**COMMITTEE OF ADJUSTMENT** 



City Hall, 5<sup>th</sup> floor, 71 Main Street West, Hamilton, ON L8P 4Y5 Telephone (905) 546-2424, ext. 4221 E-mail: <u>cofa@hamilton.ca</u>

# 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	A-24:279	SUBJECT	541 Stone Church Road West,
NO.:		PROPERTY:	Hamilton
ZONE:	"D/S-198, D/S-1822" (Urban	ZONING BY-	Hamilton Zoning By-law No. 6593
	Protected Residential – One	LAW:	as Amended by By-law No. 22-
	and Two Family Dwellings,		195
	etc.)		

APPLICANTS: Purchaser: Subhash Bhalla (1371981 Ontario Inc) Owner: Richie Khanna, R&R Designs

The following variances are requested:

# Portion of Lands to be Retained:

- 1. A minimum side yard along each side lot line of a width of at least 1.2 metres shall be permitted, instead of the minimum required side yard of at least 2.7 metres.
- 2. Not less than 43% of the gross area of the front yard shall be used for a landscaped area excluding concrete, asphalt, gravel, pavers, or other similar materials, instead of the minimum 50% required.

# Portion of Lands to be Severed:

- 1. A minimum side yard along each side lot line of a width of at least 1.2 metres shall be permitted, instead of the minimum required side yard of at least 2.7 metres.
- 2. A minimum lot area of 345.0 square metres shall be permitted, instead of the minimum required lot area of 360.0 square metres;
- 3. Not less than 47% of the gross area of the front yard shall be used for a landscaped area excluding concrete, asphalt, gravel, pavers, or other similar materials, instead of the minimum 50% required.

## A-24:279

**PURPOSE & EFFECT:** To facilitate the creation of two (2) lots associated with Consent / Land Severance Application No. B-24:84, and the construction of two (2) Single Family Dwellings.

### Notes:

- i. This application is to be heard in conjunction with Land Severance / Consent Application No. B-24:84.
- ii. Please note that Application for Consent/Land Severance No. HM/B-21:123 was previously approved on February 24<sup>th</sup>, 2022.
- iii. Please note that Application for Consent/Land Severance No. HM/B-17:108 was previously approved on March 30<sup>th</sup>, 2019.
- iv. Please note that Minor Variance Application No. HM/A-21:452 was previously granted and became final and binding on March 17<sup>th</sup>, 2022. The approved variance permitted a minimum lot width of +/- 11.6 metres and a minimum lot area of +/- 335.0 square metres for the portion of the lands to be Retained, and a minimum lot width of +/- 11.6 metres and a minimum lot width of +/- 348.0 square metres for the portion of the lands to be Severed. Please note the following:
  - The variance requested to permit a minimum lot width of 11.60 metres for both the portion of the lands to be Retained and the portion of the lands to be Severed is not required as the proposed lot width(s) comply with the previously approved variance (i.e. minimum lot width of +/- 11.60 metres);
  - The variance requested to the minimum lot area for the portion of the lands to be Retained is not required as the proposed lot area of 345.0 square metres complies with the previously approved variance (i.e. minimum lot area of +/-335.0 square metres);
  - The variance requested to the minimum lot area for the portion of the lands to be Severed is still required as the proposed lot area of 345.0 square metres is less than the lot area approved as part of the previously approved variance (i.e +/- 348.0 square metres).
- v. Detailed elevation drawings were not provided as part of the submitted Minor Variance Application to confirm the height of the proposed Single Family Dwelling(s). The minimum required side yard(s) for a Single Family Dwelling located in a "D/S-198, D/S-1822" District is based on the height of the proposed building(s). Note that the submitted application indicates that the proposed Single Family Dwellings are to be two (2) storeys and +/- 10.0 metres in height.

