



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-23:325	SUBJECT PROPERTY:	424 Mountain Brow Boulevard, Hamilton
ZONE:	“B” (Suburban Agriculture and Residential Etc.)	ZONING BY-LAW:	Zoning By-law former City of Hamilton 6593, as Amended

APPLICANTS: Owner: Janice Dama

The following variances are requested:

1. To permit more than one (1) vehicle to be parked in front yard of the property whereas the by-law permits only one (1) vehicle to be parked in front yard of the property.

PURPOSE & EFFECT: As to permit the construction a staircase to access the habitable rooms on the lower level of the existing single detached dwelling.

Notes: N/A

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, January 18, 2024
TIME:	12:25 p.m.
PLACE:	Via video link or call in (see attached sheet for details)
	2nd floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton
	To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment

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

HM/A-23:325

- 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-23:325, 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: January 2, 2024

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.

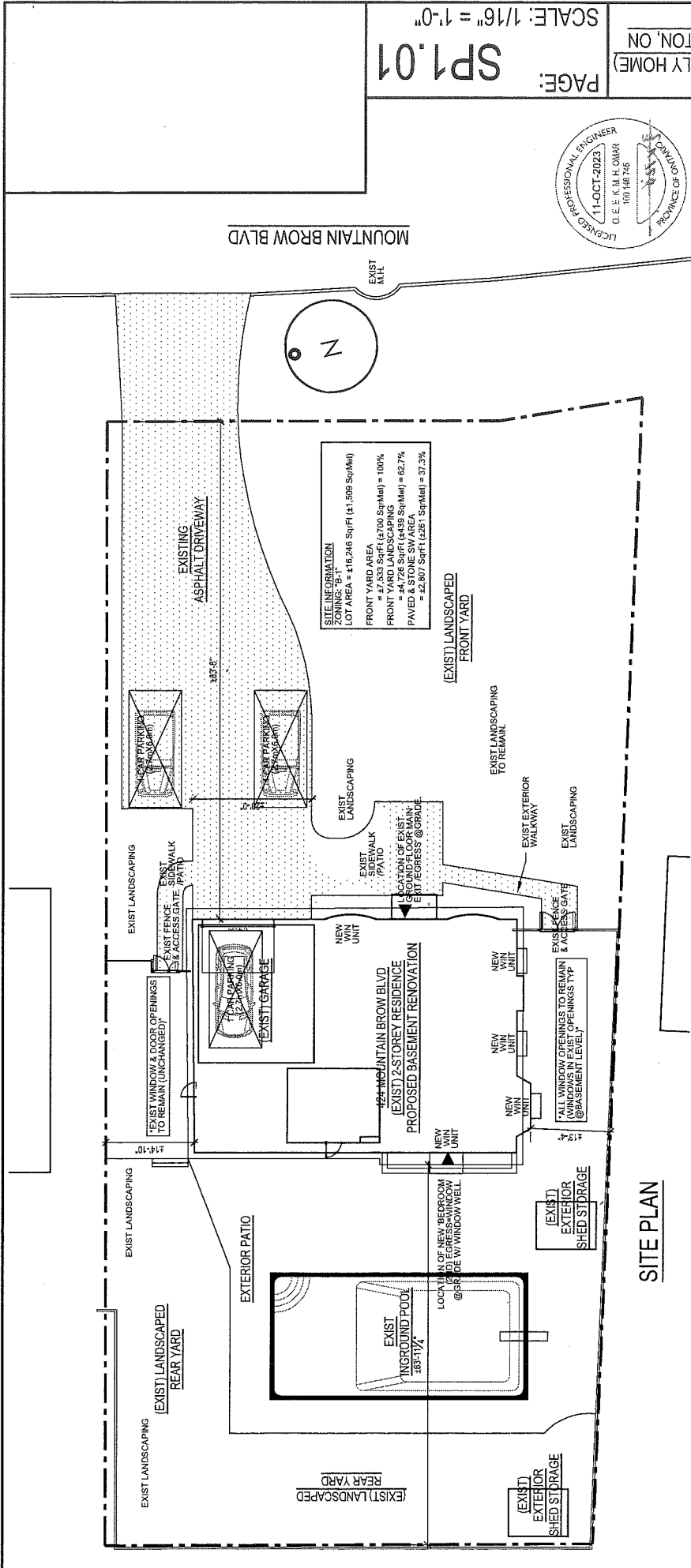
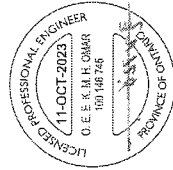
A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting the Wednesday afternoon before the hearing. The link must not be shared with others as it is unique to the registrant.

