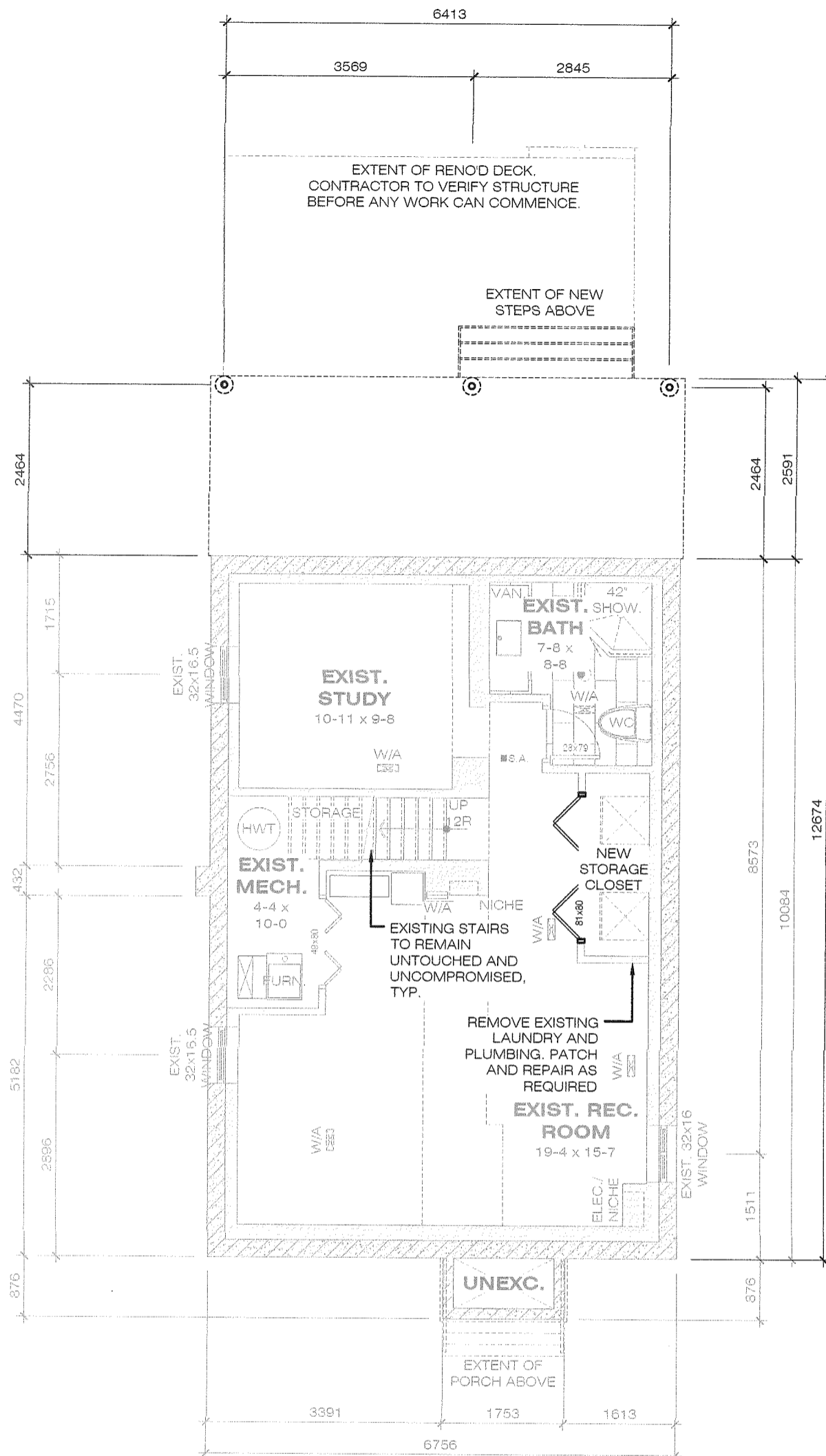
Project Name:
PRIVATE RESIDENCE REAR ADDITION & INTERIOR RENOVATIONS
10 FRANKLIN AVE
HAMILTON, ON L8S 3R4

Sheet Title:
SITE PLAN AND ZONING STATISTICS

No.	Date	Issue/Revision
4	OCT 28/22	ISSUED FOR COA
3	OCT 24/22	ISSUED FOR REVIEW
2	OCT 18/22	ISSUED FOR REVIEW
1	SEP 30/22	ISSUED FOR REVIEW

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Scale:	1:75
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Project No.:	2022-49

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BASEMENT / FOUNDATION PLAN

AREA = 734.3 sqft (68.2 sqm)
 MECHANICAL ROOM AREA = 60.7 sqft (5.6 sqm)
 BASEMENT GFA = 673.7 sqft (62.6 sqm)
 U/S FLOOR JOISTS = 6'-11" UNO.
 HABITABLE ROOMS = 2

WALL LEGEND	
	EXISTING FOUNDATION WALLS TO REMAIN
	NEW FOUNDATION WALLS
	EXISTING INTERIOR / EXTERIOR WALLS TO REMAIN
	NEW INTERIOR / EXTERIOR WALLS
	EXISTING WALLS TO BE REMOVED

ISSUED FOR COMMITTEE OF ADJUSTMENT

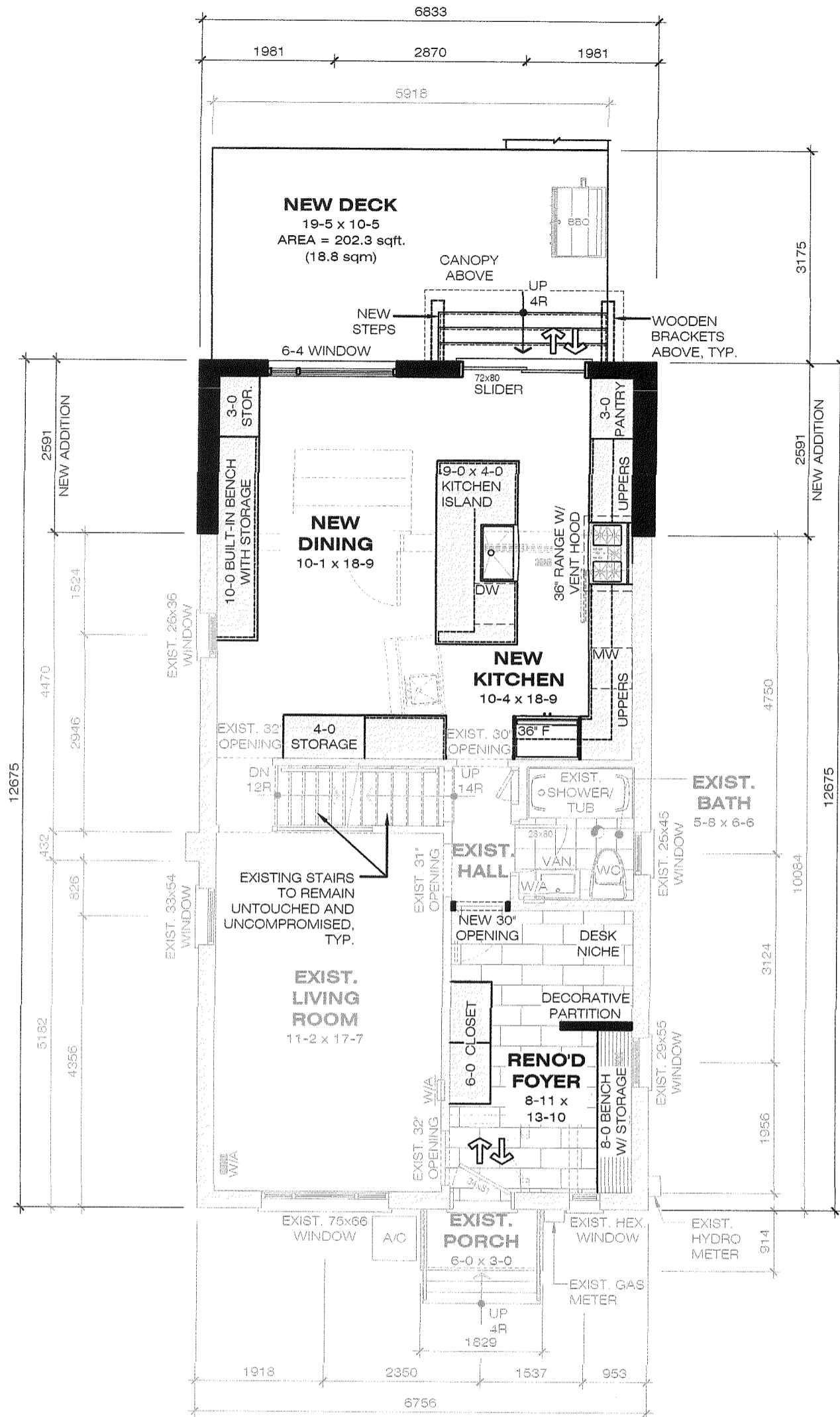
Project Name:
**PRIVATE RESIDENCE
 REAR ADDITION &
 INTERIOR RENOVATIONS**
 10 FRANKLIN AVE
 HAMILTON, ON L8S 3R4

Sheet Title:
BASEMENT FLOOR PLAN

No.	Date	Issue/Revision
4	OCT 28/22	ISSUED FOR COA
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1	SEP 30/22	ISSUED FOR REVIEW

Drawn By:
 Checked By:
 Scale: 1/75
 Date: OCT 2022
 Project No: 2022-49

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RENOVATED MAIN FLOOR PLAN

EXISTING FLOOR AREA = 734.3 sqft (68.2 sqm)
ADDITION AREA = 190.5 sqft (17.7 sqm)
 NEW TOTAL AREA = 924.8 sqft (85.9 sqm)
 CEILING HEIGHT = 8'-3" UNO.
HABITABLE ROOMS = 3

