City of Hamilton
COMMITTEE OF ADJUSTMENT
AGENDA

Meeting #:	25-11
Date:	September 4, 2025
Time:	1:00 p.m.
Location:	Council Chambers Hamilton City Hall 71 Main Street West

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

Pages

1. PREVIOUSLY TABLED

1.1 1:10 p.m. Minutes Ratification

2. WEST DEVELOPMENT

2.1 1:15 p.m. A-25:153 95 Dundurn Street South, Hamilton (Ward 1) — 7

Agent: Landwise - K. Gillis
Applicant: Sacajawea Non-Profit Housing Inc.
Owner: Sacajawea Non-Profit Housing Inc., City of Hamilton

2.2 1:20 p.m. B-25:056 45 Frid Street, Hamilton (Ward 1) — 43

Agent: M. Laing
Applicant: Fotenn Planning + Design - M. Weekes
Owner: 45-67-180 Frid Investments Inc. - KC Daya
Purchaser: 45-67-180 Frid Investments Inc.

2.3 1:25 p.m. A-25:159 292 Hunter Street West, Hamilton (Ward 1) — 79

Agent: Fine Line Drafting and Design Inc. - R. Friesen
Owner: M. Lima

2.4 1:30 p.m. A-25:152 138 -140 Herkimer Street, Hamilton (Ward 2) 93

Applicant: T. Yu
Owner: Liwen Holding Ltd.

2.5 1:35 p.m. A-25:116 103 Emerald Street South, Hamilton (Ward 3) 115

Applicant: MHBC Planning – A. Hannaford, G. Tchisler
Owner: 2563239 Ontario Inc. - J. Pilon

2.6 1:40 p.m. A-25:167 206 Fairleigh Avenue South, Hamilton (Ward 3) 135

Applicant: R. Burton
Owner: R. Burton, C. Austrom

2.7 1:45 p.m. B-25:058 378 & 382 Cannon Street East, Hamilton (Ward 3) 155

Agent: Barich Grenkie Surveying Ltd. - D. Curcic, D. Jakovina
Owners: 1000580415 Ontario Inc.
Purchaser: 1000580415 Ontario Inc. - A. Wang

2.8 1:50 p.m. A-25:163 60 Ascoli Drive, Hamilton (Ward 8) 169

Agent: J. Woodruff
Owner: B. Pilgrimb

2.9 1:55 p.m. A-25:148 340 Springbrook Avenue, Ancaster (Ward 12) 185

Owner: S. Jawhar Qahar, T. Taha

2.10 2:00 p.m. A-25:149 9 Drury Court, Ancaster (Ward 12) 201

Agent: D. Arora
Owner: J. Lui

2.11 2:05 p.m. A-25:154 91 Cesar Place, Ancaster (Ward 12) 217

Agent: S. Wood
Owner: C. Vrantsis

2.12 BREAK

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2.13 2:25 p.m. A-25:164 4869 Governors Road, Flamborough (Ward 12) 237

Agent: A.J. Clarke and Associates Ltd.
Applicant: W. McCallum
Owner: R. Brooks

2.14 2:30 p.m. A-25:156 18 Pleasant Avenue, Dundas (Ward 13) 283

Owner: G. Van Es, S. Van Es, J. Van Es

2.15 2:35 p.m. A-25:166 119-121 Hatt Street, Dundas (Ward 13) 305

Agent: WEBB Planning Consultants
Owner: McDonough Dentistry Professional Corporation

2.16 2:40 p.m. A-25:169 29 Berry Hill Avenue, Flamborough (Ward 15) 331

Agent: Jansen Consultant – A. Talukder, J. Jansen
Owner: H. Pyper

2.17 2:45 p.m. A-25:150 201 Main Street South, Flamborough (Ward 15) 365

Applicant: Toms + McNally Design – R. Wooten
Owner: G. McNally, J. Knutson

3. EAST DEVELOPMENT

3.1 2:50 p.m. A-25:151 22 Lakeshore Drive, Stoney Creek (Ward 10) 391

Applicant: Toms + McNally Design – R. Wooten
Owner: G. Spiniello, J. McKay

3.2 2:55 p.m. A-25:091 1218 Leaside Road, Hamilton (Ward 4) 407

Agent: R&R Designs Inc. – R. Khanna
Owner: C. Wright

3.3 3:00 p.m. B-25:052 80-86 Delawana Drive, Hamilton (Ward 5) 421

Agent: The Biglieri Group – R. Larocque
Owner: Dicenzo Management Inc. - A. Dicenzo

3.4 3:00 p.m. A-25:158 80-86 Delawana Drive, Hamilton (Ward 5) 449

Agent: The Biglieri Group – R. Larocque
Owner: Dicenzo Management Inc. - A. Dicenzo

3.5 3:05 p.m. B-25:051 88-94 Delawana Drive, Hamilton (Ward 5) 477

Agent: The Biglieri Group – R. Larocque
Owner: Dicenzo Management Inc. - A. Dicenzo

3.6 3:05 p.m. A-25:157 88-94 Delawana Drive, Hamilton (Ward 5) 505

Agent: The Biglieri Group – R. Larocque
Owner: Dicenzo Management Inc.

3.7 3:10 p.m. B-25:053 72-78 Delawana Drive, Hamilton (Ward 5) 533

Agent: The Biglieri Group – R. Larocque
Owner: Dicenzo Management Inc. - A. Dicenzo

3.8 3:10 p.m. A-25:160 72-78 Delawana Drive, Hamilton (Ward 5) 561

Agent: The Biglieri Group – R. Larocque
Owner: Dicenzo Management Inc. - A. Dicenzo

3.9 BREAK

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3.10 3:30 p.m. A-25:168 51 Galbraith Drive, Stoney Creek (Ward 5) 589

Applicant: J. Beckett
Owner: V. DiPietro

3.11 3:35 p.m. A-25:155 738 Upper Gage Avenue, Hamilton (Ward 7) 607

Agent: L. Angelci
Owner: G. Willson

3.12 3:40 p.m. A-25:162 623 Miles Road, Glanbrook (Ward 11) 621

Applicant: L. Angelici
Owners: A & M. Pejic

3.13 3:45 p.m. B-25:055 219 Eleanor Avenue, Hamilton (Ward 6) 635

Owner: J. Butera

3.14 3:50 p.m. A-25:147 264 Cedardale Avenue, Stoney Creek (Ward 10) 651

Agent: S. Cosoleto
Owner: A. Cosoleto

3.15 3:55 p.m. B-25:054 282 Dewitt Road, Stoney Creek (Ward 10) 663

Agent: Skap Architects Inc. – S. Kapur
Owners: P. Mandadi, B. Polakala
Purchaser: P. Mandadi, B. Polakala

3.16 3:55 p.m. A-25:161 282 Dewitt Road, Stoney Creek (Ward 10) 685

Agent: Skap Architects Inc. – S. Kapur
Owners: P. Mandadi, B. Polakala

3.17 4:00 p.m. B-25:057 5309 Harrison Road, Glanbrook (Ward 11) 707

Agent: S. Gee
Owner: S. Zizza
Purchaser: J. Ditommaso, E. Ditommaso

3.18 4:05 p.m. Chair and staff announcements

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
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-25:153**	**SUBJECT PROPERTY:**	95 Dundurn Street South, Hamilton
ZONE:	C5, 590 (Mixed Use Medium Density)	**ZONING BY-LAW:**	Zoning By-law 05-200

APPLICANTS: Owner: Sacajawea Non-Profit Housing Inc and City of Hamilton
Applicant: Sacajawea Non-Profit Housing Inc
Agent: Landwise c/o Katelyn Gillis

The following variances are requested:

1. A minimum 0.6 metre setback from a street line shall be permitted instead of the minimum required 3.0 metre setback.

2. A minimum 1.4 metre setback from the Rear Lot line shall be permitted instead of the minimum required 7.5 metre setback.

3. A canopy shall be permitted to be located at a distance of 0.0m from the Dundurn Street South instead of the maximum encroachment of 1.5 metres, or to a maximum of half the distance of the required yard required.

4. A minimum drive aisle for a parking angle degree of 90 shall be 0.6 metres instead of 6.0 metres required.

5. Parking shall be located 0.6 metres from the street line with no planting strip instead of 3.0 metres with a planting strip required.

6. No short-term bicycle parking spaces shall be provided instead of the minimum required 1 short-term bicycle parking space.

PURPOSE & EFFECT: To permit the development of a 5-storey multiple dwelling with 15 units of affordable student rental units through conditionally approved site plan application DA-25-032.

A-25:153

Notes:

1. These variances are necessary to facilitate Site Plan Control application DA-25-032.

2. Two (2) lot boundaries have been shown on the submitted site plan. One (1) lot line demonstrating the existing lot, and the other being the proposed. For purposes of this application, the review has been based on the proposed lot. Should the lot line not be adjusted, additional variances may be required.

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

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

DATE:	**Thursday, September 4, 2025**
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 September 2, 2025

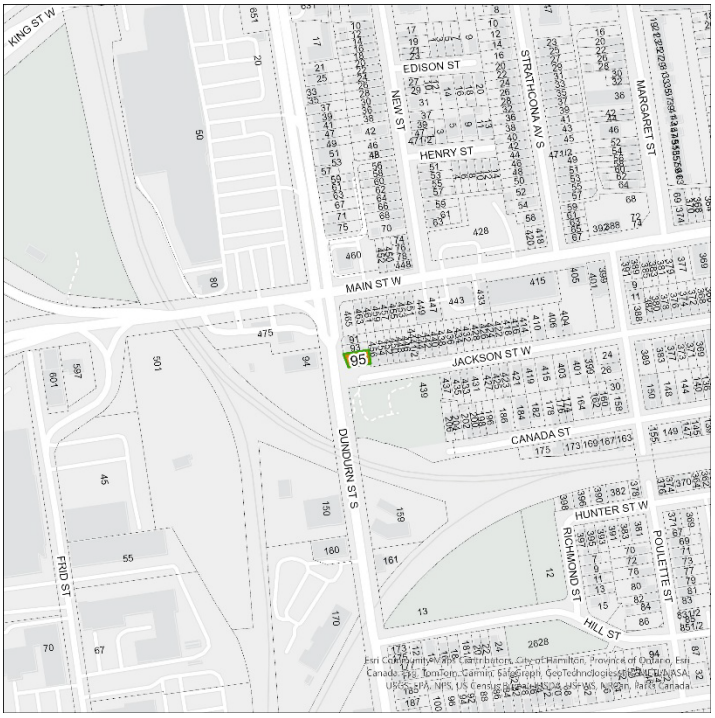
Orally: If you would like to speak to this item at the hearing you may do so via video link, calling in, or attending in person. Please see attached page for complete instructions, registration to participate virtually must be received no later than noon September 3, 2025

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding A-25:153, 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-25:153



Subject Lands

DATED: August 18, 2025

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.

_____

Justin Leung,
Secretary-Treasurer
Committee of Adjustment

Hamilton

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

PARTICIPATING PROCEDURES

1. Written Submission Ahead of the Meeting

Members of the public who wish to provide input without speaking at the Hearing may submit written comments in advance of the meeting. Comments must be received by 12:00 p.m. (noon) on the deadline date for written comment submissions listed on the Notice of Public Hearing.

How to Submit Written Comments:

By Email:
Send to: cofa@hamilton.ca

By Mail:
Committee of Adjustment
City of Hamilton
71 Main Street West, 5th Floor
Hamilton, Ontario
L8P 4Y5

All written comments received will be made available to the Committee and the public by the Tuesday prior to the Hearing.

2. Oral Submissions During the Hearing

Interested members of the public, agents, and owners may provide oral comments on Committee of Adjustment Hearing items either virtually via Webex (computer or phone) or by attending in person.

Speaking Time Limit:
All participants providing oral submissions, either in person or virtually are limited to a maximum of 5 minutes to speak. This is to ensure all parties have an equal opportunity to be heard and that the meeting runs efficiently.

3. In-Person Oral Submissions

To participate in person, attend Council Chambers on the date and time listed in the Notice of Public Hearing. You will be required to provide your name and address for the record. It is recommended you arrive at least 10 minutes prior to the scheduled start time.

4. Virtual Oral Submissions

To participate virtually, you must register by 12:00 p.m. (noon) on the virtual oral submissions registration deadline date. This is listed on the Notice of Public Hearing.

- Committee of Adjustment file number
- Hearing date
- Name and mailing address of each person wishing to speak
- Method of participation (phone or video), and, if applicable, the phone number to be used
- Each person must register separately

Registered participants will receive a Webex link one business day before the Hearing. Only those registered will be called upon to speak.

5. Presentations

All presentations are permitted at the discretion of the Committee.

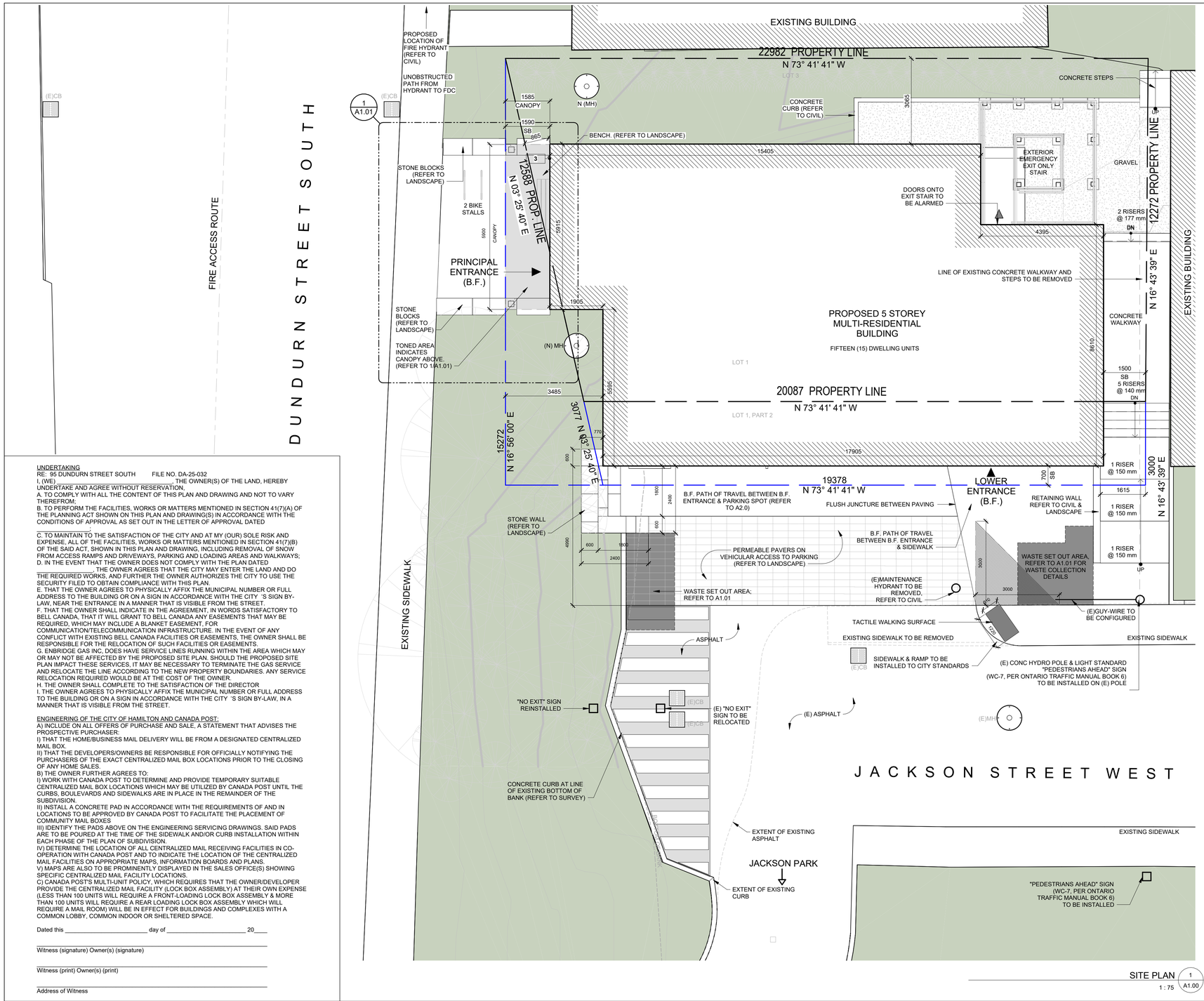
Virtual Presentations:
Presenters participating virtually may be granted permission to share their screen during the Hearing. A copy of the presentation must be submitted to cofa@hamilton.ca **by 12:00 p.m. (noon) on the business day prior to the Hearing.** The submission must be one document in PDF format only.

In-Person Presentations:
Presenters attending in person may be granted permission to use the presentation screen. Presentations must be brought on a USB device and opened by the owner/applicant. A copy of the presentation must also be sent to cofa@hamilton.ca **by 12:00 p.m. (noon) on the business day prior to the Hearing.** The submission must be one document in PDF format only. Handouts are permitted only if the same content can be displayed on the presentation screen.

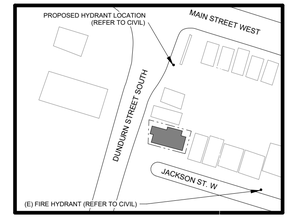
6. Additional Notes

- Webex (video) participation requires a compatible computer or smartphone. The necessary application must be downloaded in advance.
- It is the interested party's responsibility to ensure their device is functional and compatible prior to the Hearing.

For any questions, contact staff at cofa@hamilton.ca or call 905-546-2424 ext. 4221.



SITE PLAN 1 / A1.00
1 : 75



LEGEND

- CATCH BASIN
- FIRE HYDRANT
- HYDRO POLE
- PRIMARY ENTRANCE
- EXIT DOOR
- BARRIER FREE PARKING
- AREA OF VISION TRIANGLE
- PROPERTY LINE
- PROPERTY LINE UNDER NEGOTIATION

ABBREVIATIONS

CB	CATCH BASIN
(E)	EXISTING
HPLS	HYDRO POLE/LIGHT STANDARD
MH	MAN HOLE
(N)	NEW/PROPOSED
SB	SETBACK
FC	FIBRE CEMENT
PNTD	PAINTED

1	WATER METER TO BE INSTALLED IN MECH. ROOM - REF. TO CIVIL
2	WATER CONNECTIONS - REFER TO CIVIL
3	SIAMESE FIRE DEPARTMENT CONNECTION; REFER TO CIVIL & MECHANICAL
4	SANITARY CONNECTION - REFER TO CIVIL
5	STORM CONNECTION - REFER TO CIVIL
6	DETECTOR CHECK VALVE - REFER TO CIVIL
7	TRANSFORMER - REFER TO ELECTRICAL

FLOOR AREA USE	(m^2)
RESIDENTIAL UNIT AREA	582
INDOOR AMENITY	56.5
MECHANICAL/UTILITY/WASTE	64

RESIDENTIAL UNIT COUNT	QTY	GFA(m^2)
UNITS	15	
ACCESSIBLE UNITS	3	
TOTAL	15	

FLOOR AREA	GFA(m^2)
LOWER LEVEL	135.1
GROUND FLOOR	204.2
LEVEL 2-4	200.1
LEVEL 5	186.6

PROPOSED 15 UNIT STUDENT HOUSING DEVELOPMENT

PROVISIONS	REQUIRED	PROPOSED	CONFORMITY
MAX. FRONT YARD	-	-	-
MIN. REAR YARD	-	-	-
MIN. SIDE YARD	-	-	-
MAX. BUILDING HEIGHT	-	17.720m	-
GFA	-	TOTAL GFA = 1,126.2m^2	-
AMENITY			
MIN. AMENITY AREA	15 UNITS < 50m^2	INDOOR AMENITY = 56.5m^2 OUTDOOR AMENITY = 11.4m^2 TOTAL = 67.9m^2	-
SITE			
NET LOT AREA	-	350.0m^2	-
BUILDING			
BUILDING COVERAGE	-	178.0m^2	-
LANDSCAPE			
LANDSCAPE AREA	-	82.2m^2	-
HARDSCAPE			
HARDSCAPE (PAVED) AREA	-	65.8m^2	-
PARKING			
PROVISIONS	**REQUIRED**	**PROPOSED**	**CONFORMITY**
MIN. REQUIRED PARKING RATE	-	3 SPACES	-
MIN. PARKING SPACE SIZE	-	2 SPACES PROVIDED (2.8m x 5.8m MIN.)	-
MIN. BARRIER FREE PARKING SPACE SIZE	-	1 BARRIER FREE SPACE PROVIDED (3.4m x 5.8m = 1.5 ACCESS AISLE)	-
MIN. PARKING AISLE WIDTH	-	-	-

UNDERTAKING
RE: 95 DUNDURN STREET SOUTH FILE NO. DA-25-032
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 NUMBER OR FULL ADDRESS TO THE BUILDING OR ON A SIGN IN ACCORDANCE WITH THE CITY 'S SIGN BY-LAW, NEAR THE ENTRANCE IN A MANNER THAT IS VISIBLE FROM THE STREET.
F. THAT THE OWNER SHALL INDICATE IN THE AGREEMENT, IN WORDS SATISFACTORY TO BELL CANADA, THAT IT WILL GRANT TO BELL CANADA ANY EASEMENTS THAT MAY BE REQUIRED, WHICH MAY INCLUDE A BLANKET EASEMENT, FOR COMMUNICATION/TELECOMMUNICATION INFRASTRUCTURE. IN THE EVENT OF ANY CONFLICT WITH EXISTING BELL CANADA FACILITIES OR EASEMENTS, THE OWNER SHALL BE RESPONSIBLE FOR THE RELOCATION OF SUCH FACILITIES OR EASEMENTS.
G. ENBRIDGE GAS INC, DOES HAVE SERVICE LINES RUNNING WITHIN THE AREA WHICH MAY OR MAY NOT BE AFFECTED BY THE PROPOSED SITE PLAN. SHOULD THE PROPOSED SITE PLAN IMPACT THESE SERVICES, IT MAY BE NECESSARY TO TERMINATE THE GAS SERVICE AND RELOCATE THE LINE ACCORDING TO THE NEW PROPERTY BOUNDARIES. ANY SERVICE RELOCATION REQUIRED WOULD BE AT THE COST OF THE OWNER.
H. THE OWNER SHALL COMPLETE TO THE SATISFACTION OF THE DIRECTOR
I. THE OWNER AGREES TO PHYSICALLY AFFIX THE MUNICIPAL NUMBER OR FULL ADDRESS 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.

ENGINEERING OF THE CITY OF HAMILTON 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 DESIGNATED 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 ARE 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.

Dated this _____ day of _____ 20____

_____
Witness (signature) Owner(s) (signature)

_____
Witness (print) Owner(s) (print)

_____
Address of Witness

GENERAL 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 ROUTE SIGNS AND 3-WAY FIRE HYDRANTS SHALL BE ESTABLISHED TO THE SATISFACTION OF THE CITY FIRE DEPARTMENT AND AT THE EXPENSE OF THE OWNER.
3. ALL DRIVEWAYS FROM PROPERTY LINES FOR THE FIRST 7.5 M SHALL BE WITHIN 5% MAXIMUM GRADE, THEREAFTER, ALL DRIVEWAYS SHALL BE WITHIN 10% MAXIMUM GRADES.
4. 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
   - SEWER AND WATER PERMITS
   - ROAD CUT PERMITS
   - RELOCATION OF SERVICES
   - APPROACH APPROVAL PERMITS
   - ENCROACHMENT AGREEMENTS (IF REQUIRED)
   - COMMITTEE OF ADJUSTMENT
   - SIGN PERMITS
5. MAIN DRIVEWAY DIMENSIONS AT THE PROPERTY LINE BOUNDARIES ARE PLUS OR MINUS 7.5 M UNLESS OTHERWISE STATED.
6. ABANDONED ACCESSES MUST BE REMOVED AND THE CURB AND BOULEVARD RESTORED WITH SOD AT THE OWNER'S EXPENSE TO THE SATISFACTION OF THE CORRIDOR MANAGEMENT SECTION, PUBLIC WORKS DEPARTMENT.
7. 3 METRE BY 3 METRE VISIBILITY TRIANGLES ARE EMPLOYED AT ALL ENTRANCES TO THE SITE. THE MAXIMUM HEIGHT OF ANY OBJECTS OR MATURE VEGETATION IS NOT TO EXCEED A HEIGHT OF 0.60 METRES INSIDE OF TRIANGLE.
8. SIGNAGE IS NOT APPROVED THROUGH THE SITE PLAN PROCESS. ALL SIGNS MUST COMPLY WITH HAMILTON SIGN BY-LAW NO. 10-197.
9. LIGHTING MUST BE DIRECTED ON SITE AND MUST NOT SPILL OVER TO ADJACENT PROPERTIES OR STREET.
10. CALL BEFORE YOU DIG, ARRANGE FOR UNDERGROUND HYDRO CABLE LOCATE(S) AND GAS PIPELINES BEFORE BEGINNING CONSTRUCTION BY CONTACTING ONTARIO ONE CALL AT 1-800-400-2255.
11. A MINIMUM 4M HORIZONTAL CLEARANCE FROM EXISTING O/H LINE(S) WILL BE MAINTAINED AT ALL TIMES AS PER ALECTRA UTILITIES STANDARD 3-105.
12. PRIOR TO THE START OF MUNICIPAL WASTE COLLECTION SERVICE, THE DEVELOPMENT MUST BE FREE OF CONSTRUCTION DEBRIS AND CONSTRUCTION RELATED ACTIVITIES.
13. PROPERTY MANAGEMENT WILL BE RESPONSIBLE FOR BRINGING THE CARTS INTO THE COLLECTION POINT AND RETURNING BACK TO THE STORAGE ROOM AFTER COLLECTION.
14. THE CARTS SHOULD BE PROPERLY POSITIONED IN THE COLLECTION AREA ON THE DAY OF COLLECTION BEFORE 7 AM.
15. THE REGION WILL NOT BE RESPONSIBLE FOR EMPTYING CARTS THAT ARE INACCESSIBLE TO THE COLLECTION VEHICLE.
16. PROPERTY MANAGEMENT IS RESPONSIBLE TO PROVIDE THE SPECIFIED SET OUT AREA AND STAGE THE CARTS AS DEPICTED ON THE DRAWING.
17. PROPERTY MANAGEMENT WILL BE RESPONSIBLE FOR REMOVING ANY SNOW AND ICE TO ALLOW A FLAT SURFACE FOR THE CARTS TO REST ON.
18. 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 ACTIVITES, SHOULD DEEPLY BURIED ARCHAEOLOGICAL MATERIALS BE FOUND ON THE PROPERTY THE ONTARIO MINISTRY OF CITIZENSHIP AND MULTICULTURALISM (MCM) SHOULD BE NOTIFIED IMMEDIATELY (416-212-8886). IN THE EVENT THAT HUMAN REMAINS ARE ENCOUNTERED DURING CONSTRUCTION, THE PROPONENT SHOULD IMMEDIATELY CONTACT BOTH MCM AND THE REGISTRAR OR DEPUTY REGISTRAR OF THE CEMETERIES REGULATION UNIT OF THE MINISTRY OF GOVERNMENT AND CONSUMER SERVICES (416-212-7499).
19. PRIOR TO THE START OF MUNICIPAL WASTE COLLECTION SERVICE, THE DEVELOPMENT MUST BE SUBSTANTIALLY COMPLETE AND BE FREE OF CONSTRUCTION DEBRIS AND CONSTRUCTION RELATED ACTIVITES.

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REV.	DESCRIPTION	DATE MMM/DD/YY
8	ISSUED FOR MINOR VAR.	2025/07/09
7	ISSUED FOR CLASS B COSTING	2025/05/21
6	ISSUED FOR SPA-1 R1	2025/05/15
5	ISSED FOR SPA-1	2025/05/08
4	ISSUED FOR SPA PRE-ASSESSMENT	2025/02/19
3	ISSUED FOR REVISED ZONING COMP.	2025/02/18
2	ISSUED FOR CLASS C COSTING	25/01/28

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

PROJECT NAME:
SACAJAWEA DUNDURN SOUTH LEARNERS' HOUSING

PROJECT ADDRESS:
95 DUNDURN ST S.
HAMILTON, ON L8P 4K1
PART OF LOTS 1 & 2 REGEISTERED PLAN 416 IN THE CITY OF HAMILTON

PROJECT NO.: 24025

DRAWING TITLE:
SITE PLAN
DA-25-032

DRAWN BY: AD

CHECKED BY: MB

DATE: 2024/07/29

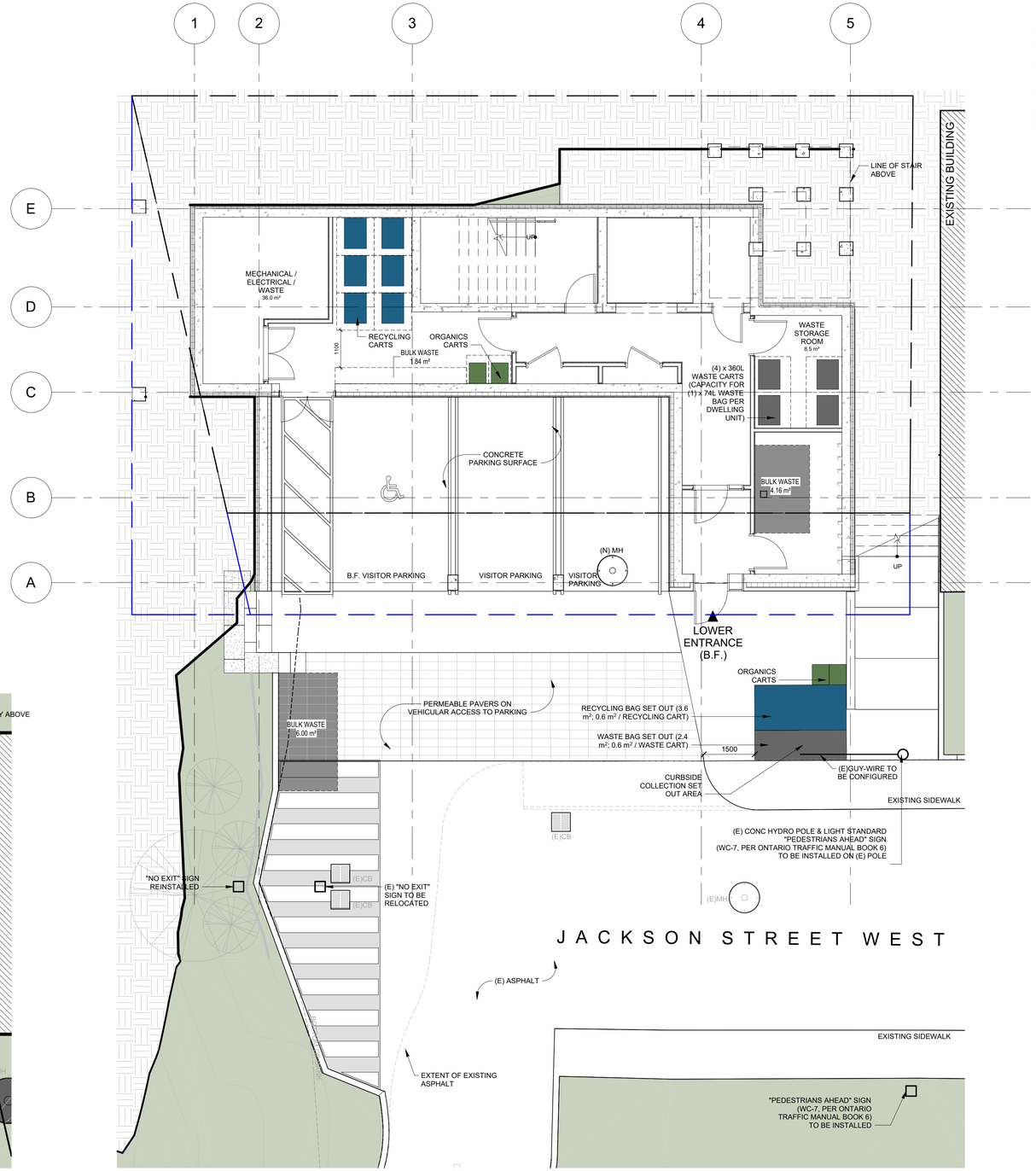
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DRAWING NO.:
A1.00

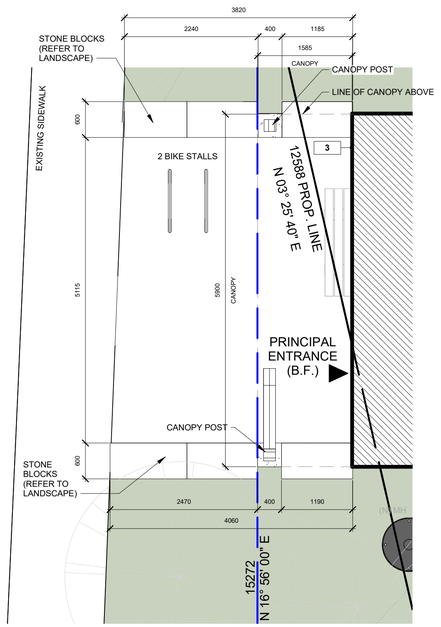
PLOTTED: 09/07/25 10:12:13 AM

WASTE MANAGEMENT NOTES

1. PROPERTY MANAGEMENT WILL BE RESPONSIBLE FOR BRINGING THE CARTS INTO THE COLLECTION POINT AND RETURNING BACK TO THE STORAGE ROOM AFTER COLLECTION.
2. THE CARTS SHOULD BE PROPERLY POSITIONED IN THE COLLECTION AREA ON THE DAY OF COLLECTION BEFORE 7 AM.
3. THE DRIVER IS NOT REQUIRED TO EXIT THE COLLECTION VEHICLE TO FACILITATE COLLECTION.
4. PROPERTY MANAGEMENT IS RESPONSIBLE FOR MOVING CARTS DURING COLLECTION.
5. THE REGION WILL NOT BE RESPONSIBLE FOR EMPTYING CARTS THAT ARE INACCESSIBLE TO THE COLLECTION VEHICLE.
6. PROPERTY MANAGEMENT MUST BE VISIBLE TO WASTE COLLECTION VEHICLE ON APPROACH TO SITE. OTHERWISE THE WASTE COLLECTION VEHICLE WILL NOT ENTER THE SITE.
7. PROPERTY MANAGEMENT WILL BE RESPONSIBLE FOR SAFELY MANEUVERING WASTE COLLECTION VEHICLES INTO AND/OR OUT OF, AS WELL AS AROUND THE SITE.
8. ALL PROPOSED GARBAGE CART TO BE 360L STANDARD SIZE.
9. ALL PROPOSED RECYCLING CARTS TO 360L STANDARD SIZE.
10. PROPERTY MANAGEMENT IS RESPONSIBLE TO PROVIDE THE SPECIFIED SET OUT AREA AND STAGE THE CARTS AS DEPICTED ON THE DRAWING.
11. PROPERTY MANAGEMENT WILL BE RESPONSIBLE FOR REMOVING ANY SNOW AND ICE TO ALLOW A FLAT SURFACE FOR THE CARTS TO REST ON.
12. PROPERTY MANAGEMENT WILL ALSO BE RESPONSIBLE TO CLEAN UP ANY LEFT OVER DEBRIS LEFT ON THE GRASS AFTER COLLECTION.
13. THE DEVELOPER IS RESPONSIBLE FOR ALL WASTE REMOVAL UP UNTIL THE TIME THAT AN "AGREEMENT FOR ON-SITE COLLECTION OF SOLID WASTE " IS FINALIZED, AND MUNICIPAL COLLECTION SERVICES ARE INITIATED.
14. PROPERTY MANAGEMENT WILL ALSO BE RESPONSIBLE TO CLEAN UP ANY LEFT OVER DEBRIS LEFT ON THE GRASS AFTER COLLECTION.



WASTE MANAGEMENT PLAN 2 / A1.01
1 : 75



DETAIL PLAN DUNDURN ENTRY 1 / A1.01
1 : 50

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5	ISSUED FOR MINOR VAR.	2025/07/09
4	ISSED FOR SPA-1	2025/05/08
3	ISSUED FOR SPA PRE-ASSESSMENT	2025/02/19
2	ISSUED FOR REVISED ZONING COMP.	2025/02/18
1	ISSUED FOR ZONING COMP.	24/12/09

PROJECT NORTH
TRUE NORTH

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PROJECT NAME:
SACAJAWEA DUNDURN SOUTH LEARNERS' HOUSING

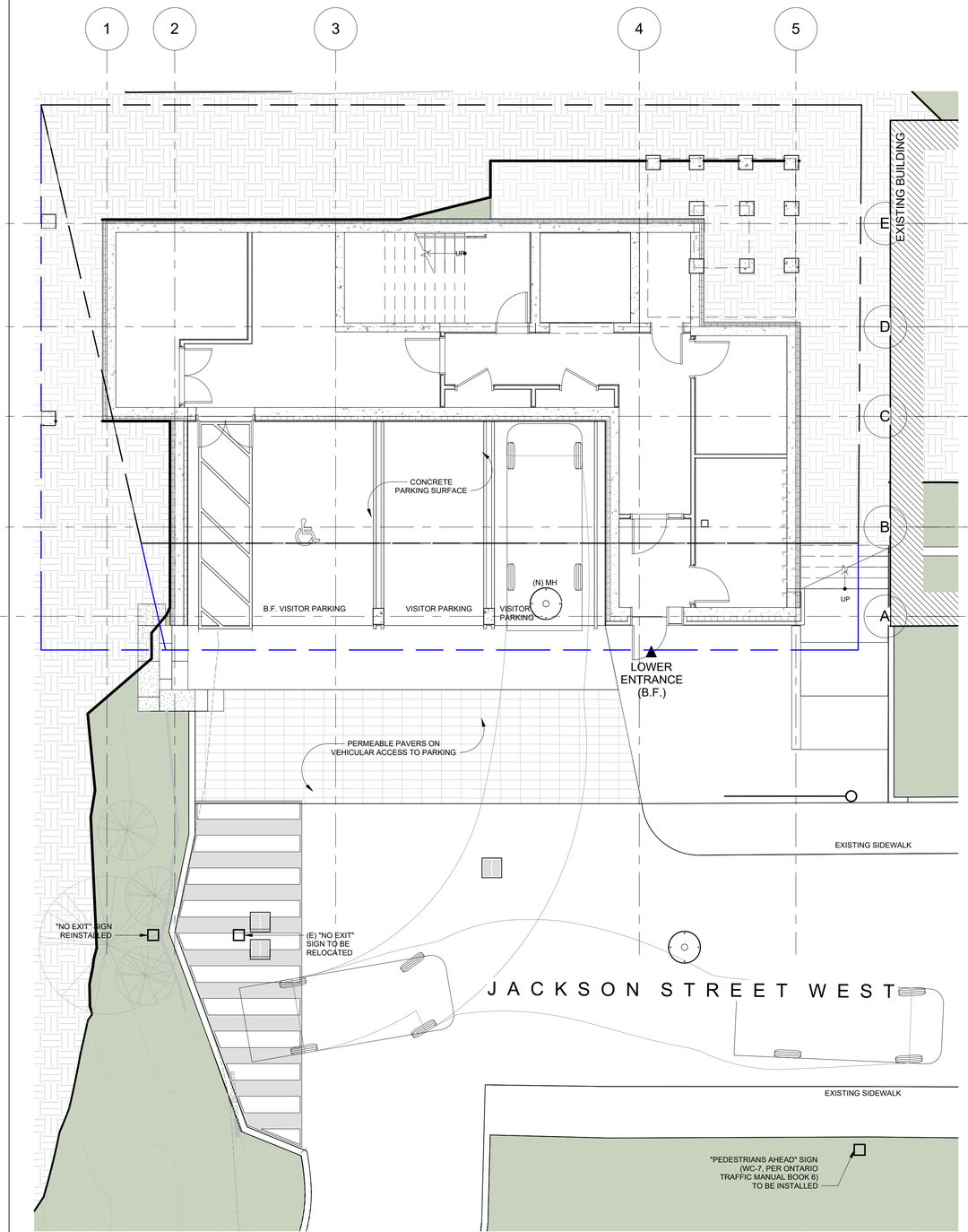
PROJECT ADDRESS:
95 DUNDURN ST S.
HAMILTON, ON L8P 4K1

PROJECT NO.:
24025

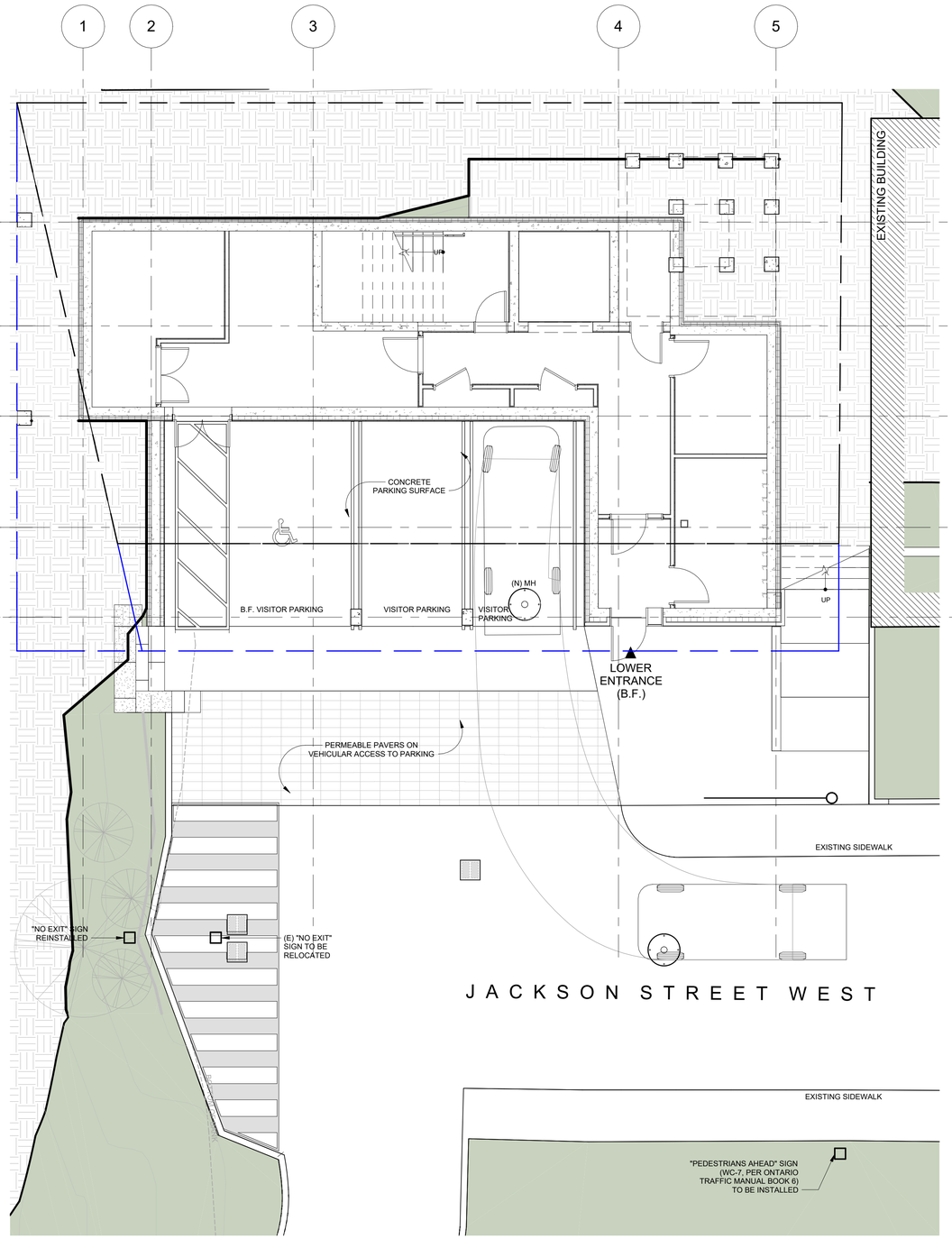
DRAWING TITLE:
WASTE MANAGEMENT PLAN & DETAIL PLAN
DA-25-032

DRAWN BY: AD
CHECKED BY: MB
DATE: 2024/07/29
SCALE: As indicated
DRAWING NO.: A1.01

PLOTTED: 08/07/25 10:12:17 AM
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BACKWARD APPROACH - SPOT 1 (2 / A1.02)
1 : 75



FORWARD APPROACH - SPOT 1 (1 / A1.02)
1 : 75

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2	ISSUED FOR MINOR VAR	2025/07/09
1	ISSED FOR SPA-1	2025/05/08

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PROJECT NAME:
SACAJAWEA DUNDURN SOUTH LEARNERS' HOUSING

PROJECT ADDRESS:
95 DUNDURN ST S.
HAMILTON, ON L8P 4K1

PROJECT NO.: 24025

DRAWING TITLE:
VEHICLE TURNING PLANS
DA-25-032

DRAWN BY: AD

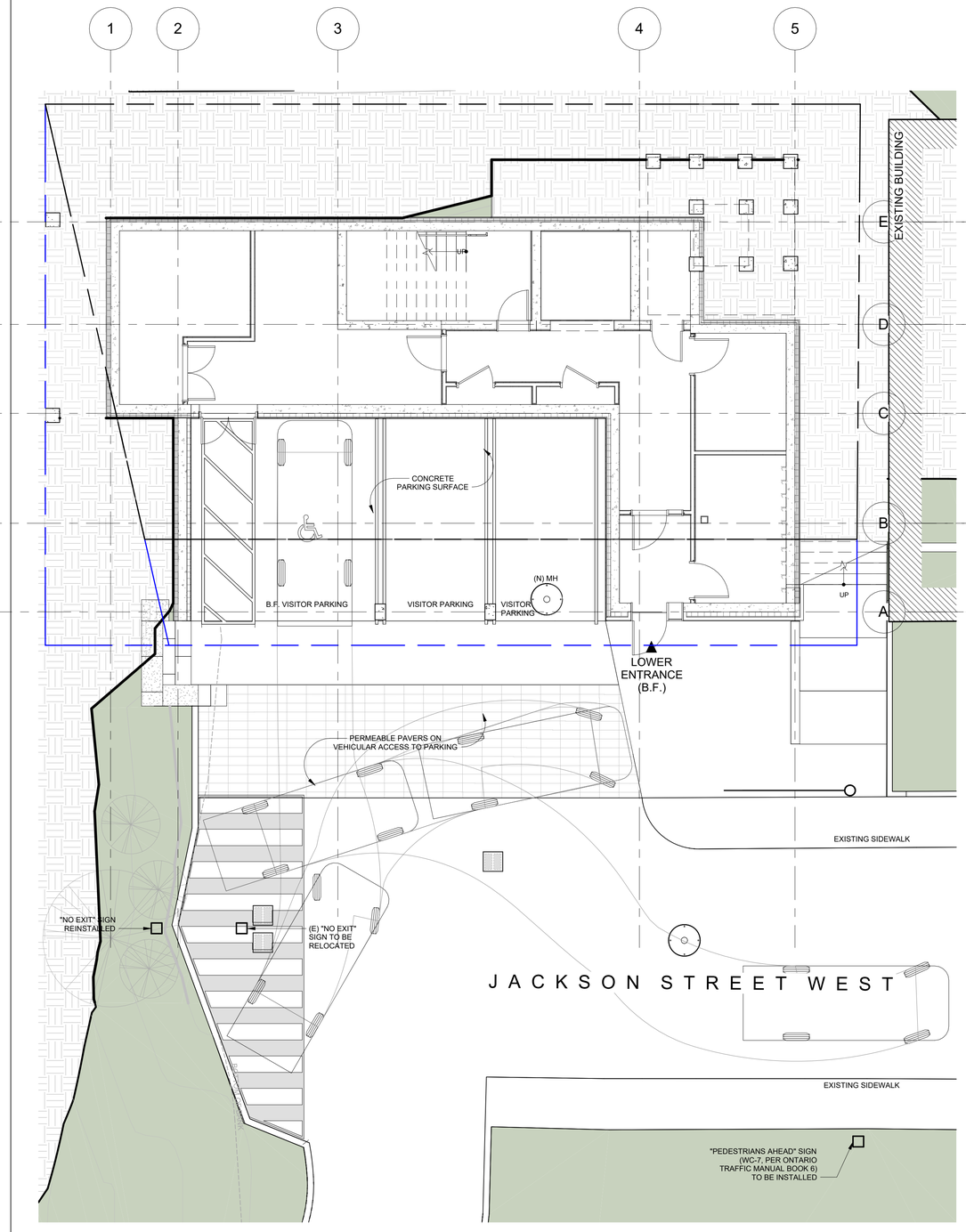
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DATE: 2025/04/11

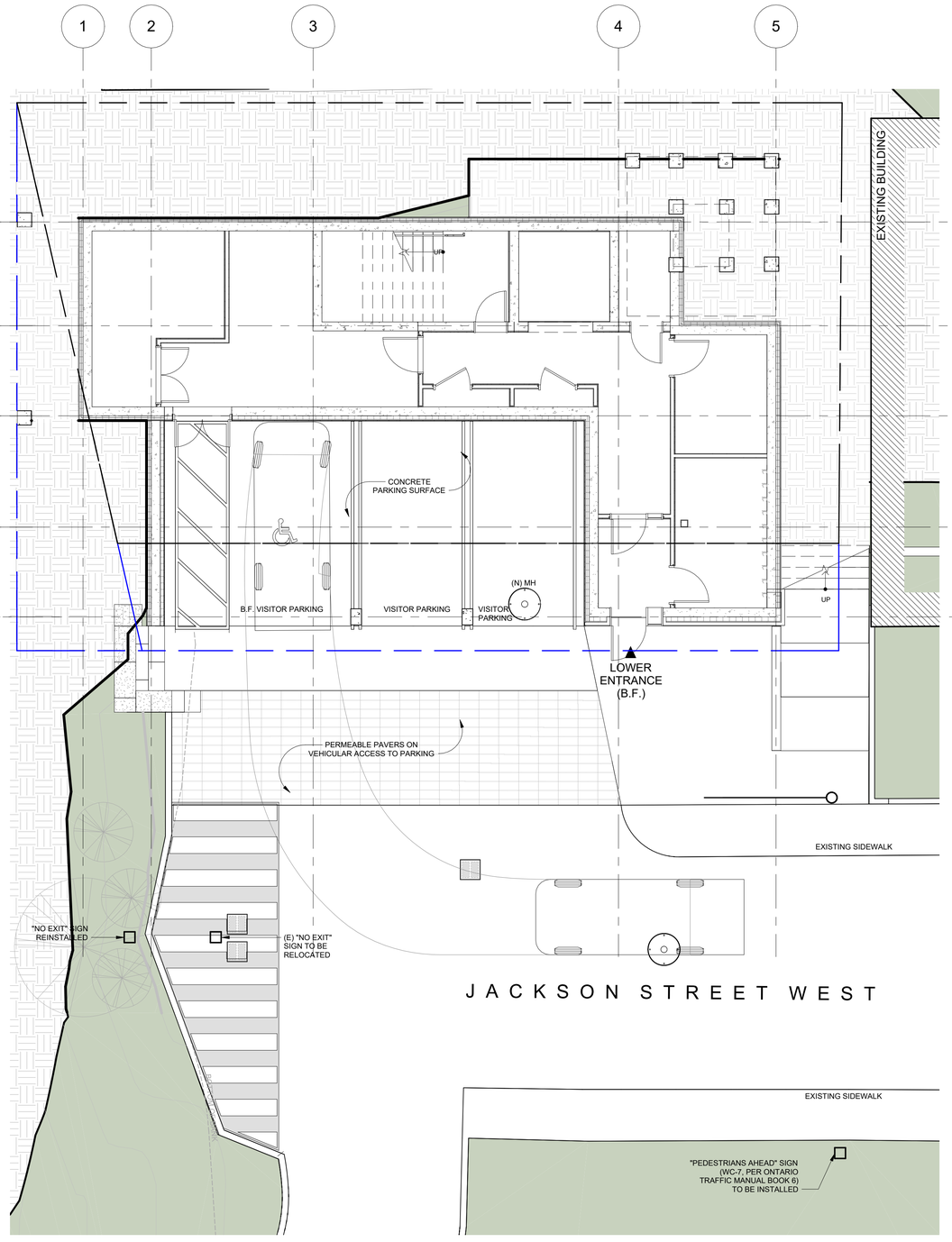
SCALE: 1 : 75

DRAWING NO.:
A1.02

PLOTTED: 08/07/25 10:12:21 AM



BACKWARD APPROACH - SPOT 2 (2 / A1.03)
1 : 75



FORWARD APPROACH - SPOT 2 (1 / A1.03)
1 : 75

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1	ISSED FOR SPA-1	2025/05/08

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PROJECT NAME:
SACAJAWEA DUNDURN SOUTH LEARNERS' HOUSING

PROJECT ADDRESS:
95 DUNDURN ST S.
HAMILTON, ON L8P 4K1

PROJECT NO.: 24025

DRAWING TITLE:
VEHICLE TURNING PLANS
DA-25-032

DRAWN BY: AD

CHECKED BY: MB

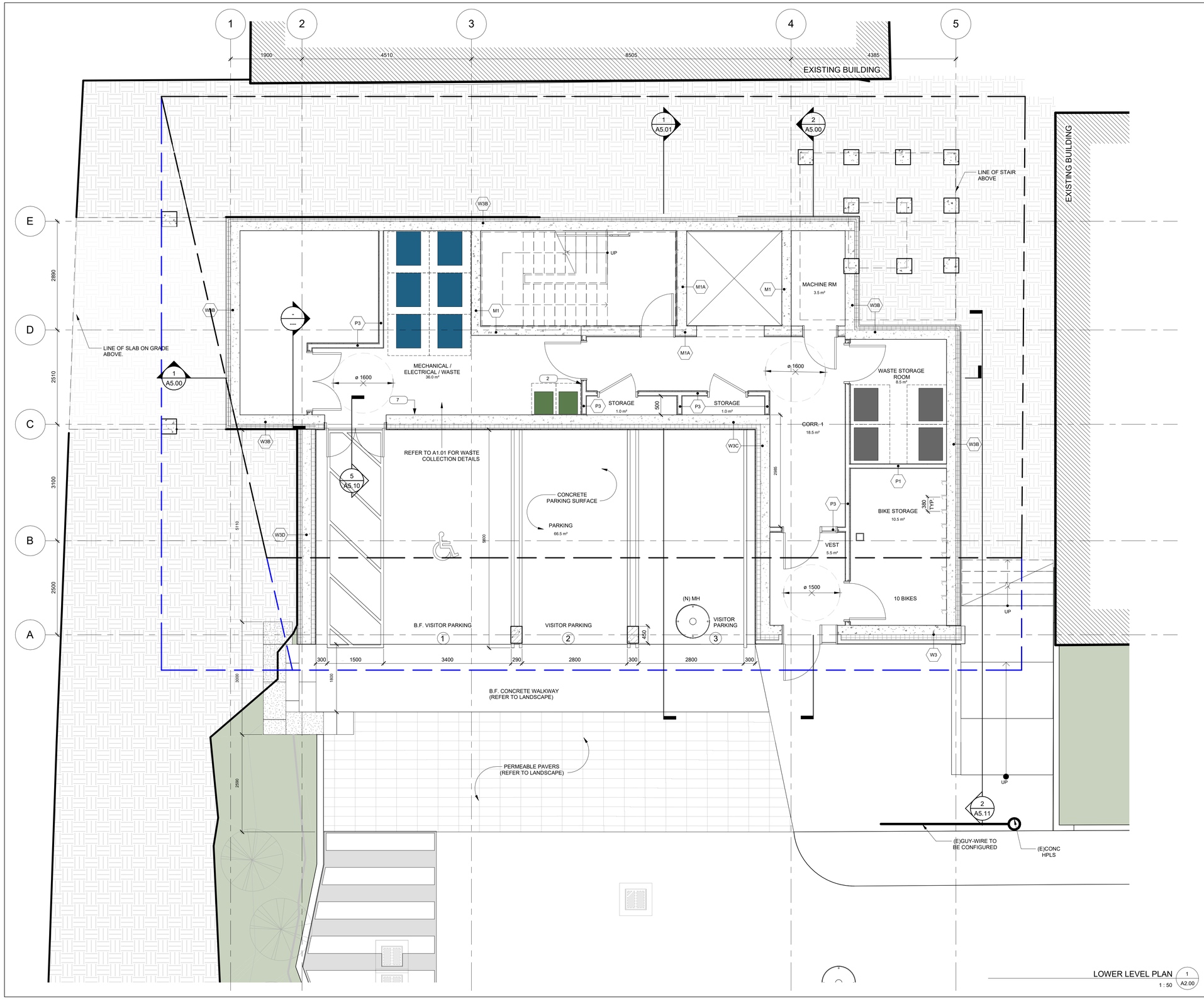
DATE: 2025/04/11

SCALE: 1 : 75

DRAWING NO.:
A1.03

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PLOTTED: 08/07/25 10:12:26 AM



LOWER LEVEL PLAN 1 / A2.00
1 : 50

GENERAL NOTES:

1. FIRE RATED WALLS ASSEMBLIES ARE TO BE CONSTRUCTED AS CONTINUOUS FIRE SEPARATIONS AND TO BE TERMINATED AT INTERSECTION WITH ANOTHER FIRE SEPARATION OR A RATED MATERIAL. ALL PENETRATIONS TO BE SEALED W/FIRE STOP SEALANT AS REQUIRED.

2. REFER TO LIFE SAFETY DRAWING FOR LOCATION OF FIRE SEPARATIONS. ALL OPENINGS WITHIN A RATED ASSEMBLY ARE TO BE RATED OR PROTECTED OPENINGS.

3. FOR NON-BARRIER FREE UNITS, REFER TO DETAIL 4/A311 FOR STUD WALL REINFORCEMENT DETAILS REQUIRED BY OBC 3.3.4.9.

4. REFER TO STRUCTURAL FOUNDATION DRAWINGS FOR ALL FOUNDATION, PIER & FOOTING SIZING AND ELEVATIONS.

PLAN NOTES

1. DOOR ON HOLD-OPEN DEVICE
2. POWER DOOR OPERATOR
3. WASHER
4. DRYER
5. WOOD-FRAMED CANOPY WITH POLYCARBONATE ROOF BELOW
6. FIRE ANNUNCIATOR PANEL (REFER TO ELEC.)
7. FIRE ALARM PANEL (REFER TO ELEC.)

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REV.	DESCRIPTION	DATE MM/DD/YY
7	ISSUED FOR MINOR VAR.	2025/07/09
6	ISSUED FOR CLASS B COSTING	2025/05/21
5	ISSED FOR SPA-1	2025/05/08
4	ISSUED FOR SPA PRE-ASSESSMENT	2025/02/19
3	ISSUED FOR REVISED ZONING COMP.	2025/02/18
2	ISSUED FOR CLASS C COSTING	25/01/28
1	ISSUED FOR ZONING COMP.	24/12/09

PROJECT NORTH
TRUE NORTH

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PROJECT NAME:
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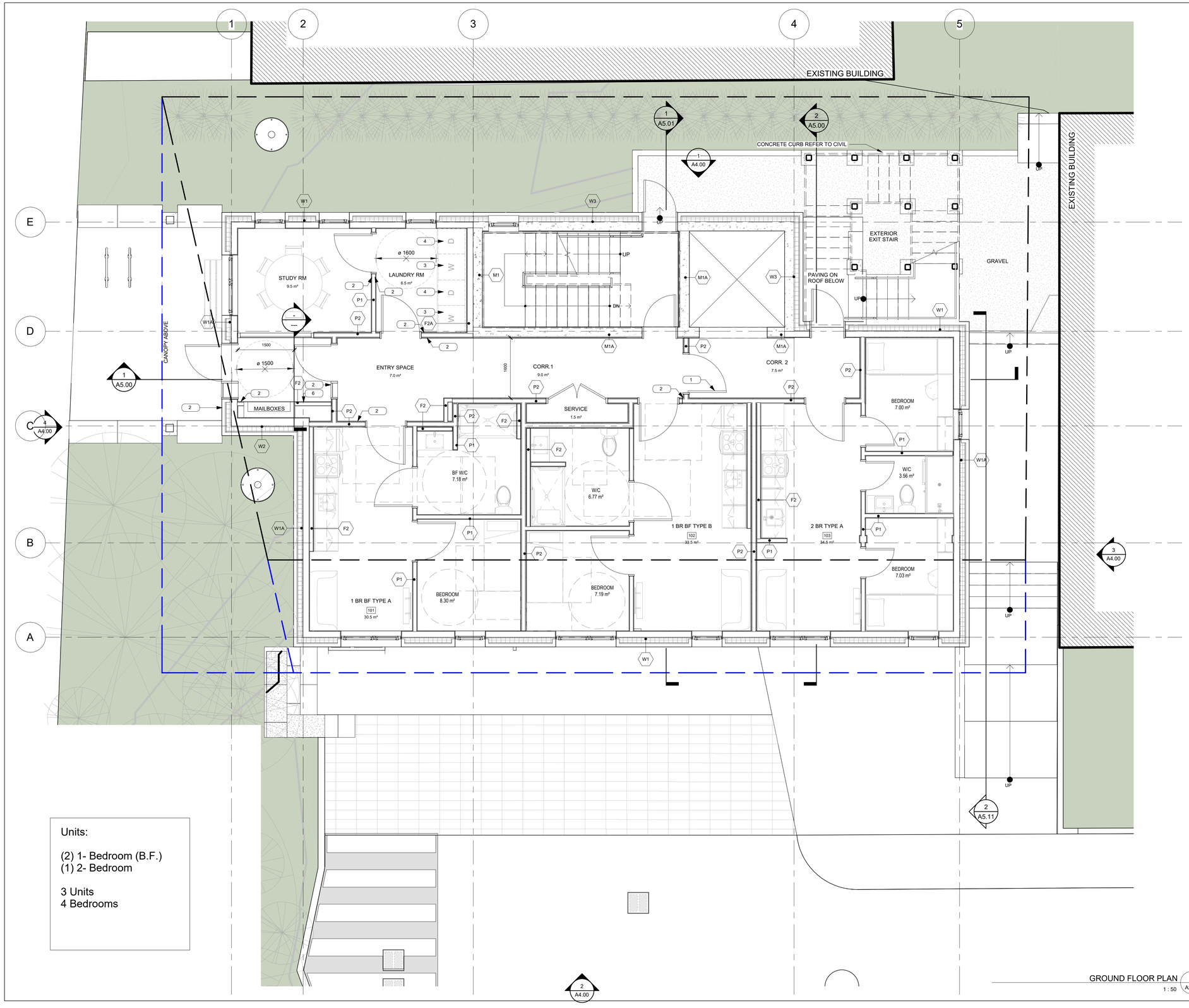
PROJECT ADDRESS:
95 DUNDURN ST S.
HAMILTON, ON L8P 4K1
PART OF LOTS 1 & 2 REGEISTERED PLAN 416 IN THE CITY OF HAMILTON

PROJECT NO.: 24025

DRAWING TITLE:
LOWER LEVEL PLAN
DA-25-032

DRAWN BY: AD
CHECKED BY: MB
DATE: 2024/07/29
SCALE: As indicated
DRAWING NO.: A2.00

PLOTTED: 08/07/25 10:12:27 AM
File Name: Revit Project - Permit Revised.rvt



Units:

(2) 1- Bedroom (B.F.)
(1) 2- Bedroom

3 Units
4 Bedrooms

GENERAL NOTES:

1. FIRE RATED WALLS ASSEMBLIES ARE TO BE CONSTRUCTED AS CONTINUOUS FIRE SEPARATIONS AND TO BE TERMINATED AT INTERSECTION WITH ANOTHER FIRE SEPARATION OR A RATED MATERIAL. ALL PENETRATIONS TO BE SEALED W/FIRE STOP SEALANT AS REQUIRED.

2. REFER TO LIFE SAFETY DRAWING FOR LOCATION OF FIRE SEPARATIONS. ALL OPENINGS WITHIN A RATED ASSEMBLY ARE TO BE RATED OR PROTECTED OPENINGS.

3. FOR NON-BARRIER FREE UNITS, REFER TO DETAIL 4/A311 FOR STUD WALL REINFORCEMENT DETAILS REQUIRED BY OBC 3.3.4.9.

4. REFER TO STRUCTURAL FOUNDATION DRAWINGS FOR ALL FOUNDATION, PIER & FOOTING SIZING AND ELEVATIONS.

PLAN NOTES

1. DOOR ON HOLD-OPEN DEVICE
2. POWER DOOR OPERATOR
3. WASHER
4. DRYER
5. WOOD-FRAMED CANOPY WITH POLYCARBONATE ROOF BELOW
6. FIRE ANNUNCIATOR PANEL (REFER TO ELEC.)
7. FIRE ALARM PANEL (REFER TO ELEC.)

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REV.	DESCRIPTION	DATE MMM/DD/YY
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3	ISSUED FOR REVISED ZONING COMP.	2025/02/18
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PROJECT NORTH
TRUE NORTH

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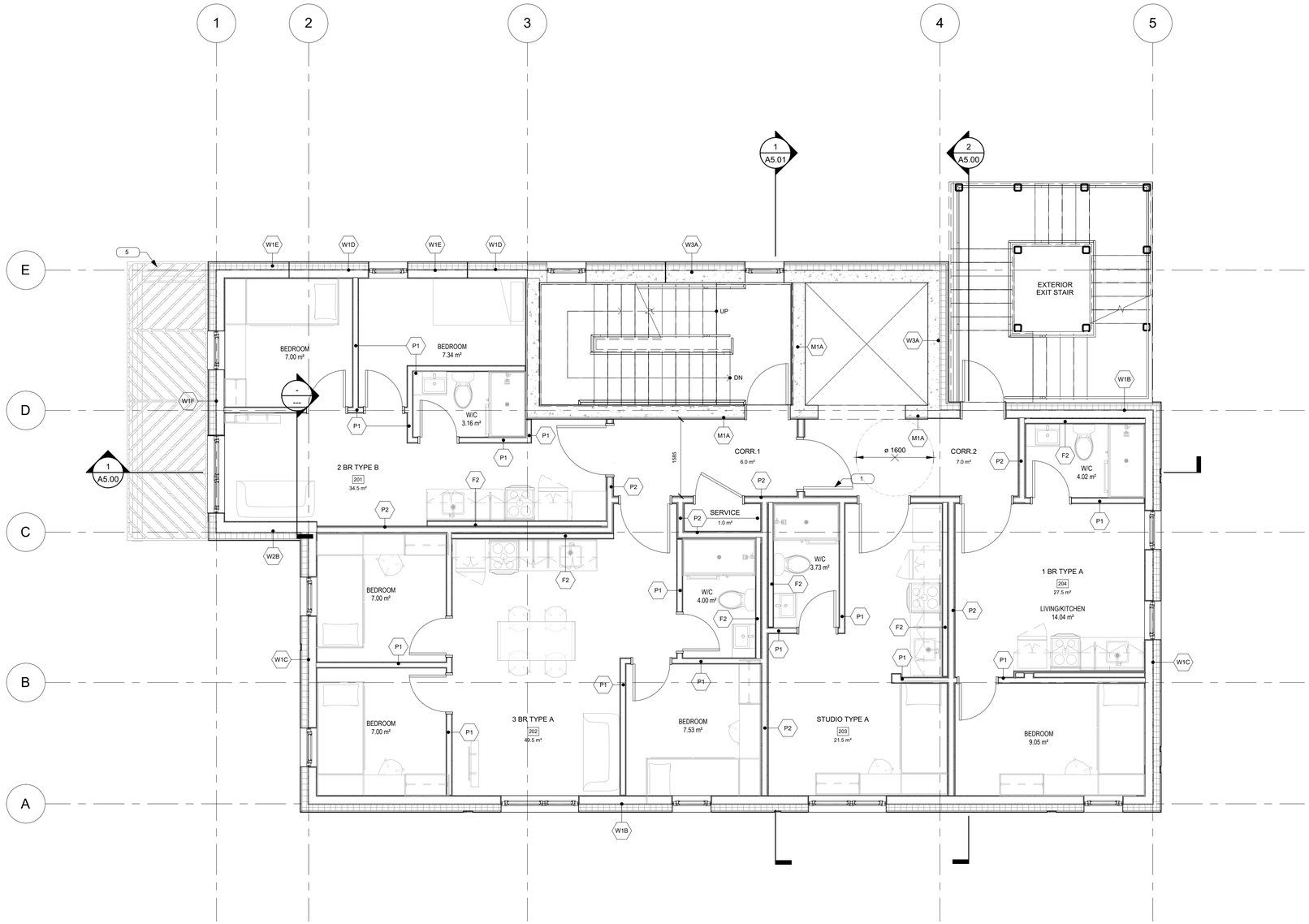
PROJECT ADDRESS:
95 DUNDURN ST S.
HAMILTON, ON L8P 4K1
PART OF LOTS 1 & 2 REGEISTERED PLAN 416 IN THE CITY OF HAMILTON

PROJECT NO.: 24025

DRAWING TITLE:
GROUND FLOOR PLAN
DA-25-032

DRAWN BY: AD
CHECKED BY: MB
DATE: 2024/07/29
SCALE: As indicated
DRAWING NO.: A2.01

PLOTTED: 09/07/25 10:12:30 AM
Committee Report Revised Drawings Part of Report PED25214



Units:

(1) Studio
(1) 1- Bedroom
(1) 2- Bedroom
(1) 3- Bedroom

4 Units
7 Bedrooms

LEVEL 2 FLOOR PLAN 1 / A2.02
1 : 50

GENERAL NOTES:

1. FIRE RATED WALLS ASSEMBLIES ARE TO BE CONSTRUCTED AS CONTINUOUS FIRE SEPARATIONS AND TO BE TERMINATED AT INTERSECTION WITH ANOTHER FIRE SEPARATION OR A RATED MATERIAL. ALL PENETRATIONS TO BE SEALED W/FIRE STOP SEALANT AS REQUIRED.

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PLAN NOTES

1. DOOR ON HOLD-OPEN DEVICE
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6. FIRE ANNUNCIATOR PANEL (REFER TO ELEC.)
7. FIRE ALARM PANEL (REFER TO ELEC.)

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REV.	DESCRIPTION	DATE MMM/DD/YY
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PROJECT NORTH
TRUE NORTH

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PROJECT NAME:
SACAJAWEA DUNDURN SOUTH LEARNERS' HOUSING

PROJECT ADDRESS:
95 DUNDURN ST S.
HAMILTON, ON L8P 4K1
PART OF LOTS 1 & 2 REGEISTERED PLAN 416 IN THE CITY OF HAMILTON

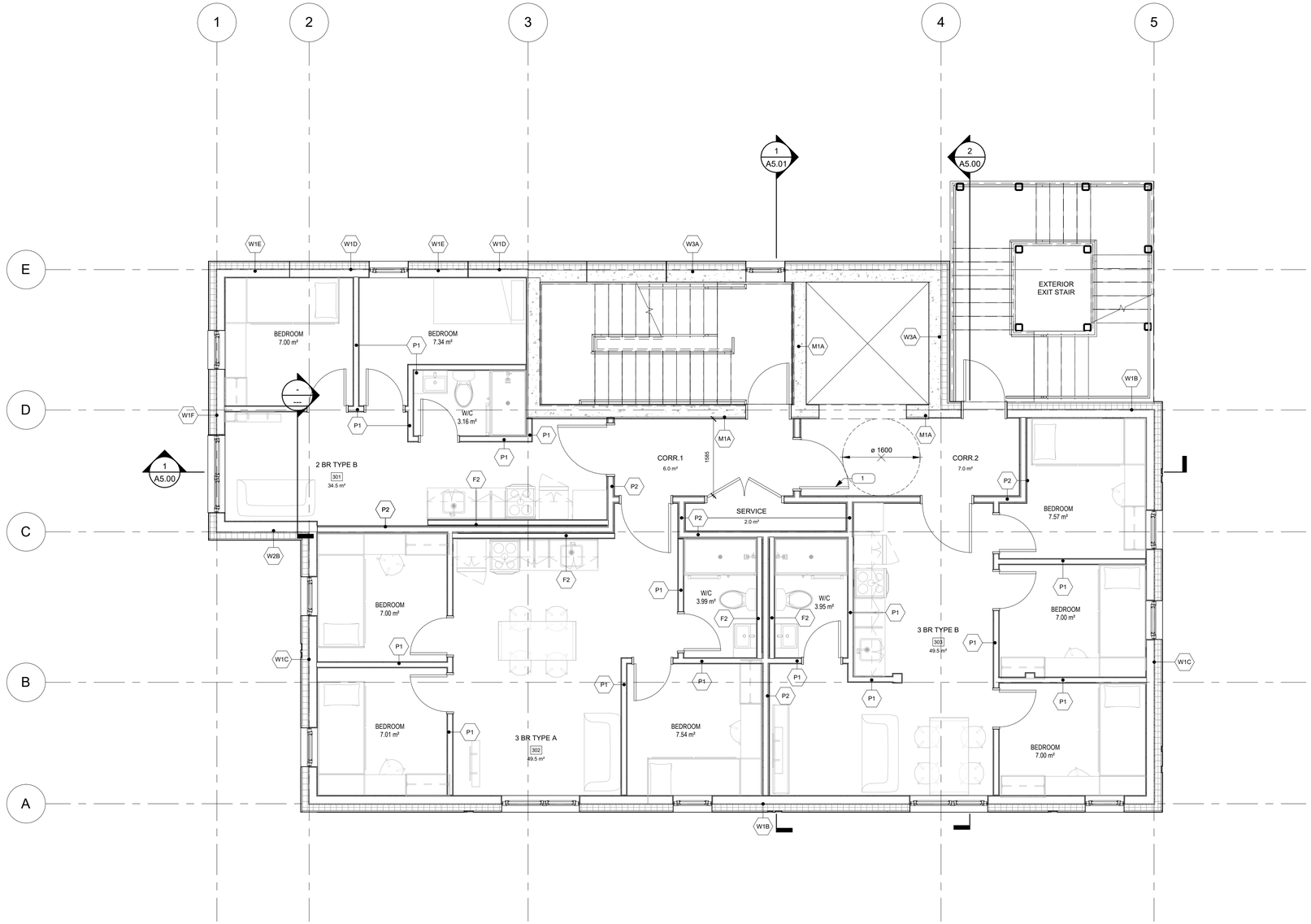
PROJECT NO.: 24025

DRAWING TITLE:
LEVEL 2 FLOOR PLAN
DA-25-032

DRAWN BY: AD
CHECKED BY: MB
DATE: 2024/07/29
SCALE: As indicated

DRAWING NO.:
A2.02

PLOTTED: 08/07/25 10:12:33 AM
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Units:

(1) 2- Bedroom
(2) 3- Bedroom

3 Units
8 Bedrooms

LEVEL 3 & 4 FLOOR PLAN
1 : 50
1
A2.03

GENERAL NOTES:

1. FIRE RATED WALLS ASSEMBLIES ARE TO BE CONSTRUCTED AS CONTINUOUS FIRE SEPARATIONS AND TO BE TERMINATED AT INTERSECTION WITH ANOTHER FIRE SEPARATION OR A RATED MATERIAL. ALL PENETRATIONS TO BE SEALED W/FIRE STOP SEALANT AS REQUIRED.

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PLAN NOTES

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3. WASHER

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7. FIRE ALARM PANEL (REFER TO ELEC.)

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PROJECT NORTH
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PROJECT ADDRESS:
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HAMILTON, ON L8P 4K1
PART OF LOTS 1 & 2 REGEISTERED PLAN 416 IN THE CITY OF HAMILTON

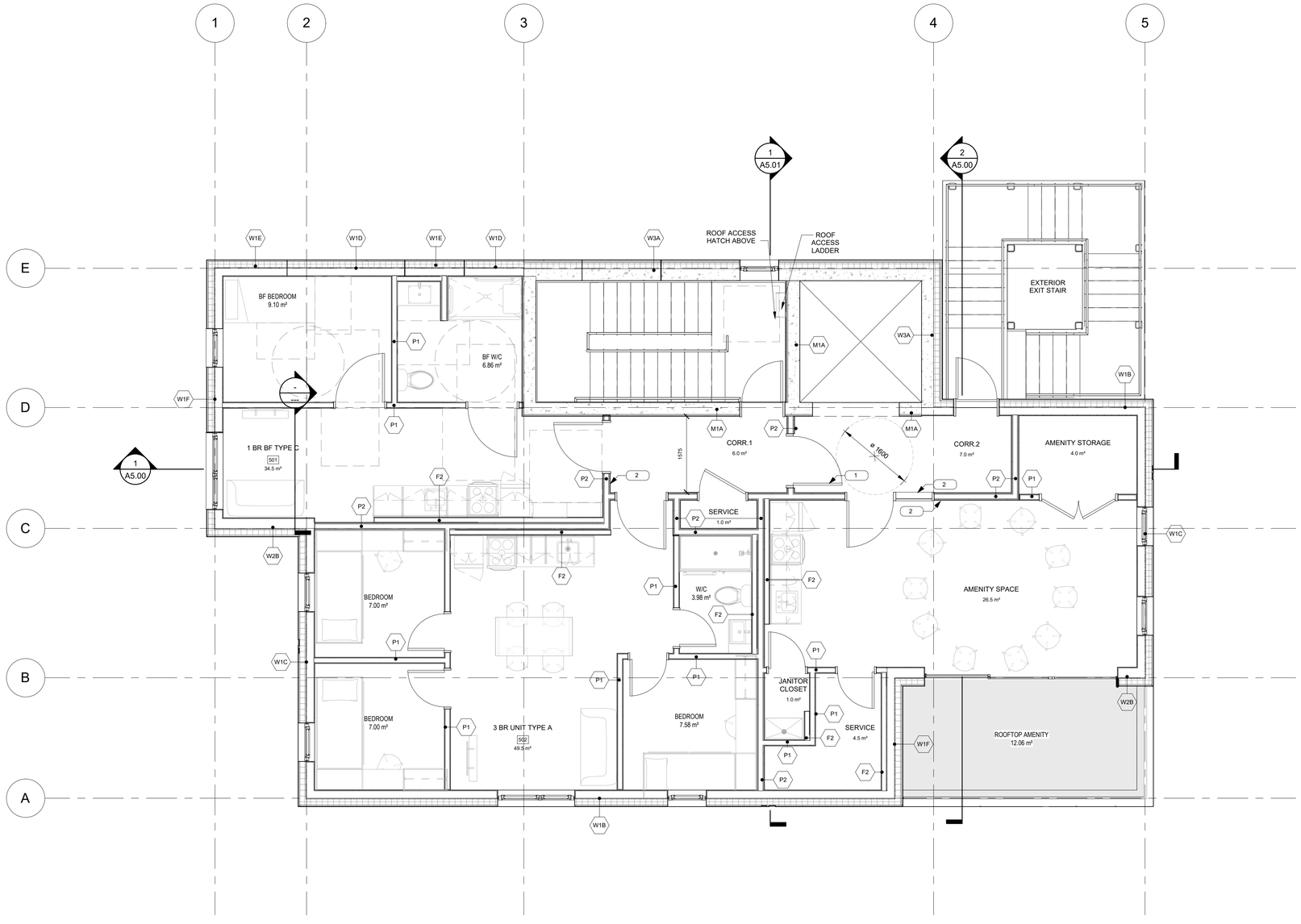
PROJECT NO.: 24025

DRAWING TITLE:
LEVEL 3 - 4 FLOOR PLAN
DA-25-032

DRAWN BY: AD
CHECKED BY: MB
DATE: 2024/07/29
SCALE: As indicated

DRAWING NO.:
A2.03

PLOTTED: 08/07/25 10:12:35 AM
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Units:

(1) 1- Bedroom (B.F.)
(1) 3- Bedroom

2 Units
4 Bedrooms

LEVEL 5 FLOOR PLAN (1 / A2.04)
1 : 50

GENERAL NOTES:

1. FIRE RATED WALLS ASSEMBLIES ARE TO BE CONSTRUCTED AS CONTINUOUS FIRE SEPARATIONS AND TO BE TERMINATED AT INTERSECTION WITH ANOTHER FIRE SEPARATION OR A RATED MATERIAL. ALL PENETRATIONS TO BE SEALED W/FIRE STOP SEALANT AS REQUIRED.

2. REFER TO LIFE SAFETY DRAWING FOR LOCATION OF FIRE SEPARATIONS. ALL OPENINGS WITHIN A RATED ASSEMBLY ARE TO BE RATED OR PROTECTED OPENINGS.

3. FOR NON-BARRIER FREE UNITS, REFER TO DETAIL 4/A311 FOR STUD WALL REINFORCEMENT DETAILS REQUIRED BY OBC 3.3.4.9.

4. REFER TO STRUCTURAL FOUNDATION DRAWINGS FOR ALL FOUNDATION, PIER & FOOTING SIZING AND ELEVATIONS.

PLAN NOTES

1. DOOR ON HOLD-OPEN DEVICE
2. POWER DOOR OPERATOR
3. WASHER
4. DRYER
5. WOOD-FRAMED CANOPY WITH POLYCARBONATE ROOF BELOW
6. FIRE ANNUNCIATOR PANEL (REFER TO ELEC.)
7. FIRE ALARM PANEL (REFER TO ELEC.)

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185 YOUNG STREET,
HAMILTON, ON L8N 1V9
T: 905 525 9000 | invizij.ca

REV.	DESCRIPTION	DATE MMM/DD/YY
8	ISSUED FOR MINOR VAR.	2025/07/09
7	ISSUED FOR CLASS B COSTING	2025/05/21
6	ISSUED FOR SPA-1 R1	2025/05/15
5	ISSED FOR SPA-1	2025/05/08
4	ISSUED FOR SPA PRE-ASSESSMENT	2025/02/19
3	ISSUED FOR REVISED ZONING COMP.	2025/02/18
2	ISSUED FOR CLASS C COSTING	25/01/28

PROJECT NORTH
TRUE NORTH

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PROJECT NAME:
SACAJAWEA DUNDURN SOUTH LEARNERS' HOUSING

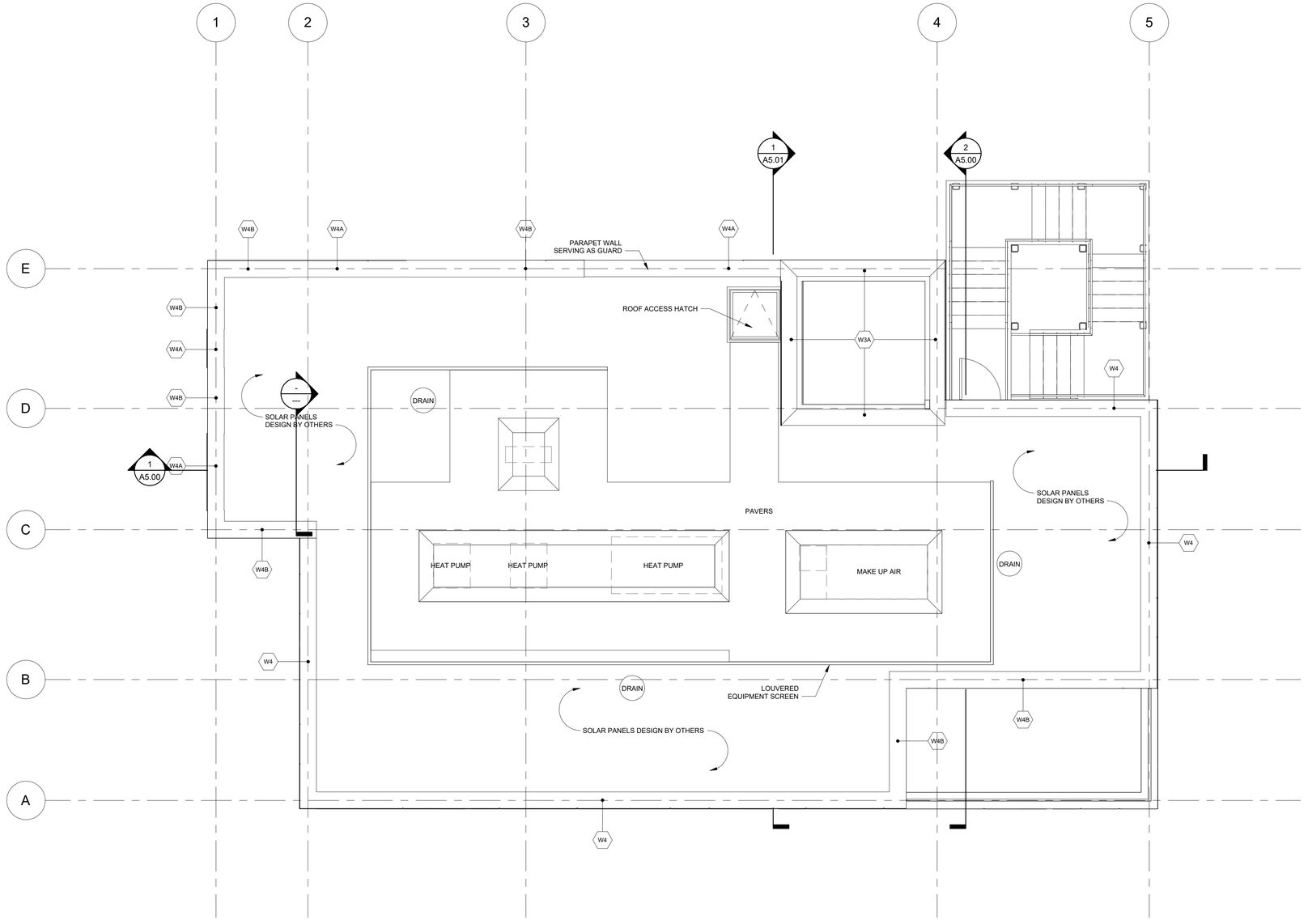
PROJECT ADDRESS:
95 DUNDURN ST S.
HAMILTON, ON L8P 4K1
PART OF LOTS 1 & 2 REGEISTERED PLAN 416 IN THE CITY OF HAMILTON

PROJECT NO.: 24025

DRAWING TITLE:
LEVELS 5 FLOOR PLAN
DA-25-032

DRAWN BY: AD
CHECKED BY: MB
DATE: 2024/07/29
SCALE: As indicated
DRAWING NO.: A2.04

PLOTTED: 08/07/25 10:12:37 AM
Printed on Bond White - Fixed Plotting Size (24"x36")



ROOF PLAN 1 / A2.05
1 : 50

GENERAL NOTES:

1. FIRE RATED WALLS ASSEMBLIES ARE TO BE CONSTRUCTED AS CONTINUOUS FIRE SEPARATIONS AND TO BE TERMINATED AT INTERSECTION WITH ANOTHER FIRE SEPARATION OR A RATED MATERIAL. ALL PENETRATIONS TO BE SEALED W/FIRE STOP SEALANT AS REQUIRED.

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PLAN NOTES

1. DOOR ON HOLD-OPEN DEVICE

2. POWER DOOR OPERATOR

3. WASHER

4. DRYER

5. WOOD-FRAMED CANOPY WITH POLYCARBONATE ROOF BELOW

6. FIRE ANNUNCIATOR PANEL (REFER TO ELEC.)

7. FIRE ALARM PANEL (REFER TO ELEC.)

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REV.	DESCRIPTION	DATE MMM/DD/YY
7	ISSUED FOR MINOR VAR.	2025/07/09
6	ISSUED FOR CLASS B COSTING	2025/05/21
5	ISSED FOR SPA-1	2025/05/08
4	ISSUED FOR SPA PRE-ASSESSMENT	2025/02/19
3	ISSUED FOR REVISED ZONING COMP.	2025/02/18
2	ISSUED FOR CLASS C COSTING	25/01/28
1	ISSUED FOR ZONING COMP.	24/12/09

PROJECT NORTH
TRUE NORTH

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PROJECT NAME:
SACAJAWEA DUNDURN SOUTH LEARNERS' HOUSING

PROJECT ADDRESS:
95 DUNDURN ST S.
HAMILTON, ON L8P 4K1
PART OF LOTS 1 & 2 REGEISTERED PLAN 416 IN THE CITY OF HAMILTON

PROJECT NO.: 24025

DRAWING TITLE:
ROOF PLAN
DA-25-032

DRAWN BY: SB/AD

CHECKED BY: MB

DATE: 2024/07/29

SCALE: As indicated

DRAWING NO.: A2.05

PLOTTED: 08/07/25 10:12:38 AM
P:\Projects\Projects\[24025] - Dundurn Redevelopment\CAD\



WEST ELEVATION 4
1 : 100 A4.00



SOUTH ELEVATION 2
1 : 100 A4.00



EAST ELEVATION 3
1 : 100 A4.00



NORTH ELEVATION 1
1 : 100 A4.00

EXTERIOR FINISH LEGEND

EL-01	FIBRE CEMENT PANEL
EL-01A	FIBRE CEMENT PANEL (WOOD LOOK)
EL-02	WOOD PANEL
EL-03	BRICK
EL-04	CONCRETE

PLAN NOTES

1. Exterior Fire Shutter or Rated Hollow Metal Framed Window Installed in Interior

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HAMILTON, ON L8N 1V9
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REV.	DESCRIPTION	DATE MMM/DD/YY
7	ISSUED FOR MINOR VAR.	2025/07/09
6	ISSUED FOR CLASS B COSTING	2025/05/21
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3	ISSUED FOR REVISED ZONING COMP.	2025/02/18
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PROJECT NAME:
SACAJAWEA DUNDURN SOUTH LEARNERS' HOUSING

PROJECT ADDRESS:
95 DUNDURN ST S.
HAMILTON, ON L8P 4K1
PART OF LOTS 1 & 2 REGEISTERED PLAN 416 IN THE CITY OF HAMILTON

PROJECT NO.: 24025

DRAWING TITLE:
BUILDING ELEVATIONS
DA-25-032

DRAWN BY: AD

CHECKED BY: MB

DATE: 2024/07/29

SCALE: 1 : 100

DRAWING NO.: A4.00

PLOTTED: 08/07/25 10:14:00 AM
File Name: P:\Projects\Sacajawea\Revit\Sacajawea_Central_R24.rvt



SOUTH EAST PERSPECTIVE 1 A10.00



FRONT NORTH WEST PERSPECTIVE 2 A10.00

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REV.	DESCRIPTION	DATE MMM/DD/YY
2	ISSUED FOR MINOR VAR.	2025/07/09
1	ISSED FOR SPA-1	2025/05/08

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PROJECT NAME:
SACAJAWEA DUNDURN SOUTH LEARNERS' HOUSING

PROJECT ADDRESS:
95 DUNDURN ST S.
HAMILTON, ON L8P 4K1

PROJECT NO.: 24025

DRAWING TITLE:
PERSPECTIVES
DA-25-032

DRAWN BY: AD

CHECKED BY: MB

DATE: 2024/11/01

SCALE:

DRAWING NO.:
A10.00

PLOTTED: 08/07/25 10:16:10 AM

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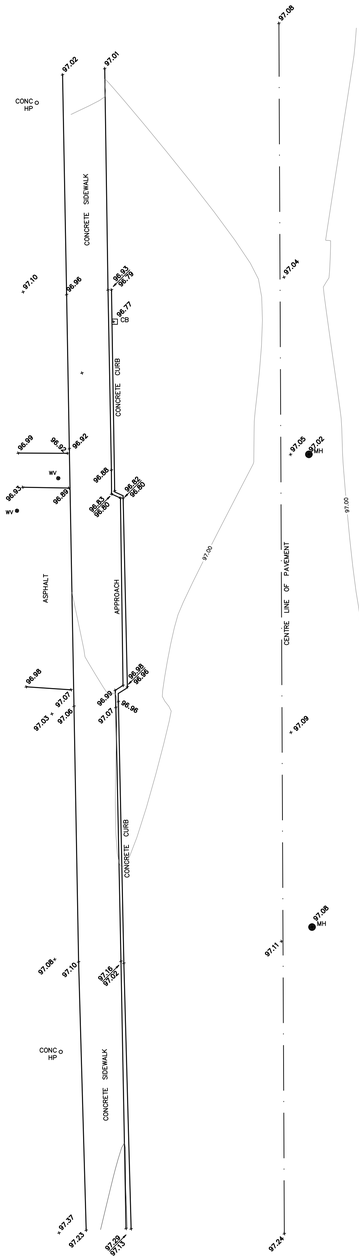
PLAN OF SURVEY
OF PART OF
LOTS 1 & 2
PLAN 416
IN THE
CITY OF HAMILTON

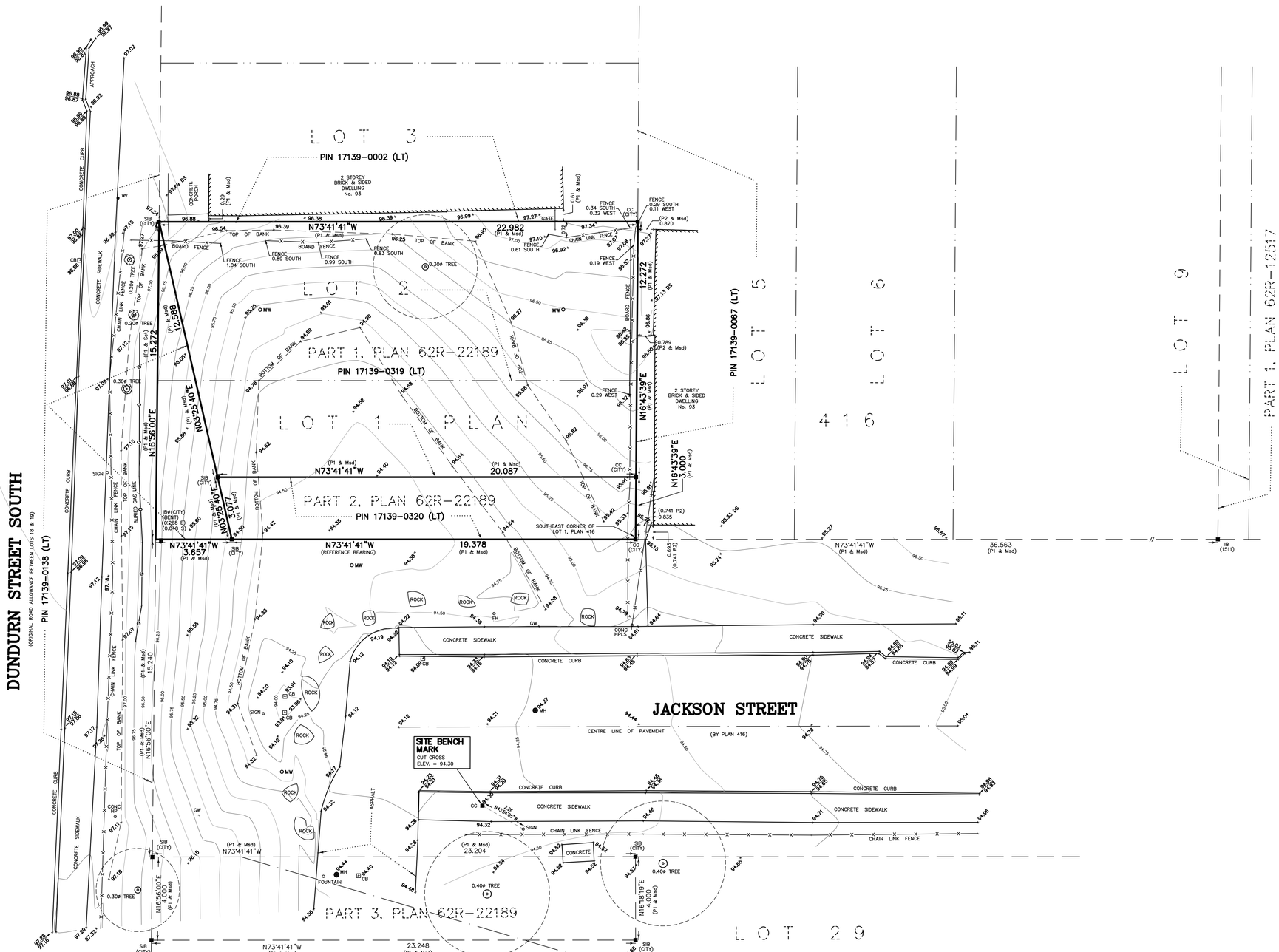
SCALE 1:100 METRIC

2 1 0 2 4 6 metres

R.A. McLAREN, O.L.S. – 2024







NOTE:

UNDERGROUND SERVICE AND UTILITY LOCATIONS MUST BE VERIFIED PRIOR TO CONSTRUCTION

INVERTS MUST BE VERIFIED PRIOR TO CONSTRUCTION

BENCHMARK:

MONUMENT 00119650645

CITY OF HAMILTON BENCH MARK, HOUSE NO. 173 DUNDURN STREET SOUTH, AT SOUTHEAST CORNER OF INTERSECTION OF HILL STREET, PLATE IN NORTH BRICK WALL AT WESTERLY CORNER.

ELEVATION: 100.143 metres CGVD–1928:1978

LEGEND:

□	DENOTES	MONUMENT SET
■		MONUMENT FOUND
CC	"	CUT CROSS
IB	"	IRON BAR
IBø	"	ROUND IRON BAR
PB	"	PLASTIC BAR
SIB	"	STANDARD IRON BAR
SSIB	"	SHORT STANDARD IRON BAR
824	"	A.T. McLAREN, O.L.S.
1511	"	O.V. CONSOUL O.L.S.
CITY	"	CITY OF HAMILTON
OU	"	ORIGIN UNKNOWN
Msd	"	MEASURED
P1	"	PLAN 62R–22189
P2	"	PLAN BY MACKAY MACKAY & PETERS DATED NOVEMBER 5, 1985
CB	"	CATCH BASIN
CONC	"	CONCRETE
FH	"	FIRE HYDRANT
G	"	BURIED GAS LINE
GW	"	GUY WIRE
HP	"	HYDRO POLE
HPLS	"	HYDRO POLE LIGHT STANDARD
MH	"	MANHOLE
MW	"	MONITORING WELL
ø	"	DIAMETER
//	"	NOT TO SCALE

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 GRID AND ARE REFERRED TO THE NORTHERLY LIMIT OF JACKSON STREET AS SHOWN ON PLAN 62R–22189 AS BEING N73°41'41"W

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 THE 26th DAY OF APRIL, 2024

DATE ROB A. McLAREN, O.L.S.

THIS PLAN OF SURVEY RELATES TO AOLS PLAN SUBMISSION FORM NUMBER 75104

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

Drawn	Checked	Drew Chief	Scale	Dwg.No.
JB	RBM	ZA	1:100	37712

July 15, 2025
Via Digital Submission

Committee of Adjustment
c/o Mr. Justin Leung
City of Hamilton
71 Main Street West, 5th Floor
Hamilton, ON L8P 4Y5

Dear Mr. Leung,

RE: Minor Variance Application
95 Dundurn Street South, Hamilton

Landwise has been retained by Sacajawea Non-Profit Housing Inc. ("Sacajawea") to submit the enclosed minor variance application on their behalf. The minor variance application if for lands municipally known as 95 Dundurn Street South ("subject lands"), Hamilton, to facilitate the final site plan approval (file no. DA-25-032).

Proposed Application

Minor variances are sought from Zoning By-law No. 05-200 to provide relief on a site-specific basis to facilitate the proposed 5-storey multiple dwelling on the subject lands. The development proposes 15 units of affordable student rental units through conditionally approved site plan application DA-25-032. Refer to the Planning Rationale for additional details and analysis in support of the requested variances.

Submission

Landwise respectfully requests the circulation of this letter along with the enclosed documents to all relevant departments. Please find the enclosed electronic documents:

- Minor Variance application with signatures;
- Copy of the cheque in the amount of $4,015.00 made payable to the City of Hamilton, to satisfy the Minor Variance application fee (please note the cheque was delivered to City Hall July 8, 2025);
- Site Plan, Floor Plans, Vehicle Maneuvering and Building Elevations; and,
- Planning Rationale.

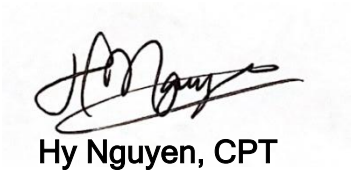
310 Limeridge Road West. Suite 6
Hamilton, ON L9C 2V2
www.landwise.ca

Should you have any questions or require additional information, please do not hesitate to contact Katelyn Gillis at (905) 574-1993 ext. 207 or katelyn.gillis@landwise.ca.

Respectfully Submitted,
Landwise



Katelyn Gillis, BA
Senior Planner



Hy Nguyen, CPT
Planning Technician

Cc: Sacajawea Non-Profit Housing Inc. c/o Miranda Rappazzo
Flourish Development Consulting c/o Emily Cassidy
Invizij Architects Inc. c/o Meaghan Burke

310 Limeridge Road West. Suite 6
Hamilton, ON L9C 2V2
www.landwise.ca

Landwise has been retained by Sacajawea Non-Profit Housing Inc. ("Sacajawea"), the owner of 95 Dundurn Street South, Hamilton ("subject lands"), to prepare this Planning Rationale in support of the Minor Variance application for the subject lands. The requested variances are required to facilitate the final approval of Site Plan Control application DA-25-032.

Description of Subject Lands

Sacajawea purchased the subject lands from the City of Hamilton for the purposes of developing affordable housing.

The subject lands are an irregularly shaped corner lot, with a lot area of approximately 351 square metres, and frontage of 15.27 metres along Dundurn Street South and 23.04 metres along Jackson Street West. Although the property has frontage on both Dundurn Street South and Jackson Street West, the two streets do not intersect as there is a significant elevation difference. As a result, Jackson Street West terminates at the subject lands.

The subject lands are currently vacant. The existing site grading includes a steep slope from the northeast corner and Dundurn Street South frontage, with the low point culminating in the centre of the property and along the Jackson Street West frontage.

Planning Status

The *Urban Hamilton Official Plan* ("UHOP") Volume 1 designates the subject lands "Mixed Use – Medium Density," in which multiple dwellings are permitted.

The Strathcona Secondary Plan in Volume 2 of the UHOP designates the subject lands "Mixed Use – Medium Density" within a "Neighbourhood Node" (Map B.6.6-1). This designation permits higher residential densities and mixed-use development.

The *City of Hamilton Zoning By-law 05-200* zones the subject lands "Mixed Use Medium Density (C5, Exception 590) Zone." Multiple dwellings are permitted in the C5 Zone.

Proposed Development

The proposed development is for a multiple dwelling with 15 units of affordable rental units for Indigenous-identifying students attending post-secondary institutions in Hamilton including Mohawk College and McMaster University. The proposed development will be owned and operated by Sacajawea. Due to the street elevation differences, the building appears as 5 storeys from Dundurn Street South and 6 storeys from Jackson Street West. The development will be supported by 3 visitor parking spaces, including 1 accessible space, in a carport accessed from Jackson Street West. Two (2) short term bicycle parking spaces are proposed near the principal building entrance within the Dundurn Street South

right-of-way, and 10 long term bicycle parking spaces are provided in a secured room on the building's lower level. Common amenities will be provided via a rooftop balcony, and indoor common amenity spaces on the ground and 5th levels. Jackson Park provides opportunity for outdoor amenity across the Jackson Street West.

The proposed development is subject to Site Plan Control and was Conditionally Approved May 30th, 2025 (file no. DA-25-032). Additionally, a zoning review was completed as part of the Site Plan submission by the City's Zoning and Planning Development staff May 23rd, 2025, which has informed the Minor Variance Application.

Public Consultation

Although not a requirement for the Site Plan Approval or Minor Variance processes, a neighbourhood open house was proactively organized to inform residents about the proposed development. Invitations were distributed to surrounding neighbours within a 120-metre radius of the subject lands. The open house took place on May 5th, 2025, from 5:30 to 7:30pm at The First Unitarian Church of Hamilton (170 Dundurn St S, Hamilton) arranged as a drop-in meeting with the site plan, elevations and building renderings displayed and included information pamphlet hand-outs. A total of 16 people attended, in addition to the landowners, project consultants, City of Hamilton planning staff and the Ward Councillor. Comment sheets and Landwise's contact information were offered to attendees for comments or questions.

Table 1 summarizes the public comments received to date regarding the proposed development and provides responses to each.

Table 1: *Public comments and responses summary.*

PARKING	
Specific Concerns: • Insufficient number of parking spaces proposed. • Overcrowding of on-street parking especially on Jackson Street West.	Response: • The proposed parking rates comply with the in-effect parking rates of Zoning By-law No. 05-200 for this area of the City of Hamilton. • Dedicated on-site visitor parking will be available to all tenants. • Jackson Street is subject to permit parking only. Therefore, only permit holding residents may park on Jackson Street. W. • The subject lands are in proximity of several bus routes and active transportation routes, offering alternative transportation modes.

In addition to the concerns discussed above, most attendees expressed support and anticipation for the proposed affordable housing project overall.

Nature and extent of relief applied for:

Six (6) Minor Variances are being sought from Zoning By-law No. 05-200 to facilitate the proposed affordable rental development by Sacajawea. For the purposes of this application, the lot line abutting Dundurn Street South has been deemed the front lot line. The requested Minor Variances are as follows:

	Zoning By-law 05-200	Purpose
1	10.5.3 a) i)	To allow a minimum setback of 0.6 metres from a street line for a building with residential units on the ground floor facing a street, whereas 3.0 metres is required.
2	10.5.3 (b) i)	To allow a minimum rear yard of 1.5 metres, whereas 7.5 metres is required.
3	4.6 d)	To allow a canopy to encroach into the required yard to a maximum 1.6 metres, whereas a maximum of 1.5 metres or a maximum of half the distance of the required yard, whichever is the lesser, is required.
4	5.2.3 a)	To allow a minimum drive aisle width of 0.6 metres for a parking degree angle of 90°, whereas 6.0 metres is required.
5	5.3.1 a) i) and ii)	To permit a parking space to be located a minimum of 0.6 metres of a street line and that no Planting Strip is required between the street line and parking spaces, whereas a minimum of 3.0 metres is required from the parking spaces and the street line and a 3.0 metre Planting Strip is required between the street line and parking spaces or aisles.
6	5.7.5 a) i)	To allow 0 total short-term bicycle parking spaces, whereas 0.1 spaces per unit (2 spaces total) are required for a Multiple Dwelling in Parking Rate Area (PRA) 1.

Planning Rationale to Support the Variances

Overall Conformity to the Urban Hamilton Official Plan

The *Urban Hamilton Official Plan* designates the subject lands “Mixed Use – Medium Density.” The “Mixed Use - Medium Density” designation permits a range of densities and building heights to a maximum of six (6) storeys. The envisioned built form is primarily

mid-rise and low-rise mixed use with commercial and retail at grade in single or mixed-use buildings. The portion of Dundurn Street South on which the subject lands are located is not identified as a pedestrian focus street in the UHOP, and as such multiple dwellings are permitted in standalone buildings.

Residential intensification is encouraged throughout the City's built-up area. New development is intended to provide compact built form, with building design that is comfortable and vibrant to activate a strong pedestrian scale. This is accomplished with buildings that are located close to the street, promotion of multi-modal transportation methods, and building heights and densities that are sensitive to the adjacent neighbourhoods while recognizing the urban streetscape is evolving. The proposed development promotes residential intensification through a compact built form with a 5-storey as-of-right building height, on vacant, underutilized lands.

Overall, the proposed development and variances meet the intent of the UHOP to provide residential intensification in a multiple storey compact form and to provide affordable housing within the "Mixed Use – Medium Density" designation.

VARIANCE 1. To allow a minimum setback of 0.6 metres from a street line for a building with residential units on the ground floor facing a street, whereas 3.0 metres is required.

Why is it not possible to comply with the provision of the by-law?

The subject lands have a challenging, sloping topology. For construction purposes, the building has been pulled southerly towards the Jackson St. W. right-of-way (ROW) to ensure the existing dwelling at 93 Dundurn St. S. is not adversely impacted and encroachment of shoring is not required.

Planning Rationale to Support the Variance:

1. Conformity to the intent of the Zoning By-law

Street line setbacks from residential units are intended to provide privacy for ground floor units. The units facing Jackson Street West are on the "ground floor" adjacent to Dundurn Street South and therefore, are elevated from the Jackson Street West elevation, maintaining the intent of the By-law. A portion of the ground floor of Dundurn St. S. is setback 1.59 metres however, the residential unit facing Dundurn Street South exceeds the minimum setback at 3.48 metres. Further, no ground floor residential windows face Dundurn St. S. and a robust landscape scheme will soften the façade for a strong urban design. The intent of the zoning by-law is maintained.

2. Is the variance minor?

The variance is minor as it will not have an adverse impact on the privacy of the future resident.

3. Is the variance desirable for the development of the property?

The variance is desirable as it will allow for the efficient development of a corner lot and allows for an active frontage and improved pedestrian experience along Jackson Street West, while providing sufficient separation between the residential unit and the public realm.

VARIANCE 2. To allow a minimum rear yard of 1.5 metres, whereas 7.5 metres is required.

Why is it not possible to comply with the provision of the by-law?

The site characteristics, particularly width and depth, inform the built form. As the subject lands are a corner lot, a traditional rear yard function is challenging to provide as it would result in a large gap along the streetscape of Jackson St. W. As such, the "rear yard" is treated more as a "side yard" to continue the existing rhythm of the street.

Planning Rationale to Support the Variance:

4. Conformity to the intent of the Zoning By-law

Rear yard setbacks are intended to provide amenity space and a transition of built form between properties. The subject lands' rear lot line abuts the side yard of a duplex dwelling fronting Jackson St. W. which is zoned "Mixed Use Medium Density (C5) Zone" and may be subject to future intensification. However, the proposed development is compatible with the existing built form of Jackson St. W. as the proposed 1.5 metre setback does not result in adverse impacts such as shadowing and overlook. There are minimal east-facing windows, which align with the existing dwellings and their rooflines. As such, privacy into private amenity areas is protected. As demonstrated on the sun-shadow study, no adverse shadow impacts will result. A screen at the 5th storey outdoor amenity area is proposed to further protect for privacy. Therefore, the reduced rear yard setback maintains the intent of the Zoning By-law.

5. Is the variance minor?

The variance is minor as adverse impacts from a reduced rear yard are mitigated such as overlook and shadowing while facilitating a continuous streetscape along Jackson St. W. The building's block form is guided by Passive Housing principles and incorporates various techniques to minimize adverse impacts to abutting properties and break up the building massing, including use of different colours and materials in the façade design, exterior exit stair placement, robust landscaping, and limiting the number of windows on the east elevation. Therefore, the variance is minor in nature.

6. Is the variance desirable for the development of the property?

The variance is desirable as it will facilitate appropriate residential intensification while mitigating adverse impacts to the established neighbourhood.

VARIANCE 3. To allow a canopy to encroach into the required yard to a maximum 1.6 metres, whereas a maximum of 1.5 metres or a maximum of half the distance of the required yard, whichever is the lesser, is required.

Why is it not possible to comply with the provision of the by-law?

The proposed building's architectural design provides for articulation by offsetting a portion of the building forwards towards Dundurn St. S. and pulling that same portion away from the side yard of the low density residential dwelling to the east. In result, the projected portion of the building provides the principal entrance where the canopy is proposed for weather protection and animation.

Planning Rationale to Support the Variance:

1. Conformity to the intent of the Zoning By-law

The intent of a maximum canopy projection is to protect the public realm while providing a consistent streetscape. As described, a portion of the building is projected forwards to add articulation to the built form. The proposed canopy will contribute to that articulation along Dundurn St. S. while providing wayfinding to the principal entrance and weather protection. The proposed canopy is adjacent to a large boulevard prior to the public sidewalk. As such, the public realm will be protected while benefitting from an activated façade. The proposed variance maintains the intent of the zoning by-law.

Is the variance minor?

The requested variance is minor as it will not adversely impact the public realm and will contribute to a positive streetscape.

2. Is the variance desirable for the development of the property?

The variance is desirable as it will provide for a strong streetscape while providing weather protection for the principal entrance without adversely impacting the public realm.

VARIANCE 4. To allow a minimum drive aisle width of 0.6 metres for a parking degree angle of 90°, whereas 6.0 metres is required.

VARIANCE 5. To permit a parking space to be located a minimum of 0.6 metres of a street line and that no Planting Strip is required between the street line and parking spaces, whereas a minimum of 3.0 metres is required from the parking spaces and the street line and a 3.0 metre wide Planting Strip is required between the street line and parking spaces or aisles.

Why is it not possible to comply with the provision of the by-law?

A total of three (3) parking spaces are proposed to support the development, meeting the parking requirements of Zoning By-law 05-200. The building was pulled southerly to avoid conflicts with the topography and adjacent dwelling at 93 Dundurn St. S. through construction. In result, a separate drive aisle and/or planting strip was not able to be provided.

Planning Rationale to Support the Variance:

1. Conformity to the intent of the Zoning By-law

The intent of the Zoning By-law in requiring a minimum drive aisle of 6.0 metres is to provide adequate space for vehicle maneuvering on-site and maintain road safety. A planting strip provides screening for larger parking areas from the public realm. Parking is proposed as an open air garage internal to the building, accessed via a permeable paver driveway from Jackson Street West. Given that the vehicle access is proposed from Jackson Street West and that the street terminates at the subject lands, vehicle maneuvering space can be provided within the Jackson Street West right-of-way with limited impacts to the roadway and therefore maintaining road safety. The Architectural Drawings package prepared by Invizij (July 9, 2025) includes Vehicle Turning Plans (Drawing A1.02 and A1.03) demonstrating that vehicles entering and exiting the property can be supported. The proposed variance maintains the intent of the zoning by-law.

2. Is the variance minor?

The requested variance is minor in nature, as it will have limited impacts on the safety and function of the existing road while ensuring adequate vehicle maneuvering space. The streetscape of Jackson St. W. will be improved with pavers, pedestrian connections and a new building.

3. Is the variance desirable for the development of the property?

The variance is desirable as it allows for a functional building design with an appropriate design that maintains safety and functionality of the development and existing road.

