



Hamilton

COMMITTEE OF ADJUSTMENT

City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5
Telephone (905) 546-2424, ext. 4221, 3935 Fax (905) 546-4202
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.: HM/A-21:128

APPLICANTS: Owners M. McPeak & A. Leggett

SUBJECT PROPERTY: Municipal address **12 Henry St., Hamilton**

ZONING BY-LAW: Zoning By-law 6593, as Amended by By-law 13-307

ZONING: "D"/S-1787 district (Urban Protected Residential One and Two Family Dwellings)

PROPOSAL: To permit the construction of a 1rd storey rear addition to the existing single-family dwelling notwithstanding that;

1. A 0.0 m easterly side yard width shall be provided instead of the minimum required side yard width of 1.2 m.

Notes:

Please be advised that no variance will be required for the eaves on the easterly side lot line if variance # 1 for the 0.0 m easterly side yard is approved.

No variance has been triggered for parking as the existing and proposed number of habitable rooms does not exceed a total of 8; therefore, the existing parking shall be maintained

Please note that no part of the eave/gutter shall encroach onto the adjacent private property. Otherwise, an Encroachment Agreement and a Maintenance Easement shall be required which shall be entered into and registered on title for both the lot upon which the eave is encroaching onto and the subject lot.

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

DATE: Thursday, May 20th, 2021
TIME: 2:35 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:

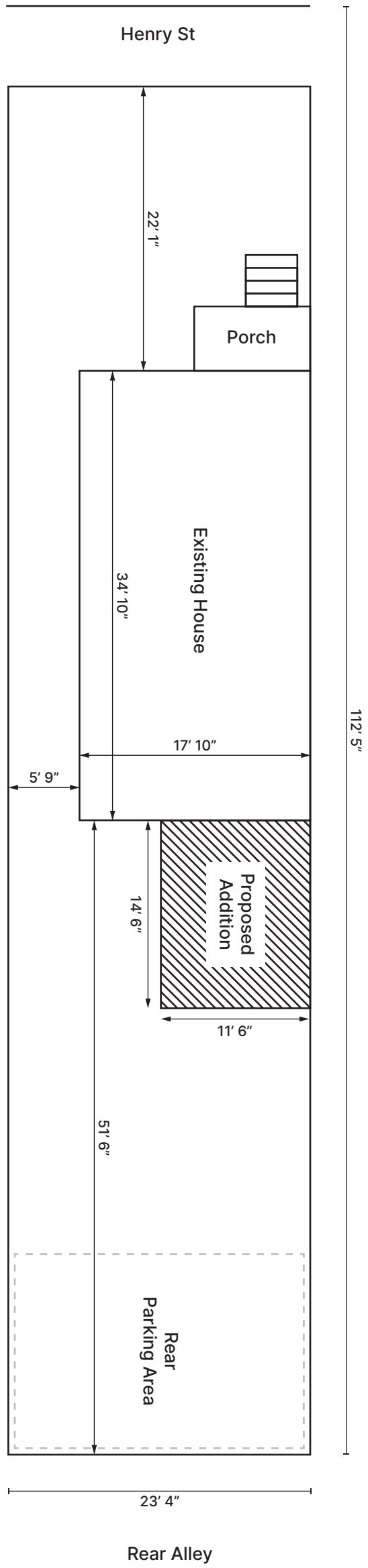
- Visit www.hamilton.ca/committeeofadjustment
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at cofa@hamilton.ca

DATED: May 4th, 2021.

