

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-21:213

APPLICANTS: Owners C. Mutch & C. Thomson

SUBJECT PROPERTY: Municipal address **46 Guise St. E., Hamilton**

ZONING BY-LAW: Zoning By-law 6593, as Amended 93-161

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

PROPOSAL: To permit the construction of an accessory structure (detached carport) in the front yard of an existing single family dwelling, notwithstanding that;

1. The proposed accessory structure shall be erected in the front yard instead of the requirement in the By-Law which states that no accessory building shall be erected in a front yard; and
2. The proposed accessory structure shall have a 0.0 m front yard depth abutting Brock Street instead of the minimum required front yard depth of 6.0 m; and
3. The proposed accessory structure shall have a 0.45m easterly side yard instead of the minimum required 1.2 m side yard.
4. The proposed accessory structure shall have a 0.45m westerly side yard instead of the minimum required 1.2 m side yard

NOTES:

1. Since the proposed accessory building is not located in the rear yard but in the front yard then the front and side yard setbacks for a principal building are being applied.
2. This is a through lot; therefore, front lot line with reference to a through lot shall mean and include each of the two shorter boundary lines along streets. The Zoning By-law defines a through lot as:

"Lot, Through" shall mean an interior lot having separate frontages upon two streets which are parallel with each other or which run in nearly the same direction."

3. Eaves and/or gutters may project into a required side yard not more than one-half of its width whichever, is the lesser. No details have been provided; therefore, further variances may be required.

4. The variances are written as requested by the applicant.

5. Building Division records indicate that the recognized use is one (1) single family dwelling unit of a three (3) unit townhouse dwelling, which is permitted as an existing use prior to the passing of By-law No. 93-161.
6. The Zoning By-law permits one parking space for a street townhouse unit.
7. The proposed carport has dimensions of 3.2m x 6.4m which provides for the required 2.7m x 6.0m parking space.

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

DATE:	Thursday, July 8th, 2021
TIME:	3:10 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:

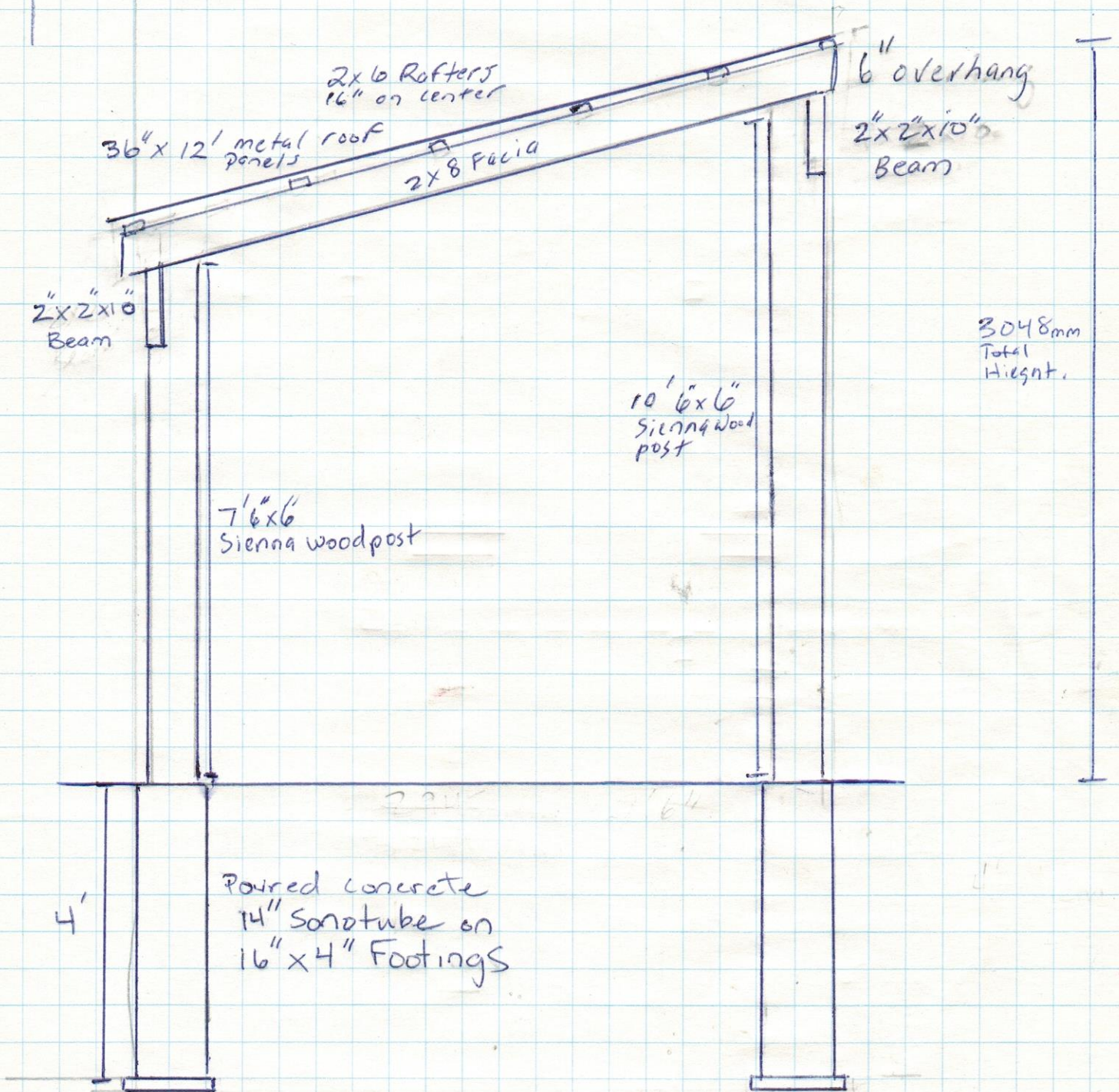
- Visit www.hamilton.ca/committeeofadjustment
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at cofa@hamilton.ca

