

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-21:266

APPLICANTS: Owners N. Gazibara & J. Broad

SUBJECT PROPERTY: Municipal address **172 Duke St., Hamilton**

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

ZONING: "DE-3" (Multiple Dwellings) district

PROPOSAL: To permit the construction of a new roof, including two (2) dormer additions, to the existing single- family dwelling, notwithstanding,

1. A minimum front yard depth of 1.94 metres shall be permitted instead of the minimum required front yard depth of 6.0 metres;
2. A minimum easterly side yard width of 0.0 metres shall be permitted instead of the minimum required side yard width of 1.2 metres;

NOTES:

1. The proposed building height has not been provided in accordance with Height and Grade as defined within the Zoning By-law. A further variance will be required should the proposed height exceed 11.0 metres when provided in accordance with the defined terms within the Zoning By-law.

2. It is unclear if the existing dwelling provides a Basement, defined as a storey which is partly below adjacent ground but which is not more than one-half of the clear height from the top of its floor to the underside of its finished ceiling below the adjacent ground, or a Cellar, defined as a portion of building which is partly below adjacent ground, but which has more than one-half of its clear height from the top of its floor to the underside of its finished ceiling below adjacent ground. A further variance will be required if the existing single-family dwelling provides a Basement.

3. Building Division records have been utilized to determine the minimum yards provided for the existing single-family dwelling.

4. The applicant shall ensure the proposed gross floor area has been calculated in accordance with Gross Floor Area as defined within the Zoning By-law.

5. A further variance will be required if the eave and gutter projects greater than 1.5 metres into the required front yard or is closer than 1.5 metres to the front lot line or if the eave and gutter encroach greater than 0.4 metres into the required westerly side yard.

6. Zoning compliance for the eave and gutter encroachment into the easterly side yard are dependent upon approval of Variance 2.

7. As the proposed alteration does not result in greater than eight (8) habitable rooms being provided within the single-family dwelling, existing parking conditions are permitted to be maintained. As such, the variance requested for reduced parking is not required.

8. It is noted that five (5) habitable rooms are to be provided within the existing single-family dwelling, however complete detailed floor plans have not been provided. A further variance will be required if the single-family dwelling is deemed to contain greater than eight (8) habitable rooms.

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

DATE:	Thursday, August 26th, 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

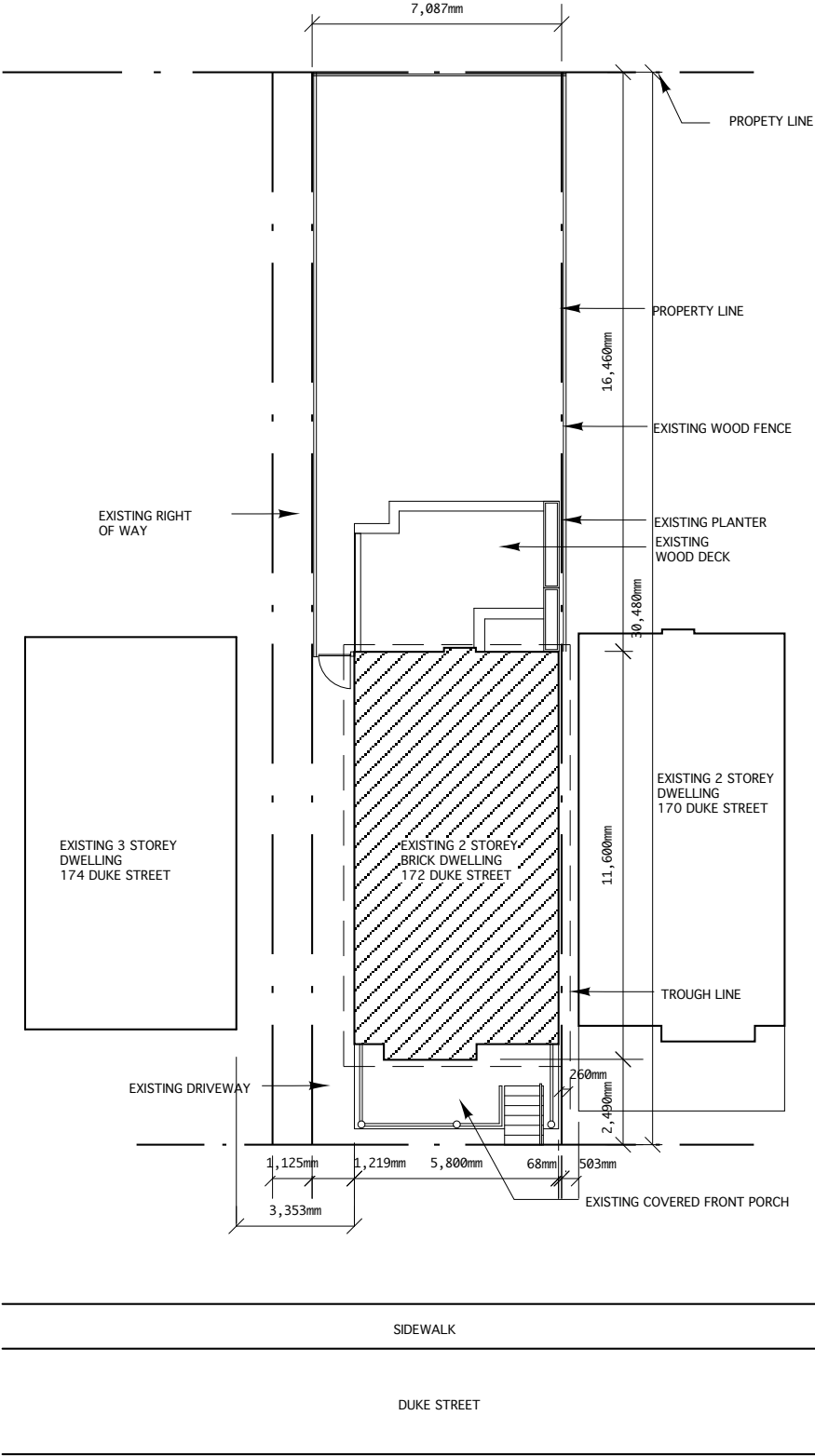
For more information on this matter, including access to drawings illustrating this request:

