

## **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.:** HM/A-21:90

**APPLICANTS:** Owner Valor Properties Inc.  
Agent John Kedzierski

**SUBJECT PROPERTY:** Municipal address **500 Mohawk Rd. E., Hamilton**

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

**ZONING:** DE-2 district (Multiple Dwellings)

**PROPOSAL:** To permit alterations to the existing Multiple Dwelling to establish an additional dwelling unit, for a total of 14 dwelling units and to recognize the location of an existing accessory structure ("exist shed"), notwithstanding,

1. The existing shed shall be permitted to be located 0.0 metres from a side or rear lot line instead of providing the minimum required setback of 0.45 metres to the nearest side or rear lot line;

2. A minimum of 16 parking spaces shall be provided instead of providing a minimum of 18 parking spaces required to be provided for a Multiple Dwelling containing 14 dwelling units;

3. No loading space shall be provided instead of providing a minimum of one (1) loading space measuring 9.0 metres in length by 3.7 metres in width by 4.3 metres in height required to be provided for a Multiple Dwelling containing 14 dwelling units; and,

4. A minimum manoeuvring space width of 5.5 metres shall be provided for the two (2) most northerly parking spaces instead of providing a minimum manoeuvring space width of 6.0 metres required to be provided abutting upon and accessory to each required parking space.

### **NOTES:**

1. As the existing building does not meet the definition of *Dwelling* as defined within the Zoning By-law, the existing building cannot be converted under Section 19 (Residential Conversion Requirements) of the Zoning By-law, as requested by the applicant.

2. As advised by the applicant, the two (2) parallel parking spaces shown at the rear of the building are not to be provided. As such, the two (2) parallel parking spaces have not been considered to determine zoning compliance.

3. A further variance will be required if a minimum of four (4) parking spaces are not designated as visitor parking spaces, which are maintained for the exclusive use of visitors providing a sign appurtenant thereto legibly marking such spaces for the exclusive use of visitors.

4. A further variance will be required if any illumination provided for the parking area is not directed towards or on the lot on which the parking area is located

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

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<b>DATE:</b>	<b>Thursday, July 8<sup>th</sup>, 2021</b>
<b>TIME:</b>	<b>1:40 p.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>To be streamed at</b>
	<b><a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a></b>
	<b>for viewing purposes only</b>

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## **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 22nd, 2021.

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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.***

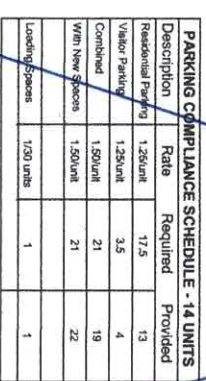


## CHANGE OF USE BUILDING PERMIT APPLICATION

500 MOHAWK ROAD E., HAMILTON, ON L8V 2J1

 $\mathbb{Z} \oplus \mathbb{Z}$ 

MOHAWK ROAD



③  $\frac{1}{16}'' = 1'-0''$

PLEASE SEE REVISED  
PLOT PLAN.


$$\frac{1}{1/8''} = 1'-0''$$

2  
1/8" = 1'-0"

**CONTRACTOR MUST VERIFY AND ACCEPT RESPONSIBILITY FOR ALL DIMENSIONS AND CONDITIONS ON THE JOB AND MUST REPORT ANY DISCREPANCIES TO THE DESIGNER IMMEDIATELY. NO CHANGES TO ALL CHANGES MUST BE AUTHORIZED APPROVED BY THE DESIGNER.**

**Horne & Commercial Inspection Services**  
www.hornci.com  
Phone: 416-291-1100  
Fax: 416-210-8800  
John Redden (owner)  
11 Glenview Blvd. Unit 102  
Oakville, ON L6H 1G4

