

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-21:51

APPLICANTS: Agent GSP Group
Owner Canadian Grand Developments

SUBJECT PROPERTY: Municipal address **137 Peter St., Hamilton**

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

ZONING: "D/S-1787" (Urban Protected Residential - 1 & 2 Family Dwellings, etc.) district

PROPOSAL: To permit the construction of a new two and a half storey semi-detached two-family dwelling on the subject lands and the future separation of the dwelling, notwithstanding that;

1. A minimum front yard depth of 1.0 metre shall be permitted instead of the minimum 6.0 metre front yard depth required.
2. A minimum rear yard depth of 5.5 metre shall be permitted instead of the minimum 7.5m rear yard depth required.
3. A minimum manoeuvring aisle width of 2.7 metre shall be permitted instead of the minimum 6.0m wide manoeuvring aisle width required.
4. The front yard landscaped area shall be a minimum of 46.9% of the gross area of the front yard instead of the minimum 50.0% of the gross area of the front yard required as landscaped area.
5. A minimum lot area of 272.0 square metres shall be permitted instead of the minimum 540.0 square metres lot area required for a two-family dwelling.
6. A minimum lot width of 17.4 metres shall be permitted instead of the minimum 18.0 metres lot width required for a two-family dwelling.
7. A canopy may be permitted to be located as close as 0.39 metres from the street line instead of the minimum 1.5 metres setback required.

NOTE:

1. The finished level of the garage floor shall be a minimum of 0.3m above grade. Insufficient details were provided from which to confirm compliance; as such, further variances may be required.

2. Details respecting eaves or gutters where not shown. The applicant shall ensure that the maximum eave and gutter projections are achieved; otherwise, further variances may be required.

3. The proposed balcony/deck in the rear yard is indicated as projecting into the current required rear yard (i.e. 7.5 metres) 3.0 metres, and is distanced 4.5 metres from the rear lot line. As per Section 18(3)(cc), a balcony is permitted to project into a required rear yard not more than 1.0 metre. Should Variance No. 2 above, regarding a reduction of the minimum required rear yard to 5.5 metres, the proposed balcony/deck would project 1.0 metre into the reduced rear yard and would therefore comply with Section 18(3)(cc).

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

DATE:	Thursday, August 12th, 2021
TIME:	2:55 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