- 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: August 10th, 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.



PART OF LOT 205 ON NORTH SIDE OF DUKE STREET, PLAN NO. 256, CITY OF HAMILTON

LOT AREA 216 SQ M (2,325 SQ FT)

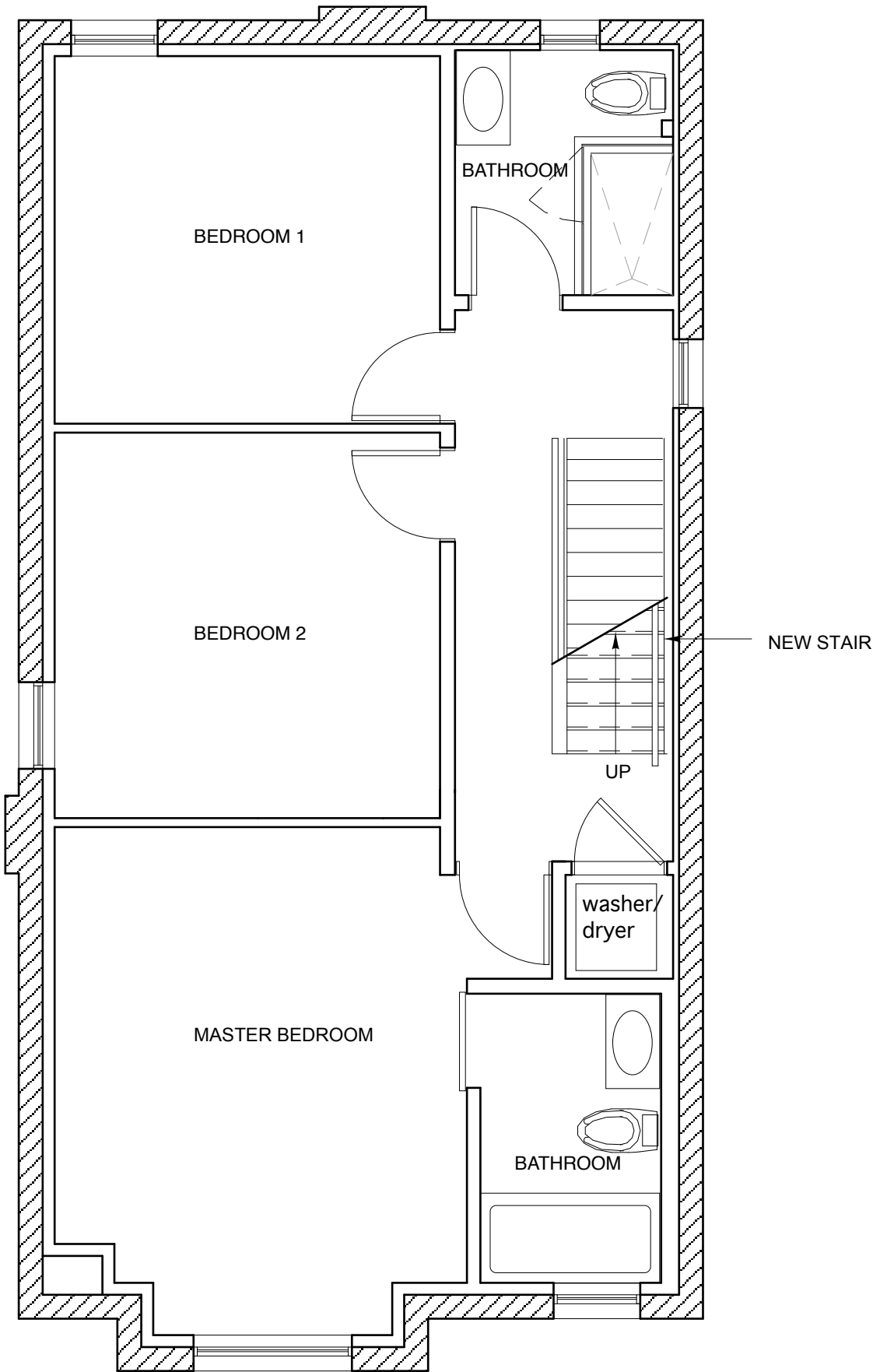
LOT COVERAGE 66.13 SQ M (30.61%)

