

## **NOTICE OF PUBLIC HEARING** **Minor Variance**

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**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-22:29

**APPLICANTS:** Agent Christine Brown  
Owner Christopher O'Neill

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

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

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

**PROPOSAL:** To permit the construction of a second storey balcony to the existing single-family dwelling notwithstanding that;

1. To permit the proposed balcony to encroach a maximum of 4.4 m into the 6.0 m required front yard depth instead of the maximum permitted 1.0 m; and
2. To permit the proposed balcony to encroach a maximum of 0.92 m into the required 1.2 m side yard instead of the maximum permitted 0.4 m.

Note:

Variances were written as requested by the applicant.

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

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**DATE:** Thursday, March 3rd, 2022  
**TIME:** 2:45 p.m.  
**PLACE:** Via video link or call in (see attached sheet for details)  
To be streamed at  
[www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)  
for viewing purposes only

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### **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:

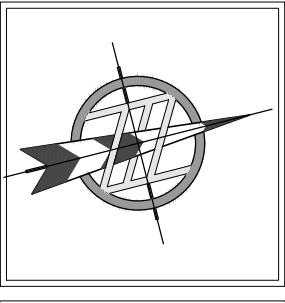
- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

DATED: February 15th, 2022.

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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 PLAN LEGEND:	
	PROPERTY LINE
	BUILDING ENVELOPE
	EXISTING TO BE REMOVED
	PROPOSED SOLID HOARDING
	PROPOSED FRAMED HOARDING
	NEW WATER LINE
	NEW SANITARY LINE
	NEW NATURAL GAS LINE
	NEW BURIED HYDRO VAULT
	NEW SUMP LINE TO GRADE
	CONSTRUCTION ACCESS
	EXISTING GRADE
	PROPOSED FINISHED GRADE
	MAIN ENTRY, FRONT DOOR
	SECONDARY ENTRANCE
	EXISTING BUILDING TO REMAIN
	PROPOSED NEW CONSTRUCTION
	PROPOSED NEW DRIVEWAY
	EXISTING TREE TO REMAIN
	EXISTING TREE TO BE REMOVED
	RAIN WATER LEADERS

Drawings must NOT be scaled. Contractor must check and verify all dimensions, specifications and drawings on site and report any discrepancies to the designer prior to proceeding with any of the work.

3	01.12.22	ISSUED FOR COA
2	12.06.21	ISSUED FOR DESIGNS
1	11.29.21	ISSUED FOR ASBUILTS
REF.	DATE:	DESCRIPTION:

MY HOUSE  
DESIGNS

RESIDENTIAL  
DESIGN AND  
DRAFTING SERVICES

CHRISTINE BROWN  
Architectural Technologist  
905.802.5272  
444 UPPER GAGE AVE.  
HAMILTON, ON L8V 4H9  
cbrown@friendlycadmonkey.com

CLIENT:  
O'NEILL RESIDENCE

ADDRESS: 22 BLYTHE STREET  
CITY: HAMILTON, ONTARIO, L8N 2W4  
DRAWING TITLE:  
SITE PLAN & SITE STATS

DRAWN: CB	SCALE:
DATE: Jan. 12, 22	AS NOTED
JOB NO.: 21-059	SHEET: SP1.01

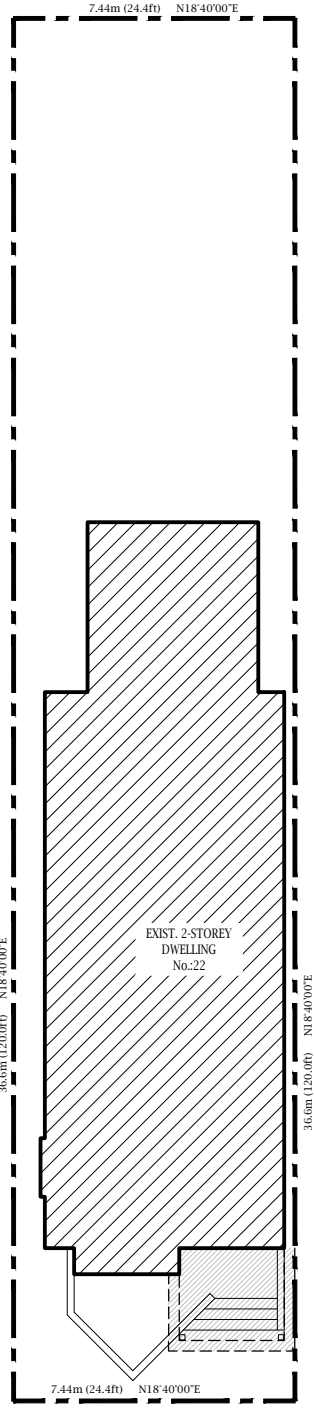
Ministry of Municipal  
Affairs and Housing

