

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-22:57

APPLICANTS: Agent M. Fensham
Owners C. & A. Myhr

SUBJECT PROPERTY: Municipal address **581 Mary St., Hamilton**

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

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

PROPOSAL: To permit the construction a Single Family Dwelling and to establish a Secondary Dwelling Unit notwithstanding that:

1. A minimum of 40% of the gross area of the front yard shall be used for a landscaped area excluding concrete, asphalt, gravel, pavers, or other similar materials instead of the requirement that not less than 50% of the gross area of the front yard shall be used for a landscaped area excluding concrete, asphalt, gravel, pavers, or other similar materials.

2. Two (2) parking spaces shall be permitted within the required front yard instead of the requirement that only one of the required parking spaces may be located in the front yard of a single detached dwelling.

NOTE:

i) A variance is not required to allow a 3 storey dwelling as the "D" district permits a three (3) storey dwelling.

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

DATE: Thursday, April 7th, 2022
TIME: 2:25 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: March 22nd, 2022.

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 Statistics

Dimensions of Lands Affected

Frontage: 9.41m
Depth: 31.59m
Area: 287.7m²
Width of Street: 4.18m

Building Area

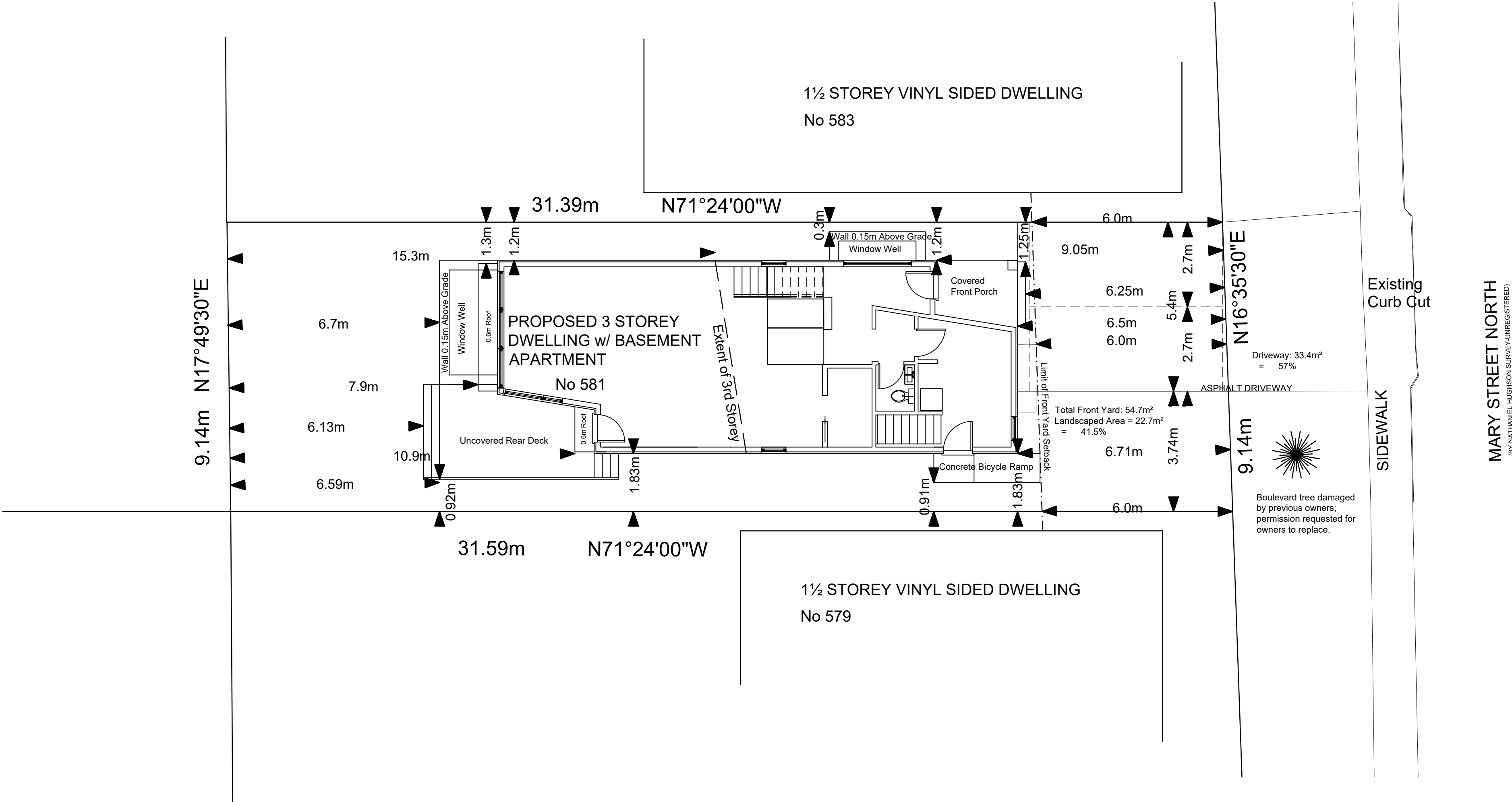
Existing: 82.5m²
Proposed: 90m²

Proposed Lot Coverage:
31.28%

Gross Floor Area: 176.15m²
Basement Floor Area: 72.4m²

Building Statistics

Width: 6.10m
Length: 16.41m
Height: 10.06m
Number of Storeys: 3



CONTRACTOR IS TO CHECK AND VERIFY ALL DIMENSIONS ON THE JOB SITE AND NOTIFY DESIGNERS OF ALL DISCREPANCIES BEFORE INITIATING WORK. ALL DRAWINGS ARE THE PROPERTY OF THINKGIRAFFE. DRAWINGS ARE NOT TO BE REPRODUCED WITHOUT WRITTEN PERMISSION FROM DESIGNERS. PRINTS ARE NOT TO BE SCALED.

Marina Fensham, Owner thinkGiraffe Design has reviewed and taken responsibility for the design activities described in this drawing set under OBC 2.17.4.7 f (ii)
BCIN: 21574 / 116364

ISSUED FOR VARIANCE REV:
March 11, 2022
ISSUED FOR VARIANCE:
February 3, 2022

REMARKS	DATE	NO.
REVISIONS		

thinkGiraffe
ENVIRONMENTAL DESIGN
16 Sulphur Springs Road,
Ancaster, ON, L9G 1L8
905 304 1496
thinkgiraffe@bellnet.ca

PROJECT
Proposed Myhr
Residence w/
Secondary Suite
581 Mary Street,
Hamilton, ON

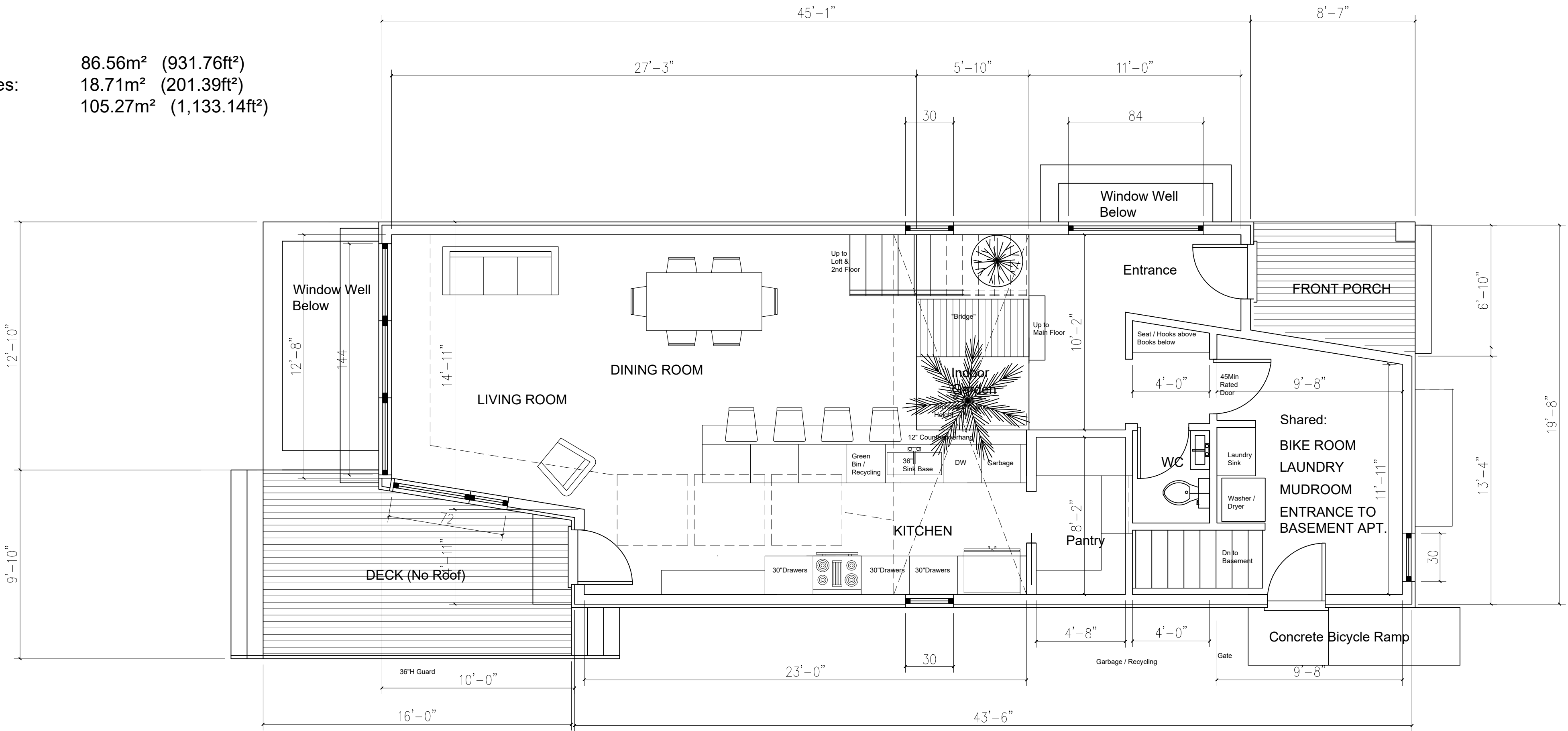
SHEET TITLE
Site Plan

FOLDER	DRAWN BY M
FILE	SCALE 1/8" = 1'-0"
DATE	NUMBER

A1.01

MAIN FLOOR

Floor Area: 86.56m² (931.76ft²)
Covered Porches: 18.71m² (201.39ft²)
TOTAL: 105.27m² (1,133.14ft²)



