

REVISED 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-21:285

APPLICANTS: Owner Peter Dyakowski
Agent Sheri Crawford

SUBJECT PROPERTY: Municipal address **584 Main St. E., Hamilton**

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

ZONING: H district (Community Shopping and Commercial, etc.)

PROPOSAL: To permit the conversion of the existing building containing six (6) dwelling units to contain a maximum of twelve (12) dwelling units under Section 19(3) (Residential Conversion Requirements) of the Zoning By-law, notwithstanding,

1. The existing building shall be permitted to be converted to contain not more than twelve (12) dwelling units whereas the Zoning By-law only permits a building existing on the 8th day of March 8, 1983 within an "H" District to be converted to contain not more than ten (10) dwelling units;

2. The average floor areas of all dwelling units shall be at least 25.9 square metres instead of providing an average floor area of 65 square metres for all dwelling units; and,

3. A minimum radial separation distance of 0.0 metres shall be applied instead of applying the minimum radial separation distance of 180.0 metres required to be provided to the lot line of any other lot occupied or as may be occupied by a building converted under Section 19(3)(i) of the Zoning By-law.

NOTES:

1. Minor variance decision HM/A-21:141 was previously approved to permit the existing building to be converted to contain not more than ten (10) dwelling units.

2. The variance requested for reduced parking is not required as parking is not required to be provided for a building converted under Section 19(3)(iii)(1) of the Zoning By-law.

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

DATE: Thursday, September 9th, 2021
TIME: 3:05 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:

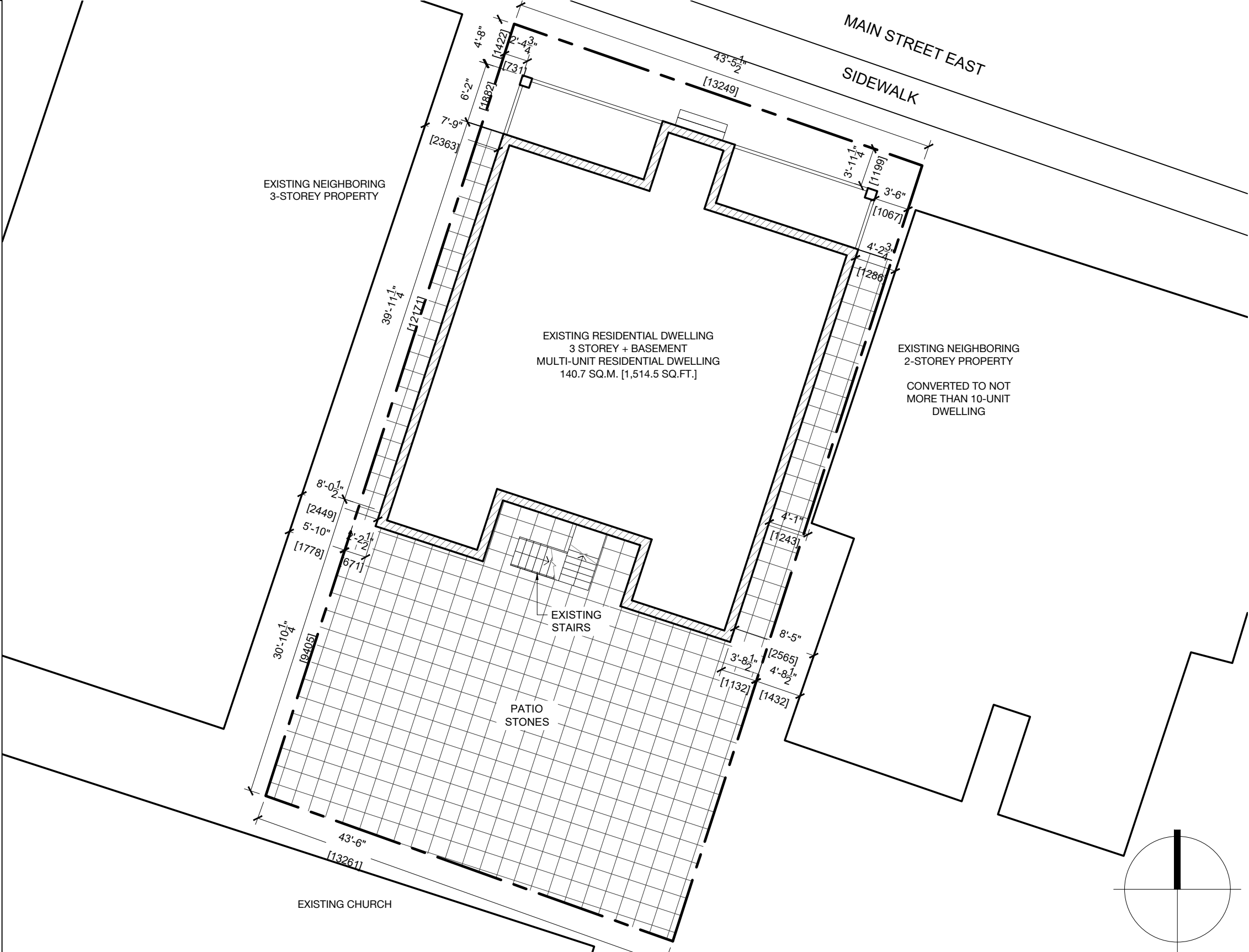
- Visit www.hamilton.ca/committeeofadjustment
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at cofa@hamilton.ca

