



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-24:204	SUBJECT PROPERTY:	1 Dromore Crescent, Hamilton
ZONE:	C/S - 1361 (Urban Protected Residential)	ZONING BY-LAW:	Zoning By-law former City of Hamilton 6593, as Amended

APPLICANTS: Owner: Nadeem Shirazi & Tayeeba Shirazi
Agent: Nadeem Irfan, Nia Architects Inc.

The following variances are requested:

1. A minimum 0.39m rear yard setback shall be permitted for the additional dwelling unit-detached instead of the minimum 1.2m setback required.
2. A minimum distance of 7.0m shall be permitted between the rear wall of the principal dwelling and the Secondary dwelling unit-detached instead of the minimum 7.5m required.
3. A maximum gross floor area of 85.5 square metres shall be permitted for the secondary dwelling unit-detached instead of the maximum permitted the lesser of 75 square metres or the gross floor area of the principal dwelling.

PURPOSE & EFFECT: To facilitate the construction of a secondary dwelling unit detached.

Notes: N/A

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, October 8, 2024
TIME:	1:40 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
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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 October 4, 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 October 7, 2024

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding A-24:204, 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 19, 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.



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

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.

SURVEYOR'S REAL PROPERTY REPORT
WITH TOPOGRAPHIC DETAILS
PART 1 - PLAN SHOWING
PART OF LOTS 1416 & 1417
REGISTERED PLAN 652
CITY OF HAMILTON
(REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH)

SCALE 1:200



RICHMOND SURVEYING INC.
© COPYRIGHT 2024

LEGEND

- SIB - STANDARD IRON BAR
- RIB - ROUND IRON BAR
- CC - CUT CROSS
- - FOUND
- - PLANTED
- S - SET
- W - WITNESSED
- W - WITNESS
- OU - ORIGIN UNKNOWN
- RP - REGISTERED PLAN 652
- PI - PLAN BY J. D. BARNES LTD. O.L.S. DATED JULY 25th, 1988.
- (D1) - INSTRUMENT A2289725
- (D2) - J. D. BARNES LTD. O.L.S.
- CB - CATCH BASIN
- DO - DOOR SILL
- U - OVERHEAD UTILITY LINE
- CT - CONIFEROUS TREE
- DT - DECIDUOUS TREE
- BM - BENCH MARK
- MH - MANHOLE
- BF - BOARD FENCE
- CLF - CHAIN LINK FENCE
- ER - BRICK
- FND - FOUNDATION
- DS - DOOR SILL
- WV - WATER VALVE

N=NORTH/ S=SOUTH/ E=EAST/ W=WEST

METRIC
DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

SURVEYOR'S CERTIFICATE

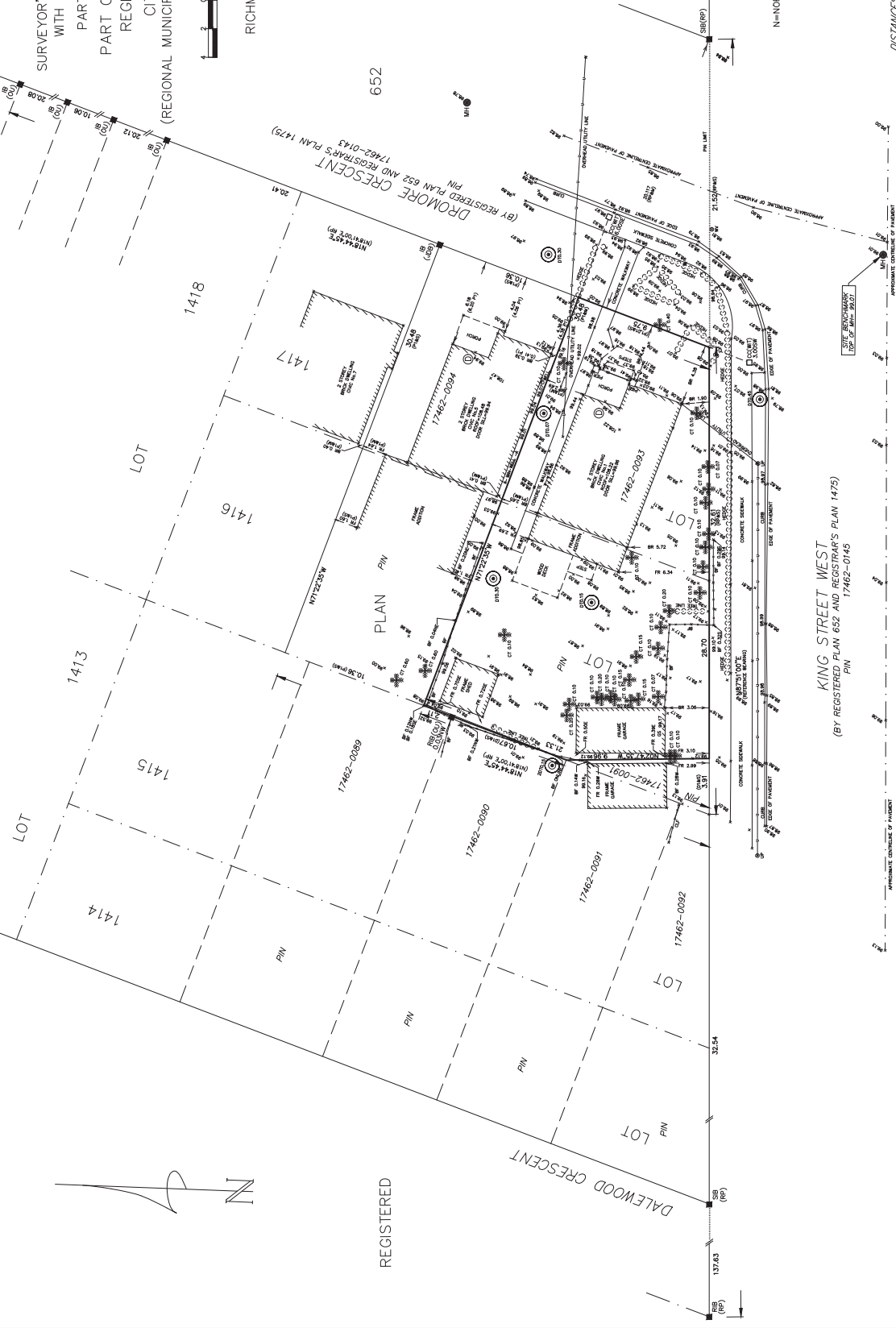
- I CERTIFY THAT:
- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEY ACT AND THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.
 - THE SURVEY WAS COMPLETED ON THE 2nd DAY OF MARCH, 2024.

MARCH 12th, 2024
Mrs. Tawallafe
MOE TAWALLAFE
ONTARIO LAND SURVEYOR

RICHMOND SURVEYING INC.
ONTARIO LAND SURVEYOR
710 East Beaver Creek Rd Unit #11, Richmond Hill, ON
TEL: 647-333-9260 info@richmondsurveying.com
24-034

ASSOCIATION OF ONTARIO LAND SURVEYORS
PLAN SUBMISSION FORM
V-70648

THIS PLAN IS NOT VALID UNLESS ORIGINALY ISSUED BY THE SURVEYOR
Regulation 1086, Section 8(9.2)



- PART 2 - WRITTEN REPORT
- THE SUBJECT PROPERTY IS SUBJECT TO COVENANTS, CHARGES, CONDITIONS AND EASEMENTS, INCLUDING EASEMENTS, RIGHTS OF WAY, AND ALSO SUBJECT TO THE BUILDING RESTRICTIONS AS SET OUT IN DEED OF CONVEYANCE WESTDALE PROPERTIES LIMITED TO THOMAS CASEY DATED APRIL 15th, 1930 AND REGISTERED IN THE REGISTRY OFFICE.
 - ALL PINS ARE (LT) UNLESS NOTED (R).
 - ALL DIMENSIONS ARE MEASURED UNLESS QUALIFIED.
 - ALL FENCES ARE "ON LINE" UNLESS TIES TO THE PROPERTY LINE ARE SHOWN.

ELEVATION NOTES:
ELEVATION SHOWN HEREON ARE GEODETIC AND ARE DERIVED FROM GPS OBSERVATION REFERRED TO THE CANADIAN GEODETIC VERTICAL DATUM CANNET (2010).
SITE BENCHMARKS SHOWN ON THE FACE OF THIS PLAN.

OWNER NOTE:
THIS PLAN HAS BEEN PREPARED FOR NADEEM HASSAN SHIRAZI AND TAYEEBA SHIRAZI AND THE UNDERSIGNED ACCEPTS NO RESPONSIBILITY FOR USE BY ANY OTHERS.

