

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-21:209

APPLICANTS: Agent Chris Harrison
Owner M. & K. Konstanty

SUBJECT PROPERTY: Municipal address **22 Chatham St., Hamilton**

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

ZONING: "D/S-1787" (Urban Protected Residential) district

PROPOSAL: To permit the construction of a new two (2) storey addition onto the rear of the existing single family dwelling and to construct a new 81m², two storey Secondary Dwelling Unit – Detached in the rear yard of the property notwithstanding that:

1. A canopy shall be permitted to project a maximum of 4.8m into the required front yard and provide a minimum setback of 1.2m from the front lot line instead of the maximum 1.5m projection permitted and minimum 1.5m setback required from the front lot line.
2. A side yard width of 0.3m shall be provided instead of the minimum required side yard width of 1.2m.
3. No parking spaces shall be provided for the single family dwelling instead of the minimum required two (2) parking spaces.
4. A side yard width of 0.6m shall be provided for a Secondary Dwelling Unit – Detached, instead of the minimum required side yard width of 1.2m.
5. A height of 6.9m shall be provided instead of the maximum building height of 6.0m permitted for a Secondary Dwelling Unit – Detached.
6. A gross floor area of 81.0m² shall be provided instead of the maximum permitted gross floor area of 75.0m² for a Secondary Dwelling Unit – Detached.

NOTES:

- i. Eaves and gutters associated with the primary Single Family Dwelling building are permitted to project into a required side yard not more than one-half of its required width. Eaves and gutters associated with the Secondary Dwelling Unit – Detached, are permitted to project a maximum of 0.45m into the required side yard. Insufficient information has been provided in order to determine zoning compliance. As such, further variances may be required if compliance cannot be achieved.

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

DATE:	Thursday, July 8th, 2021
TIME:	2:15 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

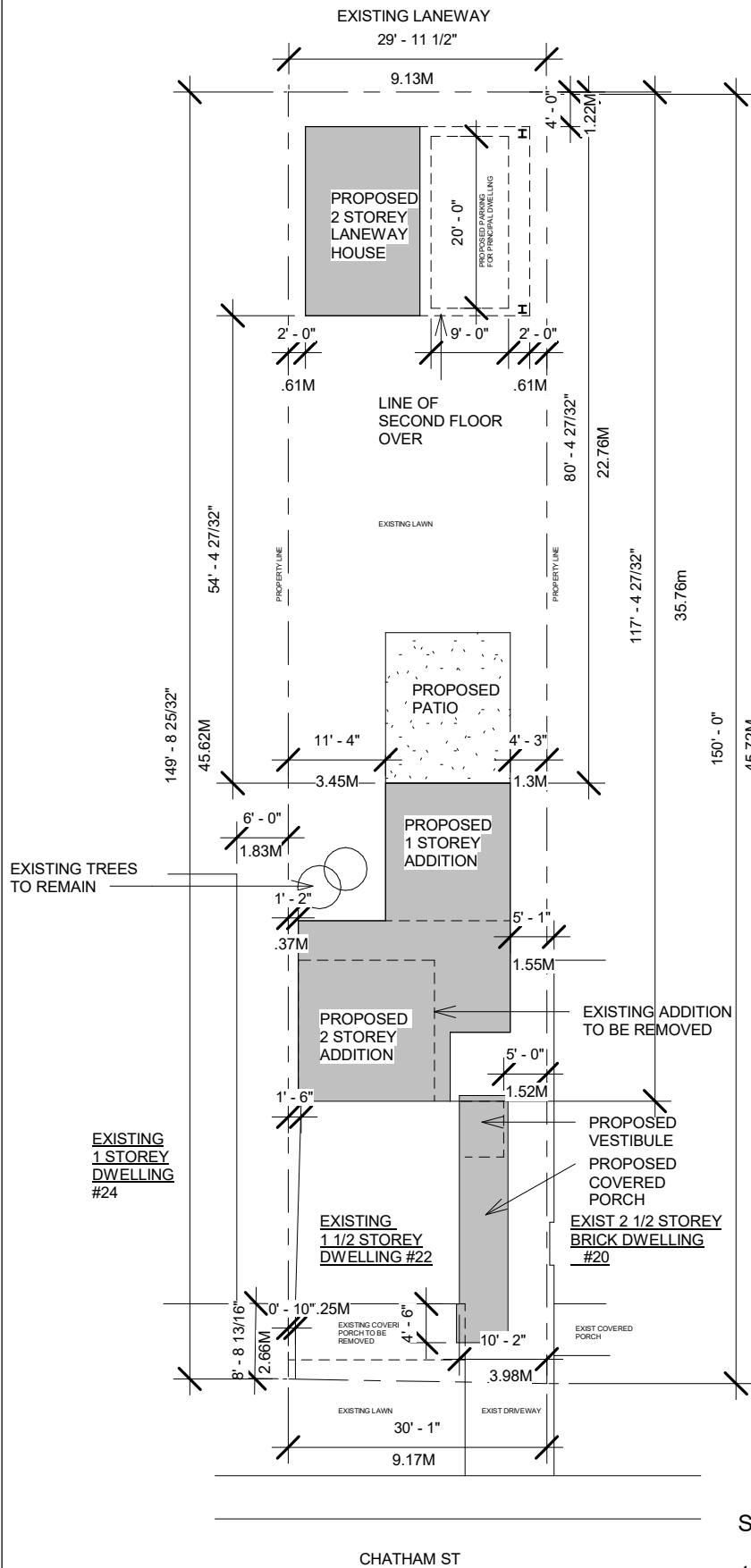
For more information on this matter, including access to drawings illustrating this request:

- 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.



