



Hamilton

## COMMITTEE OF ADJUSTMENT

City Hall, 5<sup>th</sup> floor, 71 Main Street West, Hamilton, ON L8P 4Y5

Telephone (905) 546-2424, ext. 4221, 3935

E-mail: [cofa@hamilton.ca](mailto: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

<b>APPLICATION NO.:</b>	<b>HM/A-23:46</b>	<b>SUBJECT PROPERTY:</b>	238 EAST 11TH STREET, HAMILTON
<b>ZONE:</b>	"C/S-1822" (Urban Protected Residential, Etc.)	<b>ZONING BY-LAW:</b>	Zoning By-law former City of Hamilton 6593, as Amended 22-195

**APPLICANTS:** Owner: GLENN & RHONDA SPENCER  
Agent: JARVIS DESIGN FIRM C/O QUINTON JARVIS

The following variances are requested:

1. The addition shall be permitted to be located 3.76 m from the rear lot line instead of the minimum required 7.5 m:

**PURPOSE & EFFECT:** To construct a one-storey rear addition to the existing dwelling:

**Notes:**

- i. Pursuant to Building Permit 20 173088, issued December 4, 2020, for the construction of porches in the east side yard, the northerly lot line abutting Brucedale Avenue East is deemed to be the front lot line.
- ii. Please note that the lot boundary is inaccurately shown in the site plan submitted, as it includes the municipal boulevard abutting the east lot line as part of the subject lot.

**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:

<b>DATE:</b>	<b>Thursday, March 30, 2023</b>
<b>TIME:</b>	<b>2:00 p.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>

	<b>2<sup>nd</sup> floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton</b>
	<b>To be streamed (viewing only) at</b> <a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a>

For more information on this matter, including access to drawings illustrating this request and other information submitted:

- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Visit Committee of Adjustment staff at 5<sup>th</sup> 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.

## **FURTHER NOTIFICATION**

If you wish to be notified of future Public Hearings, if applicable, regarding HM/A-23:46, you must submit a written request to [cofa@hamilton.ca](mailto:cofa@hamilton.ca) or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.

If you wish to be provided a Notice of Decision, you must attend the Public Hearing and file a written request with the Secretary-Treasurer by emailing [cofa@hamilton.ca](mailto:cofa@hamilton.ca) or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.



**Subject Lands**

DATED: March 14, 2023

---

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.

## **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](mailto: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](http://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](mailto: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.

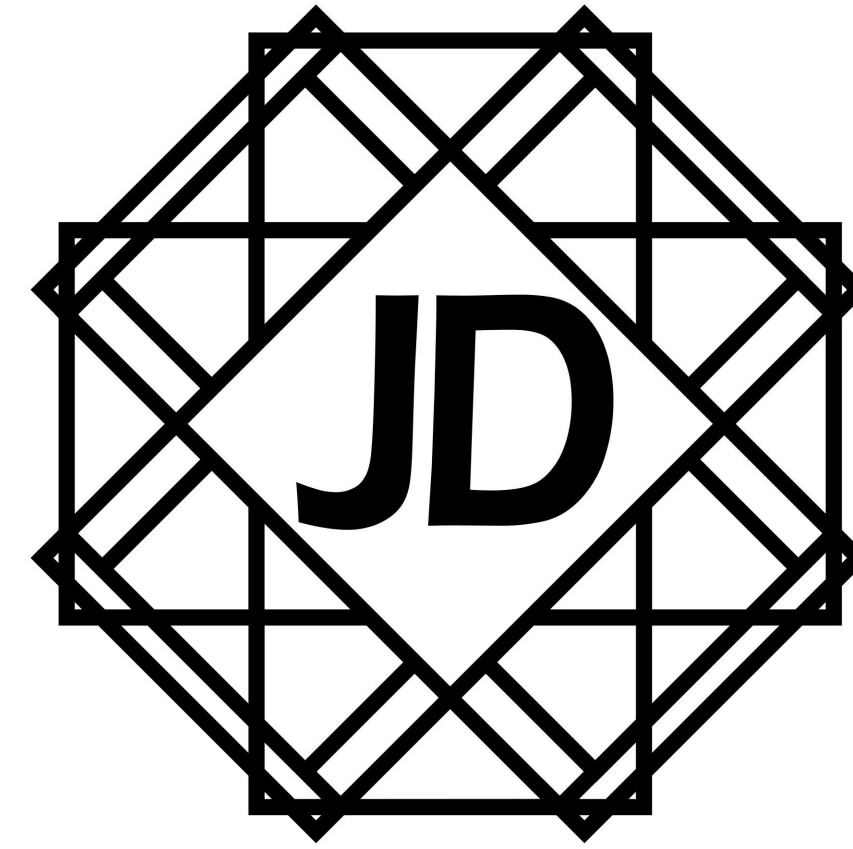
#### **2. In person Oral Submissions**

**Interested members of the public, agents, and owners who wish to participate in person must sign in at City Hall room 222 (2<sup>nd</sup> 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](mailto: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.

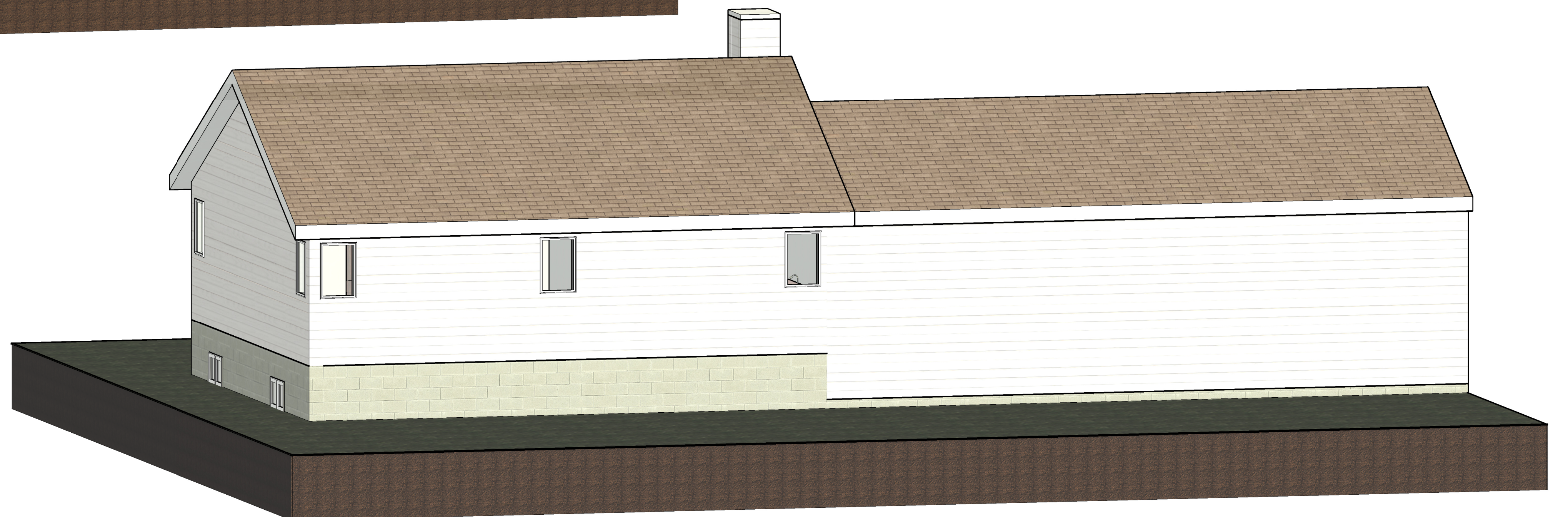
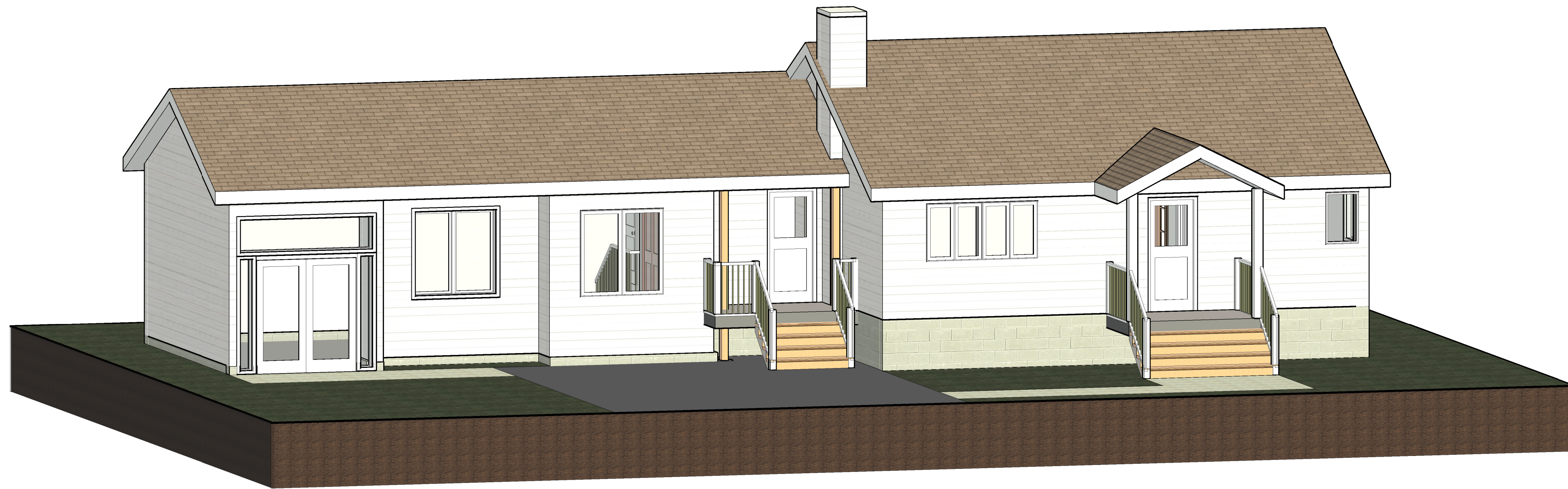