BEARING NOTE:
BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE NORTHERLY LIMIT OF KING STREET WEST AS SHOWN ON REGISTERED PLAN 652 HAVING A BEARING OF N87°51'00"E.

1413

PLAN

1415

LOT

17462-0089

17462-0090

17462-0091

17462-0092

DROMORE CRESCENT
(BY REGISTERED PLAN 652 AND REGISTRAR'S PLAN 1475)
PIN 17462-0143

KING STREET WEST
(BY REGISTERED PLAN 652 AND REGISTRAR'S PLAN 1475)
PIN 17462-0145

PROJECT STATISTICS

SITE LOCATION	1 DROMORE CRESCENT, HAMILTON, ON	
ZONING	C/S-1361	
LOT AREA	SQM	SOQ
	454.417	4,891.30

COVERAGE	LOT AREA	454.42
PERMITTED	SQM	%
	113.60	25%
PROPOSED	SQM	%
	71.77	16%

HEIGHT	PERMITTED	PROPOSED
	6.0 m	5.53 m

SETBACKS	PERMITTED (m)	PROPOSED (m)
SOUTH (FRONT)	1.9	7.95
EAST (SIDE RIGHT)	1.2	1.2
NORTH (REAR)	1.2	1.2
WEST (LEFT SIDE)	1.2	1.2

GFA OF GROUND FR	MAIN BLDG GROUND FLR AREA	79.45
PERMITTED 70% OF MAIN DWELLING	SQM	%
	79.45	100%
PROPOSED	SQM	%
	52.15	66%

FLOOR AREAS	SQM	SOQ
PERMITTED:	75.00	807.29
PROPOSED:		
LOWER FLOOR AREA	52.15	561.33
HIGHER FLOOR AREA	52.97	570.13
TOTAL FLR AREA (EXCLUDING GARAGE)	85.50	920.28

EXISTING GARAGE AREA	19.62	211.18
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FRONT YARD LANDSCAPED AREA	SQM	%
FRONT YARD AREA	56.39	100%
PORCH, WALKWAY, STEPS	17.65	31%
LANDSCAPED AREA	38.74	69%

REAR YARD LANDSCAPED AREA	SQM	%
FRONT YARD AREA	234.56	100%
PORCH, WALKWAY, STEPS, AUD, DRIVEWAY, DECK	100.54	43%
LANDSCAPED AREA	134.02	57%

NO.	REVISIONS	DATE
1	ZONING COMMENT REV. 1	
2	CITY COMMENTS	
3	CITY COMMENTS	

CITY CoA	SEP 05, 2024	
CITY BUILDING PERMIT APPLICATION		
CITY ZONING REVIEW		
TO	ISSUED	DATE

GENERAL NOTES

ALL DRAWINGS ARE THE PROPERTY OF THE ARCHITECT AND THEY ARE NOT TO BE REPRODUCED IN WHOLE OR IN PART WITHOUT WRITTEN CONSENT FROM THE ARCHITECT.

CONTRACTOR TO CHECK AND VERIFY ALL DIMENSIONS BEFORE COMMENCING WORK AND TO REPORT ANY DISCREPANCIES TO THE ARCHITECT.

DO NOT SCALE DRAWINGS.

ALL CONSTRUCTION TO BE ACCORDING TO BEST COMMON PRACTICE AND CONFORM TO THE ONTARIO BUILDING CODE.

FOR STRUCTURAL ONLY

FOR ARCHITECTURAL ONLY

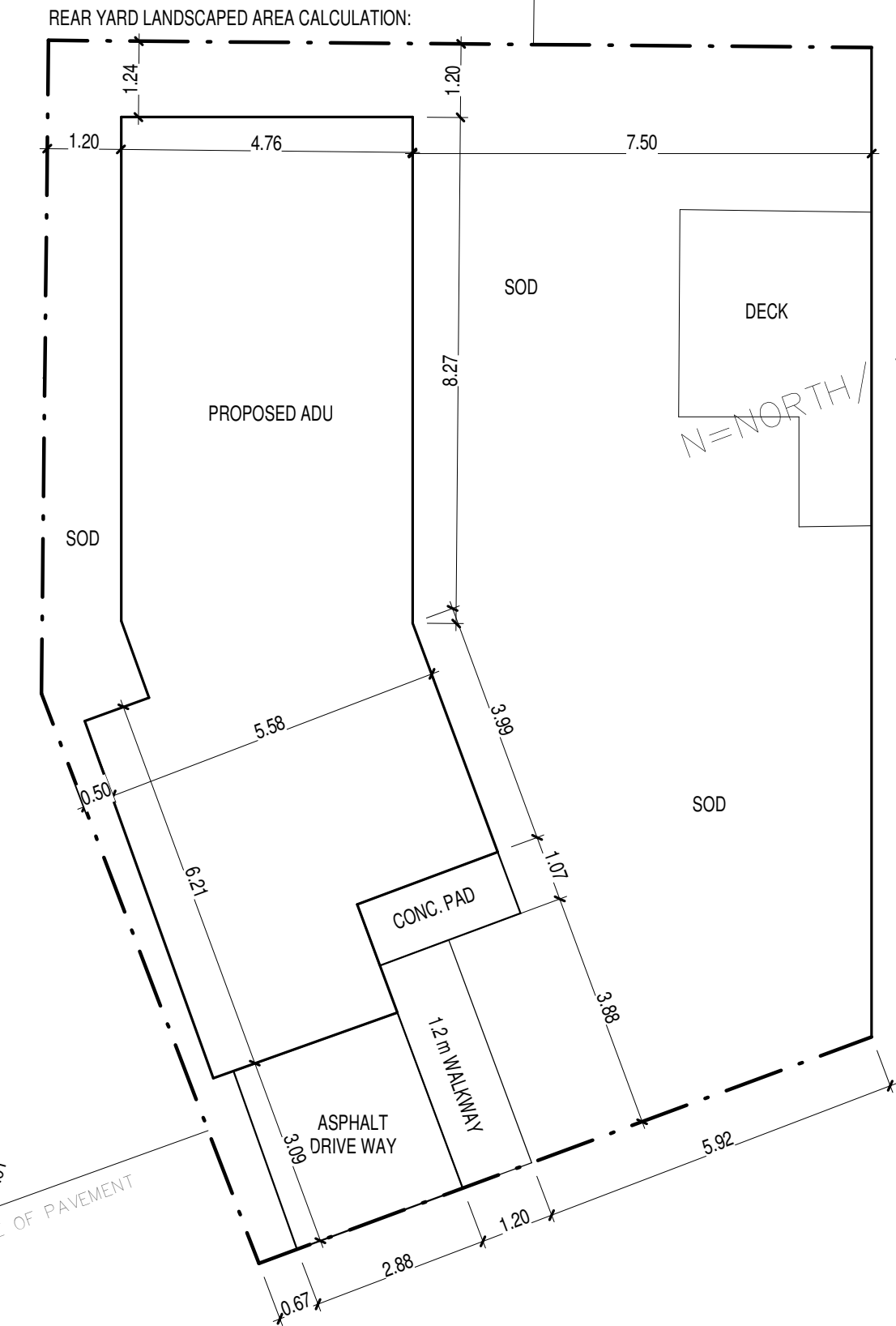
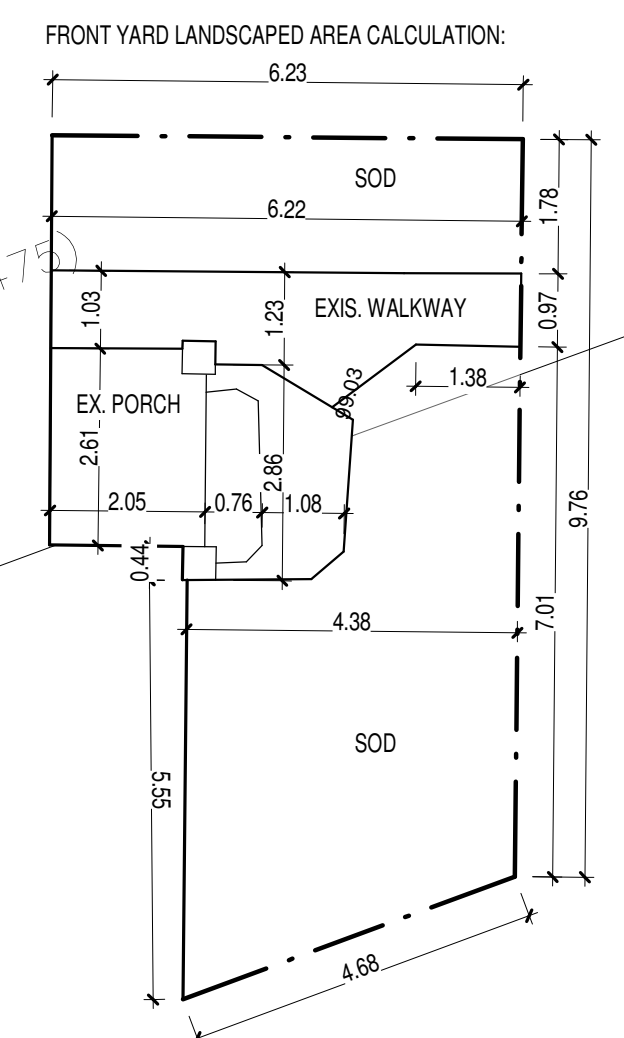
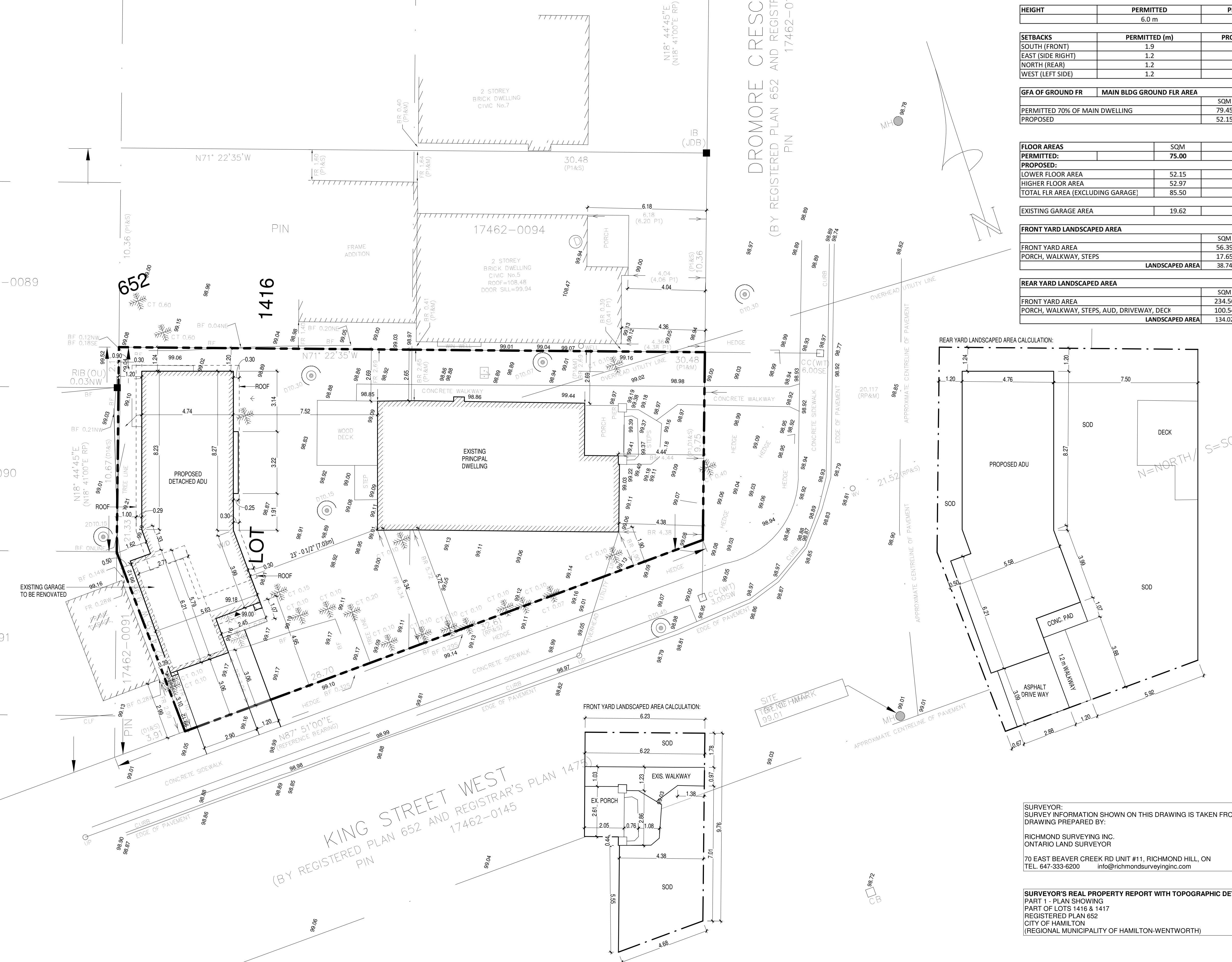
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nia NIA Architects Inc.

