



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.:	SC/A-22:412	SUBJECT PROPERTY:	185 GRAY STONEY CREEK, Ontario, L8E 1T5
ZONE:	"R6" (Residential "R6" Zone)	ZONING BY-LAW:	Zoning By-law former City of Stoney Creek 3692-92, as Amended

APPLICANTS: Owner: A. Singh
Agent: M. Sabelli

The following variances are requested:

1. The ground floor area of the Secondary Dwelling Unit – Detached shall be 98.77% of the ground floor area of the principal dwelling instead of the required 70% of the ground floor area of the principal dwelling when the ground floor area of the principal dwelling is less than or equal to 105 square metres
2. The eaves of the Secondary Dwelling Unit – Detached shall encroach a maximum of 36.2 centimetres into a required minimum setback area instead of the maximum encroachment of 30 centimetres into a required minimum setback area.

PURPOSE & EFFECT: So as to permit a Secondary Dwelling Unit – Detached in the rear yard of a Single Detached Dwelling notwithstanding that:

Notes:

- i) As per Section 6.1.7.2 (j)(b) of Stoney Creek Zoning By-Law 3692-92, "an eave or a gutter may extend a maximum of 30 centimetres into a required minimum setback area". As per the site plan provided, the eave/ gutter of the proposed Secondary Dwelling Unit – Detached is shown to have a setback from the side and rear lot lines of 83.8 centimetre. A 1.2 metre setback is required to any rear and side lot line for a Secondary Dwelling Unit – Detached. As such, 1.2 metres subtract 0.838 metres is equal to 0.362 metres/ 36.2 centimetres. The proposed eave and gutter encroachment exceed the maximum permitted 30 centimetres. As such, a variance has been added to address this.

SC/A-22:412

ii) Be advised, as per section 6.7.4 of Stoney Creek Zoning By-Law 3692-92, a minimum of two (2) parking spaces are required for a Single Detached Dwelling, which only one may be provided in the required front yard and tandem parking is permitted. In addition to Section 6.7.4, Section 6.1.7 (a) states that “no additional parking space shall be required for either a Secondary Dwelling Unit or a Secondary Dwelling Unit - Detached, provided the required parking spaces which existed on May 12, 2021 for the existing dwelling shall continue to be provided and maintained”. The Site Plan provided indicates the existing parking to be altered to accommodate one (1) parking space for the existing Single Detached Dwelling and one (1) space for the proposed Secondary Dwelling – Detached with both spaces shown within the required front yard setback. The current parking proposed does not comply with Section 6.7.4 as the number and location of parking spaces provided for the Single Detached Dwelling does not meet the required standards. As such, the applicant shall either amend the Site Plan to conform with the requirements of Section 6.7.4 or revert the parking to reflect the existing parking conditions as they existed on May 12, 2021, in which Section 6.1.7 (a) shall be applied.

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 16, 2023
TIME:	2:15 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.

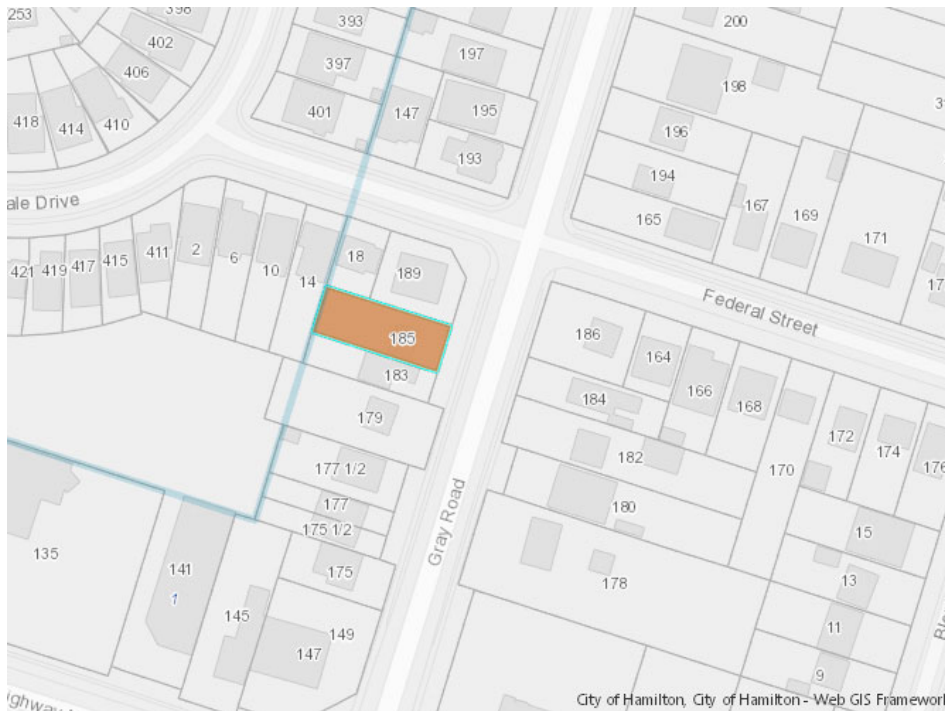
Orally: If you would like to speak to this item at the hearing you may do so via video link, calling in, or attending in person. Please see attached page for complete instructions, including deadlines for registering to participate virtually and instructions for check in to participate in person.