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.



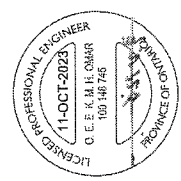
SITE INFORMATION
 ZONING: "B-1"
 LOT AREA = 416,246 SqFt (41,509 SqM)
 FRONT YARD AREA = 47,593 SqFt (4,700 SqM) = 100%
 FRONT YARD LANDSCAPING = 44,726 SqFt (4,139 SqM) = 92.7%
 PAVED & STONE SW AREA = 22,807 SqFt (2,127 SqM) = 97.3%

OBC REVIEW NOTES

RE: INTERIOR ALTERATIONS TO FINISH EXISTING BASEMENT OF 2 STOREY RESIDENCE.

- FIRE FIGHTING**
- OBC 9.10.19.3 SMOKE ALARMS TO BE INSTALLED IN EACH SLEEPING ROOM OR IN HALLWAY TO BEDROOMS.
 - OBC 9.10.19.3: TWO(2) ABC FIRE EXTINGUISHERS PROVIDED PER DWELLING UNIT (NOT REQ'D)
- FIRE RATINGS, ETC.**
- OBC 9.10.10.3.1(1): DOOR CLOSURES, NEW MUST BE NFPA 80. IN FIRE SEPARATIONS, EXIST FUNCTIONAL CLOSURES ACCEPTABLE.
 - OBC TABLE 9.10.13.1: 30-45 MIN FRR = 20 MIN RATED CLOSURES.
 - OBC 9.10.13.2, PART 11 REF#133: NEW DOORS = 45mm THICK SOLID CORE WOOD DOOR IS PERMITTED FOR 20 MIN RATED CLOSURES (MAX 6mm @BTM & 3mm @TOP&SIDES CLEAR). EXISTING DOORS ACCEPTED AS PER OBC PART 11 #133.
 - OBC 9.10.13.3, PART 11 REF#134: EXIST WOOD DOOR FRAMES ACCEPTABLE
- *CODE REFERENCES & REQUIREMENTS PERTAIN TO ALL BASEMENT ALTERATIONS REQ'S & SOME MAIN FLOOR ELEMENTS FOR EXITING /EGRESS, & FIRE PROTECTION.***
- OBC 9.7, PART 11 REF#93: EXIST WINDOWS ACCEPTABLE
 - OBC 9.8.1 TO 9.8.4, 9.8.4(a) EXIST STAIR WIDTH >700mm & CLEAR HEIGHT >1800mm.
 - OBC 9.8.7, PART 11 REF #97: EXIST HANDRAILS ACCEPTABLE
 - OBC 9.9.2.2: EXISTING EXTERIOR STAIR (P/O BLDG PERMIT #20-182161) TO BE USED AS ACCESS TO BASEMENT LEVEL.
 - OBC 9.9.6.3: DOORS WIDTHS ACCEPTABLE
 - OBC 9.9.6.5(1) EXIT DOOR SWING OK SERVING A SINGLE DWELLING UNIT.
 - OBC 9.9.7.4(1): ONLY 1 EGRESS REQ'D FOR A SINGLE DWELLING UNIT.
 - OBC 9.9.8.2(2) SINGLE EXIT PERMITTED FOR EACH STOREY IN A 2 STOREY BLDG; MAX SUITE AREA <1500sqft(1,615Sqft) & MAX TRAVEL DIST <25m(82Ft).

