



Hamilton

SCCOMMITTEE OF ADJUSTMENT

City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5
Telephone (905) 546-2424, ext. 4221, 3935 Fax (905) 546-4202
E-mail: cofa@hamilton.ca

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-19:184

APPLICANTS: Owner Kuldip & Tej Renhsi

SUBJECT PROPERTY: Municipal address **501 Barton St., Stoney Creek**

ZONING BY-LAW: Zoning By-law 05-200, as Amended 18-219

ZONING: "M3" (Prestige Business Park) district

PROPOSAL: To permit the expansion of a legal non-conforming use by 26.3% to facilitate a rear addition consisting of 46.3 square metres of gross floor area on two floors for an existing 176.1 square metre two storey single detached dwelling, notwithstanding that:

1. A legal non-conforming single detached dwelling shall be expanded without requiring the restoration and repair of the dwelling and the dwelling shall be permitted to be increased in terms of its height, volume and lot coverage, whereas the Zoning By-law permits a legal non-conforming single detached dwelling to be repaired and restored to a safe condition and that such restoration and/or repair shall not increase the height, volume and lot coverage of the dwelling.

NOTES:

1. An Applicable Law Review undertaken July 4, 2018 and December 12, 2018 has identified the existing single detached dwelling as being a legally established non-conforming use. It is further noted that the existing 60 year old dwelling was initially constructed as a 1.5 storey single detached dwelling. Over time with significant dormer additions to the front and rear second floors, this use is now being correctly recognized for the purpose of this application as a legal non-conforming two storey single detached dwelling.

2. The application has been revised and new drawings have been provided based on a new proposed expansion for the legal non-conforming single detached dwelling. Accordingly, based on new information, it has been determined that the existing single detached dwelling comprises a gross floor area of 176.1 square metres. However, previously the gross floor area of this dwelling without the additions was identified as comprising 88.64 square metres of gross floor area.

3. Legal non-conforming uses are regulated in Section 1.1 of the Zoning By-law.

4. Site Plan Amendment application SPA-19-112 was previously submitted to address the former minor variance to expand the legal non-conforming single detached dwelling and

to permit an expansion to the existing tradesperson's (machinist) shop. An updated site plan has not been submitted for the proposed expansion of the legal non-conforming single detached dwelling.

5. The M3 Zone identifies dwelling unit as a prohibited use, even as an accessory use.

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

DATE: Thursday, November 4th, 2021
TIME: 2:15 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: October 19th, 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.

SITE PLAN PREPARED ON THE BASE OF
SURVEY PLAN PREPARED BY:

MacKAY & MacKAY & PETERS.
LAND SURVEYOR'S
PLAN OF LOT 17 - CONCESSION 1
TOWNSHIP OF SALT FLEET

Bldg floor area

	Existing	Proposed
1st FLOOR	1072 sq.f. - 99.6 sq.m.	1219 sq.f. - 113.2 sq.m.
2nd FLOOR	823 sq.f. - 76.5 sq.m.	1174 sq.f. - 109.1 sq.m.

Addition floor area

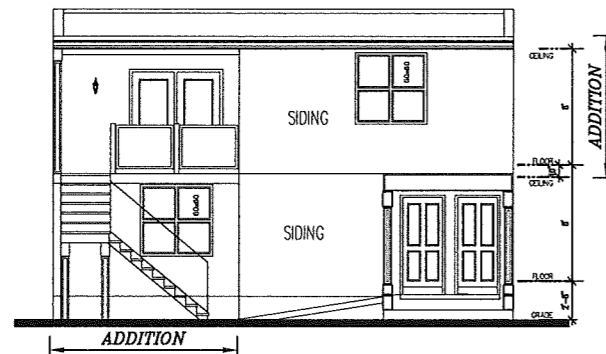
	Proposed
1st FLOOR	147 sq.f. - 13.7 sq.m.
2nd FLOOR	351 sq.f. - 32.6 sq.m.
TOTAL	498 sq.f. - 46.3 sq.m.

