

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-23:196	SUBJECT PROPERTY:	97-107 BEACH BOULEVARD, HAMILTON
ZONE:	C/S-1435 and S-1822 (Urban Protected Residential and Etc.)	ZONING BY-LAW:	Zoning By-law former City of Hamilton 6593, as Amended by By-laws No. 99-169 and 22-195

APPLICANTS: **Owner:** T. & G. RITTER, R. PLANSKY, K. & P. & C. SHANNON, D. GILL, E. & J. TOWNSEND, B. & B. NAKAMURA,
Agent: TIM RITTER

The following variances are requested:

1. A minimum northerly side yard width of 0.7m shall be permitted for the uncovered deck instead of the minimum 1.7m side yard width required.
2. The uncovered deck shall be permitted to be located as close as 0.0m from the rear lot line instead of the minimum 0.5m rear yard setback required.

PURPOSE & EFFECT: To facilitate the construction of an uncovered deck at the rear of the existing single family dwelling.

Notes:

This property includes buildings known municipally as 97, 99, 101, 103, 105 and 107 Beach Blvd. which may be legally established non-conforming provided this situation has continuously existed since prior to July 25, 1950.

A portion of the lands are under Hamilton Conservation Authority.

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.

HM/A-23:196

This application will be heard by the Committee as shown below:

DATE:	Thursday, August 24, 2023
TIME:	9:35 a.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

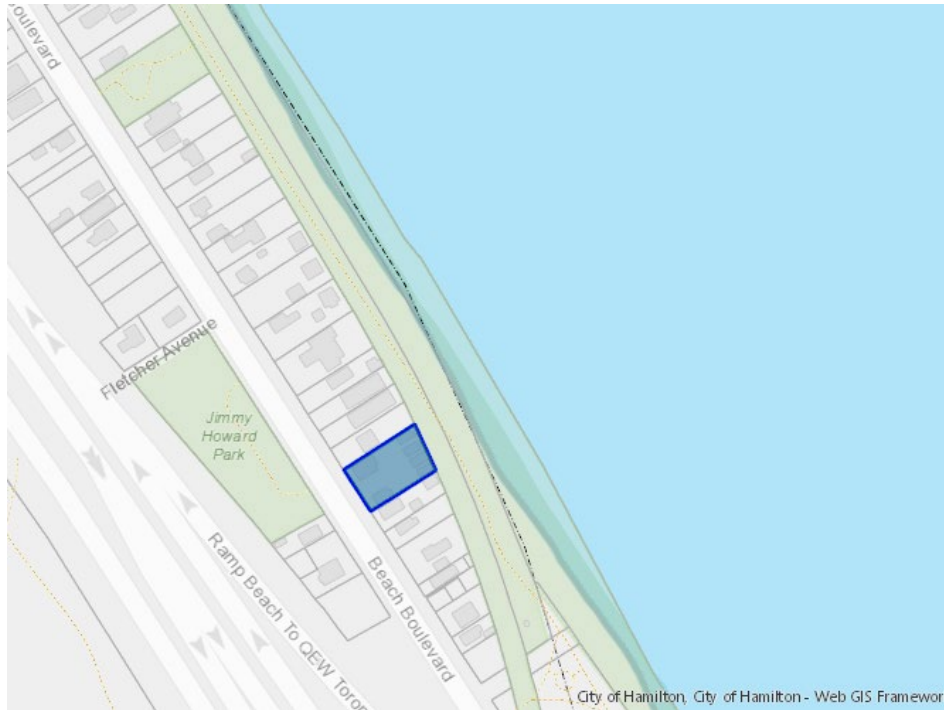
Written: If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Please see attached page for complete instructions, including deadlines for submitting to be seen by the Committee.

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.

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding HM/A-23:196, you must submit a written request to 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 or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.



 Subject Lands

DATED: August 8, 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.

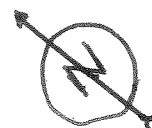
Note: along Path just down from us, fences within 6 feet of path, a garage is Ten feet from path in one Spot a hedge is Right on path at other end there are walk ways & Land scape rock Touching the path.