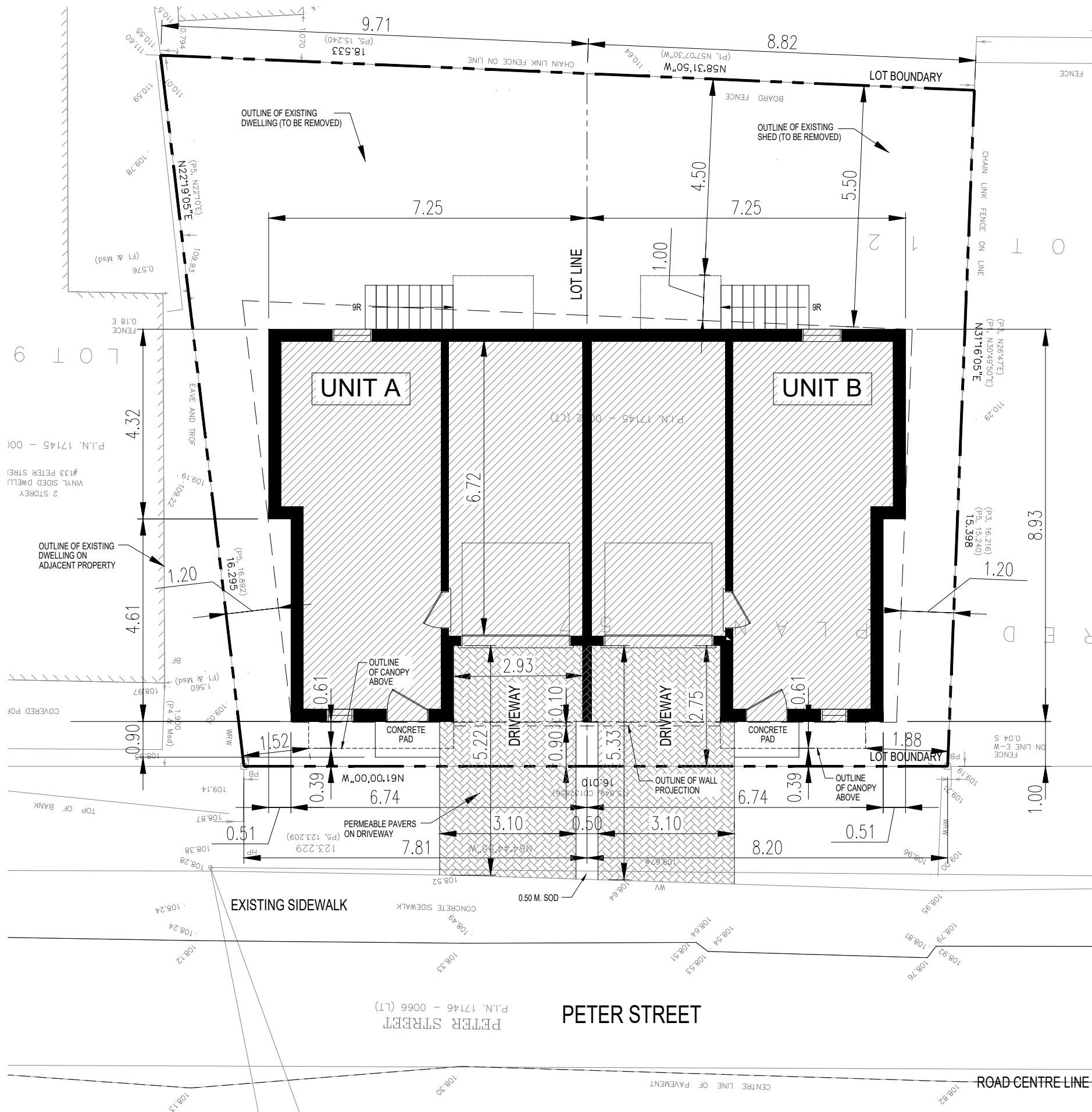
For more information on this matter, including access to drawings illustrating this request:

- 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: July 27th, 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.