For a building or structure not over two and a half storeys or 11.0 metres in height, a side yard along each side lot line of a width of at least 1.2 metres shall be required. For any other building or structure, side yards of a width each of at least 2.7 metres shall be required. Therefore, Variance No. 1 for both the portion of the lands to be Retained and the portion of

### A-24:279

the lands to be Severed, has been written as requested by the Applicant.

vi. Detailed floor plan drawings were not provided as part of the submitted Minor Variance Application to confirm the number of habitable rooms being proposed. Further, specific details regarding parking on the lot have not been indicated. Note that the parking rate for a Single Family Dwelling is as follows:

2 parking spaces for each Class A dwelling unit, for the first plus 0.5 parking space for each additional habitable room 8 habitable rooms in the dwelling unit;

It is noted that an attached garage is shown to be provided as part of each Single Family Dwelling, which is indicated to accommodate two (2) parking spaces. As specific details regarding parking have not been provided, a zoning review could not be completed. Additional variances may be required if compliance with Section 18A is not possible.

# 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.

DATE:	Thursday, February 13, 2025
TIME:	3:45 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

This application will be heard by the Committee as shown below:

For more information on this matter, including access to drawings illustrating this request and other information submitted:

- Visit <u>www.hamilton.ca/committeeofadjustment</u>
- Visit Committee of Adjustment staff at 5<sup>th</sup> 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 February 11, 2025

**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 February 12, 2025

### FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding A-24:279, you must submit a written request to <u>cofa@hamilton.ca</u> 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 <u>cofa@hamilton.ca</u> or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.





DATED: January 27, 2025

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.

# **COMMITTEE OF ADJUSTMENT**



City Hall, 5<sup>th</sup> floor, 71 Main Street West, Hamilton, ON L8P 4Y5 Telephone (905) 546-2424, ext. 4221 E-mail: <u>cofa@hamilton.ca</u>

# 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 <u>cofa@hamilton.ca</u> 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 Tuesday prior to the Hearing and are available on our website: <a href="https://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a>

# **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 <u>cofa@hamilton.ca</u>. 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.

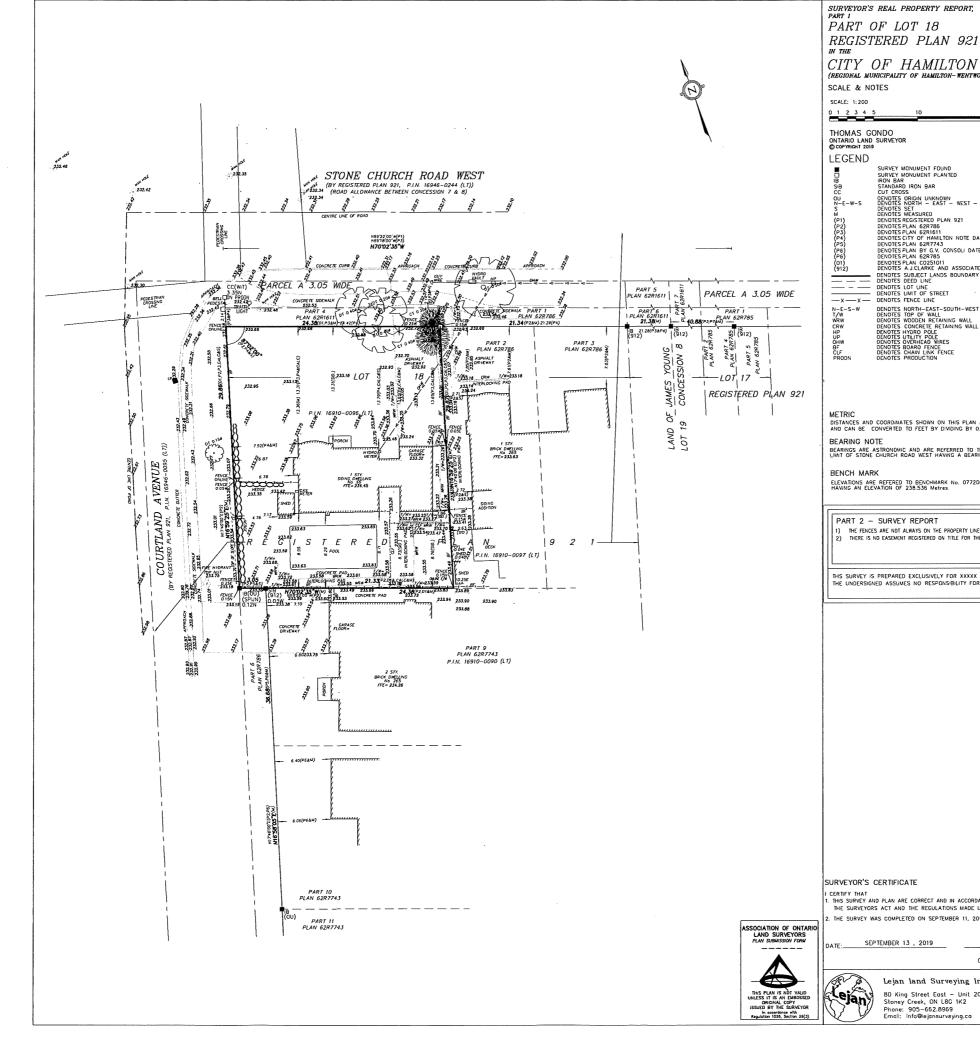
A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting one business day before the Hearing. Only those registered will be called upon to speak.