JARVIS DESIGN FIRM

## ADDITION

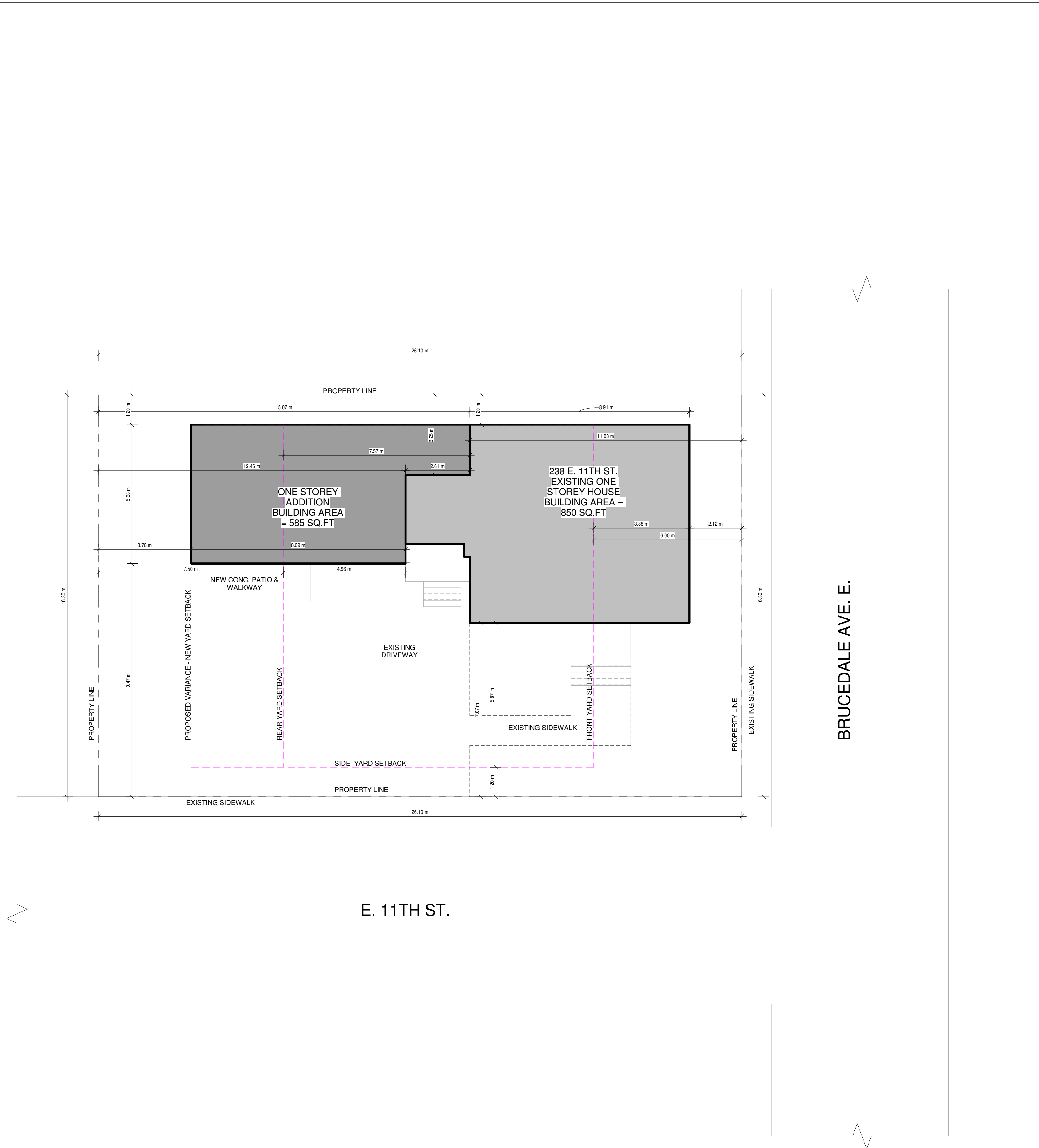
238 E. 11TH ST. HAMILTON, ON



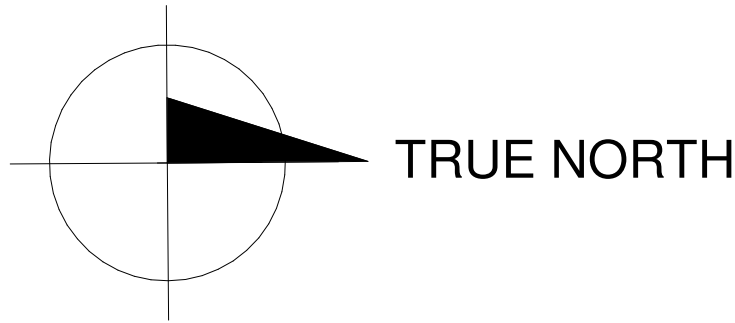




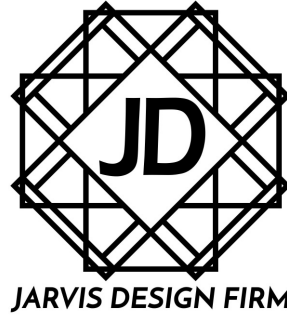
1 INFORMAL SITE PLAN (EXIST.)  
A0.01 1/8" = 1'-0"



2 INFORMAL SITE PLAN (NEW)  
A0.01 1/8" = 1'-0"



ALL DIMENSIONS AND INFORMATION SHALL BE CHECKED AND VERIFIED ON THE JOB AND ANY DISCREPANCIES MUST BE REPORTED TO THE CONSULTANT BEFORE COMMENCING WORK.  
ALL DRAWINGS REMAIN THE PROPERTY OF THE CONSULTANT AND MAY NOT BE REPRODUCED OR REVISED WITHOUT THE CONSULTANT'S PERMISSION.

 JARVIS DESIGN FIRM	ADDITION	INFORMAL SITE PLAN												
	238 E. 11TH ST. HAMILTON, ON	<table><tr><td>Project Number</td><td>N/A</td><td>Sheet No.</td></tr><tr><td>Date</td><td>FEBRUARY 22, 2023</td><td rowspan="3"><b>A0.01</b></td></tr><tr><td>Drawn by</td><td>QJ</td></tr><tr><td>Checked by</td><td>SA</td></tr><tr><td colspan="2">Scale</td><td>1/8" = 1'-0"</td></tr></table>	Project Number	N/A	Sheet No.	Date	FEBRUARY 22, 2023	<b>A0.01</b>	Drawn by	QJ	Checked by	SA	Scale	
Project Number	N/A	Sheet No.												
Date	FEBRUARY 22, 2023	<b>A0.01</b>												
Drawn by	QJ													
Checked by	SA													
Scale		1/8" = 1'-0"												

GENERAL ELEVATION SPECIFICATIONS/NOTES:

1. ALL EXTERIOR FINISHES DETAILS/COLORS/STYLES & MANUFACTURER TO BE CONFIRMED BY HOME-OWNER
2. BUILDER / OWNER / SUPPLIER TO CONFIRM ALL WINDOW & DOOR SIZES & ROUGH STUD OPENINGS PRIOR TO ORDERING
3. WINDOW GRILLS PATTERN MAY VARY BASED ON WINDOW SUPPLIER. CONTRACTOR TO VERIFY.
4. THE WINDOW SUPPLIER IS TO PROVIDE ROUGH OPENING DIMENSIONS AND CONFIRM WINDOW TYPES WITH CONTRACTOR/OWNER. WINDOW SUPPLIER IS TO ENSURE ALL OPERABLE BEDROOM WINDOWS MEET EGRESS REQUIREMENTS.
5. DECORATIVE FRIEZE & BANDING TO BE VERIFIED BY CONTRACTOR.
6. ALL GUTTERS & DOWNSPOUTS PURPOSELY OMITTED FOR CLARITY.
7. CONTRACTOR TO VERIFY ALL EXISTING AND PROPOSED FINISHED GRADES ON-SITE. IF APPROVED GRADING PLAN IS PRESENT, GRADES TO MATCH SAID PLAN. FINISHED GRADE MUST SLOPE AWAY FROM HOUSE
8. PROVIDE ICE & WATER SHIELD LATER OVER ROOFS SLOPED 3/12 AND LESS. ALL ROOF PITCHES LESS THAN 4/12 TO HAVE "LOW SLOPE" APPLICATION SHINGLES.
9. ALL OVERHANGS TO BE AS STATED, UNLESS OTHERWISE NOTED: ROOF OVERHANG - 12"
10. FLASHING AT INTERSECTION BETWEEN ROOFS WHERE THEY ABUT WALLS AS PER OBC 9.26.4
11. ALL STEP FOOTINGS AS REQUIRED TO MAINTAIN MIN. 4'-0" GROUND COVERAGE.  
-MIN. RUN HORIZ - 23-5/8"  
-MAX. RISE- 23-5/8"  
CONTRACTOR TO VERIFY LOCATION OF ALL STEP FOOTINGS AND THEIR HEIGHTS ON-SITE
12. WINDOW WELLS MAY BE REQUIRED DUE TO FINAL GRADE, ALL WEEPERS IN WINDOWS WELLS TO BE CONNECTED TO THE FTG. WEEPER AND FILLED WITH 3/4" CLEAR STONE
13. ALL DECKS, PORCHES, LANDINGS, DOOR THRESHOLDS THAT HAVE A WALKING SURFACE MORE THAN 23-5/8" BUT LESS THAN 5'-11" ABOVE FINISHED GRADE REQUIRE 36" HIGH GUARD. WALKING SURFACES MORE THAN 5'-11" ABOVE FINISHED GRADE REQUIRE 42" HIGH GUARD. ALL GUARDS TO CONFIRM TO SB-7.
14. INSTALL GALVANIZED FLASHING OVER EXTERIOR DOOR AND WINDOW OPENING AS REQUIRED.
15. TOP OF WINDOWS AS NOTED ON ELEVATIONS.



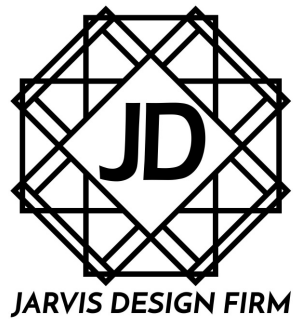
1 EAST ELEVATION (EXISTING)  
A1.01 1/4" = 1'-0"



2 EAST ELEVATION (NEW)  
A1.01 1/4" = 1'-0"

ALL DIMENSIONS AND INFORMATION SHALL BE CHECKED AND VERIFIED ON THE JOB AND ANY DISCREPANCIES MUST BE REPORTED TO THE CONSULTANT BEFORE COMMENCING WORK.

ALL DRAWINGS REMAIN THE PROPERTY OF THE CONSULTANT AND MAY NOT BE REPRODUCED OR REVISED WITHOUT THE CONSULTANT'S PERMISSION.



