



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-23:290	SUBJECT PROPERTY:	11 Hollywood St N, Hamilton
ZONE:	"C/S-1335 & C/S-1335a" (Urban Protected Residential and Etc.)	ZONING BY-LAW:	Zoning By-law former City of Hamilton 6593, as Amended

APPLICANTS: Owner: Paul W. Watkins
Agent: Michael P. Sabelli

The following variances are requested:

1. A rear yard setback of 0.7 meters shall be provided instead of the minimum required 1.2-meter rear yard setback.
2. Eaves and Gutters may project a maximum of 40 centimetres into a required yard whereas the by-law permits a maximum eave and gutter projection of 30 centimetres.
3. A Secondary Dwelling Unit shall have a ground floor area of 78 sq. m. (126%) whereas the Zoning By-law requires the ground floor area of a Secondary Dwelling Unit – Detached shall not exceed 70% of the ground floor area of the principal dwelling when the ground floor area of the principal dwelling is less than or equal to 105 sq. m.
4. A balcony on the second floor shall be permitted whereas balconies and rooftop patios are prohibited above the first-floor level.

PURPOSE & EFFECT: To permit a second storey addition onto a existing accessory building in the rear yard and to establish a Secondary Dwelling Unit – Detached within the proposed addition.

Notes:

1. Please be advised that a minimum wide unobstructed path is required from the street line to the entrance of the Secondary Dwelling Unit – Detached.

2. These variances are written under the assumption that the Secondary Dwelling Unit is located entirely within the second storey addition of the accessory structure.

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 7, 2023
TIME:	9:20 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-23:290, 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: November 21, 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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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.

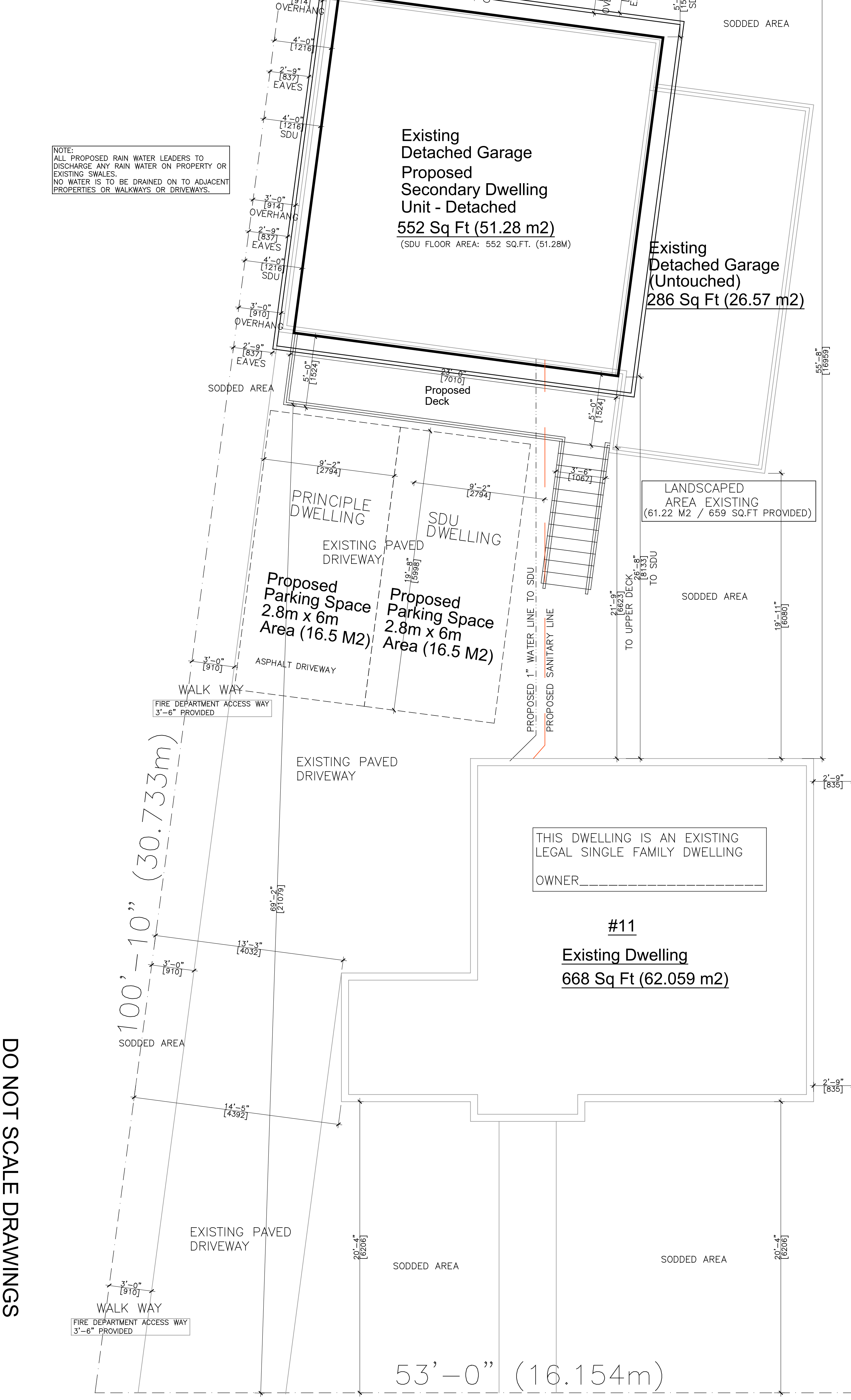
A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting the Wednesday afternoon before the hearing. The link must not be shared with others as it is unique to the registrant.

