



Hamilton

COMMITTEE 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.: HM/A-22:11

APPLICANTS: Agent Suite Additions - Andry Tran
Owners R. & P. Tailor

SUBJECT PROPERTY: Municipal address **77 West 4th St., Hamilton**

ZONING BY-LAW: Zoning By-law 6593, as Amended 21-076 & 21-167

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

PROPOSAL: To permit the construction a Secondary Dwelling Unit - Detached on the same lot as an existing Single Family Dwelling containing a Secondary Dwelling Unit notwithstanding that:

1. The required landscaped area for the Secondary Dwelling Unit – Detached shall be permitted to be screened on one side only by a visual barrier that has a minimum height of 0.3m instead of the requirement that a required landscaped area for a Secondary Dwelling Unit – Detached shall be screened on two sides by a visual barrier that has a minimum height of 0.3 metres.

2. The southerly side yard for the Secondary Dwelling Unit – Detached shall be permitted to be obstructed by an existing detached accessory building (detached garage) and a walkway to the Secondary Dwelling Unit – Detached composed of interlocking pavers instead of the requirement that a side yard for a Secondary Dwelling Unit – Detached shall be unobstructed and not contain structures, walkways, sidewalks, hard surfaced material, and landscaping other than sod or ground cover.

3. A minimum distance of 5.4m shall be provided between the rear facade of principal dwelling and Secondary Dwelling Unit – Detached instead of the requirement that a minimum distance of 7.5 metres shall be required between the rear facade of principal dwelling and Secondary Dwelling Unit – Detached.

4. The area for parking shall be permitted to occupy a maximum of 65% of the southerly side yard abutting the South Bend Road West street line and a minimum of 35% of the gross area of southerly side yard abutting the South Bend Road West street line shall be used for a landscaped area, excluding concrete, asphalt, gravel, pavers or other similar materials instead of the requirement that where a single family dwelling in a residential district is located on a corner lot, parking may be permitted in the side yard that abuts the street line provided that the area for parking shall not occupy more than 50% of the gross area of the side yard; and, not less than 50% of the gross area of the side yard shall be used for a landscaped area, excluding concrete, asphalt, gravel, pavers or other similar materials

NOTE:

i) Pursuant to Variance No. 1, a building (being the detached garage) is not considered a “visual barrier” as defined. As such, it is not considered as a screen for a landscaped area.

ii) Pursuant to Variance No. 2, the regulations for a Secondary Dwelling Units – Detached indicate that permeable pavers may be permitted where a parking space and driveway abut a laneway or street which has been shown for the driveway at the south side of the Secondary Dwelling Unit – Detached. As such, the permeable pavers are not considered an obstruction of a minimum side yard.

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

DATE: Thursday, February 17th, 2022
TIME: 3:00 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