ADDITION

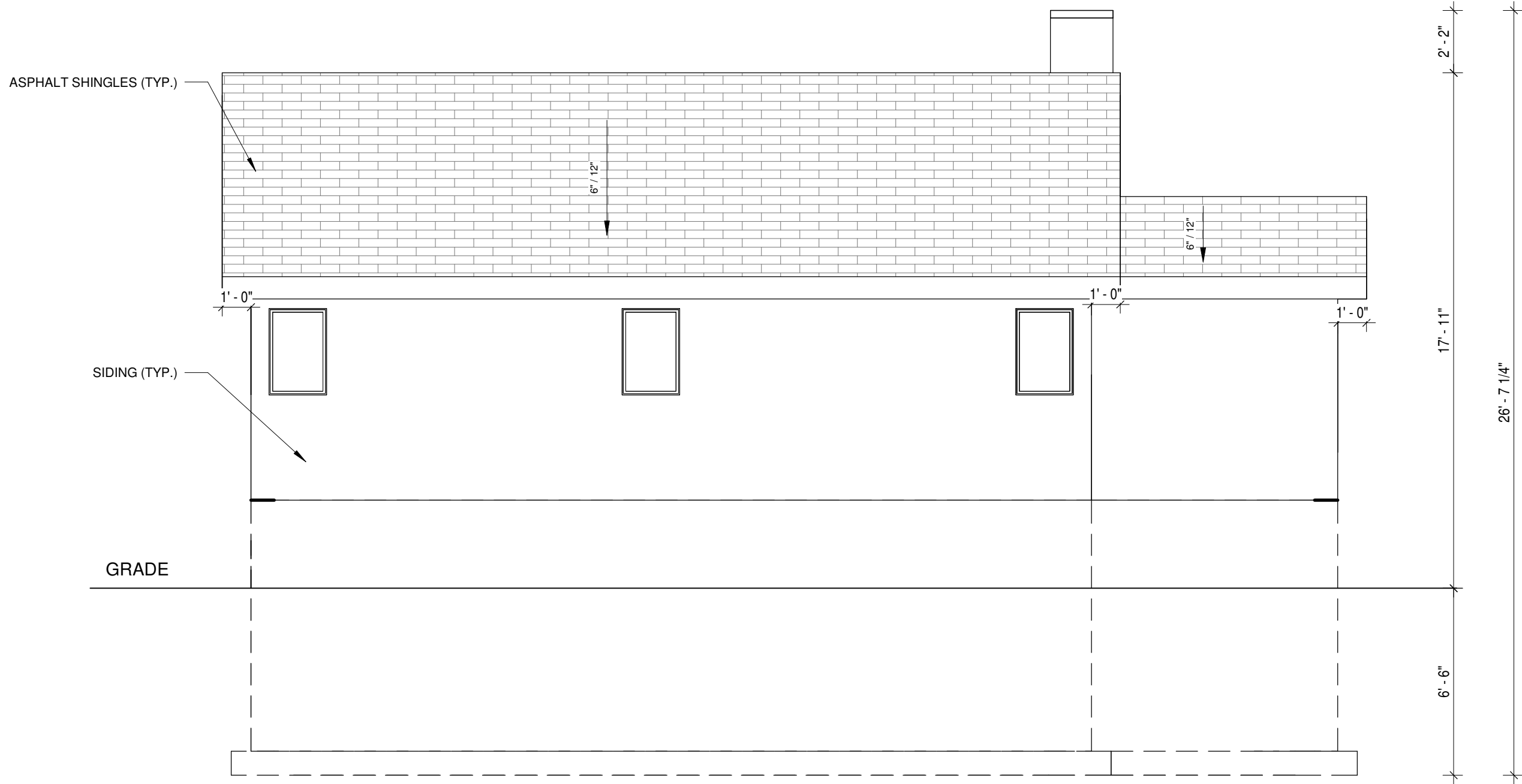
ELEVATIONS

238 E. 11TH ST. HAMILTON, ON

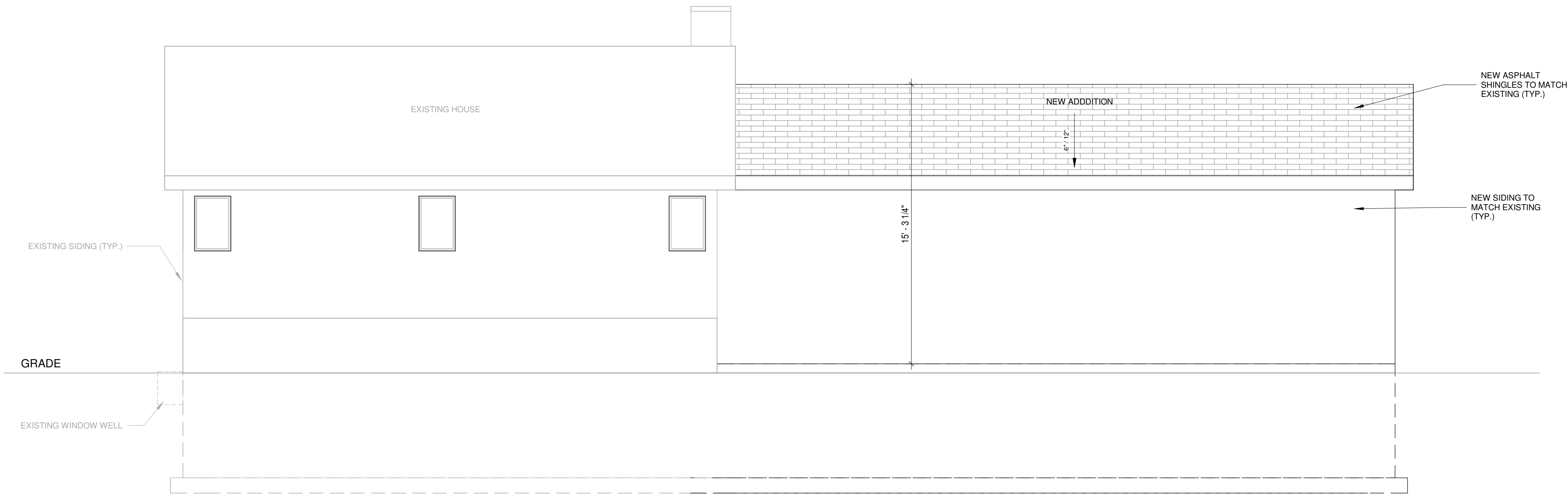
Project Number	N/A	Sheet No.
Date	FEBRUARY 22, 2023	<b>A1.01</b>
Drawn by	QJ	
Checked by	SA	Scale 1/4" = 1'-0"

GENERAL ELEVATION SPECIFICATIONS/NOTES:

1. ALL EXTERIOR FINISHES DETAILS/COLORS/STYLES & MANUFACTURER TO BE CONFIRMED BY HOME-OWNER
2. BUILDER / OWNER / SUPPLIER TO CONFIRM ALL WINDOW & DOOR SIZES & ROUGH STUD OPENINGS PRIOR TO ORDERING
3. WINDOW GRILLS PATTERN MAY VARY BASED ON WINDOW SUPPLIER. CONTRACTOR TO VERIFY.
4. THE WINDOW SUPPLIER IS TO PROVIDE ROUGH OPENING DIMENSIONS AND CONFIRM WINDOW TYPES WITH CONTRACTOR/OWNER. WINDOW SUPPLIER IS TO ENSURE ALL OPERABLE BEDROOM WINDOWS MEET EGRESS REQUIREMENTS.
5. DECORATIVE FRIEZE & BANDING TO BE VERIFIED BY CONTRACTOR.
6. ALL GUTTERS & DOWNSPOUTS PURPOSELY OMITTED FOR CLARITY.
7. CONTRACTOR TO VERIFY ALL EXISTING AND PROPOSED FINISHED GRADES ON-SITE. IF APPROVED GRADING PLAN IS PRESENT, GRADES TO MATCH SAID PLAN. FINISHED GRADE MUST SLOPE AWAY FROM HOUSE
8. PROVIDE ICE & WATER SHIELD LATER OVER ROOFS SLOPED 3/12 AND LESS. ALL ROOF PITCHES LESS THAN 4/12 TO HAVE "LOW SLOPE" APPLICATION SHINGLES.
9. ALL OVERHANGS TO BE AS STATED, UNLESS OTHERWISE NOTED: ROOF OVERHANG - 12"
10. FLASHING AT INTERSECTION BETWEEN ROOFS WHERE THEY ABUT WALLS AS PER OBC 9.26.4
11. ALL STEP FOOTINGS AS REQUIRED TO MAINTAIN MIN. 4'-0" GROUND COVERAGE.  
-MIN. RUN HORIZ - 23'-5/8"  
-MAX. RISE- 23'-5/8"  
CONTACTOR TO VERIFY LOCATION OF ALL STEP FOOTINGS AND THEIR HEIGHTS ON-SITE
12. WINDOW WELLS MAY BE REQUIRED DUE TO FINAL GRADE. ALL WEEPERS IN WINDOWS WELLS TO BE CONNECTED TO THE FTG. WEEPER AND FILLED WITH 3/4" CLEAR STONE
13. ALL DECKS, PORCHES, LANDINGS, DOOR THRESHOLDS THAT HAVE A WALKING SURFACE MORE THAN 23'-5/8" BUT LESS THAN 5'-11" ABOVE FINISHED GRADE REQUIRE 36" HIGH GUARD. WALKING SURFACES MORE THAN 5'-11" ABOVE FINISHED GRADE REQUIRE 42" HIGH GUARD. ALL GUARDS TO CONFIRM TO SB-7.
14. INSTALL GALVANIZED FLASHING OVER EXTERIOR DOOR AND WINDOW OPENING AS REQUIRED.
15. TOP OF WINDOWS AS NOTED ON ELEVATIONS.



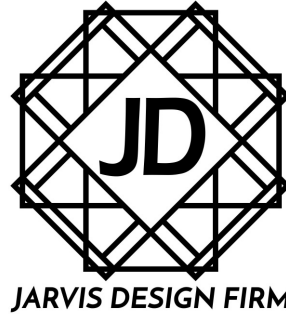
3 WEST ELEVATION (EXISTING)  
A1.02 1/4" = 1'-0"



4 WEST ELEVATION (NEW)  
A1.02 1/4" = 1'-0"

ALL DIMENSIONS AND INFORMATION SHALL BE CHECKED AND VERIFIED ON THE JOB AND ANY DISCREPANCIES MUST BE REPORTED TO THE CONSULTANT BEFORE COMMENCING WORK.

ALL DRAWINGS REMAIN THE PROPERTY OF THE CONSULTANT AND MAY NOT BE REPRODUCED OR REVISED WITHOUT THE CONSULTANT'S PERMISSION.



ADDITION

ELEVATIONS

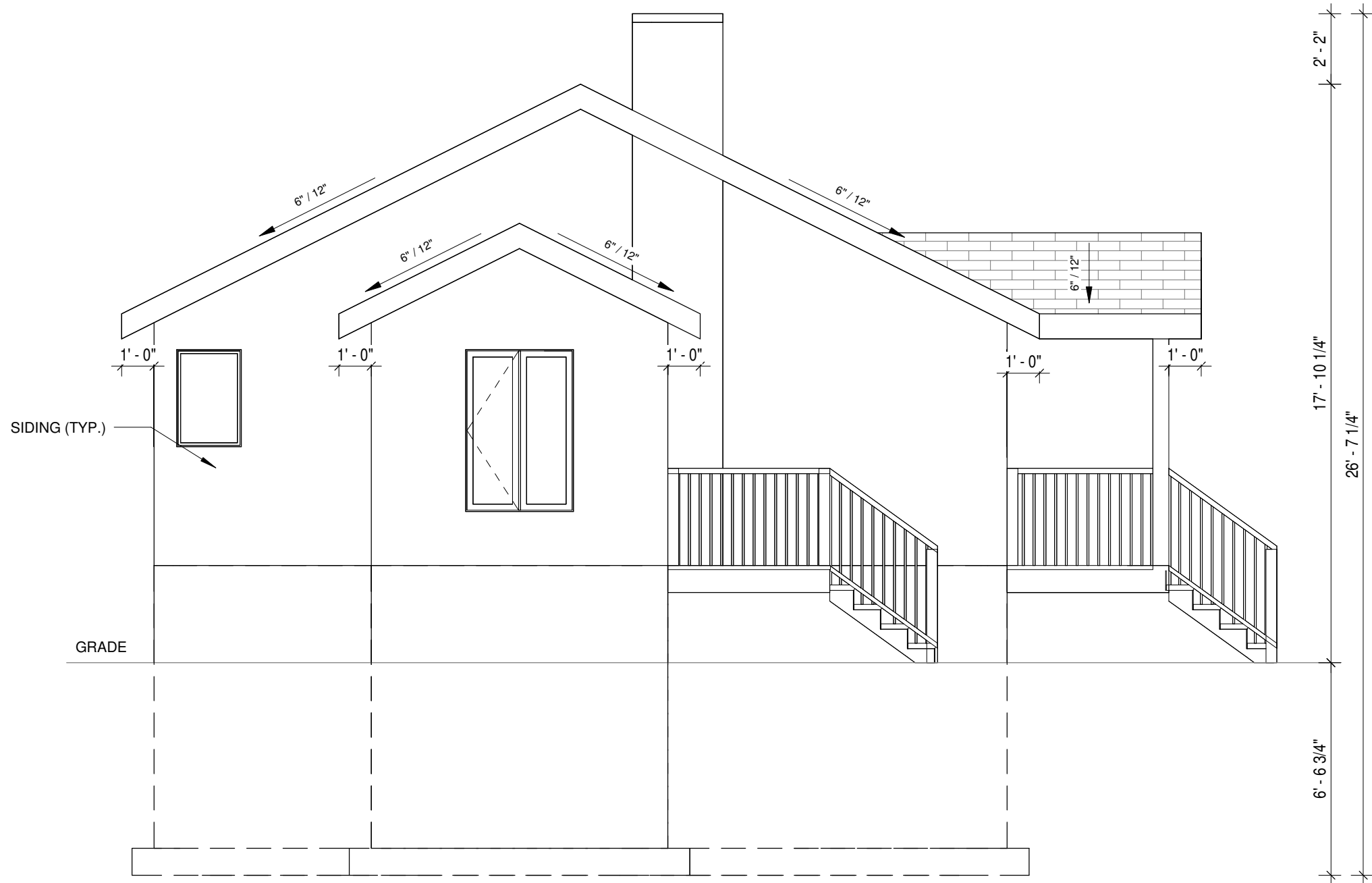
238 E. 11TH ST. HAMILTON, ON

Project Number	N/A	Sheet No.
Date	FEBRUARY 22, 2023	<b>A1.02</b>
Drawn by	QJ	
Checked by	SA	Scale 1/4" = 1'-0"

