

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-21:135

APPLICANTS: Agent M. Sabelli on behalf of the owner Shabab Mirza

SUBJECT PROPERTY: Municipal address **65 Arthur St., Hamilton**

ZONING BY-LAW: Zoning By-law 6593, as Amended

ZONING: "D" (Urban Protected Residential - 1 & 2 Family Dwellings, etc.) district

PROPOSAL: To permit the conversion of the existing single family dwelling to contain two dwelling units, notwithstanding that;

1. A minimum lot area of 149.0m² shall be permitted instead of the minimum 270.0m² required.

2. A minimum of one (1) parking space shall be permitted instead of the minimum two (2) parking spaces required.

3. No onsite manoeuvring shall be permitted for the required parking space instead of the requirement that a manoeuvring space abutting and accessory to each required parking space shall be provided and maintained on the lot.

4. The rear exterior exit (open stairway) shall be permitted to be located as close as 2.9m from the rear lot line instead of the minimum 6.5m setback required.

Note: The applicant shall ensure that the minimum 50.0% landscaping required in the front yard and side yard are satisfied. Otherwise, further variances may be required.

The applicant requested a variance to the lot width, the side yards and the rear yard. However, these variances are not required as these are existing conditions.

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

DATE: Thursday, May 20th, 2021

TIME: 3:00 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

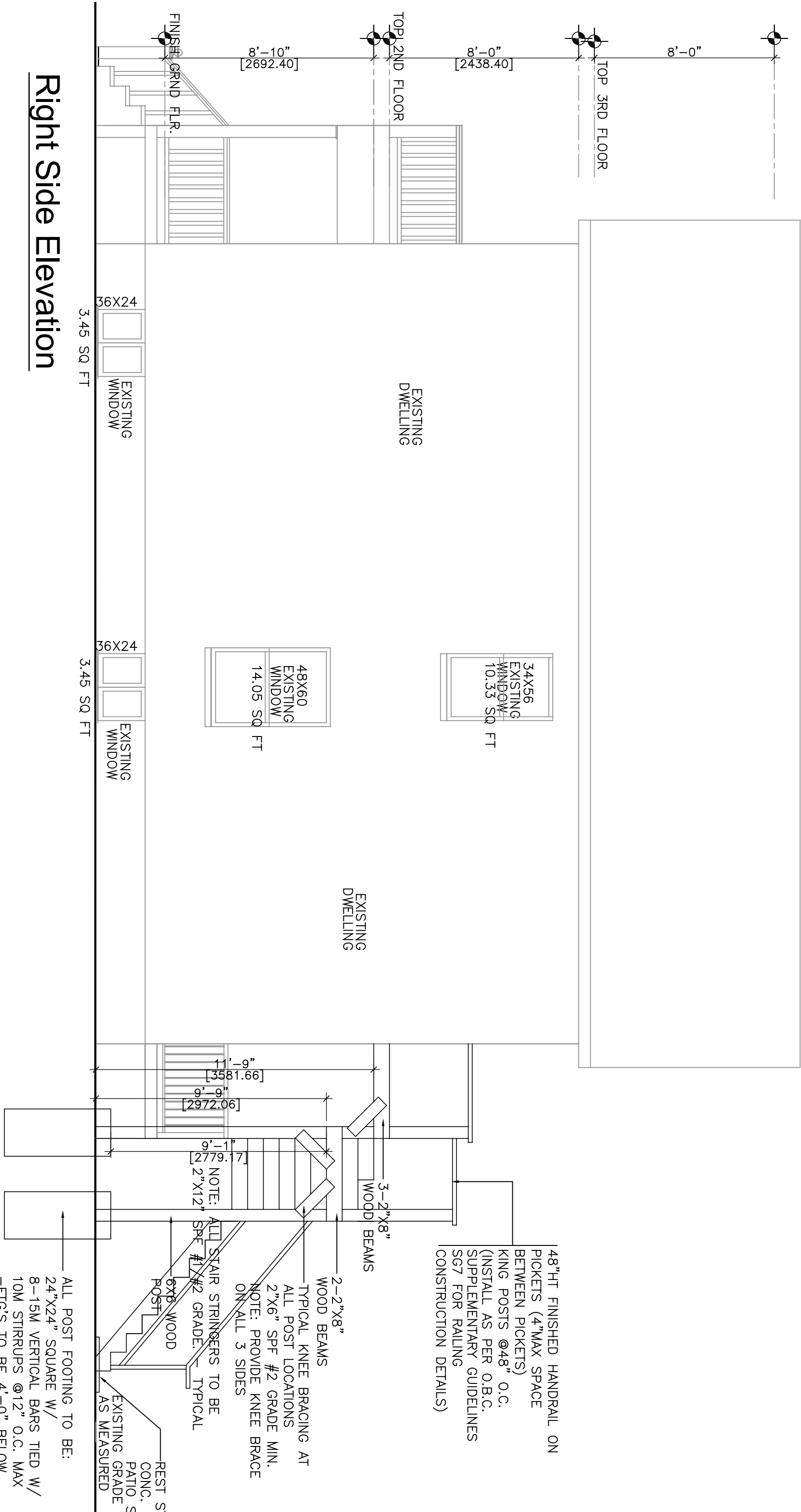
For more information on this matter, including access to drawings illustrating this request:

- 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.