**QUALIFICATION INFORMATION**

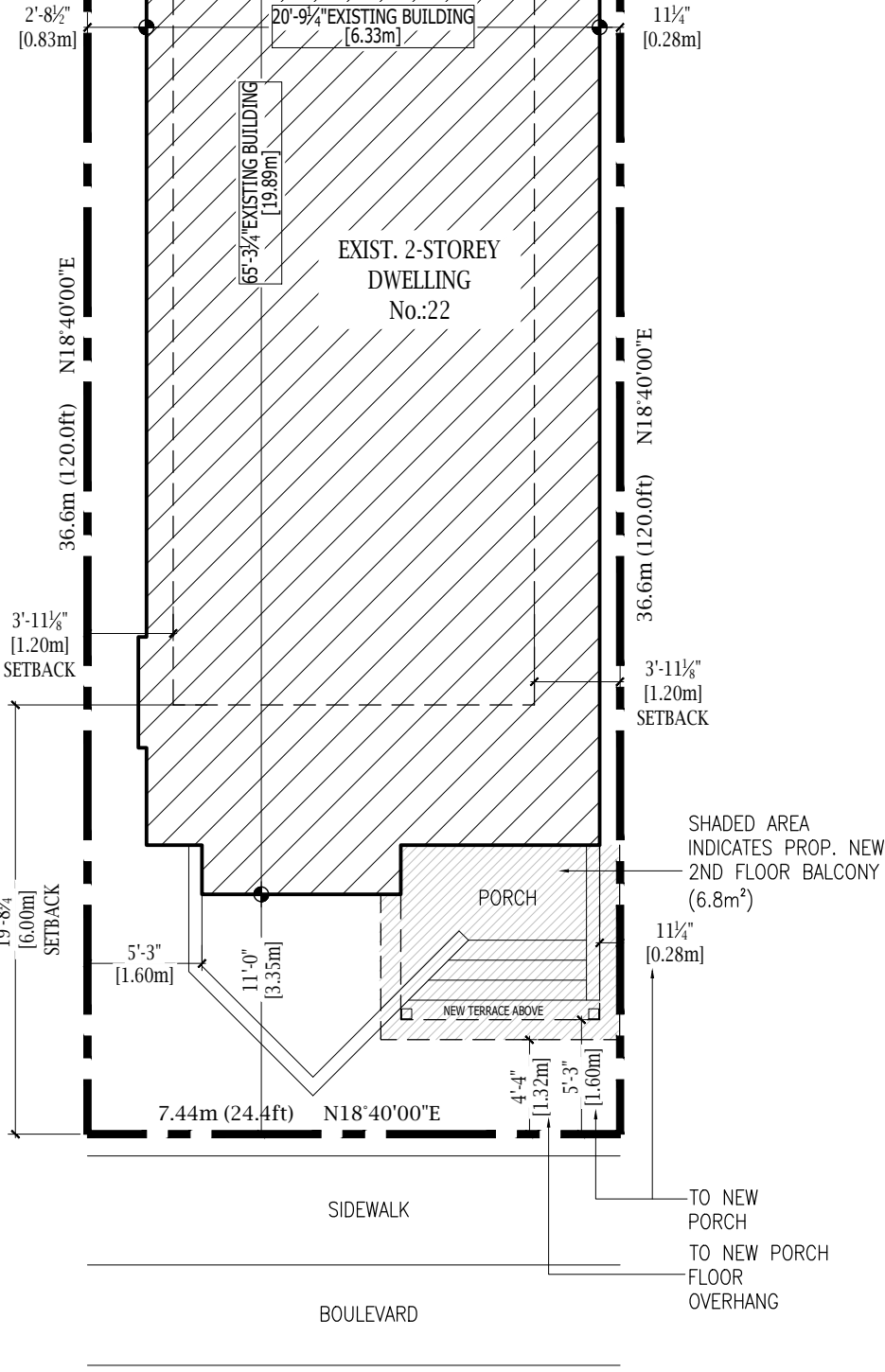
THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DESIGN AND HAS THE QUALIFICATIONS AND MEETS THE REQUIREMENTS SET OUT IN THE ONT. BUILDING CODE TO BE A DESIGNER.  
REQUIRED UNLESS DESIGN IS EXEMPT UNDER DIVISION 'C' SECTION 3.2 OF THE O.B.C.

