



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-21:429

APPLICANTS: Owner 12705982 Canada Inc.
Agent King Homes – K. Bekendam

SUBJECT PROPERTY: Municipal address **843 King St. E., Hamilton**

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

ZONING: TOC3 district (Transit Oriented Corridor Multiple Residential)

PROPOSAL: To permit the establishment of two (2) dwelling units on the ground floor of the existing two storey multi-unit building, notwithstanding that;

1. The proposed dwelling units shall be permitted at 0.0m above grade, whereas the zoning By-law requires that the finished floor elevation of any dwelling unit shall be a minimum of 0.9 metres above grade.

Notes: The existing commercial retail uses are intended to be removed and replaced with the proposed residential units. Please note that upon removal of the existing commercial retail units, this property will no longer permit the conversion to any commercial uses.

The lands are subject to Site Plan Control.

No parking spaces and no bicycle parking is required for the proposed residential dwelling units located within the existing building.

The front lot line is considered to be the southerly lot line abutting King Street East.

The location of the existing building is deemed to comply pursuant to Section 4.12 (e) of By-law 05-200:

“Notwithstanding any other provisions of this By-law, any lot within the Transit Oriented Corridor Zones of this By-law, and the location thereon of any building or structure, existing on the effective date of this By-law, shall be deemed to comply with the regulations for any required setbacks, front yard, flankage yard, rear yard, lot width, lot area, and building height and are permitted by this By-law”.

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

DATE: Thursday, January 20th, 2022
TIME: 2:05 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: January 4th, 2022.

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.

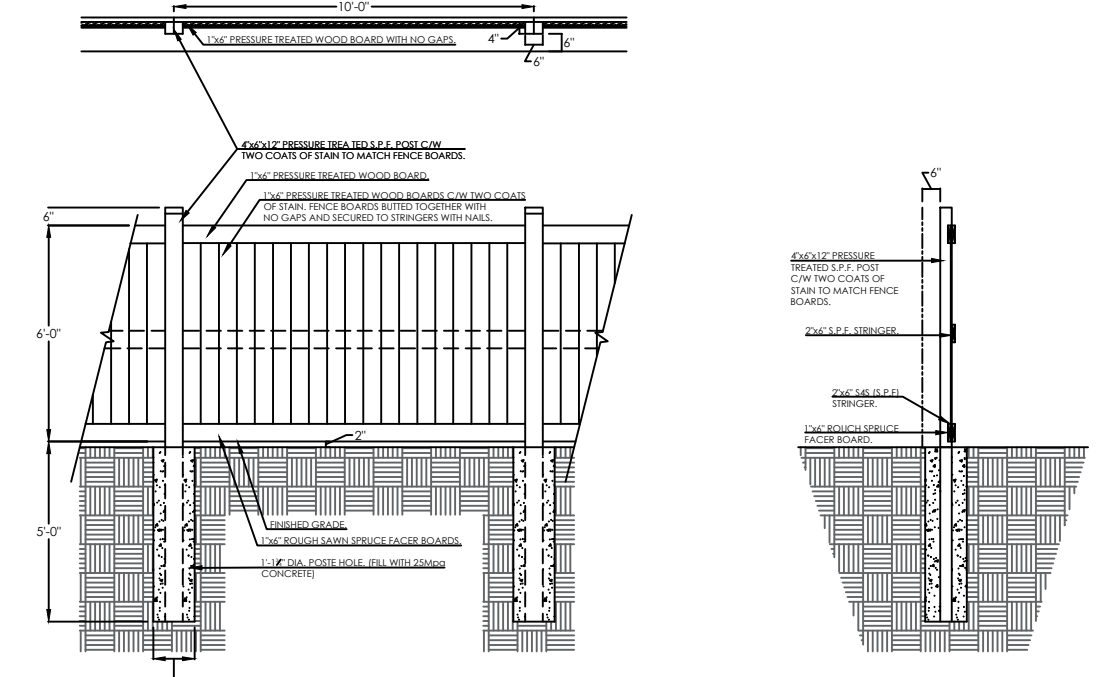
SITE INFORMATION & STATISTICS	
ADDRESS	843 KING STREET EAST - HAMILTON - ON.
ZONING TYPE	TOC1
LOT AREA	2880 SQ FT (267.56 SQ M)
LOT FRONTAGE	36' (10.97m)

- GENERAL NOTES:**
1. ALL CONSTRUCTION TO COMPLY WITH THE REVISED ONTARIO BUILDING CODE 2012.
 2. ALL DIMENSIONS ARE MEASURED TO ROUGH FRAMING OR TO MASONRY SURFACES UNLESS OTHERWISE NOTED.
 3. ALL DOORS AND WINDOW OPENINGS ARE MEASURED TO ROUGH FRAMING OR MASONRY OPENINGS.
 4. CONTRACTOR IS TO VERIFY WINDOW OPENINGS WITH WINDOW MANUFACTURER PRIOR TO COMMENCING WORK.
 5. READ ARCHITECTURAL DRAWINGS IN CONJUNCTION WITH STRUCTURAL, MECHANICAL AND ELECTRICAL DRAWINGS.
 6. ELEVATION REFERENCES ARE BASED ON 100'-0" = 131.70m GEODETIC ELEVATIONS AS NOTED ON A1 SITE PLAN.
 7. ALL DIMENSIONS MUST BE CHECKED AGAINST THE ARCHITECTURAL DRAWINGS AND THE FIELD CONDITIONS BEFORE COMMENCING FABRICATION, AND INCONSISTENCIES ARE TO BE REPORTED TO THE CONSULTANT BEFORE PROCEEDING WITH THE WORK.
 8. THE CONTRACTOR SHALL PROPERLY SUPERVISE THE WORK AND ENSURE THAT THE WORK IS INSTALLED TO THE CORRECT LINES AND LEVELS. THAT THE CONNECTIONS AND DETAILS CONFIRM TO THE DRAWING DETAILS AND SHALL COORDINATE THE INTERFACING OF ALL WORK WITH ALL SUB-TRADES.
 9. PROVIDE POSITIVE FRONT YARD SLOPE TO MUNICIPAL SEWER FOR WATER RUN-OFF.
 10. CONTRACTOR TO BE RESPONSIBLE FOR VERIFYING THE LOCATIONS OF ALL EXISTING UNDERGROUND AND ABOVE UTILITIES AND SERVICES. VARIOUS UTILITIES CONCERNED TO BE GIVEN REQUIRED ADVANCING NOTICE PRIOR TO ANY DIGGING, FOR STAKE OUT.
 11. REFER TO LANDSCAPING PLAN FOR PLANTING CONFIRM LAYOUT WITH LANDSCAPE CONTRACTOR
 12. DESIGNER NOT RESPONSIBLE FOR ACCURACY OF SURVEY DRAWING.

EXISTING STRUCTURE NOTE:
OWNER AND CONTRACTOR IS FULLY RESPONSIBLE FOR VERIFYING ALL EXISTING STRUCTURAL CONDITIONS PRIOR TO ANY WORK. ANY AND ALL DISCREPANCIES SHALL BE REPORTED TO THE OWNER PRIOR TO ANY WORK. OWNER AND CONTRACTOR IS FULLY RESPONSIBLE FOR SHORING EXISTING STRUCTURE PRIOR TO ANY WORK.