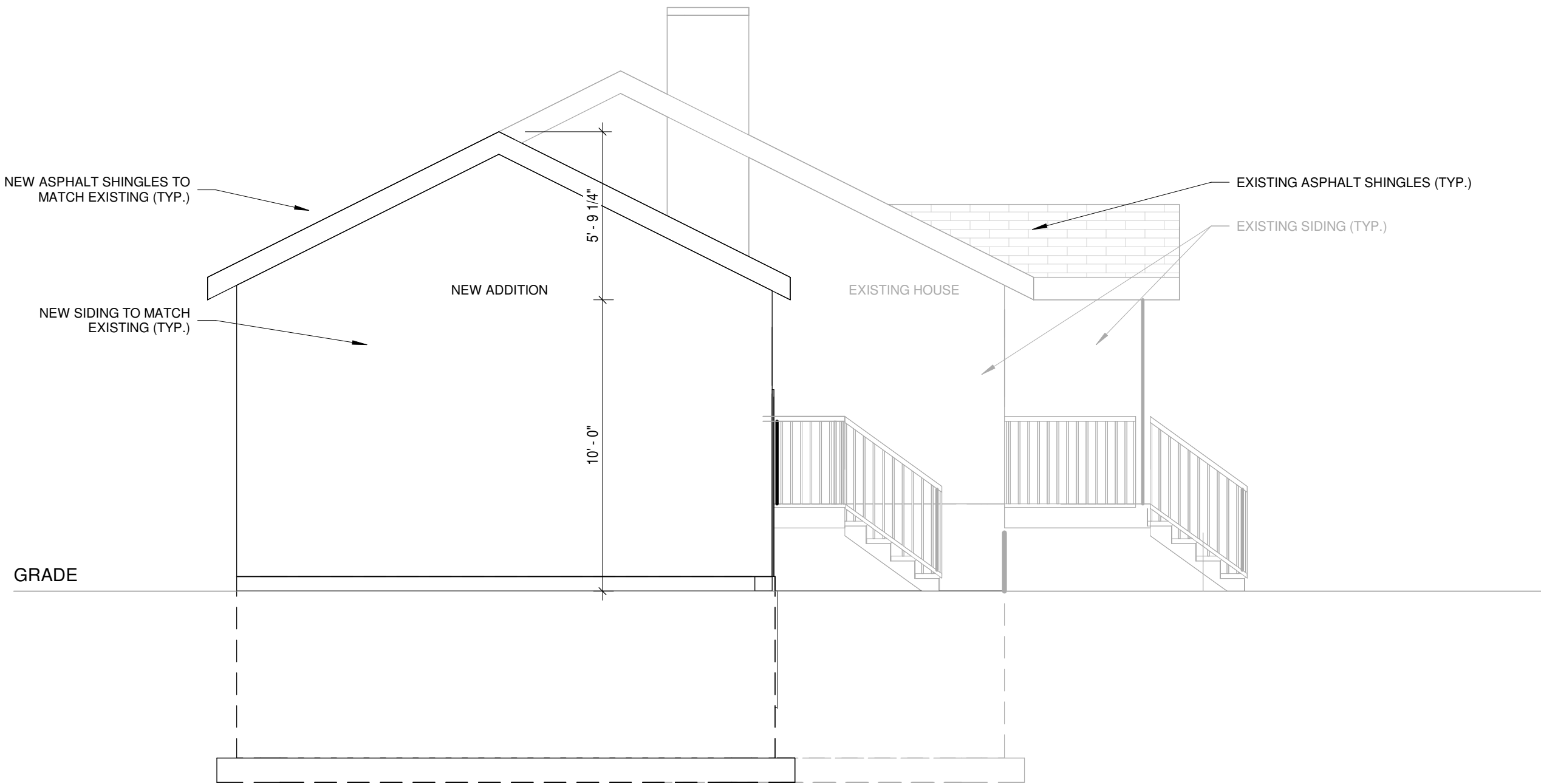


GENERAL ELEVATION SPECIFICATIONS/NOTES:

1. ALL EXTERIOR FINISHES DETAILS/COLORS/STYLES & MANUFACTURER TO BE CONFIRMED BY HOME-OWNER
2. BUILDER / OWNER / SUPPLIER TO CONFIRM ALL WINDOW & DOOR SIZES & ROUGH STUD OPENINGS PRIOR TO ORDERING
3. WINDOW GRILLS PATTERN MAY VARY BASED ON WINDOW SUPPLIER. CONTRACTOR TO VERIFY.
4. THE WINDOW SUPPLIER IS TO PROVIDE ROUGH OPENING DIMENSIONS AND CONFIRM WINDOW TYPES WITH CONTRACTOR/OWNER. WINDOW SUPPLIER IS TO ENSURE ALL OPERABLE BEDROOM WINDOWS MEET EGRESS REQUIREMENTS.
5. DECORATIVE FRIEZE & BANDING TO BE VERIFIED BY CONTRACTOR.
6. ALL GUTTERS & DOWNSPOUTS PURPOSELY OMITTED FOR CLARITY.
7. CONTRACTOR TO VERIFY ALL EXISTING AND PROPOSED FINISHED GRADES ON-SITE. IF APPROVED GRADING PLAN IS PRESENT, GRADES TO MATCH SAID PLAN. FINISHED GRADE MUST SLOPE AWAY FROM HOUSE
8. PROVIDE ICE & WATER SHIELD LATER OVER ROOFS SLOPED 3/12 AND LESS. ALL ROOF PITCHES LESS THAN 4/12 TO HAVE "LOW SLOPE" APPLICATION SHINGLES.
9. ALL OVERHANGS TO BE AS STATED, UNLESS OTHERWISE NOTED: ROOF OVERHANG - 12"
10. FLASHING AT INTERSECTION BETWEEN ROOFS WHERE THEY ABUT WALLS AS PER OBC 9.26.4
11. ALL STEP FOOTINGS AS REQUIRED TO MAINTAIN MIN. 4'-0" GROUND COVERAGE.  
-MIN. RUN HORIZ - 23-5/8"  
-MAX. RISE- 23-5/8"  
CONTRACTOR TO VERIFY LOCATION OF ALL STEP FOOTINGS AND THEIR HEIGHTS ON-SITE
12. WINDOW WELLS MAY BE REQUIRED DUE TO FINAL GRADE. ALL WEEPERS IN WINDOWS WELLS TO BE CONNECTED TO THE FTG. WEEPER AND FILLED WITH 3/4" CLEAR STONE
13. ALL DECKS, PORCHES, LANDINGS, DOOR THRESHOLDS THAT HAVE A WALKING SURFACE MORE THAN 23-5/8" BUT LESS THAN 5'-11" ABOVE FINISHED GRADE REQUIRE 36" HIGH GUARD. WALKING SURFACES MORE THAN 5'-11" ABOVE FINISHED GRADE REQUIRE 42" HIGH GUARD. ALL GUARDS TO CONFIRM TO SB-7.
14. INSTALL GALVANIZED FLASHING OVER EXTERIOR DOOR AND WINDOW OPENING AS REQUIRED.
- 15.TOP OF WINDOWS AS NOTED ON ELEVATIONS.



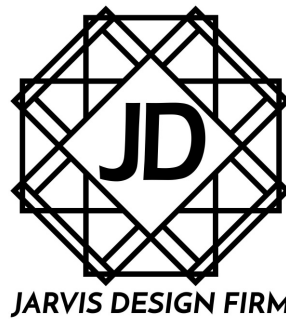
5 REAR ELEVATION (EXISTING)  
A1.03 1/4" = 1'-0"



6 REAR ELEVATION (NEW)  
A1.03 1/4" = 1'-0"

ALL DIMENSIONS AND INFORMATION SHALL BE CHECKED AND VERIFIED ON THE JOB AND ANY DISCREPANCIES MUST BE REPORTED TO THE CONSULTANT BEFORE COMMENCING WORK.

ALL DRAWINGS REMAIN THE PROPERTY OF THE CONSULTANT AND MAY NOT BE REPRODUCED OR REVISED WITHOUT THE CONSULTANT'S PERMISSION.