CHRISTINE BROWN  
BCIN 37240

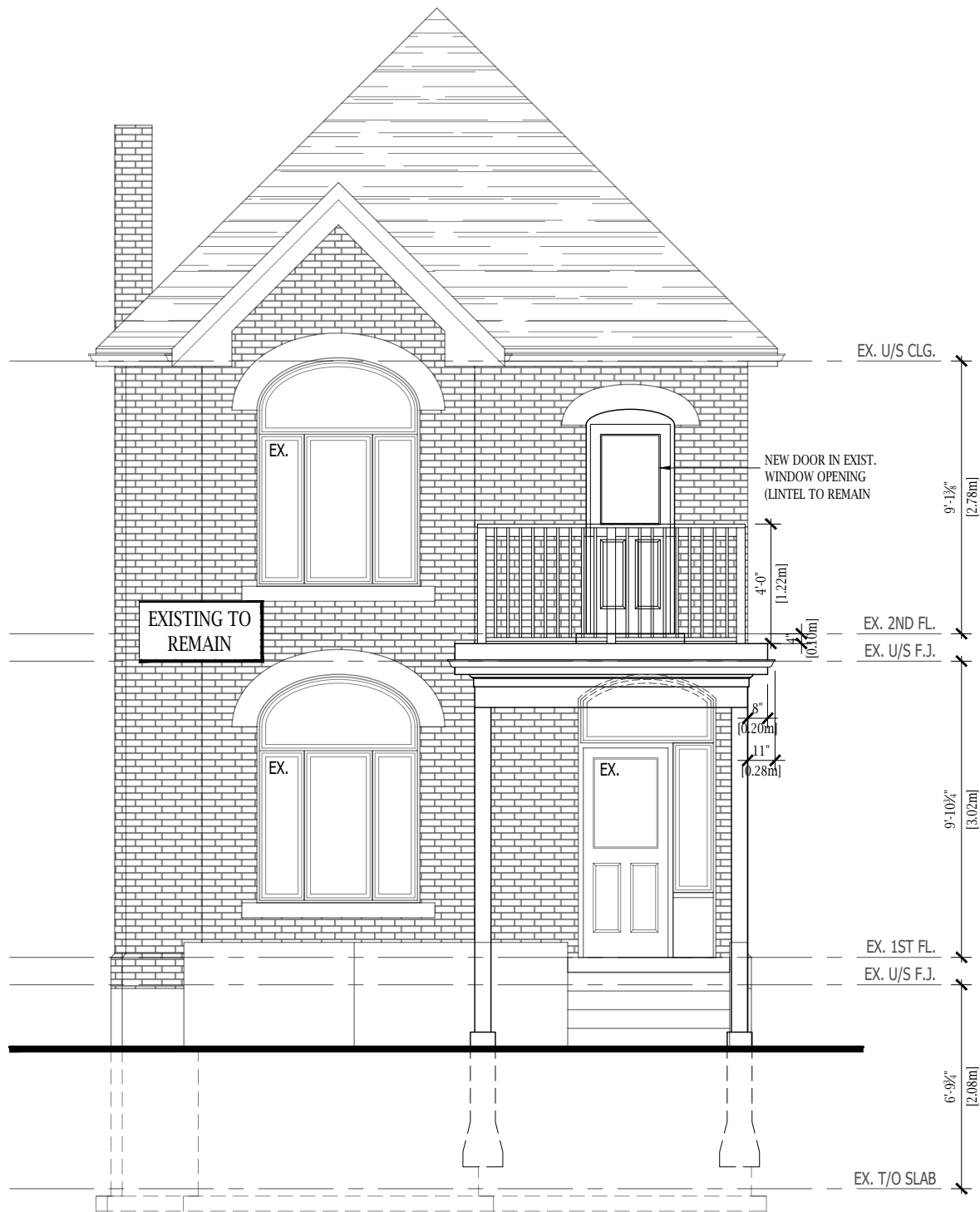
MY HOUSE DESIGNS  
BCIN 113120



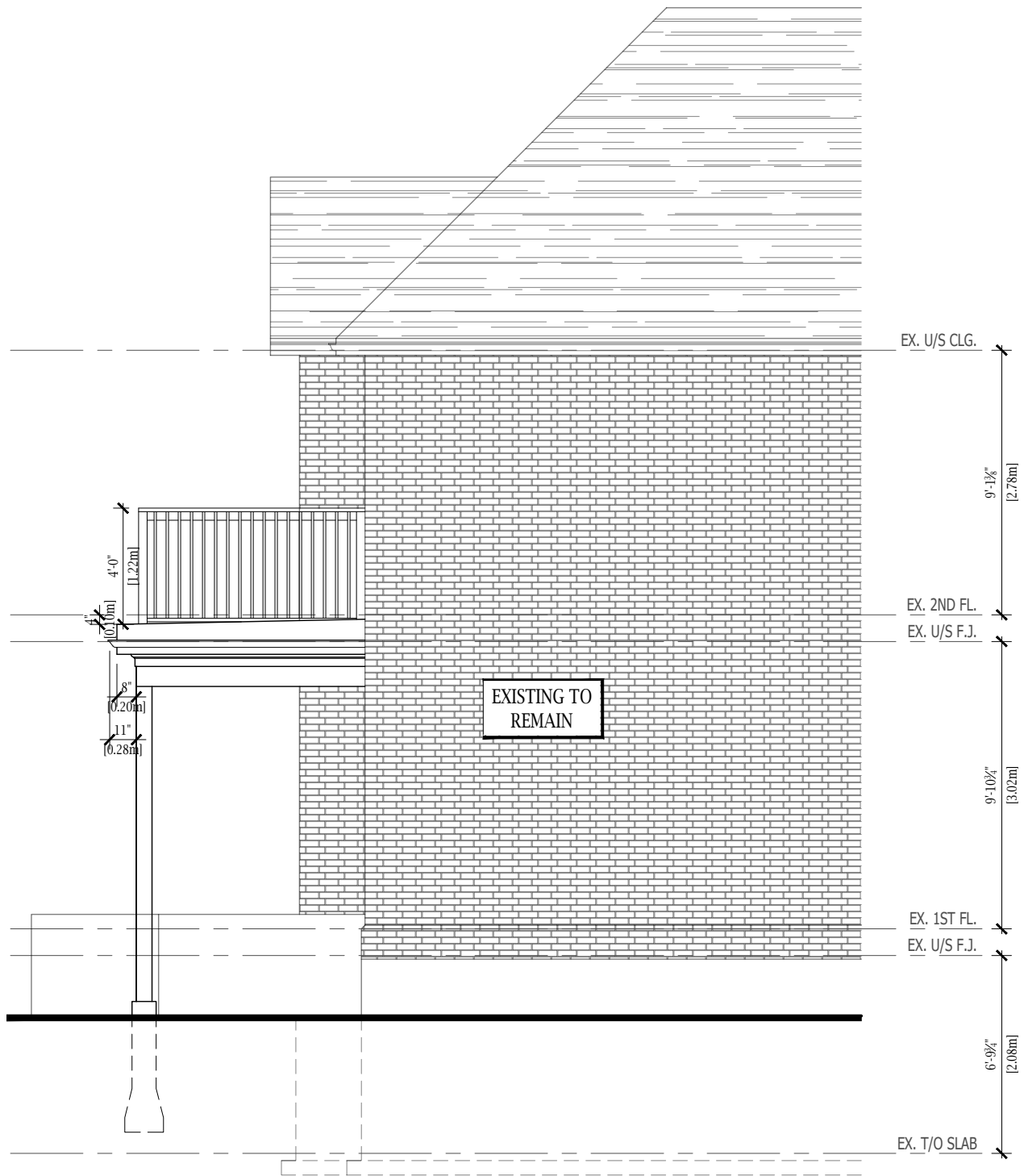
1 SITE PLAN - OVERVIEW  
SP1.01 1:200



1 SITE PLAN - OVERVIEW  
SP1.01 1:100




1 FRONT ELEVATION  
A2.01 3/16" = 1'-0"




1 PART SIDE ELEV.  
A2.01 3/16" = 1'-0"

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CITY: HAMILTON, ONTARIO, L8N 2W4  
DRAWING TITLE:  
FRONT & PART SIDE  
ELEVATIONS



