

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.: SC/A-21:70

APPLICANTS: M. & S. Desai

SUBJECT PROPERTY: Municipal address **1024 Barton St., Stoney Creek**

ZONING BY-LAW: Zoning By-law 3692-92, as Amended 5068-00

ZONING: "RR" (Rural Residential) district

PROPOSAL: To permit the conversion of the existing single family dwelling to a duplex dwelling, notwithstanding that:

1. The use of a duplex dwelling shall be permitted, instead of the requirement that only single detached dwellings are permitted.
2. Two (2) parking spaces shall be provided in the required front yard, instead of the requirement that a maximum of one (1) parking space is permitted to be located in the required front yard.

NOTE:

1. Specific details regarding the dimensions of the proposed parking spaces have not been provided. Further variances may be required if compliance with Section 4.10.3(a) cannot be achieved.
2. Please be advised that a portion of this property is under Conservation Management. Please contact Hamilton Conservation at 905-628-3060 for further information.
3. Conversion of the proposed dwelling 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.

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

DATE: Thursday, May 20th, 2021
TIME: 2:10 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: May 4th, 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.

1024 Barton St

Stoney Creek, ON L8E 5H3

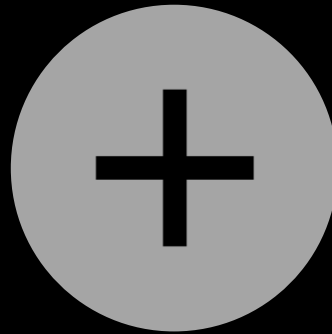
MANISH DESAI & SHILPA DESAI



Proposal for Second Unit



STONE CREEK POPULATION,
DEMOGRAPHIC



AND



RENTAL HOUSING
REQUIERMENTS



Population

TOTAL POPULATION

17,004

MALE

8,405

FEMALE

8,599

MEDIAN AGE

38.1



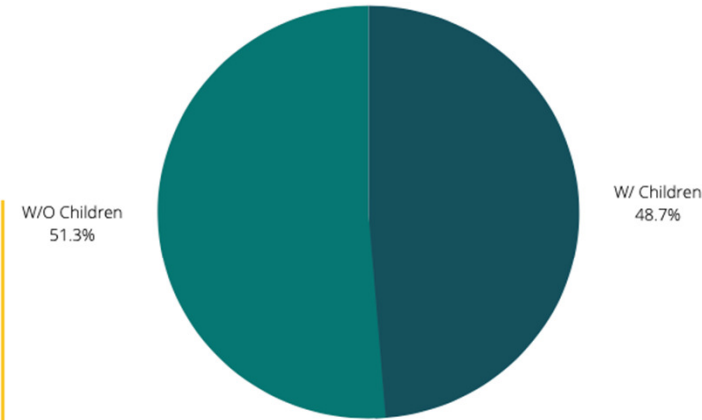
Number of Households

Total Households	5,590
Average Person Per Household	3
Family Households	4,703
Non-Family Households	887



Children

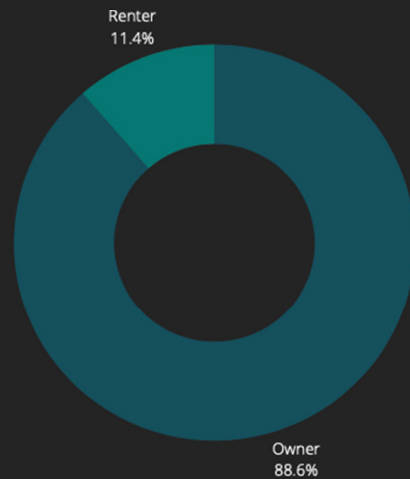
Houses with Children	2,723
Houses without Children	2,867



Income + Housing Statistics

Average Household Income \$135,228.00

Median Househole Income \$120,288.00



5,590 Occupied Housing Units

4,953 Owner Occupied

637 Renter Occupied

Mohawk College

135 Fennell Ave W, Hamilton, ON L9C 0E5

TOTAL ENROLLMENT (2015) 30,066

SPECIALIZATIONS

130 Fulltime Programs & More than 1000 Continuing Education Programs

FACULTY

More than 1000 Members

DISTANCE FROM 1024 BARTON STREET

3.7 KM - 5 Min via Barton Street

.....

