

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-21:173

APPLICANTS: Agent Rob Idoine
Owners N. Jain & G. Kilgour

SUBJECT PROPERTY: Municipal address **217 Beach Rd., Hamilton**

ZONING BY-LAW: Zoning By-law 05-200, as Amended

ZONING: "M6 and 375" (Light Industrial) district

PROPOSAL: To permit the construction of a 22.3m² accessory structure in the rear yard of the existing single detached dwelling notwithstanding that:

1. A side yard setback of 0.0m shall be provided instead of the minimum required side yard setback of 0.6m,
2. A rear yard setback of 0.5m shall be provided instead of the minimum required rear yard setback of 7.5m,
3. Eaves and gutters may project a maximum of 0.3m into the required rear yard whereas the by-law permits a maximum eave and gutter projection of 0.25m.
4. A height of 3.1m shall be provided to the underside of the fascia eaves, overhang or the lower ends of the roof joists, rafters or trusses instead of the maximum permitted height of 3.0m.

NOTES:

- i. In cases where an accessory structure exceeds 18.0m² in area, such accessory structure is subject to the same setback regulations as required for the principal building.
- ii. The By-law permits eaves and gutters to project into any required yard a maximum of 0.6m or one-half the distance of the required yard, whichever is less.
- iii. No accessory building shall be used for human habitation.
- iv. A maximum overall height of 5.0m is permitted for structures accessory to a residential use.

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

DATE: Thursday, June 3rd, 2021
TIME: 1:45 p.m.
PLACE: Via video link or call in (see attached sheet for details)
To be streamed at
www.hamilton.ca/committeeofadjustment
for viewing purposes only

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 or by calling in. Please see attached page for complete instructions, including deadlines for registering to participate.

MORE INFORMATION

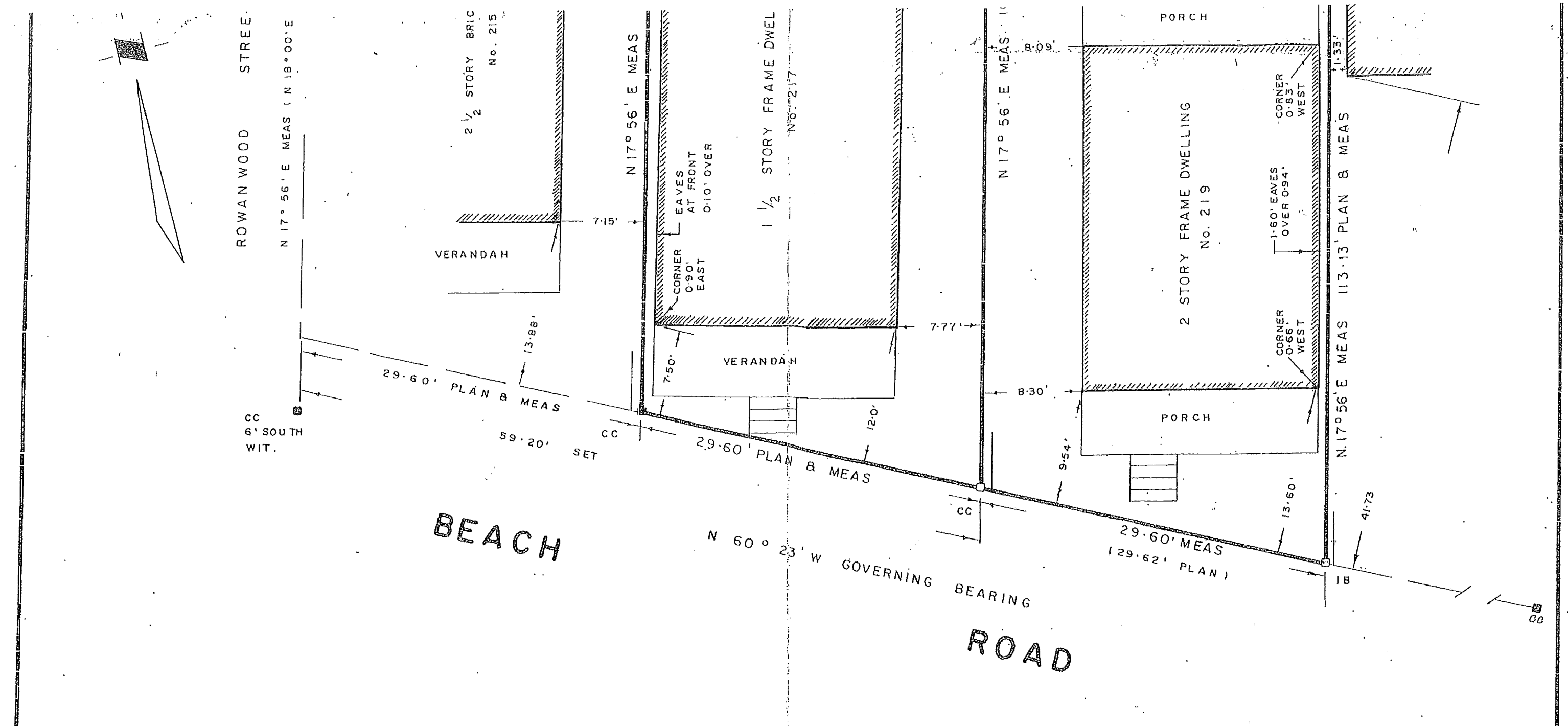
For more information on this matter, including access to drawings illustrating this request:

