

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-21:205

APPLICANTS: Agent Christine Brown
Owner Anne Prat-Kalonji

SUBJECT PROPERTY: Municipal address **232 Charlton Ave. W., Hamilton**

ZONING BY-LAW: Zoning By-law 6593, as Amended 19-307

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

PROPOSAL: To permit the development of a two (2) and a half storey addition to an existing single detached dwelling located on a residential parcel of land, notwithstanding that:

1. A minimum westerly side yard width of 0.18 metres shall be provided, instead of the minimum required side yard width of 0.90 metres.
2. No parking spaces shall be provided instead of the minimum required three (3) parking spaces.
3. An eave/gutter shall be permitted to encroach the entire width of the westerly side yard for the proposed addition instead of the maximum permitted encroachment of one half of the required side yard.
4. An uncovered porch shall be permitted to be located a distance of 0 metres from the easterly side lot line, instead of the minimum 0.5 metre setback required.

NOTE:

1. The proposed alterations are 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.
2. 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, July 8th, 2021
TIME: 2:05 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

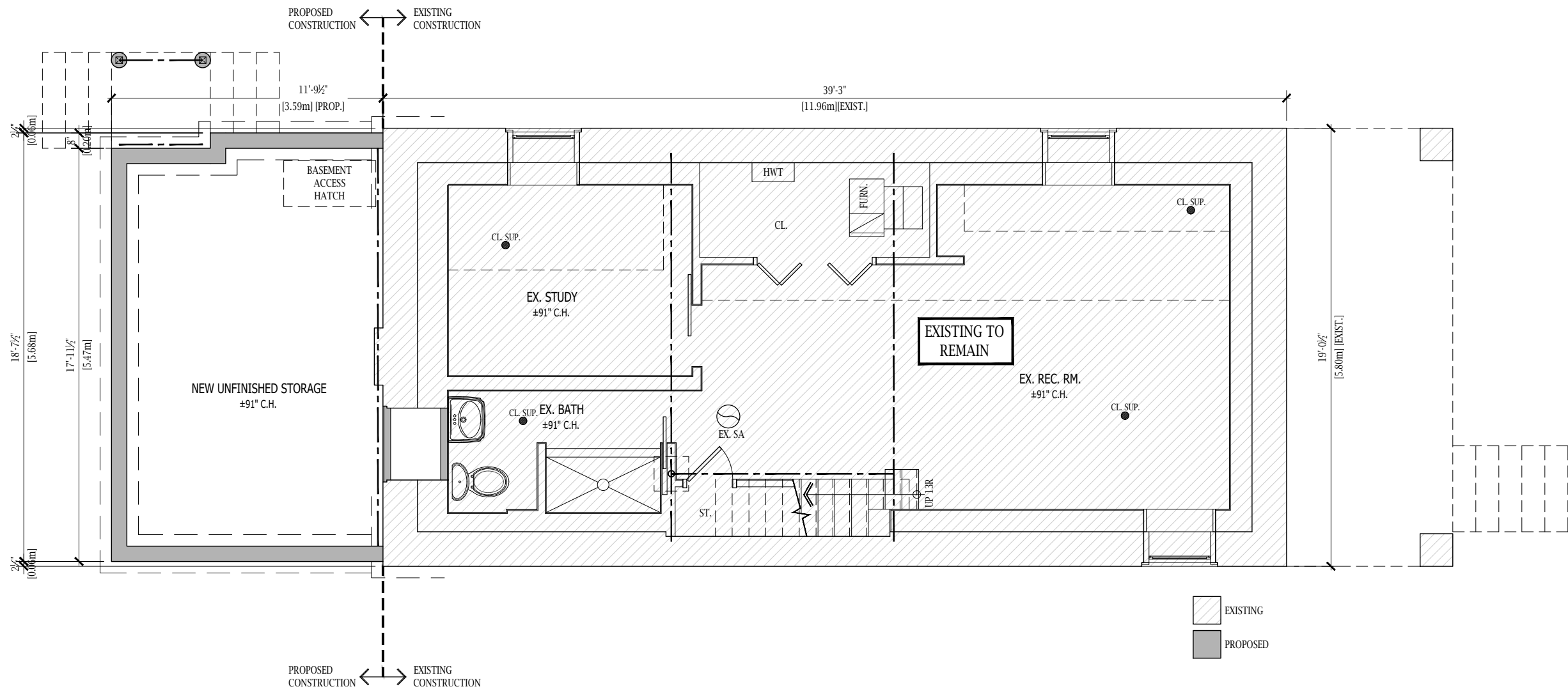
For more information on this matter, including access to drawings illustrating this request:

- 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: June 22nd, 2021.

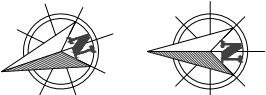
Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

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.



1 PROP. BASEMENT PLAN
A1.01 3/16" = 1'-0"


Drawings must NOT be scaled. Contractor must check and verify all dimensions, specifications and drawings on site and report any discrepancies to the designer prior to proceeding with any of the work.



TRUE NORTH PROJECT NORTH


3	05.10.21	ISSUED FOR MINOR VARIANCE
2	04.26.21	ISSUED FOR PRELIM. DESIGNS
1	04.25.21	ISSUED FOR AS-BUILTS

REF. DATE: DESCRIPTION:



MY HOUSE
DESIGNS


RESIDENTIAL
DESIGN AND
DRAFTING SERVICES



CHRISTINE BROWN
Architectural Technologist
905.802.5272
444 UPPER GAGE AVE.
HAMILTON, ON L8V 4H9
cbrown@friendlycadmonkey.com

CLIENT:
KALONJI RESIDENCE

ADDRESS: 232 CHARLTON AVENUE WEST
CITY: HAMILTON, ONTARIO, L8P 2E2
DRAWING TITLE:
PROP. BASEMENT PLAN



Ministry of Municipal
Affairs and Housing

QUALIFICATION INFORMATION

THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DESIGN AND HAS THE QUALIFICATIONS AND MEETS THE REQUIREMENTS SET OUT IN THE ONT. BUILDING CODE TO BE A DESIGNER.
REQUIRED UNLESS DESIGN IS EXEMPT UNDER DIVISION 'C' SECTION 3.2 OF THE O.B.C.