# 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.

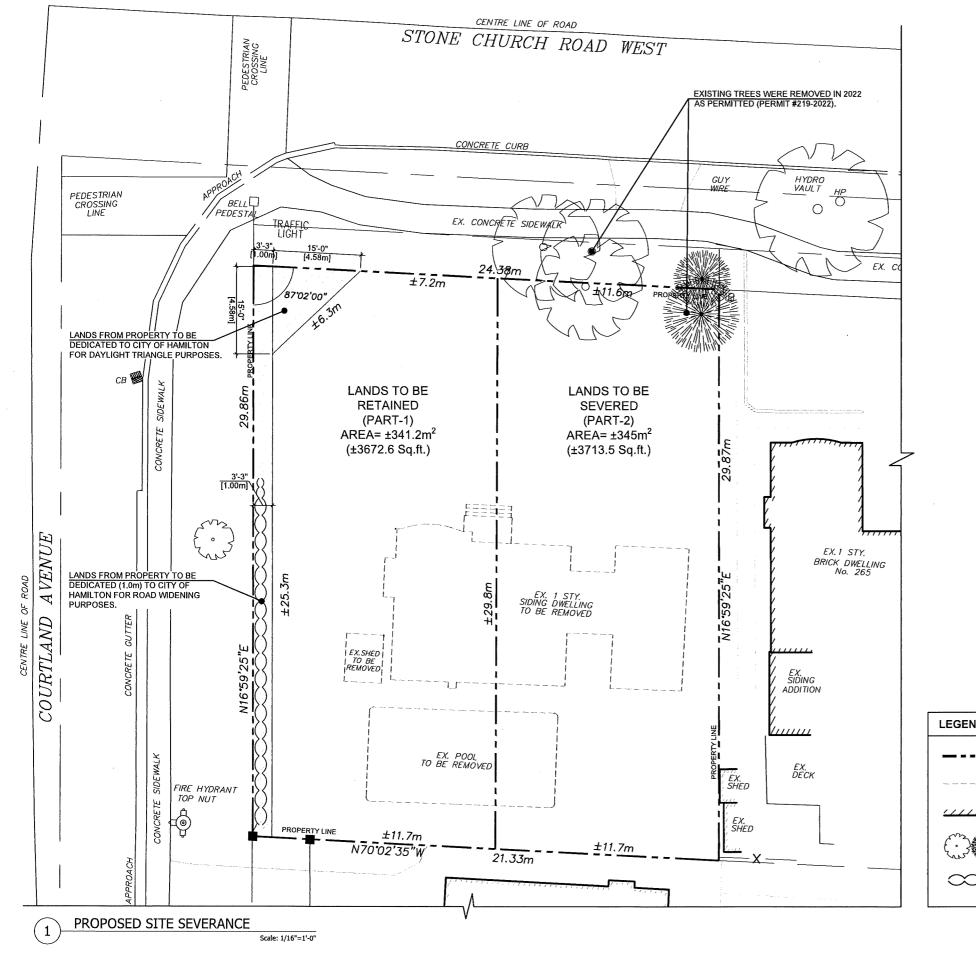
We hope this is of assistance and if you need clarification or have any questions, please email <u>cofa@hamilton.ca</u>.