- Visit www.hamilton.ca/committeeofadjustment
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at cofa@hamilton.ca

DATED: May 18th, 2021.

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.



NOTE.

BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE NORTHERN LIMIT OF BEACH ROAD AS SHOWN ON REGISTERED PLAN 465 HAVING A BEARING OF N 60° 23' W

NI NOT IDENTIFIABLE

LEGEND

■ DENOTES SURVEY MONUMENT FOUND
 □ DENOTES SURVEY MONUMENT SET
 CM DENOTES CONCRETE MONUMENT
 SIB DENOTES STANDARD IRON BAR
 ØIB DENOTES ROUND IRON BAR
 IB DENOTES IRON BAR
 CC DENOTES CUT CROSS WIT = WITNESS

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:
 THE FIELD SURVEY REPRESENTED ON
 THIS PLAN WAS COMPLETED ON THE
 5TH DAY OF NOVEMBER 1986

Nov 6, 1986. Edward Barich
 EDWARD BARICH
 ONTARIO LAND SURVEYOR

(C)

EDWARD BARICH
 ONTARIO LAND SURVEYOR
 HAMILTON 549-6642

BUILDING LOCATION SURVEY OF
 LOT 132 & LOT 133
 ORCHARD HILL SURVEY
 REGISTERED PLAN 465
 IN THE

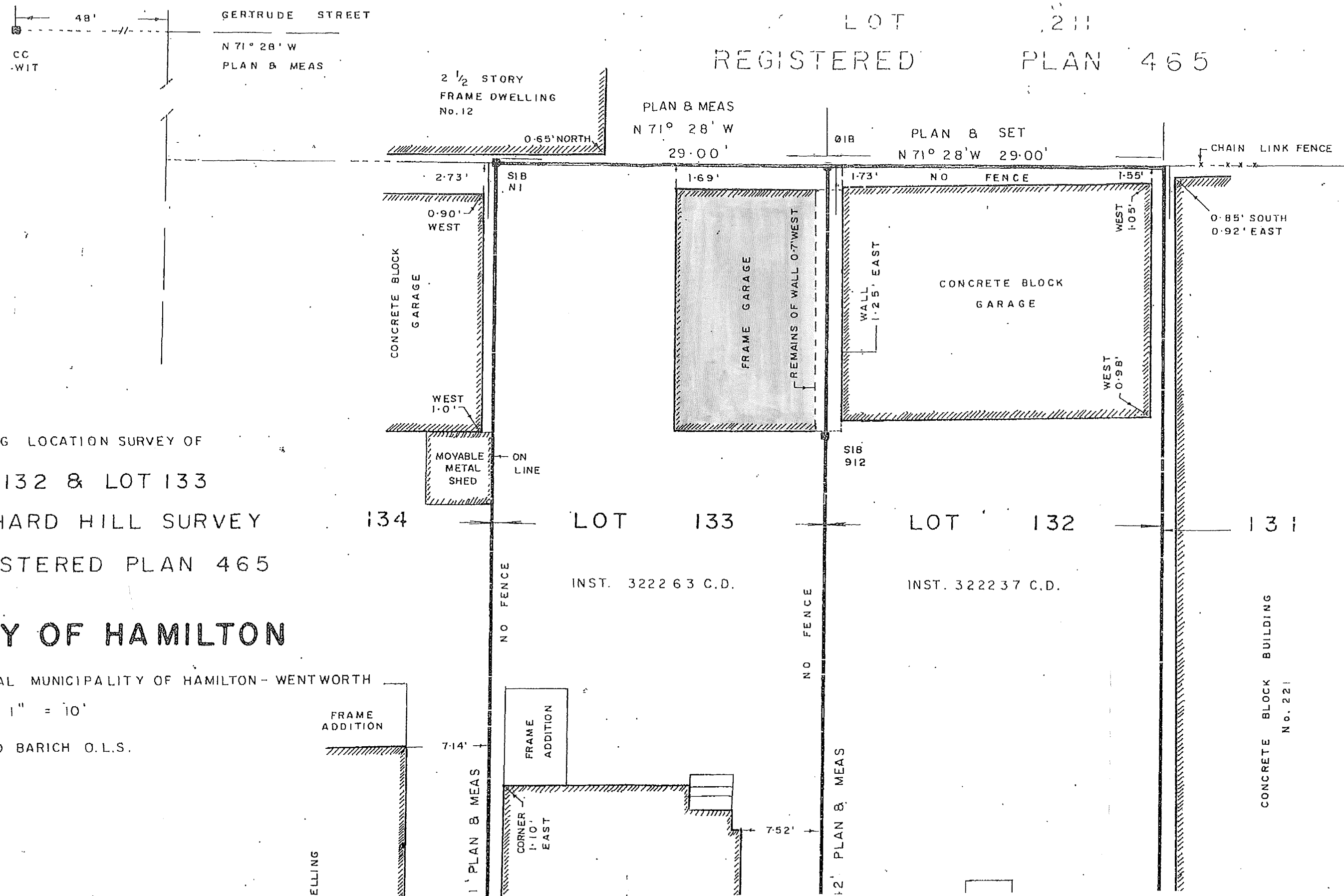
CITY OF HAMILTON

REGIONAL MUNICIPALITY OF HAMILTON - WENTWORTH

SCALE 1" = 10'

EDWARD BARICH O.L.S.

