



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-22:173 | SUBJECT PROPERTY: | 225 EAST 24TH STREET, HAMILTON |
| ZONE: | “D” (Urban Protected Residential – One- and Two-Family Dwellings and etc.) | ZONING BY-LAW: | Zoning By-law 6593, as Amended |

APPLICANTS: Agent J. Stirling
Owner W. Suh

The following variances are requested:

1. Two entrances shall be provided on the front façade instead of the required maximum of one entrance be permitted on the front façade of a dwelling containing a Secondary Dwelling Unit.

PURPOSE & EFFECT: So as to establish a Secondary Dwelling Unit with an entrance facing the front lot line within an existing Single-Family Dwelling notwithstanding that:

Notes:

- i. The variance as requested by the applicant as it pertains to a conversion to a Two-Family Dwelling makes reference to Subsection 19 (1)(iii) of Zoning By- Law Amendment 92-281 regarding the preservation of the external appearance and character of the Single-Family Dwelling. As of May 12, 2021, Subsection Section 19 (1) of Hamilton Zoning By-Law 6593 has been deleted in its entirety and replaced with the provisions of Zoning By-Law Amendment 21-076, 21-167 and 22-137. As such, the proposed dwelling has been reviewed as a Secondary Dwelling Unit and the applicable requirements have been applied. Should the proposed dwelling be considered a Two-Family Dwelling, the requirements of the “D” District (Urban Protected Residential - One- and Two-Family Dwellings, Etc.) shall be applied and further variances may be required.
- ii. The requested variance as it pertains to Subsection 19 (1)(iii) of Zoning By-Law Amendment 92-281 has requested relief from the requirement to preserve the external appearance and character of the dwelling to permit a second entrance oriented towards the front lot line. As per Amending By-Law 21-076, 21-167 and 22-137 the requirement to preserve the external appearance and character of the dwelling has been deleted and replaced with the requirement to orient any

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separate entrance and exit toward an Interior Lot Line or Rear Lot Line. As such, a variance has been added to address this requirement.

iii. The height of the proposed upper deck in the rear yard has not been provided. As per Subsection 18 (3)(vi)(e) a terrace, uncovered porch, platform or ornamental feature which does not extend more than 1.0 metre (3.28 feet) above the floor level of the first storey, may project into a required yard, if distant at least 0.5 metres (1.64 feet) from the nearest side lot line. Should the upper deck be higher than 1.0 metre above the first-floor level the requirements of Subsection 18 (3)(vi)(cc) shall apply and 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, October 6, 2022 |
| TIME: | 1:25 p.m. |
| PLACE: | Via video link or call in (see attached sheet for details) |
| | To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment |

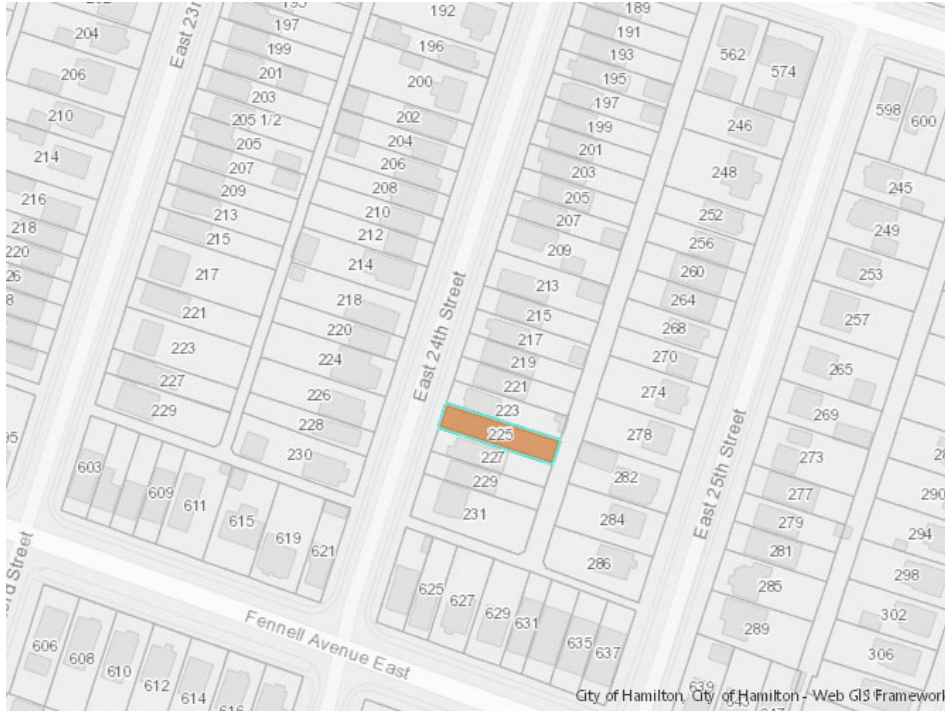
For more information on this matter, including access to drawings illustrating this request and other information submitted:

- Visit www.hamilton.ca/committeeofadjustment
- Email Committee of Adjustment staff at cofa@hamilton.ca
- 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 or by calling in. Please see attached page for complete instructions, including deadlines for registering to participate.