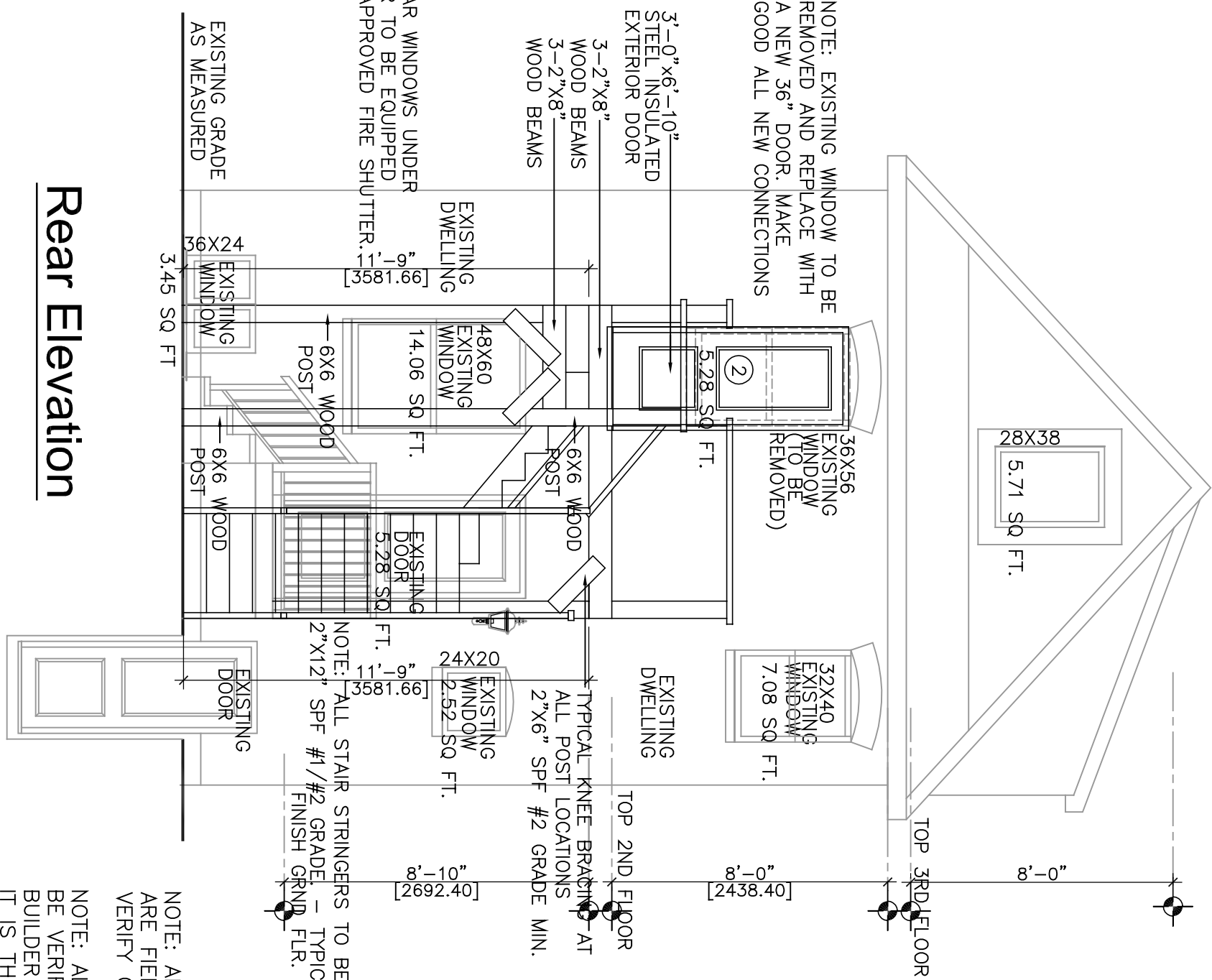
Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

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.



