

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-21:155

APPLICANTS: Agent Shane Renovations
Owner Amanda Mesquita

SUBJECT PROPERTY: Municipal address **519 Rosseau Rd., Hamilton**

ZONING BY-LAW: Zoning By-law 6593, as Amended 87-09

ZONING: "C" (Urban Protected Residential, etc.) district

PROPOSAL: To permit the construction of a second-storey addition to the existing single family dwelling on a residential parcel of land, notwithstanding:

1. A minimum front yard depth of 3.92 metres shall be permitted, instead of the required minimum front yard depth of 6.0 metres.
2. A minimum southerly side yard of 0.91 metres and a minimum northerly side yard of 1.09 metres shall be permitted, instead of the required minimum side yard width of 1.2 metres.
3. One (1) parking space shall be provided instead of the minimum required four (4) parking spaces.
4. Eaves and gutters shall be permitted to project a maximum of 2.86 metres into the required front yard, instead of the maximum 1.5 metre projection permitted.
5. Eaves and gutters shall be permitted to project a maximum of 1.05 metres into the southerly required side yard and a maximum of 0.88 metres into the northerly required side yard, instead of the maximum 0.6 metre projection permitted.
6. A roofed-over unenclosed porch (i.e. covered front porch in front yard), including eaves and gutters, shall be permitted to project a maximum of 5.06 into the required front yard, and provide a minimum setback of 0.94 metres from the front lot line, instead of the maximum 3.0 metre projection permitted and minimum 1.5 metre setback required from the front lot line, and shall be permitted to project a maximum of 0.44 metres into the required northerly side yard, instead of the requirement that a roofed-over unenclosed porch is not permitted to project into a required side yard.
7. A roofed-over unenclosed porch (i.e. covered deck in rear yard), including eaves and gutter, shall be permitted to project a maximum of 0.44 metres into the required northerly side yard, instead of the requirement that a roofed-over unenclosed porch is not permitted to project into a required side yard.

8. A roofed-over unenclosed porch (i.e. covered patio in rear yard), including eaves and gutter, shall be permitted to project a maximum of 0.69 metres into the required southerly side yard, instead of the requirement that a roofed-over unenclosed porch is not permitted to project into a required side yard.

9. The front yard landscaped area shall be a minimum of 43.64% the gross area of the front yard instead of the minimum 50.0% required front yard landscaped area.

NOTE:

1. Construction of the proposed addition is subject to the issuance of a building permit in the normal manner. Be advised that Ontario Building Code regulations may require specific setbacks and construction types.

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

DATE:	Thursday, June 3rd, 2021
TIME:	1:50 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:

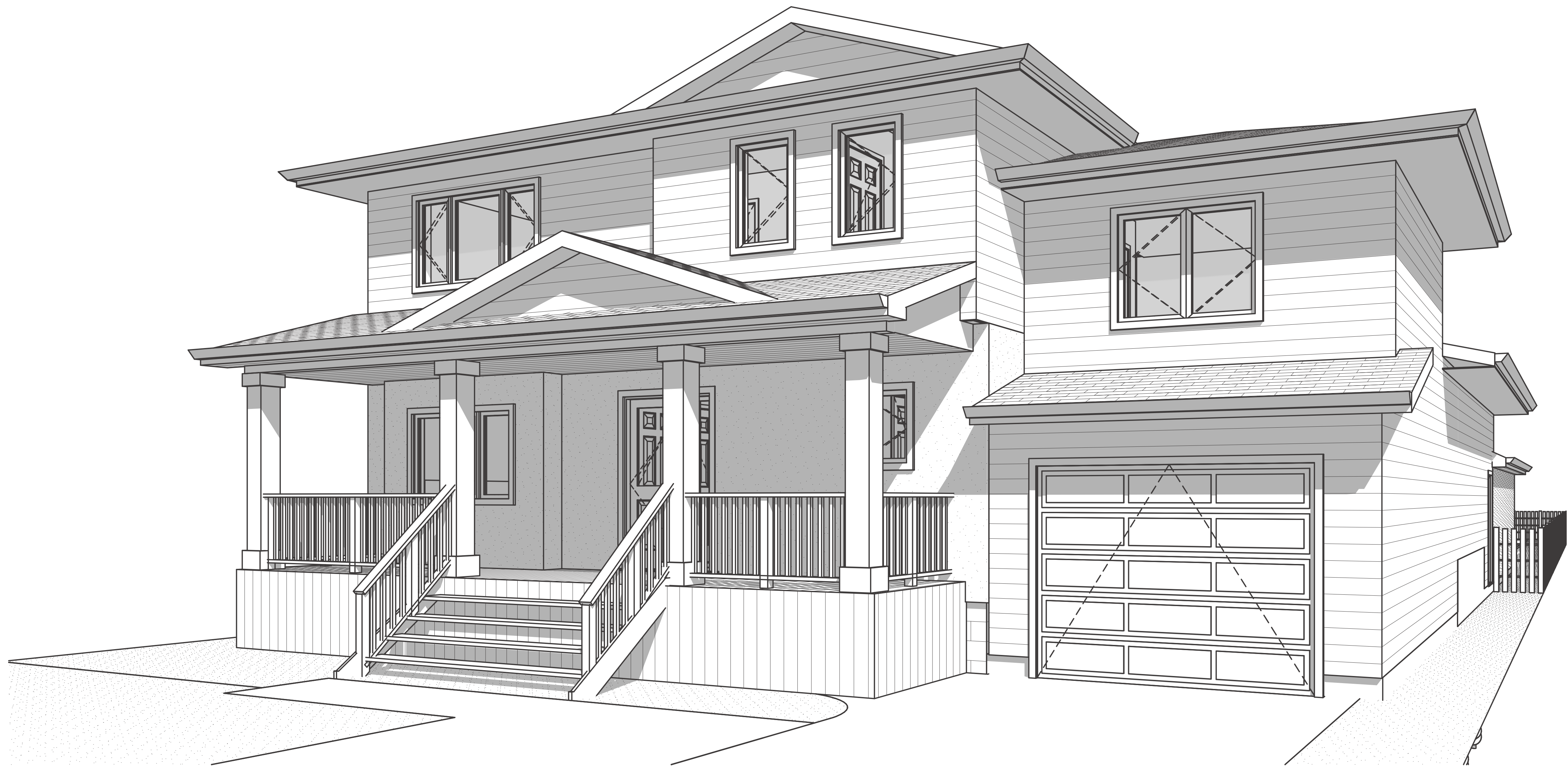
- Visit www.hamilton.ca/committeeofadjustment
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at cofa@hamilton.ca

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.

RENOVATION TO:
CAHILL
519 ROSSEAU RD HAMILTON ON L8K 4T6



3D PERSPECTIVE
SCALE: 1/4" = 1'-0"

ISSUED FOR
VARIANCE

CONTRACTOR



790 SHAVER RD. ANCASTER
L9G 3K9 ON

NO.	REVISION	DATE
1	ISSUED FOR DESIGN 1 REVIEW	2020.11.24
2	ISSUED FOR DESIGN 2 REVIEW	2021.01.22
3	ISSUED FOR MINOR VARIANCE	2021.04.07

DRAWING:
TITLE SHEET / GENERAL
INFO

PROJECT NAME:
CAHILL
PROJECT ADDRESS:
519 ROSSEAU RD HAMILTON ON L8K 4T6

DATE: 4/7/2021

SCALE:
AS NOTED

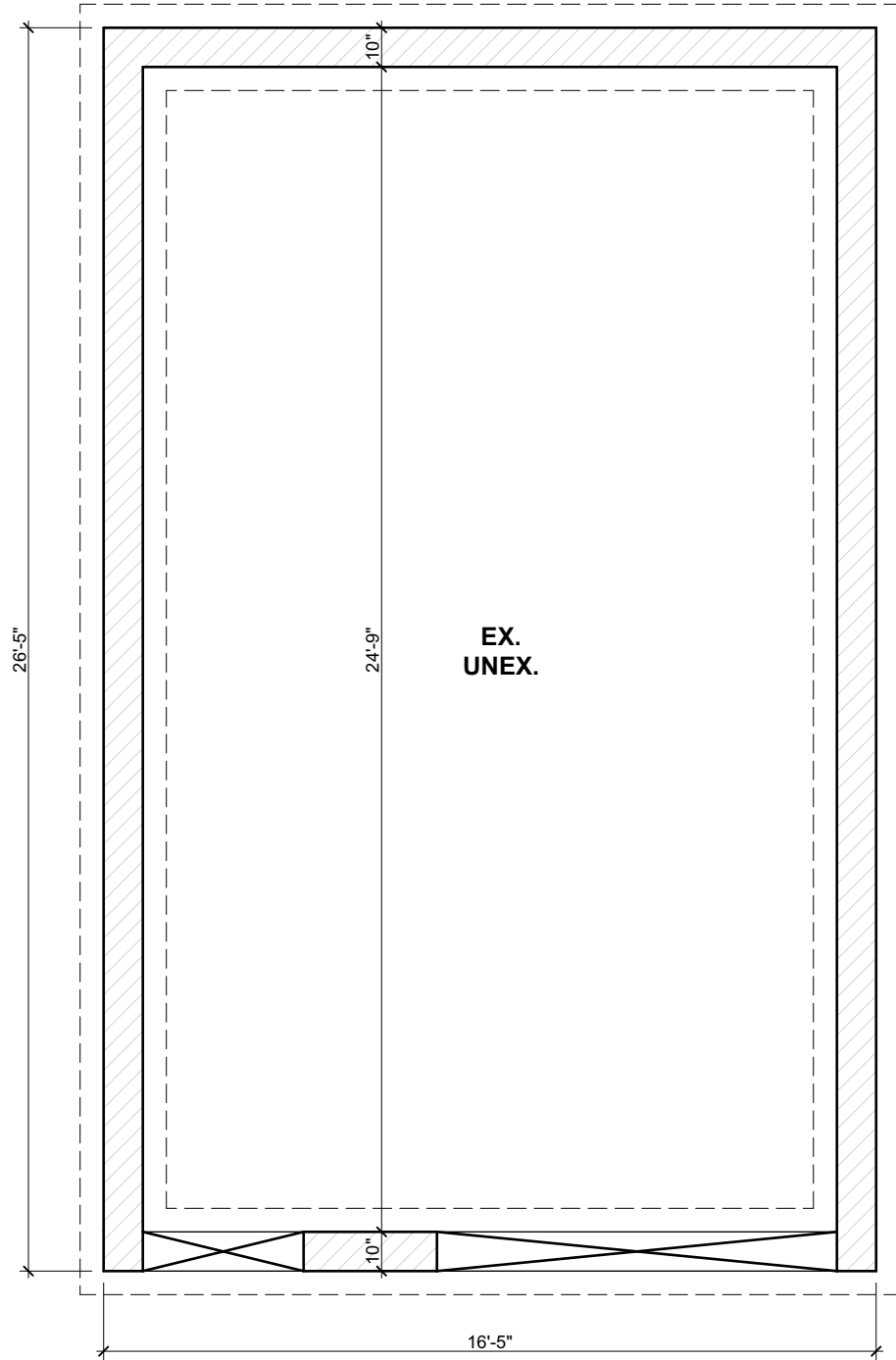
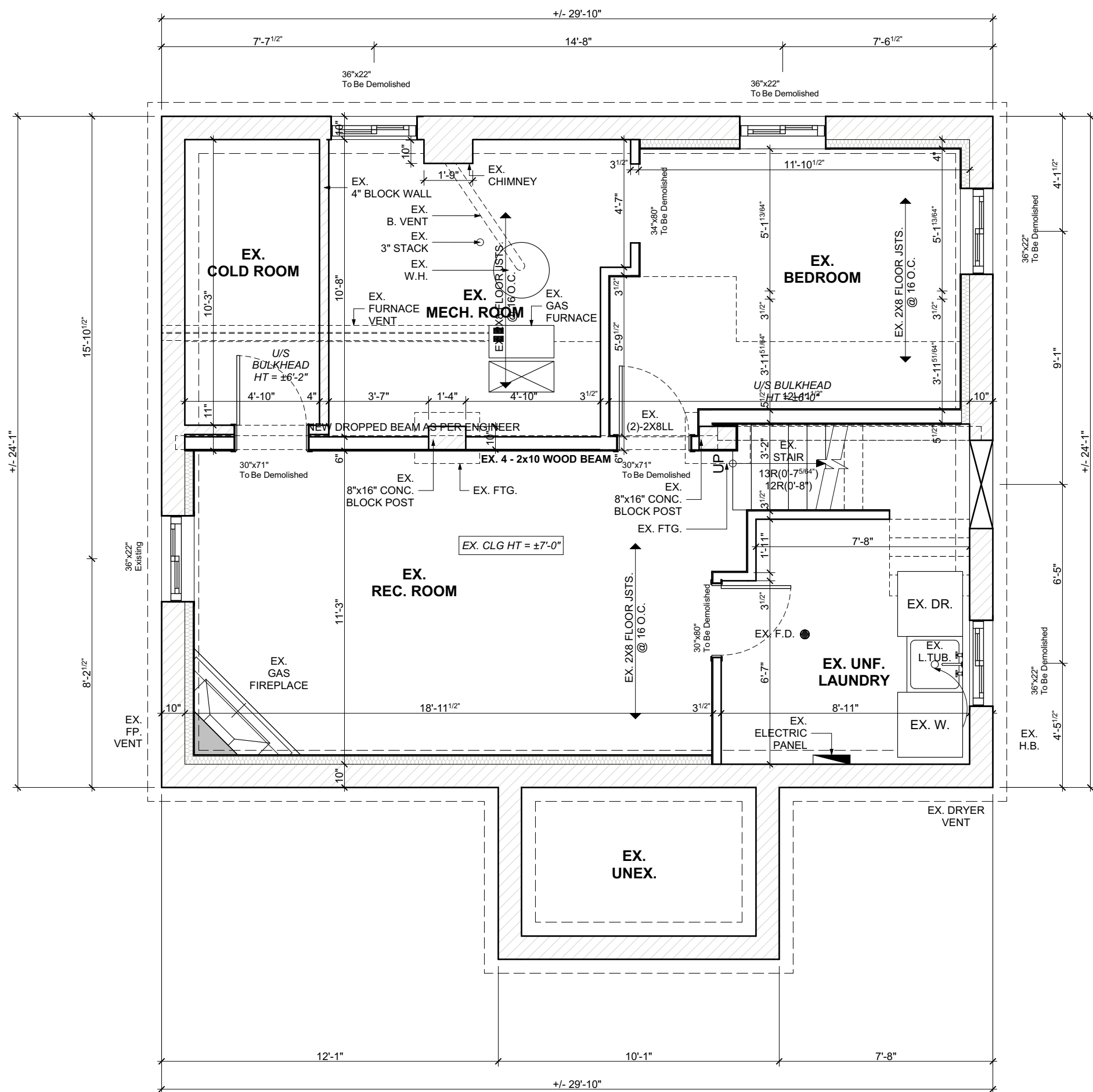
PROJECT NO:

DRAWING NO:

A0.01

EXISTING BASEMENT PLAN

SCALE: 1/4" = 1'-0"



ISSUED FOR
VARIANCE

CONTRACTOR



790 SHAVER RD. ANCASTER
L9G 3K9 ON

NO.	REVISION	DATE
1	ISSUED FOR DESIGN 1 REVIEW	2020.11.24
2	ISSUED FOR DESIGN 2 REVIEW	2021.01.22
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DRAWING:

EXISTING BASEMENT PLAN

PROJECT NAME:

CAHILL

PROJECT ADDRESS:

519 ROSSEAU RD HAMILTON ON L8K 4T6

DATE: 4/7/2021

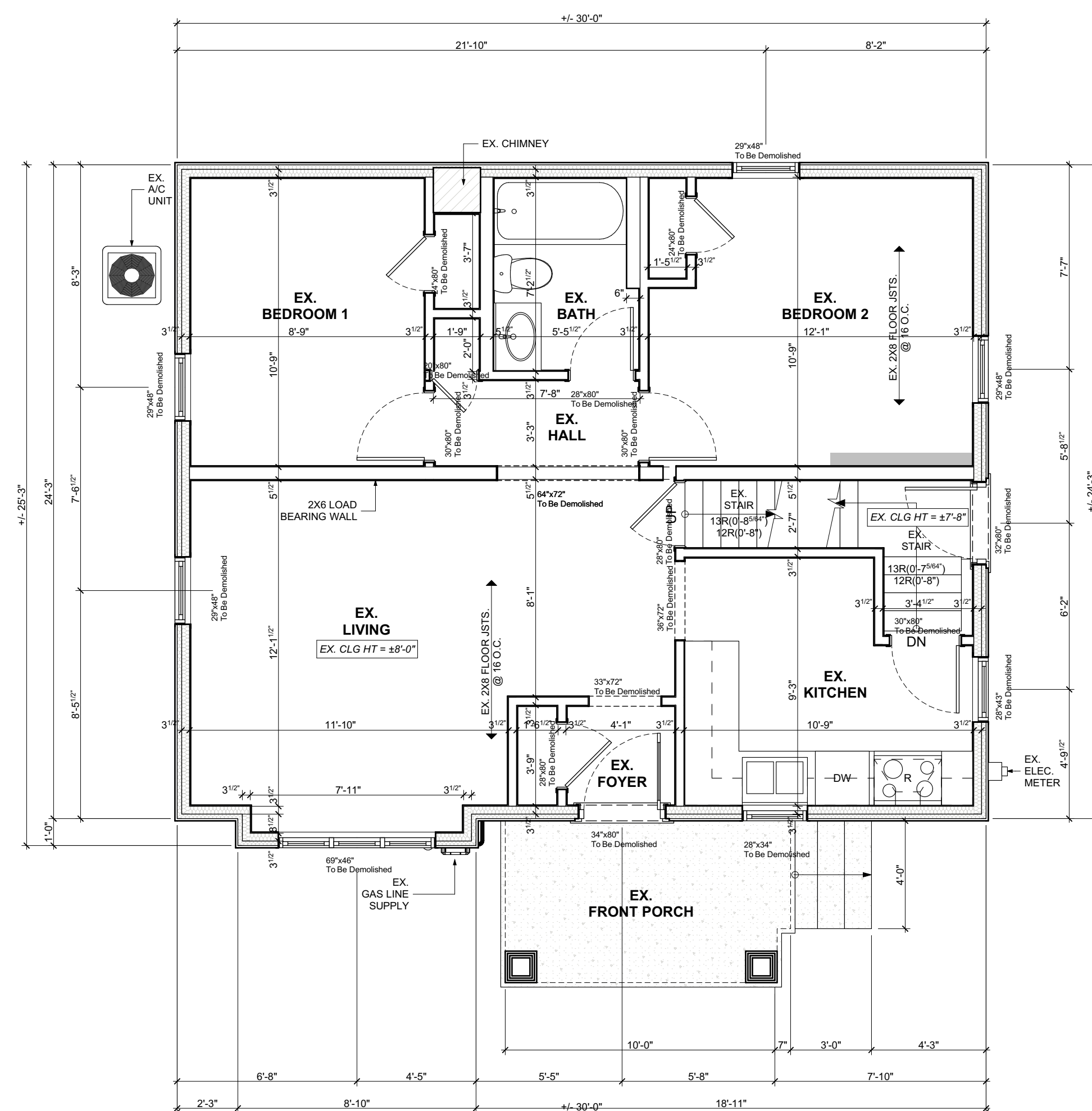
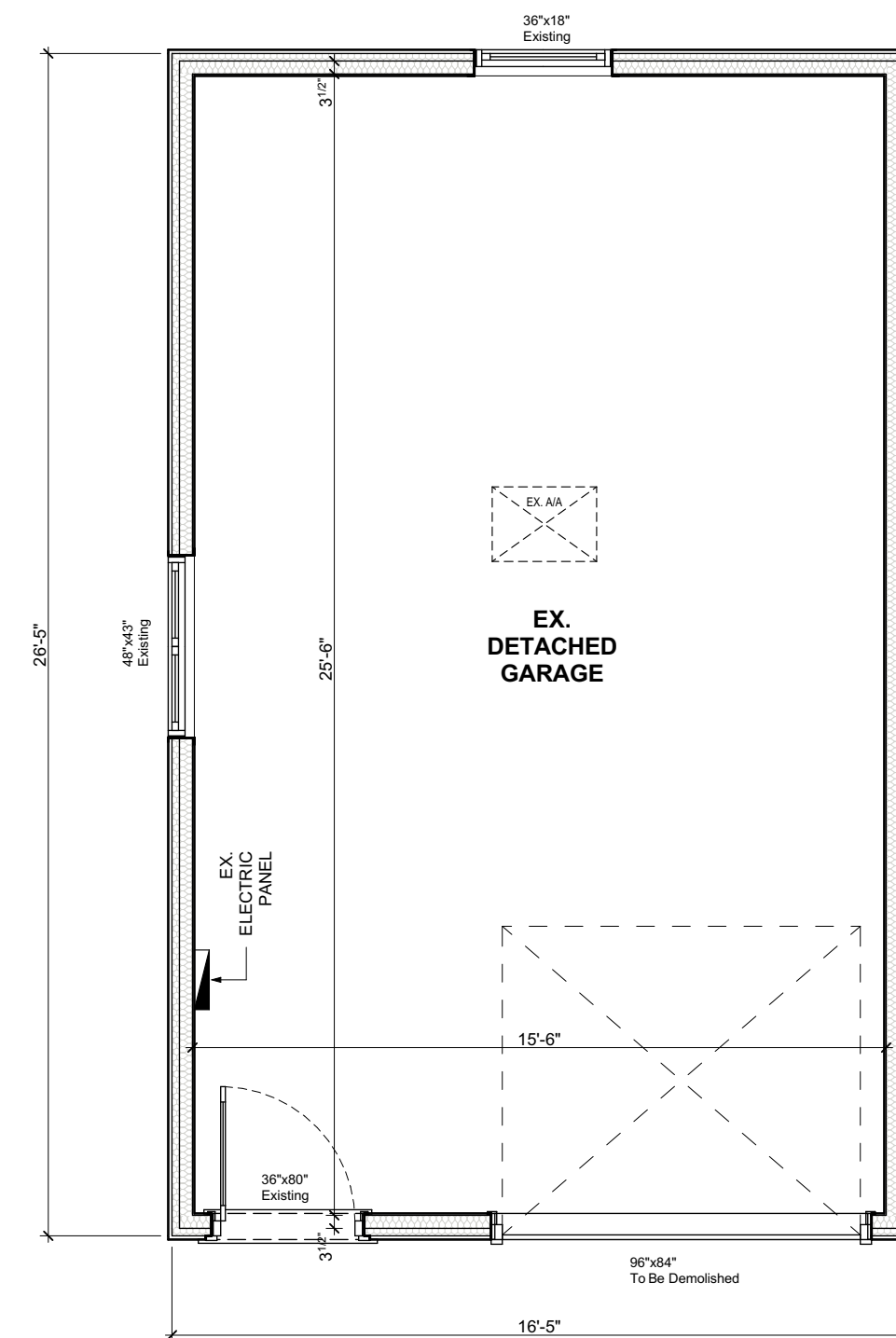
SCALE:

AS NOTED

PROJECT NO:

DRAWING NO:

A1.01



1

EXISTING MAIN FLOOR PLAN

SCALE: 1/4" = 1'-0"

**ISSUED FOR
VARIANCE**

CONTRACTOR



790 SHAVER RD. ANCASTER
L9G 3K9 ON

NO.	REVISION	DATE
1	ISSUED FOR DESIGN 1 REVIEW	2020.11.2
2	ISSUED FOR DESIGN 2 REVIEW	2021.01.2
3	ISSUED FOR MINOR VARIANCE	2021.04.0

DRAWING:
**EXISTING MAIN FLOOR
PLAN**

PROJECT NAME:

CAHILL

PROJECT ADDRESS:
519 ROSSEAU RD HAMILTON ON L8K 4T6

DATE: 4/7/2021

SCALE:

AS NOTE

PROJECT

DRAWING NO:

A 1 cc

A1.02

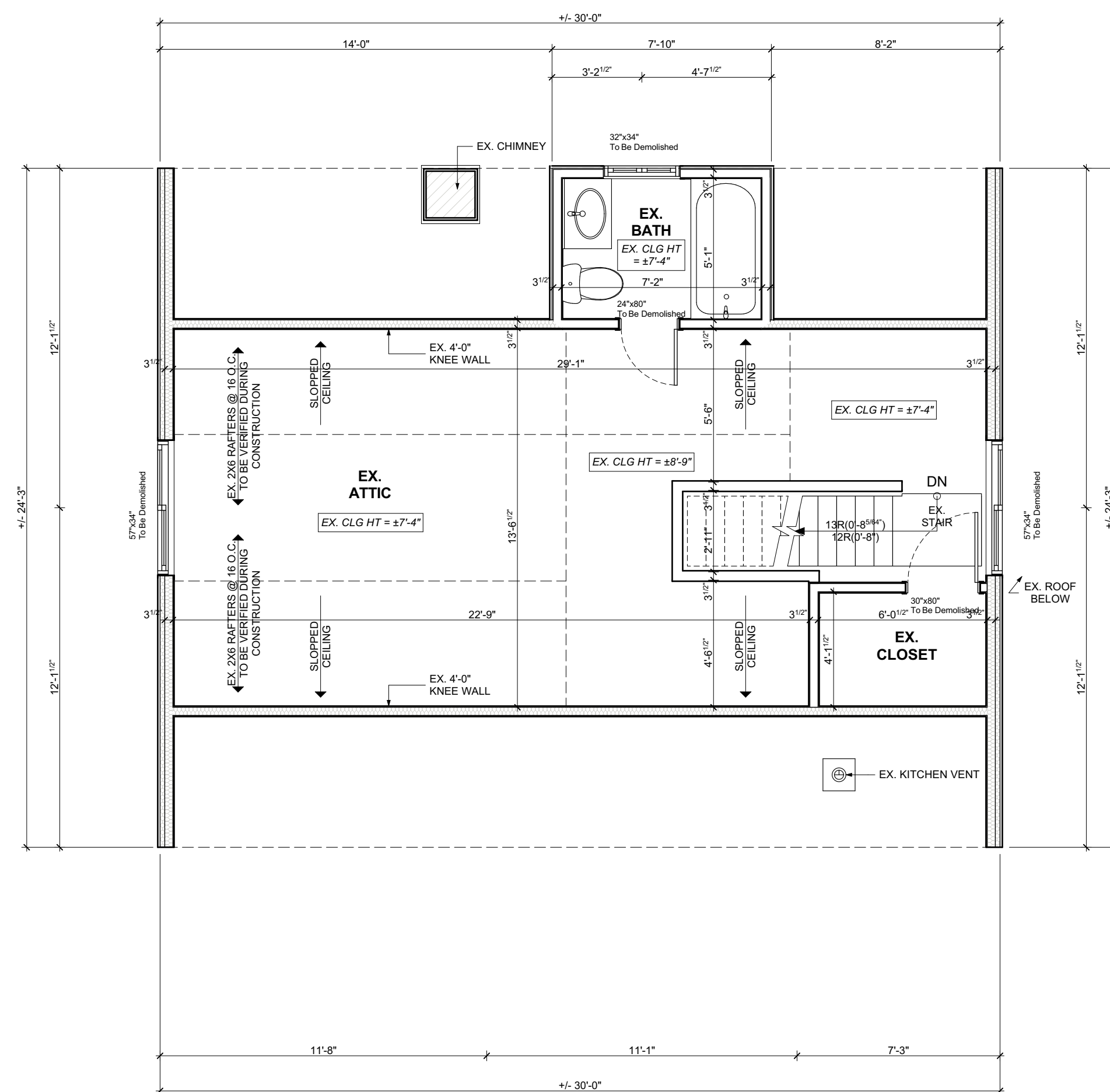
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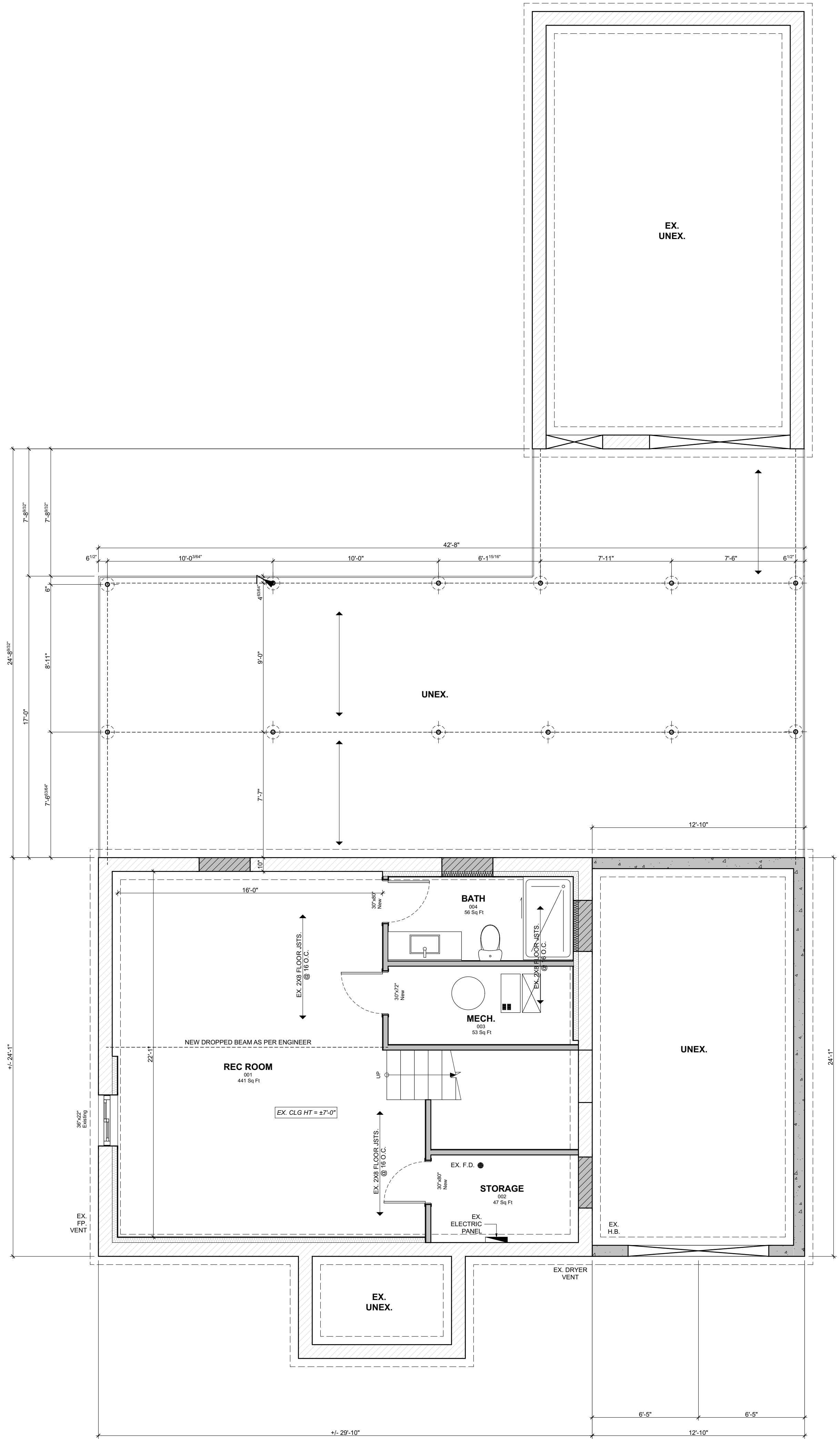
NO.	REVISION	DATE
1	ISSUED FOR DESIGN 1 REVIEW	2020.11.24
2	ISSUED FOR DESIGN 2 REVIEW	2021.01.22
3	ISSUED FOR MINOR VARIANCE	2021.04.07

DRAWING:
**EXISTING SECOND FLOOR
PLAN**

PROJECT NAME:
CAHILL
PROJECT ADDRESS:
519 ROSSEAU RD HAMILTON ON L8K 4T6

DATE: 4/7/2021	
SCALE: AS NOTED	DRAWING NO: A1.03
PROJECT NO: ---	





1 PROPOSED BASEMENT PLAN
SCALE: 1/4" = 1'-0"

ISSUED FOR
VARIANCE

CONTRACTOR



790 SHAVER RD. ANCASTER
L9G 3K9 ON

NO.	REVISION	DATE
1	ISSUED FOR DESIGN 1 REVIEW	2020.11.24
2	ISSUED FOR DESIGN 2 REVIEW	2021.01.22
3	ISSUED FOR MINOR VARIANCE	2021.04.07

DRAWING:
PROPOSED BASEMENT
PLAN

PROJECT NAME:

CAHILL

PROJECT ADDRESS:

519 ROSSEAU RD HAMILTON ON L8K 4T6

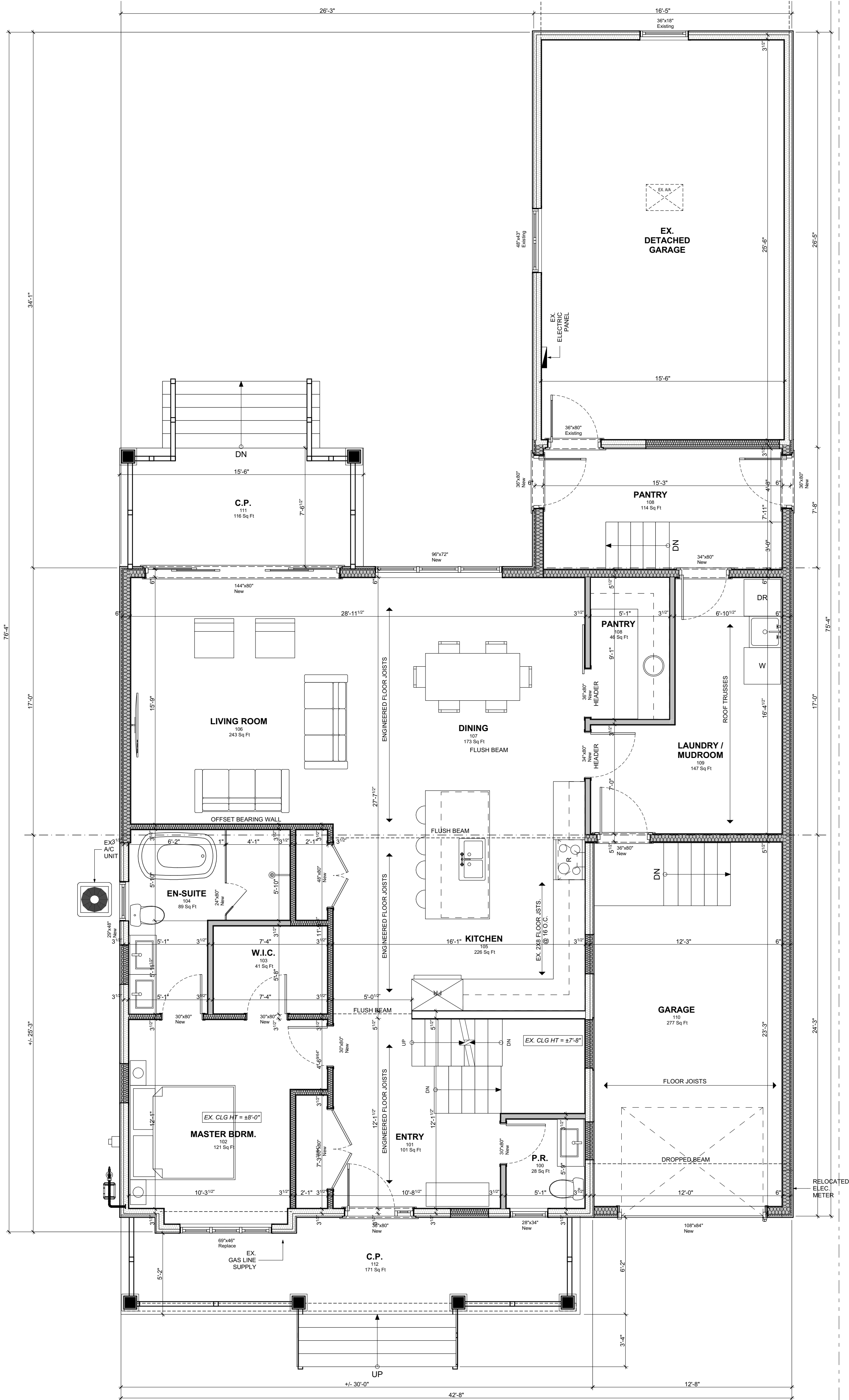
DATE: 4/7/2021

SCALE:
AS NOTED

PROJECT NO:

DRAWING NO:

A1.04



1 PROPOSED MAIN FLOOR PLAN
SCALE: 1/4" = 1'-0"

ISSUED FOR
VARIANCE

CONTRACTOR



790 SHAVER RD. ANCASTER
L9G 3K9 ON

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1	ISSUED FOR DESIGN 1 REVIEW	2020.11.24
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3	ISSUED FOR MINOR VARIANCE	2021.04.07

DRAWING:
PROPOSED MAIN FLOOR
PLAN

PROJECT NAME:
CAHILL
PROJECT ADDRESS:
519 ROSSEAU RD HAMILTON ON L8K 4T6

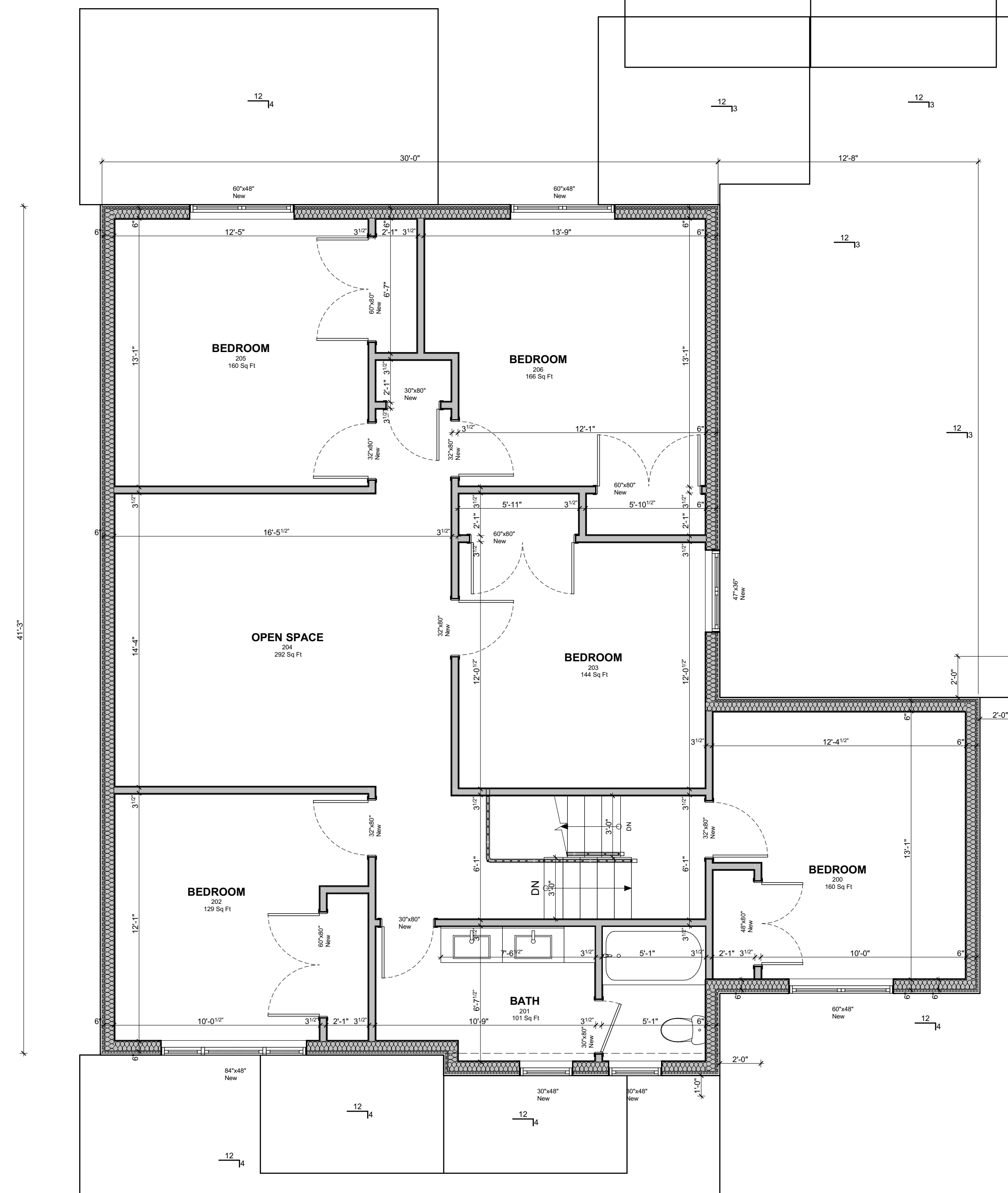
DATE: 4/7/2021

SCALE:
AS NOTED

PROJECT NO:

DRAWING NO:

A1.05



1

PROPOSED SECOND FLOOR PLAN

SCALE: 1/4" = 1'-0"

ISSUED FOR VARIANCE

CONTRACTOR



790 SHAVER RD. ANCASTER
L9G 3K9 ON

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1	ISSUED FOR DESIGN 1 REVIEW	2020.11.24
2	ISSUED FOR DESIGN 2 REVIEW	2021.01.22
3	ISSUED FOR MINOR VARIANCE	2021.04.07

DRAWING:

PROPOSED SECOND FLOOR PLAN

PROJECT NAME:

CAHILL

PROJECT ADDRESS:

519 ROSSEAU RD HAMILTON ON L8K 4T6

DATE: 4/7/2021

SCALE:

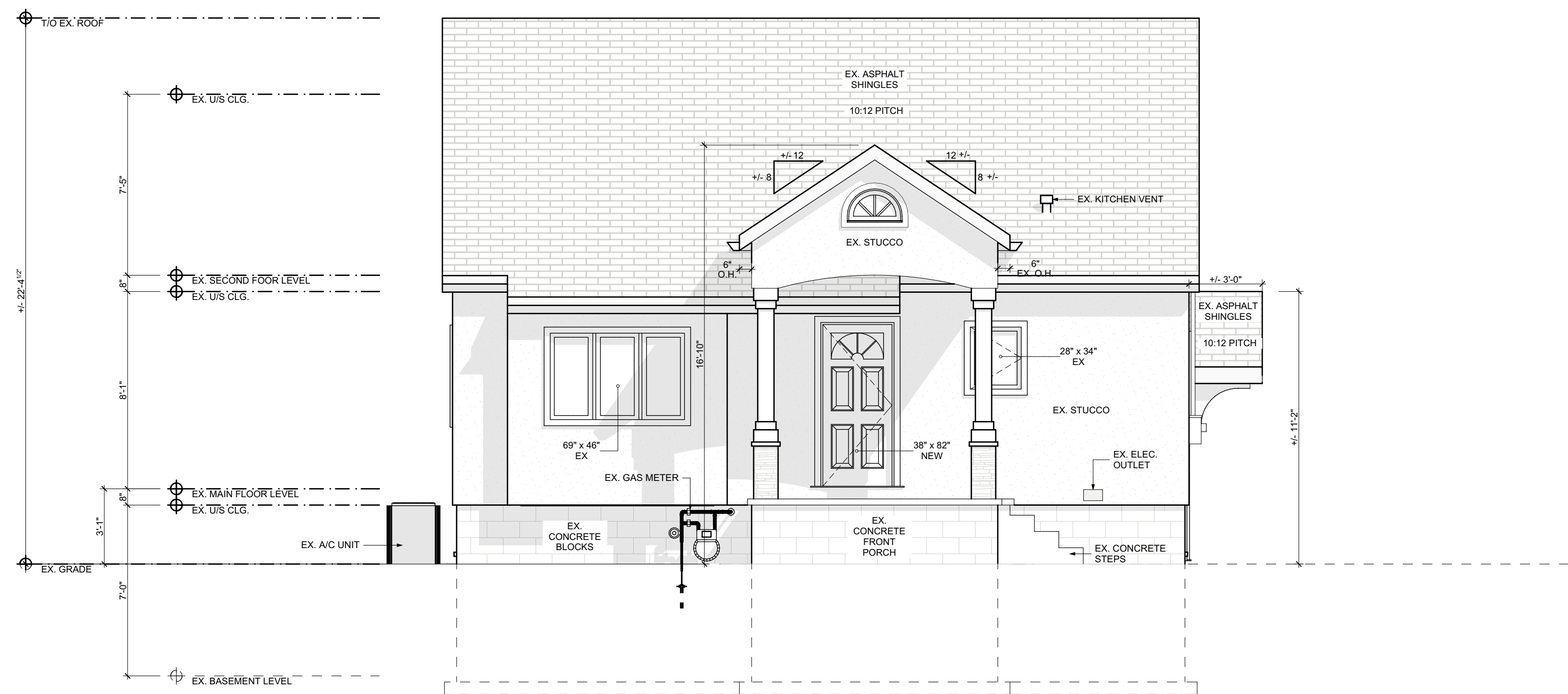
AS NOTED

PROJECT NO:

DRAWING NO:

A1.06

Printed: 4/7/2021 @ 11:28 AM



ISSUED FOR
VARIANCE

CONTRACTOR



790 SHAVER RD. ANCASTER
L9G 3K9 ON

NO.	REVISION	DATE
1	ISSUED FOR DESIGN 1 REVIEW	2020.11.24
2	ISSUED FOR DESIGN 2 REVIEW	2021.01.22
3	ISSUED FOR MINOR VARIANCE	2021.04.07

DRAWING:

**EXISTING FRONT
ELEVATION**

PROJECT NAME:

CAHILL

PROJECT ADDRESS:

519 ROSSEAU RD HAMILTON ON L8K 4T6

DATE: 4/7/2021

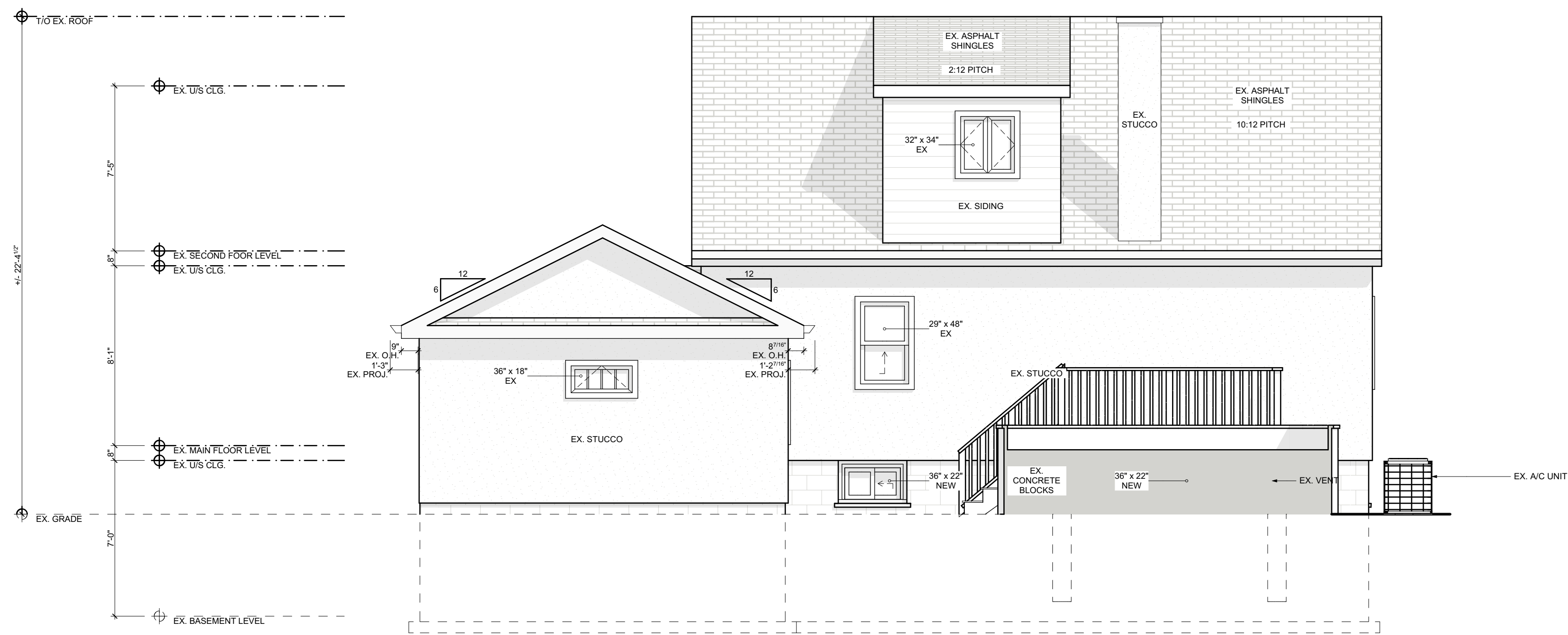
SCALE:

AS NOTED

PROJECT NO:

DRAWING NO:

A2.01



ISSUED FOR
VARIANCE

CONTRACTOR



790 SHAVER RD. ANCASTER
L9G 3K9 ON

NO.	REVISION	DATE
1	ISSUED FOR DESIGN 1 REVIEW	2020.11.24
2	ISSUED FOR DESIGN 2 REVIEW	2021.01.22
3	ISSUED FOR MINOR VARIANCE	2021.04.07

DRAWING:

EXISTING REAR ELEVATION

PROJECT NAME:

CAHILL

PROJECT ADDRESS:

519 ROSSEAU RD HAMILTON ON L8K 4T6

DATE: 4/7/2021

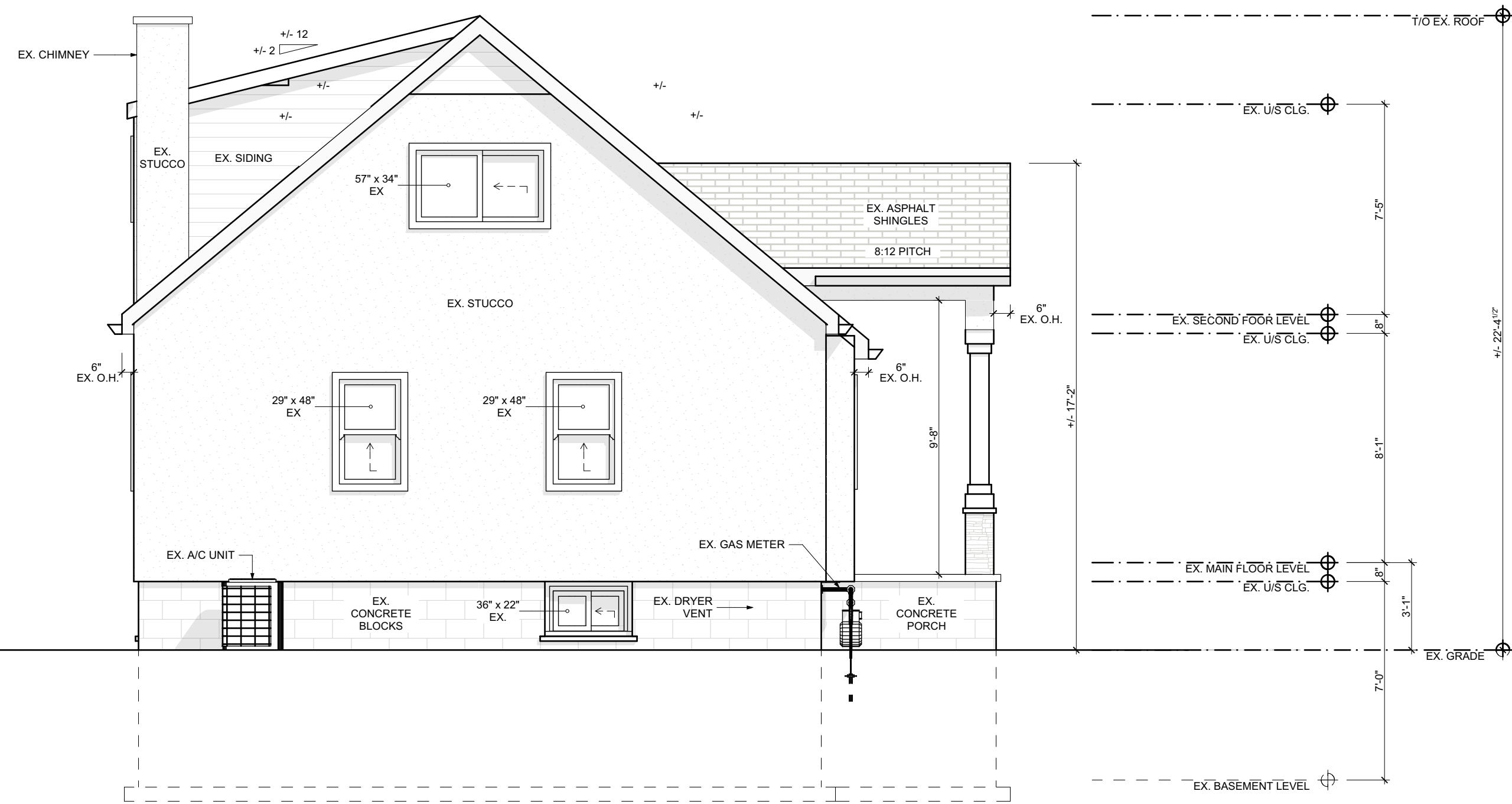
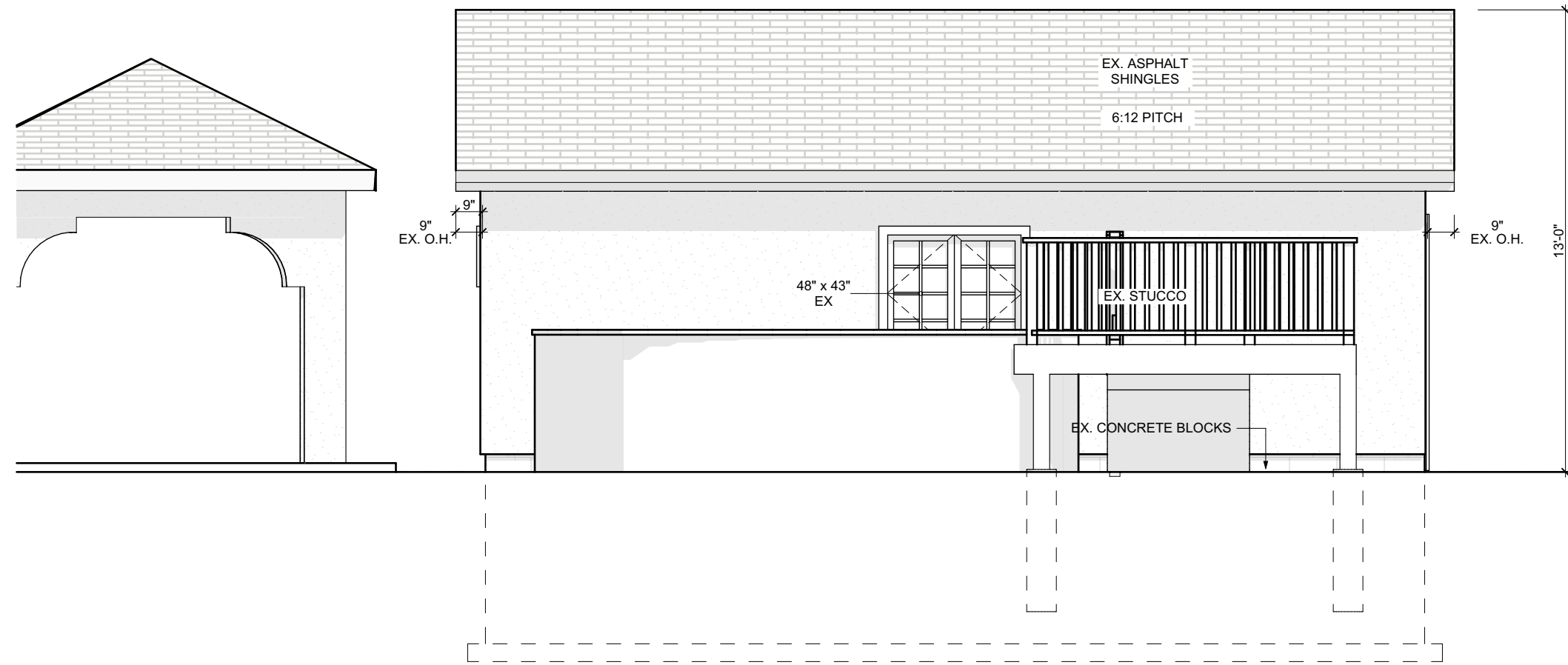
SCALE:

AS NOTED

PROJECT NO:

DRAWING NO:

A2.02



ISSUED FOR
VARIANCE

CONTRACTOR



790 SHAVER RD. ANCASTER
L9G 3K9 ON

NO.	REVISION	DATE
1	ISSUED FOR DESIGN 1 REVIEW	2020.11.24
2	ISSUED FOR DESIGN 2 REVIEW	2021.01.22
3	ISSUED FOR MINOR VARIANCE	2021.04.07

DRAWING:

EXISTING LEFT ELEVATION

PROJECT NAME:

CAHILL

PROJECT ADDRESS:

519 ROSSEAU RD HAMILTON ON L8K 4T6

DATE: 4/7/2021

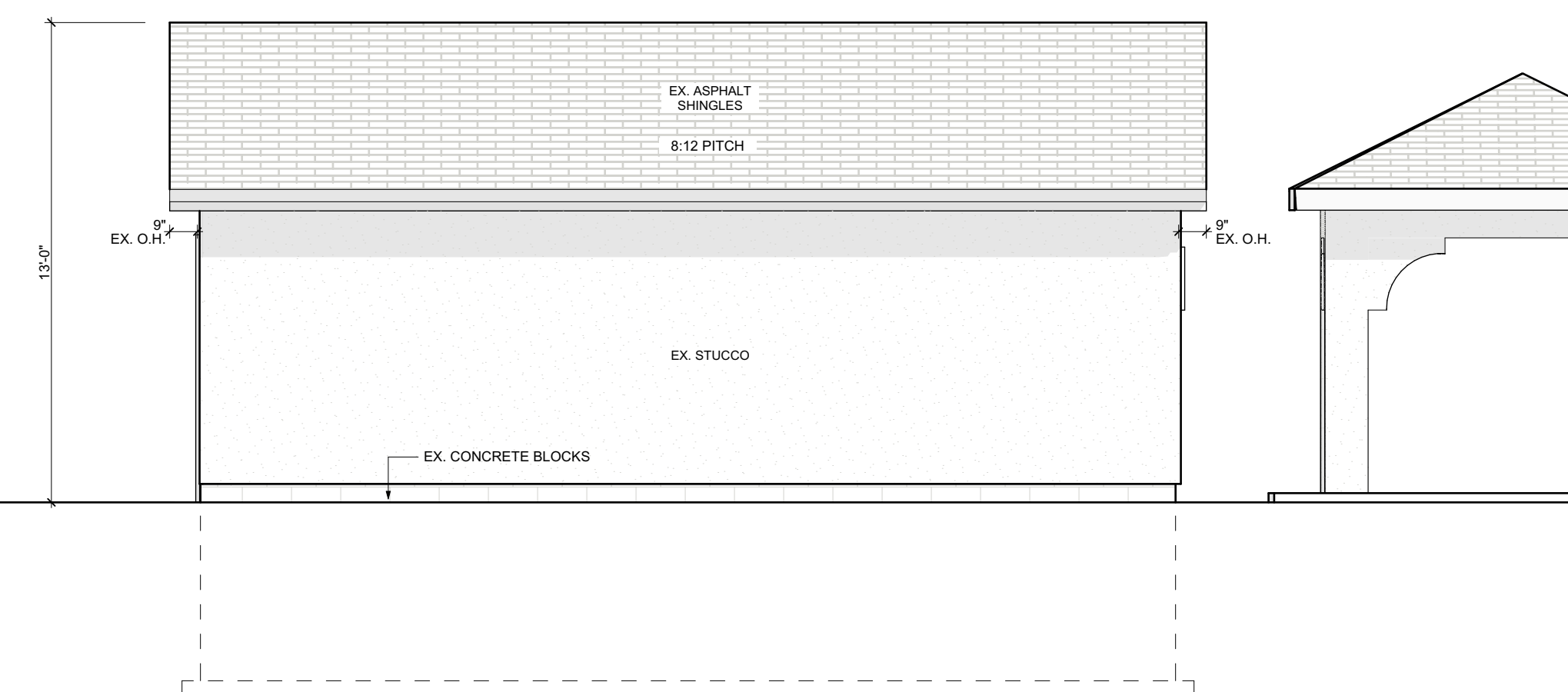
SCALE:

AS NOTED

PROJECT NO:

DRAWING NO:

A2.03





ISSUED FOR
VARIANCE

CONTRACTOR



790 SHAVER RD. ANCASTER
L9G 3K9 ON

NO.	REVISION	DATE
1	ISSUED FOR DESIGN 1 REVIEW	2020.11.24
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3	ISSUED FOR MINOR VARIANCE	2021.04.07

DRAWING:
**PROPOSED FRONT
ELEVATION**

PROJECT NAME:

CAHILL

PROJECT ADDRESS:

519 ROSSEAU RD HAMILTON ON L8K 4T6

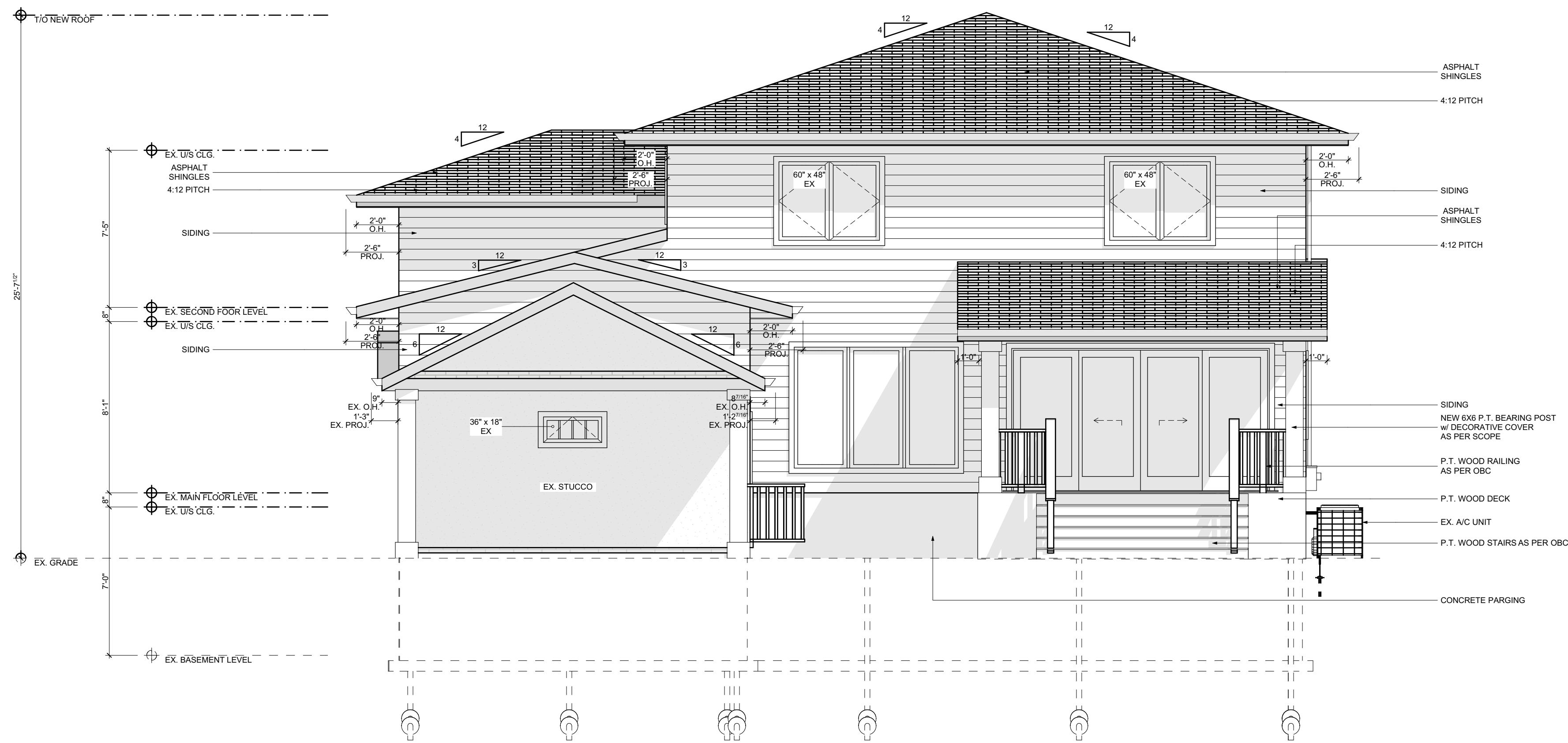
DATE: 4/7/2021

SCALE:
AS NOTED

PROJECT NO:

DRAWING NO:

A2.05

ISSUED FOR
VARIANCE

CONTRACTOR

790 SHAVER RD. ANCASTER
L9G 3K9 ON

NO.	REVISION	DATE
1	ISSUED FOR DESIGN 1 REVIEW	2020.11.24
2	ISSUED FOR DESIGN 2 REVIEW	2021.01.22
3	ISSUED FOR MINOR VARIANCE	2021.04.07

DRAWING:

PROPOSED REAR
ELEVATION

PROJECT NAME:

CAHILL

PROJECT ADDRESS:

519 ROSSEAU RD HAMILTON ON L8K 4T6

DATE: 4/7/2021

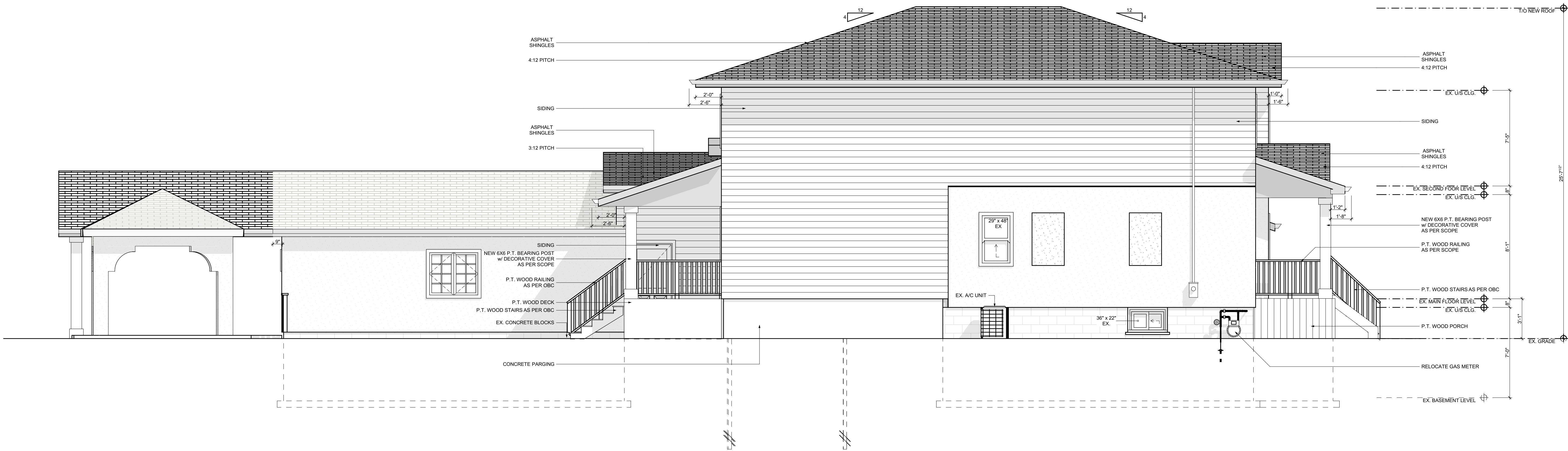
SCALE:

AS NOTED

PROJECT NO:

DRAWING NO:

A2.06



1 **PROPOSED LEFT ELEVATION**
SCALE: 1/4" = 1'-0"