10 MILNER BUSINESS COURT, SUITE 710
TORONTO, ONTARIO M1B 3C6
www.niarch.com E: info@niarch.com
T: 416-270-7810 F: 416-800-5434

PROJECT
**PROPOSED
DETACHED ADDITIONAL
DWELLING UNIT**
1 DROMORE CRESCENT,
HAMILTON

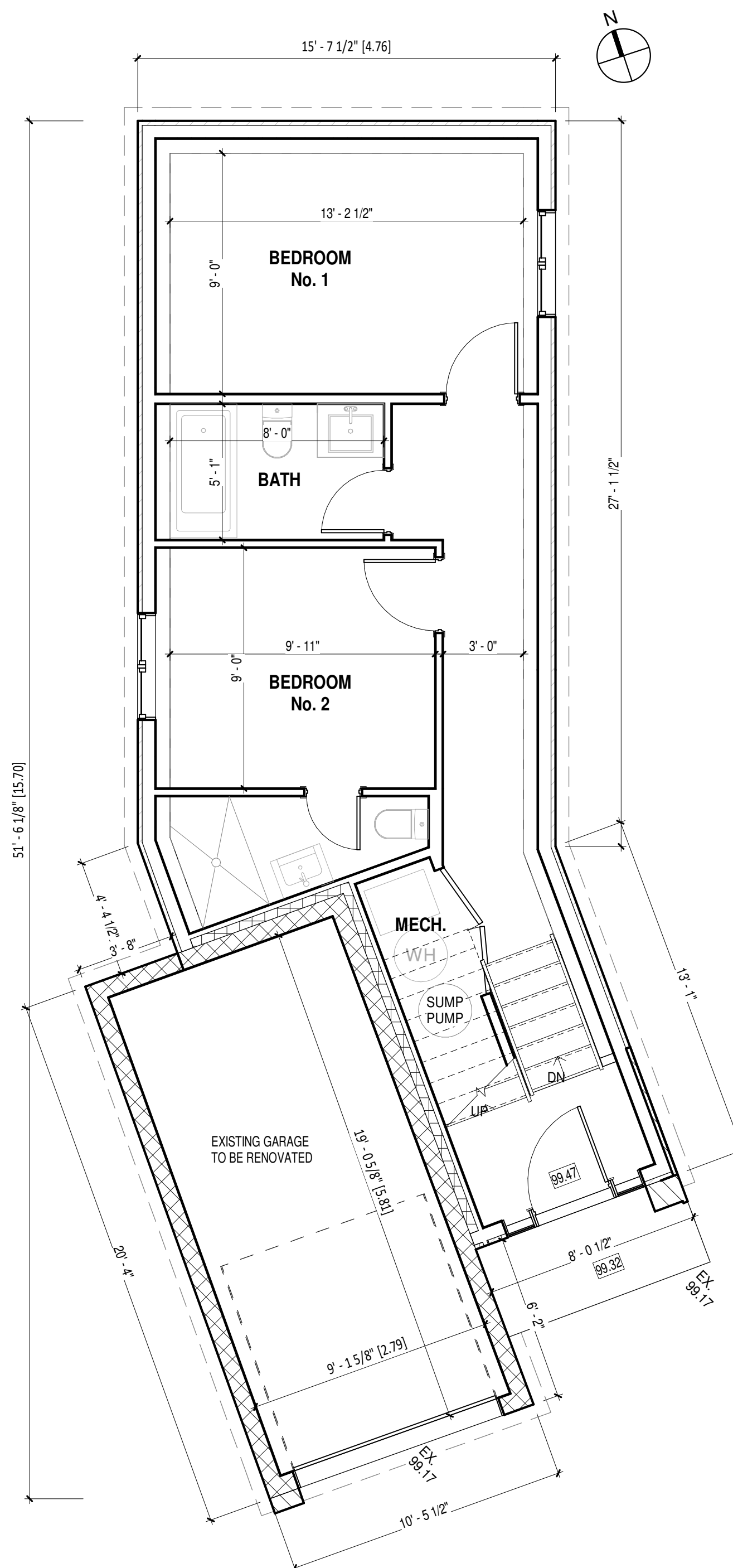
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PROJECT STARTED OCT, 2023	FILE NAME
PLOTTED DATE SEP 05, 2024	DRAWING NO SP1
SCALE 1 : 100	
CHECKED N.I.	