VARIANCE 6. To allow 0 total short-term bicycle parking spaces, whereas 0.1 spaces per unit (2 spaces total) are required for a Multiple Dwelling in Parking Rate Area (PRA) 1.

Why is it not possible to comply with the provision of the by-law?

Given the lot size and that the building is pulled to the street lot lines to provide buffering to the adjacent low-density residential uses to the north and east, the short-term bicycle parking spaces are proposed off-site within the Dundurn Street South right-of-way.

Planning Rationale to Support the Variance:

1. Conformity to the intent of the Zoning By-law

The intent of the short-term bicycle parking spaces provision is to promote sustainable, active transportation options, reduce reliance on cars, and ensure adequate facilities for residents and staff who may rely on cycling. In this case, the two (2) bicycle stalls are proposed off-property but near the principal building entrance for convenient access to the bicycle lanes on Dundurn Street South. An Encroachment Agreement will be entered between the landowners and City's Corridor Management secured through the Site Plan Control approval. As such, the variance maintains the overall intent of the By-law by offering sustainable and active transportation options.

2. Is the variance minor?

The requested reduction from 2 to 0 short-term bicycle parking spaces is minor in nature because 2 are proposed within the public right-of-way in proximity to the principal building entrance on Dundurn Street South. The appropriate agreements will take place with the City through the Site Plan Control process to facilitate the bicycle stalls for the building tenants, staff, and visitors. Accordingly, the proposed variance does not compromise the intent of the By-law or the broader transportation objectives of the municipality.

3. Is the variance desirable for the development of the property?

The variance is desirable for the development of the property as it allows for the efficient and appropriate use of space, ensuring that the building is usable. The development remains transit-accessible, provides vehicular parking, and includes bicycle parking facilities appropriate for tenants, staff and visitors. By optimizing the use of space, the variance contributes to the overall functionality and success of the development while maintaining the objectives of the Zoning By-law.

Conclusion

The requested variances will help to facilitate residential intensification for non-profit affordable housing by making efficient use of a vacant, topographically challenging property along a minor arterial within Hamilton's urban boundary that benefits from being within a complete community with a high-degree of access to a robust multi-modal

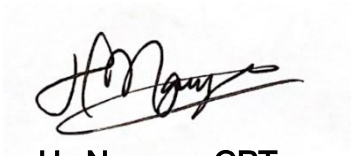
transportation system including transit. The variances maintain the intent of the UHOP and Zoning By-law No. 05-200, are minor in nature, and are desirable. The requested variances are appropriate for the subject lands and represent good land use planning.

Respectfully Submitted,

Landwise



Katelyn Gillis, BA
Senior Planner



Hy Nguyen, CPT
Planning Technician

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	MAILING ADDRESS
Registered Owners(s)	1. Sacajawea Non-Profit Housing Inc. 2. City of Hamilton	[redacted]
Applicant(s)	Sacajawea Non-Profit Housing Inc.	
Agent or Solicitor	Landwise c/o Katelyn Gillis	

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	95 Dundurn Street South, Hamilton		
Assessment Roll Number			
Former Municipality	City of Hamilton		
Lot	Part of Lots 1 & 2	Concession	
Registered Plan Number		Lot(s)	
Reference Plan Number (s)	416	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:

1. 10.5.3a) i) - Building setback from street line for residential unit on ground floor facing a street: 0.6m instead of 3.0 m (Jackson Street West)
2. 10.5.3b) i)- Min rear yard: 1.4 m instead of 7.5 m
3. 4.6 d) - Max. Canopy encroachment of 1.6m instead of 1.5m or half the distance, whichever is the lesser
4. 5.2.3 a) - Drive aisle requirement of 0.6 m instead of 6.0 m for parking degree angle of 90º
5. 5.3.1 a) - Permit parking space to be located 0.6m from a street and that no Planting Strip be provided between the street (Jackson Street West) and parking area
6. 5.7.5 a) - Short-term bicycle parking rate of 0/unit instead of 0.1/unit

☐ Second Dwelling Unit ☐ Reconstruction of Existing Dwelling

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

Lot constraints related to topography and size.

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

☐ Yes ☑ No

If yes, please provide an explanation:

4. DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

4.1 Dimensions of Subject Lands:

Lot Frontage	Lot Depth	Lot Area	Width of Street
15.27 m (Dundurn)	23.04 m (Jackson)	0.0351ha	±20-23m (Dundurn) ±15.2m (Jackson)

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
None				

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Multiple Dwelling	1.59m	1.50m	3.065m	Fall/Winter 2025

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

Existing:

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

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Multiple Dwelling	204.2m²	1,126.2m²	5	17.72m

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.):

Multiple Dwelling

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

North: single detached dwelling; East: single and semi detached dwellings; South: park; West: commercial use

7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:

January 9, 2024
Former parts of ROW (Dundurn and Jackson) - TBC ~ August 2025

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:

Since the late 1800s

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) Mixed Use Medium Density

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

Provides compatible infill residential development for urban indigenous students in a walkable complete community with access to daily conveniences and transit.

7.6 What is the existing zoning of the subject land? Mixed Use Medium Density (C5-590) Zone

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: 0

8.2 Number of Dwelling Units Proposed: 15

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

This minor variance application is required to facilitate the proposed multiple dwelling as conditionally approved through file number DA-25-032.

11 COMPLETE APPLICATION REQUIREMENTS

11.1 All Applications

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

11.4 Other Information Deemed Necessary

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

_____

_____

Hamilton

COMMITTEE OF ADJUSTMENT
City Hall, 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-25:056**	**SUBJECT PROPERTY:**	45 Frid Street, Hamilton

APPLICANTS: Owner: 45-67-180 Frid Investments Inc c/o KC Daya
Applicant: Fotenn Planning + Design, c/o Miles Weeks
Agent: Mathew Laing

PURPOSE & EFFECT: To permit the conveyance of a vacant parcel of land for future development, and to retain a parcel of land containing an existing office building (to remain).

	Frontage	**Depth**	**Area**
SEVERED LANDS (Severed):	77.63 m±	78.96 m±	3963 m^2 ±
RETAINED LANDS (Retained):	51.20 m±	78.96 m±	4044 m^2 ±

Associated Planning Act File(s): N/A

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

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

DATE:	**Thursday, September 4, 2025**
TIME:	**1:20 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:

B-25:056

- 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 **September 2, 2025**

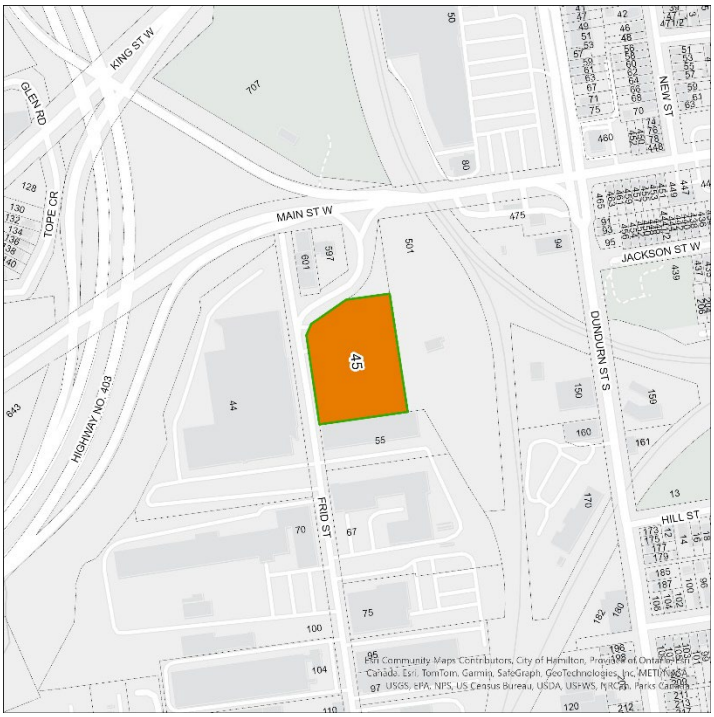
Orally: If you would like to speak to this item at the hearing you may do so via video link, calling in, or attending in person. Please see attached page for complete instructions, registration to participate virtually must be received no later than noon **September 3, 2025**

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding B-25:056, 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-25:056



Subject Lands

DATED: August 18, 2025

_____

Justin Leung,
Secretary-Treasurer
Committee of Adjustment

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

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

Hamilton

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

PARTICIPATING PROCEDURES

1. Written Submission Ahead of the Meeting

Members of the public who wish to provide input without speaking at the Hearing may submit written comments in advance of the meeting. Comments must be received by 12:00 p.m. (noon) on the deadline date for written comment submissions listed on the Notice of Public Hearing.

How to Submit Written Comments:

By Email:
Send to: cofa@hamilton.ca

By Mail:
Committee of Adjustment
City of Hamilton
71 Main Street West, 5th Floor
Hamilton, Ontario
L8P 4Y5

All written comments received will be made available to the Committee and the public by the Tuesday prior to the Hearing.

2. Oral Submissions During the Hearing

Interested members of the public, agents, and owners may provide oral comments on Committee of Adjustment Hearing items either virtually via Webex (computer or phone) or by attending in person.

Speaking Time Limit:
All participants providing oral submissions, either in person or virtually are limited to a maximum of 5 minutes to speak. This is to ensure all parties have an equal opportunity to be heard and that the meeting runs efficiently.

3. In-Person Oral Submissions

To participate in person, attend Council Chambers on the date and time listed in the Notice of Public Hearing. You will be required to provide your name and address for the record. It is recommended you arrive at least 10 minutes prior to the scheduled start time.

4. Virtual Oral Submissions

To participate virtually, you must register by 12:00 p.m. (noon) on the virtual oral submissions registration deadline date. This is listed on the Notice of Public Hearing.

- Committee of Adjustment file number
- Hearing date
- Name and mailing address of each person wishing to speak
- Method of participation (phone or video), and, if applicable, the phone number to be used
- Each person must register separately

Registered participants will receive a Webex link one business day before the Hearing. Only those registered will be called upon to speak.

5. Presentations

All presentations are permitted at the discretion of the Committee.

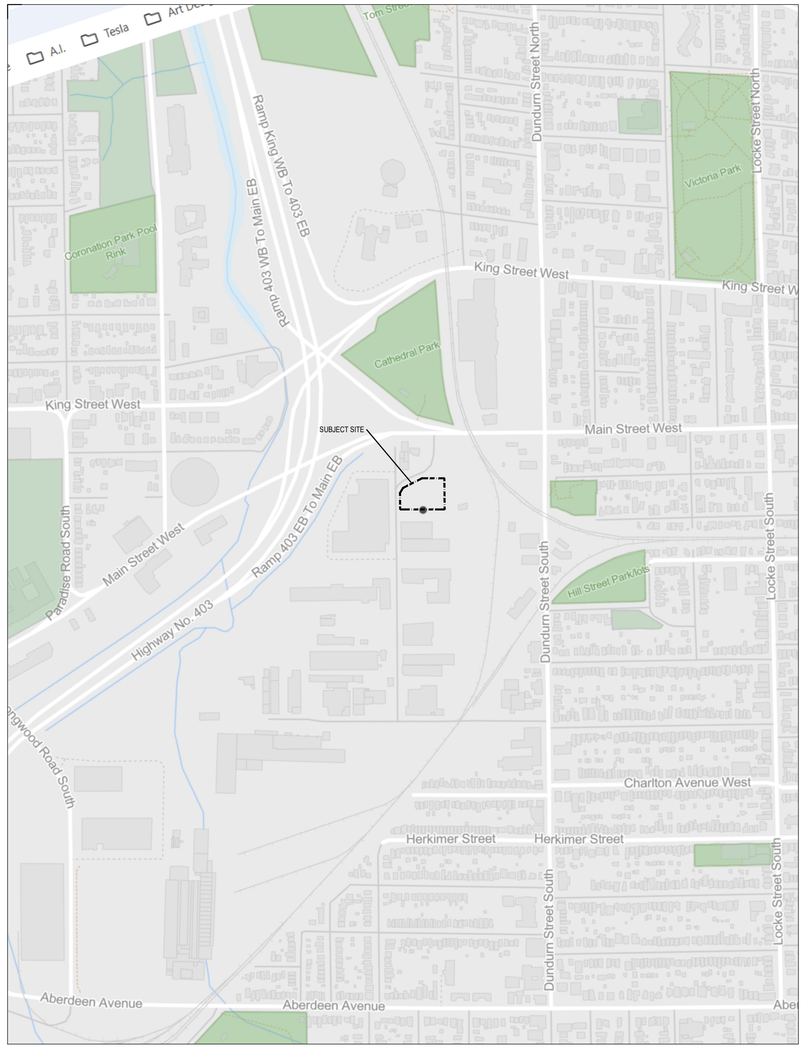
Virtual Presentations:
Presenters participating virtually may be granted permission to share their screen during the Hearing. A copy of the presentation must be submitted to cofa@hamilton.ca **by 12:00 p.m. (noon) on the business day prior to the Hearing.** The submission must be one document in PDF format only.

In-Person Presentations:
Presenters attending in person may be granted permission to use the presentation screen. Presentations must be brought on a USB device and opened by the owner/applicant. A copy of the presentation must also be sent to cofa@hamilton.ca **by 12:00 p.m. (noon) on the business day prior to the Hearing.** The submission must be one document in PDF format only. Handouts are permitted only if the same content can be displayed on the presentation screen.

6. Additional Notes

- Webex (video) participation requires a compatible computer or smartphone. The necessary application must be downloaded in advance.
- It is the interested party's responsibility to ensure their device is functional and compatible prior to the Hearing.

For any questions, contact staff at cofa@hamilton.ca or call 905-546-2424 ext. 4221.



CONTEXT PLAN
SCALE = 1: 1 : 2500
2
A1

STATISTICS - SEVERED PROPERTY

Lot area	3,963 m²

STATISTICS - RETAINED PROPERTY

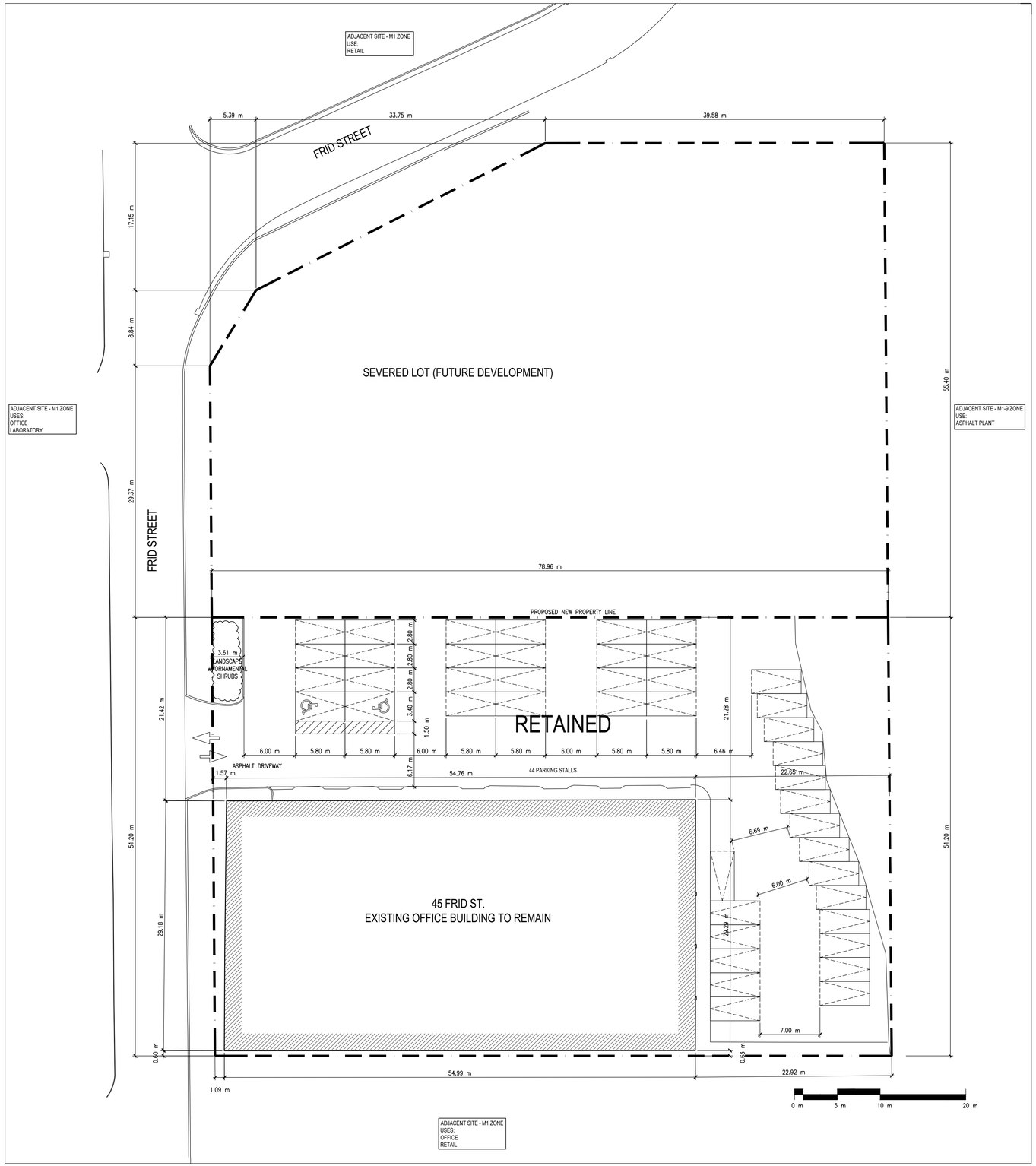
AREA

	Retail/Office	Loading	Storage	Total
Level 1	1,600 m²			1,600 m²
Total	1,600 m²			1,600 m²

Gross floor area	1,600 m²
Building area	1,600 m²
Lot area	4,044 m²
Lot coverage	39.6%
FSI	0.40

PARKING

Car Stalls Provided	44
Bicycle Long-term Provided	0 (existing building pre-dates Zoning By-law 05-200)
Bicycle Short-term Provided	0



SITE PLAN
SCALE = 1: 1 : 250
1
A1

Baron Nelson Architects
304 - 67 Mowat Ave., Toronto, Ontario, M6K 3E3
info@bnarch.ca www.bnarch.ca

Issued	Date
ZONING COMPLIANCE REVIEW	2024-12-20
ZONING COMPLIANCE REVIEW	2025-02-05
ZONING COMPLIANCE REVIEW	2025-02-19
LOT SEVERANCE	2025-04-25
LOT SEVERANCE RESUBMISSION	2025-08-01

SEVERANCE PLAN FOR 45 FRID STREET HAMILTON

North

Seal

ONTARIO ASSOCIATION OF ARCHITECTS
MARTIN INGLIS BARON
LICENCE
5714

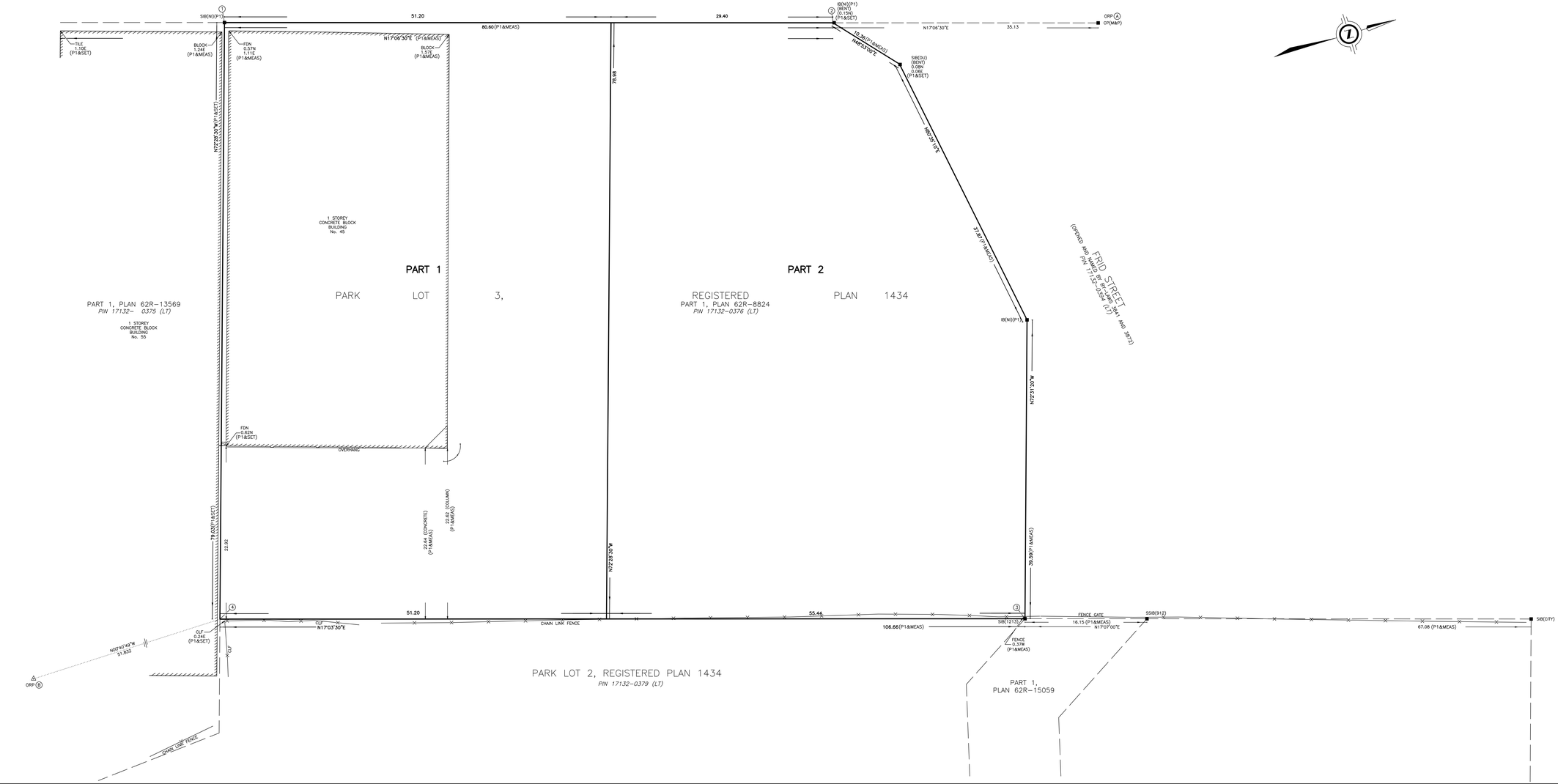
Title

SITE PLAN

Scale
1 : 250

No.

A1



SCHEDULE			
PART	LOT	PLAN	PIN
1	PART OF PARK LOT 3	REGISTERED PLAN 1434	PART OF PIN 17132-0376 (LT)
2			

PARTS 1 AND 2 COMPRISE ALL OF PIN 17132-0376 (LT)

PLAN OF SURVEY OF

PART OF PARK LOT 3
SIR ALLAN MACNAB'S SURVEY
REGISTERED PLAN 1434

CITY OF HAMILTON

SCALE 1 : 200

5 0 5 10 metres

THE INTENDED PLOT SIZE OF THIS PLAN IS 1250mm IN WIDTH BY 610mm IN HEIGHT WHEN PLOTTED AT A SCALE OF 1:200

J.D. BARNES LIMITED

METRIC DISTANCES AND/OR COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

NOTES

BEARINGS ARE UTM GRID, DERIVED FROM OBSERVED REFERENCE POINTS A AND B, BY REAL TIME NETWORK (RTN) OBSERVATIONS, UTM ZONE 17, NAD83 (CSRS) (2010.0).

DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.999690.

INTEGRATION DATA

OBSERVED REFERENCE POINTS (ORPs): UTM ZONE 17, NAD83 (CSRS) (2010.0). COORDINATES TO URBAN ACCURACY PER SECTION 14 (2) OF O.REG 216/10.

POINT ID	EASTING	NORTHING
ORP A	589 911.60	4 790 271.23
ORP B	589 953.51	4 790 085.05

COORDINATES 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 190.89 N 12°41'15" W

COORDINATE TALBE

	UTM ZONE 17, NAD83 (CSRS) (2010.0)	
STATION	EASTING	NORTHING
1	589 877.56	4 790 160.65
2	589 901.27	4 790 237.66
3	589 984.17	4 790 238.78
4	589 952.90	4 790 136.86

LEGEND

■	DENOTES	SURVEY MONUMENT FOUND
□	DENOTES	SURVEY MONUMENT SET
SIB	DENOTES	STANDARD IRON BAR
SSIB	DENOTES	SHORT STANDARD IRON BAR
IB	DENOTES	IRON BAR
PB	DENOTES	PLASTIC BAR
WIT	DENOTES	WITNESS
MEAS	DENOTES	MEASURED
JDB	DENOTES	J.D. BARNES LIMITED
CITY	DENOTES	CITY OF HAMILTON
1213	DENOTES	J.D. PETERS, O.L.S.
912	DENOTES	A.J. CLARKE AND ASSOCIATES LTD., O.L.S.
M&P	DENOTES	MACKAY, MACKAY & PETERS LIMITED, O.L.S.
P1	DENOTES	PLAN OF SURVEY BY J.D. BARNES. LTD., O.L.S. DATED DECEMBER 10th, 2024
CLF	DENOTES	CHAIN LINK FENCE
FG	DENOTES	FENCE GATE

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 20th DAY OF NOVEMBER, 2024.

DRAFT
DATE

NAME
ONTARIO LAND SURVEYOR

THIS PLAN OF SURVEY RELATES TO AOLS PLAN SUBMISSION FORM NUMBER XXXXXXX

J.D. BARNES LIMITED
LAND INFORMATION SPECIALISTS
SURVEYING MAPPING GIS
411 RICHMOND ST. EAST, SUITE 107, TORONTO, ON M5A 3S5
T: (416) 368-3737 F: (416) 368-5306 www.jdbarnes.com

DRAWN BY:	CHECKED BY:	REFERENCE NO.:
EC/JR	AK	24-22-323-02-RP
		DATED: JULY/14/2025

PLOT DATE: 7/14/2025 10:03 AM

Plan 62R-[illegible] received and deposited on [illegible] in the Land Registry Office for the Land Titles Division of Wentworth (No. 62)
Land Registrar

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

May 7th, 2025

FOLDER: ALR
ATTENTION OF: Morgan Gowans
PHONE: 905-546-2424 ext. 5865
EMAIL: morgan.gowans@hamilton.ca

Miles Weekes (Fotenn Consultants Inc)
[redacted]

Attention:

Re: Applicable Law Review – Zoning By-law Compliance
Zoning District: Research and Development (M1)
Zoning By-law: Hamilton Zoning By-law No. 05-200
Address: 45 Frid Street

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

COMMENTS:

1. The applicant proposes to sever a lot with an existing office building into two (2) separate lots. The Lot to be Retained will be located at the south and will include the existing office building. The Lot to be Severed will be located to the adjacent north of the Lot to be Retained and is proposed to be vacant.

2. Lot line determination:

   a. Lot to be Severed: This is considered a corner lot. As per the definition of Front Lot Line for a corner lot, in the City of Hamilton's Zoning By-law 05-200, the shorter of the lot lines abutting a street is considered the front lot line.

Front Lot Line	The north-westerly lot line along Frid Street.
Rear Lot Line	The most easterly lot line.
Flankage Lot Line	The northerly lot line.
Interior Lot Line	The south-westerly lot line that is to the adjacent north of the proposed lot to be retained.

   b. Lot to be Retained: This property is considered an Interior Lot.

Front Lot Line	The westerly lot line along Frid Street.
Rear Lot Line	The most easterly lot line.
Interior Lot Line	The south-westerly lot line.
Interior Lot Line	The north-easterly lot line that is to the adjacent south of the proposed lot to be severed.

3. The lot to be retained and severed are within the Research and Development (M1) Zone of the City of Hamilton's Zoning By-law 05-200. The existing Office is permitted within the Research and Development (M1) Zone.

4. The property to the east (501 Main Street West) is zoned Research and Development M1-9 and the property to the south (55 Frid Street) is zoned Research and Development M1 in Hamilton Zoning By-law 05-200.

5. Please note that the subject land is located within 30 metres of the Metrolinx Transit Corridor. For this reason, a Corridor Development Permit is required from Metrolinx to construct any buildings, structure, road, utility infrastructure, or to conduct any excavation, dewatering or other Prescribed Work pursuant to the Building Transit Faster Act and its Regulation. Please contact development.coordinator@metrolinx.com for further information.

6. The severance of the land is required to go through a consent application with our Committee of Adjustment department, you can find the application, fees and how to apply at the following: https://www.hamilton.ca/build-invest-grow/planning-development/committee-adjustment-delegated-consent-authority/land

7. The lands are subject to Site Plan Control. As such, development or redevelopment may require application to Development Planning. For further information, please contact pdgening@hamilton.ca.

8. All new fences proposed for this development must comply with the regulations contained within the Fence By-law.

9. All new signs proposed for this development must comply with the regulations contained within the Sign By-law.

10. The designer shall ensure that the fire access routes conform to the Ontario Building Code.

11. The designer shall ensure that the fire access routes conform to the Ontario Building Code.

12. The review of this application is based on the submitted Site Plan, Ground Floor Plan, Exterior Elevations (Drawings A1-A3), dated December 20, 2024, as prepared by Baron Nelson Architects.

13. The proposed development for the lots to be retained and severed have been reviewed separately, and compared to Section 9.1 Research and Development (M1) Zone, and Section 5 Parking Regulations of the City of Hamilton Zoning By-law 05-200, as shown in the following chart:

	Required By By-Law	Provided	Conforming/ Non-Conforming
Section 9.1 – M1 Requirements			
Maximum Yard Abutting a Street [as per section 9.1.3(a) of Hamilton Zoning By-law 05-200]	i) Maximum 2.0 metres for the ground floor of a building, except where a visibility triangle shall be provided for a driveway access; ii) Where a building(s) exists on a lot in conformity with i) above, with a ground floor façade being equal to 25% or more of the measurement of any street line, section i) above shall not apply to any additional building(s); and, iii) Notwithstanding i) and ii) above for any lot abutting the existing Frid Street and Chatham Street, no minimum or maximum yard shall apply.	i)existing – not provided ii) N/A property fronts on Frid Street iii) property fronts on frid st	**N/A** **N/A** **Conforms**
Maximum Building Height [as per section 9.1.3(b) of Hamilton Zoning By-law 05-200]	38.0 metres	Existing – not provided	**Existing Condition**
Maximum Gross Floor Area for Office Use [as per section 9.1.3(c) of Hamilton Zoning By-law 05-200]	No office building shall have a gross floor area of 10,000 square metres or greater.	Existing building is office = 1,600 sq m	**Existing Condition**
Location and Screening of Outdoor Storage and Outdoor Assembly [as per section 9.1.3(e) of Hamilton Zoning By-law 05-200]	Outdoor Storage and Outdoor Assembly of goods, materials or equipment shall be permitted in conjunction with a building and the following regulations shall apply: i) Outdoor Storage and Outdoor Assembly shall not be permitted in a Front Yard or a required Flankage Yard; ii) Outdoor Storage and Outdoor Assembly shall not exceed 85% of the total lot area; iii) Outdoor Storage and Outdoor Assembly shall be screened from view from any abutting street by a Visual Barrier in accordance with Section 4.19 of this By-law.	Doesn't appear outdoor storage is proposed as part of this proposal	**N/A**

	Required By By-Law	Provided	Conforming/ Non-Conforming
Size and Location Restriction of Commercial and Institutional Uses within a Building [as per section 9.1.3(f) of Hamilton Zoning By-law 05-200]	i) Except where located within an existing Planned Business Centre, the following uses shall only be permitted on the ground floor of a building in which the building has a minimum gross floor area of 2,000 square metres having a minimum 2 storey building height: Day Nursery; Financial Establishment; Personal Services; Restaurant; and Retail ii) In the case of i) above, the second storey shall not be less than 75% of the gross floor area of the ground floor; and, iii) In addition to i) above, an individual retail establishment shall be restricted to a maximum gross floor area of 500 square metres.	i)N/A Office is primary use	**N/A**
Location of Alcohol Production Facilities, Manufacturing, Motor Vehicle Service Station, Repair Service, and Warehouse Uses [as per section 9.1.3(g) of Hamilton Zoning By-law 05-200]	The following uses shall only be permitted within an existing building: Alcohol Production Facility Manufacturing; Motor Vehicle Service Station; Repair Service; Warehouse.	Existing building is office	**N/A**
Maximum Combined Gross Floor Area for Accessory Retail Showroom Area and Tasting Room [as per section 9.1.3(j) of Hamilton Zoning By-law 05-200]	i) 25% of the gross floor area of the principal use or 500.0 square metres gross floor area, whichever is the lesser; and, ii) Notwithstanding i) above, retail or accessory retail associated with a motor vehicle service station shall be limited to a maximum gross floor area of 280 square metres.	Existing building is office, no accessory retail propsoed	**N/A**
Accessory Buildings - *In accordance with the requirements of Sections 9.1.3 of Hamilton Zoning By-law 05-200*			
	In addition to the requirements of 9.1.3, no accessory building shall be permitted within a front yard or a flankage yard.	No accessory building proposed	**N/A**
Parking – *In accordance with the requirements of Section 5 of Hamilton Zoning By-law 05-200*			
	Notwithstanding Section 5.6(c)(iv) of this By-law, no parking shall be required for any of the following uses: - Financial Establishments;	Please note	**N/A**

	Required By By-Law	Provided	Conforming/ Non-Conforming
	- Personal Services; - Restaurant; and, - Retail		
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	Please note	**Please note**
Exception for Existing Buildings in All Zones [as per section 5.1.1 (b) of Hamilton Zoning By-law 05-200]	Notwithstanding Section 5.7.1, for any use located in all or part of a building existing on the effective date of this By-law, no parking spaces are required, provided that the number of parking spaces which existed on the effective date of this By-law shall continue to be provided, except that: i) a use shall not be required to provide additional parking beyond that which is required by Section 5.7.1; and, ii) where an addition, alteration or expansion of an existing building is proposed, the parking requirements of Section 5.7.1 shall only apply to the increased gross floor area of the building.	Please note for existing office building	**Please note**
Rounding Calculations [as per section 5.1.1 (c) of Hamilton Zoning By-law 05-200]	i) Where the application of the parking standards in Section 5.7.1, 5.7.2, 5.7.4, and 5.7.5 results in a numeric fraction, fractions shall be rounded down to the nearest whole number. ii) Where the application of the minimum accessible parking standards in Section 5.7.3 results in a numeric fraction, fractions shall be rounded up to the nearest whole number. iii) Where the calculations in Sections 5.7.1, 5.7.2, 5.7.3, 5.7.4 or 5.7.5 apply to multiple uses, rounding shall only be applied to the sum of the	Please note	**N/A**

	Required By By-Law	Provided	Conforming/ Non-Conforming
	requirements for all uses on the lot.		
Required Parking to be Provided on Same Lot [as per section 5.1.1 (d) of Hamilton Zoning By-law 05-200]	All required parking spaces shall be located on the same lot as the use for which they are required, unless the parking spaces are provided on another lot in compliance with Section 5.6.1.	All proposed parking is located on the same lot as the use	**Conforms**
Provision of Parking on a Lot Subject to Multiple Zones [as per section 5.1.1 (e) of Hamilton Zoning By-law 05-200]	Where more than one zone applies to a lot, parking spaces provided for any use on the lot may be located within any zone within the boundaries of the lot, except: i) where a portion of a lot is within one of the Open Space and Park Zones, no parking spaces may be located within such portion of the lot except parking spaces required for a permitted use located within such portion.	N/A property only zoned M1	**N/A**
Maximum Permitted Number of Parking [as per section 5.1.2 of Hamilton Zoning By-law 05-200]	a) Maximum Permitted Number of Parking Spaces Where Section 5.7.2 specifies a maximum permitted number of parking spaces, the number of parking spaces located on a lot shall not exceed that number.	N/A	**N/A**
	b) Reduction of Excess Parking Spaces Where the number of existing parking spaces exceeds the maximum permitted in accordance with Section 5.7.2, the parking spaces provided in excess of the maximum parking standard may be eliminated. However, in no case may the number of parking spaces provided be less than the minimum parking requirements in Section 5.7.1.	Existing Office building revising parking to meet todays standards	**Please note**
Minimum Required Number of Accessible Parking Spaces [as per section 5.1.3 of Hamilton Zoning By-law 05-200]	a) Minimum Number of Accessible Parking Spaces Accessible parking shall be designated and provided in accordance with the requirements of the Minimum Accessible Parking Rate Schedule in Section 5.7.3.	Please note	**Please note**
	b) Exception for Certain Residential Uses Section 5.7.3 shall not apply to Single Detached Dwellings, Semi-Detached Dwellings, Duplex Dwellings, Triplex	N/A	**N/A**

	Required By By-Law	Provided	Conforming/ Non-Conforming
	Dwellings, Fourplex Dwellings and Street Townhouse Dwellings.		
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; and, ii) Any eligible exception in this Section.	**PLEASE NOTE: The definition of Parking Space, Electric Vehicle is under appeal. The electric vehicle parking requirements of Section 5 that are not subject to a City-wide appeal shall be deemed to come into force and effect at the same time the definition of Parking Space, Electric Vehicle comes into force and effect.**	
	b) Exception for the Agriculture (A1) Zone, Rural (A2) Zone, and any Open Space and Park Zone The minimum requirement for Electric Vehicle Parking Spaces shall not apply to any parking space located within one of the following Zones: i) Agriculture (A1) Zone; ii) Rural (A2) Zone; and, iii) Any Open Space and Park Zone.		
	c) Exception for Existing Buildings in All Zones Notwithstanding Section 5.7.4, for any use within any Zone, located in all or part of a building existing on the effective date of this By-law, no Electric Vehicle Parking Spaces are required, except that: i) where an addition or expansion of an existing building is proposed, the Electric Vehicle Parking requirements of Section 5.7.4 shall only apply to such addition or expansion.		
	d) Exception for Existing Parking Lots in All Zones Notwithstanding Section 5.7.4, for any Parking Lot or portion thereof within any Zone, existing on the effective date of this By-law, no Electric Vehicle Parking Spaces are required, except that: i) where an expansion or enlargement of such parking is proposed, the electric vehicle parking requirements of Section 5.7.4 shall only apply to such expansion or enlargement.		
	e) Regulations for Electric Vehicle		

	Required By By-Law	Provided	Conforming/ Non-Conforming
	Parking Spaces Electric Vehicle Parking Spaces shall be subject to the regulations in Section 5.6.7.		
5.2 FUNCTIONAL DESIGN REQUIREMENTS			
Minimum Parking Space Dimensions [as per section 5.2.1 of Hamilton Zoning By-law 05-200]	a) Minimum Parking Space Dimensions Unless permitted by another regulation in this By-law, parking space sizes shall be a minimum of 2.8 metres in width and 5.8 metres in length.	Existing (retained) – 2.8m x 5.8m	**Conforms**
	b) Required Increase in Width due to Obstruction Where a wall, column, or any other obstruction is located abutting or within any parking space, the minimum width of a parking space shall be increased by 0.3 metres for each side which is obstructed by a wall, column, or other obstruction;	Additional 0.3m is provided for cars abutting a wall	**Conforms**
	c) Exceptions to Increase in Width due to Obstruction Notwithstanding Subsection 5.2.1 b), an additional 0.3 metres shall not be required provided all of the following conditions are met: i) the maximum length of the wall, column or other obstruction shall not exceed 1.15 metres, measured along the side of the parking space, from the front or rear of the space towards the side's midpoint; ii) the wall, column or other obstruction is located at the front, rear, or both ends of the parking space; and, iii) the wall, column or other obstruction does not project more than 0.15 metres into the width of the parking space.	No parking space are abutting a wall	**N/A**
	e) Light Standards Not Considered Obstructions Notwithstanding Section 5.2.1 b), light standards, including the base, located at the intersection of four parking spaces shall not be considered as an obstruction.	Doesn't appear a light standard is proposed within the parking area	**N/A**
	f) Optional Reduction in Minimum	Doesn't appear to be	**N/A**

	Required By By-Law	Provided	Conforming/ Non-Conforming
	Dimensions for Small Car Parking Notwithstanding Subsection 5.2.1 a), where 10 or more parking spaces are provided on a lot, the minimum parking space size of not more than 10% of such required parking spaces may be a width of 2.6 metres and a length of 5.5 metres, provided that any such parking space is clearly identified as being reserved for the parking of small cars only.	proposed as part of this proposal	
	g) Minimum Parallel Parking Space Dimensions Notwithstanding Subsection 5.2.1 a), each parallel parking space shall have a minimum width of 2.4 metres and a minimum length of 6.7 metres, except that end spaces which have a clear, unobstructed approach, may have a minimum length of 5.5 metres.	N/A	**N/A**
Minimum Accessible Parking Space Dimensions and Minimum Accessibility Aisle Requirements [as per section 5.2.2 of Hamilton Zoning By-law 05-200]	a) Minimum Accessible Parking Space Width and Accessibility Aisle Requirement Each accessible parking space shall have: i) a minimum width of 3.4 metres, notwithstanding Section 5.2.1 a) above and subject to Section 5.2.2 b) below; ii) a minimum length of 5.8 metres; and, iii) a minimum of one side must continuously abut an accessibility aisle, provided in accordance with Section 5.2.2 c) and d) below	i) Existing (retained) – 3.4m ii) Existing (retained) – 5.8m iii) Existing (retained) – one side continuously abuts a accessibility aisle	**Conforms** **Conforms** **Conforms**
	b) Permitted Reduction in Width for Accessible Parking Spaces Where two or more accessible parking spaces are provided, a maximum of 50% of such spaces, rounded up to the nearest whole number in the case of a numeric fraction, may have a reduced minimum width of 2.4 metres.	N/A doesn't appear to be proposed as part of this development	**N/A**

	Required By By-Law	Provided	Conforming/ Non-Conforming
	c) Accessibility Aisle Requirements A minimum of one side of each accessible parking space shall continuously abut an unobstructed accessibility aisle which shall: i) have a minimum width of 1.5 metres; ii) have a minimum length which extends the full length of each abutting accessible parking space; and, iii) be clearly identified and marked.	 i) Existing (retained) – 1.5m ii) Existing (retained) – full length of parking space iii) Existing (retained) – accessibility aisle marked	**Conforms** **Conforms** **Conforms**
	d) Sharing of Accessibility Aisle A maximum of two accessible parking spaces may abut one accessibility aisle, provided such spaces continuously abut opposite sides of the shared accessibility aisle.	N/A doesn't appear to be proposed as part of this development	**N/A**
Drive Aisle Requirements [as per section 5.2.3 of Hamilton Zoning By-law 05-200]	a) Minimum Drive Aisle Width The drive aisle abutting any parking space shall be designed and provided in accordance with the following minimum width requirements	Existing (retained) – 6.0m	**Conforms**
	Parking Angle Degree / One-Way and Two-Way Aisle Width		
	0º – 3.7m		
	15º – 3.7m		
	30º – 3.7m		
	45º – 4.5m		
	60º – 5.5m		
	75º – 6.0m		
	90º – 6.0m		
Access Requirements	a) Access Design Requirements		

	Required By By-Law	Provided	Conforming/ Non-Conforming
[as per section 5.2.4 of Hamilton Zoning By-law 05-200]	Access to all parking shall: i) be arranged so as to not interfere with normal public use of the street or laneway; ii) be provided by means of an access driveway: 1. located on the lot; or, 2. located partly on the lot in the case of a mutual driveway; or, 3. by means of a Right-of-Way; and, iii) in the case of a Parking Lot, provide ingress and egress of vehicles to and from a street in a forward motion only.	i) access to parking is arranged to not interfere with the normal public use of the street ii) access to parking is by a driveway located on the lot iii) access to the parking lot provides ingress and egress to and from the street in forward motion only	**Conforms** **Conforms** **Conforms**
	<u>b) Minimum Access Driveway Width</u> The width of any driveway providing access to a parking space shall be a minimum of 2.7 metres	Greater then 2.7m	**Conforms**
	c) Tandem and Stacked Parking Restriction and Exceptions All parking spaces shall have adequate means of ingress and egress to and from the street or laneway without the necessity of moving any other motor vehicle, except: i) the accessibility to a maximum of one of the parking spaces for a Single Detached Dwelling may be obstructed by another motor vehicle; and, ii) where a parking attendant is on site or a valet service is provided in association with a Commercial Parking Facility or Hotel, parking spaces may	No tandem or stacked lanes proposed	**N/A**
5.3 LOCATIONAL, LANDSCAPING AND SURFACE MATERIAL REQUIRMENTS			
Locational and Landscaping Requirements for All Uses [as per section 5.3.1 of Hamilton Zoning By-law 05-200]	<u>a) Streetline Setback and Planting Strip Requirement</u> Unless identified as exempt in Section 5.3.1 b), parking spaces and associated drive aisles, excluding driveways extending directly from the street, shall be subject to all of the following:		**Appears to**

	Required By By-Law	Provided	Conforming/ Non-Conforming
Planting strip: Shall mean an area of land growing ornamental shrubs or trees or both, suitable to the soil and climatic conditions of the area of land for the sole purpose of providing a buffer and may include low level architectural walls or features, and fire hydrants, but shall not include walkways, and sidewalks unless a walkway or sidewalk traverses the planting strip to provide access to the site	i) Shall not be located within 3.0 metres of a street line;	i)Existing (retained) – 3.61m from the streetline	conform
	ii) Shall provide a 3.0 metre wide Planting Strip being required and permanently maintained between the street line and the parking spaces or aisle, except for that portion of a lot line;	ii) Existing (retained) – 3.61m	**Conforms**
	1. Notwithstanding 5.3.1 a) iii), no Planting Strip shall be required for any portion of a lot line abutting the Red Hill Valley Parkway or the Lincoln Alexander Parkway; and,	property not abutting RHVP or LAP	**N/A**
	iii) Where a Planting Strip is provided, as per 5.3.1 a) ii) above, any architectural wall or feature within the Planting Strip shall be limited to a maximum height of 0.6 metres.	Please note	
	<u>b) Exemption for Certain Uses</u> The setback and Planting Strip requirements of Section 5.3.1 a) shall not apply to parking provided in association with the following uses: i) Single Detached Dwelling; ii) Semi-Detached Dwelling; iii) Street Townhouse Dwelling; iv) Duplex Dwelling; v) Triplex Dwelling; and vi) Fourplex Dwelling.	N/A	**N/A**
	<u>d) Landscape Strip and Visual Barrier Requirement for Parking Lots</u> Where a Parking Lot is situated on a lot which abuts a Residential Zone, Settlement Residential (S1) Zone, Downtown (D5), or Downtown (D6) Zone, the following shall be provided and maintained along that portion of the lot line that abuts a Residential Zone, Settlement Residential (S1) Zone, Downtown (D5) Zone, or Downtown (D6) Zone: i) A minimum 1.5 metre wide landscape strip which shall contain a Visual Barrier in accordance with	Property does not abut a Residential Zone, Settlement Residential (S1) Zone, Downtown (D5), or Downtown (D6) Zone	**N/A**

	Required By By-Law	Provided	Conforming/ Non-Conforming
	Section 4.19 of this By-law.		
	e) Landscaped Area and Landscaped Parking Island Requirements for Surface Parking Lots Containing 50 or More Parking Spaces in All Zones In addition to Section 5.3.1 b), the following requirements shall apply to surface Parking Lots in all zones which contain 50 or more parking spaces: i) Landscaped Area(s) and Landscaped Parking Island(s) with a minimum combined area of 10% of the area of the Parking Lot and associated access driveway and manoeuvring areas shall be provided and maintained; ii) Each Landscaped Area and Landscaped Parking Island shall have a minimum area of 10.0 square metres; iii) The calculation for Landscaped Area(s) and Landscaped Parking Island(s) shall not include the area of landscaping provided to satisfy the minimum requirement of any other Section of this By-law; iv) A Landscaped Area or Landscaped Parking Island may be traversed by a pedestrian walkway; and, v) When calculating the minimum number of parking spaces in accordance with Section 5.7.1, such number may be reduced by the number needed to accommodate the minimum Landscaped Parking Island requirement of this section, up to a maximum of 10% of the required parking spaces.	N/A less then 50 parking spaces for retained and severed lot	**N/A**
Parking Facility Surface Material Requirements [as per section 5.3.4 of Hamilton Zoning By-law 05-200]	a) Parking Spaces, Driveways and Widening(s) in All Zones Parking spaces, driveways and widening(s) in all zones shall be provided and maintained with stable surfaces such as asphalt, concrete or other hardsurfaced material, crushed stone, permeable pavers or gravel, and shall be maintained in a dust free condition. i) Notwithstanding Section 5.3.4 a), on a lot containing a residential use in	Existing (retained) - Asphalt driveway	**Conforms**

	Required By By-Law	Provided	Conforming/ Non-Conforming
	a Residential Zone, any parking provided beyond that which is required by Section 5.7.1 of this By-law shall be maintained with permeable material and shall not be deemed landscaped area in the calculation of total landscaped area on a lot. ii) Notwithstanding Section 5.3.4 a), in the Industrial Zones, where crushed stone or gravel is provided, the access driveway shall be designed such that a minimum of 10.0 metres extending from the streetline shall be constructed and maintained with asphalt, concrete or other hard surfaced material, and shall be maintained in a dust free condition.		
	b) Parking Lots in All Zones, except the Rural Zones Parking Lots in all zones, except the Rural Zones, shall be designed and maintained with stable surfaces such as asphalt, concrete, or other hardsurfaced material, or permeable pavers.	Existing (retained) - Asphalt driveway	**Conforms**
5.4 BICYCLE PARKING REQUIREMENTS			
Minimum Bicycle Parking Requirements [as per section 5.4.1 of Hamilton Zoning By-law 05-200]	a) Minimum Number of Required Bicycle Parking Spaces The minimum required number of short-term and long-term bicycle parking spaces which must be provided for each building on a lot in accordance with Section 5.4.2 shall be the result of applying: i) The minimum amount in accordance with the Minimum Bicycle Parking Schedule in Section 5.7.5; and, ii) Any eligible exception in this Section.	Please note	**Please note**
	b) Exception for Existing Buildings Notwithstanding Section 5.7.5, for any use located in all or part of a building existing on the effective date of this By-law, no additional bicycle parking spaces are required, provided that the number of bicycle parking spaces which existed on the effective date of this By-law shall continue to be provided and maintained, except	No new GFA appears to be proposed for existing building	**N/A**

	Required By By-Law	Provided	Conforming/ Non-Conforming
	that: i) a use shall not be required to provide additional bicycle parking beyond that which is required by Section 5.7.5; and, ii) where an addition, alteration or expansion of an existing building is proposed, the bicycle parking requirements of Section 5.7.5 shall only apply to the increased gross floor area of the building.		
Bicycle Parking Regulations [as per section 5.4.2 of Hamilton Zoning By-law 05-200]	a) Bicycle Parking Locational Requirements i) Short-term Bicycle Parking Spaces shall be publicly accessible and located within a bicycle parking area at grade, which includes the first floor of a building or an exterior surface area. ii) Long-term Bicycle Parking Spaces shall be located in a secure enclosed bicycle parking area.	No short-term bicycle parking is proposed No long-term bicycle parking propsoed	**N/A** **N/A**
5.5 LOADING FACILITIES			
Loading Facility Regulations [as per section 5.5.1 of Hamilton Zoning By-law 05-200]	a) The location of loading doors and associated loading facilities shall be subject to the following: i) Shall not be permitted within a Front Yard; ii) Shall not be permitted in any yard abutting a street, except where screened from view by a Visual Barrier in accordance with Section 4.19 of this By-law; and, iii) Shall not be permitted in a required yard abutting a Residential Zone or an Institutional Zone and shall be screened from view by a Visual Barrier in accordance with Section 4.19 of this By-law.	Existing (Retained) – no loading area proposed	**N/A**
5.6 GENERAL PARKING REGULATIONS			
Electric Vehicle Parking Space Regulations [as per section 5.6.7 of Hamilton Zoning By-law 05-200]	a) Permission for Chargers to Encroach Within Required Landscaping Features and Planting Strips Notwithstanding any other Section of this By-law, except Section 5.6.7 b) below, a charging device associated with an Electric Vehicle Parking Space, including any such space	**PLEASE NOTE: The definition of Parking Space, Electric Vehicle is under appeal. The electric vehicle parking requirements of Section 5 that are not subject to a City-wide appeal shall be deemed to come into force and effect at the same time the definition of Parking Space, Electric Vehicle comes into force and effect.**	

	Required By By-Law	Provided	Conforming/ Non-Conforming
	required by Section 5.1.4, may be located within any of the following required features and will not constitute a reduction of that feature's provision: i) Planting Strip; ii) Landscape Strip; iii) Landscaped Area; and, iv) Landscaped Parking Island.		
	b) Restrictions for Chargers Encroaching Within Required Landscaping Features and Planting Strips Despite Section 5.6.7 a) above, the permission to encroach within the noted features shall not apply to any of the following: i) A transformer or mechanical enclosure other than a charging device; or, ii) A charging device with a hard-surfaced base exceeding an area of 1.0 square metres.		
	c) Permission for Chargers to Encroach Within any Required Yard Notwithstanding any other Section of this By-law, a charging device associated with an Electric Vehicle Parking Space may be located within any required yard, except that any such charging device may not be located: i) less than 0.6 metres from any lot line; or, ii) within a visibility triangle.		
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.	Parking Rate Area 1	**Please note**

	Required By By-Law	Provided	Conforming/ Non-Conforming
	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.	Please note	**N/A**
Minimum Required Parking Rate Schedule [as per section 5.7.1 of Hamilton Zoning By-law 05-200]	a) Minimum Required Parking Rate Schedule Parking spaces shall be provided in the minimum quantity specified in Column 2 hereunder for each use listed in Column 1: Office - In PRA 1, 1.25 for each 100.0 square metres of gross floor area in excess of 450 square metres 1600 – 450 = 1150 / 100 = 11.5 x 1.25 = 14.375 = 14 parking spaces required for existing office (retained lands)	Existing (retained) – 44 parking spaces provided	**Conforms**
Maximum Permitted Parking Rate Schedule [as per section 5.7.2 of Hamilton Zoning By-law 05-200]	a) Maximum Permitted Parking Rate Schedule For any use listed in Column 1, the number of parking spaces provided shall not exceed the number in Column 2: Refer to table in By-law 5.7.2	N/A	**N/A**
Minimum Accessible Parking Rate Schedule [as per section 5.7.3 a) of Hamilton Zoning By-law 05-200]	a) Minimum Accessible Parking Rate Schedules The minimum number of accessible parking spaces which must be provided shall be the greater minimum number resulting from the calculations in Sections 5.7.3 b) and 5.7.3 c) below, with numeric fractions rounded up in accordance with Section 5.1.1 c) ii) and iii).	Please note	**N/A**
Minimum Accessible Parking Calculation 1 - Proportionate to Parking Provision [as per section 5.7.3 b) of Hamilton Zoning By-law	b) Minimum Accessible Parking Calculation 1 - Proportionate to Parking Provision On a lot containing 5 or more parking spaces, a minimum number of the parking spaces provided shall meet	Existing (retained) – 2 accessible parking spaces provided	**Conforms**

<table>
<tr><th></th><th>Required By By-Law</th><th>Provided</th><th>Conforming/ Non-Conforming</th></tr>
<tr><td>05-200]</td><td>the requirements of the Minimum Accessible Parking Rate Schedule below:

<table><tr><th><u>Column 1</u>
Total Number of Parking Spaces Provided</th><th><u>Column 2</u>
Minimum Number of Accessible Parking Spaces</th></tr><tr><td>5 – 100 spaces</td><td>Minimum 4% of the total number of parking spaces provided;</td></tr><tr><td>101 – 200 spaces</td><td>Minimum 1 space + 3% of the total number of parking spaces provided;</td></tr><tr><td>201 - 1000 spaces</td><td>Minimum 2 spaces + 2% of the total number of parking spaces provided; and,</td></tr><tr><td>1000 or more spaces</td><td>Minimum 11 + 1% of the total number of required parking spaces.</td></tr></table>Existing (retained) – 44 x 0.04 = 1.76 = 2 accessible parking spaces required</td><td></td><td></td></tr>
<tr><td>Minimum Accessible Parking Calculation 2 - Where Total Parking Provision is Reduced Pursuant to a Parking Rate Area or Downtown Zone
[as per section 5.7.3 c) of Hamilton Zoning By-law 05-200]</td><td><u>c) Minimum Accessible Parking Calculation 2 - Where Total Parking Provision is Reduced Pursuant to a Parking Rate Area or Downtown Zone</u>

The minimum number of accessible parking spaces which must be provided shall be:

i) In any Zone, except a Downtown Zone, the result of:

a) applying the requirements of Section 5.7.1 to all uses, excluding the existing gross floor area within</td><td>N/A</td><td>N/A see Calculation 1 above</td></tr>
</table>

	Required By By-Law	Provided	Conforming/ Non-Conforming
	any existing building, and excluding the application of any Parking Rate Area or Downtown Zone, to produce a total number of parking spaces; and, b) applying the corresponding requirement listed in Column 2 of Schedule 5.7.3 b) to the total number of parking spaces resulting from the calculation in Section 5.7.3 c) i) a) immediately above to produce the minimum required number of accessible parking spaces. ii) In any Downtown Zone, the result of applying Column 2 hereunder for each use listed in Column 1, excluding any existing gross floor area within any existing building: Retail - 5.5 for each 100.0 square metres of gross floor area between 450.0 square metres and 4,000 square metres; and, No parking required for the retail portion of the building Warehouse - In all other areas, 3.33 for each 100.0 square metres of gross floor area which accommodates the Office component of the use. 303/100 – 3.03 x 3.33 = 10.08 = 10 parking spaces required 10 x 0.04 = 0.4 = 1 accessible parking space required Office - In all other areas, 3 spaces for each 100.0 square metres of gross floor area in excess of 450 square metres. 1600 – 450 = 1150 / 100 = 11.5 x 3 = 34.5 = 34 x 0.04 = 1.36 = 2 accessible parking spaces		
Minimum Electric Vehicle Parking Rate Schedule [as per section 5.7.4 a) of Hamilton Zoning By-law 05-200]	a) Minimum Electric Vehicle Parking Rate Schedule Of the parking spaces provided on a lot, a minimum percentage shall be provided as Electric Vehicle Parking Spaces, as specified in Column 2 hereunder for each associated use listed in Column 1, and any such Electric Vehicle Parking Spaces shall be subject to Section 5.6.7: Refer to table in By-law 5.7.4	**PLEASE NOTE: The definition of Parking Space, Electric Vehicle is under appeal. The electric vehicle parking requirements of Section 5 that are not subject to a City-wide appeal shall be deemed to come into force and effect at the same time the definition of Parking Space, Electric Vehicle comes into force and effect.**	

	Required By By-Law	Provided	Conforming/ Non-Conforming
Minimum Bicycle Parking Rate Schedule [as per section 5.7.5 a) of Hamilton Zoning By-law 05-200]	a) Minimum Required Bicycle Parking Rate Schedule For each building containing one or more of the uses listed in Column 1 in the following schedule: i) Short-term Bicycle Parking Spaces shall be provided in the minimum quantity specified in Column 2 and subject to the regulations in Section 5.4.2; and Warehouse - In PRA 1 and PRA 2, 0.2 for each 100 square metres of gross floor area which accommodates the Office, Retail, and Showroom component of the use. 303/100 = 3.03 x 0.2 = 0.6 = 0 short-term bicycle parking required ii) Long-term Bicycle Parking Spaces shall be provided in the minimum quantity specified in Column 3 and subject to the regulations in Section 5.4.2. No bicycle parking required for the existing building as GFA is remaining the same	0 short-term bicycle parking provided 0 long-term bicycle parking spaces provided	**Conforms** **Conforms**

Yours truly

Morgan Gowans

for the Manager of Zoning and Committee of Adjustment

Hamilton

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

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

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

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

1. APPLICANT INFORMATION

	NAME	MAILING ADDRESS	
Purchaser*	45-67-180 Frid Investments Inc.	[redacted]	
Registered Owners(s)	45-67-180 Frid Investments Inc. c/o KC Daya		
Applicant(s)**	Fotenn Planning + Design, c/o Miles Weekes		
Agent or Solicitor	Mathew Laing		

*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 [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	45 Frid Street, Hamilton, ON, L8P 4M3		
Assessment Roll Number	251801009154330		
Former Municipality	Barton		
Lot	19	Concession	3
Registered Plan Number	McNab's Survey	Lot(s)	Part of Park Lot 3
Reference Plan Number (s)	62R8824	Part(s)	Part 1

2.2 Are there any easements or restrictive covenants affecting the subject land?
☐ Yes ☑ No
If YES, describe the easement or covenant and its effect:

3 PURPOSE OF THE APPLICATION

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

☑ 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:
Unknown

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

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:	Retained	Severed			
Type of Transfer	N/A	Lot creation			
Frontage	51.20	77.63			
Depth	78.96	78.96			
Area	4,044	3,963			
Existing Use	Office	N/A			
Proposed Use	No change	None proposed			
Existing Buildings/ Structures	Office Building	N/A			
Proposed Buildings/ Structures	N/A	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): N/A

Rural Settlement Area: N/A

Urban Hamilton Official Plan designation (if applicable) Business Park within Employment Ar

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

The proposed application does not involve a change in land use. The applicant is seeking to sever a parcel of land, which is permitted under the City of Hamilton Official Plan. Therefore, the application conforms to the intent and policies of the Official Plan.

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

☐ Yes ☑ No ☐ Unknown

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

N/A

5.3 What is the existing zoning of the subject land? M1 Zone (By-law 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.

N/A

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)	☑	Adjacent
An active railway line	☐	+-77 m
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?

Since February 2020

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.

180 Chatham St., Hamilton, ON, L8P 2B6

7 PROVINCIAL POLICY

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

☑ Yes ☐ No (Provide explanation)

The proposal supports efficient use of land within the settlement area, and will facilitate new commercial/employment growth within the business park.

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

☑ Yes ☐ No (Provide explanation)

See above. In addition, the 2024 Provincial Planning Statement promotes intensification in serviced areas which will efficiently utilize existing servicing, road, and transit infrastructure. The severed lot will support more efficient development of the business park area.

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

☑ Yes ☐ No (Provide explanation)

The Growth Plan does not apply to the Subject Lands (outside the Greenbelt Plan and within a settlement area).

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

☐ Yes ☑ No (Provide explanation)

7.5 Are the subject lands subject to the Parkway Belt West Plan?
☐ Yes ☑ No (Provide explanation)

7.6 Are the subject lands subject to the Greenbelt Plan?
☐ Yes ☑ No (Provide explanation)

7.7 Are the subject lands within an area of land designated under any other provincial plan or plans?
☐ Yes ☑ No (Provide explanation)

8 ADDITIONAL INFORMATION - VALIDATION Not Applicable

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 Not Applicable

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 Not Applicable

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

- [ ] 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-25:159**	**SUBJECT PROPERTY:**	292 Hunter Street West, Hamilton
ZONE:	R1a (Low Density Residential – Small Lot)	**ZONING BY-LAW:**	Hamilton Zoning By-law 05-200, as Amended

APPLICANTS: Owner: Miguel Lima
Applicant: Rodney Friesen Fine Line Drafting and Design Inc

The following variances are requested:

1. A minimum setback of 2.0 metres from the rear lot line shall be permitted instead of the minimum required setback of 7.5 metres from a rear lot line.

2. An exterior staircase shall be permitted to encroach the entire depth of the minimum required 0.5 metre front yard instead of the maximum permitted encroachment of one-half the distance of the minimum required yard.

3. A tree protection area with each side measuring a minimum of 1.75 metres, which does not contain hard landscaping or structures, in the required landscaped area shall be permitted instead of providing a tree protection with each side measuring 3.75 metres in the required landscaped area.

PURPOSE & EFFECT: To permit the construction of a Triplex Dwelling

Notes:

i. It appears a basement walk-out is proposed along the easterly building face. Should the foundation wall surrounding the proposed basement walk-out, excluding guards, project greater than 6” above grade principal building setbacks shall apply and a further variance will be required.

A-25:159

ii. A further variance will be required should the eave and gutter project greater than 0.6 metres into a required yard, or to a maximum distance of half the width of the required yard, whichever is the lesser.

iii. The lands are located within a Parking Rate Area (PRA) 1 which does not require any parking spaces to be provided for the proposed Triplex Dwelling; it is indicated that parking spaces are not intended to be provided.

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:	**Thursday, September 4, 2025**
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 September 2, 2025

Orally: If you would like to speak to this item at the hearing you may do so via video link, calling in, or attending in person. Please see attached page for complete instructions, registration to participate virtually must be received no later than noon September 3, 2025

FURTHER NOTIFICATION

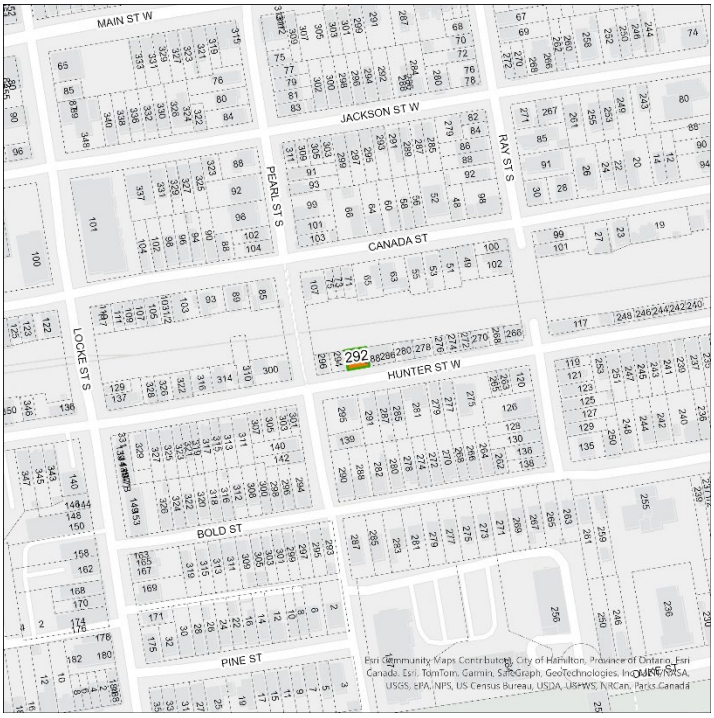
If you wish to be notified of future Public Hearings, if applicable, regarding A-25:159, you must submit a written request to cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5**.**

If you wish to be provided a Notice of Decision, you must attend the Public Hearing and file a written

A-25:159

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-25:159



Subject Lands

DATED: August 18, 2025

_____

Justin Leung,
Secretary-Treasurer
Committee of Adjustment

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

Hamilton

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

PARTICIPATING PROCEDURES

1. Written Submission Ahead of the Meeting

Members of the public who wish to provide input without speaking at the Hearing may submit written comments in advance of the meeting. Comments must be received by 12:00 p.m. (noon) on the deadline date for written comment submissions listed on the Notice of Public Hearing.

How to Submit Written Comments:

By Email:
Send to: cofa@hamilton.ca

By Mail:
Committee of Adjustment
City of Hamilton
71 Main Street West, 5th Floor
Hamilton, Ontario
L8P 4Y5

All written comments received will be made available to the Committee and the public by the Tuesday prior to the Hearing.

2. Oral Submissions During the Hearing

Interested members of the public, agents, and owners may provide oral comments on Committee of Adjustment Hearing items either virtually via Webex (computer or phone) or by attending in person.

Speaking Time Limit:
All participants providing oral submissions, either in person or virtually are limited to a maximum of 5 minutes to speak. This is to ensure all parties have an equal opportunity to be heard and that the meeting runs efficiently.

3. In-Person Oral Submissions

To participate in person, attend Council Chambers on the date and time listed in the Notice of Public Hearing. You will be required to provide your name and address for the record. It is recommended you arrive at least 10 minutes prior to the scheduled start time.

4. Virtual Oral Submissions

To participate virtually, you must register by 12:00 p.m. (noon) on the virtual oral submissions registration deadline date. This is listed on the Notice of Public Hearing.

- Committee of Adjustment file number
- Hearing date
- Name and mailing address of each person wishing to speak
- Method of participation (phone or video), and, if applicable, the phone number to be used
- Each person must register separately

Registered participants will receive a Webex link one business day before the Hearing. Only those registered will be called upon to speak.

5. Presentations

All presentations are permitted at the discretion of the Committee.

Virtual Presentations:
Presenters participating virtually may be granted permission to share their screen during the Hearing. A copy of the presentation must be submitted to cofa@hamilton.ca **by 12:00 p.m. (noon) on the business day prior to the Hearing.** The submission must be one document in PDF format only.

In-Person Presentations:
Presenters attending in person may be granted permission to use the presentation screen. Presentations must be brought on a USB device and opened by the owner/applicant. A copy of the presentation must also be sent to cofa@hamilton.ca **by 12:00 p.m. (noon) on the business day prior to the Hearing.** The submission must be one document in PDF format only. Handouts are permitted only if the same content can be displayed on the presentation screen.

6. Additional Notes

- Webex (video) participation requires a compatible computer or smartphone. The necessary application must be downloaded in advance.
- It is the interested party's responsibility to ensure their device is functional and compatible prior to the Hearing.

For any questions, contact staff at cofa@hamilton.ca or call 905-546-2424 ext. 4221.

SITE STATISTICS

PROJECT INFORMATION	
Project Description:	LIMA MULIT-DWELLING PROJECT
Client:	MIGUEL LIMA
Project Address:	292 HUNTER ST WEST, HAMILTON, ONTARIO L8P 1S3

SITE STATISTICS	
Zoning:	LOW DENSITY RESIDENTIAL – SMALL LOT (R1a) ZONE City of Hamilton Zoning By-law No. 05-200
Permitted Uses:	Triplex Dwelling

AREAS	MINIMUM	MAXIMUM	PROVIDED
Lot Area	270.0 m^2	--	143.41 m^2
Building Footprint (at grade)	--	--	77.01 m^2
Total Impervious Area	--	--	11.99 m^2 (8.36 %)
Lot Permable Area	30 %	--	48.74 m^2 (34.0 %)

SETBACKS	MINIMUM	MAXIMUM	PROVIDED
Front Yard Setback (South)	0.5 m	--	0.50 m
Rear Yard Setback (North)	7.5 m	--	2.0 m
Internal Side Yard Setback (East)	1.2 m	--	2.03 m
Internal Side Yard Setback (West)	1.2 m	--	1.2 m

FRONTAGE	MINIMUM	MAXIMUM	PROVIDED
Lot Frontage	9.0 m	--	12.08 m

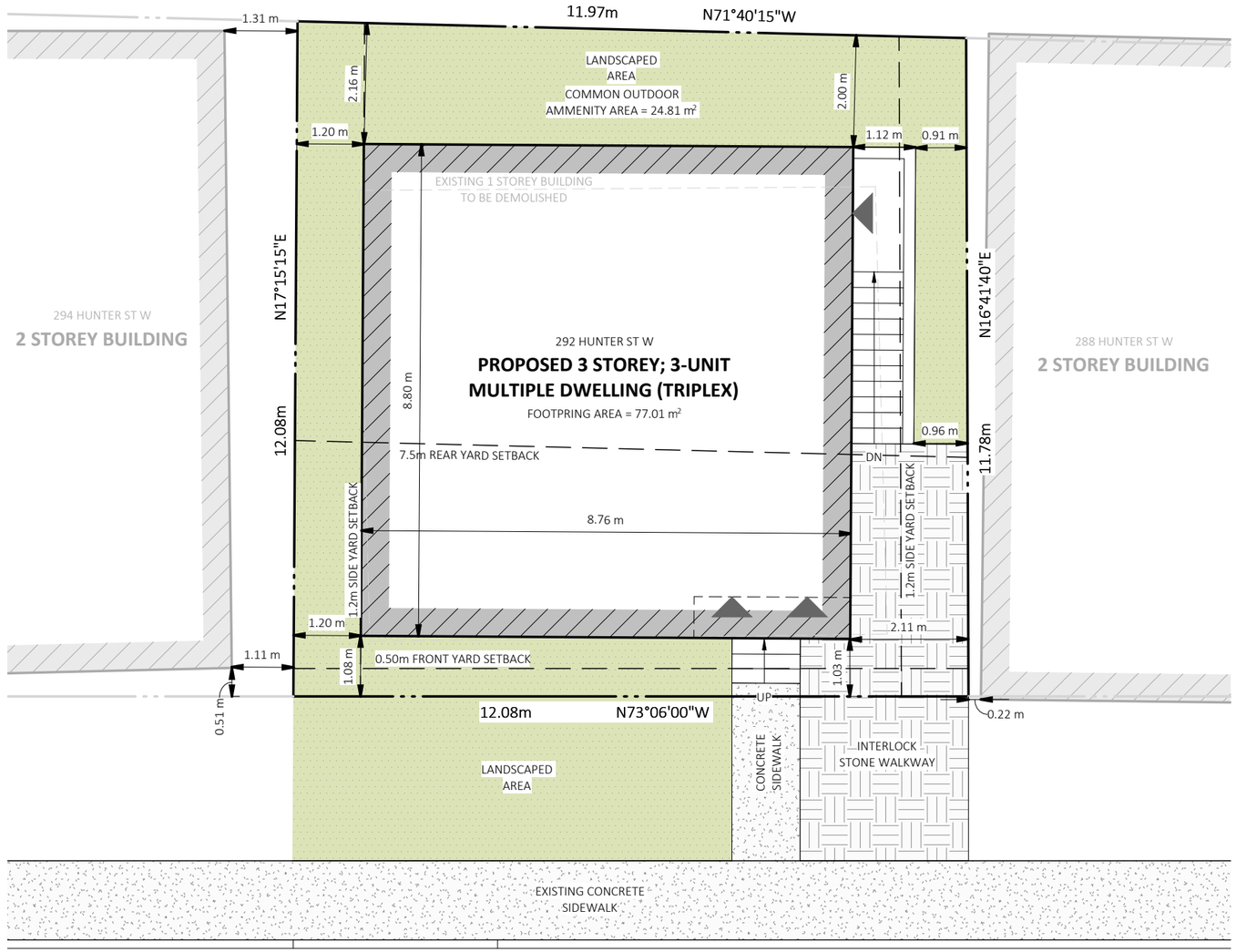
LANDSCAPING	MINIMUM	MAXIMUM	PROVIDED
Lanscaped Area	30 %	--	48.74 m^2 (34.0 %)

BUILDING DATA			
BUILDING AREA			
			PROVIDED
Level 1 (Ground Floor)			77.01 m^2
Level 2			77.01 m^2
Level 3			55.27 m^2
Gross Floor Area (Above Grade)			209.29 m^2

BUILDING HEIGHT	MINIMUM	MAXIMUM	PROVIDED
Building Height		10.5 m	10.22 m

RESIDENTIAL UNITS	1 Bed	2 Bed	3 Bed
Level 1		1	
Level 2		1	
Level 3	1		
Total Units	3		

PARKING			
Zoning:	LOW DENSITY RESIDENTIAL – SMALL LOT (R1a) ZONE City of Hamilton Zoning By-law No. 05-200		
		REQUIRED	PROVIDED
Parking Calculation = 0.0/unit		0	0



HUNTER STREET WEST

2025-069
292 HUNTER ST WEST,
HAMILTON, ONTARIO L8P 1S3

LIMA MULIT-DWELLING PROJECT
SITE PLAN
As indicated
2025.07.23

D6

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	MAILING ADDRESS
Registered Owners(s)	Miguel Lima	[redacted]
Applicant(s)	Rodney Friesen Fine Line Drafting and Design Inc.	
Agent or Solicitor	Rodney Friesen Fine Line Drafting and Design Inc.	

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	292 Hunter Street West	
Assessment Roll Number		
Former Municipality	City of Hamilton	
	PART OF LOT 16, BLOCK 3, RANGE 2 (BOUNDED BY PEARL STREET, WILLIAM STREET, RAY STREET AND CANADA STREET) IN THE CITY OF HAMILTON	

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 is requested for a reduced front yard setback to accommodate stair encroachment of 0.60m, and a rear yard setback encroachment of 5.5m due to limited lot depth, and an area of 143.41 m2.

☐ Second Dwelling Unit ☐ Reconstruction of Existing Dwelling

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

The existing property has a shallow depth, making it physically unfeasible to meet the required front and rear yard setbacks. The proposed design includes a front stair encroachment of 0.26 m and a rear yard setback encroachment of 5.5 m. These are necessary to maintain safe access and functional space within the limited lot dimensions.

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

☐ Yes ☒ No

If yes, please provide an explanation:

4. DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

4.1 Dimensions of Subject Lands:

Lot Frontage	Lot Depth	Lot Area	Width of Street
12.08	12.08	143.41	± 5.37

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
Existing House (to be demolished)	0.96	2.68	1.69 (E), 1.25 (W)	1980's

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
House	1.08	2.00	2.03 (E), 1.2 (W)	2025

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

Existing:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height

4.4 Type of water supply: (check appropriate box)

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

4.5 Type of storm drainage: (check appropriate boxes)

☒ publicly owned and operated storm sewers
☐ swales
☐ ditches
☐ other means (specify)

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

☒ publicly owned and operated sanitary sewage
☐ system privately owned and operated individual
☐ septic system other means (specify) _____

4.7 Type of access: (check appropriate box)

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

_____

4.8 Proposed use(s) of the subject property (single detached dwelling duplex, retail, factory etc.):

Single Detached Dwelling, triplex

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

Single Detached Dwelling, multiple

7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:

2025

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:

20 + years

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

Rural Hamilton Official Plan designation (if applicable): _____

Rural Settlement Area: _____

Urban Hamilton Official Plan designation (if applicable) Neighbourhoods

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

The proposal conforms to the Urban Hamilton Official Plan as the subject property is designated "Neighbourhoods," which permits low-density residential uses such as single-detached dwellings. The requested minor variances are intended to accommodate reconstruction of an existing dwelling while maintaining the residential character of the area and supporting the efficient use of land within the urban boundary.

7.6 What is the existing zoning of the subject land? LOW DENSITY RESIDENTIAL - SMALL LOT (R1a) 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: 2

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

We are proposing to reconstruct an existing dwelling on the lot. Due to the shallow depth of the property, undersized lot area, and existing conditions, full compliance with the Zoning By-law provisions is not feasible. Relief is requested for the following:

A reduced front yard setback to permit stair encroachment of 0.26 m

A reduced rear yard setback, with a proposed encroachment of 5.5 m

A lot area of 143.41 m^2, whereas the Zoning By-law requires a minimum lot size of 270 m^2

Despite these variances, the site remains functional and capable of supporting residential use. It continues to provide adequate landscaped open space, sufficient amenity area, and all necessary servicing and access requirements outlined by the Planning Act.

We are of the opinion that the application satisfies the four tests under Section 45(1) of the Planning Act:

The variances are minor in nature

They are desirable for the appropriate development and use of the land

The general intent and purpose of the Zoning By-law is maintained

The general intent and purpose of the Official Plan is maintained

The proposed design respects the residential character of the neighbourhood and contributes to the City's objective of encouraging compact, efficient, and context-sensitive development within the urban boundary.

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-25:152**	**SUBJECT PROPERTY:**	138-140 Herkimer Street, Hamilton
ZONE:	E/S-308 & E/S-308a (Multiple Dwellings, Lodges, Clubs, etc.)	**ZONING BY-LAW:**	Hamilton Zoning By-law 6593, as Amended by By-law 02-130

APPLICANTS: Owner: Liwen Holding Ltd.
Applicant: Tony Yu

The following variances are requested:

1. A minimum of Seven (7) Parking Spaces shall be provided for a Multiple Dwelling instead of the minimum required 20 parking spaces;
2. No visitor parking spaces shall be provided whereas the by-law requires a minimum of 0.2 visitor parking spaces per Class A Dwelling Unit;
3. A minimum parking space size of 2.6 metres wide and 5.5 metres long shall be provided instead of the minimum required parking space size of 2.7 metres wide and 6.0 metres long;
4. No on-site manoeuvring shall be provided for seven (7) parking spaces located within the Rear Yard instead of the minimum required 6.0m manoeuvring aisle width and the requirement that a manoeuvring space shall be provided and maintained on the lot;
5. No Loading Spaces shall be provided for a Multiple Dwelling instead of the minimum required one (1) Loading Space;
6. For the purpose of the regulations contained in Section 2, as it refers to the lot definition, Section 6, as it refers to “Consolidated Lot Development”, Sections 18A and 19B, the boundaries of the lands within this development as shown in “Site Plan – A1.0” submitted with this application, shall be deemed to be one lot for the purpose of the zone regulations including but not limited to the parking, building setbacks and landscaping and not the individual boundaries created by any change in land ownership or any severance, or partition or division of the property.

A-25:152

PURPOSE & EFFECT: To permit the conversion of a Residential Care Facility to a Multiple Dwelling and recognize existing Parking conditions.

Notes:

i. Please note, the proposed Site Plan appears to alter the existing Parking Area and Spaces from the approved Plans under Site Plan application DA-02-051 and includes one (1) additional Accessible Parking Space as well as alterations to existing locations for all other Parking Spaces. As such, Variances #3 and #4 are provided to recognize the proposed alterations to the existing Parking Spaces.

ii. Be advised, the proposed development is located across two properties, municipally known as 138 and 140 Herkimer Street, and as such, Variance #6 has been provided to recognize the existing location of the building and associated building and parking requirements to be located on both lots.

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:	**Thursday, September 4, 2025**
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 September 2, 2025

Orally: If you would like to speak to this item at the hearing you may do so via video link, calling in, or attending in person. Please see attached page for complete instructions, registration to participate virtually must be received no later than noon September 3, 2025

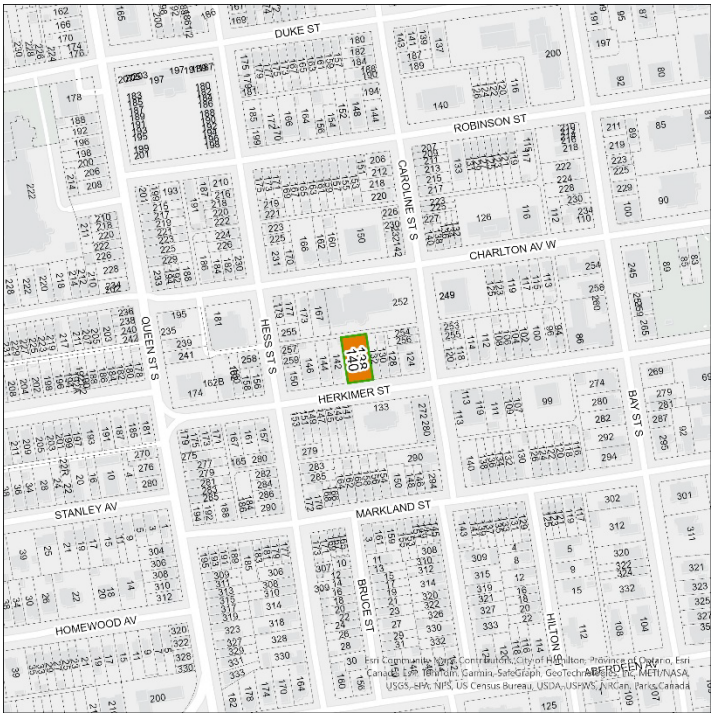
FURTHER NOTIFICATION

A-25:152

If you wish to be notified of future Public Hearings, if applicable, regarding A-25:152, 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-25:152



Subject Lands

DATED: August 18, 2025

Justin Leung,
Secretary-Treasurer
Committee of Adjustment

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

Hamilton

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

PARTICIPATING PROCEDURES

1. Written Submission Ahead of the Meeting

Members of the public who wish to provide input without speaking at the Hearing may submit written comments in advance of the meeting. Comments must be received by 12:00 p.m. (noon) on the deadline date for written comment submissions listed on the Notice of Public Hearing.

How to Submit Written Comments:

By Email:
Send to: cofa@hamilton.ca

By Mail:
Committee of Adjustment
City of Hamilton
71 Main Street West, 5th Floor
Hamilton, Ontario
L8P 4Y5

All written comments received will be made available to the Committee and the public by the Tuesday prior to the Hearing.

2. Oral Submissions During the Hearing

Interested members of the public, agents, and owners may provide oral comments on Committee of Adjustment Hearing items either virtually via Webex (computer or phone) or by attending in person.

Speaking Time Limit:
All participants providing oral submissions, either in person or virtually are limited to a maximum of 5 minutes to speak. This is to ensure all parties have an equal opportunity to be heard and that the meeting runs efficiently.

3. In-Person Oral Submissions

To participate in person, attend Council Chambers on the date and time listed in the Notice of Public Hearing. You will be required to provide your name and address for the record. It is recommended you arrive at least 10 minutes prior to the scheduled start time.

4. Virtual Oral Submissions

To participate virtually, you must register by 12:00 p.m. (noon) on the virtual oral submissions registration deadline date. This is listed on the Notice of Public Hearing.

- Committee of Adjustment file number
- Hearing date
- Name and mailing address of each person wishing to speak
- Method of participation (phone or video), and, if applicable, the phone number to be used
- Each person must register separately

Registered participants will receive a Webex link one business day before the Hearing. Only those registered will be called upon to speak.

5. Presentations

All presentations are permitted at the discretion of the Committee.

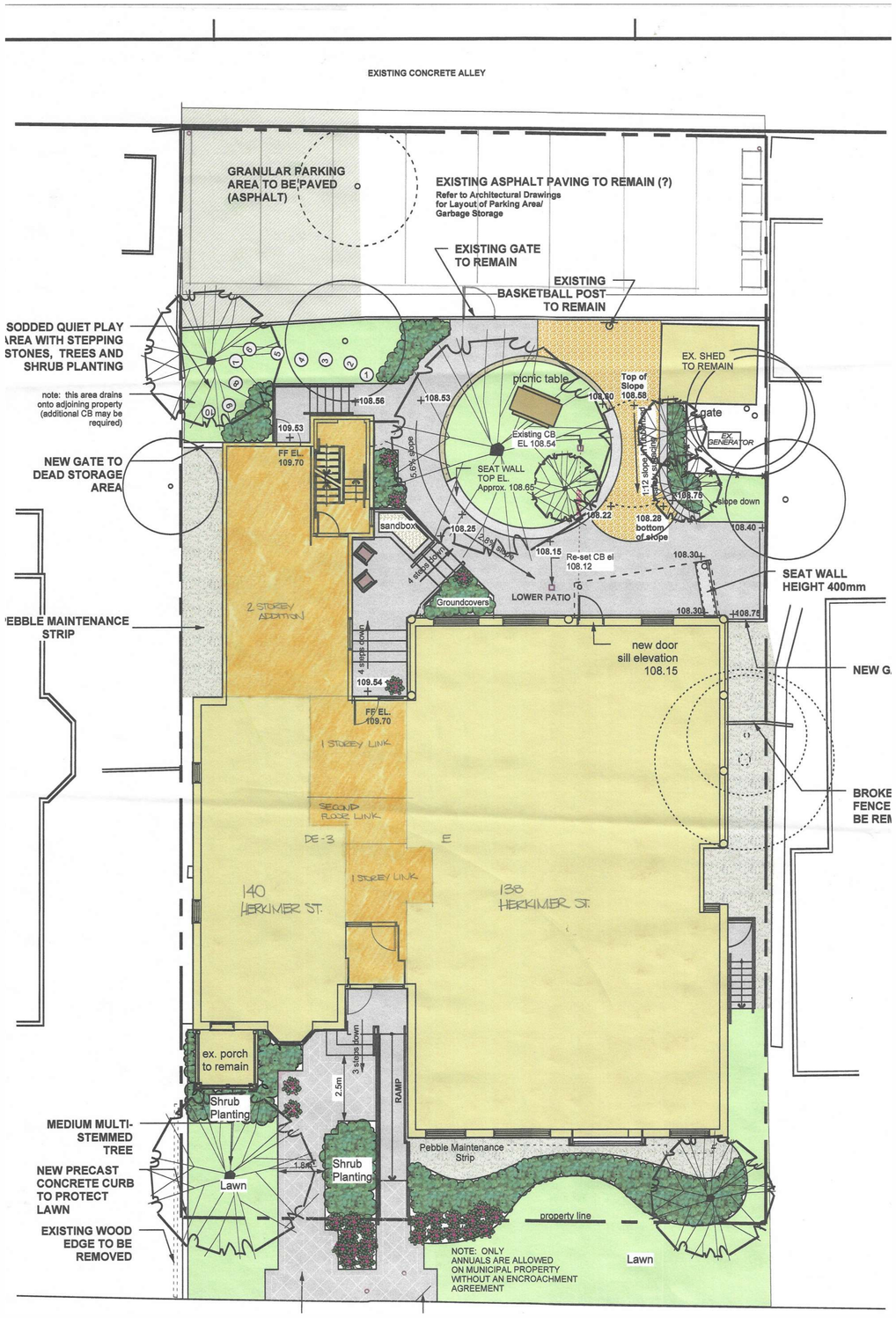
Virtual Presentations:
Presenters participating virtually may be granted permission to share their screen during the Hearing. A copy of the presentation must be submitted to cofa@hamilton.ca **by 12:00 p.m. (noon) on the business day prior to the Hearing.** The submission must be one document in PDF format only.

In-Person Presentations:
Presenters attending in person may be granted permission to use the presentation screen. Presentations must be brought on a USB device and opened by the owner/applicant. A copy of the presentation must also be sent to cofa@hamilton.ca **by 12:00 p.m. (noon) on the business day prior to the Hearing.** The submission must be one document in PDF format only. Handouts are permitted only if the same content can be displayed on the presentation screen.

6. Additional Notes

- Webex (video) participation requires a compatible computer or smartphone. The necessary application must be downloaded in advance.
- It is the interested party's responsibility to ensure their device is functional and compatible prior to the Hearing.

For any questions, contact staff at cofa@hamilton.ca or call 905-546-2424 ext. 4221.



2 LANDSCAPING PLAN
1 : 100



1 3D EXISTING

LHW ENGINEERING LTD.

(416) 299 - 8837
LHW.ENGINEERING@GMAIL.COM
405 - 2347 KENNEDY RD, TORONTO, ON M1T3T8

No.	Description	Date

140 Herkimer St #138, Hamilton, ON L8P 2H1

NAME:

CONTACT:

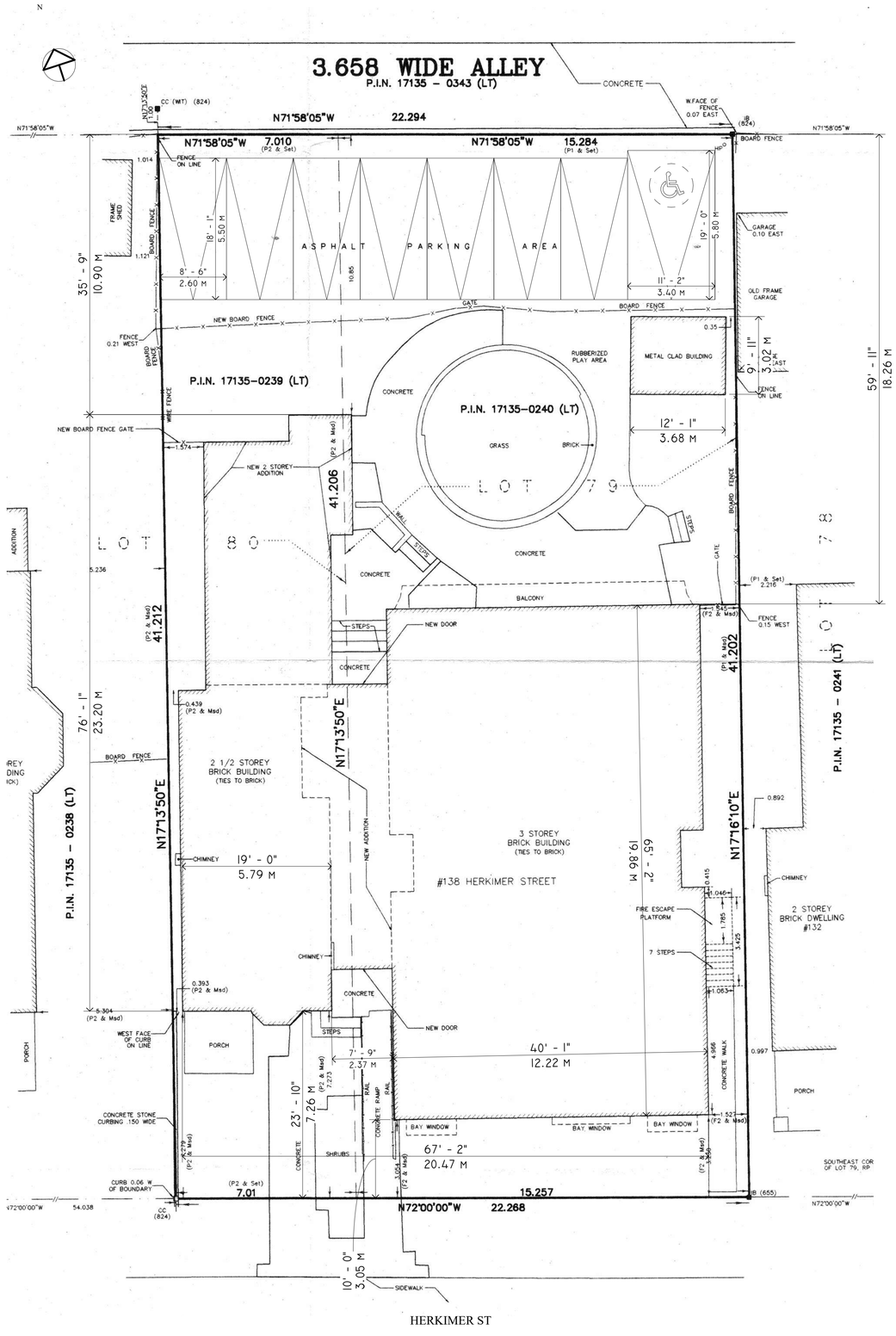
COVER SHEET

Project number	190715
Date	05/20/2021
Drawn by	Author
Checked by	Checker

A0.0

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1 SITE PLAN
1 : 100

SCOPE OF WORK:
1. INTERIOR ALTERATION, RETAINING EXISTING ROOM HOUSE ON THE EAST BUILDING SECOND FLOOR AND PROPOSED TOTAL 20 UNITS APARTMENT

Item	Ontario Building Code Data Matrix Part 3 or 9			OBC Reference References are to Division B unless noted [A] for Division A or [C] for Division C.	
1	**Project Description:**	☐ New ☐ Addition ☐ Alteration ☒ Change of Use	PART 11 1.1.1 to 11.4	☐ PART 3 1.1.2 [A]	☒ PART 9 1.1.2 [A] & 9.10.1.3
2	**Major Occupancy(s):** GROUP C - Residential			3.1.2.1.(1)	9.10.2
3	**Building Area (m²)** Existing 390 sq.m New 0 sq.m Total 390 sq.m			1.4.1.2.(A)	1.4.1.2. [A]
4	**Renovation Area (m²)**				1.4.1.2. [A]
5	**Number of Storeys** Above Grade 3 Below Grade 1			1.4.1.2.(A) &3.2.1.1	1.4.1.2. [A] & 9.10.4
6	**Number of Streets/Access Routes** 2			3.2.2.10 & 3.2.5	9.10.20
7	**Building Classification** GROUP C - Residential			3.2.2.20 - 83	9.10.2
8	**Sprinkler System Proposed**	☐ Entire Building ☐ Basement and Group E Occupancies Only ☐ In Lieu of Roof Rating ☒ Not Required		3.2.2.20 - 83 3.2.1.5. 3.2.2.17	9.10.8.2
9	**Standpipe required**	☐ Yes ☒ No N/A		3.2.9.	N/A
10	**Fire Alarm required**	☐ Yes ☒ No		3.2.4.	9.10.18
11	**Water Service/Supply is Adequate**	☐ Yes ☒ No N/A		3.2.5.7.	N/A
12	**High Building**	☐ Yes ☒ No N/A		3.2.6.	N/A
13	**Permitted Construction** **Actual Construction**	☐ Combustible ☒ Non-Combustible ☐ Both ☐ Combustible ☒ Non-Combustible ☐ Both			9.10.6
14	**Mezzanine(s) Area (m²)** - -			3.2.1.1.(3) - (8)	
15	**Occupant load based on** ☐ m²/Person ☒ Design of Building **TWO PERSONS PER SLEEPING ROOM IN A DWELLING SUITE**			3.2.2.20 - 83	9.9.1.3
16	**Barrier-free Design** ☒ Yes ☐ No (Explain) -			3.8.	9.5.2
17	**Hazardous Substances** ☐ Yes ☒ No			3.3.1.2. & 3.3.1.19.	9.10.1.3.(4)
18	**Required Fire Resistance Rating (FRR)** Refer Also to Fire Separation Diagrams	**Horizontal Assemblies FRR (Hours)** / **Listed Design No.** Floors 45min / F1e Roof ---- / F1e Mezzanine N/A / N/A **FRR of Supporting Members** / **Listed Design No.** Floors 45min / Roof --- / Mezzanine N/A /		3.2.2.20 - 83 & 3.2.1.4.	9.10.8.10

19 **Spatial Separation - Construction of Exterior Walls** 3.2.3.

Wall	Area of EBF (sq.m)	L.D. (m)	L/H or H/L	Permitted Max. % of openings	Proposed % of Openings	FRR (Hours)	Listed Design or Description	Comb Const	Comb. Constr. Nonc. Cladding	Non Comb. Constr.
WEST-FRONT	15.2	0.9		0	0	1hr			noncombustible	noncombustible
WEST-REAR	200.9	1.23	1.6	7%	7%	1hr			noncombustible	noncombustible
EAST	53.7	0		-	0	1hr			noncombustible	noncombustible

LHW ENGINEERING LTD.