WALL LEGEND

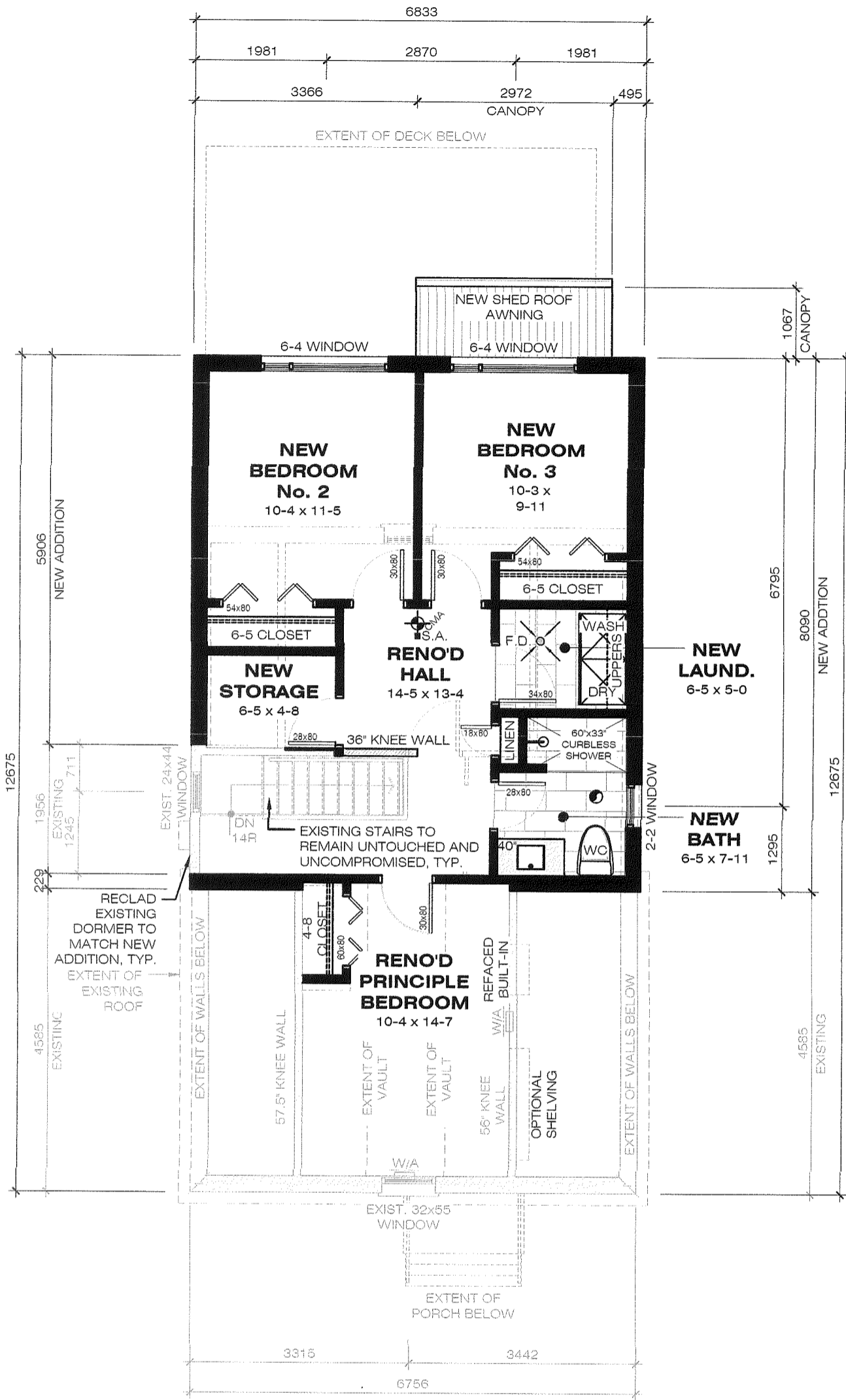
- EXISTING INTERIOR / EXTERIOR WALLS TO REMAIN
- NEW INTERIOR / EXTERIOR WALLS
- EXISTING WALLS TO BE REMOVED

**ISSUED FOR
COMMITTEE OF
ADJUSTMENT**

Project Name:
**PRIVATE RESIDENCE
 REAR ADDITION &
 INTERIOR RENOVATIONS**
 10 FRANKLIN AVE
 HAMILTON, ON L8S 3R4

Sheet Title:
MAIN FLOOR PLAN

Drawn By:	
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Scale:	1:75
Date:	OCT 2022
Project No.:	2022-49
A3	
No.	Date: Issue/Revision
4	OCT 28/22 ISSUED FOR COA
3	OCT 24/22 ISSUED FOR REVIEW
2	OCT 18/22 ISSUED FOR REVIEW
1	SEP 30/22 ISSUED FOR REVIEW



RENOVATED SECOND FLOOR

FLOOR AREA = 456.3 sqft (42.4 sqm)
ADDITION AREA = 303.3 sqft (28.2 sqm)
 NEW TOTAL AREA = 759.6 sqft (70.6 sqm)
 LAUNDRY ROOM AREA = 31.9 sqft (3.0 sqm)
 SECOND FLOOR GFA = 727.7 sqft (67.6 sqm)
 CEILING HEIGHT = 7'-10" UNO.
HABITABLE ROOMS = 3

WALL LEGEND	
	EXISTING INTERIOR / EXTERIOR WALLS TO REMAIN
	NEW INTERIOR / EXTERIOR WALLS
	EXISTING WALLS TO BE REMOVED

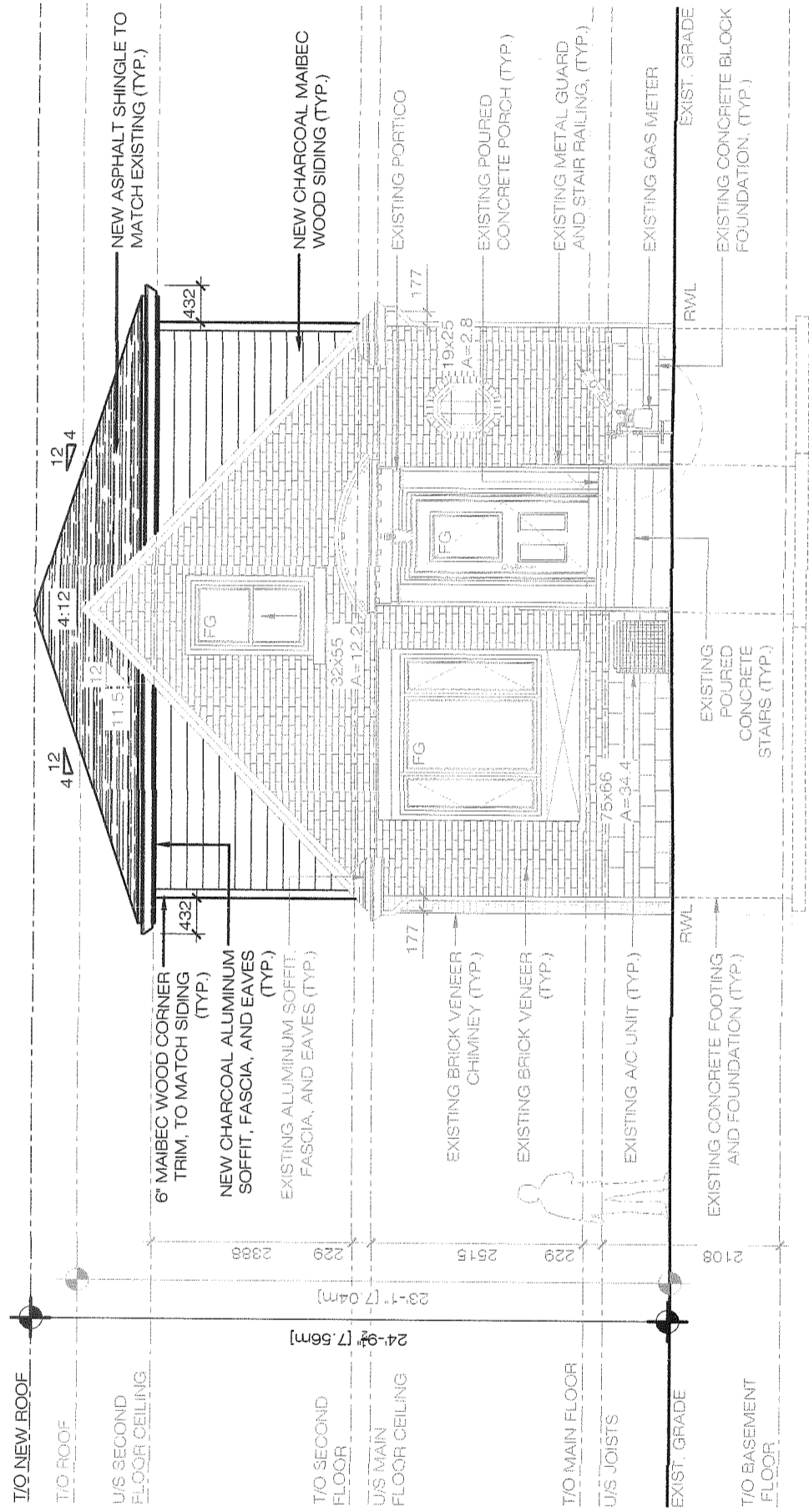
ISSUED FOR COMMITTEE OF ADJUSTMENT

Project Name:
**PRIVATE RESIDENCE
 REAR ADDITION &
 INTERIOR RENOVATIONS**
 10 FRANKLIN AVE
 HAMILTON, ON L8S 3R4

Sheet Title:
SECOND FLOOR PLAN

Drawn By:			
Checked By:			
Scale:	1:75		
Date:	OCT 2022		
Project No:	2022-49		
A4			
No.	Date:	Issue/Revision	By:
4	OCT 28/22	ISSUED FOR COA	
3	OCT 24/22	ISSUED FOR REVIEW	
2	OCT 18/22	ISSUED FOR REVIEW	
1	SEP 30/22	ISSUED FOR REVIEW	