EXTERIOR STAIRS

MAX. RISE 200mm (7 7/8")
MIN. RUN 210mm (8 1/4")
MIN. TREAD 235mm (9 1/4")
NOSING 25mm (1")

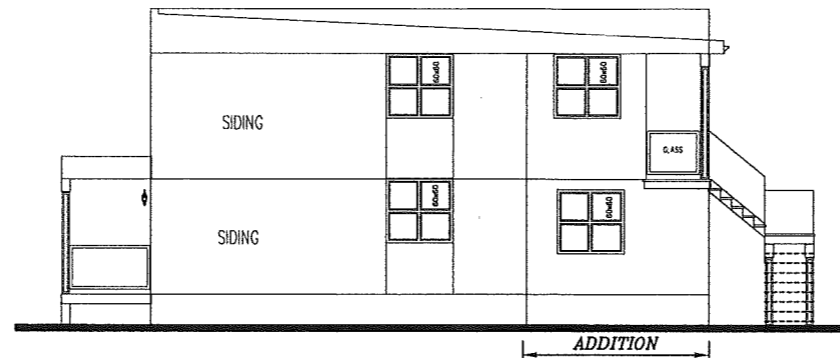
GUARD HEIGHT:

GREATER THAN 2'-0" ABOVE GRADE = 900mm (35")
GREATER THAN 5'-11" ABOVE GRADE = 1070mm (42")

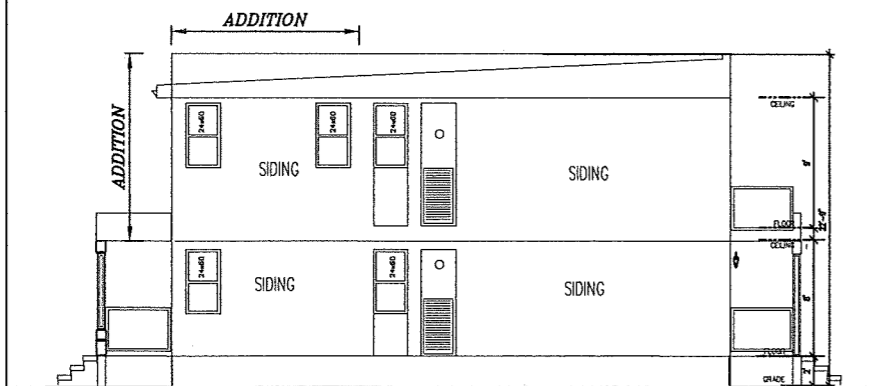


REAR ELEVATION

NOTE:
WINDOW SIZES SHOWN ARE APPROXIMATE.
EXACT ROUGH OPENINGS TO BE DETERMINED
BY WINDOW MANUFACTURERS SPECIFICATIONS.



