City of Hamilton
COMMITTEE OF ADJUSTMENT
AGENDA

Meeting #:	24-19
Date:	October 22, 2024
Time:	1:00 p.m.
Location:	Council Chambers Hamilton City Hall 71 Main Street West

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

Pages

1. PREVIOUSLY TABLED

2. EAST DEVELOPMENT

   2.1 1:15 p.m. B-24:49 3417 Tyneside Road & 3325 Tyneside Road, Glanbrook (Ward 11) — 3

   Agent UrbanSolutions Planning & Land Development Consultants Inc. – M. Johnston

   Applicants Gatestone Law – P. Kuca (S. Sergio)

   Owners K. Aquin & R. Bennison (Dudzic Law – M. Dudzic)

   2.2 1:15 p.m. A-24:188 3417 Tyneside Road & 3325 Tyneside Road, Glanbrook (Ward 11) — 21

   Agent UrbanSolutions Planning & Land Development Consultants Inc. – M. Johnston

   Applicants Gatestone Law – P. Kuca (S. Sergio)

   Owners K. Aquin & R. Bennison (Dudzic Law – M. Dudzic)

3. WEST DEVELOPMENT

3.1 1:20 p.m. A-24:208 0 Portia Drive, Ancaster (Ward 12) 37

Agent UrbanSolutions Planning & Land Development Consultants Inc. – M. Johnston

Owner Duff's Corner Developments Inc.

3.2 1:25 p.m.A-24:20946 Beulah Avenue, Hamilton (Ward 1) *WITHDRAWN* 51

Agent J. Vanderherberg
Applicant T. Haines & O. Knutton
Owner A. Haines

3.3 1:30 p.m. A-24:205 71 Rebecca Street, Hamilton (Ward 2) 71

Agent A.J. Clarke & Associates Ltd. – R. Ferrari

Owner Hi Rose (Rebecca) Inc. – S. Guglietti

3.4 1:35 p.m. A-24:206 47 - 49 Ontario Avenue, Hamilton (Ward 3) 103

Applicant King Homes Inc. – K. Bekendam

Owner OJM Realty Inc. – T. Nguyen

3.5 1:40 p.m. A-24:207 663 Beach Boulevard, Hamilton (Ward 5) [East] 125

Applicant L. Angelici

Owner C. Camarro

3.6 1:45 p.m. A-24:211 953 Concession 5 Road West, Flamborough (Ward 13) 141

Agent Sarah Brown Home Design Inc. – S. Brown

Owner K. Edmondson

3.7 1:50 p.m. A-24:217 1135 Stone Church Road East., Hamilton (Ward 6) [East] 155

Agent Arcadis Professional Services Inc. (J. Ariens)

Applicant New Apostolic Church Canada

Owners N.F. & S. S. Chin

4. CLOSED

5. ADJOURNMENT

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

NOTICE OF PUBLIC HEARING
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

APPLICATION NO.:	**B-24:49**	**SUBJECT PROPERTY:**	3417 Tyneside Road, Glanbrook

APPLICANTS: Owner: Kyle Aquin & Rachel Bennison c/o Mark Dudzic Law
Applicant: Sandra Sergion c/o Phillip Kuca, Gatestone Law
Agent: Urban Solutions Planning& Land Developmnent Inc. c/o Matt Johnston

PURPOSE & EFFECT: To permit the conveyance of a parcel of land to be added to property known municipally as 3325 Tyneside Road.

	Frontage	**Depth**	**Area**
SEVERED LANDS:	236.36 m±	Varies m±	9.0 ha±
RETAINED LANDS:	768.20 m±	Varies m±	6.7 ha±

Associated Planning Act File(s): A-24:188

This Notice must be posted by the owner of any land which contains seven or more residential units so that it is visible to all residents.

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

DATE:	**Tuesday, October 22, 2024**
TIME:	**1:15 p.m.**
PLACE:	**City Hall Council Chambers (71 Main St. W., Hamilton)**
	To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment

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

- Visit www.hamilton.ca/committeeofadjustment

B-24:49

- Visit Committee of Adjustment staff at 5th floor City Hall, 71 Main St. W., Hamilton

PUBLIC INPUT

Written: If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Please see attached page for complete instructions, written comments must be received no later than noon **October 18, 2024**

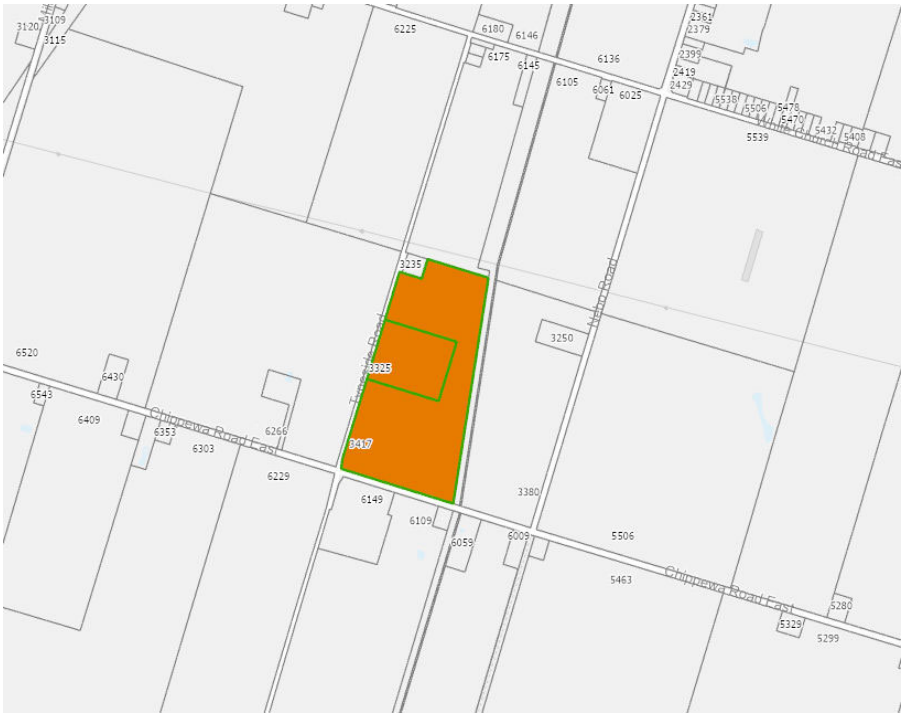
Orally: If you would like to speak to this item at the hearing you may do so via video link, calling in, or attending in person. Please see attached page for complete instructions, registration to participate virtually must be received no later than noon **October 22, 2024**

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding B-24:49, you must submit a written request to cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5**.**

If you wish to be provided the Notice of Decision of the proposed consent, you must make a written request to the Secretary-Treasurer of The City of Hamilton Committee of Adjustment by email at cofa@hamilton.ca or by mail through City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5.

B-24:49



DATED: October 3, 2024

_____

Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

Information respecting this application is being collected under the authority of the Planning Act, R.S.O., 1990, c. P. 13. All comments and opinions submitted to the City of Hamilton on this matter, including the name, address, and contact information of persons submitting comments and/or opinions, will become part of the public record and will be made available to the Applicant and the general public.

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.

COMMITTEE OF ADJUSTMENT

City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5

Telephone (905) 546-2424, ext. 4221

E-mail: cofa@hamilton.ca

PARTICIPATION PROCEDURES

Written Submissions

Members of the public who would like to participate in a Committee of Adjustment meeting are able to provide comments in writing advance of the meeting. Comments can be submitted by emailing cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5. **Comments must be received by noon on the date listed on the Notice of Public Hearing.**

Comments are available the Friday prior to the Hearing and are available on our website: **www.hamilton.ca/committeeofadjustment**

Oral Submissions

Members of the public are also able to provide oral comments regarding Committee of Adjustment Hearing items by participating Virtually through Webex via computer or phone or by attending the Hearing In-person. Participation Virtually requires pre-registration in advance. Please contact staff for instructions if you wish to make a presentation containing visual materials.

1. Virtual Oral Submissions

Interested members of the public, agents, and owners **must register by noon on the day listed on the Notice of Public Hearing to** participate Virtually.

To register to participate Virtually by Webex either via computer or phone, please contact Committee of Adjustment staff by email cofa@hamilton.ca. The following information is required to register: Committee of Adjustment file number, hearing date, name and mailing address of each person wishing to speak, if participation will be by phone or video, and if applicable the phone number they will be using to call in.

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

2. In person Oral Submissions

Interested members of the public, agents, and owners who wish to participate in person may attend Council Chambers on the date and time listed on the Notice of Public Hearing. Please note, you will be required to provide your name and address for the record. It is advised that you arrive **no less than 10 minutes** before the time of the Public Hearing as noted on the Notice of Public Hearing.

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

Please note: Webex (video) participation requires either a compatible computer or smartphone and an application (app/program) must be downloaded by the interested party in order to participate. It is the interested party's responsibility to ensure that their device is compatible and operating correctly prior to the Hearing.

SITE STATISTICS CHART

(A1) ZONING BY-LAW		3325 TYNESIDE		3417 TYNESIDE	
ITEMS	REQUIRED	EXISTING	PROPOSED	EXISTING	PROPOSED
Lot Frontage	-	±182.80 m	±419.16 m	± 768.20 m	± 531.85 m
Lot Area	40.4 ha	±4.1 ha	±13.1 ha	±15.7 ha	±6.7 ha
Lot Width	30.0m	±182.80 m	VARIES	VARIES	±275.70 m
Front Yard	15.0m	±118.80 m	±118.80 m	±40.0 m	±40.0 m
Side Yard	15.0m	±38.46 m	±38.46 m	±35.0 m	±35.0 m
Rear Yard	15.0m	±67.67 m	±139.58 m	±588.06 m	±200.54 m
Use	-		Agricultural		

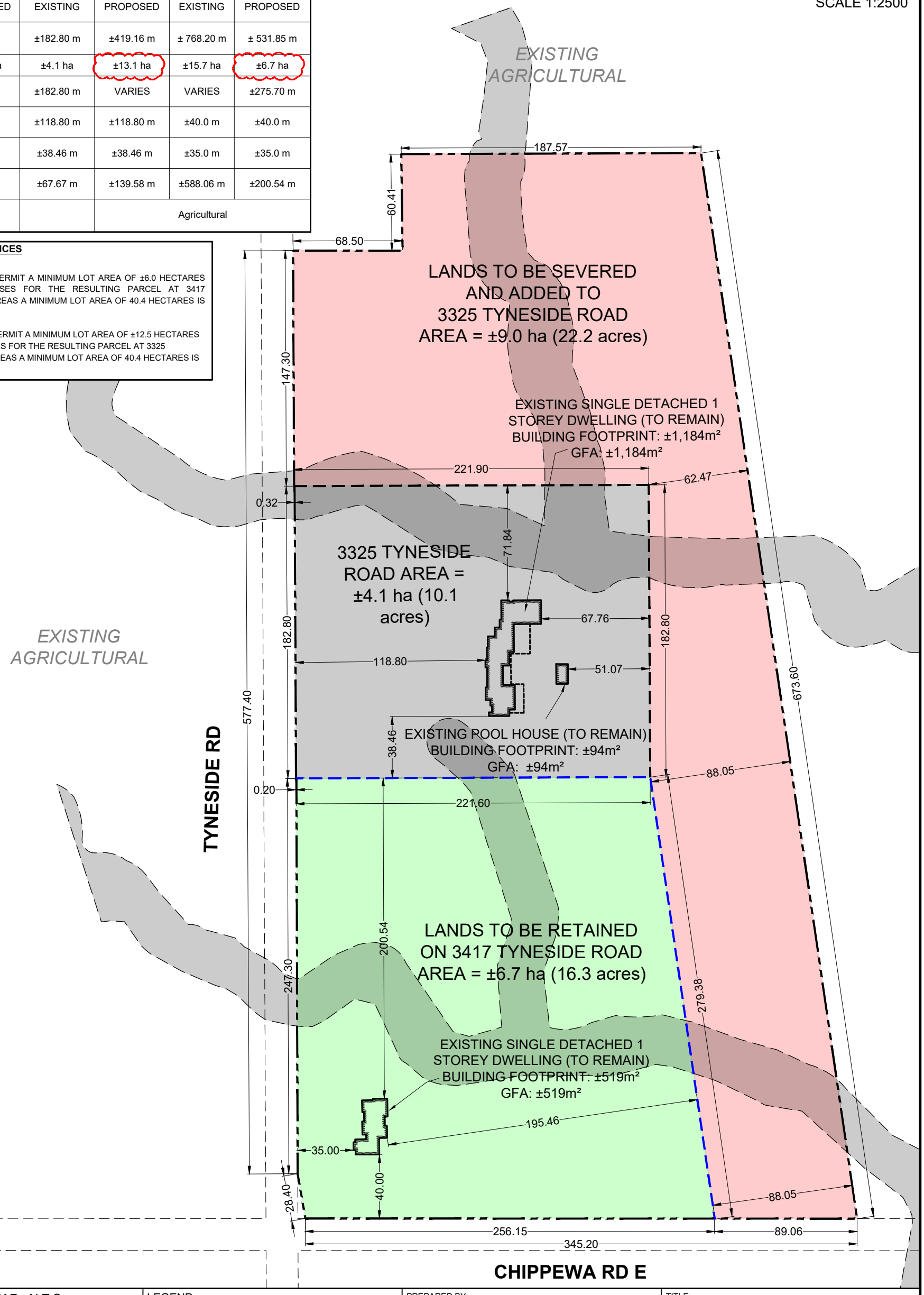
REQUESTED VARIANCES

VARIANCE NO.1 - TO PERMIT A MINIMUM LOT AREA OF ±6.0 HECTARES FOR AGRICULTURE USES FOR THE RESULTING PARCEL AT 3417 TYNESIDE ROAD, WHEREAS A MINIMUM LOT AREA OF 40.4 HECTARES IS REQUIRED.

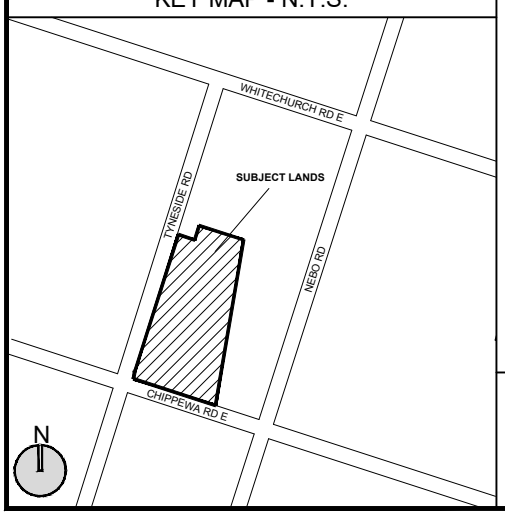
VARIANCE NO. 2 - TO PERMIT A MINIMUM LOT AREA OF ±12.5 HECTARES FOR AGRICULTURE USES FOR THE RESULTING PARCEL AT 3325 TYNESIDE ROAD, WHEREAS A MINIMUM LOT AREA OF 40.4 HECTARES IS REQUIRED.

N

SCALE 1:2500



KEY MAP - N.T.S.



LEGEND:

- SUBJECT LANDS
- PROPOSED SEVERANCE LINE
- EXISTING BUILDINGS
- LANDS SEVERED FROM 3417 TYNESIDE RD
- LANDS RETAINED ON 3417 TYNESIDE RD
- 3325 TYNESIDE RD
- EXISTING NPCA REGULATED AREA

SCALE 1:2500
METRES
0 50 100

PREPARED BY:

URBAN SOLUTIONS
PLANNING & LAND DEVELOPMENT

3 STUDEBAKER PLACE, UNIT 1
HAMILTON, ON L8L 0C8
905-546-1087 - urbansolutions.info

NOT FOR CONSTRUCTION
ISSUED FOR REVIEW & COMMENTS ONLY

NOTES:
ALL DIMENSIONS SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

TITLE:

COMMITTEE OF ADJUSTMENT SKETCH

PROJECT:
3325 & 3417 TYNESIDE ROAD
CITY OF HAMILTON

CLIENT:
KYLE AQUIN & RACHEL BENNISON

DESIGN BY: L. TAIBI	CHECKED BY: S. ERICKSON
DRAWN BY: L. TAIBI	DATE: JULY 24, 2024
U/S FILE NUMBER: 507-24	SHEET NUMBER: 1

C:\Users\LucasTaibi\Urban Solutions\Active Projects - Documents\507-24 - 3417 & 3325 Tyneside Road, Hamilton\2 - Drawings\1 - UrbanSolutions\Severance\507-24_SV_2024-07-22.dwg

URBAN SOLUTIONS
est. 2014
10 Years
PLANNING & LAND DEVELOPMENT

August 1, 2024

507-24

Via Email & Delivered

Ms. Jamila Sheffield
Secretary Treasurer
Committee of Adjustment

City of Hamilton
71 Main Street West, 5th Floor
Hamilton, ON L8P 4Y5

Dear Ms. Sheffield,

RE: 3417 & 3325 TYNESIDE ROAD, GLANBROOK
Application for Consent to Sever and Minor Variance to the City of Hamilton Zoning By-law No. 05-200

UrbanSolutions Planning & Land Development Consultants Inc. (UrbanSolutions) have been retained by Kyle Aquin & Rachel Bennison, the registered owners of 3417 Tyneside Road, in the former Township of Glanbrook. On their behalf, UrbanSolutions is pleased to submit the enclosed Consent to Sever and Minor Variance applications.

Proposal

The subject lands are comprised of two parcels, 3417 and 3325 Tyneside Road, at the northeast corner of Tyneside Road and Chippewa Road in Glanbrook. The locale is comprised of both rural, non-farm residences as well as large-scale agricultural operations. The lands at 3417 Tyneside Road are an irregularly 'U-shaped' corner lot at the northeast corner of Chippewa Road East and Tyneside Road, with an area of ±15.7-hectares and ±768.30 metres of combined frontage along Tyneside Road and Chippewa Road East. The lands at 3325 Tyneside Road are comprised of a square-shaped, ±4.1-hectare parcel with ±182.80 metres of frontage along the east side of Tyneside Road, and are surrounded by 3417 Tyneside Road. Each parcel currently supports a single detached dwelling which is a permitted use, while 3417 Tyneside Road also supports farming on the majority of the property, forming part of a larger agricultural operation spanning across numerous neighbouring properties.

The purpose of this application is to transfer a ±9-hectare portion of land from 3417 Tyneside Road to merge with 3325 Tyneside Road. No lot creation is proposed and the farming practice will continue following the approval of the lot line adjustment. In order to facilitate this proposal for the transfer of lands between the two parcels, consent to sever and a minor variance to the Zoning By-law is required as follows:

Minor Variance No. 1 – To permit a minimum lot area of ±6.0 hectares for Agriculture uses for the resulting parcel at 3417 Tyneside Road, whereas a minimum lot area of 40.4 hectares is required.

Minor Variance No. 2 – To permit a minimum lot area of ±12.5 hectares for Agriculture uses for the resulting parcel at 3325 Tyneside Road, whereas a minimum lot area of 40.4 hectares is required.

Specifically, the lot area adjustments are outlined in the following table:

Parcel	Existing Area	Proposed Area	Net Change
3325 Tyneside	±4.1 ha	±13.1 ha	±9 ha Added
3417 Tyneside	±15.7 ha	±6.7 ha	±9 ha Removed

This application is similar to the Consent to Sever and Minor Variance applications at 6105 and 6061 White Church Road, which both received support from Staff. The Consent to Sever application obtained conditional approval to transfer a 0.1-hectare portion of land to an abutting parcel on December 8, 2024 (GL/B-22:115), and the Minor Variance application was subsequently approved by the Committee of Adjustment on June 15, 2023 (GL/A-23:116) to permit a smaller minimum lot area for the agricultural use.

Policy Framework

The subject lands are both designated '*Protected Countryside*' and are within a *Prime Agricultural Area* according to the Greenbelt Plan. The subject lands are also designated as '*Agriculture*' in the Rural Hamilton Official Plan (RHOP) Schedule D and are zoned as 'Agriculture (A1) Zone' under the City of Hamilton Zoning By-law No. 05-200.

As previously mentioned, the lands are designated 'Protected Countryside' in the Greenbelt Plan. Section 4.6 e) of the Greenbelt Plan applies to lot additions or boundary adjustments, and states:

> "4.6.1 Lot creation is discouraged and may only be permitted for:
> ...
> e) Minor lot adjustments or boundary additions, provided they do not create a separate lot for a residential dwelling in *prime agricultural areas*, including *specialty crop areas*, and there is no increased fragmentation of a *key natural heritage feature* or *key hydrologic feature*."

Regarding lot additions in the Agricultural area, Section F.1.14.2.1 of the RHOP states:

> "F.1.14.2.1 d) All proposed lot additions shall:
>
> i) Comply with the policies of this plan including rural settlement plans where one exists;
> ii) Be compatible with and not hinder surrounding agricultural operations;
> iii) Conform to the Zoning By-law;
> iv) Only be permitted when both lots will retain frontage on a public road;
> v) Meet the requirements of Section C.5.1, Private Water and Wastewater Services, including the requirement for submission of a hydrogeological study regarding existing or proposed private water and wastewater services prior to or at the time of application, except as permitted in F.1.14.2.7 d).
>
> F.1.14.2.1 e) All proposed severances and lot additions shall meet all Minimum Distance Separation requirements in accordance with Section F.1.16, Minimum Distance Separation I and II and the Zoning By-law. Where the required Minimum Distance Separation distance, according to MDS I, is not met for a severance and lot addition, a decision regarding variation of the Minimum Distance Separation shall be made prior to a decision on the severance.

F.1.14.2.1 f) The maximum lot size for all proposed severances and lot additions outside of designated Rural Settlement Areas, except severances or 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*."

Section F.1.14.2.5 of the RHOP further details policy direction regarding lot additions across all designations except Rural Settlement Areas. The applicable policies of Section F.1.14.2.5 state:

"F.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;

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,
ii) be compatible with and not hinder surrounding agricultural operations.

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).

...

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.

h) The lands to be severed and conveyed are added to and merged on title with an abutting property or properties."

Minor Variance & Consent to Sever Analysis

The proposal demonstrates conformity with the criteria established in Sections F.1.14.2.1 d)-f) and F.1.14.2.5 of the RHOP as the lot addition will be compatible with onsite and surrounding agricultural operations, conform to the Zoning By-law through approval of a minor variance, both lots will retain frontage on a public road, and both lots will meet the requirements of Section C.5.1 of the RHOP. Further, the proposal will not create a new lot, establish an appropriate minimum lot size for the respective uses, and will transfer lands to an abutting landowner. Per Guideline #8 of the *Minimum Distance Separation (MDS) Document, 2016,* an MDS I setback is not required for purposes including minor boundary adjustments which do not result in the creation of a new lot. As such, the proposal is in keeping with the general intent and purpose of the Rural Hamilton Official Plan.

The proposed uses are permitted within the existing 'A1' zone, however the requested variance is required to permit a smaller lot area than what is permitted in the Zoning By-law. The proposed boundary adjustment will result in an approximate 2.5-hectare increase in the minimum parcel size between the two properties, from ±4.1 hectares to ±6.7 hectares. Further, while a minor variance is required to ensure compliance with the applicable Zoning By-law regulations, the resulting geometry is more in keeping with the default minimum lot area requirements than the existing lot fabric. As such, the proposal is in keeping with the general intent and purpose of the City of Hamilton Zoning By-law No. 05-200.

The proposed lot addition in essence 'flips' the existing lot fabric, with the larger portion of land between the two parcels being shifted from 3417 Tyneside Road to 3325 Tyneside Road. Similarly to the existing conditions, the larger of the two parcels will also retain frontage along both Tyneside Road and Chippewa Road. As such, the requested variance does not create a notable deviation from the existing conditions of the lands. Further, no new structures are proposed, and the existing uses inclusive of the farming practice will remain in place. As the physical built form on the lands will not change and the established character of the locale will not be altered by the proposal, the requested variance is deemed to be minor in nature.

The proposal intends to facilitate a severance that will transfer approximately 9 hectares of agricultural land between the two parcels, land which is currently associated with a substantial farming operation spanning across a number of properties in the area. A noteworthy trait of the proposal is that the viability of farming the lands which are subject to the transfer is not put at risk through this application as the resulting lot fabrics will remain capable of accommodating the existing agricultural operation. Therefore, the variance is desirable for the appropriate development of the lands.

Conclusion

The requested variance satisfies the four tests as per Section 45(1) of the *Planning Act,* R.S.O, 1990 and the application satisfies Section 53(1) of the *Planning Act,* R.S.O, 1990, as amended, as a plan of subdivision is not necessary for the proper and orderly development of the subject lands. The proposal is consistent with the Ontario Provincial Planning Statement, conforms to the Growth Plan, and demonstrates conformity with Section 4.6.1 e) of the Greenbelt Plan as the proposal does not seek to create a new lot within a Prime Agricultural area, nor affect the viability of farming the lands. The proposed severance conforms to the criteria outlined in Sections F.1.14.2.1 and F.1.16 of the Rural Hamilton Official Plan. Additionally, the continued use of the lands as single-detached dwelling and agriculture implements the intent of the 'A1' zoning applied through the City of Hamilton Zoning By-law No. 05-200. Based on the above analysis, the proposed development represents good land use planning.

In support of this application please find enclosed the following:

- One (1) copy of the completed Consent to Sever application form;
- One (1) copy of the completed Minor Variance application form;
- One (1) copy of the Committee of Adjustment sketch prepared by UrbanSolutions;
- One (1) cheque in the amount of **$3,900.00** made payable to the City of Hamilton for the Minor Variance Application fee;
- One (1) cheque in the amount of **$3,375.00** made payable to the City of Hamilton for the Consent to Sever Application base fee; and,
- One (1) cheque in the amount of **$440.00** made payable to the City of Hamilton for the Consent to Sever Application additional fee where no sanitary sewer exists.

We trust the enclosed is in order; however, please feel free to contact the undersigned with any questions.

Regards,
UrbanSolutions

Matt Johnston, MCIP, RPP
Principal

Stefano Rosatone, BES
Planner

cc: Kyle Aquin & Rachel Bennison (Owners) c/o Mark Dudzic
Sandra Sergio (Applicant & Purchaser) c/o Phillip Kuca

Committee of Adjustment
City Hall, 5th Floor,
71 Main St. W.,
Hamilton, ON L8P4Y5

Phone: (905) 546-2424 ext. 4221
Email: 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

	NAME
Purchaser*	Sandra Sergio
Registered Owners(s)	Kyle Aquin & Rachel Bennison c/o Mark Dudzic, Dudzic Law
Applicant(s)**	Sandra Sergio c/o Phillip Kuca, Gatestone Law
Agent or Solicitor	UrbanSolutions Planning & Land Development Consultants Inc. c/o Matt Johnston

[redacted]

*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 Primary contact ☐ 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.

1.6 Payment type ☐In person ☐Credit over phone*
☑Cheque

*Must provide number above

2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	3417 Tyneside Road & 3325 Tyneside Road, Glanbrook		
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:

WE1570600, to erect, maintain, operate, etc. electrical transmission lines (Hydro One).

3 PURPOSE OF THE APPLICATION

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

☐ creation of a new lot(s)
☑ addition to a lot
☐ an easement
☐ validation of title (must also complete section 8)
☐ cancellation (must also complete section 9
☐ creation of a new non-farm parcel (must also complete section 10)
(i.e. a lot containing a surplus farm dwelling
resulting from a farm consolidation)
☐ concurrent new lot(s)
☐ a lease
☐ a correction of title
☐ a charge

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

Sandra Sergio

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

3325 Tyneside Road

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, m² or ha), attach additional sheets as necessary.

	Retained (remainder)	Parcel 1	Parcel 2	Parcel 3*	Parcel 4*
Identified on Sketch as:	3417 Tyneside Road	Lands to be Added to 3325 Tyneside Road			
Type of Transfer	N/A	Lot Addition			
Frontage	±768.20 m	±236.36 m			
Depth	Varies	Varies			
Area	±6.7 ha	±9.0 ha			
Existing Use	Single-Detached Dwelling, Agriculture	Agriculture			
Proposed Use	Single-Detached Dwelling, Agriculture	Agriculture			
Existing Buildings/ Structures	Single-Detached Dwelling	N/A			
Proposed Buildings/ Structures	Existing to remain	N/A			
Buildings/ Structures to be Removed	N/A	N/A			

* 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' Designation

Rural Settlement Area: N/A

Urban Hamilton Official Plan designation (if applicable) N/A

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

Please refer to enclosed cover letter.

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.

N/A

5.3 What is the existing zoning of the subject land? "A1" Zone [Zoning By-law No. 05-200]

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

N/A

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.

Concurrent Minor Variance Application - see cover letter.

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)
An agricultural operation, including livestock facility or stockyard * Submit Minimum Distance Separation Formulae (MDS) if applicable	☑	
A land fill	☐	
A sewage treatment plant or waste stabilization plant	☐	
A provincially significant wetland	☐	
A provincially significant wetland within 120 metres	☐	
A flood plain	☐	
An industrial or commercial use, and specify the use(s)	☐	
An active railway line	☐	
A municipal or federal airport	☐	

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.

N/A

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

N/A

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.

N/A

6.4 How long has the applicant owned the subject land?

Unknown.

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.

N/A

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)

Please refer to enclosed cover letter.

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

☑ Yes ☐ No (Provide explanation)

Please refer to enclosed cover letter.

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

☑ Yes ☐ No (Provide explanation)

Please refer to the enclosed cover letter.

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

☐ Yes ☑ No (Provide explanation)

N/A

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

☐ Yes ☑ No (Provide explanation)

N/A

7.6 Are the subject lands subject to the Greenbelt Plan?

☑ Yes ☐ No (Provide explanation)

Please refer to cover letter.

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

☐ Yes ☑ No (Provide explanation)

N/A

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 (m² 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 (m² or ha):

10.6 Existing Land Use: _____ Proposed Land Use: _____

10.7 Description of surplus dwelling lands proposed to be severed:

Frontage (m): (from Section 4.1)	Area (m² 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

- [x] Application Fee
- [x] Site Sketch
- [x] Complete Application Form
- [x] 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

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

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

NOTICE OF PUBLIC HEARING
Minor Variance

You are receiving this notice because you are either:

- Assessed owner of a property located within 60 metres of the subject property
- Applicant/agent on file, or
- Person likely to be interested in this application

APPLICATION NO.:	**A-24:188**	**SUBJECT PROPERTY:**	3417 Tyneside Road, Glanbrook
ZONE:	A1 Agriculture	**ZONING BY-LAW:**	Zoning By-law City of Hamilton 05-200

APPLICANTS: Owner: Kyle Aquin & Rachel Bennison c/o Mark Dudzic Law
Applicant: Sandra Sergion c/o Phillip Kuca, Gatestone Law
Agent: Urban Solutions Planning& Land Developmnent Inc. c/o Matt Johnston

The following variances are requested:

Lands to be retained;

1. A minimum lot area of 6.7 hectares for an agricultural use shall be permitted instead of the minimum 40.4-hectare lot area for an agriculture use required.

Lands to be severed;

2. A minimum lot area of 13.1 hectares for an agricultural use shall be permitted instead of the minimum 40.4-hectare lot area for an agriculture use required.

PURPOSE & EFFECT: To facilitate the severance of the subject lands.

Notes:

1. Variance written as requested 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:

A-24:188

DATE:	**Tuesday, October 22, 2024**
TIME:	**1:15 p.m.**
PLACE:	**Via video link or call in (see attached sheet for details)**
	City Hall Council Chambers (71 Main St. W., Hamilton)
	To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment

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

- Visit www.hamilton.ca/committeeofadjustment
- Visit Committee of Adjustment staff at 5th floor City Hall, 71 Main St. W., Hamilton

PUBLIC INPUT

Written: If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Please see attached page for complete instructions, written comments must be received no later than noon October 18, 2024

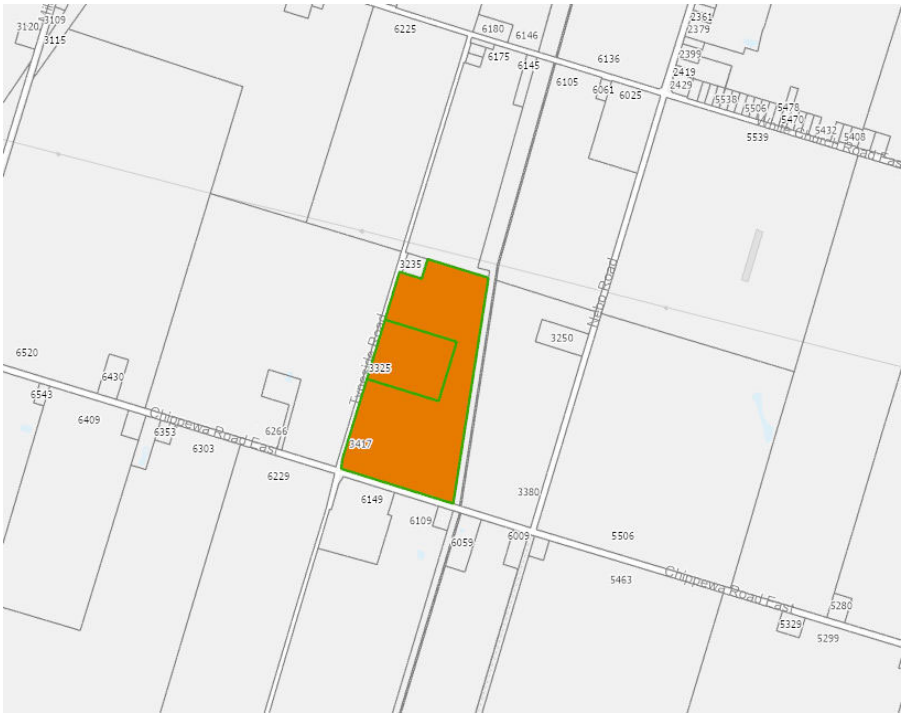
Orally: If you would like to speak to this item at the hearing you may do so via video link, calling in, or attending in person. Please see attached page for complete instructions, registration to participate virtually must be received no later than noon October 21, 2024

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding A-24:188, you must submit a written request to cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5**.**

If you wish to be provided a Notice of Decision, you must attend the Public Hearing and file a written request with the Secretary-Treasurer by emailing cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.

A-24:188



Subject Lands

DATED: October 3, 2024

_____

Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

Information respecting this application is being collected under the authority of the Planning Act, R.S.O., 1990, c. P. 13. All comments and opinions submitted to the City of Hamilton on this matter, including the name, address, and contact information of persons submitting comments and/or opinions, will become part of the public record and will be made available to the Applicant and the general public, and may include posting electronic versions.

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

PARTICIPATION PROCEDURES

Written Submissions

Members of the public who would like to participate in a Committee of Adjustment meeting are able to provide comments in writing advance of the meeting. Comments can be submitted by emailing cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5. **Comments must be received by noon on the date listed on the Notice of Public Hearing.**

Comments are available the Friday prior to the Hearing and are available on our website: **www.hamilton.ca/committeeofadjustment**

Oral Submissions

Members of the public are also able to provide oral comments regarding Committee of Adjustment Hearing items by participating Virtually through Webex via computer or phone or by attending the Hearing In-person. Participation Virtually requires pre-registration in advance. Please contact staff for instructions if you wish to make a presentation containing visual materials.

1. Virtual Oral Submissions

Interested members of the public, agents, and owners **must register by noon on the day listed on the Notice of Public Hearing to** participate Virtually.

To register to participate Virtually by Webex either via computer or phone, please contact Committee of Adjustment staff by email cofa@hamilton.ca. The following information is required to register: Committee of Adjustment file number, hearing date, name and mailing address of each person wishing to speak, if participation will be by phone or video, and if applicable the phone number they will be using to call in.

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

2. In person Oral Submissions

Interested members of the public, agents, and owners who wish to participate in person may attend Council Chambers on the date and time listed on the Notice of Public Hearing. Please note, you will be required to provide your name and address for the record. It is advised that you arrive **no less than 10 minutes** before the time of the Public Hearing as noted on the Notice of Public Hearing.

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

Please note: Webex (video) participation requires either a compatible computer or smartphone and an application (app/program) must be downloaded by the interested party in order to participate. It is the interested party's responsibility to ensure that their device is compatible and operating correctly prior to the Hearing.

SITE STATISTICS CHART

(A1) ZONING BY-LAW		3325 TYNESIDE		3417 TYNESIDE	
ITEMS	REQUIRED	EXISTING	PROPOSED	EXISTING	PROPOSED
Lot Frontage	-	±182.80 m	±419.16 m	± 768.20 m	± 531.85 m
Lot Area	40.4 ha	±4.1 ha	±13.1 ha	±15.7 ha	±6.7 ha
Lot Width	30.0m	±182.80 m	VARIES	VARIES	±275.70 m
Front Yard	15.0m	±118.80 m	±118.80 m	±40.0 m	±40.0 m
Side Yard	15.0m	±38.46 m	±38.46 m	±35.0 m	±35.0 m
Rear Yard	15.0m	±67.67 m	±139.58 m	±588.06 m	±200.54 m
Use	-		Agricultural		

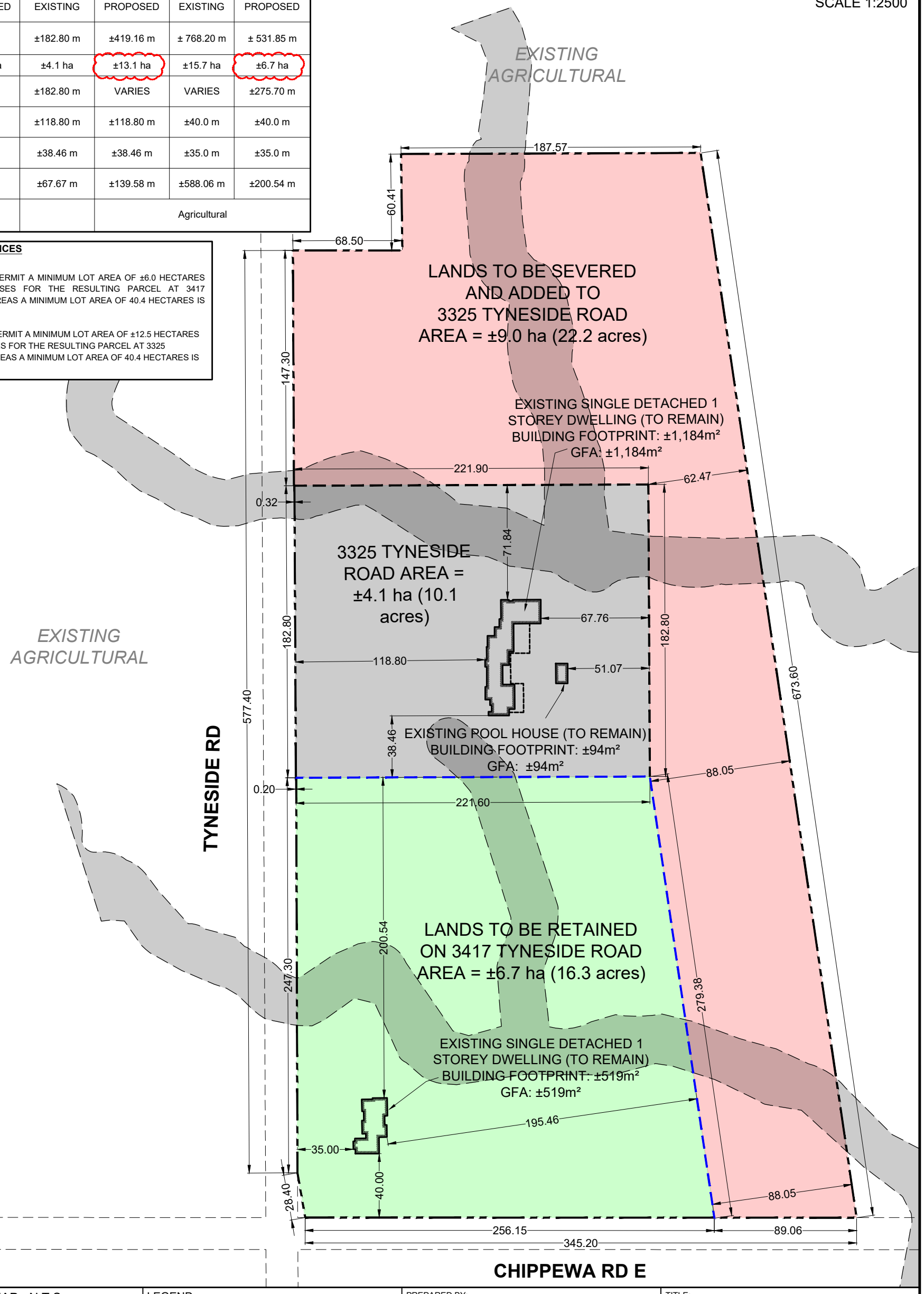
REQUESTED VARIANCES

VARIANCE NO.1 - TO PERMIT A MINIMUM LOT AREA OF ±6.0 HECTARES FOR AGRICULTURE USES FOR THE RESULTING PARCEL AT 3417 TYNESIDE ROAD, WHEREAS A MINIMUM LOT AREA OF 40.4 HECTARES IS REQUIRED.

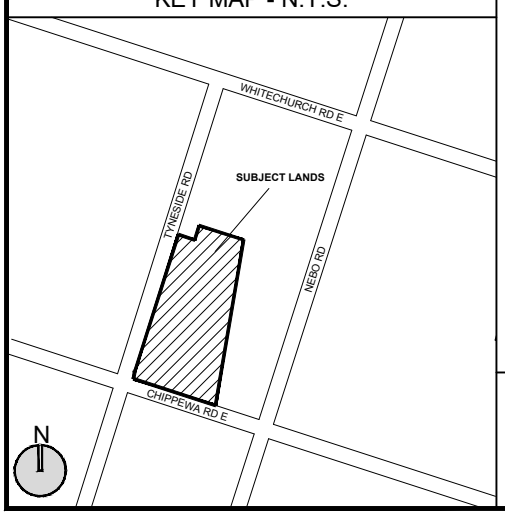
VARIANCE NO. 2 - TO PERMIT A MINIMUM LOT AREA OF ±12.5 HECTARES FOR AGRICULTURE USES FOR THE RESULTING PARCEL AT 3325 TYNESIDE ROAD, WHEREAS A MINIMUM LOT AREA OF 40.4 HECTARES IS REQUIRED.

N

SCALE 1:2500



KEY MAP - N.T.S.



LEGEND:

- SUBJECT LANDS
- PROPOSED SEVERANCE LINE
- EXISTING BUILDINGS
- LANDS SEVERED FROM 3417 TYNESIDE RD
- LANDS RETAINED ON 3417 TYNESIDE RD
- 3325 TYNESIDE RD
- EXISTING NPCA REGULATED AREA

SCALE 1:2500
METRES
0 50 100

NOT FOR CONSTRUCTION
ISSUED FOR REVIEW & COMMENTS ONLY

NOTES:
ALL DIMENSIONS SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

PREPARED BY:
URBAN SOLUTIONS
PLANNING & LAND DEVELOPMENT
3 STUDEBAKER PLACE, UNIT 1
HAMILTON, ON L8L 0C8
905-546-1087 - urbansolutions.info

TITLE:
COMMITTEE OF ADJUSTMENT SKETCH

PROJECT:
3325 & 3417 TYNESIDE ROAD
CITY OF HAMILTON

CLIENT:
KYLE AQUIN & RACHEL BENNISON

DESIGN BY: L. TAIBI	CHECKED BY: S. ERICKSON
DRAWN BY: L. TAIBI	DATE: JULY 24, 2024
U/S FILE NUMBER: 507-24	SHEET NUMBER: 1

C:\Users\LucasTaibi\Urban Solutions\Active Projects - Documents\507-24 - 3417 & 3325 Tyneside Road, Hamilton\2 - Drawings\1 - UrbanSolutions\Severance\507-24_SV_2024-07-22.dwg

URBAN SOLUTIONS
est. 2014
10 Years
PLANNING & LAND DEVELOPMENT

August 1, 2024

507-24

Via Email & Delivered

Ms. Jamila Sheffield
Secretary Treasurer
Committee of Adjustment

City of Hamilton
71 Main Street West, 5th Floor
Hamilton, ON L8P 4Y5

Dear Ms. Sheffield,

RE: 3417 & 3325 TYNESIDE ROAD, GLANBROOK
Application for Consent to Sever and Minor Variance to the City of Hamilton Zoning By-law No. 05-200

UrbanSolutions Planning & Land Development Consultants Inc. (UrbanSolutions) have been retained by Kyle Aquin & Rachel Bennison, the registered owners of 3417 Tyneside Road, in the former Township of Glanbrook. On their behalf, UrbanSolutions is pleased to submit the enclosed Consent to Sever and Minor Variance applications.

Proposal

The subject lands are comprised of two parcels, 3417 and 3325 Tyneside Road, at the northeast corner of Tyneside Road and Chippewa Road in Glanbrook. The locale is comprised of both rural, non-farm residences as well as large-scale agricultural operations. The lands at 3417 Tyneside Road are an irregularly 'U-shaped' corner lot at the northeast corner of Chippewa Road East and Tyneside Road, with an area of ±15.7-hectares and ±768.30 metres of combined frontage along Tyneside Road and Chippewa Road East. The lands at 3325 Tyneside Road are comprised of a square-shaped, ±4.1-hectare parcel with ±182.80 metres of frontage along the east side of Tyneside Road, and are surrounded by 3417 Tyneside Road. Each parcel currently supports a single detached dwelling which is a permitted use, while 3417 Tyneside Road also supports farming on the majority of the property, forming part of a larger agricultural operation spanning across numerous neighbouring properties.

The purpose of this application is to transfer a ±9-hectare portion of land from 3417 Tyneside Road to merge with 3325 Tyneside Road. No lot creation is proposed and the farming practice will continue following the approval of the lot line adjustment. In order to facilitate this proposal for the transfer of lands between the two parcels, consent to sever and a minor variance to the Zoning By-law is required as follows:

Minor Variance No. 1 – To permit a minimum lot area of ±6.0 hectares for Agriculture uses for the resulting parcel at 3417 Tyneside Road, whereas a minimum lot area of 40.4 hectares is required.

Minor Variance No. 2 – To permit a minimum lot area of ±12.5 hectares for Agriculture uses for the resulting parcel at 3325 Tyneside Road, whereas a minimum lot area of 40.4 hectares is required.

Specifically, the lot area adjustments are outlined in the following table:

Parcel	Existing Area	Proposed Area	Net Change
3325 Tyneside	±4.1 ha	±13.1 ha	±9 ha Added
3417 Tyneside	±15.7 ha	±6.7 ha	±9 ha Removed

This application is similar to the Consent to Sever and Minor Variance applications at 6105 and 6061 White Church Road, which both received support from Staff. The Consent to Sever application obtained conditional approval to transfer a 0.1-hectare portion of land to an abutting parcel on December 8, 2024 (GL/B-22:115), and the Minor Variance application was subsequently approved by the Committee of Adjustment on June 15, 2023 (GL/A-23:116) to permit a smaller minimum lot area for the agricultural use.

Policy Framework

The subject lands are both designated '*Protected Countryside*' and are within a *Prime Agricultural Area* according to the Greenbelt Plan. The subject lands are also designated as '*Agriculture*' in the Rural Hamilton Official Plan (RHOP) Schedule D and are zoned as 'Agriculture (A1) Zone' under the City of Hamilton Zoning By-law No. 05-200.

As previously mentioned, the lands are designated 'Protected Countryside' in the Greenbelt Plan. Section 4.6 e) of the Greenbelt Plan applies to lot additions or boundary adjustments, and states:

> "4.6.1 Lot creation is discouraged and may only be permitted for:
> ...
> e) Minor lot adjustments or boundary additions, provided they do not create a separate lot for a residential dwelling in *prime agricultural areas*, including *specialty crop areas*, and there is no increased fragmentation of a *key natural heritage feature* or *key hydrologic feature*."

Regarding lot additions in the Agricultural area, Section F.1.14.2.1 of the RHOP states:

> "F.1.14.2.1 d) All proposed lot additions shall:
>
> i) Comply with the policies of this plan including rural settlement plans where one exists;
> ii) Be compatible with and not hinder surrounding agricultural operations;
> iii) Conform to the Zoning By-law;
> iv) Only be permitted when both lots will retain frontage on a public road;
> v) Meet the requirements of Section C.5.1, Private Water and Wastewater Services, including the requirement for submission of a hydrogeological study regarding existing or proposed private water and wastewater services prior to or at the time of application, except as permitted in F.1.14.2.7 d).
>
> F.1.14.2.1 e) All proposed severances and lot additions shall meet all Minimum Distance Separation requirements in accordance with Section F.1.16, Minimum Distance Separation I and II and the Zoning By-law. Where the required Minimum Distance Separation distance, according to MDS I, is not met for a severance and lot addition, a decision regarding variation of the Minimum Distance Separation shall be made prior to a decision on the severance.

F.1.14.2.1 f) The maximum lot size for all proposed severances and lot additions outside of designated Rural Settlement Areas, except severances or 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*."

Section F.1.14.2.5 of the RHOP further details policy direction regarding lot additions across all designations except Rural Settlement Areas. The applicable policies of Section F.1.14.2.5 state:

"F.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;

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,
ii) be compatible with and not hinder surrounding agricultural operations.

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).

...

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.

h) The lands to be severed and conveyed are added to and merged on title with an abutting property or properties."

Minor Variance & Consent to Sever Analysis

The proposal demonstrates conformity with the criteria established in Sections F.1.14.2.1 d)-f) and F.1.14.2.5 of the RHOP as the lot addition will be compatible with onsite and surrounding agricultural operations, conform to the Zoning By-law through approval of a minor variance, both lots will retain frontage on a public road, and both lots will meet the requirements of Section C.5.1 of the RHOP. Further, the proposal will not create a new lot, establish an appropriate minimum lot size for the respective uses, and will transfer lands to an abutting landowner. Per Guideline #8 of the *Minimum Distance Separation (MDS) Document, 2016,* an MDS I setback is not required for purposes including minor boundary adjustments which do not result in the creation of a new lot. As such, the proposal is in keeping with the general intent and purpose of the Rural Hamilton Official Plan.

The proposed uses are permitted within the existing 'A1' zone, however the requested variance is required to permit a smaller lot area than what is permitted in the Zoning By-law. The proposed boundary adjustment will result in an approximate 2.5-hectare increase in the minimum parcel size between the two properties, from ±4.1 hectares to ±6.7 hectares. Further, while a minor variance is required to ensure compliance with the applicable Zoning By-law regulations, the resulting geometry is more in keeping with the default minimum lot area requirements than the existing lot fabric. As such, the proposal is in keeping with the general intent and purpose of the City of Hamilton Zoning By-law No. 05-200.

The proposed lot addition in essence 'flips' the existing lot fabric, with the larger portion of land between the two parcels being shifted from 3417 Tyneside Road to 3325 Tyneside Road. Similarly to the existing conditions, the larger of the two parcels will also retain frontage along both Tyneside Road and Chippewa Road. As such, the requested variance does not create a notable deviation from the existing conditions of the lands. Further, no new structures are proposed, and the existing uses inclusive of the farming practice will remain in place. As the physical built form on the lands will not change and the established character of the locale will not be altered by the proposal, the requested variance is deemed to be minor in nature.

The proposal intends to facilitate a severance that will transfer approximately 9 hectares of agricultural land between the two parcels, land which is currently associated with a substantial farming operation spanning across a number of properties in the area. A noteworthy trait of the proposal is that the viability of farming the lands which are subject to the transfer is not put at risk through this application as the resulting lot fabrics will remain capable of accommodating the existing agricultural operation. Therefore, the variance is desirable for the appropriate development of the lands.

Conclusion

The requested variance satisfies the four tests as per Section 45(1) of the *Planning Act,* R.S.O, 1990 and the application satisfies Section 53(1) of the *Planning Act,* R.S.O, 1990, as amended, as a plan of subdivision is not necessary for the proper and orderly development of the subject lands. The proposal is consistent with the Ontario Provincial Planning Statement, conforms to the Growth Plan, and demonstrates conformity with Section 4.6.1 e) of the Greenbelt Plan as the proposal does not seek to create a new lot within a Prime Agricultural area, nor affect the viability of farming the lands. The proposed severance conforms to the criteria outlined in Sections F.1.14.2.1 and F.1.16 of the Rural Hamilton Official Plan. Additionally, the continued use of the lands as single-detached dwelling and agriculture implements the intent of the 'A1' zoning applied through the City of Hamilton Zoning By-law No. 05-200. Based on the above analysis, the proposed development represents good land use planning.