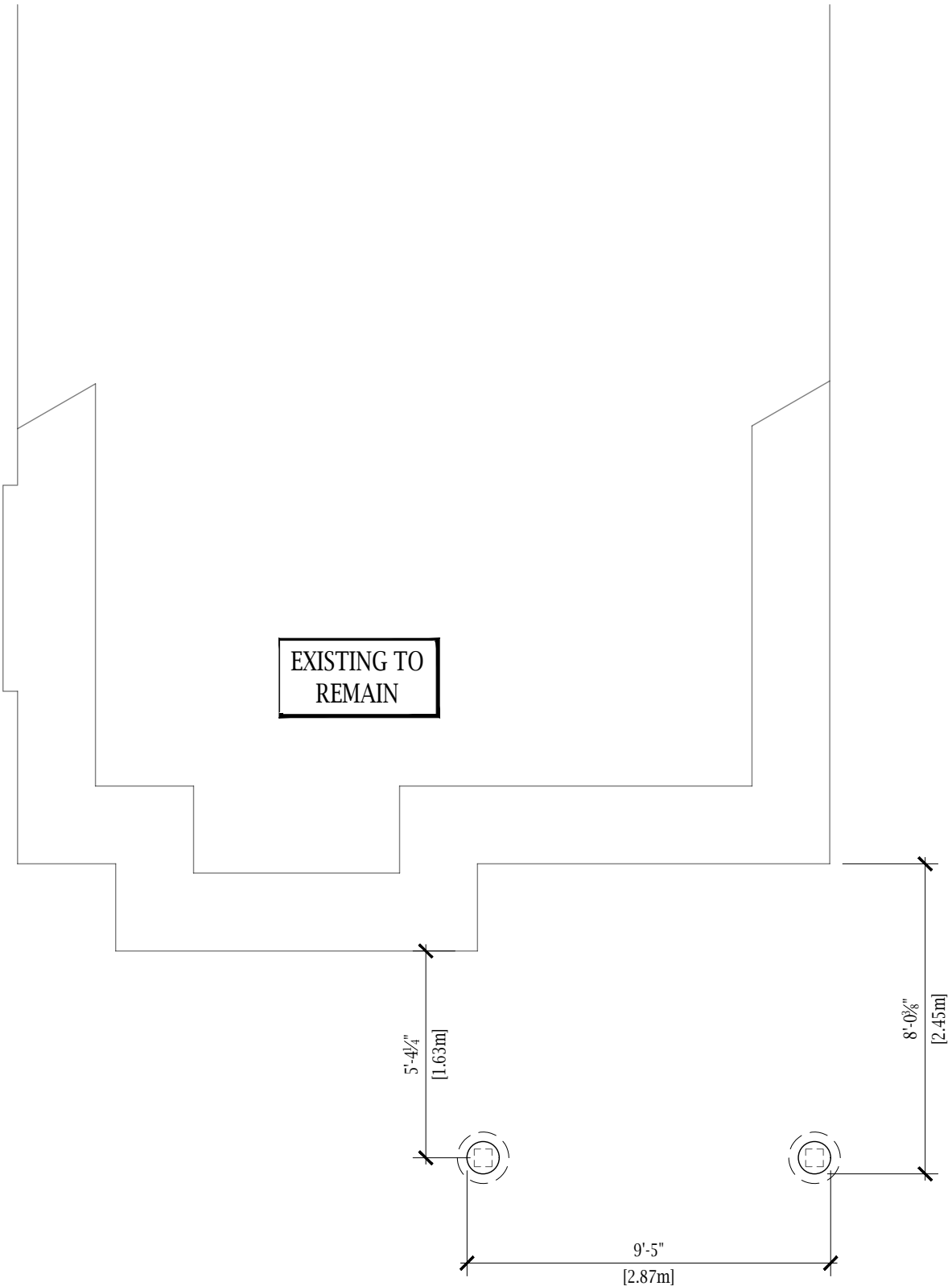
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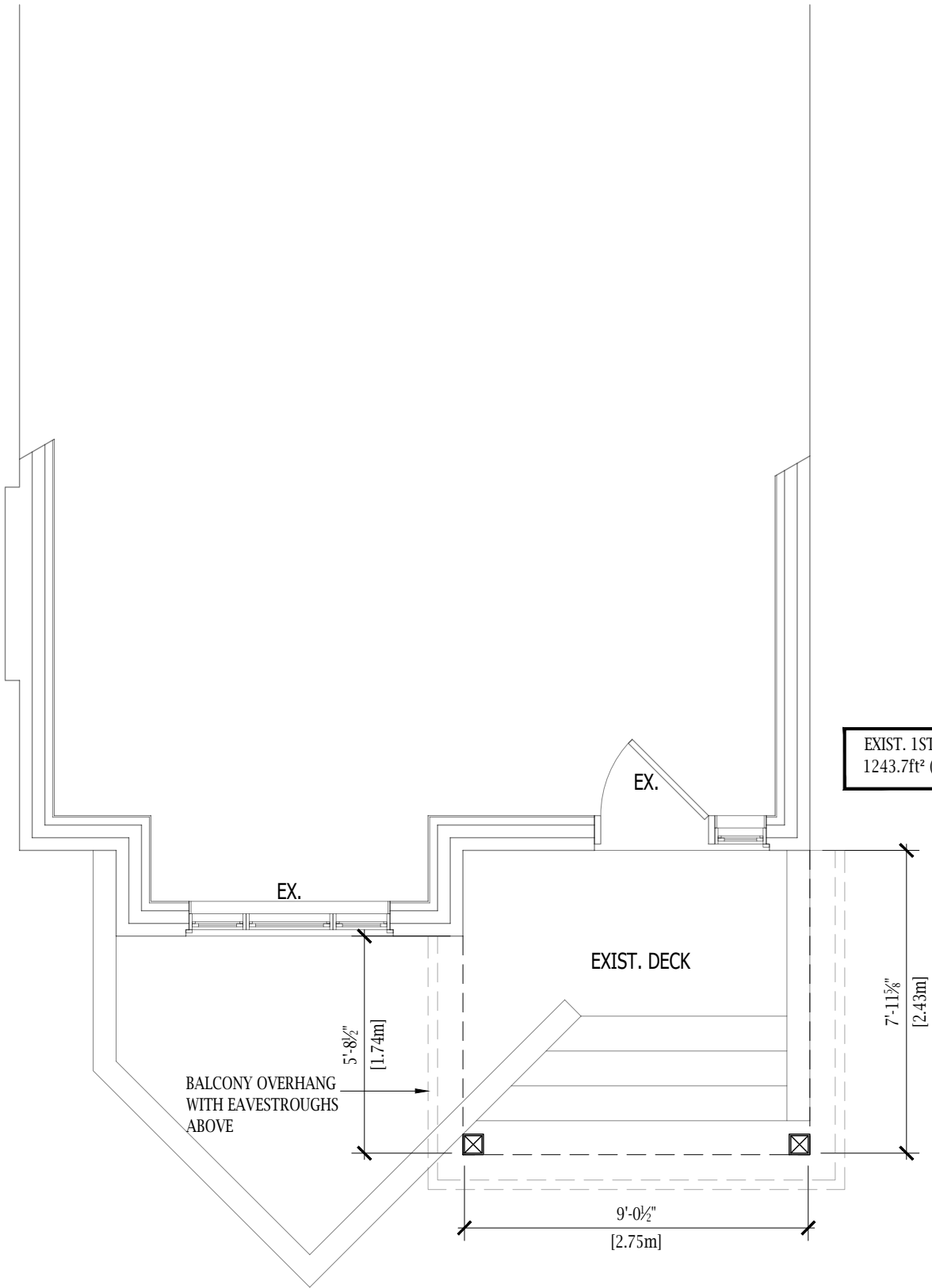
BCIN  
113120  
MY HOUSE DESIGNS