 Subject Lands

DATED: September 20, 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.



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PARTICIPATION PROCEDURES

Written Submissions

Members of the public who would like to participate in a Committee of Adjustment meeting are able to provide comments in writing or via email in advance of the meeting. Comments can be submitted by emailing cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5. **Comments must be received by noon two days before the Hearing.**

Comments can also be placed in the drop box which is located at the back of the 1st Floor of City Hall, 71 Main Street West. All comments received by noon two business days before the meeting will be forwarded to the Committee members.

Comments are available two days prior to the Hearing and are available on our website: www.hamilton.ca/committeeofadjustment

Oral Submissions During the Virtual Meeting

Members of the public are also able to provide oral comments regarding Committee of Adjustment Hearing items by participating through Webex via computer or phone. Participation in this format requires pre-registration in advance. **Interested members of the public must register by noon the day before the hearing.**

To register to participate by Webex either via computer or phone, please contact Committee of Adjustment staff by email cofa@hamilton.ca or by phone at 905-546-2424 ext. 4221. The following information is required to register: Committee of Adjustment file number that you wish to speak to, the hearing date, name and address of the person wishing to speak, if they will be connecting via phone or video, and if applicable the phone number they will be using to call in. A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting the Wednesday afternoon before the hearing. The link must not be shared with others as it is unique to the registrant.

All members of the public who register will be contacted by Committee Staff to confirm details of the registration prior to the Hearing and provide an overview of the public participation process.

We hope this is of assistance and if you need clarification or have any questions, please email cofa@hamilton.ca or by phone at 905-546-2424 ext. 4221.

Please note: Webex (video) participation requires either a compatible computer or smartphone and an application (app/program) must be downloaded by the interested party in order to participate. It is the interested party's responsibility to ensure that their device is compatible and operating correctly prior to the Hearing.

John Stirling
94 Ontario Ave.
Hamilton Ontario
L8N 2T2

COA
CITY OF HAMILTON
21 MAIN ST W.
5th FLOOR CITY HALL

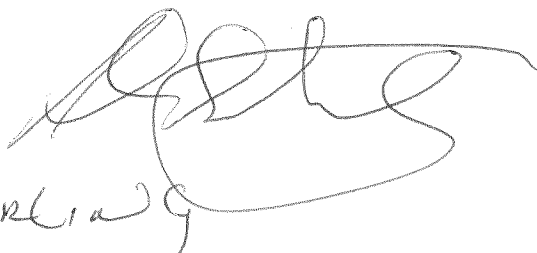
Sept. 6, 2022

RE: 225 EAST 24th ST. HAMILTON
ON.

KNOWING THAT THE CITY DISAPPROVES OF
TWO DOORS AT THE FRONT OF THE HOUSE,
DURING THIS TIME THERE WAS ALSO A
ZONING CHANGE AND DUPLEXES WERE BEING
CONSIDERED AS ALLEGORY UNITS.

DUE TO THE CONFUSION DURING THIS TIME
WE WILL BE GOING AHEAD WITH THE
C.O.M. APPLICATION ON THE NEXT HEARING
DATE. THERE IS NO CHANGE TO OUR
APPLICATION.

Sincerely



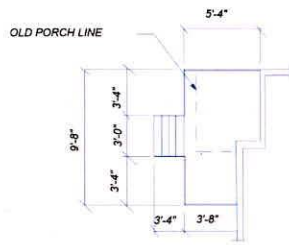
John Stirling
289 339-4230

PROPOSED RENOVATION OF FRONT PORCH

225 EAST 24TH STREET HAMILTON, ONTARIO

NOTES:

- 1) Contractor is to check all dimensions prior to construction and to report any discrepancies to the designer.
- 2) All construction to conform to the construction requirements of the Ontario Building Code parts 9, 11 and SB-12 latest edition as well as local ordinances. Drawings must not be scaled. Manufactured items and materials must comply with all requirements of the ULC, CSA or any other regulatory bodies as per applicable codes
- 3) site plan is in metric



PLAN

8" DIA. CONCRETE PIER W/ 20" DIA BELL FOOTING

HOUSE WALL

RAILING 42" HIGH PRE APPROVED PRE ENGINEERED KOOL RAY BY IMPERIAL

1X6 DECKING
1X4 SLEEPERS ON EXIST. CONCRETE

JOIST HANGERS

2X6 AT 16" O.C.

