



**City of Hamilton**  
**COMMITTEE OF ADJUSTMENT**  
**AGENDA**

**Meeting #:** 23-08  
**Date:** May 4, 2023  
**Time:** 9:00 a.m.  
**Location:** Room 264, 2nd Floor, City Hall (hybrid) (RM)  
71 Main Street West

Jamila Sheffield, Secretary Treasurer (905) 546-2424 ext. 4144  
cofa@hamilton.ca

---

	<b>Pages</b>
<b>1. PREVIOUSLY TABLED</b>	
<b>2. URBAN</b>	
2.1 9:15 a.m.HM/A-23:7419 Kipling Road, Hamilton (Ward 1) Agent L. Angelici Owner K. & A. Tearle	5
2.2 9:20 a.m.HM/A-23:81122 Dromore Crescent, Hamilton (Ward 1) Agent N-Cubed Services Inc. – D. Nguyen Owners H. Peach & B. Garden	19
2.3 9:25 a.m.HM/A-23:70275 James Street North, Hamilton (Ward 2) Agent Arcadis IBI Group – T. Tucker Owner 275 Jamesville St North Ltd.	39
2.4 9:30 a.m.HM/A-23:791491 Main Street East, Hamilton (Ward 4) Owner P. Bettencourt	57
<b>3. SUBURBAN</b>	

- |                 |  |     |
|-----------------|--|-----|
| 3.1             | 9:40 a.m.HM/A-23:7717 Victor Boulevard, Hamilton (Ward 8)<br><br>Agent QBS Architects Inc. – S. Al Mathno<br>Owner Diamond Properties Inc.   | 71  |
| 3.2             | 9:45 a.m.SC/A-23:571352 HWY 8, Stoney Creek (Ward 10)<br><br>Agent Think Giraffe Design Inc. – M. Fensham<br>Owner R. Powell   | 109 |
| 3.3             | 9:50 a.m.GL/B-23:183345 Homestead Drive, Glanbrook (Ward 11)<br><br>Agent Urban in Mind – J. Dickie<br>Owner S. Klajkic  | 125 |
| 3.4             | 9:50 a.m.GL/A-23:683345 Homestead Drive, Glanbrook (Ward 11)<br><br>Agent Urban in Mind – J. Dickie<br>Owner S. Klajkic  | 143 |
| 3.5             | 9:50 a.m.GL/A-23:693353 Homestead Drive, Glanbrook (Ward 11)<br><br>Agent Urban in Mind – J. Dickie<br>Owner S. Salari-Joubani   | 159 |
| 3.6             | B R E A K  |     |
| 3.7             | 10:10 a.m.GL/A-23:7214 Ambitious Court, Glanbrook (Ward 11)<br><br>TABLED  |     |
| 3.8             | 10:15 a.m.GL/A-23:766140 Twenty Road East, Glanbrook (Ward 11)<br><br>Agent WEBB Planning Consultant<br>Owner East Hamilton Industrial LP & GreyCan 15 Properties LP                             | 175 |
| <b>4. RURAL</b> |  |     |
| 4.1             | 10:20 a.m.SC/A-23:7121 Dolman Street, Stoney Creek (Ward 9)<br><br>Agent Three Seasons Landscape Group Inc. - C. Hopkins<br>Owner C. & R. Perkins  | 193 |
| 4.2             | 10:30 a.m.AN/B-23:19357 Book Road West, Ancaster (Ward 12)<br><br>Agent Fothergill Planning & Development Inc. – E. Fothergill<br>Owner S.E. & P. Macaluso<br>Purchaser Braun Nursery - D. Braun | 205 |

- 4.3 10:35 a.m.FL/A-23:80893 Weir Road, Flamborough (Ward 12) 225  
Agent KAMP Construction Inc. - J. Marskamp  
Owner M. & Y. Vlietstra
- 4.4 10:40 a.m.DN/A-23:82315 Park Street West, Dundas (Ward 13) 237  
Owner N. Devries & P. Woodley
- 4.5 10:45 a.m.DN/A-23:75245 Mill Street, Dundas (Ward 13) 247  
Applicant N. Wilson  
Owner Christian Science Society
- 4.6 10:50 a.m.DN/A-23:7827 Concord Avenue, Dundas (Ward 13) 265  
Agent BM Architectural Design – B. McFadgen  
Owner T. Miuccio

5. **CLOSED**

6. **ADJOURNMENT**





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, 3935

E-mail: [cofa@hamilton.ca](mailto: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

<b>APPLICATION NO.:</b>	<b>HM/A-23:74</b>	<b>SUBJECT PROPERTY:</b>	19 KIPLING ROAD, HAMILTON
<b>ZONE:</b>	"C/S-1364" (Urban Protected Residential)	<b>ZONING BY-LAW:</b>	Zoning By-law former City of Hamilton 6593, as Amended

**APPLICANTS:** Owner: KEVIN AND ADRIENNE TEARLE  
Agent: LEN ANGELICI DESIGN C/O LEN ANGELICI

The following variances are requested:

1. A maximum floor area ratio of 0.63 shall be permitted instead of the maximum 0.45 floor area ratio permitted.

**PURPOSE & EFFECT:** So as to permit the construction of a second storey addition to the existing Single-Family Dwelling:

**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:

<b>DATE:</b>	<b>Thursday, May 4, 2023</b>
<b>TIME:</b>	<b>9:15 a.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>2<sup>nd</sup> floor City Hall, room 222 (see attached sheet for details), 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>

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

**HM/A-23:74**

- 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
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935

**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, including deadlines for submitting to be seen by the Committee.

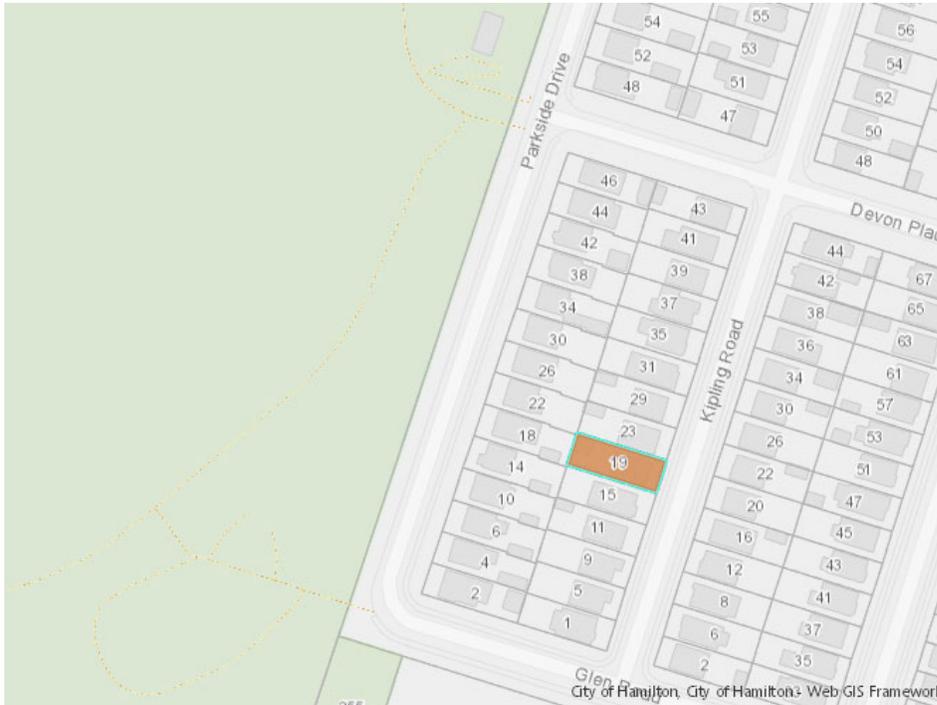
**Orally:** If you would like to speak to this item at the hearing you may do so via video link, calling in, or attending in person. Please see attached page for complete instructions, including deadlines for registering to participate virtually and instructions for check in to participate in person.

**FURTHER NOTIFICATION**

If you wish to be notified of future Public Hearings, if applicable, regarding HM/A-23:74, 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.

HM/A-23:74



 Subject Lands

DATED: April 18, 2023

---

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

Telephone (905) 546-2424, ext. 4221, 3935

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 or via email in 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 two days before the Hearing.**

Comment packages are available two days 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 the day before the 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 the Wednesday afternoon before the hearing. The link must not be shared with others as it is unique to the registrant.

#### 2. In person Oral Submissions

**Interested members of the public, agents, and owners who wish to participate in person must sign in at City Hall room 222 (2<sup>nd</sup> floor) 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) or by phone at 905-546-2424 ext. 4221.

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.







PROJECT NORTH	TRUE NORTH

01.	DRAWINGS FOR VARIANCE	03/23/2023
No.	REVISION	DATE

- ALL CONTRACTORS AND/OR TRADES SHALL VERIFY ALL DIMENSIONS, NOTES, SITE AND REPORT ANY DISCREPANCIES PRIOR TO THE COMMENCEMENT OF WORK.
- THIS DRAWING IS NOT TO BE SCALED. ALL DRAWINGS, PRINTS AND RELATED DOCUMENTS ARE THE PROPERTY OF LEN ANGELICI DESIGN AND MUST BE RETURNED UPON REQUEST.
- REPRODUCTION OF DRAWINGS AND RELATED DOCUMENTS IN PART OR IN WHOLE IS STRICTLY PROHIBITED WITHOUT WRITTEN CONSENT OF LEN ANGELICI DESIGN.
- CONTRACTOR SHALL REVIEW ALL DRAWINGS PRIOR TO COMMENCING CONSTRUCTION FOR ANY ERRORS OR OMISSIONS.
- LEN ANGELICI DESIGN IS NOT RESPONSIBLE FOR THE DESIGN OR PRE-ENGINEERED TRUSSES OR ANY PRE-ENGINEERED PRODUCTS.
- LEN ANGELICI DESIGN IS NOT RESPONSIBLE FOR HEATING, PLUMBING, OR ELECTRICAL DRAWINGS.
- DRAWING MAY NOT BE CHANGED, ALTERED OR COPIED WITHOUT WRITTEN CONSENT OF LEN ANGELICI DESIGN. FAILURE TO COMPLY WITH THIS STATEMENT IS NOT THE RESPONSIBILITY OF LEN ANGELICI DESIGN.
- LEN ANGELICI DESIGN IS NOT RESPONSIBLE FOR POOR CONSTRUCTION PRACTICES.

SEAL

THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DESIGN, AND HAS THE QUALIFICATIONS AND MEETS THE REQUIREMENTS SET OUT IN THE ONTARIO BUILDING CODE TO BE A DESIGNER.

QUALIFICATION INFORMATION	
LEONARD ANGELICI	42391
NAME	BCIN
REGISTRATION INFORMATION	
LEN ANGELICI DESIGN	124457
NAME	BCIN
03/23/2023	
DATE	SIGNATURE

**Len Angelici Design**

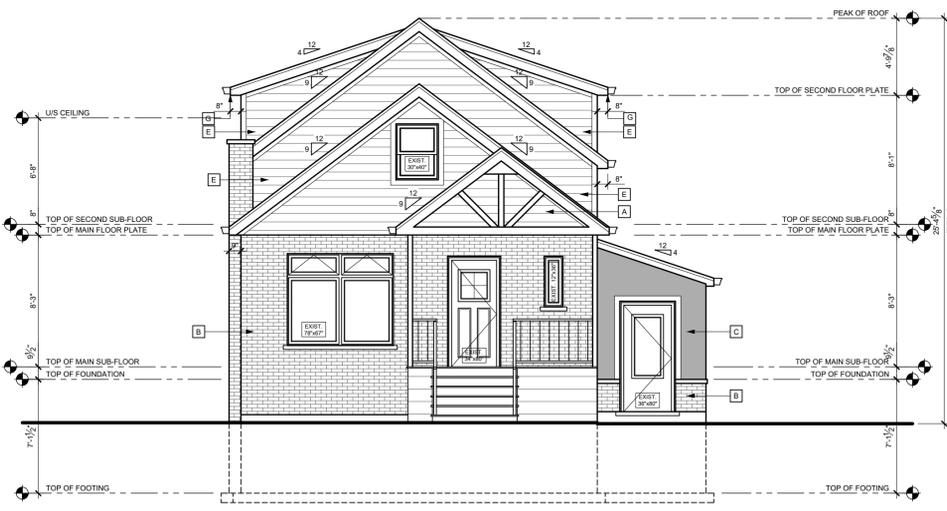
270 SHERMAN AVE N. UNIT MILL-125  
HAMILTON, ON L8L 6N4  
(905) 393-8868  
info@lenangelicidesign.ca

PROJECT  
PROPOSED RESIDENCE  
**19 KIPLING RD.  
HAMILTON, ON**

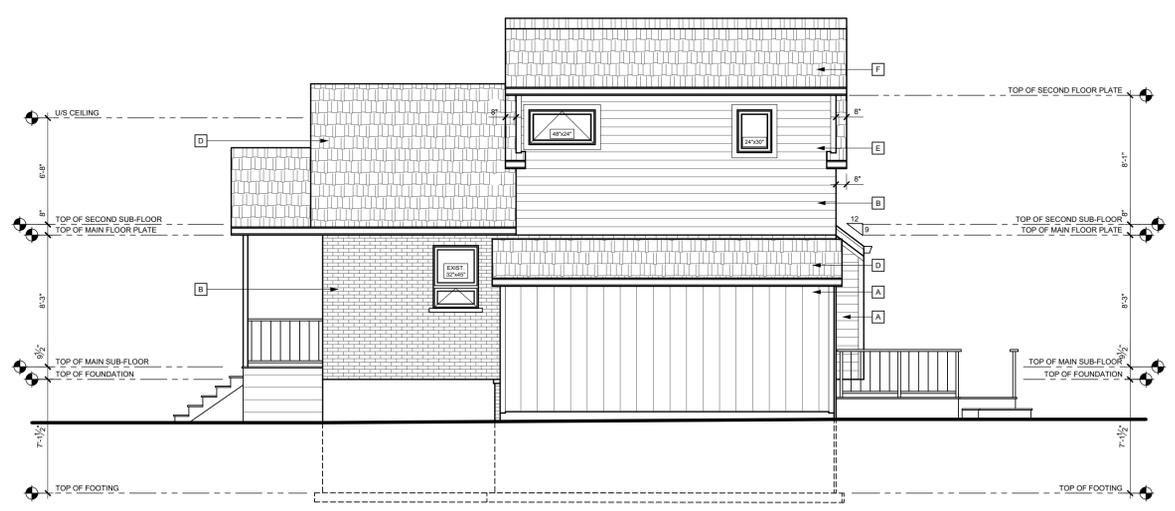
SHEET TITLE  
**PROPOSED ELEVATIONS**

DRAWN BY	L. ANGELICI
DATE	03/23/2023
SCALE	3/16"=1'-0"
PROJECT No.	22086

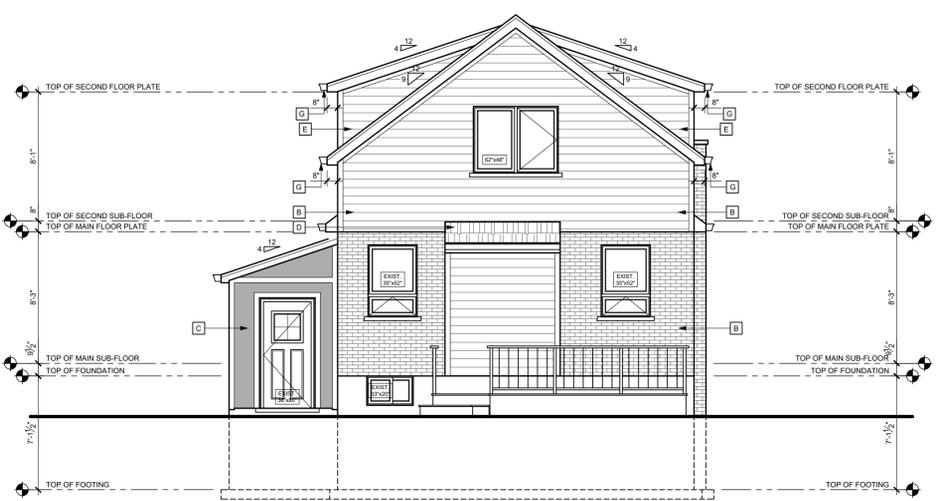
**A3**



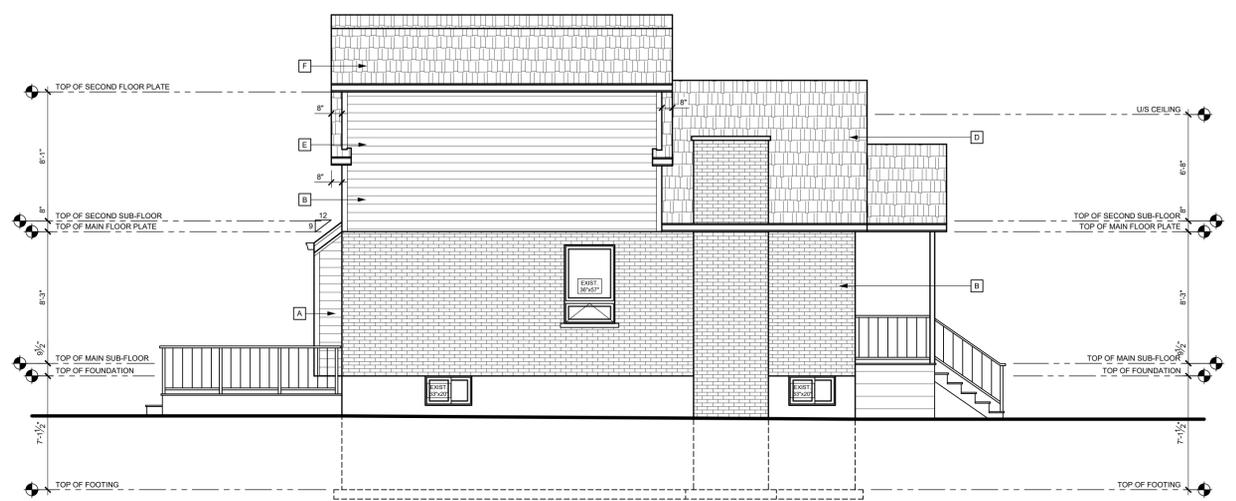
**FRONT ELEVATION**  
SCALE 3/16" = 1' - 0"



**RIGHT SIDE ELEVATION**  
SCALE 3/16" = 1' - 0"



**REAR ELEVATION**  
SCALE 3/16" = 1' - 0"



**LEFT SIDE ELEVATION**  
SCALE 3/16" = 1' - 0"

EXTERIOR FINISH INDEX	
A	EXISTING SIDING
B	EXISTING BRICK
C	EXISTING STUCCO
D	EXISTING SHINGLES
E	NEW VINYL SIDING
F	NEW ASPHALT SHINGLES
G	5" PRE-FIN. ALUM. EAVETROUGH ON 8" WITH PRE-FIN. ALUM. FASCIA C/W PRE-FIN. ALUM. DOWNSPOUT



**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**

<b>FOR OFFICE USE ONLY.</b>	
APPLICATION NO. _____	DATE APPLICATION RECEIVED _____
PAID _____	DATE APPLICATION DEEMED COMPLETE _____
SECRETARY'S SIGNATURE _____	

**The Planning Act**

**Application for Minor Variance or for Permission**

The undersigned hereby applies to the Committee of Adjustment for the City of Hamilton under Section 45 of the *Planning Act*, R.S.O. 1990, Chapter P.13 for relief, as described in this application, from the Zoning By-law.

1, 2	NAME	MAILING ADDRESS	
<b>Registered Owners(s)</b>			
<b>Applicant(s)*</b>			
<b>Agent or Solicitor</b>			<b>Phone:</b>
			<b>E-mail:</b>

**Note:** Unless otherwise requested all communications will be sent to the agent, if any.

3. Names and addresses of any mortgagees, holders of charges or other encumbrances:

**Additional sheets can be submitted if there is not sufficient room to answer the following questions. Additional sheets must be clearly labelled**

4. Nature and extent of relief applied for:

RELIEF FROM MAX 45% GROSS FLOOR AREA FOR ZONE C-S/1364  
TO PROPOSED 62.19%

- Second Dwelling Unit                       Reconstruction of Existing Dwelling

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

PROPOSED ADDITION TO SECOND FLOOR EXCEEDS THE REQUIRED 45% GFA

6. Legal description and Address of subject lands (registered plan number and lot number or other legal description and where applicable, **street and street number**):

19 KIPLING RD  
HAMILTON, ON  
L8S 3X2

7. PREVIOUS USE OF PROPERTY

Residential                       Industrial                       Commercial

Agricultural                       Vacant

Other \_\_\_\_\_

- 8.1 If Industrial or Commercial, specify use \_\_\_\_\_

- 8.2 Has the grading of the subject land been changed by adding earth or other material, i.e. has filling occurred?

Yes                       No                       Unknown

- 8.3 Has a gas station been located on the subject land or adjacent lands at any time?

Yes                       No                       Unknown

- 8.4 Has there been petroleum or other fuel stored on the subject land or adjacent lands?

Yes                       No                       Unknown

- 8.5 Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?

Yes                       No                       Unknown

- 8.6 Have the lands or adjacent lands ever been used as an agricultural operation where cyanide products may have been used as pesticides and/or sewage sludge was applied to the lands?

Yes                       No                       Unknown

- 8.7 Have the lands or adjacent lands ever been used as a weapon firing range?

Yes                       No                       Unknown

- 8.8 Is the nearest boundary line of the application within 500 metres (1,640 feet) of the fill area of an operational/non-operational landfill or dump?

Yes                       No                       Unknown

- 8.9 If there are existing or previously existing buildings, are there any building materials remaining on site which are potentially hazardous to public health (eg. asbestos, PCB's)?

Yes                       No                       Unknown

13. Date of acquisition of subject lands:  
N/A
- 
14. Date of construction of all buildings and structures on subject lands:  
N/A
- 
15. Existing uses of the subject property (single family, duplex, retail, factory etc.):  
SINGLE FAMILY DWELLING
- 
16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):  
SINGLE FAMILY DWELLINGS
- 
17. Length of time the existing uses of the subject property have continued:  
SINCE CONSTRUCTION
- 
18. Municipal services available: (check the appropriate space or spaces)  
Water  Connected   
Sanitary Sewer  Connected   
Storm Sewers
19. Present Official Plan/Secondary Plan provisions applying to the land:
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
21. 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:
- 21.1 If a site-specific zoning by-law amendment has been received for the subject property, has the two-year anniversary of the by-law being passed expired?  
 Yes  No
- 21.2 If the answer is no, the decision of Council, or Director of Planning and Chief Planner that the application for Minor Variance is allowed must be included. Failure to do so may result in an application not being "received" for processing.
22. Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*?  
 Yes  No
23. Additional Information (please include separate sheet if needed)
24. The applicant shall attach to each copy of this application a plan showing the dimensions of the subject lands and of all abutting lands and showing the location, size and type of all buildings and structures on the subject and abutting lands, and where required by the Committee of Adjustment such plan shall be signed by an Ontario Land Surveyor.

**PART 28 PERMISSION TO ENTER**

Date: 03/21/2023

Secretary/Treasurer  
Committee of Adjustment  
City of Hamilton,  
City Hall

Dear Secretary/Treasurer;  
Re: Application to Committee of Adjustment  
Location of Land: 19 KIPLING RD, HAMILTON, ON  
(Municipal address)

I hereby authorize the members of the Committee of Adjustment and members of the staff of the City of Hamilton to enter on to the above-noted property for the limited purposes of evaluating the merits of this application.

[Redacted Signature]

\_\_\_\_\_  
Signature of Owner or Authorized agent

[Redacted Name]

Please print name

**Note: The Committee of Adjustment requires that all properties be identified with the municipal address clearly visible from the street. Where there is no municipal address or the property is vacant then the property shall be identified in accordance with the Committee’s policy included on the back of the Application Form. Failure to properly identify the subject property may result in the deferral of the application.**

**PART 29 COLLECTION OF INFORMATION**

The personal information contained on this form is collected under the authority of the *Planning Act*, R.S.O. 1990, c. P.13, and will be used for the purpose of processing the application. This information will become part of the public record and will be made available to the general public. Questions about the collection of this information should be directed to the Coordinator of Business Facilitation, Planning and Economic Development Department, City of Hamilton, 1<sup>st</sup> floor, 71 Main Street West, City Hall, Hamilton, Ontario, Telephone: 905-546-2424, ext.1284.



Hamilton

Phone: (905) 546-2424 ext. 4221

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

CITY OF HAMILTON  
**COST ACKNOWLEDGEMENT AGREEMENT**

This Agreement made this 21 day of MARCH, 20 23.

BETWEEN



Applicant's name(s)

hereinafter referred to as the "Developer"

-and-

City of Hamilton

hereinafter referred to as the "City"

WHEREAS the Developer represents that he/she is the registered owner of the lands described in Schedule "A" attached hereto, and which lands are hereinafter referred to as the "lands";

AND WHEREAS the Developer has filed for an application for a (circle applicable) consent/rezoning/official plan amendment/subdivision approval/minor variance.

AND WHEREAS it is a policy of the City that any City costs associated with an appeal to the Ontario Land Tribunal, by a party other than the Developer, of an approval of a consent, rezoning, official plan amendment, plan of subdivision, and/or minor variance, such as, but not limited to, legal counsel costs, professional consultant costs and City staff costs, shall be paid by the Developer.

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the sum of two dollars (\$2.00) now paid by the City to the Developer, the receipt of which is hereby acknowledged, the parties hereto agree as follows:

1. In this Agreement:

(a) "application" means the application(s) for a (circle applicable) consent/rezoning/official plan amendment/subdivision approval or minor variance dated \_\_\_\_\_ with respect to the lands described in Schedule "A" hereto.

(b) "Expenses" means all expenses incurred by the City if the application is: (a) approved by the City; (b) appealed to the Ontario Land Tribunal by a party other than the developer; and (c) the City appears before the Ontario Land Tribunal or any other tribunal or Court in support of the application, including but not limited to: City staff time, City staff travel expenses and meals, City disbursements, legal counsel fees and disbursements and all consultant fees and disbursements including, without limiting the generality of the foregoing planning, engineering or other professional expenses

2. The City agrees to process the application and, where the application is approved by the City but appealed to the Ontario Land Tribunal by a party other than the Developer, the Developer shall file an initial deposit, in the form of certified cheque or cash with the General Manager, Finance & Corporate Services within fifteen days of the date of the appeal of the application by a third party in the amount of 50% of the estimated expenses associated with the appeal as estimated by the City Solicitor in his sole discretion which shall be credited against the Expenses.

3. It is hereby acknowledged that if the deposit required pursuant to section 2 of this Agreement is not paid by the Developer the City shall have the option, at its sole discretion, of taking no further steps in supporting the Developer's application before the Ontario Land Tribunal.
4. It is hereby acknowledged that all expenses shall be paid for by the Developer. The Developer shall reimburse the City for all expenses the City may be put to in respect of the application upon demand.
5. It is hereby acknowledged and agreed that all expenses shall be payable by the Developer whether or not the Developer is successful before the Ontario Land Tribunal or any other tribunal or Court in obtaining approval for their application.
6. The City shall provide the Developer with copies of all invoices of external legal counsel or consultants included in the expenses claimed by the City.
7. The City shall provide the Developer with an accounting of all staff costs and City disbursements included in the expenses claimed by the City.
8. The City may, at any time, draw upon the funds deposited in accordance with sections 2 and 9 of this Agreement to satisfy expenses incurred pursuant to the appeal of the application.
9. In the event that the amount deposited pursuant to section 2 of this Agreement is reduced to less than 10% of the initial deposit, the City may halt all work in respect of the appeal of the application until the Developer deposits with the City a sum sufficient to increase the deposit to an amount which is equal to 100% of the expenses estimated pursuant to paragraph 2 of this Agreement and still to be incurred by the City.
10. Within 60 days of: (a) a decision being rendered in respect of the appeal or any legal proceedings resulting from the decision, whichever is later; or (b) the termination of all legal proceedings in respect of the application, the City shall prepare and submit a final account to the Developer. If there are any deposit funds remaining with the City they shall be applied against the account. Any amount owing in respect of the final account in excess of deposit funds shall be paid by the Developer within 30 days of the date of the final account. If any deposit funds are remaining after the final account has been paid they shall be returned to the developer within 30 days of the date of the final account.
11. This Agreement shall not be construed as acceptance of the application and nothing herein shall require or be deemed to require the City to approve the application.
12. This Agreement shall not stand in lieu of or prejudice the rights of the City to require such further and other agreements in respect of the application that the City may deem necessary.
13. Every term, covenant, obligation and condition in this Agreement ensures to the benefit of and is binding upon the parties hereto and their respective heirs, executors, administrators, successors, trustees and assigns.
14. When the context so requires or permits, the singular number is to be read as if the plural were expressed, and the masculine gender as if the feminine, as the case may be, were expressed; and,
15. This Agreement and the schedules hereto constitute the entire agreement between the parties in respect of the subject matter contained herein and is not subject to, or in addition to, any other agreements, warranties or understandings, whether written, oral or implied. This Agreement may not be modified or amended except by instrument in writing signed by the Developer and the City, and,
16. The waiver or acquiescence by the City of any default by the Developer under any obligation to comply with this Agreement shall not be deemed to be a waiver of that obligation or any subsequent or other default under this Agreement.



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, 3935

E-mail: [cofa@hamilton.ca](mailto: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

<b>APPLICATION NO.:</b>	<b>HM/A-23:81</b>	<b>SUBJECT PROPERTY:</b>	122 DROMORE CRESCENT, HAMILTON
<b>ZONE:</b>	"C" (Urban Protected Residential)	<b>ZONING BY-LAW:</b>	Zoning By-law former City of Hamilton 6593, as Amended 96-109

**APPLICANTS:**      **Owner:** HILLARY PEACH & BENJAMIN GARDEN  
**Agent:** N-CUBED SERVICES INC. C/O DUY NGUYEN

The following variances are requested:

1. Two (2) parking spaces shall be permitted instead of the required five (5) parking spaces.
2. A parking space size of 2.6 metres wide by 6.0 metres long shall be permitted instead of the required parking space size of 2.7 metres wide by 6.0 metres long.
3. A maximum gross floor area ratio of 0.99 shall be permitted instead of the maximum 0.45 gross floor area ratio permitted.

**PURPOSE & EFFECT:**      To permit an addition and rear deck to an existing single detached dwelling.

**Notes:**

1. As per Variance #1 this site requires a minimum of five (5) parking spaces based on a total of thirteen (13) habitable rooms.

**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, May 4, 2023</b>
<b>TIME:</b>	<b>9:20 a.m.</b>

HM/A-23:81

<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>2<sup>nd</sup> floor City Hall, room 222 (see attached sheet for details), 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>

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
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935

## 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, including deadlines for submitting to be seen by the Committee.

**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, including deadlines for registering to participate virtually and instructions for check in to participate in person.

## FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding HM/A-23:81, 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.

HM/A-23:81



 Subject Lands

DATED: April 18, 2023

---

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

Telephone (905) 546-2424, ext. 4221, 3935

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 or via email in 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 two days before the Hearing.**

Comment packages are available two days 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 the day before the 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 the Wednesday afternoon before the hearing. The link must not be shared with others as it is unique to the registrant.

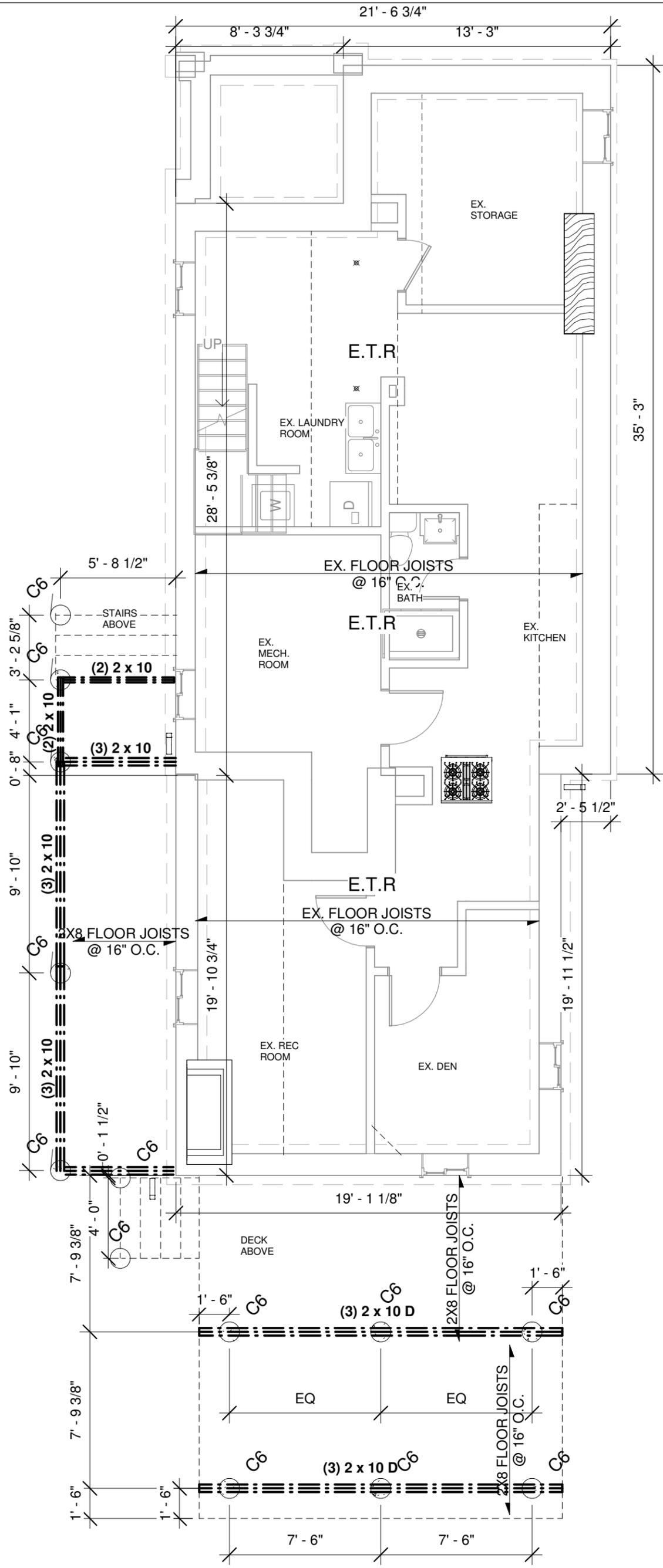
#### 2. In person Oral Submissions

**Interested members of the public, agents, and owners who wish to participate in person must sign in at City Hall room 222 (2<sup>nd</sup> floor) 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) or by phone at 905-546-2424 ext. 4221.

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.

Drawings have been approved and meet the minimum requirements of the Ontario Building Code



897 King St W Hamilton, Ontario  
 ncubedesigns.com  
 905-865-5355

**A1.01**

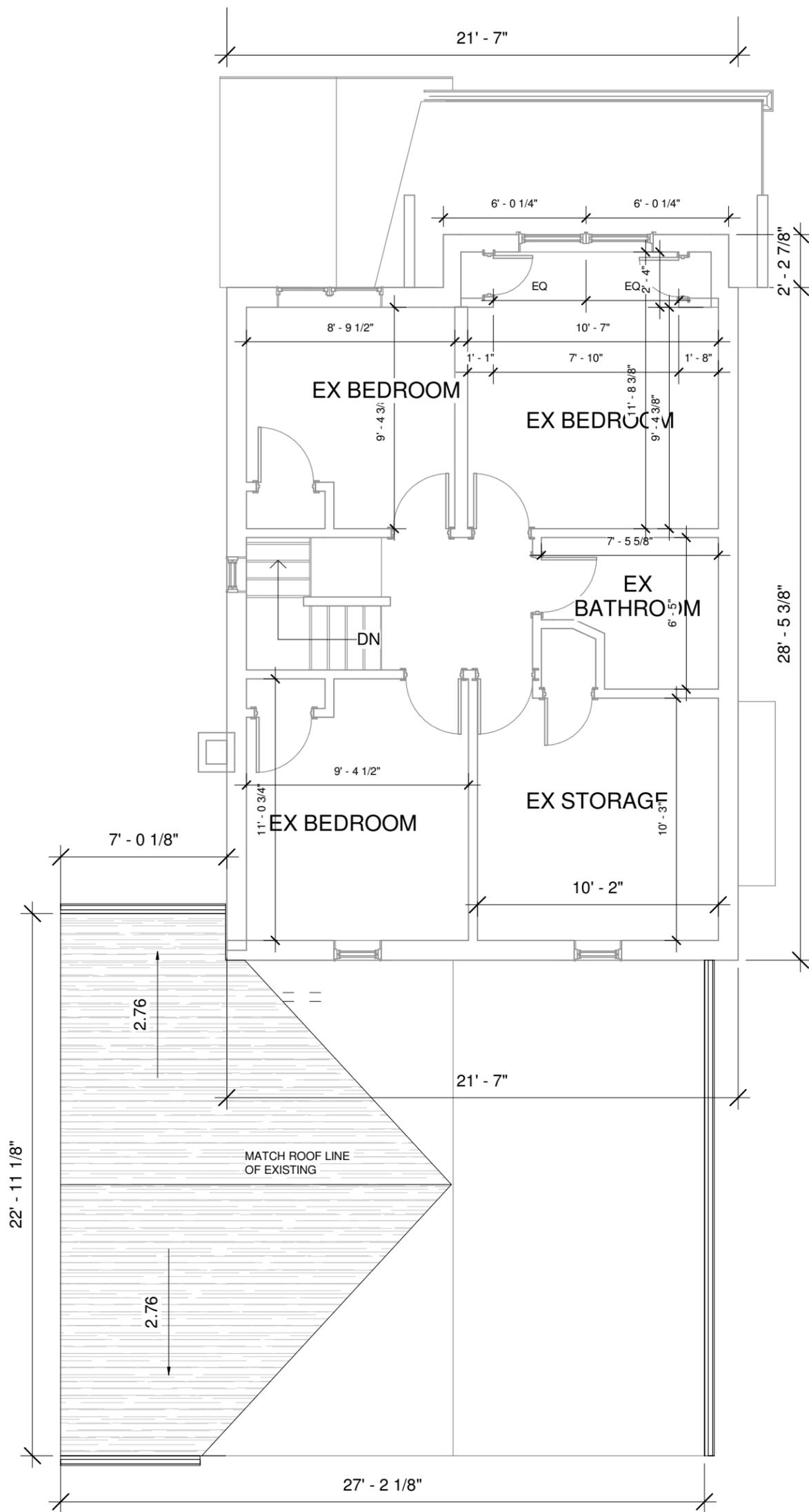
Scale 3/16" = 1'-0"

**122 Dromore Cres.**  
**ADDITION**  
**BASEMENT PLAN**

No.	Description	Date



Drawings have been approved and meet the minimum requirements of the Ontario Building Code



897 King St W Hamilton, Ontario  
 ncubedesigns.com  
 905-865-5355

N-Cubed Designs is a division of N-Cubed Services Inc.

**A1.03**

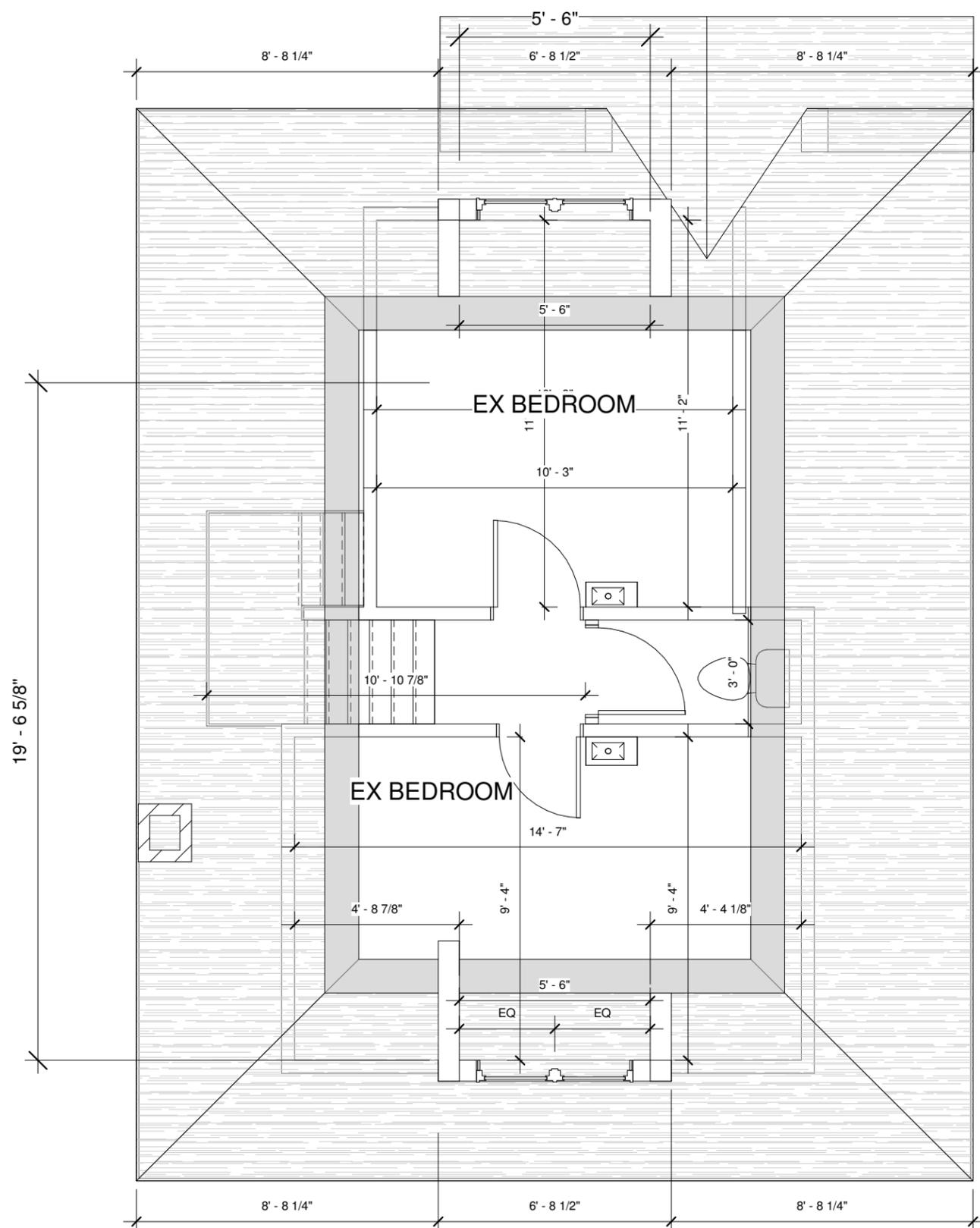
Scale 3/16" = 1'-0"

**122 Dromore Cres.  
 ADDITION**

**SECOND FLOOR PLAN**

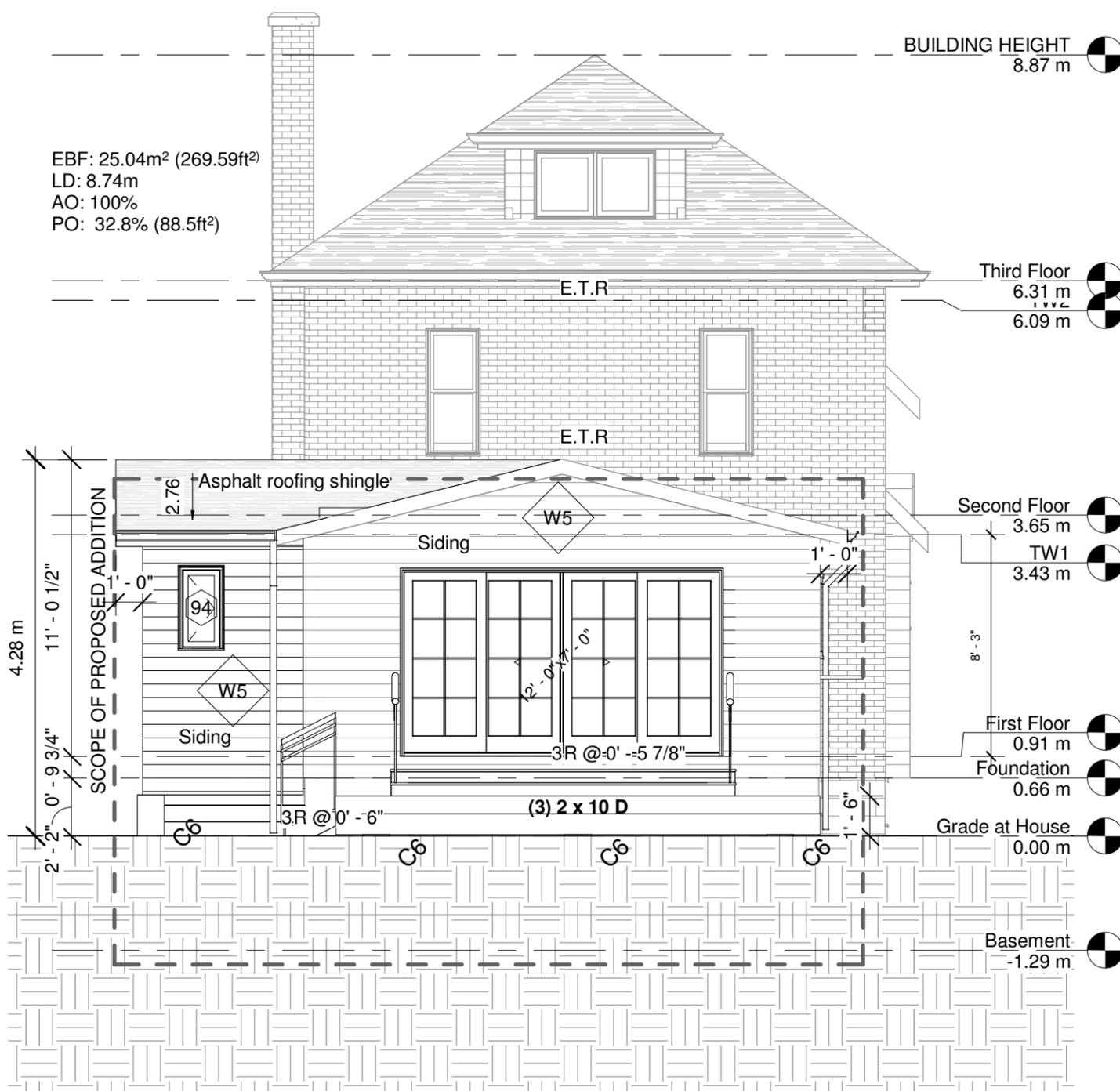
No.	Description	Date

Drawings have been approved and meet the minimum requirements of the Ontario Building Code



No.	Description	Date

Drawings have been approved and meet the minimum requirements of the Ontario Building Code



① West Rear  
3/16" = 1'-0"



897 King St W Hamilton, Ontario  
ncubedesigns.com  
905-865-5355

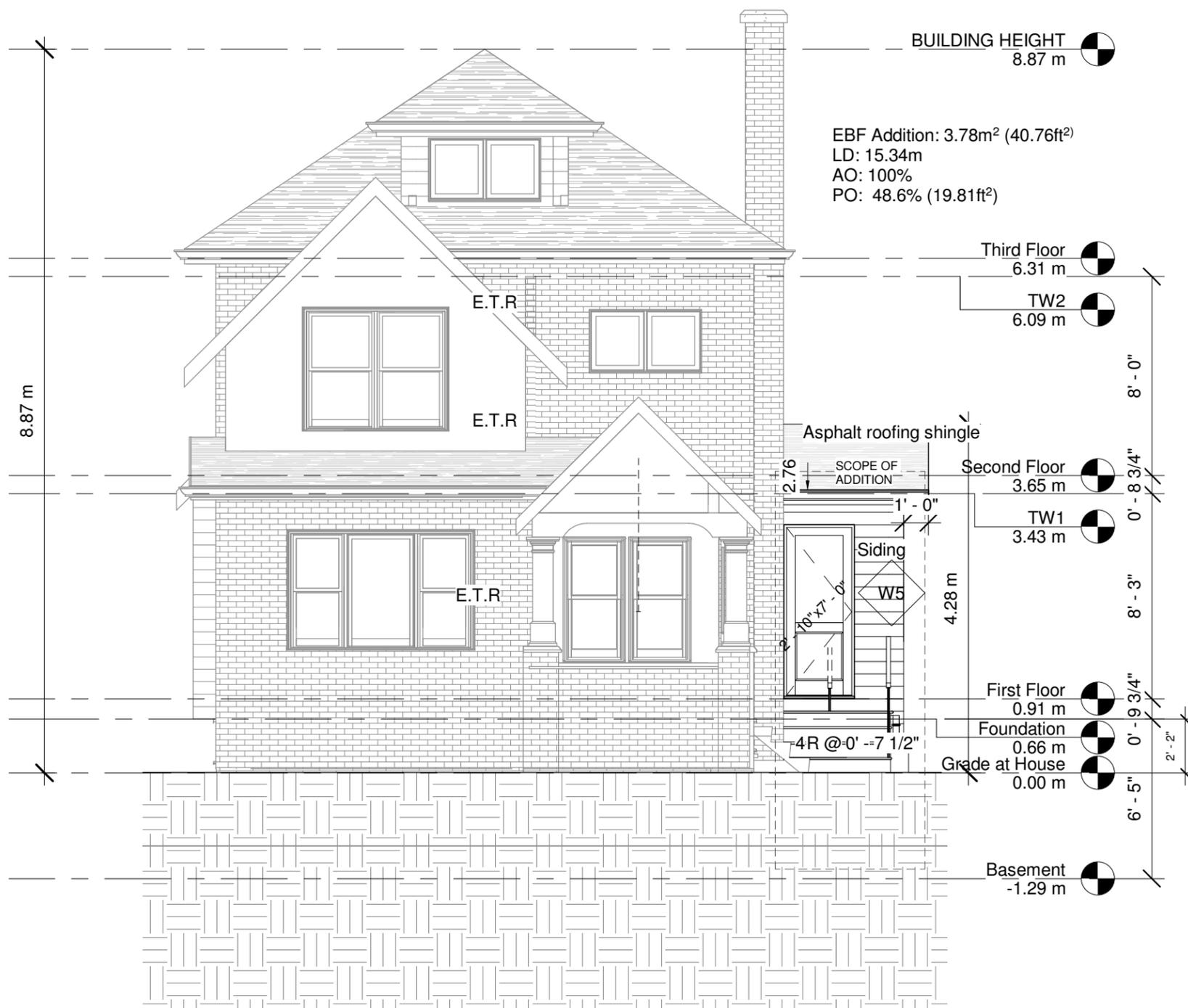
**A2.01**

Scale 3/16" = 1'-0"

**122 Dromore Cres.**  
**ADDITION**  
**ELEVATIONS**

No.	Description	Date

Drawings have been approved and meet the minimum requirements of the Ontario Building Code



① East Front  
3/16" = 1'-0"

**N-CUBED**  
designs  
ENGINEERING + CONSTRUCTION  
897 King St W Hamilton, Ontario  
ncubeddesigns.com  
905-865-5355  
N-Cubed Designs is a division of N-Cubed Services Inc.

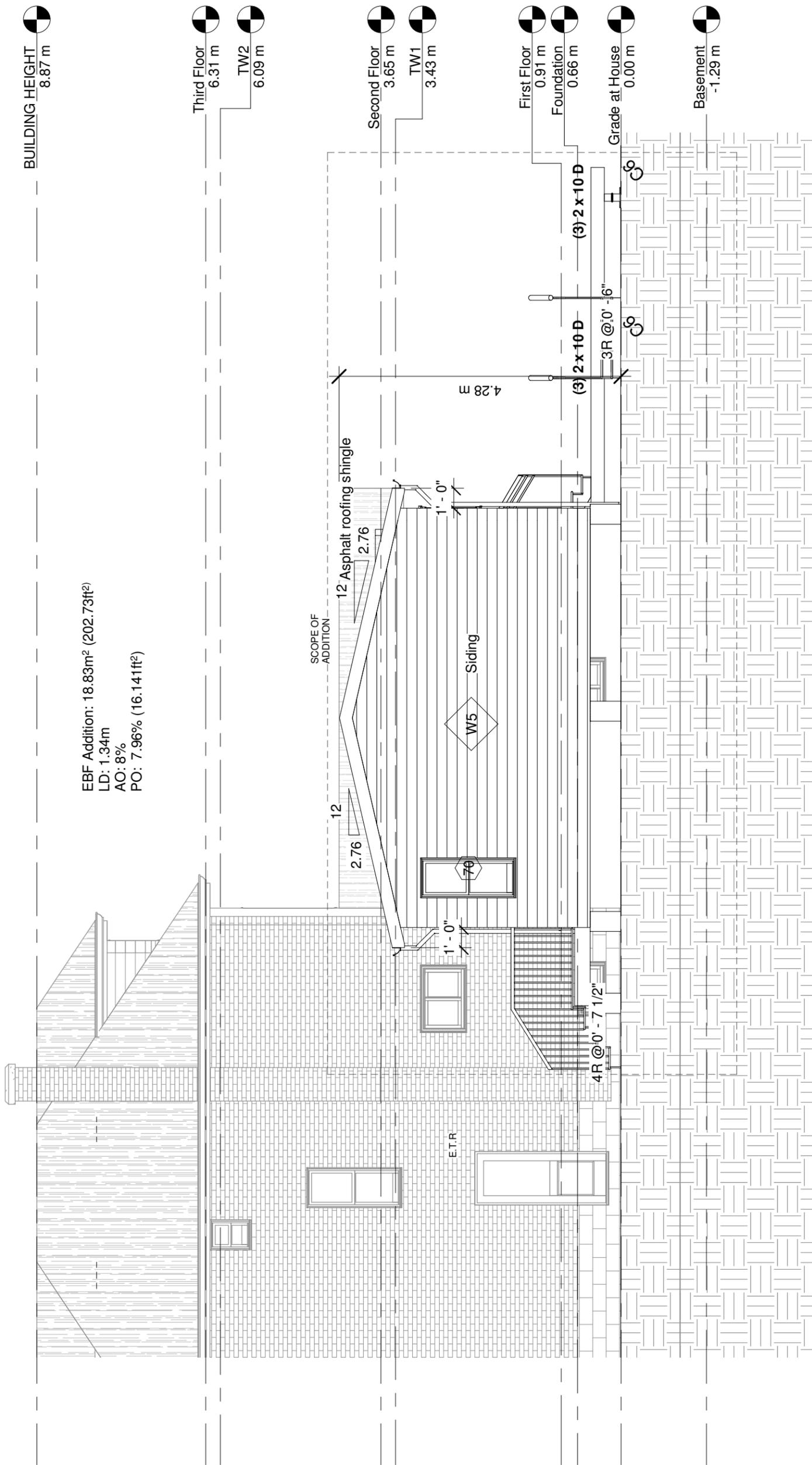
**A2.02**

**122 Dromore Cres.**  
**ADDITION**  
**ELEVATIONS**

Scale 3/16" = 1'-0"

No.	Description	Date

Drawings have been approved and meet the minimum requirements of the Ontario Building Code



EBF Addition: 18.83m<sup>2</sup> (202.73ft<sup>2</sup>)  
 LD: 1.34m  
 AO: 8%  
 PO: 7.96% (16.141ft<sup>2</sup>)

BUILDING HEIGHT  
8.87 m

Third Floor 6.31 m  
 TW2 6.09 m

Second Floor 3.65 m  
 TW1 3.43 m

First Floor 0.91 m  
 Foundation 0.66 m

Grade at House 0.00 m

Basement -1.29 m

1 South Side  
 3/16" = 1'-0"



897 King St W Hamilton, Ontario  
 ncubeddesigns.com  
 905-865-5355

N-Cubed Designs is a division of N-Cubed Services Inc.

**A2.03**

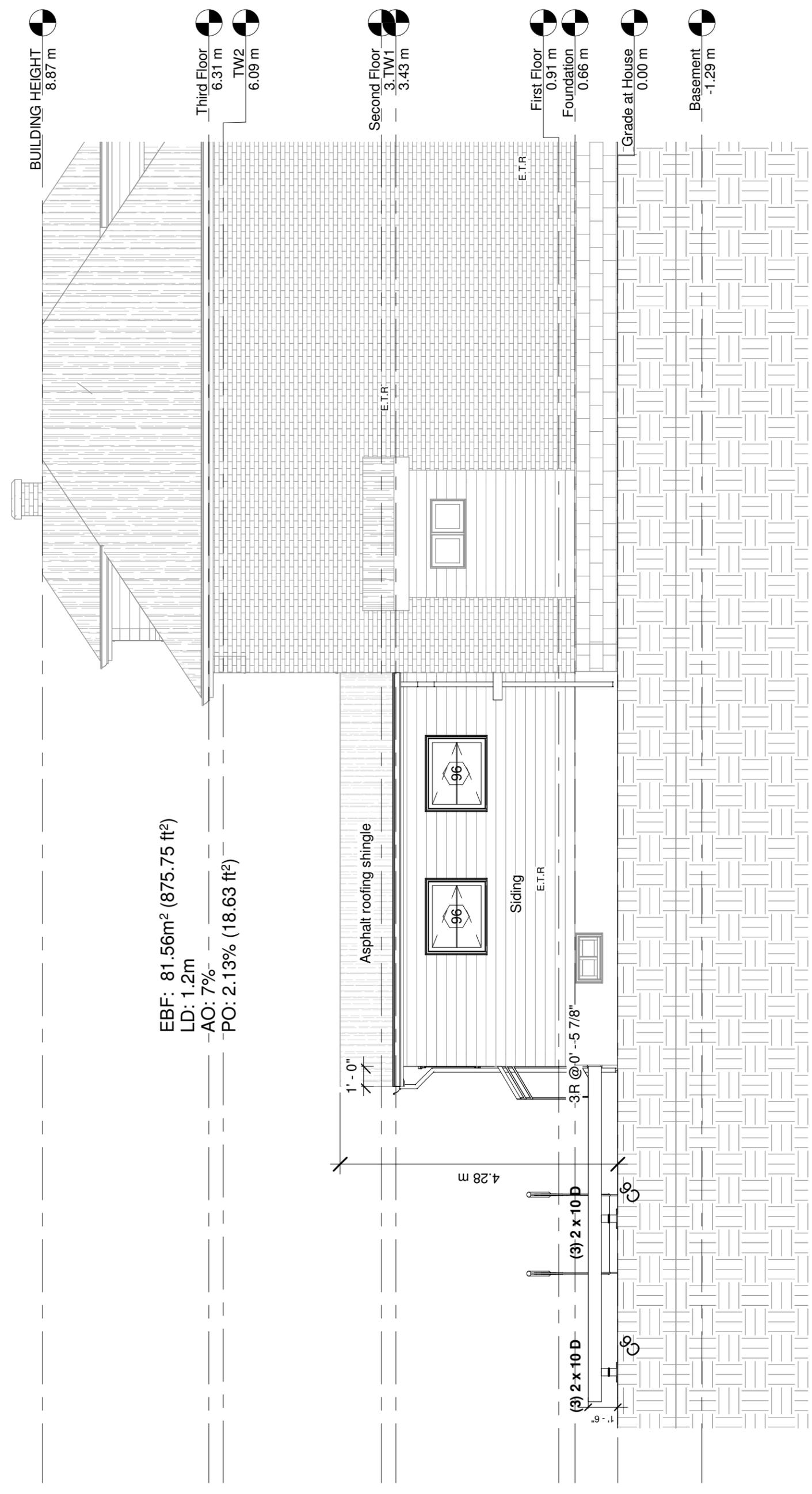
Scale 3/16" = 1'-0"

**122 Dromore Cres.**

**ADDITION**

**ELEVATIONS**

No.	Description	Date

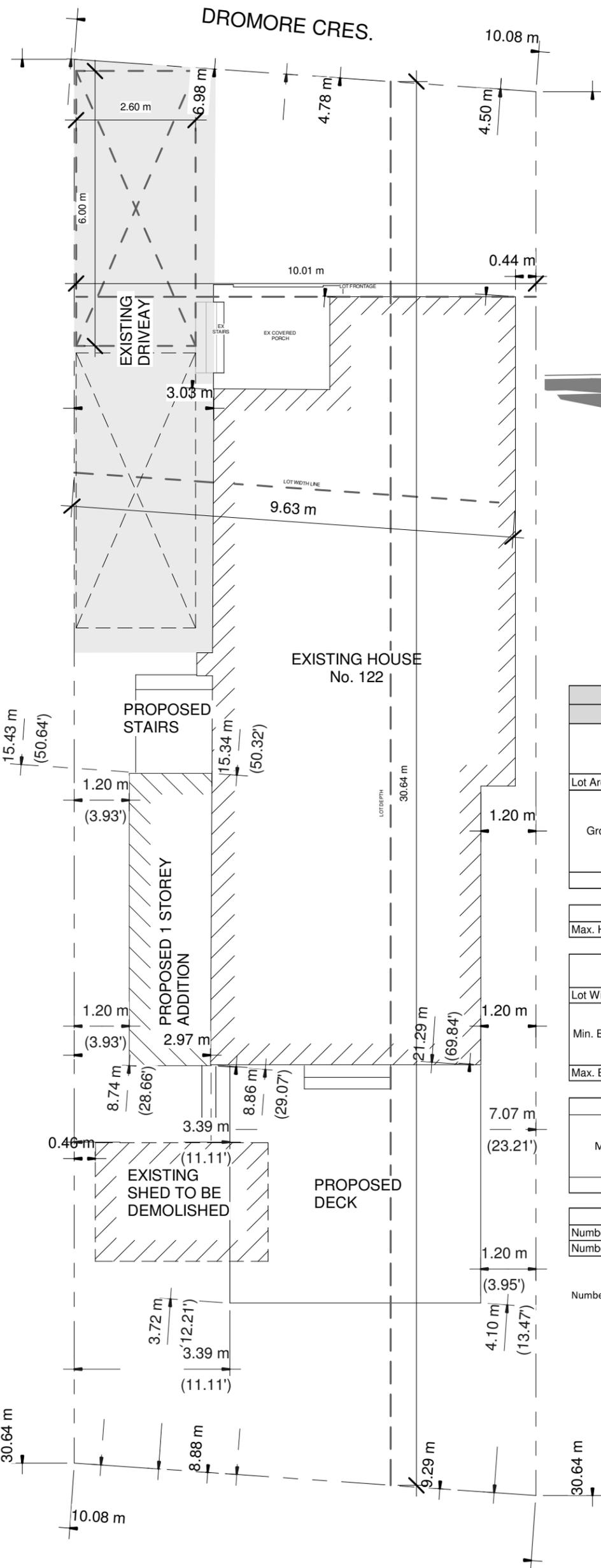


Drawings have been approved and meet the minimum requirements of the Ontario Building Code

1 North Side  
3/16" = 1'-0"

No.	Description	Date

Drawings have been approved and meet the minimum requirements of the Ontario Building Code



City of Hamilton: Zoning By-Law No. 6593: "C" S-1361  
**122 Dromore Cres**

Areas	Area						
	Existing		Addition		Total		
	sqf	sqm	sqf	sqm	sqf	sqm	
Lot Area	3315.35	308.01	-	-	3315.35	308.01	
Gross Floor Area	Basement	1084.00	100.71	0.00	0.00	1084.00	100.71
	Ground Floor	1088.00	101.08	121.00	11.24	1209.00	112.32
	Second Floor	641.00	59.55	0.00	0.00	641.00	59.55
	Third Floor	319.00	29.64	0.00	0.00	319.00	29.64
	GFA Subtotal	3132.00	290.97	121.00	11.24	3253.00	302.21

NOTE: GFA MEASURED TO THE EXTERIOR FACE OF EXTERIOR WALLS.

GFA Ratio	Required	Existing	Proposed
Max. House GFA	45.00%	94.47%	98.12%

Distances	Required		Existing		Proposed		
	ft	m	ft	m	ft	m	
Lot Width	-	-	31.60	9.63	33.00	9.77	
Min. Building Setbacks	E - Rear Yard Setback to House	24.61	7.50	29.14	8.88	28.68	8.74
	W - Front Yard Setback	19.69	6.00	14.76	4.50	50.33	15.34
	N - Side Yard to House	3.94	1.20	1.44	0.44	23.10	7.04
	S - Side Yard to House	3.94	1.20	9.74	2.97	4.40	1.34
Max. Building Height	36.09	11.00	29.10	8.87	14.04	4.28	

Proposed Deck	Min. Setbacks	
	ft	m
E - Setback to deck	12.21	3.72
W - Setback to deck	69.85	21.29
N - Setback to deck	3.87	1.18
S - Setback to deck	10.79	3.29
Height off Grade	1.51	0.46

Building & Parking Requirements	Required	Existing	Proposed
Number of Storeys	2.5	3	3
Number of Parking Spaces	5	2	2

\*Unchanged

Number of Habitable Rooms PROJECT: 13 (includes basement rooms)



1 Site  
 1 : 100

**N-CUBED**  
 designs  
 ENGINEERING + CONSTRUCTION  
 897 King St W Hamilton, Ontario  
 ncubeddesigns.com  
 905-865-5355  
N-Cubed Designs is a division of N-Cubed Services Inc.

**SP1.01**

Scale 1 : 100

**122 Dromore Cres.**  
**ADDITION**  
**SITE PLAN**

No.	Description	Date

**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	MAILING ADDRESS
Registered Owners(s)		
Applicant(s)		
Agent or Solicitor		

1.2 All correspondence should be sent to  Purchaser  Owner  
 Applicant  Agent/Solicitor

1.3 Sign should be sent to  Purchaser  Owner  
 Applicant  Agent/Solicitor

1.4 Request for digital copy of sign  Yes\*  No

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

1.5 All correspondence may be sent by email  Yes\*  No

If Yes, a valid email must be included for the registered owner(s) AND the Applicant/Agent (if applicable). Only one email address submitted will result in the voiding of this service. This request does not guarantee all correspondence will sent by email.

**2. LOCATION OF SUBJECT LAND**

2.1 Complete the applicable sections:

Municipal Address	122 Dromore Cres. Hamilton, ON L8S 4B2		
Assessment Roll Number	0100510 8650 0000		
Former Municipality	Former Hamilton		
Lot		Concession	
Registered Plan Number	652	Lot(s)	708/909 (part)
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:

An increase in the GFA ratio to 98.12% from the required 45%. 94.47% Existing. To provide two parking spaces where the bylaw requires 5 based on 13 habitable rooms. parking space to measure 2.6m x 6.0m instead of required 2.7m x 6.0m.

Second Dwelling Unit  Reconstruction of Existing Dwelling

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

The existing parking space provided is an existing condition that is consistent with the neighbourhood. existing parking space measures 2.6m x 6.0m to allow for an existing set of stairs off the existing porch.

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
See Site Stats	See Site Stats	See Site Stats	See Site Stats

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
	See Site Stats	See Site Stats	See Site Stats	

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
	See Site Stats	See Site Stats	See Site Stats	

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
	See Site Stats	See Site Stats	See Site Stats	See Site Stats

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
	See Site Stats	See Site Stats	See Site Stats	See Site Stats

- 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

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

**7 HISTORY OF THE SUBJECT LAND**

7.1 Date of acquisition of subject lands: Nov. 27. 2020

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

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

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

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) \_\_\_\_\_

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: \_\_\_\_\_

- 7.10 If a site-specific Zoning By-law Amendment has been received for the subject property, has the two-year anniversary of the by-law being passed expired?

Yes  No

- 7.11 If the answer is no, the decision of Council, or Director of Planning and Chief Planner that the application for Minor Variance is allowed must be included. Failure to do so may result in an application not being "received" for processing.

