

## **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
- 

**APPLICATION NO.:** HM/A-21:293

**APPLICANTS:** Agent JP Samuel & Associates Inc. c/o J. Samuel  
Owner 2717280 Ontario Inc.

**SUBJECT PROPERTY:** Municipal address **55 Cannon St. W., Hamilton**

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

**ZONING:** D1, H17, H19, H20district ( Downtown Central Business District )

**PROPOSAL:** To permit the addition of a vacant parcel of land to be added to 108 Park St. N. and to retain the parcel of land containing an existing two-storey single detached dwelling, notwithstanding that:

1. The use of a single detached dwelling shall be permitted, instead of the requirement that a single detached dwelling is not a permitted use.

**NOTE:**

1. Please note that this application is to be heard in conjunction with Consent/Land Severance Application No. HM/B-20:88.
2. Please note that a detailed site plan was not provided to confirm zoning compliance with the regulations of Hamilton Zoning By-law No. 05-200, including the following:
  - a. Specific details regarding lot coverage have not been indicated. Please note that as per Section 6.1.3(e), the permitted maximum lot coverage is 85 percent. Additional variances may be required if compliance with Section 6.1.3(e) is not possible.
  - b. Specific details regarding permitted yard encroachments to the newly established rear lot line have not been indicated. Please note that additional variances may be required if compliance with Section 4.6 is not possible.
  - c. Specific details regarding parking on the lot have not been indicated. Please note that as per Section 5.6(a)(i), no parking spaces are required for a single detached dwelling located in a "D1" (Downtown Central Business District) Zone. However, should parking be provided on the lot, compliance with Section 5 shall be required. Additional variances may be required if compliance with Section 5 is not possible.

3. This property is included in the City of Hamilton's Register of Property of Cultural Heritage Value or Interest as a non-designated property. Please contact a Cultural Heritage Planner at (905) 546-2424, extension 1202 or 1214, or visit [www.hamilton.ca/heritageplanning](http://www.hamilton.ca/heritageplanning) for further information.

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

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<b>DATE:</b>	<b>Thursday, September 9th, 2021</b>
<b>TIME:</b>	<b>3:15 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)

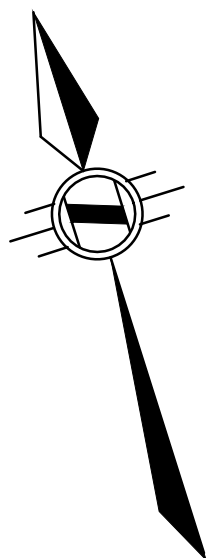
DATED: August 24th, 2021.

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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.***

**S.D. McLAREN, O.L.S. – 2020**



## PIN 17160-0346 (LT)

**PLAN 62 R-** \_\_\_\_\_

RECEIVED AND DEPOSITED

Date \_\_\_\_\_

\_\_\_\_\_

REPRESENTATIVE FOR  
LAND REGISTRAR FOR THE LAND  
TITLES DIVISION OF WENTWORTH (No. 62)