ALL EXISTING GRADING TO REMAIN. ALL EXISTING DRAINAGE CONDITIONS TO REMAIN BETWEEN HOUSE AND PROPERTY LINE



FRONT ELEVATION

ISSUED FOR COMMITTEE OF ADJUSTMENT

Project Name:
PRIVATE RESIDENCE
 REAR ADDITION &
 INTERIOR RENOVATIONS
 10 FRANKLIN AVE
 HAMILTON, ON L8S 3R4

Sheet Title:
FRONT ELEVATION

No.	Date	Issue/Revision
4	OCT 28/22	ISSUED FOR COA
3	OCT 24/22	ISSUED FOR REVIEW
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1	SEP 30/22	ISSUED FOR REVIEW

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 Date: OCT 2022
 Project No: 2022-49

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**ISSUED FOR
COMMITTEE OF
ADJUSTMENT**

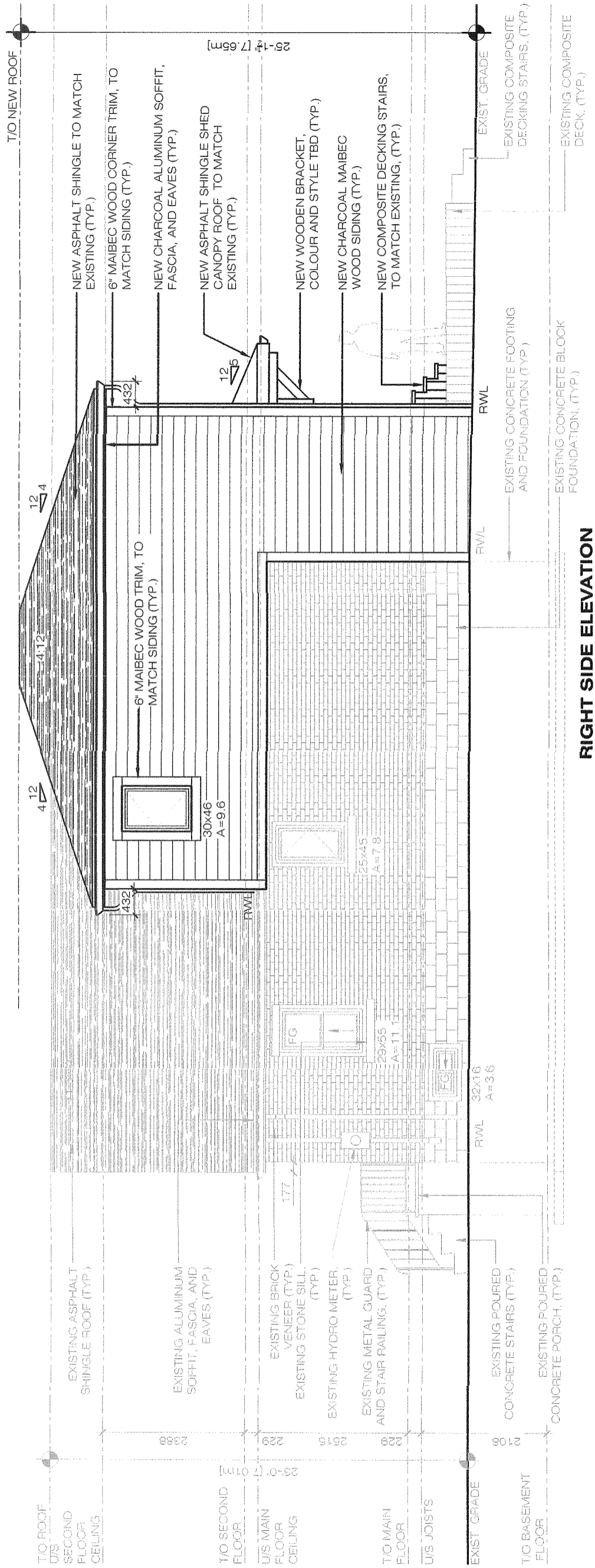
Project Name
**PRIVATE RESIDENCE
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10 FRANKLIN AVE
HAMILTON, ON L8S 3R4

Sheet Title
RIGHT SIDE ELEVATION

No.	Date	Issue/Revision
4	OCT 28/22	ISSUED FOR COA
3	OCT 24/22	ISSUED FOR REVIEW
2	OCT 18/22	ISSUED FOR REVIEW
1	SEP 30/22	ISSUED FOR REVIEW

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Scale:	1:75
Date:	OCT 2022
Project No:	2022-49

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RIGHT SIDE ELEVATION

ALL EXISTING GRADING TO REMAIN. ALL EXISTING DRAINAGE CONDITIONS TO REMAIN BETWEEN HOUSE AND PROPERTY LINE

ISSUED FOR
COMMITTEE OF
ADJUSTMENT

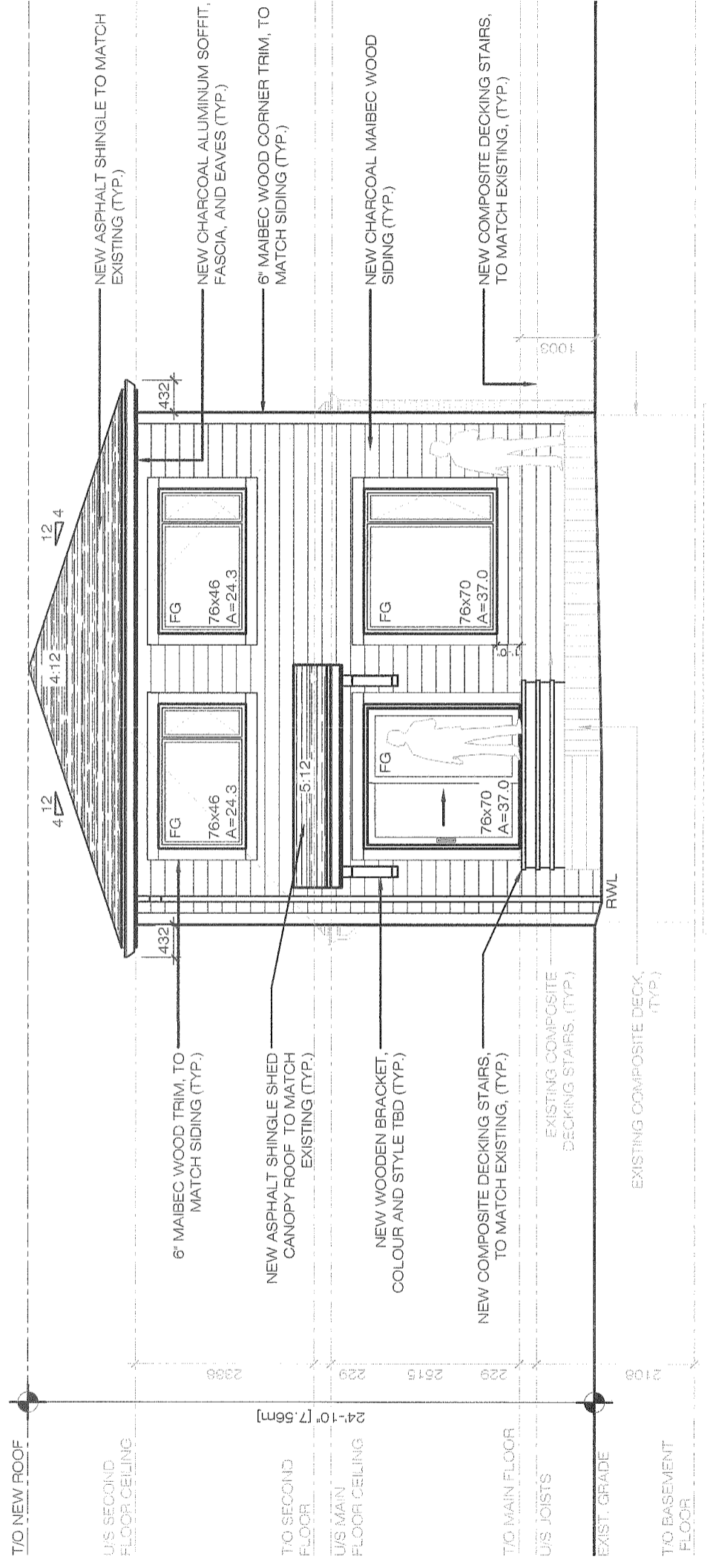
Project Name:
**PRIVATE RESIDENCE
REAR ADDITION &
INTERIOR RENOVATIONS**
10 FRANKLIN AVE
HAMILTON, ON L8S 3R4

Sheet Title:
REAR ELEVATION

No.	Date:	Issue/Revision
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1	SEP 30/22	ISSUED FOR REVIEW

Checked By:	
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Date:	OCT 2022
Project No:	2022-49

