



Hamilton

COMMITTEE OF ADJUSTMENT

City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5

Telephone (905) 546-2424, ext. 4221, 3935

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-22:325	SUBJECT PROPERTY:	110 BARTON STREET E HAMILTON, Ontario, L8L 2W3
ZONE:	“D” (Urban Protected Residential – One- and Two-Family Dwelling)	ZONING BY-LAW:	Zoning By-law former City of Hamilton 6593, as Amended 81-299, 22-137

APPLICANTS: Owner: J. Alejandro Lopez & Zahra Awang

The following variances are requested:

1. A maximum of two secondary dwelling units shall be permitted within a street townhouse dwelling on a divided or undivided lot instead of the required maximum of one.
2. A maximum of two entrances shall be permitted on the front façade of a dwelling unit containing a Secondary Dwelling Unit instead of the required maximum of one.

PURPOSE & EFFECT: As to establish two Secondary Dwelling Units within an existing street townhouse dwelling.

Notes:

1. Please be advised the previous Minor Variance Application (HM/A-19:157) submitted for these subject lands are final and binding.
2. Please be advised the subject lands are marked as a registered heritage property.

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, February 2, 2023
TIME:	1:20 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
- Visit Committee of Adjustment staff at 5th 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.

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding HM/A-22:325, you must submit a written request to cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.

If you wish to be provided a Notice of Decision, you must attend the Public Hearing and file a written request with the Secretary-Treasurer 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.



 Subject Lands

DATED: January 17, 2023

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. 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.

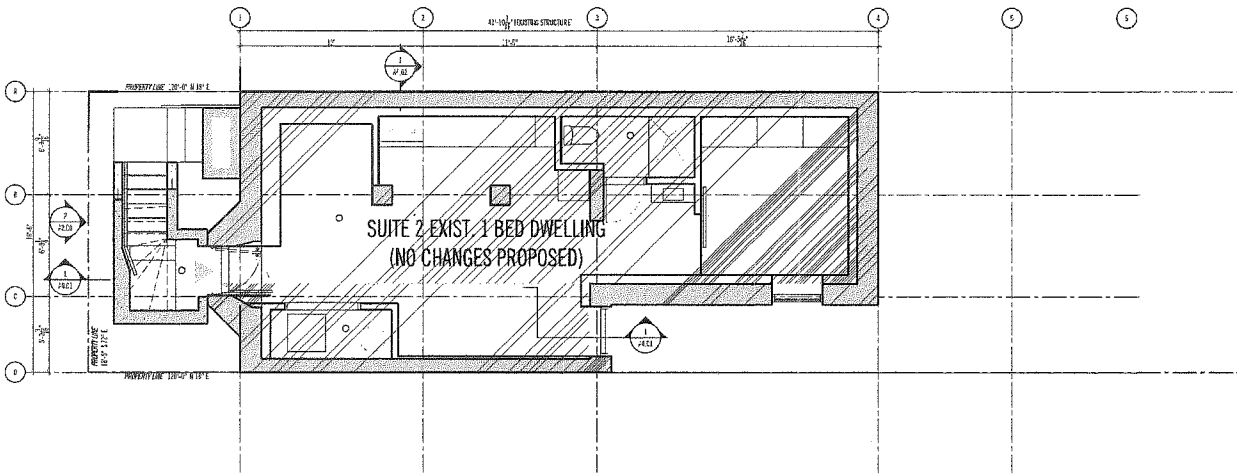
A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting the Wednesday afternoon before the hearing. The link must not be shared with others as it is unique to the registrant.