GROSS FLOOR AREA EXISTING 132.26 SQ M

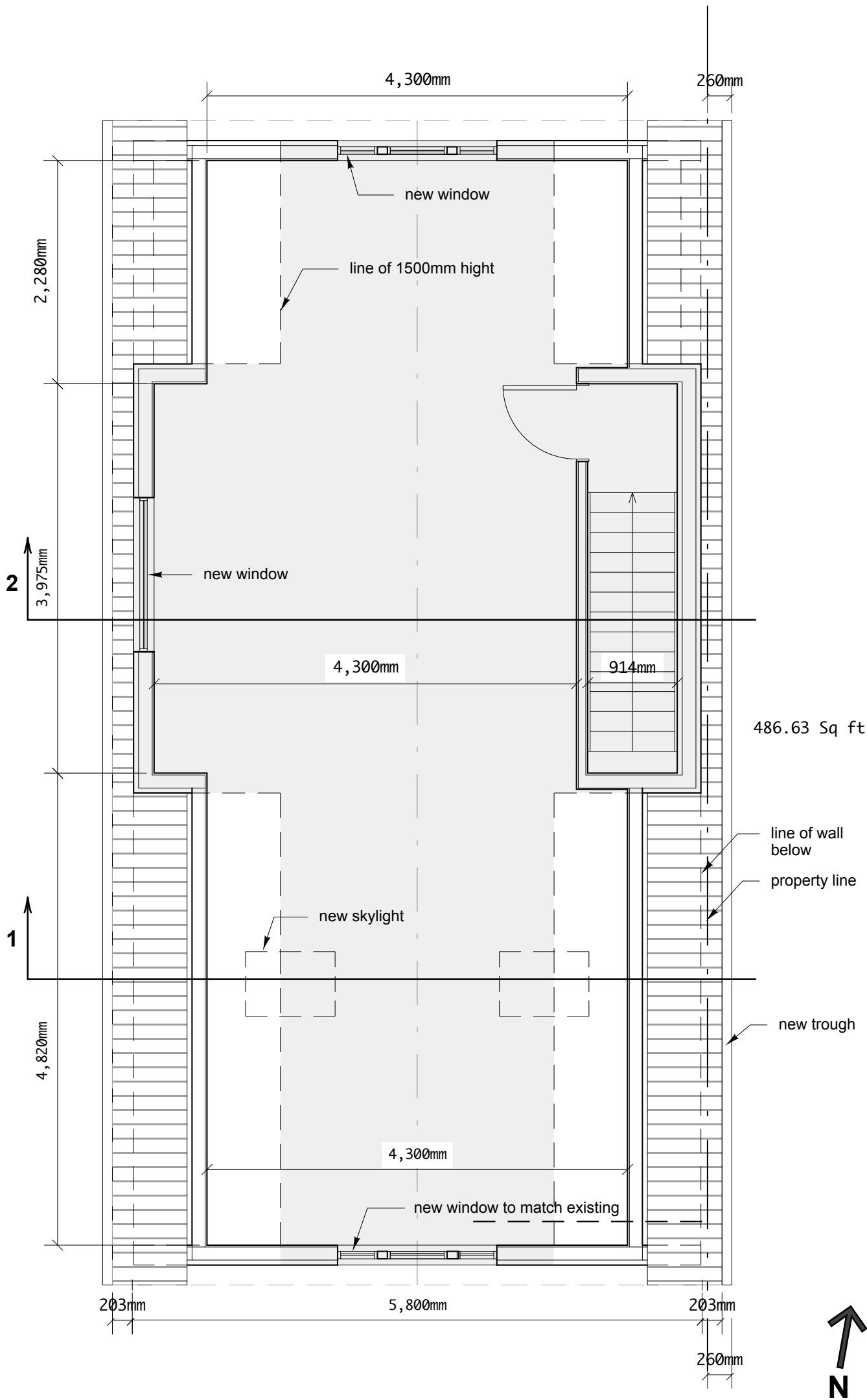
GROSS FLOOR AREA PROPOSED 177.46 SQ M



<div>Project:</div> <div>NEW ROOF AND ATTIC RENOVATION</div> <div>Address:</div> <div>172 Duke Street, Hamilton</div>	<div>DRAWING TITLE:</div> <div>SITE PLAN</div>	
	<div>SCALE:</div> <div>1:200</div>	<div>DWG. NO.</div> <div>A0.03</div>
	<div>DATE ISSUED:</div> <div>MAY, 2021</div>	



Project: NEW ROOF AND ATTIC RENOVATION	DRAWING TITLE: EXISTING SECOND FLOOR PLAN	
	SCALE: 1:50	DWG. NO.
	DATE ISSUED: MAY, 2021	A1.02