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REAR ELEVATION

ALL EXISTING GRADING TO REMAIN. ALL EXISTING DRAINAGE CONDITIONS TO REMAIN BETWEEN HOUSE AND PROPERTY LINE

**ISSUED FOR
COMMITTEE OF
ADJUSTMENT**

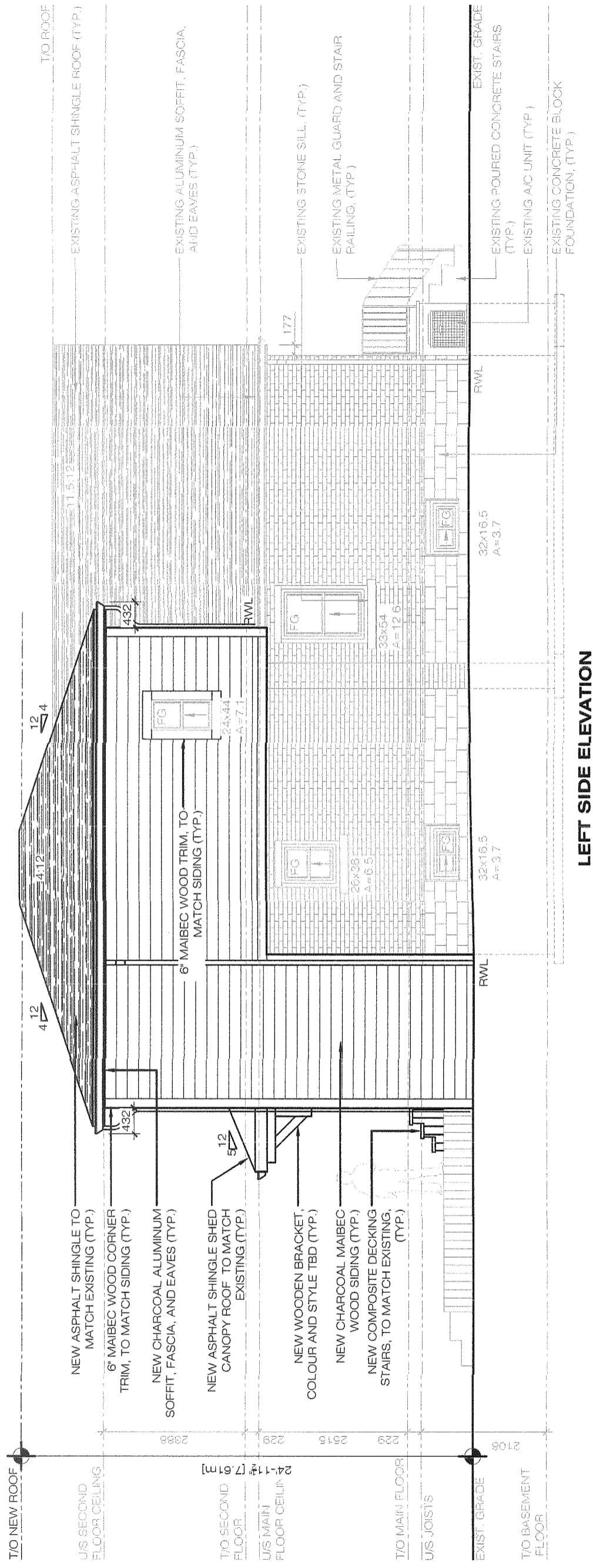
Project Name
**PRIVATE RESIDENCE
REAR ADDITION &
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10 FRANKLIN AVE
HAMILTON, ON L8S 3R4

Sheet Title:
LEFT SIDE ELVATION

No.	Date:	Issue/Revision
4	OCT 28/22	ISSUED FOR COA
3	OCT 24/22	ISSUED FOR REVIEW
2	OCT 16/22	ISSUED FOR REVIEW
1	SEP 30/22	ISSUED FOR REVIEW

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Date:	OCT 2022
Project No.:	2022-49

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LEFT SIDE ELEVATION

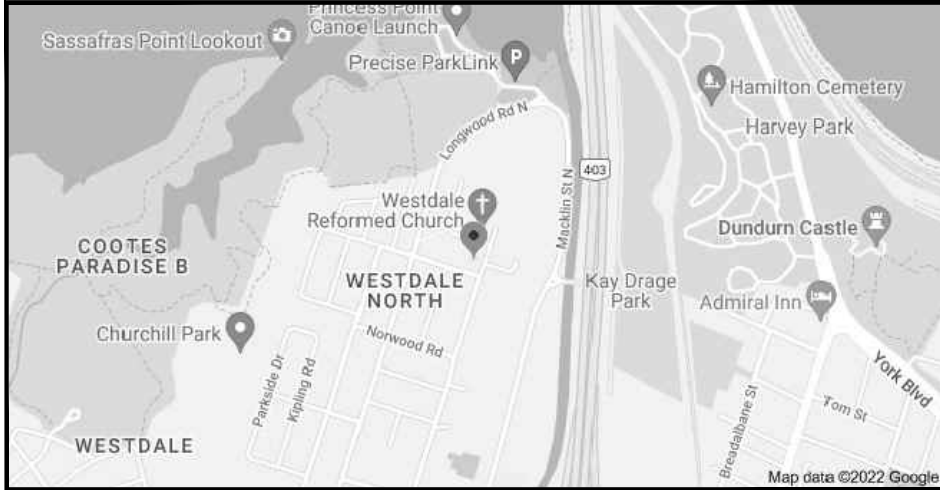
**ALL EXISTING GRADING TO REMAIN. ALL
EXISTING DRAINAGE CONDITIONS TO
REMAIN BETWEEN HOUSE AND
PROPERTY LINE**

PRIVATE RESIDENCE

REAR ADDITION AND INTERIOR RENOVATION

10 FRANKLIN AVENUE, HAMILTON, ON. L8S 3R4

ISSUED FOR COMMITTEE OF ADJUSTMENT



LOCATION MAP:

BUILDING STATISTICS:

BASEMENT PLAN (EXCLUDED)	= 734.3 sq.ft (68.2 m2)
MAIN FLOOR PLAN	= 924.8 sq.ft (85.9 m2)
2ND FLOOR PLAN	= 759.6 sq.ft (70.6 m2)
TOTAL GFA	= 1684.4 sq.ft (156.5 m2)
FRONT PORCH	= 30.0 sq.ft. (2.9 m2)
REAR DECK	= 182.2 sq.ft. (16.9 m2)



EXISTING FRONT ELEVATION (FOR REFERENCE ONLY):



EXISTING REAR ELEVATION (FOR REFERENCE ONLY):



NEW REAR ELEVATION RENDERING (FOR REFERENCE ONLY):

<h2>ISSUED FOR COMMITTEE OF ADJUSTMENT</h2>	Project Name: PRIVATE RESIDENCE REAR ADDITION & INTERIOR RENOVATIONS 10 FRANKLIN AVE HAMILTON, ON L8S 3R4	<table border="1"> <tr> <td>4</td> <td>OCT 28/22</td> <td>ISSUED FOR COA</td> </tr> <tr> <td>3</td> <td>OCT 24/22</td> <td>ISSUED FOR REVIEW</td> </tr> <tr> <td>2</td> <td>OCT 18/22</td> <td>ISSUED FOR REVIEW</td> </tr> <tr> <td>1</td> <td>SEP 30/22</td> <td>ISSUED FOR REVIEW</td> </tr> <tr> <td>No.</td> <td>Date:</td> <td>Issue/Revision</td> </tr> </table>	4	OCT 28/22	ISSUED FOR COA	3	OCT 24/22	ISSUED FOR REVIEW	2	OCT 18/22	ISSUED FOR REVIEW	1	SEP 30/22	ISSUED FOR REVIEW	No.	Date:	Issue/Revision	Drawn By: Checked By: Scale: 1/8"=1'-0" Date: OCT 2022 Project No. 2022-49
	4		OCT 28/22	ISSUED FOR COA														
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1	SEP 30/22	ISSUED FOR REVIEW																
No.	Date:	Issue/Revision																
Sheet Title: COVER PAGE	<h1>A1</h1>																	

TO BE USED IN CONJUNCTION WITH PLAN OF SURVEY PREPARED BY SIDNEY W. WOODS INC., DATED JUNE 11, 1985.

PLAN
OF SURVEY SHOWING
REG. LOT 6, PLAN No. 1476
IN THE
CITY OF HAMILTON
REGIONAL MUNICIPALITY OF HAMILTON

ZONING AND PROPERTY STATISTICS

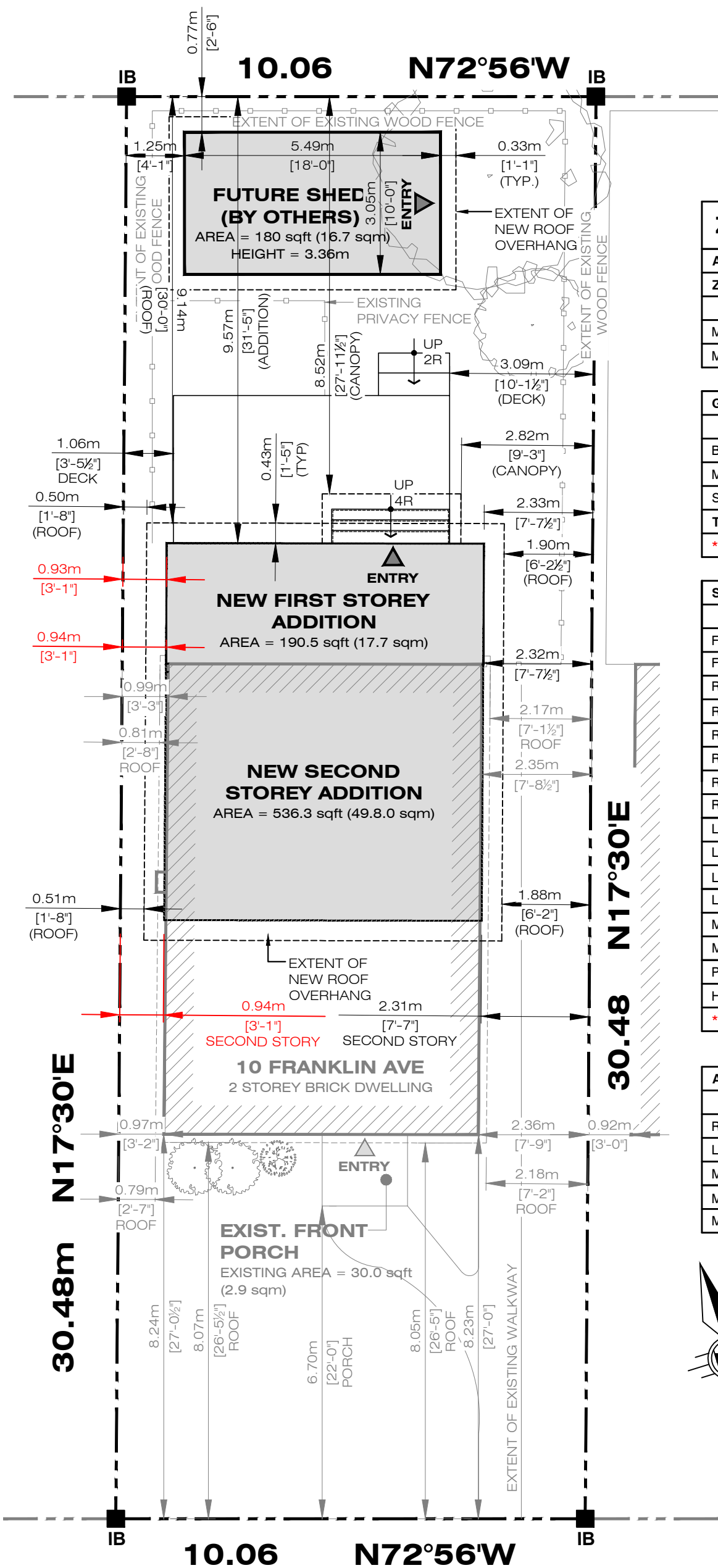
ADDRESS: 10 FRANKLIN AVENUE, HAMILTON, ON.		
ZONING: C/ S-1364		
	BY-LAW:	EXISTING:
MIN. LOT AREA:	360 m ²	306.6 m ²
MIN. LOT WIDTH:	12.0 m	18.19 m