## 8 ADDITIONAL INFORMATION

8.1 Number of Dwelling Units Existing: 1

8.2 Number of Dwelling Units Proposed: 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

---

---





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, 3935

E-mail: [cofa@hamilton.ca](mailto: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

<b>APPLICATION NO.:</b>	<b>HM/A-23:70</b>	<b>SUBJECT PROPERTY:</b>	275 JAMES ST N, HAMILTON
<b>ZONE:</b>	"D2" (Downtown Prime Retail Streets)	<b>ZONING BY-LAW:</b>	Zoning By-law City of Hamilton 05-200, as Amended

**APPLICANTS:** Owner: 275 JAMESVILLE ST NORTH LTD. C/O POCRNIC REALTY ADVISORS INC.  
Agent: ARCADIS IBI GROUP C/O TRACY TUCKER

The following variances are requested:

1. To permit a commercial parking facility within the existing surface parking lot instead of the requirement that a commercial parking facility shall only be contained within a building.
2. To permit parking spaces and aisles giving direct access to abutting parking spaces to be located within 3.0m of a street line whereas the zoning By-law states that parking spaces and aisles giving direct access to abutting parking spaces shall not be located within 3.0m of a street line.
3. To permit no planting strip to be maintained between the street line and parking spaces and aisles whereas the zoning By-law requires a minimum 3.0m wide planting strip to be provided and maintained between parking spaces and aisles.

**PURPOSE & EFFECT:** To facilitate the establishment of a commercial parking facility within the existing parking lot.

**Notes:**

Please note that the parking spaces shown to encroach onto the Colbourne Road Allowance are not recognized under the zoning By-law.

The applicant shall ensure that the minimum required 6.0m wide aisle is maintained for all parking spaces; otherwise, further variance shall be required.

Variances #2 and #3 are written as requested by the applicant.

HM/A-23:70

**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, May 4, 2023</b>
<b>TIME:</b>	<b>9:25 a.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>2<sup>nd</sup> floor City Hall, room 222 (see attached sheet for details), 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>

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
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935

## **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, including deadlines for submitting to be seen by the Committee.

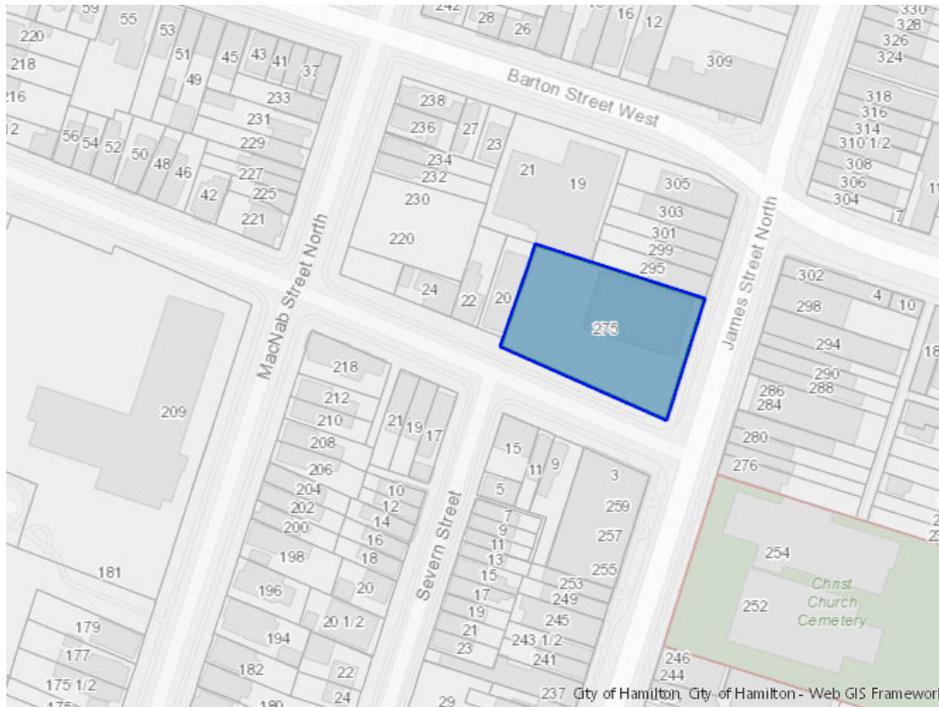
**Orally:** If you would like to speak to this item at the hearing you may do so via video link, calling in, or attending in person. Please see attached page for complete instructions, including deadlines for registering to participate virtually and instructions for check in to participate in person.

## **FURTHER NOTIFICATION**

If you wish to be notified of future Public Hearings, if applicable, regarding HM/A-23:70, 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.

HM/A-23:70



 Subject Lands

DATED: April 18, 2023

---

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

Telephone (905) 546-2424, ext. 4221, 3935

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 or via email in 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 two days before the Hearing.**

Comment packages are available two days 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 the day before the 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 the Wednesday afternoon before the hearing. The link must not be shared with others as it is unique to the registrant.

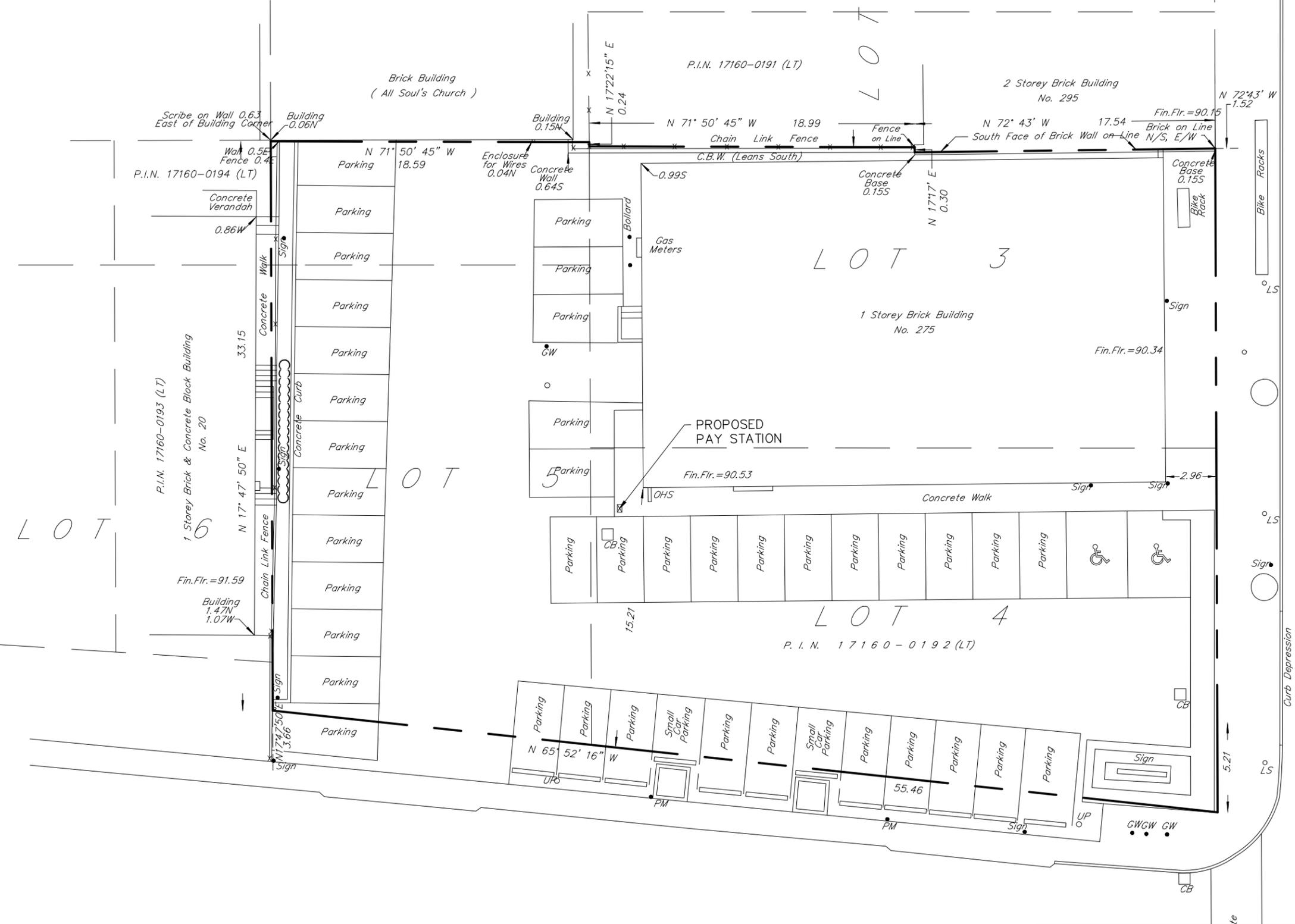
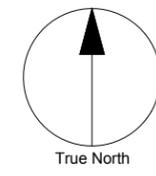
#### 2. In person Oral Submissions

**Interested members of the public, agents, and owners who wish to participate in person must sign in at City Hall room 222 (2<sup>nd</sup> floor) 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) or by phone at 905-546-2424 ext. 4221.

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.

REGISTERED PLAN 121



ROAD ALLOWANCE BETWEEN TOWNSHIP LOTS 14 AND 15, AS CONFIRMED BY PLAN BA-776, REGISTERED AS INST. No. 7

JAMES STREET N

CLIENT  
**275 JAMESVILLE ST NORTH LTD.**  
  
 34 HESS STREET SOUTH  
 HAMILTON, ONTARIO

PROJECT NAME  
**275 JAMES ST N**  
 275 JAMES ST N  
 HAMILTON, ONTARIO  
  
 SCALE:  
**1:250**  
 PROJECT MGR:  
**T. TUCKER**  
 CHECKED BY:  
**J. MARCUS**  
 PROJECT NO:  
**136349**

<b>IBI</b> GROUP Suite 200 - 360 James Street North Hamilton ON L8L 1H5 Canada tel 905 546 1010 fax 905 546 1011 ibigroup.com	FIGURE NAME	FIGURE NO.	REVISION
	MINOR VARIANCE SKETCH	1	0

File Location: J:\136349\_275\_James\_Siv7.0\_Production\7.03\_Design\17\_Plan\136349P.dwg Last Saved: August 25, 2022, by Tracy Tucker Plotted: Thursday, August 25, 2022 4:44:07 PM by Tracy Tucker

March 21, 2023

Ms. Jamila Sheffield, ACST  
Secretary Treasurer-Committee of Adjustment  
City of Hamilton  
71 Main Street West, 5th Floor  
Hamilton, ON L8P 4Y5

Dear Ms. Sheffield:

**275 JAMES STREET NORTH, HAMILTON  
MINOR VARIANCE APPLICATION**

On behalf of the property owners, 275 Jamesville St. North Ltd., we are pleased to submit a Minor Variance application for the above noted property.

The application seeks to permit the use of the existing parking lot as a commercial parking facility during off-peak hours. The proposed application does not include any changes to the existing building or parking lot.

In support of the application please find enclosed the following information:

- One (1) copy of the completed Minor Variance application form and Variance List;
- One (1) copy of the Minor Variance sketch; and,
- One (1) copy of the Planning Opinion memo supporting the proposed Minor Variance application.

Please note that a cheque in the amount of \$3,375.00 made payable to the City of Hamilton will be submitted under separate cover.

Should you require any additional information please do not hesitate to contact the undersigned.

Thanks,



Jared Marcus, CPT  
Associate, Manager – Planning

MINOR VARIANCE LIST

- 1) 6.2.1.1.3 – To permit a Parking Facility within the existing parking lot, whereas the By-law requires a new Parking Facility to be located within a structure;
- 2) To permit the existing parking lot to encroach 2.2m into the Colbourne Street boulevard, whereas the By-law requires a parking lot to be set back 3.0m from a street line;
- 3) To remove the requirement for a Planting Strip between the street line and any parking space; and,
- 4) To remove the requirement for a Visual Barrier for an existing parking lot that abuts a Residential Zone.

March 21, 2023

Chair and Members of Committee of Adjustment  
 c/o Ms. Jamila Sheffield  
 Secretary-Treasurer, Committee of Adjustment  
 City Of Hamilton  
 71 Main Street West, 5th Floor  
 Hamilton, Ontario L8P 4Y5

Dear Chair and Members of Committee of Adjustment:

**APPLICATION FOR MINOR VARIANCE  
 275 JAMES STREET NORTH, HAMILTON**

On behalf of the owner, 275 Jamesville St North Ltd, we are pleased to submit the enclosed application for Minor Variance for the lands located at 275 James Street North, Hamilton. The subject lands are currently developed with a one storey commercial building with three units, and the associated parking lot.

The subject lands, which are located on the north-west corner for the intersection of James Street North and Colbourne Street have an area of approximately 1,970m<sup>2</sup>, with 38.6m of frontage along James Street North and 55.4m along Colbourne Street. The existing building on the lands has an area of 575m<sup>2</sup> and is divided into three (3) units.

The subject lands are designated as Downtown Mixed Use, Pedestrian Focus in the City of Hamilton Downtown Secondary Plan, and Downtown Prime Retail Streets (D2) Zone, Holding 21, in the City of Hamilton Zoning By-law 05-200. The current zoning of the lands permits the development of the lands with a variety of uses including commercial, restaurants, financial institutions, offices, and parking facilities subject to certain provisions.

Due to continued use of the parking lot after hours, by non-patrons of the businesses, the owner of the lands is seeking allow for the parking lot to be used as a commercial parking facility during the off-peak hours for the existing tenants. In order to permit this Minor Variance are required to allow for a commercial parking facility to be located within a surface parking lot, as well as to recognize the existing non-conforming performance standards as they relate to the long-standing parking lot associated with the commercial uses.

In order to permit the existing parking lot to be converted to a commercial parking facility during non-peak hours, and to recognise the existing non-comply status of the property, the following minor variance are required:

VARIANCE	SECTION	REQUIRED / PERMITTED	PROPOSED
1	6.2.1.1.3 Restricted Uses	Parking Facility A. Shall only be contained within a building	Parking Facility: A. Shall be permitted within the existing parking lot

Chair and Members of Committee of Adjustment  
c/o Ms. Jamila Sheffield – March 21, 2023

2	5.1.v).a) Location of Parking	Shall not be located within 3.0m of a street line	Shall be permitted within 3.0m of the lot line and shall be permitted to encroach into the municipal boulevard 2.2m along Colbourne Street
3	5.1.v).b) Planting Strip	3.0m wide planting strip shall be provided and permanently maintain between the street line and parking spaces or aisle	Shall not be required
4	5.2.a) Visual Barriers abutting Residential Zones	Visual Barrier must be provided in accordance with Section 4.19	Shall not be required

#### Planning Act Section 45(1) Compliance

Section 45(1) of the Planning Act permits the Committee of Adjustment to grant Minor Variances from the Zoning By-law provided they meet what is known as the four (4) tests. The four tests are:

1. Does the variance maintain the intent and purpose of the Official Plan?
2. Does the variance maintain the intent and purpose of the Zoning By-law?
3. Is the variance desirable and appropriate?
4. Is the variance minor in nature?

The following will provide an analysis of the proposed variances against the four (4) tests.

#### All Variances

##### **1. Does the variance maintain the intent and purpose of the Official Plan?**

As previously noted, the subject lands are designated as Downtown Mixed Use – Pedestrian Focus. Within the Downtown Secondary Plan, there are specific requirements for parking lots in the downtown the policies which would apply to the subject lands are as follows:

**Policy 6.1.4.43** Surface parking lots existing on the date of adoption shall be legal noncomplying uses to the Downtown Hamilton Secondary Plan.

The parking lot on the subject lands existed prior to the adoption of the Secondary Plan. It is our understanding that the building and associated parking lot have existed for more that 30 years.

**Policy 6.1.4.44** New surface parking lots shall not be permitted.

The proposed variances do not facilitate the creation of a new surface parking lot. The proposed variance would permit the existing parking lot to be used a commercial parking facility during off peak times and will recognize the existing parking lot and building on the subject lands.

**Policy 6.1.4.45** Existing surface parking lots shall be permitted to expand under the following conditions:

Chair and Members of Committee of Adjustment  
c/o Ms. Jamila Sheffield – March 21, 2023

- a) the expansion is minor in nature; and,
- b) the expansion shall not result in a net increase in the number of surface parking spaces on the site.

The proposed minor variances do not result in an expansion of the existing parking lot, but rather would permit the owners to have more control over the usage of the lot during off peak business hours. Further, the permission to allow for a commercial parking facility will not change the overall use of the lands and does not result in an increase in the number of parking spaces available in the area. It also does not prevent the future development of the subject lands for uses which would promote pedestrian focused streets.

Further, the policies related to the Pedestrian Focused Streets, are intended to guide new development in these areas to “create a complete street wall and provide an uninterrupted building line at the street level through compatible development and infill development” (Policy 6.1.6.2.a)). It is our understanding that the intention for new development facilitate a greater pedestrian presence on the street, as the lands are being redeveloped. The proposed minor variances on the subject lands are not the result of redevelopment on the subject lands, but rather repurposing the existing parking lot on the subject lands after peak business hours and would not prevent the future development of these lands.

Given that the parking lot is existing and that there are no substantial changes proposed to the parking lot, it is our opinion that the propose minor variances to permit a commercial parking lot within an existing surface parking lot and the subsequent variances required to bring the overall property into compliance with the zoning by-law maintain the general intent and purposed of the Official Plan, which is to direct new development of the lands within the City of Hamilton.

#### Variance 1

*Restricted Uses: A Parking Facility maybe provided within an existing parking lot, whereas the Zoning By-law only permits Parking Facilities contained within a building.*

#### **2. Does the variance maintain the general intent and purpose of the Zoning By-law?**

It is our understanding that the intention of this policy is to prevent the creation of new surface parking facilities and to minimize the overall surface parking area provided for new developments within the Downtown area. The intention of these policies is to facilitate pedestrian environments when lands are being redeveloped and prevent the use of vacant parcels for parking facilities. The proposed variance would repurpose the existing parking lot into a commercial parking facility during off-peak business hours, allowing the owner to better control the use of the parking area on the lands when businesses are closed. There is no new development proposed and the subject lands will continue to operate as they do today. With the exception of the installation of a payment area on the subject lands, the subject lands will remain unchanged. It is our opinion that the proposed variance maintains the intent and purpose of the zoning by-law.

#### **3. Is the variance desirable and appropriate?**

The proposed variance to allow the subject lands to operate as a commercial parkin facility within an existing surface parking lot will allow the owner to better regulate the illegal use and trespassing which is currently occurring on the lands after peak business hours for the plaza. The owner of the lands has previously tried to deter people from illegally parking on the lands through the use of signage, including authorized parking only signage. However, there are still concerns with people parking illegally on the lands, resulting in liability concerns for the owners. Permitting the parking lot to operate as a commercial parking facility would assist in addressing these concerns. There are no proposed physical changes to the parking lot and permitting the lands to operation

Chair and Members of Committee of Adjustment  
c/o Ms. Jamila Sheffield – March 21, 2023

as a commercial parking facility does not result in any negative impacts to the surrounding area. As such it is our opinion that the variance is desirable and appropriate.

#### **4. Is the variance minor in nature?**

The determination of whether a variance is minor in nature is based on the over all impact that the proposal will have on the surrounding lands. It is our opinion that permitting a commercial parking facility within an existing parking lot will not negatively impact the neighbouring lands, as the lot is currently being used for parking, without payment. The implementation of a payment requirement on the lands will allow the owner to better control illegal parking/trespassing on the lands outside of peak business hours. Given that the parking lot is existing, there are no proposed expansions or alterations proposed to permit the parking facility, and the impact of making the lot paid after hours is negligible, it is our opinion that the proposed variance to permit a commercial parking facility within an existing parking lot is minor in nature.

#### Variance 2 & 3

*Location of a Parking Lot: A parking lot shall be permitted within 3.0m of the street line, whereas the By-law requires a minimum of 3.0m to be provided between a parking stall and a lot line*

*Landscape Buffer: No landscape buffer abutting a street shall be required, whereas the Zoning By-law requires a minimum of a 3.0m landscape strip to be provided between the parking area and a street line.*

#### **2. Does the variance maintain the general intent and purpose of the Zoning By-law?**

The intent of these provisions is to ensure new parking areas are located away from the public right-of-way and to provide a landscape buffer between the public and private realms. The proposed reduction of the separation between a parking area and the lot line will recognize an existing condition on the lands and allow for the current parking configuration to remain.

#### **3. Is the variance desirable and appropriate?**

The proposed variance would recognize an existing situation on the subject lands. There are no proposed changes to the subject lands as a result of the proposed variance to allow parking within 3.0m of the lot line and to not require a landscape strip. As such, it is our opinion that the proposed variance is desirable and appropriate.

#### **4. Is the variance minor in nature?**

The determination of whether a variance is minor in nature is based on the over all impact that the proposal will have on the surrounding lands. Given that this is an existing parking area it is our opinion that the proposal to allow parking within 3.0m of the lot line and to no require a landscaped area is minor in nature. The lands have been developed as such for more than 30 years and there are no proposed changes to the parking area.

#### Variance 4

*Visual Barriers: No Visual Barrier or fence shall be required abutting a residential zone whereas the Zoning By-law requires visual barriers to be provided, in accordance with Section 4.19 when abutting a residential zone*

#### **2. Does the variance maintain the general intent and purpose of the Zoning By-law?**

The intention of the requirement for a visual barrier between a parking area and a residential zone is to protect the residential use from the nuisances which may be caused by a parking lot. In this case although the lands are designated for residential uses, they are currently and historically

Chair and Members of Committee of Adjustment  
c/o Ms. Jamila Sheffield – March 21, 2023

have been used a private club (Trinacria Sports Club). As such the intention to protect residential use from the parking lot is met as the lands are not used for residential uses.

**3. Is the variance desirable and appropriate?**

The proposed variance will recognize the existing situation on the lands subject lands. There is an existing fence on the lot line which defines the boundary between the two uses. The existing fence and parking lot have been in existence for more than 30 years and there are no proposed changes to the parking lot. As such it is our opinion that the proposed variance is desirable and appropriate as it recognizes the existing conditions on the lands.

**4. Is the variance minor in nature?**

The determination of whether a variance is minor in nature is based on the over all impact that the proposal will have on the surrounding lands. The removal of the requirement for a privacy fence along the lot line is to recognize the existing situation on the lands. There is no new negative impacts on the adjacent lands which are and historically have been used for commercial uses. As such it is our opinion that the variance is minor in nature.

**SUMMARY**

It is our opinion that the proposed minor variances are minor in nature, are desirable and appropriate, and maintain the intent and purpose of the City of Hamilton Official Plan, Downtown Secondary Plan, and Zoning By-law 05-200.

Based on our analysis, it is our professional opinion that the proposed permissions to allow the existing parking lot to operate as a commercial parking facility withing the existing lot is an overall appropriate use of the subject lands and constitutes good land use planning.

Sincerely,

**Arcadis IBI Group**



Tracy Tucker, BAA, CPT  
Sr. Project Manager



Hamilton

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

**1. APPLICANT INFORMATION**

	NAME	MAILING ADDRESS
Registered Owners(s)		
Applicant(s)		
Agent or Solicitor		

1.2 All correspondence should be sent to  Purchaser  Owner  
 Applicant  Agent/Solicitor

1.3 Sign should be sent to  Purchaser  Owner  
 Applicant  AgentSolicitor

1.4 Request for digital copy of sign  Yes\*  No

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

1.5 All correspondence may be sent by email  Yes\*  No

If Yes, a valid email must be included for the registered owner(s) AND the Applicant/Agent (if applicable). Only one email address submitted will result in the voiding of this service. This request does not guarantee all correspondence will sent by email.

**2. LOCATION OF SUBJECT LAND**

2.1 Complete the applicable sections:

Municipal Address	275 James St. North, Hamilton, ON		
Assessment Roll Number			
Former Municipality			
Lot	3-5	Concession	
Registered Plan Number		Lot(s)	1
Reference Plan Number (s)	127	Part(s)	6, 11-12

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:

See attached Minor Variance list.

Second Dwelling Unit  Reconstruction of Existing Dwelling

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

See attached Planning Opinion memo.

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
38.65 m	55.12 m	1,974.6 sq.m	18.1m, and 20m

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
Commercial building	2.96 m	21.60 m	0.49 m and 15.21 m	

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
None				

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
Brick Building	575 m2	575 m2	1	

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
None				

- 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.):

As existing; Commercial - Financial Institution, Restaurant, Office

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

North/East/South: Commercial/Residential; West, Community Club and Residential

## 7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:

2011

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

Commercial

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

Commercial - Financial Institution, Restaurant, Office

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

Unknown

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) Downtown Mixed Use - Pedestria

Please provide an explanation of how the application conforms with the Official Plan.

Please see attached Planning Opinion letter.

7.6 What is the existing zoning of the subject land? By-law 05-200 - Downtown Prime Retail Streets (D2)

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: A-79:232, HM/A-14:1166, HM/A-18:258

---

7.9 Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*?

Yes  No

If yes, please provide the file number: \_\_\_\_\_

7.10 If a site-specific Zoning By-law Amendment has been received for the subject property, has the two-year anniversary of the by-law being passed expired?

Yes  No

7.11 If the answer is no, the decision of Council, or Director of Planning and Chief Planner that the application for Minor Variance is allowed must be included. Failure to do so may result in an application not being “received” for processing.

## 8 ADDITIONAL INFORMATION

8.1 Number of Dwelling Units Existing: 0

8.2 Number of Dwelling Units Proposed: 0

8.3 Additional Information (please include separate sheet if needed):

Please see attached Planning Opinion letter.

## 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
- 
-



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, 3935

E-mail: [cofa@hamilton.ca](mailto: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

<b>APPLICATION NO.:</b>	<b>HM/A-23:79</b>	<b>SUBJECT PROPERTY:</b>	1491 MAIN STREET E, HAMILTON
<b>ZONE:</b>	“TOC1” (Transit Oriented Corridor Mixed Use Medium Density)	<b>ZONING BY-LAW:</b>	Zoning By-law City of Hamilton 05- 200, as Amended 16-265

**APPLICANTS:** Owner: PAUL BETTENCOURT

The following variances are requested:

1. A minimum rear yard of 6.0 m shall be permitted instead of the minimum required rear yard of 7.5 m; and,
2. A minimum building height of 2.6 m shall be permitted instead of the minimum required building height of 11.0 m.

**PURPOSE & EFFECT:** To construct a one-storey rear addition to the existing one-storey commercial building (restaurant):

**Notes:**

- i. The variances have been written as identified by the applicant.

**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, May 4, 2023</b>
<b>TIME:</b>	<b>9:30 a.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>2<sup>nd</sup> floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton</b>

HM/A-23:79

	<b>To be streamed (viewing only) at</b> <a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a>
--	---

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
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935

## 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, including deadlines for submitting to be seen by the Committee.

**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, including deadlines for registering to participate virtually and instructions for check in to participate in person.

## FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding HM/A-23:79, 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.

HM/A-23:79



 Subject Lands

DATED: April 18, 2023

---

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

Telephone (905) 546-2424, ext. 4221, 3935

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 or via email in 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 two days before the Hearing.**

Comment packages are available two days 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 the day before the 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 the Wednesday afternoon before the hearing. The link must not be shared with others as it is unique to the registrant.

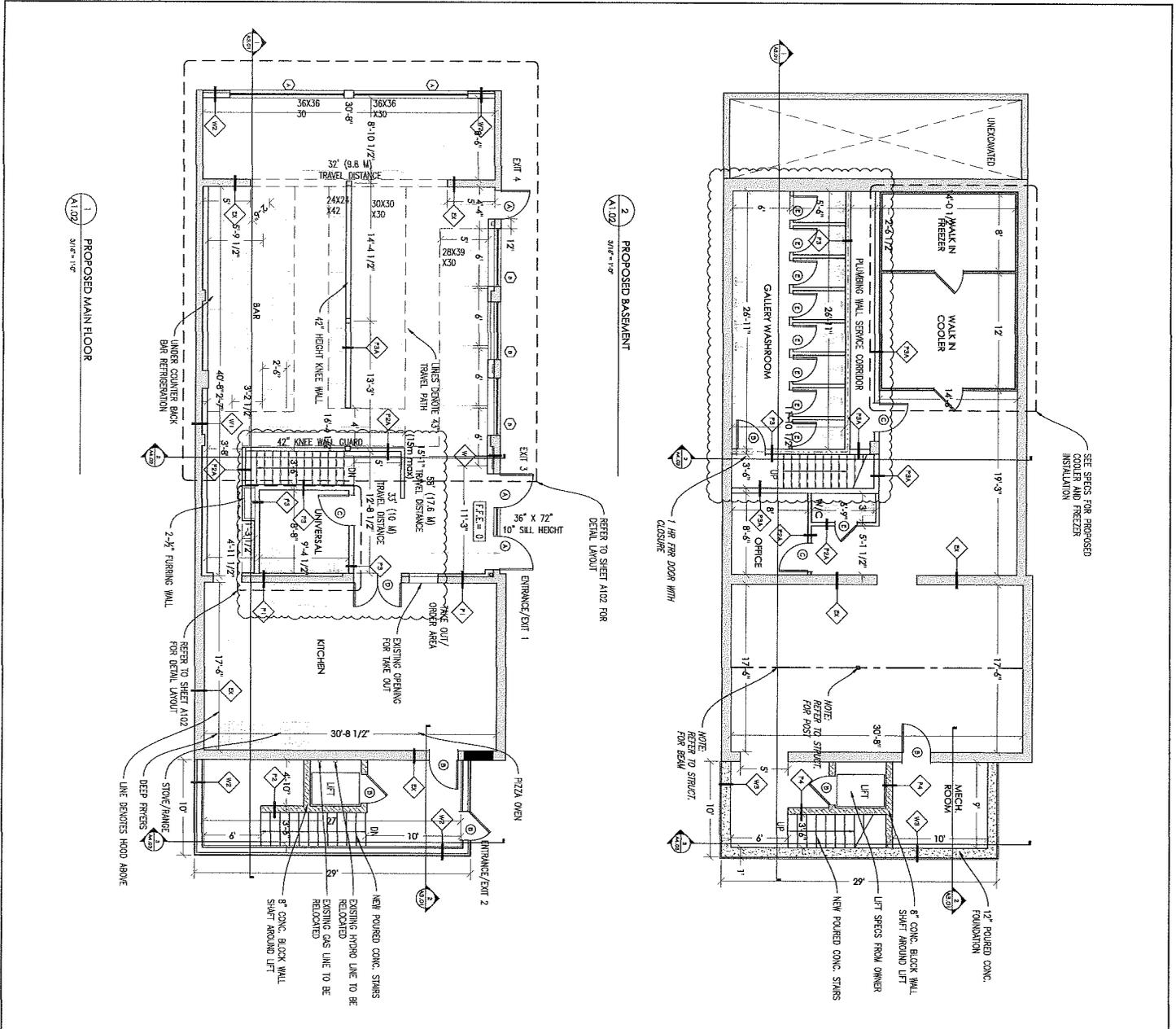
#### 2. In person Oral Submissions

**Interested members of the public, agents, and owners who wish to participate in person must sign in at City Hall room 222 (2<sup>nd</sup> floor) 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) or by phone at 905-546-2424 ext. 4221.

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.





- PROPOSED NOTES:**
- ONE W/C FOR STAFF FOR RESTAURANT WITH MORE THEN 40 SEATS ORC 3.7.4.6.(6)
  - TRAVEL DISTANCE AS PER ORC 3.4.2.5.(8) - MAX 40' m
  - REFER TO STRUCTURAL FOR DETECTION TRACK REQUIREMENTS

**ENERGY EFFICIENCY SB10**

SB1 - TABLE 1.2	LOCATION	HAWAIIAN
DEGREE DAYS		3460
SB10 - TABLE 1.3.1.1.1.	CLIMATIC ZONE	ZONE 5
SB10 - TABLE SB 5.5.-5	MIN R-VALUE	
ROOF (ABOVE DECK)	R-35 cl	
ROOF (ATTIC & OTHER)	R-40	
WALLS ABOVE GRADE (WOOD FRAMED & OTHER)	R-13 + R-10 cl	
WALLS BELOW GRADE	R-15 cl	
FLOOR (WOOD FRAMED)	R-39	
SLAB ON GRADE (UNHEATED)	R-15 (6" 48" H. FIBERSTRAIN)	
		0.40

**WALL TYPE SCHEDULE**

DESCRIPTION	STC RATING	FIRE RATING	SB10 / R-VALUE	SB10 / U-DESIGN #
<b>W1 - WALL TYPE 1</b> EXTERIOR WALLS (EXISTING) - NEW METAL SIDING - EXISTING 8" BLOCK WALL - 2" MINERAL WOOL @ 16" O.C. - 3/4" GYPSUM BOARD TYPE X	41	2 HR	R-13 + R-10 cl	W09
<b>W2 - WALL TYPE 2</b> EXTERIOR WALLS (NEW) ASTER ORC TYPED 23.4.A. & TABLE 23.4.E - NEW SIDING - 1/2" CHANNEL - 2" MINERAL WOOL INSULATION - AIR BARRIER - 2 1/2" SHEATHING - 2X4 WOOD STUDS OR 2" STRUCTURAL METAL - 5/8" INSULATION - 5/8" GYPSUM BOARD TYPE X	34		48 min. (11V)	W18 (SB5)
<b>W3 - WALL TYPE 3</b> FOUNDATION WALL (NEW ADDITION) - 1/2" SPOURED CONCRETE FOUNDATION - WATER PROOFING - DAMP BARRIER - 9" CONTINUOUS RIGID INSULATION	51			
<b>W4 - WALL TYPE 4</b> SHAFT WALL - 8" CONCRETE BLOCK WALL	21*			

**WALL TYPE SCHEDULE**

DESCRIPTION	STC RATING	FIRE RATING	SB10 / R-VALUE	SB10 / U-DESIGN #
<b>P1 - PARTITION TYPE 1</b> INTERIOR PARTITION - EXISTING 8" BLOCK WALL - 2X4 WOOD STUDS @ 16" O.C. - 5/8" INSULATION - 5/8" GYPSUM BOARD	34		48 min. (11V)	W18 (SB5)
<b>P2 - WALL TYPE 2</b> INTERIOR PARTITION - 2X4 WOOD STUDS @ 16" O.C. - 5/8" INSULATION - 1/2" GYPSUM BOARD ON EACH SIDE NOTE: (P2A INSULATION NOT NEEDED)	34		48 min. (11V)	W18 (SB5)
<b>P3 - PARTITION TYPE 3</b> INTERIOR PARTITION - 2X4 WOOD STUDS @ 16" O.C. - 5/8" INSULATION - 1/2" GYPSUM BOARD ON EACH SIDE NOTE: (P3A INSULATION NOT NEEDED)	51			
<b>P4 - PARTITION TYPE 4</b> SHAFT WALL - 8" CONCRETE BLOCK WALL	21*			

**PROPOSED MAIN FLOOR**

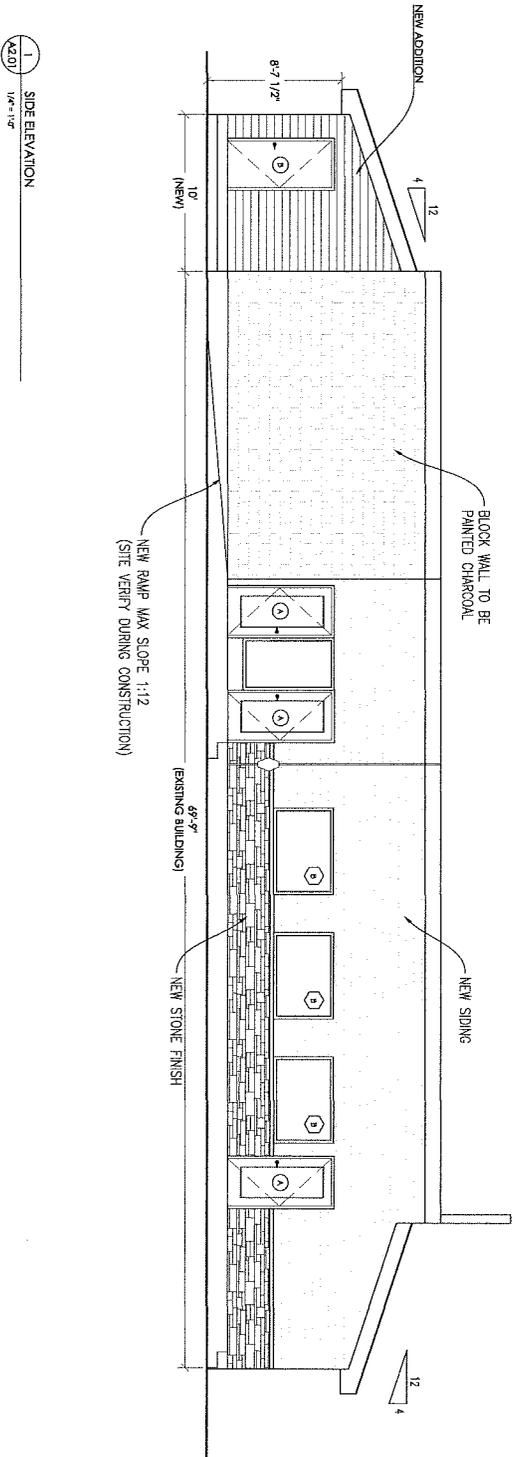
**PROPOSED BASEMENT**

**PROFESSIONAL CERTIFICATION**

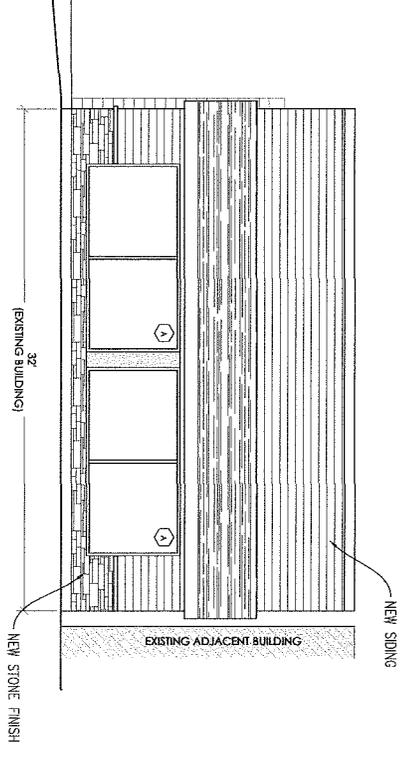
Ontario Association of Architects (OAA) logo and registration details.

**PROPOSED FLOOR PLANS**

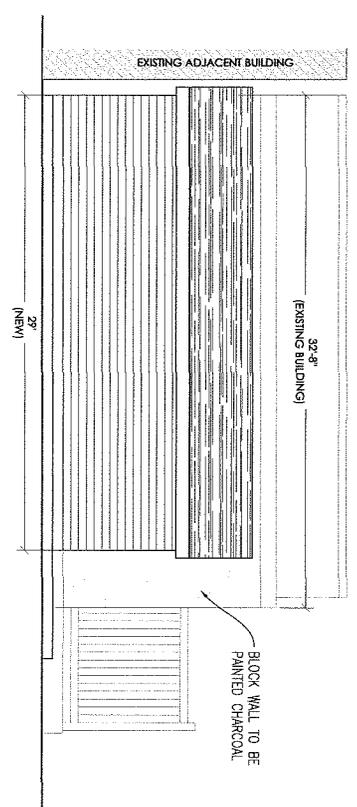
Scale: as noted  
 drawn by: JH  
 reviewed by: BL  
 job number: 21134  
 job date: 2022.02.25  
 drawing number: A1.02



1 SIDE ELEVATION  
A2.01 1/4" = 1'-0"



2 FRONT ELEVATION  
A2.01 1/4" = 1'-0"



3 REAR ELEVATION  
A2.01 1/4" = 1'-0"



NO.	DATE	DESCRIPTION
01	2023.02.25	ISSUED FOR PERMIT
02	2023.11.28	ISSUED FOR PERMIT
03	2023.02.25	ISSUED FOR PERMIT

DRAWING BY: JH  
 CHECKED BY: RL  
 DATE: 2023.02.25



**Professional Certification**  
 I, the undersigned, being a duly qualified Architect or Engineer, certify that I am a duly registered member of the Ontario Association of Architects and that I am duly licensed to practice my profession in the Province of Ontario.

**Project:** 88 MAIN PIZZA PUB  
**Client:** L&L KORTT E. HAMILTON ON  
**ELEVATIONS**

**Scale:** as noted  
**Drawn By:** JH  
**Released By:** RL  
**Job Number:** 21134  
**Proj. Date:** 2023.02.25  
**Drawing Number:** A2.01

- **Relief from Section 11.1.3b) to permit a minimum rear yard of 6.0 m, whereas the by-law permits a minimum rear yard of 7.5 m; and,**
- **Relief from Section 11.1.3d) to permit a minimum building height of 2.6 m for a building addition, whereas the by-law permits a minimum height of 11.0 m.**

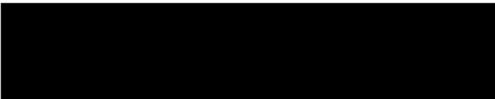
The proposed variances meet the intent of the City's Official Plan and Zoning By-law. The Restaurant Use is a permitted use, and the purpose of the minimum rear yard requirement is to ensure an adequate separation distance is maintained between the building addition and the adjacent properties. The proposed addition will accommodate a rear yard of 6.0 m, which provides an adequate buffer and distance from the neighbouring property and dwelling. Additionally, in accordance with Section 4.19 of the zoning by-law, a visual barrier will be constructed consisting of a new privacy fence along the rear lot line abutting the neighbouring residential use. This visual barrier will assist in screening the addition and parking lot. As it relates to the proposed height, the addition will match the height of the existing building, and the minimum height requirement is intended for newer buildings. The proposed building height is appropriate for the subject lands.

The variances can be considered minor and appropriate for the development of the land.

The building addition will not be visible from Main Street East and will be setback further from Barons Avenue North than the existing building. No new services are proposed for this project; all services exist. The proposed addition will not extend further into the parking lot than the existing detached buildings; therefore, there will be no impact to the existing parking spaces. The requested variances should not impact any of the adjacent land uses nor the subject property.

Thank you for your consideration of this minor variance submission.

Paul Bettencourt  
Owner





**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	MAILING ADDRESS
Registered Owners(s)		
Applicant(s)		
Agent or Solicitor		

1.2 All correspondence should be sent to  Purchaser  Owner  
 Applicant  Agent/Solicitor

1.3 Sign should be sent to  Purchaser  Owner  
 Applicant  Agent/Solicitor

1.4 Request for digital copy of sign  Yes\*  No

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

1.5 All correspondence may be sent by email  Yes\*  No

If Yes, a valid email must be included for the registered owner(s) AND the Applicant/Agent (if applicable). Only one email address submitted will result in the voiding of this service. This request does not guarantee all correspondence will sent by email.

**2. LOCATION OF SUBJECT LAND**

2.1 Complete the applicable sections:

Municipal Address	1491 Main Street East, Hamilton, ON		
Assessment Roll Number	04033308570		
Former Municipality	Hamilton		
Lot	260	Concession	
Registered Plan Number	613	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:

Relief from Section 11.1.3b) to permit a minimum rear yard of 6.0 m for a rear yard addition to an existing building, whereas a minimum of 7.5 m is required.

Relief from Section 11.1.3d) to permit a minimum building height of 2.6 m for a building addition.

Second Dwelling Unit

Reconstruction of Existing Dwelling

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

Proposed building addition is needed to make some much needed health and safety improvements to the existing building including a new staircase, exterior exit and an interior supply lift for our staff.

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

Yes

No

If yes, please provide an explanation:

N/A

### 4. DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

4.1 Dimensions of Subject Lands:

Lot Frontage	Lot Depth	Lot Area	Width of Street
10.5 m	30.0 m	324 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
Block Brick Building	0 m (existing)	9.07 m (existing)	0.03 m (existing)	01/04/1939

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Block Brick Building	0 m (existing)	6.09 m (includes new addition)	0.03 m (existing)	01/08/2023

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
Block Brick Building	209 m <sup>2</sup>	209 m <sup>2</sup>	1	4.5 m

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Existing Block Building	233.3 m <sup>2</sup>	233.3 m <sup>2</sup>	1	2.6 m - 4.5 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.):

Existing restaurant. No new use proposed.

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

Single family home and Commercial office

## 7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:

May 14, 2020

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

Restaurant

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

Restaurant

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

Plus minus 50 years

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: N/A

Urban Hamilton Official Plan designation (if applicable) Mixed Use - Medium Density

Please provide an explanation of how the application conforms with the Official Plan.

Proposed/Existing restaurant is a permitted use in the Mixed Use - Medium Density land use designation.

7.6 What is the existing zoning of the subject land? TOC1 Zone

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: TOC1 Zone

---

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: N/A

7.10 If a site-specific Zoning By-law Amendment has been received for the subject property, has the two-year anniversary of the by-law being passed expired?

Yes  No

7.11 If the answer is no, the decision of Council, or Director of Planning and Chief Planner that the application for Minor Variance is allowed must be included. Failure to do so may result in an application not being "received" for processing.

**8 ADDITIONAL INFORMATION**

8.1 Number of Dwelling Units Existing: 0

8.2 Number of Dwelling Units Proposed: 0

8.3 Additional Information (please include separate sheet if needed):

Please see attached cover letter for additional details.

**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

---

---



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, 3935

E-mail: [cofa@hamilton.ca](mailto: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

<b>APPLICATION NO.:</b>	<b>HM/A-23:77</b>	<b>SUBJECT PROPERTY:</b>	17 VICTOR BOULEVARD, HAMILTON
<b>ZONE:</b>	"C/S-1822" (Urban Protected Residential)	<b>ZONING BY-LAW:</b>	Zoning By-law former City of Hamilton 6593, as Amended 22-195

**APPLICANTS:** Owner: DIAMOND PROPERTIES INC.  
Agent: QBS ARCHITECTS INC. C/O SABA AL MATHNO

The following variances are requested:

1. No onsite manoeuvring shall be provided for the two (2) parking spaces located within the side yard instead of the minimum required 6.0m manoeuvring aisle width and the requirement that a manoeuvring space shall be provided and maintained on the lot.

**PURPOSE & EFFECT:** To facilitate the construction of a rear yard addition, and the creation of a converted dwelling;

**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:

<b>DATE:</b>	<b>Thursday, May 4, 2023</b>
<b>TIME:</b>	<b>9:40 a.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>2<sup>nd</sup> floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton</b>
	<b>To be streamed (viewing only) at</b> <a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a>

**HM/A-23:77**

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
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935

**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, including deadlines for submitting to be seen by the Committee.

**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, including deadlines for registering to participate virtually and instructions for check in to participate in person.

**FURTHER NOTIFICATION**

If you wish to be notified of future Public Hearings, if applicable, regarding HM/A-23:77, 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.

HM/A-23:77



 Subject Lands

DATED: April 18, 2023

---

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

Telephone (905) 546-2424, ext. 4221, 3935

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 or via email in 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 two days before the Hearing.**

Comment packages are available two days 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 the day before the 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 the Wednesday afternoon before the hearing. The link must not be shared with others as it is unique to the registrant.

#### 2. In person Oral Submissions

**Interested members of the public, agents, and owners who wish to participate in person must sign in at City Hall room 222 (2<sup>nd</sup> floor) 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) or by phone at 905-546-2424 ext. 4221.

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.

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

**NOTES**

- 1) BEARINGS ARE ASTRONOMIC, AND ARE REFERRED TO THE SOUTHERLY LIMIT OF VICTOR BOULEVARD HAVING A BEARING OF N70°54'00"E AS SHOWN ON REGISTERED PLAN 1248
- 2) TIES ARE TAKEN TO FOUNDATION UNLESS OTHERWISE NOTED.

**BENCHMARK NOTE**

ELEVATIONS SHOWN ON THIS PLAN ARE RELATED TO GEODETIC DATUM AND ARE DERIVED FROM THE NATURAL RESOURCES BENCHMARK No.07720100049 HAVING A PUBLISHED ELEVATION OF 85.227 METRES (CGVD28: 78).



SURVEYOR'S REAL PROPERTY REPORT  
PART 1  
PLAN OF SURVEY OF  
ALL OF  
**LOT 5**  
**REGISTERED PLAN 1248**  
**CITY OF HAMILTON**

REGIONAL MUNICIPALITY OF HAMILTON/WENTWORTH

SCALE 1:200  
0 1 2 3 4 5 10 15metres

THE INTENDED PLOT SIZE OF THIS PLAN IS 904mm IN WIDTH BY 412mm IN HEIGHT WHEN PLOTTED AT A SCALE OF 1:200

© COPYRIGHT 2022, AK&M SURVEYING LTD.

**PART 2: SURVEY REPORT**

- DESCRIPTION OF LAND:  
LOT 5, REGISTERED PLAN 1248
- REGISTERED EASEMENTS AND/OR RIGHTS-OF-WAY  
PROPERTY IS SUBJECT TO AN EASEMENT AS IN INSTRUMENT NUMBER HL260284
- BOUNDARY FEATURES  
FENCES AND OVERHEAD HYDRO WIRE AND THEIR RELATIONSHIP TO THE PROPERTY LIMITS ARE SHOWN ON THE FACE OF THE PLAN
- COMPLIANCE WITH MUNICIPAL ZONING BY-LAWS:  
THIS PLAN DOES NOT CERTIFY ZONING COMPLIANCE
- ADDITIONAL REMARKS  
NONE

**LEGEND**

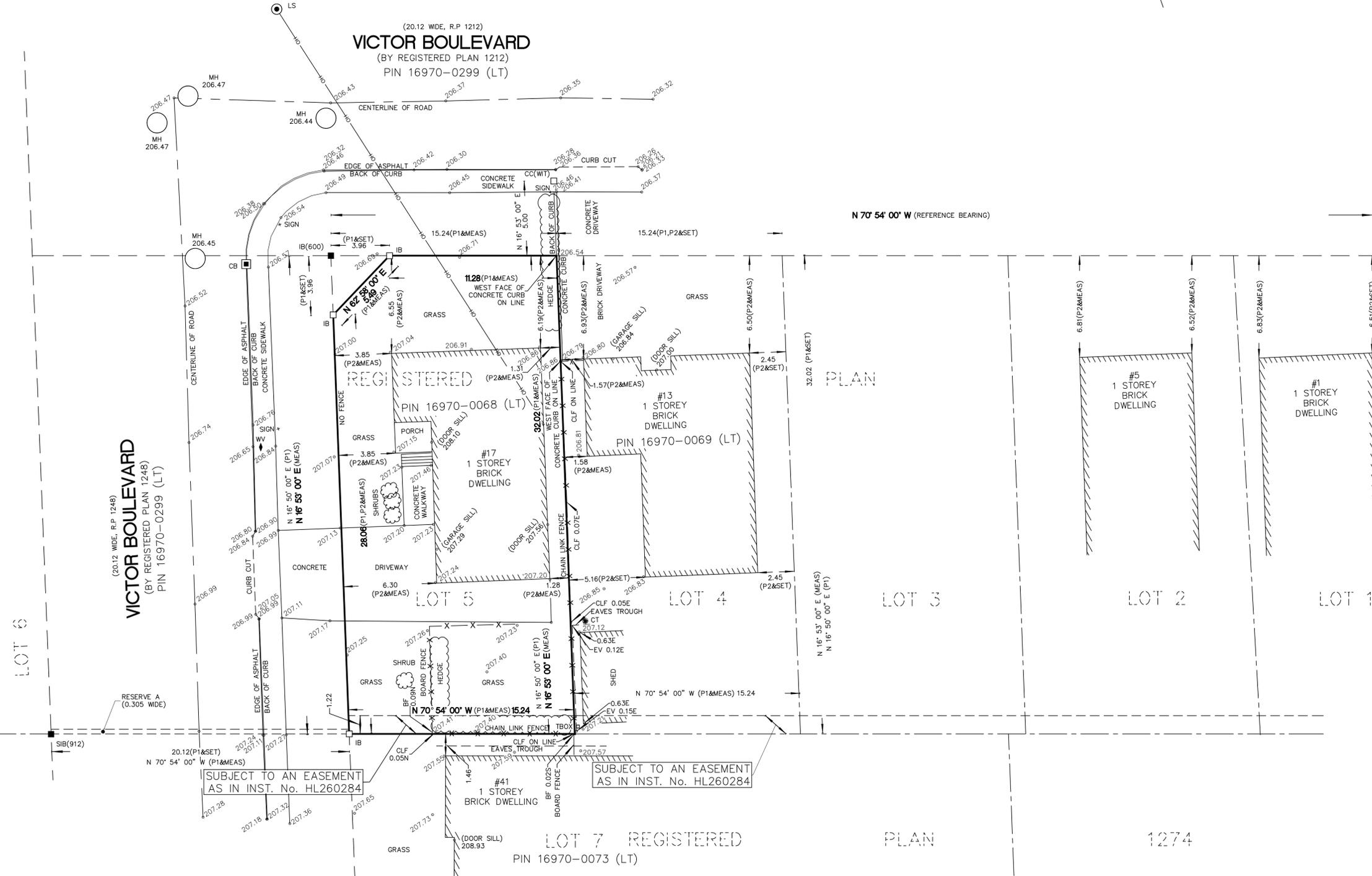
■	DENOTES	FOUND MONUMENT
□	DENOTES	PLANTED MONUMENT
SIB	DENOTES	STANDARD IRON BAR
SSIB	DENOTES	SHORT STANDARD IRON BAR
IB	DENOTES	IRON BAR
CC	DENOTES	CUT CROSS
OU	DENOTES	ORIGIN UNKNOWN
600	DENOTES	S.W. WOODS, O.L.S.
912	DENOTES	A.J. CLARKE AND ASSOCIATES LTD., O.L.S.
CALC	DENOTES	CALCULATED
MEAS	DENOTES	MEASURED
WIT	DENOTES	WITNESS
PROD	DENOTES	PRODUCTION
P1	DENOTES	REGISTERED PLAN 1248
P2	DENOTES	PLAN BY S.W. WOODS, O.L.S., DATED: JANUARY 17 <sup>TH</sup> , 1964
P3	DENOTES	REGISTERED PLAN 1274
BM	DENOTES	BENCHMARK
BF	DENOTES	BOARD FENCE
CB	DENOTES	CATCH BASIN
CLF	DENOTES	CHAIN LINK FENCE
CONC	DENOTES	CONCRETE
CT	DENOTES	CONIFEROUS TREE
EV	DENOTES	EAVES TROUGH
LS	DENOTES	LIGHT STANDARD
MH	DENOTES	MANHOLE
WV	DENOTES	WATER VALVE
TBOX	DENOTES	TELEPHONE BOX
-OH-	DENOTES	OVERHEAD HYDRO

**SURVEYOR'S CERTIFICATE**

- I CERTIFY THAT:
- 1) THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.
  - 2) THE SURVEY WAS COMPLETED ON 9<sup>TH</sup> DAY OF DECEMBER, 2022

DECEMBER 17<sup>TH</sup>, 2022  
DATE

*K. Adhi*  
ATHITHTHAN KANAGANAYAGAM  
ONTARIO LAND SURVEYOR



SUBJECT TO AN EASEMENT AS IN INST. No. HL260284

SUBJECT TO AN EASEMENT AS IN INST. No. HL260284

ASSOCIATION OF ONTARIO  
LAND SURVEYORS  
PLAN SUBMISSION FORM  
V-31336

THIS PLAN IS NOT VALID UNLESS IT IS AN EMBOSSED ORIGINAL COPY ISSUED BY THE SURVEYOR  
In accordance with Regulation 1026, Section 29(3)

15 Great Plains Street  
Brampton, Ontario  
L6R-1Z5  
Phone: (647) 914-3361  
www.akmsurvey.com  
Email: info@akmsurvey.com

AK&M SURVEYING LTD.

DATE: December 17, 2022	CHECKED BY: AK	DRAWN BY: BJV	PROJECT No.: 2022-135
FILE LOCATION: G:\Shared drives\AK&M Survey Ltd. Job Folders\2022-135\Drawing\2022-135.dwg			



ARCHITECTURAL SHEET LIST

Sheet Number	Sheet Name	Sheet Issue Date	Revision Number
A0-000	COVER	01/10/23	7
A0-001	SITE STATISTICS	01/10/23	7
A0-002	SITE PLAN	01/10/23	7
A0-003	SURVEY	01/13/23	7
A0-004	EXISTING BASEMENT AREAS	01/13/23	7
A0-005	EXISTING GROUND FLOOR AREAS	01/13/23	7
A0-006	PROPOSED BASEMENT FLOOR AREAS	01/13/23	7
A0-007	PROPOSED GROUND FLOOR AREAS	01/10/23	7
A0-008	PROPOSED SECOND FLOOR AREA	12/16/22	7
A0-009	LANDSCAPING CALCULATION	01/13/23	7
A1-001	PROPOSED BASEMENT	12/15/22	7
A1-002	PROPOSED GROUND FLOOR	12/15/22	7
A1-003	PROPOSED SECOND FLOOR	12/15/22	7
A1-004	PROPOSED ROOF PLAN	01/13/23	7
A1-005	PROPOSED SHED	01/13/23	7
A2-001	PROPOSED FRONT ELEVATION	01/10/23	7
A2-002	PROPOSED SIDE(WEST)ELEVATION	01/10/23	7
A2-003	PROPOSED REAR ELEVATION	01/10/23	7
A2-004	PROPOSED SIDE(EAST)ELEVATION	01/10/23	7
A3-001	SECTION 1	01/13/23	7
A4-001	EXISTING BASEMENT FLOOR PLAN	01/13/23	7
A4-002	EXISTING GROUND FLOOR PLAN	01/13/23	7
A4-003	EXISTING FRONT ELEVATION	01/13/23	7
A4-004	EXISTING SIDE(WEST)ELEVATION	01/13/23	7
A4-005	EXISTING REAR ELEVATION	01/13/23	7
A4-006	EXISTING SIDE(EAST)ELEVATION	01/13/23	7

Grand total: 26

17 VICTOR BOULEVARD		No.	Description	Date
Enter address here				
STAGE	DRAWING NO.			
ZR	A0-000			

ARCHITECTS



COVER			
PROJECT NUMBER	220233	DRAWING STATUS	ISSUED FOR ZONING VERIFICATION
DATE	01/13/23		
DRAWN	JB	SCALE	REVISION 7
CHECKED	SA		

ZONING INFORMATION FOR 17 VICTOR BOULEVARD BY-LAW 6593 AND By-LAW 22-195					
ZONING:R1		(sq.m)	(sq.ft)		
EXISTING LOT AREA:		479.8	5164.6		
EXISTING BASEMENT FLOOR:		100.3	1079.3		
EXISTING GROUND FLOOR:		105.7	1137.7		
EXISTING TOTAL GFA:		105.7	1137.7		
EXISTING FSI:		105.7	1137.7		
EXISTING GARAGE:		23.4	252.0		
<b>EXISTING TOTAL COVERAGE:26.90%</b>		129.1	1389.7		
PROPOSED BASEMENT FLOOR:		168.4	1812.1		
PROPOSED GROUND FLOOR:		163.3	1758.2		
PROPOSED SECOND FLOOR:		71.7	771.8		
PROPOSED TOTAL GFA:		235.0	2530.0		
PROPOSED FSI :		235.0	2530.0		
PROPOSED SHED:		12.3	132.5		
<b>PROPOSED TOTAL COVERAGE:36.61%</b>		175.7	1890.7		
SETBACKS		EXISTING		PROPOSED	
		(m)	(ft)	(m)	(ft)
FRONT:		6.19	20.30	EXISTING	TO REMAIN
REAR:		10.09	33.10	7.5	24.60
SIDE (EAST):		1.28	4.19	EXISTING	TO REMAIN
SIDE(WEST):		3.85	12.63	EXISTING	TO REMAIN
BUILDING HEIGHT:		5.17	16.96	7.04	23.09
BUILDING LENGTH:		15.43	50.62	18.23	59.80
LOT FRONTAGE:		15.24	50	EXISTING	TO REMAIN
PARKING:		2 SPACES EXISTING		3 SPACES	PROPOSED

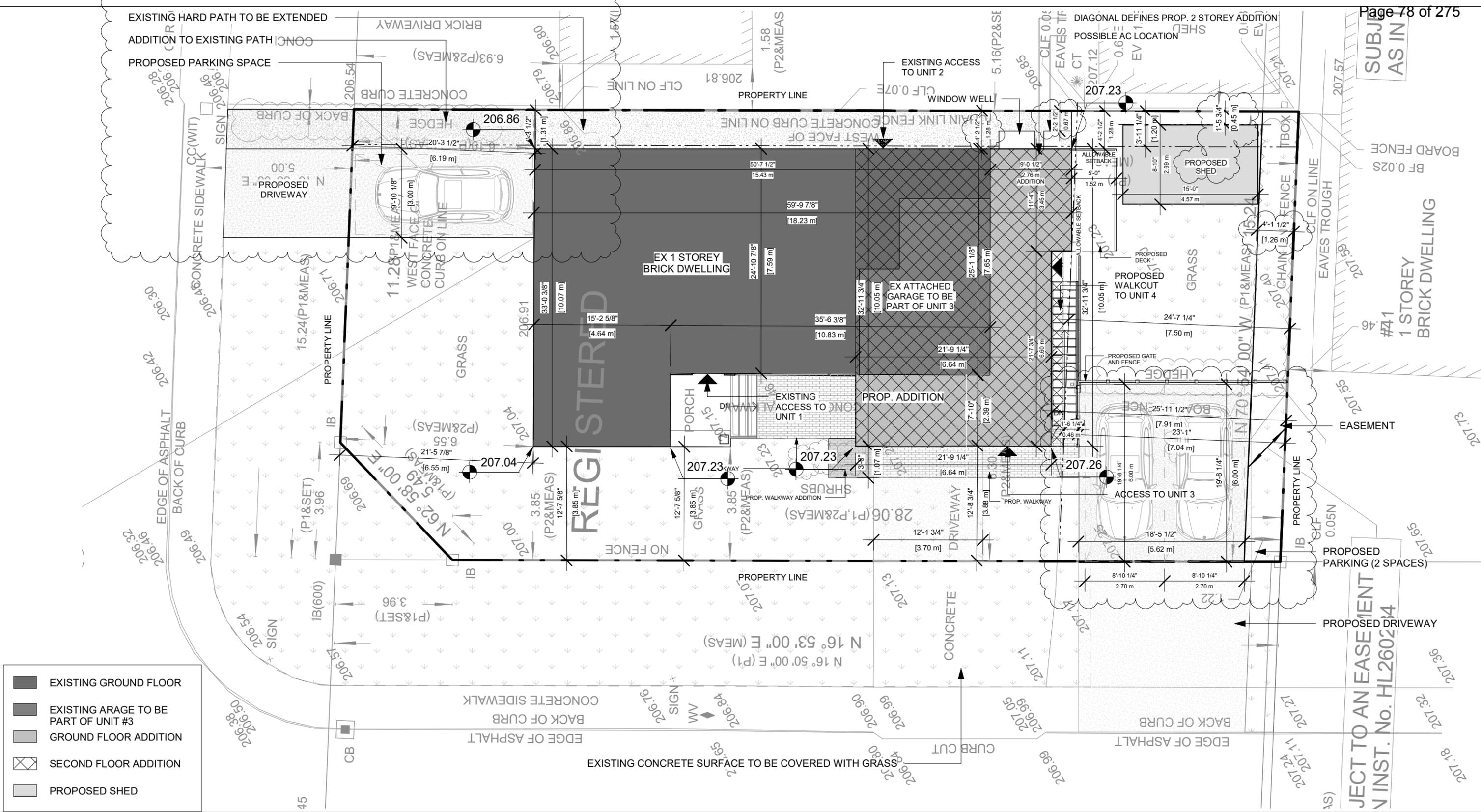
AVERAGE GRADE CALCULATION=207.4+207.23+207.23+207.23+207.23+206.86=1242.85/6=207.14

17 VICTOR BOULEVARD		No.	Description	Date
Enter address here		7	ISSUED FOR COFA	2023-03-21
		6	REISSUED FOR ZONING	2023-03-08
		5	ISSUED FOR ZONING	2023-01-18
STAGE	DRAWING NO.			
ZR	A0-001			

ARCHITECTS



SITE STATISTICS			
PROJECT NUMBER	220233	DRAWING STATUS	
DATE	01/13/23	ISSUED FOR ZONING VERIFICATION	
DRAWN	JB		
CHECKED	SA	SCALE 12" = 1'-0"	REVISION 7



**LEGEND**

- EXISTING GROUND FLOOR
- EXISTING ARAGE TO BE PART OF UNIT #3
- GROUND FLOOR ADDITION
- SECOND FLOOR ADDITION
- PROPOSED SHED

17 VICTOR BOULEVARD	
Enter address here	
STAGE	DRAWING NO.
<b>ZR</b>	<b>A0-002</b>

No.	Description	Date
7	ISSUED FOR COFA	2023-03-21
6	REISSUED FOR ZONING	2023-03-08
5	ISSUED FOR ZONING	2023-01-18
4	ISSUED FOR CLIENT	2023-01-11
3	ISSUED FOR CLIENT	2023-01-04
2	ISSUED FOR CLIENT	2022-12-23
1	ISSUED FOR CLIENT	2022-12-20

ARCHITECTS

TORONTO - CANADA  
info@qbsarchitects.com

ONTARIO ASSOCIATION OF ARCHITECTS  
SABA AL MATHNO  
LICENCE 6963

SITE PLAN			
PROJECT NUMBER	220233	DRAWING STATUS	ISSUED FOR ZONING VERIFICATION
DATE	01/13/23		
DRAWN	JB	SCALE	1" = 10'-0"
CHECKED	SA	REVISION	7

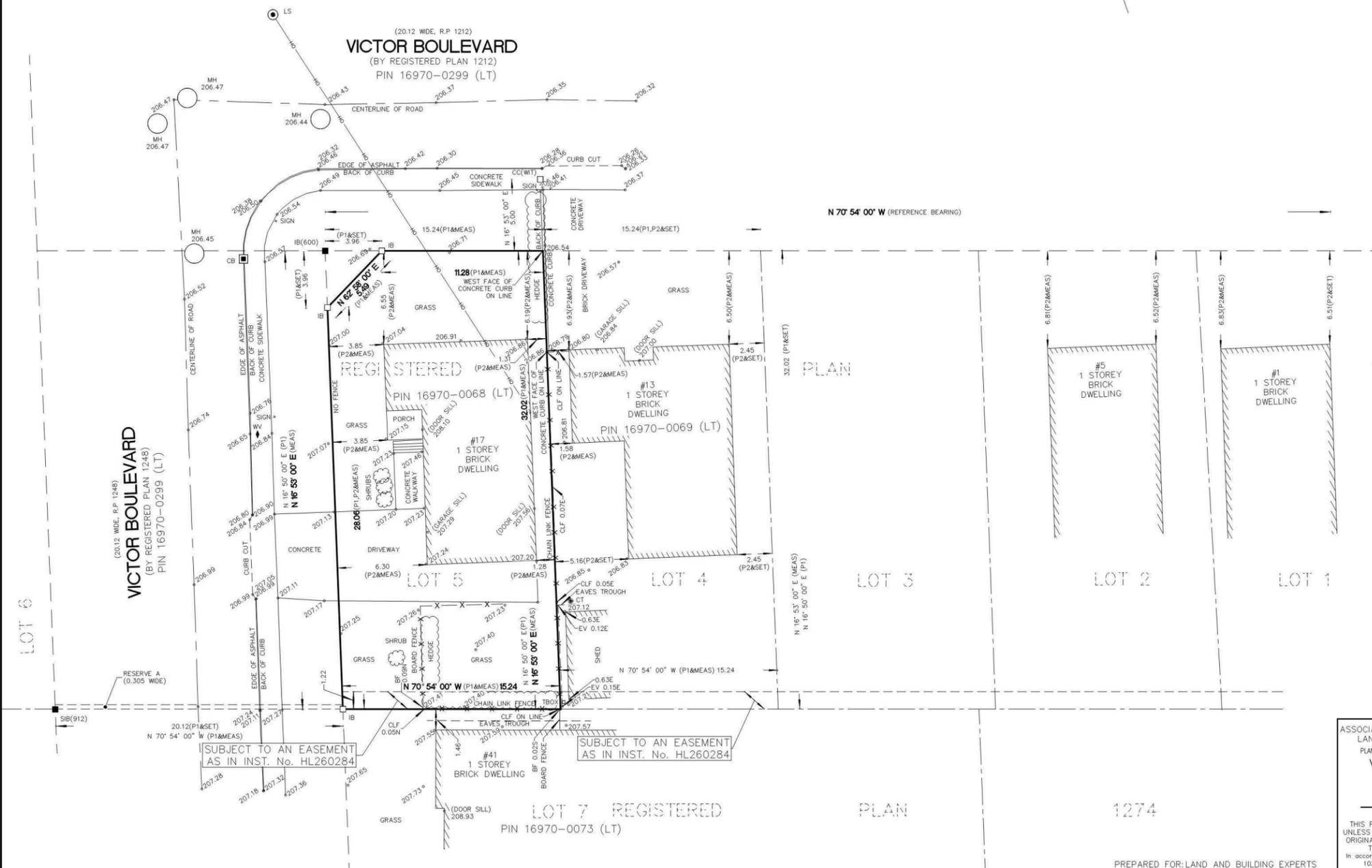
**METRIC:** DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

**NOTES**

- 1) BEARINGS ARE ASTRONOMIC, AND ARE REFERRED TO THE SOUTHERLY LIMIT OF VICTOR BOULEVARD HAVING A BEARING OF N70°54'00"E AS SHOWN ON REGISTERED PLAN 1248
- 2) TIES ARE TAKEN TO FOUNDATION UNLESS OTHERWISE NOTED.

