

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-24:20	SUBJECT PROPERTY:	64 NORTH OVAL, HAMILTON
ZONE:	"C/S-1361" (Urban Protected Residential)	ZONING BY-LAW:	Zoning By-law former City of Hamilton 6593, as Amended

APPLICANTS: Owner: ANDRE PHILLION
 Applicant: PETE VANDENAREND

The following variances are requested:

1. A maximum floor area ratio of 0.72 shall be permitted instead of the maximum 0.45 floor area ratio permitted.
2. Two (2) parking spaces shall be provided instead of the minimum required three (3) parking spaces.
3. The manoeuvring space and accessibility to one (1) parking space located within the detached garage may be obstructed whereas the By-law requires an unobstructed manoeuvring aisle having a minimum width of 6.0m and an unobstructed access to the required parking space.

PURPOSE & EFFECT: To permit alterations of an existing single family dwelling, which includes the construction of a new two-storey addition in the rear yard.

Notes:

- i. The minimum number of required parking spaces for a Single Family Dwelling is calculated at a rate of two (2) parking spaces for the first eight (8) habitable rooms, plus an additional 0.5 spaces for each additional habitable room. Based on the floor plans provided, a total of nine (9) habitable rooms are proposed. As such, a minimum of three (3) parking spaces would be required.

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:	Tuesday, March 26th, 2024
TIME:	10:45 a.m.
PLACE:	City Hall Council Chambers (71 Main St. W., Hamilton)

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

PUBLIC INPUT

Written: If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. 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. Written comments must be received no later than noon March 22, 2024.

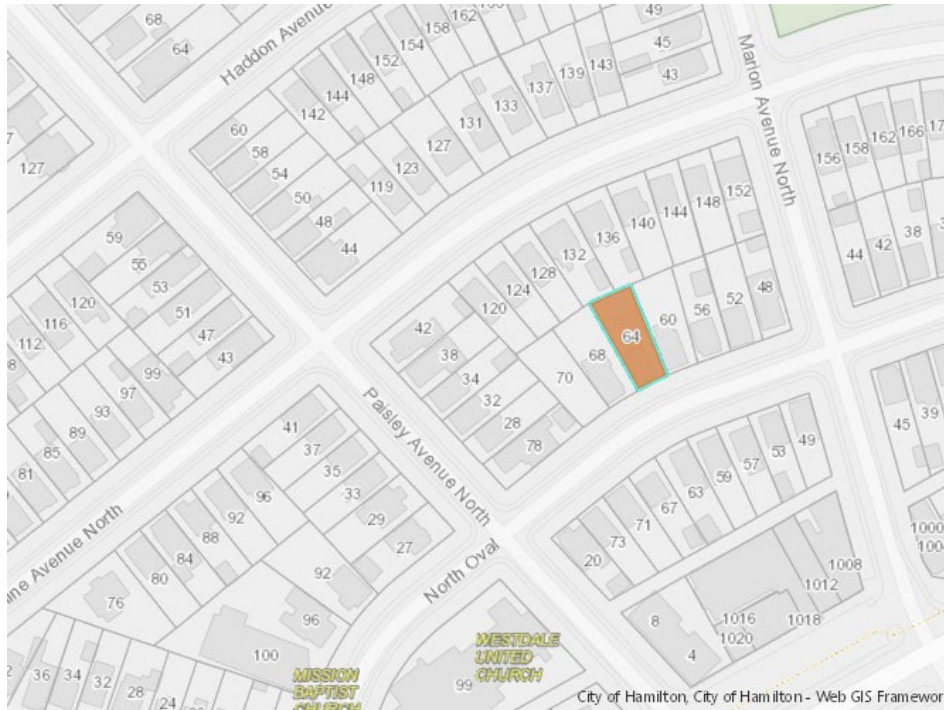
Comments are available the Friday prior to the Hearing and are available on our website: www.hamilton.ca/committeeofadjustment

Orally: If you would like to speak to this item at the hearing you may do so by attending in person. Interested members of the public, agents, and owners who wish to participate in person may attend Council Chambers on the date and time listed on the Notice of Public Hearing. Please note, you will be required to provide your name and address for the record. It is advised that you arrive 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

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, 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..



DATED: March 12, 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.



Hamilton

COMMITTEE OF ADJUSTMENT

City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5

Telephone (905) 546-2424, ext. 4221

E-mail: cofa@hamilton.ca

IN-PERSON 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 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 on the date listed on the Notice of Public Hearing.**

Comments are available the Friday prior to the Hearing and are available on our website: www.hamilton.ca/committeeofadjustment