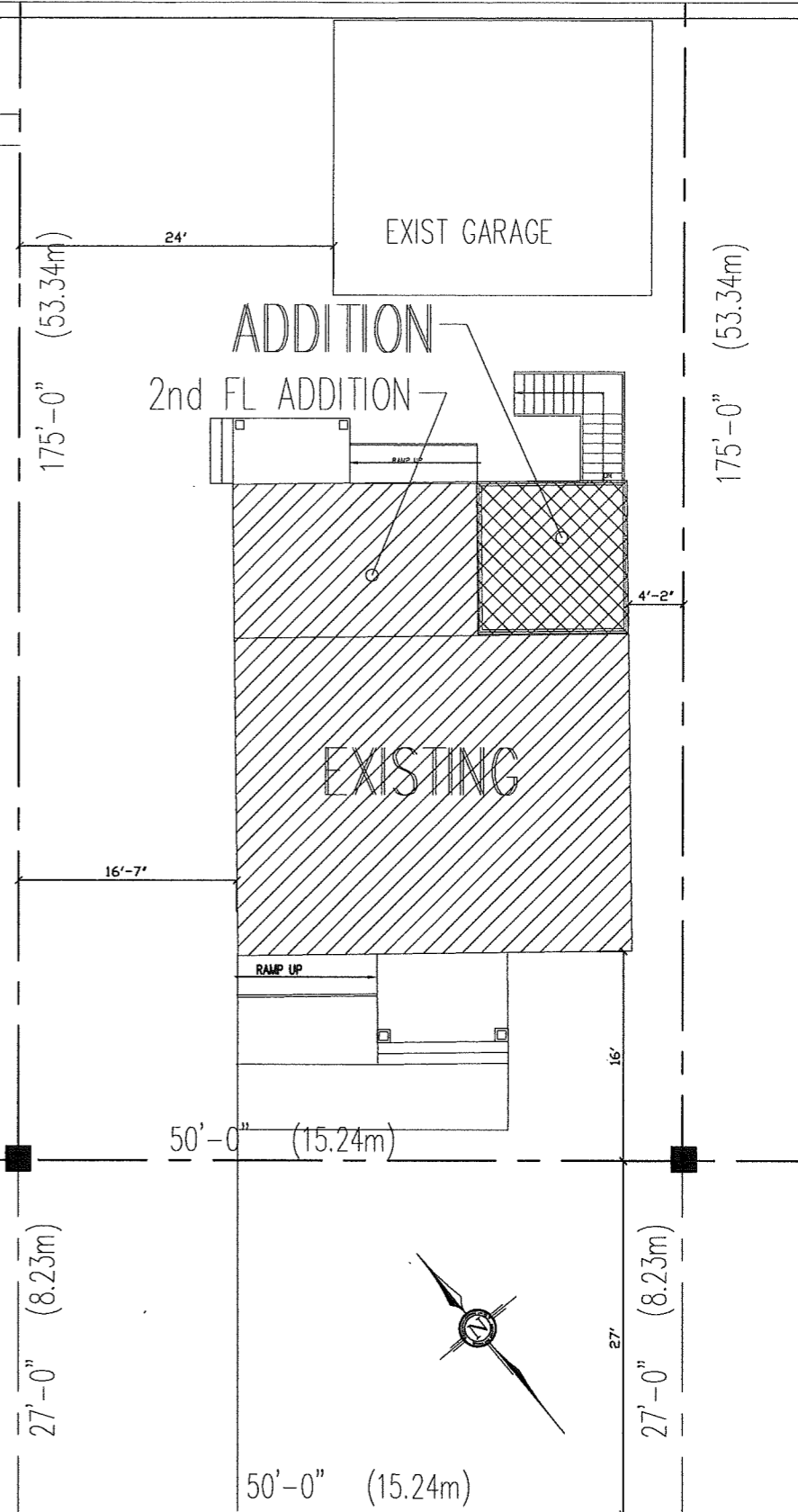
SIDE ELEVATION



SIDE ELEVATION



FRONT ELEVATION



BARTON Street

REFER TO APPROPRIATE SURVEY, STRUCTURAL, MECHANICAL, ELECTRICAL, LANDSCAPE, ETC. CONSULTANT DRAWINGS BEFORE PROCEEDING WITH THE WORK.
CONSTRUCTION MUST CONFORM TO ALL APPLICABLE CODES AND REQUIREMENTS OF AUTHORITIES HAVING JURISDICTION.
THE CONTRACTOR SHALL VERIFY AND ACCEPT RESPONSIBILITY FOR ALL DIMENSIONS AND CONDITIONS ON SITE AND SHALL NOTIFY THE APPROPRIATE CONSULTANT OF ANY VARIATIONS FROM THE SUPPLIED INFORMATION. THIS DRAWING IS NOT TO BE SCALED.