2. In person Oral Submissions

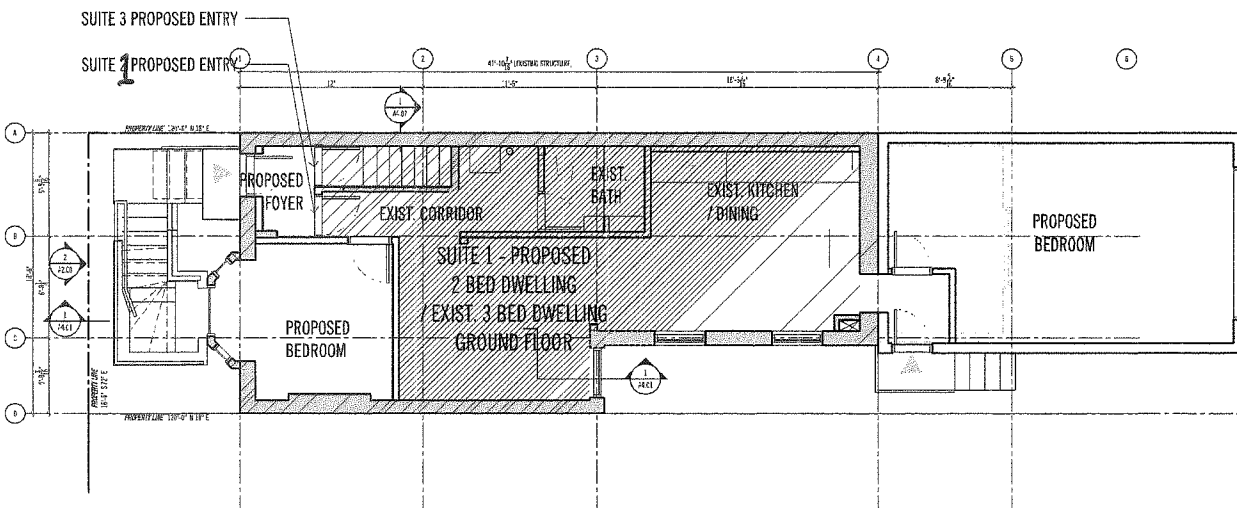
Interested members of the public, agents, and owners who wish to participate in person must sign in at City Hall room 222 (2nd floor) no less than 10 minutes before the time of the Public Hearing as noted on the Notice of Public Hearing.

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.



1 BASEMENT PLAN - EXISTING SUITE 2 (NO CHANGE)
 SCALE 1/8" = 1'-0"



2 GROUND FLOOR PLAN - PROPOSED / EXISTING SUITE 1
 SCALE 1/8" = 1'-0"

LINE TYPES LEGEND	
	PROPERTY LINE
	EXISTING TO REMAIN
	EXISTING TO BE DEMOLISHED
	PROPOSED / NEW

UNREGISTERED ARCHITECT
 1000 WEST 11th ST, SUITE 101, WILMINGTON, DE 19801
 ALL RIGHTS RESERVED. THIS DOCUMENT IS THE PROPERTY OF THE ARCHITECT AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECT.
 THE ARCHITECT ASSUMES NO LIABILITY FOR THE ACCURACY OF THE INFORMATION PROVIDED BY THE CLIENT.

1 OCT 6 2022 MINOR VARIANCE APPLICATION
 NO DATE ISSUE / REVISION

110 BARTON ST. E
 MINOR VARIANCE APPLICATION

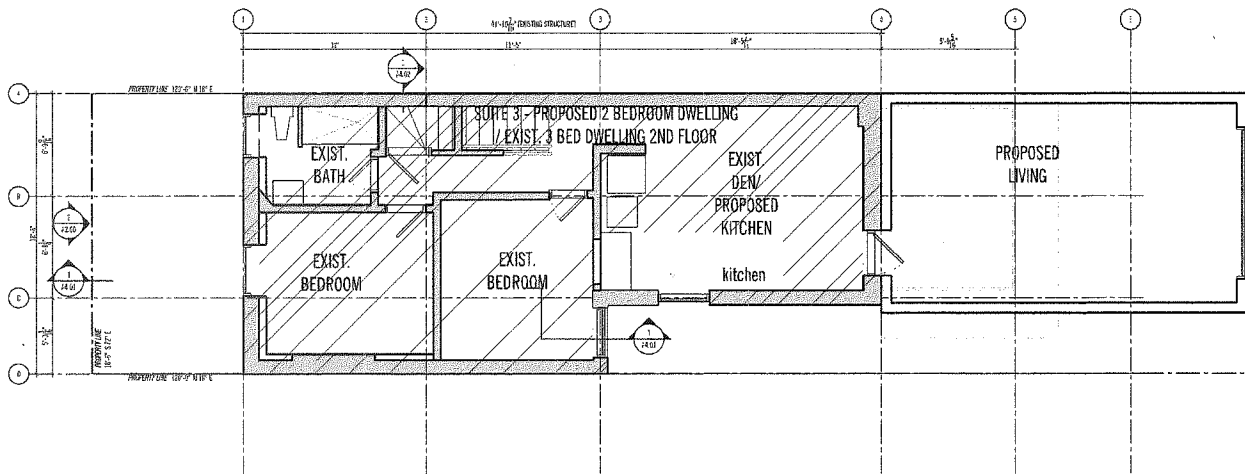
ADDRESS 110 BARTON ST. E
 WASHINGTON, DC 20003

