

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-21:26

APPLICANTS: Duy Nguyen on behalf of the owner Dave MacLean

SUBJECT PROPERTY: Municipal address **101 King St. E., Hamilton**

ZONING BY-LAW: Zoning By-law 05-200, as Amended by By-law 18-114

ZONING: "D2, H21" (Downtown Mixed Use - Pedestrian Focus) district

PROPOSAL: To permit alterations to an existing three (3) storey building and the construction of a seven (7) storey addition, notwithstanding that:

1. A lot shall be permitted to abut a street for a minimum of 4.20 metres, instead of the requirement that no lot shall have built upon it for any purpose in any zone unless the lot abuts a street for a minimum of 4.5 metres.
2. No onsite short-term bicycle parking spaces shall be provided, instead of the minimum five (5) short-term bicycle parking spaces required.

NOTE:

1. The proposed alterations/addition is subject to the issuance of a building permit in the normal manner. Be advised that Ontario Building Code regulations may require specific setbacks and construction types.
2. This property is included in the City of Hamilton's Register of Property of Cultural Heritage Value or Interest as a non-designated property. Council requires 60 days' notice of any intention to demolish or remove any building or structure on the property. Please contact a Cultural Heritage Planner at (905) 546-2424, extension 1202 or 1214, or visit www.hamilton.ca/heritageplanning for further information.
3. These variances are necessary to facilitate Site Plan Application No. SPA-20-013 (20-159161).
4. A demolition permit is required for the demolition of a portion of the existing building.

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

DATE: Thursday, March 4th, 2021
TIME: 1:35 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

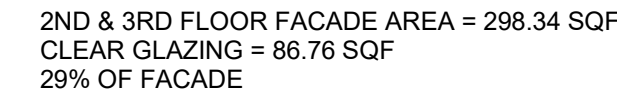
For more information on this matter, including access to drawings illustrating this request:

- 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

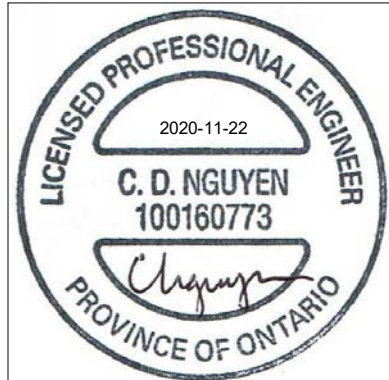
DATED: February 16th 2021.

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.



- ## MATERIALS
1. BRICK
 2. SOLDIER COARSE EX.
 3. STANDING SEAM METAL ROOF
 4. ALUMINUM
 5. GLAZING
 6. PAINTED CMU
 7. STAINLESS STEEL
 8. ALUM. COMPOSITE PANEL
 9. VERT METAL SIDING
 10. EIFS - PAINT FINISH

[illegible]