GROSS FLOOR AREA		
	BY-LAW:	PROPOSED:
BASEMENT FLOOR		62.6 m ²
MAIN FLOOR		85.9 m ²
SECOND FLOOR (VOIDS EXCLUDED)		67.6 m ²
TOTAL GFA	0.45:1 (138.0 m2)	**0.71:1 (216.1 m²)
**VARIANCE REQUIRED		

SETBACKS		
	BY-LAW:	PROPOSED:
FRONT YARD	6.0 m	8.23 m (EXIST.)
FRONT YARD (PORCH)	3.0 m	6.70 m
REAR YARD (ADDITION)	7.5 m	9.57 m
REAR YARD CANOPY	6.0 m	8.52 m
RIGHT YARD (HOUSE)	1.2 m	2.35 m (EXIST.)
RIGHT YARD (ADDITION)	1.2 m	2.32 m
RIGHT YARD EAVES	0.6 m	1.90 m
RIGHT YARD (DECK)	0.5 m	3.09 m
LEFT YARD (HOUSE)	1.2 m	0.97 m (EXIST.)
LEFT YARD (ADDITION)	1.2 m	**0.93 m
LEFT YARD EAVES	0.6 m	**0.50 m
LEFT YARD (DECK)	0.5 m	1.06 m
MAX. STOREYS	2	2
MAX. HEIGHT	9.0 m	7.65 m
PARKING SPACES	2	**0 (EXIST.)
HABITABLE ROOMS	8	8
**VARIANCE REQUIRED		

ACCESSORY BUILDING		
	BY-LAW:	PROPOSED:
REAR YARD	0.45 m	0.77 m
LEFT YARD	0.45 m	1.25 m
MAX. FLOOR AREA	30% (22.6 m ²)	22.1% (16.7 m ²)
MAX. STOREY	1	1
MAX. HEIGHT (PEAKED ROOF)	4.0 m	3.36 m

ALL EXISTING GRADING TO REMAIN. ALL EXISTING DRAINAGE CONDITIONS TO REMAIN BETWEEN HOUSE AND PROPERTY LINE



FRANKLIN AVENUE

ISSUED FOR COMMITTEE OF ADJUSTMENT

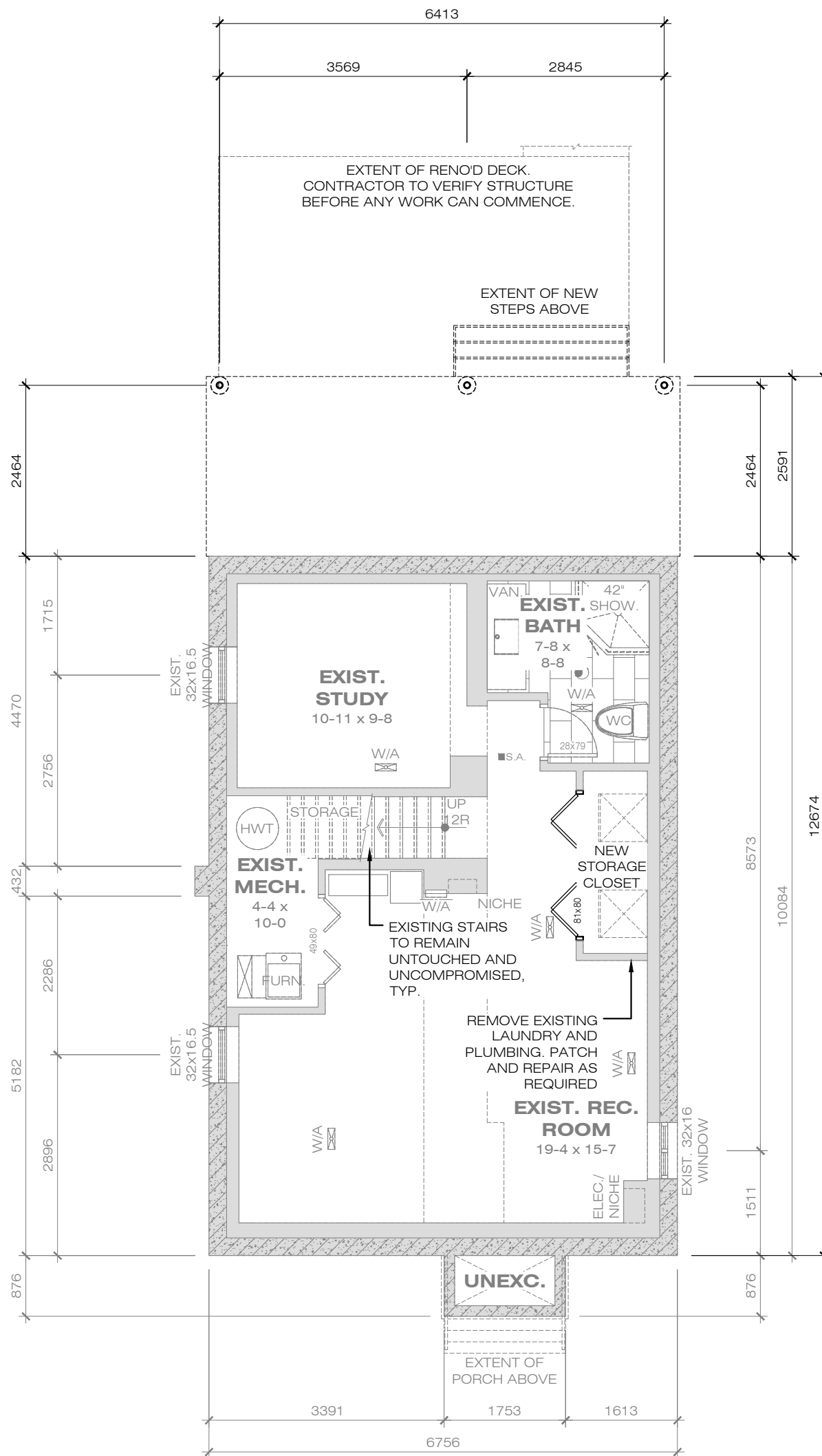
Project Name:
PRIVATE RESIDENCE
REAR ADDITION &
INTERIOR RENOVATIONS
10 FRANKLIN AVE
HAMILTON, ON L8S 3R4

Sheet Title:
SITE PLAN AND ZONING STATISTICS

No.	Date:	Issue/Revision
4	OCT 28/22	ISSUED FOR COA
3	OCT 24/22	ISSUED FOR REVIEW
2	OCT 18/22	ISSUED FOR REVIEW
1	SEP 30/22	ISSUED FOR REVIEW

Drawn By:
Checked By:
Scale: 1:75
Date: OCT 2022
Project No: 2022-49

SP



BASEMENT / FOUNDATION PLAN

AREA = 734.3 sqft (68.2 sqm)
 MECHANICAL ROOM AREA = 60.7 sqft (5.6 sqm)
 BASEMENT GFA = 673.7 sqft (62.6 sqm)
 U/S FLOOR JOISTS = 6'-11" UNO.
 HABITABLE ROOMS = 2

WALL LEGEND

	EXISTING FOUNDATION WALLS TO REMAIN
	NEW FOUNDATION WALLS
	EXISTING INTERIOR / EXTERIOR WALLS TO REMAIN
	NEW INTERIOR / EXTERIOR WALLS
	EXISTING WALLS TO BE REMOVED