FURTHER NOTIFICATION

SC/A-22:412

If you wish to be notified of future Public Hearings, if applicable, regarding SC/A-22:412, 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.



DATED: January 31, 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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Telephone (905) 546-2424, ext. 4221, 3935

E-mail: cofa@hamilton.ca

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.

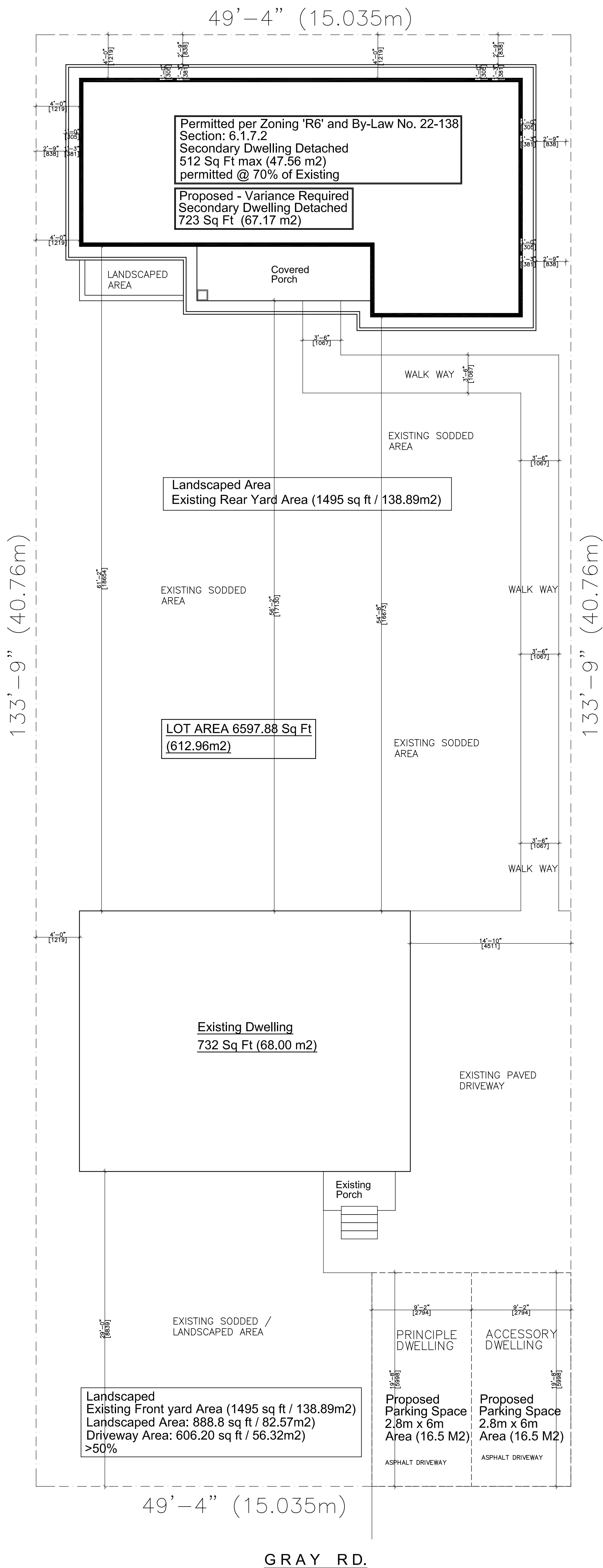
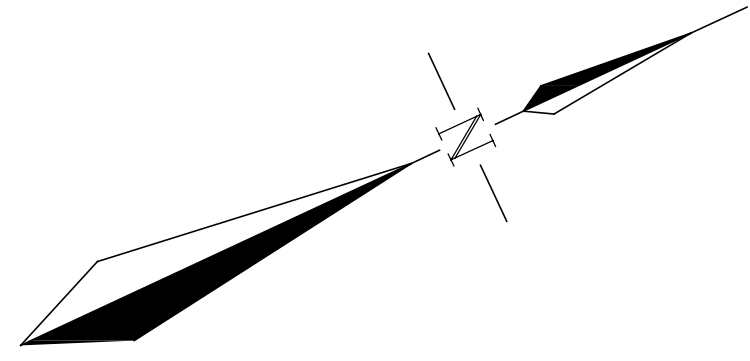
A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting the Wednesday afternoon before the hearing. The link must not be shared with others as it is unique to the registrant.