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.



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JOB No. 19-5611



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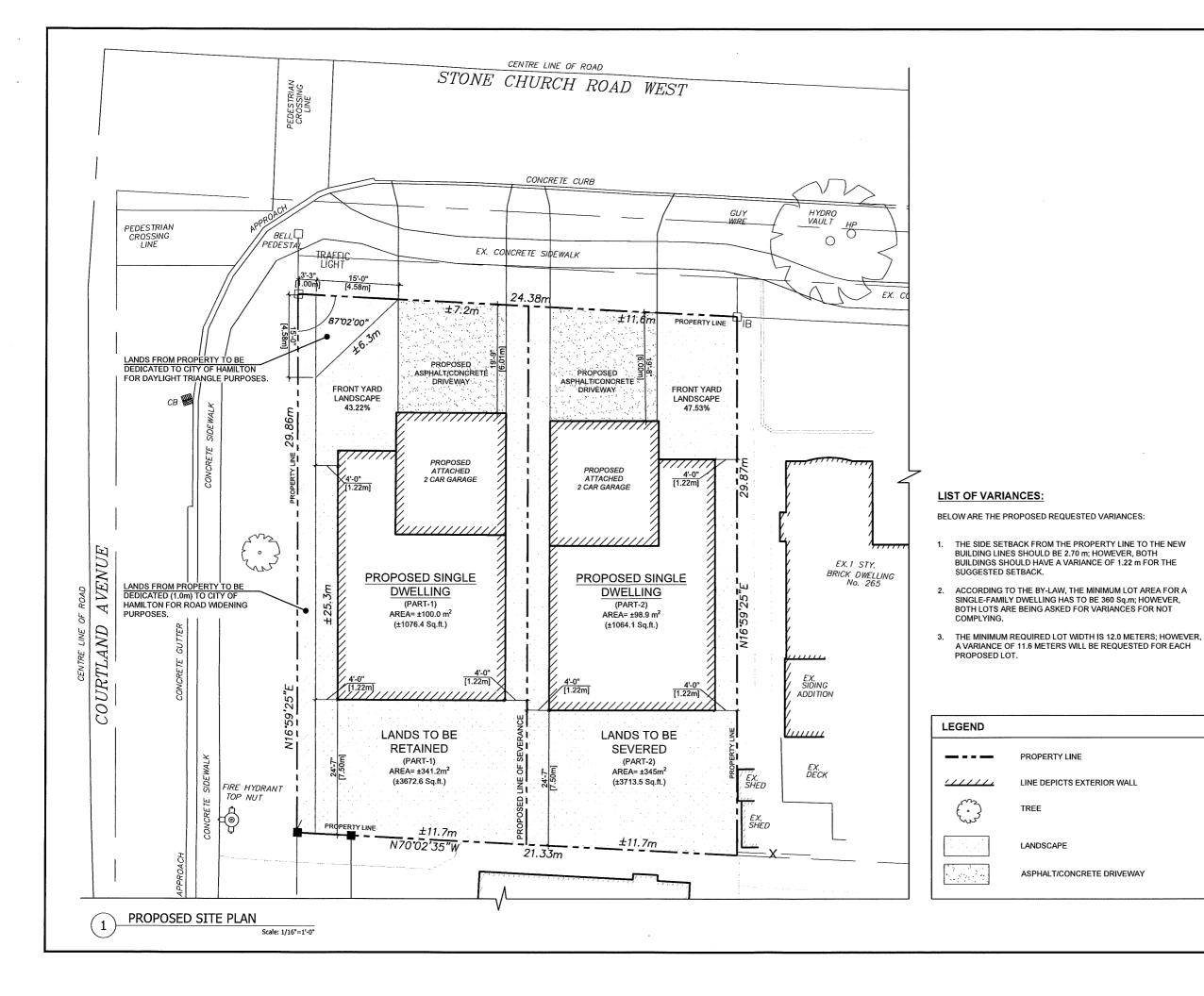
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 HEDGE

