

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-22:188	SUBJECT PROPERTY:	10 LADY COURT, HAMILTON
ZONE:	"DE-2/S-22" (Multiple Dwellings)	ZONING BY-LAW:	Zoning By-law 6593, as Amended 109-23

APPLICANTS: Agent Gregory Spurek
Owner G. & S. Dhindsa

The following variances are requested:

1. A minimum front yard depth of 4.6m shall be permitted instead of the minimum required front yard of 6.0m.
2. A minimum westerly side yard width of 0.7m shall be permitted instead of the minimum required side yard width of 1.2m.
3. A minimum of 21% of the gross area of the front yard shall be used for a landscaped area excluding concrete, asphalt, gravel, pavers, or other similar materials instead of the requirement that not less than 50% of the gross area of the front yard shall be used for a landscaped area excluding concrete, asphalt, gravel, pavers, or other similar materials.
4. One (1) parking space shall be permitted instead of the minimum required five (5) parking spaces.
5. The manoeuvring space for the required parking space shall have a minimum width of 4.6m and may be provided partially off-site instead of the minimum required 6.0m manoeuvring aisle width and the requirement that a manoeuvring space shall be provided and maintained on the lot.

PURPOSE & EFFECT: Construct a 47.6m² second (2nd) storey northerly addition at the front of an existing single family dwelling

Notes:

- i. Pursuant to Variance # 4 above, based on the plans submitted, the single family dwelling will contain a total of thirteen (13) habitable rooms once the addition is constructed which requires a total of five (5) parking spaces. When the dwelling was originally constructed, one (1) parking space was required. The parking space is located in the attached garage. Be advised that as a setback of 4.9m is provided from the garage door to the front lot line, a parking space in the driveway would have a length of 4.9m which would not be considered a “parking space” as a minimum parking space length of 6.0m is required.

This Notice must be posted by the owner of any land which contains seven or more residential units so that it is visible to all residents.

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

DATE:	Thursday, July 28, 2022
TIME:	2:55 p.m.
PLACE:	Via video link or call in (see attached sheet for details)
	2nd floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton
	To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment

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

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

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, calling in, or attending in person. Please see attached page for complete instructions, including deadlines for registering to participate virtually.



 **Subject Lands**

DATED: July 12, 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, and may include posting electronic versions.

PARTICIPATION PROCEDURES

Written Submissions

Members of the public who would like to participate in a Committee of Adjustment meeting are able to provide comments in writing or via email in advance of the meeting. Comments can be submitted by emailing cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5. **Comments must be received by noon two days before the Hearing.**

Comment packages are available two days prior to the Hearing and are available on our website: www.hamilton.ca/committeeofadjustment

Oral Submissions

Members of the public are also able to provide oral comments regarding Committee of Adjustment Hearing items by participating Virtually through Webex via computer or phone or by attending the Hearing In-person. Participation Virtually requires pre-registration in advance. Please contact staff for instructions if you wish to make a presentation containing visual materials.

1. Virtual Oral Submissions

Interested members of the public, agents, and owners must register by noon the day before the hearing to participate Virtually.

To register to participate Virtually by Webex either via computer or phone, please contact Committee of Adjustment staff by email cofa@hamilton.ca. The following information is required to register: Committee of Adjustment file number, hearing date, name and mailing address of each person wishing to speak, if participation will be by phone or video, and if applicable the phone number they will be using to call in.

A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting the Wednesday afternoon before the hearing. The link must not be shared with others as it is unique to the registrant.

