



Hamilton

COMMITTEE OF ADJUSTMENT

City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5

Telephone (905) 546-2424, ext. 4221, 3935

E-mail: cofa@hamilton.ca

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-22:251	SUBJECT PROPERTY:	54 MACAULAY STREET W, HAMILTON
ZONE:	D (Urban Protected Residential – 1 & 1 Family Dwellings Etc.)	ZONING BY-LAW:	Zoning By-law former City of Hamilton 6593, as Amended

APPLICANTS: Owner – 2190680 Ontario Ltd. c/o W. Curran
Agent – CGS/Curran Gacesa Slote Architects Inc. c/o Bill Curran

The following variances are requested:

1. A minimum front yard depth of 3.8m shall be permitted instead of the minimum 4.2m front yard depth required.
2. A minimum westerly side yard width of 0.0m shall be permitted instead of the minimum 0.9m side yard width required.
3. No on-site parking spaces shall be permitted whereas the zoning By-law requires that a single family dwelling provide a minimum of two (2) parking spaces for the first 8 habitable rooms in the dwelling plus 0.5 parking spaces for each additional habitable room.

PURPOSE & EFFECT: To facilitate the construction of a new two storey addition to the front of the existing single family dwelling.

Notes:

No floors plans were provided from which to confirm the total number of habitable rooms proposed. Therefore, further variances may be required as the minimum number of required on-site parking spaces was not determined.

The Zoning By-law requires a minimum of 50.0% of the gross area of the front yard to be provided and maintained as landscaped area. No details were provided from which to determine compliance; therefore, further variances may be required.

No elevation plans were provided from which to determine compliance; therefore, further variances may be required.

This Notice must be posted by the owner of any land which contains seven or more residential units so that it is visible to all residents.

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

DATE:	Thursday, August 25, 2022
TIME:	3:10 p.m.
PLACE:	Via video link or call in (see attached sheet for details)
	2nd floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton
	To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment

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

- Visit www.hamilton.ca/committeeofadjustment
- Visit Committee of Adjustment staff at 5th floor City Hall, 71 Main St. W., Hamilton
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935

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, calling in, or attending in person. Please see attached page for complete instructions, including deadlines for registering to participate virtually and instructions for check in to participate in person.

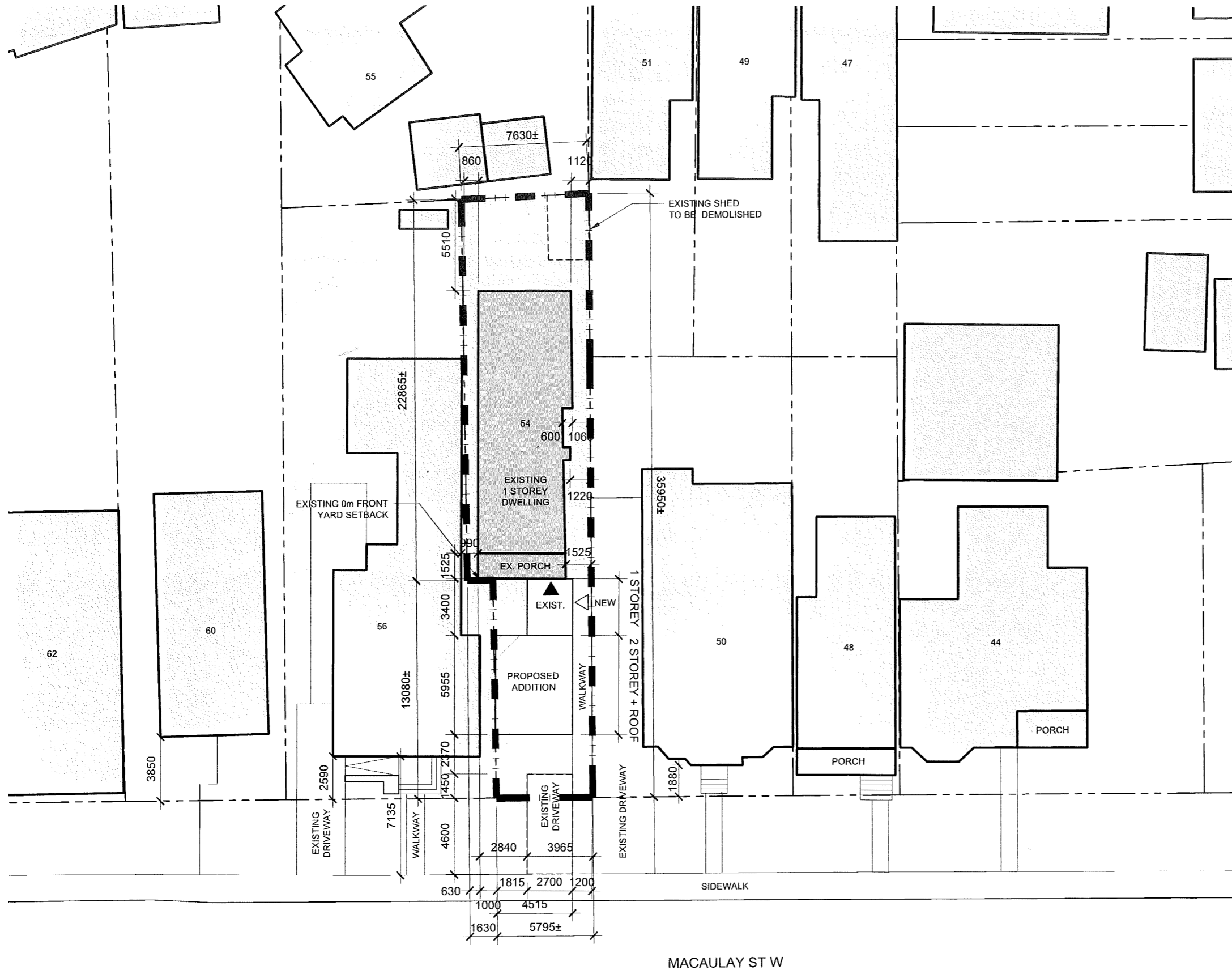


Subject Lands

DATED: August 9, 2022

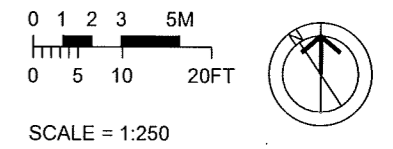
Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

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, and may include posting electronic versions.