3-2X8 BEAM
6X6 POST

2X12 STRINGER

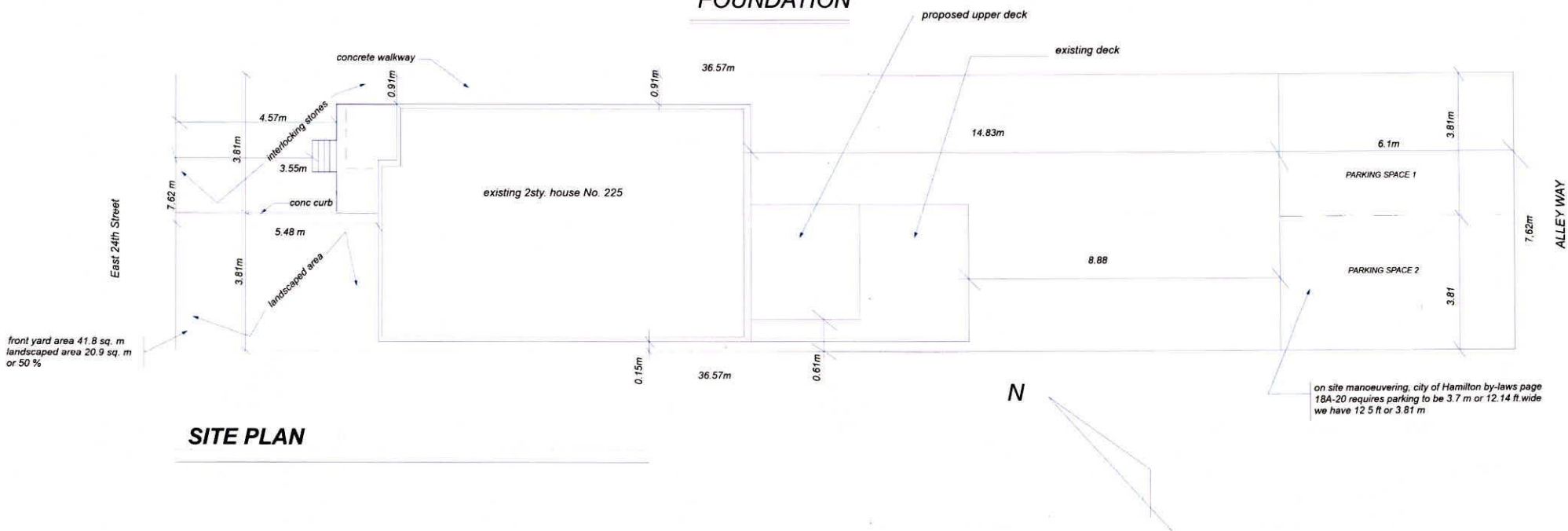
PATIO STONE

METAL BRACKET

16" DIA CONC. PIER ON
20" DIA. BELL FOOTING

SECTION

FOUNDATION



SITE PLAN



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) | WESLEY SUH | [REDACTED] |
| Applicant(s)* | RAE KNIGHT CARLO BARLET | |
| Agent or Solicitor | JOHN STIRLING | |

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:

Wesley Suh ~~117 St Clair Ave~~
117 St Clair Ave
Hamilton ON L8M 2A8

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:

TWO DOORS AT THE FRONT OF THE HOUSE
ONE FOR EACH UNIT.

- Second Dwelling Unit Reconstruction of Existing Dwelling

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

APPARENTLY YOU CANNOT HAVE A DOOR AT
THE FRONT OF A HOUSE EVEN THOUGH
THE ARE FOR TWO DIFFERENT UNITS.

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**):

225 EAST 24 TH STREET.

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?

CITY DIRECTORIES IN LIBRARY ARCHIVES

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.

* May 7 2022
Date

Signature Property Owner(s)

Wesley Suk
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage 25'-0" - 7.6 m
Depth 120'-0" 36.57 m
Area 3000 sq ft 277.93 m²
Width of street 66'-0" 20.12 m

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:

2 STORY HOUSE GROSS FLOOR AREA 1732.75 sq ft
GROUND FLOOR AREA 712.75 sq ft HEIGHT
24'-7" WIDTH 21.5 ft LENGTH 33.6 ft

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:

FRONT YARD SETBACK 16'-0"
REAR YARD SETBACK 49'-2"
NORTH SIDE YARD SETBACK 3'-0"
SOUTH SIDE SETBACK 6"
ERECT YARD SIDE SETBACK 13'-0"

Proposed:

SAME.

13. Date of acquisition of subject lands:
2019
14. Date of construction of all buildings and structures on subject lands:
1950'S
15. Existing uses of the subject property (single family, duplex, retail, factory etc.):
SINGLE FAMILY
16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):
SINGLE FAMILY, DUPLEX
17. Length of time the existing uses of the subject property have continued:
60-70 YEARS
18. Municipal services available: (check the appropriate space or spaces)
 Water Connected
 Sanitary Sewer Connected
 Storm Sewers
19. Present Official Plan/Secondary Plan provisions applying to the land:
RESIDENTIAL NEIGHBORHOODS
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
D ZONE
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.