



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

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-24:69	SUBJECT PROPERTY:	86 Lister Avenue, Hamilton
ZONE:	R2 - Low Density Residential- Large lot	ZONING BY-LAW:	Hamilton Zoning By-law 05-200, as Amended by By-law 24-051

APPLICANTS: Owner: Rigoberto & Irene Rodriguez
Agent: Matthew Ribau

The following variances are requested:

1. A maximum building height of 7.3m shall be permitted for an Additional Dwelling Unit- Detached instead of the maximum 6.0m building height required.
2. A balcony shall be permitted above the first-floor level whereas a balcony is prohibited above the first-floor level of an Additional Dwelling Unit - Detached
3. A maximum gross floor area of 101.1 square metres shall be permitted instead of the maximum 75 square metre gross floor area required.

PURPOSE & EFFECT: To facilitate the construction of a proposed Additional Dwelling Unit- Detached.

This Notice must be posted by the owner of any land which contains seven or more residential units so that it is visible to all residents.

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

DATE:	Thursday, February 13, 2025
TIME:	2:50 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

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

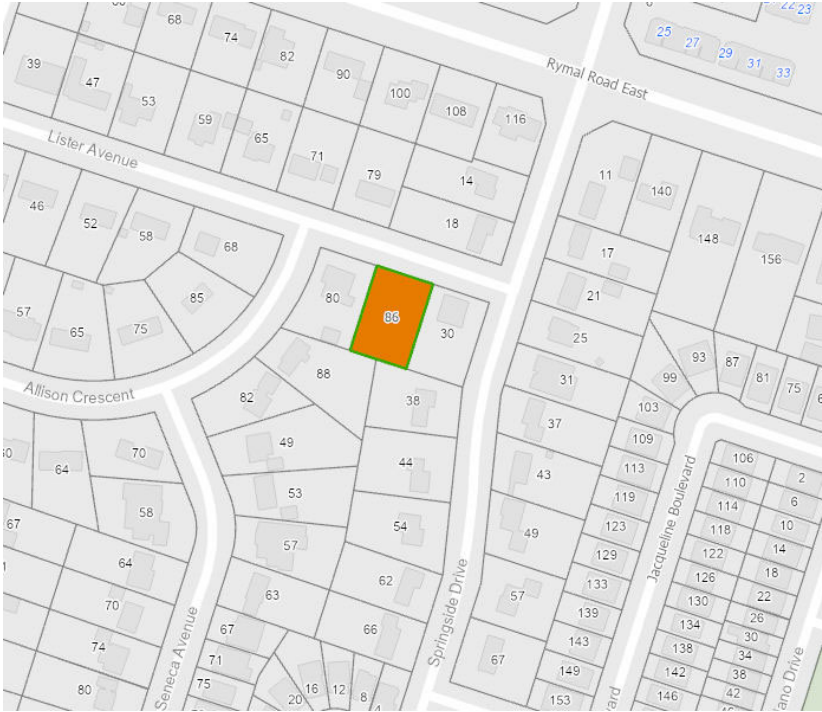
Written: If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Please see attached page for complete instructions, written comments must be received no later than noon February 11, 2025

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 February 12, 2025

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding A-24:69, you must submit a written request to cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.

If you wish to be provided a Notice of Decision, you must attend the Public Hearing and file a written request with the Secretary-Treasurer by emailing cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.



 **Subject Lands**

DATED: January 27, 2025

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

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 Tuesday 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.

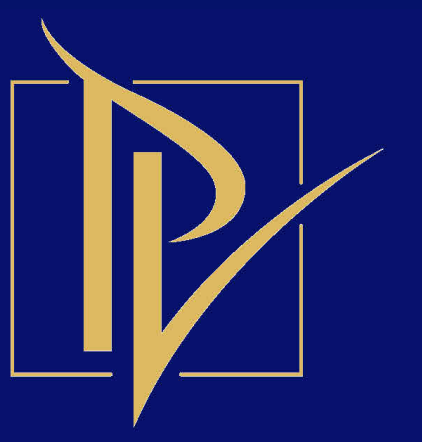
A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting one business day before the Hearing. Only those registered will be called upon to speak.

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.



FRONT PERSPECTIVE



REAR PERSPECTIVE

Drawing List

A00	COVER PAGE
A100	SITE PLAN
A101	FIRST FLOOR PLAN
A102	SECOND FLOOR PLAN
A103	ROOF PLAN
A201	NORTH (FRONT) & SOUTH ELEVATION
A202	EAST & WEST (SIDE) ELEVATION
A301	CROSS SECTIONS

CONSULTANTS:

ARCHITECTURAL DESIGN

PERSPECTIVE VIEWS

23-5359 Timberlea Blvd.
Mississauga, ON L4W 4N5
p. 647.894.0889
e. info@perspectiveviews.com
w. www.perspectiveviews.com