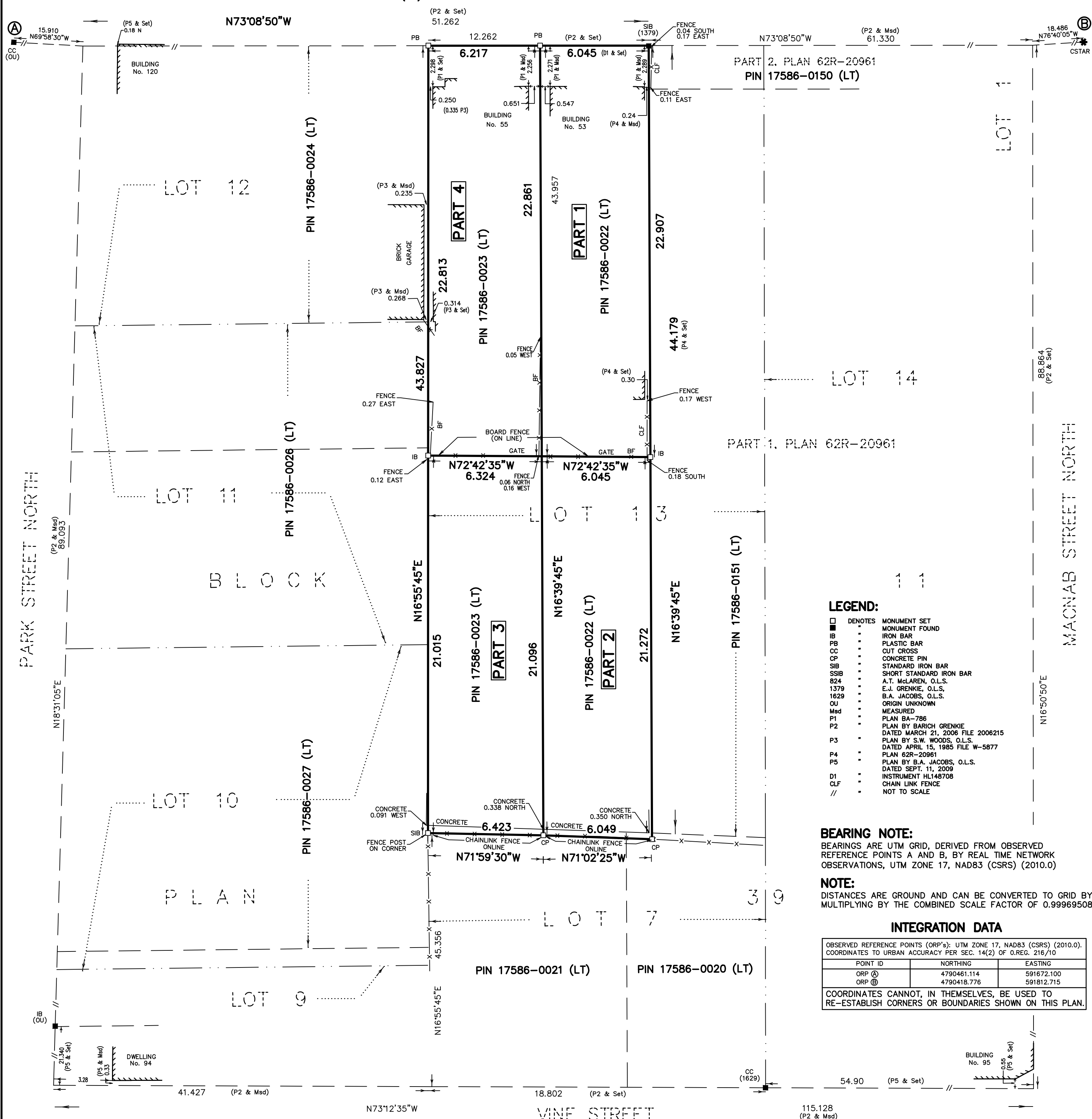
\_\_\_\_\_

I REQUIRE THIS PLAN TO BE  
DEPOSITED UNDER THE LAND  
TITLES ACT.

Date \_\_\_\_\_ SEPTEMBER 30, 2020 \_\_\_\_\_

\_\_\_\_\_

S. DAN McLAREN, O.L.S.



DISTANCES AND COORDINATES  
SHOWN ON THIS PLAN ARE IN  
METRES AND CAN BE  
CONVERTED TO FEET  
BY DIVIDING BY 0.3048

1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
2. THE SURVEY WAS COMPLETED ON THE 30th DAY OF SEPTEMBER, 2020

OCTOBER 7, 2020  
DATE

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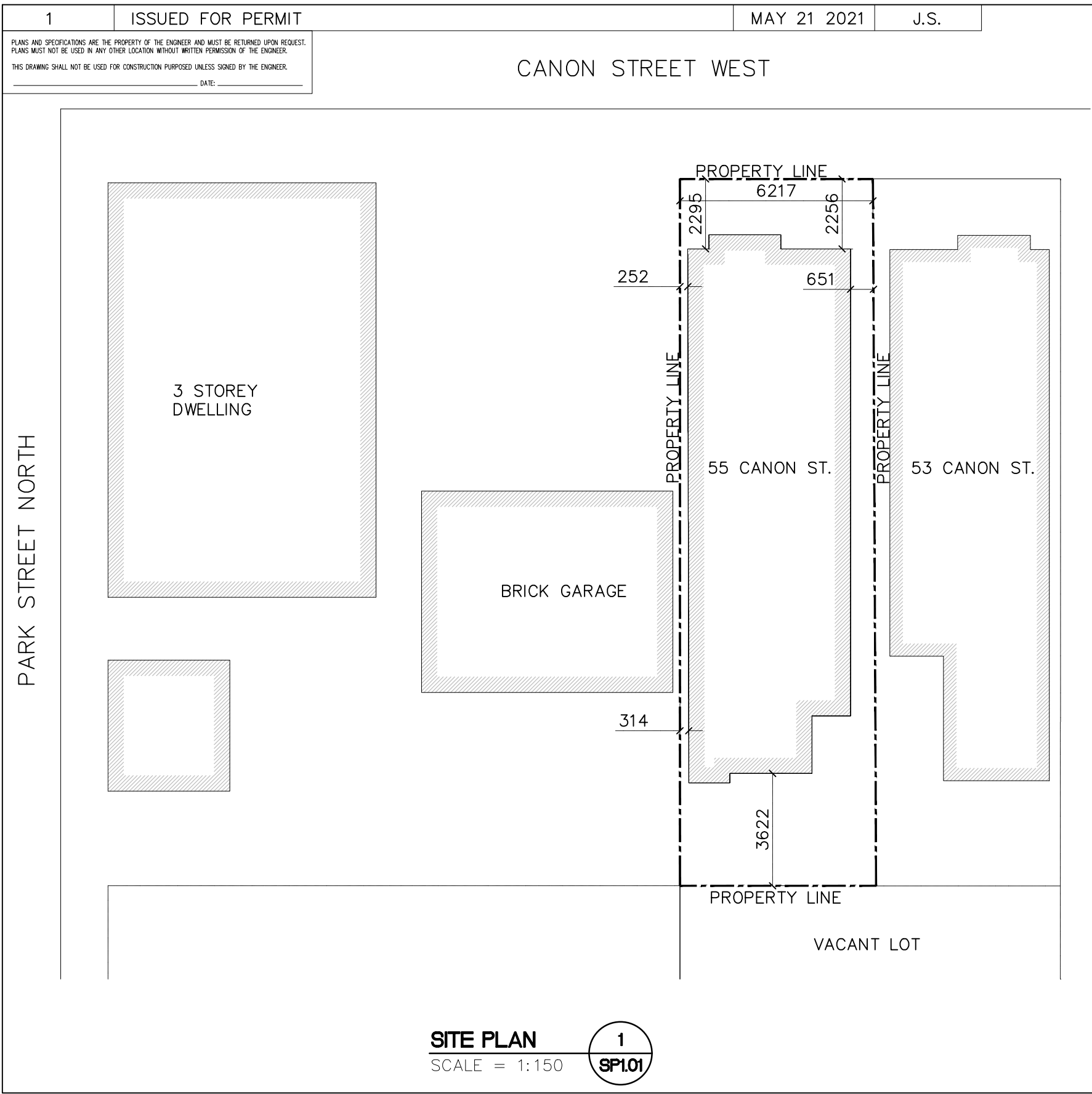
S. DAN McLAREN, O.L.S.



