



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-23:281	SUBJECT PROPERTY:	21 FAIRLEIGH AVENUE N, HAMILTON
ZONE:	"R1a" (Low Density Residential, Small Lot)	ZONING BY-LAW:	Zoning By-law City of Hamilton 05-200, as Amended

APPLICANTS: **Owner:** 2727288 ONTARIO INC. C/O MARY STRAZZERI
Agent: LEN ANGELICI

The following variances are requested:

1. An exterior staircase may encroach into a required side yard to a maximum of 0.87 metres instead of the requirement that an exterior staircase may encroach into a required side yard to a maximum of 1.5 metres or to a maximum of half the distance of the required yard, whichever is the lesser.

PURPOSE & EFFECT: To construct an additional dwelling unit and exterior staircase to an existing single detached dwelling.

Notes:

1. Insufficient information was provided regarding existing or proposed parking. Additional Variances may be required if conformity with the 05-200 Hamilton Zoning By-law cannot be achieved.

This Notice must be posted by the owner of any land which contains seven or more residential units so that it is visible to all residents.

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

DATE:	Thursday, November 16, 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

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-23:281, 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: October 31, 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.



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E-mail: cofa@hamilton.ca

PARTICIPATION PROCEDURES

Written Submissions

Members of the public who would like to participate in a Committee of Adjustment meeting are able to provide comments in writing or via email in advance of the meeting. Comments can be submitted by emailing cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5. **Comments must be received by noon two days before the Hearing.**

Comment packages are available two days prior to the Hearing and are available on our website: www.hamilton.ca/committeeofadjustment

Oral Submissions

Members of the public are also able to provide oral comments regarding Committee of Adjustment Hearing items by participating Virtually through Webex via computer or phone or by attending the Hearing In-person. Participation Virtually requires pre-registration in advance. Please contact staff for instructions if you wish to make a presentation containing visual materials.

1. Virtual Oral Submissions

Interested members of the public, agents, and owners must register by noon the day before the hearing to participate Virtually.

To register to participate Virtually by Webex either via computer or phone, please contact Committee of Adjustment staff by email cofa@hamilton.ca. The following information is required to register: Committee of Adjustment file number, hearing date, name and mailing address of each person wishing to speak, if participation will be by phone or video, and if applicable the phone number they will be using to call in.

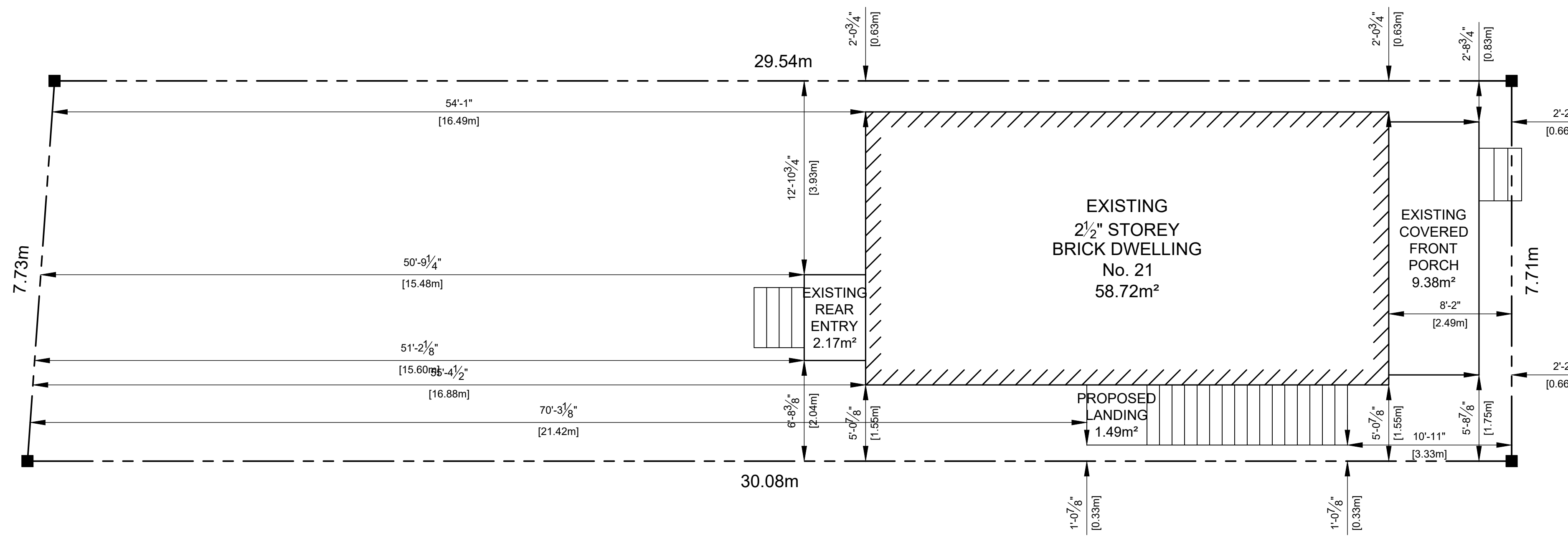
A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting the Wednesday afternoon before the hearing. The link must not be shared with others as it is unique to the registrant.

2. In person Oral Submissions

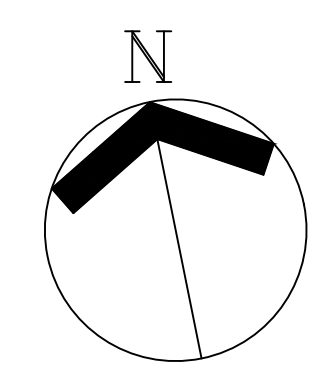
Interested members of the public, agents, and owners who wish to participate in person must sign in at City Hall room 222 (2nd floor) no less than 10 minutes before the time of the Public Hearing as noted on the Notice of Public Hearing.