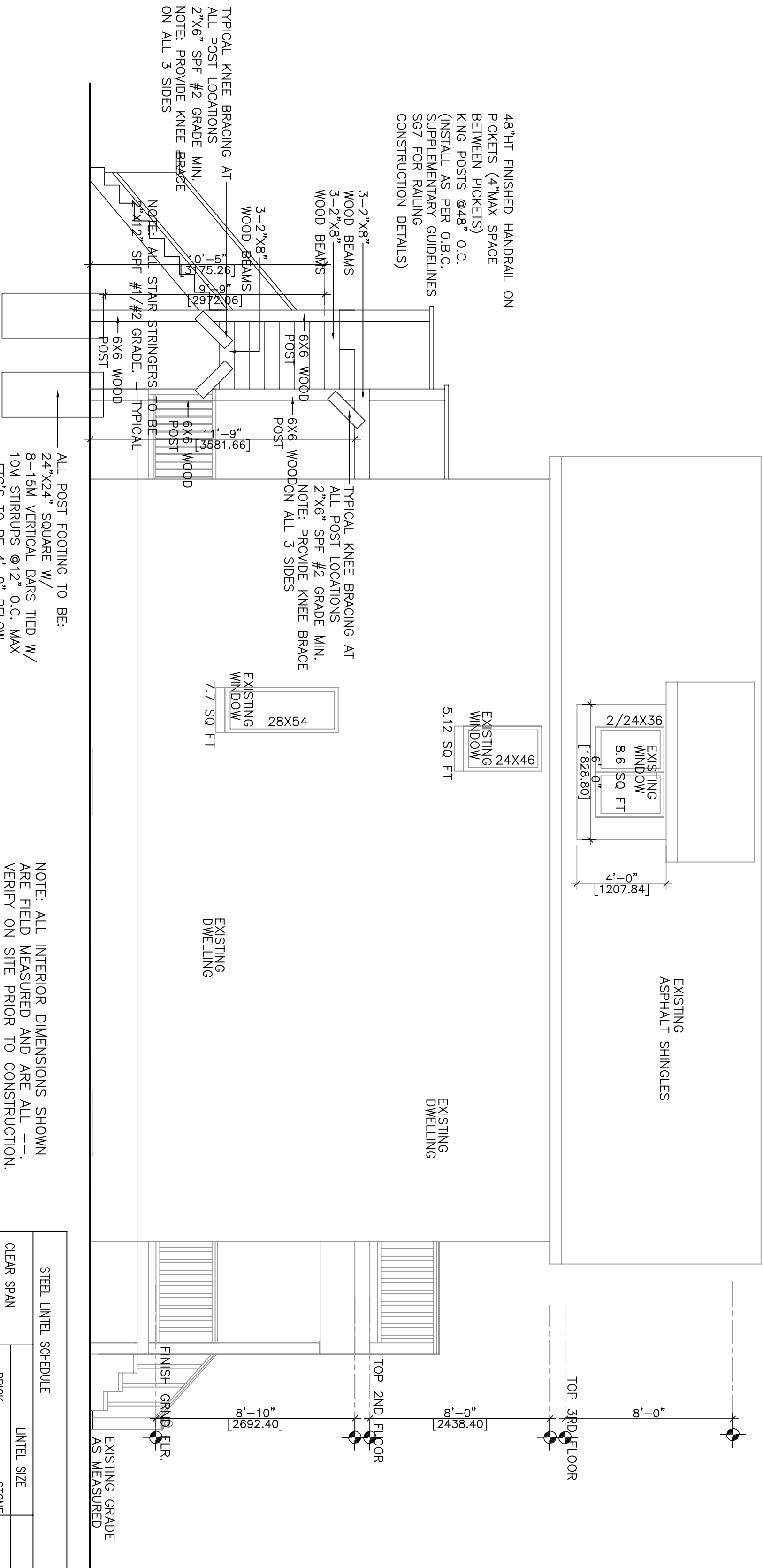
Right Side Elevation

ALL POST FOOTING TO BE:
24"x24" SQUARE W/
8-15M VERTICAL BARS TIED W/
10M STIRRUPS @12" O.C. MAX
-FTGS TO BE 4'-0" BELOW
GRADE FOR FROST PROTECTION
FTGS AGAINST DWELLING TO MATCH.



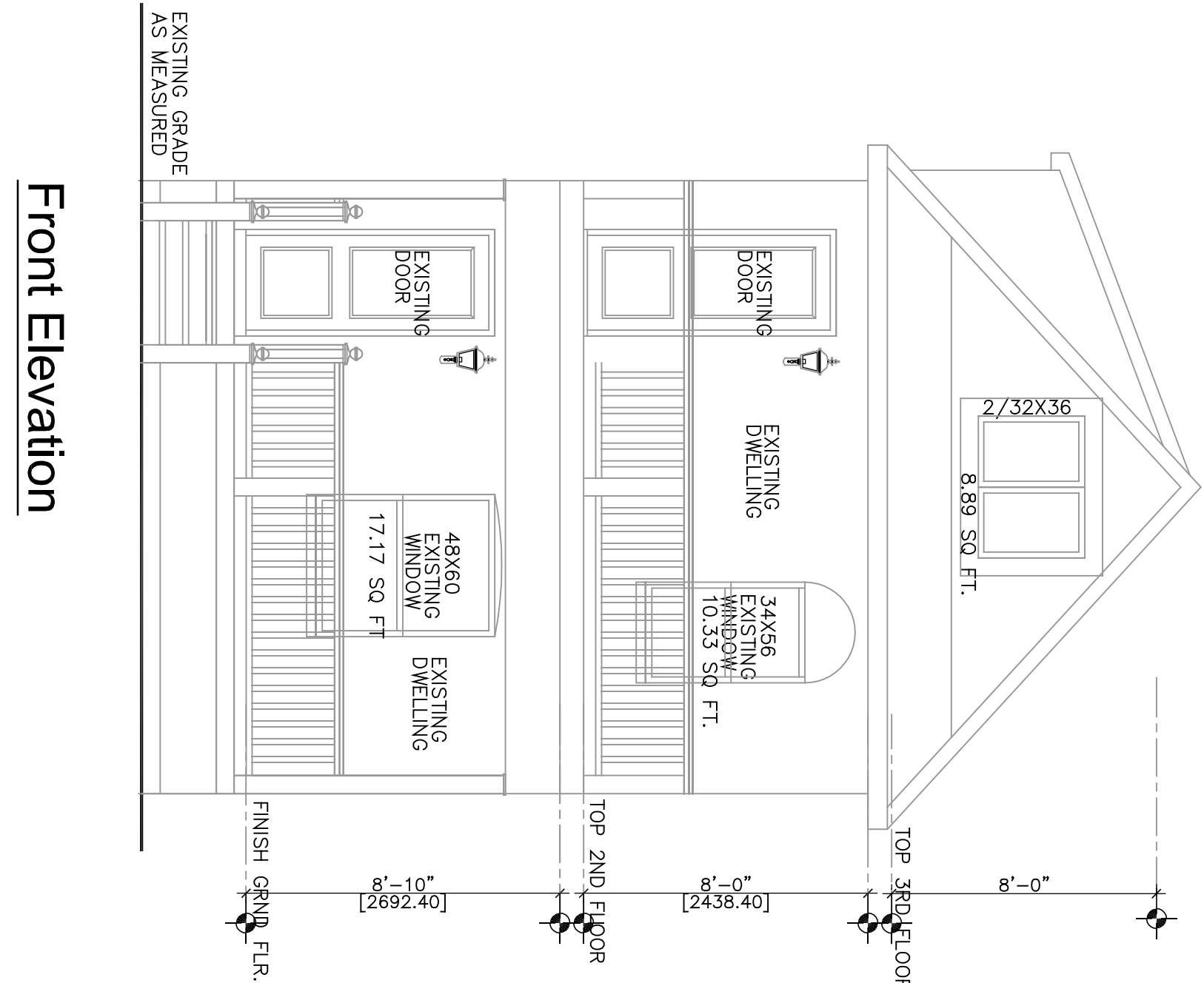
Rear Elevation

NOTE: ALL INTERIOR DIMENSIONS SHOWN
ARE FIELD MEASURED AND ARE ALL +/-,
VERIFY ON SITE PRIOR TO CONSTRUCTION.
NOTE: ALL EXISTING ROOM SIZES, DIMENSIONS TO
BE VERIFIED BY THE OWNER CONTRACTOR,
BUILDER PRIOR TO AND DURING CONSTRUCTION.
IT IS THE RESPONSIBILITY OF THE OWNER,
CONTRACTOR, BUILDER TO FIELD VERIFY ALL
EXISTING DIMENSIONS BEFORE ORDERING ANY
MATERIALS.
NOTE: CONTRACTOR / BUILDER / OWNER
TO BE CAREFUL WHEN CUTTING OUT NEW
WINDOWS/OPENINGS, ENSURE PROPER
SUPPORTS ARE IN PLACE DURING DEMOLITION
PHASE.