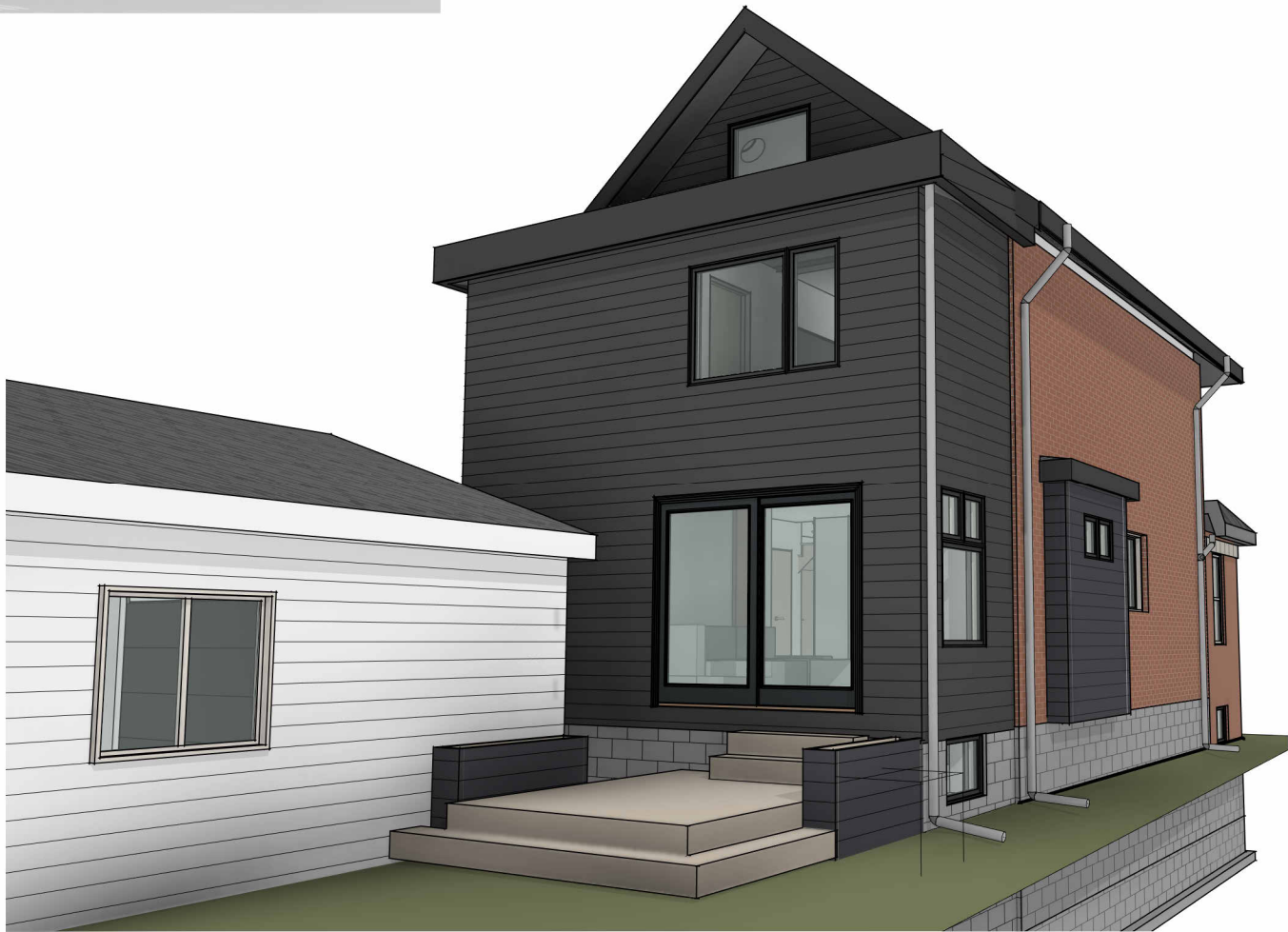
Oral Submissions

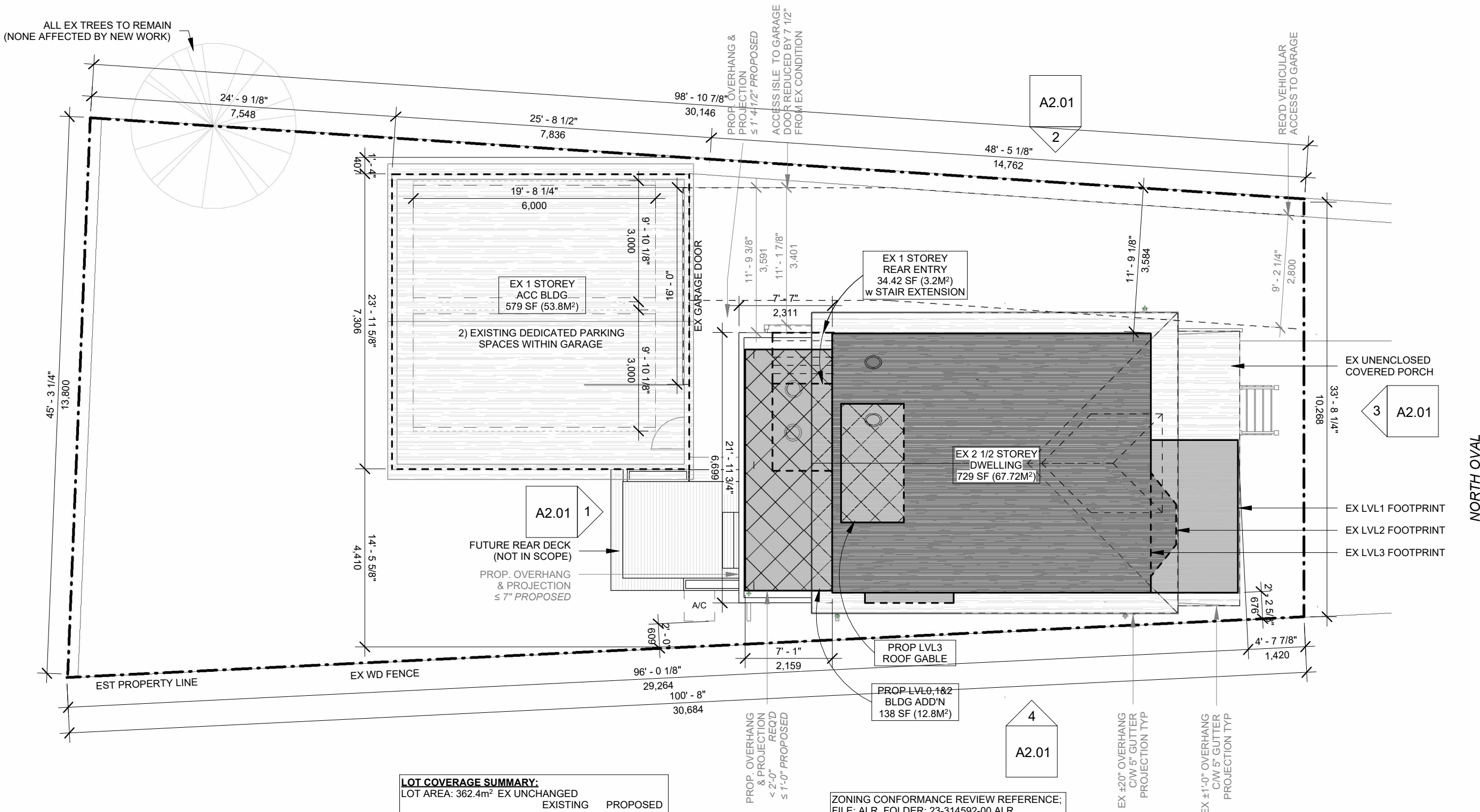
Members of the public are also able to provide oral comments regarding Committee of Adjustment Hearing items by participating in person at the Hearing.

In person Oral Submissions

Interested members of the public, agents, and owners who wish to participate in person may attend Council Chambers on the date and time listed on the Notice of Public Hearing. Please note, you will be required to provide your name and address for the record. It is advised that you arrive **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.





LOT COVERAGE SUMMARY:		
LOT AREA: 362.4m ² EX UNCHANGED		
	EXISTING	PROPOSED
LEVEL 0 Cellar	54.7m ²	67.5m ²
LEVEL 1	62.62m ²	75.4m ²
LEVEL 2	51.8m ²	64.6m ²
LEVEL 3 Half Storey	50.68m ²	50.68m ²
TOTAL GROSS FLOOR AREA:	219.8m²	258.18m²
LEVEL 0 ADD'N		12.8m ²
LEVEL 1 DEMOLITION	(-3.2m ²)	
LEVEL 1 ADD'N		12.8m ²
LEVEL 2 ADD'N		12.8m ²
LEVEL 3 PROP ROOF GABLE		n/a
PROPOSED ADDITIONS TOTAL		38.4m²
BUILDING FOOTPRINT	62.62m²	75.42m²
GFA to LOT AREA %		
PROPOSED ADD'N LVL0:		3.53%
PROPOSED ADD'N LVL1:		3.53%
PROPOSED ADD'N LVL2:		3.53%
LOT COVERAGE TOTAL :	*60.65%	71.24%
HABITABLE ROOMS	8	9
REQ'D PARKING SPACES	2	2.5

ZONING CONFORMANCE REVIEW REFERENCE;
FILE: ALR FOLDER: 23-314592-00 ALR

ALL PROPOSED WORK MEETS CRITERIA FOR STANDARD ADDITION AND IN NO WAY CHANGES THE USE, FUNCTION OR CHARACTER OF THE BUILDING.
NO IMPACT TO EX GRADES, SWALES OR DEVELOPMENT FEATURES

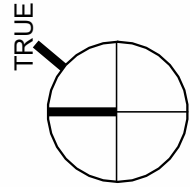
SITE STATISTICS		
ZONING DESIGNATION = C/S-1361 URBAN PROTECTED RESIDENTIAL		
	PERMITTED	PROVIDED
LOT AREA		362.4m ² UNCHANGED
LOT FRONTAGE		10.1m UNCHANGED
FRONT YARD SETBACK		
EX DWELLING	6m	1.4m* UNCHANGED
SIDE YARD SETBACKS		
EX DWELLING		.676m / 3.5m UNCHANGED
PROP. ADD'N	1.2m/ 1.2m	1.2m / 4.5m
REAR YARD SETBACK	7.5m	19m
PROP. ADD'N		16.5m
BUILDING HEIGHT		
EX DWELLING	9m	±9.3m*
PROP ADD'N		6.4m

[*] Denotes existing condition

SITE PLAN LEGEND

- EX DRIVEWAY / HARDSCAPING
- EX BUILDING
- PROPOSED ADDITIONS
- DEMO EX STRUCTURES

YY/MM/DD



PARK
EIGHT
ENG // ARCH

ADD'N & INTR RENO
64 NORTH OVAL, HAMILTON

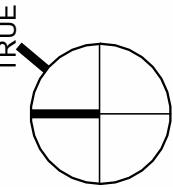
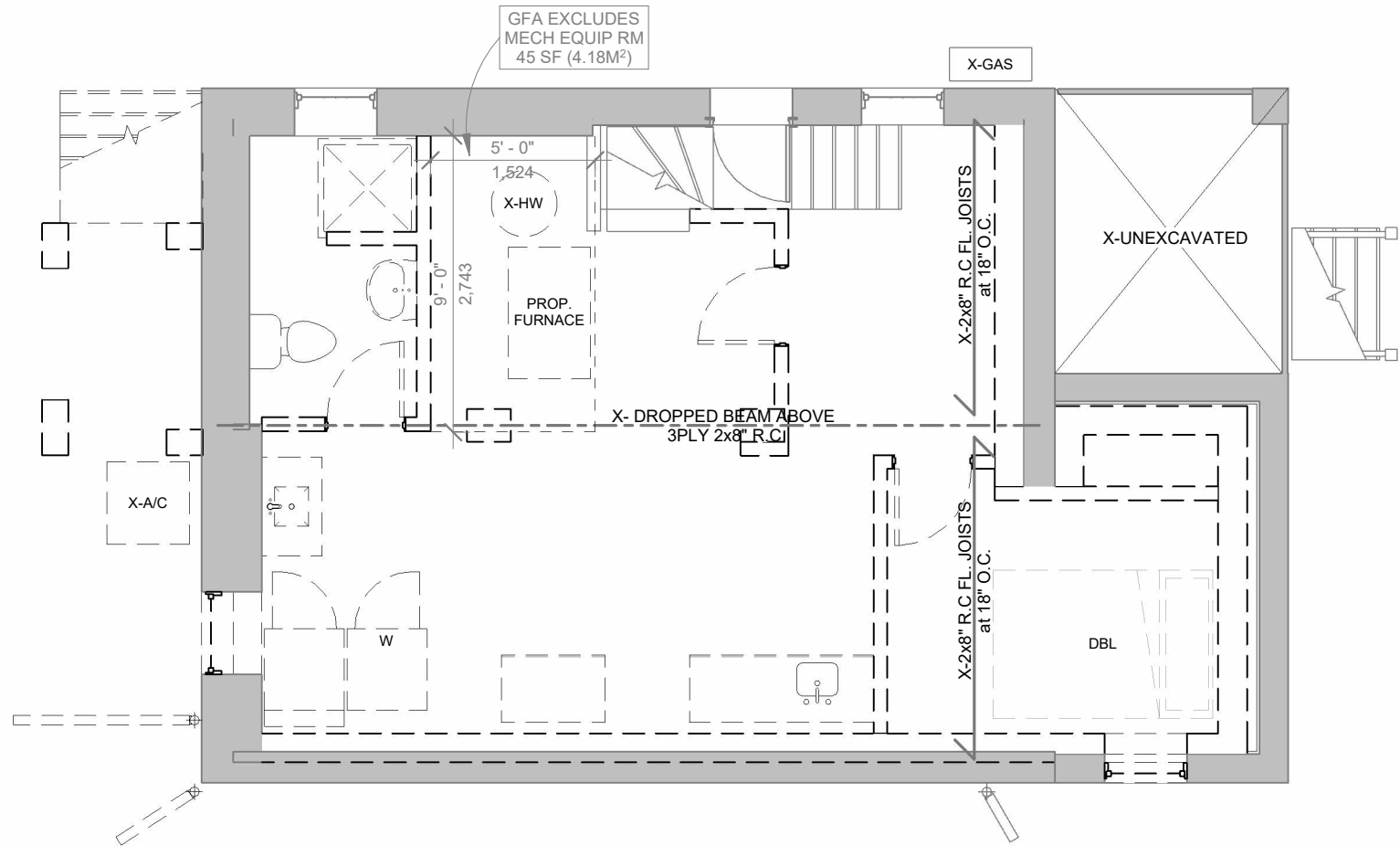
Project No. 23054
Revisions 2024/01/04

Scale As indicated

SITE PLAN

SP1.01

Sheet No. ©2021



PARK
EIGHT
ENG // ARCH

ADD'N & INTR RENO

64 NORTH OVAL, HAMILTON

Project No. 23054

Revisions

Scale 3/16" = 1'-0"

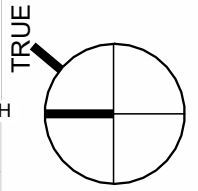
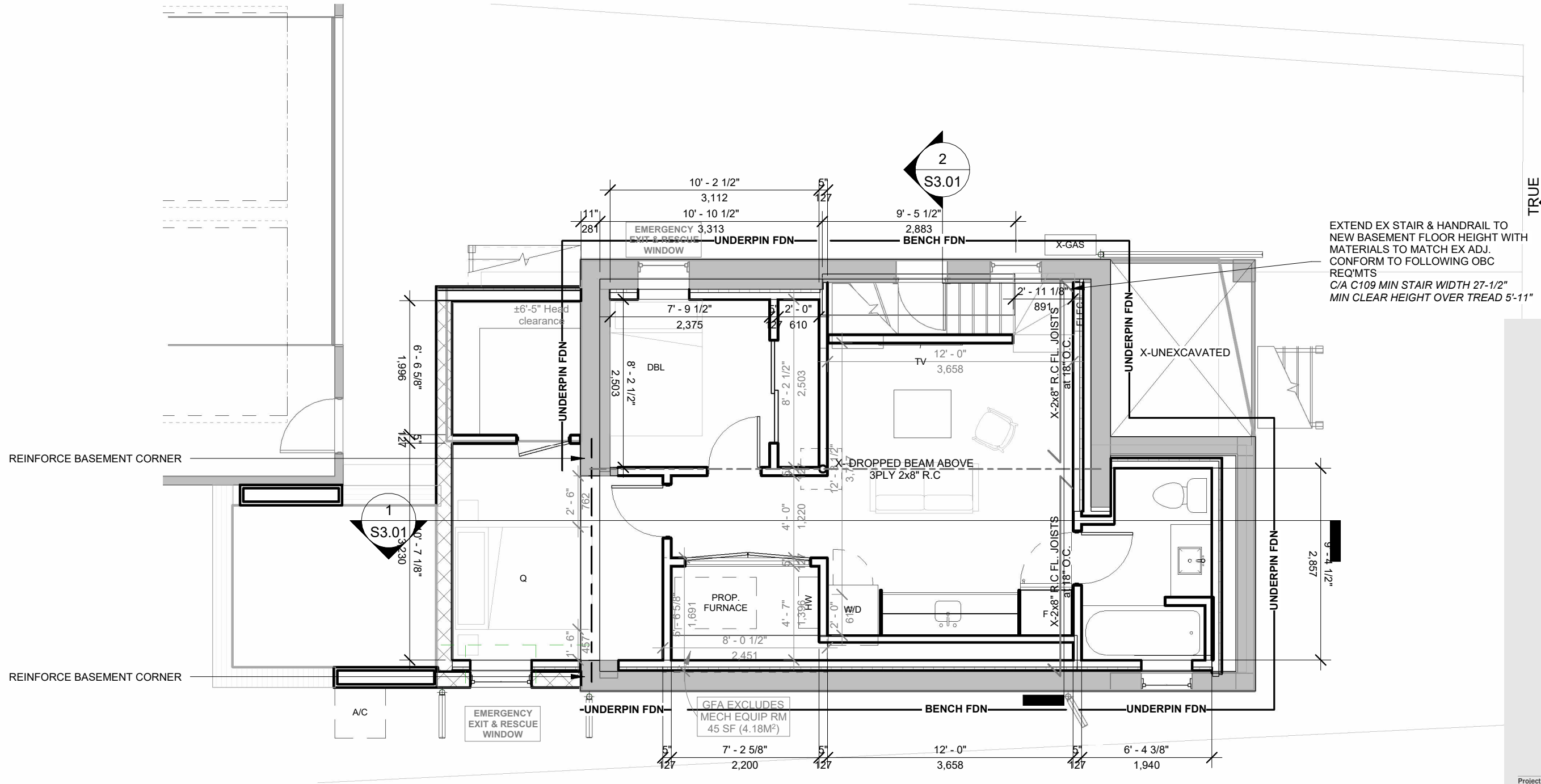
FLOOR PLANS

A1.01

Sheet No. ©2021

1 LVL0 DEMO
3/16" = 1'-0"

YY/MM/DD



PARK
EIGHT
ENG // ARCH

ADD'N & INTR RENO

64 NORTH OVAL, HAMILTON

Project No. 23054
Revisions 2024/01/12

Scale 3/16" = 1'-0"

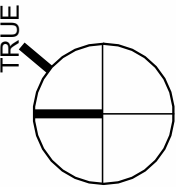
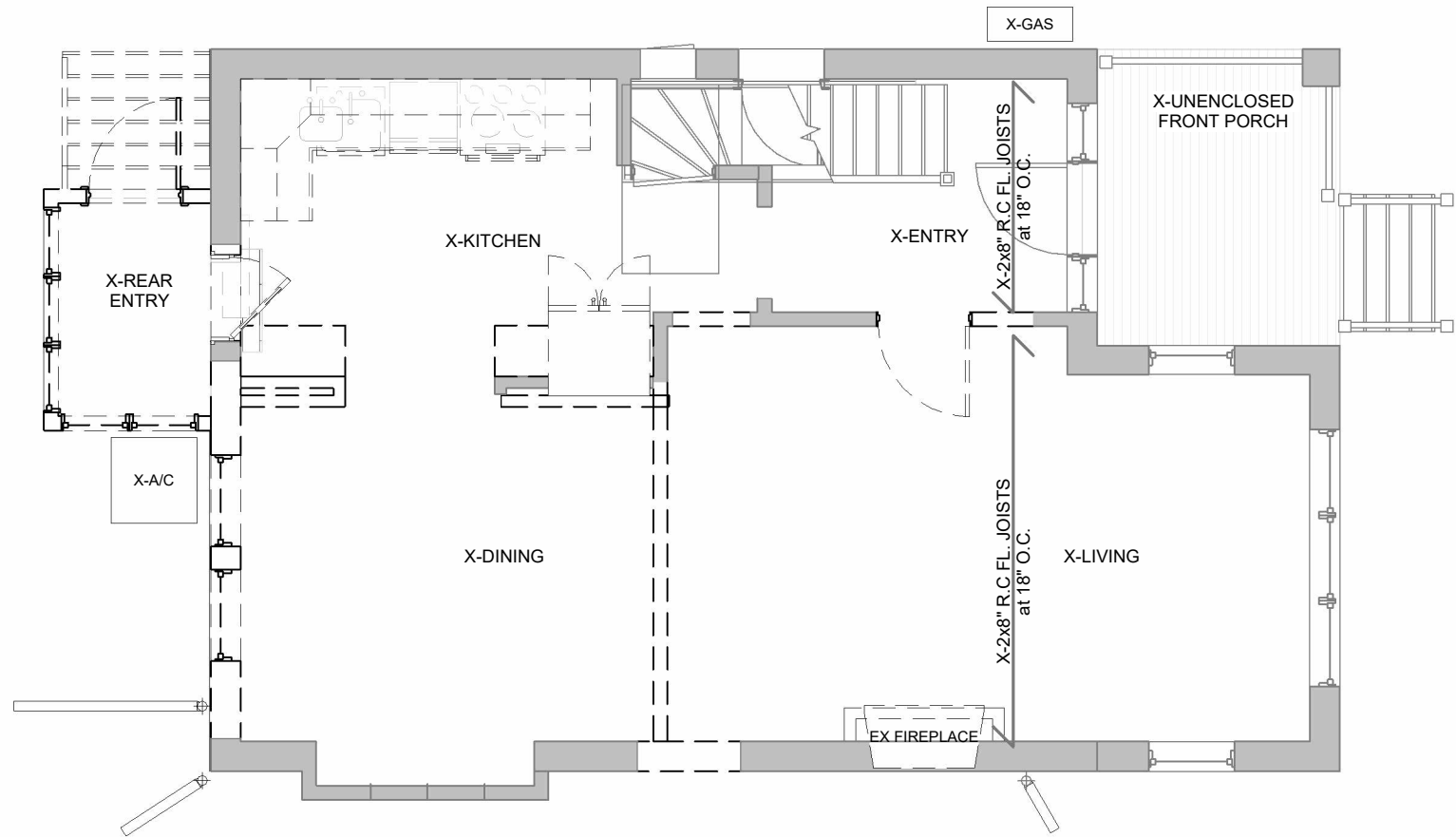
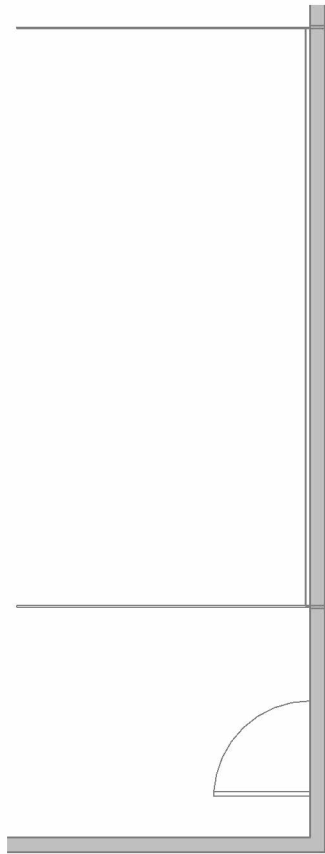
FLOOR PLANS

A1.02

Sheet No. ©2021

1 LVL0 PLAN
3/16" = 1'-0"

YY/MM/DD



PARK
EIGHT
ENG // ARCH

ADD'N & INTR RENO

64 NORTH OVAL, HAMILTON

Project No. 23054

Revisions

Scale 3/16" = 1'-0"

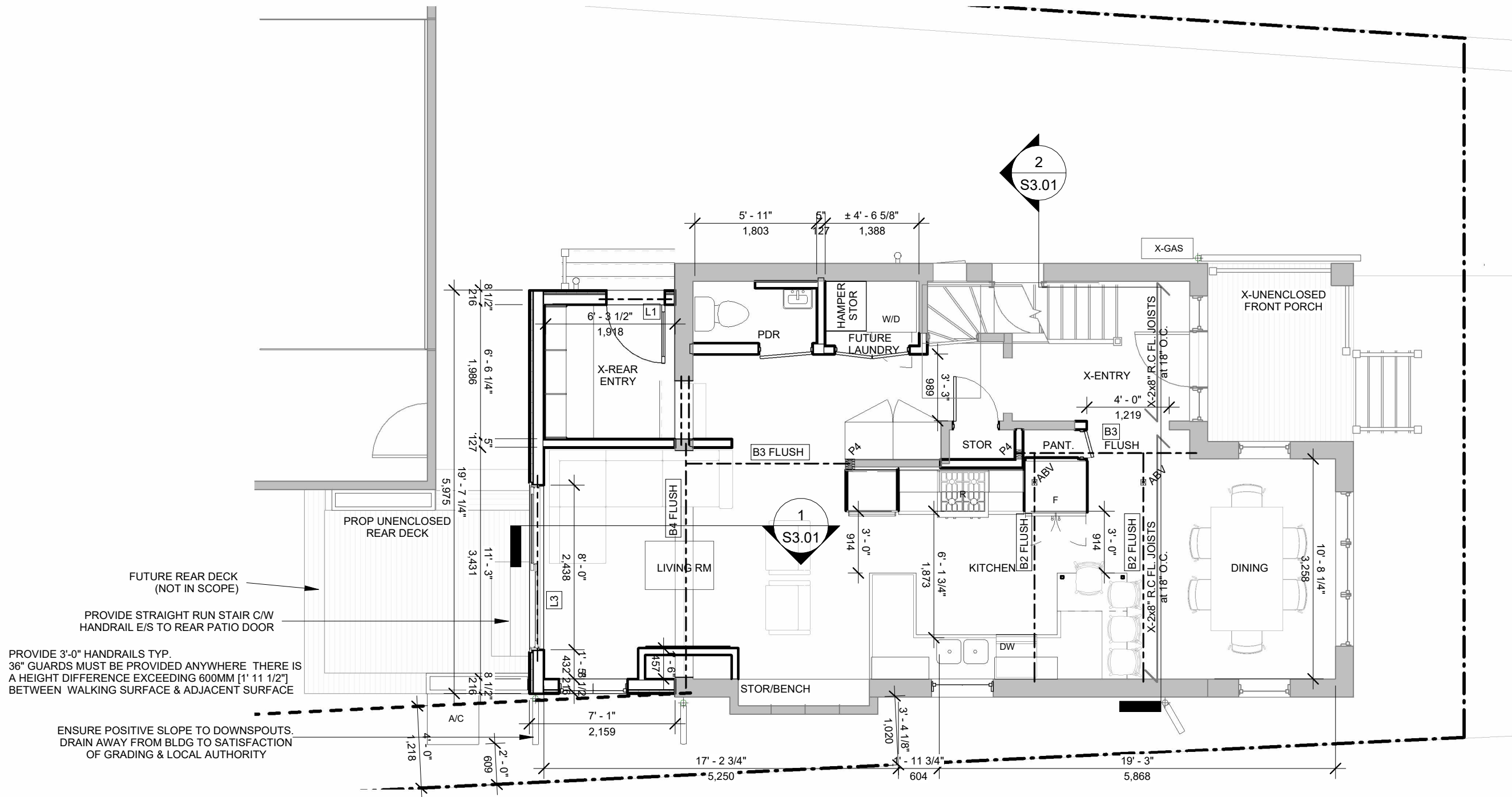
FLOOR PLANS

A1.11

Sheet No. ©2021

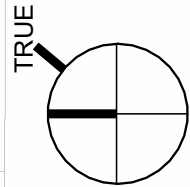
1 LVL1 DEMO
3/16" = 1'-0"

YY/MM/DD



1 LVL1 PLAN
3/16" = 1'-0"

YY/MM/DD



PARK
EIGHT
ENG // ARCH

ADD'N & INTR RENO

64 NORTH OVAL, HAMILTON

Project No. 23054

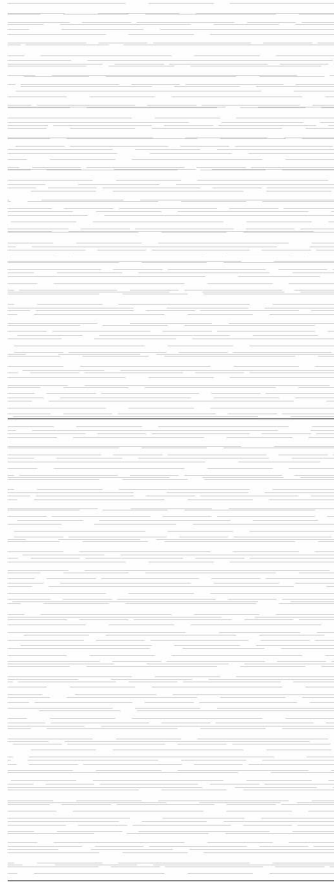
Revisions

Scale 3/16" = 1'-0"

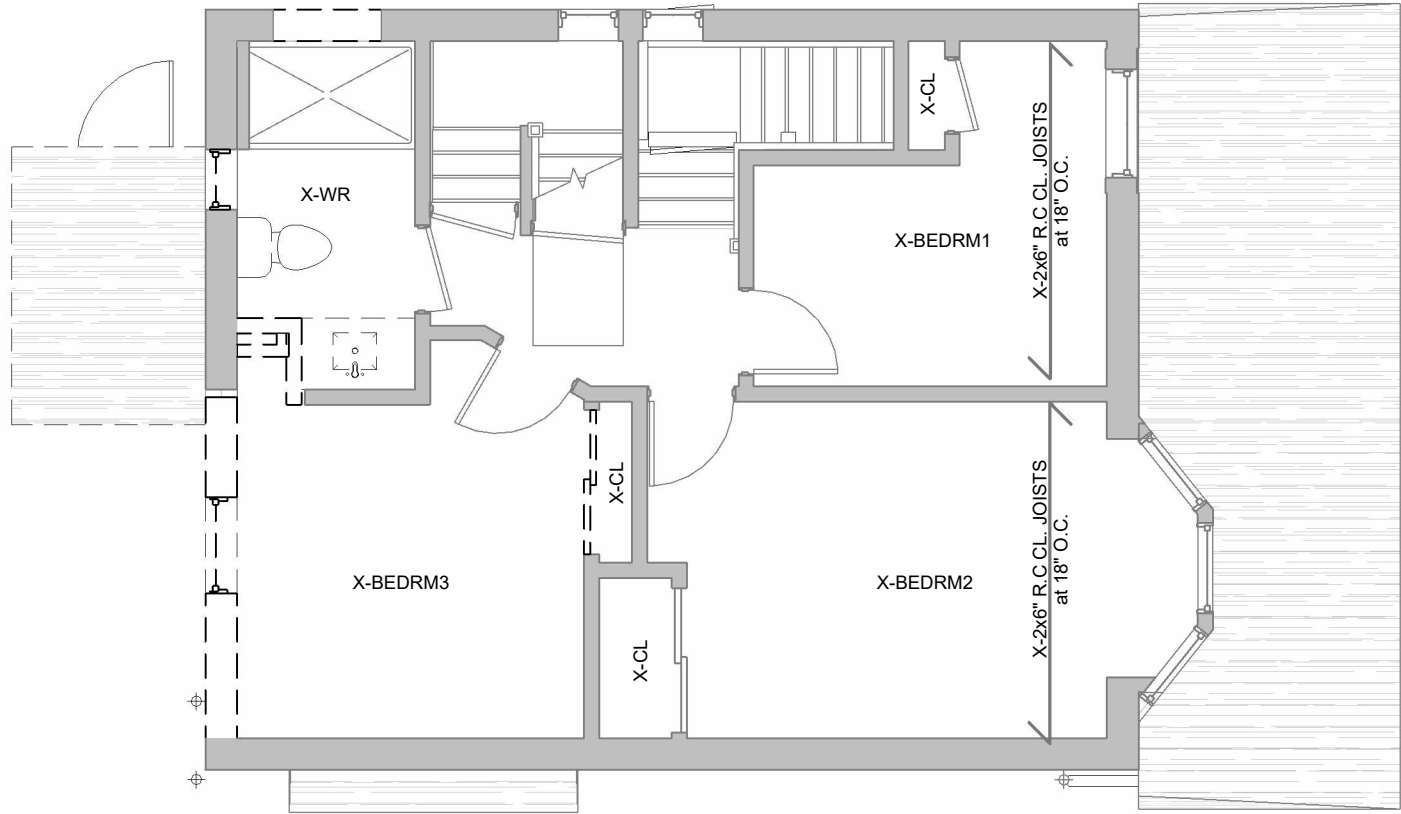
FLOOR PLANS

A1.12

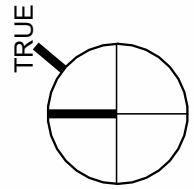
Sheet No. ©2021



1 LVL2 DEMO
3/16" = 1'-0"



YY/MM/DD



PARK
EIGHT
ENG // ARCH

ADD'N & INTR RENO

64 NORTH OVAL, HAMILTON

Project No. 23054

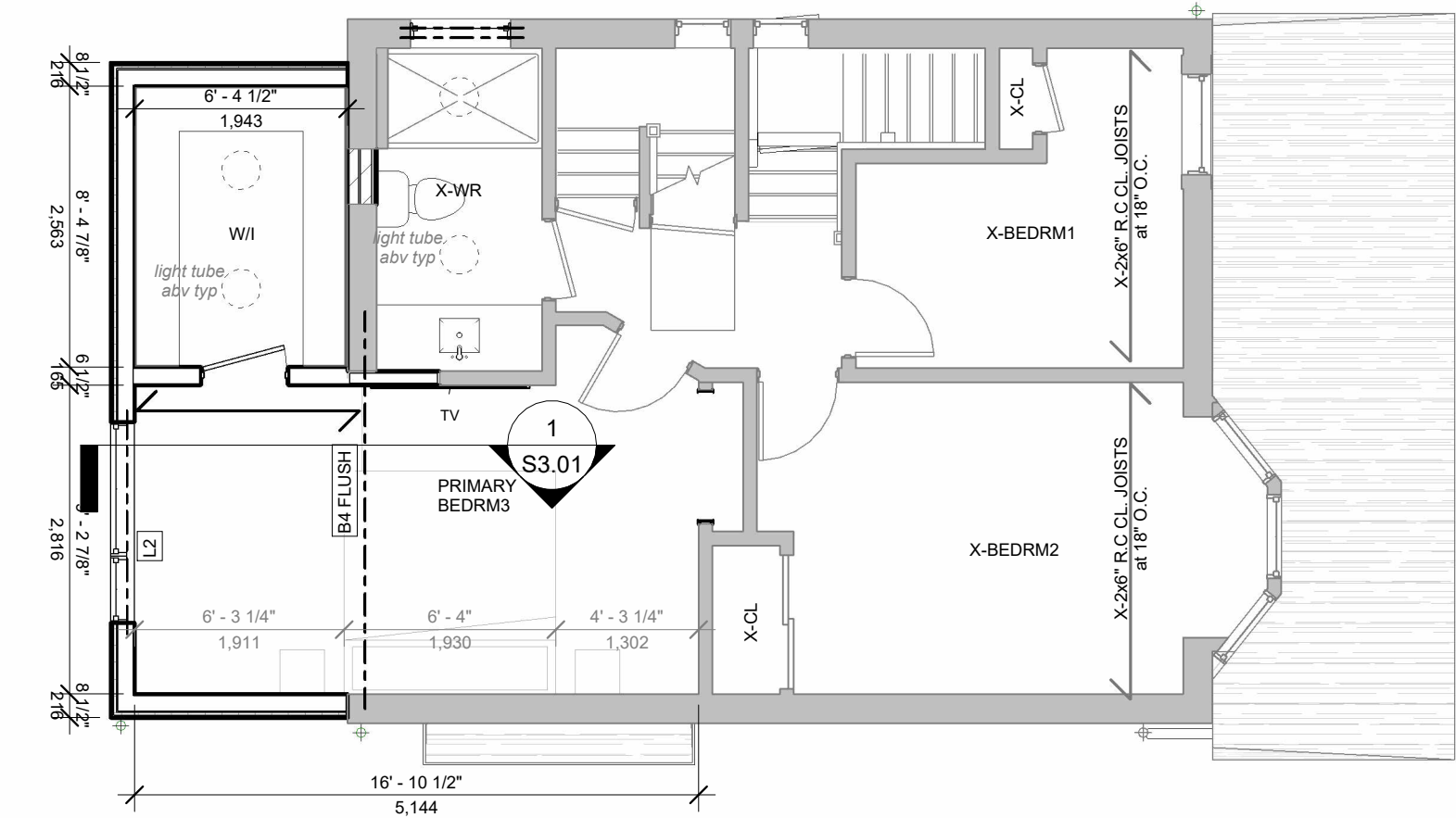
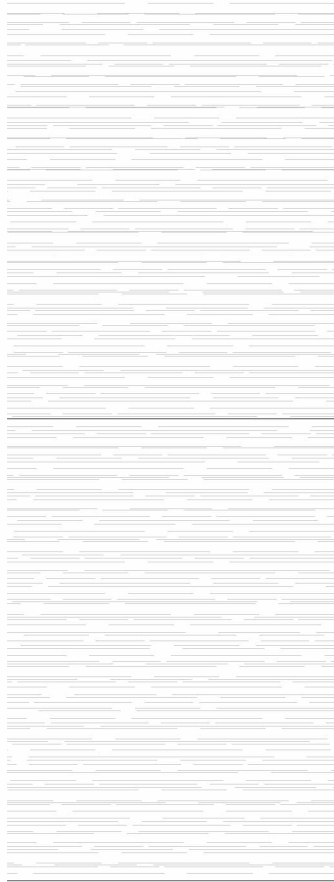
Revisions

Scale 3/16" = 1'-0"

FLOOR PLAN

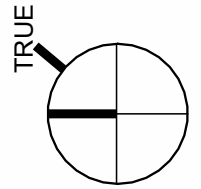
A1.21

Sheet No. ©2021



1 LVL2 PLAN
3/16" = 1'-0"

YY/MM/DD



PARK
EIGHT
ENG // ARCH

ADD'N & INTR RENO

64 NORTH OVAL, HAMILTON

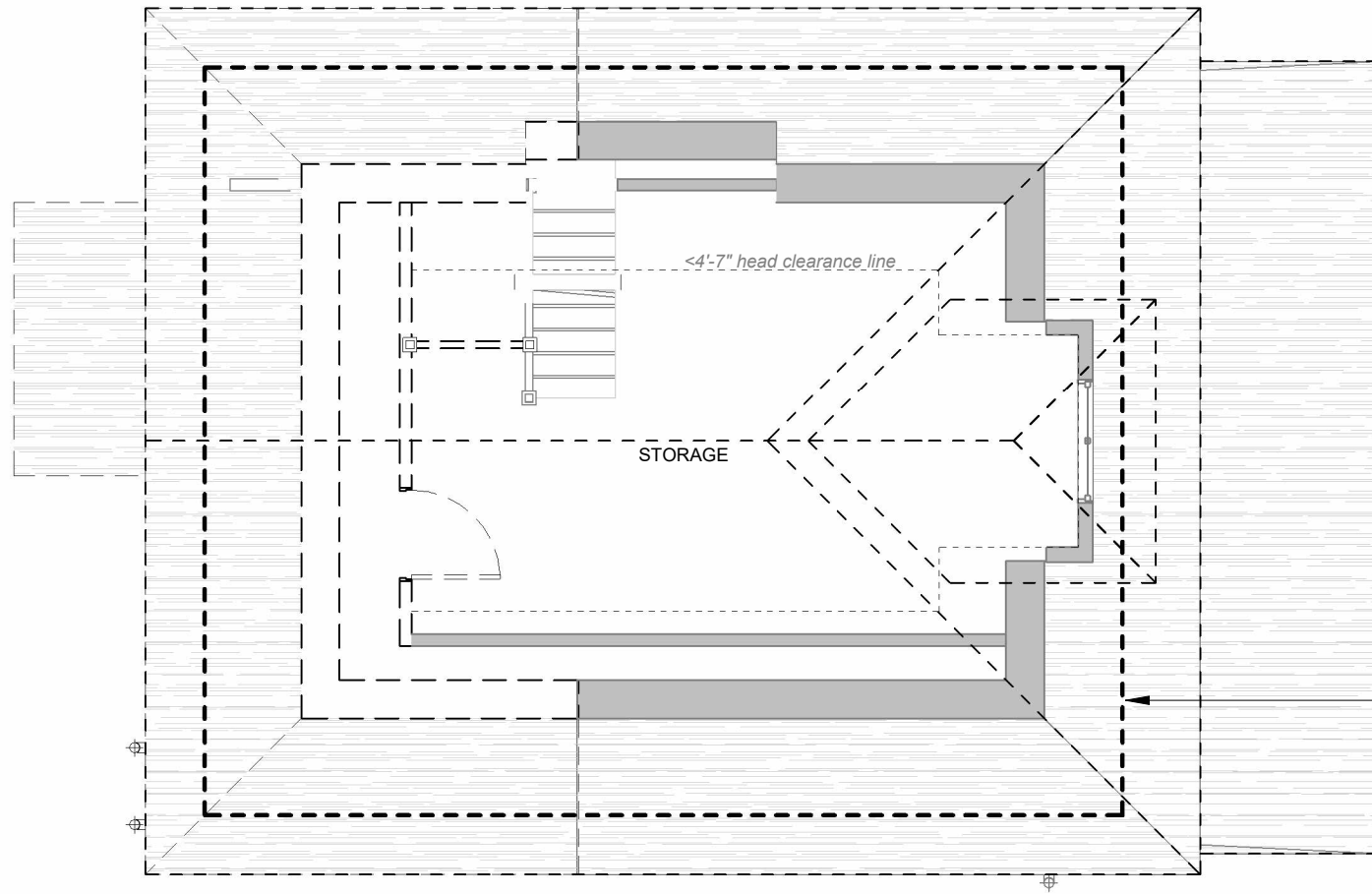
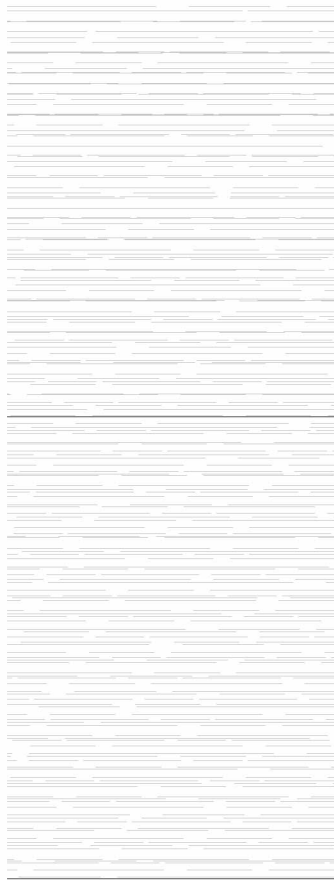
Project No. 23054
Revisions 2024/01/12

Scale 3/16" = 1'-0"

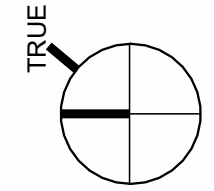
FLOOR PLAN

A1.22

Sheet No. ©2021



EX LVL3 FOOTPRINT



1 LVL3 DEMO
3/16" = 1'-0"

YY/MM/DD

PARK
EIGHT
ENG // ARCH

ADD'N & INTR RENO

64 NORTH OVAL, HAMILTON

Project No. 23054

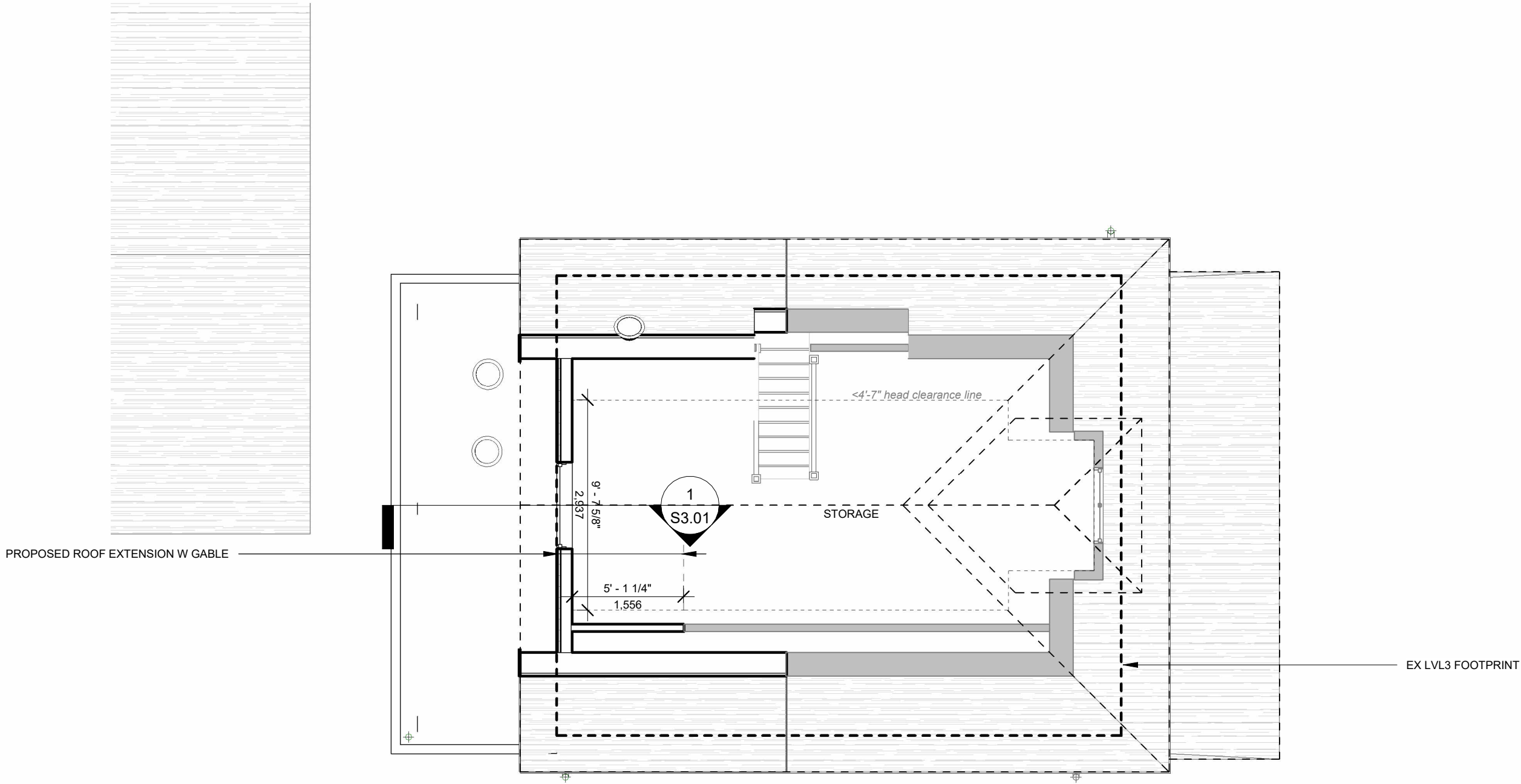
Revisions

Scale 3/16" = 1'-0"

FLOOR PLAN

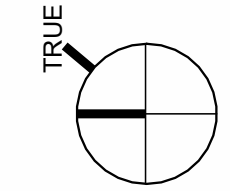
A1.31

Sheet No. ©2021



① LVL3 PLAN
3/16" = 1'-0"