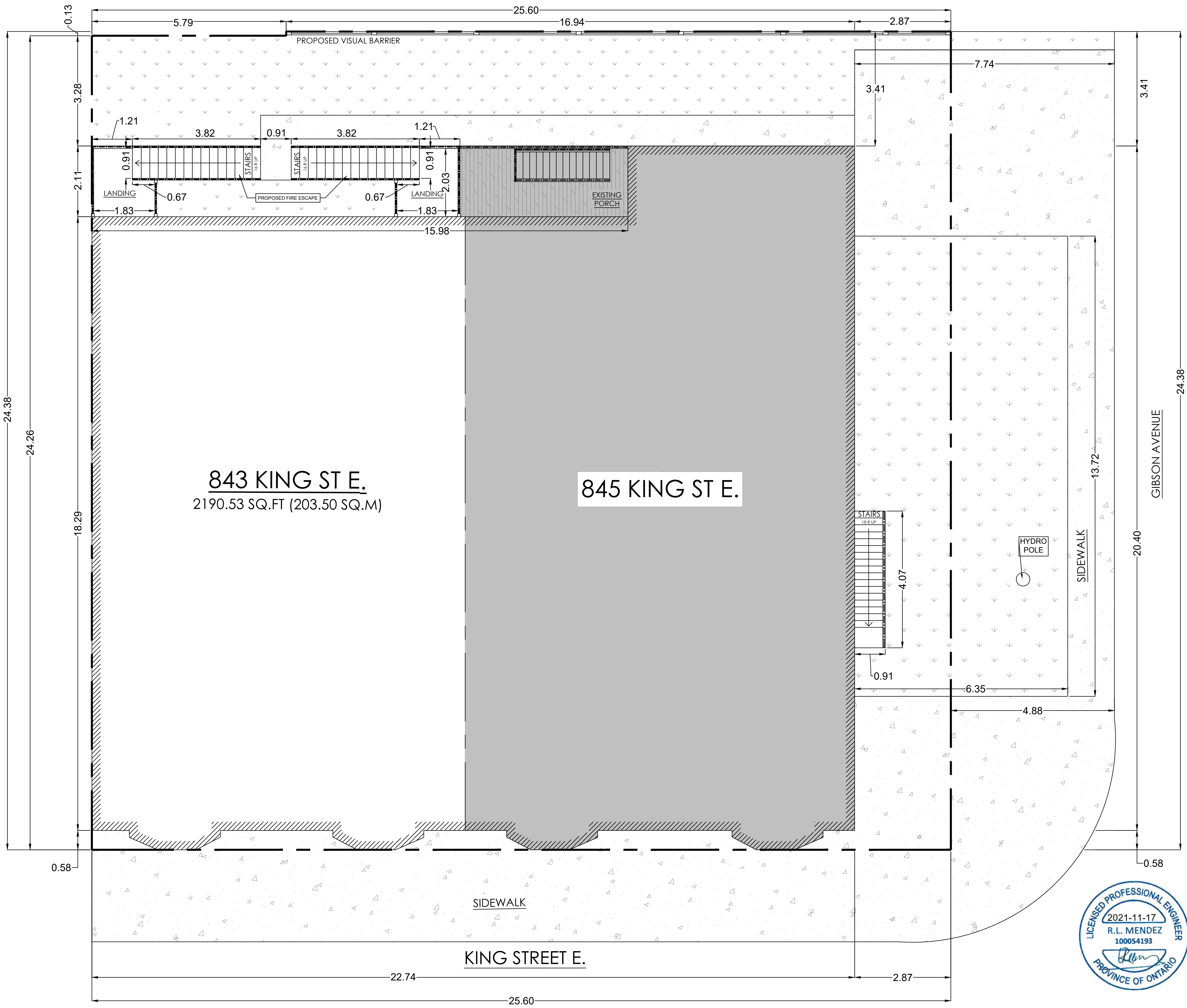
BUILDING CODE COMPLIANCE NOTE:
THESE DRAWINGS DO NOT REPRESENT A COMPREHENSIVE AND EXHAUSTIVE GUIDE FOR COMPLIANCE WITH THE ONTARIO BUILDING CODE. IT IS ASSUMED THAT THE CONTRACTOR HAS REASONABLY SUFFICIENT KNOWLEDGE OF THE ONTARIO BUILDING CODE IN ORDER TO PERFORM ALL WORK AS PER THESE DRAWINGS IN SUCH A WAY THAT WILL COMPLY WITH ALL ASPECTS OF THE O.B.C. AND WILL NOT CONTRAVENE ANY OTHER APPLICABLE LAWS.

FENCE DETAILS



BATH	ROOM NAME
EF	EXHAUST FAN
ST	SPECIFICATION TAG
SA	SMOKE ALARM
CA	CARBON MONOXIDE ALARM
CH	CEILING HEIGHT
SB	STRUCTURAL BEAM OR WALL
PS	PLUMBING STACK
WM	WATER METER
FD	FLOOR DRAIN
SC	STRUCTURAL COLUMN
FW	FOUNDATION WALL
EEW	EXISTING EXTERIOR WALLS
NEW EW	NEW EXTERIOR WALLS
EEIW	EXISTING INTERIOR WALLS
NEW IEW	NEW INTERIOR WALLS
SW	STRUCTURAL WALLS
NEW SWB	NEW STRUCTURAL BEAMS
W	WINDOWS
SR	SUPPLY REGISTER
RG	RETURN GRILLE
DT	DOOR TYPE
DS	DOOR SIZE

DOOR LEGEND
A. PANEL DOOR
B. FIRE DOOR w/ SELF CLOSER (45 MIN)
C. FIRE DOOR w/ SELF CLOSER (20 MIN)
D. EXTERIOR DOOR
E. BIFOLD CLOSET
F. SLIDING DOOR
G. POCKET DOOR



SITE PLAN:
BASED ON HAMILTON SITE MAPS AND MEASUREMENTS ON SITE. DESIGNER ASSUMES NO RESPONSIBILITY FOR ACCURACY OF HAMILTON MAPS. THIS SITE SHALL NOT BE USED FOR ANY OTHER PURPOSES. NO WORK TO ENCRoACH ONTO ADJOINING PROPERTIES.



NO CHANGES TO EXISTING SITE CONDITIONS

LEAD DESIGNER & CONSULTANT
Ken Bekendam B.A. BUSCOM, L.T.
kenbekendam@gmail.com
office: 855.546.4467 cell: 905.961.0647

LEAD ENGINEER
Robert Mendez P.Eng 100054193
robertmendez@yahoo.com
cell: 416.807.1572

Legal Second Suites architectural and engineering service is owned by and operated in affiliation with King Homes Inc.

