



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-24:212	SUBJECT PROPERTY:	1869 Main Street East, Hamilton
ZONE:	"C" (Commercial)	ZONING BY-LAW:	Zoning By-law former City of Hamilton 6593

APPLICANTS: Owner: Sourav Paul - 10009506
Agent: Birju Bhavsar - GDB Consultancy Inc

The following variances are requested:

1. To permit a minimum of 10 parking spaces whereas the zoning by-law requires a minimum of 17 parking spaces.
2. To permit a minimum parking space size of 2.82 metres x 5.81 metres whereas the zoning by-law requires a minimum size of 2.7 metres x 6.0 metres.
3. To permit a minimum parallel parking space size of 2.82 metres x 5.82 metres whereas the zoning by-law requires a minimum size of 2.5 metres x 6.7 metres.
4. To permit the location of an access driveway to be 0 metres from a residential district whereas the by-law requires a minimum of 1.5 metres.
5. To permit the parking area to be closer to the street line than the minimum depth of the front yard requirement of the adjacent residential district.

PURPOSE & EFFECT: So as to facilitate an increase in the childcare capacity of the existing Day Nursery.

Notes: N/A

A-24:212

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, November 12, 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

PUBLIC INPUT

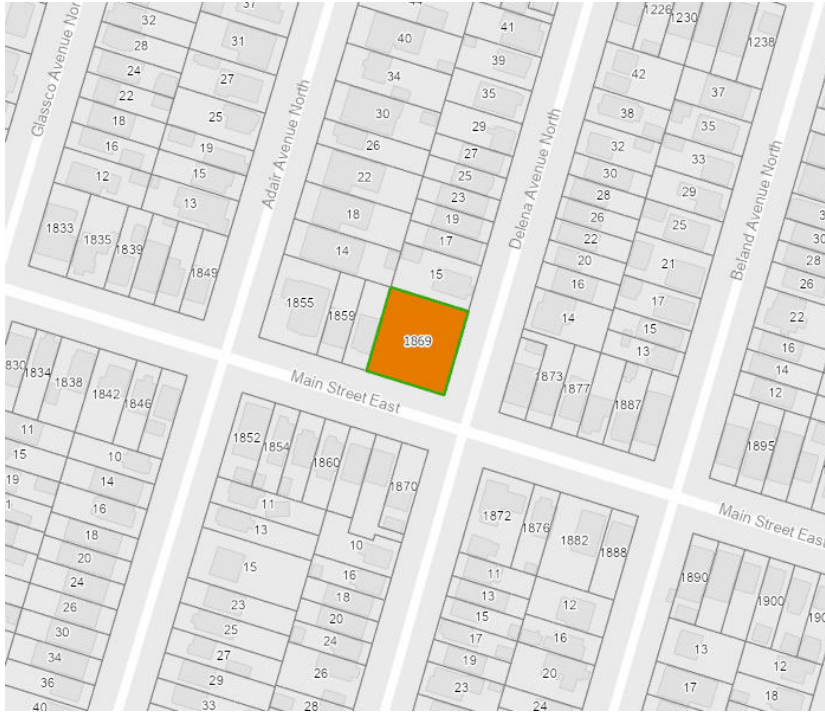
Written: If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Please see attached page for complete instructions, written comments must be received no later than noon November 6, 2024

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 November 8, 2024

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding A-24:212, 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: October 24, 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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Telephone (905) 546-2424, ext. 4221

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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.