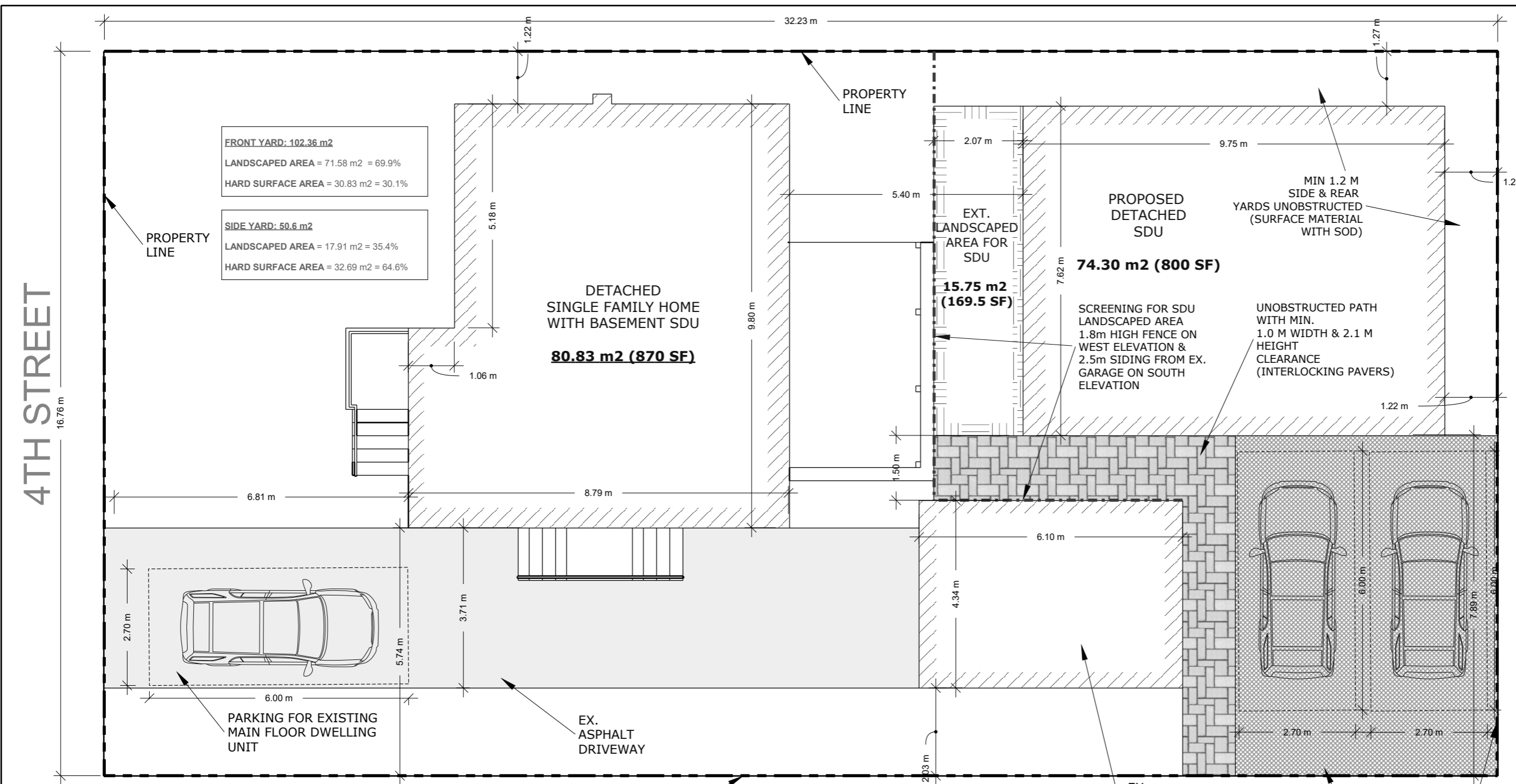
For more information on this matter, including access to drawings illustrating this request:

- 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: February 1st, 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.



FRONT YARD: 102.36 m²
 LANDSCAPED AREA = 71.58 m² = 69.9%
 HARD SURFACE AREA = 30.83 m² = 30.1%

SIDE YARD: 50.6 m²
 LANDSCAPED AREA = 17.91 m² = 35.4%
 HARD SURFACE AREA = 32.69 m² = 64.6%

4TH STREET

SOUTH BEND RD W

REQUIRED DETACHED SDU REGULATIONS

ITEM	REQUIRED	EXISTING	PROPOSED	VARIANCE REQUIRED
LANDSCAPED AREA	12.0 m ²	N/A	15.75 m ²	NO
INTERIOR SIDE YARD	1.2 m	N/A	1.27 m	NO
REAR YARD	1.2 m	N/A	1.23 m	NO
MAXIMUM HEIGHT	6.0 m	N/A	6.0 m	NO
BEDROOMS	MAX 2	N/A	2	NO
GROSS FLOOR AREA	MAX 75 m ²	N/A	74.30 m ²	NO
DIST. FROM HOUSE	MAX 7.5 m	N/A	5.4 m	YES
MAX LOT COVERAGE	MAX 25%	N/A	20.7%	NO
PARKING	SEE RIGHT			YES

1. Residential Uses
 (n) Secondary Dwelling Unit
 Secondary Dwelling Unit
 - Detached

1 space per unit

That Subsection 18(A).(1)(a)(i) Table 1 – Minimum Required Parking for Residential, Institutional, Public and Commercial Uses of SECTION 18A: PARKING AND LOADING REQUIREMENTS be amended by adding the following new clause:

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 OBC AND WILL NOT CONTRAVENE ANY OTHER APPLICABLE LAWS

SUITE ADDITIONS INC.
 3-2375 Brimley Rd, Suite 807
 Toronto, ON, M1S 3L6
 Tel: 416-525-2628
 Email: info@suiteadditions.com



Contractor must verify all dimensions and be responsible for reporting any discrepancies to Suite Additions Inc. before commencing with work. The drawing is an instrument of service and shall remain the property of Suite Additions Inc., the copyright of this drawing and work executed from the same being reserved. Do not scale drawings.