(416) 299 - 8837
LHW.ENGINEERING@GMAIL.COM
405 - 2347 KENNEDY RD, TORONTO, ON M1T3T8

No.	Description	Date

140 Herkimer St #138, Hamilton, ON L8P 2H1

NAME:

CONTACT:

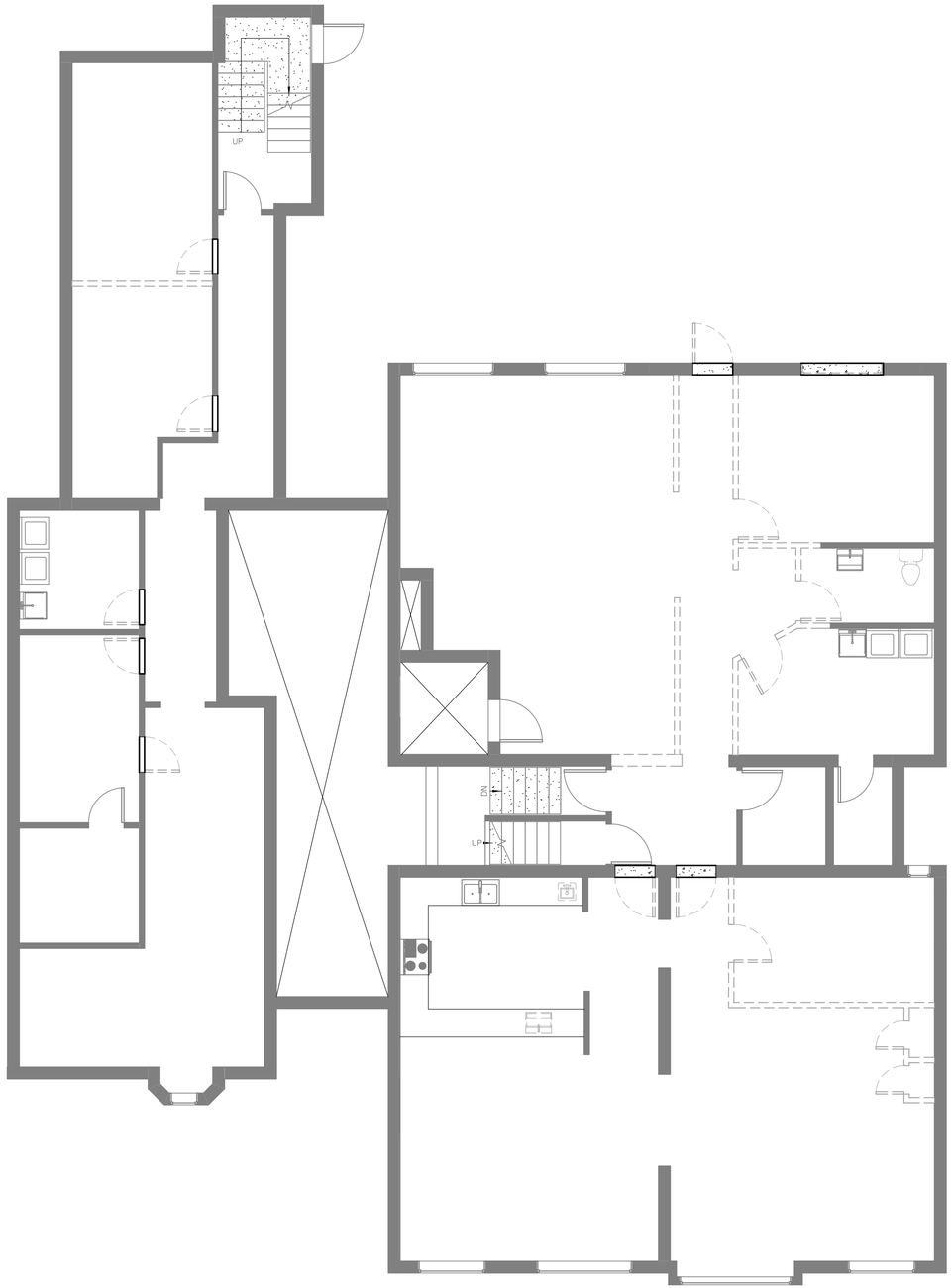
SITE PLAN

Project number	190715
Date	05/20/2021
Drawn by	AY
Checked by	BW

A1.0

Scale 1 : 100

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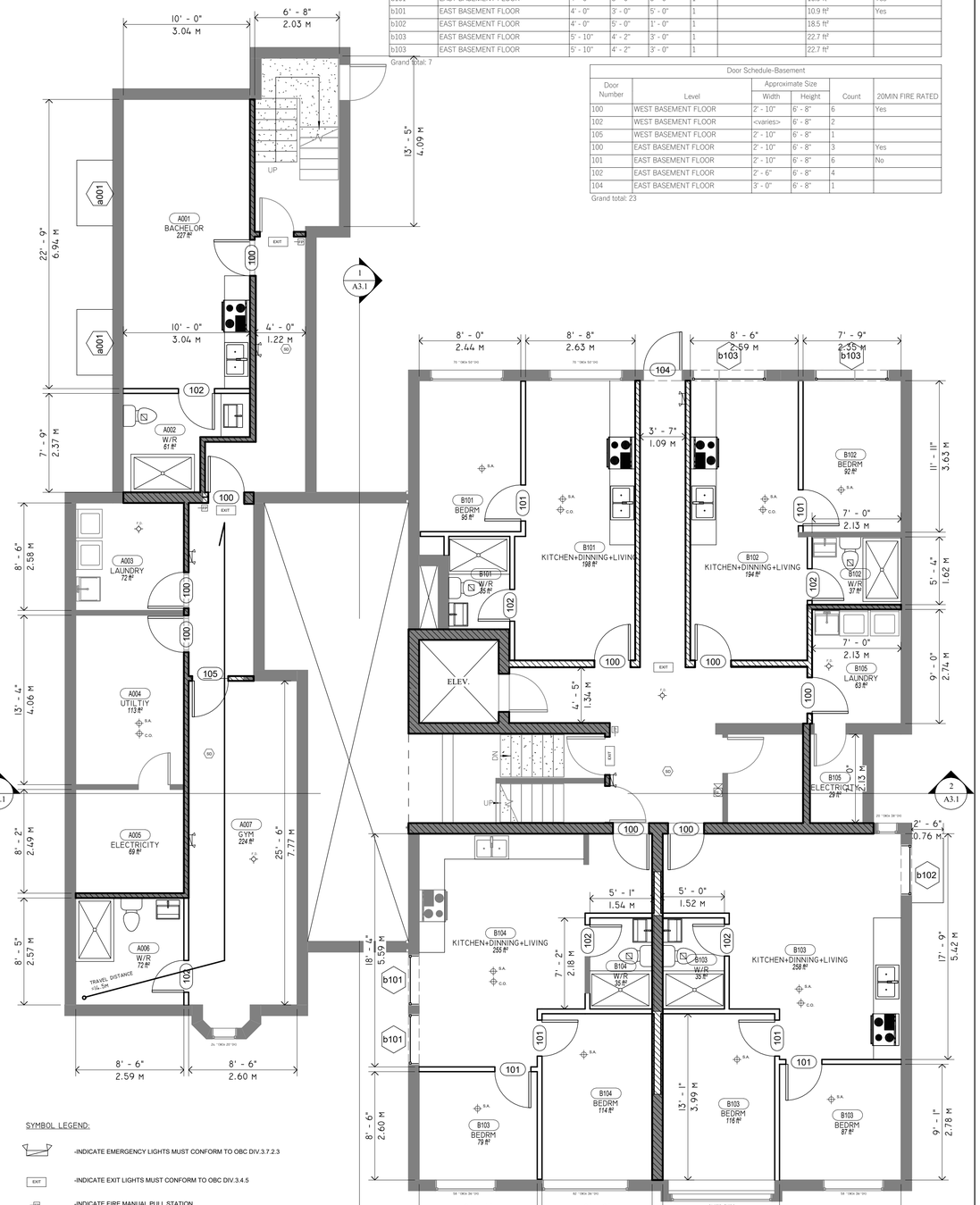
1 WEST BASEMENT FLOOR
3/16" = 1'-0"

Window Schedule-Basement								
Window Number	Level	Approximate Size		Sill Height	Count	LINTEL	Glazed Area	Wired Glaze
		Width	Height					
a001	WEST BASEMENT FLOOR	4' - 0"	4' - 0"	1' - 6"	1		14.7 ft²	
a001	WEST BASEMENT FLOOR	4' - 0"	4' - 0"	1' - 6"	1		14.7 ft²	
b101	EAST BASEMENT FLOOR	4' - 0"	3' - 0"	5' - 0"	1		10.9 ft²	Yes
b101	EAST BASEMENT FLOOR	4' - 0"	3' - 0"	5' - 0"	1		10.9 ft²	Yes
b102	EAST BASEMENT FLOOR	4' - 0"	5' - 0"	1' - 0"	1		18.5 ft²	
b103	EAST BASEMENT FLOOR	5' - 10"	4' - 2"	3' - 0"	1		22.7 ft²	
b103	EAST BASEMENT FLOOR	5' - 10"	4' - 2"	3' - 0"	1		22.7 ft²	

Grand total: 7

Door Schedule-Basement					
Door Number	Level	Approximate Size		Count	20MIN FIRE RATED
		Width	Height		
100	WEST BASEMENT FLOOR	2' - 10"	6' - 8"	6	Yes
102	WEST BASEMENT FLOOR	<varies>	6' - 8"	2	
105	WEST BASEMENT FLOOR	2' - 10"	6' - 8"	1	
100	EAST BASEMENT FLOOR	2' - 10"	6' - 8"	3	Yes
101	EAST BASEMENT FLOOR	2' - 10"	6' - 8"	6	No
102	EAST BASEMENT FLOOR	2' - 6"	6' - 8"	4	
104	EAST BASEMENT FLOOR	3' - 0"	6' - 8"	1	

Grand total: 23



SYMBOL LEGEND:

-INDICATE EMERGENCY LIGHTS MUST CONFORM TO OBC DIV.3.7.2.3

EXIT -INDICATE EXIT LIGHTS MUST CONFORM TO OBC DIV.3.4.5

-INDICATE FIRE MANUAL PULL STATION

-INDICATE FIRE ALARM

S.A. -INTERCONNECTED SMOKE ALARM

C.O. -INTERCONNECTED CARBON MONOXIDE DETECTOR

-EXHAUST FAN

F.D. -FLOOR DRAIN

2 WEST BASEMENT FLOOR (PROP.)
3/16" = 1'-0"

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405 - 2347 KENNEDY RD, TORONTO, ON M1T3T8

No.	Description	Date

140 Herkimer St #138,
Hamilton, ON L8P 2H1

NAME:

CONTACT:

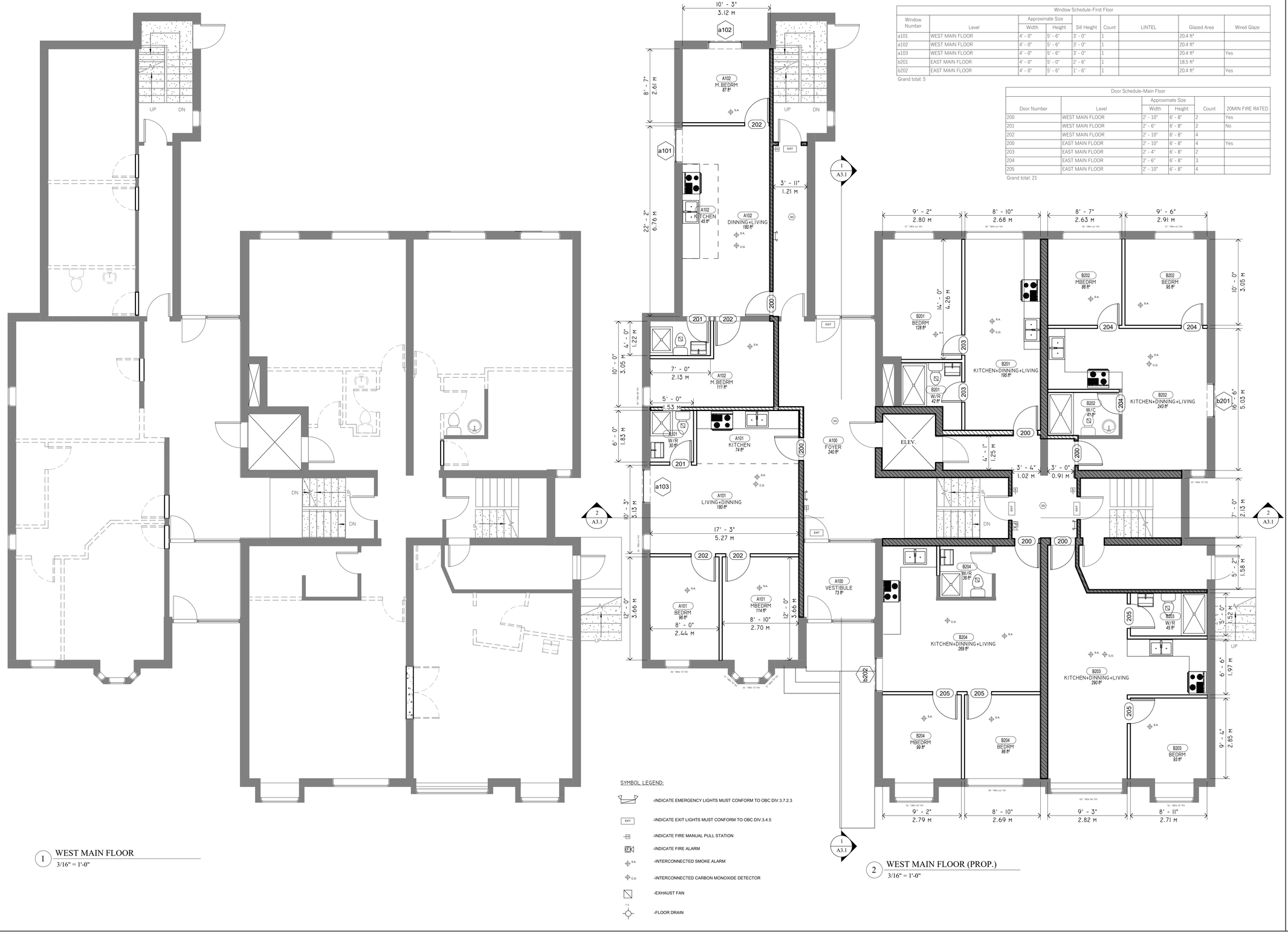
BASEMENT PLAN

Project number	190715
Date	05/20/2021
Drawn by	YH
Checked by	BW

A1.1

Scale: As indicated

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1 WEST MAIN FLOOR
3/16" = 1'-0"

2 WEST MAIN FLOOR (PROP.)
3/16" = 1'-0"

SYMBOL LEGEND:

-INDICATE EMERGENCY LIGHTS MUST CONFORM TO OBC DIV.3.7.2.3

EXIT -INDICATE EXIT LIGHTS MUST CONFORM TO OBC DIV.3.4.5

-INDICATE FIRE MANUAL PULL STATION

-INDICATE FIRE ALARM

S.A. -INTERCONNECTED SMOKE ALARM

C.O. -INTERCONNECTED CARBON MONOXIDE DETECTOR

-EXHAUST FAN

-FLOOR DRAIN

Window Schedule-First Floor

Window Number	Level	Approximate Size		Sill Height	Count	LINTEL	Glazed Area	Wired Glaze
		Width	Height					
a101	WEST MAIN FLOOR	4' - 0"	5' - 6"	3' - 0"	1		20.4 ft²	
a102	WEST MAIN FLOOR	4' - 0"	5' - 6"	3' - 0"	1		20.4 ft²	
a103	WEST MAIN FLOOR	4' - 0"	5' - 6"	3' - 0"	1		20.4 ft²	Yes
b201	EAST MAIN FLOOR	4' - 0"	5' - 0"	2' - 6"	1		18.5 ft²	
b202	EAST MAIN FLOOR	4' - 0"	5' - 6"	1' - 6"	1		20.4 ft²	Yes

Grand total: 5

Door Schedule-Main Floor

Door Number	Level	Approximate Size		Count	20MIN FIRE RATED
		Width	Height		
200	WEST MAIN FLOOR	2' - 10"	6' - 8"	2	Yes
201	WEST MAIN FLOOR	2' - 6"	6' - 8"	2	No
202	WEST MAIN FLOOR	2' - 10"	6' - 8"	4	
200	EAST MAIN FLOOR	2' - 10"	6' - 8"	4	Yes
203	EAST MAIN FLOOR	2' - 4"	6' - 8"	2	
204	EAST MAIN FLOOR	2' - 6"	6' - 8"	3	
205	EAST MAIN FLOOR	2' - 10"	6' - 8"	4	

Grand total: 21

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405 - 2347 KENNEDY RD, TORONTO, ON M1T3T8

No.	Description	Date

140 Herkimer St #138, Hamilton, ON L8P 2H1

NAME:

CONTACT:

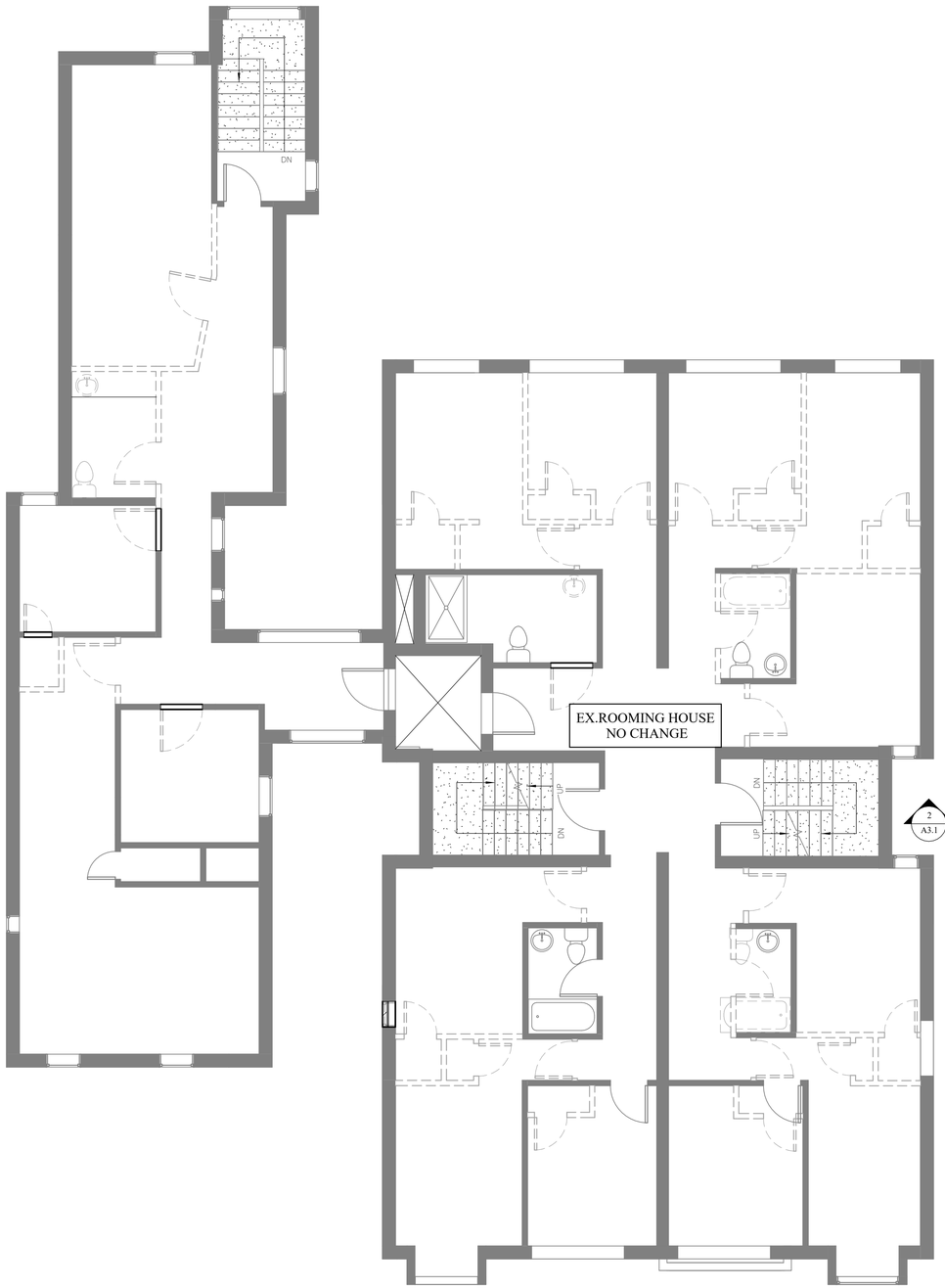
MAIN FLOOR PLAN

Project number	190715
Date	05/20/2021
Drawn by	YH
Checked by	BW

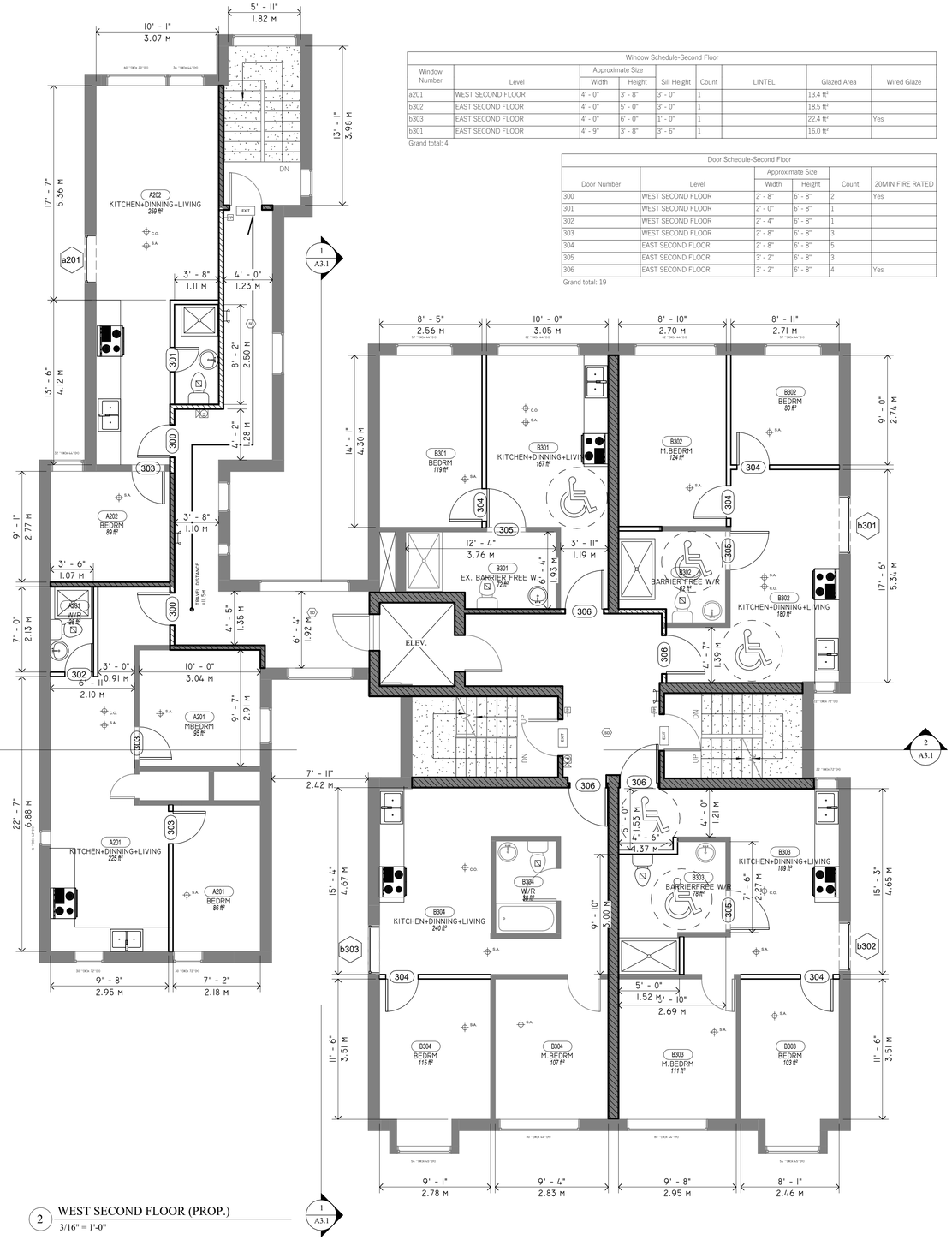
A1.2

Scale: As indicated

2025-07-18 1:29:54 PM



1 WEST SECOND FLOOR
3/16" = 1'-0"



2 WEST SECOND FLOOR (PROP.)
3/16" = 1'-0"

Window Schedule-Second Floor								
Window Number	Level	Approximate Size		Sill Height	Count	LINTEL	Glazed Area	Wired Glaze
		Width	Height					
a201	WEST SECOND FLOOR	4' - 0"	3' - 8"	3' - 0"	1		13.4 ft²	
b302	EAST SECOND FLOOR	4' - 0"	5' - 0"	3' - 0"	1		18.5 ft²	
b303	EAST SECOND FLOOR	4' - 0"	6' - 0"	1' - 0"	1		22.4 ft²	Yes
b301	EAST SECOND FLOOR	4' - 9"	3' - 8"	3' - 6"	1		16.0 ft²	

Grand total: 4

Door Schedule-Second Floor					
Door Number	Level	Approximate Size		Count	20MIN FIRE RATED
		Width	Height		
300	WEST SECOND FLOOR	2' - 8"	6' - 8"	2	Yes
301	WEST SECOND FLOOR	2' - 0"	6' - 8"	1	
302	WEST SECOND FLOOR	2' - 4"	6' - 8"	1	
303	WEST SECOND FLOOR	2' - 8"	6' - 8"	3	
304	EAST SECOND FLOOR	2' - 8"	6' - 8"	5	
305	EAST SECOND FLOOR	3' - 2"	6' - 8"	3	
306	EAST SECOND FLOOR	3' - 2"	6' - 8"	4	Yes

Grand total: 19

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405 - 2347 KENNEDY RD, TORONTO, ON M1T3T8

No.	Description	Date

140 Herkimer St #138, Hamilton, ON L8P 2H1

NAME:

CONTACT:

SECOND FLOOR PLAN

Project number	190715
Date	05/20/2021
Drawn by	Author
Checked by	BW

A1.3

Scale 3/16" = 1'-0"

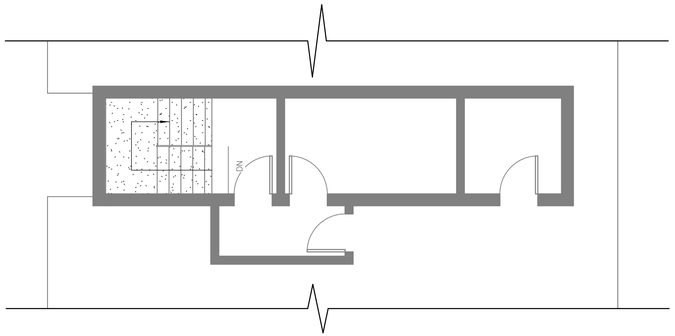
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Window Schedule-Thitd Floor								
Window Number	Level	Approximate Size		Sill Height	Count	LINTEL	Glazed Area	Wired Glaze
		Width	Height					
b401	EAST THIRD FLOOR	5' - 0"	4' - 0"	3' - 6"	1		18.5 ft²	
b402	EAST THIRD FLOOR	4' - 0"	4' - 0"	3' - 6"	1		14.7 ft²	
b403	EAST THIRD FLOOR	4' - 0"	5' - 6"	2' - 0"	1		20.4 ft²	Yes

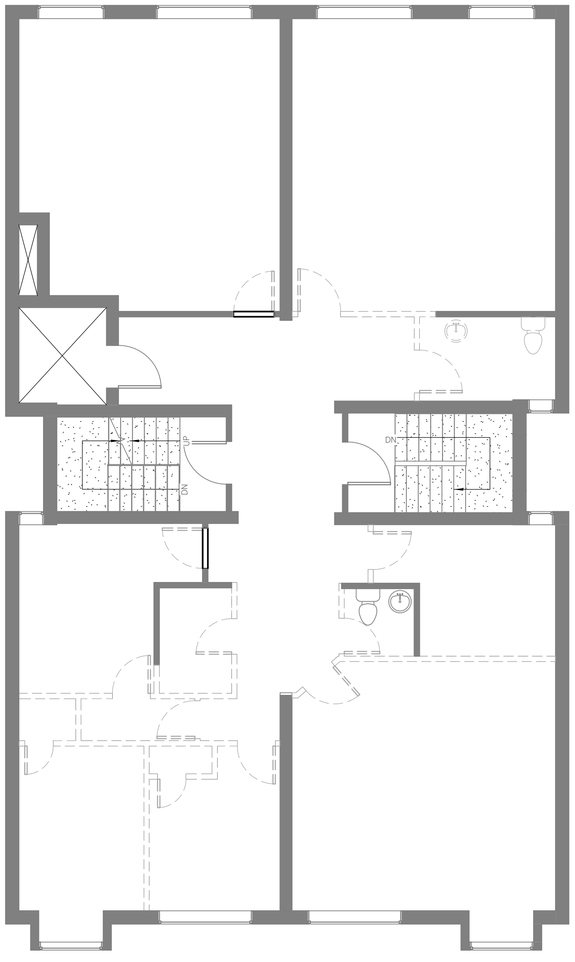
Grand total: 3

Door Schedule-Third Floor					
Door Number	Level	Approximate Size		Count	20MIN FIRE RATED
		Width	Height		
400	EAST THIRD FLOOR	2' - 10"	6' - 8"	4	Yes
401	EAST THIRD FLOOR	2' - 6"	6' - 8"	8	
402	EAST THIRD FLOOR	2' - 10"	6' - 8"	3	

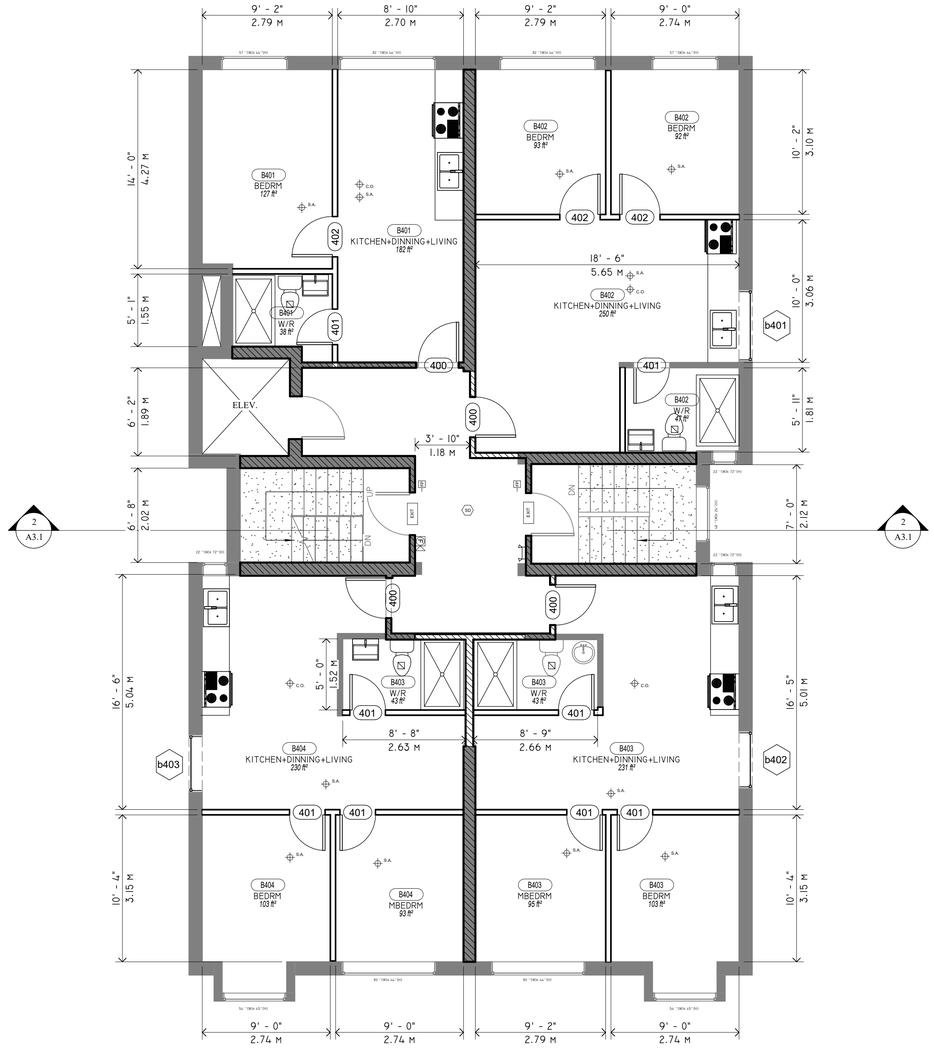
Grand total: 15



3 EAST T.O. ROOF
3/16" = 1'-0"



1 EAST THIRD FLOOR
3/16" = 1'-0"



2 EAST THIRD FLOOR (PROP.)
3/16" = 1'-0"

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No.	Description	Date

140 Herkimer St #138,
Hamilton, ON L8P 2H1

NAME:

CONTACT:

THIRD FLOOR PLAN

Project number	190715
Date	05/20/2021
Drawn by	Author
Checked by	Checker

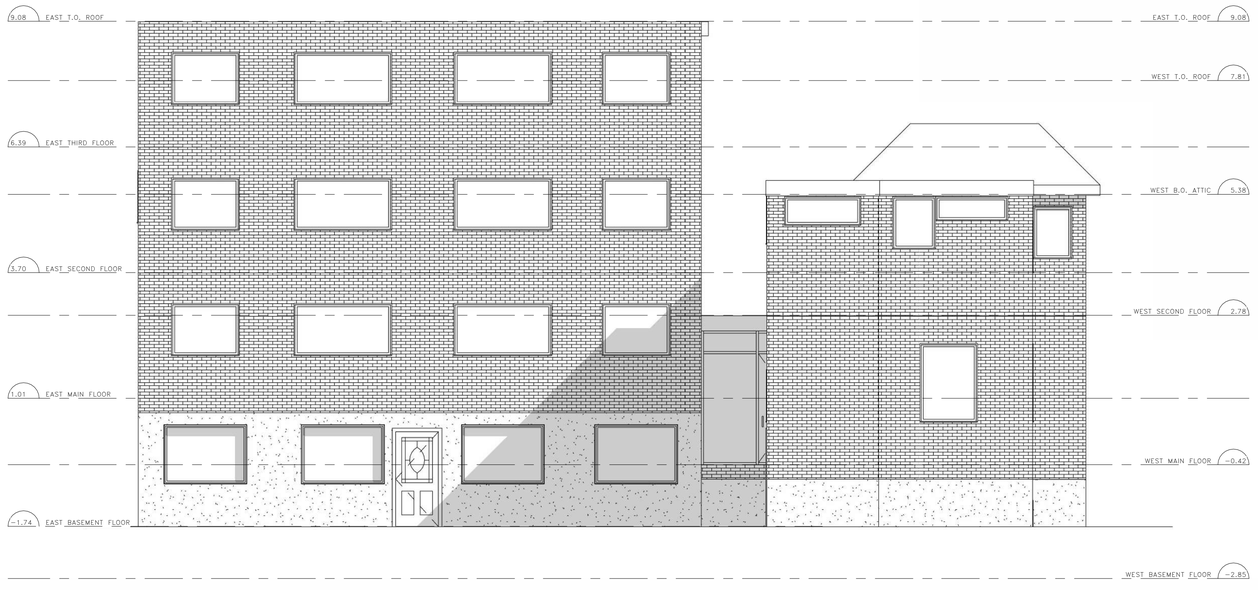
A1.4

Scale 3/16" = 1'-0"

2025-07-18 1:29:59 PM



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



2 REAR ELEVATION
3/16" = 1'-0"

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LHW.ENGINEERING@GMAIL.COM
405 - 2347 KENNEDY RD, TORONTO, ON M1T3T8

No.	Description	Date

140 Herkimer St #138, Hamilton, ON L8P 2H1

NAME:

CONTACT:

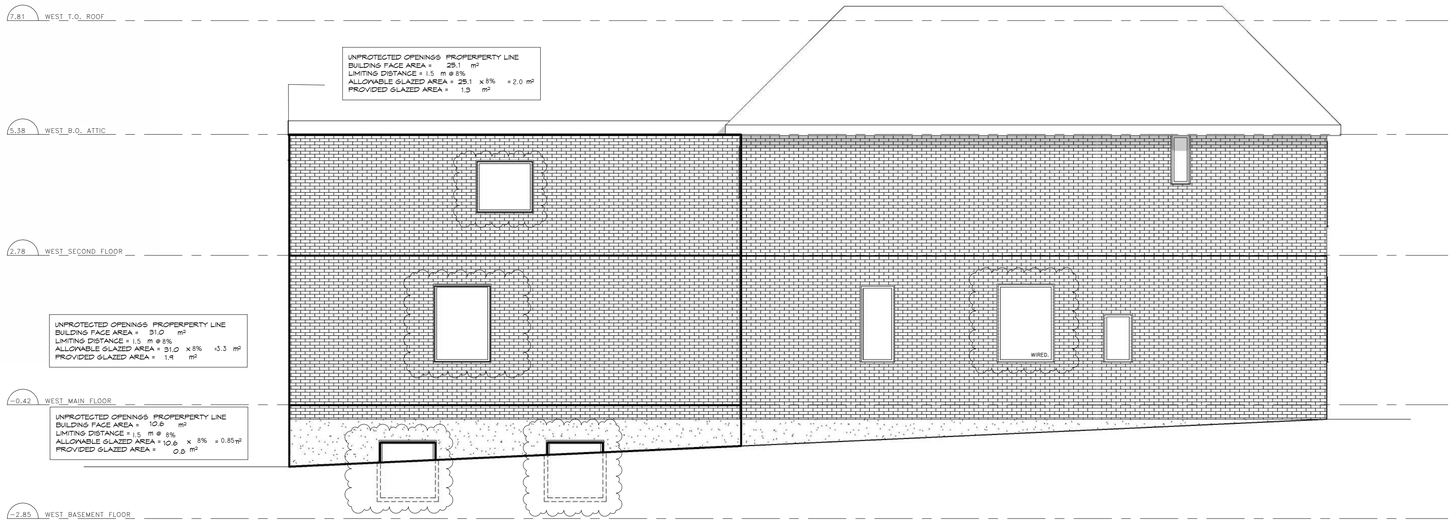
FRONT&REAR ELEVATION

Project number	190715
Date	05/20/2021
Drawn by	Author
Checked by	Checker

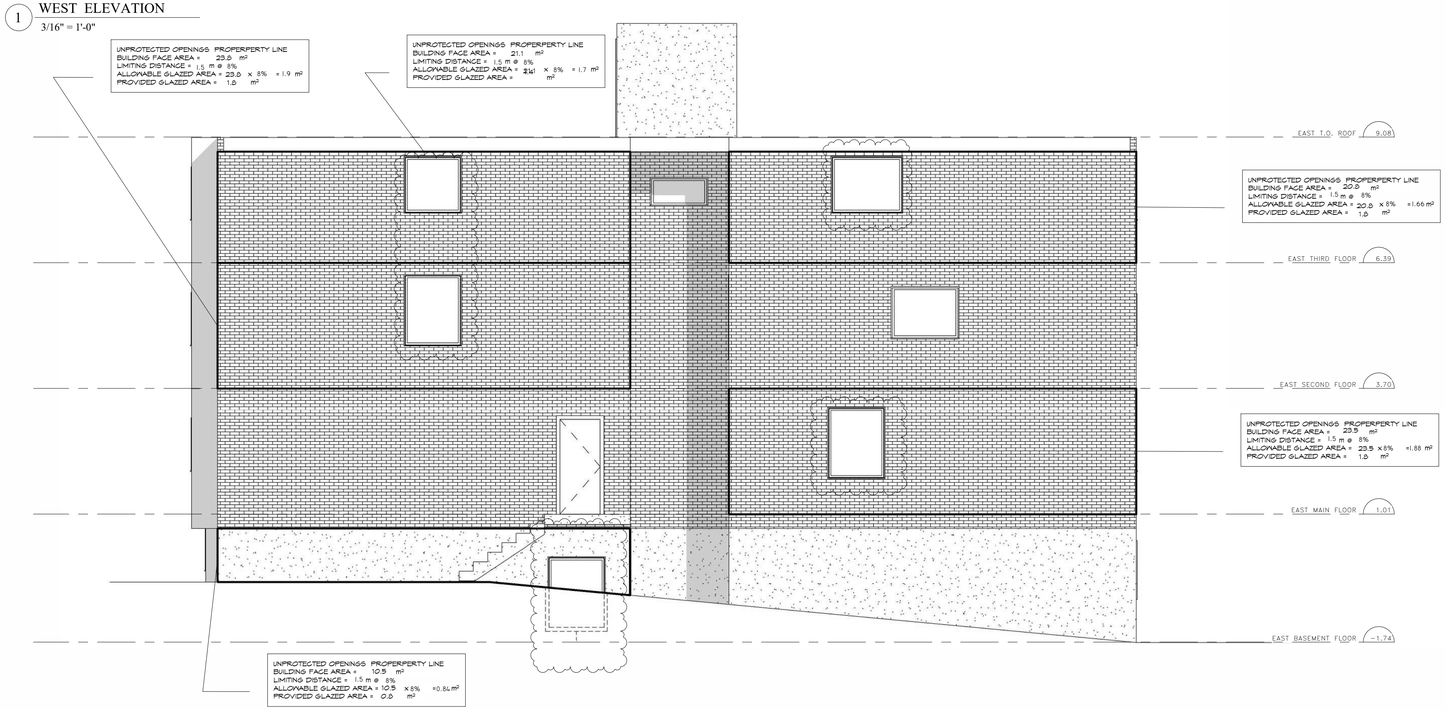
A2.1

Scale 3/16" = 1'-0"

2025-07-18 1:30:08 PM



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



2 EAST ELEVATION
3/16" = 1'-0"

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405 - 2347 KENNEDY RD, TORONTO, ON M1T3T8

No.	Description	Date
1	Revision 2	05/20/2021

140 Herkimer St #138, Hamilton, ON L8P 2H1

NAME:

CONTACT:

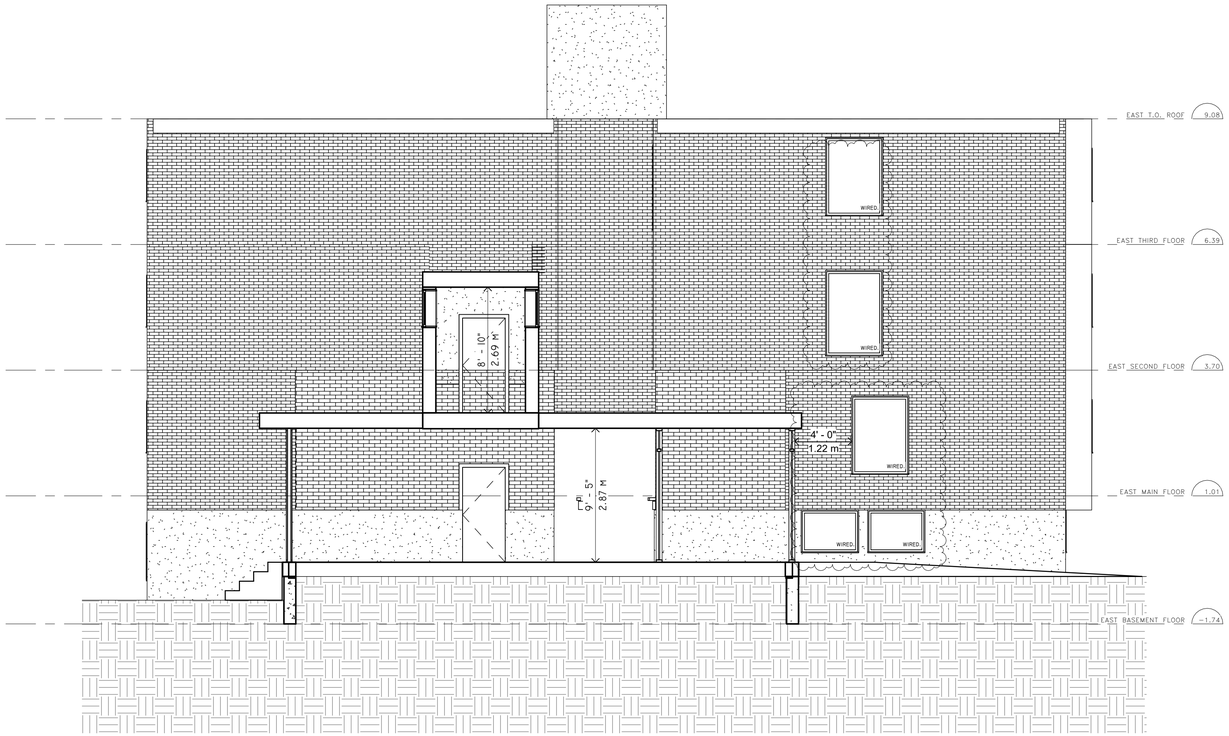
WEST&EAST ELEVATION

Project number	190715
Date	05/20/2021
Drawn by	Author
Checked by	Checker

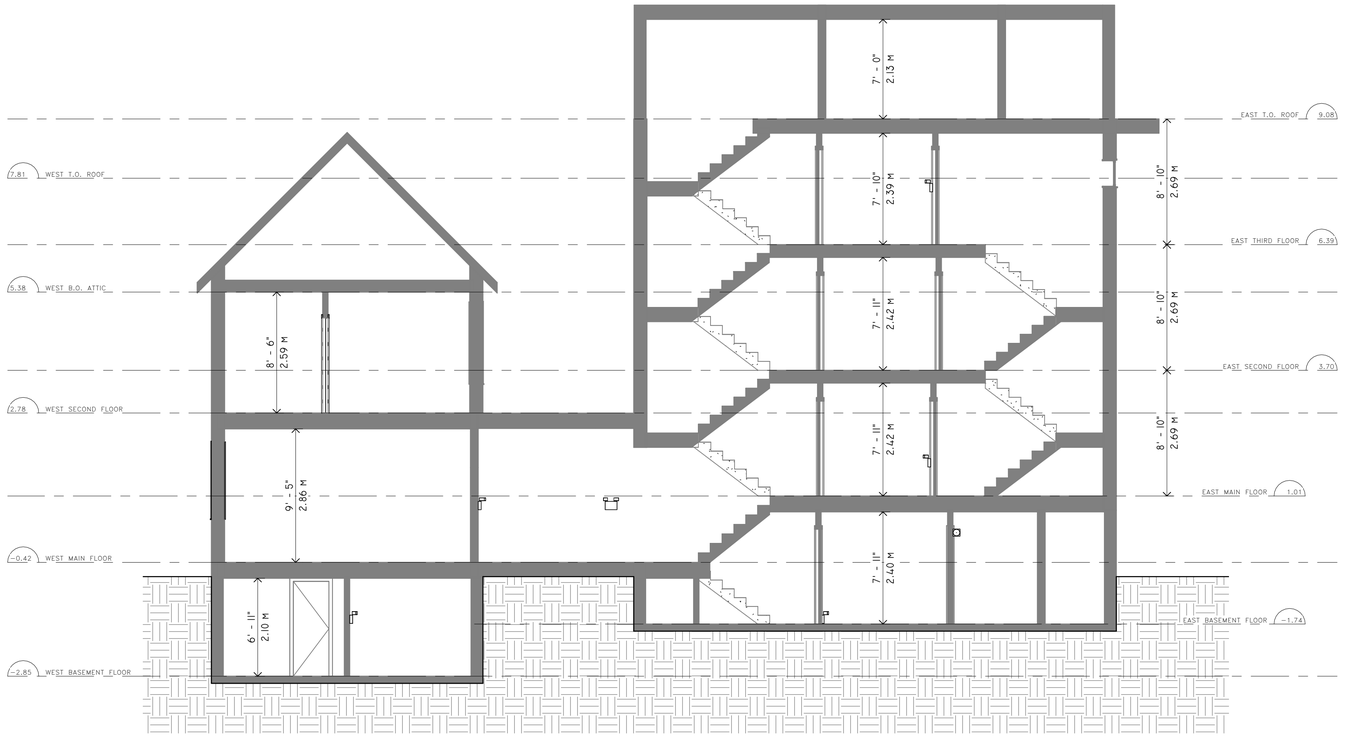
A2.2

Scale 3/16" = 1'-0"

2025-07-18 1:30:13 PM



1 AXIAL SECTION
3/16" = 1'-0"



2 CROSS SECTION
3/16" = 1'-0"

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405 - 2347 KENNEDY RD, TORONTO, ON M1T3T8

No.	Description	Date
1	Revision 2	05/20/2021

140 Herkimer St #138, Hamilton, ON L8P 2H1

NAME:

CONTACT:

SECTION VIEW

Project number	190715
Date	05/20/2021
Drawn by	AY
Checked by	BW

A3.1

Scale 3/16" = 1'-0"

2025-07-18 1:30:14 PM

Hamilton

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

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

APPLICATION FOR A MINOR VARIANCE/PERMISSION

UNDER SECTION 45 OF THE *PLANNING ACT*

1. APPLICANT INFORMATION

	NAME	MAILING ADDRESS	
Registered Owners(s)	Liwen Holding Ltd.	[redacted]	
Applicant(s)	Tony Yu		
Agent or Solicitor			**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 [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	138-140 Herkimer st, Hamilton		
Assessment Roll Number			
Former Municipality	City of Hamilton		
Lot	79 and part of Lot 80	Concession	
Registered Plan Number	256	Lot(s)	
Reference Plan Number (s)	17135-0240(LT)	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:

Alteration from a Residential Care Facility with a maximum of 10 Residents into a Multiple Dwelling containing a total of 21 Dwelling Units, several reliefs related to parking space number hope to be granted

☐ Second Dwelling Unit ☐ Reconstruction of Existing Dwelling

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

The property locate at downtown area with potential 8 parking space at the rear yard.
The new zoning and planning bylaw are in the trend of waiving the parking requirement within this zone
Enough bicycle parking spaces are available.

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
22.268 m	41.202 m	917.5 sq.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
TWO & HALF STOREY BRICK EAST BUILDING	7.273 m	10.85m	0.393m	1973
THREE STOREY BRICK WEST BUILDING	3.054 m	18.29m	1.527m	1973
Metal cladding shed		7.06m	0.35m	1973

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
no change	no change	no change	no change	

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

Existing:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height

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.):

21 Dwelling units apartment

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

esidential Care Facility with a maximum of 10 Residents

7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:
April 09, 2025

7.2 Previous use(s) of the subject property: (single detached dwelling duplex, retail, factory etc)
residential Care Facility with a maximum of 10 Residents

7.3 Existing use(s) of the subject property: (single detached dwelling duplex, retail, factory etc)
residential Care Facility with a maximum of 10 Residents

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

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

Rural Hamilton Official Plan designation (if applicable): _____

Rural Settlement Area: _____

Urban Hamilton Official Plan designation (if applicable) Neigbourhoods

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

7.6 What is the existing zoning of the subject land? ~~DA-02-051~~ E/S-308a District

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: DA-02-051

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: 10

8.2 Number of Dwelling Units Proposed: 21

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

The 3 story building (138 Herkimer St, Hamilton) was an apartment building when it was built in 1968 now we are trying change it back to apartment building.

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-25:116**	**SUBJECT PROPERTY:**	103 Emerald Street South, Hamilton
ZONE:	"E" Districts (Multiple Dwellings, Lodges, Clubs, etc.)	**ZONING BY-LAW:**	Hamilton Zoning By-law 6593

APPLICANTS: Owner: 2563239 Ontario Inc c/c Jon Pilon
Agent: MHBC Planning c/o Andrew Hannaford and Gerry Tchisler

The following variances are requested:

1. The minimum number of required parking spaces shall be 0.8 spaces per dwelling unit instead of the minimum required 1.25 parking spaces per dwelling unit.

2. The minimum number of visitor parking spaces shall be 0.05 spaces per dwelling unit instead of the minimum required 0.25 visitor parking spaces per dwelling unit.

3. No loading facilities shall be provided instead of the minimum required one (1) loading space measuring 18.0 metres in length x 3.7 metres in width x 4.3 metres in height for a Multiple Dwelling consisting of 30 - 100 dwelling units.

PURPOSE & EFFECT: To permit the establishment of five (5) new dwelling units within the existing building.

Notes:

i. The lands are subject to Site Plan Control

A-25:116

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:	**Thursday, September 4, 2025**
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

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 September 2, 2025

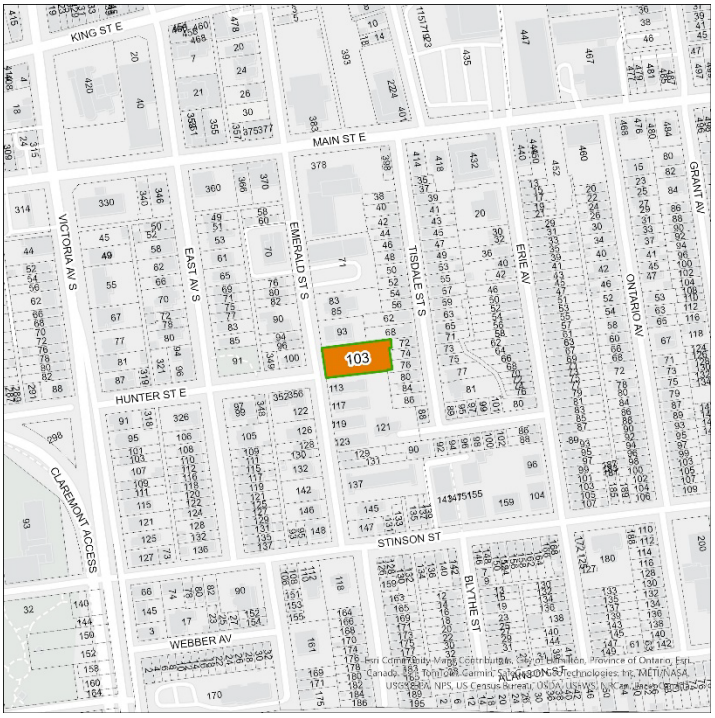
Orally: If you would like to speak to this item at the hearing you may do so via video link, calling in, or attending in person. Please see attached page for complete instructions, registration to participate virtually must be received no later than noon September 3, 2025

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding A-25:116, 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-25:116



Subject Lands

DATED: August 18, 2025

Justin Leung,
Secretary-Treasurer
Committee of Adjustment

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

Hamilton

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

PARTICIPATING PROCEDURES

1. Written Submission Ahead of the Meeting

Members of the public who wish to provide input without speaking at the Hearing may submit written comments in advance of the meeting. Comments must be received by 12:00 p.m. (noon) on the deadline date for written comment submissions listed on the Notice of Public Hearing.

How to Submit Written Comments:

By Email:
Send to: cofa@hamilton.ca

By Mail:
Committee of Adjustment
City of Hamilton
71 Main Street West, 5th Floor
Hamilton, Ontario
L8P 4Y5

All written comments received will be made available to the Committee and the public by the Tuesday prior to the Hearing.

2. Oral Submissions During the Hearing

Interested members of the public, agents, and owners may provide oral comments on Committee of Adjustment Hearing items either virtually via Webex (computer or phone) or by attending in person.

Speaking Time Limit:
All participants providing oral submissions, either in person or virtually are limited to a maximum of 5 minutes to speak. This is to ensure all parties have an equal opportunity to be heard and that the meeting runs efficiently.

3. In-Person Oral Submissions

To participate in person, attend Council Chambers on the date and time listed in the Notice of Public Hearing. You will be required to provide your name and address for the record. It is recommended you arrive at least 10 minutes prior to the scheduled start time.

4. Virtual Oral Submissions

To participate virtually, you must register by 12:00 p.m. (noon) on the virtual oral submissions registration deadline date. This is listed on the Notice of Public Hearing.

- Committee of Adjustment file number
- Hearing date
- Name and mailing address of each person wishing to speak
- Method of participation (phone or video), and, if applicable, the phone number to be used
- Each person must register separately

Registered participants will receive a Webex link one business day before the Hearing. Only those registered will be called upon to speak.

5. Presentations

All presentations are permitted at the discretion of the Committee.

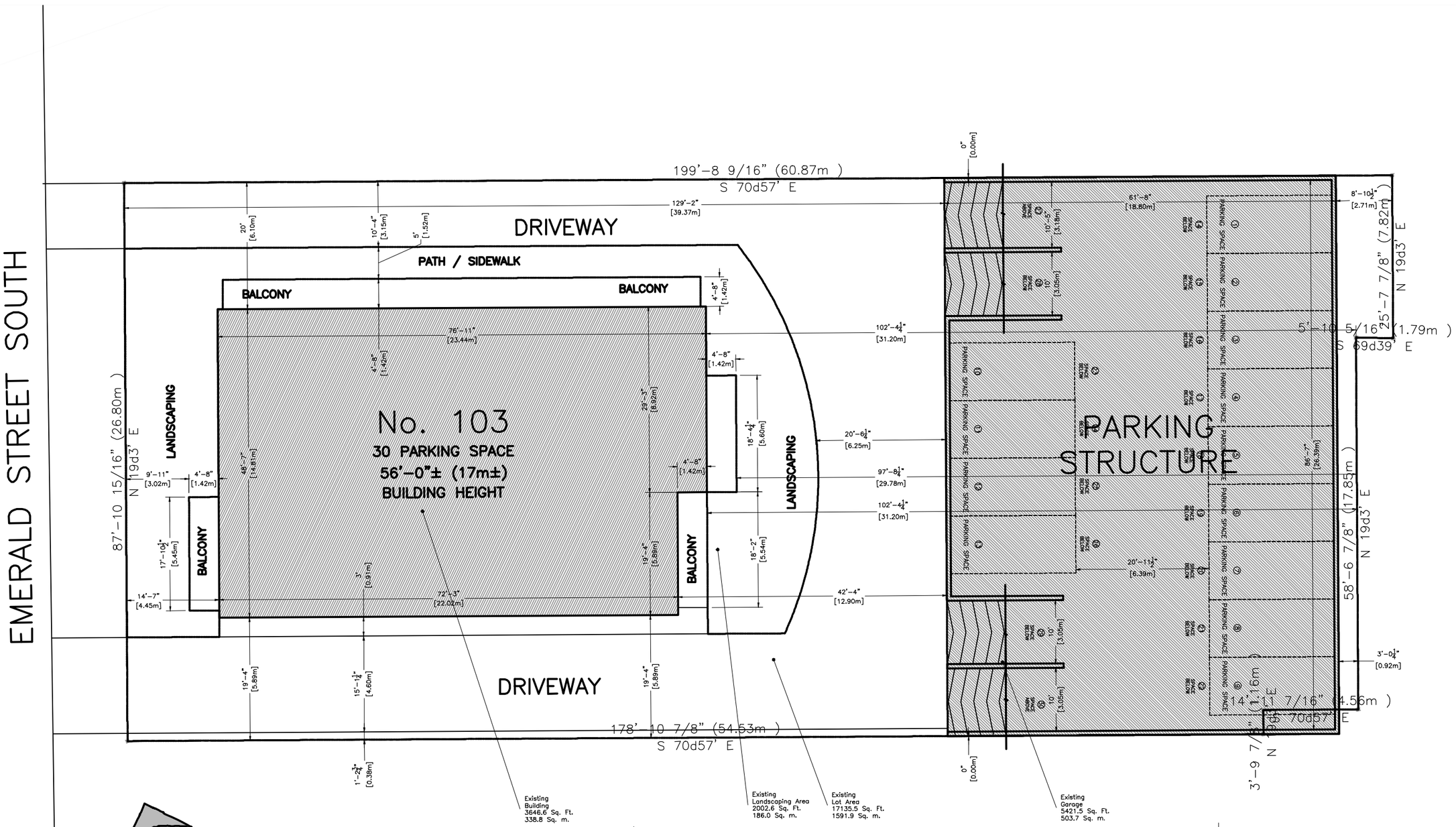
Virtual Presentations:
Presenters participating virtually may be granted permission to share their screen during the Hearing. A copy of the presentation must be submitted to cofa@hamilton.ca **by 12:00 p.m. (noon) on the business day prior to the Hearing.** The submission must be one document in PDF format only.

In-Person Presentations:
Presenters attending in person may be granted permission to use the presentation screen. Presentations must be brought on a USB device and opened by the owner/applicant. A copy of the presentation must also be sent to cofa@hamilton.ca **by 12:00 p.m. (noon) on the business day prior to the Hearing.** The submission must be one document in PDF format only. Handouts are permitted only if the same content can be displayed on the presentation screen.

6. Additional Notes

- Webex (video) participation requires a compatible computer or smartphone. The necessary application must be downloaded in advance.
- It is the interested party's responsibility to ensure their device is functional and compatible prior to the Hearing.

For any questions, contact staff at cofa@hamilton.ca or call 905-546-2424 ext. 4221.



Site plan and COA notes:

All overhangs are 16" (0.41m) unless specifically noted.
All eave troughs project an additional 5" (0.13m) beyond the roof overhangs.
All garage doors are a min 8'x7' (2.44mx2.13m) opening
All garage doors project into the garage interior space by no more then 2" (0.05m)
Typical garage steps into dwelling are 10" (0.25m) run (projection) and 48" (1.22m) wide

A	.
V01	SCALE 1/16" = 1'-0"

MHBC | PLANNING URBAN DESIGN & LANDSCAPE ARCHITECTURE

June 6, 2025

Justin Leung, Secretary Treasurer
Committee of Adjustment
City of Hamilton
71 Main Street West, 5th Floor
Hamilton, Ontario L8P 4Y5

Dear Mr. Leung:

RE: Application for Minor Variance
103 Emerald Street South, Hamilton
Our File: 25110A

On behalf of our client, Endless Property Holdings (the "Owner"), we are pleased to submit this application for Minor Variance for the property municipally addressed as 103 Emerald Street South in Hamilton (the "Subject Lands"). This letter provides an overview of the redevelopment proposal, as well as a justification and rationale in support of the requested variances. The proposal will, along with general building renovations, increase the number of residential dwelling units from 30 to 35 while maintaining the existing parking count of 30. The proposed renovations are to occur entirely within the existing building structure, with no other changes proposed to the site.

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

- One (1) copy of the completed Minor Variance Application form; and.
- One (1) copy of the Site Plan, prepared by Virtual Creations Inc.

Payment to the City of Hamilton in the amount of $4,015.00 being the municipal application fee will be submitted following confirmation of application receipt.

Site Context

The Subject Lands are located on the east side of Emerald Street, immediately east of Hunter Street, and between Main Street and Stinson Street. The Subject Lands have 26.75 metres of frontage along Emerald Street South, and a total area of 1591.9 square metres. The Subject Lands are currently occupied by an existing 6-storey (~17.0 metre) apartment building constructed in the 1960s. The existing building contains ~2,371.4 square metres of residential GFA, and 30 dwelling units. The existing building provides for 28 resident parking spaces and 2 visitor parking spaces in a small two level parking deck at the rear of the building, accessed by two one-way driveways from Emerald Steet South which run along either side of the building.

The existing building comprises 6 storeys with 30 existing units. The existing basement level contains no residential units, and provides for a utility room, workshop, management office, laundry room, and several large unfinished rooms. The basement level is largely vacant, and represents underutilized space which could be repurposed to provide a benefit to the community as additional space for housing.

Immediately north of the Subject Lands is a 5-storey apartment building. A mix of apartment, office, and institutional uses exist along Emerald Street towards Main Street to the north. Immediately south of the Subject Lands is a 4-storey apartment building, followed by a mix of apartment and single-detached residential uses to the south along Emerald Street towards Stinson Street. To the east of the Subject Lands (immediately to the rear) is Tisdale Street, which consists of a mix of single detached and apartment residential uses. The Subject Lands are located at the terminus of Hunter Street, which runs to the west and consists of a mix of single detached and apartment residential uses.

The Subject Lands are located within the Stinson Neighbourhood of the City of Hamilton. Within walking distance of the Subject Lands are several neighbourhood parks (Carter Park, Bishops Park, etc), community centres (Central Memorial), and schools (St. Patrick's Catholic Elementary). The Subject Lands are additionally located within walking distance of daily commercial needs, such as pharmacies, grocery stores, and restaurants. The Subject Lands are well served by existing transit, including HSR Route 1 along Main Street, and Routes 5 and 12 along Stinson Street. The Subject Lands are also a short 10-minute walk away from the future Wellington Street LRT Station.

Summary of the Proposal

The proposed redevelopment intends to renovate unused and underutilized space within the basement of the existing building footprint, and replace this space with new residential units in order to increase the number of rental residential units provided. Within the basement, unused vacant, management office, and workshop space is to be replaced by 5 new rental residential units, with reconfigured utility and laundry rooms to continue to serve the existing building and units. New window wells are to be added to the basement level to serve the new lower level units, as detailed on the architectural plans provided.

Aside from general building renovations, no changes to the existing building structure or footprint are proposed to accommodate the new residential units. The existing supply of 30 vehicular parking spaces is to be maintained, with no new parking proposed or changes to the site proposed as part of the redevelopment.

Description of the Current Official Plan Designation and Zoning

The Subject Lands are currently designated Neighbourhoods within the Urban Hamilton Official Plan, which permit medium and high density uses, including multiple dwellings.

The Subject Lands are zoned High Density Multiple Dwellings (E) in the former City of Hamilton Zoning By-law 6593. The E Zone permits multiple dwellings, with regulations for height, yard setbacks, density, landscaped area, and minimum parking.

As the existing buildings were constructed prior to the current consolidation of former By-law 6593, several of the existing site conditions, prior to redevelopment, do not comply with the applicable zone provisions. Accordingly, 4 variances are proposed, 3 of which regularize existing site conditions and are not associated with the proposed intensification. The remaining variance would be required to regularize existing site conditions, but is further impacted by the proposed intensification.

Description of the Requested Variances

The purpose of this Minor Variance application is to obtain relief from several of the existing zoning provisions applicable to the Subject Lands in the former City of Hamilton Zoning By-law 6593, to recognize and permit existing site conditions, as well as minor reductions because of the proposed development.

1. To permit a minimum parking rate for multiple dwellings of 0.80 resident spaces per dwelling unit, whereas By-law 6593 requires a minimum parking rate of 1.25 resident spaces per dwelling unit.
2. To permit a minimum parking rate for multiple dwellings of 0.05 visitor spaces per dwelling unit, whereas By-law 6593 requires a minimum parking rate of 0.25 visitor spaces per dwelling unit.

The former Hamilton By-law 6593 requires a minimum parking rate for Multiple Dwellings of 1.25 resident spaces and 0.25 visitor spaces per dwelling unit. 103 Emerald Street currently provides a parking rate of 0.93 resident spaces per unit and 0.06 visitor spaces per unit. With the introduction of 5 additional dwelling units through the proposed development, the provided parking rate will decrease to 0.85 resident spaces per unit and 0.05 visitor spaces per unit. The existing building currently provides less resident and visitor parking than the requirements of By-law 6593.

In 2023, the City of Hamilton approved reduced parking standards City-wide for all properties subject to Zoning By-law 05-200. These reduced standards remove the minimum residential parking requirement within Parking Rate Area 1 and reduce the required visitor parking to a minimum of 2 spaces plus 0.05 per unit. The Subject Lands, as they are subject to the former By-law 6593, were not subject to the reduced parking standards, however, the proposed modified parking rate is in general accordance with the new City-wide parking standards.

As the proposed development involves renovation of the existing building, no new parking spaces are proposed and the existing 30 parking spaces are proposed to remain. The Subject Lands are unable to accommodate any additional surface parking on site, therefore this variance seeks to permit the introduction of additional residential units without any increase in on-site parking. The Subject Lands are well-suited for a reduced parking requirement, not only as it is an existing site condition, but also due to their position within the City. The Stinson neighbourhood provides for frequent transit service, multiple transportation options including walking, cycling, bike share, e-scooters, and buses, as well as convenient access to community amenities and the downtown core as discussed above.

This variance therefore both seeks to regularize the existing site conditions, as well as permit a minor reduction in the required minimum parking rate in keeping with the existing site condition and the City's revised approach to minimum parking requirements in By-law 05-200.

3. To permit 0 loading spaces be provided for a multiple dwelling having greater than 30 units, whereas By-law 6593 requires a minimum of one loading space having minimum dimensions of 18.0 metres in length and 3.7 metres in width.

The former Hamilton By-law 6593 requires a minimum of one loading space for multiple dwellings with 30-100 dwelling units, having a minimum dimension of 18.0 metres in length and 3.7 metres in width. 103 Emerald Street currently provides for 0 loading spaces. As the proposed development involves renovation of the existing building, no new parking or loading spaces are proposed. The lack of a loading space is an existing condition which has been in place and functionally operating for several decades. It is further noted that the City's current Zoning By-law 05-200 contains no provisions requiring loading spaces for Multiple Dwellings. This variance seeks to regularize the existing site condition.

No additional variances are required to permit the proposed development.

Analysis and Justification

Section 45(1) of the *Planning Act* identifies four tests which must be satisfied in order for the requested minor variances to be approved. The proposed variances both individually and cumulatively meet the four tests, as demonstrated in the analysis below.

a) The variances maintain the general intent and purpose of the Official Plan

The requested variances are required to permit the proposed intensification of the Subject Lands through the proposed interior renovations to accommodate 5 new rental residential units.

Of the requested variances, the majority are required to recognize the existing site conditions. The existing development conforms to the Urban Hamilton Official Plan, as the Subject Lands are designated Neighbourhoods and Medium Density Residential which permits the current multiple dwelling uses. The proposed renovation of underutilized interior space to new residential units will result in a slight reduction in the provided parking ratio, and will remain in conformity with the Official Plan.

Section A.2.1 of the UHOP notes that it is a primary direction of the City of Hamilton when guiding development to concentrate new development and infrastructure within existing built-up areas and within the urban boundary through intensification and adaptive re-use. Section B.3.2.1.6 of the UHOP notes that within the Urban Area it is the City's goal to increase the mix and range of housing types, forms, tenures, densities, and affordability levels throughout the City. Section A.2.1 of the UHOP further notes that it is a primary direction of the City to maximize the use of existing buildings, infrastructure, and vacant or abandoned land. The proposed development is in full alignment with this direction, by optimizing the use of the existing building to provide additional rental dwelling units while maintaining the current parking supply and site configuration.

The proposed development supports the direction of the Official Plan to intensify existing built-up areas and increase the mix and range of housing types and densities within the City. The proposed development results in one additional variance beyond those required to regularize current site conditions. Policy 4.2.5.1 of the Official Plan states that transportation demand management measures may include supporting transit and reduced vehicle dependency through reduced parking standards. The proposal accordingly provides for new rental units within an existing building, accessible by transit, and supportive of the goals and direction of the Official Plan.

Policy B.2.4.2.2 b) of the UHOP further states that when considering an application for a residential intensification development within Neighbourhoods, compatibility with adjacent land uses, such as shadowing, overlook, noise, lighting, traffic, and other nuisance effects shall be evaluated. The Subject Lands contain an existing 6-storey apartment building which has existed since the 1960's, and the proposed development consists of minor building renovations to utilize underutilized space within the existing building to provide new rental housing units. Policy C.4.5.15 of the UHOP notes that parking and loading regulations shall ensure adequate parking is provided while avoiding excess supply that can discourage transit and active transportation choices. Policy E.2.3.1.16 of the UHOP notes that reduced parking requirements shall be considered to encourage a broader range of uses and densities, and to support transit. The proposed introduction of 5 new rental units into the existing building will provide for additional residential density in proximity to existing and planned transit. The proposed variance therefore maintains the general intent and purpose of the Official Plan as it will support a broader range of density in a transit supportive form.

All of the requested variances therefore maintain the general intent and purpose of the Official Plan.

b) The variances maintain the general intent and purpose of the Zoning By-law.

Former Hamilton Zoning By-law 6593 is currently applicable to the Subject Lands, and the Subject Lands are located within the E Zone. The E Zone permits Multiple Dwelling uses.

Minimum Parking Rate

Former Hamilton By-law 6593, through Section 18A (Tables 1&2) requires a minimum parking rate for Multiple Dwellings of 1.25 resident spaces and 0.25 visitor spaces per dwelling unit. The existing building at 103 Emerald Street provides a parking rate of 0.93 resident and 0.20 visitor spaces per unit, which will decrease to 0.80 resident and 0.05 visitor spaces per unit through the addition of 5 new units.

The intent of the minimum parking rate provisions of the Zoning By-law is to ensure that sufficient parking is available for residents and visitors of the buildings. In 2023, the City of Hamilton approved reduced parking standards City-wide for all properties subject to Zoning By-law 05-200. These reduced standards remove the minimum residential parking requirement across the majority of the City and reduce the required visitor parking to a minimum of 2 spaces plus 0.05 per unit. The Subject Lands, as they are subject to the former By-law 6593, were not subject to the reduced parking standards, however, the proposed development has been developed in general accordance with the new City-wide parking standards.

The proposed development will provide for a total of 5 new residential units within the existing building footprint, therefore requiring two new visitor parking spaces. The proposed development does not propose any changes in site layout, and the existing 30 parking spaces currently occupy the entirety of available site area, with no ability to introduce additional parking.

The Subject Lands are unable to accommodate any additional surface parking on site, therefore this variance seeks to permit the introduction of additional residential units without any increase in on-site parking. The Subject Lands are well-suited for a reduced parking requirement, not only as it is an existing site condition, but also due to their position within the City. The Stinson neighbourhood provides for frequent transit service, multiple transportation options including walking, cycling, bike share, e-scooters, and buses, as well as convenient access to community amenities and the downtown core as discussed above. The site is also a 10-minute walk from the future Wellington Street LRT Station.

The proposed reduction in minimum resident and visitor parking is therefore in keeping with the general intent and purpose of the Zoning By-law.

Required Loading Spaces

Former Hamilton By-law 6593 requires a minimum of one loading space for residential developments having greater than 30 units, having minimum dimensions of 18.0 metres by 3.7 metres. 103 Emerald Street currently provides for 0 loading spaces to serve the existing 30 dwelling units. The proposed development does not propose to alter the existing loading configuration; therefore, this variance seeks to regularize the existing site condition. The intent of the required loading spaces provision is to ensure that adequate loading space is provided to service the buildings on site. Note that the current Hamilton By-law 05-200 has no minimum loading space requirement for apartment buildings, unlike the former By-law 6593 which still applies to the Subject Lands. Furthermore, the building is of a relatively small scale (30 units increasing to 35 units) which would have lower resident turn over than larger medium and high-density apartments that have a higher for loading activities.

The proposed reduction in required loading spaces is therefore in keeping with the general intent and purpose of the Zoning By-law.

c) The variances are desirable and appropriate for the development and use of the land.

The proposed creation of 5 new rental units within the existing building by renovating currently underutilized spaces will optimize the use of the existing building and provide for additional rental housing within Hamilton. It is the City of Hamilton's goal, as noted in the UHOP, to concentrate new development within the City's existing urban boundary through intensification as is proposed.

The majority of the variances proposed for 103 Emerald Street are to regularize existing site conditions, which have existed since construction of the building in the 1960's. These variances represent existing conditions, which the variances seek to explicitly permit to continue, and which are not altered by the proposed development. The remaining variance seeks to permit a reduced parking rate, which represents an existing condition which is impacted by the introduction of the additional residential units to the building. The City's Official Plan supports intensification as proposed, and no change to the physical footprint of the building is required to accommodate the new units. The City's Official Plan also supports reduced parking standards, as proposed, and as further supported by the City through the reduced City-wide parking standards introduced in 2023 to Zoning By-law 05-200. The proposed variances will not negatively or functionally impact adjacent parcels and will serve to support active transportation, existing transit services and future LRT. Therefore the proposed variances are desirable and appropriate for the development and use of the Subject Lands.

d) The variances are minor in nature.

The requested variances are minor in nature and will not result in any unacceptable or adverse impacts on the Subject Lands or surrounding area. No change to the physical footprint of the buildings is proposed for the proposed development. As no change to the physical footprint of either building is proposed for the proposed development, these variances to recognize existing conditions on site are minor in nature. The proposed variance to permit a reduction in visitor parking is a result of introducing additional dwelling units and supports the City's active transportation and transit goals. This approach is consistent with that of the broader neighbourhood which offers reduced parking on the basis good access to transit and surrounding land uses. Additionally, the total amount of parking provided on site is substantially higher than the City's new rates established through By-law 05-200 which, among other things, requires 0 parking for residents. Based on the above, the requested variances are minor in nature.

Conclusion

The requested variances both individually and cumulatively conform to the general intent and purpose of the Official Plan and Zoning By-law, are desirable for the use of the Subject Lands, and are minor in nature. For the reasons set out above, it can be concluded that the requested variances satisfy the four tests set out in Section 45 (1) of the Planning Act and should be approved.

We are pleased to submit additional information as required and respond to any questions you may have.

Yours truly,

MHBC



Gerry Tchisler, M.Pl. MCIP, RPP
Partner



Andrew Hannaford, BES, MCIP, RPP
Associate

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	MAILING ADDRESS	
Registered Owners(s)	2563239 ontario inc c/o Jon Pilon	[redacted]	
Applicant(s)	MHBC Planning c/o Andrew Hannaford & Gerry Tchisler		
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	103 Emerald Street South		
Assessment Roll Number	251803020401750		
Former Municipality	Hamilton		
Lot	14	Concession	
Registered Plan Number	1360	Lot(s)	8 & 9
Reference Plan Number (s)	626	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 attached Variance Letter for full description of relief sought. 1/2. Permit minimum parking rate of 0.80 resident and 0.05 visitor spaces per dwelling unit. 3. Permit 0 loading spaces.

☐ Second Dwelling Unit ☐ Reconstruction of Existing Dwelling

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

Propose to regularize existing site conditions. Proposed addition of 5 dwelling units requires variance to parking provisions as no space on site to provide additional parking.

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

☐ Yes ☑ No

If yes, please provide an explanation:

4. DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

4.1 Dimensions of Subject Lands:

Lot Frontage	Lot Depth	Lot Area	Width of Street
~26.75m	~61.89m	~1591.9 sq.m.	16.0m

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
Apartment Building	~4.45m	~31.85m	~5.89m	1960's

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
n/a - existing structure	n/a - existing structure	n/a - existing structure	n/a - existing structure	n/a - existing structure

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
Apartment Building	~338.77 sq.m.	~2371.4 sq.m.	6	~17.0m

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
n/a - existing structure	n/a - existing structure	n/a - existing structure	n/a - existing structure	n/a - existing structure

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.):
Multiple Dwelling

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

7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands: Sept 3rd 2024

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

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

7.4 Length of time the existing uses of the subject property have continued: since 1965

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) Neighbourhoods

Please provide an explanation of how the application conforms with the Official Plan.
Please refer to Variance Letter.

7.6 What is the existing zoning of the subject land? E (By-law 6593)

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: 30

8.2 Number of Dwelling Units Proposed: 5

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

Please refer to Variance Letter included with this application.

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-25:167**	**SUBJECT PROPERTY:**	206 Fairleigh Ave South, Hamilton
ZONE:	R1a (Low Density Residential – Small Lot)	**ZONING BY-LAW:**	Hamilton Zoning By-law 05-200

APPLICANTS: Owner: Rachel Burton and Carl Austrom
Applicant: Rachel Burton

The following variances are requested:

1. A porch may project a maximum of 2.7 metres into the required front yard (and therefore being at least 1.3 metres from the front lot line) instead of the maximum permitted projection of 1.5 metres or half the distance of the required yard, whichever is the lesser.

PURPOSE & EFFECT: To facilitate the construction of a new roofed-over porch

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:	**Thursday, September 4, 2025**
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

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

A-25:167

- 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 September 2, 2025

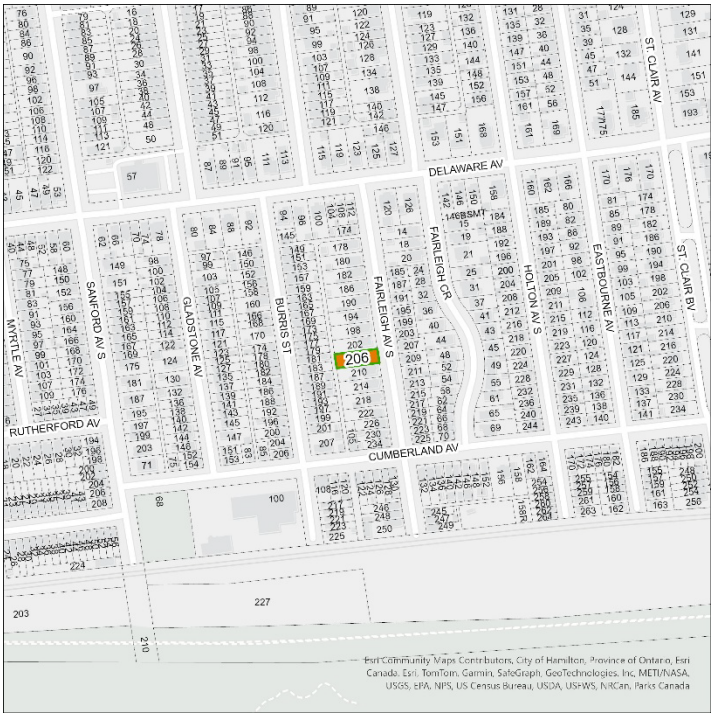
Orally: If you would like to speak to this item at the hearing you may do so via video link, calling in, or attending in person. Please see attached page for complete instructions, registration to participate virtually must be received no later than noon September 3, 2025

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding A-25:167, 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-25:167



Subject Lands

DATED: August 18, 2025

Justin Leung,
Secretary-Treasurer
Committee of Adjustment

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

Hamilton

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

PARTICIPATING PROCEDURES

1. Written Submission Ahead of the Meeting

Members of the public who wish to provide input without speaking at the Hearing may submit written comments in advance of the meeting. Comments must be received by 12:00 p.m. (noon) on the deadline date for written comment submissions listed on the Notice of Public Hearing.

How to Submit Written Comments:

By Email:
Send to: cofa@hamilton.ca

By Mail:
Committee of Adjustment
City of Hamilton
71 Main Street West, 5th Floor
Hamilton, Ontario
L8P 4Y5

All written comments received will be made available to the Committee and the public by the Tuesday prior to the Hearing.

2. Oral Submissions During the Hearing

Interested members of the public, agents, and owners may provide oral comments on Committee of Adjustment Hearing items either virtually via Webex (computer or phone) or by attending in person.

Speaking Time Limit:
All participants providing oral submissions, either in person or virtually are limited to a maximum of 5 minutes to speak. This is to ensure all parties have an equal opportunity to be heard and that the meeting runs efficiently.

3. In-Person Oral Submissions

To participate in person, attend Council Chambers on the date and time listed in the Notice of Public Hearing. You will be required to provide your name and address for the record. It is recommended you arrive at least 10 minutes prior to the scheduled start time.

4. Virtual Oral Submissions

To participate virtually, you must register by 12:00 p.m. (noon) on the virtual oral submissions registration deadline date. This is listed on the Notice of Public Hearing.

- Committee of Adjustment file number
- Hearing date
- Name and mailing address of each person wishing to speak
- Method of participation (phone or video), and, if applicable, the phone number to be used
- Each person must register separately

Registered participants will receive a Webex link one business day before the Hearing. Only those registered will be called upon to speak.

5. Presentations

All presentations are permitted at the discretion of the Committee.

Virtual Presentations:
Presenters participating virtually may be granted permission to share their screen during the Hearing. A copy of the presentation must be submitted to cofa@hamilton.ca **by 12:00 p.m. (noon) on the business day prior to the Hearing.** The submission must be one document in PDF format only.

In-Person Presentations:
Presenters attending in person may be granted permission to use the presentation screen. Presentations must be brought on a USB device and opened by the owner/applicant. A copy of the presentation must also be sent to cofa@hamilton.ca **by 12:00 p.m. (noon) on the business day prior to the Hearing.** The submission must be one document in PDF format only. Handouts are permitted only if the same content can be displayed on the presentation screen.

6. Additional Notes

- Webex (video) participation requires a compatible computer or smartphone. The necessary application must be downloaded in advance.
- It is the interested party's responsibility to ensure their device is functional and compatible prior to the Hearing.

For any questions, contact staff at cofa@hamilton.ca or call 905-546-2424 ext. 4221.



Drawing No.	Drawing Title	Scale	Plot Date
C1.0	Exsting Site Plan		7/31/25

BURTON-AUSTROM RESIDENCE
FRONT PORCH VARIANCE APPLICATION

206 FAIRLEIGH AVE S.
HAMILTON, ONTARIO CANADA

No.	Issued For	Date
1	Porch Roof Variance	July 23, 2025
2		
3		
4		
4		

Zoning: R1a	Lot No: 35	Plan No: 401	Lot Area: 480.2	Lot Frontage: 12.5m	Lot Depth 38.4m

DESCRIPTION	EXISTING	ADDITION	TOTAL	%	ALLOWED	%
LOT COVERAGE	102.95	0 (PORCH DECK IS EXISTING)	102.95	21.43	----	
GROSS FLOOR AREA	102.95	0 (PORCH DECK IS EXISTING)	102.95	21.43	----	
LANDSCAPED AREA	271.195	271.195	271.195	56.47		
NO OF STORIES HEIGHT	2.5 STORIES existing height	1 STORY 4.792m	1 STORY 4.792m		10.5m	
WIDTH	8.111m	0m (PORCH DECK IS EXISTING)	8.111m		----	
DEPTH	15.223m	0m (PORCH DECK IS EXISTING)	15.223m		----	
PARKING	3 on drive + 1 in garage	3 on drive + 1 in garage	3 on drive + 1 in garage		----	

SETBACKS	EXISTING	PROPOSED PORCH
FRONT YARD	2.866m	2.866m
REAR YARD	20.306m	n/a
INTERIOR SIDE NORTH	.38m at bay at dining room	3.947m
INTERIOR SIDE SOUTH	2.402m	4.5313m

LOT 59

LOT 60

LOT 61

REGISTERED PLAN 215

LOT 33

LOT 34
PIN 17205-0271

202
2 1/2 STOREY BRICK
DWELLING

COVERED PORCH
STEPS
CONC. WALKWAY
2.616m
4.265m

METAL GARAGE
STONE
STEPS
ASPHALT DRIVEWAY
22.052m
20.311m
1.742m
BOARD FENCE
13.868m including new porch roof overhang
13.481m including existing porch deck
2.479m
2.866m
1.521m
FRAME BOX
.38m
N73°26'40"W. 38.40m
aprox edge of roof above shown dotted
1.2m
2.747m
3.947m
4.576m
4.868m
1.386m
EDGE OF ROOF OVERHANG SHOWN DOTTED
SIDE SETBACK
existing oak tree
2.983m
8.413m
5.109m
7.264m
SHED
DECK
STEPS
EXISTING HOUSE
PROPOSED NEW ROOF ADDITION
4.04m
EXISTING 12.5m
12.5m
FRONT SETBACK
REAR SETBACK
EXIST CONCRETE PATIO
aprox edge of roof above shown dotted
EDGE OF ROOF OVERHANG SHOWN DOTTED
NEW PORCH COLUMNS
3.313m
4.513m
5.835m
3.602m
4.408m
3.792m
.279m
EXISTING GARAGE
EXISTING ASPHALT DRIVEWAY
SIDE SETBACK
N16°47'00"E. 12.5m
CHAIN LINK FENCE
38.40m. N73°27'00"W
BOARD FENCE
12.649m
6.185m
19.566m
DECK
1 STOREY FRAME ADDITION
LOT 36
PIN 17205-0269
210
2 1/2 STOREY BRICK
DWELLING
COVERED PORCH
STEPS
CONC. WALKWAY
2.94m
4.538m
LOT 37

GRAVEL EDGE
CENTRELINE OF ALLEY
GRAVEL EDGE
3.66 WIDE ALLEY
GRAVEL EDGE
N16°47'00"E
12.30
PIN 17205 - 0486
PLANT BED
BRICK EDGING
GRAVEL EDGE
BOARD FENCE
CENTRELINE OF ALLEY

CONCRETE SIDEWALK
CONCRETE CURB
FAIRLEIGH AVENUE SOUTH
(FAIRLEIGH AVENUE BY REGISTERED PLAN 204)
PIN 17205 - 0478

actual north
project north

1 Site Plan
Scale: 1:100

ZONING INFORMATION	
ZONING:	R1a
min lot size:	270 sm
min width:	9m
min front setback	4m
min side setback	1.2m
min rear setback	7.5m
max building height	10.5m
min landscaped area	30%

AREA CLACULATIONS	
AREA m^2	ELEMENT
480.2	TOTAL SITE AREA
EXISTING STRUCTURES AREAS in square meters	
81.95	Existing House
9.52	Existing Front Porch Deck
2.71	Existing Front Stairs
8.71	Exist Rear Deck and Shed
6.185	Exist Garage
PROPOSED STRUCTURE AREAS in square meters	
9.52	New roof on Front Porch

No.	Issued For	Date
1	Porch Roof Variance	July 23, 2025
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BURTON-AUSTROM RESIDENCE
FRONT PORCH VARIANCE APPLICATION
206 FAIRLEIGH AVE S.
HAMILTON, ONTARIO CANADA

Plot Date: 7/31/25

Scale: Scale: 1:100

Drawing Title: Proposed Site Plan

Drawing No.: **C2.0**

REQUEST FOR VARIANCE

206 FAIRLEIGH AVE S, HAMILTON

DRAWING LIST

A0.0 Title Page
C1.0 Survey
C1.1 Existing Site Plan
C2.0 Proposed Site Plan
A2.0 Existing and Proposed Front Elevations
A2.1 Existing and Proposed Right Side Elevations
A2.2 Existing and Propsoed Left Side Elevations



EXISTING FRONT ELEVATION WITHOUT PORCH ROOF



EXISTING FRONT ELEVATION WITHOUT PORCH ROOF

No.	Issued For	Date
1	Porch Roof Variance	July 23, 2025
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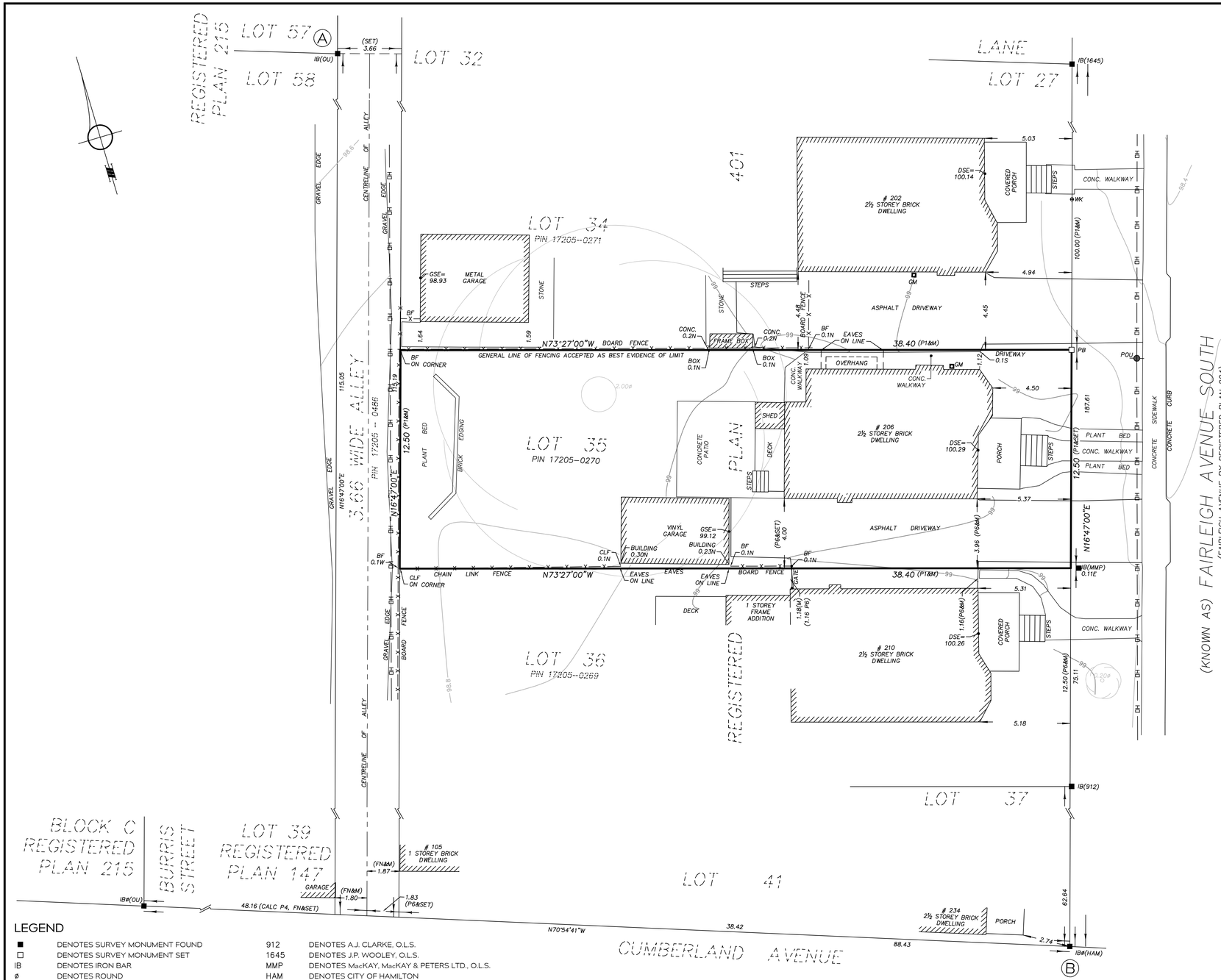
BURTON-AUSTROM RESIDENCE
FRONT PORCH VARIANCE APPLICATION
206 FAIRLEIGH AVE S.
HAMILTON, ONTARIO CANADA

Plot Date: 7/31/25

Scale: N/A

Drawing Title: Title Sheet

Drawing No.: **T1.0**



LEGEND

■	DENOTES SURVEY MONUMENT FOUND	912	DENOTES A.J. CLARKE, O.L.S.
□	DENOTES SURVEY MONUMENT SET	1645	DENOTES J.P. WOOLEY, O.L.S.
IB	DENOTES IRON BAR	MMP	DENOTES MacKAY, MacKAY & PETERS LTD., O.L.S.
ø	DENOTES ROUND	HAM	DENOTES CITY OF HAMILTON
CALC	DENOTES CALCULATED	OU	DENOTES ORIGIN UNKNOWN
M	DENOTES MEASURED	*BF*	DENOTES BOARD FENCE
P1	DENOTES REGISTERED PLAN 401	*CLF*	DENOTES CHAIN LINK FENCE
P2	DENOTES SURVEY BY CITY OF HAMILTON, DATED DECEMBER 10, 1959. (SS-252)	*CONC.*	DENOTES CONCRETE
		DSE	DENOTES DOOR SILL ELEVATION
P3	DENOTES PLAN 62R-4990	*GM*	DENOTES GAS METER
P4	DENOTES REGISTERED PLAN 215	*GSE*	DENOTES GARAGE SILL ELEVATION
P5	DENOTES SURVEY BY A.T. McLAREN LTD., DATED OCTOBER 14, 1976. (7880)	*POU*	DENOTES UTILITY POLE
		-OH-	DENOTES OVERHEAD UTILITY WIRES
P6	DENOTES SURVEY BY MacKAY, MacKAY & PETERS LTD., DATED APRIL 22, 1998. (98-033-1B(Y))	0.10ø	DENOTES DECIDUOUS TREE W/TRUNK DIAMETER
FN	DENOTES FIELD NOTES BY CITY OF HAMILTON, DATED MARCH 16, 1981.	BUILDING TIES SHOWN HEREON ARE TO THE FOUNDATION UNLESS OTHERWISE NOTED.	

COPYRIGHT © IBW SURVEYORS LTD. 2025

SURVEYOR'S REAL PROPERTY REPORT

PART 1: PLAN OF SURVEY WITH TOPOGRAPHIC DETAIL OF

LOT 35, REGISTERED PLAN 401 CITY OF HAMILTON

SCALE 1 : 150 METRES

0 1 2 3 4 5 10

PART 2: REPORT

DESCRIPTION:
PIN 17205-0270. LT 35, PL 401 ; HAMILTON

MUNICIPAL ZONING:
THIS SURVEY DOES NOT CERTIFY ZONING COMPLIANCE.

REGISTERED EASEMENTS:
NO REGISTERED EASEMENTS.

ADDITIONAL COMMENTS:
1) NOTE THE FENCE TYPE & THEIR LOCATIONS.
2) NOTE THE BOX, OVERHANG EAVES, AND WALKWAY ON THE NORTH BOUNDARY.

CURRENT OWNER: ETTY, LINDA; ETTY, RONALD

PREPARED FOR: RACHEL BURTON

BEARING NOTE
BEARINGS ARE UTM GRID, DERIVED FROM OBSERVED REFERENCE POINTS A AND B, BY REAL TIME NETWORK OBSERVATIONS, UTM ZONE 17 (81° WEST LONGITUDE), NAD83(CSRS)v7(2010).
FOR BEARING COMPARISONS, THE FOLLOWING ROTATION WAS APPLIED: P1,P2,P3,P4,P5,FN - 1°13'00" COUNTER-CLOCKWISE

DISTANCE NOTES - METRIC
DISTANCES AND COORDINATES ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.
DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.999698.

CONTOUR NOTE
CONTOURS SHOWN HEREON ARE DRAWN AT 0.20 METRE INTERVALS.

ELEVATION NOTE
ELEVATIONS ARE GEODETIC AND REFERRED TO COSINE BENCHMARK 0011965U662 AND HAVING A GEODETIC ELEVATION OF 96.456m.

CAUTION
THE WORK AND DRAWINGS HEREIN WERE COMPLETED FOR THE EXCLUSIVE USE OF OUR CLIENT AND NO LIABILITY IS ASSUMED TO ANY THIRD PARTIES OR SUBSEQUENT OWNERS.

SURVEYOR'S CERTIFICATE
I CERTIFY THAT:

1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT AND THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.
2. THE SURVEY WAS COMPLETED ON APRIL 7, 2025.

APRIL 15, 2025
DATE

ANDREJS LUCIKS, O.L.S.

THIS PLAN OF SURVEY RELATES TO AOLS PLAN SUBMISSION FORM NUMBER V-105354

INTEGRATION DATA
OBSERVED REFERENCE POINTS DERIVED FROM GPS OBSERVATIONS USING A REAL TIME NETWORK AND ARE REFERRED TO UTM ZONE 17 (81° WEST LONGITUDE) NAD83(CSRS)v7(2010).
URBAN ACCURACY PER SEC. 14(2), O.REG. 216/10.

POINT ID	NORTHING	EASTING
A	4788777.21	593663.93
B	4788653.34	593670.48

CAUTION: COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN

IBW SURVEYORS
IBWSURVEYORS.COM | 1.800.667.0696
copies available at ProtectYourBoundaries.ca

PARTY CHIEF:RK	DRAWN:AB	CHECKED:AL	PLOT DATE: APR. 14, 2025	A-052436
FILE: A-052436-SRPR_v3				

No.	Issued For	Date
1	Porch Roof Variance	July 23, 2025
2		
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4		
4		

BIIRTON-AIISTROM RESIDNCE
FRONT PORCH VARIANCE APPLICATION
206 FAIRLEIGH AVE S.
HAMILTON, ONTARIO CANADA

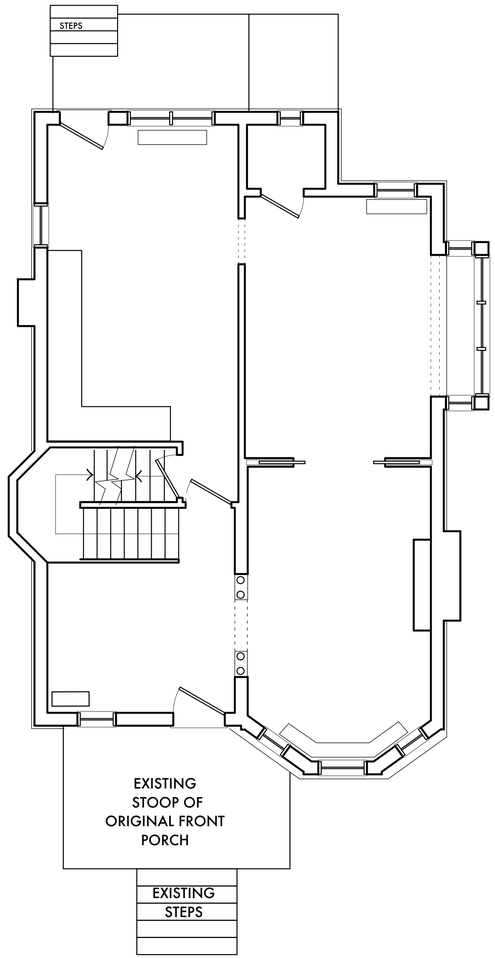
Plot Date: 7/31/25

Scale: N/A

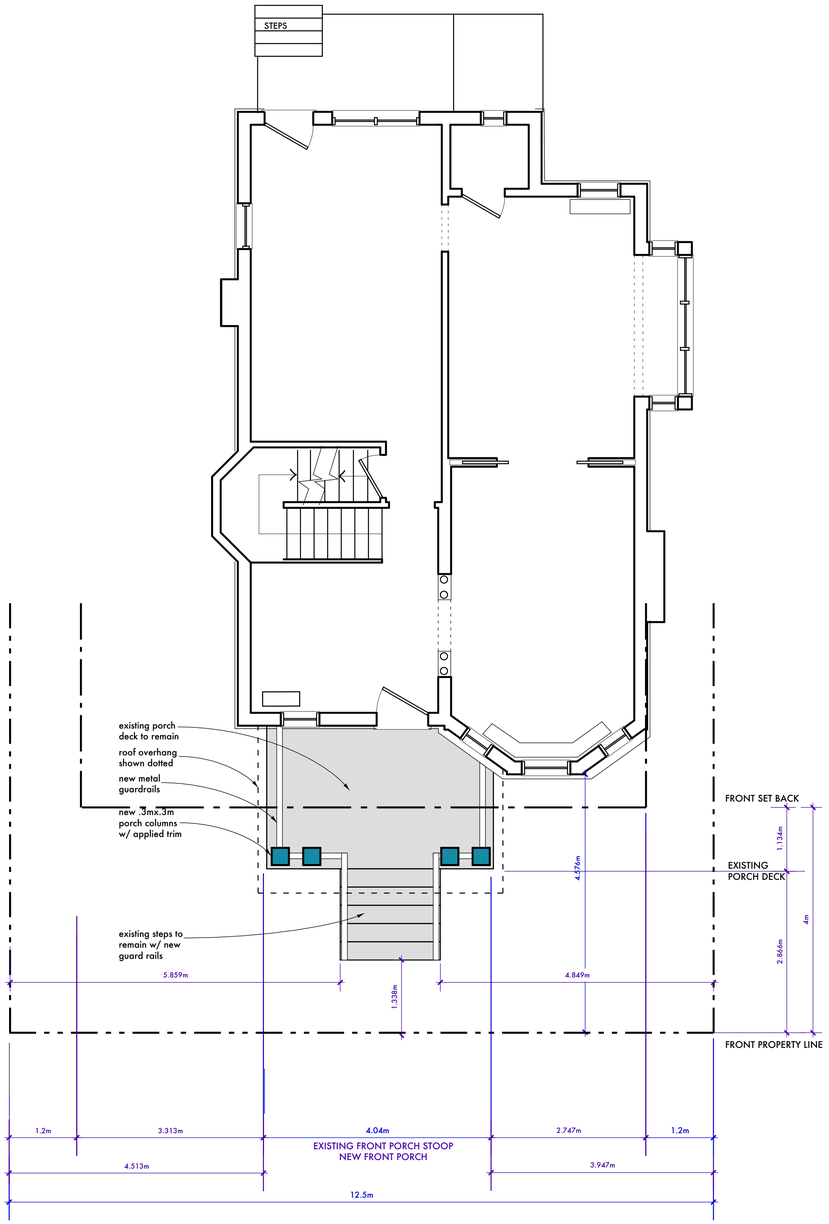
Drawing Title: Survey

Drawing No.: **C1.00**

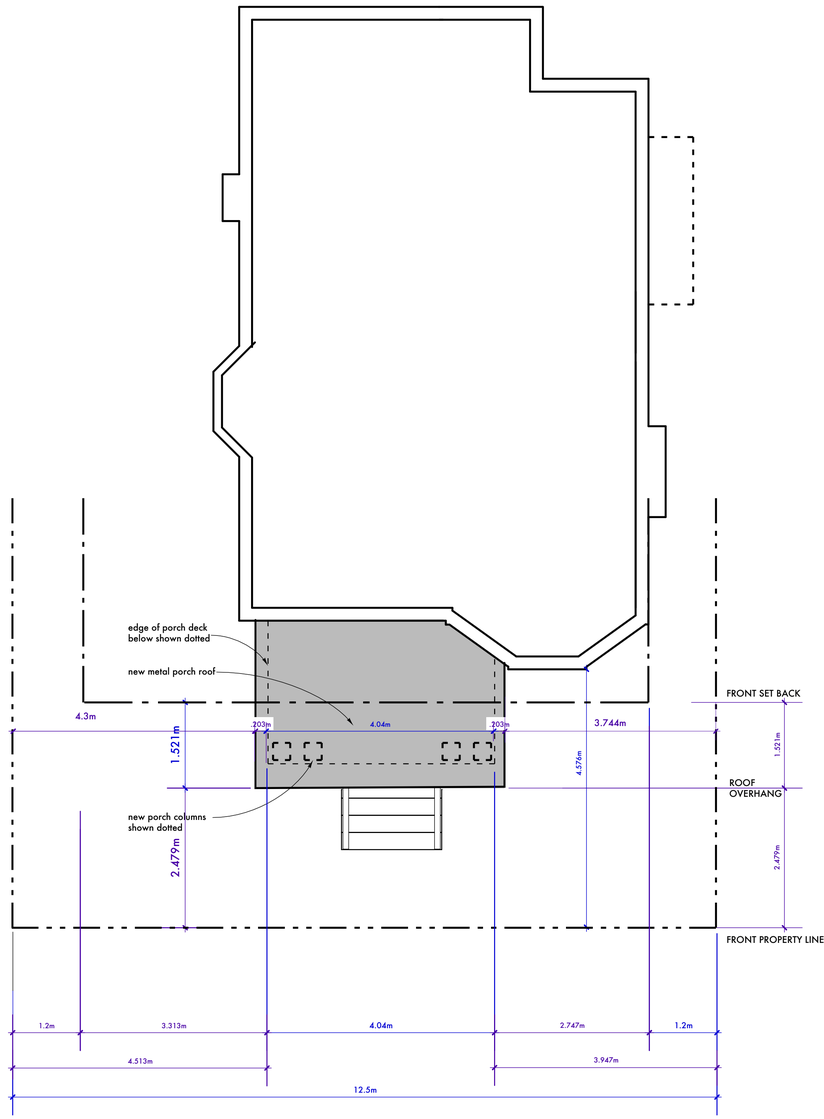
FOR REFERENCE ONLY NTS



1 Existing First Floor Plan
Scale: 1:50



2 Proposed First Floor Plan
Scale: 1:50



3 Proposed Porch Roof Plan
Scale: 1:50

0m .5m 1m 2m 3m 4m 10m

No.	Issued For	Date
1	Porch Roof Variance	July 23, 2025
2		
3		
4		
4		

BURTON-AIISTROM RESIDENCE
FRONT PORCH VARIANCE APPLICATION

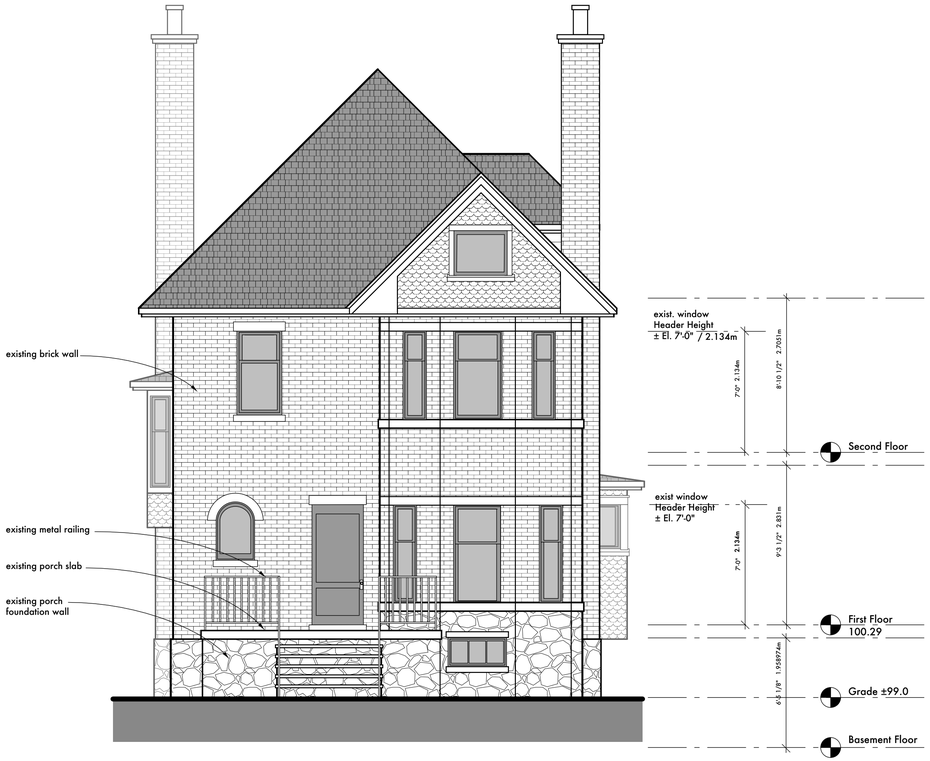
206 FAIRLEIGH AVE S.
HAMILTON, ONTARIO CANADA

Plot Date
7/31/25

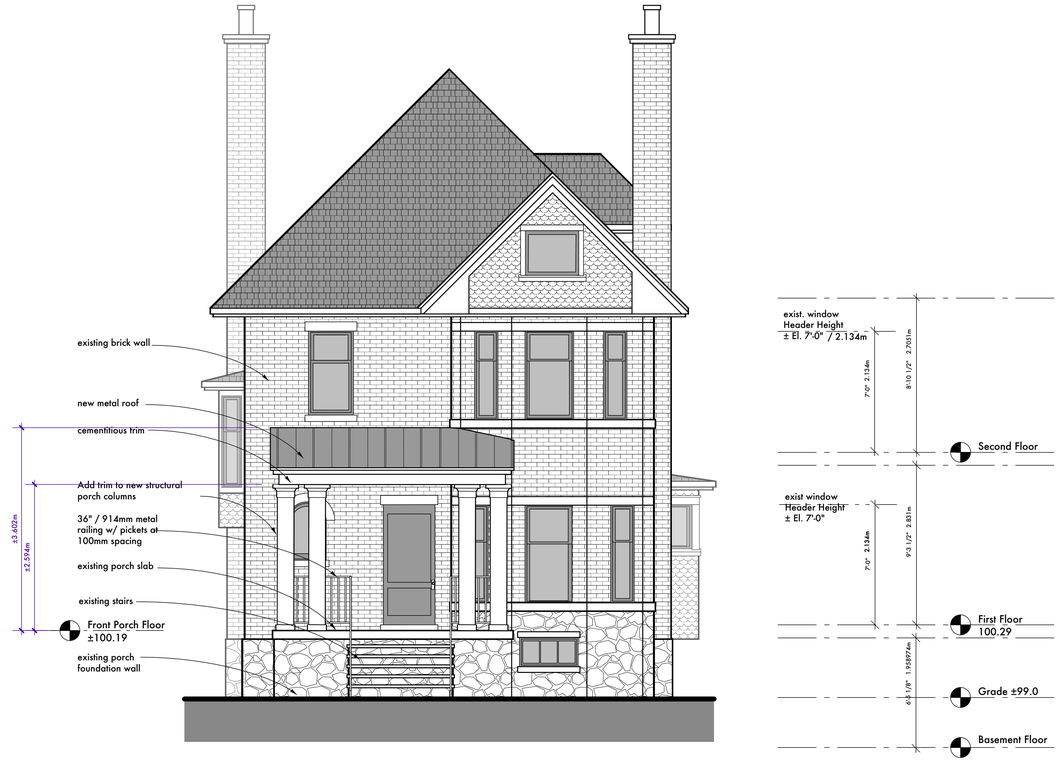
Scale
Scale: 1:50

Drawing Title
Existing Plan and Propsoed Porch and Porch Roof Plans

Drawing No.
A1.1



1 **Front ElevationFront Elevation**
Scale: 1:50e: 1:50



2 **PROPOSED Front Elevation**
Scale: 1:50



3 **Front View From Street: note adjacent home with porch**
Scale: NTS



4 **Street View of House in context: Note adjacent homes with porches**
Scale: NTS



5 **Street View of Opposite Side of Road: Note the homes have porches**
Scale: NTS

No.	Issued For	Date
1	Porch Roof Variance	July 23, 2025
2		
3		
4		
4		

LICENSED PROFESSIONAL ENGINEER
J. C. SEYMOUR
03/6/25
PROVINCE OF ONTARIO

BIIRTON-AIISTROM RESIDENCE
FRONT PORCH VARIANCE APPLICATION

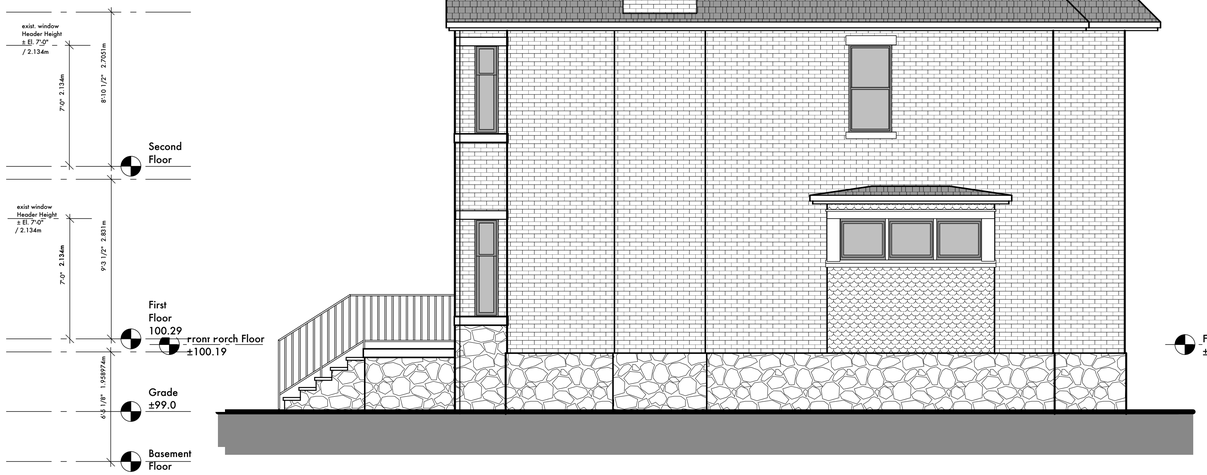
206 FAIRLEIGH AVE S.
HAMILTON, ONTARIO CANADA

Plot Date
7/31/25

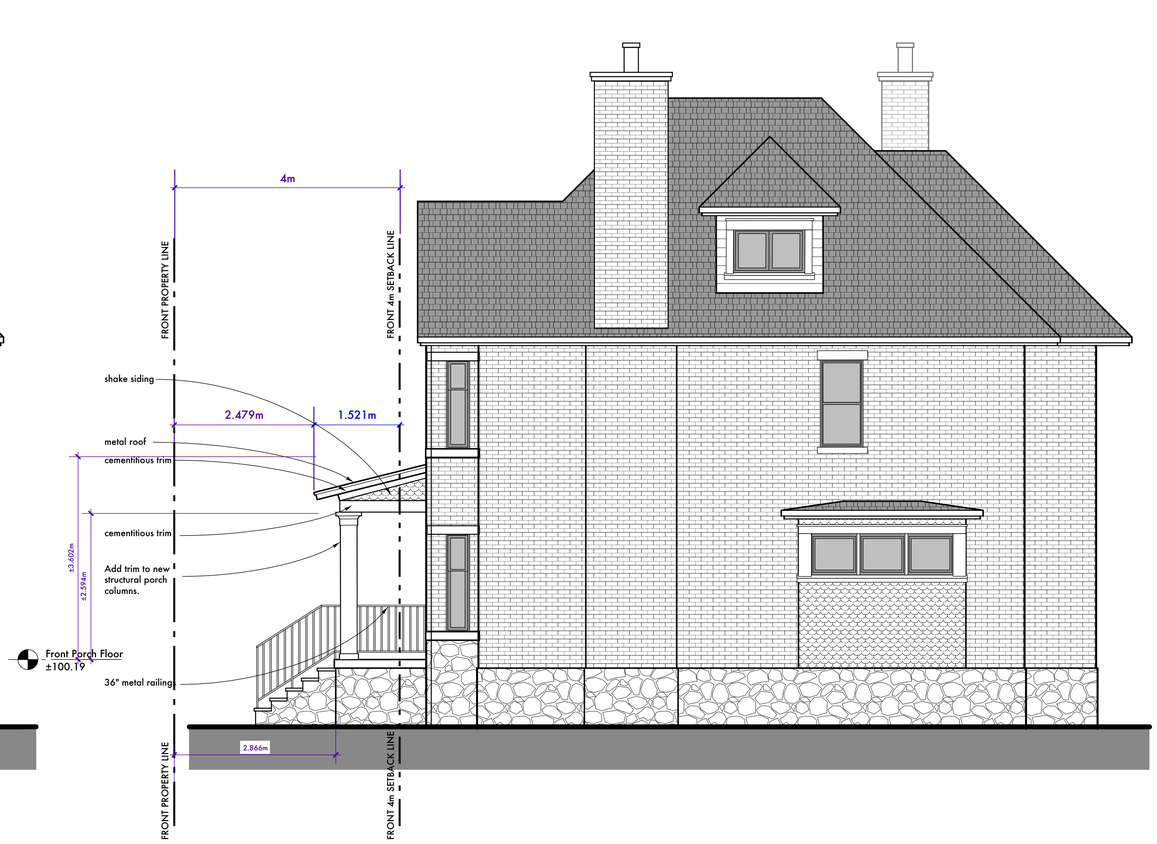
Scale
Scale: 1:50

Drawing Title
EXISTING AND PROPOSED Front Porch Elevations

Drawing No.
A2.0



1 **Existing Right Side Elevation**
Scale: 1:50



2 **Proposed Right Side Elevation with New Porch Roof**
Scale: 1:50

No.	Issued For	Date
1	Porch Roof Variance	July 23, 2025
2		
3		
4		
4		

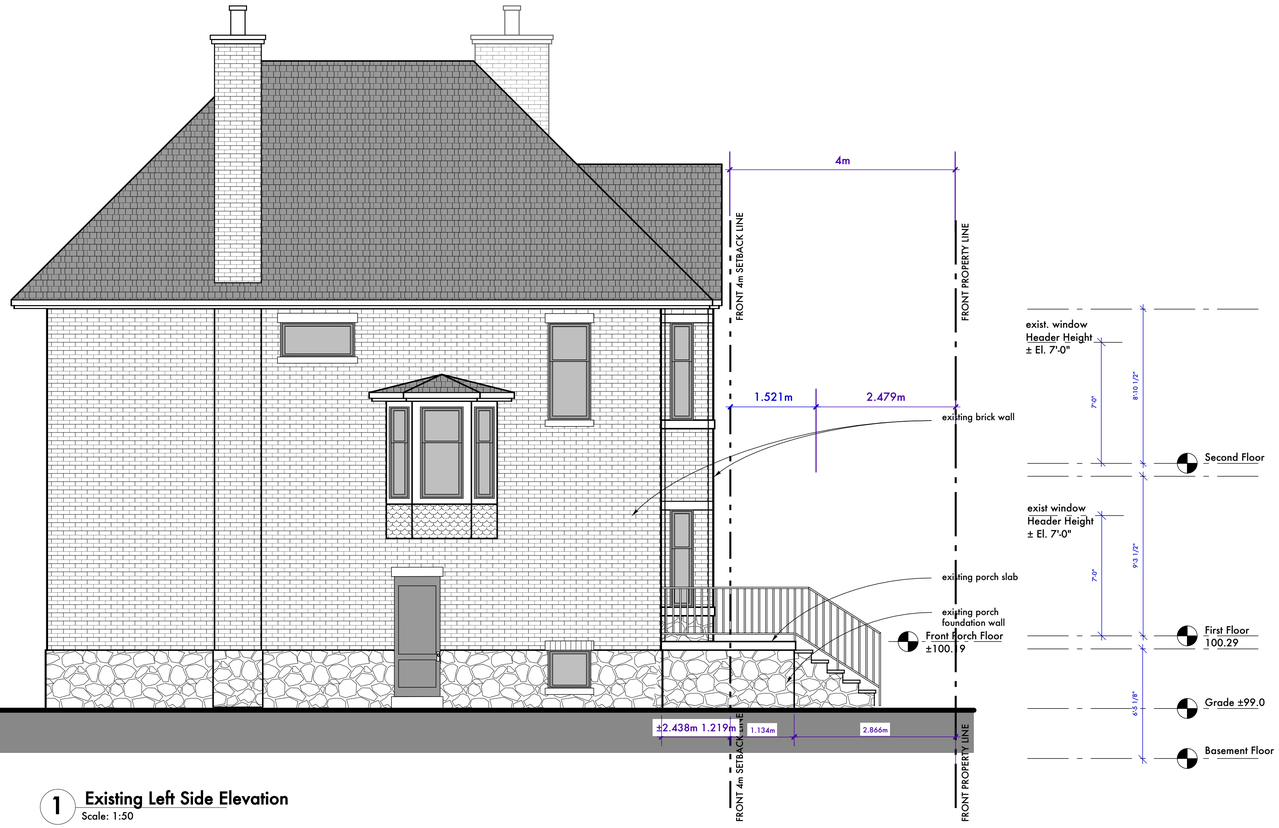
BURTON-AUSTROM RESIDENCE
FRONT PORCH VARIANCE APPLICATION
206 FAIRLEIGH AVE S.
HAMILTON, ONTARIO CANADA

Plot Date
7/31/25

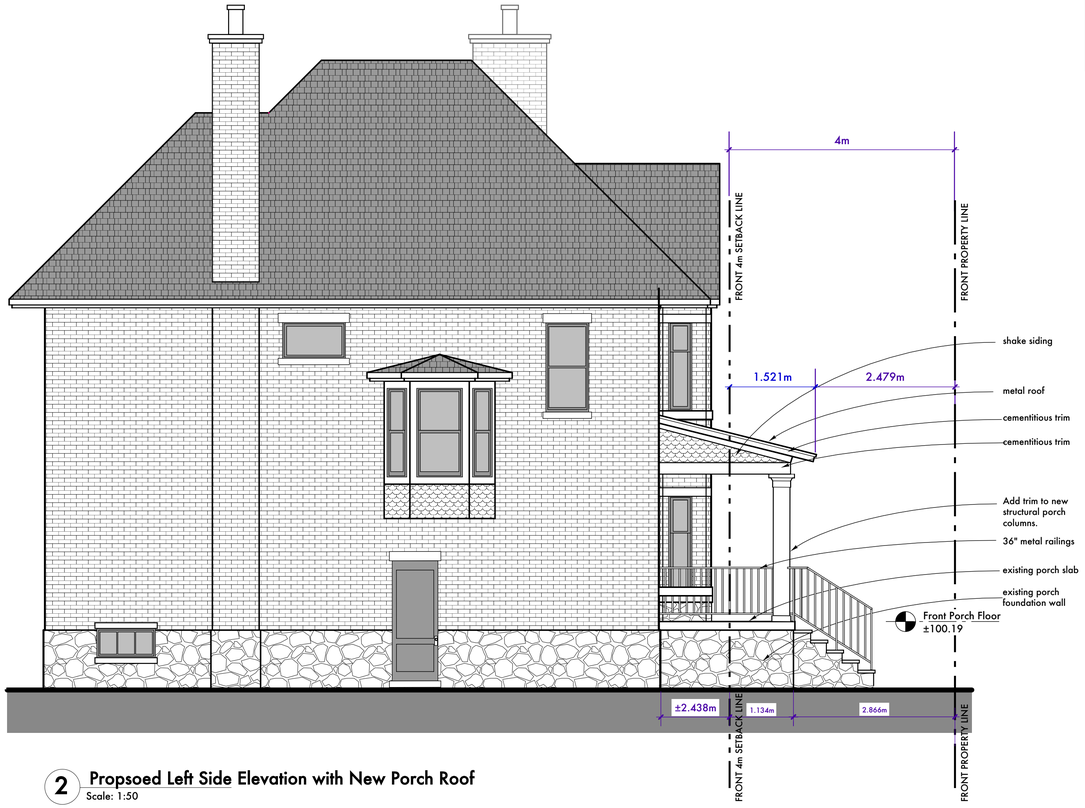
Scale
Scale: 1:50

Drawing Title
Existing and Proposed Right Side Elevations

Drawing No.
A2.1



1 **Existing Left Side Elevation**
Scale: 1:50



2 **Propsoed Left Side Elevation with New Porch Roof**
Scale: 1:50

No.	Issued For	Date
1	Porch Roof Variance	July 23, 2025
2		
3		
4		
4		

BURTON-AUSTROM RESIDENCE
FRONT PORCH VARIANCE APPLICATION
206 FAIRLEIGH AVE S.
HAMILTON, ONTARIO CANADA

Plot Date: 7/31/25

Scale:

Drawing Title: Existing and Proposed Left Side Elevations

Drawing No.: **A2.2**

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	MAILING ADDRESS	
Registered Owners(s)	Rachel Burton & Carl Austrom	[redacted]	
Applicant(s)	Rachel Burton		
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 [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 [redacted] ☑ In person ☑ Cheque ☐ Credit over phone*

*Must provide number above

2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	206 Fairleigh Ave S., Hamilton		
Assessment Roll Number			
Former Municipality			
Lot	35	Concession	
Registered Plan Number	401	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:

This home was built in 1910 with a front porch. At some point the porch roof was removed, leaving the porch deck and stairs in place. We want to add the porch roof back to cover the exist. porch deck & the edge of roof will extend 1.521m over the front setback and be 4.344m wide

☐ Second Dwelling Unit ☐ Reconstruction of Existing Dwelling

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

The front setback line cuts though the existing porch stoop and the provisions allowed to extend a roof over a setback line is not enough to replace the front porch roof to cover the full depth of the porch.

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

☐ Yes ☑ No

If yes, please provide an explanation:

4. DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

4.1 Dimensions of Subject Lands:

Lot Frontage	Lot Depth	Lot Area	Width of Street
12.5m	38.4m	480.2sm	unknown

4.2 Location of all buildings and structures on or proposed for the subject lands: (Specify distance from side, rear and front lot lines)

Existing:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
2 1/2 Story Brick Dwelling	4.576m	22.052m	.38m & 3.602m	1910
1 Story Garage	19.566m	12.649m	8.413m & .325m	unknown
Porch Stoop	2.866m	N/A	3.947m & 4.513m	1910
Front Stairs	1.338m	N/A	4.849m & 5.859m	1910
Rear Deck & Shed	N/A	20.311m	2.983m & 4.408m	unknown

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
New Porch Roof over Existing Front Porch deck	2.866 to deck edge 2.479 to edge of roof	N/A	3.947m & 4.513m to deck edge, 4.3m & 3.744m to edge of roof	as soon as possible

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
Garage	6.185m²	6.185m²	1	existing, unkown
Single family home	81.95m²	160.86m²	2.5	existing, unkown
Shed & Rear Deck	8.71m²	8.71m²	1/2	± 2m

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Front Porch	9.52	9.52	1	4.79m

4.4 Type of water supply: (check appropriate box)

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

_____

4.5 Type of storm drainage: (check appropriate boxes)

☑ publicly owned and operated storm sewers
☐ swales
☐ ditches
☐ other means (specify)

_____

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

☑ publicly owned and operated sanitary sewage
☐ system privately owned and operated individual
☐ septic system other means (specify) _____

4.7 Type of access: (check appropriate box)

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

_____

4.8 Proposed use(s) of the subject property (single detached dwelling duplex, retail, factory etc.):

single detached dwelling

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

single detached dwelling

7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:

April 22, 2025

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:

1910 to present

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

Rural Hamilton Official Plan designation (if applicable): N/A

Rural Settlement Area: _____

Urban Hamilton Official Plan designation (if applicable) Neighborhoods

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)

☐ Yes ☑ No

If yes, please provide the file number: R1a

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
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-25:058**	**SUBJECT PROPERTY:**	378 & 382 Cannon Street East, Hamilton

APPLICANTS: Owner: 1000580415 Ontario Inc
Agent: Barich Grenkie Surveying Ltd

PURPOSE & EFFECT: To permit the conveyance of a parcel of land being the land known as 382 Cannon Street East, Hamilton (containing an existing dwelling), and to retain a parcel of land known municipally as 378 Cannon Street East, Hamilton (containing an existing dwelling). These properties inadvertently merged in title and the owner wishes to recreate the two original lots.