In support of this application please find enclosed the following:

- One (1) copy of the completed Consent to Sever application form;
- One (1) copy of the completed Minor Variance application form;
- One (1) copy of the Committee of Adjustment sketch prepared by UrbanSolutions;
- One (1) cheque in the amount of **$3,900.00** made payable to the City of Hamilton for the Minor Variance Application fee;
- One (1) cheque in the amount of **$3,375.00** made payable to the City of Hamilton for the Consent to Sever Application base fee; and,
- One (1) cheque in the amount of **$440.00** made payable to the City of Hamilton for the Consent to Sever Application additional fee where no sanitary sewer exists.

We trust the enclosed is in order; however, please feel free to contact the undersigned with any questions.

Regards,
UrbanSolutions

Matt Johnston, MCIP, RPP
Principal

Stefano Rosatone, BES
Planner

cc: Kyle Aquin & Rachel Bennison (Owners) c/o Mark Dudzic
Sandra Sergio (Applicant & Purchaser) c/o Phillip Kuca

Committee of Adjustment
City Hall, 5th Floor,
71 Main St. W.,
Hamilton, ON L8P4Y5

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

APPLICATION FOR A MINOR VARIANCE/PERMISSION

UNDER SECTION 45 OF THE *PLANNING ACT*

1. APPLICANT INFORMATION

	NAME
Registered Owners(s)	Kyle Aquin & Rachel Bennison c/o Mark Dudzic, Dudzic Law
Applicant(s)	Sandra Sergio c/o Phillip Kuca, Gatestone Law
Agent or Solicitor	UrbanSolutions Planning & Land Development Consultants Inc. c/o Matt Johnston

[redacted]

1.2 Primary contact ☐ Applicant ☐ Owner ☑ Agent/Solicitor

1.3 Sign should be sent to ☐ Applicant ☐ Owner ☑ AgentSolicitor

1.4 Request for digital copy of sign ☐ Yes* ☑ No

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

1.5 All correspondence may be sent by email ☐ Yes* ☑ No

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

1.6 Payment type ☐ In person ☑ Cheque ☐ Credit over phone*

_____
*Must provide number above

2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	3417 Tyneside Road & 3325 Tyneside Road, Glanbrook		
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:

N/A WE1570600, to erect, maintain, operate, etc. electrical transmission lines (Hydro One).

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 smaller lot area than what is permitted in the Zoning By-law.

☐ Second Dwelling Unit ☐ Reconstruction of Existing Dwelling

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

Please refer to cover letter.

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
+/- 951 m (Both Lots)	Varies	+/- 19.8 ha (Both Lots)	+/- 11 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
PLEASE REFER TO ENCLOSED COMMITTEE OF ADJUSTMENT SKETCH				

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
PLEASE REFER TO ENCLOSED COMMITTEE OF ADJUSTMENT SKETCH				

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
PLEASE REFER TO ENCLOSED COMMITTEE OF ADJUSTMENT SKETCH				

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
PLEASE REFER TO ENCLOSED COMMITTEE OF ADJUSTMENT SKETCH				

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 dwellings, Agriculture.

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

Single-detached dwellings, Agriculture.

7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:

Unknown.

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

Single-detached dwellings, Agriculture.

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

Single-detached dwellings, Agriculture.

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): 'Agriculture' Designation

Rural Settlement Area: n/a

Urban Hamilton Official Plan designation (if applicable) n/a

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

Please refer to the enclosed cover letter.

7.6 What is the existing zoning of the subject land? "A1" Zone [Zoning By-law No. 05-200]

7.8 Has the owner previously applied for relief in respect of the subject property? (Zoning By-lawAmendment 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: Concurrent Consent Application - see cover letter.

8 ADDITIONAL INFORMATION

8.1 Number of Dwelling Units Existing: 2

8.2 Number of Dwelling Units Proposed: 2

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

Please refer to enclosed cover letter.

11 COMPLETE APPLICATION REQUIREMENTS

11.1 All Applications

- [x] Application Fee
- [x] Site Sketch
- [x] Complete Application form
- [x] Signatures Sheet

11.4 Other Information Deemed Necessary

- [x] 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

_____

_____

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

NOTICE OF PUBLIC HEARING
Minor Variance

You are receiving this notice because you are either:

- Assessed owner of a property located within 60 metres of the subject property
- Applicant/agent on file, or
- Person likely to be interested in this application

APPLICATION NO.:	**A-24:208**	**SUBJECT PROPERTY:**	0 Portia Drive, Ancaster
ZONE:	C7 - Arterial Commercial	**ZONING BY-LAW:**	Zoning By-law Hamilton 05-200

APPLICANTS:

Owner: Duff's Corner Developments Inc.
Agent: Urban Solutions Planning & Land Development Consultants Inc. c/o Matt Johnston

The following variances are requested:

1. To permit the use of a Medical Clinic whereas the zoning by-law does not permit this use in a C7-Arterial Commercial zone.

2. To permit a minimum of 1 space for every 26.0 square meters of gross floor area for a Medical Clinic whereas the by-law requires a minimum of 4.5 per 100 square metres of gross floor area.

3. To permit a minimum of 5% combined landscape area for parking islands for a parking lot containing 50 or more parking spaces whereas the by-law requires a minimum of 10%.

4. To permit a minimum landscaped parking island of 3.5 square metres whereas the by-law requires a minimum of 10 square metres.

PURPOSE & EFFECT: So as to permit the construction of a two-storey medical clinic with 95 parking spaces.

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:

A-24:208

DATE:	**Tuesday, October 22, 2024**
TIME:	**1:20 p.m.**
PLACE:	**Via video link or call in (see attached sheet for details)**
	City Hall Council Chambers (71 Main St. W., Hamilton)
	To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment

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

- Visit www.hamilton.ca/committeeofadjustment
- Visit Committee of Adjustment staff at 5th floor City Hall, 71 Main St. W., Hamilton

PUBLIC INPUT

Written: If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Please see attached page for complete instructions, written comments must be received no later than noon October 18, 2024

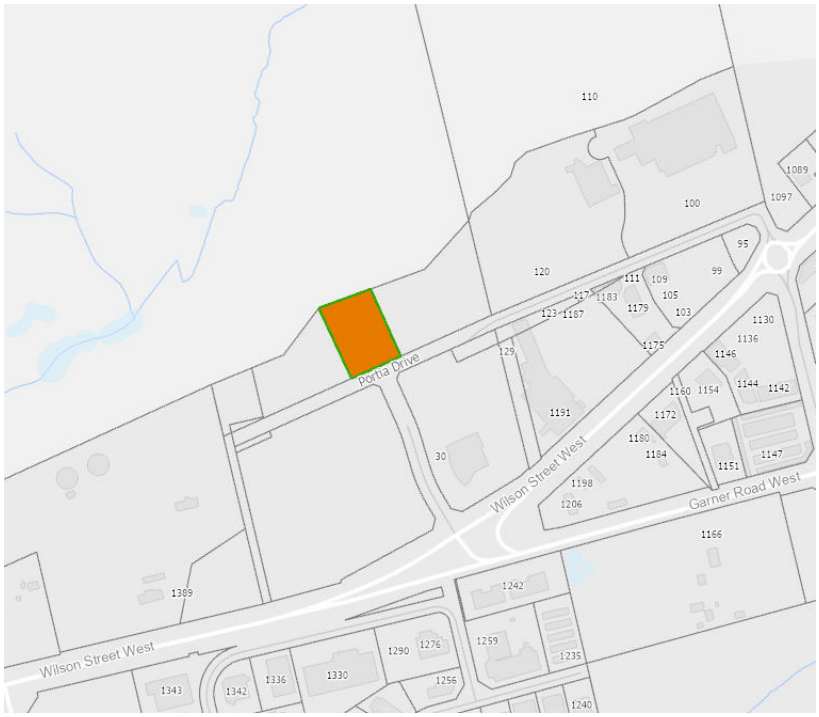
Orally: If you would like to speak to this item at the hearing you may do so via video link, calling in, or attending in person. Please see attached page for complete instructions, registration to participate virtually must be received no later than noon October 21, 2024

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding A-24:208, you must submit a written request to cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5**.**

If you wish to be provided a Notice of Decision, you must attend the Public Hearing and file a written request with the Secretary-Treasurer by emailing cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.

A-24:208



Subject Lands

DATED: October 3, 2024

_____

Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

Information respecting this application is being collected under the authority of the Planning Act, R.S.O., 1990, c. P. 13. All comments and opinions submitted to the City of Hamilton on this matter, including the name, address, and contact information of persons submitting comments and/or opinions, will become part of the public record and will be made available to the Applicant and the general public, and may include posting electronic versions.

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

PARTICIPATION PROCEDURES

Written Submissions

Members of the public who would like to participate in a Committee of Adjustment meeting are able to provide comments in writing advance of the meeting. Comments can be submitted by emailing cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5. **Comments must be received by noon on the date listed on the Notice of Public Hearing.**

Comments are available the Friday prior to the Hearing and are available on our website: **www.hamilton.ca/committeeofadjustment**

Oral Submissions

Members of the public are also able to provide oral comments regarding Committee of Adjustment Hearing items by participating Virtually through Webex via computer or phone or by attending the Hearing In-person. Participation Virtually requires pre-registration in advance. Please contact staff for instructions if you wish to make a presentation containing visual materials.

1. Virtual Oral Submissions

Interested members of the public, agents, and owners **must register by noon on the day listed on the Notice of Public Hearing to** participate Virtually.

To register to participate Virtually by Webex either via computer or phone, please contact Committee of Adjustment staff by email cofa@hamilton.ca. The following information is required to register: Committee of Adjustment file number, hearing date, name and mailing address of each person wishing to speak, if participation will be by phone or video, and if applicable the phone number they will be using to call in.

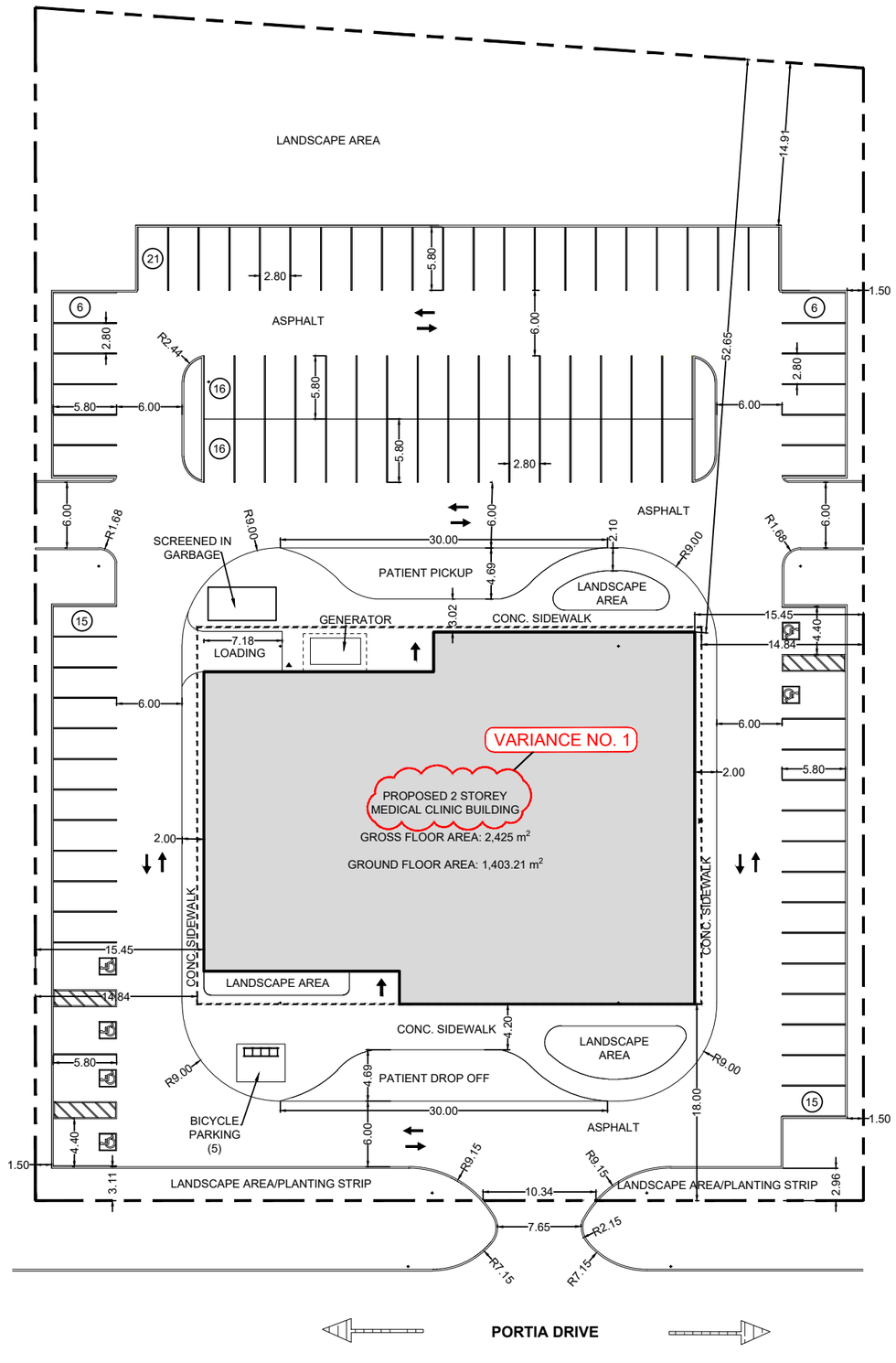
A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting one business day before the Hearing. Only those registered will be called upon to speak.

2. In person Oral Submissions

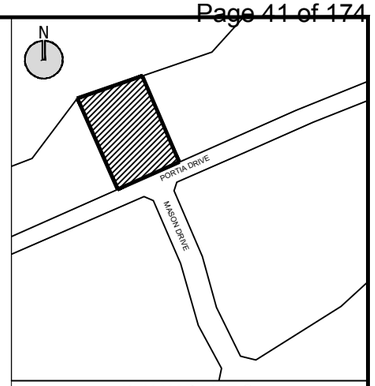
Interested members of the public, agents, and owners who wish to participate in person may attend Council Chambers on the date and time listed on the Notice of Public Hearing. Please note, you will be required to provide your name and address for the record. It is advised that you arrive **no less than 10 minutes** before the time of the Public Hearing as noted on the Notice of Public Hearing.

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

Please note: Webex (video) participation requires either a compatible computer or smartphone and an application (app/program) must be downloaded by the interested party in order to participate. It is the interested party's responsibility to ensure that their device is compatible and operating correctly prior to the Hearing.



SCALE 1:500



KEY MAP - N.T.S.

SCALE 1:500
METRES
0 5 10 20

LEGEND
- SUBJECT LANDS
- PROPOSED MEDICAL CLINIC
- ROOF OVERHANG ABOVE

VARIANCES TO THE CITY OF HAMILTON ZONING BY-LAW NO. 05-200.

VARIANCE NO. 1: TO PERMIT THE USE OF A MEDICAL CLINIC ON THE SUBJECT LANDS, WHEREAS SUCH IS NOT CURRENTLY PERMITTED WITHIN THE ARTERIAL COMMERCIAL (C7, 650) ZONE.

VARIANCE NO. 2: TO REDUCE THE MINIMUM REQUIRED NUMBER OF PARKING SPACES FOR A MEDICAL CLINIC TO 1 SPACE FOR EVERY 26.0 SQUARE METRES OF GROSS FLOOR AREA, WHEREAS A MINIMUM OF 1 SPACE FOR EVERY 16.0 SQUARE METRES OF GROSS FLOOR AREA IS CURRENTLY REQUIRED.

VARIANCE NO. 3: TO REDUCE THE MINIMUM REQUIRED COMBINED AREA FOR LANDSCAPE PARKING ISLANDS TO 5% OF THE AREA OF ANY PARKING LOT WHERE 50 OR MORE PARKING SPACES ARE PROVIDED, WHEREAS A MINIMUM OF 10% IS CURRENTLY REQUIRED.

VARIANCE NO. 4: TO REDUCE THE MINIMUM AREA OF EACH LANDSCAPE PARKING ISLAND TO 3.5 SQUARE METRES, WHEREAS A MINIMUM OF 10.0 SQUARE METRES IS CURRENTLY REQUIRED.

Development Statistics
Zone: Arterial Commercial C7,650

Item	Required	Proposed
Lot Area	N/A	8,085.97 m²
Lot Frontage	N/A	75.91 m
Permitted Uses	Varies (Not Medical Clinic)	Medical Clinic
Min. Building Setback to a Street Line	18.0 m	18.0 m
Min. Rear Yard	6.0 m	52.65 m
Min. Interior Side Yard	1.5 m	15.45 m
Max. Building Height	14.0 m	TBC
Min. Setback to a P7 Zone	7.5 m	52.65 m
Landscape Area	N/A	2,039.92 m² (25.23%)
Parking		
Min. Vehicle Spaces	1/16 m² of GFA =151.56 spaces	95 spaces
Min. Barrier Free Spaces	1 space + 3% of required spaces =5.53 spaces	6 spaces
Min. Short Term Bicycle Parking Spaces	5 spaces	5 spaces
Min. Landscaped Parking Islands	10%	315.55 m² (5.0%)
Min. Landscaped Parking Island Size	10 m²	3.6 m²

VARIANCE NO. 2

VARIANCE NO. 3

VARIANCE NO. 4

NOT FOR CONSTRUCTION
ISSUED FOR REVIEW & COMMENTS ONLY

NOTES:
ALL DIMENSIONS SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

DESIGN BY: C & PARTNERS	CHECKED BY: M. JOHNSTON
DRAWN BY: L. DRENNAN	DATE: SEPTEMBER 11, 2024

URBAN SOLUTIONS
PLANNING & LAND DEVELOPMENT
3 STUDEBAKER PLACE, SUITE 1
HAMILTON, ON L8L 0C8
905-546-1087 - urbansolutions.info

PROJECT:
0 Portia Drive
CITY OF HAMILTON

CLIENT:
Duff's Corner Developments Inc.

TITLE:
MINOR VARIANCE SKETCH

U/S FILE NUMBER: 227-17
SHEET NUMBER: 1

C:\Users\LauraDrennanBACPT\Urban Solutions\Active Projects - Documents\227-17 - Duffs Corners CMU\2 - Drawings\1 - UrbanSolutions\227-17-MV Sketch-2024-09-11.dwg

URBAN SOLUTIONS
PLANNING & LAND DEVELOPMENT

September 13, 2024

227-17

Via Email & Delivered

Jamila Sheffield
Secretary Treasurer, Committee of Adjustment

City of Hamilton
71 Main Street West, 5th Floor
Hamilton, ON L8P 4Y5

Dear Ms. Sheffield:

RE: 0 Portia Drive, Ancaster
Minor Variance Application

UrbanSolutions Planning & Land Development Consultants Inc. (UrbanSolutions) is the authorized planning consultant acting on behalf of Duff's Corners Developments Inc. c/o Mr. Brian Leggat, the registered owner of the subject lands municipally known as 0 Portia Drive in Ancaster. On behalf of the owner, UrbanSolutions is pleased to submit the enclosed Minor Variance application and supporting materials.

Subject Lands

The subject lands are identified as an 'Employment Area' on Schedule E – Urban Structure of the Urban Hamilton Official Plan (UHOP), are designated 'Arterial Commercial' on Schedule E-1 – Urban Land Use Designation of the UHOP, and are zoned Arterial Commercial (C7, 650) in the City of Hamilton Zoning By-law No. 05-200. The subject site comprises a portion of a larger (currently vacant) parcel owned by the applicant and represents part of Block 2 in Plan 62M-1067, being the Duffs Corners Corporate Business Park. The site has a total area of 0.89 hectares, a maximum depth of 109.3 metres, and 75.9 metres of frontage on Portia Drive.

Proposed Development

As outlined in the enclosed Minor Variance Sketch, The proposed development consists of a two-storey medical clinic having a total GFA of 2,425.0 square metres and 95 surface parking stalls.

Requested Variances

The purpose of this application is to address zoning nonconformities associated with the proposed development. As outlined on the enclosed Minor Variance Sketch, the variances required are outlined below followed by planning rationale in support of the request:

- **Minor Variance No. 1:** To permit the use of a medical clinic on the subject lands, whereas such is not currently permitted within the Arterial Commercial (C7, 650) Zone.

While the UHOP indicates that the Arterial Commercial designation is intended to provide a range of commercial uses catering to the travelling or drive-by consumer, such does not currently permit medical clinics which have evolved from primarily small, local practitioners to include large, multi-functional facilities offering a range of services to the greater community. This evolution is supported by the Province's *'Your Health: A Plan for Connected and Convenient Care'* initiative which recently introduced regulatory changes to expand OHIP-insured surgical and diagnostic services to reduce wait times and improve service delivery. This requested variance is in keeping with the expressed intent of Staff outlined in Committee of Adjustment Report A-24:131 dated July 2, 2024 respecting the lands located at 1025 Wilson Street West in Ancaster, wherein Staff identify a gap in the existing policy framework respecting permitted commercial uses within the 'Arterial Commercial' designation. As such, the requested variance is in keeping with the general purpose and intent of the UHOP and Zoning By-law No. 05-200.

- **Minor Variance No. 2:** To reduce the minimum required number of parking spaces for a medical clinic to 1 space for every 26.0 square metres of gross floor area, whereas a minimum of 1 space for every 16.0 square metres of gross floor area is currently required.

  While Section 5.6 c) of Zoning By-law No. 05-200 currently requires the proposed medical clinic (having a total gross floor area of 2,425.0 square metres) to have a minimum of 151 parking spaces based on a ratio of 1 space for every 16.0 square metres of gross floor area (GFA), the City's newly proposed parking regulations introduced via By-law 24-052 reduces this minimum requirement to 109 spaces; based on a ratio of 4.5 spaces for every 100 square metres of GFA. As such, while this requested variance seeks to reduce the minimum parking requirement by a total of 56 spaces based on *current* zoning regulations, such only seeks a reduction of 14 spaces spaces from the City's proposed parking regulations which represent the expressed intent of Council. This minor reduction is necessary to accommodate the minimum required 10.0 metre setback from the existing Core Area located directly north of the subject lands, as recommended in the supporting Environmental Impact Study prepared by GeoProcess Research Associates. Further, the proposed development is a purpose-built medical facility with rigid scheduling requirements and no walk-in service offerings, thereby demanding fewer parking spaces than a traditional medical clinic. This ratio will accommodate the required parking demand on-site and thus satisfies the four tests outlined in Section 45(1) of the *Planning Act*.

- **Minor Variance No. 3:** To reduce the minimum required combined area for Landscape Parking Islands to 5% of the area of any parking lot where 50 or more parking spaces are provided, whereas a minimum of 10% is currently required.

- **Minor Variance No. 4:** To reduce the minimum area of each Landscape Parking Island to 3.5 square metres, whereas a minimum of 10.0 square metres is currently required.

  Variances Nos. 3 and 4 are necessary to facilitate the proposed building footprint and total number of parking spaces while accommodating a sizable vegetation protection zone (VPZ) separating the site's developable area from the existing core area to the north. While Natural Heritage Staff identified the requirement for a (minimum) 10.0 metre VPZ during a recent site visit attended by both UrbanSolutions and GeoProcess, the proposed site design incorporates an

increased setback with an average depth of 17.07 metres. This area will be planted with natural, self-sustaining vegetation to enhance the ecological functions of the abutting Core Area and provide protection during construction (in accordance with Section 2.5.9 of the UHOP).

Based on the above, the requested variances satisfy the four tests outlined in Section 45(1) of the *Planning Act*, in that such conform to and implement the policies of the UHOP and applicable regulations contained within Zoning By-law No. 05-200; are minor in nature; and are desirable and appropriate for the subject lands. Accordingly, it is our professional opinion that the requested variance represents good land use planning.

In support of this application, please find enclosed the following:

- One (1) copy of the completed Minor Variance application form;
- One (1) copy of the Minor Variance Sketch prepared by UrbanSolutions and C& Partners Architects, and;
- One (1) cheque in the amount of **$3,900.00** payable to the City of Hamilton for the Minor Variance application.

We trust the enclosed is in order; however, please feel free to contact the undersigned with any questions.

Regards,
UrbanSolutions

Matt Johnston, MCIP, RPP
Principal

Matthew LeBlanc, M.PL, BA (Hons)
Planner

cc: Duff's Corners Developments Inc. c/o Mr. Brian Leggat (via email)

Committee of Adjustment
City Hall, 5th Floor,
71 Main St. W.,
Hamilton, ON L8P4Y5

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

Hamilton

APPLICATION FOR A MINOR VARIANCE/PERMISSION

UNDER SECTION 45 OF THE *PLANNING ACT*

1. APPLICANT INFORMATION

	NAME	[redacted]
Registered Owners(s)	Duff's Corner Developments Inc.	
Applicant(s)	Same as owner.	
Agent or Solicitor	UrbanSolutions Planning & Land Development Consultants Inc. c/o Matt Johnston	

1.2 Primary contact ☐ Applicant ☐ Owner ☒ Agent/Solicitor

1.3 Sign should be sent to ☐ Applicant ☐ Owner ☒ AgentSolicitor

Please send all correspondence to both agent email addresses listed above.

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.

1.6 Payment type ☐ In person ☒ Cheque ☐ Credit over phone*

*Must provide number above

2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	0 Portia Drive		
Assessment Roll Number	140220529920000		
Former Municipality	Ancaster		
Lot		Concession	
Registered Plan Number	62M-1067	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:

Please refer to the enclosed Cover Letter for a description of the extent of relief being applied for through the requested variances.

☐ Second Dwelling Unit ☐ Reconstruction of Existing Dwelling

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

Please refer to the enclosed Cover Letter for an explanation as to why it is not possible to comply with the provisions of the By-law.

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
75.91 metres	varies	+/- 0.81 hectares	20.0 metres

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: Note: The subject lands are currently vacant.

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Medical Building	18.0 metres	52.65 metres	East: 15.45 metres	TBD
			West: 15.45 metres	

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
The subject lands are currently vacant.				

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Medical Building	1,403.21 sq. m	2,424 sq. m	2	2-storeys , < 14m

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.):

2-storey Medical Building

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

Vacant

7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:

Unknown

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

Vacant

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:

Indefinitely

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) Arterial Commercial

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

7.6 What is the existing zoning of the subject land? Arterial Commercial (C7, 650)

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

☐ Yes ☒ No

If yes, please provide the file number: N/A

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

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 refer to the enclosed Cover Letter for more information on the extent of the requested variances.

11 COMPLETE APPLICATION REQUIREMENTS

11.1 All Applications

- [X] Application Fee
- [X] Site Sketch
- [X] Complete Application form
- [X] Signatures Sheet

11.4 Other Information Deemed Necessary

- [X] 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

_____

_____

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

NOTICE OF PUBLIC HEARING
Minor Variance

You are receiving this notice because you are either:

- Assessed owner of a property located within 60 metres of the subject property
- Applicant/agent on file, or
- Person likely to be interested in this application

APPLICATION NO.:	**A-24:209**	**SUBJECT PROPERTY:**	46 Beulah Ave, Hamilton
ZONE:	”C/S-1822“ (Urban Protected Residential) “R1a” (Low Density Residential) as per By-law No. 24-51 (Not Final	**ZONING BY-LAW:**	Hamilton Zoning By-law No. 6593 Hamilton Zoning By-law No. 05-200

APPLICANTS: Owner: Alfred Theodore Haines
Applicant: Thea Haines & Oliver Knutton

The following variances are requested:

Hamilton Zoning By-law No. 6593:

1. An outside stairway shall be permitted above the first floor, instead of the requirement that there shall be outside stairway above the first floor other than a required exterior exit.

Hamilton Zoning By-law No. 05-200 [current in-force requirements]:

1. An outside stairway shall be permitted above the first floor, instead of the requirement that there shall be outside stairway above the first floor other than a required exterior exit.

PURPOSE & EFFECT: So as to permit a two (2) storey addition in the rear yard of the existing single detached dwelling, and the conversion of the existing single detached dwelling to contain a maximum of one (1) secondary dwelling unit, notwithstanding that:

Notes:

i. Please be advised that By-law No. 24-051 was passed on April 10th, 2024, and rezoned the property from “C/S-1822” pursuant to Hamilton Zoning By-law No. 6593, to “R1a” pursuant to Hamilton Zoning By-law No. 05-200. However, as By-law No. 24-051 is not yet final, at

A-24:209

present all proposed development is reviewed under both the existing and the proposed Zoning By-laws with the more restrictive zoning regulations being applied.

ii. Please note that By-law No. 24-051 also provided updates to Section 4: General Provisions, including the removal of the requirement that there shall be no outside stairway above the first floor other than a required exterior exit. Should the entirety of By-law No. 24-051 come into force and effect, the requested variance shall no longer be required to facilitate the proposal.

This Notice must be posted by the owner of any land which contains seven or more residential units so that it is visible to all residents.

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

DATE:	**Tuesday, October 22, 2024**
TIME:	**1:25 p.m.**
PLACE:	**Via video link or call in (see attached sheet for details)**
	City Hall Council Chambers (71 Main St. W., Hamilton)
	To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment

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

- Visit www.hamilton.ca/committeeofadjustment
- Visit Committee of Adjustment staff at 5th floor City Hall, 71 Main St. W., Hamilton

PUBLIC INPUT

Written: If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Please see attached page for complete instructions, written comments must be received no later than noon October 18, 2024

Orally: If you would like to speak to this item at the hearing you may do so via video link, calling in, or attending in person. Please see attached page for complete instructions, registration to participate virtually must be received no later than noon October 21, 2024

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding A-24:209, you must submit a written request to cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5**.**

If you wish to be provided a Notice of Decision, you must attend the Public Hearing and file a written request with the Secretary-Treasurer by emailing cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.

A-24:209

Subject Lands

DATED: October 3, 2024

_____

Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

Information respecting this application is being collected under the authority of the Planning Act, R.S.O., 1990, c. P. 13. All comments and opinions submitted to the City of Hamilton on this matter, including the name, address, and contact information of persons submitting comments and/or opinions, will become part of the public record and will be made available to the Applicant and the general public, and may include posting electronic versions.

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

PARTICIPATION PROCEDURES

Written Submissions

Members of the public who would like to participate in a Committee of Adjustment meeting are able to provide comments in writing advance of the meeting. Comments can be submitted by emailing cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5. **Comments must be received by noon on the date listed on the Notice of Public Hearing.**

Comments are available the Friday prior to the Hearing and are available on our website: **www.hamilton.ca/committeeofadjustment**

Oral Submissions

Members of the public are also able to provide oral comments regarding Committee of Adjustment Hearing items by participating Virtually through Webex via computer or phone or by attending the Hearing In-person. Participation Virtually requires pre-registration in advance. Please contact staff for instructions if you wish to make a presentation containing visual materials.

1. Virtual Oral Submissions

Interested members of the public, agents, and owners **must register by noon on the day listed on the Notice of Public Hearing to** participate Virtually.

To register to participate Virtually by Webex either via computer or phone, please contact Committee of Adjustment staff by email cofa@hamilton.ca. The following information is required to register: Committee of Adjustment file number, hearing date, name and mailing address of each person wishing to speak, if participation will be by phone or video, and if applicable the phone number they will be using to call in.

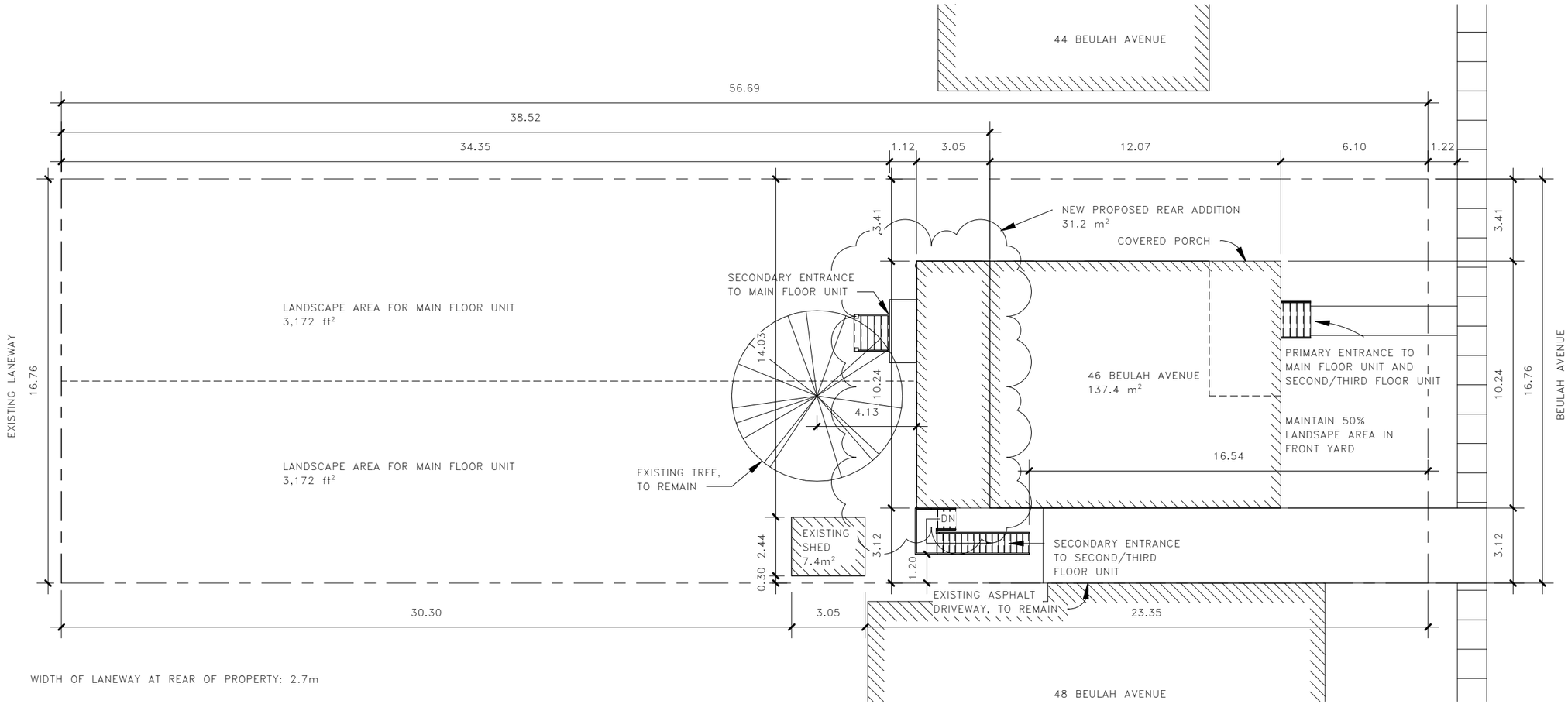
A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting one business day before the Hearing. Only those registered will be called upon to speak.

2. In person Oral Submissions

Interested members of the public, agents, and owners who wish to participate in person may attend Council Chambers on the date and time listed on the Notice of Public Hearing. Please note, you will be required to provide your name and address for the record. It is advised that you arrive **no less than 10 minutes** before the time of the Public Hearing as noted on the Notice of Public Hearing.

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

Please note: Webex (video) participation requires either a compatible computer or smartphone and an application (app/program) must be downloaded by the interested party in order to participate. It is the interested party's responsibility to ensure that their device is compatible and operating correctly prior to the Hearing.



WIDTH OF LANEWAY AT REAR OF PROPERTY: 2.7m

WIDTH OF ROAD (BEULAH AVE) = 7.7m

1 Site
1/16" = 1'–0"

RELEVANT SITE DEVELOPMENT DETAILS

MAJOR OCCUPANCY: C BYLAW 6593

TABLE 3.1.2.1 OF 2012 OBC AND IN ACCORDANCE WITH DEFINITIONS FOR "RESIDENTIAL OCCUPANCY" PER ARTICLE 1.4.1.2 DIVISION A OF 2012 OBC

EXISTING LOT AREA: 950.4 m^2
LOT COVERAGE FOR ALL STRUCTURES: 14.5%

EXISTING HOUSE GROUND FLOOR AREA: 123.5m^2
MAIN FLOOR AREA: 106.9m^2
SECOND FLOOR AREA: 93.1m^2
THIRD FLOOR AREA: 58.3m^2
TOTAL EXISTING HOUSE GROSS FLOOR AREA: 258.3m^2

NEW PROPOSED ADDITION GROUND FLOOR AREA: 31.2m^2
MAIN FLOOR AREA: 31.2m^2
SECOND FLOOR AREA: 14.3m^2
TOTAL NEW PROPOSED ADDITION GROSS FLOOR AREA: 45.5m^2

FRONT YARD LANDSCAPED AREA: 75.8 m^2 OR 74%
DRIVEWAY COVERAGE IN FRONT YARD – 18.5%

BASEMENT: 106.7m^2
MAIN FLOOR UNIT: 138.1m^2
UPPER UNIT: 182.7m^2

NORTH SIDE YARD – NEW PROPOSED ADDITION: 3.41m
ZONING MIN: 1.2m

SOUTH SIDE YARD – NEW PROPOSED ADDITION: 3.12m
ZONING MIN: 1.2m

SOUTH SIDE YARD – NEW PROPOSED EXTERIOR STAIR: 1.2m
ZONING MIN: 1.2m

REAR YARD – NEW PROPOSED ADDITION: 34.4m
ZONING MIN: 7.5m

NUMBER OF STREETS / ACCESS ROUTES: 1 + LANEWAY AT REAR

EXISTING FIRE HYDRANT: <90m

Ministry of Municipal Affairs and Housing
Ontario

Qualification Information
The undersigned has reviewed and takes responsibility for this design and has qualifications and meets the requirements set out in the Ontario Building Code to be a Designer.

Signature:

Jen Vanderherberg, Project North Architectural Design Studio
BCIN: 122179

REV.	DESCRIPTION	DATE
1	Revision 1	Date 1

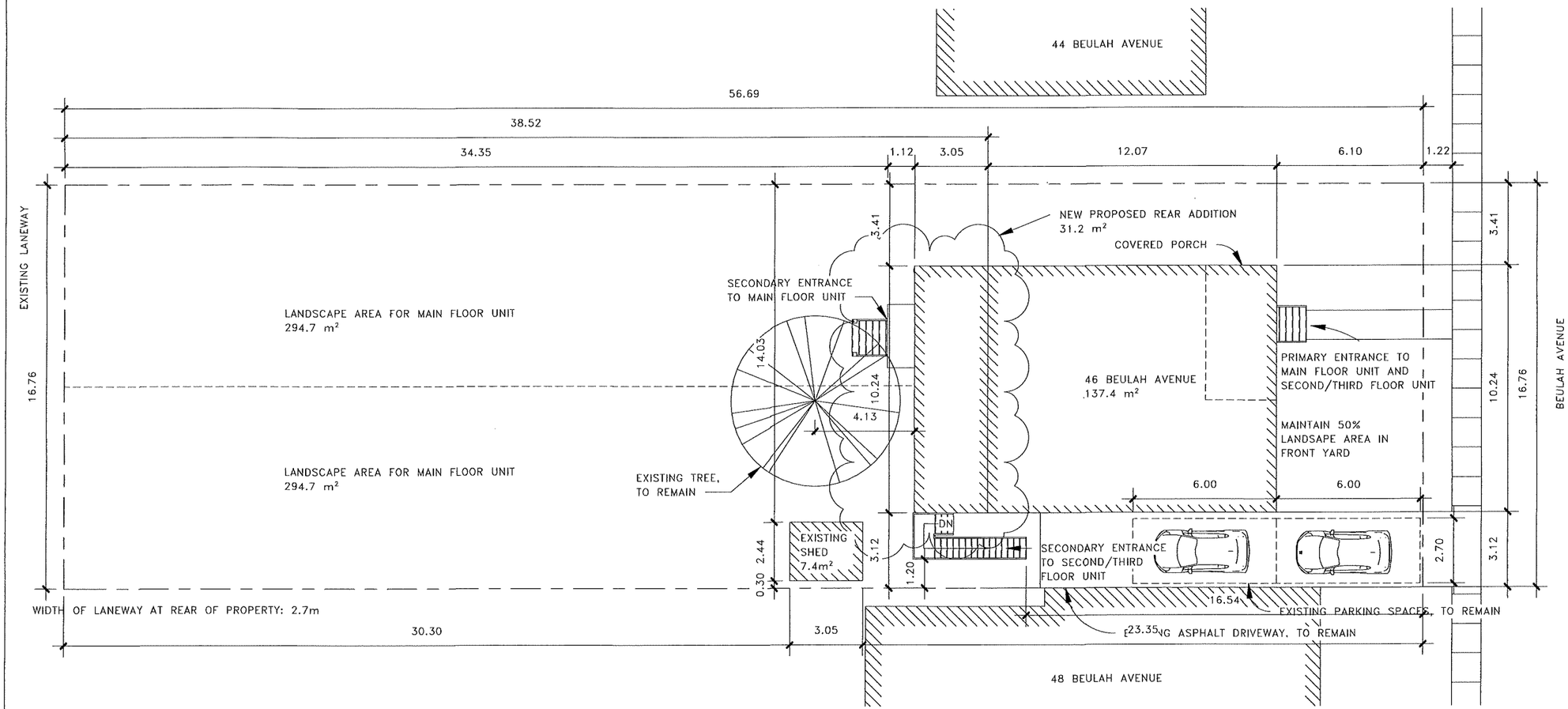
PROJECT NORTH
TRUE NORTH

DO NOT SCALE DRAWING. DIMENSIONS ARE TO BE CHECKED AND VERIFIED BY THE CONTRACTOR ON SITE.

ALL DRAWINGS, SPECIFICATIONS, AND RELATED DOCUMENTS ARE THE COPYRIGHT PROPERTY OF THE ARCHITECT AND MUST BE RETURNED UPON REQUEST. REPRODUCTION OF DRAWINGS, SPECIFICATIONS, AND RELATED DOCUMENTS IN WHOLE OR IN PART IS STRICTLY FORBIDDEN WITHOUT THE ARCHITECTS WRITTEN PERMISSION.

THIS DRAWING SHALL NOT BE USED FOR CONSTRUCTION PURPOSES UNLESS COUNTERSIGNED BY INVIZIJ ARCHITECTS INC.

PROJECT NAME:	THEA & OLIVER'S ADDITION
PROJECT ADDRESS:	46 BEULAH AVENUE
DRAWING TITLE:	SITE PLAN
DRWN:	JEN VANDERHERBERG
BCIN #:	122179
DATE:	06/06/2024
SCALE:	1/16" = 1'–0"
DRAWING NO.:	A01



WIDTH OF ROAD (BEULAH AVE) = 7.7m

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DRIVEWAY COVERAGE IN FRONT YARD – 18.5%

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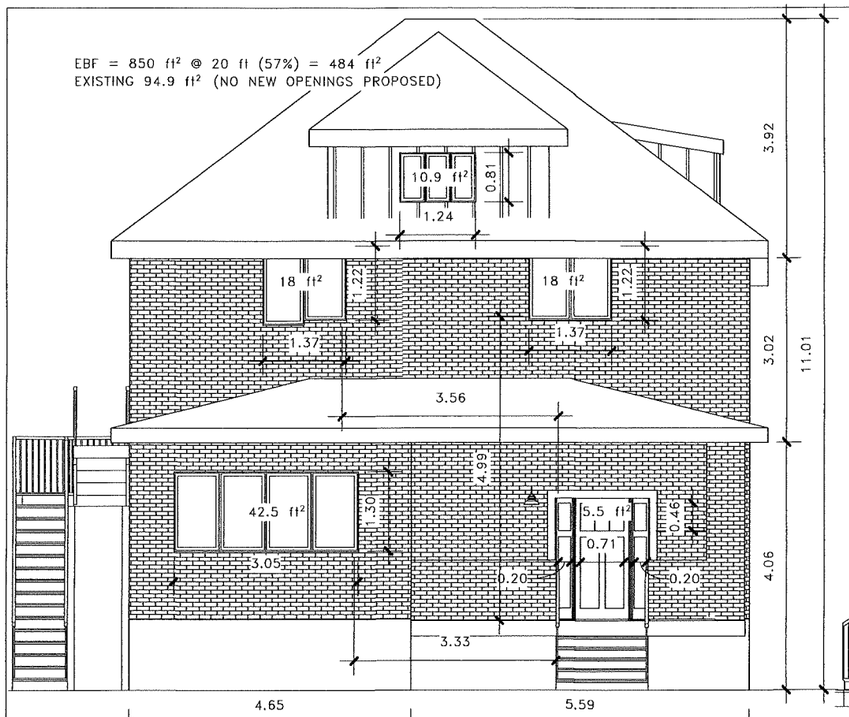
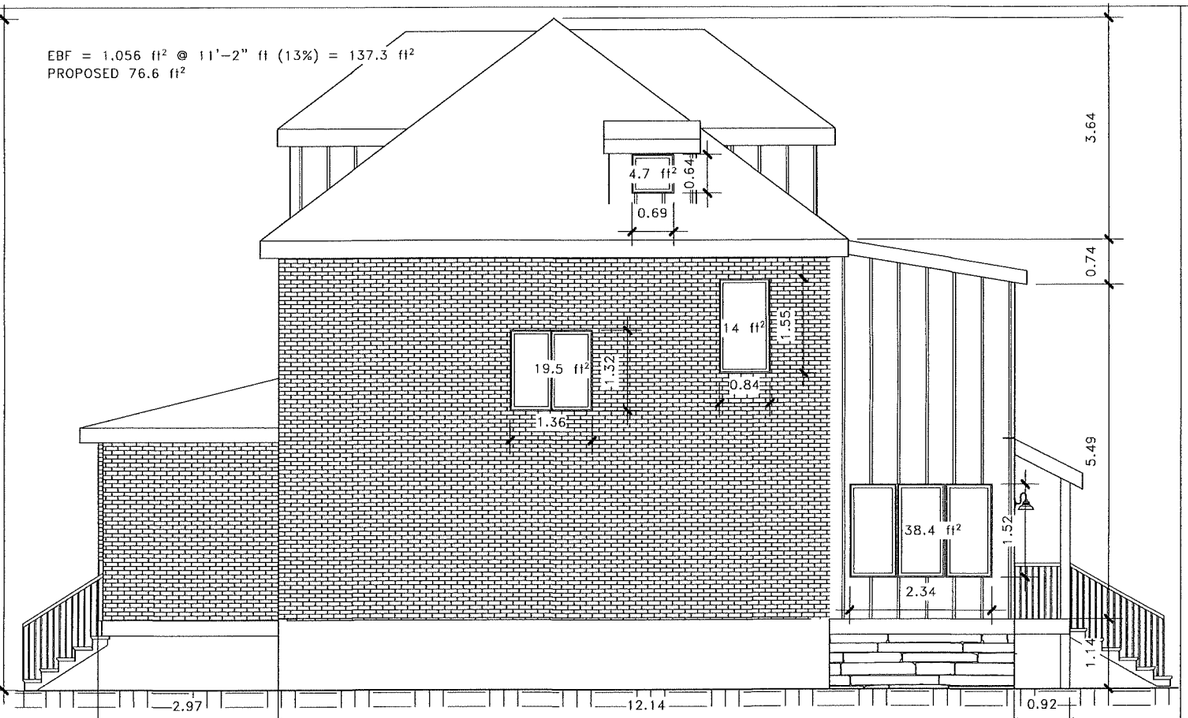
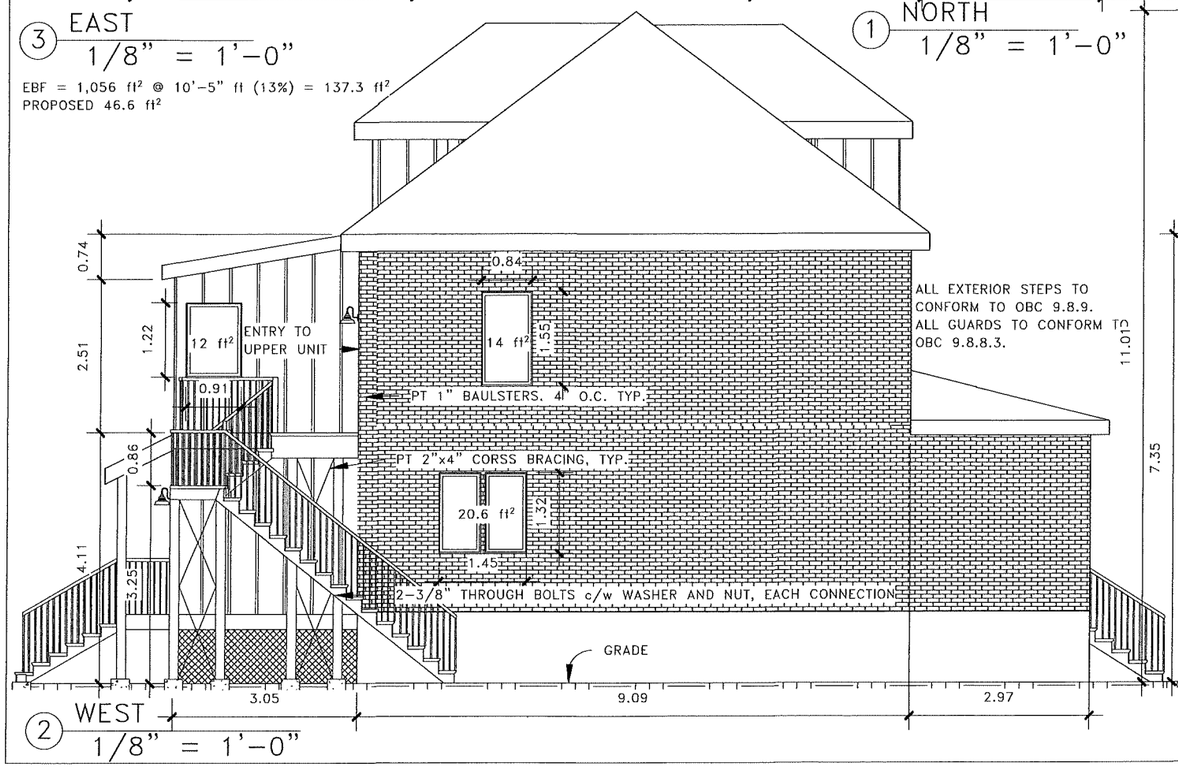
PROJECT NAME:	THEA & OLIVER'S ADDITION
PROJECT ADDRESS:	46 BEULAH AVENUE
DRAWING TITLE:	SITE PLAN
DRWN:	JEN VANDERHERBERG
BCIN #:	122179
DATE:	06/06/2024
SCALE:	1/16" = 1'–0"
DRAWING NO.:	A01



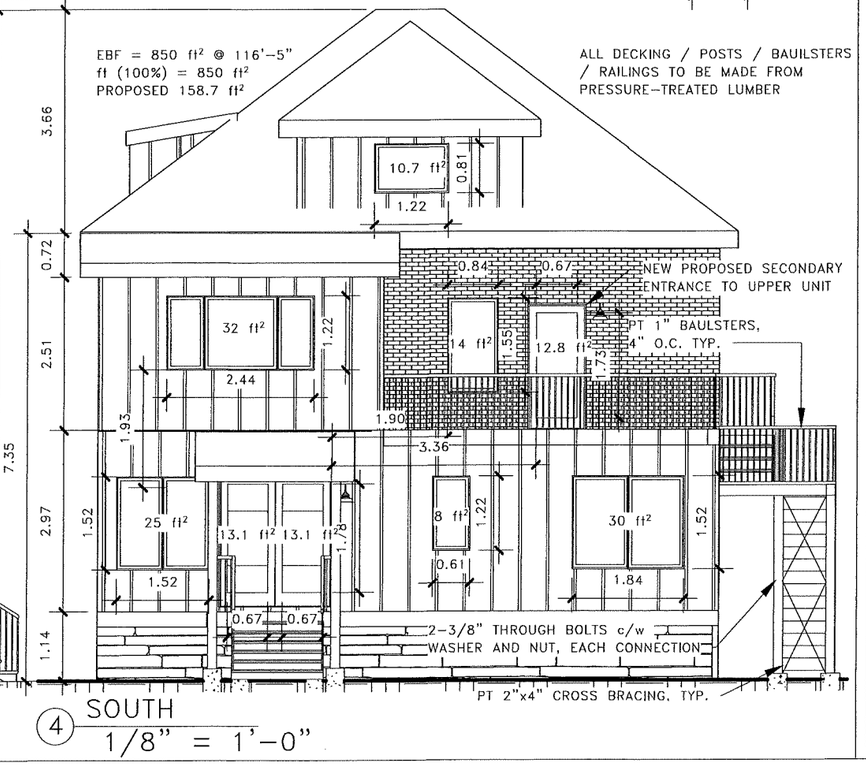
3 EAST
1/8" = 1'-0"