**A.T. McLaren Limited**  
LEGAL AND ENGINEERING SURVEYS

69 JOHN STREET SOUTH, SUITE 230  
HAMILTON, ONTARIO, L8N 2B9  
(905) 527-8559 FAX (905) 527-0032

Drawn JB	Checked RBM	Crew Chief SM	Scale 1:150	Dwg.No. 36432
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ZONING	LOT NO.	PLAN NO.	LOT AREA	LOT FRONTAGE	LOT DEPTH	
D1	13	39	141.65 m <sup>2</sup>	6.21m	22.81m	
DESCRIPTION	EXISTING	ADDITION	TOTAL	%	ALLOWED	%
LOT COVERAGE	87.5 m <sup>2</sup>	-----	87.5 m <sup>2</sup>	61.7		85
GROSS FLOOR AREA	153.6 m <sup>2</sup>	-----	153.6 m <sup>2</sup>	-----	-----	-----
LANDSCAPE AREA	-----	-----	-----	-----	-----	-----
NO. OF STORIES HEIGHT	2 8.2 m	-----	2 8.2 m	-----		
WIDTH	5.2 m	-----	5.2 m	-----		
DEPTH	17.6 m	-----	17.6 m	-----		
PARKING	None	-----	None	-----		

SETBACKS	EXISTING	PROPOSED
FRONT YARD	5.2 m	-----
REAR YARD	3.6 m	-----
INTERIOR SIDE (east)	0.65 m	-----
INTERIOR SIDE (west)	0.25 m	-----

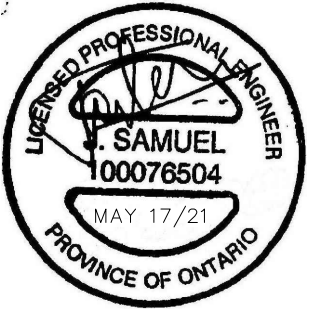


<div>JP SAMUEL AND ASSOCIATES INC.</div> <div>STRUCTURAL ENGINEERS</div> <div>1377 Cormorant Road, Suite 204, Ancaster, Ontario, L9G 4V5</div> <div>Tel:(416) 616-0196 email: jsamuel@jpsamuel.com www.jpsamuel.com</div>	CLIENT: MR. PETER KIOUSIS	PROJECT: LAND SEVERANCE	DRAWING: SITE PLAN	DRAWN BY: S.G.	DATE: MAY 10/21
	26 BEARDMORE CRESCENT, NORTH YORK, ON M2K 2P5	55 CANNON STREET WEST, Hamilton, ON L8R 2B4		CHECKED BY: J.S.	JOB No. 2021-JPS-098
				SCALE: AS NOTED	DRAWING No. SP1.01