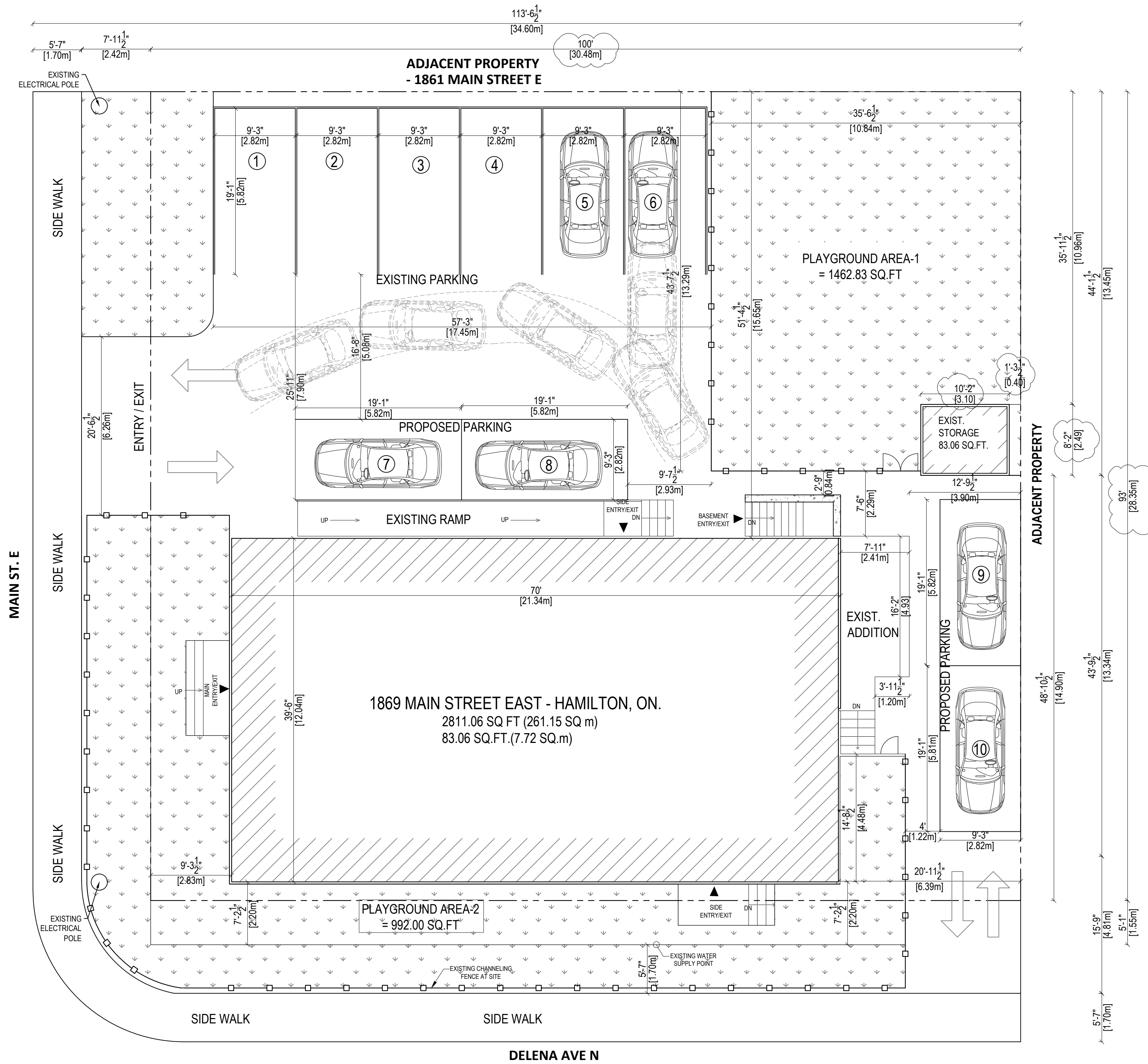
A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting one business day before the Hearing. Only those registered will be called upon to speak.

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.



1 EXISTING SITE PLAN
 1/8" = 1'-0"

PLAY GROUND ROTATION			
PLAY GROUND AREA REQUIRED = 5.6 SQ.MT./KID			
PLAYGROUND PROVIDED PLAYGROUND -1 AREA = 1462.83 FT ² (135.95 M ²) + PLAY GROUND AREA-2 = 992.00 FT ² (92.15MT ²) TOTAL = 2454.83 FT ² (228.10 M ²)			
PERIOD	PLAYGROUND - 1 (135.95 M ²)	PERIOD	PLAYGROUND-2 (92.15 M ²)
MORNING TIMINGS			
9:00 TO 10:00 AM	PRESCHOOLER-1 (24KIDS)	9:00 TO 10:00 AM	TODDLER-1 (10 KIDS)
10:00 TO 11:00 AM	PRESCHOOLER-2 (24KIDS)	10:00 TO 11:00 AM	TODDLER - 2 (15 KIDS)
11:00 TO 12:00 AM	PRESCHOOLER-3 (24KIDS)	11:00 TO 12:00 AM	--
AFTERNOON TIMINGS			
2:00 TO 3:00	PRESCHOOLER-1 (24KIDS)	2:00 TO 3:00	TODDLER-1 (10 KIDS)
3:00 TO 4:00	PRESCHOOLER-2 (24KIDS)	3:00 TO 4:00	TODDLER - 2 (15 KIDS)
4:00 TO 5:00	PRESCHOOLER-3 (24KIDS)	4:00 TO 5:00	--