ADDITION

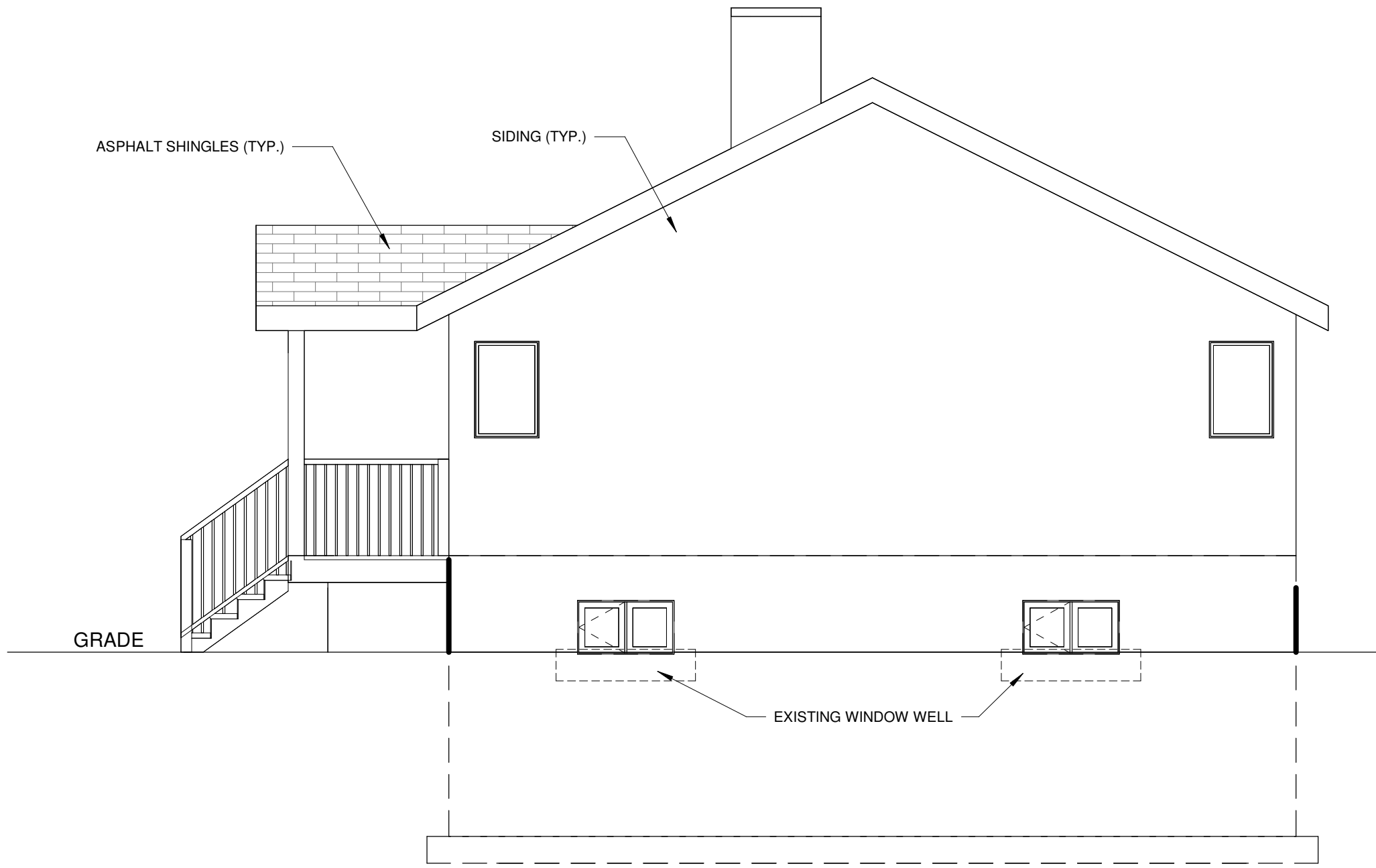
238 E. 11TH ST. HAMILTON, ON

ELEVATIONS

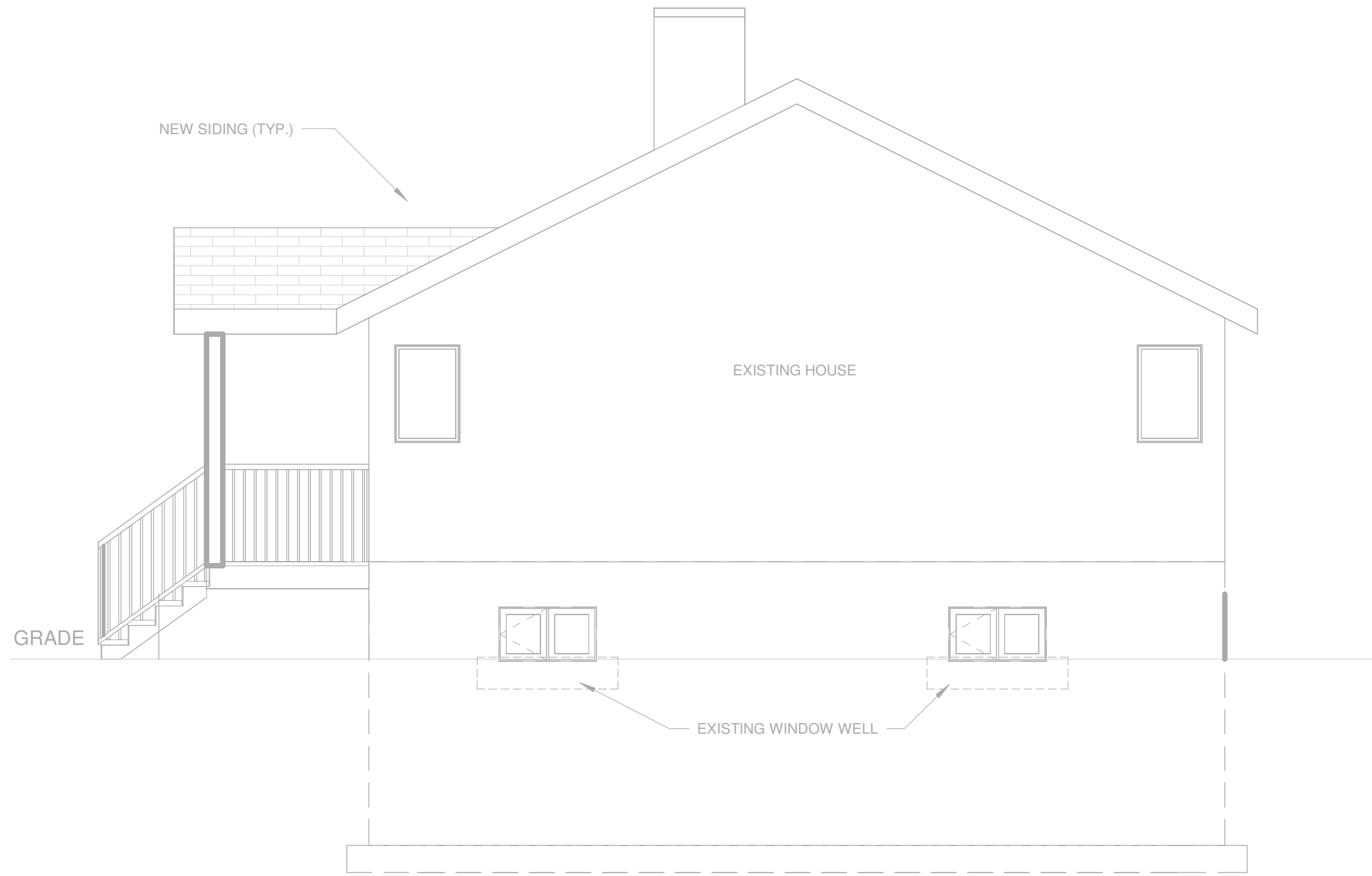
Project Number	N/A	Sheet No.
Date	FEBRUARY 22, 2023	A1.03
Drawn by	QJ	
Checked by	SA	
Scale		1/4" = 1'-0"

GENERAL ELEVATION SPECIFICATIONS/NOTES:

1. ALL EXTERIOR FINISHES DETAILS/COLORS/STYLES & MANUFACTURER TO BE CONFIRMED BY HOME-OWNER
2. BUILDER / OWNER / SUPPLIER TO CONFIRM ALL WINDOW & DOOR SIZES & ROUGH STUD OPENINGS PRIOR TO ORDERING
3. WINDOW GRILLS PATTERN MAY VARY BASED ON WINDOW SUPPLIER. CONTRACTOR TO VERIFY.
4. THE WINDOW SUPPLIER IS TO PROVIDE ROUGH OPENING DIMENSIONS AND CONFIRM WINDOW TYPES WITH CONTRACTOR/OWNER. WINDOW SUPPLIER IS TO ENSURE ALL OPERABLE BEDROOM WINDOWS MEET EGRESS REQUIREMENTS.
5. DECORATIVE FRIEZE & BANDING TO BE VERIFIED BY CONTRACTOR.
6. ALL GUTTERS & DOWNSPOUTS PURPOSELY OMITTED FOR CLARITY.
7. CONTRACTOR TO VERIFY ALL EXISTING AND PROPOSED FINISHED GRADES ON-SITE. IF APPROVED GRADING PLAN IS PRESENT, GRADES TO MATCH SAID PLAN. FINISHED GRADE MUST SLOPE AWAY FROM HOUSE
8. PROVIDE ICE & WATER SHIELD LATER OVER ROOFS SLOPED 3/12 AND LESS. ALL ROOF PITCHES LESS THAN 4/12 TO HAVE "LOW SLOPE" APPLICATION SHINGLES.
9. ALL OVERHANGS TO BE AS STATED, UNLESS OTHERWISE NOTED: ROOF OVERHANG - 12"
10. FLASHING AT INTERSECTION BETWEEN ROOFS WHERE THEY ABUT WALLS AS PER OBC 9.26.4
11. ALL STEP FOOTINGS AS REQUIRED TO MAINTAIN MIN. 4'-0" GROUND COVERAGE.  
-MIN. RUN HORIZ - 23-5/8"  
-MAX. RISE- 23-5/8"  
CONTRACTOR TO VERIFY LOCATION OF ALL STEP FOOTINGS AND THEIR HEIGHTS ON-SITE
12. WINDOW WELLS MAY BE REQUIRED DUE TO FINAL GRADE. ALL WEEPERS IN WINDOWS WELLS TO BE CONNECTED TO THE FTG. WEEPER AND FILLED WITH 3/4" CLEAR STONE
13. ALL DECKS, PORCHES, LANDINGS, DOOR THRESHOLDS THAT HAVE A WALKING SURFACE MORE THAN 23-5/8" BUT LESS THAN 5'-11" ABOVE FINISHED GRADE REQUIRE 36" HIGH GUARD. WALKING SURFACES MORE THAN 5'-11" ABOVE FINISHED GRADE REQUIRE 42" HIGH GUARD. ALL GUARDS TO CONFIRM TO SB-7.
14. INSTALL GALVANIZED FLASHING OVER EXTERIOR DOOR AND WINDOW OPENING AS REQUIRED.
15. TOP OF WINDOWS AS NOTED ON ELEVATIONS.



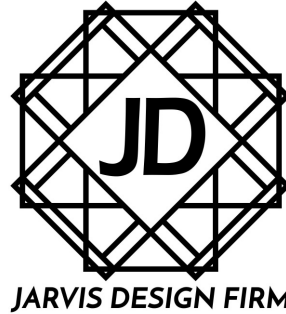
7 FRONT ELEVATION (EXISTING)  
A1.04 1/4" = 1'-0"



8 FRONT ELEVATION (NEW)  
A1.04 1/4" = 1'-0"

ALL DIMENSIONS AND INFORMATION SHALL BE CHECKED AND VERIFIED ON THE JOB AND ANY DISCREPANCIES MUST BE REPORTED TO THE CONSULTANT BEFORE COMMENCING WORK.

ALL DRAWINGS REMAIN THE PROPERTY OF THE CONSULTANT AND MAY NOT BE REPRODUCED OR REVISED WITHOUT THE CONSULTANT'S PERMISSION.