DATED: June 22nd, 2021.

Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

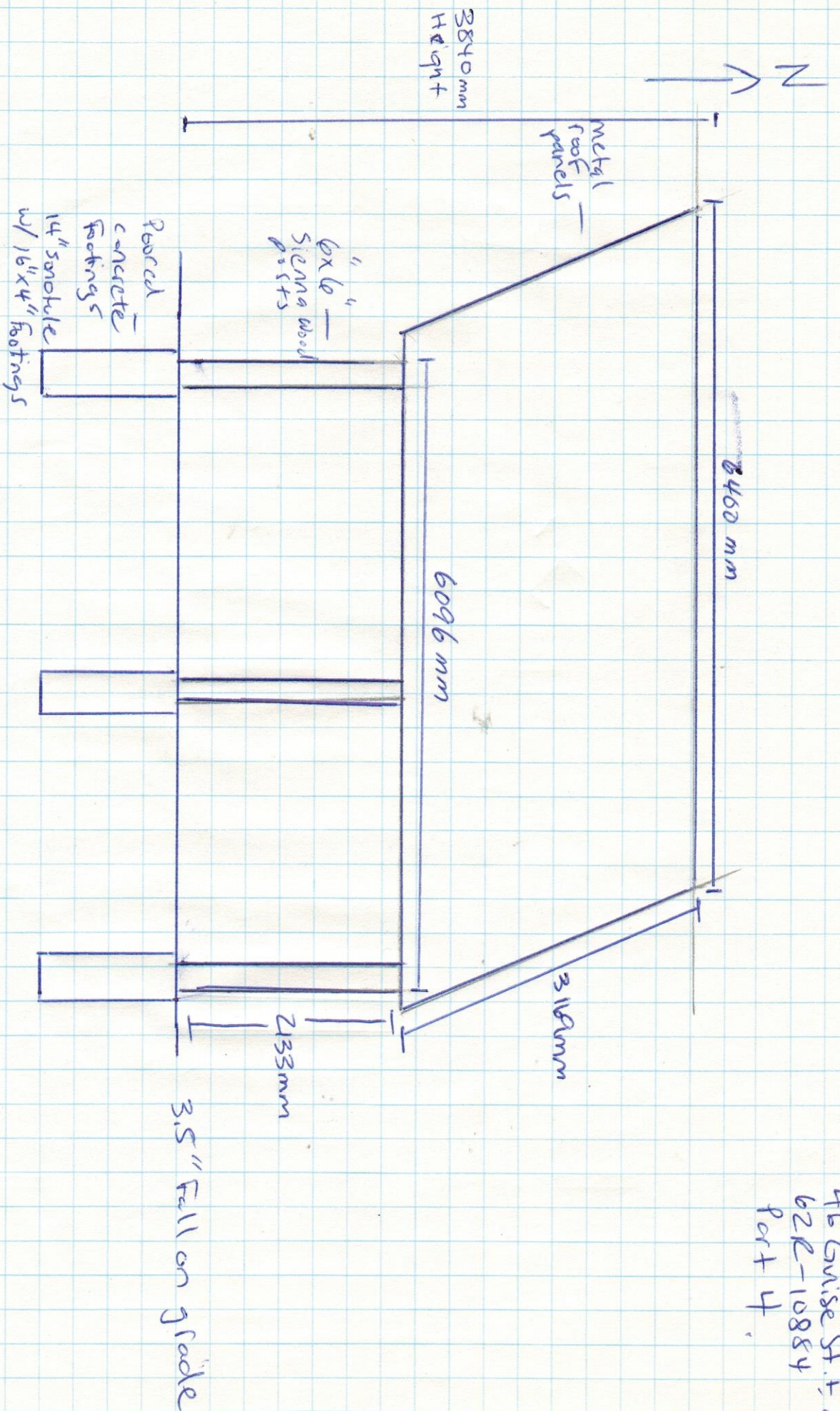
Information respecting this application is being collected under the authority of the Planning Act, R.S.O., 1990, c. P. 13. All comments and opinions submitted to the City of Hamilton on this matter, including the name, address, and contact information of persons submitting comments and/or opinions, will become part of the public record and will be made available to the Applicant and the general public.