Project:
NEW ROOF AND ATTIC RENOVATION

Address:
172 Duke Street, Hamilton

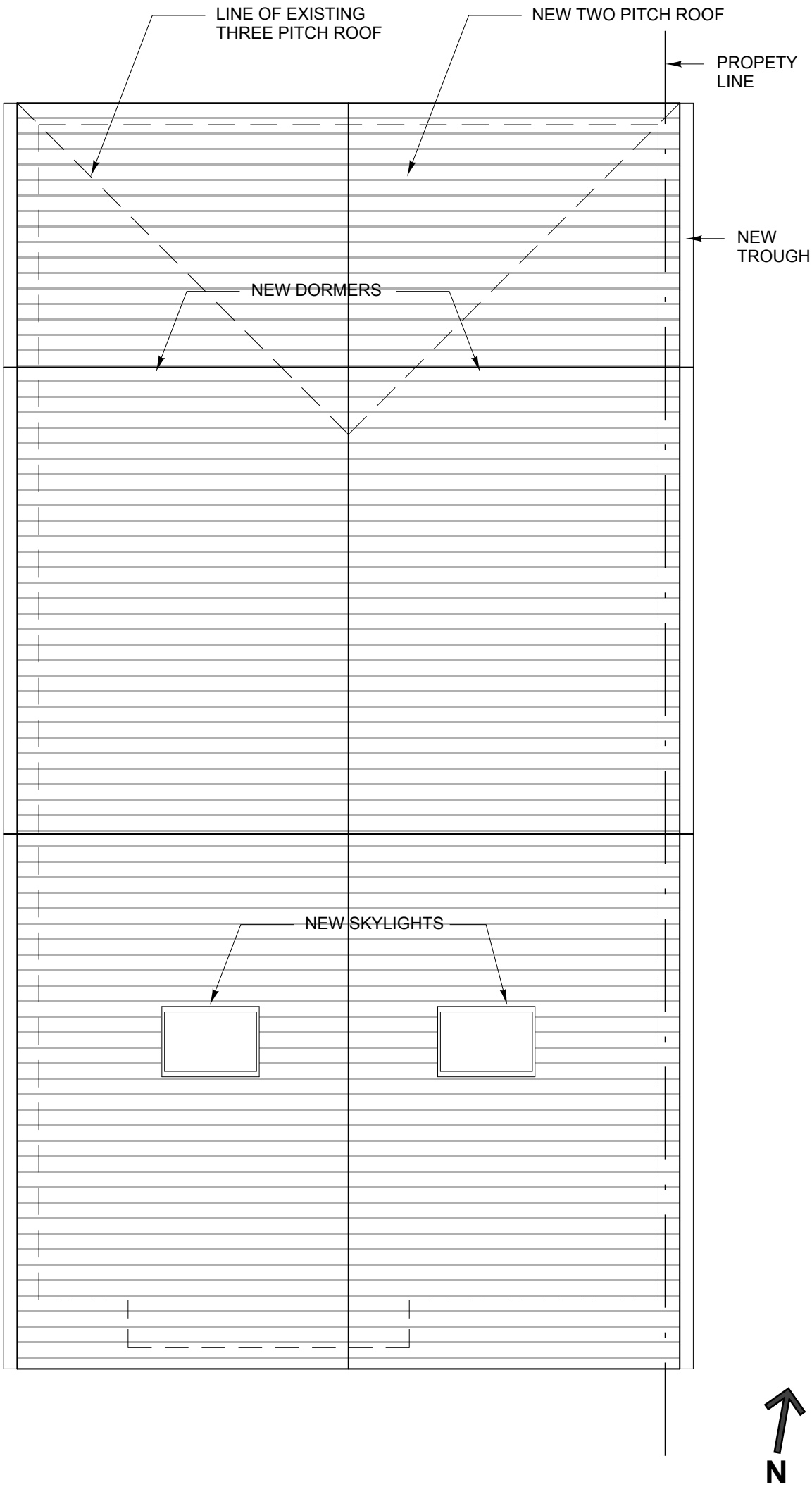
DRAWING TITLE:
ATTIC PLAN

SCALE:
1:50

DATE ISSUED:
MAY, 2021

DWG. NO.