2. In person Oral Submissions

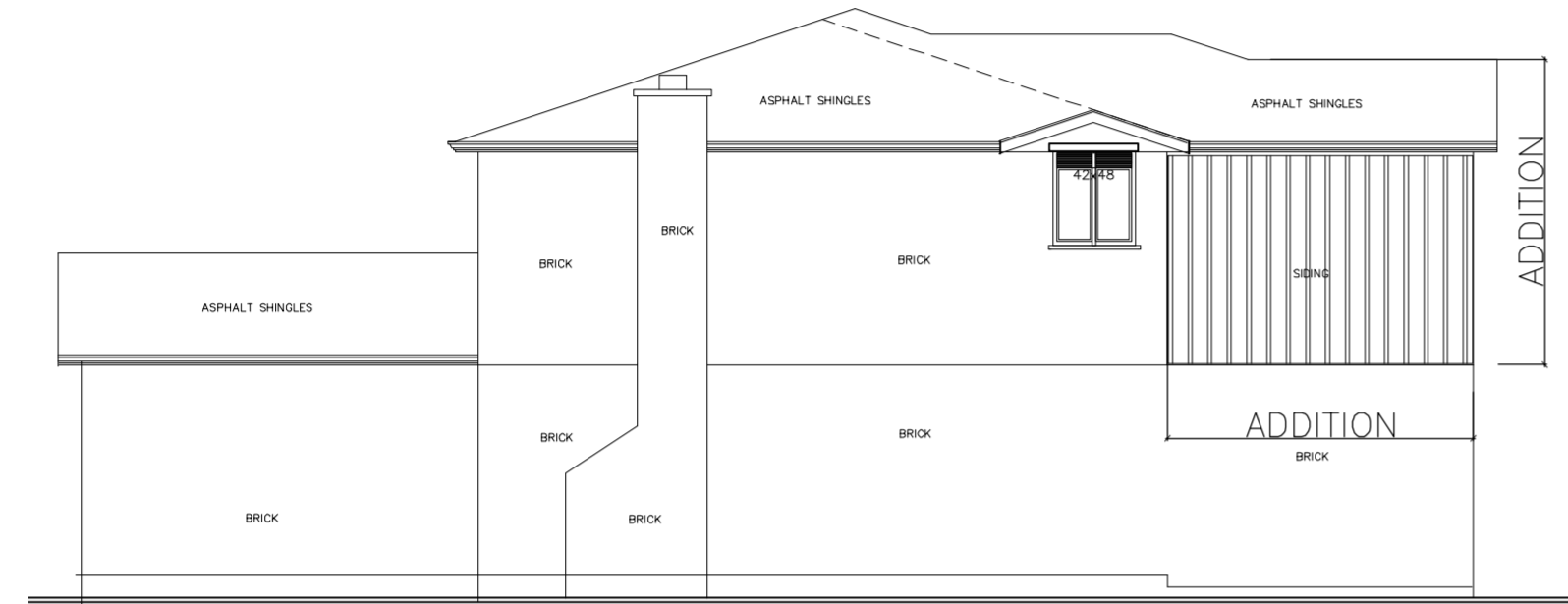
Interested members of the public, agents, and owners who wish to participate in person must sign in at City Hall room 222 (2nd floor) no less than 10 minutes before the time of the Public Hearing as noted on the Notice of Public Hearing.

We hope this is of assistance and if you need clarification or have any questions, please email cofa@hamilton.ca or by phone at 905-546-2424 ext. 4221.

Please note: Webex (video) participation requires either a compatible computer or smartphone and an application (app/program) must be downloaded by the interested party in order to participate. It is the interested party's responsibility to ensure that their device is compatible and operating correctly prior to the Hearing.