**BENCHMARK NOTE**

ELEVATIONS SHOWN ON THIS PLAN ARE RELATED TO GEODETIC DATUM AND ARE DERIVED FROM THE NATURAL RESOURCES BENCHMARK No.07720100049 HAVING A PUBLISHED ELEVATION OF 85.227 METRES (CGVD28:78).



SURVEYOR'S REAL PROPERTY REPORT  
 PART 1  
 PLAN OF SURVEY OF  
**LOT 5**  
**REGISTERED PLAN 1248**  
**CITY OF HAMILTON**

REGIONAL MUNICIPALITY OF HAMILTON/WENTWORTH

SCALE 1:200  
 0 1 2 3 4 5 10 15metres

THE INTENDED PLOT SIZE OF THIS PLAN IS 904mm IN WIDTH BY 412mm IN HEIGHT WHEN PLOTTED AT A SCALE OF 1:200

© COPYRIGHT 2022, AK&M SURVEYING LTD.

**PART 2: SURVEY REPORT**

- DESCRIPTION OF LAND:  
LOT 5, REGISTERED PLAN 1248
- REGISTERED EASEMENTS AND/OR RIGHTS-OF-WAY  
PROPERTY IS SUBJECT TO AN EASEMENT AS IN INSTRUMENT NUMBER HL260284
- BOUNDARY FEATURES  
FENCES AND OVERHEAD HYDRO WIRE AND THEIR RELATIONSHIP TO THE PROPERTY LIMITS ARE SHOWN ON THE FACE OF THE PLAN
- COMPLIANCE WITH MUNICIPAL ZONING BY-LAWS:  
THIS PLAN DOES NOT CERTIFY ZONING COMPLIANCE
- ADDITIONAL REMARKS  
NONE

**LEGEND**

- DENOTES FOUND MONUMENT
- DENOTES PLANTED MONUMENT
- SIB DENOTES STANDARD IRON BAR
- SSIB DENOTES SHORT STANDARD IRON BAR
- IB DENOTES IRON BAR
- CC DENOTES CUT CROSS
- OU DENOTES ORIGIN UNKNOWN
- 600 DENOTES S.W. WOODS, O.L.S.
- 912 DENOTES A.J. CLARKE AND ASSOCIATES LTD., O.L.S.
- CALC DENOTES CALCULATED
- MEAS DENOTES MEASURED
- WT DENOTES WITNESS
- PROD DENOTES PRODUCTION
- P1 DENOTES REGISTERED PLAN 1248
- P2 DENOTES PLAN BY S.W. WOODS, O.L.S., DATED: JANUARY 17<sup>TH</sup>, 1964
- P3 DENOTES REGISTERED PLAN 1274
- BM DENOTES BENCHMARK
- BF DENOTES BOARD FENCE
- CB DENOTES CATCH BASIN
- CLF DENOTES CHAIN LINK FENCE
- CONC DENOTES CONCRETE
- CT DENOTES CONIFEROUS TREE
- EV DENOTES EAVES TROUGH
- LS DENOTES LIGHT STANDARD
- MH DENOTES MANHOLE
- WV DENOTES WATER VALVE
- TBOX DENOTES TELEPHONE BOX
- OH- DENOTES OVERHEAD HYDRO

**SURVEYOR'S CERTIFICATE**

- I CERTIFY THAT:
- 1) THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.
  - 2) THE SURVEY WAS COMPLETED ON 9<sup>TH</sup> DAY OF DECEMBER, 2022

DECEMBER 17<sup>TH</sup>, 2022  
 DATE

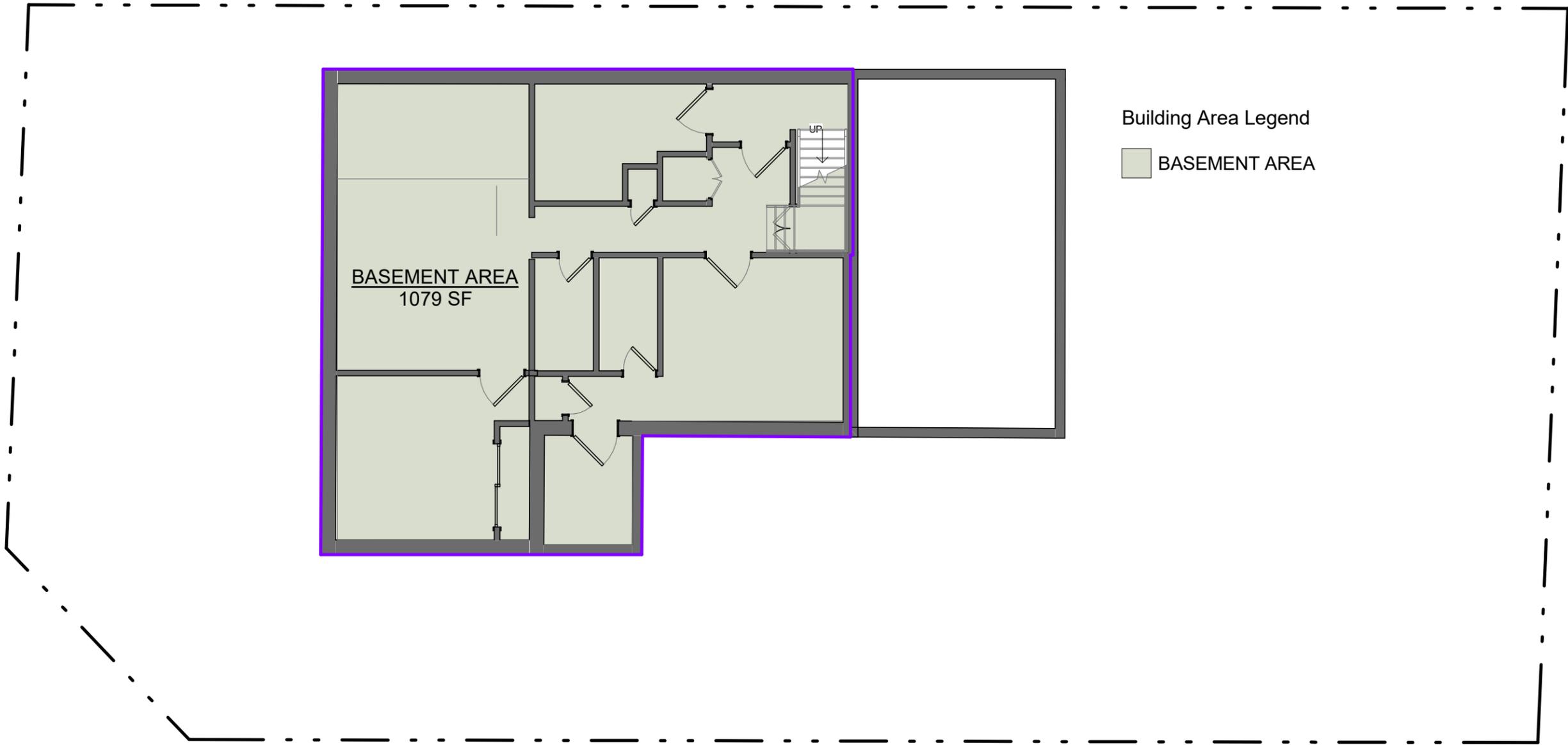
*K. Athiththan*  
 ATHITHTHAN KANAGANAYAGAM  
 ONTARIO LAND SURVEYOR

ASSOCIATION OF ONTARIO LAND SURVEYORS PLAN SUBMISSION FORM <b>V-31336</b>  THIS PLAN IS NOT VALID UNLESS IT IS AN EMBOSSED ORIGINAL COPY ISSUED BY THE SURVEYOR in accordance with Regulation 1026, Section 29(3)	15 Great Plains Street Brampton, Ontario L6R-1Z5 Phone: (647) 914-3361 www.akmsurvey.com Email: info@akmsurvey.com	 AK&M SURVEYING LTD.
	DATE: December 17, 2022 CHECKED BY: AK DRAWN BY: BFV PROJECT No.: 2022-135 FILE LOCATION: G:\Shared drives\AK&M Survey Ltd. Job Folders\2022-135\Drawing\2022-135.dwg	

17 VICTOR BOULEVARD		<b>No.</b>	<b>Description</b>	<b>Date</b>	ARCHITECTS
Enter address here		7	ISSUED FOR COFA	2023-03-21	
		5	ISSUED FOR ZONING	2023-01-18	
<b>STAGE</b>	<b>DRAWING NO.</b>				
<b>ZR</b>	<b>A0-003</b>				

**QBS** ARCHITECTS INC.  
 TORONTO - CANADA  
 info@qbsarchitects.com

<b>SURVEY</b>			
PROJECT NUMBER	220233	DRAWING STATUS	ISSUED FOR ZONING VERIFICATION
DATE	01/13/23		
DRAWN	Author	SCALE	REVISION
CHECKED	Checker		7



17 VICTOR BOULEVARD	
Enter address here	
STAGE	DRAWING NO.
<b>ZR</b>	<b>A0-004</b>

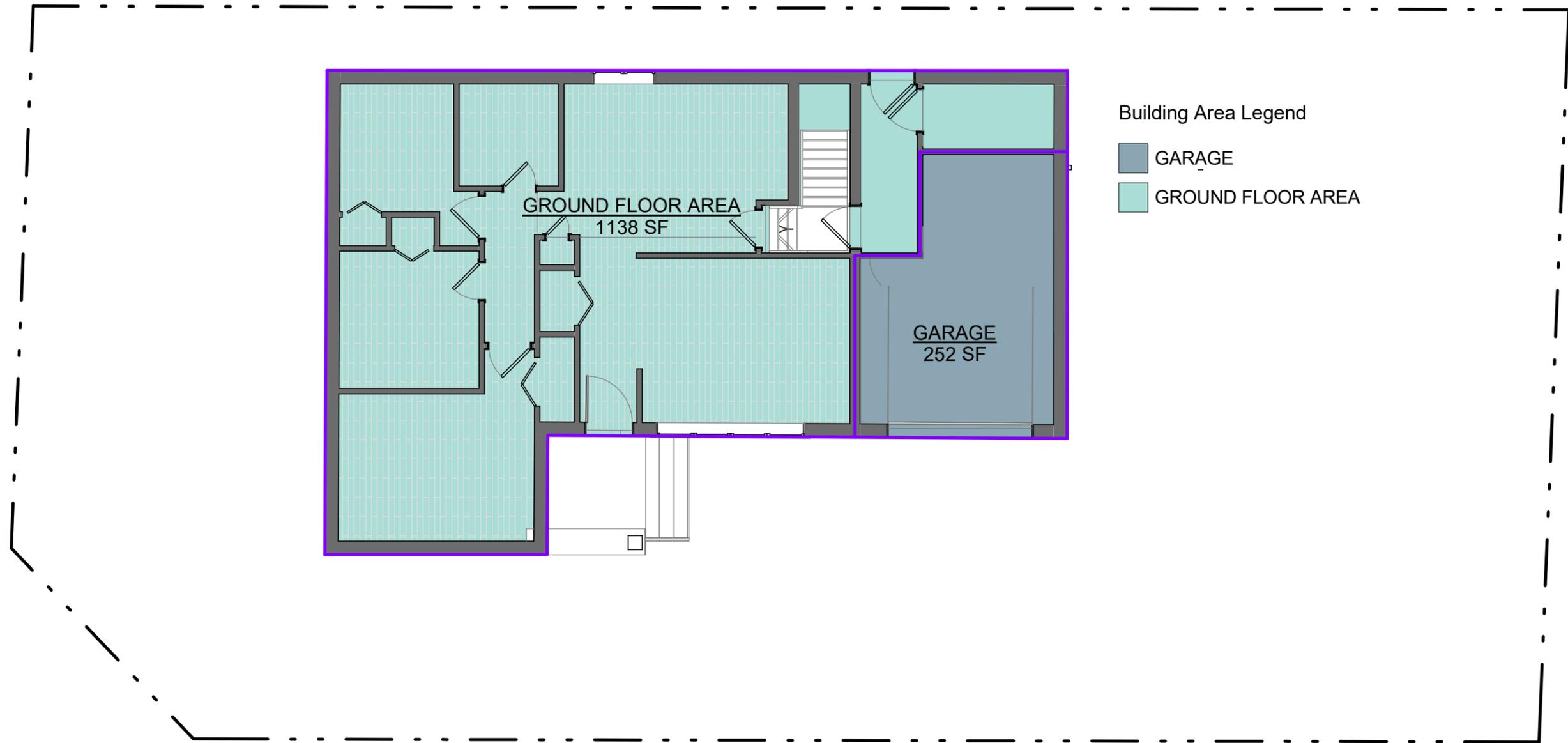
No.	Description	Date
7	ISSUED FOR COFA	2023-03-21
5	ISSUED FOR ZONING	2023-01-18

ARCHITECTS

TORONTO - CANADA  
info@qbsarchitects.com



EXISTING BASEMENT AREAS			
PROJECT NUMBER	220233	DRAWING STATUS	
DATE	01/13/23	ISSUED FOR ZONING VERIFICATION	
DRAWN	JB	SCALE	1/8" = 1'-0"
CHECKED	SA	REVISION	7



17 VICTOR BOULEVARD	
Enter address here	
STAGE	DRAWING NO.
ZR	A0-005

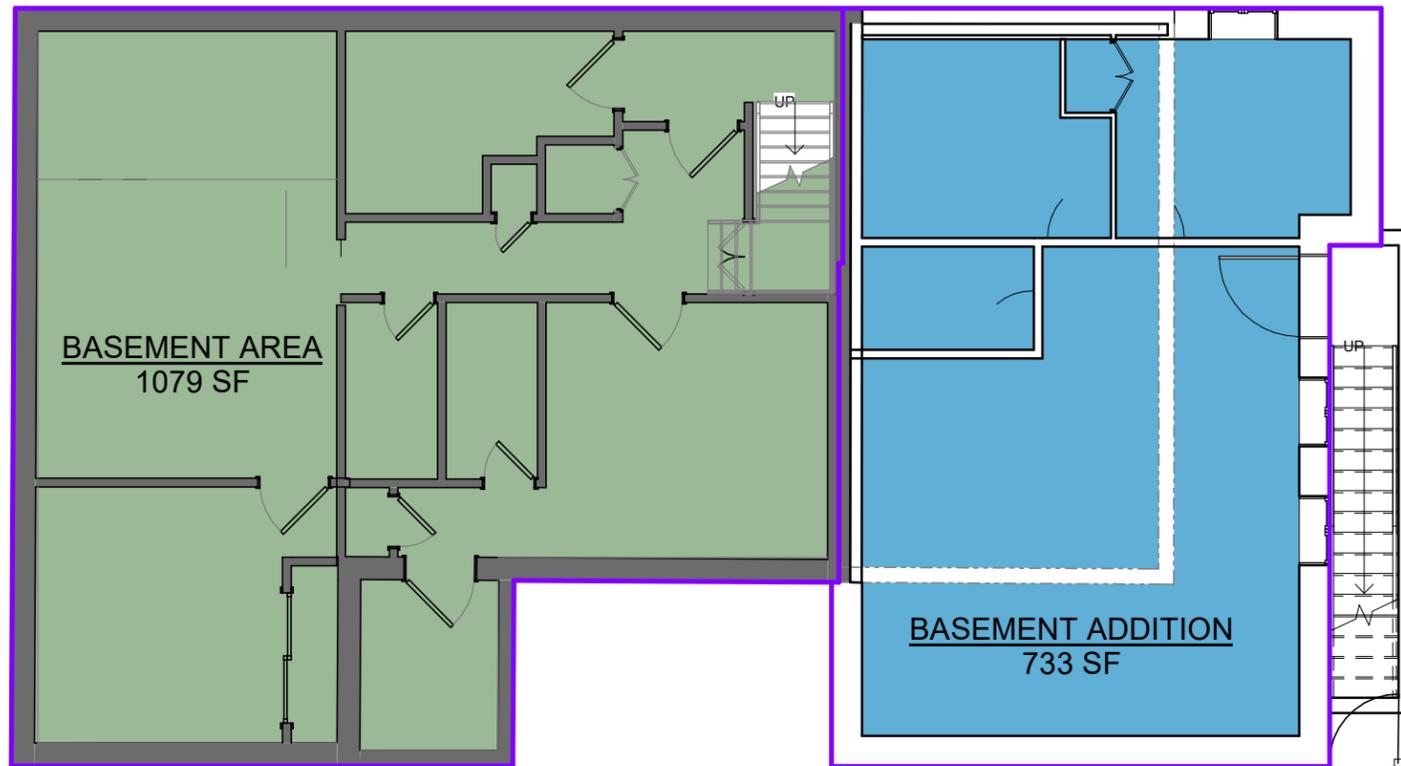
No.	Description	Date
7	ISSUED FOR COFA	2023-03-21
5	ISSUED FOR ZONING	2023-01-18

ARCHITECTS

TORONTO - CANADA  
info@qbsarchitects.com



EXISTING GROUND FLOOR AREAS			
PROJECT NUMBER	220233	DRAWING STATUS	
DATE	01/13/23	ISSUED FOR ZONING VERIFICATION	
DRAWN	JB	SCALE	1/8" = 1'-0"
CHECKED	SA	REVISION	7



Schema 1 Legend

- BASEMENT ADDITION
- BASEMENT AREA

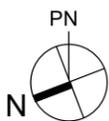
17 VICTOR BOULEVARD  
Enter address here

No.	Description	Date
7	ISSUED FOR COFA	2023-03-21
5	ISSUED FOR ZONING	2023-01-18

ARCHITECTS



TORONTO - CANADA  
info@qbsarchitects.com

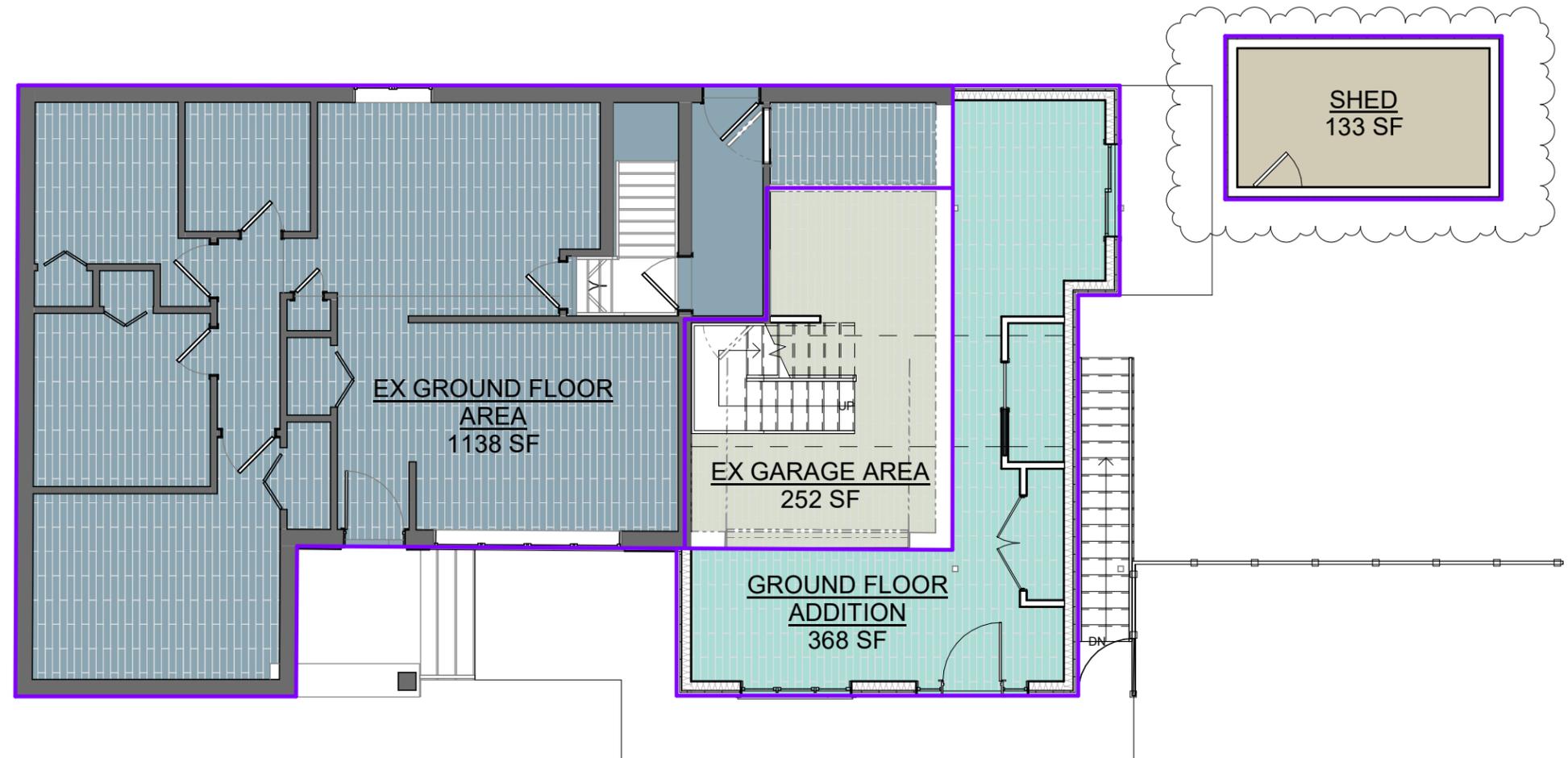



STAGE: **ZR**  
DRAWING NO.: **A0-006**

PROPOSED BASEMENT FLOOR AREAS			
PROJECT NUMBER	220233	DRAWING STATUS	
DATE	01/13/23	ISSUED FOR ZONING VERIFICATION	
DRAWN	JB	SCALE	1/8" = 1'-0"
CHECKED	SA	REVISION	7

Schema 1 Legend

- EX GARAGE AREA
- EX GROUND FLOOR AREA
- GROUND FLOOR ADDITION
- SHED



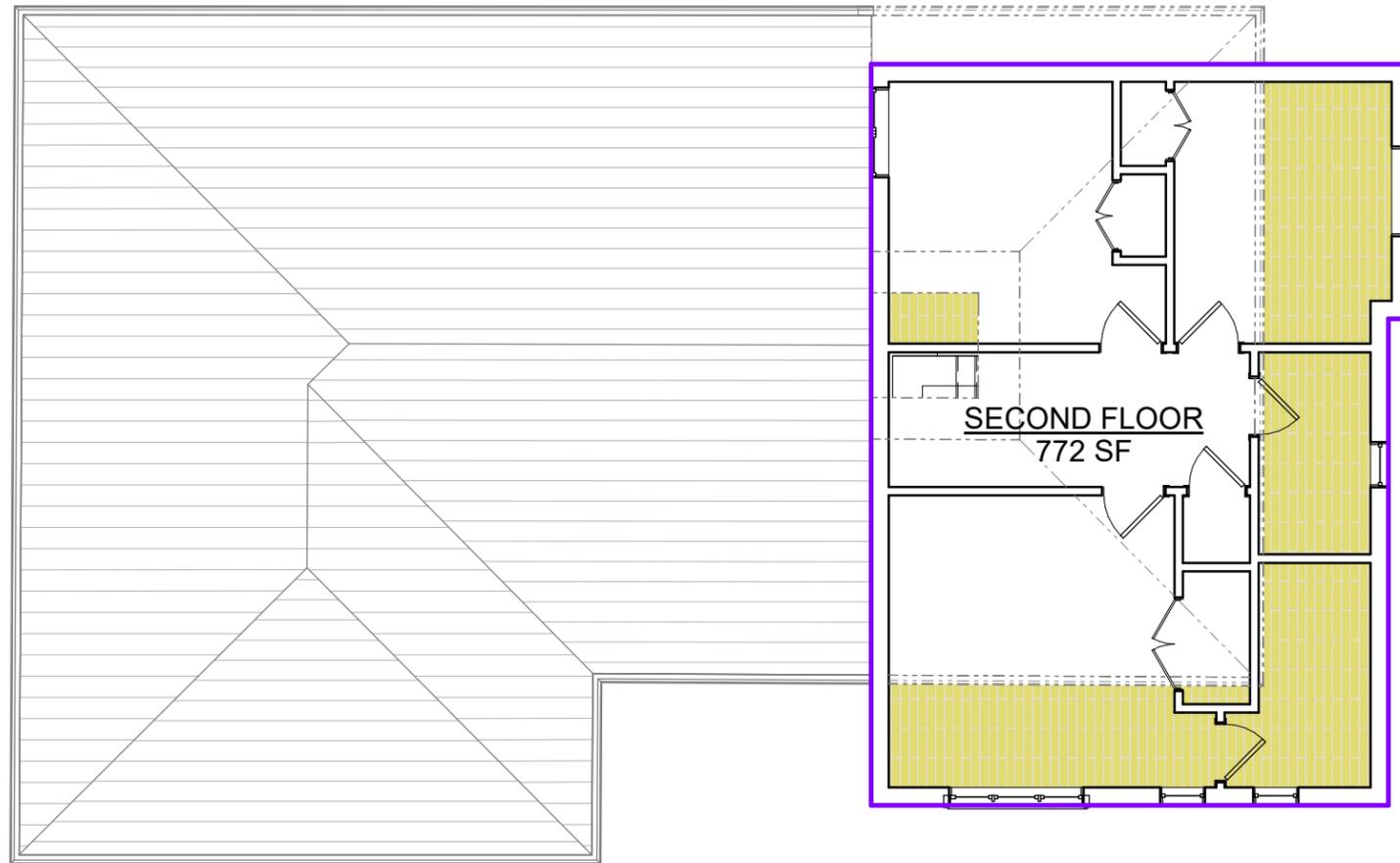
17 VICTOR BOULEVARD	
Enter address here	
STAGE	DRAWING NO.
<b>ZR</b>	<b>A0-007</b>

No.	Description	Date
7	ISSUED FOR COFA	2023-03-21
6	REISSUED FOR ZONING	2023-03-08
4	ISSUED FOR CLIENT	2023-01-11
3	ISSUED FOR CLIENT	2023-01-04
2	ISSUED FOR CLIENT	2022-12-23
1	ISSUED FOR CLIENT	2022-12-20

ARCHITECTS

TORONTO - CANADA  
info@qbsarchitects.com

PROPOSED GROUND FLOOR AREAS			
PROJECT NUMBER	220233	DRAWING STATUS	
DATE	01/13/23	ISSUED FOR ZONING VERIFICATION	
DRAWN	JB	SCALE 1/8" = 1'-0"	REVISION 7
CHECKED	SA		



Schema 1 Legend

SECOND FLOOR

17 VICTOR BOULEVARD	
Enter address here	
STAGE	DRAWING NO.
<b>ZR</b>	<b>A0-008</b>

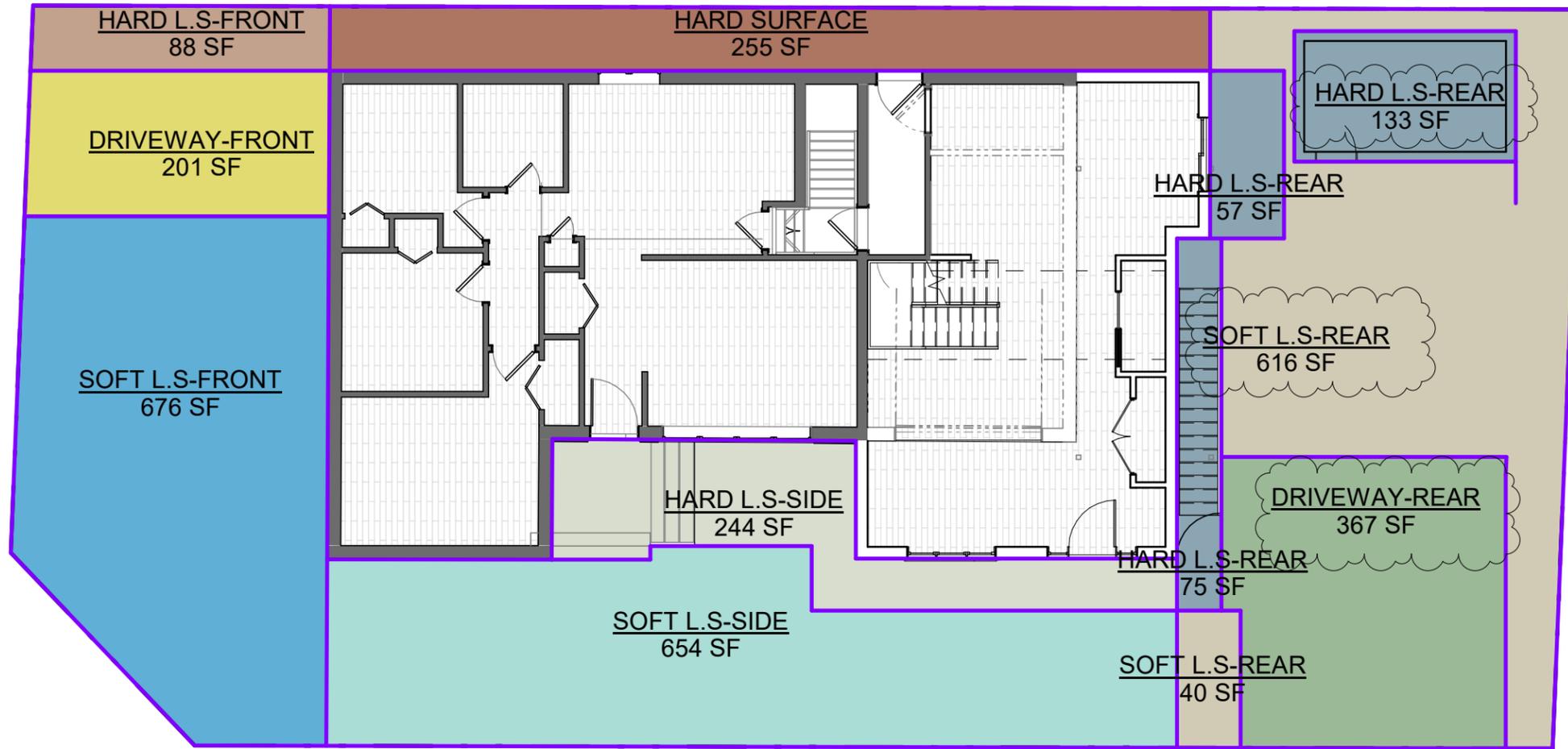
No.	Description	Date
7	ISSUED FOR COFA	2023-03-21
5	ISSUED FOR ZONING	2023-01-18
4	ISSUED FOR CLIENT	2023-01-11
3	ISSUED FOR CLIENT	2023-01-04
2	ISSUED FOR CLIENT	2022-12-23
1	ISSUED FOR CLIENT	2022-12-20

ARCHITECTS

TORONTO - CANADA  
info@qbsarchitects.com



PROPOSED SECOND FLOOR AREA			
PROJECT NUMBER	220233	DRAWING STATUS	
DATE	01/13/23	ISSUED FOR ZONING VERIFICATION	
DRAWN	JB	SCALE	1/8" = 1'-0"
CHECKED	SA	REVISION	7



FRONT YARD LANDSCAPING CALCULATION

- DRIVEWAY-FRONT
- DRIVEWAY-REAR
- HARD L.S-FRONT
- HARD L.S-REAR
- HARD L.S-SIDE
- HARD SURFACE
- SOFT L.S-FRONT
- SOFT L.S-REAR
- SOFT L.S-SIDE

ZONING-PROP FRONT YARD LANDSCAPING		
SOFT L.S-FRONT	676 ft <sup>2</sup>	62.82 m <sup>2</sup>
HARD L.S-FRONT	88 ft <sup>2</sup>	8.21 m <sup>2</sup>
DRIVEWAY-FRONT	201 ft <sup>2</sup>	18.70 m <sup>2</sup>
Grand total: 3	966 ft <sup>2</sup>	89.73 m <sup>2</sup>

ZONING-PROP SIDE LANDSCAPING			
HARD L.S-SIDE	244 ft <sup>2</sup>	22.63 m <sup>2</sup>	
SOFT L.S-SIDE	654 ft <sup>2</sup>	60.72 m <sup>2</sup>	
Grand total: 2	897 ft <sup>2</sup>	83.35 m <sup>2</sup>	

ZONING-PROP REAR LANDSCAPING			
DRIVEWAY-REAR	367 ft <sup>2</sup>	34.14 m <sup>2</sup>	
SOFT L.S-REAR	40 ft <sup>2</sup>	3.71 m <sup>2</sup>	
SOFT L.S-REAR	616 ft <sup>2</sup>	57.23 m <sup>2</sup>	
HARD L.S-REAR	133 ft <sup>2</sup>	12.31 m <sup>2</sup>	
HARD L.S-REAR	57 ft <sup>2</sup>	5.26 m <sup>2</sup>	
HARD L.S-REAR	75 ft <sup>2</sup>	7.01 m <sup>2</sup>	
Grand total: 6	1288 ft <sup>2</sup>	119.67 m <sup>2</sup>	

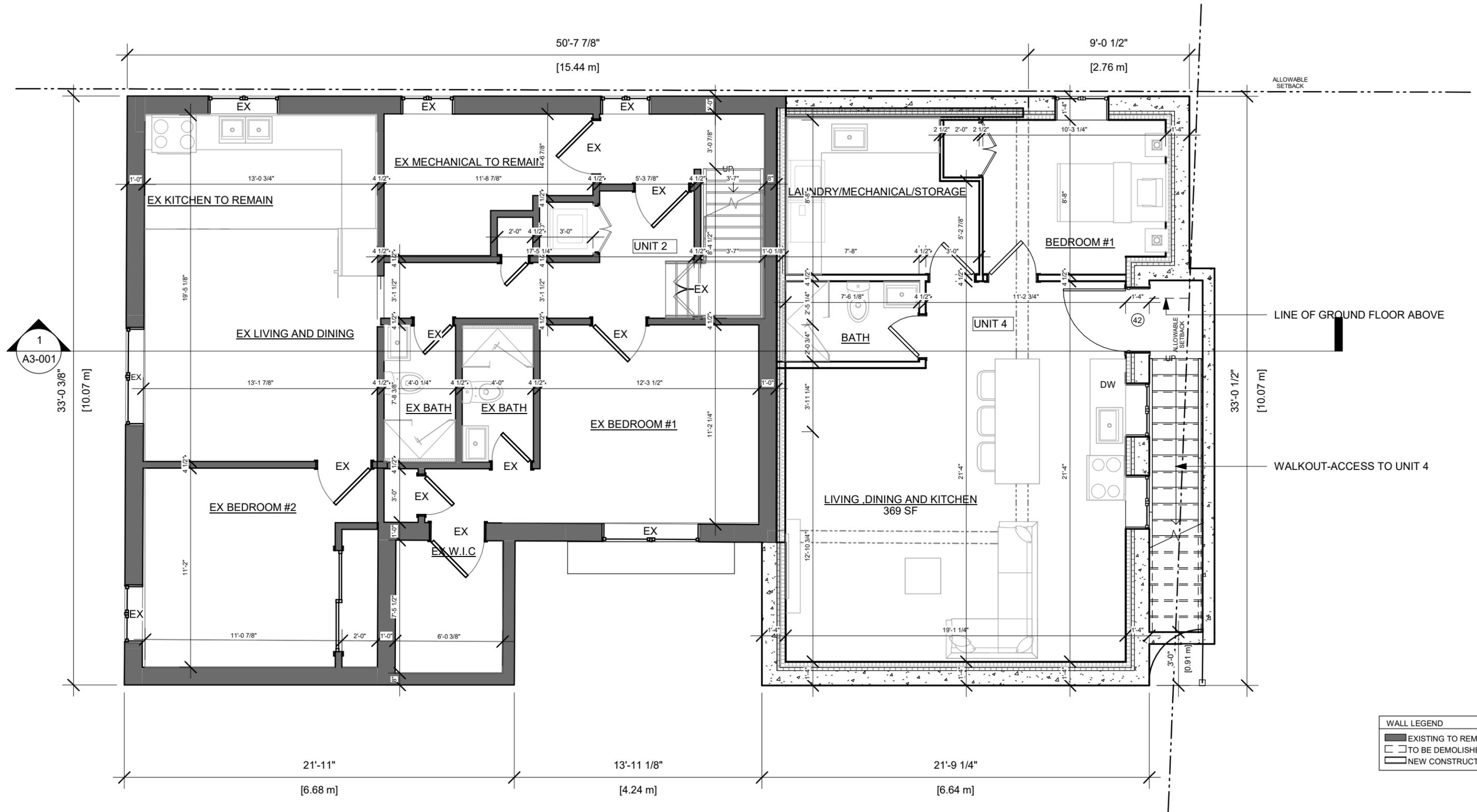
17 VICTOR BOULEVARD		No.	Description	Date
Enter address here				
STAGE	DRAWING NO.			
ZR	A0-009	7	ISSUED FOR COFA	2023-03-21
		6	REISSUED FOR ZONING	2023-03-08
		5	ISSUED FOR ZONING	2023-01-18

ARCHITECTS



LANDSCAPING CALCULATION

PROJECT NUMBER	220233	DRAWING STATUS	ISSUED FOR ZONING VERIFICATION	
DATE	01/13/23			
DRAWN	JB			
CHECKED	SA	SCALE	1" = 10'-0"	REVISION
				7



WALL LEGEND	
	EXISTING TO REMAIN
	TO BE DEMOLISHED
	NEW CONSTRUCTION

17 VICTOR BOULEVARD	
Enter address here	
STAGE	DRAWING NO.
<b>ZR</b>	<b>A1-001</b>

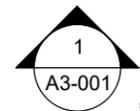
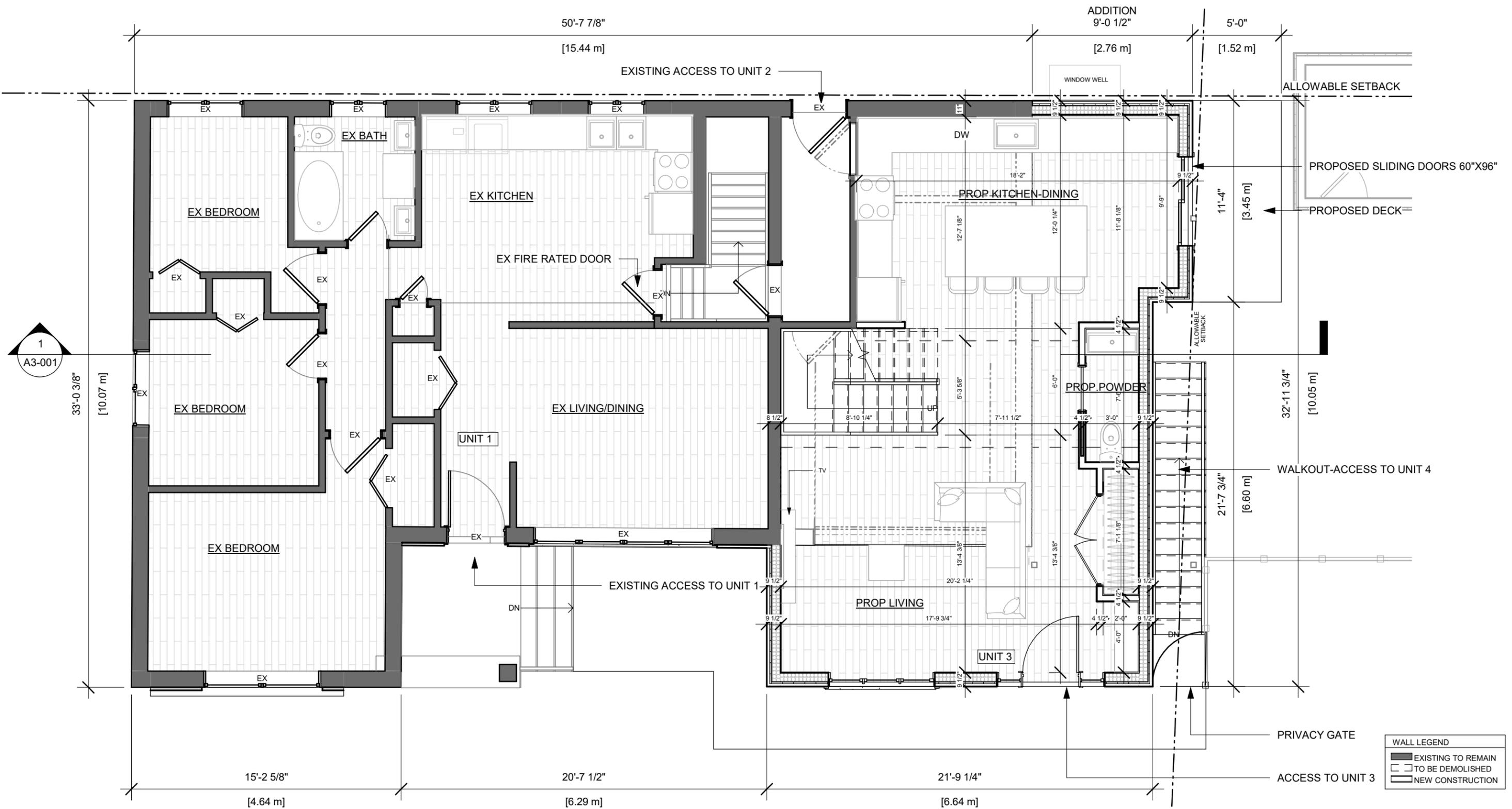
No.	Description	Date
7	ISSUED FOR COFA	2023-03-21
5	ISSUED FOR ZONING	2023-01-18
4	ISSUED FOR CLIENT	2023-01-11
3	ISSUED FOR CLIENT	2023-01-04
2	ISSUED FOR CLIENT	2022-12-23
1	ISSUED FOR CLIENT	2022-12-20

ARCHITECTS

TORONTO - CANADA  
info@qbsarchitects.com



PROPOSED BASEMENT			
PROJECT NUMBER	220233	DRAWING STATUS	ISSUED FOR ZONING VERIFICATION
DATE	01/13/23		
DRAWN	JB	SCALE	3/16" = 1'-0"
CHECKED	SA	REVISION	7



WALL LEGEND	
	EXISTING TO REMAIN
	TO BE DEMOLISHED
	NEW CONSTRUCTION

17 VICTOR BOULEVARD  
Enter address here

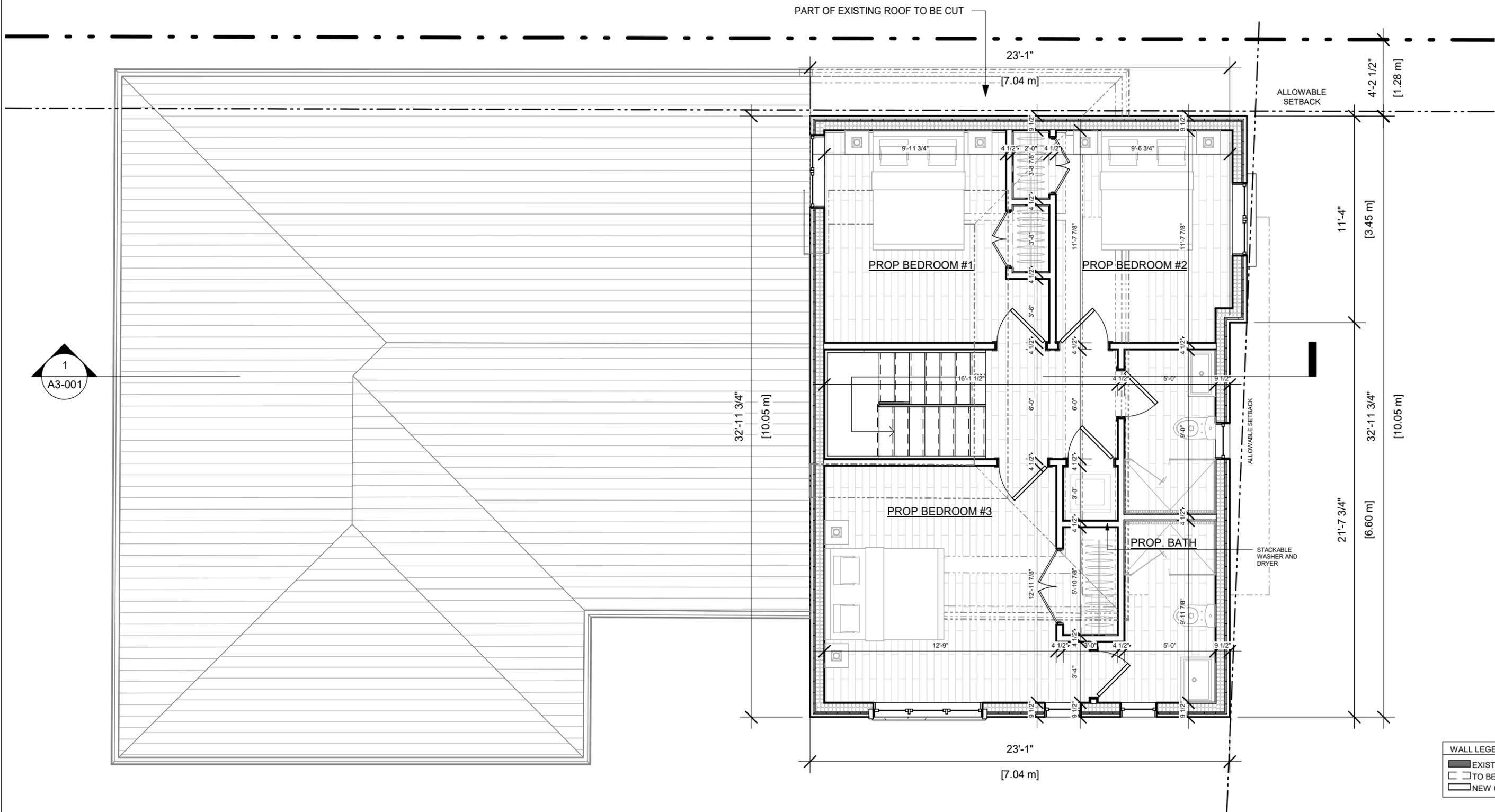
STAGE	DRAWING NO.
ZR	A1-002

No.	Description	Date
7	ISSUED FOR COFA	2023-03-21
5	ISSUED FOR ZONING	2023-01-18
4	ISSUED FOR CLIENT	2023-01-11
3	ISSUED FOR CLIENT	2023-01-04
2	ISSUED FOR CLIENT	2022-12-23
1	ISSUED FOR CLIENT	2022-12-20

ARCHITECTS

TORONTO - CANADA  
info@qbsarchitects.com

PROPOSED GROUND FLOOR			
PROJECT NUMBER	220233	DRAWING STATUS	ISSUED FOR ZONING VERIFICATION
DATE	01/13/23		
DRAWN	JB	SCALE	3/16" = 1'-0"
CHECKED	SA	REVISION	7



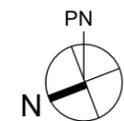
WALL LEGEND	
	EXISTING TO REMAIN
	TO BE DEMOLISHED
	NEW CONSTRUCTION

17 VICTOR BOULEVARD  
Enter address here

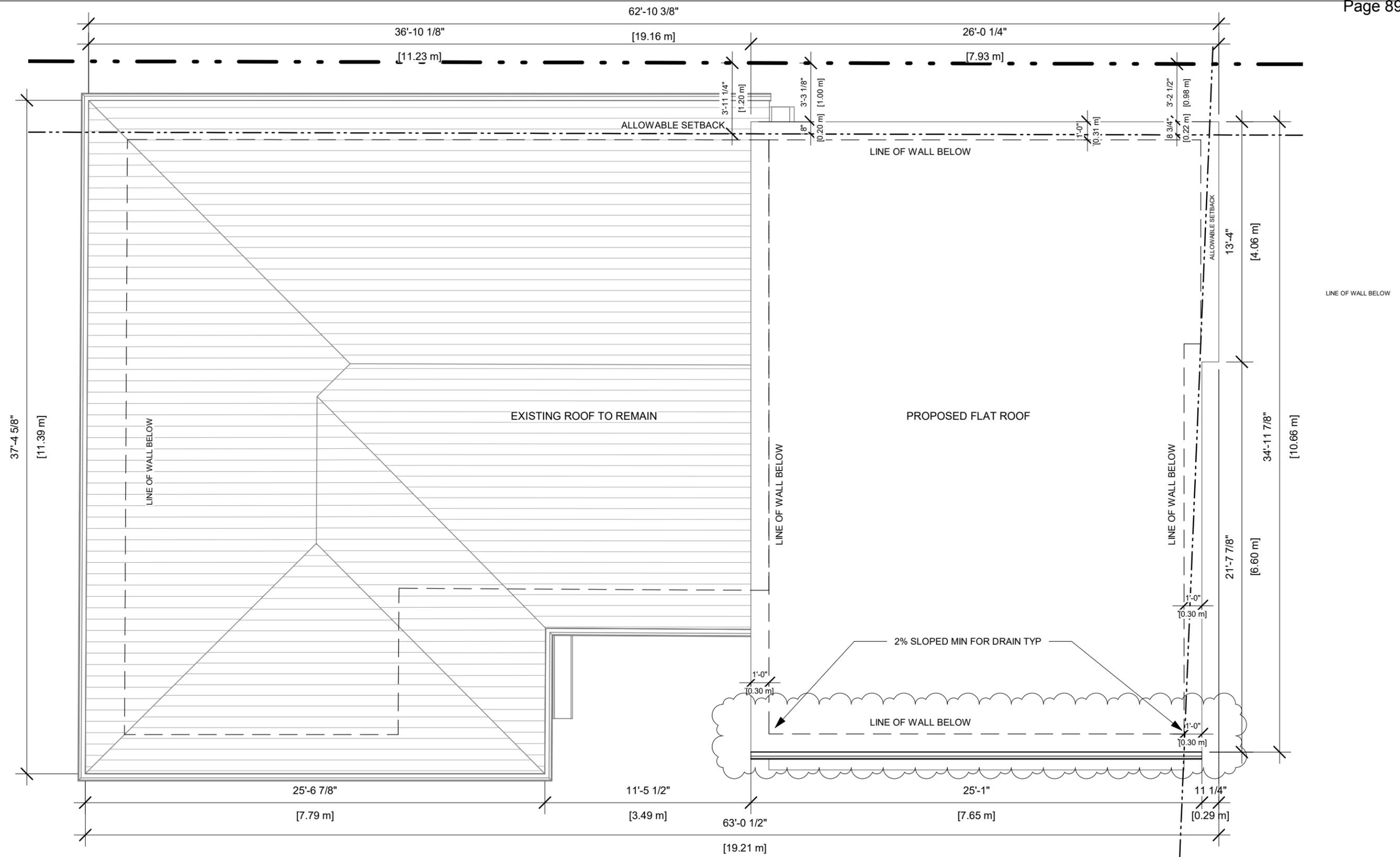
STAGE	DRAWING NO.
ZR	A1-003

No.	Description	Date
7	ISSUED FOR COFA	2023-03-21
5	ISSUED FOR ZONING	2023-01-18
4	ISSUED FOR CLIENT	2023-01-11
3	ISSUED FOR CLIENT	2023-01-04
2	ISSUED FOR CLIENT	2022-12-23
1	ISSUED FOR CLIENT	2022-12-20

ARCHITECTS



PROPOSED SECOND FLOOR			
PROJECT NUMBER	220233	DRAWING STATUS	ISSUED FOR ZONING VERIFICATION
DATE	01/13/23		
DRAWN	JB	SCALE	3/16" = 1'-0"
CHECKED	SA	REVISION	7



17 VICTOR BOULEVARD  
 Enter address here

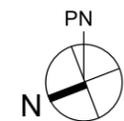
STAGE	DRAWING NO.
ZR	A1-004

No.	Description	Date
7	ISSUED FOR COFA	2023-03-21
6	REISSUED FOR ZONING	2023-03-08
5	ISSUED FOR ZONING	2023-01-18

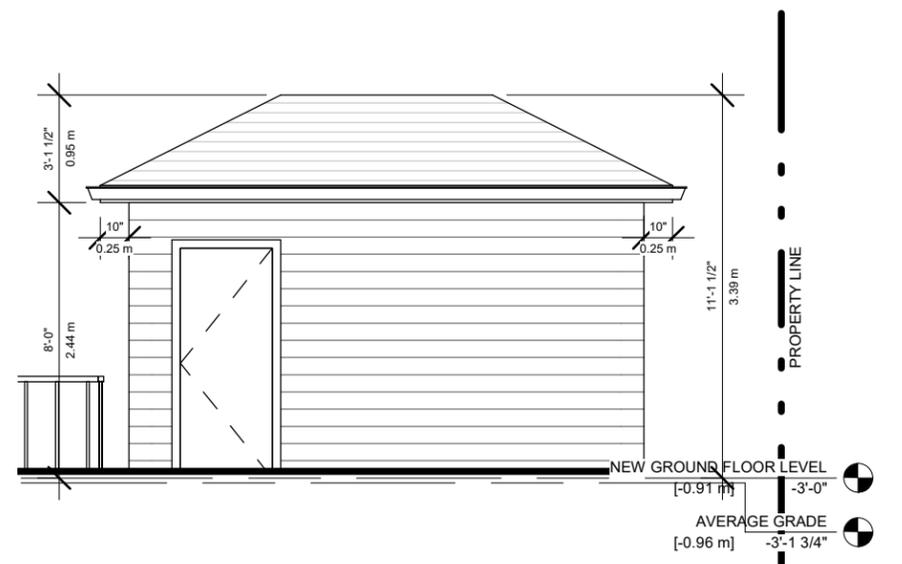
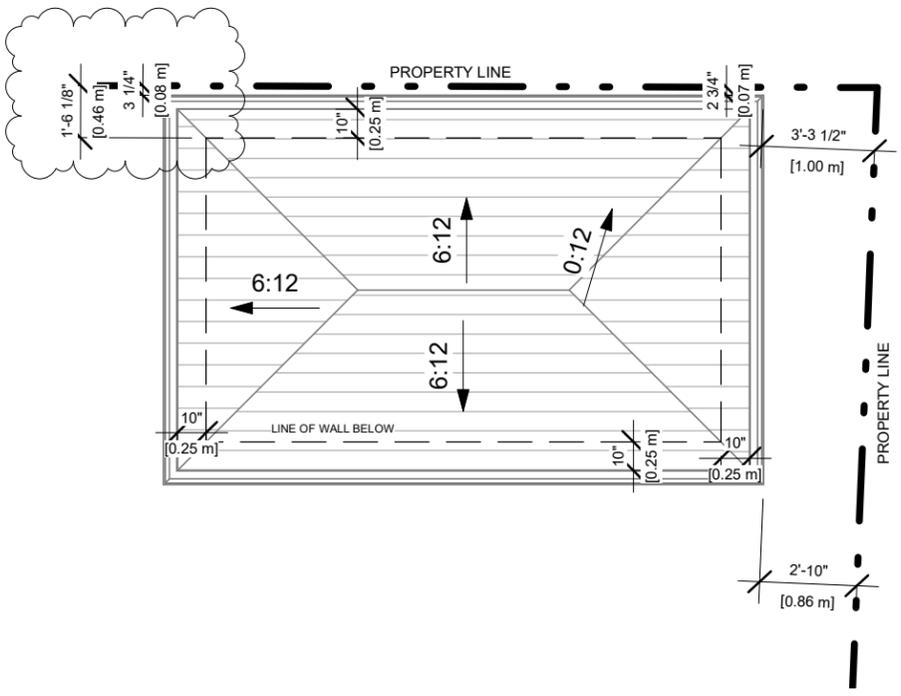
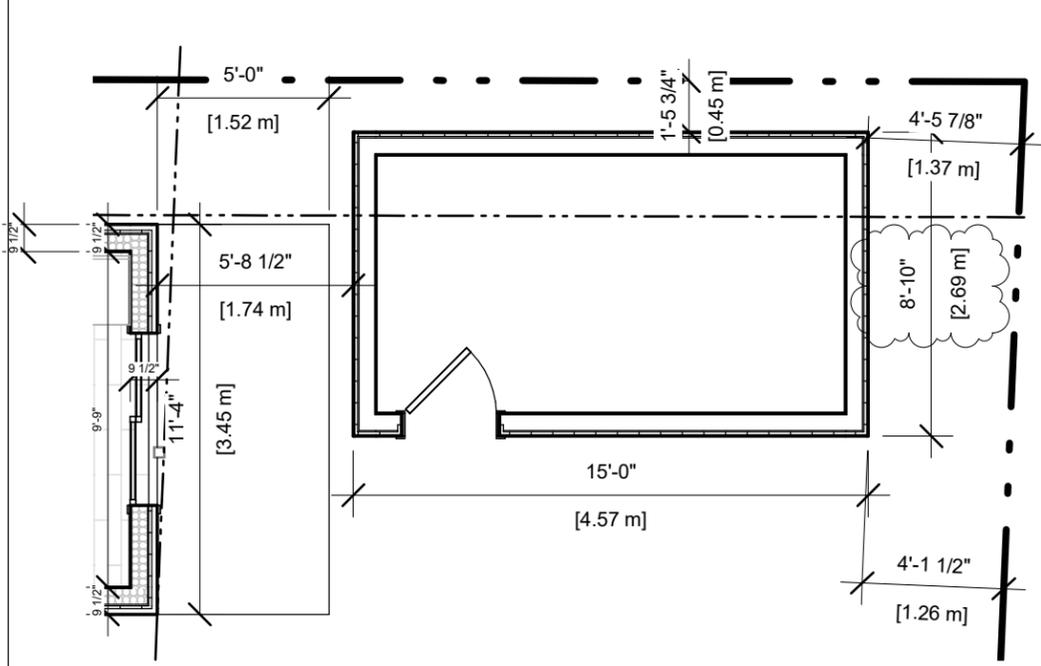
ARCHITECTS



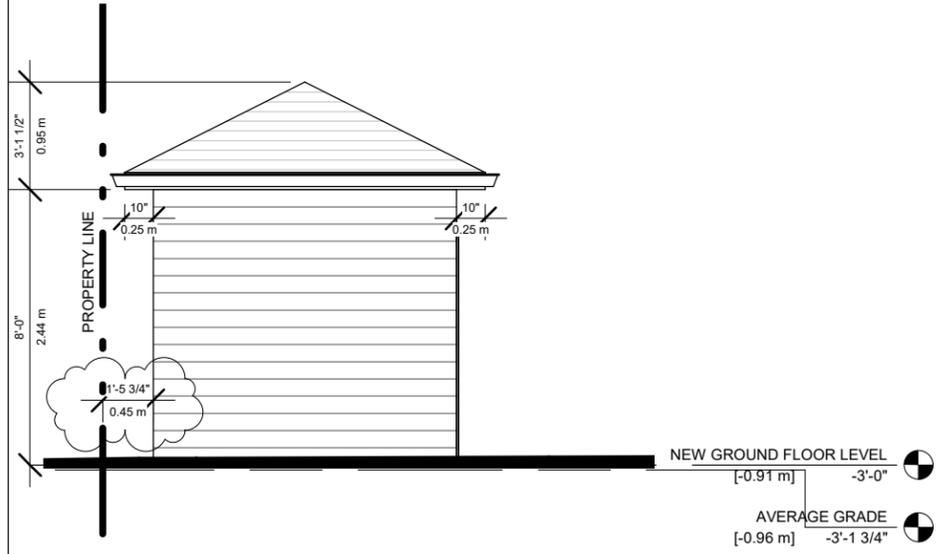
TORONTO - CANADA  
 info@qbsarchitects.com



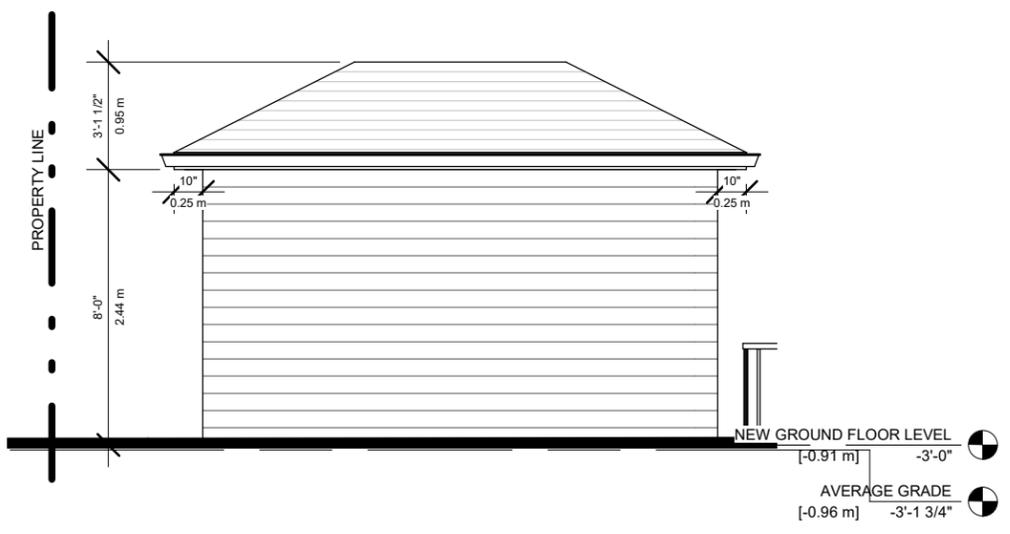

PROPOSED ROOF PLAN			
PROJECT NUMBER	220233	DRAWING STATUS	ISSUED FOR ZONING VERIFICATION
DATE	01/13/23		
DRAWN	Author	SCALE	3/16" = 1'-0"
CHECKED	Checker	REVISION	7



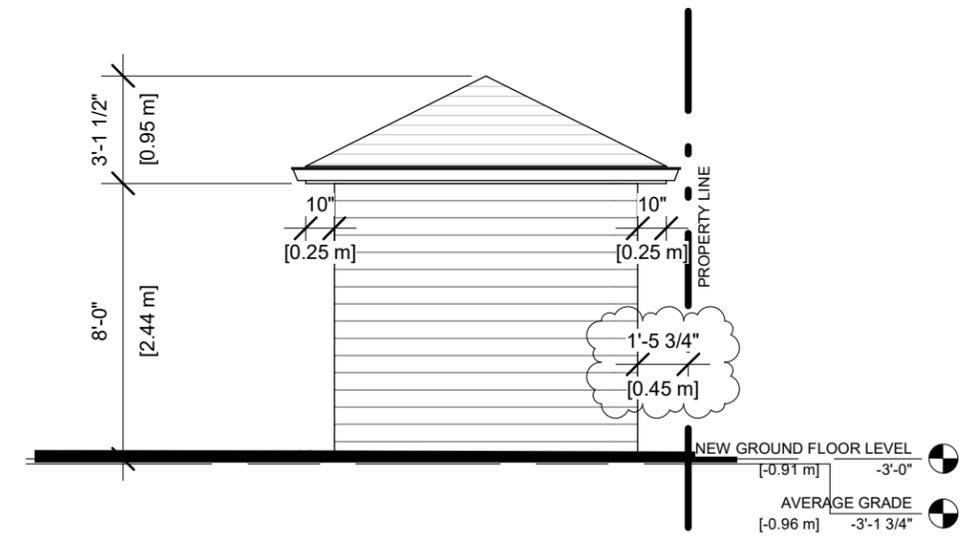
**SIDE ELEVATION-WEST**  
3/16" = 1'-0"



**FRONT ELEVATION-NORTH**  
3/16" = 1'-0"



**SIDE ELEVATION-EAST**  
3/16" = 1'-0"



**REAR ELEVATION-SOUTH**  
3/16" = 1'-0"

17 VICTOR BOULEVARD	
Enter address here	
STAGE	DRAWING NO.
<b>ZR</b>	<b>A1-005</b>

No.	Description	Date
7	ISSUED FOR COFA	2023-03-21
6	REISSUED FOR ZONING	2023-03-08
5	ISSUED FOR ZONING	2023-01-18

ARCHITECTS

TORONTO - CANADA  
info@qbsarchitects.com

PROPOSED SHED			
PROJECT NUMBER	220233	DRAWING STATUS	ISSUED FOR ZONING VERIFICATION
DATE	01/13/23		
DRAWN	Author	SCALE	3/16" = 1'-0"
CHECKED	Checker	REVISION	7



17 VICTOR BOULEVARD  
Enter address here

STAGE	DRAWING NO.
ZR	A2-001

No.	Description	Date
7	ISSUED FOR COFA	2023-03-21
6	REISSUED FOR ZONING	2023-03-08
5	ISSUED FOR ZONING	2023-01-18
4	ISSUED FOR CLIENT	2023-01-11

ARCHITECTS

TORONTO - CANADA  
info@qbsarchitects.com



PROPOSED FRONT ELEVATION			
PROJECT NUMBER	220233	DRAWING STATUS	ISSUED FOR ZONING VERIFICATION
DATE	01/13/23		
DRAWN	JB	SCALE	3/16" = 1'-0"
CHECKED	SA	REVISION	7



17 VICTOR BOULEVARD  
Enter address here

STAGE	DRAWING NO.
ZR	A2-002

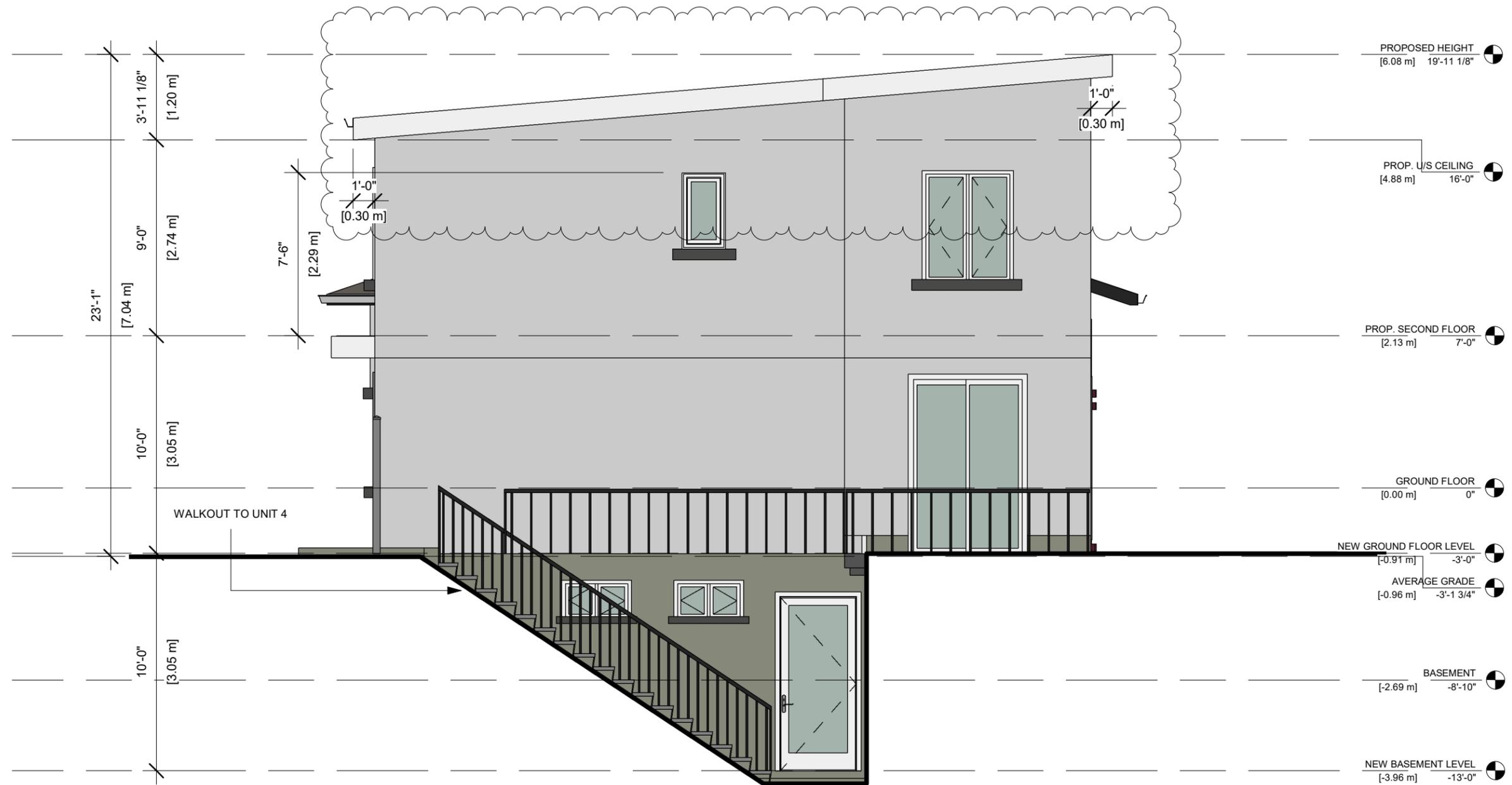
No.	Description	Date
7	ISSUED FOR COFA	2023-03-21
6	REISSUED FOR ZONING	2023-03-08
5	ISSUED FOR ZONING	2023-01-18
4	ISSUED FOR CLIENT	2023-01-11