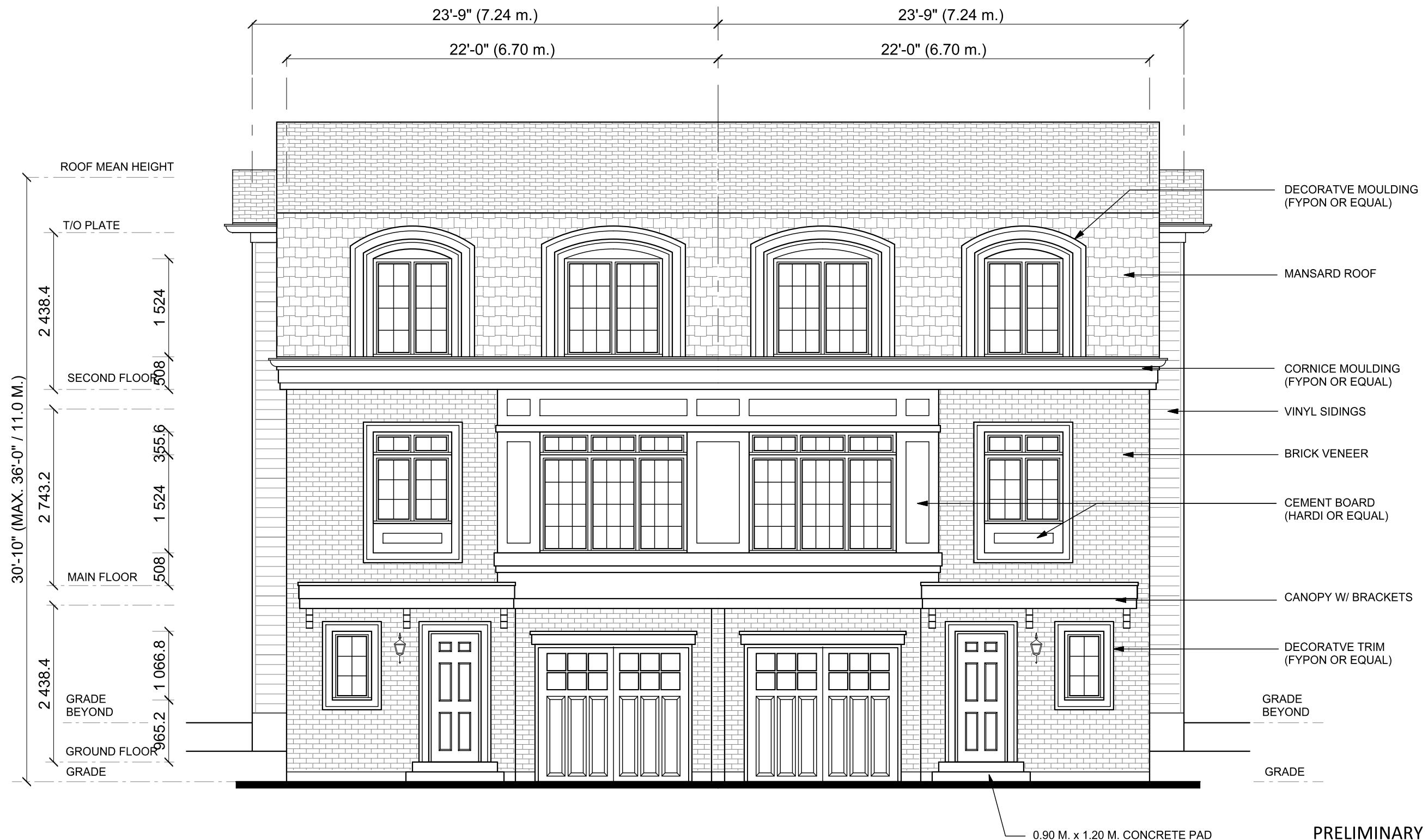
TOPOGRAPHIC SURVEY
OF PART OF
LOT 12
REGISTERED PLAN 57
IN THE
CITY OF HAMILTON
Prepared by:
A.T. McLaren Limited
Legal and Engineering Surveys

ZONE 'D' (URBAN PROTECTED RESIDENTIAL)			
	REQUIRED	PROPOSED	
LOT AREA	540.00 SQ.M.	272.24 SQ.M.	
LOT AREA (UNIT 'A')		139.66 SQ.M.	
LOT AREA (UNIT 'B')		132.58 SQ.M.	
BUILDING FOOTPRINT		64.81 SQ.M.	INCLUDING PORCH PER UNIT
LOT COVERAGE			
LOT COVERAGE (UNIT 'A')		46.40 %	
LOT COVERAGE (UNIT 'B')		48.88 %	
LOT FRONTAGE	18.00 M.	16.01 M.	REQUIRED FOR TWO FAMILY DWELLING
LOT FRONTAGE (UNIT 'A')		7.81 M.	
LOT FRONTAGE (UNIT 'B')		8.20 M.	
FRONT YARD SETBACK	6.00 M.	1.00 M.	FRONT CANOPY ENCROACHING 0.61 M. INTO FRONT YARD; WALL PROJECTION ENCROACHING 0.10 M. INTO FRONT YARD
REAR YARD SETBACK	7.50 M.	5.50 M.	DECK ENCROACHING 1.0 M. TO REAR YARD
SIDE YARD SETBACK	1.20 M.	1.20 M.	

PRELIMINARY SITE PLAN
PROPOSED SEMI-DETACHED DWELLING
137 PETER STREET, HAMILTON
W-2157 (JULY 6, 2021)