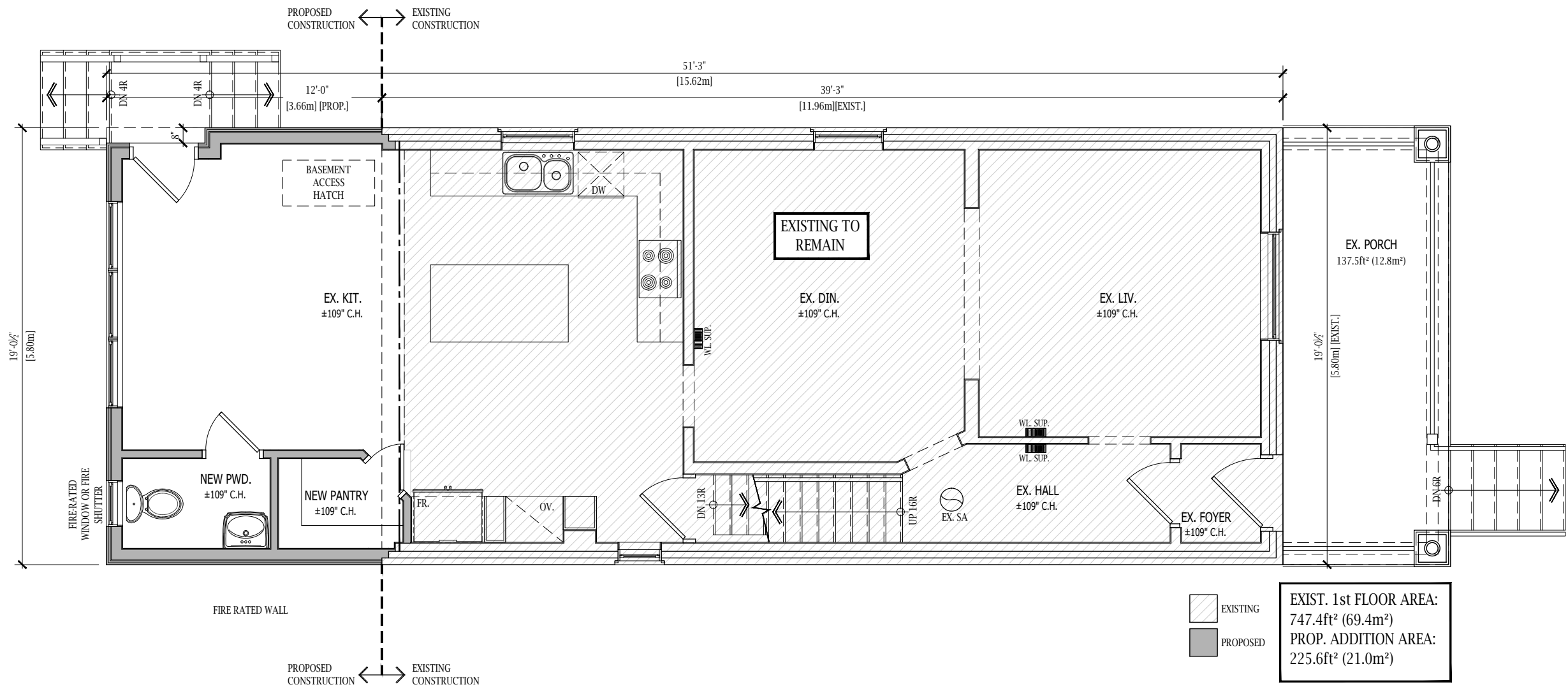
BCIN
37240

CHRISTINE BROWN

BCIN
113120

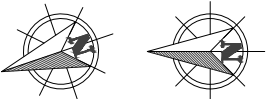
MY HOUSE DESIGNS

DRAWN: CB	SCALE:
DATE: May. 10, 21	3/16" = 1'-0"
JOB NO.: 21-043	SHEET: A1.01




1 PROP. 1ST FLOOR PLAN
A1.02 3/16" = 1'-0"

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PROP. 1ST FLOOR PLAN

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BCIN
CHRISTINE BROWN 37240

