



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-21:96

APPLICANTS: D. Tyrrell on behalf of the owner T. & H. Wyatt

SUBJECT PROPERTY: Municipal address **178 East 45th St., Hamilton**

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

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

PROPOSAL: To permit the construction of a second storey addition to the existing single family dwelling, notwithstanding,

1. A minimum southerly side yard width of 0.9 metres shall be provided instead of the minimum required side yard width of 1.2 metres.

NOTES:

1. Details regarding the proposed height of the building have not been provided. A further variance will be required if the proposed building height exceeds two and a half storeys or 11.0 metres, provided in accordance with the definition of Height, Grade and Storey as defined within the Zoning By-law.

2. A further variance will be required if the eaves and gutter project greater than 0.45 metres into the required northerly side yard.

3. A further variance may be required if alterations to the existing front porch, including steps, are proposed.

4. A further variance may be required if alterations to the existing front yard conditions are proposed (i.e. reduction of landscaped area or increase of driveway area).

5. Details regarding the number of habitable rooms have not been provided. Further variances may be required if the proposed addition results in greater than eight (8) habitable rooms being contained within the dwelling.

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

DATE: Thursday, April 22nd, 2021
TIME: 2:45 p.m.
PLACE: Via video link or call in (see attached sheet for details)
 To be streamed at
www.hamilton.ca/committeeofadjustment
 for viewing purposes only

PUBLIC INPUT

Written: If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Please see attached page for complete instructions, including deadlines for submitting to be seen by the Committee.

Orally: If you would like to speak to this item at the hearing you may do so via video link or by calling in. Please see attached page for complete instructions, including deadlines for registering to participate.

MORE INFORMATION

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

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

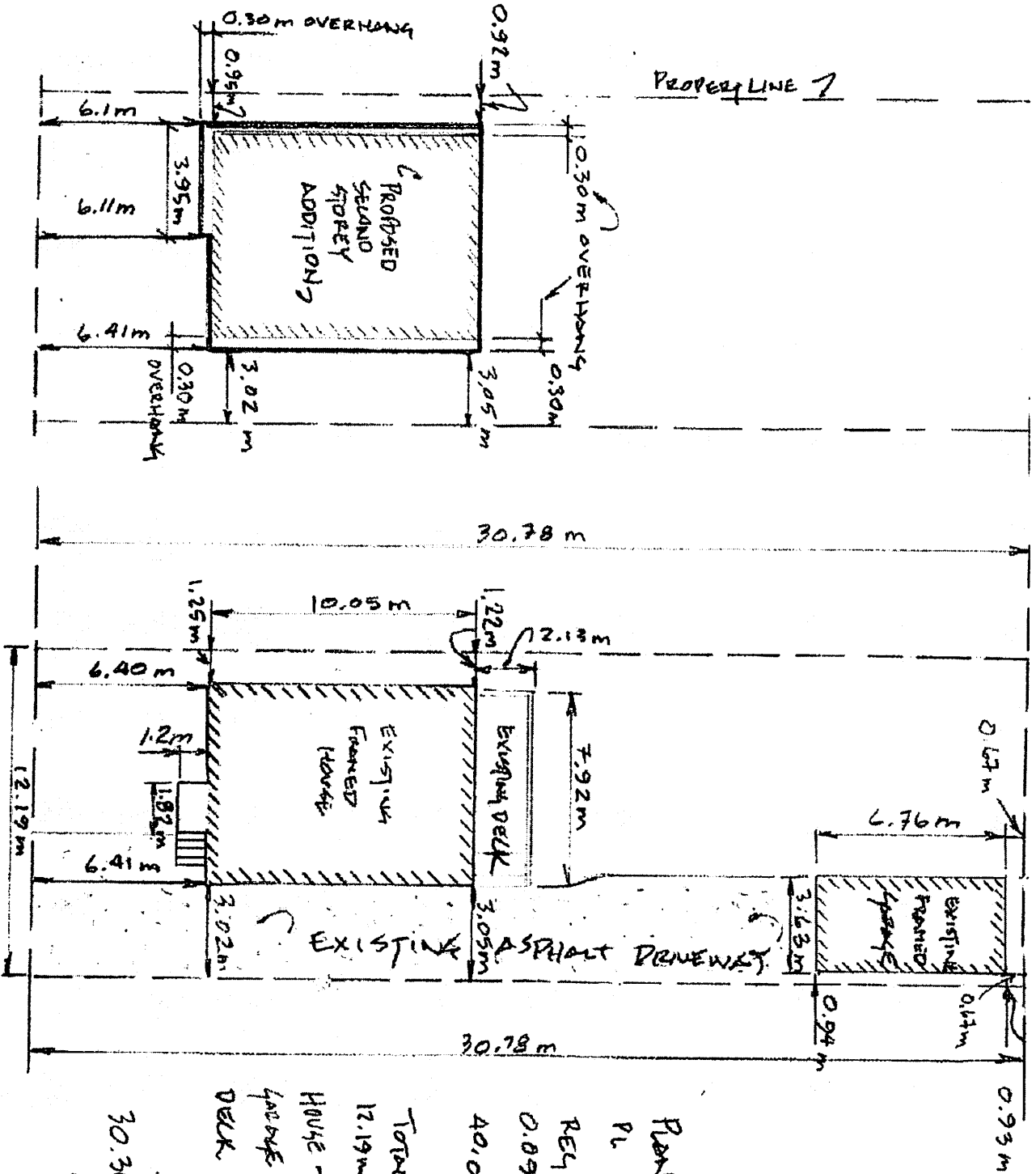
DATED: April 6th, 2021.