DATED: August 24th, 2021.

Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

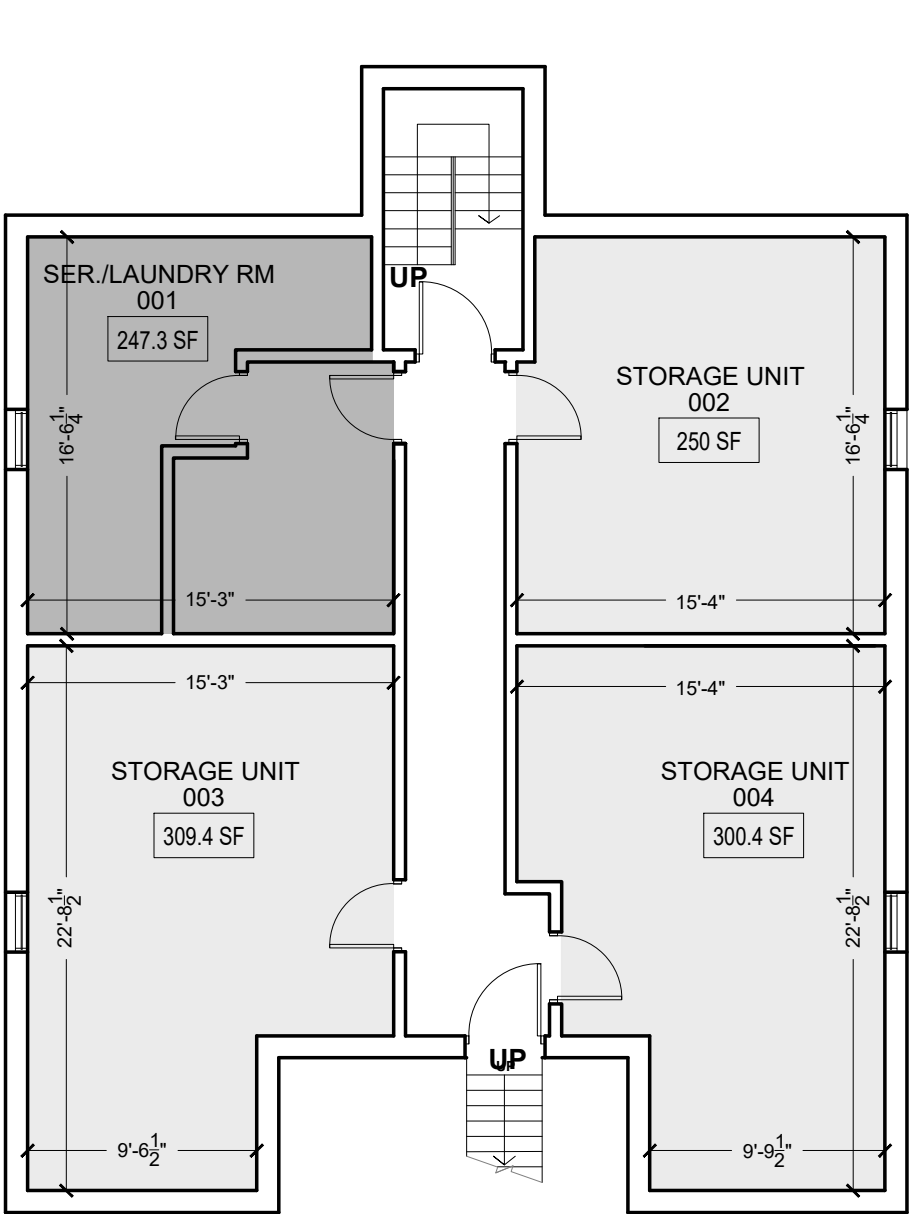
Information respecting this application is being collected under the authority of the Planning Act, R.S.O., 1990, c. P. 13. All comments and opinions submitted to the City of Hamilton on this matter, including the name, address, and contact information of persons submitting comments and/or opinions,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

