



Hamilton

## COMMITTEE OF ADJUSTMENT

City Hall, 5<sup>th</sup> floor, 71 Main Street West, Hamilton, ON L8P 4Y5  
Telephone (905) 546-2424, ext. 4221, 3935 Fax (905) 546-4202  
E-mail: [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

# **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
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**APPLICATION NO.:** DN/A-20:75

**APPLICANTS:** Tadeusz Kata, owner

**SUBJECT PROPERTY:** Municipal address **81 York Rd., (Dundas) City of Hamilton**

**ZONING BY-LAW:** Zoning By-law 3581-86, as Amended

**ZONING:** "R2" (Single Detached Residential) Zone

**PROPOSAL:** To to permit the conversion of a single detached to allow for the creation of a second dwelling unit dwelling, notwithstanding that:

1. Parking spaces shall be permitted to be provided in a tandem arrangement whereas the Zoning By-law requires that parking be designed and located such that all vehicles can be parked and manoeuvred entirely within the parking areas without moving any other vehicle within such parking area;

2. No manoeuvring spaces shall be provided for the required parking spaces, whereas the Zoning By-law requires all maneuvering spaces to be maintained free and clear of all obstructions to permit unobstructed access to and egress from required parking spaces.

**NOTES:**

1. The variance is written as requested by the applicant except a second variance has been included to address the removal of maneuvering spaces.

2. The existing single detached dwelling conforms to the requirements of the R2 Zone.

3. The Dundas Zoning By-law requires the provision of three (3) parking spaces for a converted dwelling which contains an accessory apartment. As noted, through the required variances, each parking space is required to be unobstructed for access and have a separate manoeuvring space.

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

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**DATE:** Thursday, July 16<sup>th</sup>, 2020

**TIME:** 2:15 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**

## 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)

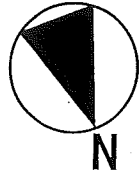
DATED: June 30<sup>th</sup>, 2020.

*Original Signed*

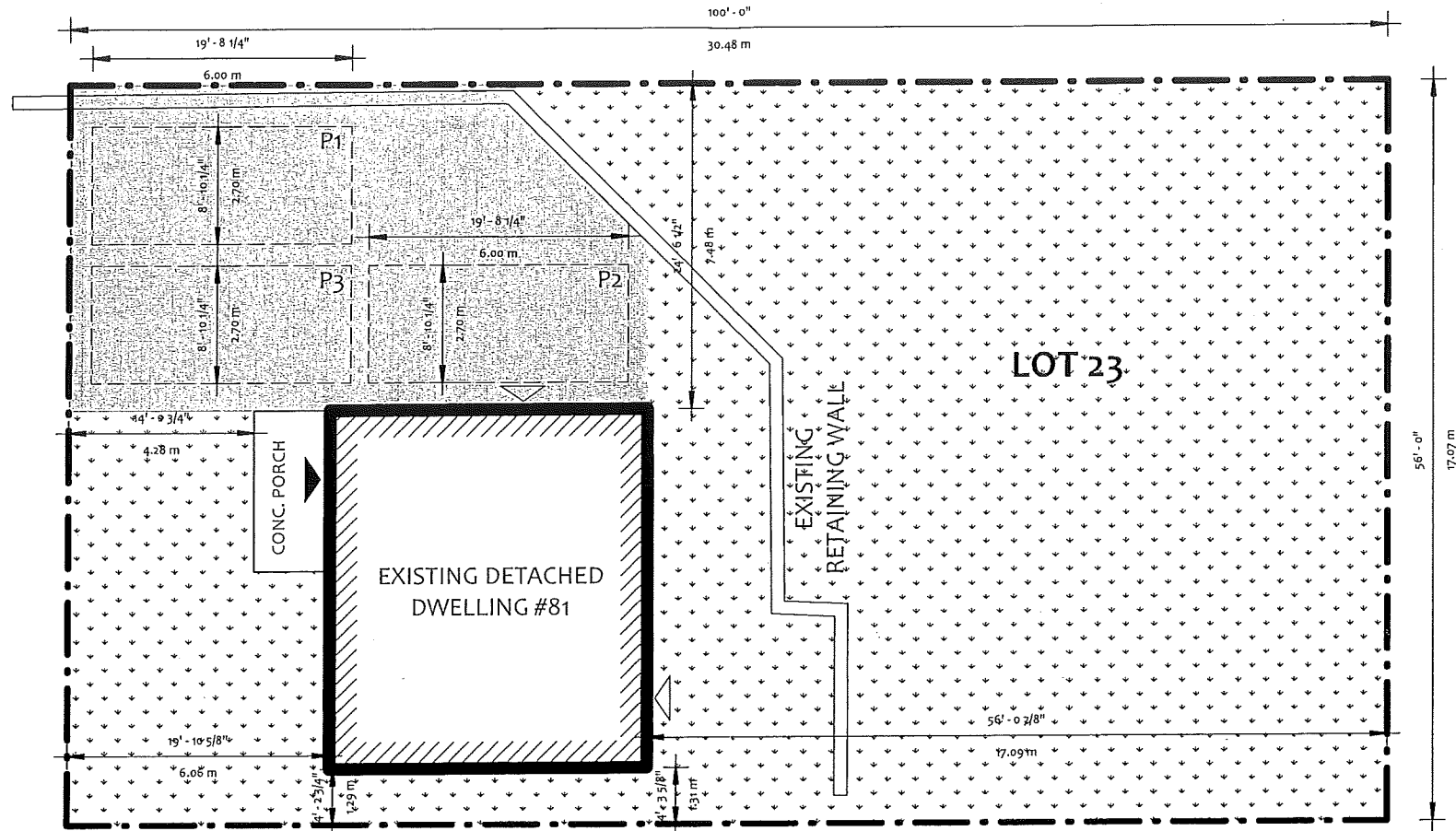
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Jamila Sheffield,  
Secretary-Treasurer  
Committee of Adjustment