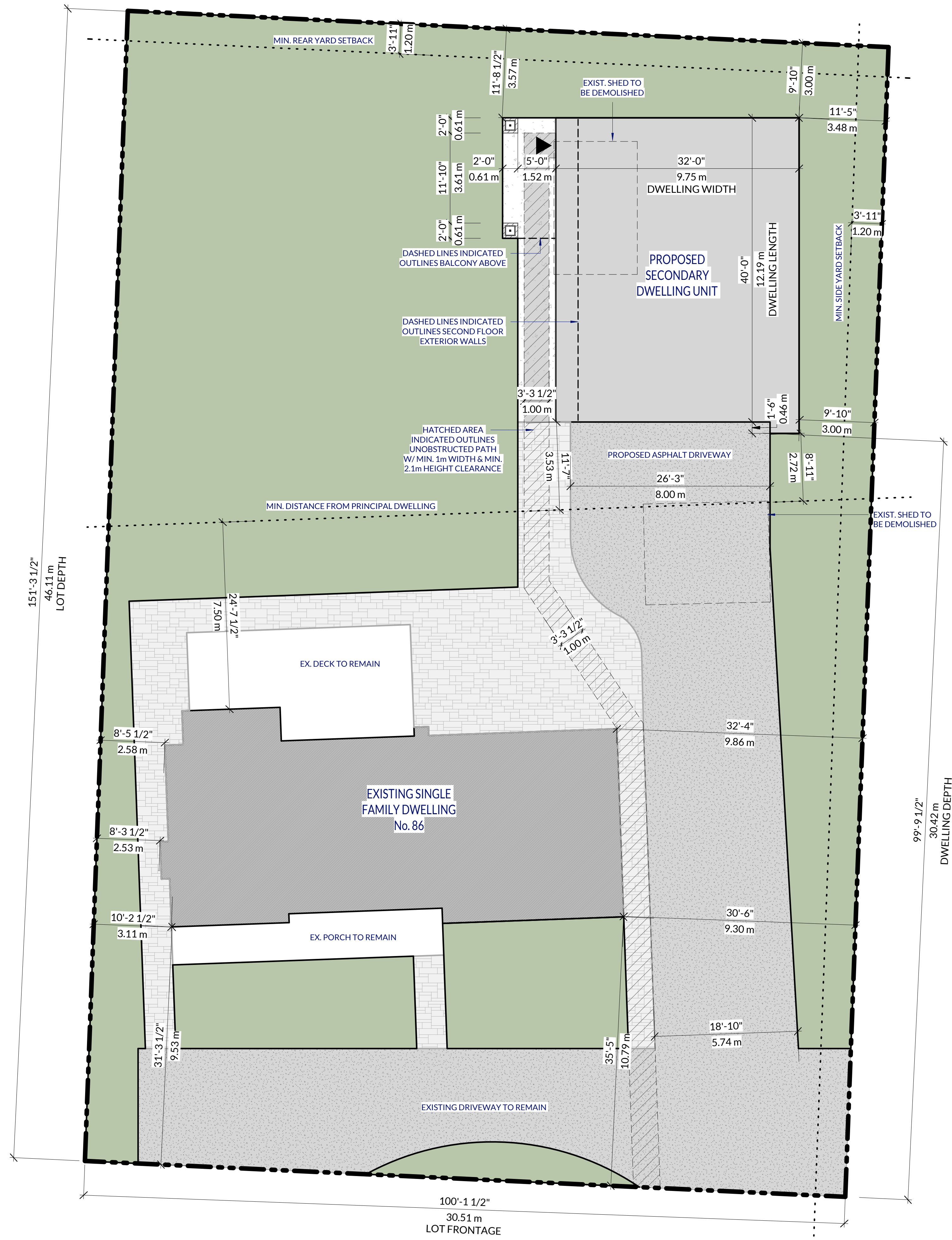
RODRIGUEZ RESIDENCE

DESIGN DEVELOPMENT

24/12/19

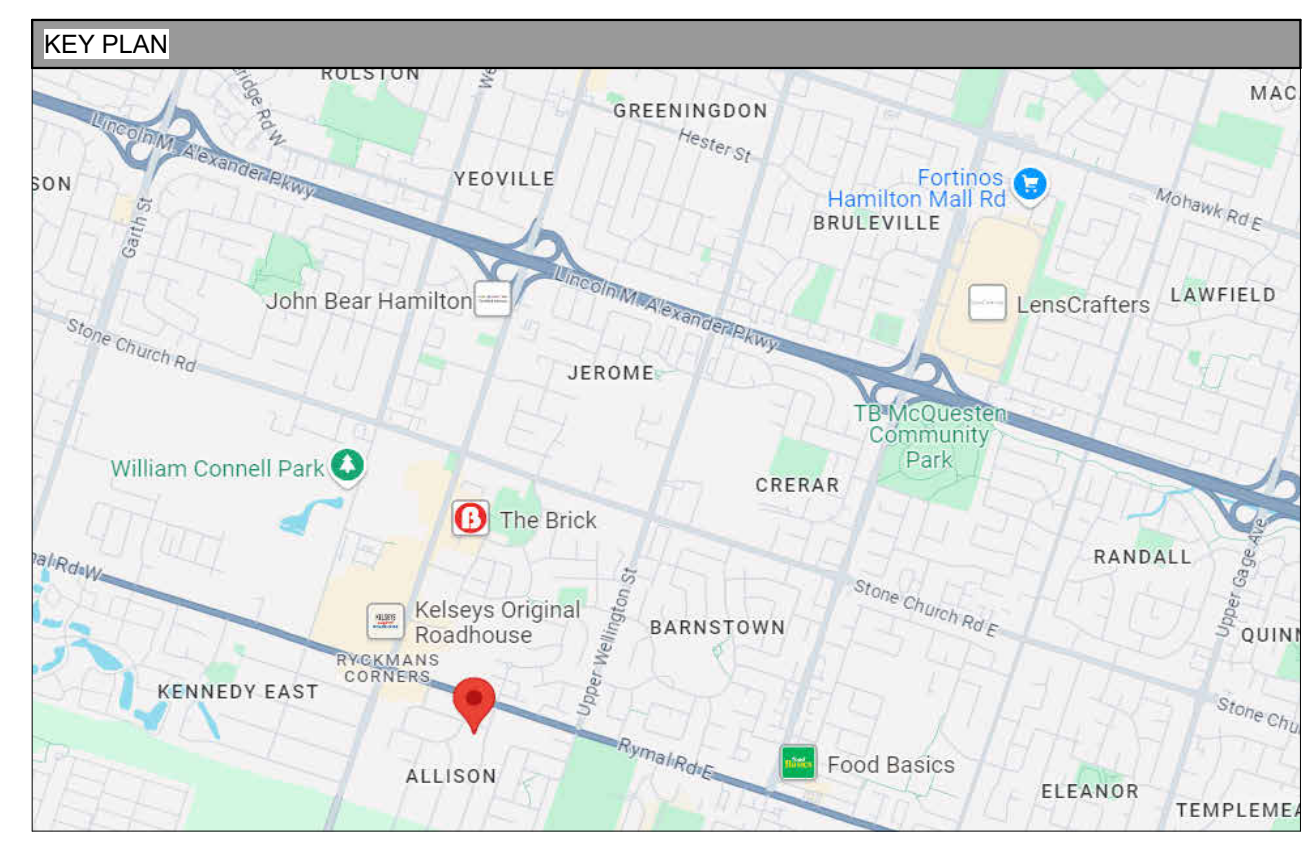
86 LISTER AVENUE
CITY OF HAMILTON

PV24-034



SITE PLAN IS FOR REFERENCE ONLY.
REFER ALSO TO GRADING PLAN

- SITE PLAN LEGEND**
- EXISTING DWELLING FOOTPRINT
 - PROPOSED ADDITION
 - SODDED / SOFT LANDSCAPING
 - WALKWAYS / INTERLOCKING
 - ASPHALT / DRIVEWAY
 - DWELLING ENTRANCE / ACCESS



BUILDING & LOT DATA

ADDRESS	86 LISTER AVENUE, HAMILTON	
LEGAL DESCRIPTION		
WARD		
NEIGHBOURHOOD		
DISTRICT		
EXISTING USE	RESIDENTIAL - SINGLE FAMILY DETACHED	
PROPOSED USE	RESIDENTIAL - SECONDARY DWELLING UNIT	
ZONING	R2 (LOW DENSITY RESIDENTIAL-LARGE LOT)	
LOT AREA	1,407.59 m ²	15,151.19 ft ²
LOT FRONTAGE	30.51 m	100.10 ft

SETBACKS, LENGTH & HEIGHT

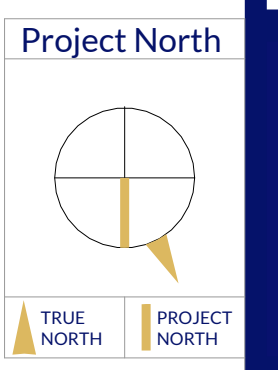
	REQUIRED	PROPOSED
NO. OF STORIES		2
NO. OF PARKING	0	1
BUILDING HEIGHT	6.00 m 19.69 ft	7.24 m 23.75 ft
BUILDING LENGTH	0.00 m 0.00 ft	12.19 m 39.99 ft
BUILDING DEPTH	0.00 m 0.00 ft	30.42 m 99.80 ft
PRINCIPAL DWELLING SETBACK	7.50 m 24.61 ft	10.76 m 35.30 ft
SIDE YARD SETBACK (1ST FLR)	1.20 m 3.94 ft	3.00 m 9.84 ft
REAR YARD SETBACK	1.20 m 3.94 ft	3.00 m 9.84 ft
GARAGE ENTRANCE WIDTH	0.00 m 0.00 ft	3.05 m 10.01 ft
DRIVEWAY WIDTH	8.00 m 26.25 ft	8.00 m 26.25 ft
WALKWAY WIDTH	1.00 m 3.28 ft	1.52 m 4.99 ft

GROSS FLOOR AREA

	EXISTING	PROPOSED	TOTALS
PRINCIPAL DWELLING AREA	137.87 m ² 1,483.99 ft ²	0.00 m ² 0.00 ft ²	137.87 m ² 1,483.99 ft ²
MAIN FLOOR AREA (SDU)	0.00 m ² 0.00 ft ²	14.38 m ² 154.79 ft ²	14.38 m ² 154.79 ft ²
SECOND FLOOR AREA (SDU)	0.00 m ² 0.00 ft ²	101.08 m ² 1,088.02 ft ²	101.08 m ² 1,088.02 ft ²
GARAGE AREA	0.00 m ² 0.00 ft ²	104.54 m ² 1,125.26 ft ²	104.54 m ² 1,125.26 ft ²
TOTAL PROPOSED GFA		25.42%	357.87 m² 3,852.05 ft²
TOTAL PERMITTED GFA		Lesser of 75 square metres or the gross floor area of the principal dwelling.	

LOT COVERAGE

	EXISTING	PROPOSED	TOTALS
PRINCIPAL DWELLING UNIT	137.87 m ² 1,483.99 ft ²	10.00 m ² 107.64 ft ²	147.87 m ² 1,591.63 ft ²
FIRST FLOOR W/ GARAGE (SDU)	0.00 m ² 0.00 ft ²	118.92 m ² 1,280.00 ft ²	118.92 m ² 1,280.00 ft ²
PORCH ROOF OVERHANG	0.00 m ² 0.00 ft ²	10.30 m ² 110.87 ft ²	10.30 m ² 110.87 ft ²
TOTAL LOT COVERAGE	19.68%	277.08 m² 2,982.50 ft²	
TOTAL PERMITTED COVERAGE		25%	351.90 m² 3,787.80 ft²



Municipie Stamp

PERSPECTIVE VIEWS
ARCHITECTURAL DESIGN

THE DRAWINGS AND WRITTEN MATERIAL HEREIN CONSTITUTE ORIGINAL WORK OF PERSPECTIVE VIEWS AND AS INTELLECTUAL PROPERTY AND INSTRUMENTS OF SERVICE ARE SUBJECT TO COPYRIGHT AND MAY NOT BE REPRODUCED, DISTRIBUTED, PUBLISHED, ALTERED OR USED IN ANY WAY WITHOUT THE EXPRESS WRITTEN CONSENT OF PERSPECTIVE VIEWS.

DO NOT SCALE DRAWINGS. THESE DRAWINGS ARE TO BE READ IN CONJUNCTION WITH ALL RELEVANT ARCHITECTURAL, ENGINEERING AND CONSULTANTS SPECIFICATIONS AND DETAILS. CONTRACTOR TO VERIFY AND CORRECT ALL DIMENSIONS AND ELEVATIONS ON DRAWINGS WITH SITE CONDITIONS AND REPORT ANY OMISSIONS OR DISCREPANCIES TO PERSPECTIVE VIEWS AND OBTAIN CLARIFICATION PRIOR TO COMMENCING WITH THE WORK.

NEW 2 STOREY SDU W/ GARAGE

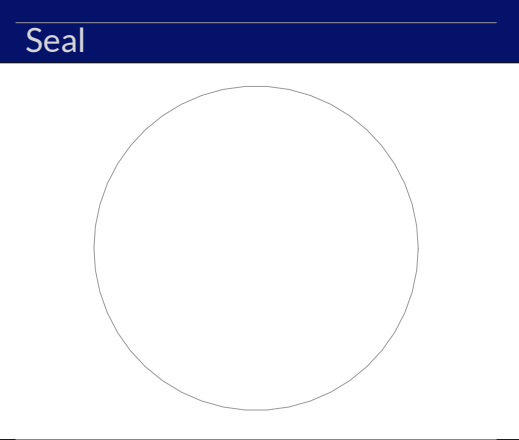
86 LISTER AVENUE
CITY OF HAMILTON

Project No. PV24-034

The undersigned has reviewed and takes responsibility for this design, and has the qualifications and meets the requirements set out in the Ontario Building Code to be a designer.

115278

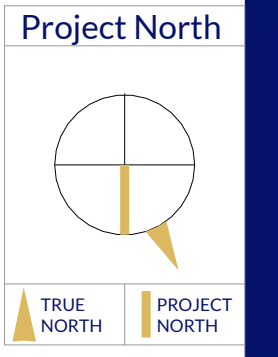
Approver
Issue/Revision



Scale As indicated
SITE PLAN

A100

2024-12-19 12:22:38 PM



THE DRAWINGS AND WRITTEN MATERIAL HEREIN CONSTITUTE ORIGINAL WORK OF PERSPECTIVE VIEWS. AND AS INTELLECTUAL PROPERTY AND INSTRUMENTS OF SERVICE ARE SUBJECT TO COPYRIGHT AND MAY NOT BE REPRODUCED, DISTRIBUTED, PUBLISHED, ALTERED OR USED IN ANY WAY WITHOUT THE EXPRESS WRITTEN CONSENT OF PERSPECTIVE VIEWS.

NEW 2 STOREY SDU W/ GARAGE

86 LISTER AVENUE
CITY OF HAMILTON

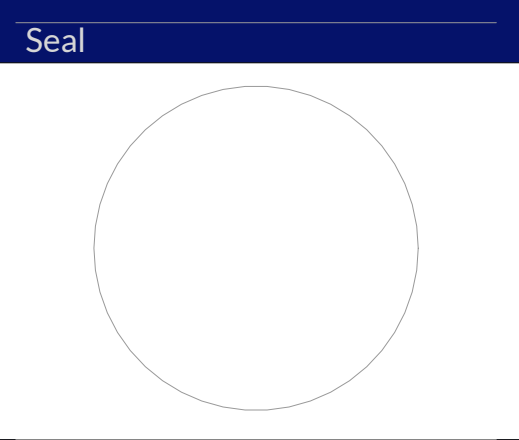
Project No. PV24-034

The undersigned has reviewed and takes responsibility for this design, and has the qualifications and meets the requirements set out in the Ontario Building Code to be a designer.