SITE DETAILS		
ITEM	BY LAW	SITE (EXISTING)
ZONING	"H" DISTRICTS - COMMUNITY SHOPPING AND COMMERCIAL	
BLDG. AREA	MAX. 4X LOT AREA (GROSS)	136.3 SQ.M. PER FLOOR 545.2 SQ.M. TOTAL (40% OF LOT AREA)
LOT AREA TOTAL	360 SM (3875.01 SF)	330.43 SQ.M.(356.76 SF)
LOT WIDTH	MIN. 12.0 M. (39.37')	13.2 M. (WIDEST WIDTH)
FRONT YARD	MIN. 4.5 M	1.4 M.
SIDE YARD	MIN. 1.2 M. (3.94')	NORTH WEST SIDE YARD: 0.71 M NORTH EAST SIDE YARD: 1.06 M
REAR YARD	MIN. 7.5 M. (24.61')	9.4 M.
BUILDING HEIGHT	MAX. 4 STOREYS AND NO STRUCTURE SHALL EXCEED 17.0 METRES IN HEIGHT	3 STOREYS ABOVE GRADE 30' (9.14M) HIGH
DRIVEWAY	ONE 6.0 M WIDTH MAX.	NONE
PARKING	1.25 SPACES PER UNIT =15 SPACES VISITOR PARKING 0.25 PER UNIT = 3 SPACES 1 LOADING SPACE TOTAL OF 16 SPACES	0 SPACES
RESIDENTIAL UNITS	10 UNITS (SECTION 19)	12 UNITS