ADDITION

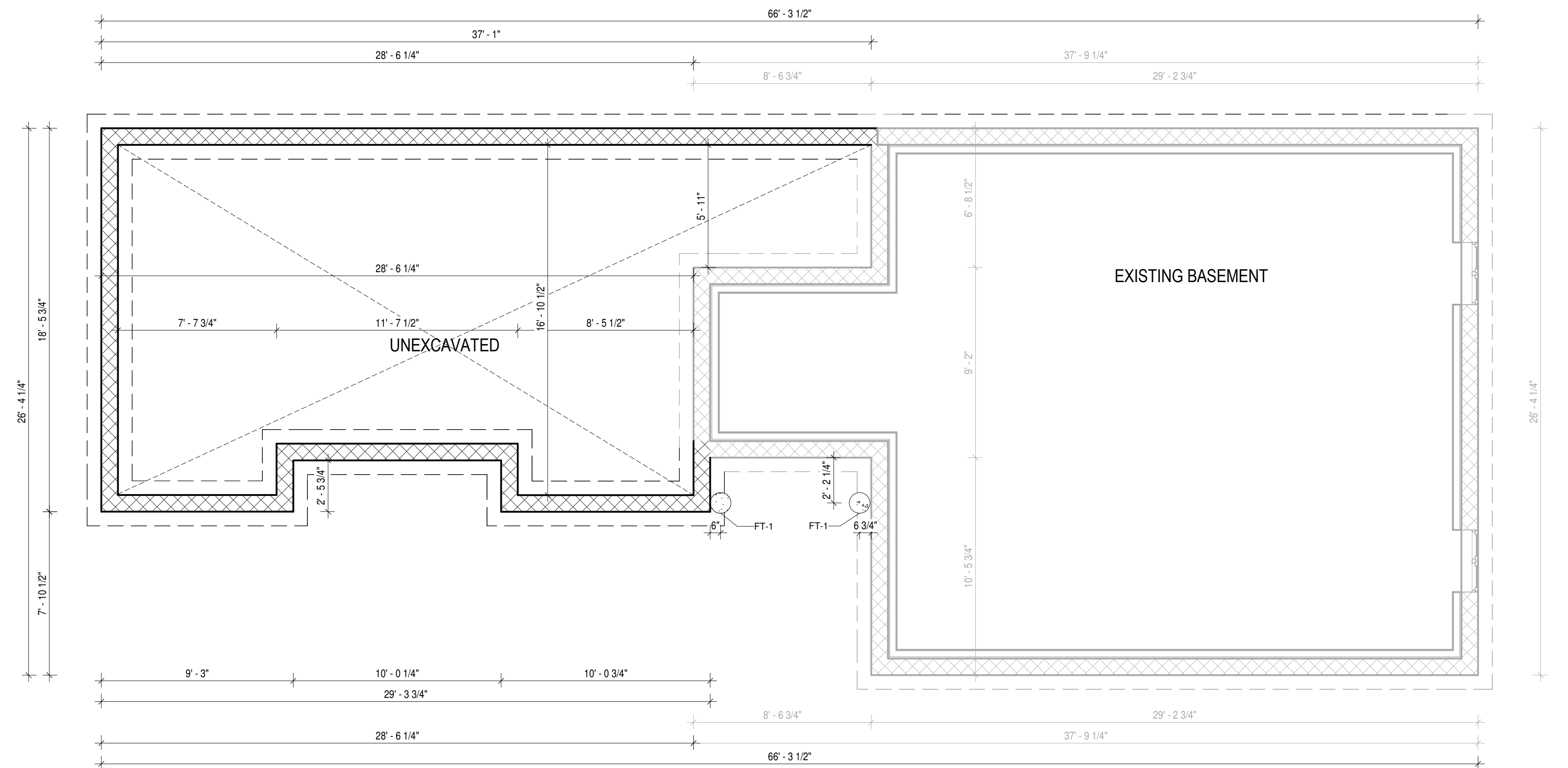
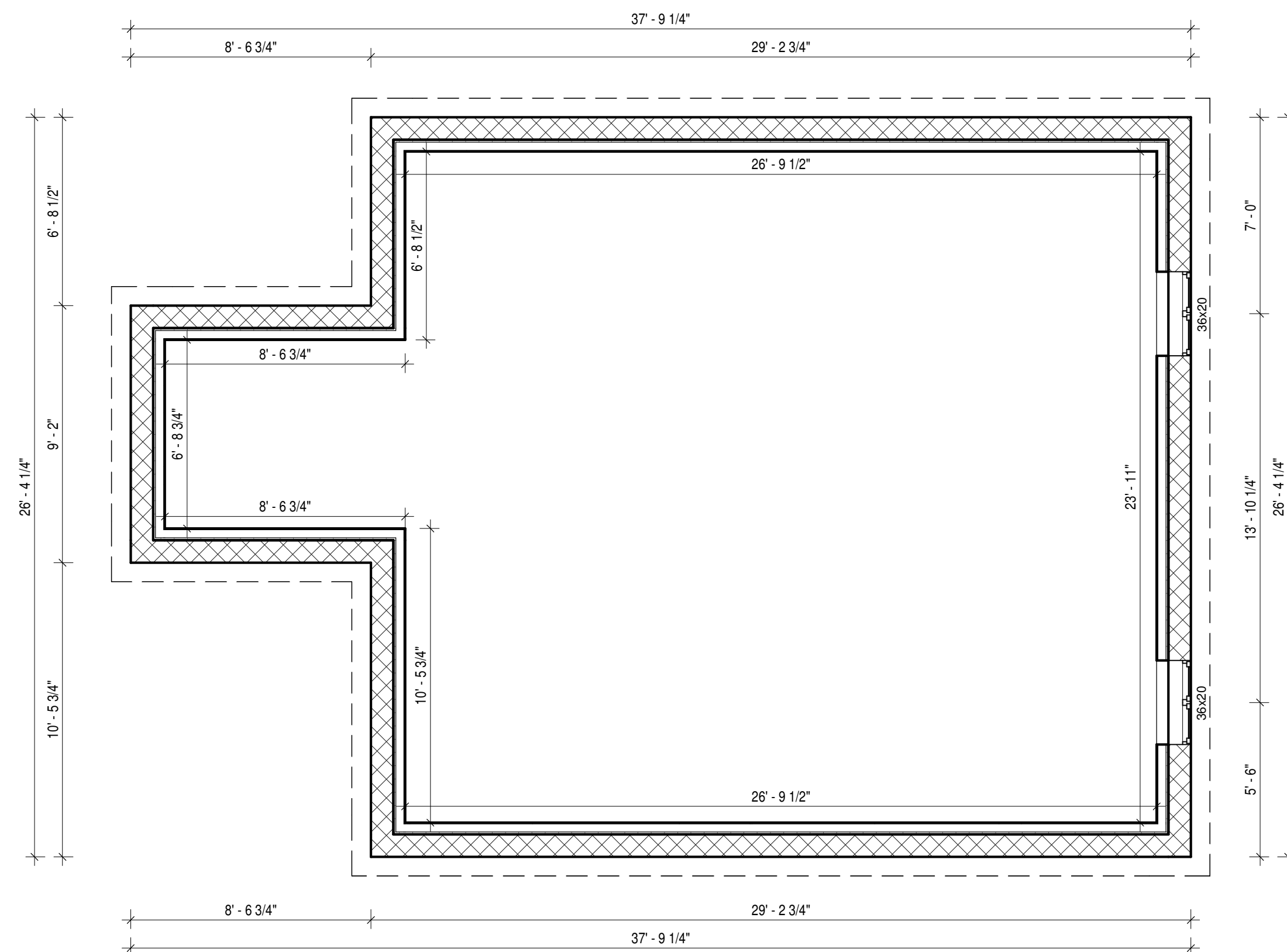
ELEVATIONS

238 E. 11TH ST. HAMILTON, ON

Project Number N/A Sheet No.  
Date FEBRUARY 22, 2023  
Drawn by QJ  
Checked by SA Scale 1/4" = 1'-0"

A1.04

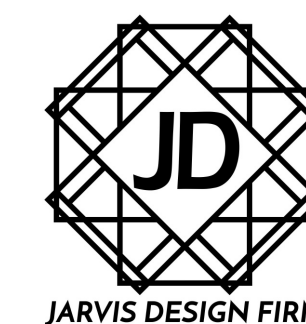




CONCRETE FOOTING LEGEND	
TAG	DESCRIPTION
FT-1	12" DIA, 4'-0" DEEP FROM OUTSIDE GRADE LEVEL SONO TUBE CONCRETE PIER WITH 25MPA CONCRETE TO BE SUPPORTED ON UNDISTURBED SOIL WITH MINIMUM BEARING CAPACITY OF 75 KPA.

ALL DIMENSIONS AND INFORMATION SHALL BE CHECKED AND VERIFIED ON THE JOB AND ANY DISCREPANCIES MUST BE REPORTED TO THE CONSULTANT BEFORE COMMENCING WORK.

ALL DRAWINGS REMAIN THE PROPERTY OF THE CONSULTANT AND MAY NOT  
BE REPRODUCED OR REVISED WITHOUT THE CONSULTANT'S PERMISSION.