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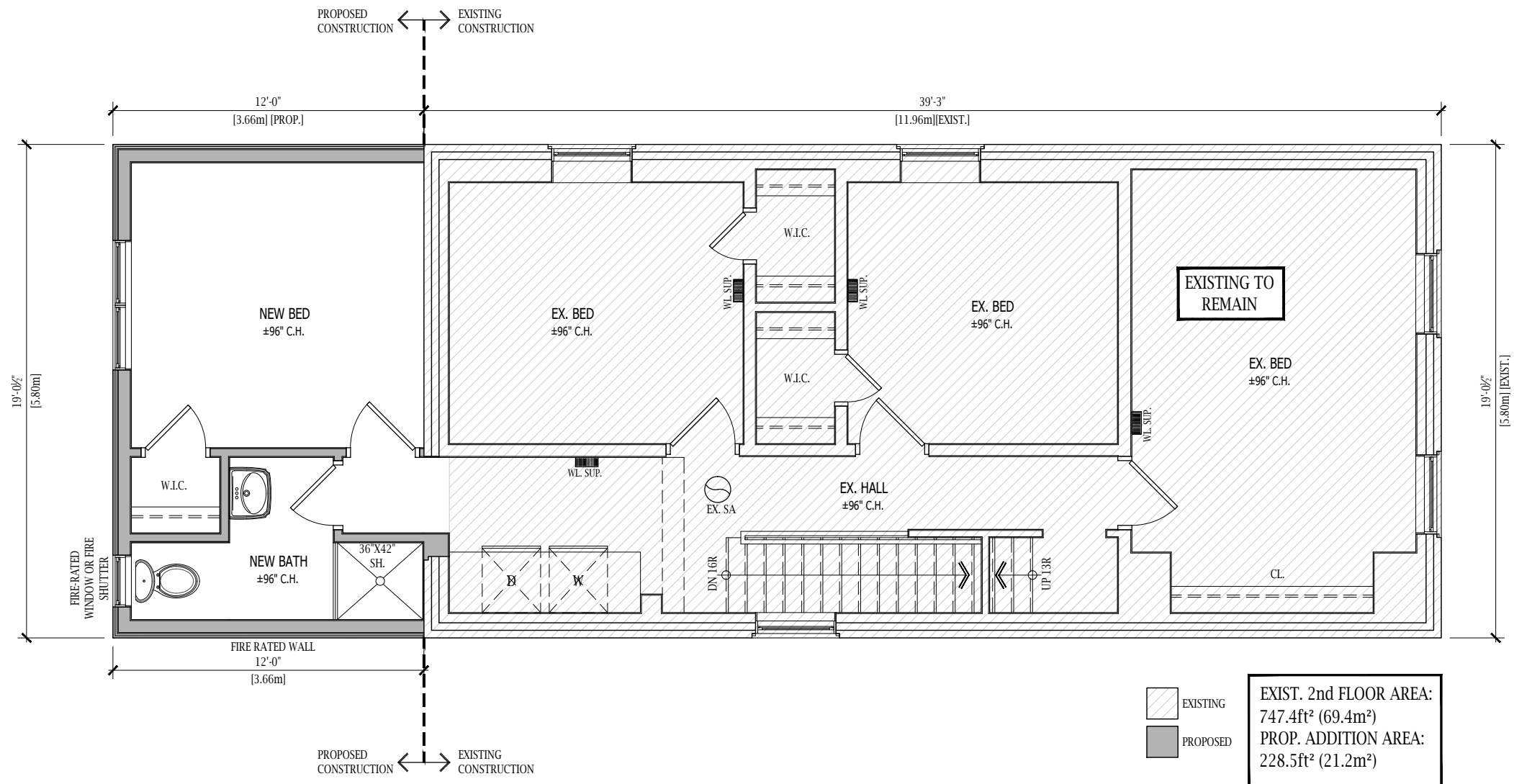
DRAWN: CB
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SCALE:
3/16" = 1'-0"

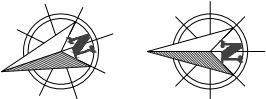
SHEET:

A1.02 2 of 2



1 PROP. 2ND FLOOR PLAN
A1.03 3/16" = 1'-0"

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PROP. 2ND FLOOR PLAN

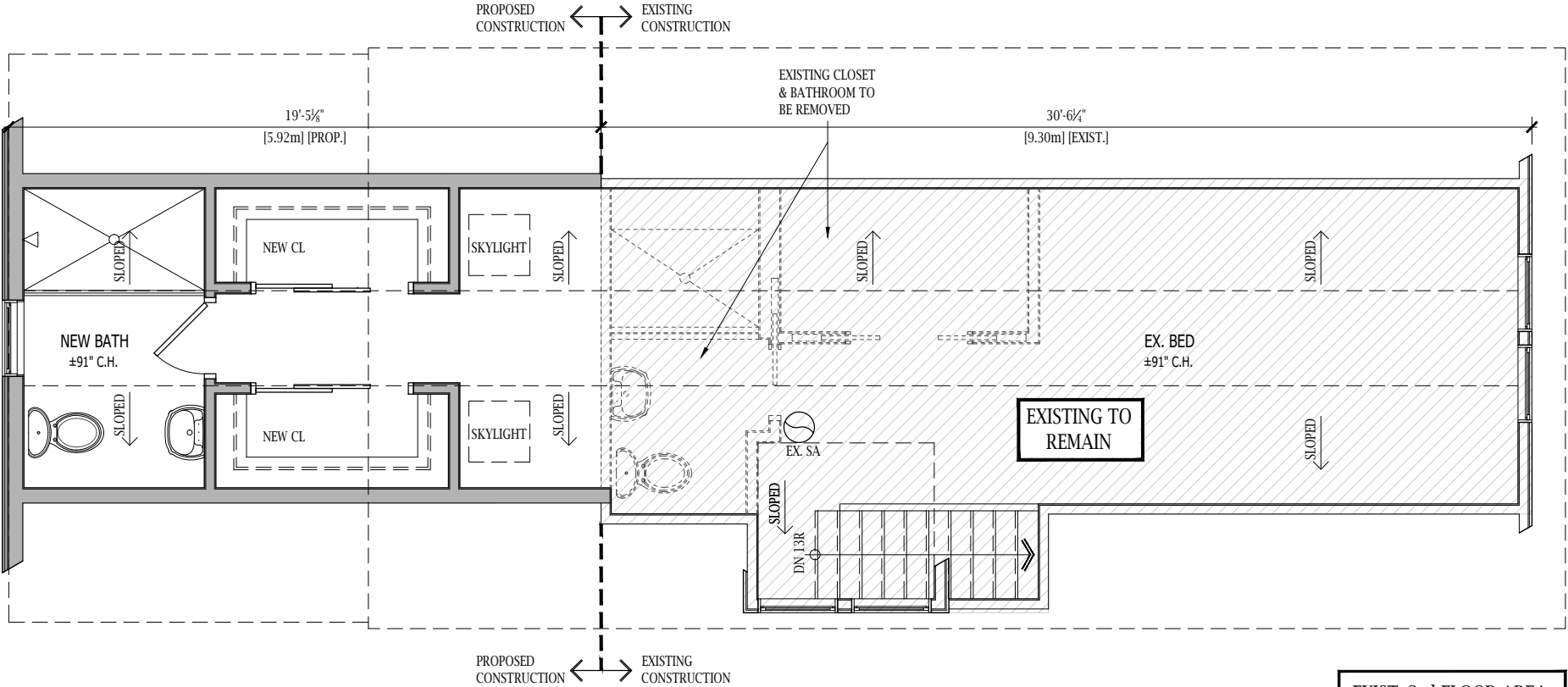
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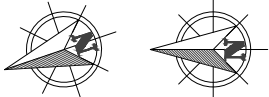
21-043
A1.03