↑
Path

Fence is Steel

Back Patio
concrete
goes out
to fence

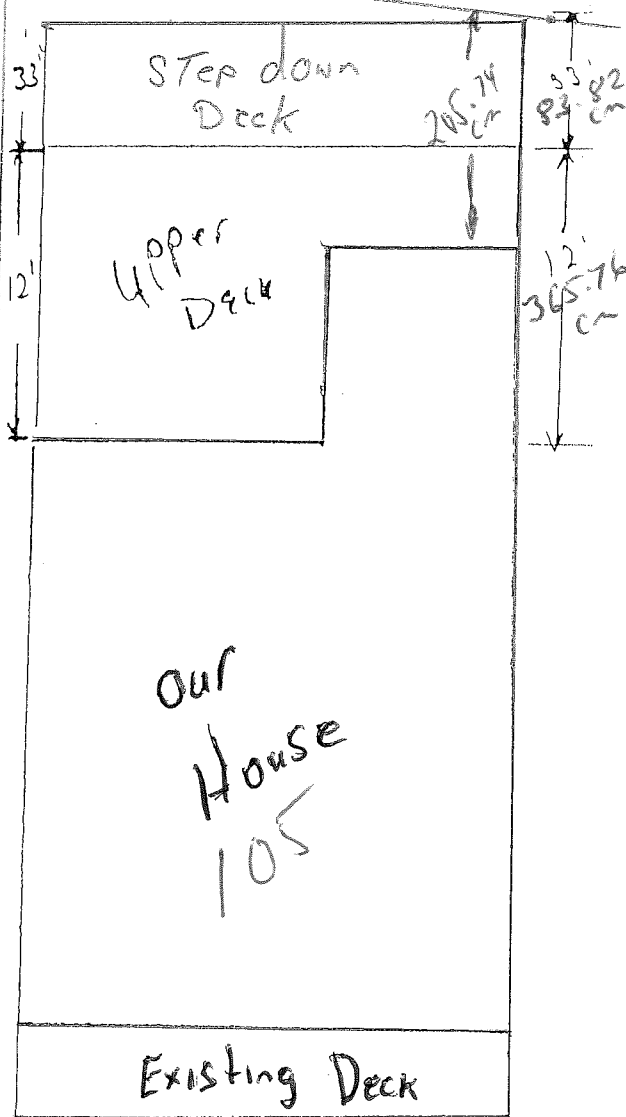
3' 91.44 cm
53"
1615.44 cm



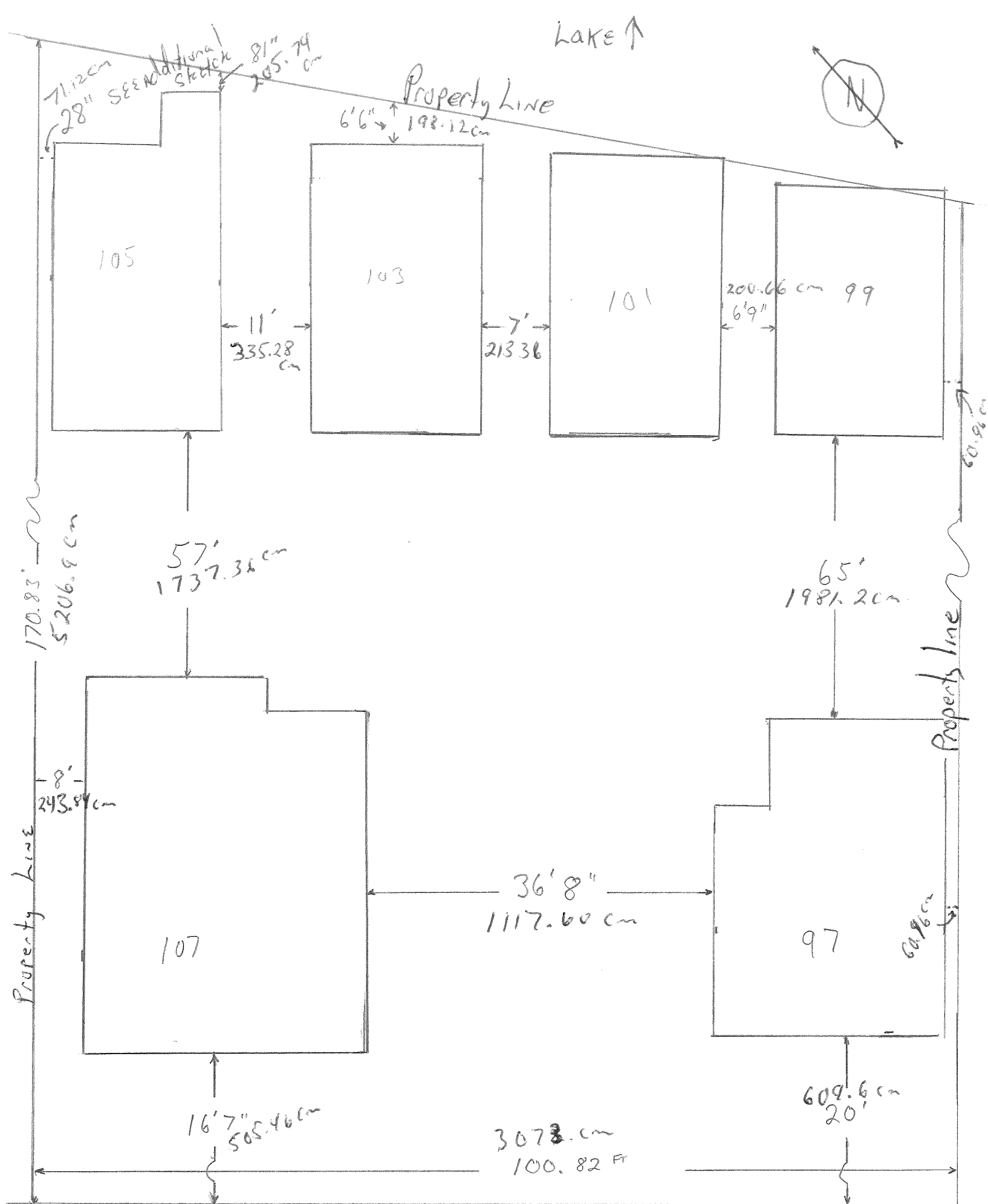
Rear Property Line

Distance
Between Properties
Line & Deck
28"