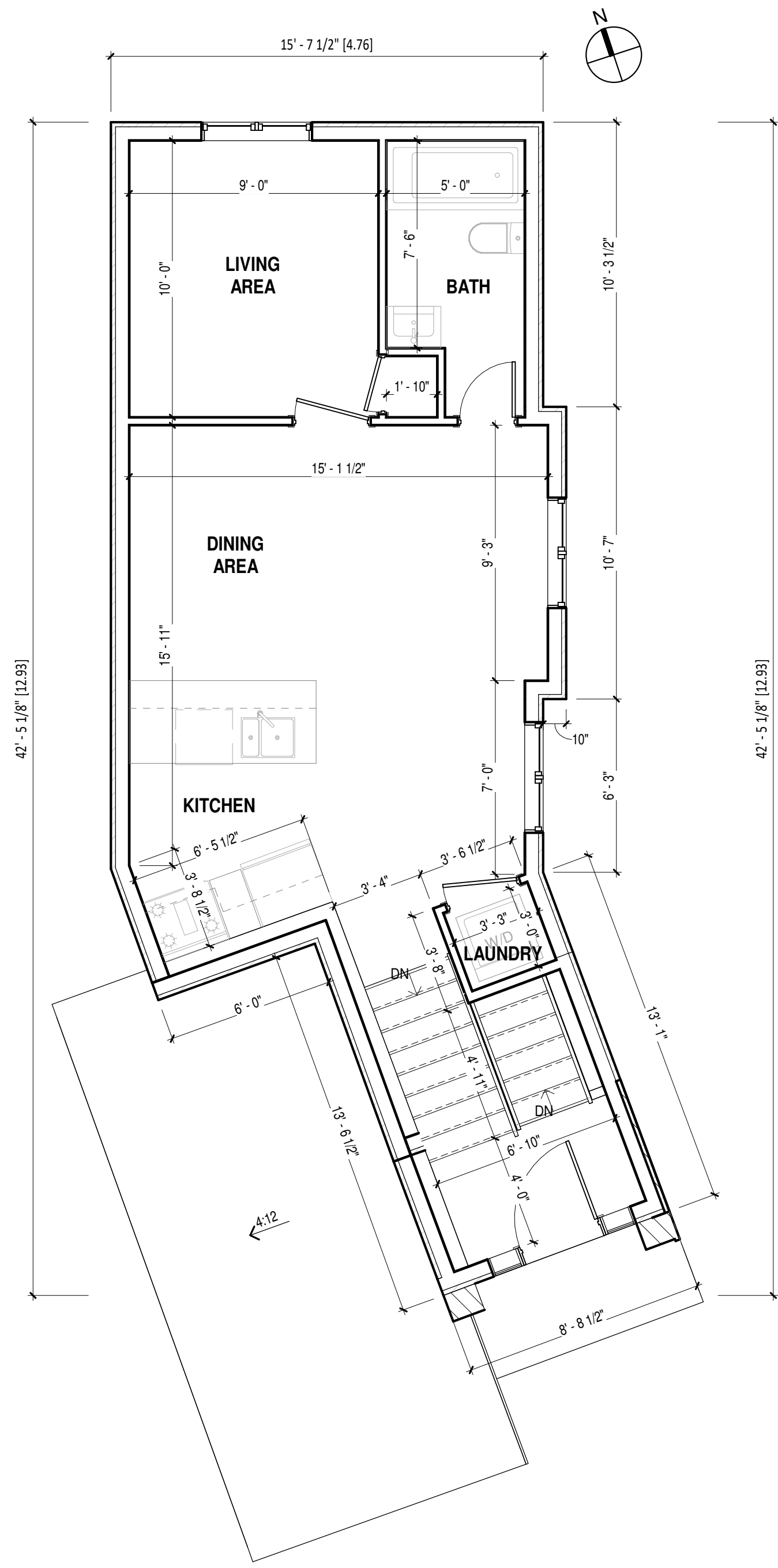
SURVEYOR:
SURVEY INFORMATION SHOWN ON THIS DRAWING IS TAKEN FROM SURVEY DRAWING PREPARED BY:
RICHMOND SURVEYING INC.
ONTARIO LAND SURVEYOR
70 EAST BEAVER CREEK RD UNIT #11, RICHMOND HILL, ON
TEL: 647-333-6200 info@richmondsurveyinginc.com

SURVEYOR'S REAL PROPERTY REPORT WITH TOPOGRAPHIC DETAILS
PART 1 - PLAN SHOWING
PART OF LOTS 1416 & 1417
REGISTERED PLAN 652
CITY OF HAMILTON
(REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH)