1. OCCUPANCY LOAD

PROPOSED OCCUPANCY LOAD: DAY CARE CENTRE

TOTAL PROPOSED OCCUPANCY LOAD:

NO. OF CHILDREN	=	97
NO OF CLASS ROOM TEACHERS	=	14
NO. OF ADDITIONAL SUPPORT STAFF	=	3

STUDENT CAPACITY:		
STUDENT AGE GROUP	NO OF STUDENTS	REQ. CLASS STAFF
TODDLER (18m TO 30m)	25	5 (1 PER 5)
PRESCHOOL (31m TO 36m)	72	9 (1 PER 8)
TOTAL	97 STUDENTS	14 TEACHERS

2. PARKING

PARKING CALCULATION:

1 PARKING SPACE FOR EVERY 6 CHILDREN (AS PER HAMILTON - ZONING BY LAW 6593) = 97 / 6 = 16.16 SAY 17 PARKING SPACE

TOTAL REQUIRED PARKING = 17 NOS.
 PROVIDED PARKING = 10 NOS.

APPROX. GROUND FLOOR AREA = 2811.06 SQ.FT.
 APPROX. BASEMENT FLOOR AREA = 2811.06 SQ.FT.

- CONTRACTOR MUST CHECK & VERIFY ALL DIMENSIONS ON THE JOB AND REPORT ANY DISCREPANCIES TO THE CONSULTANT PRIOR TO PROCEEDING WITH THE WORK.
- ALL WORK SHALL BE CARRIED OUT AS PER SPECIFICATIONS AND THE LATEST EDITION OF THE NATIONAL OR PROVINCIAL BUILDING CODE IN CONJUNCTION OF THE LOCAL CITY'S BUILDING DEPARTMENT.
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- ALL DRAWINGS, SPECIFICATIONS ARE THE PROPERTY OF THE GDB CONSULTANCY INC. AND MUST BE RETURNED TO HIM ON COMPLETION OF WORK.

NO	DATE	REVISIONS
01	13-09-2024	AS PER CITY'S COMMENTS
00	05-08-2024	ISSUED FOR PERMIT

DRAWING REVISIONS

TRUE NORTH	CHECKED & APPROVED BY : B BHAVSAR
PROJECT NORTH	

CONSULTANTS :

GDB CONSULTANCY INC
 760 Laurentian Drive, Unit 18,
 Burlington, Ontario L7N 0A4
 Phone: 905 635 0945
 Email: info@gdbconsultancy.com

PROJECT :

PROPOSED DAY CARE

ADDRESS:

1869 MAIN ST. E
 HAMILTON, ON L8H 1G2

DRAWING TITLE :