ARCHITECTS

TORONTO - CANADA  
info@qbsarchitects.com



PROPOSED SIDE(WEST)ELEVATION			
PROJECT NUMBER	220233	DRAWING STATUS	
DATE	01/13/23	ISSUED FOR ZONING VERIFICATION	
DRAWN	JB	SCALE 3/16" = 1'-0"	REVISION 7
CHECKED	SA		



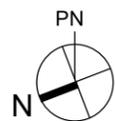
17 VICTOR BOULEVARD	
Enter address here	
STAGE	DRAWING NO.
ZR	A2-003

No.	Description	Date
7	ISSUED FOR COFA	2023-03-21
6	REISSUED FOR ZONING	2023-03-08
4	ISSUED FOR CLIENT	2023-01-11

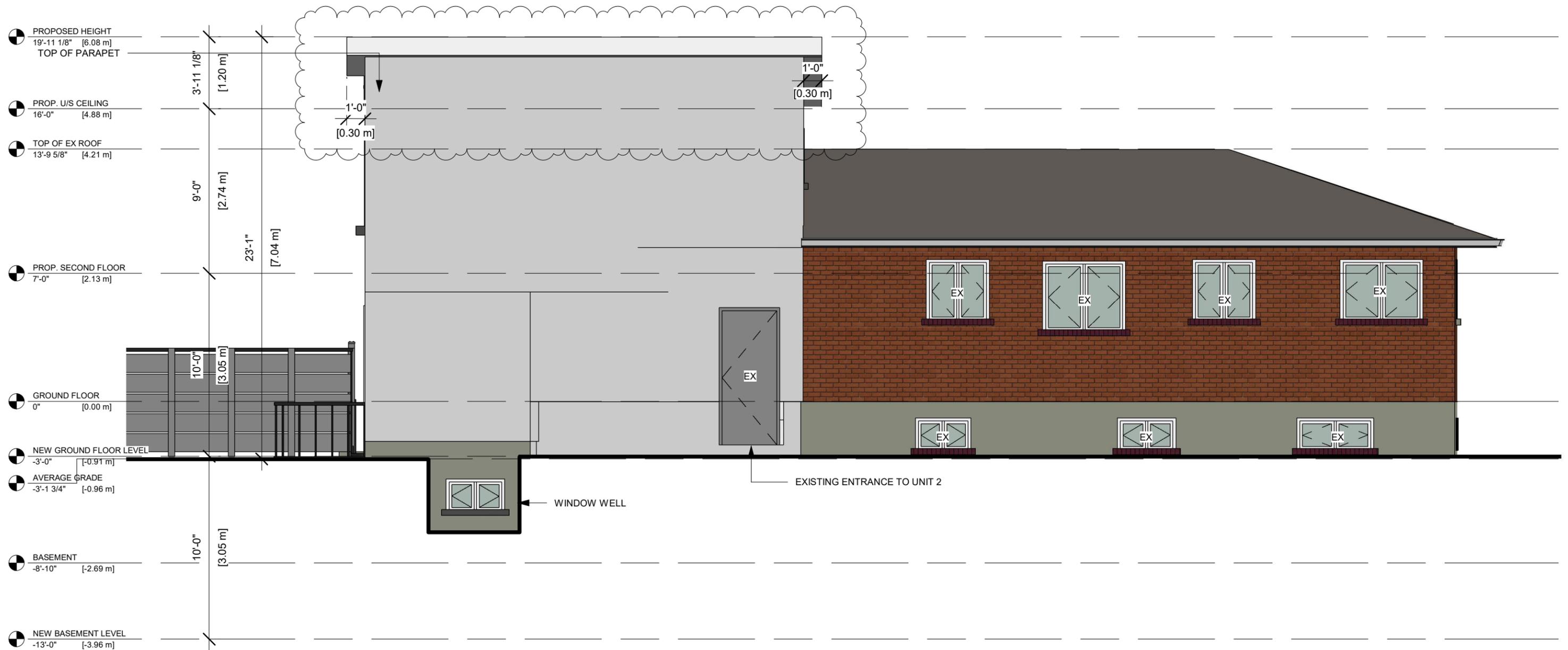
ARCHITECTS



TORONTO - CANADA  
info@qbsarchitects.com




PROPOSED REAR ELEVATION			
PROJECT NUMBER	220233	DRAWING STATUS	
DATE	01/13/23	ISSUED FOR ZONING VERIFICATION	
DRAWN	Author	SCALE	3/16" = 1'-0"
CHECKED	Checker	REVISION	7



17 VICTOR BOULEVARD  
Enter address here

STAGE	DRAWING NO.
ZR	A2-004

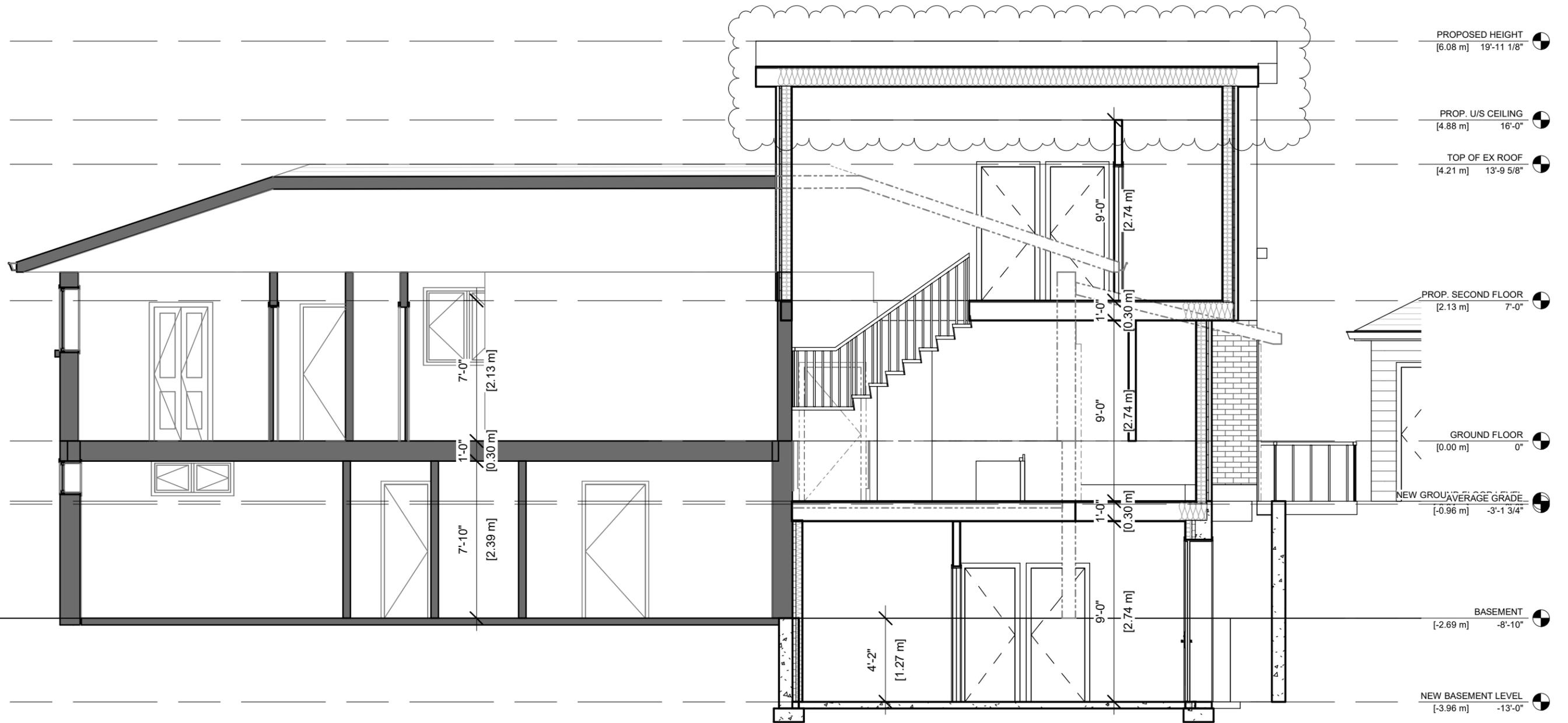
No.	Description	Date
7	ISSUED FOR COFA	2023-03-21
6	REISSUED FOR ZONING	2023-03-08
5	ISSUED FOR ZONING	2023-01-18
4	ISSUED FOR CLIENT	2023-01-11

ARCHITECTS

TORONTO - CANADA  
info@qbsarchitects.com



PROPOSED SIDE(EAST)ELEVATION			
PROJECT NUMBER	220233	DRAWING STATUS	ISSUED FOR ZONING VERIFICATION
DATE	01/13/23		
DRAWN	JB	SCALE	3/16" = 1'-0"
CHECKED	SA	REVISION	7



WALL LEGEND	
	EXISTING TO REMAIN
	TO BE DEMOLISHED
	NEW CONSTRUCTION

17 VICTOR BOULEVARD	
Enter address here	
STAGE	DRAWING NO.
ZR	A3-001

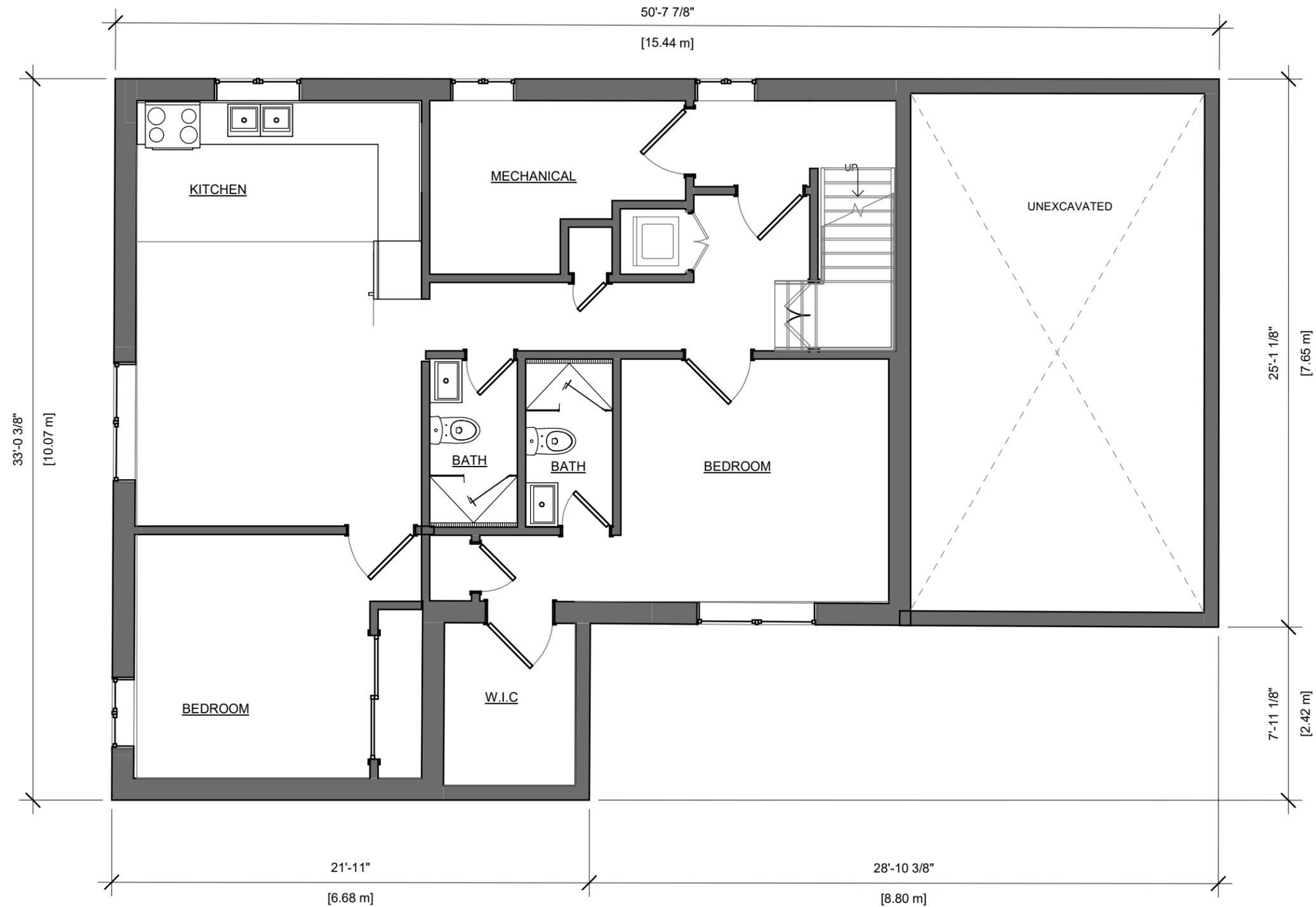
No.	Description	Date
7	ISSUED FOR COFA	2023-03-21
6	REISSUED FOR ZONING	2023-03-08
5	ISSUED FOR ZONING	2023-01-18

ARCHITECTS

TORONTO - CANADA  
info@qbsarchitects.com



SECTION 1			
PROJECT NUMBER	220233	DRAWING STATUS	ISSUED FOR ZONING VERIFICATION
DATE	01/13/23		
DRAWN	JB	SCALE	3/16" = 1'-0"
CHECKED	SA	REVISION	7



17 VICTOR BOULEVARD  
Enter address here

STAGE	DRAWING NO.
ZR	A4-001

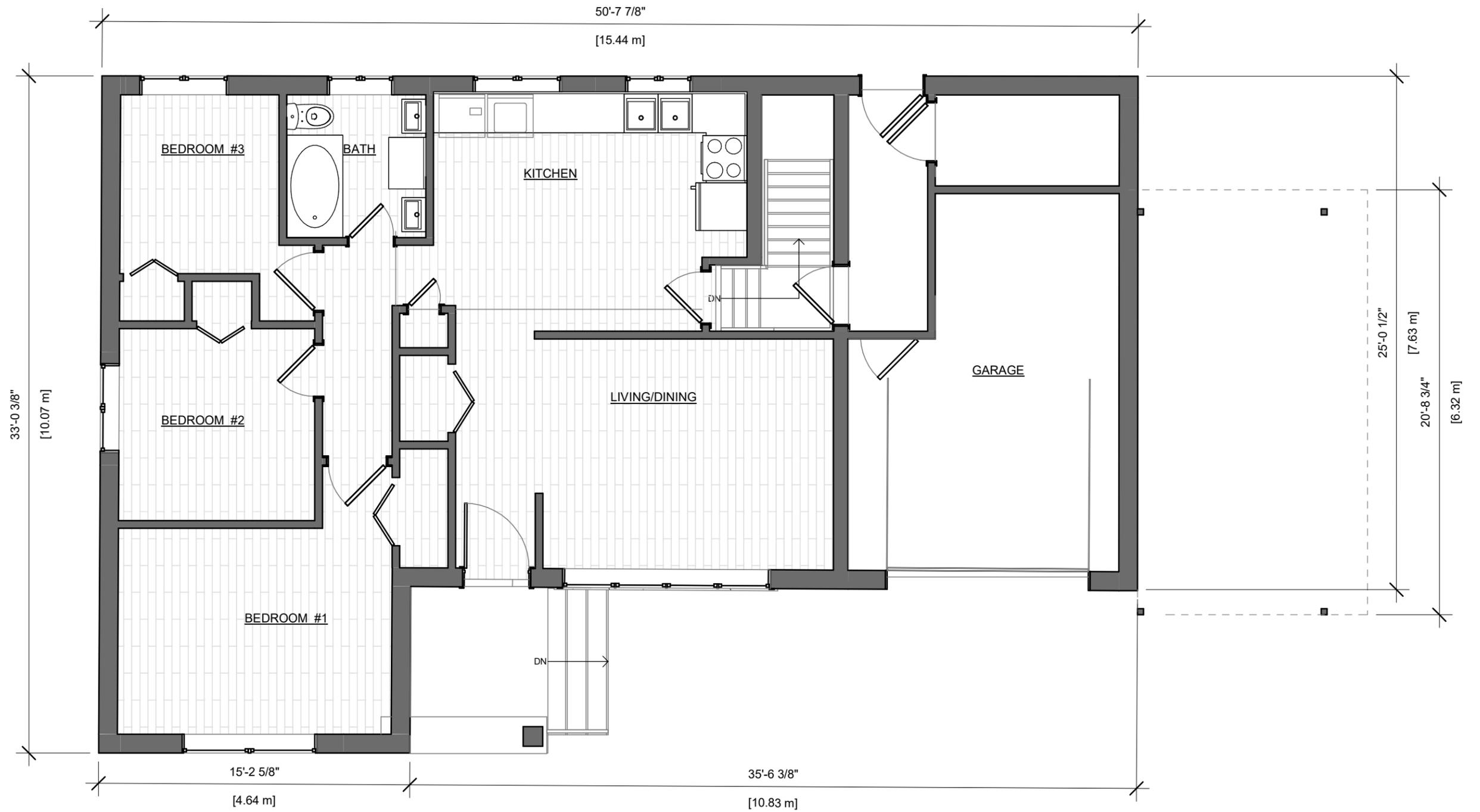
No.	Description	Date
7	ISSUED FOR COFA	2023-03-21
5	ISSUED FOR ZONING	2023-01-18

ARCHITECTS

TORONTO - CANADA  
info@qbsarchitects.com



EXISTING BASEMENT FLOOR PLAN			
PROJECT NUMBER	220233	DRAWING STATUS	
DATE	01/13/23	ISSUED FOR ZONING VERIFICATION	
DRAWN	JB	SCALE	3/16" = 1'-0"
CHECKED	SA	REVISION	7



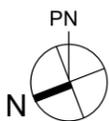
17 VICTOR BOULEVARD	
Enter address here	
STAGE	DRAWING NO.
ZR	A4-002

No.	Description	Date
7	ISSUED FOR COFA	2023-03-21
5	ISSUED FOR ZONING	2023-01-18

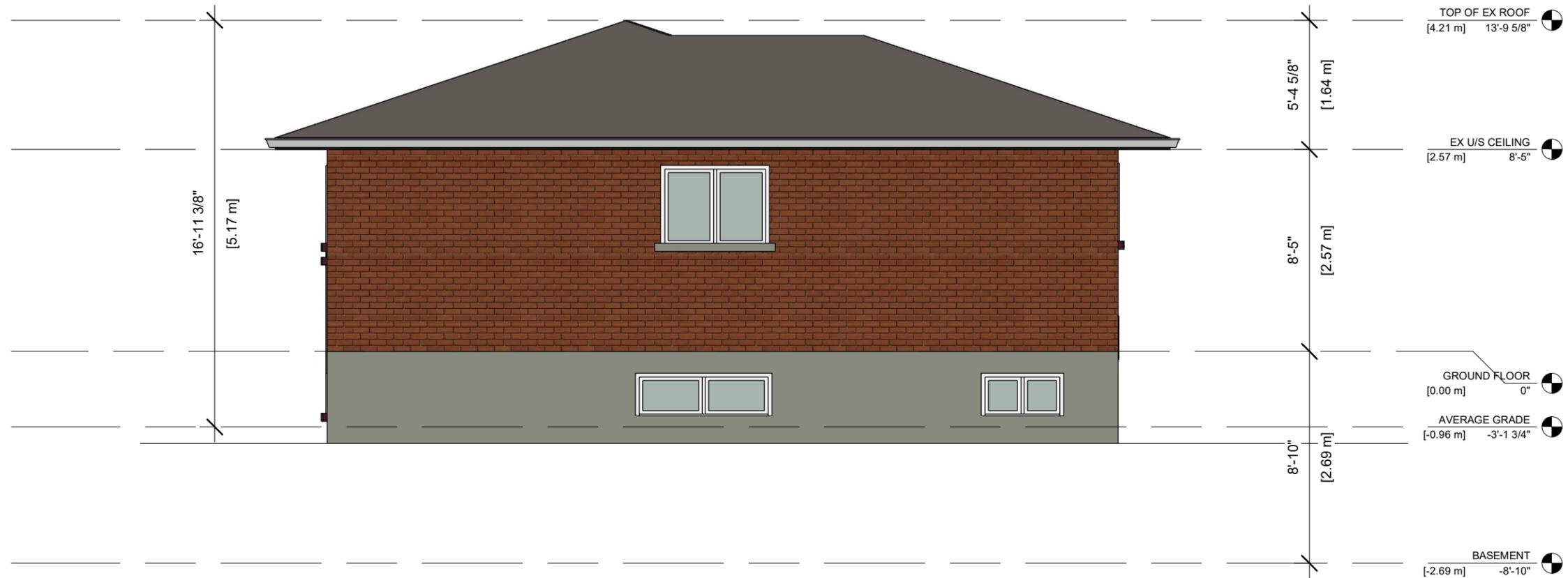
ARCHITECTS



TORONTO - CANADA  
info@qbsarchitects.com




EXISTING GROUND FLOOR PLAN			
PROJECT NUMBER	220233	DRAWING STATUS	
DATE	01/13/23	ISSUED FOR ZONING VERIFICATION	
DRAWN	Author	SCALE	3/16" = 1'-0"
CHECKED	Checker	REVISION	7



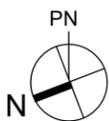
17 VICTOR BOULEVARD	
Enter address here	
STAGE	DRAWING NO.
ZR	A4-003

No.	Description	Date
7	ISSUED FOR COFA	2023-03-21
5	ISSUED FOR ZONING	2023-01-18

ARCHITECTS



TORONTO - CANADA  
info@qbsarchitects.com




EXISTING FRONT ELEVATION			
PROJECT NUMBER	220233	DRAWING STATUS	
DATE	01/13/23	ISSUED FOR ZONING VERIFICATION	
DRAWN	JB	SCALE	3/16" = 1'-0"
CHECKED	SA	REVISION	7



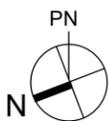
17 VICTOR BOULEVARD	
Enter address here	
STAGE	DRAWING NO.
ZR	A4-004

No.	Description	Date
7	ISSUED FOR COFA	2023-03-21
5	ISSUED FOR ZONING	2023-01-18

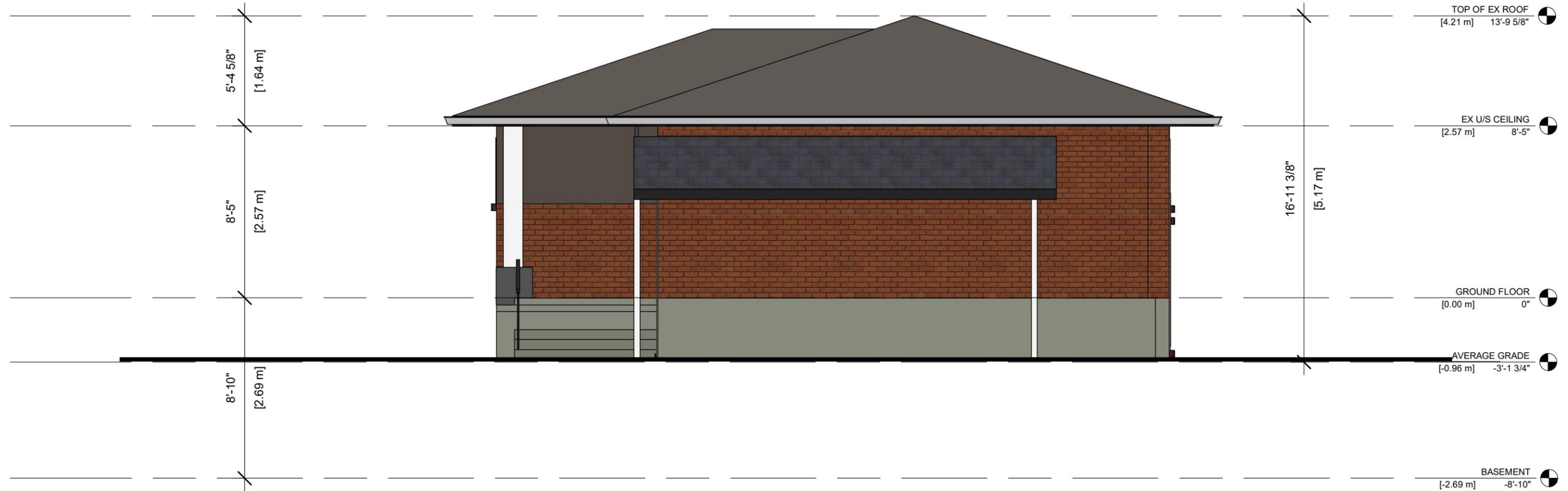
ARCHITECTS



TORONTO - CANADA  
info@qbsarchitects.com




EXISTING SIDE(WEST)ELEVATION			
PROJECT NUMBER	220233	DRAWING STATUS	
DATE	01/13/23	ISSUED FOR ZONING VERIFICATION	
DRAWN	JB	SCALE	3/16" = 1'-0"
CHECKED	SA	REVISION	7



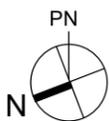
17 VICTOR BOULEVARD	
Enter address here	
STAGE	DRAWING NO.
ZR	A4-005

No.	Description	Date
7	ISSUED FOR COFA	2023-03-21
5	ISSUED FOR ZONING	2023-01-18

ARCHITECTS



TORONTO - CANADA  
info@qbsarchitects.com




EXISTING REAR ELEVATION			
PROJECT NUMBER	220233	DRAWING STATUS	
DATE	01/13/23	ISSUED FOR ZONING VERIFICATION	
DRAWN	JB	SCALE	3/16" = 1'-0"
CHECKED	SA	REVISION	7



17 VICTOR BOULEVARD  
Enter address here

STAGE	DRAWING NO.
ZR	A4-006

No.	Description	Date
7	ISSUED FOR COFA	2023-03-21
5	ISSUED FOR ZONING	2023-01-18

ARCHITECTS



EXISTING SIDE(EAST)ELEVATION			
PROJECT NUMBER	220233	DRAWING STATUS	
DATE	01/13/23	ISSUED FOR ZONING VERIFICATION	
DRAWN	JB	SCALE 3/16" = 1'-0"	REVISION 7
CHECKED	SA		



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

**1. APPLICANT INFORMATION**

	NAME	MAILING ADDRESS	
Registered Owners(s)			
Applicant(s)			
Agent or Solicitor			Phone:
			E-mail:

1.2 All correspondence should be sent to  Purchaser  Owner  
 Applicant  Agent/Solicitor

1.3 Sign should be sent to  Purchaser  Owner  
 Applicant  AgentSolicitor

1.4 Request for digital copy of sign  Yes\*  No

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

1.5 All correspondence may be sent by email  Yes\*  No

If Yes, a valid email must be included for the registered owner(s) AND the Applicant/Agent (if applicable). Only one email address submitted will result in the voiding of this service. This request does not guarantee all correspondence will sent by email.

**2. LOCATION OF SUBJECT LAND**

2.1 Complete the applicable sections:

Municipal Address	17 Victor Blvd Hamilton, ON L9A 2V3		
Assessment Roll Number			
Former Municipality			
Lot	Lot 5	Concession	
Registered Plan Number	1248	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:

– REGISTERED EASEMENTS AND/OR RIGHTS-OF-WAY  
PROPERTY IS SUBJECT TO AN EASEMENT AS IN INSTRUMENT NUMBER HL260284

## 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:

Side yard parking; off site maneuvering not permitted. Parking spaces do not have 6.0m onsite maneuvering.

Second Dwelling Unit  Reconstruction of Existing Dwelling

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

Parking spaces are required for the proposed additional rental units

### 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
15.24	32.02	479.8	9.24

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
Dwelling	6.19	10.09	1.28 (East) & 3.85 (west)	

## Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Dwelling	6.19	7.5	1.28 (East) & 3.85 (west)	
Shed	1.74 ( to the dwelling)	1.26	0.45 (East)& 12.09 (west)	

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
Dwelling	105.7	105.7	1	5.17

## Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Dwelling	163.3	235	2	7.04
Shed	12.3			3.59

- 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:

March 24th, 2017

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:

53 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) \_\_\_\_\_

Please provide an explanation of how the application conforms with the Official Plan.

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: \_\_\_\_\_

---

7.9 Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*?

 Yes No

If yes, please provide the file number: \_\_\_\_\_

7.10 If a site-specific Zoning By-law Amendment has been received for the subject property, has the two-year anniversary of the by-law being passed expired?

 Yes No

7.11 If the answer is no, the decision of Council, or Director of Planning and Chief Planner that the application for Minor Variance is allowed must be included. Failure to do so may result in an application not being "received" for processing.

## 8 ADDITIONAL INFORMATION

8.1 Number of Dwelling Units Existing: 2

8.2 Number of Dwelling Units Proposed: 4

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
- 
-





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, 3935

E-mail: [cofa@hamilton.ca](mailto: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

<b>APPLICATION NO.:</b>	<b>SC/A-23:57</b>	<b>SUBJECT PROPERTY:</b>	1352 HWY 8, STONEY CREEK
<b>ZONE:</b>	“R1” (Single Residential “R1” Zone)	<b>ZONING BY-LAW:</b>	Zoning By-law former City of Stoney Creek 3692-92, as Amended

**APPLICANTS:** Owner: ROSE POWELL  
Agent: THINK GIRAFFE DESIGN INC. C/O MARINA FENSHAM

The following variances are requested:

1. The proposed addition of two dwelling units to create a triplex does not comply with the provisions of the Zoning By-law which permits a detached dwelling with a secondary dwelling unit. A rezoning is required to change the use from a detached dwelling to a Triplex.

**PURPOSE & EFFECT:** So as to permit the construction of two (2) additional dwelling units to create a triplex dwelling.

**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:

<b>DATE:</b>	<b>Thursday, May 4, 2023</b>
<b>TIME:</b>	<b>9:45 a.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>2<sup>nd</sup> floor City Hall, room 222 (see attached sheet for details), 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>

**SC/A-23:57**

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
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935

**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, including deadlines for submitting to be seen by the Committee.

**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, including deadlines for registering to participate virtually and instructions for check in to participate in person.

**FURTHER NOTIFICATION**

If you wish to be notified of future Public Hearings, if applicable, regarding SC/A-23:57, 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: April 18, 2023

---

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

Telephone (905) 546-2424, ext. 4221, 3935

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 or via email in 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 two days before the Hearing.**

Comment packages are available two days 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 the day before the 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.

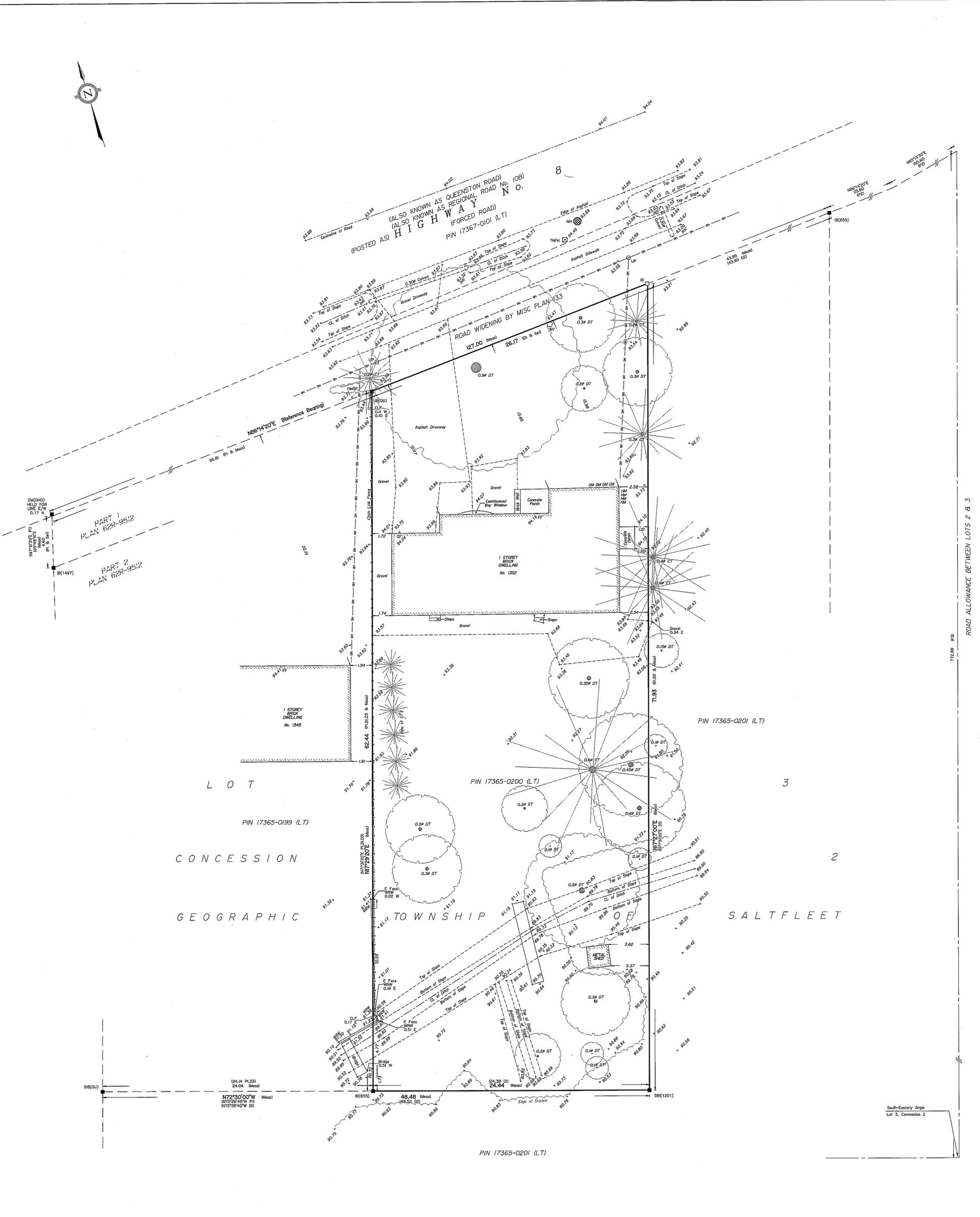
A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting the Wednesday afternoon before the hearing. The link must not be shared with others as it is unique to the registrant.

#### 2. In person Oral Submissions

**Interested members of the public, agents, and owners who wish to participate in person must sign in at City Hall room 222 (2<sup>nd</sup> floor) 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) or by phone at 905-546-2424 ext. 4221.

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**  
 PART 1  
 PLAN OF SURVEY  
 (WITH TOPOGRAPHIC DETAIL) OF  
**PART OF LOT 3**  
**CONCESSION 2**  
 (GEOGRAPHIC TOWNSHIP OF SALT FLEET)  
 IN THE  
**CITY OF HAMILTON**  
 SCALE & NOTES  
 Scale 1:150

**BARICH GRENKIE SURVEYING LTD.**  
 A DIVISION OF GEOMAPLE  
 © COPYRIGHT 2022

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

**ELEVATION NOTE**  
 ELEVATIONS ARE REFERRED TO THE CANADIAN GEODETIC VERTICAL DATUM (CGVD-1928:1978) AND ARE DERIVED FROM CITY OF HAMILTON BENCHMARK No. 0772002012 HAVING AN ELEVATION OF 84.543 m.

**LEGEND**

■	DENOTES	SURVEY MONUMENT FOUND
□	DENOTES	SURVEY MONUMENT PLANTED
IB	DENOTES	IRON BAR
SIB	DENOTES	STANDARD IRON BAR
CM	DENOTES	CONCRETE MONUMENT
OU	DENOTES	ORIGIN UNKNOWN
DHO	DENOTES	DEPARTMENT OF HIGHWAYS - ONTARIO
655	DENOTES	J. T. PETERS, O.L.S.
1201	DENOTES	R. A. CLARKE, O.L.S.
1497	DENOTES	J. P. NOUWENS, O.L.S.
P1	DENOTES	PLAN 62R-9512
P2	DENOTES	PLAN BY B. A. JACOBS, O.L.S.
P3	DENOTES	DATED MARCH 29, 2004
D1	DENOTES	MISC PLAN 133
D2	DENOTES	INSTRUMENT No. HL293290
D3	DENOTES	INSTRUMENT No. AB195943
MH	DENOTES	INSTRUMENT No. VM59996
CB	DENOTES	CATCHBASIN
UP	DENOTES	UTILITY POLE
OH	DENOTES	OVERHEAD UTILITY CABLES
DT	DENOTES	DECIDUOUS TREE
CT	DENOTES	CONIFEROUS TREE
WRW	DENOTES	WOOD RETAINING WALL
FF	DENOTES	FINISHED FLOOR ELEVATION
GF	DENOTES	GARAGE FLOOR ELEVATION
INV	DENOTES	INVERT ELEVATION
TNFH	DENOTES	TOP NUT OF FIRE HYDRANT
GM	DENOTES	GAS METER
HM	DENOTES	HYDRO METER
WV	DENOTES	WATER VALVE
CLF	DENOTES	CHAIN LINK FENCE

THIS PLAN WAS PREPARED FOR ZEAL-US INVESTMENTS INC. AND THE UNDERSIGNED ASSUMES NO RESPONSIBILITY FOR USE BY OTHER PARTIES.

**SURVEYOR'S REAL PROPERTY REPORT**  
 PART 2  
 DESCRIPTION SUMMARY - LANDS DESCRIBED IN PIN 17365-0200 (LT), PART OF LOT 3, CONCESSION 2

REGISTERED EASEMENTS/RIGHTS-OF-WAY - NONE FOUND ON TITLE.

ADDITIONAL REMARKS - MAKE NOTE OF THE LOCATION OF FENCES, GRAVEL AND RETAINING WALLS AS SHOWN ON THE FACE OF THE PLAN.

COMPLIANCE WITH MUNICIPAL ZONING BY-LAWS - THIS PLAN DOES NOT CERTIFY COMPLIANCE WITH ZONING BY-LAWS

**SURVEYOR'S CERTIFICATE**  
 I CERTIFY THAT  
 1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.  
 2. THE SURVEY WAS COMPLETED ON OCTOBER 12, 2022.

OCTOBER 12, 2022

ERIC G. SALZER  
 O.L.S., O.L.I.P.



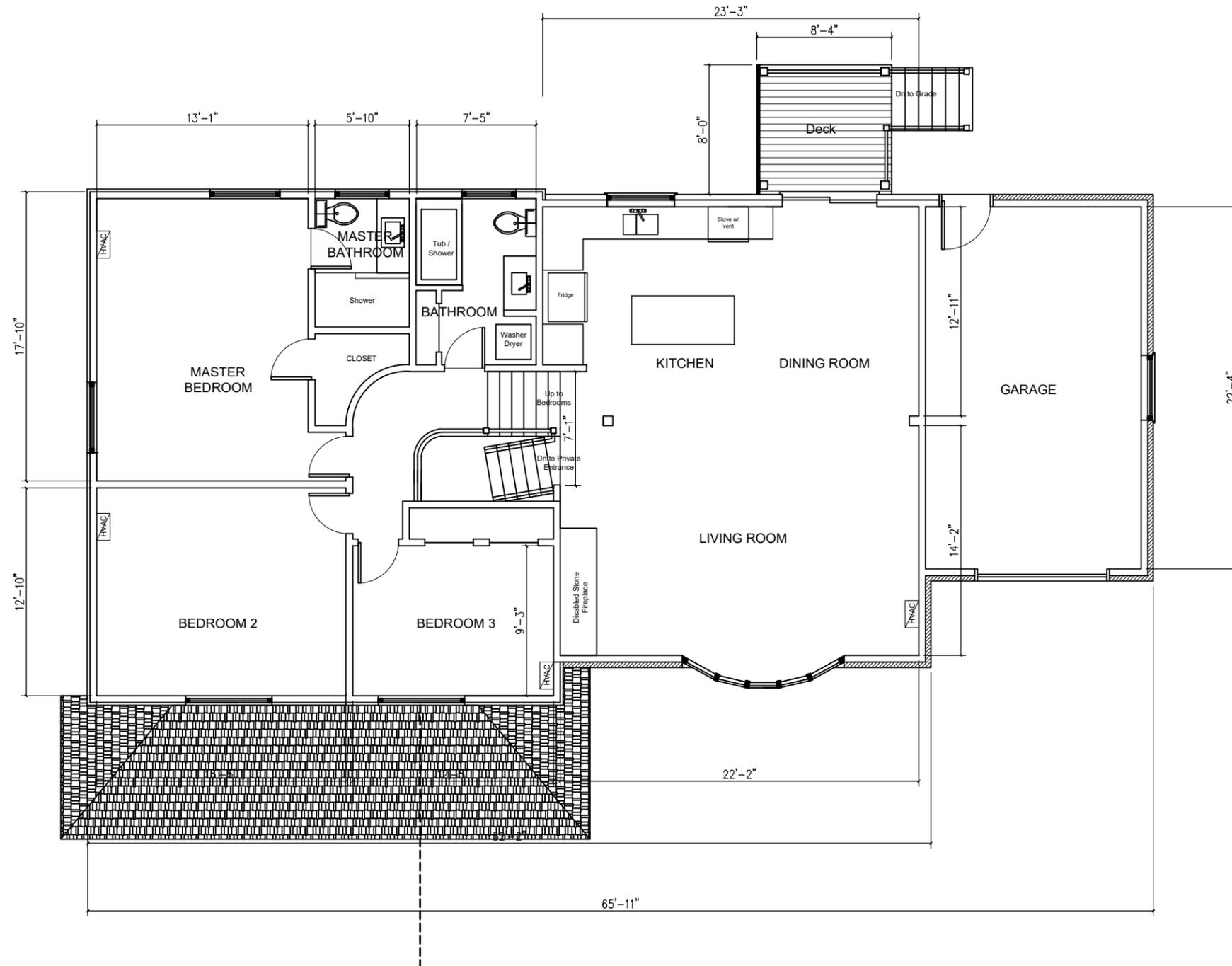
**Barich Grenkie Surveying Ltd.**  
 301 HWY No. 8 (2ND FLOOR), STONEY CREEK, ON L9G 1E5 (905) 662-6767  
 A DIVISION OF GEOMAPLE

DWN BY: EWA  
 CHK BY: EGS  
 JOB No. 22-3051

ROAD ALLOWANCE BETWEEN LOTS 2 & 3



EXISTING FRONT ELEVATION REMAINS



EXISTING 3 BEDROOM RESIDENCE SIDE SPLIT

1,508 Sq Ft + 109 Sq Ft Lower Private Entrance = 1,617 Sq Ft / 150 m2

CONTRACTOR IS TO CHECK AND VERIFY ALL DIMENSIONS ON THE JOB SITE AND NOTIFY DESIGNERS OF ALL DISCREPANCIES BEFORE INITIATING WORK. ALL DRAWINGS ARE THE PROPERTY OF THINKGIRAFFE. DRAWINGS ARE NOT TO BE REPRODUCED WITHOUT WRITTEN PERMISSION FROM DESIGNERS. PRINTS ARE NOT TO BE SCALED.

Marina Fensham, Owner thinkGiraffe Design has reviewed and taken responsibility for the design activities described in this drawing set under OBC 2.17.4.7 f (ii) BCIN: 21574 / 116364

ISSUE FOR VARIANCE  
February 24, 2023

REMARKS	DATE	NO.
REVISIONS		

**thinkGiraffe**  
ENVIRONMENTAL DESIGN  
16 Sulphur Springs Road,  
Ancaster, ON, L9G 1L8  
905 304 1496  
thinkgiraffe@bellnet.ca

PROJECT

TRIPLEX CONVERSION  
1352 HIGHWAY 8  
STONE CREEK, ON

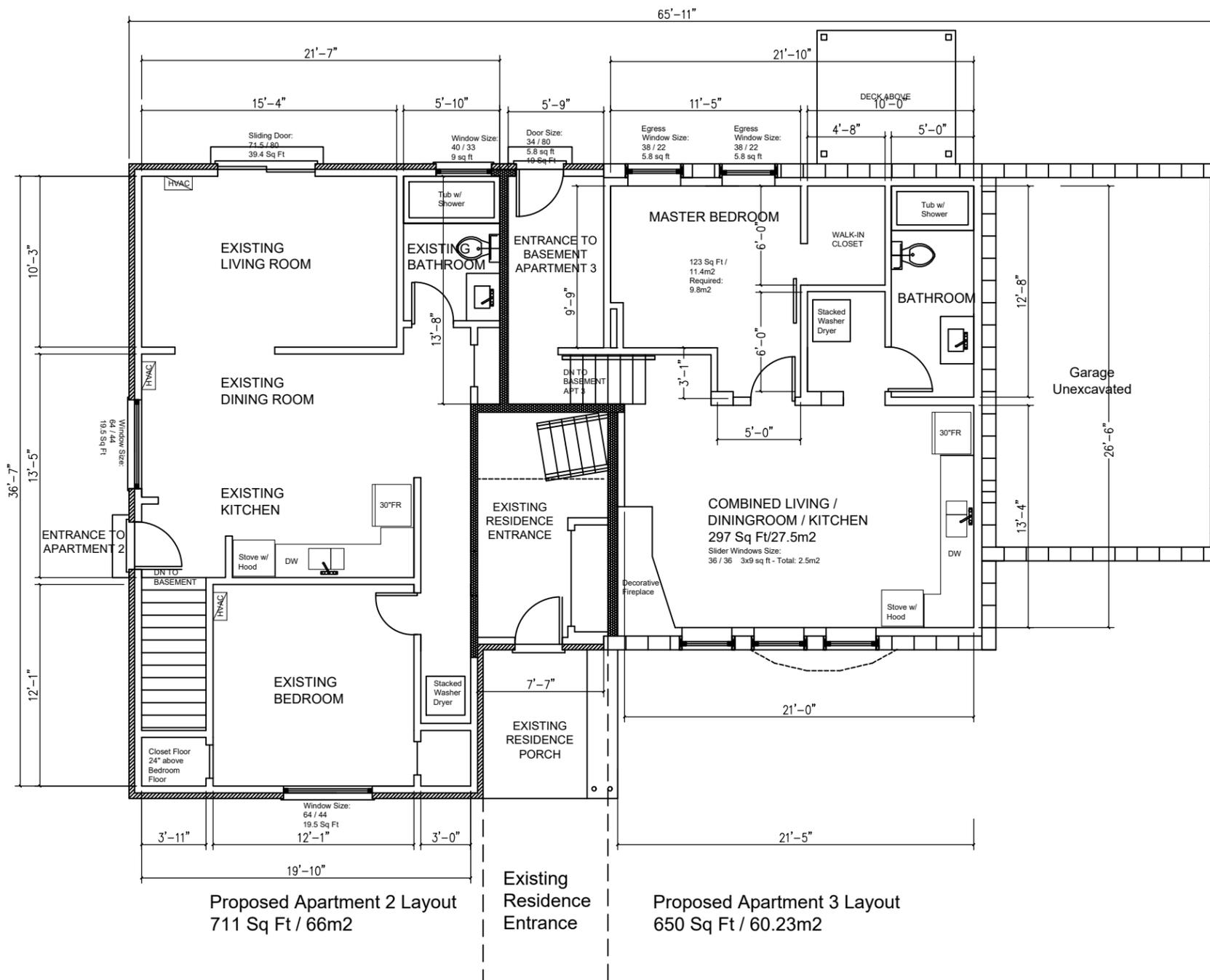
SHEET TITLE  
Existing Residence  
Side Split Main /2nd Floor  
AKA Apartment 1

FOLDER	DRAWN BY MLF
FILE	SCALE 1/4" = 1'-0"
DATE	NUMBER

A101

CONTRACTOR IS TO CHECK AND VERIFY ALL DIMENSIONS ON THE JOB SITE AND NOTIFY DESIGNERS OF ALL DISCREPANCIES BEFORE INITIATING WORK. ALL DRAWINGS ARE THE PROPERTY OF THINKGIRAFFE. DRAWINGS ARE NOT TO BE REPRODUCED WITHOUT WRITTEN PERMISSION FROM DESIGNERS. PRINTS ARE NOT TO BE SCALED.

Marina Fensham, Owner thinkGiraffe Design has reviewed and taken responsibility for the design activities described in this drawing set under OBC 2.17.4.7 f (ii)  
BCIN: 21574 / 116364



ISSUE FOR VARIANCE  
February 24, 2023

REMARKS	DATE	NO.
REVISIONS		

**thinkGiraffe**  
ENVIRONMENTAL DESIGN  
16 Sulphur Springs Road,  
Ancaster, ON, L9G 1L8  
905 304 1496  
thinkgiraffe@bellnet.ca

**PROJECT**  
TRIPLEX CONVERSION  
1352 HIGHWAY 8  
STONE CREEK, ON

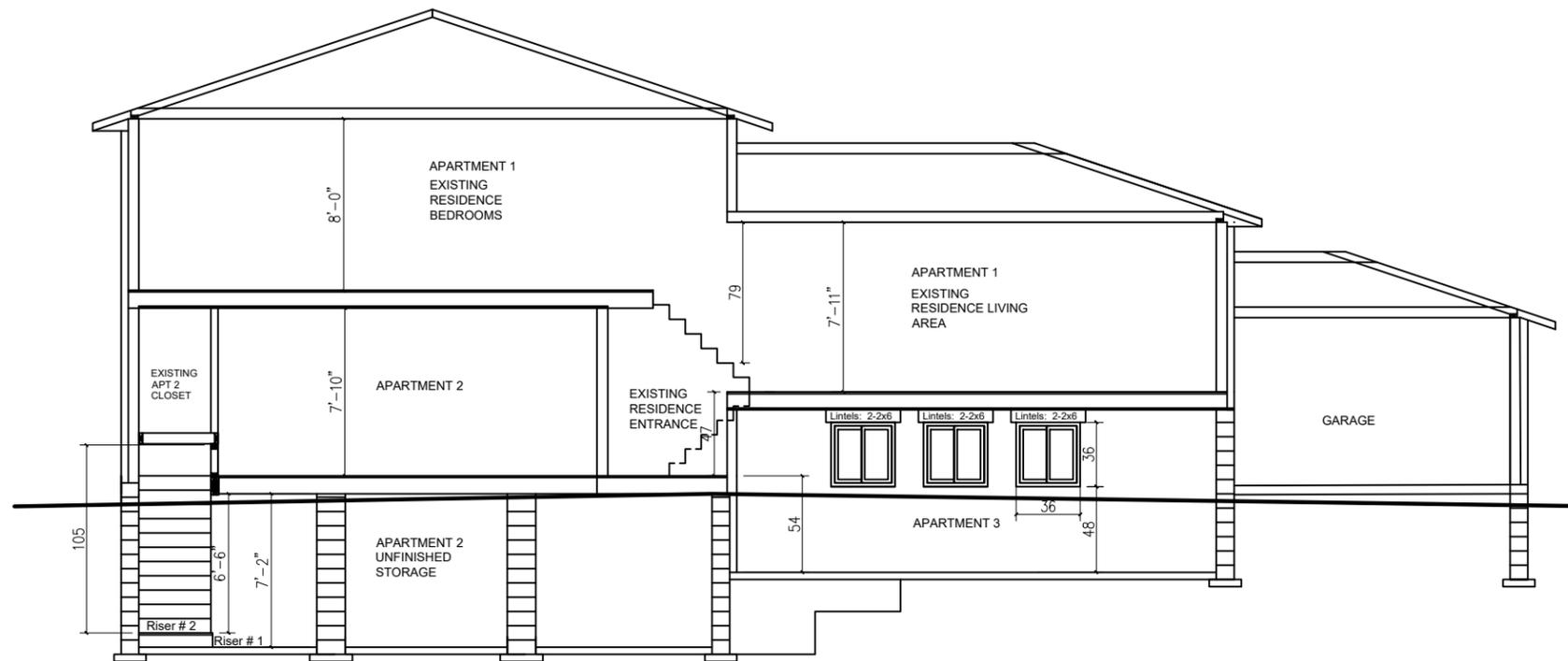
**SHEET TITLE**  
Apartment 2 and 3 Layout

<b>FOLDER</b>	<b>DRAWN BY</b> MLF
<b>FILE</b>	<b>SCALE</b> 1/4" = 1'-0"
<b>DATE</b>	<b>NUMBER</b>

**A102**

CONTRACTOR IS TO CHECK AND VERIFY ALL DIMENSIONS ON THE JOB SITE AND NOTIFY DESIGNERS OF ALL DISCREPANCIES BEFORE INITIATING WORK. ALL DRAWINGS ARE THE PROPERTY OF THINKGIRAFFE. DRAWINGS ARE NOT TO BE REPRODUCED WITHOUT WRITTEN PERMISSION FROM DESIGNERS. PRINTS ARE NOT TO BE SCALED.

Marina Fensham, Owner thinkGiraffe Design has reviewed and taken responsibility for the design activities described in this drawing set under OBC 2.17.4.7 f (ii)  
BCIN: 21574 / 116364



New Windows

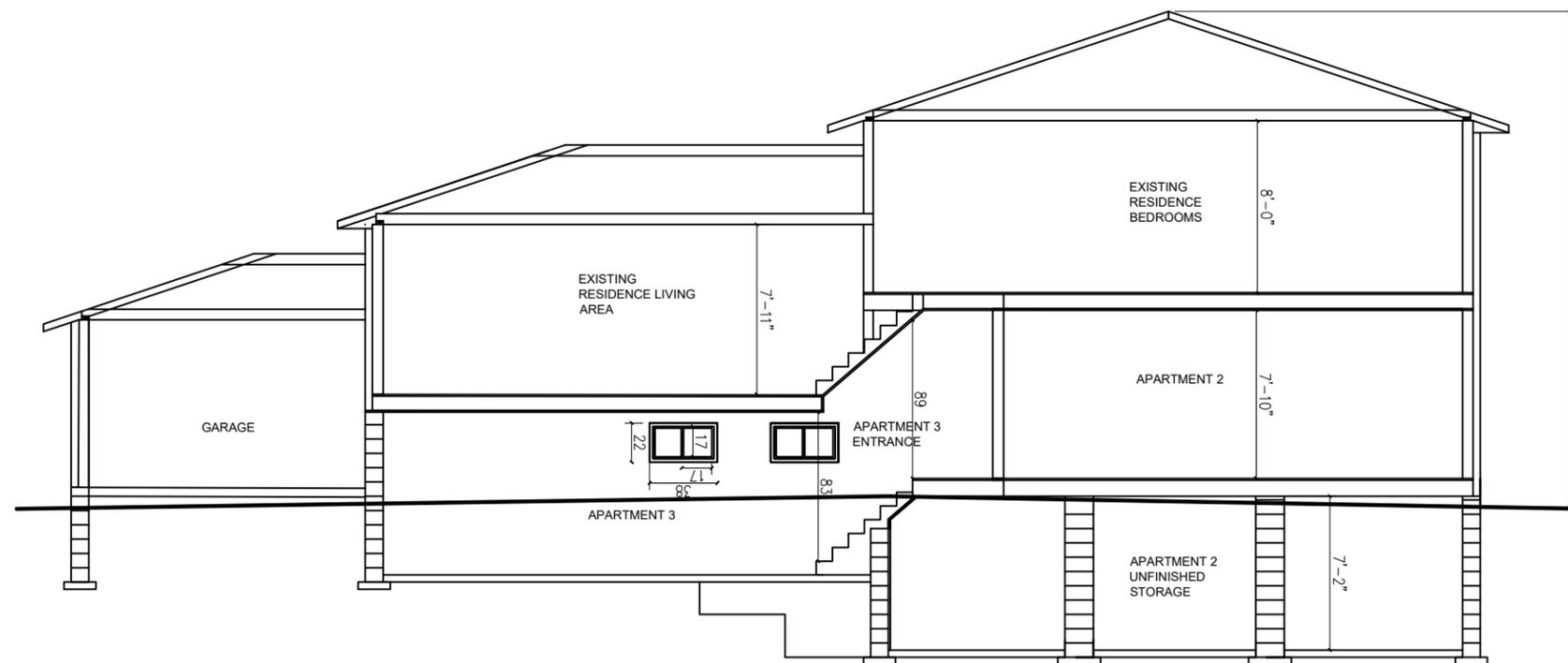
Front Section

ISSUE FOR VARIANCE  
February 24, 2023

REMARKS	DATE	NO.
REVISIONS		



Deck  
Seperate  
Permit



Rear Section

thinkGiraffe

ENVIRONMENTAL DESIGN

16 Sulphur Springs Road,  
Ancaster, ON, L9G 1L8

905 304 1496

thinkgiraffe@bellnet.ca

PROJECT

TRIPLEX CONVERSION

1352 HIGHWAY 8  
STONE CREEK, ON

SHEET TITLE

Sections

FOLDER

FILE

DATE

DRAWN BY

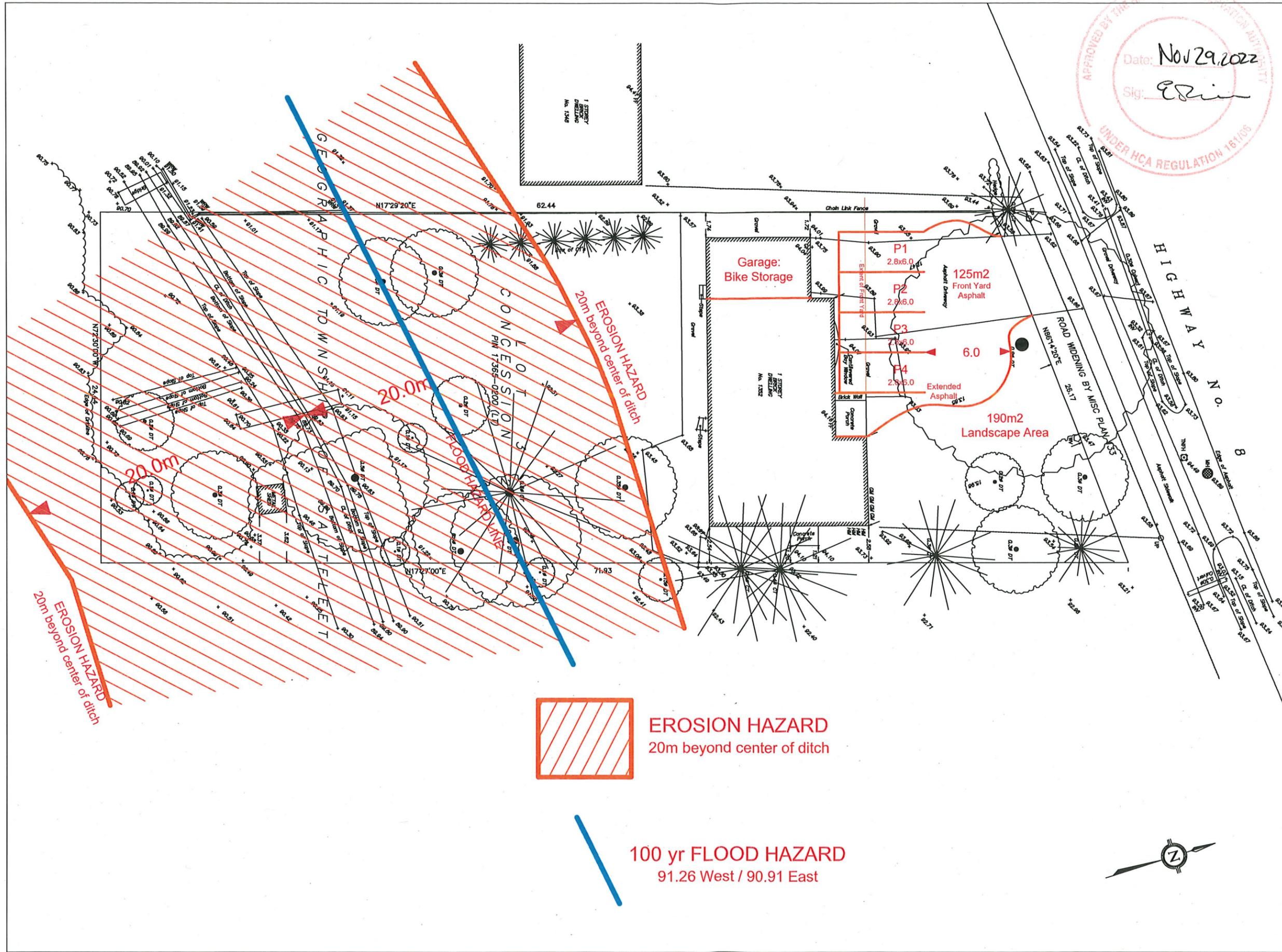
MLF

SCALE

1/4" = 1'-0"

NUMBER

A201



APPROVED BY THE WILTON CONSERVATION AUTHORITY  
 Date: Nov 29, 2022  
 Sig: *E. Eirin*  
 UNDER HCA REGULATION 161/05

CONTRACTOR IS TO CHECK AND VERIFY ALL DIMENSIONS ON THE JOB SITE AND NOTIFY DESIGNERS OF ALL DISCREPANCIES BEFORE INITIATING WORK. ALL DRAWINGS ARE THE PROPERTY OF THINKGRAFFE. DRAWINGS ARE NOT TO BE REPRODUCED WITHOUT WRITTEN PERMISSION FROM DESIGNERS. PRINTS ARE NOT TO BE SCALED.

ISSUE FOR CONSERVATION: Nov 18, 2022

REMARKS	DATE	NO.
REVISIONS		

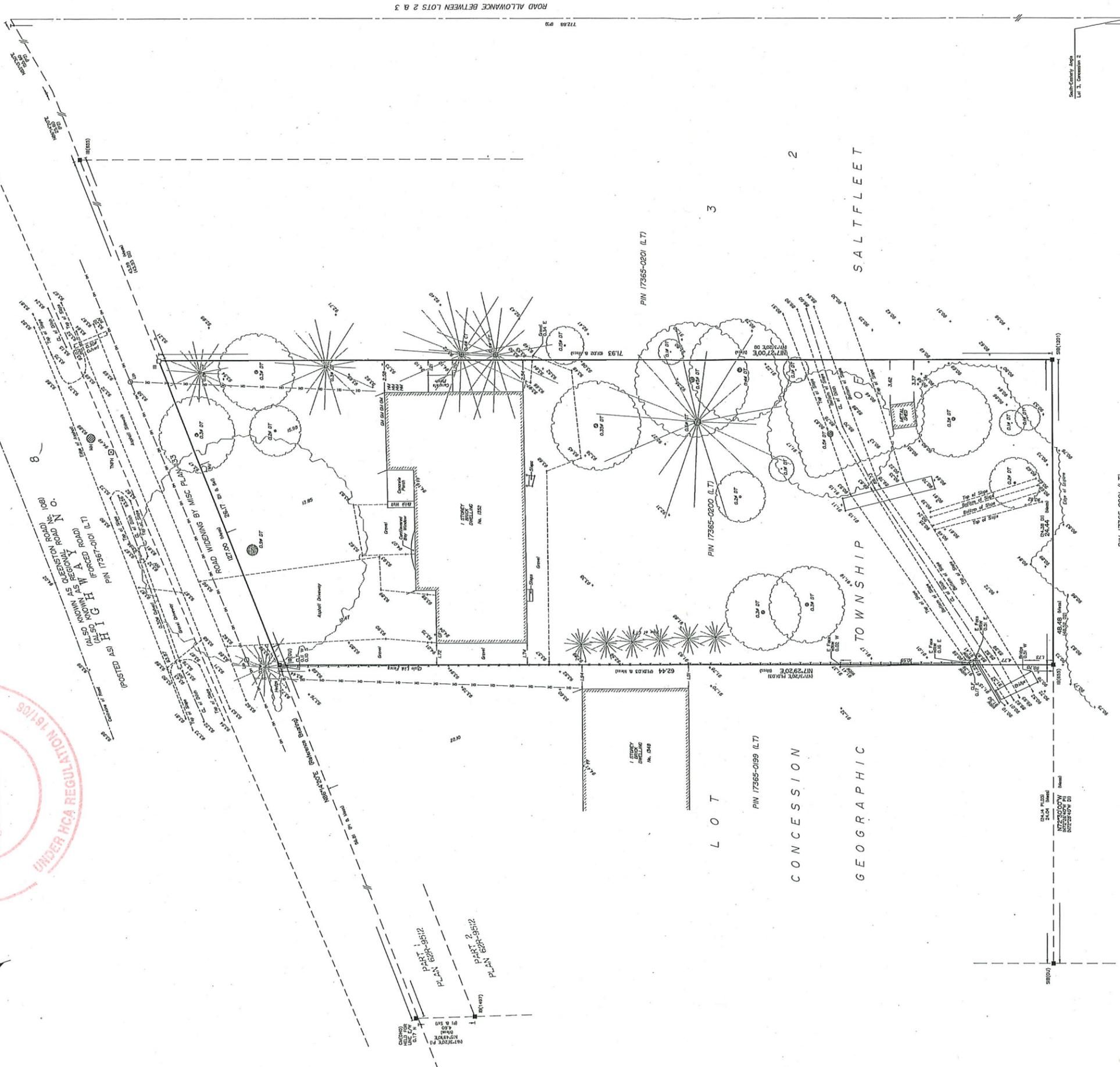
**thinkGiraffe**  
 ENVIRONMENTAL DESIGN  
 16 Sulphur Springs Road,  
 Ancaster, ON, L9G 1L8  
 905 304 1498  
 thinkgiraffe@bellnet.ca

**PROJECT**  
 Proposed Multi-Residential Dwelling  
 1352 Highway 8  
 Stoney Creek, ON

**SHEET TITLE**  
 PROPOSED SITE PLAN

<b>FOLDER</b>	<b>DRAWN BY</b> M F / M S
<b>FILE</b>	<b>SCALE</b> 1:200
<b>DATE</b>	<b>NUMBER</b>

**SP-1**



**SURVEYOR'S REAL PROPERTY REPORT**  
 PART 1  
 PLAN OF SURVEY  
 (WITH TOPOGRAPHIC DETAIL) OF  
**PART OF LOT 3**  
**CONCESSION 2**  
 (GEOGRAPHIC TOWNSHIP OF SALT FLEET)  
 IN THE  
**CITY OF HAMILTON**  
 SCALE: 1:200  
 © COPRIGHT 2022  
**BARICH GRENKIE SURVEYING LTD.**  
 DIVISION OF GEOMAPLE

- LEGEND**
- DENOTES SURVEY MONUMENT FOUND
  - DENOTES SURVEY MONUMENT PLANTED
  - SB DENOTES STANDARD IRON BAR
  - CM DENOTES CONCRETE MONUMENT
  - OU DENOTES ORIGIN UNKNOWN
  - 665 DENOTES J. T. PETERS, O.L.S.
  - 1201 DENOTES R. A. CLARKE, O.L.S.
  - 497 DENOTES PLAN 628-3512, O.L.S.
  - P1 DENOTES PLAN BY B. A. JACOBS, O.L.S.
  - D1 DENOTES DATED MARCH 25, 2004
  - D2 DENOTES INSTRUMENT NO. H283290
  - M3 DENOTES INSTRUMENT NO. A818943
  - CB DENOTES INSTRUMENT NO. W659996
  - UP DENOTES MANKLE
  - DT DENOTES UTILITY
  - DT DENOTES UTILITY CABLES
  - DT DENOTES DEODIOUS TREE
  - DT DENOTES CONIFEROUS TREE
  - DT DENOTES FINISHED FLOOR ELEVATION
  - DT DENOTES GARAGE FLOOR ELEVATION
  - DT DENOTES INVERT ELEVATION
  - DT DENOTES INVERT ELEVATION
  - DT DENOTES GAS METER
  - DT DENOTES HYDRANT
  - DT DENOTES HYDR METER
  - DT DENOTES CHAIN LINK FENCE

**ELEVATION NOTE**  
 DISTANCES AND ELEVATIONS SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

**ELEVATION NOTE**  
 ELEVATIONS ARE REFERRED TO THE CANADIAN GEODETIC VERTICAL DATUM (CGVD-1928/1979) AND ARE DERIVED FROM CITY OF HAMILTON BENCHMARK No. 0772020012 HAVING AN ELEVATION OF 84.543 m.