	Frontage	**Depth**	**Area**
SEVERED LANDS (PART 2):	7.84 m±	39.62 m±	330.70 m^2 ±
RETAINED LANDS (PART 1):	7.89 m±	39.62 m±	313.77 m^2 ±

Associated Planning Act File(s): HM/B-19:81

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:	**Thursday, September 4, 2025**
TIME:	**1:45 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
- 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 **September 2, 2025**

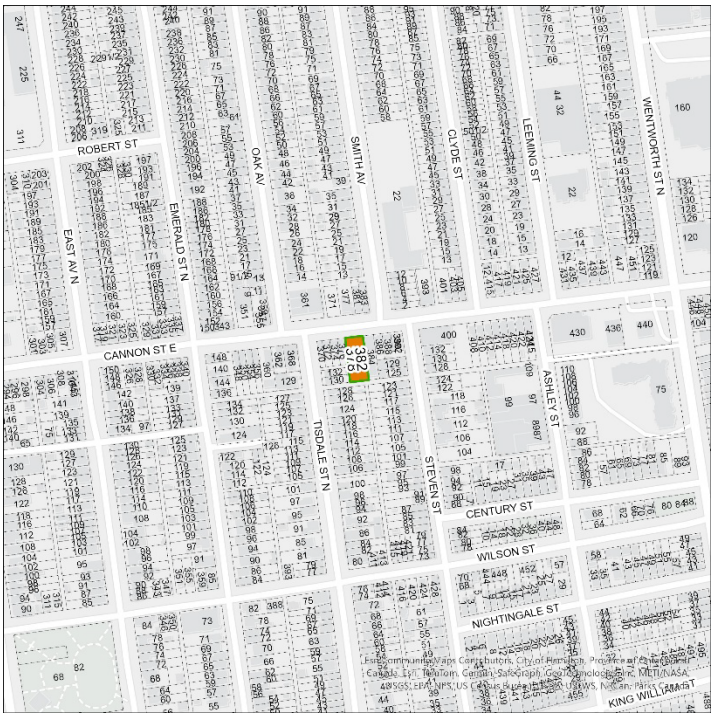
Orally: If you would like to speak to this item at the hearing you may do so via video link, calling in, or attending in person. Please see attached page for complete instructions, registration to participate virtually must be received no later than noon **September 3, 2025**

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding B-25:058, 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-25:058



Subject Lands

DATED: August 18, 2025

_____

Justin Leung,
Secretary-Treasurer
Committee of Adjustment

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

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

Hamilton

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

PARTICIPATING PROCEDURES

1. Written Submission Ahead of the Meeting

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L8P 4Y5

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Speaking Time Limit:
All participants providing oral submissions, either in person or virtually are limited to a maximum of 5 minutes to speak. This is to ensure all parties have an equal opportunity to be heard and that the meeting runs efficiently.

3. In-Person Oral Submissions

To participate in person, attend Council Chambers on the date and time listed in the Notice of Public Hearing. You will be required to provide your name and address for the record. It is recommended you arrive at least 10 minutes prior to the scheduled start time.

4. Virtual Oral Submissions

To participate virtually, you must register by 12:00 p.m. (noon) on the virtual oral submissions registration deadline date. This is listed on the Notice of Public Hearing.

- Committee of Adjustment file number
- Hearing date
- Name and mailing address of each person wishing to speak
- Method of participation (phone or video), and, if applicable, the phone number to be used
- Each person must register separately

Registered participants will receive a Webex link one business day before the Hearing. Only those registered will be called upon to speak.

5. Presentations

All presentations are permitted at the discretion of the Committee.

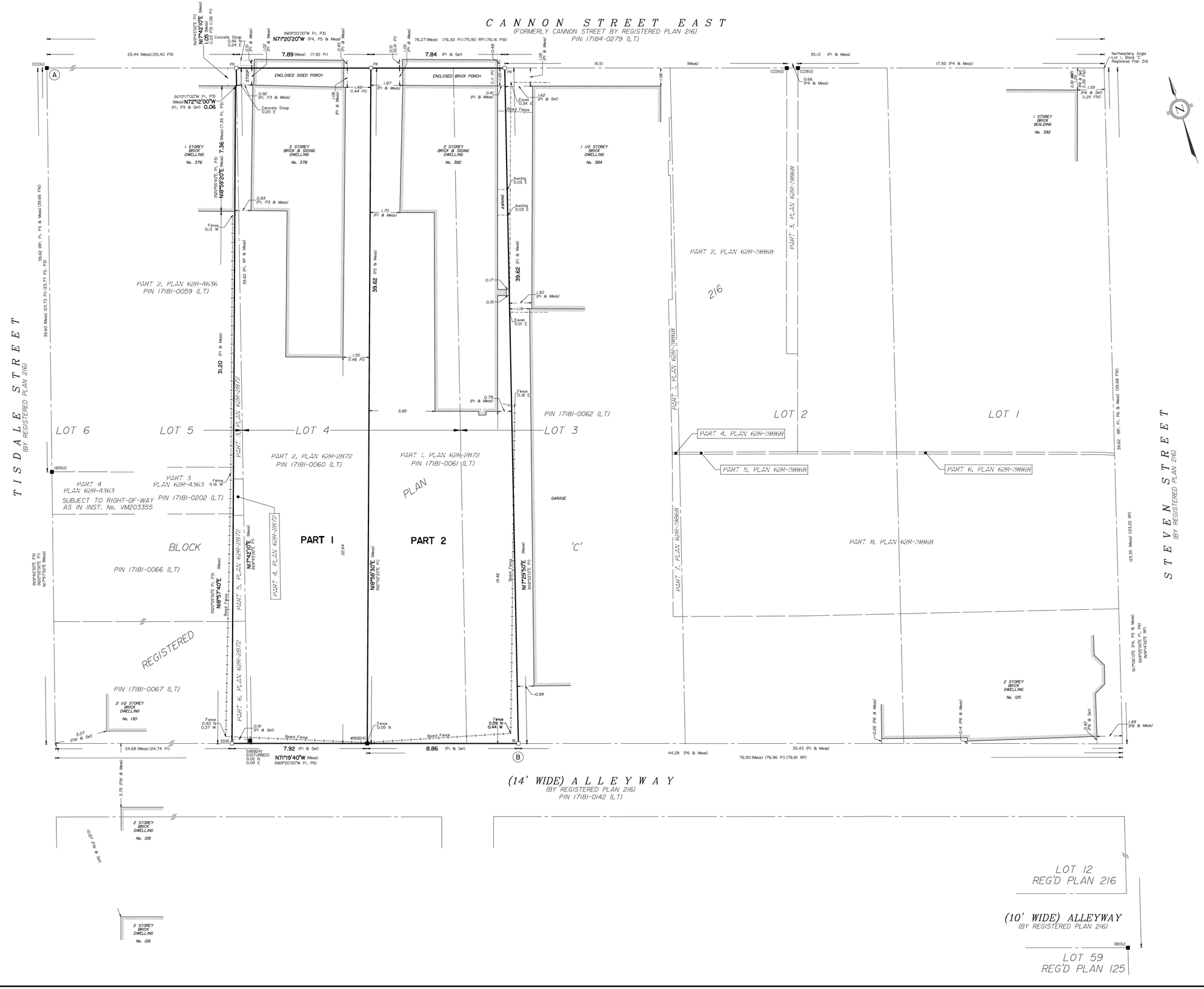
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6. Additional Notes

- Webex (video) participation requires a compatible computer or smartphone. The necessary application must be downloaded in advance.
- It is the interested party's responsibility to ensure their device is functional and compatible prior to the Hearing.

For any questions, contact staff at cofa@hamilton.ca or call 905-546-2424 ext. 4221.



I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT.

DATE: SEPTEMBER 24 2019

MATTHEW DI COSMO
ONTARIO LAND SURVEYOR

PLAN 62R-_____
RECEIVED AND DEPOSITED

DATE: _____

REPRESENTATIVE FOR THE LAND
REGISTRAR FOR THE LAND TITLES DIVISION
OF WENTWORTH (62).

SCHEDULE

PART	LOT	REGISTERED PLAN	PIN No.
1	PART OF LOTS 4 & 5 BLOCK 'C'	216	ALL OF PIN 17181-0060 (LT)
2	PART OF LOTS 3 & 4 BLOCK 'C'		ALL OF PIN 17181-0061 (LT)

PART 1 COMPRISES ALL OF PIN 17181-0060 (LT)
PART 2 COMPRISES ALL OF PIN 17181-0061 (LT)

PLAN OF SURVEY OF
LOT 4 and PART OF LOTS 3 & 5, BLOCK 'C' REGISTERED PLAN 216
IN THE
CITY OF HAMILTON
SCALE & NOTES

Scale 1:100
1 METRES

BARICH GRENKIE SURVEYING LTD.
A DIVISION OF GEOMAPLE

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

BEARING NOTE
BEARINGS ARE UTM GRID, REFERRED TO THE CENTRAL MERIDIAN OF UTM ZONE 17 (81° 00' WEST LONGITUDE) NAD83 (CSRS) (2010.0).

HORIZONTAL DATUM NOTE
PROJECTION: UNIVERSAL TRANSVERSE MERCATOR (UTM, ZONE 17, CM 81°00'W)

DATUM: NAD83 (CSRS)(2010.0)

GRID SCALE CONVERSION
DISTANCES ON THIS PLAN MAY BE CONVERTED TO GRID DISTANCES BY MULTIPLYING BY A COMBINED SCALE FACTOR OF 0.999693.

NOTE
BEARING COMPARISONS SHOWN ARE WITH ASTRONOMIC BEARINGS ON UNDERLYING PLANS.

LEGEND

■	DENOTES	SURVEY MONUMENT FOUND
□	DENOTES	SURVEY MONUMENT PLANTED
IB	DENOTES	IRON BAR
SIB	DENOTES	STANDARD IRON BAR
CC	DENOTES	CUT CROSS
PK	DENOTES	SURVEYOR'S NAIL IN WASHER
MMP	DENOTES	MACKAY, MACKAY & PETERS, O.L.S.
312	DENOTES	A.J. CLARKE, O.L.S.
824	DENOTES	A.T. McLAREN, O.L.S.
OU	DENOTES	ORIGIN UNKNOWN
RP	DENOTES	REGISTERED PLAN 216
P1	DENOTES	PLAN 62R-2872
P2	DENOTES	PLAN BY A.T. McLAREN, O.L.S. DATED MAY 22, 1975
P3	DENOTES	PLAN 62R-4636
P4	DENOTES	PLAN 62R-19868
P5	DENOTES	PLAN 62R-19684
P6	DENOTES	BUILDING LOCATION SURVEY BY E. BARICH, O.L.S. DATED FEBRUARY 9, 1990
FN1	DENOTES	FIELD NOTES BY THE CITY OF HAMILTON DATED DECEMBER 13, 1971
WIT	DENOTES	WITNESS

OBSERVED REFERENCE POINTS DERIVED FROM GPS USING REAL TIME NETWORK (RTN) OBSERVATIONS UTM ZONE 17, NAD83 (CSRS)(2010.0). COORDINATES TO URBAN ACCURACY PER SEC 14(2) OF O.REG. 216/10

POINT ID	NORTHING	EASTING
(A)	4789961.73	593253.25
(B)	4789910.79	593280.31

COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

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 JULY 9, 2019.

SEPTEMBER 24, 2019

MATTHEW DI COSMO
ONTARIO LAND SURVEYOR

Barich Grenkie Surveying Ltd.
297 HWY No. 8 (UNIT 101) - LBG-1E5 / STONEY CREEK, ON
(905) 662-6767
A DIVISION OF GEOMAPLE

DWN BY: AWS
CHK BY: MD
JOB No. 19-2499

J:\Jobs\PLANS\19-2499 - 376 & 382 Cannon St. East, Hamilton\Survey\19-2499 SR-Alt.dwg

Authentisign ID: E57E2773-D76D-F011-8DCA-00224822F75A

Hamilton

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

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

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

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

1. APPLICANT INFORMATION

	NAME	MAILING ADDRESS
Purchaser*	1000580415 Ontario Inc. ALEX QUING TAO WANG	[redacted]
Registered Owners(s)	1000580415 Ontario Inc.	
Applicant(s)**	Dejana Curcic Darko Jakovina Barich Grenkie Surveying Ltd.	
Agent or Solicitor	Barich Grenkie Surveying Ltd.	

*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 [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.

Authentisign ID: E57E2773-D76D-F011-8DCA-00224822F75A

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	378 & 382 Cannon Street East, Hamilton		
Assessment Roll Number	2518030-21451210 AND 2518030-21451240		
Former Municipality			
Lot		Concession	
Registered Plan Number	216	Lot(s)	Lot 4 and Part of 3& 5
Reference Plan Number (s)	62R-21332	Part(s)	1 & 2

2.2 Are there any easements or restrictive covenants affecting the subject land?
☐ Yes ☑ No
If YES, describe the easement or covenant and its effect:

_____

3 PURPOSE OF THE APPLICATION

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:

_____

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

_____

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:	Part1	Part 2			
Type of Transfer	N/A	SEVERED			
Frontage	7.89	7.84			
Depth	39.62	39.62			
Area	313.77	330.70			
Existing Use	Residential	Residential			
Proposed Use	Residential	Residential			
Existing Buildings/ Structures	1 SDU	1 SDU			
Proposed Buildings/ Structures	0	0			
Buildings/ Structures to be Removed	0	0			

* 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?

Authentisign ID: E57E2773-D76D-F011-8DCA-00224822F75A

Rural Hamilton Official Plan designation (if applicable): Urban Area

Rural Settlement Area: _____

Urban Hamilton Official Plan designation (if applicable) Neighbourhood

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

The application conforms the Official Plan because the lands are to remain as residential and will continue to respect the character of the existing neighbourhood.

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

☐ Yes ☑ No ☐ Unknown

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

_____

5.3 What is the existing zoning of the subject land? Community. Shopp. and Comm.(H); Neighbo
378 CANNON - H; 382 CANNON - C2

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

_____

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

☑ Yes ☐ No ☐ Unknown

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

Consent application number HM/B-19:81 has not been fulfilled from the date of this Notice of I

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)	☑	Commercial 42 m
An active railway line	☐	
A municipal or federal airport	☐	

Authentisign ID: E57E2773-D76D-F011-8DCA-00224822F75A

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.

HM/B-19:81

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

No changes. Application has not been fulfilled from the date of the Notice of Decision

6.3 Has any land been severed or subdivided from the parcel originally acquired by the owner of the subject land?
☐ Yes ☑ No

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

6.4 How long has the applicant owned the subject land?

2025/01/29

6.5 Does the applicant own any other land in the City? ☐ Yes ☑ No
If YES, describe the lands below or attach a separate page.

7 PROVINCIAL POLICY

7.1 Is this application consistent with the Policy Statements issued under Section 3 of the *Planning Act*?
☑ Yes ☐ No (Provide explanation)

7.2 Is this application consistent with the Provincial Policy Statement (PPS)?
☑ Yes ☐ No (Provide explanation)

7.3 Does this application conform to the Growth Plan for the Greater Golden Horseshoe?
☑ Yes ☐ No (Provide explanation)

7.4 Are the subject lands subject to the Niagara Escarpment Plan?
☐ Yes ☑ No (Provide explanation)

Authentisign ID: E57E2773-D76D-F011-8DCA-00224822F75A

7.5 Are the subject lands subject to the Parkway Belt West Plan?
☐ Yes ☑ No (Provide explanation)

7.6 Are the subject lands subject to the Greenbelt Plan?
☐ Yes ☑ No (Provide explanation)

7.7 Are the subject lands within an area of land designated under any other provincial plan or plans?
☐ Yes ☑ No (Provide explanation)

8 ADDITIONAL INFORMATION - VALIDATION

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

☐ Yes ☐ No (Provide explanation)

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

☐ Yes ☐ No (Provide explanation and details on plan)

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)

Authentisign ID: E57E2773-D76D-F011-8DCA-00224822F75A

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

Authentisign ID: E57E2773-D76D-F011-8DCA-00224822F75A

11 COMPLETE APPLICATION REQUIREMENTS

11.1 All Applications

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

11.2 Validation of Title

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

11.3 Cancellation

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

11.4 Other Information Deemed Necessary

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

_____

_____

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-25:163**	**SUBJECT PROPERTY:**	60 Ascoli Drive, Hamilton
ZONE:	R1 (Low Density Residential)	**ZONING BY-LAW:**	Hamilton Zoning By-law 05-200

APPLICANTS: Owner: Barry Pilgrimb
Applicant: Jonathan Woodruff

The following variances are requested:

1. A minimum setback of 0.0 metres from the side lot line shall be permitted instead of the minimum required 1.2 metre setback.

PURPOSE & EFFECT: To construct an addition to an existing single detached dwelling.

Notes:

1. As the addition is attached to the existing dwelling on the property and not its own separate structure it is subject to the setback requirements of the principal building.

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:	**Thursday, September 4, 2025**
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)

A-25:163

	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

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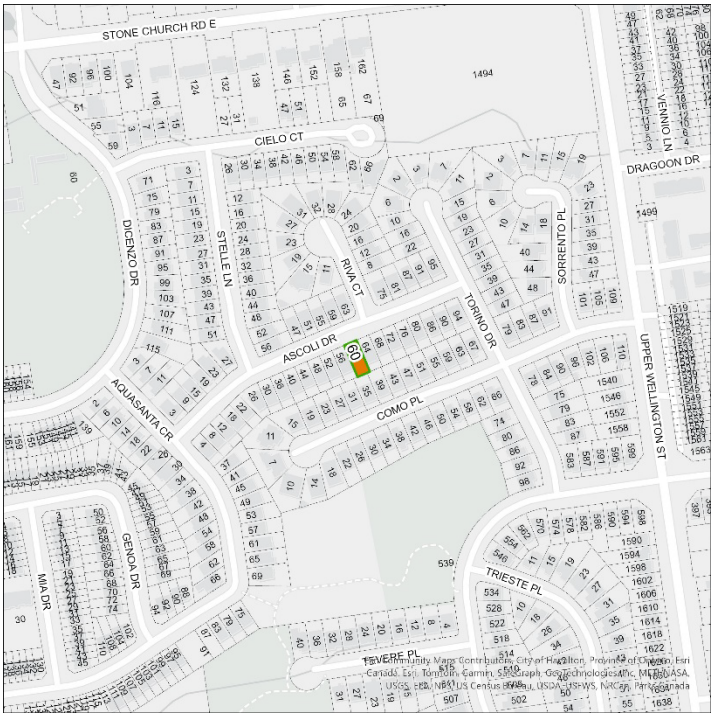
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FURTHER NOTIFICATION

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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-25:163



Subject Lands

DATED: August 18, 2025

Justin Leung,
Secretary-Treasurer
Committee of Adjustment

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

Hamilton

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

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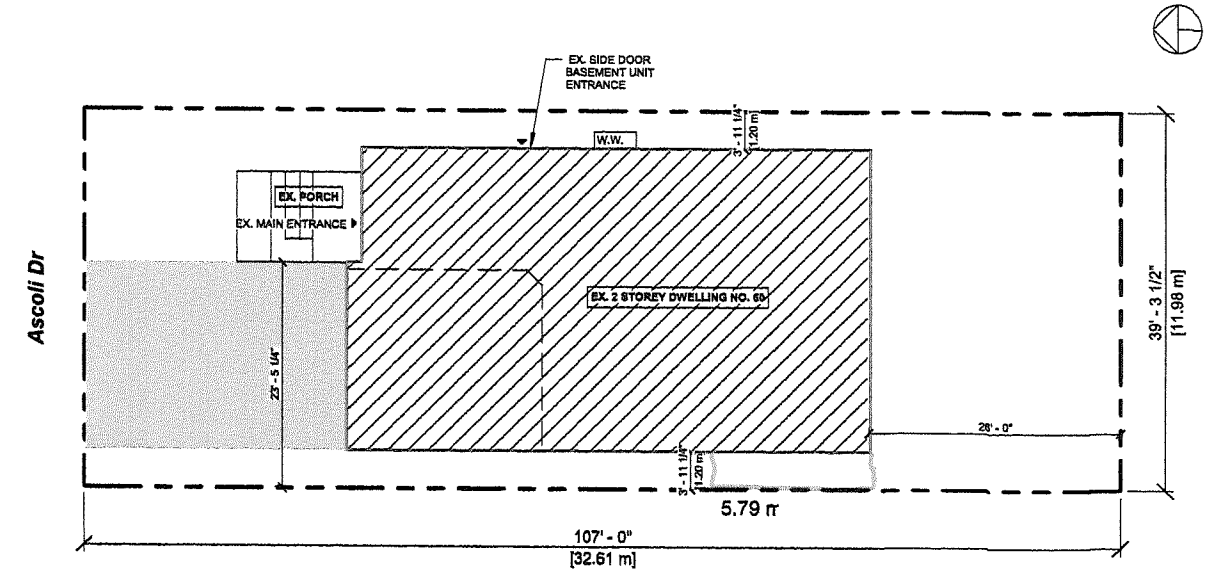
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6. Additional Notes

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- It is the interested party's responsibility to ensure their device is functional and compatible prior to the Hearing.

For any questions, contact staff at cofa@hamilton.ca or call 905-546-2424 ext. 4221.

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1 SITE PLAN
1 : 150

CONTRACTOR SHALL VERIFY SITE DIMENSIONS

PROPOSED BASEMENT SECOND UNIT

60 Ascoli Dr

Hamilton, ON L9B 2K8

Permit Works
Approvals Made Easy
3575 14TH AVE - UNIT 18
MARKHAM, ON L3R 0H5
email: info@permitworks.ca
mobile: 416-939-6900

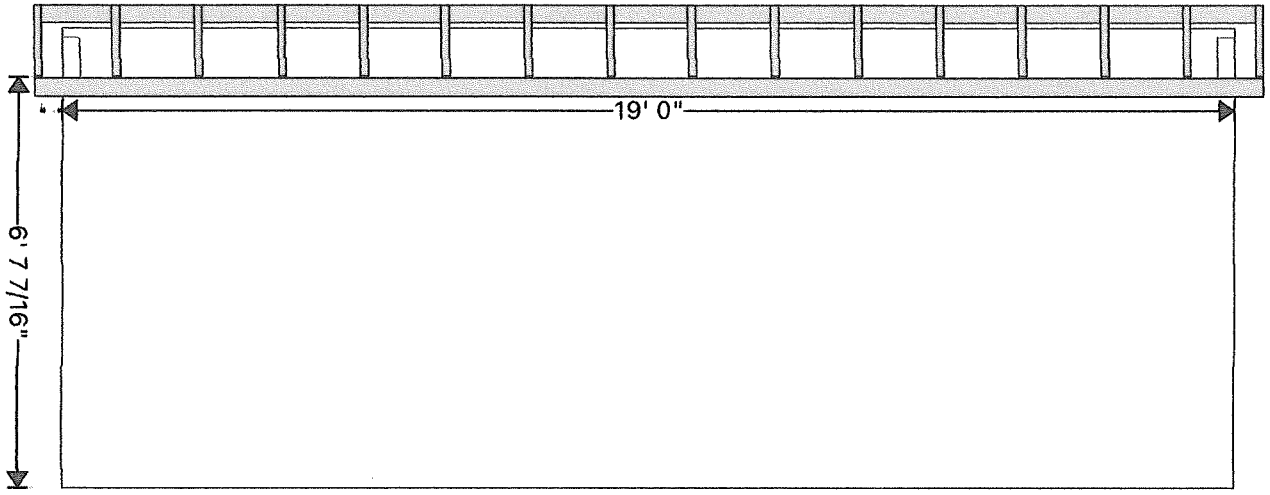
KCCL Architect

Drawn by	EY
Date	2025-07-25
Scale	1 : 150
Project Number	25217

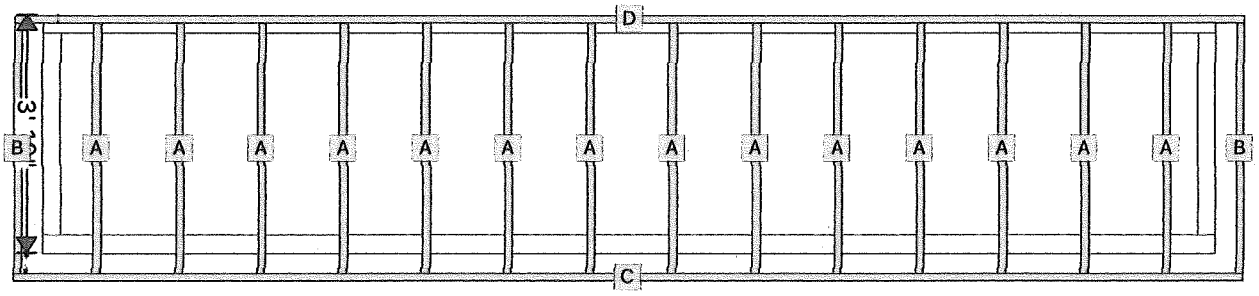
DRAWING NAME
SITE PLAN

SHEET NUMBER
A1.1

View	Page		
Front View	2 of 7		RedX Roof App



View	Page		RedX Roof App
Plan View	1 of 7		





Hamilton

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

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

APPLICATION FOR A MINOR VARIANCE/PERMISSION

UNDER SECTION 45 OF THE *PLANNING ACT*

1. APPLICANT INFORMATION

	NAME	MAILING ADDRESS	
Registered Owners(s)	Barry Pilgrimb	[redacted]	
Applicant(s)	Jonathan Woodruff		
Agent or Solicitor	Jonathan Woodruff		

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	60 Ascoli dr		
Assessment Roll Number			
Former Municipality	Hamilton		
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:

Relief is requested from the required minimum side yard setback provision of the Zoning By-law to permit the retention of an existing accessory structure (shed) constructed directly on the property line. The extent of relief sought is to reduce the side yard setback from the required distance to 0.0 metres.

☐ Second Dwelling Unit ☐ Reconstruction of Existing Dwelling

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

Due to spatial limitations on the property and existing site conditions, it was not feasible to maintain the required setback distance from the side lot line for the construction of the accessory structure. The shed was positioned in a manner that best accommodated the functional use of the rear yard without obstructing access or creating inefficiencies, and was constructed in good faith without full awareness of the setback provision. The relief is being sought to legalize the structure as built, which continues to serve a practical purpose without negatively impacting adjacent properties.

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
39.37	100.07	1200.79	6

4.2 Location of all buildings and structures on or proposed for the subject lands: (Specify distance from side, rear and front lot lines)

Existing:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
houes	16.90	25.92	4.04	2017

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Gated Breezeway	50	25.92	0.03	07/20/2025

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

Existing:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Houes	1200	3600	2	28

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Gated Breezeway	57	57	1	6.5

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 dwelling

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

single dwelling

7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:

2017

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

Single detached dwelling

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

Single detached dwelling

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

Since acquiring the property

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

Rural Hamilton Official Plan designation (if applicable): R1 Low Density Residential

Rural Settlement Area: R1 Low Density Residential

Urban Hamilton Official Plan designation (if applicable) R1 Low Density Residential

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

7.6 What is the existing zoning of the subject land? Residential Neighborhoods

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

- ☑ 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-25:148**	**SUBJECT PROPERTY:**	340 Springbrook Avenue, Ancaster
ZONE:	R4-562 (Residential 4 – Site Specific Exception 562 Zone)	**ZONING BY-LAW:**	Ancaster Zoning By-law 87-57, as Amended

APPLICANTS: Owner: Shiraz Jawhar Qahar

The following variances are requested:

1. A minimum rear yard of 5.3 metres shall be permitted instead of the minimum required 7.5 metres.

2. An open stairway shall be permitted to project into a required rear yard a maximum distance of 0.5 metres, whereas the Zoning By-law does not permit an open stairway to project into a required rear yard.

PURPOSE & EFFECT: To permit the construction of a roofed-over deck in the rear yard of an existing Single Detached Dwelling.

Notes:

i. The proposed roofed-over deck in the rear yard is considered part of the principal dwelling. This is because, as per the definition of “Deck”, a deck is not permitted to have a roof other than a trellis or trellis-like structure. The proposed structure is also not considered an unenclosed porch; per the definition of “Porch, Unenclosed”, and unenclosed provides access to only the front entrance of a dwelling.

ii. The proposed roofed-over deck in the rear yard is not counted as lot coverage since it does not meet the definition of “Building”.

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.

A-25:148

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

DATE:	**Thursday, September 4, 2025**
TIME:	**1:55 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 September 2, 2025

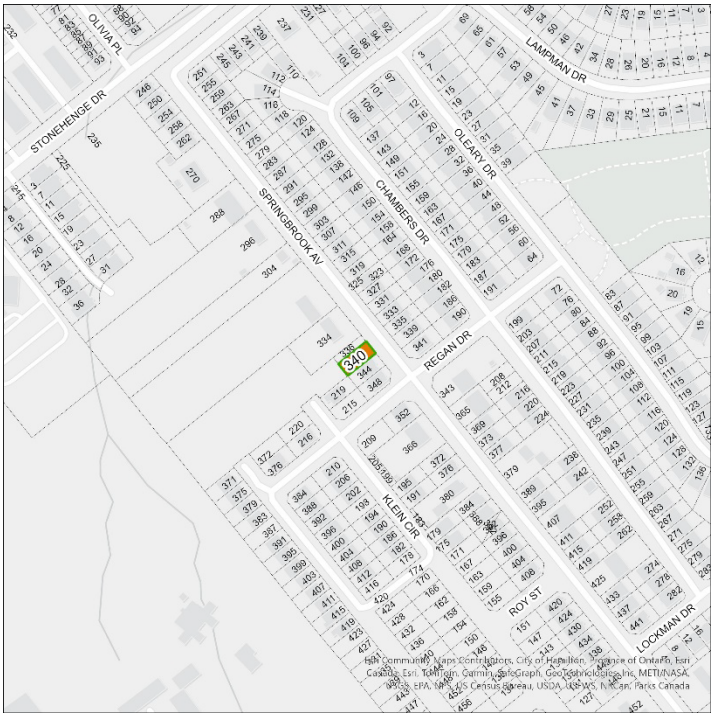
Orally: If you would like to speak to this item at the hearing you may do so via video link, calling in, or attending in person. Please see attached page for complete instructions, registration to participate virtually must be received no later than noon September 3, 2025

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding A-25:148, 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-25:148



Subject Lands

DATED: August 18, 2025

Justin Leung,
Secretary-Treasurer
Committee of Adjustment

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

Hamilton

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

PARTICIPATING PROCEDURES

1. Written Submission Ahead of the Meeting

Members of the public who wish to provide input without speaking at the Hearing may submit written comments in advance of the meeting. Comments must be received by 12:00 p.m. (noon) on the deadline date for written comment submissions listed on the Notice of Public Hearing.

How to Submit Written Comments:

By Email:
Send to: cofa@hamilton.ca

By Mail:
Committee of Adjustment
City of Hamilton
71 Main Street West, 5th Floor
Hamilton, Ontario
L8P 4Y5

All written comments received will be made available to the Committee and the public by the Tuesday prior to the Hearing.

2. Oral Submissions During the Hearing

Interested members of the public, agents, and owners may provide oral comments on Committee of Adjustment Hearing items either virtually via Webex (computer or phone) or by attending in person.

Speaking Time Limit:
All participants providing oral submissions, either in person or virtually are limited to a maximum of 5 minutes to speak. This is to ensure all parties have an equal opportunity to be heard and that the meeting runs efficiently.

3. In-Person Oral Submissions

To participate in person, attend Council Chambers on the date and time listed in the Notice of Public Hearing. You will be required to provide your name and address for the record. It is recommended you arrive at least 10 minutes prior to the scheduled start time.

4. Virtual Oral Submissions

To participate virtually, you must register by 12:00 p.m. (noon) on the virtual oral submissions registration deadline date. This is listed on the Notice of Public Hearing.

- Committee of Adjustment file number
- Hearing date
- Name and mailing address of each person wishing to speak
- Method of participation (phone or video), and, if applicable, the phone number to be used
- Each person must register separately

Registered participants will receive a Webex link one business day before the Hearing. Only those registered will be called upon to speak.

5. Presentations

All presentations are permitted at the discretion of the Committee.

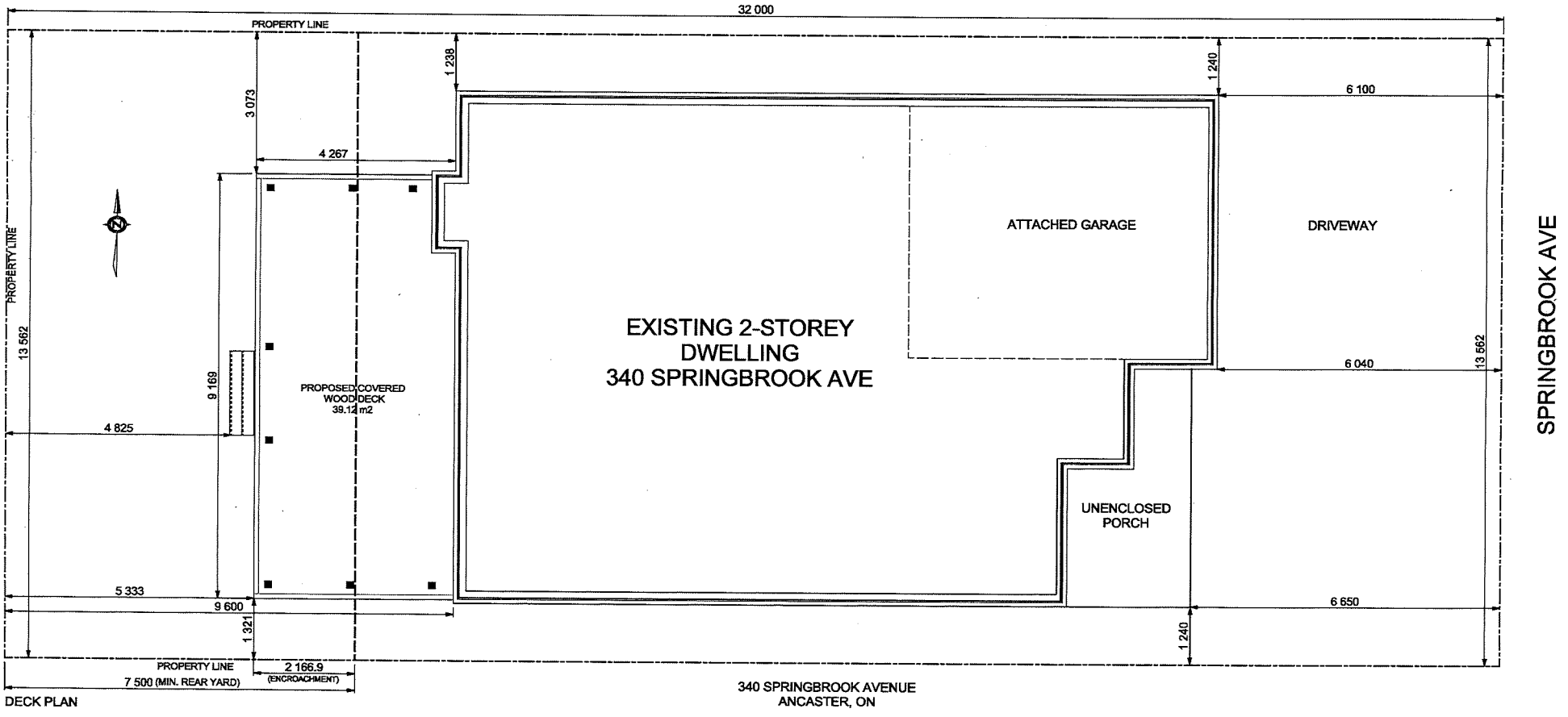
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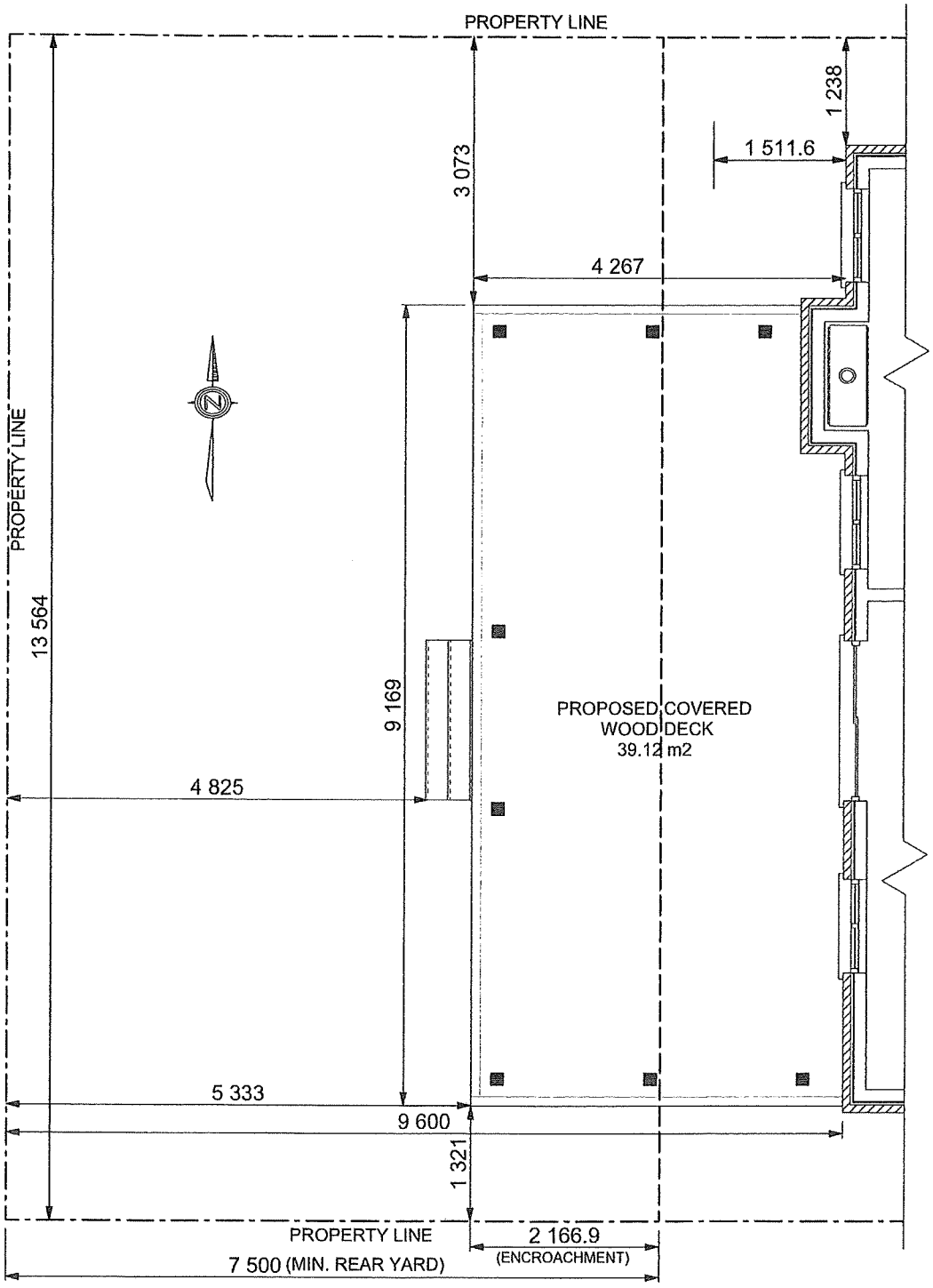
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DECK PLAN

340 SPRINGBROOK AVENUE
ANCASTER, ON

PROPOSED REAR COVERED DECK JULY 14, 2025 SCALE: 1:100



DECK PLAN

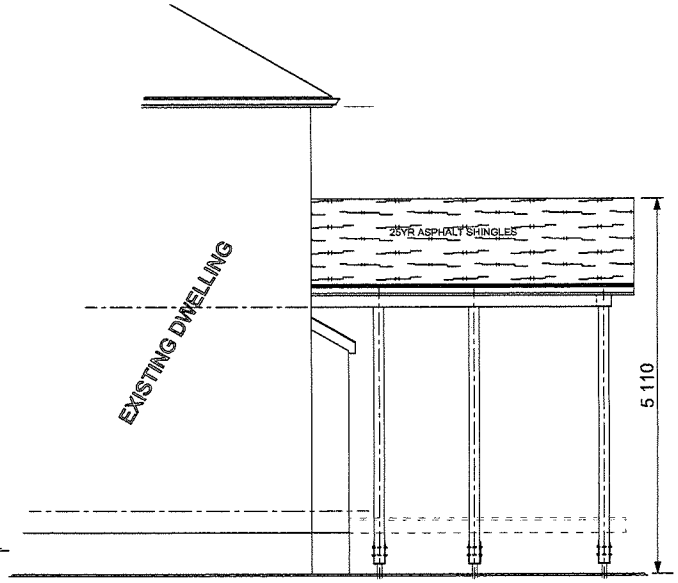
340 SPRINGBROOK AVENUE
ANCASTER, ON

PROPOSED REAR COVERED DECK

JULY 14, 2025 SCALE; 1:75



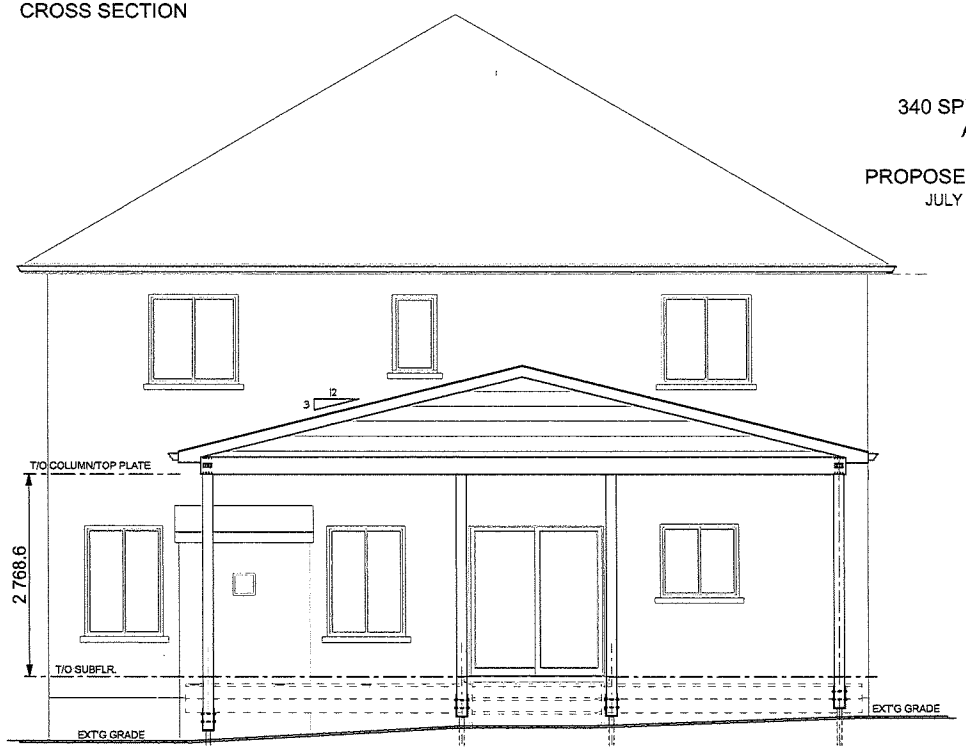
CROSS SECTION



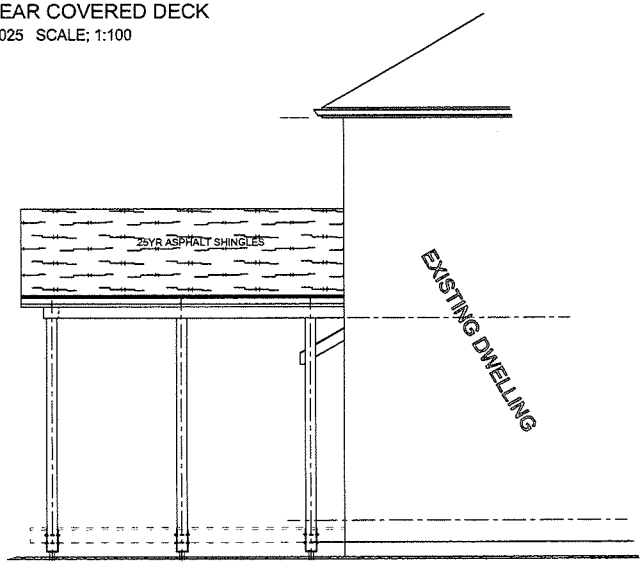
NORTH ELEVATION

340 SPRINGBROOK AVENUE
ANCASTER, ON

PROPOSED REAR COVERED DECK
JULY 14, 2025 SCALE; 1:100



WEST (REAR) ELEVATION



SOUTH ELEVATION

SURVEYOR'S REAL PROPERTY REPORT

PART 1, PLAN OF

LOTS 1 & 2
PLAN 62M–1260

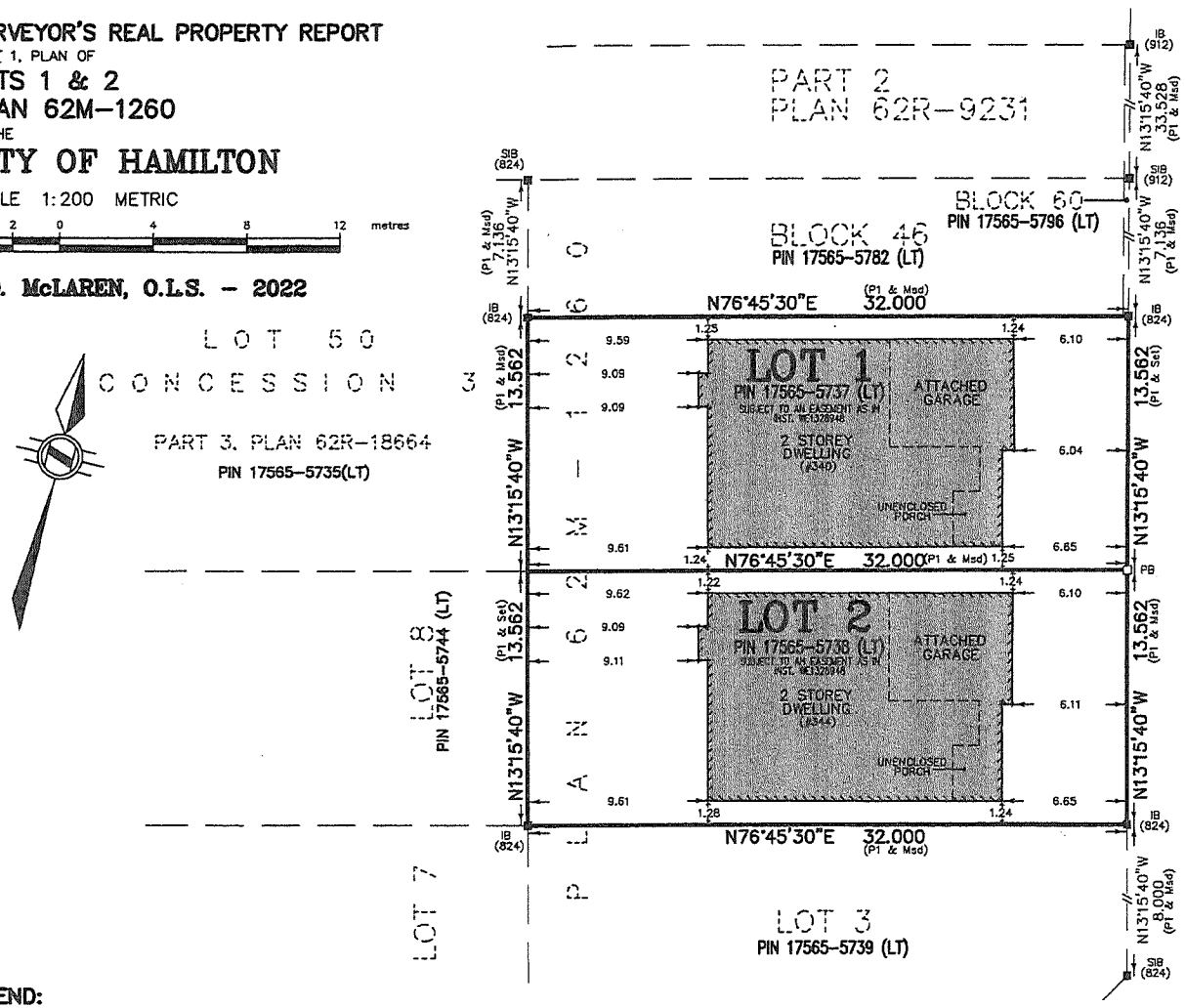
IN THE

CITY OF HAMILTON

SCALE 1:200 METRIC

4 2 0 4 8 12 metres

S.D. McLAREN, O.L.S. – 2022



SURVEYOR'S REAL PROPERTY REPORT (PART 2)

LOTS 1 & 2, PLAN 62M–1260, ARE SUBJECT TO AN EASEMENT IN GROSS AS IN WE1328948 AS ILLUSTRATED ON THE PLAN.

THIS PLAN DOES NOT CERTIFY COMPLIANCE WITH ZONING BY–LAWS.

THIS PLAN WAS PREPARED FOR 1639142 ONTARIO INC.

ASSOCIATION OF ONTARIO LAND SURVEYORS
PLAN SUBMISSION FORM
2188264

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

METRIC NOTE:

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

NOTE:

A.T.M. CONTROL POINTS 20, 37 AND 38 HAVE BEEN USED TO RE–ESTABLISH THE BOUNDARIES OF LOT 1 & 2.

LEGEND:

□	DENOTES	MONUMENT SET
■	"	MONUMENT FOUND
IB	"	IRON BAR
PB	"	PLASTIC BAR
SIB	"	STANDARD IRON BAR
SSIB	"	SHORT STANDARD IRON BAR
824	"	A.T. McLAREN, O.L.S.
Msd	"	MEASURED
P1	"	PLAN 62M–1260
//	"	NOT TO SCALE

BEARING NOTE:

BEARINGS ARE GRID AND ARE REFERRED TO UTM 17, NAD83, (CSRS) (2010.0).

BEARINGS ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.99965806.

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 THE 20TH DAY OF DECEMBER, 2021

May 16, 2022
DATE

S. DAN McLAREN, O.L.S.

© S.D. McLAREN, O.L.S. – 2022. NO PERSON MAY COPY REPRODUCE, DISTRIBUTE OR ALTER THIS PLAN IN WHOLE OR IN PART WITHOUT THE WRITTEN PERMISSION OF S.D. 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	Checked	Crew Chief	Scale	Dwg.No.
TC	JM	TV	1:200	36133–1&2F

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	MAILING ADDRESS	
Registered Owners(s)	Shiraz Jawhar Qahar Tuena Taha	[redacted]	
Applicant(s)	Shiraz Jawhar Qahar		
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 • Want physical copy

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

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

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	340 Springbrook Ave		
Assessment Roll Number			
Former Municipality	ANCASTER		
Lot 1		Concession	
Registered Plan Number	62M-1260	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 THE MAXIMUM LOT COVERAGE OF 45% TO ALLOW A COVERAGE OF 50.4% AND TO ALLOW THE PROPOSED STRUCTURE TO ENCROACH 2.68M INSTEAD OF THE MAXIMUM ALLOWABLE OF 1.50M

☐ Second Dwelling Unit ☐ Reconstruction of Existing Dwelling

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

LOT ISN'T DEEP ENOUGH TO ALLOW A STRUCTURE OF ADEQUATE DEPTH.

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
13.562M	32.00M	425.3M²	

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
my house	6.10M	9.60M	1.24	2023
(SINGLE FAMILY				
DWELLING				

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Roof over deck	/	4.825M	1.32M (SOUTH)	TO BE
(ADDITION)			3.07M (NORTH)	BUILT.

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	130.25M²	175.2 M²	2	9.5M
(SINGLE FAMILY	(LIVING AREA	(FOOTPRINT)		
DWELLING)		298.5M²		
		(TOTAL BOTH FLOORS)		

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Roof over deck	39.12M²	39.12M²	1	5.11M
(ADDITION TO				
DWELLING)				

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
- [x] 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.):

my house

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

Residential s

7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:

2023

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

Residential

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

my house

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

I moved in on May 2023

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

Rural Hamilton Official Plan designation (if applicable): Neighbor

Rural Settlement Area: _____

Urban Hamilton Official Plan designation (if applicable) Neighbourhood

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

7.6 What is the existing zoning of the subject land? R4-562

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: 0

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-25:149**	**SUBJECT PROPERTY:**	9 Drury Court, Ancaster
ZONE:	'R2' (Low Density Residential – Large Lot)	**ZONING BY-LAW:**	Hamilton Zoning By-law 05-200

APPLICANTS: Owner: Loyce Lui
Agent: Disha Arora

The following variances are requested:

1. A minimum 4.5 metre setback from a rear lot line shall be permitted instead of the minimum required setback of 7.5 metre setback.

2. Eaves and other similar architectural features shall be permitted to be located at a distance of 3.0 metres from the rear lot line instead of the minimum 7.5 metre setback required.

PURPOSE & EFFECT: To permit the construction of a new addition onto the rear of the existing Single Detached Dwelling.

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:	**Thursday, September 4, 2025**
TIME:	**2:00 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-25:149

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 September 2, 2025

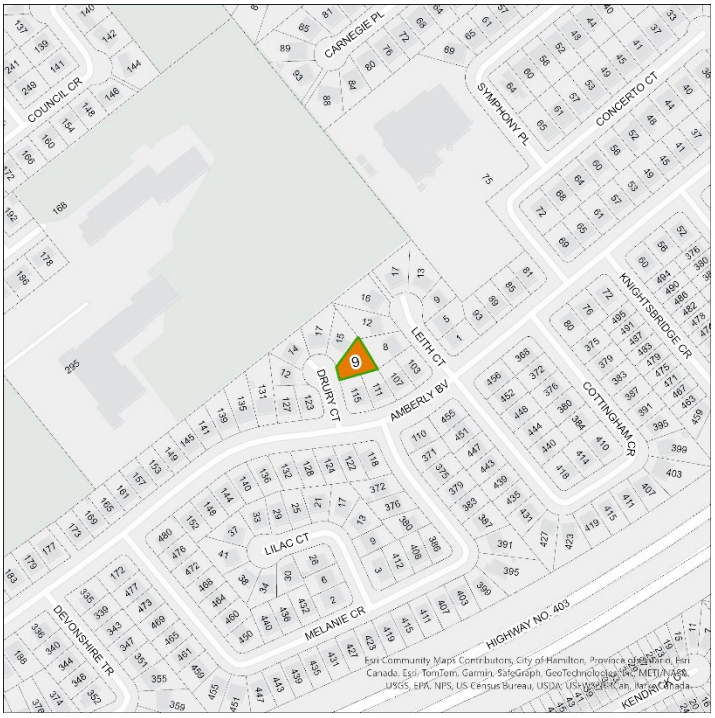
Orally: If you would like to speak to this item at the hearing you may do so via video link, calling in, or attending in person. Please see attached page for complete instructions, registration to participate virtually must be received no later than noon September 3, 2025

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding A-25:149, 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-25:149



Subject Lands

DATED: August 18, 2025

Justin Leung,
Secretary-Treasurer
Committee of Adjustment

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

Hamilton

COMMITTEE OF ADJUSTMENT

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

Telephone (905) 546-2424, ext. 4221

E-mail: cofa@hamilton.ca

PARTICIPATING PROCEDURES

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71 Main Street West, 5th Floor
Hamilton, Ontario
L8P 4Y5

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Speaking Time Limit:
All participants providing oral submissions, either in person or virtually are limited to a maximum of 5 minutes to speak. This is to ensure all parties have an equal opportunity to be heard and that the meeting runs efficiently.

3. In-Person Oral Submissions

To participate in person, attend Council Chambers on the date and time listed in the Notice of Public Hearing. You will be required to provide your name and address for the record. It is recommended you arrive at least 10 minutes prior to the scheduled start time.

4. Virtual Oral Submissions

To participate virtually, you must register by 12:00 p.m. (noon) on the virtual oral submissions registration deadline date. This is listed on the Notice of Public Hearing.

- Committee of Adjustment file number
- Hearing date
- Name and mailing address of each person wishing to speak
- Method of participation (phone or video), and, if applicable, the phone number to be used
- Each person must register separately

Registered participants will receive a Webex link one business day before the Hearing. Only those registered will be called upon to speak.

5. Presentations

All presentations are permitted at the discretion of the Committee.

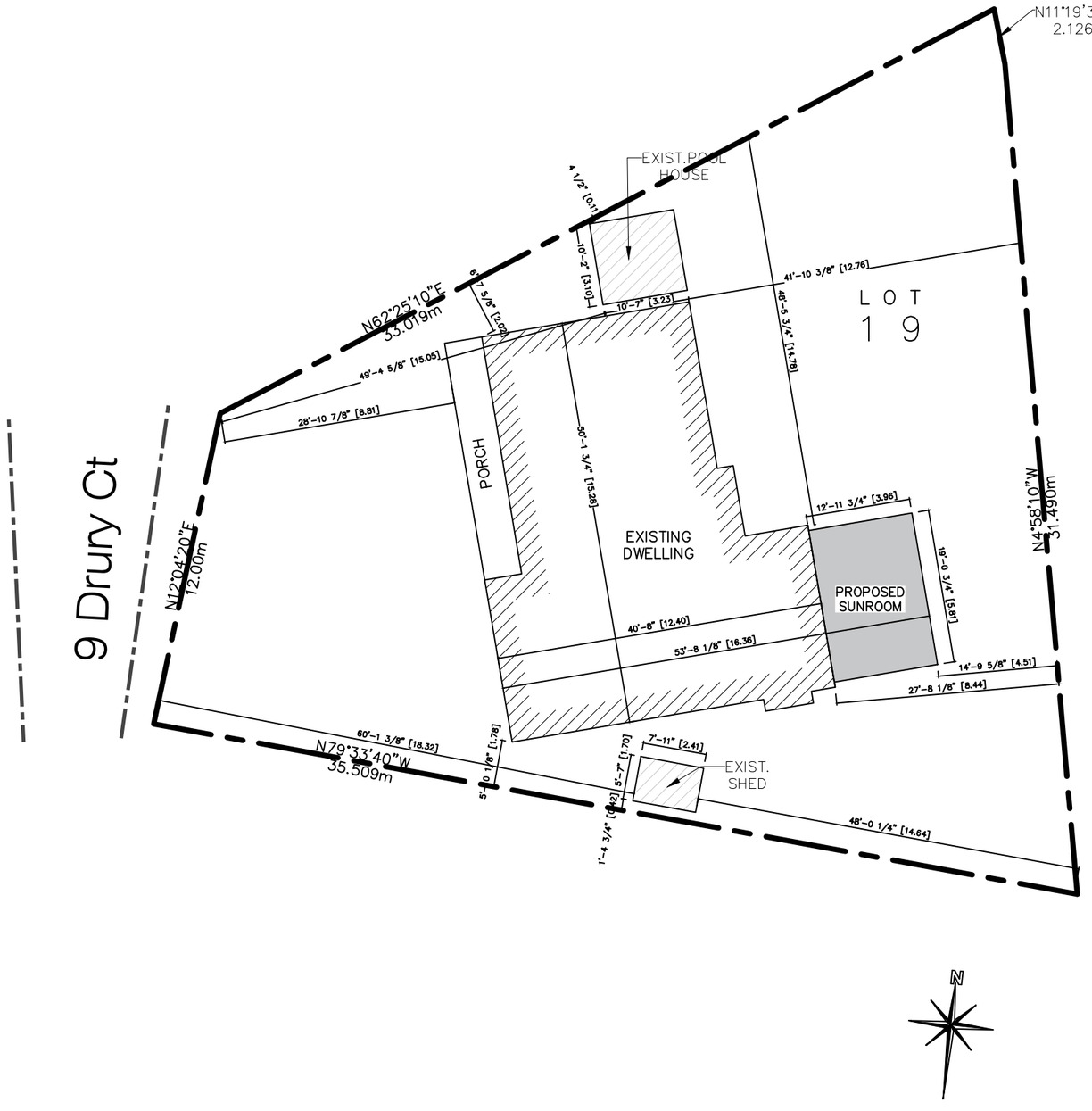
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- It is the interested party's responsibility to ensure their device is functional and compatible prior to the Hearing.

For any questions, contact staff at cofa@hamilton.ca or call 905-546-2424 ext. 4221.



PROJECT STATISTICS (R2 ZONE)		
	PERMITTED	PROVIDED
LOT AREA (MIN)	6,781.26SF (630SM)	7,860.64SF (730.28SM)
LOT COVERAGE (MAX)	35%	DWELLING (INCL. GARAGE): 1,771.20SF (164.55SM) SHED (EXIST.): 44.20SF (4.11SM) POOL HOUSE (EXIST.): 107.60SF (9.99SM) PROPOSED ADDITION: 247.42SF (22.99SM) TOTAL: 27.61%
FRONT YARD SETBACK (MIN)	4.0m	8.81m
SIDE YARD SETBACK (MIN)	2m	1.78m
REAR YARD SETBACK (MIN)	7.5m	4.51m
HEIGHT (MAX)	10.5m	4.32m
BUILDING LENGTH	????	16.35m

FOUR SEASONS® SUNROOMS GTA
INDEPENDENTLY OWNED AND OPERATED

SITE PLAN

Address:	Date: 2025-04-07	Sheet No.
9 Drury Court Ancaster, ON L9G 3V2	Scale: 1/16" = 1'-0"	SP-1

GLAZED OPENING CALCULATIONS

PER O.B.C. TABLE 9.10.15.4

Rear Elevation

#	WIDTH	DEPTH	WINDOW / DOOR FRAME SIZE (S.F)
1	Existing		57
1	New		80.4

Spatial Calculations

Exposing Building Face	608.66	S.F.
	56.55	S.M.
Portion Wall Area		
Limiting Distance	4.51m	
Max. % Openings	28%	
Openings Allowed	170.42	S.F.
Openings Provided	137.4	S.F.



FOUR SEASONS® SUNROOMS GTA
INDEPENDENTLY OWNED AND OPERATED

REAR ELEVATION

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 design the work shown on the attached documents.

NAME: Alexandra Aodesh
SIGNATURE:
BCIN: 101509

Address:
9 Drury Court
Ancaster, ON
L9G 3V2

Date:
2025-04-07

Scale:
1/5" = 1'-0"

Sheet No.
A1

GLAZED OPENING CALCULATIONS

PER O.B.C. TABLE 9.10.15.4

Right Elevation

#	WIDTH	DEPTH	WINDOW / DOOR FRAME SIZE (S.F)
1	Existing		12
1	New		85.1

Spatial Calculations

Exposing Building Face	683.22	S.F.
	63.47	S.M.
Portion Wall Area A	242.43	S.F.
	22.52	S.M.
Limiting Distance	14.78m	
Max. % Openings	100%	
Openings Allowed	242.43	S.F.
Openings Provided	97.1	S.F.

GLAZED OPENING CALCULATIONS

PER O.B.C. TABLE 9.10.15.4

Right Elevation

#	WIDTH	DEPTH	WINDOW / DOOR FRAME SIZE (S.F)
1	Existing		n/a
1	New		n/a

Spatial Calculations

Exposing Building Face	683.22	S.F.
	63.47	S.M.
Portion Wall Area B	440.79	S.F.
	40.95	S.M.
Limiting Distance	2.02m	
Max. % Openings	9%	
Openings Allowed	39.67	S.F.
Openings Provided	0	S.F.



FOUR SEASONS® SUNROOMS GTA

INDEPENDENTLY OWNED AND OPERATED

RIGHT ELEVATION

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 design the work shown on the attached documents.

NAME Alexandra Aodesh SIGNATURE BCIN 101509

Address: 9 Drury Court Ancaster, ON L9G 3V2

Date: 2025–04–07

Scale: 1/5" = 1'–0"

Sheet No. A2

GLAZED OPENING CALCULATIONS

PER O.B.C. TABLE 9.10.15.4

Left Elevation

#	WIDTH	DEPTH	WINDOW / DOOR FRAME SIZE (S.F)
1	Existing		n/a
1	New		66.7

Spatial Calculations

Exposing Building Face	709.81	S.F.
	65.94	S.M.
Portion Wall Area		
Limiting Distance	1.78m	
Max. % Openings	8%	
Openings Allowed	56.78	S.F.
Openings Provided	66.7	S.F.



FOUR SEASONS® SUNROOMS GTA

INDEPENDENTLY OWNED AND OPERATED

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 design the work shown on the attached documents.

NAME Alexandra Aodesh SIGNATURE BCIN 101509

LEFT ELEVATION

Address:	Date: 2025-04-07	Sheet No.
9 Drury Court Ancaster, ON L9G 3V2	Scale: 1/5" = 1'-0"	A3

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	MAILING ADDRESS
Registered Owners(s)	JOYCE LUI	[redacted]
Applicant(s)	DISHA ARORA	
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	9 Drury Ct Ancaster, ON L9G 3V7		
Assessment Roll Number			
Former Municipality	Hamilton		
Lot	19	Concession	
Registered Plan Number	NM-299	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 provide 4.36 m rear set back whereas minimum permitted is 7.5m for the new addition

☐ Second Dwelling Unit ☐ Reconstruction of Existing Dwelling

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

Compromised usable living space

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

☐ Yes ☑ No

If yes, please provide an explanation:

4. DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

4.1 Dimensions of Subject Lands:

Lot Frontage	Lot Depth	Lot Area	Width of Street
12 M	33.264 M	730.28 SM	9 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
EXISTING 2 STOREY DWELLING	8.81 M	8.44 M	2.02M, 1.78M	1981
SHED	18.32 M	14.64 M	0.42 M	June 2013
POOL HOUSE	18.32 M	12.76 M	0.11 M	June 2013

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
SINGLE STOREY SUNROOM	8.81 M	4.36 M	14.62 M,6.62 M	

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

Existing:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
2 STOREY DWELLING	164.55 SM	242.58 SM	2	6.14 M
POOL HOUSE	9.99 SM	9.99 SM	1	3M
SHED	4.11 SM	4.11 SM	1	2.5M

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
SUNROOM	22.99 SM	22.99 SM	1	3.38 M

4.4 Type of water supply: (check appropriate box)

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

4.5 Type of storm drainage: (check appropriate boxes)

☑ publicly owned and operated storm sewers
☐ swales
☐ ditches
☐ other means (specify)

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

- ☑ publicly owned and operated sanitary sewage
- ☐ system privately owned and operated individual
- ☐ septic system other means (specify) _____

4.7 Type of access: (check appropriate box)

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

_____

4.8 Proposed use(s) of the subject property (single detached dwelling duplex, retail, factory etc.):

Single detached dwelling

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

Single detached dwelling

7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:

January18,2007

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:

41 years

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

Rural Hamilton Official Plan designation (if applicable): _____

Rural Settlement Area: _____

Urban Hamilton Official Plan designation (if applicable) Urban Area (As per rural Hamilton Official Plan Rural Land Use Designation Schedule D)

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

7.6 What is the existing zoning of the subject land? R2

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

☐ Yes ☑ No

If yes, please provide the file number: R2

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

☐ Yes ☑ No

If yes, please provide the file number: _____

8 ADDITIONAL INFORMATION

8.1 Number of Dwelling Units Existing: 1

8.2 Number of Dwelling Units Proposed: 0

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

11 COMPLETE APPLICATION REQUIREMENTS

11.1 All Applications

- [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)
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_____

_____

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-25:154**	**SUBJECT PROPERTY:**	91 Cesar Place, Ancaster
ZONE:	R1 (Low Density Residential Zone)	**ZONING BY-LAW:**	Hamilton Zoning By-law 05-200, as Amended

APPLICANTS: Owner: Chris Vrantsis
Applicant: Scott Wood

The following variances are requested:

1. A deck may encroach into a required rear yard to a maximum of 6.6 metres instead of the permitted maximum encroachment of 1.5 metres.

2. A minimum setback of 0.90 metres to a rear lot line shall be permitted for an Accessory Building with a Gross Floor Area greater than or equal to 18 square metres, instead of the minimum required setback of 1.2 metres.

PURPOSE & EFFECT: To permit the construction of an Accessory Building and deck in the rear yard of a lot containing an existing Single Detached Dwelling.

Notes:

i. Please be advised that insufficient was provided to determine zoning compliance with Section 15.1.2.1 h) (Minimum Landscaped Area) of Hamilton Zoning By-law 05-200. Further variances will be required if zoning compliance cannot be achieved.

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:	**Thursday, September 4, 2025**
TIME:	**2:05 p.m.**

A-25:154

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:

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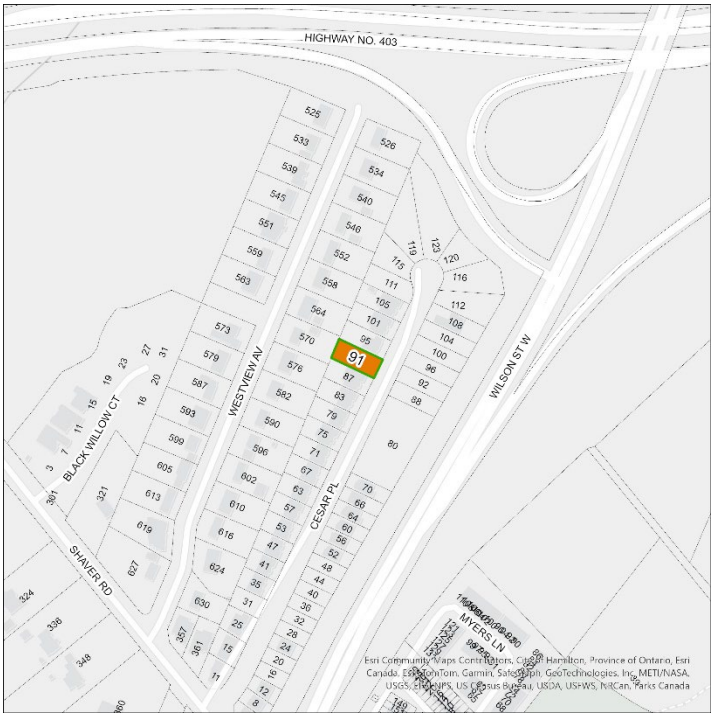
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FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding A-25:154, 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**.**

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A-25:154



Subject Lands

DATED: August 18, 2025

Justin Leung,
Secretary-Treasurer
Committee of Adjustment

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- Hearing date
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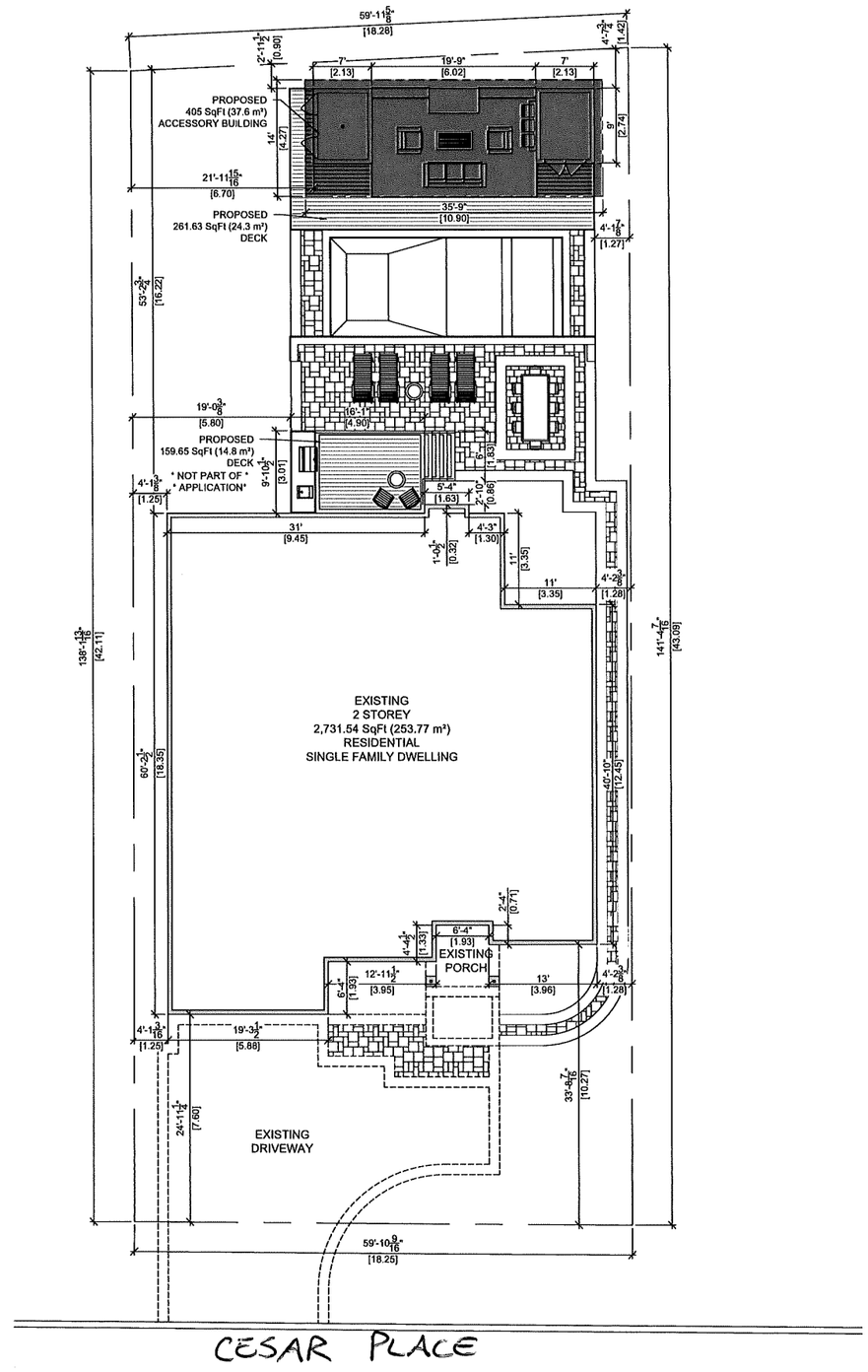
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- Webex (video) participation requires a compatible computer or smartphone. The necessary application must be downloaded in advance.
- It is the interested party's responsibility to ensure their device is functional and compatible prior to the Hearing.

For any questions, contact staff at cofa@hamilton.ca or call 905-546-2424 ext. 4221.





ENGINEER SEAL



REVISIONS

NO.	DESCRIPTION	DATE
1	ISSUED FOR PERMIT	MN.DA.2025
2		
3		
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GENESIS WOODWORKS

GENESIS METALWORKS

FOR BUILDING PERMIT

PROJECT:

VRANTSIS RESIDENCE

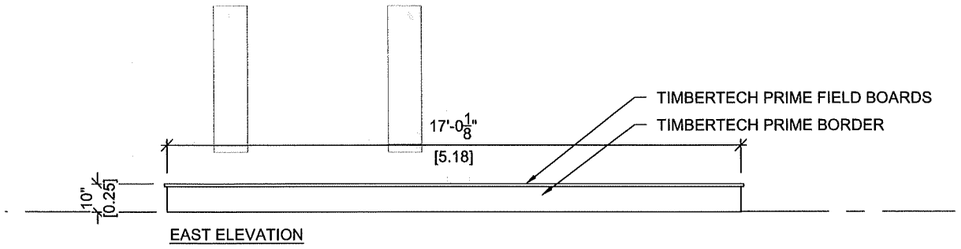
91 CESAR PLACE
ANCASTER, ON

DRAWING:

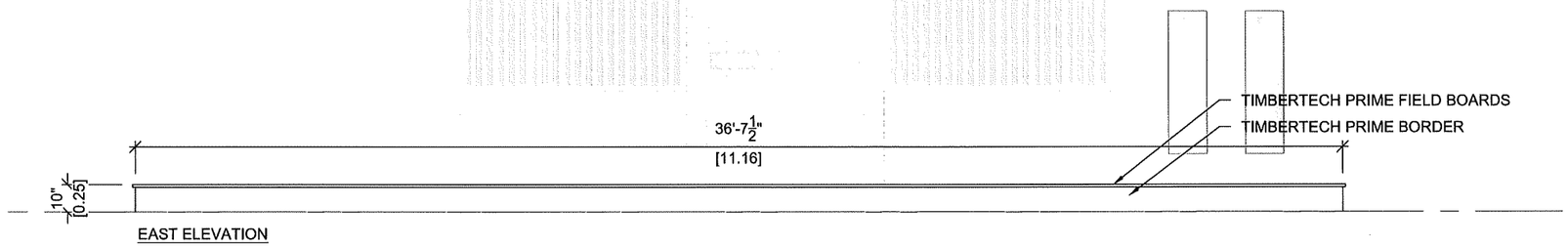
SITE PLAN PROPOSED

SCALE: 1/8" = 1'-0"	PROJECT NO.	VR2025
DATE: JUL 04-25		
DRAWN BY: S. WOOD	SHEET NO.	SP0.01
CHECKED BY: B. LODDER		1 of 5

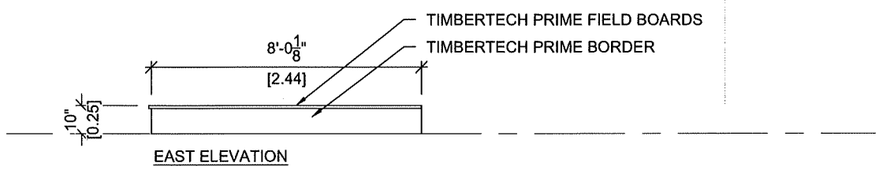
NORTH N



EAST ELEVATION



EAST ELEVATION



EAST ELEVATION

ENGINEER SEAL

LICENSED PROFESSIONAL ENGINEER
B.M. LOPES
100177584
26-06-2025
PROVINCE OF ONTARIO

REVISIONS

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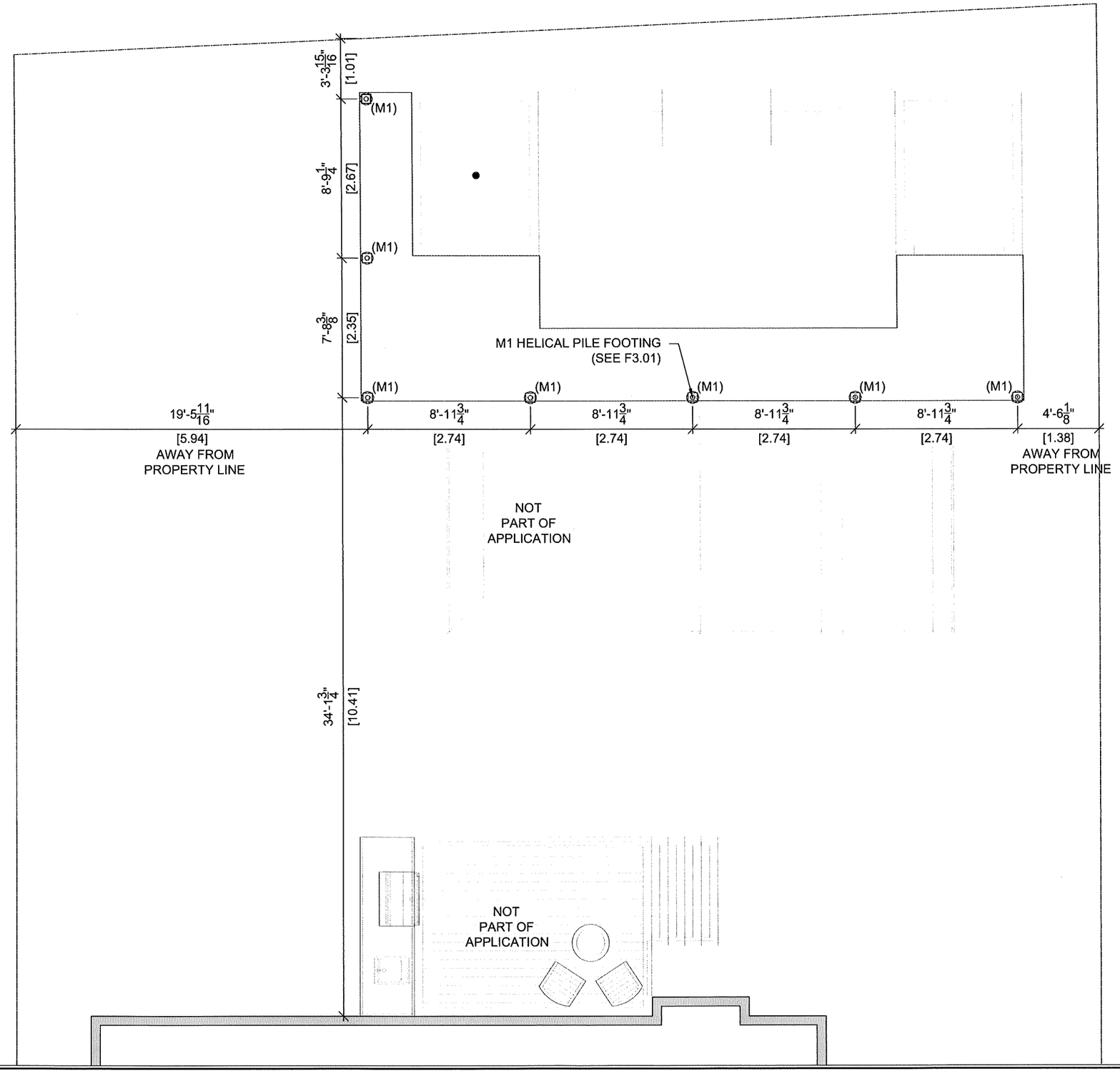
GENESIS METALWORKS

FOR BUILDING PERMIT

PROJECT:
VRANTSIS RESIDENCE
91 CESAR PLACE
ANCASTER, ON

DRAWING:
CABANA DECK ELEVATIONS

SCALE: 1/2" = 1'-0"	PROJECT NO.	VR2025
DATE: JUN 20-25		
DRAWN BY: S. WOOD	SHEET NO.	A1.01
CHECKED BY: B. LODDER		2 of 5



ENGINEER SEAL

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100177584
26-06-2025
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GENESIS
WOODWORKS

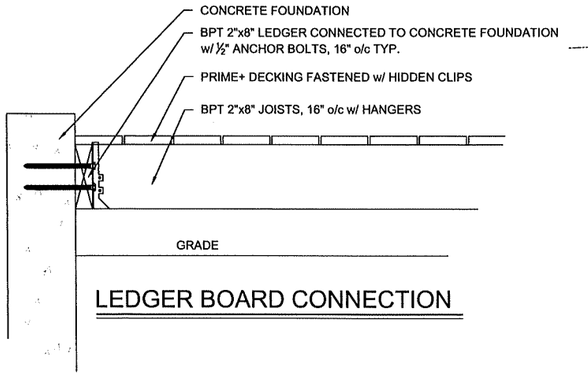
GENESIS
METALWORKS

FOR BUILDING PERMIT

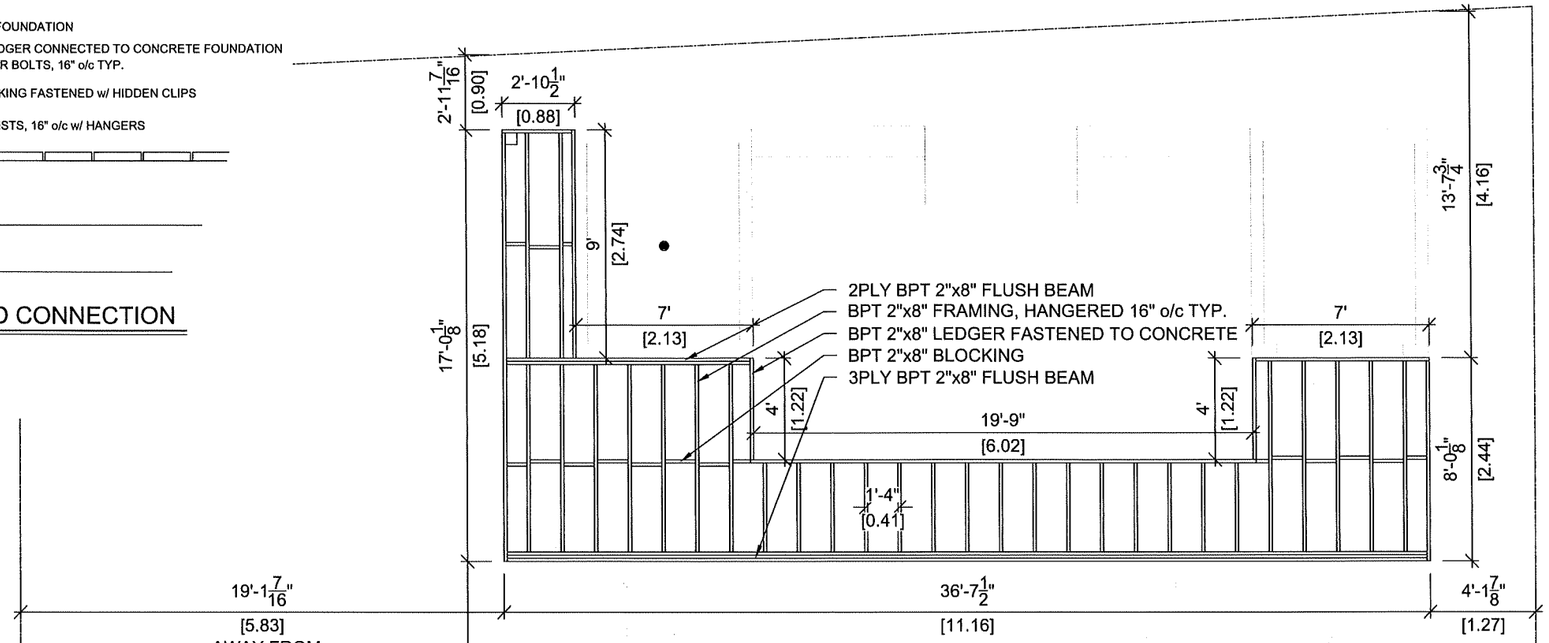
PROJECT:
VRANTSIS
RESIDENCE
91 CESAR PLACE
ANCASTER, ON

DRAWING:
CABANA DECK
FOOTING
LAYOUT

SCALE: 3/8" = 1'-0"	PROJECT NO.	VR2025
DATE: JUN 20-25		
DRAWN BY: S. WOOD	SHEET NO.	F2.01
CHECKED BY: B. LODDER		3 of 5



LEDGER BOARD CONNECTION





ENGINEER SEAL



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GENESIS WOODWORKS

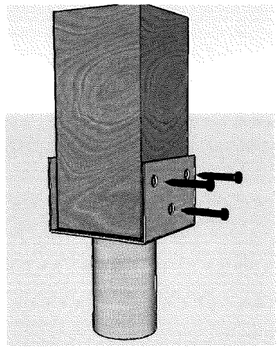
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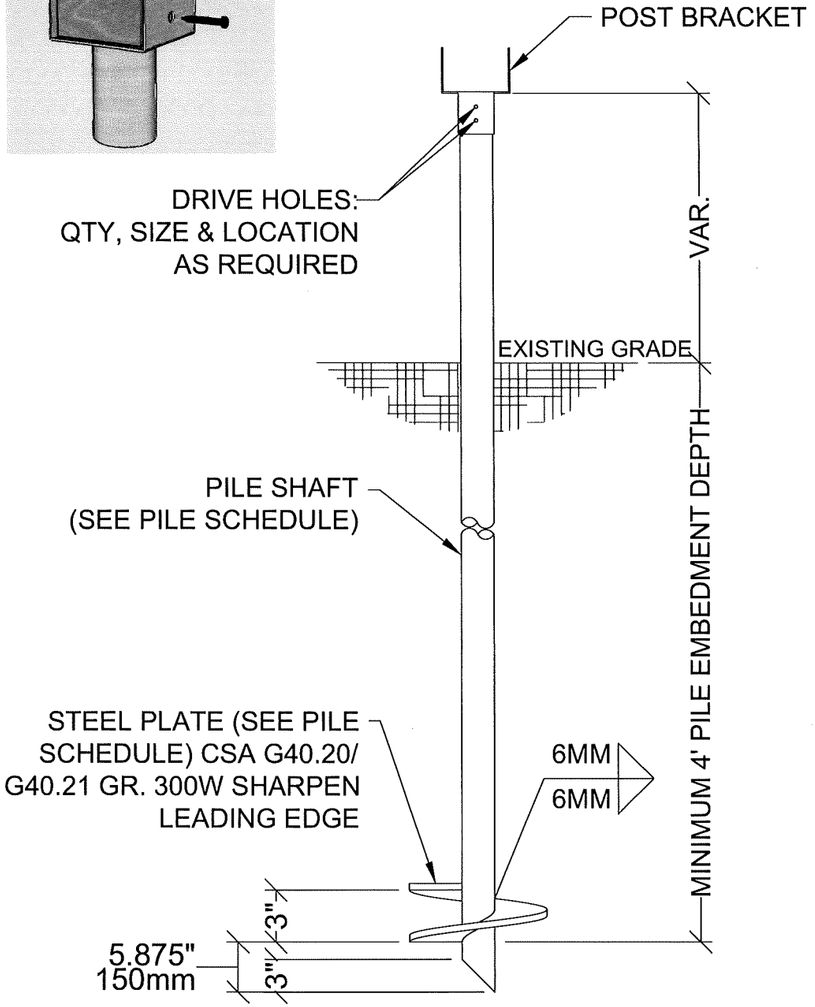
FOR BUILDING PERMIT

PROJECT:
VRANTSIS RESIDENCE
91 CESAR PLACE
ANCASTER, ON

DRAWING:
CABANA DECK FRAMING PLAN

SCALE: 3/8" = 1'-0"	PROJECT NO.	VR2025
DATE: JUN 20-25		
DRAWN BY: S. WOOD	SHEET NO.	F2.02
CHECKED BY: B. LODDER		4 of 5





FOR INFORMATION ONLY

MASSCORE HELICAL PILES

MASSCORE INC.
BRANTFORD, ON

NOTES:

1. GENERAL:
   1.1 THE DESIGN, FABRICATION AND INSTALLATION OF PILES SHALL BE GOVERNED BY THE FOLLOWING CODES, STANDARD AND REGULATIONS:
   1.1.1 CSA G40.21 STRUCTURAL QUALITY STEEL.
   1.1.2 2012 ONTARIO BUILDING CODE.
   1.1.3 CSA W48-18 FILLER METALS AND ALLIED MATERIAL FOR METAL ARC WELDING.
   1.1.4 CSA W47.1 CERTIFICATION OF COMPANIES FOR FUSION WELDING OF STEEL STRUCTURES.
   1.1.5 ASTM A252 WELDED AND SEAMLESS STEEL PIPE PILES.
   1.1.6 ASTM A53 WELDED AND SEAMLESS STEEL PIPE.
   1.1.7 PROVINCIAL HEALTH AND SAFETY REGULATIONS.
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2. MATERIALS:
   2.1 STEEL PIPE PILE MATERIALS SHALL CONFORM TO ASTM A500, GRADE B OR ASTM A252 (GRADE 3) MINIMUM.
   2.2 HELICES SHALL CONFORM TO CSA-G40.21. GRADE 300W.
   2.3 HELICES SHALL BE WELDED TO THE PIPE SECTION USING A CONTINUOUS FILLET WELD ON BOTH SIDES OF THE HELIX-PIPE CONNECTION. HELICES SHALL HAVE MINIMUM THICKNESS AS SPECIFIED.
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   2.5 ALL WELDS SHALL BE MIN. 6MM FILLET WELDS, UNLESS NOTED OTHERWISE.
   2.6 WELD TENSILE STRENGTH = 480MPA.
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3. DESIGN:
   3.1 PILES DESIGN LOAD IS BASED ON THE EXISTING STRUCTURAL DRAWING.
   3.2 ANY CHANGES TO THE PILE LAYOUT SHALL BE REVIEWED BY CONSULTANT ENGINEER FOR APPROVAL.
   3.3 DUE TO NO GEOTECHNICAL INFO AVAILABLE, SOIL PROPERTY IS ASSUMED BASED ON ADJACENT PROJECT, OWNER AND CONTRACTOR'S DESCRIPTION, ANY UNFORESEEABLE GEOTECHNICAL CHANGES WILL BE THE RESPONSIBILITY OF OWNER.
4. CONSTRUCTION:
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   4.3 PILE INSTALLATION RECORDDS SHALL BE DOCUMENTED BY A QUALIFIED PILING INSPECTOR REPRESENTING THE GEOTECHNICAL ENGINEER.
   4.4 FABRICATION SHALL BE CARRIED OUT IN ACCORDANCE WITH STANDARD PRACTICES AND APPLICABLE CODES.
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HELICAL PILE SCHEDULE (FOR PRELIMINARY GUIDE ONLY)[1]

PILE TYPE	QUANTITY	FACTURED ULTIMATE AXIAL CAPACITY KN (KIP)[2]		AXIAL STRUCTURAL CAPACITY KN (KIP)[4]	SHAFT SIZE MM (INCH)	HELIX SIZE MM (INCH)	TOP HELIX MIN. EMBEDMENT	NO. OF HELIX	MAX. TORQUE KN-M (FT-LBS)
		COMPRESSION	TENSION[3]						
M1	7	31 (7)	20 (4.5)	220 (49)	60.3 x 3.91 ($2\frac{3}{8}$ x $\frac{5}{32}$)	203 x 9.53 (8 x $\frac{3}{8}$)	SEE NOTE 5	1	5 (3,700)

ENGINEER SEAL

LICENSED PROFESSIONAL ENGINEER
B.M. LOPES
100177584
26-06-2025
PROVINCE OF ONTARIO

REVISIONS

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1	ISSUED FOR PERMIT	MN DA 2025
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GENESIS WOODWORKS
GENESIS METALWORKS

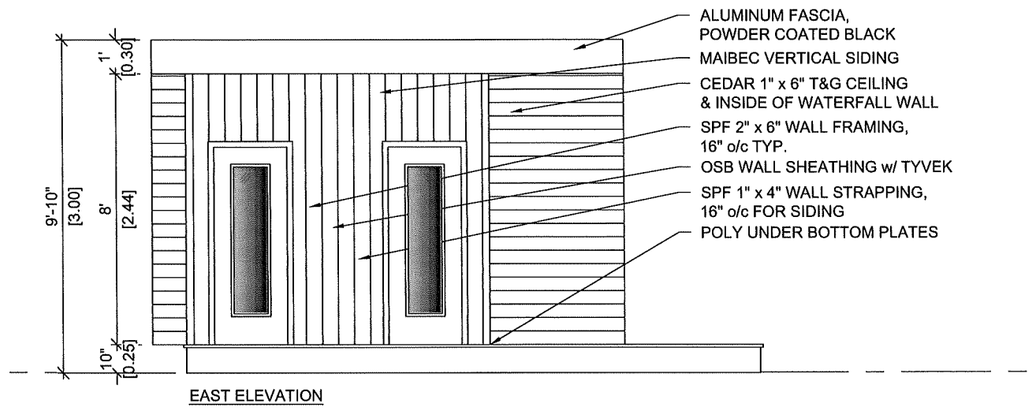
FOR BUILDING PERMIT

PROJECT:
VRANTSIS RESIDENCE
91 CESAR PLACE
ANCASTER, ON

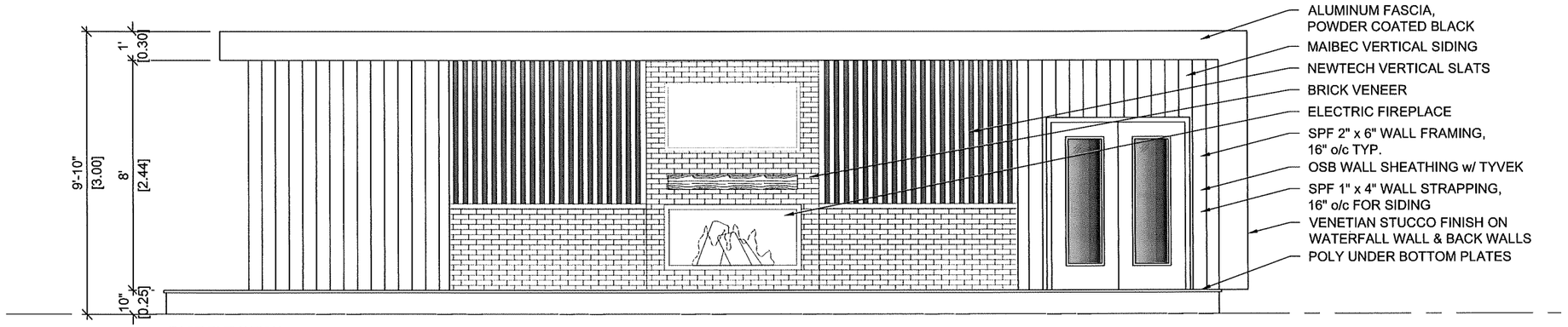
DRAWING:
CABANA DECK
HELICAL PILE
SPECIFICATIONS

SCALE: N.T.S.
DATE: JUN 20-25
DRAWN BY: S. WOOD
CHECKED BY: B. LODDER
PROJECT NO. VR2025
SHEET NO. F3.01
5 of 5

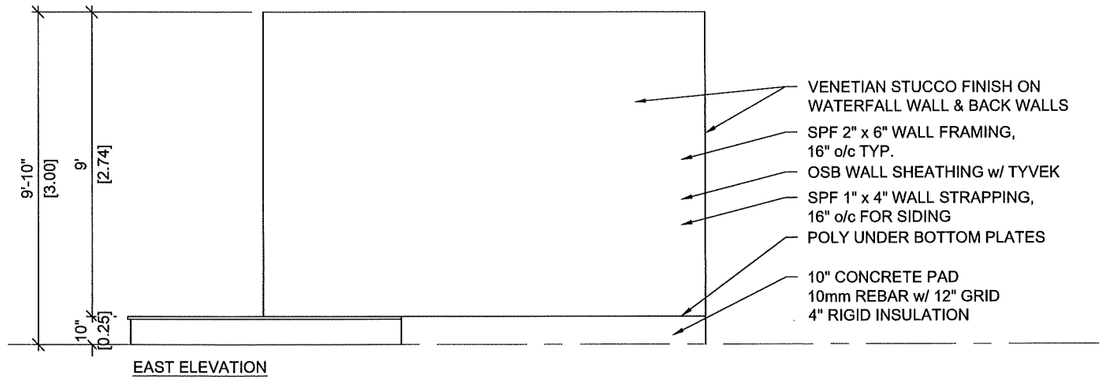
NORTH N



EAST ELEVATION



EAST ELEVATION



EAST ELEVATION

ENGINEER SEAL

LICENSED PROFESSIONAL ENGINEER
B.M. LOPES
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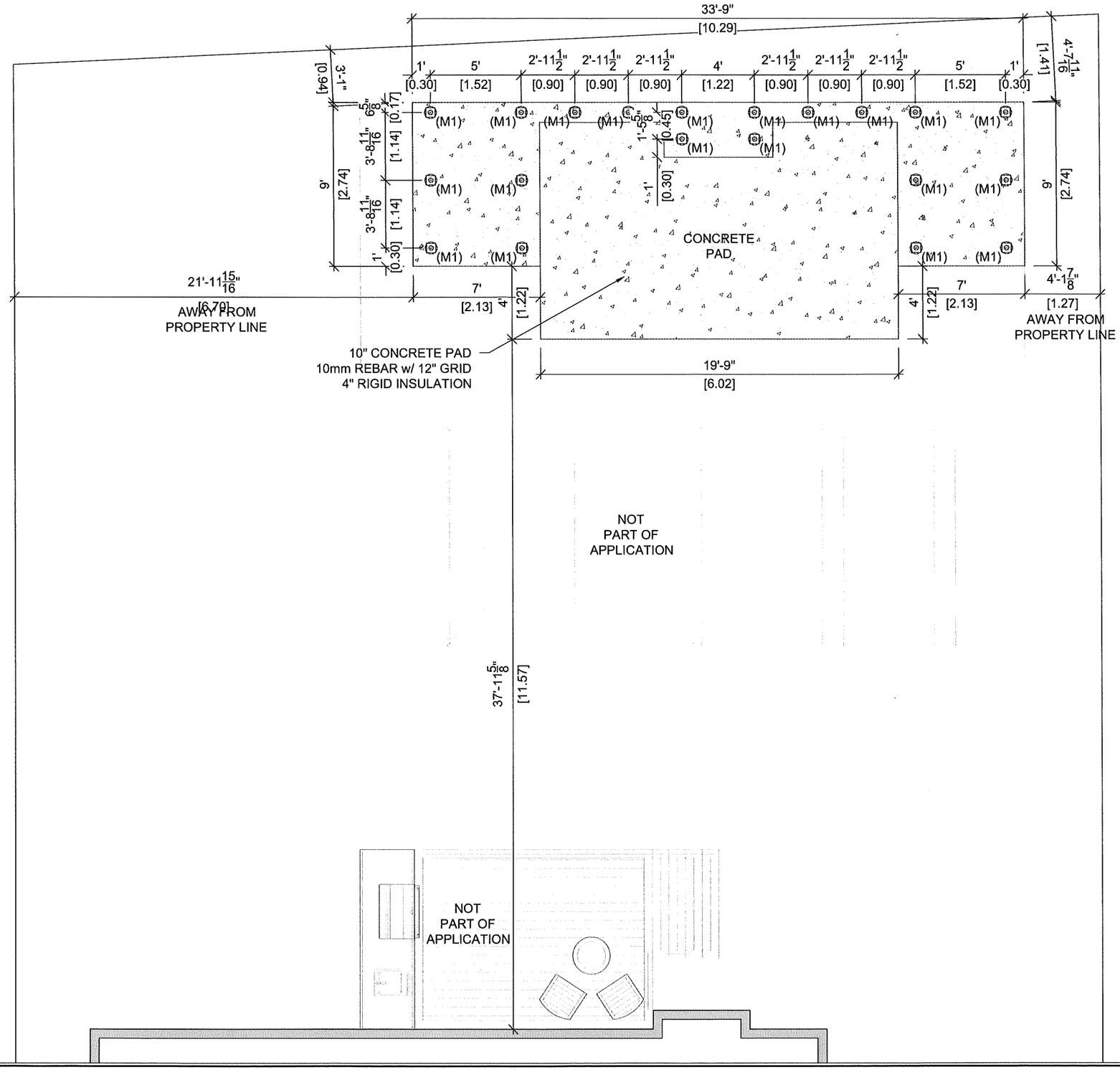
GENESIS METALWORKS

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PROJECT:
VRANTSIS RESIDENCE
91 CESAR PLACE
ANCASTER, ON

DRAWING:
CABANA ELEVATIONS

SCALE: 1/2" = 1'-0"	PROJECT NO.	VR2025
DATE: JUL 04-25		
DRAWN BY: S. WOOD	SHEET NO.	A1.01
CHECKED BY: B. LODDER		2 of 5



ENGINEER SEAL

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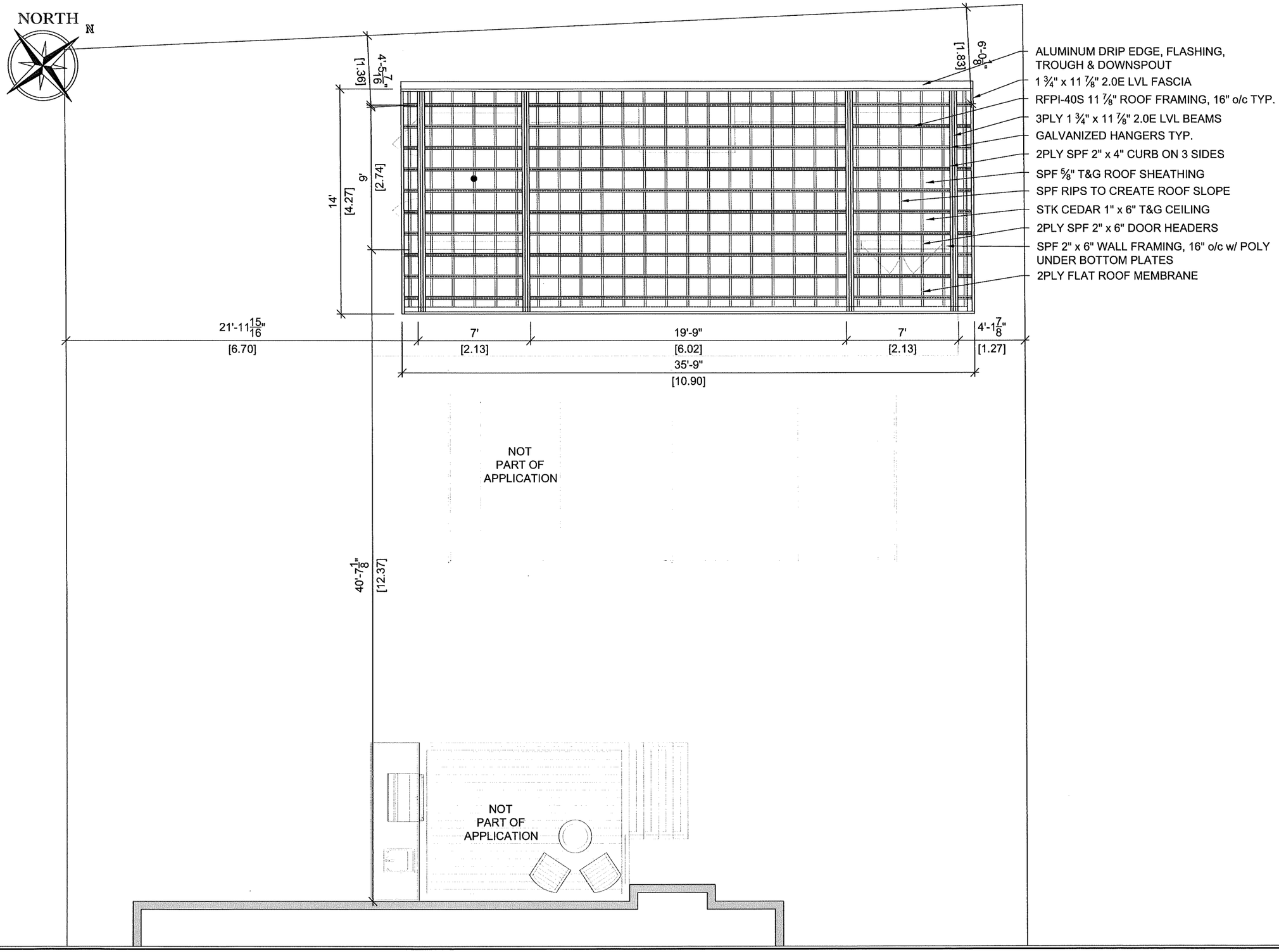
GENESIS METALWORKS

FOR BUILDING PERMIT

PROJECT:
VRANTSIS RESIDENCE
91 CESAR PLACE
ANCASTER, ON

DRAWING:
CABANA FOOTING LAYOUT

SCALE: 3/8" = 1'-0"	PROJECT NO. VR2025
DATE: JUL 04-25	
DRAWN BY: S. WOOD	SHEET NO. F2.01
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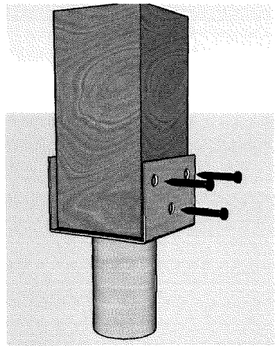
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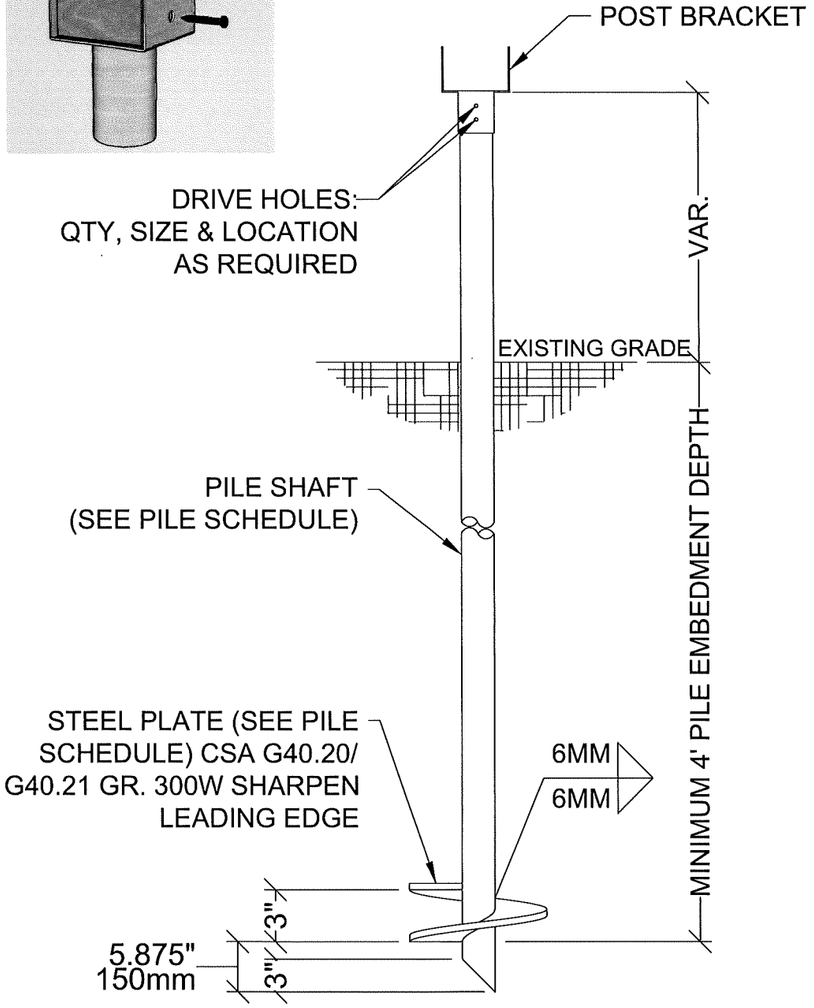
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CABANA FRAMING PLAN

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DRAWN BY: S. WOOD	SHEET NO.	F2.02
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FOR INFORMATION ONLY

MASSCORE
HELICAL PILES

MASSCORE INC.
BRANTFORD, ON

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		COMPRESSION	TENSION[3]						
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ENGINEER SEAL

LICENSED PROFESSIONAL ENGINEER
B.M. LOPES
100177584
26-06-2025
PROVINCE OF ONTARIO

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GENESIS
WOODWORKS

GENESIS
METALWORKS

FOR BUILDING PERMIT

PROJECT:
VRANTSIS
RESIDENCE
91 CESAR PLACE
ANCASTER, ON

DRAWING:
CABANA
HELICAL PILE
SPECIFICATIONS

SCALE: N.T.S.
DATE: JUL 04-25
DRAWN BY: S. WOOD
CHECKED BY: B. LODDER
PROJECT NO. VR2025
SHEET NO. F3.01
5 of 5

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	MAILING ADDRESS	
Registered Owners(s)	CHRIS VRANTSIS	[redacted]	
Applicant(s)	SCOTT WOOD		
Agent or Solicitor	Scott Wood		

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 ☐ Credit over phone* ☐ Cheque

_____
*Must provide number above

2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	91 CESAR PLACE, ANCASTER		
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:

1. INCREASE REAR YARD SETBACK FROM 1.2m to 0.9m FOR CABANA

2. INCREASE REAR YARD SETBACK FROM 6m TO 0.9m FOR DECK

☐ Second Dwelling Unit ☐ Reconstruction of Existing Dwelling

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

DUE TO DESIGN WE ARE NOT ABLE TO MEET THE BY-LAWS

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
7.6m	43.09m	777.65 sqm	20m

4.2 Location of all buildings and structures on or proposed for the subject lands: (Specify distance from side, rear and front lot lines)

Existing:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
HOUSE	7.6m	16.4m	1.3m & 1.3m	10/01/2019

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
CABANA	38.96m	0.76m	6.7m & 1.27m	
DECK	36.34m	0.76m	5.83m & 1.27m	

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	253.77 sqm	507.54 sqm	2	20m

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
CABANA	37.6 sqm	37.6 sqm	1	3m
DECK	24.3 sqm	24.3 sqm	0	0.25m

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.):
DETACHED RESIDENTIAL SINGLE FAMILY DWELLING

4.9 Existing uses of abutting properties (single detached dwelling duplex, retail, factory etc.):
DETACHED RESIDENTIAL SINGLE FAMILY DWELLING

7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:
OCTOBER 2019

7.2 Previous use(s) of the subject property: (single detached dwelling duplex, retail, factory etc)
DETACHED RESIDENTIAL SINGLE FAMILY DWELLING

7.3 Existing use(s) of the subject property: (single detached dwelling duplex, retail, factory etc)
DETACHED RESIDENTIAL SINGLE FAMILY DWELLING

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

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

Rural Hamilton Official Plan designation (if applicable): _____

Rural Settlement Area: _____

Urban Hamilton Official Plan designation (if applicable) 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? R1

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: R1

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

Hamilton

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-25:164**	**SUBJECT PROPERTY:**	4869 Governors Road, Flamborough
ZONE:	A1, P7 & P8 (Agriculture & Conservation/Hazard Land Rural Zone)	**ZONING BY-LAW:**	Zoning By-law 05-200

APPLICANTS: Owner: Richard Charles Brooks
Applicant: William McCallum
Agent: A.J Clarke and Associates Ltd

The following variances are requested:

1. An Additional Dwelling Unit - Detached shall be permitted to be located within the front yard instead of the requirement no Additional Dwelling Unit - Detached shall be located within a front yard.

2. An Additional Dwelling Unit – Detached shall be permitted to project 6.0m from the front facade of the principal dwelling instead of the minimum required setback of 5.0 metres from the front facade of the principal dwelling.

3. A maximum Building Height of 7.0 metres shall be provided for an Additional Dwelling Unit - Detached instead of the maximum permitted 6.0 metres.

4. A maximum Gross Floor Area of 200 square metres for an Additional Dwelling Unit – Detached with a Principal Dwelling Gross Floor Area of 160 square metres instead of the required maximum gross floor area of an Additional Dwelling Unit - Detached shall not exceed the principal dwelling.

PURPOSE & EFFECT: To construct an Additional Dwelling Unit – Detached on a lot containing an existing Single Detached Dwelling.

Notes:

1. Please be advised that a portion of this property is within an area regulated by Grand River Conservation Authority. Please contact (519) 621-2761 or grca@grandriver.ca prior to any

A-25:164

development.