PROJECT DATA

SITE INFO TAKEN FROM A.T. MCLAREN SURVEY 25 JUNE 1987
 REG PLAN NO. 253
 LOTS 92+93 BLOCK F JAMES CHARLES MACKLIN SURVEY

D ZONING URBAN PROTECTED

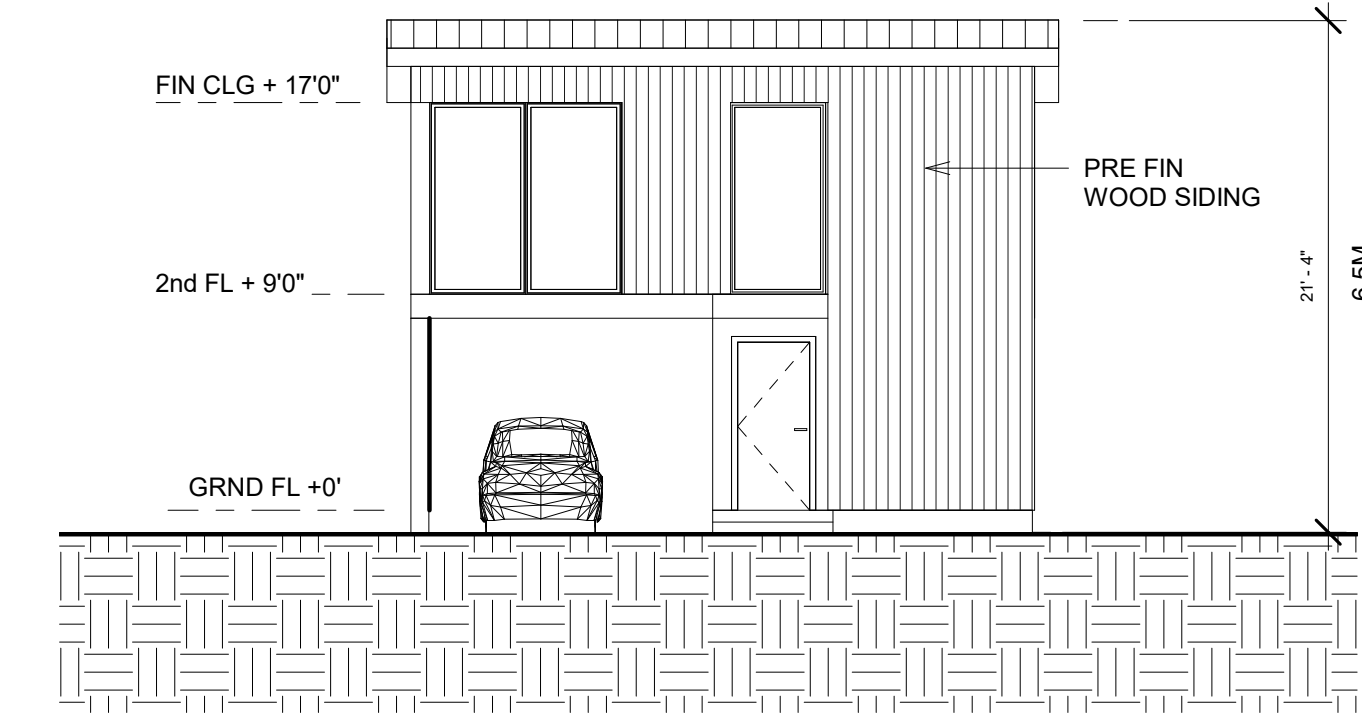
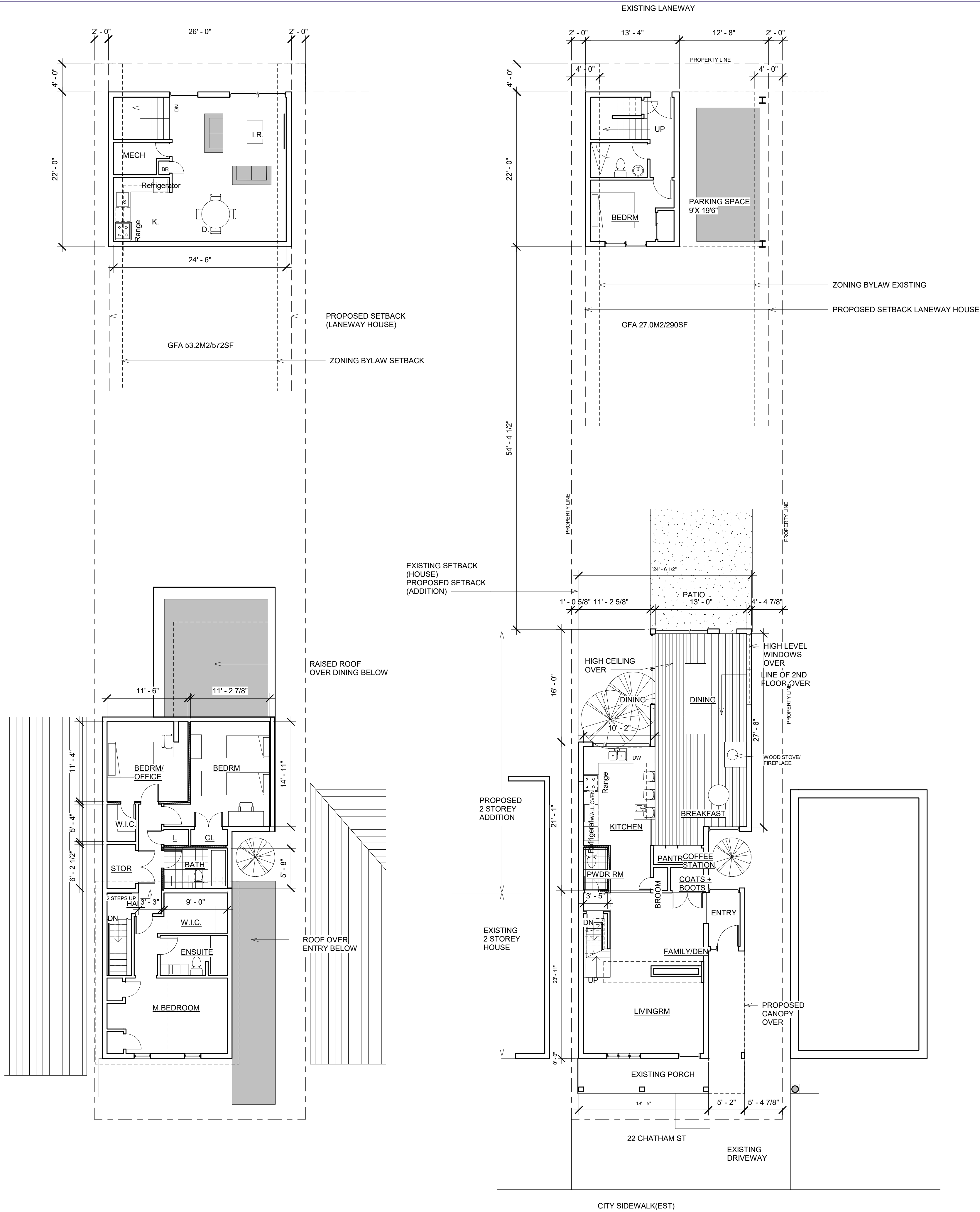
LOT AREA: 419.25M2
 LOT FRONTAGE: 9.17M
 LOT DEPTH: 45.72M