Can 905-234-0970

Revision Schedule		
No.	Description	Date

Revision Schedule		
No.	Description	Date

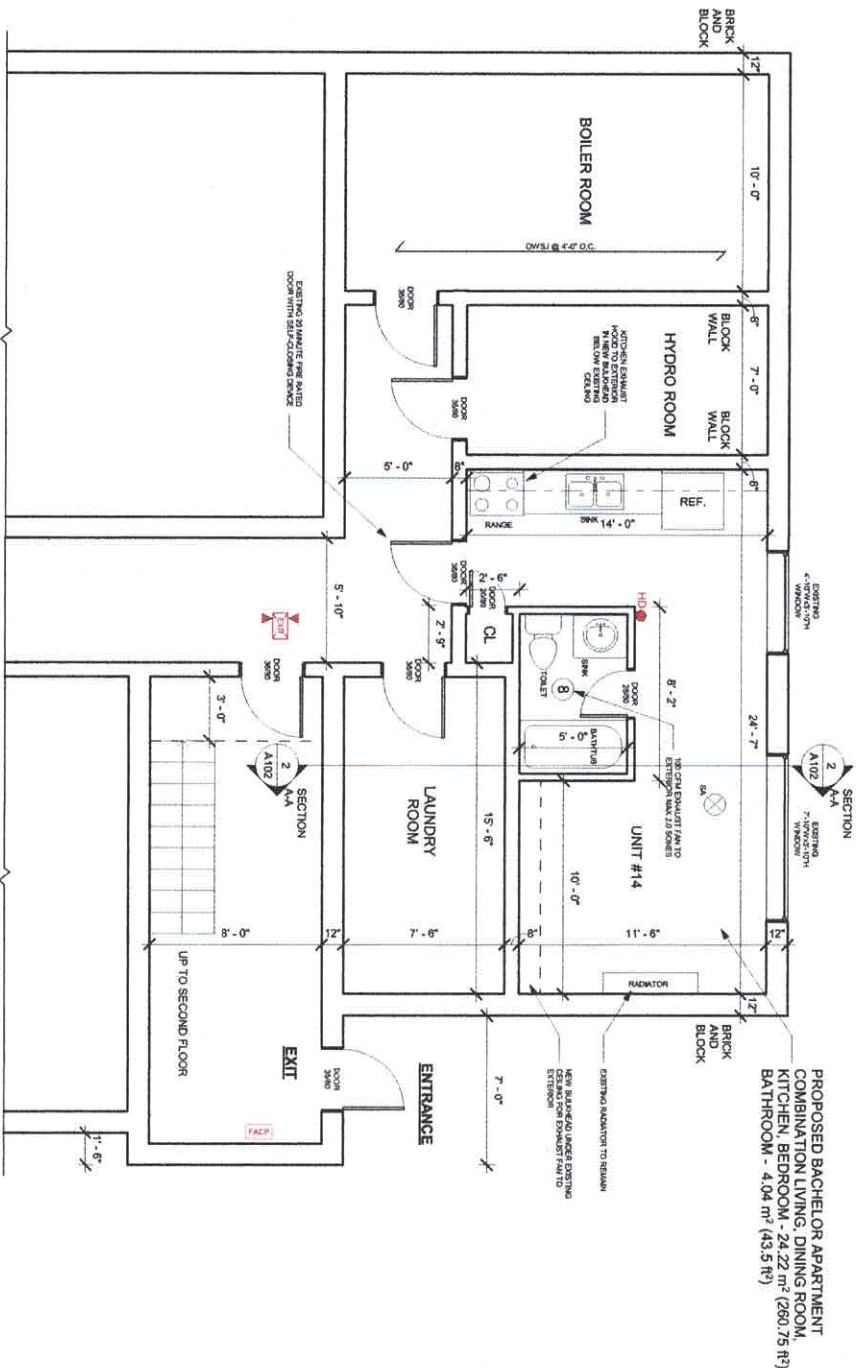
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SHEET TITLE:

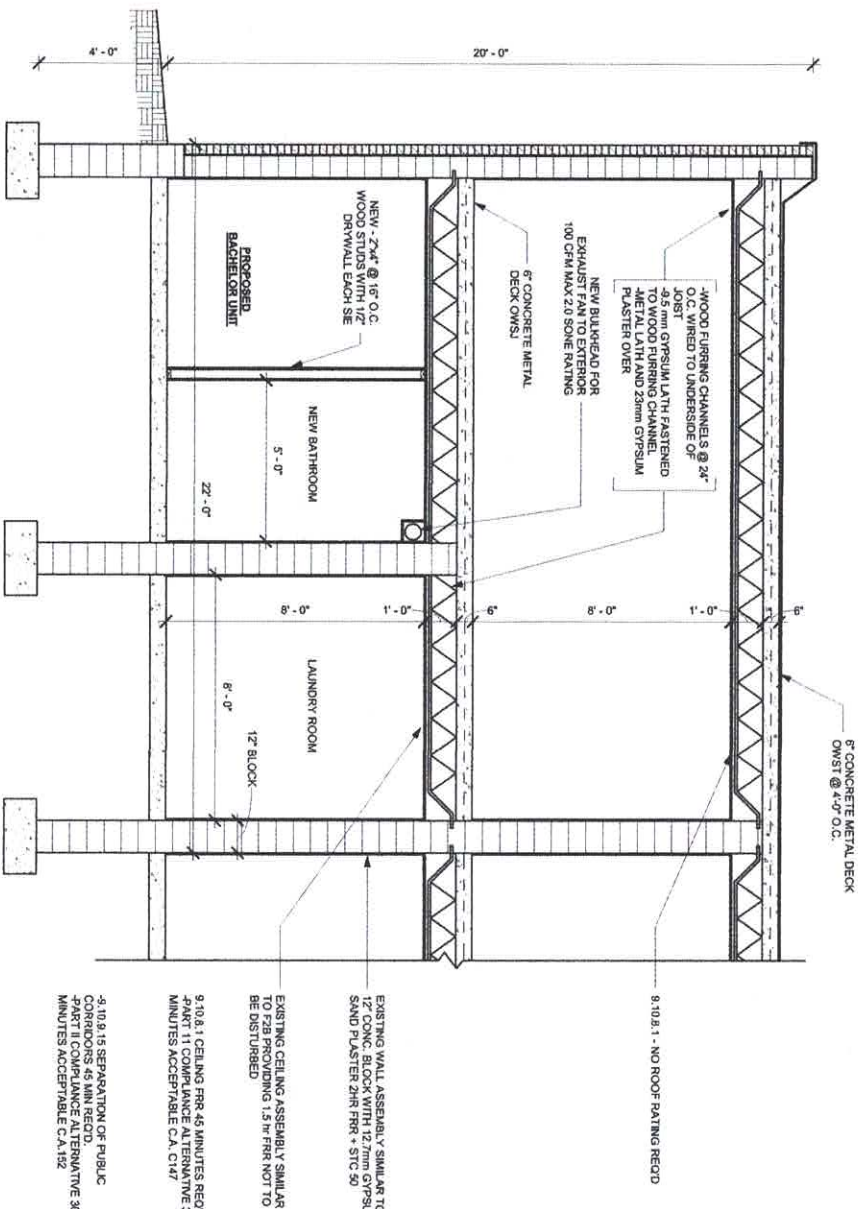
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A101