2. The proposed Additional Dwelling Unit – Detached is shown within the portion of the lands zoned A1.

3. The floor proposed partially below grade is considered a basement in Hamilton By-law 05-200 therefore the floor above is considered the first floor for this proposal when reviewed against Section 4.33.4 i) i).

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:	**Thursday, September 4, 2025**
TIME:	**2:25 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 September 2, 2025

Orally: If you would like to speak to this item at the hearing you may do so via video link, calling in, or attending in person. Please see attached page for complete instructions, registration to participate virtually must be received no later than noon September 3, 2025

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding A-25:164, 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-25:164



Subject Lands

DATED: August 18, 2025

_____

Justin Leung,
Secretary-Treasurer
Committee of Adjustment

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

Hamilton

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

PARTICIPATING PROCEDURES

1. Written Submission Ahead of the Meeting

Members of the public who wish to provide input without speaking at the Hearing may submit written comments in advance of the meeting. Comments must be received by 12:00 p.m. (noon) on the deadline date for written comment submissions listed on the Notice of Public Hearing.

How to Submit Written Comments:

By Email:
Send to: cofa@hamilton.ca

By Mail:
Committee of Adjustment
City of Hamilton
71 Main Street West, 5th Floor
Hamilton, Ontario
L8P 4Y5

All written comments received will be made available to the Committee and the public by the Tuesday prior to the Hearing.

2. Oral Submissions During the Hearing

Interested members of the public, agents, and owners may provide oral comments on Committee of Adjustment Hearing items either virtually via Webex (computer or phone) or by attending in person.

Speaking Time Limit:
All participants providing oral submissions, either in person or virtually are limited to a maximum of 5 minutes to speak. This is to ensure all parties have an equal opportunity to be heard and that the meeting runs efficiently.

3. In-Person Oral Submissions

To participate in person, attend Council Chambers on the date and time listed in the Notice of Public Hearing. You will be required to provide your name and address for the record. It is recommended you arrive at least 10 minutes prior to the scheduled start time.

4. Virtual Oral Submissions

To participate virtually, you must register by 12:00 p.m. (noon) on the virtual oral submissions registration deadline date. This is listed on the Notice of Public Hearing.

- Committee of Adjustment file number
- Hearing date
- Name and mailing address of each person wishing to speak
- Method of participation (phone or video), and, if applicable, the phone number to be used
- Each person must register separately

Registered participants will receive a Webex link one business day before the Hearing. Only those registered will be called upon to speak.

5. Presentations

All presentations are permitted at the discretion of the Committee.

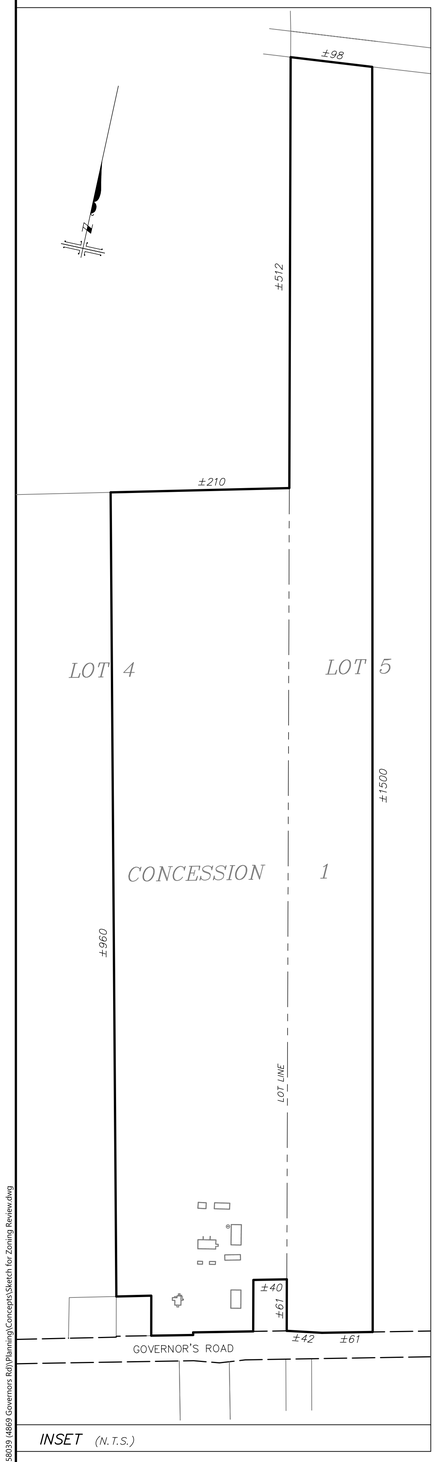
Virtual Presentations:
Presenters participating virtually may be granted permission to share their screen during the Hearing. A copy of the presentation must be submitted to cofa@hamilton.ca **by 12:00 p.m. (noon) on the business day prior to the Hearing.** The submission must be one document in PDF format only.

In-Person Presentations:
Presenters attending in person may be granted permission to use the presentation screen. Presentations must be brought on a USB device and opened by the owner/applicant. A copy of the presentation must also be sent to cofa@hamilton.ca **by 12:00 p.m. (noon) on the business day prior to the Hearing.** The submission must be one document in PDF format only. Handouts are permitted only if the same content can be displayed on the presentation screen.

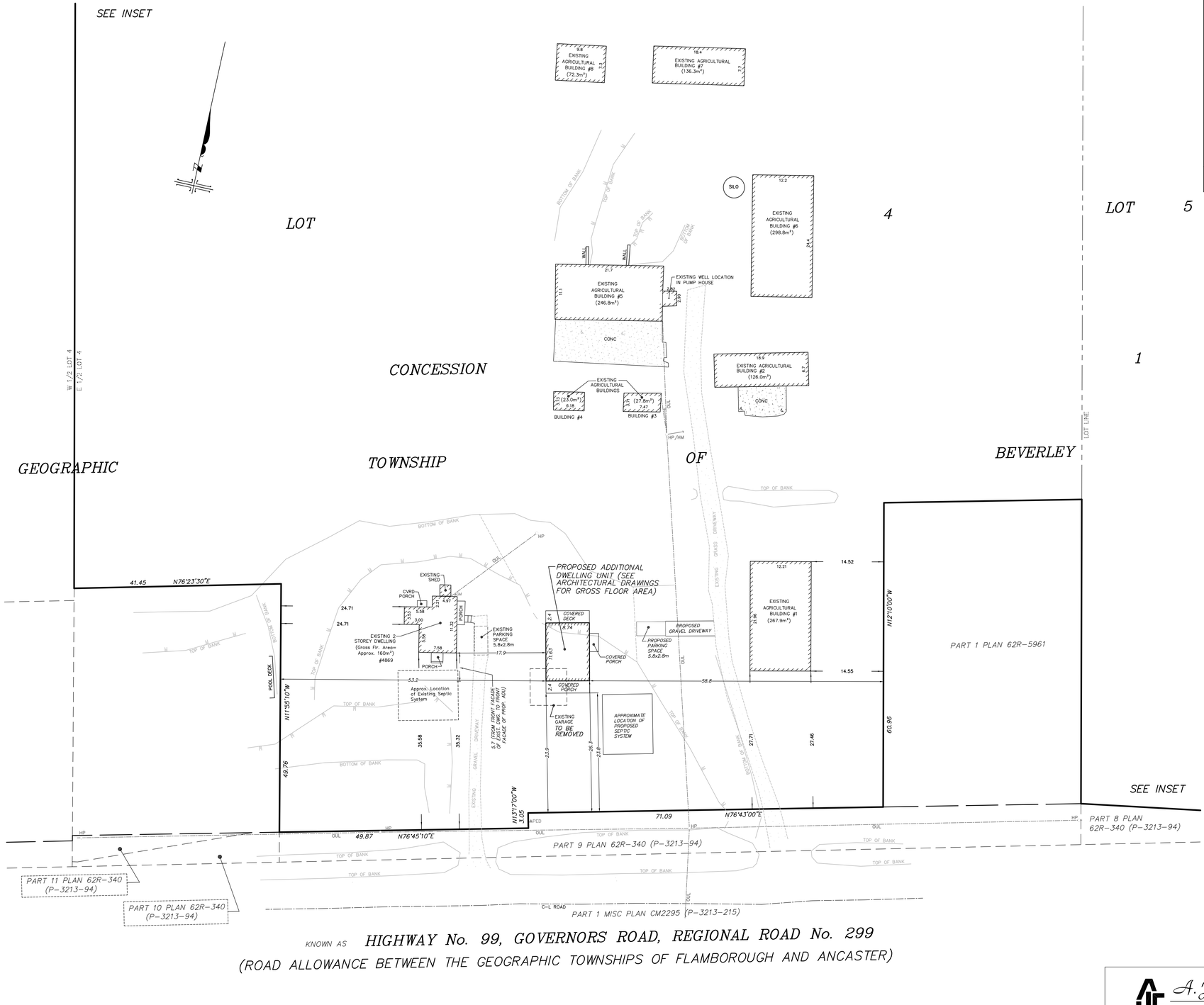
6. Additional Notes

- Webex (video) participation requires a compatible computer or smartphone. The necessary application must be downloaded in advance.
- It is the interested party's responsibility to ensure their device is functional and compatible prior to the Hearing.

For any questions, contact staff at cofa@hamilton.ca or call 905-546-2424 ext. 4221.

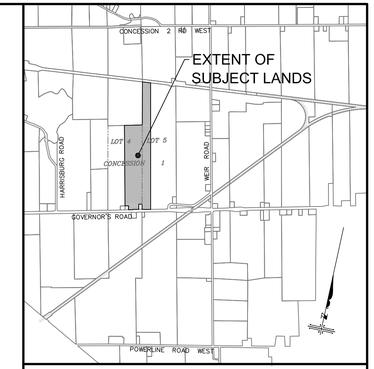


INSET (N.T.S.)



KNOWN AS *HIGHWAY No. 99, GOVERNORS ROAD, REGIONAL ROAD No. 299*

(ROAD ALLOWANCE BETWEEN THE GEOGRAPHIC TOWNSHIPS OF FLAMBOROUGH AND ANCASTER)



KEY PLAN (NTS)

SKETCH FOR ZONING REVIEW FOR
4869 GOVERNOR'S ROAD
PART OF LOTS 4 & 5
CONCESSION 1
GEOGRAPHIC TOWNSHIP OF BEVERLY
IN THE
CITY OF HAMILTON
SCALE 1: 400

JULY 28, 2025
DATE

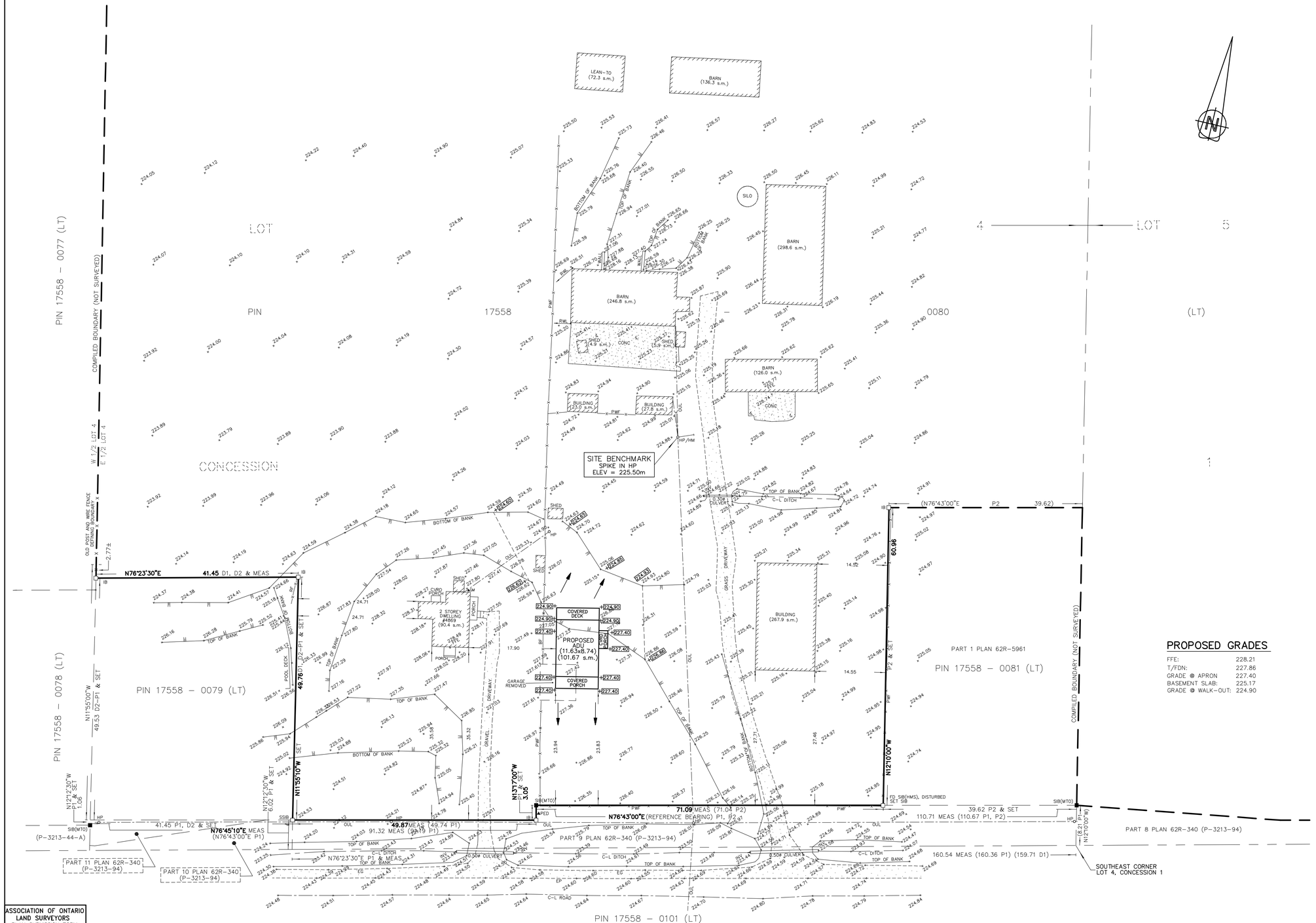
THIS SKETCH IS BASED ON A PLAN OF SURVEY BY RASCH & HYDE LTD. DATED APRIL 1, 2025, (FILE SURVEY: 25-004)

A. J. Clarke and Associates Ltd.
SURVEYORS • PLANNERS • ENGINEERS
25 MAIN STREET WEST, SUITE 300
HAMILTON, ONTARIO, L8P 1H1
TEL. 905-528-8761 FAX 905-528-2289
email: ajc@ajclarke.com

DRAWN BY: LH | PROJECT No. 258039P

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H:\Jobs\2025 Projects\258039 (4869 Governors Rd)\Planning\Concepts\Sketch for Zoning Review.dwg



AS CONSTRUCTED GRADING

I HEREBY CERTIFY THAT I HAVE TAKEN THE FINISHED ELEVATIONS SHOWN ( ) WITH RESPECT TO THE GRADING OF THIS LOT

FURTHER, I HEREBY CERTIFY THAT THE LOT GRADING AS CONSTRUCTED SATISFIES THE OBJECTIVES OF THE LOT GRADING AND DRAINAGE POLICY OF THE MUNICIPALITY.

DATE LEVELS TAKEN _____

NAME _____

SIGNATURE _____

DATE _____

ACCEPTED BY MUNICIPALITY _____

DATE _____

PROPOSED GRADING

I HEREBY CERTIFY THAT THE PROPOSED BUILDING WILL BE COMPATIBLE WITH THE PROPOSED GRADING AND THE OBJECTIVES OF THE LOT GRADING AND DRAINAGE POLICY.

FURTHER, I CERTIFY THAT THE EXISTING DRAINAGE ONTO THIS PROPERTY HAS BEEN ACCOMMODATED AND THAT ALL DRAINAGE SHALL BE DIRECTED TO AN ACCEPTABLE OUTLET.

DATE LEVELS TAKEN JANUARY 13, 2025

NAME HAROLD D. HYDE O.L.S.

SIGNATURE Harold Hyde

DATE APRIL 1, 2025

ACCEPTED BY MUNICIPALITY _____

DATE _____

PARTIAL PLAN OF SURVEY SHOWING TOPOGRAPHICAL INFORMATION

PART OF LOTS 4 AND 5
CONCESSION 1
GEOGRAPHIC TOWNSHIP OF BEVERLY
CITY OF HAMILTON

0 10 20 30 40m

SCALE 1:400

RASCH & HYDE LTD.
ONTARIO LAND SURVEYORS

GRADING NOTES

–NO ADVERSE IMPACT ON ADJACENT PROPERTIES
–MATCH EXISTING ⊕ PROPERTY LINES
–MAINTAIN EXISTING DRAINAGE PATTERN

LEGEND & NOTES

—□—	DENOTES SURVEY MONUMENT PLANTED
—■—	DENOTES SURVEY MONUMENT FOUND
SIB	DENOTES STANDARD IRON BAR (25mmX25mmX120cm)
SSIB	DENOTES SHORT STANDARD IRON BAR (25mmX25mmX60cm)
IB	DENOTES IRON BAR (15mmX15mmX60cm)
IBø	DENOTES ROUND IRON BAR (20mm DIA X 60cm)
CC	DENOTES CUT CROSS
CM	DENOTES CONCRETE MONUMENT
CP	DENOTES CONCRETE PIN
PB	DENOTES PLASTIC BAR
WIT	DENOTES WITNESS
OU	DENOTES ORIGIN UNKNOWN
PIN	DENOTES PROPERTY IDENTIFIER NUMBER
(HMS)	DENOTES H. M. SMITH O.L.S.
(MTO)	DENOTES MINISTRY OF TRANSPORTATION ONTARIO
P1	DENOTES PLAN 62R–340 (P–3213–94)
P2	DENOTES PLAN 62R–5961
D1	DENOTES INST AB267868 (2NDLY); PIN 17558–0080 (LT)
D2	DENOTES INST BV20886; PIN 17558–0079 (LT)
BF	DENOTES BOARD FENCE
C–L	DENOTES CENTRELINE
EG	DENOTES EDGE OF GRAVEL
EP	DENOTES EDGE OF PAVEMENT
FFE	DENOTES FINISHED FLOOR ELEVATION
GFE	DENOTES GARAGE FLOOR ELEVATION
GM	DENOTES GAS METER
HM	DENOTES HYDRO METER
HP	DENOTES HYDRO/UTILITY POLE
OUL	DENOTES OVERHEAD HYDRO/UTILITY POLE LINE
PWF	DENOTES POST AND WIRE FENCES
RF	DENOTES RAIL FENCE
+100.00	DENOTES EXISTING GROUND ELEVATION
+100.00	DENOTES PROPOSED ELEVATION
→	DENOTES DIRECTION OF DRAINAGE
RWL	DENOTES RAINWATER LEADER
S/D	DENOTES SUMP DISCHARGE
	N=NORTH, S=SOUTH, E=EAST, W=WEST
ADU	DENOTES AUXILLARY DWELLING UNIT
– – –	DENOTES COMPILED BOUNDARY (NOT SURVEYED)

PROPOSED GRADES

FFE:	228.21
T/FDN:	227.86
GRADE @ APRON	227.40
BASEMENT SLAB:	225.17
GRADE @ WALK–OUT:	224.90

ELEVATION NOTE

ELEVATIONS ARE GEODETIC, DERIVED BY GPS OBSERVATIONS, REFERRED TO GEODETIC SURVEY OF CANADA BENCHMARK 0011975U080 HAVING AN ELEVATION OF 220.34m (CGVD–1928:1978)

LOCATION : HAMILTON–WENTWORTH IRON PIPE WITH BRASS CAP, ALONG HIGHWAY No. 99 AT INTERSECTION WITH BETHAL CHURCH ROAD, 4.9 KM WEST OF INTERSECTION WITH LYNDEN ROAD, 18.0 M NORTH OF CENTRE LINE OF HIGHWAY No. 99, 1.8 M EAST AND 2.1 M NORTH OF FENCE CORNER POST, 18 CM SOUTH OF BENCHMARK SIGN POST, 1 M BELOW ROAD LEVEL.

ALL FUTURE GRADE WORK ON SITE TO BE BASED ON SITE BENCHMARK. ANY ELEVATION DISCREPANCIES TO BE REPORTED TO RASCH & HYDE LTD.

BEARING NOTE

BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE NORTH LIMIT OF GOVENORS ROAD AS SHOWN ON PLAN 62R–5961 HAVING A BEARING OF N76°43'00"E.

METRIC NOTE

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

SURVEYOR'S CERTIFICATE

I CERTIFY THAT :

1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT AND THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.

2. THIS SURVEY WAS COMPLETED ON THE 20th DAY OF FEBRUARY 2025.

APRIL 1, 2025 — DATE

Harold Hyde
HAROLD D. HYDE
ONTARIO LAND SURVEYOR

© COPYRIGHT, Rasch & Hyde Ltd., OLS's, 2025

ROAD ALLOWANCE BETWEEN THE GEOGRAPHIC TOWNSHIPS OF FLAMBOROUGH AND ANCASTER
KNOWN AS HIGHWAY No. 99, GOVERNORS ROAD, REGIONAL ROAD No. 299

PART 1 MISC PLAN CM2295 (P–3213–215)

ASSOCIATION OF ONTARIO LAND SURVEYORS
PLAN SUBMISSION FORM
V–89451

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

RASCH + HYDE LTD.
Ontario Land Surveyors
P.O. Box 6, 1333 Highway #3 East, Unit B
DUNNVILLE, ONT, N1A 2X1
DUNNVILLE: 905–774–7188 FORT ERIE: 905–871–9757
(FAX 905–774–4000)
HAROLD D. HYDE O.L.S.

SCALE 1 : 400	SURVEY : 25–004	DRWN BY : T. Matheson

GENERAL STRUCTURAL NOTES

1. ALL DESIGN AND CONSTRUCTION IS TO CONFORM TO THE ONTARIO BUILDING CODE (OBC) – 2012 (PART 9) INCLUDING ALL AMENDMENTS, AND THE LATEST REVISION OF APPLICABLE LISTED CSA STANDARDS.
2. READ THESE DRAWINGS WITH ALL RELATED ARCHITECTURAL, MECHANICAL, ELECTRICAL, CIVIL AND GEO–TECHNICAL DRAWINGS, REPORTS AND OTHER APPLICABLE CONTRACT DOCUMENTS.
3. BEFORE PROCEEDING WITH THE WORK, THE CONTRACTOR SHALL VERIFY ALL EXISTING SITE CONDITIONS AND MEASUREMENTS AT THE SITE AND REPORT IN WRITING ANY DISCREPANCIES OR CONDITIONS WHICH MAY ADVERSELY AFFECT THE PROPER COMPLETION OF THE WORK.
4. DO NOT SCALE THE DRAWINGS.
5. DESIGN SNOW AND LIVE LOADS FOR THE STRUCTURE ARE AS INDICATED ON THE DRAWINGS AND GENERAL NOTES. DO NOT EXCEED THESE LOADS DURING CONSTRUCTION.
6. ALL LOADS STATED ARE UNFACTORED SERVICE LIMIT STATES (SLS) UNLESS NOTED.
7. CONSTRUCTION, FABRICATION AND SHOP DRAWING REVIEW MUST BE PROVIDED WHERE APPLICABLE AS PER CODE.
8. APPROVED SHALL MEAN 'APPROVED IN WRITING' BY THE STRUCTURAL ENGINEER OF RECORD.
9. DELIVER, HANDLE AND STORE ALL MATERIALS TO AVOID DAMAGE OR DETERIORATION PRIOR TO AND DURING CONSTRUCTION..
10. MAINTAIN A CURRENT SET OF DRAWINGS ON SITE AND UPDATE WITH CONSTRUCTION RECORD INFORMATION.
11. PROVIDE TEMPORARY BRACING AS REQUIRED TO KEEP NEW AND EXISTING STRUCTURES STABLE, TRUE AND PLUMB DURING CONSTRUCTION.
12. LOADS: (TYP. UNLESS NOTED ON PLANS) ROOF: DL=15 PSF, SL=30.2 PSF Ss=1.9 kPa
    FLOOR: DL=20 PSF, LL=40 PSF

MATERIALS

UNLESS NOTED OTHERWISE ON THE DRAWINGS THE FOLLOWING MATERIALS SHALL BE USED FOR CONSTRUCTION:

CONCRETE:	30MPa – 28 DAY MIN. COMP. STRENGTH FOR SLABS 25MPa – 28 DAY MIN. COMP. STRENGTH OTHERWISE (ALL SURFACES EXPOSED TO FREEZE THAW CYCLES SHALL HAVE 4–7% AIR ENTRAINMENT)
BEARING GROUT:	35MPa – 28 DAY MIN. COMP. STRENGTH (NON SHRINK, NON METALLIC)
REINFORCING STEEL:	BILLET STEEL BARS TO G30.18–GRADE 400R
WELDED WIRE FABRIC (WWF):	CSA G30.5 (Fy=400 MPa)
ANCHOR BOLTS, NUTS AND WASHERS:	ASTM A307 & A36, OR ASTM F1554
STEEL SHAPES & PLATE:	G40.21–350W FOR W & HSS SHAPES, 300W FOR OTHER U/N
STEEL PIPE:	ASTM A53, Fy=240 MPa MIN.
GALVANIZING:	CSA G164 & ASTM A153 CLASS B2
WELDING:	CSA W59, W55 AND W47 SERIES E49XX ELECTRODES
BRICK	55MPa CLAY TO CSA A82 SERIES
BLOCK:	15MPa CONCRETE ON NET AREA TO CSA A165 SERIES
MORTAR:	TYPE S TO CSA A179
MASONRY GROUT:	TO CSA A179 AND TO STRENGTH OF 15MPa MIN.
WIRE REINFORCING:	CSA G30.3 & ASTM A82 (HOT DIPPED GALVANIZED)
WOOD LUMBER:	GRADED TO NLGA, SPF NO. 2 OR BETTER, S–DRY UNLESS NOTED.
PLYWOOD:	CSA 0151 SOFTWOOD EXTERIOR GRADE
WAFERBOARD:	CSA 0437 GRADE 0–1 OR 0–2.
COMPOSITE LUMBER:	MANUFACTURED BY WEYERHAUSER TRUS–JOIST, OR EQUAL PARALLAM (PSL) 2.0E MIN. MICROLAM (LVL) 2.0E MIN. TIMBERSTRAND (LSL) 1.5E MIN. BENDING fb=4805 PSI MINIMUM SHEAR fv=530 PSI MINIMUM

WINDOW AND GLAZING

1. A MINIMUM OF ONE (1) WINDOW IN EACH SLEEPING AREA SHALL MEETS EMERGENCY EGRESS REQUIREMENTS. WINDOW CONTRACTOR SHALL PROVIDE EGRESS HARDWARE NECESSARY TO ALLOW WINDOWS TO MEET APPLICABLE EGRESS REQUIREMENTS.
2. EVERY FLOOR LEVEL CONTAINING A BEDROOM AND NOT SERVED BY AN EXTERIOR DOOR SHALL CONTAIN AT LEAST 1 WINDOW HAVING AN UNOBSTRUCTED OPEN AREA OF 0.35M2 AND DIMENSION LESS THAN 1.25', WHICH IS OPERABLE FROM THE INSIDE WITHOUT TOOLS. MAXIMUM SILL HEIGHT (1000 MM) 3.28' FOR FINISH FLOOR ABOVE GRADE.
3. 3. EXTERIOR HOUSE DOORS AND WINDOWS WITHIN 2000MM FROM GRADE SHALL BE CONSTRUCTED TO RESIST FORCED ENTRY. DOORS SHALL HAVE A DEADBOLT LOCK.4. THE PRINCIPAL ENTRY DOOR SHALL HAVE EITHER A DOOR VIEWER, TRANSPARENT GLAZING OR A SIDELIGHT.

FOUNDATION:

1. FOUND ALL SPREAD FOOTINGS ON NATIVE UNDISTURBED SOIL CAPABLE OF SUSTAINING 75 kPa (1570 PSF) UNLESS NOTED OR APPROVED ON SITE IN WRITING BY A GEO–TECHNICAL ENGINEER.
2. FOUND ALL FOOTINGS WHICH WILL BE EXPOSED TO FROST A MINIMUM OF 1200mm (4'–0") BELOW FINISHED GRADE UNLESS NOTED OR APPROVED ON SITE IN WRITING BY A GEO–TECHNICAL ENGINEER.
3. DO NOT EXCEED A RISE OF 7 IN A RUN OF 10 IN THE LINE OF SLOPE BETWEEN ADJACENT FOOTING EXCAVATIONS OR ALONG STEPPED FOOTINGS. USE STEPS NOT EXCEEDING 600mm (2') IN HEIGHT AND NOT LESS THEN 1200mm (4') IN LENGTH.
4. ERECT, MAINTAIN, AND IF REQUIRED, REMOVE A SUPPORTING SHORING SYSTEM ALONG THE SIDES OF EXCAVATIONS. A GEO–TECHNICAL ENGINEER IS TO DESIGN SUCH SYSTEM IN ACCORDANCE WITH SOIL CONDITIONS.
5. PROTECT SOIL FROM FREEZING ADJACENT TO AND BELOW ALL FOOTINGS.
6. BACKFILL AGAINST FOUNDATION WALLS IN SUCH A MANNER THAT THE LEVEL OF FILL ON ONE SIDE OF THE WALL IS NEVER MORE THAN 600mm (2') FROM THE OTHER SIDE OF THE WALL EXCEPT WHERE TEMPORARY SUPPORT FOR THE WALL IS PROVIDED OR WALLS ARE DESIGNED AS LATERALLY UNSUPPORTED RETAINING WALLS.
7. SOFT BEARING SOIL AREAS FOUND DURING EXCAVATION SHALL BE EXCAVATED TO SUITABLE BEARING MATERIAL, AND MAY BE BACKFILLED WITH ENGINEERED FILL APPROVED BY A GEOTECHNICAL ENGINEER OR WITH 500 kPa (10 KSF) MIN. LEAN MIX CONCRETE FILL.

CAST IN PLACE (CIP) CONCRETE

1. CONCRETE MATERIAL AND METHODS OF CONCRETE CONSTRUCTION CAN/CSA–A23.1–LATEST
   CODE FOR THE DESIGN OF CONCRETE STRUCTURES FOR BUILDINGS CAN3–A23.3–LATEST
2. THE CLEAR DISTANCE BETWEEN REINFORCING STEEL AND SURFACE OF CONCRETE SHALL BE:

SLABS (INT.)	25mm (1")	TO TOP AND BOTTOM
SLABS (EXT.)	50mm (2")	TO TOP AND BOTTOM
BEAMS	40mm (1½")	TO STIRRUPS
COLUMNS	40mm (1½")	TO TIES
WALLS	50mm (2")	TO EXT. FACE; 25 (1") TO INT. FACE
CONCRETE PIERS	50mm (2")	TO MAIN STEEL
FOOTINGS	75mm (3")	TO MAIN STEEL

3. REINFORCING STEEL TO BE GENERALLY DETAILED IN ACCORDANCE WITH THE REINFORCING STEEL INSTITUTE OF CANADA MANUAL OF STANDARD PRACTICE (LATEST EDITION).
4. CONCRETE PLACING, CURING AND TESTING TO CONFORM TO CAN3–A23.1 AND A23.2. FORMWORK AND TOLERANCES TO CONFORM TO ACI 347.
5. NO CUTTING OR DRILLING IN HARDENED CONCRETE IS PERMITTED WITHOUT WRITTEN APPROVAL.
6. GROUT UNDERSIDE OF STEEL BEARING PLATES WITH 25mm (1") MIN TO 50mm (2") MAX THICKNESS OF DRY–PACK NON–SHRINK GROUT TO MANUFACTURERS INSTRUCTIONS.
7. PLACE SLAB ON GRADE ON SOIL CAPABLE OF SUSTAINING 25 kPa (500 PSF) WITHOUT SETTLEMENT RELATIVE TO THE BUILDING FOUNDATION. AS A MINIMUM, PLACE SLAB ON 100mm (4") THICK CLEAR CRUSHED STONE OR GRANULAR 'A' COMPACTED TO 98% STANDARD PROCTOR MAXIMUM DRY DENSITY.
8. MAINTAIN SLAB THICKNESSES AND REINFORCING STEEL AT ALL DEPRESSIONS.
9. ALL SPLICES SHALL BE CLASS 'B' U.N.O.
10. OBTAIN APPROVAL AND DIRECTION FROM THE ENGINEER FOR DRILLED MECHANICAL OR ADHESIVE ANCHOR BOLTS IN POURED CONCRETE.
11. ALL REINFORCING STEEL TO BE INSPECTED AND APPROVED WHERE REQUIRED BEFORE POURING CONCRETE. CONTRACTOR MUST CO–ORDINATE INSPECTION REQUIREMENTS WITH THE LOCAL BUILDING OFFICIALS.
12. ISOLATION JOINT MATERIAL SHALL BE 10mm MIN. THICK ASPHALT IMPREGNATED FIBREBOARD., SAW CUT JOINT SEALANT FILLER SHALL BE AN ELASTOMERIC MATERIAL SUCH AS SIKA DUOFLEX SL, OR APPROVED EQUAL.

WOOD CONSTRUCTION

1. WOOD FRAMING DESIGN AND CONSTRUCTION SHALL CONFORM TO THE CAN/CSA–086 "ENGINEERING DESIGN IN WOOD"2. LUMBER SHALL BE SPF NO. 1 / 2 OR BETTER UNLESS NOTED OTHERWISE. MOISTURE CONTENT SHALL BE 19% OR LESS.
2. WALL SHEATHING SHALL BE 9.5MM (3/8") PLYWOOD CONFORMING TO CSA 0151" CANADIAN SOFTWOOD PLYWOOD" OR 11MM (7/16") 0–2 OSB TO CSA 0452 "DESIGN RATED OSB", UNLESS NOTED OTHERWISE.
3. ALL NAILS USED SHALL CONFORM TO STEEL WIRE NAILS AND SPIKES AS DEFINED IN CSA STANDARD B111 "WIRE NAILS, SPIKES AND STAPLES" UNLESS NOTED OTHERWISE
4. ALL NAILS AND FASTENERS IN CONTACT WITH PRESSURE TREATED WOOD ARE TO BE HOT DIP GALVANIZED (TO CSA–G164) OR STAINLESS STEEL.
5. FASTENERS SHALL PENETRATE A MINIMUM OF 50% OF THE LAST MEMBER OR NOT LESS THAN 89MM LONG, WHICHEVER IS GREATER.
7. SCREWS MUST CONFORM TO ANSI/ASME B18.6.1 FOR WOOD SCREWS (INCH SERIES).
8. ALL BUILT UP MEMBERS TO BE FASTENED TOGETHER WITH TWO 75MM (3") SPIRAL NAILS AT 300MM O.C. FOR EVERY PLY UNLESS NOTED OTHERWISE.
9. ALL WOOD MEMBERS PERMANENTLY EXPOSED TO WEATHER, SILL PLATES, OR ANY WOOD IN CONTACT WITH CONCRETE OR MASONRY SHALL BE PRESSURE TREATED.
10. BOLTS CONNECTING TO WOOD MEMBERS SHALL COMPLY WITH ASTM A307.FRAMING

STRUCTURAL STEEL

1. ALL STRUCTURAL STEEL SHALL BE DESIGNED TO COMPLY TO THE REQUIREMENTS OF C.S.A. SPECIFICATIONS S16.1 (LATEST EDITION), AND FOLLOW CISC CODE OF STANDARD PRACTISE FOR STRUCTURAL STEEL.
2. ALL STEEL TO BE SHOP PRIMED WITH AN APPROVED ANTI–CORROSIVE PRIMER (EXCEPT IN THE CONTACT AREAS OF CONNECTIONS) AND TOUCHED UP IN THE FIELD AS REQUIRED. EXTERIOR EXPOSED STEEL TO BE GALVANIZED, OR PRIMED AND PAINTED WITH SUITABLE ANTI–CORROSIVE ZINC–RICH OR EPOXY PAINT.
3. CO–ORDINATE WITH ALL SUB–TRADES WHOSE WORK AFFECTS THE STRUCTURAL STEEL. DO NOT CUT OPENINGS IN STRUCTURAL STEEL WITHOUT APPROVAL.
4. ALL CONNECTIONS TO BE DESIGNED BY THE FABRICATOR'S CONNECTION DESIGN ENGINEER UNLESS NOTED. ALL CONNECTIONS TO BE STANDARD FRAME CONNECTIONS DESIGNED FOR SHEAR (Vf) BASED ON MOMENT (Mr). [Vf = (4 x Mr)/SPAN]
5. BOLTED CONNECTIONS TO BE MADE USING HIGH STRENGTH BOLTS (A325 MIN).
6. COPIES OF THE ERECTION DRAWINGS TO BE SUBMITTED FOR REVIEW AND APPROVAL. ERECTION DRAWINGS MUST BE SEALED BY AN ENGINEER RESPONSIBLE FOR CONNECTION DESIGN. ALTERNATIVELY, AN ENGINEER SEALED LETTER REFERENCING THE DRAWINGS MAY BE SUBMITTED.
7. WELD BEAMS TO STEEL BEARING PLATES WITH 50mm (2') X 5mm (3/16") FILLET WELD AND BUILD MASONRY AND CONCRETE WALLS TIGHT TO BEAM WEBS.

MASONRY:

1. ALL MASONRY CONSTRUCTION SHALL CONFORM TO C.S.A. STANDARDS A371 AND A370–LATEST EDITIONS.
2. OVER ALL OPENINGS OR RECESSES IN MASONRY WALLS, PROVIDE AND INSTALL LINTELS IN ACCORDANCE WITH THE LINTEL SCHEDULE OR OBC TABLES.
3. FILL MASONRY VOIDS SOLID WITH GROUT AT ALL DOWELS, REINFORCING AND ANCHOR BOLTS. LAP REINFORCING AT LEAST 50X BAR DIAMETER.
4. PROVIDE 200mm (8") MIN. LENGTH OF SOLID MASONRY AT BEARING OF STEEL, CONCRETE OR MASONRY LINTELS.
5. ALL MASONRY SHALL BE SET WITH FULLY FILLED JOINTS.
6. PROVIDE A 25mm (1") MIN. GROUT UNDER WALL AND BASE PLATES AND BEAR ON SOLID MASONRY 400mm (16") MIN. WIDE AND DEEP.
7. FILL BLOCK CELLS WITH GROUT IN 1500mm (5'–0") HIGH LIFTS. IF CLEANOUTS ARE PROVIDED, 2400mm (8'–0") HIGH LIFTS ARE PERMITTED.
8. REINFORCE LINTEL BLOCK COURSES WITH TWO 15M CONTINUOUS BARS AND FILL WITH GROUT.
9. MASONRY WORK SHALL NOT BE PERMITTED WHEN TEMPERATURE IS BELOW 5°C UNLESS APPROVED PROVISIONS ARE MADE FOR PROTECTING THE MATERIALS AND COMPLETED WORK.
10. PROVIDE GALVANIZED CONTINUOUS LADDER TYPE JOINT REINFORCING AT 400mm (16") c/c & USE "CORNER–LOK" AT ALL WALL INTERSECTIONS.

SHORING AND TEMPORARY STRUCTURE

1. PROVIDE ALL ADEQUATE SHORING FOR THE SAFE COMPLETION OF THE WORK. ASSUME RESPONSIBILITY TO DESIGN AS WELL AS TO ERECT, MAINTAIN AND EVENTUALLY REMOVE ALL THE TEMPORARY WORKS NECESSARY FOR CARRYING OUT OF THIS CONTRACT.
2. THE CONTRACTOR SHALL HAVE THE SOLE RESPONSIBILITY FOR THE DESIGN, ERECTION, OPERATION, MAINTENANCE AND REMOVAL OF TEMPORARY SUPPORTS, TEMPORARY BRACING, SHORING SYSTEM, AND FACILITIES AND THE DESIGN AND EXECUTION OF CONSTRUCTION METHODS REQUIRED IN THEIR USE.
3. THE CONTRACTOR SHALL ENGAGE AND PAY FOR REGISTERED PROFESSIONAL ENGINEERING PERSONNEL SKILLED IN THE APPROPRIATE DISCIPLINES TO PERFORM THOSE FUNCTIONS REFERRED TO IN PARAGRAPH ABOVE OR AND IN ALL CASES WHERE SUCH TEMPORARY SUPPORTS, STRUCTURES, AND FACILITIES AND THEIR METHOD OF CONSTRUCTION ARE OF SUCH A NATURE THAT PROFESSIONAL ENGINEERING SKILL IS REQUIRED TO PRODUCE SAFE AND SATISFACTORY RESULTS.

WINDOW AND GLAZING

1. A MINIMUM OF ONE (1) WINDOW IN EACH SLEEPING AREA SHALL MEETS EMERGENCY EGRESS REQUIREMENTS. WINDOW CONTRACTOR SHALL PROVIDE EGRESS HARDWARE NECESSARY TO ALLOW WINDOWS TO MEET APPLICABLE EGRESS REQUIREMENTS.
2. EVERY FLOOR LEVEL CONTAINING A BEDROOM AND NOT SERVED BY AN EXTERIOR DOOR SHALL CONTAIN AT LEAST 1 WINDOW HAVING AN UNOBSTRUCTED OPEN AREA OF 0.35M2 AND DIMENSION LESS THAN 1.25', WHICH IS OPERABLE FROM THE INSIDE WITHOUT TOOLS. MAXIMUM SILL HEIGHT (1000 MM) 3.28' FOR FINISH FLOOR ABOVE GRADE.
3. 3. EXTERIOR HOUSE DOORS AND WINDOWS WITHIN 2000MM FROM GRADE SHALL BE CONSTRUCTED TO RESIST FORCED ENTRY. DOORS SHALL HAVE A DEADBOLT LOCK.4. THE PRINCIPAL ENTRY DOOR SHALL HAVE EITHER A DOOR VIEWER, TRANSPARENT GLAZING OR A SIDELIGHT.

WALL FRAMING

1. A MINIMUM OF ONE (1) WINDOW IN EACH SLEEPING AREA SHALL MEETS EMERGENCY EGRESS REQUIREMENTS. WINDOW CONTRACTOR SHALL PROVIDE EGRESS HARDWARE NECESSARY TO ALLOW WINDOWS TO MEET APPLICABLE EGRESS REQUIREMENTS.
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3. 3. EXTERIOR HOUSE DOORS AND WINDOWS WITHIN 2000MM FROM GRADE SHALL BE CONSTRUCTED TO RESIST FORCED ENTRY. DOORS SHALL HAVE A DEADBOLT LOCK.4. THE PRINCIPAL ENTRY DOOR SHALL HAVE EITHER A DOOR VIEWER, TRANSPARENT GLAZING OR A SIDELIGHT.

TIMBER NOTES:

1. ALL WOOD MATERIALS, FABRICATION AND ERECTION TO BE IN ACCORDANCE WITH CAN/CSA–086.1 (LATEST EDITION). ALL TIMBER GRADING TO BE IN ACCORDANCE WITH NLGA.
2. PRE–MANUFACTURED SPECIALTY WOOD PRODUCTS SUCH AS 'PSL' PARALLEL STRAND LUMBER, 'LVL' LAMINATED VENEER LUMBER, 'LSL' LAMINATED STRAND LUMBER, OR MANUFACTURED WOOD I–JOISTS, MUST BE STORED, HANDLED AND ERECTED AS PER MANUFACTURERS SPECIFICATIONS.
3. FLAT JOIST AND PROFILED TRUSS FABRICATOR SHALL SUPPLY ERECTION DRAWINGS SHOWING LOCATION, LOADING, ALLOWABLE STRESSES, WIND UPLIFT FORCES, REQUIRED BEARING, TEMPORARY AND PERMANENT BRACING, AND CONNECTIONS. DRAWINGS SHALL BEAR THE SEAL OF A PROFESSIONAL ENGINEER RESPONSIBLE FOR THE DESIGN. ALL HANDLING AND ERECTION OF TRUSSES TO BE IN ACCORDANCE WITH TRUSS SUPPLIER'S REQUIREMENTS.
4. ALL TRUSSES MUST BE ANCHORED TO SUPPORTS WITH TIE DOWN METAL ANCHORS. HANGER CONNECTIONS TO BE DESIGNED BY THE TRUSS DESIGN ENGINEER AND SUPPLIED BY THE TRUSS FABRICATOR UNLESS NOTED. ERECTION DRAWINGS TO INDICATE TYPE AND LOCATIONS FOR ALL TRUSS CONNECTION HARDWARE.
5. PROVIDE DOUBLE JOISTS UNDER PARALLEL PARTITION WALLS.
6. MAXIMUM BRIDGING SPACING: STD WOOD JOISTS – 2000mm (6'–6") STUD WALLS – 1220mm (4'–0") TO MATCH SHEATHING JOINTS
7. NAIL ALL BUILT–UP & LVL/PSL/LSL BEAMS WITH 75 (3") NAILS AT 300 (12") c/c IN ROWS NOT EXCEEDING 75mm (3") c/c UNLESS NOTED. ALTERNATIVELY FOR LVL/PSL/LSL, USE MINIMUM TWO ROWS OF 12ø (½"ø) BOLTS AT 24" c/c, TOP AND BOTTOM ROWS LOCATED 50 (2") FROM TOP & BOTTOM OF BEAM.
8. WHERE BEAMS FRAME FLUSH INTO SIDE OF BUILT–UP BEAMS, PROVIDE ADDITIONAL NAIL ROWS TO ACHIEVE FOUR ROWS SPACED AT 75 (3") AT THE BEAM HANGER LOCATION, OR ADDITIONAL BOLT ROWS SO THERE IS A ROW OF 12ø (½"ø) BOLTS WITHIN 50 (2") BESIDE EACH SIDE OF THE HANGER.
9. GLUE AND NAIL BUILT–UP POSTS AT 150mm (6") c/c IN ROWS NOT EXCEEDING 75mm (3") c/c UNLESS NOTED.
10. SEPARATE ALL WOOD FROM CONCRETE WITH WATERPROOF BARRIER OR USE PRESSURE–TREATED WOOD.
11. METAL CONNECTORS: – USE STEEL HANGERS AT ALL FLUSH JOIST, RAFTER, TRUSS AND BEAM FRAMING
    – INSTALL WITH FASTENERS AS PER MANUFACTURER'S SPECIFICATIONS
    – PROVIDE GALVANIZED CONNECTORS WHERE EXPOSED TO WEATHER. PROVIDE SUITABLE CONNECTORS APPROVED FOR USE IN CONTACT WITH PRESSURE TREATED OR OTHER TREATED LUMBER OR ENG'D WOOD PRODUCTS.
    – FASTEN BEAMS TO TOP OF POSTS WITH POST CAPS AND ANCHOR BOTTOMS OF POSTS TO FOUNDATION WITH STEEL POST/COLUMN BASES WITH ANCHORS.
12. ALL ROOF BEAMS, RAFTERS, TRUSSES AND GIRDERS MUST BE ANCHORED TO THE SUPPORTING STRUCTURE TO RESIST WIND UPLIFT USING SUITABLE METAL TIE DOWN ANCHORS BY SIMPSON OR USP, OR APPROVED EQUAL.
13. ALL BEAMS AND LINTELS TO BEAR 75mm (3") MIN. EACH END UNLESS SPECIFIED. LVL/PSL BEAMS TO FULLY BEAR ON WALLS, POSTS AND POST CAP PLATES SPECIFIED ON THE DRAWINGS UNLESS NOTED.
14. DRYWALL AND/OR WOOD SHEATHING MUST BE NAILED EACH SIDE OF WALL TO AT LEAST ONE PLY OF ALL BUILT–UP WOOD POSTS WITHIN STUD WALLS.
15. PROVIDE JOIST BLOCKING AT 1200mm (4'–0") MAX. C/C BETWEEN RIMBOARD AND ADJACENT FLOOR JOIST WHERE FOUNDATION WALLS ARE PARALLEL TO FLOOR JOIST SPAN.
16. PROVIDE BLOCKING AT 1800mm (6'–0") MAX. C/C BETWEEN GABLE END TRUSS BOTTOM CHORD OR ROOF RAFTER AND 1ST ADJACENT TRUSS/RAFTER WHERE TOP OF EXTERIOR STUD WALLS ARE PARALLEL TO ROOF FRAMING SPAN.
17. PROVIDE BLOCKING FOR CONVENTIONAL WOOD JOISTS AS PER OBC 23.9.4.4 & PROVIDE I–JOIST BLOCKING AT MIDSPAN & 2400mm (8'–0") MAX. C/C ALONG SPAN OF PRE–ENGINEERED WOOD I–JOISTS.
18. WHERE WOOD BEAMS ARE WIDER THAN SUPPORTING WOOD POSTS, PROVIDE STEEL SIMPSON POST OR COLUMN CAPS (OR EQUAL) TO MATCH BEAM WIDTH.

STAIRS AND GUARD RAIL NOTES

1. ALL STAIRS SHALL CONFORM TO CODE FOR ALLOWBLE RISER HEIGHT AND TREAD DEPTH, (MINIMUM 10" TREAD AND MAXIMUM 7 ¾" RISERS IN SINGLE FAMILY DWELLING). NOSING SHALL BE CONSIDERED AS REQUIRED BY CODE.
2. HANDRAIL TO HAVE A DIAMETER OF 1 //2" MIN. 2" MAX ABOVE NOSE OF TREAD. THE SIZE AND SHAPE OF HANDRAIL SHALL CONFORM TO CURRENT CODE REQUIREMENT.
3. BALUSTERS SHALL BE SPACED SO THAT A SPHERE WITH A DIAMETER OF 4" CANNOT PASS THROUGH ANY OPENING.
4. 2. MIN. OF 36" HIGH TO MAX OF 42" HIGH. ALL OTHER GUARD RAILS SHALL BE A MIN OF 42" HIGH(OR 36" IN SINGLE FAMILY DWELLING).

1 GN-001 GENERAL NOTES
SCALE: NTS

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APPROVED BY	APPROVED_BY
CLIENT	William McCallum
PROJECT	4869 Governors Rd. Hamilton ON L0R 1T0
TITLE	GENERAL NOTES
DISCIPLINE	NAME_DISCIPL
PROJECT NUMBER	PROJECT
DATE	DATE
DRAWN BY	DRAWN_BY
DESIGNED BY	DESIGNED_BY
CHECKED BY	CHECKED_BY
	GN-001
REVISION NO.	REV_NO.
SCALE	NOTED

SIZE 11.7"X16.5" (297x420mm)

Nailing for Framing

Forming Part of Sentence 9.23.3.4.(1)

Column 1 Construction Detail	Column 2 Minimum Length of Nails, mm	Column 3 Minimum Number or Maximum Spacing of Nails
Floor joist to plate – toe nail	82.0	2.0
Wood or metal strapping to underside of floor joists	57.0	2.0
Cross bridging to joists	57.0	2 at each end
Double header or trimmer joists	76.0	300 mm (o.c.)
Floor joist to stud (balloon construction)	76.0	2.0
Ledger strip to wood beam	82.0	2 per joist
Joist to joist splice (See also Table 9.23.13.8.)	76.0	2 at each end
Header joist end nailed to joists along perimeter	101.0	3.0
Tail joist to adjacent header joist	82.0	5.0
(end nailed) around openings	101.0	3.0
Each header joist to adjacent trimmer joist	82.0	5.0
(end nailed) around openings	101.0	3.0
Stud to wall plate (each end) toe nail	62.0	4.0
or end nail	82.0	2.0
Doubled studs at openings, or studs at walls or wall intersections and corners	76.0	750 mm (o.c.)
Doubled top wall plates	76.0	600 mm (o.c.)
Bottom wall plate or sole plate to joists or blocking (exterior walls)(1)	82.0	400 mm (o.c.)
Interior walls to framing or subflooring	82.0	600 mm (o.c.)
Horizontal member over openings in non-loadbearing walls – each end	82.0	2.0
Lintels to studs	82.0	2 at each end
Ceiling joist to plate – toe nail each end	82.0	2.0
Roof rafter, roof truss or roof joist to plate – toe nail	82.0	3.0
Rafter plate to each ceiling joist	101.0	2.0
Rafter to joist (with ridge supported)	76.0	3.0
Rafter to joist (with ridge unsupported)	76.0	See Table 9.23.13.8.
Gusset plate to each rafter at peak	57.0	4.0
Rafter to ridge board – toe nail – end nail	82.0	3.0
Collar tie to rafter – each end	76.0	3.0
Collar tie lateral support to each collar tie	57.0	2.0
Jack rafter to hip or valley rafter	82.0	2.0
Roof strut to rafter	76.0	3.0
Roof strut to loadbearing wall – toe nail	82.0	2.0
38 mm × 140 mm or less plank decking to support	82.0	2.0
Plank decking wider than 38 mm × 140 mm to support	82.0	3.0
38 mm edge laid plank decking to support (toe nail)	76.0	1.0
38 mm edge laid plank to each other	76.0	450 mm (o.c.)

DOOR SCHEDULE

- D1 — 36" x 80" -30 MIN. FIRE RATED. DOOR W/ SELF CLOSER
- D2 — 30" x 80" INTERIOR. DOOR
- D3 — 36" x 80" INTERIOR. DOOR
- D4 — 32" x 80" EXTERIOR. DOOR
- D5 — 48" x 80" EXTERIOR. DOOR

LEGENDS FOR PROPOSED ACCESSORY UNIT

WALL ASSEMBLY

- W1 — NEW 5/8" 45 MIN. TYPE X FIRE RATED DRYWALL
- W2 — NEW 2" x 4" INT. WALL: NEW 2" x 4" STUD WALL @ 16" O.C. NEW 1/2" MOISTURE RESISTANT GYPSUM
- W3 — NEW WALL ASSEMBLY: NEW. VINYL SIDING; NEW. BUILDING PAPER; NEW. 1 1/2 " RIGID INSULATION W/ TAPED JOINTS; NEW. 2" x 6" STUD WALL @ 16" O.C. C/W NEW 2" x 2" WOOD STRAPPING; NEW. R22 BATT INSULATION.; NEW 6 MIL POLY VAPOR BARRIER; NEW 1/2" DRYWALL.

CEILING ASSEMBLY

- C1 — NEW 1/2" DRYWALL W/ CONTINUOUS INSULATION

LEGEND

- 50 CFM EXHAUST FAN
- NEW RETURN AIR GRILLE
- NEW AIR SUPPLY OUTLET
- INTER CONNECTED SMOKE DETECTOR
- INTER CONNECTED CARBON MONOXIDE DETECTOR
- EXTERIOR LIGHTING OUTLET OPERATED FROM INSIDE

LINTEL SCHEDULE

LINTEL	SECTION	SPAN	MIN BEARING
L1	3-2"x10"	UPTO 3'	0'-6"
L2	3-2"x12"	FROM 3' TO 6'	0'-6"

1 GN-002 SCHEDULE
SCALE: NTS

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NO.	MM/DD/YYYY	DESCRIPTION
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APPROVED BY: APPROVED_BY

CLIENT: William McCallum

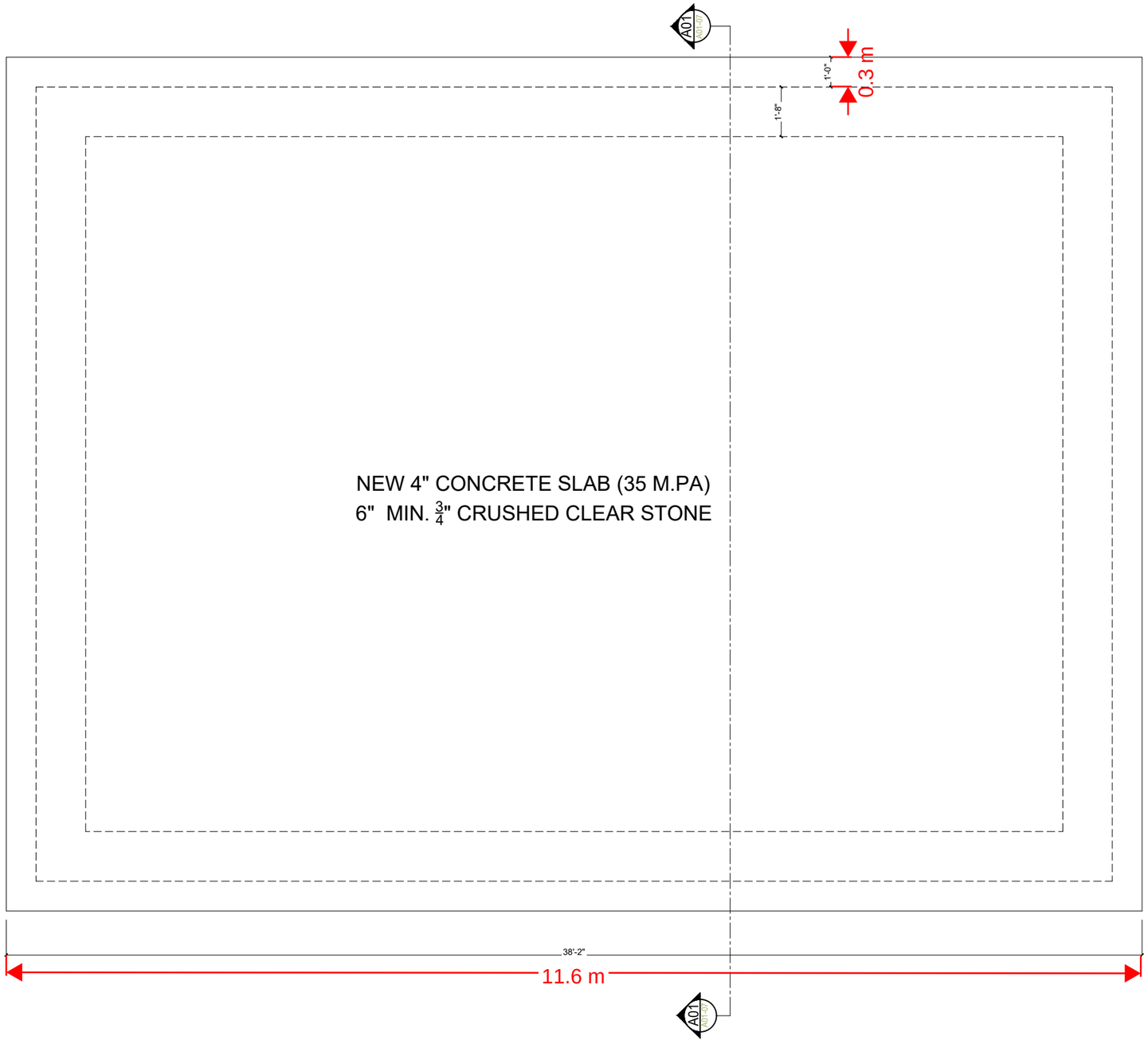
PROJECT: 4869 Governors Rd. Hamilton ON L0R 1T0

TITLE: SCHEDULE AND ABBREVIATIONS

DISCIPLINE	NAME_DISCIPL
PROJECT NUMBER	PROJECT
DATE	DATE
DRAWN BY	DRAWN_BY
DESIGNED BY	DESIGNED_BY
CHECKED BY	CHECKED_BY

GN-002

REVISION NO.	REV_NO.
SCALE	NOTED



A01 FOUNDATION LAYOUT
A-011 SCALE: 1/50" = 1'-0"

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APPROVED BY

CLIENT

William McCallum

PROJECT

4869 Governors Rd. Hamilton ON L0R 1T0

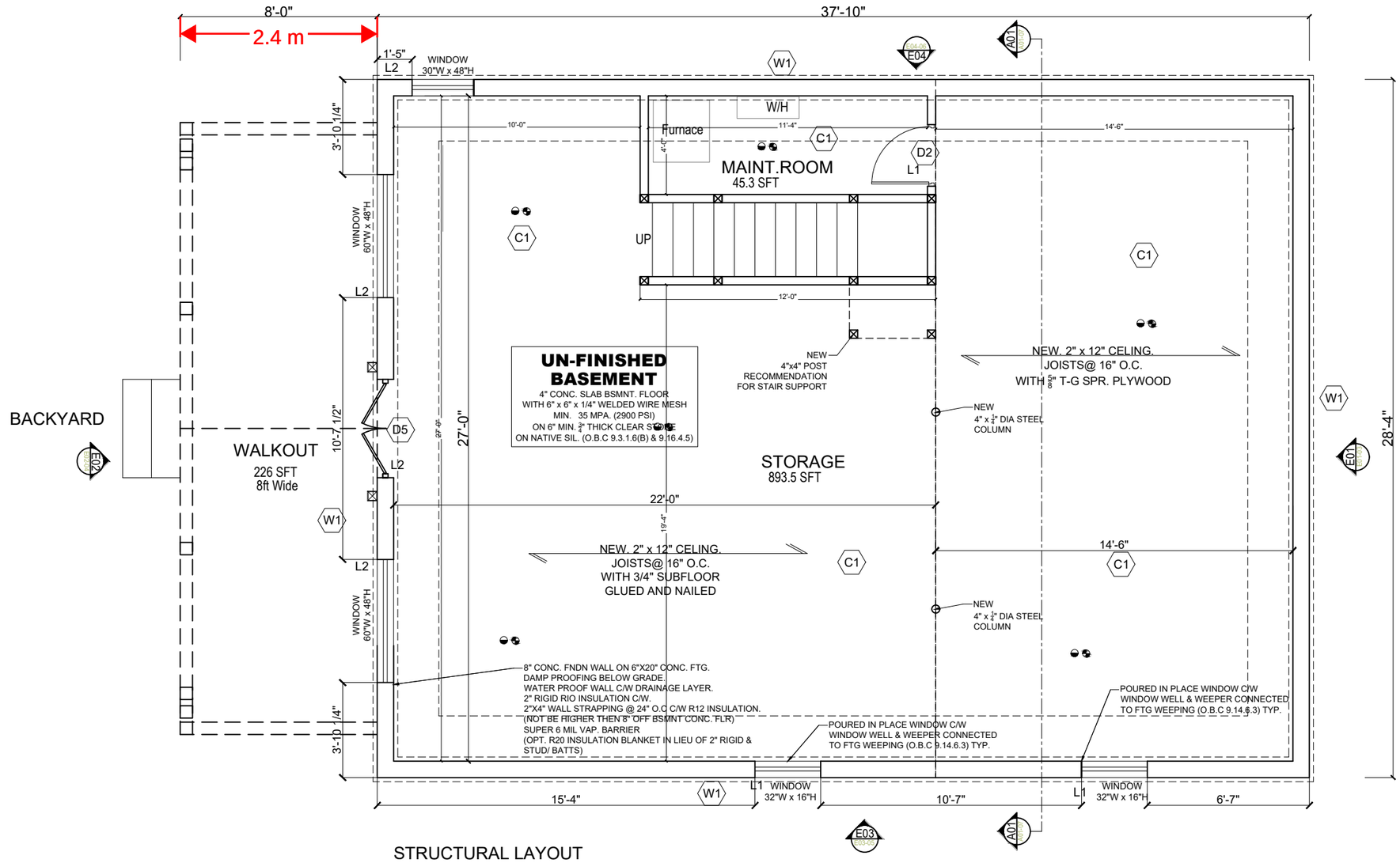
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FOUNDATION LAYOUT

DISCIPLINE	NAME_DISCIPL
PROJECT NUMBER	PROJECT
DATE	DATE
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DESIGNED BY	DESIGNED_BY
CHECKED BY	CHECKED_BY

A-001

REVISION NO.	REV_NO.
SCALE	NOTED



STRUCTURAL LAYOUT

A01 / A-011 BASEMENT FLOOR PLAN

SCALE: 1/60" = 1'-0"

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CLIENT

William McCallum

PROJECT

4869 Governors Rd. Hamilton ON L0R 1T0

TITLE

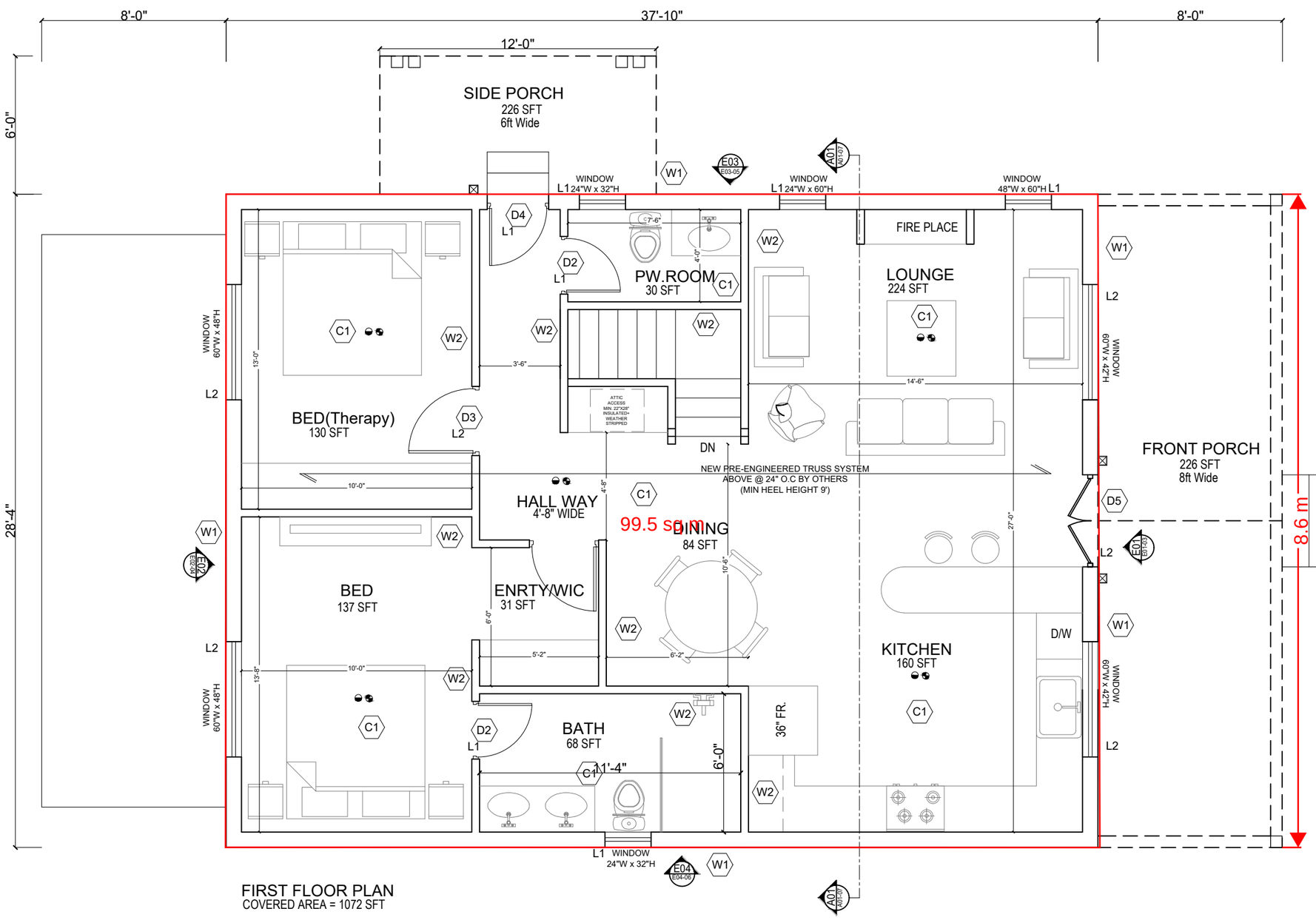
BASEMENT FLOOR PLAN

DISCIPLINE	NAME_DISCIPL
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DRAWN BY	DRAWN_BY
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A-002

REVISION NO.	REV_NO.
SCALE	NOTED

SIZE 11.7"X16.5" (297x420mm)



FIRST FLOOR PLAN
COVERED AREA = 1072 SFT

99.5 sqm

Gross Floor Area = 199 sqm

Description of Space	Allowable Area as per OBC	Proposed Area (m²)	Proposed Area (ft²)
Living Room	Minimum 13.5 m² for the combined area	20.8	224
Kitchen	Minimum 4.2 m²	14.86	160
Hallway	Minimum 0.86 m in width	1.42	4'-8"
Bedroom 1	Minimum 7 m²	12.07	130
Master Bedroom	Minimum 9.8 m²	15.6	168
Dining	Minimum 3.25 m² for the combined area	7.8	84

1 / A-002 FIRST FLOOR PLAN
SCALE: 1/60" = 1'-0"

THE CONTRACTOR MUST VERIFY AND ACCEPT RESPONSIBILITY FOR ALL DIMENSIONS AND CONDITIONS ON SITE AND MUST NOTIFY **THE DESIGNER** OF ANY VARIATIONS FROM THE INFORMATION CONTAINED WITHIN.

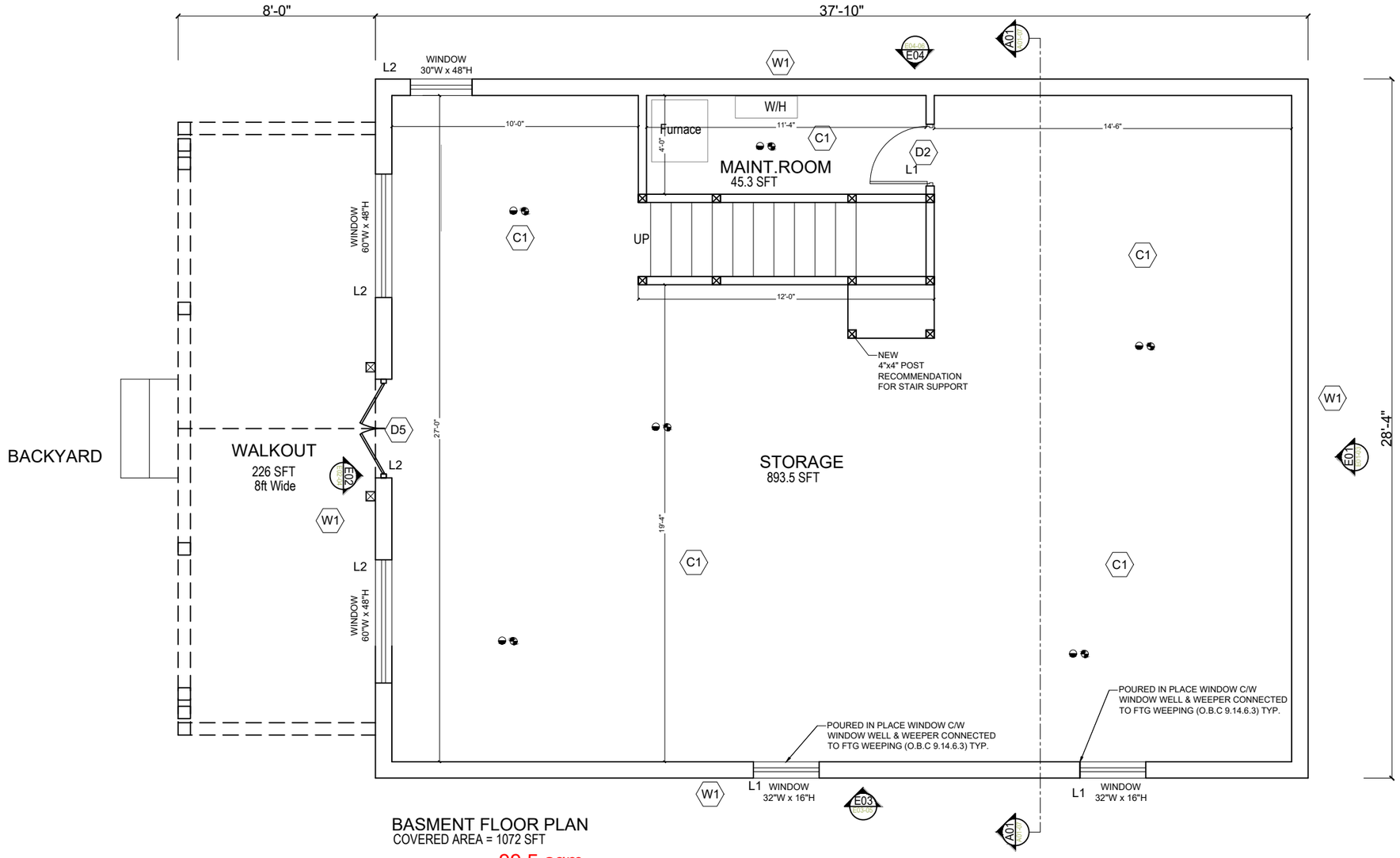
THE DESIGNER IS NOT RESPONSIBLE FOR THE ACCURACY OF THE SURVEY, ELEVATIONS, STRUCTURAL, MECHANICAL, ELECTRICAL ETC. SHOWN ON THIS DRAWING. REFER TO THE APPROPRIATE ENGINEERING DRAWINGS PRIOR TO PROCEEDING WITH THE WORK.

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NO.	MM/DD/YYYY	DESCRIPTION
1		
0		

APPROVED BY	APPROVED_BY
CLIENT	William McCallum
PROJECT	4869 Governors Rd. Hamilton ON L0R 1T0
TITLE	FIRST FLOOR PLAN
DISCIPLINE	NAME_DISCIPL
PROJECT NUMBER	PROJECT
DATE	DATE
DRAWN BY	DRAWN_BY
DESIGNED BY	DESIGNED_BY
CHECKED BY	CHECKED_BY
	A-003
REVISION NO.	REV_NO.
SCALE	NOTED



BASMENT FLOOR PLAN
COVERED AREA = 1072 SFT
99.5 sqm

1 A-002 BASEMENT FLOOR PLAN
SCALE: 1/60" = 1'-0"

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NO.	MM/DD/YYYY	DESCRIPTION
1		
0		

APPROVED BY

CLIENT

William McCallum

PROJECT

4869 Governors Rd. Hamilton ON L0R 1T0

TITLE

BASEMENT FLOOR PLAN

DISCIPLINE	NAME_DISCIPL
PROJECT NUMBER	PROJECT
DATE	DATE
DRAWN BY	DRAWN_BY
DESIGNED BY	DESIGNED_BY
CHECKED BY	CHECKED_BY
	A-002
REVISION NO.	REV_NO.
SCALE	NOTED

SIZE 11.7"X16.5" (297x420mm)



SPATIAL CALCULATIONS:

WALL AREA = 264 SQFT
GLAZING AREA =42.1 SQFT

MAX ALLOWED = 63 %
SHOWN = 15.9 %

E01 / A-003 FRONT ELEVATION
SCALE: 1/40" = 1'-0"

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NO.	MM/DD/YYYY	DESCRIPTION
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APPROVED BY	APPROVED_BY

CLIENT

William McCallum

PROJECT

4869 Governors Rd. Hamilton ON L0R 1T0

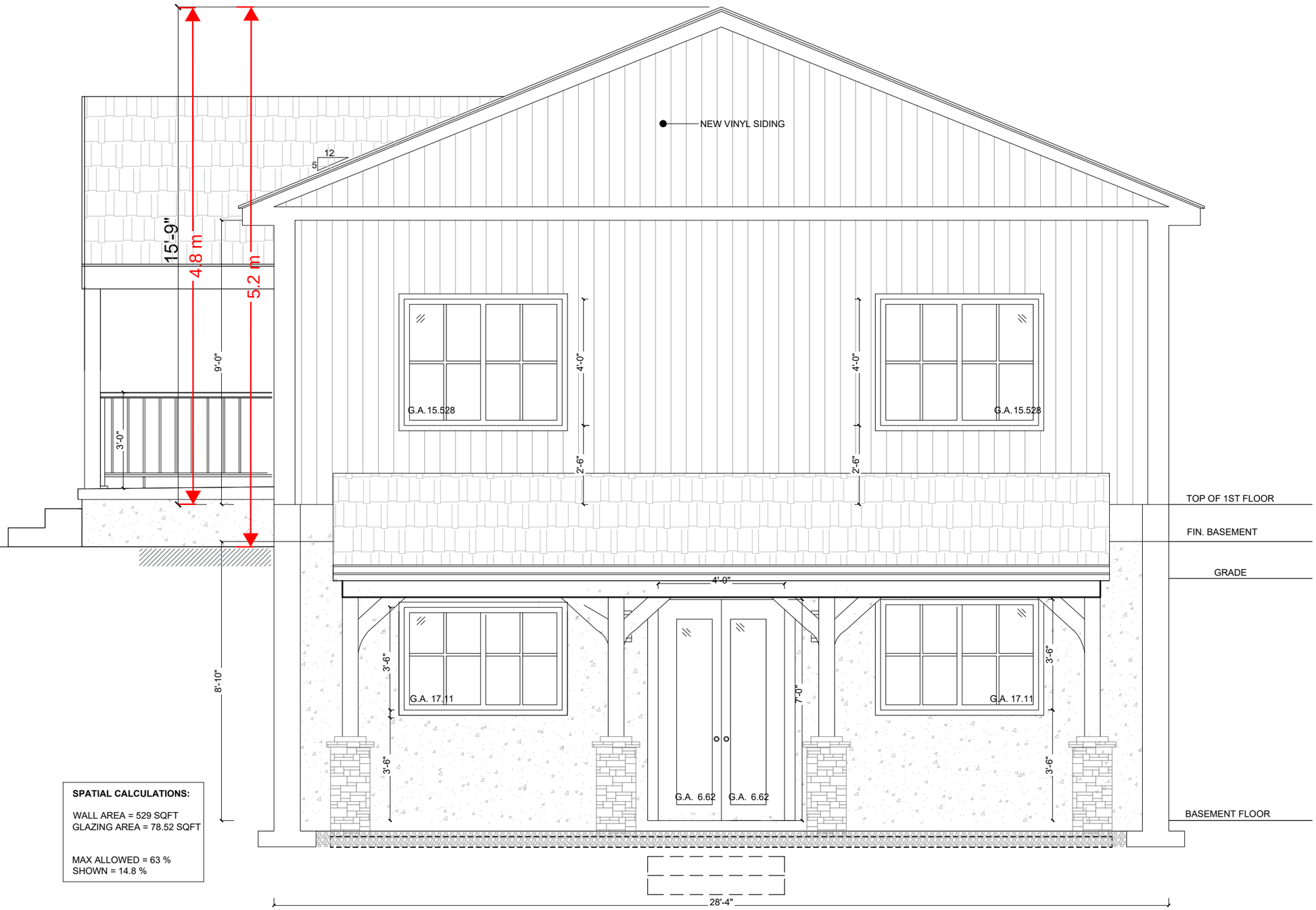
TITLE

FRONT ELEVATION E01

DISCIPLINE	NAME_DISCIPL
PROJECT NUMBER	PROJECT
DATE	DATE
DRAWN BY	DRAWN_BY
DESIGNED BY	DESIGNED_BY
CHECKED BY	CHECKED_BY

A-004

REVISION NO.	REV_NO.
SCALE	NOTED



SPATIAL CALCULATIONS:

WALL AREA = 529 SQFT
GLAZING AREA = 78.52 SQFT

MAX ALLOWED = 63 %
SHOWN = 14.8 %

E02 / A-004 REAR ELEVATION
SCALE: 1/40" = 1'-0"

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NO.	MM/DD/YYYY	DESCRIPTION
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APPROVED BY: APPROVED_BY

CLIENT
William McCallum

PROJECT
4869 Governors Rd. Hamilton ON L0R 1T0

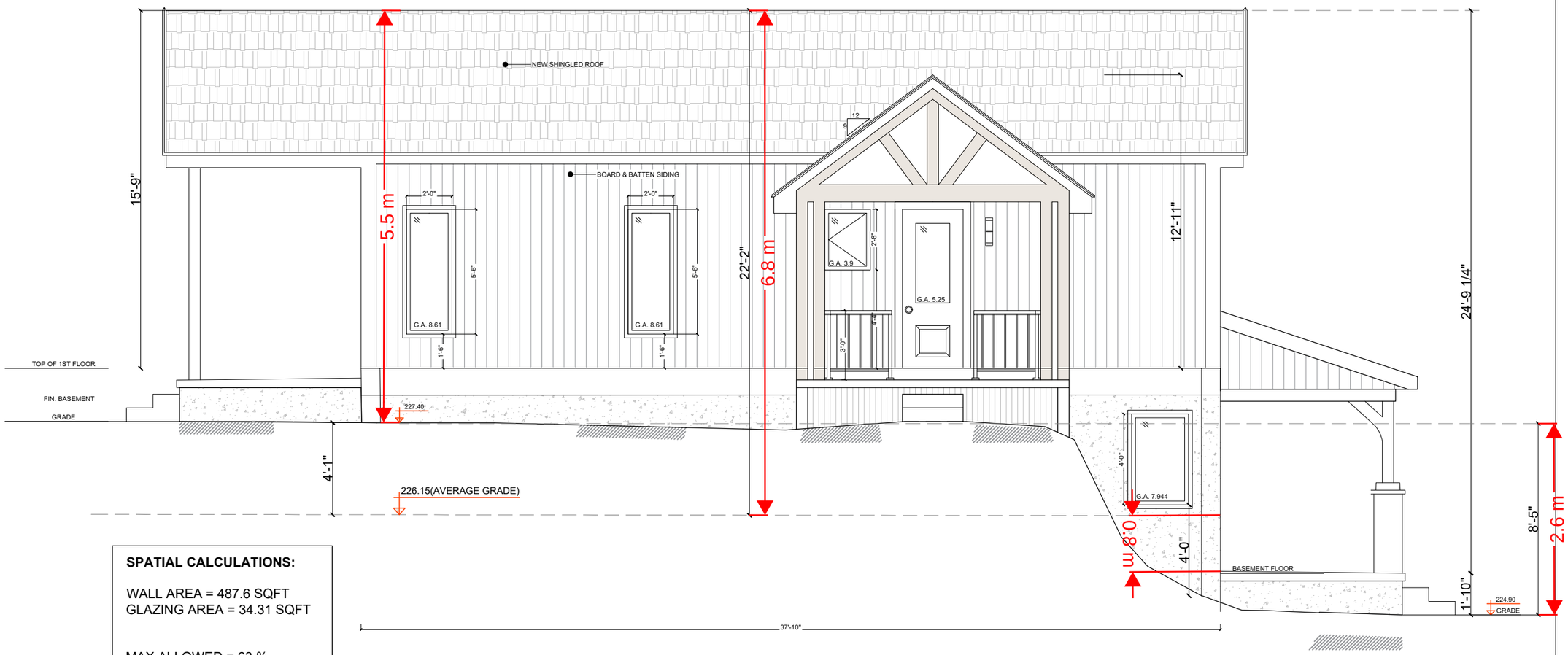
TITLE
REAR ELEVATION-E02

DISCIPLINE	NAME_DISCIPL
PROJECT NUMBER	PROJECT
DATE	DATE
DRAWN BY	DRAWN_BY
DESIGNED BY	DESIGNED_BY
CHECKED BY	CHECKED_BY

A-005

REVISION NO.	REV_NO.
SCALE	NOTED

SIZE 11.7"X16.5" (297x420mm)



SPATIAL CALCULATIONS:

WALL AREA = 487.6 SQFT
GLAZING AREA = 34.31 SQFT

MAX ALLOWED = 63 %
SHOWN = 7.03%

E03
A-005
RIGHT ELEVATION
SCALE: 1/60" = 1'-0"

THE CONTRACTOR MUST VERIFY AND ACCEPT RESPONSIBILITY FOR ALL DIMENSIONS AND CONDITIONS ON SITE AND MUST NOTIFY **THE DESIGNER** OF ANY VARIATIONS FROM THE INFORMATION CONTAINED WITHIN.

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NO.	MM/DD/YYYY	DESCRIPTION
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APPROVED BY	APPROVED_BY

CLIENT
William McCallum

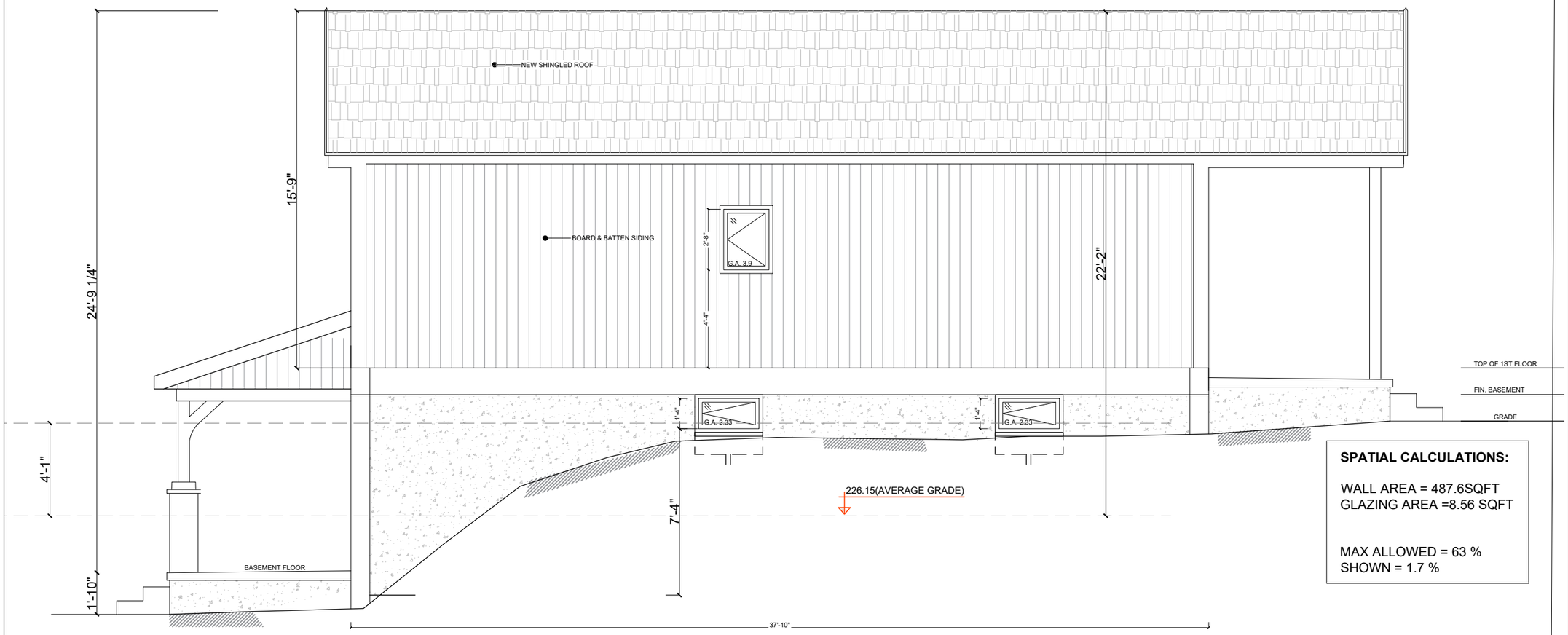
PROJECT
4869 Governors Rd. Hamilton ON L0R 1T0

TITLE
RIGHT ELEVATION-E03

DISCIPLINE	NAME_DISCIPL
PROJECT NUMBER	PROJECT
DATE	DATE
DRAWN BY	DRAWN_BY
DESIGNED BY	DESIGNED_BY
CHECKED BY	CHECKED_BY

A-006

REVISION NO.	REV_NO.
SCALE	NOTED



SPATIAL CALCULATIONS:

WALL AREA = 487.6SQFT
GLAZING AREA =8.56 SQFT

MAX ALLOWED = 63 %
SHOWN = 1.7 %

E04 LEFT ELEVATION
A-006 SCALE: 1/60" = 1'-0"

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NO.	MM/DD/YYYY	DESCRIPTION
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APPROVED BY	APPROVED_BY

CLIENT

William McCallum

PROJECT

4869 Governors Rd. Hamilton ON L0R 1T0

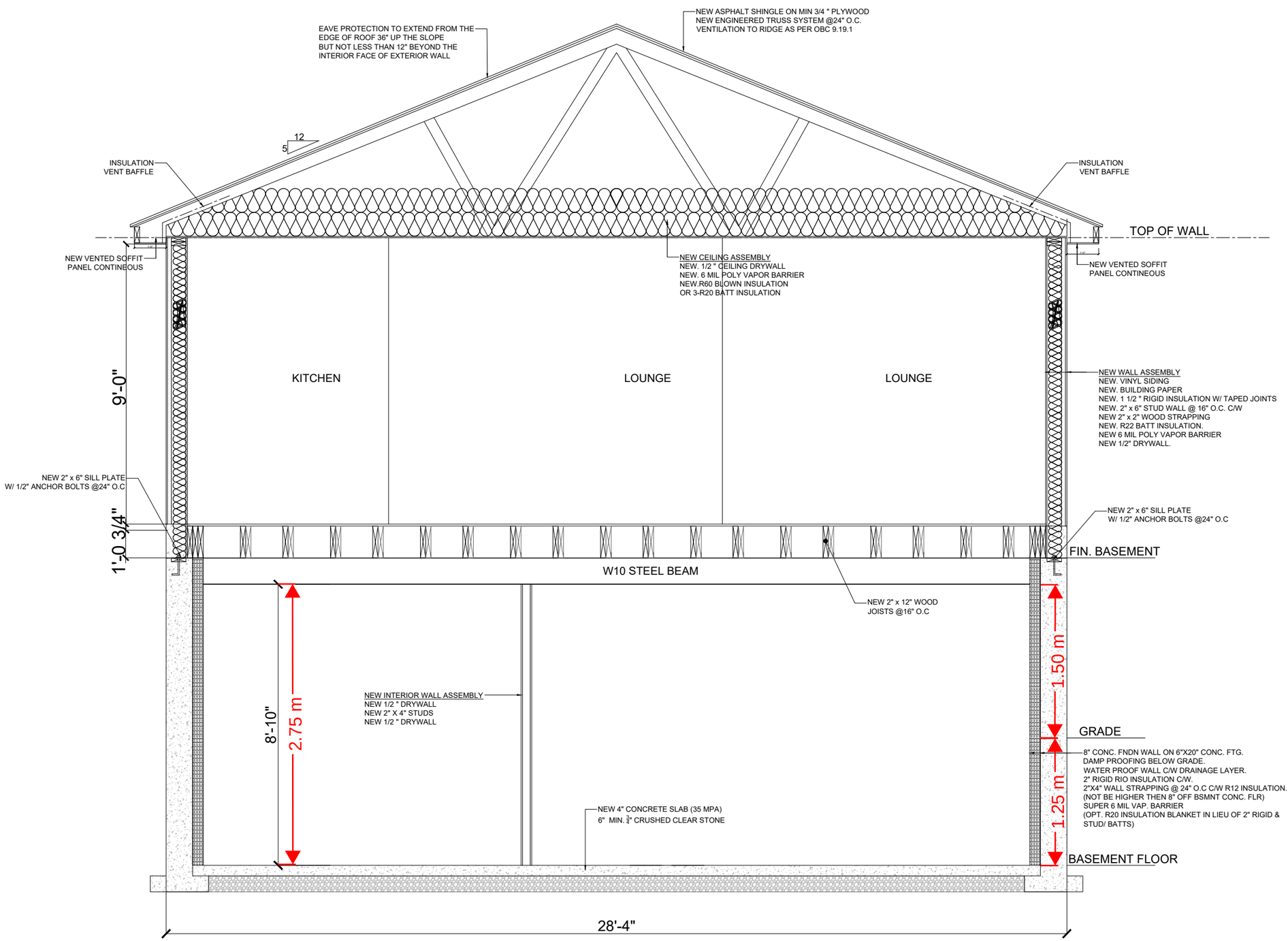
TITLE

LEFT ELEVATION E-04

DISCIPLINE	NAME_DISCIPL
PROJECT NUMBER	PROJECT
DATE	DATE
DRAWN BY	DRAWN_BY
DESIGNED BY	DESIGNED_BY
CHECKED BY	CHECKED_BY

A-007

REVISION NO.	REV_NO.
SCALE	NOTED



A01
A-007
CROSS SECTION DETAILS
SCALE: 1/40" = 1'-0"

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NO.	MM/DD/YYYY	DESCRIPTION
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APPROVED BY	APPROVED_BY

CLIENT

William McCallum

PROJECT

4869 Governors Rd. Hamilton ON L0R 1T0

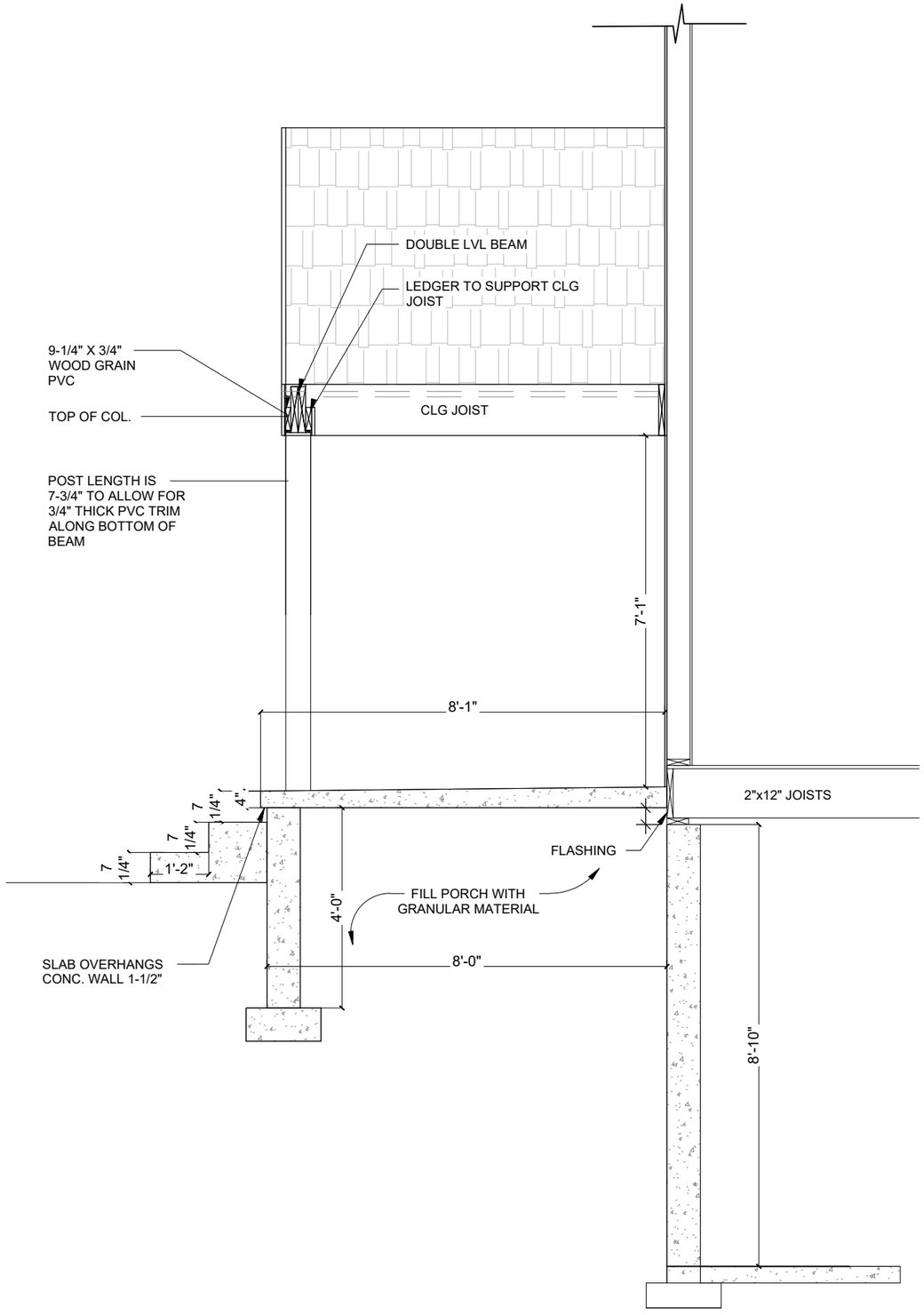
TITLE

SECTIONAL DETAILS

DISCIPLINE	NAME_DISCIPL
PROJECT NUMBER	PROJECT
DATE	DATE
DRAWN BY	DRAWN_BY
DESIGNED BY	DESIGNED_BY
CHECKED BY	CHECKED_BY

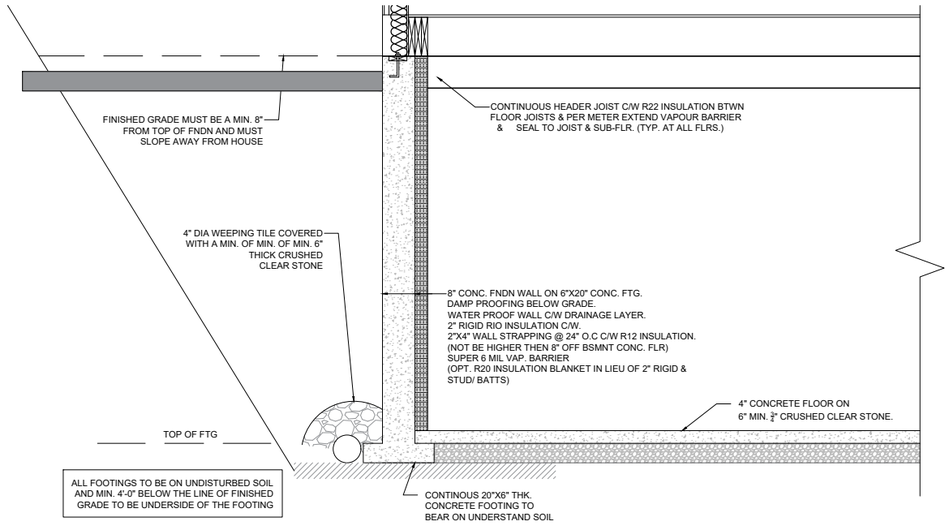
A-008

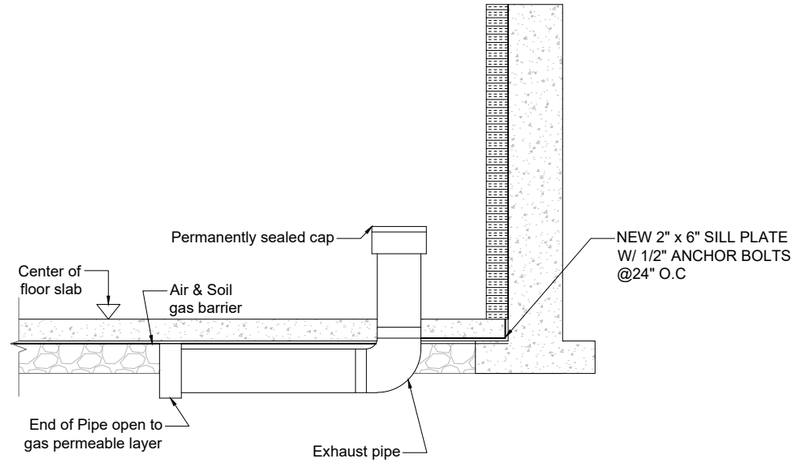
REVISION NO.	REV_NO.
SCALE	NOTED

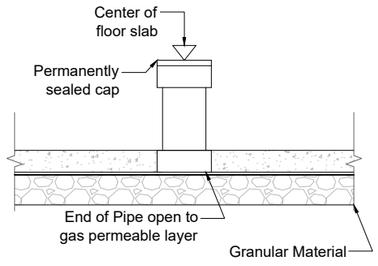


A01 / A-008 TYPICAL SECTIONAL DETAIL

SCALE: NTS







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NO.	MM/DD/YYYY	DESCRIPTION
1		
0		

APPROVED BY

CLIENT

William McCallum

PROJECT

4869 Governors Rd. Hamilton ON L0R 1T0

TITLE

TYPICAL SECTIONAL DETAILS

DISCIPLINE	NAME_DISCIPL
PROJECT NUMBER	PROJECT
DATE	DATE
DRAWN BY	DRAWN_BY
DESIGNED BY	DESIGNED_BY
CHECKED BY	CHECKED_BY

A-009

REVISION NO.	REV_NO.
SCALE	NOTED

SIZE 11.7"X16.5" (297x420mm)

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

City of Hamilton Planning and Development
City Hall 5th Floor
71 Main St W, Hamilton, ON L8P 4Y5

July 17, 2025

Attn: Justin Leung
Secretary-Treasurer, Committee of Adjustment

Re: 4869 Governors Road, Hamilton
Minor Variance Application Submission

Dear Sir/Madam:

A.J. Clarke and Associates Ltd. has been retained by Richard Charles Brooks (C/O William McCallum) for the purposes of submitting the enclosed Minor Variance Application to facilitate the construction of a Detached - Additional Dwelling Unit on the subject lands municipally known as 4869 Governors Road, within the City of Hamilton.

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;
- One (1) digital copy of the Site Sketch, prepared by A.J. Clarke and Associates Ltd;
- One (1) digital copy of the Zoning Compliance Review 25-110;

Please note that payment for the required application fees will be provided with credit card over the phone by the applicant William McCallum as indicated within the Minor Variance Application forms.

Proposed Development:

The proposed development consists of a one (1) Storey Detached Additional Dwelling Unit (ADU) which will be accessory to the existing two (2) storey primary dwelling. The proposed development has been located in the location of the existing shed/garage which will be demolished to facilitate the proposed detached ADU. Variances are required to the performance standards of the ADU due to the site specific constraints of the property.

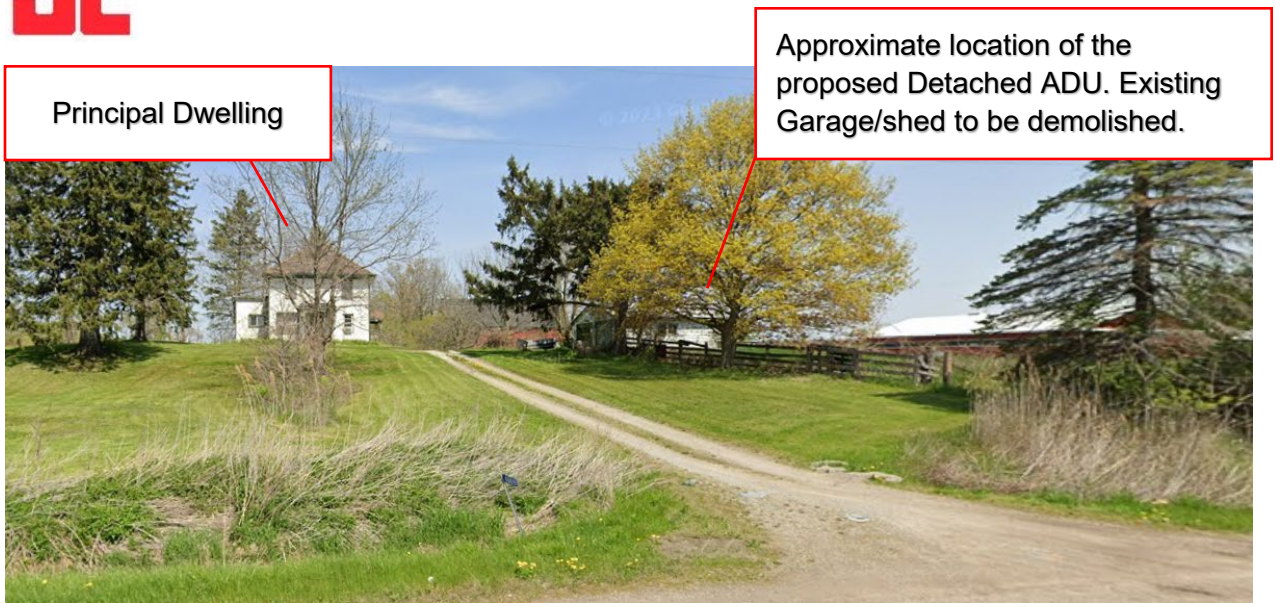


Figure 1: View of Subject lands, 4869 Governors Road, Hamilton.

The subject lands are comprised of one parcel of land municipally known as 4869 Governors Road within the City of Hamilton.

The subject lands are generally located to the west of Lynden along Governors Road between Weir Road and Harrisburg Road. The subject lands are an irregular shaped parcel, with a lot area of ±93 acres (37 hectares) which is used for agricultural and residential purposes. The subject lands are currently occupied with a single detached dwelling (4869 Governors Road) and associated farm structures which support agricultural operations. The residential dwelling and the agricultural operation are separated naturally by a large hill.

The subject lands are designated “Agriculture” on Schedule D of the Rural Hamilton Official Plan. The primary intent of the Agriculture designation is to protect the prime agricultural areas for agricultural use over the life of this Plan. Within this designation permitted uses are generally limited to agricultural uses, agricultural related commercial or industrial uses, and on farm secondary uses.

The immediate surrounding land uses include:

North	Agriculture / Conservation, Hazard Lands
South	Agriculture
West	Agriculture, Residential Single Detached Dwelling
East	Residential Single Detached Dwelling

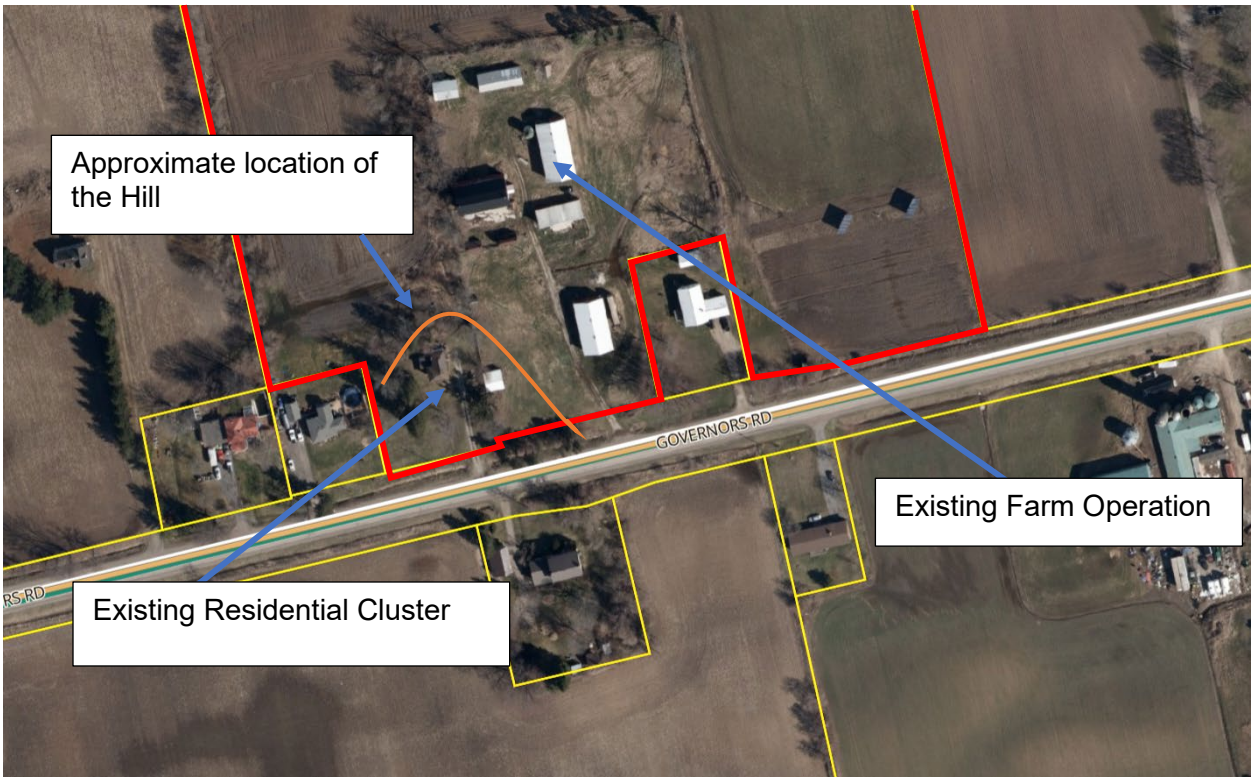


Figure 2: Aerial View of 4869 Governors Road, Hamilton. (VuMap)

A review of the applicable planning policies has been included below.

Planning Policy Overview

Rural Hamilton Official Plan (RHOP)

The Rural Hamilton Official Plan is the guiding document for the lands within the rural area of the City. Rural Hamilton combines diverse geographies, communities, economies, resources, and land uses. Rural Hamilton's primary land use function is resource related. It provides opportunities for agriculture, non-renewable and natural heritage resources.

The subject lands are designated “Agriculture” on Schedule D of the Rural Hamilton Official Plan. The primary intent of the Agriculture designation is to protect the prime agricultural areas for agricultural use over the life of this Plan. Within this designation permitted uses are generally limited to agricultural uses, agricultural related commercial or industrial uses, and on farm secondary uses.

Additionally, the policies within C.3.0 General Land Use Provisions and Designations, are applicable to the subject lands which provides additional policies for Rural Areas.

3.1 Rural Area General Provisions

3.1.2 The following uses shall be permitted in the Agriculture, Specialty Crop, Rural and Rural Settlement Area designations, provided the applicable conditions are met: (OPA 5)

e) An additional dwelling unit - detached shall be permitted in Rural Hamilton subject to the following: (OPA 39)

i) One additional dwelling unit - detached may be permitted on a lot with a minimum lot area of 1.5 hectares.
ii) The primary dwelling and the additional dwelling unit – detached can achieve the minimum servicing requirements of Policy C.5.1 of this Plan.
iii) The minimum lot area established in e) i) above may be reduced where it can be demonstrated that the minimum servicing requirements of Policy C.5.1 of this Plan can be achieved.

As per Section C.3.1.2 e) Detached – Additional Dwelling Units are permitted within the Agriculture Designation and are subject to additional policy requirements. The subject lands of 4869 Governors Road have a lot area of 37 hectares which is beyond the minimum lot area required of 1.5 hectares within the RHOP.

Additionally, the proposed development can achieve the minimum servicing requirements set out within the RHOP. The proposed detached ADU will be serviced independently of the existing development

The proposed development is permitted by the RHOP and conforms to the Policies listed under C.3.1.2.

City of Hamilton Zoning By-law 05-200

The subject lands are zoned Agriculture (A1) Zone within the City of Hamilton 05-200 Zoning By-law.

A review of the applicable zone provisions will be included below:

Regulation	Requirement	Proposed – 4869 Governors Road
Maximum Height for Detached ADU	6 m	6.8 m
Location of Detached ADU	An Additional Dwelling Unit – Detached shall only be permitted in a Rear and/or interior Side Yard.	Front Yard & Interior Yard
Where a Detached ADU is located within the Interior Yard the following is required	B) An Additional Dwelling Unit – Detached shall be set back a minimum 5.0 metres from the front façade of the principal dwelling.	Projection of 5.7m from the façade of principal dwelling unit.
Size	The maximum gross floor area shall not exceed the principal dwelling.	Principal Dwelling GFA 160 m2 Proposed Detached ADU 199 m2

Minor Variance

These variances are required to facilitate the proposed development, which are as follows:

1. To permit a maximum height of 7.0 metres whereas a maximum height 6.0 metres is required. **It is important to note that this variance is required as the maximum height is determined based on the average grade.**
2. To permit an Additional Dwelling Unit – Detached to be located in the front yard whereas a Additional Dwelling Unit – Detached shall only be permitted in the rear or interior yard.
3. To permit an Additional Dwelling Unit – Detached to be 200 square metres whereas 160 square metres is permitted.
4. To permit an Additional Dwelling Unit – Detached to be located in front of the façade of the Principal Dwelling Unit with a projection of 6.0 metres, whereas a An Additional Dwelling Unit – Detached shall be set back 5.0 metres from the façade of the Principal Dwelling Unit.

This minor variance application is made under the authority of Section 45(1) of the Planning Act. Accordingly, a minor variance must meet the requisite four tests as described in Section 45 (1) of the Act. The tests and professional opinion are outlined below:

1. Do the proposed variances maintain the intent and purpose of the Rural Hamilton Official Plan?

The proposed variances maintain the intent and purpose of the Rural Hamilton Official Plan. The subject lands are designated Agriculture as per Schedule D of the Rural Hamilton Official Plan.

Within the Agriculture Designation Additional Dwelling Units both detached and attached permitted as of right. The minor variances are technical in nature and seek to facilitate implementation of the design policies with the Official Plan.

It is my professional that the proposed development and proposed minor variances maintain the intent and purpose of the Rural Hamilton Official Plan.

2. Do the proposed variances maintain the intent and purpose of the City of Hamilton 05-200 Zoning By-law, as amended?

The required variances to the City of Hamilton 05-200 Zoning By-law, as amended, are intended to facilitate the development of a Detached – Additional Dwelling Unit.

Maximum Height
The proposed development requires a variance to permit a maximum height of 7.0 metres whereas 6.0 metres is permitted.

The overall intent of this zoning by law provision is to ensure that the proposed development is consistent with the size and scale of development within the Neighbourhood, and the Detached Additional Dwelling Unit is accessory to the Principal Dwelling Unit.

Grade as defined within the Zoning By-law *"Shall mean the average level of the proposed or finished ground adjoining a building calculated along the perimeter of all exterior walls."*

Height as defined within the Zoning By-law "*Shall mean the vertical distance from grade to the uppermost point of the building but not including any mechanical penthouse or any portion of a building designed, adapted or used for such features as a chimney, smokestack, fire wall, stair tower, fire tower, water tower, tank, elevator bulkhead, ventilator, skylight, cooling tower, derrick, conveyor, antenna, or any such requisite appurtenance, or a flagpole, display sign, ornamental figure, parapet, bell tower or other similar structure."*

On the property there is a change in grade, of approximately 2.5metres. As a result, the proposed ADU includes a walk out on the rear of the building. The average grade has been calculated and shown on the attached architectural drawings, which results in a maximum building height of 6.75 metres, whereas the maximum height permitted is 6.0 metres. However, from the Street View the proposed dwelling is a single storey and the height from the grade at the front steps to the peak of the roof is 5.5 metres which consistent with the intent of the Zoning By-law.