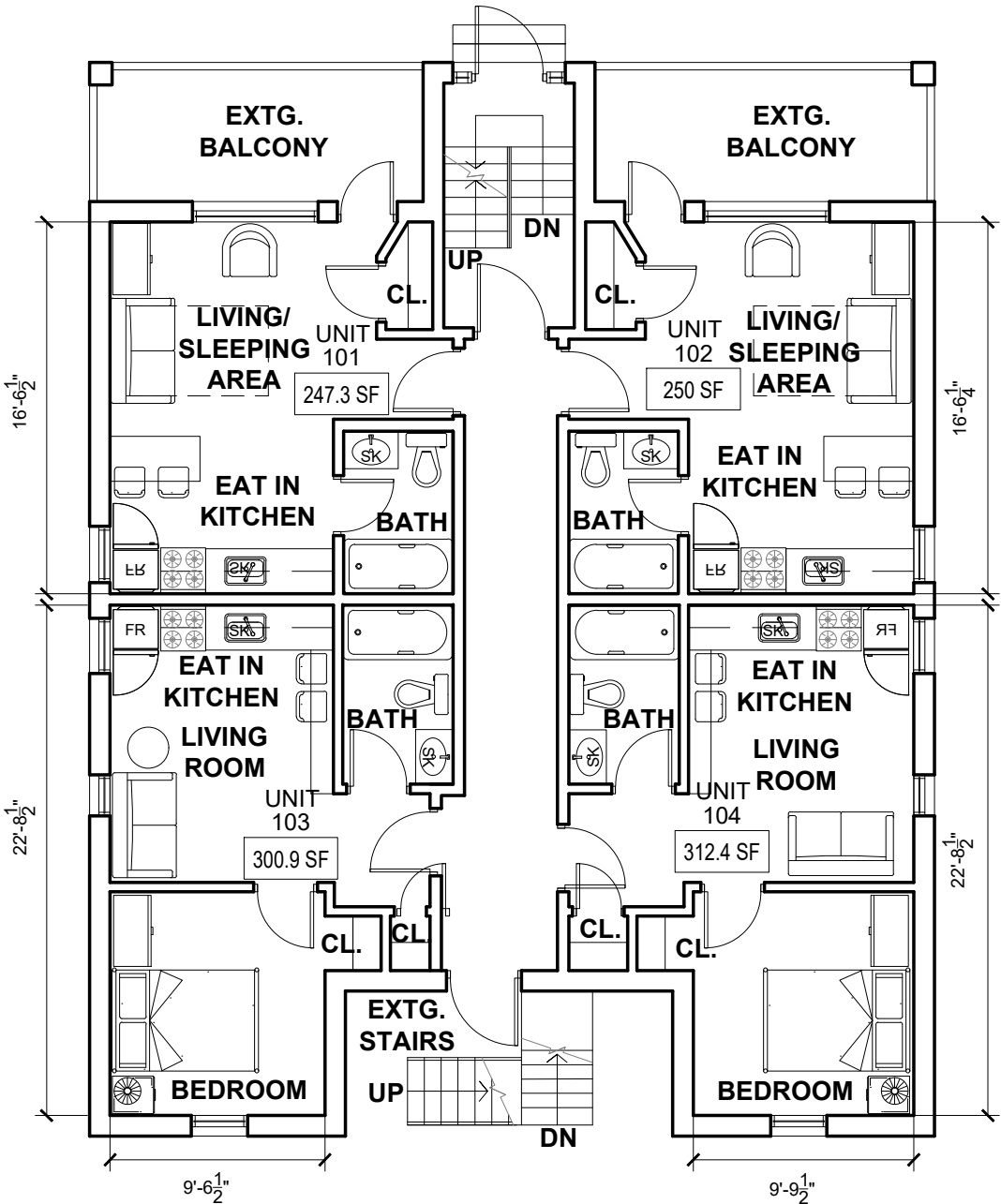


584 MAIN STREET UNIT TYPES	QTY
SERVICE/LAUNDRY ROOM	1
STORAGE UNIT	3
BACHELOR UNIT	4
1 BEDROOM UNIT	6

GROUND FLOOR UNITS	TYPE	SQ.M.
UNIT 101	BACHELOR	23
UNIT 102	BACHELOR	23.22
UNIT 103	1 BEDROOM	28.7