ISSUED FOR
VARIANCE

CONTRACTOR
Shane
Renovations
790 SHAVER RD. ANCASTER
L9G 3K9 ON

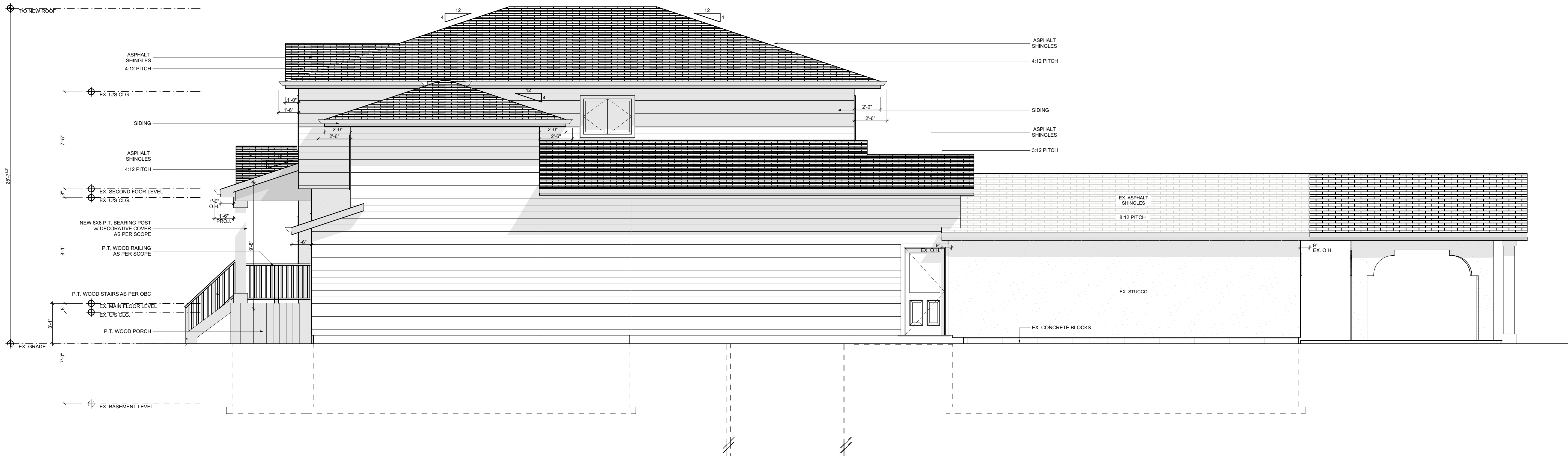
NO.	REVISION	DATE
1	ISSUED FOR DESIGN 1 REVIEW	2020.11.24
2	ISSUED FOR DESIGN 2 REVIEW	2021.01.22
3	ISSUED FOR MINOR VARIANCE	2021.04.07

DRAWING:
**PROPOSED LEFT
ELEVATION**

PROJECT NAME:
CAHILL
PROJECT ADDRESS:
519 ROSSEAU RD HAMILTON ON L8K 4T6

DATE: 4/7/2021	DRAWING NO:
SCALE: AS NOTED	A2.07
PROJECT NO: ---	

Printed: 4/7/2021 @ 11:27 AM



1 PROPOSED RIGHT ELEVATION
SCALE: 1/4" = 1'-0"

ISSUED FOR
VARIANCE

CONTRACTOR



790 SHAVER RD. ANCASTER
L9G 3K9 ON

NO.	REVISION	DATE
1	ISSUED FOR DESIGN 1 REVIEW	2020.11.24
2	ISSUED FOR DESIGN 2 REVIEW	2021.01.22
3	ISSUED FOR MINOR VARIANCE	2021.04.07

DRAWING:
**PROPOSED RIGHT
ELEVATION**

PROJECT NAME:

CAHILL

PROJECT ADDRESS:

519 ROSSEAU RD HAMILTON ON L8K 4T6

DATE: 4/7/2021

SCALE:

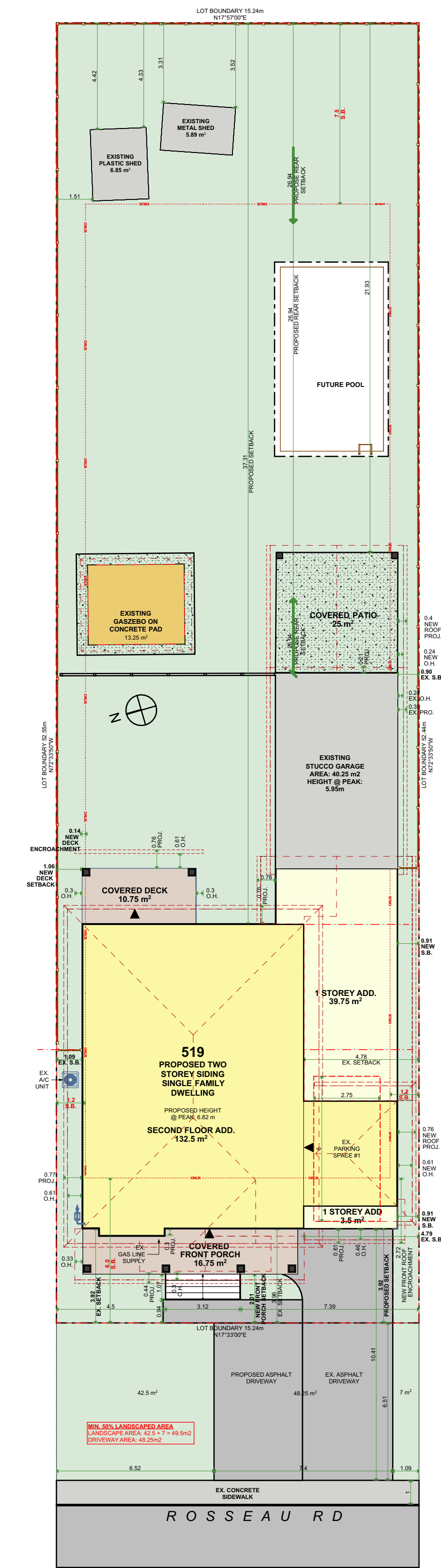
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PROJECT NO:

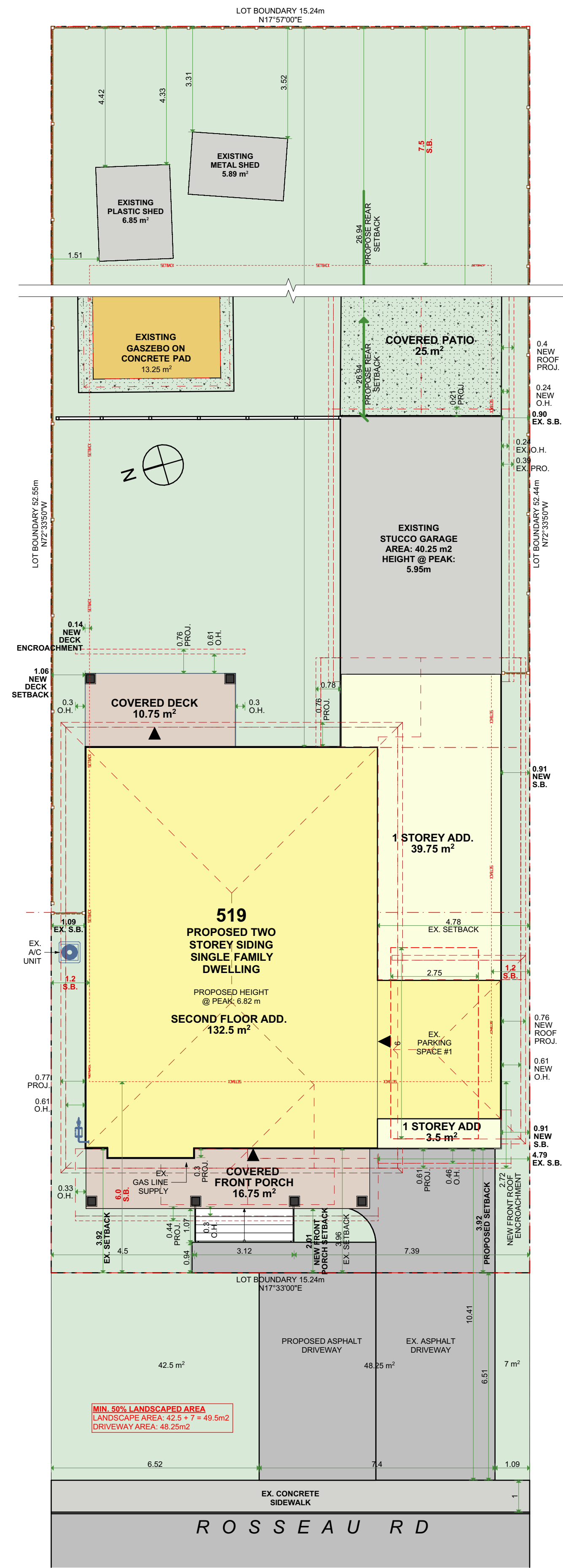
DRAWING NO:

A2.08

Printed: 4/7/2021 @ 11:27 AM



1 SITE PLAN
SCALE: 1:150



2 ENLARGED SITE PLAN
SCALE: 1:100

SITE STATS

PROPERTY INFORMATION
ADDRESS: 519 ROSSEAU RD
MUNICIPALITY: HAMILTON
ZONE CODE: C
ZONING DESCRIPTION: URBAN PROTECTED RESIDENTIAL, ETC.
PARENT BYLAW NUMBER: 6593 FORMER HAMILTON
BYLAW NUMBER: 57-59
EXCEPTION 1 BYLAW: 90-67

ZONING INFORMATION

MIN. LOT AREA (m ²):	360	LOT AREA (m ²):	800.86
MIN. LOT WIDTH (m):	12	LOT WIDTH (m):	15.24
MIN. LOT DEPTH (m):	30	LOT DEPTH (m):	52.59

LOT COVERAGE (%):	Allowed:	Existing:	Proposed:
	N/A	13.48 %	3.26.00
FLOOR AREA RATIO ¹ :	N/A	0.1667:1	0.4109:1
GROSS FLOOR AREA (m ²):	N/A	133.50	329.06
GROUND FLOOR AREA (m ²):	N/A	107.95	208.20
BUILDING HT. (m):	11	6.82	7.82
BUILDING HT. (STOREYS):	2.5	1.5	2
PARKING SPACES ² :	3	3	1

SETBACKS (m)	Allowed:	Existing:	Proposed:
FRONT:	6	3.92	3.92
REAR:	1.2	4.78	0.90
RIGHT SIDE:	1.2	1.09	1.09
LEFT SIDE:	1.2	1.09	1.09

ENCROACHMENTS (m)	Allowed:	Existing:	Proposed:
ROFF PROJECTION:	0.8	2.56	2.72
COVERED PORCH:	1.5	4.09	4.37
UNCOVERED PORCH:	1.5	N/A	N/A
DECK:	1.5	N/A	6.14

ACCESSORY BUILDINGS:
NUMBER OF ACCESSORY BUILDINGS: 2
ACCESSORY BUILDINGS SIZE (m²): 6.85, 5.89
ACCESSORY BUILDINGS HEIGHT (m): BOTH ARE AT 2.4
IS A.B. LESS THAN 30% OF THE SETBACK AREA: YES

OTHER RESTRICTIONS:	Not Req'd:	Req'd:	Approved:
MINOR VARIANCE	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
CONSERVATION AUTHORITY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
NIAGARA ESCARPMENT CONTROL	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MTO	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

REFERENCES
¹ Proposed lot coverage calculations = Proposed Footprint area / Lot Area
² Floor Area Ratio Calculation: Total GFA / Lot Area
³ Parking space sizing as follows:
Hamilton: 2.7m x 5.0m
Burlington: 2.7m x 5.0m
⁴ Area of all floors excluding the following:
1. 100sf for laundry if possible
2. 70sf for mechanical if possible
3. Attic spaces
4. Any area that is uninhabitable

ISSUED FOR
VARIANCE

CONTRACTOR



790 SHAVER RD. ANCASTER
L9G 3K9 ON

NO.	REVISION	DATE
1	ISSUED FOR DESIGN 1 REVIEW	2020.11.24
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3	ISSUED FOR MINOR VARIANCE	2021.04.07

DRAWING:

SITE PLAN

PROJECT NAME:

CAHILL

PROJECT ADDRESS:

519 ROSSEAU RD HAMILTON ON L8K 4T6

DATE: 4/7/2021

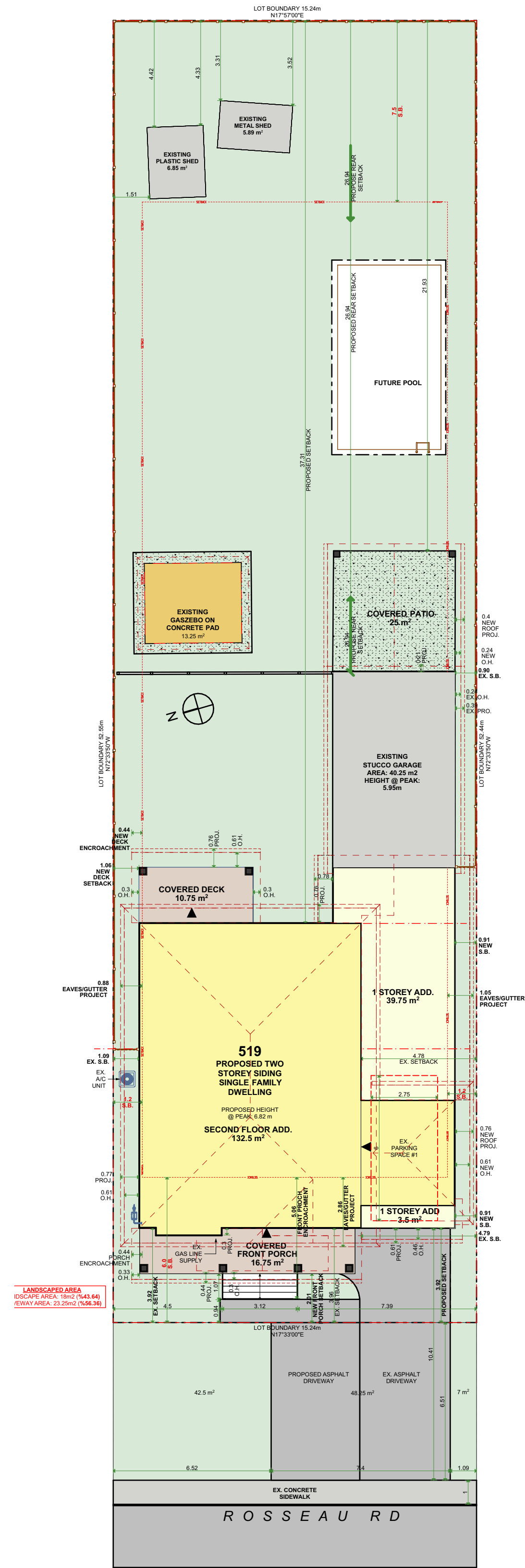
SCALE:

AS NOTED

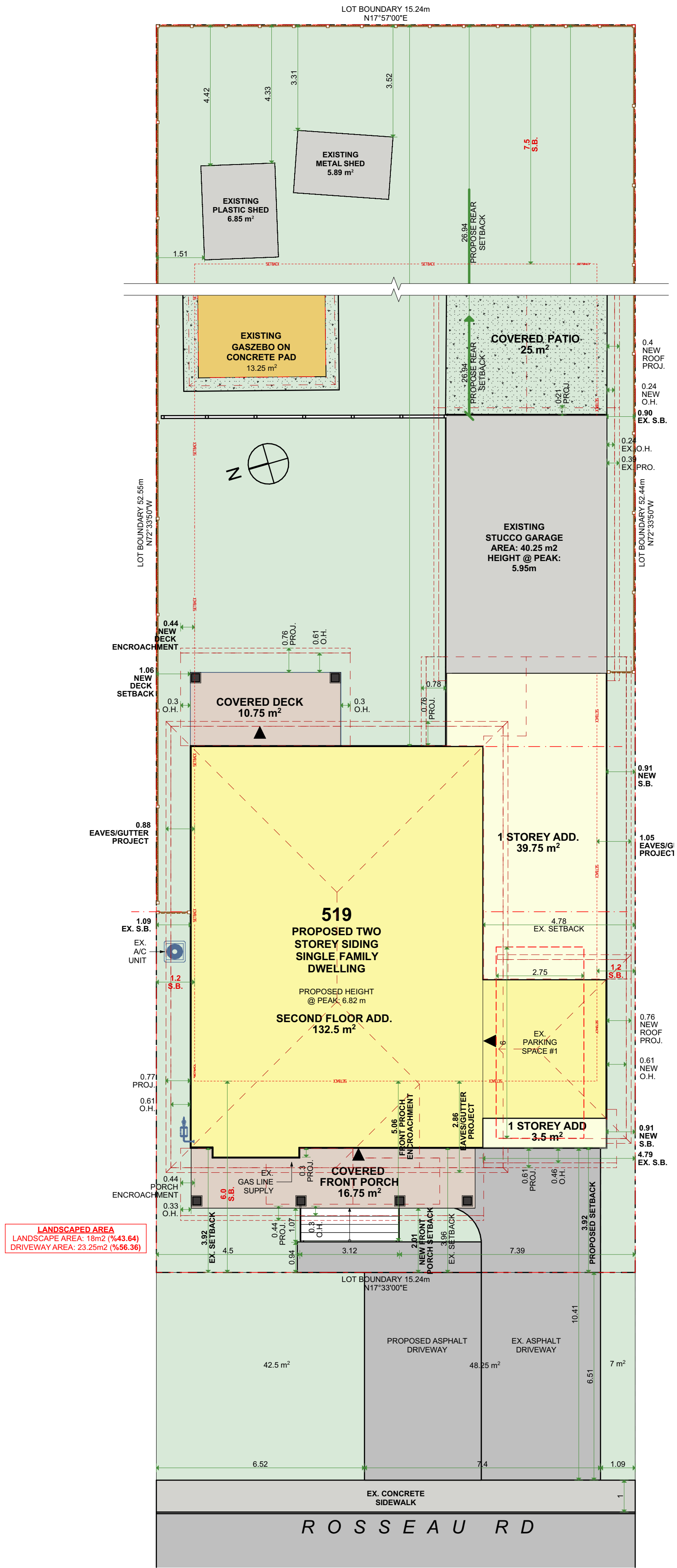
PROJECT NO:

DRAWING NO:

SP0.01



1 SITE PLAN
SCALE: 1:150



2 ENLARGED SITE PLAN
SCALE: 1:100

SITE STATS

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ADDRESS: 519 ROSSEAU RD
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GROSS FLOOR AREA ² (m2):	N/A	0.1667:1	0.4109:1
GROUND FLOOR AREA ² (m2):	N/A	133.50	329.06
BUILDING HT. (m):	N/A	107.95	208.20
BUILDING HT. (STOREYS):	2.5	1.5	2
PARKING SPACES ³ :	3	3	1

SETBACKS (m)

FRONT:	6	3.92	3.92
REAR:	7.5	42.49	26.94
RIGHT SIDE:	1.2	4.78	0.90
LEFT SIDE:	1.2	1.09	1.09

ENCROACHMENTS (m)

ROFF PROJECTION:	0.8	2.56	2.72
COVERED PORCH:	1.5	4.09	4.37
UNCOVERED PORCH:	1.5	N/A	N/A
DECK:	1.5	N/A	6.14

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MINOR VARIANCE	Not Req'd:	Req'd:	Approved:
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NIAGARA ESCARPMENT CONTROL	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MTO	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

- REFERENCES
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3	ISSUED FOR VARIANCE	2021.04.07
4	RE-ISSUED FOR VARIANCE	2021.05.06

DRAWING:

SITE PLAN

PROJECT NAME:

CAHILL

PROJECT ADDRESS:

519 ROSSEAU RD HAMILTON ON L8K 4T6

DATE: 2021-05-06

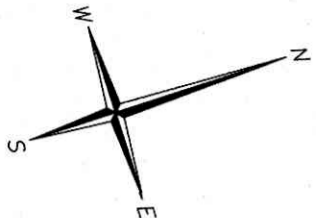
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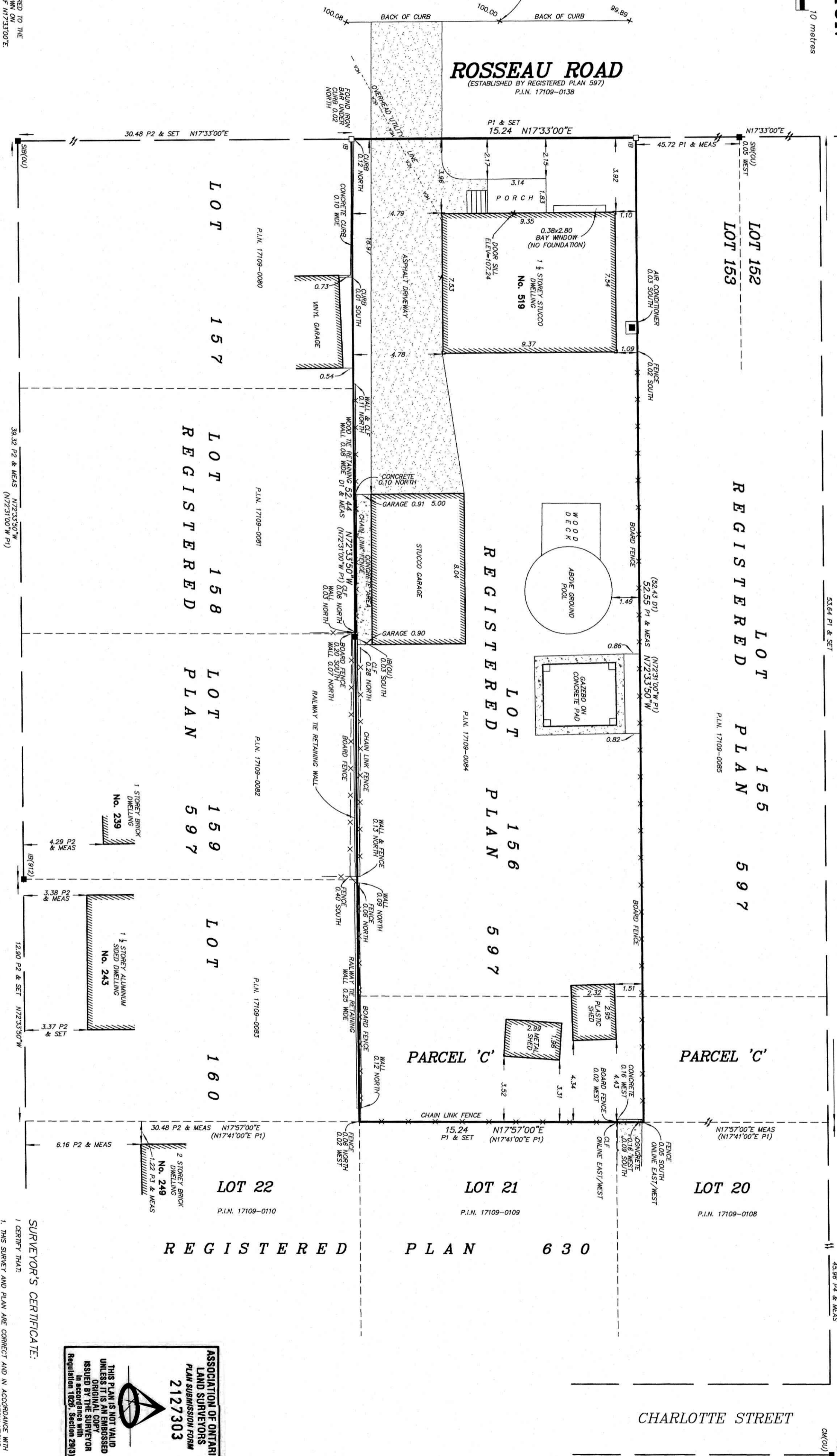
PROJECT NO:

DRAWING NO:

SP0.01



ROSSEAU ROAD
(ESTABLISHED BY REGISTERED PLAN 597)
P.I.N. 17109-0138



SURVEYOR'S REAL PROPERTY REPORT

PART 1 - PLAN R-4353

PART 2
-LOT 156, REGISTERED PLAN 597 IS NOT
-THE CONCRETE PAD IN THE VICINITY OF THE
-NORTHEAST CORNER OF THE SUBJECT LANDS
-IS PARTIAL LOCATED ONTO THE SUBJECT LANDS
-PLEASE NOTE THE LOCATION OF FENCES AND
-RETAINING WALL AS SHOWN ON THE PLAN

METRIC:
DISTANCES AND ELEVATIONS SHOWN ON THIS PLAN ARE IN METRES
AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

LEGEND:

- DEVOTES FOUND BAR
- ▬ DEVOTES IRON BAR
- ▬ DEVOTES PLASTIC BAR
- ▬ DEVOTES STANDARD IRON BAR
- ▬ DEVOTES PLASTIC BAR
- ▬ DEVOTES STANDARD IRON BAR
- (P1) DEVOTES SURVEYOR'S REAL PROPERTY REPORT BY 28, 1986 (FILE E-7311)
- (P2) DEVOTES SURVEYOR'S REAL PROPERTY REPORT BY 28, 1986 (FILE E-7311)
- (P3) DEVOTES SURVEYOR'S REAL PROPERTY REPORT BY 28, 1986 (FILE E-7311)
- (P4) DEVOTES SURVEYOR'S REAL PROPERTY REPORT BY 28, 1986 (FILE E-7311)
- (P5) DEVOTES SURVEYOR'S REAL PROPERTY REPORT BY 28, 1986 (FILE E-7311)
- (P6) DEVOTES SURVEYOR'S REAL PROPERTY REPORT BY 28, 1986 (FILE E-7311)
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NOTE:

A. J. CLARKE & ASSOCIATES LTD. is not liable for use of this
REPORT by any party or parties for future TRANSACTIONS
or for any unrecorded purposes.
This REPORT reflects conditions at time of survey. UPDATING
may be required to issue ADDITIONAL COPIES subsequent to
DATE OF THE SURVEYOR'S CERTIFICATE.

THIS REPORT WAS PREPARED FOR
TOM CHILL

NOTE:
THIS ARE TAKEN TO FOUNDATION
UNLESS OTHERWISE NOTED

PROJECT NO 208048R



A. J. Clarke and Associates Ltd.
SURVEYORS • PLANNERS • ENGINEERS
25 MAIN STREET WEST, SUITE 300
HAMILTON, ONTARIO L8P 1H1
TEL. 905-528-8761 FAX 905-528-2289
email: ajc@ajclarke.com

JUNE 3, 2020

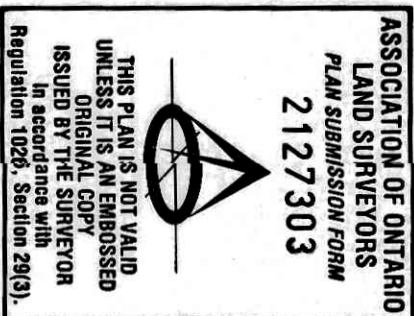
DATE

G. G. ALDORTH
ONTOARIO SURVEYOR

ONTOARIO SURVEYOR

SURVEYOR'S CERTIFICATE:

- I CERTIFY THAT:
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH
THE SURVEY ACT, THE SURVEYORS ACT AND THE REGULATIONS
MADE UNDER THEM.
2. THE SURVEY WAS COMPLETED ON THE 12th DAY OF MAY, 2020



SECTION 1: APPLICATION INFORMATION

Address: 519 Rosseau Rd.
Zoning: "C (Urban Protected Residential, Etc.)
Folder Number: 21-118838 (Variance)
Zoning By-law: Hamilton Zoning By-law 6593
Sections:

Description of Proposal:

Recognized Use: Single Family Dwelling

Applicable Law: None

Abatement of Yards, etc., for Lots of Record: In the case of a lot of record without sufficient width, depth or area to meet the requirements of this By-Law, a single family dwelling may nevertheless be erected upon it, provided that each side yard has a width of at least ten per cent of the width of the lot, but in no case less than 0.9 metres (2.95 feet), and that the rear yard has a depth of at least twenty-five per cent of the depth of the lot, but in no case less than 3.0 metres (9.84 feet);

Lot of Record as per Legal Description and date of construction provided by applicant.

