

**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

<b>APPLICATION NO.:</b>	<b>A-25:105</b>	<b>SUBJECT PROPERTY:</b>	26 Shadow Court, Hamilton
<b>ZONE:</b>	R1 (Low Density Residential)	<b>ZONING BY-LAW:</b>	Hamilton Zoning By-law 05-200

**APPLICANTS:** Owner: Boaz J Duraisingh

The following variance is requested:

1. A porch shall be permitted to encroach a maximum of 0.82 metres into the required westerly side yard instead of the maximum permitted encroachment of 0.6 metres.

**PURPOSE & EFFECT:** To construct an exterior staircase for an Additional Dwelling Unit (ADU) side entrance.

**Notes:**

- i. Please note, the proposed Porch indicated on the “First Floor Plan” appears to be inconsistent with the location of the Porch as proposed on the Site Plan. As per the dimensions indicated on the “First Floor Plan”, the proposed Porch is indicated to encroach 0.814 metres into the required yard whereas the Site Plan indicates a maximum encroachment of 0.8 metres. As such, the variance has been provided to address the most restrictive encroachment, as indicated on the “First Floor Plan”.

**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:

<b>DATE:</b>	<b>Thursday, July 17, 2025</b>
<b>TIME:</b>	<b>1:40 p.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>City Hall Council Chambers (71 Main St. W., Hamilton)</b>

	<b>To be streamed (viewing only) at</b> <b><a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a></b>
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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](http://www.hamilton.ca/committeeofadjustment)
- Visit Committee of Adjustment staff at 5<sup>th</sup> floor City Hall, 71 Main St. W., Hamilton

## **PUBLIC INPUT**

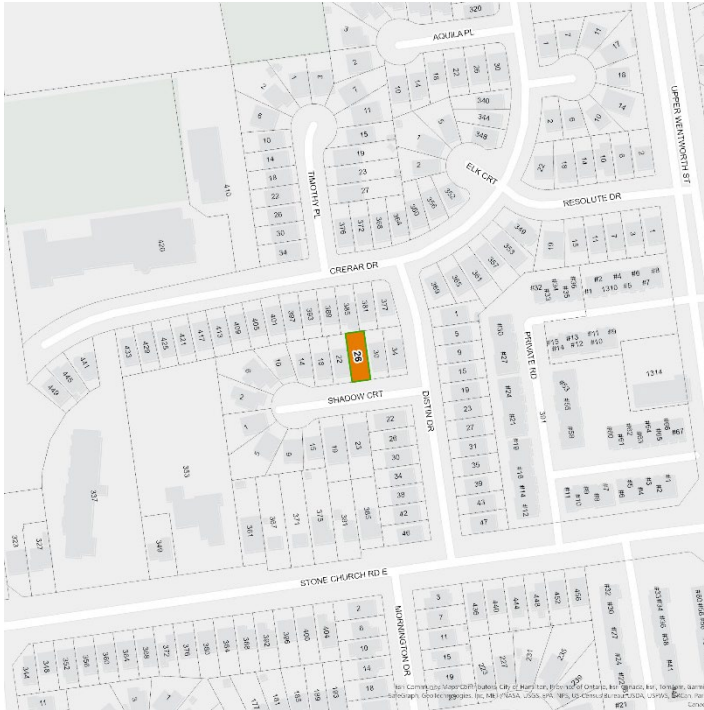
**Written:** If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Please see attached page for complete instructions, written comments must be received no later than noon July 15, 2025

**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 July 16, 2025

## **FURTHER NOTIFICATION**

If you wish to be notified of future Public Hearings, if applicable, regarding A-25:105, you must submit a written request to [cofa@hamilton.ca](mailto: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](mailto: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: June 30, 2025

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Justin Leung,  
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, 5<sup>th</sup> floor, 71 Main Street West, Hamilton, ON L8P 4Y5

Telephone (905) 546-2424, ext. 4221

E-mail: [cofa@hamilton.ca](mailto: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](mailto: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 Tuesday prior to the Hearing and are available on our website: [www.hamilton.ca/committeeofadjustment](http://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](mailto: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.