1 BACHELOR APARTMENT UNIT #14 - 304.25 ft<sup>2</sup>  
1/4" = 1'-0"

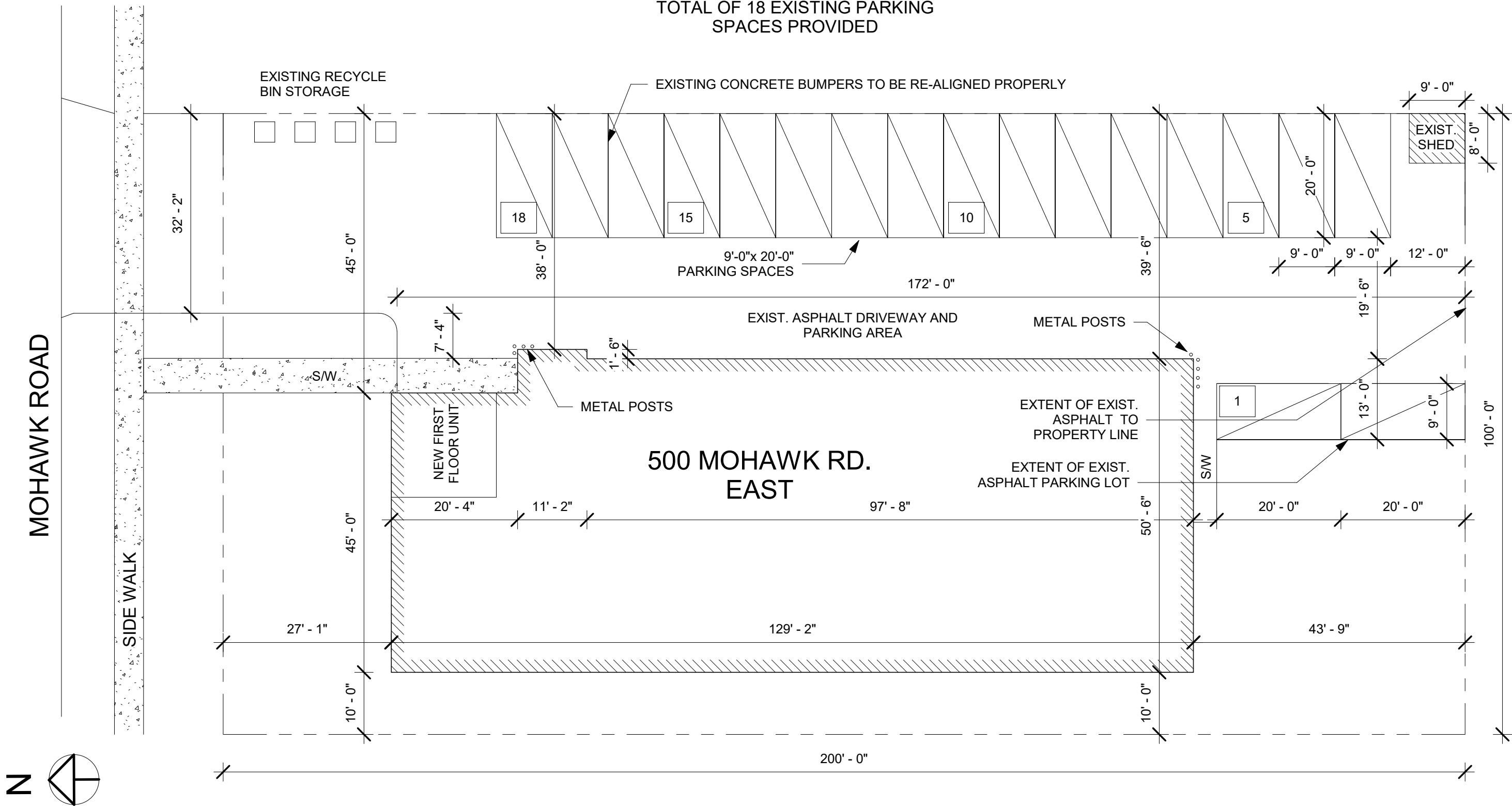


2 Section A-A  
3/8" = 1'-0"

- NOTES**
- SUITE/UNIT #14) IS 28.26M2 (304.25ft2) - IN AREA
  - HEIGHT TO UNDERSIDE OF EXISTING CEILING IS 2.43M (8'-0")
  - EXISTING VERTICAL AND HORIZONTAL FIRE SEPARATIONS TO REMAIN
  - EXISTING 20 MINUTE FIRE RATED ENTRANCE DOOR WITH SELF-CLOSING/SELF-LATCHING DEVICE
  - EXISTING WINDOWS PROVIDE MINIMUM NATURAL LIGHTING AND VENTILATION REQUIREMENTS
  - NEW BATHROOM PARTITION WALLS AND FIXTURES
  - NEW 100 CFM (MAX.2.0 SONE RATING)BATHROOM EXHAUST FAN VENTED DIRECTLY TO EXTERIOR IN NEW BULKHEAD UNDER EXISTING CEILING MEMBRANE
  - NEW KITCHEN CUPBOARDS / SINK/ FRIDGE/ STOVE
  - NEW KITCHEN EXHAUST HOOD VENTED DIRECTLY TO EXTERIOR IN NEW BULKHEAD UNDER EXISTING CEILING MEMBRANE
  - EXISTING RADIATOR HEATING
  - EXISTING HEAT DETECTOR CONNECTED TO FIRE ALARM PANEL
  - NEW SMOKE/STROBE ALARM HARD WIRED INSIDE PROPOSED UNIT
  - EXISTING LAUNDRY FACILITIES
  - MINOR PART 11 RENOVATION