ISSUED FOR COMMITTEE OF ADJUSTMENT

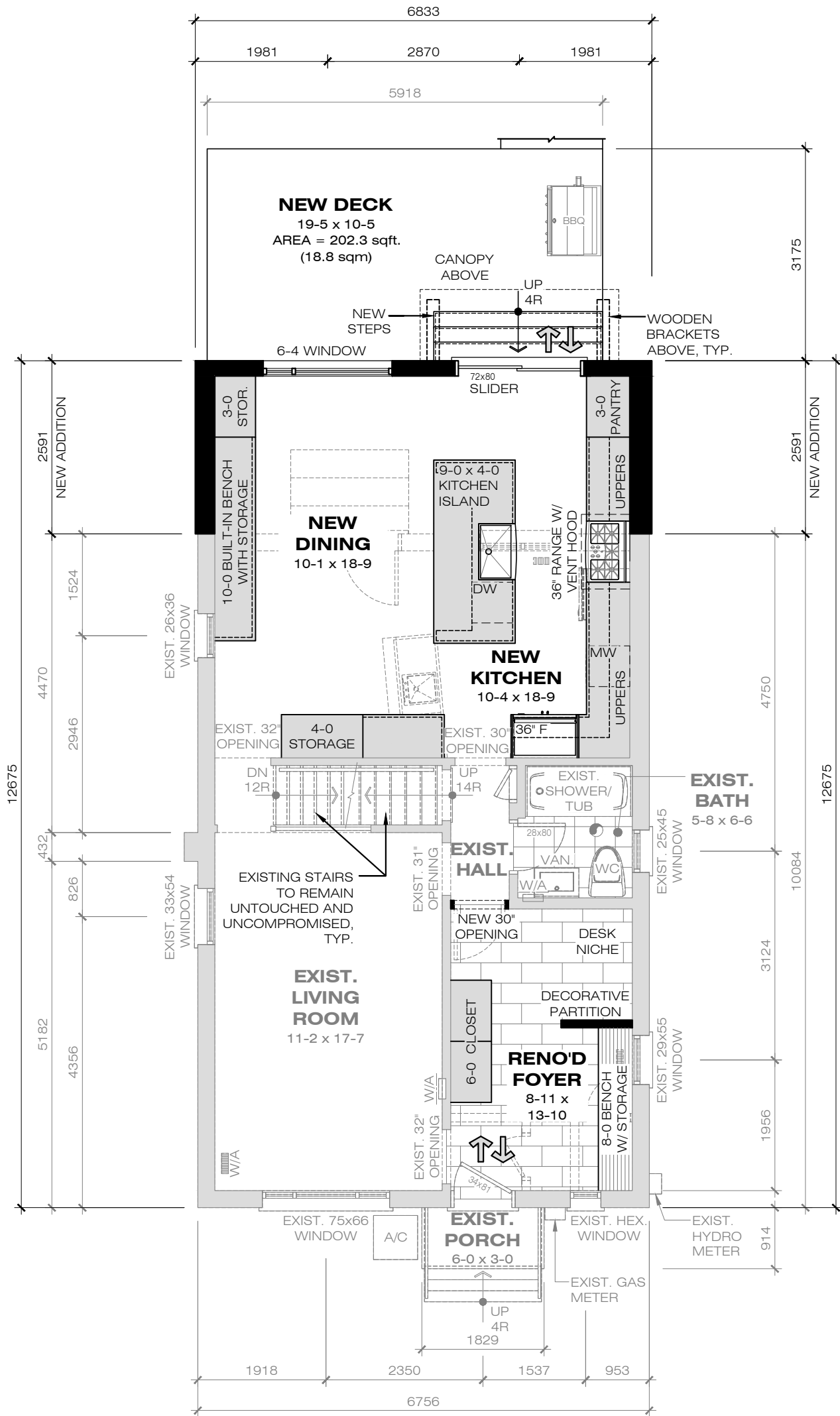
Project Name:
PRIVATE RESIDENCE
 REAR ADDITION &
 INTERIOR RENOVATIONS
 10 FRANKLIN AVE
 HAMILTON, ON L8S 3R4

Sheet Title:
BASEMENT FLOOR PLAN

No.	Date	Issue/Revision
4	OCT 28/22	ISSUED FOR COA
3	OCT 24/22	ISSUED FOR REVIEW
2	OCT 18/22	ISSUED FOR REVIEW
1	SEP 30/22	ISSUED FOR REVIEW

Drawn By:
 Checked By:
 Scale: 1:75
 Date: OCT 2022
 Project No: 2022-49

A2



RENOVATED MAIN FLOOR PLAN

EXISTING FLOOR AREA = 734.3 sqft (68.2 sqm)

ADDITION AREA = 190.5 sqft (17.7 sqm)

NEW TOTAL AREA = 924.8 sqft (85.9 sqm)

CEILING HEIGHT = 8'-3" UNO.

HABITABLE ROOMS = 3

WALL LEGEND

- EXISTING INTERIOR / EXTERIOR WALLS TO REMAIN
- NEW INTERIOR / EXTERIOR WALLS
- EXISTING WALLS TO BE REMOVED

**ISSUED FOR
COMMITTEE OF
ADJUSTMENT**

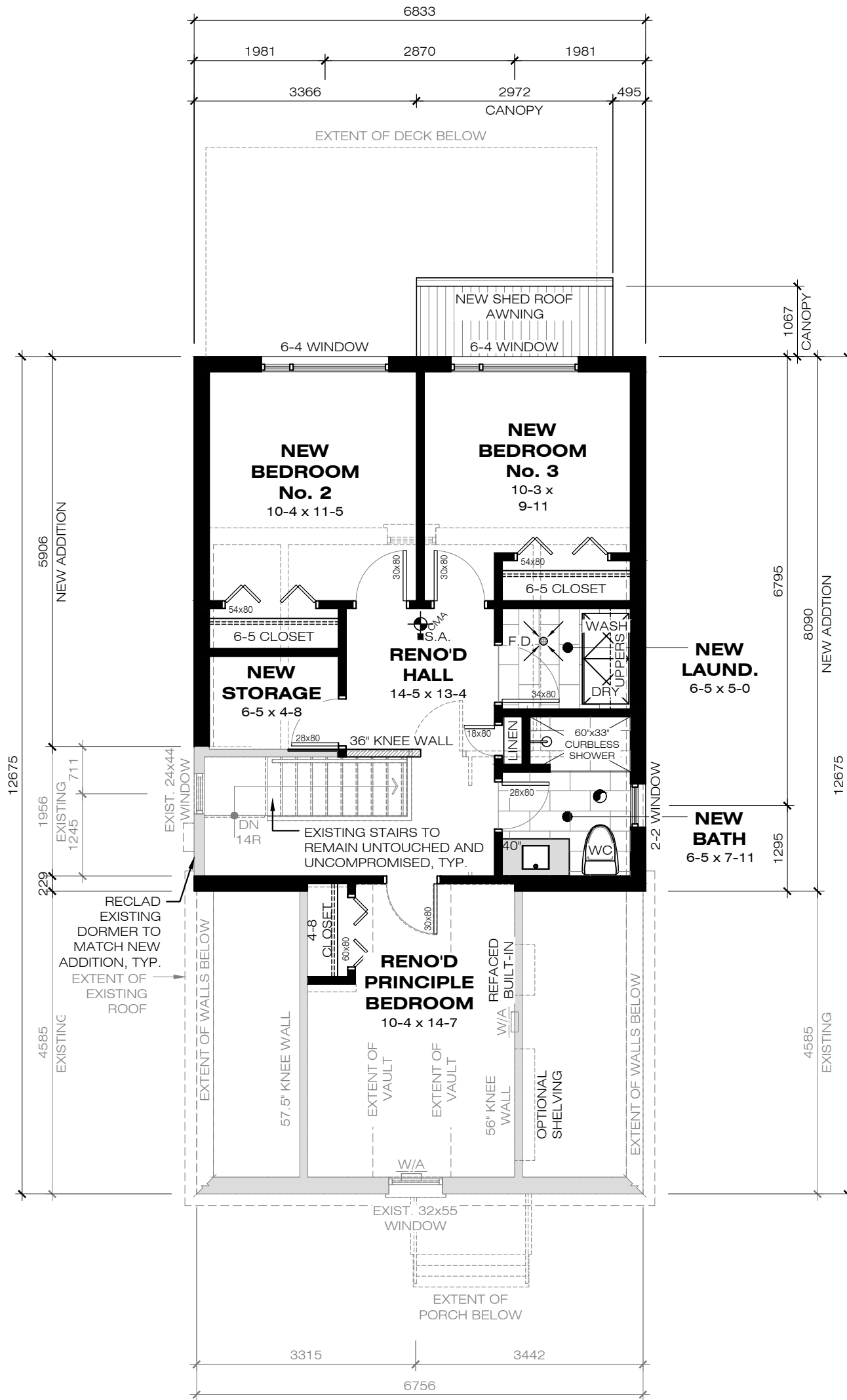
Project Name:
PRIVATE RESIDENCE
REAR ADDITION &
INTERIOR RENOVATIONS
10 FRANKLIN AVE
HAMILTON, ON L8S 3R4

Sheet Title:
MAIN FLOOR PLAN

No.	Date:	Issue/Revision
4	OCT 28/22	ISSUED FOR COA
3	OCT 24/22	ISSUED FOR REVIEW
2	OCT 18/22	ISSUED FOR REVIEW
1	SEP 30/22	ISSUED FOR REVIEW

Drawn By:	
Checked By:	
Scale:	1:75
Date:	OCT 2022
Project No.:	2022-49

A3



RENOVATED SECOND FLOOR

FLOOR AREA = 456.3 sqft (42.4 sqm)
ADDITION AREA = 303.3 sqft (28.2 sqm)
 NEW TOTAL AREA = 759.6 sqft (70.6 sqm)
 LAUNDRY ROOM AREA = 31.9 sqft (3.0 sqm)
 SECOND FLOOR GFA = 727.7 sqft (67.6 sqm)
 CEILING HEIGHT = 7'-10" UNO.
HABITABLE ROOMS = 3

WALL LEGEND

- EXISTING INTERIOR / EXTERIOR WALLS TO REMAIN
- NEW INTERIOR / EXTERIOR WALLS
- EXISTING WALLS TO BE REMOVED

ISSUED FOR COMMITTEE OF ADJUSTMENT	Project Name:	PRIVATE RESIDENCE REAR ADDITION & INTERIOR RENOVATIONS 10 FRANKLIN AVE HAMILTON, ON L8S 3R4	Drawn By:	
	Sheet Title:	SECOND FLOOR PLAN	Checked By:	
			Scale:	1:75
			Date:	OCT 2022
			Project No.:	2022-49
			A4	
		No.	Date:	Issue/Revision
		4	OCT 28/22	ISSUED FOR COA
		3	OCT 24/22	ISSUED FOR REVIEW
		2	OCT 18/22	ISSUED FOR REVIEW
		1	SEP 30/22	ISSUED FOR REVIEW