Property Line



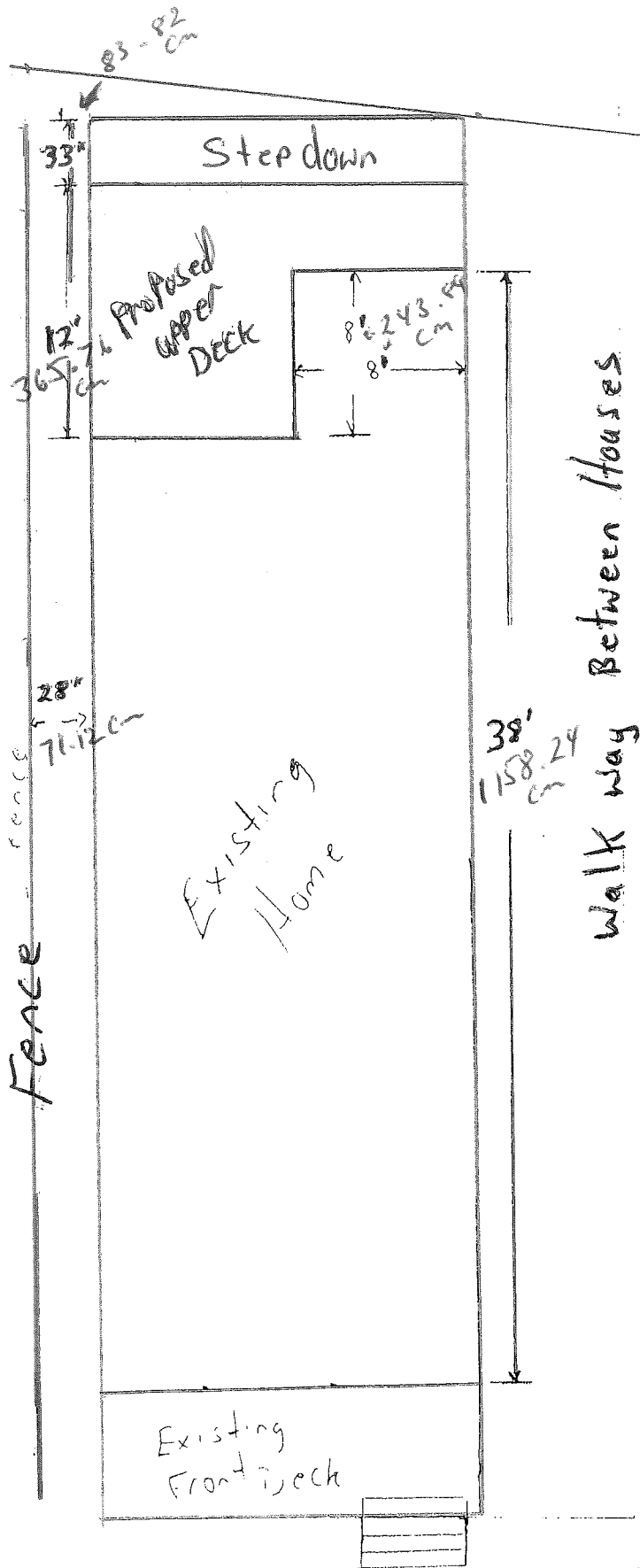
2nd
House



Beach Blvd. 97-107



Propose Drawings
For Permit

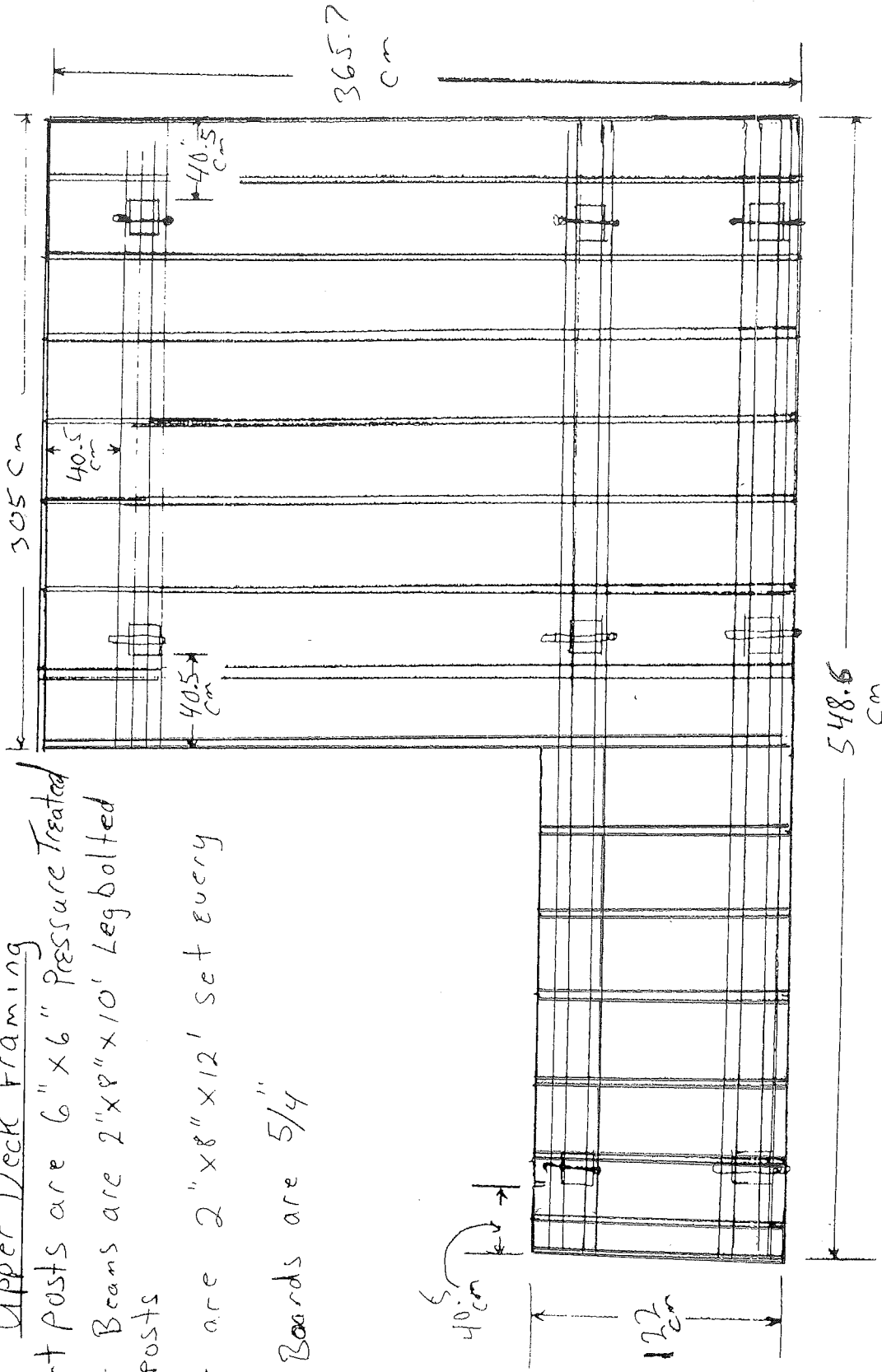


Plan For 205

Plan # 105