115278

Approver

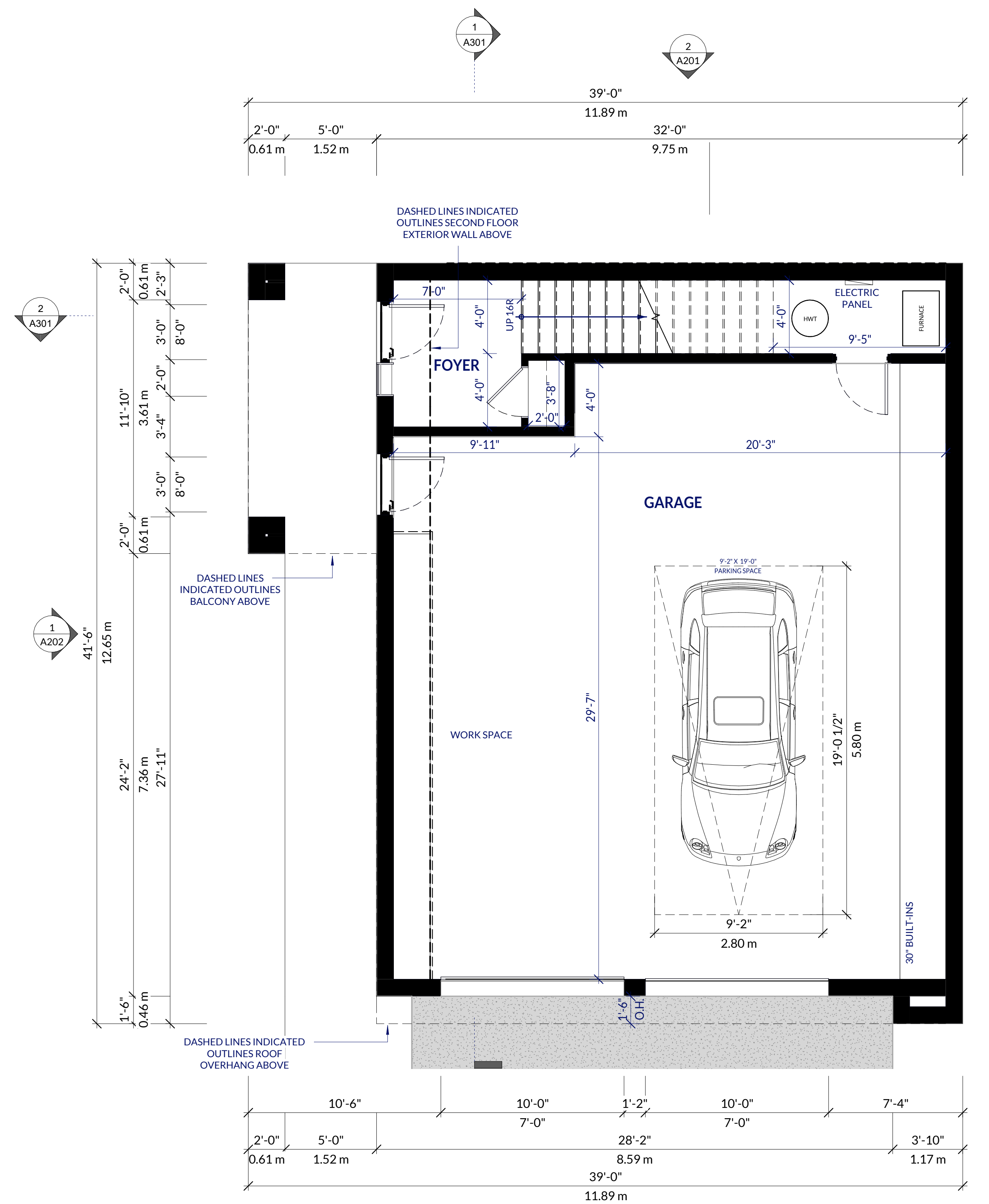
Issue/Revision
1 SENT TO CITY FOR REVIEW 24/12/19