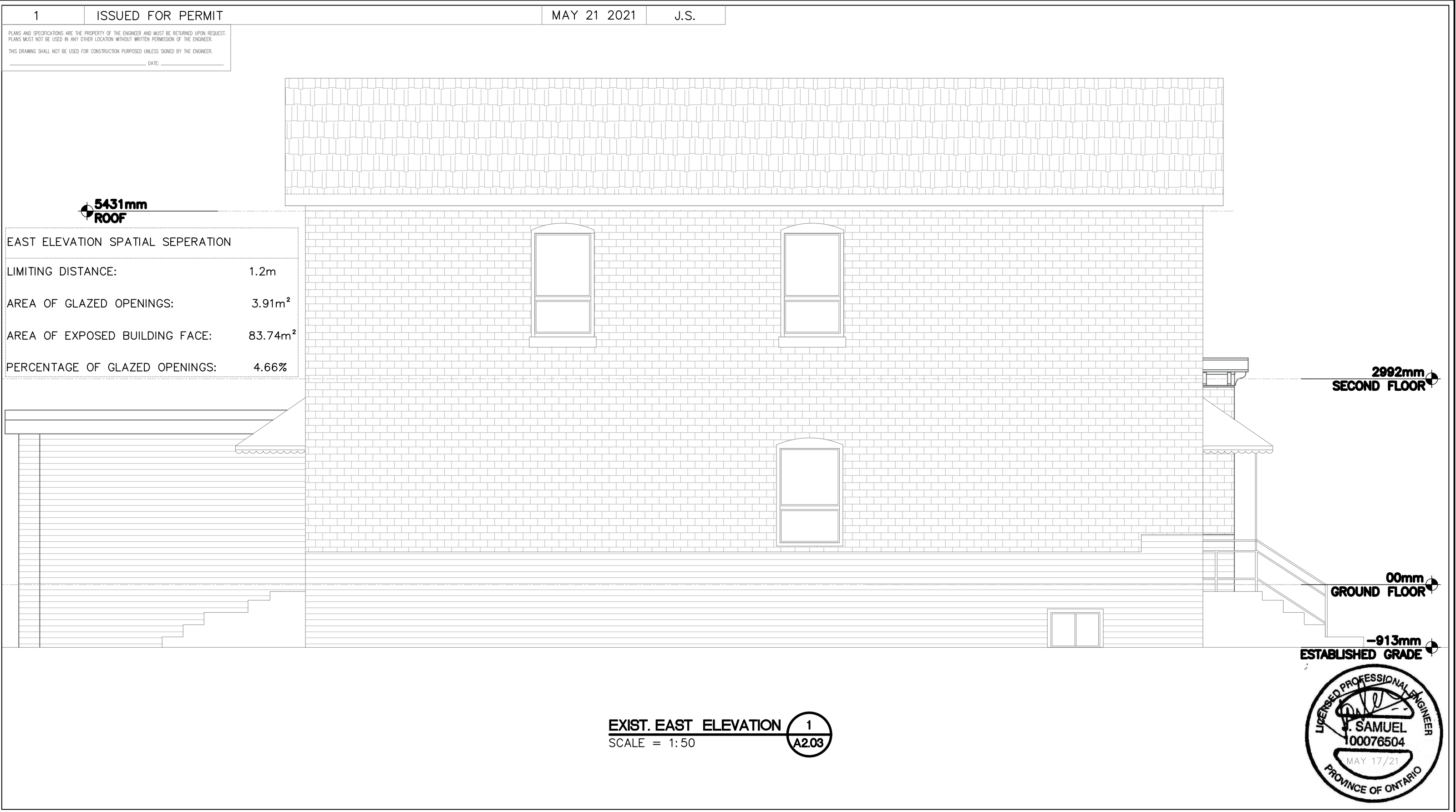
PLANS AND SPECIFICATIONS ARE THE PROPERTY OF THE ENGINEER AND MUST BE RETURNED UPON REQUEST.  
PLANS MUST NOT BE USED IN ANY OTHER LOCATION WITHOUT WRITTEN PERMISSION OF THE ENGINEER.  
THIS DRAWING SHALL NOT BE USED FOR CONSTRUCTION PURPOSES UNLESS SIGNED BY THE ENGINEER.  
DATE: \_\_\_\_\_



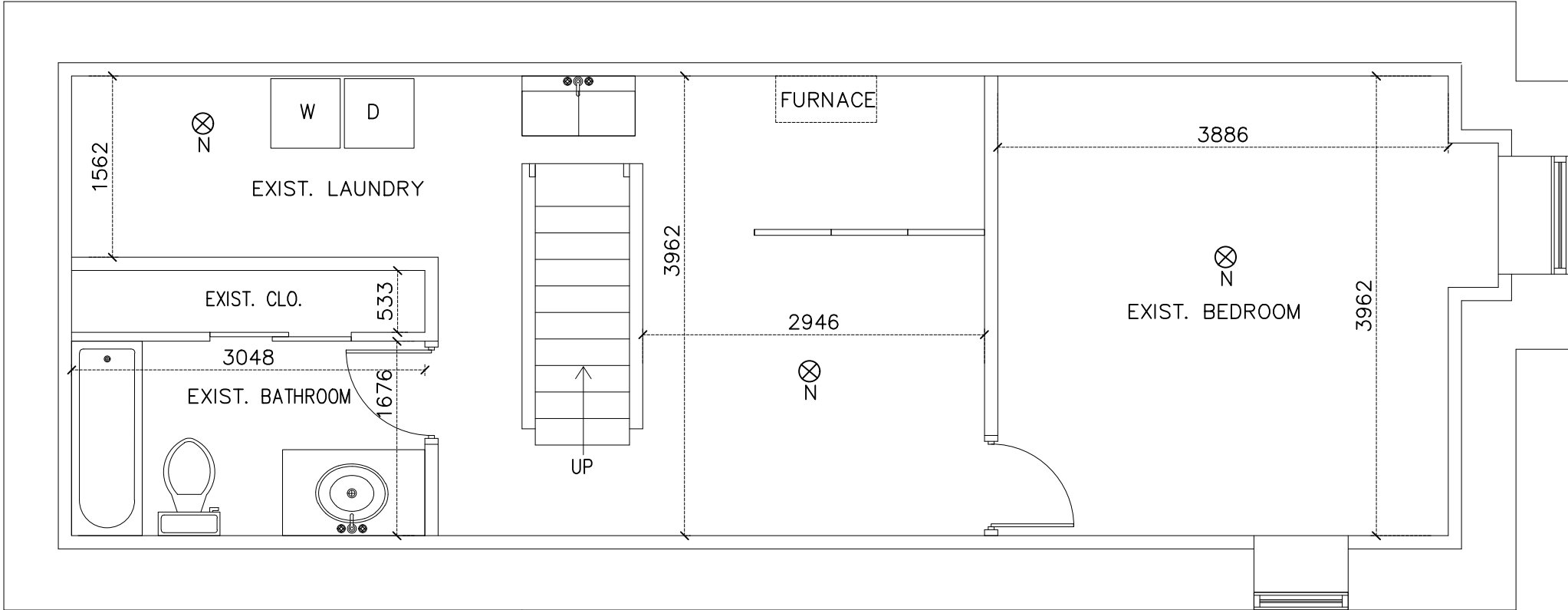
EXIST. NORTH ELEVATION 1  
SCALE = 1:50 A2.01