The undersigned has reviewed and takes responsibility for this design, and has the qualifications and meets the requirements set out in the 3.2.4 CS - 2012 O.B.C. to be a designer.
QUALIFICATION INFORMATION
Gregory Spurnik ARCHITECT 22220
NAME SIGNATURE BCN
REGISTRATION INFORMATION
Gregory Spurnik ARCHITECT 22220
FIRM NAME BCN



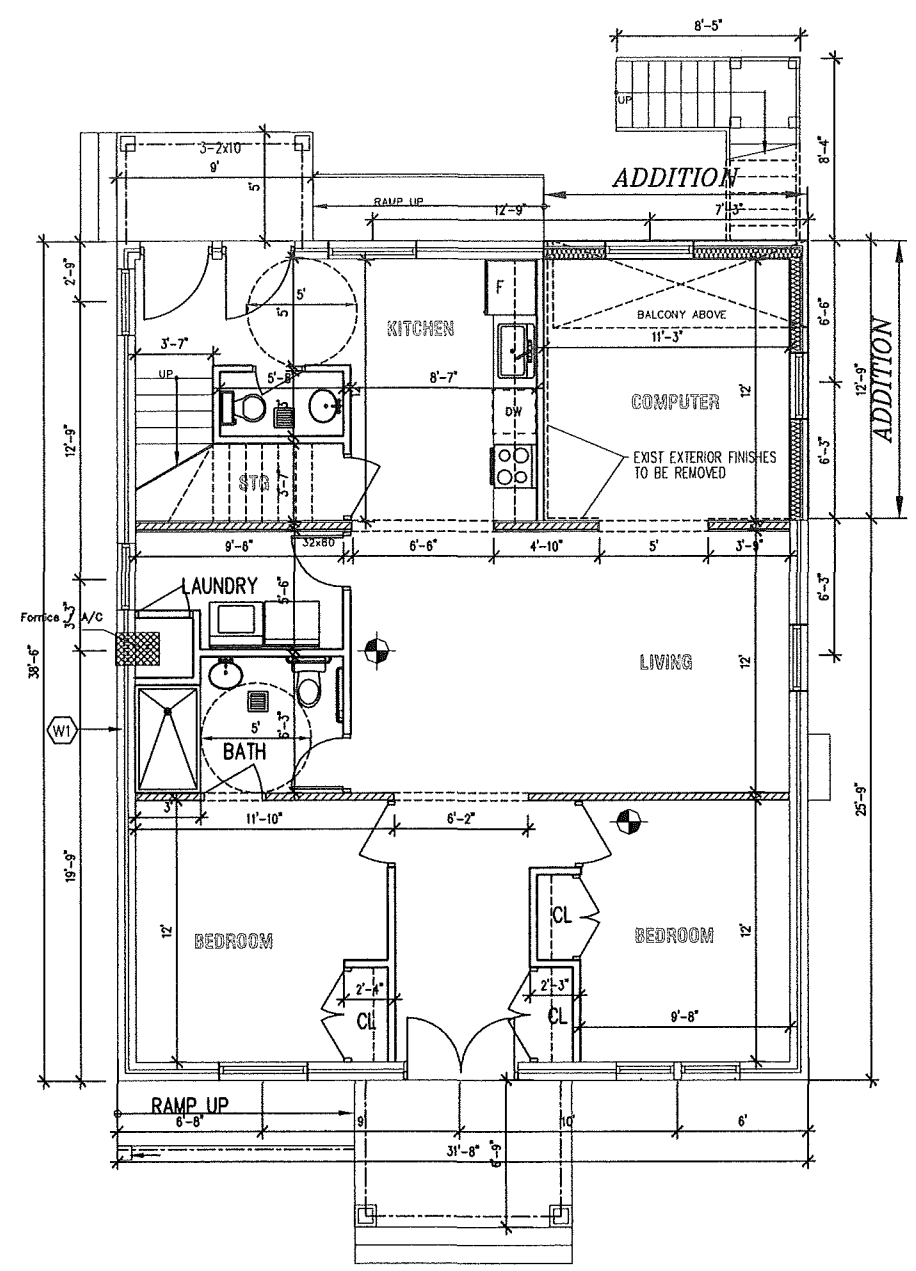
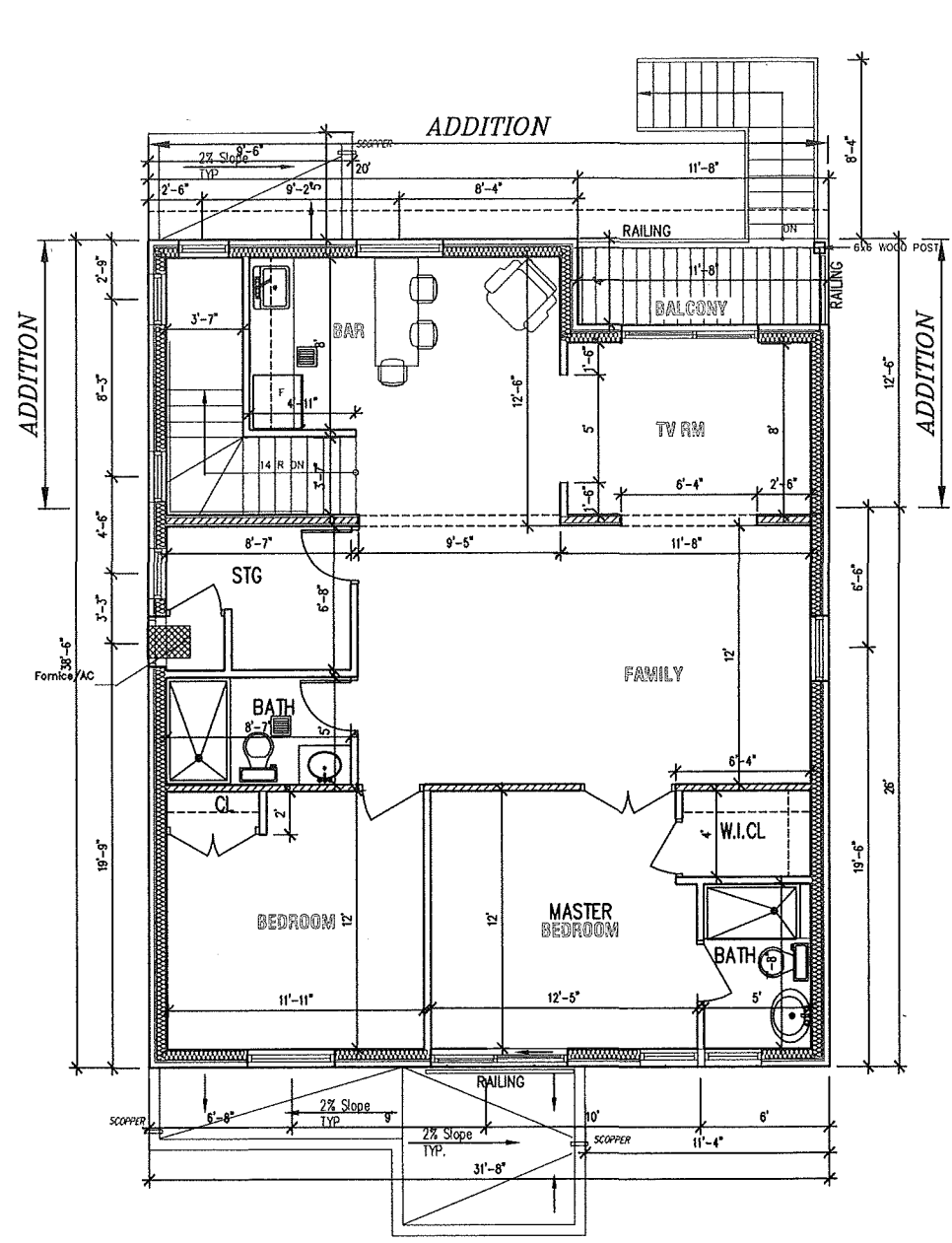
NO	DATE	DESCRIPTIONS
3.		
2.	Sept. 25, 2021	Bldg Permit Application comments Review Letter - September 3, 2021
1.	July 05 2021	Bldg Permit Application comments Review Letter - June 24, 2021