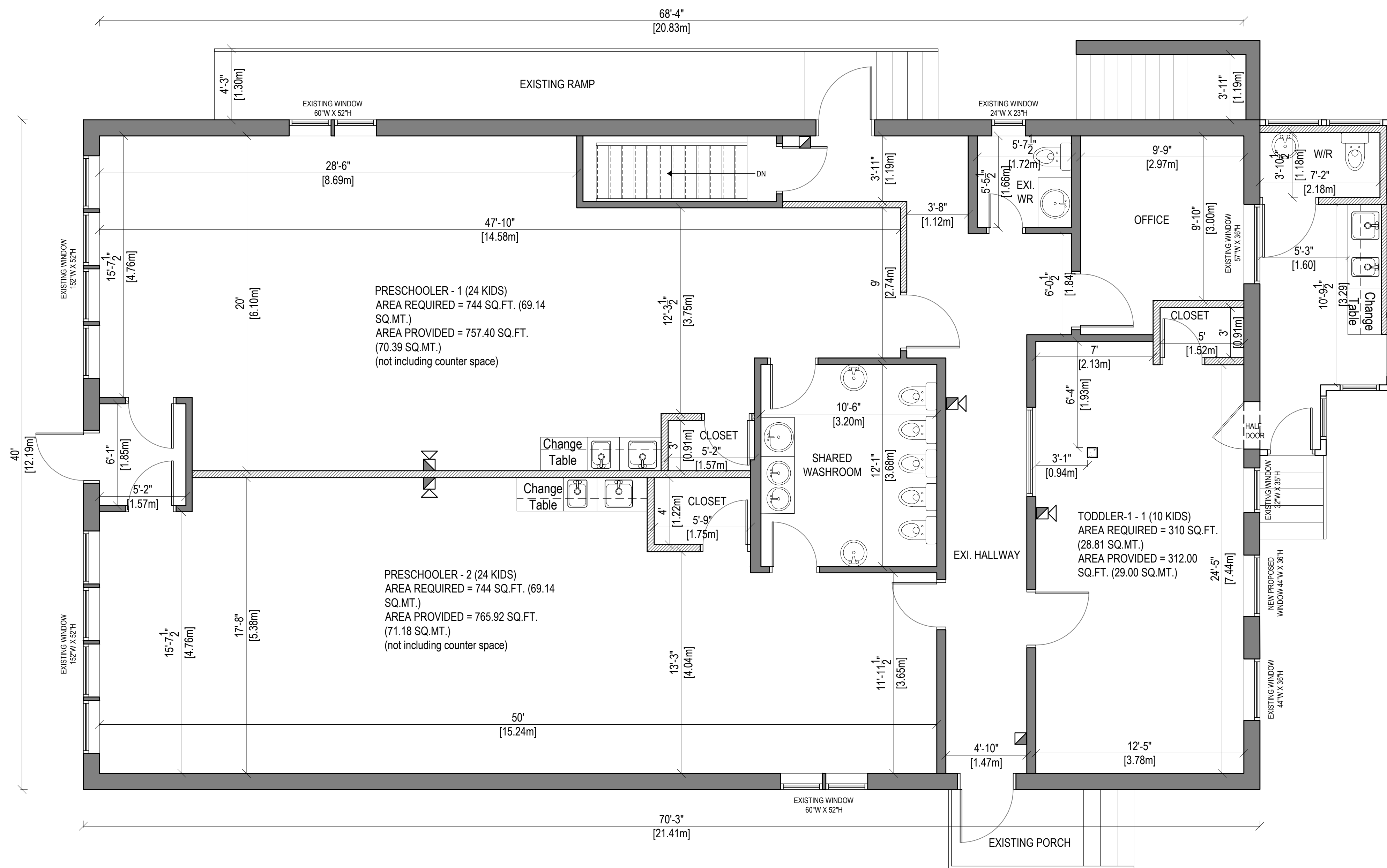
EXISTING SITE PLAN

DRAWN BY : AV

DATE : 05-08-2024

PLOT SCALE : 1/8" = 1'-0"

PROJECT NO. : 24-0422	DRAWING NO. : A-1.0
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SPACE	OCCUPANT LOAD	NO. OF WASHROOM REQUIRED	NO. OF WASHROOM PROVIDED
MAIN FLOOR AREA	TOTAL PRESCHOOLERS : 48 CHILDRENS	AS PER DIV.B. TABLE 3.7.4.3.1 - MAX.CHILDREN/PER WC - 48/10 = 4.8 WC REQUIRED	5 WATER CLOSETS AND 2 LAVATORIES PROVIDED IN DWG. 2.0.
MAIN FLOOR AREA	TOTAL TODDLERS : 10 CHILDRENS	AS PER DIV.B. TABLE 3.7.4.3.1 - MAX.CHILDREN/PER WC - 10/10 = 1 WC REQUIRED	1 WATER CLOSET AND LAVATORY PROVIDED IN DWG. 2.0.
BASEMENT	TOTAL TODDLERS : 15 CHILDRENS	AS PER DIV.B. TABLE 3.7.4.3.1 - MAX.CHILDREN/PER WC - 15/10 = 1.5 WC REQUIRED	2 WATER CLOSETS AND 2 LAVATORIES PROVIDED IN DWG. 2.1.
BASEMENT	TOTAL PRESCHOOLERS : 24 CHILDRENS	AS PER DIV.B. TABLE 3.7.4.3.1 - MAX.CHILDREN/PER WC - 24/10 = 2.4 WC REQUIRED	3 WATER CLOSETS AND 3 LAVATORIES PROVIDED IN DWG. 2.1.
MAIN FLOOR & BASEMENT	TOTAL NO. OF STAFFS - 17 PERSONS	AS PER DIV.B. TABLE 3.7.4.3.A - ROW #1 - 1-25 PERSONS - 1 FOR EACH SEX WC REQUIRED	1 UNISEX WC ON THE MAIN FLOOR AND 1 UNISEX WC IN THE BASEMENT = TOTAL 2 UNISEX WRS ARE PROVIDED.