SITE PLAN



1.5 CAR GARAGE
19'-0" x 23'-0"

EXIST CONC STAIRWELL
(TO BASEMENT)

DINING RM
10'-9" x 13'-0"

FOYER

EXIST MAIN ENTRY

EXIST GARAGE DOOR

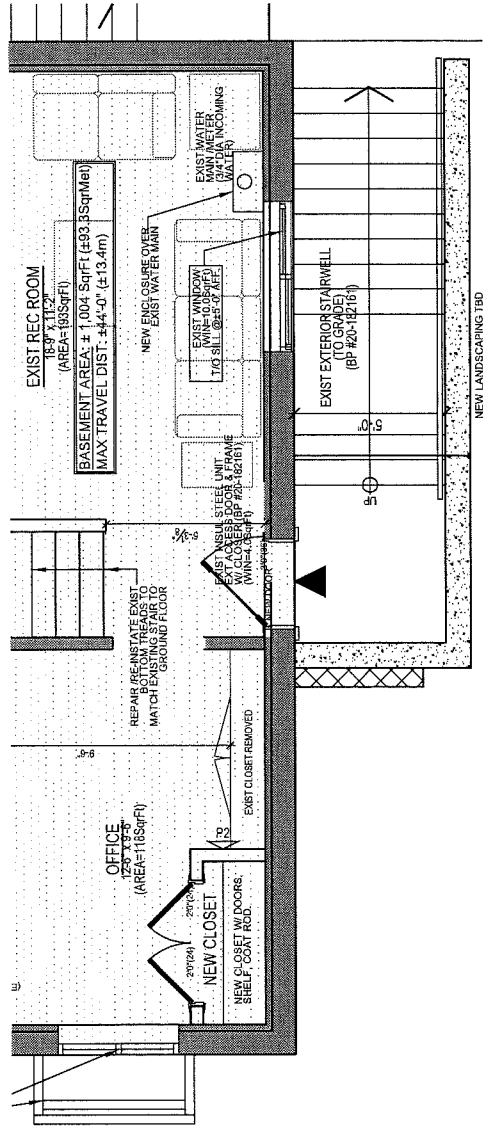
EXIST EXTERIOR OPEN STAIRWELL
(ACCESS TO BASEMENT)
(BP #20-18216)

DOWN

LOCATION OF EXIST
GROUND FLOOR
MAIN ENTRY /GRESS
@ GRADE.

EXIST LANDSCAPING
EXIST EXPOSED AGGREGATE
CONC WALKWAY TO REMAIN

FLOOR PLAN (PARTIAL) - GROUND FLOOR UNIT



EXTERIOR ACCESS STAIRS TO BASEMENT

FRONT PORCH

WINDOW WELL

EX STAIR
(TO 2ND FLR)

HELL HERE

EXIST MAIN ENTRY

EXIST GARAGE DOOR

EXIST EXTERIOR OPEN STAIRWELL
(ACCESS TO BASEMENT)
(BP #20-18216)

DOWN

LOCATION OF EXIST
GROUND FLOOR
MAIN ENTRY /GRESS
@ GRADE.

EXIST LANDSCAPING
EXIST EXPOSED AGGREGATE
CONC WALKWAY TO REMAIN

EXIST REC ROOM
18'-9" x 11'-2"
(AREA=195SqFt)
BASEMENT AREA: ± 1,004 SqFt (43.33SqMet)
MAX TRAVEL DIST: 44'-0" (13.4m)

OFFICE
12'-0" x 9'-0"
(AREA=118SqFt)

NEW CLOSET
NEW CLOSET W/ DOORS,
SHELF, COAT ROD.

REPAIRS RE-INSTATE EXIST
BOTTOM TREADS TO
MATCH EXIST
GROUND FLOOR

EXIST CLOSET REMOVED

EXIST DOORS TO BE CLOSED W/
FRAME W/ CLOSERS (BP #20-18216)

NEW ENCLOSURE OVER
EXIST WATER MAIN

EXIST WINDOW
(MIN: 0.08SqFt
TO 0.51 SqFt)

EXIST WATER MAIN
WATER METER
(EXIST WATER MAIN
INCOMING)