***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.***



YORK RD



FLOOR/UNIT AREA	AREA	
	SQFT	SQM
BASEMENT (UNIT 2)	439.99	40.88
BASEMENT (COMMON AREA)	80.69	7.50
FIRST FLOOR (COMMON AREA)	12.03	1.12
FIRST FLOOR (UNIT 1)	545.75	50.70
SECOND FLOOR (UNIT 1)	557.86	51.83
TOTAL BUILDING AREA	1636.32	152.02

1.0 SITE PLAN  
SP1.01 1" = 10'-0"

- UNIT 1 MAIN ENTRANCE  
▷ UNIT 1 SECONDARY ENTRANCE  
▷ UNIT 2 ENTRANCE

DN/A 20:75  
Sketch

**YEJ**  
STUDIO + CONSULTING INC.

7-250 SHEILDS CRT.  
MARKHAM ON L3R 9T5  
888.236.9958 | 416.483.5393  
INFO@YEJSTUDIO.COM  
WWW.YEJSTUDIO.COM

BASEMENT SECOND UNIT  
81 York Rd,  
Dundas,  
ON L9H 1L9

THE UNDERSIGNED HAS REVIEW AND TAKES RESPONSIBILITY FOR THE DESIGN, AND HAS THE QUALIFICATIONS AND MEETS THE REQUIREMENTS SET OUT IN THE ONTARIO BUILDING CODE TO BE A DESIGNER.

QUALIFICATION INFORMATION  
REQUIRED UNLESS DESIGN IS EXEMPT UNDER 3.2.5.1 OF DIVISION "C" OF O.B.C.

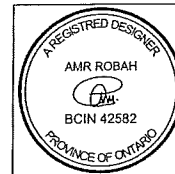
NAME  
AMR ROBAH

BCIN  
42582

REGISTRATION INFORMATION  
REGISTRATION INFORMATION REQUIRED UNLESS DESIGN IS EXEMPT UNDER 3.2.5 OF O.B.C.

FIRM NAME  
YEJ STUDIO AND CONSULTING INC.

