



Hamilton

**COMMITTEE OF ADJUSTMENT**

City Hall, 5<sup>th</sup> 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](mailto:cofa@hamilton.ca)

**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-22:07

**APPLICANTS:** Agent Carlos Salazar  
Owners G. Mondoux & C. Magno

**SUBJECT PROPERTY:** Municipal address **420 East 13<sup>th</sup> St., Hamilton**

**ZONING BY-LAW:** Zoning By-law 6593, as Amended 21-076

**ZONING:** "C" (Urban Protected Residential and etc.) district

**PROPOSAL:** To permit a basement secondary dwelling unit within an existing single family dwelling, notwithstanding that:

1. One parking space shall be provided for the principal dwelling instead of 2 parking spaces for a single family dwelling with up to 8 habitable rooms;
2. One parking space shall have minimum depth of 5.3 metres instead of the minimum required depth of 6.0 metres;

**NOTES:**

1. The variance is written as requested by the applicant. A variance was included to address the change in parking requirements for the principal dwelling.
2. Off-site manoeuvring is permitted for both parking spaces and two front yard parking spaces are permitted for the proposed secondary dwelling unit.
3. The required minimum 50% front yard landscaping requirement would be maintained with the proposed parking arrangement. The calculation was based on information provided on the submitted sketch.
4. The parking requirement for the principal dwelling is based on 2 parking spaces for a single family dwelling with up to 8 habitable rooms. Additional parking based on 0.5 parking spaces for each additional room above 8 habitable rooms is required. Floor plans have not been provided for the submission, however, the owner has advised that the main dwelling unit would have 5 habitable rooms.
5. The owner has advised that the proposed secondary dwelling unit would be within the basement of the principal dwelling. It is further noted that the Zoning By-law does not permit secondary dwelling units within a cellar.

7. Floor plans have not been provided to confirm the number of bedrooms within the proposed SDU. A maximum of 2 bedrooms is permitted for an SDU. The owner has advised that the SDU will contain no more than 2 bedrooms.

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

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**DATE:** Thursday, February 17th, 2022  
**TIME:** 2:40 p.m.  
**PLACE:** Via video link or call in (see attached sheet for details)  
To be streamed at  
[www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)  
for viewing purposes only

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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:

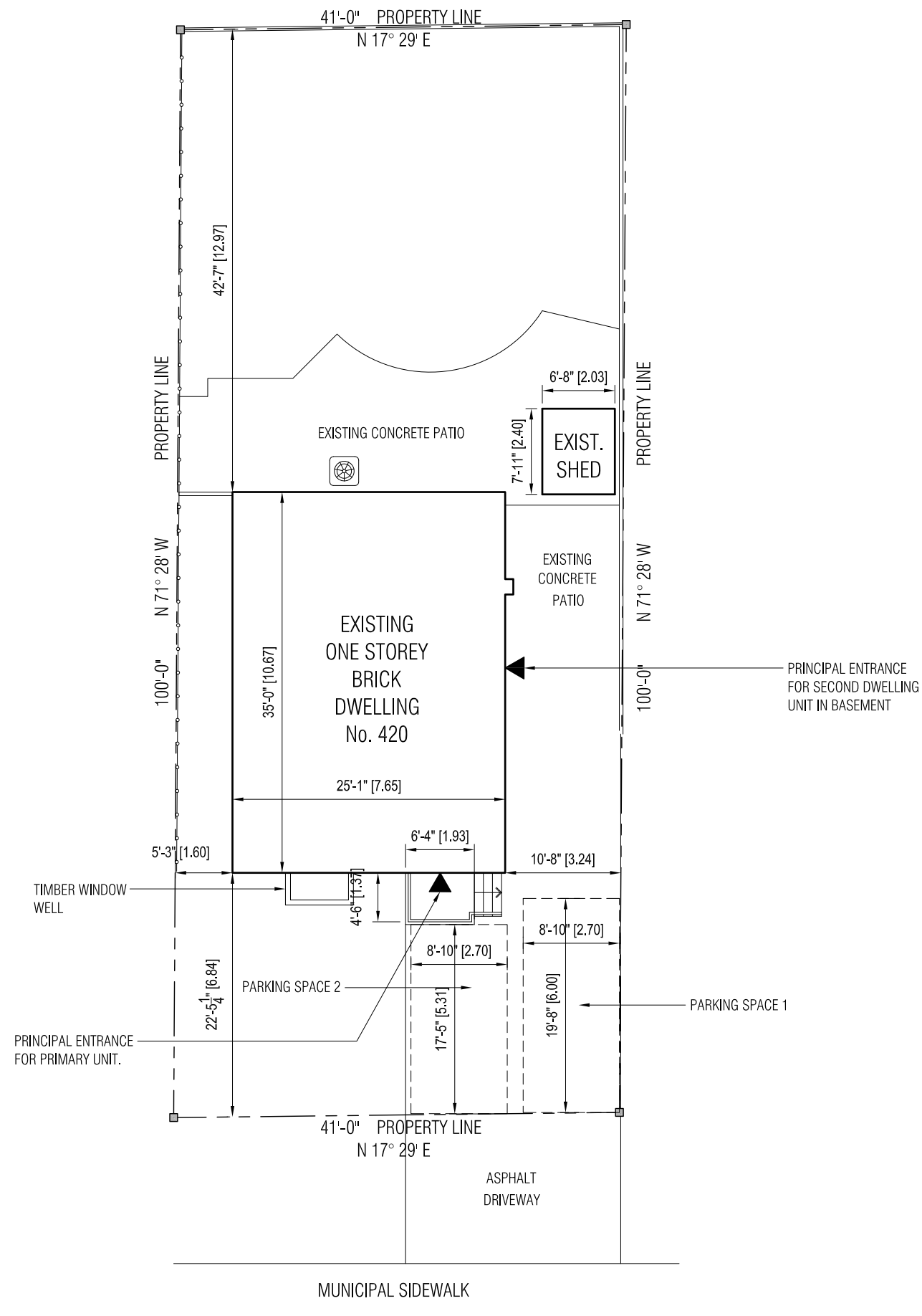
- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

DATED: February 1st, 2022.

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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.***



**SITE PLAN**

SCALE: 3/32" = 1'-0"

SITE STATISTICS	
TOTAL SITE AREA	4,099.34 SQ. FT. [ 380.82 SQ. M ]
G.F.A (GROSS FLOOR AREA):	
EXISTING MAIN FLOOR	886 SQ. FT. [ 82.30 SQ. M ]
PROPOSED BASEMENT UNIT	800 SQ. FT. [ 74.32 SQ. M ]

**GENERAL NOTES:**

THE CONTRACTOR MUST VERIFY AND ACCEPT RESPONSIBILITY FOR ALL DIMENSIONS AND CONDITIONS ON SITE AND MUST NOTIFY THIS DESIGNER OF ANY VARIATIONS IN SUPPLIED INFORMATION BEFORE PROCEEDING WITH WORK. THIS DESIGNER IS NOT RESPONSIBLE FOR THE ACCURACY OF SURVEY OR ENGINEERING INFORMATION SHOWN ON THIS DRAWING.

UNDER NO CIRCUMSTANCES SHALL THE CONTRACTOR OR SUB-CONTRACTORS PROCEED IN UNCERTAINTY.

THIS DRAWING IS NOT TO BE SCALED.

REV.	DESCRIPTION	DATE

The undersigned has reviewed and takes responsibility for this design, and has the qualifications and meets the requirements set out in the Ontario Building Code to be a designer.

**QUALIFICATION INFORMATION**

CARLOS SALAZAR, A.A.A.T.O.

**REGISTRATION INFORMATION**

Firm registered under subsection 3.2.4, of division c, of the building code

**Studio Salazar** 112398 BCIN

**Studio Salazar**

T 416 624 6003  
E carlos@studiosalazar.ca

CLIENT:

PROJECT NAME:

420 EAST 13TH STREET  
HAMILTON, ONTARIO

DRAWING TITLE:

SITE PLAN AND STATISTICS

DATE: September 16, 2021	DESIGNED BY: CS
DRAWN BY: CS	SCALE:

Drawing No:

**A3**



Hamilton

**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)		
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:

Gaetan Mondoux  
123 Nisbet Blvd Waterdown, L0R 2H9

Carlo Magno  
55 Elysian Fields Cir. Brampton, ON. L6Y 6E8

**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:

reduction in the sizes of one of the parking spaces required to be 2.70mx5.31m

Secondary Dwelling Unit       Reconstruction of Existing Dwelling

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

Existing front porch is located 5.31m to the property line to where the proposing second parking spot will be located.

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**):

420 East 13th Street, City of Hamilton  
Registered plan No. 1002 Lot 152 City of Hamilton

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?

Homeowner provided this information.


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.

December 6, 2021  
Date

  
Signature Property Owner(s)  
Carlo Magno / Gaetan Mondoux  
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage	<u>12.49m (41'-0")</u>
Depth	<u>30.48m (100'-0")</u>
Area	<u>380.89 sq.m (4,100 sq.f)</u>
Width of street	<u>8 meters +/-</u>

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: \_

Existing one storey detached dwelling (7.65m x 10.67m) existing front porch (1.93m x 1.37m) existing shed (2.03m x 2.4m)

Proposed

Existing one storey detached dwelling (7.65m x 10.67m) existing front porch (1.93m x 1.37m) existing shed (2.03m x 2.4m)

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

Existing:

Refer to site plan

Proposed:

Refer to site plan

13. Date of acquisition of subject lands:  
 July 21, 2021
- 
14. Date of construction of all buildings and structures on subject lands:  
 1960
- 
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.):  
 Single Family dwelling
17. Length of time the existing uses of the subject property have continued:  
 61 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:  
 The subject property is designated "Neighbourhoods" in the Urban Hamilton Official Plan. The lands are not subject to a Secondary Plan
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:  
 The subject property is zoned "C" District (Urban Protected Residential) under Zoning By-law No. 6593 (former City of Hamilton). By-law 21-076 (Secondary Dwelling Unit Regulations) also applies.
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.