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

Andy Tran
 Andy Tran - Signature
 Individual BCIN: 102774
 Firm: Suite Additions Inc.
 Firm BCIN: 102497

PROJECT:
 SECONDARY DWELLING UNIT
 - DETACHED

ADDRESS:
 77 WEST 4TH STREET, HAMILTON,
 ON, L9C 3M6

CLIENT: REMAL TAILOR/POONAM TAILOR

DRAWN BY: ANDY TRAN

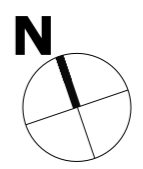
ISSUE DATE: SEP 20, 2021
RE-ISSUE DATE: JAN 25, 2022

DESCRIPTION:
 SITE PLAN, SITE STATISTICS
 AND DRAWING LIST

SCALE: 1:100

DRAWING NO:
SP1.01

SITE PLAN
 SCALE: 1:100



PLANS LEGEND

BATH		ROOM NAME	C.H. 7'-0"	CEILING HEIGHT
E.F.	EXHAUST FAN			
2	SPECIFICATION TAG (SEE P. A6)			
SA	SMOKE ALARM			
CMA	CARBON MONOXIDE ALARM			
F.D.	FLOOR DRAIN			
		STRUCTURAL COLUMN		
		STRUCTURAL BEAM OR WALL		
		PLUMBING STACK		
		WATER METER		

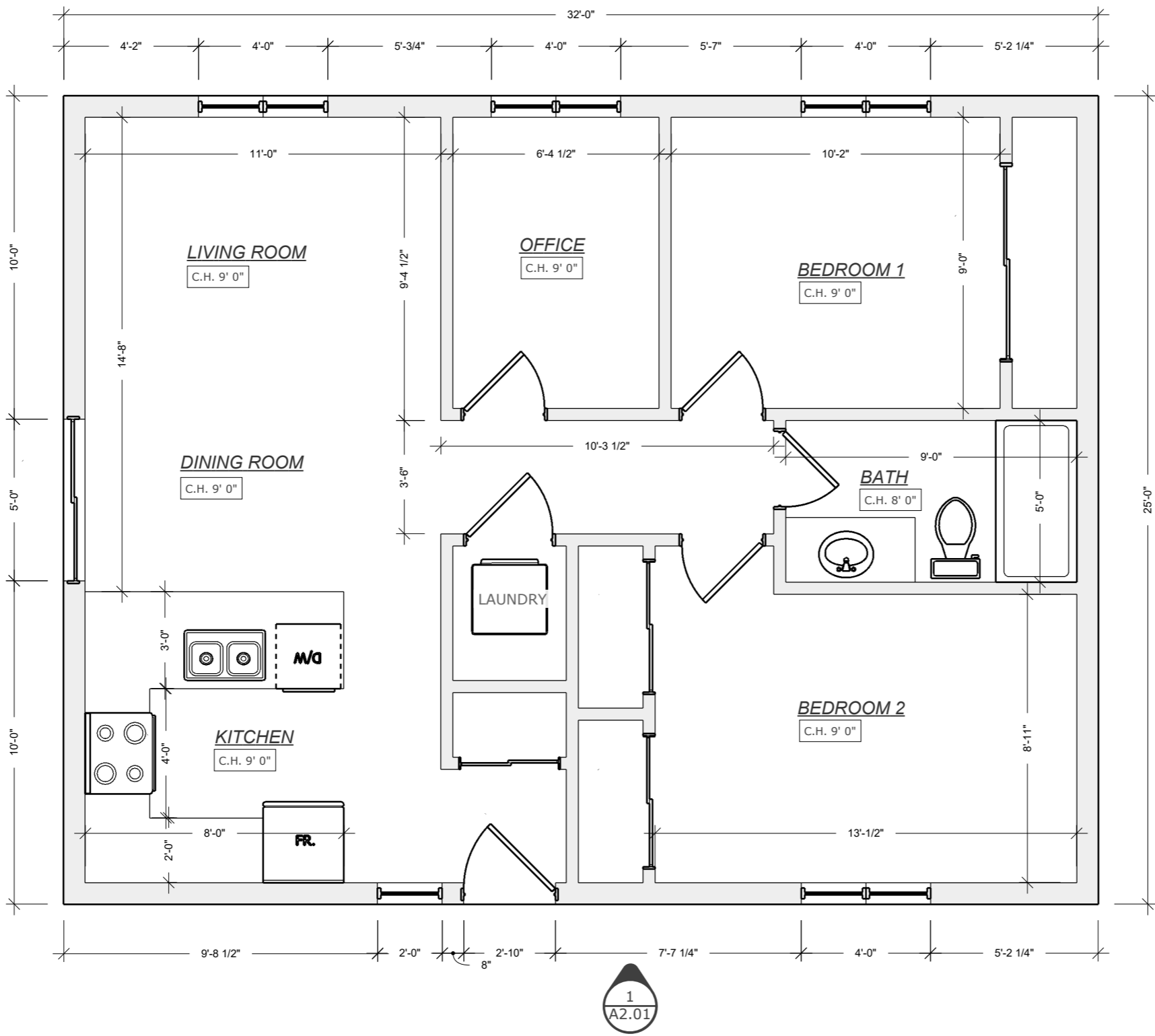
WALL SCHEDULE (SEE A1.06)