	EXISTING	ADDITIONS	TOTAL	%	PERMITTED	%	SETBACKS	EXISTING	PROPOSED
LOT COVERAGE	66.48M2	121.55M2	178M2	42.5			FRONT	2.66M	2.66M
GROSS FLOOR AREA	113.96M2	199.70M2	313.68M2	74.8			REAR	30.78M	24.48M(ADDN) 1.2M(SDU)
LANDSCAPED AREA	318.17M2	(70.42M2)	247.75M2				SIDE(EAST)	3.05M	1.5M(ADDN) .61M(SDU)
NO. STOREYS/ HEIGHT	1.56M	2/9.8M(ADDN) 2/6.9M(SDU)	2/9.8M(ADDN) 2/6.9M(SDU)		3/14M(ADDN) 2/6.0M(SDU)		SIDE(WEST)	2.6M	.37M(ADDN) .61(SDU)
WIDTH	5.64M	7.52M	7.52M						
DEPTH	12.12M	11.28M	33.40M						
PARKING	0 SP	1 SP	1 SP		1 SP REQD				

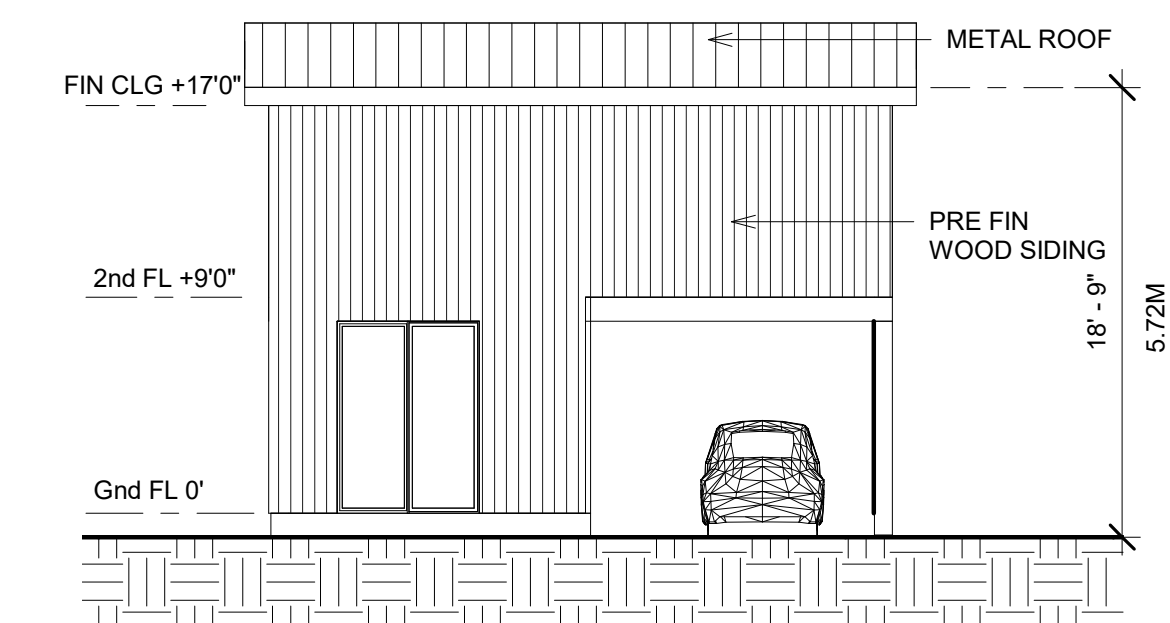
SITE PLAN

1" = 20 FT (1:240)

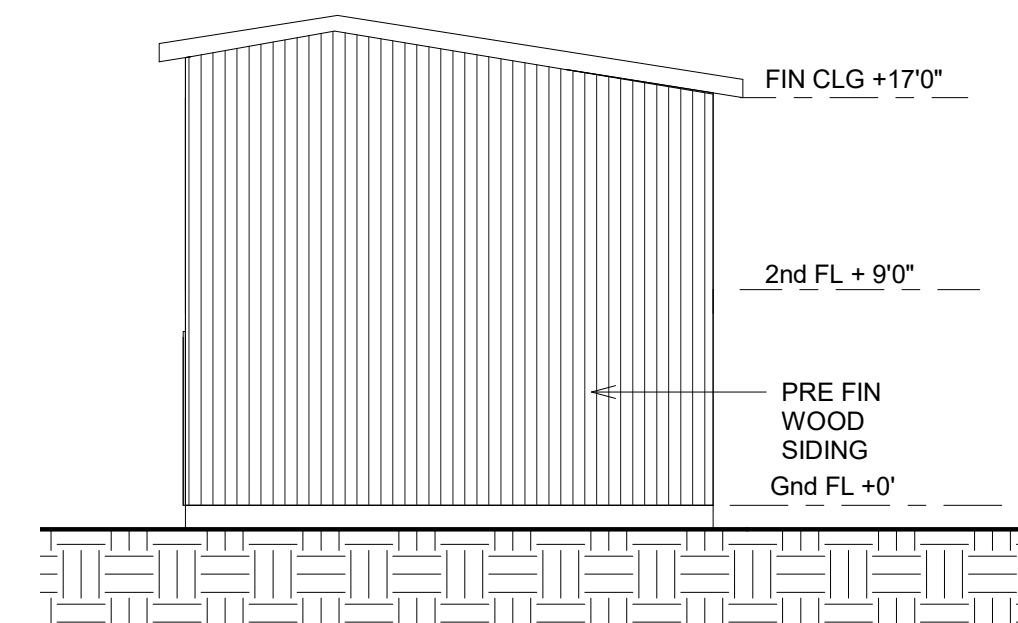
	KONSTANTY ADDITIONS+ RENOVATION	Project Number	SKV_1.0
www.harrison architect .com			
		Issue Date	Scale 1" = 20'-0"