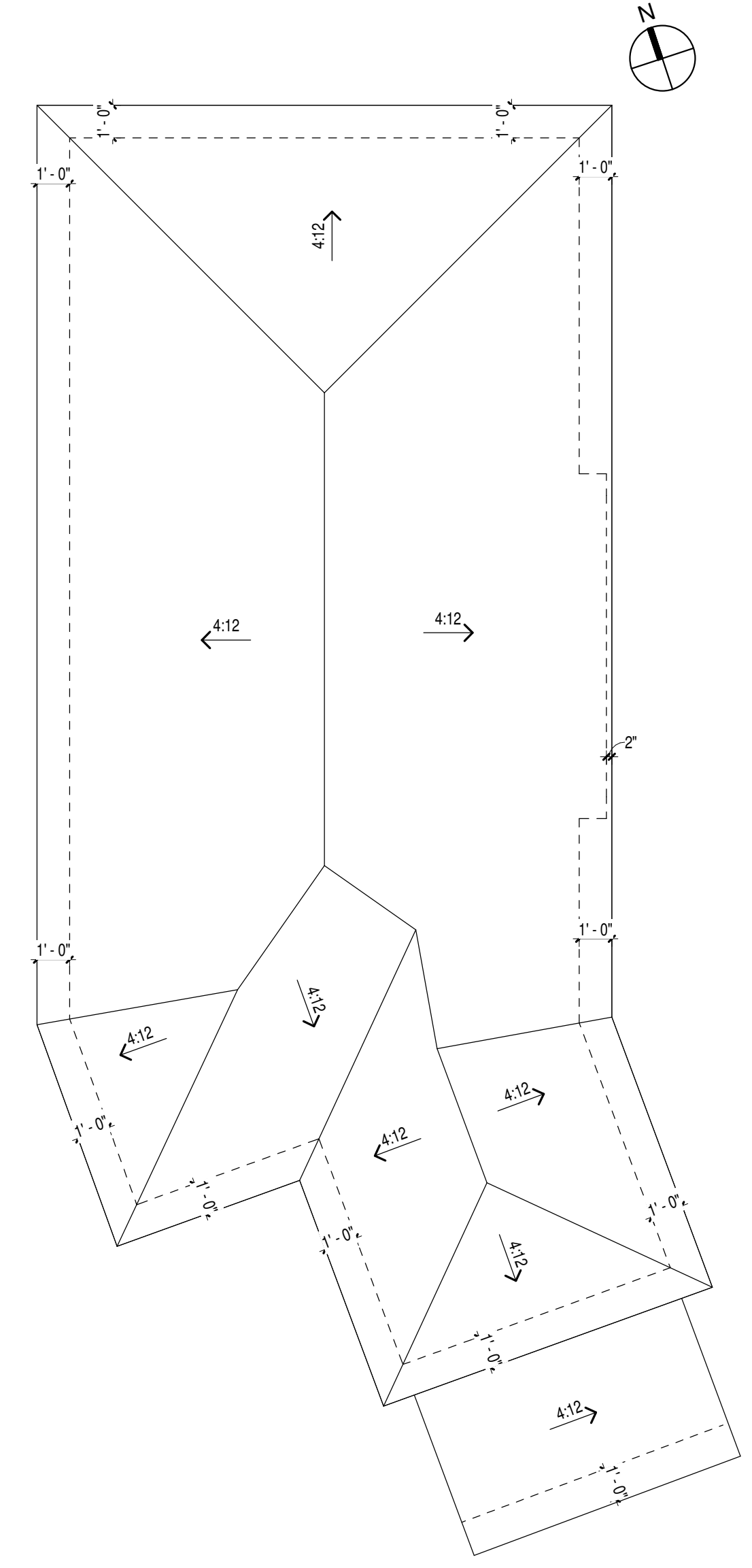
1 SITE PLAN
SP1 1 : 100



1 LOWER FLOOR PLAN
A1 1/4" = 1'-0"



2 UPPER FLOOR PLAN
A1 1/4" = 1'-0"



3 ROOF PLAN
A1 1/4" = 1'-0"

NO.	REVISIONS	DATE
1	ZONING COMMENT REV. 1	
2	CITY COMMENTS	
3	CITY COMMENTS	

CITY CoA	SEP 05, 2024
CITY BUILDING PERMIT APPLICATION	
CITY ZONING REVIEW	
TO ISSUED	DATE

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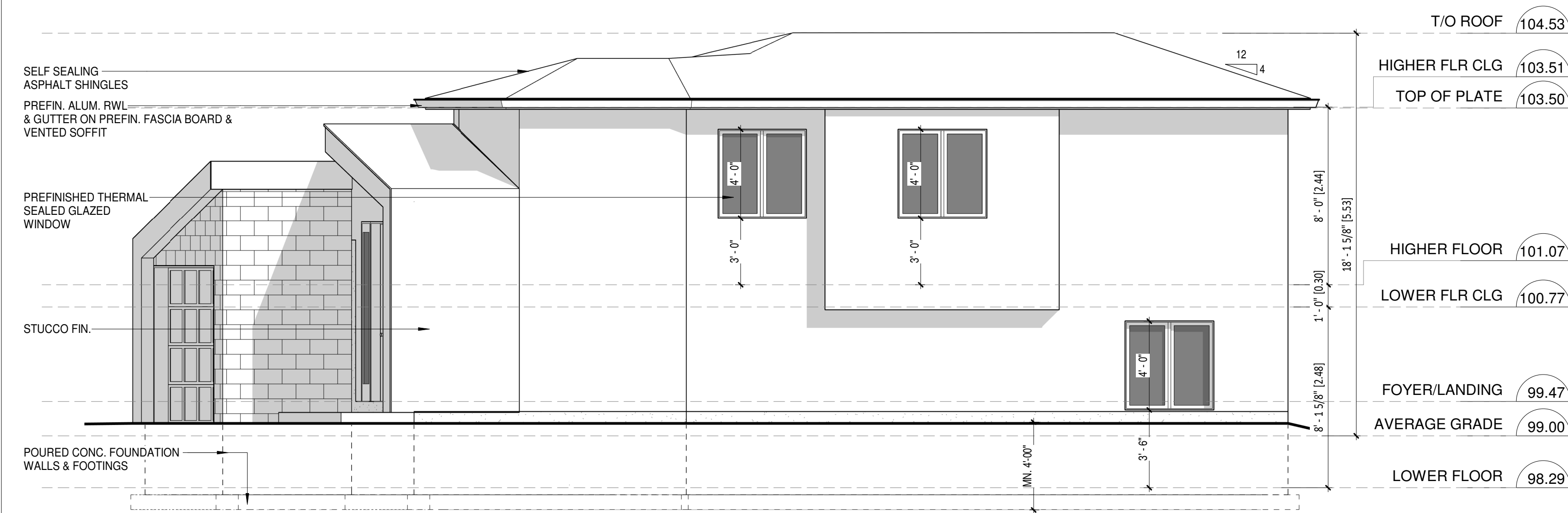
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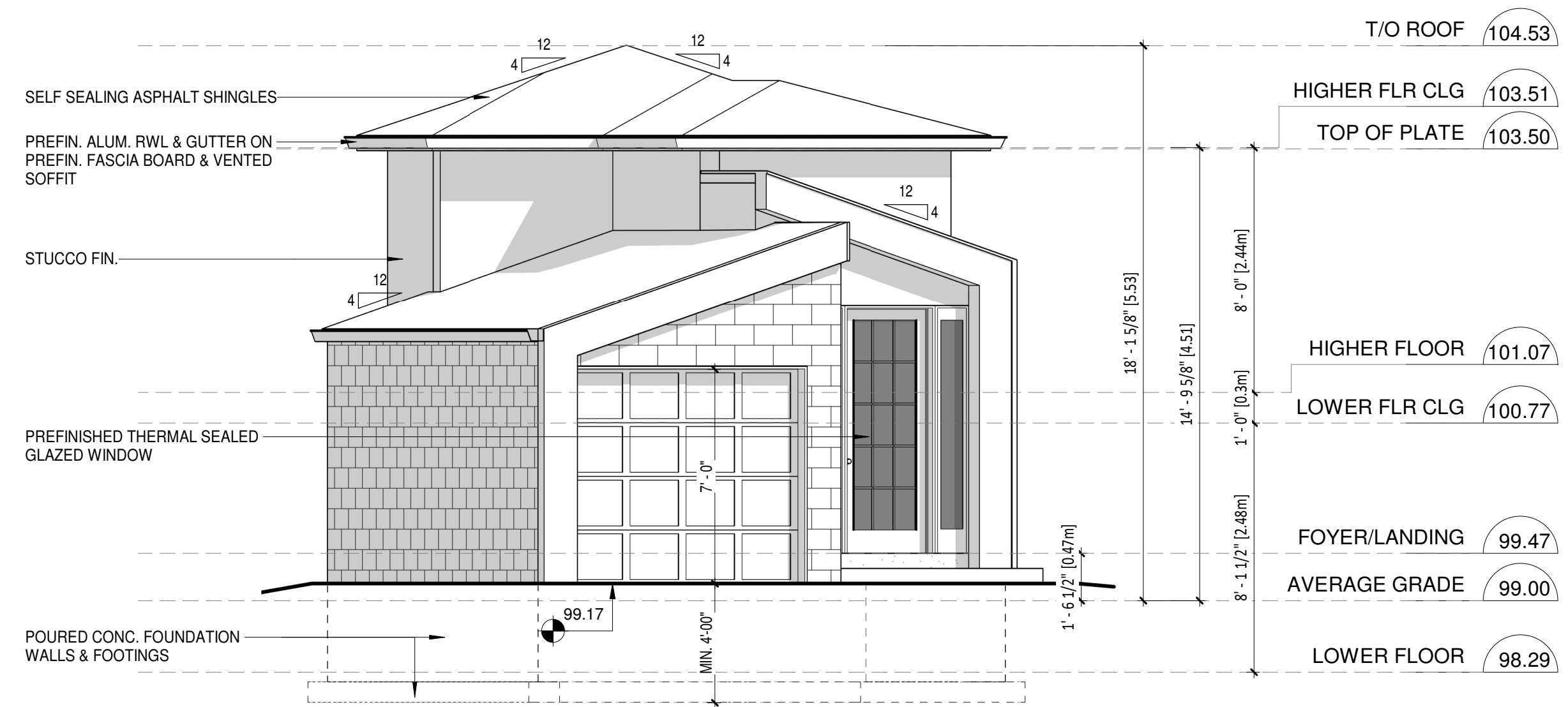
PROJECT
**PROPOSED
DETACHED ADDITIONAL
DWELLING UNIT**
1 DROMORE CRESCENT,
HAMILTON

DRAWING
FLOOR PLANS

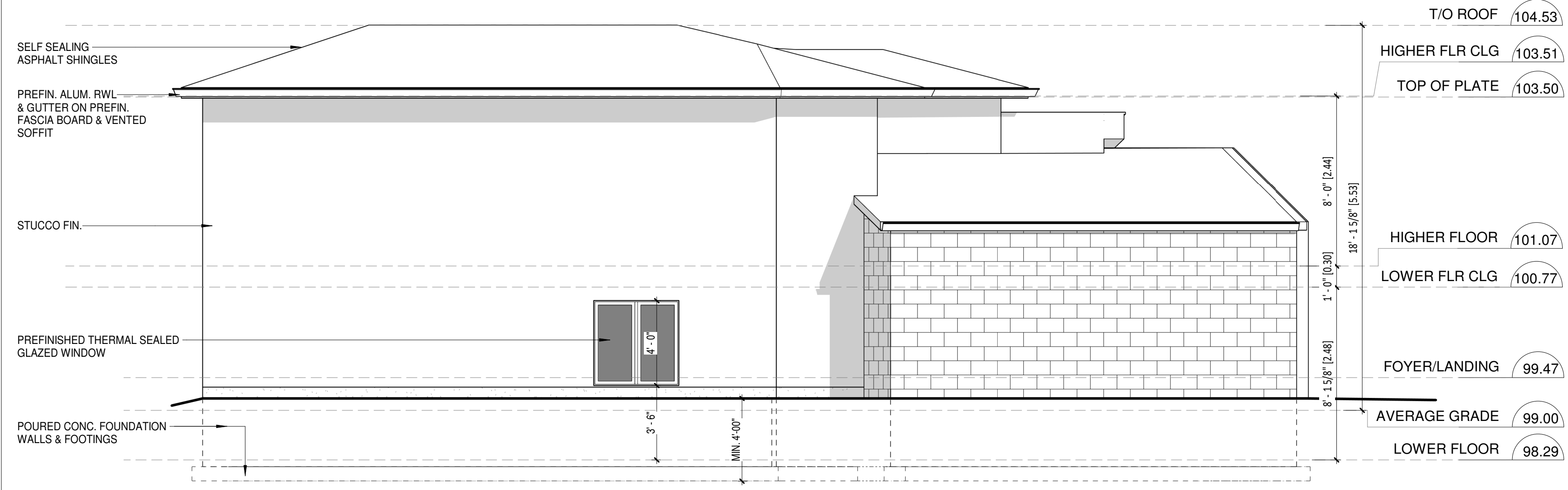
DESIGNED Author	PROJECT NO 2023-00-21
PROJECT STARTED OCT, 2023	FILE NAME
PLOTTED DATE SEP 05, 2024	DRAWING NO A1
SCALE 1/4" = 1'-0"	
CHECKED N.I.	