**BEARING NOTE**  
 BEARINGS AND ARE REFERRED TO THE SOUTHERLY LIMIT OF HIGHWAY No. 8 AS SHOWN ON PLAN 628-3512 HAVING A BEARING OF N85°14'20"E.

THIS PLAN WAS PREPARED FOR ZEAL-US INVESTMENTS INC. AND THE UNDERSIGNED ASSUMES NO RESPONSIBILITY FOR USE BY OTHER PARTIES.

**SURVEYOR'S REAL PROPERTY REPORT**  
 PART 1  
 DESCRIPTION SUMMARY - LANDS DESCRIBED IN PIN 17365-0200 (LT), PART OF LOT 3, CONCESSION 2

**REGISTERED EASEMENTS/RIGHTS-OF-WAY - NONE FOUND ON TITLE**  
**ADDITIONAL REMARKS - MAKE NOTE OF THE LOCATION OF FENCES, GRAVEL AND RETAINING WALLS AS SHOWN ON THE FACE OF THE PLAN.**  
**COMPLIANCE WITH MUNICIPAL ZONING BY-LAWS - THIS PLAN DOES NOT CERTIFY COMPLIANCE WITH ZONING BY-LAWS**

**SURVEYOR'S CERTIFICATE**  
 I CERTIFY THAT  
 1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.  
 2. THE SURVEY WAS COMPLETED ON OCTOBER 12, 2022.

OCTOBER 12, 2022  
 ERIC C. SALZER  
 O.L.S., O.L.L.P.

**Barich Grenkie**  
 SURVEYING LTD.  
 241 HWY No. 8 (HIGHWAY 8) EAST OF HAMILTON, ONTARIO  
 L7C 1S2 1W5 (437) 624287  
 A DIVISION OF GEOMAPLE  
 DWN BY: EWA  
 CHK BY: EGS  
 JOB No. 22-3051





Hamilton  
Conservation  
Authority

A Healthy Watershed for Everyone

## BY EMAIL

December 1, 2022

GC-SC

Rose Powell  
2 Kenmanor Blvd  
Scarborough, ON M1W 1R5

Dear Ms. Powell:

**RE: Letter of Permission for the Conversion of an Existing Dwelling to a Triplex (Three Dwelling Units)**

**Location: 1352 Highway 8  
Part of Lot 3, Concession 2, City of Hamilton (Stoney Creek)**

Staff of the Hamilton Conservation Authority (HCA) have reviewed the above-noted proposal including the Site Plan prepared by thinkGiraffe, dated November 16, 2022, and the property survey prepared by Barich Grenkie, dated October 12, 2022 (attached).

The rear of the subject property is regulated by the HCA under *Ontario Regulation 161/06 (HCA's Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses)* made under the *Conservation Authorities Act, R.S.O.* due to the proximity of Fifty Creek and the associated flood and erosion hazards. However, the proposed development is outside of the hazards associated with this feature. Therefore, please accept this correspondence as written permission for the conversion of the existing dwelling to three dwelling units on lands regulated by the HCA, to be completed in accordance with the enclosed approved plan. We do not have any objection to the issuance of a building permit by the municipality.

If you have any questions regarding the above, please do not hesitate to contact the undersigned at ext. 165.

Elizabeth Reimer  
Conservation Planner

December 1, 2022  
Date

Encl. approved site plan  
C.c. Chantal Costa, Plan Examination Secretary, City of Hamilton, Building Division (by email)  
Marina Fenshaw, thinkGiraffe Environmental Design (by email)



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)	Rose Powell
Applicant(s)	Marina Fenshaw
Agent or Solicitor	"
	E-mail: "

- 1.2 All correspondence should be sent to  Purchaser  Applicant  Owner  Agent/Solicitor
- 1.3 Sign should be sent to  Purchaser  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 thinkgiraffe@bellnet.ca

- 1.5 All correspondence may be sent by email  Yes\*  No

If Yes, a valid email must be included for the registered owner(s) AND the Applicant/Agent (if applicable). Only one email address submitted will result in the voiding of this service. This request does not guarantee all correspondence will sent by email.

**2. LOCATION OF SUBJECT LAND**

2.1 Complete the applicable sections:

Municipal Address	1352 HWY 8 Stony Creek		
Assessment Roll Number			
Former Municipality	Saltfleet		
Lot	3	Concession	2
Registered Plan Number		Lot(s)	
Reference Plan Number (s)		Part(s)	1

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

Yes  No Conservation Controlled  
 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:

TRIPLEX

Third

Second Dwelling Unit  Reconstruction of Existing Dwelling

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

The current bylaw does not allow for a 3rd unit. Conservation Approval has been obtained for a 3rd unit. an no changes to the front will be made.

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
26.17	71.73	1641 m <sup>2</sup>	

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
Split Level Brick + Siding Residence	13.85 m	42.72 m	1.74   2.54	

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Existing remains NO exterior changes	13.85 m	42.72 m	1.74   2.54	

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
SF Split Level Brick + Siding Side Split	187.84 m <sup>2</sup>	150 m <sup>2</sup> + 66 m <sup>2</sup> + 60 m <sup>2</sup> = 276 m <sup>2</sup>	2	7.01 m

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Existing Remains	187.84 m <sup>2</sup>	150 m <sup>2</sup> + 66 m <sup>2</sup> + 60 m <sup>2</sup> = 276 m <sup>2</sup>	2	7.01 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 At Rear (Stream)
- 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.):

Triplex

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

SF Residential

**7 HISTORY OF THE SUBJECT LAND**

7.1 Date of acquisition of subject lands:

2020

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

SF Residential

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

Secondary Unit Permit Pending

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

Since Construction

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) \_\_\_\_\_

Please provide an explanation of how the application conforms with the Official Plan.

Changes to Official Plan Pending

7.6 What is the existing zoning of the subject land? Fruitland Winona

Secondary Plan

7.8 Has the owner previously applied for relief in respect of the subject property?  
(Zoning By-law Amendment or Minor Variance)

- Yes
- No

If yes, please provide the file number: \_\_\_\_\_

7.9 Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*?

Yes

No

If yes, please provide the file number: \_\_\_\_\_

7.10 If a site-specific Zoning By-law Amendment has been received for the subject property, has the two-year anniversary of the by-law being passed expired?

Yes

No

N/A

7.11 If the answer is no, the decision of Council, or Director of Planning and Chief Planner that the application for Minor Variance is allowed must be included. Failure to do so may result in an application not being "received" for processing.

## 8 ADDITIONAL INFORMATION

8.1 Number of Dwelling Units Existing: 1

8.2 Number of Dwelling Units Proposed: 3

8.3 Additional Information (please include separate sheet if needed):

- Conservation Approval for 3 Unit has been granted. See Attached
- See Parking for 3 cars plus 1 Visitor approved by Conservation.
- See Front Elevation photo on plans. NO changes are proposed

**11 COMPLETE APPLICATION REQUIREMENTS**

11.1 All Applications

- Application Fee
- Site Sketch
- Complete Application form
- Signatures Sheet

Please call owner for  
credit card payment  
416 276 8844

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

---

---



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, 3935

E-mail: [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

**NOTICE OF PUBLIC HEARING**  
**Consent/Land Severance**

**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>GL/B-23:18</b>	<b>SUBJECT PROPERTY:</b>	3345 HOMESTEAD DRIVE, GLANBROOK
-------------------------	-------------------	--------------------------	------------------------------------

**APPLICANTS:**      **Owner:** SASA KLAJKIC  
                              **Agent:** URBAN IN MIND C/O JACOB DICKIE

**PURPOSE & EFFECT:**      To permit the conveyance of a parcel of land to be added to property known municipally as 3353 Homestead Drive, Glanbrook.

	<b>Frontage</b>	<b>Depth</b>	<b>Area</b>
<b>SEVERED LANDS (Part 2):</b>	0.45 m <sup>±</sup>	39.987 m <sup>±</sup>	17.953 m <sup>2±</sup>
<b>RETAINED LANDS (Part 1):</b>	20.55 m <sup>±</sup>	47.176 m <sup>±</sup>	895.464 m <sup>2±</sup>

Associated Planning Act File(s): GL/A-23:68 & GL/A-23:69

**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, May 4, 2023</b>
<b>TIME:</b>	<b>9:50 a.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>To be streamed (viewing only) at</b> <b><a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a></b>

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

**GL/B-23:18**

- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Email Committee of Adjustment staff at [cofa@hamilton.ca](mailto:cofa@hamilton.ca)
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935

**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, including deadlines for submitting to be seen by the Committee.

**Orally:** If you would like to speak to this item at the hearing you may do so via video link or by calling in. Please see attached page for complete instructions, including deadlines for registering to participate.

**FURTHER NOTIFICATION**

If you wish to be notified of future Public Hearings, if applicable, regarding GL/B-23:18, 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.

GL/B-23:18



 Subject Lands

DATED: April 18, 2023

---

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.

If a person or public body that files an appeal of a decision of The City of Hamilton Committee of Adjustment in respect of the proposed consent does not make written submissions to The City of Hamilton Committee of Adjustment before it gives or refuses to give a provisional consent, the Ontario Land Tribunal may dismiss the appeal.



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, 3935

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 or via email in 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 two days before the Hearing.**

Comments can also be placed in the drop box which is located at the back of the 1st Floor of City Hall, 71 Main Street West. All comments received by noon two business days before the meeting will be forwarded to the Committee members.

Comments are available two days prior to the Hearing and are available on our website: [www.hamilton.ca/committeefadjustment](http://www.hamilton.ca/committeefadjustment)

### Oral Submissions During the Virtual Meeting

Members of the public are also able to provide oral comments regarding Committee of Adjustment Hearing items by participating through Webex via computer or phone. Participation in this format requires pre-registration in advance. **Interested members of the public must register by noon the day before the hearing.**

To register to participate by Webex either via computer or phone, please contact Committee of Adjustment staff by email [cofa@hamilton.ca](mailto:cofa@hamilton.ca) or by phone at 905-546-2424 ext. 4221. The following information is required to register: Committee of Adjustment file number that you wish to speak to, the hearing date, name and address of the person wishing to speak, if they will be connecting via 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 the Wednesday afternoon before the hearing. The link must not be shared with others as it is unique to the registrant.

All members of the public who register will be contacted by Committee Staff to confirm details of the registration prior to the Hearing and provide an overview of the public participation process.

We hope this is of assistance and if you need clarification or have any questions, please email [cofa@hamilton.ca](mailto:cofa@hamilton.ca) or by phone at 905-546-2424 ext. 4221.

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.



# SITE PLAN

3345 and 3353 HOMESTEAD DRIVE,  
HAMILTON

CURRENT ZONING: R3-311

GLANBROOK ZONING BY-LAW No.464

TOTAL SITE AREA: 1,695.7 m<sup>2</sup>

4 SEMI-DETACHED DWELLINGS EACH WITH A  
SECONDARY DWELLING UNIT (8 UNITS TOTAL)

REQUIREMENT	REQUIRED	PROVIDED			
		LOT 1	LOT 2	LOT 3	LOT 4
MAX DWELLING UNITS (OFFICIAL PLAN)	25 /ha	25.0	25.0	23.3	21.5
MIN. LOT AREA (3345)	950m <sup>2</sup>			429m <sup>2</sup>	466m <sup>2</sup>
MIN. LOT AREA (3353)	810m <sup>2</sup>	400m <sup>2</sup>	400m <sup>2</sup>		
MIN. LOT FRONTAGE	20.0 m	11.724 m	10.535m	10.275m	10.275m
MIN. FRONT YARD	9.0 m	9.0 m	9.0m	9.0m	9.0m
MIN. SIDE YARD*	1.2 m*	2.65m	1.48m	1.27m	1.28m
MIN. REAR YARD	22.0 m	7.7 m	11.29m	15.01m	18.56m
MAX. COVERAGE	40.0%	36.0%	36.0%	33.6%	30.9%
BDLG. HEIGHT	10.7 m	<10.7m	<10.7m	<10.7m	<10.7m
PARKING SPACES	SEE NOTE	3	3	3	3

- NOTES:
- PARKING REQUIRED FOR EACH SEMI-DETACHED DWELLING WITH A SECONDARY DWELLING UNIT IS 3.
  - ALL PARKING SPACES ARE MIN. 3m X 6m.
  - MIN. 100m<sup>2</sup> FLOOR AREA PER DWELLING UNIT WITH BASEMENT FLOOR AREA NOT COUNTED.
  - EXCEPTION R3-311, WAS NOT AMENDED ALONG WITH THE R3 ZONE AS A WHOLE. R3-311 MIN LOT SIZES OF 810m<sup>2</sup> FOR THE COMBINATION OF LOTS 1 & 2 AND 950m<sup>2</sup> FOR THE COMBINATION OF LOTS 3 & 4, WHICH WAS PUT IN PLACE BEFORE THE 4.527m ROAD WIDENING WAS GIVEN.
  - \* MIN SIDE YARD = 0m FOR UNITS SHARING PARTY WALL

- LEGEND:
- CURRENT LOT LINE
  - PROPOSED ADJUSTMENT LOT LINE
  - FUTURE LOT SEVERANCE LINE - SEMIS
  - PROPOSED BUILDING
  - DRIVEWAY
  - WALKWAY (WIDTH - 0.6m)
  - PARKING SPACE (6.0m X 3.0m)

BASE INFORMATION FROM:  
A.T.McLAREN Limited  
69 JOHN STREET SOUTH, SUITE 230, HAMILTON, ON L8N2B9  
PHONE: (905) 527-8559 FAX: (905) 527-0032  
FILE: PLAN 62R-21140 3345 & 3353 HOMESTEAD DRIVE DATE: NOVEMBER 3, 2022

NOTE: DRAWING IS FOR DISCUSSION PURPOSES ONLY.

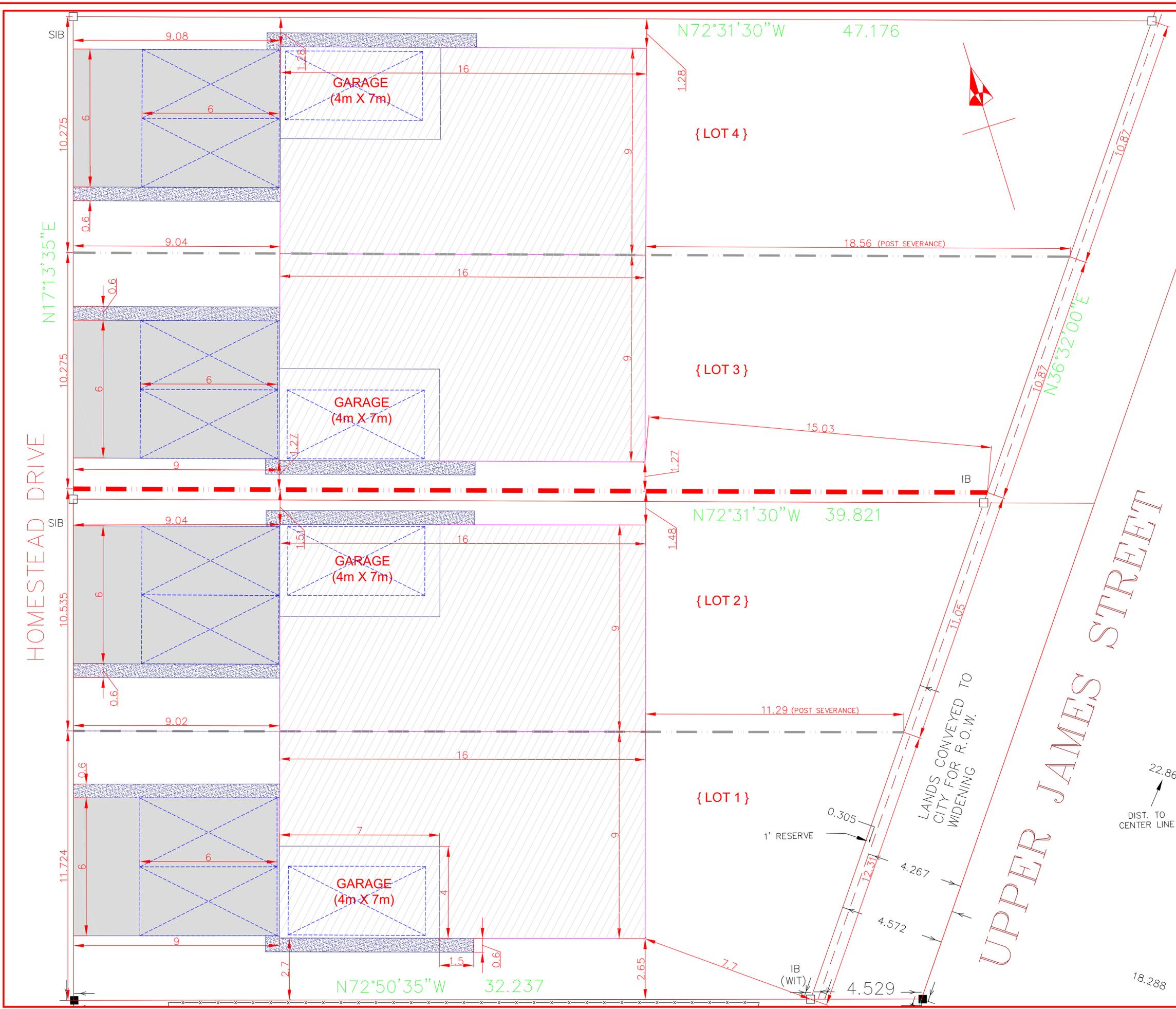
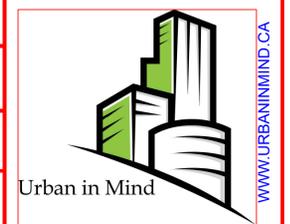
DATE: REVISIONS  
24/02/2023 - ADJUSTED PARKING AND STATS CHART

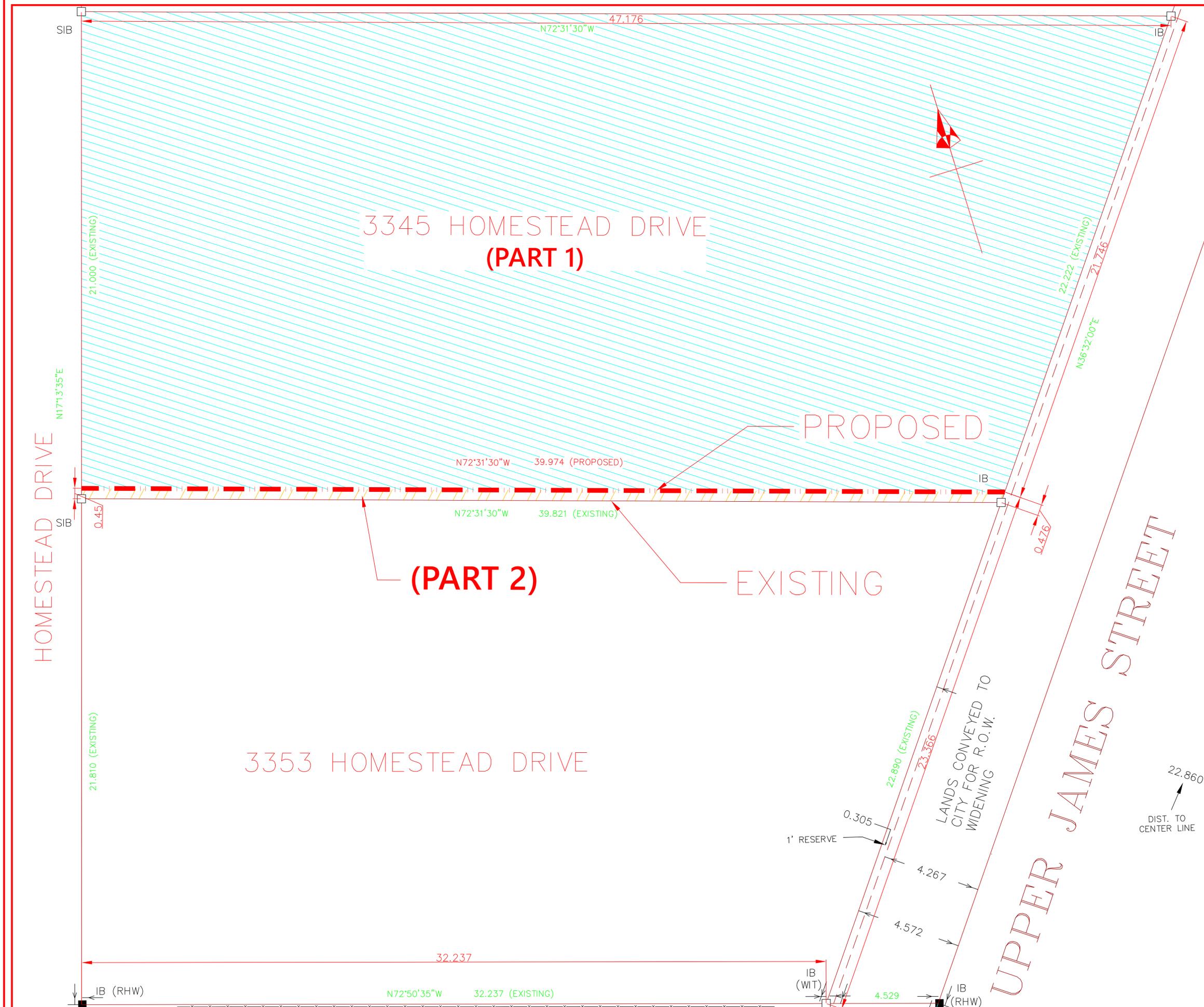
SCALE: 1:75  
WHEN PRINTED ON 24 x 36

PROJECT FILE NO.  
2022\_35

DATE:  
DECEMBER 06, 2022

DRAWN BY: J.T.  
REVIEWED BY: T.G.





# LOT ADDITION

(LOT LINE ADJUSTMENT)

3345 and 3353 HOMESTEAD DRIVE,  
HAMILTON

TOTAL SITE AREA: 1,695.7 m<sup>2</sup>

LOT	AREA	FRONTAGE
CURRENT 3345	913.5 m <sup>2</sup>	21.0 m
CURRENT 3353	782.2 m <sup>2</sup>	21.81 m
PROPOSED 3345	895.5 m <sup>2</sup>	20.55 m
PROPOSED 3353	800.1 m <sup>2</sup>	22.26 m

PART	AREA
PART 1	895.464 m <sup>2</sup>
PART 2	17.953 m <sup>2</sup>

CURRENT EXISTING LOTS: VACANT

- LEGEND:**
- CURRENT LOT LINE
  - PROPOSED NEW LOT LINE
  - PART 1 (RETAINED AS 3345 HOMESTEAD DR.)
  - PART 2 (ADDITION TO 3353 HOMESTEAD DR.)

**REVISIONS:**  
MAR. 15, 2023 - UPDATING GRAPHICS & LABELS AS PER STAFF COMMENTS

**BASE INFORMATION FROM:**  
A.T.McLAREN Limited  
69 JOHN STREET SOUTH, SUITE 230, HAMILTON, ON L8N2B9  
PHONE: (905) 527-8559 FAX: (905) 527-0032  
FILE: PLAN 62R-21140 3345 & 3353 HOMESTEAD DRIVE DATE: NOVEMBER 3, 2022

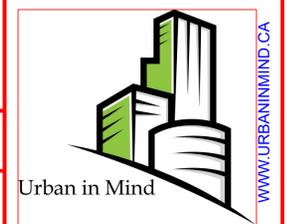
NOTE: DRAWING IS FOR DISCUSSION PURPOSES ONLY.

SCALE: 1:75  
WHEN PRINTED ON 24 x 36

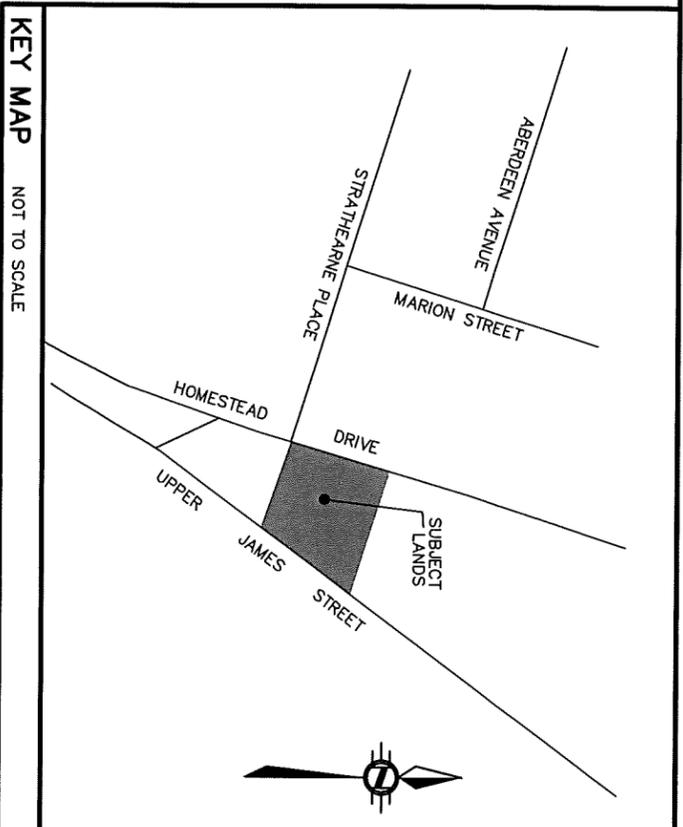
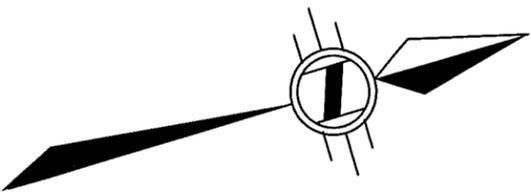
PROJECT FILE NO.  
2022\_35

DATE:  
DECEMBER 06, 2022

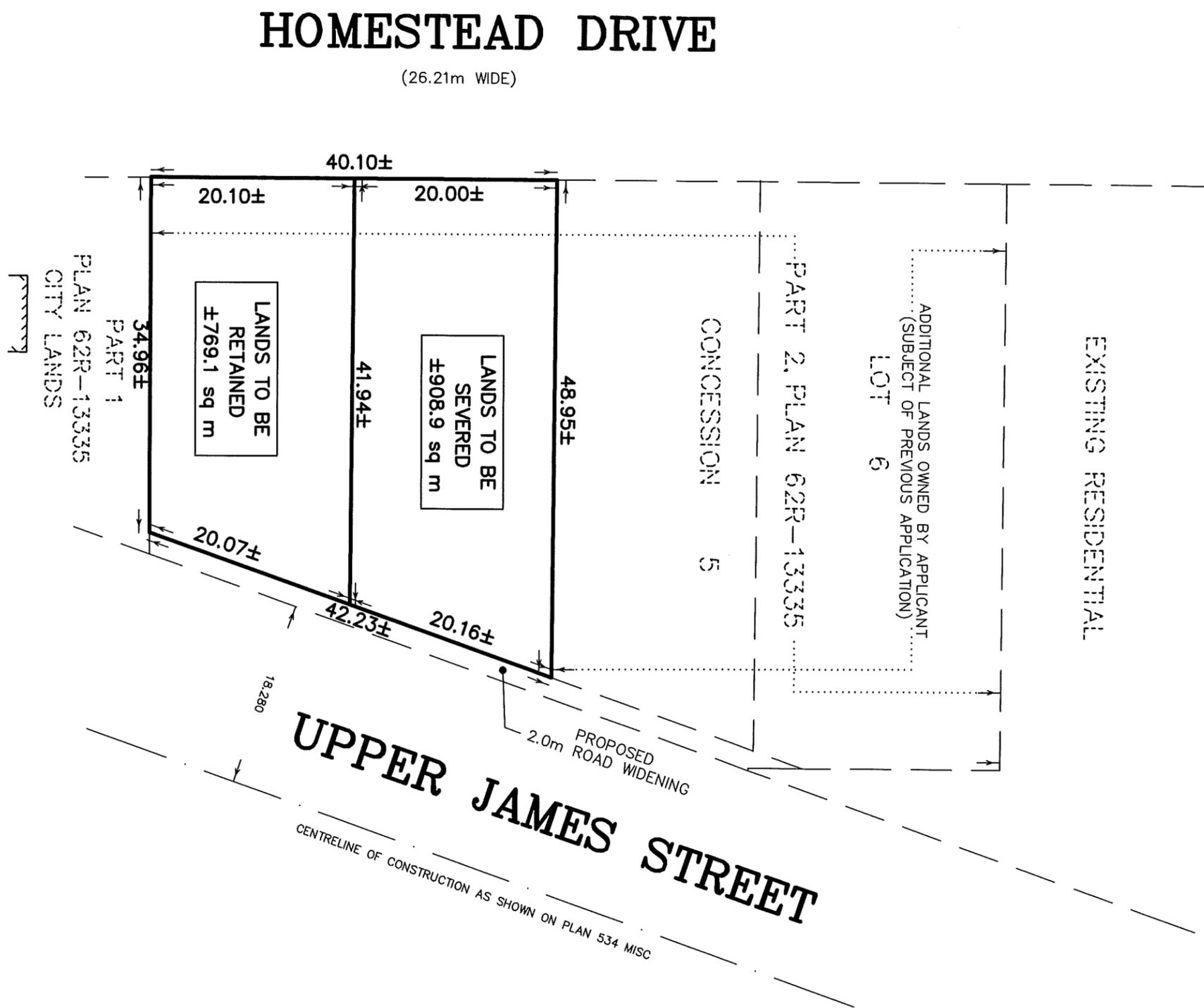
DRAWN BY: J.T.  
REVIEWED BY: T.G.



**SKETCH**  
 OF PART OF  
**LOT 6**  
**CONCESSION 5**  
 GEOGRAPHIC  
**TOWNSHIP OF GLANFORD**  
 IN THE  
**CITY OF HAMILTON**  
 SCALE 1:500 METRIC  
**S.D. McLAREN, O.I.S. - 2018**



**KEY MAP** NOT TO SCALE



- LEGEND:**
- DENOTES MONUMENT SET
  - IRON BAR
  - SSIB STANDARD IRON BAR
  - 824 SHORT STANDARD IRON BAR
  - Msd A.T. McLAREN, O.I.S. MEASURED
  - DENOTES MONUMENT FOUND
  - IRON BAR
  - SSIB STANDARD IRON BAR
  - 824 SHORT STANDARD IRON BAR
  - Msd A.T. McLAREN, O.I.S. MEASURED

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

**A.T. McLaren Limited**  
 LEGAL AND ENGINEERING SURVEYS  
 69 JOHN STREET SOUTH, SUITE 230  
 HAMILTON, ONTARIO, L8N 2B9  
 PHONE (905) 527-8559 FAX (905) 527-0032

Drawn KM	Checked DG	Crew Chief RM	Scale 1:500	Dwg.No. 35508-S2
-------------	---------------	------------------	----------------	---------------------



Professional Urban Planning, Land Development & CPTED Consultants

Hamilton City Hall, Planning and Development Services  
71 Main St W, Hamilton, ON L8P 4Y5  
Tim Vrooman, Area Planning Manager

**RE: Lot Addition & Minor Variance Applications – 3345 & 3353 Homestead Drive**

---

Please accept this letter regarding our Lot Addition (Consent) & Minor Variance Applications for 3345 & 3353 Homestead Drive on behalf of the owners Sara Salari and Sasa Kljakic. The following documents have been uploaded onto the City's Shared Link for the digital submission.

- Cover Letter
- Minor Variance Application Form for 3345 Homestead Drive
- Minor Variance Application Form for 3353 Homestead Drive
- Lot Addition Application Form for 3345 Homestead Drive
- Pre-Consultation Waiver
- Original R-Plan (Pre-Road Widening)
- Conceptual Revised R-Plan (Post-Road Widening)
- Concept Lot Addition Plan
- Concept Site Plan
- Planning Justification Report

If you require any additional information, please feel free to contact me at 519-719-8721 or by email at [jdickieurbaninmind@gmail.com](mailto:jdickieurbaninmind@gmail.com).

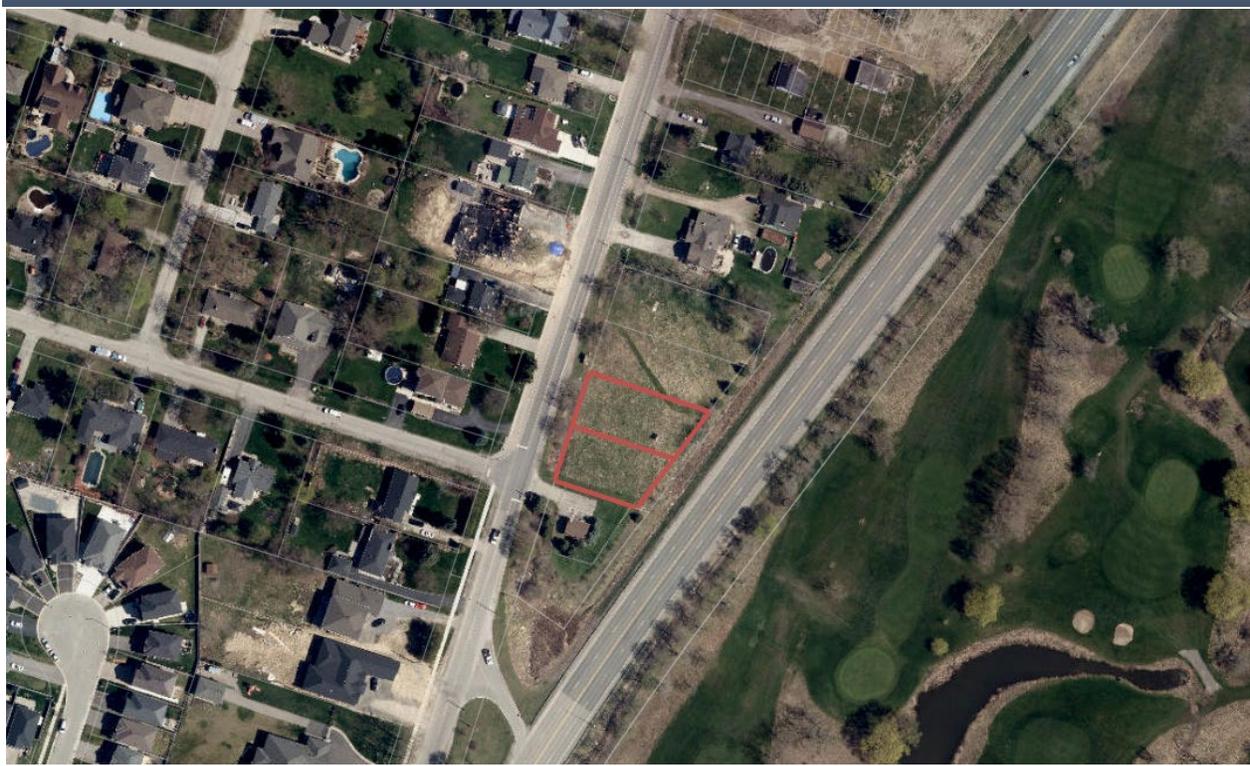
Jacob Dickie  
Planner/Development Coordinator  
Urban in Mind, Professional Urban Planning, Land Development & CPTED Consultants

# PLANNING JUSTIFICATION REPORT

## LOT LINE ADJUSTMENT, MINOR VARIANCE & SEVERANCE

MARCH 2, 2023

**3345-3353 HOMESTEAD DRIVE (MOUNT HOPE)**  
**HAMILTON, ONTARIO**



— Approx. Boundaries of Subject Lands

Prepared by:

**Urban in Mind,**  
**Professional Urban Planning, Land Development & CPTED Consultants**  
[www.UrbanInMind.ca](http://www.UrbanInMind.ca)

(905) 320-8120



If you require the full document please  
reach out to [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

**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)



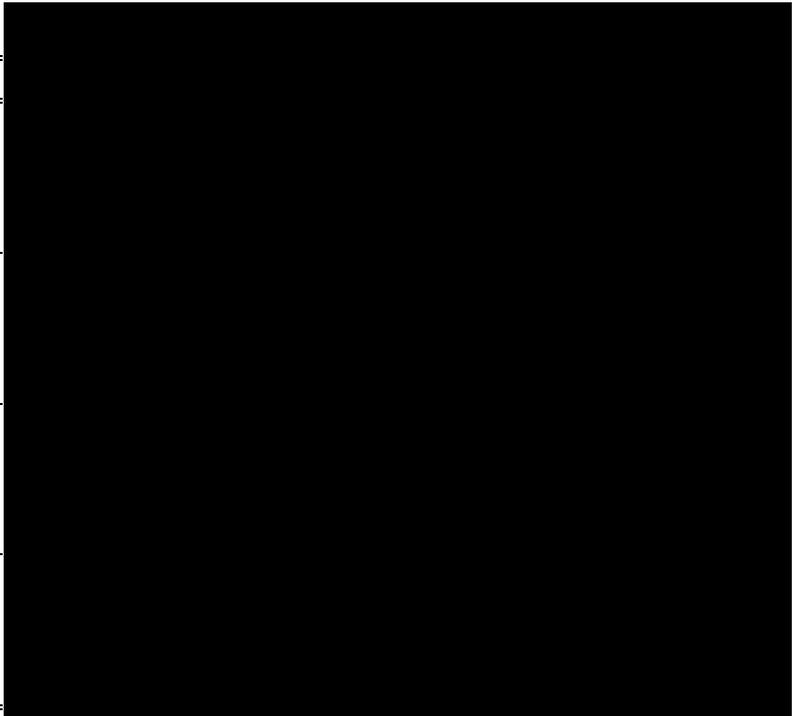
Hamilton

**APPLICATION FOR CONSENT TO SEVER LAND  
and VALIDATION OF TITLE  
UNDER SECTION 53 & 57 OF THE *PLANNING ACT***

Please see additional information regarding how to submit an application, requirements for the required sketch and general information in the Submission Requirements and Information.

**1. APPLICANT INFORMATION**

	<b>NAME</b>
<b>Purchaser*</b>	
<b>Registered Owners(s)</b>	
<b>Applicant(s)**</b>	
<b>Agent or Solicitor</b>	



\*Purchaser must provide a copy of the purchase agreement to the purchaser to make the application in respect of the land that is the subject of the application. yes

\*\* Owner's authorisation required if the applicant is not the owner or purchaser.

1.2 All correspondence should be sent to  Purchaser  Owner  
 Applicant  Agent/Solicitor

1.3 Sign should be sent to  Purchaser  Owner  
 Applicant  Agent/Solicitor

1.4 Request for digital copy of sign  Yes\*  No  
If YES, provide email address where sign is to be sent \_\_\_\_\_

1.5 All correspondence may be sent by email  Yes\*  No  
If Yes, a valid email must be included for the registered owner(s) AND the Applicant/Agent (if applicable). Only one email address submitted will result in the voiding of this service. This request does not guarantee all correspondence will sent by email.

## 2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	3345 Homestead Drive		
Assessment Roll Number			
Former Municipality	Glanbrook		
Lot		Concession	
Registered Plan Number		Lot(s)	
Reference Plan Number (s)	PLAN 62R-13335	Part(s)	3

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:

0.305 m reserve along Upper James St

---

## 3 PURPOSE OF THE APPLICATION

3.1 Type and purpose of proposed transaction: (check appropriate box)

- |   |  |
|---|--|
| <input type="checkbox"/> creation of a new lot(s)   | <input type="checkbox"/> concurrent new lot(s) |
| <input checked="" type="checkbox"/> addition to a lot   | <input type="checkbox"/> a lease               |
| <input type="checkbox"/> an easement  | <input type="checkbox"/> a correction of title |
| <input type="checkbox"/> validation of title (must also complete section 8)   | <input type="checkbox"/> a charge              |
| <input type="checkbox"/> cancellation (must also complete section 9)  |  |
| <input type="checkbox"/> creation of a new non-farm parcel (must also complete section 10)<br>( i.e. a lot containing a surplus farm dwelling<br>resulting from a farm consolidation) |  |

3.2 Name of person(s), if known, to whom land or interest in land is to be transferred, leased or charged:

Sara Salari Joubani

---

3.3 If a lot addition, identify the lands to which the parcel will be added:

3353 Homestead Drive

---

3.4 Certificate Request for Retained Lands:  Yes\*

\* If yes, a statement from an Ontario solicitor in good standing that there is no land abutting the subject land that is owned by the owner of the subject land other than land that could be conveyed without contravening section 50 of the Act. (O. Reg. 786/21)

## 4 DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

4.1 Description of subject land:

All dimensions to be provided in metric (m, m<sup>2</sup> or ha), attach additional sheets as necessary.

	Part 1	Part 2	Parcel 2	Parcel 3*	Parcel 4*
--	--------	--------	----------	-----------	-----------

Identified on Sketch as:	Retained as 3345 Homestead Drive	Addition to 3353 Homestead Drive			
Type of Transfer	N/A				
Frontage	20.55 m	0.45 m			
Depth	47.176 m	39.987 m			
Area	895.464 sq.m	17.953 sq.m			
Existing Use	Vacant	Vacant			
Proposed Use	Residential	Residential			
Existing Buildings/ Structures	Vacant	Vacant			
Proposed Buildings/ Structures	Semis	Semis			
Buildings/ Structures to be Removed	None	None			

\* Additional fees apply.

#### 4.2 Subject Land Servicing

a) Type of access: (check appropriate box)

- provincial highway  
 municipal road, seasonally maintained  
 municipal road, maintained all year
- right of way  
 other public road
- 

b) Type of water supply proposed: (check appropriate box)

- publicly owned and operated piped water system  
 privately owned and operated individual well
- lake or other water body  
 other means (specify)
- 

c) 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) \_\_\_\_\_

#### 4.3 Other Services: (check if the service is available)

- electricity     
  telephone     
  school bussing     
  garbage collection

### 5 CURRENT LAND USE

#### 5.1 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) Mount Hope Secondary Plan Area

Please provide an explanation of how the application conforms with a City of Hamilton Official Plan.

The proposed lot line addition will increase the lot area for 3353 Homestead Drive and decrease the lot area for 3345 Homestead Drive so that the proposed semi-detached development will not exceed the 25 units/hectare density requirement of the Low Density Residential 2 Land Use Designation of the Mount Hope Secondary Plan. See MV Applications and proposed Concept Plan.

5.2 Is the subject land currently the subject of a proposed official plan amendment that has been submitted for approval?

Yes       No       Unknown

If YES, and known, provide the appropriate file number and status of the application.

5.3 What is the existing zoning of the subject land? R3-311

If the subject land is covered by a Minister's zoning order, what is the Ontario Regulation Number?

5.4 Is the subject land the subject of any other application for a Minister's zoning order, zoning by-law amendment, minor variance, consent or approval of a plan of subdivision?

Yes       No       Unknown

If YES, and known, provide the appropriate file number and status of the application.

MV Applications for 3345 & 3353 Homestead Drive to be submitted

5.5 Are any of the following uses or features on the subject land or within 500 metres of the subject land, unless otherwise specified. Please check the appropriate boxes, if any apply.

Use or Feature	On the Subject Land	Within 500 Metres of Subject Land, unless otherwise specified (indicate approximate distance)
<b>An agricultural operation, including livestock facility or stockyard</b> * Submit Minimum Distance Separation Formulae (MDS) if applicable	<input type="checkbox"/>	
<b>A land fill</b>	<input type="checkbox"/>	
<b>A sewage treatment plant or waste stabilization plant</b>	<input type="checkbox"/>	
<b>A provincially significant wetland</b>	<input type="checkbox"/>	
<b>A provincially significant wetland within 120 metres</b>	<input type="checkbox"/>	
<b>A flood plain</b>	<input type="checkbox"/>	
<b>An industrial or commercial use, and specify the use(s)</b>	<input type="checkbox"/>	400 m
<b>An active railway line</b>	<input type="checkbox"/>	
<b>A municipal or federal airport</b>	<input type="checkbox"/>	

## 6 HISTORY OF THE SUBJECT LAND

6.1 Has the subject land ever been the subject of an application for approval of a plan of subdivision or a consent under sections 51 or 53 of the *Planning Act*?

Yes       No       Unknown

If YES, and known, provide the appropriate application file number and the decision made on the application.

Unknown

---

6.2 If this application is a re-submission of a previous consent application, describe how it has been changed from the original application.

Unknown

---

6.3 Has any land been severed or subdivided from the parcel originally acquired by the owner of the subject land?

Yes       No

If YES, and if known, provide for each parcel severed, the date of transfer, the name of the transferee and the land use.

6.4 How long has the applicant owned the subject land?

---

6.5 Does the applicant own any other land in the City?       Yes       No

If YES, describe the lands below or attach a separate page.

---

## 7 PROVINCIAL POLICY

7.1 Is this application consistent with the Policy Statements issued under Section 3 of the *Planning Act*?

Yes       No      (Provide explanation)

The proposal is consistent Provincial and Local Plans

---

7.2 Is this application consistent with the Provincial Policy Statement (PPS)?

Yes       No      (Provide explanation)

Infill development on vacant lands within a built-up area that has municipal infrastructure capacity.

---

7.3 Does this application conform to the Growth Plan for the Greater Golden Horseshoe?

Yes       No      (Provide explanation)

The proposal will assist the City of Hamilton in achieving their minimum intensification target and in accommodating forecasted growth

---

7.4 Are the subject lands subject to the Niagara Escarpment Plan?

Yes       No      (Provide explanation)

---

7.5 Are the subject lands subject to the Parkway Belt West Plan?

Yes  No (Provide explanation)

7.6 Are the subject lands subject to the Greenbelt Plan?

Yes  No (Provide explanation)

7.7 Are the subject lands within an area of land designated under any other provincial plan or plans?

Yes  No (Provide explanation)

## 8 ADDITIONAL INFORMATION - VALIDATION

8.1 Did the previous owner retain any interest in the subject land?

Yes  No (Provide explanation)

8.2 Does the current owner have any interest in any abutting land?

Yes  No (Provide explanation and details on plan)

The registered owners of both lots are associated with one another.

8.3 Why do you consider your title may require validation? (attach additional sheets as necessary)

## 9 ADDITIONAL INFORMATION - CANCELLATION

9.1 Did the previous owner retain any interest in the subject land?

Yes  No (Provide explanation)

9.2 Does the current owner have any interest in any abutting land?

Yes  No (Provide explanation and details on plan)

9.3 Why do you require cancellation of a previous consent? (attach additional sheets as necessary)

**10 ADDITIONAL INFORMATION - FARM CONSOLIDATION****10.1 Purpose of the Application (Farm Consolidation)**

If proposal is for the creation of a non-farm parcel resulting from a farm consolidation, indicate if the consolidation is for:

- Surplus Farm Dwelling Severance from an Abutting Farm Consolidation
- Surplus Farm Dwelling Severance from a Non-Abutting Farm Consolidation

**10.2 Location of farm consolidation property:**

Municipal Address			
Assessment Roll Number			
Former Municipality			
Lot		Concession	
Registered Plan Number		Lot(s)	
Reference Plan Number (s)		Part(s)	

**10.3 Rural Hamilton Official Plan Designation(s)**

If proposal is for the creation of a non-farm parcel resulting from a farm consolidation, indicate the existing land use designation of the abutting or non-abutting farm consolidation property.

**10.4 Description of farm consolidation property:**

Frontage (m):	Area (m <sup>2</sup> or ha):
---------------	------------------------------

Existing Land Use(s): \_\_\_\_\_ Proposed Land Use(s): \_\_\_\_\_

**10.5 Description of abutting consolidated farm (excluding lands intended to be severed for the surplus dwelling)**

Frontage (m):	Area (m <sup>2</sup> or ha):
---------------	------------------------------

Existing Land Use: \_\_\_\_\_ Proposed Land Use: \_\_\_\_\_

**10.7 Description of surplus dwelling lands proposed to be severed:**

Frontage (m): (from Section 4.1)	Area (m <sup>2</sup> or ha): (from Section 4.1)
----------------------------------	---

Front yard set back: \_\_\_\_\_

**a) Date of construction:**

- Prior to December 16, 2004       After December 16, 2004

**b) Condition:**

- Habitable       Non-Habitable

## 11 COMPLETE APPLICATION REQUIREMENTS

### 11.1 All Applications

- Application Fee
- Site Sketch
- Complete Application Form
- Signatures Sheet

### 11.2 Validation of Title

- All information documents in Section 11.1
- Detailed history of why a Validation of Title is required
- All supporting materials indicating the contravention of the Planning Act, including PIN documents and other items deemed necessary.

### 11.3 Cancellation

- All information documents in Section 11.1
- Detailed history of when the previous consent took place.
- All supporting materials indicating the cancellation subject lands and any neighbouring lands owned in the same name, including PIN documents and other items deemed necessary.

### 11.4 Other Information Deemed Necessary

- Cover Letter/Planning Justification Report
- Minimum Distance Separation Formulae (data sheet available upon request)
- Hydrogeological Assessment
- Septic Assessment
- Archeological Assessment
- Noise Study
- Parking Study

---

---



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, 3935

E-mail: [cofa@hamilton.ca](mailto: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

<b>APPLICATION NO.:</b>	<b>GL/A-23:68</b>	<b>SUBJECT PROPERTY:</b>	3345 HOMESTEAD DRIVE, GLANBROOK
<b>ZONE:</b>	“R3-311” (Residential “R3” Zone)	<b>ZONING BY-LAW:</b>	Zoning By-law former Township of Glanbrook 464, as Amended 18- 291

**APPLICANTS:** Owner: SASA KLAJKIC  
Agent: URBAN IN MIND C/O JACOB DICKIE

The following variances are requested:

1. A minimum lot area of 895.5 square metres shall be provided whereas the by-law requires a minimum lot area of 950 square metres.
2. A minimum rear yard of 15.01 metres shall be provided whereas the by-law requires a minimum rear yard of 22.0 metres.

**PURPOSE & EFFECT:** So as to permit the construction of a semi-detached dwelling with a secondary dwelling unit in each unit.

**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:

<b>DATE:</b>	<b>Thursday, May 4, 2023</b>
<b>TIME:</b>	<b>9:50 a.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>2<sup>nd</sup> floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton</b>

GL/A-23:68

	<b>To be streamed (viewing only) at</b> <a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a>
--	---

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
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935

## 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, including deadlines for submitting to be seen by the Committee.

**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, including deadlines for registering to participate virtually and instructions for check in to participate in person.

## FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding GL/A-23:68, 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.

GL/A-23:68



 Subject Lands

DATED: April 18, 2023

---

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

Telephone (905) 546-2424, ext. 4221, 3935

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 or via email in 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 two days before the Hearing.**

Comment packages are available two days 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 the day before the 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 the Wednesday afternoon before the hearing. The link must not be shared with others as it is unique to the registrant.

#### 2. In person Oral Submissions

**Interested members of the public, agents, and owners who wish to participate in person must sign in at City Hall room 222 (2<sup>nd</sup> floor) no less than 10 minutes before the time of the Public Hearing as noted on the Notice of Public Hearing.**

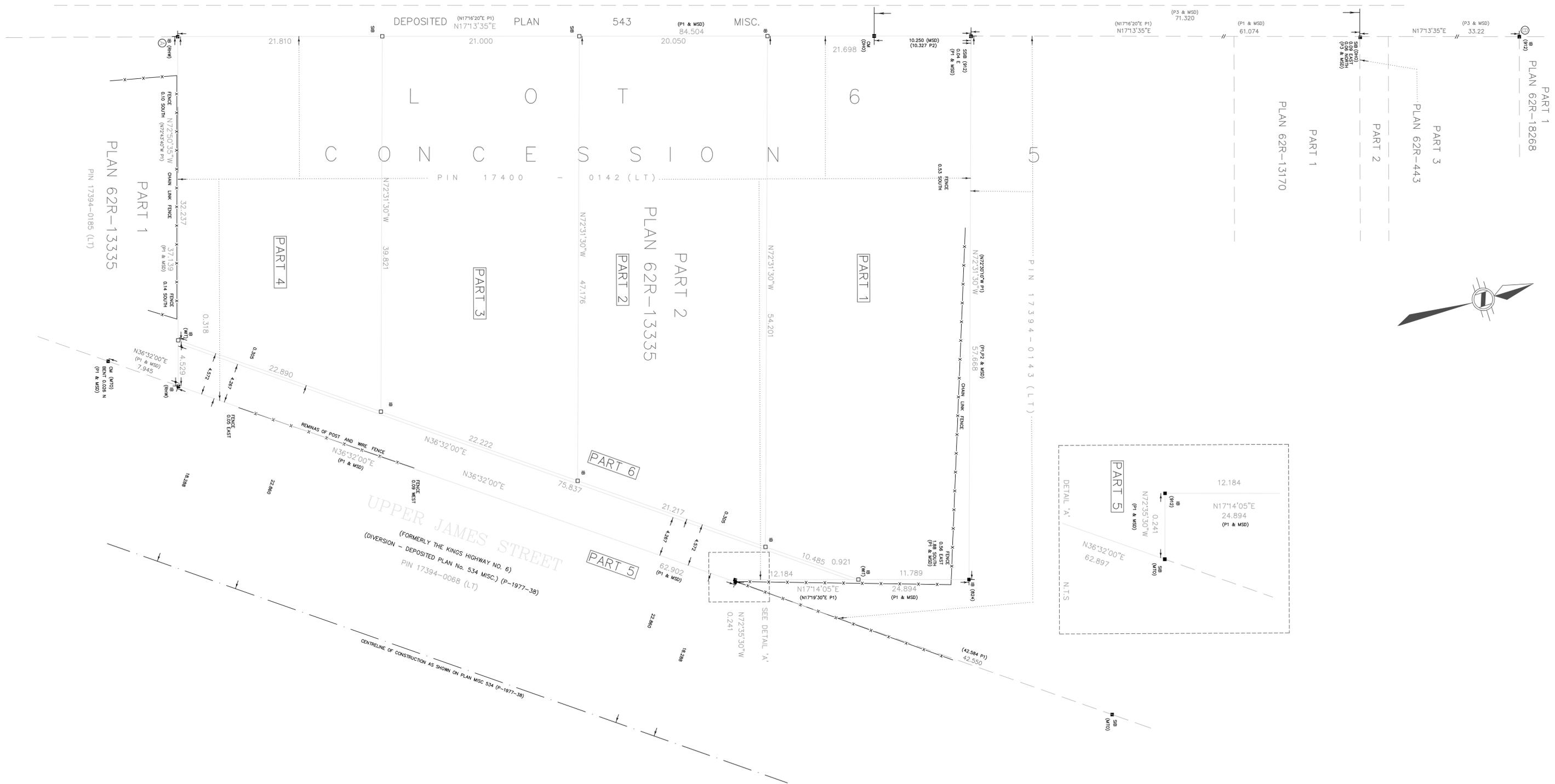
We hope this is of assistance and if you need clarification or have any questions, please email [cofa@hamilton.ca](mailto:cofa@hamilton.ca) or by phone at 905-546-2424 ext. 4221.

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.

# HOMESTEAD DRIVE

(FORMERLY THE KING'S HIGHWAY No. 6)  
(FORMERLY HAMILTON-PORT DOVER PLANK ROAD - DEPOSITED PLAN No.534 MISC.) (P-1977-38)  
(ORIGINAL ROAD ALLOWANCE BETWEEN TOWNSHIP LOTS 5 & 6)

PIN 17394-0141 (LT)



**BASE INFORMATION FROM:**  
**A.T.McLAREN Limited**  
 69 JOHN STREET SOUTH, SUITE 230, HAMILTON, ON L8N2B9  
 PHONE: (905) 527-8559 FAX: (905) 527-0032  
 FILE: PLAN 62R-21140 3345 & 3353 HOMESTEAD DRIVE DATE: NOVEMBER 3, 2022

# SITE PLAN

3345 and 3353 HOMESTEAD DRIVE,  
HAMILTON

CURRENT ZONING: R3-311

GLANBROOK ZONING BY-LAW No.464  
TOTAL SITE AREA: 1,695.7 m<sup>2</sup>

4 SEMI-DETACHED DWELLINGS EACH WITH A  
SECONDARY DWELLING UNIT (8 UNITS TOTAL)

REQUIREMENT	REQUIRED	PROVIDED			
		LOT 1	LOT 2	LOT 3	LOT 4
MAX DWELLING UNITS (OFFICIAL PLAN)	25 /ha	25.0	25.0	23.3	21.5
MIN. LOT AREA (3345)	950m <sup>2</sup>			429m <sup>2</sup>	466m <sup>2</sup>
MIN. LOT AREA (3353)	810m <sup>2</sup>	400m <sup>2</sup>	400m <sup>2</sup>		
MIN. LOT FRONTAGE	20.0 m	11.724 m	10.535m	10.275m	10.275m
MIN. FRONT YARD	9.0 m	9.0 m	9.0m	9.0m	9.0m
MIN. SIDE YARD*	1.2 m*	2.65m	1.48m	1.27m	1.28m
MIN. REAR YARD	22.0 m	7.7 m	11.29m	15.01m	18.56m
MAX. COVERAGE	40.0%	36.0%	36.0%	33.6%	30.9%
BDLG. HEIGHT	10.7 m	<10.7m	<10.7m	<10.7m	<10.7m
PARKING SPACES	SEE NOTE	3	3	3	3

- NOTES:
- PARKING REQUIRED FOR EACH SEMI-DETACHED DWELLING WITH A SECONDARY DWELLING UNIT IS 3.
  - ALL PARKING SPACES ARE MIN. 3m X 6m.
  - MIN. 100m<sup>2</sup> FLOOR AREA PER DWELLING UNIT WITH BASEMENT FLOOR AREA NOT COUNTED.
  - EXCEPTION R3-311, WAS NOT AMENDED ALONG WITH THE R3 ZONE AS A WHOLE. R3-311 MIN LOT SIZES OF 810m<sup>2</sup> FOR THE COMBINATION OF LOTS 1 & 2 AND 950m<sup>2</sup> FOR THE COMBINATION OF LOTS 3 & 4, WHICH WAS PUT IN PLACE BEFORE THE 4.527m ROAD WIDENING WAS GIVEN.
  - \* MIN SIDE YARD = 0m FOR UNITS SHARING PARTY WALL

- LEGEND:
- CURRENT LOT LINE
  - PROPOSED ADJUSTMENT LOT LINE
  - FUTURE LOT SEVERANCE LINE - SEMIS
  - PROPOSED BUILDING
  - DRIVEWAY
  - WALKWAY (WIDTH - 0.6m)
  - PARKING SPACE (6.0m X 3.0m)

BASE INFORMATION FROM:  
A.T.McLAREN Limited  
69 JOHN STREET SOUTH, SUITE 230, HAMILTON, ON L8N2B9  
PHONE: (905) 527-8559 FAX: (905) 527-0032  
FILE: PLAN 62R-21140 3345 & 3353 HOMESTEAD DRIVE DATE: NOVEMBER 3, 2022

NOTE: DRAWING IS FOR DISCUSSION PURPOSES ONLY.

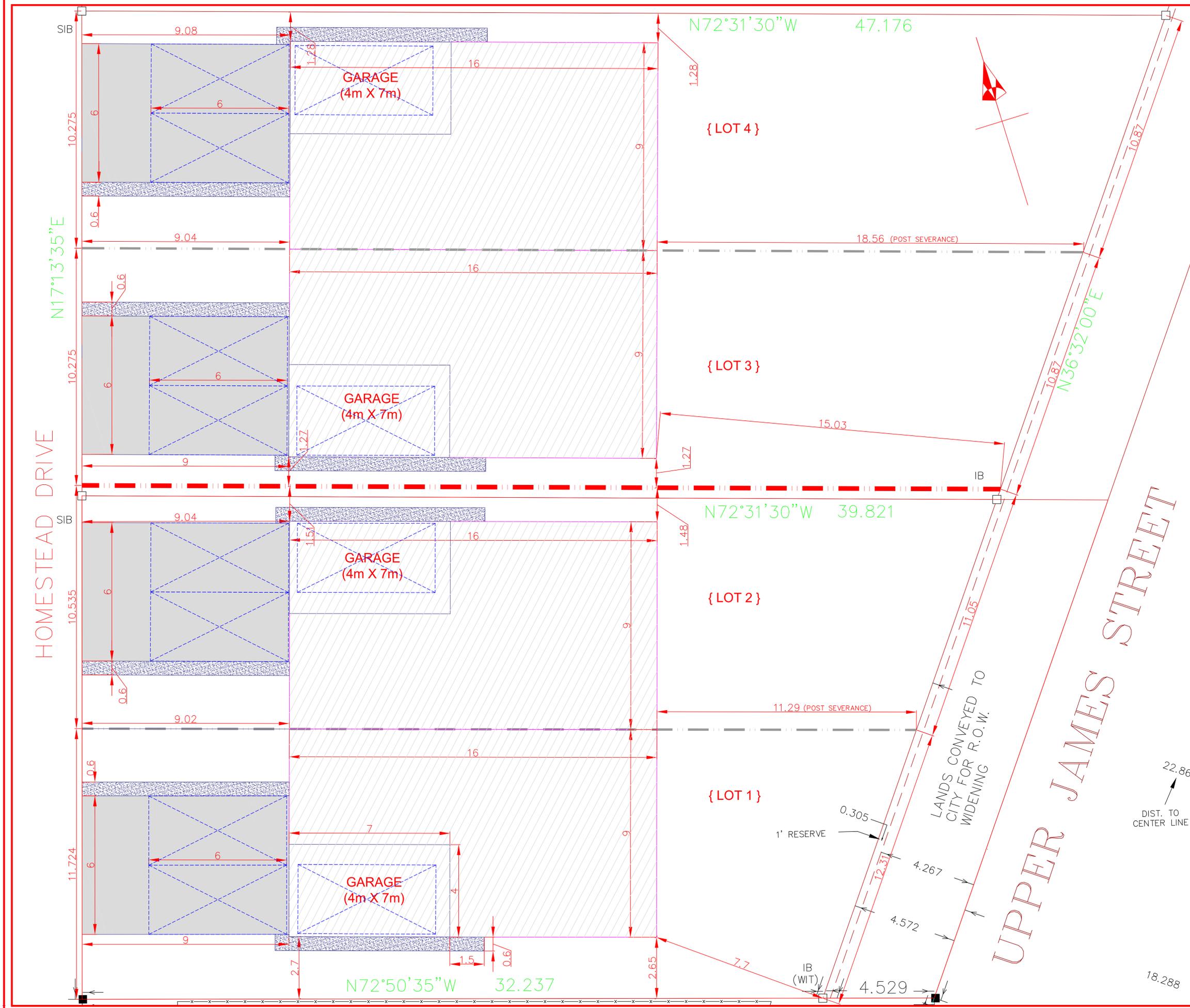
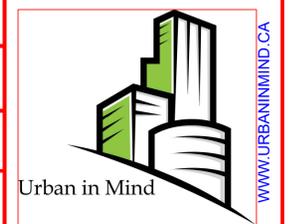
DATE: REVISIONS  
24/02/2023 - ADJUSTED PARKING AND STATS CHART

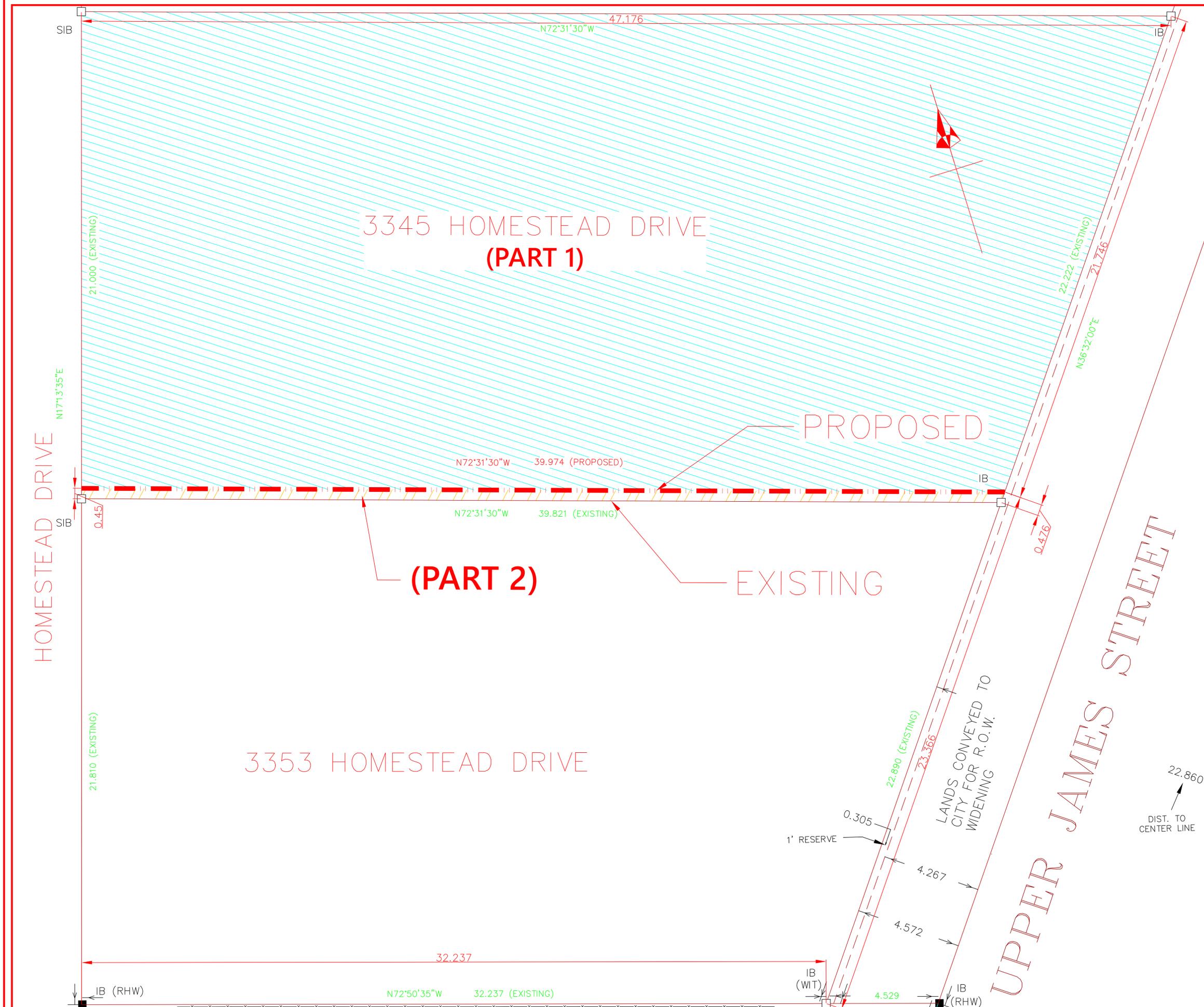
SCALE: 1:75  
WHEN PRINTED ON 24 x 36

PROJECT FILE NO.  
2022\_35

DATE:  
DECEMBER 06, 2022

DRAWN BY: J.T.  
REVIEWED BY: T.G.





# LOT ADDITION

(LOT LINE ADJUSTMENT)

3345 and 3353 HOMESTEAD DRIVE,  
HAMILTON

TOTAL SITE AREA: 1,695.7 m<sup>2</sup>

LOT	AREA	FRONTAGE
CURRENT 3345	913.5 m <sup>2</sup>	21.0 m
CURRENT 3353	782.2 m <sup>2</sup>	21.81 m
PROPOSED 3345	895.5 m <sup>2</sup>	20.55 m
PROPOSED 3353	800.1 m <sup>2</sup>	22.26 m

PART	AREA
PART 1	895.464 m <sup>2</sup>
PART 2	17.953 m <sup>2</sup>

CURRENT EXISTING LOTS: VACANT

**LEGEND:**

- CURRENT LOT LINE
- PROPOSED NEW LOT LINE
- PART 1 (RETAINED AS 3345 HOMESTEAD DR.)
- PART 2 (ADDITION TO 3353 HOMESTEAD DR.)