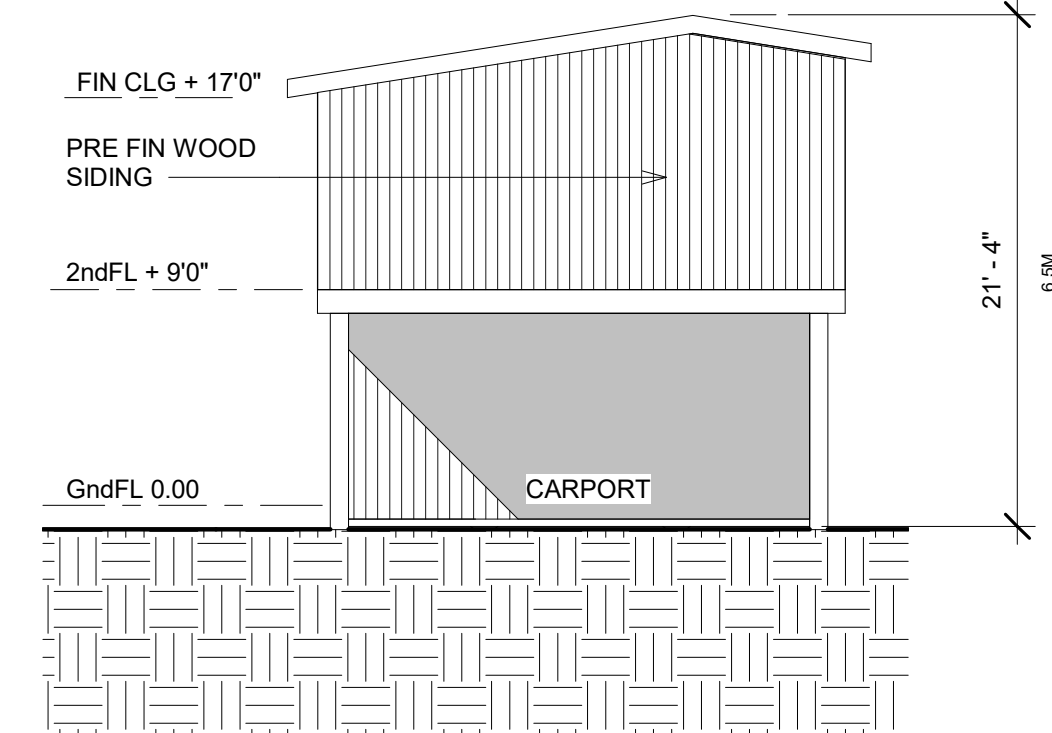
③ LANEWAY HOUSE NORTH ELEVATION
1/8" = 1'-0"



⑤ LANEWAY HOUSE SOUTH ELEVATION
1/8" = 1'-0"



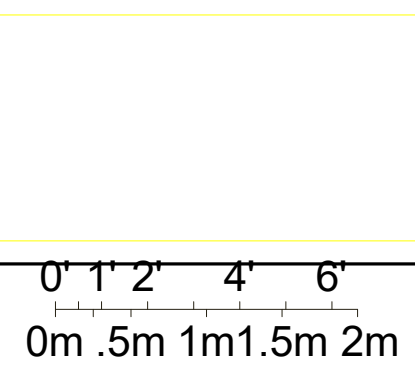
⑦ LANEWAY WEST ELEVATION
1/8" = 1'-0"



⑥ LANEWAY HOUSE EAST ELEVATION
1/8" = 1'-0"



④ 3D View 3



Revisions:

1 VARIANCE APPLICATION: 11 MAY 2021
No. | Item | Date

THESE DRAWINGS
ARE FOR
REPRESENTATION
PURPOSES ONLY.
ALL DIMENSIONS
AND ELEVATIONS
MUST BE VERIFIED
ON SITE.

harrisonarchitecture
Inc
6 ANCASTER ST.
E.
DUNDAS, ON
L9H 4K3

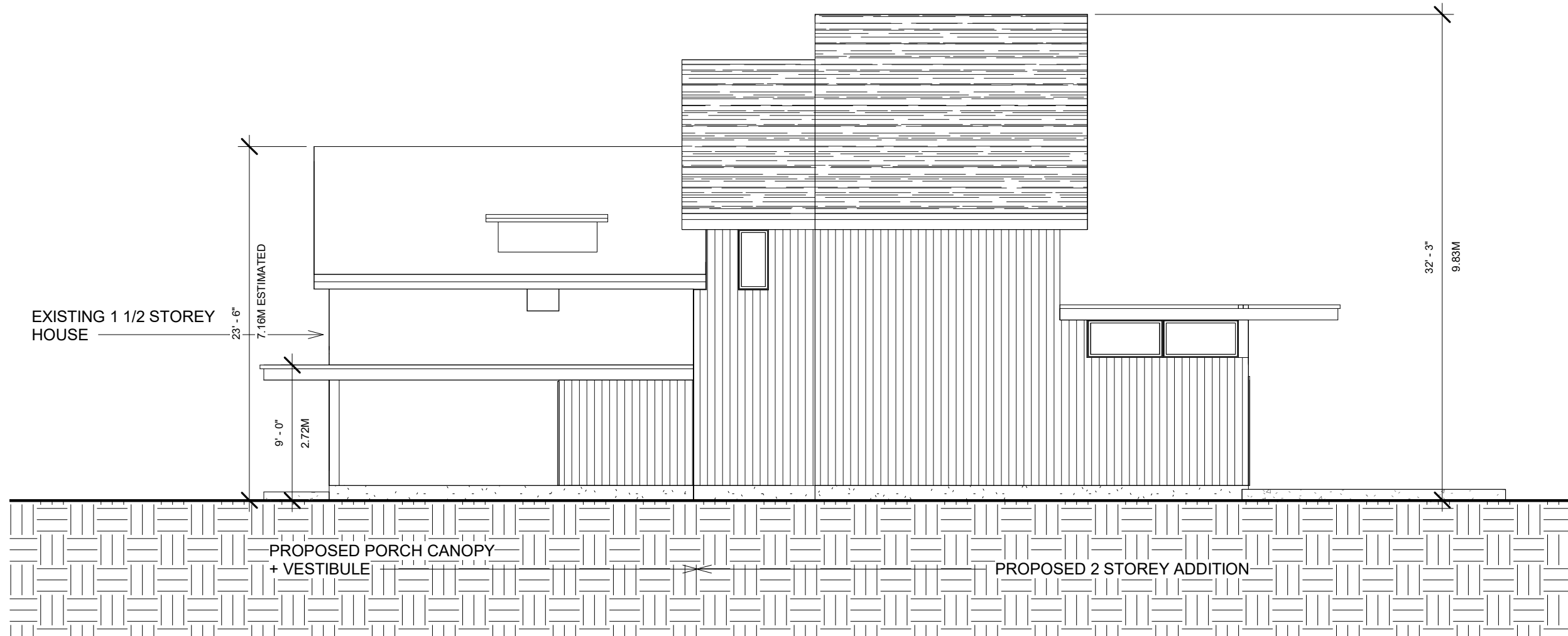
Project: 21.02 KONSTANTY
RENOVATIONS+ADDITION