YY/MM/DD



PARK
EIGHT
ENG // ARCH

ADD'N & INTR RENO
64 NORTH OVAL, HAMILTON

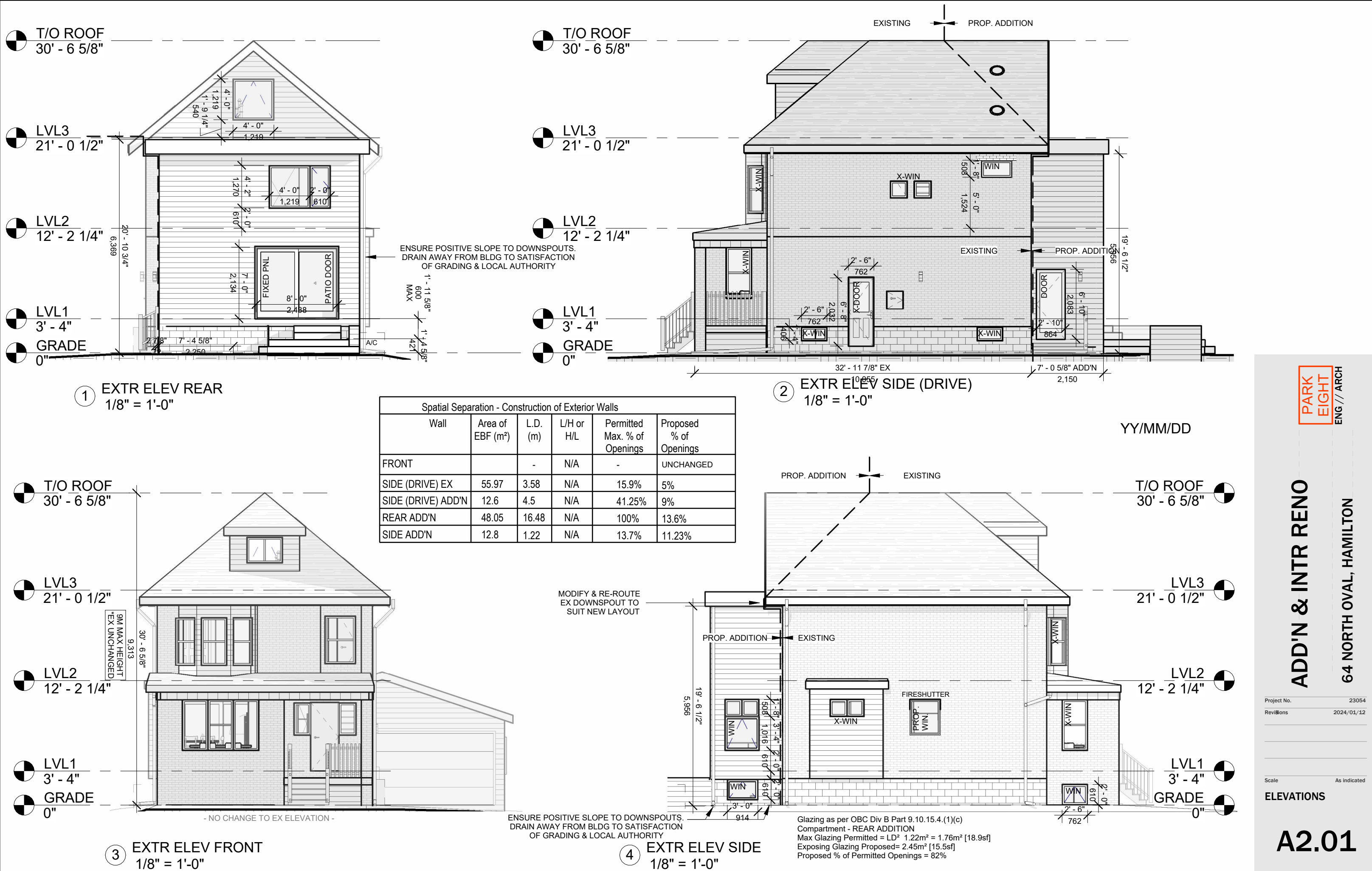
Project No. 23054
Revisions 2024/01/12

Scale 3/16" = 1'-0"

FLOOR PLANS

A1.32

Sheet No. ©2021





Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Planning Division
71 Main Street West, 5th Floor
Hamilton, Ontario, L8P 4Y5
Phone: 905-546-2424 x1355
www.hamilton.ca

December 18, 2023

FILE: ALR
FOLDER: 23-314592-00 ALR
ATTENTION OF: Liam Tapp
TELEPHONE NO: (905) 546-2424
EXTENSION: 6884

Pete Vandenarend
8 MARKET ST N
DUNDAS, ON L9H 2S5

Re: ZONING COMPLIANCE REVIEW
Present Zoning: C/S-1361
Address: 64 North Oval, Hamilton

A Zoning Compliance Review has been completed and the following comments are provided.

COMMENTS:

1. The applicant is proposing an addition to the existing Single Family Dwelling which will include the renovation of the existing basement, rear yard addition and half storey addition.

Please be advised, as per the definition of Storey under Hamilton Zoning By-Law 05-200:

"Storey - Shall mean that portion of a building or structure, other than a cellar, included between the surface of any floor and the surface of the floor, roof deck or ridge next above it, except an attic storey."

And

"Storey, Half - shall mean that portion of a building situated wholly or in part within a sloping roof and in which:

- (a) there is sufficient space to provide a height between finished floor and finished ceiling of at least 2.3m (7 feet, 7 inches) over a floor area equal to at least fifty percent of the area of the floor; or*
- (b) there is sufficient space to provide a height between finished floor and finished ceiling of at least 2.1m (6 feet, 11 inches) over all of the area of the floor"*

Furthermore, as per Zoning Policy "Zon-021" in addition to the minimum height requirements contained within the definition, a floor area will be considered a "Storey, Half" when:

- the floor area is located completely within a sloping roof so that the roof and floor meet for at least two full continuous lengths of the building.

A maximum of two (2) dormers (to provide light), which do not exceed 1.2 m in width each, shall be permitted along each side of the sloping roof, provided all other zoning regulations can be complied with.

Zoning Compliance Review
64 North Oval, Hamilton

Any floor area which does not meet the above criteria will be considered a storey in accordance with the definition of "Storey" contained within Hamilton Zoning By-law 6593.

As such, the proposed addition/ extension of the roof does not propose any additional dormers within LVL 3 and the existing slope is to be maintained. As such, LVL 3 of the existing dwelling has been determined to meet the definition of a half storey and the existing height of a two and a half (2 ½) storey Single Family Dwelling has been maintained.

2. Building Division Records determine the last recognized use of the property to be a Single Family Dwelling which is permitted within the C/S-1361 Zone under Hamilton Zoning By-Law 6593 and defined as follows.

"Single Family Dwelling - shall mean a building comprising one Class A dwelling unit, whether or not a private garage or other accessory building is attached to the same, and which may also contain such lodgers' rooms as may be permitted under the provisions of this"

Be advised, insufficient information has been provided regarding the intent of the proposed renovation and addition within the basement of the existing dwelling. Should a Secondary Dwelling Unit be proposed within the basement, Section 19 (1) and 19 (1).1 shall apply and an additional Zoning review will be required.

Please note, for the purpose of this review, the proposed addition(s) have been reviewed only as it relates to a Single Family Dwelling until such time that further indication has been provided to determine the intended use within the basement (LVL 0).

3. Please be advised, further to comment #2, parking regulations have been considered based on current regulations under Section 18a of Hamilton Zoning By-Law 6593. A full review of parking is required as the proposed addition indicates an increase to the number of Habitable rooms as well as an extension of the foot print for the principle dwelling which further encroaches into the existing parking space area/ manoeuvring spaces. As such, parking space requirements shall comply with current regulations under Section 18a for all existing or proposed spaces on the lot, due to the impact of the proposed addition.
4. This is an interior lot. With reference to "front lot line" as defined, the front lot line shall mean the boundary line along the street. As such, the front lot line for this property is the lot line abutting the North Oval street line.
5. Construction of the proposed addition/ alteration is subject to the issuance of a building permit in the normal manner. Be advised that Ontario Building Code regulations may require specific setback and construction types.
6. The proposed development has been reviewed and compared to the standards of the C/ S -1361 District under Hamilton Zoning By-Law 6593 as indicated in the following chart:

Zoning Compliance Review
64 North Oval, Hamilton

Hamilton Zoning By-Law 6593 Section	Required By By-Law	Provided	Conforming/ Non-Conforming
By-Law Amendment 96-109			
Floor Area Ratio Section 1. (a)(i)	no building or structure shall have a gross floor area greater than the area within the district of the lot on which it is situate, multiplied by the floor area ratio factor of 0 .45;	<p>Lot Area – 362.4 m² Floor Area Ratio – 163.08 m²</p> <p>Proposed GFA as per Site Statistics Table – 440.05 m²</p> <p>Proposed Floor Area Ratio - (121.4%)</p> <p>Note: GFA not provided for proposed Basement. Applicant shall confirm GFA for all floors in order to confirm maximum proposed GFA</p>	Does not Comply
Floor Area Ratio Calculation Section 1. (a)(ii)	<p>notwithstanding Section 2.(2)J.(viii) of Zoning By-law No . 6593, gross floor area is the aggregate of the areas of the building or structure, including the basement or cellar, but shall not include:</p> <p>a) an attached garage; b) a detached garage ; c) the floor area occupied by heating, air conditioning and laundry equipment; and</p>	<p><u>Calculation</u></p> <p>Insufficient Information Provided</p> <p>Note: Site Statistics table indicates GFA however area is not provided for basement addition. Furthermore, LVL 3 GFA only excludes area within “head clearance”, as noted on LVL 3 Floor Plan. Note, all floor areas are to be included within GFA calculation unless otherwise exempted as per this Section.</p>	Unable to Determine Compliance
Floor Area Ratio Ceiling Height Section 1. (a)(iii)	for purposes of determining gross floor area for any portion of the dwelling where the ceiling height exceeds 4 .6 metres, that portion of the dwelling shall be multiplied by 1.9.	No floor height taller than 4.6 metres	N/A
Garage Floor Elevation Section 1. (a)(iv)	in addition to the requirements of Section 18A, where a dwelling is constructed with an attached garage, then the finished level of the garage floor shall be a minimum of 0 .3 metres above grade ;	No Attached Garage	N/A
Height Requirements Section 1. (a)(v)	notwithstanding Section 9 .(2) of Zoning By-law No . 6593, no building or structure shall exceed 2 storeys and 9 .0 metres in height;	<p>2 ½ storeys (9.31 metres)</p> <p>Existing Dwelling – Height unchanged</p> <p>Note: The proposed LVL</p>	Conforms/ Deemed to Comply