897 King St W, Hamilton, ON ~ 833-628-2333
N-Cubed Services Inc, operating as N-Cubed Designs

DMAC BUILD GROUP
101 King St E

Elevations

Project number	Project Number
Date	Issue Date
Drawn by	DDN
Checked by	CN

A2.1

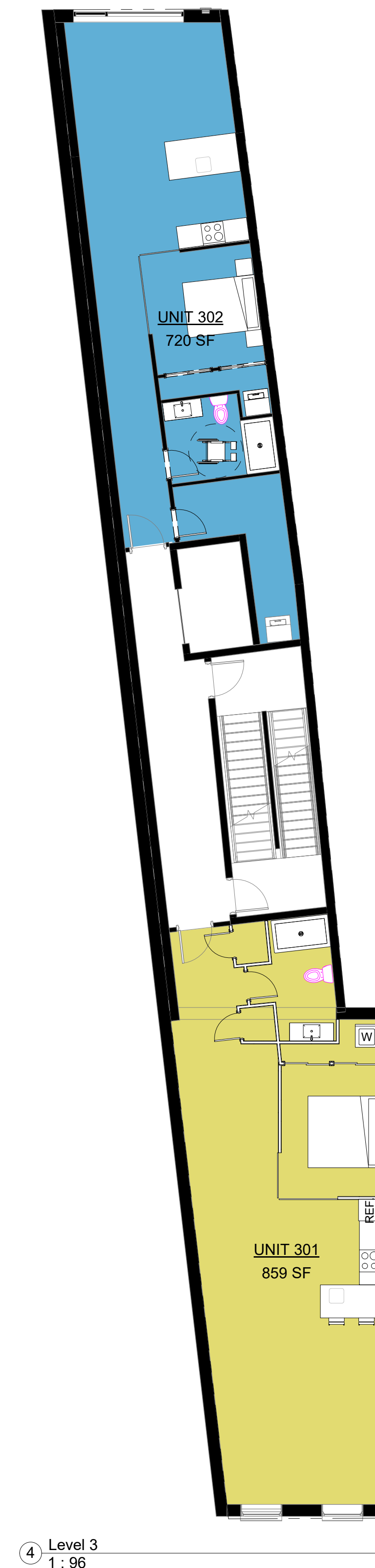
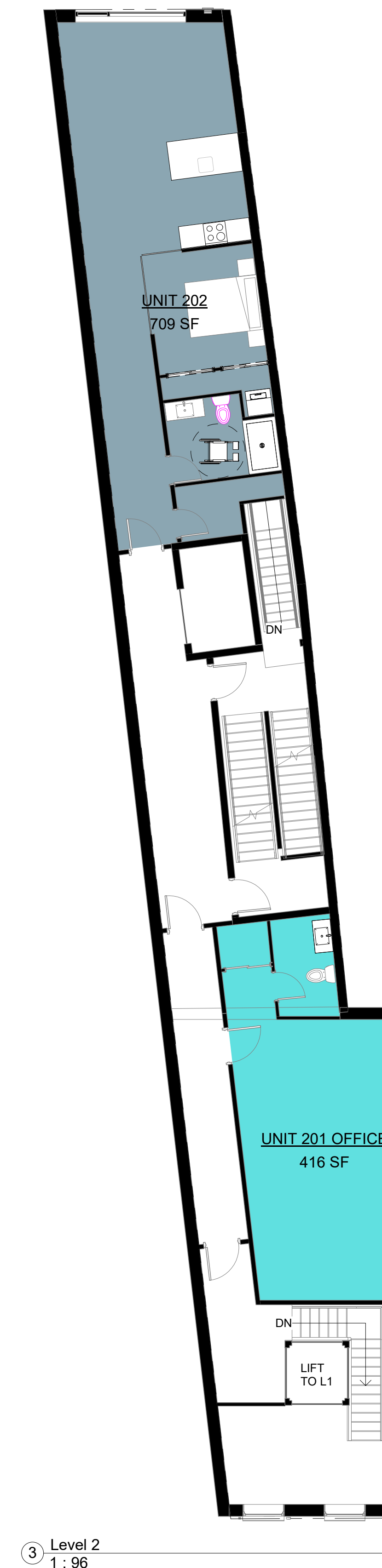
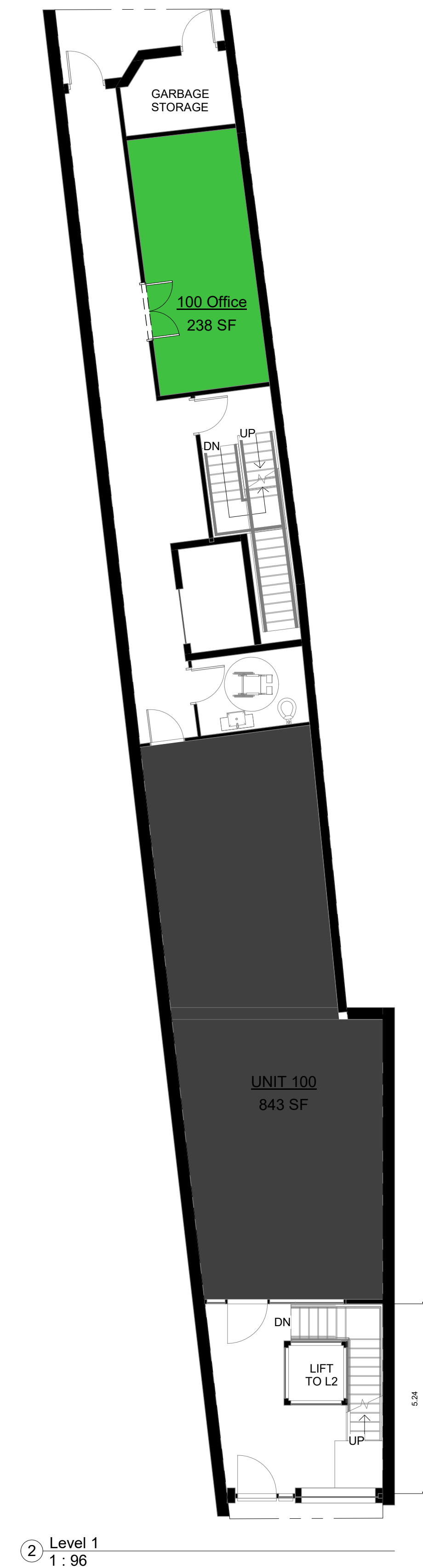
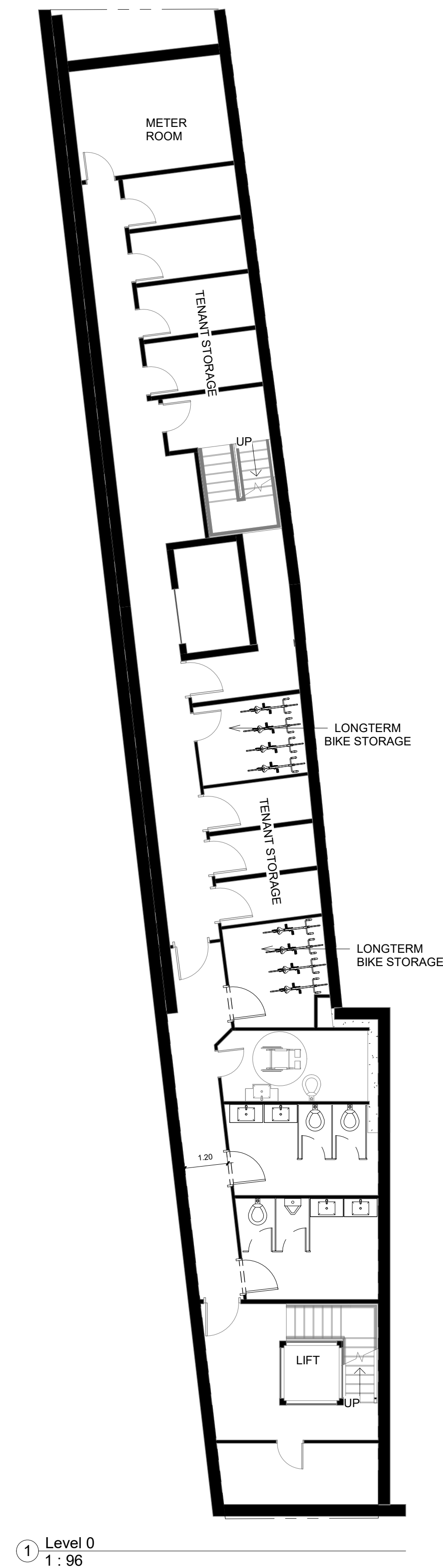
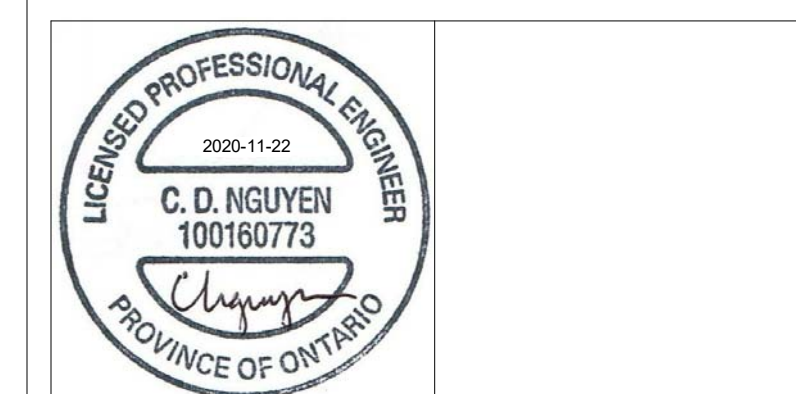
Scale 1 : 50