UNIT 104	1 BEDROOM	29



BASEMENT PLAN

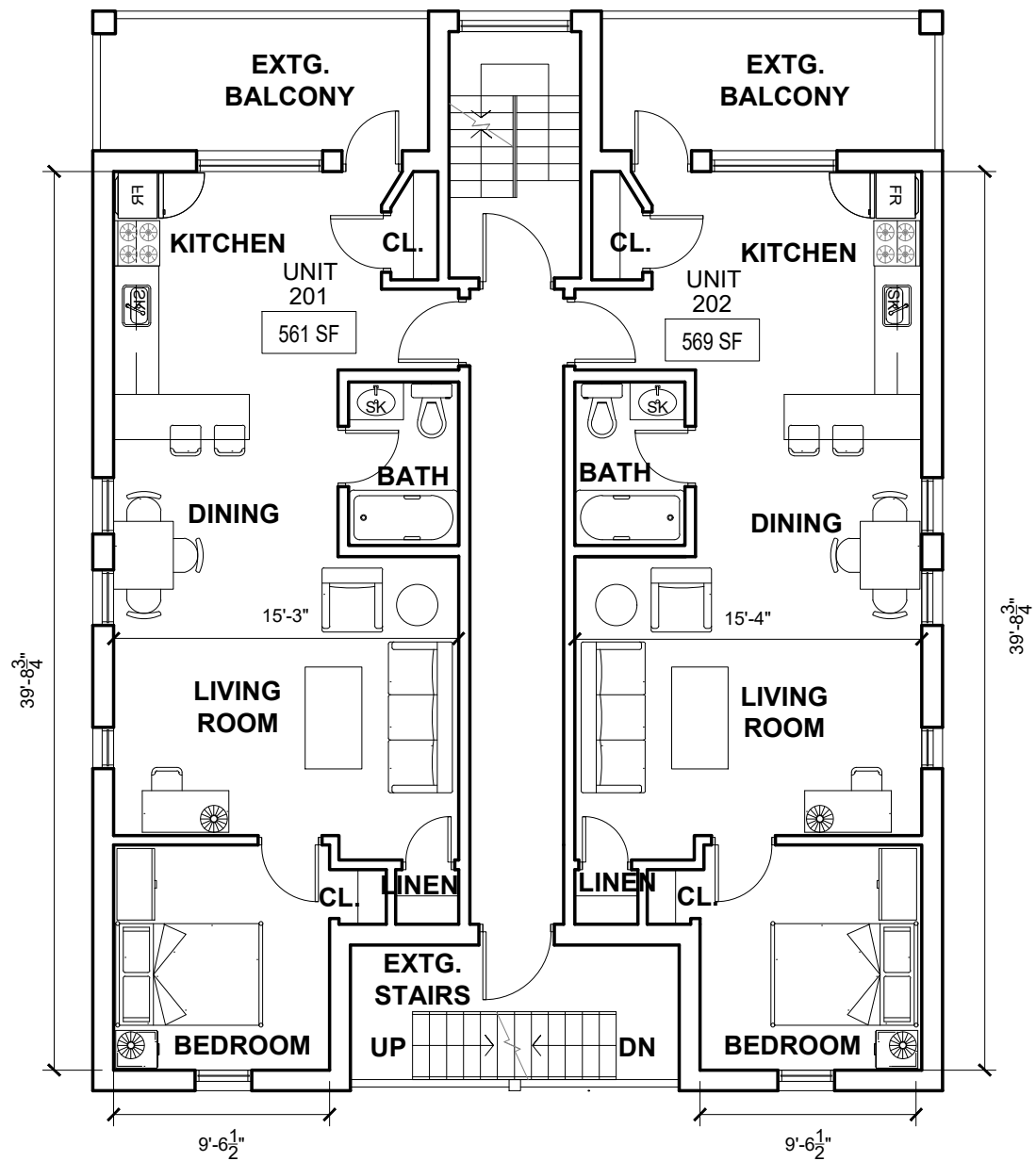


GROUND FLOOR PLAN

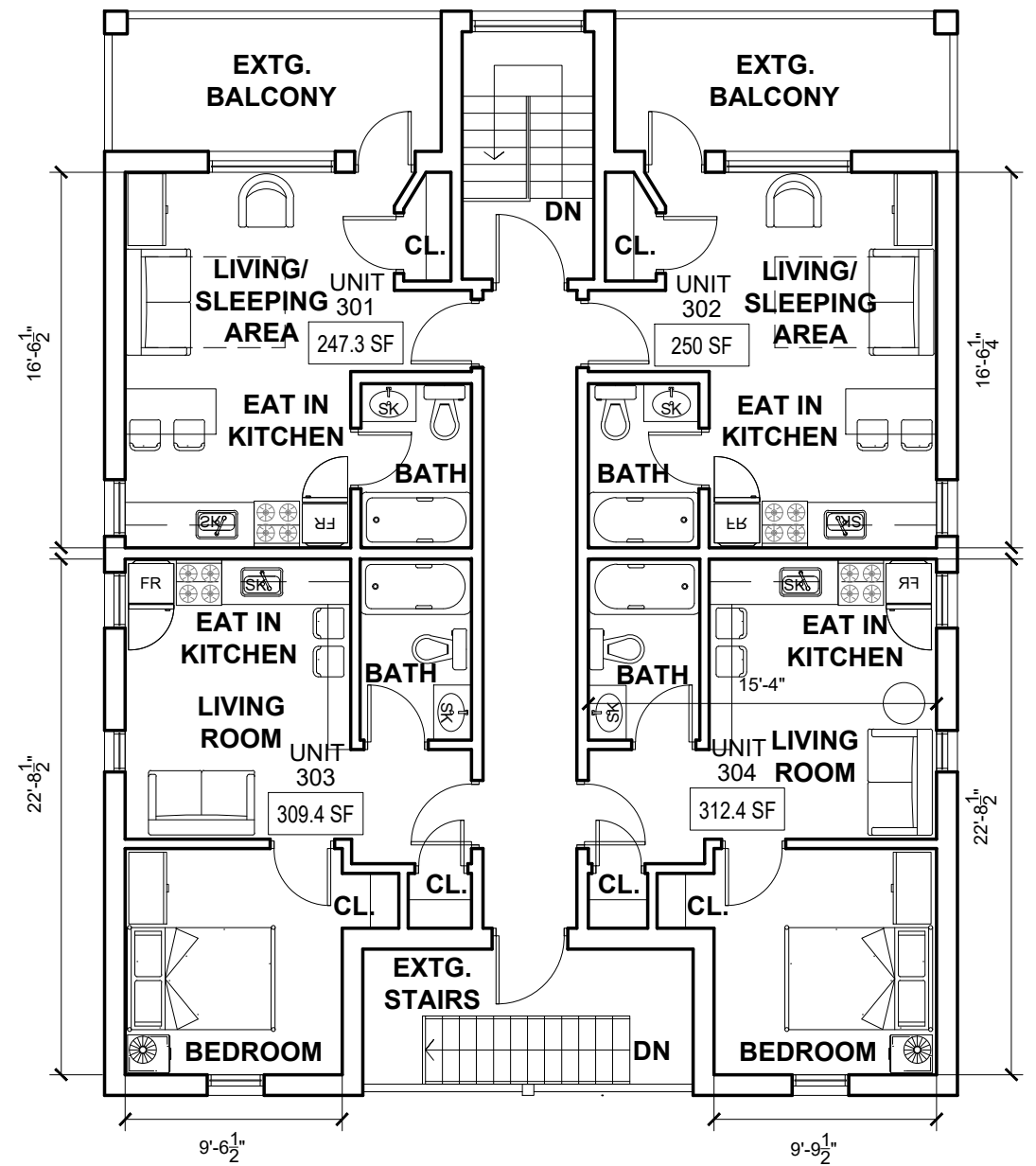
584 MAIN STREET UNIT TYPES	QTY
SERVICE/LAUNDRY ROOM	1
STORAGE UNIT	3
BACHELOR UNIT	4
1 BEDROOM UNIT	6