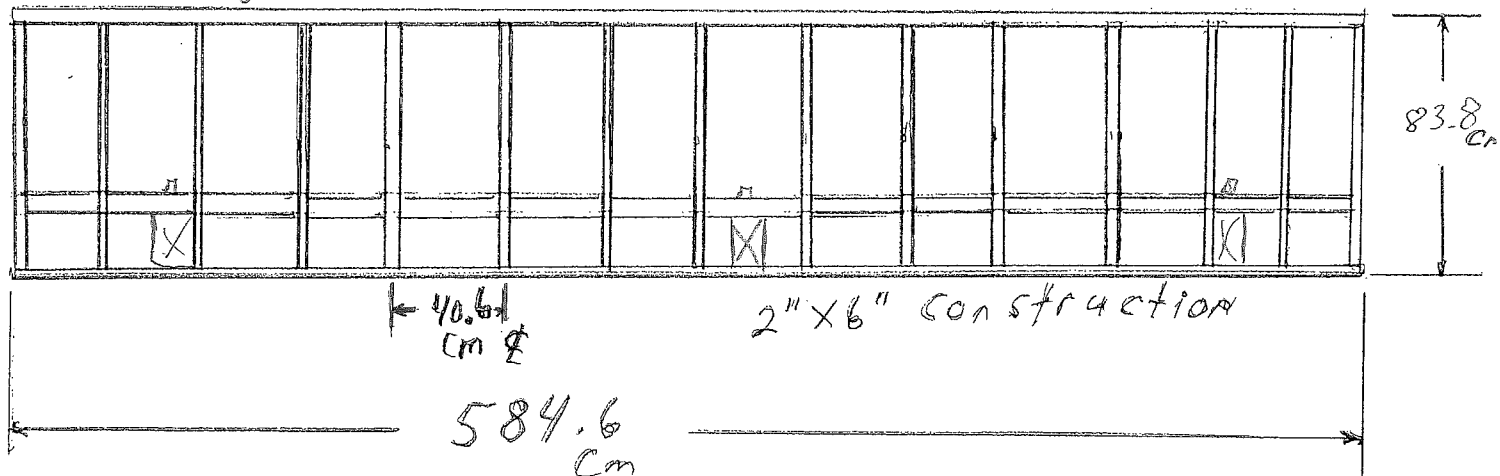
Upper Deck Framing

- Support Posts are 6" x 6" Pressure Treated
- Support Beams are 2" x 8" x 10' Legbolted Through Posts
- Joice are 2" x 8" x 12' set every 16"
- Deck Boards are 5/4"