PROJECT:
ALTERATION & ADDITION
501 BARTON Street
STONEY CREEK, Hamilton

DATE: May, 2021
DESIGN: G.S.
DRAFTING: G.S.
ISSUED:
ACAD: SAM
SCALE: 1/8"=1'-0"

DRAWING:
-
SITE PLAN
ELEVATIONS

DRAWING No.
A-01



REFER TO APPROPRIATE SURVEY, STRUCTURAL, MECHANICAL, ELECTRICAL, LANDSCAPE, ETC., CONSULTANT DRAWINGS BEFORE PROCEEDING WITH THE WORK.
CONSTRUCTION MUST CONFORM TO ALL APPLICABLE CODES AND REQUIREMENTS OF AUTHORITIES HAVING JURISDICTION.
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The undersigned has reviewed and taken responsibility for this design, and has the qualifications and meets the requirements set out in the S.24 (3) - 2012 O.B.C. to be a designer.

QUALIFICATION INFORMATION
 Gregory Sporek 22286
 NAME SIGNATURE DC24

REGISTRATION INFORMATION
 Gregory Sporek: aka ARCHGATE 22286
 FIRM NAME DC24



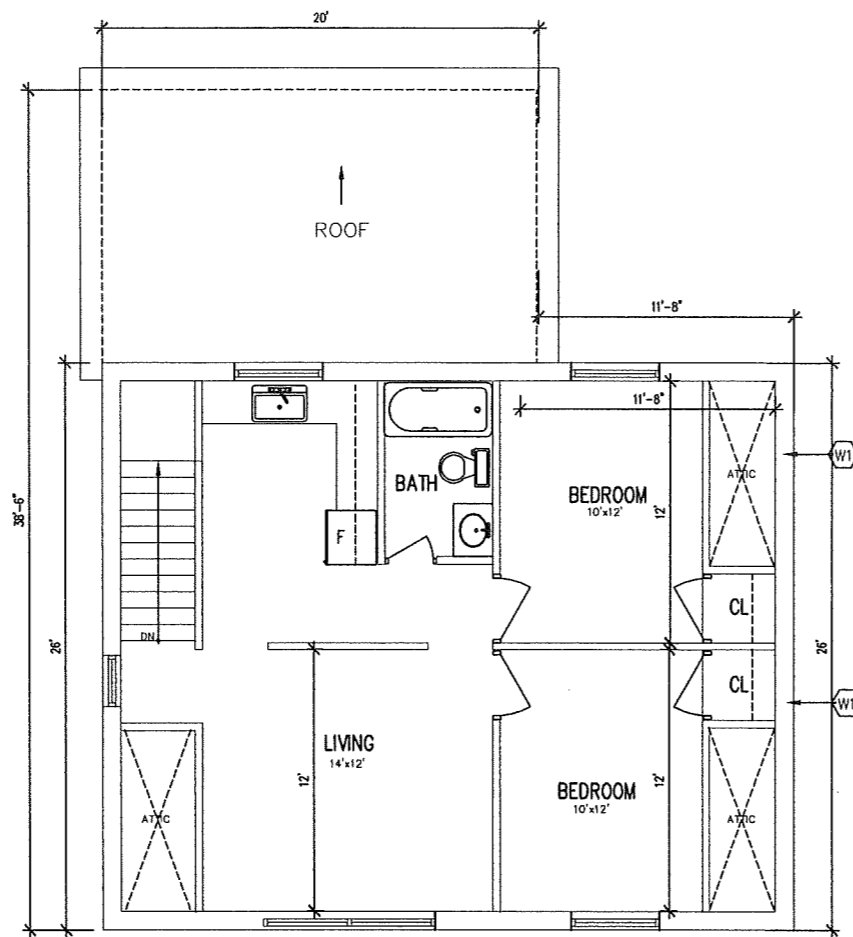
NO	DATE	DESCRIPTIONS
3.		
2.		
1.	July 05 2021	Bldg Permit Application comments Review Letter - June 24, 2021
REVISIONS		