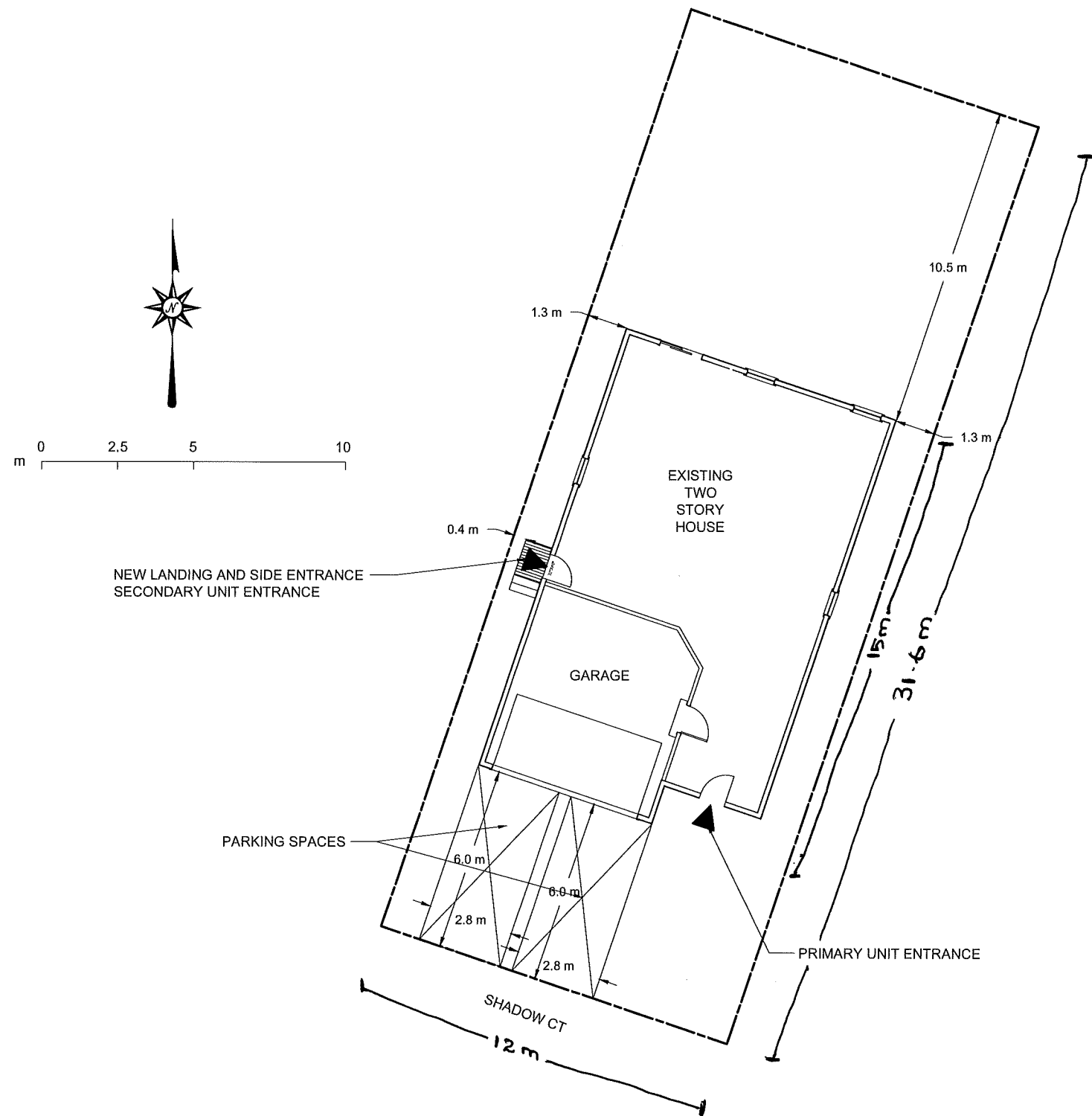
A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting one business day before the Hearing. Only those registered will be called upon to speak.

#### 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](mailto: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.