We hope this is of assistance and if you need clarification or have any questions, please email cofa@hamilton.ca or by phone at 905-546-2424 ext. 4221.

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



FAIRLEIGH AVE N



SITE DATA	
ZONE:	R1a
LOT AREA:	229.87m ²
EXISTING DWELLING FOOTPRINT:	58.72m ²
EXISTING FRONT PORCH:	9.38m ²
REAR ENTRY:	2.17m ²
PROPOSED LANDING:	1.49m ²
PROPOSED STAIRS:	4.95m ²
LOT COVERAGE:	30.57%
BUILDING HEIGHT	
No. of STOREYS:	2½"
STAIRS SETBACKS	
FRONT:	3.33m
REAR:	21.42m
LEFT SIDE:	0.33m

PROJECT NORTH	TRUE NORTH

No.	REVISION	DATE
01.	DRAWINGS FOR VARIANCE	10/17/2023

- ALL CONTRACTORS AND/OR TRADES SHALL VERIFY ALL DIMENSIONS, NOTES, SITE AND REPORT ANY DISCREPANCIES PRIOR TO THE COMMENCEMENT OF WORK.
- THIS DRAWING IS NOT TO BE SCALED. ALL DRAWINGS, PRINTS AND RELATED DOCUMENTS ARE THE PROPERTY OF LEN ANGELICI DESIGN AND MUST BE RETURNED UPON REQUEST.
- REPRODUCTION OF DRAWINGS AND RELATED DOCUMENTS IN PART OR IN WHOLE IS STRICTLY PROHIBITED WITHOUT WRITTEN CONSENT OF LEN ANGELICI DESIGN.
- CONTRACTOR SHALL REVIEW ALL DRAWINGS PRIOR TO COMMENCING CONSTRUCTION FOR ANY ERRORS OR OMISSIONS.
- LEN ANGELICI DESIGN IS NOT RESPONSIBLE FOR THE DESIGN OR PRE-ENGINEERED TRUSSES OR ANY PRE-ENGINEERED PRODUCTS.
- LEN ANGELICI DESIGN IS NOT RESPONSIBLE FOR HEATING, PLUMBING, OR ELECTRICAL DRAWINGS.
- DRAWING MAY NOT BE CHANGED, ALTERED OR COPIED WITHOUT WRITTEN CONSENT OF LEN ANGELICI DESIGN. FAILURE TO COMPLY WITH THIS STATEMENT IS NOT THE RESPONSIBILITY OF LEN ANGELICI DESIGN.
- LEN ANGELICI DESIGN IS NOT RESPONSIBLE FOR POOR CONSTRUCTION PRACTICES.

SEAL

THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DESIGN, AND HAS THE QUALIFICATIONS AND MEETS THE REQUIREMENTS SET OUT IN THE ONTARIO BUILDING CODE TO BE A DESIGNER.

QUALIFICATION INFORMATION	
LEONARD ANGELICI	42391
NAME	BCIN
REGISTRATION INFORMATION	
LEN ANGELICI DESIGN	124457
NAME	BCIN
10/17/2023	
DATE	SIGNATURE

Len Angelici Design

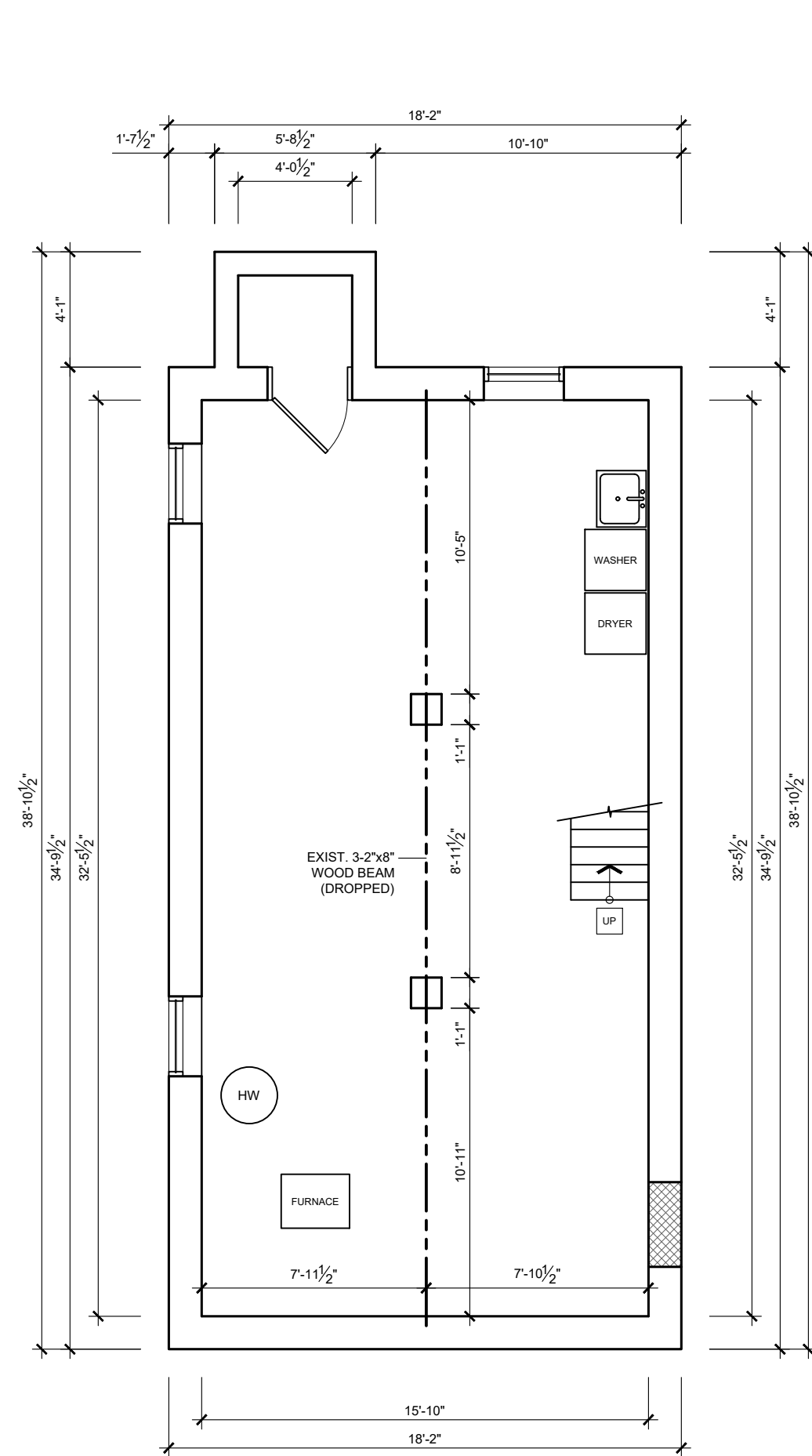
270 SHERMAN AVE N, UNIT MILL-125
HAMILTON, ON L8L 6N4
(905) 393-8868
info@lenangelicidesign.ca