2ND FLOOR UNITS	TYPE	SQ.M.
UNIT 201	1 BEDROOM	52.4
UNIT 202	1 BEDROOM	52.9

3RD FLOOR UNITS	TYPE	SQ.M.
UNIT 301	BACHELOR	23
UNIT 302	BACHELOR	23.22
UNIT 303	1 BEDROOM	28.7
UNIT 304	1 BEDROOM	29



SECOND FLOOR PLAN

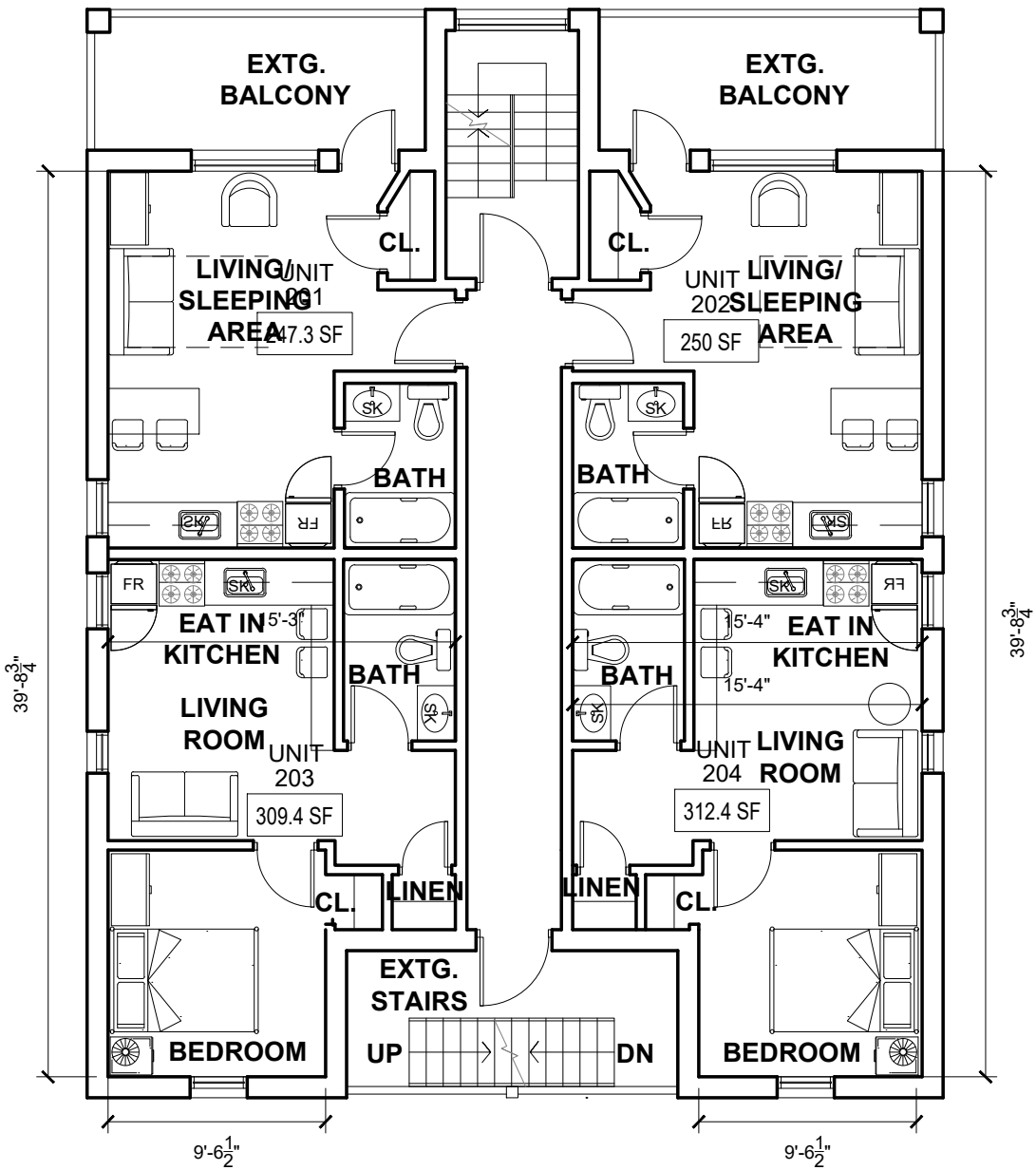


THIRD FLOOR PLAN

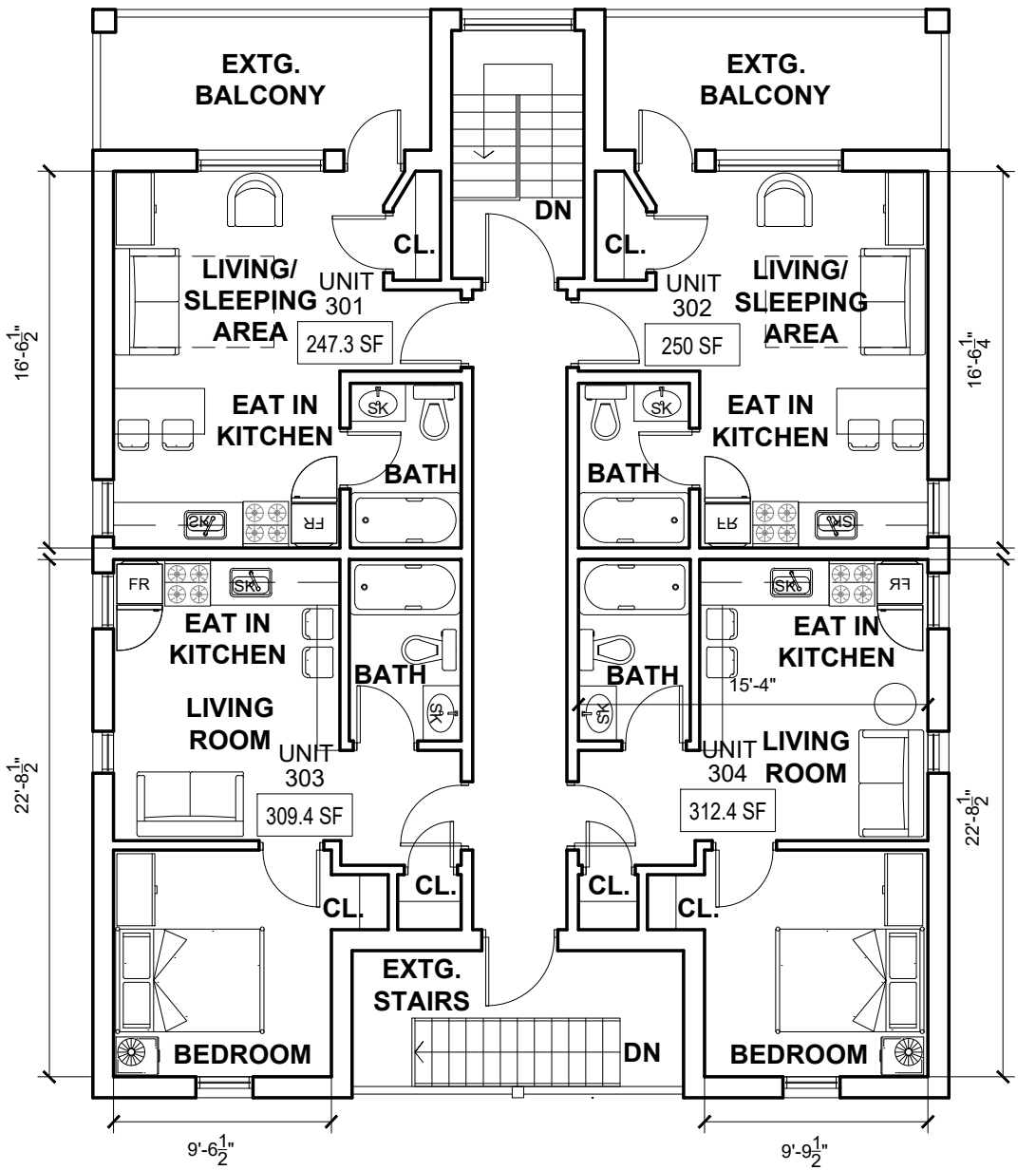
584 MAIN STREET UNIT TYPES	QTY
SERVICE/LAUNDRY ROOM	1
STORAGE UNIT	3
BACHELOR UNIT	4
1 BEDROOM UNIT	6