1986



217 Beach Road

TO WHEN IT WAS CONSIDERED
ATTACHED IS A DRAWING FOR
THE REPLACEMENT GARAGE AT
217 BEACH ROAD. I DID THE
ONLINE APPLICATION BUT IT WOULD
NOT ALLOW ME TO UPLOAD
DRAWINGS. I PAID THE PERMIT
FEE AND GOT A NOTIFICATION
NUMBER OF 20 174221 000 00

PLEASE CALL ME WITH ANY
QUESTIONS TANYA LAD

~~For~~ 905-741-8851

THE GARAGE IS THE SAME SIZE
SAME LOCATION AS PREVIOUS
GARAGE ON THE PROPERTY



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

FOR OFFICE USE ONLY.

APPLICATION NO. _____ DATE APPLICATION RECEIVED _____

PAID _____ DATE APPLICATION DEEMED COMPLETE _____

SECRETARY'S
SIGNATURE _____

The Planning Act

Application for Minor Variance or for Permission

The undersigned hereby applies to the Committee of Adjustment for the City of Hamilton under Section 45 of the *Planning Act*, R.S.O. 1990, Chapter P.13 for relief, as described in this application, from the Zoning By-law.

1, 2	NAME	
Registered Owners(s)	Neeraj Jain Graham Kilgour	
Applicant(s)*		
Agent or Solicitor	Rob Idoine	

Note: Unless otherwise requested all communications will be sent to the agent, if any.