1 PROPOSED MAIN FLOOR PLAN
 A2.0 1/4" = 1'-0"

CLASS ROOM	GROUP	CHILDREN CAPACITY	TEACHERS/ STAFF	UNOBSTRUCTED AREA REQUIRED	OBSTRUCTED AREA	AREA PROVIDED
1	PRE-SCHOOLERS-1	24	3	744.00 SQFT	17.63 SQFT	757.40 SQFT
2	PRE-SCHOOLERS-2	24	3	744.00 SQFT	17.16 SQFT	765.92 SQFT
3	PRE-SCHOOLERS-3	24	3	744.00 SQFT	14.53 SQFT	752.18 SQFT
4	TODDLERS-1	10	2	310.00 SQFT	-	312.00 SQFT
5	TODDLERS-2	15	3	465.00 SQFT	15.56 SQFT	539.21 SQFT
6	KITCHEN		1			
7	STAFF ROOM		1			
8	OFFICE		1			
TOTAL=		97	17	3007.00 SQFT	-	3126.71 SQFT

CLASS ROOM	GROUP	CHILDREN CAPACITY	ROOM AREA PROVIDED	GLAZING REQUIRED (10%)	PERCENT PROVIDED (%)	GLAZING AREA PROVIDED
1	PRE-SCHOOLERS-1	24	757.40 SQFT	75.74 SQFT	11.37%	76.46 SQFT
2	PRE-SCHOOLERS-2	24	765.92 SQFT	76.50 SQFT	10.00%	76.46 SQFT
3	PRE-SCHOOLERS-3	24	752.18 SQFT	75.21 SQFT	14.89%	112.00 SQFT
4	TODDLERS-1	10	312.00 SQFT	31.20 SQFT	10.07%	31.44 SQFT
5	TODDLERS-2	15	539.21 SQFT	53.92 SQFT	15.44%	83.28 SQFT
TOTAL=		97	3126.71 SQFT			379.64 SQFT

FIRE LEGEND

FIRE ALARM SPEAKER

FIRE MANUAL PULL STATION

APPROX. GROUND FLOOR AREA = 2811.06 SQ.FT.
 APPROX. BASEMENT FLOOR AREA = 2811.06 SQ.FT.

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01	13-09-2024	AS PER CITY'S COMMENTS
00	05-08-2024	ISSUED FOR REVIEW

DRAWING REVISIONS

TRUE NORTH

CHECKED & APPROVED BY :
 B BHAVSAR

PROJECT NORTH

CONSULTANTS :
GDB CONSULTANCY INC
 760 Laurentian Drive, Unit 18,
 Burlington, Ontario L7N 0A4
 Phone: 905 635 0945
 Email: info@gdbconsultancy.com