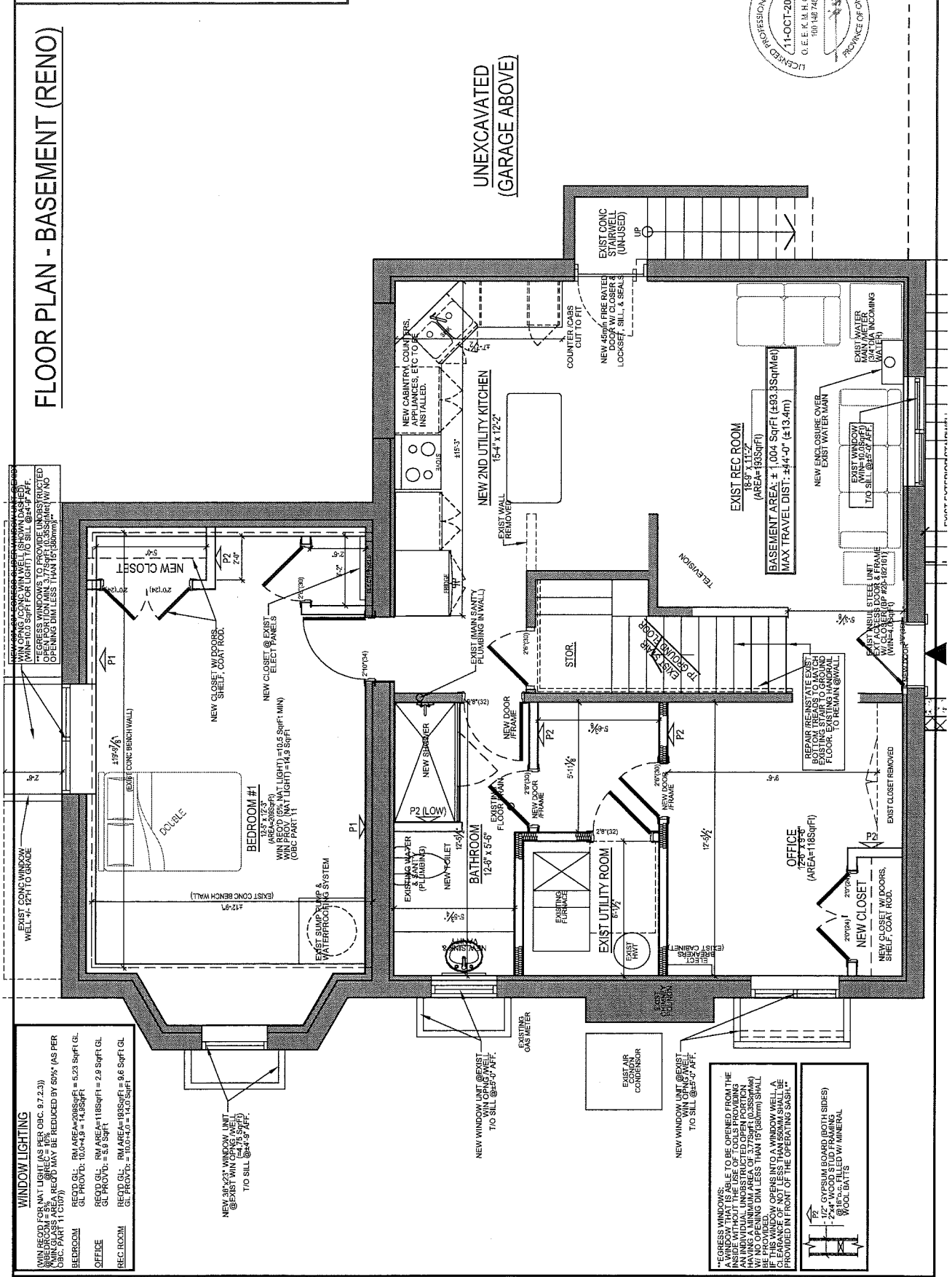
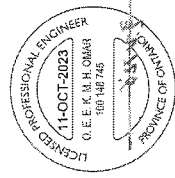
EXIST EXTERIOR STAIRWELL
(TO GRADE)
(BP #20-18216)

NEW LANDSCAPING TBD

FLOOR PLAN - BASEMENT (RENO)

PAGE: A1.02
SCALE: 1/4" = 1'-0"

BASEMENT RENOVATION (SINGLE FAMILY HOME)
@424 MOUNTAIN BROW BLVD, HAMILTON, ON



WINDOW LIGHTING

MIN REQ'D FOR NAT LIGHT (AS PER O.C. 5.7.2.3)
 AREA ROOM = 5%
 CUBIC GLASS AREA REQ'D MAY BE REDUCED BY 50% (AS PER O.C. 5.7.2.3)

ROOM	AREA (sqft)	MIN REQ'D NAT LIGHT (sqft)
BEDROOM	132.0	6.6
OFFICE	86.0	4.3
REC ROOM	210.0	10.5

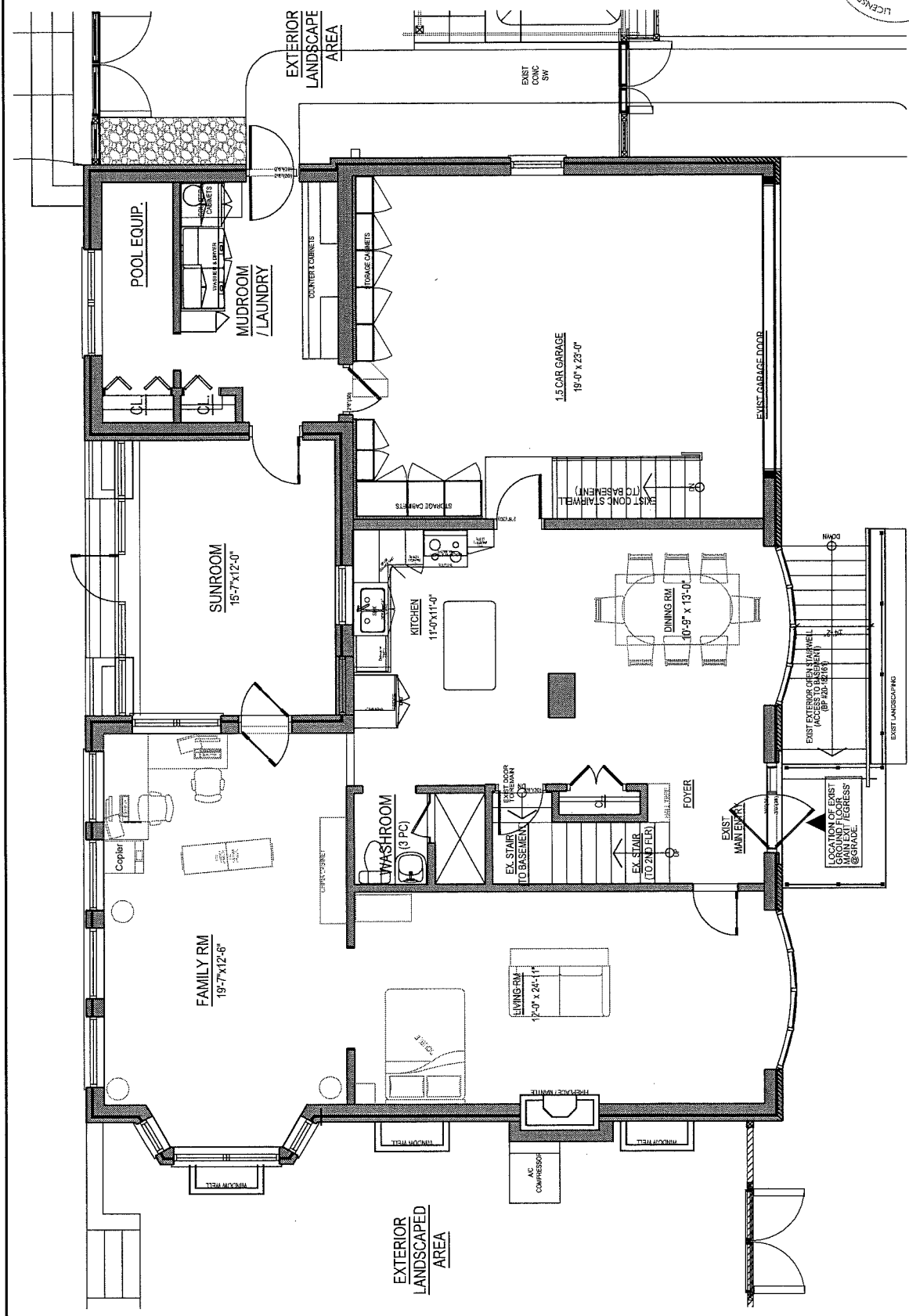
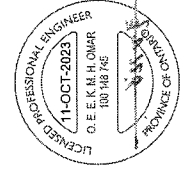
NEW 38" x 24" WINDOW UNIT @ EXIST. WIN OPNG W/ WELL TO SILL @ 4'-3" AFF.

NEW WINDOW UNIT @ EXIST. WIN OPNG W/ WELL TO SILL @ 5'-7" AFF.

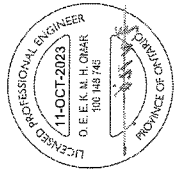
EGRESS WINDOWS TO BE OPENED FROM THE INSIDE WITHOUT THE USE OF TOOLS PROVIDING AN INDIVIDUAL UNOBSTRUCTED OPEN PORTION WITH NO OPENING DIM LESS THAN 15'680mm SHALL BE THE WINDOW. IF THE WINDOW OPENS INTO A WINDOW WELL A CLEARANCE OF NOT LESS THAN 500MM SHALL BE PROVIDED IN FRONT OF THE OPERATING SASH.

1/2" OVERSIZING BOARD (BOTH SIDES) @ 18" o.c. FILLED W/ MINERAL WOOL BATTIS

UNEXCAVATED (GARAGE ABOVE)

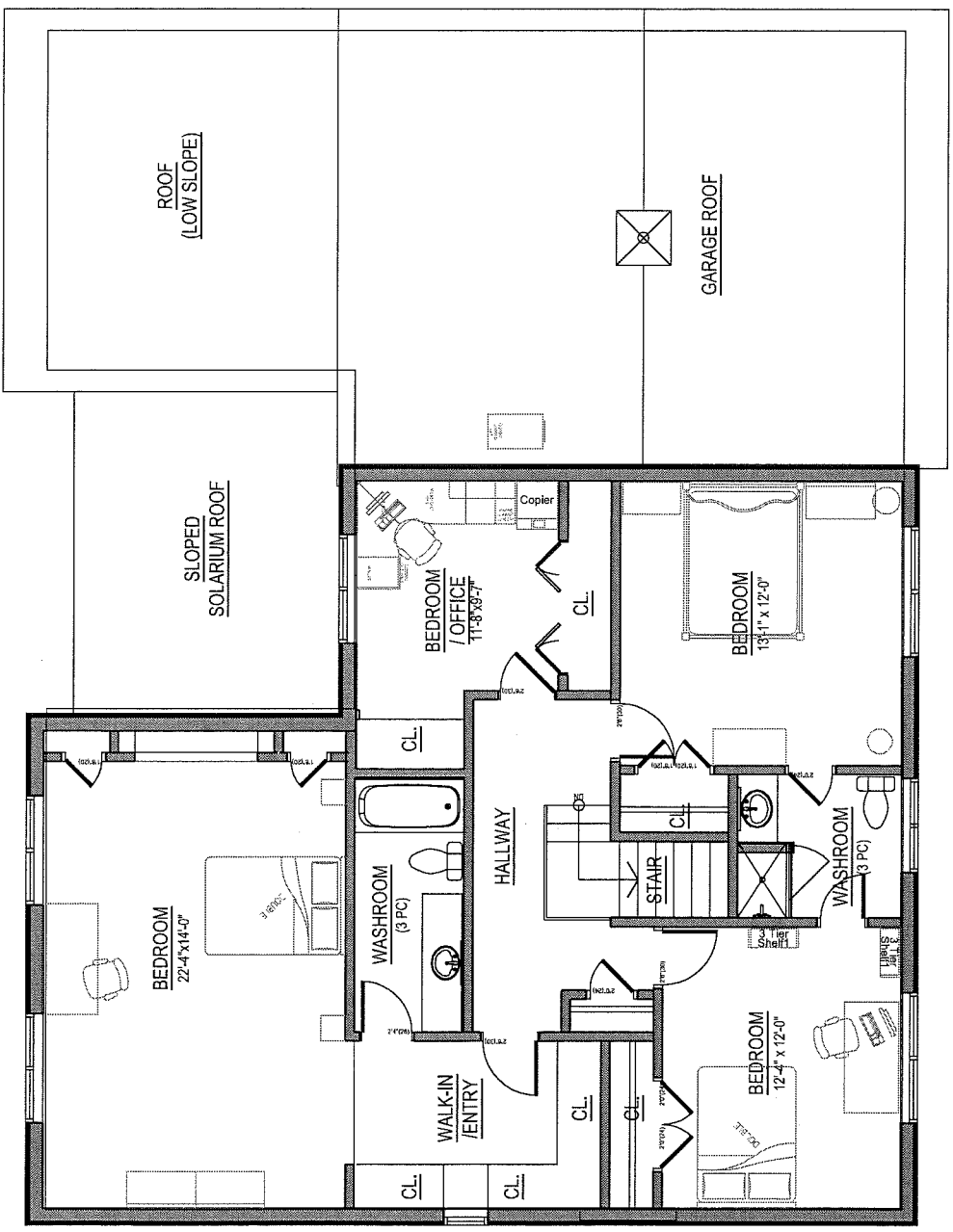
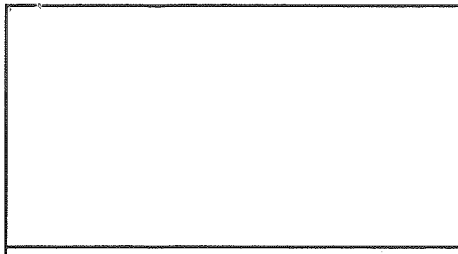