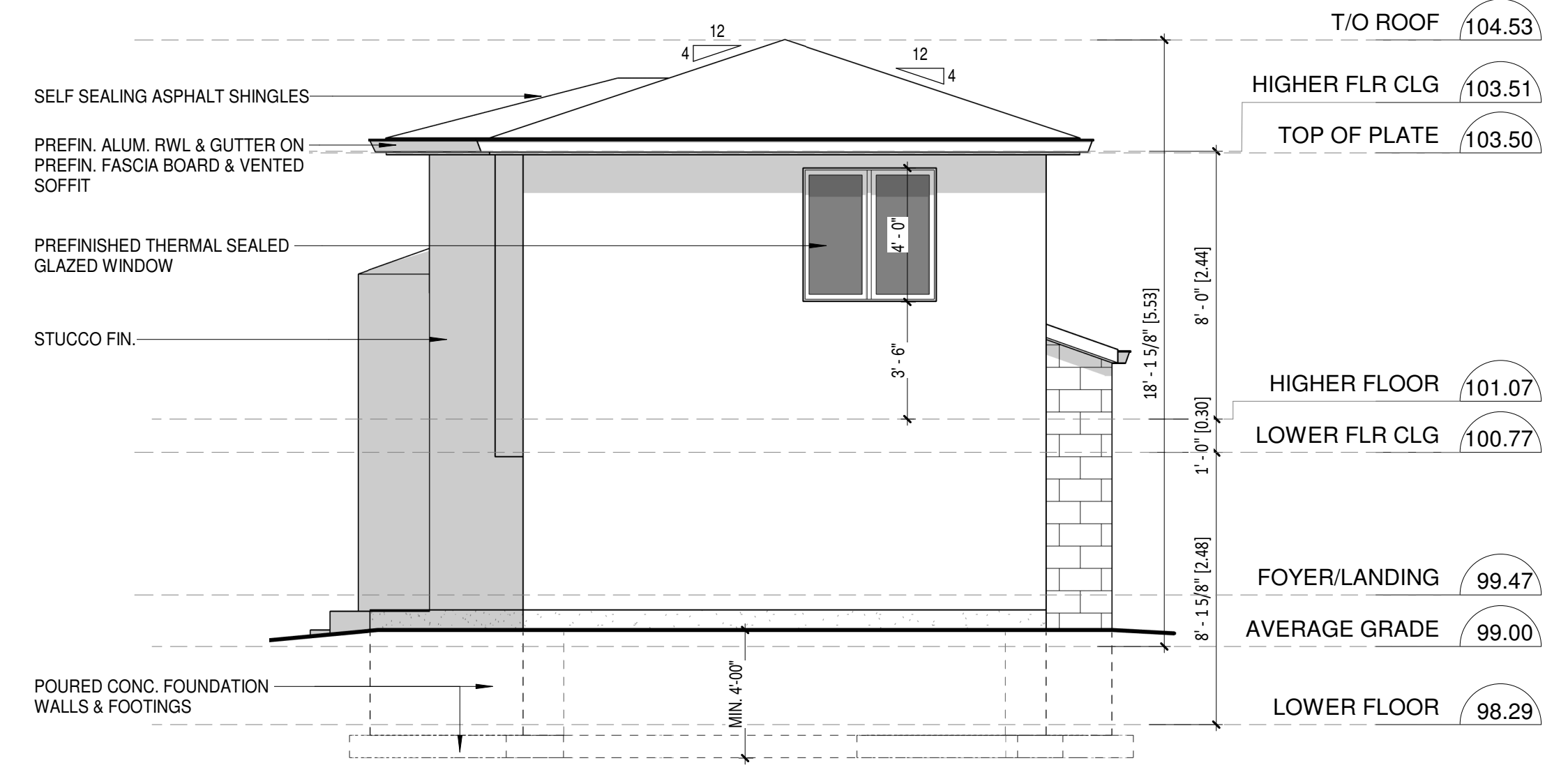
3 EAST ELEVATION
A2 1/4" = 1'-0"



1 SOUTH ELEVATION
A2 1/4" = 1'-0"



4 WEST ELEVATION
A2 1/4" = 1'-0"



2 NORTH ELEVATION
A2 1/4" = 1'-0"

NO.	REVISIONS	DATE
1	ZONING COMMENT REV. 1	
2	CITY COMMENTS	
3	CITY COMMENTS	

CITY CoA	SEP 05, 2024
CITY BUILDING PERMIT APPLICATION	
CITY ZONING REVIEW	
TO	ISSUED
	DATE

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 CONTRACTOR TO CHECK AND VERIFY ALL DIMENSIONS BEFORE COMMENCING WORK AND TO REPORT ANY DISCREPANCIES TO THE ARCHITECT.
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 ALL CONSTRUCTION TO BE ACCORDING TO BEST COMMON PRACTICE AND CONFORM TO THE LATEST BUILDING CODE.

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 TORONTO, ONTARIO M1B 3C6
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 T: 416-270-7810 F: 416-800-5434

PROJECT
**PROPOSED
 DETACHED ADDITIONAL
 DWELLING UNIT**
 1 DROMORE CRESCENT,
 HAMILTON

DRAWING
ELEVATIONS

DESIGNED A.SH.	PROJECT NO 2023-00-21
PROJECT STARTED OCT, 2023	FILE NAME
PLOTTED DATE SEP 05, 2024	DRAWING NO A2
SCALE 1/4" = 1'-0"	
CHECKED N.I.	



Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Building Division
71 Main Street West
Hamilton, Ontario, Canada, L8P 4Y5
Phone: 905.546.2720 Fax: 905.546.2764
www.hamilton.ca

August 6, 2024

FILE: ALR
FOLDER:
ATTENTION OF: Ross McIntosh

Nadeem Shirazi
7 Legacy Drive
Markham, ON L3S 4E7

Attention:

Re: ZONING COMPLIANCE REVIEW
Present Zoning: C/S-1361 Urban Protected Residential (Zoning By-law 6593)
Address: 1 DROMORE CRESCENT, HAMILTON

An Applicable Law Review respecting zoning bylaw compliance has been completed and the following comments are provided.

COMMENTS:

COMMENTS:

1. The applicant is proposing to replace the existing detached garage and add a secondary dwelling unit- detached.
2. The following comments are based on the regulations of the underlying "C/S -1361" Urban Protected Residential Zone and the secondary dwelling unit regulations pursuant to the former City of Hamilton Zoning By-law No. 6593.
3. The intended use is permitted within the current zoning designation.
4. The property in question is a corner lot.
5. Applicant to note that there is a difference between "Gross Floor Area" and "Ground floor Area,"

"Gross Floor Area" with reference to the maximum permissible floor area of a building or structure in relation to the area of the lot on which it is situate means the aggregate of the areas of the building or structure at each storey, including mezzanine floors and a basement but not a cellar or sub-cellar; Provided that the following may be deducted for the purpose of determining the gross floor area permissible under the provisions of this By-Law, namely:

- (i) *floor area occupied by boiler rooms, air-conditioning equipment rooms, elevator shafts, machinery rooms and other building plant equipment rooms except laundry rooms and storage rooms;*

- (ii) chimney shafts, garbage chutes and pipe shafts;
- (iii) parking spaces, access driveways and manoeuvring space; and
- (iv) all floor area of halls, corridors and stairwells beyond the minimum area required by law;

6. The proposed additional dwelling unit- detached has been reviewed and compared to the standards of the “C/S -1361” zone and the secondary dwelling unit regulations, as indicated in the following chart:

C/S-1361– Urban Protected Residential (Amending By-law 96-109)