DWG TITLE FLOOR PLANS

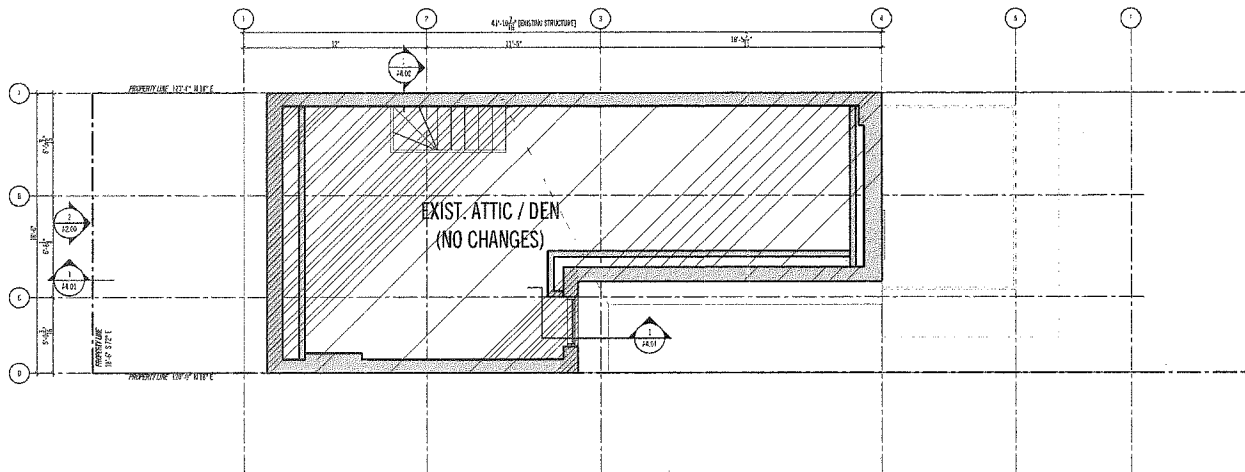
PROJECT NO. 1001
 SCALE 1/8" = 1'-0"
 DRAWING NO.

A1.00





1 2ND FLOOR PLAN - PROPOSED SUITE 3
A1.01 SCALE 1/8" = 1'-0"



2 ATTIC PLAN - PROPOSED SUITE 3
A1.01 SCALE 1/8" = 1'-0"

LINE TYPES LEGEND	
---	PROPERTY LINE
---	EXISTING TO REMAIN
---	EXISTING TO BE DEMOLISHED
---	PROPOSED / NEW

...PROPOSED SUITE 3
...SUITE 3 - PROPOSED 2/3 BEDROOM DWELLING / EXIST. 3 BED DWELLING 2ND FLOOR
...EXIST. BATH
...EXIST. BEDROOM
...EXIST. DEN / PROPOSED KITCHEN
...kitchen
...PROPOSED LIVING