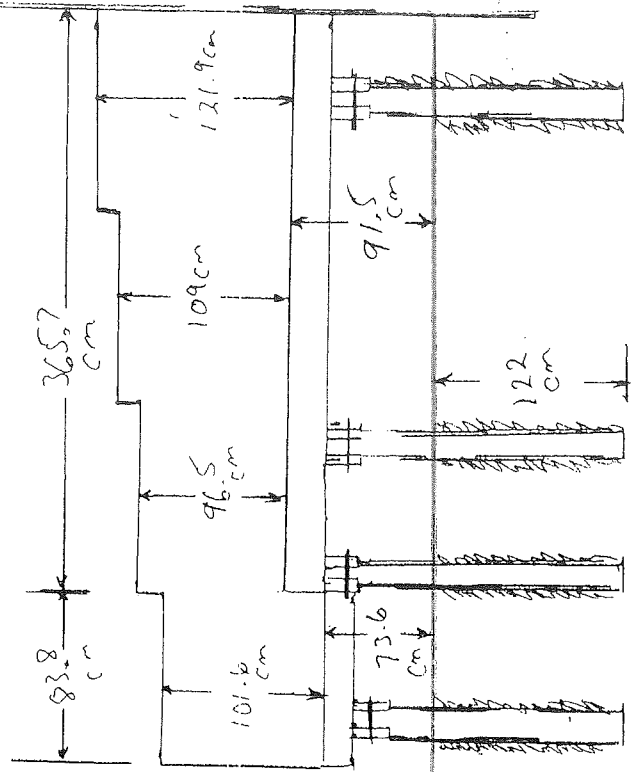
Step down deck

Logged into upper deck support posts

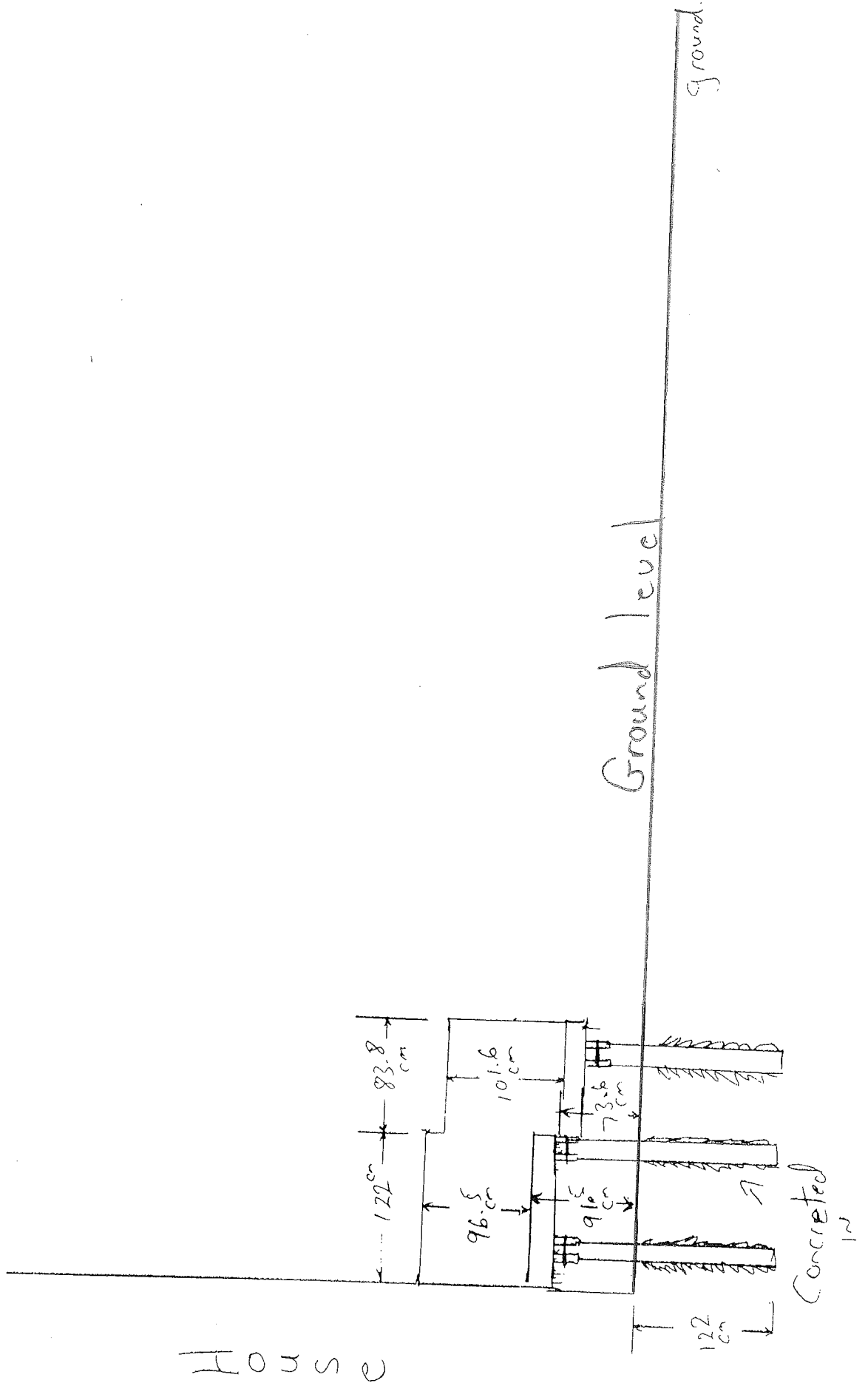


Deck is not
attached to the
House

West side
Deck



East side Deck



Thursday July 28, 2022

To Whom it May Concern:

We'd like to express our heartbreak and confusion regarding any concerns pertaining to the deck we have built on our property located at 105 Beach Blvd., Hamilton, Ontario.

After growing up in Hamilton and spending years walking the Beach Strip admiring the homes along this path, we finally purchased this property for our retirement. At just 600sqft. We envisioned building a deck as an extension to our living space where we could easily step outside to enjoy our morning coffee, rest in the afternoon, and eat our evening meals overlooking the beauty of Lake Ontario. As you can see in the photo included, this space also allows us to entertain our grandkids, something we could not do in the small house alone.

While making this dream a reality, we were of the understanding that when the Railway was removed, this land was grandfathered to the cottages. Beyond that, we inspected the existing structures, decks, sheds, patios, etc. in the surrounding area, to insure we designed something in compliance with the community standard. We noted that the neighbours two doors down on both the left and right of our property have patios that are 20ft from the path. We also noticed some properties have fences right on the path, wooden walkways that join the path, a garage that is just 10ft away, and a house that is only 15ft from the path. Moreover, there are multiple business abutting the pathway such as Hutch's Barangas, the race track, the Community Centre, and more.

What we have designed is in no way impeding the pathway. Our deck is 23ft from the path, a greater distance than our neighbours and the observations we made on our walks. As such, we are not understanding how our deck is problematic, yet the other domains are not? It is inequitable to focus on our deck, our home, our dream, while the properties surrounding us are unaffected. We are not understanding why our vision and hard work are being scrutinized. Our intent was never to do anything wrong, only making the space to live as seniors more comfortable by adding a outside living space.