HAMILTON ZONING BY-LAW		
"D" DISTRICT - URBAN PROTECTED RESIDENTIAL - ONE AND TWO FAMILY DWELLINGS, ETC.		
	REQUIRED	PROVIDED
PERMITTED USE	RESIDENTIAL	RESIDENTIAL
HEIGHT REQUIREMENTS	MAX 3 STOREY OR 14m	≤ 11m
AREA REQUIREMENTS:		
FRONT YARD DEPTH	6m MIN	13.08m AT OFFSET (EXIST.) 0m AT OFFSET (EXIST) 3.82m AT STREET (PROPOSED)
SIDE YARD WIDTH IF LESS THAN 2.5 STOREY OR 11m	1.2m MIN	EAST: 1.06m (EXIST.) WEST: 0.63m (EXIST.) 0m (PROPOSED)
REAR YARD DEPTH	7.5m MIN	5.51m (EXIST.)
INTENSITY OF USE:		
SINGLE FAMILY DWELLING / RESIDENTIAL CARE FACILITY / LODGING HOUSE	WIDTH: 12m MIN AREA: 360m ² MIN	WIDTH: 7.43m (EXIST. AT STREET FRONTAGE) AREA: ± 250m ² (EXIST.)
PARKING REQUIREMENTS	2 SPACES	1 EXIST. SPACE ^{^*} (ENCROACHING)
PARKING SPACE DIMENSION	2.7m x 6m MIN	2.7m x 6m
LANDSCAPED AREA	NOT LESS THAN 50% OF THE GROSS AREA OF THE FRONT YARD SHALL BE USED FOR LANDSCAPED AREA EXCLUDING CONCRETE, ASPHALT, GRAVEL, PAVERS, OR OTHER SIMILAR MATERIAL	62%

*VARIANCE REQUIRED
[^]ENCROACHMENT AGREEMENT REQUIRED



54 Macaulay St. W
 Hamilton, Ontario

Proposed Site Plan

July 20, 2022



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	MAILING ADDRESS
Registered Owners(s)	2190680 Ontario Limited c/o CGS / Curran Gacesa Slote Architects Inc.	
Applicant(s)*	Same as Owner	
Agent or Solicitor	Bill Curran, CGS / Curran Gacesa Slote Architects 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:

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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:

Allow 0m side yard setback to west
 Allow 3.8m front yard
 Allow 1 existing parking space that encoaches on Street ROW

Second Dwelling Unit Reconstruction of Existing Dwelling

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

Refer to attached letter please.

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**):

54 Macaulay St. W.

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?

The proponent has owned the adjacent property for 16 years.

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.

July 20, 2022
Date

[Signature]
Signature Property Owner(s)

WILLIAM CURRAN
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage +5.79m
Depth +35.9m
Area ± 250m²
Width of street ± 12.26m

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: _

Existing single storey, single family dwelling
Refer to attached sketch for dimensions

Proposed

Refer to attached sketch for dimensions

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: 13.080m
East Side Yard Setback: 1.060m
West Side Yard Setback: 0.630m
Rear Yard Setback: 5.5m (Existing)

Proposed:

Front Yard Setback: 3.8m
East Side Yard Setback: 1.2m
West Side Yard Setback: 0m
Rear Yard Setback: 5.5m (Existing)

13. Date of acquisition of subject lands:
2022
-
14. Date of construction of all buildings and structures on subject lands:
Estimated 1875
-
15. Existing uses of the subject property (single family, duplex, retail, factory etc.):
Single family dwelling
-
16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):
Single family dwelling
-
17. Length of time the existing uses of the subject property have continued:

-
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:

D Urban Protected Residential
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.



54 Macaulay St. W., Hamilton: Minor Variance Application

15 July 2022

Nature and Extent of Relief Applied for and Rationale:

Summary of the Proposed Development

This unusual narrow lot was severed from #56 some decades ago, and is an unusual lot and house placement, it likely was an outbuilding to #56.

The house is in poor condition and was recently acquired from the long-time owner's estate, with the intent to be redeveloped sensitively to the neighbours and as a high quality architectural design like #56.

The proponents live at #56.

The existing house will be renovated and maintained as one storey, again to be sensitive to minimizing impact on neighbouring rear yards' privacy and sun exposure.

The house will be maintained as a single dwelling unit, no SDU's are proposed.

a. Allow 0m side yard setback to west:

The lot is only about 5.8m (19') wide at the front, and 7.3m (24') at the rear, with the existing house placed behind #56 on 0m front yard, and with a 0.6m west side yard.

To minimize impact on neighbouring rear yards' privacy and sun exposure, a 0m west side yard is proposed, which impacts only the proponent, with the addition setback 1m from the established building line on the street to minimize the addition's impact.

The existing 1.06m east yard setback is maintained to minimize impact to that neighbour.

b. Allow 3.8m front yard:

Existing houses on the street have a consistent setback of about 2m, less porches and stoops.

We are recessing the proposed addition 1m behind the front wall face of #56 and well back from the front face of #50 in order to minimize its impact, and to maintain a decent landscaped front yard.

The addition is very modest, with a width of 4.5m (15').