PROJECT
PROPOSED KITCHEN REMODEL
21 FAIRLEIGH AVE N
HAMILTON, ON

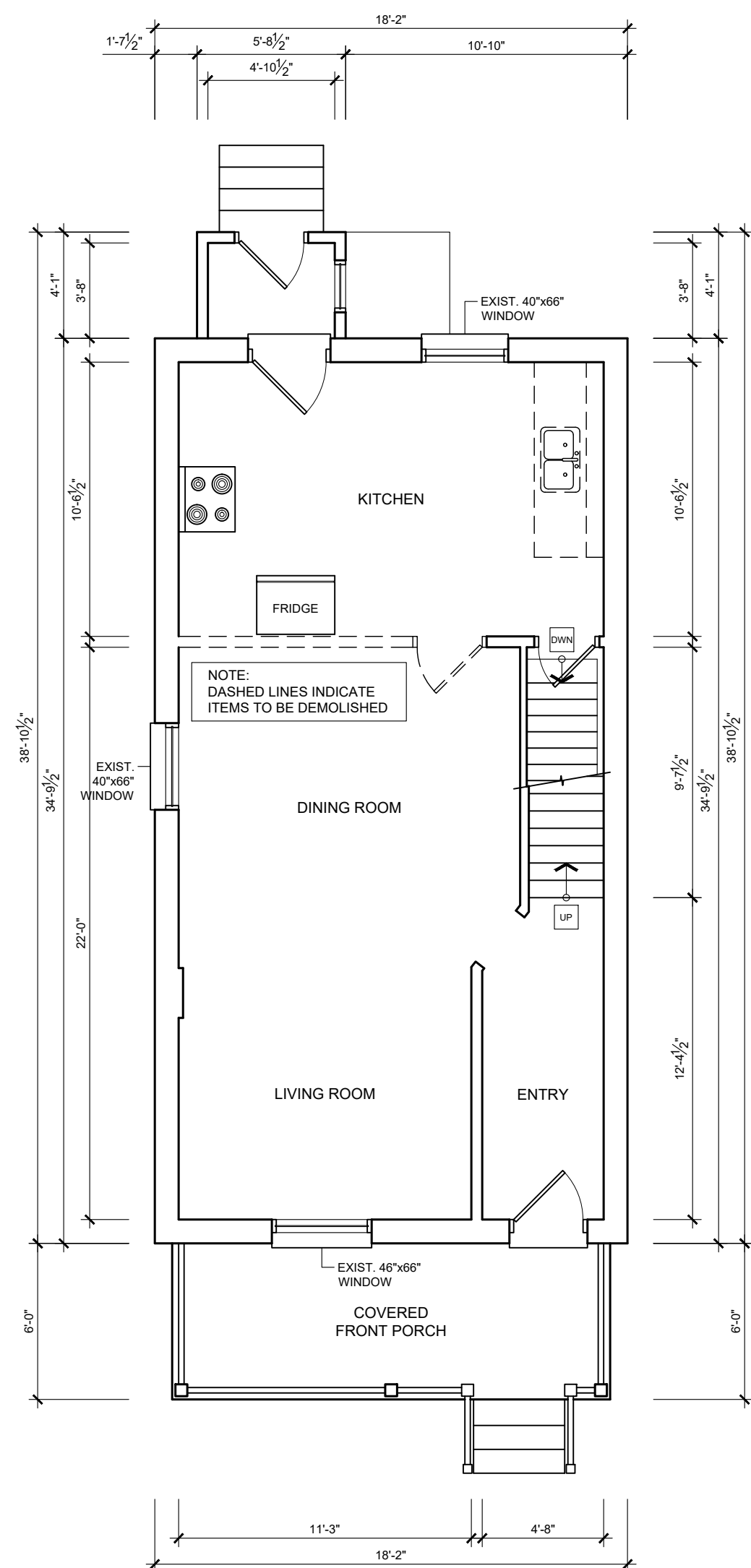
SHEET TITLE
SITE PLAN

DRAWN BY	L. ANGELICI
DATE	10/17/2023
SCALE	¾"=1'-0"
PROJECT No.	23041