SOURCE: CITY OF HAMILTON INTERACTIVE MAP. SETBACKS TO BE VERIFIED ON SITE

**BASEMENT APARTMENT**  
26 SHADOW CT  
HAMILTON, ON

**SITE PLAN**

THE UNDERSIGNED HAS REVIEWED AND TAKE RESPONSIBILITY FOR THIS DESIGN, AND HAS THE QUALIFICATIONS AND MEETS THE REQUIREMENTS SET OUT IN THE ONTARIO BUILDING CODE TO DESIGN THE WORK SHOWN ON THE ATTACHED DOCUMENTS.

**QUALIFICATIONS INFORMATION**  
REQUIRED UNLESS DESIGN IS EXEMPT UNDER DIV. C - 3.2.5.1. OF THE BUILDING CODE

MAJD ALKATAN  
NAME BCIN  
126532

**REGISTRATION INFORMATION**  
REQUIRED UNLESS DESIGN IS EXEMPT UNDER DIV. C - 3.2.4.1 OF THE BUILDING CODE

JSR ENGINEERING INC.  
FIRM BCIN  
127470

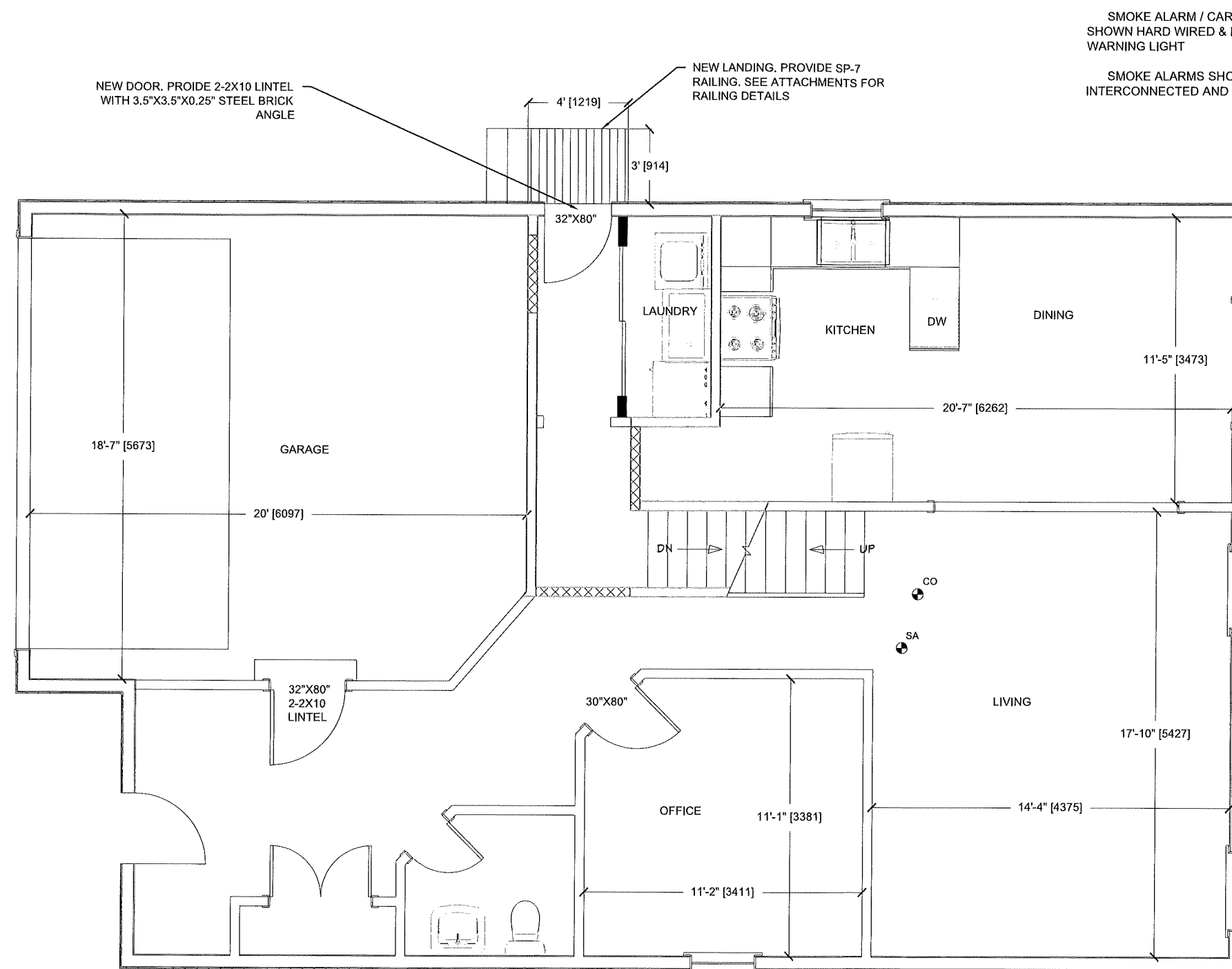
**SCALE:** AS SHOWN

**DATE:** MAR. 25, 2025

**SP1.01**



JSR ENGINEERING INC.  
INFO@JSRENGINEERING.CA



**BASEMENT APARTMENT**  
26 SHADOW CT  
HAMILTON, ON

**PROPOSED  
FIRST FLOOR PLAN**

THE UNDERSIGNED HAS REVIEWED AND TAKE RESPONSIBILITY FOR THIS DESIGN, AND HAS THE QUALIFICATIONS AND MEETS THE REQUIREMENTS SET OUT IN THE ONTARIO BUILDING CODE TO DESIGN THE WORK SHOWN ON THE ATTACHED DOCUMENTS.