Left Side Elevation

ALL POST FOOTING TO BE:
24"x24" SQUARE W/
8-15M VERTICAL BARS TIED W/
10M STIRRUPS @12" O.C. MAX
-FTGS TO BE 4'-0" BELOW
GRADE FOR FROST PROTECTION
FTGS AGAINST DWELLING TO MATCH.



Front Elevation

STEEL LINTEL SCHEDULE		
CLEAR SPAN	BRICK	LINTEL SIZE
2'-6"	1. 3"x3"x1/4"	1. 4"x3"x1/4"
3'-11"	1. 3 1/2"x3 1/2"x1/4"	1. 5"x3 1/2"x5/16"
4'-11"	1. 3 1/2"x3 1/2"x5/16"	1. 5"x3 1/2"x5/16"
5'-11"	1. 4"x3 1/2"x5/16"	1. 5"x5/8"x1/8"
6'-11"	1. 5"x3 1/2"x5/16"	1. 5"x5/8"x1/8"
7'-10"	1. 5"x3 1/2"x5/16"	1. 5"x5/8"x1/8"
8'-10"	1. 5"x3 1/2"x3/8"	1. 5"x5/8"x3/8"
9'-10"	1. 6"x4"x3/8"	1. 5"x5/8"x1/2"

STEEL LINTELS SHOWN IN ABOVE CHART SHALL
HAVE MINIMUM NET TENSILE LENGTH OF 6" BEARING
HARDENED END

DO NOT SCALE DRAWINGS



The undersigned has reviewed and takes responsibility for this design, and has the qualifications and meet the requirements set out in the Ontario QUALIFICATION INFORMATION.	
Registered unless design is exempt under O.A.C., Article 12.5.1 of the Building Code	
MAURO FERTILIANO	Signature
15084	BCIN
REGISTRATION INFORMATION	
Registered unless design is exempt under O.A.C., Article 12.5.1 of the Building Code	
UNIQUE DESIGNS INC.	Firm Name
31090	BCIN

Drawn By	Scale
02.16.21	1/4"=1'-0"
Job Number	
011821	

MIRZA
RESIDENCE

65 ARTHUR ST. N.
HAMILTON, ONT



NEW 1 BEDROOM
APARTMENT

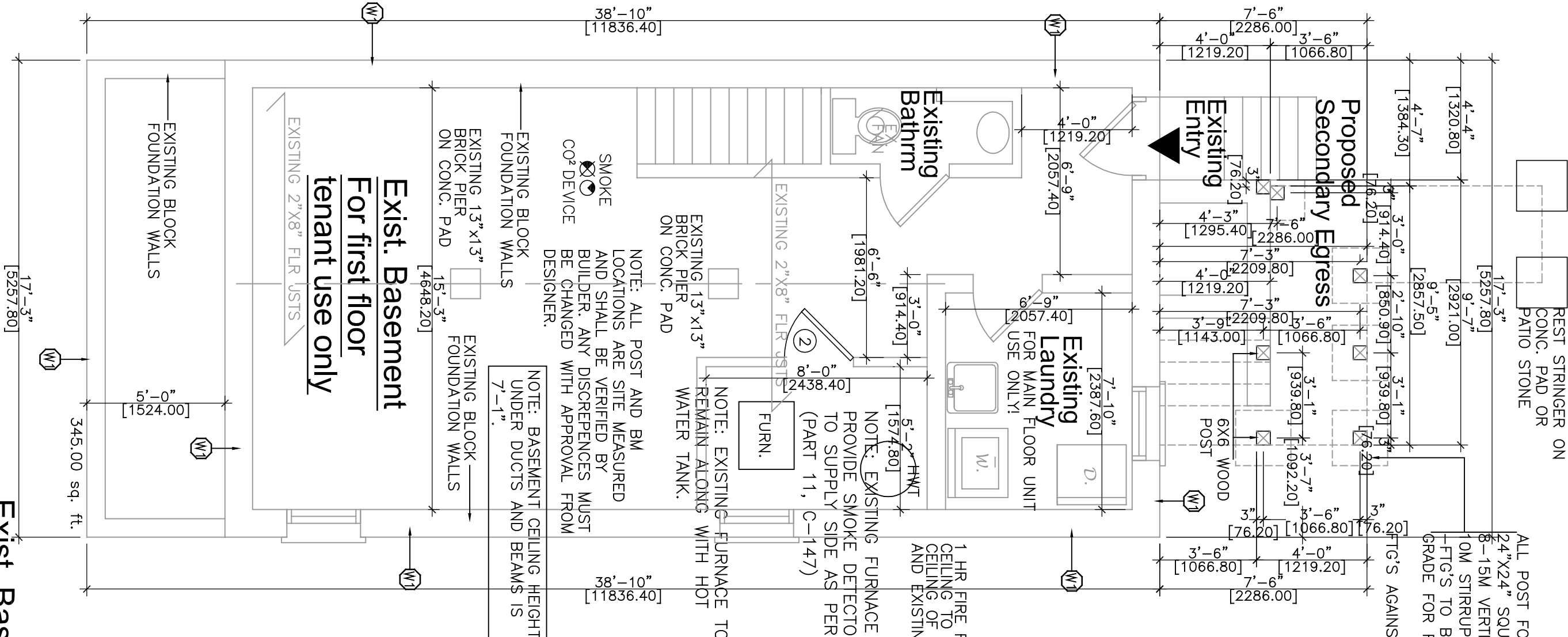
ELEVATIONS

1.	02.16.21	ISSUED FOR PERMIT
2.	03.14.21	REVISED AS PER COMMENTS
3.		
4.		
5.		
6.		
7.		
8.		