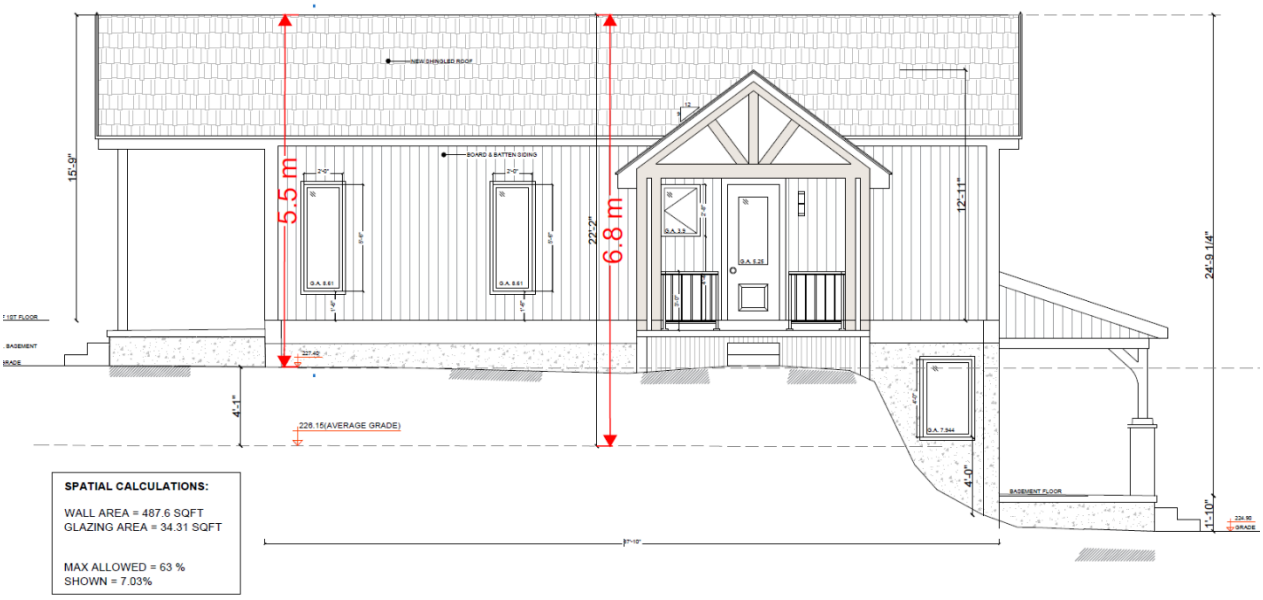


Figure 3: Side profile of the proposed Detached ADU which shows the average height as required per the By-law of 6.8m and the height of the dwelling of 5.5, which is the front profile, seen from the street.

The requested variance is for height, and the proposed built form is a single storey Detached – Additional Dwelling Unit which is consistent with the intent of the Zoning By-law. The proposed development is smaller is size and scale to the existing two storey dwelling unit which is consistent with the intent of the Zoning By- law. The additional 1.0m requested will not have any tangible effect on the adjacent land uses. The variance is technical in nature due to the topography of the lands.

It is my professional opinion that the proposed development and variances requested maintain the intent and purpose of the City of Hamilton 05-200 Zoning By-law.

Location of the proposed ADU

The proposed development requires a variance to permit an Additional Dwelling Unit – Detached to be located in the front yard whereas an Additional Dwelling Unit – Detached shall only be permitted in the rear or interior yard.

To permit An Additional Dwelling Unit – Detached to be located in front of the façade of the principal dwelling unit with a projection of 6.0 metres, whereas a An Additional Dwelling Unit – Detached shall be set back 5.0 metres from the façade of the Principal Dwelling Unit

The overall intent of these Zoning By-law provision is to ensure the proposed Detached Additional Dwelling Unit does not impact the existing streetscape and is accessory to the Principal Dwelling Unit. Front Yard as defined within the Zoning By-law *"shall mean a yard extending across the full width of a lot measured between the front lot line and the nearest part of a building on the lot".*

The proposed Detached ADU is located within both the front yard and the interior side yard per the Zoning By-law.

In order to facilitate the development of the proposed Detached – ADU, the existing Accessory Structure (Shed/Garage) will be demolished.

The existing condition on site includes an accessory building which is located in front of the principal dwelling unit. Notably the proposed Detached ADU has been pushed back as far as possible, which provides some improvements to the streetscape such that the ADU is with a projection of 5.7 metres in front of the façade of the Principal Dwelling Unit. Due to the topography of the lands, the ADU has been pushed back as far as possible from the street.

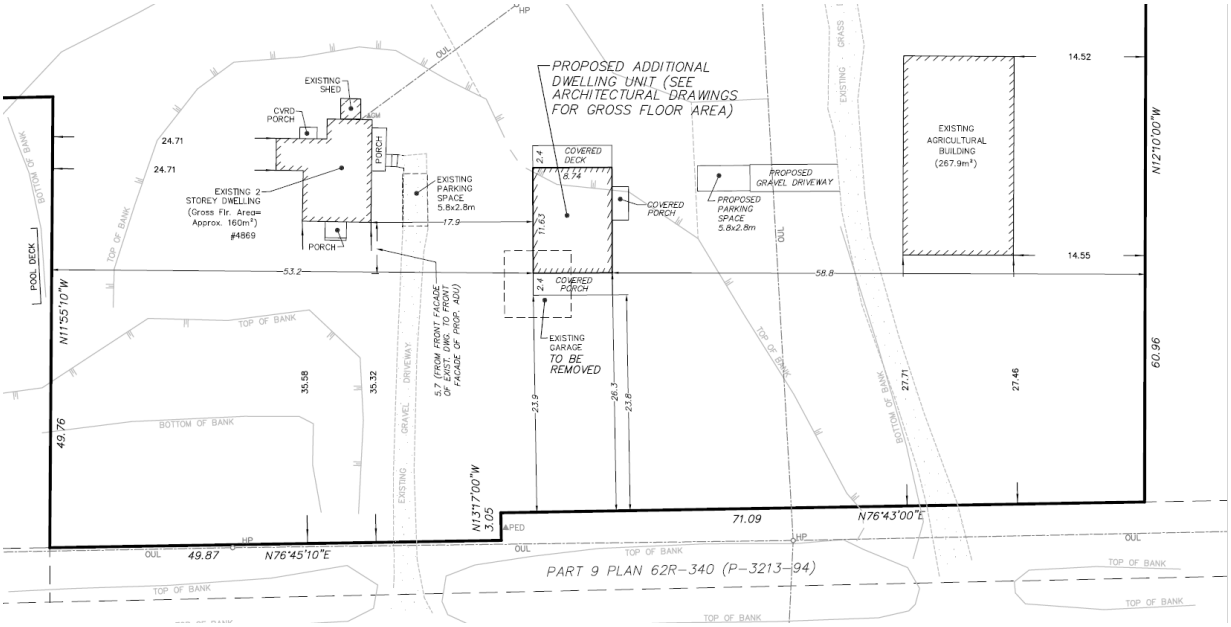


Figure 4: Site Plan of 4869 Governors Road which show the location of the existing shed which will be demolished to facilitate the proposed ADU.

Additionally, this condition is seen across the Street at 4886 Governors Road, where is accessory building is located in front of the façade of the Principal Dwelling by approximately 9.5 metres.



Figure 5: Existing Streetscape conditions at 4886 Governors Road, Hamilton where the accessory structure is located in front of the façade of the Principal Dwelling Unit.

Further the location of the proposed dwelling unit is in keeping with the existing character of the streetscape with significant setbacks to Governors Road. The proposed Additional Dwelling Unit is setback 23 metres from the Street Line.

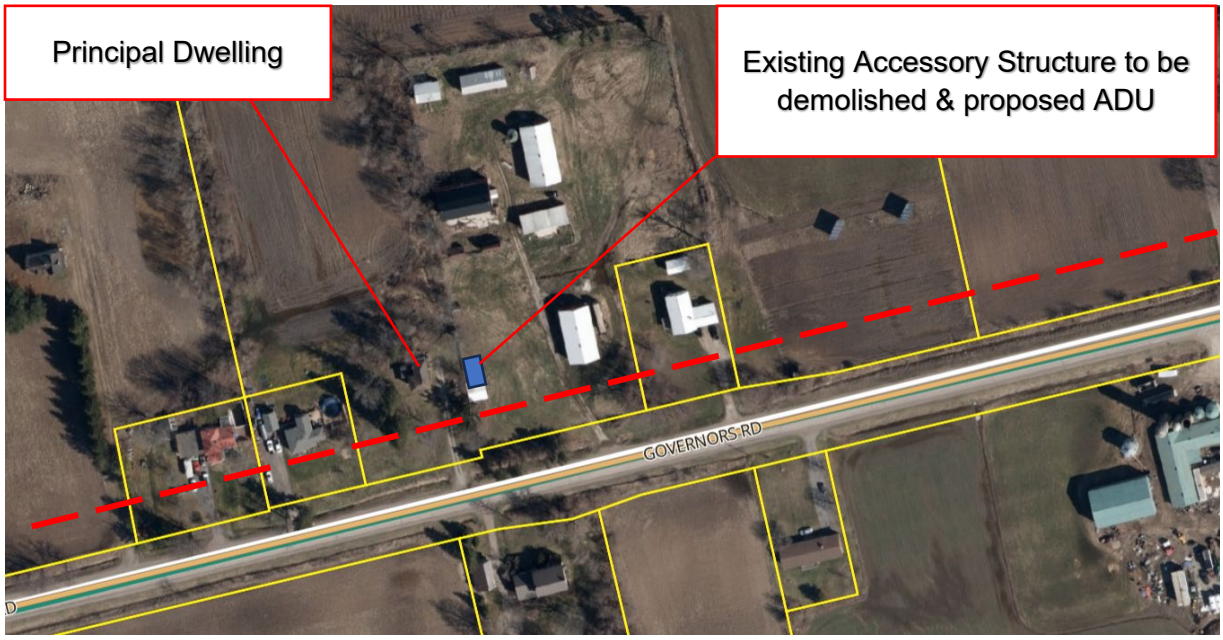


Figure 6: Proposed ADU and Existing Streetscape along Governors Road.

It is my professional opinion that the proposed development and variances related to the proposed location of the Detached Additional Dwelling Unit requested maintain the intent and purpose of the City of Hamilton 05-200 Zoning By-law.

Gross Floor Area
The proposed development requires a variance to permit an Additional Dwelling Unit – Detached to be 200 square metres where as 160 square metres is permitted.

As per the Zoning By-law an Additional – Detached Dwelling Unit the maximum Gross Floor Area shall not exceed the Gross Floor Area of the Principal Dwelling. The Principal Dwelling Unit of 4869 is a two-storey dwelling unit with a gross floor area of 160 square metres.

Within the Zoning By-law Gross Floor Area *"Shall mean the aggregate horizontal area measured from the exterior faces of the exterior walls of all floors of a building (excluding any cellar or floor area having a ceiling height of 2.0 metres or less or devoted exclusively to parking) within all buildings on a lot but shall not include any area devoted to mechanical equipment"*

The proposed Additional Detached Dwelling Unit has an overall Gross Floor Area of 199 square metres which is comprised of the first floor and the walkout basement level which results in a larger GFA when compared to the existing principal dwelling unit. However, the floor area of the ADU is approximately 100m2 which is less than the area of the primary dwelling. The inclusion of the "basement" in the calculation of GFA is only a result of the walk out basement.

The intent of the Gross Floor Area restrictions is to ensure that the proposed additional detached Additional Dwelling Units are secondary to the exiting dwelling, with minimal impacts from the Streetscape. When comparing these two built forms and the existing dwelling is a two storey dwelling whereas the proposed ADU, is a single storey.

Although based on the definition of Gross Floor Area the proposed dwelling unit has a large over GFA, the ADU has been designed to be secondary to the existing dwelling unit with respect to bulk and massing.

It is my professional opinion that the proposed development and variances requested maintain the intent and purpose of the City of Hamilton 05-200 Zoning By-law.

3. Are the proposed variances appropriate for the development of the subject lands?

As noted above the variances will facilitate the development of a Detached – Additional Dwelling Unit. The proposed development represents a desired form of gently residential intensification which is permitted in the rural area of the City of Hamilton.

The requested variances are appropriate for the development of the subject lands to increase the residential density with the neighbourhood in a size and scale that is appropriate to its surroundings. The proposed development is consistent with the size and scale of the exiting single detached dwellings in the neighbourhood and provides a consistent streetscape along Governors Road while providing one additional dwelling unit on the propoerty.

The proposed development has been designed with the existing topography and has been oriented to reduce the bulk and massing of the proposed ADU. Overall, the variances are appropriate for the development of an Detached – Additional Dwelling.

It is my professional opinion that the proposed variances are appropriate for the development of the subject lands.

4. Are the proposed variances minor in nature?

The proposed variances are minor in nature and represent good planning. The proposed variances maintain the intent of the Official Plan, and the Zoning by-law which will facilitate the development of an Additional Detached Dwelling unit which reflect the scale and character of the neighbourhood and the direction within the Rural Hamilton Official Plan.

There are no perceived impacts stemming from the variances as the built form is in keeping with the existing built form of the neighbourhood. Adequate separation and landscape treatment has been proposed to ensure a harmonious interface with adjacent land uses. Accordingly, it is my professional planning opinion that the variances are minor in nature.

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

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

Encl. William McCallum

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

July 9th, 2025

FOLDER: ALR
ATTENTION OF: Morgan Gowans
EMAIL: morgan.gowans@hamilton.ca

A.J. Clarke and Associates Ltd. - Chloe Andre
25 Main Street West, Suite 300
Hamilton, ON L8N 4J5

Attention:

Re: Applicable Law Review – Zoning By-law Compliance
Zoning: Agriculture (A1) & Conservation/Hazard Land – Rural Zone (P7) (P8)
Zoning By-law: Hamilton Zoning By-law No. 05-200
Address: 4869 Governors Road

An Applicable Law Review respecting zoning by-law compliance pursuant to application for minor variance has been completed and the following comments are provided.

COMMENTS:

1. The proposal is to construct a Additional Dwelling Unit – Detached on a lot with a existing single detached dwelling with a lot area of 93 aces (37.63 ha.).

2. The property is zoned Agriculture (A1) and the rear portion of the property is zoned Conservation/Hazard Land – Rural Zone (P7) (P8), the additional dwelling unit and existing single detached dwelling are within the A1 Zone of the property which are permitted.

3. Please note a basement is proposed as part of the Additional Dwelling Unit – detached and it is considered a basement because more then one half of its height from grade to ceiling is above grade therefore will count towards the Gross Floor Area of the Additional Dwelling Unit detached, please see the definition of Basement and Gross Floor Area below:

   Basement *- Shall mean that portion of a building which is partially below grade but which has more than one half of its height, from the floor to the underside of the finished ceiling located above grade.*

   Gross Floor Area *- Shall mean the aggregate horizontal area measured from the exterior faces of the exterior walls of all floors of a building (excluding any cellar or floor area having a ceiling height of 2.0 metres or less or devoted exclusively to parking) within all buildings on a lot but shall not include any area devoted to mechanical equipment.*

4. Please be advised that the Electric Vehicle Parking requirements under By-law 24-052, remain under appeal and are not covered under Section 1.12 of the “Transitional Provisions” of the Hamilton Zoning By-law 05-200. At present, a review of the Electric Parking requirements has not been included in the following zoning chart. If the remaining portions of By-law 24-052 become

final before issuance of a building permit, the Electric Vehicle Parking requirements may be applicable upon review for such building permit.

5. Please be advised that a portion of this property is within an area regulated by Grand River Conservation Authority. Please contact (519) 621-2761 or grca@grandriver.ca prior to any development.

6. All Yard Encroachments shall conform to Section 4.6 “Permitted Yard Encroachments” of the Hamilton Zoning By-law No. 05-200.

7. All mechanical and unitary equipment shall conform to Section 4.9 of the Hamilton Zoning By-law No. 05-200.

8. All new fences proposed for this development must comply with the regulations contained within the Fence By-law.

9. All new signs proposed for this development must comply with the regulations contained within the Sign By-law.

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

11. The proposed development has been reviewed and compared to the standards of the Additional Dwelling Unit regulations, as indicated in the following chart:

No alterations to the existing dwelling is proposed

Section 4.33			
Additional Dwelling Unit and Additional Dwelling Unit - Detached *Section 4.33 a)*	All the regulations of this By-law applicable to the principal dwelling shall continue to apply unless specifically provided in Section 4.33.	**Please note**	**Please note**
Section 4.33 b)	A Single Detached Dwelling, Duplex Dwelling, or Triplex Dwelling built in conformity with this By-law, may be converted to contain a fourth Additional Dwelling Unit.	N/A	**N/A**
Section 4.33 c)	Notwithstanding any applicable regulations of this By-law, no more than four Dwelling Units shall be permitted on a lot that contains an Additional Dwelling Unit and/or Additional Dwelling Unit – Detached. (By-law No. 24-051, April 10, 2024)	**N/A**	**N/A**
Additional Dwelling Unit - Detached in Agriculture (A1), Rural (A2) and Settlement Residential (S1) Zones **Section 4.33.4**			
Section 4.33.4 a)	For lands within an A1, A2, S1 Zone, a maximum of one Additional Dwelling Unit – Detached shall be permitted on a lot	On a lot with a existing single detached dwelling that has a 93 acre (37 ha.)	**Conforms**

	containing a Single Detached Dwelling having a minimum lot area of 1.5 hectares. i) Notwithstanding 4.33.4 a) above, an Additional Dwelling Unit – Detached shall not be permitted on lands identified in Figures 24.1 to 24.5 of Schedule "F" – Special Figures.	lot area	
Section 4.33.4 b)	In addition to Section 4.33.4 a), a legally established accessory building existing as of May 12, 2021, may be converted to the one Additional Dwelling Unit – Detached permitted on a lot containing an existing Single Detached Dwelling subject to the following provision: i) Any additions over 10% of the existing gross floor area of the legally established accessory building converted to an Additional Dwelling Unit – Detached shall be in accordance with the regulations of Section 4.33.4.	N/A new building proposed	**N/A**
Section 4.33.4 c)	All the regulations of the By-law applicable to the existing dwelling shall continue to apply unless specifically provided in Section 4.33.4.	Please note	**Please note**
Section 4.33.4 d)	An Additional Dwelling Unit – Detached shall only be permitted in a Rear and/or interior Side Yard.	Located on the front yard	**Non-conforming**
Section 4.33.4 e)	A minimum 1.2 metre setback shall be provided from the interior Side Lot Line and Rear Lot Line i)Notwithstanding Section 4.33.4 e), an eave or a gutter may extend a maximum of 0.45 metres into a required minimum setback area. ii)In addition to Section 4.33.4 e), a landscaped strip is required to be provided within the required side yard adjacent to an Additional Dwelling Unit – Detached and shall be limited to sod, ground cover, permeable pavers, or a planting strip, and may include a visual barrier.	53.2m from side lot line Greater then 1.2m from rear lot line Gutters are 0.3m projecting It appears the lands not shown for parking are to be sod and grass	**Conforms** **Conforms** **Conforms**
Section 4.33.4 f)	An Additional Dwelling Unit – Detached shall not be located closer to the flankage street than the principal dwelling.	N/A interior lot	**N/A**
Section 4.33.4 g)	An unobstructed path with a minimum 1.0 metre width and minimum 2.1 metre clearance in height from a street line to the entrance of the Additional Dwelling Unit – Detached shall be provided and maintained.	Unable to determine if there is a 1.0m unobstructed path from the street line	**Unable to determine compliance**
Section 4.33.4 h)	The following building separation shall be provided: i) Where an Additional Dwelling Unit – Detached is in the Rear Yard, a	i) N/A within interior side yard	**N/A**

	minimum distance of 7.5 metres shall be required between the rear wall of the principal dwelling and the Additional Dwelling Unit – Detached. ii) Where an Additional Dwelling Unit – Detached is in an Interior Side Yard, the following is required: A) A minimum distance of 4.0 metres shall be provided between the side wall of the principal dwelling and an Additional Dwelling Unit – Detached; and, B) An Additional Dwelling Unit – Detached shall be set back a minimum 5.0 metres from the front façade of the principal dwelling.	ii) A) 17.9m provided between the side wall of principal dwelling and ADU-D B) projects out 5.7m from the front façade of the principal dwelling	**Conforms** **Non-conforming**
Section 4.33.4 i)	A maximum height of 6.0 metres shall be permitted. i) Notwithstanding Section 4.33.4 i), balconies and rooftop patios shall be prohibited above the first floor level.	6.8m	**Non-conforming**
Section 4.33.4 j)	The maximum gross floor area shall not exceed the principal dwelling.	GFA of principal dwelling – 160 sq m GFA of ADU-D – 199 sq m	**Non-conforming**
Section 4.33.4 k)	Notwithstanding 4.33.4 g) above, the maximum combined lot coverage of all accessory buildings, Farm Labour Residence(s) and the Additional Dwelling Unit – Detached shall be 25%.	All accessory building including ADU-D is a total of 0.3% of the lot area	**Conforms**
Section 4.33.4 l)	The waste disposal and water supply systems shall be in accordance with Section 4.22 iii).	Applicant to note	**Applicant to note**
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	Please note	**Please note**
Exception for Existing Buildings in All Zones [as per section 5.1.1 (b) of Hamilton Zoning By-law 05-200]	Notwithstanding Section 5.7.1, for any use located in all or part of a building existing on the effective date of this By-law, no parking spaces are required, provided that the number of parking spaces which existed on the effective date of this By-law shall continue to be provided, except that:	Please note	**Please note**

	i) a use shall not be required to provide additional parking beyond that which is required by Section 5.7.1; and, ii) where an addition, alteration or expansion of an existing building is proposed, the parking requirements of Section 5.7.1 shall only apply to the increased gross floor area of the building.		
Rounding Calculations [as per section 5.1.1 (c) of Hamilton Zoning By-law 05-200]	i) Where the application of the parking standards in Section 5.7.1, 5.7.2, 5.7.4, and 5.7.5 results in a numeric fraction, fractions shall be rounded down to the nearest whole number. ii) Where the application of the minimum accessible parking standards in Section 5.7.3 results in a numeric fraction, fractions shall be rounded up to the nearest whole number. iii) Where the calculations in Sections 5.7.1, 5.7.2, 5.7.3, 5.7.4 or 5.7.5 apply to multiple uses, rounding shall only be applied to the sum of the requirements for all uses on the lot.	Please note	**Please note**
Required Parking to be Provided on Same Lot [as per section 5.1.1 (d) of Hamilton Zoning By-law 05-200]	All required parking spaces shall be located on the same lot as the use for which they are required, unless the parking spaces are provided on another lot in compliance with Section 5.6.1.	Required parking provided on the same lot	**Conforms**
Provision of Parking on a Lot Subject to Multiple Zones [as per section 5.1.1 (e) of Hamilton Zoning By-law 05-200]	Where more than one zone applies to a lot, parking spaces provided for any use on the lot may be located within any zone within the boundaries of the lot, except: i) where a portion of a lot is within one of the Open Space and Park Zones, no parking spaces may be located within such portion of the lot except parking spaces required for a permitted use located within such portion.	No parking spaces located within Open space zone	**Conforms**
Minimum Required Number of Electric Vehicle Parking Spaces [as per section 5.1.4 of Hamilton Zoning By-law 05-200]	<u>a) Minimum Required Number of Electric Vehicle Parking Spaces</u> 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; and, ii) Any eligible exception in this Section.	**PLEASE NOTE: The definition of Parking Space, Electric Vehicle is under appeal. The electric vehicle parking requirements of Section 5 that are not subject to a City-wide appeal shall be deemed to come into force and effect at the same time the definition of Parking Space, Electric Vehicle comes into force and effect.**	
	<u>b) Exception for the Agriculture (A1) Zone, Rural (A2) Zone, and any Open</u>		

	Space and Park Zone The minimum requirement for Electric Vehicle Parking Spaces shall not apply to any parking space located within one of the following Zones: i) Agriculture (A1) Zone; ii) Rural (A2) Zone; and, iii) Any Open Space and Park Zone.		
	c) Exception for Existing Buildings in All Zones Notwithstanding Section 5.7.4, for any use within any Zone, located in all or part of a building existing on the effective date of this By-law, no Electric Vehicle Parking Spaces are required, except that: i) where an addition or expansion of an existing building is proposed, the Electric Vehicle Parking requirements of Section 5.7.4 shall only apply to such addition or expansion.		
	d) Exception for Existing Parking Lots in All Zones Notwithstanding Section 5.7.4, for any Parking Lot or portion thereof within any Zone, existing on the effective date of this By-law, no Electric Vehicle Parking Spaces are required, except that: i) where an expansion or enlargement of such parking is proposed, the electric vehicle parking requirements of Section 5.7.4 shall only apply to such expansion or enlargement.		
	e) Regulations for Electric Vehicle Parking Spaces Electric Vehicle Parking Spaces shall be subject to the regulations in Section 5.6.7.		
5.2 FUNCTIONAL DESIGN REQUIREMENTS			
Minimum Parking Space Dimensions [as per section 5.2.1 of Hamilton Zoning By-law 05-200]	a) Minimum Parking Space Dimensions Unless permitted by another regulation in this By-law, parking space sizes shall be a minimum of 2.8 metres in width and 5.8 metres in length.	2.8m x 5.8m	**Conforms**
Drive Aisle Requirements [as per section 5.2.3 of Hamilton Zoning By-law 05-200]	a) Minimum Drive Aisle Width The drive aisle abutting any parking space shall be designed and provided in accordance with the following minimum width requirements Parking Angle | One-Way and Two-	6.0m drive aisle provided behind parking spaces	**Conforms**

	Degree	Way Aisle Width		
	0º	3.7m		
	15º	3.7m		
	30º	3.7m		
	45º	4.5m		
	60º	5.5m		
	75º	6.0m		
	90º	6.0m		
Access Requirements [as per section 5.2.4 of Hamilton Zoning By-law 05-200]	a) Access Design Requirements Access to all parking shall: i) be arranged so as to not interfere with normal public use of the street or laneway; ii) be provided by means of an access driveway: 1. located on the lot; or, 2. located partly on the lot in the case of a mutual driveway; or, 3. by means of a Right-of-Way; and, iii) in the case of a Parking Lot, provide ingress and egress of vehicles to and from a street in a forward motion only.		i) does not interfere with the normal public use of the street ii) provided by means of driveway located on the lot iii) N/A not a parking lot	**Conforms** **Conforms** **Conforms**
	b) Minimum Access Driveway Width The width of any driveway providing access to a parking space shall be a minimum of 2.7 metres		Existing driveway access	**Existing Condition**
5.3 LOCATIONAL, LANDSCAPING AND SURFACE MATERIAL REQUIRMENTS				
Parking Facility Surface Material Requirements [as per section 5.3.4 of Hamilton Zoning By-law 05-200]	a) Parking Spaces, Driveways and Widening(s) in All Zones Parking spaces, driveways and widening(s) in all zones shall be provided and maintained with stable surfaces such as asphalt, concrete or other hardsurfaced material, crushed stone, permeable pavers or gravel, and shall be maintained in a dust free condition. i) Notwithstanding Section 5.3.4 a), on a lot containing a residential use in a Residential Zone, any parking provided beyond that which is required by Section 5.7.1 of this By-law shall be maintained		Gravel driveway existing	**Existing Condition**

	with permeable material and shall not be deemed landscaped area in the calculation of total landscaped area on a lot. ii) Notwithstanding Section 5.3.4 a), in the Industrial Zones, where crushed stone or gravel is provided, the access driveway shall be designed such that a minimum of 10.0 metres extending from the streetline shall be constructed and maintained with asphalt, concrete or other hard surfaced material, and shall be maintained in a dust free condition.		
	c) Parking Lots in the Rural Zones Parking lots in the Rural Zones shall be designed and maintained with stable surfaces such as asphalt, concrete or other hard-surfaced material, crushed stone, permeable pavers, or gravel, except that: i) Where crushed stone or gravel is provided, the access driveway shall be designed such that a minimum of 10.0 metres extending from the streetline shall be constructed and maintained with asphalt, concrete or other hard surfaced material, and shall be maintained in a dust free condition.	Gravel driveway access existing	**Existing Condition**
5.6 GENERAL PARKING REGULATIONS			
Electric Vehicle Parking Space Regulations [as per section 5.6.7 of Hamilton Zoning By-law 05-200]	a) Permission for Chargers to Encroach Within Required Landscaping Features and Planting Strips Notwithstanding any other Section of this By-law, except Section 5.6.7 b) below, a charging device associated with an Electric Vehicle Parking Space, including any such space required by Section 5.1.4, may be located within any of the following required features and will not constitute a reduction of that feature's provision: i) Planting Strip; ii) Landscape Strip; iii) Landscaped Area; and, iv) Landscaped Parking Island.	**PLEASE NOTE: The definition of Parking Space, Electric Vehicle is under appeal. The electric vehicle parking requirements of Section 5 that are not subject to a City-wide appeal shall be deemed to come into force and effect at the same time the definition of Parking Space, Electric Vehicle comes into force and effect.**	
	b) Restrictions for Chargers Encroaching Within Required Landscaping Features and Planting Strips Despite Section 5.6.7 a) above, the permission to encroach within the noted features shall not apply to any of the following: i) A transformer or mechanical		

	enclosure other than a charging device; or, ii) A charging device with a hard-surfaced base exceeding an area of 1.0 square metres.		
	c) Permission for Chargers to Encroach Within any Required Yard Notwithstanding any other Section of this By-law, a charging device associated with an Electric Vehicle Parking Space may be located within any required yard, except that any such charging device may not be located: i) less than 0.6 metres from any lot line; or, ii) within a visibility triangle.		
5.7 PARKING SCHEDULES			
Minimum Required Parking Rate Schedule [as per section 5.7.1 of Hamilton Zoning By-law 05-200]	a) Minimum Required Parking Rate Schedule Parking spaces shall be provided in the minimum quantity specified in Column 2 hereunder for each use listed in Column 1: Single Detached Dwelling – 1 per unit Additional Dwelling Unit – 1 per unit	1 parking spaces provided for the principal dwelling 1 parking space provided for the additional dwelling unit detached	**Conforms**

Yours truly

Morgan Gowans

for the Manager of Zoning and Committee of Adjustment

Hamilton

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

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

APPLICATION FOR A MINOR VARIANCE/PERMISSION

UNDER SECTION 45 OF THE *PLANNING ACT*

1. APPLICANT INFORMATION

	NAME	MAILING ADDRESS
Registered Owners(s)	Richard Charles Brooks	[redacted]
Applicant(s)	William McCallum	
Agent or Solicitor	A.J. Clarke and Associates Ltd.	

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	4869 Governors Road		
Assessment Roll Number	251830111008000		
Former Municipality	FLAMBOROUGH		
Lot		Concession	1
Registered Plan Number		Lot(s)	
Reference Plan Number (s)		Part(s)	PT LT 4& 5

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

☐ Yes ☑ No

If YES, describe the easement or covenant and its effect:

3. PURPOSE OF THE APPLICATION

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

All dimensions in the application form are to be provided in metric units (millimetres, metres, hectares, etc.)

3.1 Nature and extent of relief applied for:

Minor Variance to permit the development of a detached ADU. Please see cover 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?

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
+/- 220 m	+/- 1495m	37 ha	+/- 30 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
Single Detached Dwelling	+/- 35m	+/- 960m	+/- 24.7 m , 75m	estimated 1850's

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Detached ADU	+/- 23.94m	+/- 970m	+/- 53.2m, 58.8m	to be determined

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 Detached Dwelling	+/- 90.4 sq m	+/- 160 sqm	2	+/- 10.5m

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Detached ADU	+/- 101 sqm	+/- 199 sqm	1	6.8m

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)

Minor Variance Application				
Section 4.2	Front Yard Setback	Rear Yard Setback	Side Yard Setbck	Date of Construction
Existing -Agricultural Building 1	±27.46 m	±1465m	±104 m, ±14.5m	2003
Existing -Agricultural Building 2	±93m	±1462m	±60m, ±141m	2002
Existing -Agricultural Building 3	±88m	±1429m	±105m , ±109m	Unknown - between 1916 - 2003
Existing -Agricultural Building 4	±88m	±1429m	±93m, ±120m	Unknown - between 1916 - 2003
Existing -Agricultural Building 5	±109m	±1409m	±89m, ±106m	1916
Existing -Agricultural Building 6	±113m	±1384m	±59m , ±149m	2003
Existing -Agricultural Building 7	±159m	±1359m	±75m, ±105m	1951
Existing -Agricultural Building 8	±161m	±1359m	±106m, ±128m	Unknown - between 1916 - 2003

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.):
Detached - Additional Dwelling Unit

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

7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:
1999

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

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

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

Rural Settlement Area: N/A

Urban Hamilton Official Plan designation (if applicable) _____

Please provide an explanation of how the application conforms with the Official Plan.
Please see attached cover letter. Conforms with policies 3.1.2 e)

7.6 What is the existing zoning of the subject land? Agriculture (A1)

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: Agriculture (A1)

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):

Please see attached Cover letter, Site Plan, Architectural Drawings and Zoning Compliance Review.

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-25:156**	**SUBJECT PROPERTY:**	18 Pleasant Avenue, Ancaster
ZONE:	R1 (Low Density Residential)	**ZONING BY-LAW:**	Hamilton Zoning By-law 05-200

APPLICANTS: Owner: Gary Van Es, Sarah Van Es, Joshua Van Es
Applicant: Gary Van Es and Sarah Van Es

The following variances are requested:

1. A maximum gross floor area of 117.2 square metres shall permitted for and Additional Dwelling unit- Detached instead of the maximum permitted 75 square metre gross floor area.

2. A maximum Additional Dwelling unit- Detached ground floor area of 48.3 square metres shall be permitted instead of the maximum 70% of the ground floor area of the principal dwelling permitted.

PURPOSE & EFFECT: To facilitate the establishment of a new Additional Dwelling Unit – Detached.

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:	**Thursday, September 4, 2025**
TIME:	**2:30 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

A-25:156

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 September 2, 2025

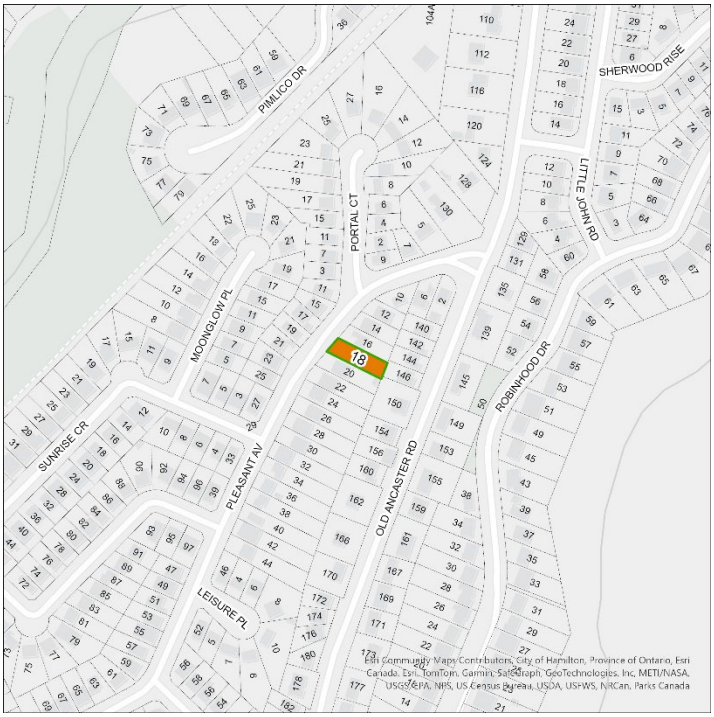
Orally: If you would like to speak to this item at the hearing you may do so via video link, calling in, or attending in person. Please see attached page for complete instructions, registration to participate virtually must be received no later than noon September 3, 2025

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding A-25:156, 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-25:156



Subject Lands

DATED: August 18, 2025

_____

Justin Leung,
Secretary-Treasurer
Committee of Adjustment

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

Hamilton

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

PARTICIPATING PROCEDURES

1. Written Submission Ahead of the Meeting

Members of the public who wish to provide input without speaking at the Hearing may submit written comments in advance of the meeting. Comments must be received by 12:00 p.m. (noon) on the deadline date for written comment submissions listed on the Notice of Public Hearing.

How to Submit Written Comments:

By Email:
Send to: cofa@hamilton.ca

By Mail:
Committee of Adjustment
City of Hamilton
71 Main Street West, 5th Floor
Hamilton, Ontario
L8P 4Y5

All written comments received will be made available to the Committee and the public by the Tuesday prior to the Hearing.

2. Oral Submissions During the Hearing

Interested members of the public, agents, and owners may provide oral comments on Committee of Adjustment Hearing items either virtually via Webex (computer or phone) or by attending in person.

Speaking Time Limit:
All participants providing oral submissions, either in person or virtually are limited to a maximum of 5 minutes to speak. This is to ensure all parties have an equal opportunity to be heard and that the meeting runs efficiently.

3. In-Person Oral Submissions

To participate in person, attend Council Chambers on the date and time listed in the Notice of Public Hearing. You will be required to provide your name and address for the record. It is recommended you arrive at least 10 minutes prior to the scheduled start time.

4. Virtual Oral Submissions

To participate virtually, you must register by 12:00 p.m. (noon) on the virtual oral submissions registration deadline date. This is listed on the Notice of Public Hearing.

- Committee of Adjustment file number
- Hearing date
- Name and mailing address of each person wishing to speak
- Method of participation (phone or video), and, if applicable, the phone number to be used
- Each person must register separately

Registered participants will receive a Webex link one business day before the Hearing. Only those registered will be called upon to speak.

5. Presentations

All presentations are permitted at the discretion of the Committee.

Virtual Presentations:
Presenters participating virtually may be granted permission to share their screen during the Hearing. A copy of the presentation must be submitted to cofa@hamilton.ca **by 12:00 p.m. (noon) on the business day prior to the Hearing.** The submission must be one document in PDF format only.

In-Person Presentations:
Presenters attending in person may be granted permission to use the presentation screen. Presentations must be brought on a USB device and opened by the owner/applicant. A copy of the presentation must also be sent to cofa@hamilton.ca **by 12:00 p.m. (noon) on the business day prior to the Hearing.** The submission must be one document in PDF format only. Handouts are permitted only if the same content can be displayed on the presentation screen.

6. Additional Notes

- Webex (video) participation requires a compatible computer or smartphone. The necessary application must be downloaded in advance.
- It is the interested party's responsibility to ensure their device is functional and compatible prior to the Hearing.

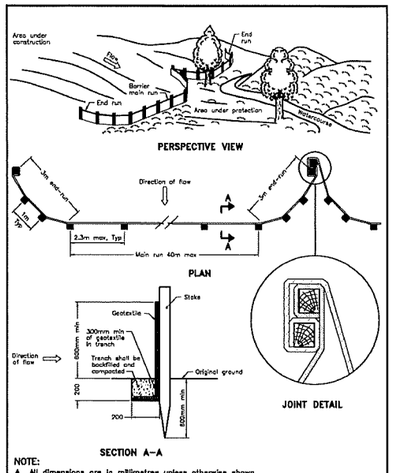
For any questions, contact staff at cofa@hamilton.ca or call 905-546-2424 ext. 4221.

CITY OF HAMILTON ZONING BY-LAW 05-200
ZONING REGULATION - R1

ZONE	REQUIRED	PROVIDED
LOT WIDTH (@ 6.0m)	12.0 m (min)	15.72 m
LOT AREA	360.0 sq.m. (min)	791.3 sq.m.
FRONT YARD	4.0 m (min)	12.52 m
REAR YARD	7.5 m (min)	30.42 m
SIDE YARD	1.2 m (min) (EAST)	3.46 m
	1.2 m (min) (WEST)	1.91 m
BUILDING AREA	48.3 sq.m. (max)	69.1 sq.m. (EXISTING DWELLING)
		48.3 sq.m. (PROPOSED ADU)
		117.4 sq.m. (TOTAL AREA)
LOT COVERAGE	45.0% (max)	14.8%
BUILDING HEIGHT	10.5 m (max)	EXISTING
GROSS FLOOR AREA		112.7 sq.m.
LANDSCAPE AREA	30.0% (min)	±86.8%
LANDSCAPE AREA-FRONT YARD	50.0% (min)	±57.9%
ADDITIONAL DWELLING UNIT-DETACHED		
REAR YARD	1.2 m (min)	8.25 m
SIDE YARD	1.2 m (min) (EAST)	2.52 m
	1.2 m (min) (WEST)	4.81 m
MAIN DWELLING	4.0 m (min)	16.09 m
BUILDING HEIGHT	6.0 m (max)	8.00 m
GROSS FLOOR AREA	75.0 sq.m. (max)	* 117.2 sq.m.

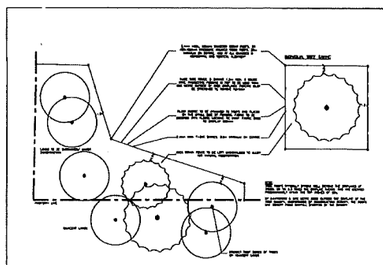
PROPOSED WALKOUT AND ADDITIONAL DWELLING UNIT

* VARIANCE MAY BE REQUIRED

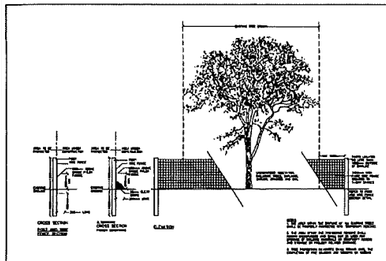


NOTE:
A All dimensions are in millimetres unless otherwise shown.

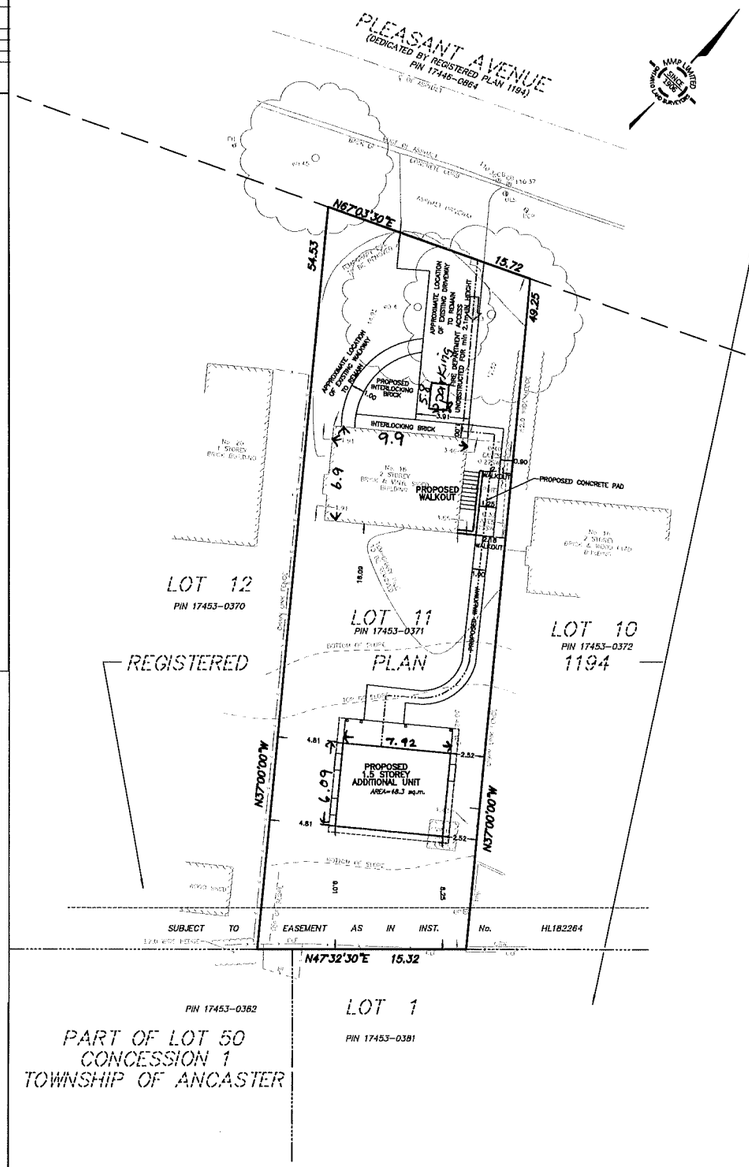
ONTARIO PROVINCIAL STANDARD DRAWING	Nov 2015	Rev 2
LIGHT-DUTY SILT FENCE BARRIER		OPSD 219.110



Hamilton GUIDELINES — SITE PLAN — October — TEMPORARY TREE PROTECTION FENCING (PLAN VIEW, NTS)



Hamilton GUIDELINES — SITE PLAN — October 2003 — TEMPORARY TREE PROTECTION FENCING (POST SECTION AND ELEVATION, NTS)

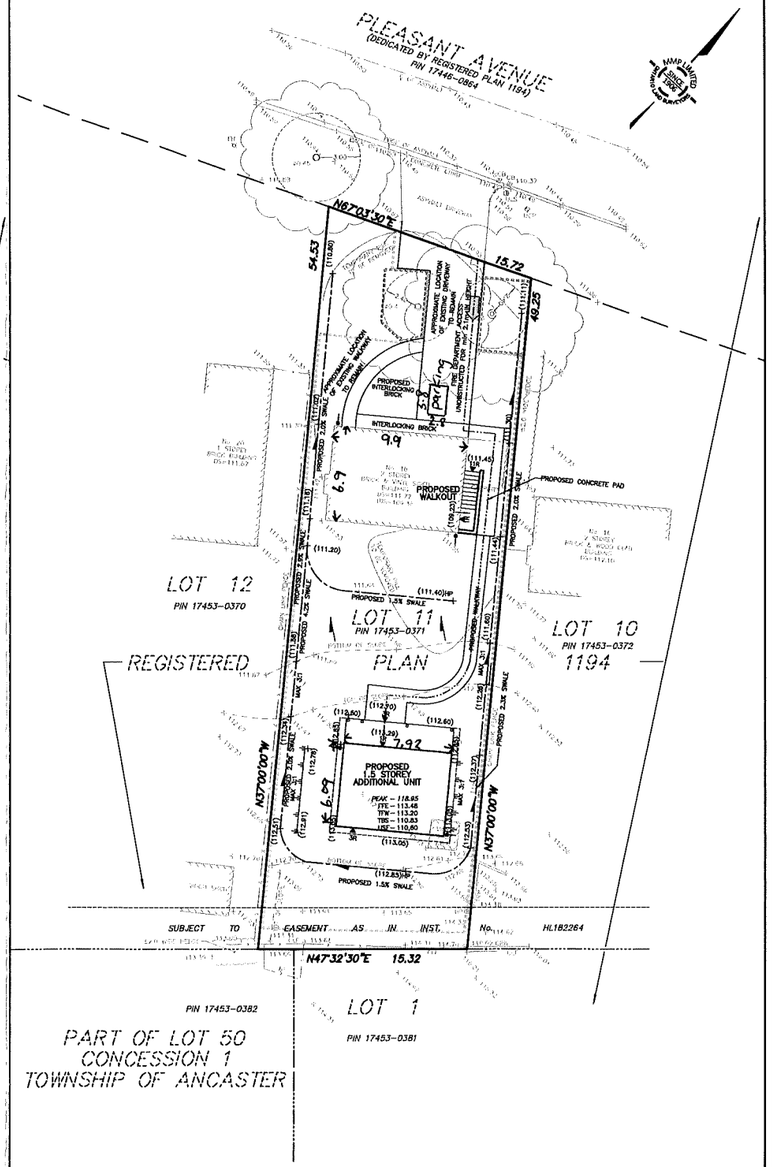


SITE PLAN
SCALE 1:200

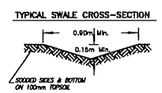
Tree Protection Zone Chart

Trunk Diameter	Protection Distance (minimum required)
< 10 cm	1.8 m
11 - 40 cm	2.4 m
41 - 50 cm	3.0 m
51 - 60 cm	3.6 m
61 - 70 cm	4.2 m
71 - 80 cm	4.8 m
81 - 90 cm	5.4 m
91 - 100 cm	6.0 m

AVERAGE GRADE				
POINT No.	BEGIN ELEV (e1)	END ELEV (e2)	LENGTH (L)	FACTORED LENGTH (e1 + e2)/2 x L
A – B	112.85	112.85	7.82	883.77
B – C	112.85	113.05	6.10	686.00
C – D	113.05	113.05	7.82	883.36
D – A	113.05	112.85	6.10	686.00
TOTAL			28.04	3167.13
AVERAGE GRADE	TOTAL FACTOR LENGTH/TOTAL LENGTH			112.93

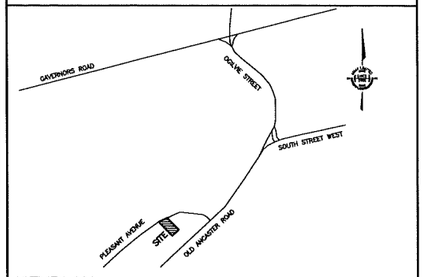


TYPICAL SWALE CROSS-SECTION



GRADING PLAN
SCALE 1:200

18 PLEASANT AVENUE
SITE & GRADING PLAN FOR BUILDING PERMIT



KEYPLAN — NOT TO SCALE

GEOGRAPHIC LOCATION NOTE
LOT 11
REGISTERED PLAN 1194
IN THE
CITY OF HAMILTON

SCALE 1 : 200
0 5 10 20 metres

MacKAY, MacKAY & PETERS LIMITED - ONTARIO LAND SURVEYORS
© 2025

METRIC DISTANCES SHOWN HEREON ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048 | COLOUR THE ORIGINAL SIGNED PRINT OF THIS SITE PLAN CONTAINS COLOUR

BENCHMARK NOTE
BENCHMARK No. 07720020092
ELEVATION = 112.877 METRES (CGVD28:78 ADJUSTMENT)

LOCATED IN DUNDAS AT THE SOUTHEAST CORNER OF MERCER STREET & JOYA PLACE, 7 METRES SOUTH OF CENTRELINE OF MERCER STREET AND 9 METRES EAST OF CENTRELINE OF JOYA PLACE, 0.5 METRES SOUTHEAST OF CURB AND 10 METRES FROM THE MOST NORTHWESTERLY CORNER OF HOUSE No. 18 MERCER STREET

LEGEND

FFE	DENOTES FINISHED FLOOR ELEVATION	MH	DENOTES MANHOLE
TFW	DENOTES TOP OF FOUNDATION WALL	CB	DENOTES CATCH BASIN
TBS	DENOTES TOP OF BASEMENT SLAB	FH	DENOTES FIRE HYDRANT
USF	DENOTES UNDERSIDE OF FOOTING	ULS	DENOTES UTILITY LIGHT STANDARD
S	DENOTES SUMP PUMP	UCP	DENOTES UTILITY CABLE PEDESTAL
R	DENOTES RISER	BP	DENOTES BELL PEDESTAL
DS	DENOTES DOOR SILL	CRW	DENOTES CONCRETE RETAINING WALL
HP	DENOTES HIGH POINT	TRW	DENOTES FLAG POLE
FP	DENOTES FLAG POLE	ADU	DENOTES ADDITIONAL DWELLING UNIT
T.B.R.	DENOTES TO BE REMOVED		DENOTES SILT FENCE
	DENOTES DOWNSPOUT		DENOTES TREE PROTECTION ZONE
	DENOTES DIRECTION OF DRAINAGE		DENOTES TREE PROTECTION BARRIER
XXX.XX	DENOTES EXISTING ELEVATIONS		DENOTES FIRE DEPARTMENT ACCESS 42.8 m LONG
(XXX.XX)	DENOTES PROPOSED ELEVATIONS		
PIN	DENOTES PROPERTY IDENTIFICATION NUMBER		
	DENOTES DECIDUOUS TREE SCALED TO CANOPY, TRUNK SIZE SHOWN IN METRES		

NOTES
- PROPOSED TIES SHOWN HEREON ARE TO FOUNDATION ONLY
- BUILDING DIMENSIONS WERE TAKEN FROM PLANS SUPPLIED BY THE CLIENT
- ELEVATIONS ARE GEODETIC AND ARE REFERRED TO THE BENCHMARK NOTED ABOVE
- LOT GRADING SHALL MATCH WITH THE EXISTING DRAINAGE PATTERNS
- BUILDER TO VERIFY ALL EXISTING GRADES PRIOR TO CONSTRUCTION INCLUDING ROAD AND LOT LINE GRADES
- SUMP PUMP AND DOWNSPOUTS TO DRAIN TO PERMEABLE SURFACE VIA SPLASH PADS
- ALL UNDERGROUND SERVICES MUST BE LOCATED BY CONTRACTOR PRIOR TO ANY CONSTRUCTION
- CONTRACTOR MUST CHECK AND VERIFY ALL DIMENSIONS AND JOB CONDITIONS BEFORE PROCEEDING WITH WORK
- BOUNDARY DIMENSIONS ARE AS SHOWN ON SURVEYOR'S REAL PROPERTY REPORT BY MMP LIMITED DATED MAY 9, 2025
- PROPOSED BUILDING IS POSITIONED BY CALCULATION, NOT BY AN ACTUAL SURVEY
- THIS PROPOSED PLAN IS PRELIMINARY UNTIL THE APPROPRIATE BUILDING DEPARTMENT'S SIGNED APPROVAL HAS BEEN OBTAINED
- ANY AMENDMENT OR ALTERATION OF THIS PLAN MUST BE REPORTED TO MMP LIMITED PRIOR TO LAYOUT OF BUILDING IN THE FIELD
- UTILITIES AND SERVICES SHOWN ON THIS SKETCH ARE APPROXIMATE AND MUST BE VERIFIED BEFORE CONSTRUCTION
- ALL UTILITIES TO BE COORDINATED ON SITE DURING CONSTRUCTION. THE INSTALLATION OF UTILITIES SHALL NOT DISRUPT TREE PROTECTION ZONES. THE BUILDER SHALL COORDINATE INSTALLATION WITH INDIVIDUAL UTILITY PROVIDERS ACCORDINGLY
- NO NEW SERVICE CONNECTIONS ARE PROPOSED

CAUTION
- THIS IS NOT ORIGINAL COPY UNLESS EMBOSSED
- THIS PRODUCT SHALL NOT BE USED EXCEPT FOR THE PURPOSES INDICATED IN TITLE BLOCK
- THIS PRODUCT IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED FOR TRANSACTION OR MORTGAGE PURPOSES
- THIS PRODUCT IS PROTECTED BY COPYRIGHT INCLUDING ALL RELATED DIGITAL PRODUCTS

CERTIFICATION NOTE
BOUNDARY DIMENSIONS SHOWN HEREON ARE DERIVED FROM LAND REGISTRY OFFICE RECORDS AND SURVEY RECORDS OF MMP LIMITED

WE HAVE REVIEWED THE PLANS FOR CONSTRUCTION OF A WALKOUT & ADU LOCATED AT 18 PLEASANT AVENUE AND CERTIFY THAT THE GRADING SHOWN HEREON IS COMPATIBLE WITH THE ADJACENT PROPERTIES AND EXISTING MUNICIPAL SERVICES

PROPOSED BUILDING SETBACKS AS SHOWN

PROPOSED LOT COVERAGE AS SHOWN

PROPOSED BUILDING SITE STATISTICS AS SHOWN

JULY 9, 2025
DATE

AISAR BHERI, OLS, P.Eng.
FOR: MACKAY, MACKAY & PETERS LIMITED

No.	DATE	REVISIONS
3	JUNE 19, 2025	REVISED AS PER CITY COMMENTS
2	MAY 22, 2025	REVISED AS PER CITY COMMENTS
1	MAY 13, 2025	SITE PLAN COMPLETED

ASSOCIATION OF ONTARIO LAND SURVEYORS — AISAR BHERI — 2020

MMP
MacKay, MacKay & Peters Limited
LAND SURVEYORS & MAPPERS
SINCE 1906

3380 South Service Road
Unit 101
Burlington, ON
L7N 3J5
(905) 639-1375

halton@mmplimited.com
mmplimited.com

E:\(62) Hamilton-Wentworth\Registered Plans\RP1184\LOT 11\25-054\SP\25-054-SP.dwg

DRAWN BY:	CHECKED BY:	PROJECT No.	DWG. No.
A.S.	A.B.	25-054-SP	1

GENERAL NOTES

THESE DOCUMENTS ARE NOT TO BE SCALED. THE DESIGN AND DOCUMENTS REMAIN THE PROPERTY OF "THE BUILDING PERMIT GUY" AND ARE PROTECTED BY LAW. THEY MAY NOT BE ALTERED, ISSUES, OR REPRODUCED IN ANY WAY WITHOUT THE WRITTEN CONSENT OF THE DESIGNER AND "TBPG" ALL DOCUMENTS ARE TO BE USED FO RHTE CONSTRUCTION PROPOSED. ONLY SIGNED SEALED AND STAMPED DOCUMENTS ARE TO BE USED FOR THE CONSTRUCTION PROPOSED. ANY DEVIATIONS FROM THESE PLANS AND DETAILS WILL REQUIRE REVISED DRAWINGS AND CLEARANCE BY THE BUILDING DEPARTMENT. CONTRACTOR TO SITE VERIFY ANY AND ALL DETAILS AND DIMENSIONS AND REPORT ANY AND ALL DISCREPANCIES TO THE DESIGNER BEFORE COMMENCING WITH THAT RELATED PORTION OF THE WORK.

CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL PERMITS AND FOR MAKING ARRANGEMENTS FOR ALL REQUIRED INSPECTIONS. ALL CONSTRUCTION & MATERIALS SHALL CONFORM TO THE LATEST EDITION OF THE ONTARIO BUILDING CODE. ANY CHANGES TO DESIGN OR USE OF OTHER BUILDING MATERIALS SHALL BE APPROVED BY THE DESIGNER AND/OR APPROVED BY THE ENGINEER IF REQUIRED. IF DURING THE COURSE OF THE WORK UNKNOWN CONDITIONS ARE DISCOVERED WHICH WOULD NOT BE REASOABLY ASSUMES TO HAVE BEEN PRESENT OR ANTICIPATED, THE CONTRACTOR SHALL NOTIFY THE DESIGNER.

ALL DIMENSIONS ARE IMPERIAL, UNLESS OTHERWISE NOTED.

EXCAVATION AND BACKFILL

· EXCAVATION SHALL BE UNDERTAKEN IN SUCH A MANNER SO AS TO PREVENT DAMAGE TO EXISTING STRUCTURES, ADJACENT PROPERTY AND UTILITIES.
· THE TOPSOIL AND ANY ORGANIC MATTER IN UNEXCAVATED AREAS UNDER A BUILDINGSHALL BE REMOVED. THE BOTTOM OF ECAVATIONS FOR FOUNDATIONS SHALL BE FREE OF ALL ORGANIC MATERIAL.
· IF TERMITES ARE KNOWN TO EXIST, ALL STUMPS, ROOTS AND WOOD DEBRIS SHALL BE REMOVED TO A MINIMUM OF DEPTH OF 11 3/4" IN EXCAVATED AREAS UNDER A BUILDING, AND THE CLEARANCE BETWEEN UNTREATED STRUCTURAL WOOD ELEMENTS AND THE GROUND SHALL BE NO LESS THAN 18"
· BACKFILL WITHIN 24" OF THE FOUNDATION WALLS SHALL BE FREE OF DEBRIS AND BOULDERS OVER 10" IN DIAMETER.

FOOTINGS

· ALL FOOTINGS TO BEAR ON NATIVE UNDISTURBED SOIL AND BE A MIN. OF 4'-0" BELOW FINISHED GRADE.
· SOIL BEARING CAPACITY TO BE A MIN. OF 3000 PSF

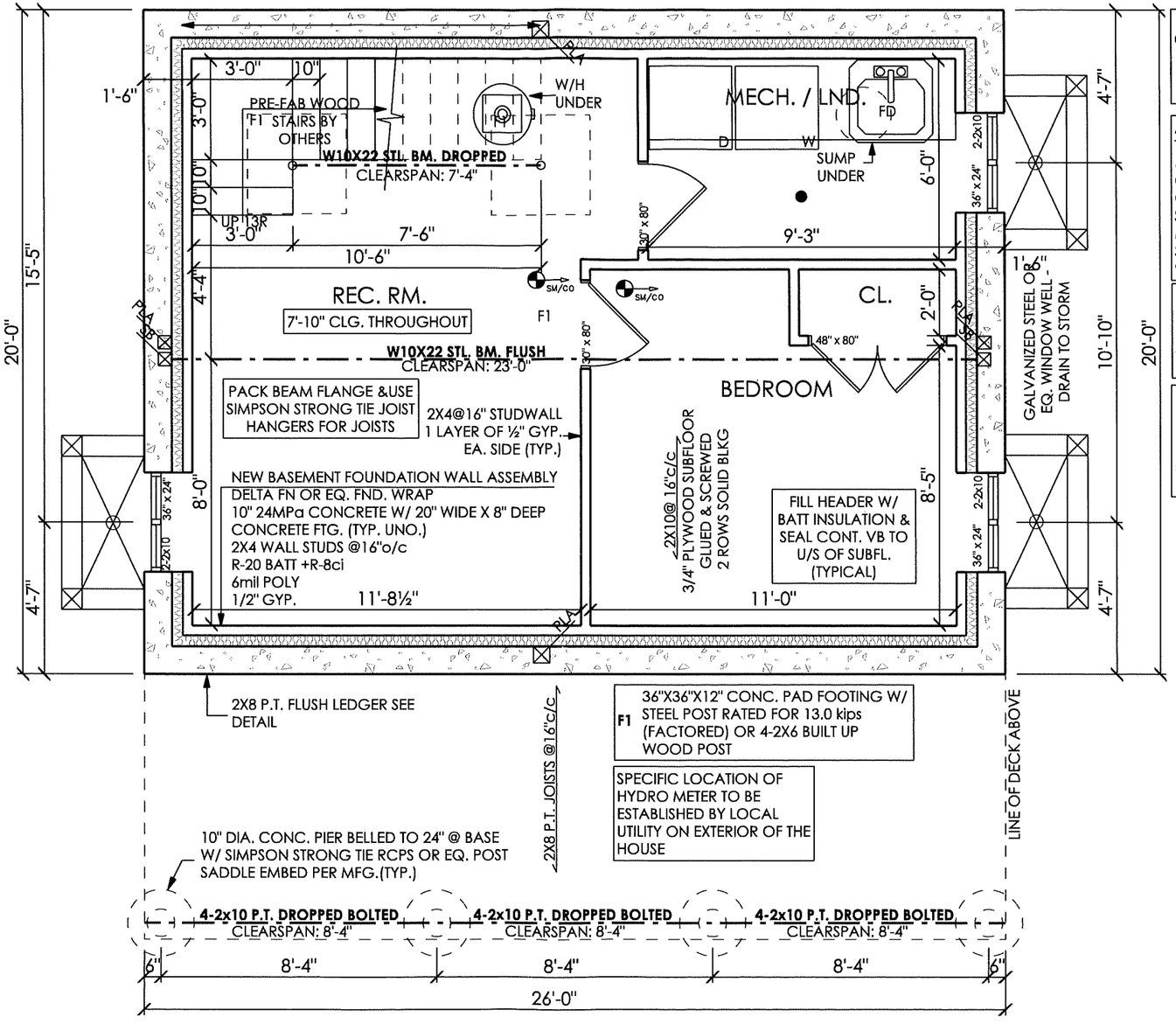
STANDARD FOOTINGS

· MINIMUM 20"X6" CONTINUOUS KEYED POURED CONCRETE FOOTING, UNLESS NOTED OTHERWISE.
· MINIMUM 4'-0" BELOW FINISHED GRADE IN ACCORDANCE WITH O.B.C. TABLE 9.12.2.2 MINIMUM BEARING CAPACITY OF 1570 PSF
· THE PROJECTION OF AN UNREINFORCED FOOTING BEYOND THE WALL SUPPORTED SHALL BE GREATER OR EQUAL THAN ITS THICKNESS.

FOUNDATION WALLS

· TO BE POURED CONCRETE OR UNIT MASONRY (REFER TO DRAWINGS FOR TYPE AND THICKNESS)
· DAMPPROOFING SHALL BE A HEAVY COAT OF BITUMINOUS MATERIAL.
· FOUNDATION WALL TO EXTEND MINIMUM 6" ABOVE FINISHED GRADE.
· A DRAINAGE LAYER IS REQUIRED ON THE OUTSIDE OF A FOUNDATION WALL WHERE THE INTERIOR INSULATION EXTENDS MORE THAN 2'-11" BELOW EXTERIOR GRADE. A DRAINAGE LAYER SHALL CONSIST OF:
1. MIN. 3/4" MINERAL FIBER INSULATION WITH MIN. DENSITY OF 3.6 LB/FT2 OR
2. MIN. 4" OF FREE DRAINAGE GRANULARMATERIAL OR
3. AN APPROVED SYSTEM WHICH PROVIDES EQUIVALENT PERFORMANCE.
· FOUNDATION WALLS SHALL BE BRACED OR HAVE THE FLOOR JOISTS INSTALLED BEFORE BACKFILLING.
· SILL PLATES SHALL BE PROVIDED WHERE FLOORS/WALLS DIRECTLY BEAR ON THE FOUNDATION WALLS.
· SILL PLATES SHALL BE CONTINUOUS 2X4 OR 2X6 WOOD (REFER TO DRAWINGS) MOUNTED ON A CONTINUOUS SILL GASKET C/W 1/2" □Ø ANCHOR BOLTS, 12" LONG, EMBEDDED A MIN. OF 4" INTO THE CONCRETE @ 7'-10" O/C AND BE DESIGNED TO PREVENT TIGHTENING WITHOUT WITHDRAWING THEM FROM THE FOUNDATION

LATERALLY UNSUPPORTED FND. WALL @ STAIRS
15M BARS @16"c/c EA. WAY W/ 1¼" CLEAR COVER FROM INSIDE OF WALL. EXTEND BARS MIN. 32" PAST STAIR OPENING. PROVIDE 24"X24" 10M HOOKED DOWELS c/c VERTICALLY LAPPED & TIED TO HORIZONTAL BARS @ THE CORNER. PROVIDE (3) ½"dia. OBC ANCHOR BOLTS @16"c/c JUST PAST THE STAIR OPENING



BASEMENT FLOOR PLAN
SCALE: 1/4" = 1'-0"

GROSS FLOOR AREA
BASEMENT: 520sf
MAIN FLOOR: 488.5sf
SECOND FLOOR: 253f

ALL ELECTICAL PANELS & COMPONENTS TO COMPLY WITH OBC. 9.34. & SPECIFIC REQUIREMENTS OF THE LOCAL UTILITY SUPPLIER

ALL WOOD FRAMING MEMBERS THAT ARE NOT PRESSURE TREATED & WHICH ARE SUPPORTED ON CONC. IN CONTACT WITH GROUND OR FILL SHALL BE SEPARATED FROM THE CONC. BY MIN. 5mil POLYETHYLENE OR TYPE S ROLL ROOFING AS PER OBC. 9.23.2.3.(1) & (2)

FOUNDATION DRAINAGE LAYER TO COMPLY WITH ONT. REG. 350/06 AND SUBSECTION 9.14.2. AND 9.14.4.

TYPICAL BASEMENT FLOOR :
-3" CONCRETE SLAB c/w 6mil POLY VAPOR BARRIER
-5" GRANULAR FILL

CONCRETE FLOOR SLABS

· BASEMENT SLABS TO BE 3" THICK 20 MPS POURED CONCRETE WITH DAMPPROOFING (REFER TO SECTIONS) ON 6" COURSE CLEAN GRANULAR MATERIAL.
· ALL FILL OHTER THAN COURSE CLEAN MATERIAL PLACED BENEATH CONCRETE SLABS SHALL BE COMPACTED TO PROVIDE UNIFORM SUPPORT.

TBPG
DRAFTING & DESIGN
220 BROAD STREET EAST
DUNNVILLE, ON. N1A 1G2
289.308.6442
INFO@THEBUILDINGPERMITGUY.CA

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

QUALIFICATION INFORMATION REQUIRED UNLESS THE DESIGN IS EXPEMT UNDER DIV. C. 3.2.5.1. OF THE 2012 ONTARIO BUILDING CODE.

JOHN BARNHART — 41773

THE BUILDING PERMIT GUY — 103362

FIRM NAME — BCIN

VAN ES
DETACHED ADU
18 PLEASANT AVENUE, DUNDAS, ON.

DRAWN BY: J. BARNHART

A-1

THE BUILDING PERMIT GUY DRAFTING & DESIGN

GENERAL NOTES CONT...

DAMPPROOFING AND DRAINAGE

· IN NORMAL SOIL CONDITIONS, THE EXTERIOR SURFACES OF FOUNDATION WALLS ENCLOSING BASEMENTS AND CRAWLSPACES SHALL BE DAMPPROOFED. WHERE HYDROSTATIC PRESSURE OCCOURS, A WATERPROOFING SYSTEM IS REQUIRED.
· MASONRY FOUNDATION WALLS SHALL BE PARGED WITH 1/4" OF MORTAR COVERED OVER THE FOOTING PRIOR TO DAMPPROOFING.
· 4" Ø PERFORATED WEEPING TILE WRAPPED WITH FILTER SOCK IN ACCORDANCE WITH O.B.C. 9.14.3. FOUNDATION DRAINS SHALL BE LAID ON LEVEL, UNDISTURBED GROUND ADJACENT TO THE FOOTINGS AT OR BELOW THE TOP OF THE BASEMENT SLAB OR CRAWLSPACE FLOOR AND SHALL BE COVERED WITH 6" OF CRUSHED STONE
· FOUNDATION DRAINS SHALL FRAIN TO A STORM SEWER, DRAINAGE DITCH, DRY WELL OR SUMP.
· WINDOW WELLS SHALL BE DRAINED TO THE FOOTING
· DOWNSPOUTS NOT DIRECTLY CONNECTED TO A STORM SEWER SHALL HAVE EXTENSIONS TO CARRY WATER AWAY FROM THE BUILDING AND PROVISIONS SHALL BE MADE TO PREVENT SOIL EROSION.
· CONCRETE SLABS IN ATTACHED GARAGES SHALL BE SLOPED TO DRAN TO EXTERIOR.
· THE BUILDING SITE SHALL BE GRADED SO THAT SURGACE, SUMP AND ROOF DRAINAGE WILL NOT ACCUMULATE AT OR NEAR THE BUILDING AND WILL NOT ADVERSELY AFFECT ADJACENT PROPERTIES.

SOIL GAS CONTROL

· WHERE METHANE OR RADON GASES ARE KNOWN TO BE PRESENT, A SOIL GAS BARRIER SHALL BE INSTALLED AT WALLS, FLOORS AND ROOFS IN CONCTACT WITH THE GROUND ACCORDING TO SUPPLEMENTARY STANDARDS SB-9.

INSULATION/VENTILATION & WEATHERPROOFING

· INSULATION SHALL BE PROTECTED WITH GYPSUM BOARD OR AN EQUIVALENT INTERIOR FINISH, EXCEPT FOR UNFINISHED BASEMENTS WHERE 6mil POLY IS SUFFICIENT FOR FIBERGLASS TYPE INSULATIONS.
· DUCTS PASSING THROUGH UNHEATED SPACE SHALL BE MADE AIRTIGHT WITH TAPE AND SEALANT.
· CAULKING SHALL BE PROVIDED FOR ALL EXTERIOR DOORS AND ACCESS HATCHES TO THE EXTERIOR, EXCEPT DOORS FROM A GARAGE TO THE EXTERIOR.
· WEATHER STRIPPING SHALL BE PROVIDED ON ALL DOORS AND ACCESS HATCHES TO THE EXTERIOR, EXCEPT DOORS FROM A GARAGE TO THE EXTERIOR.
· EXTERIOR WALLS, CEILINGS AND FLOORS SHALL BE CONSTRUCTED SO AS TO PROVIDE A CONTINUOUS BARRIER TO THE PASSAGE OF WATER VAPOUR FROM THE INTERIOR AND TO THE LEAKAGE OF AIR FROM THE EXTERIOR.

NATURAL VENTILATION

· EVERY ROOF SPACE ABOVE AN INSULATED CEILING SHALL BE VENTILATED WITH UNOBSTRUCTED OPENINGS EQUAL TO AND/OR NOT LESS THAN 1/300 OF INSULATED AREA.
· INSULATED ROOF SPACES NOT INCORPORATING AN ATTIC SHALL BE VENTILATED WITH NOT LESS THAN 1/250 OF UNSULATED AREA.
· ROOF VENTS SHALL BE UNIFORMLY DISTRIBUTED AND DESIGNED TO PREVENT THE ENTRY OF RAIN, SNOW OR INSECTS.
· UNHEATED CRAWL SPACES SHALL BE PROVIDED WITH 1.1 ft2 OF VENTILATION FOR EACH 538 ft2

MECHANICAL VENTILATION

· PROVIDE MECHANICAL VENTILATION SYSTEMS PER O.B.C. 9.32.
· EXHAUST FANS TO CONFORM TO PART 6 O.B.C.
· SUPPLEMENTAL EXHAUST SHALL BE INSTALLED SO THAT THE TOTAL CAPACITY OF ALL KITCHEN, BATHROOM AND OTHER EXHAUSTS, LESS THE PRINCIPAL EXHAUST, IS NOT LESS THAN THE TOTAL REQUIRED CAPACITY.
· ALL EXHAUST FANS SHALL BE DIRECTLY VENTED TO THE OUTDOORS.
· A HEAT RECOVERY VENTILATOR MAY BE EMPLOYED IN LIEU OF EXHAUST TO PROVIDE VENTILATION. AN HRV IS REQUIRED IF ANY SOLID FUEL BURNING APPLIANCES ARE INSTALLED.
· SUPPLEMENTARY AIR INTAKES SHALL BE LOCATED SO AS TO AVOID CONTIMINATION FROM EXHAUST OUTLETS.

STRUCTURAL

TRUSSES AND LVL

SUPPLIERS OF ALL LVL MEMBERS TO PROVIDE ENGINEERED SHOP DRAWINGS.

POINT LOADS

POINT LOADS IN WALLS DUE TO GIRDER TRUSSES OR BEAM ENDS TO HAVE TRIPLE STUDS WHICH ARE TO BE CARRIED DOWN TO THE FOUNDATION.

STUD WALL REINFORCEMENT

· PROVIDE STUD WALL REINFORCEMENT IN MAIN BATHROOM CONFORMING TO O.B.C. 9.5.2.3.

BEAMS & COLUMNS

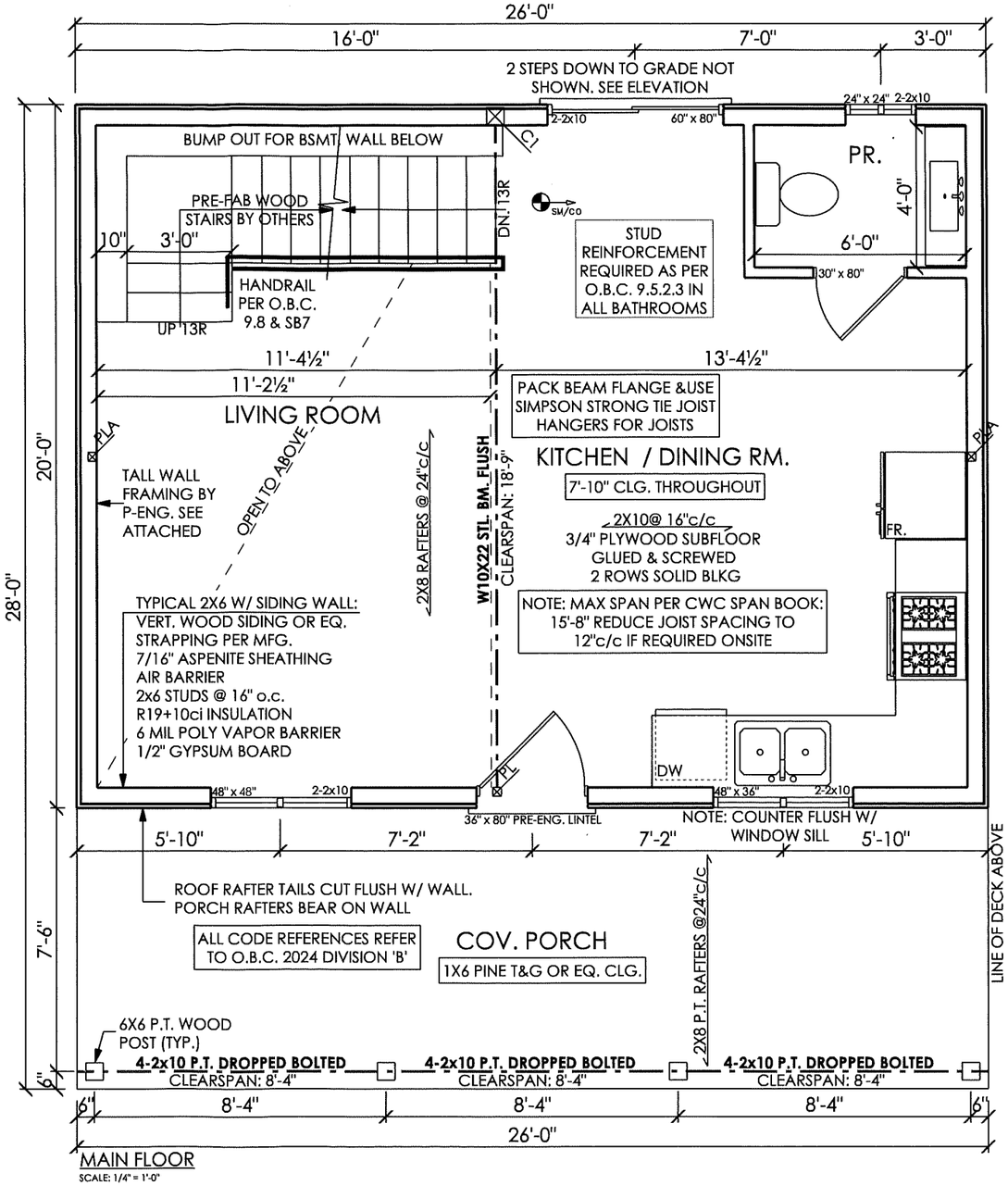
· ALL LUMBER AND WOOD PRODUCTS SHALL CONFORM TO 9.3.2.
· BUILT UP WOOD COLUMNS SHALL CONFORM WITH 9.17.4.2.(2). ALL MEMBERS SHALL BE SO FRAMED, ANCHORED, FASTENED, TIED AND BRACED SO AS TO PROVIDE THE NECESSARY STRENGTH AND RIGIDITY.
· COLUMNS SHALL BE SECURELY FASTENED TO BEAMS TO PREVENT LATERAL MOVEMENT. ANCHORAGE OF EXTERIOR COLUMNS AND POSTS SHALL CONFORM WITH O.B.C. 9.23.6.2
· PROVIDE ADEQUATE LEVEL BEARING FOR ALL BEAMS AT THE END SUPPORTS PER O.B.C. 9.23.8.1.

STAIRS

ALL INTERIOR AND EXTERIOR STAIRS TO CONFORM WITH O.B.C. 9.8.2.
· MIN STAIR WIDTH TO BE 2'-10" PER O.B.C. 9.8.2.1.(2).
· ALL STAIRS TO BE UNIFORM IN RISE AND RUN
· MIN. RISE = 4 7/8" MAX RISE = 7 7/8"
· MIN. RUN = 10" MAX RUN = 14"

CONCRETE

ALL CONCRETE TO HAVE ULTIMATE COMPRESSIVE STRENGTH @ 28 DAYS OF:
· 20 MPA FOR FOOTINGS AND WALLS
· 25 MPA FOR BASEMENT FLOORS
32 MPA FOR GARAGE FLOORS AND ALL EXTERIOR CONCRETE WITH 5%-8% AIR ENTRAINMENT.



MAIN FLOOR
SCALE: 1/4" = 1'-0"

GUARDS

· ALL HANDRAILS AND GUARDS TO BE INSTALLED PER O.B.C. SB-1 HANDRAILS PER O.B.C. 9.8.7.
· HANDRAILS SHALL BE NOT LESS THAN 34" AND NOT MORE THAN 38" IN HEIGHT.
· IF STAIRS ARE OPEN ON BOTH SIDES OF STAIRS, GUARDS ARE REQUIRED ON ONE SIDE. IF STAIR WIDTH EXCEEDS 43" RAILINGS ARE REQUIRED ON BOTH SIDES IN ADDITION TO GUARDS.
· STAIRS WITH WALLS ON BOTH SIDES REQUIRE A HANDRAIL ON ONE SIDE, IF THE STAIR WIDTH EXCEEDS 3'-7" RAILINGS ARE REQUIRED ON BOTH SIDES OF THE STAIRS.
· EXTERIOR GUARDS AS PER O.B.C. 9.8.8.1.
· MIN. RAILING HEIGHT TO BE 36" IF DECK HEIGHT IS LESS THAN 5'-11" ABOVE GRADE.
· MIN. RAILING HEIGHT TO BE 42" IF DECK HEIGHT IS MORE THAN 5'-11" ABOVE GRADE.
· NO GUARD REQUIRED FOR DECKS LESS THAN 24" ABOVE GRADE.

2025-01-03

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JOHN BARNHART 41773

THE BUILDING PERMIT GUY 103362
FIRM NAME BCIN

VAN ES

DETACHED ADU

18 PLEASANT AVENUE, DUNDAS, ON.

DRAWN BY: J. BARNHART

A-2

THE BUILDING PERMIT GUY DRAFTING & DESIGN

GENERAL NOTES CONT...

DOORS & WINDOWS

· EVERY FLOOR LEVEL CONTAINING A BEDROOM AND NOT SERVED BY AN EXTERIOR DOOR SHALL CONTAIN AT LEAST 1 WINDOW HAVING AN UNOBSTRUCTED OPEN AREA OF 3.8 ft2 WITH NO DIMENSION LESS THN 15" AND IS OPENABLE WITHOUT THE USE OF TOOLS OR SPECIALIZED KNOWLEDGE.
· EXTERIOR HOUSE DOORS AND WINDOWS WITHIN 6'-7" FROM GRADE SHALL BE CONSTRUCTED TO RESIST ENTRY. DOORS SHALL HAVE A DEADBOLT LOCK.
· THE PRINCIPAL ENTRY DOOR SHALL HAVE A DOOR VIEWER, TRANSPARENT GLAZING OR A SIDELIGHT.

SMOKE ALARMS & DETECTORS

· SHALL BE INSTALLED ON ANY STOREY OF A DWELLING UNIT THAT CONTAINS SLEEPING ROOMS PER O.B.C. 9.10.19.3.
· IN EACH SLEEPING ROOM.
· IN A LOCATION BETWEEN THE SLEEPING ROOMS AND THE REMAINDER OF THE STOREY, AND IF THE SLEEPING ROOMS ARE SERVED BY A HALLWAY, THE SMOKE ALARM SHALL BE LOCATED IN THE HALLWAY.
· ALL SMOKE ALARMS ARE TO BE INTERCONNECTED AND PROVIDED WITH 7 DAYS OF BATTERY BACKUP PER O.B.C. 9.10.19.
· CO DETECTOR SHALL BE INSTALLED AS PER O.B.C. 9.33.4.2. WHICH STATES: UNITS SHALL BE INSTALLED ON OR NEAR THE CEILING ON EACH FLOOR AND BASEMENT LEVEL 2'-11" OR MORE ABOVE AN ADJACENT LEVEL.

BASEMENT WINDOWS

PROVIDE WEEPING TILE AT ALL WINDOWS PER O.B.C.
ALL BASEMENT BEDROOMS SHALL HAVE A WINDOW CONFORMING TO O.B.C. 9.9.10.1
· IS OPENABLE WITHOUT THE USE OF TOOLS OR SPECIALIZED KNOWLEDGE
· PROVIDES AND INDIVIDUAL, UNOBSTRUCTED OPEN PORTION HAVING A MIN. AREA OF 3.78 ft2 WITH NO DIMENSION LESS THAN 15"
· WINDOW SILL HEIGHT TO BE A MAX. 39" ABOVE THE FLOOR
· WINDOW WELLS MAY BE REQUIRED DUE TO FINAL GRADE. CONFIRM WITH BUILDER. WINDOW WELLS MUST CONFORM WITH O.B.C. 9.14.6.3.
· PROVIDE WEEPING TILE IN ALL WINDOW WELLS AND FILL WITH A MIN. OF 6" CRUSHED CLEAR STONE.

ELECTRICAL

· ELECTRICAL OUTLET BOX SHALL BE INSTALLED IN THE GARAGE OR CARPORT OR ADJACENT TO THE DRIVEWAY AND TO BE PROVIDED WITH A MIN:
· 200 AMP PANEL BOARD
· CONDUIT NOT LESS THAN 27mm TRADE SIZE AND IS EQUIPPED WITH A MEANS TO ALLOW CABLES TO BE PULLED INTO THE CONDUIT, AND
· A SQUARE 4 11/16" TRADE SIZE ELECTRICAL OUTLET BOX.

LIGHTING / ELECTRICAL

LIGHTING

· CONFIRM ALL PLACEMENT OF OUTLETS, SWITCHES AND LIGHT FIXTURES WITH HOME OWNER PRIOR TO INSTALLATION.
· PROVIDE AN EXTERIOR LIGHT AT ALL EXITS.
· AN EXTERIOR LIGHT CONTROLLED BY AN INTERIOR SWITCH IS REQUIRED AT EVERY ENTRANCE AS PER O.B.C. 9.34.2.1.
· A LIGHT CONTROLLED BY A SWITCH IS REQUIRED IN EVERY KITCHEN, BEDROOM, LIVING ROOM, UTILITY ROOM, LAUNDRY ROOM, DINING ROOM, BATHROOM, VESTIBULE, HALLWAY, GARAGE AND CARPORT. A SWITCHED RECPTICLE MAY BE PROVIDED INSTEAD OF A LIGHT IN BEDROOMS AND LIVING ROOMS.
· STAIRS SHALL BE LIGHTED. AND EXCEPT WHERE SERVING AN UNFINISHED BASEMENT SHALL BE CONTROLLED BY A 3 WAY SWITCH AT THE HEAD AND FOOT OF THE STAIRS.
· BASEMENTS REQUIRE A LIGHT FOR EACH 323 ft2, CONTROLLED BY A SWITCH AT THE HEAD OF THE STAIRS.
· EVERY STAIR WAY GREATER THAN 4 RISERS IN A DWELLING UNIT SHALL BE LIGHTED AND CONTROLLED WITH A 3 WAY SWITCH PER O.B.C. 9.34.2.3.

PLUMBING NOTES

· ALL PLUMBING TO BE COMPLETED AS PER O.B.C. 9.31. AND PART 7.
· ALL THERMOSTATICALLY CONTROLLED MIXING VALVES SHALL BE PROVIDED FOR ALL FAUCETS OR WATER HEATER SOURCE.
· PRESSURE BALANCED OR THERMOSTATICALLY CONTROLLED MIXING VALVES SHALL BE PROVIDED FOR ALL SHOWER UNITS PER O.B.C. 7.6.5.2.
· A FLOOR DRAIN SHALL BE INSTALLED IN THE BASEMENT, AND CONNECTED TO TEH SANITARY SEWER WHERE GRAVITY DRAINAGE IS POSSIBLE. IN OTHER CASES IT SHALL CONNECT TO A STORM DRAINAGE SYSTEM, DITCH OR DRY WELL.

DRAIN WATER HEAT RECOVERY UNITS

A DRAIN WATER HEAT RECOVERY UNT SHALL BE INSTALLED IN EACH DWELLING UNIT TO RECEIVE DRAIN WATER FROM ALL SHOWERS OR FROM AT LEAST 2 SHOWERS WHERE THERE ARE 2 OR MORE SHOWERS IN THE DWELLING UNIT PER O.B.C. SB-12.3.1.1.12.
· DWHR UNITS NEED NOT BE INSTALLED IN AREAS WHERE THERE IN NO CRAWLSPACE ACCESS BENEATH ANY OF THE SHOWERS AND/OR WHERE SHOWERS ARE INSTALLED ON CONCRETE SLABS.
· DWHR UNITS SHALL BE INSTALLED IN AN UPRIGHT POSITION AND NOT DIVERGE MORE THAN 5 DEG. FROM VERTICAL AND IN A CONDITIONED SPACE OR ON THE WARM SIDE OF THE DEWPOINT OF THE WALL ASSEMBLY

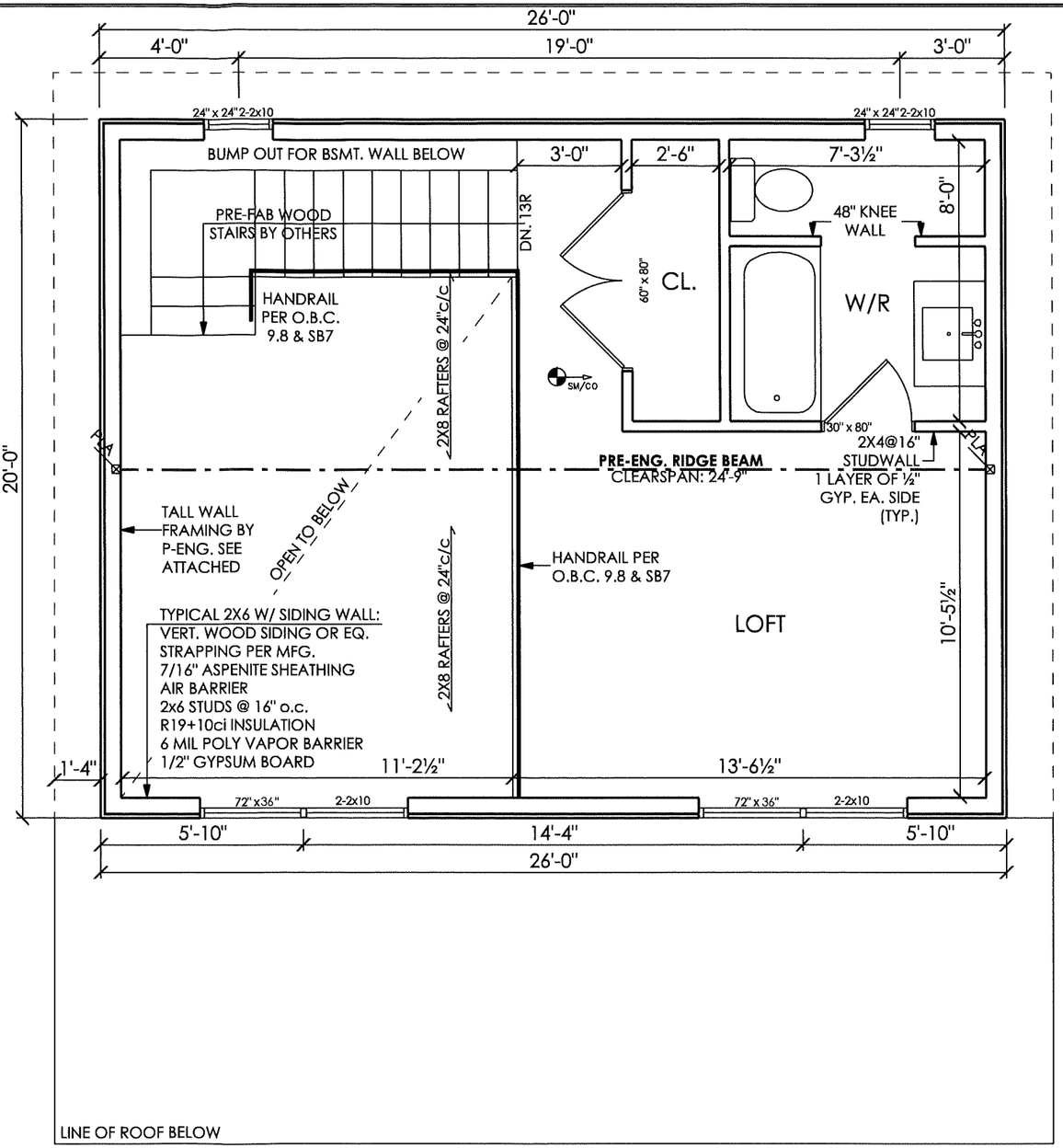
ZONE 1 SB-12 COMPLIANCE PACKAGE C1 PER O.B.C. TABLE 3.1.1.2.C(IP)

CI - CONTINUOUS INSULATION
IN THE CASE OF BASEMENT WALL ASSEMBLIES, WHERE R-20 IS REQUIRED, R-20 + 8cI IS PERMITTED TO BE USED OR VICE VERSA

- **CEILING WITH ATTIC SPACE - MIN. R-60+HH**
- **CEILING WITHOUT ATTIC SPACE - MIN. R-31**
- **EXPOSED FLOOR - MIN. R-31**
- **WALLS ABOVE GRADE - MIN. R-19+10cI**
- **BASEMENT WALLS - MIN. R-20+8cI OR R-20CI**
- **HEATED SLAB OR SLAB <600mm BELOW GRADE - MIN. R-10**
- **WINDOWS & SLIDING GLASS DOORS - MAX. 0.25U 25 ENERGY RATING**

SKYLIGHTS - MAX. 0.49U

- **HRV EFFICIENCY - MIN. 81% SRE**



2ND FLOOR PLAN
SCALE: 1/4" = 1'-0"

SW GROUND

ADU ZONING INFO

~~GROSS~~ FLOOR AREA: 520sf (48.30sm)
MAX GFA PERMITTED: 520.6sf (48.37m)
EXISTING DWELLING GFA: 743.7sf 69.9% (69.1sm)
MAX % OF EX. DWELLING PERMITTED: 70% (520.6sf)
BUILDING HEIGHT:5.9m
MAX HEIGHT PERMITTED: 6m

SETBACK INFO PROVIDED BY SURVEYOR
MIN. 1.2m REAR & SIDE
7.5m BETWEEN PRIMARY DWELLING & ADU
MAX. ADU LOT COVERAGE: 25%

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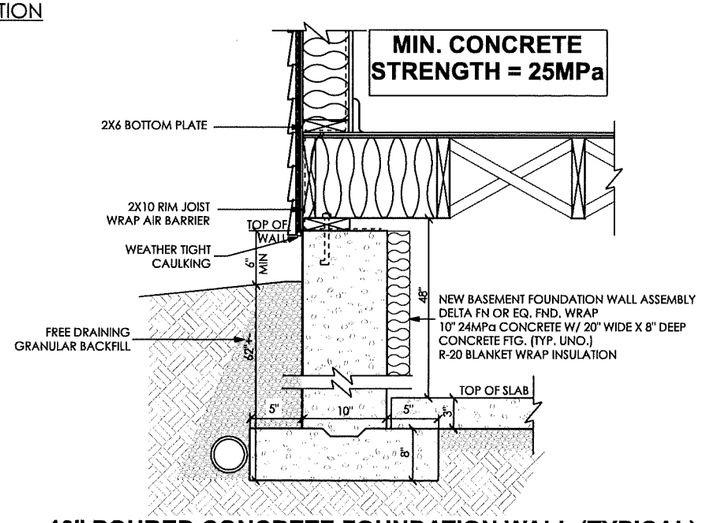
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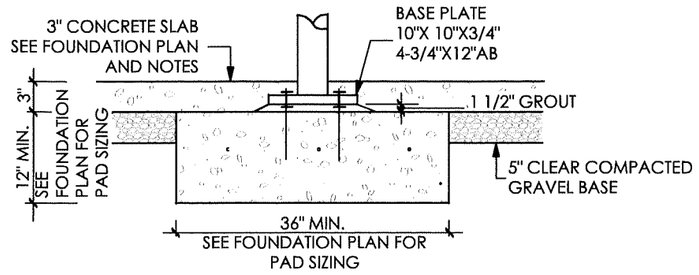
THE BUILDING PERMIT GUY DRAFTING & DESIGN



FRONT ELEVATION



10" POURED CONCRETE FOUNDATION WALL (TYPICAL)



Typical Steel Col. Anchorage Detail

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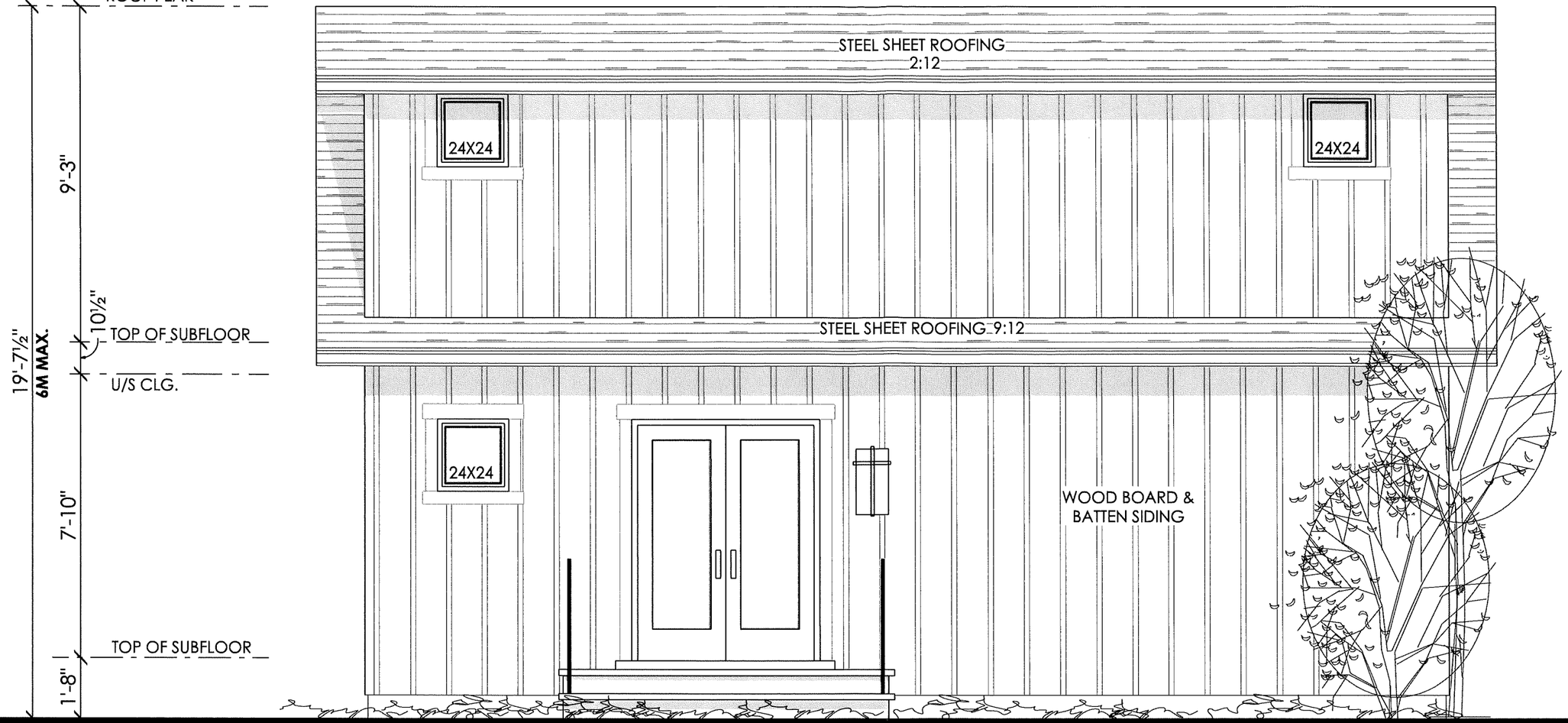
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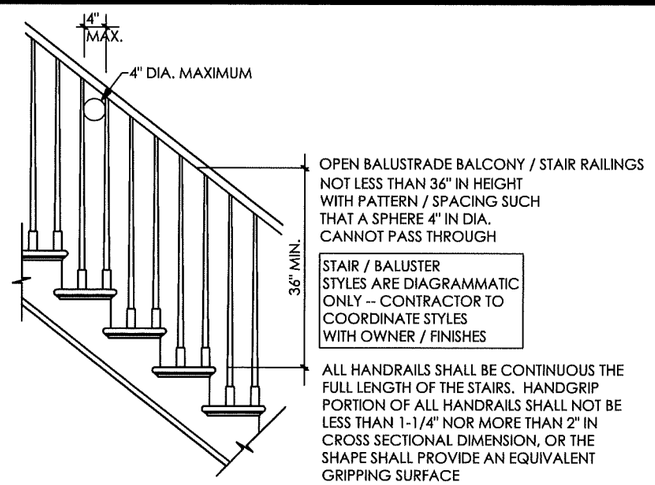
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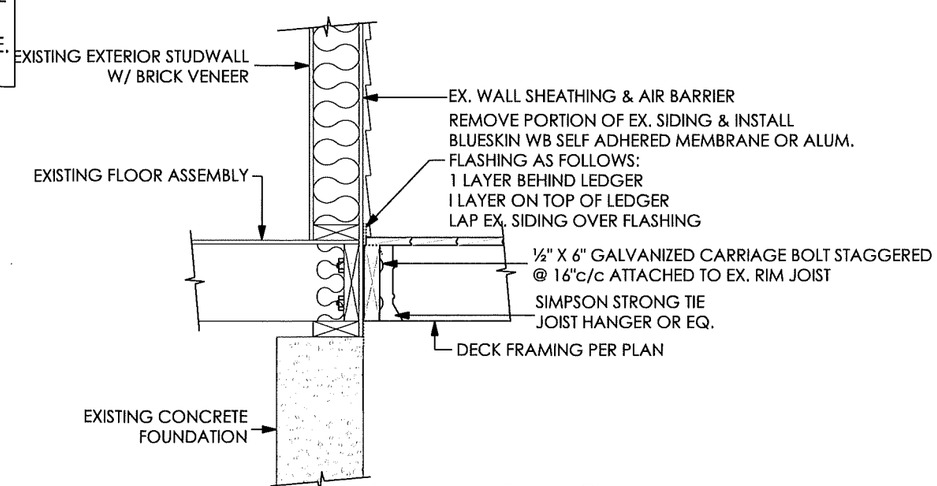


REAR ELEVATION

GALVANIZED STEEL WINDOW WELL
(NOT SHOWN FOR CLARITY)
CONNECT DRAIN TO WEEPING TILE.
(TYP.)



Interior Stair Railing



Flush Ledger Siding

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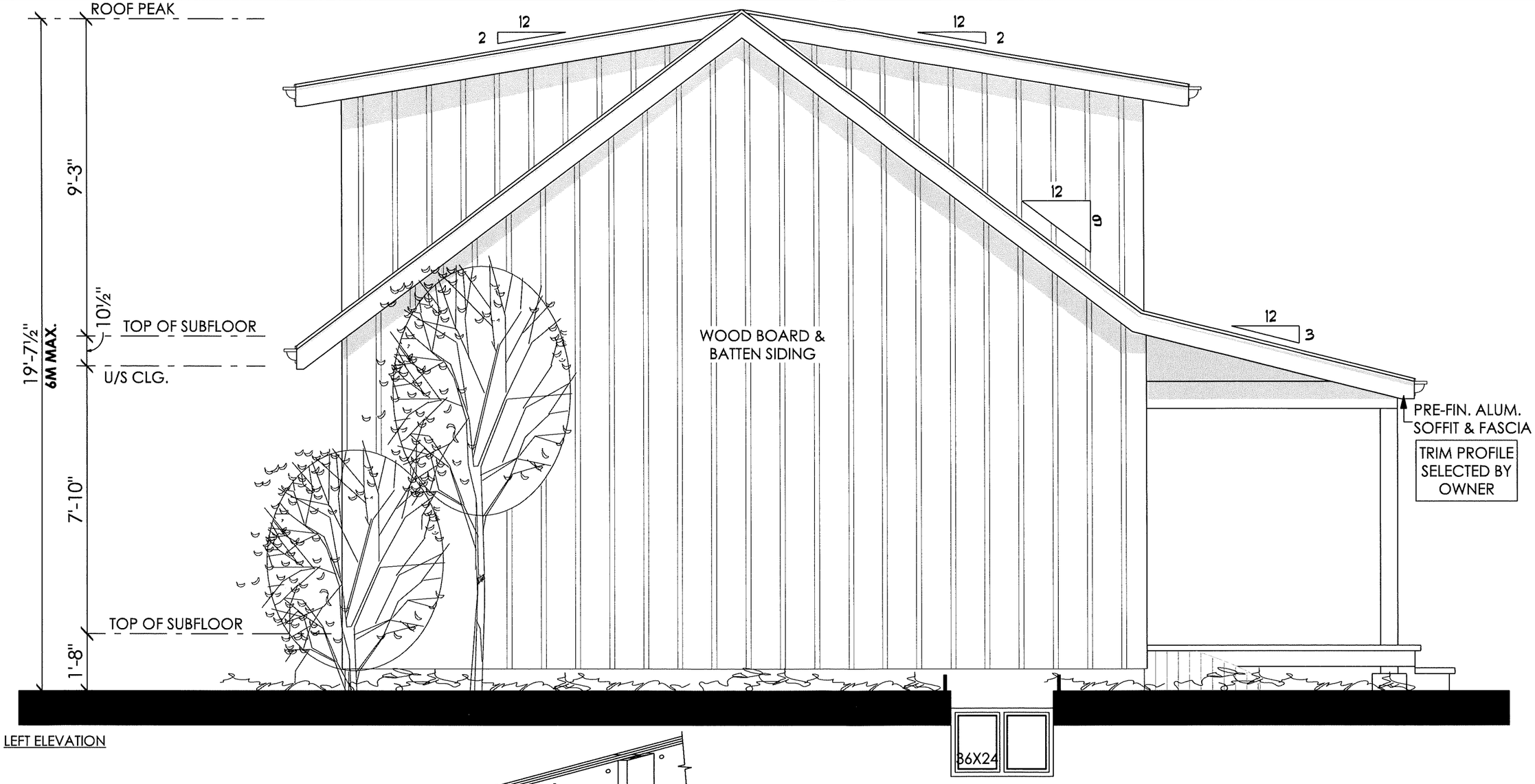
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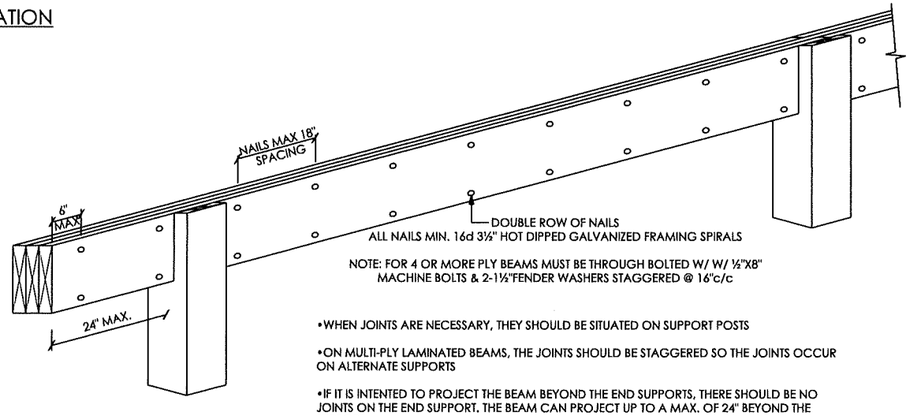
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A-5

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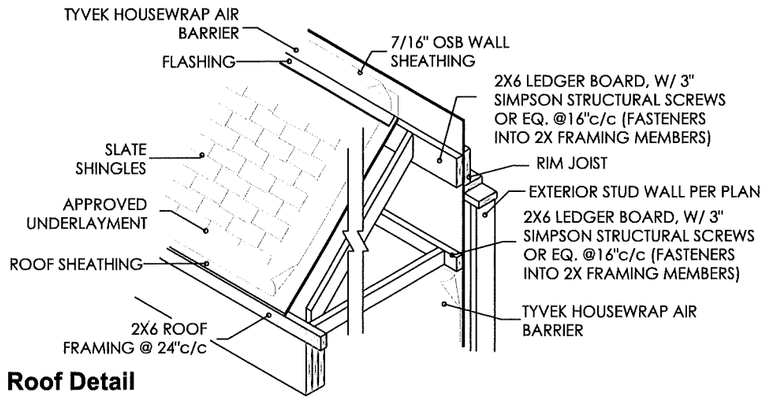
LEFT ELEVATION



NOTE: FOR 4 OR MORE PLY BEAMS MUST BE THROUGH BOLTED W/ W/ ½"X8" MACHINE BOLTS & 2-1½"FENDER WASHERS STAGGERED @ 16"c/c

Beam Nailing Detail

- WHEN JOINTS ARE NECESSARY, THEY SHOULD BE SITUATED ON SUPPORT POSTS
- ON MULTI-PLY LAMINATED BEAMS, THE JOINTS SHOULD BE STAGGERED SO THE JOINTS OCCUR ON ALTERNATE SUPPORTS
- IF IT IS INTENTED TO PROJECT THE BEAM BEYOND THE END SUPPORTS, THERE SHOULD BE NO JOINTS ON THE END SUPPORT. THE BEAM CAN PROJECT UP TO A MAX. OF 24" BEYOND THE SUPPORT.
- INDIVIDUAL MEMBERS MUST BE NAILED TOGETHER WITH A DOUBLE ROW OF NAILS AT LEAST 4" APART IN EACH ROW WITH THE END NAILS LOCATED BETWEEN 4" AND 6" FROM THE END OF EACH PIECE.



