



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.:	A-24:148	SUBJECT PROPERTY:	54 Baldwin Street, Dundas
ZONE:	“R1 & R2” (Residential Zone)	ZONING BY-LAW:	Zoning By-law City of Hamilton 05-200 & Zoning By-law former Town of Dundas 3581-86, as Amended

APPLICANTS: Owner: Andrew Gumbinger & Amanda Green Gumbinger
Agent: Park Eight Inc. c/o Pete VandenArend

The following variances are requested:

Dundas Zoning By-law 3581-86

1. A minimum side yard of 0.8 metres shall be permitted instead of the required minimum side yard of 1.2 metres.
2. A minimum side yard of 2.4 metres on one side shall be permitted instead of the required minimum side yard of 5.0 metres on one side of an interior lot upon which there is no garage or carport.

Hamilton Zoning By-law 05-200

1. A minimum setback from a side lot line of 0.8 metres shall be permitted instead of the required minimum setback from a side lot line of 1.2 metres.

PURPOSE & EFFECT: To facilitate the construction of an addition to an existing single detached dwelling for the use of an additional dwelling unit.

Notes:

Dundas Zoning By-law 5381-86

1. Insufficient information was provided to determine zoning conformity for canopy and unenclosed porch encroachments and front yard landscaping. Additional variances may be required if compliance cannot be achieved.

A-24:148

Hamilton Zoning By-law 05-200

1. Insufficient information was provided to determine zoning conformity for canopy and porch encroachments and landscaped area. Additional variances may be required if compliance cannot be achieved.
2. Please be advised the property falls under the Hamilton Conservation Authority.

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, July 23, 2024
TIME:	2:40 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

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 noon July 19, 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 noon July 22, 2024

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding A-24:148, 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: July 4, 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.

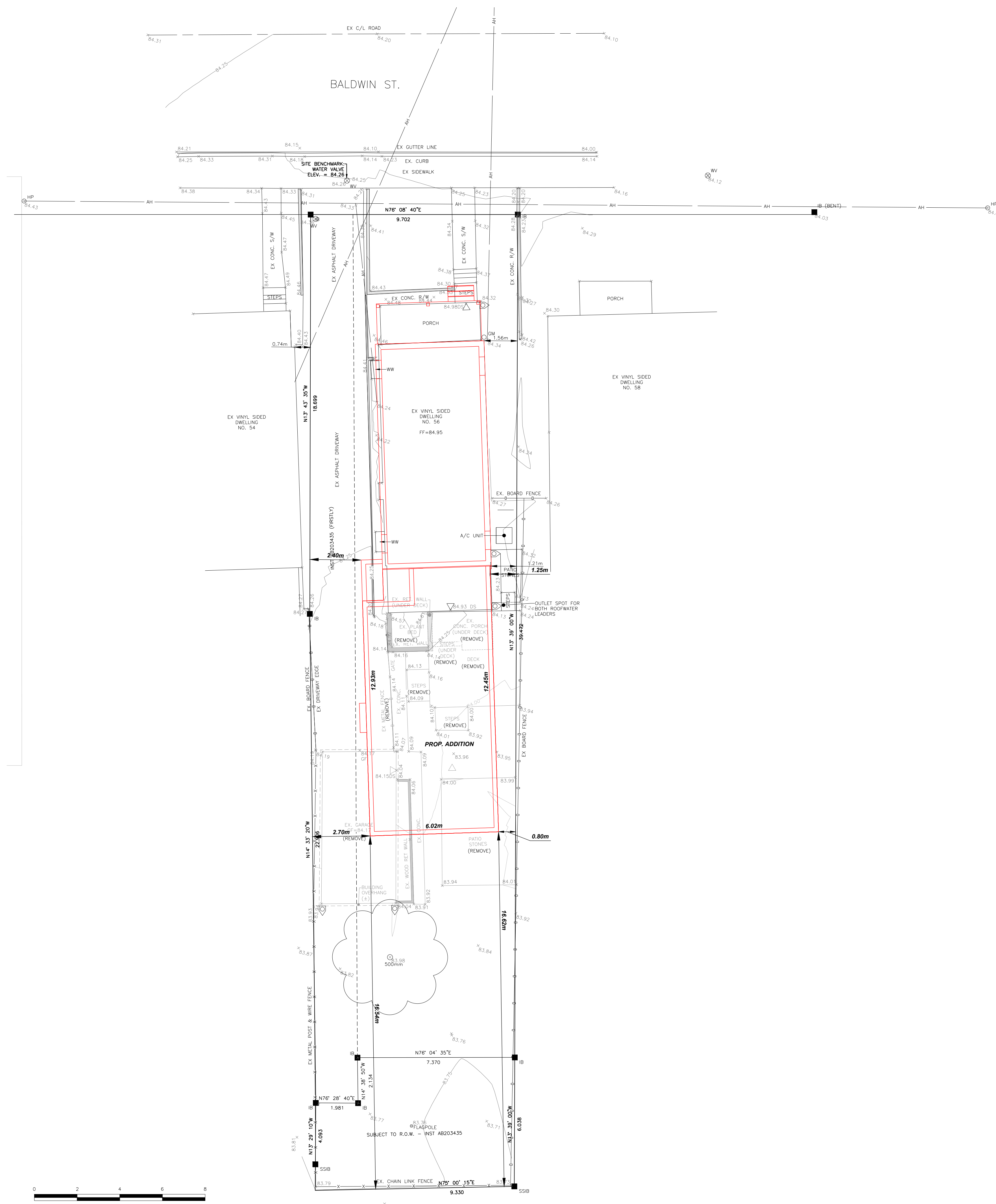
A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting one business day before the Hearing. Only those registered will be called upon to speak.

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.

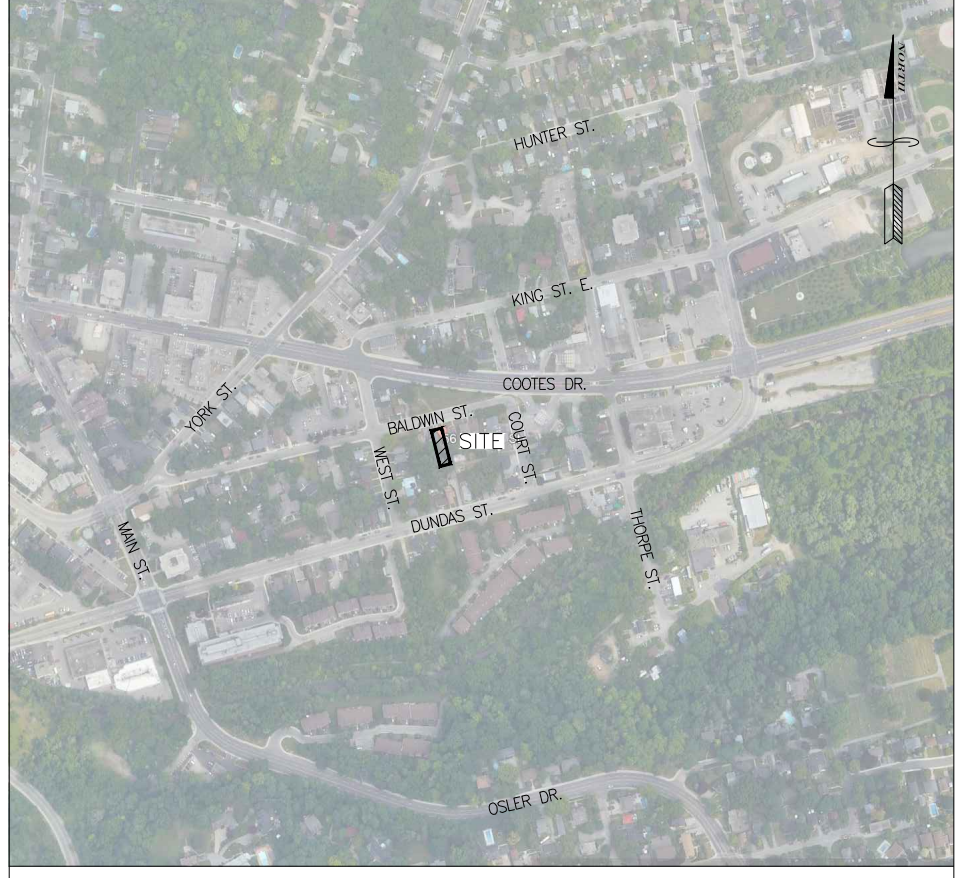
We hope this is of assistance and if you need clarification or have any questions, please email cofa@hamilton.ca.

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.



LEGEND

- ×100.50 EXISTING ELEVATION
- ×±100.50 EXISTING ELEVATION (CALCULATED)
- ×(100.00) PROPOSED ELEVATION
- ×(100.00) PROPOSED APRON ELEVATION
- ×S(100.00) PROPOSED SWALE ELEVATION
- ⊕ PROPOSED DOWNSPOUT
- PROPOSED SWALE
- PROPOSED SILT FENCE
- ▲ PROPOSED ENTRANCE LOCATION



KEY PLAN N.T.S.

BENCHMARK NOTE:
 ELEVATION = 77.855 (COVID28:78)
 MONUMENT: 0011975U005

HAMILTON-WENTWORTH FILTRATION PLANT AT TOWN WORKS DEPARTMENT, NO. 135 KING STREET EAST, TABLE IN SOUTHWEST FOUNDATION OF SMALL SQUARE BUILDING, BETWEEN ROUND CONCRETE RECEPTION WELLS, 61.0 M EAST OF CENTRE LINE OF EAST STREET, 61.0 M NORTH OF CENTRE LINE OF KING STREET, 33 CM FROM MOST SOUTHERLY CORNER, 12 CM BELOW BRICKWORK.

SITE BENCHMARK:
 ELEVATION = 84.260
 WATER VALVE WITHIN SIDEWALK FRONTING THE DRIVEWAY OF 56 BALDWIN ST. INDICATED ON PLAN.

- GENERAL NOTES:**
- TENDERER SHALL SATISFY THEMSELVES AS TO THE NATURE OF THE GROUND AND BID ACCORDINGLY.
 - ALL ROCK LINE INDICATIONS SHOWN ON THE PLAN MUST BE VERIFIED BY THE CONTRACTOR.
 - CONTRACTOR SHALL VERIFY LOCATIONS AND INVERTS OF ALL EXISTING SANITARY AND STORM SEWERS AND WATERMANS, PRIVATE DRAINS AND WATER SERVICES, GAS MAINS, CABLE TV, HYDRO AND TELEPHONE DUCTS ETC AT START OF CONSTRUCTION.

NO:	DATE:	DESCRIPTION:
0	2024-04-30	SUBMISSION FOR COORDINATION

REVISIONS

NO:	DATE:	DESCRIPTION:

LANDSMITH ENGINEERING & CONSULTING LTD.
 1059 UPPER JAMES STREET, SUITE 207
 HAMILTON, ON L9C 3A6
 ANDREW@LANDSMITHEC.COM
 289-309-3632

CLIENT: PARK EIGHT

MUNICIPALITY: CITY OF HAMILTON

PROJECT NAME: 56 BALDWIN ST.