OTHER SCHOOLS NEARBY

Wm Farchuk Ukrainian School

Hamilton School of Careers & Hamilton Institute of Technology



A “Secondary Suite” in the Official Plan is defined as:

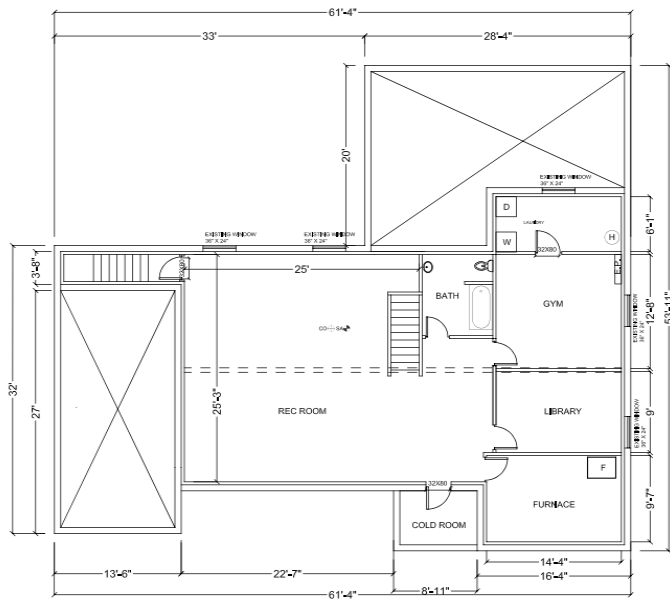
“...a second residential unit in a detached house, semi-detached house or rowhouse that consists of one or more rooms designed, occupied or intended for use, including occupancy, by one or more persons as an independent and separate residence in which a facility for cooking, sleeping facilities and sanitary facilities are provided for the exclusive use of such person or persons.”