A1.03



Project:
NEW ROOF AND ATTIC RENOVATION

Address:
172 Duke Street, Hamilton

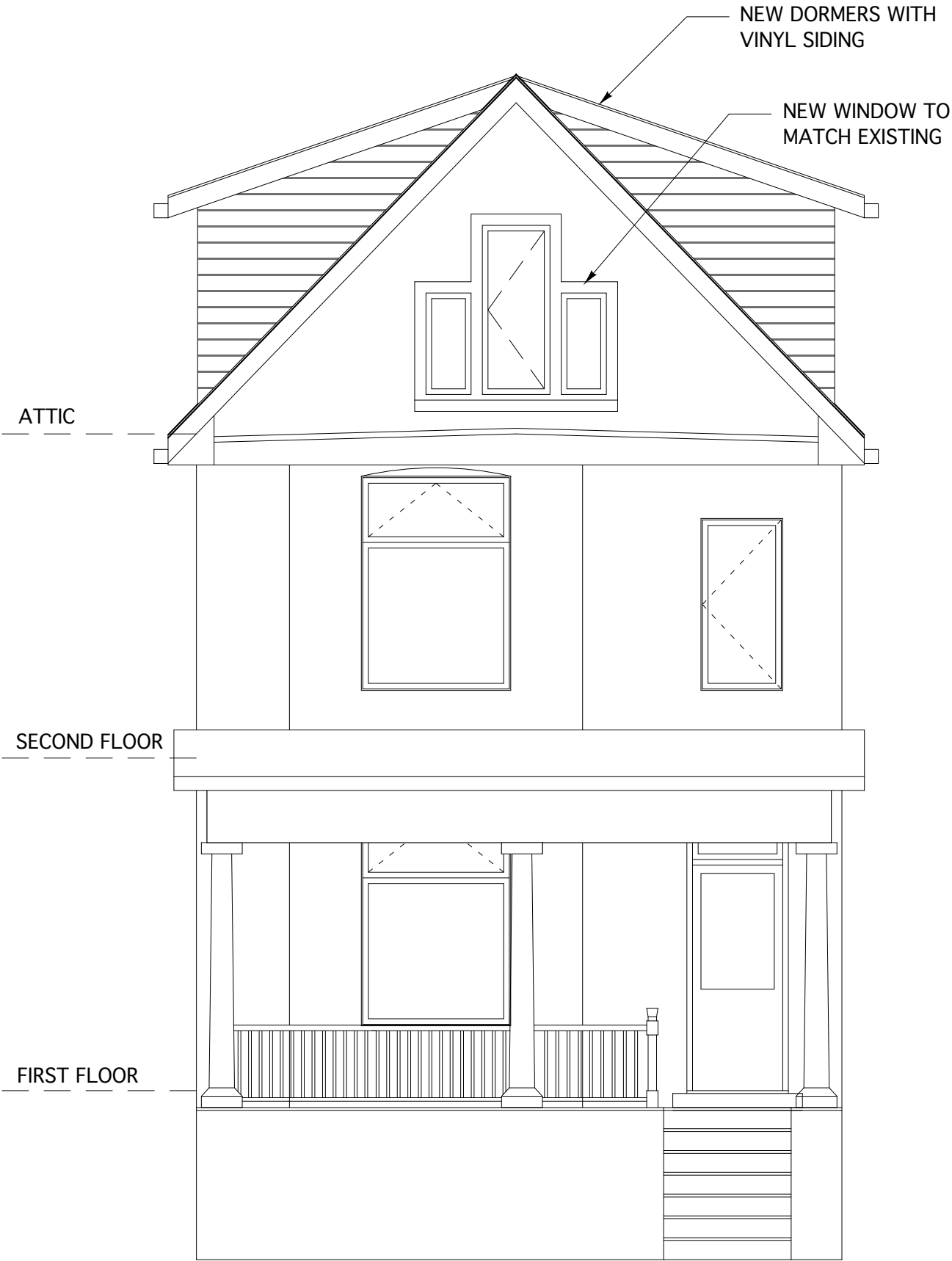
DRAWING TITLE:
ROOF PLAN

SCALE:
1:50

DATE ISSUED:
MAY, 2021

DWG. NO.

A1.04



Project:
NEW ROOF AND ATTIC RENOVATION

Address:
172 Duke Street, Hamilton

DRAWING TITLE:
SOUTH ELEVATION

SCALE:
1:50

DATE ISSUED:
MAY, 2021

DWG. NO.