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.



SITE STATISTICS

MUNICIPAL ADDRESS
185 GRAY RD.
STONE CREEK, ONT.

BUILDING CLASSIFICATION
RESIDENTIAL

ZONING
R6 - ZONING
BY LAW NO. 22-138

REQUIREMENTS FOR SDU - DETACHED

MIN. SIDE YARDS	1.2 M (3.94')
MIN. FRONT YARD	6.0 M (19.69')
MIN. REAR YARD	1.2 M (3.94')
MAX. EAVES/ GUTTER PROJECTION	300 MM (1.0' IN TO REQUIRED YARDS)

EXISTING YARDS AT DWELLING

SIDE YARD (LEFT)	1.2 M (4.93') -EXISTING
SIDE YARD (RIGHT)	4.51 M (14'-10") -EXISTING
FRONT YARD	8.83 M (29'-0") -EXISTING
REAR YARD	24.59 M (80'-8") -EXISTING

LOT AREA
612.96 M2 (6597.88 SQ FT)

PROPOSED AT SDU - DETACHED

PERMITTED 70% OF EXIST. DWELLING	47.56 M2 (512 SQ FT)
** PROPOSED @ SDU - DETACHED	67.17 M2 (723.0 SQ FT) **
LOT COVERAGE 25%	1649.47 MAX FOR ALL COMBINED ACCESSORY BUILDINGS.
MAX HT. PERMITTED	6.0 M (19.68')
PROPOSED HT @ SDU - DETACHED	4.73 M (4.73 M)
** MINOR VARIANCE REQUIRED FOR PROPOSED SQ FT **	

NOTE:
THIS PLOT PLAN IS NOT A SURVEY. UNIQUE DESIGNS INC. DOES NOT GUARANTEE THE ACCURACY OF THIS DOCUMENT NOR DOES UNIQUE DESIGN INC. CLAIM TO HAVE THE QUALIFICATIONS TO PRODUCE A DRAWING INTENDED FOR THE USE AS A SURVEY. THE DRAWING PRODUCED IS INTENDED TO BE USED ONLY AS A DIAGRAM TO COMPLEMENT THE PROVIDED ARCHITECTURAL DRAWINGS. SPECIFICALLY, FOR THE PURPOSES OF ORIENTATION, ZONING, LIMITING DISTANCES AND BUILDING HEIGHT AND THEIR RELATIONSHIP WITH THE INTENDED USE OF THE BUILDING. TRUE SITE SETBACKS MAY NEED TO BE PROVIDED BY A QUALIFIED LAND SURVEYOR.

NOTE:
ALL PROPOSED RAIN WATER LEADERS TO DISCHARGE ANY RAIN WATER ON PROPERTY OR EXISTING SWALES.
NO WATER IS TO BE DRAINED ON TO ADJACENT PROPERTIES OR WALKWAYS OR DRIVEWAYS.

UNIQUE DESIGNS INC.
FOR MINOR VARIANCE ONLY!

DO NOT SCALE DRAWINGS

The undersigned has reviewed and takes responsibility for this design and site plan. I am a registered professional in the Province of Ontario, Canada. My registration number is 15084. I am a member of the Ontario Association of Architects (OAA) and the Ontario Association of Professional Engineers (OAPE). My registration number is 111622. I am a member of the Ontario Association of Professional Planners (OAPP) and the Ontario Association of Professional Geographers (OAPG). My registration number is 111622. I am a member of the Ontario Association of Professional Surveyors (OAPS) and the Ontario Association of Professional Engineers (OAPE). My registration number is 111622.