PROPOSED MAIN FLOOR PLAN

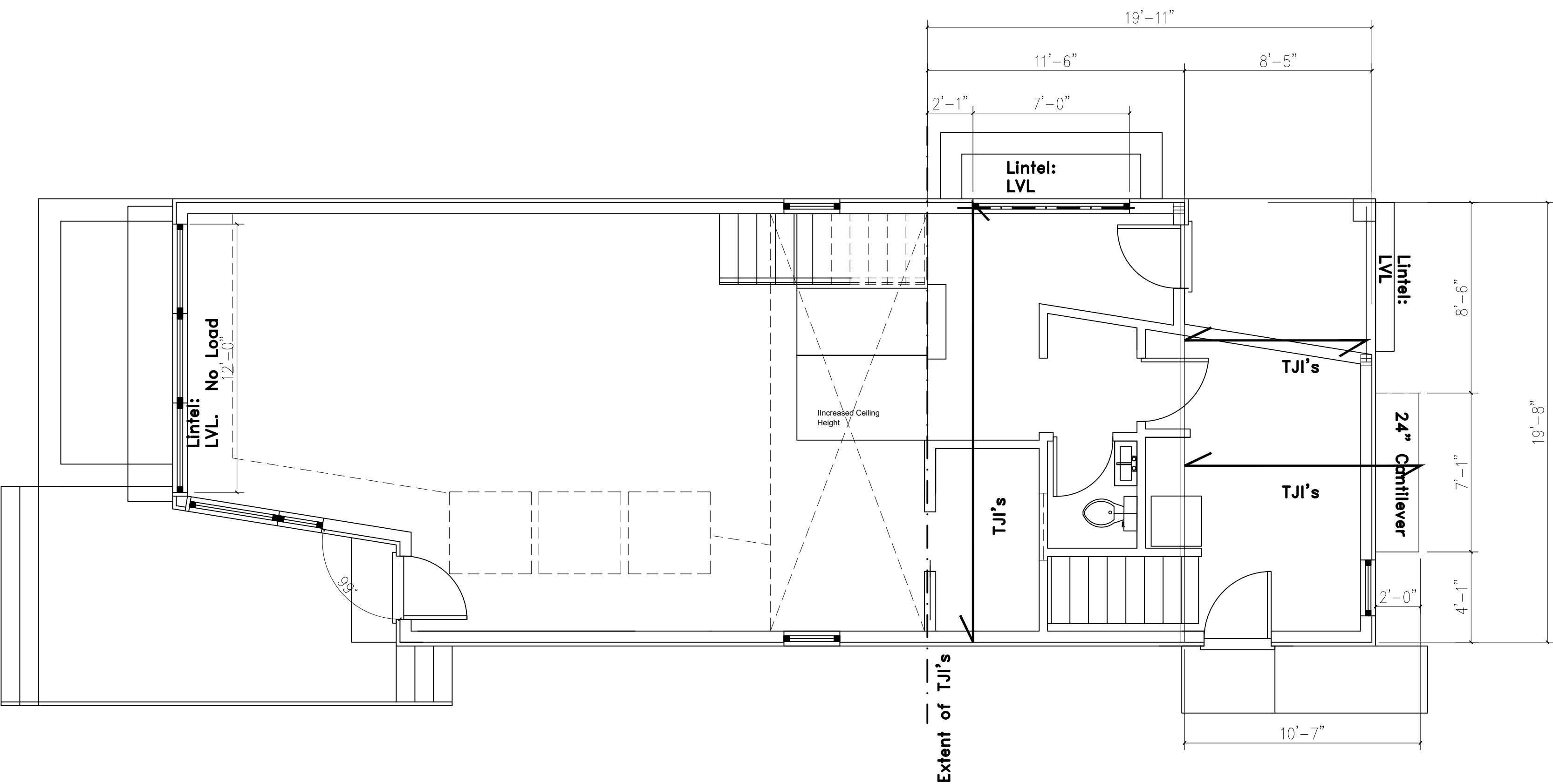
CONTRACTOR IS TO CHECK AND VERIFY ALL DIMENSIONS ON THE JOB SITE AND NOTIFY DESIGNERS OF ALL DISCREPANCIES BEFORE INITIATING WORK. ALL DRAWINGS ARE THE PROPERTY OF THINKGIRAFFE. DRAWINGS ARE NOT TO BE REPRODUCED WITHOUT WRITTEN PERMISSION FROM DESIGNERS. PRINTS ARE NOT TO BE SCALED.

Marina Fensham, Owner thinkGiraffe Design has reviewed and taken responsibility for the design activities described in this drawing set under OBC 2.17.4.7 f (ii)
BCIN: 21574 / 116364

ISSUED FOR VARIANCE REV:
March 11, 2022

ISSUED FOR VARIANCE:
February 3, 2022

REMARKS	DATE	NO.
REVISIONS		



PROPOSED MAIN FLOOR STRUCTURE

thinkGiraffe
ENVIRONMENTAL DESIGN
16 Sulphur Springs Road,
Ancaster, ON, L9G 1L8
905 304 1496
thinkgiraffe@bellnet.ca

PROJECT
Proposed Myhr
Residence w/
Secondary Suite
581 Mary Street,
Hamilton, ON

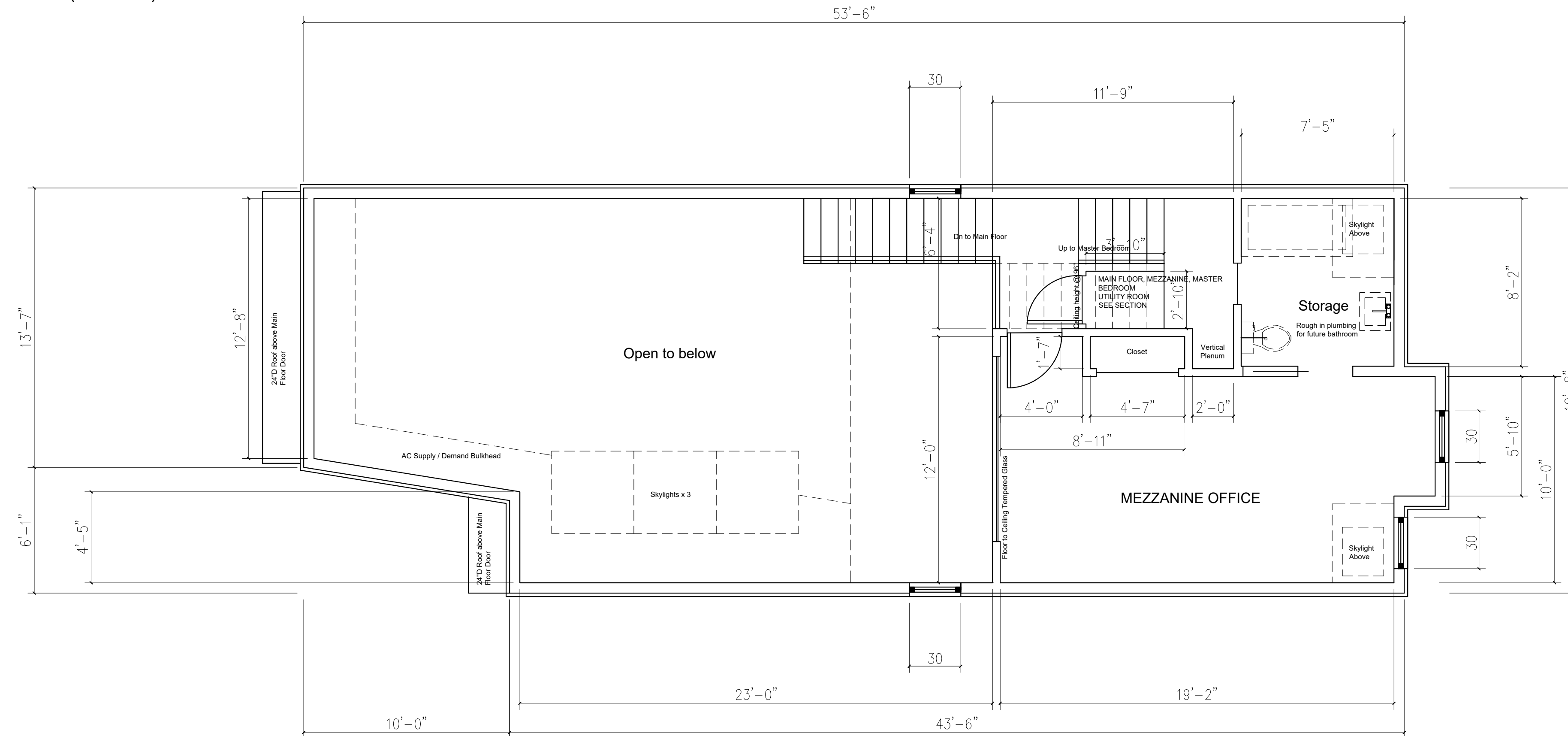
SHEET TITLE
PROPOSED MAIN
FLOOR PLAN &
STRUCTURE

FOLDER	DRAWN BY M
FILE	SCALE 1/4" = 1'-0"
DATE	NUMBER

A2.01

MEZZANINE
TOTAL:

29.84m² (321.17ft²)



PROPOSED MEZZANINE PLAN

CONTRACTOR IS TO CHECK AND VERIFY
ALL DIMENSIONS ON THE JOB SITE AND
NOTIFY DESIGNERS OF ALL DISCREPANCIES
BEFORE INITIATING WORK.
ALL DRAWINGS ARE THE PROPERTY OF
THINKGIRAFFE
DRAWINGS ARE NOT TO BE REPRODUCED
WITHOUT WRITTEN PERMISSION FROM
DESIGNERS.
PRINTS ARE NOT TO BE SCALED.