TITLE: GRADING PLAN

SCALE: 1:100	DATE: 2024-04-22
CHECKED BY: AS	DESIGNED BY: BC
DWG No: 24019PRK	SHEET No: G1

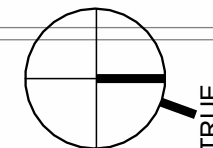
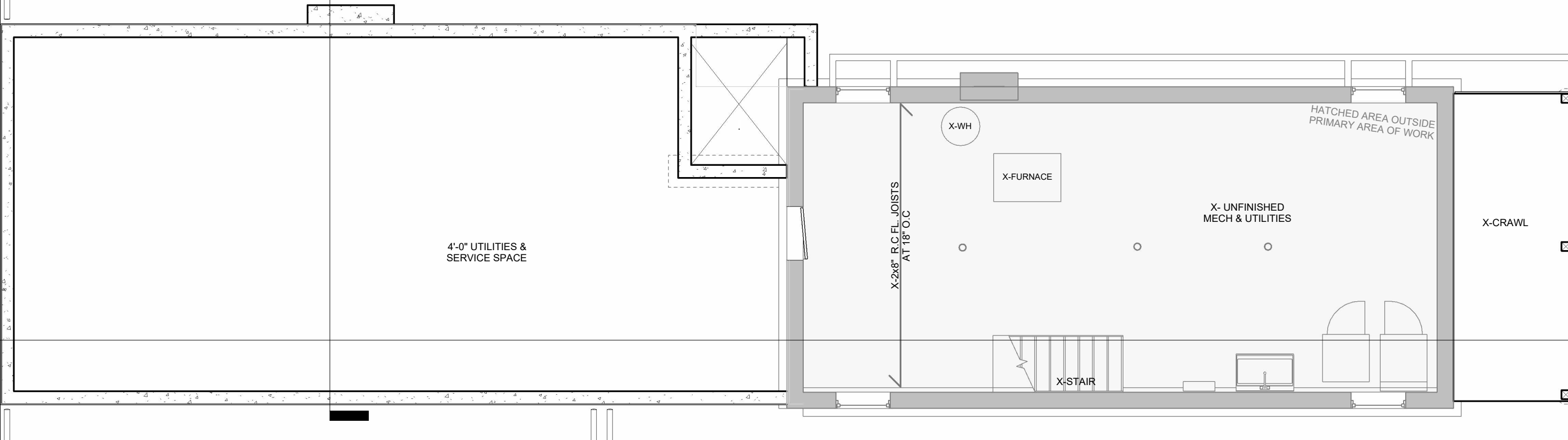
ROOFWATER LEADERS / SUMP PUMPS
 ALL ROOFWATER LEADERS SHALL DISCHARGE ONTO SPLASH PADS AND THEN TO GRASSED OR LANDSCAPED AREAS A MIN. OF 0.6M FROM THE BUILDING FACE.
 SUMP PUMPS WITH CHECK VALVES ARE TO BE INSTALLED IN EACH DWELLING TO PUMP THE WEeping TILES TO THE STORM PRIVATE DRAIN. THE SUMP OUTLET SHALL EXTEND A MINIMUM OF 150mm ABOVE THE PROPOSED GRADE AT THE DWELLING (BASEMENT CEILING) PRIOR TO DISCHARGING TO THE STORM PRIVATE DRAIN.

FOUNDATION DRAINS
 WEeping TILES SHALL DRAIN TO SUMP BY AND BE PUMPED TO STORM SEWER VIA PUMP SUMP WITH BACK-FLOW PREVENTOR (SEE DETAIL). MIN 1/2 HP PUMP WITH BACK-UP POWER REQUIRED.

NOTES:

- LOCATIONS UNDERGROUND SERVICES ARE APPROXIMATE AND MUST BE FIELD VERIFIED PRIOR TO CONSTRUCTION.
- ANY DISCREPANCIES BETWEEN SERVICE LOCATIONS AND THESE ENGINEERING DRAWINGS MUST BE BROUGHT TO THE ATTENTION OF THE PROJECT ENGINEER.

1
A3.01



PARK EIGHT
ENG // ARCH

INTERNAL ADU ADD'N
IN-LAW SUITE
56 BALDWIN ST, DUNDAS

Project No. 24009
Revisions
1

Scale 3/16" = 1'-0"

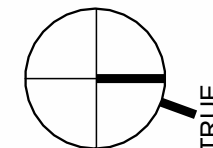
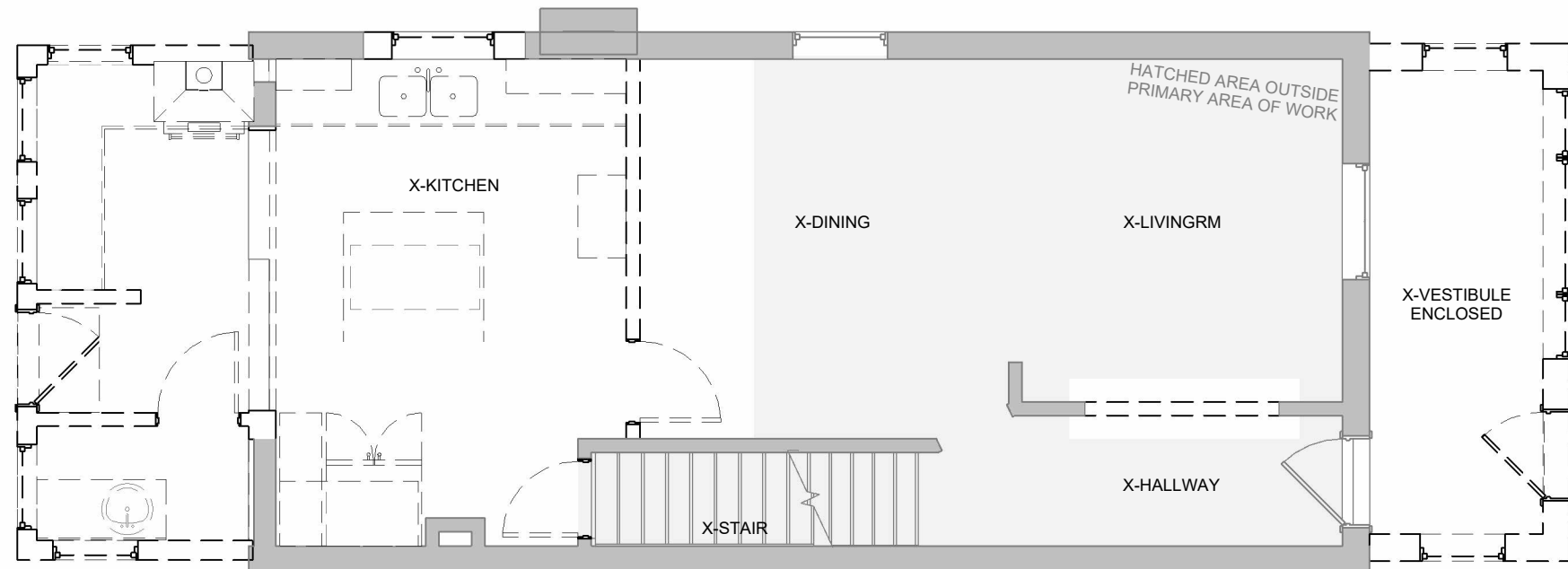
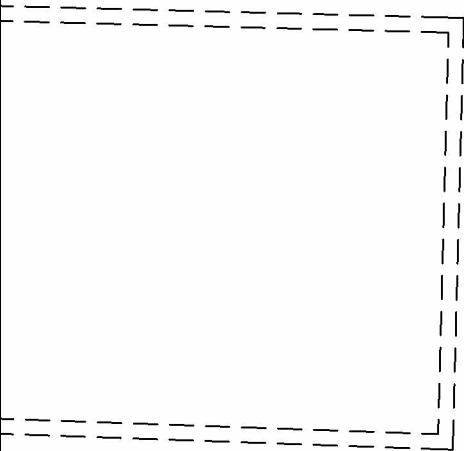
FLOOR PLAN

A1.02

Sheet No. ©2021

① LVL0 PROP
3/16" = 1'-0"

YY/MM/DD



① LVL1 DEMO
3/16" = 1'-0"

YY/MM/DD

**PARK
EIGHT**
ENG // ARCH

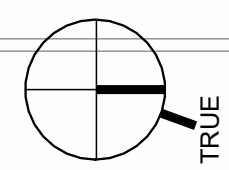
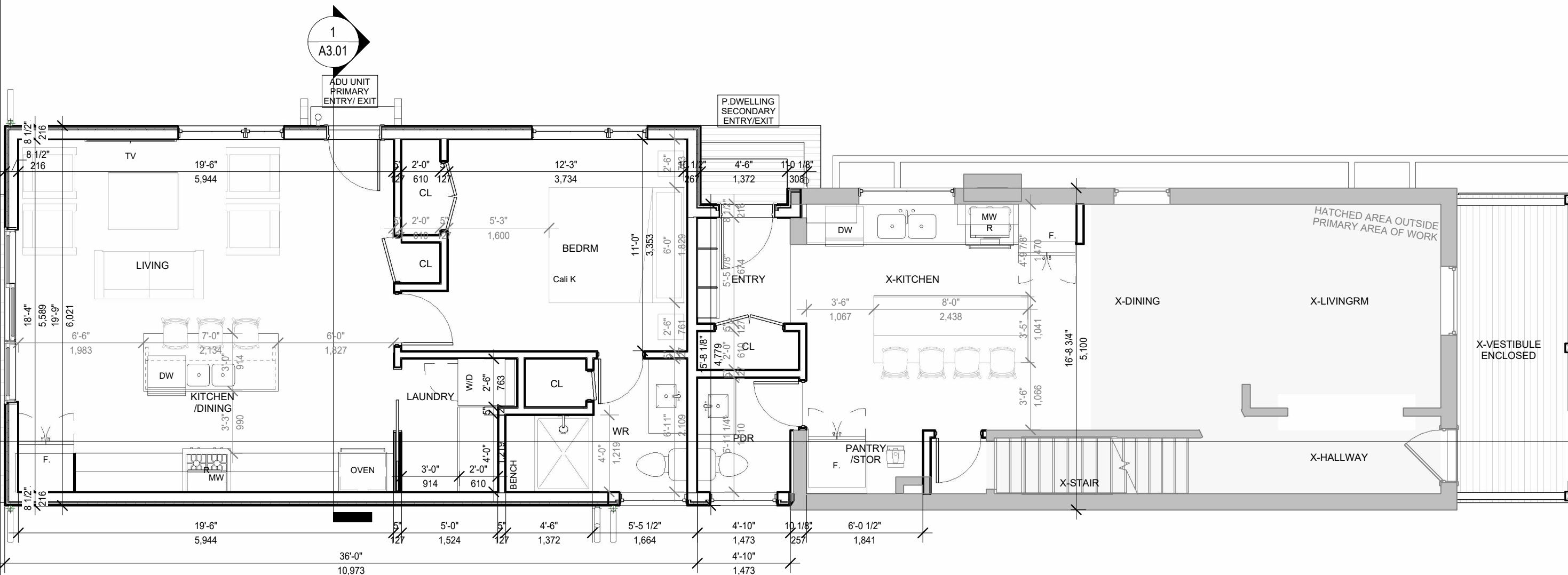
INTERNAL ADU ADD'N
IN-LAW SUITE
56 BALDWIN ST, DUNDAS

Project No. 24009
Revisions
Scale 3/16" = 1'-0"

FLOOR PLAN

A1.11

Sheet No. ©2021



PARK EIGHT
ENG // ARCH

INTERNAL ADU ADD'N
IN-LAW SUITE
56 BALDWIN ST, DUNDAS

Project No. 24009
Revisions

Scale 3/16" = 1'-0"

FLOOR PLAN

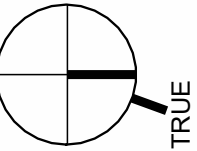
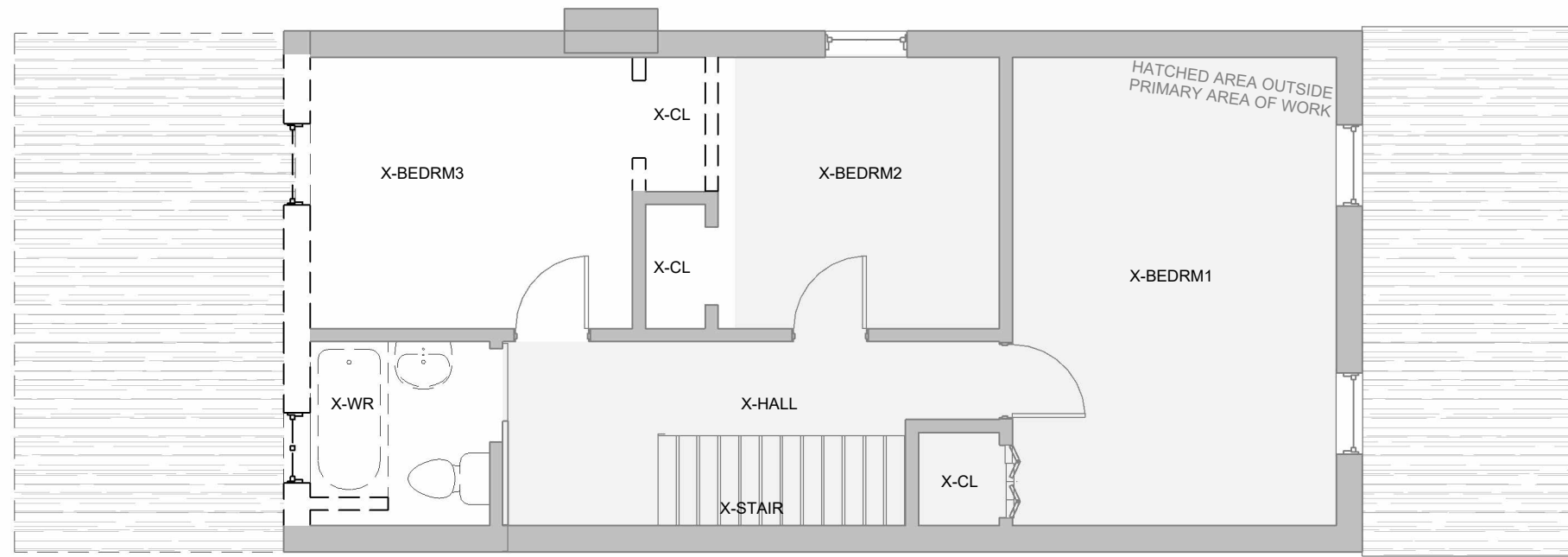
A1.12

Sheet No. ©2021

① LVL1 PROP
3/16" = 1'-0"

YY/MM/DD

① LVL2 DEMO
3/16" = 1'-0"



PARK
EIGHT
ENG // ARCH

INTERNAL ADU ADD'N
IN-LAW SUITE
56 BALDWIN ST, DUNDAS

Project No. 24009

Revisions

Scale 3/16" = 1'-0"

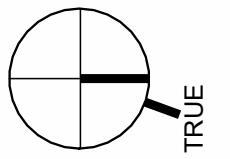
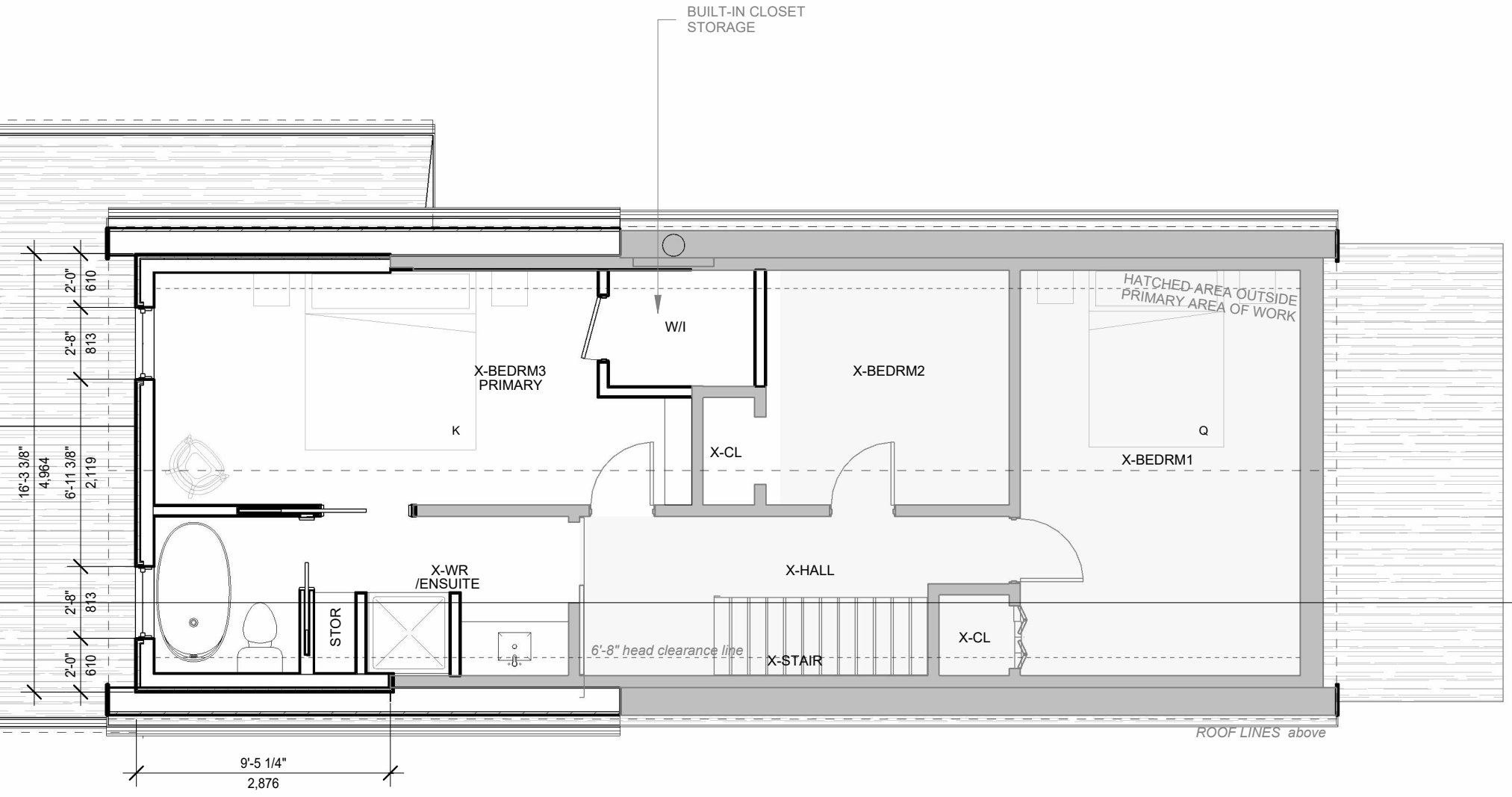
FLOOR PLAN

A1.21

Sheet No. ©2021

YY/MM/DD

1
A3.01



PARK
EIGHT
ENG // ARCH

INTERNAL ADU ADD'N
IN-LAW SUITE
56 BALDWIN ST, DUNDAS

Project No. 24009
Revisions

Scale 3/16" = 1'-0"

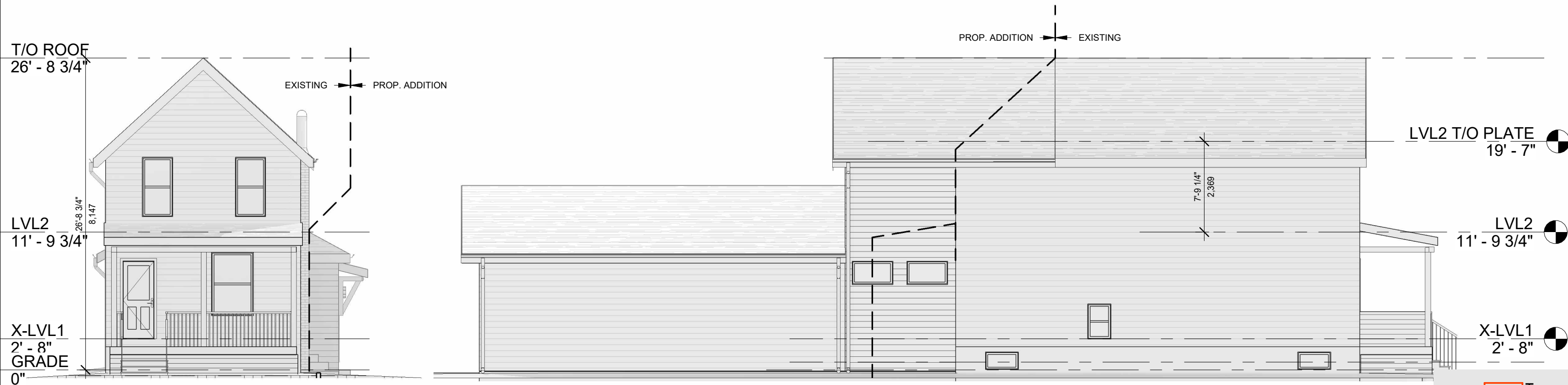
FLOOR PLAN

A1.22

Sheet No. ©2021

① LVL2 PROP
3/16" = 1'-0"

YY/MM/DD



① FRONT ELEVATION
1/8" = 1'-0"

② SIDE ELEVATION
1/8" = 1'-0"



③ SIDE (DRIVE) ELEVATION
1/8" = 1'-0"

④ REAR ELEVATION
1/8" = 1'-0"

YY/MM/DD

PARK EIGHT
ENG // ARCH

PROP 11-1/4" OVERHANG C/W
4" GUTTER PROJECTION TYP
<2'-0" MAX PERMITTED
≤ 1'-3 1/4" PROPOSED
= 1'-0' CLEAR OF PROP. LINE

T/O ROOF
26' - 8 3/4"

PROP. LINE (ANGLED)
AT NEAREST CORNER
OF PROP. ADU

PROP. LINE (ANGLED)
AT FURTHEST
CORNER OF EX
DWELLING

PROVIDE EAVES
TROUGH DRAIN
AWAY FROM BLDG
TO SATISFACTION OF
GRADING & LOCAL
AUTHORITY

LVL1
8"
GRADE
0"

INTERNAL ADU ADD'N
IN-LAW SUITE
56 BALDWIN ST, DUNDAS

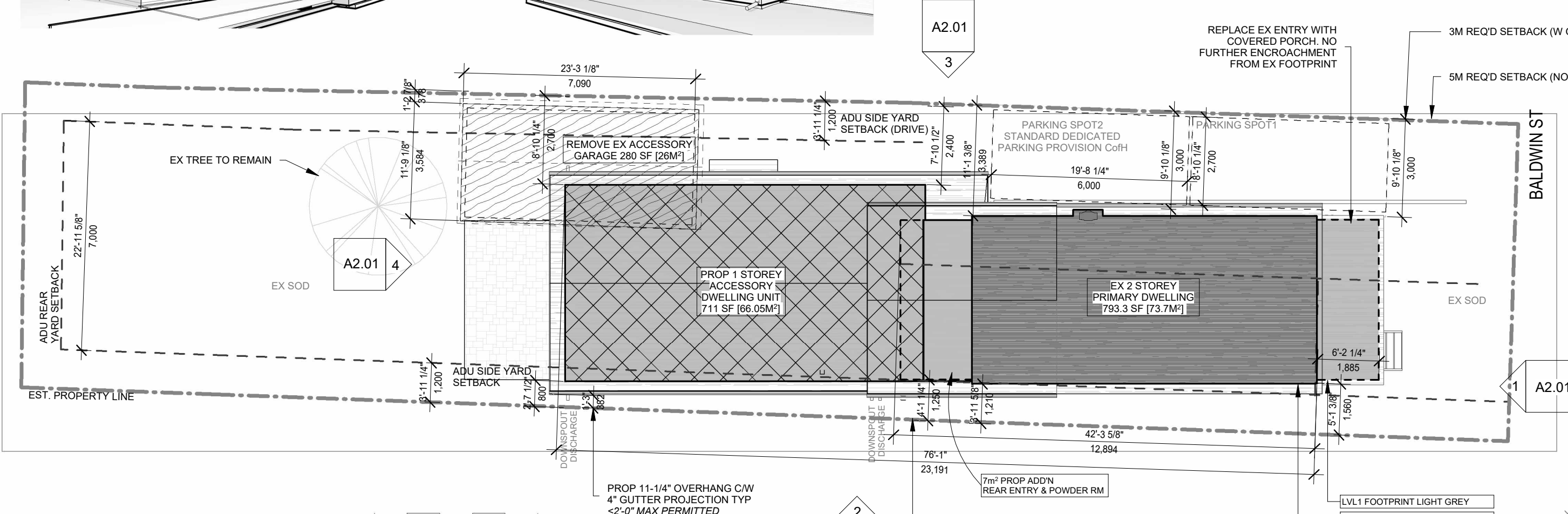
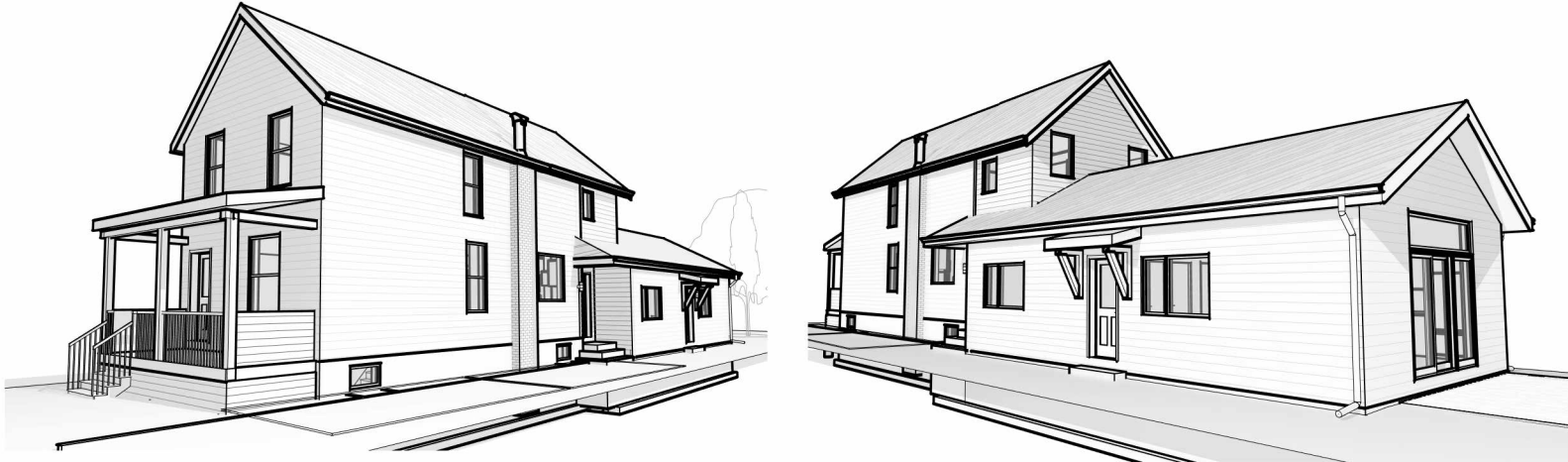
Project No. 24009
Revisions
1

Scale 1/8" = 1'-0"