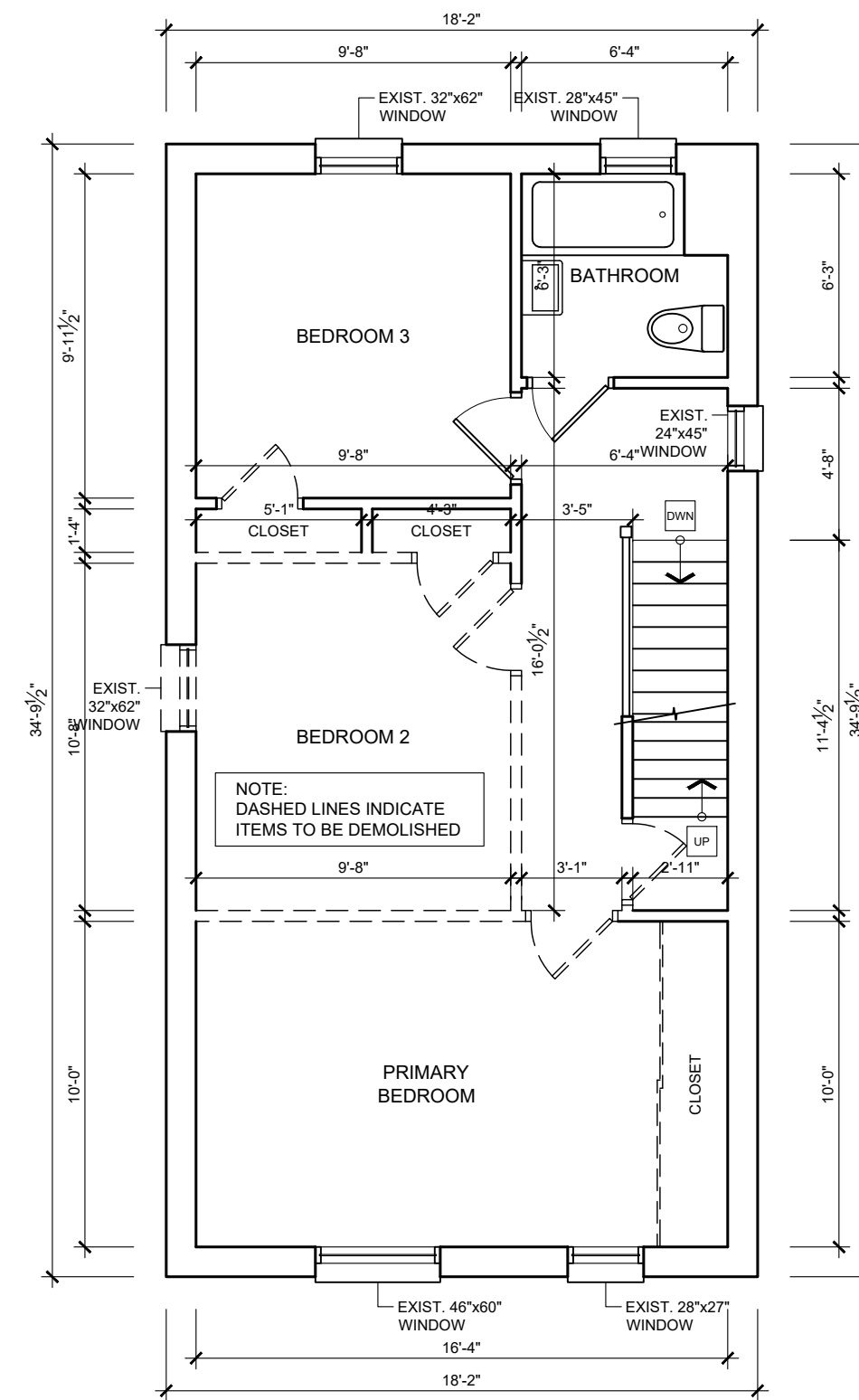
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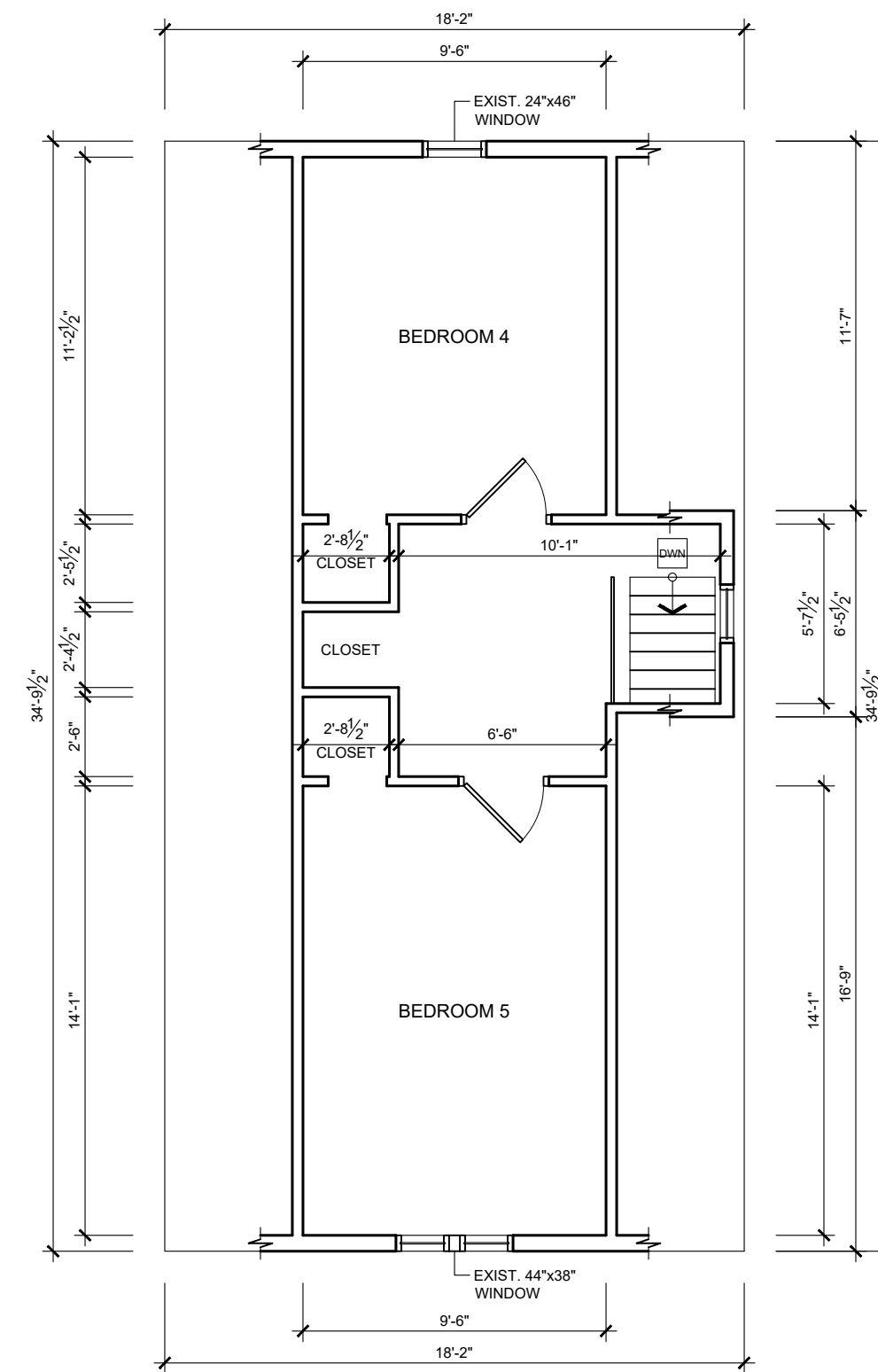
EXISTING BASEMENT PLAN
SCALE 3/16" = 1' - 0"