EXIST. 3rd FLOOR AREA:
368.0ft² (34.2m²)
PROP. ADDITION AREA:
238.5t² (22.2m²)


1 PROP. 3RD FLOOR PLAN
A1.04 3/16" = 1'-0"

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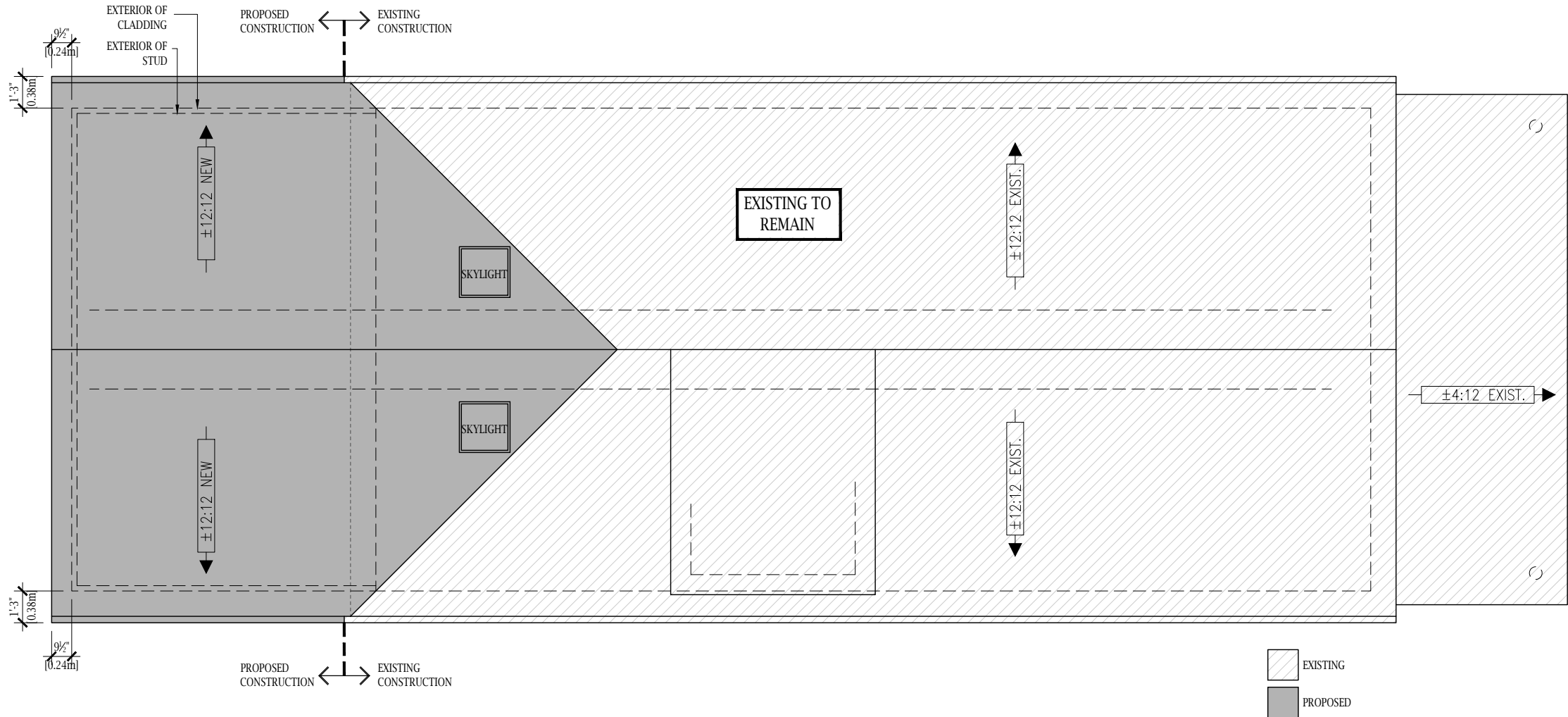
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CHRISTINE BROWN

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DRAWN: CB
DATE: May. 10, 21
JOB NO.: 21-043

SCALE:
3/16" = 1'-0"
SHEET:
A1.04



1 PROP. ROOF PLAN
A1.05 3/16" = 1'-0"

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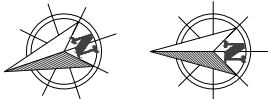
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CITY: HAMILTON, ONTARIO, L8P 2E2

DRAWING TITLE:
PROP. ROOF PLAN

DRAWN: CB	SCALE:
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JOB NO.: 21-043	SHEET: A1.05