Front View
46 Guise St. E.
62R-10884
Part 4



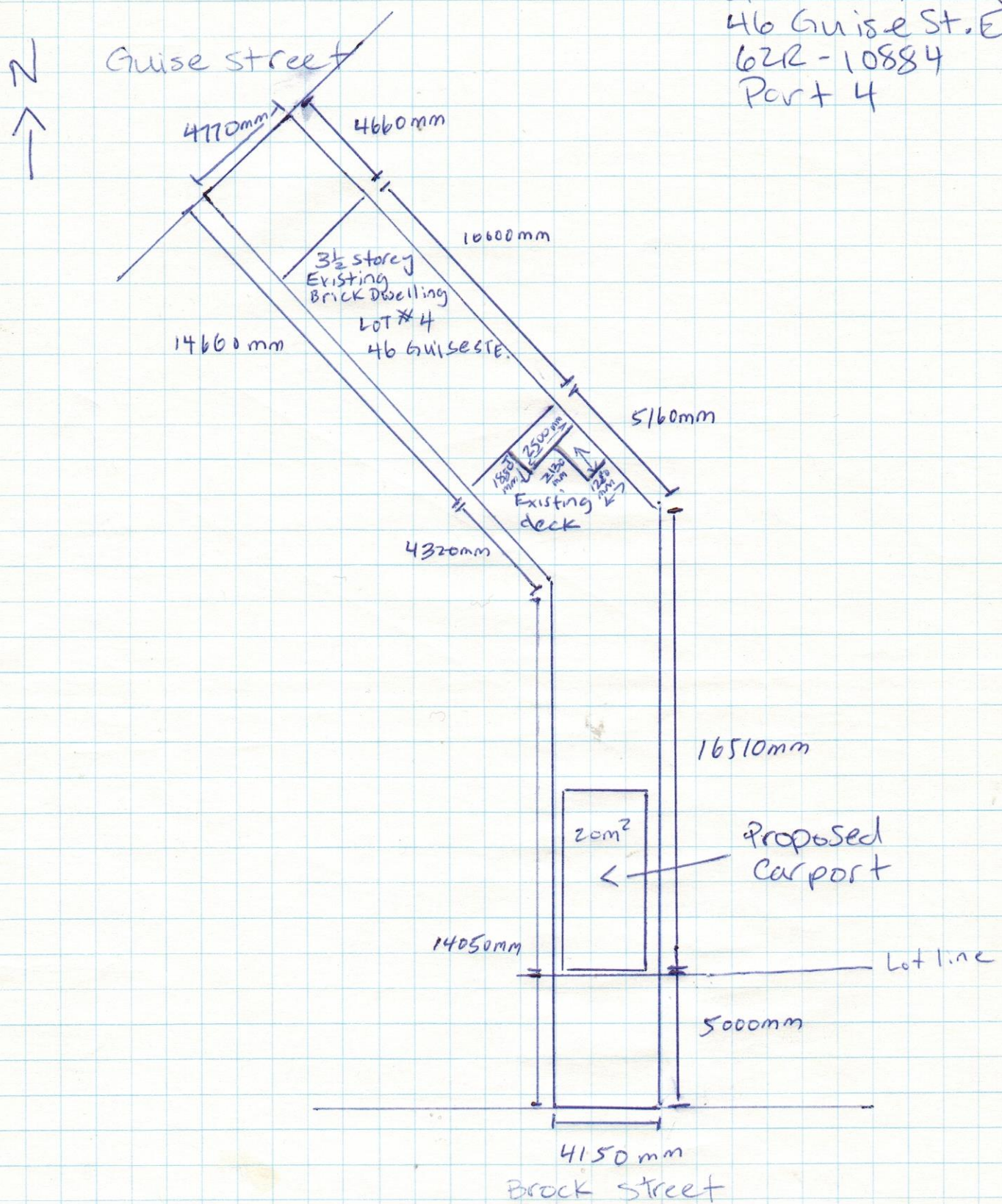
scale $\frac{1}{2}$ inch = 1 Foot.