Marina Fensham, Owner thinkGiraffe Design has reviewed and taken responsibility for the design activities described in this drawing set under OBC 2.17.4.7 f (ii)
BCIN: 21574 / 116364

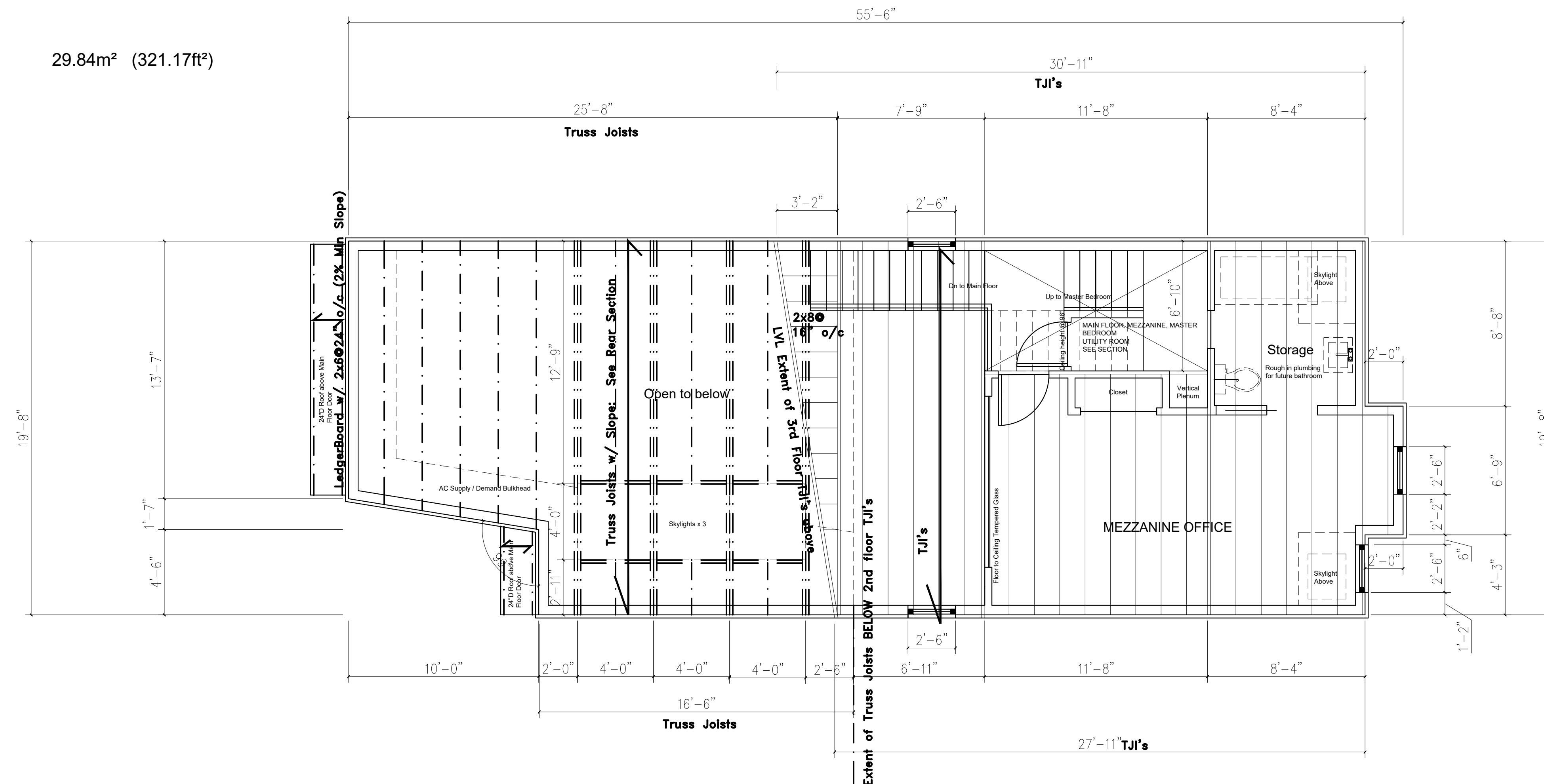
ISSUED FOR VARIANCE REV:
March 11, 2022

ISSUED FOR VARIANCE:
February 3, 2022

REMARKS	DATE	NO.
REVISIONS		

MEZZANINE
TOTAL:

29.84m² (321.17ft²)



PROPOSED 2nd FLOOR STRUCTURE

thinkGiraffe
ENVIRONMENTAL DESIGN
16 Sulphur Springs Road,
Ancaster, ON, L9G 1L8
905 304 1496
thinkgiraffe@bellnet.ca

PROJECT

Proposed Myhr
Residence w/
Secondary Suite
581 Mary Street,
Hamilton, ON

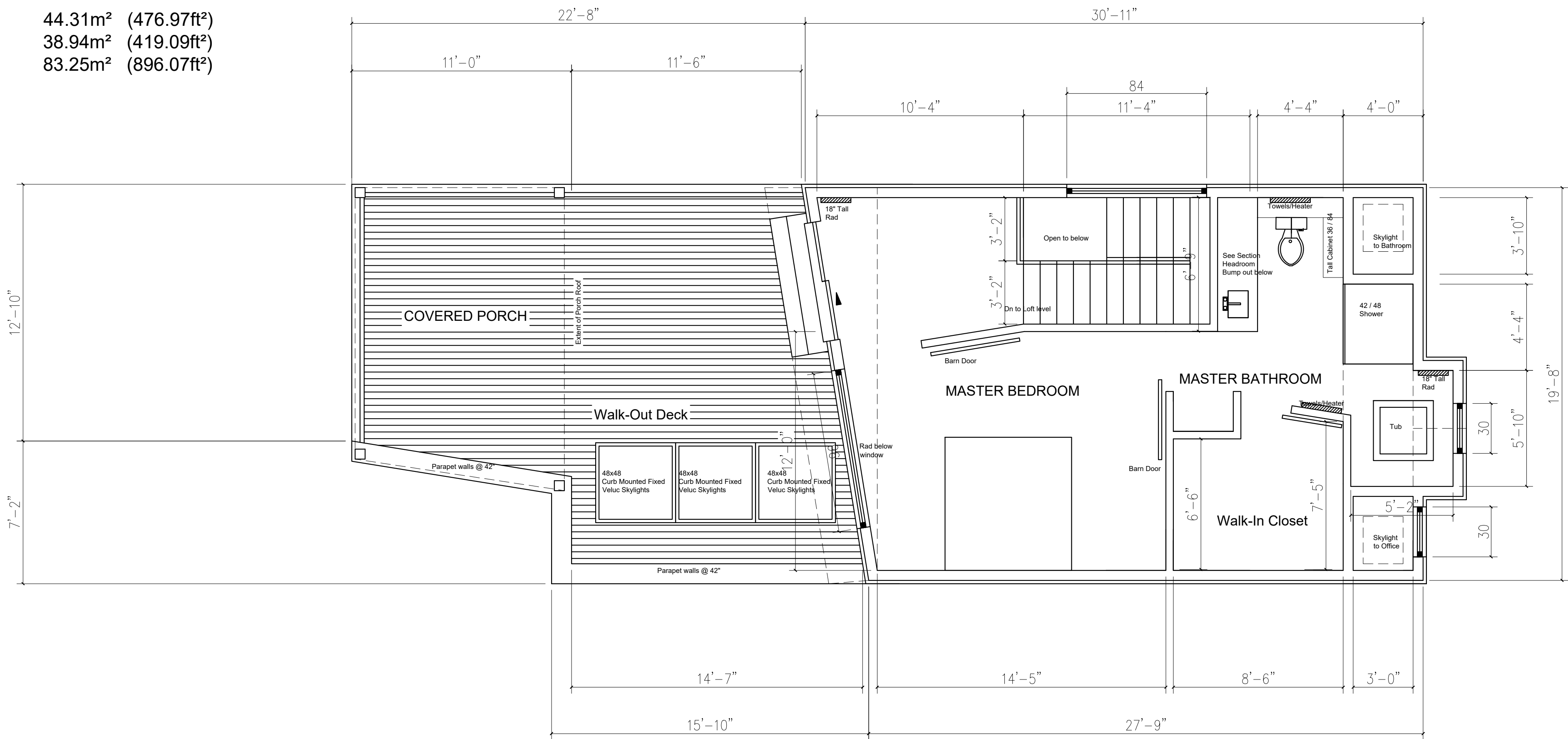
SHEET TITLE
PROPOSED
MEZZANINE PLAN &
STRUCTURE

FOLDER	DRAWN BY M
FILE	SCALE $\frac{1}{4}" = 1'-0"$
DATE	NUMBER

A2.02

ATTIC

Floor Area: 44.31m² (476.97ft²)
Deck Area: 38.94m² (419.09ft²)
TOTAL: 83.25m² (896.07ft²)



PROPOSED 3rd FLOOR &
ROOF TOP PLAN

CONTRACTOR IS TO CHECK AND VERIFY ALL DIMENSIONS ON THE JOB SITE AND NOTIFY DESIGNERS OF ALL DISCREPANCIES BEFORE INITIATING WORK. ALL DRAWINGS ARE THE PROPERTY OF THINKGIRAFFE. DRAWINGS ARE NOT TO BE REPRODUCED WITHOUT WRITTEN PERMISSION FROM DESIGNERS. PRINTS ARE NOT TO BE SCALED.