FLOOR PLAN - EXIST 2 STOREY RESIDENCE (1ST FLOOR)

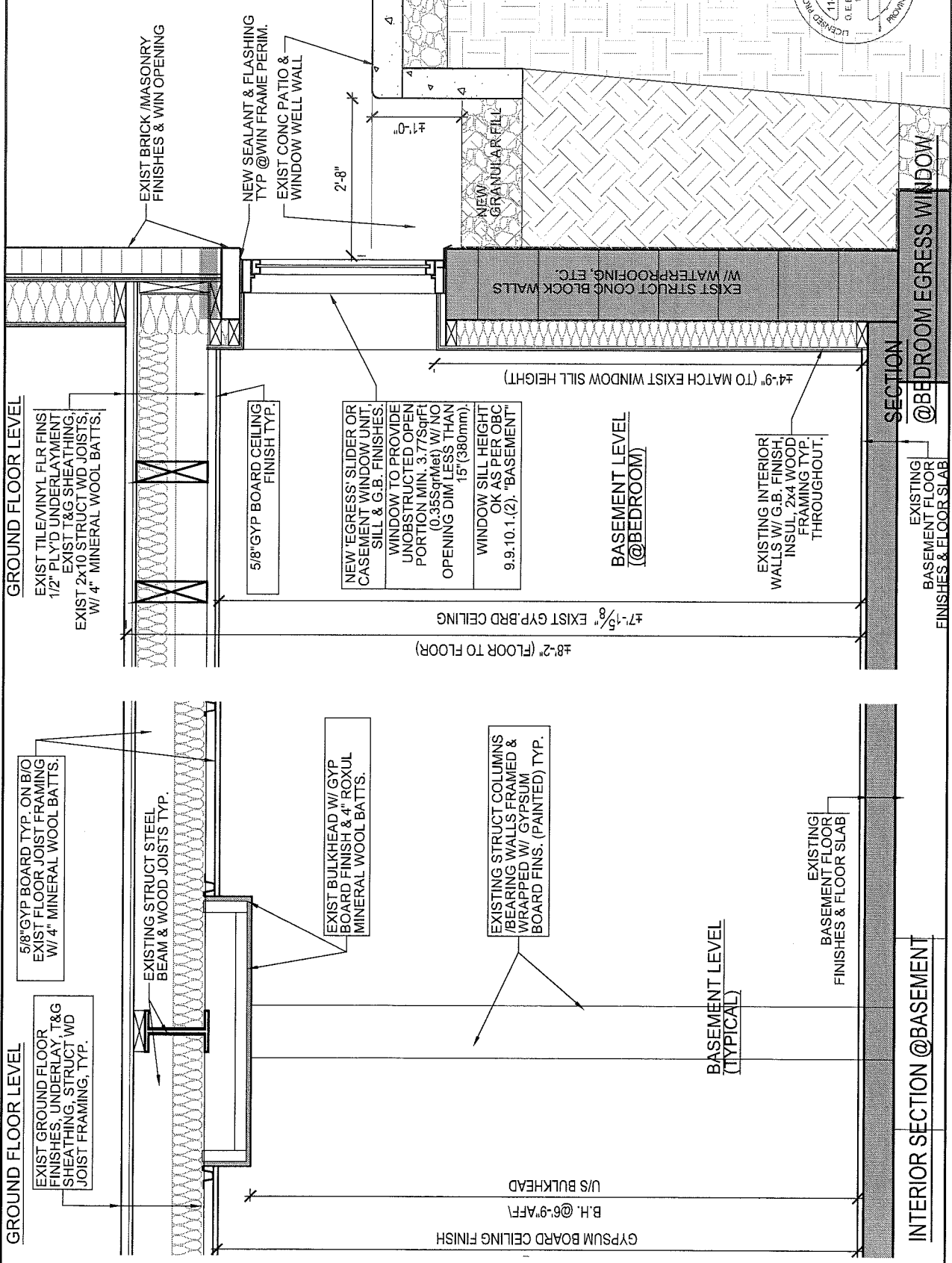
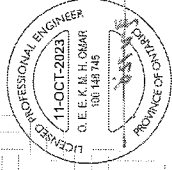


