



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-23:225	SUBJECT PROPERTY:	169 MACAULAY STREET E, HAMILTON
ZONE:	D (Urban Protected Residential - 1 & 2 Family Dwellings Etc.)	ZONING BY-LAW:	Zoning By-law former City of Hamilton 6593, as Amended by By-law No. 94-39

APPLICANTS: **Owner:** N.STAR INVESTMENTS INC.
 Agent: R&R DESIGNS C/O RICHIE KHANNA

The following variances are requested:

1. A minimum lot width of 14.1m shall be permitted instead of the minimum 18.0m lot width required for semi-detached dwelling.
2. No onsite manoeuvring shall be provided for the parking spaces located within the private garage and within the front yard 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.
3. The accessibility to the parking space within the private garage may be obstructed by another vehicle whereas the By-law requires an unobstructed access driveway to the parking space.
4. Two (2) parking spaces shall be permitted within the front yard whereas no part of the required parking area in a residential district shall be located in a required front yard.

PURPOSE & EFFECT: To facilitate the construction of a semi-detached dwelling on the subject lands.

Notes:

The applicant shall ensure that a minimum access driveway having a width of 2.8m shall be maintained; otherwise, further variances shall be required.

The applicant shall ensure that the finished floor level of the garage shall be at a minimum of 0.3m

HM/A-23:225

above grade; otherwise, further variance shall be required.

The zoning By-law permits an eave or gutter encroachment into a required side yard not more than one half of its width or 1.0m whichever is the lesser. The applicant shall ensure compliance with the maximum permitted encroachment; otherwise, further variances shall 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:

DATE:	Thursday, September 21, 2023
TIME:	9:25 a.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-23:225, 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.



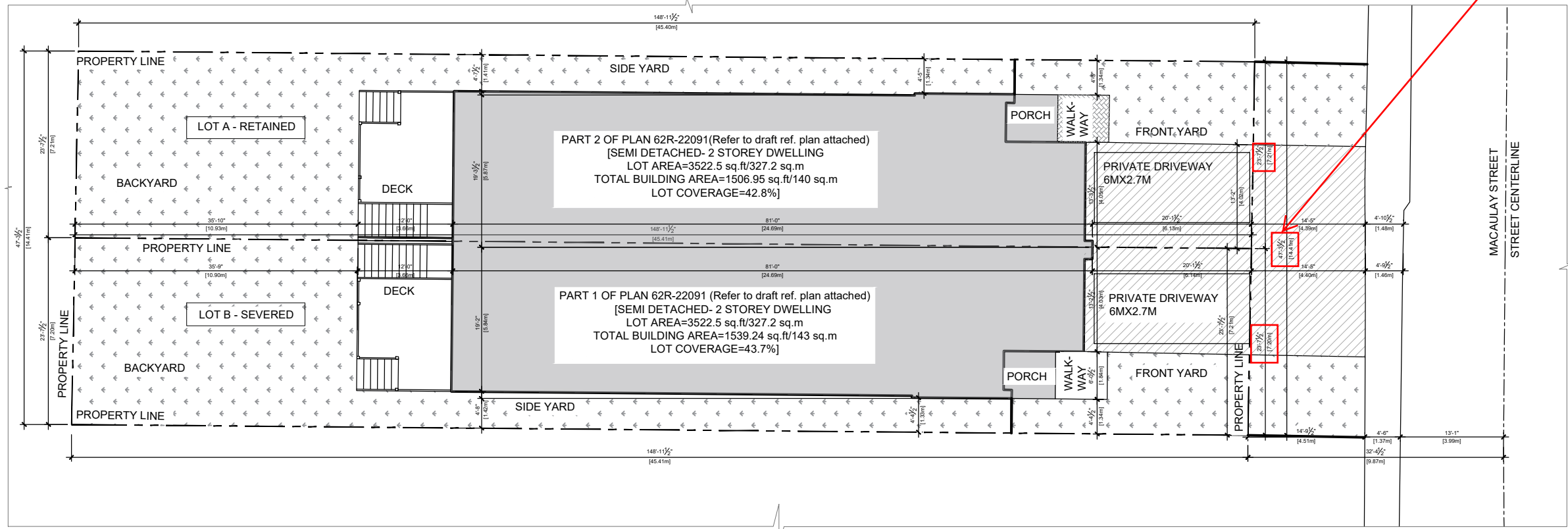
 Subject Lands

DATED: September 5, 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.