Ref: <https://www.ontario.ca/page/add-second-unit-your-house>

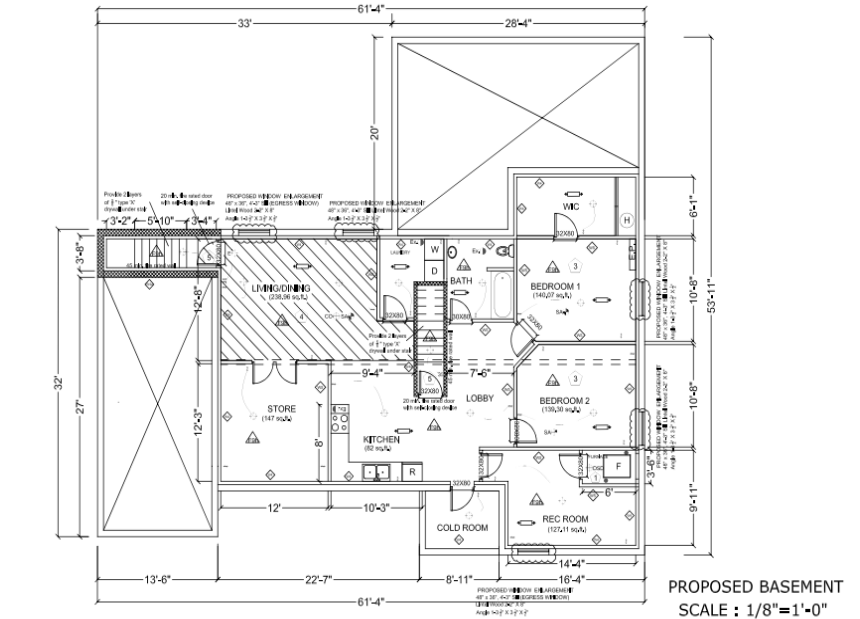
Proposal for Second Unit

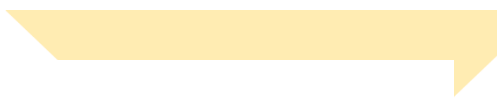
- The applicant is requesting permission for a secondary suite to be located in the basement of the existing dwelling.
- The proposal includes an egress window at the west side (rear) of the building, and window enlargements along the west and south sides of the building.
- The proposed secondary suite would have direct and separate access provided by an existing door on the south west side of the building.

Proposal for Second Unit



BASEMENT ASBUILD





A Healthy Watershed for Everyone

BY E-MAIL

February 08, 2021

GC-SC

Manish Desai
1024 Barton Street
Stoney Creek, ON L8E 5H3

Dear Mr. Desai:

RE: Letter of Permission for Basement Renovations to an Existing Dwelling

**Location: 1024 Barton Street
Part Lot 8, Concession 2, City of Hamilton (Stoney Creek)**

Staff of the Hamilton Conservation Authority (HCA) have reviewed the above-noted development including Drawings A0.1, A1.1-A1.3, A2.1-A2.2, and A3.0 prepared by CANAM Engineering, dated January 10, 2021 (attached).

The property is regulated by the HCA pursuant to *Ontario Regulation 161/06 (HCA's Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses)* made under the *Conservation Authorities Act, R.S.O. 1990* due to the presence of Stoney Creek Numbered Watercourse 9 and the potential flooding and erosion hazards associated with this feature. However, the project is located outside of the hazards associated with Stoney Creek Numbered Watercourse 9. Therefore, please accept this correspondence as written permission for the basement renovations on land regulated by HCA. HCA staff have no objection to the issuance of a building permit by the municipality.

If you have any questions regarding the above, please do not hesitate to contact the undersigned at ext. 164.

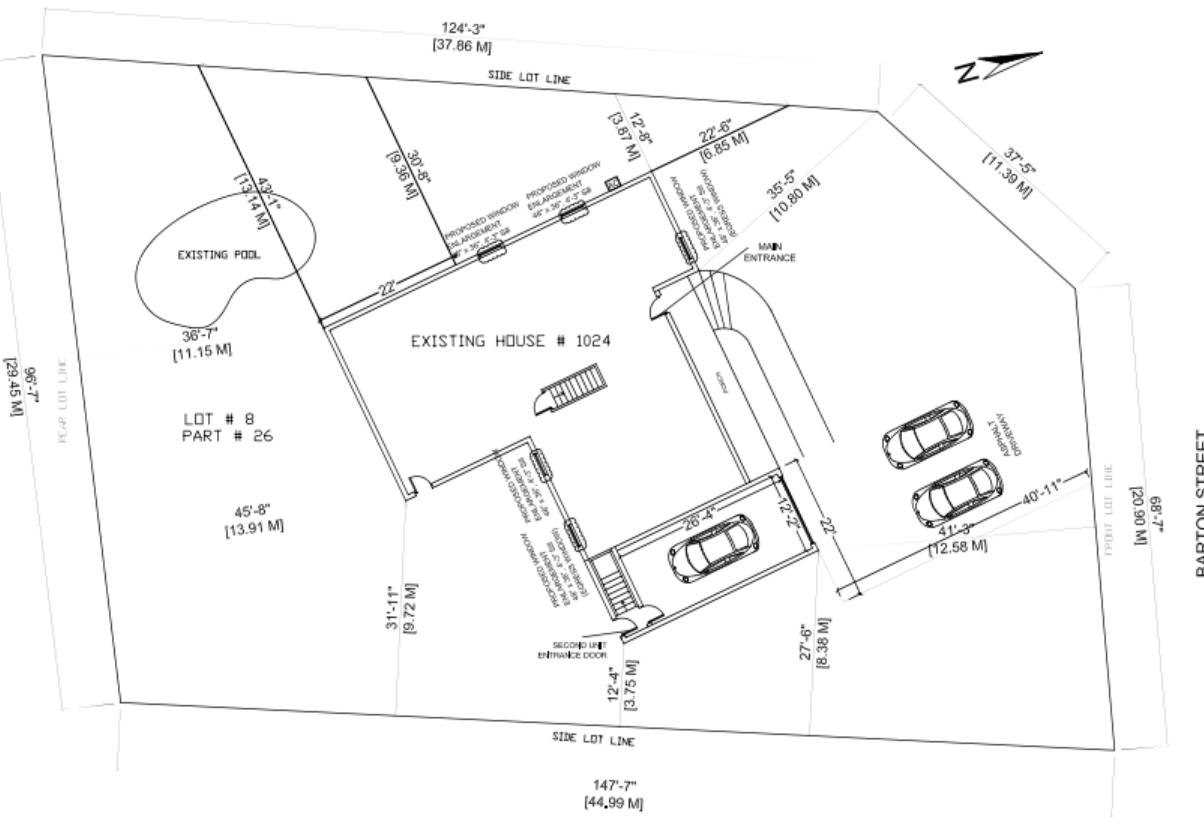
Laura Stinson
Acting Conservation Planner