**ISSUED FOR
COMMITTEE OF
ADJUSTMENT**

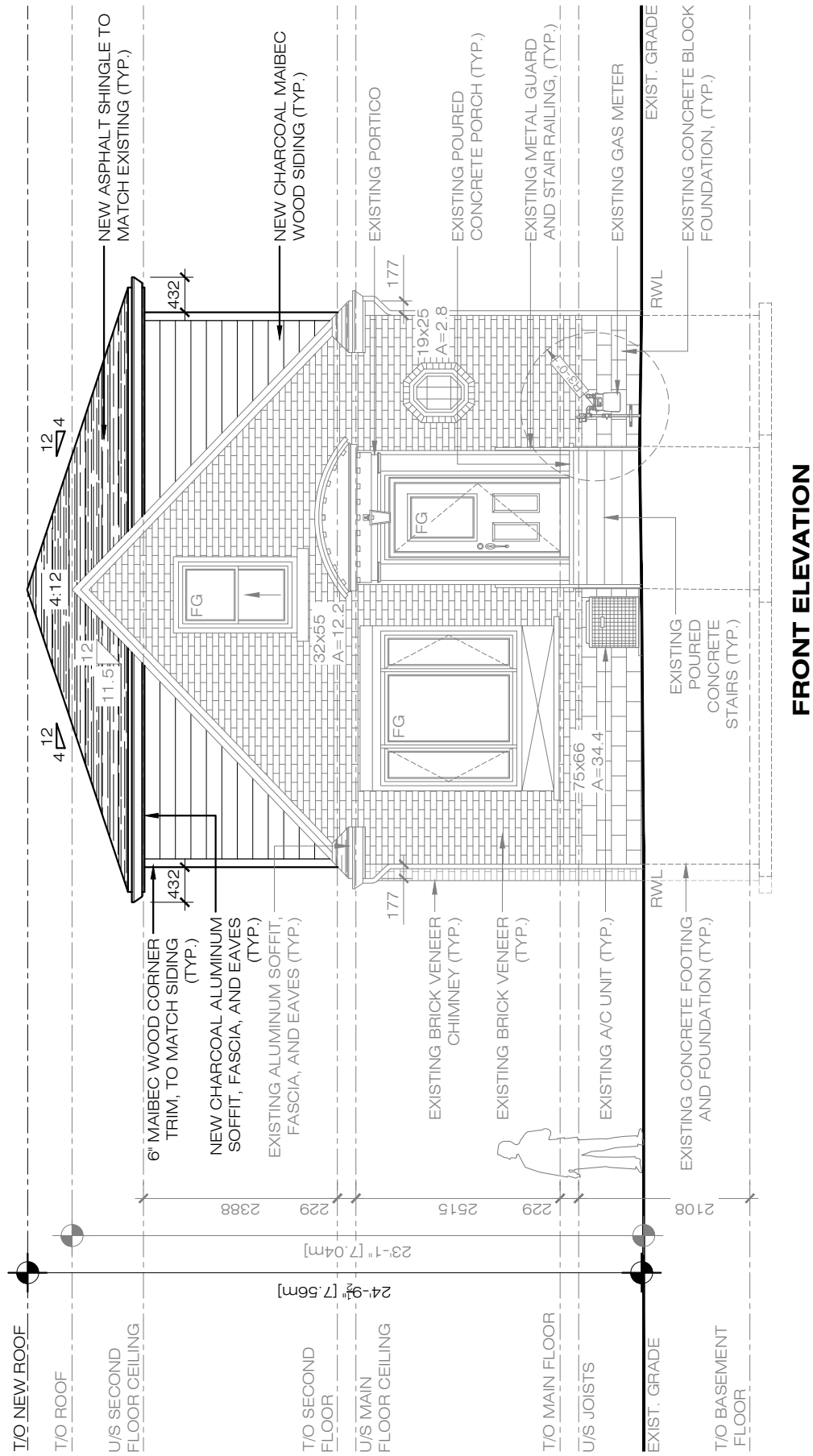
Project Name:
**PRIVATE RESIDENCE
REAR ADDITION &
INTERIOR RENOVATIONS**
10 FRANKLIN AVE
HAMILTON, ON L8S 3R4

Sheet Title:
FRONT ELEVATION

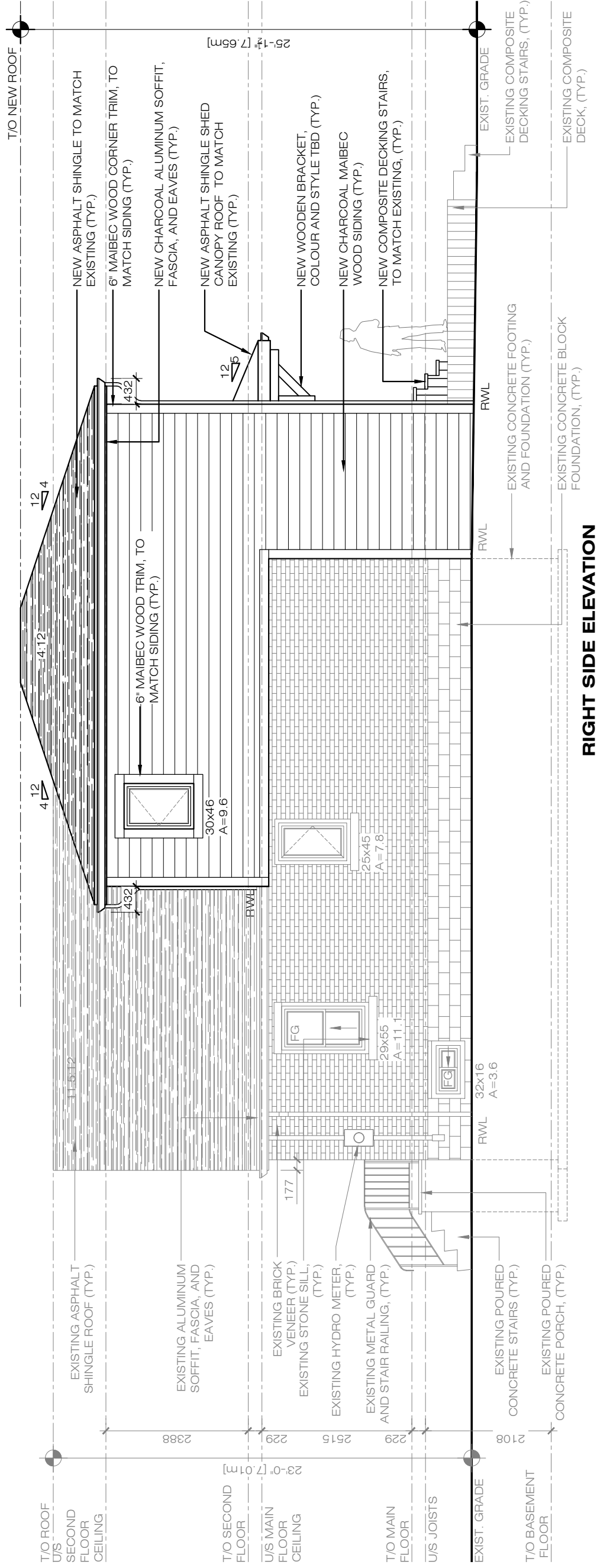
No.	Date:	Issue/Revision
4	OCT 28/22	ISSUED FOR COA
3	OCT 24/22	ISSUED FOR REVIEW
2	OCT 18/22	ISSUED FOR REVIEW
1	SEP 30/22	ISSUED FOR REVIEW

Checked By:	
Scale:	1:75
Date:	OCT 2022
Project No.	2022-49

A5



ALL EXISTING GRADING TO REMAIN. ALL EXISTING DRAINAGE CONDITIONS TO REMAIN BETWEEN HOUSE AND PROPERTY LINE



RIGHT SIDE ELEVATION

ALL EXISTING GRADING TO REMAIN. ALL EXISTING DRAINAGE CONDITIONS TO REMAIN BETWEEN HOUSE AND PROPERTY LINE

ISSUED FOR COMMITTEE OF ADJUSTMENT

Project Name:
PRIVATE RESIDENCE
 REAR ADDITION &
 INTERIOR RENOVATIONS
 10 FRANKLIN AVE
 HAMILTON, ON L8S 3R4

Sheet Title:
RIGHT SIDE ELEVATION

No.	Date:	Issue/Revision
4	OCT 28/22	ISSUED FOR COA
3	OCT 24/22	ISSUED FOR REVIEW
2	OCT 18/22	ISSUED FOR REVIEW
1	SEP 30/22	ISSUED FOR REVIEW

Drawn By:
 Checked By:
 Scale: 1:75
 Date: OCT 2022
 Project No. 2022-49

A6

**ISSUED FOR
COMMITTEE OF
ADJUSTMENT**

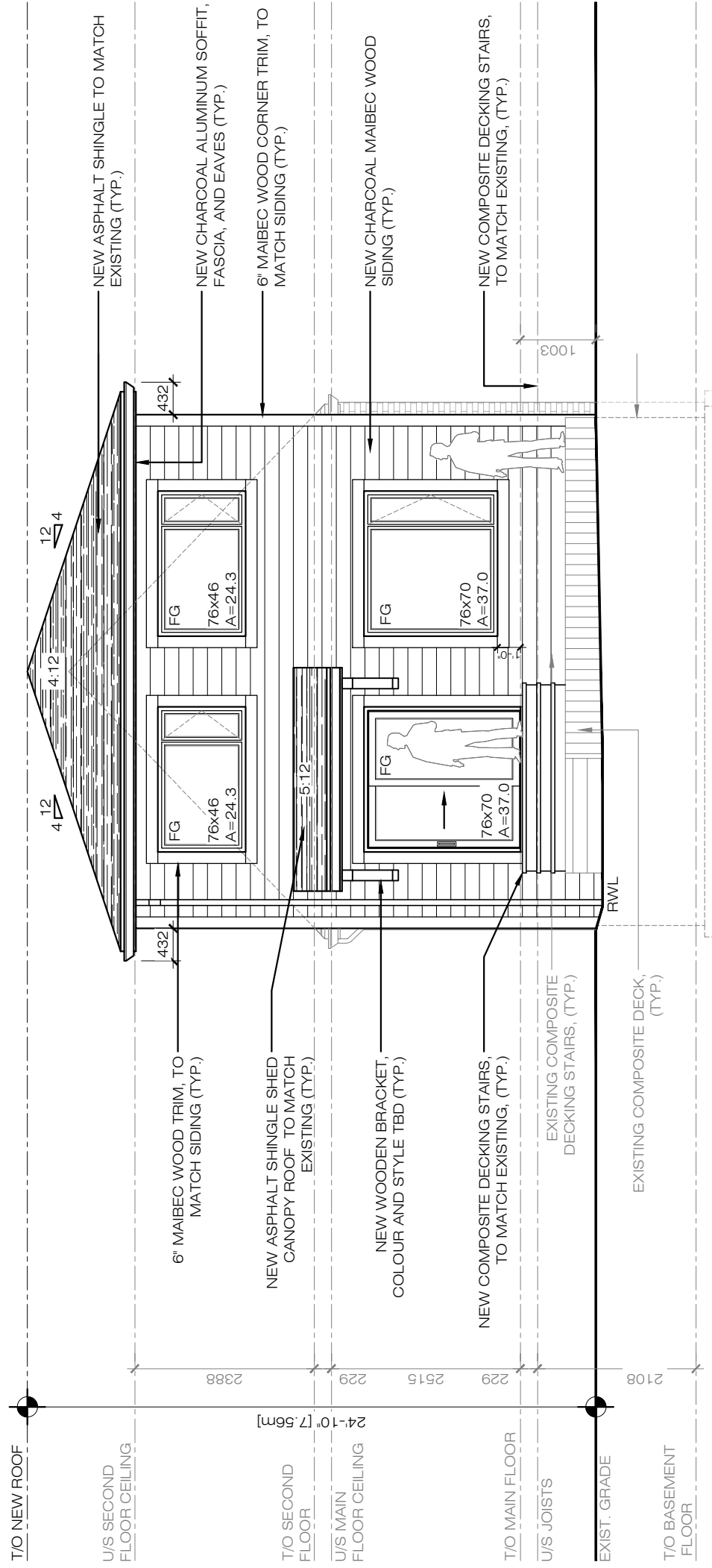
Project Name:
PRIVATE RESIDENCE
REAR ADDITION &
INTERIOR RENOVATIONS
10 FRANKLIN AVE
HAMILTON, ON L8S 3R4