 **JOHN G. WILLIAMS LIMITED**
ARCHITECT

40 Vogell Road, Unit 46, Richmond Hill, Ontario L4B 3N6
905-780-0500 info@williamsarch.com williamsarch.com



FRONT ELEVATION

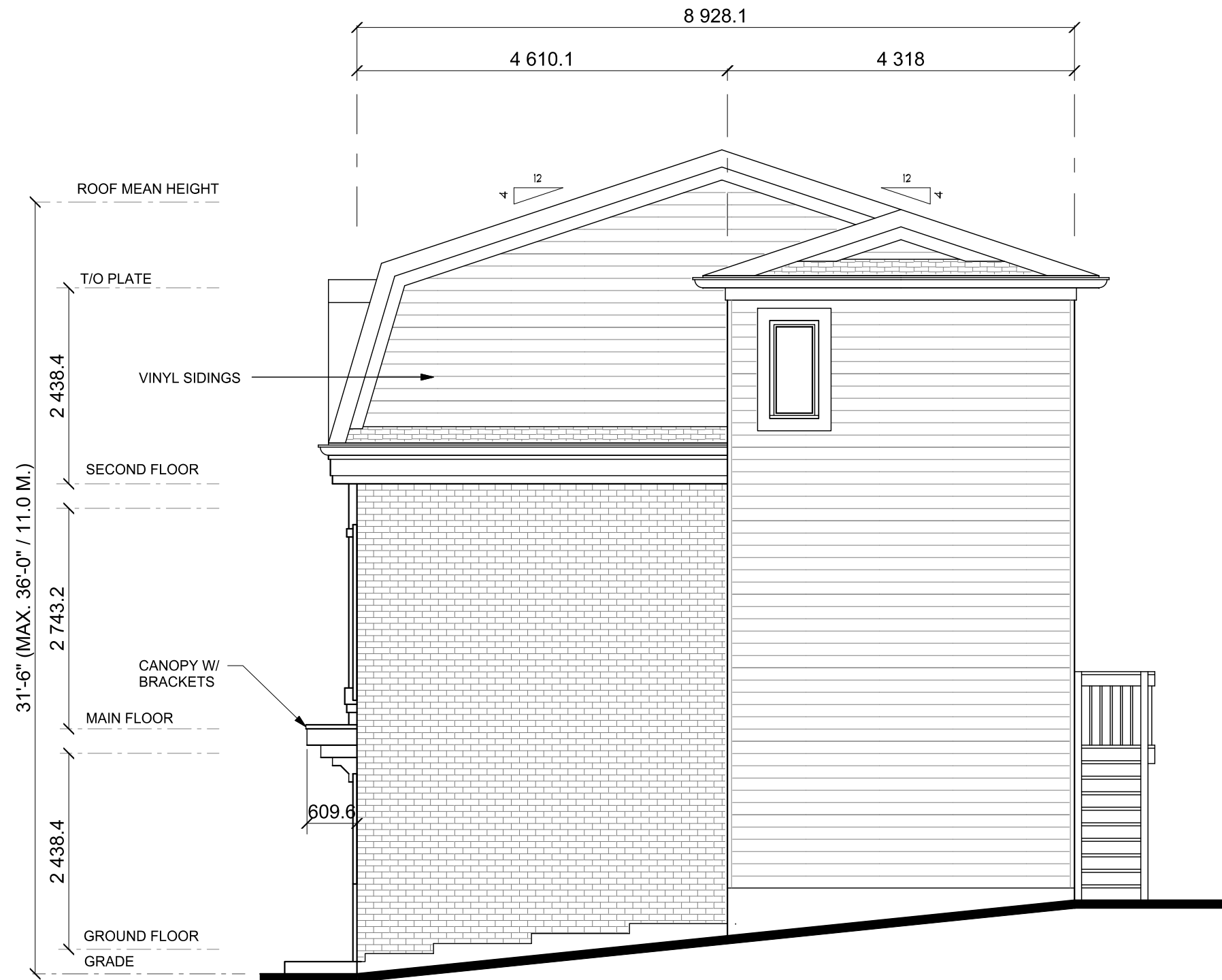
PRELIMINARY ELEVATIONS

PROPOSED SEMI-DETACHED DWELLINGS
137 PETER ST, HAMILTON, ON
W-2157 (APRIL 30, 2021)



JOHN G. WILLIAMS LIMITED
ARCHITECT

40 Vogell Road, Unit 46, Richmond Hill, Ontario L4B 3N6
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SIDE ELEVATION

PRELIMINARY ELEVATIONS

PROPOSED SEMI-DETACHED DWELLINGS
137 PETER ST, HAMILTON, ON
W-2157 (APRIL 30, 2021)



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REAR ELEVATION

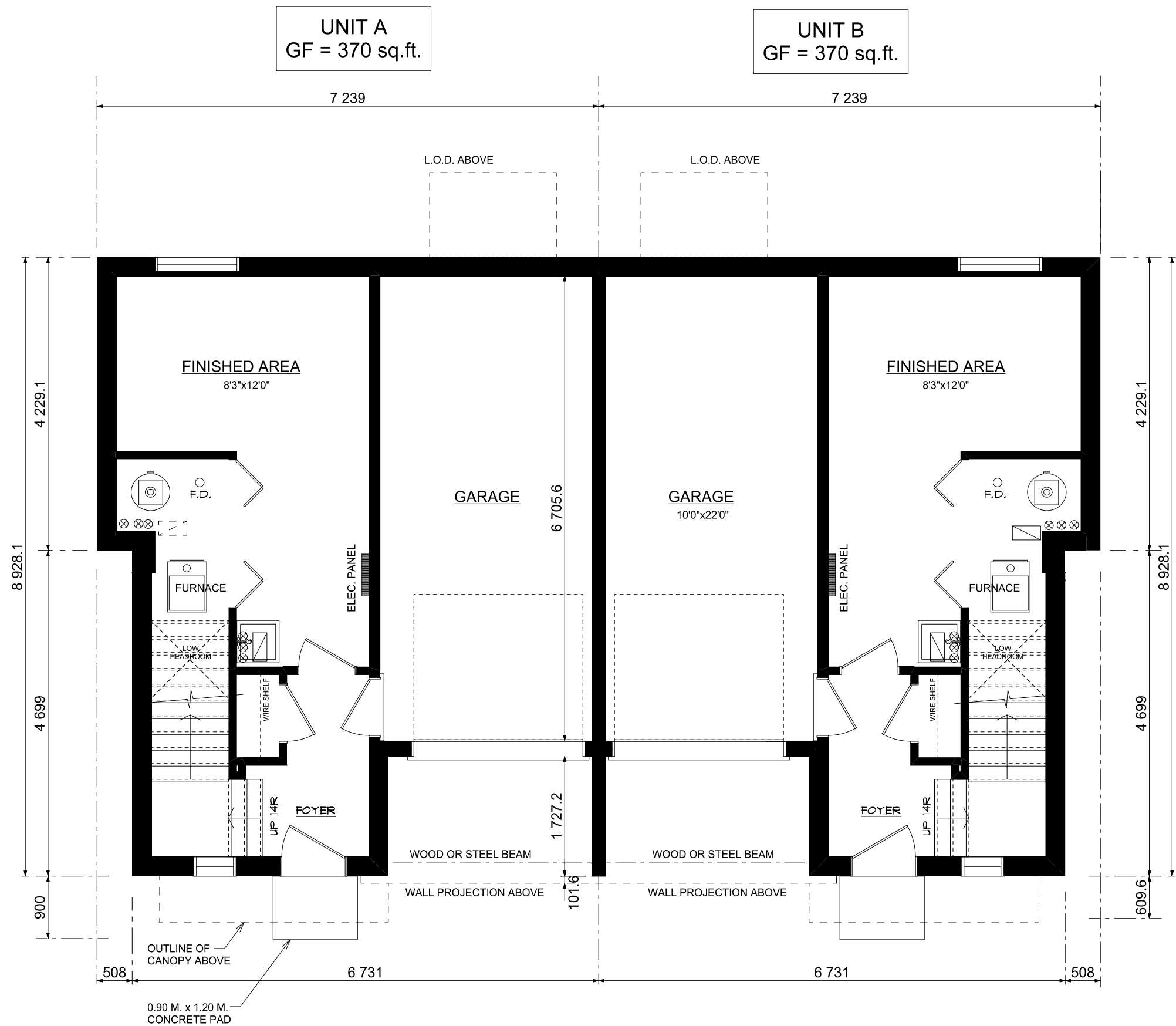
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GROUND FLOOR PLAN

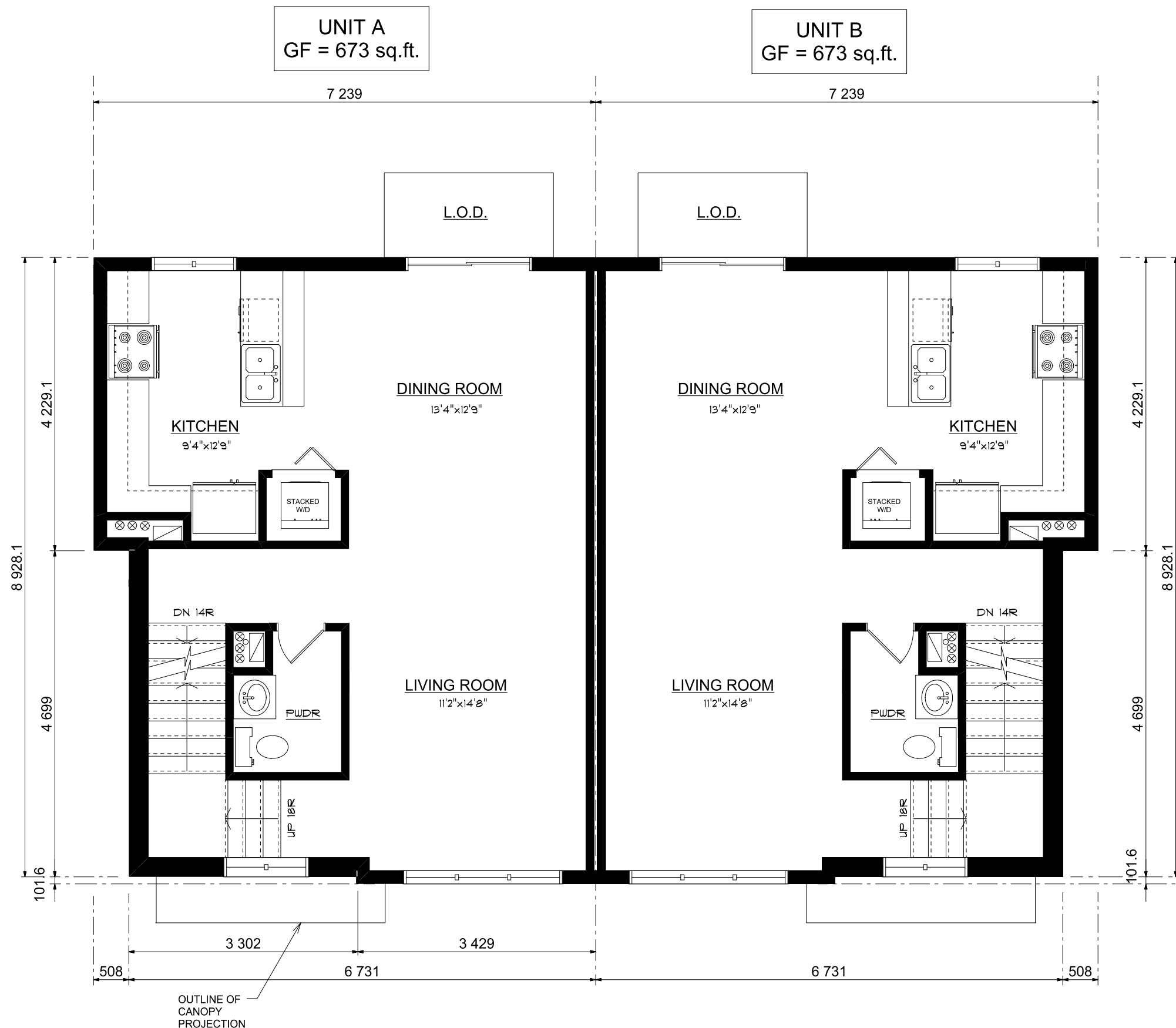
PRELIMINARY FLOOR PLANS

PROPOSED SEMI-DETACHED DWELLINGS
137 PETER ST, HAMILTON, ON
W-2157 (APRIL 30, 2021)



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40 Vogell Road, Unit 46, Richmond Hill, Ontario L4B 3N6
905-780-0500 info@williamsarch.com williamsarch.com



MAIN FLOOR PLAN

GROSS FLOOR AREA
PER UNIT = 1,709 sq.ft.

PRELIMINARY FLOOR PLANS

PROPOSED SEMI-DETACHED DWELLINGS
137 PETER ST, HAMILTON, ON
W-2157 (APRIL 30, 2021)



JOHN G. WILLIAMS LIMITED
ARCHITECT

40 Vogell Road, Unit 46, Richmond Hill, Ontario L4B 3N6
905-780-0500 info@williamsarch.com williamsarch.com

June 24, 2021

File No. 20313

Jamila Sheffield
Secretary-Treasurer
City of Hamilton
Committee of Adjustment
71 Main Street West, 5th Floor
Hamilton, ON
L8P 4Y5

Dear Ms. Sheffield:

**RE: 137 PETER STREET
MINOR VARIANCE APPLICATION**

GSP Group is pleased to resubmit on behalf of the owner, Blair Fleming and Andrew McAllister, an updated application for minor variance to permit a new semi-detached dwelling on the property. The intent is to apply for consent to sever once the semi-detached dwelling has been constructed. Therefore, Minor Variances have been requested with two future lots in mind. The existing building on the Site will be demolished.

The resubmission provided in this package in response to several concerns that had been raised with comments provided by both the public and City staff at the March 4, 2021 Committee of Adjustment Meeting. Accordingly, the revisions to the design include:

- the reduction in height from 3 storeys to 2.5 storeys;
- the elimination of the setback variance for a covered front porch;
- the increase to front yard landscaping from 26% to 46.9%; and,
- the redesign of the front façade of the proposed units to an architectural style similar to other dwellings within the broader neighbourhood.

The above noted changes have been incorporated with a collaborative effort from the project team in tandem with City of Hamilton Planning Staff to ensure concerns noted in the comments have been addressed. Accordingly, the noted design changes had several impacts on the requested variances as indicated in the chart in the preceding section of this Letter, which compares the zoning requirements, the variances needed as part of the original submission and the ones needed in order to facilitate the revised design.

Requested Minor Variances

The Site is currently zoned “D” (Urban Protected Residential – One and Two Family Dwellings) District in Hamilton Zoning By-law 6593, where semi-detached dwellings are permitted. In order to permit the requested semi-detached dwelling, variances are required to the “D” District zoning regulations as well as the General Regulations of Zoning By-law No. 6593. The table below summarizes the required variances:

PLANNING | URBAN DESIGN | LANDSCAPE ARCHITECTURE

“D” District Regulations					
Section	Regulation	Required	Initial Design	Revised Design	Conforms? ✓/✗
10 (2)	Maximum Height	3 storeys 14m	3 storeys 12m	2.5 storeys 11m	✓
10 (3) (i)	Minimum Front Yard Setback	6m	1.00m	1.00m	✗
10 (3) (ii)	Minimum Side Yard Setback (buildings not over 2½ storeys or 11m in height)	1.2m	East: 1.20m West: 1.20m	East: 1.20m West: 1.20m	✓ ✓
10 (3) (iii)	Minimum Rear Yard Setback	7.5m	5.50m	5.50m	✗
10 (4) (ii)	Minimum Lot Width (measured 9m back from front lot line)	18.0m	17.42m	17.42m	✗
10 (4) (ii)	Minimum Lot Area	540.0m ²	272.24m ²	272.24m ²	✗
General Regulations					
Section	Regulation	Required	Provided	Revised Design	Conforms? ✓/✗
18 (3) (vi) (b)	Minimum Setback from Canopy to Front Lot Line	1.5m	No Canopy Provided	0.35m	✗
18 (3) (vi) (d)	Minimum Setback from Covered Porch to Front Lot Line	1.5m	0.15m	No Covered Porch Provided	✓
18 (14) (i)	Minimum Front Yard Landscaped Area (Minimum % of Gross Area of Front Yard)	50%	26%	46.9%	✗
*Those highlighted in gold require a variance.					

The following variances are requested to the “D” District Regulations:

1. 5m reduction in the required minimum front yard setback from 6.0m to 1.00m;
2. 2m reduction in the required minimum rear yard setback from 7.5m to 5.50m;
3. 0.6m reduction in the required minimum lot width from 18.0m to 17.40m; and,
4. 268m² reduction in the required minimum lot area from 540m² to 272.00m².

The following additional variances are required to the general provisions of the Zoning By-law to permit the following:

5. 1.15m reduction in the required minimum front yard setback of a canopy from the front lot line from 1.5m to 0.35m; and,
6. 3.1% reduction in the required minimum front yard landscaped area from 50% to 46.9%.

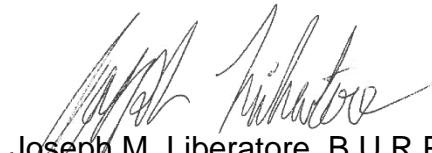
In support of the Updated Minor Variance applications, the following information is provided:

1. A cheque in the amount of \$275.00 representing the City's 2021 recirculation fee for Minor Variance;
2. One (1) copy of the updated Minor Variance application form; and,
3. One (1) copy of the updated site plan, floor plans and elevations.

Should you have any question, or require any additional information, please contact me by phone at 226-243-7433 or by email at jliberatore@gspgroup.ca.

Yours truly

GSP Group Inc.

A handwritten signature in black ink, appearing to read 'Joseph M. Liberatore', is written over the printed name.

Joseph M. Liberatore, B.U.R.Pl., Dip. GIS & Pl.

Planner

cc. Client



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)	Blair Fleming & Andrew McAllister		Phone:
			E-mail:
Applicant(s)*	GSP Group Inc. c/o Brenda Khes		Phone:
			E-mail:
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:

TD Canada Trust
South Milton, 1040 Kennedy Circle, Milton, ON L9T 0J9

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:

1. 5m reduction in the required minimum front yard setback from 6.0m to 1.00m;
2. 1.5m reduction in the required minimum side yard setback from 2.7m to 1.20m;
3. 2m reduction in the required minimum rear yard setback from 7.5m to 5.50m;
4. 0.6m reduction in the required minimum lot width from 18.0m to 17.40m; and,
5. 268m² reduction in the required minimum lot area from 540m² to 272.00m².
6. 1.35m reduction in the required minimum front yard setback of a covered porch from the front lot line from 1.5m to 0.15m; and,
7. 24% reduction in the required minimum front yard landscaped area from 50% to 26%.

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

Please refer to Planning Justification Brief.

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**):

Part of Lot 12, Plan 57

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?

Owner's knowledge of property from sale.

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

December 23, 2020

Date


Signature Property Owner

Blair Fleming & Andrew McAllister

Print Name of Owner

10. Dimensions of lands affected:

Frontage	<u>±16m</u>
Depth	<u>±16.11m (irregular)</u>
Area	<u>±274m²</u>
Width of street	<u>15m ROW</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: _

1-storey single detached dwelling, ±130 square metre ground floor area, ±7.9m by ±15m

Proposed

3-Storey semi detached dwelling, ±130 square metre ground floor area, width of 7.25 metres per unit and a height of 12 metres from grade to peak of roof

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 Yard Setback: 1.34 metres (Covered Porch encroaches 0.16m into ROW) Side Yard Setback (West): 7.3 metres
Side Yard Setback (East): 0 metres
Rear Yard Setback: 2.3 metres

Proposed:

Front Yard Setback: 1 metre
Side Yard Setback (West): 1.2 metres
Side Yard Setback (East): 1.2 metres
Rear Yard Setback: 5.5 metres

13. Date of acquisition of subject lands:
October 2015
-
14. Date of construction of all buildings and structures on subject lands:
Late 1800s
-
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 Yes Connected Yes
Sanitary Sewer Yes Connected Yes
Storm Sewers Yes
19. Present Official Plan/Secondary Plan provisions applying to the land:
Neighbourhoods (UHOP), Low Density Residential 3 (Strathcona Secondary Plan)
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
Zoning By-law 6593 - "D" District - Urban Protected Residential - One and Two Family Dwellings
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.