We would greatly appreciate if someone would visit our property. See our deck, see the surrounding homes, patios and structures, and then try to explain to us why we're being unjustly affected. It would not take more than a few minutes to walk this strip of the path, and see that our deck is not an obstruction or impediment to the community and pathway.

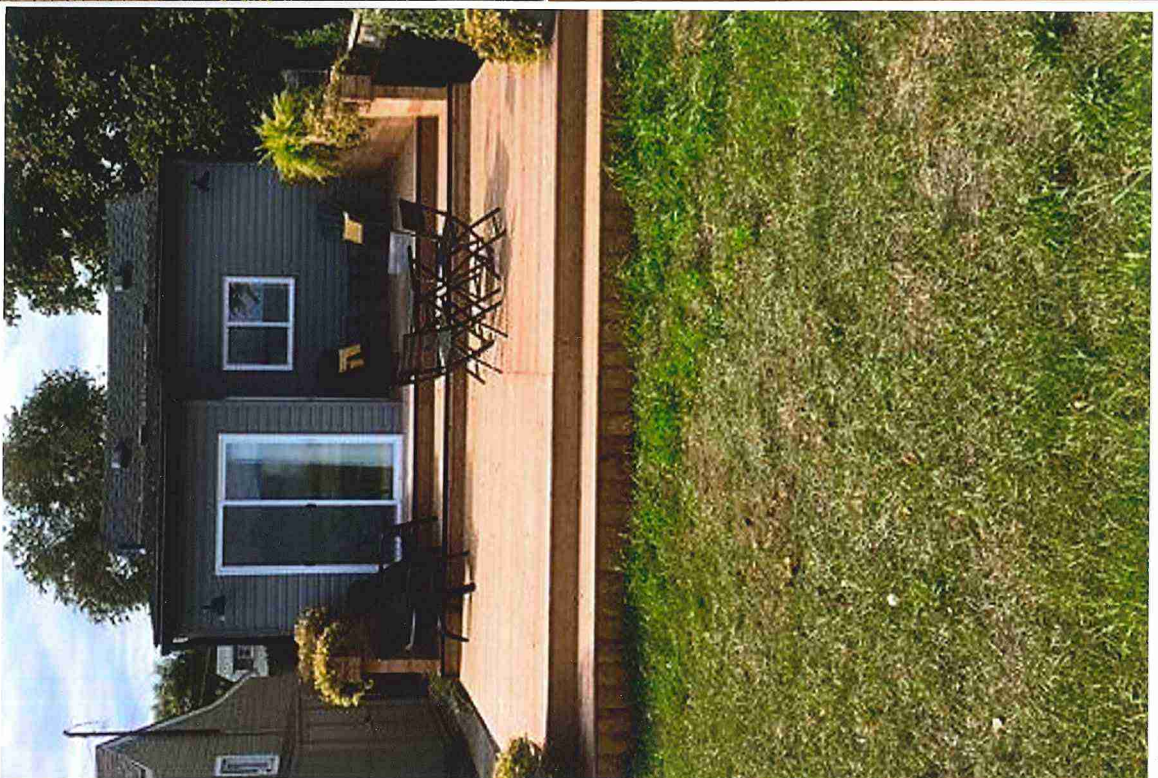
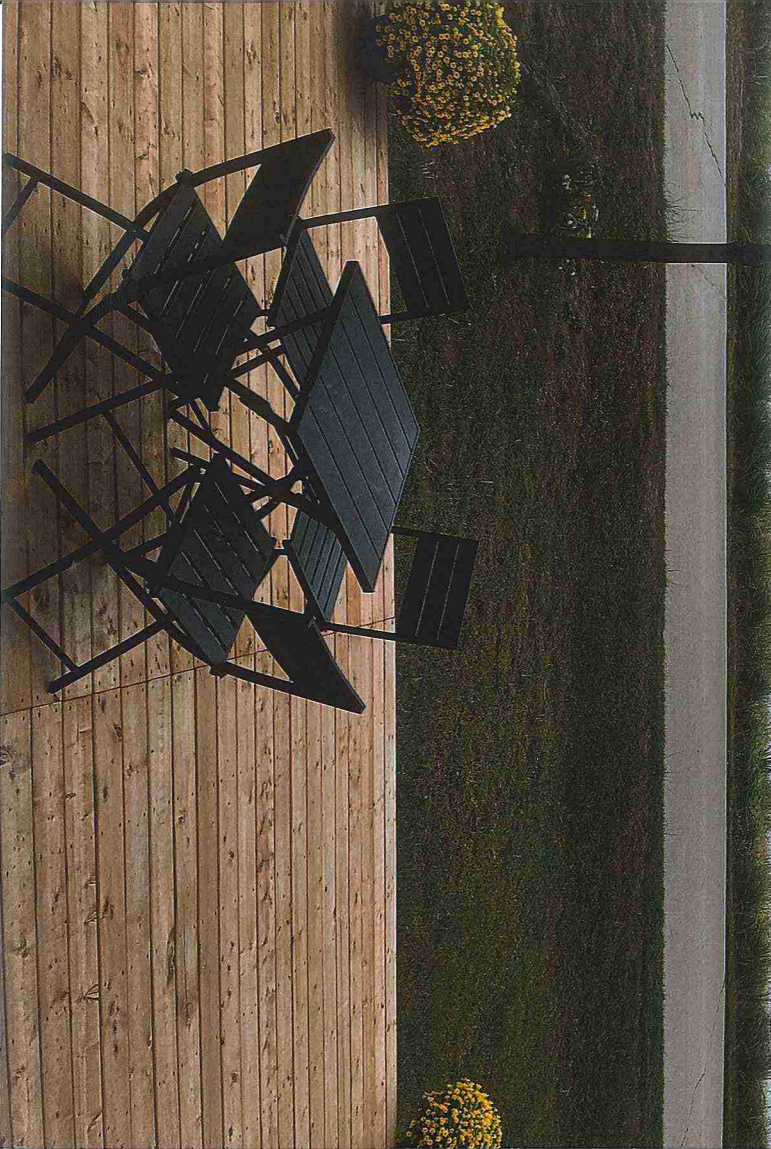
Sincerely, and much appreciated