Zoning Compliance Review
64 North Oval, Hamilton

Hamilton Zoning By-Law 6593 Section	Required By By-Law	Provided	Conforming/ Non-Conforming
		3 does not further aggravate Zoning requirements and has been deemed to be in compliance with the existing height of the building	
Zoning Exemption Section 1. (a)(vi)	Section 18(2)(i) of Zoning By-law No. 6593 shall not apply to the Westdale South Neighbourhood ;	Not Applicable	N/A
Section 9 of Hamilton Zoning By-law 6593 - C District Requirements			
Height Requirements Section 9 (2)	In a "C" District, no building shall exceed three storeys, and no structure other than a building, shall exceed 11.0 metres	See Section 1. (a)(v)	N/A
Area Requirements Section 9 (3)	(i) for a single family dwelling, two family dwelling, three family dwelling, a front yard of a depth of at least 6.0 metres (19.69 feet), and	Existing	Deemed to Comply
	(ii) for a single family dwelling, two family dwelling or three family dwelling, along each side lot line a side yard having a width of at least 1.2 metres (3.94 feet);	1.218 m	Conforms
	(iii) for a single family dwelling, two family dwelling, three family dwelling, a rear yard of a depth of at least 7.5 metres (24.61 feet), and	16.7 m	Conforms
Intensity of Use Section 9 (4)	for a single family dwelling, residential care facility, short-term care facility, or lodging house, a width of at least 12.0 metres (39.37 feet) and an area of at least 360.0 square metres (3875.13 square feet)	Existing	Deemed to Comply
Section 18 of Hamilton Zoning By-Law 6593 - Supplementary Requirements And Modifications			
Encroachment of eaves/gutter <i>Section 18(3)(vi)(a) of Hamilton Zoning By-law 6593</i>	A chimney, sill, belt course, leader, pilaster, lintel or ornamental projection may project not more than 0.5 metres (1.64 feet) into a required side yard, and not more than 1.0 metre (3.28 feet) into any other required yard;	Not Indicated	N/A
Encroachment of eaves/gutter <i>Section 18(3)(vi)(b) of Hamilton Zoning By-law 6593</i>	May encroach into a front yard not more than 1.5m provided no such projection shall be closer than 1.5m to a street line.	Proposed roofline on LVL 1 indicated to encroach 0.29 m into required side yard Note: Existing Dwelling	Conforms

Zoning Compliance Review
64 North Oval, Hamilton

Hamilton Zoning By-Law 6593 Section	Required By By-Law	Provided	Conforming/Non-Conforming
	<p>May encroach into a rear yard not more than 1.5m</p> <p>May encroach into a side yard not more than one-half of its width, or 1.0m whichever is the lesser.</p>	<p>not parallel with side lot line and proposed addition at LVL 1 setback over 1.2 metres. As such, regular encroachment requirements shall be applied to the proposed addition. As such, encroachment of eaves permitted to extend 0.6 metres into required side yard.</p>	
<p>Encroachment of porch <i>Section 18(3)(vi)(d) of Hamilton Zoning By-law 6593</i></p>	<p>A roofed-over or screened but otherwise unenclosed one-storey porch at the first storey level, including eaves and gutters, may project into a required front yard or rear yard to a distance of not more than 3.0 metres (9.84 feet), and every such projecting porch shall be distant at least 1.5 metres (4.92 feet) from the front lot line, and the enclosure of such a porch to the following extent shall not be deemed enclosure for the purpose of this Section</p>	Existing	N/A
<p>Encroachment of porch <i>Section 18(3)(vi)(e) of Hamilton Zoning By-law 6593</i></p>	<p>A terrace, uncovered porch, platform or ornamental feature which does not extend more than 1.0 metre (3.28 feet) above the floor level of the first storey, may project into a required yard, if distant at least 0.5 metres (1.64 feet) from the nearest side lot line and at least 1.5 metres (4.92 feet) from the nearest street line; and</p>	<p>Proposed Deck (not in scope of current submission) is indicated to be more than 0.5 m from the side lot line</p>	Conforms
<p>Mechanical and Unitary Equipment <i>Section 18(4)(v) of Hamilton Zoning By-law 6593</i></p>	<p>Air conditioners and pumps (including heat pumps and swimming pool pumps) and other similar mechanical equipment shall be located only in accordance with the following regulations:</p> <p>(a) Within a required front yard, provided such equipment shall have a minimum setback of 3.0 metres from the street line, a minimum setback of 0.6 metres from a side lot line and is screened from the street by an enclosure or landscaping; and,</p> <p>(b) Within a required side yard or required rear yard provided such equipment has a minimum setback of 0.6 metres from the side lot line or rear lot line.</p>	<p>Note within a front yard</p> <p>Insufficient Information Provided</p> <p>Note: A/C unit appears to be closer than 0.6 metres</p>	<p>N/A</p> <p>Unable to Determine Compliance</p>

Zoning Compliance Review
64 North Oval, Hamilton

Hamilton Zoning By-Law 6593 Section	Required By By-Law	Provided	Conforming/ Non-Conforming
Front Yard Landscaping <i>Section 18(14)(i) of Hamilton Zoning By-law 6593</i>	Not less than 50% of the gross area of the front yard shall be used for a landscaped area, excluding concrete, asphalt, gravel, pavers, or other similar materials	Existing	Deemed to Comply
Section 18a of Hamilton Zoning By-law 6593 - Parking			
Manoeuvring Space <i>Section 18A (1) (f) of Hamilton Zoning By-law 6593</i>	manoeuvring space abutting upon and accessory to each required parking space, having an aisle width mentioned in column 2 of Table 6 for each parking space having a parking angle mentioned in column 1	6.0 m manoeuvring space not provided for one parking space within Accessory Garage	Does not Comply
Parking Space Dimension <i>Section 18A (7) of Hamilton Zoning By-law 6593</i>	Every required parking space, other than a parallel parking space, shall have dimensions not less than 2.7 metres wide and 6.0 metres long.	3.0 m x 5.8 m	Does not Comply
Access to Parking Space <i>Section 18A (10) of Hamilton Zoning By-law 6593</i>	Sufficient space additional to required parking space shall be provided and maintained on the same lot on which the parking space is located, in such a manner as to enable each and every parking space to be unobstructed and freely and readily accessible from within the lot, without moving any vehicle on the lot or encroaching on any designated parking or loading space.	One parking space not freely accessible without removal of another vehicle	Does not Comply
Manoeuvring Space Access <i>Section 18A (22) of Hamilton Zoning By-law 6593</i>	All manoeuvring spaces shall be maintained free and clear of all obstructions to permit unobstructed access to and egress from required parking spaces.	Proposed Addition within Manoeuvring space	Does not Comply
Required Parking <i>Section 18A Table 1 of Hamilton Zoning By-law 6593</i> Note: Where calculations of the number of parking and loading spaces result in a fractional number of parking or loading spaces, the next higher number shall be taken.	2 parking spaces for each Class A dwelling unit, for the first 8 habitable rooms in the dwelling unit plus 0.5 parking space for each additional habitable room	9 habitable rooms proposed. 2.5 (3) spaces required. 2 spaces provided on Site Plan	Does not Comply

Yours truly



Zoning Compliance Review
64 North Oval, Hamilton

for the Manager of Zoning and Committee of Adjustment



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)	André Phillion		
Applicant(s)	Park Eight inc care of Pete VandenArend		
Agent or Solicitor			E-mail:

1.2 All correspondence should be sent to ☐ Owner ☒ Applicant
☐ Agent/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 [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	64 N Oval, Hamilton, ON L8S 3Y8		
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;

3 items re ex parking and maneuverability. Obstructed by single 7½" tread. Ex 2.8m vehicle access maintained

1 item re single added habitable room Lvl0 requires 1 additional parking space

2 items re allowable lot coverage/ Gross Floor Area ≤163.08m² [45%] Req'm't, Existing 223.8m² [61.75%], 257.57m² [71%] Proposed

☐ Second Dwelling Unit

☐ Reconstruction of Existing Dwelling

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

Homeowners are an adult blended family with three children (22, 19, and 11) looking to make their home more comfortable. One child (22 years old) is on the Autism Spectrum Disorder and although is high functioning will likely never live on his own.

No change to ex occupancy, maneuverability, or parking conditions.

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
10.1m	30m	362.4m ²	8.5m

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
Dwelling	1.42m	19.03m	.676 / 3.58m	±1923
Accessory Garage	14.76m	7.5m	.407 / 4.41m	±1970s

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Dwelling	1.42m	16.48m	1.22 / 4.5	PROPOSED
Accessory Garage				UNCHANGED

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	674sf [62.62m ²]	2,365sf [219.8m ²]	2 1/2	±30'-6" [9.30m]
Accessory Garage	580sf [53.88m ²]	580sf [53.88m ²]	1	±14'-6" [4.5m]

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Dwelling	811.6sf [75.4m ²]	2,779sf [258.18m ²]	2 1/2	PROPOSED
Accessory Garage				UNCHANGED

- 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 detached Dwelling (unchanged) _____

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

7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:
November 30th 2023 _____

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

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

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) Neighbourhoods _____

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

*Proposed scope is scaled reasonably, fits within the community context without changing the use, occupancy or original charm of the home.
This renovation promotes responsible Agricultural property ownership*

7.6 What is the existing zoning of the subject land? C/S-1361 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 *Will be paid w credit card upon receipt*
- ✓ ☐ 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
- ☐ _____
- ☐ _____