	By-Law Requirement	Provided	Conforming/ Non-Conforming
Secondary Dwelling Unit - <i>In accordance with the requirements of Section 19 of Hamilton Zoning By-law 6593</i>			
Secondary Dwelling Unit- Detached [as per section 19(1)(i)(b) of Hamilton Zoning By-law 6593]	means a separate and self-contained detached Dwelling Unit that is accessory to and located on the same lot as the principal dwelling.	Provided	Conforms
Parking [as per section 19(1)(ii) of Hamilton Zoning By-law 6593]	No additional parking space shall be required for either a Secondary Dwelling Unit. Notwithstanding Section 18A.(14a) and 18A.(14h) (i), a maximum of two parking spaces for a Secondary Dwelling Unit and/or Secondary Dwelling Unit - Detached may be provided in the required Front Yard;	No additional parking space is required for the secondary Dwelling Unit - Detached, b/c the required parking spaces existed prior to May 12, 2021	Conforms
Secondary Dwelling Unit- Detached [as per section 19(1).2 of Hamilton Zoning By-law 6593]	i) A maximum of one Secondary Dwelling Unit shall be permitted within a Single Detached Dwelling, a Semi-Detached Dwelling, or a Street Townhouse Dwelling on a divided or undivided lot and shall not result in a change to the defined dwelling type on the lot.	One secondary dwelling unit-detached proposed.	Conforms
	ii) In addition to Section 19.(1).2 (i), a legally established accessory building existing as of May 12, 2021, may be converted to the one Secondary Dwelling Unit - Detached permitted on a lot containing an existing Single Detached Dwelling, Semi-Detached Dwelling, or Street Townhouse Dwelling subject to the following provision: <u>(a) Any additions over 10% of the existing gross floor area of the legally established accessory building converted to a Secondary Dwelling Unit – Detached shall be in</u>	Addition > 10% Proposed Secondary Dwelling Unit – Detached shall be in accordance with the regulations of Section 19.(1).2.	

	<u>accordance with the regulations of Section 19.(1).2.</u>		
	(iii) All the regulations of this By-law applicable to the existing dwelling shall continue to apply unless specifically provided in Section 19.(1).2.	Noted.	
	iv) A Secondary Dwelling Unit shall contain a maximum of two bedrooms.	2 Bedrooms Proposed	Conforms
	(v) A Secondary Dwelling Unit – Detached shall only be permitted in a Rear and/or interior Side Yard. (a) Notwithstanding any other provisions of this By-law, for the purposes of a Secondary Dwelling Unit - Detached on a Through Lot, the Rear Yard shall be the yard with the greatest distance from a street line.	Not a through lot	N/A
	(vi) A minimum 1.2 metre setback shall be provided from the interior Side Lot Line and Rear Lot Line.	0.38m	Non-Conforming
	(a) Notwithstanding Section 19.(1).2 (vi), an eave or a gutter may extend a maximum of 30 centimetres into a required minimum setback.	0.30cm	Conforms
	(b) In addition to Section 19.(1).2 (vi), a landscape strip is required to be provided within the required side yard adjacent to a Secondary Dwelling Unit – Detached and shall be limited to sod, ground cover, permeable pavers, or a planting strip, and may include a visual barrier.	Landscape strip of sod	Conforms
	(vii) A Secondary Dwelling Unit – Detached, shall not be located closer to the flankage street than the principal dwelling.	Principal Dwelling located closer to flankage lot line than SDU-detached	Conforms
	(viii) An unobstructed path with a minimum 1.0 metre width and minimum 2.1 metre clearance in height from a street line to the entrance of the Secondary Dwelling Unit – Detached shall be provided and maintained.	Provided	Conforms

	<p>(ix) The following building separation shall be provided:</p> <p>(a) Where a Secondary Dwelling Unit – Detached is located in the Rear Yard, a minimum distance of 7.5 metres shall be required between the rear wall of the principal dwelling and the Secondary Dwelling Unit – Detached.</p>	7.03m	Non-Conforming
	<p>(b) Where a Secondary Dwelling Unit – Detached is located in an Interior Side Yard, the following is required:</p> <p>(i) A minimum distance of 4.0 metres shall be provided between the side wall of the principal dwelling and a Secondary Dwelling Unit – Detached; and,</p> <p>(ii) A Secondary Dwelling Unit – Detached shall be set back a minimum 5.0 metres from the front façade of the principal dwelling.</p>		
	<p>(x) A maximum height of 6.0 metres shall be permitted.</p> <p>(a) Notwithstanding Section 19.(1).2 (x), balconies and rooftop patios shall be prohibited above the first floor level</p>	5.53m	Conforms
	<p>(xi) The maximum <u>gross floor area</u> shall not exceed the lesser of 75 square metres or the gross floor area of the principal dwelling.</p>	Proposed SDU-detached GFA = 85.50 square metres	Non-Conforming
	<p>a) Notwithstanding Section 19.(1).2 (xi), the maximum combined lot coverage of all accessory buildings and the Secondary Dwelling Unit - Detached shall be 25%.</p>	16%	Conforms
	<p>(b) In addition to Section 19.(1).2 (xi), the ground floor area of a Secondary Dwelling Unit – Detached shall not exceed 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.</p>	66%	Conforms
	<p>(xii) A minimum landscaped area of 12.0 square metres shall be provided and maintained within the rear yard.</p>	134.02 sq.m (57%)	Conforms
<p>18(3)(vi) Encroachments on Yards – <i>In accordance with the requirements of Section 18(3)(vi) of Hamilton Zoning By-law 6593</i></p>			

(Note – (bb) fuel-oil-tank regulation, (dd) Carriage Porch, (ee) Parking in Conjunction with a Multiple Dwelling, (f) Industrial District Hedge, Fence or Wall, (h)Back Kitchens in a Semi-Detached/Attached Dwelling, (j) Billboard not included below)

<p>Chimney, Sill, Belt Course, Leader, Pilaster, Lintel or Ornamental Projection [as per section 18(3)(vi)(a) of Hamilton Zoning By-law 6593]</p>	<p>May project not more than 0.5 metres (1.64 feet) into a required side yard, and not more than 1.0 metre (3.28 feet) into any other required yard</p>	<p>Not Proposed</p>	<p>N/A</p>
<p>Canopy [as per section 18(3)(vi)(b) of Hamilton Zoning By-law 6593]</p>	<p>(i) into a required front yard not more than 1.5 metre (4.92 feet) provided that no such projection shall be closer to a street line than 1.5 metres</p>	<p>Not Proposed</p>	<p>N/A</p>
	<p>(ii) into a required rear yard not more than 1.5 metre (4.92 feet)</p>		
	<p>(iii) into a required side yard not more than one-half of its width, or 1.0 metre (3.28 feet), whichever is the lesser</p>		
<p>Cornice [as per section 18(3)(vi)(b) of Hamilton Zoning By-law 6593]</p>	<p>(i) into a required front yard not more than 1.5 metre (4.92 feet) provided that no such projection shall be closer to a street line than 1.5 metres</p>	<p>Not Proposed</p>	<p>N/A</p>
	<p>(ii) into a required rear yard not more than 1.5 metre (4.92 feet)</p>		
	<p>(iii) into a required side yard not more than one half of its width, or 1.0 metre (3.28 feet), whichever is the lesser</p>		
<p>Eave or Gutter [as per section 18(3)(vi)(b) of Hamilton Zoning By-law 6593]</p>	<p>(i) into a required front yard not more than 1.5 metre (4.92 feet) provided that no such projection shall be closer to a street line than 1.5 metres</p>		
	<p>(ii) into a required rear yard not more than 1.5 metre (4.92 feet)</p>	<p>0.30m</p>	<p>Conforms</p>
	<p>(iii) into a required side yard not more than one half of its width, or 1.0 metre (3.28 feet), whichever is the lesser</p>	<p>0.30m</p>	<p>Conforms</p>
<p>Open Fire Escape or Open Stairway [as per section 18(3)(vi)(c) of Hamilton Zoning By-law 6593]</p>	<p>(i) into a required rear yard not more than 1.0 metre (3.28 feet)</p>	<p>Not proposed</p>	<p>N/A</p>
	<p>(ii) into a required side yard not more than one-third of its width, or 1.0 metre, whichever is the lesser</p>		<p>N/A</p>
<p>Bay Window [as per section 18(3)(vi)(cc) of Hamilton Zoning By-law 6593]</p>	<p>(i) into a required front yard not more than 1.0 metre (3.28 feet), provided that no such projection shall be closer to a street line than 1.5 metres</p>	<p>Not Proposed</p>	<p>N/A</p>