JP SAMUEL AND ASSOCIATES INC. STRUCTURAL ENGINEERS 1377 Cormorant Road, Suite 204, Ancaster, Ontario, L9G 4V5 Tel: (416) 616-0196 email: jsamuel@jpsamuel.com www.jpsamuel.com	CLIENT: MR. PETER KIOUSIS  26 BEARDMORE CRESCENT, NORTH YORK, ON M2K 2P5	PROJECT: LAND SEVERANCE  55 CANNON STREET WEST, Hamilton, ON L8R 2B4	DRAWING: EXISTING NORTH ELEVATION	DRAWN BY: S.G.	DATE: MAY 10/21
				CHECKED BY: J.S.	JOB No. 2021-JPS-098
				SCALE: AS NOTED	DRAWING No. A2.01



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THIS DRAWING SHALL NOT BE USED FOR CONSTRUCTION PURPOSES UNLESS SIGNED BY THE ENGINEER.  
DATE: \_\_\_\_\_



LEGEND	
	NEW FIRE ALARM
	EXIST. FIRE ALARM
NOTE: ALL FIRE ALARMS TO BE INTERCONNECTED	

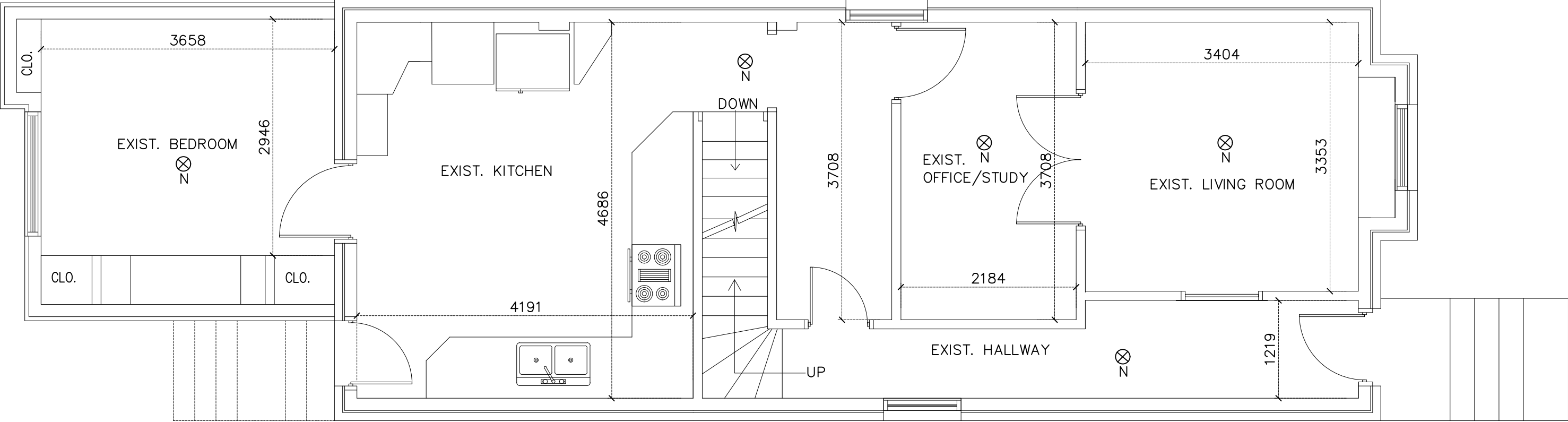
EXIST. BASEMENT FLOOR PLAN

1  
A1.01

SCALE = 1:50



PLANS AND SPECIFICATIONS ARE THE PROPERTY OF THE ENGINEER AND MUST BE RETURNED UPON REQUEST.  
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DATE: \_\_\_\_\_