1 OCT. 6, 2022 MINOR VARIANCE APPLICATION
NO. DATE SCALE / REVISION

110 BARTON ST. E
MINOR VARIANCE APPLICATION

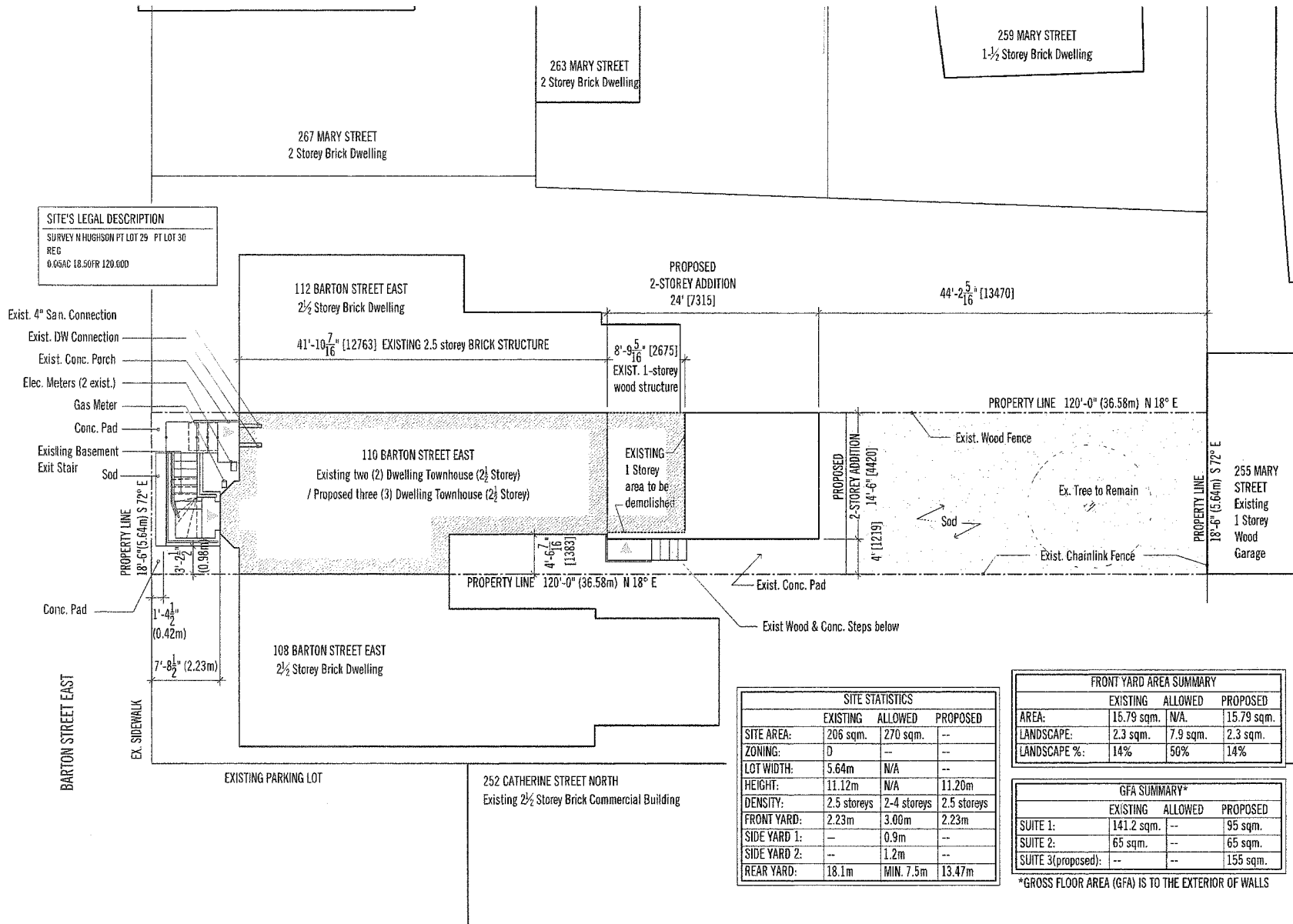
ADDRESS 110 BARTON ST. E
HAMILTON, ON
L8N 2Y2

ORG FILE GROUND FLOOR PLAN
PROPOSED

PROJECT NO. 1901
SCALE 3/8" = 1'-0"
DRAWING NO.

A1.01





1. APPROVED BY THE BOARD OF ZONING AND PLANNING
 2. APPROVED BY THE BOARD OF ZONING AND PLANNING
 3. APPROVED BY THE BOARD OF ZONING AND PLANNING

1 OCT. 6, 2022 MINOR VARIANCE APPLICATION
 NO. DATE ISSUE / REVISION

	SITE STATISTICS		
	EXISTING	ALLOWED	PROPOSED
SITE AREA:	206 sqm.	270 sqm.	--
ZONING:	D	--	--
LOT WIDTH:	5.64m	N/A	--
HEIGHT:	11.12m	N/A	11.20m
DENSITY:	2.5 storeys	2-4 storeys	2.5 storeys
FRONT YARD:	2.23m	3.00m	2.23m
SIDE YARD 1:	--	0.9m	--
SIDE YARD 2:	--	1.2m	--
REAR YARD:	18.1m	MIN. 7.5m	13.47m

	FRONT YARD AREA SUMMARY		
	EXISTING	ALLOWED	PROPOSED
AREA:	15.79 sqm.	N/A.	15.79 sqm.
LANDSCAPE:	2.3 sqm.	7.9 sqm.	2.3 sqm.
LANDSCAPE %:	14%	50%	14%

	GFA SUMMARY*		
	EXISTING	ALLOWED	PROPOSED
SUITE 1:	141.2 sqm.	--	95 sqm.
SUITE 2:	65 sqm.	--	65 sqm.
SUITE 3(proposed):	--	--	155 sqm.

*GROSS FLOOR AREA (GFA) IS TO THE EXTERIOR OF WALLS

110 BARTON ST. E MINOR VARIANCE APPLICATION

ADDRESS 110 BARTON ST. E
 BARCELON, ON
 L2L 2H3

ORIG. TITLE SITE PLAN

PROJECT NO. 1901
 SCALE 3/32" = 1'-0"
 DRAWING NO.