THESE DRAWINGS ARE NOT TO BE
SCALED. CONTRACTOR MUST CHECK
AND VERIFY ALL DIMENSIONS AND
CONDITIONS ON THE PROJECT; AND
MUST REPORT ANY DISCREPANCIES
TO THE DESIGNER BEFORE PROCEEDING
WITH THE WORK.

THE USE OF THIS DRAWING OR PART
THEREOF IS FORBIDDEN WITHOUT THE
WRITTEN APPROVAL OF THE DESIGNER.

FIRE ESCAPE LOADING:
DL: 10 PSF
LL: 100 PSF
SL: 26.7 PSF
ACCUMULATED SNOW LOAD FROM
ROOF INCLUDED IN DESIGN.



Basement - Apartment #1

except for washroom and laundry

All windows are existing
All alterations as marked

NOTE: ALL EXISTING BASEMENT WINDOWS ARE
OUT OF THE GROUND AND SIT FULLY ABOVE
GRADE.

NOTE: EXISTING FURNACE
TO BE USED

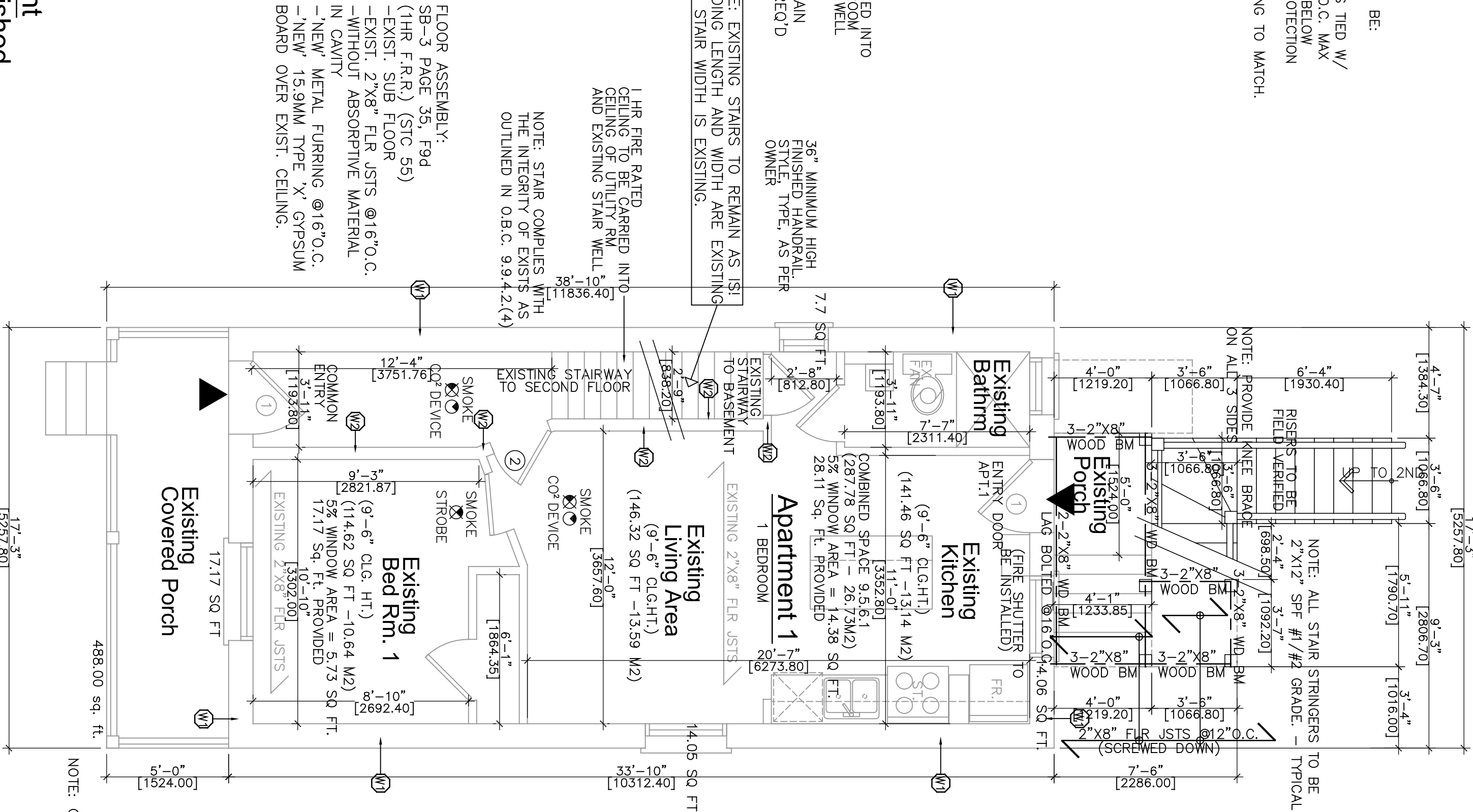
NOTE: ALL SMOKE ALARMS TO BE
INTERCONNECTED WITHIN DWELLING
UNIT TO EACH OTHER

NOTE: OWNER TO VERIFY EXISTING MECH.
AND ELECTRICAL PANEL MEETS OR EXCEEDS
REQUIREMENTS OF THE O.B.C. AN
INDEPENDANT QUALIFIED PERSON SHALL
DETERMINE IF EXISTING MECH./ELECT
SERVICES MEETS THE REQUIRED INTENT OF
THE USE TO BE PROVIDED.

NOTE: FIRE PROTECTION RATING (FPR) OF
THE FIRE DAMPERS AT HVAC PENETRATIONS
MUST SUIT THE FPR OF THE PROTECTED
ASSEMBLY OR A DUCT-MOUNTED SMOKE
DETECTOR MUST BE IN THE RETURN AIR
DROP OF THE FURNACE.

NOTE: VERIFY ALL ELECTRICAL LIGHTING
FIXTURES, OUTLET PLUGS ETC. WITH
OWNER PRIOR TO INSTALLATION.
NOTE: ALL WALLS OR STAIRS
TO BE REMOVED SHOWN DASHED

NOTE: EXISTING FOOTINGS AND FOUNDATION
AND FOUNDATION CAPACITY IS ASSUMED AT
75 Kpa OR GREATER.



Main Floor - Apartment #1

Unit #1 - 488.00 Sq.Ft. + 345.00 Sq Ft. = 833 Sq Ft. (77.38 M2)

9.5.7.2. Areas of Water Bedrooms
(1) Except as provided in Article 9.5.7.3., at least one
bedroom in every dwelling unit shall have an area of not less
than 9.8 m² where built-in cabinets are not provided, and not
less than 8.6 m² where built-in cabinets are provided.

WALL TYPE SCHEDULE

EXISTING PARTITION WALL OR EXT. WALLS

9.5.5. Dining Rooms or Spaces within
Dwelling Units

9.5.5.1. Area of Dining Rooms or
Spaces (1) A dining space in
combination with other space shall
not be less than 9.8 m² (106.7
sq. ft.) (2) Dining rooms not combined
with other space shall have a
minimum area of 7 m².

9.5.6. Kitchens within Dwelling Units

9.5.6.1. Kitchen Areas (1) Kitchen
separate from or in combination with
other spaces, shall have an area of
not less than 4.2 m² including the
area occupied by the base cabinets,
except that in dwelling units containing
sleeping accommodation for not more
than two persons, the minimum area
shall be 3.7 m².

DOOR SCHEDULE

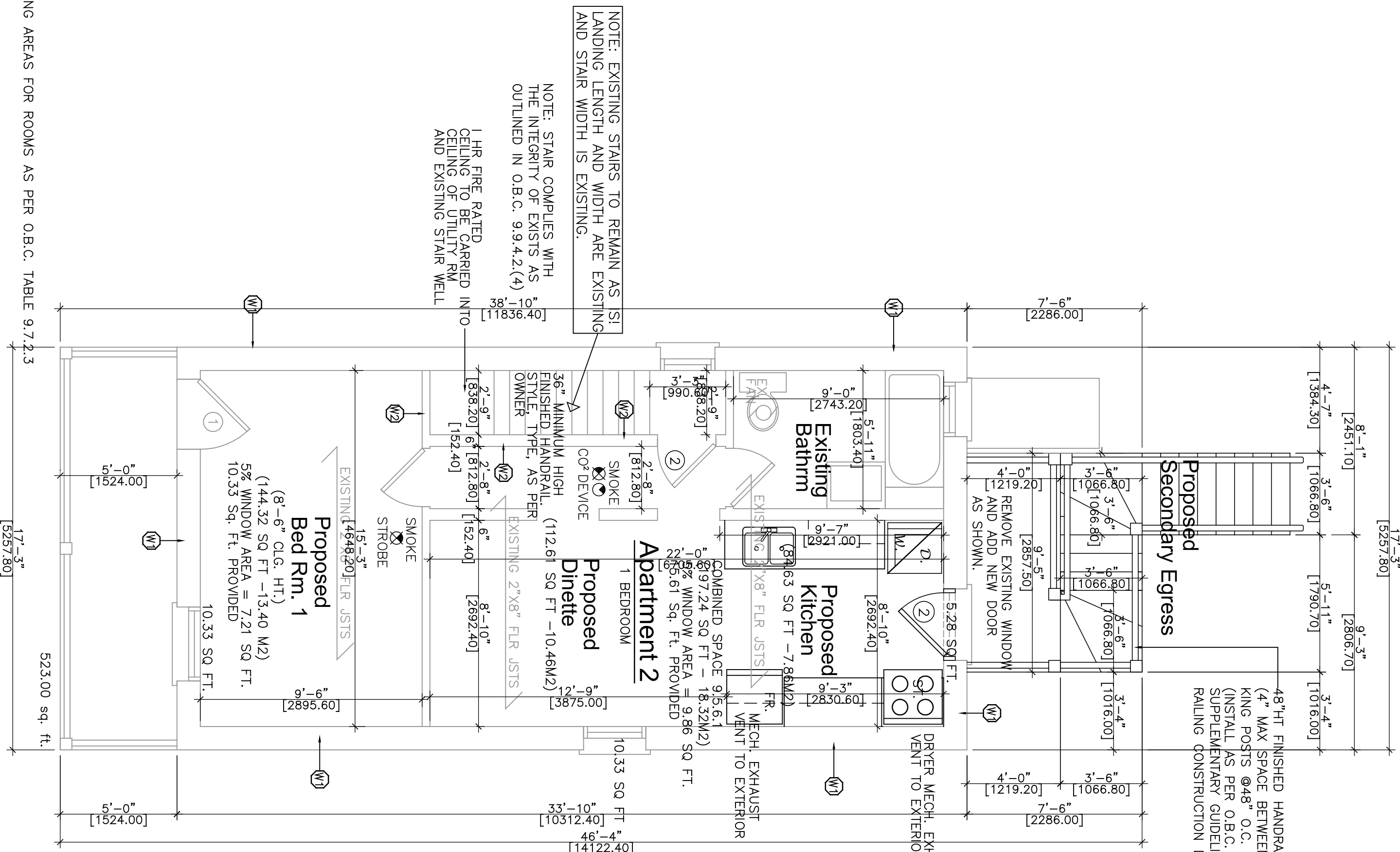
EXISTING DOORS SAME SIZE
SAME LOCATION

36" STEEL DOOR W/ SELF
CLOSURE, DOOR AND FRAME
TO HAVE A FPR OF AT LEAST
45 MIN.