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.

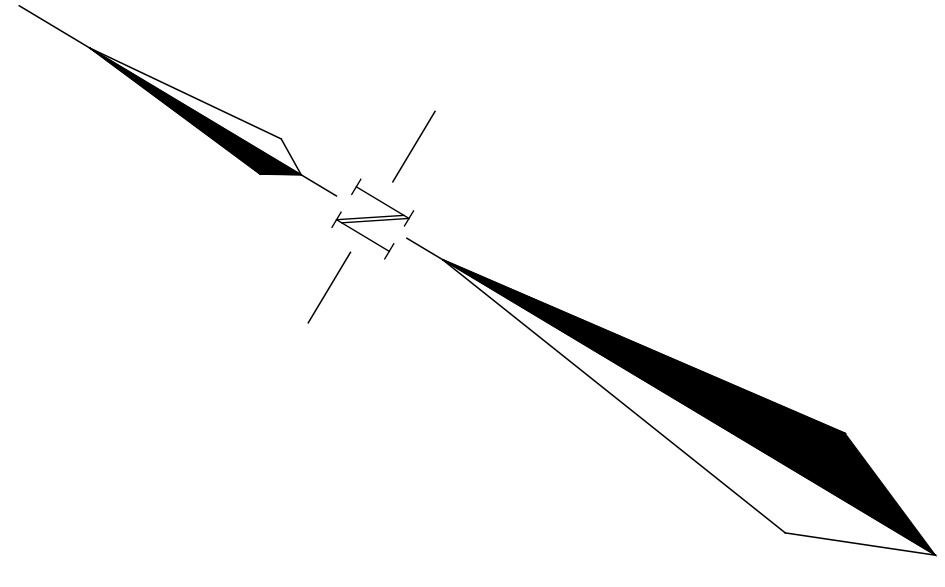
We hope this is of assistance and if you need clarification or have any questions, please email cofa@hamilton.ca or by phone at 905-546-2424 ext. 4221.

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.



NOTE:
ALL PROPOSED RAIN WATER LEADERS TO DISCHARGE ANY RAIN WATER ON PROPERTY OR EXISTING SWALES.
NO WATER IS TO BE DRAINED ON TO ADJACENT PROPERTIES OR WALKWAYS OR DRIVEWAYS.

NOTE:
THIS PLOT PLAN IS NOT A SURVEY. UNIQUE DESIGNS INC. DOES NOT GUARANTEE THE ACCURACY OF THIS DOCUMENT NOR DOES UNIQUE DESIGN INC. CLAIM TO HAVE THE QUALIFICATIONS TO PRODUCE A DRAWING INTENDED FOR THE USE AS A SURVEY. THE DRAWING PRODUCED IS INTENDED TO BE USED ONLY AS A DIAGRAM TO COMPLEMENT THE PROVIDED ARCHITECTURAL DRAWINGS. SPECIFICALLY, FOR THE PURPOSES OF ORIENTATION, ZONING, LIMITING DISTANCES AND BUILDING HEIGHT AND THEIR RELATIONSHIP WITH THE INTENDED USE OF THE BUILDING. TRUE SITE SETBACKS MAY NEED TO BE PROVIDED BY A QUALIFIED LAND SURVEYOR.