PROJECT:
ALTERATION & ADDITION
 501 BARTON Street
 STONEY CREEK, Hamilton

DATE: May, 2021
 DESIGN: G.S.
 DRAFTING: G.S.
 ISSUED:
 ACAD: SAM
 SCALE: 3/16"=1'-0"

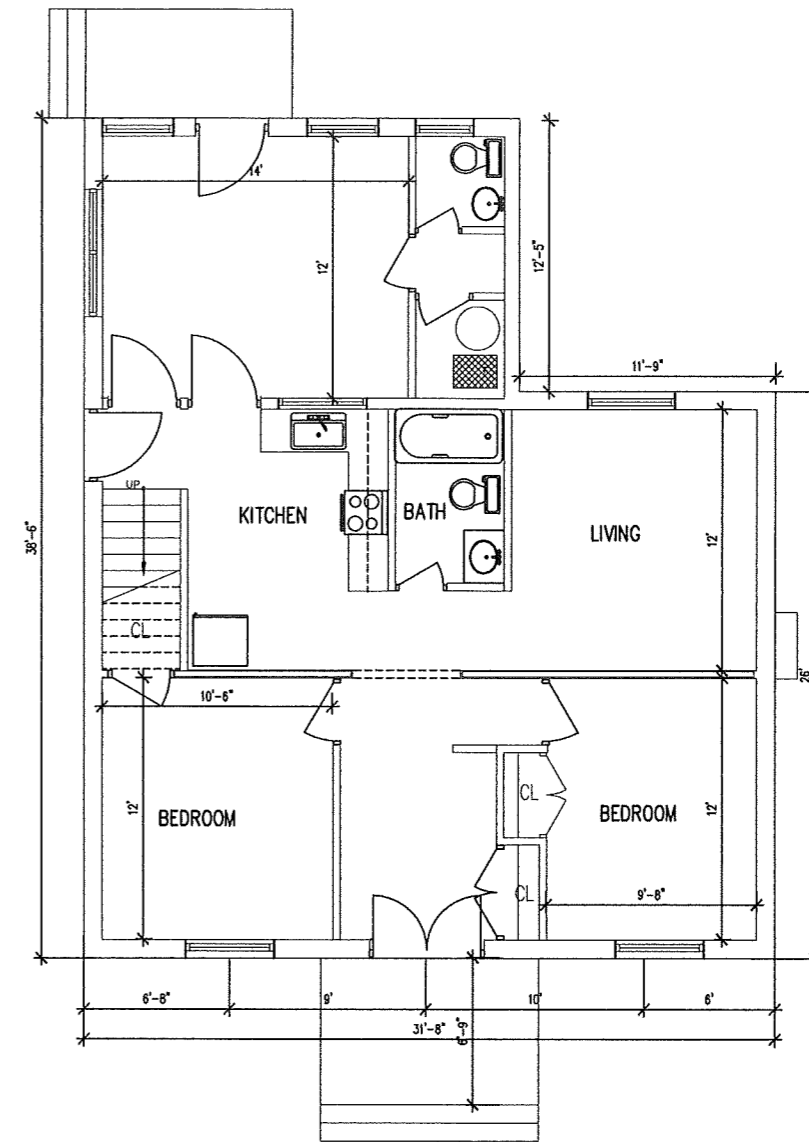
DRAWING:
 -
FLOOR PLAN
 -

DRAWING No.
A-02



2nd FLOOR

823 sq.f. - 76.5 sq.m.



1st FLOOR

1072 sq.f. - 99.6 sq.m.

REFER TO APPROPRIATE SURVEY, STRUCTURAL, MECHANICAL, ELECTRICAL, LANDSCAPE, ETC. CONSULTANT DRAWINGS BEFORE PROCEEDING WITH THE WORK.
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THE CONTRACTOR SHALL VERIFY AND ACCEPT RESPONSIBILITY FOR ALL DIMENSIONS AND CONDITIONS ON SITE AND SHALL NOTIFY THE APPROPRIATE CONSULTANT OF ANY VARIATIONS FROM THE SUPPLIED INFORMATION. THIS DRAWING IS NOT TO BE SCALED.