DRAWN: CB  
DATE: Jan. 12, 22  
JOB NO.: 21-059

SCALE:  
AS NOTED  
SHEET:  
A2.01



1 FOUNDATION PLAN  
A1.01 1/4" = 1'-0"



2 1ST FLOOR PLAN  
A1.01 1/4" = 1'-0"

Ministry of Municipal Affairs and Housing

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CHRISTINE BROWN BCIN 37240

MY HOUSE DESIGNS BCIN 113120

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TRUE NORTH



PROJECT NORTH

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1	11.29.21	ISSUED FOR ASBUILTS

REF. DATE: DESCRIPTION:



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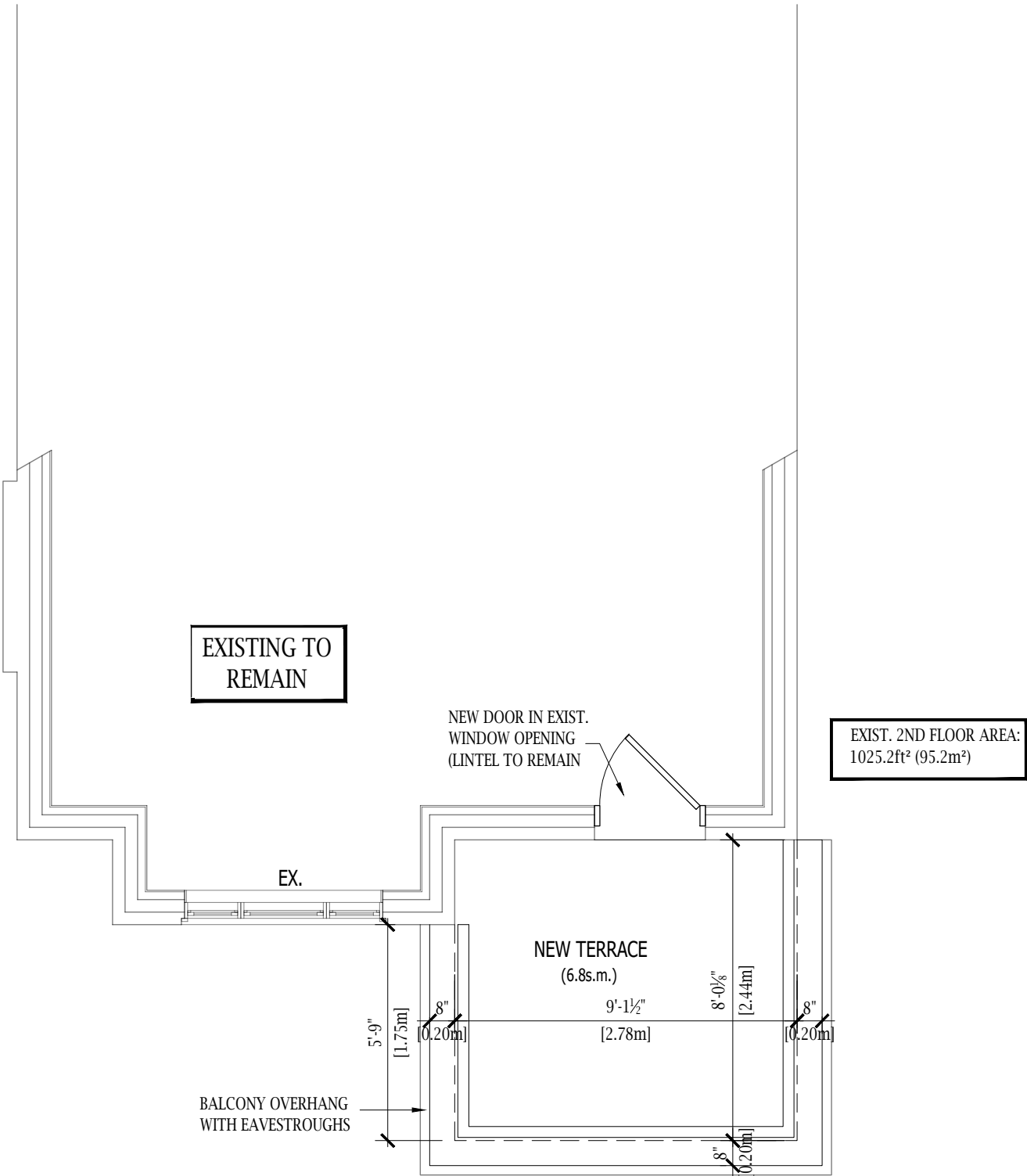
ADDRESS: 22 BLYTHE STREET  