**QUALIFICATIONS INFORMATION**  
REQUIRED UNLESS DESIGN IS EXEMPT UNDER DIV. C - 3.2.5.1. OF THE BUILDING CODE

MAJID ALKATAN  
NAME

BCIN  
126532

**REGISTRATION INFORMATION**  
REQUIRED UNLESS DESIGN IS EXEMPT UNDER DIV. C - 3.2.4.1 OF THE BUILDING CODE

JSR ENGINEERING INC.  
FIRM

BCIN  
127470

**SCALE:** 3/16" = 1' - 0"

**DATE:** MAR. 25, 2025

**A1.03**

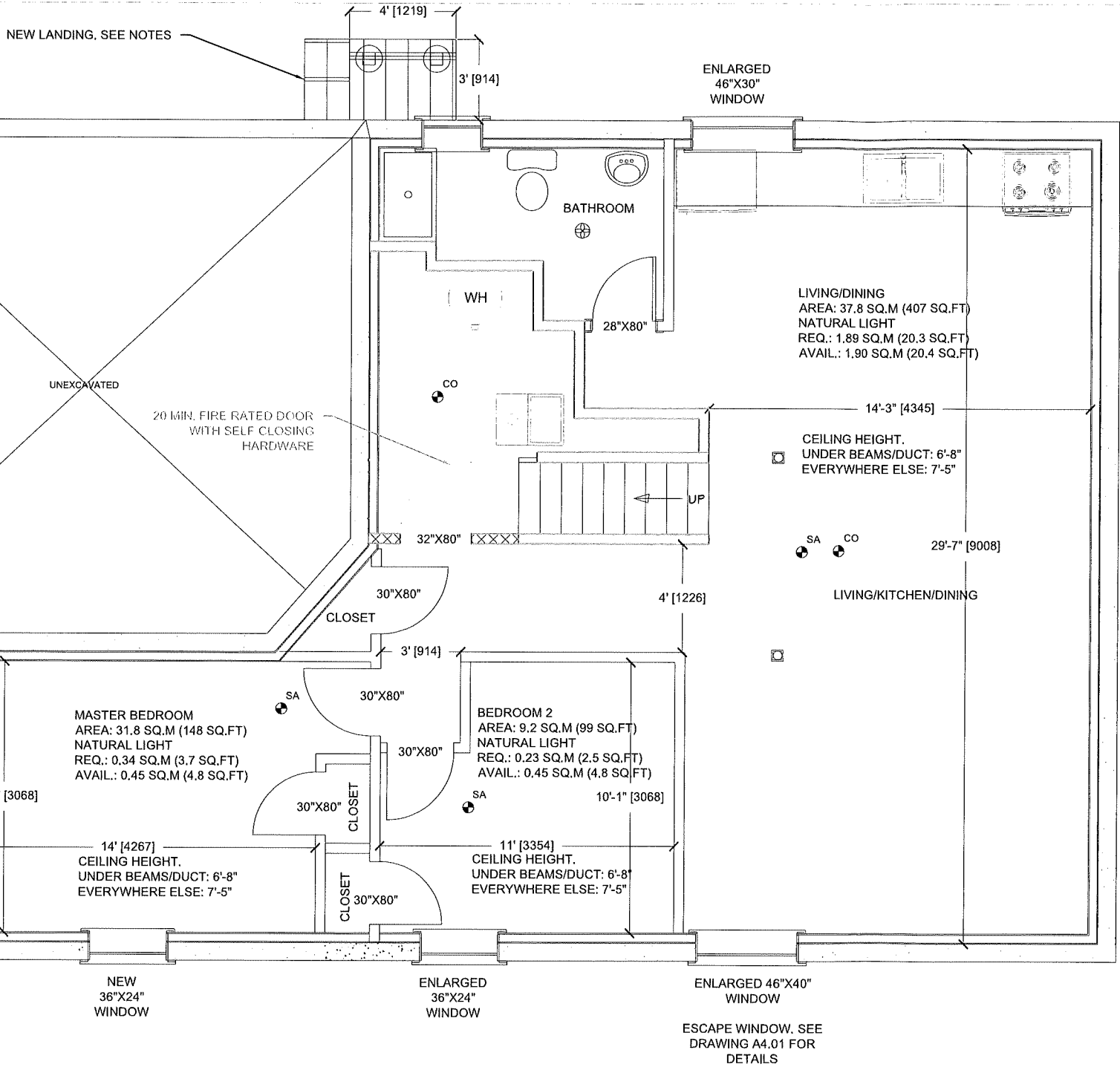


JSR ENGINEERING INC.  
INFO@JSRENGINEERING.CA

**WALLS LEGEND**

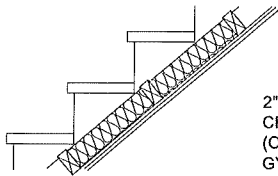
- EXISTING WALL
- EXISTING WALL TO BE FIRE RATED
- PROPOSED WALL
- XXXX PROPOSED FIRE RATED WALL