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.

PROPOSED SECOND FLOOR ADDITION

EXISTING STRUCTURE SLABE 1,200



PLAN 582
 PL LOT 14, 142, 143
 REQ,
 0.09AL.
 40,00 FE - 10,000 D

 TOTAL LOT
 12.19m x 30.78m = 375,21m²
 HOUSE - 79,60m²
 GARAGE 24,53m²
 DECK 9,58m²

 113,71m²
 30.30% OF
 COVERAGE



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)	Timothy Wyatt Hannah Wyatt	[REDACTED]	Phone: [REDACTED]
			E-mail: [REDACTED]
Applicant(s)*	Timothy Wyatt Hannah Wyatt	[REDACTED]	Phone: [REDACTED]
			E-mail: [REDACTED]
Agent or Solicitor	David Tyrrell	[REDACTED]	Phone: [REDACTED]
			E-mail: [REDACTED]

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

- Names and addresses of any mortgagees, holders of charges or other encumbrances:
Timothy and Hannah Wyatt
178 East 45th Street
Hamilton ON L8T 3K3

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:

proposed second floor addition overhang does not comply with minimum side lot allowances

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

size of existing house does not allow us to build rooms that are feasible so we need to overhang the addition to add square footage

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):

Plan 582
Lot 141, 142, 143
178 E 45th St
Hamilton ON L8T 3K3

7. PREVIOUS USE OF PROPERTY

Residential Industrial Commercial

Agricultural Vacant

Other _____

8.1 If Industrial or Commercial, specify use _____

8.2 Has the grading of the subject land been changed by adding earth or other material, i.e. has filling occurred?

Yes No Unknown

8.3 Has a gas station been located on the subject land or adjacent lands at any time?

Yes No Unknown

8.4 Has there been petroleum or other fuel stored on the subject land or adjacent lands?

Yes No Unknown

8.5 Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?

Yes No Unknown

8.6 Have the lands or adjacent lands ever been used as an agricultural operation where cyanide products may have been used as pesticides and/or sewage sludge was applied to the lands?

Yes No Unknown

8.7 Have the lands or adjacent lands ever been used as a weapon firing range?

Yes No Unknown

8.8 Is the nearest boundary line of the application within 500 metres (1,640 feet) of the fill area of an operational/non-operational landfill or dump?

Yes No Unknown

8.9 If there are existing or previously existing buildings, are there any building materials remaining on site which are potentially hazardous to public health (eg. asbestos, PCB's)?

Yes No Unknown

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

Yes No Unknown

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

neighbours who have been living here since the original construction

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

Is the previous use inventory attached? Yes No

9. ACKNOWLEDGEMENT CLAUSE

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

March 10, 2021

Date


Hannah Wyatt

Print Name of Owner

10. Dimensions of lands affected:

Frontage	40.00 FR
Depth	101.00 D
Area	0.09 AC
Width of street	approx 10 meters

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: _

Single family dwelling, 1 storey

see attached site plan

Proposed

Single family dwelling, 2 storey.

see attached site plan

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

Existing:

see attached site plan

Proposed:

see attached site plan

13. Date of acquisition of subject lands:
September 23, 2016
-
14. Date of construction of all buildings and structures on subject lands:
as soon as possible
-
15. Existing uses of the subject property:
single family dwelling
16. Existing uses of abutting properties:
single family dwellings
17. Length of time the existing uses of the subject property have continued:
Since it has been built - approximately 1950s.
since it has been built approximately 1950s
18. Municipal services available: (check the appropriate space or spaces)
Water _____ Connected yes
Sanitary Sewer _____ Connected yes
Storm Sewers _____
19. Present Official Plan/Secondary Plan provisions applying to the land:
Plan 582
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
None
21. Has the owner previously applied for relief in respect of the subject property?
 Yes No
If the answer is yes, describe briefly.
22. Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*?
 Yes No
23. Additional Information
24. The applicant shall attach to each copy of this application a plan showing the dimensions of the subject lands and of all abutting lands and showing the location, size and type of all buildings and structures on the subject and abutting lands, and where required by the Committee of Adjustment such plan shall be signed by an Ontario Land Surveyor.