1 NORTH
1/8" = 1'-0"



2 WEST
1/8" = 1'-0"



4 SOUTH
1/8" = 1'-0"

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Ontario

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REV.	DESCRIPTION	DATE

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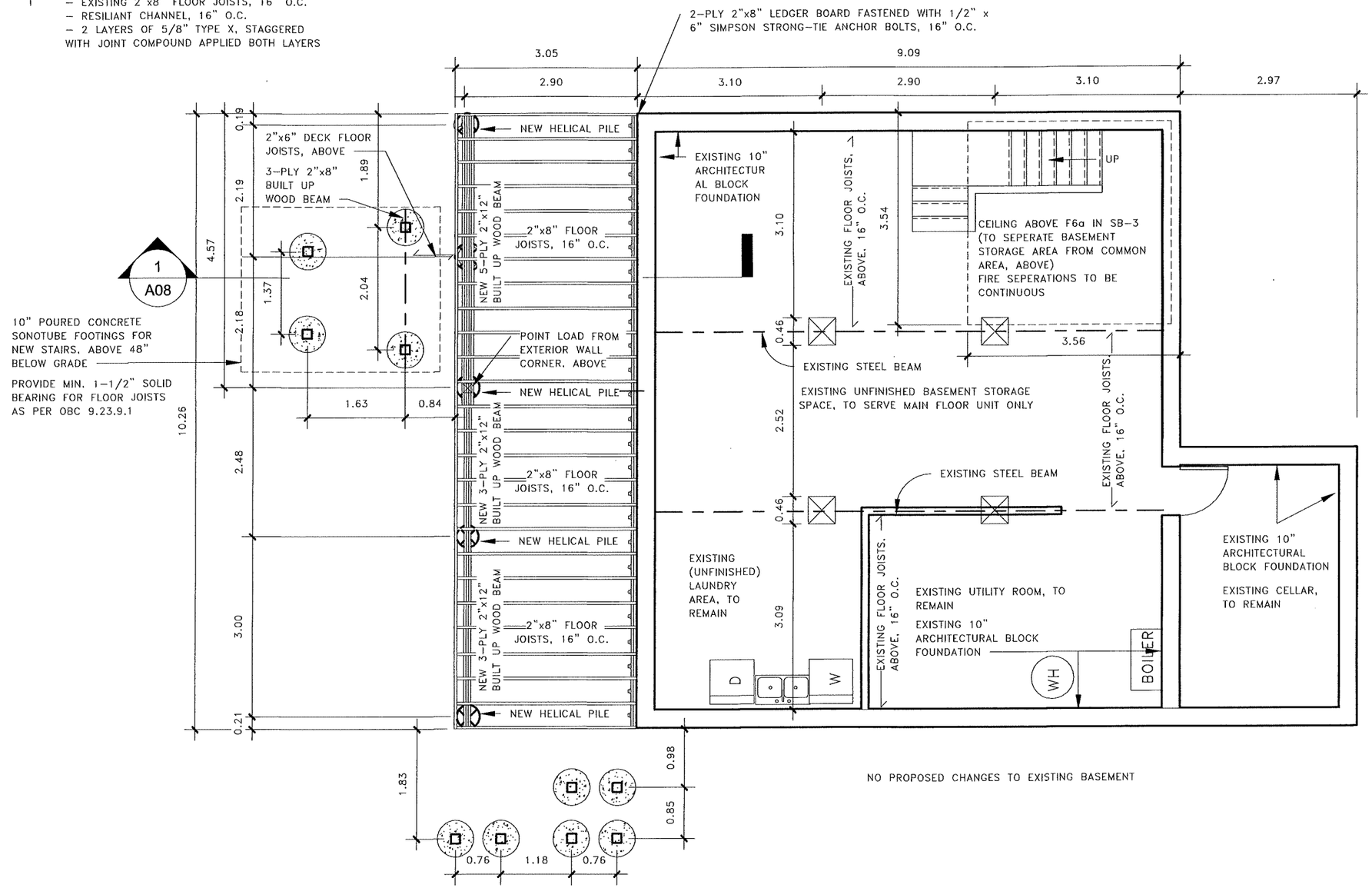
PROJECT NAME:	THEA & OLIVER'S ADDITION
PROJECT ADDRESS:	46 BEULAH AVENUE
DRAWING TITLE:	ELEVATIONS
DRWN:	Jen Vanderherberg
BCIN #:	122179
DATE:	06/06/2024
SCALE:	1/8" = 1'-0"
DRAWING NO.:	A02

NEW FLOOR ASSEMBLY (F6a SB-3)

- EXISTING HARDWOOD FLOOR
- EXISTING 3/4" TONGUE AND GROOVE SUBFLOOR
- EXISTING 2"x8" FLOOR JOISTS, 16" O.C.
- RESILIANT CHANNEL, 16" O.C.
- 2 LAYERS OF 5/8" TYPE X, STAGGERED WITH JOINT COMPOUND APPLIED BOTH LAYERS



NO PROPOSED CHANGES TO EXISTING BASEMENT

Ministry of Municipal Affairs and Housing

Ontario

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BCIN: 122179

REV.	DESCRIPTION	DATE

PROJECT NORTH

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PROJECT NAME:	THEA & OLIVER'S ADDITION
PROJECT ADDRESS:	46 BEULAH AVENUE
DRAWING TITLE:	FOUNDATION PLAN
DRWN:	JEN VANDERHERBERG
BCIN #:	122179
DATE:	06/06/2024
SCALE:	1 : 75
DRAWING NO.:	A03

EXISTING EXTERIOR WALL ASSEMBLY

⟨EW1⟩

- EXISTING 2 LAYERS SOLID BRICK
- EXISTING 1" AIR SPACE
- EXISTING LATHE & PLASTER

EXISTING BASEMENT WALL ASSEMBLY

⟨EW2⟩

- EXISTING 12" ARCHITECTURAL BLOCK FOUNDATION WALL

NEW EXTERIOR WALL ASSEMBLY (SB-3)

⟨EW3⟩

- NEW VINYL BOARD N' BATTEN SIDING
- AIR BARRIER (TYVEK OR EQUIV.)
- 1" (R5) XPS INSULATION
- 7/16" OSB SHEATHING
- 2"x6" STUDS @ 16" O.C., c/w (R19) BATT INSULATION
- 6mm POLY VAPOUR BARRIER
- 1/2" GYPSUM BOARD

PARTITION WALL ASSEMBLY

⟨P1⟩

TABLE 2.3.4.D + TABLE 2.3.4.A IN SB-3 OBC

60 MINUTE FIRE SEPERATION (35 MIN + 25 MIN)

45 MINUTE FIRE SEPERATION REQUIRED AS PER OBC 9.10.9.14.(4)

- EXISTING 2"x4" STUD WALL, 16" O.C.
- EXISTING 3/8"(9.5mm) GYPSUM LATH,
- EXISTING 1/2" (13mm) GYPSUM PLASTER
- NEW 1 LAYER (1/2")12.7mm TYPE X GYPSUM BOARD

SMOKE ALARMS TO BE IN CONFORMANCE WITH OBC 9.10.19 AND TO BE INTERCONNECTED BETWEEN UNITS

EXISTING FLOOR ASSEMBLY

TABLE 2.3.4.D IN SB-3 OBC

35 MINUTE FIRE SEPERATION

MIN 15 MIN REQ'D AS PER COMPLIANCE ALTERNATIVE C152 TABLE 11.5.1.1.C IN OBC

- EXISTING HARDWOOD FLOOR
- EXISTING 3/4" TONGUE AND GROOVE SUBFLOOR
- EXISTING (TRUE) 2"x7" JOISTS, 15" O.C. c/w 2"x1 1/2" CENTER BRIDGING
- EXISTING 3/8" (9.5mm) GYPSUM LATH
- EXISTING 1/2"(13mm) PLASTER ON LATH

SMOKE ALARMS TO BE IN CONFORMANCE WTIH OBC 9.10.19 AND INTERCONNECTED BETWEEN UNITS

NEW FLOOR ASSEMBLY (F6c SB-3)

- VINYL PLANK FLOORING
- 3/4" OSB SUBFLOOR
- 2"x8" FLOOR JOISTS, 16" O.C. c/w SAFE N' SOUND INSULATION
- RESILIANT CHANNEL, 16" O.C.
- 2 LAYERS OF 5/8" TYPE X, STAGGERED WITH JOINT COMPOUND APPLIED BOTH LAYERS

NEW PARTITION WALL ASSEMBLY (W4a SB-3):

⟨W4a⟩

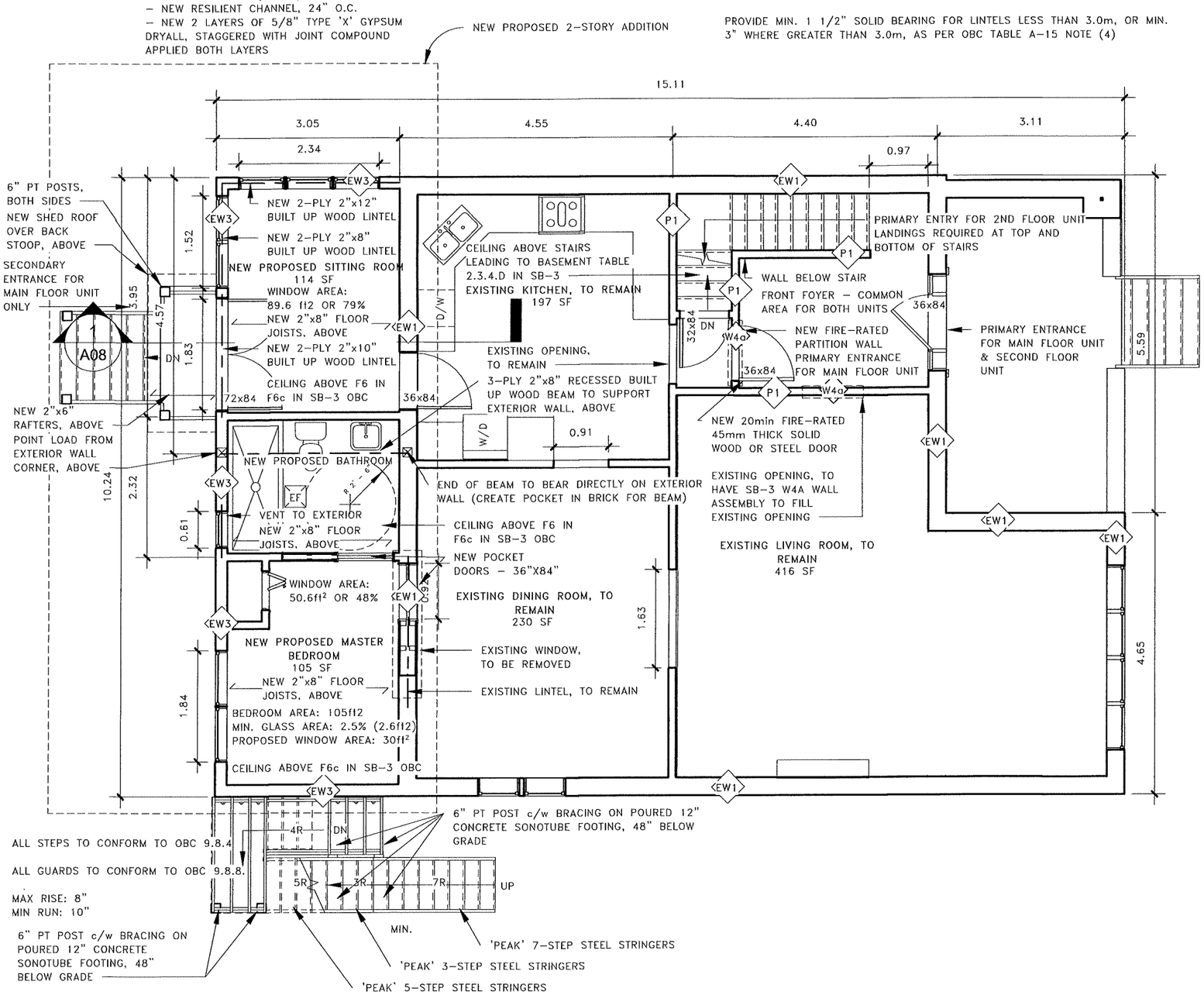
- NEW 5/8" TYPE X DRYWALL
- NEW 2"x4" STUD WALL, 16" O.C. c/w SAFE N' SOUND INSULATION (89mm)
- NEW RESILIENT CHANNEL, 24" O.C.
- NEW 2 LAYERS OF 5/8" TYPE 'X' GYPSUM DRYALL, STAGGERED WITH JOINT COMPOUND APPLIED BOTH LAYERS

PLUMBING SUBJECT TO FIELD INSPECTION

SMOKE ALARMS TO BE INTERCONNECTED BETWEEN UNITS

HANDRAIL: MIN. HEIGHT 34", MAX. HEIGHT 38" AS PER OBC 9.8.7.4

PROVIDE MIN. 1 1/2" SOLID BEARING FOR LINTELS LESS THAN 3.0m, OR MIN. 3" WHERE GREATER THAN 3.0m, AS PER OBC TABLE A-15 NOTE (4)



Ministry of Municipal Affairs and Housing

Ontario

Qualification Information

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Signature:

Jen Vanderherberg, Project North Architectural Design Studio
BCIN: 122179

REV.	DESCRIPTION	DATE

PROJECT NORTH

TRUE NORTH

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PROJECT NAME:	THEA & OLIVER'S ADDITION
PROJECT ADDRESS:	46 BEULAH AVENUE
DRAWING TITLE:	MAIN FLOOR PLAN
DRWN:	JEN VANDERHERBERG
BCIN #:	122179
DATE:	06/06/2024
SCALE:	1 : 75
DRAWING NO.:	A04

EXISTING EXTERIOR WALL ASSEMBLY

<EW1>

- EXISTING 2 LAYERS SOLID BRICK
- EXISTING 1" AIR SPACE
- EXISTING LATHE & PLASTER

EXISTING BASEMENT WALL ASSEMBLY

<EW2>

- EXISTING 12" ARCHITECTURAL BLOCK FOUNDATION WALL

NEW EXTERIOR WALL ASSEMBLY (SB-3)

<EW3>

- NEW VINYL BOARD N' BATTEN SIDING
- AIR BARRIER (TYVEK OR EQUIV.)
- 1" (R5) XPS INSULATION
- 7/16" OSB SHEATHING

2"x6" STUDS @ 16" O.C., c/w (R19) BATT INSULATION

- 6mm POLY VAPOUR BARRIER
- 1/2" GYPSUM BOARD

PARTITION WALL ASSEMBLY

<P1>

TABLE 2.3.4.D + TABLE 2.3.4.A IN SB-3 OBC

60 MINUTE FIRE SEPERATION (35 MIN + 25 MIN)

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- EXISTING 3/8"(9.5mm) GYPSUM LATH,
- EXISTING 1/2" (13mm) GYPSUM PLASTER
- NEW 1 LAYER (1/2")12.7mm TYPE X GYPSUM BOARD

SMOKE ALARMS TO BE IN CONFORMANCE WITH OBC 9.10.19 AND TO BE INTERCONNECTED BETWEEN UNITS

EXISTING FLOOR ASSEMBLY

TABLE 2.3.4.D IN SB-3 OBC

35 MINUTE FIRE SEPERATION

MIN 15 MIN REQ'D AS PER COMPLIANCE ALTERNATIVE C152 TABLE 11.5.1.1.C IN OBC

- EXISTING HARDWOOD FLOOR
- EXISTING 3/4" TONGUE AND GROOVE SUBFLOOR
- EXISTING (TRUE) 2"x7" JOISTS, 15" O.C. c/w 2"x1 1/2" CENTER BRIDGING
- EXISTING 3/8" (9.5mm) GYPSUM LATH
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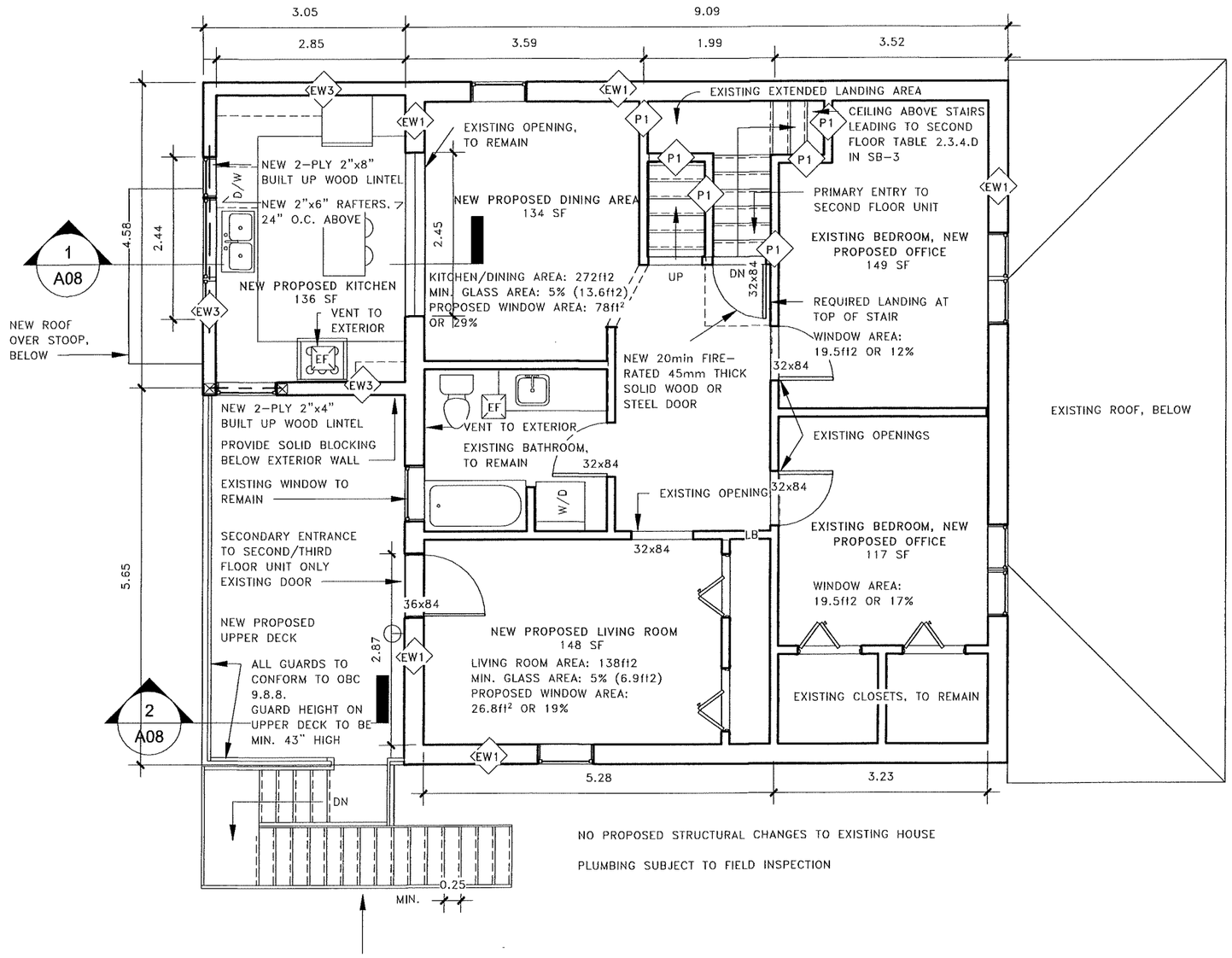
SMOKE ALARMS TO BE IN CONFORMANCE WTIH OBC 9.10.19 AND INTERCONNECTED BETWEEN UNITS



NO PROPOSED STRUCTURAL CHANGES TO EXISTING HOUSE

PLUMBING SUBJECT TO FIELD INSPECTION

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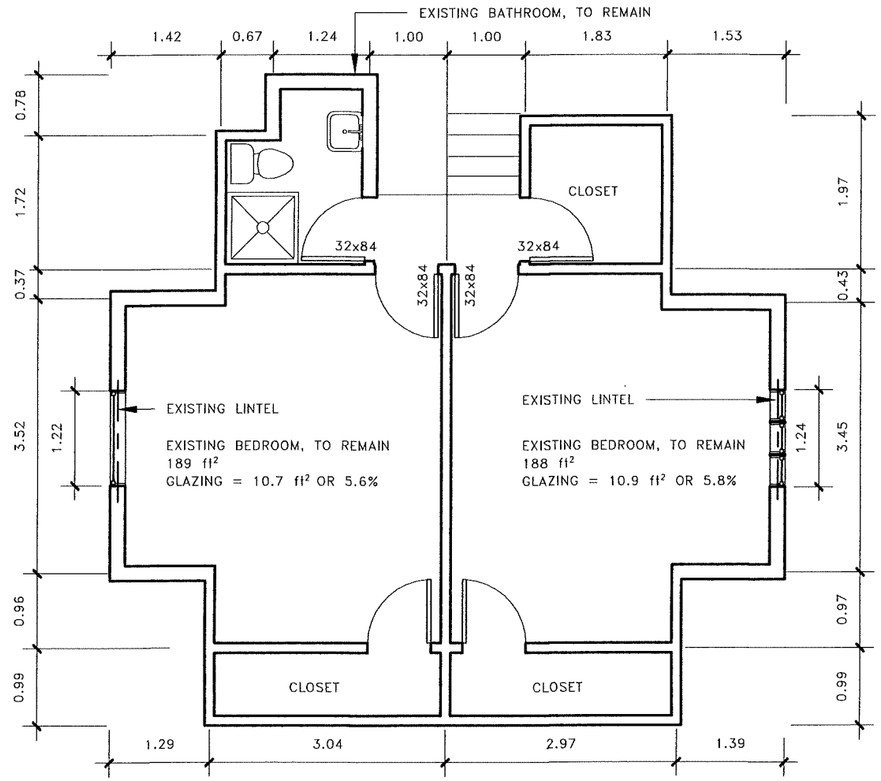
PROJECT NAME:	THEA & OLIVER'S ADDITION
PROJECT ADDRESS:	46 BEULAH AVENUE
DRAWING TITLE:	SECOND FLOOR PLAN
DRWN:	JEN VANDERHERBERG
BCIN #:	122179
DATE:	06/06/24
SCALE:	1 : 75
DRAWING NO.:	A05



ONE WINDOW ON THIS FLOOR LEVEL MUST BE OPERABLE WITHOUT TOOLS, PROVIDE UNOBSTRUCTED OPENING OF MIN 0.35m² / 3.8 ft² WITH NO DIMENSION LESS THAN 38mm / 15" AND REMAIN OPEN WITHOUT ADDITIONAL SUPPORT

NO PROPOSED CHANGES ON THIS LEVEL

Ministry of Municipal Affairs and Housing

Ontario

Qualification Information

The undersigned has reviewed and takes responsibility for this design and has qualifications and meets the requirements set out in the Ontario Building Code to be a Designer.

Signature:

Jen Vanderherberg, Project North Architectural Design Studio
BCIN: 122179

REV.	DESCRIPTION	DATE

PROJECT NORTH

TRUE NORTH

DO NOT SCALE DRAWING. DIMENSIONS ARE TO BE CHECKED AND VERIFIED BY THE CONTRACTOR ON SITE.

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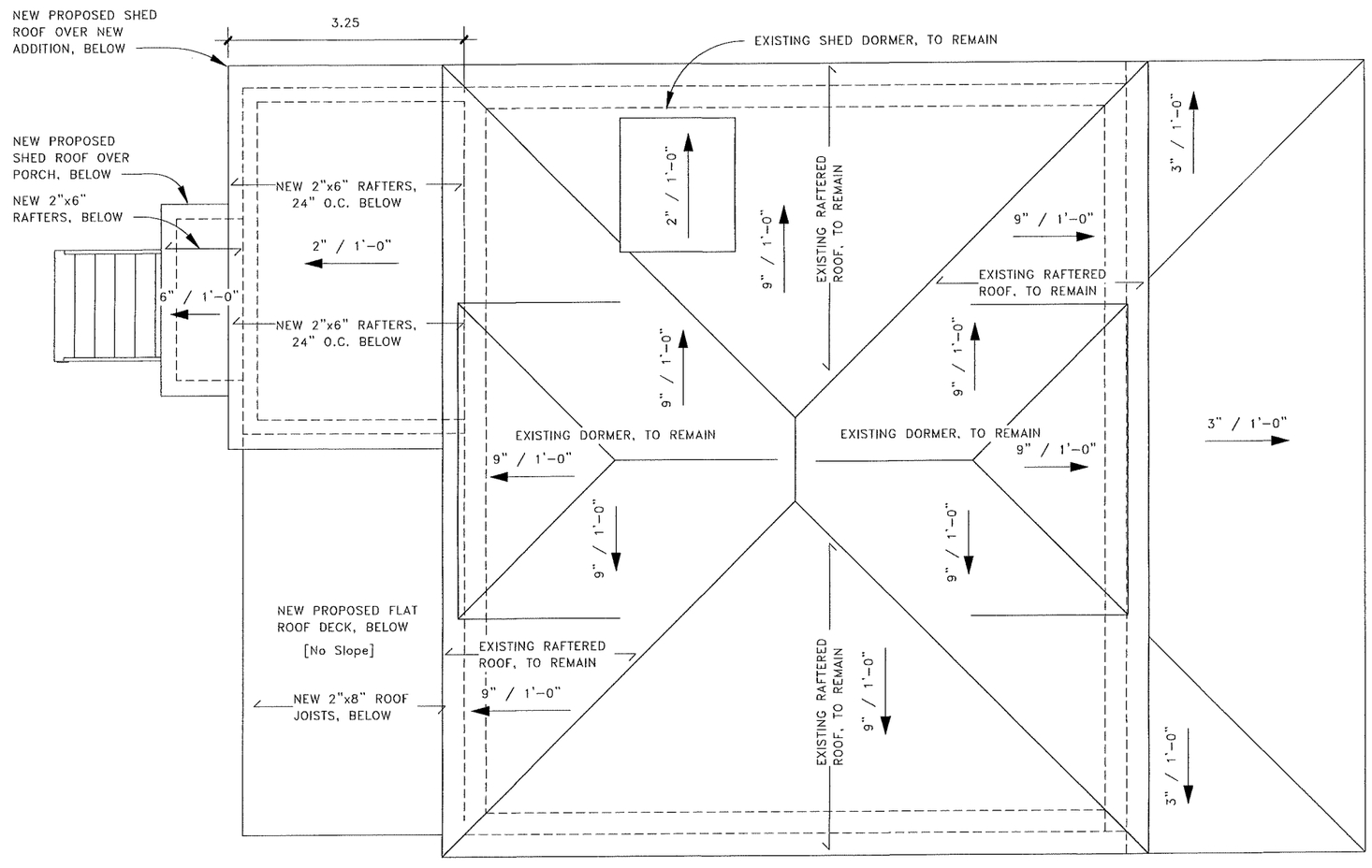
THIS DRAWING SHALL NOT BE USED FOR CONSTRUCTION PURPOSES UNLESS COUNTERSIGNED BY INVIZIJ ARCHITECTS INC.

PROJECT NAME:	THEA & OLIVER'S ADDITION
PROJECT ADDRESS:	46 BEULAH AVENUE
DRAWING TITLE:	THIRD FLOOR
DRWN:	JEN VANDERHERBERG
BCIN #:	122179
DATE:	06/06/24
SCALE:	1 : 75
DRAWING NO.:	A06



NO PROPOSED CHANGES TO EXISTING ROOM

1 ROOF PLAN
1 : 75

Ministry of Municipal Affairs and Housing
Ontario

Qualification Information
The undersigned has reviewed and takes responsibility for this design and has qualifications and meets the requirements set out in the Ontario Building Code to be a Designer.

Signature:

Jen Vanderherberg, Project North Architectural Design Studio
BCIN: 122179

REV.	DESCRIPTION	DATE

PROJECT NORTH
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PROJECT NAME:	THEA & OLIVER'S ADDITION
PROJECT ADDRESS:	46 BEULAH AVENUE
DRAWING TITLE:	ROOF PLAN
DRWN:	JEN VANDERHERBERG
BCIN #:	122179
DATE:	06/06/24
SCALE:	1 : 75
DRAWING NO.:	A07

PROVIDE ATTIC ACCESS TO COMPLY WITH OBC 9.19.2.1. MIN. 1'-8" x 2'-4"

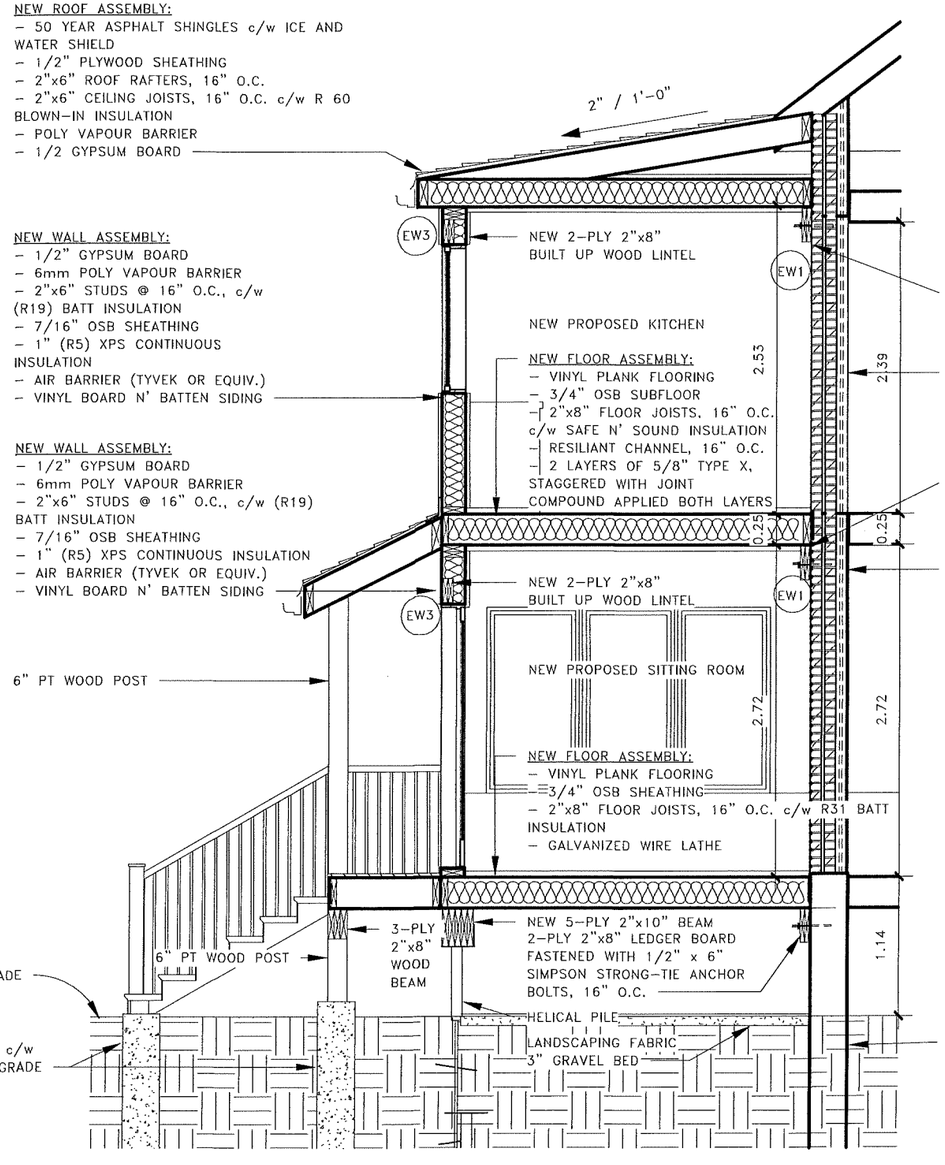
PROVIDE ROOF VENTING TO COMPLY WITH OBC 9.19.1.2

PROVIDE MIN. 1 1/2" SOLID BEARING FOR ROOF RAFTERS AND CEILING JOISTS AS PER OBC 9.23.13.3.

NEW ROOF ASSEMBLY:
- 50 YEAR ASPHALT SHINGLES c/w ICE AND WATER SHIELD
- 1/2" PLYWOOD SHEATHING
- 2"x6" ROOF RAFTERS, 16" O.C.
- 2"x6" CEILING JOISTS, 16" O.C. c/w R 60 BLOWN-IN INSULATION
- POLY VAPOUR BARRIER
- 1/2 GYPSUM BOARD

NEW WALL ASSEMBLY:
- 1/2" GYPSUM BOARD
- 6mm POLY VAPOUR BARRIER
- 2"x6" STUDS @ 16" O.C., c/w (R19) BATT INSULATION
- 7/16" OSB SHEATHING
- 1" (R5) XPS CONTINUOUS INSULATION
- AIR BARRIER (TYVEK OR EQUIV.)
- VINYL BOARD N' BATTEN SIDING

NEW WALL ASSEMBLY:
- 1/2" GYPSUM BOARD
- 6mm POLY VAPOUR BARRIER
- 2"x6" STUDS @ 16" O.C., c/w (R19) BATT INSULATION
- 7/16" OSB SHEATHING
- 1" (R5) XPS CONTINUOUS INSULATION
- AIR BARRIER (TYVEK OR EQUIV.)
- VINYL BOARD N' BATTEN SIDING



STAIR DIMENSIONS:
MIN. RISE: 4 7/8"
MAX. RISE: 7 7/8"
MIN. RUN: 10"
MAX. RUN: 14"

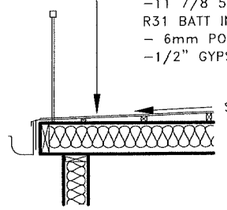
ANY LUMBER IN CONTACT WITH THE GROUND SHOULD BE PROPERLY TREATED AS PER OBC 9.8.9.3

12" POURED CONCRETE SONOTUBE c/w 4-15M CONT. MIN. 4'-0" BELOW GRADE

FLOOR SYSTEM SHALL BE PROTECTED FROM THE ELEMENTS AS PER OBC 9.25.2.3

1 Section 1
1/4" = 1'-0"

FLAT ROOF ASSEMBLY: (SEE ATTACHED ROOF DESIGN)
- EPDM ROOFING MEMBRANE
- EPDM ADHESIVE
-1/2" PLYWOOD SHEATHING
-11 7/8 560 TJI JOISTS, 16" O.C. c/w ROXUL R31 BATT INSULATION
- 6mm POLY VAPOUR BARRIER
-1/2" GYPSUM BOARD



2 Section 2
1/4" = 1'-0"

2-PLY 2"x8" LEDGER BOARD FASTENED WITH 1/2" x 6" SIMPSON STRONG-TIE ANCHOR BOLTS, 16" O.C.

EXISTING WALL ASSEMBLY:
- LATHE & PLASTER
- AIR SPACE
- DOUBLE BRICK CONSTRUCTION

NEW PROPOSED DINING ROOM

2-PLY 2"x8" LEDGER BOARD FASTENED WITH 1/2" x 6" SIMPSON STRONG-TIE ANCHOR BOLTS, 16" O.C.

EXISTING WALL ASSEMBLY:
- LATHE & PLASTER
- AIR SPACE
- DOUBLE BRICK CONSTRUCTION

EXISTING KITCHEN, TO REMAIN

EXISTING 12" ARCHITECTURAL BLOCK FOUNDATION

Ministry of Municipal Affairs and Housing
Ontario

Qualification Information
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Signature:

Jen Vanderherberg, Project North Architectural Design Studio
BCIN: 122179

REV.	DESCRIPTION	DATE

PROJECT NORTH
TRUE NORTH

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THIS DRAWING SHALL NOT BE USED FOR CONSTRUCTION PURPOSES UNLESS COUNTERSIGNED BY INVIZIJ ARCHITECTS INC.

PROJECT NAME:	THEA & OLIVER'S ADDITION
PROJECT ADDRESS:	46 BEULAH AVENUE
DRAWING TITLE:	SECTION VIEW
DRWN:	JEN VANDERHERBERG
BCIN #:	122179
DATE:	06/06/24
SCALE:	1/4" = 1'-0"
DRAWING NO.:	A08

Committee of Adjustment
City Hall, 5th Floor,
71 Main St. W.,
Hamilton, ON L8P4Y5

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

Hamilton

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

1. APPLICANT INFORMATION

	NAME	[redacted]
Registered Owners(s)	Alfred Theodore Haines	
Applicant(s)	Thea Haines &/or Oliver Knutton	
Agent or Solicitor	Jen Vanderherberg	

1.2 Primary contact ☑ Applicant ☐ Owner ☐ Agent/Solicitor

1.3 Sign should be sent to ☑ Applicant ☐ Owner ☐ AgentSolicitor

1.4 Request for digital copy of sign ☐ Yes* ☑ No

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

1.5 All correspondence may be sent by email ☑ Yes* ☐ No

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

1.6 Payment type ☑ In person ☐ Cheque ☐ Credit over phone*

*Must provide number above

2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	46 Beulah Avenue		
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:

We would like the primary entrance to be through the front foyer, shared with the main floor unit, with an additional exterior staircase leading to the second floor to provide a secondary entrance to the 2nd/3rd floor unit.

☐ Second Dwelling Unit ☐ Reconstruction of Existing Dwelling

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

As per bylaw 6593 Section 19 (1).1.(iv) states there shall be no exterior staircase above the first floor other than an required exterior exit.

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
16.8 m	56.7 m	950.4 m2	

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	6.1m	38.5	3.4m & 3.1m	
Shed	23.4	30.3	14m & .3m	

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Rear Addition	18.2	35.5	3.4m & 3.1m	
Exterior Staircase	16.5	35.5	1.2m & 13.7m	

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	123.5m2	258.3m2	3	11m
Shed	7.4m2	7.4m2	1	2.4m

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Rear Addition	31.2m2	45.5m2	2	7.35m
Exterior Staircase	78.6m2	78.6m2	2	4.1m

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)

- [x] 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
- [x] 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.):
Duplex Dwelling

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

7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands: Sept 21st 1989

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

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

7.4 Length of time the existing uses of the subject property have continued:
Sept 21st 1989

7.5 What is the existing official plan designation of the subject land?

Rural Hamilton Official Plan designation (if applicable): _____

Rural Settlement Area: _____

Urban Hamilton Official Plan designation (if applicable) Neighbourhoods

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

7.6 What is the existing zoning of the subject land? C/S-1822 Urban Protected Residential

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

- [ ] Yes
- [x] No

If yes, please provide the file number: _____

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

☐ Yes ☑ No

If yes, please provide the file number: _____

8 ADDITIONAL INFORMATION

8.1 Number of Dwelling Units Existing: 1

8.2 Number of Dwelling Units Proposed: 2

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

11 COMPLETE APPLICATION REQUIREMENTS

11.1 All Applications

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

11.4 Other Information Deemed Necessary

- ☐ Cover Letter/Planning Justification Report
- ☐ Authorization from Council or Director of Planning and Chief Planner to submit application for Minor Variance
- ☐ Minimum Distance Separation Formulae (data sheet available upon request)
- ☐ Hydrogeological Assessment
- ☐ Septic Assessment
- ☐ Archeological Assessment
- ☐ Noise Study
- ☐ Parking Study

_____

_____

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

NOTICE OF PUBLIC HEARING
Minor Variance

You are receiving this notice because you are either:

- Assessed owner of a property located within 60 metres of the subject property
- Applicant/agent on file, or
- Person likely to be interested in this application

APPLICATION NO.:	**A-24:205**	**SUBJECT PROPERTY:**	71 Rebecca Street, Hamilton
ZONE:	D1, 701 (Downtown Central Business District)	**ZONING BY-LAW:**	Zoning By-law City of Hamilton 05-200, as Amended by 20-030

APPLICANTS: Owner: Hi Rose (Rebecca) Inc. c/o Silvio Guglietti
Agent: A.J. Clarke and Associates Ltd c/o Ryan Ferrari

The following variances are requested:

1. 55 parking stalls shall be permitted to maintain a width of 2.8 metres and a length of 5.8 metres instead of the required 62 parking stalls with a width of 2.8 metres and a length of 5.8 metres;

2. 65 parking stalls shall be permitted to maintain a width of 2.6 metres and a length of 5.8 metres instead of the required 93 parking stalls with a width of 2.6 metres and a length of 5.8 metres;

3. 31 parking stalls shall be permitted to maintain a width of 2.6 metres and a length of 5.5 metres instead of the required 36 parking stalls with a width of 2.6 metres and a length of 5.5 metres;

4. 12 parking stalls shall be permitted to maintain a width of 2.8 metres and a length of 5.5 metres, instead of the required 13 parking stalls with a width of 2.8 metres and a length of 5.5 metres;

5. 2 barrier-free parking stalls shall be permitted with a width of 4.6 metres and a length of 5.8 metres instead of the required 3 barrier-free parking stalls with a width of 4.6 metres and a length of 5.8 metres;

6. 2 barrier-free parking stalls shall be permitted with a width of 4.6 metres and a length of 5.5 metres instead of the required 3 barrier-free parking stalls with a width of 4.6 metres and a length of 5.5 metres;

7. A balcony shall be permitted to encroach a maximum of 1.5m into any required yard instead of the minimum 1.0 metres.

A-24:205

PURPOSE & EFFECT: To permit the construction of a 29 Storey mixed use building.

Notes:

i. The variances are required to permit Site Plan application DA-21-113 and DA-23-016, Conditionally Approved on January 23, 2023.

ii. Please note, the variances have been provided as requested.

iii. Please note, Variance 1 and 5 have been provided to address requirements under Special Exception 701, despite the proposed dimensions maintaining or exceeding the requirements under Section 5 of Hamilton Zoning By-law 05-200.

This Notice must be posted by the owner of any land which contains seven or more residential units so that it is visible to all residents.

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

DATE:	**Tuesday, October 22, 2024**
TIME:	**1:30 p.m.**
PLACE:	**Via video link or call in (see attached sheet for details)**
	City Hall Council Chambers (71 Main St. W., Hamilton)
	To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment

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

- Visit www.hamilton.ca/committeeofadjustment
- Visit Committee of Adjustment staff at 5th floor City Hall, 71 Main St. W., Hamilton

PUBLIC INPUT

Written: If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Please see attached page for complete instructions, written comments must be received no later than noon October 18, 2024

Orally: If you would like to speak to this item at the hearing you may do so via video link, calling in, or attending in person. Please see attached page for complete instructions, registration to participate virtually must be received no later than noon October 21, 2024

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding A-24:205, you must submit a written request to cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.

A-24:205

If you wish to be provided a Notice of Decision, you must attend the Public Hearing and file a written request with the Secretary-Treasurer by emailing cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.

Subject Lands

DATED: October 3, 2024

Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

Information respecting this application is being collected under the authority of the Planning Act, R.S.O., 1990, c. P. 13. All comments and opinions submitted to the City of Hamilton on this matter, including the name, address, and contact information of persons submitting comments and/or opinions, will become part of the public record and will be made available to the Applicant and the general public, and may include posting electronic versions.

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

PARTICIPATION PROCEDURES

Written Submissions

Members of the public who would like to participate in a Committee of Adjustment meeting are able to provide comments in writing advance of the meeting. Comments can be submitted by emailing cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5. **Comments must be received by noon on the date listed on the Notice of Public Hearing.**

Comments are available the Friday prior to the Hearing and are available on our website: **www.hamilton.ca/committeeofadjustment**

Oral Submissions

Members of the public are also able to provide oral comments regarding Committee of Adjustment Hearing items by participating Virtually through Webex via computer or phone or by attending the Hearing In-person. Participation Virtually requires pre-registration in advance. Please contact staff for instructions if you wish to make a presentation containing visual materials.

1. Virtual Oral Submissions

Interested members of the public, agents, and owners **must register by noon on the day listed on the Notice of Public Hearing to** participate Virtually.

To register to participate Virtually by Webex either via computer or phone, please contact Committee of Adjustment staff by email cofa@hamilton.ca. The following information is required to register: Committee of Adjustment file number, hearing date, name and mailing address of each person wishing to speak, if participation will be by phone or video, and if applicable the phone number they will be using to call in.

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

2. In person Oral Submissions

Interested members of the public, agents, and owners who wish to participate in person may attend Council Chambers on the date and time listed on the Notice of Public Hearing. Please note, you will be required to provide your name and address for the record. It is advised that you arrive **no less than 10 minutes** before the time of the Public Hearing as noted on the Notice of Public Hearing.

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

Please note: Webex (video) participation requires either a compatible computer or smartphone and an application (app/program) must be downloaded by the interested party in order to participate. It is the interested party's responsibility to ensure that their device is compatible and operating correctly prior to the Hearing.

71 REBECCA STREET

No.	Revisions	Date
8	ISSUED FOR C OF A	27 AUG. 2024
7	REISSUED FOR SPA	28 AUG. 2023
6	REISSUED FOR SPA	14 JULY 2023
5	REISSUED FOR SPA	30 NOVEMBER 2022
4	REISSUED FOR SPA	20 JUNE 2022
3	ISSUED FOR 100% DD	29 APRIL 2022
2	REISSUED FOR SPA	06 JANUARY 2022
1	ISSUED FOR SPA	27 MAY 2021

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CONTRACTOR MUST CHECK AND VERIFY ALL DIMENSIONS ON THE JOB.