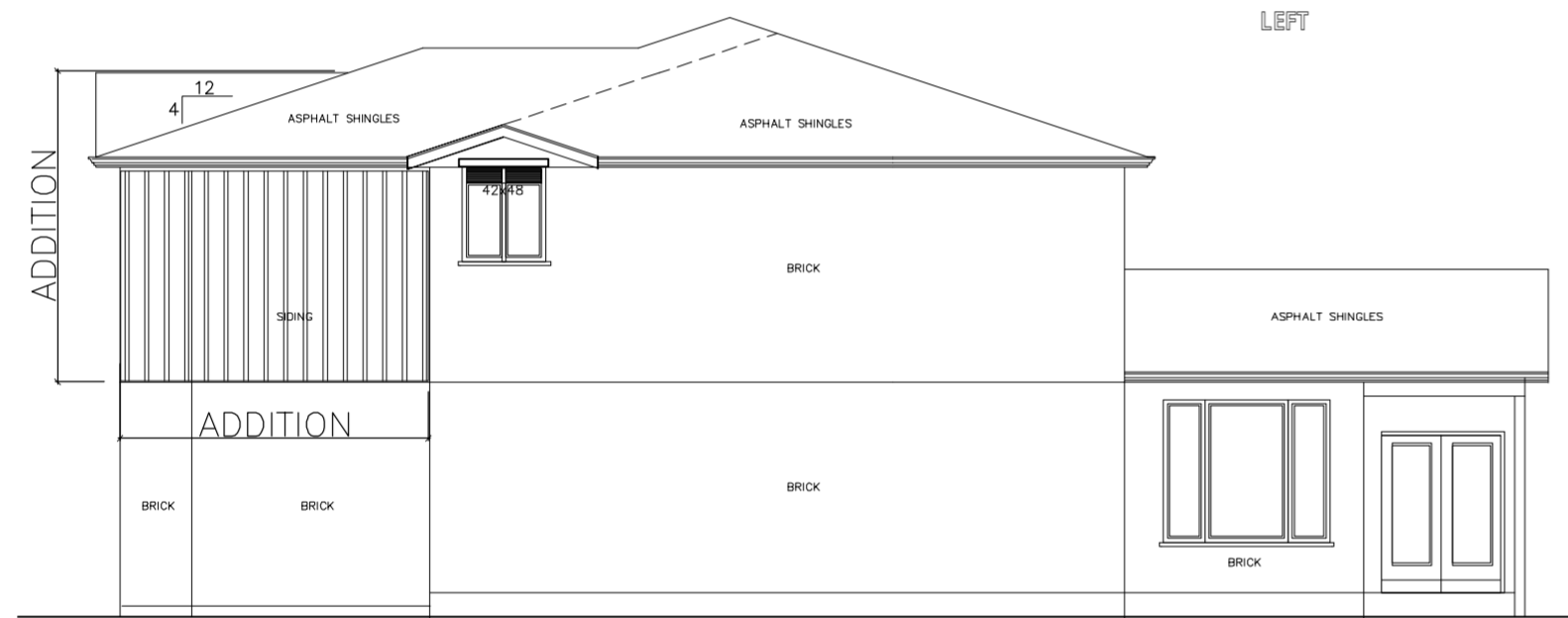


REAR ELEVATION



SIDE ELEVATION

LEFT

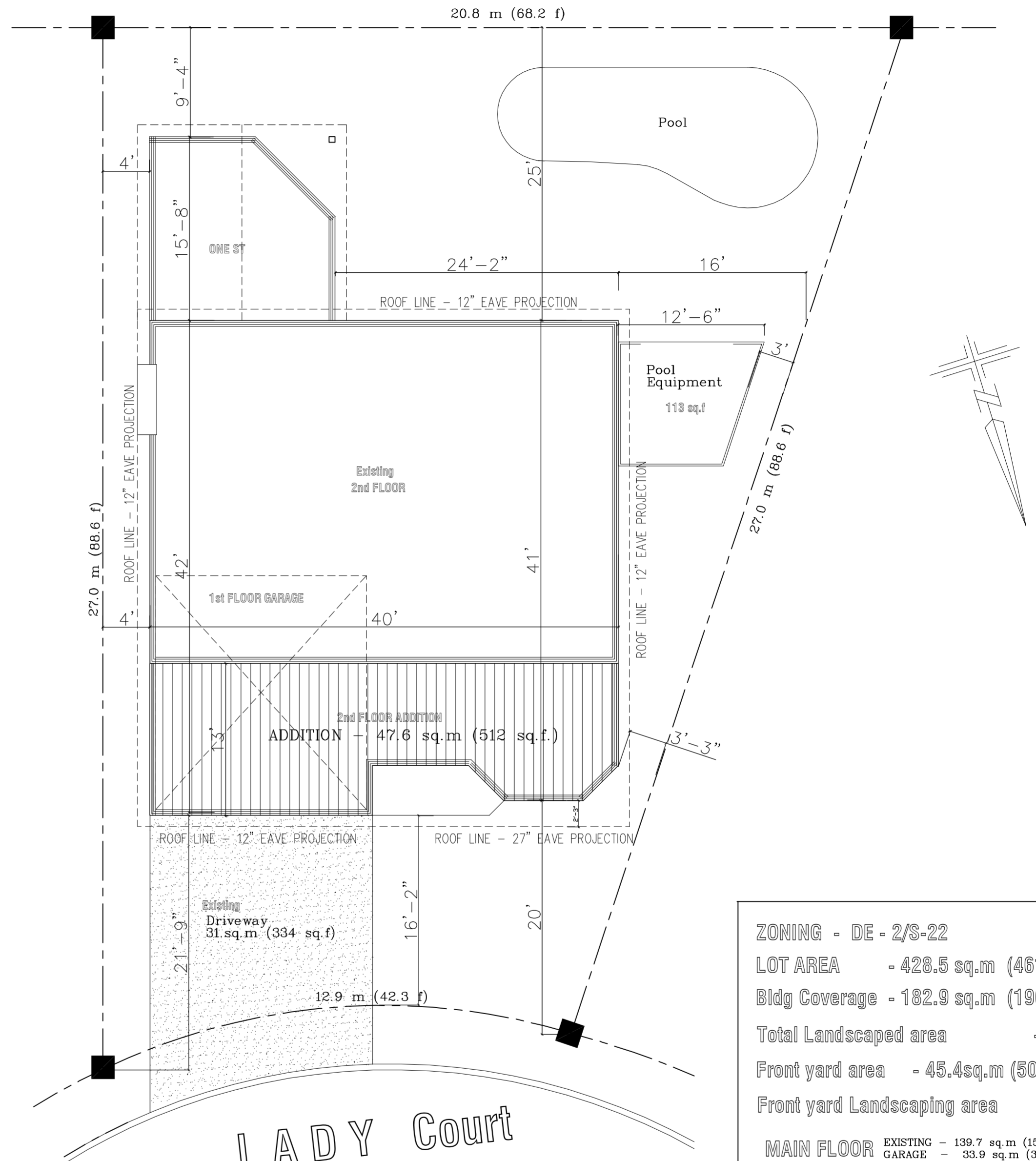


SIDE ELEVATION

RIGHT



FRONT ELEVATION



ZONING - DE - 2/S-22	
LOT AREA	- 428.5 sq.m (4612sq.f)
Bldg Coverage	- 182.9 sq.m (1969sq.f)
Total Landscaped area	- 42.7%
Front yard area	- 45.4sq.m (500 sq.f)
Front yard Landscaping area	- 21%
MAIN FLOOR	EXISTING - 139.7 sq.m (1504 sq.f) GARAGE - 33.9 sq.m (365 sq.f.)
2nd FLOOR	ADDITION - 47.6 sq.m (512 sq.f.) EXISTING - 104.9 sq.m (1130 sq.f.)
FLOOR AREA	ADDITION - 47.6 sq.m (512 sq.f.) EXISTING - 244.7 sq.m (2634 sq.f.) TOTAL - 292.3 sq.m (3146 sq.f.)

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 Spurek
NAME SIGNATURE BCIN 29295

REGISTRATION INFORMATION

ARCHGATE
FIRM NAME BCIN 32929



HAMILTON, ONTARIO
tel. (905) 549 9044
gspurek.archgate@bellnet.ca

July, 05 2022		Minor Variance review COMMENTS
3.	June, 25 2022	Minor Variance review COMMENTS
2.	May, 25 2022	Minor Variance APPLICATION
1.	April 25, 2022	BUILDING PERMIT APPLICATION REVIEW LETTER - Jan. 05, 2022
NO	DATE	DESCRIPTIONS
REVISIONS		

PROJECT :