2"X4" WOOD STUDS TO SUPPORT  
CEILING SOUND INSULATION  
(OPTIONAL) 2 LAYERS 5/8" TYPE 'X'  
GYPSUM BOARD

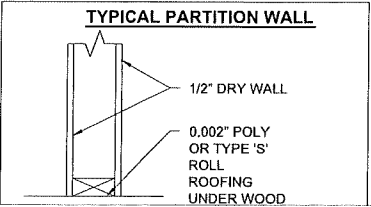


- BASEMENT NOTES**
1. INSTALL 2X4 @12" O.C. STUDS ON OUTSIDE OF INSULATION BLANKET. FINISH WITH 1/2" DRYWALL (IF NOT FINISHED)
  2. DUCT TYPE SMOKE DETECTOR REQUIRED IN THE SUPPLY OR RETURN AIR DUCT WHICH WOULD TURN OFF FUEL SUPPLY AND ELECTRICAL POWER TO THE HVAC SYSTEM UPON ACTIVATION OF THE DETECTOR ALTERNATIVE - SMOKE ALARMS TO BE CONNECTED TO RELAY SWITCH ON FURNACE TO SHUT DOWN CIRCULATION FAN UPON ACTIVATION OF SMOKE DETECTOR(S)
  3. EXHAUST FANS SHOWN THUS MIN 50 CFM
  4. SMOKE ALARM / CARBON MONOXIDE DETECTOR SHOWN HARD WIRED & INTERCONNECTED AND C/W WARNING LIGHT
  5. SMOKE ALARMS SHOWN THUS HARD WIRED & INTERCONNECTED AND C/W WARNING LIGHT
  6. STOVE, BATH & LAUNDRY VENTED TO EXTERIOR
  7. IN CASE LOAD BEARING WALLS ARE TO BE REMOVED, CONTRACTOR TO ENSURE THAT STRUCTURAL REVIEW IS COMPLETED BY A STRUCTURAL ENGINEER.
  8. CEILING IS 7'-5" EXCEPT EVERYWHERE EXCEPT UNDER DUCT CEILING IS 6'-8"
  9. CONTRACTOR TO VERIFY DIMENSIONS PRIOR TO BEGINNING CONSTRUCTION
  10. ALL STRUCTURAL ELEMENTS FINISHED TO HAVE MINIMUM FRR 30 MINUTES. 30 MINUTE FIRE SEPARATION CAN BE ACHIEVED BY USING TWO (2) LAYERS OF 1/2" DRYWALL OR ONE (1) LAYER OF FIRE-RATED 5/8" DRYWALL TYPE "X"
  11. ALL PLUMBING FIXTURES IN APARTMENT TO BE EITHER ISOLATED FROM THE HOST UNIT OR HAVE SHUT-OFFS AT EACH FIXTURE. EACH UNIT TO HAVE ONE MAIN SHUT OFF VALVE
  12. SEE ATTACHMENTS 1 TO 4 FOR ADDITIONAL INFORMATION ON RESIDENTIAL BASEMENT FINISHES AND FIRE SEPARATION CONTINUITY
  13. PROVIDE SUPPLY GRILLES IN ALL ROOMS AND A RETURN AIR IN EACH UNIT ON ALL FLOORS. RETURNS: NOT PERMITTED IN FIRE SEPARATIONS.  
13.1. RETURN-AIR GRILLE PROVIDED IN ALL FIRE COMPARTMENTS. SHALL NOT BE INSTALLED WITHIN FIRE SEPARATIONS.  