COREARCHITECTS
130 QUEENS QUAY EAST, SUITE 700, WEST TOWER
TORONTO, ON CANADA M5A 0P6
T +1 416 343 0400 • F +1 416 343 0401
INFO@COREARCHITECTS.COM
WWW.COREARCHITECTS.COM

71 Rebecca

71 REBECCA STREET

HAMILTON, ONTARIO, L8R 1B6

SITE PLAN FILE NUMBER: DA-21-091

ONTARIO ASSOCIATION OF ARCHITECTS
SEAN CLANCY
LICENCE

Drawn: ST	Scale:
Checked: BL	Date: 27 AUG. 2024

Title: TITLE PAGE

Project No.: 20-199	Drawing No.: **A000**

LEVELS	# OF FL	GCA				GFA				SALEABLE				SALEABLE	
		GCA /FL		TOTAL GCA		GFA /FL		TOTAL GFA		RESIDENTIAL / FL		TOTAL RESIDENTIAL		RETAIL	
		(sf)	(sm)	(sf)	(sm)	(sf)	(sm)	(sf)	(sm)	(sf)	(sm)	(sf)	(sm)	(sf)	(sm)
P1	1	1,522.00	141.40	1,522.00	141.40	742.71	69.00								
GROUND LEVEL	1	23,690.00	2,200.87	23,690.00	2,200.87	18,524.70	1,721.00	18,524.70	1,721.00					4,185.00	388.80
LEVEL 2	1	32,383.00	3,008.48	32,383.00	3,008.48	8,662.58	804.78	8,662.58	804.78						
LEVEL 3	1	32,383.00	3,008.48	32,383.00	3,008.48	7,292.34	677.48	7,292.34	677.48						
LEVEL 4	1	29,371.00	2,728.65	29,371.00	2,728.65	5,562.25	516.75	5,562.25	516.75						
LEVEL 5	1	21,789.00	2,024.26	21,789.00	2,024.26	21,361.64	1,984.56	21,361.64	1,984.56	18,088.00	1,680.43	18,088.00	1,680.43		
LEVEL 6	1	21,632.00	2,009.68	21,632.00	2,009.68	21,204.70	1,969.98	21,204.70	1,969.98	18,489.00	1,717.68	18,489.00	1,717.68		
LEVEL 7 & 9	2	21,634.00	2,009.68	43,268.00	4,019.36	21,204.70	1,969.98	42,409.39	3,939.96	18,922.00	1,757.91	37,844.00	3,515.82		
LEVEL 8	1	21,634.00	2,009.68	21,634.00	2,009.68	21,204.70	1,969.98	21,204.70	1,969.98	18,826.00	1,748.99	18,826.00	1,748.99		
LEVEL 10	1	19,400.00	1,802.32	19,400.00	1,802.32	18,972.69	1,762.62	18,972.69	1,762.62	16,714.00	1,552.78	16,714.00	1,552.78		
LEVEL 11	1	19,400.00	1,802.32	19,400.00	1,802.32	18,972.69	1,762.62	18,972.69	1,762.62	16,714.00	1,552.78	16,714.00	1,552.78		
LEVEL 12 (SPACER)	1	8,397.00	780.11	8,397.00	780.11	7,992.31	742.51	7,992.31	742.51	5,204.00	483.47	5,204.00	483.47		
LEVEL 13-29	17	9,423.00	875.42	160,191.00	14,882.22	9,013.70	837.40	153,232.94	14,235.80	8,121.00	754.47	138,057.00	12,825.91		
LEVEL MECH	1	9,423.00	875.42	9,423.00	875.42	2,513.59	233.52	2,513.59	233.52						
TOTAL				**444,483**	**41,293**			**347,907**	**32,322**			**269,936**	**25,078**	**4,185**	**389**
TOTAL EXCLUDING LEVELS 2 TO 4				**350,346**	**32,548**			**326,389**	**30,323**						

LEVELS	# OF FL	AMENITY								UNITS/FL				UNITS/BLD.			
		INTERIOR		EXTERIOR		PRIVATE TERRACE		PRIVATE BALCONY		1 BED (410 sf - 510 sf)	1 BED+DEN (500 sf - 600 sf)	2 BED (625 sf - 725 sf)	TOTAL UNITS/FL	1 BED (410 sf - 510 sf)	1 BED+DEN (500 sf - 600 sf)	2 BED (625 sf - 725 sf)	TOTAL UNITS/BLD.
		(sf)	(sm)	(sf)	(sm)	(sf)	(sm)	(sf)	(sm)								
P1	1																
GROUND LEVEL	1	3,110.77	289.00	0.00	0.00												
LEVEL 2	1																
LEVEL 3	1																
LEVEL 4	1																
LEVEL 5	1	387.50	36.00	2,152.78	200.00	5,539.00	514.59	453.00	42.09	18	9	6	33	18	9	6	33
LEVEL 6	1							2,503.00	232.54	17	8	8	33	17	8	8	33
LEVEL 7 & 9	2							2,503.00	232.54	18	8	8	34	36	16	16	68
LEVEL 8	1							2,503.00	232.54	18	8	8	34	18	8	8	34
LEVEL 10	1					2,111.44	196.16	977.00	90.77	16	11	4	31	16	11	4	31
LEVEL 11	1							2,423.00	225.10	16	11	4	31	16	11	4	31
LEVEL 12 (SPACER)	1	1,819.10	169.00	8,773.00	815.04	2,164.00	201.04	444.00	41.25	3	4	2	9	3	4	2	9
LEVEL 13-29	17							1,345	124.92	3	8	3	14	51	136	51	238
LEVEL MECH	1																
TOTAL		**5,317**	**494**	**10,926**	**1,015**	**9,814**	**912**	**10,648**	**989**	**109**	**67**	**43**	**219**	**175**	**203**	**99**	**477**
TOTAL EXCLUDING LEVELS 2 TO 4		**TOTAL AMENITY (SM)**		**3,410**						**%**				**36.69**	**42.56**	**20.75**	
										CLIENT TARGET				**40%**	**40%**	**20%**	

ZONING REQUIREMENTS (71 REBECCA STREET)		
SITE AREA	**34,017 SQ.FT. / 3,160 SQ.M.** PROVIDED BY SURVEY PLAN	
SITE INFORMATION	SEE SURVEY BY A.T. McLaren LIMITED.	
PROGRAM	OCCUPANCY IS RESIDENTIAL AND RETAIL	
ZONING	D1 (DOWNTOWN CENTRAL BUSINESS)	
	REQUIRED / PERMITTED	**PROVIDED**
MAX. BUILDING HEIGHT (BASED ON FIGURE 1 OF SCHEDULE "F" - SPECIAL FIGURES OF ZONING BY-LAW 05-200)	**97m EXCLUDING MPH (189.90 m) (30 STOREY EXCLUDING MPH)**	**29 STOREYS @ 93.40m (186.20 m) + 6m MECHANICAL PENTHOUSE (ESTABLISHED GRADE = 92.80 m)**
MAX. DENSITY	---	**DENSITY (TOTAL GFA / SITE AREA) = 10.22**
LOADING	---	**1 TYPE "G" LOADING SPACE**
GROSS FLOOR AREA		**TOTAL GFA = 347,907 sf / 32,322 sm** • **RESIDENTIAL GFA = 343,722sf / 31,933 sm** • **COMMERCIAL GFA = 4,185 sf / 389 sm**
LOT COVERAGE		**LOT COVERAGE (LEVEL 2 GCA / SITE AREA) =% 95**
PARKING		
RESIDENTIAL PARKING (BASED ON ZONING BY-LAW No. 05-200)	**-For units < 50sm = Min. [0 per unit (1-12 units)& 0.3 per unit (13+ units)] Max. [1.25 per unit]. -For units > 50sm = Min. [0 per unit (1-12 units), 0.5 per unit (13-50 units) & 0.7 per unit (51+ units)] Max. [1.25 per unit]. -For 3 or more bedroom = Min. [0 per unit (1-12 units), 0.3 per unit (13+ units)] Max. [1.25 per unit].**	PROVIDED: **171 PARKING SPACES** • **167 RESIDENTIAL** • **4 RESIDENTIAL CAR SHARE** (2.6 m x 5.5m size) • **0 COMMERCIAL**
COMMERCIAL PARKING (BASED ON ZONING BY-LAW No. 05-200)	**No Parking unless listed as below: commercial school, financial establishment, hotel, conference or convention center, medical clinic, office, veterinary services. For financial establishment : 1 for each 50 sm of gross floor area in excess of 450 sm. Medical Clinic: 1 for each 50 sm of gross floor area in excess of 450sm. Office: 1 for each 50 sm of gross floor aera in excess of 450sm. Veterinary Service: 1 for each 50 sm of gross floor area in excess of 450 sm.**	
RESIDENTIAL VISITOR PARKING (BASED ON SITE SPECIFIC ZONING)	**4 CAR SHARE PARKING STALLS AT GRADE 2.6m X 5.5m SIZE**	
TOTAL REQUIRED	**MIN: 213 RESIDENTIAL PARKING SPACES MAX: 597 RESIDENTIAL PARKING SPACES 0 COMMERCIAL PARKING SPACES 4 CAR SHARE PARKING STALLS AT GRADE**	
RES. (LONG-TERM)BICYCLE PARKING (BASED ON ZONING BY-LAW No. 05-200)	0.5 / UNIT = 477 UNITS X 0.5 =239 IN TOTAL	PROVIDED: **249 RESIDENTIAL BICYCLE SPACES** • **239 RESIDENCE (LONG-TERM)** • **10 VISITOR (SHORT-TERM)**
RES. VIS. (SHORT-TERM)BICYCLE PARKING(BASED ON ZONING BY-LAW No. 05-200)	5	
TOTAL REQUIRED	**244 RESIDENTIAL BICYCLE SPACES [239 RESIDENCE (LONG-TERM) + 5 VISITORS (SHORT-TERM)]**	
COMM. (LONG-TERM) BICYCLE PARKING (BASED ON ZONING BY-LAW No. 05-200)	0 for < 450sm, 2 per unit for area of 450-1000 sm, 5 per unit for area between 1001-10000sm	PROVIDED: **13 COMM. BICYCLE SPACES** • **8 OCCUPANTS (LONG-TERM)** • **5 VISITORS (SHORT-TERM)**
COMM. VIS.(SHORT-TERM) BICYCLE PARKING (BASED ON ZONING BY-LAW No. 05-200)	10 for commercial entertainment, 5 for other commercial use. No visitor bike space for office, personal services, restaurant or retail use less than 450sm.	
TOTAL REQUIRED	**0 COMMERCIAL BICYCLE SPACES [0 OCCUPANTS (LONG-TERM) + 0 VISITORS (SHORT-TERM)]**	
AMENITY SPACE	**4 SM per unit Note: For every 0.5 SM of green roof area provided the required Amenity area may be reduced by 1.0 SM**	PROVIDED: **EXTERIOR AMENITY = 1,015 sm INTERIOR AMENITY=494 sm PRIVATE TERRACE=912 sm PRIVATE BALCONY=989 sm TOTAL=3,410 sm**
TOTAL REQUIRED	**4 X 477 = 1908**	
PARKING SIZE (BASED ON SITE SPECIFIC ZONING)	REQUIRED:	PROVIDED:
2.8 m X 5.8 m	62	**58 (INCLUDING 4 EVSE)**
2.6 m X 5.8 m	93	**68 (INCLUDING 11 EVSE)**
2.6 m X 5.5 m	36	**28 (INCLUDING 19 EVSE)**
2.8 m X 5.5 m	13	**9 (INCLUDING 2 EVSE)**
4.6 m X 5.8 m (B.F.)	3	**2 (INCLUDING 2 EVSE)**
4.6 m X 5.5 m (B.F.)	3	**2 (INCLUDING 2 EVSE)**
2.6 m X 5.5 m (CAR SHARE)	4	**4 AT GRADE (INCLUDING 2 EVSE)**
LOCKERS	**N / A**	**226 (ABOVE GRADE)**

BARRIER FREE UNITS		
	1BED/1BED+DEN	**2B/2B+DEN**
TOTAL REQUIRED B.F UNITS (WITH 15%)	**55**	**18**
TOTAL PROVIDED B.F UNITS	**62**	**22**

LEVELS	NUMBER OF FULL HEIGHT WIRE MESH LOCKERS	NUMBER OF INDIVIDUAL STORAGE ROOMS	NUMBER OF STACKED WIRE MESH LOCKERS	NUMBER OF BIKE RACKS	NUMBER OF PARKING UNITS(SOLO)	NUMBER OF PARKING UNITS (TANDEM)	NUMBER OF PARKING UNITS (WITH STORAGE ROOM)	NUMBER OF TANDEM PARKING UNITS (WITH STORAGE ROOM)
LEVEL 2	**40**	**2**	**22**	**115**	**34**	**6**	**7**	**0**
LEVEL 3	**25**	**1**	**72**	**89**	**47**	**6**	**7**	**0**
LEVEL 4	**34**	**2**	**0**	**35**	**45**	**0**	**13**	**1**
TOTAL	**99**	**5**	**94**	**239**	**126**	**12**	**27**	**1**

No.	Revisions	Date
8	ISSUED FOR C OF A	27 AUG. 2024
7	REISSUED FOR SPA	28 AUG. 2023
6	REISSUED FOR SPA	14 JULY 2023
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4	REISSUED FOR SPA	20 JUNE 2022
3	ISSUED FOR 100% DD	29 APRIL 2022
2	REISSUED FOR SPA	06 JANUARY 2022
1	ISSUED FOR SPA	27 MAY 2021

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71 Rebecca
71 REBECCA STREET
HAMILTON, ONTARIO, L8R 1B6
SITE PLAN FILE NUMBER: DA-21-091

ONTARIO ASSOCIATION OF ARCHITECTS — PRAKASH ELSAKUSH — LICENCE 4709

Drawn: ST | Scale:
Checked: BL | Date: 27 AUG. 2024

Title: STATISTICS & ZONING REQUIREMENTS

Project No. 20-199 | Drawing No. **A100**

JOHN STREET NORTH
(BY NATHANIEL HUGHSON SURVEY)
PIN 17165-0126 (LT)
NATHANIEL HUGHSON SURVEY (UNREGISTERED)
LOT 3
LOT 2
LOT 1
PART 1, PLAN 62R - 11359
PART 2, PLAN 62R-11359
PIN 17165 - 0053 (LT)
PIN 17165 - 0052 (LT)
2 STOREY BRICK BUILDING No. 71 (TO BE DEMOLISHED)
EDGE OF GRAVEL
REBECCA STREET
(BY NATHANIEL HUGHSON SURVEY)
PIN 17165-0130 (LT)
CATHARINE STREET NORTH
(BY NATHANIEL HUGHSON SURVEY)
PIN 17165-0129 (LT)
SITE BENCH MARK
CUT CROSS
ELEV. 93.48
SITE BENCH MARK
CUT CROSS
ELEV. 92.37
SITE BENCH MARK
CUT CROSS
ELEV. 93.70
SITE BENCH MARK
CONCRETE PIN
ELEV. 92.86
N72°00'25"W
(N71°52'40"W)
17.894
N72°25'01"W
47.888
(P1 & Mid)
N72°00'02"W
47.509
(P1 & Mid)
N72°00'02"W
46.065
(P1 & Mid)
N71°52'40"W
95.851
(P1 & Mid)
N18°04'50"E
17.321
N71°52'40"W
95.851
(P1 & Mid)
LANDSCAPED FEATURE
ASPHALT DRIVEWAY
CONCRETE SIDEWALK
CONCRETE CURB
CONCRETE BORDER
CENTRE LINE OF PAVEMENT
375# MM SANITARY SEWER
375# MM COMBINED SEWER
150# MM WATERMAIN
1200X1334# MM STORM SEWER
450# MM COMBINED SEWER
2 STOREY OVERHANG
OVERHANG
CONCRETE
BRICK
SIGN
HYDRO MH
BELL MH
MH
CB
CBMH
DRIVEWAY
CONCRETE BARRIERS
CL OF CONCRETE 0.784 SOUTH
CL OF CONCRETE 0.874 SOUTH
CL OF CONCRETE 0.24 SOUTH
CL OF CONCRETE 0.34 SOUTH
CL OF CONCRETE 0.62 SOUTH
CL OF CONCRETE 0.69 SOUTH
CL OF CONCRETE 0.79 SOUTH
CL OF CONCRETE 0.84 SOUTH
CL OF CONCRETE 0.89 SOUTH
CL OF CONCRETE 0.99 SOUTH
CL OF CONCRETE 1.04 SOUTH
CL OF CONCRETE 1.09 SOUTH
CL OF CONCRETE 1.14 SOUTH
CL OF CONCRETE 1.19 SOUTH
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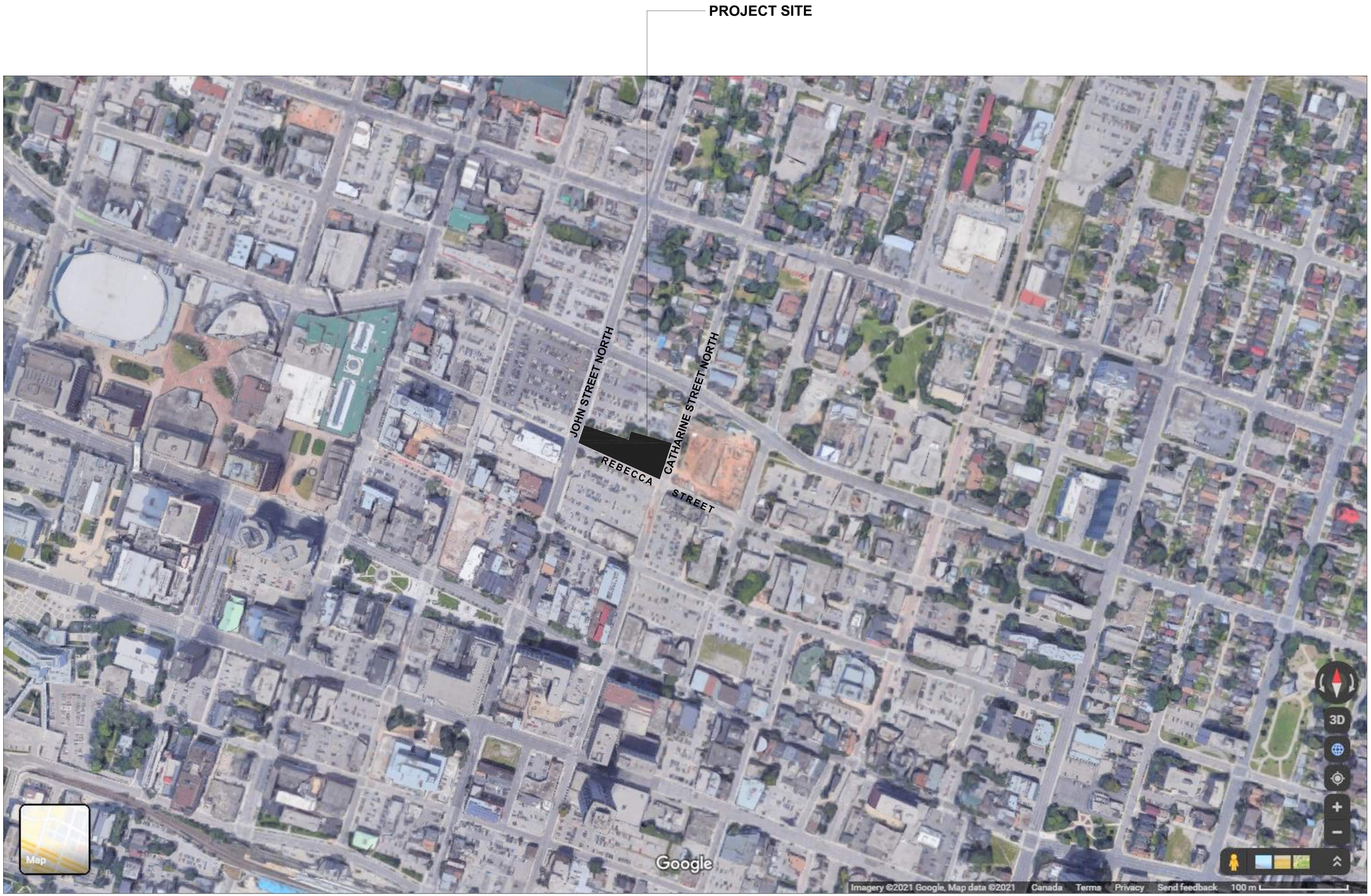
CL OF CONCRETE 1.34 SOUTH
CL OF CONCRETE



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71 Rebecca

71 REBECCA STREET

HAMILTON, ONTARIO, L8R 1B6
SITE PLAN FILE NUMBER: DA-21-091

N

ONTARIO ASSOCIATION OF ARCHITECTS
PRISM ESLAHOO
LICENCE
6706

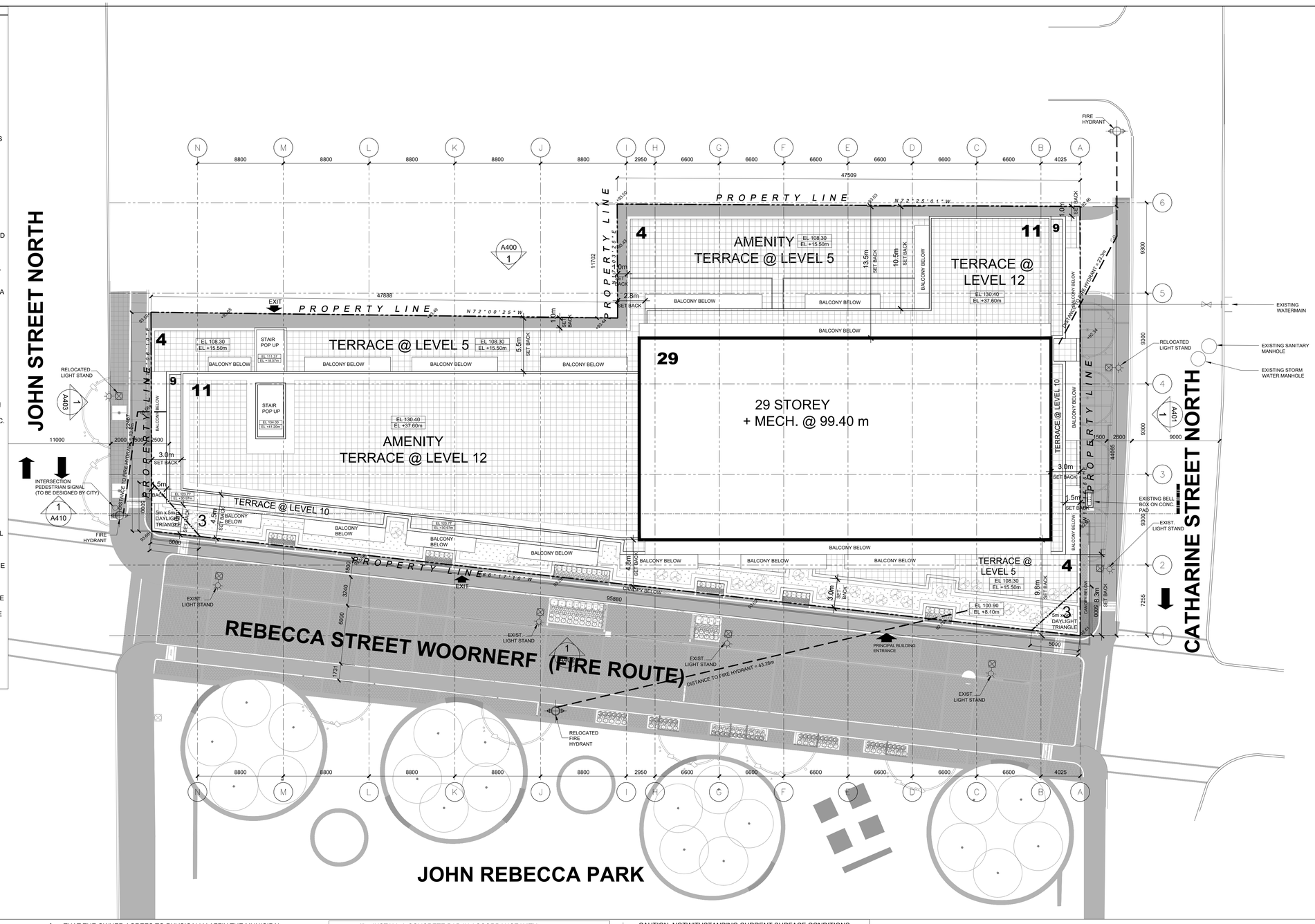
Drawn: ST	Scale:
Checked: BL	Date: 27 AUG, 2024

Title: CONTEXT PLAN

Project No.	Drawing No.
20-199	**A102**

SITE PLAN NOTES:

1. ALL WORK INVOLVED IN THE CONSTRUCTION, RELOCATION, REPAIR OF MUNICIPAL SERVICES FOR THE PROJECT SHALL BE TO THE SATISFACTION OF THE DIRECTOR OF PLANNING AND CHIEF PLANNER, PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT.
2. FIRE ROUT SIGNS AND 3-WAY FIRE HYDRANT SHALL BE ESTABLISHED TO THE SATISFACTION OF THE CITY FIRE DEPARTMENT AND AT THE EXPENSE OF THE OWNER.
3. MAIN DRIVEWAY DIMENSIONS AT THE PROPERTY LINE BOUNDARIES ARE PLUS OR MINUS 7.5m UNLESS OTHERWISE STATED.
4. 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.
5. THE APPROVAL OF THIS PLAN DOES NOT EXEMPT THE OWNER'S BONDED CONTRACTOR FROM THE REQUIREMENTS TO OBTAIN THE VARIOUS PERMITS/ APPROVALS NORMALLY REQUIRED TO COMPLETE A CONSTRUCTION PROJECT, SUCH AS , BUT NOT LIMITED TO THE FOLLOWING:
   -BUILDING PERMIT
   - ROAD CUT PERMIT
   -APPROACH APPROVAL PERMIT
   -COMMITTEE OF ADJUSTMENT
   -SEWER AND WATER PERMIT
   -RELOCATION OF SERVICES
   -ENCROACHMENT AGREEMENTS (IF REQUIRED)
6. ABANDONED ACCESSES MUST BE REMOVED AND THE CURB AND BOULEVARD RESTORED WITH SOD AT THE OWNER'S EXPENSE TO THE SATISFACTION OF THE GEOMATICS AND CORRIDOR MANAGEMENT SECTION, PUBLIC WORKS DEPARTMENT.
7. FOR VISIBILITY TRIANGLES AT THE VEHICULAR ACCESS POINTS, THE FOLLOWING NOTE TO BE PROVIDED: "5.0 METER BY 5.0 METER VISIBILITY TRIANGLES IN WHICH THE MAXIMUM HEIGHT OF ANY OBJECTS OR MATURE VEGETATION IS NOT TO EXCEED A HEIGHT OF 0.70 METERS ABOVE THE CORRESPONDING PERPENDICULAR CENTERLINE ELEVATION OF THE ADJACENT STREET. WITHOUT SETTING PRECEDENT, TRANSPORTATION PLANNING MAY ACCEPT REDUCED VISIBILITY TRIANGLE REQUIREMENTS ON THE NORTHERN SIDE OF THE PROPOSED DRIVEWAY ACCESS TO CATHARINE STREET NORTH PROVIDED THAT THE VISIBILITY TRIANGLE IS DIMENSIONED ON THE SITE PLAN ACCORDINGLY AND FREE OD OBSTRUCTIONS AS REQUIRED."
8. PROPOSED SIGNAGE SHALL CONFORM TO THE CITY'S SIGN BY-LAW No. 10-197.
9. LIGHTING MUST BE DIRECTED ON SITE AND MUST NOT SPILL OVER TO ADJACENT PROPERTIES OR STREETS.
10. A MINIMUM 1.2 METER 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 SIGNS OR UTILITY RELOCATED ARE THE SOLE RESPONSIBILITY OF THE APPLICANT / OWNER. IT IS THE APPLICANT'S RESPONSIBILITY TO COORDINATE WITH THE APPROPRIATE DEPARTMENTS AHEAD OF TIME.
11. THE OWNER IS ADVISED THAT IF THE PROPERTY IS REDEVELOPED IN THE FUTURE THEN A ROAD WIDENING OF APPROXIMATELY 3 METERS WILL BE REQUIRED FOR BARTON STREET EAST.
12. THE WASTE LOADING AREA DOES NOT MEET THE CITY'S REQUIREMENTS FOR THE FOLLOWING REASONS:
   - THE WASTE LOADING AREA DOES NOT INCLUDE MEASUREMENTS AND MAY NOT BE LARGE ENOUGH TO ACCOMMODATE ALL WASTE CONTAINERS FOR THE BUILDING.
   - THE PROPOSED WASTE LOADING AREA REQUIRES A VERTICAL CLEARANCE OF 9.5 METERS.
   - THE LOADING AREA MUST PERMIT ONE OF THE FOLLOWING OPTIONS FOR WASTE COLLECTION VEHICLE(S):
   a. ALLOWANCE FOR A MINIMUM 18 METER OF DISTANCE FOR THE HEAD-ON-APPROACH OF THE WASTE COLLECTION VEHICLE(S);
   b. A TURNAROUND AREA ALLOWING FOR A MAXIMUM THREE-POINT TURN OF NOT MORE THAN ONE TRUCK LENGTH;
   c. AN AREA WHICH THE WASTE COLLECTION VEHICLE MAY DRIVE THROUGH IN A CONTINUOUS FORWARD MOTION;
   - THE SITE PLAN MUST INCLUDE A LOCATION ADJACENT TO THE ROAD FOR THE CURBSIDE COLLECTION OF RECYCLING CARTS AND ORGANIC WASTE CARTS WHICH MEETS THE SPACE REQUIREMENTS SET OUT IN THIS MEMORANDUM. THERE IS LIMITED SPACE ADJACENT TO THE BUILDING FOR THE COLLECTION OF RECYCLING CARTS AND GREEN CARTS.



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UNDERTAKING

RE: 71 REBECCA STREET, HAMILTON FILE No. DA-21-091

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 TO 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 LETTER OF APPROVAL DATED ----------;
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;
d. IN THE EVENT THAT THE OWNER DOES NOT COMPLY WITH THE PLAN DATED ----------, 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. THAT THE OWNER AGREES TO PHYSICALLY AFFIX THE MUNICIPAL NUMBERS OR FULL ADDRESSES TO THE BUILDING OR ON A SIGN IN ACCORDANCE WITH THE CITY'S SIGN BY-LAW, IN A MANNER THAT IS VISIBLE FROM THE STREET.
f. THAT THE OWNER AGREES TO PHYSICALLY AFFIX THE MUNICIPAL NUMBERS TO EACH COMMERCIAL UNIT ENTRANCE, IN A MANNER THAT IS VISIBLE FROM THE STREET.
g. THE OWNER ACKNOWLEDGES AND AGREES TO CONVEY ANY EASEMENT(S) AS DEEMED NECESSARY BY BELL CANADA TO SERVICE THIS NEW DEVELOPMENT. THE OWNER FURTHER AGREES AND ACKNOWLEDGES TO CONVEY SUCH EASEMENTS AT NO COST TO BELL CANADA. THE OWNER AGREES THAT SHOULD ANY CONFLICT ARISE WITH EXITING 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 EASEMENT AT THEIR OWN COST.
h. THE OWNER SHALL COMPLETE TO THE SATISFACTION OF THE DIRECTOR OF GROWTH MANAGEMENT AND CANADA POST:
   a. INCLUDE ON ALL OFFERS OF PURCHASE AND SALE, A STATEMENT THAT ADVISES THE PROSPECTIVE PURCHASER:
      i) THAT THE HOME/BUSINESS MAIL DELIVERY WILL BE FROM A DESIGNED CENTRALIZED MAIL BOX.
      ii) THAT THE DEVELOPERS/OWNERS BE RESPONSIBLE FOR OFFICIALLY NOTIFYING THE PURCHASERS OF THE EXACT CENTRALIZED MAIL BOX LOCATIONS PRIOR TO THE CLOSING OF ANY HOME SALES.
   b. THE OWNER FURTHER AGREES TO:
      i) 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.
      ii) 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.
      iii) IDENTIFY THE PADS ABOVE ON THE ENGINEERING SERVICING DRAWINGS. SAID PADS TO BE POURED AT THE TIME OF THE SIDEWALK AND/OR CURB INSTALLATION WITHIN EACH PHASE OF THE PLAN OF SUBDIVISION.
      iv) 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.
      v) MAPS ARE ALSO TO BE PROMINENTLY DISPLAYED IN THE SALES OFFICE(S) SHOWING SPECIFIC CENTRALIZED MAIL FACILITY LOCATIONS.
   c. CANADA POST'S 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.
i. CAUTION: 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 HERITAGE, SPORT, TOURISM AND CULTURE INDUSTRIES (MHSTCI) SHOULD BE NOTIFIED IMMEDIATELY (416.212.8888). IN THE EVENT THAT HUMAN REMAINS ARE ENCOUNTERED DURING CONSTRUCTION, THE PROPONENT SHOULD IMMEDIATELY CONTACT BOTH MHSTCI AND THE REGISTRAR OR DEPUTY REGISTRAR OF THE CEMETERIES REGULATION UNIT OF THE MINISTRY OF SMALL BUSINESS AND CONSUMER SERVICES (416.212.7499)."
j. THE OWNER TO INCLUDE THE FOLLOWING WARNING CLAUSES ON TITLE AND IN ALL OFFERS OF PURCHASE AND SALE OR LEASE OF ALL RESIDENTIAL UNITS:
   a) THIS DWELLING UNIT HAS BEEN DESIGNED WITH THE PROVISION FOR ADDING CENTRAL AIR CONDITIONING AT THE OCCUPANT'S DISCRETION. INSTALLATION OF CENTRAL AIR CONDITIONING BY THE OCCUPANT IN WILL ALLOW WINDOWS AND EXTERIOR DOORS TO REMAIN CLOSED, THEREBY ENSURING THAT THE INDOOR SOUND LEVELS ARE WITHIN THE SOUND LEVEL LIMITS OF THE MUNICIPALITY AND THE MINISTRY OF THE ENVIRONMENT.
   b) PURCHASERS/TENANTS ARE ADVISED THAT DUE TO THE PROXIMITY OF THE GENERATORS AT ALECTRA UTILITIES AND HAMILTON POLICE INVESTIGATIVE SERVICES, NOISE FROM TESTING MAY AT TIMES BE AUDIBLE.

DATED THIS ---------- DAY OF ----------20--

---------- ----------
WITNESS (SIGNATURE) OWNER(S) (SIGNATURE)

---------- ----------
WITNESS (PRINT) OWNER(S) (PRINT)

ADDRESS OF WITNESS

1
A100
SITE PLAN

71 Rebecca
71 REBECCA STREET
HAMILTON, ONTARIO, L8R 1B6
SITE PLAN FILE NUMBER: DA-21-091

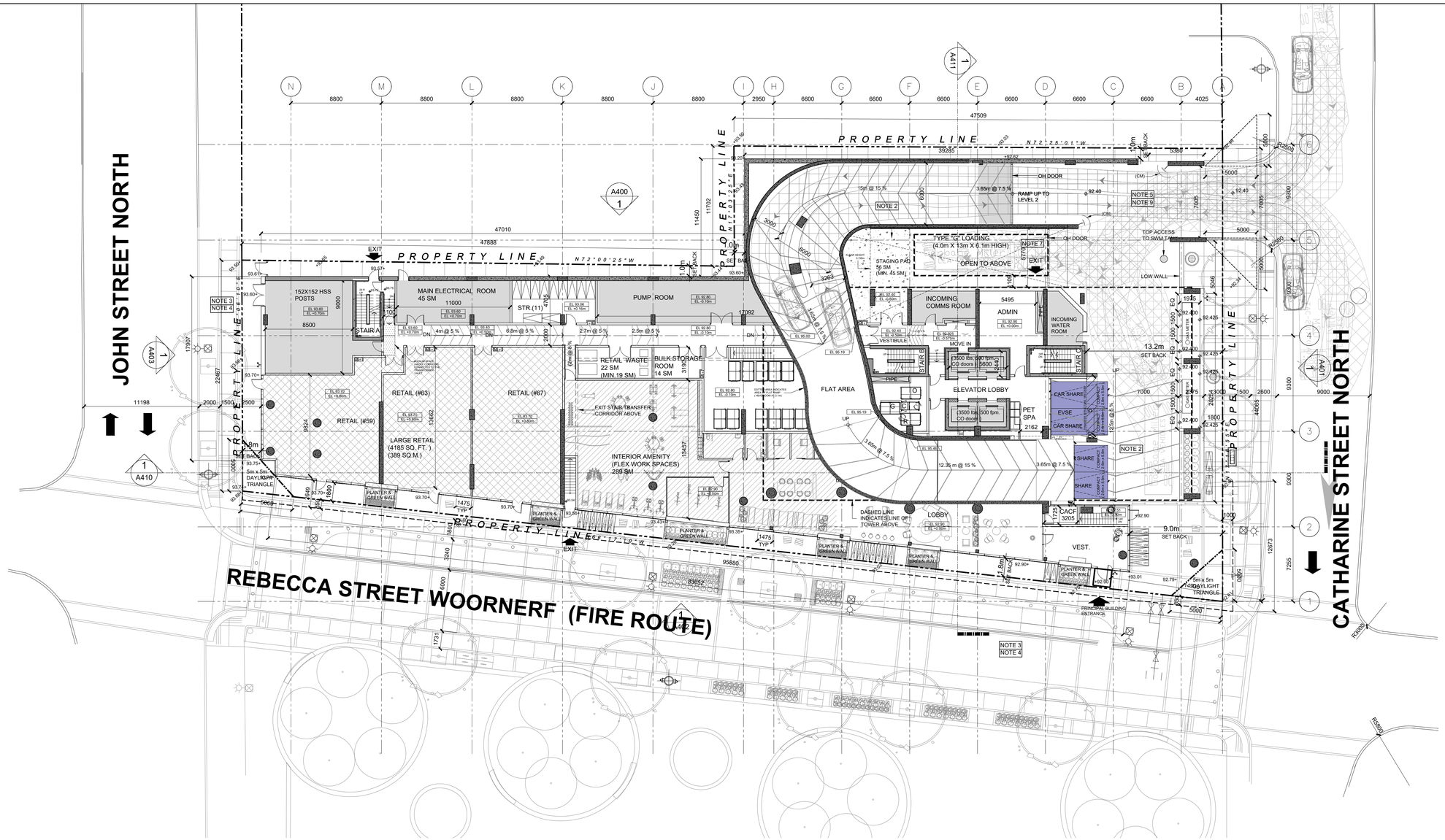
N PN

ONTARIO ASSOCIATION OF ARCHITECTS
KIRAN EDUMUDI
LICENCE

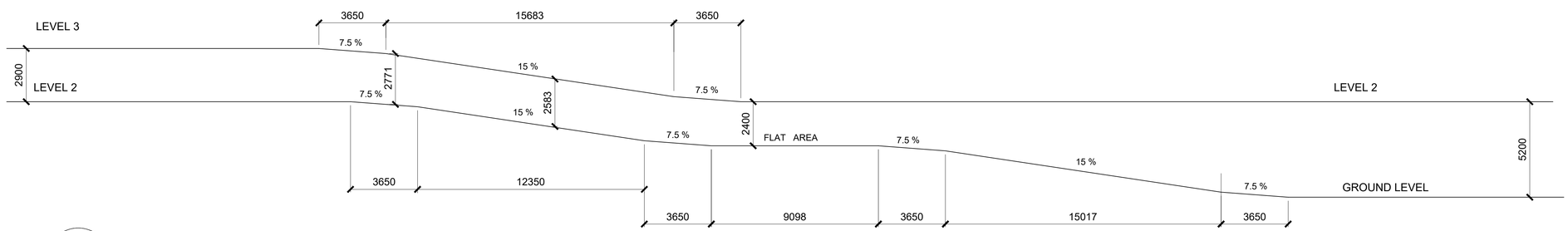
Drawn: ST	Scale: 1:200
Checked: BL	Date: 27 AUG. 2024

Title: SITE PLAN

Project No.: 20-199	Drawing No.: **A103**



1 A104 RAMP FROM GROUND TO SECOND PLAN



2 A104 RAMP FROM GROUND TO SECOND SECTION

No.	Revisions	Date
9	ISSUED FOR C OF A	27 AUG. 2024
8	REISSUED FOR SPA	25 OCT. 2023
7	REISSUED FOR SPA	28 AUG. 2023
6	REISSUED FOR SPA	14 JULY 2023
5	REISSUED FOR SPA	30 NOVEMBER 2022
4	REISSUED FOR SPA	20 JUNE 2022
3	ISSUED FOR 100% DD	29 APRIL 2022
2	REISSUED FOR SPA	06 JANUARY 2022
1	ISSUED FOR SPA	27 MAY 2021

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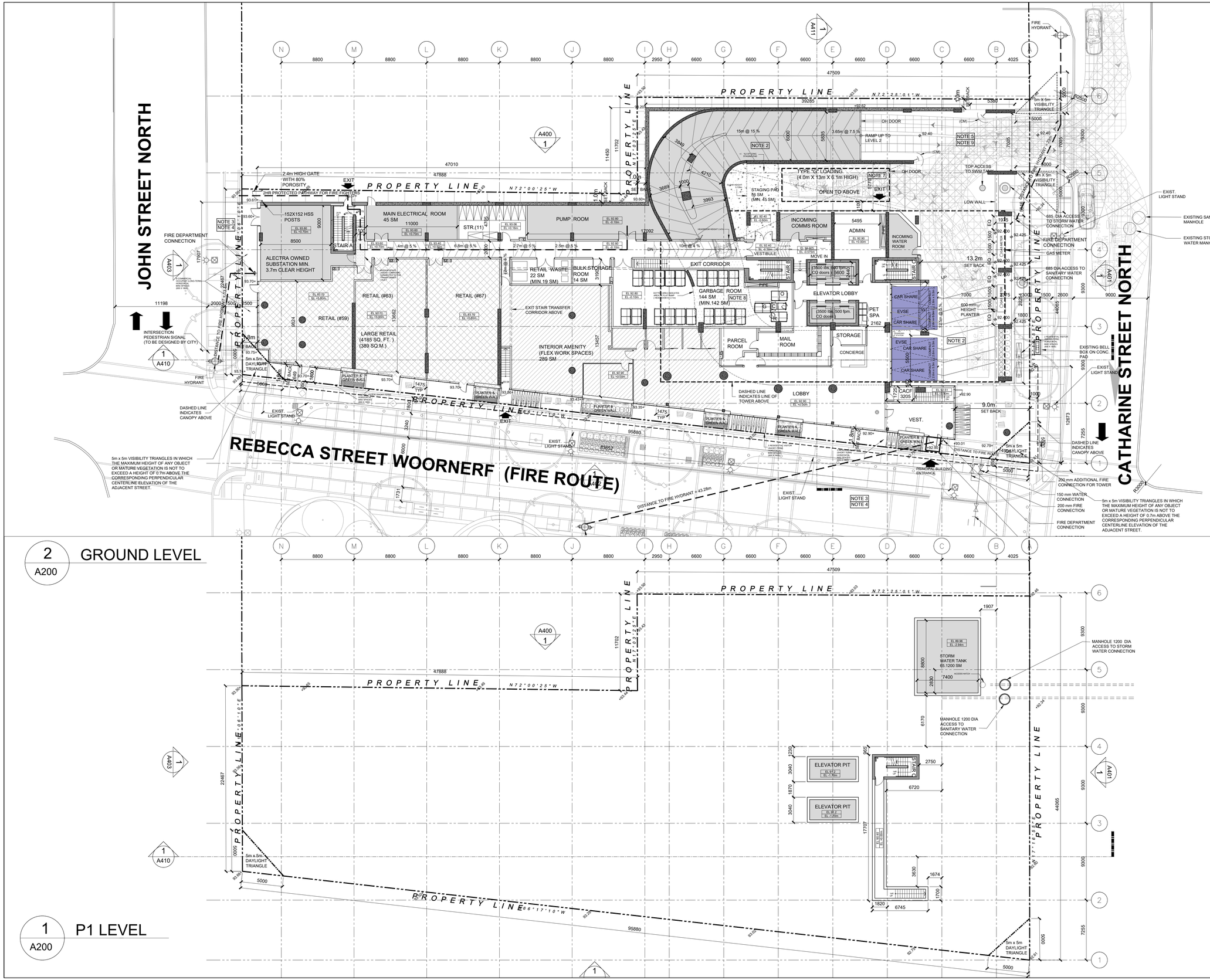
SITE PLAN FILE NUMBER: DA-21-091

Drawn: ST	Scale: 1:200
Checked: BL	Date: 27 AUG. 2024

Title: RAMP FROM GROUND TO SECOND

Project No.: 20-199	Drawing No.: **A104**



AREA NOT INCLUDED IN GFA

COMPACT PARKING SIZES AS PER SITE SPECIFIC ZONING

GLOTES:

NOTE 1: (RESERVED)

NOTE 2: ILLUSTRATED VEHICLE MOVEMENT DIAGRAM IS TAKEN FROM TRAFFIC REPORT. REFER ALSO TO TRAFFIC REPORT.

NOTE 3: REFER TO SITE SERVICING AND GRADING PLAN FOR DETAILED GRADING.

NOTE 4: REFER TO LANDSCAPE PLAN FOR PLANTING AND PAVING LOCATION, MATERIALS AND DETAILS.

NOTE 5: ACCEPTABLE PAVEMENT MARKING AND SIGNING PLAN FOR ACCESS DRIVEWAY WILL BE PROVIDED WHICH INCLUDES NO PARKING SIGNING AND WARNING SIGNING INDICATING THE PRESENCE OF LARGE TRUCKS, AT NO COST TO THE CITY (REFER TO TRAFFIC REPORT)

NOTE 6: CURB AND SIDEWALK AT THE VEHICULAR ACCESS POINT BUILT AS PER CITY OF HAMILTON STANDARDS AND ANY EXISTING VEHICULAR ACCESS RAMPS ON STREETS ADJACENT TO PROPERTY WILL BE ELIMINATED AND THE SIDEWALK AND CITY BOULEVARD WILL BE REINSTATED TO CITY OF HAMILTON STANDARDS AND SPECIFICATIONS AT NO EXPENSE TO THE CITY.

NOTE 7: TRAINED ON-SITE STAFF MEMBER TO BE AVAILABLE TO MOVE BINS FOR THE GARBAGE COLLECTION DRIVER AND ACT AS A FLAGMAN WHEN THE TRUCK IS REVERSING.
AND CONSTRUCT THE TYPE 'C' LOADING SPACE, STAGING PAD, AND ALL DRIVEWAYS AND PASSAGEWAYS PROVIDING ACCESS THERETO TO THE REQUIREMENTS OF THE BUILDING CODE INCLUDING ALLOWANCE FOR CITY OF HAMILTON BULK LIFT WITH IMPACT FACTORS WHERE THEY ARE TO BE BUILT AS SUPPORTING STRUCTURES/FLOOR STRUCTURE TO BE MINIMUM 200mm REINFORCED CONCRETE W/ MAX +/- 2% SLOPE. ALL ACCESS DRIVEWAYS AND LANES THAT ARE TO BE USED BY THE COLLECTION VEHICLE WILL BE LEVEL (+-5%), AT LEAST 4.5 METERS WIDE AND 6 METERS WIDE ON TANGENTIAL CURVE AND RAISED CURBS ARE TO BE AVOIDED ALONG THE TRAVELING LANE OF 4.4 METERS INCLUDING WHEN TRAVELING THROUGH OVERHEAD DOORS.
AND RETAIL MANAGEMENT MUST ARRANGE FOR THEIR COLLECTION DAYS TO BE SCHEDULED TO BE OPPOSITE DAYS FROM THOSE OF RESIDENTIAL COLLECTION DAYS.
COMMERCIAL/OFFICE BINS MUST BE CLEARLY LABELED.

NOTE 8: DOUBLE CHUTE SYSTEM EQUIPPED WITH BISORTER FOR RECYCLING (R) AND GARBAGE (G). GARBAGE STREAM ATTACHED TO COMPACTOR.

NOTE 9: CONVEX MIRRORS TO BE INSTALLED WITHIN PARKING GARAGE AT ALL RIGHT-ANGLE TURNS TO BE NEGOTIATED BY TWO-WAY TRAFFIC, POSITIONED IN SUCH A MANNER TO PROVIDE DRIVERS WITH CLEAR VIEWS OF ON-COMING TRAFFIC. (TYPICAL)

NOTE 10: PARKING LEVELS UTILIZE TRUE COLOR RENDITION LIGHTING (CRI >80). LIGHT FIXTURES WILL BE LOCATED OVER REAR THIRD OF PARKING SPACES AND OVERALL MINIMUM LIGHT LEVELS WILL COMPLY WITH CODE.

NOTE 11: GARAGE TO BE EQUIPT WITH SECURITY CAMERAS.

NOTE 12: AIR SHAFT WILL INCORPORATE SOUND ATTENUATION MEASURES OR SELECTION OF VENTILATION EQUIPMENT THAT RESULT IN THE SOUND LEVELS AT THE SENSITIVE POINTS OF RECEPTION THAT MEET THE CITY OF HAMILTON AND MINISTRY OF ENVIRONMENT AND CLIMATE CHANGE'S NPC-300: NOISE CRITERIA AT ALL TIMES OF THE DAY OR NIGHT. NOISE CONTROL MEASURES MAY INCLUDE BUT NOT BE LIMITED TO DUCT SILENCERS, DUCT LINING, BARRIERS OR THE SELECTION OF QUIETER MECHANICAL VENTILATION EQUIPMENT. GRILL TO BE GALV. STEEL.

NOTE 13: ALL ELEVATOR LOBBY, STAIR AND VESTIBULE DOORS TO HAVE MAXIMUM ALLOWABLE GLAZING AS PER OBC.

SIGNS:

SIGN 2: DENOTES "NO PARKING" AND DRIVEWAY SIGN.

No.	Revisions	Date
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3	ISSUED FOR 100% DD	29 APRIL 2022
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1	ISSUED FOR SPA	27 MAY 2021

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SITE PLAN FILE NUMBER: DA-21-091

Drawn: ST	Scale: 1:200
Checked: BL	Date: 27 AUG. 2024

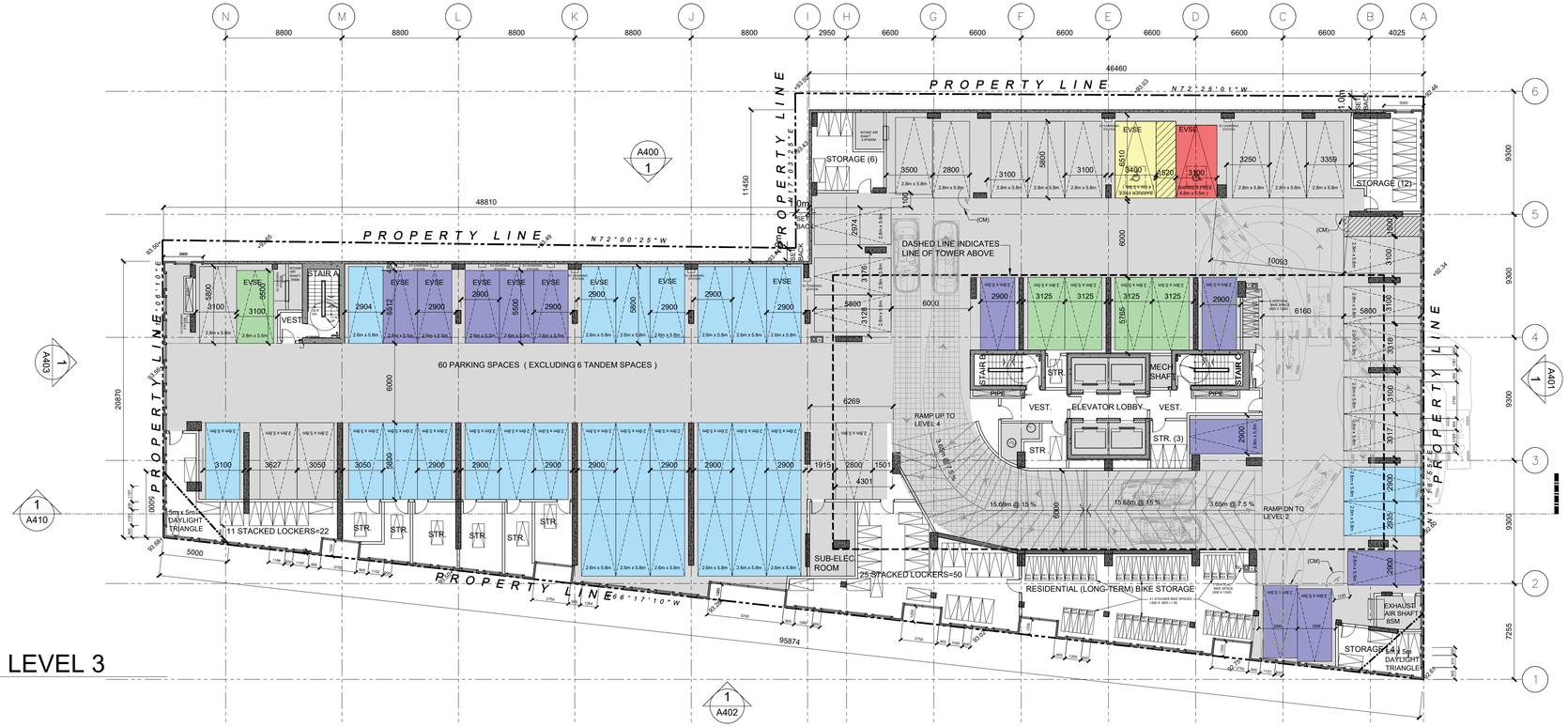
Title: P1 & GROUND LEVELS

Project No.: 20-199

Drawing No.: **A200**

2 A200 GROUND LEVEL

1 A200 P1 LEVEL



2 / A201 LEVEL 3

1 / A201 LEVEL 2

AREA NOT INCLUDED IN GFA

PARKING SIZES AS PER SITE SPECIFIC ZONING

2.8m x 5.8m | 2.8m x 5.5m | 2.6m x 5.5m | 2.6m x 5.8m

BARRIER FREE (4.6m x 5.8m) | BARRIER FREE (4.6m x 5.5m)

No.	Revisions	Date
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SITE PLAN FILE NUMBER: DA-21-091

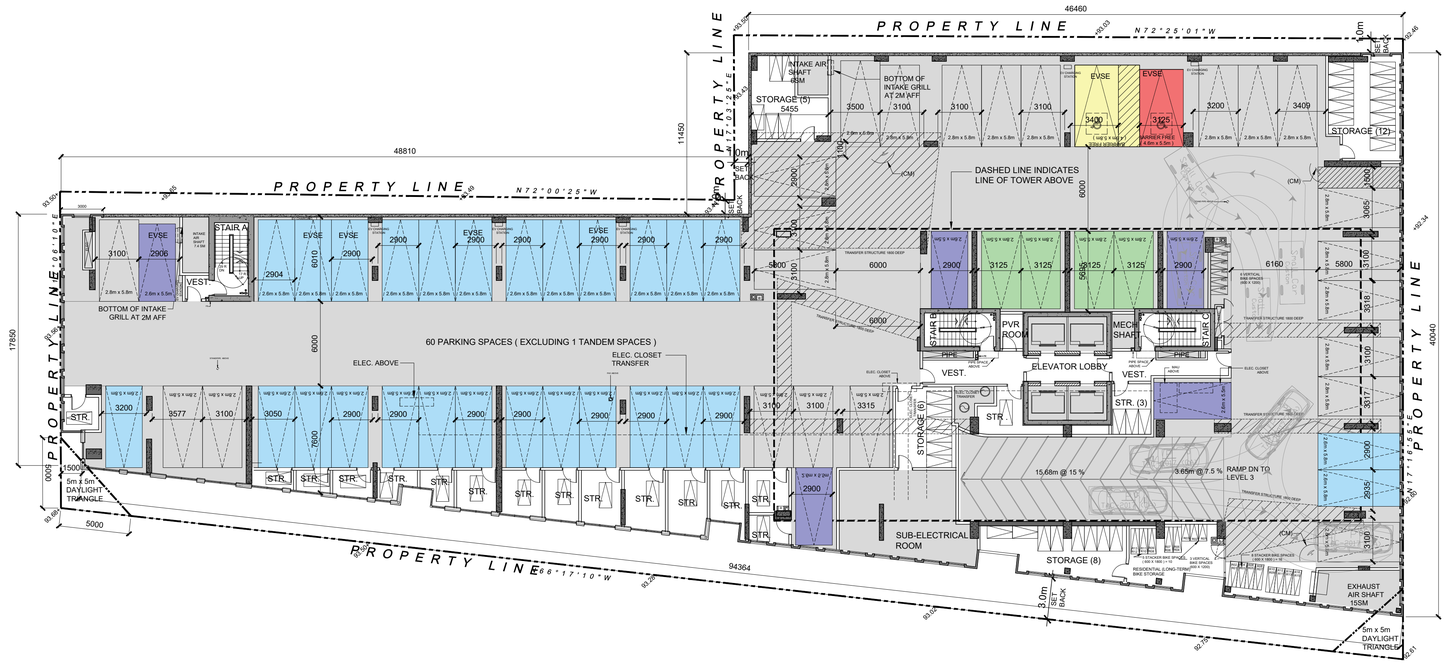
N PN

ONTARIO ASSOCIATION OF ARCHITECTS

Drawn: ST	Scale: 1:200
Checked: BL	Date: 27 AUG. 2024

Title: LEVEL 2 & 3

Project No.	Drawing No.
20-199	**A201**



1
A202

LEVEL 4

AREA NOT INCLUDED IN GFA

PARKING SIZES
AS PER SITE SPECIFIC ZONING

2.8m x 5.8m | 2.8m x 5.5m | 2.6m x 5.5m | 2.6m x 5.8m

BARRIER FREE (4.6m x 5.8m) | BARRIER FREE (4.6m x 5.5m)

No.	Revisions	Date
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2	REISSUED FOR SPA	06 JANUARY 2022
1	ISSUED FOR SPA	27 MAY 2021