**REVISIONS:**

MAR. 15, 2023 - UPDATING GRAPHICS & LABELS AS PER STAFF COMMENTS

**BASE INFORMATION FROM:**

A.T.McLAREN Limited  
69 JOHN STREET SOUTH, SUITE 230, HAMILTON, ON L8N2B9  
PHONE: (905) 527-8559 FAX: (905) 527-0032  
FILE: PLAN 62R-21140 3345 & 3353 HOMESTEAD DRIVE DATE: NOVEMBER 3, 2022

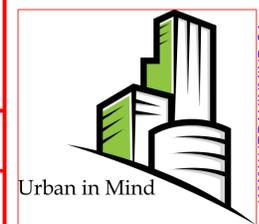
NOTE: DRAWING IS FOR DISCUSSION PURPOSES ONLY.

SCALE: 1:75  
WHEN PRINTED ON 24 x 36

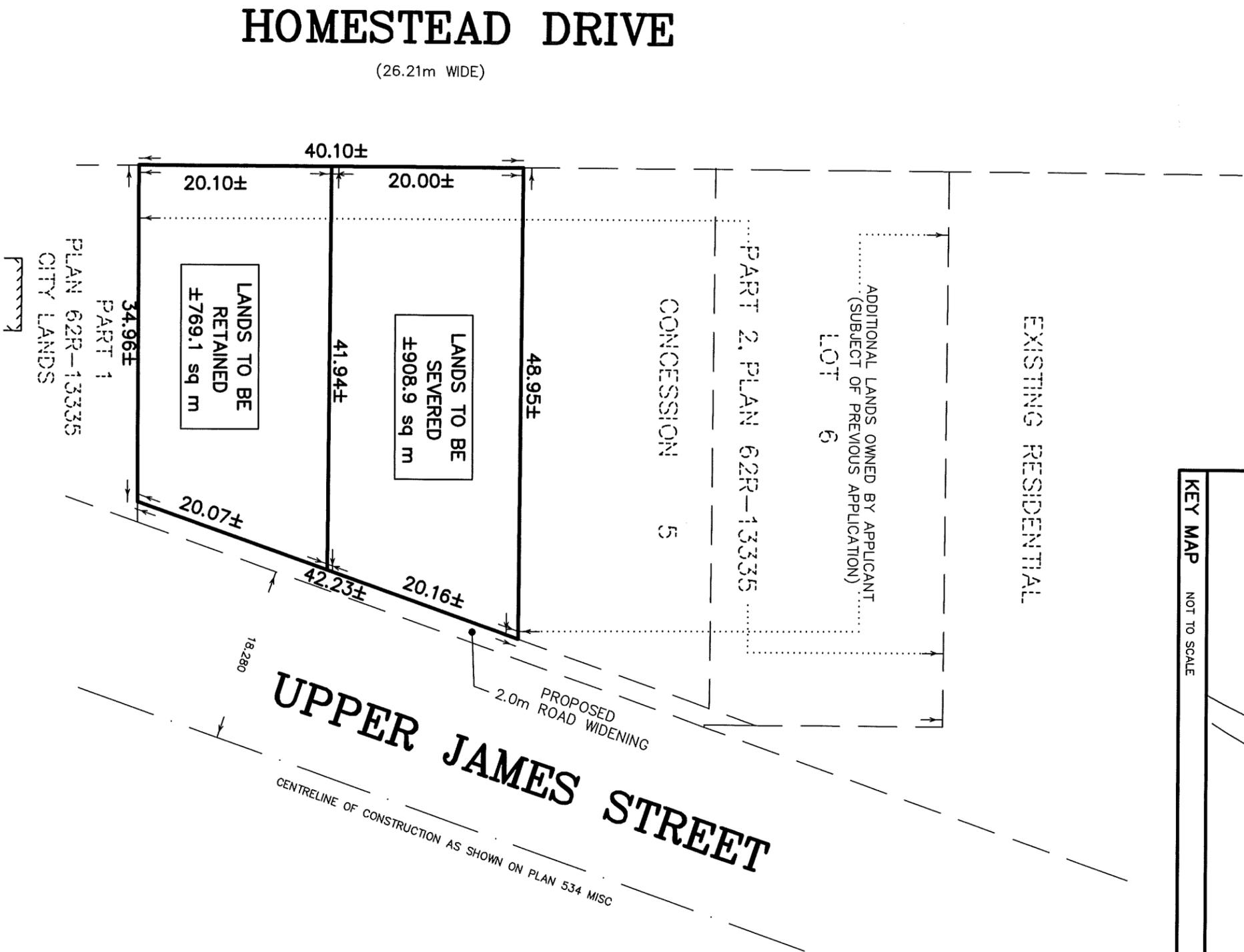
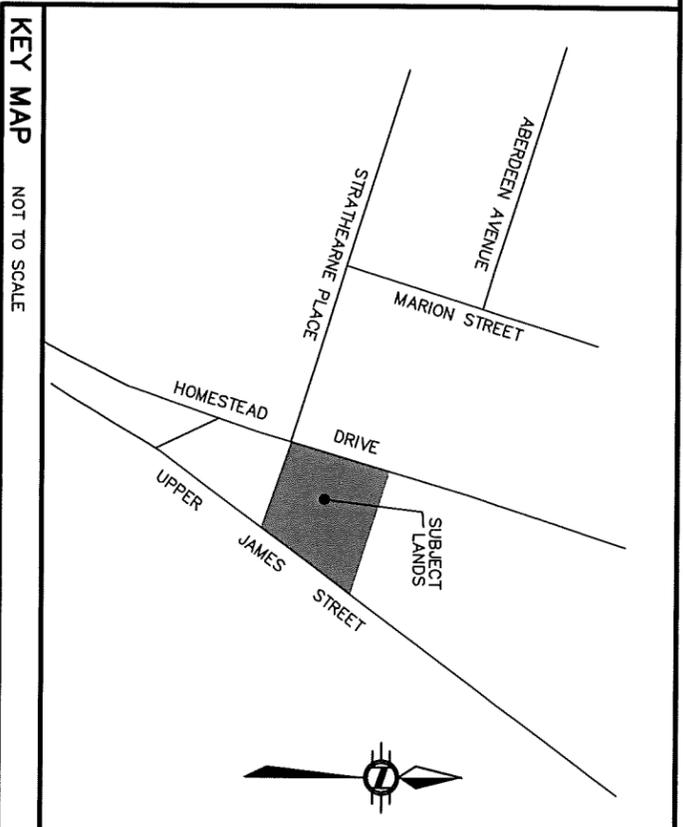
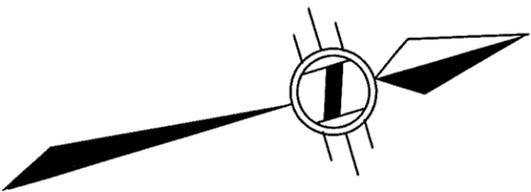
PROJECT FILE NO.  
2022\_35

DATE:  
DECEMBER 06, 2022

DRAWN BY: J.T.  
REVIEWED BY: T.G.



**SKETCH**  
 OF PART OF  
**LOT 6**  
**CONCESSION 5**  
 GEOGRAPHIC  
**TOWNSHIP OF GLANFORD**  
 IN THE  
**CITY OF HAMILTON**  
 SCALE 1:500 METRIC  
**S.D. McLAREN, O.I.S. - 2018**



- LEGEND:**
- DENOTES MONUMENT SET
  - IRON BAR
  - SSIB STANDARD IRON BAR
  - 824 SHORT STANDARD IRON BAR
  - Msd A.T. McLAREN, O.I.S. MEASURED

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

**A.T. McLaren Limited**  
 LEGAL AND ENGINEERING SURVEYS

69 JOHN STREET SOUTH, SUITE 230  
 HAMILTON, ONTARIO, L8N 2B9  
 PHONE (905) 527-8559 FAX (905) 527-0032

Drawn KM	Checked DG	Crew Chief RM	Scale 1:500	Dwg.No. 35508-S2
-------------	---------------	------------------	----------------	---------------------



Professional Urban Planning, Land Development & CPTED Consultants

Hamilton City Hall, Planning and Development Services  
71 Main St W, Hamilton, ON L8P 4Y5  
Tim Vrooman, Area Planning Manager

**RE: Lot Addition & Minor Variance Applications – 3345 & 3353 Homestead Drive**

---

Please accept this letter regarding our Lot Addition (Consent) & Minor Variance Applications for 3345 & 3353 Homestead Drive on behalf of the owners Sara Salari and Sasa Kljakic. The following documents have been uploaded onto the City's Shared Link for the digital submission.

- Cover Letter
- Minor Variance Application Form for 3345 Homestead Drive
- Minor Variance Application Form for 3353 Homestead Drive
- Lot Addition Application Form for 3345 Homestead Drive
- Pre-Consultation Waiver
- Original R-Plan (Pre-Road Widening)
- Conceptual Revised R-Plan (Post-Road Widening)
- Concept Lot Addition Plan
- Concept Site Plan
- Planning Justification Report

If you require any additional information, please feel free to contact me at 519-719-8721 or by email at [jdickieurbaninmind@gmail.com](mailto:jdickieurbaninmind@gmail.com).

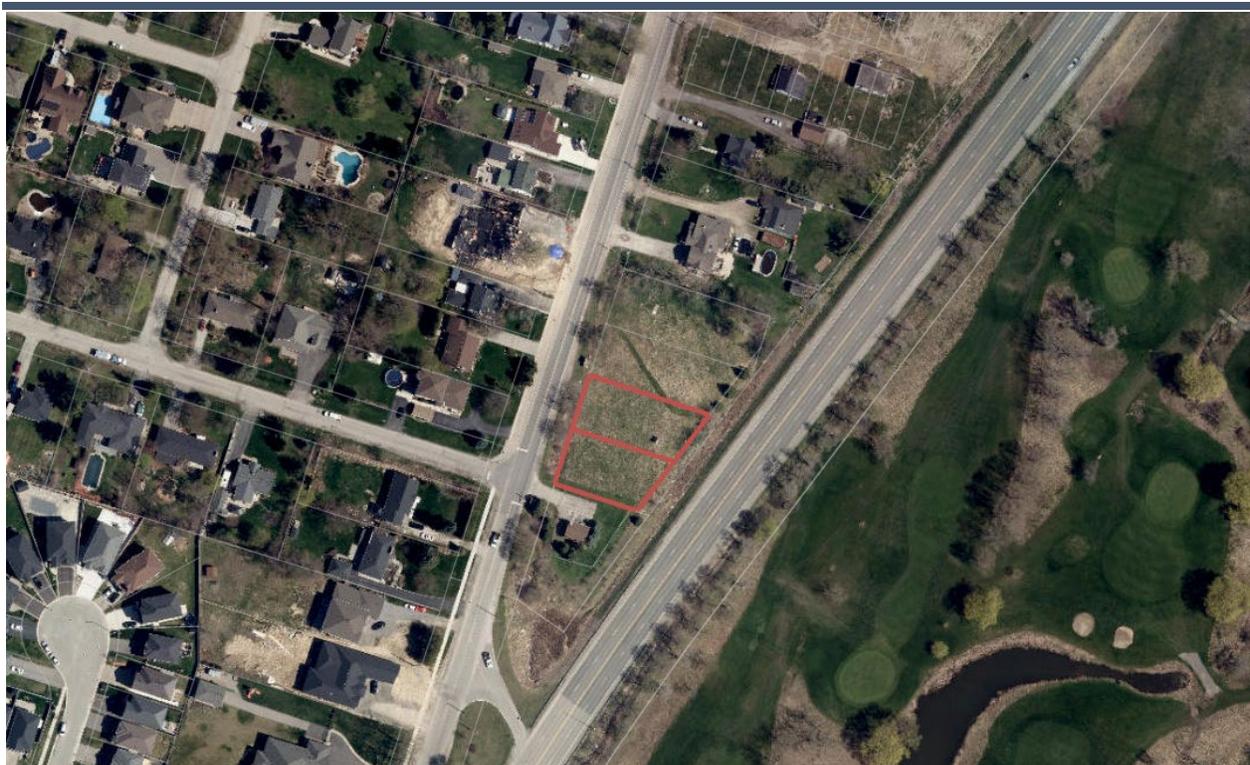
Jacob Dickie  
Planner/Development Coordinator  
Urban in Mind, Professional Urban Planning, Land Development & CPTED Consultants

# PLANNING JUSTIFICATION REPORT

## LOT LINE ADJUSTMENT, MINOR VARIANCE & SEVERANCE

MARCH 2, 2023

**3345-3353 HOMESTEAD DRIVE (MOUNT HOPE)**  
**HAMILTON, ONTARIO**



— Approx. Boundaries of Subject Lands

Prepared by:

**Urban in Mind,**  
**Professional Urban Planning, Land Development & CPTED Consultants**  
[www.UrbanInMind.ca](http://www.UrbanInMind.ca)

(905) 320-8120



If you require the full document please  
reach out to [cofa@hamilton.ca](mailto:cofa@hamilton.ca)



Hamilton

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

**1. APPLICANT INFORMATION**

	NAME	MAILING ADDRESS	
Registered Owners(s)			
Applicant(s)			
Agent or Solicitor			
	Jacob Dickie-Urban in Mind		(519) 719-8721 <b>E-mail:</b> jdickieurbaninmind@gmail

1.2 All correspondence should be sent to  Purchaser  Owner  
 Applicant  Agent/Solicitor

1.3 Sign should be sent to  Purchaser  Owner  
 Applicant  Agent/Solicitor

1.4 Request for digital copy of sign  Yes\*  No

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

1.5 All correspondence may be sent by email  Yes\*  No

If Yes, a valid email must be included for the registered owner(s) AND the Applicant/Agent (if applicable). Only one email address submitted will result in the voiding of this service. This request does not guarantee all correspondence will sent by email.

**2. LOCATION OF SUBJECT LAND**

2.1 Complete the applicable sections:

Municipal Address	3345 Homestead Dr.		
Assessment Roll Number			
Former Municipality	Glanbrook		
Lot		Concession	
Registered Plan Number		Lot(s)	
Reference Plan Number (s)	PLAN 62R-13335	Part(s)	3

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:

0.305 m reserve along Upper James St

### 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. Reduced Lot Area - From 950 sq.m to 429 sq.m (See Zoning By-Law & R-Plan)
2. Reduced Lot Frontage - From 20 m to 10.3 m
3. Reduced Rear Yard Setback - From 22 m to 15 m

Second Dwelling Unit  Reconstruction of Existing Dwelling

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

Site-Specific 'R3-311' was never amended in the recent November 2022 Glanbrook Zoning By-Law update to take into consideration the introduction of semis as a new permitted use under the R3 Zone.

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
21 m (Ex.) 20.55 m	47.176 m	913.5 m <sup>2</sup> (Ex.) 895.5 m <sup>2</sup>	ROW - 26.2 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
Vacant				

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Semi-Detached Building	9.0 m	15 m	1.27 m & 1.28 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

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Semi-Detached Building	TBD. Will comply with Zoning			

- 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.):

Semi-Detached Building - Land Severance Application will be submitted after the foundations are built to split the building into two lots  
 2 Primary Dwellings (semis) + 2 Additional Residential Units

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

Modern Singles/Townhouses (North), Upper James Street ROW (East), Municipal Pumping Station (South), Homestead Drive ROW (West)

## 7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:

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

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

Vacant

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

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) Mount Hope Secondary Plan

Please provide an explanation of how the application conforms with the Official Plan.

See Lot Line Adjustment Application which will result in a reduced lot area for 3345 Homestead Drive to ensure that the proposed density for the proposed development at 3353 Homestead Drive remains under 25 units/net hectare as per the Low Density Residential 2 Designation of the Mount Hope Secondary Plan

7.6 What is the existing zoning of the subject land? R3-311

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: GL/A-22:63

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: LLA Application to be submitted with MV

7.10 If a site-specific Zoning By-law Amendment has been received for the subject property, has the two-year anniversary of the by-law being passed expired?

Yes  No

7.11 If the answer is no, the decision of Council, or Director of Planning and Chief Planner that the application for Minor Variance is allowed must be included. Failure to do so may result in an application not being "received" for processing.

## 8 ADDITIONAL INFORMATION

8.1 Number of Dwelling Units Existing: 0

8.2 Number of Dwelling Units Proposed: 2

8.3 Additional Information (please include separate sheet if needed):

This Minor Variance Application should be viewed together with the Lot Line Adjustment Application that will result in a reduced lot area for 3345 Homestead Drive which is necessary to bring the proposed development of semis at 3353 Homestead Drive into conformity with the Low Density Residential 2 Designation of the Mount Hope Secondary Plan which has a maximum permitted density of 25 units/ha.

Through the Lot Line Adjustment application, the lot area of 3353 Homestead Drive will be enlarged in order for 2 Primary Dwelling Units (Semis) & 2 Additional Residential Units to be built on the subject lands without exceeding the maximum 25 units/ha requirement.

A land severance will be obtained afterwards in order to divide the semi-detached buildings into separate lots hence the reason for the requested lot area and lot frontage reduction. See PJR.

## 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
- 
-



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, 3935

E-mail: [cofa@hamilton.ca](mailto: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

<b>APPLICATION NO.:</b>	<b>GL/A-23:69</b>	<b>SUBJECT PROPERTY:</b>	3353 HOMESTEAD DRIVE, GLANBROOK
<b>ZONE:</b>	"R3-311" (Residential "R3" Zone)	<b>ZONING BY-LAW:</b>	Zoning By-law former Township of Glanbrook 464, as Amended 18-291

**APPLICANTS:** Owner: SARA SALARI-JOUBANI  
Agent: URBAN IN MIND C/O JACOB DICKIE

The following variances are requested:

1. A minimum lot area of 800.1 square metres shall be provided whereas the by-law requires a minimum lot area of 810 square metres.
2. A maximum lot coverage of 36% shall be provided whereas the by-law permits a maximum lot coverage of 35%.
3. A minimum rear yard of 7.7 metres shall be provided whereas the by-law requires a minimum rear yard of 22.0 metres.

**PURPOSE & EFFECT:** So as to permit the construction of a semi-detached dwelling with a secondary dwelling unit in each unit.

**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:

<b>DATE:</b>	<b>Thursday, May 4, 2023</b>
<b>TIME:</b>	<b>9:50 a.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>

GL/A-23:69

	<b>2<sup>nd</sup> floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton</b>
	<b>To be streamed (viewing only) at <a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a></b>

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
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935

## 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, including deadlines for submitting to be seen by the Committee.

**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, including deadlines for registering to participate virtually and instructions for check in to participate in person.

## FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding GL/A-23:69, 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.

GL/A-23:69



 **Subject Lands**

DATED: April 18, 2023

---

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

Telephone (905) 546-2424, ext. 4221, 3935

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 or via email in 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 two days before the Hearing.**

Comment packages are available two days 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 the day before the 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 the Wednesday afternoon before the hearing. The link must not be shared with others as it is unique to the registrant.

#### 2. In person Oral Submissions

**Interested members of the public, agents, and owners who wish to participate in person must sign in at City Hall room 222 (2<sup>nd</sup> floor) no less than 10 minutes before the time of the Public Hearing as noted on the Notice of Public Hearing.**

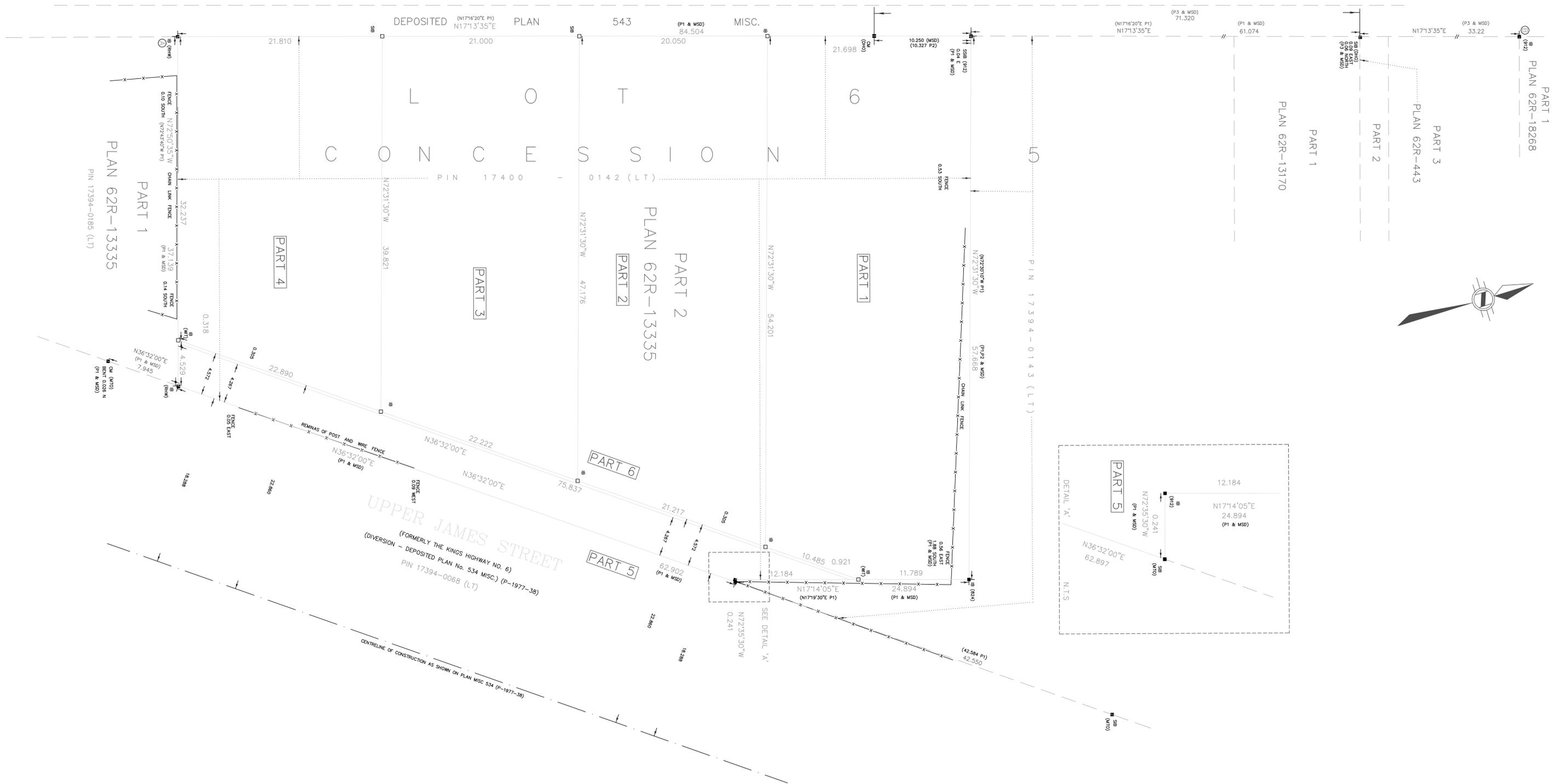
We hope this is of assistance and if you need clarification or have any questions, please email [cofa@hamilton.ca](mailto:cofa@hamilton.ca) or by phone at 905-546-2424 ext. 4221.

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.

# HOMESTEAD DRIVE

(FORMERLY THE KING'S HIGHWAY No. 6)  
(FORMERLY HAMILTON-PORT DOVER PLANK ROAD - DEPOSITED PLAN No.534 MISC.) (P-1977-38)  
(ORIGINAL ROAD ALLOWANCE BETWEEN TOWNSHIP LOTS 5 & 6)

PIN 17394-0141 (LT)



**BASE INFORMATION FROM:**  
**A.T.McLAREN Limited**  
 69 JOHN STREET SOUTH, SUITE 230, HAMILTON, ON L8N2B9  
 PHONE: (905) 527-8559 FAX: (905) 527-0032  
 FILE: PLAN 62R-21140 3345 & 3353 HOMESTEAD DRIVE DATE: NOVEMBER 3, 2022

# SITE PLAN

3345 and 3353 HOMESTEAD DRIVE,  
HAMILTON

CURRENT ZONING: R3-311

GLANBROOK ZONING BY-LAW No.464

TOTAL SITE AREA: 1,695.7 m<sup>2</sup>

4 SEMI-DETACHED DWELLINGS EACH WITH A  
SECONDARY DWELLING UNIT (8 UNITS TOTAL)

REQUIREMENT	REQUIRED	PROVIDED			
		LOT 1	LOT 2	LOT 3	LOT 4
MAX DWELLING UNITS (OFFICIAL PLAN)	25 /ha	25.0	25.0	23.3	21.5
MIN. LOT AREA (3345)	950m <sup>2</sup>			429m <sup>2</sup>	466m <sup>2</sup>
MIN. LOT AREA (3353)	810m <sup>2</sup>	400m <sup>2</sup>	400m <sup>2</sup>		
MIN. LOT FRONTAGE	20.0 m	11.724 m	10.535m	10.275m	10.275m
MIN. FRONT YARD	9.0 m	9.0 m	9.0m	9.0m	9.0m
MIN. SIDE YARD*	1.2 m*	2.65m	1.48m	1.27m	1.28m
MIN. REAR YARD	22.0 m	7.7 m	11.29m	15.01m	18.56m
MAX. COVERAGE	40.0%	36.0%	36.0%	33.6%	30.9%
BDLG. HEIGHT	10.7 m	<10.7m	<10.7m	<10.7m	<10.7m
PARKING SPACES	SEE NOTE	3	3	3	3

- NOTES:
- PARKING REQUIRED FOR EACH SEMI-DETACHED DWELLING WITH A SECONDARY DWELLING UNIT IS 3.
  - ALL PARKING SPACES ARE MIN. 3m X 6m.
  - MIN. 100m<sup>2</sup> FLOOR AREA PER DWELLING UNIT WITH BASEMENT FLOOR AREA NOT COUNTED.
  - EXCEPTION R3-311, WAS NOT AMENDED ALONG WITH THE R3 ZONE AS A WHOLE. R3-311 MIN LOT SIZES OF 810m<sup>2</sup> FOR THE COMBINATION OF LOTS 1 & 2 AND 950m<sup>2</sup> FOR THE COMBINATION OF LOTS 3 & 4, WHICH WAS PUT IN PLACE BEFORE THE 4.527m ROAD WIDENING WAS GIVEN.
  - \* MIN SIDE YARD = 0m FOR UNITS SHARING PARTY WALL

- LEGEND:
- CURRENT LOT LINE
  - PROPOSED ADJUSTMENT LOT LINE
  - FUTURE LOT SEVERANCE LINE - SEMIS
  - PROPOSED BUILDING
  - DRIVEWAY
  - WALKWAY (WIDTH - 0.6m)
  - PARKING SPACE (6.0m X 3.0m)

BASE INFORMATION FROM:  
A.T.McLAREN Limited  
69 JOHN STREET SOUTH, SUITE 230, HAMILTON, ON L8N2B9  
PHONE: (905) 527-8559 FAX: (905) 527-0032  
FILE: PLAN 62R-21140 3345 & 3353 HOMESTEAD DRIVE DATE: NOVEMBER 3, 2022

NOTE: DRAWING IS FOR DISCUSSION PURPOSES ONLY.

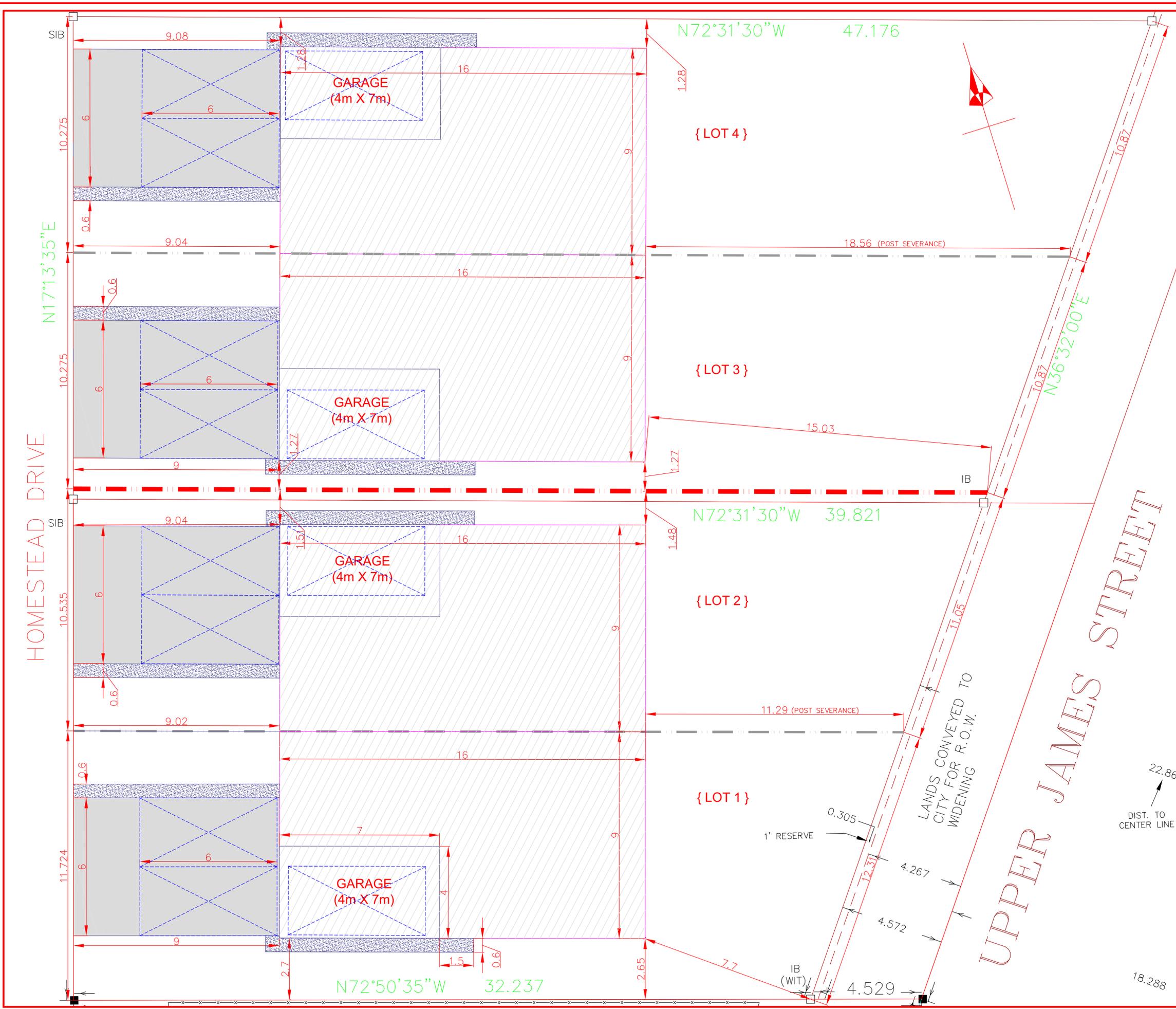
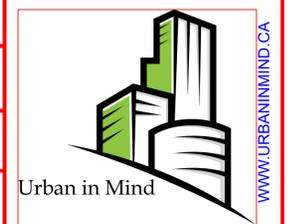
DATE: REVISIONS  
24/02/2023 - ADJUSTED PARKING AND STATS CHART

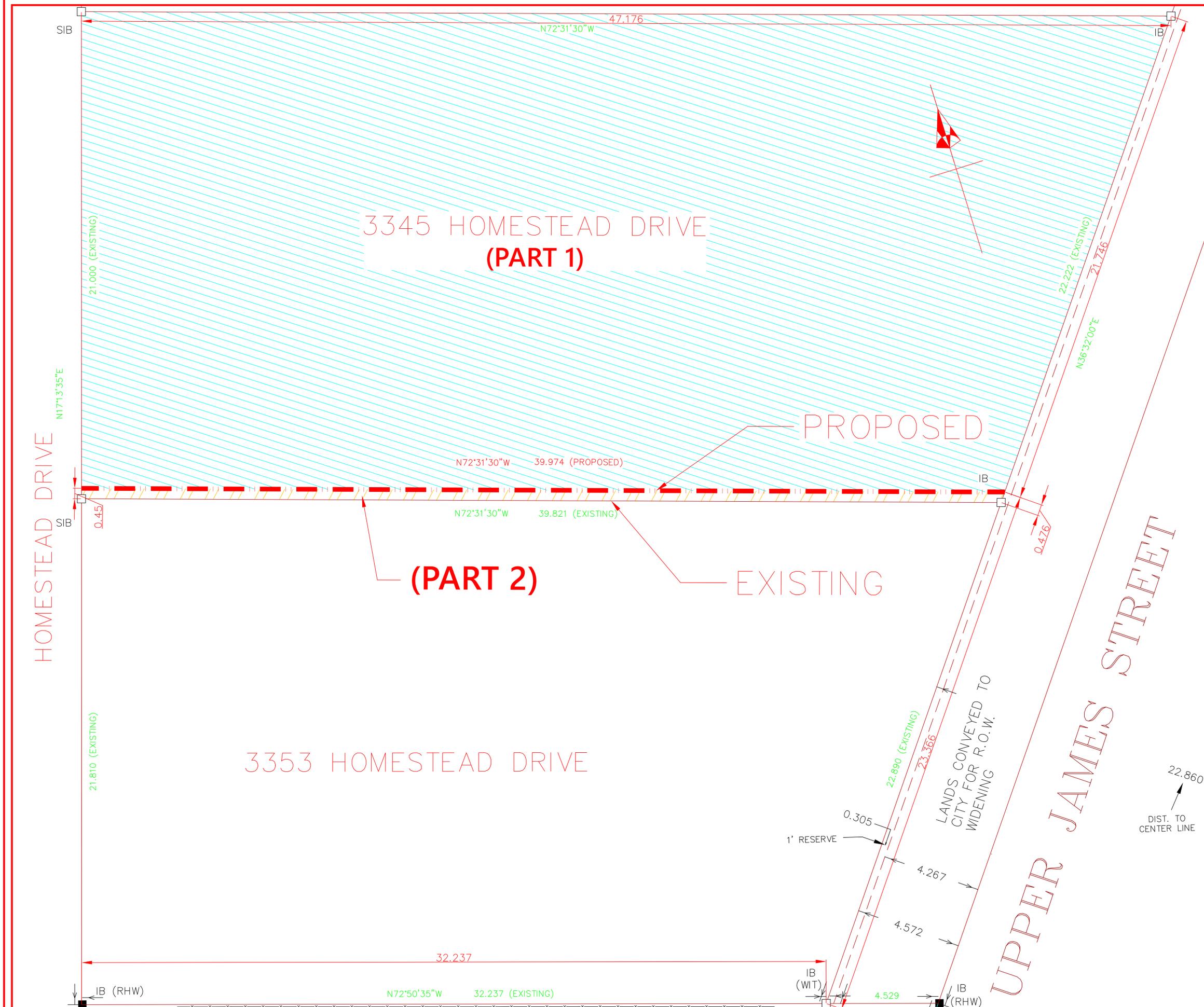
SCALE: 1:75  
WHEN PRINTED ON 24 x 36

PROJECT FILE NO.  
2022\_35

DATE:  
DECEMBER 06, 2022

DRAWN BY: J.T.  
REVIEWED BY: T.G.





# LOT ADDITION

(LOT LINE ADJUSTMENT)

3345 and 3353 HOMESTEAD DRIVE,  
HAMILTON

TOTAL SITE AREA: 1,695.7 m<sup>2</sup>

LOT	AREA	FRONTAGE
CURRENT 3345	913.5 m <sup>2</sup>	21.0 m
CURRENT 3353	782.2 m <sup>2</sup>	21.81 m
PROPOSED 3345	895.5 m <sup>2</sup>	20.55 m
PROPOSED 3353	800.1 m <sup>2</sup>	22.26 m

PART	AREA
PART 1	895.464 m <sup>2</sup>
PART 2	17.953 m <sup>2</sup>

CURRENT EXISTING LOTS: VACANT

- LEGEND:**
- CURRENT LOT LINE
  - PROPOSED NEW LOT LINE
  - PART 1 (RETAINED AS 3345 HOMESTEAD DR.)
  - PART 2 (ADDITION TO 3353 HOMESTEAD DR.)

**REVISIONS:**  
MAR. 15, 2023 - UPDATING GRAPHICS & LABELS AS PER STAFF COMMENTS

**BASE INFORMATION FROM:**  
A.T.McLAREN Limited  
69 JOHN STREET SOUTH, SUITE 230, HAMILTON, ON L8N2B9  
PHONE: (905) 527-8559 FAX: (905) 527-0032  
FILE: PLAN 62R-21140 3345 & 3353 HOMESTEAD DRIVE DATE: NOVEMBER 3, 2022

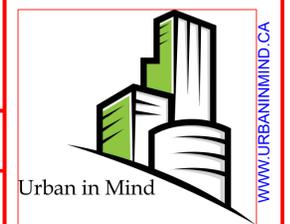
NOTE: DRAWING IS FOR DISCUSSION PURPOSES ONLY.

SCALE: 1:75  
WHEN PRINTED ON 24 x 36

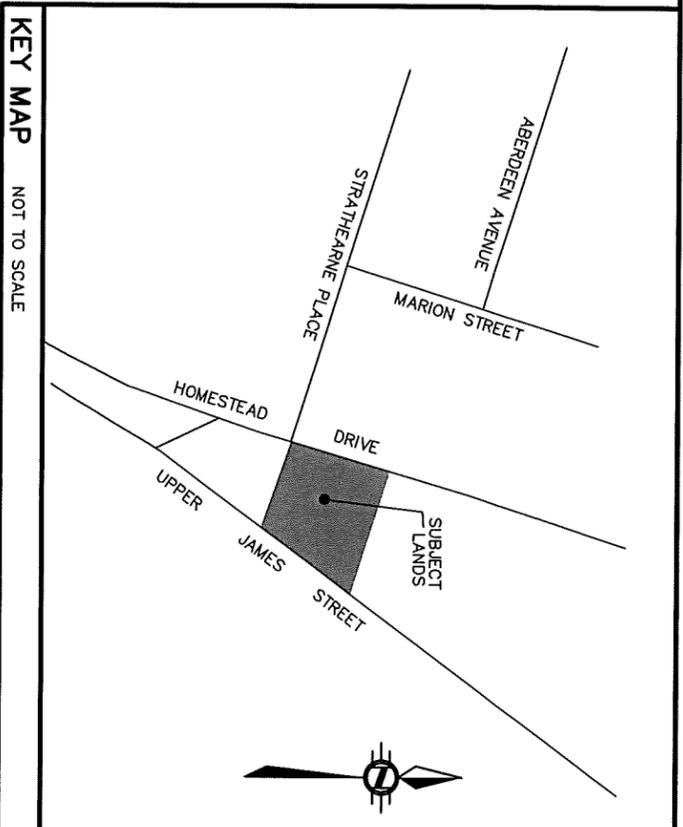
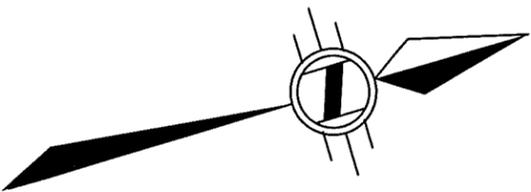
PROJECT FILE NO.  
2022\_35

DATE:  
DECEMBER 06, 2022

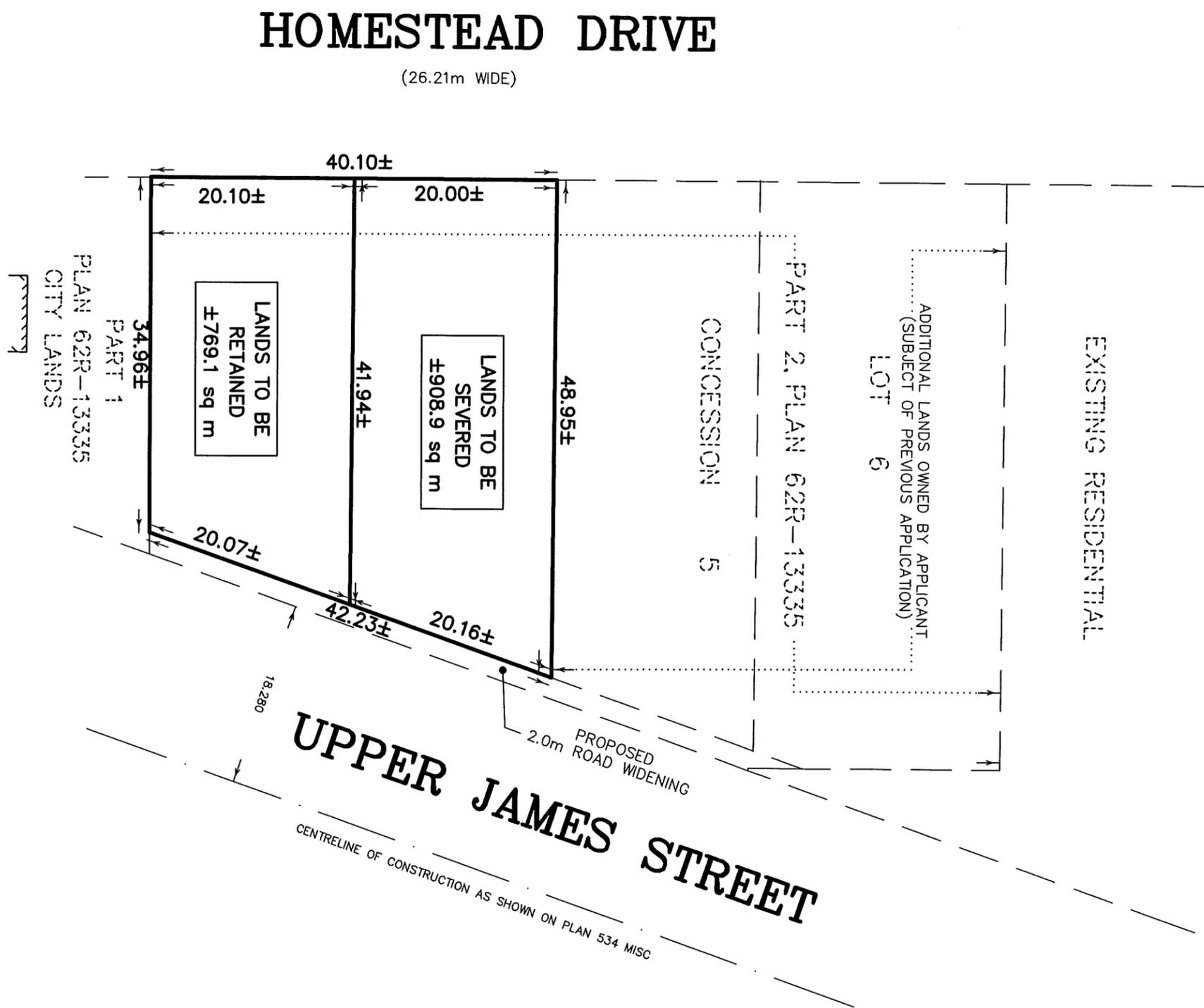
DRAWN BY: J.T.  
REVIEWED BY: T.G.



**SKETCH**  
 OF PART OF  
**LOT 6**  
**CONCESSION 5**  
 GEOGRAPHIC  
**TOWNSHIP OF GLANFORD**  
 IN THE  
**CITY OF HAMILTON**  
 SCALE 1:500 METRIC  
**S.D. McLAREN, O.I.S. - 2018**



**KEY MAP** NOT TO SCALE



**LEGEND:**

- DENOTES MONUMENT SET
- IRON BAR
- SSIB STANDARD IRON BAR
- 824 SHORT STANDARD IRON BAR
- Msd A.T. McLAREN, O.I.S. MEASURED

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

**A.T. McLaren Limited**  
 LEGAL AND ENGINEERING SURVEYS  
 69 JOHN STREET SOUTH, SUITE 230  
 HAMILTON, ONTARIO, L8N 2B9  
 PHONE (905) 527-8559 FAX (905) 527-0032

Drawn KM	Checked DG	Crew Chief RM	Scale 1:500	Dwg.No. 35508-S2
-------------	---------------	------------------	----------------	---------------------



Professional Urban Planning, Land Development & CPTED Consultants

Hamilton City Hall, Planning and Development Services  
71 Main St W, Hamilton, ON L8P 4Y5  
Tim Vrooman, Area Planning Manager

**RE: Lot Addition & Minor Variance Applications – 3345 & 3353 Homestead Drive**

---

Please accept this letter regarding our Lot Addition (Consent) & Minor Variance Applications for 3345 & 3353 Homestead Drive on behalf of the owners Sara Salari and Sasa Kljakic. The following documents have been uploaded onto the City's Shared Link for the digital submission.

- Cover Letter
- Minor Variance Application Form for 3345 Homestead Drive
- Minor Variance Application Form for 3353 Homestead Drive
- Lot Addition Application Form for 3345 Homestead Drive
- Pre-Consultation Waiver
- Original R-Plan (Pre-Road Widening)
- Conceptual Revised R-Plan (Post-Road Widening)
- Concept Lot Addition Plan
- Concept Site Plan
- Planning Justification Report

If you require any additional information, please feel free to contact me at 519-719-8721 or by email at [jdickieurbaninmind@gmail.com](mailto:jdickieurbaninmind@gmail.com).

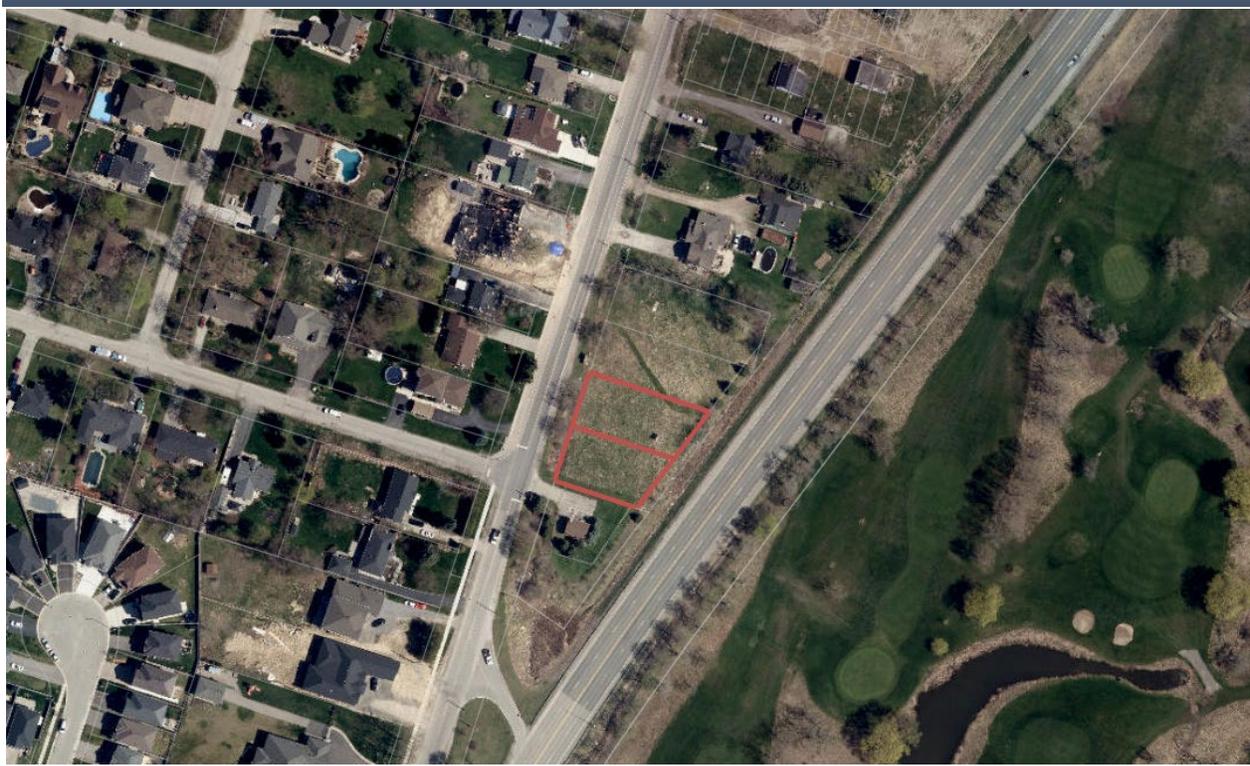
Jacob Dickie  
Planner/Development Coordinator  
Urban in Mind, Professional Urban Planning, Land Development & CPTED Consultants

# PLANNING JUSTIFICATION REPORT

## LOT LINE ADJUSTMENT, MINOR VARIANCE & SEVERANCE

MARCH 2, 2023

**3345-3353 HOMESTEAD DRIVE (MOUNT HOPE)**  
**HAMILTON, ONTARIO**



— Approx. Boundaries of Subject Lands

Prepared by:

**Urban in Mind,**  
**Professional Urban Planning, Land Development & CPTED Consultants**  
[www.UrbanInMind.ca](http://www.UrbanInMind.ca)

(905) 320-8120



If you require the full document please  
reach out to [cofa@hamilton.ca](mailto:cofa@hamilton.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	MAILING ADDRESS	
Registered Owners(s)			
Applicant(s)			
Agent or Solicitor	Jacob Dickie-Urban in Mind		<b>Phone:</b> (519) 719-8721  <b>E-mail:</b> jdickieurbaninmind@gmail

1.2 All correspondence should be sent to  Purchaser  Owner  
 Applicant  Agent/Solicitor

1.3 Sign should be sent to  Purchaser  Owner  
 Applicant  Agent/Solicitor

1.4 Request for digital copy of sign  Yes\*  No

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

1.5 All correspondence may be sent by email  Yes\*  No

If Yes, a valid email must be included for the registered owner(s) AND the Applicant/Agent (if applicable). Only one email address submitted will result in the voiding of this service. This request does not guarantee all correspondence will sent by email.

**2. LOCATION OF SUBJECT LAND**

2.1 Complete the applicable sections:

Municipal Address	3353 Homestead Dr.		
Assessment Roll Number			
Former Municipality	Glanbrook		
Lot		Concession	
Registered Plan Number		Lot(s)	
Reference Plan Number (s)	PLAN 62R-13335	Part(s)	4

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:

0.305 m reserve along Upper James St

### 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. Reduced Lot Area - From 810 sq.m to 400 sq.m (See Zoning By-Law & R-Plan)
2. Reduced Lot Frontage - From 20 m to 10.5 m
3. Reduced Rear Yard Setback - From 22 m to 7.7 m

Second Dwelling Unit

Reconstruction of Existing Dwelling

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

Site-Specific 'R3-311' was never amended in the recent November 2022 Glanbrook Zoning By-Law Update to take into consideration the introduction of semis as a new permitted use under the R3 Zone.

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
21.810 m (Ex.) 22.26 m	39.821 (Ex.) 39.974 m	782.2 m <sup>2</sup> (Ex.) 800.1 m <sup>2</sup>	ROW - 26.2 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
Vacant				

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Semi-Detached Building	9.0 m	7.7 m	1.48 m & 2.65 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

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Semi-Detached Building	TBD. Will comply with Zoning			

- 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.):

Semi-Detached Building - Land Severance Application will be submitted after the foundations are built to split the building into two lots  
2 Primary Dwellings (semis) + 2 Additional Residential Units

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

Modern Singles/Townhouses (North), Upper James Street ROW (East), Municipal Pumping Station (South), Homestead Drive ROW (West)

**7 HISTORY OF THE SUBJECT LAND**

7.1 Date of acquisition of subject lands:

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

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

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

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) Mount Hope Secondary Plan

Please provide an explanation of how the application conforms with the Official Plan.

See Lot Line Adjustment Application which will ensure that the proposed density remains under 25 units/net hectare as per the Low Density Residential 2 Designation of the Mount Hope Secondary Plan

7.6 What is the existing zoning of the subject land? R3-311

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: GL/A-22:63

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: LLA Application to be submitted with MV

7.10 If a site-specific Zoning By-law Amendment has been received for the subject property, has the two-year anniversary of the by-law being passed expired?

Yes       No

7.11 If the answer is no, the decision of Council, or Director of Planning and Chief Planner that the application for Minor Variance is allowed must be included. Failure to do so may result in an application not being "received" for processing.

## 8 ADDITIONAL INFORMATION

8.1 Number of Dwelling Units Existing: 0

8.2 Number of Dwelling Units Proposed: 2

8.3 Additional Information (please include separate sheet if needed):

This Minor Variance Application should be viewed together with the Lot Line Adjustment Application that is necessary to bring the proposal into conformity with the Low Density Residential 2 Designation of the Mount Hope Secondary Plan which has a maximum permitted density of 25 units/ha.

Through the Lot Line Adjustment application, the lot area of 3353 Homestead Drive will be enlarged in order for 2 Primary Dwelling Units (Semis) & 2 Additional Residential Units to be built on the subject lands without exceeding the maximum 25 units/ha requirement.

A land severance will be obtained afterwards in order to divide the semi-detached building into separate lots hence the reason for the requested lot area and lot frontage reduction. See PJR.

## 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
- 
-



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, 3935

E-mail: [cofa@hamilton.ca](mailto: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

<b>APPLICATION NO.:</b>	<b>GL/A-23:76</b>	<b>SUBJECT PROPERTY:</b>	6140 TWENTY ROAD E, GLANBROOK
<b>ZONE:</b>	"M3" (Prestige Business Park)	<b>ZONING BY-LAW:</b>	Zoning By-law City of Hamilton 05-200, as Amended

**APPLICANTS:** Owner: EAST HAMILTON INDUSTRIAL LP & GREYCAN 15 PROPERTIES LP  
Agent: WEBB PLANNING CONSULTANTS C/O JAMES WEBB

The following variances are requested:

1. A maximum yard abutting a street of 35 metres shall be permitted instead of the required maximum of 27 metres.

**PURPOSE & EFFECT:** To permit the construction of an industrial warehouse.

**Notes:**

1. Please be advised that a portion of this property is under Conservation Management. Please contact the Hamilton Conservation Authority at 905-525-2181 for further information.

**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, May 4, 2023</b>
<b>TIME:</b>	<b>10:15 a.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>2<sup>nd</sup> floor City Hall, room 222 (see attached sheet for details), 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>

**GL/A-23:76**

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
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935

**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, including deadlines for submitting to be seen by the Committee.

**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, including deadlines for registering to participate virtually and instructions for check in to participate in person.

**FURTHER NOTIFICATION**

If you wish to be notified of future Public Hearings, if applicable, regarding GL/A-23:76, 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.

GL/A-23:76



 Subject Lands

DATED: April 18, 2023

---

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

Telephone (905) 546-2424, ext. 4221, 3935

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 or via email in 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 two days before the Hearing.**

Comment packages are available two days 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 the day before the 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 the Wednesday afternoon before the hearing. The link must not be shared with others as it is unique to the registrant.

#### 2. In person Oral Submissions

**Interested members of the public, agents, and owners who wish to participate in person must sign in at City Hall room 222 (2<sup>nd</sup> floor) 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) or by phone at 905-546-2424 ext. 4221.

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.

**SITE STATISTICS**

6140 TWENTY ROAD EAST, HAMILTON, ONTARIO

**ZONING**

COVERAGE %	HA	ACRE	SQ FT	SQ M
100.00%	9.97	24.64	1,073,304.92	99,713.29
45.95%	4.58	11.32	493,158.24	45,815.90
28.85%	2.88	7.11	309,652.30	28,767.64
25.20%	2.51	6.21	270,484.38	25,129.75

**BUILDING**

COVERAGE %	SQ FT	SQ M
45.95%	493,158.2	45,815.9
	24,657.9	2,290.8

**PARKING**

REQUIRED	PROVIDED
CAR PARKING (INC. BARRIER FREE) = 1/30 sqm OF OFFICE AREA (Summer)	76
(Winter)	76
BARRIER FREE (4 FOR FIRST 100 PARKING; ADDITIONAL 1 PER 50)	8
BIKE PARKING (5% OF CAR PARKING)	4
LONG TERM INDOOR BIKE PARKING (5%)	4
CAR PARKING LANDSCAPE AREA	5
MIN 10% OF CAR PARK AREA MIN 10 SQM	TOTAL CARPARK AREA = 10,854 SQM
	LANDSCAPE AREA = 2,549 SQM >> 23.48%

**LOADING SPACES**

PROVIDED
TRUCK LEVEL DOOR
TRAILER PARK (Summer)
TRAILER PARK (Winter)
DRIVE-IN

**FIRE TRUCK ROUTE**

MIN (m)	PROPOSED (m)
6	6.5

**PARKING STALLS**

MIN (m)	PROPOSED (m)
3.0 x 5.8	3.0 x 5.8

**BUILDING HEIGHT ABOVE GRADE**

MIN (m)	PROPOSED (m)
13.70	13.70

**PROPOSED YARD SETBACKS**

	MIN (m)	PROPOSED (m)
NORTH (REAR)	6.0	36.4
EAST (SIDE)	6.0	42.9
SOUTH (FRONT)	6.0	35.1
WEST (SIDE)	6.0	25.6

**NOTES ON SITE PLAN**

- ALL WORK INVOLVED IN THE CONSTRUCTION, RELOCATION, REPAIR OF MUNICIPAL SERVICES FOR THE PROJECT SHALL BE TO THE SATISFACTION OF THE DIRECTOR OF DEVELOPMENT AND REAL ESTATE APPROACH APPROVAL PERMITS ENCROACHMENT AGREEMENTS DIVISION, PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT.
- FIRE ROUTE SIGNS AND 3 WAY FIRE HYDRANTS SHALL BE ESTABLISHED TO THE SATISFACTION OF THE CITY FIRE DEPARTMENT AND AT THE EXPENSE OF THE OWNER.
- MAIN DRIVEWAYS AT THE PROPERTY LINE BOUNDARIES ARE PLUS OR MINUS 7.5m UNLESS OTHERWISE STATED.
- ALL DRIVEWAYS FROM PROPERTY LINES FOR THE FIRST 7.5m SHALL BE WITHIN 5% MAXIMUM GRADE, THEREAFTER, ALL DRIVEWAYS SHALL BE WITHIN 10% MAXIMUM GRADES.
- THE APPROVAL OF THIS PLAN DOES NOT EXEMPT THE OWNER'S BONDED CONTRACTOR FROM THE REQUIREMENTS TO COMPLETE A CONSTRUCTION PROJECT, SUCH AS, BUT NOT LIMITED TO THE FOLLOWING:
  - BUILDING PERMITS
  - ROAD CUT PERMITS
  - ENCROACHMENT AGREEMENTS
  - RELOCATION OF SERVICES
  - COMMITTEE OF ADJUSTMENT (IF REQUIRED)
- ABANDONED ACCESSES MUST BE REMOVED AND THE CURB AND BOULEVARD RESTORED WITH SOD AT THE OWNER'S EXPENSE TO THE SATISFACTION OF THE TRAFFIC ENGINEERING SECTION, PUBLIC WORKS DEPARTMENT.
- FOR VISIBILITY TRIANGLES AT THE VEHICULAR ACCESS POINTS, THE FOLLOWING NOTE TO BE PROVIDED: 5.0 METRE BY 5.0 METRE VISIBILITY TRIANGLES IN WHICH THE MAXIMUM HEIGHT OF ANY OBJECTS OR MATURE VEGETATION IS NOT TO EXCEED A HEIGHT OF 0.60 METRES ABOVE THE CORRESPONDING PERPENDICULAR TO OBTAIN THE VARIOUS PERMITS/APPROVALS NORMALLY REQUIRED CENTRE LINE ELEVATION OF THE ADJACENT STREET.
- SIGNAGE SHALL BE IN ACCORDANCE WITH THE CITY OF HAMILTON SIGN BY-LAW: No. 10-197
- FENCING SHALL BE IN ACCORDANCE WITH THE CITY OF HAMILTON FENCE BY-LAW: No. 10-124
- NOTWITHSTANDING CURRENT SURFACE CONDITIONS, THE PROPERTY HAS BEEN DETERMINED TO BE AN AREA OF ARCHAEOLOGICAL POTENTIAL. ALTHOUGH AN ARCHAEOLOGICAL ASSESSMENT IS NOT REQUIRED BY THE CITY OF HAMILTON, THE PROPONENT IS CAUTIONED THAT DURING DEVELOPMENT ACTIVITIES, SHOULD DEEPLY BURIED ARCHAEOLOGICAL MATERIALS BE FOUND ON THE PROPERTY, THE ONTARIO MINISTRY OF TOURISM, CULTURE AND SPORT (MTC) SHOULD BE NOTIFIED IMMEDIATELY (416.314.7143).
- IN THE EVENT THAT HUMAN REMAINS ARE ENCOUNTERED DURING CONSTRUCTION, THE PROPONENT SHOULD IMMEDIATELY CONTACT BOTH MTC AND THE REGISTRAR OR DEPUTY REGISTRAR OF THE CEMETERIES REGULATION UNIT OF THE MINISTRY OF SMALL BUSINESS AND CONSUMER SERVICES (416.326.8392).
- STREET TREE PROVISIONS FOR THIS AREA REQUIRES A DOUBLE ROW OF TREES, ONE ROW ON PRIVATE PROPERTY AND ONE ROW WITHIN THE PUBLIC BOULEVARD.
- DEVELOPMENT IS INELIGIBLE FOR MUNICIPAL WASTE COLLECTION SERVICE.
- A MINIMUM OF 1.2M SEPARATION MUST BE PROVIDED WITHIN THE CITY'S ROAD ALLOWANCE AREA BETWEEN DRIVEWAYS, A FENCE AND ANY POLE, UTILITY, FIRE HYDRANT, TREE, SIGN, ETC. ANY COSTS FOR TRAFFIC SIGN OR UTILITY RELOCATION ARE THE SOLE RESPONSIBILITY OF THE APPLICANT/OWNER. IT IS THE APPLICANT'S RESPONSIBILITY TO COORDINATE WITH THE APPROPRIATE DEPARTMENTS AHEAD OF TIME.

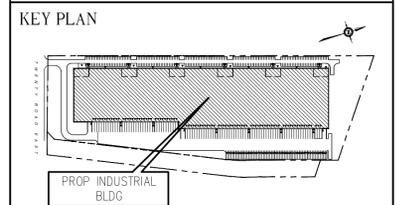
**ZONING NOTES**

- THERE IS NO OUTDOOR DISPLAY WITHIN 6140 TWENTY ROAD E
- THERE IS NO ACCESSORY RETAIL AND/OR SHOWROOM AREA WITHIN 6140 TWENTY ROAD E

- VERIFY ALL DIMENSIONS PRIOR TO CONSTRUCTION.
- DO NOT SCALE DRAWINGS.
- REPORT ALL DISCOVERIES OF ERRORS, OMISSIONS OR DISCREPANCIES TO THE ARCHITECT OR DESIGN ENGINEER AS APPLICABLE.
- USE ONLY LATEST REVISED DRAWINGS OR THOSE THAT ARE MARKED "ISSUED FOR CONSTRUCTION".
- THE DRAWINGS ARE THE PROPERTY OF JRI ARCHITECTS INC. AND MUST BE RETURNED ON COMPLETION OF THE PROJECT. ANY UNAUTHORIZED USE IS PROHIBITED.

**NOTE:** SURVEY INFORMATION ILLUSTRATED ON THIS DRAWING WAS TAKEN FROM PLAN OF SURVEY WITH TOPOGRAPHY OF PART OF LOT 13, CONCESSION 1 CITY OF HAMILTON PREPARED BY SPEIGHT, VAN NOSTRAND AND OGBORN LIMITED ON MARCH 14, 2022 (SEE SHEET A0.1) AND PLAN OF SURVEY OF PART OF LOT 13, CONCESSION 1 FOR PROPOSED RIGHT-OF-WAY/PROPERTY LINE (SEE SHEET A0.2).

FOR LANDSCAPING, REFER TO LANDSCAPE DRAWINGS FOR GRADING AND SITE SERVICES, REFER TO CIVIL DRAWINGS



NO.	DATE	REVISIONS	AP'D BY
7.			
6.			
5.			
4.			
3.	DEC 16/22	ISSUED FOR SITE PLAN APPROVAL	
2.	SEP 27/22	ISSUED FOR CONDITIONAL SITE PLAN APPROVAL	
1.	FEB 11/22	ISSUED FOR SITE PLAN APPROVAL	



**CLIENT**

**PANATTONI**

185 The West Mall, Suite 860  
Toronto, ON M9C 5L

**PROJECT**

**NEW INDUSTRIAL DEVELOPMENT**

6140 TWENTY ROAD EAST,  
HAMILTON, ON

**DRAWING TITLE**

OVERALL SITE PLAN

**DRAWN** MS

**CHECKED** JR

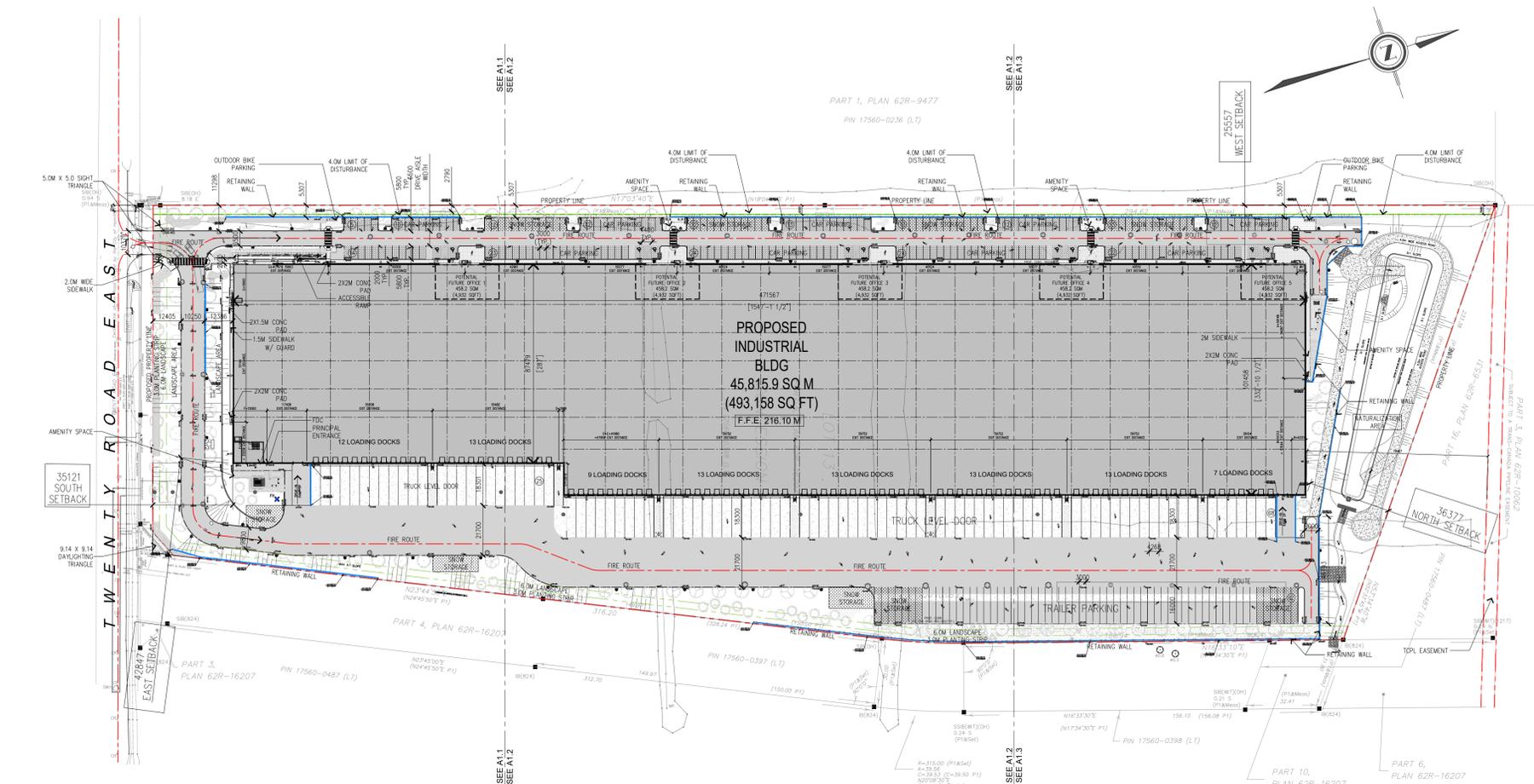
**SCALE** 1:1250

**DATE** DECEMBER 2022

**PROJECT NUMBER** 2021-032

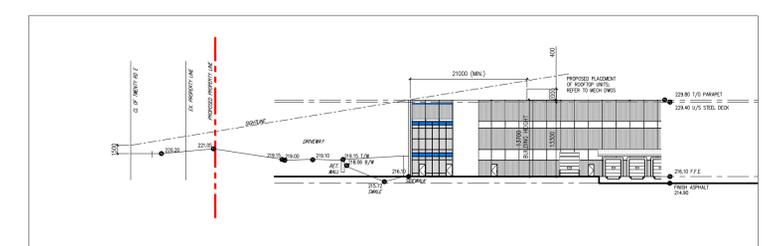
**DRAWING NUMBER**

A1.0



**1**  
A1.0 **OVERALL SITE PLAN**  
SCALE 1 : 1250

**2**  
A1.0 **SIGHTLINE STUDY**  
SCALE 1 : 600



**UNDERTAKING** FILE NO: XX-XX-XXX

RE: 6140 TWENTY ROAD E, HAMILTON, ONTARIO

I, (We) \_\_\_\_\_ the owner(s) of the land, hereby undertake and agree without reservation, (a) to comply with all the content of this plan and drawing and not vary therefrom;

(b) to perform the facilities, works or matters mentioned in Section 41(7)(a) of the Planning Act shown on this plan and drawing(s) in accordance with the conditions of approval as set out in the Conditional Letter of Approval dated \_\_\_\_\_, 2022;

(c) to maintain to the satisfaction of the City and at my (our) sole risk and expense, all of the facilities, works or matters mentioned in Section 41(7)(b) of the said Act, shown in this plan and drawing, including removal of snow from access ramps and driveways, parking and loading areas and walkways; and,

(d) in the event that the Owner does not comply with the plan dated \_\_\_\_\_, 2022 the owner agrees that the City may enter the land and do the required works, and further the Owner authorizes the City to use the security filed to obtain compliance with this plan.