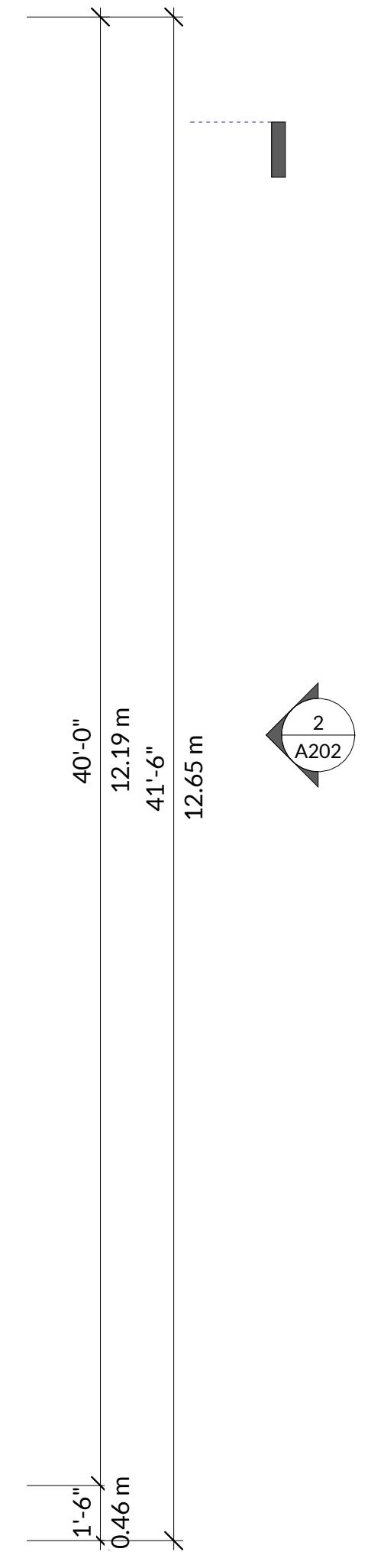
Scale As indicated
FIRST FLOOR PLAN

A101

2024-12-19 12:22:39 PM

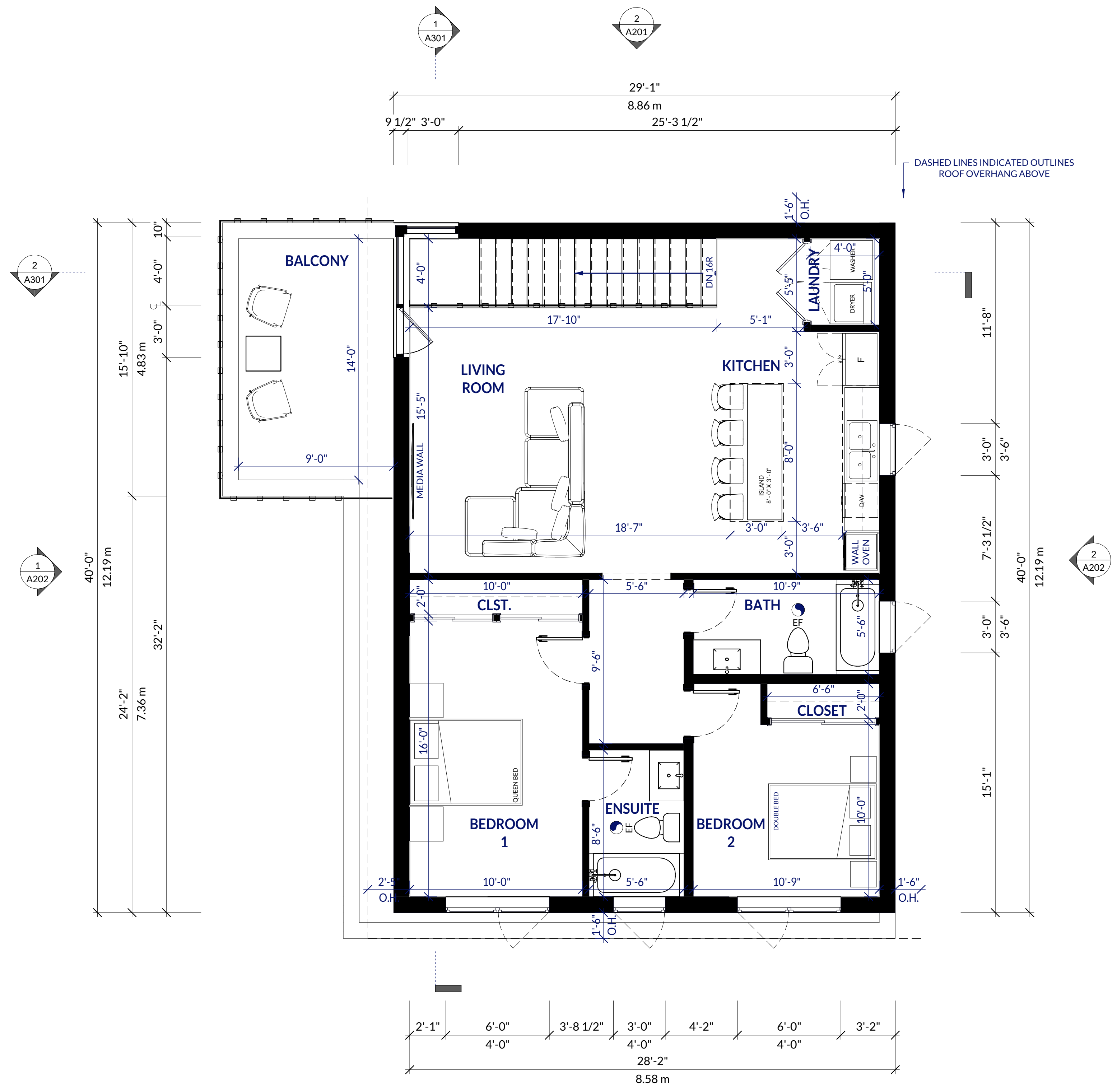


1 PROP. FIRST FLOOR PLAN
SCALE: 1/4" = 1'-0"

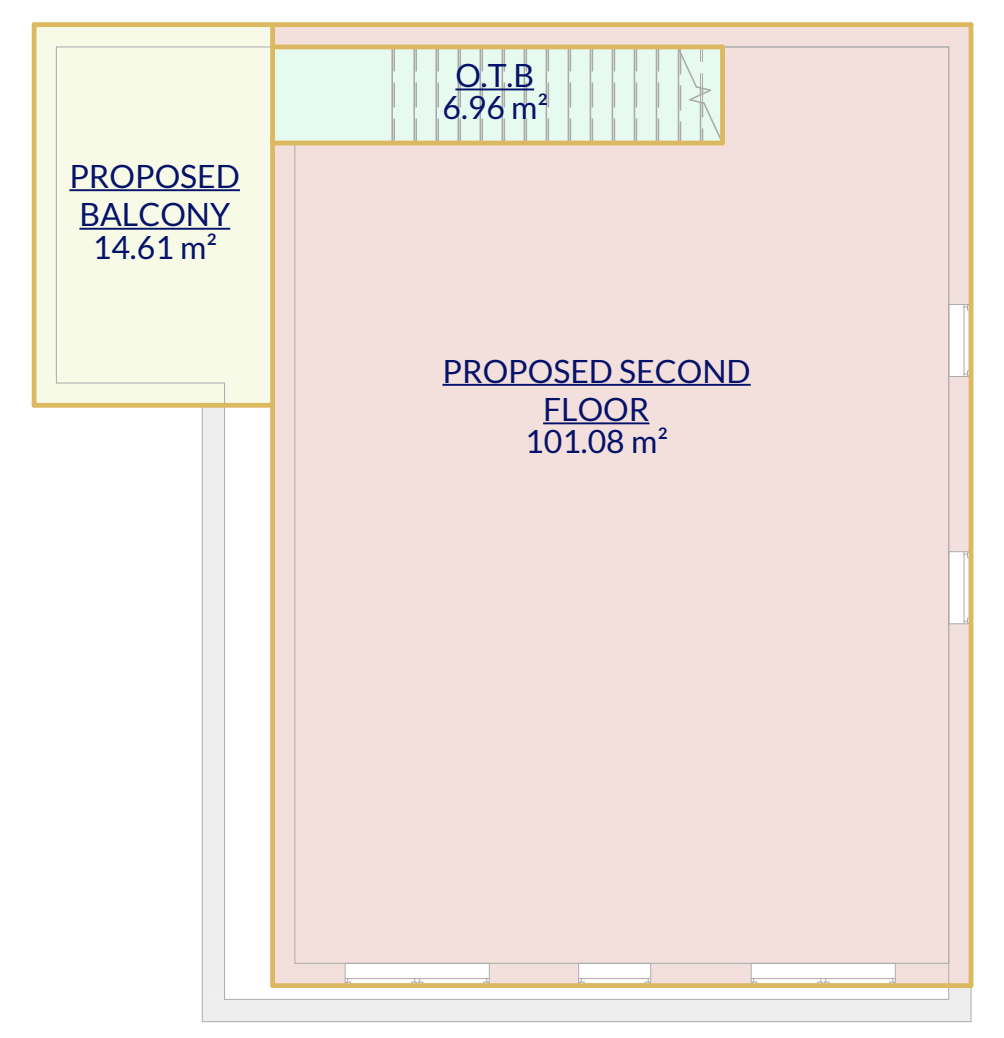


2 PROP. FIRST FLOOR PLAN
SCALE: 1/8" = 1'-0"

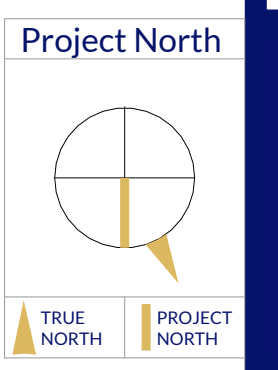
NATURAL LIGHT ROOM SCHEDULE (ABOVE GRADE)			
BEDROOM 1 AREA	14.88 m	48.82 ft	
PROPOSED WINDOW AREA	1.82 m ²	19.59 ft ²	
PERMITTED NATURAL LIGHT	0.74 m ²	8.01 ft ²	5.00%
PROPOSED NATURAL LIGHT	1.82 m ²	19.59 ft ²	12.23%
BEDROOM 2 AREA	10.85 m	35.60 ft	
PROPOSED WINDOW AREA	1.82 m ²	19.62 ft ²	
PERMITTED NATURAL LIGHT	0.54 m ²	5.84 ft ²	5.00%
PROPOSED NATURAL LIGHT	1.82 m ²	19.62 ft ²	16.80%
LIVING ROOM / KITCHEN AREA	42.41 m	139.14 ft	
PROPOSED WINDOW AREA	6.48 m ²	69.77 ft ²	
PERMITTED NATURAL LIGHT	4.24 m ²	45.65 ft ²	10.00%
PROPOSED NATURAL LIGHT	6.48 m ²	69.77 ft ²	15.28%



1
A102 **PROP. SECOND FLOOR PLAN**
SCALE: 1/4" = 1'-0"



2
A102 **PROP. SECOND FLOOR PLAN**
SCALE: 1/8" = 1'-0"



THE DRAWINGS AND WRITTEN MATERIAL HEREIN CONSTITUTE ORIGINAL WORK OF PERSPECTIVE VIEWS AND AS INTELLECTUAL PROPERTY AND INSTRUMENTS OF SERVICE ARE SUBJECT TO COPYRIGHT AND MAY NOT BE REPRODUCED, DISTRIBUTED, PUBLISHED, ALTERED OR USED IN ANY WAY WITHOUT THE EXPRESS WRITTEN CONSENT OF PERSPECTIVE VIEWS.

DO NOT SCALE DRAWINGS. THESE DRAWINGS ARE TO BE READ IN CONJUNCTION WITH ALL RELEVANT ARCHITECTURAL, ENGINEERING AND CONSULTANTS SPECIFICATIONS AND DETAILS. CONTRACTOR TO VERIFY AND CORRECT ALL DIMENSIONS AND ELEVATIONS ON DRAWINGS WITH SITE CONDITIONS AND REPORT ANY CHANGING OR DISCREPANCIES TO PERSPECTIVE VIEWS AND OBTAIN CLARIFICATION PRIOR TO COMMENCING WITH THE WORK.

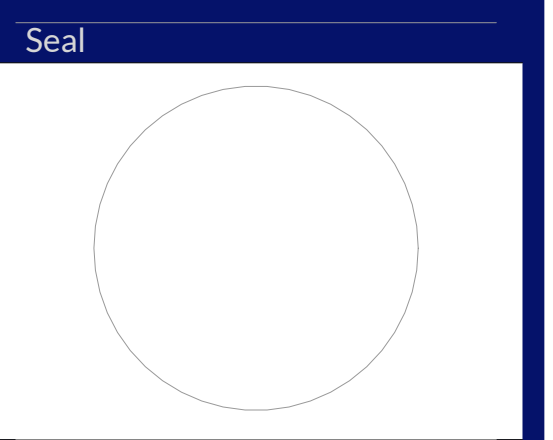
NEW 2 STOREY SDU W/ GARAGE

86 LISTER AVENUE
CITY OF HAMILTON
Project No. PV24-034

The undersigned has reviewed and takes responsibility for this design, and has the qualifications and meets the requirements set out in the Ontario Building Code to be a designer.

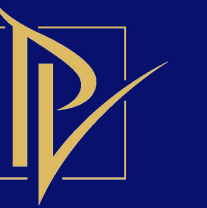
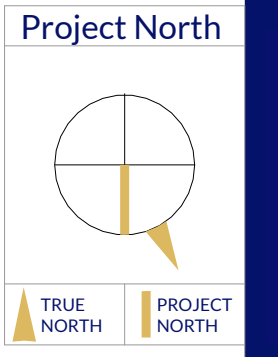
115278

Approver
Issue/Revision
1 SENT TO CITY FOR REVIEW 24/12/19



Scale As indicated
SECOND FLOOR PLAN

A102



PERSPECTIVE VIEWS
ARCHITECTURAL DESIGN

THE DRAWINGS AND WRITTEN MATERIAL HEREIN CONSTITUTE ORIGINAL WORK OF PERSPECTIVE VIEWS AND AS INTELLECTUAL PROPERTY AND INSTRUMENTS OF SERVICE ARE SUBJECT TO COPYRIGHT AND MAY NOT BE REPRODUCED, DISTRIBUTED, PUBLISHED, ALTERED OR USED IN ANY WAY WITHOUT THE EXPRESS WRITTEN CONSENT OF PERSPECTIVE VIEWS.

DO NOT SCALE DRAWINGS. THESE DRAWINGS ARE TO BE READ IN CONJUNCTION WITH ALL RELEVANT ARCHITECTURAL, ENGINEERING AND CONSULTANTS SPECIFICATIONS AND DETAILS. CONTRACTOR TO VERIFY AND CONFIRM ALL DIMENSIONS AND ELEVATIONS ON DRAWINGS WITH SITE CONDITIONS AND REPORT ANY OMISSIONS OR DISCREPANCIES TO PERSPECTIVE VIEWS AND OBTAIN CLARIFICATION PRIOR TO COMMENCING WITH THE WORK.

NEW 2 STOREY SDU W/ GARAGE

86 LISTER AVENUE
CITY OF HAMILTON

Project No. PV24-034

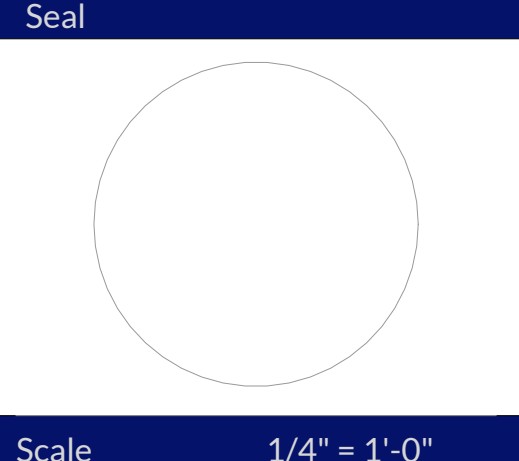
The undersigned has reviewed and takes responsibility for this design, and has the qualifications and meets the requirements set out in the Ontario Building Code to be a designer.

115278

Approver

Issue/Revision	SENT TO CITY FOR REVIEW	24/12/19
1	SENT TO CITY FOR REVIEW	24/12/19

Seal

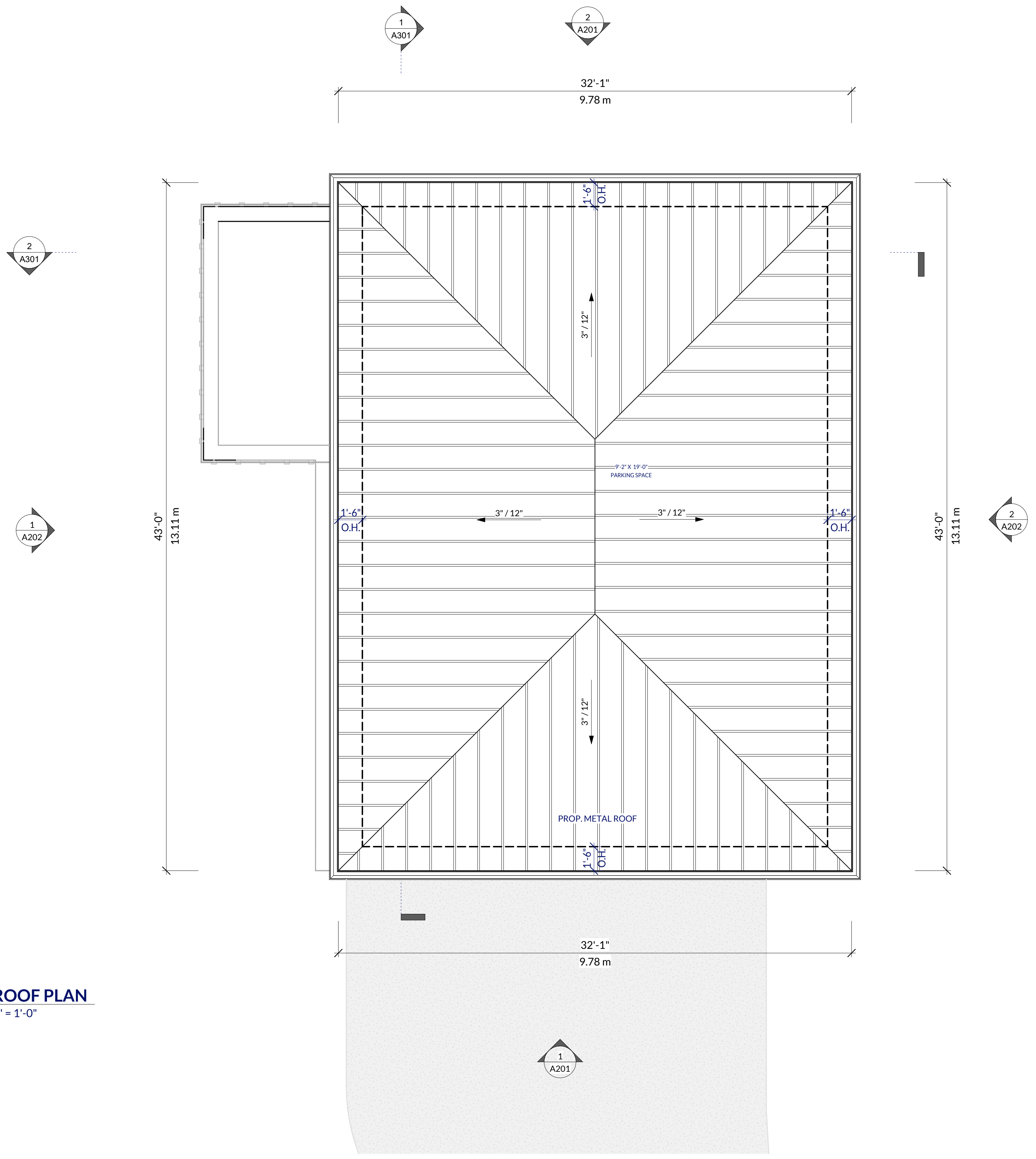


Scale 1/4" = 1'-0"

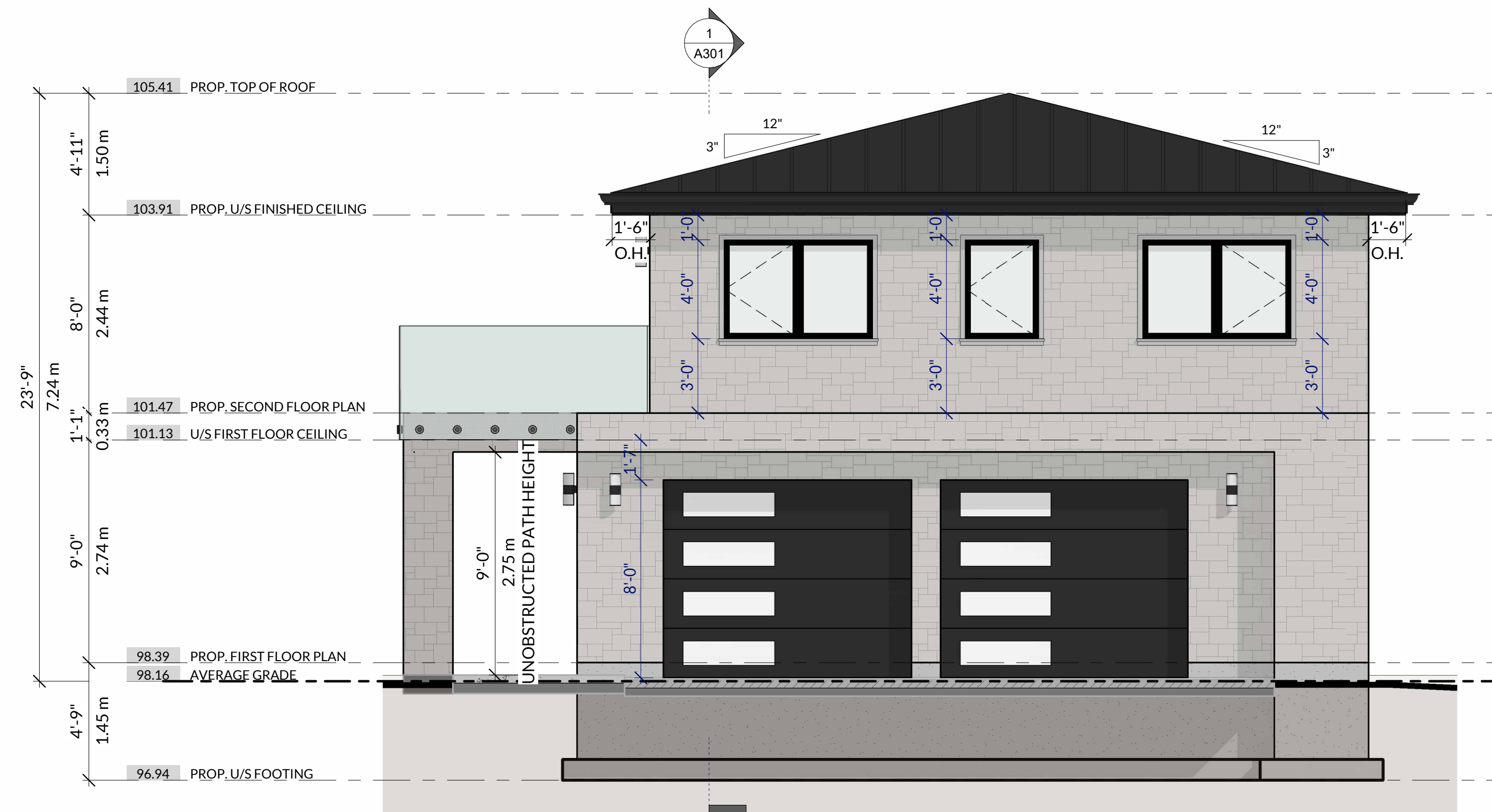
ROOF PLAN

A103

2024-12-19 12:22:46 PM



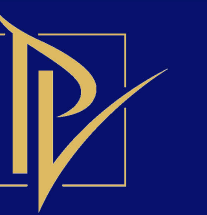
1 PROP. ROOF PLAN
A103 SCALE: 1/4" = 1'-0"



1
A201 **PROP. NORTH ELEVATION (FRONT)**
SCALE: 1/4" = 1'-0"



2
A201 **PROP. SOUTH ELEVATION**
SCALE: 1/4" = 1'-0"



PERSPECTIVE VIEWS
ARCHITECTURAL DESIGN

THE DRAWINGS AND WRITTEN MATERIAL HEREIN CONSTITUTE ORIGINAL WORK OF PERSPECTIVE VIEWS, AND AS INTELLECTUAL PROPERTY AND INSTRUMENTS OF SERVICE ARE SUBJECT TO COPYRIGHT AND MAY NOT BE REPRODUCED, DISTRIBUTED, PUBLISHED, ALTERED OR USED IN ANY WAY WITHOUT THE EXPRESS WRITTEN CONSENT OF PERSPECTIVE VIEWS.

DO NOT SCALE DRAWINGS. THESE DRAWINGS ARE TO BE READ IN CONJUNCTION WITH ALL RELEVANT ARCHITECTURAL, ENGINEERING AND CONSULTANTS SPECIFICATIONS AND DETAILS. CONTRACTOR TO VERIFY AND CONFIRM ALL DIMENSIONS AND ELEVATIONS ON DRAWINGS WITH SITE CONDITIONS AND REPORT ANY OMISSIONS OR DISCREPANCIES TO PERSPECTIVE VIEWS AND OBTAIN CLARIFICATION PRIOR TO COMMENCING WITH THE WORK.

NEW 2 STOREY SDU W/ GARAGE

86 LISTER AVENUE
CITY OF HAMILTON

Project No. PV24-034

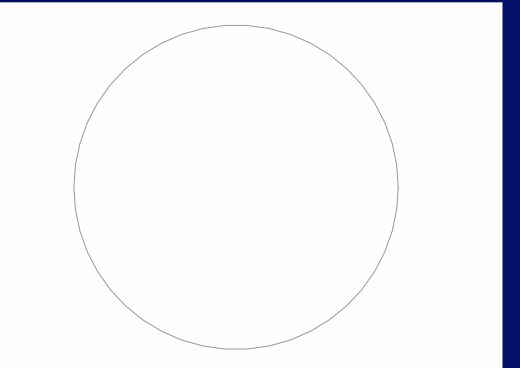
The undersigned has reviewed and takes responsibility for this design, and has the qualifications and meets the requirements set out in the Ontario Building Code to be a designer.

115278

Approver

Issue/Revision
1 SENT TO CITY FOR REVIEW 24/12/19

Seal



Scale 1/4" = 1'-0"