Drawing Title:

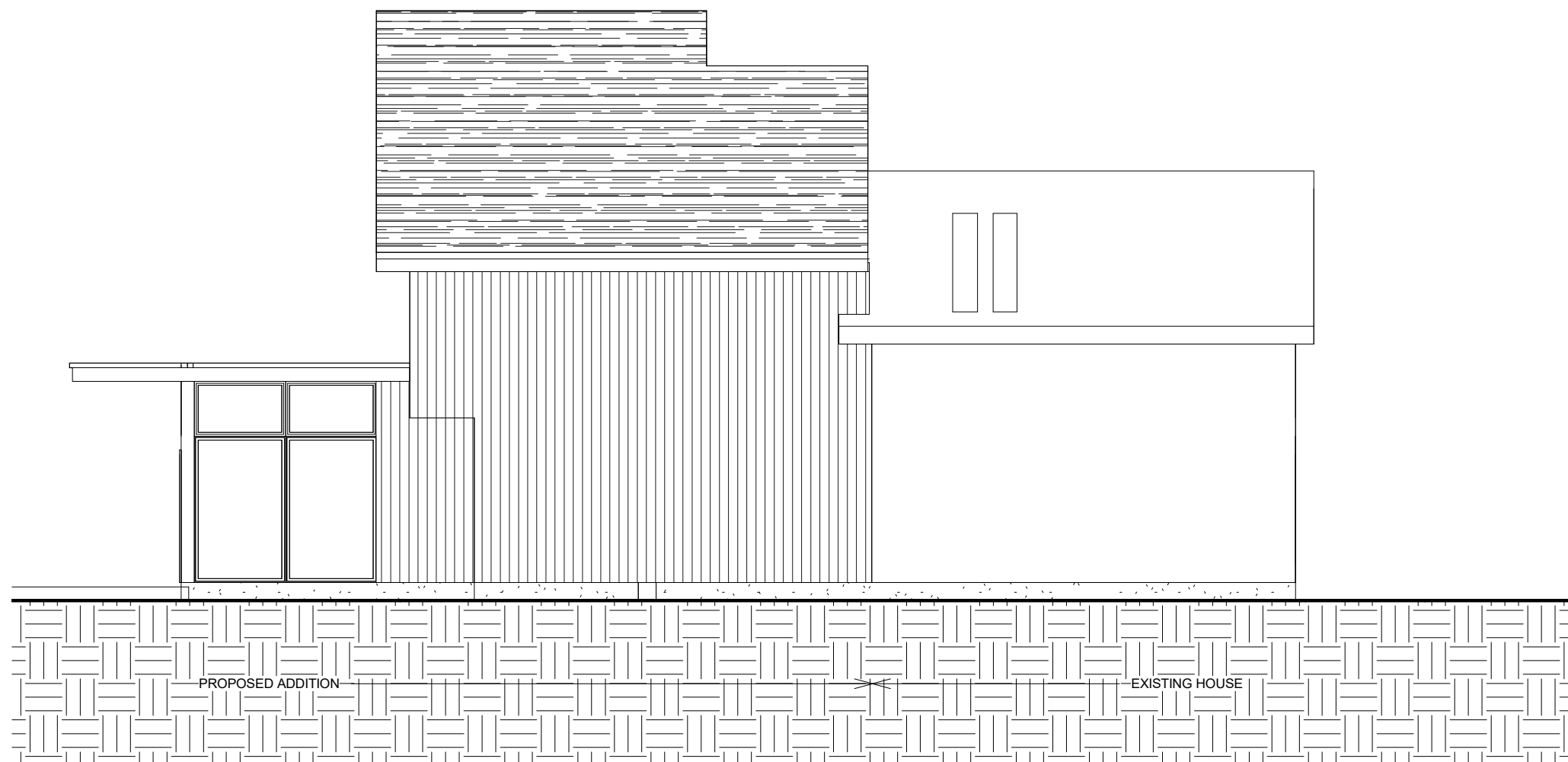
22 CHATHAM
LANEWAY HOUSE
PLANS+ELEVATIONS

Date: Drawn By:
Scale: Checked By:

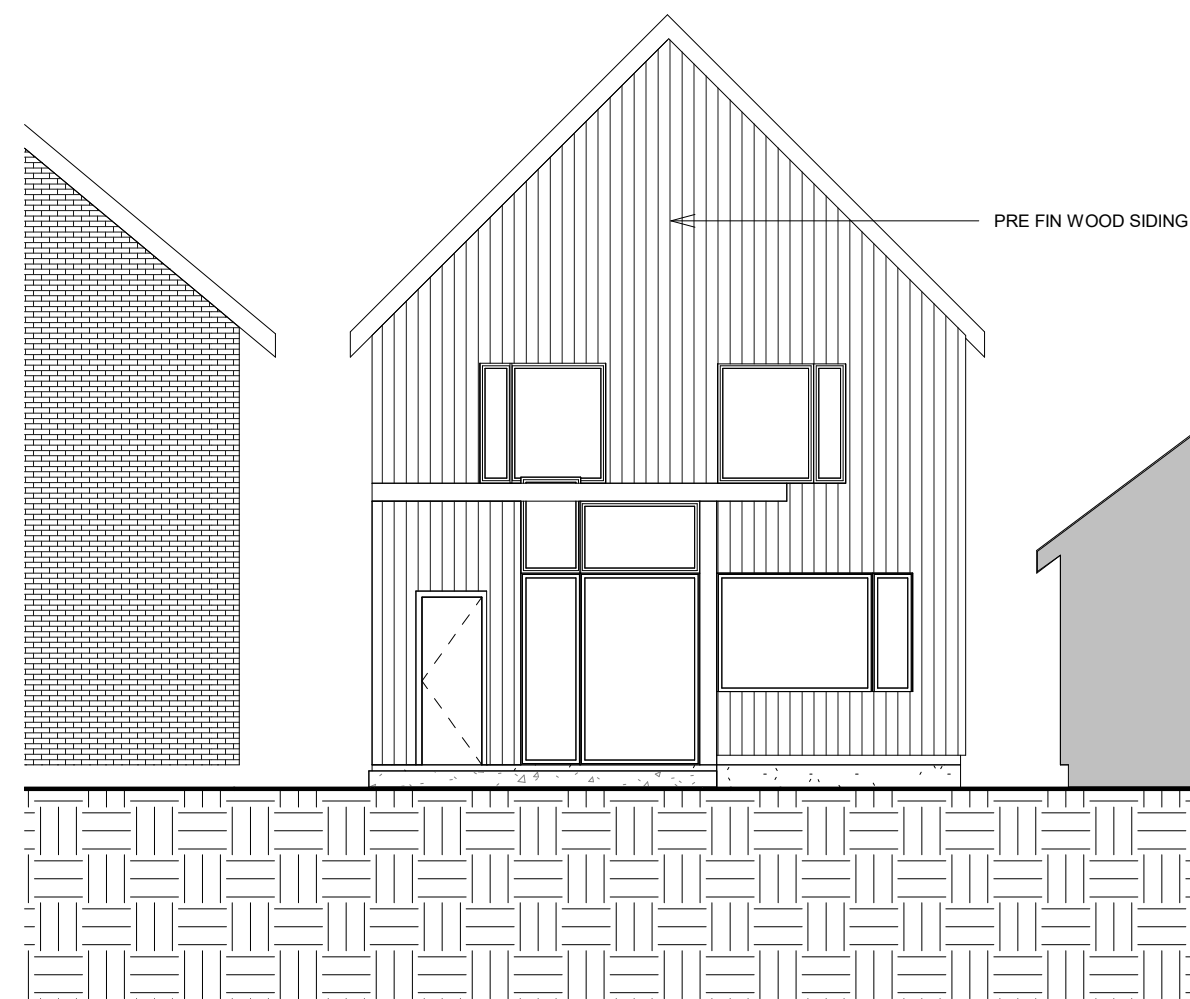
SKV_5.3



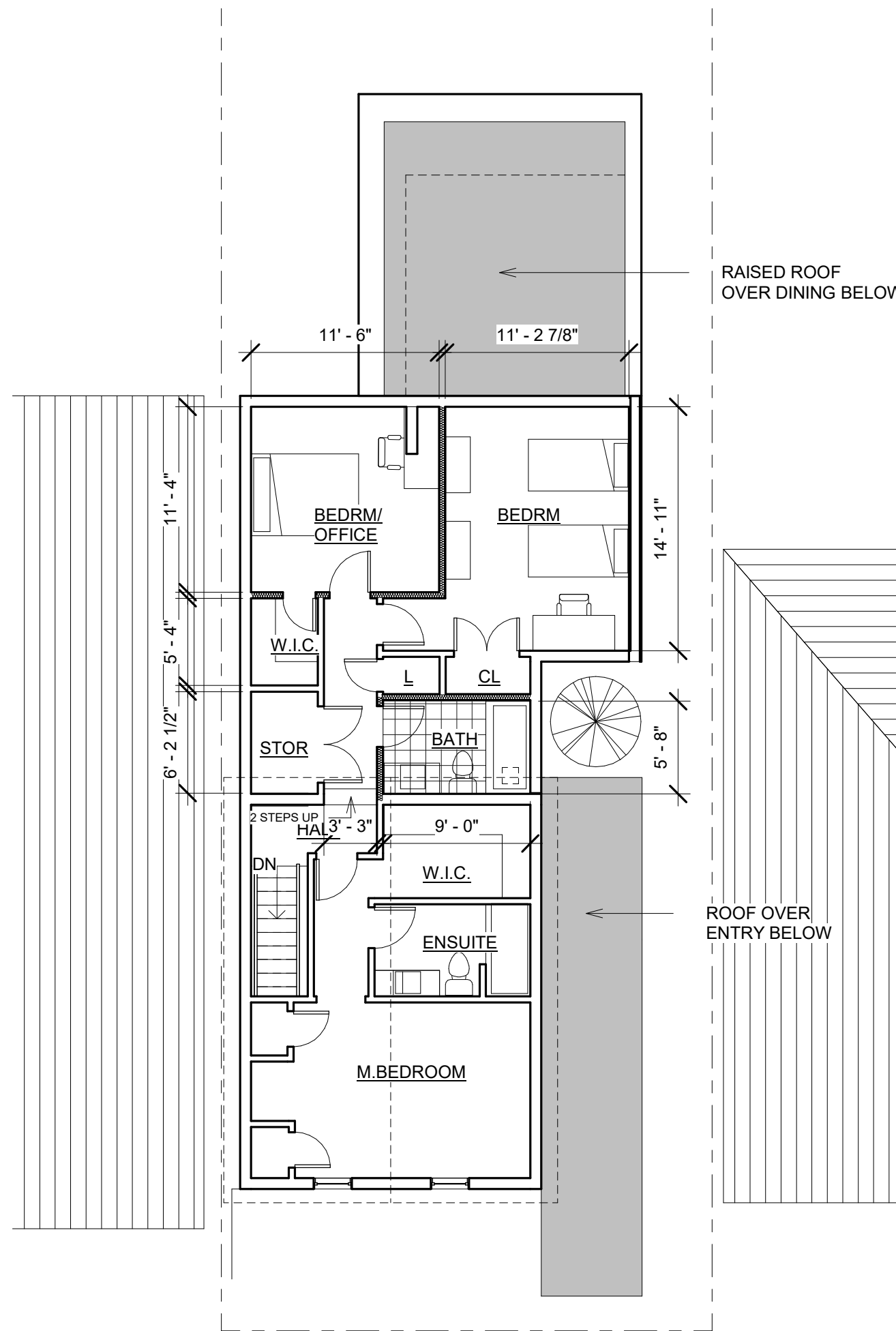
5 HOUSE+ADDITION EAST ELEVATION
1/8" = 1'-0"