ARCHITECT/E	NGINEER				
	R&R DESIGNS				
	92 Stapleton Ave.				
	Hamilton, ON 18H 3N6 Tel: 905.547-8668				
designs	Richie Khanna richie@r-rdesigns.net				
NOTES:	WWW.r-rdesigns.net				
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Committee of Adjustment City Hall, 5th Floor, 71 Main St. W., Hamilton, ON L8P4Y5

Phone: (905) 546-2424 ext. 4221 Email: <u>cofa@hamilton.ca</u>

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

#### 1. **APPLICANT INFORMATION**

	NAME
Registered Owners(s)	SUBHASH BHALLA (1371981 ONTARIO INC.)
Applicant(s)	RICHIE KHANNA R&R DESIGNS
Agent or Solicitor	

1.2	Primary contact	Applicant		☐ Owner ☐ Agent/Solicitor	
1.3	Sign should be sent to	Applicant		✓ Owner ☐ AgentSolicitor	
1.4	Request for digital copy of sign	I Yes*	] No		t. K
	If YES, provide email address where sig	n is to be sent			
1.5	All correspondence may be sent by ema	il 🗹	] Yes*	□ No	
	If Yes, a valid email must be included fo (if applicable). Only one email address s This request does not guarantee all corr	submitted will re	sult in the ve	oiding of this service.	and a second sec
1.6	Payment type	☐ In person ☑ Cheque		Credit over phone	
			*Must prov	ide number above	1
					1

APPLICATION FOR A MINOR VARIANCE/PERMISSION (January 1, 2024)

# **2. LOCATION OF SUBJECT LAND**

2.1 Complete the applicable sections:

541 STONE CI	HURCH RD W	
251808104107	600	17
HAMILTON		
	Concession	
921	Lot(s)	PART OF LOT 18
	Part(s)	
	251808104107 HAMILTON	Concession       921     Lot(s)

2.2 Are there any easements or restrictive covenants affecting the subject land?

	Yes	$\checkmark$	No
_	100	_	

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:

PLEASE SEE ATTACHED - PURPOSE OF THE APPLICATION LETTER (ATTACHED AT THE END OF THS DOCUMENT)

Second Dwelling Unit Reconstruction of Existing Dwelling

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

PLEASE SEE ATTACHED - PURPOSE OF THE APPLICATION LETTER (ATTACHED AT THE END OF THS DOCUMENT).

3.3 Is this an application 45(2) of the Planning Act.
 ☐ Yes
 ☑ 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
PLEASE SEE ATTACHED -	APPLICATION LETTER WITH	SECTION (4) (ATTACHED AT	THE END OF THIS DOCUMENT).

APPLICATION FOR A MINOR VARIANCE/PERMISSION (January 1, 2024)

Page 2 of 8

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:

Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
13.36M	8.56M	1.96m 7.17m	1995 abbrox.
28,74M	2,19M	8,59 m', 5.92 m	1995 appros
	Addition		• •
	Setback 13.36M	Setback Real Faid Setback	Setback Real Yard Setback Setbacks 13.36M 8,56M 1.96M 7.17M 2.19M 8,59M ,5.92M

### Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
PROPOSED DWELLING-1	6.01m	7.50m	1.22m, 1.22m	APPROX NEXT YEAR
PROPOSED DWELLING-2	6.00m	7.50m	1.22m, 1.22m	MAY/JUNE(2025). CONSTRUCTION WILL
				COMMENTCE ONCE TH
				PERMIT FROM THE CIT

4.3. Particulars of all buildings and structures on or proposed for the subject lands (attach additional sheets if necessary):

Exi	st	in	g	
	-			

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
4 10	0	above.		
ń.	Jame as	NA		22
1				1

#### Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
PROPOSED DWELLING-1	~ 100.0 Sq.m	~ 196 Sq.m	2	±10.0m
PROPOSED DWELLING-2	~ 99.0 Sq.m	~ 194 Sq.m	2	±10.0m
1				14

4.4 Type of water supply: (check appropriate box)
✓ publicly owned and operated piped water system
□ privately owned and operated individual well

4.5 Type of storm drainage: (check appropriate boxes)
 ☑ publicly owned and operated storm sewers
 ☑ swales

lake or other	water body
other means	(specify)

ditches	
other means	(specify)

APPLICATION FOR A MINOR VARIANCE/PERMISSION (January 1, 2024)

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j.