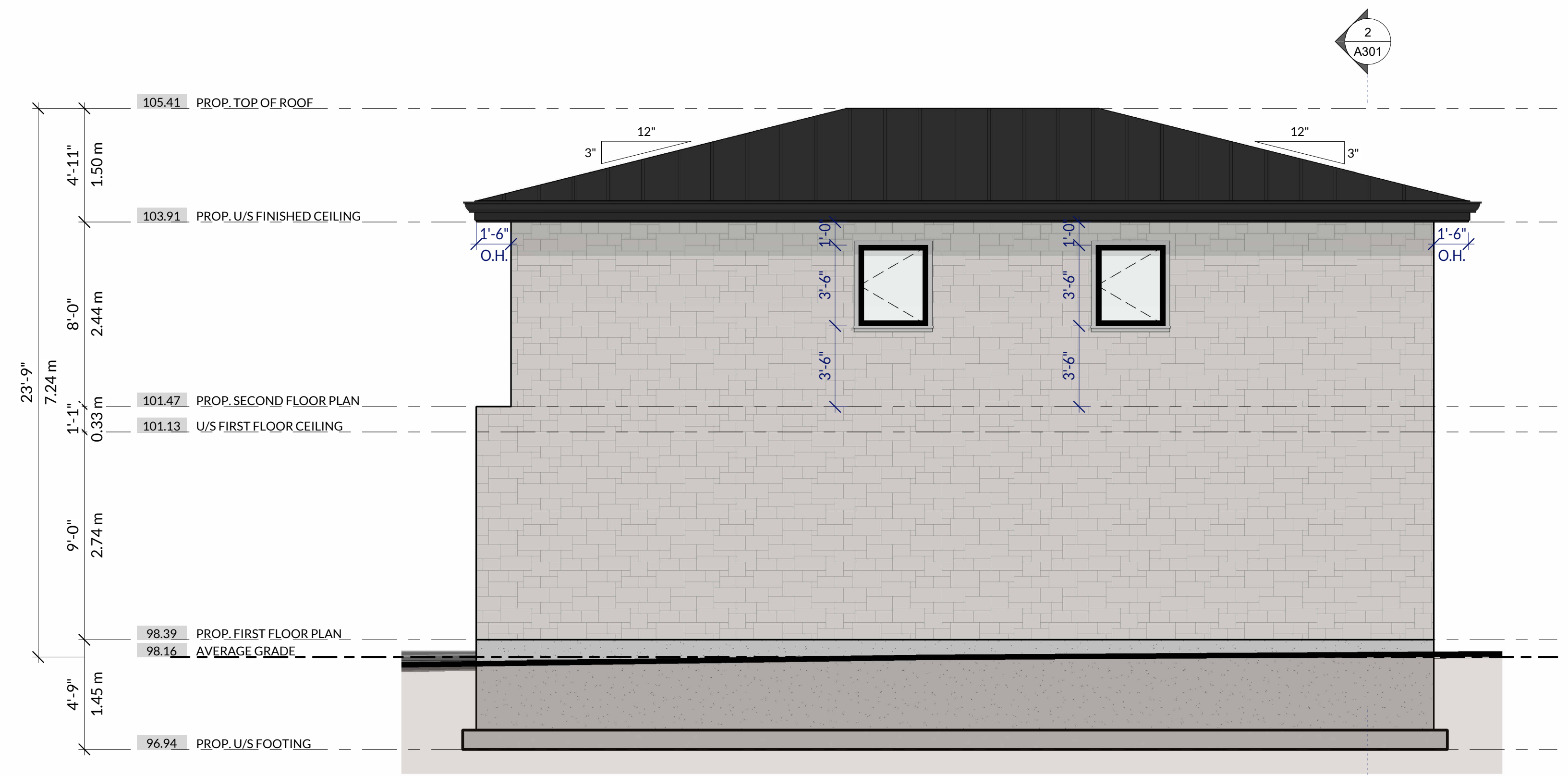
NORTH (FRONT) & SOUTH ELEVATION

A201

2024-12-19 12:22:54 PM



1 PROP. EAST ELEVATION
A202 SCALE: 1/4" = 1'-0"



2 PROP. WEST ELEVATION
A202 SCALE: 1/4" = 1'-0"

UNPROTECTED OPENINGS (WEST ELEVATION)			
PROP. SETBACK TO WALL	3.00 m	9.84 ft	
WALL AREA	68.65 m ²	738.94 ft ²	
PERMITTED UNPROTECTED AREA	12.36 m ²	133.01 ft ²	18.00%
PROPOSED UNPROTECTED AREA	1.95 m ²	20.99 ft ²	2.84%

THE DRAWINGS AND WRITTEN MATERIAL HEREIN CONSTITUTE ORIGINAL WORK OF PERSPECTIVE VIEWS, AND AS INTELLECTUAL PROPERTY AND INSTRUMENTS OF SERVICE ARE SUBJECT TO COPYRIGHT AND MAY NOT BE REPRODUCED, DISTRIBUTED, PUBLISHED, ALTERED OR USED IN ANY WAY WITHOUT THE EXPRESS WRITTEN CONSENT OF PERSPECTIVE VIEWS.
DO NOT SCALE DRAWINGS. THESE DRAWINGS ARE TO BE READ IN CONJUNCTION WITH ALL RELEVANT ARCHITECTURAL, ENGINEERING AND CONSULTANTS SPECIFICATIONS AND DETAILS. CONTRACTOR TO VERIFY AND CONFIRM ALL DIMENSIONS AND ELEVATIONS ON DRAWINGS WITH SITE CONDITIONS AND REPORT ANY OBSERVING DISCREPANCIES TO PERSPECTIVE VIEWS AND OBTAIN CLARIFICATION PRIOR TO COMMENCING WITH THE WORK.

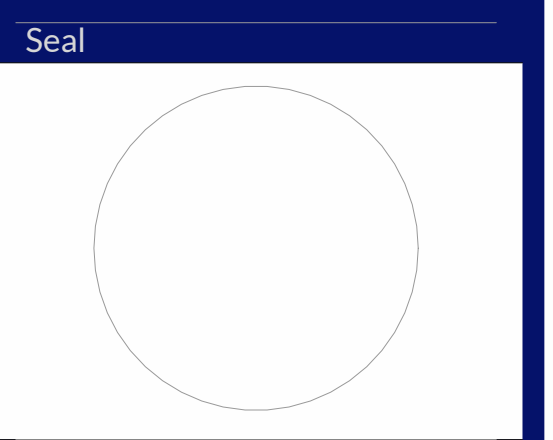
NEW 2 STOREY SDU W/ GARAGE

86 LISTER AVENUE
CITY OF HAMILTON
Project No. PV24-034

The undersigned has reviewed and takes responsibility for this design, and has the qualifications and meets the requirements set out in the Ontario Building Code to be a designer.

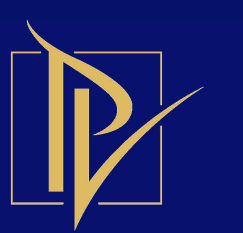
115278

Approver
Issue/Revision
1 SENT TO CITY FOR REVIEW 24/12/19



Scale 1/4" = 1'-0"
EAST & WEST (SIDE) ELEVATION

A202



PERSPECTIVE VIEWS
ARCHITECTURAL DESIGN

THE DRAWINGS AND WRITTEN MATERIAL HEREIN CONSTITUTE ORIGINAL WORK OF PERSPECTIVE VIEWS, AND AS INTELLECTUAL PROPERTY AND INSTRUMENTS OF SERVICE ARE SUBJECT TO COPYRIGHT AND MAY NOT BE REPRODUCED, DISTRIBUTED, PUBLISHED, ALTERED OR USED IN ANY WAY WITHOUT THE EXPRESS WRITTEN CONSENT OF PERSPECTIVE VIEWS.

DO NOT SCALE DRAWINGS. THESE DRAWINGS ARE TO BE READ IN CONJUNCTION WITH ALL RELEVANT ARCHITECTURAL, ENGINEERING AND CONSULTANTS SPECIFICATIONS AND DETAILS. CONTRACTOR TO VERIFY AND CONFIRM ALL DIMENSIONS AND ELEVATIONS ON DRAWINGS WITH SITE CONDITIONS AND REPORT ANY OMBIGING OR DISCREPANCIES TO PERSPECTIVE VIEWS AND OBTAIN CLARIFICATION PRIOR TO COMMENCING WITH THE WORK.

NEW 2 STOREY SDU W/ GARAGE

86 LISTER AVENUE
CITY OF HAMILTON

Project No. PV24-034

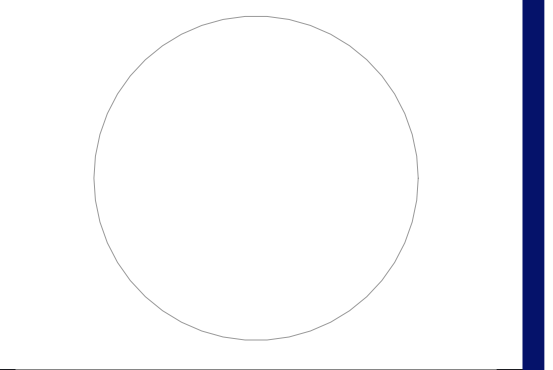
The undersigned has reviewed and takes responsibility for this design, and has the qualifications and meets the requirements set out in the Ontario Building Code to be a designer.

115278

Approver

Issue/Revision	SENT TO CITY FOR REVIEW	24/12/19
1	SENT TO CITY FOR REVIEW	24/12/19

Seal

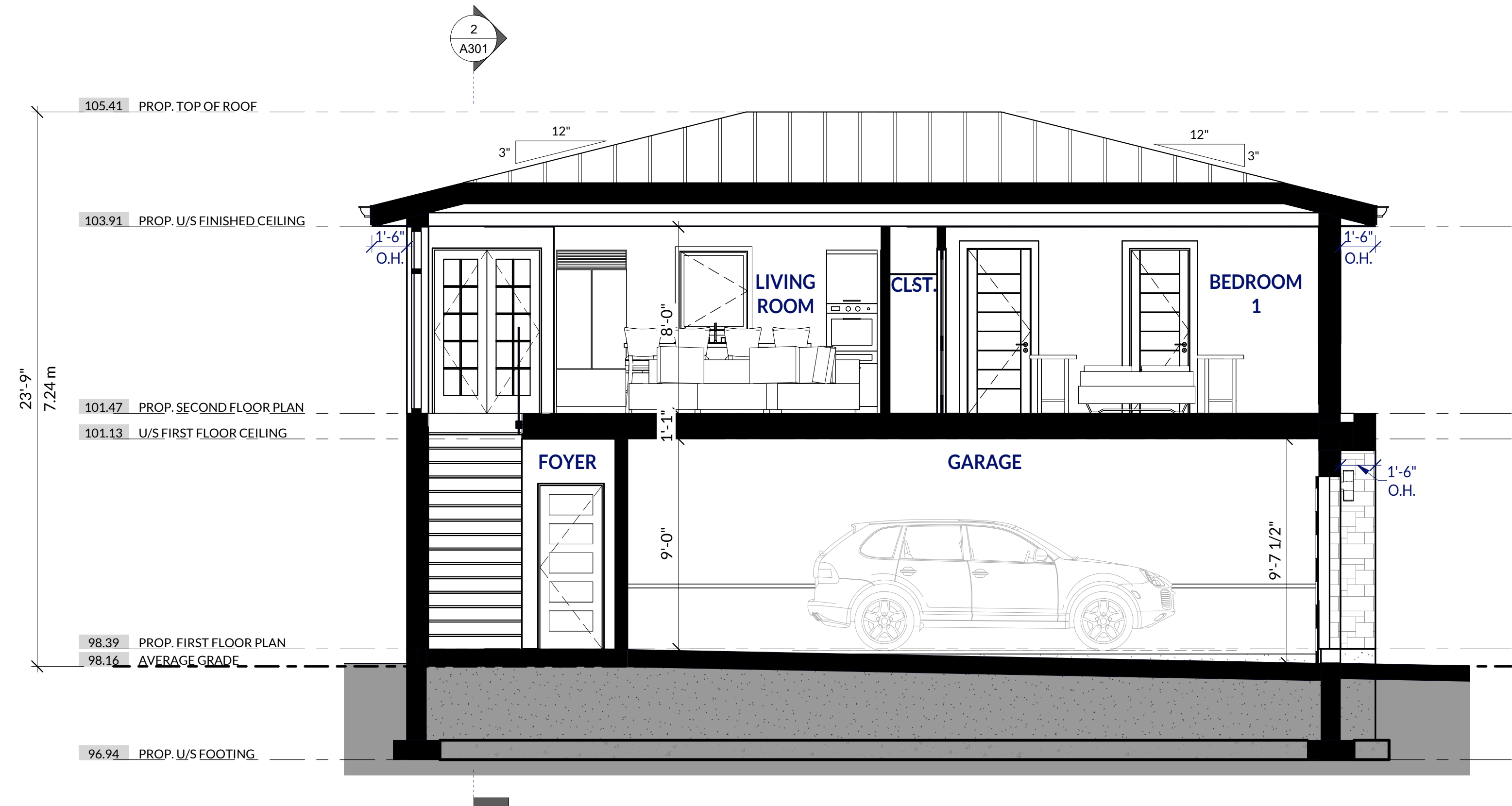


Scale 1/4" = 1'-0"