Nail On Roof Detail

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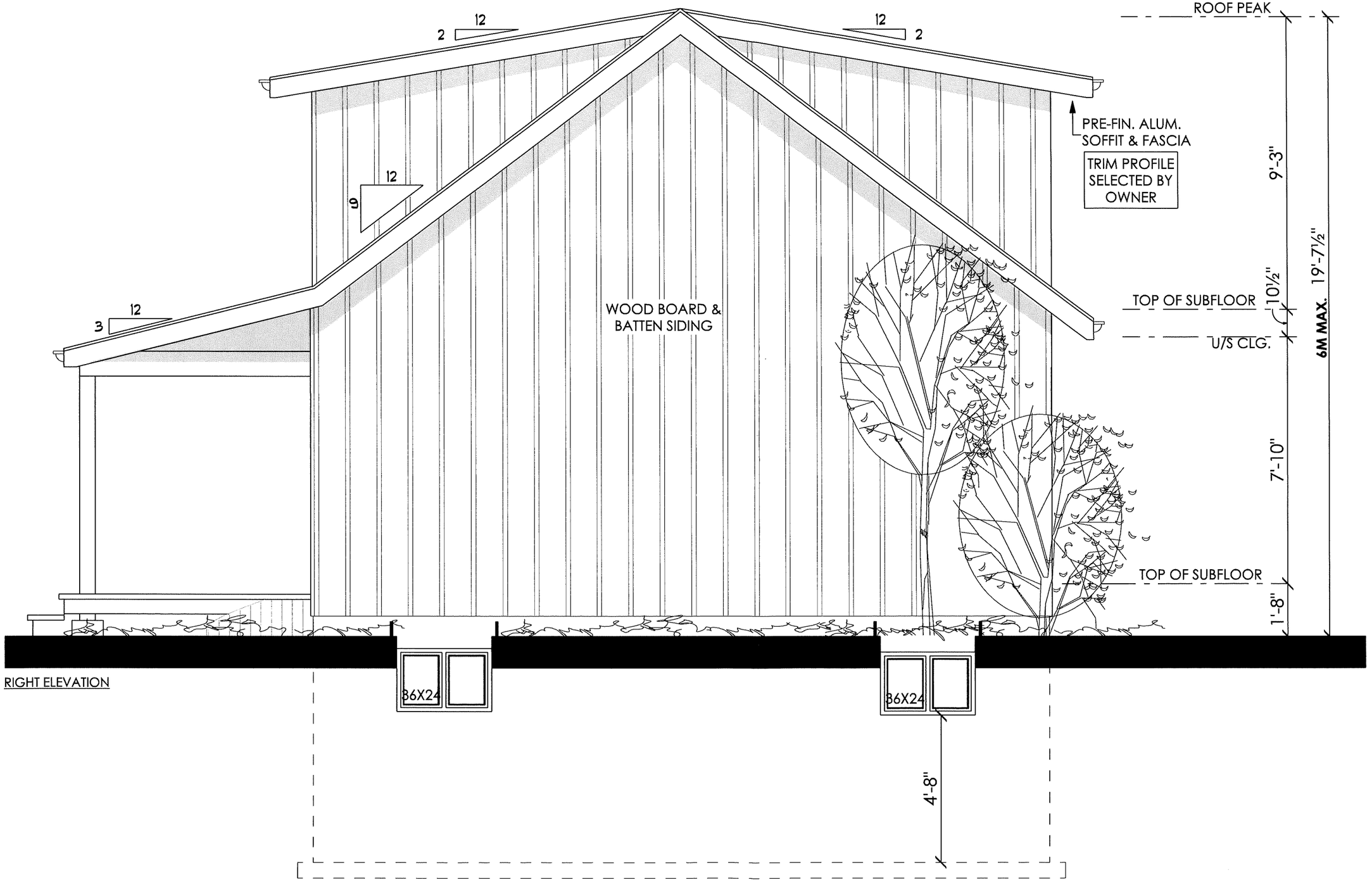
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A-6

THE BUILDING PERMIT GUY DRAFTING & DESIGN



RIGHT ELEVATION

2023-01-05

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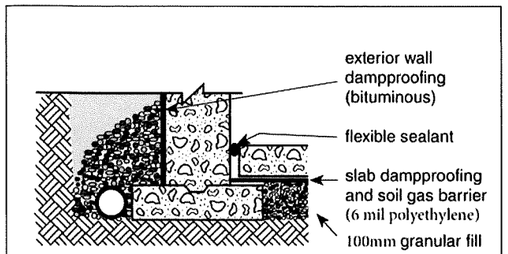
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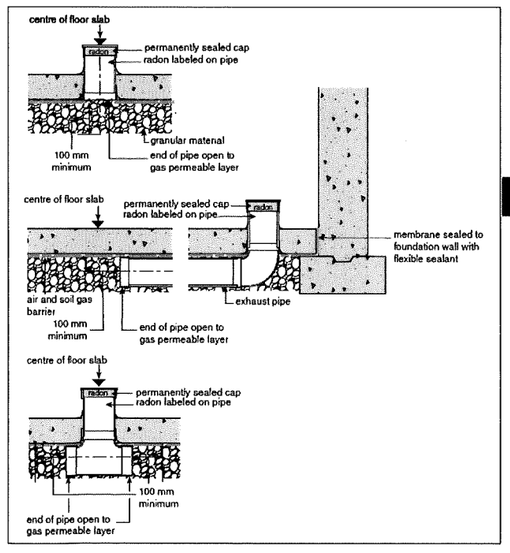
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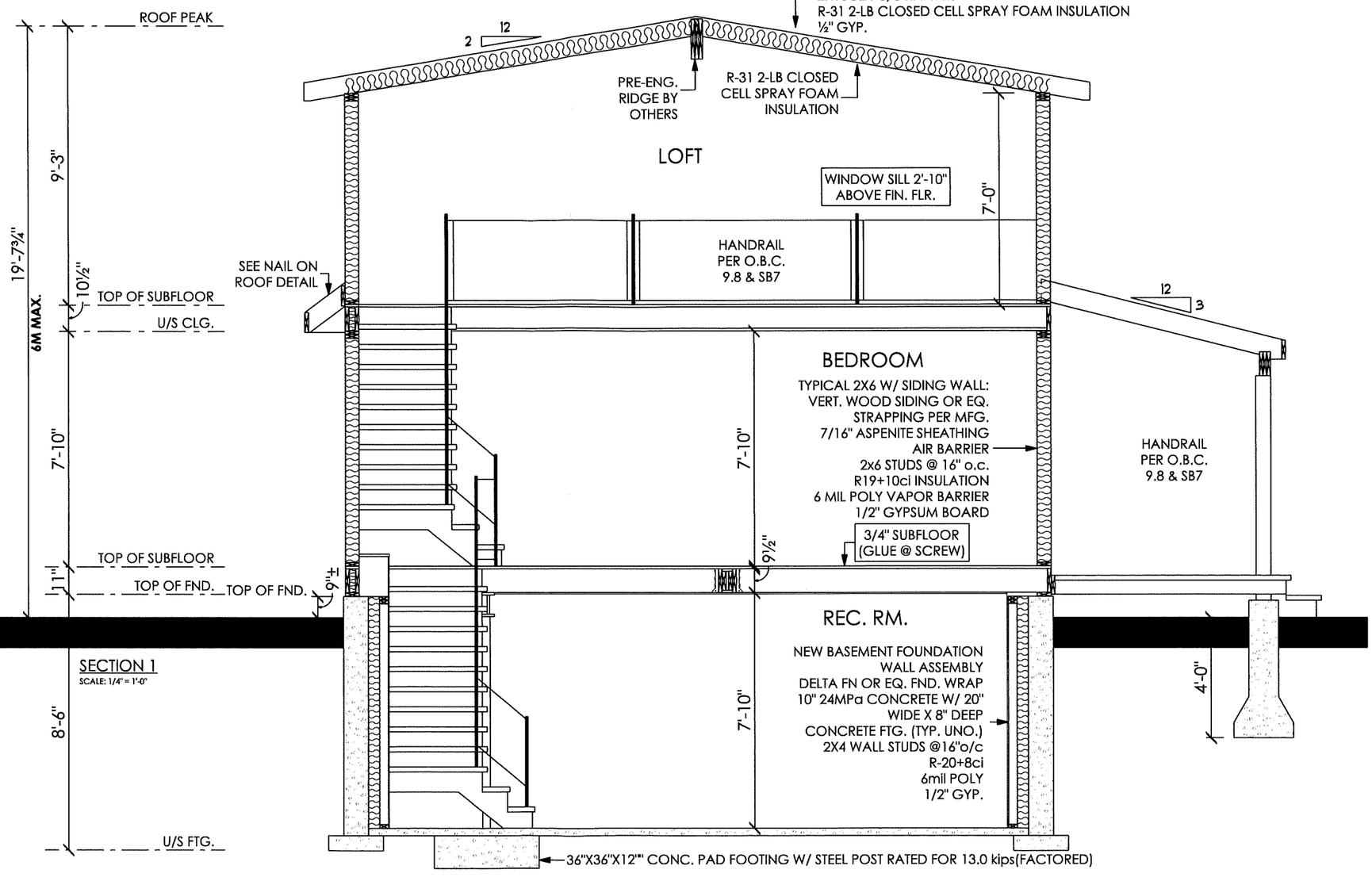
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A-7







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

1) A 100 mm diameter grey PVC pipe rough-in, OBC Reference: 9.13.4.3 1(b) & (3) Minimum 100mm granular material installed below the slab. OBC Reference: 9.13.4.3. (3)
2) The upper end of the pipe shall be provided with a removable seal and labeled to indicate for "Radon Gas Removal Only", and the pipe is to be labelled every 1.8m, if applicable and at every change in direction. OBC Reference: 9.13.4.3.(3),
3) A soil gas barrier on the foundation walls (bituminous dampproofing), and OBC Reference: Sentence 9.13.4.2.(1), of Division B
4) Under the basement floor slab using 6 mil polyethylene lapped not less than 300 mm, and OBC Reference: 3.1.(2)
5) Sealing along the perimeter of the basement floor slab and at all penetrations using flexible sealant (polyurethane caulking). OBC Reference: 3.2. of Supplementary Standard SB-9

A-9.13.4.3.(2)(b) and (3)(b)(i) Effective Depressurization. To allow effective depressurization of
the space between the air barrier and the ground, the extraction opening (the pipe) should not be blocked and
should be arranged such that air can be extracted from the entire space between the air barrier and the ground.
This will ensure that the extraction system can maintain negative pressure underneath the entire floor (or in
heated crawl spaces underneath the air barrier). The arrangement and location of the extraction system inlet(s) may have design implications where the footing layout separates part of the space underneath the floor.

Note: Care must be taken when installing 6 mil polyethylene since it is prone to puncture. Please ensure the 6 mil polyethylene is adequately protected.

2023-01-05

TBPG
DRAFTING & DESIGN
220 BROAD STREET EAST
DUNNVILLE, ON. N1A 1G2
289.308.6442
INFO@THEBUILDINGPERMITGUY.CA

THE UNDERSIGNED HAS THE REVIEWED AND TAKES RESPONSIBILITY FOR THE DESIG, AND HAS THE QUALIFICATIONS AND MEETS THE REQUIREMENTS SET OUT IN THE ONTARIO BUILDING CODE TO ACT AS A DESIGNER.

QUALIFICATION INFORMATION REQUIRED UNLESS THE DESIGN IS EXPEMPT UNDER DIV. C 3.2.5.1. OF THE 2012 ONTARIO BUILDING CODE
JOHN BARNHART 41773

THE BUILDING PERMIT GUY 103362
FIRM NAME BCIN

VAN ES

DETACHED ADU
18 PLEASANT AVENUE, DUNDAS, ON.

DRAWN BY: J. BARNHART

A-8

THE BUILDING PERMIT GUY DRAFTING & DESIGN



REAR ELEVATION EX. DWELLING

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

2023-01-05

TBPG DRAFTING & DESIGN

220 BROAD STREET EAST
DUNNVILLE, ON, N1A 1G2
289.308.6442
INFO@THEBUILDINGPERMITGUY.CA

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JOHN BARNHART — 41773

THE BUILDING PERMIT GUY — 103362 BCIN

FIRM NAME

VAN ES

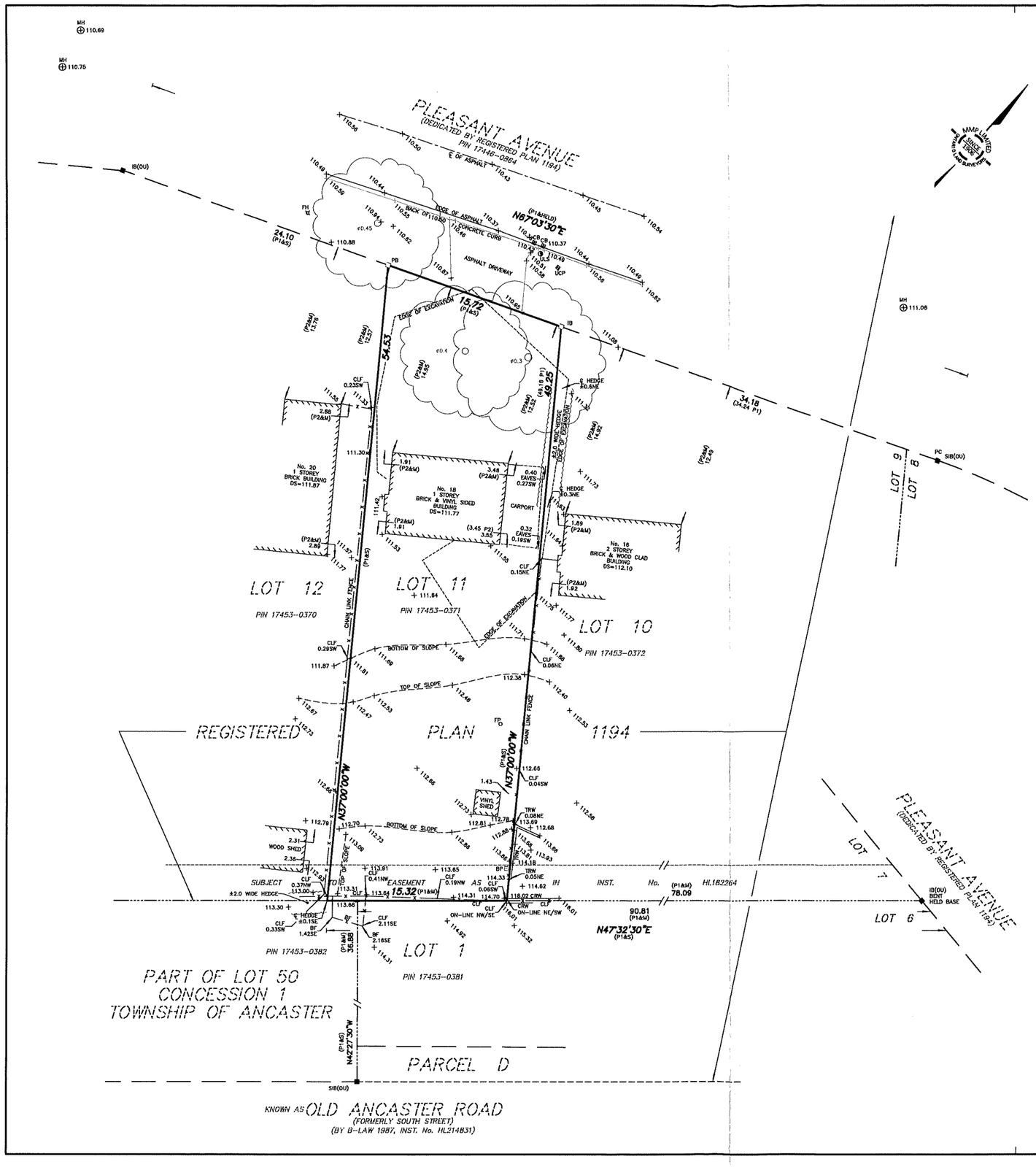
DETACHED ADU

18 PLEASANT AVENUE, DUNDAS, ON.

DRAWN BY: J. BARNHART

A-9

THE BUILDING PERMIT GUY DRAFTING & DESIGN



SURVEYOR'S REAL PROPERTY REPORT
PART 1 - PLAN OF SURVEY SHOWING TOPOGRAPHY OF

LOT 11
REGISTERED PLAN 1194
IN THE
CITY OF HAMILTON

SCALE 1 : 200

0 5 10 20 metres

THE INTENDED PLOT SIZE OF THIS PLAN IS 650mm IN WIDTH BY 520mm IN HEIGHT WHEN PLOTTED AT A SCALE OF 1:200 (INCLUDING 15mm BEYOND EACH BORDER)

MacKAY, MacKAY & PETERS LIMITED - ONTARIO LAND SURVEYORS

© 2025

KNOWN AS MUNICIPAL No. 18 PLEASANT AVENUE

PART 2 - REPORT SUMMARY (TO BE READ IN CONJUNCTION WITH PART 1)

LAND REGISTRY OFFICE TITLE INFORMATION ON SUBJECT PROPERTY INCLUDING BOUNDARIES, EASEMENTS AND RIGHT OF WAYS – MARCH 25, 2025

REGISTERED EASEMENTS AND/OR RIGHTS-OF-WAY:
– SUBJECT TO EASEMENT AS IN INST. No. HL182264

ADDITIONAL REMARKS:
– REFER TO PART 1 OF SURVEY FOR THE LOCATION OF BUILDINGS, STRUCTURES, FENCES & UTILITIES

MacKAY, MacKAY & PETERS LIMITED grants MULTIRISE CONSTRUCTION GROUP INC. ("The Client"), their solicitor and other related parties permission to use "Original Copies" of the Surveyor's Real Property Report in transactions involving "The Client"

METRIC *DISTANCES SHOWN HEREON ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048*

ASSOCIATION OF ONTARIO LAND SURVEYORS
PLAN SUBMISSION FORM
V-106843

THIS PLAN IS NOT VALID UNLESS IT IS AN EMBOSSED ORIGINAL COPY ISSUED BY THE SURVEYOR IN ACCORDANCE WITH REGULATION 1026, SECTION 29(3)

LEGEND

- ■ DENOTES A SURVEY MONUMENT FOUND
- □ DENOTES A SURVEY MONUMENT PLANTED
- SIB DENOTES STANDARD IRON BAR
- IB DENOTES IRON BAR
- PB DENOTES PLASTIC BAR
- P1 DENOTES REGISTERED PLAN 1194
- P2 DENOTES PLAN BY SIDNEY W. WOODS DATED FEBRUARY 20, 1962
- PIN DENOTES PROPERTY IDENTIFICATION NUMBER
- (OU) DENOTES ORIGIN UNKNOWN
- PC DENOTES POINT OF CURVATURE
- DS DENOTES DOOR SILL
- ℄ DENOTES CENTRELINE
- CB DENOTES CATCH BASIN
- MH DENOTES MANHOLE
- FH DENOTES FIRE HYDRANT
- ULS DENOTES UTILITY LIGHT STANDARD
- UCP DENOTES UTILITY CABLE PEDESTAL
- BP DENOTES BELL PEDESTAL
- BF DENOTES BOARD FENCE
- CLF DENOTES CHAIN LINK FENCE
- FP DENOTES FLAG POLE
- TRW DENOTES TIMBER RETAINING WALL
- CRW DENOTES CONCRETE RETAINING WALL
- (·) DENOTES DECIDUOUS TREE SCALED TO CANOPY TRUNK SIZE SHOWN IN METRES

ALL BUILDING TIES ARE TO FOUNDATION AND ARE PERPENDICULAR TO PROPERTY LINES UNLESS OTHERWISE NOTED

BENCHMARK NOTE

BENCHMARK No. 07720020092
ELEVATION = 112.877 METRES (CGVD28:78 ADJUSTMENT)

LOCATED IN DUNDAS AT THE SOUTHEAST CORNER OF MERCER STREET & JOYA PLACE 7 METRES SOUTH OF CENTRELINE OF MERCER STREET AND 9 METRES EAST OF CENTRELINE OF JOYA PLACE, 0.5 METRES SOUTHEAST OF CURB AND 10 METRES FROM THE MOST NORTHWESTERLY CORNER OF HOUSE No. 18 MERCER STREET

BEARING REFERENCE

BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE SOUTHERLY LIMIT OF PLEASANT AVENUE AS SHOWN ON REGISTERED PLAN 1194 HAVING A BEARING OF N67°03'30"E

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 THE 9th DAY OF MAY, 2025.

MAY 9, 2025
DATE

AISAR BHERI
ONTARIO LAND SURVEYOR
FOR MACKAY, MACKAY & PETERS LIMITED

E:\(62) Hamilton-Wentworth\Registered Plans\RP1194\LOT 11\25-054\25-054.dwg

MMP
MacKay, MacKay & Peters Limited
LAND SURVEYORS & MAPPERS
SINCE 1906

3380 South Service Road
Unit 101
Burlington, ON
L7N 3J5
(905) 639-1375

halton@mmplimited.com
mmplimited.com

DRAWN BY:	G.S.
PARTY CHIEF:	M.A.
CHECKED BY:	
PROJECT No.:	25-054

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	MAILING ADDRESS	
Registered Owners(s)	GARY VAN ES SARAH VAN ES JOSHUA VAN ES	[redacted]	
Applicant(s)	GARY VAN ES SARAH VAN ES		
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 [redacted]

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

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	18 Pleasant Avenue, Dundas ON L9H 3S7		
Assessment Roll Number	251826002037000		
Former Municipality	Dundas, City of Hamilton		
Lot	11	Concession	
Registered Plan Number	1194	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:

The easement is located at the south end of the property along the back lot line, granting access to the City of Hamilton for hydro. It does not affect the proposed dwelling unit, nor does the proposed dwelling unit affect access to the easement.

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 allow an increase in the maximum permitted gross floor area from 75 m^2 to 117.19 m^2 in order to allow for the construction of a usable below grade basement.

☑ Second Dwelling Unit ☐ Reconstruction of Existing Dwelling

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

Although the proposed basement does not alter the buildings footprint or visible appearance and is entirely below grade, it results in a gross floor area that exceeds the permitted maximum. Complying with the by-law would require eliminating the basement entirely, significantly reducing the functional space of the home.

3.3 Is this an application 45(2) of the Planning Act. ☐ Yes ☑ No

If yes, please provide an explanation:

4. DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

4.1 Dimensions of Subject Lands:

Lot Frontage	Lot Depth	Lot Area	Width of Street
15.72 m	54.53 m	665.6 m^2	8.53 m

4.2 Location of all buildings and structures on or proposed for the subject lands: (Specify distance from side, rear and front lot lines)

Existing:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Detached House	14.95 (W) 12.52 (E)	30.42	1.91 m (W) 3.55m (E)	± 1961

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
ADU detached	39.43 m	9.01 m & 8.25 m	4.81 m (W) 2.52 m (E)	Sept 2025
	16.09 m from back of existing House		to front of ADU	

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
Detached House	69.1 m	113.1 m^2	2	7.9 m

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
ADU detached	48.37 m^2	117.19 m^2	1½	5.98 m

4.4 Type of water supply: (check appropriate box)

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

4.5 Type of storm drainage: (check appropriate boxes)

☑ publicly owned and operated storm sewers
☐ swales
☐ ditches
☐ other means (specify)

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

☑ publicly owned and operated sanitary sewage
☐ system privately owned and operated individual
☐ septic system other means (specify) _____

4.7 Type of access: (check appropriate box)

☐ provincial highway
☐ municipal road, seasonally maintained
☑ municipal road, maintained all year
☐ right of way
☐ other public road
_____

4.8 Proposed use(s) of the subject property (single detached dwelling duplex, retail, factory etc.):
single detached dwelling duplex with an additional dwelling unit detached. (ADU-D)

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

7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:
January 15, 2025

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 duplex – Basement ADU occupancy pending final inspection upon completion of hydro.

7.4 Length of time the existing uses of the subject property have continued:
Single detached dwelling has existed as such for approx. 60 years.
Basement ADU was renovated in spring 2025 - awaiting occupancy permit.

7.5 What is the existing official plan designation of the subject land?
Low Density Residential.
Rural Hamilton Official Plan designation (if applicable): _____

Rural Settlement Area: _____

Urban Hamilton Official Plan designation (if applicable) Neighborhoods

Please provide an explanation of how the application conforms with the Official Plan.
The variance supports efficient use of space while respecting the scale and character of the neighborhood, and therefore conforms with the intent of the official plan.

7.6 What is the existing zoning of the subject land? R1

7.8 Has the owner previously applied for relief in respect of the subject property? (Zoning By-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: 2

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-25:166**	**SUBJECT PROPERTY:**	119-121 Hatt Street, Dundas
ZONE:	C5 (Mixed Use Medium Density)	**ZONING BY-LAW:**	Hamilton Zoning By-law 05-200

APPLICANTS: Owner: McDonough Dentistry Professional Corp
Agent: WEBB Planning Consultants

The following variances are requested:

1. Eight (8) parking spaces shall be provided instead of the minimum required 21 parking spaces.

PURPOSE & EFFECT: To construct a 2 storey addition onto an existing medical clinic on the first floor and a dwelling unit on the second floor.

Notes:

1. This variance application is to facilitate Site Plan application DA-25-010.

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:	**Thursday, September 4, 2025**
TIME:	**2:35 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-25:166

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 September 2, 2025

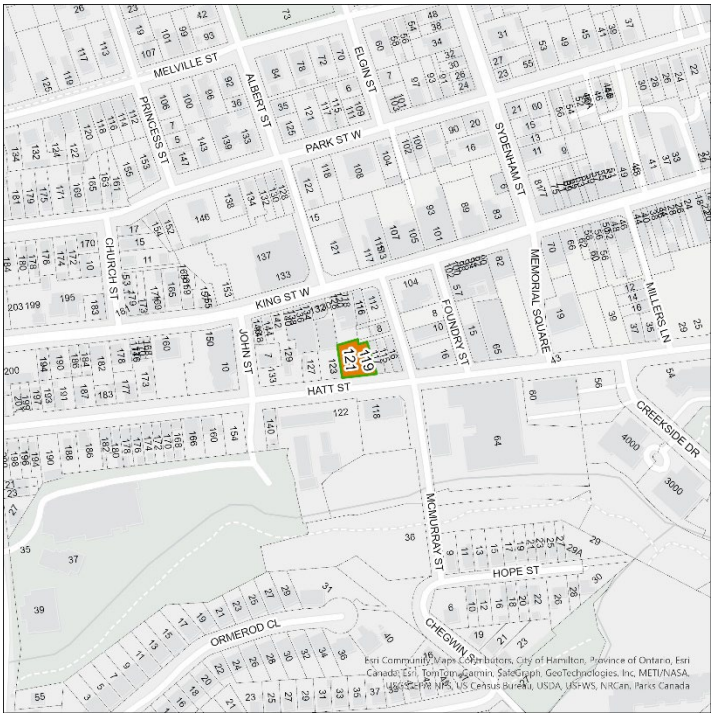
Orally: If you would like to speak to this item at the hearing you may do so via video link, calling in, or attending in person. Please see attached page for complete instructions, registration to participate virtually must be received no later than noon September 3, 2025

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding A-25:166, 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-25:166



Subject Lands

DATED: August 18, 2025

_____

Justin Leung,
Secretary-Treasurer
Committee of Adjustment

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

Hamilton

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

PARTICIPATING PROCEDURES

1. Written Submission Ahead of the Meeting

Members of the public who wish to provide input without speaking at the Hearing may submit written comments in advance of the meeting. Comments must be received by 12:00 p.m. (noon) on the deadline date for written comment submissions listed on the Notice of Public Hearing.

How to Submit Written Comments:

By Email:
Send to: cofa@hamilton.ca

By Mail:
Committee of Adjustment
City of Hamilton
71 Main Street West, 5th Floor
Hamilton, Ontario
L8P 4Y5

All written comments received will be made available to the Committee and the public by the Tuesday prior to the Hearing.

2. Oral Submissions During the Hearing

Interested members of the public, agents, and owners may provide oral comments on Committee of Adjustment Hearing items either virtually via Webex (computer or phone) or by attending in person.

Speaking Time Limit:
All participants providing oral submissions, either in person or virtually are limited to a maximum of 5 minutes to speak. This is to ensure all parties have an equal opportunity to be heard and that the meeting runs efficiently.

3. In-Person Oral Submissions

To participate in person, attend Council Chambers on the date and time listed in the Notice of Public Hearing. You will be required to provide your name and address for the record. It is recommended you arrive at least 10 minutes prior to the scheduled start time.

4. Virtual Oral Submissions

To participate virtually, you must register by 12:00 p.m. (noon) on the virtual oral submissions registration deadline date. This is listed on the Notice of Public Hearing.

- Committee of Adjustment file number
- Hearing date
- Name and mailing address of each person wishing to speak
- Method of participation (phone or video), and, if applicable, the phone number to be used
- Each person must register separately

Registered participants will receive a Webex link one business day before the Hearing. Only those registered will be called upon to speak.

5. Presentations

All presentations are permitted at the discretion of the Committee.

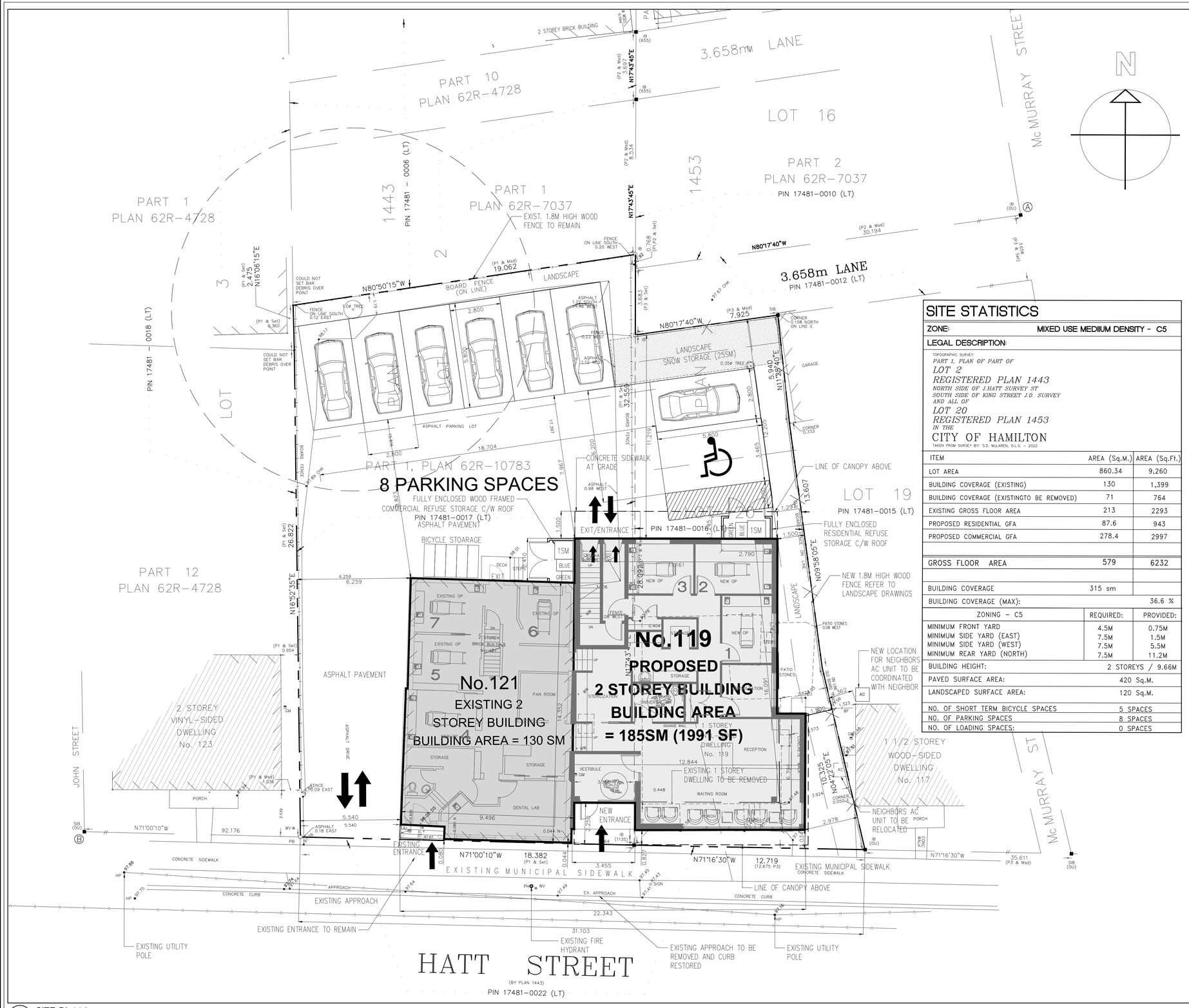
Virtual Presentations:
Presenters participating virtually may be granted permission to share their screen during the Hearing. A copy of the presentation must be submitted to cofa@hamilton.ca **by 12:00 p.m. (noon) on the business day prior to the Hearing.** The submission must be one document in PDF format only.

In-Person Presentations:
Presenters attending in person may be granted permission to use the presentation screen. Presentations must be brought on a USB device and opened by the owner/applicant. A copy of the presentation must also be sent to cofa@hamilton.ca **by 12:00 p.m. (noon) on the business day prior to the Hearing.** The submission must be one document in PDF format only. Handouts are permitted only if the same content can be displayed on the presentation screen.

6. Additional Notes

- Webex (video) participation requires a compatible computer or smartphone. The necessary application must be downloaded in advance.
- It is the interested party's responsibility to ensure their device is functional and compatible prior to the Hearing.

For any questions, contact staff at cofa@hamilton.ca or call 905-546-2424 ext. 4221.



1 SITE PLAN
A1.0 SCALE 1: 100 (METRIC)

SITE STATISTICS

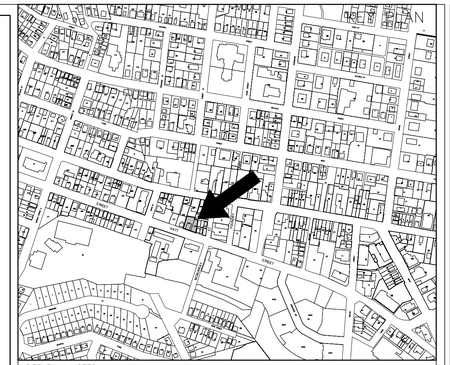
ZONE: MIXED USE MEDIUM DENSITY - C5

LEGAL DESCRIPTION:

TOPOGRAPHIC SURVEY
PART 1, PLAN OF PART OF
LOT 2
REGISTERED PLAN 1443
NORTH SIDE OF J.HATT SURVEY ST
SOUTH SIDE OF KING STREET J.O. SURVEY
AND ALL OF
LOT 20
REGISTERED PLAN 1453
IN THE
CITY OF HAMILTON
TAKEN FROM SURVEY BY: S.D. McLAREN, O.L.S. - 2022

ITEM	AREA (Sq.M.)	AREA (Sq.Ft.)
LOT AREA	860.34	9,260
BUILDING COVERAGE (EXISTING)	130	1,399
BUILDING COVERAGE (EXISTINGTO BE REMOVED)	71	764
EXISTING GROSS FLOOR AREA	213	2293
PROPOSED RESIDENTIAL GFA	87.6	943
PROPOSED COMMERCIAL GFA	278.4	2997
GROSS FLOOR AREA	579	6232
BUILDING COVERAGE	315 sm	
BUILDING COVERAGE (MAX):		36.6 %

ZONING - C5	REQUIRED:	PROVIDED:
MINIMUM FRONT YARD	4.5M	0.75M
MINIMUM SIDE YARD (EAST)	7.5M	1.5M
MINIMUM SIDE YARD (WEST)	7.5M	5.5M
MINIMUM REAR YARD (NORTH)	7.5M	11.2M
BUILDING HEIGHT:	2 STOREYS / 9.66M	
PAVED SURFACE AREA:	420 Sq.M.	
LANDSCAPED SURFACE AREA:	120 Sq.M.	
NO. OF SHORT TERM BICYCLE SPACES	5 SPACES	
NO. OF PARKING SPACES	8 SPACES	
NO. OF LOADING SPACES:	0 SPACES	



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 ROUTE SIGNS AND 3-WAY FIRE HYDRANTS SHALL BE ESTABLISHED TO THE SATISFACTION OF THE CITY FIRE DEPARTMENT AND AT THE EXPENSE OF THE OWNER.

3.MAIN DRIVEWAY DIMENSIONS AT THE PROPERTY LINE BOUNDARIES ARE PLUS OR MINUS 7.5 M UNLESS OTHERWISE STATED.

4.ALL DRIVEWAYS FROM PROPERTY LINES FOR THE FIRST 7.5 M 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
- SEWER AND WATER PERMIT
- ROAD CUT PERMITS
- RELOCATION OF SERVICES
- APPROACH APPROVAL PERMITS
- ENCROACHMENT AGREEMENTS (IF REQUIRED)
- COMMITTEE OF ADJUSTMENT
- SIGN PERMITS

6.ABANDONED ACCESSES MUST BE REMOVED AND THE CURB AND BOULEVARD RESTORED WITH SOD AT THE OWNER'S EXPENSE TO THE SATISFACTION OF THE CORRIDOR MANAGEMENT SECTION, PUBLIC WORKS DEPARTMENT.

7.SIGNAGE IS NOT APPROVED THROUGH THE SITE PLAN PROCESS. ALL SIGNS MUST COMPLY WITH HAMILTON SIGN BY-LAW NO. 10-197.

8.LIGHTING MUST BE DIRECTED ON SITE AND MUST NOT SPILL OVER TO ADJACENT PROPERTIES OR STREETS.

9.DO NOT EXCAVATE WITHIN TWO METRES OF HYDRO POLES AND ANCHORS.

10.EXCAVATION WITHIN ONE METRE OF UNDERGROUND HYDRO PLANT IS NOT PERMITTED UNLESS APPROVAL IS GRANTED BY AN ALECTRA UTILITIES REPRESENTATIVE AND IS PRESENT TO PROVIDE DIRECT SUPERVISION. COST ASSOCIATED WITH THIS TASK SHALL BE AT THE OWNER'S EXPENSE.

11.ALECTRA UTILITIES MUST BE CONTACTED IF THE REMOVAL, ISOLATION OR RELOCATION OF EXISTING PLANT IS REQUIRED, ALL COST ASSOCIATED WITH THIS WORK WILL BE AT THE OWNER'S EXPENSE.

12.CALL BEFORE YOU DIG, ARRANGE FOR UNDERGROUND HYDRO CABLE LOCATE(S) BEFORE BEGINNING CONSTRUCTION BY CONTACTING ONTARIO ONE CALL @ 1-800-400-2255.

13.CLEARANCES FROM OVERHEAD AND UNDERGROUND EXISTING ELECTRICAL DISTRIBUTION SYSTEM ON OUR ADJACENT TO THE PROPERTY MUST BE MAINTAINED IN ACCORDANCE TO:
- ONTARIO BUILDING CODE (1997) SECTION 3.1 (3.1.18.1)
- ELECTRICAL SAFETY CODE, RULE 75-312
- OCCUPATIONAL HEALTH AND SAFETY ACT (OH&SA) - CONSTRUCTION PROJECTS (ELECTRICAL HAZARDS)
- CSA STANDARD C22.3 NO. 1:20, OVERHEAD SYSTEM
- CSA STANDARD C22.3 NO. 7:20, UNDERGROUND SYSTEMS

UNDERTAKING FILE No. SPA-25-010

RE: _____ FILE NO. SPA-25-010

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 MARCH 14, 2025;

(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 NUMBER OR FULL ADDRESS TO THE BUILDING OR ON A SIGN IN ACCORDANCE WITH THE CITY'S SIGN BY-LAW, NEAR THE ENTRANCE IN A MANNER THAT IS VISIBLE FROM THE STREET.

(F) THAT THE OWNER SHALL INDICATE IN THE AGREEMENT, IN WORDS SATISFACTORY TO BELL CANADA, THAT IT WILL GRANT TO BELL CANADA ANY EASEMENTS THAT MAY BE REQUIRED, WHICH MAY INCLUDE A BLANKET EASEMENT, FOR COMMUNICATION/TELECOMMUNICATION INFRASTRUCTURE. IN THE EVENT OF ANY CONFLICT WITH EXISTING BELL CANADA FACILITIES OR EASEMENTS, THE OWNER SHALL BE RESPONSIBLE FOR THE RELOCATION OF SUCH FACILITIES OR EASEMENTS.

(G) ENBRIDGE GAS INC, DOES HAVE SERVICE LINES RUNNING WITHIN THE AREA WHICH MAY OR MAY NOT BE AFFECTED BY THE PROPOSED SITE PLAN. SHOULD THE PROPOSED SITE PLAN IMPACT THESE SERVICES, IT MAY BE NECESSARY TO TERMINATE THE GAS SERVICE AND RELOCATE THE LINE ACCORDING TO THE NEW PROPERTY BOUNDARIES. ANY SERVICE RELOCATION REQUIRED WOULD BE AT THE COST OF THE OWNER.

I) THE DEVELOPER IS RESPONSIBLE FOR ALL WASTE REMOVAL UP UNTIL THE TIME THAT AN "AGREEMENT FOR ON-SITE COLLECTION OF SOLID WASTE" IS FINALIZED, AND MUNICIPAL COLLECTION SERVICES ARE APPROVED AND INITIATED.

K)PRIOR TO THE START OF MUNICIPAL WASTE COLLECTION SERVICE, THE DEVELOPMENT MUST BE SUBSTANTIALLY COMPLETE AND BE FREE OF CONSTRUCTION DEBRIS AND CONSTRUCTION RELATED ACTIVITIES.

DATED THIS _____DAY OF _____20_____

_____
WITNESS (SIGNATURE)OWNER(S) (SIGNATURE)

_____
WITNESS (PRINT)OWNER(S) (PRINT)

_____
ADDRESS OF WITNESS

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 Citizenship and Multiculturalism (MCM) should be notified immediately (416-212-0036). In the event that human remains are encountered during construction, the proponent should immediately contact both MCM and the Registrar or Deputy Registrar of the Cemeteries Regulation Unit of the Ministry of Government and Consumer Services (416-212-7499).

NOT TO BE USED FOR CONSTRUCTION

LINTACK ARCHITECTS INCORPORATED
244 JAMES STREET SOUTH, HAMILTON, ONTARIO, L8P 3B3
T: 905.522.6165 • F: 905.522.2209 • E: information@lintack.com
www.lintack.com

FOR SITE PLAN APPROVAL

This drawing must not be scaled.
General Contractor shall verify all dimensions, datums and levels prior to commencement of the work.
All errors and omissions are to be reported immediately to the Architect.

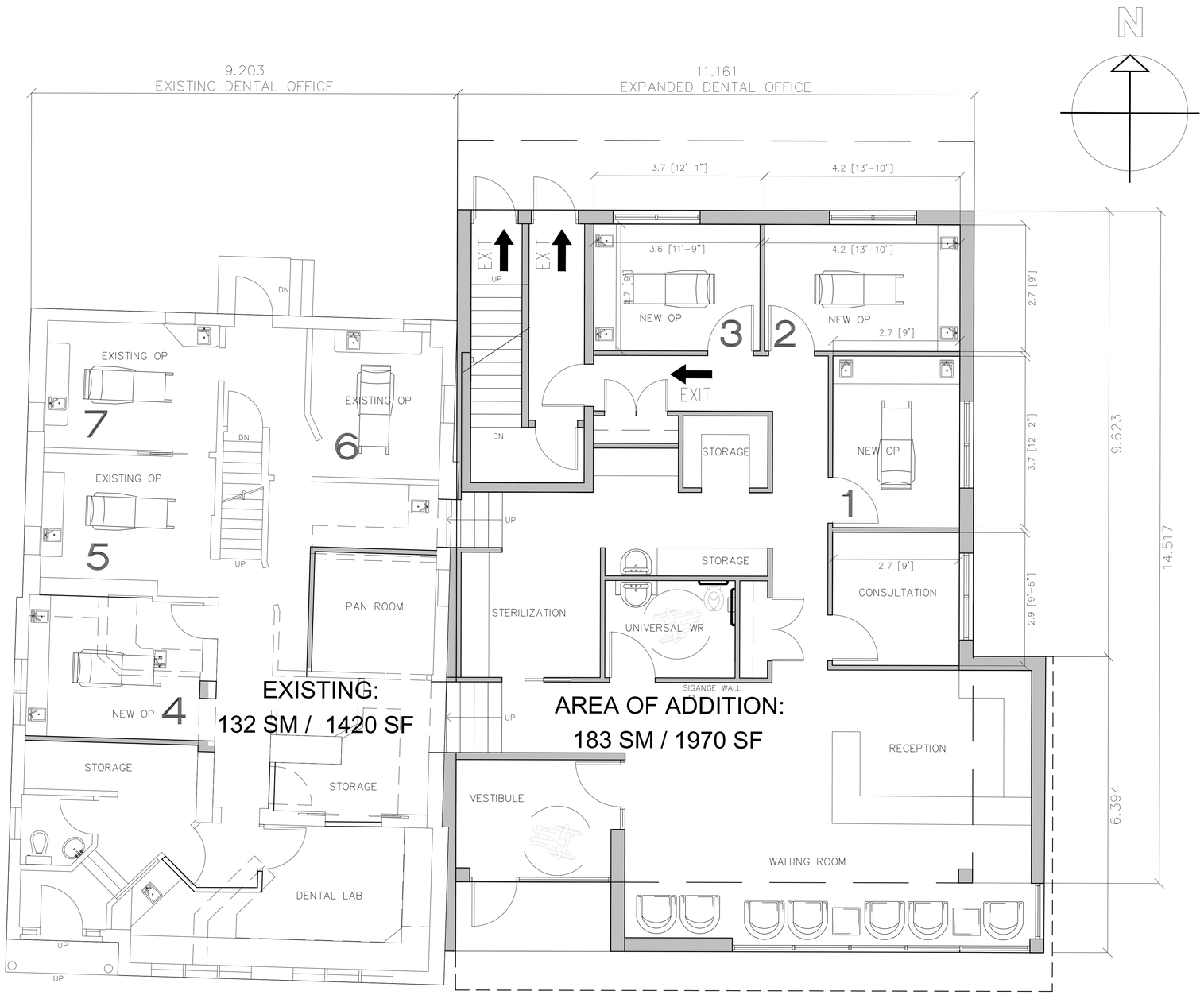
No.	Revisions	Date
1.0	STAFF COMMENTS	MAR. 27 2025
2.0	STAFF COMMENTS	JUNE 18 2025
2.0	SPA APPLICATION	DEC. 17 2024
1.0	FC APPLICATION	MAR. 14 2024
No.	Issue	Date

PART 1, PLAN OF PART OF
LOT 2
REGISTERED PLAN 1443
NORTH SIDE OF J.HATT SURVEY ST
SOUTH SIDE OF KING STREET J.O. SURVEY
AND ALL OF
LOT 20
REGISTERED PLAN 1453
IN THE
CITY OF HAMILTON

PROPOSED ADDITION TO:
McDONOUGH DENTAL
DUNDAS
119 / 121 DUNDAS STREET
DUNDAS, ONTARIO

job no.	22.090
dwg. file	119&121
dwn. by	JD
scale	AS NOTED
date	JAN. 2024
dwg. title	SPA-25-010 SITE PLAN
dwg.	A1.0

JANUARY 2024



121 HATT STRET

McDONOUGH DENTAL OFFICE

GROUND FLOOR - OPTION 3B

FLOOR AREA = 315 SM / 3390 SF

1 A1.0 SITE PLAN
SCALE 1: 100 (METRIC)

WALL TYPE SCHEDULE

GENERAL NOTES:

NOT TO BE USED FOR CONSTRUCTION

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www.lintack.com

FOR SITE PLAN APPROVAL

ONTARIO ASSOCIATION OF ARCHITECTS
RICHARD F. LINTACK
LICENCE
4148

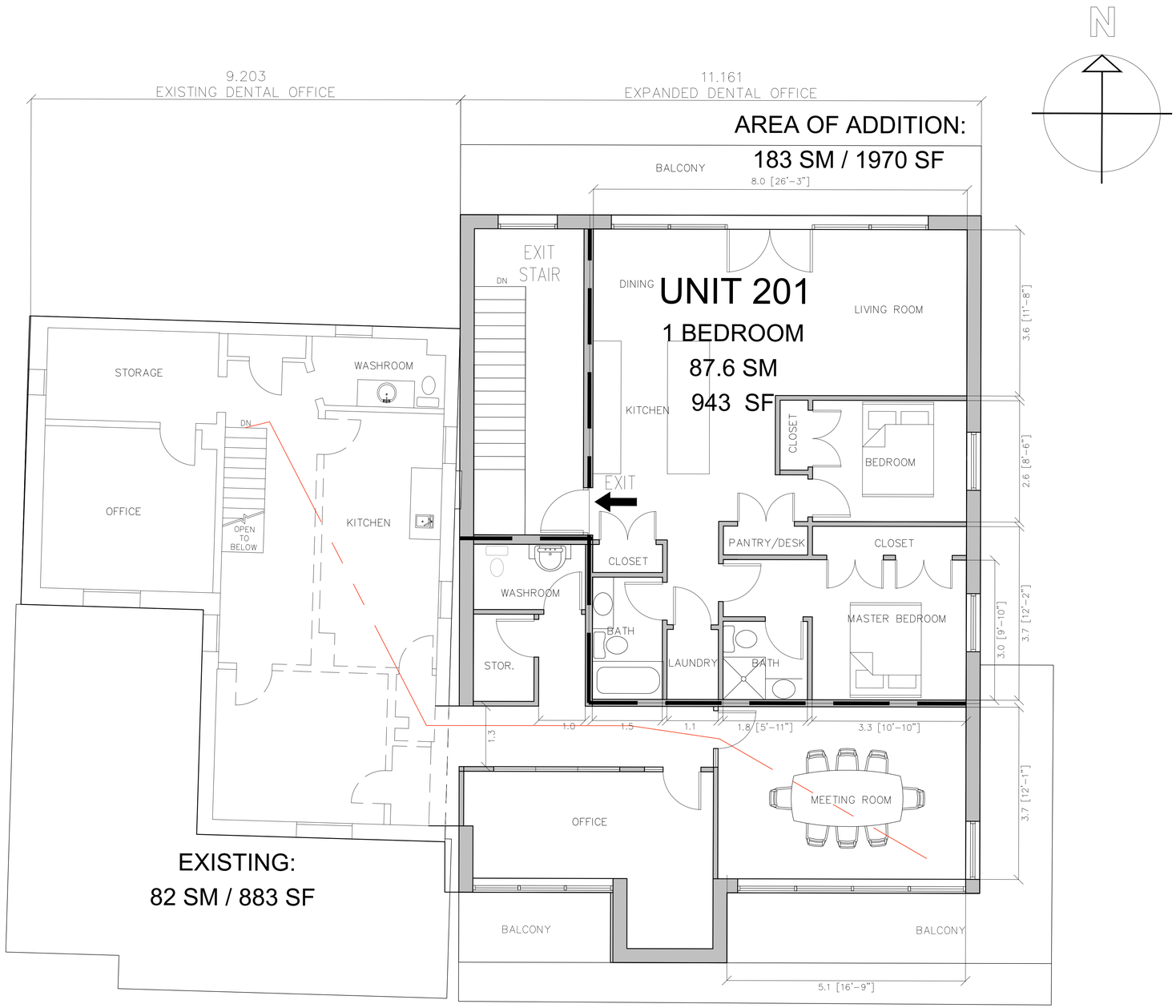
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PROPOSED ADDITION TO:
McDONOUGH DENTAL
DUNDAS
119 / 121 DUNDAS STREET
DUNDAS, ONTARIO

job no.	22.090
dwg. file	119&121
dwn. by	JD
scale	AS NOTED
date	JAN. 2024
dwg. title	GROUND FLOOR PLAN
dwg.	A2.1

JANUARY 2024



121 HATT STRET

McDONOUGH DENTAL OFFICE

2ND FLOOR - OPTION 3B

FLOOR AREA = 247 SM / 2658 SF

1 A1.0 SITE PLAN
SCALE 1: 100 (METRIC)

WALL TYPE SCHEDULE

GENERAL NOTES:

NOT TO BE USED FOR CONSTRUCTION

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FOR SITE PLAN APPROVAL

ONTARIO ASSOCIATION OF ARCHITECTS
RICHARD F. LINTACK
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McDONOUGH DENTAL
DUNDAS
119 / 121 DUNDAS STREET
DUNDAS, ONTARIO

job no.	22.090
dwg. file	119&121
dwn. by	JD
scale	AS NOTED
date	JAN. 2024
dwg. title	SECOND FLOOR PLAN
dwg.	A2.2

JANUARY 2024



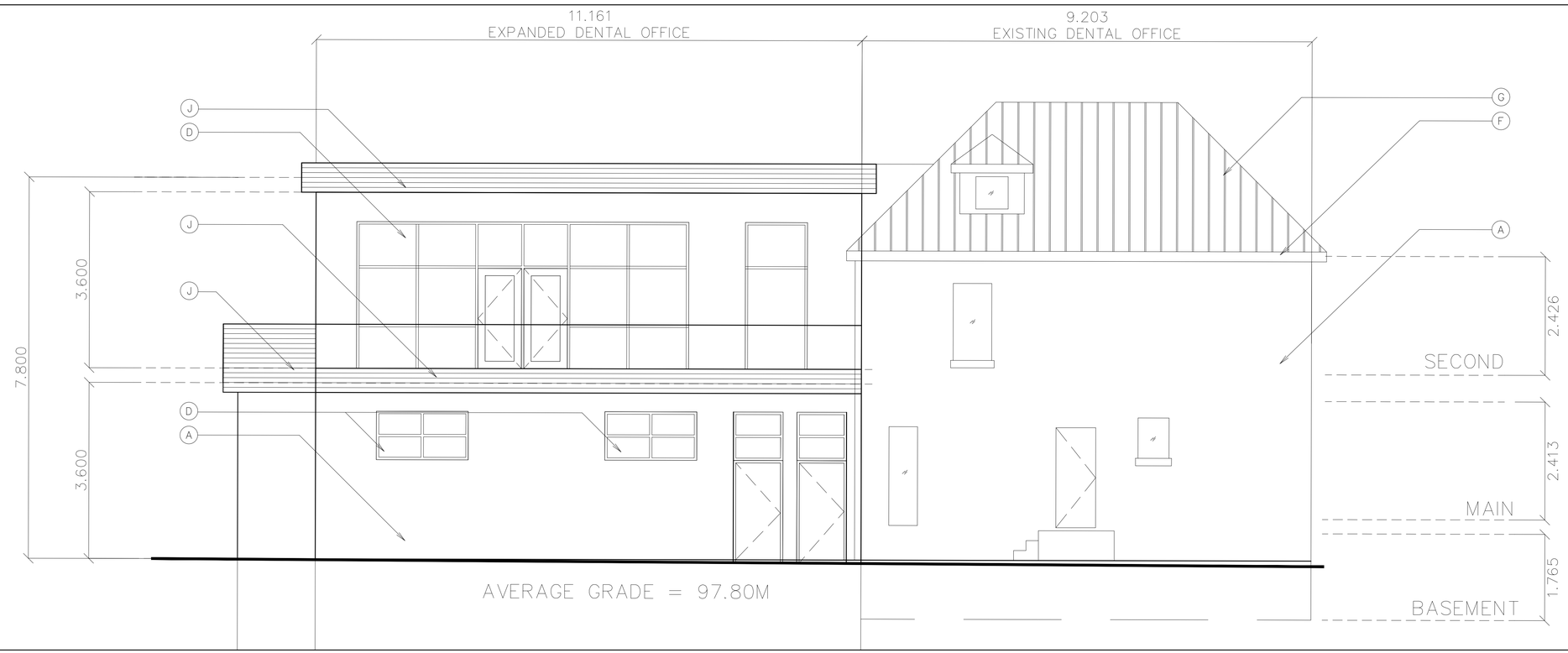
1 A3.1 SOUTH ELEVATION
SCALE 1: 50 (METRIC)

EXTERIOR FINISH LEGEND:

- (A) – NEW BRICK/STONE VENEER (LIMESTONE)
- (B) – LONGBOARD SIDING (FAUX CHERRY WOOD)
- (C) – NEW JAMES HARDIE SIDING (LIGHT WARM GREY)
- (D) – NEW THERMALLY BROKEN DOUBLE GLAZED WINDOWS & DOOR ASSEMBLIES (BLACK)
- (E) – ARCYLIC STUCCO FINISH SYSTEM (EIFS) (GREY)
- (F) – PREFINISHED METAL FASCIA/GUTTER (LIGHT GREY)
- (G) – PREFINISHED METAL ROOFING (LIGHT GREY)
- (H) – EXISTING MASONRY TO REMAIN
- (J) – PREFINISHED METAL SIDING (LIGHT GREY)

NOTES ON ELEVATION PLAN:

DOOR AND WINDOW LOCATIONS, DIMENSIONS, DETAILS AND BUILDING MATERIALS MAY VARY DEPENDING ON FINAL BUILDING LAYOUT, AND ARE SHOWN FOR INFORMATION PURPOSES ONLY.



2 A3.1 NORTH ELEVATION
SCALE 1: 50 (METRIC)

NOT TO BE USED FOR CONSTRUCTION

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FOR SITE PLAN APPROVAL

ONTARIO ASSOCIATION OF ARCHITECTS
RICHARD F. LINTACK
LICENCE
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McDONOUGH DENTAL
DUNDAS
119 / 121 DUNDAS STREET
DUNDAS, ONTARIO

job no.	22.090
dwg. file	119&121
dwn. by	JD
scale	AS NOTED
date	JAN. 2024
dwg. title	NORTH + SOUTH ELEVATIONS
dwg.	A3.1

JANUARY 2024



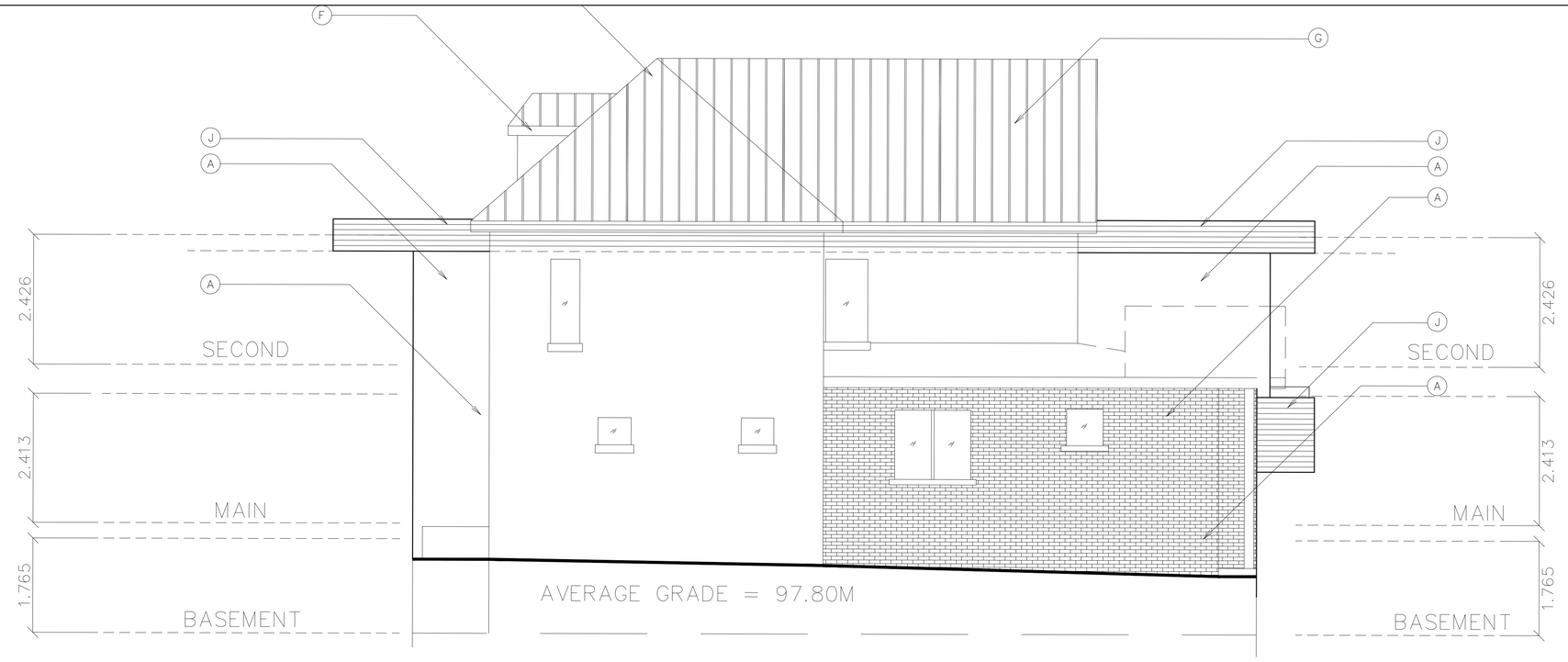
EXTERIOR FINISH LEGEND:

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- (B) – LONGBOARD SIDING (FAUX CHERRY WOOD)
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- (J) – PREFINISHED METAL SIDING (LIGHT GREY)

NOTES ON ELEVATION PLAN:

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1 / A3.1 EAST ELEVATION
SCALE 1: 50 (METRIC)



2 / A3.1 WEST ELEVATION
SCALE 1: 50 (METRIC)

NOT TO BE USED FOR CONSTRUCTION

LINTACK ARCHITECTS INCORPORATED
244 JAMES STREET SOUTH, HAMILTON, ONTARIO, L8P 3B3
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FOR SITE PLAN APPROVAL

ONTARIO ASSOCIATION OF ARCHITECTS
RICHARD F. LINTACK
LICENCE 4148

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119 / 121 DUNDAS STREET
DUNDAS, ONTARIO

job no.	22.090
dwg. file	119&121
dwn. by	JD
scale	AS NOTED
date	JAN. 2024

dwg. title
EAST + WEST ELEVATIONS

dwg. A3.2

JANUARY 2024



1 A3.3 SOUTH ELEVATION
NTS

NOT TO BE USED FOR CONSTRUCTION

LINTACK ARCHITECTS INCORPORATED
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FOR SITE PLAN APPROVAL

ONTARIO ASSOCIATION OF ARCHITECTS
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DUNDAS, ONTARIO

job no.	22.090
dwg. file	119&121
dwn. by	JD
scale	AS NOTED
date	JAN. 2024

dwg. title
SOUTH ELEVATION

dwg. A3.3

JANUARY 2024

SURVEYOR'S REAL PROPERTY REPORT
PART 1, PLAN OF PART OF
LOT 2
REGISTERED PLAN 1443
NORTH SIDE OF J. HATT SURVEY ST
SOUTH SIDE OF KING STREET J.O. HATT'S SURVEY
AND ALL OF
LOT 20
REGISTERED PLAN 1453
IN THE
CITY OF HAMILTON

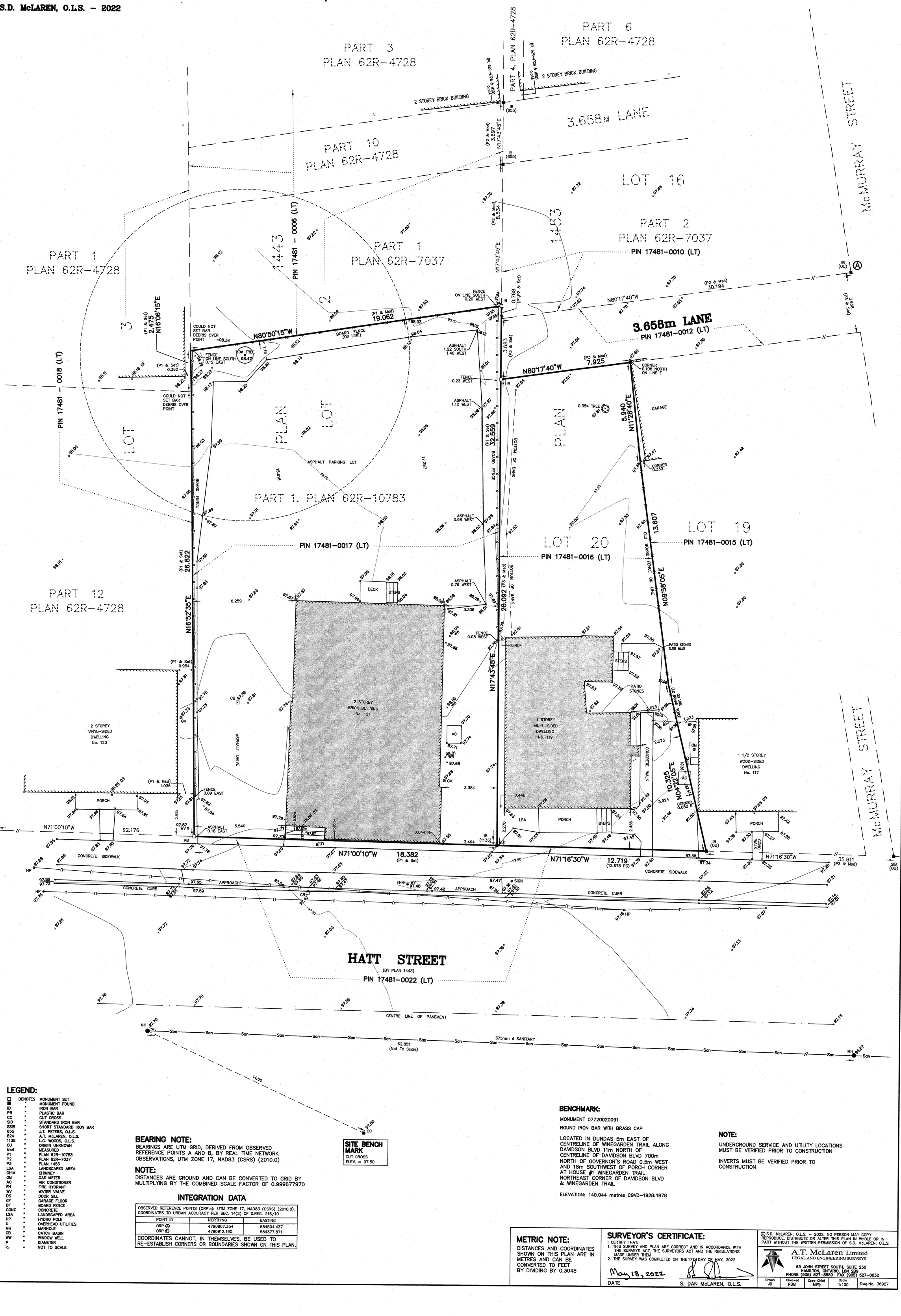
SCALE 1:100 METRIC

2 1 0 2 4 6 metres

S.D. McLAREN, O.L.S. – 2022

ASSOCIATION OF ONTARIO LAND SURVEYORS
PLAN SUBMISSION FORM
2188273
THIS PLAN IS NOT VALID UNLESS IT IS AN EMBOSSED ORIGINAL COPY ISSUED BY THE SURVEYOR In accordance with Regulation 1026, Section 29(3).

SURVEYOR'S REAL PROPERTY REPORT (PART 2)
PART OF LOT 2, PLAN 1443
NORTH SIDE OF J. HATT SURVEY ST
SOUTH SIDE OF KING STREET J.O. HATT'S SURVEY
AND ALL OF LOT 20, PLAN 1453
AS ILLUSTRATED ON THE PLAN.
THIS PLAN DOES NOT CERTIFY COMPLIANCE WITH ZONING BY-LAWS.
THIS PLAN WAS PREPARED FOR PATRICK McDONOUGH



LEGEND:

□	DENOTES	MONUMENT SET
■	"	MONUMENT FOUND
IB	"	IRON BAR
PB	"	PLASTIC BAR
CC	"	CUT CROSS
SIB	"	STANDARD IRON BAR
SSIB	"	SHORT STANDARD IRON BAR
655	"	J.T. PETERS, O.L.S.
824	"	A.T. McLAREN, O.L.S.
1135	"	L.G. WOODS, O.L.S.
OU	"	ORIGIN UNKNOWN
Msd	"	MEASURED
P1	"	PLAN 62R-10783
P2	"	PLAN 62R-7037
P3	"	PLAN 1453
LSA	"	LANDSCAPED AREA
CHIM	"	CHIMNEY
GM	"	GAS METER
AC	"	AIR CONDITIONER
FH	"	FIRE HYDRANT
WV	"	WATER VALVE
DS	"	DOOR SILL
GF	"	GARAGE FLOOR
BF	"	BOARD FENCE
CONC	"	CONCRETE
LSA	"	LANDSCAPED AREA
HP	"	HYDRO POLE
U	"	OVERHEAD UTILITIES
MH	"	MANHOLE
CB	"	CATCH BASIN
WW	"	WINDOW WELL
ø	"	DIAMETER
//	"	NOT TO SCALE

BEARING NOTE:
BEARINGS ARE UTM GRID, DERIVED FROM OBSERVED REFERENCE POINTS A AND B, BY REAL TIME NETWORK OBSERVATIONS, UTM ZONE 17, NAD83 (CSRS) (2010.0)

NOTE:
DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.999677970

INTEGRATION DATA

OBSERVED REFERENCE POINTS (ORP's): UTM ZONE 17, NAD83 (CSRS) (2010.0). COORDINATES TO URBAN ACCURACY PER SEC. 14(2) OF O.REG. 216/10

POINT ID	NORTHING	EASTING
ORP Ⓐ	4790907.354	584504.437
ORP Ⓑ	4790912.190	584377.871

COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

SITE BENCH MARK
CUT CROSS
ELEV. = 97.50

BENCHMARK:
MONUMENT 07720020091
ROUND IRON BAR WITH BRASS CAP

LOCATED IN DUNDAS 5m EAST OF CENTRELINE OF WINEGARDEN TRAIL ALONG DAVIDSON BLVD 11m NORTH OF CENTRELINE OF DAVIDSON BLVD 700m NORTH OF GOVERNOR'S ROAD 0.5m WEST AND 18m SOUTHWEST OF PORCH CORNER AT HOUSE #1 WINEGARDEN TRAIL NORTHEAST CORNER OF DAVIDSON BLVD & WINEGARDEN TRAIL

ELEVATION: 140.044 metres CGVD-1928:1978

NOTE:
UNDERGROUND SERVICE AND UTILITY LOCATIONS MUST BE VERIFIED PRIOR TO CONSTRUCTION

INVERTS MUST BE VERIFIED PRIOR TO CONSTRUCTION

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

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 THE 17TH DAY OF MAY, 2022

May 18, 2022
DATE

S. DAN McLAREN, O.L.S.

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

Drawn	Checked	Crew Chief	Scale	Dwg.No.
JB	REM	MWr	1:100	36927

WEBB
PLANNING CONSULTANTS

July 28, 2025

City of Hamilton
Planning & Economic Development
Committee of Adjustment
71 Main Stret West
Hamilton ON L8P 4Y5

Attention: Justin Leung
Secretary Treasurer

Dear Mr. Leung,

Re: Application for Minor Variance,
121 Hatt Street, Dundas, City of Hamilton

WEBB Planning Consultants are retained by McDonough Dentistry Professional Corporation to facilitate the municipal planning approvals required to implement the development of the subject property. This letter and materials are provided in support of an application for Minor Variance that is necessary to achieve compliance with the Regulations of the City's Zoning By-law as a pre-requisite to final approval of an Application for Site Plan Approval.

As illustrated by the Photograph below, the property is comprised of two abutting properties. The west parcel, 121 Hatt Street, is currently in use as a dental office operated by the Applicants. The east parcel, 119 Hatt Street, was recently acquired by the Applicant for the purpose of facilitating an expansion of the dental practice, the existing single detached dwelling intended to be demolished.



Site Photograph: Existing Conditions

The two parcels of land have separate PIN's but have identical ownership – "McDonough Dentistry Professional Corporation". The parcels are not intended to be merged in title and will be developed under the Consolidated Lot Regulations of Zoning By-law 05-200.

Lintack Architects have prepared the architectural plans for the development which have been submitted to the City in support of an Application for Site Plan Approval, assigned File No. SPA-25-010. The Plans illustrate the retention of the existing building at 121 Hatt Street and construction of a two storey addition on the additional lands that will accommodate the expansion of the dental practice and a single dwelling unit located on the second floor of the new building. The total gross floor area (GFA) of the addition is 366 square metres which will result in combined GFA for the existing and proposed building of 579 square metres.

City staff have processed the Application for Site Plan Approval and granted Conditional Approval of the Plans and issued the standard scope of Conditions of Approval. The consulting team is presently working to satisfy the Conditions of Approval in anticipation of submitting a Building Permit Application.

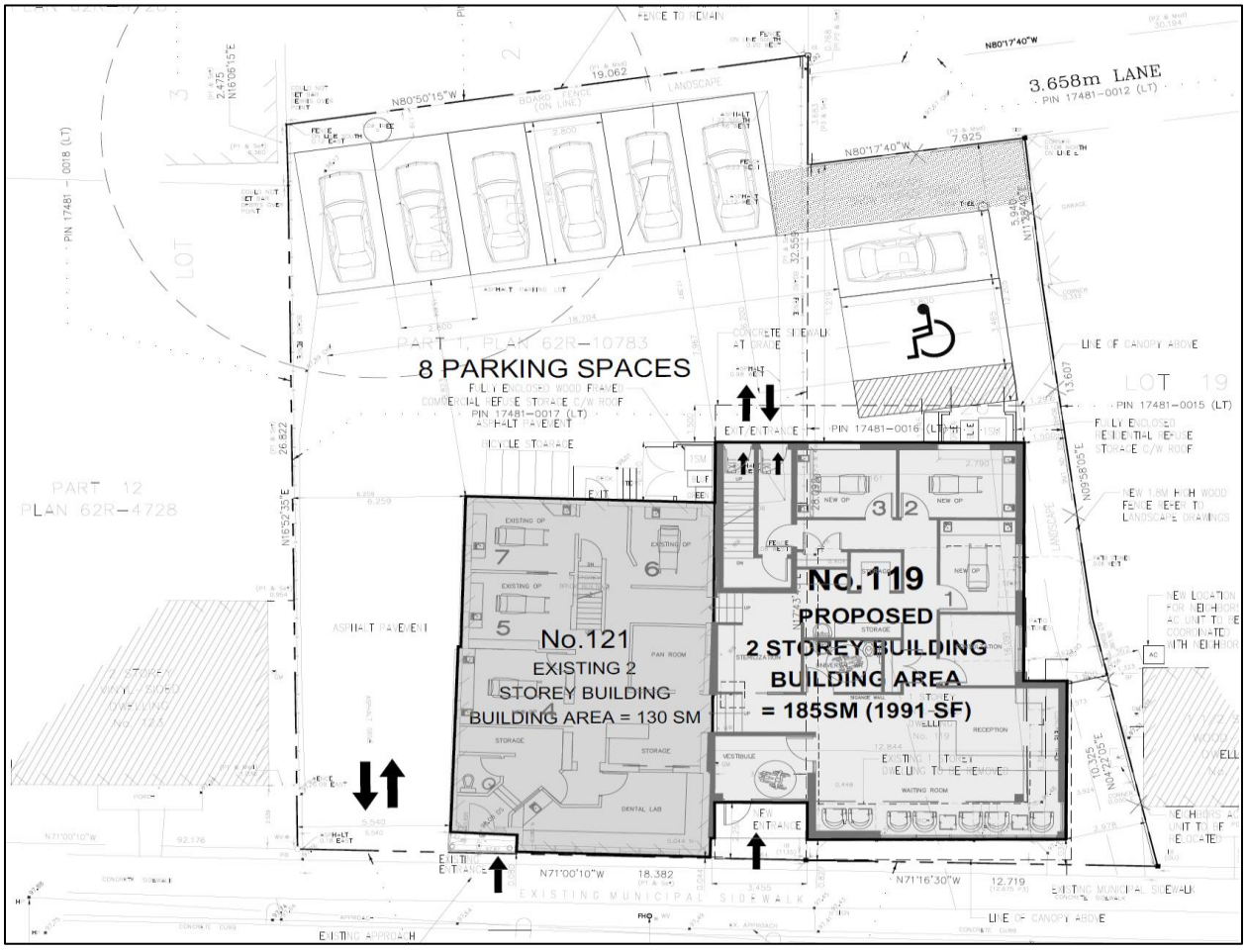


FIGURE ONE: CONDITIONALLY APPROVED SITE PLAN

A fulsome Zoning Analysis has been completed through the Site Plan Approval process and confirms limited non-compliance with Regulations of the City's comprehensive Zoning By-law 05-200, specifically, the number of parking spaces that are being provided. As detailed by the Zoning comment letter dated May 26, 2025, the proposal is deficient with resect to on-site parking necessitating a Variance as below:

1. Notwithstanding Section 5.6.(c) - Minimum Number of Required Parking Spaces, a total of 8 parking spaces are provided whereas a total of 21 parking spaces are required for the combined commercial GFA and the single dwelling unit.

ANALYSIS OF VARIANCES

We have undertaken an analysis of the proposal and it is our opinion that the Variance is appropriate for the proposed development of the lands. As summarized below, the Variance has been considered in the context of the four tests outlined by Section 45 (1) of the Planning Act and in all respects comply.

The Variance has been considered in the context of the Official Plan and in our opinion maintains the general purpose and intent.

The subject lands are identified as "Community Node" on Schedule E – Urban Structure and are designated "Mixed Use – Medium Density" on Schedule E-1 – Urban Land Use Designations of the Urban Hamilton Official Plan. Policies E.4.6.5 and E.4.6.27, amongst others, are applicable and permits the proposed mixed use – commercial combined with residential development. There is no Secondary Plan in effect for the area.

Policy E.4.6.27 states that reduced parking requirements shall be considered to encourage a broader range of uses and to take advantage of a higher level of transit service. It is noted that Hamilton Street Railway Bus Route 5 – Delaware University, runs along King Street West, stops located in close proximity to the subject lands. The Variance maintains the general intent of the Urban Hamilton Official Plan Policy based on proximity of public transit.

The Urban Design Policies of the UHOP, Section 3.3, include Policy direction with respect to parking. Specific to circumstances where a reduction in the minimum number of required parking spaces is proposed, Policy 3.3.10.11 states the City requirement to provide a Parking Analysis as part of a complete application. This Policy has been addressed by way of an inventory of the existing public parking located in immediate proximity to the subject property – parking located within a 250 metre radius and less than a 5 minute walk.

As illustrated by the Figure appended to this letter, the subject area is well served by existing municipal paid parking lots and on-street parking, the later a combination of metered and time-limit parking. With respect to municipal paring lots, there are 5 paid-parking lots (Lot 2D, Lot 3D, Lot 4D, Lot 6D and Lot 7D) having a combined total of 288 spaces, this in addition to

public parking located at the Dundas Arena/Aquatic Centre which provides an additional 146 spaces.

On-street parking is located on the Hatt Street directly opposite the subject property, as well as, on adjoining side streets including John Street, McMurray Street and Foundry Street.

The inventory of available public parking confirms the area has a significant supply to accommodate the deficiency of on-site parking for the expanded dental clinic.

Specific Policies for Parking and Loading are outlined in Volume One of the UHOP, Sections 4.5.15 – 4.5.19 - Transportation Policies. Directly relevant is Policy 4.5.19 which states that new development on properties adjacent to collector roads (Hatt Street a Collector Road per Schedule C of the UHOP), shall include provisions for sufficient parking, loading, maneuvering and off-street parking. Based on the on-site supply of 8 parking spaces complemented by the significant number of public parking spaces in the immediate area, it is our opinion that there is a sufficient supply of parking to support the subject lands and the existing businesses and residents of the adjoining downtown Dundas Community Node.

With respect to Policies that encourage active transportation and cycling, it is noted that the development does provide the necessary cycling infrastructure with short term bicycle parking spaces and at-grade design considerations to create an active and safe pedestrian environment within the public realm of Hatt Street to encourage walking.

The Variance has been considered in the context of the Zoning By-law and in our opinion maintains the general purpose and intent.

The intent of the Parking Regulations of the Zoning By-law is to ensure adequate parking is provided for patients and staff of the expanded dental clinic and new dwelling, and secondly, to ensure no conflicts with the parking requirements of businesses and residents within the Dundas Community Node.

Having regard for the Minimum Required Parking Rate Schedule, Section 5.7.1. of the By-law, the required number of parking spaces for the expansion to the existing commercial use and singe dwelling requires a total of 21 parking spaces, including one accessible parking space. This requirement is documented in a letter issued by Zoning Staff on May 26th, 2025.

The Conditionally Approved Site Plan to implement the expansion to the existing building provides a total of 8 parking spaces. As documented above, the on-site parking supply is supplemented by the significant supply of public parking that is available within immediate proximity to the subject property, a combination of on-street and municipal parking lots.

Recognizing the importance of accommodating patients with accessibility requirements, the on-site parking has been configured to meet the Zoning By-law requirements for accessible parking – one space located at the rear of the property and the building designed to meet the accessibility requirements of the Building Code and AODA Guidelines.

It is noted that the proposed design does implement the Zoning By-law objectives to active transportation, meeting the minimum requirements for both short bicycle parking. No long-term bicycle parking is required based on the scale of the development although the tenant of the upper storey dwelling unit will have the ability to store a bicycle within the unit or the basement of the building.

The Variance is Minor.

The appropriate test to establish that the Variance is minor is to consider if any adverse or negative impacts arise from the development.

In this context of this development proposal, the potential impacts would include over-flow parking to the surrounding area and the convenience for staff and patients to find parking within proximity to the expanded clinic.

This potential impact is mitigated by the abundance of public parking that is located within close proximity to the site as well as the ability to utilize public transit. Further, the Dundas core area has developed as a complete and compact community which encourages access to the clinic via alternative transportation including cycling and walking.

It is our opinion that the Variance does not permit an over-intensification of the site or reduction in the performance criteria that are otherwise intended to provide for good urban design and the appropriate supply of on-site parking.

The proposed development is desirable for the appropriate development of the lands.

It is our opinion that the Variance will provide for the desirable and appropriate development of the lands.

The Conditionally Approved Site Plan demonstrates that a portion of the parking requirement can be met on-site, including the provision of accessible parking and short term bicycle parking. Anecdotally, the owner of the clinic has confirmed that staff and patients have in fact relied heavily upon transit and alternative transportation to access the existing clinic, an example of efficient use of multi-modal alternatives available at this location. This is not anticipated to decline with the expanded facility.

It is noted that the scale of the expansion could meet the Zoning By-law requirement for on-site parking by a significantly reduced floor area. However, it is our opinion this would result in a suburban character of built form with significant areas of the site used for parking and reduced scale of development. This is not a desirable outcome for a property within downtown Dundas, identified as a “Community Node” on Schedule E – Urban Structure, an area intended for higher intensity of development and complementary built form.

The proposal is desirable for the appropriate development based on the resulting built form which locates on-site parking to the existing area at the rear of the site utilizing an existing

driveway. The resulting built form of the expanded building extends across the full Hatt Street frontage, a desirable urban design condition and compatible with the established character of Hatt Street.

In summary, it is our opinion that the Variance required to implement the proposal meets the four tests of the Planning Act and will provide for the appropriate development of the site as a mixed use project that promotes expands a needed public health use and provides a marginal increase in urban living, promoting existing businesses and the viability of the Dundas Community Node.

To facilitate the City's review of the proposed development, the following materials are being submitted to advance the Application for Minor Variance:

- Completed Application for Minor Variance;
- Planning Brief prepared by WEBB Planning Consultants;
- Application fee of $4,065.00, to be paid via credit card;
- Site Plan and Building Elevations prepared by Lintack Architects
- Topographic and Boundary Survey, prepared by A. T. McLaren.;

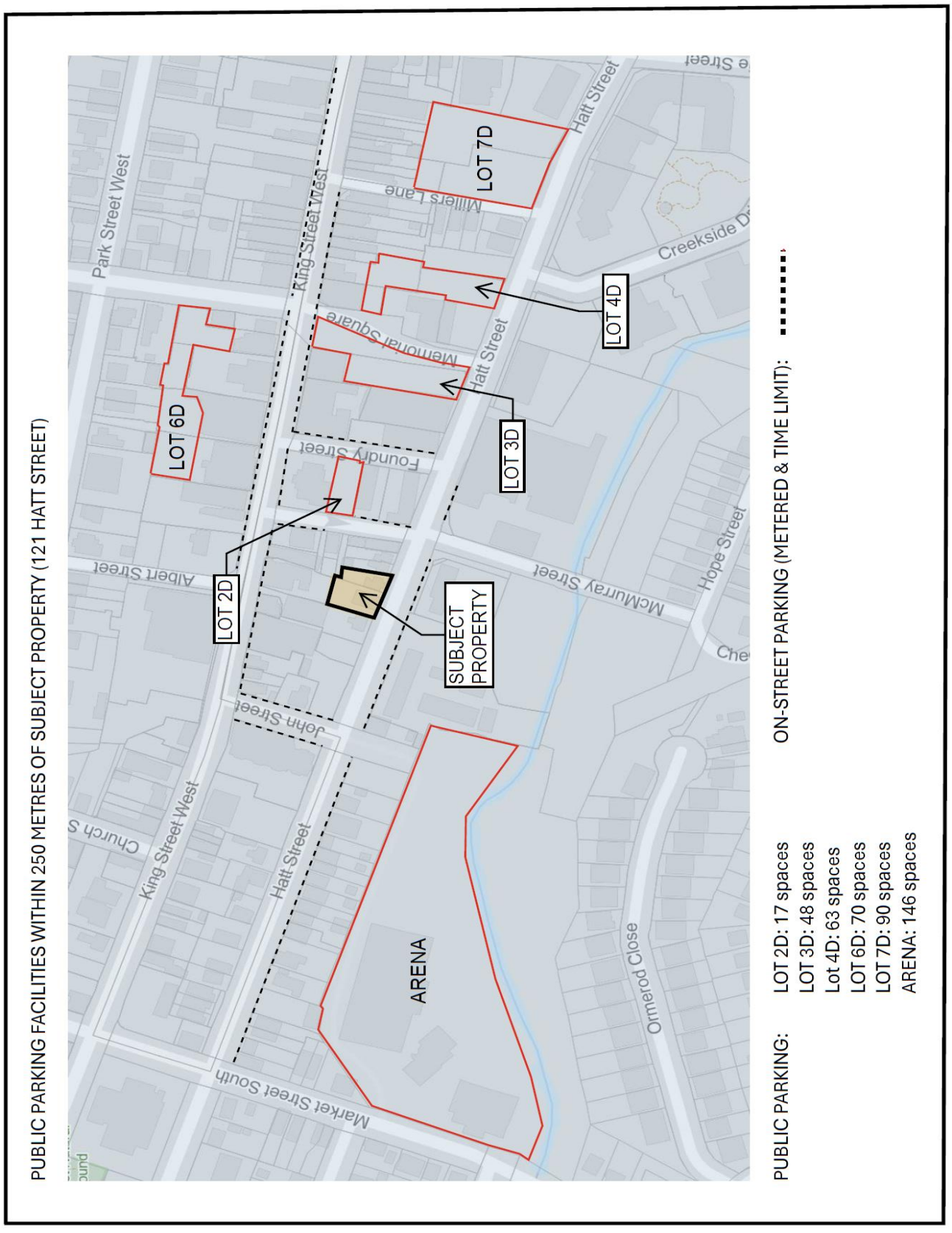
We trust that you will find the enclosed materials complete and suitable for the purpose of processing this Application for Minor Variance. Please contact our office immediately should you have any questions or require additional information in support of this submission.

Yours truly,

WEBB Planning Consultants Inc.

James Webb, MCIP, RPP

cc: McDonough Dentistry Professional Corporation
Lintack Architects


PUBLIC PARKING FACILITIES WITHIN 250 METRES OF SUBJECT PROPERTY (121 HATT STREET)
LOT 2D
LOT 3D
LOT 4D
LOT 6D
LOT 7D
SUBJECT PROPERTY
ARENA
Park Street West
King Street West
Hatt Street
Millers Lane
Memorial Square
Foundry Street
Albert Street
McMurray Street
Hope Street
John Street
Church S
Market Street South
Ormerod Close
Creekside D
ON-STREET PARKING (METERED & TIME LIMIT):
PUBLIC PARKING:
LOT 2D: 17 spaces
LOT 3D: 48 spaces
Lot 4D: 63 spaces
LOT 6D: 70 spaces
LOT 7D: 90 spaces
ARENA: 146 spaces

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	MAILING ADDRESS
Registered Owners(s)	McDonough Dentistry Professional Corporation	[redacted]
Applicant(s)	McDonough Dentistry Professional Corporation	
Agent or Solicitor	WEBB Planning Consultants	

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	119 & 121 Hatt Street		
Assessment Roll Number			
Former Municipality	Town of Dundas		
Lot		Concession	
Registered Plan Number	1443 & 1453	Lot(s)	Pt Lot 2, all of Lot 20
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:

Per Section 5.7.1 of By-law 05-200, a total of 8 parking spaces, including one accessible parking space, shall be provided notwithstanding the requirement for 21 spaces

☐ Second Dwelling Unit ☐ Reconstruction of Existing Dwelling

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

Undersized parcel of land with downtown core of old Dundas, physical limitation

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
31.0 metres	26.8 metres (irregular)	860 sq. metres	20.0 m (Hatt Street)

4.2 Location of all buildings and structures on or proposed for the subject lands: (Specify distance from side, rear and front lot lines)

Existing:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
2 storey commercial	0.04 m	15.8 m	5.5 m (W) 3.3 m (E)	01/01/1900
1 1/2 St. single detached	2.2 m	15.8	0.4 (W) 2.5 m (E)	01/01/1880
(1 1/2 St to be demolished)				

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
2 storey addition	2.2 m	11.2 m	1.5 m (East)	10/01/2025

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

Existing:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
2 storey commercial	130 sq m	213 sq m	2	9.6 m
1 1/2 St single detached	71 sq m	110 sq m	1 1/2	5.7 m
(1 1/2 St to be demolished)				

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
2 storey addition	185 sq m	366 sq m	2	7.8 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.):

Expansion to existing dental clinic, one multiple dwelling proposed on second floor of addition

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

Mix of low density residential and commercial uses

7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:

119 Hatt - acquired September 2021, 121 Hatt - acquired September 2017

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

121 Hatt - Commercial (Clinic), 119 Hatt - Single detached residential

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

121 Hatt - Dental clinic. 119 Hatt - Single detached residential

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

121 Hatt in use as a dental clinic in excess of 25 years. 119 Hatt dwelling construction unknown.

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

Rural Hamilton Official Plan designation (if applicable): N/A

Rural Settlement Area: _____

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

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

Existing dental clinic and addition to clinic and the proposed multiple dwelling are permitted uses, site is connected to full municipal services, matters of urban design considered through City review of Application for Site Plan Approval

7.6 What is the existing zoning of the subject land? C5 Zone, By-law 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: C5 Zone, By-law 05-200

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

☐ Yes ☑ No

If yes, please provide the file number: _____

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):

Please refer to cover letter prepared by WEBB Planning Consultants

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-25:169**	**SUBJECT PROPERTY:**	29 Berry Hill Avenue, Flamborough
ZONE:	'P6' (Conservation / Hazard Land - Rural Zone)	**ZONING BY-LAW:**	Hamilton Zoning By-law 05-200, as Amended by By-law 15-173

APPLICANTS: Owner: Hilary Pyper
Applicant: Amy Talukder, Jeff Jansen – Jansen Consulting

The following variances are requested:

1. A maximum building height of 8.5 metres shall be permitted for an accessory building instead of the requirement that all buildings accessory to a single detached dwelling shall not exceed a maximum building height of 4.5 metres.

2. The combined lot coverage of 93.6 square metres or 0.13% for all Accessory Buildings shall be permitted instead of the requirement that the maximum combined lot coverage shall not exceed 45 square metres or 7.5% of the lot area, whichever is the lesser.

PURPOSE & EFFECT: To permit the construction of an Accessory Structure

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:	**Thursday, September 4, 2025**
TIME:	**2:40 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-25:169

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 September 2, 2025

Orally: If you would like to speak to this item at the hearing you may do so via video link, calling in, or attending in person. Please see attached page for complete instructions, registration to participate virtually must be received no later than noon September 3, 2025

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding A-25:169, 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-25:169



Subject Lands

DATED: August 18, 2025

_____

Justin Leung,
Secretary-Treasurer
Committee of Adjustment

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

Hamilton

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

PARTICIPATING PROCEDURES

1. Written Submission Ahead of the Meeting

Members of the public who wish to provide input without speaking at the Hearing may submit written comments in advance of the meeting. Comments must be received by 12:00 p.m. (noon) on the deadline date for written comment submissions listed on the Notice of Public Hearing.

How to Submit Written Comments:

By Email:
Send to: cofa@hamilton.ca

By Mail:
Committee of Adjustment
City of Hamilton
71 Main Street West, 5th Floor
Hamilton, Ontario
L8P 4Y5

All written comments received will be made available to the Committee and the public by the Tuesday prior to the Hearing.

2. Oral Submissions During the Hearing

Interested members of the public, agents, and owners may provide oral comments on Committee of Adjustment Hearing items either virtually via Webex (computer or phone) or by attending in person.

Speaking Time Limit:
All participants providing oral submissions, either in person or virtually are limited to a maximum of 5 minutes to speak. This is to ensure all parties have an equal opportunity to be heard and that the meeting runs efficiently.

3. In-Person Oral Submissions

To participate in person, attend Council Chambers on the date and time listed in the Notice of Public Hearing. You will be required to provide your name and address for the record. It is recommended you arrive at least 10 minutes prior to the scheduled start time.

4. Virtual Oral Submissions

To participate virtually, you must register by 12:00 p.m. (noon) on the virtual oral submissions registration deadline date. This is listed on the Notice of Public Hearing.

- Committee of Adjustment file number
- Hearing date
- Name and mailing address of each person wishing to speak
- Method of participation (phone or video), and, if applicable, the phone number to be used
- Each person must register separately

Registered participants will receive a Webex link one business day before the Hearing. Only those registered will be called upon to speak.

5. Presentations

All presentations are permitted at the discretion of the Committee.

Virtual Presentations:
Presenters participating virtually may be granted permission to share their screen during the Hearing. A copy of the presentation must be submitted to cofa@hamilton.ca **by 12:00 p.m. (noon) on the business day prior to the Hearing.** The submission must be one document in PDF format only.

In-Person Presentations:
Presenters attending in person may be granted permission to use the presentation screen. Presentations must be brought on a USB device and opened by the owner/applicant. A copy of the presentation must also be sent to cofa@hamilton.ca **by 12:00 p.m. (noon) on the business day prior to the Hearing.** The submission must be one document in PDF format only. Handouts are permitted only if the same content can be displayed on the presentation screen.

6. Additional Notes

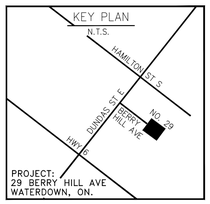
- Webex (video) participation requires a compatible computer or smartphone. The necessary application must be downloaded in advance.
- It is the interested party's responsibility to ensure their device is functional and compatible prior to the Hearing.

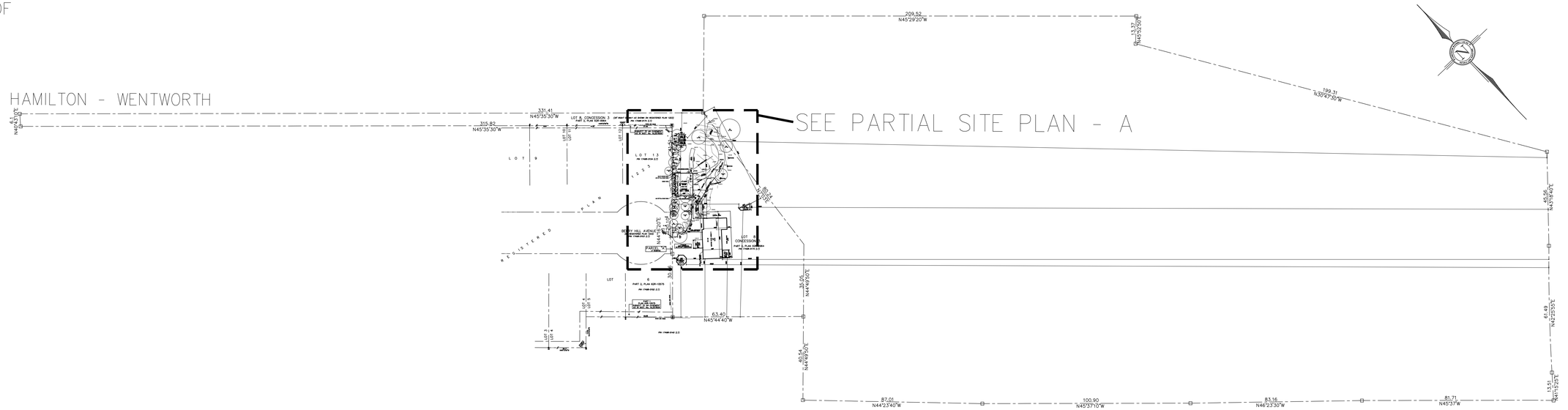
For any questions, contact staff at cofa@hamilton.ca or call 905-546-2424 ext. 4221.

SITE AND GRADING PLAN OF LOT 8 CONCESSION 3 CITY OF HAMILTON

REGIONAL MUNICIPALITY OF HAMILTON - WENTWORTH

KEY PLAN
N.T.S.





OVERALL SITE PLAN

SCALE = 1:1000

LEGEND

HT	DENOTES HYDRO TRANSFORMER
MH	DENOTES MANHOLE
CB	DENOTES SINGLE CATCHBASIN
HP	DENOTES HYDRO POLE
LS	DENOTES LIGHT STANDARD
SIGN	DENOTES SIGN
TM	DENOTES TELEPHONE CABLE MARKER
PED	DENOTES TELEPHONE PEDESTAL
WV	DENOTES WATER VALVE MAIN SHUT OFF
WB	DENOTES WATER BOX/ CURB STOP
FH	FIRE HYDRANT
GM	GAS METER
OH	DENOTES OVERHEAD HYDRO WIRE
UH	DENOTES UNDERGROUND HYDRO WIRE
T	DENOTES OVERHEAD TELEPHONE WIRE
C	DENOTES UNDERGROUND GAS LINE
B	DENOTES BELL UNDERGROUND OR OVERHEAD
B	BELL PEDESTAL
TV	CABLE T.V. PEDESTAL
	MAILBOX
SAN. INV.	SANITARY CONNECTION / INVERT
STM. INV.	STORM CONNECTION / INVERT
WATER	WATER SERVICE
X	CHAIN LINK FENCE
XX	PRIVACY FENCE
R.W.L.	DENOTES RAIN WATER LEADERS DIRECTION & SPLASH PADS
	ENTRY POINTS INTO BUILDING
	DIRECTION OF SURFACE FLOW
F.F.	FINISHED MAIN FLOOR
F.F.D.S.	DROPPED OR SUNKEN FLOOR
T.F.W.	TOP OF FOUNDATION WALL
F.B.S.	FINISHED BASEMENT SLAB
U.S.F.	UNDERSIDE OF FOOTING
U.S.F.G	UNDERSIDE OF FOOTING GARAGE
U.S.F.T.	UNDERSIDE OF FTG. TRENCHED FOR WALKOUTS, LOOKOUTS
EF	ENGINEERED FILLED LOT
HP	HIGH POINT OF GRADE
R	NUMBER OF RISERS
WO	WALKOUT CONDITION
LO	LOOKOUT CONDITION
REV	REVERSE PLAN
W	WINDOWS OR DOORS ON WALL
SP	SUMP PUMP
(00.00)	DENOTES NEW GRADES
00.00	DENOTES EXISTING GRADES
	DENOTES BENCHMARK
	DENOTES DECIDUOUS TREE DIA = DENOTES DIAMETER
	DENOTES CONIFEROUS TREE DIA = DENOTES DIAMETER
FY	FRONT YARD AREA
LA	PROP. LANDSCAPED OPEN SPACE (MIN. 40%)

GENERAL NOTES :-

IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY THAT THE LOCAL BENCHMARKS HAVE NOT BEEN ALTERED OR DISTURBED AND THAT THE RELATIVE ELEVATIONS AND DESCRIPTIONS AGREE WITH THE INFORMATION SHOWN ON THIS PLAN.
DENOTES OVERHEAD OR UNDERGROUND CABLE T.V.
IT SHALL BE RESPONSIBILITY OF THE BUILDERS TO HAVE ALL GRADES VERIFIED AND CHECKED PRIOR TO CONSTRUCTION BY AN ARCHITECT, ENGINEER, OR OTHER QUALIFIED PERSON. THE PLACEMENT OF STORMS AND SANITARY SERVICES OFF THE STREET ARE TO MEET THE REQUIREMENT OF THE MUNICIPALITY HAVING JURISDICTION.

JANSEN CONSULTING IS TO BE NOTIFIED PROMPTLY PROMPTLY OF ANY DISCREPANCIES AT LEAST 1 (ONE) WEEK BEFORE EXCAVATION COMMENCES IN ORDER THAT THE BUILDING CAN BE RESISTED FAILURE TO OBSERVE THESE CONDITIONS MAY REQUIRE MAY REQUIRE EXPENSIVE REMEDIAL ACTION THAT WILL NOT BE THE RESPONSIBILITY OF OR COST TO JANSEN CONSULTING FOUNDATIONS WALLS SHALL BE POURED TO A MINIMUM OF 6" ABOVE THE APPROVED GRADES.

FINISH GRADE LINES AS INDICATED ON THE HOUSE PROTOTYPE.

GARAGE FOOTINGS ARE TO BE EXTENDED TO ORIGINAL GROUND OR AS APPROVED BY SOILS ENGINEER.

LOCATES :

PRIOR TO DIGGING LOCATES
REQUIRED FOR SEWER IF APPLICABLE

PRIOR TO DIGGING LOCATES
REQUIRED FOR WATER IF APPLICABLE

BEFORE DIGGING, UNDERGROUND SERVICES SHOULD BE LOCATED ON SITE BY THE RESPECTIVE AGENCIES.

CALL LOCATES
FOR ALL UNDERGROUNDS
PRIOR TO EXCAVATION
THE APPLICANT WILL BE REQUIRED TO CONTACT ALL UTILITY COMPANIES TO OBTAIN ALL REQUIRED LOCATES PRIOR TO INSTALLATION OF HOARDING WITH IN MUNICIPAL RIGHT OF WAY

GRADING NOTES:

1.EXISTING DRAINAGE OF ABUTTING LANDS IS NOT TO BE DISTURBED.
2.BASEMENT OPENINGS TO BE MINIMUM 300MM ABOVE THE CENTERLINE OF ROAD UNLESS OTHERWISE APPROVED BY THE CITY'S ENGINEER.
3.GROUND ELEVATIONS AT BUILDINGS ABUTTING OVERLAND FLOW ROUTES ARE TO BE 225 ABOVE OVERLAND FLOW ROUTE ELEVATIONS.
4. SUMP PUMP MUST DISCHARGE DIRECTLY INTO MUNICIPAL STORM SEWER OR TO GRADE.
5.A MINIMUM OF 150MM (6") FROM THE TOP OF FOUNDATION TO THE FINISHED GRADE OUTSIDE THE BUILDING MUST BE PROVIDED, TYP.
6.THE FINISHED FLOOR ELEVATION, UNDERSIDE OF FOOTING ELEVATION, BASEMENT WINDOW SILL ELEVATION, ETC. ARE TO BE CONFIRMED BY THE CONTRACTOR IN CONSULTATION WITH THE BUILDING DESIGNER, BASED ON THE MIN. TOP OF FOUNDATION ELEVATION PROVIDED.

EXISTING GRADES TO REMAIN UNLESS NOTED
EXISTING DRAINAGE PATTERN TO REMAIN

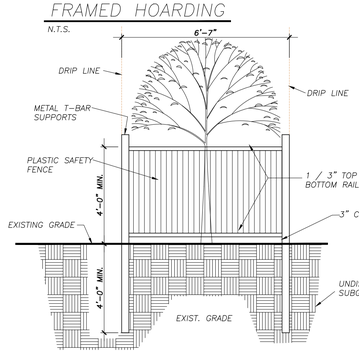
NO OPEN BURNING PERMITTED

FILL MATERIAL & TOPSOIL TO BE REMOVED OFF SITE
CLEAN BACKFILL MATERIAL TO BE RETURNED TO SITE FOR BACKFILL

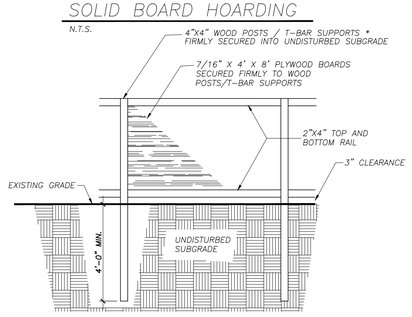
NOTE: ALL LOCATES WILL BE OBTAINED PRIOR TO THE INSTALLATION OF ANY HOARDING WITHIN MUNICIPAL RIGHT OF WAY

	SILTATION FENCING
	TREE HOARDING
OW	OVERHEAD WIRE
	TOP OF BANK
W	BURIED WATER SERVICE
SAN	BURIED SANITARY SERVICE

FRAMED HOARDING
N.T.S.



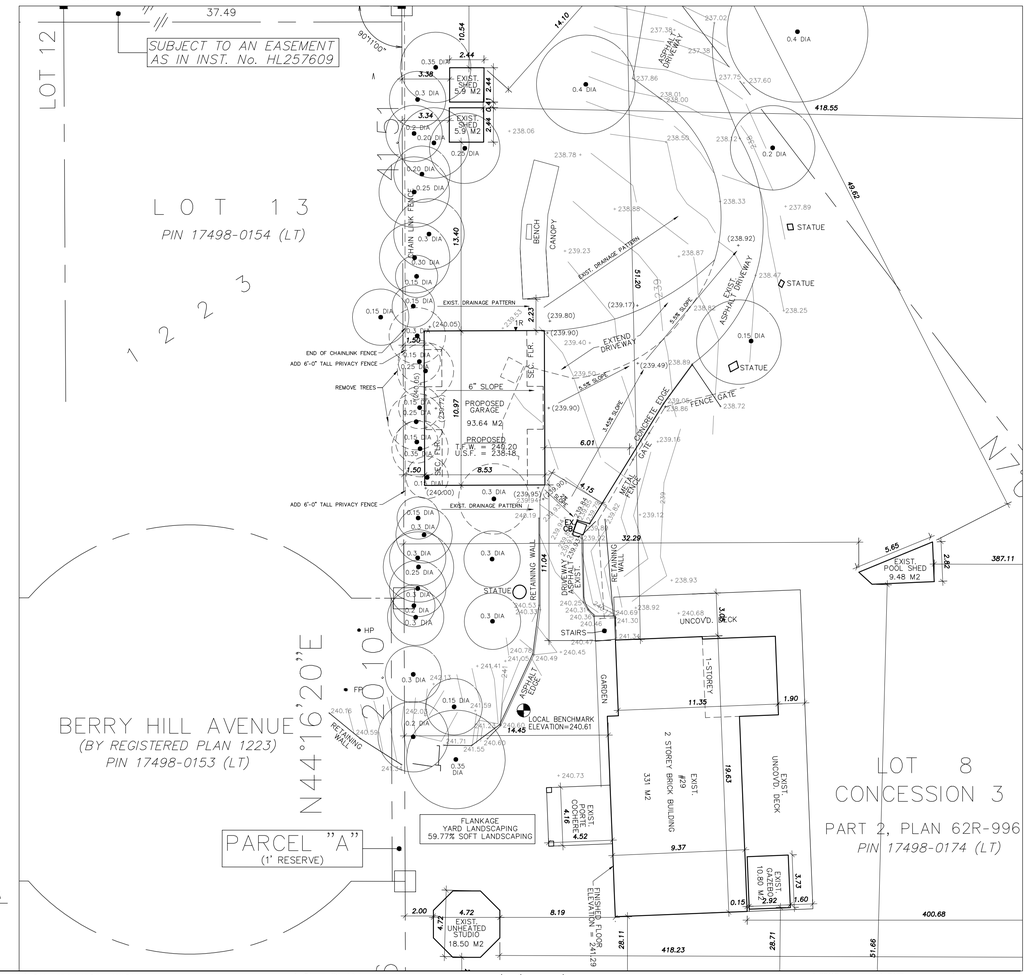
SOLID BOARD HOARDING
N.T.S.

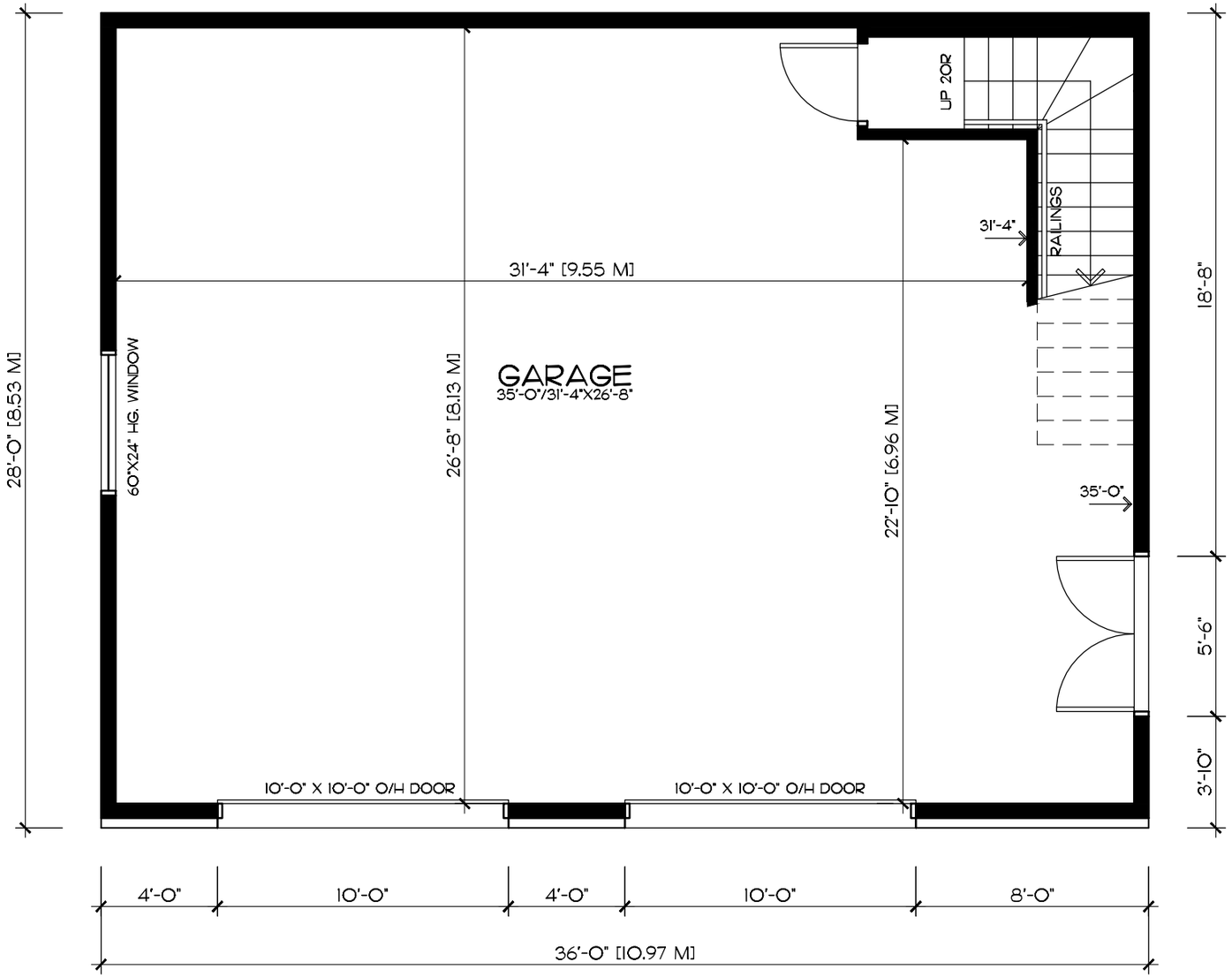


METRIC DISTANCES AND/OR COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

PARTIAL SITE PLAN - A

SCALE = 1:200


LOT 12
37.49
SUBJECT TO AN EASEMENT AS IN INST. No. HL257609
87.01
N44°23'40"W
100.90
N45°37'10"W
83.16
N46°23'30"W
81.71
N45°37'W
90°11'00"
LOT 13
PIN 17498-0154 (LT)
BERRY HILL AVENUE
(BY REGISTERED PLAN 1223)
PIN 17498-0153 (LT)
N44°16'20"E
PARCEL "A"
(1' RESERVE)
LOT 8
CONCESSION 3
PART 2, PLAN 62R-9961
PIN 17498-0174 (LT)
EXIST. 2 STOREY BRICK BUILDING
331 M2
#29
EXIST. UNHEATED STUDIO
18.50 M2
EXIST. POOL SHED
9.48 M2
EXIST. GAZEBO
10.80 M2
EXIST. UNCOVD. DECK
PROPOSED GARAGE
93.64 M2
PROPOSED T.F.W. = 247.20
U.S.F. = 238.48
EXIST. 1-STOREY
EXIST. DRIVEWAY
EXTEND DRIVEWAY
ASPHALT DRIVEWAY
CONCRETE EDGE
RETAINING WALL
RETAINING WALL
GARDEN
BENCH
CANOPY
STAIRS
UNCOVD.
DECK
LOCAL BENCHMARK ELEVATION=240.61
FINISHED FLOOR ELEVATION = 241.28
FLANKAGE YARD LANDSCAPING
59.77% SOFT LANDSCAPING
END OF CHAINLINK FENCE
ADD 6'-0" TALL PRIVACY FENCE
REMOVE TREES
6" SLOPE
EXIST. DRAINAGE PATTERN
EXIST. DRAINAGE PATTERN
EXIST. DRAINAGE PATTERN
EXIST. DRAINAGE PATTERN
ADD 6'-0" TALL PRIVACY FENCE
STATUE
STATUE
STATUE
FENCE GATE
HP
FP
SEPT. RISER
SEPT. RISER
CB
CB
0.4 DIA
0.3 DIA
0.2 DIA
0.15 DIA
0.25 DIA
0.20 DIA
0.35 DIA
14.10
10.54
3.38
2.44
3.34
2.44
5.41
2.44
418.55
40.65
40.65
13.40
2.23
1.50
10.97
6.01
8.53
4.15
32.29
17.04
3.65
1.90
11.35
19.63
9.37
4.52
2.16
2.00
4.72
8.19
28.11
418.23
28.71
51.66
400.68
5.65
2.62
387.11
3.72
1.60
2.92
0.15
1.72
1.50
1.50
1.50



NOTE:
12'-0" PLUS/MINUS CEILING THROUGHOUT MAIN FL.

MAIN FLOOR PLAN

MAIN FLOOR AREA = 1008 S.F.

LOT AREA = 70178.3 M2
EXISTING LOT COVERAGE @ 0.53% = 369.6 M2 (3979 S.F.)
PROPOSED LOT COVERAGE @ 0.13% = 93.64 M2 (1008 S.F.)
TOTAL LOT COVERAGE @ 0.66% = 463.24 M2

DATE: _____

DESIGN DRAWINGS APPROVED BY:

PRINT: _____

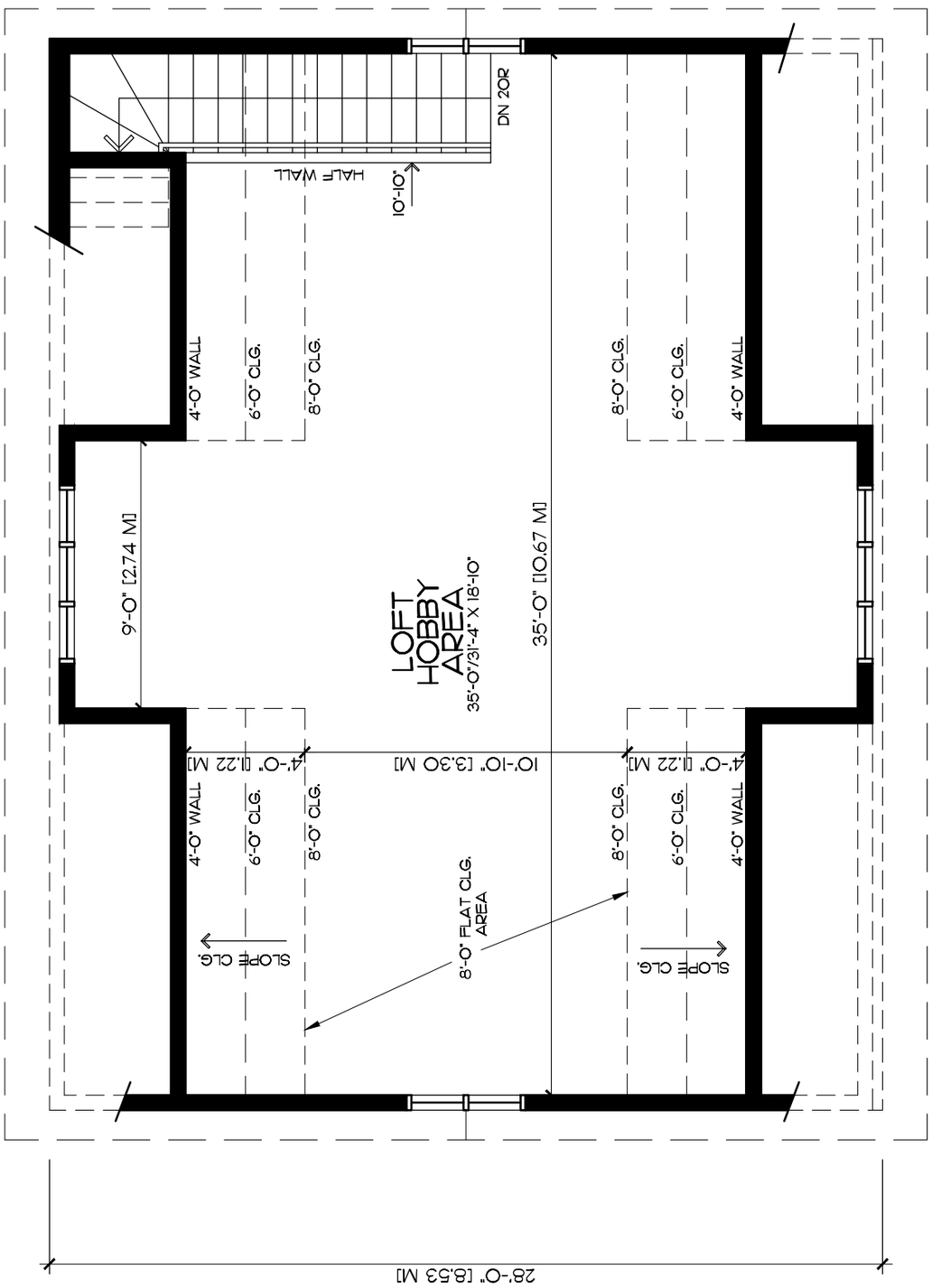
SIGN: _____

Jansen Consulting
DESIGN • CONSULTING • MANAGEMENT

70 Main Street N, P.O. Box 38
Campbellville, ON, L0P 1B0
Ph. 905-854-9696
Fax 905-854-9559
Cell 905-815-3438
EMAIL : jeffjansendesign@gmail.com

OWNERS INFORMATION :
HILARY PYPER
29 BERRYHILL AVE.
WATERDOWN, ON
L8B 0E8

D01



LOFT FLOOR PLAN

LOFT FLOOR AREA = 730 S.F.