(e) The Owner agrees to affix the physical municipal number(s) (10) or full address (6140 Twenty Road E) to either the building or a sign along the road that is clearly visible from the road.

(f) That the applicant contract Corridor Management in the Public Works Department should the applicant require information regarding Commercial and High-density Residential Driveway Access Permits; Any construction related activity that negatively impacts the City's Right of Way that requires a Construction Management Plan; and/or Temporary Lane & Sidewalk Occupancy Permit.

(g) The owner shall complete to the satisfaction of the Director of Engineering of the City of Hamilton and Canada Post:

- include on all offers of purchase and sale, a statement that advises the prospective purchaser:
  - that the business mail delivery will be from a designated Centralized Mail Box.
  - that the developers/owners are responsible for officially notifying the purchasers of the exact Centralized Mail Box locations prior to the closing of any home sales.
- The owner further agrees to:
  - work with Canada Post to determine and provide temporary suitable Centralized Mail Box locations which may be utilized by Canada Post until the curbs, boulevards and sidewalks are in place in the remainder of the subdivision.
  - install a concrete pad in accordance with the requirements of and in locations to be approved by Canada Post to facilitate the placement of Community Mail Boxes
  - identify the pads above on the engineering servicing drawings. Solid pads are to be poured at the time of the sidewalk and/or curb installation within each phase of the plan of subdivision.
  - determine the location of all centralized mail receiving facilities in co-operation with Canada Post and to indicate the location of the centralized mail facilities on appropriate maps, information boards and plans.
  - Maps are also to be prominently displayed in the sales office(s) showing specific Centralized Mail Facility locations.
- Canada Posts multi-unit policy, which requires that the owner/developer provide the centralized mail facility (Lock Box Assembly) at their own expense (less than 100 units will require a front loading Lock Box Assembly & more than 100 units will require a rear loading Lock Box Assembly which will require a mail room) will be in effect for buildings and complexes with a common lobby, common indoor or sheltered space.
- No buildings or structures shall be installed anywhere on TOPL's right-of-way. Permanent buildings and structures are to be located a minimum of 7 metres from the edge of the right-of-way. Temporary or accessory buildings are to be located a minimum of 3 metres from the edge of the right-of-way.
- A minimum setback of 7 metres from the nearest portion of a TOPL pipeline right-of-way shall also apply to any parking area or loading area, including any parking spaces, loading spaces, stacking spaces, bicycle parking spaces, and any associated drive aisle or driveway.
- Written consent from TOPL must be obtained before any of the following:
  - Constructing or installing a facility across, on, along or under a TOPL pipeline right-of-way. A facility may include, but is not limited to: driveways, roads, access ramps, trails, pathways, utilities, berms, fences/fence posts; Conducting ground disturbance (excavation or digging) on TOPL's right-of-way or within 30 metres of the centreline of TOPL's pipeline (the "Prescribed Area");
  - Driving a vehicle, mobile equipment or machinery across a TOPL pipeline right-of-way outside the travelled portion of a highway or public road;
  - Using any explosives within 300 metres TOPL's right-of-way and
  - Use of TOPL's Prescribed Area for storage purposes.
- That the Owner shall indicate in the Agreement, in words satisfactory to Bell Canada, that it will grant to Bell Canada any easements that may be required, which may include a blanket easement, for communication/telecommunication infrastructure. In the event of any conflict with existing Bell Canada facilities or easements, the Owner shall be responsible for the relocation of such facilities or easements.
- The owner agrees that should any conflict arise with existing Bell Canada facilities where a current and valid easement exists within the subject area, the owner shall be responsible for the relocation of any such facilities or easements at their own cost.
- Should the proposed site plan impact Enbridge gas inc. (Union Gas) services, it may be necessary to terminate the gas service and relocate the line according to the new property boundaries. Any service relocation required would be at the cost of the property owner.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

Witness (signature) Owner(s) (signature) \_\_\_\_\_ (seal)

Witness (print) Owner (print) \_\_\_\_\_

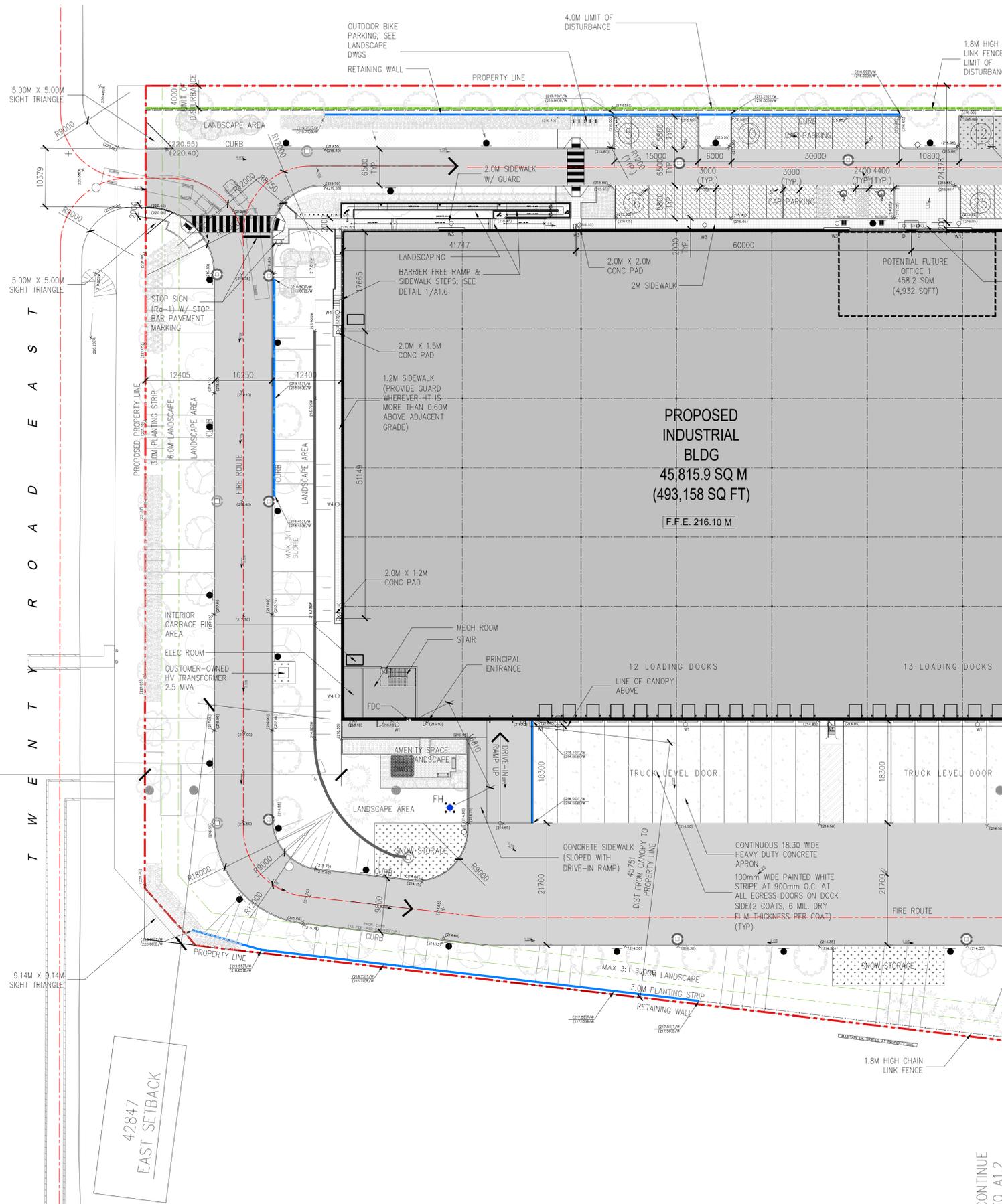
Address of Witness \_\_\_\_\_

**LEGEND**

- FIRE ROUTE SIGNAGE
- HANDICAP SIGNAGE
- 4" DIAMETER LED DOWNLIGHT RECESSED IN CANOPY SOFFIT (APPROX. 3.6M ABOVE FINISHED GROUND FLOOR). REFER TO ELEC DWGS.
- EXTERIOR WALL MOUNTED LED LUMINAIRE MOUNTED AT 9.0M (30FT) ABOVE FINISHED FLOOR. REFER TO ELEC DWGS.
- EXTERIOR WALL MOUNTED LED LUMINAIRE, MOUNTED AT 9.0M (30FT) ABOVE FINISHED FLOOR. REFER TO ELEC DWGS.
- EXTERIOR WALL MOUNTED LED LUMINAIRE, MOUNTED AT 9.0M (30FT) ABOVE FINISHED FLOOR. REFER TO ELEC DWGS.
- EXTERIOR WALL MOUNTED LED LUMINAIRE, MOUNTED AT 9.0M (30FT) ABOVE FINISHED FLOOR. REFER TO ELEC DWGS.
- FIRE HYDRANT C/W BOLLARDS
- EXISTING FIRE HYDRANT (REFER TO SURVEY)
- STOP SIGN (R-1) AND STOP BAR PAVEMENT MARKING
- CATCH BASIN MAN HOLE (SEE CIVIL DWGS)
- MAN HOLE (SEE CIVIL DWGS)
- RETAINING WALL
- FIRE TRUCK ROUTE
- HEAVY DUTY ASPHALT DRIVEWAY SURFACE
- PERMEABLE PAVERS/CAR PARKING AREA
- CONCRETE PAVING
- CHAINLINK FENCE
- SNOW STORAGE
- SNOW STORAGE ON PERMEABLE PAVERS

**NOTES:**

FOR LANDSCAPING, REFER TO LANDSCAPE DRAWINGS FOR GRADING, REFER TO CIVIL DRAWINGS



**LEGEND**

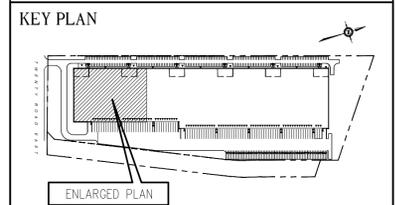
- FIRE ROUTE SIGNAGE
- HANDICAP SIGNAGE
- D 4" DIAMETER LED DOWNLIGHT RECESSED IN CANOPY SOFFIT (APPROX. 3.6M ABOVE FINISHED FLOOR). REFER TO ELEC DWGS.
- W EXTERIOR WALL MOUNTED LED LUMINAIRE MOUNTED AT 9.0M (30FT) ABOVE FINISHED FLOOR. REFER TO ELEC DWGS.
- W1 EXTERIOR WALL MOUNTED LED LUMINAIRE MOUNTED AT 9.0M (30FT) ABOVE FINISHED FLOOR. REFER TO ELEC DWGS.
- W3 EXTERIOR WALL MOUNTED LED LUMINAIRE MOUNTED AT 9.0M (30FT) ABOVE FINISHED FLOOR. REFER TO ELEC DWGS.
- W4 EXTERIOR WALL MOUNTED LED LUMINAIRE MOUNTED AT 9.0M (30FT) ABOVE FINISHED FLOOR. REFER TO ELEC DWGS.
- FH FIRE HYDRANT C/W BOLLARDS
- EX.FH EXISTING FIRE HYDRANT (REFER TO SURVEY)
- CATCH BASIN MAN HOLE (SEE CIVIL DWGS)
- MAN HOLE (SEE CIVIL DWGS)
- RETAINING WALL
- FIRE TRUCK ROUTE
- HEAVY DUTY ASPHALT DRIVEWAY SURFACE
- PERMEABLE PAVERS/CAR PARKING AREA
- CONCRETE PAVING
- SNOW STORAGE
- CHAINLINK FENCE
- SNOW STORAGE ON PERMEABLE PAVERS

**NOTES:**  
FOR LANDSCAPING, REFER TO LANDSCAPE DRAWINGS  
FOR GRADING, REFER TO CIVIL DRAWINGS

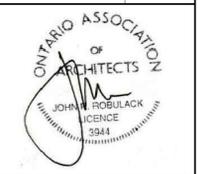
**1. VERIFY ALL DIMENSIONS PRIOR TO CONSTRUCTION.**  
2. DO NOT SCALE DRAWINGS.  
3. REPORT ALL DISCOVERIES OF ERRORS, OMISSIONS OR DISCREPANCIES TO THE ARCHITECT OR DESIGN ENGINEER AS APPLICABLE.  
4. USE ONLY LATEST REVISED DRAWINGS OR THOSE THAT ARE MARKED "ISSUED FOR CONSTRUCTION".  
5. THE DRAWINGS ARE THE PROPERTY OF JRI ARCHITECTS INC. AND MUST BE RETURNED ON COMPLETION OF THE PROJECT. ANY UNAUTHORIZED USE IS PROHIBITED.

**NOTE:**  
SURVEY INFORMATION ILLUSTRATED ON THIS DRAWING WAS TAKEN FROM PLAN OF SURVEY WITH TOPOGRAPHY OF PART OF LOT 13, CONCESSION 1 CITY OF HAMILTON PREPARED BY SPEIGHT, VAN NOSTRAND AND GIBSON LIMITED ON MARCH 14, 2022 (SEE SHEET AD.1) AND PLAN OF SURVEY OF PART OF LOT 13, CONCESSION 1 FOR PROPOSED RIGHT-OF-WAY/PROPERTY LINE (SEE SHEET AD.2).

FOR LANDSCAPING, REFER TO LANDSCAPE DRAWINGS  
FOR GRADING AND SITE SERVICES, REFER TO CIVIL DRAWINGS



7.			
6.			
5.			
4.			
3.	DEC 16/22	ISSUED FOR SITE PLAN APPROVAL	
2.	SEP 27/22	ISSUED FOR CONDITIONAL SITE PLAN APPROVAL	
1.	FEB 11/22	ISSUED FOR SITE PLAN APPROVAL	
NO.	DATE	REVISIONS	APPROVED BY



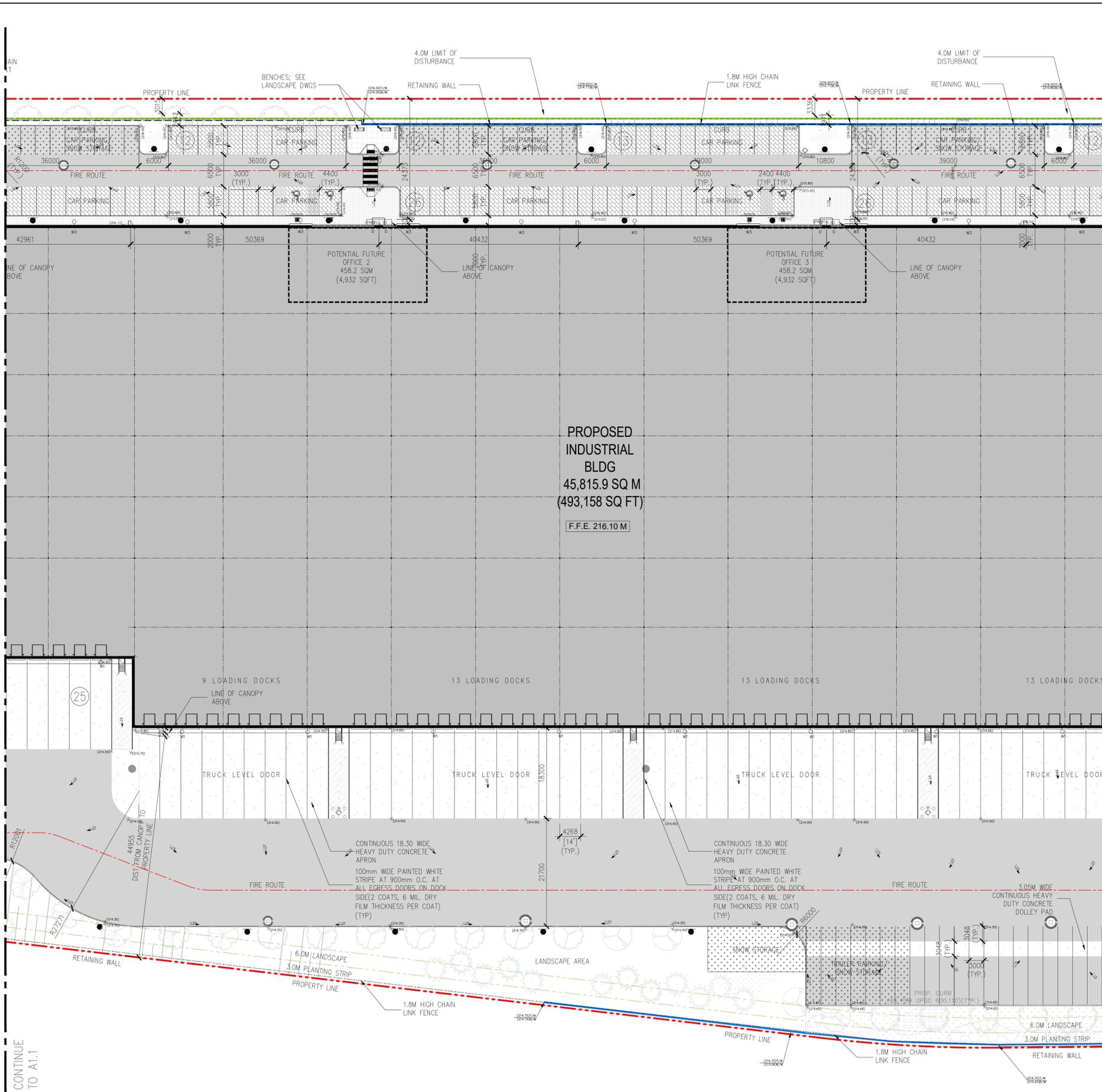
**PANATTONI**  
185 The West Mall, Suite 860  
Toronto, ON M9C 5L

**NEW INDUSTRIAL DEVELOPMENT**  
6140 TWENTY ROAD EAST,  
HAMILTON, ON

**ENLARGED SITE PLAN (PART A)**

DRAWN: MS  
CHECKED: JR  
SCALE: 1:400  
DATE: DECEMBER 2022

PROJECT NUMBER: 2021-032  
DRAWING NUMBER: **A1.1**



**PROPOSED INDUSTRIAL BLDG**  
 45,815.9 SQ M  
 (493,158 SQ FT)  
 F.F.E. 216.10 M

**LEGEND**

- FIRE ROUTE SIGNAGE
- HANDICAP SIGNAGE
- D 4" DIAMETER LED DOWNLIGHT RECESSED IN CANOPY SOFFIT (APPROX. 3.5M ABOVE FINISHED GROUND FLOOR). REFER TO ELEC DWGS.
- W EXTERIOR WALL MOUNTED LED LUMINAIRE MOUNTED AT 9.0M (30FT) ABOVE FINISHED FLOOR. REFER TO ELEC DWGS.
- W1 EXTERIOR WALL MOUNTED LED LUMINAIRE MOUNTED AT 9.0M (30FT) ABOVE FINISHED FLOOR. REFER TO ELEC DWGS.
- W3 EXTERIOR WALL MOUNTED LED LUMINAIRE MOUNTED AT 9.0M (30FT) ABOVE FINISHED FLOOR. REFER TO ELEC DWGS.
- W4 EXTERIOR WALL MOUNTED LED LUMINAIRE MOUNTED AT 9.0M (30FT) ABOVE FINISHED FLOOR. REFER TO ELEC DWGS.
- FH FIRE HYDRANT C/W BOLLARDS
- EX.FH EXISTING FIRE HYDRANT (REFER TO SURVEY)
- CATCH BASIN MAN HOLE (SEE CIVIL DWGS)
- MAN HOLE (SEE CIVIL DWGS)
- RETAINING WALL
- FIRE TRUCK ROUTE
- HEAVY DUTY ASPHALT DRIVEWAY SURFACE
- PERMEABLE PAVERS/CAR PARKING AREA
- CONCRETE PAVING
- SNOW STORAGE
- CHAINLINK FENCE
- SNOW STORAGE ON PERMEABLE PAVERS
- STOP SIGN (R9-1) AND STOP BAR PAVEMENT MARKING

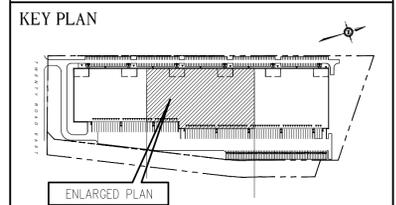
**NOTES:**  
 FOR LANDSCAPING, REFER TO LANDSCAPE DRAWINGS  
 FOR GRADING, REFER TO CIVIL DRAWINGS

**LEGEND**

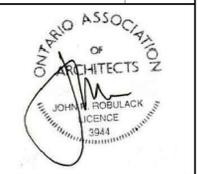
- 1. VERIFY ALL DIMENSIONS PRIOR TO CONSTRUCTION.
- 2. DO NOT SCALE DRAWINGS.
- 3. REPORT ALL DISCOVERIES OF ERRORS, OMISSIONS OR DISCREPANCIES TO THE ARCHITECT OR DESIGN ENGINEER AS APPLICABLE.
- 4. USE ONLY LATEST REVISED DRAWINGS OR THOSE THAT ARE MARKED "ISSUED FOR CONSTRUCTION".
- 5. THE DRAWINGS ARE THE PROPERTY OF JRI ARCHITECTS INC. AND MUST BE RETURNED ON COMPLETION OF THE PROJECT. ANY UNAUTHORIZED USE IS PROHIBITED.

**NOTE:**  
 SURVEY INFORMATION ILLUSTRATED ON THIS DRAWING WAS TAKEN FROM PLAN OF SURVEY WITH TOPOGRAPHY OF PART OF LOT 13, CONCESSION 1 CITY OF HAMILTON PREPARED BY SPEIGHT, VAN NOSTRAND AND GIBSON LIMITED ON MARCH 14, 2022 (SEE SHEET AD.1) AND PLAN OF SURVEY OF PART OF LOT 13, CONCESSION 1 FOR PROPOSED RIGHT-OF-WAY/PROPERTY LINE (SEE SHEET AD.2).

FOR LANDSCAPING, REFER TO LANDSCAPE DRAWINGS  
 FOR GRADING AND SITE SERVICES, REFER TO CIVIL DRAWINGS



7.			
6.			
5.			
4.			
3.	DEC 16/22	ISSUED FOR SITE PLAN APPROVAL	
2.	SEP 27/22	ISSUED FOR CONDITIONAL SITE PLAN APPROVAL	
1.	FEB 11/22	ISSUED FOR SITE PLAN APPROVAL	
NO.	DATE	REVISIONS	AP'D BY



**CLIENT**  
**PANATTONI**  
 185 The West Mall, Suite 860  
 Toronto, ON M9C 5L

**PROJECT**  
**NEW INDUSTRIAL DEVELOPMENT**  
 6140 TWENTY ROAD EAST,  
 HAMILTON, ON

**DRAWING TITLE**  
 ENLARGED SITE PLAN  
 (PART B)

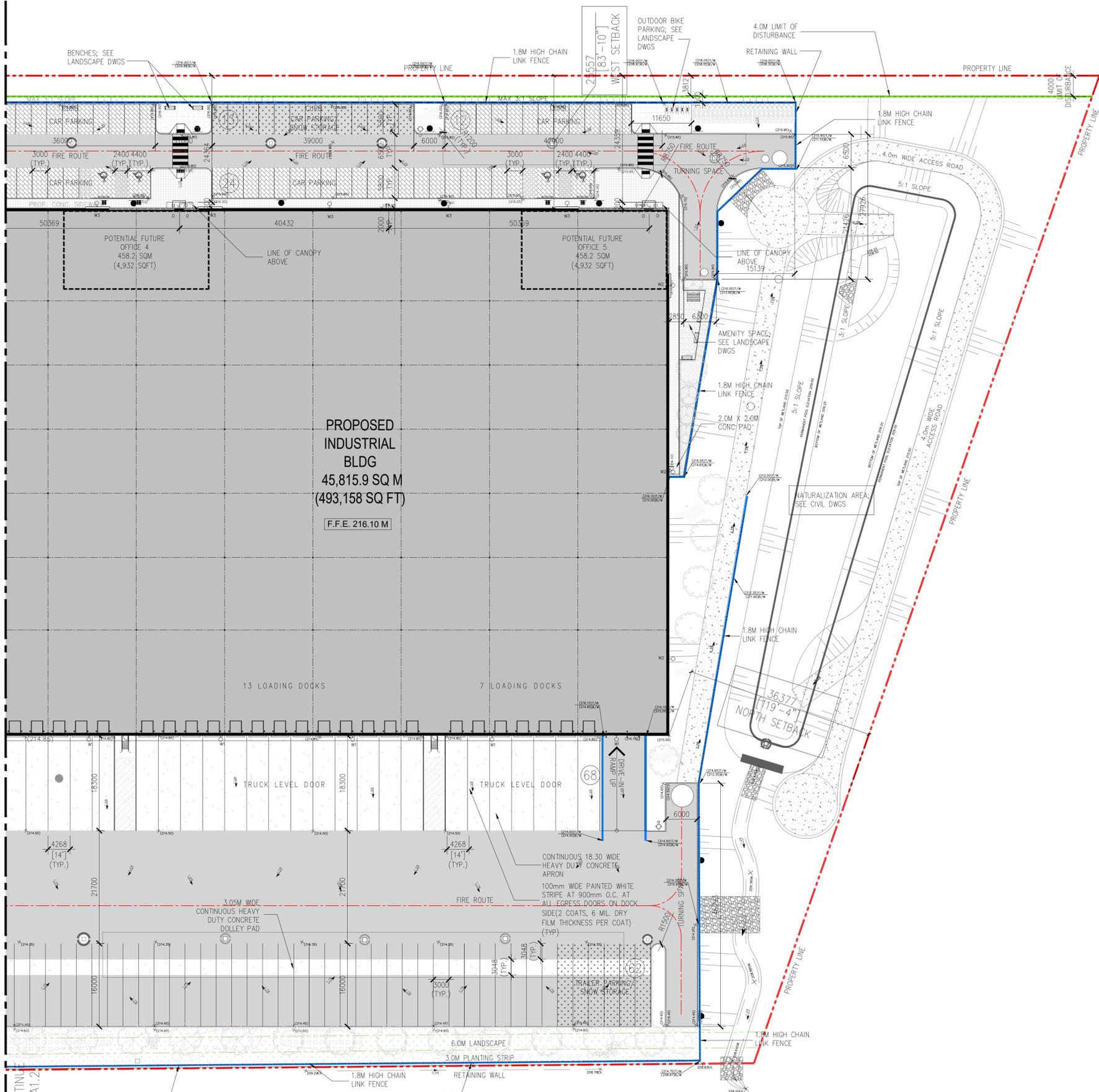
**DRAWN** MS  
**CHECKED** JR  
**SCALE** 1:400  
**DATE** DECEMBER 2022

**PROJECT NUMBER** 2021-032  
**DRAWING NUMBER**

**A1.2**

CONTINUE TO A1.1  
**1**  
**A1.2**  
**ENLARGED SITE PLAN - PART B**  
 SCALE 1 : 400

CONTINUE TO A1.3



**LEGEND**

- FIRE ROUTE SIGNAGE
- HANDICAP SIGNAGE
- D 4" DIAMETER LED DOWNLIGHT RECESSED IN CANOPY SOFFIT (APPROX. 3.6M ABOVE FINISHED FLOOR). REFER TO ELEC DWGS.
- W EXTERIOR WALL MOUNTED LED LUMINAIRE MOUNTED AT 9.0M (30FT) ABOVE FINISHED FLOOR. REFER TO ELEC DWGS.
- W1 EXTERIOR WALL MOUNTED LED LUMINAIRE MOUNTED AT 9.0M (30FT) ABOVE FINISHED FLOOR. REFER TO ELEC DWGS.
- W3 EXTERIOR WALL MOUNTED LED LUMINAIRE MOUNTED AT 9.0M (30FT) ABOVE FINISHED FLOOR. REFER TO ELEC DWGS.
- W4 EXTERIOR WALL MOUNTED LED LUMINAIRE MOUNTED AT 9.0M (30FT) ABOVE FINISHED FLOOR. REFER TO ELEC DWGS.
- FH FIRE HYDRANT C/W BOLLARDS
- EX.FH EXISTING FIRE HYDRANT (REFER TO SURVEY)
- CATCH BASIN MAN HOLE (SEE CIVIL DWGS)
- MAN HOLE (SEE CIVIL DWGS)
- RETAINING WALL
- FIRE TRUCK ROUTE
- HEAVY DUTY ASPHALT DRIVEWAY SURFACE
- PERMEABLE PAVERS/CAR PARKING AREA
- CONCRETE PAVING
- SNOW STORAGE
- CHAINLINK FENCE
- SNOW STORAGE ON PERMEABLE PAVERS

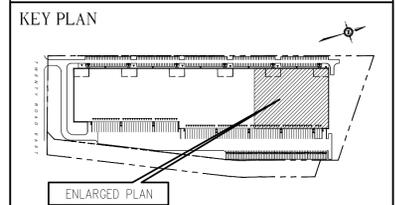
**NOTES:**

FOR LANDSCAPING, REFER TO LANDSCAPE DRAWINGS  
FOR GRADING, REFER TO CIVIL DRAWINGS

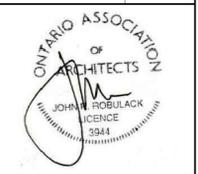
**NOTE:**

1. VERIFY ALL DIMENSIONS PRIOR TO CONSTRUCTION.
2. DO NOT SCALE DRAWINGS.
3. REPORT ALL DISCOVERIES OF ERRORS, OMISSIONS OR DISCREPANCIES TO THE ARCHITECT OR DESIGN ENGINEER AS APPLICABLE.
4. USE ONLY LATEST REVISED DRAWINGS OR THOSE THAT ARE MARKED "ISSUED FOR CONSTRUCTION".
5. THE DRAWINGS ARE THE PROPERTY OF JRI ARCHITECTS INC. AND MUST BE RETURNED ON COMPLETION OF THE PROJECT. ANY UNAUTHORIZED USE IS PROHIBITED.

**FOR LANDSCAPING, REFER TO LANDSCAPE DRAWINGS FOR GRADING AND SITE SERVICES, REFER TO CIVIL DRAWINGS**



NO.	DATE	REVISIONS	AP'D BY
7.			
6.			
5.			
4.			
3.	DEC 16/22	ISSUED FOR SITE PLAN APPROVAL	
2.	SEP 27/22	ISSUED FOR CONDITIONAL SITE PLAN APPROVAL	
1.	FEB 11/22	ISSUED FOR SITE PLAN APPROVAL	



**CLIENT**

**PANATTONI**

185 The West Mall, Suite 860  
Toronto, ON M9C 5L

**PROJECT**

**NEW INDUSTRIAL DEVELOPMENT**

6140 TWENTY ROAD EAST,  
HAMILTON, ON

**DRAWING TITLE**

ENLARGED SITE PLAN  
(PART C)

**DRAWN** MS  
**CHECKED** JR  
**SCALE** 1:400  
**DATE** DECEMBER 2022

**PROJECT NUMBER** 2021-032  
**DRAWING NUMBER**

**A1.3**

**1** ENLARGED SITE PLAN - PART C  
SCALE 1:400



March 23, 2023

City of Hamilton  
Planning & Economic Development Department  
Committee of Adjustment  
71 Main Street West  
Hamilton ON L8P 4Y5

Attention: Ms. Jamila Sheffield  
Secretary Treasurer

Dear Ms. Sheffield,

**Re:** Application for Minor Variance  
6140 Twenty Road East, Glanbrook, City of Hamilton

---

WEBB Planning Consultants are retained by the property owners – East Hamilton Industrial LP & GreyCan 15 Properties LP, to co-ordinate the municipal planning approvals necessary to implement the proposed development of the subject lands for employment uses.

The property is located within the City's Urban Area and more particularly within the Red Hill South Business Park, former Township of Glanbrook. The property has approximately 140 metres of frontage on the north side of Twenty Road, a lot depth of approximately 590 metres, and a total lot area of 10.25 hectares.

As illustrated by the accompanying plans prepared by JRI Architects, the property is proposed to be developed with a single industrial building intended for warehousing and logistics use, with ancillary office space. The building has a total floor area of 45,815 square metres, one storey in height with a measured maximum height of 13.7 metres. The site design proposes a single driveway connection to Twenty Road to accommodate all automobile and truck traffic with parking, loading and unloading located to the sides of the building. The building is sited close to the street frontage with the office floor area at the front of the building, the architecture to include an enhanced and active façade oriented to the street frontage.

The Red Hill South Business Park is identified as an Employment Area by the Urban Structure Plan of the City's Urban Official Plan, the specific land use designation being "Business Park" according to Schedule "E-1" – Urban Land Use Designations. The proposed development of the property for employment uses conforms with the applicable Policies of the UHOP with respect to land use and development that utilizes full municipal services.

The lands are Regulated by Zoning By-law 05-200 and currently Zoned as "M3" Zone – Prestige Business Park, the proposed warehouse and ancillary administrative offices are included as permitted uses. The accompanying Site Plan and Building Elevations have been prepared having regard for the applicable Regulations of the "M3" Zone including setbacks,

building height and landscaping. The building includes space allocated for offices which is permitted as an accessory use. Parking, truck loading and staging areas are located interior to the site and will be provided appropriate landscaping and screening in keeping with the By-law Regulations.

An Application for Site Plan Approval was submitted to the City in March 2022 with Conditional Site Plan Approval granted on November 3<sup>rd</sup>, 2022 pursuant to City File No. DA-22-093. Through the review of the Site Plan, it has been determined that implementation of the site design will require a Variance from the applicable Regulations of the in-force "M3" Zone Regulations to ensure Zoning compliance.

Regulation 9.3.3(b)(ii) states a maximum building setback of 27.0 metres. The development is not able to comply with this Regulation based on the configuration of the site and associated design requirements for on-site maneuvering of cars, trucks, and access to the interior of the site for truck loading and unloading. The Variance is therefore necessary to request the maximum setback be increased to 36.0 metres.

#### **ANALYSIS – 4 TESTS**

The following discussion summarizes the applicable Planning Policy framework applicable to the subject lands and provides an evaluation of the proposed Variances having regard for the Four Tests outlined by Section 45 (1) of the Planning Act.

**The Variance has been considered in the context of the Official Plan and in our opinion maintains the general purpose and intent.**

The subject lands are designated by the UHOP as Business Park and subject to the Urban Design Policies of Section B.3.3 of the Plan.

The form and scale of the proposed warehouse development is permitted by the land use Policies for the Business Park designation. The designation is intended for uses that will benefit from frontage on existing and future major roads with direction to incorporate urban design treatments to reflect their visibility.

With respect to design, Policies direct that development shall be subject to minimum standards of urban design such as high quality and attractive materials and landscaping, and a high level of sustainable design. The intent of the design Policies is being met through the Site Plan Approvals process wherein the project designers are incorporating appropriate considerations for materiality and functional design to support sustainable development. Additional matters including pedestrian circulation, bicycle parking, and recreation space for employees are being implemented through the Conditions of Site Plan Approval, including the preparation of detailed landscape plans.

**The Variance has been considered in the context of the Zoning By-law and in our opinion maintains the general purpose and intent.**

The proposed Variance seeks a modification to Regulations that guide the placement of the proposed building from the street edge and the provision of buffering and landscaping. The intent of the regulations is to achieve appropriate built form and urban design where development is highly visible from adjoining major roads such as Twenty Road.

With regard to the building setback, the site design emphasizes the relationship with Twenty Road to the extent possible. It is not possible for site development to meet the setback requirement with the mitigation provided in the form of robust landscaping across the street frontage to screen and buffer the parking areas. The increase does retain a building presence and relationship to the street frontage given the significant bulk and massing of the façade facing the street, including the activity space associated with the ancillary offices located as close as possible to the street edge.

It is our opinion that the proposal maintains the general purpose and intent of the By-law.

**The Variance is Minor.**

The appropriate test to establish that the Variances are minor is to consider if any adverse or negative impacts arise from the development. It is our opinion that the Variances do not permit an over-intensification of the site or reduction in the performance criteria that are otherwise intended to achieve a high standard of architecture and urban design where buildings are oriented to major roads. The development complies with the balance of the Zone Regulations with regard to building height, lot coverage, and overall site landscaping.

In our opinion, the Variance will not result in any adverse impacts and is considered minor.

**The proposed development is desirable for the appropriate development of the lands.**

It is our opinion that the Variance will provide for the desirable and appropriate development of the lands for the intended employment uses.

Through the Site Plan Approvals process, the proponents will be satisfying the various Conditions of approval which will include the submission of detailed landscape plans that will demonstrate compliance with the applicable standards and design guidelines. The implementation of these plans will ensure the building achieves the objectives for a high standard of design, including incorporation of attractive materials and landscaping, and sustainable design practices.

In our opinion, the proposed development is desirable and appropriate for the lands.

In summary, it is our opinion that the Variance required to implement the proposal meets the four tests of the Planning Act and will provide the appropriate and planned development of the site to accommodate employment uses.

Attn.: Ms. Jamila Sheffield  
Re: Application for MV, 6140 Twenty Road East

March 23, 2023  
Page 4

---

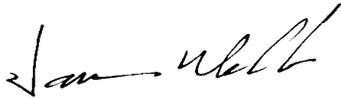
In keeping with the City's requirements for the submission of an Application for Minor Variance, the following materials are enclosed:

- Application for Minor Variance;
- Application Fee of \$3,735.00.00 payable to the City of Hamilton;
- Site Plan drawings A1.0, A1.1, A1.2 & A1.3 prepared by JRI Architects;

We trust that you will find the enclosed materials complete and suitable for the purpose of processing this Application for Minor Variance. Please contact our office immediately should you have any questions or require additional information in support of this submission.

Yours truly,

**WEBB Planning Consultants Inc.**



James Webb, MCIP, RPP

cc: East Hamilton Industrial LP & GreyCan 15 Properties LP



**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	MAILING ADDRESS
Registered Owners(s)	[REDACTED]	
Applicant(s)		
Agent or Solicitor		

1.2 All correspondence should be sent to  Purchaser  Owner  
 Applicant  Agent/Solicitor

1.3 Sign should be sent to  Purchaser  Owner  
 Applicant  Agent/Solicitor

1.4 Request for digital copy of sign  Yes\*  No

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

1.5 All correspondence may be sent by email  Yes\*  No

If Yes, a valid email must be included for the registered owner(s) AND the Applicant/Agent (if applicable). Only one email address submitted will result in the voiding of this service. This request does not guarantee all correspondence will sent by email.

**2. LOCATION OF SUBJECT LAND**

2.1 Complete the applicable sections:

Municipal Address	6140 Twenty Road East		
Assessment Roll Number			
Former Municipality	Twp of Glanford		
Lot	Part Lot 13	Concession	1
Registered Plan Number		Lot(s)	
Reference Plan Number (s)	62R-16207	Part(s)	5

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:

To permit a maximum building setback of 36.0 metres whereas the M3 Zone permits a maximum setback of 27.0 metres

Second Dwelling Unit  Reconstruction of Existing Dwelling

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

To facilitate the efficient site layout for vehicle maneuvering as per Conditionally Approved Site Plan DA-22-093.

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
139 m	598 (irregualr)	9.97 ha	20.0 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
Lands are vacant				

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
One storey warehouse	35.1 m	36.4 m	E: 42.9 m, W: 25.6 m	06/01/2023

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
Lands are vacant				

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Warehouse	45,815 sq. m	45,815 sq. m	one	13.7 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.):

Industrial - warehousing and logistics use with ancillary office

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

Vacant, hydro corridor, future municipal road, agriculture

## 7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:

December 2022

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

Lands are vacant, evidence of prior agricultural use

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

Lands are vacant

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

unknown

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) Business Park

Please provide an explanation of how the application conforms with the Official Plan.

Intended use is permitted by applicable land use policies and will be developed on basis of full municipal services

7.6 What is the existing zoning of the subject land? M3 Zone, Zoning Bylaw 05-200

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: M3 Zone, Zoning Bylaw 05-200

---

7.9 Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*?

 Yes No

If yes, please provide the file number: \_\_\_\_\_

7.10 If a site-specific Zoning By-law Amendment has been received for the subject property, has the two-year anniversary of the by-law being passed expired?

 Yes No

7.11 If the answer is no, the decision of Council, or Director of Planning and Chief Planner that the application for Minor Variance is allowed must be included. Failure to do so may result in an application not being "received" for processing.

## 8 ADDITIONAL INFORMATION

8.1 Number of Dwelling Units Existing: \_\_\_\_\_

8.2 Number of Dwelling Units Proposed: \_\_\_\_\_

8.3 Additional Information (please include separate sheet if needed):

Please refer to accompanying cover letter prepared by WEBB Planning Consultants for a broader description of the development proposal

## 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

---

---



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, 3935

E-mail: [cofa@hamilton.ca](mailto: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

<b>APPLICATION NO.:</b>	<b>SC/A-23:71</b>	<b>SUBJECT PROPERTY:</b>	21 DOLMAN STREET, STONEY CREEK
<b>ZONE:</b>	"R3" (Single Residential)	<b>ZONING BY-LAW:</b>	Zoning By-law former City of Stoney Creek 3692-92, as Amended

**APPLICANTS:** Owner: CANDICE AND RAY PERKINS  
Agent: THREE SEASONS LANDSCAPES GROUP INC. C/O CHRIS HOPKINS

The following variances are requested:

1. A rear yard setback of 6.0m shall be provided instead of the minimum required 7.5m rear yard setback.

**PURPOSE & EFFECT:** So as to permit the construction of a rear yard addition to the existing Single Detached Dwelling.

**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:

<b>DATE:</b>	<b>Thursday, May 4, 2023</b>
<b>TIME:</b>	<b>10:20 a.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>2<sup>nd</sup> floor City Hall, room 222 (see attached sheet for details), 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>

**SC/A-23:71**

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
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935

**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, including deadlines for submitting to be seen by the Committee.

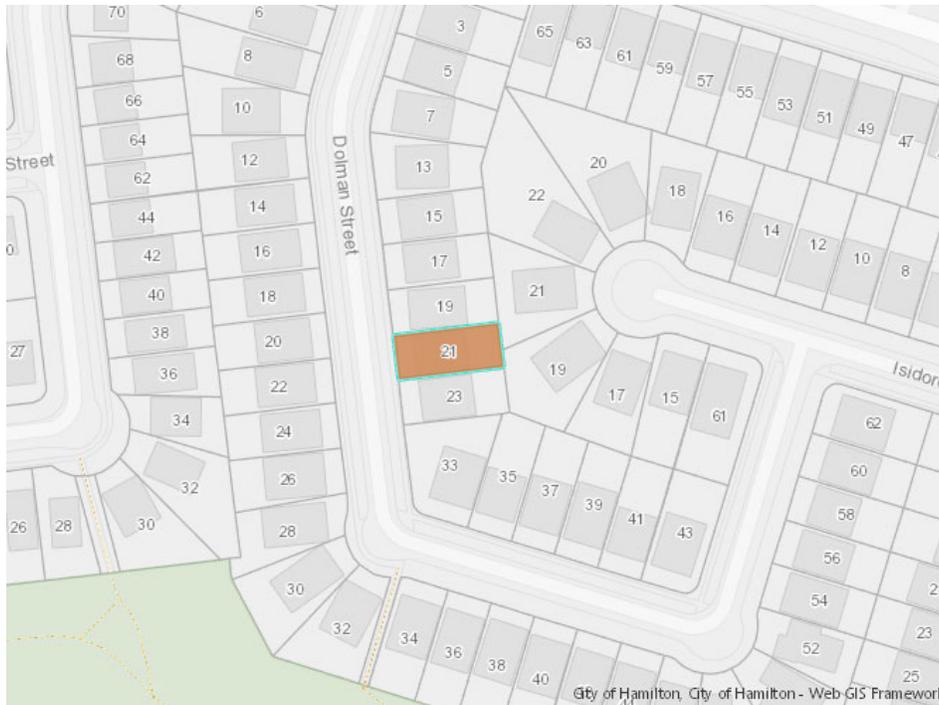
**Orally:** If you would like to speak to this item at the hearing you may do so via video link, calling in, or attending in person. Please see attached page for complete instructions, including deadlines for registering to participate virtually and instructions for check in to participate in person.

**FURTHER NOTIFICATION**

If you wish to be notified of future Public Hearings, if applicable, regarding SC/A-23:71, 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.

SC/A-23:71



 Subject Lands

DATED: April 18, 2023

---

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

Telephone (905) 546-2424, ext. 4221, 3935

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 or via email in 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 two days before the Hearing.**

Comment packages are available two days 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 the day before the 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.

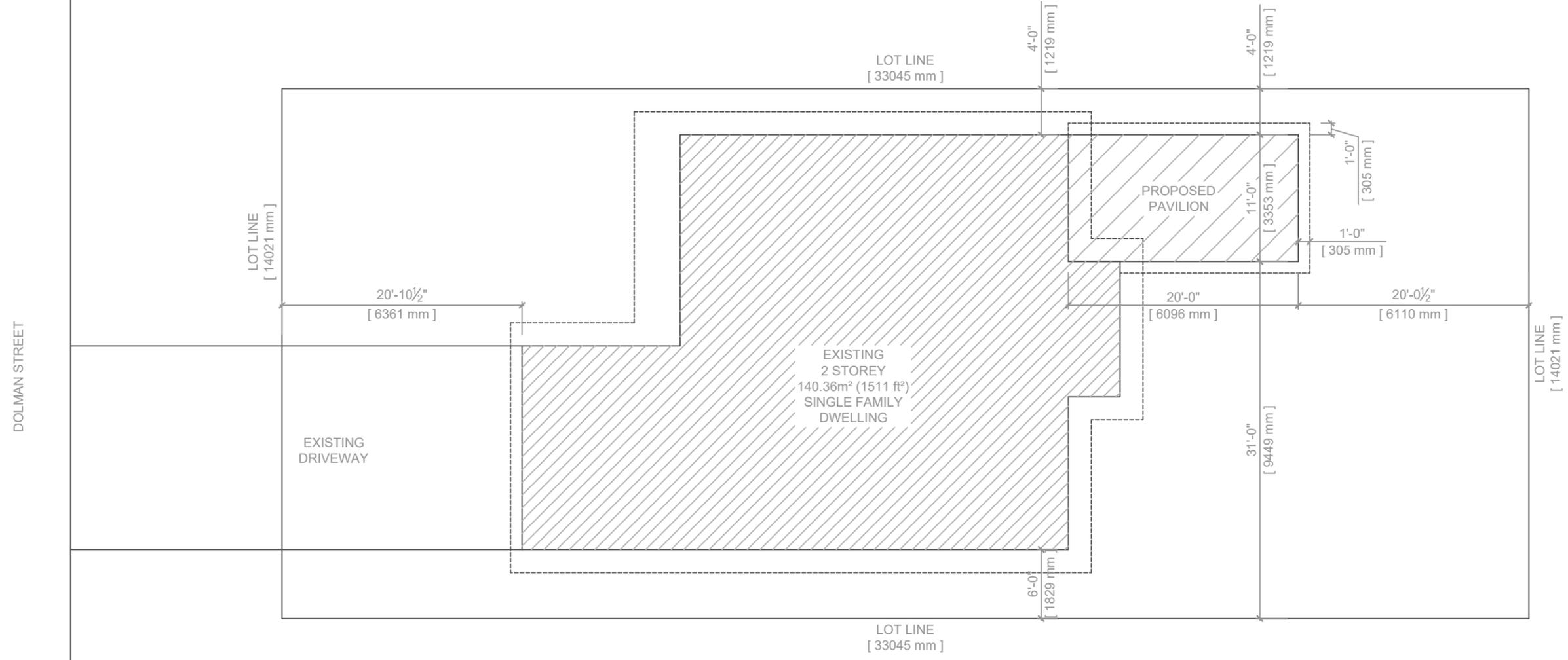
A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting the Wednesday afternoon before the hearing. The link must not be shared with others as it is unique to the registrant.

#### 2. In person Oral Submissions

**Interested members of the public, agents, and owners who wish to participate in person must sign in at City Hall room 222 (2<sup>nd</sup> floor) 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) or by phone at 905-546-2424 ext. 4221.

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.



REVISIONS:

#	DATE	REVISION
1	03/16/2023	SITE PLAN

<b>ZONE R3</b>			
LOT AREA:	463.32 m²	FRONTAGE:	15.24 m
<b>YARD SETBACKS</b>			
FRONT	EXISTING	6.36 m	MIN: 6.00m
SIDE	EXISTING	1.22 m	MIN: 1.25m
SIDE	EXISTING	1.83 m	MIN: 1.25m
REAR	PROPOSED	6.11 m	MIN: 7.50m
HEIGHT	EXISTING	7.05 m	MAX: 11m
<b>LOT COVERAGE</b>			
EXISTING	140.36 m²	30.29 %	
PROPOSED STRUCTURE	20.44 m²	4.41 %	
<b>TOTAL</b>	<b>160.79 m²</b>	<b>34.70 %</b>	
MAX. ALLOWED		40.00 %	

PROJECT ADDRESS:  
**21 DOLMAN STREET  
 STONEY CREEK, ON**

DRAWING:  
**PAVILION  
 SITE PLAN**

DATE: FEB-21-2023  
 REVISED: MAR-16-2023  
 PAPER SIZE: 11"x17"  
 SCALE: 1:125

**SP1.01**



**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	MAILING ADDRESS	
Registered Owners(s)			
Applicant(s)			
Agent or Solicitor			Phone:
			E-mail:

1.2 All correspondence should be sent to  Purchaser  Owner  
 Applicant  Agent/Solicitor

1.3 Sign should be sent to  Purchaser  Owner  
 Applicant  AgentSolicitor

1.4 Request for digital copy of sign  Yes\*  No

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

1.5 All correspondence may be sent by email  Yes\*  No

If Yes, a valid email must be included for the registered owner(s) AND the Applicant/Agent (if applicable). Only one email address submitted will result in the voiding of this service. This request does not guarantee all correspondence will sent by email.

**2. LOCATION OF SUBJECT LAND**

2.1 Complete the applicable sections:

Municipal Address	21 Dolman Street, Stoney Creek, ON, L8J 2P3		
Assessment Roll Number			
Former Municipality	Regional Municipality of Hamilton-Wentworth		
Lot	125	Concession	
Registered Plan Number	62M-543	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:

Rear yard setback from required 7.5m to 6m.

Second Dwelling Unit

Reconstruction of Existing Dwelling

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

Safety and functionality of egress/access from rear yard door to covered pavillion area. This roof covering needs to be built per plans to remain functional.

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
14 m	33 m	462 m <sup>2</sup>	

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
House	N/A	12,206 mm	1219 mm, 1829 mm	1989

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Pavillion	N/A	6110 mm	1219 mm, 9449 mm	May 2023

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
House	1650 sf	2300 sf	2	approx 20-25'

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Pavillion	N/A	21.5 m <sup>2</sup>	1	10-12'

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:  
 September 2015
- 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:  
 33 years
- 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) \_\_\_\_\_

Please provide an explanation of how the application conforms with the Official Plan.

N/A

- 7.6 What is the existing zoning of the subject land? 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: residential

---

7.9 Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*?

Yes  No

If yes, please provide the file number: \_\_\_\_\_

7.10 If a site-specific Zoning By-law Amendment has been received for the subject property, has the two-year anniversary of the by-law being passed expired?

Yes  No

7.11 If the answer is no, the decision of Council, or Director of Planning and Chief Planner that the application for Minor Variance is allowed must be included. Failure to do so may result in an application not being "received" for processing.

**8 ADDITIONAL INFORMATION**

8.1 Number of Dwelling Units Existing: 1

8.2 Number of Dwelling Units Proposed: 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

---

---





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, 3935

E-mail: [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

**NOTICE OF PUBLIC HEARING**  
**Consent/Land Severance**

**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>AN/B-23:19</b>	<b>SUBJECT PROPERTY:</b>	357 BOOK ROAD W, ANCASTER
-------------------------	-------------------	--------------------------	---------------------------

**APPLICANTS:**      **Owner:** S E AND P MACALUSO  
**Agent:** FOTHERGILL PLANNING & DEVELOPMENT INC. C/O ED FOTHERGILL  
**Applicant:** BRAUN NURSERY

**PURPOSE & EFFECT:**      To permit the conveyance of a parcel of land to be added to property known municipally as 287 Book Road West, Ancaster.

	<b>Frontage</b>	<b>Depth</b>	<b>Area</b>
<b>SEVERED LANDS:</b>	None m <sup>±</sup>	290 m <sup>±</sup>	2.9 ha <sup>±</sup>
<b>RETAINED LANDS:</b>	122.0 m <sup>±</sup>	196.4 m <sup>±</sup>	1.85 ha <sup>±</sup>

Associated Planning Act File(s): 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:

<b>DATE:</b>	<b>Thursday, May 4, 2023</b>
<b>TIME:</b>	<b>10:30 a.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>To be streamed (viewing only) at</b> <a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a>

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

**AN/B-23:19**

- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Email Committee of Adjustment staff at [cofa@hamilton.ca](mailto:cofa@hamilton.ca)
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935

**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, including deadlines for submitting to be seen by the Committee.

**Orally:** If you would like to speak to this item at the hearing you may do so via video link or by calling in. Please see attached page for complete instructions, including deadlines for registering to participate.

**FURTHER NOTIFICATION**

If you wish to be notified of future Public Hearings, if applicable, regarding AN/B-23:19, 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.

AN/B-23:19



DATED: April 18, 2023

---

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.

If a person or public body that files an appeal of a decision of The City of Hamilton Committee of Adjustment in respect of the proposed consent does not make written submissions to The City of Hamilton Committee of Adjustment before it gives or refuses to give a provisional consent, the Ontario Land Tribunal may dismiss the appeal.



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, 3935

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 or via email in 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 two days before the Hearing.**

Comments can also be placed in the drop box which is located at the back of the 1st Floor of City Hall, 71 Main Street West. All comments received by noon two business days before the meeting will be forwarded to the Committee members.

Comments are available two days prior to the Hearing and are available on our website: [www.hamilton.ca/committeefadjustment](http://www.hamilton.ca/committeefadjustment)

### Oral Submissions During the Virtual Meeting

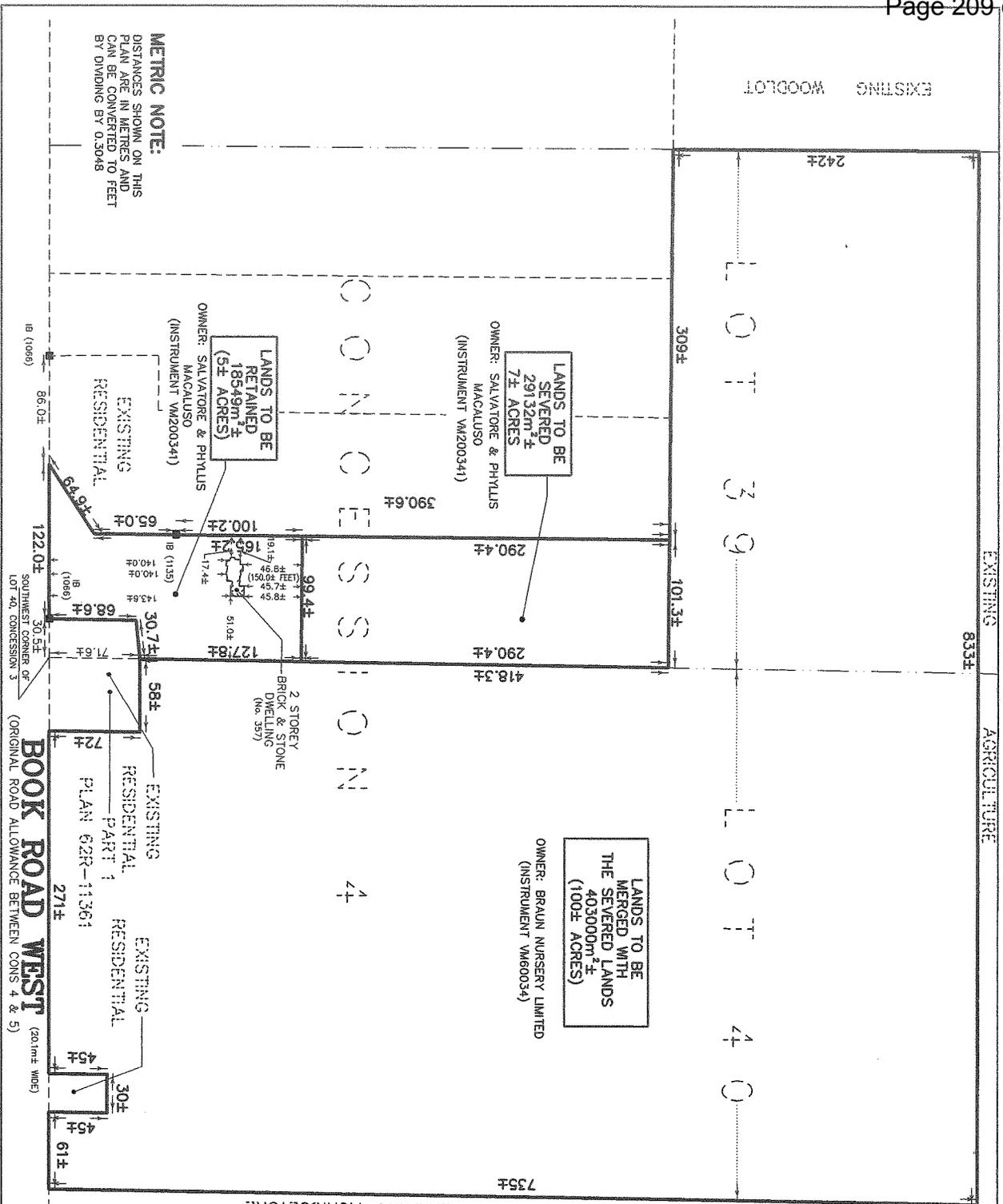
Members of the public are also able to provide oral comments regarding Committee of Adjustment Hearing items by participating through Webex via computer or phone. Participation in this format requires pre-registration in advance. **Interested members of the public must register by noon the day before the hearing.**

To register to participate by Webex either via computer or phone, please contact Committee of Adjustment staff by email [cofa@hamilton.ca](mailto:cofa@hamilton.ca) or by phone at 905-546-2424 ext. 4221. The following information is required to register: Committee of Adjustment file number that you wish to speak to, the hearing date, name and address of the person wishing to speak, if they will be connecting via 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 the Wednesday afternoon before the hearing. The link must not be shared with others as it is unique to the registrant.

All members of the public who register will be contacted by Committee Staff to confirm details of the registration prior to the Hearing and provide an overview of the public participation process.

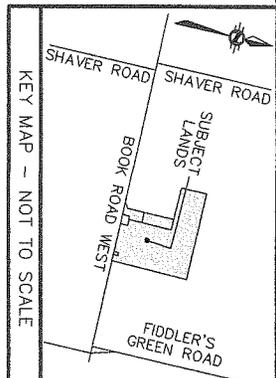
We hope this is of assistance and if you need clarification or have any questions, please email [cofa@hamilton.ca](mailto:cofa@hamilton.ca) or by phone at 905-546-2424 ext. 4221.

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.



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

BOOK ROAD WEST (20m± WID) (ORIGINAL ROAD ALLOWANCE BETWEEN CONS 4 & 5)



**SKETCH FOR LAND DIVISION**  
OF PART OF  
**LOT 39 & 40**  
CONCESSION 4  
GEOGRAPHIC  
TOWNSHIP OF ANCASTER  
IN THE  
**CITY OF HAMILTON**  
SCALE 1:3000 METRIC



**S.D. McLaren, O.L.S. - 2023**

**CAUTION:**  
A) THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED EXCEPT FOR THE PURPOSE INDICATED IN THE TITLEBLOCK.  
B) THIS PLAN IS PROTECTED BY COPYRIGHT ©

**NOTE:**  
DISTANCES SHOWN ON THIS PLAN ARE DERIVED FROM PLAN BA-2526 AND A PLAN BY JD BARNES LIMITED DATED MARCH 2, 1989 - FILE 89-29-367-0, INSTRUMENT W660034, AND PLAN 62R-11361

DATE: MARCH 21, 2023



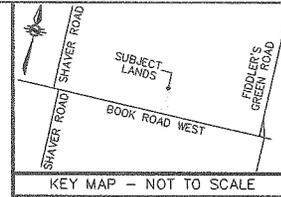
**A.T. McLaren Limited**  
LEGAL AND ENGINEERING SURVEYS  
69 JOHN STREET SOUTH, SUITE 230  
HAMILTON, ONTARIO, L8N 2B9  
PHONE (905) 527-8559 FAX (905) 527-0032

Drawn	Checked	Cad. Chief	Scale
KM	SDM	ZA	1:3000
			Dwg. No. 37244-SIG

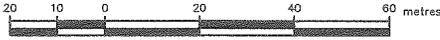
**SKETCH FOR LAND DIVISION**  
 OF PART OF  
**LOT 39**  
**CONCESSION 4**  
 GEOGRAPHIC  
**TOWNSHIP OF ANCASTER**  
 IN THE  
**CITY OF HAMILTON**

**CAUTION:**

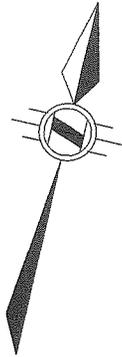
- A) THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED EXCEPT FOR THE PURPOSE INDICATED IN THE TITLEBLOCK.
- B) THIS PLAN IS PROTECTED BY COPYRIGHT ©



SCALE 1:1000 METRIC



S.D. McLAREN, O.L.S. - 2022



LOT 39

EXISTING AGRICULTURE  
101.3±

LANDS TO BE SEVERED  
29132m<sup>2</sup>±

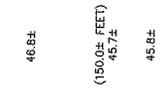
290.4±  
NOT TO SCALE

290.4±  
NOT TO SCALE  
418.3±  
NOT TO SCALE

99.4±

EXISTING AGRICULTURE

EXISTING AGRICULTURE



LANDS TO BE RETAINED  
18549m<sup>2</sup>±

CONCESSION 4

**NOTE:**

DISTANCES SHOWN ON THIS PLAN ARE DERIVED FROM PLAN BA-2526 AND A PLAN BY JD BARNES LIMITED DATED MARCH 2, 1989 - FILE 89-29-367-0

IB (1066)

86.0±

64.9±

65.0±

185.2±

100.2±

122.0±

IB (1066)

30.7±

68.6±

71.6±

EXISTING AGRICULTURE

PART 1  
PLAN 62R-11361

SOUTHWEST CORNER OF LOT 40, CONCESSION 3

**BOOK ROAD WEST**

(ORIGINAL ROAD ALLOWANCE BETWEEN CONS 4 & 5)  
(20.1m± WIDE)

**METRIC NOTE:**

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

NOVEMBER 16, 2022

DATE:



**A.T. McLaren Limited**  
LEGAL AND ENGINEERING SURVEYS

69 JOHN STREET SOUTH, SUITE 230  
HAMILTON, ONTARIO, L8N 2B9  
PHONE (905) 527-8559 FAX (905) 527-0032

Drawn KM	Checked RBM/SDH	Crew Chief ZA	Scale 1:1000	Dwg.No. 37244-SK
-------------	--------------------	------------------	-----------------	------------------

**FPD**

**FOTHERGILL PLANNING & DEVELOPMENT INC.**

62 DAFFODIL CRES. • HAMILTON, ON L9K 1E1 • PHONE: (905) 577-1077 • FAX: (905) 546-0545 • E-MAIL: edf@nas.net

March 27, 2023

Ms. Jamila Sheffield  
Committee of Adjustment  
City of Hamilton  
71 Main St. W.  
Hamilton ON L8P 4Y5

Dear Jamila:

**Re: Application for Lot Line Adjustment**  
**357 Book Road – Braun Nursery Limited**

Please find enclosed application for a severance to permit a lot addition to transfer lands from the owner of a residential lot on Book Road to the abutting farm owned by Braun Nursery Limited. The application material includes the following:

1. Signed application form.
2. Cheque made payable to the City of Hamilton in the amount of **\$3655.00**.
3. Cheque made payable to the Grand River Conservation Authority in the amount of **\$465.00**.
4. Planning Report dated March 27, 2020, prepared by Fothergill Planning & Development Inc.
5. Survey sketches of proposed severance.

We look forward to this application being brought forward to the next available meeting of the Committee of Adjustment.

Sincerely,

**FOTHERGILL PLANNING & DEVELOPMENT INC.**

  
E.J. Fothergill, MCIP, RPP  
President

Encl.

cc. Dave Braun  
Charlie Toman

## PLANNING REPORT

### Application for Consent for Lot Line Adjustment 357 Book Road Braun Nursery Limited

This report provides support for an application for lot line adjustment at the above address. The intent is to sever a 2.9 hectare block from a 4.7 hectare parcel. The retained lands will continue to be used as a residential lot for a single family dwelling on a 1.8 hectare site.

The severed lands are intended to be merged with the abutting farm property to the north and east, owned by Braun Nursery Limited. The purpose of this severance will allow for the use of the severed lands for agricultural purposes as part of an existing farm operation.

The lands to be severed in the past have been farmed by Braun Nursery Limited on a leasehold basis. This application would allow for the expansion of the existing farm property of approximately 40 hectares and limiting the residential use to a smaller retained parcel.

The size and configuration of the retained parcel is determined by the location of the existing house, the desire to maintain an appropriate rear yard amenity area of approximately 45 metres, and the presence of a watercourse.

The proposal is consistent with the policies of the Provincial Policy Statement which allow for technical severances and lot line adjustments. The proposal is also consistent with policies in the Growth Plan which call for the protection and preservation of agricultural land and the enhancement of agricultural practices.

The Rural Hamilton Official Plan provides policy direction in Section F.1.14.2.5 for a situation where the severance will result in a lot addition. This proposal is consistent with the intent of that direction and complies with the policies in the Plan in the following manner:

**1.14.2.5 Lot additions, except within designated Rural Settlement Areas, may be considered for permitted uses provided the following conditions are met:**

**a) No new lots shall be created;**

No new lots will be created.

**b) All resulting lots shall be:**

**i) a minimum of 0.4 hectares (1 acre), or such larger area as may be required by Section C.5.1, Private Water and Wastewater Services of this Plan, except as permitted in F.1.14.2.7 d); and,**

The parcel to be retained is 1.8 hectares

- ii) **be compatible with and not hinder surrounding agricultural operations.**

The retention of the existing dwelling together with appropriate rear yard amenity areas will not affect the ongoing agricultural operation. As noted, agricultural operations have occurred on the lands to be severed for a number of years.