BCIN  
114354



CLIENT REVIEW	2019-12-13
REVISION	
ISSUED FOR PERMIT	2019-12-27

SITE PLAN

Drawn by T.L.  
Project number 19 RE 500-209  
Date 2019.11.06

**SP1.01**

Scale As indicated

20.154844



Hamilton

Planning and Economic Development Department  
Planning Division

**Committee of Adjustment**  
City Hall  
5<sup>th</sup> floor 71 Main Street West  
Hamilton, Ontario L8P 4Y5

Phone (905) 546-2424 ext.4221  
Fax (905) 546-4202

**PLEASE FILL OUT THE FOLLOWING PAGES AND  
RETURN TO THE CITY OF HAMILTON PLANNING  
DEPARTMENT.**

**FOR OFFICE USE ONLY.**

APPLICATION NO. DN/A-20:75 DATE APPLICATION RECEIVED MAR. 3/20

PAID \_\_\_\_\_ DATE APPLICATION DEEMED COMPLETE \_\_\_\_\_

SECRETARY'S  
SIGNATURE \_\_\_\_\_

**CITY OF HAMILTON  
COMMITTEE OF ADJUSTMENT  
HAMILTON, ONTARIO**

***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. Name of Owner TADEUSZ KATA Telephone No. [REDACTED]

2. [REDACTED]

3. Name of Agent \_\_\_\_\_ Telephone No. \_\_\_\_\_  
FAX NO. \_\_\_\_\_ E-mail address. \_\_\_\_\_

4. Address \_\_\_\_\_  
\_\_\_\_\_ Postal Code \_\_\_\_\_

**Note:** Unless otherwise requested all communications will be sent to the agent, if any.

5. Names and addresses of any mortgagees, holders of charges or other encumbrances:  
\_\_\_\_\_  
\_\_\_\_\_ Postal Code \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ Postal Code \_\_\_\_\_

6. Nature and extent of relief applied for:

Need 3 parking spaces  
- not permitted in front as per by-law

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

Parking not permitted as per Bylaw

8. Legal description of subject lands (registered plan number and lot number or other legal description and where applicable, street and street number):

Part of lot 23 - registered plan no 1455  
in the City of Hamilton

9. PREVIOUS USE OF PROPERTY

Residential ☒ Industrial ☐ Commercial ☐

Agricultural ☐ Vacant ☐

Other

9.1 If Industrial or Commercial, specify use

9.2 Has the grading of the subject land been changed by adding earth or other material, i.e. has filling occurred?

Yes ☐ No ☒ Unknown ☐

9.3 Has a gas station been located on the subject land or adjacent lands at any time?

Yes ☐ No ☒ Unknown ☐

9.4 Has there been petroleum or other fuel stored on the subject land or adjacent lands?

Yes ☐ No ☒ Unknown ☐

9.5 Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?

Yes ☐ No ☒ Unknown ☐

9.6 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 ☐

9.7 Have the lands or adjacent lands ever been used as a weapon firing range?

Yes ☐ No ☒ Unknown ☐

9.8 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 ☐

9.9 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 ☐

9.10 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 \_\_\_\_\_

9.11 What information did you use to determine the answers to 9.1 to 9.10 above?

its residential

9.12 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 ☒

#### 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.

Mar 03, 2020

Date

Signature Property Owner

TADEUSZ KATA / KATA MARIA  
Print Name of Owner

10. Dimensions of lands affected:

Frontage 17.07 m  
Depth 30.48 m.  
Area 520 s.m.  
Width of street \_\_\_\_\_

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: see attached

Proposed: \_\_\_\_\_

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 attached

Proposed: \_\_\_\_\_

13. Date of acquisition of subject lands:  
September 2019
14. Date of construction of all buildings and structures on subject lands:  
1965
15. Existing uses of the subject property: residential
16. Existing uses of abutting properties: residential
17. Length of time the existing uses of the subject property have continued:  
55 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:  
close Hamilton Official plan — neighbourhoods
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:  
R2 single detached residential
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. 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.

**NOTE:** It is required that two copies of this application be filed with the secretary-treasurer of the Committee of Adjustment together with the maps referred to in Section 5 and be accompanied by the appropriate fee in cash or by cheque made payable to the City of Hamilton.