	(ii) into a required rear yard not more than 1.0 metre (3.28 feet)		
	Into a required side yard not more than one-third of its width, or 1.0 metre (3.28 feet), whichever is the lesser		
Balcony [as per section 18(3)(vi)(cc) of Hamilton Zoning By-law 6593]	(i) into a required front yard not more than 1.0 metre (3.28 feet), provided that no such projection shall be closer to a street line than 1.5 metres	Not proposed	N/A
	(ii) into a required rear yard not more than 1.0 metre (3.28 feet)		
	Into a required side yard not more than one-third of its width, or 1.0 metre (3.28 feet), whichever is the lesser		
Dormer [as per section 18(3)(vi)(cc) of Hamilton Zoning By-law 6593]	(i) into a required front yard not more than 1.0 metre (3.28 feet), provided that no such projection shall be closer to a street line than 1.5 metres	Not Proposed	N/A
	(ii) into a required rear yard not more than 1.0 metre (3.28 feet)		
	Into a required side yard not more than one-third of its width, or 1.0 metre (3.28 feet), whichever is the lesser		
Vestibule [as per section 18(3)(vi)(ccc) of Hamilton Zoning By-law 6593]	(i) into a required front yard not more than 1.2 metres (3.94 feet), provided that no such projection shall be closer to a street line than 1.5 metres	Not Proposed	N/A
	(ii) into a required rear yard not more than 1.2 metres (3.94 feet);or		
	(iii) into a required side yard not more than one-third of its width or 1.2 metres (3.94 feet), whichever is the lesser; Provided that the sum of the lengths of such projections shall not exceed one-third the length of the side yard into which they project, but no case shall exceed 3.0 metres (9.84 feet) <u>Notwithstanding above</u> 1.(c) of Amending By-law 99-169: Notwithstanding clauses (a) and (b), Section 18(3)(v), (vi)(ccc), and (vi)(e) <u>shall not apply to side yards.</u>		
Alcove [as per section 18(3)(vi)(cccc) of	May project into a required side yard or rear yard not more than 0.6 metres	Not Proposed	N/A

Hamilton Zoning By-law 6593]	and have a length of not more than 3.0 metres		
Roofed-Over or Screened by otherwise Unenclosed One-Storey Porch at the First Storey Level [as per section 18(3)(vi)(d) of Hamilton Zoning By-law 6593]	A roofed-over or screened by otherwise unenclosed one-storey porch at the first storey level, including eaves and gutters, may project into a required front yard or rear yard to a distance of not more than 3.0 metres (9.84 feet), and every such projecting porch shall be distance at least 1.5 metres (4.92 feet) from the front lot line, and the enclosure of such a porch to the following extent shall not be deemed enclosure for the purpose of this Section:	Not Proposed	N/A
	(i) the porch may have a solid guard around the perimeter of the porch not more than 1.0 metres (3.28 feet) in height measured from the floor of the porch;		
	(ii) the roof may be supported on columns or piers having maximum width of 0.5 metres (1.64 feet);		
	(iii) the beam, lintel or crown of an arch shall be no more than 3.0 metres (0.98 feet) in depth;		
	(iv) the minimum distance between piers or columns shall be 1.0 metre (3.28 feet) and in the case of arches, the arches shall have a minimum clear width of 1.0 metre (3.28 feet)		
Ramp [as per section 18(3)(vi)(ddd) of Hamilton Zoning By-law 6593]	A ramp for use by physically disabled persons may project into a required yard	Not Proposed	N/A
Terrace, Uncovered Porch, Platform or Ornamental Feature [as per section 18(3)(vi)(ddd) of Hamilton Zoning By-law 6593]	A terrace, uncovered porch, platform or ornamental feature which does not extend more than 1.0 metre (3.28 feet) above the floor level of the first storey, may project into a required yard, if distant at least 0.5 metres (1.64 feet) from the nearest side lot line and at least 1.5 metres (4.92 feet) from the nearest street line <u>Notwithstanding above</u> 1.(c) of Amending By-law 99-169: Notwithstanding clauses (a) and (b), Section 18(3)(v), (vi)(ccc), and (vi)(e) <u>shall not apply to side yards.</u>	Not Proposed	N/A
Accessory Buildings - <i>In accordance with the requirements of Section 18(4) of Hamilton Zoning By-law 6593</i>			

The existing garage is held to the regulations of a secondary dwelling unit-detached because of the proposed addition is in excess of 10%.

Mechanical Equipment -

In accordance with the requirements of Section 18(4)(v) of Hamilton Zoning By-law 6593

Air Conditioners and Pumps
[as per section 18(4)(v) of Hamilton Zoning By-law 6593]

Air conditioners and pumps (including heat pumps and swimming pool pumps) and other similar mechanical equipment shall be located only in accordance with the following regulations:

Applicant to Note.

(a) Within a required front yard, provided such equipment shall have a minimum setback of 3.0 metres from the street line, a minimum setback of 0.6 metres from a side lot line and is screened from the street by an enclosure or landscaping; and,

(b) Within a required side yard or required rear yard provided such equipment has a minimum setback of 0.6 metres from the side lot line or rear lot line.

Applicant to Note.

Front Yard Landscaping -

In accordance with the requirements of Section 18(14) of Hamilton Zoning By-law 6593

Front Yard Landscaping
[as per section 18(14) of Hamilton Zoning By-law 6593]

Notwithstanding any other provisions of this By-law, for any single family dwelling, two family dwelling or three family dwelling:

69%

Conforms

(i) not less than 50% of the gross area of the front yard shall be used for a landscaped area excluding concrete, asphalt, gravel, pavers, or other similar materials;

(ii) for the purpose of clause 14.(i), the gross area of the front yard shall be calculated as the area between the front lot line and the front of the principle dwelling and the area extending from the side lot line to side lot line but subtracting:

Applicant to Note.

Conforms

(a) unenclosed entrance porches;

(b) vestibules;

(c) ramps;

(d) front steps;

(e) chimneys;

(f) bay windows;

(g) ornamental projections;

(h) terraces;

(i) platforms; and,

(j) a walkway between the front entrance of the principle building and

	the front lot line or driveway with a maximum width of 0.6m;		
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7. All fences proposed for this development shall comply with the regulations contained within the Fence By-Law.
8. The designer shall ensure that the fire access route conforms to the Ontario Building Code.
9. This review is based on the plans submitted with the application.

Best Regards,

A handwritten signature in black ink, appearing to read 'D. Matthews', written over a horizontal line.

for the Manager of Zoning and Committee of Adjustment



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)	NADDEM SHIRAZI AND TAYEESA SHIRAZI
Applicant(s)	NADDEM SHIRAZI AND TAYEESA SHIRAZI
Agent or Solicitor	NADDEM IRFAN, NIA ARCHITECTS INC



1.2 Primary contact

Applicant

Owner

Agent/Solicitor

1.3 Sign should be sent to

Applicant

Owner

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.

1.6 Payment type

In person

Credit over phone*

Cheque



*Must provide number above

2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	1 DROMORE CRESCENT		
Assessment Roll Number			
Former Municipality			
Lot		Concession	
Registered Plan Number	652	Lot(s)	1416 & 1417
Reference Plan Number (s)		Part(s)	1

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:

- 1- REAR LOT LINE SETBACK: PROVIDED AT 0.39 M, WHEREAS 1.20 M IS PERMITTED.
- 2- BUILDING SEPARATION: PROVIDED AT 7.03 M, WHEREAS 7.5 M IS PERMITTED.
- 3- PROPOSED GROSS FLOOR AREA: 85.50 SQM, WHEREAS 75 SQM IS PERMITTED.

Second Dwelling Unit

Reconstruction of Existing Dwelling

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

- 1- 0.39 M IS THE SETBACK TO THE EXISTING GARAGE, AND THE EXISTING GARAGE IS ATTACHED TO THE PROPOSED ADDITIONAL DWELLING UNIT, SO IT WAS REVIEWED AS ONE STRUCTURE.
- 2- AS A RESULT OF THE UNIQUE SHAPE OF THE PROPERTY
- 3- MORE AREA IS NEEDED FOR A 2-BEDROOM UNIT.

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
9.75 M	30.48 M	454.417 SQM	11.42 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 FAMILY DWELLING	4.38 M	13.48 M	1.90 M AND 2.65 M	

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
DETACHED SECONDARY SUITE	7.03 M	0.39 M	1.24 M AND 3.06 M	

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 FAMILY DWELLING	+/- 79.50 SQM	+/- 151.8 SQM	2	+/- 8 M

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
DETACHED SECONDARY SUITE	85.50 SQM	85.50 SQM	1	5.53 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

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.):

SINGLE DETACHED DWELLING

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:

26 MARC 2012

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

SINGLE DETACHED

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

SINGLE DETACHED

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

12 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? C/S-1361

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: _____

8 ADDITIONAL INFORMATION

8.1 Number of Dwelling Units Existing: 1

8.2 Number of Dwelling Units Proposed: 1

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
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