Minor Variance is being applied for not able to comply with Minimum lot width. Required is 18m and we have 14.41 hence request relief



1 PROPOSED SITE PLAN
Scale: 1/16"=1'-0"

SITE STATISTICS			
ZONE	REQUIRED	PROPOSED PART 2	PROPOSED PART 1
LOT AREA	540 sq.m	327.2 m ²	327.2 m ²
FRONTAGE	18m	23'-7 1/2" (7.21m)	23'-7 1/2" (7.20m)
DEPTH	N/A	148'-11 1/2" (45.40m)	148'-11 1/2" (45.41m)
WARD	N/A	2	2
ZONING CODE	D	D	D
PARALLEL	N/A	N/A	N/A
PARENT BY-LAW	6593 FORMER HAMILTON	6593 FORMER HAMILTON	6593 FORMER HAMILTON
FRONT YARD LANDSCAPING	NO REQUIREMENT	42%	42%
PARKING	N/A	2 SPOT	2 SPOT

SITE STATISTICS			
BUILDING SETBACKS			
--	REQUIRED	PROPOSED PART 2	PROPOSED PART 1
FRONT	MIN. 6.0 m	20'-1 1/2" (6.13 m)	20'-1 1/2" (6.14 m)
REAR	MIN. 7.5 m	35'-10" (10.93m)	35'-9" (10.90m)
SIDE WEST	MIN. 1.2 m	0'-0" (0.00m)	4'-8" (1.42 m)
SIDE EAST	MIN. 1.2 m	4'-7 1/2" (1.41 m)	0'-0" (0.00m)
LOT COVERAGE	-	42.8%	43.7%

SITE STATISTICS			
BUILDING STATISTICS			
--	REQUIRED	PROPOSED PART 2	PROPOSED PART 1
HEIGHT	45'-11" (14.0 m) MAX.	34'-2 1/2" (10.43 m)	34'-2 1/2" (10.43 m)
WIDTH	N/A	19'-3 1/2" (5.87 m)	19'-2 1/2" (5.85 m)
DEPTH	N/A	81'-0" (24.69m)	81'-0" (24.69m)
# OF STOREYS	3	2	2
GROSS AREA	N/A	2529.98 SQ.FT(235.04m ²)	2529.98 SQ.FT(235.04m ²)
BASEMENT AREA	N/A	1124.21 SQ.FT(104.44 m ²)	1124.21 SQ.FT(104.44 m ²)
GROUND FLOOR AREA	N/A	1189.77 SQ.FT(110.53m ²)	1189.77 SQ.FT(110.53m ²)
FAMILY ROOM FLOOR AREA	N/A	191.44 SQ.FT(17.79m ²)	191.44 SQ.FT(17.79m ²)
SECOND FLOOR AREA	N/A	1148.77 SQ.FT(106.72m ²)	1148.77 SQ.FT(106.72m ²)
TOTAL FLOOR AREA EXCEPT BASEMENT	N/A	2529.98 SQ.FT(235.04m ²)	2529.98 SQ.FT(235.04m ²)

ARCHITECT/ENGINEER

R&R DESIGNS
 92 Stapleton Ave.
 Hamilton, ON L8H 3N6
 Tel: 905.547-8668
 Richie Khanna
 richie@r-rdesigns.net
 www.r-rdesigns.net

REVISIONS		
NO.	DESCRIPTION	DATE
△	PERMIT	21-04-23
△		
△		
△		
△		

PROJECT #. 2022-RR27

DRAWN BY: O.L. L.Z.
 REVIEWED BY: R.K.
 DATE:

PROJECT NAME

MACAULAY ST'S HOUSE

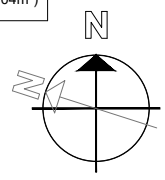
ADDRESS:

169 MACAULAY ST E,
 HAMILTON, ON L8L 3X5

SHEET NAME

PROPOSED SITE PLAN

SHEET NO. **SP1.01**



PLAN 62R-22091

Received and deposited

March 23rd, 2023

Silva Prantera

Representative for the
Land Registrar for the
Land Titles Division of
Wentworth (No.62)