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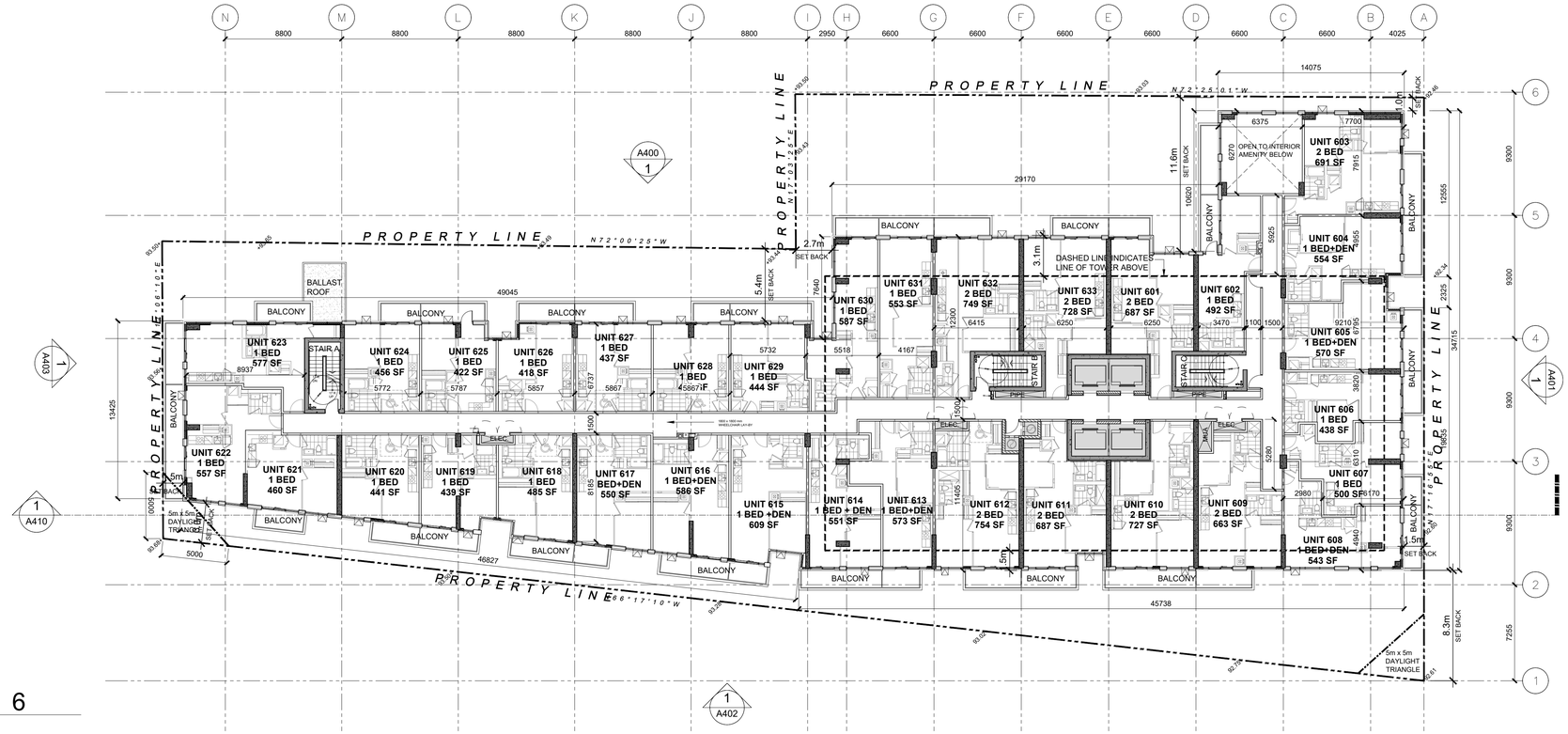
SITE PLAN FILE NUMBER: DA-21-091

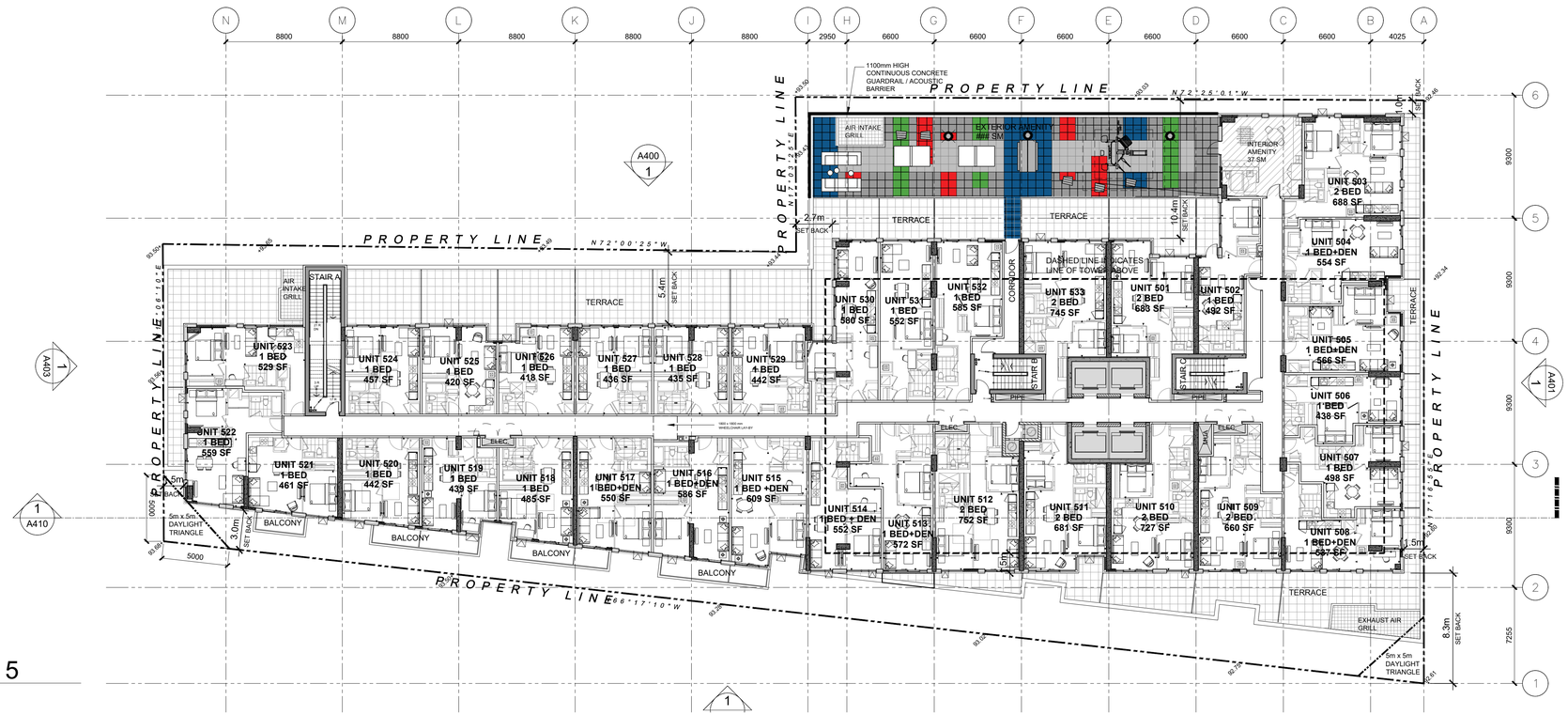
Drawn: ST	Scale: 1:200
Checked: BL	Date: 27 AUG. 2024

Title: LEVEL 4

Project No.: 20-199	Drawing No.: **A202**



2 A203 LEVEL 6



1 A203 LEVEL 5

AREA NOT INCLUDED IN GFA

No.	Revisions	Date
8	ISSUED FOR C OF A	27 AUG. 2024
7	REISSUED FOR SPA	28 AUG. 2023
6	REISSUED FOR SPA	14 JULY 2023
5	REISSUED FOR SPA	30 NOVEMBER 2022
4	REISSUED FOR SPA	20 JUNE 2022
3	ISSUED FOR 100% DD	29 APRIL 2022
2	REISSUED FOR SPA	06 JANUARY 2022
1	ISSUED FOR SPA	27 MAY 2021

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SITE PLAN FILE NUMBER: DA-21-091

Drawn: ST	Scale: 1:200
Checked: BL	Date: 27 AUG. 2024

Title: LEVELS 5 & 6

Project No. 20-199 | Drawing No. **A203**

2 A204 LEVEL 8

1 A204 LEVEL 7 & 9

AREA NOT INCLUDED IN GFA

No.	Revisions	Date
8	ISSUED FOR C OF A	27 AUG. 2024
7	REISSUED FOR SPA	28 AUG. 2023
6	REISSUED FOR SPA	14 JULY 2023
5	REISSUED FOR SPA	30 NOVEMBER 2022
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1	ISSUED FOR SPA	27 MAY 2021

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SITE PLAN FILE NUMBER: DA-21-091

N PN

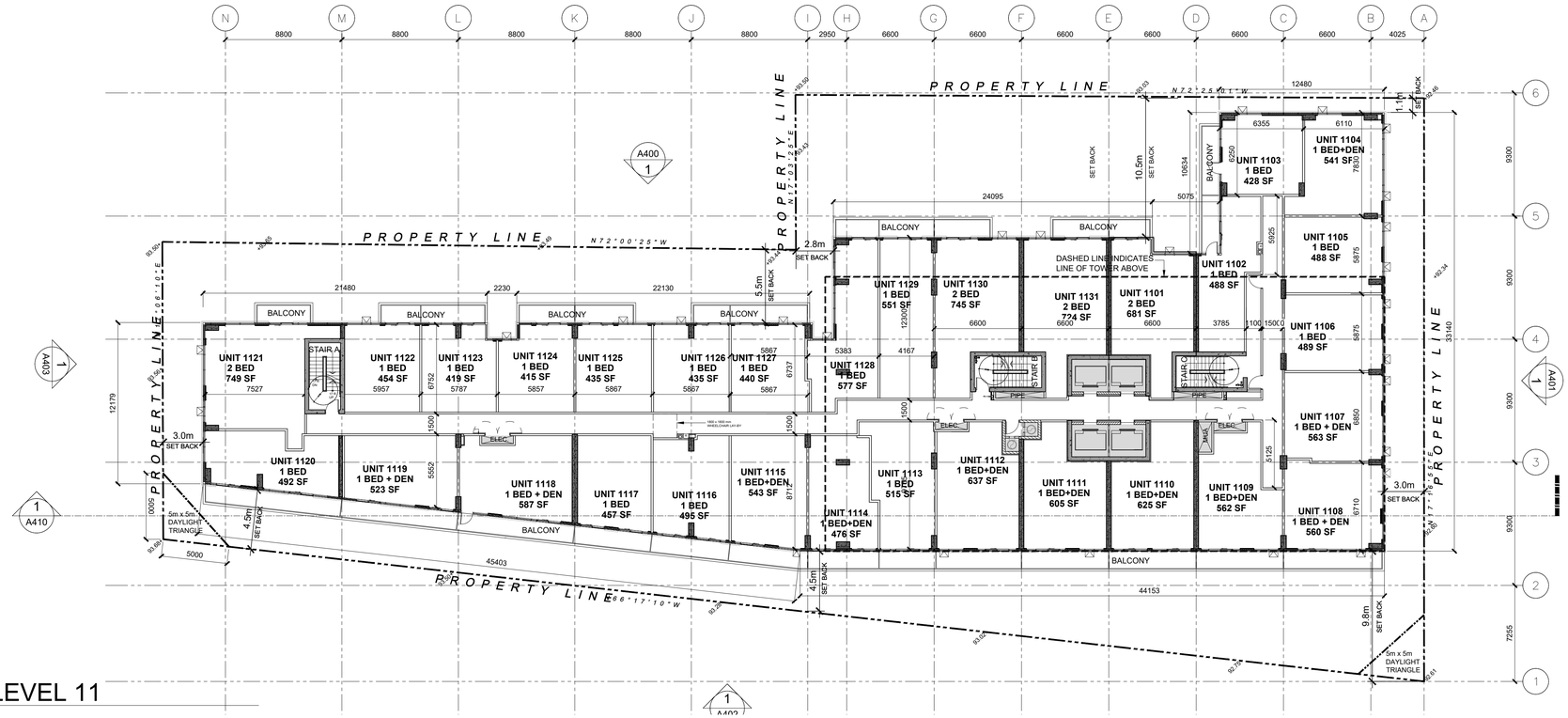
ONTARIO ASSOCIATION OF ARCHITECTS
OMAR ESLAHJOU LICENCE

Drawn: ST	Scale: 1:200
Checked: BL	Date: 27 AUG. 2024

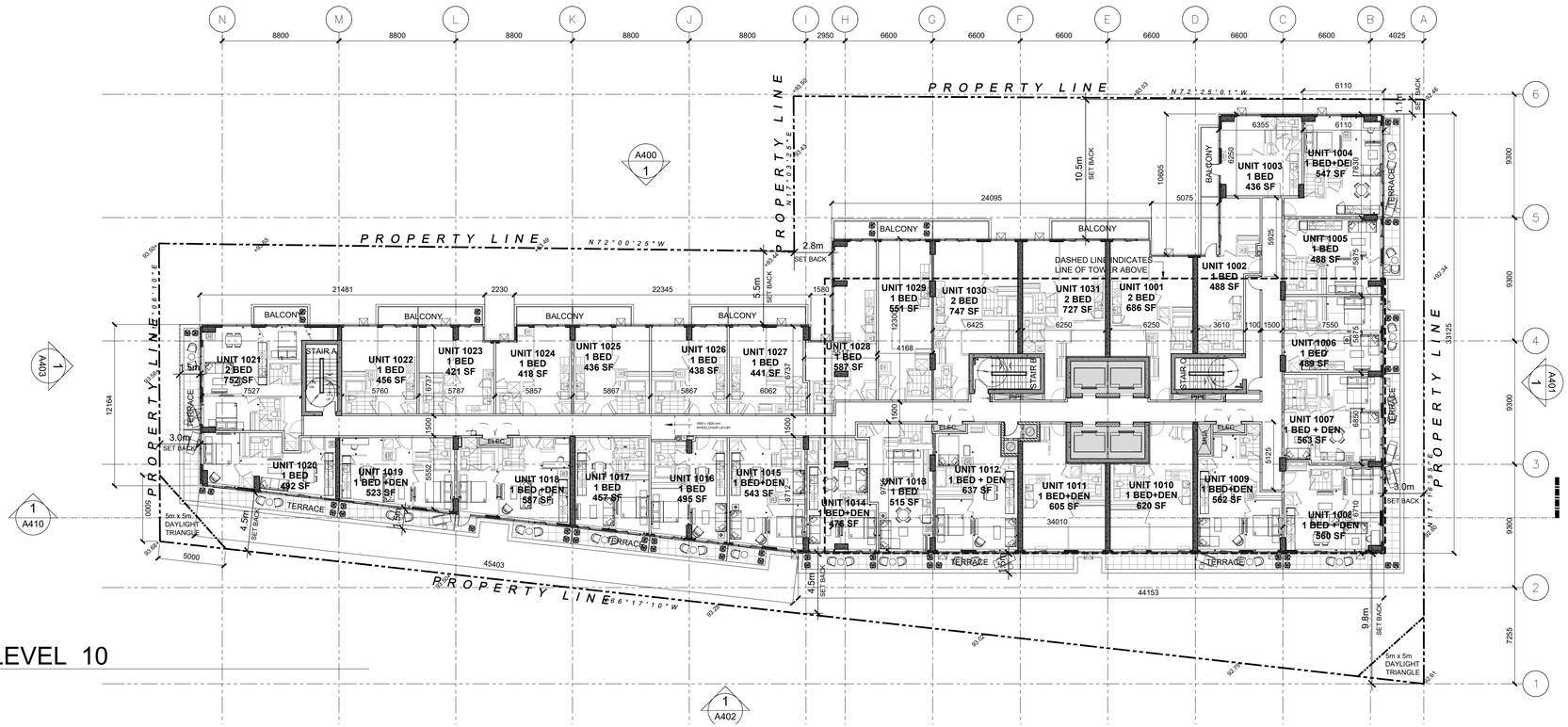
Title: LEVELS 7 & 9 AND LEVEL 8

Project No.: 20-199

Drawing No.: **A204**



2 A205 LEVEL 11



1 A205 LEVEL 10

AREA NOT INCLUDED IN GFA

No.	Revisions	Date
8	ISSUED FOR C OF A	27 AUG. 2024
7	REISSUED FOR SPA	28 AUG. 2023
6	REISSUED FOR SPA	14 JULY 2023
5	REISSUED FOR SPA	30 NOVEMBER 2022
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3	ISSUED FOR 100% DD	29 APRIL 2022
2	REISSUED FOR SPA	06 JANUARY 2022
1	ISSUED FOR SPA	27 MAY 2021

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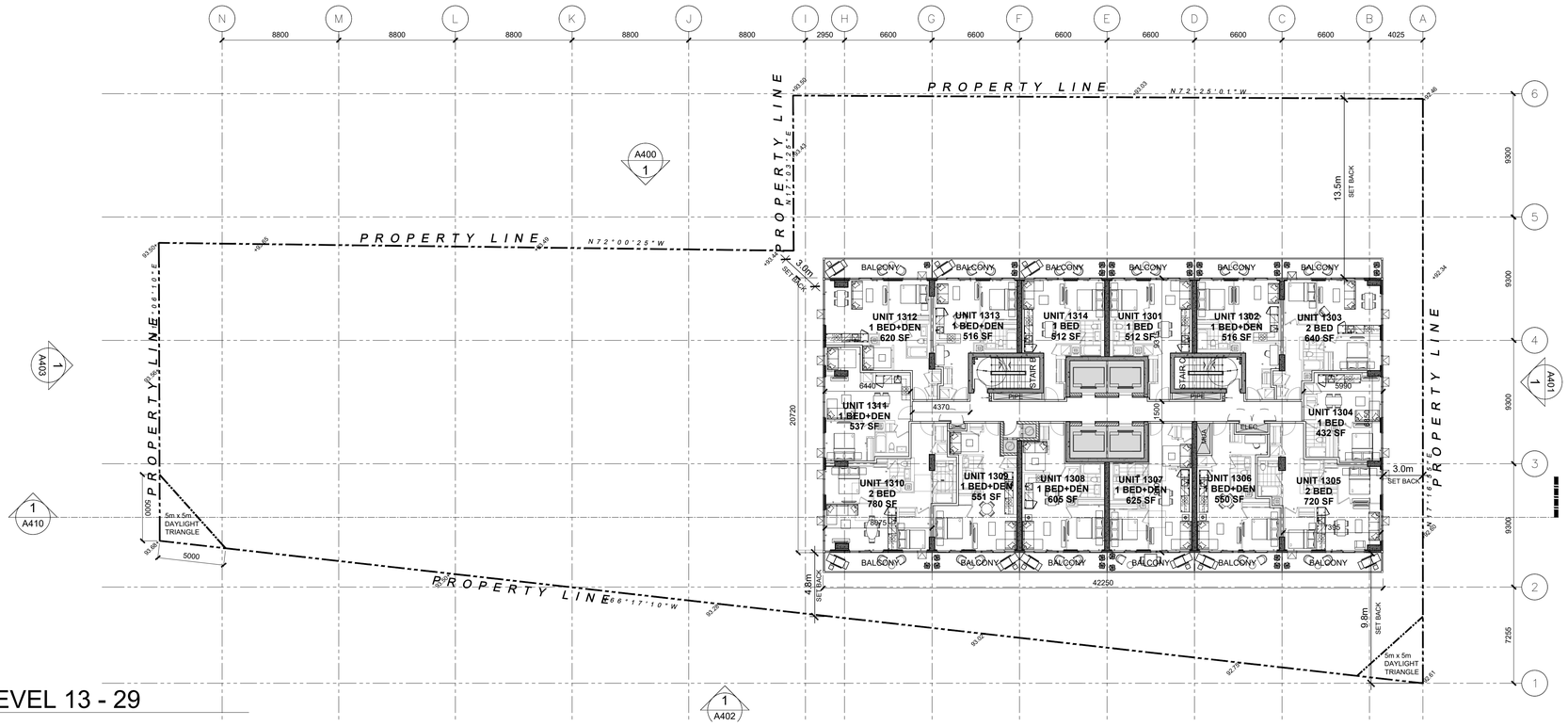
SITE PLAN FILE NUMBER: DA-21-091

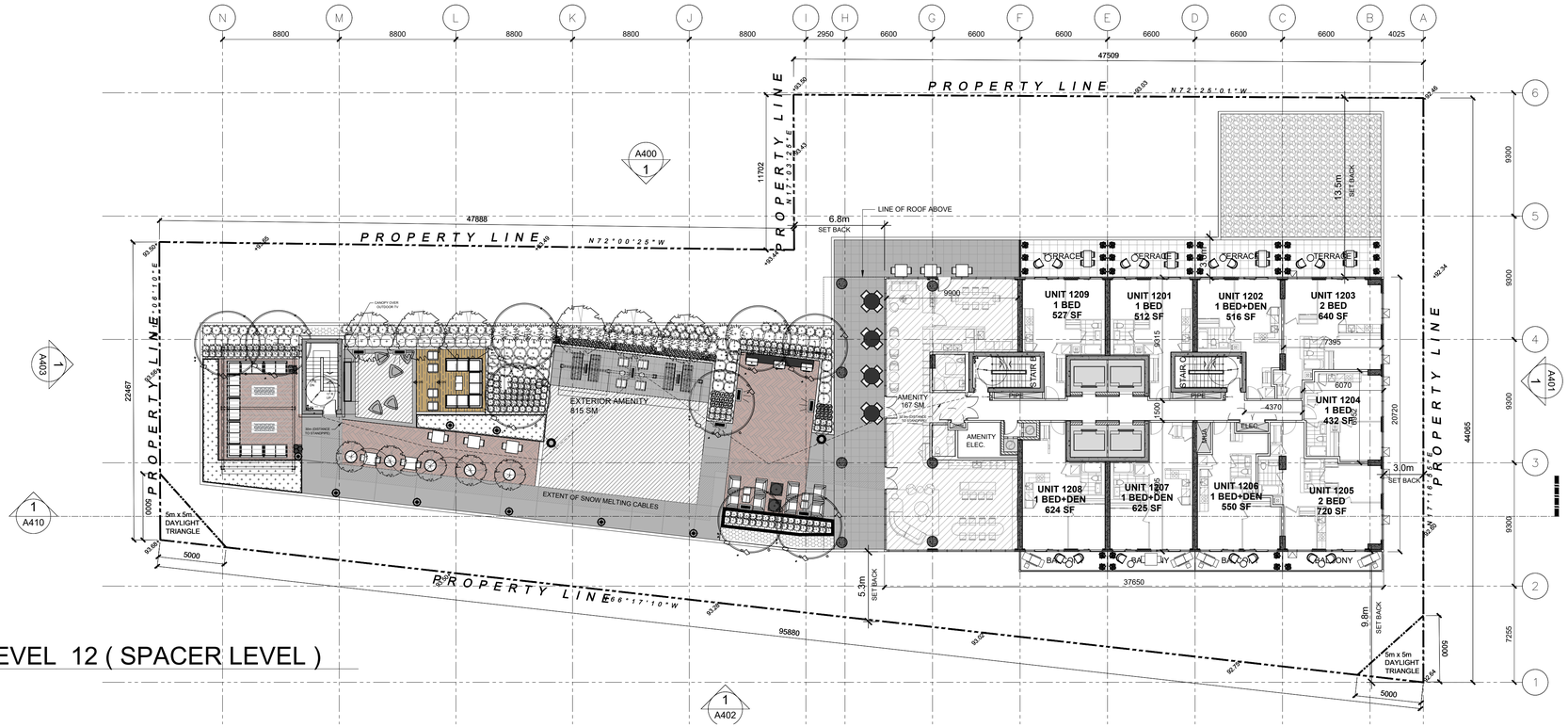
Drawn: ST	Scale: 1:200
Checked: BL	Date: 27 AUG. 2024

Title: LEVELS 10 &11

Project No.: 20-199	Drawing No.: **A205**



2 A206 LEVEL 13 - 29



1 A206 LEVEL 12 (SPACER LEVEL)

AREA NOT INCLUDED IN GFA

No.	Revisions	Date
8	ISSUED FOR C OF A	27 AUG. 2024
7	REISSUED FOR SPA	28 AUG. 2023
6	REISSUED FOR SPA	14 JULY 2023
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SITE PLAN FILE NUMBER: DA-21-091

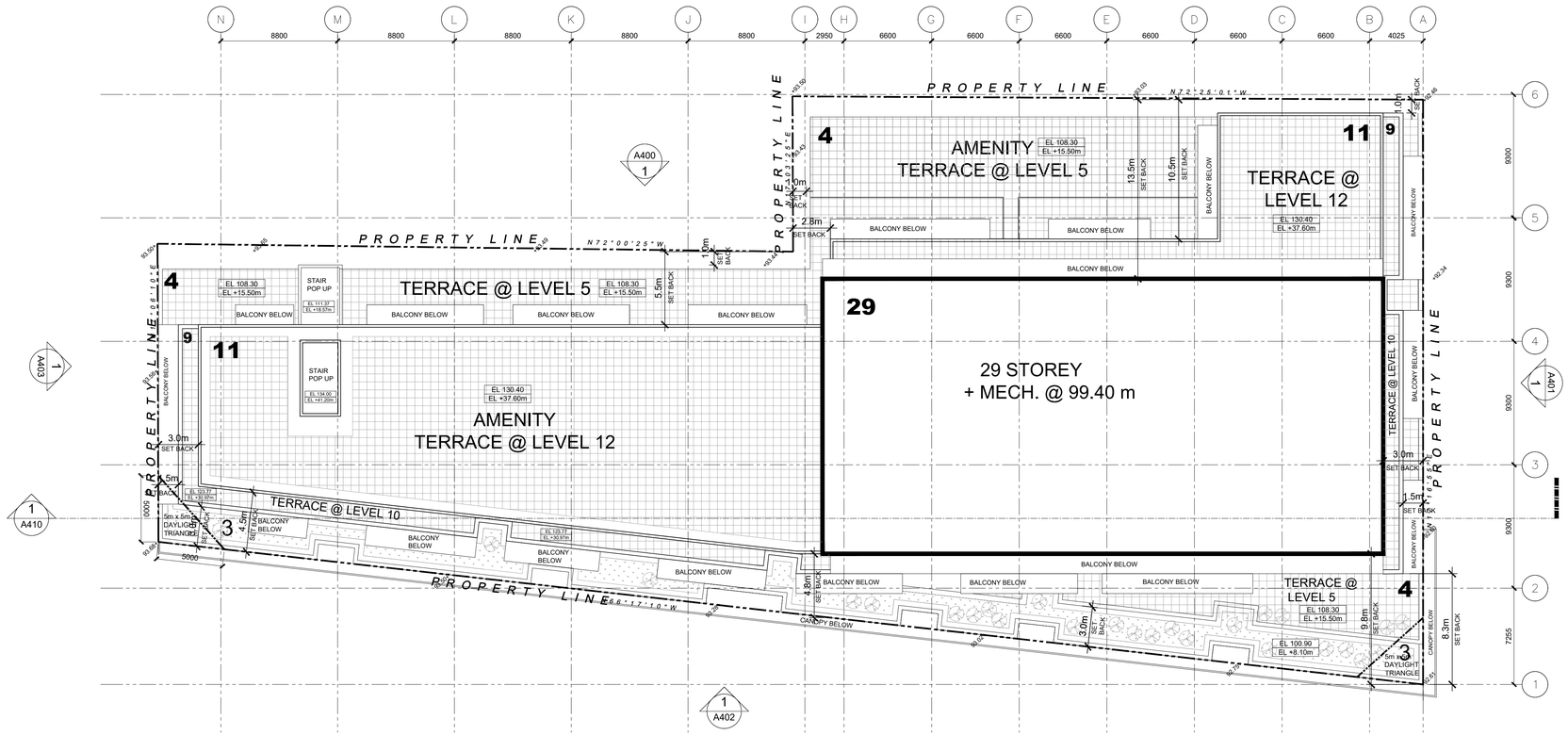
N PN

ONTARIO ASSOCIATION of ARCHITECTS
OMAR ESLAHJOU LICENCE

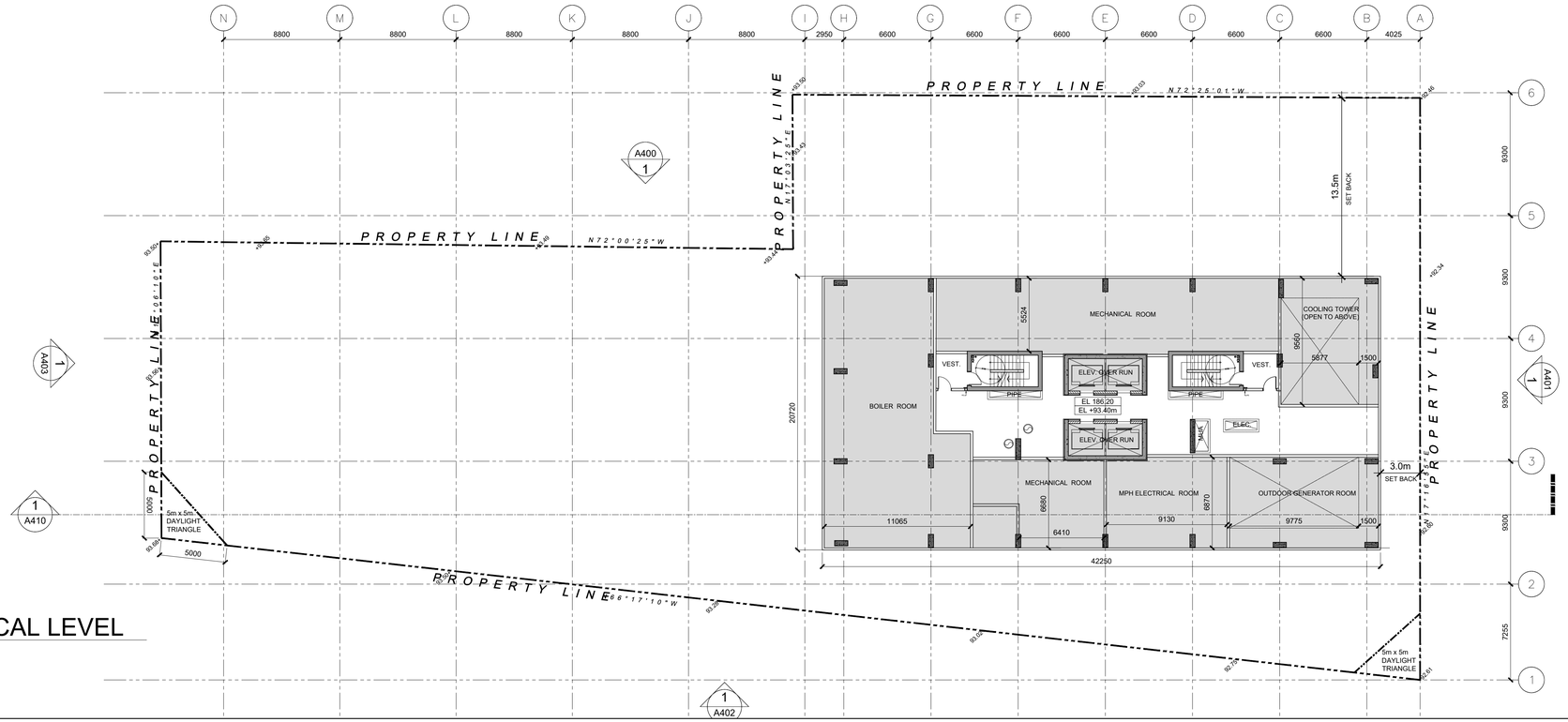
Drawn	Scale
ST	1:200
Checked	Date
BL	27 AUG. 2024

Title
LEVELS 12 (SPACER LEVEL) & LEVELS 13 - 29

Project No.	Drawing No.
20-199	**A206**



2 A207 ROOF PLAN



1 A207 MECHANICAL LEVEL

AREA NOT INCLUDED IN GFA

No.	Revisions	Date
8	ISSUED FOR C OF A	27 AUG. 2024
7	REISSUED FOR SPA	28 AUG. 2023
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5	REISSUED FOR SPA	30 NOVEMBER 2022
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2	REISSUED FOR SPA	06 JANUARY 2022
1	ISSUED FOR SPA	27 MAY 2021

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CONTRACTOR MUST CHECK AND VERIFY ALL DIMENSIONS ON THE JOB.

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INFO@COREARCHITECTS.COM
WWW.COREARCHITECTS.COM

71 Rebecca

71 REBECCA STREET

HAMILTON, ONTARIO, L8R 1B6

SITE PLAN FILE NUMBER: DA-21-091

N PN

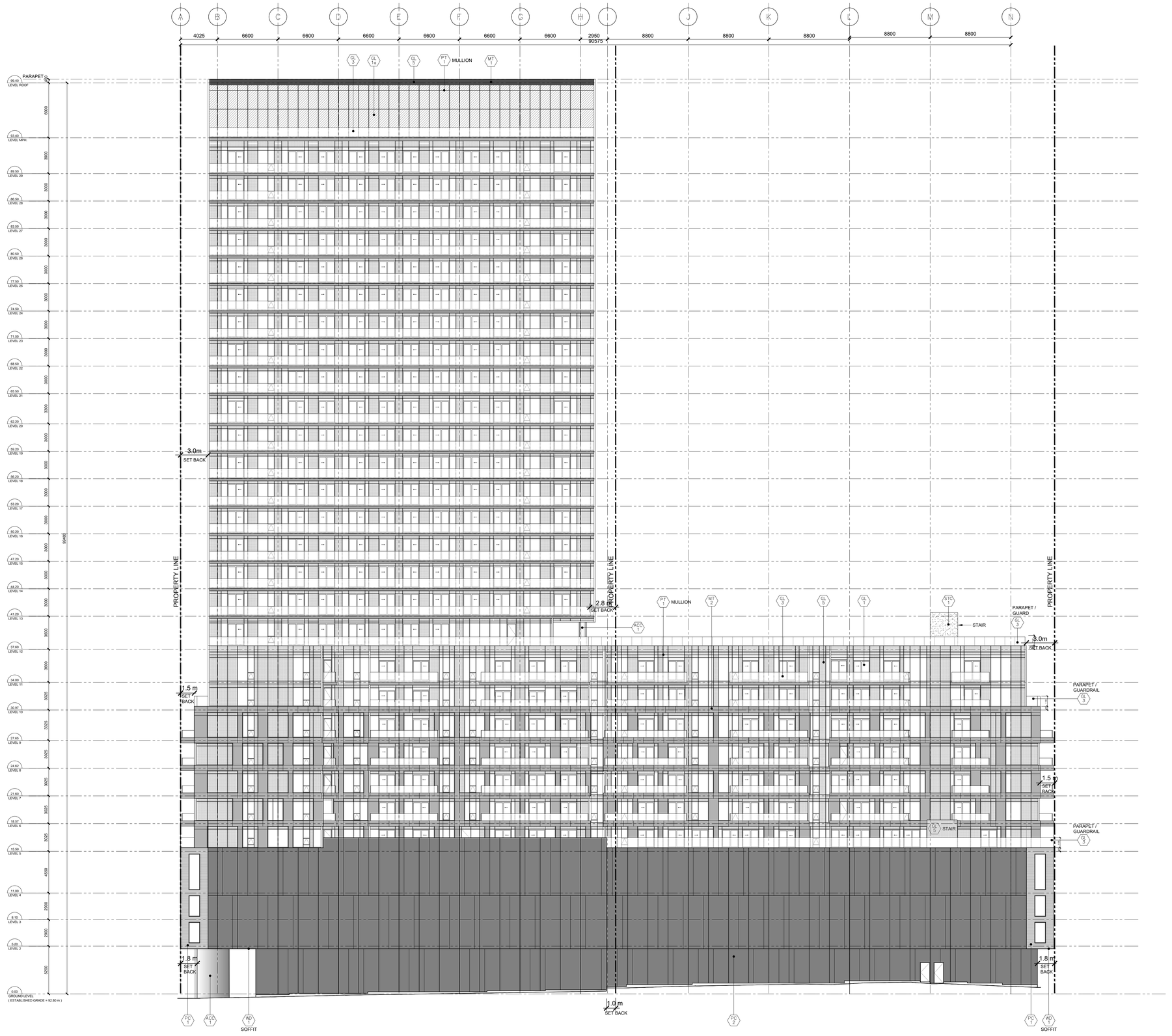
ONTARIO ASSOCIATION OF ARCHITECTS
BRIAN CLEARWOOD
LICENCE

Drawn	Scale
ST	1:200
Checked	Date
BL	27 AUG. 2024

Title

MECHANICAL & ROOF LEVELS

Project No.	Drawing No.
20-199	A207



MATERIAL LEGEND

- GL 1 — GLASS TYPE 1 (CLEAR, LOW E)
- GL 1a — GLASS TYPE 1a (FROSTED, LOW E)
- GL 2 — GLASS TYPE 2 (CLEAR, LOW E, TEMPERED)
- GL 3 — GLASS TYPE 3 (CLEAR, BALCONY GLAZING)
- GL 5 — GLASS TYPE 5 (BACK-PAINTED SPANDREL GLAZING-BM 2124-30 'DEEP SILVER')
- PCT 1 — PRECAST CONCRETE WITH THIN BRICK INLAY (ENDICOTT MANGANESE IRONSPOT NORMAN PROFILE)
- PT 2 — SMOOTH PRECAST CONCRETE (DARK GREY)
- PT 1 — PAINT TYPE 1 (CHARCOAL GREY)
- MT 1 — METAL PANEL (CHARCOAL GREY)
- MT 2 — TOP-HAT METAL PANEL (BM2128-70 'LILY WHITE')
- WP 1 — WIRE PLANTING SUPPORT
- ACO 1 — ARCHITECTURAL CONCRETE TYPE 1
- STC 1 — STUCCO (DARK GREY)
- WD 1 — WOOD APPEARANCE METAL PANEL
- LV 1 — LOUVRE

NOTE:
SIGNAGE WILL COMPLY WITH ZONING REQUIRMENTS AND WILL BE APPLIED FOR AS A SEPARATE PERMIT WHERE REQUIRED

No.	Revisions	Date
8	ISSUED FOR C OF A	27 AUG. 2024
7	REISSUED FOR SPA	28 AUG. 2023
6	REISSUED FOR SPA	14 JULY 2023
5	REISSUED FOR SPA	30 NOVEMBER 2022
4	REISSUED FOR SPA	20 JUNE 2022
3	ISSUED FOR 100% DD	29 APRIL 2022
2	REISSUED FOR SPA	06 JANUARY 2022
1	ISSUED FOR SPA	27 MAY 2021

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71 Rebecca

71 REBECCA STREET

HAMILTON, ONTARIO, L8R 1B6

SITE PLAN FILE NUMBER: DA-21-091

ONTARIO ASSOCIATION OF ARCHITECTS
MIRIAM ESLAHJOU
LICENCE

Drawn: ST	Scale: 1:200
Checked: BL	Date: 27 AUG. 2024

Title: NORTH ELEVATION

Project No.: 20-199	Drawing No.: A400

MATERIAL LEGEND

- GL 1 — GLASS TYPE 1 (CLEAR, LOW E)
- GL 1a — GLASS TYPE 1a (FROSTED, LOW E)
- GL 2 — GLASS TYPE 2 (CLEAR, LOW E, TEMPERED)
- GL 3 — GLASS TYPE 3 (CLEAR, BALCONY GLAZING)
- GL 5 — GLASS TYPE 5 (BACK-PAINTED SPANDREL GLAZING-BNE 2134-50 "DEEP SILVER")
- PC 1 — PRECAST CONCRETE WITH THIN BRICK INLAY (ENDICOTT MANGANESE IRONSPOT NORMAN PROFILE)
- PC 2 — SMOOTH PRECAST CONCRETE (DARK GREY)
- PT 1 — PAINT TYPE 1 (CHARCOAL GREY)
- MT 1 — METAL PANEL (CHARCOAL GREY)
- MT 2 — TOP-HAT METAL PANEL (BM21128-70 "LILY WHITE")
- WPS — WIRE PLANTING SUPPORT
- ACC 1 — ARCHITECTURAL CONCRETE TYPE 1
- STC 1 — STUCCO (DARK GREY)
- WD 1 — WOOD APPEARANCE METAL PANEL
- LV 1 — LOUVRE

NOTE:
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No.	Revisions	Date
9	ISSUED FOR C OF A	27 AUG. 2024
8	REISSUED FOR SPA	25 OCT. 2023
7	REISSUED FOR SPA	28 AUG. 2023
6	REISSUED FOR SPA	14 JULY 2023
5	REISSUED FOR SPA	30 NOVEMBER 2022
4	REISSUED FOR SPA	20 JUNE 2022
3	ISSUED FOR 100% DD	29 APRIL 2022
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71 Rebecca

71 REBECCA STREET

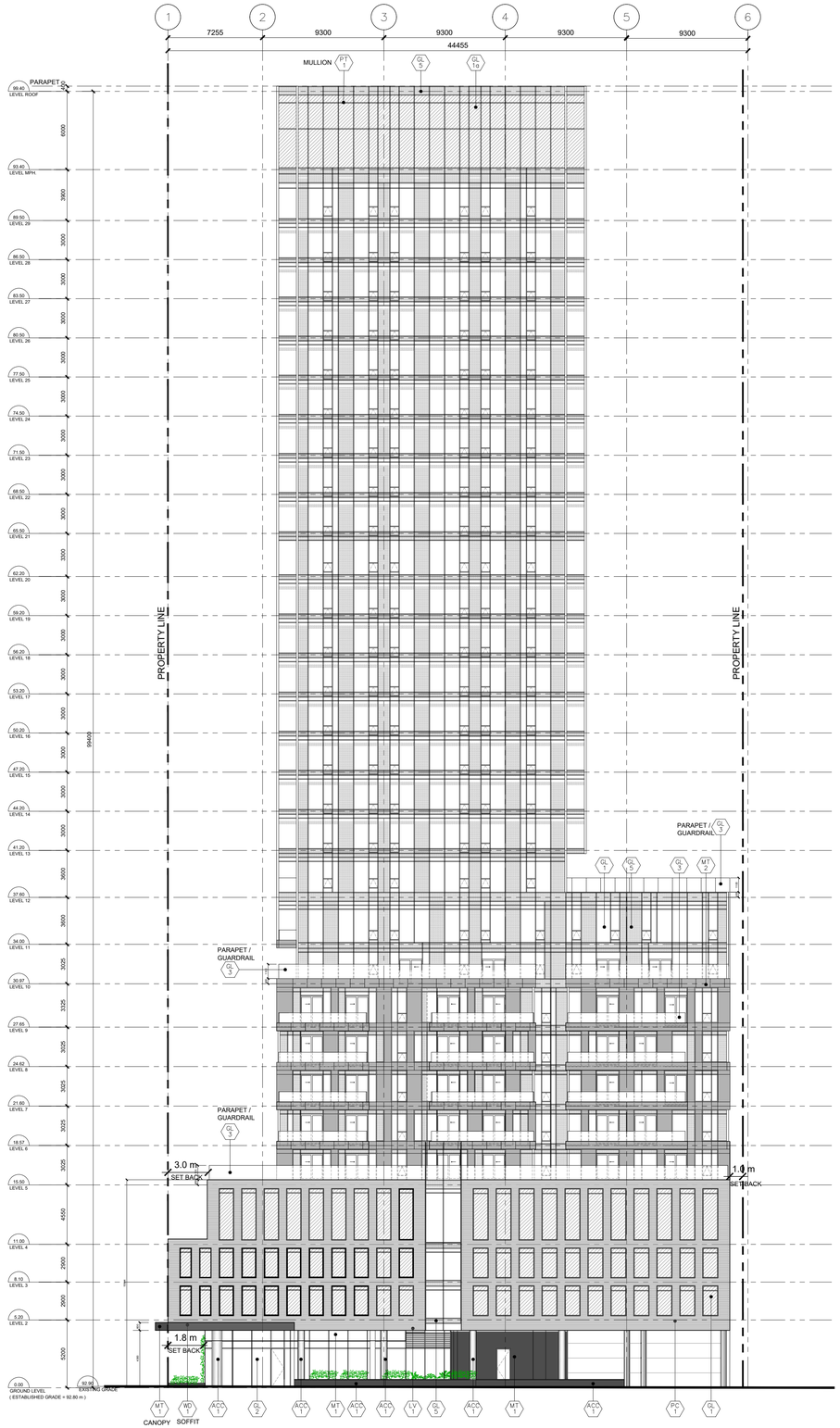
HAMILTON, ONTARIO, L8R 1B6
SITE PLAN FILE NUMBER: DA-21-091

ONTARIO ASSOCIATION OF ARCHITECTS — PRACTICE — FIRM ESTABLISHMENT LICENCE — 4298

Drawn: ST	Scale: 1:200
Checked: BL	Date: 27 AUG. 2024

Title: SOUTH ELEVATION

Project No.: 20-199	Drawing No.: **A401**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PT 1
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LEVEL 27
80.50
LEVEL 26
77.50
LEVEL 25
74.50
LEVEL 24
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LEVEL 23
68.50
LEVEL 22
65.50
LEVEL 21
62.20
LEVEL 20
59.20
LEVEL 19
56.20
LEVEL 18
53.20
LEVEL 17
50.20
LEVEL 16
47.20
LEVEL 15
44.20
LEVEL 14
41.20
LEVEL 13
37.60
LEVEL 12
34.00
LEVEL 11
30.97
LEVEL 10
27.65
LEVEL 9
24.62
LEVEL 8
21.60
LEVEL 7
18.57
LEVEL 6
15.50
LEVEL 5
11.00
LEVEL 4
8.10
LEVEL 3
5.20
LEVEL 2
0.00
GROUND LEVEL
(ESTABLISHED GRADE = 92.80 m)
92.80
EXISTING GRADE
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3900
3000
3000
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3000
3000
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3000
3300
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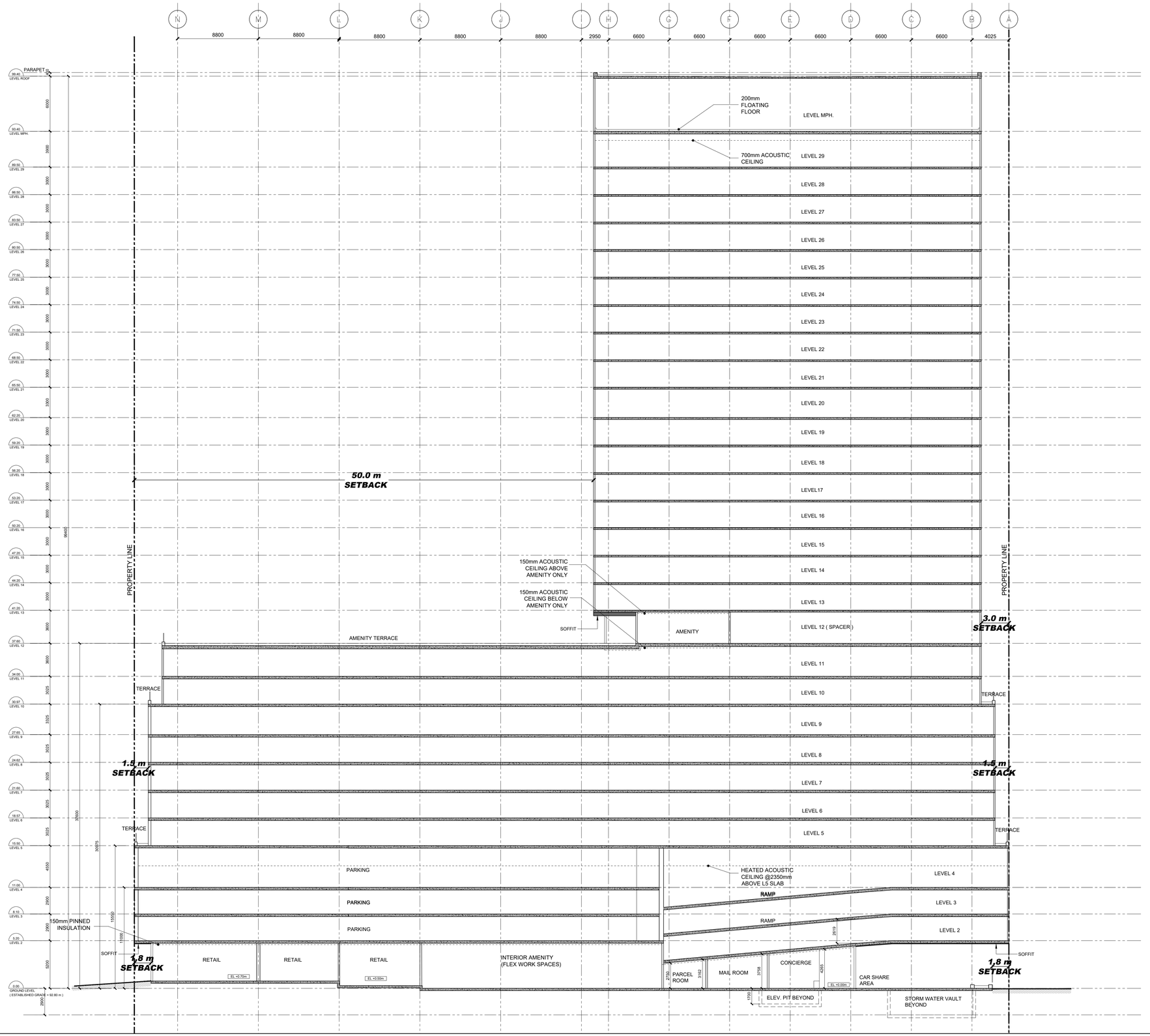
3000
3600
3600
3600



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71 Rebecca

71 REBECCA STREET

HAMILTON, ONTARIO, L8R 1B6

SITE PLAN FILE NUMBER: DA-21-091

ONTARIO ASSOCIATION of ARCHITECTS
ISSAK ESLAHJOU
LICENCE

Drawn	Scale
ST	1:200
Checked	Date
BL	27 AUG. 2024

Title

SECTION

Project No.	Drawing No.
20-199	A410

A. J. Clarke and Associates Ltd.
SURVEYORS • PLANNERS • ENGINEERS

City of Hamilton
Committee of Adjustment
71 Main Street West, 5th Floor
Hamilton, ON L8P 4Y5

September 12, 2024

Attn: Ms. Jamila Sheffield
Secretary Treasurer, Committee of Adjustment (email: Jamila.Sheffield@hamilton.ca)

Re: 71 Rebecca Street, Hamilton
Minor Variance Application Submission

Dear Ms. Sheffield:

A.J Clarke and Associates Ltd. has been retained by Hi Rose (Rebecca) Inc for the purposes of submitting the enclosed Minor Variance Application to facilitate the construction of a 29-storey mixed-use development on the lands municipally known as 71 Rebecca Street, in the City of Hamilton.

The subject lands are located at the intersection of Rebecca Street and Catarine Street North Downtown Urban Growth Centre. The subject lands were Site Plan Approved with a 30 storey mixed use tower with 214 parking spaces granted through applications DA-21-113 / DA-23-016. However the proposed design has been altered to remove one floor of parking within the podium, resulting in a 29 storey development with 171 parking spaces. No changes are proposed to the number of proposed units. Given the reduction to the parking spaces the proposed development is no longer compliant with the in force and effect Downtown Central Business District (D1) Zone with Site Specific 701 Zoning.

The following supporting materials are submitted to your attention, in support of the subject application:

- One (1) digital copy of the required filled and signed Minor Variance Application Form;
- One (1) digital copy of the Architectural Drawing Package, prepared by CORE Architects., dated August 27th, 2024;
- One (1) digital copy of cheque No 211087 in the amount of $3.900.00 representing the required application fees.

Parking By-law

In April of 2024, the City of Hamilton passed By-law 24-052. This By-law, amongst other matters, eliminated residential parking requirements throughout Downtown Hamilton and the lower city. As such, this redevelopment would only require a percentage of visitor parking to be provided on site. Based on the By-law that was passed, only 26 vehicular parking spaces would be required. This By-law was appealed to the Ontario Land Tribunal. Currently, the old parking By-law applies to the subject lands. Accordingly, a variance is required because By-law 24-052 is not currently in force and effect.