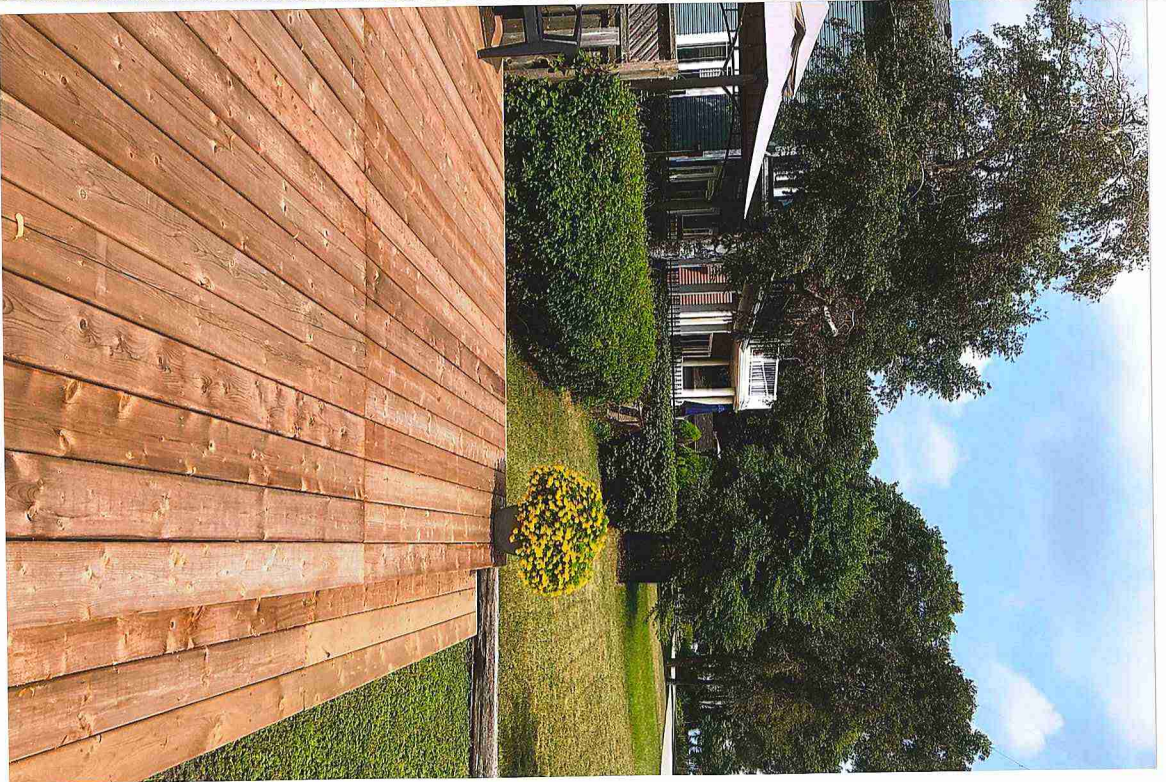
Gail and Tim Ritter



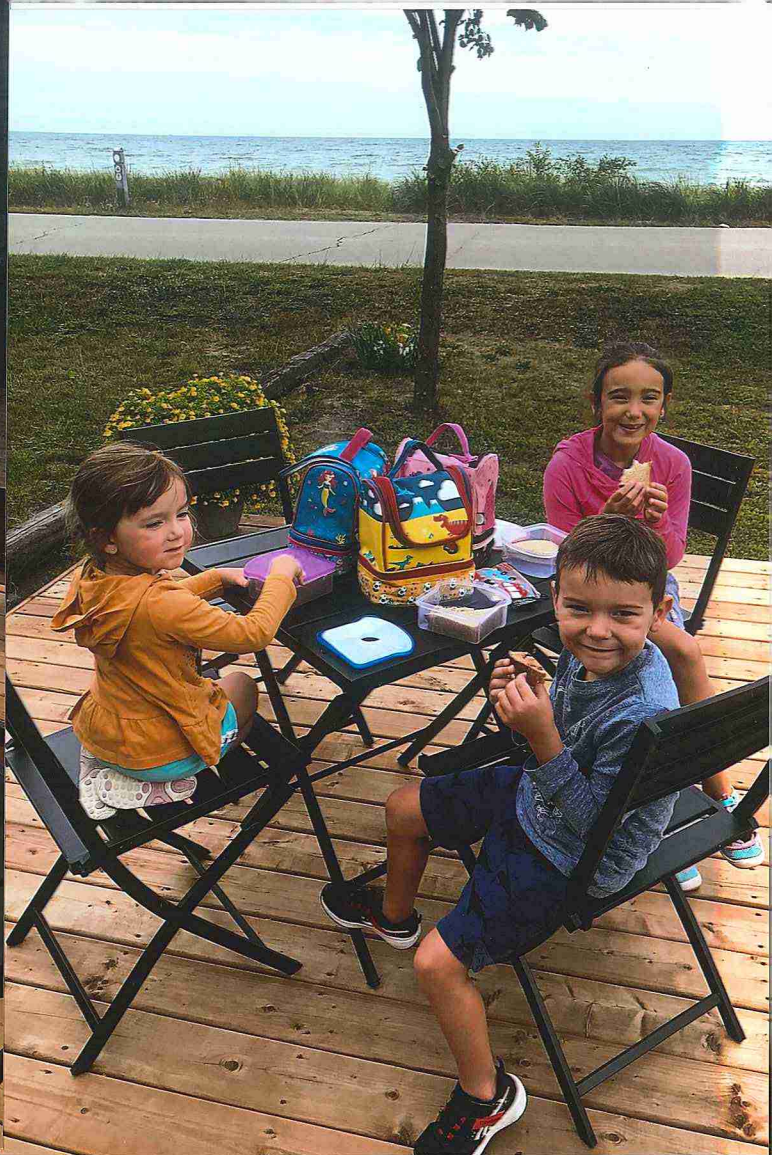














105 Beach Blvd, Hamilton, L8H6V8

[Suggest an address correction](#)

Owner Name

NAKAMURA, BRENDA
ABRAM; NAKAMURA,
BRADLEY; RITTER,....

[Multiple Owners](#)
(See Property Details)



Last Sale

\$0

Aug 04, 2022



Lot Size

100.82 ft 170.83 ft

Frontage

Depth

Measurements Available
(See Site & Structure)



Assessed Value

\$513,000

Based on Jan 1, 2016

Phased-In Value

\$513,000

2022 Tax Year

Party To: TOWNSEND, ELEANOR SELINA; TOWNSEND, JACK

Legal Description

LT A PL 452; PT BURLINGTON BEACH EAST SIDE BEACH BLVD (UNREGISTERED) BEING PTS 1, 2 & 3, 62R4406; CITY OF HAMILTON

Property Details



GeoWarehouse Address

105 BEACH BLVD, HAMILTON, L8H6V8

Ownership Type

Freehold

Registration Type

Certified (Land Titles)

Land Registry Office

Hamilton Wentworth (62)

Land Registry Status

Active

PIN

175710089

Owner Names

NAKAMURA, BRENDA ABRAM; NAKAMURA,
BRADLEY; RITTER, TIMOTHY ALDEN; RITTER,
GAIL MARIE; DEBREAU, LOUIS FRANCIS;
ABRAM NAKAMURA BRENDA; NAKAMURA,
BRADLEY; RITTER, GAIL MARIE; RITTER,
TIMOTHY ALDEN; SHANNON, PATRICK; GILL,
DEBRA; SHANNON, KELLY; SHANNON,
COLLEEN; RITTER, TIMOTHY ALDEN; RITTER,
GAIL MARIE; ABRAM NAKAMURA, BRENDA;
NAKAMURA, BRADLEY; TOWNSEND, ELEANOR
SELINA; PLANSKY, RITA

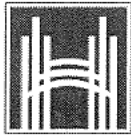
Property Type

OTHER NON RES

APPENDIX "A" – 2021 Airphoto



*Hamilton Basemap, 2021 Airphoto – Accessible through Open Hamilton Interactive Maps, Base Mapping for Hamilton
(<https://spatialsolutions.hamilton.ca/hamiltonmap/index.html>)
This image does not represent a legal draft of survey, and is only included as a visual aid to identify the private property and parkland.*



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/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 ☒ Agent/Solicitor

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 be sent by email.

2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	105 Beach Blvd (97-107 Beach Blvd)		
Assessment Roll Number			
Former Municipality	Hamilton		
Lot		Concession	
Registered Plan Number	452	Lot(s)	A
Reference Plan Number (s)	62R-4406	Part(s)	1