13.2. WARM-AIR SUPPLY OUTLET, MAX. PERMITTED OPENING IN CEILING FIRE SEPARATION: 0.025M2 (.277 S.F.)
  14. HORIZONTAL FIRE SEPARATION: W3A WALL. SEE ATTACHMENT4
  15. VERTICAL FILE SEPARATION: W8d CEILING. SEE ATTACHMENT 3
  16. FOR THE PURPOSE OF CALCULATING NATURAL LIGHT THE GLAZING AREA IS ASSUMED TO BE 80% OF THE TOTAL WINDOW OPENING

- NEW LANDING NOTES:**
- 1- 2X8 LEDGER ATTACHED TO FOUNDATION WALL WITH 1/2" DIA. ANCHOR BOLTS @ 12" O.C.
  - 2- 2X8 JOISTS @ 12" O.C.
  - 3- PRESSURE TREATED STAIRS  
RUN: 10 1/4"  
MAX RISE: 7 7/8"  
ADJUST NUMBER OF RISERS ACCORDING TO ELEVATION
  - 4- 5/8" DECKING
  - 5- 12" DIA. FOOTINGS MIN. 4 FT DEEP WITH 6X6 POSTS
  - 6- 2-2X8 BEAMS



2"X4" WOOD STUDS TO SUPPORT CEILING SOUND INSULATION (OPTIONAL) 2 LAYERS 5/8" TYPE 'X' GYPSUM BOARD



- WALLS LEGEND**
- EXISTING WALL
  - EXISTING WALL TO BE FIRE RATED
  - PROPOSED WALL
  - PROPOSED FIRE RATED WALL

**BASEMENT APARTMENT**  
26 SHADOW CT  
HAMILTON, ON

**PROPOSED BASEMENT PLAN**

THE UNDERSIGNED HAS REVIEWED AND TAKE RESPONSIBILITY FOR THIS DESIGN, AND HAS THE QUALIFICATIONS AND MEETS THE REQUIREMENTS SET OUT IN THE ONTARIO BUILDING CODE TO DESIGN THE WORK SHOWN ON THE ATTACHED DOCUMENTS

**QUALIFICATIONS INFORMATION**  
REQUIRED UNLESS DESIGN IS EXEMPT UNDER DIV. C-3.2.5.1. OF THE BUILDING CODE

MAJD ALKATAN  
NAME BCIN 126532

**REGISTRATION INFORMATION**  
REQUIRED UNLESS DESIGN IS EXEMPT UNDER DIV. C-3.2.4.1 OF THE BUILDING CODE

JSR ENGINEERING INC.  
FIRM BCIN 127470

**SCALE:** 3/16" = 1' - 0"

**DATE:** MAR. 25, 2025

**A1.02**



JSR ENGINEERING INC.  
INFO@JSRENGINEERING.CA

WINDOW/DOOR	GLAZING AREA (SQ.FT)
W1	3.7
W2	6.5
W3	6.9
W4	1.1
TOTAL	18.2
EXPOSED BUILDING FACE (SQ.FT)	904
GLAZING AREA (SQ.FT)	18.2
GLAZING AREA PERCENTAGE	2.0%

BASEMENT APARTMENT  
26 SHADOW CT  
HAMILTON, ON

WEST ELEVATION

THE UNDERSIGNED HAS REVIEWED AND TAKE RESPONSIBILITY FOR THIS DESIGN, AND HAS THE QUALIFICATIONS AND MEETS THE REQUIREMENTS SET OUT IN THE ONTARIO BUILDING CODE TO DESIGN THE WORK SHOWN ON THE ATTACHED DOCUMENTS

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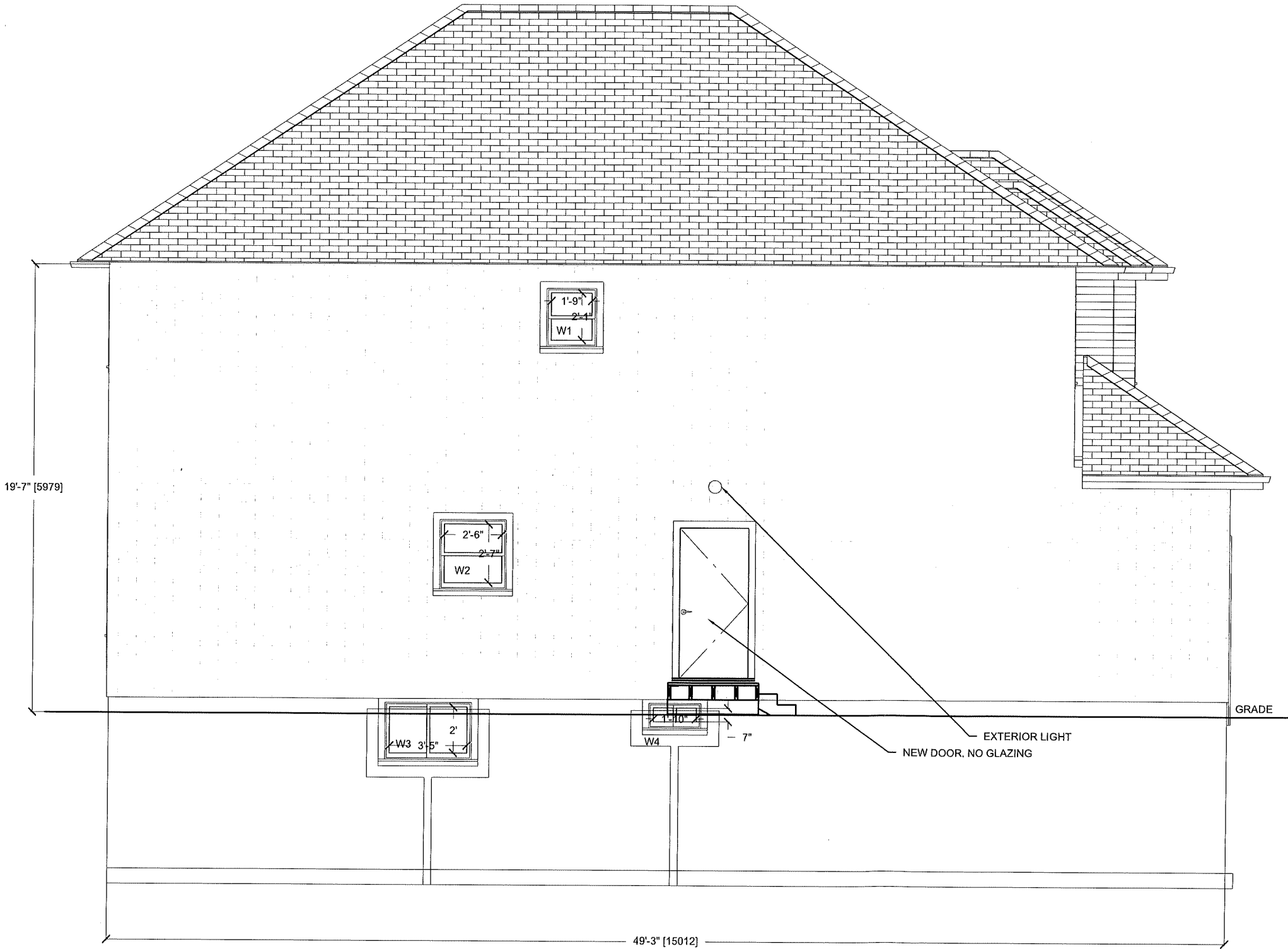
SCALE: 3/16" = 1' - 0"