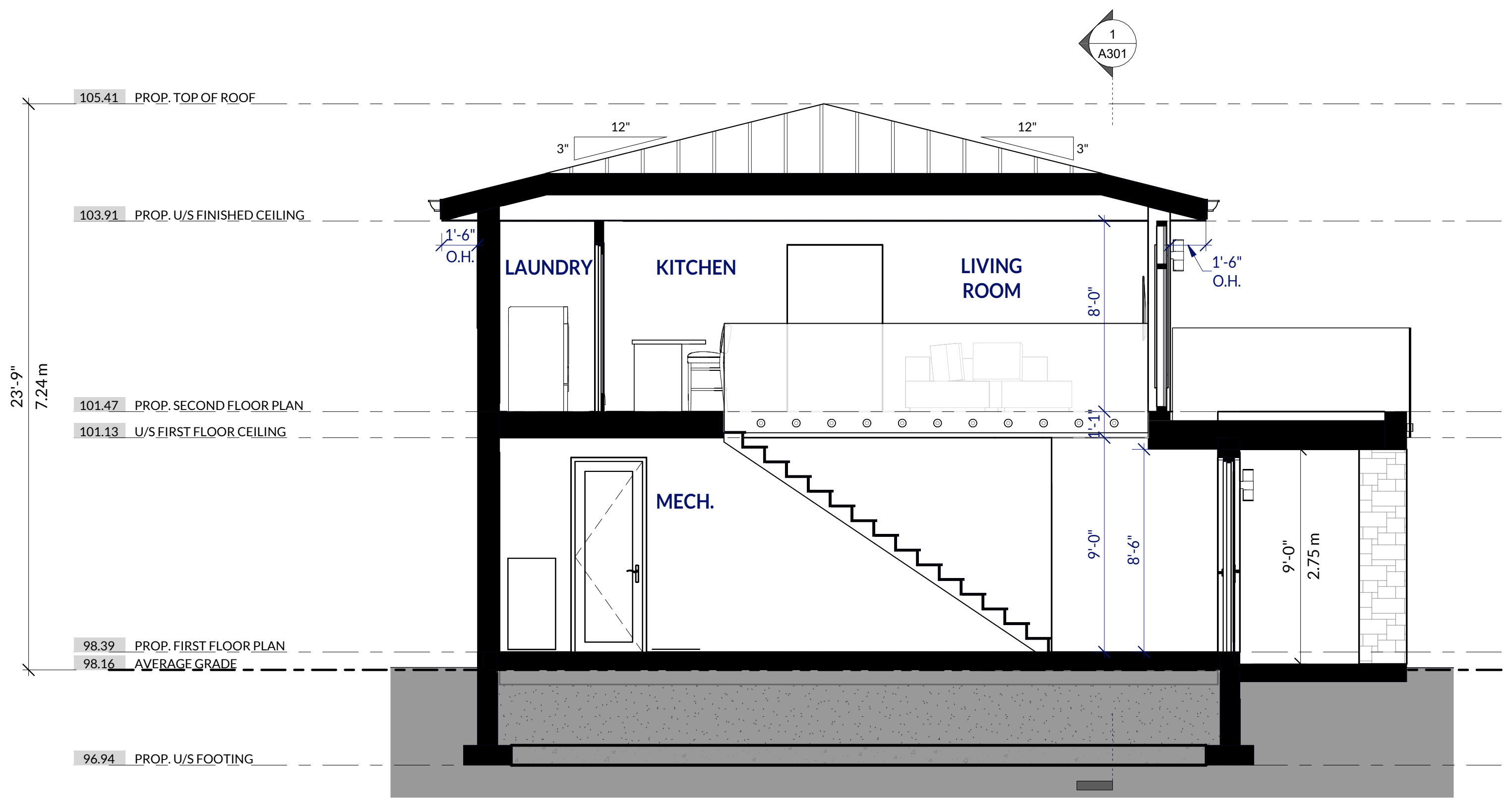
CROSS SECTIONS

A301

2024-12-19 12:23:03 PM



1 CROSS SECTION 1
A301 SCALE: 1/4" = 1'-0"



2 CROSS SECTION 2
A301 SCALE: 1/4" = 1'-0"



Perspective Views Inc.
23-5359 Timberlea Boulevard
Mississauga ON L4W 4N5
647.894.0889 info@perspectiveviews.com

Owner Authorizing Agent

July 19th, 2024

Property: 86 Lister Avenue, Hamilton, ON L9B 1E2

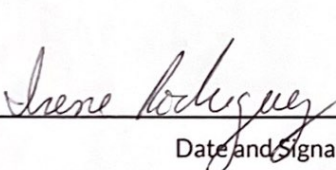
Owner(s): Irene & Rigoberto Rodriguez
86 Lister Avenue, Hamilton, ON L9B 1E2
jonathanrodriguez367@gmail.com

Agent: Matthew Ribau of Perspective Views Inc.
23-5359 Timberlea Boulevard, Mississauga ON L4W 4N5
647.894.0889 info@perspectiveviews.com

Declaration of Owner

I, the undersigned, owner of the address noted above, hereby authorize my agent, Matthew Ribau a representative of Perspective Views Inc. or his assigned agent, to act on my behalf in all matters necessary with regards to the proposed construction and all required permit applications and or clearances required by the municipality and any related authorities.

I assure you of my full consent with regards to this authorization.


Date and Signature of Owner

July 20, 2024

If the owner of the property is a corporation, please provide additional documentation authorizing the signing individual to bind the corporation.



Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Planning Division
71 Main Street West, 5th Floor
Hamilton, Ontario, Canada, L8P 4Y5
Phone: 905.546.2424 x 2719
Email: ZoningInquiry@hamilton.ca

December 16th 2024

FILE: ALR
ATTENTION OF: William Campbell
EMAIL: William.campbell@hamilton.ca

Matthew Ribau
23-5359 Timberlea Blvd
Mississauga L4W 4N5

Re: Zoning District: R2
Zoning By-law: 05-200
Address: 86 Lister Avenue

An applicable law review respecting zoning by-law compliance has been completed and the following comments are provided.

COMMENTS:

1. The applicant is proposing to construct an Additional Dwelling unit- Detached on a lot containing an existing single detached dwelling
2. The proposed use is permitted within the existing R2 zoning designation
3. This is an interior lot. based on “front lot line” as defined, the lot line adjacent to Lister Avenue is considered the front lot line for the property
4. The proposed Additional Dwelling Unit – Detached has been reviewed and compared to the regulations of the R2 zone in the following chart;

	Required	Provided	Conforming/ Non-Conforming
Additional Dwelling Unit- Detached <i>as per section 4.33.2 of Hamilton Zoning By-law 05-200</i>			
Permission [as per section 4.33.2 a) of Hamilton Zoning By-law 05-200]	A maximum of one Additional Dwelling Unit – Detached shall be permitted on a lot containing a Single Detached Dwelling, Duplex Dwelling, Semi-Detached Dwelling, Street Townhouse Dwelling, or a Triplex Dwelling	One proposed on a lot containing a single detached dwelling	Conforms

	Required	Provided	Conforming/ Non-Conforming
Location [as per section 4.33.2 c) of Hamilton Zoning By-law 05-200]	An Additional Dwelling Unit – Detached shall only be permitted in a Rear and/or interior Side Yard.	Proposed in a rear yard	Conforms
Side yard setback [as per section 4.33.2 d) of Hamilton Zoning By-law 05-200]	<p>d) A minimum 1.2 metre setback shall be provided from the interior Side Lot Line and Rear Lot Line.</p> <p>i) Notwithstanding Section 4.33.2 d), an eave or a gutter may extend a maximum of 0.45 metres into a required minimum setback area.</p> <p>ii) In addition to Section 4.33.2 d), a landscape strip is required to be provided within the required side yard adjacent to an Additional Dwelling Unit – Detached and shall be limited to sod, ground cover, permeable pavers, or a planting strip, and may include a visual barrier.</p>	Minimum 3.0m side yard setback provided	conforms
Unobstructed path [as per section 4.33.2 f) of Hamilton Zoning By-law 05-200]	An unobstructed path with a minimum 1.0 metre width and minimum 2.1 metre clearance in height from a street line to the entrance of the Additional Dwelling Unit – Detached shall be provided and maintained.	Path provided	conforms
Building separation [as per section 4.33.2 g) of Hamilton Zoning By-law 05-200]	Where an Additional Dwelling Unit – Detached is in the Rear Yard, a minimum distance of 7.5 metres shall be required between the rear wall of the principal dwelling and the Additional Dwelling Unit – Detached.	11.0m separation distance provided from the principal dwelling	Conforms
Building height [as per section 4.33.2 h) of Hamilton Zoning By-law 05-200]	<p>A maximum height of 6.0 metres shall be permitted.</p> <p>i) Notwithstanding Section 4.33.2 h), balconies and rooftop patios shall be prohibited above the first floor level.</p>	<p>7.24m building height provided</p> <p>Balcony proposed at the second level</p>	Non-conforming

	Required	Provided	Conforming/ Non-Conforming
Floor Area / Coverage [as per section 4.33.2 i) of Hamilton Zoning By-law 05-200]	The maximum gross floor area shall not exceed the lesser of 75 square metres or the gross floor area of the principal dwelling.	GFA of 101.08 square meters	Non-conforming
	i) Notwithstanding Section 4.33.2 i), the maximum combined lot coverage of all accessory buildings and the Additional Dwelling Unit - Detached shall be 25%. ii) In addition to Section 4.33.2 i), the ground floor area of a Additional Dwelling Unit – Detached shall not exceed 70% of the ground floor area of the principal dwelling when the ground floor area of the principal dwelling is less than or equal to 105 square metres.	i) 118.92m ² footprint for the proposed ADU $118.92/1,407.59 = 8.44\%$ ii) principle dwelling ground floor area exceeds 105m ²	Conforms
Parking <i>in accordance with section 5 of Hamilton Zoning By-law 05-200</i>			
Minimum Number of Required Parking Spaces [as per section 5.1.1 (a) of Hamilton Zoning By-law 05-200]	The minimum number of required parking spaces which must be provided shall be the result of applying: i) The minimum amount in accordance with the Minimum Required Parking Rate Schedule in Section 5.7.1; ii) Any eligible exception in this Section; and, iii) Any eligible deductions in this Section	Applicant to note	
Exception for Existing Buildings in All Zones [as per section 5.1.1 (b) of Hamilton Zoning By-law 05-200]	Notwithstanding Section 5.7.1, for any use located in all or part of a building existing on the effective date of this By-law, no parking spaces are required, provided that the number of parking spaces which existed on	Applicant to note	