100'-0" (30.48m)

100'-10" (30.733m)

53'-0" (16.154m)

DO NOT SCALE DRAWINGS

SITE STATISTICS

MUNICIPAL ADDRESS
11 HOLLYWOOD AVE. NORTH
HAMILTON, ONT.

BUILDING CLASSIFICATION
RESIDENTIAL

ZONING
C - ZONING
BY LAW NO. 95-02 / 95-033

REQUIREMENTS FOR SDU - DETACHED
MIN. SIDE YARDS 1.2 M (3.94')
MIN. FRONT YARD 6.0 M (19.69')
MIN. REAR YARD 1.2 M (3.94')
MAX. EAVES/ GUTTER PROJECTION 300 MM (1.0' IN TO REQUIRED YARDS)

EXISTING SIDE YARDS AT DWELLING
SIDE YARD (LEFT) 4.03 M (13'-3") -EXISTING
SIDE YARD (RIGHT) 0.838 M (2'-9") -EXISTING
FRONT YARD 6.19 M (20'-4") -EXISTING
REAR YARD 16.95 M (55'-8") -EXISTING

LOT AREA
430.704 M2 (4636.06 SQ FT)

PROPOSED AT SDU - DETACHED
EXISTING DWELLING GROSS AREA 62.059 M2 (668 SQ FT)
PERMITTED 70% OF EXIST. DWELLING 43.44 M2 (467.6 SQ FT)
PROPOSED @ SDU - DETACHED 51.28 M2 (552.0 SQ FT)
EXIST ACCESSORY BLDG GROSS AREA 79.98 M2 (860.99 SQ FT)
LOT COVERAGE 25%
107.676 M2 (1159.015 SQ FT) MAX FOR ALL COMBINED ACCESSORY BUILDINGS.

EXISTING BLDGS LOT COVERAGE 142.047 M2 (1528.99 SQ FT)
MAX HT. PERMITTED 6.0 M (19.68')
PROPOSED HT @ SDU - DETACHED 6.0 M (19.68')
MINOR VARIANCE REQUIRED

HOLLYWOOD AVE N.

PLOT PLAN

The undersigned has reviewed and takes responsibility for this design and has the qualifications and meets the requirements set out in the Ontario Regulation 689, 2012, and the requirements set out in the Ontario Building Code, 1995, Article 1.2.2.1 of the Building Code.

UNIQUE DESIGNS INC.
31090 BURNHAMTHORPE RD.
SCARBOROUGH, ONT. M1V 4Y2
Tel: 416-291-1111
Fax: 416-291-1112

MAURO FORTULIATO
Signature
15084 BICN

REGISTRATION INFORMATION
The Building Code Act, 1995, Article 1.2.2.1 of the Building Code requires that a design professional be registered under the Building Code Act, 1995, Article 1.2.2.1 of the Building Code.

Job Number: 08-31-23
Date: 08-31-23
Form Name: 08-1823

WATKINS RESIDENCE

11 HOLLYWOOD AVE N.,
HAMILTON, ONT.



UNIQUE DESIGNS INC.

SECONDARY DWELLING UNIT - DETACHED

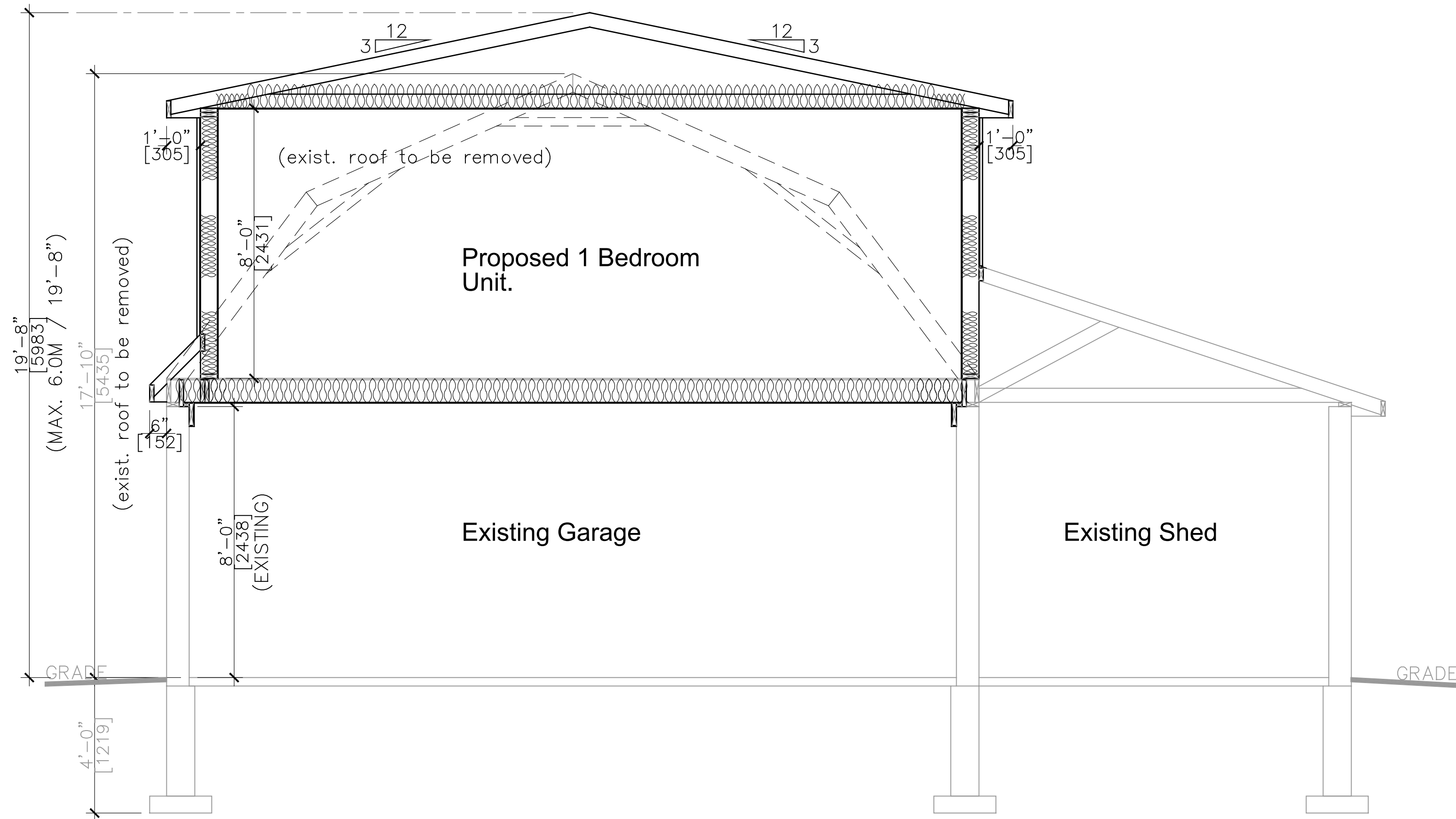
PLOT PLAN

No.	DATE	DESCRIPTION
1.	08.31.23	ISSUED FOR ZONING/VARIANCE
2.		
3.		
4.		
5.		
6.		
7.		
8.		