UNIQUE DESIGNS INC.
111622

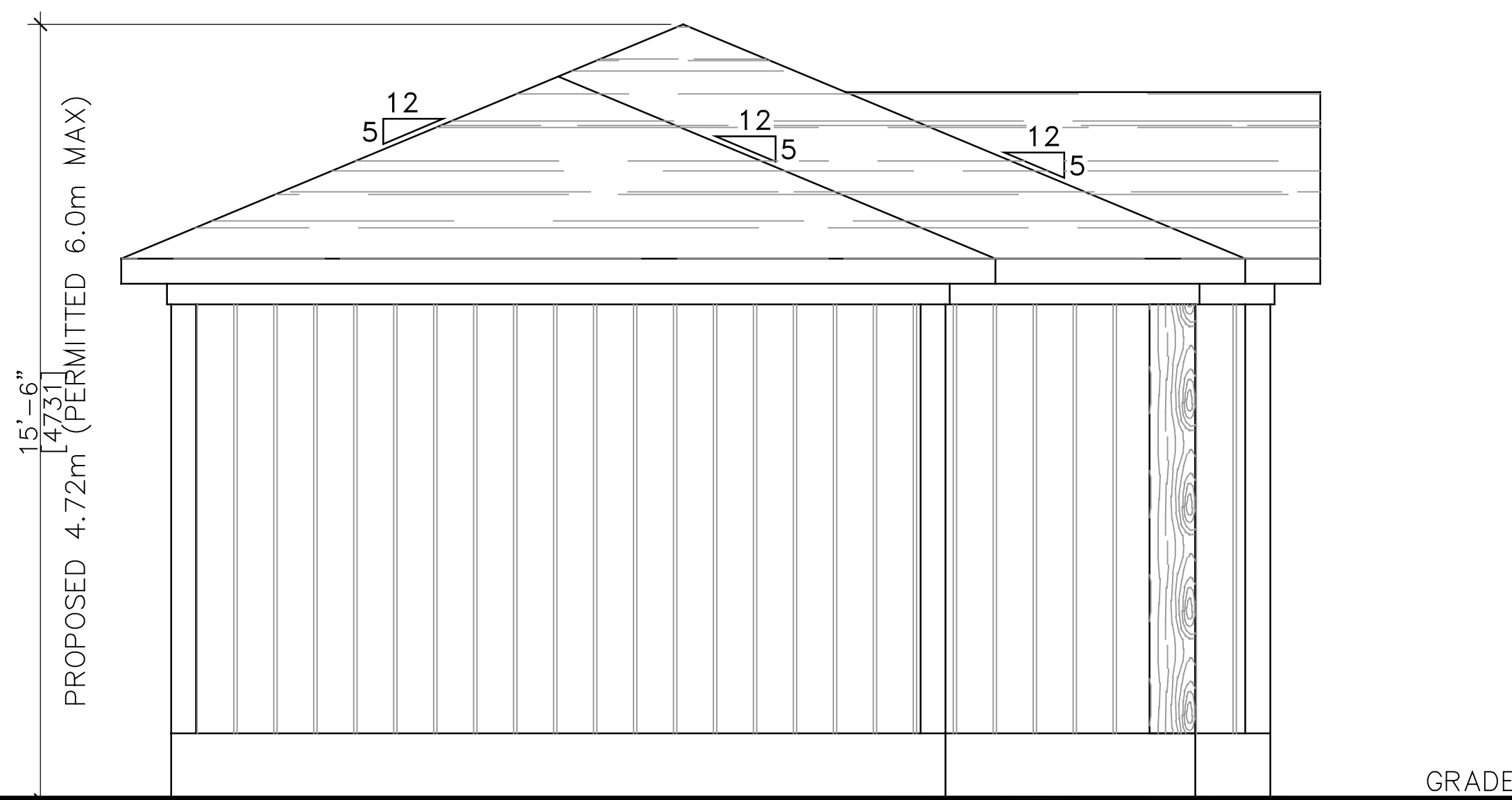
Drawn By: **SINGH**
Date: **11.25.22**
Job Number: **111622**
Scale: **3/16"=1'-0"**
A0

SINGH RESIDENCE
185 GRAY RD.,
STONE CREEK, ONT.

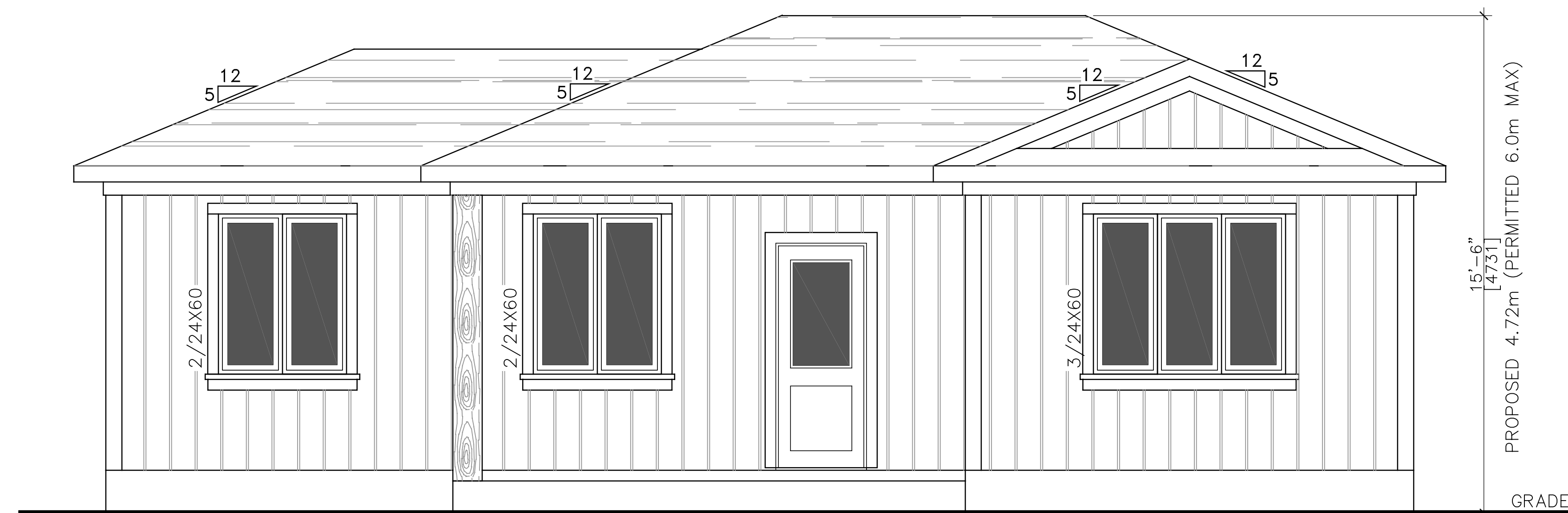
UNIQUE DESIGNS INC.
SECONDARY DWELLING UNIT - DETACHED
PLOT PLAN

No.	DATE	DESCRIPTION
1.	11.24.22	ISSUED FOR MINOR VARIANCE
2.		
3.		
4.		
5.		
6.		
7.		
8.		

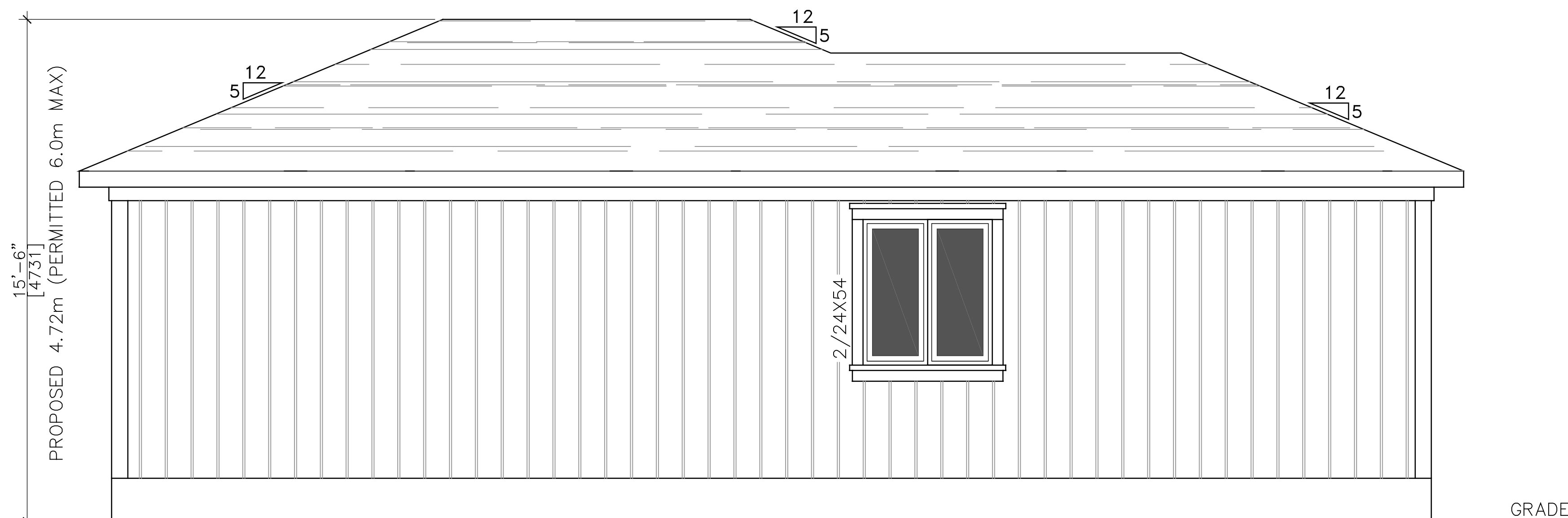
THESE DRAWINGS ARE NOT TO BE SCALED. CONTRACTOR MUST CHECK AND VERIFY ALL DIMENSIONS AND CONDITIONS ON THE PROJECT, AND MUST REPORT ANY DISCREPANCIES TO THE DESIGNER BEFORE PROCEEDING WITH THE WORK.
THE USE OF THIS DRAWING OR PART THEREOF IS FORBIDDEN WITHOUT THE WRITTEN APPROVAL OF THE DESIGNER.