Marina Fensham, Owner thinkGiraffe Design has reviewed and taken responsibility for the design activities described in this drawing set under OBC 2.17.4.7 f (ii)
BCIN: 21574 / 116364

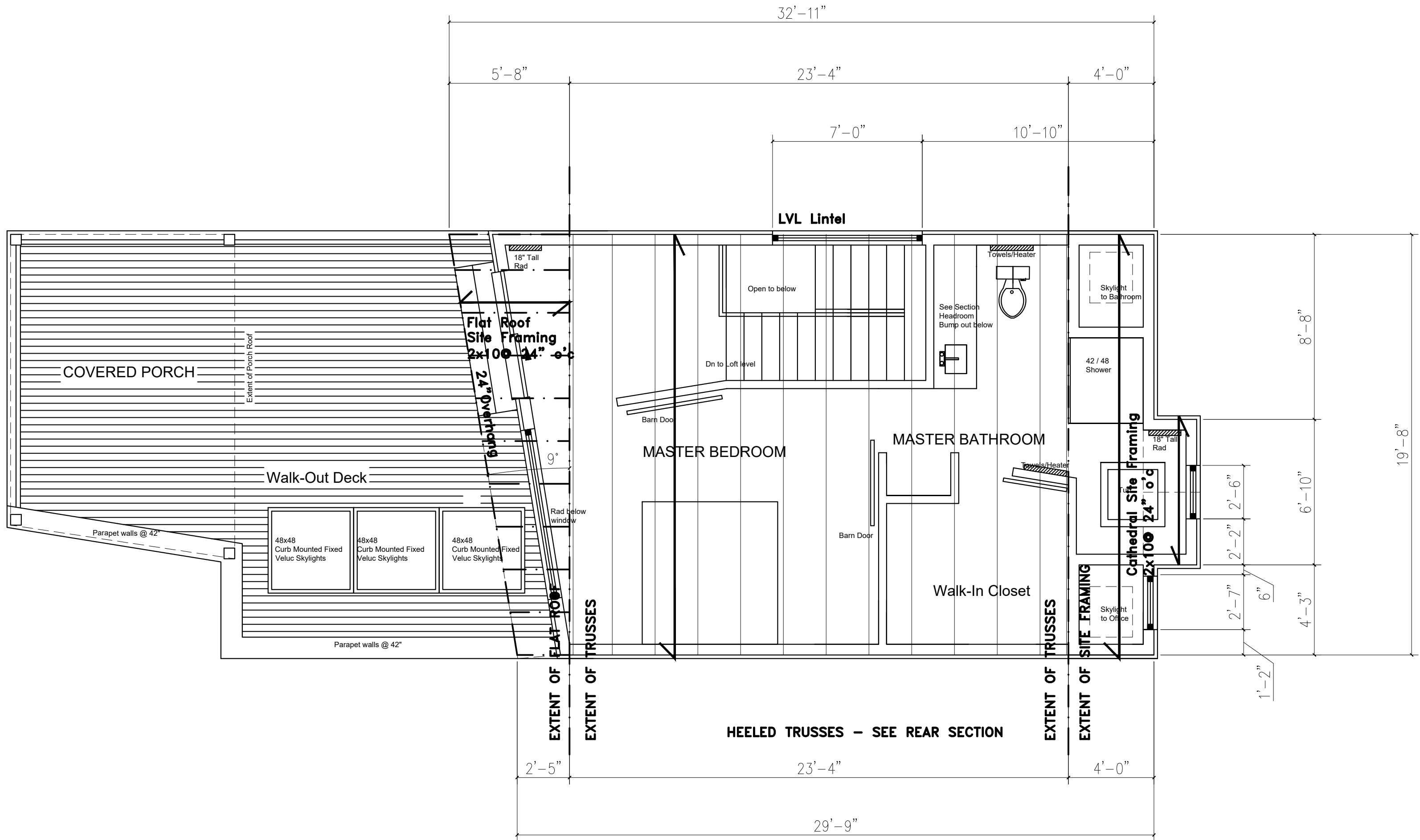
ISSUED FOR VARIANCE REV:
March 11, 2022

ISSUED FOR VARIANCE:
February 3, 2022

REMARKS	DATE	NO.
REVISIONS		

ATTIC

Floor Area: 44.31m² (476.97ft²)
Deck Area: 38.94m² (419.09ft²)
TOTAL: 83.25m² (896.07ft²)



PROPOSED ROOF
STRUCTURE

thinkGiraffe
ENVIRONMENTAL DESIGN
16 Sulphur Springs Road,
Ancaster, ON, L9G 1L8
905 304 1496
thinkgiraffe@bellnet.ca

PROJECT
Proposed Myhr
Residence w/
Secondary Suite
581 Mary Street,
Hamilton, ON

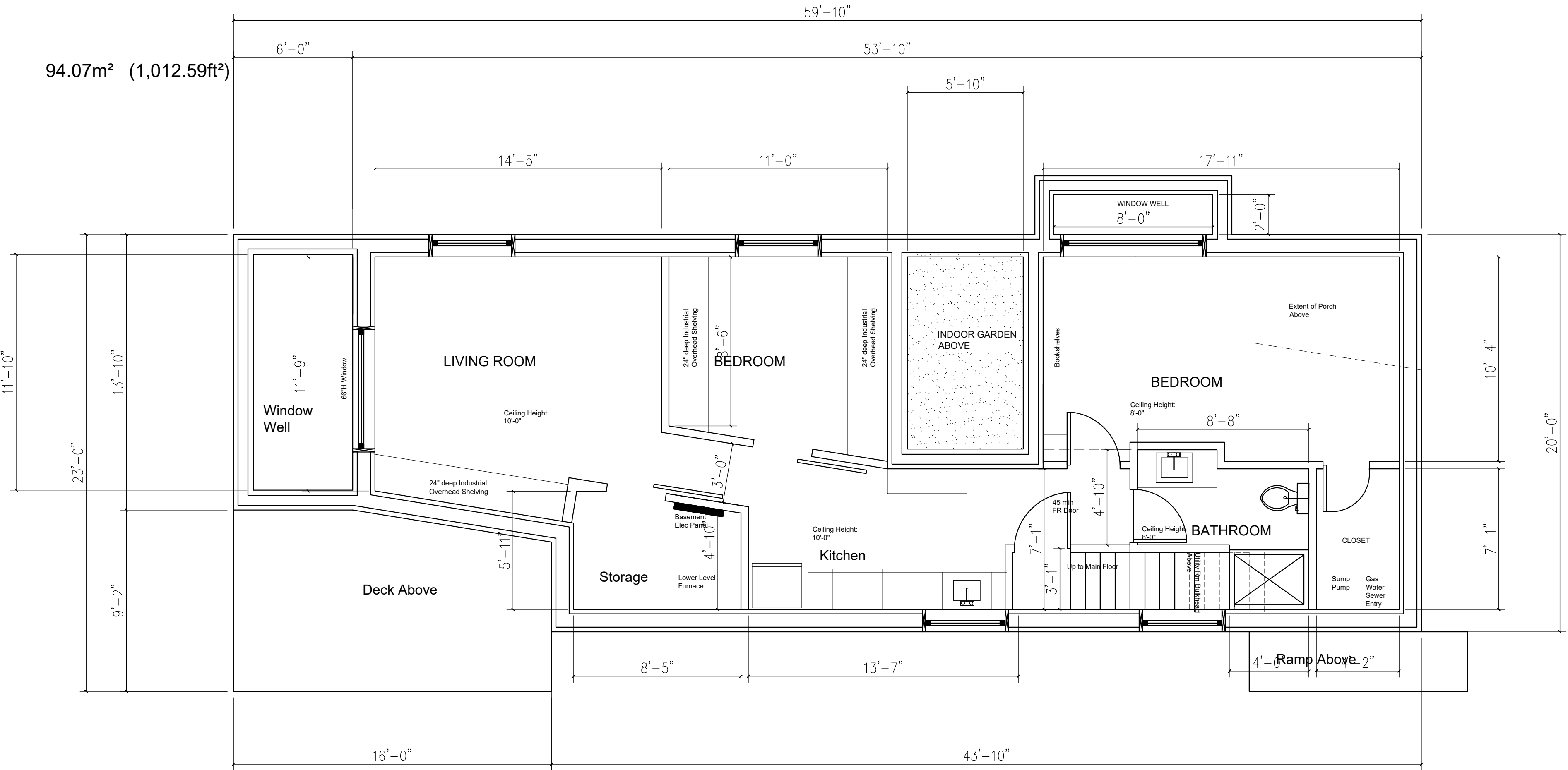
SHEET TITLE
PROPOSED 3rd FLOOR
PLAN & ROOF
STRUCTURE

FOLDER	DRAWN BY M
FILE	SCALE 1/4" = 1'-0"
DATE	NUMBER

A2.03

BASEMENT

TOTAL: 94.07m² (1,012.59ft²)



PROPOSED
BASEMENT
APARTMENT PLAN

CONTRACTOR IS TO CHECK AND VERIFY ALL DIMENSIONS ON THE JOB SITE AND NOTIFY DESIGNERS OF ALL DISCREPANCIES BEFORE INITIATING WORK. ALL DRAWINGS ARE THE PROPERTY OF THINKGIRAFFE. DRAWINGS ARE NOT TO BE REPRODUCED WITHOUT WRITTEN PERMISSION FROM DESIGNERS. PRINTS ARE NOT TO BE SCALED.

Marina Fensham, Owner thinkGiraffe Design has reviewed and taken responsibility for the design activities described in this drawing set under OBC 2.17.4.7 f (ii)
BCIN: 21574 / 116364

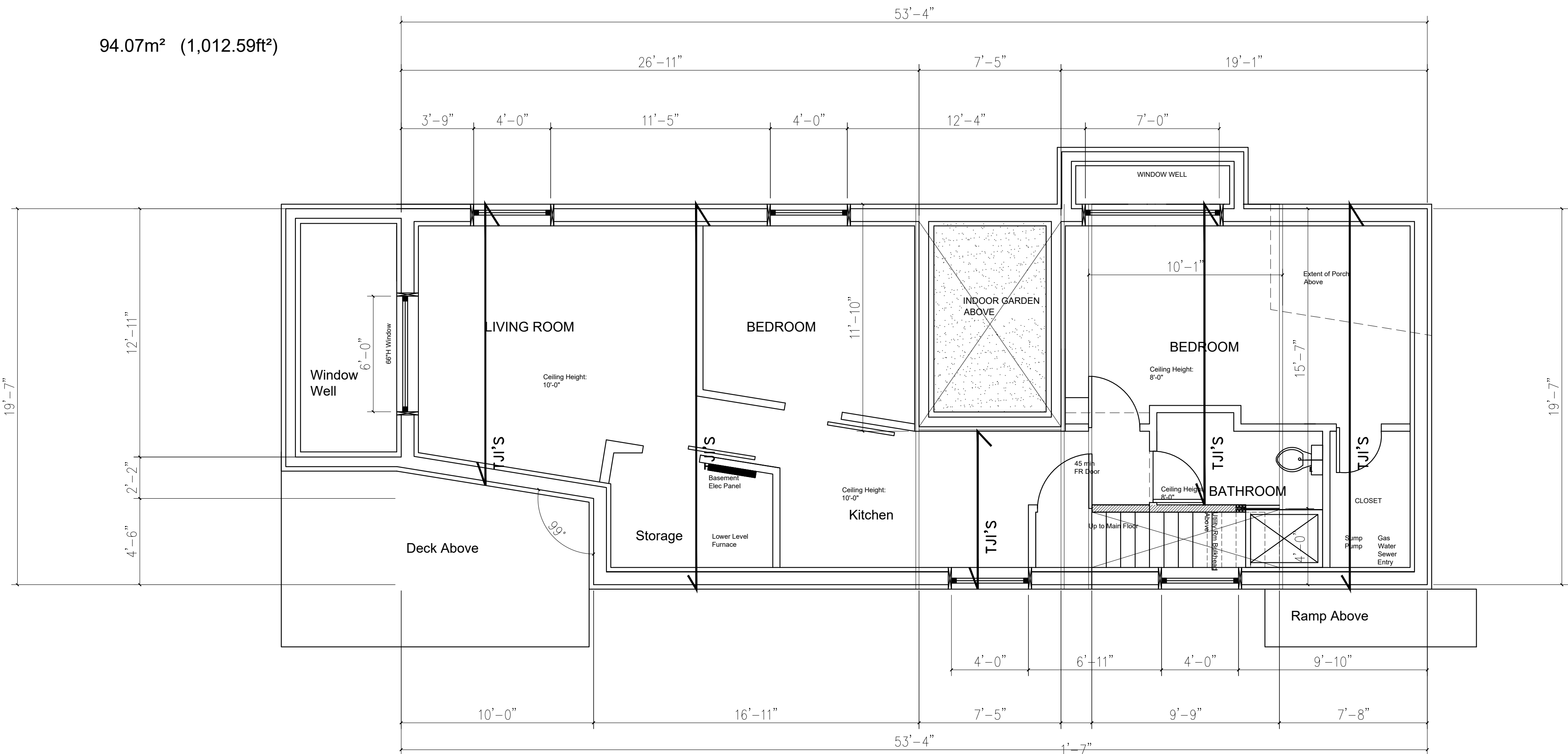
ISSUED FOR VARIANCE REV:
March 11, 2022

ISSUED FOR VARIANCE:
February 3, 2022

REMARKS	DATE	NO.
REVISIONS		

BASEMENT

TOTAL: 94.07m² (1,012.59ft²)



PROPOSED FOUNDATION
STRUCTURE

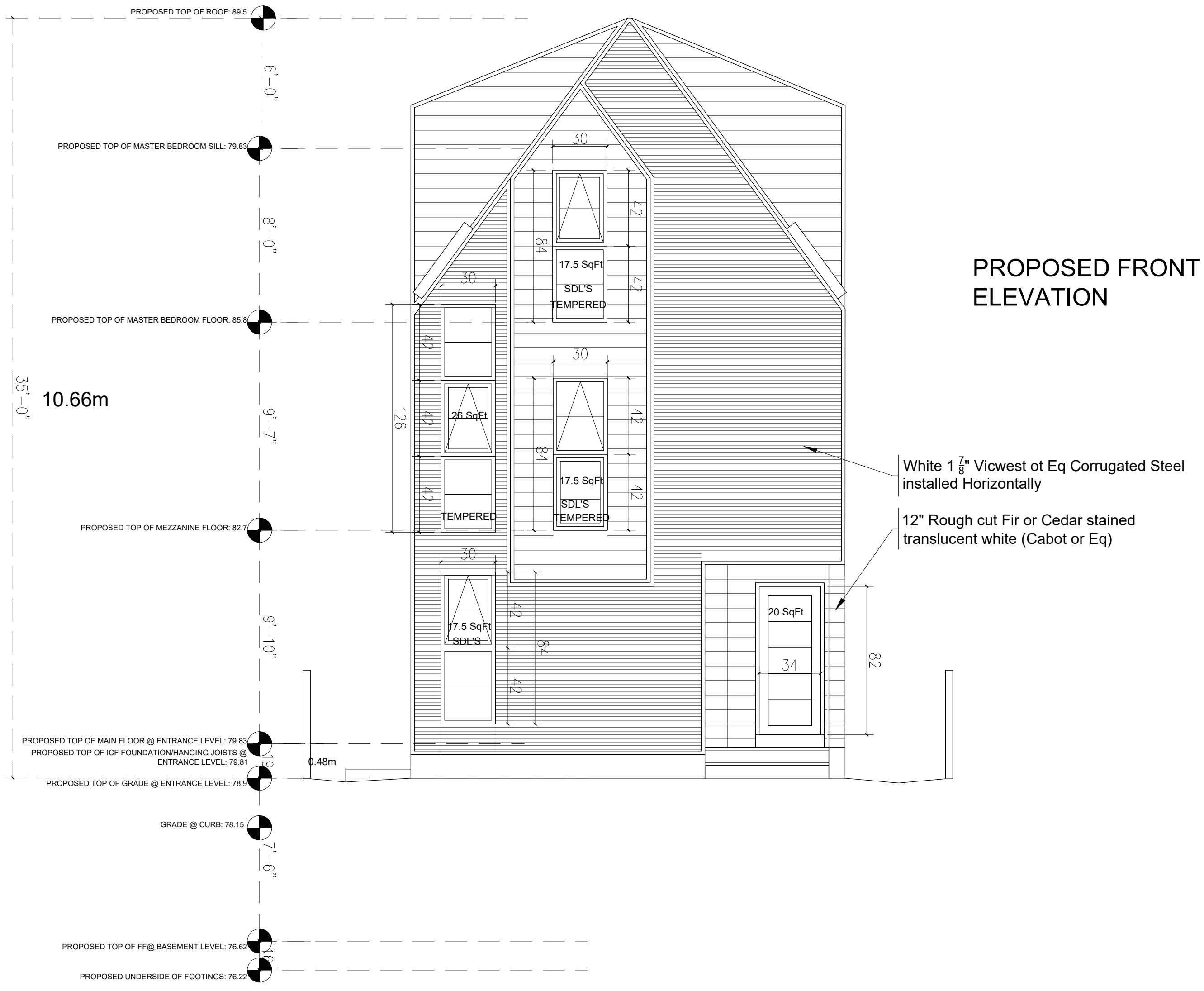
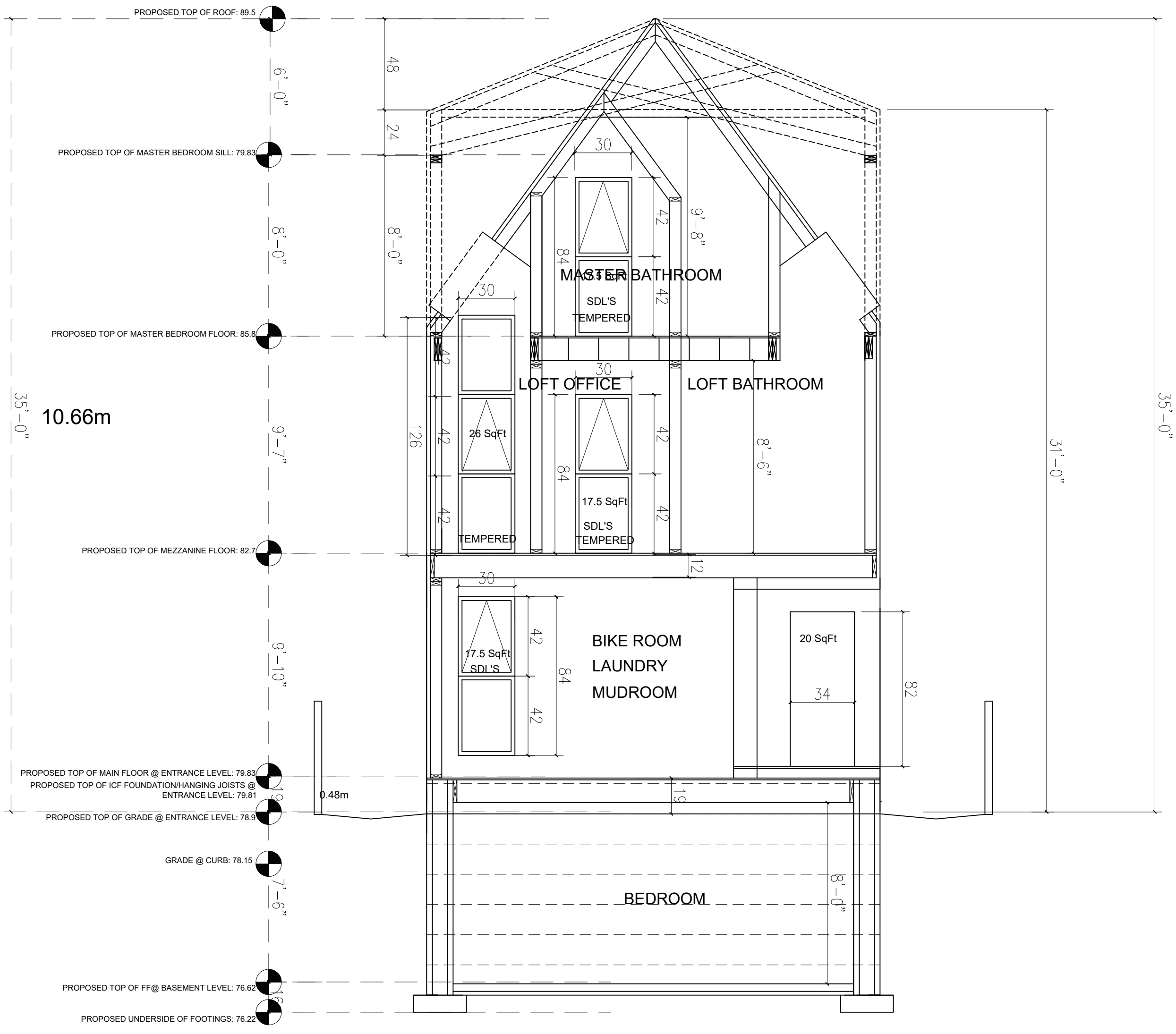
thinkGiraffe
ENVIRONMENTAL DESIGN
16 Sulphur Springs Road,
Ancaster, ON, L9G 1L8
905 304 1496
thinkgiraffe@bellnet.ca

PROJECT
Proposed Myhr
Residence w/
Secondary Suite
581 Mary Street,
Hamilton, ON

SHEET TITLE
PROPOSED BASEMENT
APARTMENT PLAN

FOLDER	DRAWN BY M
FILE	SCALE 1/4" = 1'-0"
DATE	NUMBER

A2.04



PROPOSED FRONT
ELEVATION

PROPOSED FRONT
SECTION

CONTRACTOR IS TO CHECK AND VERIFY ALL DIMENSIONS ON THE JOB SITE AND NOTIFY DESIGNERS OF ALL DISCREPANCIES BEFORE INITIATING WORK. ALL DRAWINGS ARE THE PROPERTY OF THINKGIRAFFE. DRAWINGS ARE NOT TO BE REPRODUCED WITHOUT WRITTEN PERMISSION FROM DESIGNERS. PRINTS ARE NOT TO BE SCALED.

Marina Fensham, Owner thinkGiraffe Design has reviewed and taken responsibility for the design activities described in this drawing set under OBC 2.17.4.7 f (ii) BCIN: 21574 / 116364

ISSUED FOR VARIANCE REV:
March 11, 2022
ISSUED FOR VARIANCE:
February 3, 2022

REMARKS	DATE	NO.
REVISIONS		

thinkGiraffe
ENVIRONMENTAL DESIGN
16 Sulphur Springs Road,
Ancaster, ON, L9G 1L8
905 304 1496
thinkgiraffe@bellnet.ca

PROJECT
Proposed Myhr
Residence w/
Secondary Suite
581 Mary Street,
Hamilton, ON

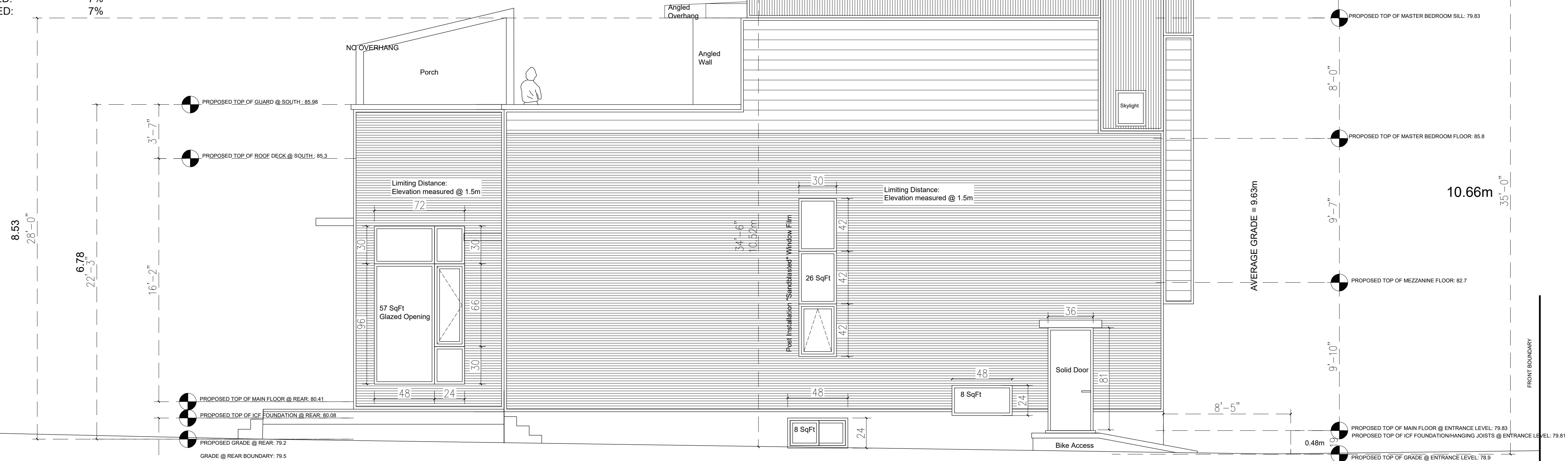
SHEET TITLE
FRONT ELEVATION &
SECTION

FOLDER	DRAWN BY M
FILE	SCALE 1/4" = 1'-0"
DATE	NUMBER

A4.01

SIDE ELEVATION SOUTH
Limiting Distance:
Exposed Building Face:
Area of Glazed Openings:
% PROPOSED:
% PERMITTED:

1.5m on entire elevation including livingroom area set back
1,343 Sq Ft / 124.6m²
99 Sq Ft / 9.0m²
7%
7%



PROPOSED SIDE
ELEVATION (SOUTH)

CONTRACTOR IS TO CHECK AND VERIFY ALL DIMENSIONS ON THE JOB SITE AND NOTIFY DESIGNERS OF ALL DISCREPANCIES BEFORE INITIATING WORK.
ALL DRAWINGS ARE THE PROPERTY OF THINKGIRAFFEE
DRAWINGS ARE NOT TO BE REPRODUCED WITHOUT WRITTEN PERMISSION FROM DESIGNERS.
PRINTS ARE NOT TO BE SCALED.

Marina Fensham, Owner thinkGiraffe Design has reviewed and taken responsibility for the design activities described in this drawing set under OBC 2.17.4.7 f (ii)
BCIN: 21574 / 116364

ISSUED FOR VARIANCE REV:
March 11, 2022

ISSUED FOR VARIANCE:
February 3, 2022

REMARKS	DATE	NO.
REVISIONS		

thinkGiraffe
ENVIRONMENTAL DESIGN

16 Sulphur Springs Road,
Ancaster, ON, L9G 1L8

905 304 1496
905 304 1497 Fax
thinkgiraffe@bellnet.ca
Association of Registered Interior Designers of Ontario
(ARIDO) Number 22479

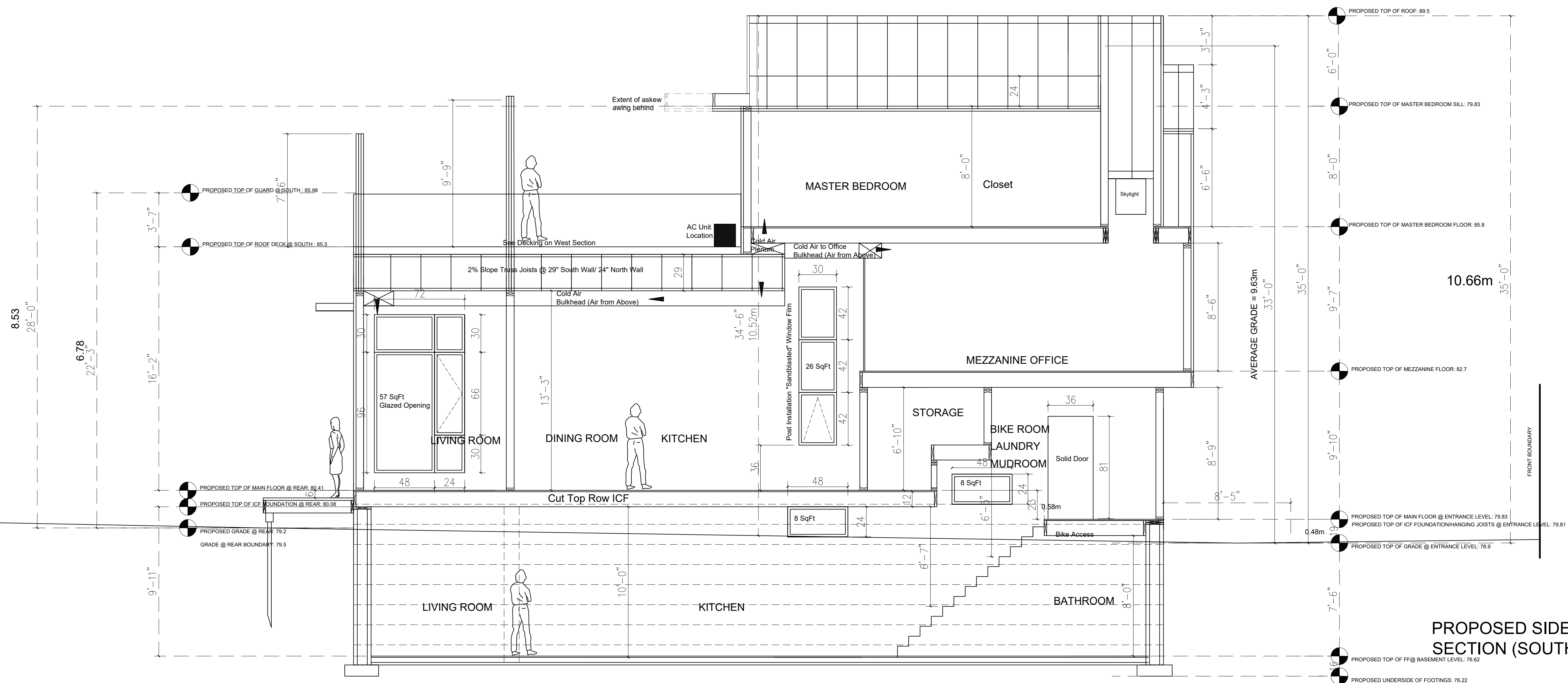
PROJECT

Proposed Myhr
Residence w/
Secondary Suite
581 Mary Street,
Hamilton, ON

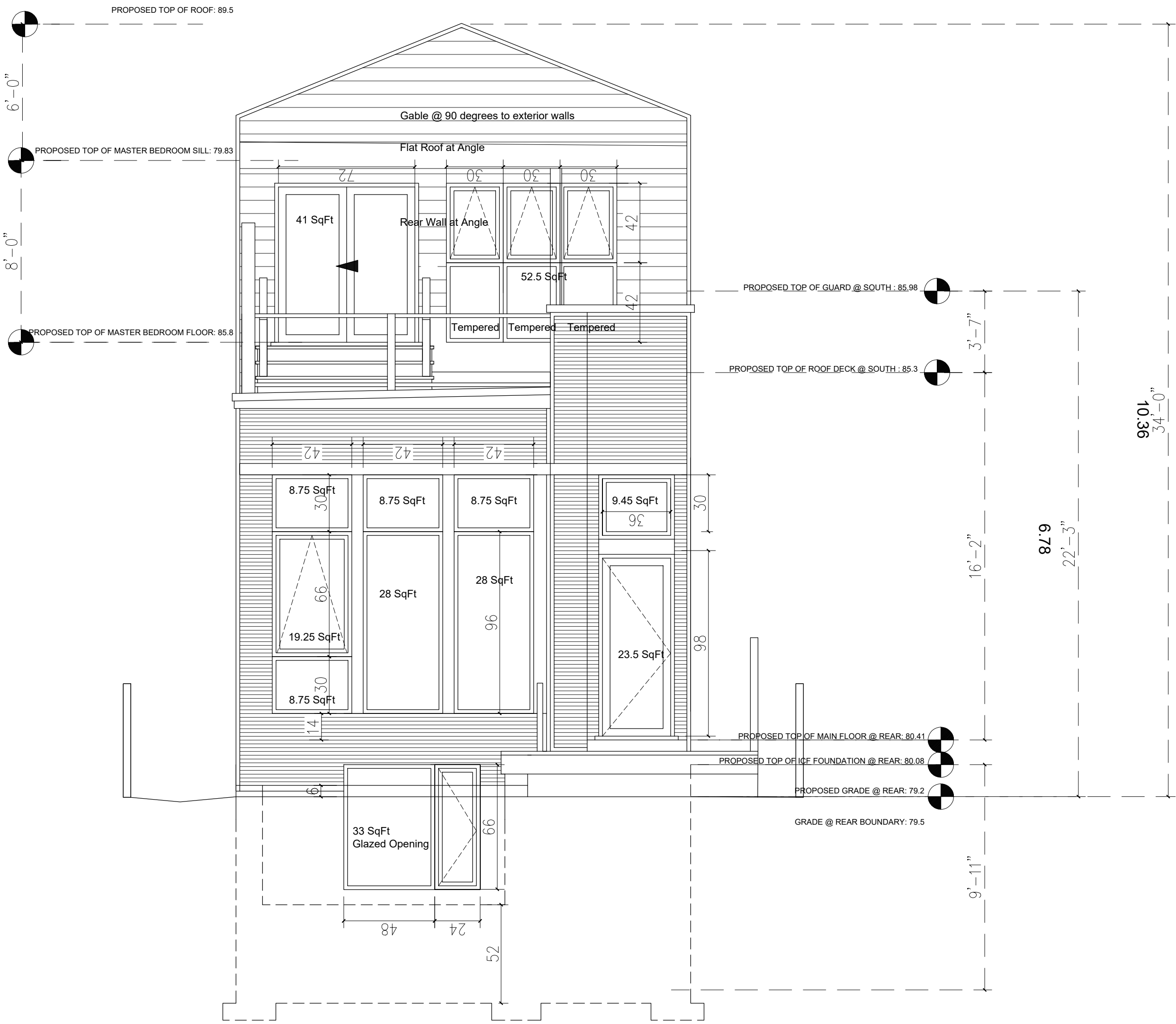
SHEET TITLE
SIDE ELEVATION &
SECTION (SOUTH)

FOLDER	DRAWN BY M
FILE	SCALE $\frac{1}{4}" = 1'-0"$
DATE	NUMBER

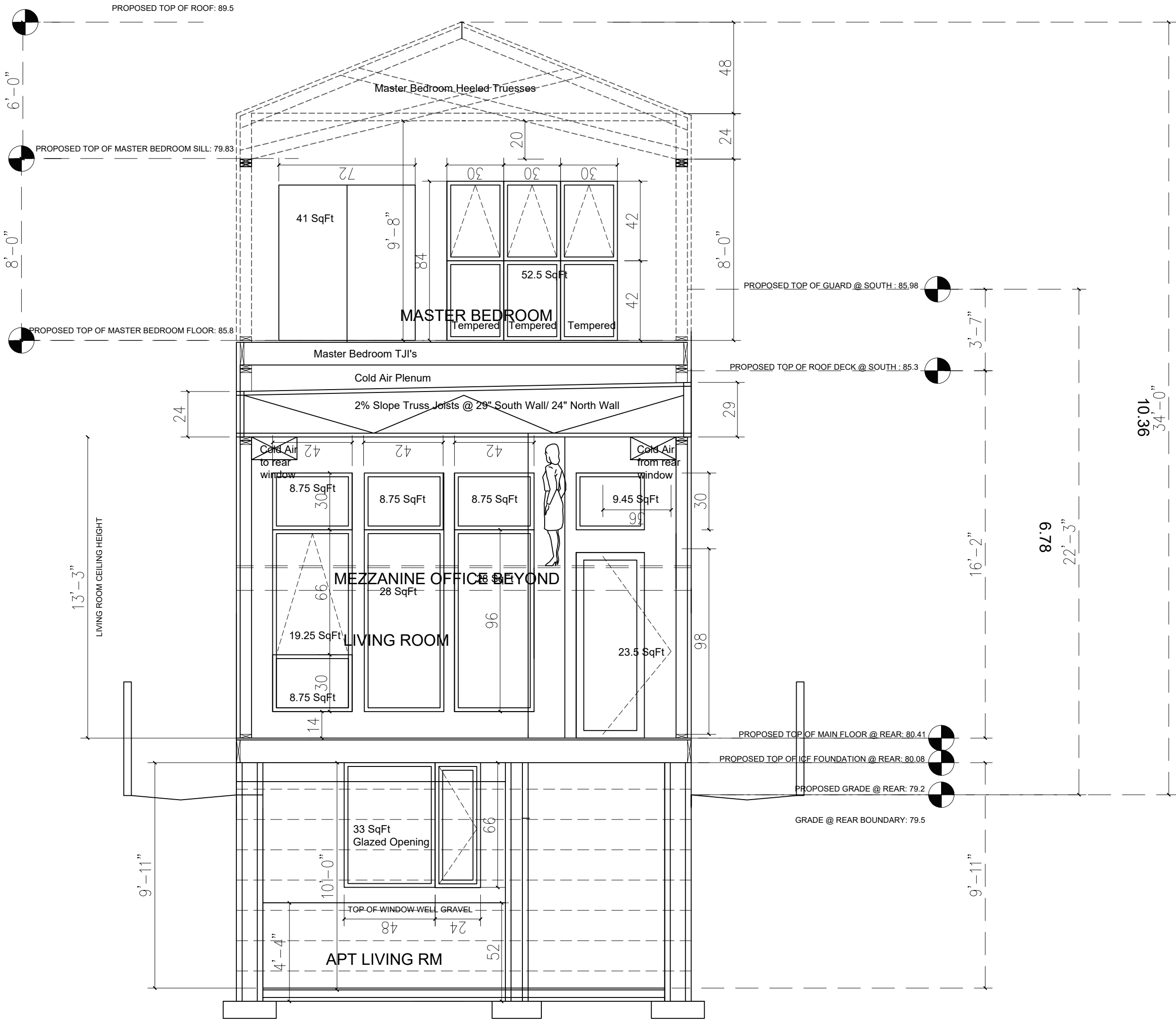
A4.02



PROPOSED SIDE
SECTION (SOUTH)

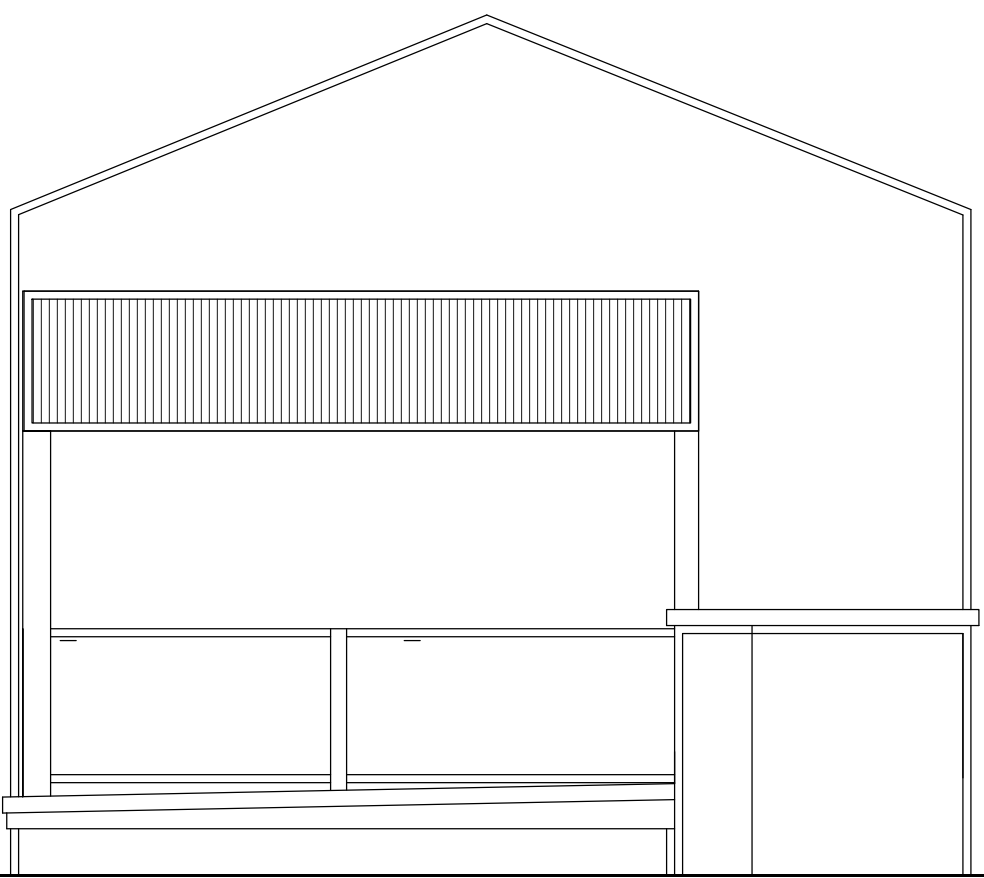


PROPOSED REAR
ELEVATION



PROPOSED REAR
SECTION

PROPOSED
ROOFTOP COVERED
AREA



CONTRACTOR IS TO CHECK AND VERIFY ALL DIMENSIONS ON THE JOB SITE AND NOTIFY DESIGNERS OF ALL DISCREPANCIES BEFORE INITIATING WORK. ALL DRAWINGS ARE THE PROPERTY OF THINKGIRAFFE. DRAWINGS ARE NOT TO BE REPRODUCED WITHOUT WRITTEN PERMISSION FROM DESIGNERS. PRINTS ARE NOT TO BE SCALED.

Marina Fensham, Owner thinkGiraffe Design has reviewed and taken responsibility for the design activities described in this drawing set under OBC 2.17.4.7 f (ii) BCIN: 21574 / 116364

ISSUED FOR VARIANCE REV:
March 11, 2022
ISSUED FOR VARIANCE:
February 3, 2022

REMARKS	DATE	NO.
REVISIONS		

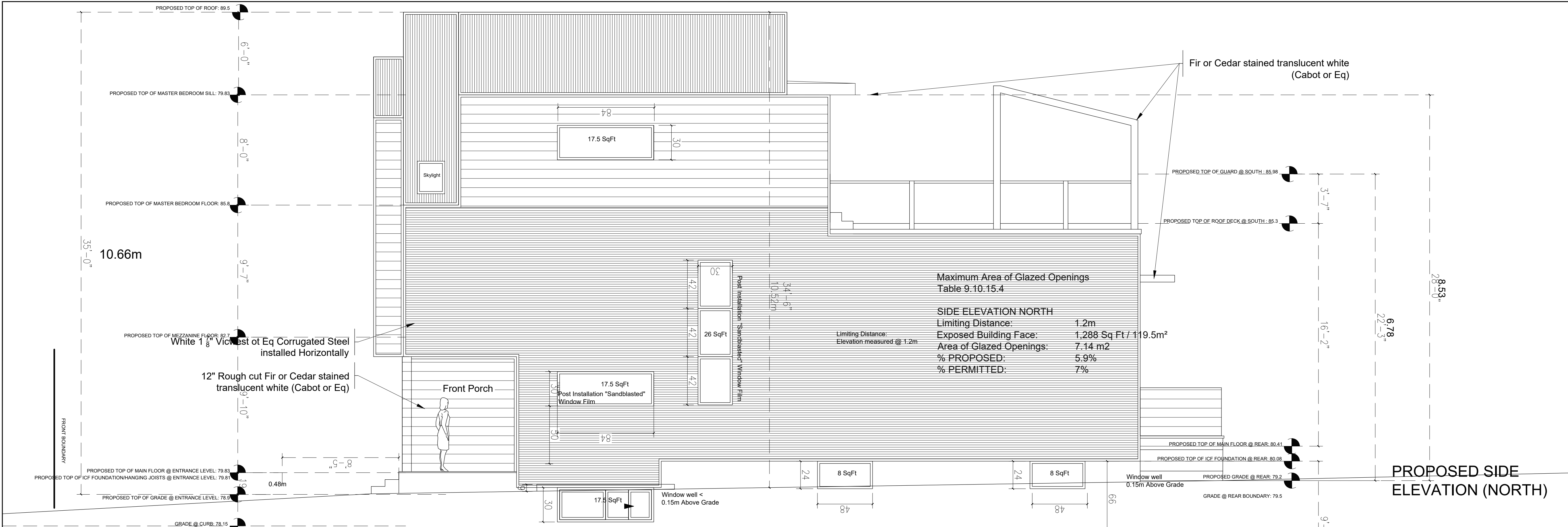
thinkGiraffe
ENVIRONMENTAL DESIGN
16 Sulphur Springs Road,
Ancaster, ON, L9G 1L8
905 304 1496
thinkgiraffe@bellnet.ca

PROJECT
Proposed Myhr
Residence w/
Secondary Suite
581 Mary Street,
Hamilton, ON

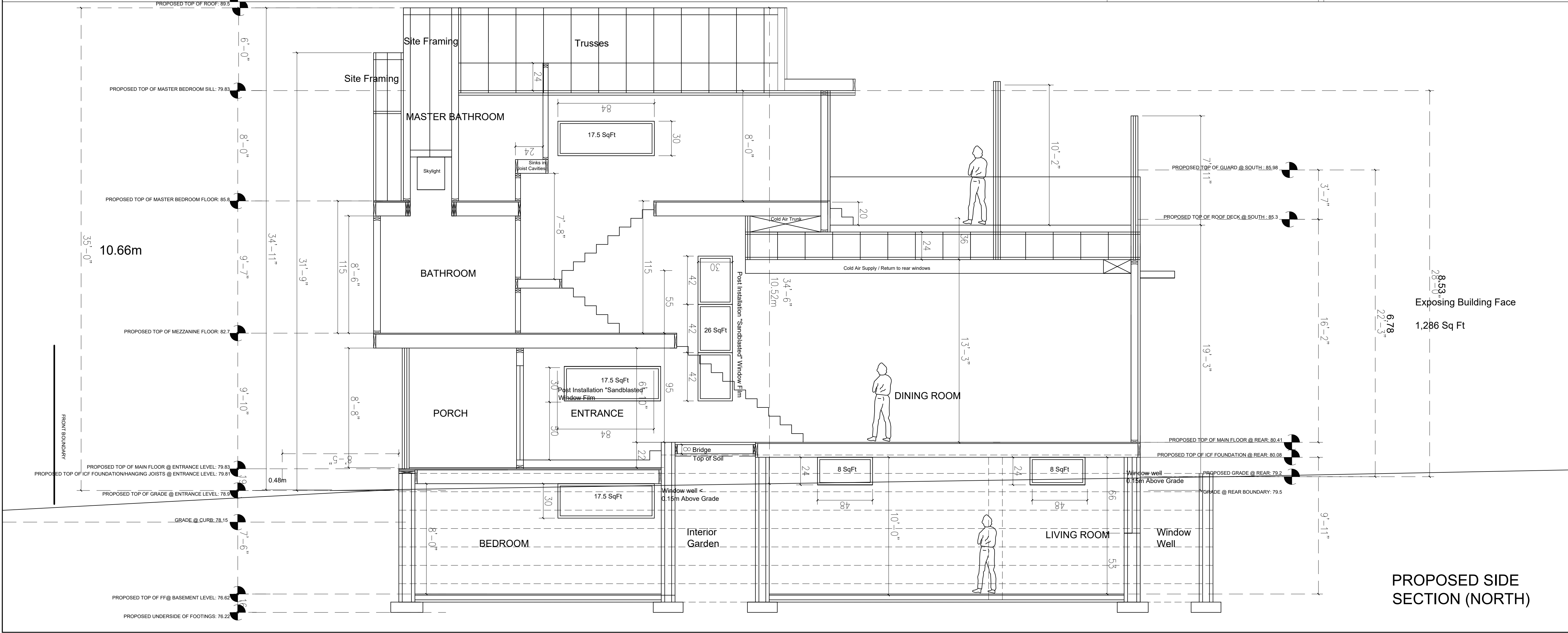
SHEET TITLE
REAR ELEVATION &
SECTION

FOLDER	DRAWN BY M
FILE	SCALE 1/4" = 1'-0"
DATE	NUMBER

A4.03



PROPOSED SIDE
ELEVATION (NORTH)



PROPOSED SIDE
SECTION (NORTH)

CONTRACTOR IS TO CHECK AND VERIFY ALL DIMENSIONS ON THE JOB SITE AND NOTIFY DESIGNERS OF ALL DISCREPANCIES BEFORE INITIATING WORK. ALL DRAWINGS ARE THE PROPERTY OF THINKGIRAFFE. DRAWINGS ARE NOT TO BE REPRODUCED WITHOUT WRITTEN PERMISSION FROM DESIGNERS. PRINTS ARE NOT TO BE SCALED.

Marina Fensham, Owner thinkGiraffe Design has reviewed and taken responsibility for the design activities described in this drawing set under OBC 2.17.4.7 f (ii) BCIN: 21574 / 116364

ISSUED FOR VARIANCE REV:
March 11, 2022
ISSUED FOR VARIANCE:
February 3, 2022

REMARKS	DATE	NO.
REVISIONS		

thinkGiraffe

ENVIRONMENTAL DESIGN

16 Sulphur Springs Road,
Ancaster, ON, L9G 1L8

905 304 1496
905 304 1497 Fax
thinkgiraffe@bellnet.ca
Association of Registered Interior Designers of Ontario
(ARIDO) Number 22479

PROJECT

Proposed Myhr
Residence w/
Secondary Suite
581 Mary Street,
Hamilton, ON

SHEET TITLE

SIDE ELEVATION &
SECTION (NORTH)

FOLDER	DRAWN BY M
FILE	SCALE 1/4" = 1'-0"
DATE	NUMBER

A4.04

**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	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:

NA

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:

Front Yard: 2 Parking Spots Required (Existing double curb cut): 42.8% Landscape Area

Definition of 1/2 Storey makes this a 3 storey dwelling (Side Shed bump up wider than 1.2m)

☒ Second Dwelling Unit ☐ Reconstruction of Existing Dwelling

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

Clients desire an office mezzanine which technically adds another storey. At the rear there only is one storey and a rooftop deck. Please review if you want the front yard parking for two cars to be the required width and reduce the front yard landscape area.

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**):

Parts of Lots 45, 46
Nataniel Hughson Survey

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 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.

February 7, 2022

Date


Signature Property Owner(s)

Chris Myhr and Ayako Myhr

Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage	9.41m
Depth	31.59m
Area	287.7m ² Lot Area
Width of street	4.18m

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: _

82.5 m² Area 1.5 Storey Vinyl sided SF Dwelling to be demolished

Proposed

To construct a 3 storey 90m² Ground Floor Area (Covered Front Porch Included) dwelling with a basement apartment. The front elevation is designed to appear like 2.5 storeys.

Gross floor Area: 176.15m²

Basement floor Area: 72.4m²

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

Existing:

North Side 0.39m (1.2m Required)

South Side 0.57m (1.2m Required)

Front 4.62m

Rear 15.2m

Proposed:

North Side 1.2m

North Side to Window Well 0.3m

South Side 1.84m

Front 6.5m

Rear (Excluding Deck and Window well) 8.52m

13. Date of acquisition of subject lands:
April 2015
14. Date of construction of all buildings and structures on subject lands:
Circa 1920?
15. Existing uses of the subject property (single family, duplex, retail, factory etc.):
SF Residential
16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):
SF Residential or Duplex
17. Length of time the existing uses of the subject property have continued:
Approx 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:
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? (Zoning By-law Amendment or Minor Variance)
☐ Yes ☐ No
If yes, please provide the file number:
- 21.1 If a site-specific zoning by-law amendment has been received for the subject property, has the two-year anniversary of the by-law being passed expired?
☐ Yes ☐ No
- 21.2 If the answer is no, the decision of Council, or Director of Planning and Chief Planner that the application for Minor Variance is allowed must be included. Failure to do so may result in an application not being "received" for processing.
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 (please include separate sheet if needed)
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.