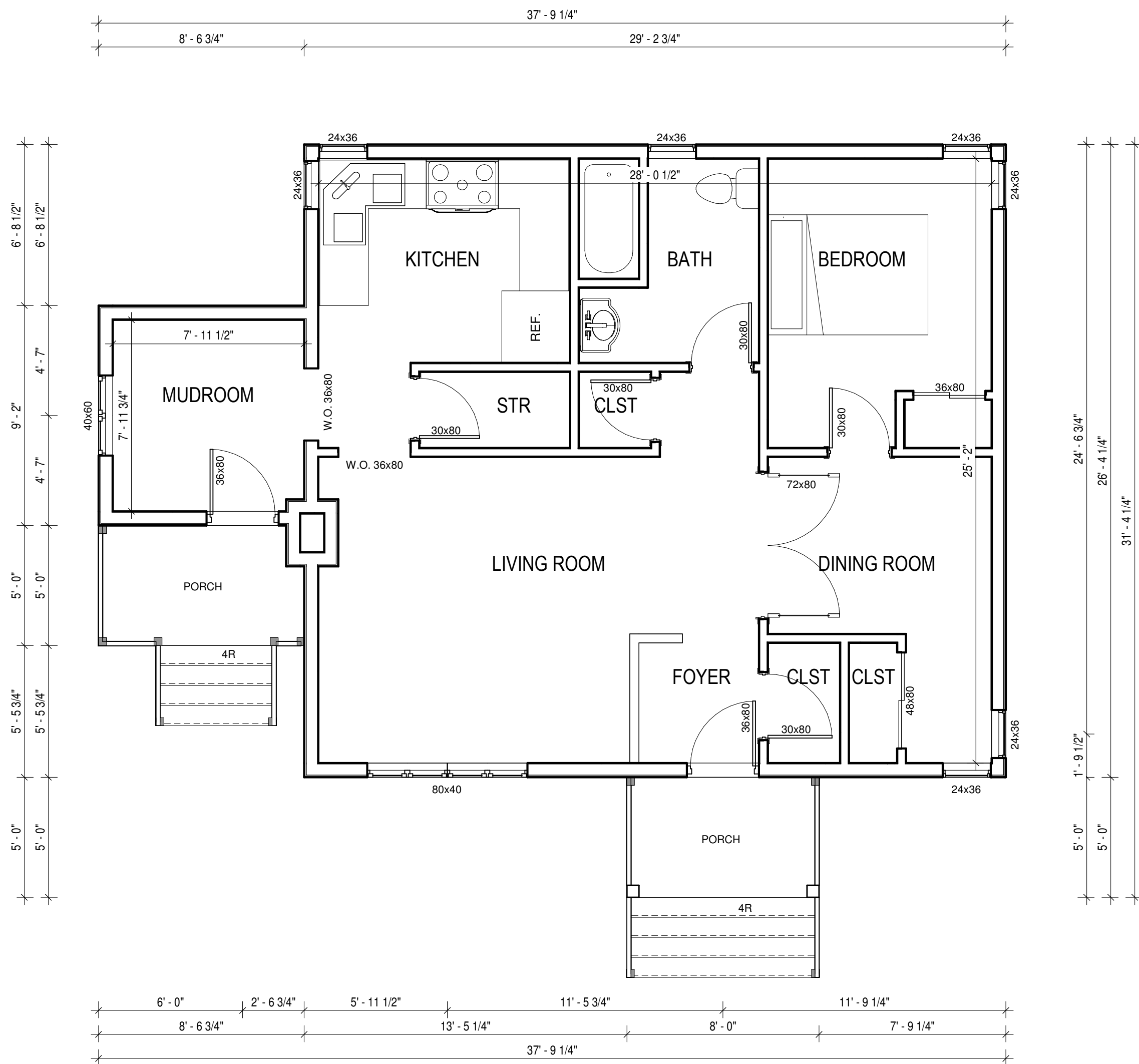
## ADDITION

### BASEMENT FLOOR PLAN

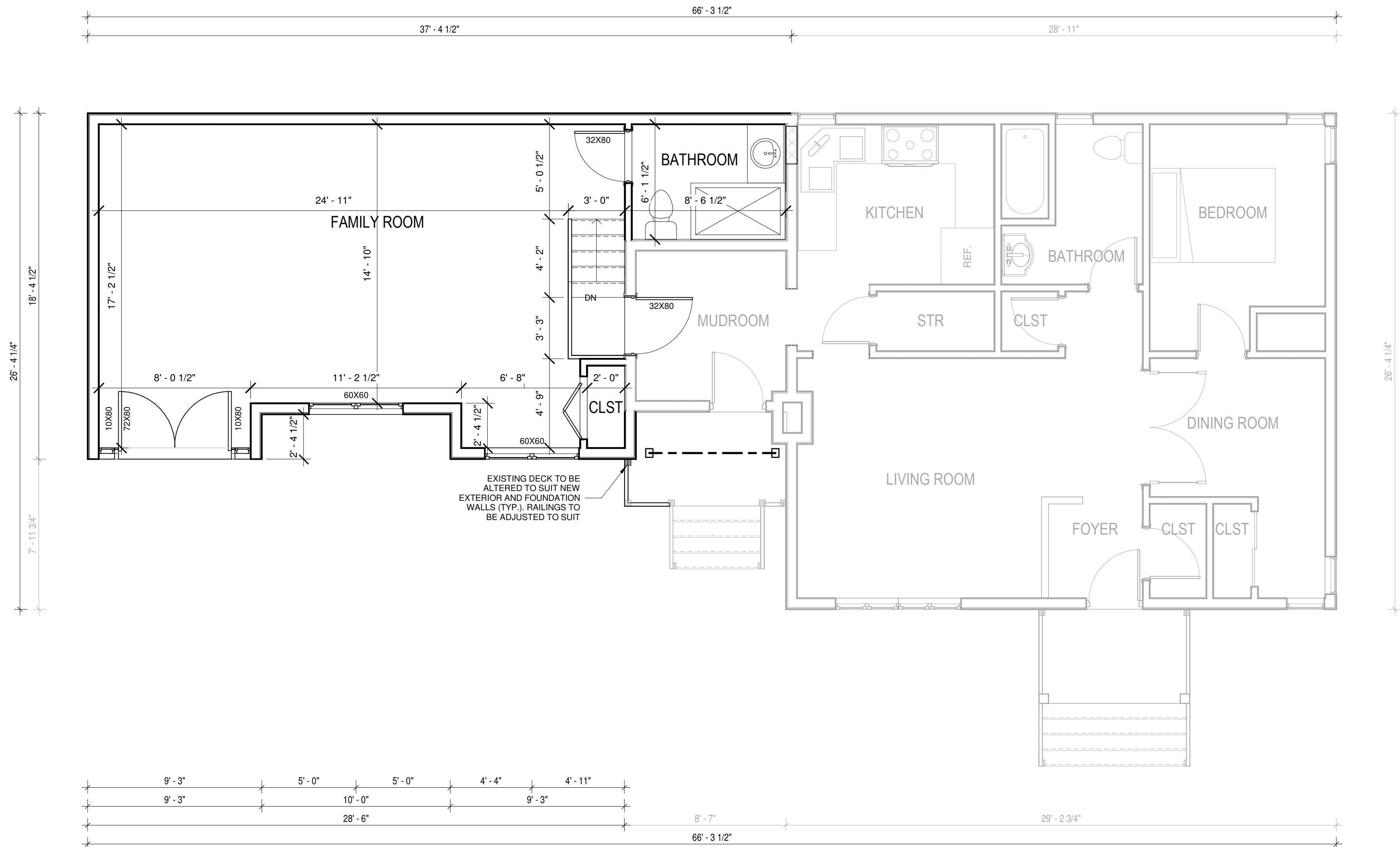
238 E. 11TH ST. HAMILTON, ON

Project Number	N/A	Sheet No.	<b>A2.01</b>
Date	FEBRUARY 22, 2023		
Drawn by	QJ		
Checked by	SA	Scale	
			1/4" = 1'-0"

2023-02-22 9:38:42 AM



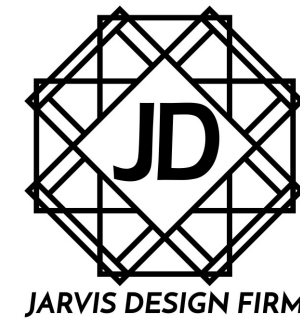
1 EXISTING MAIN FLOORPLAN  
A2.02 1/4" = 1'-0"



2 NEW MAIN FLOORPLAN  
A2.02 1/4" = 1'-0"

ALL DIMENSIONS AND INFORMATION SHALL BE CHECKED AND VERIFIED ON THE JOB AND ANY DISCREPANCIES MUST BE REPORTED TO THE CONSULTANT BEFORE COMMENCING WORK.

ALL DRAWINGS REMAIN THE PROPERTY OF THE CONSULTANT AND MAY NOT BE REPRODUCED OR REVISED WITHOUT THE CONSULTANT'S PERMISSION.



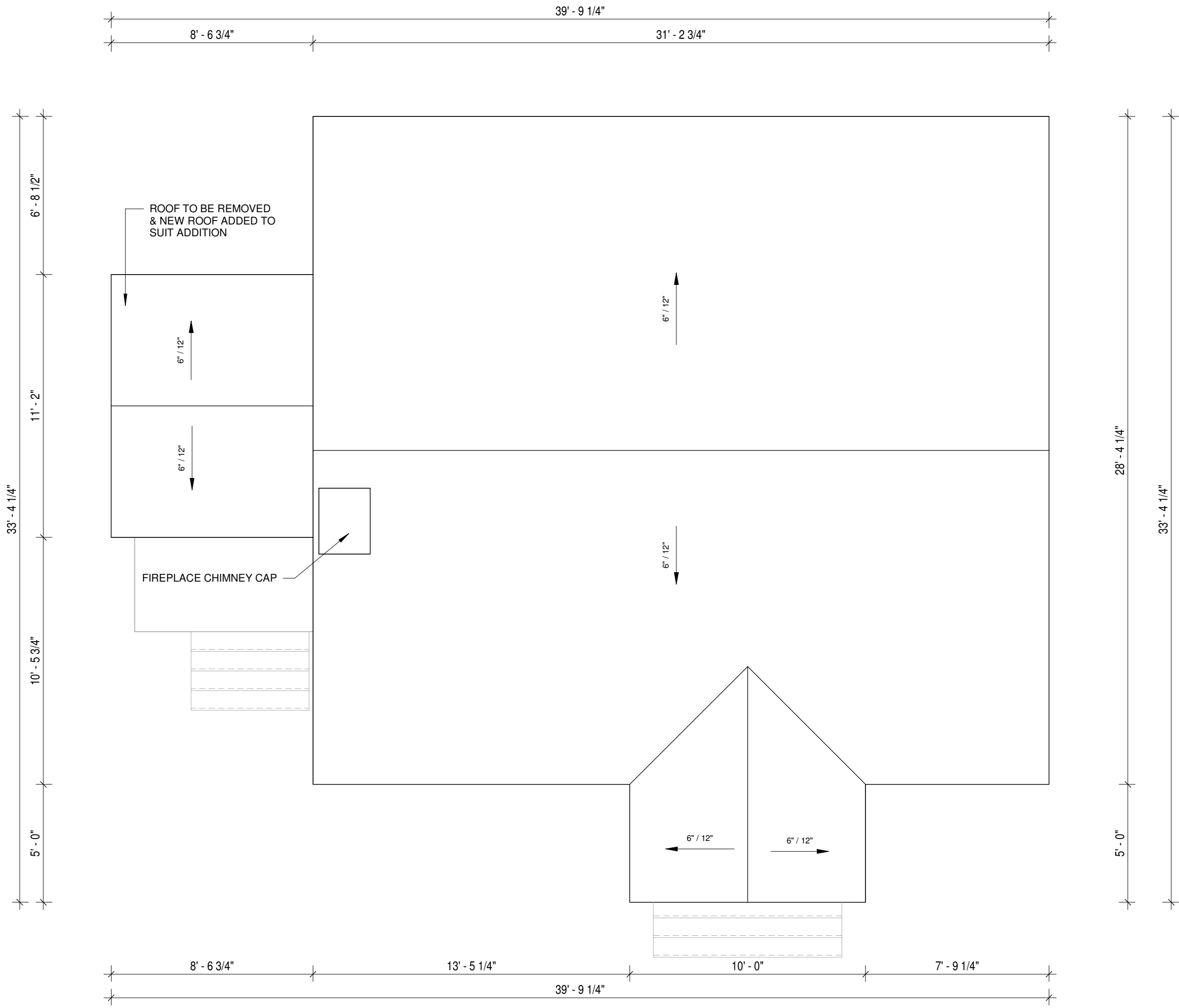
ADDITION

MAIN FLOOR PLAN

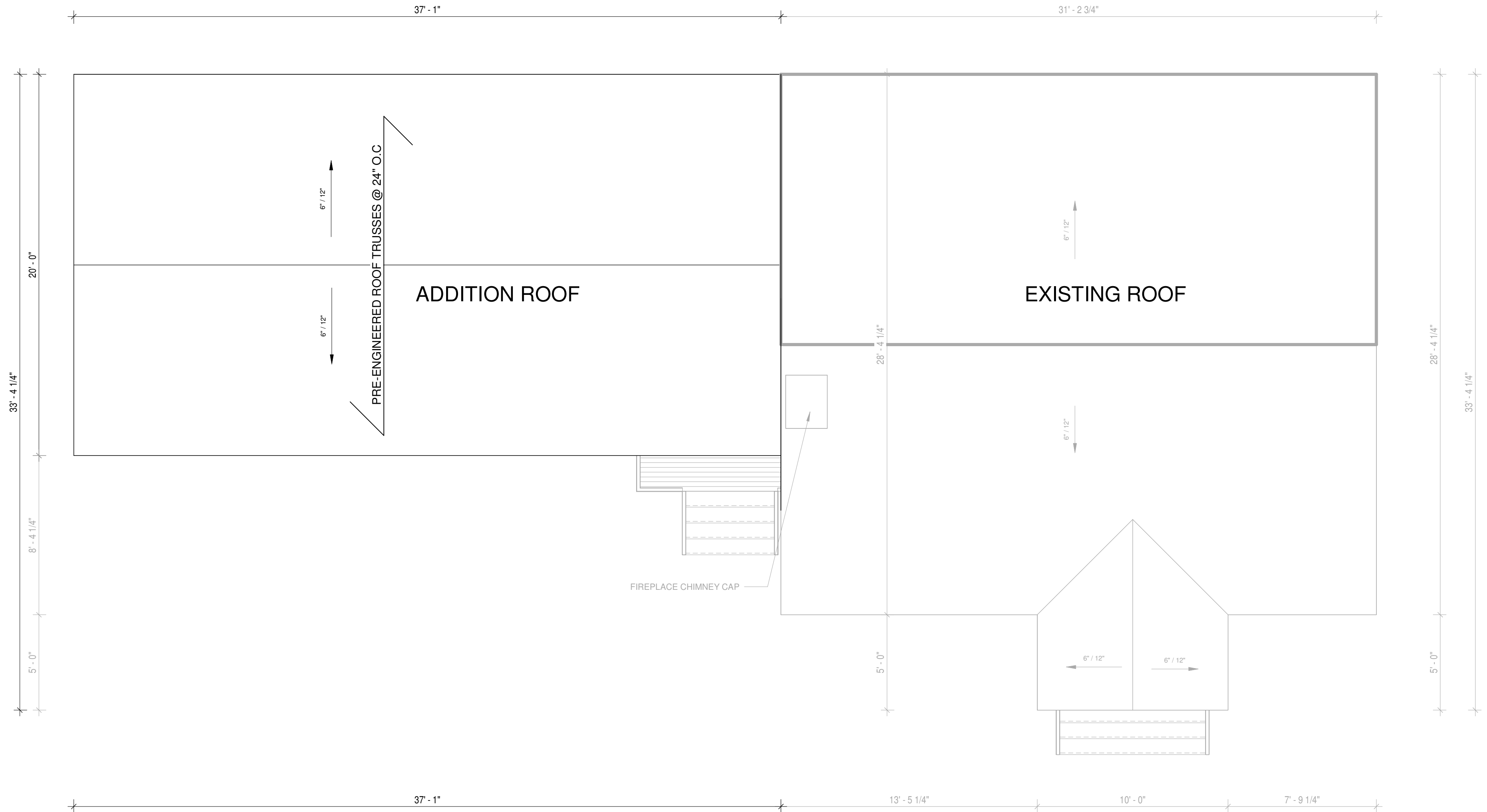
238 E. 11TH ST. HAMILTON, ON

Project Number	N/A	Sheet No.
Date	FEBRUARY 22, 2023	<b>A2.02</b>
Drawn by	QJ	
Checked by	SA	
Scale		1/4" = 1'-0"





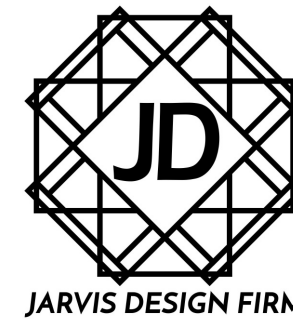
1 EXISTING ROOF PLAN  
A2.03 1/4" = 1'-0"



2 NEW ROOF PLAN  
A2.03 1/4" = 1'-0"

ALL DIMENSIONS AND INFORMATION SHALL BE CHECKED AND VERIFIED ON THE JOB AND ANY DISCREPANCIES MUST BE REPORTED TO THE CONSULTANT BEFORE COMMENCING WORK.