Sidewalk
46 Guise St. E.
62R-10884
Part 4

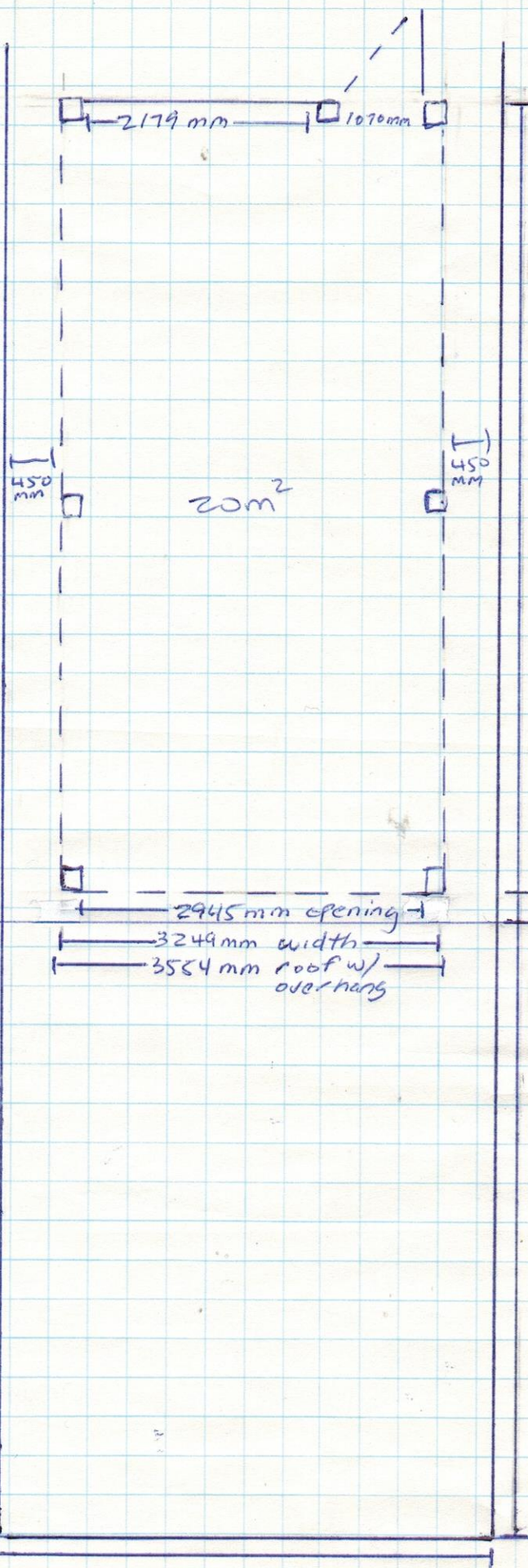


Scale
2cm = 1m

Site Sketch Pg 1.
 46 Guise St. E.
 6212-10884
 Part 4



Scale $\frac{1}{2}$ cm = 1m



5000 mm

4150 mm
Brock Street

**Appendix 1: Photos of Property Frontage on Guise Street East and Brock Street
Application for Minor Variance – 46 Guise St. E.**

Photo 1



Photo 1: Front of property facing Guise Street East
Residences (left to right): 48, 46, 44, 42, and 40 Guise Street E.
Note: Front of property does not accommodate parking

Photo 2



Photo 2: Rear of property facing Brock Street
Residences (left to right): 40, 42, 44, 46 and 48 Guise Street East
Note: Rear property fronting Brock Street functions as parking for surrounding dwellings

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)*			
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:

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

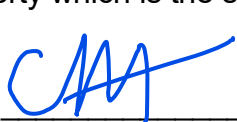
8.12 If previous use of property is industrial or commercial or if YES to any of 9.2 to 9.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.

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.

Date



Signature Property Owner

Print Name of Owner

10. Dimensions of lands affected:

Frontage _____
Depth _____
Area _____
Width of street _____

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: _

Proposed

See Site Sketch Page 2 (Appendix 2)
See Also: Front view and Side view drawings (Appendix 4 Drawings of Carport)

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 Site Sketch Page 1 (Appendix 2)

Proposed:

See Site Sketch Page 2 (Appendix 2)

13. Date of acquisition of subject lands: _____

14. Date of construction of all buildings and structures on subject lands: _____

15. Existing uses of the subject property: _____

16. Existing uses of abutting properties: _____

17. Length of time the existing uses of the subject property have continued: _____

18. Municipal services available: (check the appropriate space or spaces)

Water	_____	Connected	_____
Sanitary Sewer	_____	Connected	_____
Storm Sewers	_____		

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: _____

21. Has the owner previously applied for relief in respect of the subject property?

Yes	No
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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
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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.