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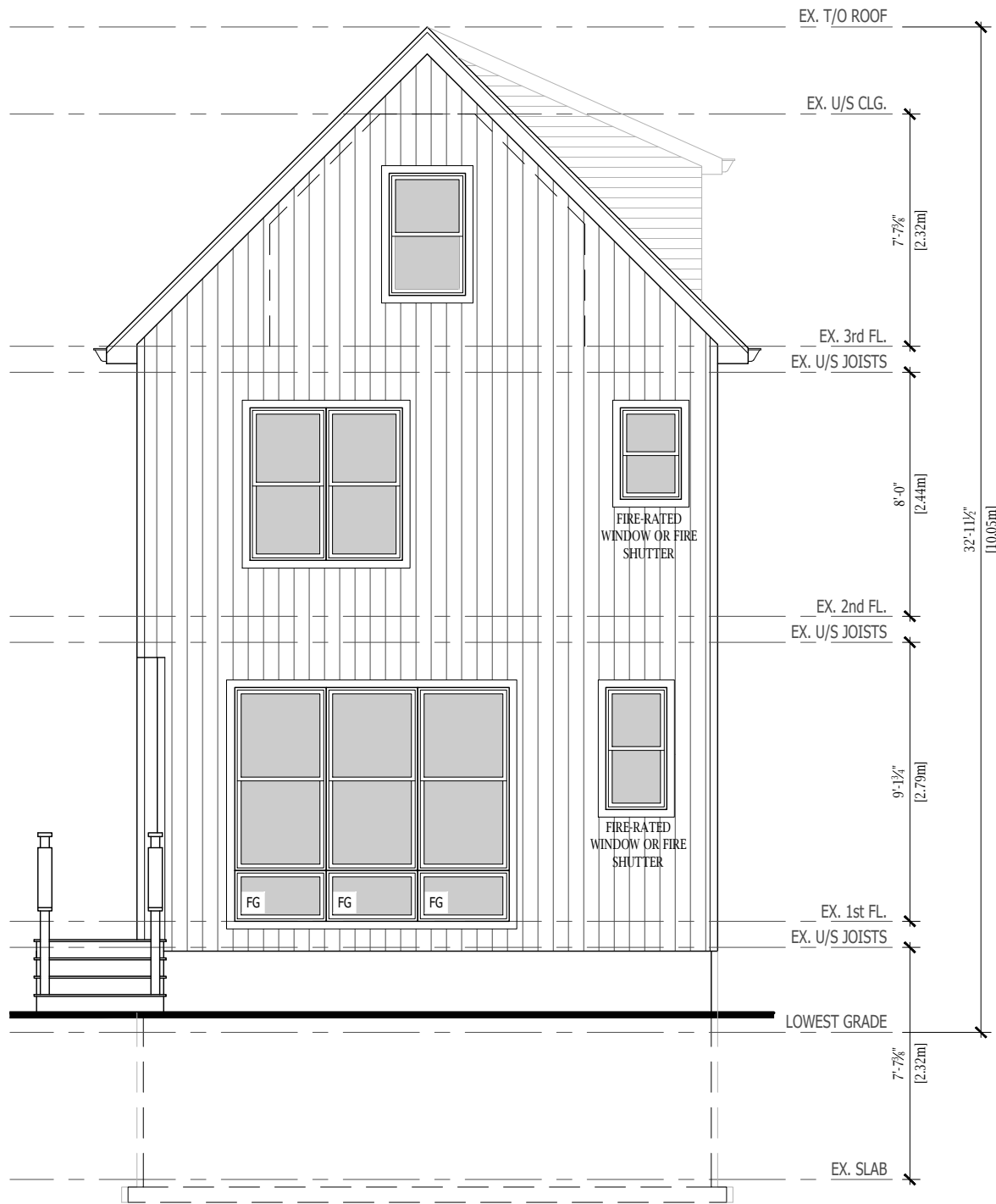
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1 FRONT ELEVATION
A2.01 3/16" = 1'-0"



2 REAR ELEVATION
A2.01 3/16" = 1'-0"

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DRAWING TITLE:
FRONT & REAR ELEVATIONS

DRAWN: CB	SCALE:
DATE: May. 10, 21	3/16" = 1'-0"
JOB NO.: 21-043	SHEET: A2.01



1 LEFT ELEVATION
A2.02 3/16" = 1'-0"

EX. T/O ROOF

EX. U/S CLG.

7'-7 1/2" [2.32m]

EX. 3rd FL.
EX. U/S JOISTS

8'-0" [2.44m]

EX. 2nd FL.
EX. U/S JOISTS

9'-1 1/4" [2.79m]

EX. 1st FL.
EX. U/S JOISTS

7'-7 1/2" [2.32m]

EX. SLAB


LOWEST GRADE

32'-11 1/2" [10.05m]

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CITY: HAMILTON, ONTARIO, L8P 2E2
DRAWING TITLE:
LEFT ELEVATION

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CHRISTINE BROWN BCIN 37240


MY HOUSE DESIGNS BCIN 113120

DRAWN: CB
DATE: May. 10, 21
JOB NO.:
SCALE: 3/16" = 1'-0"
SHEET:

21-043 A2.02 7 of 8



1 RIGHT ELEVATION
A2.03 3/16" = 1'-0"



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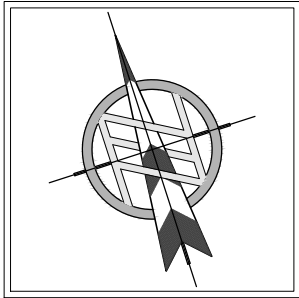
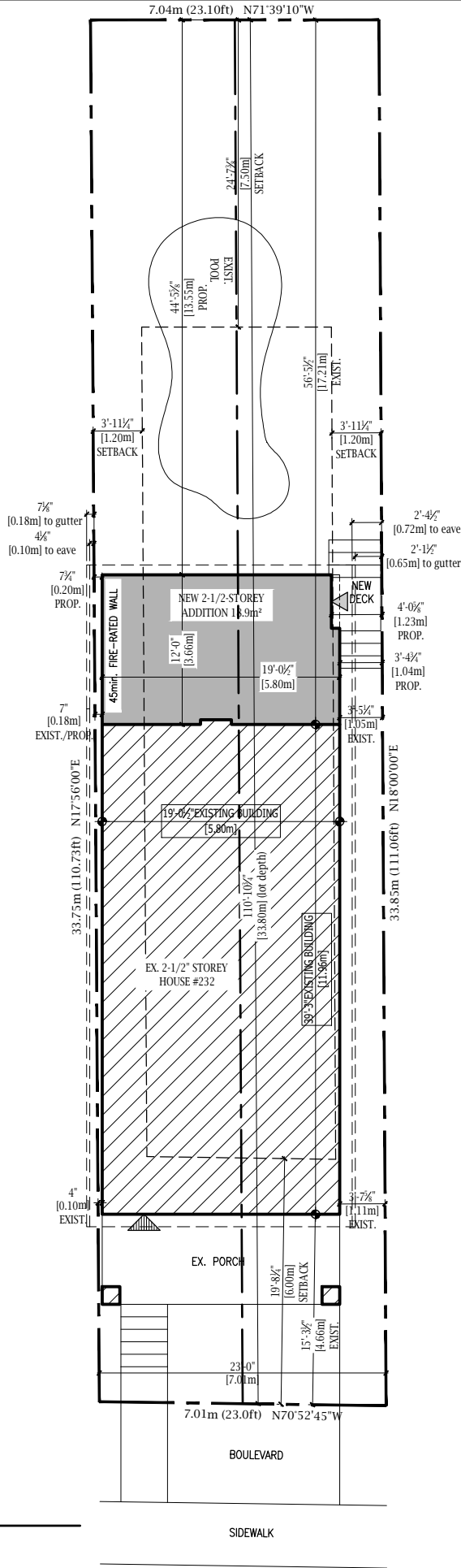
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DRAWING TITLE:
RIGHT ELEVATION

DRAWN: CB	SCALE:
DATE: May. 10, 21	3/16" = 1'-0"
JOB NO.: 21-043	SHEET: A2.03



SITE PLAN LEGEND:	
-----	PROPERTY LINE
- - - - -	BUILDING ENVELOPE
.....	EXISTING TO BE REMOVED
=====	PROPOSED SOLID HOARDING
=====	PROPOSED FRAMED HOARDING
-----WAT-----	NEW WATER LINE
-----SAN-----	NEW SANITARY LINE
-----GAS-----	NEW NATURAL GAS LINE
-----HYD-----	NEW BURIED HYDRO VAULT
-----SP1-----	NEW SUMP LINE TO GRADE
----	CONSTRUCTION ACCESS
82.35	EXISTING GRADE
100.00	PROPOSED FINISHED GRADE
▽	MAIN ENTRY, FRONT DOOR
▽	SECONDARY ENTRANCE
▨	EXISTING BUILDING TO REMAIN
■	PROPOSED NEW CONSTRUCTION
▩	PROPOSED NEW DRIVEWAY
☼	EXISTING TREE TO REMAIN
☼	EXISTING TREE TO BE REMOVED
↖ RWL	RAIN WATER LEADERS

PROJECT ADDRESS/OWNER:	DESIGNER/APPLICANT:
Anne Kalonji	Christine Brown
232 Charlton Avenue West	My House Designs
Hamilton, Ontario, L8P 2E2	444 Upper Gage Avenue
PH: (289) 523-7092	Hamilton, Ontario, L8V 4H9
	PH: (905) 802-5272

SITE STATISTICS:			
ZONING (FORMER HAMILTON): 6593		C	

LOT INFORMATION:		METRIC	IMPERIAL
MIN. LOT AREA:		200.00	2152.83
ACTUAL LOT AREA:		237.57	2557.22
MIN. LOT FRONTAGE:		12.00	39.37
ACTUAL LOT FRONTAGE:		7.01	23.00
LOT DEPTH		33.80	110.89

SETBACK INFORMATION:			
MINIMUM FRONT YARD SETBACK:		6.00	19.69
EXISTING:		4.66	15.29
MINIMUM REAR YARD SETBACK:		7.50	24.61
EXISTING:		17.21	56.46
PROPOSED:		13.55	44.46
MIN. R SIDE YARD SETBACK:		1.20	3.94
EXIST. R SIDE YARD SETBACK:		1.05	3.44
PROPOSED:	*COA*	1.04	3.41
MIN. L SIDE YARD SETBACK:		1.20	3.94
EXIST. L SIDE YARD SETBACK:		0.18	0.59
PROPOSED:	*COA*	0.18	0.59


GROSS FLOOR AREA:		METRIC	IMPERIAL
EXISTING 1st FLOOR AREA:		69.44	747.40
PROP. ADDITIONAL 1st FLOOR AREA:		20.96	225.60
EXISTING 2nd FLOOR AREA:		69.44	747.50
PROP. ADDITIONAL 2nd FLOOR AREA:		21.23	228.50
EXISTING 3rd FLOOR AREA:		34.19	368.00
PROP. ADDITIONAL 3rd FLOOR AREA:		22.16	238.50

PROPOSED GROSS FLOOR AREA:		237.41	2555.50
COVERAGE CALCULATIONS:		METRIC	IMPERIAL
GROUND FLOOR AREA:		90.39	973.00
EXISTING COVERED PORCH:		12.77	137.50
NEW 2ND FL. OVERHANG AREA:		0.27	2.90

PROPOSED COVERAGE:	43.56%	103.48	1113.40
--------------------	--------	--------	---------

HEIGHT CALCULATIONS		METRIC	IMPERIAL
MAX. ALLOWABLE HEIGHT		11.00	36.09
EXISTING HEIGHT:		10.05	32.97
PROPOSED HEIGHT:		10.05	32.97

2	SITE STATS
SP1.01	1:150



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CHRISTINE BROWN
BCIN 37240

MY HOUSE DESIGNS
BCIN 113120

DRAWN: CB
DATE: May. 10, 21


JOB NO.:
21-043

SCALE:
1:150

SHEET:
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ADDRESS: 232 CHARLTON AVENUE WEST
CITY: HAMILTON, ONTARIO, L8P 2E2

DRAWING TITLE:
SITE PLAN & SITE STATS

1	SITE PLAN
SP1.01	1:150

CHARLTON AVENUE WEST

PLAN BEING PART 1
MUST BE READ IN CONJUNCTION WITH
SURVEY REPORT (PART 2)