A0.01





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/PERMISSION UNDER SECTION 45 OF THE PLANNING ACT

1. APPLICANT INFORMATION

	NAME	MAILING ADDRESS	
Registered Owners(s)	J. Alejandro López Zahra Awang		
Applicant(s)	J. Alejandro López		
Agent or Solicitor	N/A		Phone:
			E-mail:

- 1.2 All correspondence should be sent to Owner Applicant
 Agent/Solicitor
- 1.2 All correspondence should be sent to Purchaser Owner
 Applicant Agent/Solicitor
- 1.3 Sign should be sent to Purchaser Owner
 Applicant Agent/Solicitor
- 1.4 Request for digital copy of sign Yes* No
If YES, provide email address where sign is to be sent _____
- 1.5 All correspondence may be sent by email Yes* No
If Yes, a valid email must be included for the registered owner(s) AND the Applicant/Agent (if applicable). Only one email address submitted will result in the voiding of this service. This request does not guarantee all correspondence will sent by email.

2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	110 BARTON ST. E		
Assessment Roll Number	25 18 020 156 55970 0000		
Former Municipality	Hamilton		
Lot	SURVEY N HUGHSON	Concession	
Registered Plan Number	0.0 5AC 18.50FR (20.00)	Lot(s)	PT LOT 29 PT LOT 30
Reference Plan Number (s)		Part(s)	

2.2 Are there any easements or restrictive covenants affecting the subject land?

Yes No

If YES, describe the easement or covenant and its effect:

3. PURPOSE OF THE APPLICATION

Additional sheets can be submitted if there is not sufficient room to answer the following questions. Additional sheets must be clearly labelled

All dimensions in the application form are to be provided in metric units (millimetres, metres, hectares, etc.)

3.1 Nature and extent of relief applied for:

Whereas, By-law 21-076 allows a maximum of 3 dwelling units per lot. A maximum of two *Secondary Dwelling Units* shall be allowed within the *primary building*.

Second Dwelling Unit

Reconstruction of Existing Dwelling

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

The by-law requires one of the two secondary dwelling units to be a detached structure in the backyard. This site has no street access to backyard.

3.3 Is this an application 45(2) of the Planning Act.

Yes

No

If yes, please provide an explanation:

4. DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

4.1 Dimensions of Subject Lands:

Lot Frontage	Lot Depth	Lot Area	Width of Street
18.5 Feet	120 Feet	206 sqm.	unknown

5.64 m

36.58 m

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

Existing:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Townhouse 2.5 storey dwelling	2.0 m	18.1 m	0 m	1890 approx

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
2.5 storey dwelling	2.0 m	13.4 m	0 m	2023

4.3. Particulars of all buildings and structures on or proposed for the subject lands (attach additional sheets if necessary):

Existing:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Masonry dwelling	76 sqm.	141.2 sqm	2.5	11.12 m

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Masonry dwelling	98 sqm.	250 sqm.	2.5	11.12 m

4.4 Type of water supply: (check appropriate box)

- publicly owned and operated piped water system
 privately owned and operated individual well

- lake or other water body
 other means (specify)
-

4.5 Type of storm drainage: (check appropriate boxes)

- publicly owned and operated storm sewers
 swales

- ditches
 other means (specify)
-

4.6 Type of sewage disposal proposed: (check appropriate box)

- publicly owned and operated sanitary sewage system
 - privately owned and operated individual septic system
 - other means (specify)
-

- 4.7 Type of access: (check appropriate box)
- provincial highway
 - municipal road, seasonally maintained
 - municipal road, maintained all year
- right of way
 other public road
-

4.8 Proposed use(s) of the subject property (single detached dwelling duplex, retail, factory etc.):
Townhouse dwelling with two secondary dwellings (max. 3 units)

4.9 Existing uses of abutting properties (single detached dwelling duplex, retail, factory etc.):
~~Townhouse~~ Semi-detached dwelling with one or two secondary dwelling.

7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:
Dec. 2014

7.2 Previous use(s) of the subject property: (single detached dwelling duplex, retail, factory etc)
Townhouse dwelling - 2 units

7.3 Existing use(s) of the subject property: (single detached dwelling duplex, retail, factory etc)
Townhouse dwelling with 2 legal dwellings

7.4 Length of time the existing uses of the subject property have continued:
8 years

7.5 What is the existing official plan designation of the subject land?

Rural Hamilton Official Plan designation (if applicable): _____

Rural Settlement Area: _____

Urban Hamilton Official Plan designation (if applicable) D Residential

Please provide an explanation of how the application conforms with the Official Plan.

7.6 What is the existing zoning of the subject land? D

7.8 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: