



Hamilton

COMMITTEE OF ADJUSTMENT

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

Telephone (905) 546-2424, ext. 4221

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-23:316	SUBJECT PROPERTY:	76 BARCLAY STREET, HAMILTON
ZONE:	“C/S-1361” (Urban Protected Residential)	ZONING BY-LAW:	Zoning By-law former City of Hamilton 6593, as Amended 96-109

APPLICANTS: Owner: NPW REAL ESTATE HOLDINGS INC. (NICK WAGNER)
Agent: ANDY TRAN

The following variances are requested:

1. A maximum floor area ratio of 0.74 shall be permitted instead of the maximum 0.45 floor area ratio permitted.
2. A minimum parking space size of 2.06m x 6.0m shall be permitted instead of the minimum 2.7m x 6.0m parking space size required.

PURPOSE & EFFECT: To facilitate the construction of a proposed Secondary Dwelling unit-detached.

Notes:

1. Floor area ratio determination is as follows;

Lot area = 378.2m²
 Gross floor area= 276.61m²
 $276.61 / 378.2 = 0.731$ floor area ratio

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:	Tuesday, February 13, 2024
TIME:	1:15 p.m.
PLACE:	Via video link or call in (see attached sheet for details)
	City Hall Council Chambers (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

PUBLIC INPUT

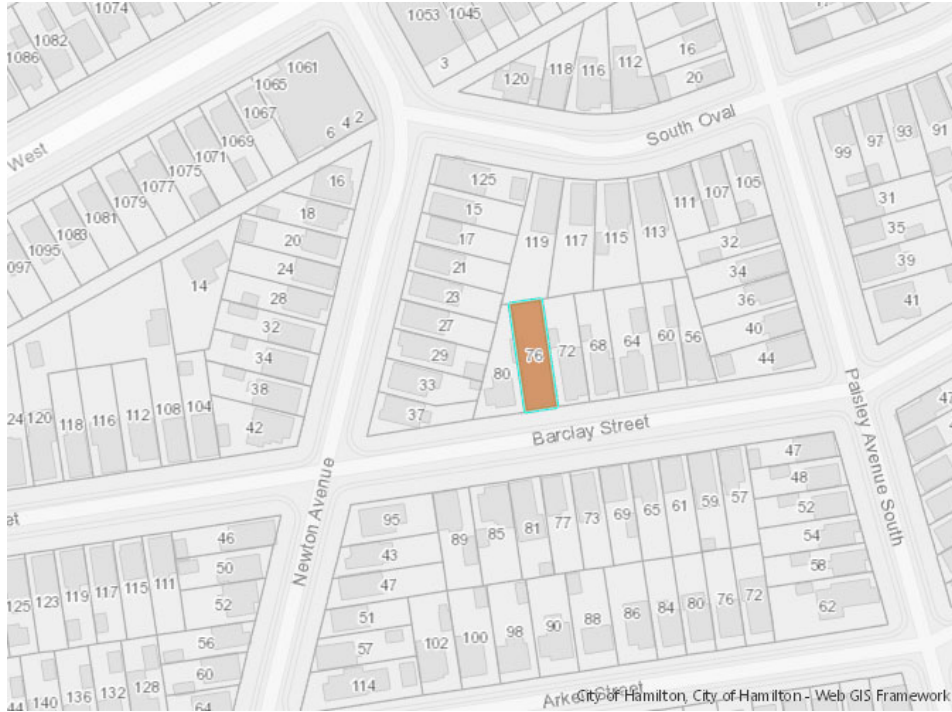
Written: If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Please see attached page for complete instructions, written comments must be received no later than February 9, 2024

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, registration to participate virtually must be received no later than February 12, 2024

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding HM/A-23:316, 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 25, 2024

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 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 on the date listed on the Notice of Public Hearing.**

Comments are available the Friday 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 on the day listed on the Notice of Public 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.

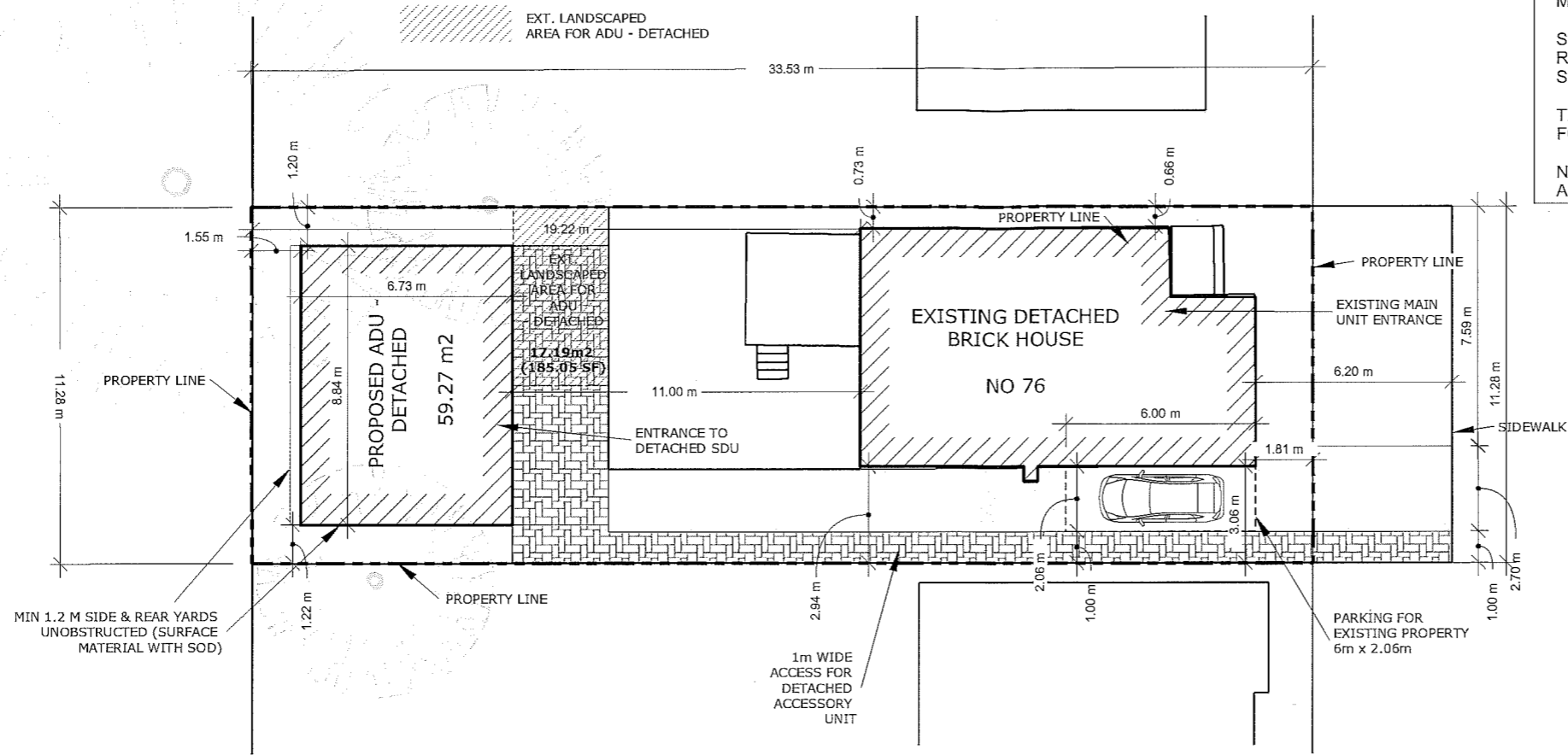
A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting one business day before the Hearing. Only those registered will be called upon to speak.

2. In person Oral Submissions

Interested members of the public, agents, and owners who wish to participate in person may attend Council Chambers on the date and time listed on the Notice of Public Hearing. Please note, you will be required to provide your name and address for the record. It is advised that you arrive **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 PLAN :

BASED ON SURVEY BY IBW SURVEYORS - ANDREJS LUCIKS. OLS MAY 11, 2023

SUITE ADDITIONS INC. ASSUMES NO RESPONSIBILITY FOR ACCURACY OF SURVEY

THIS SITE PLAN SHALL NOT BE USED FOR ANY OTHER PURPOSES.

NO WORK TO ENCROACH ONTO ADJOINING PROPERTIES



SITE PLAN

SCALE: 1:192

1
SP1.01

SITE INFORMATION & STATISTICS:

ADDRESS	76 BARCLAY STREET, HAMILTON, ON, L8S 1P4		
NEIGHBOURHOOD	RESIDENTIAL		
LOT NUMBER	718 & 717		
PLAN NUMBER	649		
ZONING TYPE	C/S-1361		
LOT AREA	378.2 m ²		
LOT FRONTAGE	11.28 m		
COVERAGE	59.27 m ² = 15.67%		
FLOOR AREAS	ALLOWED	EXISTING	PROPOSED
BASEMENT	-	89.15 m ²	NO CHANGE
MAIN/2ND FLOORS	-	128.19 m ²	NO CHANGE
DETACHED ACCESSORY UNIT	-	N/A	59.27 m ²
SETBACKS			
REAR (N)	-	N/A	19.22 m
SIDE (E)	-	N/A	0.66 m
FRONT (S)	-	N/A	1.81 m
SIDE (W)	-	N/A	2.94 m

GENERAL NOTES:

- ALL CONSTRUCTION TO COMPLY WITH THE REVISED ONTARIO BUILDING CODE 2012.
- ALL DIMENSION ARE MEASURED TO ROUGH FRAMING OR TO MASONRY SURFACES UNLESS OTHERWISE NOTED.
- ALL DOORS AND WINDOW OPENINGS ARE MEASURED TO ROUGH FRAMING OR MASONRY OPENINGS.
- CONTRACTOR IS TO VERIFY WINDOW OPENINGS WITH WINDOW MANUFACTURER PRIOR TO COMMENCING WORK.
- READ ARCHITECTURAL DRAWINGS IN CONJUNCTION WITH STRUCTURAL, MECHANICAL AND ELECTRICAL DRAWINGS.
- ELEVATION REFERENCES ARE BASED ON 100'-0" = 131.70m GEODETIC ELEVATIONS AS NOTED ON A1 SITE PLAN.
- ALL DIMENSION MUST BE CHECKED AGAINST THE ARCHITECTURAL DRAWINGS AND THE FIELD CONDITIONS BEFORE COMMENCING FABRICATION. ANY INCONSISTENCIES ARE TO BE REPORTED TO THE CONSULTANT BEFORE PROCEEDING WITH THE WORK.
- THE CONTRACTOR SHALL PROPERLY SUPERVISE THE WORK AND ENSURE THAT THE WORK IS INSTALLED TO THE CORRECT LINES AND LEVELS, THAT THE CONNECTIONS AND DETAILS CONFORM TO THE DRAWING DETAILS AND SHALL COORDINATE THE INTERFACING OF ALL WORK WITH ALL SUB-TRADES.
- PROVIDE POSITIVE FRONT YARD SLOPE TO MUNICIPAL SEWER FOR WATER RUN-OFF.
- CONTRACTOR TO BE RESPONSIBLE FOR VERIFYING THE LOCATIONS OF ALL EXISTING UNDERGROUND AND ABOVE UTILITIES AND SERVICES. VARIOUS UTILITIES CONCERNED TO BE GIVEN REQUIRED ADVANCED NOTICE PRIOR TO ANY DIGGING, FOR STAKE OUT.
- REFER TO LANDSCAPING PLAN FOR PLANTING CONFIRM LAYOUT WITH LANDSCAPE CONTRACTOR.
- DESIGNER NOT RESPONSIBLE FOR ACCURACY OF SURVEY DRAWING.
- EXISTING DRAINAGE PATTERNS TO REMAIN.

DRAWING LIST:

- SP1.01 - SITE PLAN, SITE STATISTICS AND DRAWING LIST
- A1.01 - PROPOSED FOUNDATION PLAN
 - A1.02 - PROPOSED MAIN LEVEL PLAN
 - A1.03 - PROPOSED ROOF PLAN
 - A2.01 - NORTH & EAST ELEVATIONS
 - A2.02 - SOUTH & WEST ELEVATIONS
 - A3.01 - CROSS SECTION
 - A3.02 - DOOR, WINDOW AND WALL SCHEDULE
 - A3.03 - MISCELLANEOUS DETAILS
 - A3.04 - FOUNDATION & SLAB CROSS SECTION
 - A0.01 - CONSTRUCTION SPECIFICATIONS PAGE 1
 - A0.02 - CONSTRUCTION SPECIFICATIONS PAGE 2

EXISTING STRUCTURE NOTE:

OWNER AND CONTRACTOR IS FULLY RESPONSIBLE FOR VERIFYING ALL EXISTING STRUCTURAL CONDITIONS PRIOR TO ANY WORK. ANY AND ALL DISCREPANCIES SHALL BE REPORTED TO SUITE ADDITIONS INC. PRIOR TO ANY WORK. OWNER AND CONTRACTOR IS FULLY RESPONSIBLE FOR SHORING EXISTING STRUCTURE PRIOR TO ANY WORK

BUILDING CODE COMPLIANCE NOTE:

THESE DRAWINGS DO NOT REPRESENT A COMPREHENSIVE AND EXHAUSTIVE GUIDE FOR COMPLIANCE WITH THE ONTARIO BUILDING CODE. IT IS ASSUMED THAT THE CONTRACTOR HAS REASONABLY SUFFICIENT KNOWLEDGE OF THE ONTARIO BUILDING CODE IN ORDER TO PERFORM ALL WORK AS PER THESE DRAWINGS IN SUCH A WAY THAT WILL COMPLY WITH ALL ASPECTS OF THE OBC AND WILL NOT CONTRAVENE ANY OTHER APPLICABLE LAWS

SUITE ADDITIONS INC.
3-2375 Brimley Rd, Suite 807
Toronto, ON, M1S 3L6
Tel: 416-525-2628
Email:
contact@suiteadditions.com



Contractor must verify all dimensions and be responsible for reporting any discrepancies to Suite Additions Inc. before commencing with work. The drawing is an instrument of service and shall remain the property of Suite Additions Inc., the copyright of this drawing and work executed from the same being reserved. Do not scale drawings.

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

Andy Tran

Andy Tran - Signature
Individual BCIN: 102774
Firm: Suite Additions Inc.
Firm BCIN: 102497

PROJECT:
SDU DETACHED

ADDRESS:
76 BARCLAY STREET, HAMILTON, ON, L8S 1P4

CLIENT: KATERINA SEMENOVA / NICK WAGNER

DRAWN BY: ANDY TRAN / BOBBY POULSEN

ISSUE DATE: MAY 18, 2022
RE-ISSUE DATE: SEP 18, 2022

DESCRIPTION:
SITE PLAN, SITE STATISTICS AND DRAWING LIST- METRIC

SCALE: 1:192

DRAWING NO:

SP1.01



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
Registered Owners(s)	NW 2nd ESTATE HOLDINGS INC 40 NICK WAGNER
Applicant(s)	NICK WAGNER
Agent or Solicitor	ANDY TRAN

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	76 BARCLAY STREET, HAMILTON, ON L8S 1P4		
Assessment Roll Number			
Former Municipality	HAMILTON		
Lot	718 and 717	Concession	
Registered Plan Number	649	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:

- Requesting GFA of all structures to have a floor area ratio of 0.74 (ex. house + basement + detached ADU) instead of required 0.45
- Requesting parking for main house to be re-sized to 2.06m x 6.0m whereas the original parking space for main house is required to be 2.7m x 6.0m

Second Dwelling Unit

Reconstruction of Existing Dwelling

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

- Requirement for GFA to lot ratio is 0.45 - by-law no. 6593 amendment S1335A - 1(b) - (to mitigate "monster homes")
- In order to have an unobstructed 1.0 wide walkway to access detached ADU, parking space width needs to be reduced to 2.06m

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
11.28 m	33.53 m	378.22 m ²	7.1 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
SINGLE DETACHED DWELLING	1.81 m	19.22 m	0.73 m / 2.94 m	08/01/1940

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
DETACHED ADU	25.31 m	1.55 m	1.2 m / 1.22 m	02/01/2024

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
SINGLE DETACHED DWELLING	89.15	210.84	2	8 m

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
DETACHED ADU	59.27 m ²	59.27 m ²	1	4.18 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.):

SINGLE DETACHED DWELLING WITH DETACHED ATTACHED DWELLING UNIT

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

SINGLE DETACHED DWELLING

7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:

FEB 2023

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

SINGLE DETACHED DWELLING

7.3 Existing use(s) of the subject property: (single detached dwelling duplex, retail, factory etc)

SINGLE DETACHED DWELLING

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

SINCE CONSTRUCTION - OVER 80 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) NEIGHBOURHOODS

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

7.6 What is the existing zoning of the subject land? URBAN PROTECTED RESIDENTIAL

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: URBAN PROTECTED RESIDENTIAL

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):

PLEASE SEE ATTACHED SITE PLAN WITH EXISTING SINGLE DETACHED DWELLING AND PROPOSED DETACHED ADDITIONAL DWELLING UNIT (BACKYARD)

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
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