PROJECT :
PROPOSED DAY CARE

ADDRESS:
 1869 MAIN ST. E
 HAMILTON, ON L8H 1G2

DRAWING TITLE :
PROPOSED MAIN FLOOR PLAN

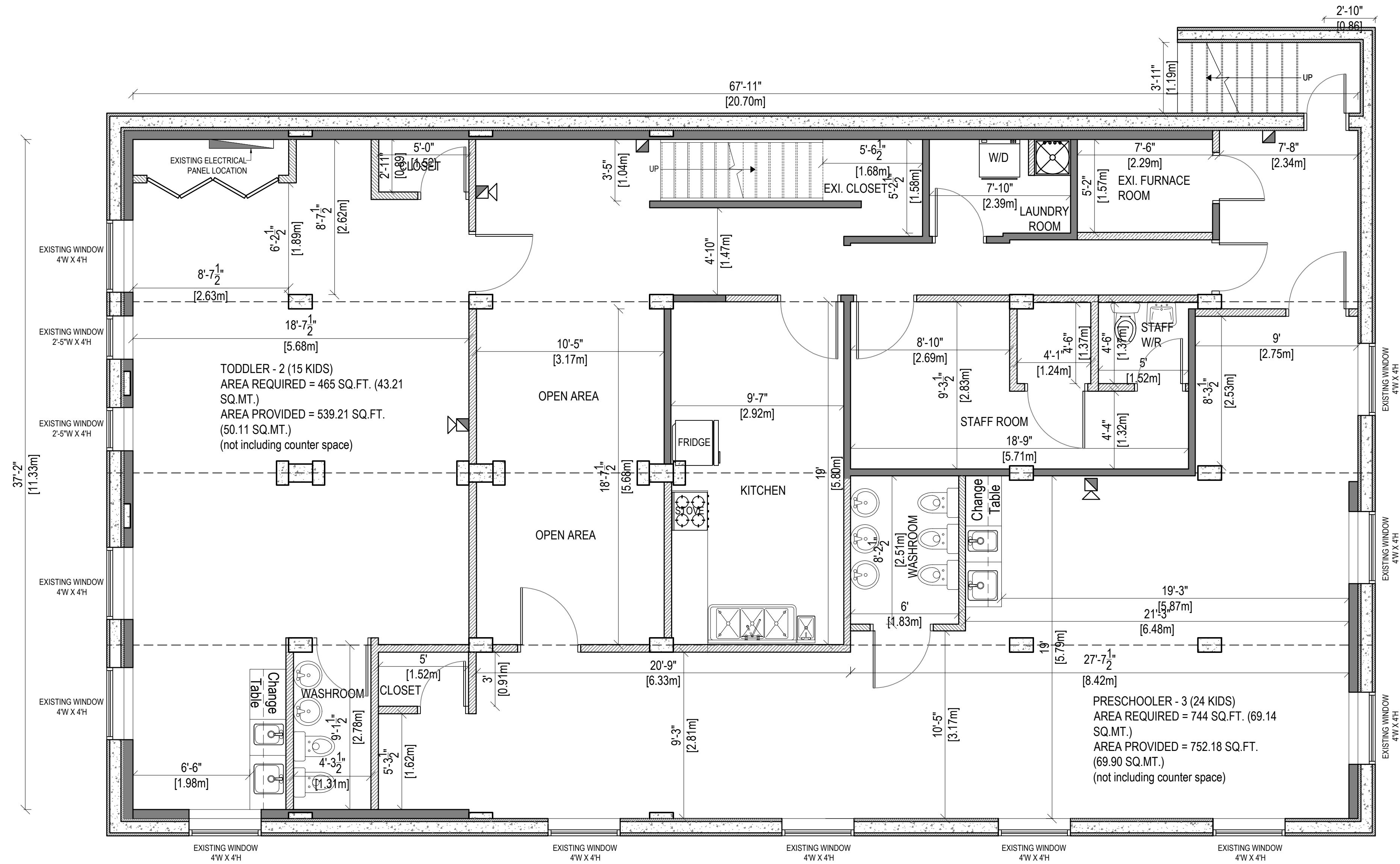
DRAWN BY : AV

DATE : 05-08-2024

PLOT SCALE : 1/4" = 1'-0"

PROJECT NO. : 24-0422
 DRAWING NO. : A-2.0

GDB CONSULTANCY INC.