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:

Rear Yard set Back, From Required to 0' or 0.6m

☐ Second Dwelling Unit

☐ Reconstruction of Existing Dwelling

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

Not enough Room at Back of House

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
30.6m or 100.82'	4/5 55m 2/5 50m or 170.8'	1606.5 m ²	

17,223 ft²

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
House	126'	81"	28"	Early 1900's
	4145.28 cm	2468.88 cm	71.12 cm	

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Deck	156'	0'	28"	Aug 2021
	4754.88 cm	0 cm	71.12 cm	

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
House	604 Square Feet	604 Square Feet	1	15'2"
	18,409.9 cm ²	18,409.9 cm ²	1	

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Deck	201.5 Square Feet	201.5 Square Feet	2	213.4 cm W/S
	6141.72 cm ²	6141.72 cm ²	2	188.0 cm E/S

- 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)

There are none

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

☐ municipal road, seasonally maintained

☒ municipal road, maintained all year

☐ right of way

☐ other public road

4.8 Proposed use(s) of the subject property (single detached dwelling duplex, retail, factory etc.):

Single Detached 600-700^{sq} ft Homes/Cottages

4.9 Existing uses of abutting properties (single detached dwelling duplex, retail, factory etc.):

Single Detached

7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:

march 2021 Closing date

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

Single Detached 600'-700' squared Cottage/Home

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

Single Detached 600'-700' squared Cottage/Home

7.4 Length of time the existing uses of the subject property have continued:

100 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) Neighbourhood

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

Deck Permitted to Single Attached Dwelling

7.6 What is the existing zoning of the subject land? C/S 1435, S 1822

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: 6

8.2 Number of Dwelling Units Proposed: 6

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

See attached photos

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

Photos Attached

Letter Attached