	Required	Provided	Conforming/ Non-Conforming
	<p>the effective date of this By-law shall continue to be provided, except that:</p> <p>i) a use shall not be required to provide additional parking beyond that which is required by Section 5.7.1; and,</p> <p>ii) where an addition, alteration or expansion of an existing building is proposed, the parking requirements of Section 5.7.1 shall only apply to the increased gross floor area of the building.</p>		
<p>Rounding Calculations [as per section 5.1.1 (c) of Hamilton Zoning By-law 05-200]</p>	<p>i) Where the application of the parking standards in Section 5.7.1, 5.7.2, 5.7.4, and 5.7.5 results in a numeric fraction, fractions shall be rounded down to the nearest whole number.</p> <p>ii) Where the application of the minimum accessible parking standards in Section 5.7.3 results in a numeric fraction, fractions shall be rounded up to the nearest whole number.</p> <p>iii) Where the calculations in Sections 5.7.1, 5.7.2, 5.7.3, 5.7.4 or 5.7.5 apply to multiple uses, rounding shall only be applied to the sum of the requirements for all uses on the lot.</p>	Applicant to note	
<p>Required Parking to be Provided on Same Lot [as per section 5.1.1 (d) of Hamilton Zoning By-law 05-200]</p>	<p>All required parking spaces shall be located on the same lot as the use for which they are required, unless the parking spaces are provided on another lot in compliance with Section 5.6.1.</p>	<p>Parking provided on the same lot as the use requiring it</p>	Conforms
<p>Maximum Permitted Number of Parking [as per section 5.1.2 of Hamilton Zoning By-law 05-200]</p>	<p><u>a) Maximum Permitted Number of Parking Spaces</u></p> <p>Where Section 5.7.2 specifies a maximum permitted number of parking spaces, the number of parking spaces located on a lot shall not exceed that number.</p>	Applicant to note	

	Required	Provided	Conforming/ Non-Conforming
	<p><u>b) Reduction of Excess Parking Spaces</u></p> <p>Where the number of existing parking spaces exceeds the maximum permitted in accordance with Section 5.7.2, the parking spaces provided in excess of the maximum parking standard may be eliminated. However, in no case may the number of parking spaces provided be less than the minimum parking requirements in Section 5.7.1.</p>	Applicant to note	
5.2 FUNCTIONAL DESIGN REQUIREMENTS			
<p>Minimum Parking Space Dimensions [as per section 5.2.1 of Hamilton Zoning By-law 05-200]</p>	<p><u>a) Minimum Parking Space Dimensions</u></p> <p>Unless permitted by another regulation in this By-law, parking space sizes shall be a minimum of 2.8 metres in width and 5.8 metres in length.</p>	Parking space provided as 2.8m x 5.8m	Conforms
Drive aisle requirements			
<p>Access Requirements [as per section 5.2.4 of Hamilton Zoning By-law 05-200]</p>	<p><u>a) Access Design Requirements</u></p> <p>Access to all parking shall:</p> <p>i) be arranged so as to not interfere with normal public use of the street or laneway;</p> <p>ii) be provided by means of an access driveway:</p> <ol style="list-style-type: none"> 1. located on the lot; or, 2. located partly on the lot in the case of a mutual driveway; or, 3. by means of a Right-of-Way; and, 	Provided	Conforms
	<p><u>b) Minimum Access Driveway Width</u></p>	Driveway width exceeds 2.7m	Conforms

	Required	Provided	Conforming/ Non-Conforming
	The width of any driveway providing access to a parking space shall be a minimum of 2.7 metres		
5.3 LOCATIONAL, LANDSCAPING AND SURFACE MATERIAL REQUIRMENTS			
Locational and Landscaping and Driveway Requirements for Single Detached Dwellings, Semi-Detached Dwellings, Duplex Dwellings, Triplex Dwellings and Fourplex Dwellings in All Zones Except the Agriculture (A1) and Rural (A2) Zones [as per section 5.3.2 of Hamilton Zoning By-law 05-200]	a) On a lot containing a Single Detached Dwelling, Semi-Detached Dwelling, Duplex Dwelling, Triplex Dwelling or Fourplex Dwelling, in all Zones except the Agriculture (A1) and Rural (A2) Zone: i) The width of a driveway shall not exceed the width of an attached garage;	i) n/a	n/a
	iii) In the case of a dwelling unit without an attached garage, the driveway width shall not exceed 50% of the lot width or 8.0 metres, whichever is less; iv) A maximum of one driveway shall be permitted for each dwelling unit, except in the case of: 1. A corner lot where a maximum of one driveway may be permitted from each street. 2. On a lot having a minimum width of 30.0 metres, a maximum of two driveways may be permitted.	iii) 8.0m maximum driveway width iv) existing two driveway condition	Conforms
	v) On a corner lot, no access driveway shall be permitted through a daylight triangle.	v) interior lot	N/A

	Required	Provided	Conforming/ Non-Conforming
Parking Facility Surface Material Requirements [as per section 5.3.4 of Hamilton Zoning By-law 05-200]	<u>a) Parking Spaces, Driveways and Widening(s) in All Zones</u> Parking spaces, driveways and widening(s) in all zones shall be provided and maintained with stable surfaces such as asphalt, concrete or other hardsurfaced material, crushed stone, permeable pavers or gravel, and shall be maintained in a dust free condition.	it would appear asphalt is proposed	Appears to Conform
	i) Notwithstanding Section 5.3.4 a), on a lot containing a residential use in a Residential Zone, any parking provided beyond that which is required by Section 5.7.1 of this By-law shall be maintained with permeable material and shall not be deemed landscaped area in the calculation of total landscaped area on a lot.	Applicant to note	
5.7 PARKING SCHEDULES			
Parking Schedules [as per section 5.7 of Hamilton Zoning By-law 05-200]	<u>a) Parking Rate Areas</u> Where this By-law indicates that a Parking Rate Area (PRA) applies for the purpose of calculating a parking requirement or permission, such Parking Rate Area shall apply to lands and shall be indicated as Parking Rate Area (PRA1), (PRA2) and (PRA3) on Schedule "A" – Zoning Maps.	Applicant to note subject Lands are located in PRA2	
	<u>b) Application of Parking Rate Areas</u> Where a parking rate or requirement contained in this By-law does not contain reference to a Parking Rate Area (PRA), such parking rate shall apply to all lands throughout the City. Only where a parking rate refers	Applicant to note	

	Required	Provided	Conforming/ Non-Conforming
	to a specific Parking Rate Area, and where such use is located within that specified Parking Rate Area, shall there be any modification to the parking rate, and only in the manner prescribed.		
Minimum Required Parking Rate Schedule [as per section 5.7.1 of Hamilton Zoning By-law 05-200]	<u>a) Minimum Required Parking Rate Schedule</u> Parking spaces shall be provided in the minimum quantity specified in Column 2 hereunder for each use listed in Column 1: Lot in question is in PRA 2; Single detached- 1 space Additional dwelling unit- detached in PRA 2- no parking required	1 parking space provided	Conforms

5. Construction of the proposed Additional Dwelling Unit - Detached 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. Sign details not provided. All signage shall conform to Hamilton Sign by-law
7. Fence details not provided. All fencing shall conform to Hamilton Fence by-law
8. The designer shall ensure that the fire access route conforms to the Ontario building code

Yours truly

William Campbell

For the manager of Zoning And Committee of Adjustment

ACKNOWLEDGEMENT CLAUSE (FOR ZONING COMPLIANCE REVIEW APPLICATIONS IN SUPPORT OF A ZONING BY-LAW AMENDMENT, SITE PLAN, OR MINOR VARIANCE APPLICATION)

I/We hereby acknowledge and understand the above noted comments and further acknowledge that the supporting documentation submitted with this Zoning Compliance Review application has not been changed or modified between the date of this letter and the date of application for the subsequent Zoning By-law Amendment, Site Plan, or Minor Variance application.

If the supporting documentation has been changed or modified, a new application for Zoning Compliance Review may be required prior to acceptance of a formal application for Zoning By-law Amendment, Site Plan, or Minor Variance application.

_____	_____	_____
Owner	Owner Signature	Date

_____	_____	_____
Applicant (I have the authority to bind the Owner)	Applicant Signature	Date

_____	_____	_____
Agent (I have the authority to bind the Owner)	Agent Signature	Date



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)	Rigoberto & Irene Rodriguez
Applicant(s)	
Agent or Solicitor	Phone:
	E-mail:

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 [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.

1.6 Payment type In person Cheque [Redacted]

*Must provide number above

2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	86 Lister Ave, Hamilton, ON L9B 1E2		
Assessment Roll Number	2518091-13106210		
Former Municipality			
Lot	59	Concession	
Registered Plan Number	1013	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:

See attached Zoning Compliance Review Letter

Second Dwelling Unit Reconstruction of Existing Dwelling

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

Due to By-law provisions for Additional Dwelling Unit

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
30.51	46.11	1407.59	

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
S.F.D	9.53m	27.59m	2.53m & 9.30m	1956
Shed	36.38m	4.26m	9.72m & 17.47m	
Shed	23.32m	18.76m	3.89m & 21.39m	

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Additional Dwelling Unit- Detached	30.42m	3m	3m	

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
S.F.D	137.87 m2	137.87 m2	1	4.8m

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Additional Dwelling Unit- Detached	118.92 m2	220 m2	2	7.24 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.):
Exist S.F.D w/ Proposed Additional Dwelling Unit- Detached with Garage

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

7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:
July 31, 2014

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

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

7.4 Length of time the existing uses of the subject property have continued:
10 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) Low Density Residential

Please provide an explanation of how the application conforms with the Official Plan.
Meets the 4 tests of the Official Planning Act

7.6 What is the existing zoning of the subject land? R2 (Low Density Residential - Large Lot)

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: R2 (Low Density Residential - Large Lot)

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: 1

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

11 COMPLETE APPLICATION REQUIREMENTS

11.1 All Applications

- Application Fee
- Site Sketch
- Complete Application form
- Signatures Sheet

11.4 Other Information Deemed Necessary

- Cover Letter/Planning Justification Report
 - Authorization from Council or Director of Planning and Chief Planner to submit application for Minor Variance
 - Minimum Distance Separation Formulae (data sheet available upon request)
 - Hydrogeological Assessment
 - Septic Assessment
 - Archeological Assessment
 - Noise Study
 - Parking Study
-
-