February 8, 2021
Date

Encl. approved construction plans
c.c. Chantal Costa, Plan Examination Secretary, City of Hamilton, Building Division (by e-mail)
Parag Murkute, Agent (by e-mail)

P.O. Box 81067, 838 Mineral Springs Road, Ancaster, Ontario L9G 4X1 | P: 905-525-2181

nature@conservationhamilton.ca | www.conservationhamilton.ca



SETBACK PLAN

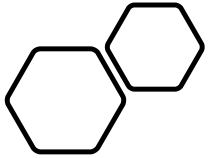
More Homes, More Choice Act, 2019

The *More Homes, More Choice Act, 2019*, S.O. 2019, c. 9 – (Bill 108), received Royal Assent on June 6, 2019 and portions were proclaimed on September 3, 2019. The proclaimed portions of Bill 108 amended the *Planning Act* to require Official Plans to contain policies providing for two residential units in detached, semi-detached and rowhouse dwellings, as well as permitting a residential unit in ancillary structures to a detached, semi-detached, or rowhouse dwelling. Under this legislation, “second suites” or “secondary suites” are now referred to as “additional residential units”, and the terms are used synonymously in this memorandum.

Provincial Policies

Vision : All Ontarians can find a home that meets their needs and their budget.

Ref:- <https://www.ontario.ca/page/more-homes-more-choice-ontarios-housing-supply-action-plan>



Provincial Policy Statement 2020

- Section 1.4.3 of the *Provincial Policy Statement, 2020*, requires planning authorities to provide for an appropriate range and mix of housing options and densities to meet the affordable housing needs of current and future residents. amongst other means,
- This can be achieved by permitting and facilitating residential intensification, including additional residential units, and redevelopment by accommodating a significant supply and range of housing options through intensification and redevelopment while taking into account existing building stock.

Ref:- <https://www.ontario.ca/document/place-grow-growth-plan-greater-golden-horseshoe>





Parag Murkute

Projects & Business Development

Off - +1 905 890 5999

Cell - +1 647 302 5363

projects@gmglobal.ca

info@gmglobal@gmail.com

www.gmglobal.ca

Manish Desai & Shilpa Desai

MOBILE : + 1 416 731 1660

EMAIL : manishdesai16@gmail.com

To
The committee of Adjustment
Stoney Creek

Date: 5th Feb 2021

Subject: Application for Minor Variance for 1024 Barton St. Stoney Creek

Respected Committee members,

I Manish Desai residing at the address 1024 Barton St. in Stoney Creek would like to apply for Minor variance as the property is located under the Stoney Creek by-law in zone "RR" which does not permit Two Family Dwelling as per current bylaw. I have already applied for Building Permit # 21 101181 000 00 R9 and received comments from Zoning Department.