A2.01



Project:
NEW ROOF AND ATTIC RENOVATION

Address:
172 Duke Street, Hamilton

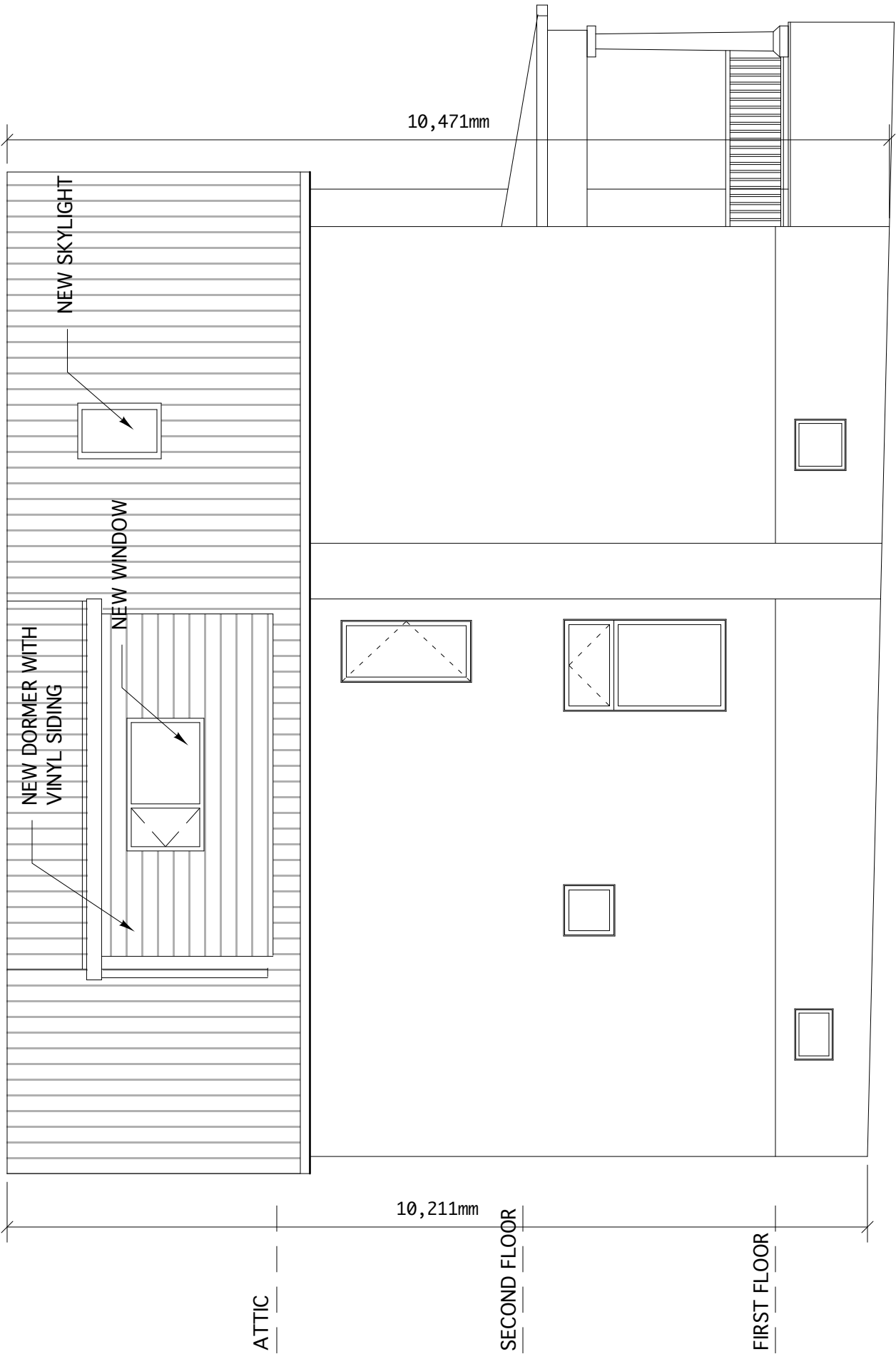
DRAWING TITLE:
NORTH ELEVATION

SCALE:
1:50

DATE ISSUED:
MAY, 2021

DWG. NO.

A2.02



Project:
NEW ROOF AND ATTIC RENOVATION

Address:
172 Duke Street, Hamilton

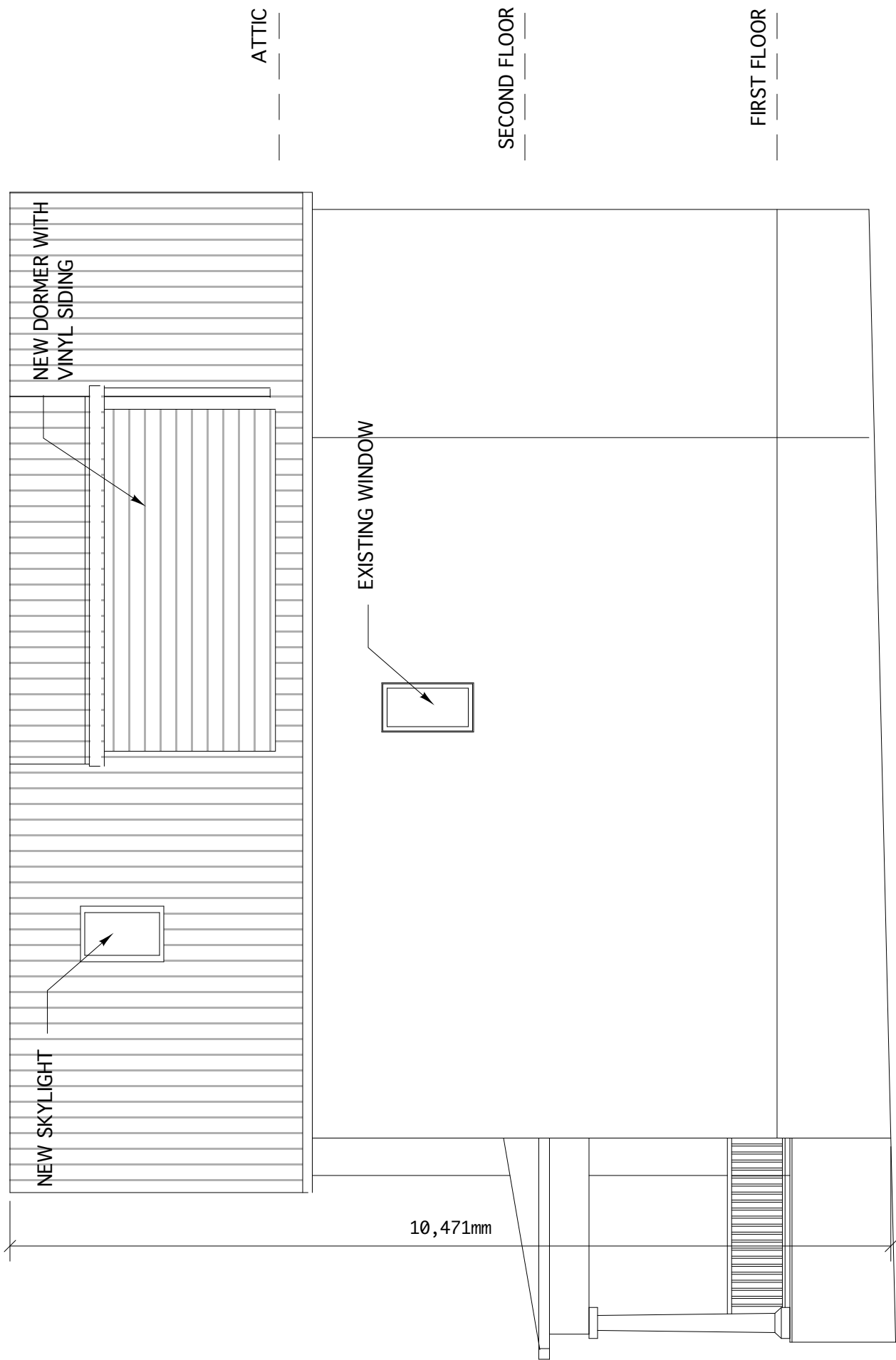
DRAWING TITLE:
WEST ELEVATION

SCALE:
NTS

DATE ISSUED:
MAY, 2021

DWG. NO.