ADDITION
Renovation

10 Lady Crt
Hamilton

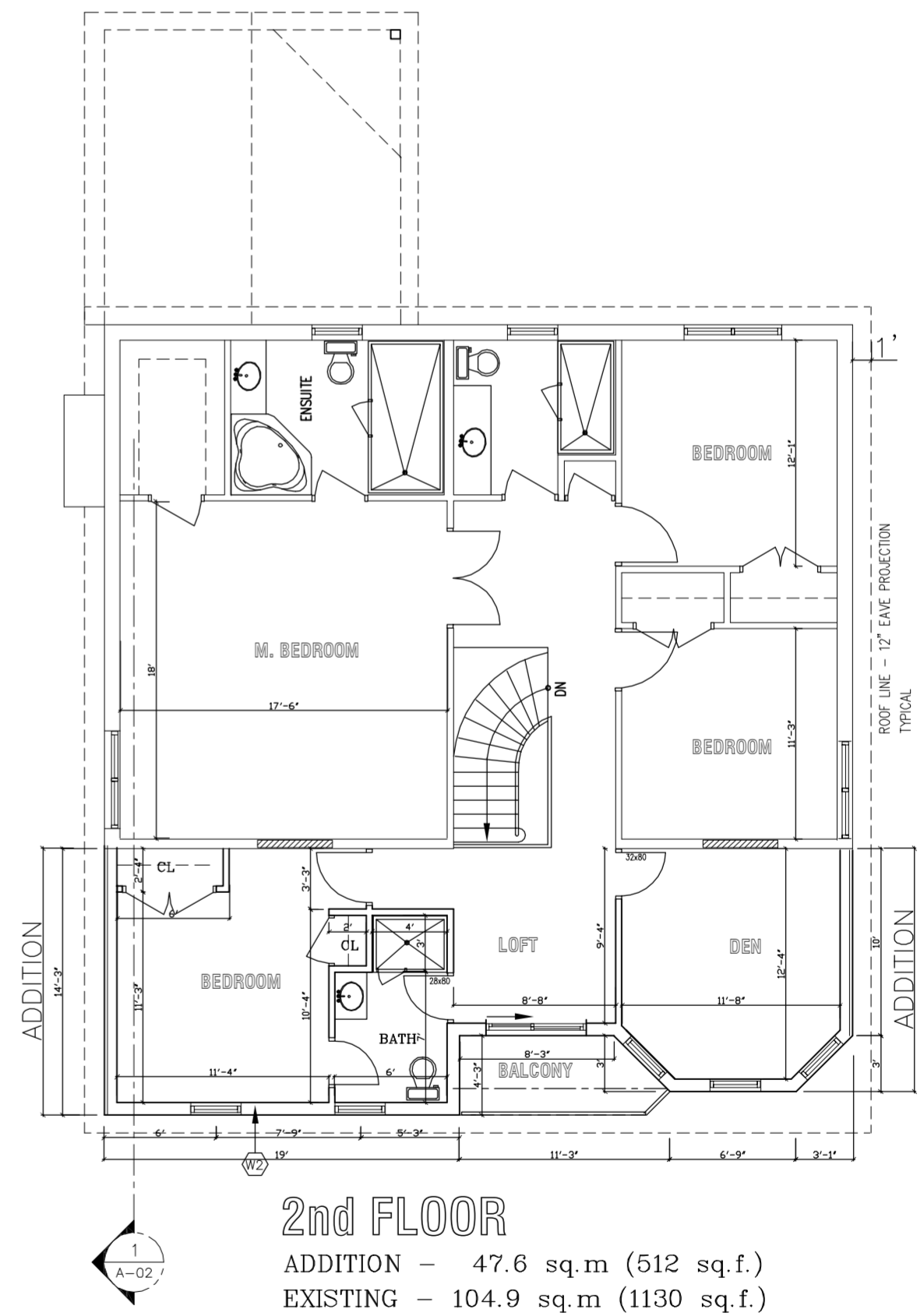