CITY: HAMILTON, ONTARIO, L8N 2W4  
DRAWING TITLE:  
BSMNT. & 1ST FLOOR

DRAWN: CB  
DATE: Jan. 12, 22

SCALE:  
AS NOTED

JOB NO.:  
21-059

SHEET:  
A1.01



1 2ND FLOOR PLAN  
A1.02 1/4" = 1'-0"

Drawings must NOT be scaled. Contractor must check and verify all dimensions, specifications and drawings on site and report any discrepancies to the designer prior to proceeding with any of the work.



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CITY: HAMILTON, ONTARIO, L8N 2W4

DRAWING TITLE:  
2ND FLOOR PLAN

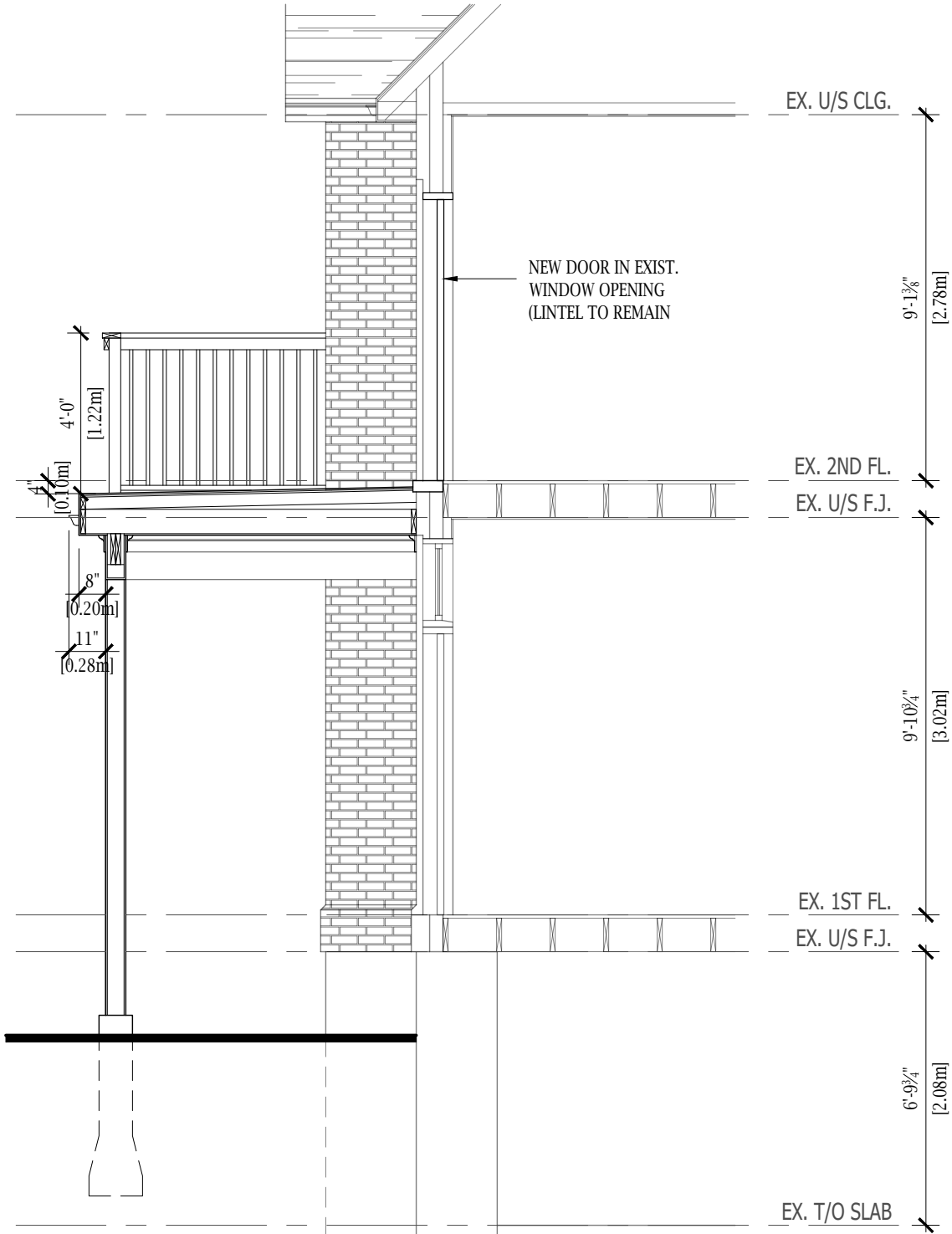
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SECTION 3.2 OF THE O.B.C.