ALL DRAWINGS REMAIN THE PROPERTY OF THE CONSULTANT AND MAY NOT BE REPRODUCED OR REVISED WITHOUT THE CONSULTANT'S PERMISSION.



ADDITION

ROOF PLAN

238 E. 11TH ST. HAMILTON, ON

Project Number N/A  
Date FEBRUARY 22, 2023  
Drawn by QJ  
Checked by SA  
Sheet No. A2.03  
Scale 1/4" = 1'-0"



Hamilton

Planning and Economic  
Development Department  
Planning Division  
71 Main Street West, 5<sup>th</sup> Floor  
Hamilton, ON L8P 4Y5  
P: 905.546.2424 x 2719  
F: 905.546.4202

# ZONING COMPLIANCE REVIEW AND ADMINISTRATION

**NOTE: FEES ARE NON-REFUNDABLE**

## APPLICATION TYPE

- ☐ Applicable Law Review
- ☐ Committee of Adjustment – Clearance of Zoning Conditions – List the application number and condition numbers you wish to clear:
- \_\_\_\_\_
- ☐ Determination of a Legally Established Non-Conforming Use
- ☐ In Support of a Zoning By-law Amendment Application
- ☐ In Support of a Minor Variance Application
- ☐ In Support of a Building Permit Application

## Project Location

Municipal Number:	Street Name:	Street Type: (Rd, St, Ave)	Street Direction: (N, S, E, W)
Unit #:	Lot #:	Community: Ancaster <input type="checkbox"/> Dundas <input type="checkbox"/> Flamborough <input type="checkbox"/> Glanbrook <input type="checkbox"/> Hamilton-Proper <input type="checkbox"/> Stoney Creek <input type="checkbox"/>	
Legal Description (optional):			

## Applicant Information

Applicant Name:			
Mailing Address:		City	Postal Code
Phone Number:	Fax Number:	Email Address:	
Applicant Signature: _____			Date:
<b>PLEASE NOTE: ALLOW FOR A 15 BUSINESS DAY REVIEW PERIOD</b>			

## Description of Development/Construction/Use

Proposed Use:
Project Description/ Scope of Work:

## FOR OFFICE USE ONLY

Receipt Number:	Payment Type:	Folder Number:	Date Received:	Deemed Complete:	Staff Initials:
-----------------	---------------	----------------	----------------	------------------	-----------------

The personal information collected on this form will be used to contact you for the administration of performing record searches as authorized under the *Municipal Act, 2001, section 227*. If you have any questions regarding the collection of the information, please contact 905.546.2720.



# ZONING COMPLIANCE REVIEW – SUBMISSION REQUIREMENTS

## APPLICABLE LAW REVIEW / APPLICATIONS IN SUPPORT OF A BUILDING PERMIT OR MINOR VARIANCE APPLICATION:

An application for Applicable Law Review/in support of a Minor Variance Application shall contain two (2) copies of a scaled and properly dimensioned site plan and two (2) copies of elevation drawings; the site plan shall indicate the parking layout, landscape areas, fencing, buildings and other structures. Floor plans may also be required.

The proposed or existing development or construction project made under this application will be limited to the review for Zoning By-law compliance only. The review will be based entirely on the information, details and plans provided by the applicant. This application does not substitute the requirement of obtaining a building permit in the normal manner for the proposed development or construction project.

A Zoning Examiner will review the application to determine compliance or conformity with the applicable Zoning By-law.

## COMMITTEE OF ADJUSTMENT – CLEARANCE OF CONDITIONS:

An application for Committee of Adjustment – Clearance of Zoning Conditions shall contain the following information:

- A survey prepared by an Ontario Land Surveyor (O.L.S.) showing the following information, where applicable: lot area and lot frontage of both the lands to be conveyed and the lands to be retained; location of all buildings and structures in relation to the newly created lot lines on both the lands to be conveyed and the lands to be retained; the total lot coverage on both the lands to be conveyed and the lands to be retained; and the location of all parking spaces on both the lands to be conveyed and the lands to be retained
- A copy of the Notice of Decision for the subject property, including the conditions. On the front of this application form, please ensure that you have indicated the application number and which condition number(s) you wish to clear.

## DETERMINATION OF A LEGALLY ESTABLISHED NON-CONFORMING USE:

Establishing entitlement to a legal non-conforming use protection is afforded under Section 34(9)(a) of the Planning Act. The establishment of legal non-conforming use requires that the use *existed*, was *lawfully* used and *continues* to be used for that purpose. The legal non-conforming use protection remains an exemption to the application of the law and must be established by the party asserting it, that being you the landowner.

The first requirement is that a real, bona fide use is made of the land by the owner seeking the non-conforming use exemption. The use must be evident at the outset when the use is established. There is no specific rule regarding the type of evidence required. However, a landowner contending an entitlement to the statutory legal non-conforming use protection is expected to provide independent cogent evidence of the existence of the non-conforming use.

The second requirement in establishing a valid non-conformity for purposes of the statutory exemption requires evidence that the land, building or structure was lawfully used for such prohibited purpose on the day of the passing of the by-law. More specifically, at the time the non-conforming use was originally established, the non-conforming use complied with all of the zoning by-law provisions or applicable legislation in effect on that date. The issuance of a building permit typically satisfies this requirement.

Accordingly, in addition to other supporting documents you deem appropriate, to support your assertion and enjoy the statutory rights to a legal non-conforming use the following documents and evidence are acceptable:

### Primary Documents

- Building permit
- Local tax records - (*residential (and # of units) vs non-residential tax rates*)
- Assessment records - (*MPAC property code class*)
- Site specific Council decision
- Site specific legal ruling
- Municipal Licences (*where required*)
- Corporate Search/Documents - (*date of business formation, address reference*)
- Business tax records (*for continuance*)
- Business transaction receipts/records - (*for continuance*)
- Other Applicable legislative approvals (NEC, MTO, MOE, MNR, etc.) - (*where applicable*)

### Secondary Documents

- Vernon Directory listings
- Third-party affidavits
- Dated photographs,
- Advertisements
- Newspaper articles
- Leases/Rental agreements
- MLS listings
- Construction receipts where a building permit was not required

## ZONING COMPLIANCE REVIEW APPLICATIONS SUBMITTED IN SUPPORT OF A ZONING BY-LAW AMENDMENT

Submission requirements are outlined in the Zoning Compliance Review Terms of Reference found at:

<https://www.hamilton.ca/build-invest-grow/planning-development/planning-policies-guidelines>

**APPLICATION FOR A MINOR VARIANCE/PERMISSION**  
 UNDER SECTION 45 OF THE *PLANNING ACT*

**1. APPLICANT INFORMATION**

	NAME	MAILING ADDRESS
Registered Owners(s)		
Applicant(s)		
Agent or Solicitor		

1.2 All correspondence should be sent to ☐ Purchaser ☐ Owner  
☒ Applicant ☒ Agent/Solicitor

1.3 Sign should be sent to ☐ Purchaser ☐ Owner  
☐ Applicant ☒ AgentSolicitor

1.4 Request for digital copy of sign ☐ Yes\* ☒ No

If YES, provide email address where sign is to be sent \_\_\_\_\_

1.5 All correspondence may be sent by email ☒ Yes\* ☐ No

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 SUBJECT LAND**

2.1 Complete the applicable sections:



Municipal Address	238 E 11th Street, Hamilton, ON, L9A 3T7		
Assessment Roll Number	251807081103330		
Former Municipality	Hamilton, 6593 Former Hamilton		
Lot		Concession	
Registered Plan Number		Lot(s)	
Reference Plan Number (s)		Part(s)	

2.2 Are there any easements or restrictive covenants affecting the subject land?

☐ Yes ☒ No

If YES, describe the easement or covenant and its effect:

### 3. PURPOSE OF THE APPLICATION

**Additional sheets can be submitted if there is not sufficient room to answer the following questions. Additional sheets must be clearly labelled**

All dimensions in the application form are to be provided in metric units (millimetres, metres, hectares, etc.)

3.1 Nature and extent of relief applied for:

Proposed Addition will surpass rear setback dimension

☐ Second Dwelling Unit

☐ Reconstruction of Existing Dwelling

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

Setbacks for property do not create much opportunity for enlarging the existing building therefore owner is proposing to surpass setbacks to suit +/-55m<sup>2</sup> addition.

3.3 Is this an application 45(2) of the Planning Act.

☐ Yes

☒ No

If yes, please provide an explanation:

### 4. DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

4.1 Dimensions of Subject Lands:

Lot Frontage	Lot Depth	Lot Area	Width of Street
16.15m	26.10m	421.5m <sup>2</sup>	11.5m

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

Existing:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Existing House	6.0m	7.5m	1.2m	
Existing House Dist. from Lot Lines	2.12m	12.46m	1.2m	
Existing Shed	6.0m	7.5m	1.2m	
Existing Shed Dist. from Lot Lines	17.51m	2.28m	2.52m	

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
One Storey Addition	6.0m	7.5m	1.2m	
One Storey Addition Dist. from Lot Lines	11.03m	3.75m	1.2m	

4.3. Particulars of all buildings and structures on or proposed for the subject lands (attach additional sheets if necessary):

Existing:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
One Storey House	80m <sup>2</sup>	160m <sup>2</sup>	1	5.67m
Shed	24.55m <sup>2</sup>	24.55m <sup>2</sup>	1	4.37m

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
One Storey House	80m <sup>2</sup>	160m <sup>2</sup>	1	5.67m
One Storey Addition	55m <sup>2</sup>	55m <sup>2</sup>	1	4.6m

- 4.4 Type of water supply: (check appropriate box)
- ☒ publicly owned and operated piped water system
- ☐ privately owned and operated individual well

- ☐ lake or other water body
- ☐ other means (specify)
- \_\_\_\_\_

- 4.5 Type of storm drainage: (check appropriate boxes)
- ☒ publicly owned and operated storm sewers
- ☐ swales

- ☐ ditches
- ☐ other means (specify)
- \_\_\_\_\_

4.6 Type of sewage disposal proposed: (check appropriate box)

- ☒ 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 ☐ right of way  
☒ municipal road, seasonally maintained ☐ other public road  
☐ municipal road, maintained all year \_\_\_\_\_

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.):  
Low Density Residential

## 7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:

7.2 Previous use(s) of the subject property: (single detached dwelling duplex, retail, factory etc)  
Single Detached Dwelling

7.3 Existing use(s) of the subject property: (single detached dwelling duplex, retail, factory etc)  
Single Detached Dwelling

7.4 Length of time the existing uses of the subject property have continued: Same use since built

7.5 What is the existing official plan designation of the subject land?

Rural Hamilton Official Plan designation (if applicable): Unknown

Rural Settlement Area: Unknown

Urban Hamilton Official Plan designation (if applicable) Unknown

Please provide an explanation of how the application conforms with the Official Plan.

7.6 What is the existing zoning of the subject land? Urban protected 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: \_\_\_\_\_



---

7.9 Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*?

☐ Yes

☒ No

If yes, please provide the file number: \_\_\_\_\_

7.10 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

7.11 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.

## **8 ADDITIONAL INFORMATION**

8.1 Number of Dwelling Units Existing: 1

8.2 Number of Dwelling Units Proposed: 1

8.3 Additional Information (please include separate sheet if needed):

## 11 COMPLETE APPLICATION REQUIREMENTS

### 11.1 All Applications

- ☒ Application Fee
- ☒ Site Sketch
- ☒ Complete Application form
- ☒ Signatures Sheet

### 11.4 Other Information Deemed Necessary

- ☐ Cover Letter/Planning Justification Report
- ☐ Authorization from Council or Director of Planning and Chief Planner to submit application for Minor Variance
- ☐ Minimum Distance Separation Formulae (data sheet available upon request)
- ☐ Hydrogeological Assessment
- ☐ Septic Assessment
- ☐ Archeological Assessment
- ☐ Noise Study
- ☐ Parking Study

---

---