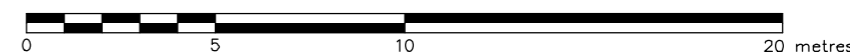


SCHEDULE

PART	LOT	PLAN	ALL OF PIN
1	LOT 11	REGISTERED PLAN 71	17157-0093
2			

PLAN OF SURVEY OF
ALL OF
LOT 11
REGISTERED PLAN 71
IN THE
CITY OF HAMILTON

SCALE 1 : 200



THE INTENDED PLOT SIZE OF THIS PLAN IS 540 mm IN WIDTH BY 475 mm IN HEIGHT WHEN PLOTTED AT A SCALE OF 1:200

MackAY, MacKAY & PETERS LIMITED - ONTARIO LAND SURVEYORS - 2023
METRIC DISTANCES AND COORDINATES SHOWN HEREON ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

INTEGRATION DATA

OBSERVED REFERENCE POINTS (ORP's): UTM ZONE 17, NAD83 (CSRS) (2010.0)
COORDINATES ARE TO AN URBAN ACCURACY PER SECTION 14(2) OF O.REG. 216/10

POINT ID	NORTHING	EASTING
A	4791344.34	592858.11
B	4791365.35	592786.99

CAUTION: COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN

BEARING REFERENCE

BEARINGS ARE UTM GRID, DERIVED FROM OBSERVED REFERENCE POINTS A AND B, BY REAL TIME NETWORK (RTN) OBSERVATIONS, UTM ZONE 17, NAD83 (CSRS) (2010.0)

DISTANCES ON THIS PLAN ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.99971639

A ROTATION OF 1°32'40" HAS BEEN APPLIED TO BEARINGS ON P1, P2, P3 & P4

LEGEND

- DENOTES A SURVEY MONUMENT FOUND
- DENOTES A SURVEY MONUMENT PLANTED
- SIB DENOTES STANDARD IRON BAR
- IB DENOTES IRON BAR
- P1 DENOTES PLAN 62R-16026
- P2 DENOTES PLAN BY MMP LIMITED, DATED NOVEMBER 1, 2019 (19-236)
- P3 DENOTES PLAN BY GUIDO CONSOLI SURVEYING DATED FEBRUARY 23, 1988
- P4 DENOTES REGISTERED PLAN 71
- P5 DENOTES PLAN 62R-14573
- C1 DENOTES CALCULATED FROM P3 & P5
- PIN DENOTES PROPERTY IDENTIFICATION NUMBER
- OU DENOTES ORIGIN UNKNONWN

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT, THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
- THE SURVEY WAS COMPLETED ON THE 24th DAY OF FEBRUARY, 2023.