ROBINSON STREET

(CLOSED BY BY-LAW No. 74-292, INST. No. 359408AB)

SURVEYOR'S REAL PROPERTY REPORT WITH TOPOGRAPHIC FEATURES PLAN OF SURVEY OF PART OF LOT 12 REGISTERED PLAN 80 BEING IN THE CITY OF HAMILTON

SCALE 1 : 150

MackKAY, MacKAY & PETERS LIMITED - ONTARIO LAND SURVEYORS
© 2017

KNOWN AS MUNICIPAL No. 232 CHARLTON AVENUE WEST

REPORT SUMMARY (PART 2)

(to be read in conjunction with Part 1)

LAND REGISTRY OFFICE TITLE INFORMATION ON SUBJECT PROPERTY INCLUDING
BOUNDARIES, EASEMENTS AND RIGHT OF WAYS - JULY 20, 2017

REGISTERED EASEMENTS AND/OR RIGHTS-OF-WAY:
NONE

ADDITIONAL REMARKS:

REFER TO PART 1 OF SURVEY REPORT FOR THE LOCATION OF BUILDINGS, STRUCTURES, FENCES
AND UTILITIES

Note :

MackKAY, MacKAY & PETERS LIMITED grants EAST 45TH + MAPLE ["The Client(s)"], their solicitor and other
related parties permission to use "Original Copies" of the Surveyor's Real Property Report in
transactions involving "The Client(s)".

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

Benchmark Note:

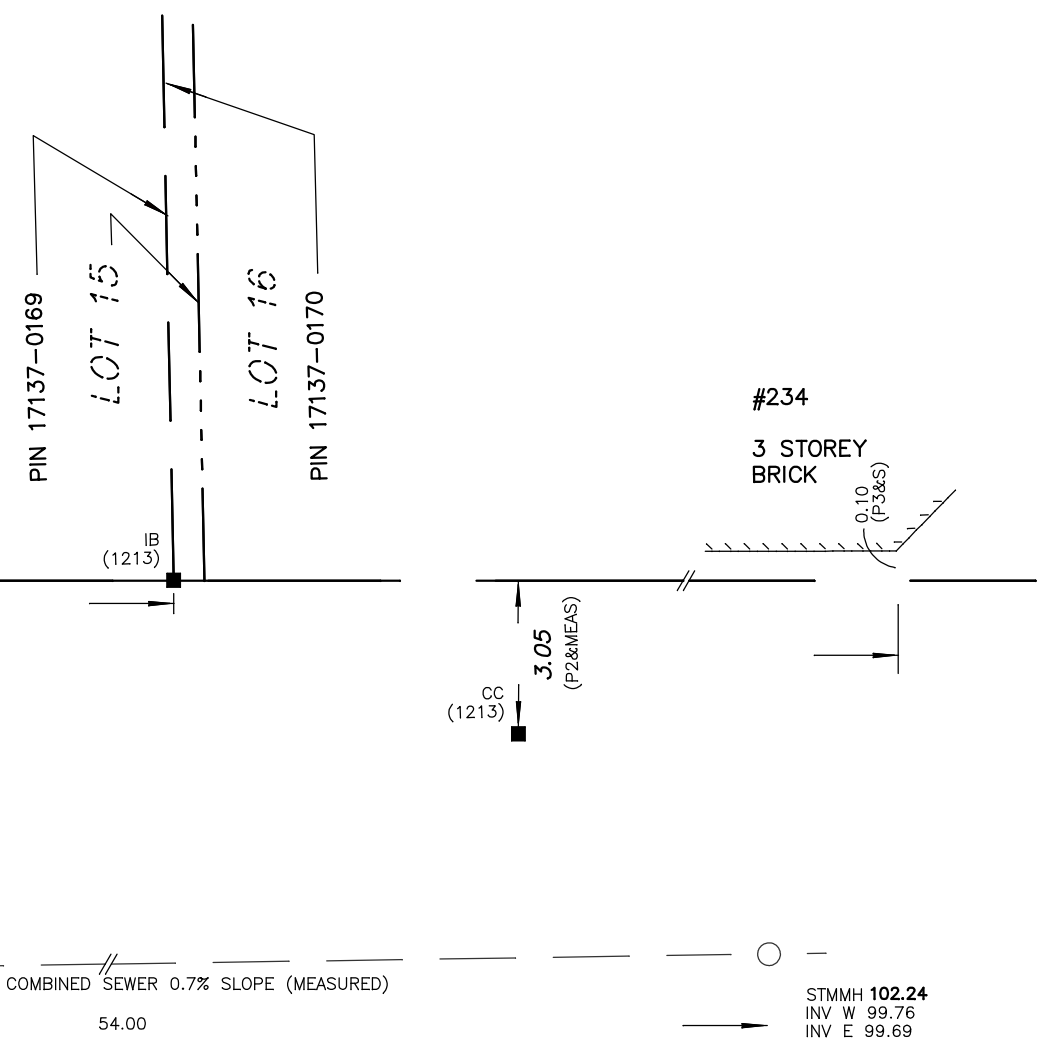
GEODETIC BENCHMARK No. 0011965U657 ELEVATION = 108.097 METRES
CGVD1928:1978 ADJUSTMENT

FIRST CHRISTIAN REFORM CHURCH, AT SOUTHWEST CORNER OF
INTERSECTION OF HESS STREET SOUTH AND CHARLTON AVENUE,
PLATE IN EAST FACE OF FIRST BUTTRESS NORTH OF CENTRE
WINDOW ON EAST SIDE OF BUILDING.