3 PHOTOGRAPH  
6" = 1'-0"



No.	Date

1 Existing Site / Parking Lot Plan  
1/16" = 1'-0"



**Committee of Adjustment**

City Hall, 5<sup>th</sup> Floor,  
71 Main St. W.,  
Hamilton, ON L8P4Y5

Phone: (905) 546-2424 ext. 4221

Email: [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

**APPLICATION FOR A MINOR VARIANCE****FOR OFFICE USE ONLY.**

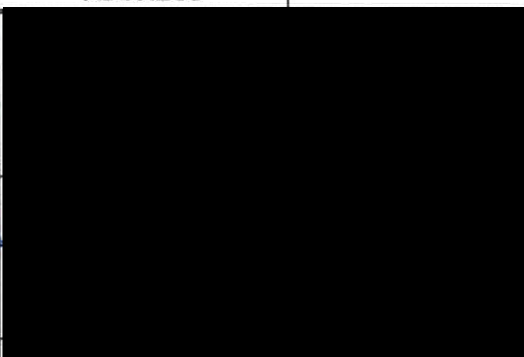
APPLICATION NO. \_\_\_\_\_ DATE APPLICATION RECEIVED \_\_\_\_\_

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)	Valor Properties Inc.	
Applicant(s)*	John Kedzierski JK Home + Commercial Inspection/BCIN Design Services	
Agent or Solicitor	Same As Applicant	
		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:

Equitable Bank - 30 St. Clair Avenue W, Suite 700, Toronto, ON, M4V-3A1  
CL Puhacz Inc. - 62 Sylvan Ave, Scarborough, ON, M1M 1K1

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:

Zoning By-Law 6593 Section 19(2)(i) - requires a dwelling unit to be a minimum of 65.0m<sup>2</sup> whereas a Bachelor Apartment having a size of 28.26m<sup>2</sup> is proposed.

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

It is not possible to comply since this is a former storage area in the building that is not being used, this is an existing area of 28.26m<sup>2</sup> in size.

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**):

500 Mohawk Road East  
Part of Lot 9

7. PREVIOUS USE OF PROPERTY

Residential ☒

Industrial ☐

Commercial ☐

Agricultural ☐

Vacant ☐

Other \_\_\_\_\_

Apartment  
Constructed in 1961

- 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?

*This building has been in existence since 1961*

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.

*March 3, 2021*

Date

*Jose Jafferji*

Signature Property Owner

*Jose Jafferji*

Print Name of Owner

10. Dimensions of lands affected:

Frontage

*100 feet*

Depth

*200 feet*

Area

*20,000 ft<sup>2</sup>*

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:

*Ground floor area - 597.10m<sup>2</sup> Existing*

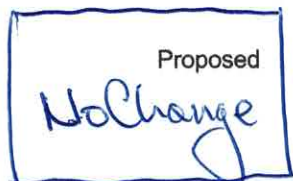
*Gross floor area - 1194.20m<sup>2</sup> Existing*

*2 Stories above grade - no basement*

*(Width Front 13.71m, Rear 15.24m)*

*Length - 39.37m*

*Height - 6.4m above grade*



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

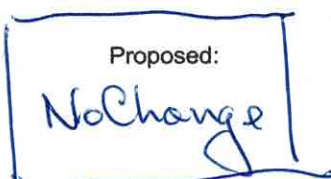
Existing:

*Front - 8.25m*

*Rear - 14.25m*

*East Sideyard - 12.03m*

*West Sideyard - 3.05m*



*Propose to use existing vacant area in building to construct a bachelor apartment. No additions proposed.*



13. Date of acquisition of subject lands:

July 17, 2020

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

1961

15. Existing uses of the subject property:

13 unit Apartment Bldg.

16. Existing uses of abutting properties:

Apartment Buildings

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

Since 1961

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 Multiple

20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:

By-Law 6593 19(2)(i) Minimum square footage for a dwelling unit is 65.0m<sup>2</sup>

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.