On June 17th, 2024, Staff has advised that if conditional site plan approval was granted prior to April 10th, 2024 that the old parking By-law would be applicable. Accordingly, conditional approval was granted in January of 2023 and the new By-law provisions are not applicable to the subject lands.
As such the following zoning provisions are applicable to the proposed development:

Zoning Provision as per Site Specific 701, 1.c) i)		Proposed	
i.	62 parking stalls at 2.8 m x 5.8 m;	i.	58 parking stalls at 2.8 m x 5.8 m;
ii.	93 parking stalls at 2.6 m x 5.8 m;	ii.	68 parking stalls at 2.6 m x 5.8 m;
iii.	36 parking stalls at 2.6 m x 5.5 m;	iii.	28 parking stalls at 2.6 m x 5.5 m;
iv.	13 parking stalls at 2.8 m x 5.5 m;	iv.	9 parking stalls at 2.8 m x 5.5 m;
v.	3 barrier-free parking stalls at 4.6 m x 5.8 m;	v.	2 barrier-free parking stalls at 4.6 m x 5.8 m;
vi.	3 barrier-free parking stalls at 4.6 m x 5.5 m; and,	vi.	2 barrier-free parking stalls at 4.6 m x 5.5 m; and,
vii.	4 car share parking stalls, at grade at 2.6 m x 5.5 m.	vii.	4 car share parking stalls, at grade at 2.6 m x 5.5 m.

The variances would have the effect of permitting 167 parking stalls and 4 car share parking spaces instead of 210 parking spaces and 4 car share parking spaces. This represents a parking rate of 0.35 spaces per unit whereas 0.44 spaces per unit is required.

Minor Variances

A minor variance is required to facilitate the proposed development as is described as follows:

1. To permit 55 parking stalls at 2.8 m x 5.8 m, whereas 62 parking stalls at 2.8 m x 5.8 m are required.
2. To permit 65 parking stalls at 2.6 m x 5.8 m, whereas 93 parking stalls at 2.6 m x 5.8 m are required.
3. To permit 31 parking stalls at 2.6 m x 5.5 m, whereas 36 parking stalls at 2.6 m x 5.5 m are required.
4. To permit 12 parking stalls at 2.8 m x 5.5 m, whereas 13 parking stalls at 2.8 m x 5.5 m are required.
5. To permit 2 barrier-free parking stalls at 4.6 m x 5.8 m, whereas 3 barrier-free parking stalls at 4.6 m x 5.8 m are required.
6. To permit 2 barrier-free parking stalls at 4.6 m x 5.5 m, whereas 3 barrier-free parking stalls at 4.6 m x 5.5 m are required.
7. To permit a balcony to encroach 1.5m into any required yard instead of the minimum 1.0m.

The reduction maintains the intent and direction of the Urban Hamilton Official Plan principles of reducing greenhouse gas emissions and providing a range and mix of housing typologies.

As evidenced through the city initiated and council-approved by-law 24-052, it is the intention of the city to reduce parking requirements across the city to support active modes of transportation and to utilize mass transit over the motor vehicle. The By-law is currently under appeal, however, as this development was conditionally approved prior to the passing of By-law 24-052, the old parking requirements are applicable. Should the new parking by-law be put into force and effect, it would require this same

development to provide a total of 26 parking spaces. The variance is therefore technical in nature and should be approved.

The proposed development features balconies that are 1.5m in depth whereas 1.0m is permitted. This variance has been approved throughout Downtown Hamilton as it provides for greater outdoor private space for each unit and increases the overall available amenity space for each unit. Accordingly, the variance meets the four tests.

I trust that you will find the enclosed satisfactory for your purposes. Please confirm receipt of this submission and we look forward to being scheduled for the next available hearing date. If you have any questions or require additional information, please do not hesitate to contact our office.

Sincerely,

Ryan Ferrari, MCIP, RPP, CPT
Senior Planner
A. J. Clarke and Associates Ltd.

Encl.

Committee of Adjustment
City Hall, 5th Floor,
71 Main St. W.,
Hamilton, ON L8P4Y5

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

Hamilton

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

1. APPLICANT INFORMATION

	NAME
Registered Owners(s)	Hi Rose (Rebecca) Inc. c/o Silvio Guglietti
Applicant(s)	as above
Agent or Solicitor	A.J. Clarke and Associates Ltd c/o Ryan Ferrari

[redacted]

1.2 Primary contact ☐ Applicant ☐ Owner ☑ Agent/Solicitor

1.3 Sign should be sent to ☐ Applicant ☐ Owner ☑ AgentSolicitor

1.4 Request for digital copy of sign ☐ Yes* ☑ No

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

1.5 All correspondence may be sent by email ☑ Yes* ☐ No

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

1.6 Payment type ☐ In person ☑ Cheque ☐ Credit over phone*

*Must provide number above

2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	71 Rebecca Street		
Assessment Roll Number			
Former Municipality	Hamilton (Barton)		
Lot	14	Concession	2
Registered Plan Number		Lot(s)	Lt 1, Lt 2, Pt Lt 17
Reference Plan Number (s)	62R-11359 Nathani	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:

Please see attached cover letter

☐ Second Dwelling Unit ☐ Reconstruction of Existing Dwelling

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

Please see attached cover letter

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
+/- 95m	+/- 44m	+/- 3138 sq m	+/- 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
N/A - Vacant				

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Multiple Dwelling	0.0m	1.0 m	1.5m , 1.5m	TBD

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
N/A - Vacant				

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Multiple Dwelling	1721 sq m	32,322 sq m	29 storeys	99.40 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.):

Mixed Use - Multiple Dwelling

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

John Rebecca Park, Commercial Parking Lot,

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)

Subject land were formerly used for a medical offices / Health Centre which was demolished to facilitate the redevelopment.

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

Currently in Pre-Construction - Mixed Use Multiple Dwelling

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

formerly used for medical offices, which were demolished to facilitate the proposed redevelopment

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

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

Mixed use redevelopment which provide for 477 new units within the Downtown Urban Growth Centre

7.6 What is the existing zoning of the subject land? D1 Exception 701, H17, H105

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

☑ Yes ☐ No

If yes, please provide the file number: ZAC 17-053

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

☐ Yes ☑ No

If yes, please provide the file number: _____

8 ADDITIONAL INFORMATION

8.1 Number of Dwelling Units Existing: 0

8.2 Number of Dwelling Units Proposed: 477

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

The proposed development has been approved through Site Plan Application DA-21-113.

Please see attached cover letter for additional information.

11 COMPLETE APPLICATION REQUIREMENTS

11.1 All Applications

- [x] Application Fee
- [x] Site Sketch
- [x] Complete Application form
- [x] Signatures Sheet

11.4 Other Information Deemed Necessary

- [x] 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

_____

_____

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

NOTICE OF PUBLIC HEARING
Minor Variance

You are receiving this notice because you are either:

- Assessed owner of a property located within 60 metres of the subject property
- Applicant/agent on file, or
- Person likely to be interested in this application

APPLICATION NO.:	**A-24:206**	**SUBJECT PROPERTY:**	47- 49 Ontario Avenue, Hamilton
ZONE:	”R1a“ (Low Density Residential)	**ZONING BY-LAW:**	Zoning By-law No. 05-200

APPLICANTS: Owner: Tramy Nguyen - OJM Realty Inc
Agent: Ken Bekendam- King Homes Inc

The following variances are requested:

Portion of Lands to be Retained:

1. A deck shall be permitted to encroach 0.73 metres into minimum required southerly side yard, instead of the maximum permitted encroachment of 0.6 metres.

Portion of Lands to be Severed:

1. A minimum lot area of 230 square metres shall be permitted, instead of the minimum required lot area of 300.0 square metres;

2. A minimum lot width of 8.28 metres shall be permitted, instead of the minimum required lot width of 10.0 metres;

3. The minimum aggregate setback from a side lot line shall be 2.62 metres, instead of the minimum required aggregate setback of 3.5 metres;

4. A deck shall be permitted to encroach 3.70 metres into the minimum required rear yard, instead of the maximum permitted encroachment of 1.5 metres;

5. An accessory building (“Frame Garage”) shall be permitted to be erected prior to the erection of a principle building or structure, instead of the requirement that an accessory building shall not be erected prior to the erection of a principle building or structure on the lot.

A-24:206

PURPOSE & EFFECT: So as to facilitate the creation of two (2) lots, and the construction of a multiple dwelling / fourplex dwelling on the portion of the lands to be severed, notwithstanding that.

Notes:

i. This application is subsequent to Land Severance / Consent Application No. HM/B-22:119, which was granted with conditions for the creation of a new lot for residential purposes.

ii. Minor Variance Application No. HM/A-22:357 approved several variances for both the portion of the lands to be severed and the portion of the lands to be retained. However, as the intended use has changed on the portion of the lands to be severed from a single detached dwelling to a multiple dwelling / fourplex dwelling, the approved variances are not applicable to the severed lands.

iii. Detailed elevation drawings were not provided as part of the submitted Minor Variance Application to confirm the maximum building height of the proposed multiple dwelling / fourplex dwelling. Additional variance shall be required if compliance with Section 15.2.2.4 g) is not possible.

iv. Please note that the applicant advised via email dated September 24th, 2024, that the location of the proposed accessory building indicated as “Shed – Waste/Storage” on the portion of the lands to be severed, will be revised to comply with all required building setbacks, and therefore a variance to the required setbacks has not been requested.

v. A variance has been added to permit an accessory building to be erected prior to the erection of a principle building or structure, as the applicant has advised that the existing accessory building (“Frame Garage”) will remain on the on the portion of the lands to be severed, prior to the proposed multiple dwelling / fourplex dwelling, being constructed. The Committee of Adjustment may wish to impose a time frame on how long the accessory building may remain on its own.

vi. Should Variance No. 4 be approved for the portion of the lands to be severed to permit the minimum setback from a side lot line to be an aggregate of 2.62 metres, the deck in the rear yard will not encroach into a minimum required side yard and will be in compliance.

This Notice must be posted by the owner of any land which contains seven or more residential units so that it is visible to all residents.

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

DATE:	**Tuesday, October 22, 2024**
TIME:	**1:35 p.m.**
PLACE:	**Via video link or call in (see attached sheet for details)**
	City Hall Council Chambers (71 Main St. W., Hamilton)
	To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment

A-24:206

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

- Visit www.hamilton.ca/committeeofadjustment
- Visit Committee of Adjustment staff at 5th floor City Hall, 71 Main St. W., Hamilton

PUBLIC INPUT

Written: If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Please see attached page for complete instructions, written comments must be received no later than noon October 18, 2024

Orally: If you would like to speak to this item at the hearing you may do so via video link, calling in, or attending in person. Please see attached page for complete instructions, registration to participate virtually must be received no later than noon October 21, 2024

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding A-24:206, you must submit a written request to cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5**.**

If you wish to be provided a Notice of Decision, you must attend the Public Hearing and file a written request with the Secretary-Treasurer by emailing cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.

A-24:206

Subject Lands

DATED: October 3, 2024

Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

Information respecting this application is being collected under the authority of the Planning Act, R.S.O., 1990, c. P. 13. All comments and opinions submitted to the City of Hamilton on this matter, including the name, address, and contact information of persons submitting comments and/or opinions, will become part of the public record and will be made available to the Applicant and the general public, and may include posting electronic versions.

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

PARTICIPATION PROCEDURES

Written Submissions

Members of the public who would like to participate in a Committee of Adjustment meeting are able to provide comments in writing advance of the meeting. Comments can be submitted by emailing cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5. **Comments must be received by noon on the date listed on the Notice of Public Hearing.**

Comments are available the Friday prior to the Hearing and are available on our website: **www.hamilton.ca/committeeofadjustment**

Oral Submissions

Members of the public are also able to provide oral comments regarding Committee of Adjustment Hearing items by participating Virtually through Webex via computer or phone or by attending the Hearing In-person. Participation Virtually requires pre-registration in advance. Please contact staff for instructions if you wish to make a presentation containing visual materials.

1. Virtual Oral Submissions

Interested members of the public, agents, and owners **must register by noon on the day listed on the Notice of Public Hearing to** participate Virtually.

To register to participate Virtually by Webex either via computer or phone, please contact Committee of Adjustment staff by email cofa@hamilton.ca. The following information is required to register: Committee of Adjustment file number, hearing date, name and mailing address of each person wishing to speak, if participation will be by phone or video, and if applicable the phone number they will be using to call in.

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

2. In person Oral Submissions

Interested members of the public, agents, and owners who wish to participate in person may attend Council Chambers on the date and time listed on the Notice of Public Hearing. Please note, you will be required to provide your name and address for the record. It is advised that you arrive **no less than 10 minutes** before the time of the Public Hearing as noted on the Notice of Public Hearing.

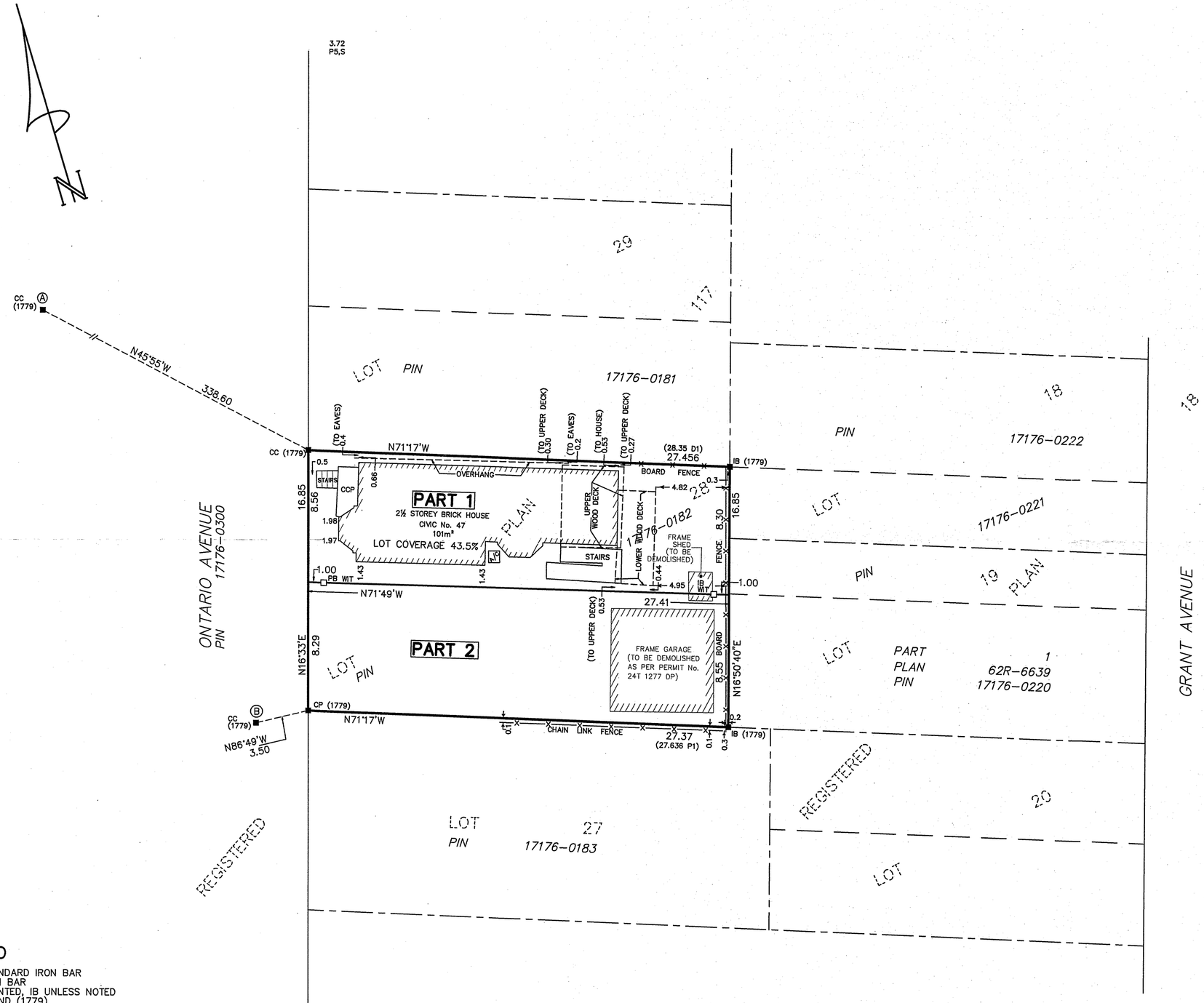
We hope this is of assistance and if you need clarification or have any questions, please email cofa@hamilton.ca.

Please note: Webex (video) participation requires either a compatible computer or smartphone and an application (app/program) must be downloaded by the interested party in order to participate. It is the interested party's responsibility to ensure that their device is compatible and operating correctly prior to the Hearing.

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

SCHEDULE				
PART	LOT	PLAN	PIN	AREA IN SQUARE METRES
1	ALL OF 28	117	17176–0182	231.1
2				230.5

PARTS 1 AND 2 COMPRISE ALL OF PIN 17176–0182.



PLAN OF SURVEY OF
LOT 28
REGISTERED PLAN 117
CITY OF HAMILTON

SCALE 1:200

4 2 0 4 8 12
METRES

THE INTENDED PLOT SIZE OF THIS PLAN IS 609mm IN WIDTH BY 457mm IN HEIGHT WHEN PLOTTED AT A SCALE OF 1:300

MacAULAY, WHITE & MUIR LTD.

NOTE:

BEARINGS ARE UTM GRID, DERIVED FROM OBSERVED REFERENCE POINTS A AND B BY REAL TIME NETWORK OBSERVATION, UTM ZONE 17, NAD83 (CSRS) (2010).
DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.9996139.
ALL DIMENSIONS ARE MEASURED UNLESS QUALIFIED.
ALL FENCES ARE "ON LINE" UNLESS TIES TO THE PROPERTY LINE ARE SHOWN.
ALL PINS ARE (LT) UNLESS NOTED (R).
FOR BEARING COMPARISONS, A ROTATION OF 01°00'30" COUNTER–CLOCKWISE WAS APPLIED TO BEARINGS ON PLAN 2R–6639.
ALL SET SSIB AND PB MONUMENTS WERE USED DUE TO LACK OF OVERBURDEN AND/OR PROXIMITY OF UNDERGROUND UTILITIES IN ACCORDANCE WITH SECTION 11 (4) OF O.REG. 525/91.

INTEGRATION DATA

OBSERVED REFERENCE POINTS (ORP): UTM ZONE 17, NAD83 (CSRS) (2010)
CO–ORDINATES TO URBAN ACCURACY PER SEC. 14(2) OF O. REG 216/10.

POINT ID	NORTHING	EASTING
A	4789374.84	592960.26
B	4789132.09	593186.15

CO–ORDINATES CANNOT, IN THEMSELVES, BE USED TO RE–ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

THE RESULTANT TIE BETWEEN ORP A AND ORP B IS N43°03'W 344.18.

LEGEND

SIB – STANDARD IRON BAR
IB – IRON BAR
□ – PLANTED, IB UNLESS NOTED
■ – FOUND (1779)
CP – CONCRETE PIN
S – SET
MH – MANHOLE
CB – CATCH BASIN
–U– – OVERHEAD HYDRO LINE
HP – HYDRO POLE
216.30 – EXISTING ELEVATION
GM – GAS METER
WRTW – WOOD RETAINING WALL
CCRW – CONCRETE RETAINING WALL
CCP – CONCRETE PORCH
P1 – REGISTERED PLAN 117
P2 – PLAN 62R–6639
D1 – PIN 17176–0181 (INST. VMI38328)

NOTE:

GROUND ELEVATION	ROOF PEAK ELEVATION	ROOF PEAK HEIGHT
94.11m	104.06m	9.95m

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 12TH DAY OF AUGUST, 2024.

AUGUST 13, 2024

JOHN W. MUIR
ONTARIO LAND SURVEYOR

THIS PLAN OF SURVEY RELATES TO AOLS PLAN SUBMISSION FORM NUMBER V–

MacAulay, White & Muir Ltd.
ONTARIO LAND SURVEYORS – CANADA LANDS SURVEYORS
A Wholly Owned Subsidiary of J.D. Barnes Limited
440 HARDY ROAD, UNIT 2, BRANTFORD, ON N3T 5L8
T: (519) 752-0040 www.jdbarnes.com

DRAWN:	LD
CHECKED:	JM
Ref. No.	23–50–016–00

SITE INFORMATION & STATISTICS	
ADDRESS:	49 ONTARIO AVENUE | HAMILTON, ON
ZONING TYPE:	R1a
LOT AREA:	4971.76 SQ FT (461.89 m^2)
LOT FRONTAGE:	55' - 3 1/2" (16.85 m)

GENERAL NOTES:

1. ALL CONSTRUCTION TO COMPLY WITH THE REVISED ONTARIO BUILDING CODE 2012.
2. ALL DIMENSIONS ARE MEASURED TO ROUGH FRAMING OR TO MASONRY SURFACES UNLESS OTHERWISE NOTED.
3. ALL DOORS AND WINDOW OPENINGS ARE MEASURED TO ROUGH FRAMING OR MASONRY OPENINGS.
4. CONTRACTOR IS TO VERIFY WINDOW OPENINGS WITH WINDOW MANUFACTURER PRIOR TO COMMENCING WORK.
5. READ ARCHITECTURAL DRAWINGS IN CONJUNCTION WITH STRUCTURAL, MECHANICAL AND ELECTRICAL DRAWINGS.
6. ELEVATION REFERENCES ARE BASED ON 100'-0" = 131.70m GEODETIC ELEVATIONS AS NOTED ON A1 SITE PLAN.
7. ALL DIMENSIONS MUST BE CHECKED AGAINST THE ARCHITECTURAL DRAWINGS AND THE FIELD CONDITIONS BEFORE COMMENCING FABRICATION. AND INCONSISTENCIES ARE TO BE REPORTED TO THE CONSULTANT BEFORE PROCEEDING WITH THE WORK.
8. THE CONTRACTOR SHALL PROPERLY SUPERVISE THE WORK AND ENSURE THAT THE WORK IS INSTALLED TO THE CORRECT LINES AND LEVELS, THAT THE CONNECTIONS AND DETAILS CONFIRM TO THE DRAWING DETAILS AND SHALL COORDINATE THE INTERFACING OF ALL WORK WITH ALL SUB-TRADES.
9. PROVIDE POSITIVE FRONT YARD SLOPE TO MUNICIPAL SEWER FOR WATER RUN-OFF.
10. CONTRACTOR TO BE RESPONSIBLE FOR VERIFYING THE LOCATIONS OF ALL EXISTING UNDERGROUND AND ABOVE UTILITIES AND SERVICES. VARIOUS UTILITIES CONCERNED TO BE GIVEN REQUIRED ADVANCING NOTICE PRIOR TO ANY DIGGING, FOR STAKE OUT.
11. REFER TO LANDSCAPING PLAN FOR PLANTING CONFIRM LAYOUT WITH LANDSCAPE CONTRACTOR
12. DESIGNER NOT RESPONSIBLE FOR ACCURACY OF SURVEY DRAWING.

EXISTING STRUCTURE NOTE:

OWNER AND CONTRACTOR IS FULLY RESPONSIBLE FOR VERIFYING ALL EXISTING STRUCTURAL CONDITIONS PRIOR TO ANY WORK, ANY AND ALL DISCREPANCIES SHALL BE REPORTED TO THE OWNER PRIOR TO ANY WORK, OWNER AND CONTRACTOR IS FULLY RESPONSIBLE FOR SHORING EXISTING STRUCTURE PRIOR TO ANY WORK.

BUILDING CODE COMPLIANCE NOTE:

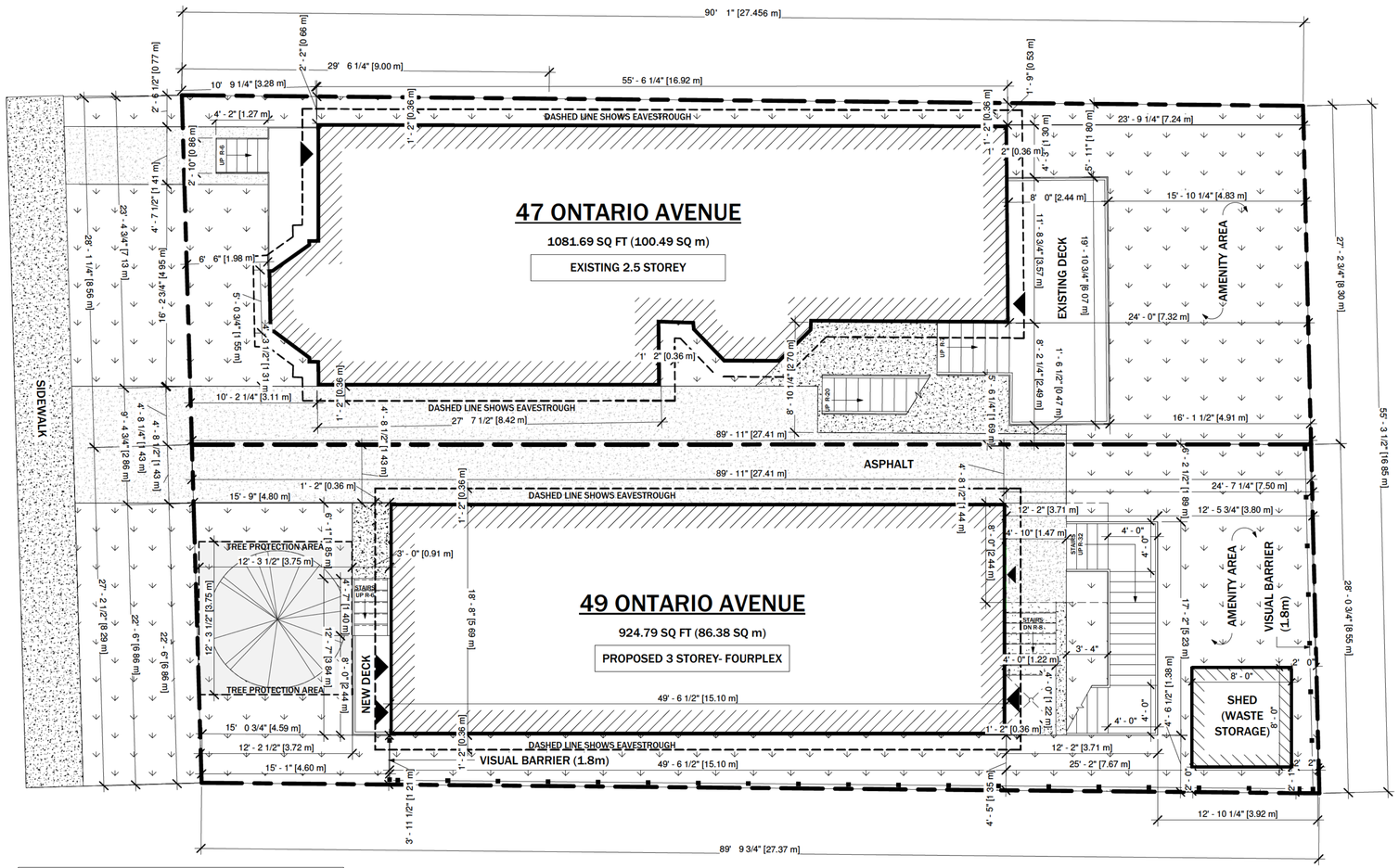
THESE DRAWINGS DO NOT REPRESENT A COMPREHENSIVE AND EXHAUSTIVE GUIDE FOR COMPLIANCE WITH THE ONTARIO BUILDING CODE. IT IS ASSUMED THAT THE CONTRACTOR HAS REASONABLY SUFFICIENT KNOWLEDGE OF THE ONTARIO BUILDING CODE IN ORDER TO PERFORM ALL WORK AS PER THESE DRAWINGS IN SUCH A WAY THAT WILL COMPLY WITH ALL ASPECTS OF THE O.B.C. AND WILL NOT CONTRAVENE ANY OTHER APPLICABLE LAWS.

SITE PLAN:

BASED ON **HAMILTON** SITE MAPS AND MEASUREMENTS ON SITE DESIGNER ASSUMES NO RESPONSIBILITY FOR ACCURACY OF **HAMILTON** MAPS. THIS SITE SHALL NOT BE USED FOR ANY OTHER PURPOSES. NO WORK TO ENCROACH ONTO ADJOINING PROPERTIES.

FRONTYARD LANDSCAPED SURFACE AREA
FRONT LANDSCAPED AREA = 123.28 SQFT (66.94%)
FRONT HARD SURFACE AREA TOTAL = 60.88 SQFT (33.06%)
TOTAL AREA = 184.16 SQFT (100%)

PROPOSED LOT AREA: 2488.26 SQFT (231.17 SQ m)



DESCRIPTION	PROPOSED	REQUIRED
ZONING CATEGORY	R1a	R1a
LOT AREA	2488.26 SQFT (231.17 SQM)	3229.17 SQFT (300 SQM)
LOT FRONTAGE	28' - 1 1/4" (8.56 M)	-
GROSS FLOOR AREA	1081.69 SQFT (100.49 SQM)	-
LOT WIDTH	28' - 1 1/4" (8.56M)	32' - 9 3/4" (10.00 M)
BUILDING HEIGHT	2.5 STOREYS (9.83 M)	10.5 M
FRONT YARD SETBACK	10' - 2 1/4" (3.11 m)	13' - 1 1/2" (4.0 m)
REAR YARD SETBACK	23' - 9 1/4" (7.24 m)	24' - 7 1/4" (7.5 m)
SIDE YARD-INTERIOR	1' - 9"(0.53 m)	3' - 11 1/4"(1.2 m)
LANDSCAPE OPEN SPACE	934.74 SQFT (27.31%) (86.84 SQM)	30%
AMENITY AREA	800.58 SQFT (74.37 SQM)	-

FRONTYARD LANDSCAPED SURFACE AREA
FRONT LANDSCAPED AREA = 291.89 SQFT (94.12%)
FRONT HARD SURFACE AREA TOTAL = 18.23 SQFT (5.88%)
TOTAL AREA = 310.12 SQFT (100%)

PROPOSED LOT AREA: 2483.50 SQFT (230.72 SQ m)

DESCRIPTION	PROPOSED	REQUIRED
ZONING CATEGORY	R1a	R1a
LOT AREA	2483.50 SQFT (230.72 SQM)	3229.17 SQFT (300 SQM)
LOT FRONTAGE	27' - 1 1/2" (8.29 M)	32' - 9 3/4" (10.00 M)
GROSS FLOOR AREA	924.79 SQFT (86.38 SQM)	-
LOT WIDTH	27' - 1 1/2" (8.29 M)	32' - 9 3/4" (10.00 M)
BUILDING HEIGHT	3 STOREYS (9.83 M)	10.5 M
FRONT YARD SETBACK	15' - 3/4" (4.59 m)	13' - 1 1/2" (4.0 m)
REAR YARD SETBACK	24' - 7 1/4" (7.5 m)	24' - 7 1/4" (7.5 m)
SIDE YARD-INTERIOR	3' - 11 1/2"(1.21 m)	3' - 11 1/4"(1.2 m)
LANDSCAPE OPEN SPACE	1095.44 SQFT (30.61%) (101.76 SQM)	30%
AMENITY AREA	1015.76 SQFT (94.36 SQM)	-

CITY ELECTRONIC STAMP:

KING HOMES INC
legal second suites.com

LEGAL SECOND SUITES ARCHITECTURAL AND ENGINEERING SERVICES ARE OWNED AND OPERATED BY KING HOMES INC.

LEAD DESIGNER & CONSULTANT: KEN BEKENDAM, B.A BUSCOM, L.T. kenbekendam@gmail.com — **CELL PHONE:** 905 - 961 - 0647

OFFICE ADDRESS: 979 MAIN ST. E, HAMILTON ,ON — **OFFICE PHONE:** 855 - 546 - 4467

The undersigned has reviewed and takes the 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
Required unless design is exempt under 2.17.5.1 of the building code

Name	Signature	BCIN

REGISTRATION INFORMATION
Required unless design is exempt under 2.17.5.1 of the building code

KING HOMES INC.	121307
Name	BCIN

GENERAL NOTES:

1. DO NOT SCALE DRAWINGS. FULL SCALE: 24" X 36"
2. ALL DIMENSIONS AND INFORMATION SHOWN ON THESE DRAWINGS MUST BE CHECKED AND VERIFIED ON SITE AND ANY DISCREPANCIES REPORTED TO THE DESIGNER PRIOR TO CONSTRUCTION AND FABRICATION OF ITS COMPONENTS. SHOULD EXISTING CONDITIONS OR SERVICES BE FOUND TO VARY FROM THAT INDICATED ON THE DRAWINGS, THE LEAD DESIGNER MUST BE NOTIFIED IMMEDIATELY.
3. FEATURES OF CONSTRUCTION NOT FULLY SHOWN ARE ASSUMED TO BE THE SAME CHARACTER AS THOSE NOTED FOR SIMILAR CONDITIONS.
4. UNLESS SPECIFICALLY NOTED OTHERWISE ON THE DRAWINGS, NO PROVISION HAS BEEN MADE IN THE DESIGN FOR CONDITIONS OCCURING DURING CONSTRUCTION. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO PROVIDE ALL NECESSARY BRACING SUPPORTS, SHEET PILING OR OTHER TEMPORARY SUPPORTS, TO SAFEGUARD ALL EXISTING OR ADJACENT STRUCTURES AFFECTED BY THIS WORK.
5. USE LASTEST REVISED DRAWINGS.
6. ALL CONSTRUCTION TO MEET LATEST ONTARIO BUILDING CODE.
7. ALL DRAWINGS, SPECIFICATIONS, RELATED DOCUMENTS AND DESIGN ARE THE COPYRIGHT PROPERTY OF LEGAL SECOND SUITES. REPRODUCTION OF THIS PROPERTY IN WHOLE OR IN PART IS STRICTLY PROHIBITED WITHOUT LEGAL SECOND SUITES WRITTEN PERMISSION (LEGAL SECOND SUITES ASSUMES NO RESPONSIBILITY OR LIABILITY FOR THIS PROPERTY UNLESS IT BEARS THE APPROPRIATE PEO NUMBER AND ORIGINAL SIGNATURE.)
8. BUILDING OWNER(S) WILL BE RESPONSIBLE FOR HIRING A CERTIFIED CONTRACTOR TO PERFORM SCOPE OF WORK AS PER ISSUED PERMIT.
9. CONTRACTOR WILL BE RESPONSIBLE FOR ALL CONSTRUCTION AND SAFETY REQUIREMENTS ON SITE.

NO.	DATE:	GENERAL DESCRIPTION:	INITIALS:
01			
02			
03			
04			

NORTH POSITION:

ENGINEER'S STAMP:

PROJECT NAME/ADDRESS:
49 ONTARIO AVENUE FOURPLEX

SHEET NAME:
SITE PLAN

PROJECT NO.	DATE:
24-13	07/06/22
SCALE: 3/16" = 1'-0"	REVISION:
DRAWN BY: Author	REVIEWED BY: KEN BEKENDAM

SHEET NO.
SP1.01

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

Hamilton

July 26, 2024

FILE: ALR
FOLDER: 24- ALR
ATTENTION OF: Victoria Brito
TELEPHONE NO: (905) 546-2424
EXTENSION:

KEN BEKENDAM
160 WHITE SWAN ROAD
BRANTFORD, ONTARIO N3T 5L4

Attention:

Re: APPLICABLE LAW REVIEW – ZONING BYLAW
Present Zoning: R1a (Low Density Residential – Small Lot)
Address: 47 and 49 Ontario Avenue, Hamilton

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

COMMENTS:

1. The applicant is proposing to construct a new fourplex on a proposed severed lot.

2. Please be advised that By-laws 24-051 and 24-052, were passed on April 10th, 2024, which approved new changes to the Hamilton Zoning By-law 05-200. However, By-laws 24-051 and 24-052 are not yet final. At present, all proposed development is reviewed under both the exiting and the proposed Zoning By-laws with the more restrictive zoning regulations being applied.

3. A fourplex is permitted under the new proposed zoning regulations; however, it is not permitted under the existing regulations. The following comments are provided on the consideration that By-law 24-051 is final & binding.

4. Our records indicate that Land Severance application HM/B-22:119, was approved with conditions for the creation of a new lot for residential purposes. The following comments will also address Conditions #6, 7, and 8 of said decision.

5. Our records indicate that Minor Variance Decision HM/A-22:357, approved several variances for both the severed and the retained lands. However, as the intended use has changed on the severed lands from a single detached dwelling to a fourplex, the approved variances are not applicable to the severed lands.

6. The lots are considered to be interior lots. Therefore, the front lot line is the lot line abutting the Ontario Avenue street line for both lots. The rear lot is the lot line farthest and opposite lot line to the front line and all other lot lines are considered side lot lines.

7. Any proposed accessory building shall comply with the requirements of Section 4.8 of the Hamilton Zoning By-law 05-200. Currently, no accessory buildings are shown as part of the proposal.

8. Any other encroachments shall comply with requirements of Section 4.6 of the Hamilton Zoning By-law 05-200.

9. Please note, that this Division is unable to clear conditions #6, 7 and 8 of Land Severance HM/A-22:119, at this time as the proposal does not conform and additional variances are required. See comments below.

10. The construction of the proposed fourplex is subject to the issuance of a building permit from the Building Division. Be advised that Ontario Building Code regulations may require specific setbacks and construction types.

11. All new fencing proposed for this development must comply with the regulations contained within Hamilton Fence By-law 10-142.

12. The designer shall ensure that the fire access route conforms to the Ontario Building Code.

13. The proposed **retained lands** have have been reviewed and compared to the standards of the R1a zone as indicated in the following chart:

	Required By By-Law	**Provided**	**Conforming/ Non-Conforming**
Low Density Residential – Small Lot (R1a) Zone			
Section 15.2.2.1 – Single Detached Dwelling (Retained lands)			
Minimum Lot Area [as per Section 15.2.2.1 a) as approved by Minor Variance HM/A-22:357]	231.17m²	231.17m²	**Conforming**
Minimum Lot width [as per Section 15.2.2.1 b) per approved Minor Variance HM/A-22:357]	8.56m	8.56m	**Conforming**
Minimum setback from the Front Lot line [as per Section 15.2.2.1 c)]	3.0m	1.98m Note: The severance does not affect the existing front yard.	**Existing**
Minimum setback from the Front Lot line [as per Section 15.2.2.2 c)] **NOT FINAL**	i) 4.0 metres; ii) Notwithstanding Section 15.2.2.2 c) i), for lots identified on Figure 36 of Schedule "F" – Special Figures of this By-law, a building may be erected closer to the front lot line in accordance with the following: 1. Within 10 percent of the average setback from the front lot line or flankage lot line of the two	1.98m Note: The severance does not affect the existing front yard.	**Existing**

	Required By By-Law	Provided	Conforming/ Non-Conforming
	adjacent dwellings, or in the case of a corner lot, within 10% of the setback from the front lot line of the adjacent dwelling sharing a side lot line. 2. In no cases shall the setback from the front lot line be less than 0.5 metres **(By-law No. 24-051, April 10, 2024, not final & binding)**		
Minimum Setback from a Side Lot Line [as per Section 15.2.2.1 d)]	1.2 metres	0.53m (to the north) Note: The severance does not affect the existing northerly side yard. 1.43m (to the south)	**Existing** **Conforms**
Minimum Setback from a Flankage Lot Line [as per Section 15.2.2.1 e)]	3.0m	This is not a corner lot.	**N/A**
Minimum Setback from a Rear Lot Line [as per Section 15.2.2.1 f)]	7.5m	7.24m Note: The severance does not affect the existing rear yard.	**Conforms**
Maximum Building Height [as per Section 15.2.2.2 g)]	10.5m	Existing building	**Existing**
Minimum Landscaped Area [as per Section 15.2.2.2 h)] **NOT FINAL**	i) 30.0% ii) Within the landscaped area, the requirements of Section 4.35 of this By-law shall apply Note: Section 4.35 states the following: a) A minimum 50% landscaped area in the Front Yard; b) A minimum 50% landscaped area in the Flankage Yard; and, c) A single area within the required landscaped area for tree protection and/or tree planting, subject to the following: i) each side shall be a minimum 3.75 metres in length; and, ii) shall not contain hard landscaping or structures.	66.94% - Existing Tree Protection Area Added	**Existing**

	Required By By-Law	Provided	Conforming/ Non-Conforming
	(By-law No. 24-051, April 10, 2024, not final & binding)		
Section 4 – General Provisions			
Permitted Yard Encroachments [as per section 4.6 of Hamilton Zoning By-law 05-200]	a) Eaves, troughs and other similar architectural features may be permitted in any required yard, or to a maximum of half the distance of the required yard, whichever is the lesser.	Details not provided. 14" Eaves trough added	**Unable to determine compliance**
	d) A porch, deck or canopy may encroach into any required yard to a maximum of 1.5 metres, or to a maximum of half the distance of the required yard, whichever is the lesser; The required side yard is 1.2m. Therefore, the ex. porch including any associated steps shall maintain a setback of 0.6m from the southerly side lot line.	A setback of 0.47m is shown from the existing deck to the southerly side lot line.	**Non-conforming** Variance Required

14. The proposed **severed lands** has been reviewed and compared to the standards of the R1a zone as indicated in the following chart:

	Required By By-Law	Provided	Conforming/ Non-Conforming
Low Density Residential – Small Lot (R1a) Zone			
Section 15.2.2.4 – Fourplex (Severed lands) NOT FINAL			
Minimum Lot Area [as per Section 15.2.2.4 a)] **NOT FINAL**	300.0 square metres	230.72m²	**Non-conforming** Variance Required
Minimum Lot width [as per Section 15.2.2.4 b)] **NOT FINAL**	10.0 metres	8.29m	**Non-conforming** Variance Required
Minimum setback from a Street Line [as per Section 15.2.2.4 c)] **NOT FINAL**	i) 4.0 metres; ii) Notwithstanding Section 15.2.2.4 c) i), for lots identified on Figure 36 of Schedule "F" – Special Figures of this By-law, a building may be erected closer to the front lot line in accordance with the following: 1. Within 10 percent of the average setback from the front lot line or flankage lot line of the two adjacent dwellings, or in the case of a corner lot, within 10% of the	i) 4.0 m ii) not applied. Front Yard Setback 4.59m	**Conforms** **N/A**

	Required By By-Law	Provided	Conforming/ Non-Conforming
	setback from the front lot line of the adjacent dwelling sharing a side lot line. 2. In no cases shall the setback from the front lot line be less than 0.5 metres. **(By-law No. 24-051, April 10, 2024, not final & binding)**		
Minimum Setback from a Side Lot Line [as per Section 15.2.2.4 d)] **NOT FINAL**	1.2 metres, and a minimum aggregate of 3.5 metres	1.43m (to the north) 1.20 to 1.35m (to the south)	**Non-conforming** Variance Required
Minimum Setback from a Flankage Lot Line [as per Section 15.2.2.4 e)] **NOT FINAL**	3.0m	This is not a corner lot.	**N/A**
Minimum Setback from a Rear Lot Line [as per Section 15.2.2.4 f)] **NOT FINAL**	7.5m	7.5m	**Conforms**
Maximum Building Height [as per Section 15.2.2.4 g)] **NOT FINAL**	10.5m	9.83m per elevation plans.	**Conforms**
Minimum Landscaped Area [as per Section 15.2.2.4 h)] **NOT FINAL**	i) 30.0% ii) Within the landscaped area, the requirements of Section 4.35 of this By-law shall apply Note: Section 4.35 states the following: c) A single area within the required landscaped area for tree protection and/or tree planting, subject to the following: i) each side shall be a minimum 3.75 metres in length; and, ii) shall not contain hard landscaping or structures. d) On a lot containing a fourplex dwelling, when parking spaces are located in the rear yard, the following shall be provided: i) A minimum 1.5 metre wide landscaped strip shall be provided between the parking spaces and/or aisle, and the side lot line, and shall contain a wall or fence in	i) Greater than 30.0% c) i) and ii) Appears an area greater 3.75m is capable to be accommodated and does not contain hard landscaping or structures. d) i) and ii) no parking spaces are shown in the rear yard.	**Appears to conform** Tree Protection Added **N/A**

	Required By By-Law	Provided	Conforming/ Non-Conforming
	accordance with the requirements of Section 4.19; and, ii) A minimum 3 metre wide landscaped strip shall be provided between the parking spaces and/or aisle, and the rear lot line, and shall contain a Visual Barrier in accordance with the requirements of Section 4.19 **(By-law No. 24-051, April 10, 2024, not final & binding)**		
Visual Barrier [as per Section 15.2.2.4 i)] **NOT FINAL**	i) A Visual Barrier shall be required along side lot lines and the rear lot line in accordance with the requirements of Section 4.19 of this By-law. ii) Notwithstanding Section 15.2.2.4 i) i), rear yard parking shall comply with the requirements of Section 4.35 d) of this By-law.	Details not provided.	**Unable to determine compliance** Visual Barrier Added 1.8m high
Amenity Area [as per Section 15.2.2.4 j)] **NOT FINAL**	Amenity areas shall not be permitted in the side yard or on the rooftop of the dwelling.	Details not provided. Amenity area added	**Unable to determine compliance**
Waste Storage [as per Section 15.2.2.4 k)] **NOT FINAL**	Outdoor waste storage shall be fully enclosed and shall not be located in the front yard.	Details not provided. Waste Storage Shed added	**Unable to determine compliance**
Section 4 – General Provisions			
Permitted Yard Encroachments [as per section 4.6 of Hamilton Zoning By-law 05-200]	a) Eaves, troughs and other similar architectural features may be permitted in any required yard, or to a maximum of half the distance of the required yard, whichever is the lesser.	Details not provided. 14" Eavestrough added	**Unable to determine compliance**
	d) A porch, deck or canopy may encroach into any required yard to a maximum of 1.5 metres, or to a maximum of half the distance of the required yard, whichever is the lesser; The required rear yard is 7.5m. Therefore, the proposed porch including any associated steps shall maintain a setback of 6.0m from the rear lot line. The required side yard is 1.2m, a a minimum aggregate of 3.5m.	A setback of 3.80m is shown from the deck and associated steps to the rear lot line. A setback of 1.38m is shown from the southerly side lot line and a setback of 1.89m is shown from the northerly side lot line. A setback of 3.09m appears to be maintained from the	**Non-conforming** Variance Required **Non-conforming** Variance Required **Appears to**

	Required By By-Law	Provided	Conforming/ Non-Conforming
	The required front yard is 4.0m. Therefore, a porch shall maintain a setback of 2.5m from the front lot line.	front lot line for the New Deck.	**conforms** Setback added. Complies. 3.72m

	Required By By-Law	Provided	Conforming/ Non-Conforming
Section 5 – Parking (Existing Regulations)			
Location (All Uses) [as per section 5.1(a) of Hamilton Zoning By-law 05-200]	i) Required parking facilities shall be located on the same lot as the use requiring the parking.	No parking is proposed to be maintained on the retained lands. However, records indicate that the existing dwelling was built in the year 1895 at which time there were no requirements. No parking is proposed to be maintained on the severed lands.	**Conforms – Existing** **Non-conforming** Variance Required
Minimum Number of Required Parking Spaces [as per section 5.6 c) of Hamilton Zoning By-law 05-200]	<u>Single Detached Dwelling</u> 1 parking space per unit However, our records indicate that the existing dwelling was built in the year 1895 at which time there were no requirements. <u>Multiple Dwelling Unit:</u> 1 per unit, except where a dwelling units is 50m² of GFA or less in which case at a rate of 0.3 per unit. Please note that under the existing zoning regulations, there are no requirements for a fourplex. The use is considered a multiple dwelling with four (4) units. In addition, the GFA for each unit is unknown as such, worse case scenario has been applied. **Therefore, 4 units x 1 = 4 spaces shall be maintained on the severed lands.**	No parking is intended to be maintained on the retained lands. No parking is intended to be maintained on the severed lands.	**Existing** **Non-conforming** Variance Required

	Required By By-Law	Provided	Conforming/ Non-Conforming
SECTION 5: PARKING (BY-LAW 24-052, PROPOSED REGULATIONS - NOT FINAL)			
5.1 PARKING SUPPLY REQUIREMENTS AND RESTRICTIONS			
Minimum Number of Required Parking Spaces [as per section 5.1.1 (a) of Hamilton Zoning By-law 05-200]	The minimum number of required parking spaces which must be provided shall be the result of applying: i) The minimum amount in accordance with the Minimum Required Parking Rate Schedule in Section 5.7.1; ii) Any eligible exception in this Section; and, iii) Any eligible deductions in this Section Per Schedule in Section 5.7.1 the following is required: **Single Detached Dwelling in PRA1**: a) In PRA 1, no parking spaces are required. **Fourplex Dwelling in PRA1**: a) In PRA 1, no parking spaces are required	No parking spaces will be maintained on the severed or retained lands.	**N/A**
Minimum Required Number of Electric Vehicle Parking Spaces [as per section 5.1.4 of Hamilton Zoning By-law 05-200]	a) Minimum Required Number of Electric Vehicle Parking Spaces Where parking spaces are provided, Electric Vehicle Parking Spaces shall be provided in accordance with: i) The minimum rates in accordance with the Parking Schedule in Section 5.7.4; **Single Detached Dwelling or Fourplex:** A minimum of 100.0% of all parking spaces shall be provided as Electric Vehicle Parking.	No parking is intended to be maintained on either of the retained or severed lots.	**N/A**

	Required By By-Law	Provided	Conforming/ Non-Conforming
5.7 PARKING SCHEDULES			
Parking Schedules [as per section 5.7 of Hamilton Zoning By-law 05-200]	a) Parking Rate Areas Where this By-law indicates that a Parking Rate Area (PRA) applies for the purpose of calculating a parking requirement or permission, such Parking Rate Area shall apply to lands and shall be indicated as Parking Rate Area (PRA1), (PRA2) and (PRA3) on Schedule "A" – Zoning Maps.	These lands both severed and retained are indicated as being located in Parking Area 1 (PRA1).	**See comments above**
	b) Application of Parking Rate Areas Where a parking rate or requirement contained in this By-law does not contain reference to a Parking Rate Area (PRA), such parking rate shall apply to all lands throughout the City. Only where a parking rate refers to a specific Parking Rate Area, and where such use is located within that specified Parking Rate Area, shall there be any modification to the parking rate, and only in the manner prescribed.		

Yours truly

for the Manager of Zoning & Committee of Adjustment

VB/vb

Committee of Adjustment
City Hall, 5th Floor,
71 Main St. W.,
Hamilton, ON L8P4Y5

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

APPLICATION FOR A MINOR VARIANCE/PERMISSION

UNDER SECTION 45 OF THE *PLANNING ACT*

1. APPLICANT INFORMATION

	NAME		
Registered Owners(s)	Tramy Nguyen OJM Realty Inc	[redacted]	
Applicant(s)	Ken Bekendam King Homes I nc		
Agent or Solicitor			**Phone:** **E-mail:**

1.2 Primary contact ☒ Applicant ☐ Owner ☐ Agent/Solicitor

1.3 Sign should be sent to ☒ Applicant ☐ Owner ☐ AgentSolicitor

1.4 Request for digital copy of sign ☐ Yes* ☒ No

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

1.5 All correspondence may be sent by email ☒ Yes* ☐ No

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

1.6 Payment type ☐ In person ☐ Cheque ☒ Credit over phone*

[redacted]

*Must provide number above

2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	47-49 Ontario Ave		
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:

See Applicable Law Review with additional notes added

☐ Second Dwelling Unit ☐ Reconstruction of Existing Dwelling

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

Existing site constraints. Existing Conditions

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 Plan			

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 Plan				

Proposed:

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

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 Plan				

Proposed:

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

4.4 Type of water supply: (check appropriate box)

- [X] 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)

- [X] publicly owned and operated storm sewers
- [ ] swales
- [ ] ditches
- [ ] other means (specify)

_____

4.6 Type of sewage disposal proposed: (check appropriate box)

- [X] 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
- [X] 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.):

47 Ontario - Existing Single Detached
49 Ontario - Proposed Fourplex

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

Existing Residential

7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:

Jan 31st 2022

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:

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) Neighbourhoods

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

7.6 What is the existing zoning of the subject land? R1a

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

[X] Yes [ ] No

If yes, please provide the file number: HM.B.22.119 and HM.A.22.357

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: HM.B.22.119

8 ADDITIONAL INFORMATION

8.1 Number of Dwelling Units Existing: 0

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

_____

_____

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

NOTICE OF PUBLIC HEARING
Minor Variance

You are receiving this notice because you are either:

- Assessed owner of a property located within 60 metres of the subject property
- Applicant/agent on file, or
- Person likely to be interested in this application

APPLICATION NO.:	**A-24:207**	**SUBJECT PROPERTY:**	663 Beach Blvd, Hamilton
ZONE:	C/S-1435, S-1822 (Urban Protected Residential)	**ZONING BY-LAW:**	Zoning By-law former City of Hamilton 6593 as amended by by-law 99-169

APPLICANTS: Owner: Chantelle Camarro
Agent: Len Angelici

The following variances are requested:

1. A minimum front yard depth of 5.0m shall be provided instead of the minimum 6.0m front yard depth required.

2. A minimum easterly side yard width of 0.42 metres shall be provided instead of the minimum 1.7 metre side yard width required.