4.6	` Type of sewage disposal proposed: (check appropriate box)				
	<ul> <li>✓ publicly owned and operated sanitary sewage</li> <li>☐ system privately owned and operated individual</li> <li>☐ septic system other means (specify)</li> </ul>				
4.7	Type of access: (check appropriate box)       Image: constraint of the second sec				
4.8	Proposed use(s) of the subject property (single detached dwelling duplex, retail, factory etc.):				
	Two - single detached dwellings on two different lots				
4.9	Existing uses of abutting properties (single detached dwelling duplex, retail, factory etc.): One - single detached dwelling on existing lot				
7	HISTORY OF THE SUBJECT LAND				
7.1	Date of acquisition of subject lands: Approximately 7 years ago.				
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: 1995- As per some documents obtained from Search however the building might be older				
7.5	What is the existing official plan designation of the subject land?				
	Rural Hamilton Official Plan designation (if applicable): N/A				
	Rural Settlement Area:				
	Urban Hamilton Official Plan designation (if applicable) URBAN HAMILTON OFFICIAL PLAN - SCHEDULE				
	Please provide an explanation of how the application conforms with the Official Plan.				
7.6	What is the existing zoning of the subject land? <u>HM/B-21:123 &amp; S726-1112</u>				
7.8	Has the owner previously applied for relief in respect of the subject property? (Zoning By-lawAmendment or Minor Variance)				
	If yes, please provide the file number: <u>HM/B-21:123 &amp; S726-1112</u>				

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Planning Act?	rty the subject of a currer			
	🗌 Yes	🗹 No		
If yes, please provid	le the file number:			
4 50				
ADDITIONAL INFO	ORMATION			
Number of Dwelling	Units Existing: 1			
Number of Dwelling	Units Proposed: 1 FOR	EACH LOT		
Additional Informati	on (please include separa	ate sheet if needed)	<b>:</b> 1	
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#### 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



# **R&R DESIGNS**

# PURPOSE OF THE APPLICATION

TO: City Of Hamilton, Committee of Adjustment

#### **Proposed Building Minor Variance Application**

Project Address: 541 STONE CHURCH RD W, HAMILTON (Proposed new separate land with new detached dwellings)

Hello,

Please see the following list of nature and extent of relief applied (3.1) with the reason (3.2) and Dimensions of Subject Land (4.1) for the Minor Variance Application for 541 Stone Church Rd W.

#### 3.1 Nature and extent of relief applied for new proposed lot:

- 1. The side setback from the property line to the new building lines should be 2.70 m; however, both buildings should have a variance of 1.22 m for the suggested setback.
- 2. According to the by-law, the minimum lot area for a single-family dwelling has to be 360 sq. m; however, both lots are being asked for variances for not Complying.
- 3. The minimum required lot width is 12.0 meters; however, A variance of 11.6 meters will be requested for each proposed lot.

#### 3.2 Reason why the provisions of the by law cannot be complied:

The purpose of this proposal is the lot not much sufficient to accommodate proper lot frontage and coverage to accommodate the owner's family needs, while ensuring the new houses are of a practical and good size, with beneficial for future selling purposes.

4.1 Description (Dimensions) of subject lands.							
No. of Lots	Lot Frontage	Lot Depth	Lot Area	Width of Street			
LOT PART-1	± 11.6m	± 29.86m	± 341.2 Sq.m	± 15.9m			
LOT PART-2	± 11.7m	± 29.87m	± 345.0 Sq.m	± 15.9m			

#### 4.1 Description (Dimensions) of subject lands:

Thank you.

92 Stapleton Ave, Hamilton, Ontario, L8H 3N6 Tel: 905-580-5565 Email: richie@r-rdesigns.net