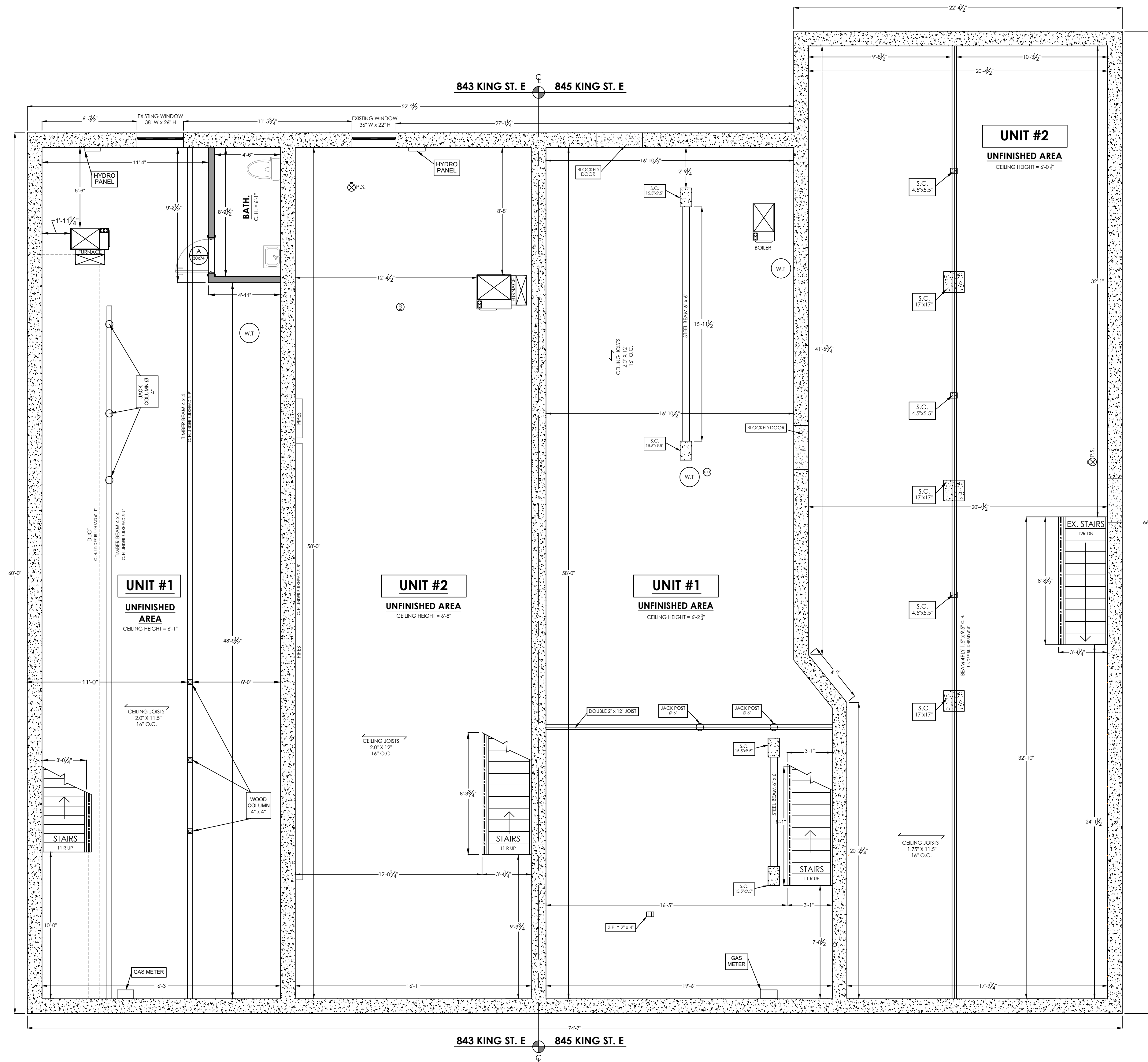
No.	DESCRIPTION	DATE

ADDRESS: **843 KING STREET E HAMILTON, ON.**

SUBJECT: **SITE PLAN**

PROJECT: **INTERIOR ALTERATIONS**

DATE: NOV 2021	SCALE: 3/16" = 1'	SHEET#: SP 1.01
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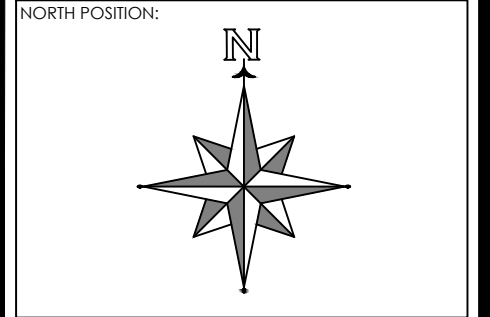


PLANS LEGEND

SYMBOL	ROOM NAME
[Symbol]	EXHAUST FAN
[Symbol]	SPECIFICATION TAG
[Symbol]	SMOKE ALARM
[Symbol]	CARBON MONOXIDE ALARM
[Symbol]	C.E.H. = 8'-10" CEILING HEIGHT
[Symbol]	STRUCTURAL BEAM OR WALL
[Symbol]	PLUMBING STACK
[Symbol]	WATER METER
[Symbol]	FLOOR DRAIN
[Symbol]	STRUCTURAL COLUMN
[Symbol]	FOUNDATION WALL
[Symbol]	EXISTING EXTERIOR WALLS
[Symbol]	NEW EXTERIOR WALLS
[Symbol]	EXISTING INTERIOR WALLS
[Symbol]	NEW INTERIOR WALLS
[Symbol]	STRUCTURAL WALLS
[Symbol]	NEW STRUCTURAL BEAMS
[Symbol]	WINDOWS
[Symbol]	SUPPLY REGISTER
[Symbol]	RETURN GRILLE
[Symbol]	DOOR TYPE
[Symbol]	DOOR SIZE

DOOR LEGEND

- A. PANEL DOOR
- B. FIRE DOOR w/ SELF CLOSER (45 MIN)
- C. FIRE DOOR w/ SELF CLOSER (20 MIN)
- D. EXTERIOR DOOR
- E. BIFOLD CLOSET
- F. SLIDING DOOR
- G. POCKET DOOR



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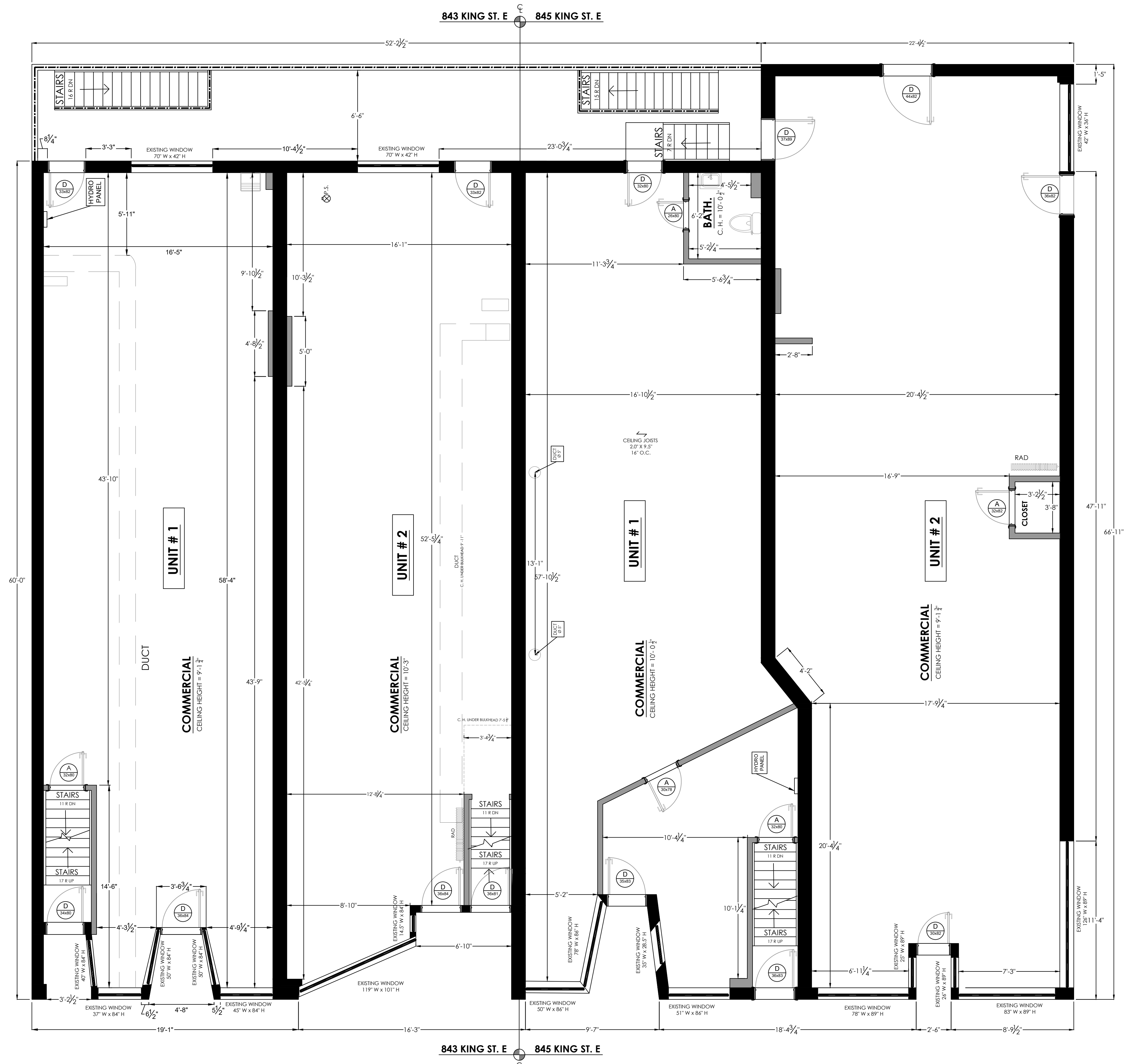
No.	DESCRIPTION	DATE

ADDRESS:
**843 KING STREET E
 HAMILTON, ON.**

SUBJECT:
EXISTING BASEMENT

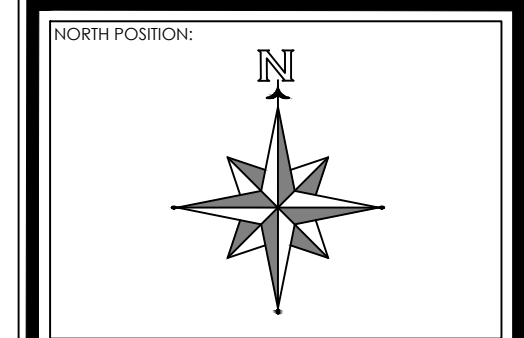
PROJECT:
INTERIOR ALTERATIONS

DATE: NOV 2021	SCALE: 1/4" = 1'	SHEET#: A 1.01
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PLANS LEGEND	
[Symbol]	BATH
[Symbol]	ROOM NAME
[Symbol]	EXHAUST FAN
[Symbol]	SPECIFICATION TAG
[Symbol]	SMOKE ALARM
[Symbol]	CARBON MONOXIDE ALARM
[Symbol]	C.E.H. = 8'-10"
[Symbol]	CEILING HEIGHT
[Symbol]	STRUCTURAL BEAM OR WALL
[Symbol]	PLUMBING STACK
[Symbol]	WATER METER
[Symbol]	FLOOR DRAIN
[Symbol]	STRUCTURAL COLUMN
[Symbol]	FOUNDATION WALL
[Symbol]	EXISTING EXTERIOR WALLS
[Symbol]	NEW EXTERIOR WALLS
[Symbol]	EXISTING INTERIOR WALLS
[Symbol]	NEW INTERIOR WALLS
[Symbol]	STRUCTURAL WALLS
[Symbol]	NEW STRUCTURAL BEAMS
[Symbol]	WINDOWS
[Symbol]	SUPPLY REGISTER
[Symbol]	RETURN GRILLE
[Symbol]	DOOR TYPE
[Symbol]	DOOR SIZE

DOOR LEGEND	
[Symbol]	A. PANEL DOOR
[Symbol]	B. FIRE DOOR w/ SELF CLOSER (45 MIN)
[Symbol]	C. FIRE DOOR w/ SELF CLOSER (20 MIN)
[Symbol]	D. EXTERIOR DOOR
[Symbol]	E. BIFOLD CLOSET
[Symbol]	F. SLIDING DOOR
[Symbol]	G. POCKET DOOR



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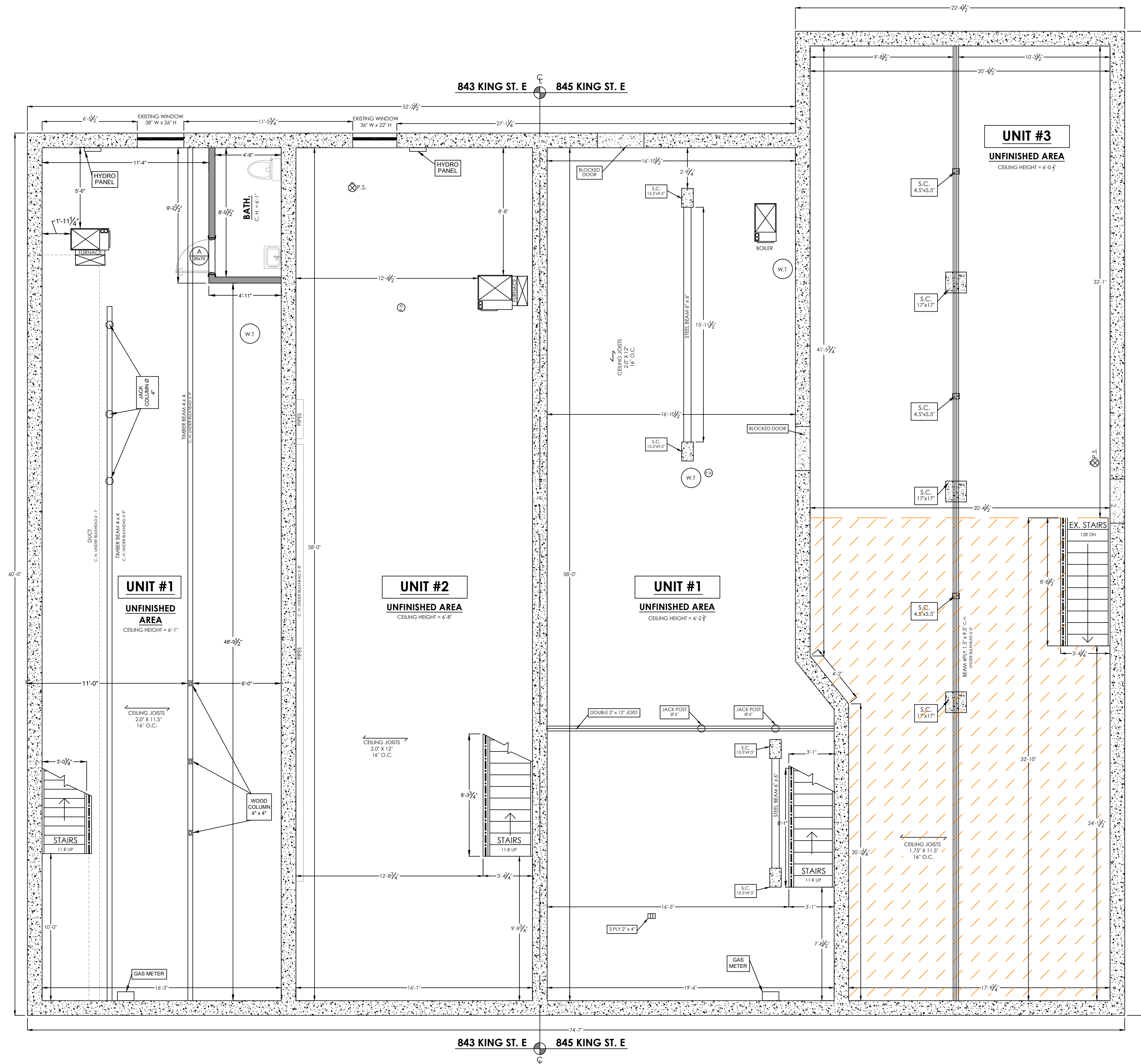
No.	DESCRIPTION	DATE