A2.03



Project:
NEW ROOF AND ATTIC RENOVATION

Address:
172 Duke Street, Hamilton

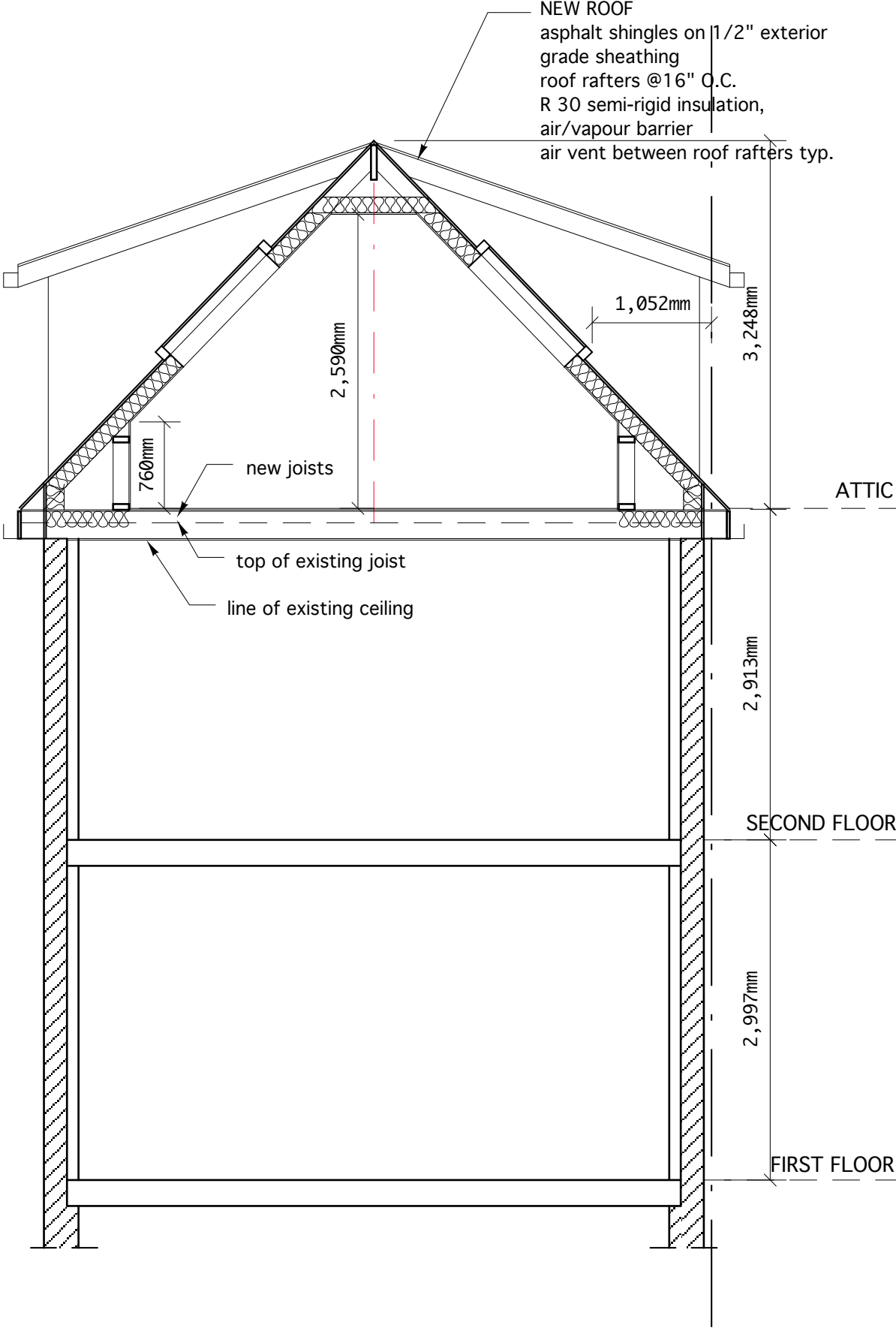
DRAWING TITLE:
EAST ELEVATION

SCALE:
NTS

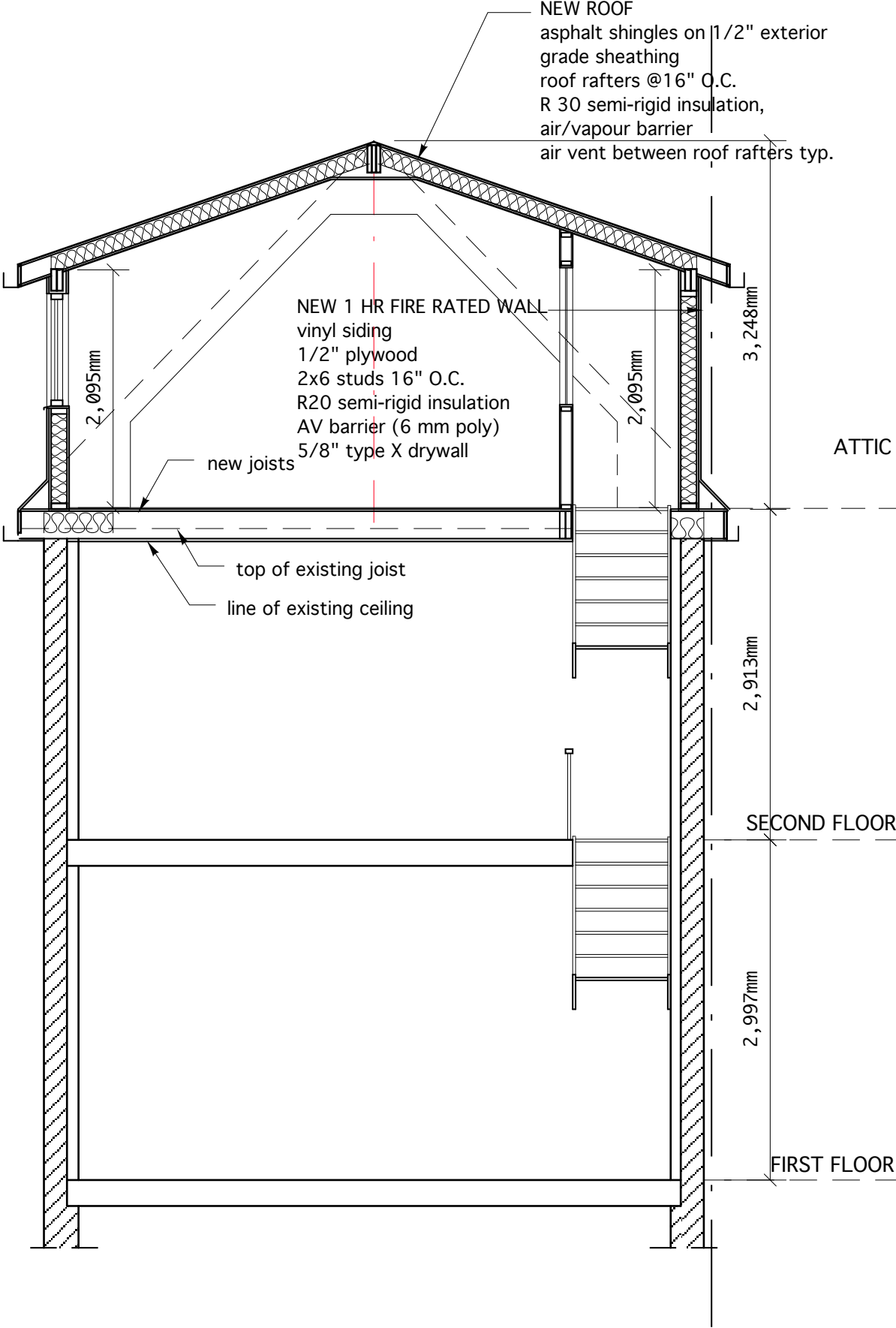
DATE ISSUED:
MAY, 2021

DWG. NO.

A2.04



<div>Project:</div> <div>NEW ROOF AND ATTIC RENOVATION</div>	<div>DRAWING TITLE:</div> <div>SECTION 1</div>	
	<div>SCALE:</div> <div>1:50</div>	<div>DWG. NO.</div> <div>A4.01</div>
	<div>DATE ISSUED:</div> <div>MAY, 2021</div>	
<div>Address:</div> <div>172 Duke Street, Hamilton</div>		



Project:
NEW ROOF AND ATTIC RENOVATION

Address:
172 Duke Street, Hamilton

DRAWING TITLE:
SECTION 2

SCALE:
1:50

DATE ISSUED:
MAY, 2021

DWG. NO.

A4.02

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	MAILING 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:

Secondary Dwelling Unit Reconstruction of Existing Dwelling

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

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 8.1 to 8.10 above?

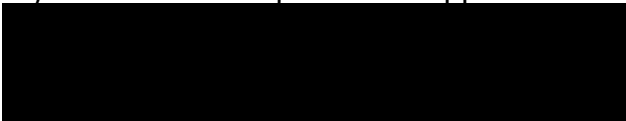
8.12 If previous use of property is industrial or commercial or if YES to any of 8.2 to 8.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.

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(s)

Print Name of Owner(s)

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

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

Proposed:

- Date of construction of all buildings and structures on subject lands:

- Existing uses of the subject property (single family, duplex, retail, factory etc.):

16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):

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

Connected

Connected

19. Present Official Plan/Secondary Plan provisions applying to the land:

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

No

22. Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*?

No

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.