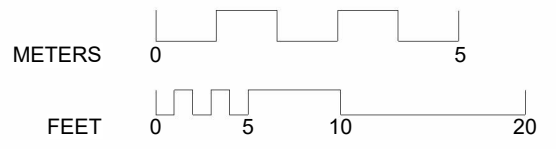
EXTERIOR ELEVATIONS

A2.01

Sheet No. ©2021



1 SITE PLAN
1 : 125



- SITE PLAN LEGEND**
- EX DRIVEWAY / HARDSCAPING
 - EX BUILDING
 - REPLACE EX ENTRY WITH UNENCLOSED COVERED PORCH OR DECK
 - PROPOSED ADDITIONS
 - DEMO EX ACCESSORY STRUCTURES

SITE STATISTICS

ZONING DESIGNATION = R2 SINGLE DETACHED RESIDENTIAL [DUNDAS]
22-134 ADU DUNDAS
HAMILTON OFFICIAL PLAN = DUNDAS COMMUNITY NODE

	PERMITTED	PROVIDED	
LOT AREA	450m ² minimum	436m ²	EX UNCHANGED
LOT FRONTAGE	6m minimum	9.7m	EX UNCHANGED ✓
FRONT YARD SETBACK	3m	4.0m	EX UNCHANGED ✓
SIDE YARD SETBACKS	1.2m/5m	.8m/ 2.4m	
REAR YARD SETBACK	7.5m	16.425m	✓
BUILDING HEIGHT	10.5m	±8.147m	✓

[*] Denotes existing condition

LOT COVERAGE SUMMARY:

	EXISTING	PROPOSED	
LOT AREA:	436m ² [4,693sf]	EX UNCHANGED	
EX BUILDING AREA:	73.7m ²	53.8m ²	(-19.9m ² REMOVED EX REAR ADD'N & CONVERT ENCLOSED VESTIBULE TO OPEN FRONT PORCH)
PRIMARY ADD'N:	7m ²		REAR ENTRY & POWDER RM (1.47x4.78)
PROPOSED ADU:	66.06m ²	66.06m ²	(6.021m x 10.973m = 66.06m ²)
	73.7m²	126.86m²	[1,365.5sf] TOTAL BLDG FOOTPRINT
LVL2	53.8m ²	68.1m ²	(4.964m x 2.876m = 14.3m ²)
	127.5m²	195m²	[2,099sf] GROSS BLDG AREA
ACCESSORY BLDG	26m ²	0m ²	
	99.7m²	126.86m²	ALL BLDGS TOTAL LOT COVERAGE
LOT COVERAGE DWELLING:	16.9%	13.9%	EX PLUS REAR ENTRY ADD'N
LOT COVERAGE ADDITION:		15.1%	ADU ADDITION
LOT COVERAGE ACCESSORY:	6%	0%	ACCESSORY BLDGS
LOT COVERAGE TOTAL :	22.9%	29%	LOT COVERAGE ALL BLDGS (6.1% DIFF)

PARK EIGHT
ENG // ARCH

INTERNAL ADU ADD'N
IN-LAW SUITE
56 BALDWIN ST, DUNDAS

Project No. 24009
Revisions 1
Scale As indicated

SITE PLAN

SP1.01

Sheet No. ©2021



APPLICATION FOR A MINOR VARIANCE/PERMISSION
UNDER SECTION 45 OF THE *PLANNING ACT*

1. APPLICANT INFORMATION

	NAME		
Registered Owners(s)	Andrew Gumbinger & Amanda Green Gumbinger		
Applicant(s)	Park Eight inc care of Pete VandenArend		
Agent or Solicitor		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	56 Baldwin St, Hamilton, ON L9H 1A8		
Assessment Roll Number			
Former Municipality	Dundas		
Lot	7	Concession	
Registered Plan Number	1465	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:

N/A

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:

Relief from;

- Side & Rear yard setbacks

Second Dwelling Unit

Reconstruction of Existing Dwelling

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

Narrow Dundas lots make it challenging to comply with both side yard setbacks especially when the lot is skewed from original dwelling. Client is proposing in-law ADU addition toward rear aligned to original home that allows for grading & drainage, retains ex parking & allows for maximum backyard access. **Setbacks;** Req'd Side yard 1.2m/ 5m (no garage) Proposed .8m/ 2.4m

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

Yes No

If yes, please provide an explanation:

N/A Ex use legal and recognized

4. DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

4.1 Dimensions of Subject Lands:

Lot Frontage	Lot Depth	Lot Area	Width of Street
9.702m	45.697m	436 m2	8.5m

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
Ex Dwelling	4.01m	26.723m	1.088m/ 3.099m	±1950's
Ex Acc Bldg Garage	25.192m	13.416m	.378m/ 5.5m	±1950's

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
P.Dwelling w internal ADU	5.895m	16.425	.8m/ 2.4m	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
Ex Dwelling	793.3sf [73.7m ²]	1372sf [127.5m ²]	2	±26' 8 3/4" [8.147m]
Ex Garage	26m ² [280sf]	-	1	±10' [3.05m]

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
P.Dwelling w internal ADU	1365.5sf [126.86m ²]	2,099sf [195m ²]	unchanged	unchanged

- 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 internal Accessory Dwelling Unit

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

7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:
November 2015

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

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

7.4 Length of time the existing uses of the subject property have continued:
±75 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) Dundas Community Node

Please provide an explanation of how the application conforms with the Official Plan.
The proposed in-law Accessory Dwelling Unit meets the vision of Dundas Community Node as outlined in the Hamilton Official Plan. Proposed addition promotes gradual intensification and aids in providing a wider range of housing needs current & future. Proposed scope is scaled reasonably, fits within the community context without changing the use, occupancy or original charm of the home.

7.6 What is the existing zoning of the subject land? R2 SINGLE DETACHED 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:

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 *Will be paid w credit card upon receipt*
- √ 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
- _____
- _____