



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

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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<b>APPLICATION NO.:</b>	<b>HM/A-22:277</b>	<b>SUBJECT PROPERTY:</b>	42 RAY STREET S, HAMILTON
<b>ZONE:</b>	“E” (Multiple Dwellings, Lodges, Clubs and Etc.)	<b>ZONING BY-LAW:</b>	Zoning By-law former City of Hamilton 6593, as Amended

**APPLICANTS:** Owner: Richard Quinn – Quinn Investigations Inc.  
Agent: Andy Tran – Suite Additions

The following variances are requested:

1. A minimum lot width of 358.4m<sup>2</sup> and a minimum lot area of 10.5m shall be permitted instead of the minimum lot width of 12.0m and the minimum lot area of 405.0m<sup>2</sup> required for a three-family dwelling.
2. A minimum manoeuvring aisle width of 3.8m shall be permitted for parking spaces #2, #3 and #4 and no onsite manoeuvring shall be permitted for parking space #1 instead of the minimum 6.0m manoeuvring aisle width required.
3. A minimum parking space size of 2.6m x 5.4m shall be provided for parking space #1 instead of the minimum parking space size of 2.7m x 6.0m required.

**PURPOSE & EFFECT:** To facilitate the establishment of a three-family dwelling within the existing building.

**Notes:**

The zoning By-law requires a minimum of one (1) parking space to be designated exclusively for visitors. Visitors parking has not been exclusively shown on the submitted plan. Therefore, the applicant shall ensure that visitors parking is exclusively designated and properly marked for visitors; otherwise, further variances shall be required.

## HM/A-22:277

Parking is proposed to be accessed via an alleyway to the south. Based on our records, it appears that the alleyway may not be publicly assumed. If the alleyway is privately owned, an Encroachment Agreement and a Maintenance Easement may be required which shall be entered into and registered on title for both the lot upon which the building is encroaching onto and the subject lot.

The zoning By-law requires that the parking spaces and manoeuvring is paved with concrete or asphalt. No details were provided on the submitted plan. Therefore, the applicant shall ensure that proper surfacing is provided and maintained; otherwise, further variances may be 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:

<b>DATE:</b>	<b>Thursday, September 22, 2022</b>
<b>TIME:</b>	<b>2:15 p.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>2<sup>nd</sup> floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton</b>
	<b>To be streamed (viewing only) at</b> <a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a>

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

- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Visit Committee of Adjustment staff at 5<sup>th</sup> floor City Hall, 71 Main St. W., Hamilton
- 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 and instructions for check in to participate in person.



 **Subject Lands**

DATED: September 6, 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, and may include posting electronic versions.



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## 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. Please include your name and address, hearing date, and file number. Comments can be submitted by emailing [cofa@hamilton.ca](mailto: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](http://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](mailto: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.