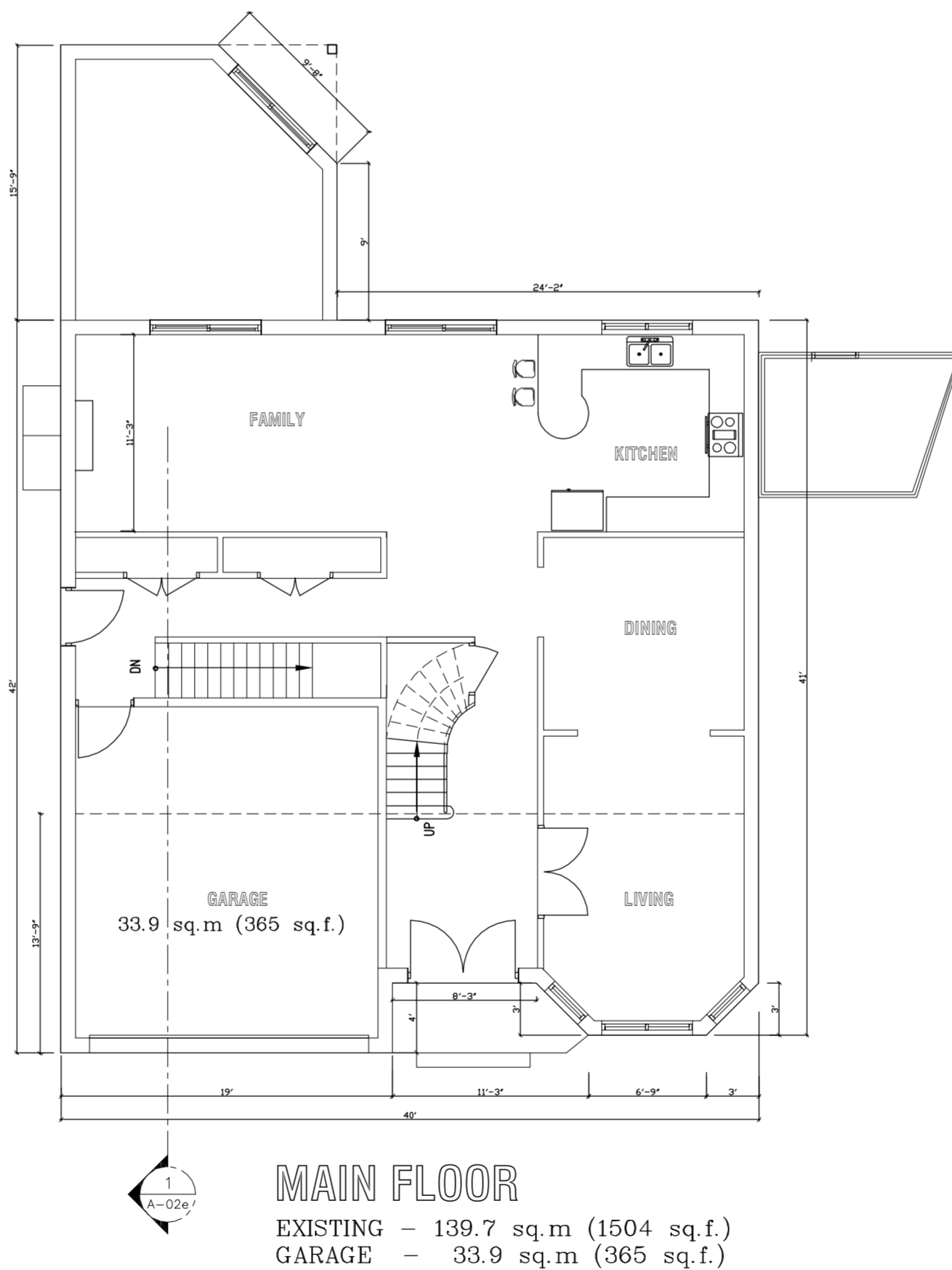
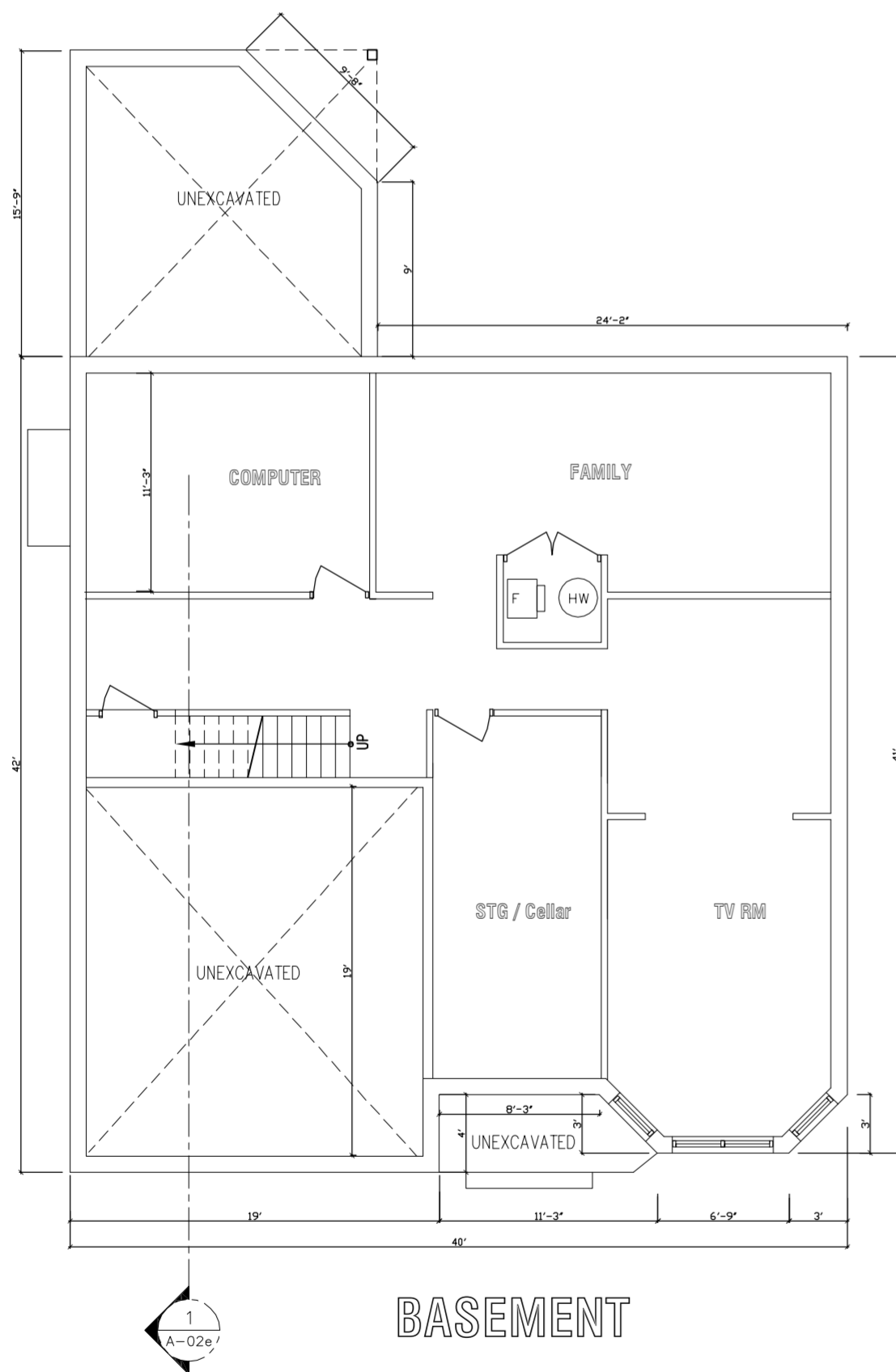
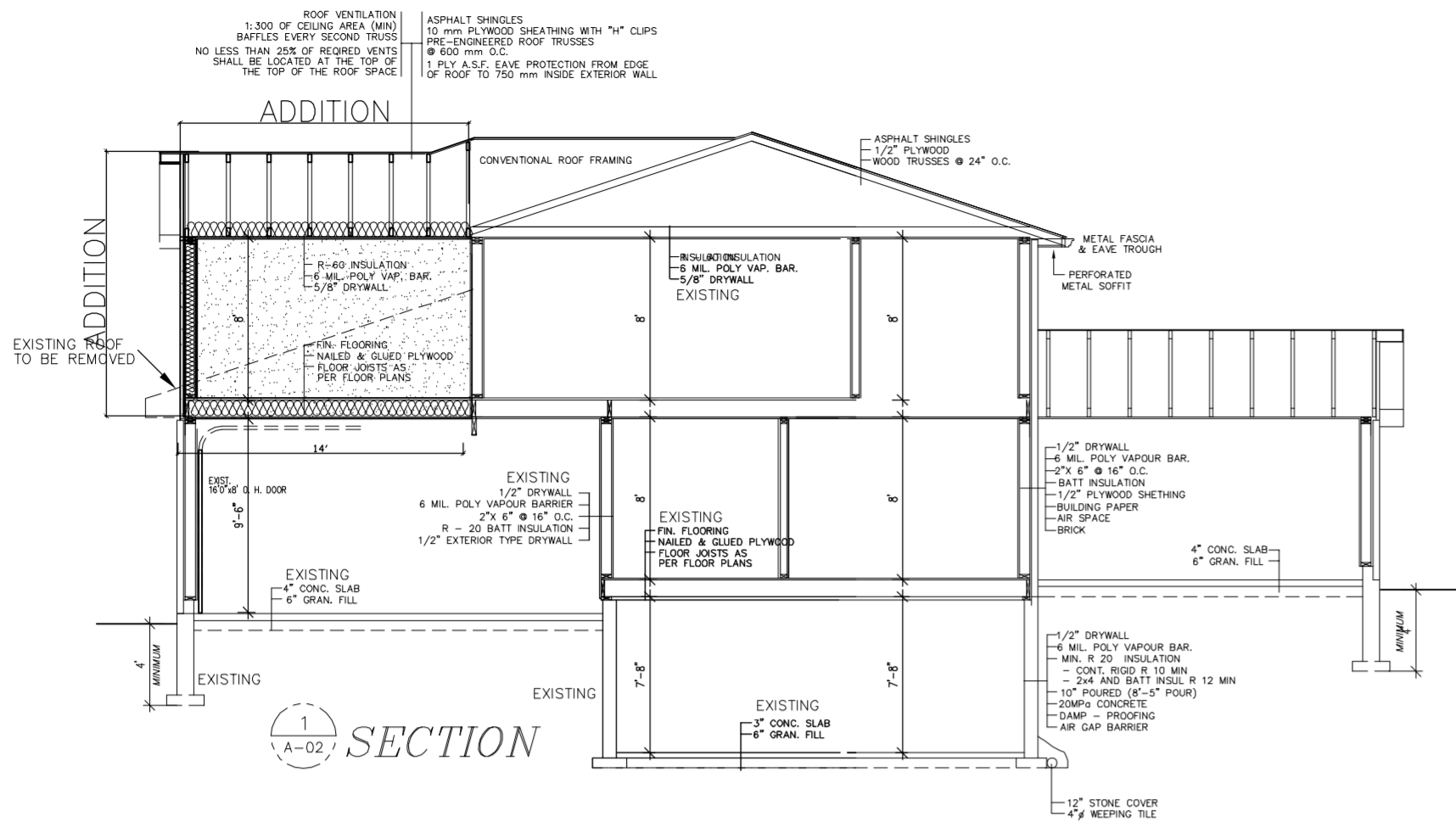
DATE:	December, 2021
DESIGN:	G.S.
DRAFTING:	G.S.
ISSUED:	
ACAD:	Gregory
SCALE:	1/8"=1'-0"