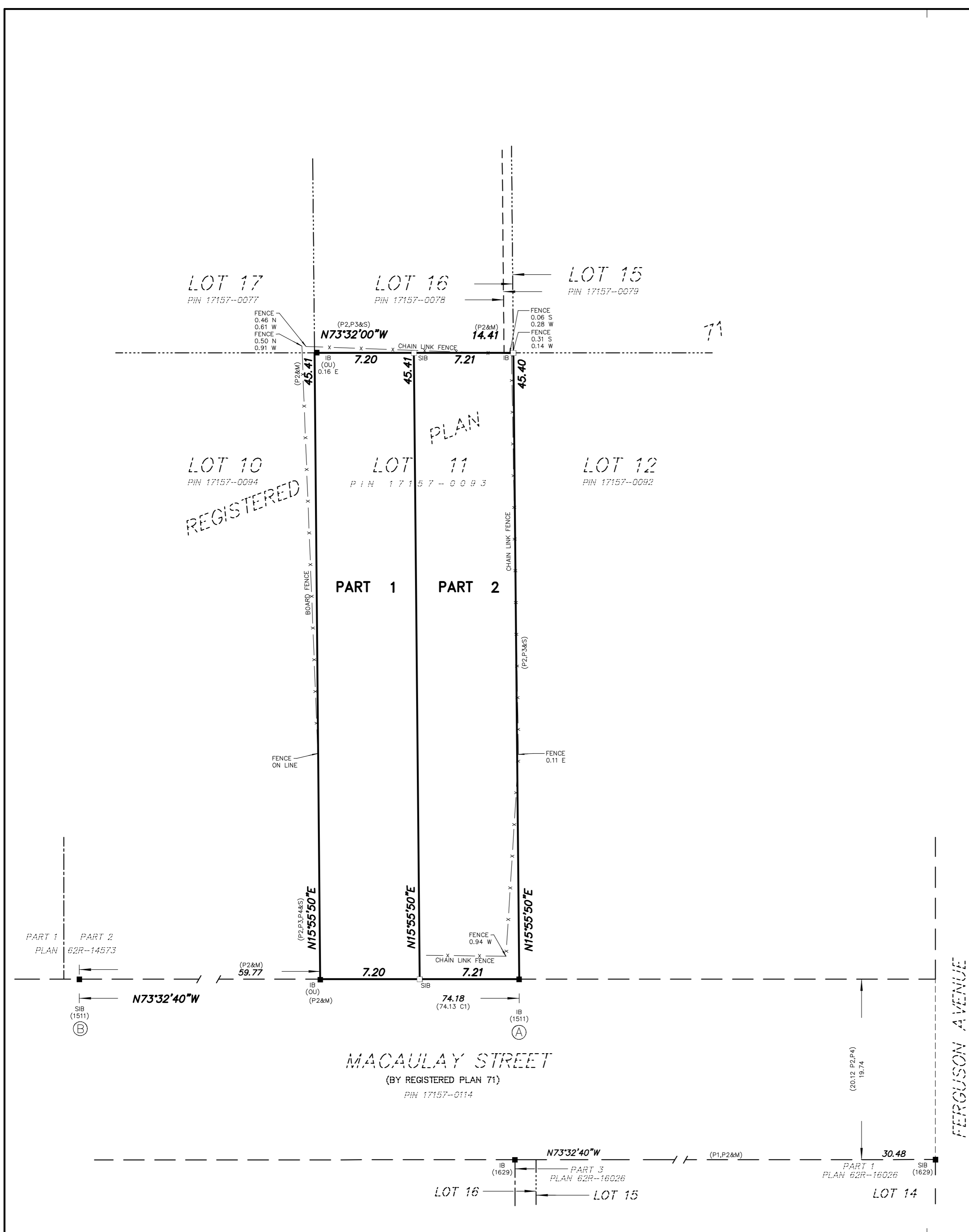
MARCH 14, 2023
DATE

ROY C. MAYO
ONTARIO LAND SURVEYOR
FOR MACKAY, MACKAY AND PETERS LIMITED

THIS PLAN OF SURVEY RELATES TO AOLS PLAN SUBMISSION FORM NUMBER V-45757

E:\(62) Hamilton-Wentworth\Registered Plans\RP0071\LOT 11\22-295\22-295-R.dwg

 MackAY, MacKAY & Peters Limited LAND SURVEYORS & MAPPERS SINCE 1906	3380 South Service Road Unit 101 Burlington, ON L7N 3J5 (905) 639-1375 halton@mmplimited.com mmplimited.com	DRAWN BY: A.S.
		PARTY CHIEF: N.C.
		CHECKED BY:
		PROJECT No.: 22-295-R





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)		
Applicant(s)		
Agent or Solicitor		

1.2 All correspondence should be sent to Purchaser Applicant Owner Agent/Solicitor

1.3 Sign should be sent to Purchaser Applicant Owner AgentSolicitor

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			
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:

Second Dwelling Unit

Reconstruction of Existing Dwelling

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

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

Yes

No

Unknown

If yes, please provide an explanation:

4. DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

4.1 Dimensions of Subject Lands:

Lot coverage of Part 2 = 42.8% Lot Coverage of part 1 = 43.7%

Lot Frontage	Lot Depth	Lot Area	Width of Street

4.2 Location of all buildings and structures on or proposed for the subject lands:
 (Specify distance from side, rear and front lot lines)
 Refer to sheet no. SP1.01 & SP1.02

Existing:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction

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

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height

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 right of way
 municipal road, seasonally maintained other public road
 municipal road, maintained all year
- 4.8 Proposed use(s) of the subject property (single detached dwelling duplex, retail, factory etc.):
- 4.9 Existing uses of abutting properties (single detached dwelling duplex, retail, factory etc.):

7 HISTORY OF THE SUBJECT LAND

- 7.1 Date of acquisition of subject lands:
- 7.2 Previous use(s) of the subject property: (single detached dwelling duplex, retail, factory etc)
- 7.3 Existing use(s) of the subject property: (single detached dwelling duplex, retail, factory etc)
- 7.4 Length of time the existing uses of the subject property have continued:
- 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? 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:

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 storey single family dwelling

8.2 Number of Dwelling Units Proposed: 2 storeys semi-detached dwelling (part 1 & part 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