EXISTING MAIN FLOOR PLAN
SCALE 3/16" = 1' - 0"



EXISTING SECOND FLOOR PLAN
SCALE 3/16" = 1' - 0"



EXISTING ATTIC PLAN
SCALE 3/16" = 1' - 0"

PROJECT NORTH	TRUE NORTH

No.	REVISION	DATE
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LEONARD ANGELICI	42391
NAME	BCIN
REGISTRATION INFORMATION	
LEN ANGELICI DESIGN	124457
NAME	BCIN
10/17/2023	
DATE	SIGNATURE

Len Angelici Design

270 SHERMAN AVE N, UNIT MILL-125
HAMILTON, ON L8L 6N4
(905) 393-8868
info@lenangelicidesign.ca

PROJECT
PROPOSED KITCHEN REMODEL
21 FAIRLEIGH AVE N
HAMILTON, ON

SHEET TITLE
EXISTING FLOOR PLANS

DRAWN BY	L. ANGELICI
DATE	10/17/2023
SCALE	3/16" = 1'-0"
PROJECT No.	23041

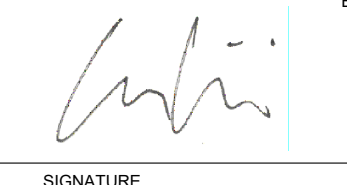
A1

PROJECT NORTH	TRUE NORTH
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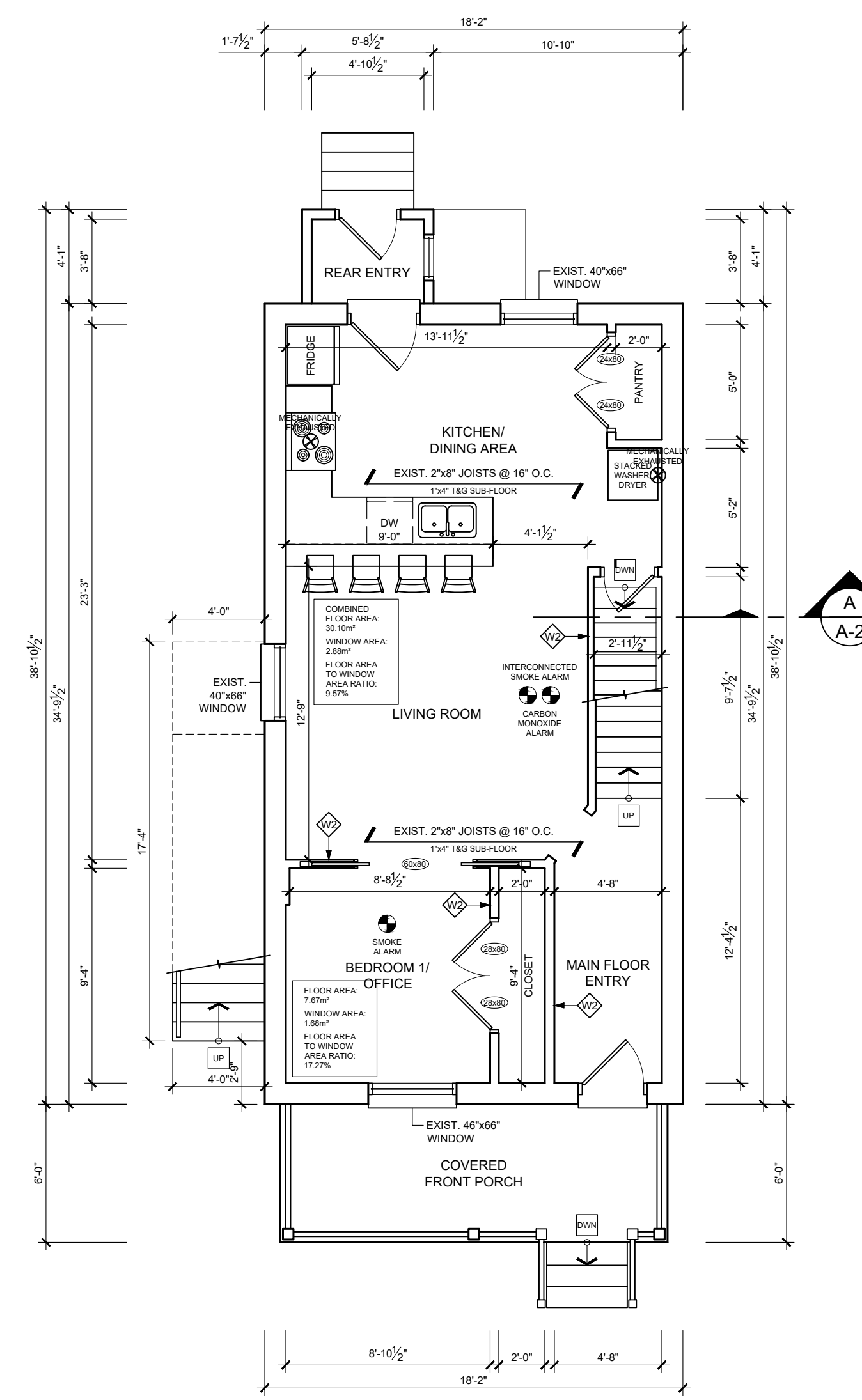
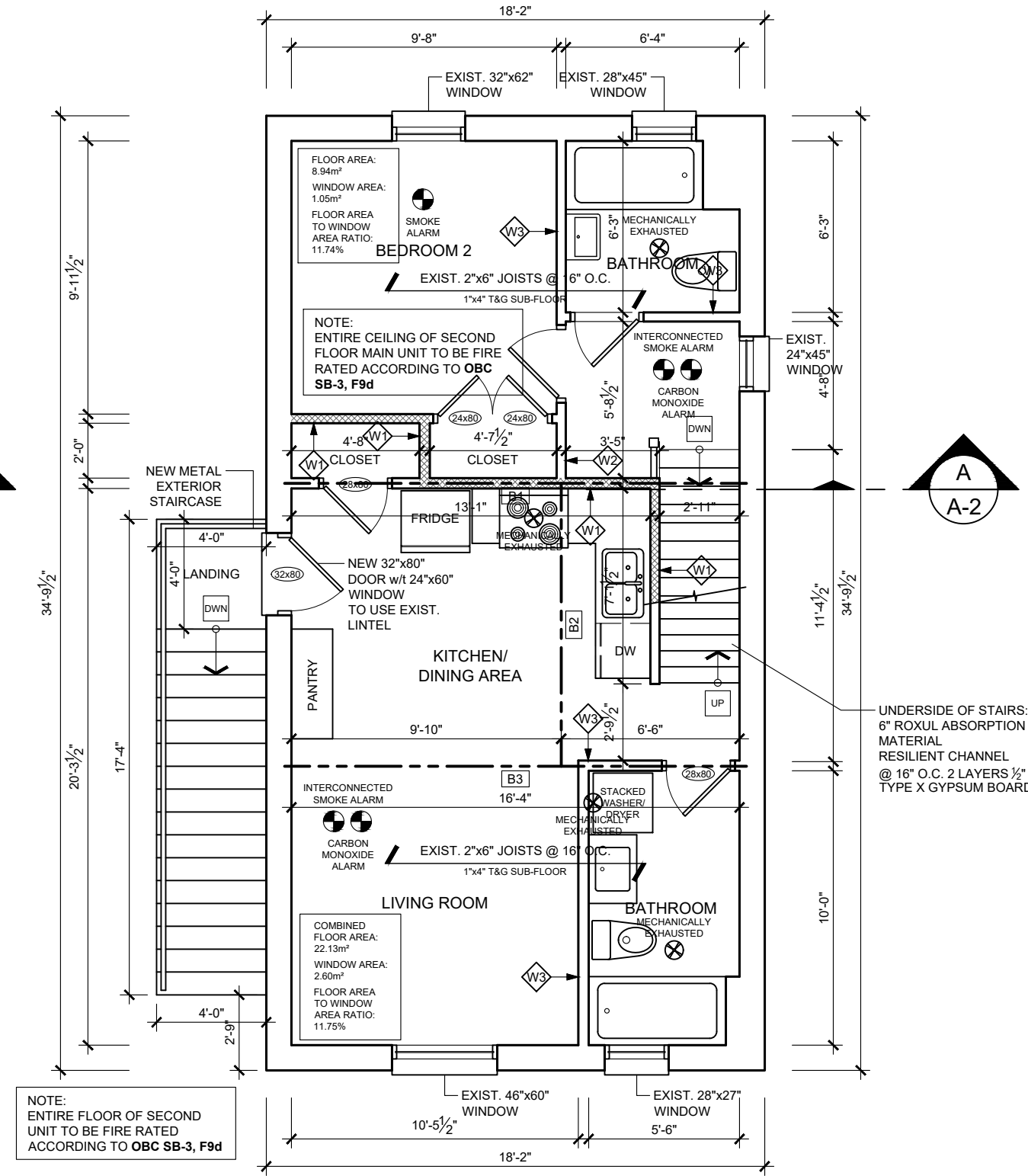
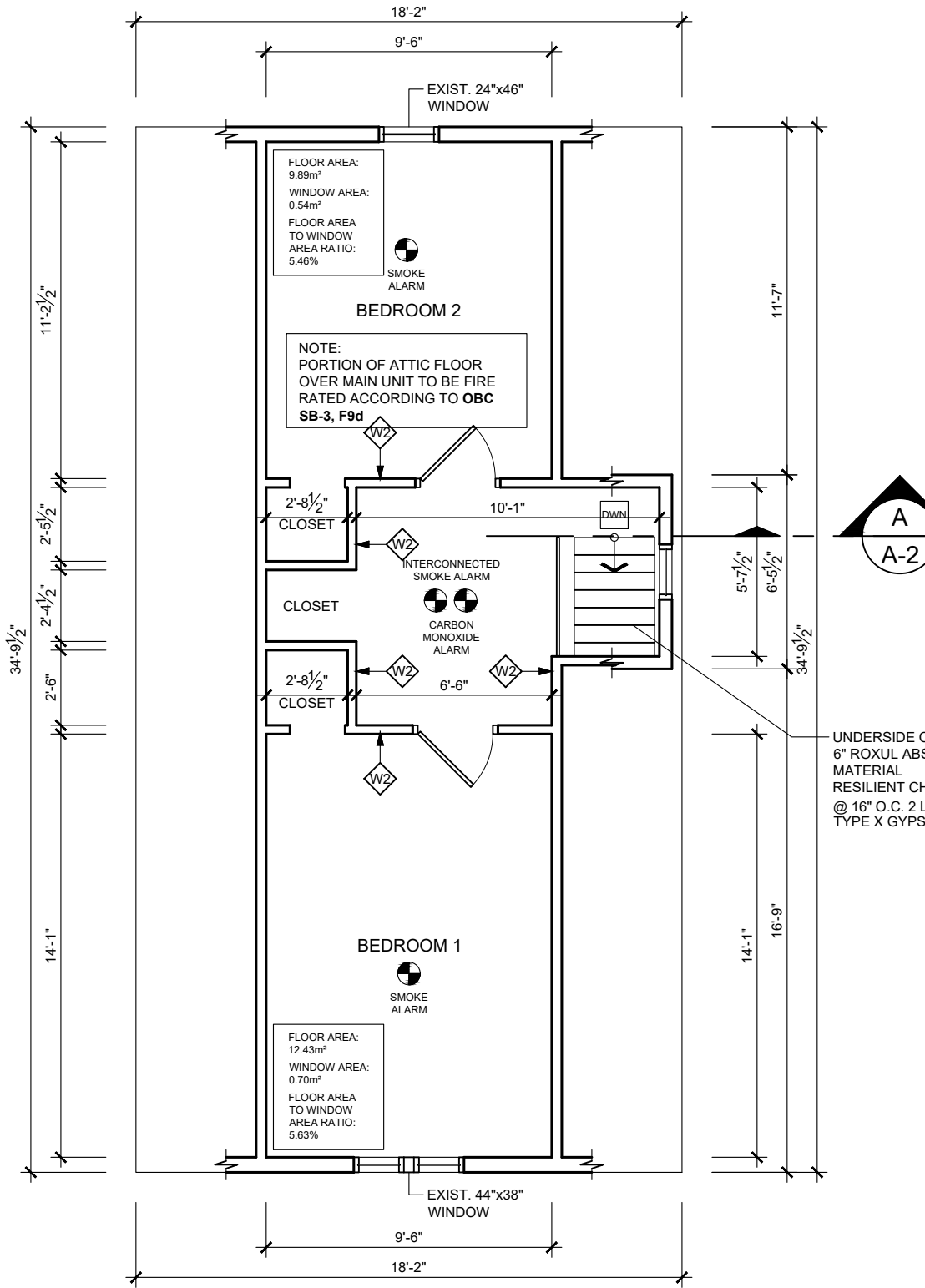
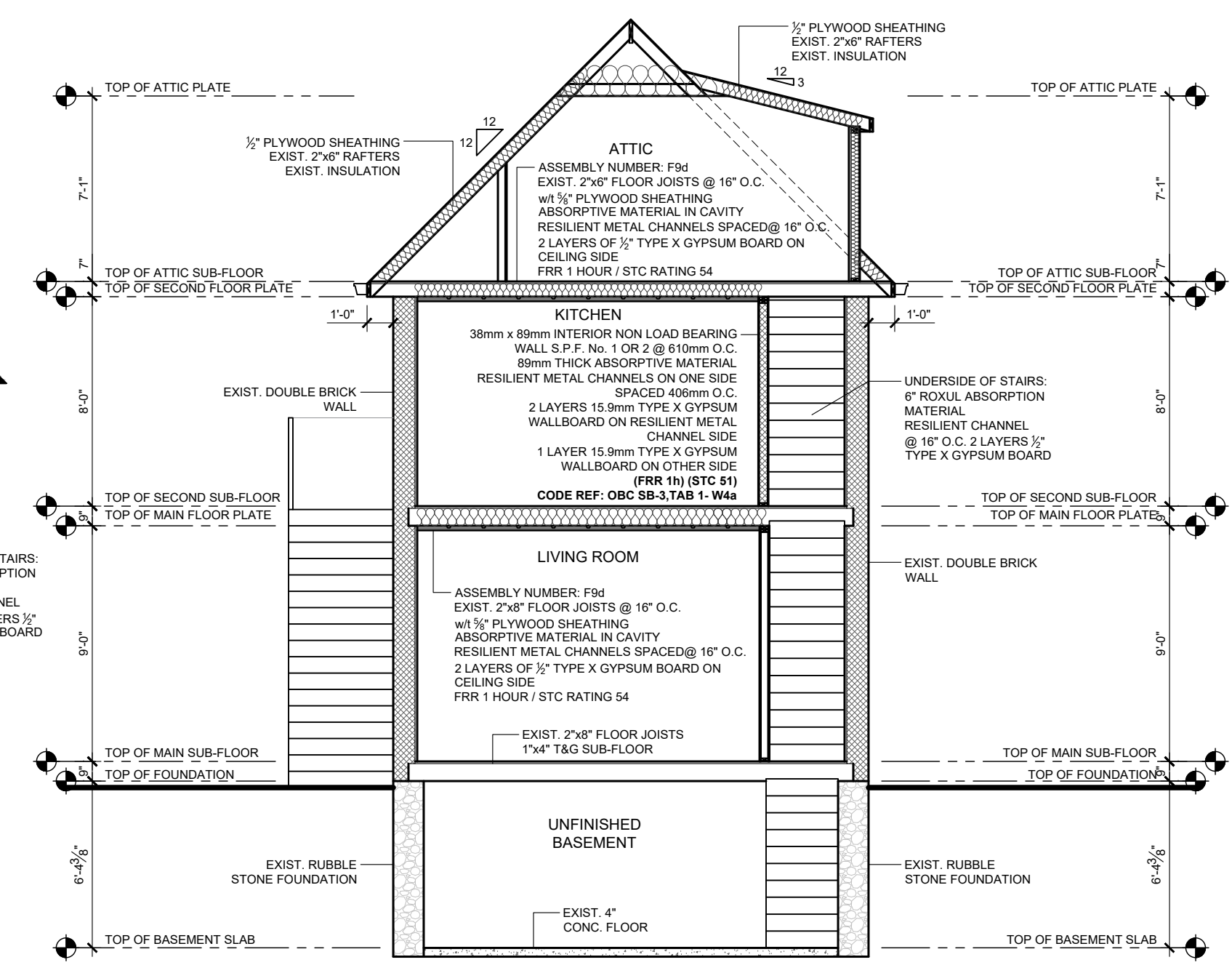
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NAME	BCIN
REGISTRATION INFORMATION	
LEN ANGELICI DESIGN	124457
NAME	BCIN
	
10/17/2023	SIGNATURE
DATE	



270 SHERMAN AVE N, UNIT MILL-125
HAMILTON, ON L8L 6N4
(905) 393-8868
info@lenangelicidesign.ca

PROJECT	PROPOSED KITCHEN REMODEL 21 FAIRLEIGH AVE N HAMILTON, ON
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SHEET TITLE	PROPOSED FLOOR PLANS
DRAWN BY	L. ANGELICI
DATE	10/17/2023
SCALE	3/16" = 1'-0"
PROJECT No.	23041



PROPOSED ATTIC PLAN
SCALE 3/16" = 1' - 0"

PROPOSED SECOND FLOOR PLAN
SCALE 3/16" = 1' - 0"

PROPOSED MAIN FLOOR PLAN
SCALE 3/16" = 1' - 0"

- [W1] 38mm x 89mm INTERIOR NON LOAD BEARING WALL S.P.F. No. 1 OR 2 @ 610mm O.C.
- [W2] 89mm THICK ABSORPTIVE MATERIAL RESILIENT METAL CHANNELS ON ONE SIDE SPACED 406mm O.C.
- [W3] 2 LAYERS 15.9mm TYPE X GYPSUM WALLBOARD ON RESILIENT METAL CHANNEL SIDE
- [W4] 1 LAYER 15.9mm TYPE X GYPSUM WALLBOARD ON OTHER SIDE (FRR 1h) (STC 51)
- [W5] CODE REF: OBC SB-3-TAB 1-W4a
- [W6] 2x4" STUDS @ 16" O.C. w/ REGULAR 1/2" GYPSUM BOARD ON BOTH SIDES
- [W7] 2x4" STUDS @ 16" O.C. w/ 1/2" MOLD RESISTENT GYPSUM BOARD ON BATHROOM SIDE OF WALL REGULAR 1/2" GYPSUM BOARD ON OTHER SIDE OF WALL

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A2



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

Table with columns for Registered Owners(s), Applicant(s), Agent or Solicitor, NAME, and contact information (Phone, E-mail). Includes entries for 2727288 ONTARIO INC and LEN ANGELICI.

1.2 All correspondence should be sent to [] Purchaser [] Owner [x] Applicant [x] Agent/Solicitor

1.3 Sign should be sent to [] Purchaser [] Owner [x] Applicant [] AgentSolicitor

1.4 Request for digital copy of sign [x] Yes*

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

1.5 All correspondence may be sent by email [x] 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	21 FAIRLEIGH AVE N		
Assessment Roll Number			
Former Municipality	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:

RELIEF FROM REQUIRED SIDE YARD SETBACK PROJECTION FOR OPEN STAIRWAY OF ONE THIRD OF ITS WIDTH (0.41m) TO PROPOSED PROJECTION OF 0.87m (REQUIRED SETBACK OF 0.79m TO PROPOSED 0.33m)

Second Dwelling Unit Reconstruction of Existing Dwelling

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

WIDTH OF SIDE YARD DOES NOT ALLOW AN ADEQUATELY SIZED STAIRCASE FOR SECONDARY UNIT ACCESS

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
7.71m	30.08m	229.87m ²	N/A

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
DWELLING	2.48m	16.49m	1.55m, 0.63m	N/A

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
EXTERIOR STAIRCASE	3.33m	21.42m	0.33m	

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
DWELLING	58.72m ²	152.5m ²	2.5	8.94m

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
EXTERIOR STAIRCASE		6.44m ²	1	3.24

- 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.):

2 UNIT DWELLING

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

SINGLE FAMILY DWELLINGS

7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:

N/A

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

SINGLE FAMILY DETACHED DWELLING

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

SINGLE FAMILY DETACHED DWELLING

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

SINCE CONSTRUCTION

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) NEIGHBOURHOODS

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

7.6 What is the existing zoning of the subject land? R1a

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: 2

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
-
-