CHRISTINE BROWN BCIN 37240

MY HOUSE DESIGNS BCIN 113120

DRAWN: CB  
DATE: Jan. 12, 22  
JOB NO.:  
SCALE: AS NOTED  
SHEET:


21-059 A1.02




1 CROSS-SECTION  
A4.01 1/4" = 1'-0"

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DRAWING TITLE:  
CROSS-SECTION



Ministry of Municipal  
Affairs and Housing

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BCIN  
37240  
CHRISTINE BROWN

BCIN  
113120  
MY HOUSE DESIGNS

DRAWN: CB  
DATE: Jan. 12, 22

JOB NO.:  
21-059

SCALE:  
AS NOTED

SHEET:  
A4.01

## 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		

**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:  
to allow a front yard setback of 1.6m for a front yard 2nd storey balcony

☐ Secondary Dwelling Unit      ☐ Reconstruction of Existing Dwelling

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

The existing house has a front yard setback of only 3.35m and is legal non-conforming. There are a lot of 2nd storey balconies in the neighbourhood so it would be similar to neighbouring properties.

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 Blythe Street

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?

This is a very old residential neighbourhood and the answers to the questions are probably "no" but we cannot confirm

- 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.

Jan. 21. 2022  
Date

Christopher O'Neill  
Signature Property Owner(s)  
Christopher O'Neill  
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage	<u>7.44m</u>
Depth	<u>36.6m</u>
Area	<u>272.2s.m.</u>
Width of street	<u>6.5m</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: \_

ground floor area: 115.5s.m.  
gross floor area: 210.7s.m.  
stories: 2  
width: 6.33m, length: 19.89m

Proposed

ground floor area: no change  
gross floor area: no change  
stories: no change  
width: no change, length: no change

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: 3.35m  
rear yard: 13.33m  
left side yard: 0.83m  
right side yard: 0.28m

Proposed:

front yard (to balcony): 1.6m  
front yard (to house): no change  
rear yard: no change  
left side yard: no change, right side yard (to balcony): 0.28m

13. Date of acquisition of subject lands:  
Jan 2021
- 
14. Date of construction of all buildings and structures on subject lands:  
1885
- 
15. Existing uses of the subject property (single family, duplex, retail, factory etc.):  
single family residential
16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):  
single family residential
17. Length of time the existing uses of the subject property have continued:  
137 years (approximately)
18. Municipal services available: (check the appropriate space or spaces)
- |                |                                     |           |                                     |
|----------------|-------------------------------------|-----------|-------------------------------------|
| Water          | <input checked="" type="checkbox"/> | Connected | <input checked="" type="checkbox"/> |
| Sanitary Sewer | <input checked="" type="checkbox"/> | Connected | <input checked="" type="checkbox"/> |
| Storm Sewers   | <input checked="" type="checkbox"/> |           |                                     |
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:  
ZONE 'D' former hamilton 6593
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.