



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

**1. 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.:	A-24:196	SUBJECT PROPERTY:	98 Eastbourne Avenue, Hamilton
ZONE:	R1a (Low Density Residential – Small Lot)	ZONING BY-LAW:	Zoning By-law Hamilton 05-200 as Amended by By-law 22-197

APPLICANTS: Owner: W. Geoff Walton & M. Treasa Levasseur
Applicant: W. Geoff Walton & M. Treasa Levasseur

The following variances are requested:

1. The proposed deck shall be permitted to be located as close as 4.3m including associated steps to the rear lot line instead of the minimum 6.0m setback required.

PURPOSE & EFFECT: To facilitate the construction of a rear uncovered deck to 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:	Tuesday, September 24, 2024
TIME:	1:45 p.m.
PLACE:	Via video link or call in (see attached sheet for details)
	City Hall Council Chambers (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:

A-24:196

- 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. Please see attached page for complete instructions, written comments must be received no later than noon September 20, 2024

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, registration to participate virtually must be received no later than noon September 23, 2024

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding A-24:196, 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: September 5, 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 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 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 on the day listed on the Notice of Public 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 one business day before the Hearing. Only those registered will be called upon to speak.

2. 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.

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.

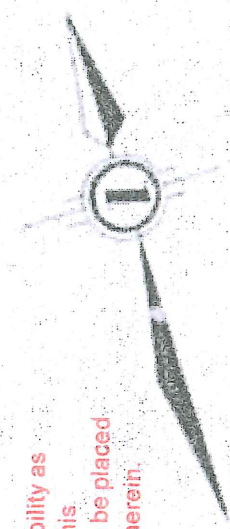
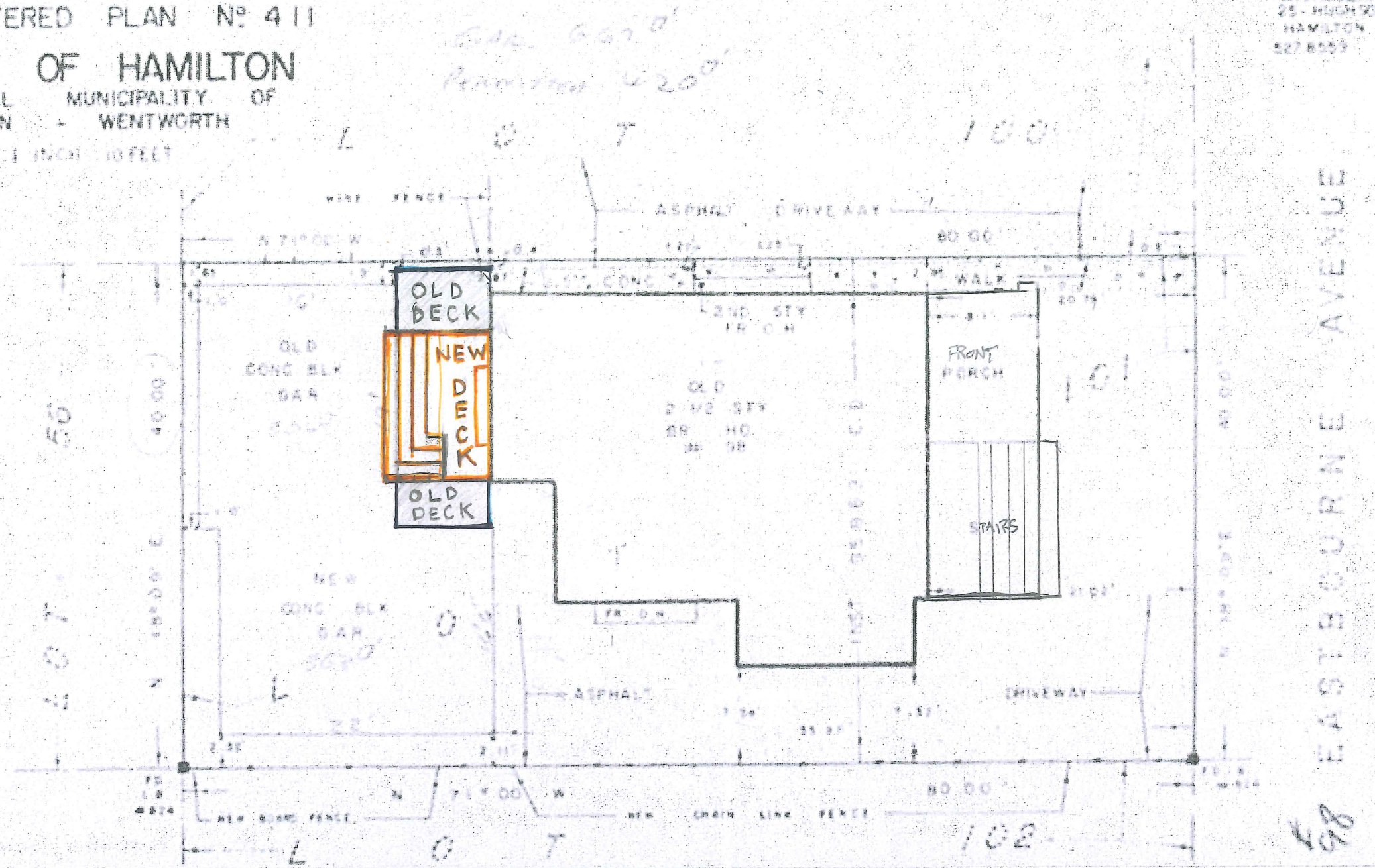
PLAN
OF
LOT 101
DELAWARE PARK SURVEY
REGISTERED PLAN No 411
IN THE
CITY OF HAMILTON
REGIONAL MUNICIPALITY OF
HAMILTON - WENTWORTH
SCALE = 1 INCH = 10 FEET