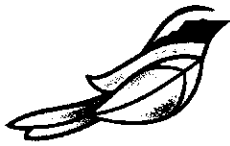


Due to Covid 19 all our future plans are getting blurry and to have an additional financial source has become a necessity. I have come to know that by creating a legal Second Unit, I can rent the basement officially to manage my economics.

I would request the committee members to consider this minor variance to support affordable housing. Site photos are attached for your ready reference

Thanks

Manish Desai
1024 Barton St.
Stoney Creek ON L8E 5H3
manishdesai16@gmail.com



**Hamilton
Conservation
Authority**

A Healthy Watershed for Everyone

BY E-MAIL

February 08, 2021

GC-SC

Manish Desai
1024 Barton Street
Stoney Creek, ON L8E 5H3

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Laura Stinson
Acting Conservation Planner

February 8, 2021
Date

Encl. approved construction plans

c.c. Chantal Costa, Plan Examination Secretary, City of Hamilton, Building Division (by e-mail)
Parag Murkute, Agent (by e-mail)



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	ADDRESS	
Registered Owners(s)	MANISH Y DESAI SHILPABEN DESAI	1024 BARTON ST E STONE CREEK ON	Phone: [REDACTED]
			E-mail: [REDACTED]
Applicant(s)*			Phone:
			E-mail:
Agent or Solicitor			Phone:
			E-mail:

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:

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:

Proposed Second Unit in RR Zone

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

The property is located under the Stoney Creek by-law in zone "RR" which does not permit two family dwellings.

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**):

1024 Barton st Stoney Creek ON L8E 5H3, Lot 8 Part 26, Plan 62R 565

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 9.1 to 9.10 above?

No change in existing building footprint

8.12 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 ☒

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.

FEB 1ST 2021

Date


Signature Property Owner

MANISH Y DESAI

Print Name of Owner

10. Dimensions of lands affected:

Frontage	<u>105.96 Ft = 32.30 M.</u>
Depth	<u>147.00Ft = 44.81 M.</u>
Area	<u>1270.35 Sq. M.</u>
Width of street	<u>120 Ft = 36.58 M.</u>

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: _

Main Unit Are : 1862.48 Sq. Ft. (173.03 Sq.M.)

Gross Floor Area : 1862.48 Sq. Ft. (173.03 Sq.M.)

No of Stories 1 (Bungalow) Length : 61'- 4" Ft Width : 53' -11" Height : As per Zoning By Law
Proposed

Main Unit Are : 1862.48 Sq. Ft. (173.03 Sq.M.)

Second Unit Area (Basement) : 1458.53 Sq. Ft. (135.50 Sq.M.)

Gross Floor Area : 3321.01 Sq. Ft (308.53 Sq. M.)

No of Stories 1 (Bungalow) Length: 61'-4"Ft., Width : 53'-11" Height : As per Zoning By Law

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 = 41'3" Ft = 12.58 M.

Left Side : 12'4"Ft. = 3.75 M.

Right Side: 12'8"Ft. =3.87 M.

Rear Side : 36'7"Ft = 11.15M

Proposed:

Front = 41'3" Ft = 12.58 M.

Left Side : 12'4"Ft. = 3.75 M.

Right Side : 12'8"Ft. =3.87 M.

Rear Side : 36'7"Ft = 11.15M

13. Date of acquisition of subject lands:
December 2020
14. Date of construction of all buildings and structures on subject lands:
15. Existing uses of the subject property:
Single Unit Dwelling
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 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?
☐ 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. Additional Information
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.
Survey Attached to the application