Legend :

- DENOTES A SURVEY MONUMENT FOUND
- DENOTES A SURVEY MONUMENT PLANTED
- SIB DENOTES STANDARD IRON BAR
- IB DENOTES IRON BAR
- IP DENOTES IRON PIPE
- DENOTES ROUND
- CC DENOTES CUT CROSS
- PIN DENOTES PROPERTY IDENTIFICATION NUMBER
- (OU) DENOTES ORIGIN UNKNOWN
- PRP DENOTES PROPORTION
- CL DENOTES CENTRE LINE
- P1 DENOTES PLAN 62R-2823
- P2 DENOTES PLAN BY MACKAY MACKAY & PETERS DATED MAY 13, 2008
- P3 DENOTES PLAN BY MACKAY MACKAY & PETERS DATED MAY 28, 1952
- P4 DENOTES REGISTERED PLAN 80
- P5 DENOTES PLAN 62R-2111
- P6 DENOTES PLAN BY A.J. CLARKE DATED JANUARY 7, 1983
- D1 DENOTES INSTRUMENT VM235771
- C1 DENOTES CALCULATED USING P2 & P4
- DS DENOTES DOOR SILL ELEVATION
- STMMH DENOTES STORM MANHOLE
- HPW DENOTES HYDRO POLE (WOOD)
- GM DENOTES GAS METER
- WSV DENOTES WATER SERVICE VALVE
- BF DENOTES BOARD FENCE
- AC DENOTES AIR CONDITIONER
- RW DENOTES RETAINING WALL
- H DENOTES OVERHEAD WIRE
- W DENOTES WATER SERVICE
- G DENOTES GAS SERVICE
- DENOTES DECIDUOUS TREE SCALED TO CANOPY, TRUNK SIZE NOTED IN METRES

BUILDING TIES SHOWN HEREON ARE TO FOUNDATION UNLESS OTHERWISE NOTED.



(KNOWN AS) **CHARLTON AVENUE WEST**
(MAPLE STREET BY REGISTERED PLAN 80)

PIN 17137-0194

Bearing Reference :

BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE NORTHERLY LIMIT OF
CHARLTON AVENUE WEST, AS SHOWN ON PLAN 62R-2823,
HAVING A BEARING OF N70°52'45"W.

Surveyor's Certificate :

- I CERTIFY THAT :
- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE
WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT
AND THE REGULATIONS MADE UNDER THEM.
 - THE SURVEY WAS COMPLETED ON THE 28TH DAY OF JULY, 2017.

AUGUST 22, 2017
DATE

[Signature]
FOR MACKAY MACKAY & PETERS LIMITED

CAD FILE: E:\(62) HAMILTON-WENTWORTH\REGISTERED PLANS\RP0080\LOT 12\17-212\17-212-CC\17-212-CC.dwg

**MACKAY
MACKAY
& PETERS
LIMITED**
Established 1906

ONTARIO LAND SURVEYORS
3380 SOUTH SERVICE ROAD
BURLINGTON, ONTARIO L7N 3J5
PHONE: (905) 639-1375
FAX: (905) 333-9544
e-mail: halton@mmplimited.com
Records of Sewell & Sewell
and Yates & Yates LTD.

ASSOCIATION OF ONTARIO
LAND SURVEYORS
PLAN SUBMISSION FORM
2025554



THIS PLAN IS NOT VALID
UNLESS IT IS AN EMBOSSED
ORIGINAL COPY
ISSUED BY THE SURVEYOR

In accordance with
Regulation 1026, Section 29(3)

DRAWN BY: R.D.

PARTY CHIEF: R.Z.

CHECKED BY: *[Signature]*

PROJECT NO.:

17-212



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

(PLEASE SEND ORANGE SIGN TO HOMEOWNER)

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)	Anne Francoise Madeleine Prat-Kalonji & Sebastien Stephane Prat		
Applicant(s)*			
			Phone:
			E-mail:
Agent or Solicitor	Christine Brown		

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:

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:

- to permit an easterly sideyard setback of 0.18m (same as existing) and a westerly sideyard setback of 1.05m (same as existing) whereas the bylaw requires min. 1.2m
- to provide no parking where as the bylaw and the proposed number of habitable rooms require 4
- to permit a deck to have 0.0m sideyard setback

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

The nature of this property is existing legal nonconforming. The existing property cannot provide for any parking due to the way this neighbourhood was set up. Very few of the properties on this street provide any parking. The majority of the dwellings do not meet the required sideyard setbacks.

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**):

232 Charlton Avenue West
Part of Lot 12, Registered Plan 80

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?

The answer is probably "NO" for all of these questions. This is a very old long-standing residential neighbourhood

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.

May 6th, 2021
Date

[Signature]
Signature Property Owner

ANNE PRAT-KALONJI / SEBASTIEN PRAT
Print Name of Owner

10. Dimensions of lands affected:

Frontage	<u>7.01m</u>
Depth	<u>33.8m</u>
Area	<u>237.57s.m.</u>
Width of street	<u>7.5m</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: 69.44s.m. Gross floor area: 173.07s.m.
2.5 storeys, height: 10.05m
Width: 5.8m Length: 11.96m

Proposed

Ground floor area: 90.39s.m. Gross floor area: 237.41s.m.
2.5 storeys, height: 10.05m (no change)
Width: 5.8m (no change) Length: 15.62m

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: 4.66m
Rear: 17.21m
L side: 0.18m
R side: 1.05m

Proposed:

Front: 4.66m (no change)
Rear: 13.55m
L side: 0.18m (no change)
R side: 1.05m

13. Date of acquisition of subject lands:
July 2016
-
14. Date of construction of all buildings and structures on subject lands:
1895
-
15. Existing uses of the subject property:
SFD
16. Existing uses of abutting properties:
SFD
17. Length of time the existing uses of the subject property have continued:
126 Years
18. Municipal services available: (check the appropriate space or spaces)
Water Y Connected Y
Sanitary Sewer Y Connected Y
Storm Sewers Y
19. Present Official Plan/Secondary Plan provisions applying to the land:
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
Hamilton 6593 Zone C
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.