- c) **For lands within the Agriculture designation where the lot addition is for *agricultural uses* the minimum lot size of all resulting lots shall be 40.4 hectares (100 acres).**

The size of the adjacent farm property owned by Braun Nursery Limited will increase from 40.3 hectares to 45 hectares

- d) **For lands within the Specialty Crop designation where the lot addition is for *agricultural uses* the minimum lot size of all resulting lots shall be 16.2 hectares (40 acres).**

Not applicable.

- e) **For lands within the Rural designation where a lot addition will result in the creation of a non-agricultural lot, any existing building or structure for an established residential, commercial or industrial use shall be located on the proposed non-agricultural lot;**

Not applicable.

- f) **The minimum lot size requirements in F.1.14.2.5 b), c), and d) may also include lands designated as Open Space on Schedule D – Rural Land Use Designations, or identified as within the Natural Heritage System on Schedule B – Natural Heritage System.**

The retained lot maintains the integrity of the watercourse that traverses the property.

- g) **The maximum lot size for lot additions outside of designated Rural Settlement Areas, except lot additions for agricultural purposes where both the severed and retained lots are proposed to contain agricultural uses, shall be restricted to the minimum size required for the use and to meet the land area requirements of Section C.5.1, with as little acreage as possible taken out of agricultural use.**

The retained lands represent the minimum size required to accommodate the watercourse feature on the site and the existing dwelling.

- h) The lands to be severed and conveyed are added to and merged on title with an abutting property or properties.**

The severed lands will be added to the abutting farm property owned Braun Nursery Limited as a condition of approval.

The application also satisfies the criteria regarding minor lot line adjustments, minor boundary adjustments in the following manner:

**1.14.2.6 Minor lot line adjustments and minor boundary adjustments may be considered for *legal* or *technical* reasons only provided:**

- a) a separate lot is not created for a dwelling or any other non-farm use except in designated Rural Settlement Areas;**

The application does not create a new lot.

- b) there is no increased fragmentation of a *key natural heritage feature* or *key hydrologic feature*;**

The natural heritage feature on the site will be preserved.

- c) the land area of the lot adjustment does not exceed the land area required to address the legal or technical issue, meet the requirements of Section C.5.1, Private Water and Wastewater Services, and meet F.1.14.2.6 b) above with as little acreage as possible taken out of agricultural use; and,**

The retained lands represent the minimum size required to represent the watercourse feature on the site and the existing dwelling and maximizes the amount of land available for long-term agricultural purposes.

- d) the adjustments do not conflict with intent of the policies of this Plan**

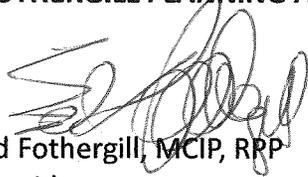
The application does not conflict with the intent of the policies of the Rural Hamilton Official Plan. The proposal helps to achieve the intent of the Plan to preserve agricultural land and promote agricultural activities.

In my opinion, the proposal represents good planning as it allows for an opportunity for lands that are currently used as part of a single family dwelling to be assembled into an existing farm property. The size and dimensions of the lands to be retained are appropriate to accommodate the continued residential use at 357 Book Road and at the same time maximize the amount of land that can be used for agricultural purposes.

For these reasons the application represents good planning and can be supported.

Sincerely,

**FOTHERGILL PLANNING AND DEVELOPMENT INC.**



Ed Fothergill, MCIP, RPP  
President

March 27, 2023



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 CONSENT TO SEVER LAND  
and VALIDATION OF TITLE  
UNDER SECTION 53 & 57 OF THE *PLANNING ACT***

Please see additional information regarding how to submit an application, requirements for the required sketch and general information in the Submission Requirements and Information.

**1. APPLICANT INFORMATION**

	NAME	MAILING ADDRESS
Purchaser*		
Registered Owners(s)		
Applicant(s)**		
Agent or Solicitor		

\*Purchaser must provide a copy of the portion of the agreement of purchase and sale that authorizes the purchaser to make the application in respect of the land that is the subject of the application.

\*\* Owner's authorisation required if the applicant is not the owner or purchaser.

1.2 All correspondence should be sent to  Purchaser  Owner  
 Applicant  Agent/Solicitor

1.3 Sign should be sent to  Purchaser  Owner  
 Applicant  Agent/Solicitor

1.4 Request for digital copy of sign  Yes\*  No

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

1.5 All correspondence may be sent by email  Yes\*  No

If Yes, a valid email must be included for the registered owner(s) AND the Applicant/Agent (if applicable). Only one email address submitted will result in the voiding of this service. This request does not guarantee all correspondence will sent by email.

**2. LOCATION OF SUBJECT LAND**

## 2.1 Complete the applicable sections:

Municipal Address	357 BOOK ROAD WEST		
Assessment Roll Number			
Former Municipality	ANCASTER		
Lot	39	Concession	4
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**

## 3.1 Type and purpose of proposed transaction: (check appropriate box)

- |   |  |
|---|--|
| <input type="checkbox"/> creation of a new lot(s)   | <input type="checkbox"/> concurrent new lot(s) |
| <input checked="" type="checkbox"/> addition to a lot   | <input type="checkbox"/> a lease               |
| <input type="checkbox"/> an easement  | <input type="checkbox"/> a correction of title |
| <input type="checkbox"/> validation of title (must also complete section 8)   | <input type="checkbox"/> a charge              |
| <input type="checkbox"/> cancellation (must also complete section 9)  |  |
| <input type="checkbox"/> creation of a new non-farm parcel (must also complete section 10)<br>( i.e. a lot containing a surplus farm dwelling<br>resulting from a farm consolidation) |  |

## 3.2 Name of person(s), if known, to whom land or interest in land is to be transferred, leased or charged:

BRAUN NURSERY

---

## 3.3 If a lot addition, identify the lands to which the parcel will be added:

287 BOOK ROAD WEST

---

3.4 Certificate Request for Retained Lands:  Yes\*

\* If yes, a statement from an Ontario solicitor in good standing that there is no land abutting the subject land that is owned by the owner of the subject land other than land that could be conveyed without contravening section 50 of the Act. (O. Reg. 786/21)

**4 DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION**

## 4.1 Description of subject land:

All dimensions to be provided in metric (m, m<sup>2</sup> or ha), attach additional sheets as necessary.

	Retained (remainder)	Parcel 1	Parcel 2	Parcel 3*	Parcel 4*
--	-------------------------	----------	----------	-----------	-----------

Identified on Sketch as:	RETAINED	SEVERED			
Type of Transfer	N/A				
Frontage	122.0	NONE			
Depth	196.4	290 m			
Area	1.85 ha	2.9 ha			
Existing Use	RESIDENTIAL	RESIDENTIAL			
Proposed Use	RESIDENTIAL	AGRICULTURE			
Existing Buildings/ Structures	2 ST. BRICK DWELLING	NONE			
Proposed Buildings/ Structures	NONE	NONE			
Buildings/ Structures to be Removed	NONE	NONE			

\* Additional fees apply.

#### 4.2 Subject Land Servicing

a) Type of access: (check appropriate box)

provincial highway

municipal road, seasonally maintained

municipal road, maintained all year

right of way

other public road

b) Type of water supply proposed: (check appropriate box)

publicly owned and operated piped water system

privately owned and operated individual well

lake or other water body

other means (specify) \_\_\_\_\_

c) 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) \_\_\_\_\_

4.3 Other Services: (check if the service is available)

electricity

telephone

school bussing

garbage collection

## 5 CURRENT LAND USE

5.1 What is the existing official plan designation of the subject land?

Rural Hamilton Official Plan designation (if applicable): AGRICULTURE

Rural Settlement Area: \_\_\_\_\_

Urban Hamilton Official Plan designation (if applicable) \_\_\_\_\_

Please provide an explanation of how the application conforms with a City of Hamilton Official Plan.

5.2 Is the subject land currently the subject of a proposed official plan amendment that has been submitted for approval?

Yes       No       Unknown

If YES, and known, provide the appropriate file number and status of the application.

5.3 What is the existing zoning of the subject land? AGRICULTURE - A1

If the subject land is covered by a Minister's zoning order, what is the Ontario Regulation Number?

5.4 Is the subject land the subject of any other application for a Minister's zoning order, zoning by-law amendment, minor variance, consent or approval of a plan of subdivision?

Yes       No       Unknown

If YES, and known, provide the appropriate file number and status of the application.

5.5 Are any of the following uses or features on the subject land or within 500 metres of the subject land, unless otherwise specified. Please check the appropriate boxes, if any apply.

Use or Feature	On the Subject Land	Within 500 Metres of Subject Land, unless otherwise specified (indicate approximate distance)
<b>An agricultural operation, including livestock facility or stockyard</b> * Submit Minimum Distance Separation Formulae (MDS) if applicable	<input type="checkbox"/>	ABUTTING LANDS
<b>A land fill</b>	<input type="checkbox"/>	NO
<b>A sewage treatment plant or waste stabilization plant</b>	<input type="checkbox"/>	NO
<b>A provincially significant wetland</b>	<input type="checkbox"/>	NO
<b>A provincially significant wetland within 120 metres</b>	<input type="checkbox"/>	NO
<b>A flood plain</b>	<input checked="" type="checkbox"/>	YES
<b>An industrial or commercial use, and specify the use(s)</b>	<input type="checkbox"/>	NO
<b>An active railway line</b>	<input type="checkbox"/>	NO
<b>A municipal or federal airport</b>	<input type="checkbox"/>	NO

## 6 HISTORY OF THE SUBJECT LAND

- 6.1 Has the subject land ever been the subject of an application for approval of a plan of subdivision or a consent under sections 51 or 53 of the *Planning Act*?  
 Yes       No       Unknown

If YES, and known, provide the appropriate application file number and the decision made on the application.

---

- 6.2 If this application is a re-submission of a previous consent application, describe how it has been changed from the original application.
- 

- 6.3 Has any land been severed or subdivided from the parcel originally acquired by the owner of the subject land?  
 Yes       No      **UNKNOWN**

If YES, and if known, provide for each parcel severed, the date of transfer, the name of the transferee and the land use.

---

- 6.4 How long has the applicant owned the subject land?

20 YEARS PLUS

---

- 6.5 Does the applicant own any other land in the City?       Yes       No  
 If YES, describe the lands below or attach a separate page.
- 

## 7 PROVINCIAL POLICY

- 7.1 Is this application consistent with the Policy Statements issued under Section 3 of the *Planning Act*?  
 Yes       No      (Provide explanation)

PROMOTES INVESTMENT IN AGRICULTURE.

---

- 7.2 Is this application consistent with the Provincial Policy Statement (PPS)?  
 Yes       No      (Provide explanation)

LOT ADJUSTMENT POLICY 2.3.4.2

---

- 7.3 Does this application conform to the Growth Plan for the Greater Golden Horseshoe?  
 Yes       No      (Provide explanation)

SUPPORTS AGRICULTURE SYSTEM POLICIES IN 4.2.6.

---

- 7.4 Are the subject lands subject to the Niagara Escarpment Plan?  
 Yes       No      (Provide explanation)
-

7.5 Are the subject lands subject to the Parkway Belt West Plan?

Yes       No      (Provide explanation)

7.6 Are the subject lands subject to the Greenbelt Plan?

Yes       No      (Provide explanation)

PROMOTES NORMAL FARM PRACTICES - CONSOLIDATION (POLICY 3.1.3.1)

7.7 Are the subject lands within an area of land designated under any other provincial plan or plans?

Yes       No      (Provide explanation)

## 8 ADDITIONAL INFORMATION - VALIDATION

8.1 Did the previous owner retain any interest in the subject land?

Yes       No      (Provide explanation)

8.2 Does the current owner have any interest in any abutting land?

Yes       No      (Provide explanation and details on plan)

8.3 Why do you consider your title may require validation? (attach additional sheets as necessary)

## 9 ADDITIONAL INFORMATION - CANCELLATION

9.1 Did the previous owner retain any interest in the subject land?

Yes       No      (Provide explanation)

9.2 Does the current owner have any interest in any abutting land?

Yes       No      (Provide explanation and details on plan)

9.3 Why do you require cancellation of a previous consent? (attach additional sheets as necessary)

**10 ADDITIONAL INFORMATION - FARM CONSOLIDATION****10.1 Purpose of the Application (Farm Consolidation)**

If proposal is for the creation of a non-farm parcel resulting from a farm consolidation, indicate if the consolidation is for:

- Surplus Farm Dwelling Severance from an Abutting Farm Consolidation
- Surplus Farm Dwelling Severance from a Non-Abutting Farm Consolidation

**10.2 Location of farm consolidation property:**

Municipal Address			
Assessment Roll Number			
Former Municipality			
Lot		Concession	
Registered Plan Number		Lot(s)	
Reference Plan Number (s)		Part(s)	

**10.3 Rural Hamilton Official Plan Designation(s)**

If proposal is for the creation of a non-farm parcel resulting from a farm consolidation, indicate the existing land use designation of the abutting or non-abutting farm consolidation property.

**10.4 Description of farm consolidation property:**

Frontage (m):	Area (m <sup>2</sup> or ha):
---------------	------------------------------

Existing Land Use(s): \_\_\_\_\_ Proposed Land Use(s): \_\_\_\_\_

**10.5 Description of abutting consolidated farm (excluding lands intended to be severed for the surplus dwelling)**

Frontage (m):	Area (m <sup>2</sup> or ha):
---------------	------------------------------

Existing Land Use: \_\_\_\_\_ Proposed Land Use: \_\_\_\_\_

**10.7 Description of surplus dwelling lands proposed to be severed:**

Frontage (m): (from Section 4.1)	Area (m <sup>2</sup> or ha): (from Section 4.1)
----------------------------------	---

Front yard set back: \_\_\_\_\_

**a) Date of construction:**

- Prior to December 16, 2004       After December 16, 2004

**b) Condition:**

- Habitable       Non-Habitable

## 11 COMPLETE APPLICATION REQUIREMENTS

### 11.1 All Applications

- Application Fee
- Site Sketch
- Complete Application Form
- Signatures Sheet

### 11.2 Validation of Title

- All information documents in Section 11.1
- Detailed history of why a Validation of Title is required
- All supporting materials indicating the contravention of the Planning Act, including PIN documents and other items deemed necessary.

### 11.3 Cancellation

- All information documents in Section 11.1
- Detailed history of when the previous consent took place.
- All supporting materials indicating the cancellation subject lands and any neighbouring lands owned in the same name, including PIN documents and other items deemed necessary.

### 11.4 Other Information Deemed Necessary

- Cover Letter/Planning Justification Report
- Minimum Distance Separation Formulae (data sheet available upon request)
- Hydrogeological Assessment
- Septic Assessment
- Archeological Assessment
- Noise Study
- Parking Study

---

---





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, 3935

E-mail: [cofa@hamilton.ca](mailto: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

<b>APPLICATION NO.:</b>	<b>FL/A-23:80</b>	<b>SUBJECT PROPERTY:</b>	893 WEIR ROAD, FLAMBOROUGH
<b>ZONE:</b>	"A1 & P7" (Agriculture (A1) & Conservation/Hazard Land Rural (P7))	<b>ZONING BY-LAW:</b>	Zoning By-law City of Hamilton 05-200, as Amended

**APPLICANTS:**      **Owner:** MARTY & YVONNE VLIETSTRA  
                                 **Agent:** JOHN MARSKAMP

The following variances are requested:

1. To permit a maximum aggregate Gross Floor Area of 223 square metres for all Accessory Buildings instead of the required maximum aggregate Gross Floor Area of 200 square metres for all accessory buildings.

**PURPOSE & EFFECT:** To permit the construction of a one storey 83 square metre rear addition to a detached garage.

**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:

<b>DATE:</b>	<b>Thursday, May 4, 2023</b>
<b>TIME:</b>	<b>10:35 a.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>2<sup>nd</sup> floor City Hall, room 222 (see attached sheet for details), 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>

**FL/A-23:80**

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
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935

**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, including deadlines for submitting to be seen by the Committee.

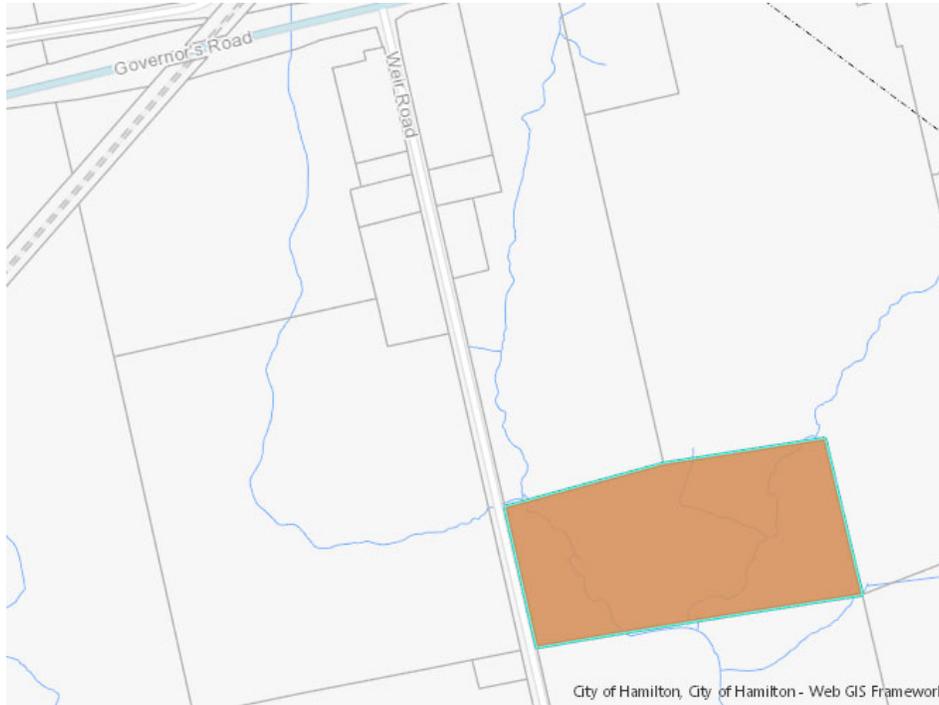
**Orally:** If you would like to speak to this item at the hearing you may do so via video link, calling in, or attending in person. Please see attached page for complete instructions, including deadlines for registering to participate virtually and instructions for check in to participate in person.

**FURTHER NOTIFICATION**

If you wish to be notified of future Public Hearings, if applicable, regarding FL/A-23:80, 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.

FL/A-23:80



 Subject Lands

DATED: April 18, 2023

---

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

Telephone (905) 546-2424, ext. 4221, 3935

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 or via email in 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 two days before the Hearing.**

Comment packages are available two days 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 the day before the 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 the Wednesday afternoon before the hearing. The link must not be shared with others as it is unique to the registrant.

#### 2. In person Oral Submissions

**Interested members of the public, agents, and owners who wish to participate in person must sign in at City Hall room 222 (2<sup>nd</sup> floor) 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) or by phone at 905-546-2424 ext. 4221.

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.

These documents are instruments of service and the property of KAMP Construction Inc. They may not be reproduced, altered or reused without the express written consent of KAMP Construction Inc.

All information and dimensions shall be checked and verified on the job, any discrepancies are to be reported immediately to the consultant before commencing work.



I REVIEW AND TAKE RESPONSIBILITY FOR THE DESIGN WORK ON BEHALF OF A FIRM REGISTERED UNDER SUB-SECTION 3.2.4. OF DIVISION C, OF THE BUILDING CODE. I AM QUALIFIED, AND THE FIRM IS REGISTERED, IN THE APPROPRIATE CLASSES/CATEGORIES.

INDIVIDUAL BCIN: 26172  
FIRM BCIN: 31260



2408 Highway 5 W  
Troy, ON, L0R 2B0  
T:519-770-7848  
KAMPCONSTRUCTION.CA

PROJECT:  
**STORAGE SHED ADDITION**

ADDRESS:  
**893 WEIR ROAD,  
HAMILTON**

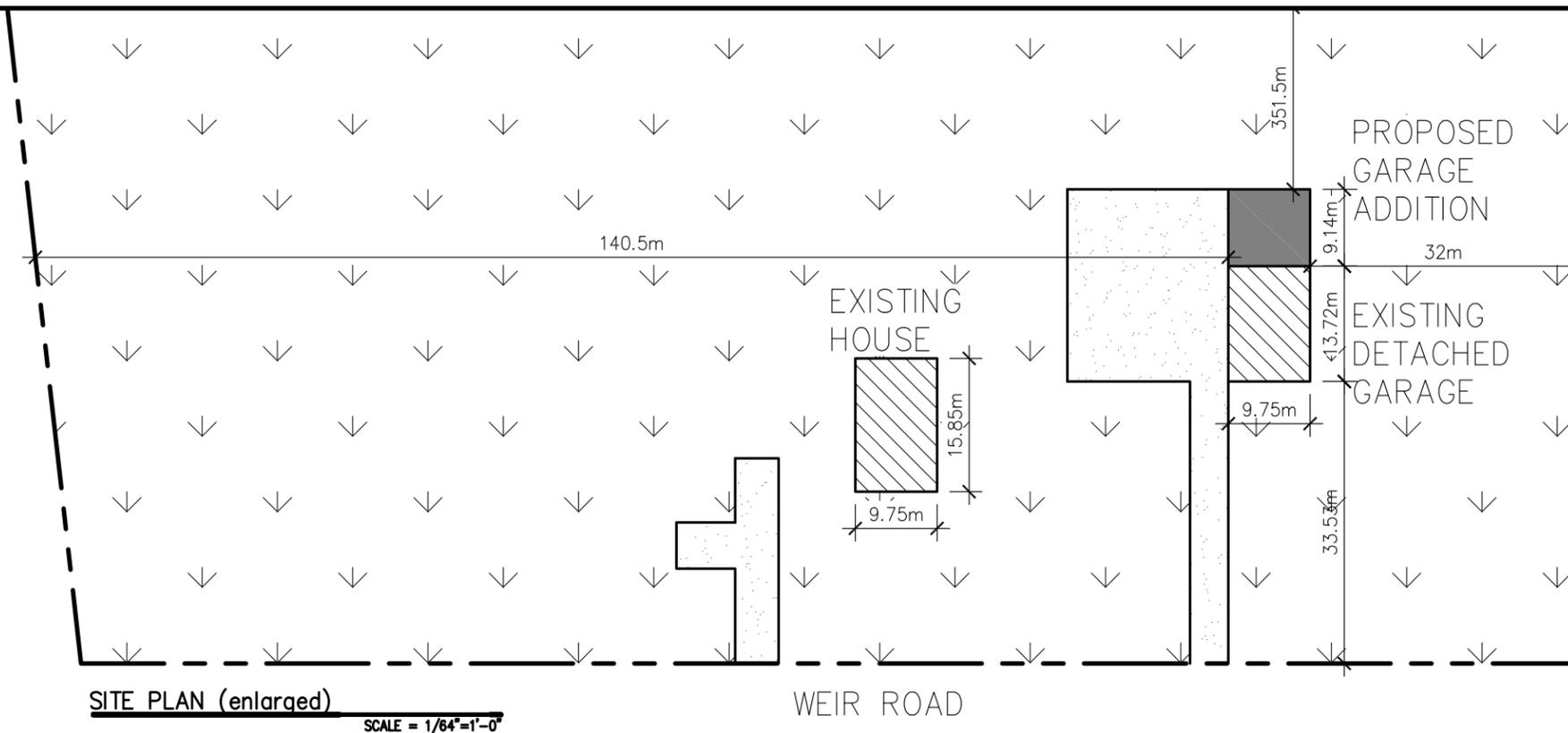
DATE:  
**February 23, 2023**

Drawn By:  
**John Marskamp**

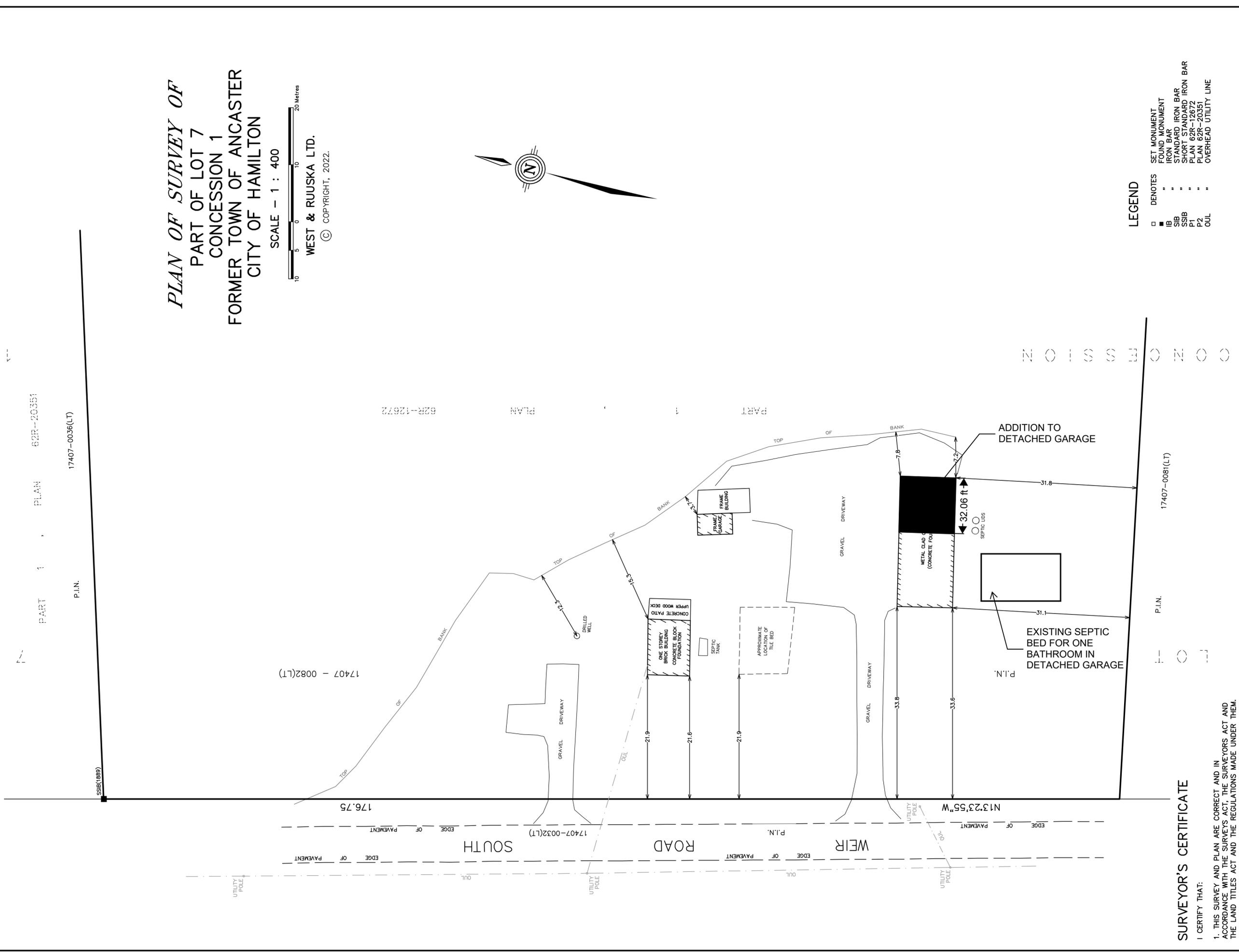
SCALE:  
**N.T.S.**

SHEET No.

**A-0**



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



**PLAN OF SURVEY OF  
PART OF LOT 7  
CONCESSION 1  
FORMER TOWN OF ANCASTER  
CITY OF HAMILTON**

SCALE - 1 : 400  
WEST & RUUSKA LTD.  
© COPYRIGHT, 2022.



**LEGEND**

- DENOTES SET MONUMENT
- FOUND MONUMENT
- IRON BAR
- STANDARD IRON BAR
- SHORT STANDARD IRON BAR
- PLAN 62R-12672
- PLAN 62R-20351
- OVERHEAD UTILITY LINE

**SURVEYOR'S CERTIFICATE**

I CERTIFY THAT:

1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
2. THE SURVEY WAS COMPLETED ON THE 10th DAY OF NOVEMBER, 2022.

DATED: \_\_\_\_\_  
JIM JOHNSON  
ONTARIO LAND SURVEYOR

THIS PLAN OF SURVEY RELATES TO A.O.L.S. PLAN SUBMISSION FORM NUMBER V-

**WEST & RUUSKA LTD.**  
Land Surveyors  
17 NELSON STREET, BRANTFORD, ONTARIO, N3T 2M6  
Telephone (519)752-8641  
DRAWN BY: IS V220242



**Hamilton**

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

**1. APPLICANT INFORMATION**

	NAME	MAILING ADDRESS
<b>Registered Owners(s)</b>		
<b>Applicant(s)</b>		
<b>Agent or Solicitor</b>		

1.2 All correspondence should be sent to  Purchaser  Owner  
 Applicant  Agent/Solicitor

1.3 Sign should be sent to  Purchaser  Owner  
 Applicant  Agent/Solicitor

1.4 Request for digital copy of sign  Yes\*  No

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

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.

**2. LOCATION OF SUBJECT LAND**

2.1 Complete the applicable sections:

Municipal Address	893 Weir Road, Hamilton, ON L0R 1T0		
Assessment Roll Number			
Former Municipality			
Lot	Part Lot 7	Concession	Concession 1
Registered Plan Number	62R-12672	Lot(s)	
Reference Plan Number (s)	17407-0082(LT)	Part(s)	1 & 2

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:

Addition to the detached garage, over the allowable limit by (20m<sup>2</sup>)

Second Dwelling Unit  Reconstruction of Existing Dwelling

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

The allowable detached garage is too small for the proposed

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
177.95m	408m	72,624m <sup>2</sup>	20m

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
House	21.54m	372m	76.2m & 95m	01/01/1970
Garage	33.5m	360.6	32m & 140.5m	12/15/2015

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Garage Addition	33.5m	351.5m	32m & 140.5m	

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
House	1664ft <sup>2</sup>	1664ft <sup>2</sup>	1	15ft
Garage	133.7	133.7	1	6.1m

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Garage	89.2m	89.2m	1	5.74m

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)

Natural

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, current use of the detached garage is a garage, the proposed use of the detached garage addition is garage

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

Single Detached, Agriculture

## 7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:

May 2012

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:

50 years

7.5 What is the existing official plan designation of the subject land?

Rural Hamilton Official Plan designation (if applicable): Schedule D Agriculture

Rural Settlement Area: \_\_\_\_\_

Urban Hamilton Official Plan designation (if applicable) \_\_\_\_\_

Please provide an explanation of how the application conforms with the Official Plan.

7.6 What is the existing zoning of the subject land? (A1) (P7)

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: (A1) (P7)

---

7.9 Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*?

Yes

No

If yes, please provide the file number: \_\_\_\_\_

7.10 If a site-specific Zoning By-law Amendment has been received for the subject property, has the two-year anniversary of the by-law being passed expired?

Yes

No

7.11 If the answer is no, the decision of Council, or Director of Planning and Chief Planner that the application for Minor Variance is allowed must be included. Failure to do so may result in an application not being "received" for processing.

## 8 ADDITIONAL INFORMATION

8.1 Number of Dwelling Units Existing: 1

8.2 Number of Dwelling Units Proposed: 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
- 
-



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, 3935

E-mail: [cofa@hamilton.ca](mailto: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

<b>APPLICATION NO.:</b>	<b>DN/A-23:82</b>	<b>SUBJECT PROPERTY:</b>	315 PARK STREET W, DUNDAS
<b>ZONE:</b>	"R2" (Single Detached Residential)	<b>ZONING BY-LAW:</b>	Zoning By-law former Town of Dundas 3581-86, as Amended

**APPLICANTS:**      **Owner:** NATHANIEL DEVRIES & PHILIP WOODLEY

The following variances are requested:

1. A 0.61m rear yard setback shall be permitted instead of the minimum 7.5m rear yard setback required.
2. A 0.61m rear yard setback shall be permitted for an accessory building having a floor area less than 10 square metres, instead of the minimum 1.0m rear yard setback for an accessory building having a floor area less than 10 square metres required.

**PURPOSE & EFFECT:**      To facilitate the establishment of a rear yard carport and accessory building;

**Notes:**

1. Details regarding the height of the proposed shed have not been provided. As such, additional variances may be required at such a time that a complete zoning review can be conducted. Applicant to note the maximum height for an accessory building having a floor area less than 10 square metres is 2.0 metres.
2. It is noted that Park Street West is considered the front lot line for the property in question.

**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.**

**DN/A-23:82**

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

<b>DATE:</b>	<b>Thursday, May 4, 2023</b>
<b>TIME:</b>	<b>10:40 a.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>2<sup>nd</sup> floor City Hall, room 222 (see attached sheet for details), 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>

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
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935

**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, including deadlines for submitting to be seen by the Committee.

**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, including deadlines for registering to participate virtually and instructions for check in to participate in person.

**FURTHER NOTIFICATION**

If you wish to be notified of future Public Hearings, if applicable, regarding DN/A-23:82, 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.

DN/A-23:82



 Subject Lands

DATED: April 18, 2023

---

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

Telephone (905) 546-2424, ext. 4221, 3935

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 or via email in 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 two days before the Hearing.**

Comment packages are available two days 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 the day before the 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 the Wednesday afternoon before the hearing. The link must not be shared with others as it is unique to the registrant.

#### 2. In person Oral Submissions

**Interested members of the public, agents, and owners who wish to participate in person must sign in at City Hall room 222 (2<sup>nd</sup> floor) 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) or by phone at 905-546-2424 ext. 4221.

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.





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	MAILING ADDRESS	
Registered Owners(s)	[REDACTED]		
Applicant(s)			Phone:
			E-mail:
Agent or Solicitor			Phone:
			E-mail:

wing

, hectares,

SETBACK

1.2 All correspondence should be sent to  Purchaser  Owner  
 Applicant  Agent/Solicitor

1.3 Sign should be sent to  Purchaser  Owner  
 Applicant  Agent/Solicitor

1.4 Request for digital copy of sign  Yes\*  No

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

1.5 All correspondence may be sent by email  Yes\*  No

If Yes, a valid email must be included for the registered owner(s) AND the Applicant/Agent (if applicable). Only one email address submitted will result in the voiding of this service. This request does not guarantee all correspondence will sent by email.

**2. LOCATION OF SUBJECT LAND**

2.1 Complete the applicable sections:

Street

Municipal Address	315 PARK AVE W, DUNDAS		
Assessment Roll Number			
Former Municipality	DUNDAS		
Lot	12	Concession	
Registered Plan Number	1443	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:

Construct a storage shed & carport *TO REDUCE THE REAR YARD SETBACK*

Second Dwelling Unit

Reconstruction of Existing Dwelling

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

Lot coverage and setback restrictions not allow for an adequate size carport

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
18.44	19.9	183.6	

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
2 storey siding and stucco dwelling	2.47m	7.5m	9.33m, 1.55m flankage	

## Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
carport & shed	15.04m	0.61m	6.62m, 3.5m flankage	

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
2 storey siding and stucco dwelling	118.1sqm	230.1sqm	2	8.2m

## Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
carport & shed	9.4sqm	9.4sqm	1	

- 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

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:

SEPTEMBER <sup>ND</sup> ~~2022~~ 2021

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:

7.5 What is the existing official plan designation of the subject land?

Rural Hamilton Official Plan designation (if applicable): NEIGHBOURHOODS

Rural Settlement Area: \_\_\_\_\_

Urban Hamilton Official Plan designation (if applicable) NEIGHBOURHOODS

Please provide an explanation of how the application conforms with the Official Plan.

SINGLE ATTACHED DWELLINGS PERMITTED IN THE NEIGHBOURHOODS DESIGNATION.

7.6 What is the existing zoning of the subject land? R2

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: R2

---

7.9 Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*?

Yes       No

If yes, please provide the file number: \_\_\_\_\_

7.10 If a site-specific Zoning By-law Amendment has been received for the subject property, has the two-year anniversary of the by-law being passed expired?

Yes       No

7.11 If the answer is no, the decision of Council, or Director of Planning and Chief Planner that the application for Minor Variance is allowed must be included. Failure to do so may result in an application not being "received" for processing.

**8 ADDITIONAL INFORMATION**

8.1 Number of Dwelling Units Existing: 1

8.2 Number of Dwelling Units Proposed: 1

8.3 Additional Information (please include separate sheet if needed):



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, 3935

E-mail: [cofa@hamilton.ca](mailto: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

<b>APPLICATION NO.:</b>	<b>DN/A-23:75</b>	<b>SUBJECT PROPERTY:</b>	245 MILL STREET, DUNDAS
<b>ZONE:</b>	"I1" (Neighbourhood Institutional)	<b>ZONING BY-LAW:</b>	Zoning By-law City of Hamilton 05-200, as Amended

**APPLICANTS:** Owner: CHRISTIAN SCIENCE SOCIETY  
Agent: NICOLE WILSON

The following variances are requested:

1. To include the uses of a medical clinic and personal service under the permitted uses for the 'I1' Neighbourhood Institutional Zone.

**PURPOSE & EFFECT:** To permit the uses of a medical clinic and personal service within the existing building at 245 Mill St, Dundas.

**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:

<b>DATE:</b>	<b>Thursday, May 4, 2023</b>
<b>TIME:</b>	<b>10:45 a.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>2<sup>nd</sup> floor City Hall, room 222 (see attached sheet for details), 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>

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

**DN/A-23:75**

- 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
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935

**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, including deadlines for submitting to be seen by the Committee.

**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, including deadlines for registering to participate virtually and instructions for check in to participate in person.

**FURTHER NOTIFICATION**

If you wish to be notified of future Public Hearings, if applicable, regarding DN/A-23:75, 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.





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, 3935

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 or via email in 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 two days before the Hearing.**

Comment packages are available two days 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 the day before the 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 the Wednesday afternoon before the hearing. The link must not be shared with others as it is unique to the registrant.

#### 2. In person Oral Submissions

**Interested members of the public, agents, and owners who wish to participate in person must sign in at City Hall room 222 (2<sup>nd</sup> floor) 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) or by phone at 905-546-2424 ext. 4221.

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.

Dear Committee of Adjustment,

Thank you for your time in reviewing my Application for a Minor Variance/Permission. This application is being submitted with the greatest hope that a minor variance/permission can be made to the current Institutional (I1) Zoning, of 245 Mill St. in Dundas, to allow for the addition of my use, a wellness centre. I have conditionally purchased this property with hopes that my wellness centre (chiropractic, physiotherapy, massage and naturopathy) will be permitted under the existing zoning. Our wellness centre is of complimentary use, as it is intended to serve local residents, as per UHOP Policy E.3.2.1. and we would blend well into the neighbourhood as we value a calm, relaxing and quiet environment.

As the current building is perfectly sized for our needs, I will keep the existing building footprint and plan only interior renovations that include adding accessibility with a main floor bathroom and entrance. Of great benefit, the 18 existing parking spaces on this property surpass the parking requirements (10 parking spaces) for a medical clinic as outlined by the City of Hamilton for this building size. I am happy to invest in a full parking survey, prior to submitting for a building/renovation permit, once I fully own the property.

Sadly, I have had great difficulty in purchasing property in Dundas for the past 7 years, as COVID and larger deep-pocketed out-of-town buyers have outbid me with cash and no conditions. Unfortunately, in my situation, I must rely on financing. My financing is contingent upon not only my personal finances, but also on zoning, environmental and inspection assessments and approvals all at my own expense and prior to owning the property.

I am hopeful that the existence of a similar health clinic nearby, operating in an R4 Zoning, will bode favourably for me in my request for my additional use to be granted. Specifically, Prosia Total Health is locations on 50 Park St W, Dundas, ON L9H 1X2.

I am ecstatic that my offer for this property was accepted. The current owners expressed that they liked my similar use of supporting the community and, I believe, they too liked that I am a Dundasian, a regular mom of 3 amazing kids, a Dundas business owner, and Chair of the annual Dundas Terry Fox Run. I have worked so hard for this opportunity. I am a steel worker's daughter and have worked tirelessly to put myself through school and to build a clinic that is filled with passionate caregivers, the majority who also live and raise their families in Dundas. This opportunity is more than just a building to me.

I understand that a Zoning By-law Amendment is the preferred application, as the Neighbourhood Institutional (I1) Zone does not permit a professional service-type use, however, as a small business and parent, I sadly cannot finance, nor risk, the \$29,000 cost on a property that I do not own as of yet.

I have not submitted for a Zoning Compliance Review, as I was informed by the Zoning staff that the staff will complete a fulsome zoning review when a Minor Variance application is submitted. Similarly, I did not apply for a Zoning Verification, as I was informed by Zoning staff that, in my situation, it would not add value as Zoning staff confirmed the current church use and therefore any previously established uses would not be recognized. As I understand, these forms would not provide any value in my situation.

Thank you so much for your time. Your consideration is greatly appreciated.  
I welcome any questions.

Sincerely,



Nicole Wilson

Letter of Permission

March 21, 2023

To whom it may concern,

To whom it may concern:

The below signed are the signing authority for Christian Science Society, Hamilton as Owner of 245 Mill Street in Dundas Ontario and give permission to Nicole Wilson, as a potential Owner under a conditional Offer to Purchase, to request any, and all, information from the municipality and to apply for any permits, applications, variances etc. as may be required for her own due diligence in purchasing this property for her intended use.

Owner(s) Authorization (Corporation)

As of the date of this application, I (Name/s)

Marjorie Verhoeven,  
Margaret Hollinshead, and  
Leo Siroky

having signing authority for Christian Science Society, that is the registered Owner of the lands described in this application, and I have examined the contents of this application and hereby certify that the information submitted with the application is correct insofar as I have knowledge of these facts, and I hereby authorize Nicole Wilson of The Health Centre Integrative Therapies, as a potential Owner under a conditional Offer to Purchase, to act as my agent in this matter and to provide any of my personal information that will be included in this application or collected during the processing of the application.

Christian Science Society, Hamilton

Marjorie Verhoeven  
Marjorie Verhoeven

Date: MAR. 22, 2023

M. Hollinshead  
Margaret Hollinshead

Date: March 22, 2023

Leo Siroky  
Leo Siroky

Date: March 22, 2023



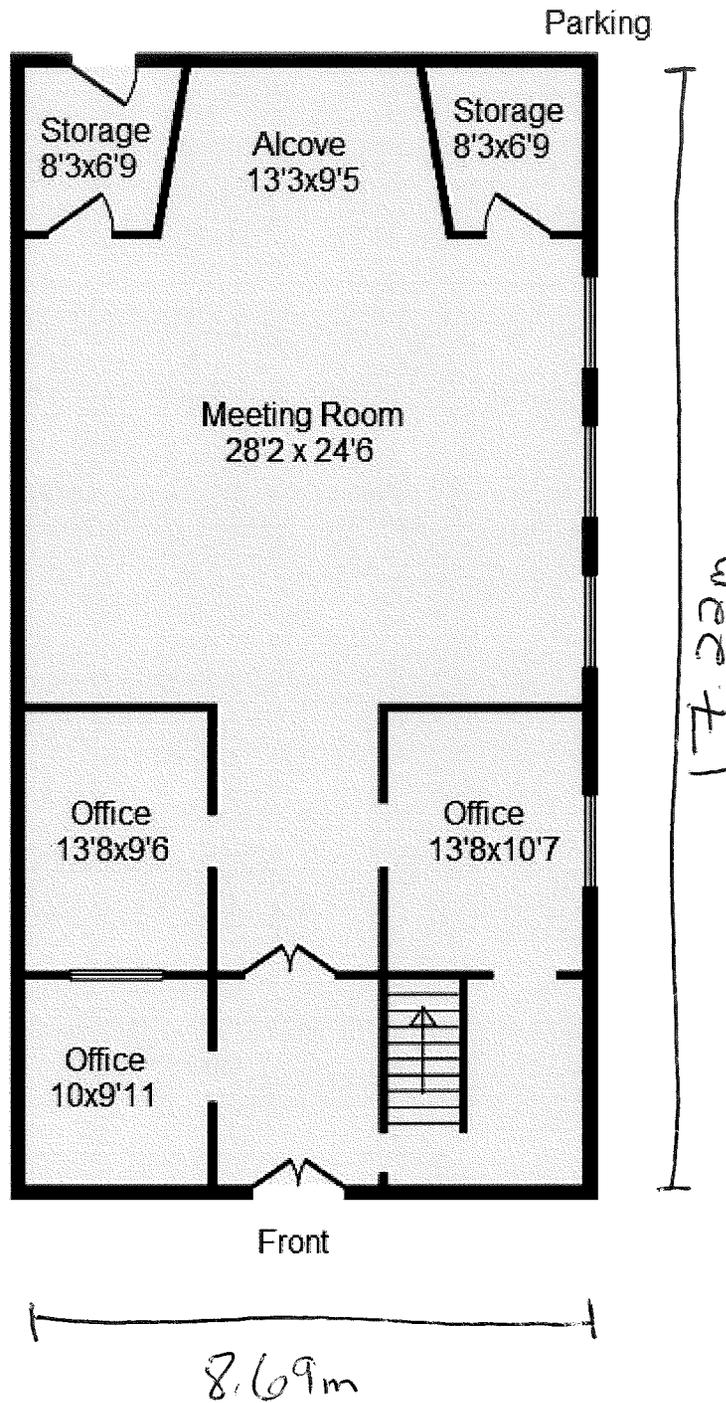
PT LOT 9, BLOCK 41, PLAN 1443 , AS IN VM86801 ; PT LOT 9, BLOCK 41, PLAN 1443 , PT LOT 10, BLOCK 41, PLAN 1443 , AS IN VM162479 ;  
DUNDAS CITY OF HAMILTON

245 Mill St  
Dundas, ON L9H 2L6  
Scale: 1:200

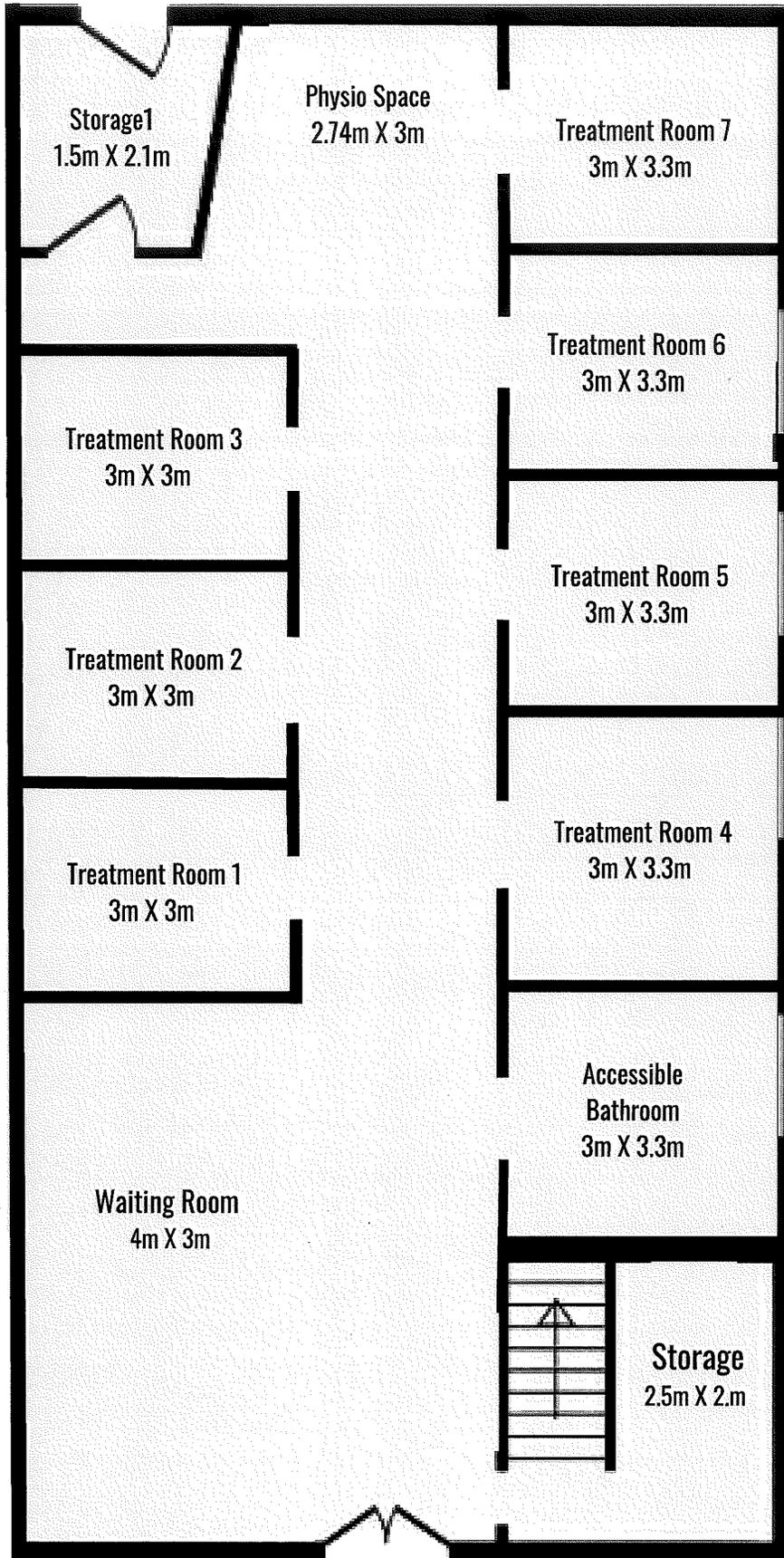
\*No change to site plan requested

22

# Existing Building/Footprint



# Planned Interior Renovations (No change to exterior)



17.22m

Front

8.69m

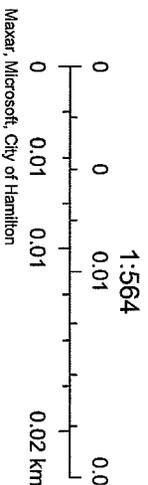
# Interactive Zoning



3/16/2023, 6:43:55 PM

- Ward Boundary
- Community Boundary
- City Boundary
- Urban Boundary
- Property Parcels
- Zoning Compliance Review Required

- Zoning Boundaries
- Interim Control By-Laws



The City of Hamilton is not liable for any damages resulting from this product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or survey)

### E.3.0 NEIGHBOURHOODS DESIGNATION

Hamilton's neighbourhoods are diverse, ranging from old, historic areas of the City, to newly developed subdivisions. Each neighbourhood has its own unique character. Together, neighbourhoods create the rich mosaic of the City.

Neighbourhoods provide the context for daily life for citizens. Neighbourhoods are “living areas” - places where we live, learn, play and socialize on a daily basis. The designation “Neighbourhoods” recognizes that our neighbourhoods are made up of more than just homes, but include a variety of land uses. The mix of uses is important in a neighbourhood. Also important are the relationships between these uses, the locations of the uses, how they function together, how they are designed, and how they are accessed by local residents.

The intent of the Neighbourhoods designation is to describe neighbourhood functions, identify appropriate scales of *development* and design requirements for various land uses, and allow for the continued evolution of neighbourhoods.

#### 3.1 Policy Goals

The following goals apply to the Neighbourhoods land use designation:

- 3.1.1 Develop compact, mixed use, transit-supportive, and *active transportation* friendly neighbourhoods.
- 3.1.2 Develop neighbourhoods as part of a *complete community*, where people can live, work, shop, learn, and play.
- 3.1.3 Plan and designate lands for a range of housing types and densities, taking into account *affordable* housing needs.
- 3.1.4 Promote and support design which enhances and respects the character of existing neighbourhoods while at the same time allowing their ongoing evolution.
- 3.1.5 Promote and support *residential intensification* of appropriate scale and in appropriate locations throughout the neighbourhoods.

#### 3.2 Neighbourhoods Designation – General Policies

##### Function

- 3.2.1 Areas designated Neighbourhoods shall function as *complete communities*, including the full range of residential dwelling types and densities as well as supporting uses intended to serve the local residents.
- 3.2.2 The Neighbourhoods designation applies to lands generally greater than 4 hectares in size designated Neighbourhoods on Schedule E-1 – Urban Land Use Designations.
- 3.2.3 The following uses shall be permitted on lands designated Neighbourhoods on Schedule E-1 – Urban Land Use Designations:
  - a) residential dwellings, including second dwelling units and *housing with supports*;

## Chapter E – Urban Designations

---

- b) open space and parks;
- c) local *community facilities/services*; and,
- d) local commercial uses.

### Scale and Design

- 3.2.4** The existing character of established Neighbourhoods designated areas shall be maintained. *Residential intensification* within these areas shall enhance and be *compatible* with the scale and character of the existing residential neighbourhood in accordance with Section B.2.4 – Residential Intensification and other applicable policies of this Plan.
- 3.2.5** Individual supporting uses in the Neighbourhoods designation shall be no greater than 4 hectares in size.
- 3.2.6** Supporting uses such as local commercial, *community facilities/services*, and open space and parks, should be clustered to create a focal point for the neighbourhood and to facilitate access by all forms of transportation.
- 3.2.7** The City shall require quality urban and architectural design. *Development* of lands within the Neighbourhoods designation shall be designed to be safe, efficient, pedestrian oriented, and attractive, and shall comply with the following criteria:
- a) New *development* on large sites shall support a grid system of streets of pedestrian scale, short blocks, street oriented structures, and a safe and attractive public realm.
  - b) Garages, parking areas, and driveways along the public street shall not be dominant. Surface parking between a building and a public street (excluding a public alley) shall be minimized.
  - c) Adequate and direct pedestrian access and linkages to *community facilities/services* and local commercial uses shall be provided.
  - d) *Development* shall improve existing landscape features and overall landscape character of the surrounding area.
  - e) *Development* shall comply with Section B.3.3 – Urban Design Policies and all other applicable policies.
- 3.2.8** Proposals for supporting uses, except local commercial uses, within the Neighbourhoods designation shall be evaluated on the following criteria:
- a) *compatibility* with the surrounding area in terms of scale, massing, height, siting, orientation, setbacks, parking, and landscaping;
  - b) access to a collector or major or minor arterial road shall be preferred;
  - c) provision of adequate off-street parking with appropriate buffering and landscaping from residential uses;
  - d) compliance with Section B.3.3 – Urban Design Policies and B.3.5 – Community Facilities/Services Policies; and,



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	MAILING ADDRESS	
Registered Owners(s)			
Applicant(s)			
Agent or Solicitor			Phone:
			E-mail:

1.2 All correspondence should be sent to  Purchaser  Owner  
 Applicant  Agent/Solicitor

1.3 Sign should be sent to  Purchaser  Owner  
 Applicant  Agent/Solicitor

1.4 Request for digital copy of sign  Yes\*  No

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

1.5 All correspondence may be sent by email  Yes\*  No

If Yes, a valid email must be included for the registered owner(s) AND the Applicant/Agent (if applicable). Only one email address submitted will result in the voiding of this service. This request does not guarantee all correspondence will sent by email.

**2. LOCATION OF SUBJECT LAND**

2.1 Complete the applicable sections:

Municipal Address	245 Mill St. Dundas, ON L9H 2L6		
Assessment Roll Number	2518 2601 400 7800		
Former Municipality	Dundas		
Lot		Concession	
Registered Plan Number	Plan 1443, Block 41	Lot(s)	
Reference Plan Number (s)		Part(s)	9 & 10

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:

- Additional use request (Current Place of Worship - to a Wellness Centre)
- No change to exterior/footprint of building, nor existing parking lot
- Only interior renovations (treatment rooms and an accessible bathroom added on main floor)

Second Dwelling Unit

Reconstruction of Existing Dwelling

*not a dwelling now*

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

The use is not permitted

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
21.946m	36.576m	802.696m	20m

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
Building	15.53m	12.1m	10.9m(East), 1.4m(West)	No change to exiting building

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Building (same as above)	no change to buidling footprint	no change to buidling footprint	no change to buidling footprint	*No change to existing building

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
Building	167.22sqm	167.22sqm	1	4.57m

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Building	167.22sqm	167.22sqm	1	4.57m
*No change to existing building				

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.):

Wellness Centre/office (Personal Services/Medical Clinic)  
(chiropractic, physiotherapy, massage, naturopathy)

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

Single detached dwellings

## 7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:

- May 5, 2023 proposed as per APS

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

- Place of Worship

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

- Place of Worship

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

- 21 years

7.5 What is the existing official plan designation of the subject land?

Rural Hamilton Official Plan designation (if applicable): not applicable

Rural Settlement Area: not applicable

Urban Hamilton Official Plan designation (if applicable) Neighbourhoods

Please provide an explanation of how the application conforms with the Official Plan.

Our intended use is to serve local residents, As per UHOP Policy E.3.2.1

Our clinic operates with a focus on creating a calm, relaxing, and quiet environment/community.

7.6 What is the existing zoning of the subject land? I1 - Residential Institutional

7.8 Has the owner previously applied for relief in respect of the subject property?

(Zoning By-law Amendment or Minor Variance)

- Yes  No

If yes, please provide the file number: \_\_\_\_\_

---

7.9 Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*?

Yes  No

If yes, please provide the file number: \_\_\_\_\_

7.10 If a site-specific Zoning By-law Amendment has been received for the subject property, has the two-year anniversary of the by-law being passed expired?

Yes  No (N/A)

7.11 If the answer is no, the decision of Council, or Director of Planning and Chief Planner that the application for Minor Variance is allowed must be included. Failure to do so may result in an application not being "received" for processing.

## 8 ADDITIONAL INFORMATION

8.1 Number of Dwelling Units Existing: 1

8.2 Number of Dwelling Units Proposed: 1

8.3 Additional Information (please include separate sheet if needed):

- No changes to exterior of existing building or parking lot
- Interior renovations only (adding treatment rooms and accessible bathroom)
- Dividing spaces with separate HVAC and electrical
- Adding accessible front entrance (door/ramp)

## 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

---

---



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, 3935

E-mail: [cofa@hamilton.ca](mailto: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

<b>APPLICATION NO.:</b>	<b>DN/A-23:78</b>	<b>SUBJECT PROPERTY:</b>	27 CONCORD AVENUE, DUNDAS
<b>ZONE:</b>	"R2" (Single-Detached Residential)	<b>ZONING BY-LAW:</b>	Zoning By-law former Town of Dundas 3581-86, as Amended

**APPLICANTS:**      **Owner:** TIM MIUCCIO  
                                 **Agent:** BM ARCHITECTURAL DESIGN C/O BENJAMIN MCFADGEN

The following variances are requested:

1. A minimum 3.0m southerly side yard shall be permitted instead of the minimum 5.0m side yard required.

**PURPOSE & EFFECT:** To facilitate the construction of a new side yard addition to the existing dwelling.

**Notes:**

Details regarding any proposed eave/gutter projection were not shown on the submitted plans. Upon approval of the requested 3.0m side yard, an eave/gutter shall maintain a setback of 2.0m from the southerly side lot line. Otherwise, further variances shall be required.

The applicant shall ensure that the unenclosed porch is not deemed to be enclosed as per Section 6.6.9 of the Dundas Zoning By-law 3581-86; otherwise, further variances shall be required.

**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, May 4, 2023</b>
<b>TIME:</b>	<b>10:50 a.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>

**DN/A-23:78**

	<b>2<sup>nd</sup> floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton</b>
	<b>To be streamed (viewing only) at <a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a></b>

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
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935

**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, including deadlines for submitting to be seen by the Committee.

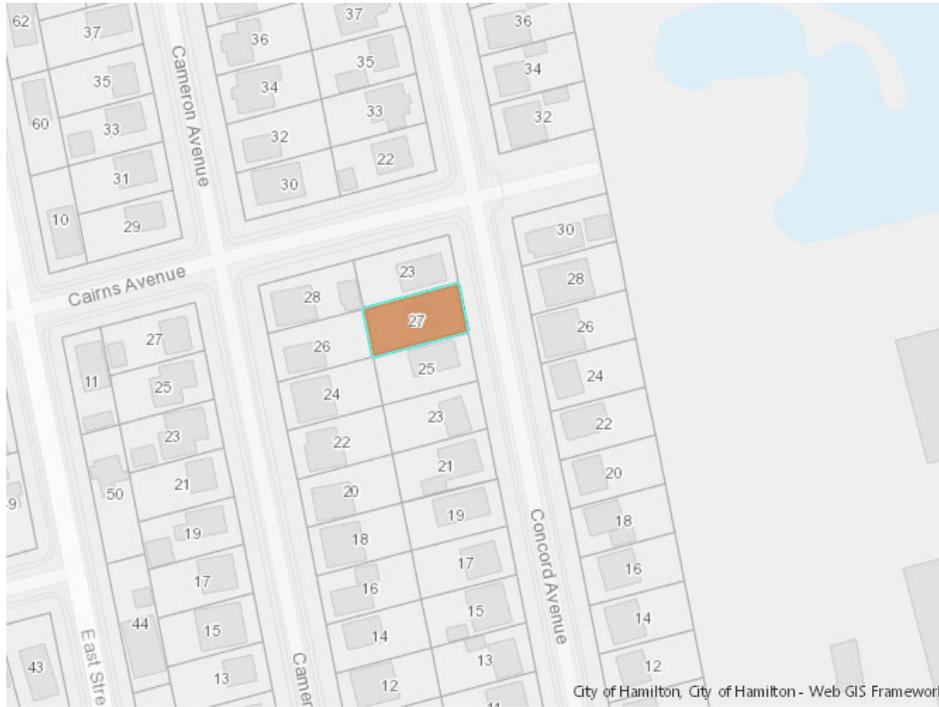
**Orally:** If you would like to speak to this item at the hearing you may do so via video link, calling in, or attending in person. Please see attached page for complete instructions, including deadlines for registering to participate virtually and instructions for check in to participate in person.

**FURTHER NOTIFICATION**

If you wish to be notified of future Public Hearings, if applicable, regarding DN/A-23:78, 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.

DN/A-23:78



DATED: April 18, 2023

---

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

Telephone (905) 546-2424, ext. 4221, 3935

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 or via email in 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 two days before the Hearing.**

Comment packages are available two days 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 the day before the 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 the Wednesday afternoon before the hearing. The link must not be shared with others as it is unique to the registrant.

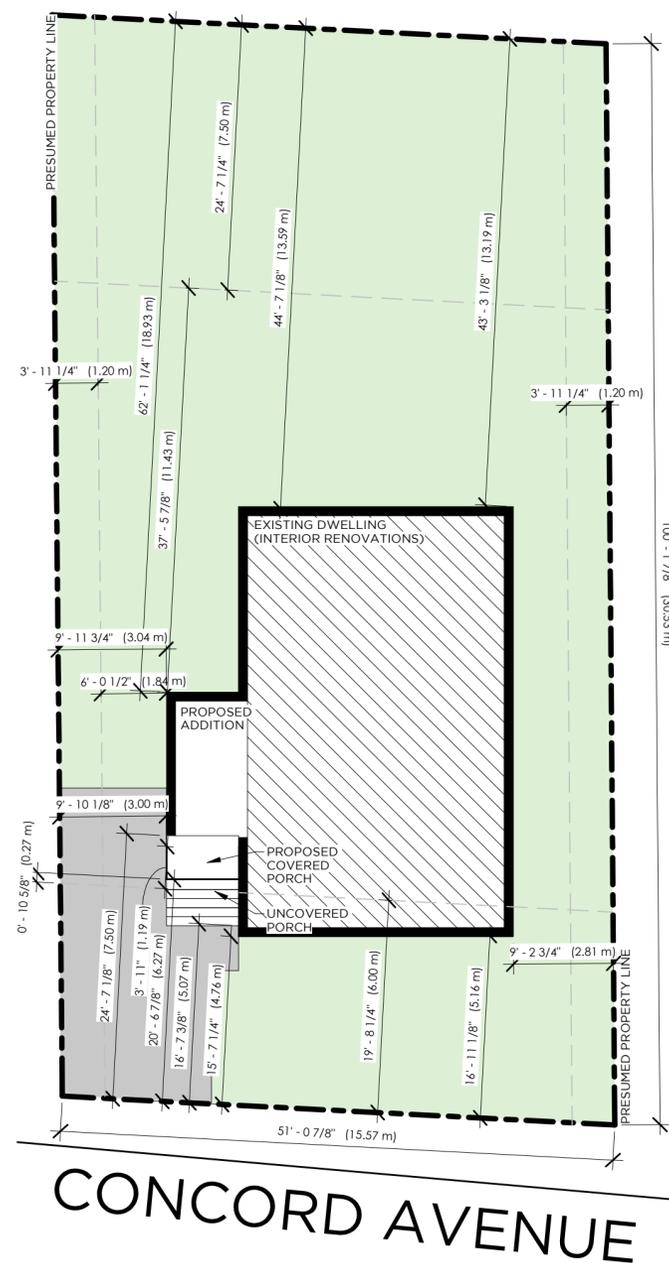
#### 2. In person Oral Submissions

**Interested members of the public, agents, and owners who wish to participate in person must sign in at City Hall room 222 (2<sup>nd</sup> floor) 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) or by phone at 905-546-2424 ext. 4221.

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.

# MIUCCIO RES. ADDITION



1 Proposed Site Plan  
1" = 10'-0"

**QUALIFICATION INFORMATION**

I BENJAMIN MCFADGEN REVIEW & TAKE RESPONSIBILITY FOR THE DESIGN WORK ON BEHALF OF A FIRM REGISTERED UNDER SUBSECTION 3.2.4. OF DIVISION C OF THE BUILDING CODE. I AM QUALIFIED, AND THE FIRM IS REGISTERED, IN THE APPROPRIATE CLASSES/CATEGORIES

NAME: *Benjamin McFadgen* BCIN: 102786  
BENJAMIN MCFADGEN 102786  
BM DESIGN STUDIO INC. 108614

**BM ARCHITECTURAL DESIGN**

58 Hackney Ridge, Brantford, Ontario  
benjamin@bmarchitecturaldesign.com  
519.721.4866

**PROJECT**

Renovation & Addition  
**Miuccio Residence**

27 Concord Ave Dundas, ON

DRAWING NAME: **Cover Page** DRAWING NO.: **A001**



Hamilton

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

**1. APPLICANT INFORMATION**

	NAME	MAILING ADDRESS	
Registered Owners(s)			
Applicant(s)			
Agent or Solicitor			

1.2 All correspondence should be sent to  Purchaser  Owner  
 Applicant  Agent/Solicitor

1.3 Sign should be sent to  Purchaser  Owner  
 Applicant  Agent/Solicitor

1.4 Request for digital copy of sign  Yes\*  No

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

1.5 All correspondence may be sent by email  Yes\*  No

If Yes, a valid email must be included for the registered owner(s) AND the Applicant/Agent (if applicable). Only one email address submitted will result in the voiding of this service. This request does not guarantee all correspondence will sent by email.

**2. LOCATION OF SUBJECT LAND**

2.1 Complete the applicable sections:

Municipal Address	27 Concord Ave, Hamilton, ON		
Assessment Roll Number			
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:

Seeking relief from 5m sideyard setback to construct addition. The proposed sideyard setback is 3m

Second Dwelling Unit

Reconstruction of Existing Dwelling

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

The space between the house and property line does not allow room to expand as desired and we are still allowing for 3 m on that side

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
15.6m	30.5m	475sm	7m

- 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
House	4.76m	13.19m	2.81m & 5m	

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Home addition	7.5m	18.93m	3m	05/19/2023

- 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
House	94sm	94sm	1	5.5m

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
House addition	9.8sm	9.8sm	1	4.73m

- 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 Family Dwelling Unit

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

**7 HISTORY OF THE SUBJECT LAND**

7.1 Date of acquisition of subject lands:

NA July 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:

NA 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) Schedule E + E1: neighborhoods

Please provide an explanation of how the application conforms with the Official Plan.  
Intensification of residential use and properties in Hamilton

7.6 What is the existing zoning of the subject land? R2

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: R2

is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*?

Yes

No

If yes, please provide the file number: \_\_\_\_\_

7.10 If a site-specific Zoning By-law Amendment has been received for the subject property, has the two-year anniversary of the by-law being passed expired?

Yes

No

7.11 If the answer is no, the decision of Council, or Director of Planning and Chief Planner that the application for Minor Variance is allowed must be included. Failure to do so may result in an application not being "received" for processing.

**8 ADDITIONAL INFORMATION**

8.1 Number of Dwelling Units Existing: 1

8.2 Number of Dwelling Units Proposed: 1

8.3 Additional Information (please include separate sheet if needed):

Proposed setback of 3 meters for an addition to the right side of the home to allow for new stair well and better functioning interior space of dining room, kitchen and family room.

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

---

---