3. Names and addresses of any mortgagees, holders of charges or other encumbrances:

Additional sheets can be submitted if there is not sufficient room to answer the following questions. Additional sheets must be clearly labelled

4. Nature and extent of relief applied for:
Keeping Garage in previous location as per existing survey
5. Why it is not possible to comply with the provisions of the By-law?
By-law has changed since previous garage was built
6. Legal description and Address of subject lands (registered plan number and lot number or other legal description and where applicable, **street and street number**):
217 BEACH ROAD Hamilton

7. PREVIOUS USE OF PROPERTY

Residential ☒ Industrial ☐ Commercial ☐

Agricultural ☐ Vacant ☐

Other _____

- 8.1 If Industrial or Commercial, specify use _____
- 8.2 Has the grading of the subject land been changed by adding earth or other material, i.e. has filling occurred?
Yes ☐ No ☐ Unknown ☐
- 8.3 Has a gas station been located on the subject land or adjacent lands at any time?
Yes ☐ No ☐ Unknown ☐
- 8.4 Has there been petroleum or other fuel stored on the subject land or adjacent lands?
Yes ☐ No ☐ Unknown ☐
- 8.5 Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?
Yes ☐ No ☐ Unknown ☐
- 8.6 Have the lands or adjacent lands ever been used as an agricultural operation where cyanide products may have been used as pesticides and/or sewage sludge was applied to the lands?
Yes ☐ No ☐ Unknown ☐
- 8.7 Have the lands or adjacent lands ever been used as a weapon firing range?
Yes ☐ No ☐ Unknown ☐
- 8.8 Is the nearest boundary line of the application within 500 metres (1,640 feet) of the fill area of an operational/non-operational landfill or dump?
Yes ☐ No ☐ Unknown ☐
- 8.9 If there are existing or previously existing buildings, are there any building materials remaining on site which are potentially hazardous to public health (eg. asbestos, PCB's)?
Yes ☐ No ☐ Unknown ☐

8.10 Is there any reason to believe the subject land may have been contaminated by former uses on the site or adjacent sites?

Yes ☐ No ☐ Unknown ☐

8.11 What information did you use to determine the answers to 9.1 to 9.10 above?

8.12 If previous use of property is industrial or commercial or if YES to any of 9.2 to 9.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.

Is the previous use inventory attached? Yes ☐ No ☐

9. ACKNOWLEDGEMENT CLAUSE

I acknowledge that the City of Hamilton is not responsible for the identification and remediation of contamination on the property which is the subject of this Application – by reason of its approval to this Application.

March 3 2021

Date

Signature Property Owner

Neeraj Jain Graham Kilgour

Print Name of Owner

10. Dimensions of lands affected:

Frontage	9.02 M
Depth	32.6 M
Area	335.5 M2
Width of street	6M

11. Particulars of all buildings and structures on or proposed for the subject lands: (Specify ground floor area, gross floor area, number of stories, width, length, height, etc.)

Existing:

2 storey house 74.3 square metres 6 metre wide 12 metre long 9 metre high
single storey garage 22.3 square metres

Proposed

2 storey house 74.3 square metres 6 metre wide 12 metre long 9 metre high
single storey garage 22.3 square metres

12. Location of all buildings and structures on or proposed for the subject lands; (Specify distance from side, rear and front lot lines)

Existing:

2 storey house 74.3 square metres 6 metre wide 12 metre long 9 metre high
single storey garage 22.3 square metres

Proposed:

2 storey house 74.3 square metres 6 metre wide 12 metre long 9 metre high
single storey garage 22.3 square metres

13. Date of acquisition of subject lands:
January 2020
-
14. Date of construction of all buildings and structures on subject lands:
unknown
-
15. Existing uses of the subject property:
residential
16. Existing uses of abutting properties:
residential
17. Length of time the existing uses of the subject property have continued:
50 plus years
18. Municipal services available: (check the appropriate space or spaces)
Water _____ Connected yes
Sanitary Sewer _____ Connected yes
Storm Sewers _____
19. Present Official Plan/Secondary Plan provisions applying to the land:
lot 133
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
21. Has the owner previously applied for relief in respect of the subject property?
☐ Yes ☒ No
If the answer is yes, describe briefly.
22. Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*?
☐ Yes ☒ No
23. Additional Information
24. The applicant shall attach to each copy of this application a plan showing the dimensions of the subject lands and of all abutting lands and showing the location, size and type of all buildings and structures on the subject and abutting lands, and where required by the Committee of Adjustment such plan shall be signed by an Ontario Land Surveyor.