CAUTION PLAN IS PREPARED FOR MORTGAGE PURPOSES,
BASED UPON THE SUBJECT DEED ONLY, IT IS
NOT FOR PURPOSES OF CORRECTING TITLE AND
IS NOT PREPARED FOR REGISTRATION.

A.T. McLAREN LIMITED
ENGINEERS AND SURVEYORS

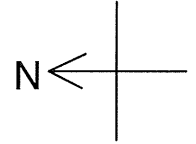
NOV 26, 1980
DATE

A.T. McLaren
A.T. McLAREN, O.L.S.
25 - HURON ST. 50th FLOOR
HAMILTON, ONT.
L8P 4R9

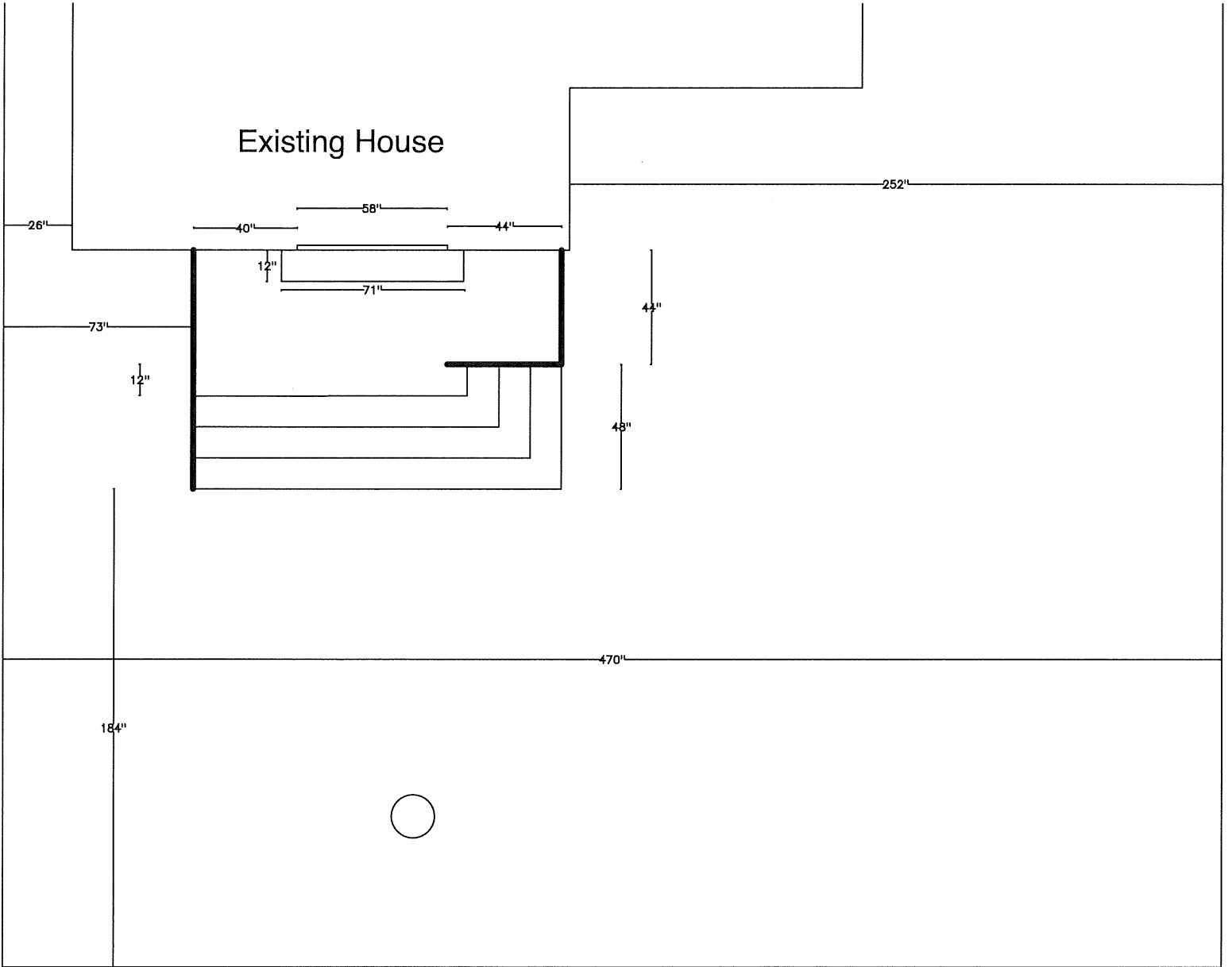


The CITY OF HAMILTON disclaims any liability as to the current accuracy of the contents of this document and advises that no reliance can be placed upon the current accuracy of the contents herein.