LEGEND

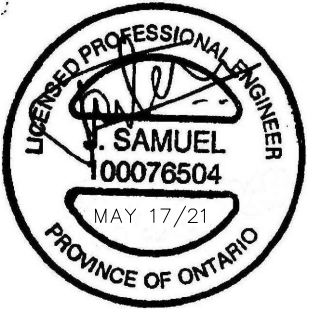
⊗  
N  
NEW FIRE ALARM

⊗  
E  
EXIST. FIRE ALARM

NOTE: ALL FIRE ALARMS TO BE INTERCONNECTED

EXIST. GROUND FLOOR PLAN  
SCALE = 1:50

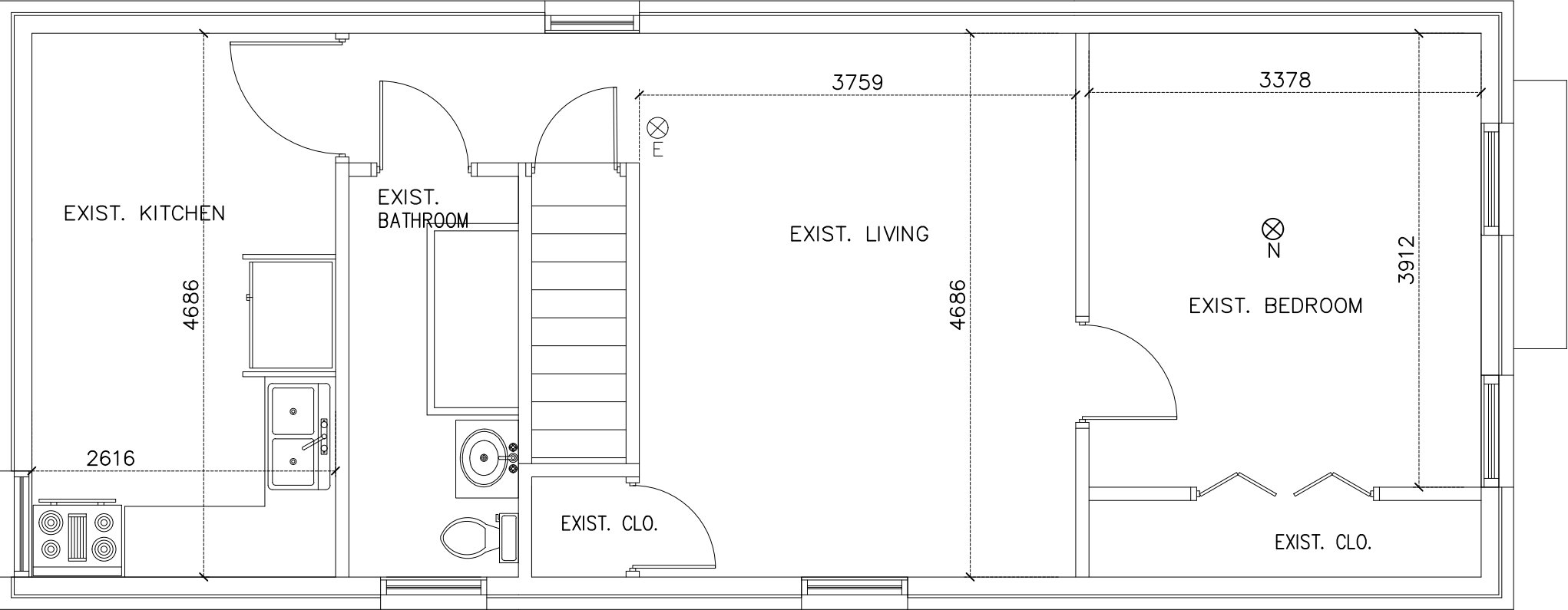
1  
A1.02



JP SAMUEL AND ASSOCIATES INC. STRUCTURAL ENGINEERS 1377 Cormorant Road, Suite 204, Ancaster, Ontario, L9G 4V5 Tel: (416) 616-0196 email: jsamuel@jpsamuel.com www.jpsamuel.com	CLIENT: MR. PETER KIOUSIS  26 BEARDMORE CRESCENT, NORTH YORK, ON M2K 2P5	PROJECT: LAND SEVERANCE  55 CANNON STREET WEST, Hamilton, ON L8R 2B4	DRAWING: EXISTING GROUND FLOOR PLAN	DRAWN BY: S.G.	DATE: MAY 10/21
				CHECKED BY: J.S.	JOB No. 2021-JPS-098
				SCALE: AS NOTED	DRAWING No. A1.02



PLANS AND SPECIFICATIONS ARE THE PROPERTY OF THE ENGINEER AND MUST BE RETURNED UPON REQUEST.  
PLANS MUST NOT BE USED IN ANY OTHER LOCATION WITHOUT WRITTEN PERMISSION OF THE ENGINEER.  
THIS DRAWING SHALL NOT BE USED FOR CONSTRUCTION PURPOSES UNLESS SIGNED BY THE ENGINEER.  
DATE: \_\_\_\_\_