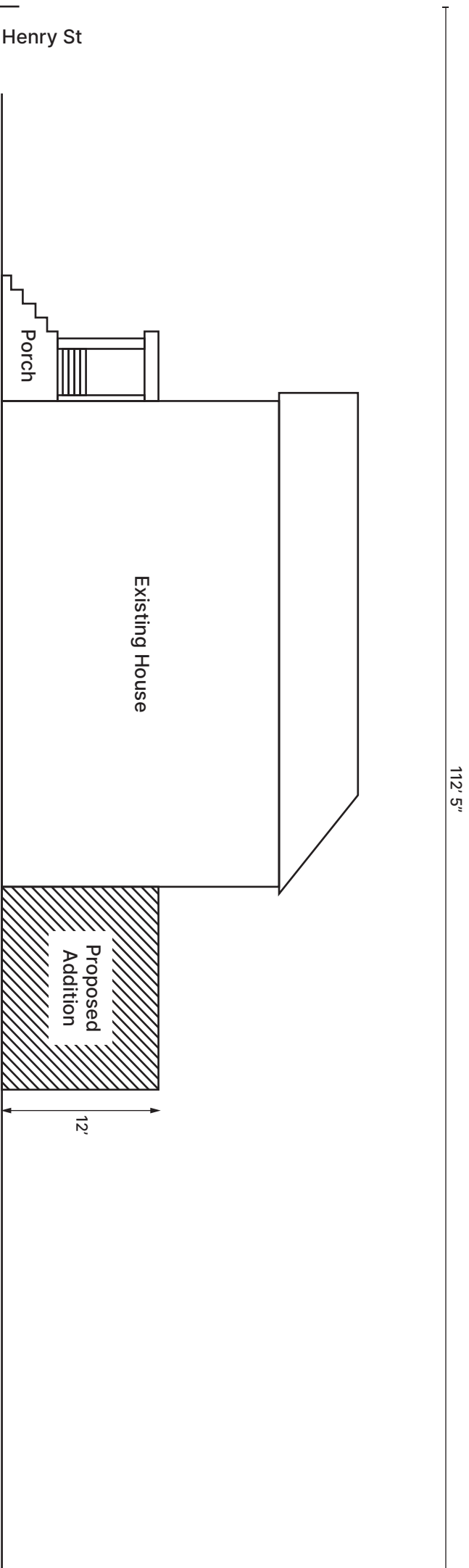
Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

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.

Sketch Map
12 Henry St, Hamilton, ON
Scale 10 (1"=10')



Elevation
12 Henry St, Hamilton, ON
Scale 10 (1"=10')





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) | | | |
| Applicant(s)* | Matthew McPeak | | |
| Agent or Solicitor | | | Phone: |
| | | | E-mail: |

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:
 First National Financial LP
 100 University Ave
 North Tower, Suite 1200
 Toronto, ON
 M5J 1V6

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:

One-floor addition, off the back of the existing structure (south-east corner)

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

The home is positioned on the east property line. Aligning the proposed structure to the existing structure doesn't allow us to abide by the standard 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**):

PIN: 17141-0096

Lot: 44-45, Plan: 226, as in NS218252

Roll #: 01010103020

Address: 12 Henry St, Hamilton, ON, L8P1G8

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?

Our knowledge of the neighbourhood; we have owned this property for over 5 years. The house was built in the early 1900s.

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 22, 2021
Date


Signature Property Owner

Matthew McPeak
Print Name of Owner

10. Dimensions of lands affected:

Frontage 23'4"
Depth 112'5"
Area 2623 sq ft
Width of street 21'

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: 621sq ft
Gross Floor Area: 1242 sq ft (2 stories)
Width: 17'10" Length: 34'10" Height: 32'

Proposed
Ground Floor Area: 166 sq ft
Gross Floor Area: 166 sq ft (1 storey)
Width: 11'6" Length: 14'6" Height: 12'

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

Existing:
Distance from east lot line: 0'
..from west: 5'9"
..from rear: 51'6"
..from front: 22'1"

Proposed:
Distance from east lot line: 0'
..from west: 12'1"
..from rear: 37'
..from front: 56'11"

13. Date of acquisition of subject lands:
May 29, 2015
14. Date of construction of all buildings and structures on subject lands:
Early 1900s
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:
 100 years
18. Municipal services available: (check the appropriate space or spaces)
- | | | | |
|----------------|-------------------------------------|-----------|-------------------------------------|
| Water | <input checked="" type="checkbox"/> | Connected | <input checked="" type="checkbox"/> |
| Sanitary Sewer | <input checked="" type="checkbox"/> | Connected | <input checked="" type="checkbox"/> |
| Storm Sewers | <input checked="" type="checkbox"/> | | |
19. Present Official Plan/Secondary Plan provisions applying to the land:
 B.6.6 / B.6.6.1
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
 Residential
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.