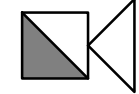


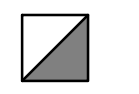
1 PROPOSED BASEMENT
A2.1 1/4" = 1'-0"

ROOM AREA SCHEDULE						
CLASS ROOM	GROUP	CHILDREN CAPACITY	TEACHERS/STAFF	UNOBSTRUCTED AREA REQUIRED	OBSTRUCTED AREA	AREA PROVIDED
1	PRE-SCHOOLERS-1	24	3	744.00 SQFT	17.63 SQFT	757.40 SQFT
2	PRE-SCHOOLERS-2	24	3	744.00 SQFT	17.16 SQFT	765.92 SQFT
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6	KITCHEN		1			
7	STAFF ROOM		1			
8	OFFICE		1			
TOTAL=		97	17	3007.00 SQFT	-	3126.71 SQFT

WINDOW SCHEDULE						
CLASS ROOM	GROUP	CHILDREN CAPACITY	ROOM AREA PROVIDED	GLAZING REQUIRED (10%)	PERCENT PROVIDED (%)	GLAZING AREA PROVIDED
1	PRE-SCHOOLERS-1	24	757.40 SQFT	75.74 SQFT	11.37%	76.46 SQFT
2	PRE-SCHOOLERS-2	24	765.92 SQFT	76.50 SQFT	10.00%	76.46 SQFT
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FIRE LEGEND

 FIRE ALARM SPEAKER

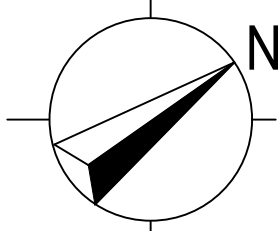
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NO	DATE	REVISIONS
01	13-09-2024	AS PER CITY'S COMMENTS
00	05-08-2024	ISSUED FOR PERMIT

DRAWING REVISIONS

TRUE NORTH  PROJECT NORTH

CHECKED & APPROVED BY :
B BHAVSAR

CONSULTANTS :
GDB CONSULTANCY INC
760 Laurentian Drive, Unit 18,
Burlington, Ontario L7N 0A4
Phone: 905 635 0945
Email: info@gdbconsultancy.com

PROJECT :
PROPOSED DAY CARE

ADDRESS:
1869 MAIN ST. E
HAMILTON, ON L8H 1G2

DRAWING TITLE :
PROPOSED BASEMENT FLOOR PLAN

DRAWN BY : AV
DATE : 05-08-2024
PLOT SCALE : 1/4" = 1'-0"
PROJECT NO. : 24-0422
DRAWING NO. : A-2.1



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

Table with 3 columns: Registered Owners(s), Applicant(s), Agent or Solicitor. Includes names like SOURAV PAUL and BIRJU BHAVSAR.

1.2 Primary contact

[X] Applicant

[] Owner

[X] Agent/Solicitor

1.3 Sign should be sent to

[] Applicant

[X] Owner

[] Agent/Solicitor

1.4 Request for digital copy of sign

[X] Yes*

[] No

If YES, provide email address where sign is to be sent

[Redacted]

1.5 All correspondence may be sent by email

[X] 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

[X] Credit over phone*

[] Cheque

[Redacted]

*Must provide number above

2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	1869 MAIN STREET E, HAMILTON. ON.		
Assessment Roll Number	251805041201240		
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:

PARKING VARIANCE

Second Dwelling Unit

Reconstruction of Existing Dwelling

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

NUMBER OF STUDENTS VS PARKING RATIO ALLOCATED IN THIS ZONE IS DIFFERENT THAN OTHER DAY CARE ZONE IN HAMILTON.

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
28.34 M	30.48 M	863.80	

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 STOREY BRICK HOUSE	2.84M	6.37M	2.20M, 15.66M	06/15/1950

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
EXISTING TO REMAIN	EXISTING TO REMAIN	EXISTING TO REMAIN	EXISTING TO REMAIN	

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 STOREY BRICK	261.15+7.72		ONE	2.69

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
EXISTING TO REMAIN	EXISTING TO REMAIN	EXISTING TO REMAIN	EXISTING TO REMAIN	EXISTING TO REMAIN

- 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.):

COMMERCIAL - DAY CARE

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

EXISTING DAY CARE

7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:

31st May 2024

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

DAY CARE

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

DAY CARE

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

SINCE 1950

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) neighbourhood

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-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: C-URBAN PROTECTED RESIDENTIAL ETC.

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: 0

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
-
-