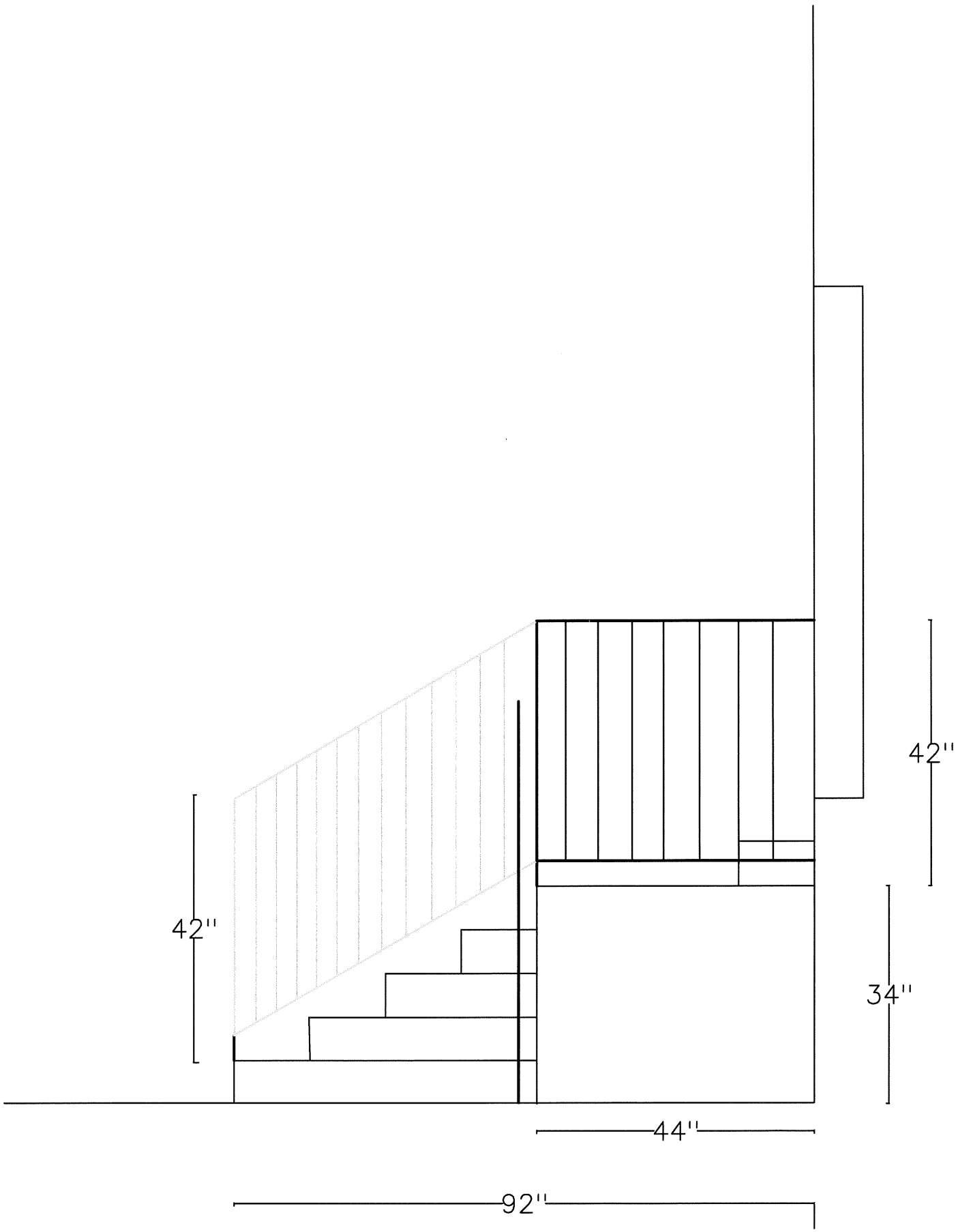
SITE PLAN



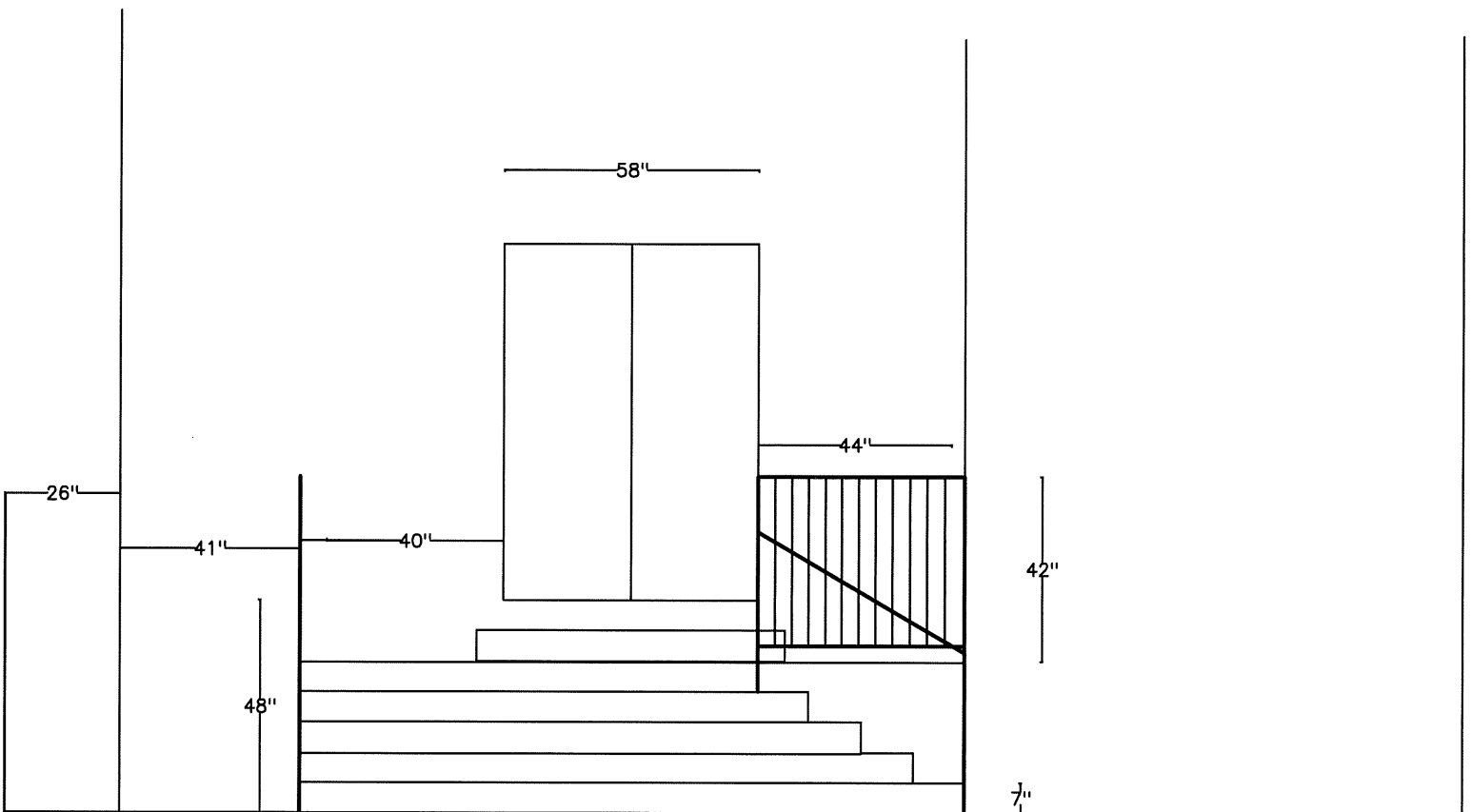
Existing House



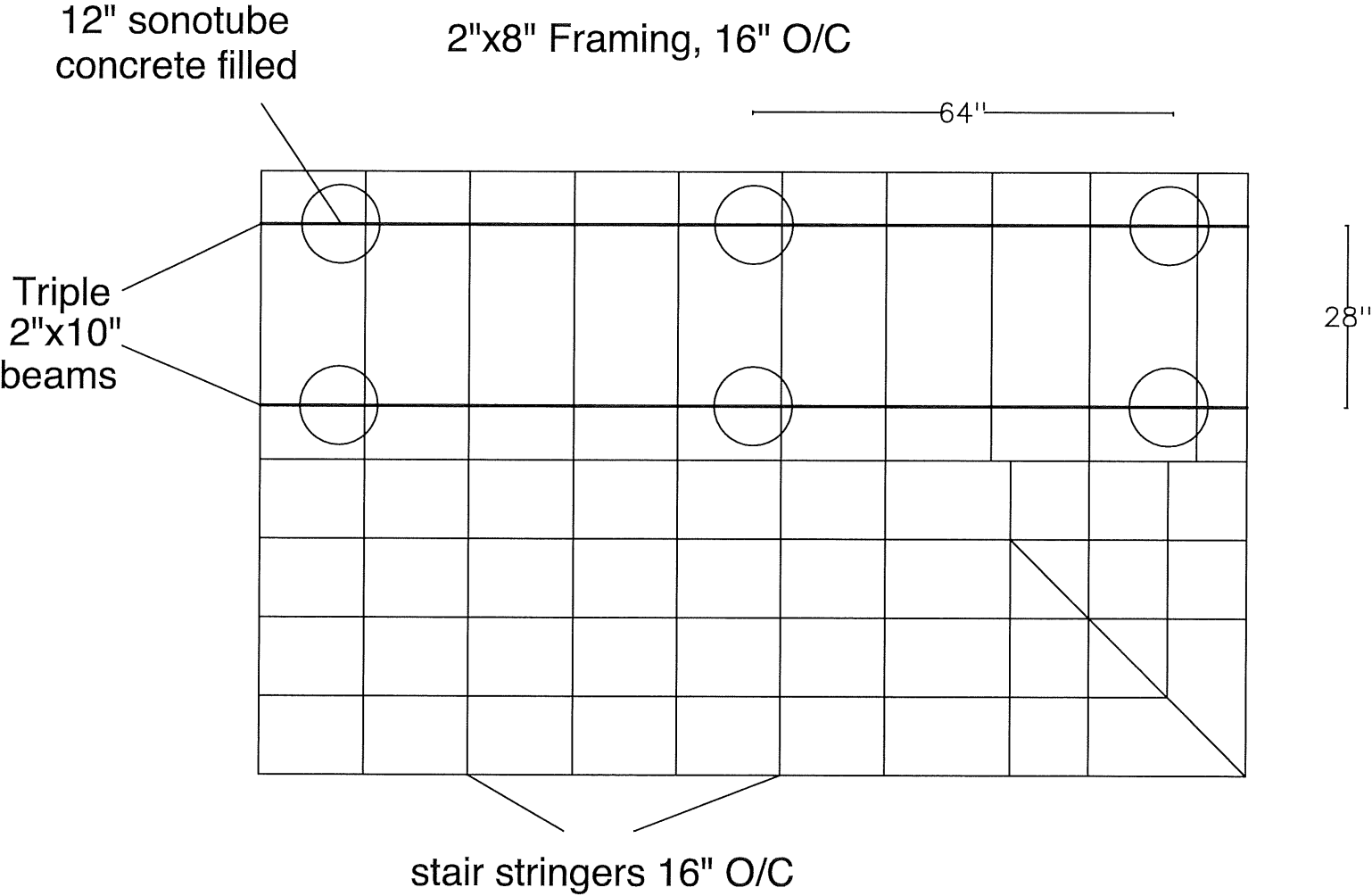
SOUTH ELEVATION



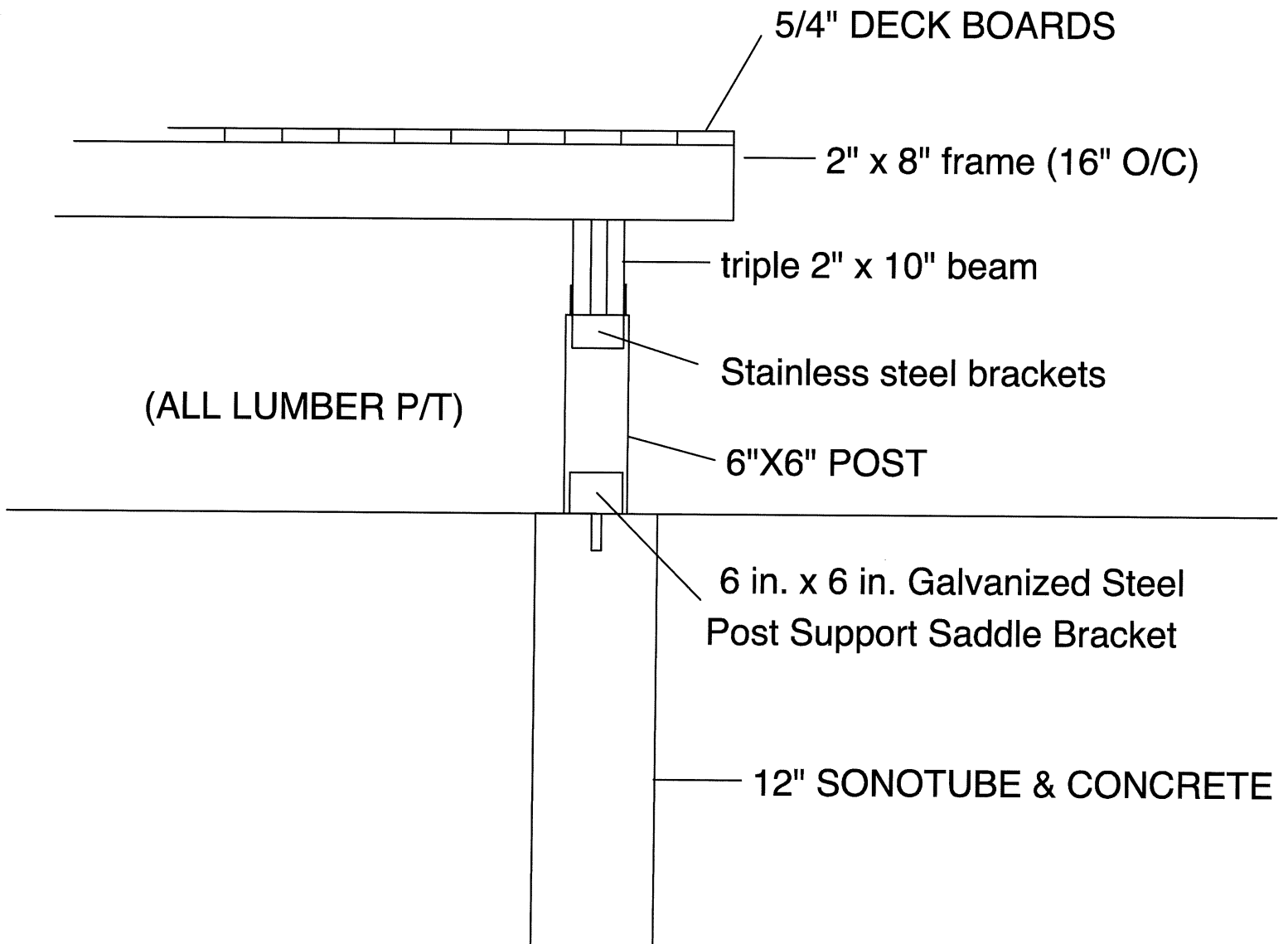
WEST ELEVATION



Deck Framing & Support Detail



DECK POST SIDE VIEW DETAIL



Application For a Routine Minor Variance

Cover Letter

We're submitting this application for a routine minor variance in order to replace the deck and stairs which connected the sliding door in our kitchen to our backyard. The original deck and stairs had deteriorated so badly that they were beyond repair and needed to be completely removed. Partly to conform to the building code and partly to create good flow between our kitchen and yard, we need to include a small deck to act as a landing (with a minimum width of 0.9144m). This landing would be at the same height as our kitchen screen door threshold which is 1.22m above grade. This will allow us to continue to use the sliding doors in our kitchen to access our backyard, with the goal of keeping the structure's proportions as unobtrusive as possible.

The setback distance between the rear sliding doors of the original house and the back of the lot is 7.14 metres. We would like to ask for a setback distance of 4.34 metres from the back of the lot to the bottom step of the proposed new deck. We're asking for what we hope is slightly more (0.3048m) than we'll require, on the off chance that our step design needs to be expanded in order to meet the building code. Our actual goal is to keep the stairs as close to the house as the building code allows, in order to give us the maximum space in our garden at grade.

Please note that although the proposed footprint of the new deck and stairs does project deeper into the yard at 2.65m than the old structure did at 2.29m, the total area of the new deck and stairs at 9.699m² (2.65m x 3.66m) would be considerably smaller than the old deck's total area of 13.969m² (2.29m x 6.10m).

Please see attached site plans for additional information.