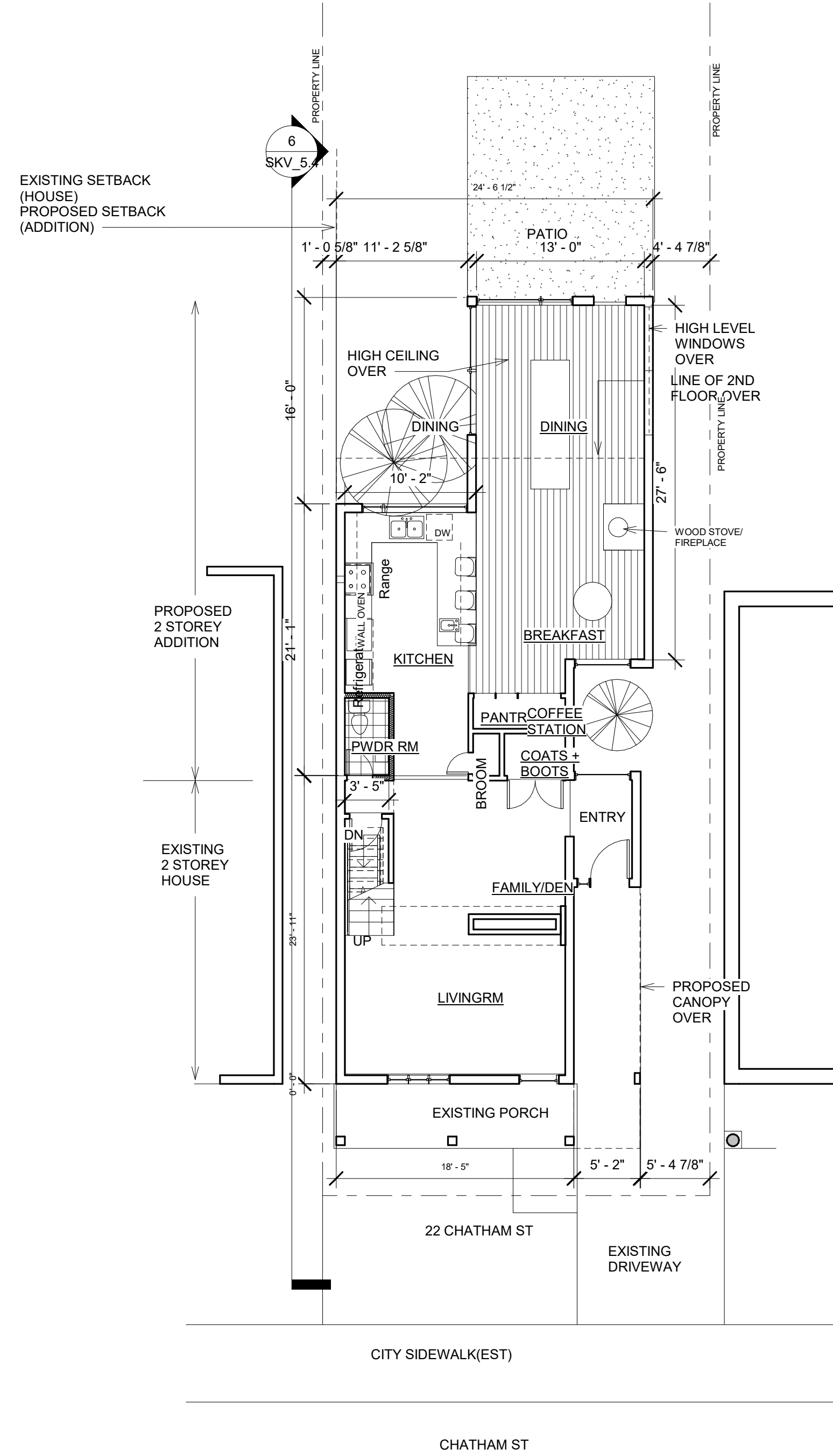
6 WEST ELEVATION HOUSE+ADDITION
1/8" = 1'-0"



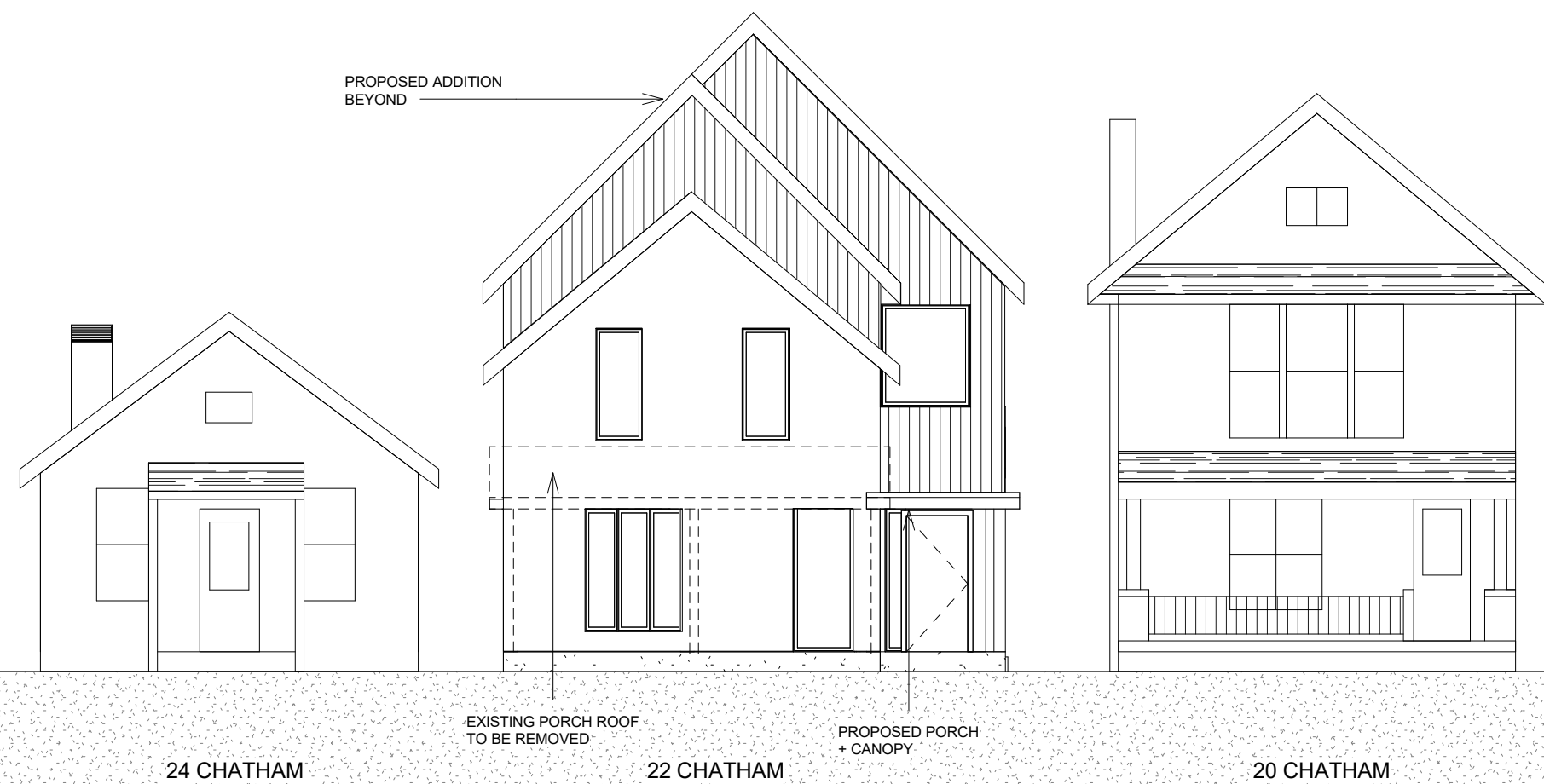
1 NORTH ELEVATION HOUSE+ADDN_VARIANCE
APPL
1/8" = 1'-0"