LEGEND

⊗  
N

NEW FIRE ALARM

⊗  
E

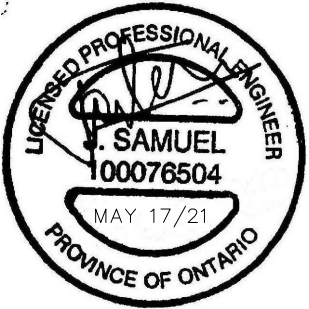
EXIST. FIRE ALARM

NOTE: ALL FIRE ALARMS TO BE INTERCONNECTED

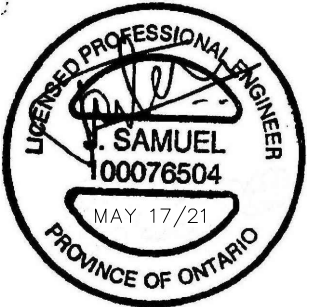
EXIST. SECOND FLOOR PLAN

1  
A1.03

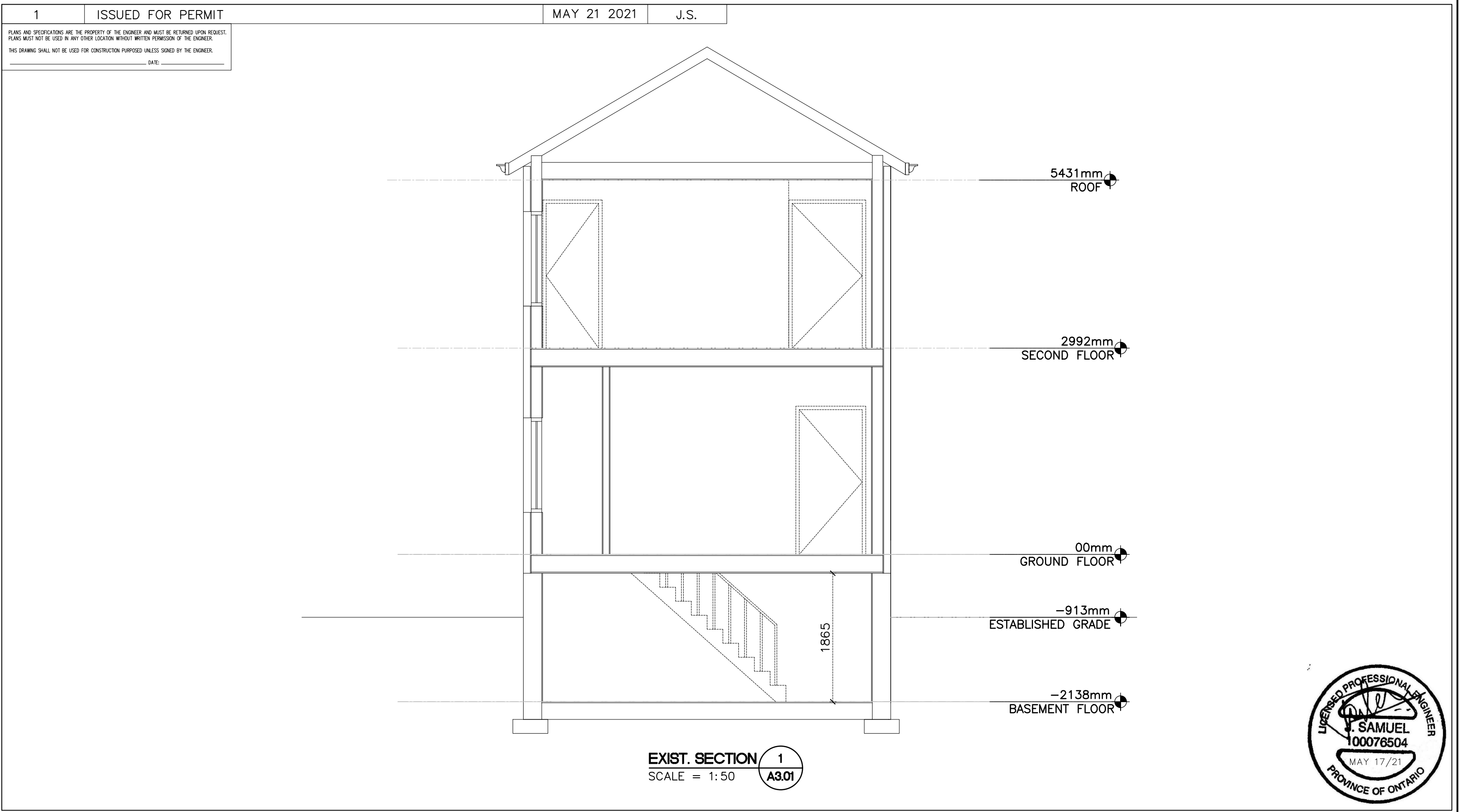
SCALE = 1:50



1	ISSUED FOR PERMIT	MAY 21 2021	J.S.
<div>PLANS AND SPECIFICATIONS ARE THE PROPERTY OF THE ENGINEER AND MUST BE RETURNED UPON REQUEST. PLANS MUST NOT BE USED IN ANY OTHER LOCATION WITHOUT WRITTEN PERMISSION OF THE ENGINEER. THIS DRAWING SHALL NOT BE USED FOR CONSTRUCTION PURPOSES UNLESS SIGNED BY THE ENGINEER. DATE: _____</div>			
<div><p>5431mm ROOF</p><p>2992mm SECOND FLOOR</p><p>00mm GROUND FLOOR</p><p>-913mm ESTABLISHED GRADE</p><p><b>EXIST. SOUTH ELEVATION</b> 1 SCALE = 1:50 A2.02</p></div>			
<div><div><div><div><div><div>JP SAMUEL AND ASSOCIATES INC.</div><div>STRUCTURAL ENGINEERS</div><div>1377 Cormorant Road, Suite 204, Ancaster, Ontario, L9G 4V5</div><div>Tel: (416) 616-0196 email: jsamuel@jpsamuel.com www.jpsamuel.com</div></div></div><div><div>CLIENT:</div><div>MR. PETER KIOUSIS</div><div>26 BEARDMORE CRESCENT, NORTH YORK, ON M2K 2P5</div></div><div><div>PROJECT:</div><div>LAND SEVERANCE</div><div>55 CANNON STREET WEST, Hamilton, ON L8R 2B4</div></div><div><div>DRAWING:</div><div>EXISTING SOUTH ELEVATION</div></div><div><div><div>DRAWN BY: S.G.</div><div>CHECKED BY: J.S.</div><div>SCALE: AS NOTED</div></div><div><div>DATE: MAY 10/21</div><div>JOB No. 2021-JPS-098</div><div>DRAWING No. A2.02</div></div></div></div></div></div>			