DRAWING:

-
-
Site Plan, Elevation

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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QUALIFICATION INFORMATION

Gregory Spurek 28295

NAME SIGNATURE BCIN

REGISTRATION INFORMATION

ARCHGATE 32928

FIRM NAME BCIN



July, 05 2022 Minor Variance review COMMENTS		
3.	June, 25 2022	Minor Variance review COMMENTS
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DRAWING:

-

-

Plans

DRAWING No.

A-01a



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)	G	8-5522-7303
Applicant(s)*	G	
Agent or Solicitor	G	

Send Sign →

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:

PROPOSED 2nd FLOOR ADDITION TO PERMIT CLOSER TO THE PROPERTY LINE THAN PERMITTED.
PERMIT FOR 2 PARKING SPACES

☐ Second Dwelling Unit ☒ Reconstruction of Existing Dwelling

THAN PERMITE

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

EXISTING FRONT YARD - 3.5 m

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**):

10 LADY COURT HAMILTON, ONT,

7. PREVIOUS USE OF PROPERTY

Residential ☒ Industrial ☐ Commercial ☐

Agricultural ☐ Vacant ☐

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?

ZONING MAP
DE - 2/5 - 22

- 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.

25 MAY 22
Date


Signature Property Owner(s)

Gurpreet K Dhindsa / Sathnam S Dhindsa
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage 12.9 m
Depth 27.0 m
Area 440.7 sq. m
Width of street COURT

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:

FLOOR AREA 244.7 m², 2st, 40' x 41'
26' H

Proposed

FLOOR AREA 292.3 2st. 40' x 41'
26' H

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 YARD 3.5m SIDES 0.9m REAR 7.5m

Proposed:

AS EXISTING

13. Date of acquisition of subject lands:
2007
14. Date of construction of all buildings and structures on subject lands:
N/A
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.):
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 YES Connected YES
Sanitary Sewer YES Connected YES
Storm Sewers YES
19. Present Official Plan/Secondary Plan provisions applying to the land:
A/N
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
DE-2/6-22
21. Has the owner previously applied for relief in respect of the subject property? (Zoning By-law Amendment or Minor Variance)
☐ Yes ☒ No
If yes, please provide the file number:
—
- 21.1 If a site-specific zoning by-law amendment has been received for the subject property, has the two-year anniversary of the by-law being passed expired?
☐ Yes ☒ No
- 21.2 If the answer is no, the decision of Council, or Director of Planning and Chief Planner that the application for Minor Variance is allowed must be included. Failure to do so may result in an application not being "received" for processing.
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 (please include separate sheet if needed)
—
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.