Second Floor - Apartment #2

Unit #1 - 523.00 Sq.Ft. + 584.00 Sq Ft. = 1107.00 Sq Ft. (102.84 M2)

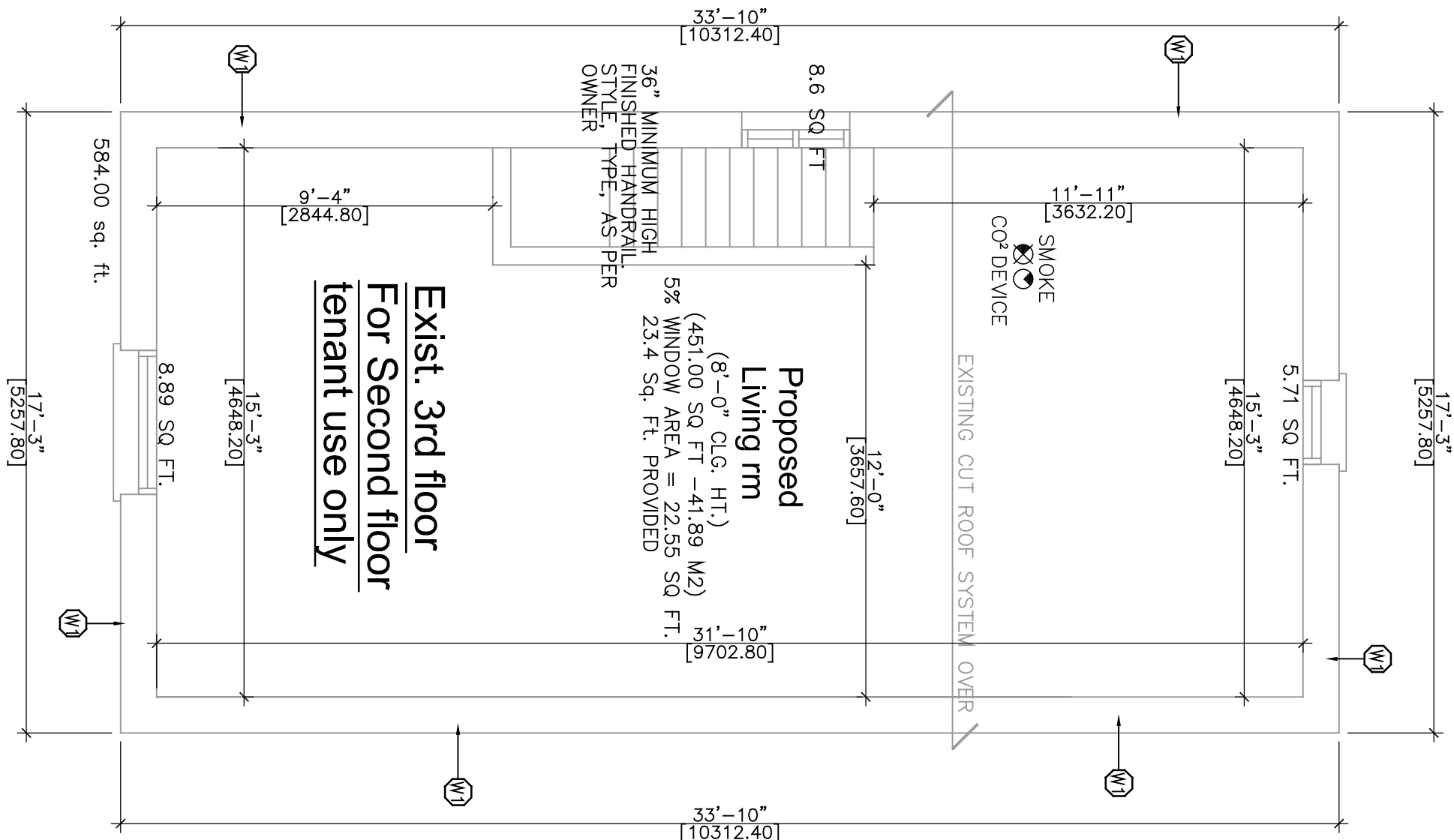
NOTE: ALL INTERIOR DIMENSIONS SHOWN
ARE FIELD MEASURED AND ARE ALL +/-
VERIFY ON SITE PRIOR TO CONSTRUCTION.



NOTE: 1ST AND 2ND FLOOR AREAS TO BE RENOVATED. EXTENT OF
WORK WILL BE LIMITED TO EXISTING MAIN FLOOR KITCHEN AND
BATHROOM. REPLACEMENT OF KITCHEN AND PLUMBING FIXTURES IN
BATHROOMS. ALSO, REPAIRING/REPLACING OF EXISTING
FLOORS/DRYWALL/TRIM AND PAINTING. EXISTING EXTERIOR TO
REMAIN UNTOUCHED.