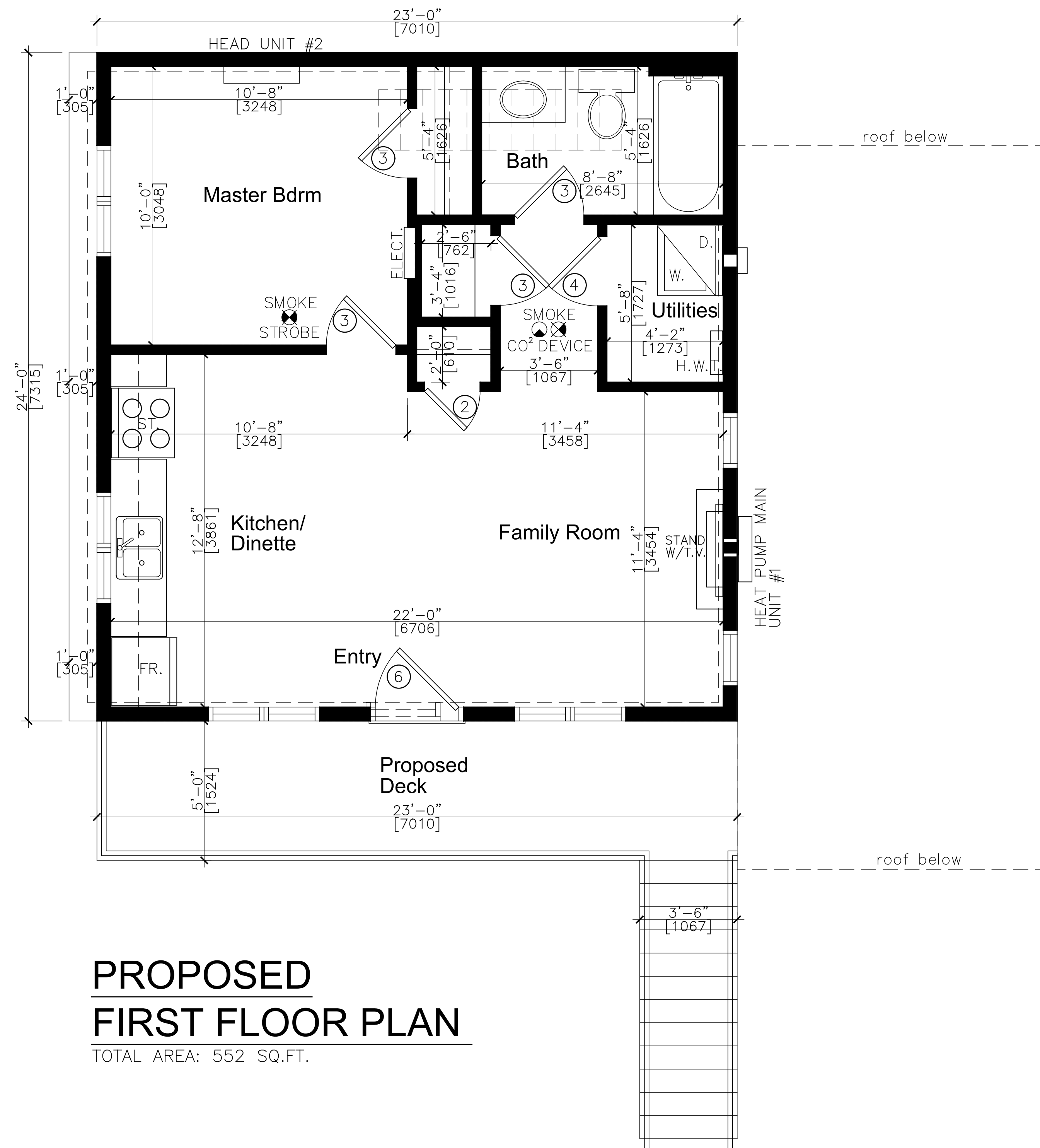
THESE DRAWINGS ARE NOT TO BE SCALED. CONTRACTOR MUST CHECK AND VERIFY ALL DIMENSIONS AND CONDITIONS ON THE PROJECT, AND MUST REPORT ANY DISCREPANCIES TO THE DESIGNER BEFORE PROCEEDING WITH THE WORK.

THE USE OF THIS DRAWING OR PART THEREOF IS FORBIDDEN WITHOUT THE WRITTEN APPROVAL OF THE DESIGNER.

A0



TYPICAL SECTION



PROPOSED
FIRST FLOOR PLAN

TOTAL AREA: 552 SQ.FT.

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
Required unless design is exempt under Div.C, Article 3.2.5.1 of the Building Code

MAURO FORTUNATO 15084
Name Signature BCIN

REGISTRATION INFORMATION
Required unless design is exempt under Div.C, Article 3.2.4.1 of the Building Code

UNIQUE DESIGNS INC 31090
Firm Name BCIN

DO NOT SCALE DRAWINGS

<p>UNIQUE DESIGNS UNIQUE DESIGNS INC.</p> <p>WATKINS RESIDENCE</p> <p>11 HOLLYWOOD AVE N., HAMILTON, ONT.</p>	<p>DESCRIPTION</p> <p>ISSUED FOR ZONING/VARIANCE</p>	<p>NO. DATE</p> <p>1. 08.31.23</p> <p>2.</p> <p>3.</p> <p>4.</p> <p>5.</p> <p>6.</p> <p>7.</p> <p>8.</p>	<p>THESE DRAWINGS ARE NOT TO BE SCALED. CONTRACTOR MUST CHECK AND VERIFY ALL DIMENSIONS AND CONDITIONS ON THE PROJECT, AND MUST REPORT ANY DISCREPANCIES IMMEDIATELY TO THE DESIGNER BEFORE PROCEEDING WITH THE WORK.</p> <p>THE USE OF THIS DRAWING OR PART THEREOF IS FORBIDDEN WITHOUT THE WRITTEN APPROVAL OF THE DESIGNER.</p>
	<p>FLOOR PLAN</p> <p>TYPICAL SECTION</p>		<p>SECONDARY DWELLING UNIT - DETACHED</p>
	<p>UNIQUE DESIGNS INC.</p>		<p>Scale</p> <p>3/8"=1'-0"</p>
	<p>Drawn By</p>		<p>Date:</p> <p>08.31.23</p>
	<p>Job Number</p> <p>081823</p>		<p>A1</p>



Hamilton

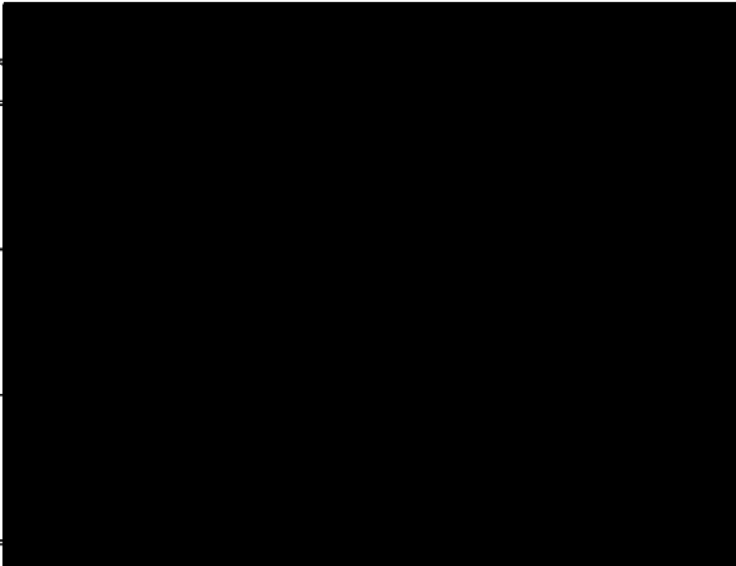
Committee of Adjustment
City Hall, 5th Floor,
71 Main St. W.,
Hamilton, ON L8P4Y5

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
Registered Owners(s)	PAUL W. WATKINS
Applicant(s)	
Agent or Solicitor	MICHAEL P. SABELLI



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 sent by email.

2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	11 HOLLYWOOD STREET NORTH		
Assessment Roll Number			
Former Municipality			
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:

- TO PERMIT AN INCREASE IN THE GROUND FLOOR AREA OF A SECONDARY DWELLING UNIT. (PROPOSED 51.28m², PERMITTED 43.44m²)
 - TO PERMIT A PROPOSED UPPER DECK FOR SECONDARY DWELLING UNIT
- EXISTING SIDE YARDS FOR THE PURPOSE OF ACCESS.
- Second Dwelling Unit Reconstruction of Existing Dwelling

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

EXISTING DWELLING IS ONLY 62.059m² WHICH DOES NOT ALLOW FOR A SUITABLE SIZED SECONDARY DWELLING UNIT.

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

Yes No

DETACHED GARAGE

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
16.154 M	30.48 M	430.704 m ²	20 M

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 DETA	6.2M	16.9M	SOUTH-0.835M NORTH-4.0M	MORE THAN 25 YRS
DETACHED GARAGE	2.2M	0.7M	NORTH-2.03 SOUTH-1.22M	MORE THAN 2.5 YRS

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
	NO	CHANGE		

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	62M ²	62M ²	1	6M
DETACHED GARAGE	26.57M ²	26.57M ²	1	

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
EXISTING DETACHED GARAGE	26.57M ²	79.98M ²	2	6.0M

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

7 HISTORY OF THE SUBJECT LAND

- 7.1 Date of acquisition of subject lands:
APRIL 15, 1996
- 7.2 Previous use(s) of the subject property: (single detached dwelling duplex, retail, factory etc)
SINGLE-FAMILY DWELLING
- 7.3 Existing use(s) of the subject property: (single detached dwelling duplex, retail, factory etc)
SINGLE-FAMILY DWELLING
- 7.4 Length of time the existing uses of the subject property have continued:
23 YEARS
- 7.5 What is the existing official plan designation of the subject land?

Rural Hamilton Official Plan designation (if applicable): *N/A*

Rural Settlement Area: *N/A*

Urban Hamilton Official Plan designation (if applicable) *LOW DENSITY RESIDENTIAL #2*
AINSLIE WOOD WESTDALE SECONDARY PLAN

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

THE APPLICATION PROVIDES ONLY A SECONDARY DWELLING UNIT - DETACHED.

7.6 What is the existing zoning of the subject land? *C/S-1335a*

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: *A-00:120*

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: TOTAL OF 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
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