DATE: MAR. 25, 2025

A2.02



JSR ENGINEERING INC.  
INFO@JSRENGINEERING.CA







Hamilton

**Committee of Adjustment**

City Hall, 5<sup>th</sup> Floor,  
71 Main St. W.,  
Hamilton, ON L8P4Y5

Phone: (905) 546-2424 ext. 4221

Email: [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

**APPLICATION FOR A MINOR VARIANCE/PERMISSION**

UNDER SECTION 45 OF THE *PLANNING ACT*

**1. APPLICANT INFORMATION**

	NAME	
Registered Owners(s)	Boaz J Duraisingh	
Applicant(s)	Boaz J Duraisingh	
Agent or Solicitor		
		Phone:
		E-mail:

**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 be sent by email.

**1.6 Payment type**

☒ In person

☐ Cheque

☒ Credit over phone\*

\*Must provide number above

## 2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	26 Shadow Court, Hamilton, ON L9A 5K4		
Assessment Roll Number	070841062280000		
Former Municipality			
Lot	32	Concession	
Registered Plan Number	62M880	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:

Adding second dwelling unit (building permit #25-101291). Landing for entrance to secondary unit is 0.4 m from property line, which does not comply with the required minimum 0.6 m setback BY-LAW No. 05-200 Section 4.6 d) and section 15.1.2.1.d)

☒ Second Dwelling Unit

☐ Reconstruction of Existing Dwelling

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

Building code requires to have landing for primary entrance for the second dwelling unit. (building permit #25-101291)

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
12 m	31.6 m	379 m <sup>2</sup>	20 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
Detached house	6.0 m	10.5 m	1.3 m	2001

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Landing for second dwelling entrance			0.4 m	05/29/2025

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
Deatched house	88 m2	212.09 m <sup>2</sup>	2	

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Landing for second dwelling entrance		1.11 m2		0.6 m

- 4.4
Type of water supply: (check appropriate box)

☒ publicly owned and operated piped water system
☐ privately owned and operated individual well

☐ lake or other water body
☐ other means (specify)
- 4.5
Type of storm drainage: (check appropriate boxes)

☒ publicly owned and operated storm sewers
☐ swales

☐ ditches
☐ other means (specify)

- 4.6 Type of sewage disposal proposed: (check appropriate box)  
☒ publicly owned and operated sanitary sewage  
☐ system privately owned and operated individual  
☐ septic system other means (specify) \_\_\_\_\_
- 4.7 Type of access: (check appropriate box)  
☐ provincial highway  
☐ municipal road, seasonally maintained  
☒ municipal road, maintained all year  
☐ right of way  
☐ other public road  
\_\_\_\_\_
- 4.8 Proposed use(s) of the subject property (single detached dwelling duplex, retail, factory etc.):  
Single detached dwelling duplex.
- 4.9 Existing uses of abutting properties (single detached dwelling duplex, retail, factory etc.):  
**RESIDENCE ON EITHER SIDE**

## 7 HISTORY OF THE SUBJECT LAND

- 7.1 Date of acquisition of subject lands:  
**17<sup>th</sup> August 2019**
- 7.2 Previous use(s) of the subject property: (single detached dwelling duplex, retail, factory etc)  
Single detached dwelling.
- 7.3 Existing use(s) of the subject property: (single detached dwelling duplex, retail, factory etc)  
Single detached dwelling.
- 7.4 Length of time the existing uses of the subject property have continued:  
**SINCE 2001**
- 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.  
Second dwelling permitted in neighbourhoods.

- 7.6 What is the existing zoning of the subject land? R1
- 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: \_\_\_\_\_

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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: 2

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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