FOUNDATION WALL	WALLS TO BE REMOVED	EXISTING WALLS TO REMAIN	NEW INTERIOR WALLS	NEW EXTERIOR WALLS (202)
NOT TO BE REMOVED	- ANY STRUCTURAL WALLS TO BE CONFIRMED BY CONTRACTOR BEFORE REMOVAL	- 2 x 4 STUD WALLS TO REMAIN - MAY BE FINISHED WITH NEW GYPSUM BOARD	- STUD WALLS - SEE DRAWING FOR ASSEMBLY DETAILS	- 2x4 STUD WALLS @ 16" O.C. 2" AWAY FROM WALL W/ ADD INSULATION AND 6 MIL AIR/VAPOUR BARRIER - 1/2" REGULAR GYPSUM BOARD



MAIN FLOOR PLAN

SCALE: 1/4" = 1'-0"



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 - DETACHED

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 77 WEST 4TH STREET, HAMILTON,
 ON, L9C 3M6

CLIENT: REMAL TAILOR/POONAM TAILOR

DRAWN BY: ANDY TRAN

ISSUE DATE: JAN 25, 2022
RE-ISSUE DATE:

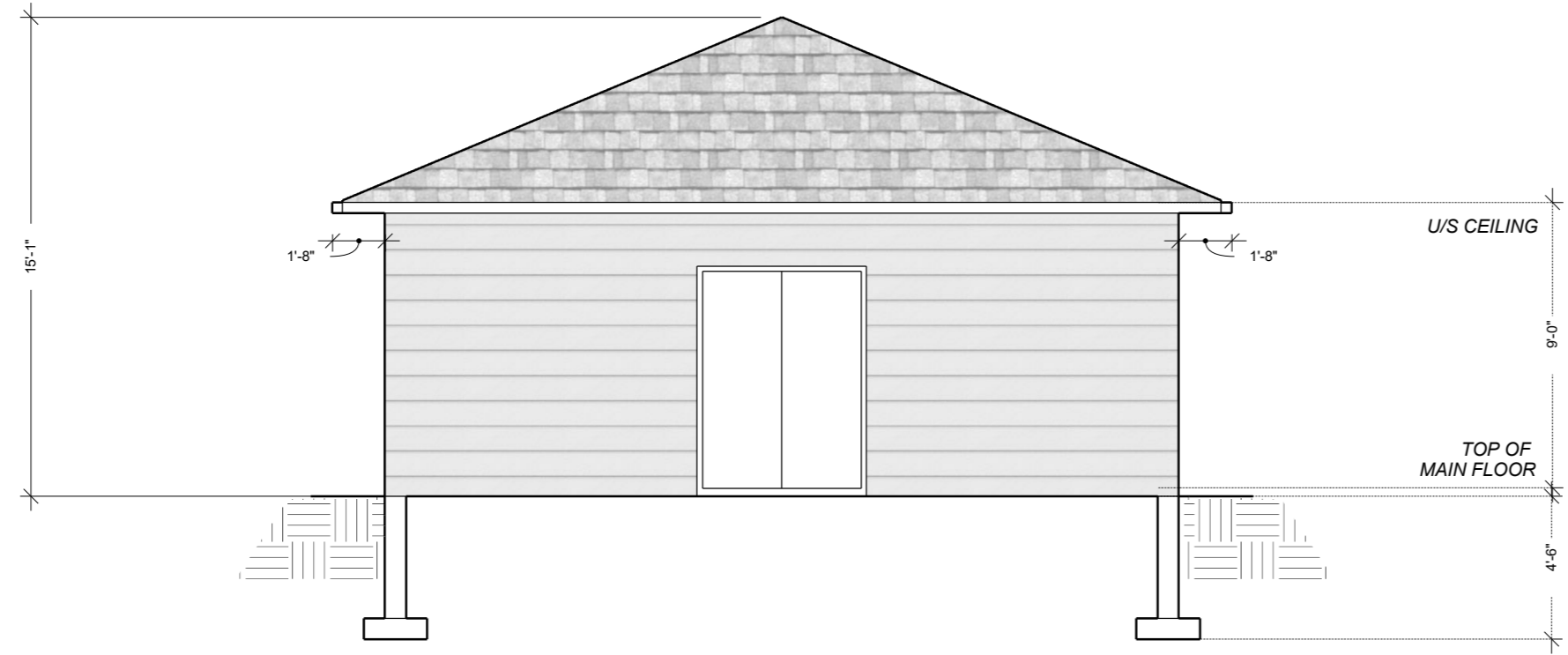
DESCRIPTION:
 MAIN FLOOR PLAN

SCALE: 1/4" = 1'-0"

DRAWING NO:
A1.01



SOUTH ELEVATION (FRONT)
SCALE: 1/4"=1'-0"
1
A2.01



WEST ELEVATION (SIDE)
SCALE: 1/4"=1'-0"
2
A2.01

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Andy Tran
Andy Tran - Signature
Individual BCIN: 102774
Firm: Suite Additions Inc.
Firm BCIN: 102497