ADDRESS:
**843 KING STREET E
HAMILTON, ON.**

SUBJECT:
EXISTING GROUND FLOOR

PROJECT:
INTERIOR ALTERATIONS

DATE: NOV 2021	SCALE: 1/4" = 1'	SHEET#: A 1.02
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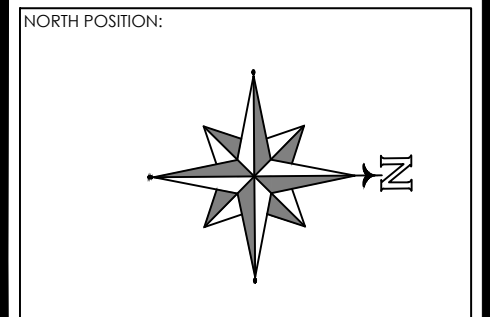
SEE HVAC DESIGN FOR DETAILS ON NEW HEATING SYSTEMS

UNDER SIDE OF UNIT 2
 SEPARATION BETWEEN RESIDENTIAL SUITES TO HAVE A FIRE RESISTANCE RATING OF 30 MINS AS PER O.B.C. 9.10.9.14 (1), PART 11, C.I.S.I. (2) AND PART 9.1.2.1 (1) - STC 30. REFER TO S83 TABLE 1 AND 2 FOR ASSEMBLY DETAILS.
HORIZONTAL PARTITION (CEILING) - FIBRE (30MIN FRK. STC30)
 1. 5/8" WOOD JOISTS @ 16" O.C.
 2. 6" THICK ABSORPTIVE MATERIAL IN CAVITY (FIBRE FROM ROCKWOLAG W/ MIN 90mm & MIN. SURFACE AREA MASS OF 28 KG/CSQ. M)
 3. RESILIENT METAL CHANNELS SPACED @ 24" O.C.
 4. 1 LAYER 5/8" TYPE X GYPSUM BOARD ON CEILING SIDE



PLAN LEGEND	ROOM NAME
[Symbol]	BATH
[Symbol]	EXHAUST FAN
[Symbol]	SPECIFICATION TAG
[Symbol]	SMOKE ALARM
[Symbol]	CARBON MONOXIDE ALARM
[Symbol]	CEILING HEIGHT
[Symbol]	STRUCTURAL BEAM OR WALL
[Symbol]	PLUMBING STACK
[Symbol]	WATER METER
[Symbol]	FLOOR DRAIN
[Symbol]	STRUCTURAL COLUMN
[Symbol]	FOUNDATION WALL
[Symbol]	EXISTING EXTERIOR WALLS
[Symbol]	NEW EXTERIOR WALLS
[Symbol]	EXISTING INTERIOR WALLS
[Symbol]	NEW INTERIOR WALLS
[Symbol]	STRUCTURAL WALLS
[Symbol]	NEW STRUCTURAL BEAMS
[Symbol]	WINDOWS
[Symbol]	SUPPLY REGISTER
[Symbol]	RETURN GRILLE
[Symbol]	DOOR TYPE
[Symbol]	ROCKE SIDE

DOOR LEGEND	DOOR TYPE
[Symbol]	A. PANEL DOOR
[Symbol]	B. FIRE DOOR w/ SELF CLOSER (45 MIN)
[Symbol]	C. FIRE DOOR w/ SELF CLOSER (20 MIN)
[Symbol]	D. EXTERIOR DOOR
[Symbol]	E. BIFOLD CLOSET
[Symbol]	F. SLIDING DOOR
[Symbol]	G. POCKET DOOR



legal second suites.com

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LEAD ENGINEER: Robert Mendez P.Eng 100054193 robertmendez@yahoo.com cell: 416.807.1572

Legal Second Suites architectural and engineering service is owned by and operated in affiliation with King Homes Inc. **KING**

No.	DESCRIPTION	DATE

ADDRESS: **843 KING STREET E HAMILTON, ON.**

SUBJECT: **PROPOSED BASEMENT**

PROJECT: **INTERIOR ALTERATIONS**

DATE: **NOV. 2021** SCALE: **1/4" = 1'** SHEET: **A 1.03**

THIS BUILDING IS UNDER 600sqm AND LESS THAN 3 STORIES AS DEFINED IN PART ONE 1.1.2.4 AND IS SUBJECT TO ALL SECTIONS OF PART 9 AND PART 11 COMPLIANCE ALTERNATIVES

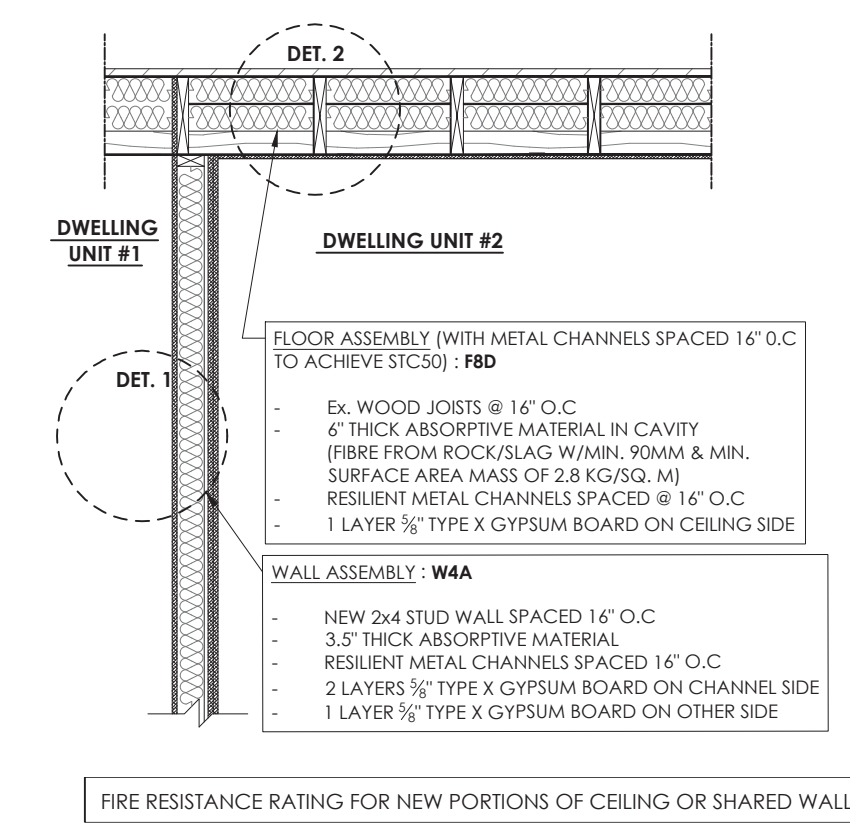
SEPARATION OF RESIDENTIAL SUITES
SEPARATION BETWEEN SUITES TO HAVE A FIRE RESISTANCE RATING OF 30 MIN AS PER O.B.C. 9.10.9.14 (1), PART 11 C136 (A) AND PART 11.2.2 (1) - SEE SO. REFER TO 383 TABLE 1 AND 2 FOR ASSEMBLY DETAILS.

VERTICAL PARTITION (WALLS) - WVA (1HR FR. STCS)
NEW 2x4 STUD WALL SPACED 16" O.C.
3.5" THICK ABSORPTIVE MATERIAL
RESILIENT METAL CHANNELS SPACED @ 16" O.C.
2 LAYERS 5/8" TYPE X GYPSUM BOARD ON CHANNEL SIDE
1 LAYER 5/8" TYPE X GYPSUM BOARD ON OTHER SIDE

EXISTING SHARED PARTITIONS:
EX. 1/2" REGULAR GYPSUM BOARD TO REMAIN AS IS
ADDITIONAL LAYER OF 5/8" TYPE X TO BE APPLIED OVER EXISTING EX. LATH AND PLASTER TO REMAIN AS IS
MEETS A 30 MIN FR. AS PER 58-2 TABLE 2.3.4 A.C.

HORIZONTAL PARTITION (CEILING) - FHD (30MIN FR. STCS)
EX. WOOD JOISTS @ 16" O.C.
4" THICK ABSORPTIVE MATERIAL IN CAVITY (FIBRE FROM ROCK/SLAG W/ MIN. 90MM & MIN. SURFACE AREA MASS OF 2.8 KG/SQ. M)
RESILIENT METAL CHANNELS SPACED @ 16" O.C.
1 LAYER 5/8" TYPE X GYPSUM BOARD ON CEILING SIDE

WALL ASSEMBLY - WVA
NEW 2x4 STUD WALL SPACED 16" O.C.
3.5" THICK ABSORPTIVE MATERIAL
RESILIENT METAL CHANNELS SPACED 16" O.C.
2 LAYERS 5/8" TYPE X GYPSUM BOARD ON CHANNEL SIDE
1 LAYER 5/8" TYPE X GYPSUM BOARD ON OTHER SIDE



PLEASE NOTE: EXISTING VERTICAL FIRE ASSEMBLIES TO REMAIN. THESE ASSEMBLY DETAILS ONLY PERTAIN TO NEW PORTIONS AS REQUIRED TO MAINTAIN A CONTINUOUS FIRE SEPARATION BETWEEN RESIDENTIAL SUITES

SCOPE OF WORK

- NEW KITCHENS
- NEW BATHROOMS
- NEW PLUMBING
- NEW ELECTRICAL
- NEW FLOORING, TRIM AND DOORS
- NEW HEATING SYSTEMS
- EXISTING WALL AND CEILING FIRE SEPARATIONS TO REMAIN
- ONLY INTERNAL RENOVATIONS TO THE UNITS

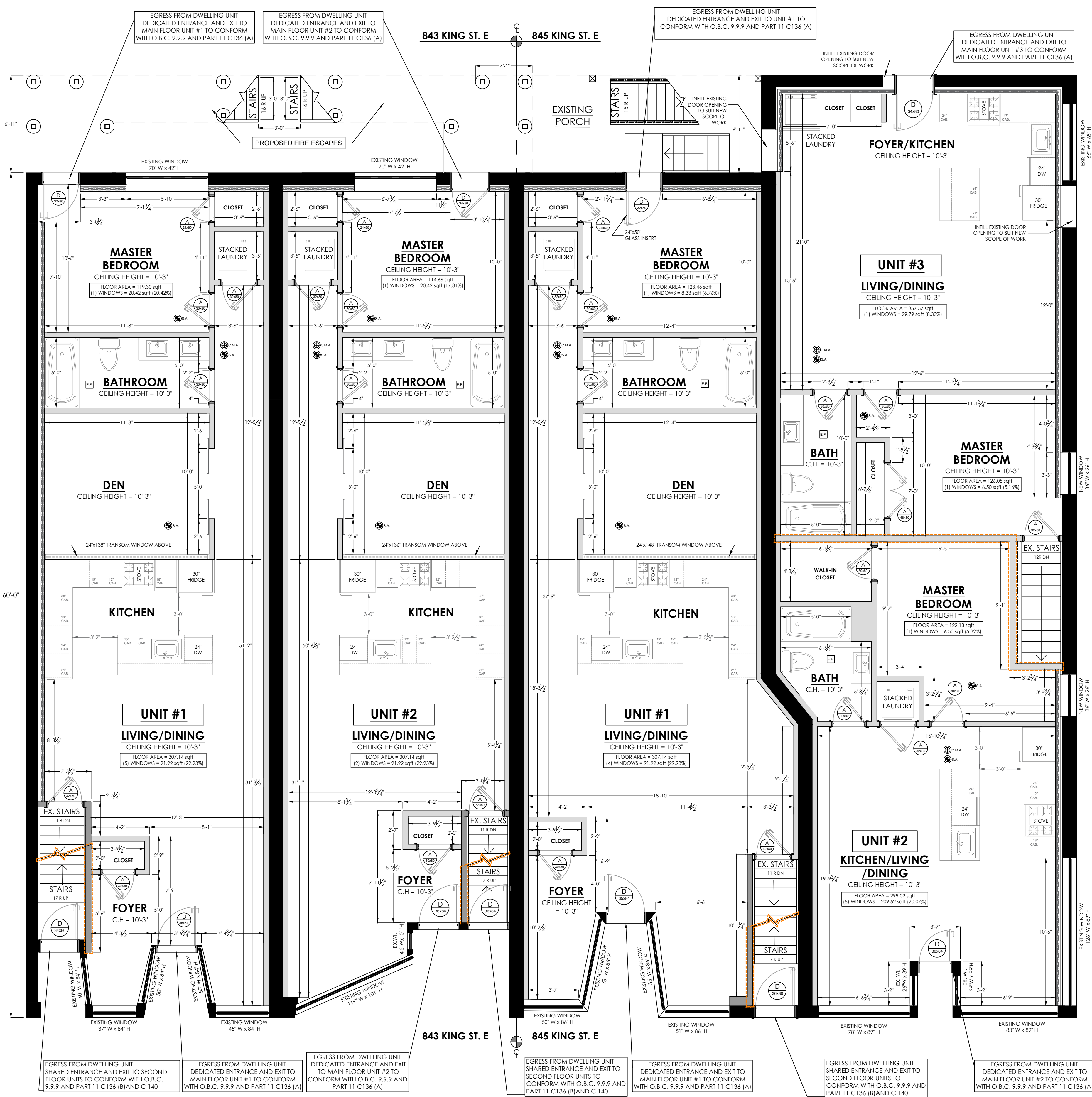
FIRE ALARM SYSTEM IS NOT REQUIRED AS PER PART 9.10.18.2 (2)
A fire alarm system is not required in a residential occupancy where an exit or public corridor serves not more than 4 suites or where each suite has direct access to an exterior exit facility leading to ground level

SEE HVAC DESIGN FOR DETAILS ON NEW HEATING SYSTEMS



PLANS LEGEND	
[Symbol]	BATH
[Symbol]	ROOM NAME
[Symbol]	EXHAUST FAN
[Symbol]	SPECIFICATION TAG
[Symbol]	SMOKE ALARM
[Symbol]	CARBON MONOXIDE ALARM
[Symbol]	CEILING HEIGHT
[Symbol]	STRUCTURAL BEAM OR WALL
[Symbol]	PLUMBING STACK
[Symbol]	WATER METER
[Symbol]	FLOOR DRAIN
[Symbol]	STRUCTURAL COLUMN
[Symbol]	FOUNDATION WALL
[Symbol]	EXISTING EXTERIOR WALLS
[Symbol]	NEW EXTERIOR WALLS
[Symbol]	EXISTING INTERIOR WALLS
[Symbol]	NEW INTERIOR WALLS
[Symbol]	STRUCTURAL WALLS
[Symbol]	NEW STRUCTURAL BEAMS
[Symbol]	WINDOWS
[Symbol]	SUPPLY REGISTER
[Symbol]	RETURN GRILLE
[Symbol]	DOOR TYPE
[Symbol]	POCKET DOOR

DOOR LEGEND	
[Symbol]	A. PANEL DOOR
[Symbol]	B. FIRE DOOR w/ SELF CLOSER (45 MIN)
[Symbol]	C. FIRE DOOR w/ SELF CLOSER (20 MIN)
[Symbol]	D. EXTERIOR DOOR
[Symbol]	E. BIFOLD CLOSET
[Symbol]	F. SLIDING DOOR
[Symbol]	G. POCKET DOOR



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No.	DESCRIPTION	DATE

ADDRESS:
**843 KING STREET E
HAMILTON, ON.**

SUBJECT:
PROPOSED GROUND FLOOR

PROJECT:
INTERIOR ALTERATIONS

DATE:
NOV. 2021

SCALE:
1/4" = 1'

SHEET#:
A 1.04

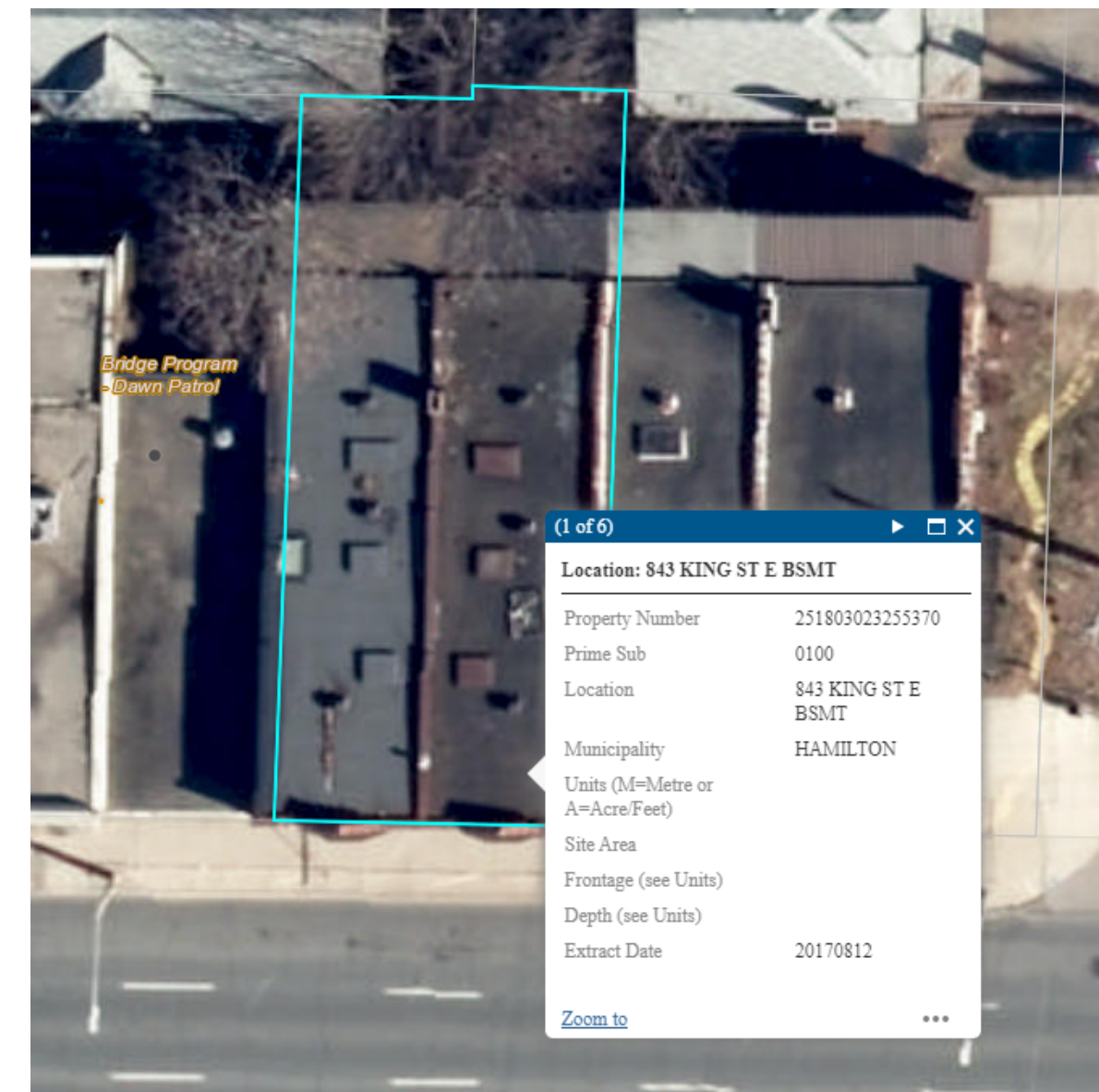
COMMERCIAL TO RESIDENTIAL UNIT CONVERSION

843-845 KING STREET EAST - HAMILTON, ON.

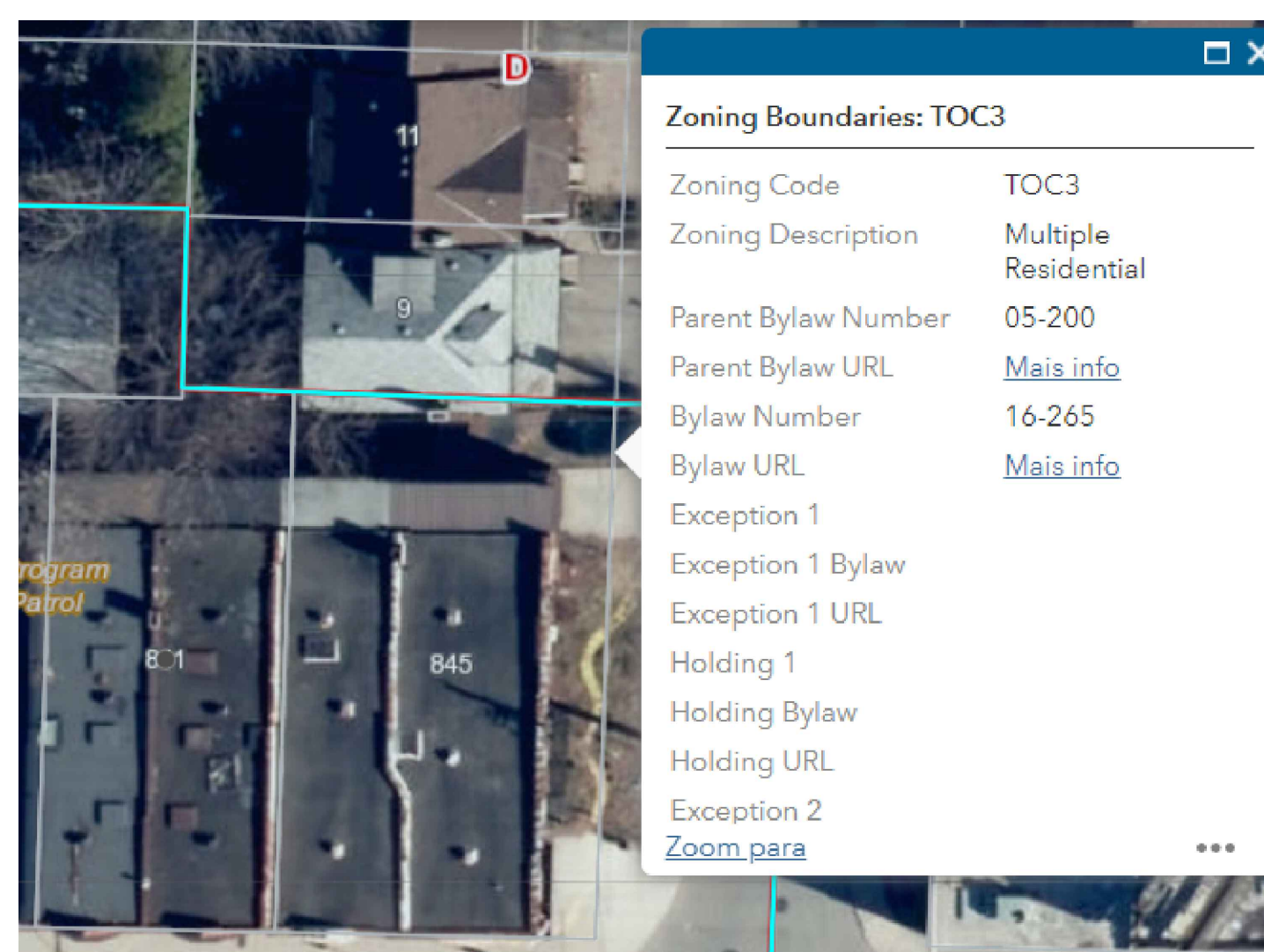
UNITS HIGHLIGHTED IN YELLOW SUBJECT TO INTERIOR ALTERATIONS



EXISTING BUILDING IMAGE



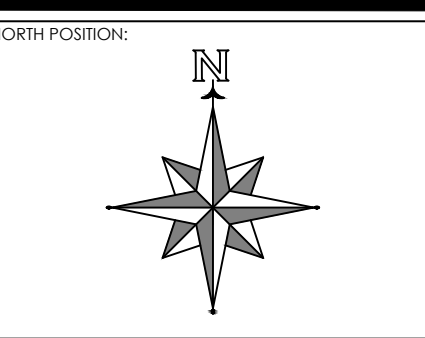
AERIAL MAP



ZONING MAP



PLANS LEGEND	
[Symbol]	BATH
[Symbol]	ROOM NAME
[Symbol]	EXHAUST FAN
[Symbol]	SPECIFICATION TAG
[Symbol]	SMOKE ALARM
[Symbol]	CARBON MONOXIDE ALARM
[Symbol]	CEILING HEIGHT
[Symbol]	STRUCTURAL BEAM OR WALL
[Symbol]	PLUMBING STACK
[Symbol]	WATER METER
[Symbol]	FLOOR DRAIN
[Symbol]	STRUCTURAL COLUMN
[Symbol]	FOUNDATION WALL
[Symbol]	EXISTING EXTERIOR WALLS
[Symbol]	NEW EXTERIOR WALLS
[Symbol]	EXISTING INTERIOR WALLS
[Symbol]	NEW INTERIOR WALLS
[Symbol]	STRUCTURAL WALLS
[Symbol]	NEW STRUCTURAL BEAMS
[Symbol]	WINDOWS
[Symbol]	SUPPLY REGISTER
[Symbol]	RETURN GRILLE
[Symbol]	DOOR TYPE
[Symbol]	DOOR SIZE



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No.	DESCRIPTION	DATE

ADDRESS:
**843 KING STREET E
HAMILTON, ON.**

SUBJECT:
TITLE PAGE

PROJECT:
INTERIOR ALTERATIONS

DATE: NOV 2021	SCALE: -	SHEET#: A 0.01
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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:
n/a

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 permit residential units at 0m above grade whereas the bylaw requires 0.9m above grade as per 11.1.1.1(i)(1). No min. setback to a street whereas the bylaw requires 3m as per 11.1.3(a)(i). Min rear yard setback of 5.3m whereas the bylaw requires 7.5m

Secondary Dwelling Unit Reconstruction of Existing Dwelling

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

Existing site conditions

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**):

839-843 King St E

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?

Existing commercial uses on site - Spice Shop, Toy Store

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.

Nov 18, 2021
Date


Signature Property Owner(s)

12705982 Canada Inc
Print Name of Owner(s)

I have the authority to bind the corporation

10. Dimensions of lands affected:

Frontage 36'
Depth 80'
Area 2880 sqft
Width of street unknown

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: See site plan

Proposed See site plan

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

Existing: See site Plan

Proposed: See Site plan

13. Date of acquisition of subject lands:
2021
-
14. Date of construction of all buildings and structures on subject lands:
unknown
-
15. Existing uses of the subject property (single family, duplex, retail, factory etc.):
Commercial Retail on ground level, residential units above
16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):
Commercial Retail on ground level, residential units above
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:
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
TOC1
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.