BASEMENT RENOVATION (SINGLE FAMILY HOME)
@424 MOUNTAIN BROW BLVD, HAMILTON, ON

PAGE: A1.04
SCALE: 3/16" = 1'-0"



FLOOR PLAN - EXIST 2 STOREY RESIDENCE (2ND FLOOR)



GROUND FLOOR LEVEL

EXIST TILE/VINYL FLR FINIS
1/2" PLY'D UNDERLAYMENT
EXIST T&G SHEATHING,
EXIST 2x10 STRUCT WD JOISTS,
W/ 4" MINERAL WOOL BATTS.

5/8" GYP BOARD TYP. ON B/O
EXIST FLOOR JOIST FRAMING
W/ 4" MINERAL WOOL BATTS.

EXISTING STRUCT STEEL
BEAM & WOOD JOISTS TYP.

EXIST BULKHEAD W/ GYP
BOARD FINISH & 4" ROXUL
MINERAL WOOL BATTS.

EXISTING STRUCT COLUMNS
/BEARING WALLS FRAMED &
WRAPPED W/ GYPSUM
BOARD FINIS. (PAINTED) TYP.

5/8" GYP BOARD CEILING
FINISH TYP.

NEW 'EGRESS' SLIDER OR
CASEMENT WINDOW UNIT,
SILL & G.B. FINISHES.
WINDOW TO PROVIDE
UNOBSTRUCTED OPEN
PORTION MIN. 3.75sqft
(0.35sqmet) W/ NO
OPENING DIM' LESS THAN
15" (380mm).

WINDOW SILL HEIGHT
OK AS PER OBC
9.9.10.1.(2). "BASEMENT"

BASEMENT LEVEL
(@BEDROOM)

EXISTING INTERIOR
WALLS W/ G.B. FINISH,
INSUL, 2x4 WOOD
FRAMING TYP.
THROUGHOUT.

±7'-1 1/8" (EXIST GYP BRD CEILING)

±8'-2" (FLOOR TO FLOOR)

EXIST STRUCT CONC BLOCK WALLS
W/ WATERPROOFING, ETC.

±4'-9" (TO MATCH EXIST WINDOW SILL HEIGHT)

SECTION
@BEDROOM EGRESS WINDOW

EXISTING
BASEMENT FLOOR
FINISHES & FLOOR SLAB

BASEMENT LEVEL
(TYPICAL)

EXISTING
BASEMENT FLOOR
FINISHES & FLOOR SLAB

INTERIOR SECTION @BASEMENT

GYP SUM BOARD CEILING FINISH
B.H. @ 6'-9" AFF
U/S BULKHEAD



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Committee of Adjustment
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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)	[REDACTED]	
Applicant(s)		
Agent or Solicitor		

- 1.2 All correspondence should be sent to Purchaser Applicant Owner Agent/Solicitor
- 1.3 Sign should be sent to Purchaser Applicant Owner Agent/Solicitor
- 1.4 Request for digital copy of sign Yes* No
If YES, provide email address where sign is to be sent [REDACTED]
- 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	424 Mountain Brow Blvd.		
Assessment Roll Number	2518 06055 103 180		
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:

2 parking spaces where 4 are required to be provided in the front of property

Second Dwelling Unit Reconstruction of Existing Dwelling

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

No other location for parking in front of property

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
87.5 ft	189. ft.	1443.55 sq m	19.5 meters
27.1 m	57.6 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
Single family home	25.2m	19.2m	4.26(S) + 3.96(N)	1963 + 1971 addition

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
see site plan attached - NO CHANGES -				

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
N/A				

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.):

Single family

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

Single family (next door has illegal in law suite)

7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:

~~2011~~ 2011 ? or 2012

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

Single family

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

Single family

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

1963-2021 - 2022-2033 (2021 > 2 families use 2022)

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.

maintains a single family dwelling

7.6 What is the existing zoning of the subject land? *B*

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
-
-