The undersigned has reviewed and takes responsibility for this design, and has the qualifications and meets the requirements set out in the 1.2.4 C.S. - 2012 O.B.C. to be a designer.

QUALIFICATION INFORMATION
 Gregor Spurek 22286
 NAME SIGNATURE BORN

REGISTRATION INFORMATION
 Gregor Spurek, aka ARCHGATE 22222
 FIRM NAME BORN



NO	DATE	DESCRIPTIONS
1.	July 05 2021	Bldg Permit Application comments Review Letter - June 24, 2021
2.		
3.		

REVISIONS

PROJECT :
ALTERATION & ADDITION
 501 BARTON Street
 STONEY CREEK, Hamilton

DATE: May, 2021
 DESIGN: G.S.
 DRAFTING: G.S.
 ISSUED:
 ACAD: SAM
 SCALE: 1/8"=1'-0"

DRAWING:
EXISTING FLOOR PLAN

DRAWING No.
A-03



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

Registered Owners(s)	
Applicant(s)*	
Agent or Solicitor	

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: RENOVATION & RECONSTRUCTION
EXISTING COMPLY WITH AN ESTABLISHED LEGAL
NON CONFORMING SINGLE FAMILY DWELLING.
PROPOSED ADDITIONS NOT PERMITTED UNDER THE CURRENT
ZONING. M3 BY-LAW 05-200

Secondary Dwelling Unit Reconstruction of Existing Dwelling

5. Why it is not possible to comply with the provisions of the By-law?
PROPOSED RECONSTRUCTION REQUIRED ADDITIONAL STRUCTURE
ELEMENTS & EXPANSION.

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**):
PLAN OF LOT 17 - CONCESSION I TOWNSHIP OF SALTFLY
501 BARTON ST, STONEY CREEK

7. PREVIOUS USE OF PROPERTY

Residential Industrial Commercial
Agricultural Vacant Other

Other _____

8.1 If Industrial or Commercial, specify use WORK SHOP

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?

SURVEY PLAN

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.

1/10/2021
Date

[Signature]
Signature Property Owner(s)

KULDIP SINGH REHSI
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage 15,24 m
Depth 53,34 m
Area 795 m²
Width of street N/A

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: 176,1 m² FLOOR AREA

2 STORY
9,65 WIDTH
11,75 LENGTH
7,85 HEIGHT

Proposed

~~222,3~~ 222,3 m² FLOOR AREA
2 STORY, 9,65 WIDTH, 11,75 LENGTH
7,85 HEIGHT

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 - 1,27 m
RIGHT SIDE - 10,9 m
REAR - 37,5 m
FRONT - 8,23 m

Proposed:

AS EXISTING

13. Date of acquisition of subject lands:
1979

14. Date of construction of all buildings and structures on subject lands:
APPROX 60 YEARS

15. Existing uses of the subject property (single family, duplex, retail, factory etc.):
SINGLE FAMILY

16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):
COMMERCIAL & SINGLE FAMILY

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

18. Municipal services available: (check the appropriate space or spaces)

Water	<input checked="" type="checkbox"/>	Connected	<input type="checkbox"/>
Sanitary Sewer	<input checked="" type="checkbox"/>	Connected	<input type="checkbox"/>
Storm Sewers	<input checked="" type="checkbox"/>		

19. Present Official Plan/Secondary Plan provisions applying to the land:
R1N

20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
M3 PRESTIGE BUSINESS PARK ZONE

21. Has the owner previously applied for relief in respect of the subject property?
Yes No

If the answer is yes, describe briefly.

PREVIOUS APPLICATION WITHDRAWN (REACTIVATE PERMIT #)
No. 2021.131216. R9

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.