2ND FLOOR UNITS	TYPE	SQ.M.
UNIT 201	BACHELOR	23
UNIT 202	BACHELOR	23.22
UNIT 203	1 BEDROOM	28.7
UNIT 204	1 BEDROOM	29

3RD FLOOR UNITS	TYPE	SQ.M.
UNIT 301	BACHELOR	23
UNIT 302	BACHELOR	23.22
UNIT 303	1 BEDROOM	28.7
UNIT 304	1 BEDROOM	29



SECOND FLOOR PLAN



THIRD FLOOR PLAN



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)	Stalakowski Properties LTD.	
Applicant(s)*	Peter Dyakowski, Dave Stala	
Agent or Solicitor	Sheri Crawford X-Design 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:
1379296 Ontario INC. 80 Devon Rd. Unit 1, Brampton, ON, L6T 5B3

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:
Reduction of parking spaces in accordance to Section 18A to 0 on-site spaces, increase recognized 10 units to 12 units, reduction of the required unit size of 65 s.m. as per Section 19 of the by-law.

5. Why it is not possible to comply with the provisions of the By-law?
The building has existing as a multiple dwelling unit on all levels prior to the by-law. It is recognized as 10 dwelling units, occupying the ground to 3rd floors, with no on-site parking and no area to provide on-site parking. The ground and 3rd floors have a similar footprint to the proposed 2nd floor making the application viable to increase in units to satisfy the need for more habitable spaces within the City.

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**):

584 Main Street East - PIN 17204-0080
PT LT 11, PL225, as in VM231725 Hamilton

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?

Information from prior owner and title search.

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.

2021-07-14

Date


Signature Property Owner

Peter Dyakowski

Print Name of Owner

10. Dimensions of lands affected:

Frontage	44'
Depth	83'
Area	3652sf
Width of street	67'

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 = 136.3 s.m., 4 floors including basement, gross floor area = 545.2 s.m.

Width = 11.2m, Depth = 14.55m

See site plan chart for all details.

Proposed

Same

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 plan and related chart for all details.

Proposed:

Same

13. Date of acquisition of subject lands:
March 3rd, 2021
-
14. Date of construction of all buildings and structures on subject lands:
Prior to 1950
-
15. Existing uses of the subject property:
Multi-residential
16. Existing uses of abutting properties:
multi-residential
17. Length of time the existing uses of the subject property have continued:
70+ 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:
City of Hamilton By-Law 6593, H Zone
21. Has the owner previously applied for relief in respect of the subject property?
☒ Yes ☐ No
If the answer is yes, describe briefly.
CofA application passed June 10th, 2021 to allow for reduction of area of suites on ground and 3rd floors to an average of 32.2 s.m. and a reduction in the radial spatial separation.
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.