PROJECT:
SECONDARY DWELLING UNIT
- DETACHED

ADDRESS:
77 WEST 4TH STREET, HAMILTON,
ON, L9C 3M6

CLIENT: REMAL TAILOR/POONAM
TAILOR

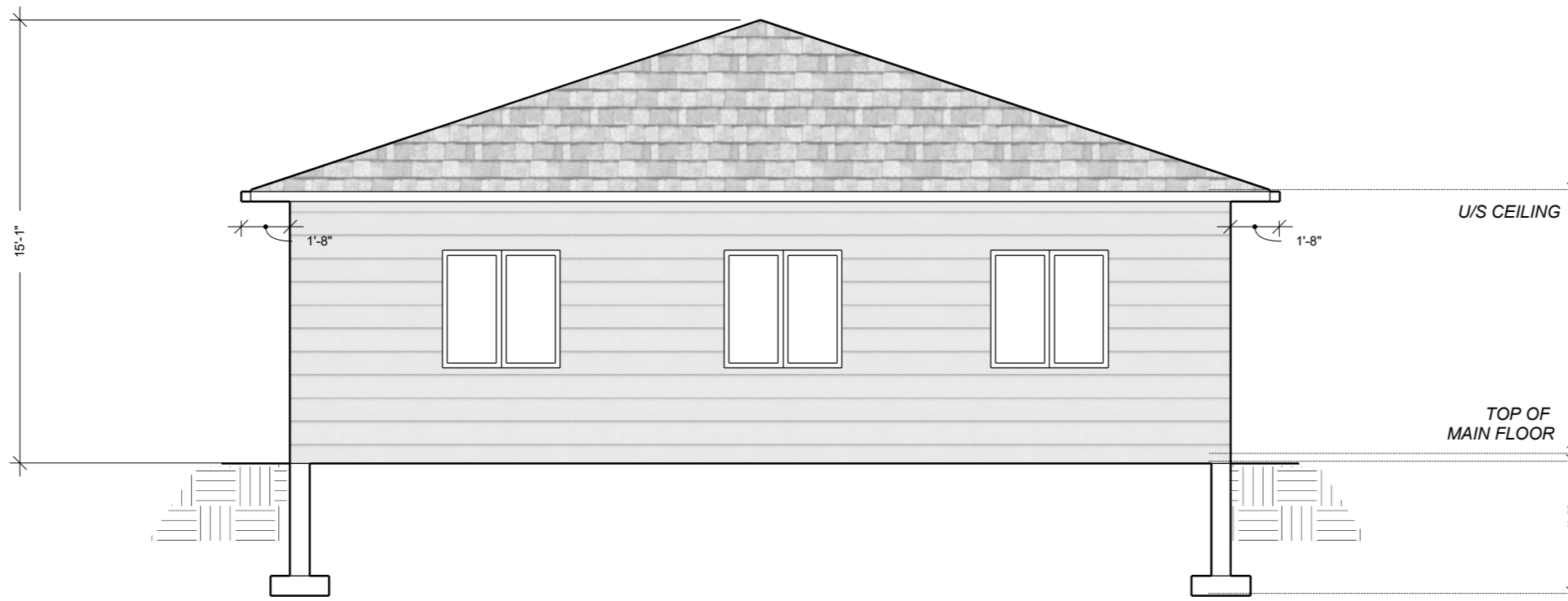
DRAWN BY: ANDY TRAN

ISSUE DATE: JAN 25, 2022
RE-ISSUE DATE:

DESCRIPTION:
SOUTH AND WEST ELEVATION

SCALE: 3/16" = 1'-0"