1	ISSUED FOR PERMIT	MAY 21 2021	J.S.	
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<div><div>EXIST. WEST ELEVATION SCALE = 1:50</div><div>1 A2.04</div></div>				
<div><div><div><div>LICENSED PROFESSIONAL ENGINEER J. SAMUEL 100076504 MAY 17/21 PROVINCE OF ONTARIO</div></div></div></div>				
<div><div>JP SAMUEL AND ASSOCIATES INC.</div><div>STRUCTURAL ENGINEERS</div><div>1377 Cormorant Road, Suite 204, Ancaster, Ontario, L9G 4V5</div><div>Tel: (416) 616-0196 email: jsamuel@jpsamuel.com www.jpsamuel.com</div></div>	CLIENT: MR. PETER KIOUSIS	PROJECT: LAND SEVERANCE	DRAWING: EXISTING WEST ELEVATION	
	26 BEARDMORE CRESCENT, NORTH YORK, ON M2K 2P5	55 CANNON STREET WEST, Hamilton, ON L8R 2B4	DRAWN BY: S.G.	DATE: MAY 10/21
			CHECKED BY: J.S.	JOB No. 2021-JPS-098
			SCALE: AS NOTED	DRAWING No. A2.04



<div>JP SAMUEL AND ASSOCIATES INC.</div> <div>STRUCTURAL ENGINEERS</div> <div>1377 Cormorant Road, Suite 204, Ancaster, Ontario, L9G 4V5</div> <div>Tel: (416) 616-0196 email: jsamuel@jpsamuel.com www.jpsamuel.com</div>	<div>CLIENT:</div> <div>MR. PETER KIOUSIS</div> <div>26 BEARDMORE CRESCENT, NORTH YORK, ON M2K 2P5</div>	<div>PROJECT:</div> <div>LAND SEVERANCE</div> <div>55 CANNON STREET WEST, Hamilton, ON L8R 2B4</div>	<div>DRAWING:</div> <div>EXISTING SECTION</div>	<div>DRAWN BY:</div> <div>S.G.</div>	<div>DATE:</div> <div>MAY 10/21</div>
				<div>CHECKED BY:</div> <div>J.S.</div>	<div>JOB No.</div> <div>2021-JPS-098</div>
				<div>SCALE:</div> <div>AS NOTED</div>	<div>DRAWING No.</div> <div>A3.01</div>

**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	MAILING ADDRESS
Registered Owners(s)	2717280 ONTARIO INC.	
Applicant(s)*	Peter Kiouisis	
Agent or Solicitor	J. P. Samuel & Associates Inc.	

**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:

BANK OF MONTREAL  
65 BLOOR STREET WEST, 5TH FLOOR  
TORONTO, ON  
M2L 2G6

**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:  
To continue use of the Single Detached Dwelling.

☐ Secondary Dwelling Unit      ☐ Reconstruction of Existing Dwelling

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

The current 'D1' zone of these lands does not permit the use of a Single Detached Dwelling. As a result of the proposed severance, the legal non-conforming status of the existing Single Detached Dwellings is effectively lost.

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**):

Registered Plan no. 39  
Lot 13  
Block 11  
55 Cannon St. West

7. PREVIOUS USE OF PROPERTY

Residential ☒      Industrial ☐      Commercial ☐  
Agricultural ☐      Vacant ☐      Other ☐

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 8.1 to 8.10 above?

Age of existing Building.

8.12 If previous use of property is industrial or commercial or if YES to any of 8.2 to 8.10, 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.

July 13, 2021

Date

  
Signature Property Owner(s)

2717280 ONTARIO INC.

Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage	6.21m
Depth	22.81m
Area	141.65 sqm
Width of street	Approx. 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:

Ground Floor Area - 72.6 sq m  
Gross Floor Area - 153.6 sq m  
No. of Stories (Above grade) - 2

Building Width - 5.2m  
Building Length - 17.6m  
Building Height - 8.2m

Proposed

Same as Existing

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 - 2.29m  
Rear - 3.6m  
East - .65m  
West - .25m

Proposed:

Same as Existing

13. Date of acquisition of subject lands:  
Sept 30, 2011
- 
14. Date of construction of all buildings and structures on subject lands:  
\_\_\_\_\_
15. Existing uses of the subject property (single family, duplex, retail, factory etc.):  
Single family dwelling
16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):  
Parking garage and single family dwelling
17. Length of time the existing uses of the subject property have continued:
18. Municipal services available: (check the appropriate space or spaces)
- |                |                                     |           |                                     |
|----------------|-------------------------------------|-----------|-------------------------------------|
| Water          | <input checked="" type="checkbox"/> | Connected | <input checked="" type="checkbox"/> |
| Sanitary Sewer | <input checked="" type="checkbox"/> | Connected | <input checked="" type="checkbox"/> |
| Storm Sewers   | <input checked="" type="checkbox"/> |           |                                     |
19. Present Official Plan/Secondary Plan provisions applying to the land:  
Not Applicable
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:  
The current 'D1' zone of these lands does not permit the use of a Single Detached Dwelling. As a result of the proposed severance, the legal non-conforming status of the existing Single Detached Dwellings is effectively lost.
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  
Application for Land Severance.
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.