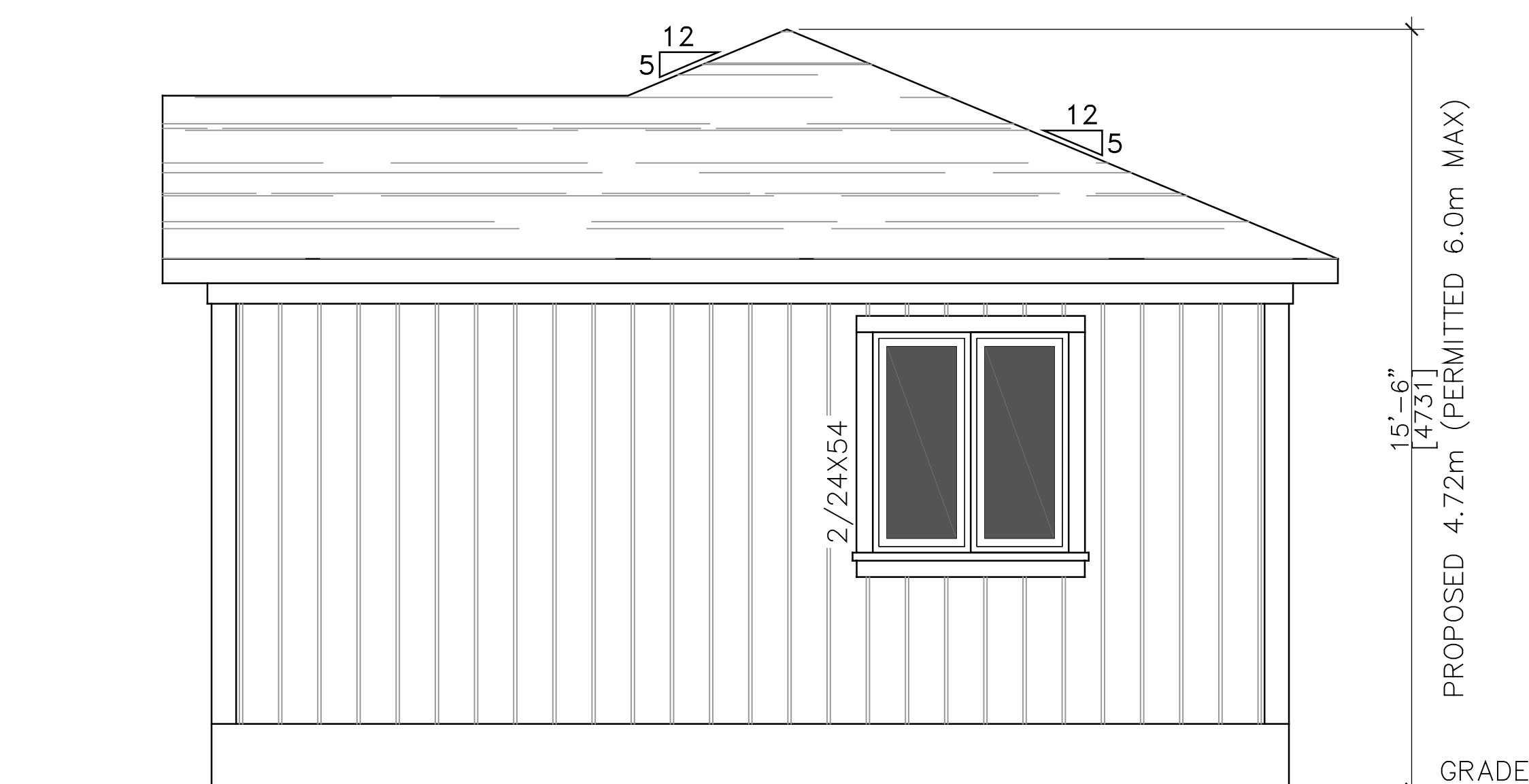
LEFT ELEVATION



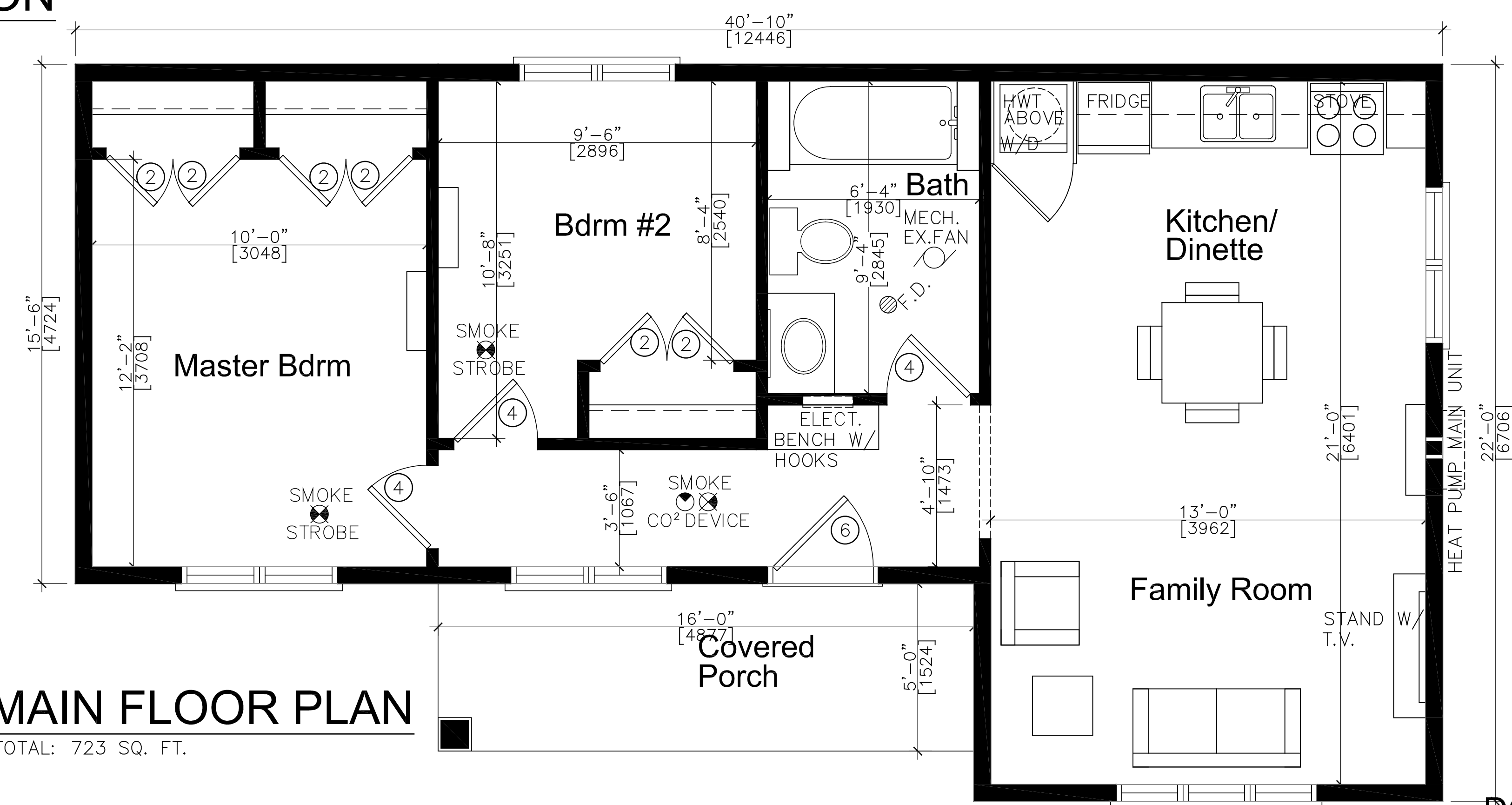
FRONT ELEVATION



REAR ELEVATION



RIGHT ELEVATION



MAIN FLOOR PLAN
TOTAL: 723 SQ. FT.

DO NOT SCALE DRAWINGS

No.	DATE	DESCRIPTION
1.	11.24.22	ISSUED FOR MINOR VARIANCE
2.		
3.		
4.		
5.		
6.		
7.		
8.		

UNIQUE DESIGNS INC.
 ELEVATIONS,
 FLOOR PLANS

SECONDARY DWELLING
 UNIT - DETACHED

**SINGH
 RESIDENCE**

185 GRAY RD.,
 STONEY CREEK, ONT.

Drawn By	Scale
Date:	3/8"=1'-0"
Job Number	A1
111622	

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
 Required unless design is exempt under Div.C, Article 3.2.5.1 of the Building Code

MAURO FORTUNATO 15084
 Name Signature BCIN

REGISTRATION INFORMATION
 Required unless design is exempt under Div.C, Article 3.2.4.1 of the Building Code

UNIQUE DESIGNS INC. 31090
 Firm Name BCIN

UNIQUE DESIGNS INC
 FOR MINOR VARIANCE ONLY!



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)	AMRIT SINGH	
Applicant(s)		
Agent or Solicitor	MICHAEL SABELLI	

- 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	185 GRAYS ROAD, STONEY CREEK		
Assessment Roll Number	-		
Former Municipality	-		
Lot	-	Concession	-
Registered Plan Number	-	Lot(s)	-
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:

PERMITTED PER "R6" 70% OF EXISTING DWELLING (70% OF 732 sq² = 512.4 sq²)
 PROPOSED SECOND DWELLING OF 733 sq²

Second Dwelling Unit

Reconstruction of Existing Dwelling

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

- SIZE OF LOT

- SIZE OF SECOND DWELLING NEEDED TO ACCOMMODATE FAMILY

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
15.035m	40.76m	612.83m ²	20m

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
DWELLING	8.83m	24.59m	1.21m & 4.511m	± 25 YEARS

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
SECONDARY DWELLING	17.130m	1.219m	1.219m & 1.196m	PROPOSED

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
DWELLING	68m ²		2	6.7m

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
SECONDARY DWELLING	67.17 ²		1	4.73m

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.):
SECONDARY DETACHED DWELLING UNIT

4.9 Existing uses of abutting properties (single detached dwelling duplex, retail, factory etc.):
RESIDENTIAL

7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:
APPROXIMATELY 10 YEARS

7.2 Previous use(s) of the subject property: (single detached dwelling duplex, retail, factory etc)
SINGLE-DETACHED DWELLING UNIT

7.3 Existing use(s) of the subject property: (single detached dwelling duplex, retail, factory etc)
SINGLE-DETACHED DWELLING UNIT

7.4 Length of time the existing uses of the subject property have continued:
MORE THAN 25 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) _____

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

7.6 What is the existing zoning of the subject land? "R6"

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:

7.9 Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*?

Yes No

If yes, please provide the file number:

7.10 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

7.11 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.

8 ADDITIONAL INFORMATION

8.1 Number of Dwelling Units Existing: _____ 1

8.2 Number of Dwelling Units Proposed: _____ 2

8.3 Additional Information (please include separate sheet if needed):

11 COMPLETE APPLICATION REQUIREMENTS

11.1 All Applications

- Application Fee
- Site Sketch
- Complete Application form
- Signatures Sheet

11.4 Other Information Deemed Necessary

- Cover Letter/Planning Justification Report
- Authorization from Council or Director of Planning and Chief Planner to submit application for Minor Variance
- Minimum Distance Separation Formulae (data sheet available upon request)
- Hydrogeological Assessment
- Septic Assessment
- Archeological Assessment
- Noise Study
- Parking Study
- ELEVATIONS, FLOOR PLANS
- _____