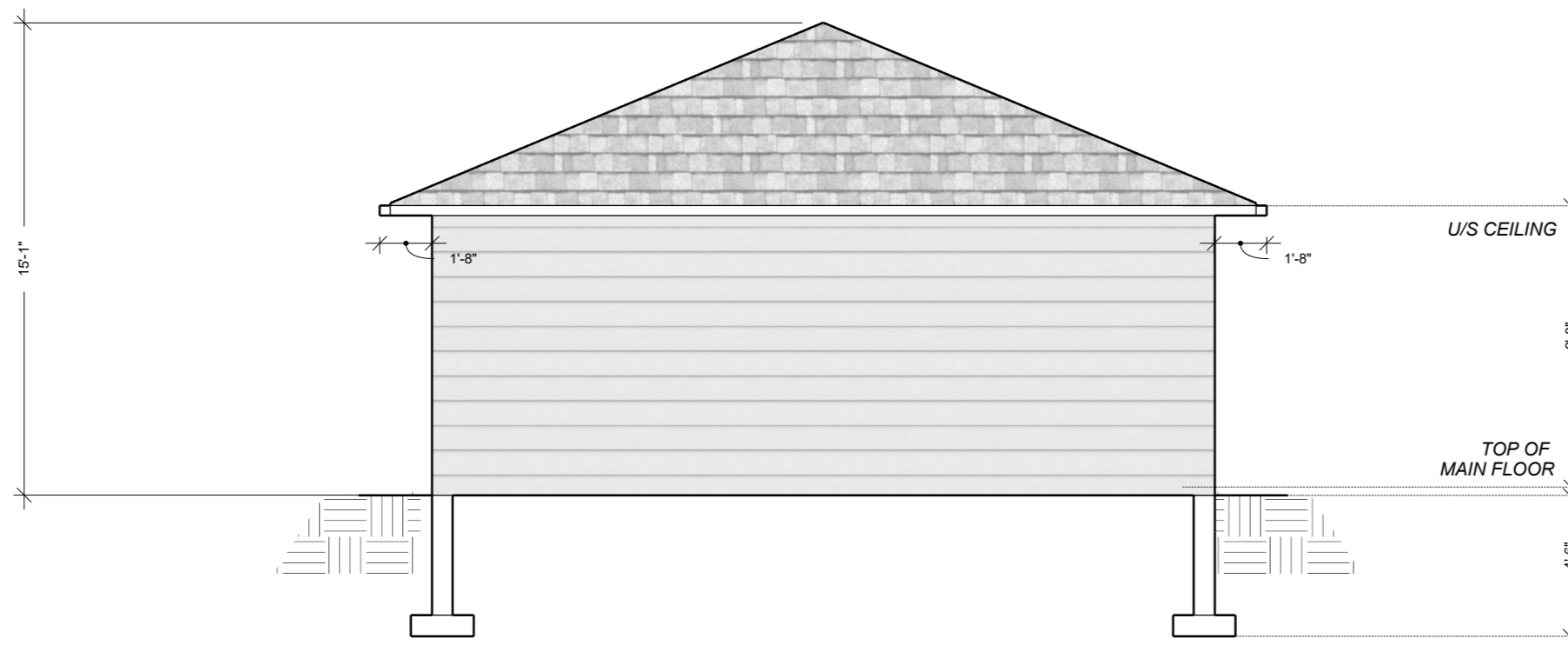
DRAWING NO:
A2.01



NORTH ELEVATION (REAR)

SCALE: 1/4"=1'-0"

1
A2.02



EAST ELEVATION (SIDE)

SCALE: 1/4"=1'-0"

2
A2.02

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Toronto, ON, M1S 3L6
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Andy Tran

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- DETACHED

ADDRESS:
77 WEST 4TH STREET, HAMILTON,
ON, L9C 3M6

CLIENT: REMAL TAILOR/POONAM
TAILOR

DRAWN BY: ANDY TRAN

ISSUE DATE: JAN 25, 2022
RE-ISSUE DATE:

DESCRIPTION:
NORTH AND EAST ELEVATION

SCALE: 3/16" = 1'-0"

DRAWING NO:

A2.02



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

	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:

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:

- 19.(1).1.(ii) 9 - Reduce minimum distance of 7.5m to 5.4m from principal dwelling
- 18(A)(14c)(ii) - Area for side yard landscaping to decrease from 50% to 30.5%
- 18(A) Table 6 - 6.0m rear manoeuvring for 2 SDU parking spaces to be off-site

Secondary Dwelling Unit Reconstruction of Existing Dwelling

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

- 19.(1).1.(ii) 9 - Insufficient yard depth to construct 75m² detached SDU
- 18(A)(14c)(ii) - Side yard required for additional parking needed for 2 SDUs
- 18(A) Table 6 - Unable to utilize rear yard for parking in addition to detached SDU

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**):

LT 283, PL 540; HAMILTON - 77 WEST 4TH STREET, 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?