NOTE: ALL SMOKE ALARMS TO BE
INTERCONNECTED WITHIN DWELLING
UNIT TO EACH OTHER

Third Floor - Apartment #2



USE ONLY WHERE L.V.'S ARE NOT SPECIFIED

WOOD UNITS LEGEND
FOR WOOD OPENINGS :
44" OR LESS USE 2/2"x8"
66" OR LESS USE 2/2"x10"
88" OR LESS USE 2/2"x12"
PROVIDE INSUL BETWEEN HEADERS IF POSSIBLE

NOTE: PENETRATIONS OF FIRE
SEPARATIONS AS PER
O.B.C. 9.10.9.6

NOTE: PROVIDE FIRE STOPPING
IN JOIST SPACE AS REQUIRED.
AS PER O.B.C. 3.1.1.1

NOTE: PROVIDE FIRE DAMPERS
AS PER O.B.C. 3.1.8.7 AND
AS PER O.B.C. 3.1.8.9

NOTE: 9.5.7.1.(1) - SLEEPING ROOMS
INTER-CONNECTED WITHIN DWELLING UNITS SHALL
HAVE AN AREA NOT LESS THAN 7m2 WHERE
BUILT-IN CABINETS ARE NOT PROVIDED AND
NOT LESS THAN 6m2 WHERE BUILT-IN
CABINETS ARE PROVIDED.



The undersigned has reviewed and takes responsibility for this design, and has the qualifications and meets the requirements set out in the Ontario Qualification Incorporation.	
Required unless design is exempt under O.C.G. Article 32.5.1 of the Building Code	
MAJOR PERMIT/ALD	Signature
Name	15084 BCIN
REGISTRATION INFORMATION	
Required unless design is exempt under O.C.G. Article 32.5.1 of the Building Code	
UNIQUE DESIGNS INC.	31090 BCIN



NEW 1 BEDROOM APARTMENT

FLOOR PLANS, NOTES

NEW 1 BEDROOM APARTMENT

65 ARTHUR ST. N.
HAMILTON, ONT

MIRZA RESIDENCE

Drawn By
Scale
1/4"=1'-0"

Date:
02.16.21

Job Number
011821

A2

1.	02.16.21	ISSUED FOR PERMIT
2.	03.14.21	REVISED AS PER COMMENTS
3.		
4.		
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THEREOF IS FORBIDDEN WITHOUT THE
WRITTEN APPROVAL OF THE DESIGNER.



Hamilton

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 SHABAB MIRZA

FAX NO. _____ E-mail address _____

2. Address _____

Postal Code _____

3. Name of Agent MICHAEL P. SABELLI Telephone No. _____

4. _____

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:

SCOTIABANK - 3000 THOMAS ST. MISS ON
Postal Code L5M 0R4

Postal Code _____

6. Nature and extent of relief applied for:

- 1) MINIMUM LOT AREA
- 2) REQUIRED PARKING SPACES (1 PROVIDED AT REAR)
- 3) LOT WIDTH
- 4) SIDE YARD 5) REAR EXTERIOR EXIT STAIR

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

EXISTING SITUATION

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

65 ARTHUR STREET NORTH

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?

PREVIOUS OWNER

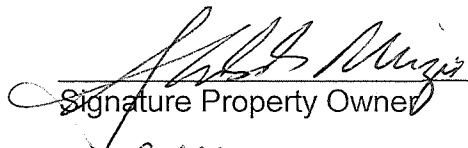
9.12 If previous use of property is industrial or commercial or if YES to any of 9.2 to 9.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.

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 16 2021
Date


Signature Property Owner
SHABAB MIRZA
Print Name of Owner

10. Dimensions of lands affected:

Frontage 7.01 M
Depth WEST - 24.63m EAST - 18.12m
Area 149.75 m²
Width of street 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: 2.5 STOREY DWELLING

Proposed: NO CHANGE

12. Location of all buildings and structures on or proposed for the subject lands;
(Specify distance from side, rear and front lot lines)

Existing: LEFT SIDE YARD - 0.15m
RIGHT SIDE YARD - 1.60m
FRONT YARD - 6.0m
REAR YARD - VARIES (SEE ATTACHED PLAN)

Proposed: NO CHANGE

13. Date of acquisition of subject lands:
FEBRUARY 15, 2021
14. Date of construction of all buildings and structures on subject lands:
MORE THAN 50 YEARS
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:
MORE THAN 50 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
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
"D" DISTRICT
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.

PART 24 AFFIDAVIT OR SWORN DECLARATION

This declaration to be sworn by a Commissioner of Oaths.

I, MICHAEL P. SABELLI of the CITY of
HAMILTON in the PROVINCE of ONTARIO

solemnly declare that:

All of the above statements are true and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath.

Declared before me at the

at the _____ of _____)

in the _____)

of _____)

this _____ day of _____ A.D. 20 _____)

Robert Muzi
Applicant

A Commissioner, etc.

PART 25 OWNERS AUTHORIZATION

As of the date of this application, I (NAME) SHABAB MIRZA am the registered Owner of the lands described in this application, and I have examined the contents of this application and hereby certify that the information submitted with the application is correct insofar as I have knowledge of these facts, and I hereby authorize:

MICHAEL P. SABELLI of HAMILTON

to act as my agent in this matter and to provide any of my personal information that will be included in this application or collected during the processing of the application.

DATE MAR 16/21 SIGNED Shabab Mirza

PART 26 CONSENT OF THE OWNER

Complete the consent of the owner concerning personal information set out below.

Consent of Owner to the Disclosure of Application Information and Supporting Documentation

Application information is collected under the authority of the *Planning Act*, R.S.O. 1990, c. P.13. In accordance with that Act, it is the policy of the City of Hamilton to provide public access to all *Planning Act* applications and supporting documentation submitted to the City.

I, SHABAB MIRZA, the Owner, hereby agree and acknowledge
(Print name of Owner)

that the information contained in this application and any documentation, including reports, studies and drawings, provided in support of the application, by myself, my agents, consultants and solicitors, constitutes public information and will become part of the public record. As such, and in accordance with the provisions of the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. M.56, I hereby consent to the City of Hamilton making this application and its supporting documentation available to the general public, including copying and disclosing the application and its supporting documentation to any third party upon their request.

MAR 16/21
Date Signature of Owner Shabab Mirza