PURPOSE & EFFECT: To facilitate the construction of a rear yard addition, rear yard porch, front yard addition, and front yard porch.

Notes: N/A

This Notice must be posted by the owner of any land which contains seven or more residential units so that it is visible to all residents.

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

DATE:	**Tuesday, October 22, 2024**
TIME:	**1:40 p.m.**
PLACE:	**Via video link or call in (see attached sheet for details)**
	City Hall Council Chambers (71 Main St. W., Hamilton)
	To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment

A-24:207

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

- Visit www.hamilton.ca/committeeofadjustment
- Visit Committee of Adjustment staff at 5th floor City Hall, 71 Main St. W., Hamilton

PUBLIC INPUT

Written: If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Please see attached page for complete instructions, written comments must be received no later than noon October 18, 2024

Orally: If you would like to speak to this item at the hearing you may do so via video link, calling in, or attending in person. Please see attached page for complete instructions, registration to participate virtually must be received no later than noon October 21, 2024

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding A-24:207, you must submit a written request to cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5**.**

If you wish to be provided a Notice of Decision, you must attend the Public Hearing and file a written request with the Secretary-Treasurer by emailing cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.

A-24:207

Subject Lands

DATED: October 3, 2024

_____

Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

Information respecting this application is being collected under the authority of the Planning Act, R.S.O., 1990, c. P. 13. All comments and opinions submitted to the City of Hamilton on this matter, including the name, address, and contact information of persons submitting comments and/or opinions, will become part of the public record and will be made available to the Applicant and the general public, and may include posting electronic versions.

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

PARTICIPATION PROCEDURES

Written Submissions

Members of the public who would like to participate in a Committee of Adjustment meeting are able to provide comments in writing advance of the meeting. Comments can be submitted by emailing cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5. **Comments must be received by noon on the date listed on the Notice of Public Hearing.**

Comments are available the Friday prior to the Hearing and are available on our website: **www.hamilton.ca/committeeofadjustment**

Oral Submissions

Members of the public are also able to provide oral comments regarding Committee of Adjustment Hearing items by participating Virtually through Webex via computer or phone or by attending the Hearing In-person. Participation Virtually requires pre-registration in advance. Please contact staff for instructions if you wish to make a presentation containing visual materials.

1. Virtual Oral Submissions

Interested members of the public, agents, and owners **must register by noon on the day listed on the Notice of Public Hearing to** participate Virtually.

To register to participate Virtually by Webex either via computer or phone, please contact Committee of Adjustment staff by email cofa@hamilton.ca. The following information is required to register: Committee of Adjustment file number, hearing date, name and mailing address of each person wishing to speak, if participation will be by phone or video, and if applicable the phone number they will be using to call in.

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

2. In person Oral Submissions

Interested members of the public, agents, and owners who wish to participate in person may attend Council Chambers on the date and time listed on the Notice of Public Hearing. Please note, you will be required to provide your name and address for the record. It is advised that you arrive **no less than 10 minutes** before the time of the Public Hearing as noted on the Notice of Public Hearing.

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

Please note: Webex (video) participation requires either a compatible computer or smartphone and an application (app/program) must be downloaded by the interested party in order to participate. It is the interested party's responsibility to ensure that their device is compatible and operating correctly prior to the Hearing.

SURVEYOR'S REAL PROPERTY REPORT – PART 1
PLAN OF SURVEY OF
PART OF BURLINGTON BEACH EAST SIDE OF BEACH BOULEVARD (UNREGISTERED)
(GEOGRAPHIC TOWNSHIP OF SALTFLEET)
CITY OF HAMILTON

SCALE 1:200
0 5 10 15 METRES

B.A. JACOBS SURVEYING LTD.
ONTARIO LAND SURVEYOR

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

BEARING NOTE:
BEARINGS HEREON ARE GRID BEARINGS AND ARE DERIVED FROM THE EASTERLY LIMIT OF BEACH BOULEVARD AS SHOWN ON PLAN 62R–18770, BEING N 26°55'20" W AND ARE BASED ON THE NAD 83 UTM CO–ORDINATE SYSTEM, ZONE 17, CENTRAL MERIDIAN 81° WEST LONGITUDE.

LEGEND:

■	DENOTES SURVEY MONUMENT FOUND
□	DENOTES SURVEY MONUMENT PLANTED
SIB	DENOTES STANDARD IRON BAR
IB	DENOTES IRON BAR
CC	DENOTES CUT CROSS
SM	DENOTES STONE MONUMENT
WIT.	DENOTES WITNESS
(NI)	DENOTES NOT IDENTIFIABLE
P1	DENOTES PLAN 62R–9111
P2	DENOTES PLAN 62R–7880
P3	DENOTES PLAN 62R–18770
P4	DENOTES PLAN BY A.T. McLAREN O.L.S. (AUG. 15, 1983)
P5	DENOTES CITY PLAN B–351
D1	DENOTES INSTRUMENT No. VM116768
D2	DENOTES INSTRUMENT No. SA20074
(655)	DENOTES J.T. PETERS O.L.S.
(1243)	DENOTES ED BARICH O.L.S.
(1629)	DENOTES B.A. JACOBS O.L.S.
(CITY)	DENOTES CITY OF HAMILTON

SURVEYOR'S REAL PROPERTY REPORT PART 2 – REPORT SUMMARY
DESCRIPTION OF LAND BEING PART OF BURLINGTON BEACH, EAST SIDE OF BEACH BOULEVARD (UNREGISTERED), GEOGRAPHIC TOWNSHIP OF SALTFLEET, KNOWN AS MUNICIPAL No. 663 BEACH BOULEVARD, CITY OF HAMILTON.
REGISTERED EASEMENTS AND/OR RIGHTS OF WAY ACCORDING TO THE PARCEL REGISTER FOUND IN THE LAND REGISTRY OFFICE, THE PROPERTY HAS THE RIGHT TO AN EASEMENT TO HAVE THE CHIMNEY AND EAVES ENCROACH UPON THE LANDS TO THE SOUTH. BASED ON THE AVAILABLE EVIDENCE, THE SAID CHIMNEY AND EAVES DO NOT ENCROACH ONTO THESE LANDS.
BOUNDARY FEATURES NOTE THE LOCATION OF THE FENCES AS THEY RELATE TO THE BOUNDARIES OF THE SUBJECT PROPERTY.
COMPLIANCE WITH MUNICIPAL ZONING BY–LAWS NOT CERTIFIED BY THIS REPORT

ASSOCIATION OF ONTARIO LAND SURVEYORS
PLAN SUBMISSION FORM
V–54817
THIS PLAN IS NOT VALID UNLESS IT IS AN EMBOSSED ORIGINAL COPY ISSUED BY THE SURVEYOR
In accordance with Regulation 1026, Section 29(3).

THIS REPORT WAS PREPARED FOR CHANTELLE CAMARRO

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 DECEMBER 19, 2023

JANUARY 16, 2024
DATE

BRYAN JACOBS
ONTARIO LAND SURVEYOR

B.A. JACOBS SURVEYING LTD.
152 JACKSON STREET EAST, SUITE 102
HAMILTON, ONTARIO (L8N 1L3)
PHONE 905–521–1535 bajacobs@rogers.com

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SKETCH SHOWING PROPOSED RENOVATIONS
(663 BEACH BOULEVARD)

PART OF BURLINGTON BEACH EAST SIDE OF BEACH BOULEVARD (UNREGISTERED)

(GEOGRAPHIC TOWNSHIP OF SALTFLEET)

CITY OF HAMILTON

SCALE 1:200

0 5 10 15 METRES

B.A. JACOBS SURVEYING LTD.
ONTARIO LAND SURVEYOR

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

BEARING NOTE:
BEARINGS HEREON ARE GRID BEARINGS AND ARE DERIVED FROM THE EASTERLY LIMIT OF BEACH BOULEVARD AS SHOWN ON PLAN 62R-18770, BEING N 26°55'20" W AND ARE BASED ON THE NAD 83 UTM CO-ORDINATE SYSTEM, ZONE 17, CENTRAL MERIDIAN 81° WEST LONGITUDE.

LEGEND:

■	DENOTES SURVEY MONUMENT FOUND
□	DENOTES SURVEY MONUMENT PLANTED
SIB	DENOTES STANDARD IRON BAR
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WIT.	DENOTES WITNESS
(NI)	DENOTES NOT IDENTIFIABLE
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P3	DENOTES PLAN 62R-18770
P4	DENOTES PLAN BY A.T. McLAREN O.L.S. (AUG. 15, 1983)
P5	DENOTES CITY PLAN B-351
D1	DENOTES INSTRUMENT No. VM116768
D2	DENOTES INSTRUMENT No. SA20074
(655)	DENOTES J.T. PETERS O.L.S.
(1243)	DENOTES ED BARICH O.L.S.
(1629)	DENOTES B.A. JACOBS O.L.S.
(CITY)	DENOTES CITY OF HAMILTON

SEPTEMBR 12, 2024
DATE

BRYAN JACOBS
ONTARIO LAND SURVEYOR

B.A. JACOBS SURVEYING LTD.
152 JACKSON STREET EAST, SUITE 102
HAMILTON, ONTARIO (L8N 1L3)
PHONE 905-521-1535 bajacobs@rogers.com

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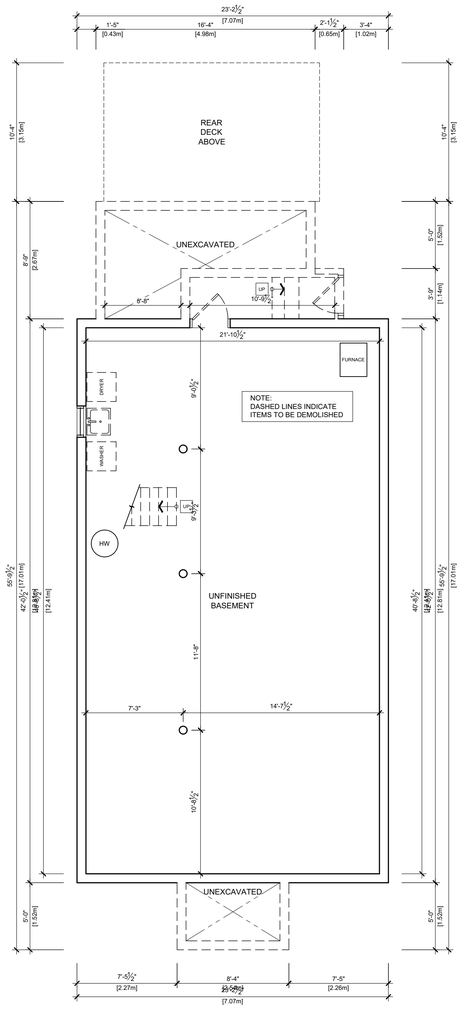
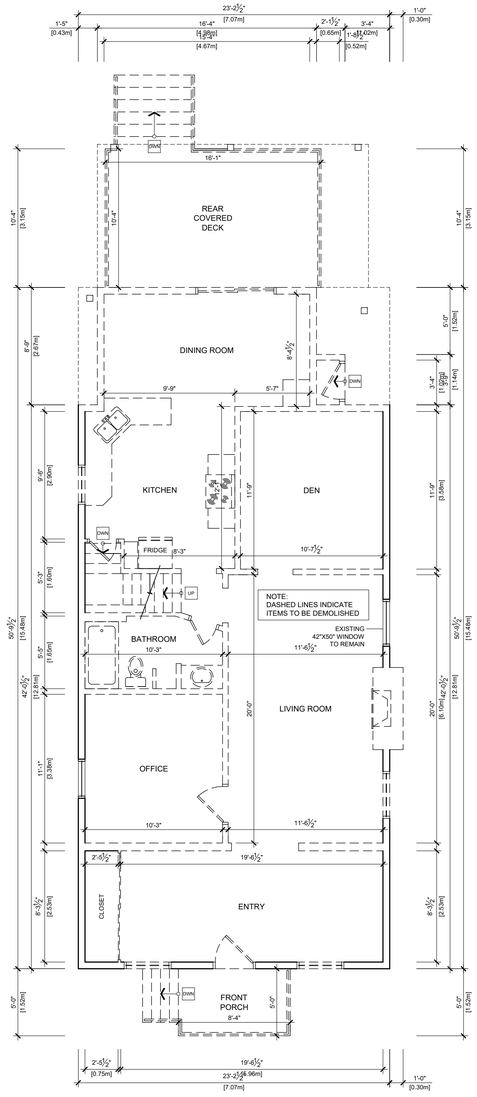
JOB No. 23s65-P



EXISTING BASEMENT PLAN

SCALE 3/16" = 1' - 0"

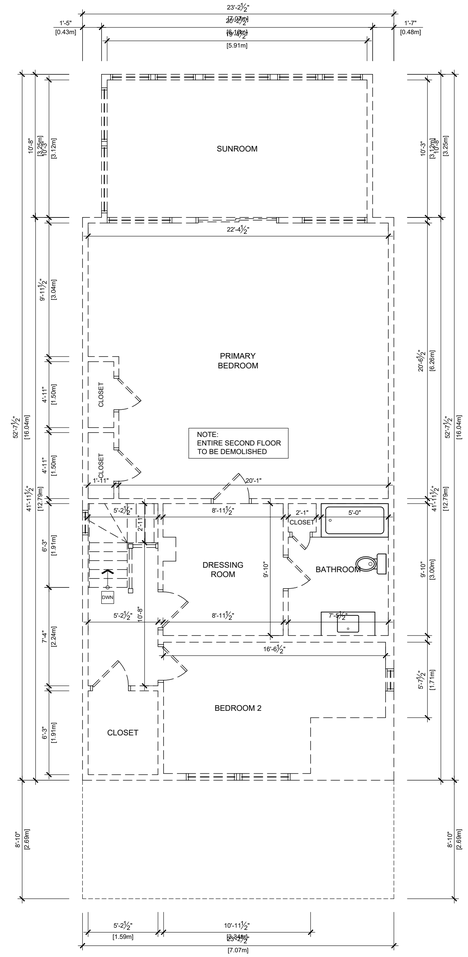


EXISTING MAIN FLOOR PLAN

SCALE 3/16" = 1' - 0"

FLOOR AREA: 1132.73sqft (105.23m²)
TOTAL FLOOR AREA: 2297.16sqft (213.41m²)
FRONT PORCH: 41.67sqft (3.87m²)
REAR COVERED DECK: 166.19sqft (15.44m²)

COVERAGE: 1400.47sqft (130.11m²)



EXISTING SECOND FLOOR PLAN

SCALE 3/16" = 1' - 0"

STAIRS: 24.91sqft (2.31m²)
FLOOR AREA: 1164.43sqft (108.18m²)

PROJECT NORTH	TRUE NORTH

01.	DRAWINGS FOR VARIANCE	06/06/2024
No.	REVISION	DATE

1. ALL CONTRACTORS AND/OR TRADES SHALL VERIFY ALL DIMENSIONS, NOTES, SITE AND REPORT ANY DISCREPANCIES PRIOR TO THE COMMENCEMENT OF WORK.
2. 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
3. REPRODUCTION OF DRAWINGS AND RELATED DOCUMENTS IN PART OR IN WHOLE IS STRICTLY PROHIBITED WITHOUT WRITTEN CONSENT OF LEN ANGELICI DESIGN.
4. CONTRACTOR SHALL REVIEW ALL DRAWINGS PRIOR TO COMMENCING CONSTRUCTION FOR ANY ERRORS OR OMISSIONS.
5. LEN ANGELICI DESIGN IS NOT RESPONSIBLE FOR THE DESIGN OR PRE-ENGINEERED TRUSSES OR ANY PRE-ENGINEERED PRODUCTS.
6. LEN ANGELICI DESIGN IS NOT RESPONSIBLE FOR HEATING, PLUMBING, OR ELECTRICAL DRAWINGS.
7. 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.
8. 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 INC.	124457
NAME	BCIN

06/06/2024
DATE SIGNATURE

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

PROJECT

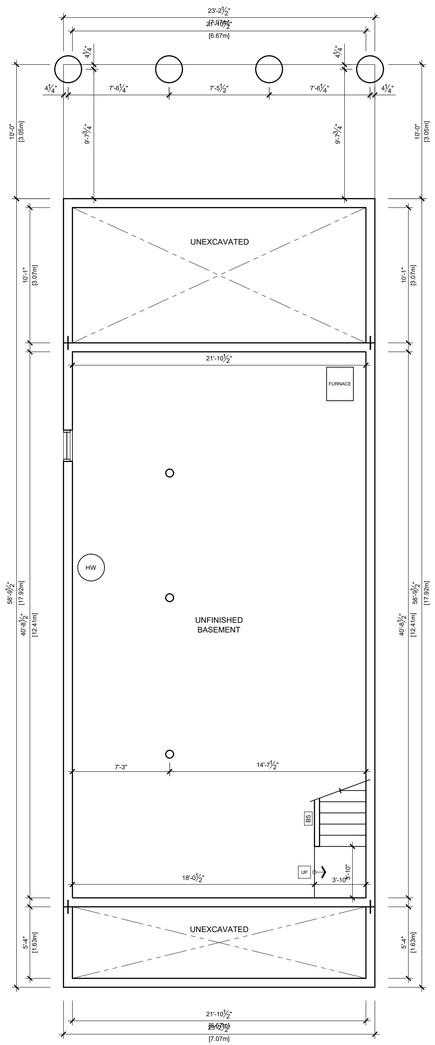
PROPOSED RESIDENCE
663 BEACH BLVD
HAMILTON, ON

SHEET TITLE

EXISTING FLOOR PLANS

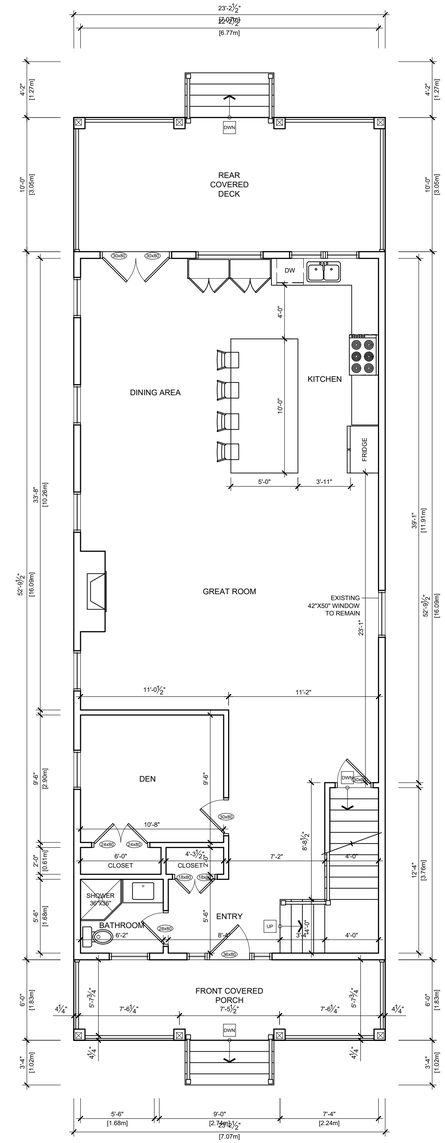
DRAWN BY	
L. ANGELICI	
DATE	
06/06/2024	
SCALE	
3/16"=1'-0"	
PROJECT No.	
22092	

A1



PROPOSED BASEMENT PLAN

SCALE 3/16" = 1' - 0"

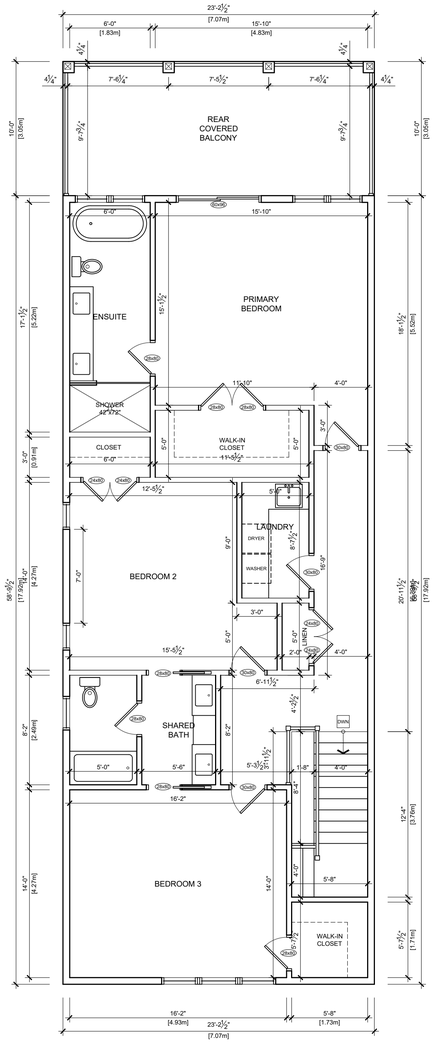


PROPOSED MAIN FLOOR PLAN

SCALE 3/16" = 1' - 0"

FRONT PORCH: 139.25sqft (12.94m²)
REAR PORCH: 232.08sqft (21.56m²)
FLOOR AREA: 1225.21sqft (113.83m²)

TOTAL FLOOR AREA: 2519.78sqft (234.10m²)



PROPOSED SECOND FLOOR PLAN

SCALE 3/16" = 1' - 0"

REAR PORCH: 232.08sqft (21.56m²)
STAIR OPENING: 69.89sqft (6.49m²)
FLOOR AREA: 1294.57sqft (120.27m²)

PROJECT NORTH	TRUE NORTH

No.	REVISION	DATE
01.	DRAWINGS FOR VARIANCE	06/06/2024

1. ALL CONTRACTORS AND/OR TRADES SHALL VERIFY ALL DIMENSIONS, NOTES, SITE AND REPORT ANY DISCREPANCIES PRIOR TO THE COMMENCEMENT OF WORK.
2. 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
3. REPRODUCTION OF DRAWINGS AND RELATED DOCUMENTS IN PART OR IN WHOLE IS STRICTLY PROHIBITED WITHOUT WRITTEN CONSENT OF LEN ANGELICI DESIGN.
4. CONTRACTOR SHALL REVIEW ALL DRAWINGS PRIOR TO COMMENCING CONSTRUCTION FOR ANY ERRORS OR OMISSIONS.
5. LEN ANGELICI DESIGN IS NOT RESPONSIBLE FOR THE DESIGN OR PRE-ENGINEERED TRUSSES OR ANY PRE-ENGINEERED PRODUCTS.
6. LEN ANGELICI DESIGN IS NOT RESPONSIBLE FOR HEATING, PLUMBING, OR ELECTRICAL DRAWINGS.
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8. 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 INC.	124457
NAME	BCIN

06/06/2024
DATE SIGNATURE

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

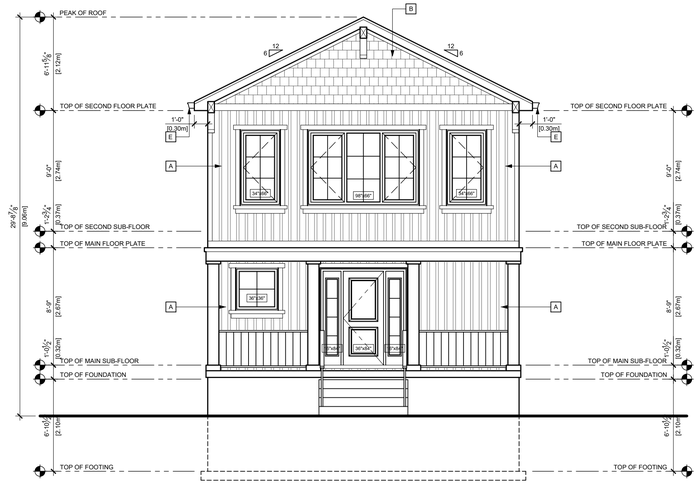
PROJECT

PROPOSED RESIDENCE
663 BEACH BLVD
HAMILTON, ON

SHEET TITLE

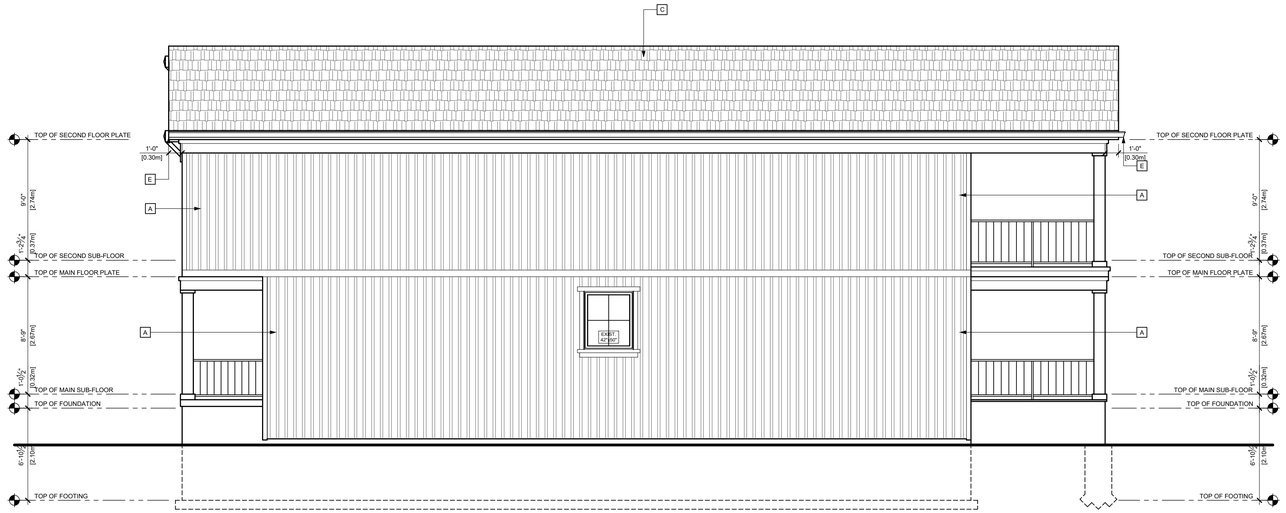
PROPOSED FLOOR PLANS

DRAWN BY	A2
L. ANGELICI	
DATE	
06/06/2024	
SCALE	
3/16"=1'-0"	
PROJECT No.	
22092	



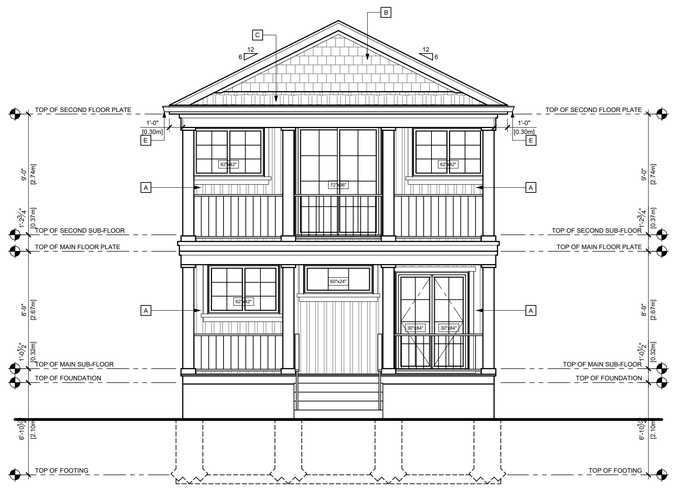
FRONT ELEVATION

SCALE 3/16" = 1' - 0"



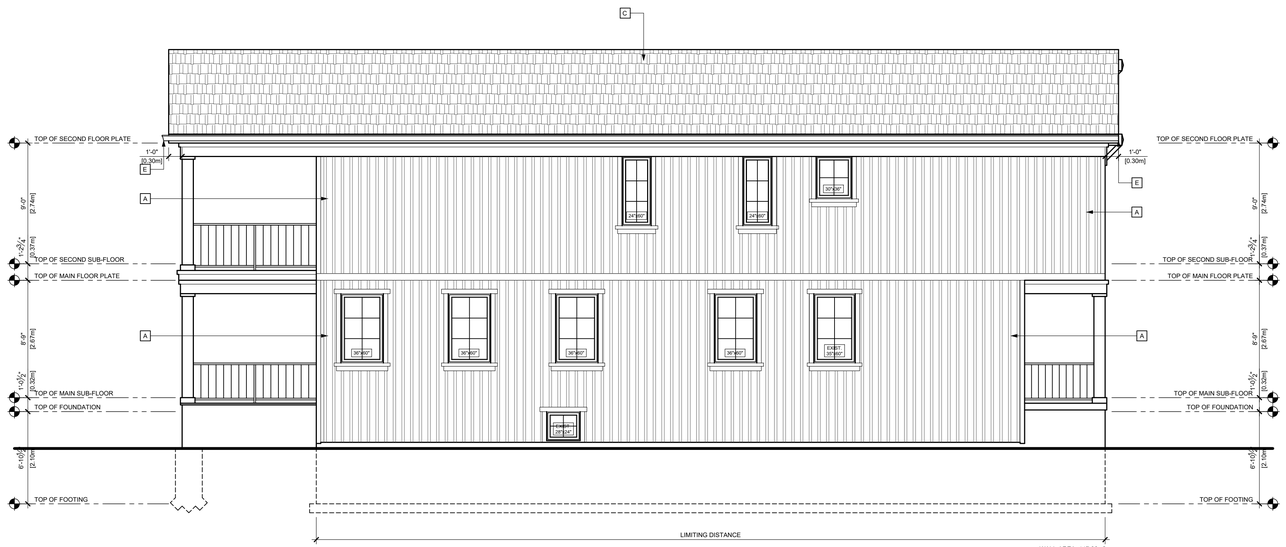
RIGHT SIDE ELEVATION

SCALE 3/16" = 1' - 0"



REAR ELEVATION

SCALE 3/16" = 1' - 0"



LEFT SIDE ELEVATION

SCALE 3/16" = 1' - 0"

WALL AREA: 117.38m²
WALL SETBACK: 3.02m
UNPROTECTED OPENINGS AREA: 9.92m² = 8.45%
MAXIMUM ALLOWABLE OPENINGS: 10%

EXTERIOR FINISH INDEX

- A BOARD & BATTEN SIDING
- B CEDAR STYLE SHINGLES
- C ASPHALT SHINGLES
- D STANDING SEAM
- E 5" PRE-FIN. ALUM. EAVETROUGH ON 8" WITH PRE-FIN. ALUM. FASCIA C/W PRE-FIN. ALUM. DOWNSPOUT

PROJECT NORTH	TRUE NORTH

No.	REVISION	DATE
01.	DRAWINGS FOR VARIANCE	06/06/2024

1. ALL CONTRACTORS AND/OR TRADES SHALL VERIFY ALL DIMENSIONS, NOTES, SITE AND REPORT ANY DISCREPANCIES PRIOR TO THE COMMENCEMENT OF WORK.
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QUALIFICATION INFORMATION

LEONARD ANGELICI	42391
NAME	BCIN

REGISTRATION INFORMATION

LEN ANGELICI DESIGN INC.	124457
NAME	BCIN

06/06/2024

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
663 BEACH BLVD
HAMILTON, ON

SHEET TITLE

ELEVATIONS

DRAWN BY	A3
L. ANGELICI	
DATE	
06/06/2024	
SCALE	
3/16"=1'-0"	
PROJECT No.	
22092	

Committee of Adjustment
City Hall, 5th Floor,
71 Main St. W.,
Hamilton, ON L8P4Y5

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

APPLICATION FOR A MINOR VARIANCE/PERMISSION

UNDER SECTION 45 OF THE *PLANNING ACT*

1. APPLICANT INFORMATION

	NAME	[redacted]
Registered Owners(s)	CHANTELLE CAMARRO	
Applicant(s)	LEN ANGELICI	
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 ☐ 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	663 BEACH BLVD		
Assessment Roll Number			
Former Municipality			
Lot		Concession	
Registered Plan Number	452	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 SIDE SETBACK REQUIREMENT OF 1.7m TO 0.42m FOR REAR PORCH, 0.47 FOR REAR ADDITION, 0.66m FOR FRONT PORCH & FRONT 2ND STOREY ADDITION
RELIEF FROM FRONT SETBACK OF 6m TO 5.05m FOR FRONT PORCH

☐ Second Dwelling Unit ☐ Reconstruction of Existing Dwelling

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

EXISTING DWELLING DOES NOT COMPLY WITH SIDE SETBACK AND EXISTING FRONT PORCH DOES NOT COMPLY WITH FRONT SETBACK

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
10.937m	63.450m	662.59m2	20.12m

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	6.88m	36.95m	3.02m, 0.44m	UNKNOWN
DETACHED GARAGE	48.65m	0.65m	6.03m , 0.26m	UNKNOWN
SHED	59.86m	0.21m	2.19m, 4.80m	UNKNOWN

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
REAR ADDITION	22.90m	39.57m	3.03m, 0.47m	UNKNOWN
REAR PORCH	25.94m	36.54m	3.04m, 0.42m	UNKNOWN
FRONT PORCH	5.04m	58.15m	3.02m, 0.66m	UNKNOWN
FRONT 2ND STOREY ADD.	5.04m	58.15m	3.02m, 0.66m	UNKNOWN

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	105.23m2	213.41m2	2	UNKNOWN
DETACHED GARAGE	50.5m2	50.5m2	1	UNKNOWN
SHED	9.72m2	9.72m2	1	UNKNOWN

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
REAR ADDITION	23.17m2	46.36m2	2	9.06m
REAR PORCH	21.56m2	21.56m2	2	9.06m
FRONT PORCH	12.94m2	12.94m2	1	9.06m
FRONT 2ND STOREY ADD.	12.94m2	12.94m2	2	9.06m

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

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

SINGLE FAMILY DWELLINGS

7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:

2022

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

SINGLE FAMILY DWELLING

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

SINGLE FAMILY DWELLING

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) RESIDENTIAL NEIGHBOURHOOD

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

7.6 What is the existing zoning of the subject land? C/S-1435, S-1822

7.8 Has the owner previously applied for relief in respect of the subject property? (Zoning By-lawAmendment 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

_____

_____

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

NOTICE OF PUBLIC HEARING
Minor Variance

You are receiving this notice because you are either:

- Assessed owner of a property located within 60 metres of the subject property
- Applicant/agent on file, or
- Person likely to be interested in this application

APPLICATION NO.:	**A-24:211**	**SUBJECT PROPERTY:**	953 Concession 5 Rd W, Flamborough
ZONE:	Conservation/Hazard Land Rural (P6)	**ZONING BY-LAW:**	Zoning By-law City of Hamilton 05-200

APPLICANTS: Owner: Kim Edmondson
Agent: Sarah Brown Home Design Inc. - Sarah Brown

The following variances are requested:

PURPOSE & EFFECT: To permit the construction of a detached garage in the front yard on a lot with a existing single detached dwelling.

1. A Accessory building (garage) shall be permitted to be located within the front yard 6.0m from the front lot line instead of the requirement no accessory buildings or structures shall be located within a front yard.

Notes:

i) Please note the variance is written in order to comply with regulation 4.8 b) and 4.8.1.1 e).

This Notice must be posted by the owner of any land which contains seven or more residential units so that it is visible to all residents.

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

DATE:	**Tuesday, October 22, 2024**
TIME:	**1:45 p.m.**
PLACE:	**Via video link or call in (see attached sheet for details)**
	City Hall Council Chambers (71 Main St. W., Hamilton)
	To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment

A-24:211

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

- Visit www.hamilton.ca/committeeofadjustment
- Visit Committee of Adjustment staff at 5th floor City Hall, 71 Main St. W., Hamilton

PUBLIC INPUT

Written: If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Please see attached page for complete instructions, written comments must be received no later than noon October 18, 2024

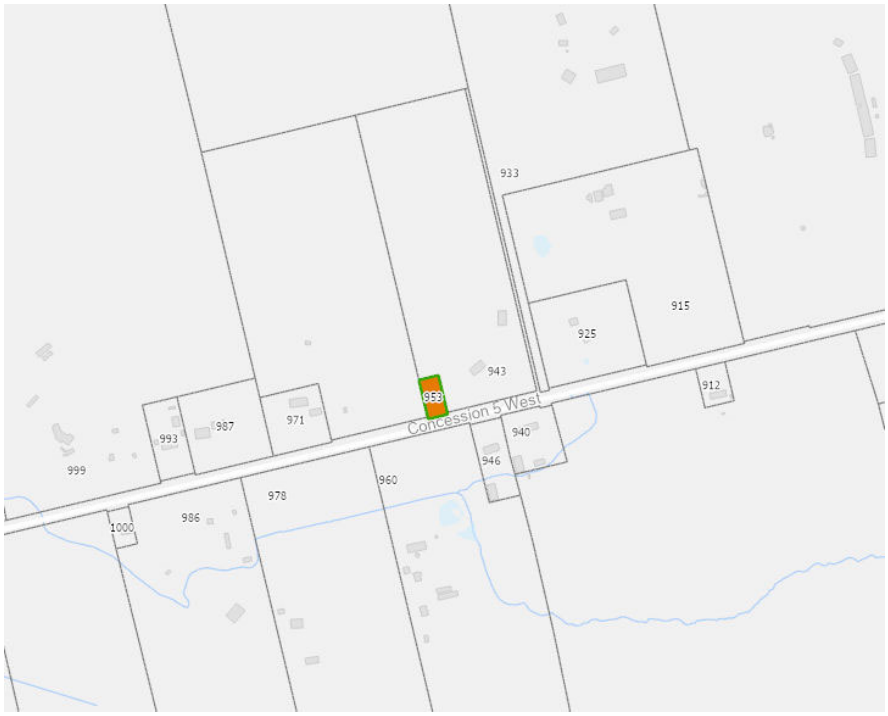
Orally: If you would like to speak to this item at the hearing you may do so via video link, calling in, or attending in person. Please see attached page for complete instructions, registration to participate virtually must be received no later than noon October 21, 2024

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding A-24:211, you must submit a written request to cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5**.**

If you wish to be provided a Notice of Decision, you must attend the Public Hearing and file a written request with the Secretary-Treasurer by emailing cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.

A-24:211



Subject Lands

DATED: October 3, 2024

Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

Information respecting this application is being collected under the authority of the Planning Act, R.S.O., 1990, c. P. 13. All comments and opinions submitted to the City of Hamilton on this matter, including the name, address, and contact information of persons submitting comments and/or opinions, will become part of the public record and will be made available to the Applicant and the general public, and may include posting electronic versions.

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

PARTICIPATION PROCEDURES

Written Submissions

Members of the public who would like to participate in a Committee of Adjustment meeting are able to provide comments in writing advance of the meeting. Comments can be submitted by emailing cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5. **Comments must be received by noon on the date listed on the Notice of Public Hearing.**

Comments are available the Friday prior to the Hearing and are available on our website: **www.hamilton.ca/committeeofadjustment**

Oral Submissions

Members of the public are also able to provide oral comments regarding Committee of Adjustment Hearing items by participating Virtually through Webex via computer or phone or by attending the Hearing In-person. Participation Virtually requires pre-registration in advance. Please contact staff for instructions if you wish to make a presentation containing visual materials.

1. Virtual Oral Submissions

Interested members of the public, agents, and owners **must register by noon on the day listed on the Notice of Public Hearing to** participate Virtually.

To register to participate Virtually by Webex either via computer or phone, please contact Committee of Adjustment staff by email cofa@hamilton.ca. The following information is required to register: Committee of Adjustment file number, hearing date, name and mailing address of each person wishing to speak, if participation will be by phone or video, and if applicable the phone number they will be using to call in.

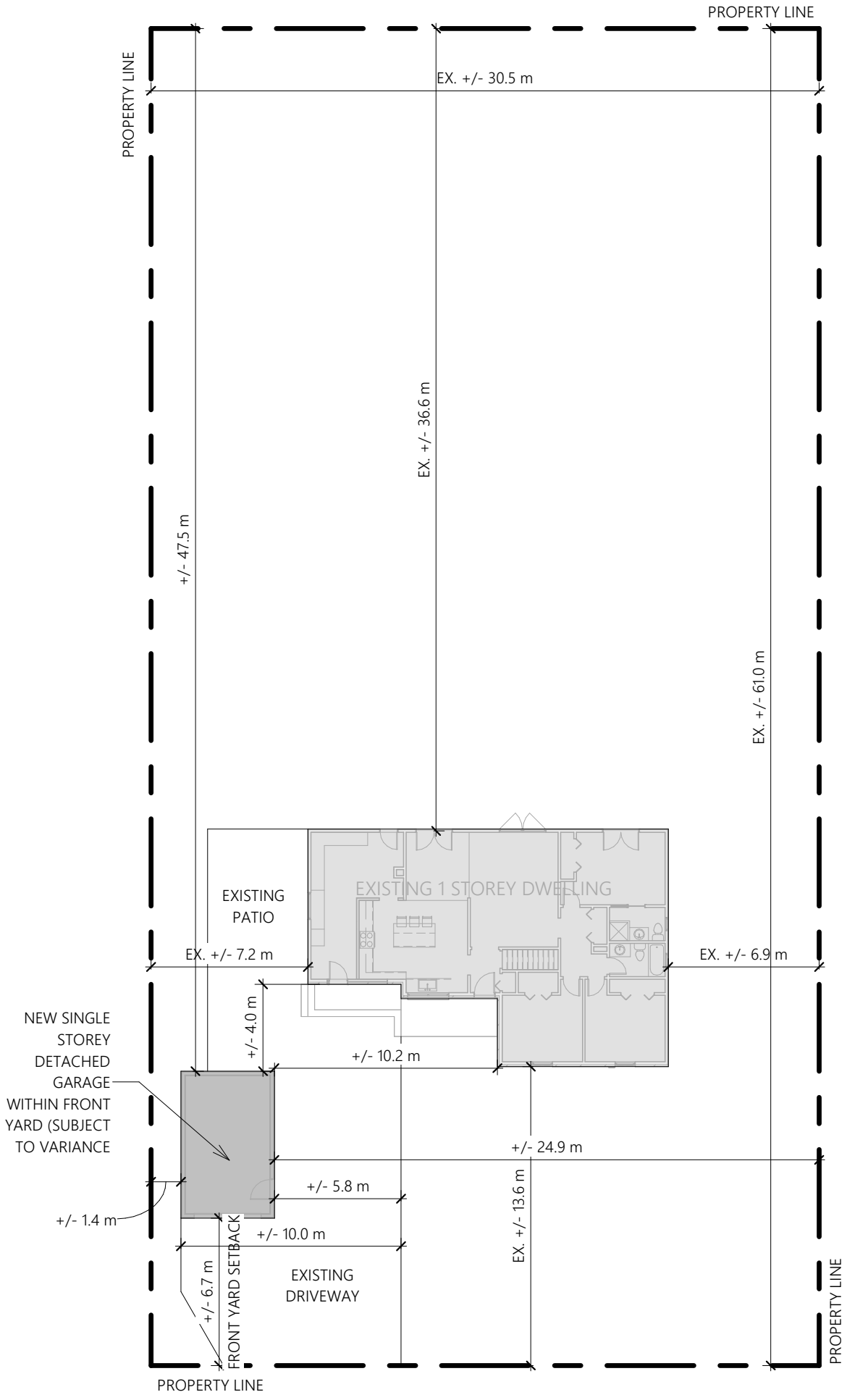
A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting one business day before the Hearing. Only those registered will be called upon to speak.

2. In person Oral Submissions

Interested members of the public, agents, and owners who wish to participate in person may attend Council Chambers on the date and time listed on the Notice of Public Hearing. Please note, you will be required to provide your name and address for the record. It is advised that you arrive **no less than 10 minutes** before the time of the Public Hearing as noted on the Notice of Public Hearing.

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

Please note: Webex (video) participation requires either a compatible computer or smartphone and an application (app/program) must be downloaded by the interested party in order to participate. It is the interested party's responsibility to ensure that their device is compatible and operating correctly prior to the Hearing.



CONCESSION 5 WEST

SITE AREA = 1858.0m² EX. SINGLE FAMILY DWELLING = 148.5m² (8%) PROPOSED DETACHED GARAGE = 28.6m² (1.5%)

SBHD
Sarah Brown Home Design Inc.
5780 Highway 3, Cayuga
Ontario N0A 1E0
Phone: 289-776-6303
Email: sarah@sbhomedesigninc.com

PROJECT ADDRESS:

953 CONCESSION 5 W
HAMILTON
L8B 1L2

TRUE NORTH

PROJECT NORTH

SHEET SIZE:
8.5 x 11

SCALE:
1 : 250

DRAWN BY:
SB

PROJECT NO.:
24.012

DATE:
SEPTEMBER 18, 2024

DRAWING NAME:
SITE PLAN

SHEET NO.:
SK1

SBHD
Sarah Brown Home Design Inc.
5780 Highway 3, Cayuga
Ontario N0A 1E0
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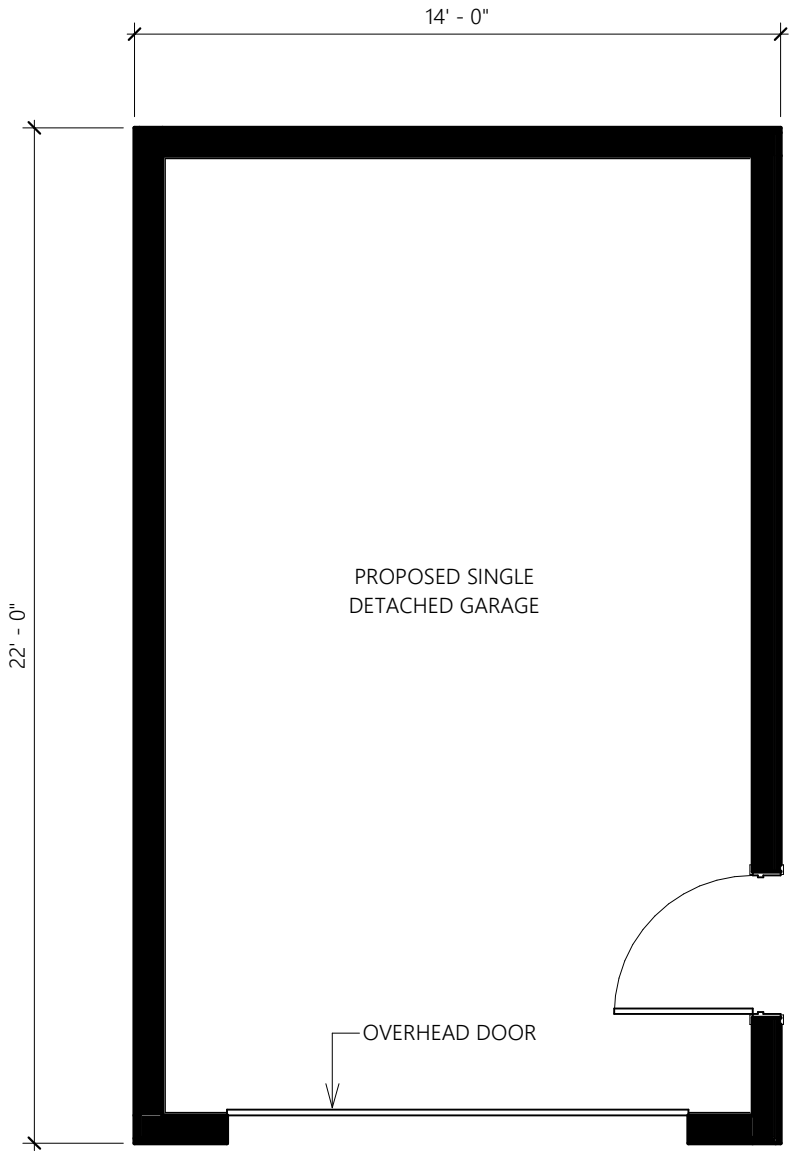
Email: sarah@sbhomedesigninc.com



1 GARAGE FLOOR PLAN
1 : 50

PROJECT ADDRESS:
953 CONCESSION 5 W
HAMILTON
L8B 1L2

SHEET SIZE:
8.5 x 11

SCALE:

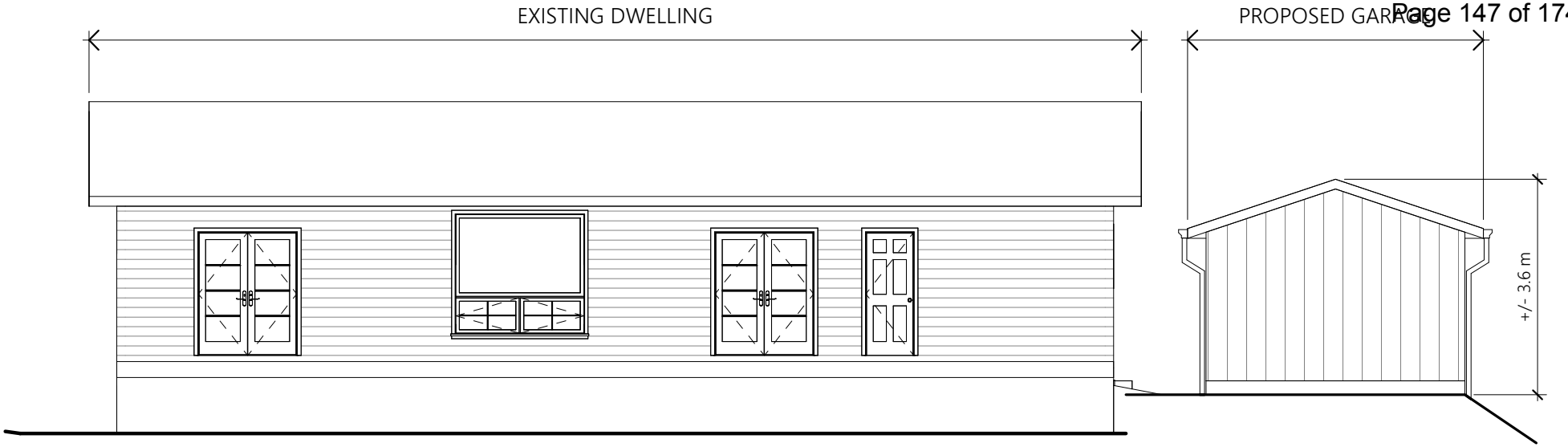
DRAWN BY:
Author

PROJECT NO.:
24.012

DATE:
SEPTEMBER 18, 2024

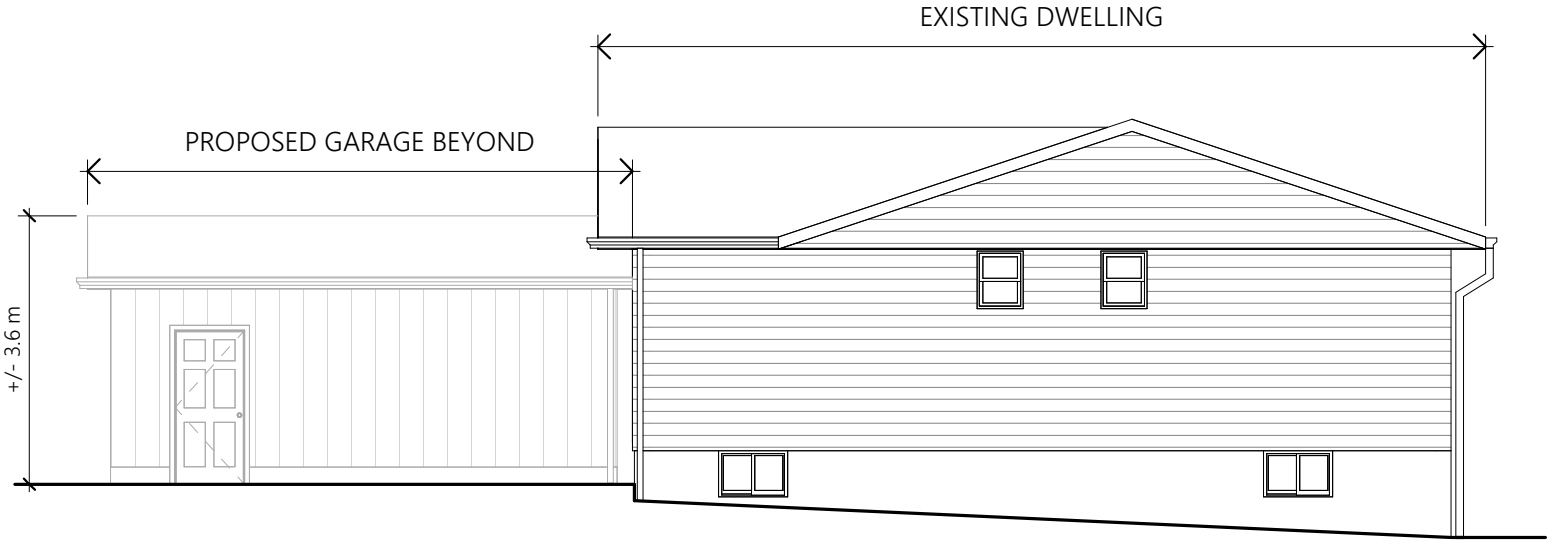
DRAWING NAME:
GARAGE PLAN

SHEET NO.:
SK2



1 NORTH ELEVATION

1 : 100



2 EAST ELEVATION

1 : 100

SBHD
Sarah Brown Home Design Inc.
5780 Highway 3, Cayuga
Ontario N0A 1E0
Phone: 289-776-6303
Email: sarah@sbhomedesigninc.com

PROJECT: NEW DETACHED GARAGE

PROJECT ADDRESS:
953 CONCESSION 5 W
HAMILTON
L8B 1L2

SHEET SIZE: 11 x 17

SCALE: 1 : 100

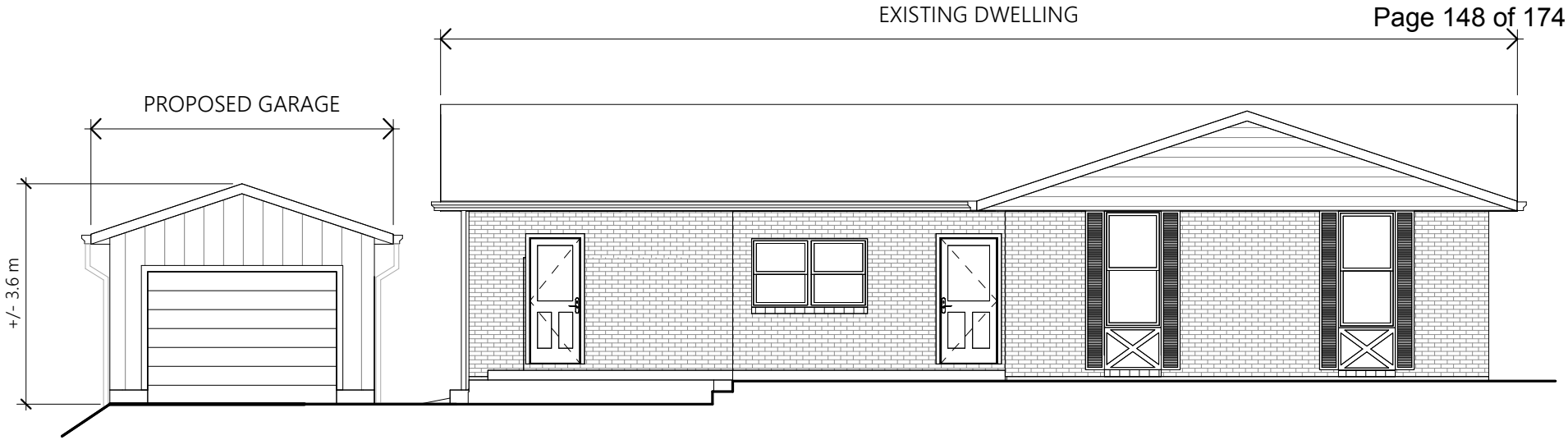
DRAWN BY: SB

PROJECT NO.: 24.012

DATE: SEPTEMBER 18, 2024

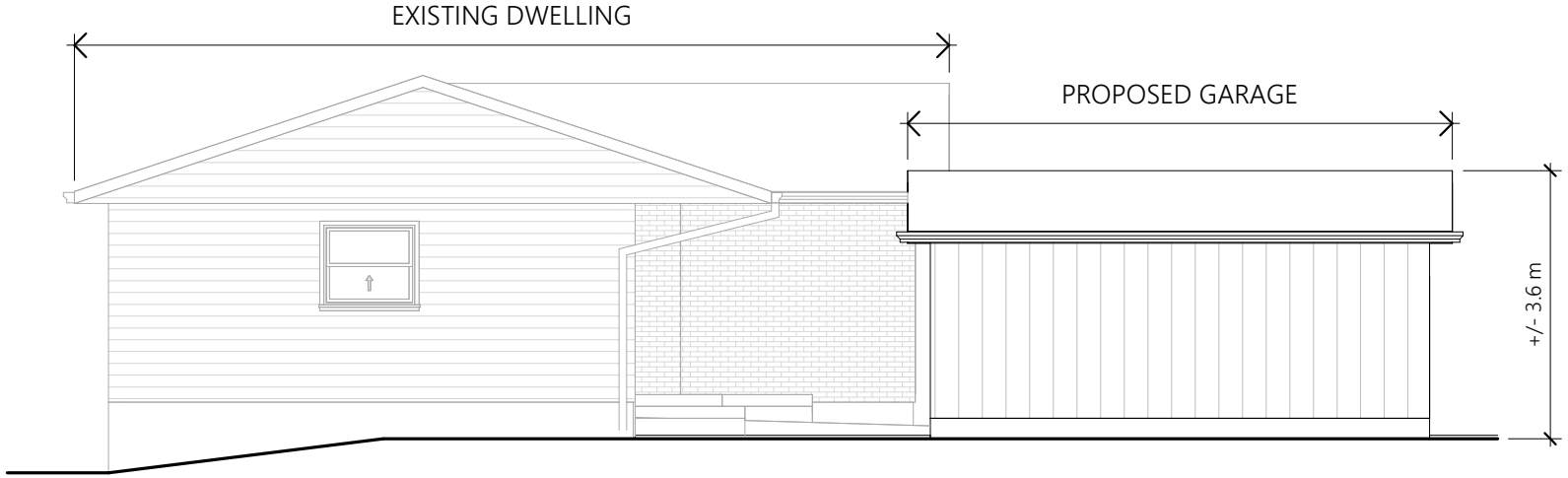
DRAWING NAME: ELEVATIONS

SHEET NO.: SK3



1 SOUTH ELEVATION

1 : 100



2 WEST ELEVATION

1 : 100

SBHD
Sarah Brown Home Design Inc.
5780 Highway 3, Cayuga
Ontario N0A 1E0
Phone: 289-776-6303
Email: sarah@sbhomedesigninc.com

PROJECT: NEW DETACHED GARAGE	SHEET SIZE: 11 x 17	SCALE: 1 : 100	PROJECT NO.: 24.012	DRAWING NAME: ELEVATIONS
PROJECT ADDRESS: 953 CONCESSION 5 W HAMILTON L8B 1L2	DRAWN BY: SB		DATE: SEPTEMBER 18, 2024	SHEET NO.: SK4

Committee of Adjustment
City Hall, 5th Floor,
71 Main St. W.,
Hamilton, ON L8P4Y5

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

Hamilton

APPLICATION FOR A MINOR VARIANCE/PERMISSION

UNDER SECTION 45 OF THE *PLANNING ACT*

1. APPLICANT INFORMATION

	NAME	[redacted]
Registered Owners(s)	Kim Edmondson	
Applicant(s)	Kim Edmondson	
Agent or Solicitor	Sarah Brown Home Design Inc. - Sarah Brown	

1.2 Primary contact ☐ Applicant ☐ Owner ☑ Agent/Solicitor

1.3 Sign should be sent to ☐ Applicant ☐ Owner ☑ AgentSolicitor

1.4 Request for digital copy of sign ☑ 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.

1.6 Payment type ☐ In person ☐ Cheque ☑ Credit over phone* [redacted]

*Must provide number above

2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	953 Concession 5 Rd West, Waterdown, ON L8B1L2		
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:

To construct a single detached garage on existing driveway in the front yard of a rural existing single family dwelling property

☐ Second Dwelling Unit ☐ Reconstruction of Existing Dwelling

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

The configuration of the lot including the existing site grading and drainage limit the possible locations for the detached garage

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
+/-30.48m	+/-60.96m	+/-1858m ^{2}	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
Single Family Dwelling	+/-13.6m	+/-36.6m	+/-6.9 (East) & +/-7.2m (West)	08/01/1974

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Detached single car garage	+/-6.7m	+/-47.5m	+/-24.9m (East) & +/-1.4m (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
Single Family Dwelling	148.5m ^{2}	148.5m ^{2}	1	4.6m

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Detached Single car garage	28.6m ^{2}	28.6m ^{2}	1	3.6m

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 and detached garage

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

Rural properties

7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:

1994

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

Single Family Dwelling

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

Single Family 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): Rural

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? P6 - Conservation/Hazard Land - Rural Zone

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

☐ Yes ☑ No

If yes, please provide the file number: _____

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

☐ Yes ☑ No

If yes, please provide the file number: _____

8 ADDITIONAL INFORMATION

8.1 Number of Dwelling Units Existing: 1

8.2 Number of Dwelling Units Proposed: 1

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

11 COMPLETE APPLICATION REQUIREMENTS

11.1 All Applications

- [x] Application Fee
- [x] Site Sketch
- [x] Complete Application form
- [x] 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

_____

_____

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

NOTICE OF PUBLIC HEARING
Minor Variance

You are receiving this notice because you are either:

- Assessed owner of a property located within 60 metres of the subject property
- Applicant/agent on file, or
- Person likely to be interested in this application

APPLICATION NO.:	**A-24:217**	**SUBJECT PROPERTY:**	1135 Stone Church Road East, Hamilton
ZONE:	"C6" (District Commercial)	**ZONING BY-LAW:**	Zoning By-law City of Hamilton 05-200, as Amended

APPLICANTS: Owner: Nor Fai Chin & Shin Shee Chin
Applicant: New Apostolic Church Canada
Agent: Arcadis Professional Services (Canada) Inc. c/o John Ariens

The following variances are requested:

1. To permit the use of a Place of Assembly whereas the zoning by-law does not permit this use in a C6-District Commercial zone.

PURPOSE & EFFECT: So as to permit the construction of a Place of Assembly with 62 parking spaces.

Notes: N/A

This Notice must be posted by the owner of any land which contains seven or more residential units so that it is visible to all residents.

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

DATE:	**Tuesday, October 22, 2024**
TIME:	**1:50 p.m.**
PLACE:	**Via video link or call in (see attached sheet for details)**
	City Hall Council Chambers (71 Main St. W., Hamilton)
	To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment

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

A-24:217

- Visit www.hamilton.ca/committeeofadjustment
- Visit Committee of Adjustment staff at 5th floor City Hall, 71 Main St. W., Hamilton

PUBLIC INPUT

Written: If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Please see attached page for complete instructions, written comments must be received no later than noon October 18, 2024

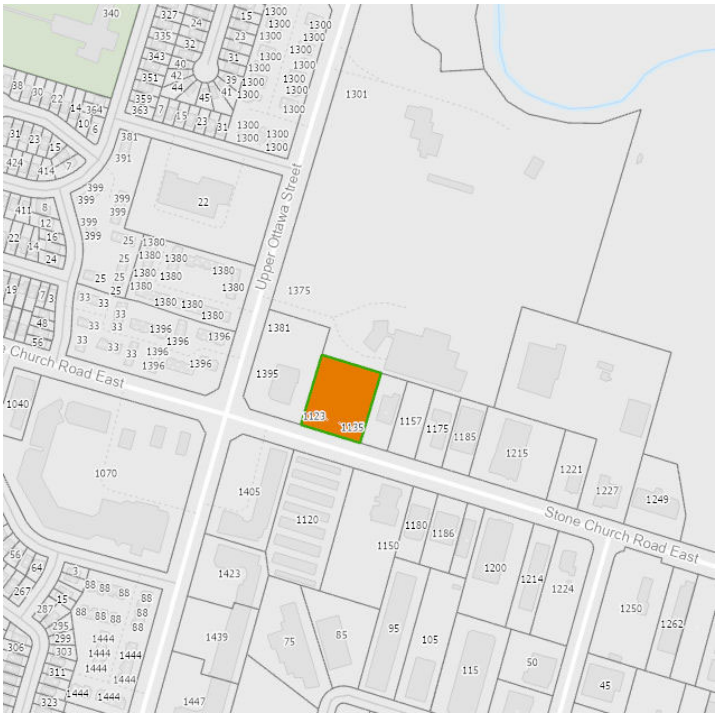
Orally: If you would like to speak to this item at the hearing you may do so via video link, calling in, or attending in person. Please see attached page for complete instructions, registration to participate virtually must be received no later than noon October 21, 2024

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding A-24:217, you must submit a written request to cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5**.**

If you wish to be provided a Notice of Decision, you must attend the Public Hearing and file a written request with the Secretary-Treasurer by emailing cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.

A-24:217



Subject Lands

DATED: October 3, 2024

Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

Information respecting this application is being collected under the authority of the Planning Act, R.S.O., 1990, c. P. 13. All comments and opinions submitted to the City of Hamilton on this matter, including the name, address, and contact information of persons submitting comments and/or opinions, will become part of the public record and will be made available to the Applicant and the general public, and may include posting electronic versions.

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

PARTICIPATION PROCEDURES

Written Submissions

Members of the public who would like to participate in a Committee of Adjustment meeting are able to provide comments in writing advance of the meeting. Comments can be submitted by emailing cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5. **Comments must be received by noon on the date listed on the Notice of Public Hearing.**

Comments are available the Friday prior to the Hearing and are available on our website: **www.hamilton.ca/committeeofadjustment**

Oral Submissions

Members of the public are also able to provide oral comments regarding Committee of Adjustment Hearing items by participating Virtually through Webex via computer or phone or by attending the Hearing In-person. Participation Virtually requires pre-registration in advance. Please contact staff for instructions if you wish to make a presentation containing visual materials.

1. Virtual Oral Submissions

Interested members of the public, agents, and owners **must register by noon on the day listed on the Notice of Public Hearing to** participate Virtually.

To register to participate Virtually by Webex either via computer or phone, please contact Committee of Adjustment staff by email cofa@hamilton.ca. The following information is required to register: Committee of Adjustment file number, hearing date, name and mailing address of each person wishing to speak, if participation will be by phone or video, and if applicable the phone number they will be using to call in.

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

2. In person Oral Submissions

Interested members of the public, agents, and owners who wish to participate in person may attend Council Chambers on the date and time listed on the Notice of Public Hearing. Please note, you will be required to provide your name and address for the record. It is advised that you arrive **no less than 10 minutes** before the time of the Public Hearing as noted on the Notice of Public Hearing.

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

Please note: Webex (video) participation requires either a compatible computer or smartphone and an application (app/program) must be downloaded by the interested party in order to participate. It is the interested party's responsibility to ensure that their device is compatible and operating correctly prior to the Hearing.

PLAN OF SURVEY
OF PART OF
LOT 4
CONCESSION 7
GEOGRAPHIC
TOWNSHIP OF BARTON
IN THE
CITY OF HAMILTON

SCALE 1: 300 METRIC

6 3 0 6 12 18 metres

S.D. McLAREN, O.L.S. – 2010

SCHEDULE			
PART	LOT	CON/PLAN	P.I.N.
1	PART OF LOT 4	CON 7	PART OF P.I.N. 16934-0363 (LT)

PLAN 62 R- 18658
RECEIVED AND DEPOSITED
Date 2010.02.02
E. HALL ADLR
LAND REGISTRAR FOR THE LAND TITLES DIVISION OF WENTWORTH (No. 62)

I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT
Date FEBRUARY 1st, 2010
S. DAN McLAREN, O.L.S.

SIB (HAM)
P1 & MSD 33.223
N17°47'55"E
SIB (MMP)
PIN 16934-0362 (LT)
PART 11, PLAN 62R-4187
PART 10, PLAN 62R-4187
PIN 16934-0363(LT)
CONCESSION 7
LOT 4
P1 & MSD 10.803
10.384 P1 & MSD
86.239
N17°46'05"E
(P3 & MSD) 86.209
PART 1, PLAN 62R-15286
PIN 16934-0471(LT)
SOUTHWEST CORNER OF LOT 4, CONCESSION 7
N71°56'50"W 63.094 P2 & MSD
SIB (HAM)
PART 9, PLAN 62R-4187
75.286 (P2)
N17°47'55"E 5.182
SSIB
N71°56'50"W 73.306
PART 1
N71°56'50"W 73.304
N17°49'05"E 5.182 (P3,P4 & SET)
PART 4, PLAN 62R-3958
EDGE OF SIDEWALK 0.18 NORTH
CONCRETE SIDEWALK
LP
CC (624)
EDGE OF SIDEWALK 0.08 SOUTH
CONCRETE SIDEWALK
BELL BOX
CABLE BOX
EDGE OF SIDEWALK 0.19 SOUTH
CONCRETE SIDEWALK
EDGE OF SIDEWALK 0.33 SOUTH
CC (MMP)
15.24
STONE CHURCH ROAD EAST
CENTRELINE OF ORIGINAL ROAD ALLOWANCE
PIN 16934-0002(LT)
ORIGINAL ROAD ALLOWANCE BETWEEN CONCESSIONS 7 AND 8
CENTRELINE OF ORIGINAL ROAD ALLOWANCE
(PS, 20.117)

LEGEND:

□	DENOTES	MONUMENT SET
■	"	MONUMENT FOUND
IB	"	IRON BAR
SIB	"	STANDARD IRON BAR
Mea	"	MEASURED
624	"	A.T.McLAREN, O.L.S.
MMP	"	MACKAY, MACKAY AND PETERS
CC	"	CUT CROSS
HAM	"	CITY OF HAMILTON
P1	"	PLAN BY MACKAY, MACKAY AND PETERS, DATED JUNE 14, 1978
P2	"	PLAN 62R-4187
P3	"	PLAN 62R-15286
P4	"	PLAN 62R-3958
P5	"	PLAN BA-403

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

BEARING NOTE:
BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE NORTHERLY LIMIT OF STONE CHURCH ROAD AS BEING N71°56'50"W AS SHOWN ON PLAN 62R-4187.

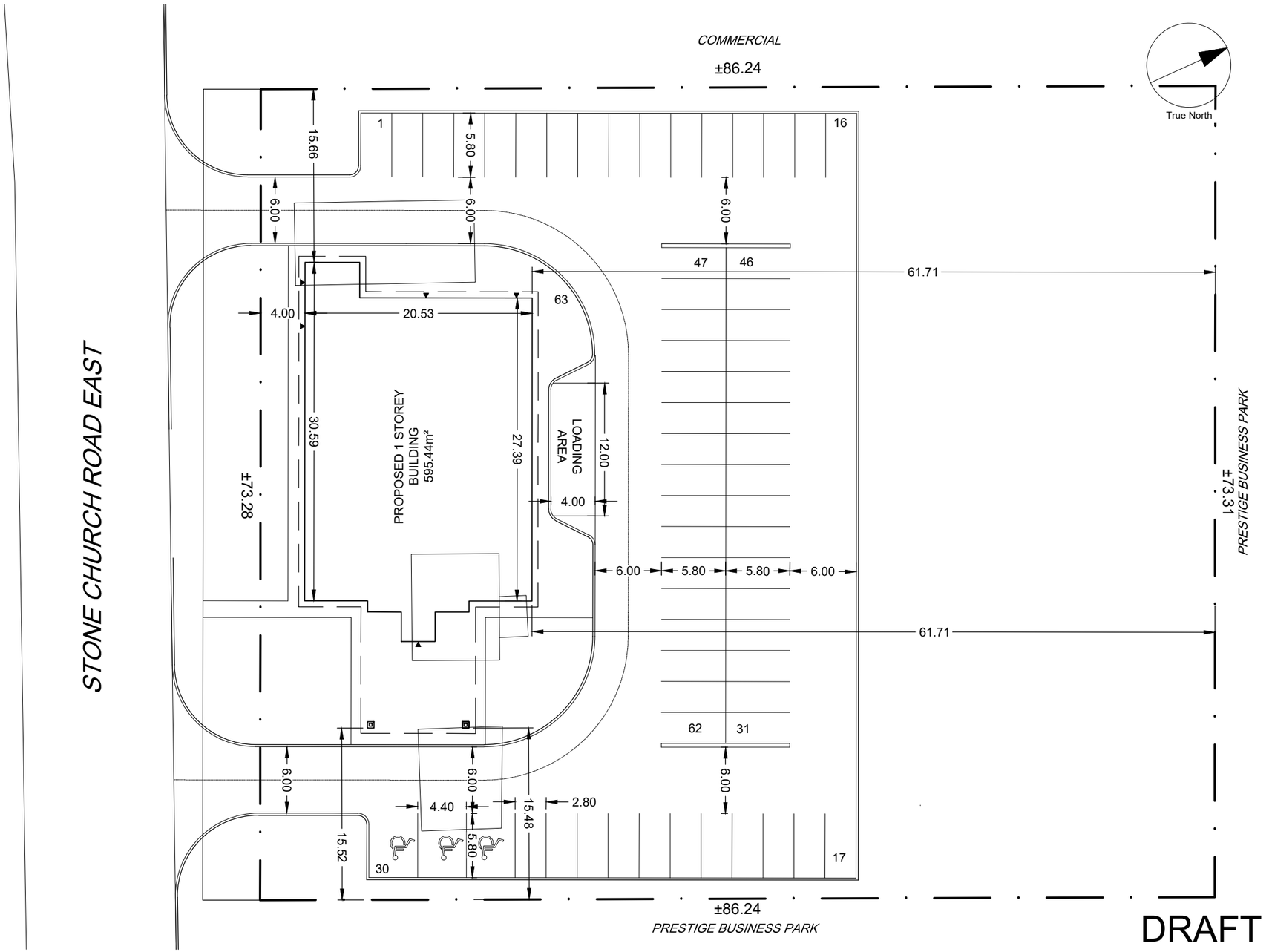
SURVEYOR'S CERTIFICATE
I. CERTIFY THAT:
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
2. THE SURVEY WAS COMPLETED ON THE 22ND DAY OF JANUARY, 2010

FEBRUARY 1st, 2010
DATE
S. DAN McLAREN, O.L.S.

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 MES | Checked DG | Scale 1:300 | Dwg.No. 32602-R

CITY OF HAMILTON ZONING BY-LAW 05-200			
DISTRICT COMMERCIAL (C6) ZONE	REQUIRED	PROVIDED	VARIANCE
PERMITTED USES	COMMERCIAL USES	PLACE OF WORSHIP	X
BUILDING SETBACK FROM A STREET LINE	i) MINIMUM 1.5 m ii) MAXIMUM 4.5m, EXCEPT WHERE A VISIBILITY TRIANGLE IS REQUIRED FOR A DRIVEWAY ACCESS	4m	
MINIMUM REAR YARD	i) 6m ii) 7.5m ABUTTING A RESIDENTIAL OR INSTITUTIONAL ZONE OR LOT CONTAINING A RESIDENTIAL USE	61.71m	
MINIMUM INTERIOR SIDE YARD	i) 1.5m ii) 4.5m ABUTTING A RESIDENTIAL OR INSTITUTIONAL ZONE OR LOT CONTAINING A RESIDENTIAL USE	15.52m	
MAXIMUM HEIGHT	14m	PROVIDED	
BUILT FORM FOR NEW DEVELOPMENT	i) ROOFTOP MECHANICAL EQUIPMENT SHALL BE LOCATED AND/OR SCREENED FROM VIEW OF ANY ABUTTING STREET	PROVIDED	
	ii) FOR AN INTERIOR LOT OR A THROUGH LOT THE MINIMUM WIDTH OF THE GROUND FLOOR FAÇADE FACING THE FRONT LOT LINE SHALL BE GREATER THAN OR EQUAL TO 40% OF THE MEASUREMENT OF THE FRONT LOT LINE AND SHALL EXCLUDE ACCESS DRIVEWAYS AND LANDS WITHIN A REQUIRED YARD.	30.59m = 41.74%	
	iv) IN ADDITION TO SECTION 10.6.3I) II) AND III), THE MINIMUM WIDTH OF THE GROUND FLOOR FAÇADE FACING THE FRONT AND FLANKAGE LOT LINES SHALL EXCLUDE ACCESS DRIVEWAYS AND ANY REQUIRED YARDS WITHIN A LOT LINE ABUTTING A STREET.	PROVIDED	
	vi) NO PARKING, STACKING LANES, OR AISLES SHALL BE LOCATED BETWEEN A BUILDING FAÇADE AND THE FRONT LOT LINE AND FLANKAGE LOT LINE;	PROVIDED	
	vii) A MINIMUM OF ONE PRINCIPAL ENTRANCE SHALL BE PROVIDED: 1. WITHIN THE GROUND FLOOR FAÇADE THAT IS SET BACK IS CLOSEST TO A STREET; AND, 2. SHALL BE ACCESSIBLE FROM THE BUILDING FAÇADE WITH DIRECT ACCESS FROM THE PUBLIC SIDEWALK; AND,	PROVIDED	
	viii) A WALKWAY SHALL BE PERMITTED IN A PLANTING STRIP WHERE REQUIRED BY THE BYLAW.	PROVIDED	
PLANTING STRIPS	WHERE A PROPERTY LOT LINE ABUTS A PROPERTY LOT LINE WITHIN A RESIDENTIAL ZONE OR AN INSTITUTIONAL ZONE AND NOT A LANEWAY, A MINIMUM 1.5m WIDE PLANTING STRIP SHALL BE PROVIDED AND MAINTAINED.	N/A	
VISUAL BARRIER	A VISUAL BARRIER SHALL BE REQUIRED ALONG ANY LOT LINE ABUTTING A RESIDENTIAL ZONE, INSTITUTIONAL ZONE, OR DOWNTOWN (D5) ZONE IN ACCORDANCE WITH THE REQUIREMENTS OF SECTION 4.19 OF THIS BY-LAW.	N/A	
OUTDOOR STORAGE	i) NO OUTDOOR STORAGE OF GOODS, MATERIALS, OR EQUIPMENT SHALL BE PERMITTED; AND, ii) NOTWITHSTANDING SECTION 10.6.3J)II), THE DISPLAY OF GOODS OR MATERIALS FOR RETAIL PURPOSES ACCESSORY TO A RETAIL USE SHALL ONLY BE PERMITTED IN A FRONT OR FLANKAGE YARD.	N/A	
PARKING REQUIREMENTS			
PLACE OF WORSHIP	1 FOR EVERY 10m² OF GFA 595.44 / 10 = 60 SPACES	62 SPACES	
ACCESSIBLE PARKING	5-100 SPACES PROVIDED = 4% OF THE TOTAL PROVIDED 63 * 4 /100 = 3 SPACES	3 SPACES	
SIZE	MINIMUM 2.8 x 5.8m	2.8 x 5.8m	
ACCESSIBLE PARKING SIZE	MINIMUM 4.4 x 5.8m	4.4 x 5.8m	



DRAFT

ARCADIS
360 James Street North - Suite 200
Hamilton ON L8L 1H5 Canada
tel 905 546 1010
www.arcadis.com

CLIENT

PROJECT NAME
1135 STONE CHURCH ROAD EAST
HAMILTON, ON

This drawing has been prepared solely for the intended use, thus any reproduction or distribution for any purpose other than authorized by Arcadis is forbidden. Written dimensions shall have precedence over scaled dimensions. Contractors shall verify and be responsible for all dimensions and conditions on the job, and Arcadis shall be informed of any variations from the dimensions and conditions shown on the drawing. Shop drawings shall be submitted to Arcadis for general conformance before proceeding with fabrication.

Arcadis Professional Services (Canada) Inc.

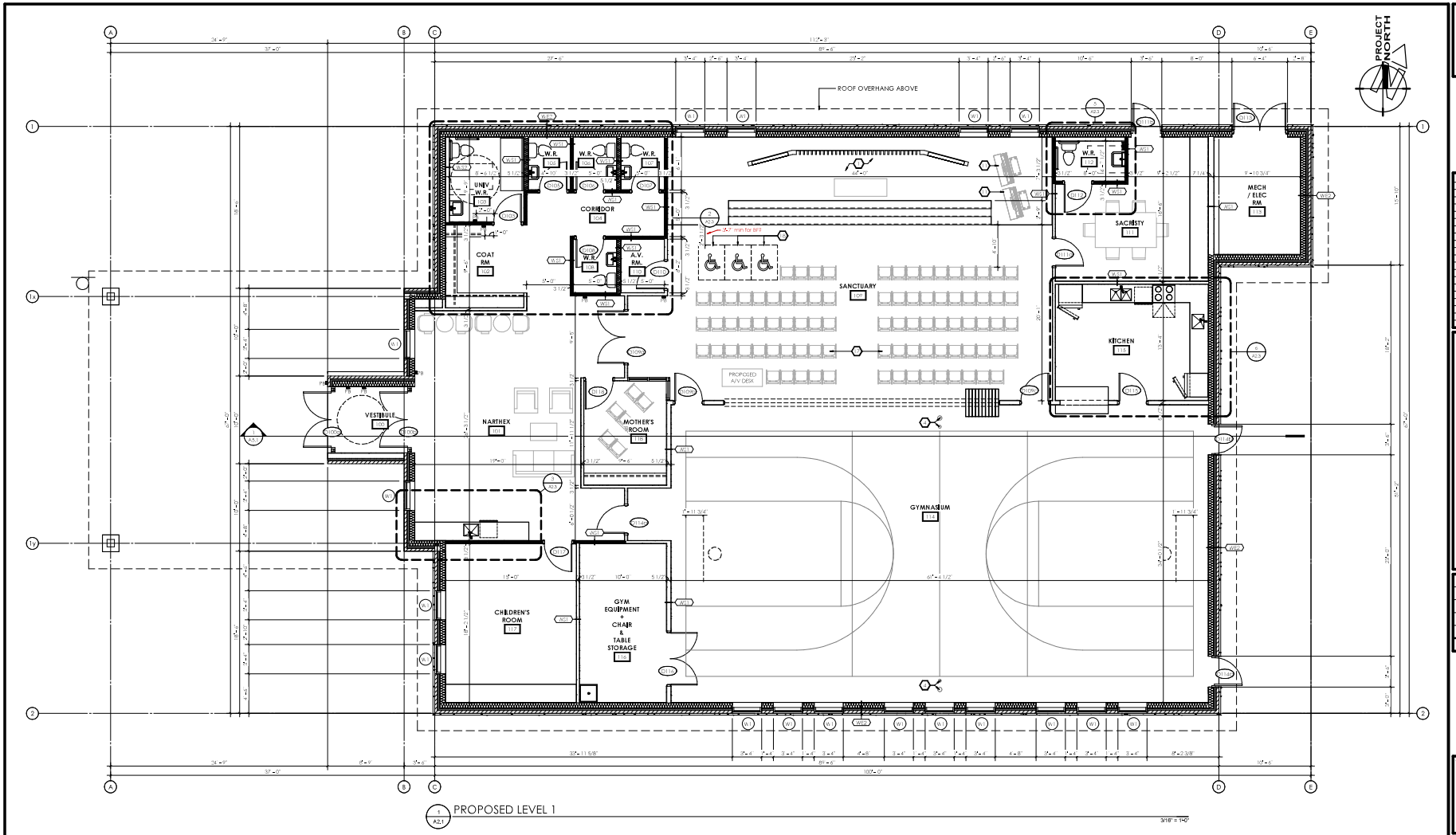
SCALE:	DATE:
1:400	2024-09-06
DRAWN BY: M. ROJAS	CHECKED BY: J. ARIENS
APPROVED BY: J. ARIENS	
PROJECT NO: 147674	

FIGURE NAME: CONCEPT PLAN 2

FIGURE NO.	REVISION
C2	01

SCALE CHECK 1 in | 10mm

File Location: J:\Hamilton\9999\BD_General\2024\Odete Gomes\147674\147674P2.dwg Last Saved: September 12, 2024 Plotted: September 12, 2024 2:50:48 PM by Rojas Sandoval, Macarena



PLANS KEYNOTES

1. RAISED WOODEN ALTER PLATFORM; REFER TO STRUCT DWGS
2. OUTDOOR CONDENSING UNIT ON CONCRETE PAD; REFER TO MECH DWGS
3. FOLDABLE PARTITION WALL TO U/S OF CEILING.
4. APPROX. LOCATION OF POST HOLES FOR VOLLEYBALL & BADMINTON NETS; REFER TO MANUF SPECS.
5. PEDESTAL MOUNTED POWER DOOR OPERATOR
6. PROVIDE BLOCKING AS REQUIRED FOR CHANGE STATION.
7. PROVIDE BLOCKING AS REQUIRED FOR GRAB BAR.
8. PROVIDE COAT HOOKS, INSTALLED 1400 A.F.F.
9. MANUAL BI-PARTING PARTITION W/ TWO PASS DOORS; REFER TO MANUFACTURER SPECS.
10. 4'-0"x4'-0" OPENING C/W METAL ROLL DOWN SHUTTER, 1540 A.F.F.; REFER TO SPECS
11. APPROX. LOCATION OF PIANO/ORGAN.
12. 254 x 254 MOP SINK
13. APPROXIMATE LOCATION OF PROJECTOR SCREEN INSTALLED 1140 A.F.F.; REFER TO A/V DWGS
14. PROVIDE BLOCKING AS REQUIRED FOR INSTALLATION OF WALL MOUNTED T.V
15. RESERVED
16. WOODEN SCREEN
17. NON-FIXED SEATING
18. BARRIER-FREE ACCESSIBLE SEATING LOCATION
19. ROUGH-IN FOR SUBFLOOR RADON DEPRESSURIZATION SYSTEM; REFER TO MECH DWGS

PLANS LEGEND

- EXISTING WALL TO REMAIN (CHO W I SHADED)
- PROPOSED W ALL AS I NOTED (REFER TO W ALL SCHEDULE)
- EXISTING DOOR AND FRAME TO REMAIN
- PROPOSED DOOR AND FRAME AS NOTED (REFER TO DOOR SCHEDULE)
- EXISTING WINDOW AND FRAME TO REMAIN
- DENOTES EXISTING BUILDING TO REMAIN
- DENOTES AREA Y I.L.C. U NLESS NOTED OTHERWISE
- PROPOSED W ALL TAG: (REFER TO W ALL SCHEDULE)
- PROPOSED DOOR TAG: (REFER TO DOOR SCHEDULE)
- PROPOSED WINDOW TAG: (REFER TO WINDOW SCHEDULE)
- PROPOSED SCREEN TAG: (REFER TO SCREEN SCHEDULE)
- 100.000 / +00.00 ELEVATION TAG

FB	BARRIER FREE PUSH BUTTON – REFER TO ELEC. DWGS.
RWL	RAIN WATER LEADER – REFER TO MECH. DWGS.
FD	FLOOR DRAIN – REFER TO MECH. DRAWINGS.
RD	ROOF DRAIN – REFER TO MECH. DRAWINGS.
TD	TERRACE DRAIN – REFER TO MECH. DWGS.
RS	ROOF SCUPPER – REFER TO MECH. DRAWINGS.
RA	ROOF ANCHORS. FINAL POSITION, QUANTITY T.B.D
HP	HIGH POINT
HB	HOSE BIB – REFER TO MECH. DWGS.
SPC	STANDPIPE CONNECTION
FHC	FIRE HOSE CABINET
VC	VALVE CABINET
GFWP	EXTR. OUTLET (WATERPROOF) – REFER TO ELEC. DWGS.
LT	LAUNDRY TUB – REFER TO MECH. DWGS.
MS	MOP SINK – REFER TO MECH. DWGS.

PLANS NOTES

1. PARTITIONS WHICH SUPPORT FIXTURES, MILLWORK AND/OR ACCESSORIES ARE TO BE REINFORCED WITH WOOD STUDS, BLOCKING AND PLYWOOD AS REQUIRED TO PROVIDE RIGID SUPPORT AND A FASTENING SURFACE.
2. SITE VERIFY ALL DIMENSIONS PRIOR TO FABRICATION OF DOORS, WINDOWS, MILLWORK, AND GLAZING SYSTEMS. REPORT ALL DISCREPANCIES TO THE CONSULTANT BEFORE PROCEEDING WITH THE WORK.
3. ALL WALLS, CEILINGS AND SURFACES THAT ARE TO BE PAINTED SHALL BE REPAIRED, PATCHED AND SANDED SMOOTH, AS REQUIRED, READY FOR PAINT.
4. ALL NEW SIGNAGE TO BE COORDINATED IN CONJUNCTION WITH OWNERS REQUIREMENTS. ALL PERMITS AND DRAWINGS BY OTHERS.
5. EXISTING WALLS AND/OR STRUCTURES TO REMAIN ARE SHOWN SHADED.
6. COORDINATE STRUCTURAL, MECHANICAL AND ELECTRICAL DRAWINGS FOR ALL RELATED COMPONENTS OF DEMOLITION, MODIFICATIONS AND/OR NEW INSTALLATION.
7. GYPSUM BOARD IN ALL WASHROOMS, KITCHENS AND MECHANICAL/ELECTRICAL ROOMS TO BE MOISTURE RESISTANT.
8. REMOVE ALL REDUNDANT PLUMBING, ELECTRICAL, MECHANICAL AND HVAC COMPONENTS AS SCHEDULED BY CONSULTANTS. PATCH, SEAL, COVER AND MAKE SAFE AS REQUIRED.
9. PATCH AND REPAIR ALL OPENINGS AND PENETRATIONS FROM REMOVED ITEMS IN EXISTING FLOORS, WALLS AND CEILINGS TO REMAIN IN MAINTAIN EXISTING FIRE RATINGS AS NOTED.
10. ALL EXISTING SURFACES TO RECEIVE NEW FINISHES ARE TO BE REVIEWED PRIOR TO CONSTRUCTION. ALL DISCREPANCIES IN THE EXISTING MATERIALS AND/OR DIMENSIONS TO BE REPORTED TO THE ARCHITECT.
11. ALL EXISTING WALLS, CEILINGS AND SURFACES THAT ARE TO BE PAINTED SHALL BE REPAIRED, PATCHED AND SANDED SMOOTH, AS REQUIRED, READY FOR PAINT.
12. INTERIOR DIMENSIONS ARE TO/FROM FACE OF STEEL STUD, TO/FROM FACE OF STEEL STUD AND/OR EXISTING WALL FINISH.
13. PROVIDE FIRE STOPPING/FIRE CAULKING AT TOP OF WALL TO MAINTAIN CONTINUOUS FIRE SEPARATION.
14. GENERAL CONTRACTOR TO PROVIDE AND MAINTAIN ALL SHORING THAT IS REQUIRED FOR TEMPORARY SUPPORTS.
15. ALL EXTERIOR EXPOSED ARCHITECTURAL CONCRETE SURFACES TO BE SEALED.
16. FURR IN RAIN WATER LEADERS WITH 92mm METAL STUDS AND GYPSUM BOARD TO 2200mm ABOVE CEILING LINE, UNLESS NOTED OTHERWISE. FOR EXACT NUMBER OF RAIN WATER LEADERS AND CHASES REFER TO MECHANICAL DRAWINGS.
17. ALL INTERIOR CONCRETE BLOCK PARTITIONS/WALLS TO EXTEND FULL HEIGHT TO U/S OF STRUCTURE UNLESS NOTED OTHERWISE. PROVIDE GAP FOR DEFLECTION AS REQUIRED.
18. THE CONTRACTOR SHALL ENSURE THAT ALL PORTIONS OF EXPOSED FOUNDATION WALLS ARE TO BE CAREFULLY FORMED AND REQUIRED AND THAT ALL SURFACE IMPERFECTIONS, SCUFFS, CHIPS ABRASIONS, IN CLUDING FORM TIES ARE REMOVED AND THE SURFACES ARE MADE GOOD.
19. ALL AREAS DESIGNATED AS MECHANICAL SPACE TO RECEIVE FIRE STOPPING AND DAMPERS AT ALL FLOOR PENETRATIONS.
20. SUPPLY AND INSTALL SEALANT AT LOCATIONS OF ABUTTING DISSIMILAR MATERIALS AND EQUIPMENT, MOBILE OR OTHERWISE, TO PROTECT BUILDING COMPONENTS FROM APPENETRATION AND MOISTURE PROTECTION, COLOUR TO MATCH ADJACENT SURFACE.
21. GRIND EXISTING FLOORS AS REQUIRED TO ENSURE A SMOOTH SURFACE READY FOR NEW FINISH.

THIS DRAWING IS AN INSTRUMENT OF SERVICE AND THE PROPERTY OF ABA ARCHITECTS INC. & CANNOT BE MODIFIED AND/OR REPRODUCED WITHOUT THE PERMISSION OF ABA ARCHITECTS INC.

THE CONTRACTOR MUST VERIFY ALL DIMENSIONS ON SITE AND REPORT ANY DISCREPANCIES TO THE ARCHITECT, BEFORE PROCEEDING WITH THE WORK.

DRAWINGS ARE NOT TO BE SCALED.

No.	REVISIONS	DATE

CHRONOLOGY	DATE

aba architects inc.

CLIENT: NEW APOSTOLIC CHURCH

PROJECT NAME: NEW APOSTOLIC CHURCH
3805 GREEN FALLS DR. REGINA, SK. S4V 3M1

DRAWING TITLE: FLOOR PLAN

SCALE: As indicated
SHEET SIZE: 24X36
PROJECT NUMBER: 2021-026
DRAWING NUMBER: A2.1

2021-07-12 4:31:11 PM C:\Users\...\Documents\2021-026 HVAC Project_Central_Jgarringer.rvt

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
Canada

Arcadis Professional Services (Canada) Inc.
360 James Street North – Suite 200
Hamilton, L8L 1H5
Canada
Phone: 905-546-1010
www.arcadis.com

Date: August 19, 2024
Our Ref: 147674
Subject: 1135 STONE CHURCH ROAD, HAMILTON- MINOR VARIANCE APPLICATION

Dear Ms. Jamila Sheffield

Arcadis Professional Services (Canada) Inc. ("Arcadis") is the authorized planning agent for New Apostolic Church Canada (the "Client"), who have an accepted purchase agreement for the lands municipally known as 1135 Stone Church Road in the City of Hamilton (the "subject lands"). The current owner's authorization is attached in this submission. Arcadis has been the leading planning consultant for this development and is delivering a Phase 1 and a Phase 2 ESA. Given the subject lands are being purchased, there is yet to be a topographical survey completed at this time. Further site details will be provided at a later time, once the subject lands have been amended to permit religious assembly / a Place of Worship.

This minor variance application is made under Section 45 of the *Planning Act* which allows variances in respect of the land, building or structure or the use thereof. Currently, under the District Commercial Zone in the City of Hamilton's Zoning By-law 05-200, the assembly of persons in a large building is permitted on the subject lands. This minor variance application looks to permit religious assembly / a Place of Worship on the subject lands.

1.0 SITE LOCATION AND CONTEXT

The subject lands are municipally known as 1135 Stone Church Road, Hamilton and are located east of Upper Ottawa Street and south of the Lincoln M. Alexander Parkway. The subject lands are legally described as: PT LT 4, CON 7 BARTON, AS IN CD415837, SAVE & EXCEPT PT 1 ON 62R18658 CITY OF HAMILTON. The site has a total area of approximately 0.63 hectares, approximate frontage of 73.4 metres on Stone Church Road, and an approximate lot depth of 86.4 metres. Currently on the subject lands is three unoccupied buildings. The subject lands are accessed from Stone Church Road to the south of the site. Please refer to **Figure 1** for an aerial image of the site and **Figures 2** and **3** for views of the site from Stone Church Road.

Ms. Jamila Sheffield
City of Hamilton
August 19, 2024

Figure 1: Aerial image of the subject lands retrieved from GeoWarehouse.

Figure 2: View of the eastern portion of the subject lands from Stone Church Road.

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City of Hamilton
August 19, 2024

Figure 3: View of the western portion of the subject lands from Stone Church Road.

2.0 PROPOSED MINOR VARIANCE

The subject lands are zoned as District Commercial (C6) per the City of Hamilton's Comprehensive Zoning By-law 05-200. The subject lands are designated as District Commercial per the Urban Hamilton Official Plan under Schedule E-1. The variance being applied for, made under Section 45 (1) of the Planning Act, is as follows:

1. To permit religious uses on the subject lands for a proposed Place of Worship.

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 that they meet what is known at the four (4) tests. The four tests are:

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

The following will provide an analysis of the proposed variance against the four tests.

2.1 Variance 1: Additional Storage Permissions

On the subject lands, zoned as District Commercial (C6), the Zoning By-law permits several assembly and community uses similar to that of a Place of Worship. Currently, per Section 10.6.1 of the Zoning By-law, the subject lands permit the development of a building for assembly- and use such assembly for religious purposes, a

day nursery, a gymnasium, funeral services, an administrative office, and counselling and other social services. This minor variance application is to permit religious assembly / a Place of Worship on the subject lands.

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

The requested variance is minor in nature as it does not change the assembly use or create any adverse impacts on the surrounding areas. The subject lands currently permit an Assembly Hall with several uses traditionally associated with a Place of Worship, including a day nursery, funeral services, a gym for recreational purposes, counselling and social services, and admin offices. An Assembly Hall supports people gathering for an event, including people praying at an assembly, however, a Place of Worship is not permitted within an Assembly Hall. The requested variance enables the same ancillary purposes of an Assembly Hall for the community, while explicitly supporting religious uses. Given the above, it is our opinion that the variance is minor in nature.

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

The requested variance is desirable and appropriate as the proposed Apostolic Church offers a range of services to the immediate neighbourhood and helps create a sense of place for the community. The surrounding areas around the subject lands include large communities of single detached homes, which would be benefitted by the introduction of a Place of Worship with several ancillary community uses. The requested variance to permit religious uses is appropriate based on the similar permissions for Assembly Halls allowed on the subject lands. Furthermore, the proposed Place of Worship is appropriate within the neighbourhood context as there is currently a Place of Worship, St. Naum of Ohrid Macedonian Orthodox Church, located 60 metres away from the subject lands. There are also multiple other churches nearby including The Salvation Army Mountain Citadel and the Church of Jesus Christ of Latter-day Saints. Given the above, it is our opinion that the requested variance is desirable and appropriate.

3. **Does the variance maintain the general intent and purpose of the Official Plan?**

The requested variance maintains the general intent and purpose of the UHOP for lands under the District Commercial Designation per Schedule E-1. As described in Section 4.7.1: Function, *"The range of retail uses are intended to serve the daily and weekly shopping needs of residents in the surrounding neighbourhoods. The District Commercial areas shall also serve as a focus for the adjacent neighbourhood(s) by creating a sense of place"*. The requested variance looks to permit religious uses for a Place of Worship, which also allows for accessory uses, such as an assembly hall, bookstore, conference centre, funeral home, and day nursery. The range of services and uses provided by the proposed Place of Worship are beneficial to the immediate neighbourhood and create a sense of place. Given the above, it is our opinion that the requested variance maintains the general intent of the UHOP.

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

The requested variance maintains the general intent and purpose of the City of Hamilton's Zoning By-law 05-200 for providing services for the immediate and surrounding neighbourhoods. Under Section 10.6.1: Permitted Uses of Hamilton's Zoning By-law, the subject lands permit several similar uses to a Place of Worship, including assembly, a conference centre, a funeral home, a day nursery, and more. Under the Zoning By-law, a Place of Worship allows an Assembly Hall but an Assembly Hall does not allow for a Place of Worship. It is our opinion that the Zoning By-law is restricting the user and not the use on the subject lands, as people praying at an assembly is not prohibited but a Place of Worship is not permitted. Given the similarities between a Place of Assembly and Place of Worship, it is our opinion that this minor variance should be approved due to the range of

Ms. Jamila Sheffield
City of Hamilton
August 19, 2024

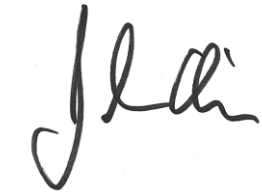
services the proposed use would provide to the community, which adheres to the general intent and purpose of the Zoning By-law.

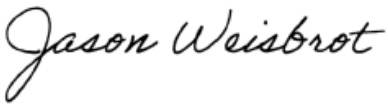
3.0 CONCLUSION

Based on our review of the proposed variance and the planning justification provided in the foregoing sections, it is our opinion that the proposed variance should be approved. The proposed variance has regard for both the policies of the Urban Hamilton Official Plan and the City of Hamilton Zoning By-law 05-200. As previously analyzed, the impact of the requested variance would be minor. The requested variance outlined in this letter meets the four tests for a minor variance as prescribed under Section 45 (1) of the *Planning Act*.

Should you have any questions, or wish to discuss further, please do not hesitate to contact the undersigned.

Sincerely,
Arcadis Professional Services (Canada) Inc.





John Ariens, MCIP, RPP
Senior Planner, Management

Jason Weisbrot
Co-op Student, Planning

Docusign Envelope ID: C80ED822-DC26-4303-83A6-BBDB8CD5D49F

July 30, 2024

Committee of Adjustment
Hamilton City Hall
71 Main Street West, 5th Floor
Hamilton, ON L8P 4Y5

To whom it may concern,

I Nor Fai Chin Shin Shee Chin being the registered owner of 1135 Stone Church Rd in the City of Hamilton hereby authorize the New Apostolic Church and Arcadis to prepare and submit a minor variance application seeking permissions for a Place of Worship upon these lands.

Sincerely,

Signature: Signed by: Nor Fai Chin 4D81DE0BBD81496... Signed by: Shin Shee Chin 4D81DE0BBD81496...

Home Address: 57 Lawrence Ave, Hamilton, ON, L8G2M8

Committee of Adjustment
City Hall, 5th Floor,
71 Main St. W.,
Hamilton, ON L8P4Y5

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

APPLICATION FOR A MINOR VARIANCE/PERMISSION

UNDER SECTION 45 OF THE *PLANNING ACT*

1. APPLICANT INFORMATION

	NAME	[redacted]
Registered Owners(s)		
Applicant(s)		
Agent or Solicitor		

1.2 Primary contact ☐ Applicant ☐ Owner ☑ Agent/Solicitor

1.3 Sign should be sent to ☐ Applicant ☐ Owner ☑ AgentSolicitor

1.4 Request for digital copy of sign ☑ 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.

1.6 Payment type ☐ In person ☐ Cheque ☐ Credit over phone*

*Must provide number above

2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	1135 Stone Church Road		
Assessment Roll Number			
Former Municipality			
Lot	4	Concession	7
Registered Plan Number	CD415837	Lot(s)	
Reference Plan Number (s)	62R18658	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:

This minor variance application looks to permit religious assembly / a Place of Worship on the subject lands. See Variance Letter for more details.

☐ Second Dwelling Unit ☐ Reconstruction of Existing Dwelling

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

Religious assembly is not permitted under the By-law, even though similar assembly and accessory uses are permitted on the subject lands. See Variance letter for more details.

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
+-240.83 ft	+-283.60 ft	0.63 hectares	+-13.5 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)

All existing structures to be demolished

Existing:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction

See attached draft Concept Plan. To be finalized through the Site Plan process.

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Place of Worship	4 m	61.71 m	15.52 m	N/A

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

All existing structures to be demolished

Existing:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height

See attached draft Concept Plan. To be finalized through the Site Plan process.

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Place of Worship	595.44m2	595.44m2	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.):

Religious assembly / Place of Worship

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

Commercial Uses, Employment Uses, Place of Worship

7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:

June 24, 1987

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

Residential / Accessory Buildings

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

Uninhabitated

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) District Commercial

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

Proposed development provides range of services that support the surrounding neighbourhoods and create a sense of place.

7.6 What is the existing zoning of the subject land? District Commercial (C6)

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

☐ Yes ☑ No

If yes, please provide the file number: _____

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

☐ Yes ☑ No

If yes, please provide the file number: _____

8 ADDITIONAL INFORMATION

8.1 Number of Dwelling Units Existing: 0

8.2 Number of Dwelling Units Proposed: 0

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

11 COMPLETE APPLICATION REQUIREMENTS

11.1 All Applications

- [x] Application Fee
- [ ] Site Sketch
- [x] Complete Application form
- [x] Signatures Sheet

11.4 Other Information Deemed Necessary

- [x] Cover Letter/Planning Justification Report
- [x] 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

_____

_____