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.

NOTE: Building Policy ZON-028 states:

"For single family dwellings, two family dwelling and three family dwellings erected prior to December 14, 1971, where a required parking space is permitted to be located in a front yard, the manoeuvring space is permitted on the road allowance."

SECTION 2: ZONING REVIEW

Review of Section 9 – "C" District Regulations

By-law Section	Permitted	Proposed	Conforms/ Non-conforming
Permitted Uses Section 9(1)(i)	A single family dwelling, together with the accommodation of lodgers to the number of not more than tree.	Single Family Dwelling	Conforms
Height Section 9(2) NOTE: More than 50% of basement below grade.	In a "C" District, no building shall exceed two and a half storeys, and no structure shall exceed 11.0 metres (36.09 feet), in height.	7.82 m (25' – 7 1/2" ft)	Conforms
Front Yard Depth Section 9(3)(i)	A front yard of a depth of at least 6.0 metres (19.69 feet);	3.92 m	Variance No. 1

Side Yard(s) Width Section 9(3)(ii)	A side yard along each side lot line of a width of at least 1.2 metres (3.94 feet).	Southerly: 0.91 m Northerly: 1.09m NOTE: Even though LOR, capture this as a variance as lot complies with width and area requirements.	Variance No. 2
Rear Yard Depth Section 9(3)(iii)	A rear yard of a depth of at least 7.5 metres (24.61 feet).	Greater than 7.5 m	Conforms
Lot Width Section 9(4)(i) "Width" with reference to a lot, except a lot referred to in subclause (xxva), shall mean the horizontal distance between the side lot lines measured at a depth of 9.0 metres (29.53 feet) from and parallel to, the front lot line or from the chord of the front lot line	Every lot or tract of land in a "C" District shall have a width of at least 12.0 metres (39.37 feet) and an area of at least 360.0 square metres	Width: 15.24m Area: 800.86 m ²	Conforms

2.3 Review of Section 18A - Parking and Loading Requirements

By-law Section	Required	Proposed	Conforms/ Non-Conforming
Minimum Parking Required Section 18A(1)(a) Table 1	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	1 space provided in attached garage. 11 habitable room = 4 spaces required	Variance No. 3
Minimum Manoeuvring Space Aisle Width Section 18A(1)(f) Table 6 <i>NOTE: Building Policy ZON-028 states: "For single family dwellings, two family dwelling and three family dwellings erected prior to December 14, 1971, where a required</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, Parking Angle Degrees: 90 Required Aisle Width: 6.0 m	3.92 m provided abutting garage.	No variance required. See Noted policy interpretation.

<i>parking space is permitted to be located in a front yard, the manoeuvring space is permitted on the road allowance."</i>			
Parking Space Size Section 18A(7)	Every required parking space, other than a parallel space, shall have dimensions not less than 2.7 metres and 6.0 metres long.	2.75m x 6.0 m	Conforms
Garage Section 18A(7b)	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.	Add as note to notice.	Unable to Determine Compliance
Location of Parking Section 18A(9)	Required parking space, loading space and manoeuvring space shall be provided and maintained only on the lot on which the principle use, building or structure is located	On same lot	Conforms
Location of Parking Section 18A(10)	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	Sufficient space has been provided.	Conforms
Location of Parking Section 18A(14a)	Except for single family dwellings, two family dwellings and three family dwellings erected prior to the 14th day of December 1971, no part of a required parking space for a single family dwelling, two family dwelling or three family dwelling in a residential district shall be located in a required front yard and not less than 50% of the gross area of the	Dwelling erected prior to 1971	N/A

	front yard shall be used for a landscaped area excluding concrete, asphalt, gravel, pavers, or other similar materials.		
Location of Parking Section 18A(14b) A front yard of a depth of at least 6.0 metres (19.69 feet);	For single family dwellings, two family dwellings and three family dwellings erected prior to the 14th day of December 1971, parking may be provided and maintained in the front yard provided that (i) the area for parking shall not occupy more than 50% of the gross area of the front yard; and, (ii) 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	Parking is indicated in garage which is not located in front yard (it is located in required front yard).	N/A
Location of Parking Section 18A(14g) A front yard of a depth of at least 6.0 metres (19.69 feet);	Except as provided for in clauses (14a), (14b) and (14h), no part of the required parking area in a residential district shall be located in a required front yard.	No parking space in the front yard – variance being sought to allow for reduced required front yard.	N/A
Location of Parking Section 18A(14h)	For the purpose of a single family dwelling, the following shall apply: (i) only one of the required parking spaces may be located in the front yard, and; (ii) notwithstanding Subsection 10, only the accessibility to one of the required parking spaces may be obstructed by any other required parking spaces.	No parking space in front yard.	N/A
Access Driveway Section 18A(21)	All required parking spaces and manoeuvring spaces shall have access by means of one or more access driveways, (a) Located on the lot;	All required parking spaces and manoeuvring spaces are shown to have access by a driveway located on the lot.	Conforms

	<p>(b) Located partly on the lot in the case of a mutual driveway; or,</p> <p>(c) by means of a right of way.</p>		
Manoeuvring Spaces Section 18A(22)	All manoeuvring spaces shall be maintained free and clear of all obstructions to permit unobstructed access to and egress from required parking spaces.	Manoeuvring space appears to be free of obstructions.	Conforms
Access Driveway Width Section 18A(24)(a)	Every parking area for a use where there are five or less parking spaces shall have not less than one access driveway or one mutual driveway, having a width of at least 2.8 metres .	7.4 m total width indicated.	Conforms
Parking Surface Section 18A(30)	Except as provided in subsection 31, a permanent durable and dustless surface that is graded, drained, and paved with concrete or asphalt or a combination of concrete and asphalt shall be provided and maintained for every parking area, manoeuvring space, loading space and access driveway.	Indicated as asphalt.	Conforms
Parking Surface Section 18A(31)	A gravel or similar surface or other suitable paving shall be provided and maintained for every parking space and access driveway accessory to a single family dwelling, a two family dwelling, and to street townhouse dwellings each having separate access driveways.	Indicated as asphalt.	Conforms

2.5 Review of Section 18 – Supplementary Requirements and Modifications

By-law Section	Permitted	Proposed	Conforms/ Non-conforming
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<p>Encroachments on Yards Section 18(3)(vi)(b)</p> <p>A side yard along each side lot line of a width of at least 1.2 metres (3.94 feet).</p> <p>A front yard of a depth of at least 6.0 metres (19.69 feet);</p>	<p>A canopy, cornice, eave or gutter may project,</p> <p>(i) into a required front yard not more than 1.5 metre (4.92 feet) provided that no such projection shall be closer to a street line than 1.5 metres</p> <p>(ii) into a required rear yard not more than 1.5 metre (4.92 feet);</p> <p>(iii) into a required side yard not more than one-half of its width, or 1.0 metre (3.28 feet), whichever is the lesser;</p>	<p>(i) Front: 3.92m – 0.76m = 3.16 m (from lot line) 6.0 – 3.16 = 2.86 m projection into front yard.</p> <p>(iii) Southerly: 0.91m – 0.76 m = 0.15 (from lot line) 1.2 – 0.15 = 1.05 projection into required side yard.</p> <p>Northerly: 1.09m – 0.77m = 0.32m (from lot line) 1.2 – 0.32 = 0.88 m projection into required side yard.</p>	<p>Variance No. 4 and 5</p>
<p>Encroachments on Yards Section 18(3)(vi)(cc)</p> <p>A side yard along each side lot line of a width of at least 1.2 metres (3.94 feet).</p> <p>A front yard of a depth of at least 6.0 metres (19.69 feet);</p>	<p>A bay, balcony or dormer may project (8544/59)</p> <p>(i) into a required front yard not more than 1.0 metre (3.28 feet), provided that no such projection shall be closer to a street line than 1.5 metres (4.92 feet);</p> <p>(ii) into a required rear yard not more than 1.0 metre (3.28 feet); or</p> <p>(iii) into a required side yard not more than one-third of its width, or 1.0 metre (3.28 feet), whichever is the lesser,</p>	<p>Bay window:</p> <p>6.0 – 3.62 m = 2.38 m into required front yard.</p> <p>Applicant confirmed this is existing site condition</p>	<p>No Variance Required</p>
<p>Encroachments on Yards Section 18(3)(vi)(d)</p> <p>A front yard of a depth of at least 6.0 metres (19.69 feet);</p> <p>A side yard along each side lot line of a width of at least 1.2 metres (3.94 feet).</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.</p>	<p><u>Front Yard:</u></p> <p>6.0 m – 0.94 m = 5.06 m projection into required front yard.</p> <p>Northerly Side Yard : 1.09 – 0.33 = 0.76 m 1.2 – 0.76 = 0.44 m into required side yard.</p> <p><u>Rear Yard:</u></p> <p>Northerly Side Yard: 1.09 – 0.33 = 0.76 m 1.2 – 0.76 = 0.44 m into required side yard</p>	<p>Variance No. 6 and 7</p>

		<p>Southerly Side Yard (covered patio): $0.91 - 0.4 = 0.51 \text{ m}$ $1.2 - 0.51 = 0.69 \text{ m}$ into required southerly side yard</p>	
<p>Front Yard Landscaping Section 18(14)(i)</p>	<p>Notwithstanding any other provisions of this By-Law, for any single family dwelling, two family dwelling or three family dwelling, 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;</p>	<p>This variance needs to be added as the revised proposed landscape area is %43.64</p>	<p>Variance NO. 8</p>

Hi there,

I've



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

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	ADDRESS
Registered Owners(s)	AMANDA MARIA MESQUITA	
Applicant(s)*	SHANE VAN BARNEVELD	
Agent or Solicitor	SHANE VAN BARNEVELD	

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:
Meridian Credit Union
Lloyd D. Jackson Square, 2 King Street West
Hamilton, ON L8P 1A1

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:

1. To permit front yard setback of 3.92m instead of the required side yard setback 6.0 m with 0.61 roof projection. 2. To permit left yard side setback of 1.09m instead of the required side yard setback 1.2 m with 0.77 roof projection. 3. To permit right yard side setback of 0.90m instead of the required side yard setback 1.2 m with 0.77 roof projection. 4. to permit 1 parking space instead of the min. required 3 parking spaces.

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

The proposed side addition (attached garage) and second storey addition will be aligned with the existing non-conforming dwelling front and left yard setback, with the existing lot width having an attached garage will make it not possible to meet the required right side setback.

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**):

Registered Plan 597

Lot 155

519 Rosseau Rd, Hamilton, ON, L8K 4T6

7. PREVIOUS USE OF PROPERTY

Residential ☒ Industrial ☐ Commercial ☐

Agricultural ☐ Vacant ☐

Other N/A

8.1 If Industrial or Commercial, specify use N/A

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?

Previous uses of the subjected property.

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 ☐ **N/A**

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.

3/23/2021

Date


Signature Property Owner

Amanda Mesquita

Print Name of Owner

10. Dimensions of lands affected:

Frontage	<u>15.24 m</u>
Depth	<u>52.55 m</u>
Area	<u>800.86 m²</u>
Width of street	<u>7.0 m (TO BE CONFIRMED BY PUBLIC WORKS)</u>

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: _

GROUND FLOOR AREA: 107.95 m² , LOT COVERAGE: %13.48

GROSS FLOOR AREA: 133.50 m², GFA RATIO: 0.1667:1

NUMBER OF STORIES: 1.5, HEIGHT: 6.87m

WIDTH:9.14m , LENGTH: 7.39m

Proposed

GROUND FLOOR AREA: 208.20 m² , LOT COVERAGE: %26.00

GROSS FLOOR AREA: 329.06 m², GFA RATIO: 0.4109:1

NUMBER OF STORIES: 2, HEIGHT: 7.82m

WIDTH:13.06m , LENGTH: 23.25m

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

Existing:

FRONT (WEST) SIDE:3.92 m

RIGHT SIDE (SOUTH) SIDE:4.78 m

LEFT SIDE (NORTH) SIDE:1.09 m

REAR (EAST) SIDE:42.49 m

Proposed:

FRONT (WEST) SIDE:3.92 m

RIGHT SIDE (SOUTH) SIDE:0.90 m (SAME AS EXISTING)

LEFT SIDE (NORTH) SIDE:1.09 m (SAME AS EXISTING)

REAR (EAST) SIDE:26.94 m

13. Date of acquisition of subject lands:
April 16, 2019
14. Date of construction of all buildings and structures on subject lands:
April 14, 1960
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:
SINCE BUILT
18. Municipal services available: (check the appropriate space or spaces)
Water YES Connected -
Sanitary Sewer YES Connected -
Storm Sewers YES
19. Present Official Plan/Secondary Plan provisions applying to the land:
N/A
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
N/A
21. Has the owner previously applied for relief in respect of the subject property?
☐ Yes ☒ No
If the answer is yes, describe briefly.
N/A
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
N/A
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.