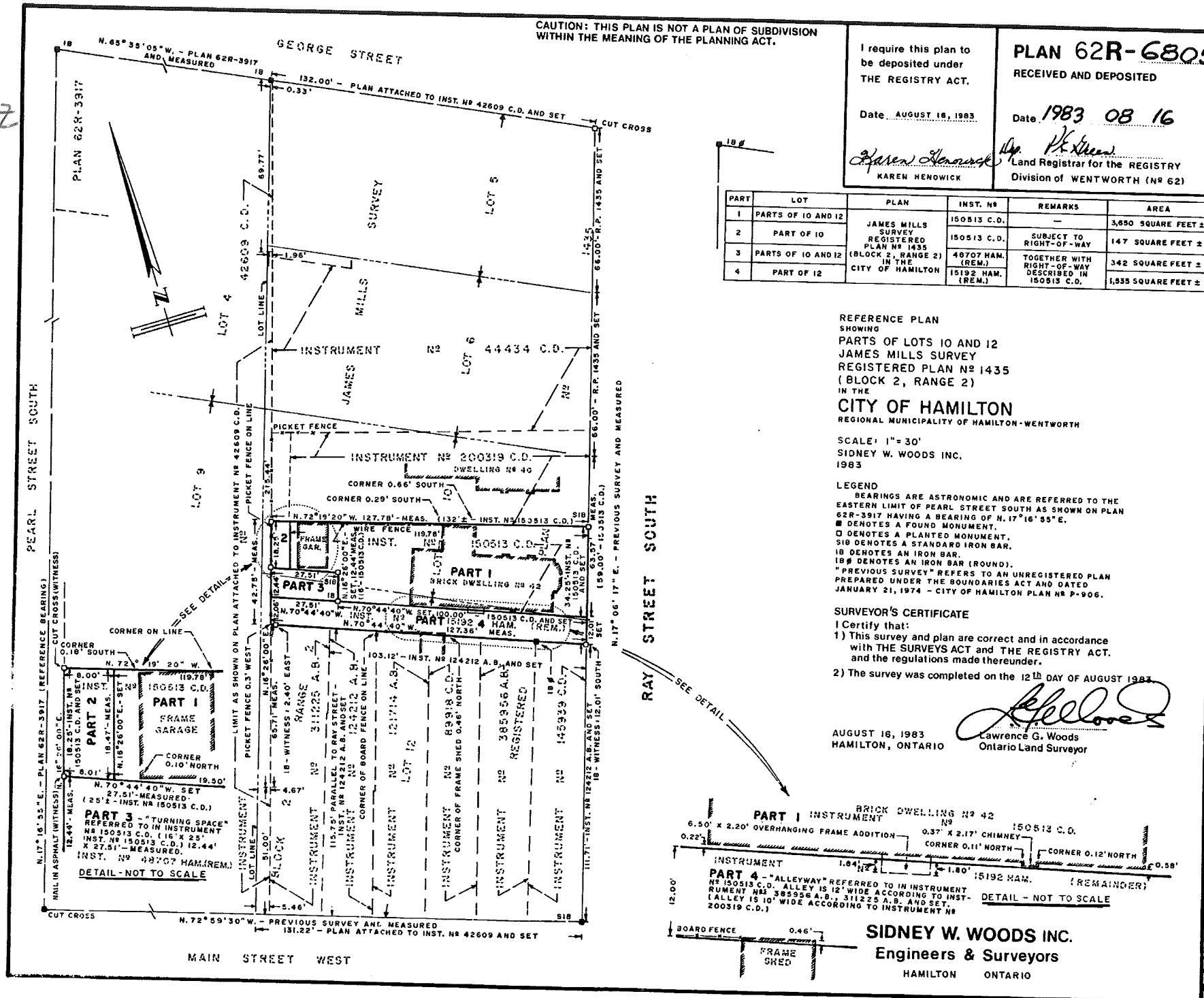
#### 2. In person Oral Submissions

**Interested members of the public, agents, and owners who wish to participate in person must sign in at City Hall room 222 (2<sup>nd</sup> 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](mailto: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.

pull pins  
~~17142-0082~~  
 17142-0073  
 17142-0098



16X

W-5326



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)	Quinn Investigations Inc.	
Applicant(s)*	RICHARD QUINN for Quinn Investigations Inc.	
Agent or Solicitor	ANDY TRAN SUITE ADDITIONS INC.	

**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:

The Bank of Nova Scotia (overdraft) 40 King St. W., First Mezzanine South Toronto, ON M5W 2X6
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**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:

- Rear maneuvering to be off-site for 4 rear parking spaces (3 + 1 visitor) onto private shared alleyway (house being converted from 2 to 3 units)  
- Parking space inside garage is 5.43m instead of required 6.0m

Second Dwelling Unit

Reconstruction of Existing Dwelling

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

- Section 18A requires rear maneuvering to be 6.0m long onsite. A portion of the rear maneuvering will be on the alleyway - existing condition  
- Existing garage has 5.43m available - existing condition

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**):

42 RAY STREET SOUTH, HAMILTON, ON, L8P 3V3

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?

PROPERTY IN EXISTENCE AS RESIDENTIAL PROPERTY FOR OVER 100 YEARS


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.

August 16, 2022  
Date

  
Signature Property Owner(s)  
Quinn Investigations Inc.  
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage 10.51 m  
Depth 39.01 m  
Area 358.43 m2  
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: \_

GROUND FLOOR AREA = 127.43 m2  
GROSS FLOOR AREA = 246.96 m2  
ONE STOREY = 5.79 m WIDE, 18.98 m DEEP, 10.96 m HIGH

Proposed

NO CHANGES

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

Existing:

(E) FRONT SETBACK - 3.79 m  
(S) SIDE SETBACK - 0.3 m  
(W) REAR SETBACK - 17.39 m  
(N) SIDE SETBACK - 0.4 m

Proposed:

NO CHANGES



13. Date of acquisition of subject lands:  
NOV 4th, 1997
- 
14. Date of construction of all buildings and structures on subject lands:  
APPROXIMATELY 1900
- 
15. Existing uses of the subject property (single family, duplex, retail, factory etc.):  
TWO FAMILY DWELLING
- 
16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):  
SINGLE AND MULTI FAMILY DWELLINGS
- 
17. Length of time the existing uses of the subject property have continued:  
30 years +
- 
18. Municipal services available: (check the appropriate space or spaces)
- |                |            |           |            |
|----------------|------------|-----------|------------|
| Water          | <u>YES</u> | Connected | <u>YES</u> |
| Sanitary Sewer | <u>YES</u> | Connected | <u>YES</u> |
| Storm Sewers   | <u>YES</u> |           |            |
- 
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:  
E - MULTIPLE DWELLINGS, LODGES, CLUBS, ETC.
- 
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)
- LEGAL LETTER INDICATING ACCESS TO PRIVATE ALLEYWAY PROVIDED
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.