Minor Variance - 101 KING ST E February 2021

Section 4: General Provisions			
Frontage on a Street Section 4.3 a)	No lot shall have built upon it a building for any purpose in any zone unless the lot abuts a street for a minimum of 4.5 metres. Provided, however, that where a lot is separated from a street by land owned by the City or the Province of Ontario which land is held by such public agency for future road widening purposes or as a 0.3 metre reserve, a building may be erected upon such lot if registered rights-of-way giving access to a street have been granted and such access scheme is part of a Development Agreement pursuant to the Planning Act.	The existing lot is indicated as abutting a street for 4.23 metres.	Non-Conforming



IRREGULAR SHAPE
THE BUILDING HAS AN IRREGULAR SHAPE AND ONCE INSIDE THE FRONT LOT LINE THE WIDTH OF THE BUILDING IS 4.52M AND CONTINUES TO INCREASE TO MAXIMUM WIDTH OF 5.8M.

[illegible]

897 King St W, Hamilton, ON ~ 833-628-2333
N-Cubed Services Inc, operating as N-Cubed Designs

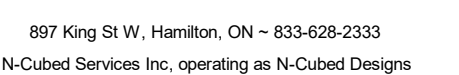
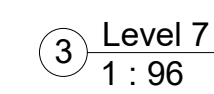
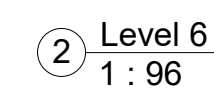
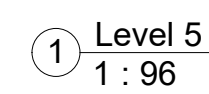
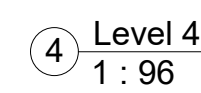
DMAC BUILD GROUP
101 King St E

L0-L3

Project number	Project Number
Date	Issue Date
Drawn by	DDN
Checked by	CN

A1.1

Scale	1 : 96
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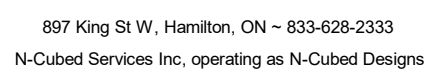
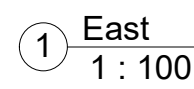


L4-L7

A1.2

Scale 1 : 96

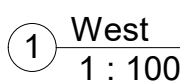
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10. EIFS - PAINT FINISH



Side Elevations

A2.2

Scale	1 : 100
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Scale	1 : 100
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Planning and Economic Development Department
Planning Division

Committee of Adjustment
City Hall
5th 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. _____ DATE APPLICATION RECEIVED _____

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 _____

2. _____

3. Name of Agent _____

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:

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

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

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?

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.

Date

Don McIl
Signature Property Owner

Dave MacLean
Print Name of Owner

10. Dimensions of lands affected:

Frontage _____
Depth _____
Area _____
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: _____

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: _____

Proposed: _____

13. Date of acquisition of subject lands:

14. Date of construction of all buildings and structures on subject lands:

15. Existing uses of the subject property: _____

16. Existing uses of abutting properties: _____

17. Length of time the existing uses of the subject property have continued:

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:

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?
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



The full report can be received by
contacting Committee of Adjustment Staff
at cofa@hamilton.ca

Phase I Environmental Site Assessment 101 King Street East Hamilton, Ontario

Prepared For:
Dmac Build Group Inc.
Attention: David MacLean
Email: 101kingste@gmail.com
Tel: 905-517-9730



Source: AEL Site Visit, 2020

Prepared by:
AEL environment (a division of Aeon Egmond Ltd.)
1705 Argentia Rd, Unit 3,
Mississauga, ON, L5N 3A9
Telephone: (416) 657-2367

July 10, 2020
AEL Project: 11274