Thank you,



Geoff Walton and Treasa Levasseur
98 Eastbourne Ave.
Hamilton ON
L8M 2M8



Hamilton

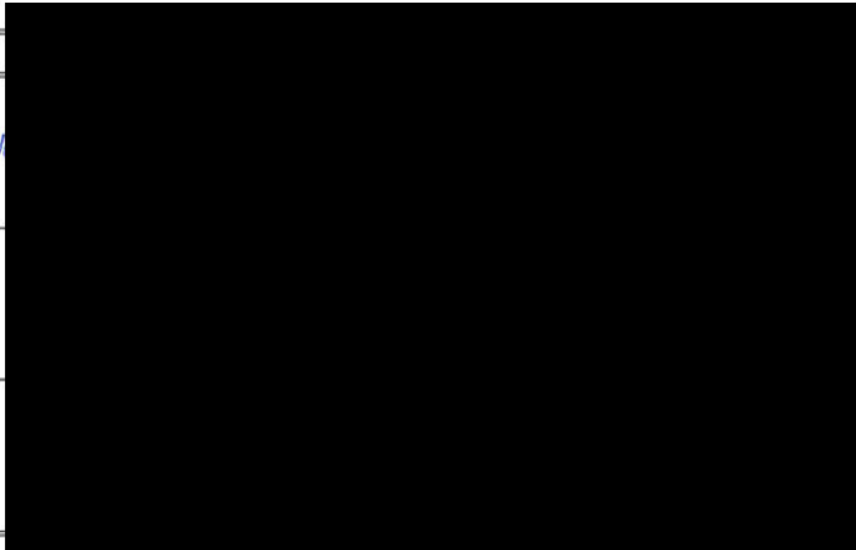
Committee of Adjustment
City Hall, 5th Floor,
71 Main St. W.,
Hamilton, ON L8P4Y5

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)	W. Geoff Walton & M. Tereasa Levasseur
Applicant(s)	Same
Agent or Solicitor	n/a



1.2 Primary contact

Applicant

Owner

Agent/Solicitor

1.3 Sign should be sent to

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

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.

1.6 Payment type

In person

Credit over phone*

Cheque

*Must provide number above

2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	98 EASTBOURNE AVENUE L8M2M8		
Assessment Roll Number	03024600490		
Former Municipality	City of Hamilton, Delaware Park Survey		
Lot	101	Concession	
Registered Plan Number	411	Lot(s)	
Reference Plan Number (s)	NA	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:

new deck construction, after removal of former

Second Dwelling Unit

Reconstruction of Existing Dwelling

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

former deck also did not comply, lot depth is insufficient - please see attached letter

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
12.19 m	24.38 m	297.2897 m ²	9.754 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
FRONT PORCH	3.96 m			1908
REAR HOUSE		7.32 m		"
SIDE (NORTH)			0.68 m	"
SIDE (SOUTH)			2.24 m	"

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
REAR DECK (AND STAIRS)	17.07 m	4.34 m	NORTH 1.6 m SOUTH 6.83 m	2024

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
HOUSE (includes front porch)	105.631 m ²	173.496 m ²	2.5	Approx. 10.67 m

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
REAR DECK & STAIRS		9.699 m ²	—	1.22 m

- 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

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

single detached dwelling; single detached multi-unit rental dwelling

7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:

May 1, 2013

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

single detached dwelling

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

single detached dwelling

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

since 1908

7.5 What is the existing official plan designation of the subject land?

Rural Hamilton Official Plan designation (if applicable): NA

Rural Settlement Area: NA

Urban Hamilton Official Plan designation (if applicable) ~~III~~ NEIGHBORHOODS

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

7.6 What is the existing zoning of the subject land? R1a

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: _____

8 ADDITIONAL INFORMATION

8.1 Number of Dwelling Units Existing: 1

8.2 Number of Dwelling Units Proposed: no additional dwellings proposed

8.3 Additional Information (please include separate sheet if needed):

please see attached letter