PROPERTY HAS BEEN HERE SINCE THIS SUBDIVISION WAS CONSTRUCTED

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.

DEC 23 / 21
Date

RITULI STANCO
Signature Property Owner(s)

REWAL + POONAM TAILOR
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage	<u>15.24 METERS</u>
Depth	<u>32 METERS</u>
Area	<u>487.7 METERS</u>
Width of street	<u>UNKNOWN</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: _

GROUND FLOOR AREA = 80.83 m²
GROSS FLOOR AREA = 161.66 m²
ONE STOREY = 11.77 m WIDE, 10.55 m DEEP, 3 m HIGH

Proposed

DETACHED SDU:
GROUND FLOOR AREA = 74.32 m²
GROSS FLOOR AREA = 74.32 m²
ONE STOREY = 9.14 m WIDE, 11.7 m DEEP, 6 m HIGH

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

Existing:

(W) FRONT SETBACK - 6.81 m
(N) SIDE SETBACK - 1.22 m
(E) REAR SETBACK - 16.4 m
(S) SIDE SETBACK - 4.22 m

Proposed:

DETACHED SDU:(W) FRONT SETBACK - 5.4 m
(N) SIDE SETBACK - 1.27 m
(E) REAR SETBACK - 1.22 m
(S) SIDE SETBACK - 6.37 m

13. Date of acquisition of subject lands:
MAY 18, 2021
-
14. Date of construction of all buildings and structures on subject lands:
APPROXIMATELY 1950
-
15. Existing uses of the subject property (single family, duplex, retail, factory etc.):
SINGLE FAMILY WITH BASEMENT SDU
16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):
SINGLE FAMILY
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:
NEIGHBOURHOODS
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
C - URBAN PROTECTED RESIDENTIAL
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.