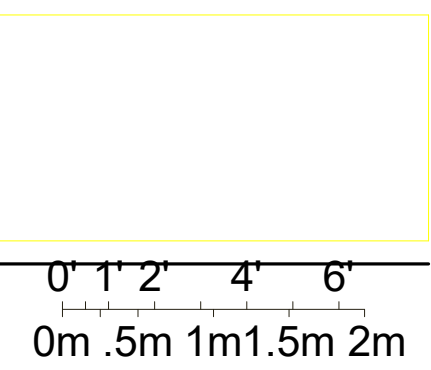
4 Level 2_HOUSE+ADDITION_VARIANCE
APPLICATION
1/8" = 1'-0"



3 Level 1_HOUSE+ADDITION_VARIANCE
APPL
1/8" = 1'-0"



2 South
1/8" = 1'-0"



Revisions:

No. | Item | Date

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ALL DIMENSIONS
AND ELEVATIONS
MUST BE VERIFIED
ON SITE.

harrisonarchitecture
Inc
6 ANCASTER ST.
E.
DUNDAS, ON
L9H 4K3

Project: 21.02 KONSTANTY
RENOVATIONS+ADDITION

Drawing Title:

**22 CHATHAM
HOUSE+ADDITION
PLANS+ELEVATIONS**

Date: Drawn By:
Scale: Checked By:

SKV_5.4



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 _____

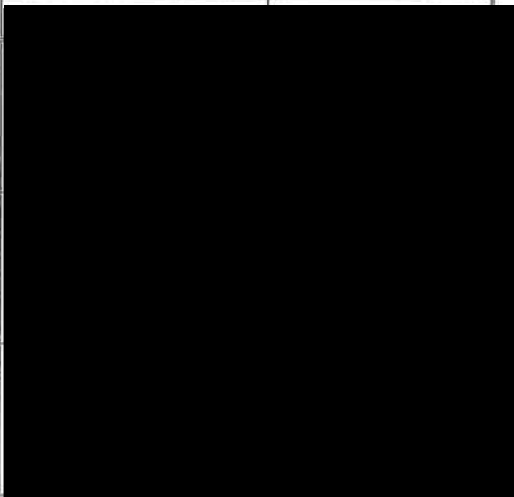
PAID _____ DATE APPLICATION DEEMED COMPLETE _____

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	
Registered Owners(s)	Katherine Konstanty and Michal Konstanty	
Applicant(s)*	Katherine Konstanty and Michal Konstanty	
Agent or Solicitor	Chris Harrison harrisonarchitecture Inc	

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:
Bank of Nova Scotia
999 King St W
Hamilton, ON
L83 1K9

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:
 - 4.1 Recognise existing setback along west side permit setback of .36m for proposed addition setback
 - 4.2 Recognise existing front setback of 2.66m(unchanged with proposal
 - 4.3 Permit reduced set back of .61m for east and west sides of proposed SDU
 - 4.4 Permit increased gross floor area of 80m2 for proposed SDU
 - 4.5 Permit increased building height of 6.90M for SDU
5. Why it is not possible to comply with the provisions of the By-law?
 - 5.1 extending the existing house is most efficient working with the existing footprint and setback.
 - 5.2 existing porch blocks light to living area-roof to be revised
 - 5.3 SDU required for multi generational housing(in law suite)
 - 5.4 additional floor area is required for the accomodation of owner's grand parent who faces mobility challenges.
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**):
 22 Chatham St (principal property)
 Part of Lots 92 and 93, Block 'F'
 Registered Plan 253
 additional lot fronting on Laneway
 Part 1, Block 'F' Registered Plan 253
7. PREVIOUS USE OF PROPERTY

Residential	<input checked="" type="checkbox"/>	Industrial	<input type="checkbox"/>	Commercial	<input type="checkbox"/>
Agricultural	<input type="checkbox"/>	Vacant	<input type="checkbox"/>		
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?
In person observation and owners knowledge of living in the 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 12, 2021
Date

[Signature]
Signature Property Owner

MICHAEL KONSTANTY / KATHERINE KONSTANTY
Print Name of Owner

10. Dimensions of lands affected:
- | | |
|-----------------|--|
| Frontage | 30.15 ft / 9.19m |
| Depth | 100' + 48.67' = 148.67' / 45.315m |
| Area | 4482.4 sf / 416.58m ² |
| Width of street | 9m(Chatham - estimated) + 3.65m (laneway-survey) |
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: 56.48m ²
Gross Floor Area : 113.96m ²
1 1/2 stories
5.59m W
7.29m L
6.0m H |
| Proposed | Ground Floor Area: Add'n:68.4m ² + SDU:27.2 m ² = 95.63m ²
Gross Floor Area : Add'n:119.32m ² + SDU :80.00m ² = 199.32m ²
2 stories(Add'n and SDU)
Add'n:7.48m W SDU: 7.92m W
Add'n:11.3m L SDU: 6.7m L
Add'n:9.85m H SDU:6.92m H |
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:2.66M
WEST: .25M
EAST 3.98M
REAR 35.76M |
| Proposed: | FRONT: 2.66M
WEST-ADD'N:..37M WEST-SDU: .61M
EAST-ADD'N :1.52M
EAST-SDU:.61M
REAR-ADDN: 22.76M
REAR-SDU:1.22M ♦ |

13. Date of acquisition of subject lands:
12 DECEMBER 2012
-
14. Date of construction of all buildings and structures on subject lands:
EST 1890
-
15. Existing uses of the subject property:
SINGLE FAMILY RESIDENTIAL
16. Existing uses of abutting properties:
SINGLE FAMILY 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 | YES | Connected | YES |
| Sanitary Sewer | YES | Connected | YES |
| Storm Sewers | YES | | |
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:
D URBAN PROTECTED
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.