Sheet Title:
REAR ELEVATION

No.	Date:	Issue/Revision
4	OCT 28/22	ISSUED FOR COA
3	OCT 24/22	ISSUED FOR REVIEW
2	OCT 18/22	ISSUED FOR REVIEW
1	SEP 30/22	ISSUED FOR REVIEW

Checked By:	
Scale:	1:75
Date:	OCT 2022
Project No.	2022-49

A7



REAR ELEVATION

ALL EXISTING GRADING TO REMAIN. ALL EXISTING DRAINAGE CONDITIONS TO REMAIN BETWEEN HOUSE AND PROPERTY LINE

**ISSUED FOR
COMMITTEE OF
ADJUSTMENT**

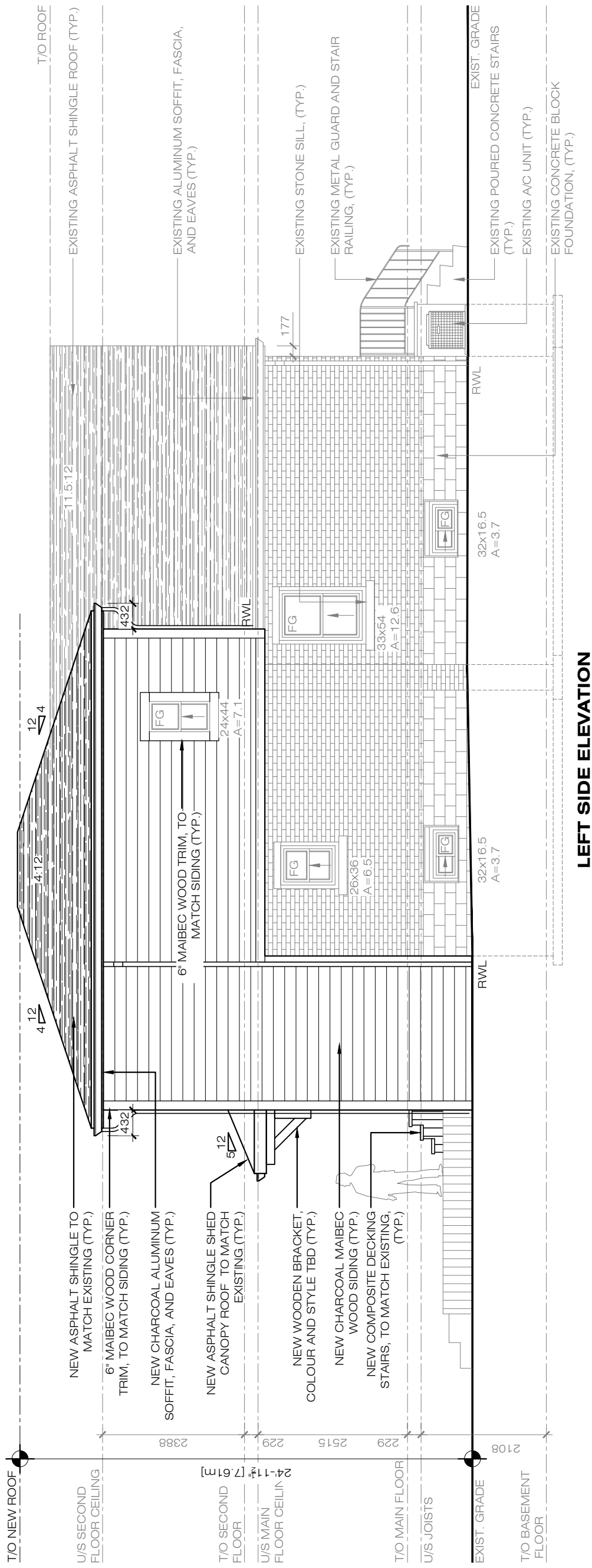
Project Name:
**PRIVATE RESIDENCE
REAR ADDITION &
INTERIOR RENOVATIONS**
10 FRANKLIN AVE
HAMILTON, ON L8S 3R4

Sheet Title:
LEFT SIDE ELVATION

No.	Date:	Issue/Revision
4	OCT 28/22	ISSUED FOR COA
3	OCT 24/22	ISSUED FOR REVIEW
2	OCT 18/22	ISSUED FOR REVIEW
1	SEP 30/22	ISSUED FOR REVIEW

Drawn By:	
Checked By:	
Scale:	1:75
Date:	OCT 2022
Project No.:	2022-49

A8



LEFT SIDE ELEVATION

**ALL EXISTING GRADING TO REMAIN. ALL
EXISTING DRAINAGE CONDITIONS TO
REMAIN BETWEEN HOUSE AND
PROPERTY LINE**

To: Committee of Adjustment – City of Hamilton

Re: 10 Franklin Avenue – Minor Variance Application

Date: October 28th, 2022

Minor Variance Application – Expanded Answers

Nature and extent of relief applied for:

- I. Proposed 0.93m left yard setback to addition where 1.2m is required.
- II. Proposed 0.50m left yard setback to addition roof overhang where 0.60m is required.

The proposed rear yard addition maintains similar width of the existing dwelling. Due to the proximity of the existing dwelling to the left lot line a variance for the addition and roof setback is triggered.

- III. Proposed GFA ratio of 0.71:1 (216.1 m²) where 0.45:1 (138.0 m²) is permitted.

The existing GFA ratio is 0.57:1 (173.2m²). The proposed increase is due to design requirements.

- IV. Proposed 0 parking spaces where 2 spaces are required.

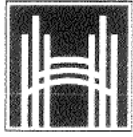
The proposed addition and renovation provide 8 habitable rooms in the dwelling. The existing dwelling currently provides 8 habitable rooms. The request for this variance is a technicality, as we are applying for other minor variances.

Summary

Compliance with Zoning By-law 6593 is not possible due to the existing lot and dwelling characteristics. The proposed addition is designed to accommodate for a larger living space, while providing larger bedrooms for the growing family.

It is our opinion for the reasons above that this proposal meets the four tests of the Planning Act:

1. The application complies with the official plan.
2. The application meets the intent of the zoning by-law.
3. The proposal desirable and appropriate.
4. The request minor in nature.



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)	JAMIE JOHNNY ASHLEY GASKIN		
Applicant(s)*	NATALIYA YATSENKO CARROTHERS & ASSOCIATES		
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:

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:

PROPOSED 0:71:1 GFA WHERE 0.45:1 IS PERMITTED.
PROPOSED LEFT YARD SETBACK TO DWELLING OF 0.93m WHERE 1.2m IS PERMITTED.
PROPOSED LEFT YARD TO EAVES SETBACK OF 0.50m WHERE 0.6m IS PERMITTED.
PROPOSED 0 PARKING SPACES WHERE 2 ARE REQUIRED.

Second Dwelling Unit Reconstruction of Existing Dwelling

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

PLEASE REFERENCE THE ATTACHED LETTER.

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**):

LOT 6, REGISTERED PLAN NO. K176
16 FRANKLIN AVENUE

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?

HOMEOWNER

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.

OCTOBER 28, 2022
Date

[Signature]
Signature Property Owner(s)

Ashley Gaskin & Jamie Johnny
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage 18.19m
Depth 30.48m
Area 306.6m²
Width of street N/A

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:

SFD GFA 110.6m²
GROUND FLOOR 68.2m²
2 STOREY
WIDTH 6.76m, LENGTH 10.08m, HEIGHT 7.10m

Proposed

SFD ADDITION - GFA 45.9m²
GROUND FLOOR AREA ADDITION 17.7m²
2 STOREY ADDITION
ADDITION WIDTH 6.83m, LENGTH 2.59m, HEIGHT 7.65m
SHED
AREA 16.7m²
HEIGHT 3.36m
WIDTH 9.49m
LENGTH 3.05m

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

Existing:

SFD
8.23m FRONT YARD
2.35m RIGHT YARD
0.97m LEFT YARD

Proposed:

ADDITION
0.93m LEFT YARD
2.32m RIGHT YARD
9.57m REAR YARD
SHED
0.77m REAR YARD
1.25m LEFT YARD

13. Date of acquisition of subject lands:
FEB 2005
14. Date of construction of all buildings and structures on subject lands:
1950's
15. Existing uses of the subject property (single family, duplex, retail, factory etc.):
SINGLE FAMILY RESIDENTIAL
16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):
SINGLE FAMILY RESIDENTIAL
17. Length of time the existing uses of the subject property have continued:
70 YRS
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:

N/A
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:

CIS-1304
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.