DATE: _____

DESIGN DRAWINGS APPROVED BY:

PRINT: _____

SIGN:

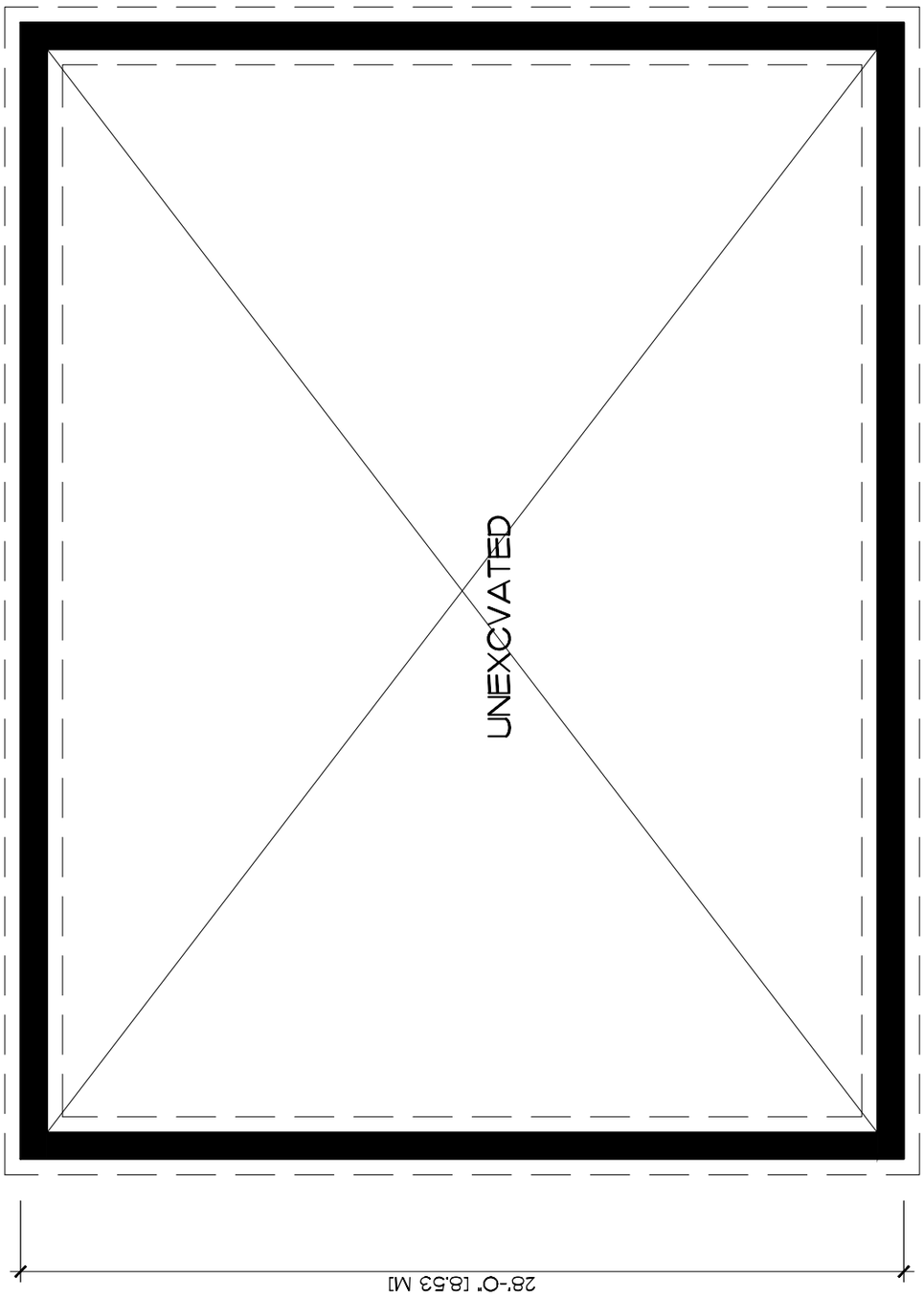
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OWNERS INFORMATION :
HILARY PYPER
29 BERRYHILL AVE.
WATERDOWN, ON
L8B 0E8

D02



FOUNDATION PLAN

DATE: _____

DESIGN DRAWINGS APPROVED BY:

PRINT: _____

SIGN:

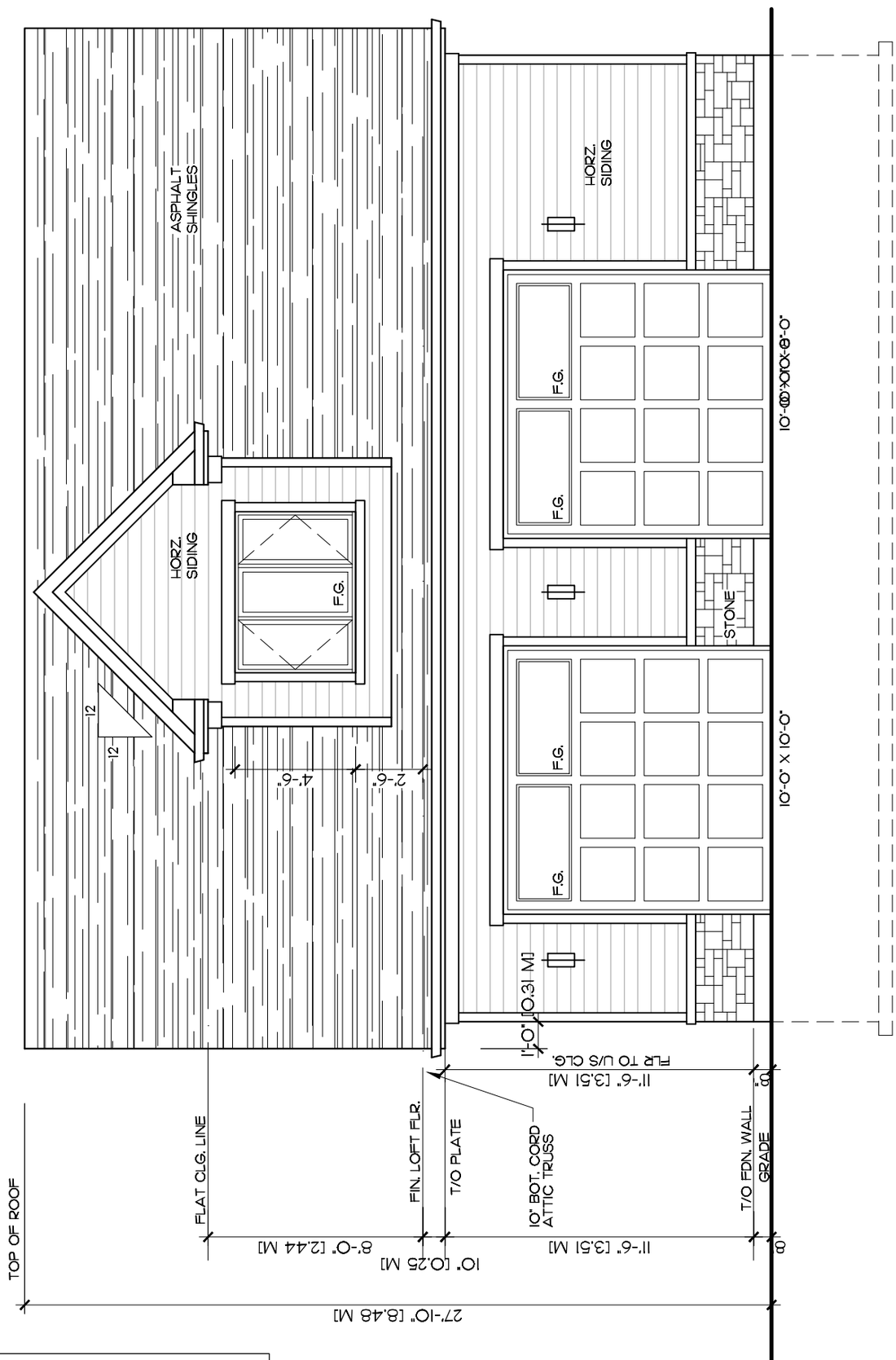
_____

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Campbellville, ON, L0P 1B0
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Fax 905-854-9559
Cell 905-815-3438
EMAIL : jeffjansendesign@gmail.com

OWNERS INFORMATION :
HILARY PYPER
29 BERRYHILL AVE.
WATERDOWN, ON
L8B 0E8

D03



FRONT ELEVATION (SOUTH)

DATE: _____

DESIGN DRAWINGS APPROVED BY:

PRINT: _____

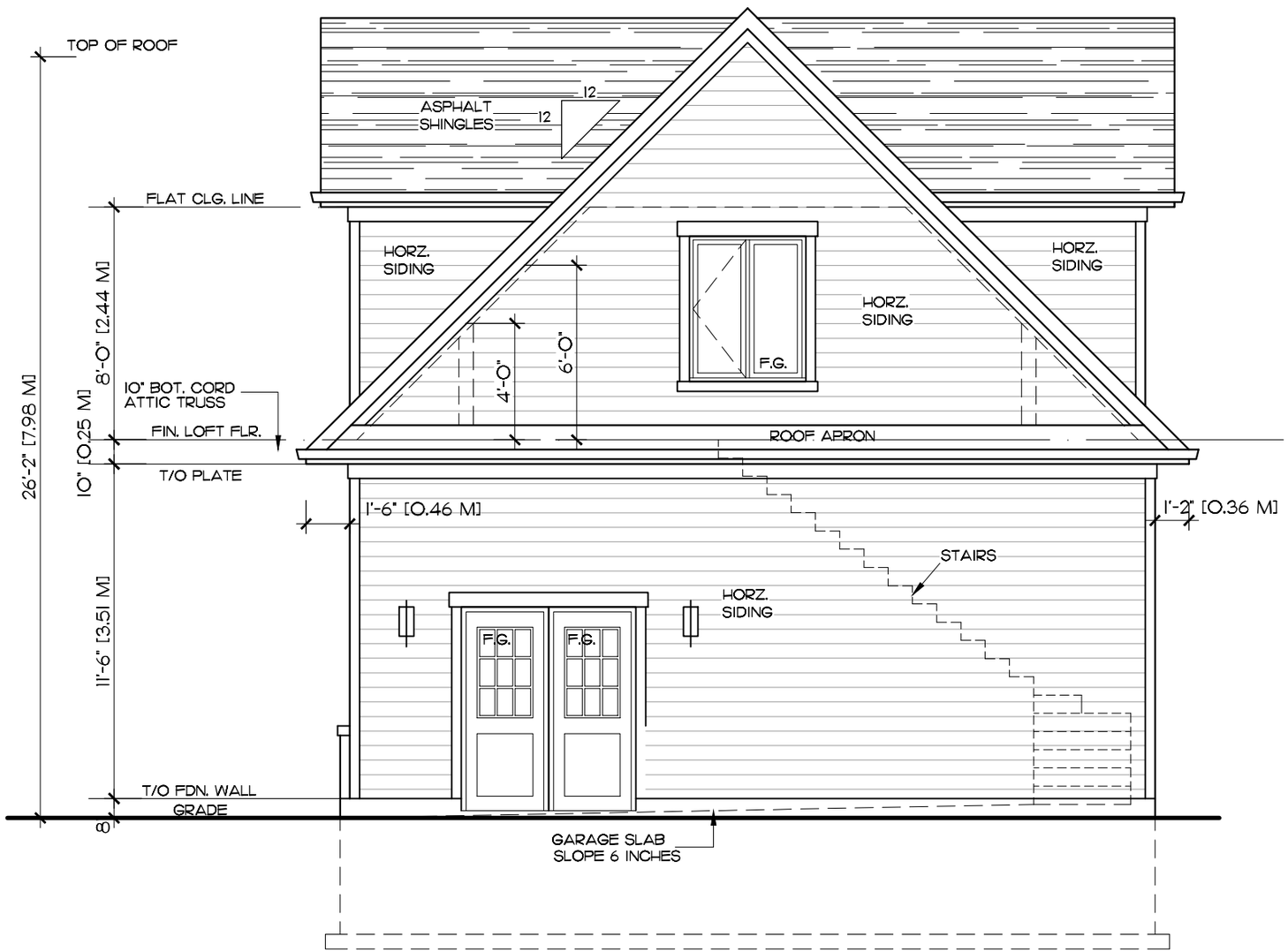
SIGN: _____

Jansen Consulting
DESIGN • CONSULTING • MANAGEMENT

70 Main Street N., P.O. Box 38
Campbellville, ON, L0P 1B0
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Fax 905-854-9559
Cell 905-815-3438
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OWNERS INFORMATION :
HILARY PYPER
29 BERRYHILL AVE.
WATERDOWN, ON
L8B 0E8

D04



RIGHT ELEVATION
(EAST)

DATE: _____

DESIGN DRAWINGS APPROVED BY:

PRINT: _____

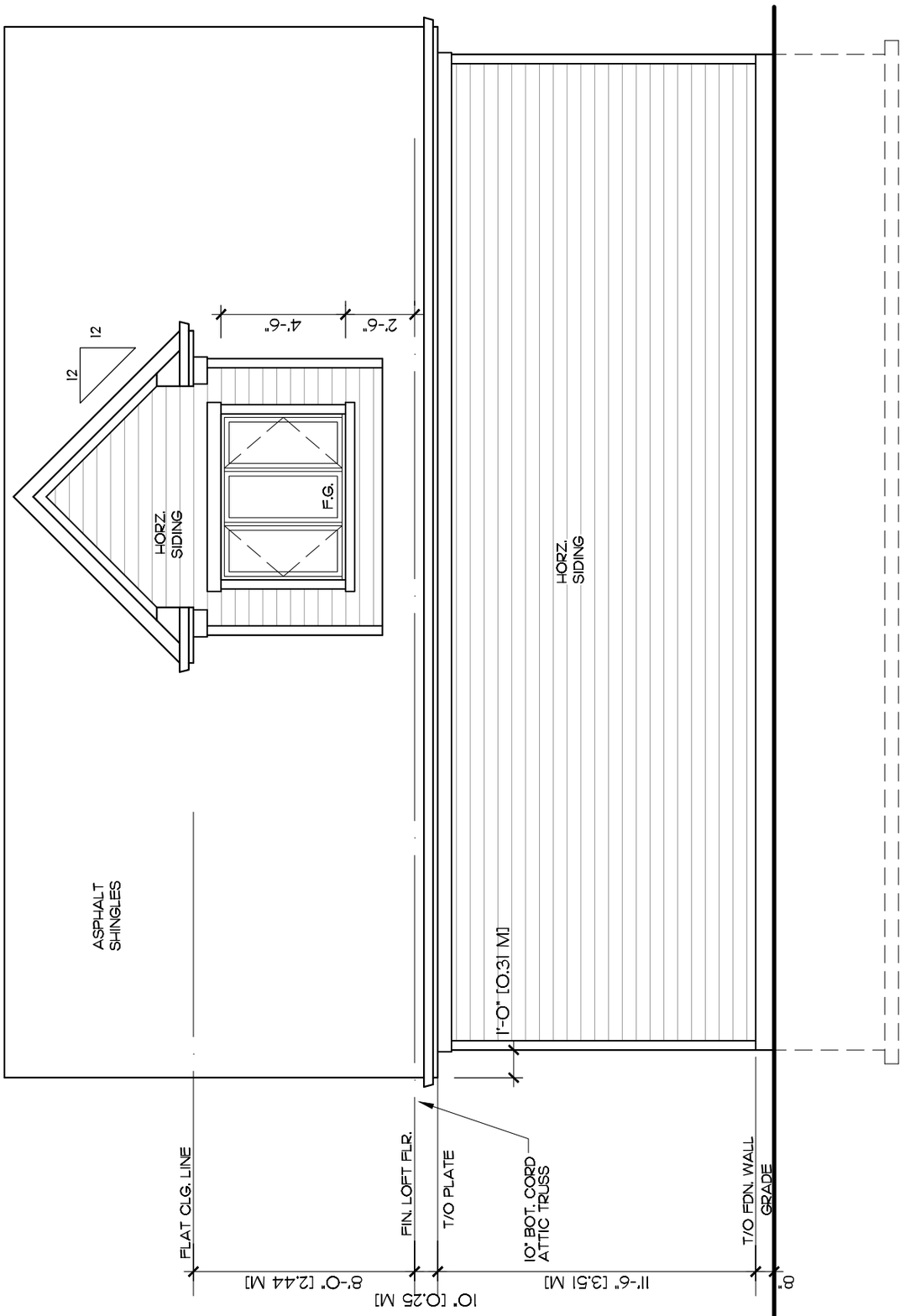
SIGN: _____

Jansen Consulting
DESIGN • CONSULTING • MANAGEMENT

70 Main Street N, P.O. Box 38
Campbellville, ON, L0P 1B0
Ph. 905-854-9696
Fax 905-854-9559
Cell 905-815-3438
EMAIL : jeffjansendesign@gmail.com

OWNERS INFORMATION :
HILARY PYPER
29 BERRYHILL AVE.
WATERDOWN, ON
L8B 0E8

D05



REAR ELEVATION (NORTH)

DATE: _____

DESIGN DRAWINGS APPROVED BY:

PRINT: _____

SIGN:

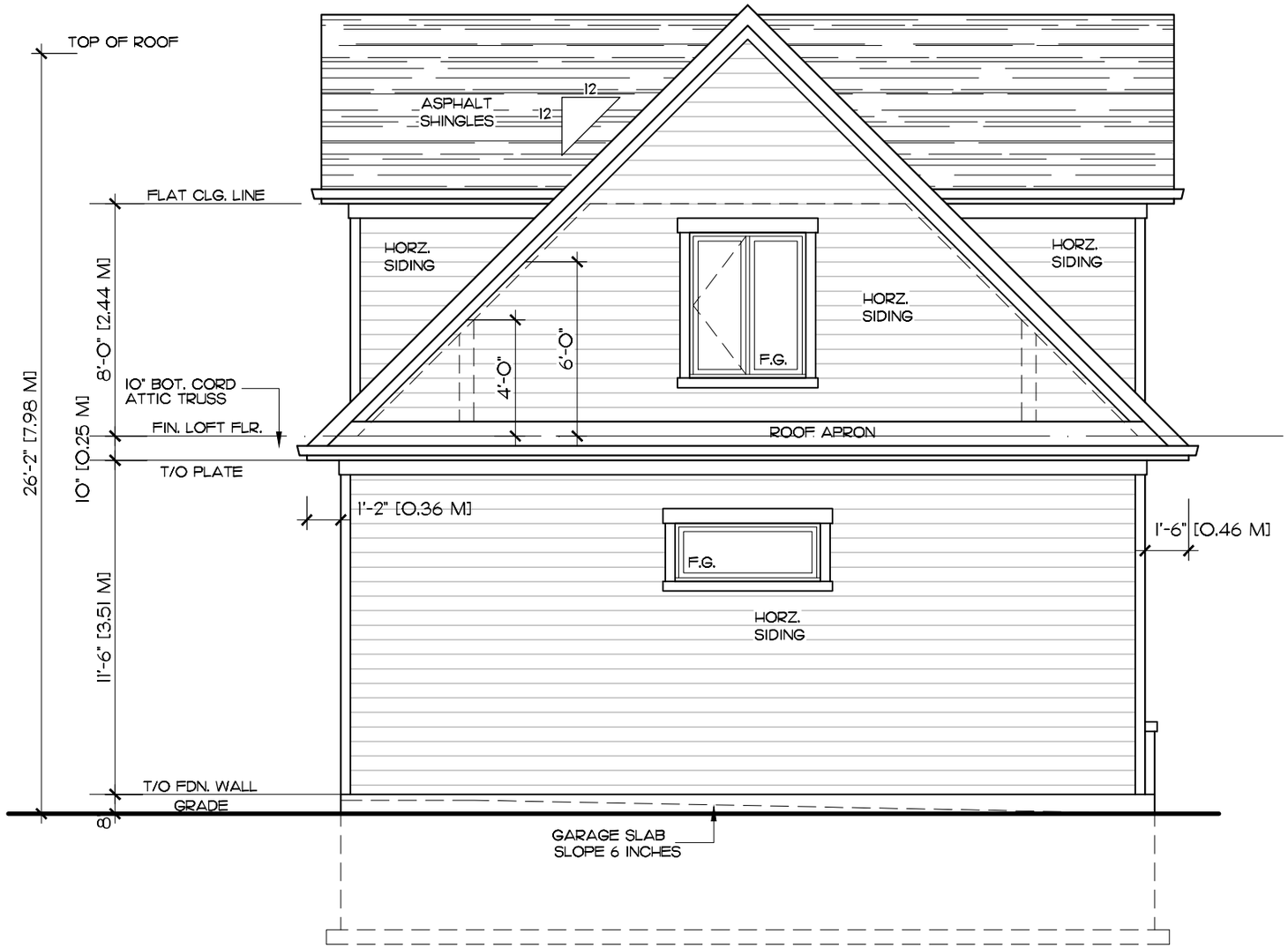
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Jansen Consulting
DESIGN • CONSULTING • MANAGEMENT

70 Main Street N., P.O. Box 38
Campbellville, ON, L0P 1B0
Ph. 905-854-9696
Fax 905-854-9559
Cell 905-815-3438
EMAIL : jeffjansendesign@gmail.com

OWNERS INFORMATION :
HILARY PYPER
29 BERRYHILL AVE.
WATERDOWN, ON
L8B 0E8

D06



LEFT ELEVATION
(WEST)

DATE: _____

DESIGN DRAWINGS APPROVED BY:

PRINT: _____

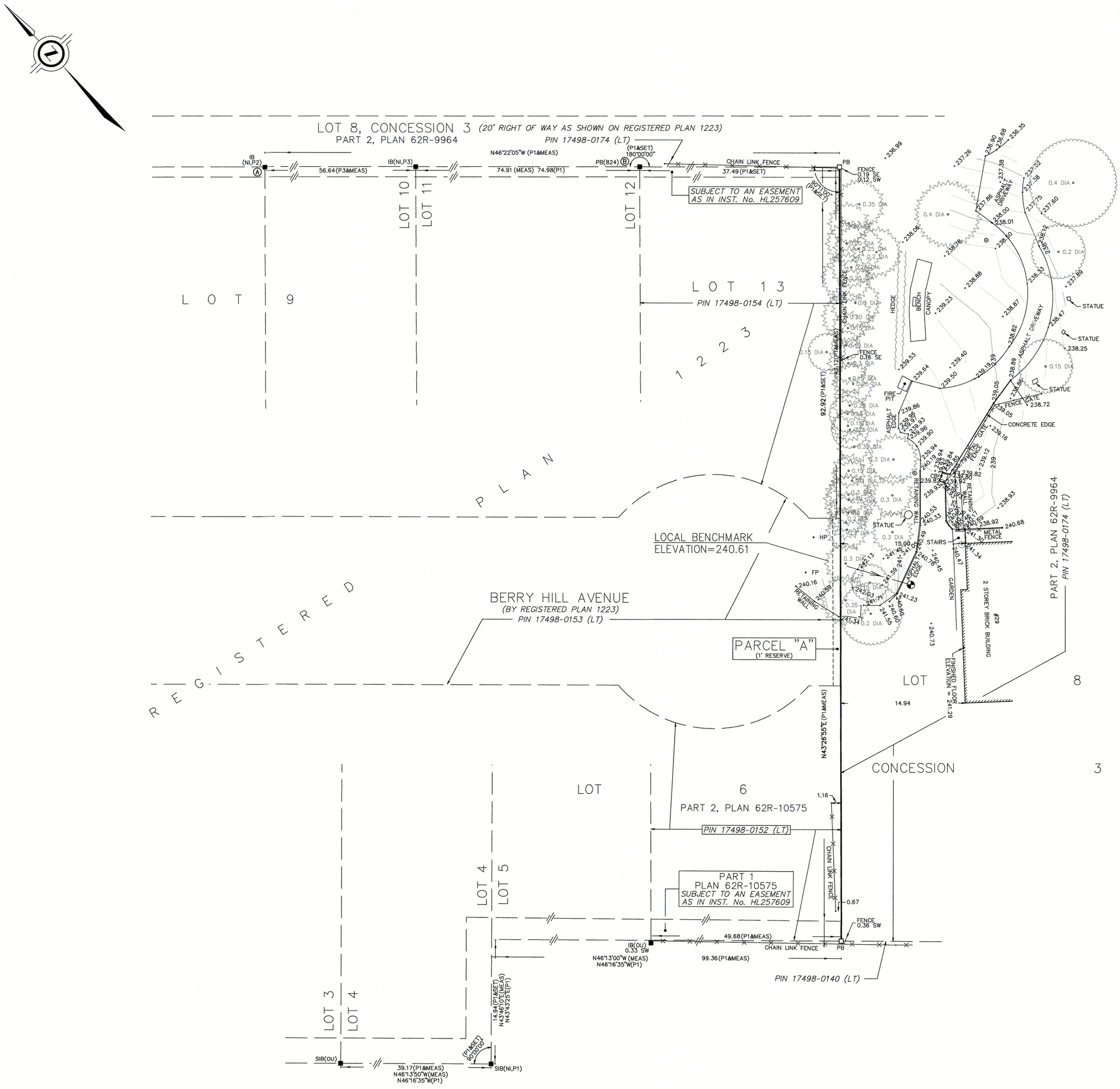
SIGN: _____

Jansen Consulting
DESIGN • CONSULTING • MANAGEMENT

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Campbellville, ON, L0P 1B0
Ph. 905-854-9696
Fax 905-854-9559
Cell 905-815-3438
EMAIL : jeffjansendesign@gmail.com

OWNERS INFORMATION :
HILARY PYPER
29 BERRYHILL AVE.
WATERDOWN, ON
L8B 0E8

D07



PLAN OF SURVEY OF

PART OF LOT 8, CONCESSION 3

CITY OF HAMILTON

(GEOGRAPHIC TOWNSHIP OF EAST FLAMBOROUGH)

REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

SCALE 1 : 250

5 0 5 10 15 metres

J.D. BARNES LIMITED

© COPYRIGHT

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

NOTES

BEARINGS ARE UTM GRID, DERIVED FROM OBSERVED REFERENCE POINTS A AND B, BY REAL TIME NETWORK (RTN) OBSERVATIONS, UTM ZONE 17, NAD83 (CSRS) (2010.0).

DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.999667.

FOR BEARING COMPARISONS, A ROTATION OF 00°46'35" COUNTER-CLOCKWISE WAS APPLIED TO BEARINGS ON P1, P4, AND P5.

INTEGRATION DATA		
OBSERVED REFERENCE POINTS (ORPs): UTM ZONE 17, NAD83 (CSRS) (2010.0).		
COORDINATES TO URBAN ACCURACY PER SECTION 14 (2) OF O.REG 216/10.		
POINT ID	EASTING	NORTHING
ORP (A)	589 436.80	4 797 791.14
ORP (B)	589 531.99	4 797 700.39
COORDINATES 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 131.56 N46°22'05"E.

ELEVATION NOTE

ELEVATIONS SHOWN ON THIS PLAN ARE RELATED TO GEODETIC DATUM AND ARE DERIVED FROM THE ONTARIO MINISTRY OF NATURAL RESOURCES AND FORESTRY BENCHMARKS:
No. 00820108061
ELEVATION=219.396m

No. 00820108064
ELEVATION=227.429m

LOCAL BENCHMARK

CONCRETE NAIL WITH WASHER ON ASPHALT AS SHOWN ON THE FACE OF PLAN.
ELEVATION=240.61m

LEGEND

■	DENOTES	SURVEY MONUMENT FOUND
□	DENOTES	SURVEY MONUMENT SET
SIB	DENOTES	STANDARD IRON BAR
IB	DENOTES	IRON BAR
PB	DENOTES	PLASTIC BAR
MEAS	DENOTES	MEASURED
NI	DENOTES	NO IDENTIFICATION
OU	DENOTES	ORIGIN UNKNOWN
824	DENOTES	A.T. McLAREN, O.L.S.
P1	DENOTES	REGISTERED PLAN 1223
P2	DENOTES	PLAN 62R-20767
P3	DENOTES	PLAN 62R-21055
P4	DENOTES	PLAN 62R-6156
P5	DENOTES	PLAN 62R-9589

N=NORTH / S=SOUTH / E=EAST / W=WEST

ALL SET 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.

TOPOGRAPHIC LEGEND

CB	DENOTES CATCHBASIN
FP	DENOTES FLAG POLE
HP	DENOTES HYDRO POLE
BM	DENOTES BENCH MARK
	DENOTES SHRUB
	DENOTES SAPLING TREE
	DENOTES CONIFEROUS TREE DIA=DIAMETER OF TRUNK IN METRES
	DENOTES DECIDUOUS TREE DIA=DIAMETER OF TRUNK IN METRES

PRIMARY CONTOURS ARE AT 1.00m INTERVALS.
SECONDARY CONTOURS ARE AT 0.25m INTERVALS.

BEFORE DIGGING, UNDERGROUND SERVICES SHOULD BE LOCATED ON SITE BY THE RESPECTIVE AGENCIES.

IT IS THE RESPONSIBILTITY OF THE CONTRACTOR TO VERIFY THAT LOCAL BENCHMARKS HAVE NOT BEEN ALTERED OR DISTURBED AND THAT THE RELATIVE ELEVATIONS AGREE WITH THE INFORMATION SHOWN ON THIS PLAN.

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 27th DAY OF JUNE, 2024.

July 2, 2024
DATE

G.T. STIDWILL
ONTARIO LAND SURVEYOR

THIS PLAN OF SURVEY RELATES TO AOLS PLAN SUBMISSION FORM NUMBER 2216408

J. D. BARNES LIMITED
SURVEYING MAPPING GIS
LAND INFORMATION SPECIALISTS
401 WHEELABRATOR WAY, SUITE A, MILTON, ON L9T 3C1
T: (905) 875-9955 F: (905) 875-9956 www.jdbarnes.com

DRAWN BY:	CHECKED BY:	REFERENCE NO.:
DF	GS	24-30-202-00-A
PLOTTED: 7/2/2024		DATED: MAY 30, 2024

FILE: G:\24-30-202\00\Drawing\24-30-202-00-A.dgn

I require this plan to be deposited under the Registry Act.

Date November 24, 1988

Richard C. Peele

Richard C Peele

PLAN 62R-9964

Received and Deposited

Date *1988 11 25*

Land Registrar for the Registry Division of Wentworth (No. 62)

SCHEDULE

PART	LOCATION	INSTRUMENT	AREA
1	PART OF LOT 6 CON. 3 & PART OF ROAD ALLOWANCE BETWEEN CONS. 2 & 3	#640072 C.D. (1st ent.)	15.67 ACRES ±
2	PART OF LOT 6 CON. 3 - E. FLAMBOROUGH		1.65 ACRES ±

PLAN OF SURVEY
SHOWING
PART OF LOT 6 - CONCESSION 3 & PART OF THE ROAD ALLOWANCE BETWEEN CONCESSIONS 2 AND 3
IN THE GEOGRAPHIC
TOWNSHIP OF EAST FLAMBOROUGH
NOW IN THE
TOWN OF FLAMBOROUGH
REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

SCALE 1" = 60'

J. D. BARNES LIMITED
1988

Legend

Bearings shown hereon are astronomic and are referred to the north-eastern limit of Registered Plan № 1223 on a course of N 45°35'30" W.

□	denotes	planted monument
fm	denotes	found monument
sib	denotes	standard iron bar
ssib	denotes	short standard iron bar
ib	denotes	iron bar
iib	denotes	round iron bar
CM	denotes	concrete monument
ODB	denotes	E. W. Woods O.L.S.
JJS	denotes	J. J. Peters O.L.S.
AJC	denotes	A. J. Clarke O.L.S.
DMO	denotes	Department of Highways (Ontario)
o/o	denotes	origin unknown
JDB	denotes	J. D. Barnes Limited

Caution

This plan is not a plan of subdivision within the meaning of the Planning Act.

Surveyor's Certificate

I certify that:

1. This survey and plan are correct and in accordance with the Surveys Act and the Registry Act and the regulations made thereunder.
2. The survey was completed on the 24th day of November, 1988.

November 25, 1988
Date

John Boyd
John Boyd
Ontario Land Surveyor

J.D. BARNES LIMITED
SURVEYING MAPPING
LAND INFORMATION SERVICES
OFFICE OF ORIGIN
70 JACKSON STREET WEST SUITE 400
HAMILTON ONTARIO (NONE (416) 522 2511

DRAWN BY: DCP | CHECKED BY: J.B. | REFERENCE NO: 88 26 107 0

62R-9964

R-2620-1

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Planning Division
71 Main Street West, 5th Floor
Hamilton, Ontario, L8P 4Y5
Phone: 905-546-2424 x1719 Fax: 905-546-4202
www.hamilton.ca

Hamilton

Wednesday, July 9, 2025

FILE: ALR
FOLDER: 25-111 ALR
ATTENTION OF: Tran Nguyen
EMAIL: Tran.Nguyen@hamilton.ca

Jansen Consulting c/o Amy Talukder
[redacted]

Attention:

RE: ZONING BYLAW COMPLIANCE REVIEW – IN SUPPORT OF A MINOR VARIANCE APPLICATION
PRESENT ZONING: Conservation / Hazard Land Rural (P6) Zone
ZONING BY-LAW: City of Hamilton Zoning By-law 05-200
ADDRESS: 29 Berry Hill Avenue, Flamborough

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

COMMENTS:

1. The proposed application is for the construction of a new 1.5 storey detached Accessory Building on a lot containing an existing Single Detached Dwelling.

2. This Applicable Law Review is in support of a Minor Variance Application.

3. Lot line determination:

    a. This is considered a through lot. As defined in The City of Hamilton's Zoning By-law 05-200, the Front Lot Line for a Through Lot shall mean, at the option of the owner, either of the lot lines abutting a public street.

Front Lot Line	The lot line abutting Dundas Street East.
Rear Lot Line	The south-easterly lot line.
Side Lot Lines	The subject property has four (4) side lot lines. The side lot lines include: the two (2) immediately adjacent lot lines that are perpendicular to the front lot line, the most easterly lot line and the south-westerly lot line.

Flankage Lot Line — The entire northwesterly lot line that abuts and extends along Berry Hill Avenue.

4. As defined in Section 3 of the City of Hamilton Zoning By-law 05-200:

    a. **Flankage Yard** - shall mean a yard extending from the front yard to the rear yard of a lot along a lot line which abuts a street measured to the nearest part of a building on the lot.

    b. **Front Yard** - shall mean a yard extending across the full width of a lot measured between the front lot line and the nearest part of a building on the lot.

5. For zoning purposes, the yard extending from the flankage lot line to the principal principal dwelling is considered the flankage yard. Based on the current lot configuration, the subject property does not have a front yard as per the definition of Front Yard in the Zoning By-law.

6. The subject land is within the Conservation / Hazard Land (P6) Zone of Hamilton Zoning By-law 05-200.

7. A Development Permit is not required from the Niagara Escarpment Commission (NEC) as the proposed development is located on the portion of the property outside of the Niagara Escarpment Development Control Area (NEC File #APP-2025-00102).

8. The subject land has frontages along Dundas Street East and Berry Hill Avenue at the northwest. The adjacent property to the immediate west and south of the subject property is zoned Conservation / Hazard Land – Rural (P6) Zone. The parcel of land to the immediate northeast of the subject land is zoned Urban residential (Single Detached) R1-6 Zone.

9. Construction of the proposed accessory building is subject to the issuance of a building permit in the normal manner. Be advised that the Ontario Building Code regulations may require specific setbacks and construction types.

10. Any new fences proposed for this development must comply with the regulations contained within the Fence By-law 10-142.

11. The designer shall ensure that the fire access routes conform to the Ontario Building Code. Please be advised that the location of the scale at the access, north of the property, would obstruct the fire access route.

12. The designer shall ensure that the fire access routes conform to the Ontario Building Code.

13. This is listed in the City of Hamilton's Inventory Heritage Buildings as a property of cultural heritage value or interest. Please contact a Cultural Heritage Planner at culturalheritageplanning@hamilton.ca, or visit www.hamilton.ca/heritageplanning for further information.

14. The review of this application is based on the submitted items:

    a. Site Plan, dated April 4, 2025, as prepared by Jansen Consulting;

b. Main Floor Plan (Drawing D01), as prepared by Jansen Consulting;

c. Loft Floor Plan (Drawing D01), as prepared by Jansen Consulting;

d. Foundation Plan (Drawing D03), as prepared by Jansen Consulting;

e. Front Elevation – South (Drawing D04), as prepared by Jansen Consulting;

f. Right Elevation – East (Drawing D05), as prepared by Jansen Consulting;

g. Rear Elevation – North (Drawing D06), as prepared by Jansen Consulting;

h. Left Elevation – West (Drawing D07), as prepared by Jansen Consulting; and

i. Email Correspondence with the Niagara Escarpment Commission, dated May 28, 2025.

15. The proposed development has been reviewed and compared to the standards of the P6 Zone, Section 4 General Regulations and Section 5 Parking Regulations of Hamilton Zoning By-law 05-200, as shown in the chart, below.

Conservation / Hazard Land – Rural (P6) Zone 29 Berry Hill Avenue, Flamborough File Number: ZCR-25-111			
Provision	**Required by the By-Law**	**Provided**	**Conforming / Non-Conforming**
Section 7.6 – Conservation / Hazard Land Rural (P6) Zone Requirements			
Permitted Uses [as per section 7.6.1 of Hamilton Zoning By-law 05-200]	Agriculture Conservation Flood and Erosion Control Facilities Recreation, Passive Secondary Uses to Agriculture Single Detached Dwelling	Existing Single Detached Dwelling to remain on lot. The proposed development is for an accessory garage.	**Conforms**
Section 7.6.2.3 Single Detached Dwelling Regulations			
New Buildings and Structures [as per section 7.6.2.3(a) of Hamilton Zoning By-law 05-200]	i) Shall not be permitted on a vacant lot.	The proposed development is for a non-vacant lot. Existing single detached dwelling to be maintained. New accessory building proposed.	**Conforms**
	ii) Shall be in accordance with the requirements of Sections 12.1.3.3 and 4.8.2.	***Reviewed Below.***	
Expansions to Existing Buildings and Structures [as per section 7.6.2.3(b) of Hamilton Zoning By-law 05-200]	Shall be in accordance with Sections 12.1.3.3 (c), (d), (e), and (f) and 4.8.2.	***Not Applicable.*** Existing single detached dwelling to be maintained. There are no proposed expansions to existing building or structures.	**N/A**

Conservation / Hazard Land – Rural (P6) Zone 29 Berry Hill Avenue, Flamborough File Number: ZCR-25-111			
Provision	**Required by the By-Law**	**Provided**	**Conforming / Non-Conforming**
Section 4.8 Accessory Buildings in All Zones			
Dwelling Unit – Prohibited Use [as per section 4.8 a) of Hamilton Zoning By-law 05-200]	Unless otherwise provided for in this By-law, Accessory Buildings shall not be used as a dwelling unit.	Proposed detached accessory building (garage) does not contain a dwelling unit.	**Conforms**
Location - Front Yard and Flankage Yard [as per section 4.8 b) of Hamilton Zoning By-law 05-200]	Accessory Buildings shall not be permitted within a front or flankage yard. **Note:** The entire northwesterly lot line that abuts and extends along Berry Hill Avenue is considered the Flankage Lot Line. The area between the flankage lot line and principal dwelling is considered the flankage yard. **Front Yard –** shall mean a yard extending across the full width of a lot measured between the front lot line and the nearest part of a building on a lot.	**Conforms** The subject property is not located in the flankage yard. **(See Section 4.8.1.1 d) iii) below.)**	
Where a Zone contains a Maximum Setback [as per section 4.8 d) of Hamilton Zoning By-law 05-200]	Notwithstanding any other provisions in this By-law, where a zone contains a maximum setback requirement from a street line, the maximum setback requirement shall not apply to Accessory Buildings.	***Not Applicable.***	**N/A**
Maximum Building Height [as per section 4.8 g) of Hamilton Zoning By-law 05-200]	All Accessory Buildings shall have a maximum height of 4.5 metres. **Note:** **Building Height** - shall mean the vertical distance from grade to the uppermost point of the building but not including any mechanical penthouse or any portion of a building designed, adapted or used for such features as a chimney, smokestack, fire wall, stair tower, fire tower, water tower, tank, elevator bulkhead, ventilator, skylight, cooling tower, derrick, conveyor, antenna, or any such requisite appurtenance, or a	Based on the Front Elevation – South (Drawing D04), the proposed building height is 8.48m – measured from grade to the top of roof.	**Non-Conforming**

Conservation / Hazard Land – Rural (P6) Zone 29 Berry Hill Avenue, Flamborough File Number: ZCR-25-111			
Provision	**Required by the By-Law**	**Provided**	**Conforming / Non-Conforming**
	flagpole, display sign, ornamental figure, parapet, bell tower or other similar structure. Provided, however, where this By-law requires building height to be calculated to determine a minimum rear yard or a minimum side yard requirement, building height shall mean the vertical distance between the lowest finished grade elevation along the lot line related to such required yard at that point closest to the building and the horizontal extension of the uppermost point of the building.		
Eave and Gutter Encroachment [as per section 4.8 h) of Hamilton Zoning By-law 05-200]	Notwithstanding Subsection 4.6a), an eave or gutter of any Accessory Building may encroach into any required yard to a maximum of 0.45 metres. **Note:** As per Section 7.6.2.3 Single Detached Dwelling Regulations – regulations shall be in accordance with Section 12.1.3.3 Regulations for a Single Detached Dwelling. Therefore, the minimum required yards are as follows: Minimum Side Yard: 3.0m Minimum Rear Yard: 10.0m Minimum Required Front Yard: N/A (This subject property does not have a front yard) **As per Section 4.8.1.1 d) iii) 2, below, the minimum required Flankage Yard is 1.2m.** **Flankage Lot Line –** shall mean a lot line other than a front lot line that abuts a street. **Flankage Yard** - shall mean a yard extending from the front yard to the rear yard of a lot along a lot line which abuts a street measured to the nearest part of a building on the lot. The entire northwesterly lot line that abuts and extends along	Based on the Left Elevation (Drawing D07) and Right Elevation (Drawing D06), the eaves project 0.36m into the required front yard. Furthermore, there appears to be an additional projection beyond the eaves (possibly gutters) that are not marked and dimensioned. **Encroachment Calculation:** **Flankage Yard Encroachment Calculations:** The current Accessory Building is setback 1.5m from the flankage lot line. **Eave Encroachment:** 1.5m - 0.36m = 1.14m The eaves are setback 1.14m from the flankage lot line. 1.2m – 1.14m = 0.06m Therefore, the eaves encroach 0.06m into the required flankage yard whereas the maximum flankage yard encroachment is 0.46m. **Gutter Encroachment:** Projection of gutters have not been marked and noted. As the gutters extend beyond the eaves, the gutters would constitute as an encroachment into the required flankage yard. However, it does not appear	**Eave Encroachment: Conforms** **Gutter Encroachment: Appears to Conform**

Conservation / Hazard Land – Rural (P6) Zone 29 Berry Hill Avenue, Flamborough File Number: ZCR-25-111			
Provision	**Required by the By-Law**	**Provided**	**Conforming / Non-Conforming**
	Berry Hill Avenue is considered the Flankage Lot Line. For zoning purposes, the area between the flankage lot line and principal dwelling is considered the flankage yard. **Rear Lot Line** - shall mean the lot line farthest and opposite to the front lot line and whereas in the case of a triangular shaped lot, the rear lot line will be the intersection point of the side lot lines. **Rear Yard –** shall mean a yard extending across the full width of a lot measured between the rear lot line and the nearest part of a building on the lot. **Side Lot Line** - shall mean any lot line other than a front or rear lot line. The Hypotenuse of a Daylight Triangle shall also be a side lot line. **Side Yard –** shall mean a yard extending from the front yard to the rear yard measured between the side lot line and the nearest part of a building on the lot.	that the gutter encroachment would exceed the permitted maximum encroachment of 0.46m into the flankage yard.	
Section 4.8.1.1 Buildings Accessory to Single Detached Dwellings, Semi-Detached Dwellings, Duplex Dwellings, Triplex Dwellings, Fourplex Dwellings, and Street Townhouse Dwellings in All Zones (Except A1 and A2 Zones)			
Maximum Lot Coverage [as per section 4.8.1.1 (a) of Hamilton Zoning By-law 05-200]	The maximum combined lot coverage of all Accessory Buildings shall not exceed 45 square metres or 7.5% of the lot area, whichever is the lesser. **Note:** For this property, 45 square metres would be the lesser. 7.5% X Lot Area = 7.5% X 70,178.3m^2 = 5,263m^2	As per the Main Floor Plan (Drawing D01), the lot area is 70,178.3m^2. The accessory building floor area is 93.64m^2. *The proposed Accessory Building would exceed the permitted maximum lot coverage of 45m^2.*	**Non-Conforming**
Additional Dwelling Unit – Detached [as per section 4.8.1.1 (b) of Hamilton Zoning By-law 05-200]	An Additional Dwelling Unit – Detached shall not be considered as an Accessory Building.	***Not Applicable.*** And Additional Dwelling Unit – Detached is not proposed.	**N/A**
Accessory Buildings over 18 Square Metres in GFA	All Accessory Buildings having a Gross Floor Area greater than or equal to 18 square metres shall	The proposed detached accessory building (garage)	**Appears to Conform**

Conservation / Hazard Land – Rural (P6) Zone 29 Berry Hill Avenue, Flamborough File Number: ZCR-25-111			
Provision	**Required by the By-Law**	**Provided**	**Conforming / Non-Conforming**
[as per section 4.8.1.1 (d) of Hamilton Zoning By-law 05-200]	conform to the following regulations:	has a Gross Floor Area over 18m^2.	
	i) Building Setback from a Rear Lot Line: Minimum 1.2 metre	It appears that the proposed Accessory Building (detached garage) is setback more than 1.2m from the rear lot line.	
	ii) Building Setback from a Side Lot Line: Minimum 1.2 metre	It appears that the proposed Accessory Building (detached garage) is setback more than 1.2m from all side lot lines.	**Appears to Conform**
	iii) Building Setback from a Flankage Lot Line:	**Please see Section 4.8.1.1 d) iii) 2, below.**	
	1. Except as required in a Subsection 4.8.1.1 e), Accessory Buildings shall conform to the regulations for the principal use.		
	2. Notwithstanding Subsection 2. 4.8.1.1 d) iii), where a zone does not contain a Flankage Lot Line requirement, the minimum building setback shall be 1.2 metres. **Note:** **Flankage Yard** - shall mean a yard extending from the front yard to the rear yard of a lot along a lot line which abuts a street measured to the nearest part of a building on the lot. The entire northwesterly lot line that abuts and extends along Berry Hill Avenue is considered the Flankage Lot Line. The area between the flankage lot line and principal dwelling is considered the flankage yard.	Based on the submitted Site Plan, the Accessory Building is setback 1.5m from the flankage lot line.	**Conforms**
Vehicular Access [as per section 4.8.1.1 (e) of Hamilton Zoning By-law 05-200]	Where a vehicular entrance to an Accessory Building faces a street line, the vehicular entrance shall be setback a minimum of 6.0 metres from the street line.	***Not Applicable.*** Access to the proposed detached garage will be at through an existing asphalt driveway that would be extended.	**N/A**
Section 4 - General Provisions			

Conservation / Hazard Land – Rural (P6) Zone 29 Berry Hill Avenue, Flamborough File Number: ZCR-25-111			
Provision	**Required by the By-Law**	**Provided**	**Conforming / Non-Conforming**
Minimum Front Yard Landscaped Area (for Single Detached Dwelling) [as per section 4.35 a) of Hamilton Zoning By-law 05-200]	50%	***Not Applicable.*** Based on the current lot configuration, the subject property does not have a front yard as defined in Section 3 of the City of Hamilton Zoning By-law 05-200.	**N/A**
Minimum Flankage Yard Landscaped Area (for Single Detached Dwelling) [as per section 4.35 b) of Hamilton Zoning By-law 05-200]	50% **Note:** **Flankage Yard** - shall mean a yard extending from the front yard to the rear yard of a lot along a lot line which abuts a street measured to the nearest part of a building on the lot. The entire northwesterly lot line that abuts and extends along Berry Hill Avenue is considered the Flankage Lot Line. For zoning purposes, the area between the flankage lot line and principal dwelling is considered the flankage yard.	***Insufficient Details*** The landscaped area percentage in the flankage yard has not been provided.	**Unable to Determine Compliance**
Required Landscaped Area for Tree Protection and/or Tree Planting [as per section 4.35 c) of Hamilton Zoning By-law 05-200]	i) Each side shall be a minimum 3.75 meters in length; and, ii) Shall not containing hard landscaping or structures.	***There appears to be adequate tree planting on site.***	**Appears to Conform**
Section 5 - Parking Regulations			
In accordance with the requirements of Section 5 of Hamilton Zoning By-law 05-200			
Required Parking to be Provided on Same Lot [as per Section 5.1.1 (d) of Hamilton Zoning Bylaw 05-200]	All required parking spaces shall be located on the same lot as the use for which they are required, unless the parking spaces are provided on another lot in compliance with Section 5.6.1.	The provided parking spaces are on the same lot requiring the use via proposed Accessory Building (detached garage).	**Conforms**

Conservation / Hazard Land – Rural (P6) Zone 29 Berry Hill Avenue, Flamborough File Number: ZCR-25-111			
Provision	**Required by the By-Law**	**Provided**	**Conforming / Non-Conforming**
Provision of Parking on a Lot Subject to Multiple Zones [as per Section 5.1.1 (e) of Hamilton Zoning Bylaw 05-200]	Where more than one zone applies to a lot, parking spaces provided for any use on the lot may be located within any zone within the boundaries of the lot, except: i) where a portion of a lot is within one of the Open Space and Park Zones, no parking spaces may be located within such portion of the lot except parking spaces required for a permitted use located within such portion.	***Not Applicable.*** The subject land is in the P6 Zone.	**N/A**
Minimum Parking Space Dimensions [as per Section 5.2.1 (a) of Hamilton Zoning Bylaw 05-200]	Unless permitted by another regulation in this By-law, parking space sizes shall be a minimum of 2.8 metres in width and 5.8 metres in length.	Based on the Main Floor Plan (Drawing D01), the two (2) garage doors will be 10'-0" (3.0m) wide. Although parking spaces are not delineated on the submitted plans, it appears that the proposed garage will be able to accommodate the minimum parking space sizes.	**Appears to Conform**
Required Increase Width due to Obstruction [as per Section 5.2.1 (b) of Hamilton Zoning Bylaw 05-200]	Where a wall, column, or any other obstruction is located abutting or within any parking space, the minimum width of a parking space shall be increased by 0.3 metres for each side which is obstructed by a wall, column, or other obstruction;	***Not Applicable.*** Based on the submitted floor plans, it does not appear that the parking spaces within the proposed detached garage will be obstructed.	**N/A**
Exceptions to Increase in Width due to Obstruction [as per Section 5.2.1 (c) of Hamilton Zoning Bylaw 05-200]	Notwithstanding Subsection 5.2.1 b), an additional 0.3 metres shall not be required provided all of the following conditions are met: i) The maximum length of the wall, column or other obstruction shall not exceed 1.15 metres, measured along the side of the parking space from the front or rear of the space towards the side's midpoint; ii) The wall, column or other obstruction is located at the front, rear, or both ends of the parking space; and,	Based on the submitted floor plans, it does not appear that the parking spaces within the proposed detached garage will be obstructed.	**Appears to Conform**

Conservation / Hazard Land – Rural (P6) Zone 29 Berry Hill Avenue, Flamborough File Number: ZCR-25-111			
Provision	**Required by the By-Law**	**Provided**	**Conforming / Non-Conforming**
	iii) The wall, column or other obstruction does not project more than 0.15 metres into the width of the parking space. i) An open stairway may project into the length of the required parking space not more than 0.75 metres provided the height of the stairway does not exceed 0.5 metres.		
Access Requirements [as per Section 5.2.4 (a) of Hamilton Zoning By-law 05-200]	a) Access Design Requirements Access to all parking shall: i) be arranged so as to not interfere with normal public use of the street or laneway; ii) be provided by means of an access driveway: 1. located on the lot; or, 2. located partly on the lot in the case of a mutual driveway; or, 3. by means of a Right-of-Way; and, iii) in the case of a Parking Lot, provide ingress and egress of vehicles to and from a street in a forward motion only.	i) it does not appear that the extended asphalt driveway on the lot would interfere with the normal public use of the street (Dundas Street East). ii) Proposed extension of existing asphalt driveway to accommodate access to garage parking spaces. Access to the site is currently provided by a 20' Right of Way access from Dundas Street (as per submitted Site Plan). iii) Not Applicable	**Conforms**
Minimum Access Driveway Width [as per Section 5.2.4 (b) of Hamilton Zoning By-law 05-200]	The width of any driveway providing access to a parking space shall be a minimum of 2.7 metres.	*Existing Condition.* As noted in the submitted Site Plan, the access driveway to the site from Dundas Street East is 20' (6.0m) in width.	**Conforms** *(Existing Condition)*
Tandem and Stacked Parking Restrictions and Exceptions [as per Section 5.2.4 (c)	All parking spaces shall have adequate means of ingress and egress to and from the street or laneway without the necessity of moving any other motor vehicle, except:	It appears that the driveway will provide sufficient ingress and egress for the vehicles.	**Conforms**

Conservation / Hazard Land – Rural (P6) Zone 29 Berry Hill Avenue, Flamborough File Number: ZCR-25-111			
Provision	**Required by the By-Law**	**Provided**	**Conforming / Non-Conforming**
of Hamilton Zoning By-law 05-200]	i) The accessibility to a maximum of one of the parking spaces for a Single Detached Dwelling may be obstructed by another motor vehicle; and	Applicant to Note.	**Applicant to Note.**
	ii) Where a parking attendant is one site or a valet service is provided in association with a Commercial parking Facility or Hotel, parking spaces may be designed to include the use of tandem or stacked parking.	***Not Applicable.***	**N/A**
5.3 LOCATIONAL, LANDSCAPING AND SURFACE MATERIAL REQUIRMENTS			
Parking Facility Surface Material Requirements [as per Section 5.3.4 of Hamilton Zoning By-law 05-200]	a) Parking Spaces, Driveways and Widening(s) in All Zones Parking spaces, driveways and widening(s) in all zones shall be provided and maintained with stable surfaces such as asphalt, concrete or other hard surface material, crushed stone, permeable pavers or gravel, and shall be maintained in a dust free condition.	***Existing Condition*** Existing asphalt parking surface to be maintained.	**Conforms** *(Existing Condition)*
Parking Facility Surface Material Requirements [as per Section 5.3.4 of Hamilton Zoning By-law 05-200]	i) Notwithstanding Section 5.3.4 a), on a lot containing a residential use in a Residential Zone, any parking provided beyond that which is required by Section 5.7.1 of this By-law shall be maintained with permeable material and shall not be deemed landscaped area in the calculation of total landscaped area on a lot.	***Not Applicable.*** Parking provided via proposed detached garage.	**N/A**

Conservation / Hazard Land – Rural (P6) Zone 29 Berry Hill Avenue, Flamborough File Number: ZCR-25-111			
Provision	**Required by the By-Law**	**Provided**	**Conforming / Non-Conforming**
	ii) Notwithstanding Section 5.3.4 a), in the Industrial Zones, where crushed stone or gravel is provided, the access driveway shall be designed such that a minimum of 10.0 metres extending from the streetline shall be constructed and maintained with asphalt, concrete or other hard surfaced material, and shall be maintained in a dust free condition.	***Not Applicable.*** The subject land is not located in the Industrial Zones; it is located within a Commercial Zone.	**N/A**
	b) Parking Lots in All Zones, except the Rural Zones Parking Lots in all zones, except the Rural Zones, shall be designed and maintained with stable surfaces such as asphalt, concrete, or other hard surfaced material, or permeable pavers.	Existing asphalt parking surface to be maintained.	**Conforms**
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.	The subject land is subject to PRA3. As such, the parking requirements are subject to the standards for PRA3.	
	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.		

Conservation / Hazard Land – Rural (P6) Zone 29 Berry Hill Avenue, Flamborough File Number: ZCR-25-111			
Provision	**Required by the By-Law**	**Provided**	**Conforming / Non-Conforming**
Minimum Required Parking Rate Schedule [as per Section 5.7.1 of Hamilton Zoning By-law 05-200] and ZON-042	a) i) Minimum Required Parking Rate Schedule for Residential Uses: Parking spaces shall be provided in the minimum quantity specified in Column 2 hereunder for each use listed in Column 1: **Single Detached Dwelling:** b) In all other areas, 1 per unit. **Hence, the existing required parking for the single detached dwelling is one (1) parking space.**	The proposed detached garage looks to be able to accommodate two (2) parking spaces.	**Conforms**

Yours truly,

Tran Nguyen

for the Manager of Zoning and Committee of Adjustment

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	MAILING ADDRESS	
Registered Owners(s)	HILARY PYPER	[redacted]	
Applicant(s)	AMY TALUKDER + JEFF JANSEN of JANSEN CONSULTING		
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 [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	29 BERRY HILL AVE, WATERDOWN		
Assessment Roll Number	3033302000000000		
Former Municipality	FLAMBOROUGH		
Lot	8	Concession	3
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:

1) BUILDING HEIGHT OF ACCESSORY STRUCTURE (DETACHED GARAGE)
ALLOWED = 4.5M PROPOSED = 8.48M
2) MAXIMUM LOT COVERAGE OF ALL ACCESSORY BUILDINGS
ALLOWED = 45M2 PROPOSED = 132.24M2
(NEW BUILDING = 93.64M2)

☐ Second Dwelling Unit ☐ Reconstruction of Existing Dwelling

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

IT IS NOT POSSIBLE TO COMPLY DUE TO OWNER'S NEED OF GARAGE SPACE (NO CURRENT ATTACHED/DETACHED) + OUTDOOR/SEASONAL ITEM STORAGE SPACE. THE LOFT TO BE USED FOR PERSONAL HOBBY SPACE.

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
6.1M (DUNDAS ST. FRONTAGE)	54.1M / 36.4M	701 78.30 M2	UNKOWN

4.2 Location of all buildings and structures on or proposed for the subject lands: (Specify distance from side, rear and front lot lines)

*FY SETBACK HAS BEEN DETERMINED TO BE @ DUNDAS ST - IF YOU LOOK @ SURVEY, NO BUILDING IS EVEN CLOSE CALL MIN. 3.17M MIN. ALWAYS)

Existing:

Type of Structure	~~Front~~ FLANKAGE Yard Setback (DUNDAS AVE)	Rear Yard Setback	Side Yard Setbacks	Date of Construction
SFD	14.45M	395M +/-	28.59M + 49.30M	1936
Shed #1	6.91 M	415.80M +/-	31.10M + 66M	2000s
Shed #2	28.87M	395M +/-	26.72M + 71.80M	2000s
Pool Shed	31.31M	391.54M +/-	47.4M + 48.64M	2000s
Unheated Studio	4M	416M +/-	27.55M + 67.43M	1936
GAZEBO	10.03M	411.80M +/-	28.79M + 63.76M	2015 +/-

Proposed:

Type of Structure	~~Front~~ FLANKAGE Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Detached garage	1.5M	414.40M	29.22M + 58.76M	SPRING 2026

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
SFD	331 M2	390 M2	2	8.5 - 9M +/-
SHED #1 + 2 (same size)	5.9 M2	5.9 M2	1	3.5M
POOL SHED	9.48 M2	9.48 M2	1	3.5M
UNHEATED STUDIO	18.50 M2	18.50 M2	1	4M
GAZEBO	10.80 M2	10.80 M2	1	3.5M

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
DETACHED GARAGE	93.64 M2	161.46 M2	2	8.48M

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.):

SINGLE DETACHED DWELLING

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

SINGLE DETACHED DWELLINGS

7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:

JANUARY 1ST, 2006

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:

ALWAYS (ATLEAST SINCE 1936)

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.

ALLOWED USE AS PER OFFICIAL PLAN.

7.6 What is the existing zoning of the subject land? PLG ZONE

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: 0

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

11 COMPLETE APPLICATION REQUIREMENTS

11.1 All Applications

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

11.4 Other Information Deemed Necessary

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

_____

_____

Hamilton

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

NOTICE OF PUBLIC HEARING
Minor Variance

You are receiving this notice because you are either:

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

APPLICATION NO.:	**A-25:150**	**SUBJECT PROPERTY:**	201 Main Street South, Hamilton
ZONE:	'R1-74e' (Urban Residential - Single Detached)	**ZONING BY-LAW:**	Flamborough Zoning By-law 90-145-Z, as Amended by By-law 22-072

APPLICANTS: Owner: Greg McNally and Jess Knutson
Applicant: Toms + McNally Design c/o Russell Wooten

The following variances are requested:

1. A maximum floor space of 405.0 square metres shall be permitted for a 2-storey dwelling instead of the maximum floor area of 372.0 square metre permitted for a 2-storey dwelling.

PURPOSE & EFFECT: To facilitate the construction of an addition to the existing 2-storey dwelling.

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:	**Thursday, September 4, 2025**
TIME:	**2:45 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-25:150

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 September 2, 2025

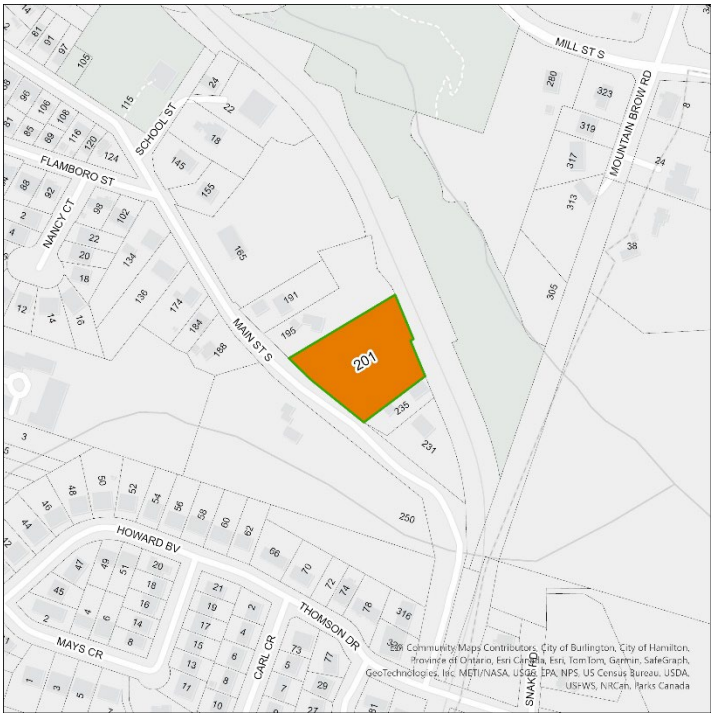
Orally: If you would like to speak to this item at the hearing you may do so via video link, calling in, or attending in person. Please see attached page for complete instructions, registration to participate virtually must be received no later than noon September 3, 2025

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding A-25:150, 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-25:150



Subject Lands

DATED: August 18, 2025

_____

Justin Leung,
Secretary-Treasurer
Committee of Adjustment

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

Hamilton

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

PARTICIPATING PROCEDURES

1. Written Submission Ahead of the Meeting

Members of the public who wish to provide input without speaking at the Hearing may submit written comments in advance of the meeting. Comments must be received by 12:00 p.m. (noon) on the deadline date for written comment submissions listed on the Notice of Public Hearing.

How to Submit Written Comments:

By Email:
Send to: cofa@hamilton.ca

By Mail:
Committee of Adjustment
City of Hamilton
71 Main Street West, 5th Floor
Hamilton, Ontario
L8P 4Y5

All written comments received will be made available to the Committee and the public by the Tuesday prior to the Hearing.

2. Oral Submissions During the Hearing

Interested members of the public, agents, and owners may provide oral comments on Committee of Adjustment Hearing items either virtually via Webex (computer or phone) or by attending in person.

Speaking Time Limit:
All participants providing oral submissions, either in person or virtually are limited to a maximum of 5 minutes to speak. This is to ensure all parties have an equal opportunity to be heard and that the meeting runs efficiently.

3. In-Person Oral Submissions

To participate in person, attend Council Chambers on the date and time listed in the Notice of Public Hearing. You will be required to provide your name and address for the record. It is recommended you arrive at least 10 minutes prior to the scheduled start time.

4. Virtual Oral Submissions

To participate virtually, you must register by 12:00 p.m. (noon) on the virtual oral submissions registration deadline date. This is listed on the Notice of Public Hearing.

- Committee of Adjustment file number
- Hearing date
- Name and mailing address of each person wishing to speak
- Method of participation (phone or video), and, if applicable, the phone number to be used
- Each person must register separately

Registered participants will receive a Webex link one business day before the Hearing. Only those registered will be called upon to speak.

5. Presentations

All presentations are permitted at the discretion of the Committee.

Virtual Presentations:
Presenters participating virtually may be granted permission to share their screen during the Hearing. A copy of the presentation must be submitted to cofa@hamilton.ca **by 12:00 p.m. (noon) on the business day prior to the Hearing.** The submission must be one document in PDF format only.

In-Person Presentations:
Presenters attending in person may be granted permission to use the presentation screen. Presentations must be brought on a USB device and opened by the owner/applicant. A copy of the presentation must also be sent to cofa@hamilton.ca **by 12:00 p.m. (noon) on the business day prior to the Hearing.** The submission must be one document in PDF format only. Handouts are permitted only if the same content can be displayed on the presentation screen.

6. Additional Notes

- Webex (video) participation requires a compatible computer or smartphone. The necessary application must be downloaded in advance.
- It is the interested party's responsibility to ensure their device is functional and compatible prior to the Hearing.

For any questions, contact staff at cofa@hamilton.ca or call 905-546-2424 ext. 4221.

MCNALLY RESIDENCE RENOVATIONS

201 Main Street South Hamilton, Ontario

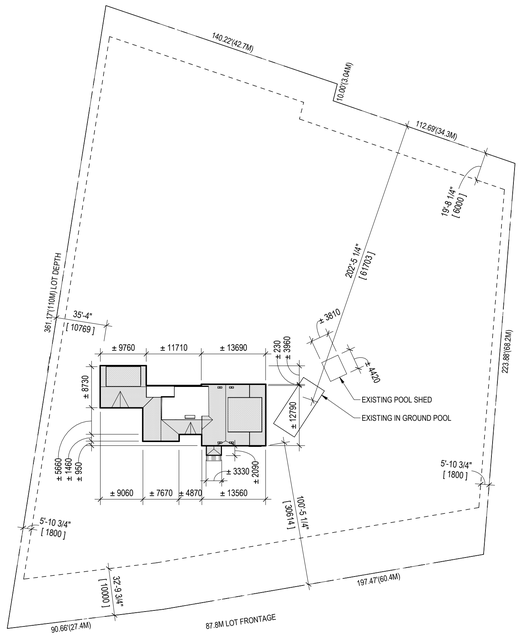
ARCHITECT

TOMS + MCNALLY DESIGN INC
41 KING WILLIAM STEET, SUITE 301
HAMILTON, ON
L8R 1A2

STRUCTURAL ENGINEER

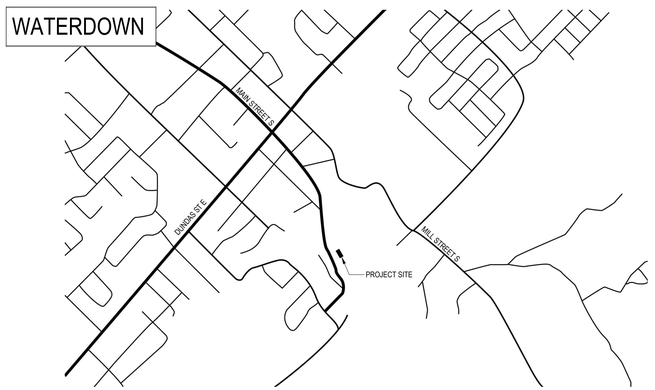
MECHANICAL ENGINEER

ELECTRICAL ENGINEER



LOT AREA = 10,366SM

1 / A0.00 SITE AREA PLAN
1" = 50'-0"



SHEET LIST

Sheet #	Sheet Name	Current Rev. Date
A0.00	COVER	2025/07/16
A0.30	ASSEMBLIES	2025/07/16
AD2.00	BASEMENT LEVEL DEMOLITION PLAN	2025/07/16
AD2.01	GROUND LEVEL DEMOLITION PLAN	2025/07/16
AD2.02	SECOND LEVEL DEMOLITION PLAN	2025/07/16
AD2.03	ROOF DEMOLITION PLAN	2025/07/16
A2.00	PROPOSED BASEMENT LEVEL FLOOR PLAN	2025/07/16
A2.01	PROPOSED GROUND LEVEL FLOOR PLAN	2025/07/16
A2.02	PROPOSED SECOND LEVEL FLOOR PLAN	2025/07/16
A2.03	PROPOSED ROOF PLAN	2025/07/16
A2.04	FLOOR SPACE PLANS-PH1	2025/07/16
A2.05	FLOOR SPACE PLANS-PROPOSED	2025/07/16
A4.00	ELEVATIONS	2025/07/16
A5.00	BUILDING SECTIONS	2025/07/16
A5.10	BUILDING SECTION	2025/07/16

@ at
ACT acoustic tile
ADJ adjustable
AFF above finished floor
AH access hatch
ALUM aluminum
ANOD anodized
ARCH architect/architectural
AVB air/vapour barrier
AWP acoustic wall panels

BD board
BEN bench
B/F barrier-free
BKHD bulkhead
BLDG building
BLK block
BN bullnose
B/S both sides
BSD electric bathing suit dryer

C channel
CAB cabinet
CB catch basin
CG corner guard
CHC colour hardened concrete
CJ control joint
CL centre line
CLAD cladding
CLG ceiling
CMT ceramic mosaic tile
CMU concrete masonry unit
CO cleanout
COL(s) column(s)
CONC concrete
COND condition(ing)
CONST construction
CONT continuous
CORR corridor
CPT carpet
CRS course(s)
CSA Canadian Standards Association
CT ceramic tile
CUPD cupboard
C/W complete with

DBL double
DBN double bullnose
DET detail
DF drinking fountain
DIA diameter
DIM(s) dimension(s)
DIV division
DMH double manhole
DN down
DOPB door operator push-button
DP deep
DPC dampproof course
DR door
DW dishwasher
DWG Drawing

EA each
EIFS exterior insulation & finish system
ELEV elevation
ELEC electrical
ENCL enclosure
EPS expanded polystyrene
EQ equal
EQUIP equipment
ES electric strike
ESB exterior stretching bar
EXH exhaust
EX, (E) existing
EXP expansion
EXT exterior

F refrigerator
FA Floor anchors
FAP wood fibre acoustic panels
FBGL fibreglass
FCT folding diaper change table
FD floor drain
FDN foundation
FEC fire extinguisher cabinet
FFL finish(ed) floor level
FG finish(ed) grade
FHC fire hose cabinet
FIN finish(ed)
FIXT fixture

FL floor(ing)
FLUOR fluorescent
FR freezer
FRR fire resistance rating
FSS folding shower seat
FTG footing

GALV galvanized
GC General Contractor
GFA gross floor area
GH glass handrail
GL glass, glazing
GR grommet
GW georgian wired
GWB gypsum wallboard
GRD gridline

H high
HC hollow core
HD electric hand dryer
HDH electric hair dryer
HHHD electric hand-held hair dryer
HDWD hardwood
HM hollow metal
HORIZ horizontal
HR hour
HSS hollow structural section
HT height
HVAC heating, ventilation & air conditioning
HYD hydrant

INSUL insulate(d)(ing)
INT interior
INTUM FP intumescent fireproof

JAN janitorial
JT joint

KP key pad

L angle
LG long
LIN linear
L/S light standard

M,m metre(s)
MAS masonry
MANUF manufacture
MAX maximum
MECH mechanical
MED medium
MEL melamine
MET metal
MIN minimum
MINS minutes
MH manhole
ML magnetic lock
MM,mm millimetre(s)
MO masonry opening
MTD mounted
MTL material
MW microwave oven

(N)
NBC National Building Code
NFPA National Fire Protection Association
NIC not in Contract
NO.,# number
NTS not to scale

OA overall
OBC Ontario Building Code
OC, C/C on centre(s)
OH overhead
OPNG opening
OWG one-way glass
OWSJ open-web steel joist

PB pushbutton
P/C precast
PDO power door operator
PDOPB power door operator push button
PHEN phenolic
PL plaster
PLAM plastic laminate
PLYWD veneer core plywood
PREFIN prefinished
PRT porcelain tile
PT, PTD paint(ed)
PTDW recessed paper towel dispenser

PTDS paper towel dispenser
PTRD paper towel/refuse disposal
PTW pressure-treated wood
PVC polyvinylchloride

QT quarry tile

R radius
RAD radiator
RB rubber base
R/C reinforced concrete
RCB cement board
RCP reflected ceiling plan
RD roof drain
REC recessed
REINF reinforced
REQD required
RF rubber flooring
RM room
RMO rough masonry opening
RO rough opening
RSI Thermal Resistance System International
RT rubber tile
RWFS resilient wood floor system

S stove
SAN sanitary (sewer, drain)
SC solid core
SCR shower curtain & rod
SCHED schedule(d)
SD counter-mounted soap dispenser
SDW wall-mounted soap dispenser
SEAL sealant
SECT section
SF sports flooring
SGB siliconized gypsum board
SHT sheet
SIM similar
SND sanitary napkin disposal
SNV sanitary napkin vendor
SPEC(S) specifications(s)
SQ square
SS stainless steel
ST stained
STC sound transmission co-efficient
STL steel
STM steam
STOR storage
STRUCT structural
SUPP supplement
SUSP suspended
SVF sheet vinyl flooring

TB towel bar
TCKBD tackboard
TERR terrazzo
T/O top of
TOC top of curb
TEMP tempered
TH towel hook
THK thick
T/P top of paving
T/S top of slab
TTD toilet tissue dispenser
T/W top of walk
TYP typical

ULC Underwriter Laboratory of Canada
U/S underside
UNFIN unfinished
UNO unless noted otherwise

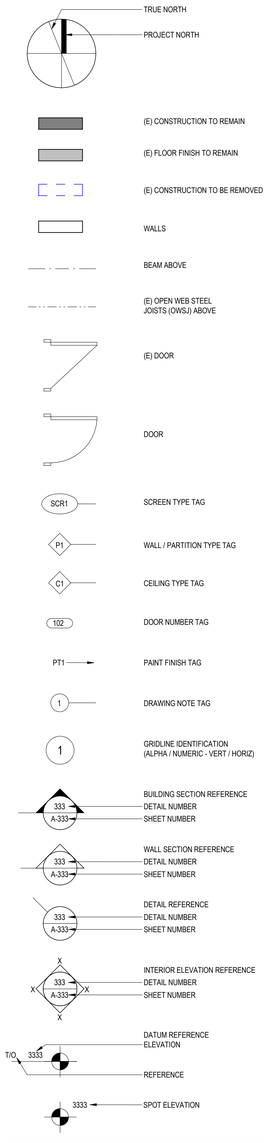
VB vapour barrier
VCJT veneer control joint
VERT vertical
VCT vinyl composite tile

W/ with
WC water closet/washroom
WCVRG wallcovering
WD wood
W/O without
WP waterproof
WR waste receptacle
WV water valve

FIRE SEPARATION NOTES

1. ALL REQUIRED FIRE SEPARATIONS SHALL HAVE A FIRE RESISTANCE RATING AS SHOWN IN THESE DOCUMENTS.
2. OPENINGS IN REQUIRED FIRE SEPARATIONS SHALL BE PROTECTED WITH CLOSURES, FIRE RATED SHAFTS, OR FIRE STOPPING MATERIALS. WHERE FIRE STOPPING MATERIALS ARE INSTALLED, USE ULC APPROVED SYSTEMS SUITABLE FOR EACH LOCATION.
3. FIRE SEPARATIONS SHALL TERMINATE SO THAT SMOKE-TIGHT JOINTS ARE PROVIDED WHERE THEY ABUT OR INTERSECT WITH A FLOOR, ROOF, SLAB, ROOF DECK, OR WALL.
4. THE FIRE PROTECTION RATING OF A CLOSURE SHALL CONFORM TO OBC TABLE 3.1.8.4.

LEGEND



NOTE -
1. ENGINEERED WOOD PRODUCTS CAN BE SUBSTITUTED FOR STRUCTURAL GLULAM, BUILT-UP BEAMS AND JOISTS PROVIDED DOCUMENTATION IS PROVIDED TO ARCHITECT FOR REVIEW BEFORE PURCHASE.
2. NEW WINDOWS TO BE INSTALLED WITH HARDWARE LIMITERS TO RESTRICT OPENING TO 100MM

2024 ONTARIO BUILDING CODE DATA MATRIX

Issued: 2025 01 01

PART 9 - HOUSING AND SMALL BUILDINGS — OBC REFERENCE [1]

Name of Practice	Toms + McNally Design Inc	
Address 1	41 King Williams Street	
Address 2	Hamilton, ON, L8N 1B1	
Contact	Russell Wooten	
Name of Project	201 Main Street	
Location/Address	201 Main Street South Hamilton On, L0R 2H0	
Date		Seal & Signature

9.00	BUILDING CODE VERSION	O.Reg. 163/24	LAST CODE AMENDMENT	O.Reg. 447/24		
9.01	PROJECT TYPE	Addition and Renovation				[A] 1.3.3.3.
		Renovation to Basement, First Floor, Second Floor.				
9.02	OCCUPANCY CLASSIFICATION	OCCUPANCY		USE		9.10.2.
		C	Residential	Single Detached Dwelling		
9.03	SUPERIMPOSED MAJOR OCCUPANCIES	NO				9.10.2.3.
9.04	BUILDING AREA (m²)	DESCRIPTION		EXISTING	NEW	TOTAL [A] 1.4.1.2.
				365.00	0.00	365.0
		TOTAL		365.0		365.0
9.05	GROSS AREA (m²)	DESCRIPTION		EXISTING	NEW	TOTAL [A] 1.4.1.2.
				196.80	0.00	196.8
				141.10	28.00	169.1
		TOTAL		337.9	28.0	365.9
9.07	BUILDING HEIGHT	2	STOREYS ABOVE GRADE	8.60 (m)	ABOVE GRADE	[A] 1.4.1.2. & 9.10.4.
		1	STOREYS BELOW GRADE			
9.08	NUMBER OF STREETS/ FIRE FIGHTER ACCESS	1	STREET(S)			9.10.20.
9.09	SPRINKLER SYSTEM	Not Required	PROVIDED: N/A			9.10.8.2.-4., and 3.2.4.7.(4)
		DESCRIBE				
9.10	FIRE ALARM SYSTEM	Not Required	TYPE PROVIDED -			9.10.18.
9.11	WATER SERVICE/ SUPPLY IS ADEQUATE	Yes				9.31.3.
9.12	CONSTRUCTION TYPE					
		RESTRICTIONS	Combustible Permitted			9.10.8.; 3.1.5., and 3.1.4.7.
		ACTUAL	Combustible	HEAVY TIMBER CONSTRUCTION NO		
9.13	POST-DISASTER BUILDING	NO				[A] 3.3.2., and Part 4.
9.14	OCCUPANT LOAD	FLOOR LEVEL/AREA	OCCUPANCY TYPE	OCCUPANT LOAD (PERSONS)	BASED ON	POSTED LIMIT REQUIRED
		Basement	-	-		No
		Ground Floor	-	-		No
		Second Floor	-	8 No. of sleeping rooms		No
		TOTAL		8		
9.15	BARRIER-FREE DESIGN	No	Sentence 9.5.2.1. (2) of Division B			9.5.2. and 3.8.
9.16	HAZARDOUS SUBSTANCES	No				9.10.1.3.
9.17	REQUIRED FIRE RESISTANCE RATINGS	HORIZONTAL ASSEMBLY		FIRE RESISTANCE RATING (Hr)	SUPPORTING ASSEMBLY (Hr)	NONCOMBUSTIBLE IN LIEU OF RATING?
		FLOORS EXCEPT CRAWLSPACE		45	-	-
		ROOF			-	-
9.18	SPATIAL SEPARATION	WALL	EBF AREA (m²)	L.D. (m)	REQUIRED FRR (H)	% LPO PERMITTED / ACTUAL
		West	No Change			/ -
		South	No Change			/ -
9.19	PLUMBING FIXTURE REQUIREMENTS	RATIO:	MALE/FEMALE = 50:50 EXCEPT AS NOTED OTHERWISE			9.31. & 3.7.4.
		FLOOR LEVEL / AREA	OCCUPANT LOAD	OBC SENTENCE	WATER CLOSETS REQUIRED/ PROVIDED	BARRIER-FREE WATER CLOSETS REQUIRED/ PROVIDED
		Basement			0/0	/
		Ground Floor			0/1	/
		Second Floor			1/3	/
9.24	NOTES					

1 ALL REFERENCES ARE TO DIVISION B OF THE OBC UNLESS PRECEDED BY (A) FOR DIVISION A AND (C) FOR DIVISION C

Ontario Building Code Data Matrix, Part 9
© Ontario Association of Architects

2

GENERAL NOTES:

1. The Architect bears no responsibility for the interpretations of these documents by the Contractor. Upon written application the Architect will provide written and graphic clarification or supplementary information regarding the intent of the Contract Documents. The Architect will review Shop Drawings submitted by the Contractor for design conformance only.
2. Drawings are not to be scaled for construction. Contractor to verify all existing conditions and dimensions required to perform the Work and report any discrepancies with the Contract Documents to the Architect before commencing work.
3. Positions of exposed or finished mechanical or electrical devices, fittings, and fixtures are indicated on the Architectural drawings. The locations shown on the Architectural drawings govern over the Mechanical and Electrical drawings. Those items not clearly located will be located as directed by the Architect.



No.	Description	Date
3	ISSUED FOR MINOR VARIANCE	2025/07/16
2	ISSUED FOR PERMIT R01	2025/06/19
1	ISSUED FOR PERMIT	2025/04/30

TOMS + MCNALLY
DESIGN | ARCHITECTURE | URBANISM | CONSTRUCTION

41 King William, Suite 301 | Hamilton | Ontario | L8R 1A2 | 289 768 2211
www.toms-mcnally.ca

ONTARIO ASSOCIATION OF ARCHITECTS — RUSSELL WOOTEN MCNALLY — LICENCE 7098

MCNALLY RESIDENCE RENOVATIONS

201 Main Street South Hamilton, Ontario

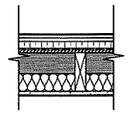
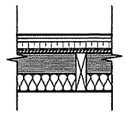
COVER

Project No.:	24063
Scale:	As indicated
Drawn By:	Author
Checked By:	Checker

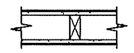
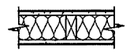
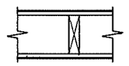
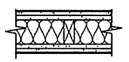
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2025-07-17 2:37:00 PM

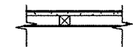
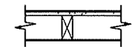
EXTERIOR WALL TYPES

	EW1	EW2
		
REQUIRED FIRE RESISTANCE RATING		
SOUND TRANSMISSION CLASS (STC)		
ASSEMBLY (EXTERIOR TO INTERIOR)	FINISH TBD COLOUR: 3/4" WD BATTENS 1" SEMI-RIGID INSULATION AIR BARRIER 1/2" PLYWOOD SHEATHING 38MM X 140MM(2"X6")WD FRAMING@600MM O.C. 3" SPRAY FOAM INSULATION 2 1/2" BATT INSULATION 6 MIL POLY VAPOUR BARRIER 15.9MM (5/8") GYP BOARD	FINISH TBD COLOUR: 3/4" WD BATTENS 1" SEMI-RIGID INSULATION AIR BARRIER 1/2" PLYWOOD SHEATHING 38MM X 140MM(2"X6")WD FRAMING@600MM O.C. 3" SPRAY FOAM INSULATION 2 1/2" BATT INSULATION 6 MIL POLY VAPOUR BARRIER

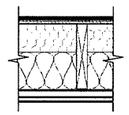
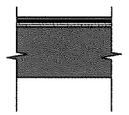
INTERIOR PARTITION TYPES

	P1	P2	P3	P4
				
REQUIRED FIRE RESISTANCE RATING		th		
SOUND TRANSMISSION CLASS (STC)				
ASSEMBLY (EXTERIOR TO INTERIOR)	15.9MM (5/8") GYPSUM BOARD 38MM X 90MM(2"X4")WD FRAMING@600MM O.C. 15.9MM (5/8") GYPSUM BOARD	15.9MM (5/8") GYPSUM BOARD 38MM X 90MM(2"X4")WD FRAMING@600MM O.C. 15.9MM (5/8") GYPSUM BOARD SEAL ALL JOINTS, SEAMS, AND TRANSITIONS	15.9MM (5/8") GYPSUM BOARD 38MM X 140MM(2"X6")WD FRAMING@600MM O.C. 15.9MM (5/8") GYPSUM BOARD FILL WITH MINERAL WOOL BATT INSULATION WHERE NOTED ON A2.01	2 LAYERS 12.9MM (1/2") GYPSUM BOARD 38MM X 90MM(2"X4")WD FRAMING@600MM O.C. MINERAL WOOL BATT INSULATION 2 LAYERS 12.9MM (1/2") GYPSUM BOARD SEAL ALL JOINTS, SEAMS, AND TRANSITIONS

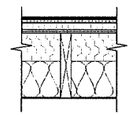
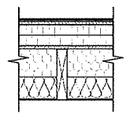
FURRING TYPES

	F1	F2	F3
			
REQUIRED FIRE RESISTANCE RATING			
SOUND TRANSMISSION CLASS (STC)			
ASSEMBLY (EXTERIOR TO INTERIOR)	16MM (5/8") GYPSUM BOARD ADHERED TO SUBSTRATE. SHIMMED AS REQUIRED	16MM (5/8") GYPSUM BOARD 38MM STRAPPING	16MM (5/8") GYPSUM BOARD 38MM x 90MM (2"X4") WD FRAMING 600MM O.C.

FLOOR TYPES

	FL1	FL2
		
	19MM (3/4") PLYWOOD 38 X 235 WD JOIST C/W SPRAYFOAM 5 1/2" MINERAL WOOL BATT INSULATION 1" STRAPPING 2 LAYERS 1/2" GYB ALL JOINTS AND SEAMS SEALED	19MM (3/4") PLYWOOD EXISTING JOISTS

ROOF TYPES

	R1	R2
		
	2 PLY MODIFIED BITUMINOUS MEMBRANE 12MM (1/2") T&G PLYWOOD 1" RIGID INSULATION 5 1/2" MINERAL WOOL BATT INSULATION 12MM (1/2") T&G PLYWOOD 38 X 235 WOOD JOISTS C/W SPRAYFOAM INSULATION	ASPHALT SHINGLES VAPOUR BARRIER ICE AND WATER BARRIER FOR FIRST 1200 (4') AT PERIMETER OF ROOF 12MM (1/2") T&G PLYWOOD 3" RIGID INSULATION 12MM (1/2") T&G PLYWOOD 38 X 184 WOOD JOISTS C/W SPRAYFOAM INSULATION 3" MINERAL WOOL BATT INSULATION

DOOR SCHEDULE

DOOR NO.	FROM	TO	PANEL WIDTH	HEIGHT	THICKNESS	FIRE RATING	PANEL MATERIAL	PANEL FINISH	FRAME MATERIAL	FRAME FINISH	REMARKS
D04	W/C	SUNROOM	2'-6"	6'-6"	1 3/4"	-	WD	PT	WD	PT	
D05	DEN	BEDROOM 3	2'-6"	6'-6"	1 3/4"	-	WD	PT	WD	PT	
D06	DEN	BEDROOM 4	2'-6"	6'-6"	1 3/4"	-	WD	PT	WD	PT	
D07	BEDROOM 3	CLOSET	2'-0"x 2'-0"	7'-0"	1 3/4"	-	WD	PT	WD	PT	BI-FOLD DOORS
D08	BEDROOM 4	CLOSET	2'-0"x 2'-0"	7'-0"	1 3/4"	-	WD	PT	WD	PT	BI-FOLD DOORS
D09	CORRIDOR	BATH	2'-6"	6'-6"	1 3/4"	-	WD	PT	WD	PT	
D10	CORRIDOR	Laundry	2'-6"	6'-0"	1 3/4"	-	WD	PT	WD	PT	
D11	LINEN CLOSET	CORRIDOR	2'-6"	6'-4"	1 3/4"	-	WD	PT	WD	PT	
D12	PRIMARY BEDROOM	PRIMARY BATH	2'-8"	7'-0"	1 3/4"	-	WD	PT	WD	PT	
D13	PRIMARY BEDROOM	CLOSET	2'-3"x 2'-3"	7'-0"	1 3/4"	-	WD	PT	WD	PT	BI-FOLD DOORS
D16	GARAGE	SUNROOM	2'-6"	6'-6"	1 3/4"	-	WD	PT	WD	PT	SEAL W/ CLOSER

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No.	Description	Date
3	ISSUED FOR MINOR VARIANCE	2025/07/16
2	ISSUED FOR PERMIT R01	2025/06/19
1	ISSUED FOR PERMIT	2025/04/30

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GERARD JOHN MCNALLY
LICENCE
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MCNALLY RESIDENCE RENOVATIONS

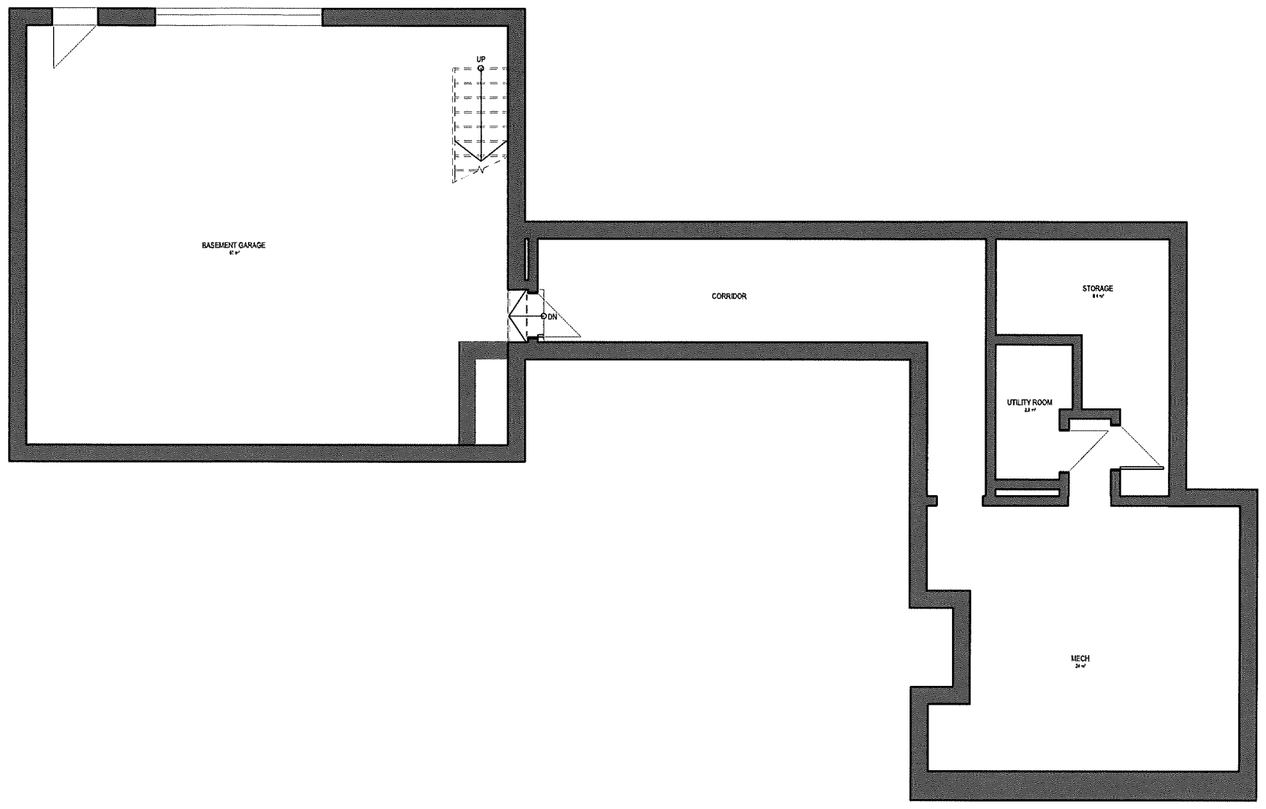
201 Main Street South Hamilton, Ontario

ASSEMBLIES

Project No.: 24063
Scale: 1 : 10
Drawn By: Author
Checked By: Checker

A0.30

2025-07-16 2:37:25 PM



DEMO LEGEND

TO BE DEMOLISHED

EXISTING STRUCTURE

ROOF TO BE REMOVED

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BASEMENT LEVEL DEMOLITION PLAN

Project No.:	24063
Scale:	As Indicated
Drawn By:	Author
Checked By:	Checker

AD2.00

/EL PLAN
1/4" = 1'-0"

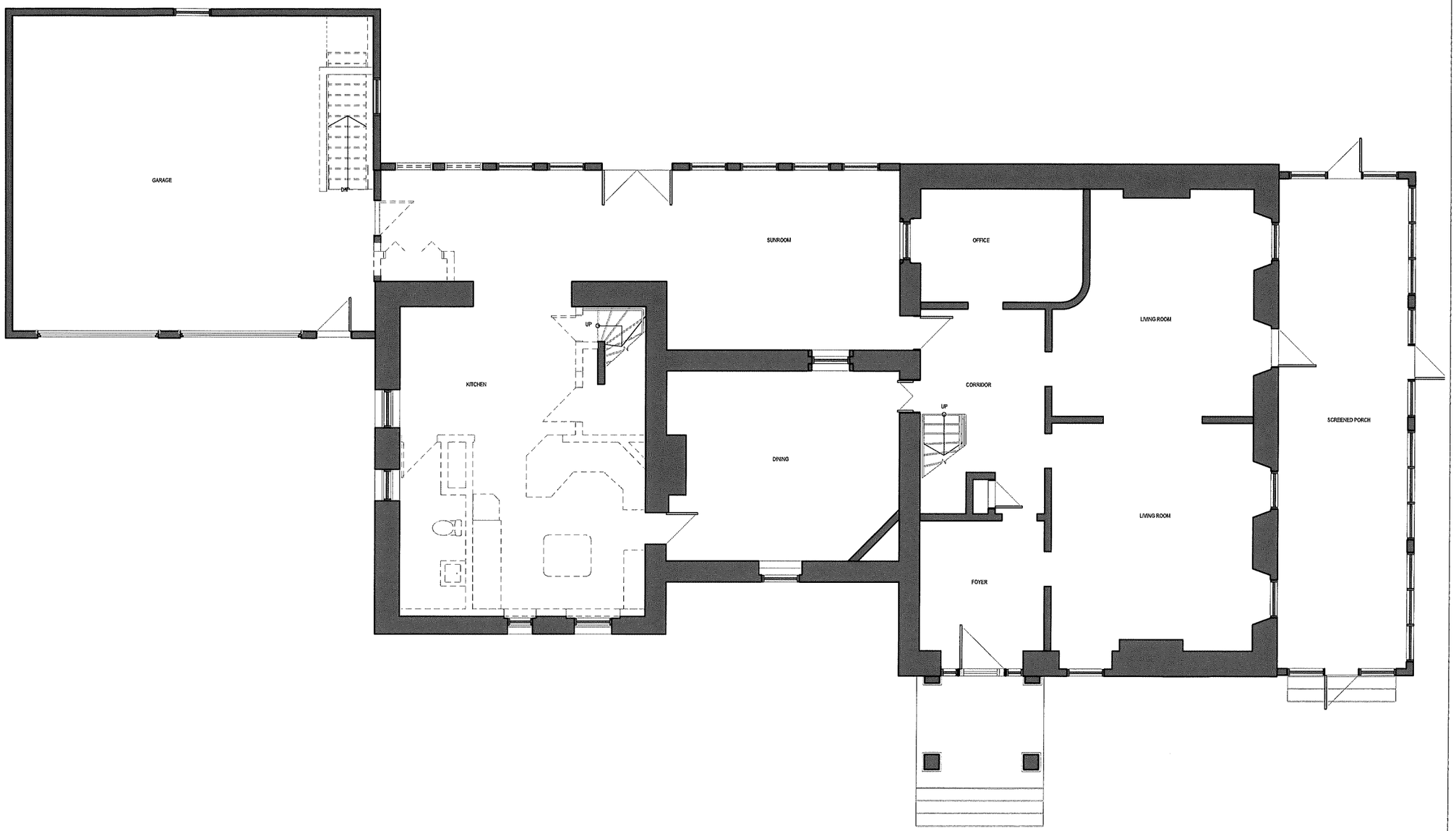
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DEMO LEGEND

TO BE DEMOLISHED

EXISTING STRUCTURE

ROOF TO BE REMOVED



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JOSEPH MCNALLY
LICENCE
7098

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GROUND LEVEL DEMOLITION PLAN

Project No.:	24063
Scale:	As indicated
Drawn By:	Author
Checked By:	Checker

AD2.01

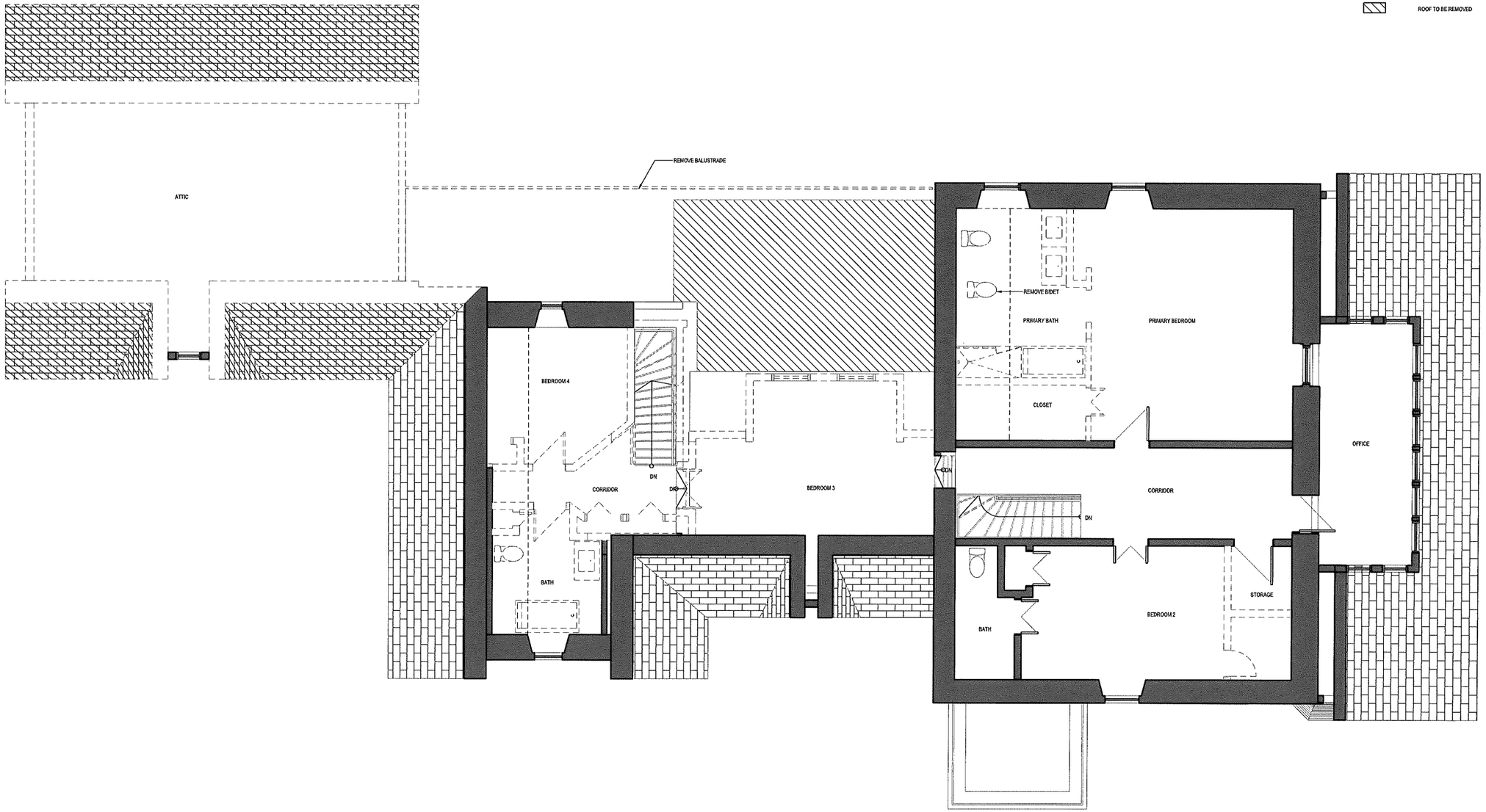
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DEMO LEGEND

TO BE DEMOLISHED

EXISTING STRUCTURE

ROOF TO BE REMOVED



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SECOND LEVEL DEMOLITION PLAN

Project No.:	24063
Scale:	As indicated
Drawn By:	Author
Checked By:	Checker

AD2.02

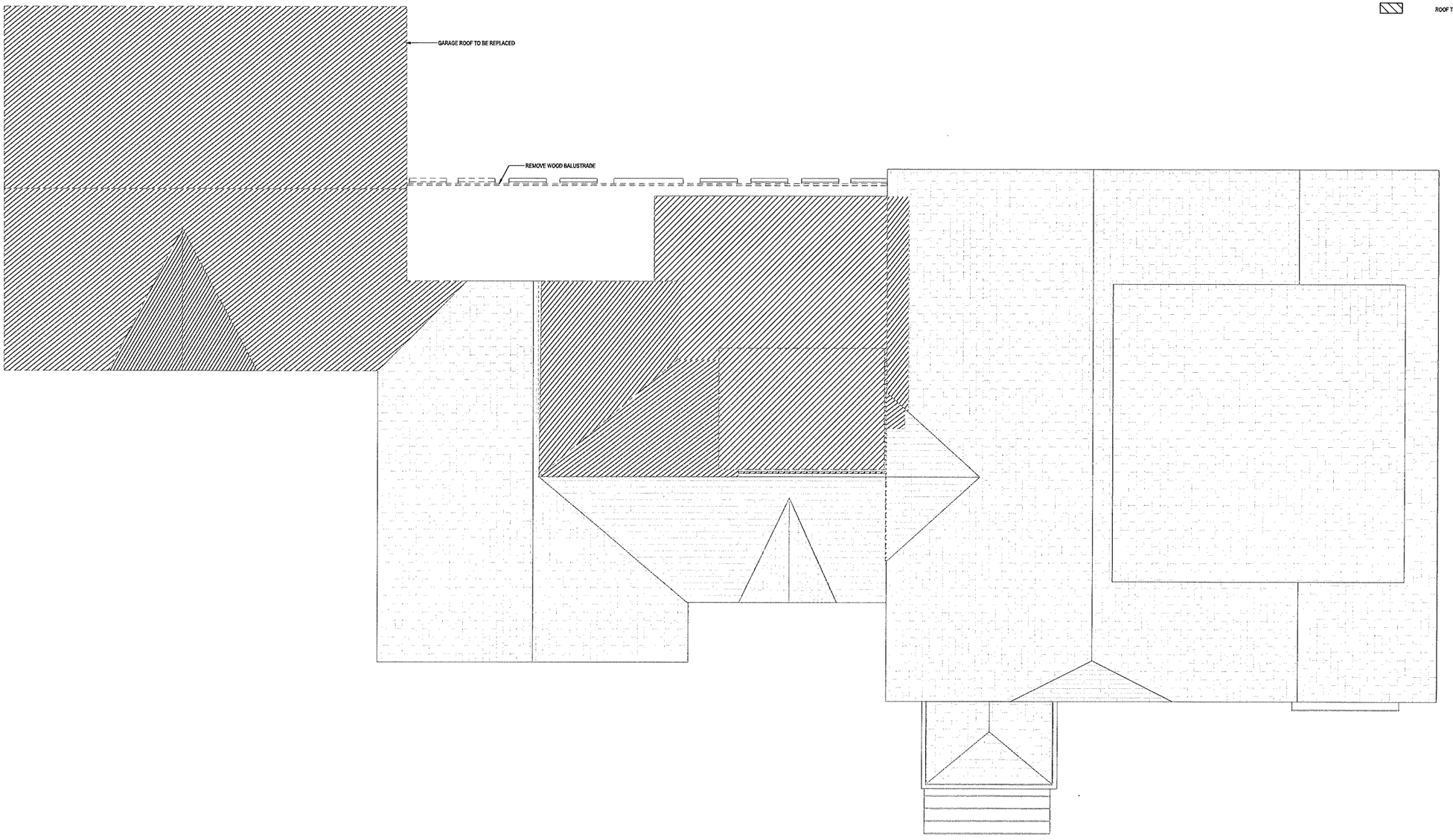
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DEMO LEGEND

TO BE DEMOLISHED

EXISTING STRUCTURE

ROOF TO BE REMOVED



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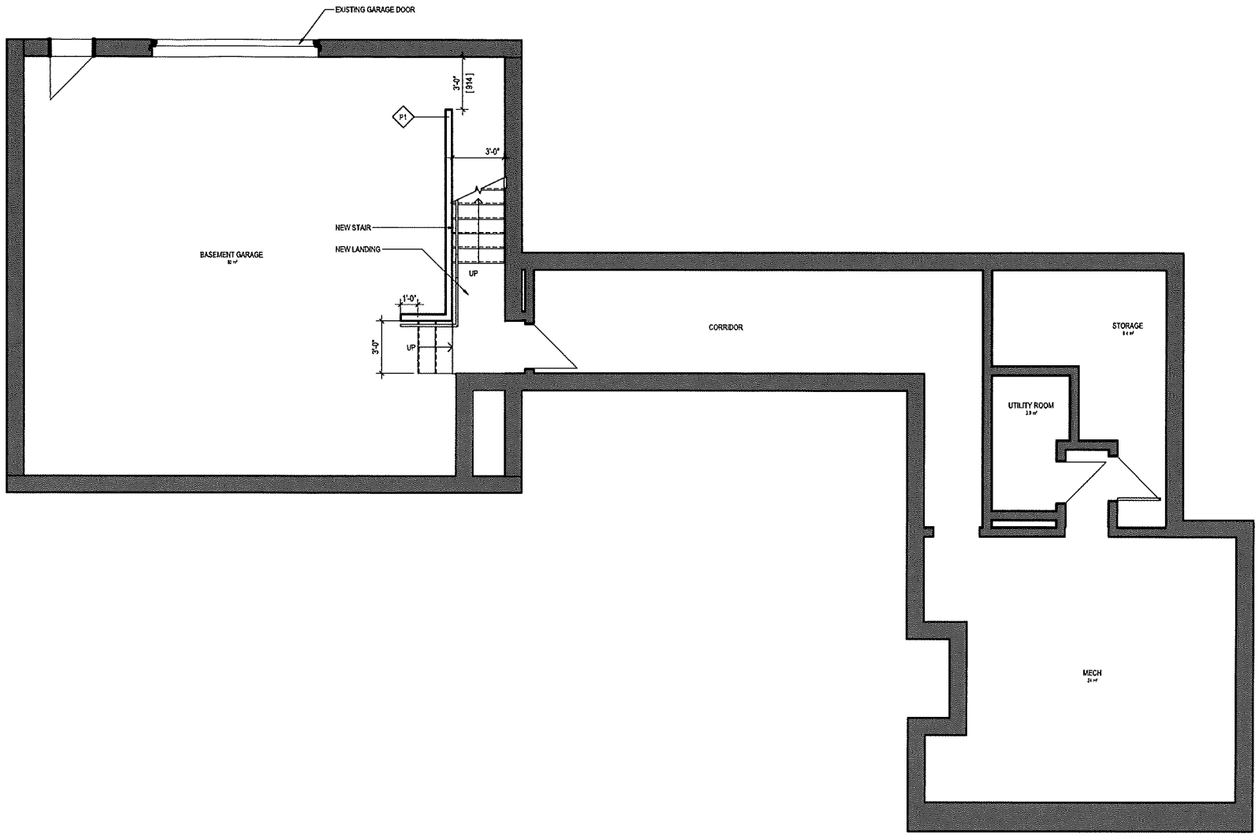
201 Main Street South Hamilton, Ontario

ROOF DEMOLITION PLAN

Project No.:	24063
Scale:	As indicated
Drawn By:	Author
Checked By:	Checker

AD2.03

10/24/2025 2:27:21 PM



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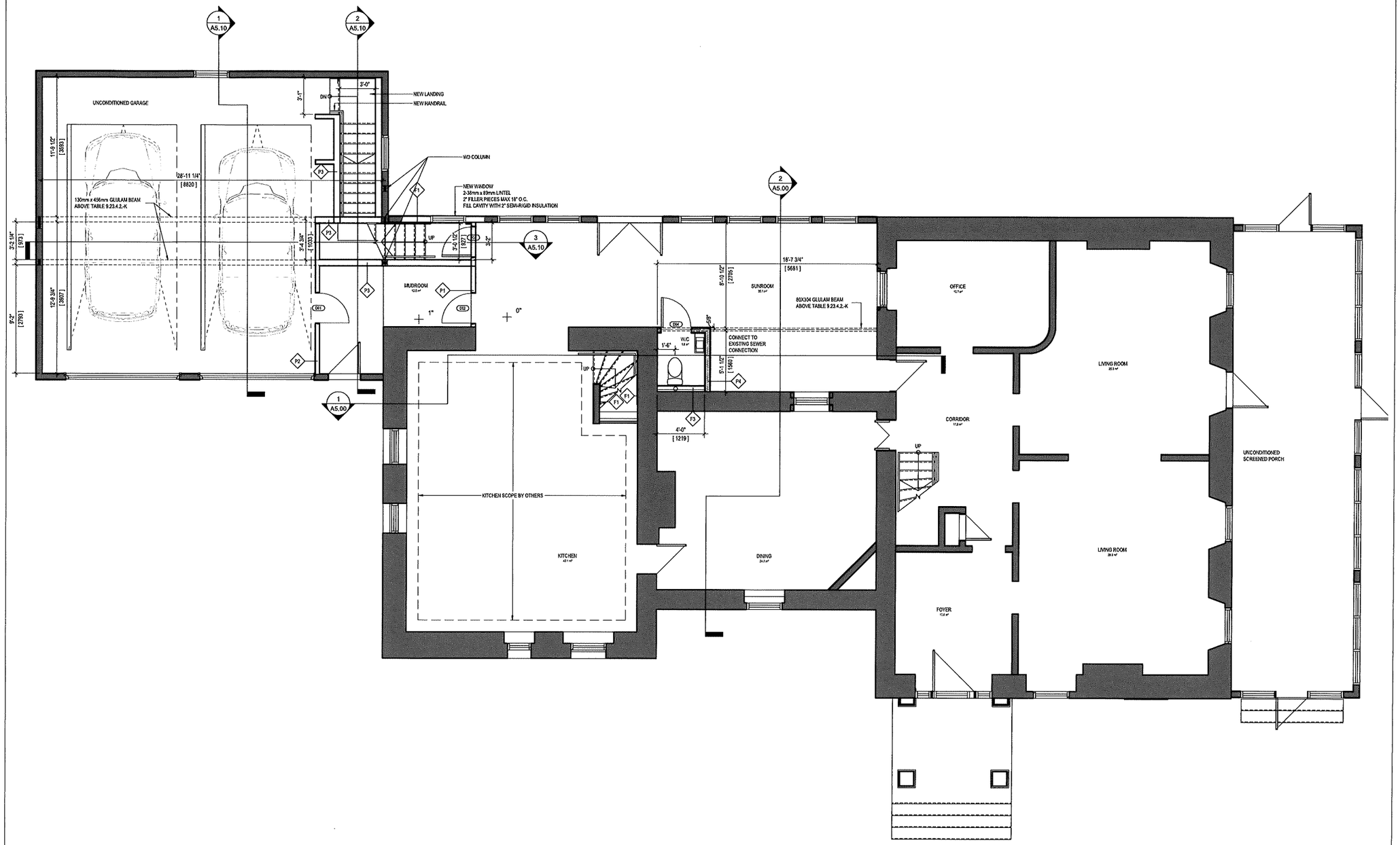
201 Main Street South Hamilton, Ontario

PROPOSED BASEMENT LEVEL FLOOR PLAN

Project No.:	24063
Scale:	1/4" = 1'-0"
Drawn By:	Author
Checked By:	Checker

A2.00

2025-10-23 2:37:21 PM



NOTE -
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2. NEW WINDOWS TO BE INSTALLED WITH HARDWARE LIMITERS TO RESTRICT OPENING TO 100MM

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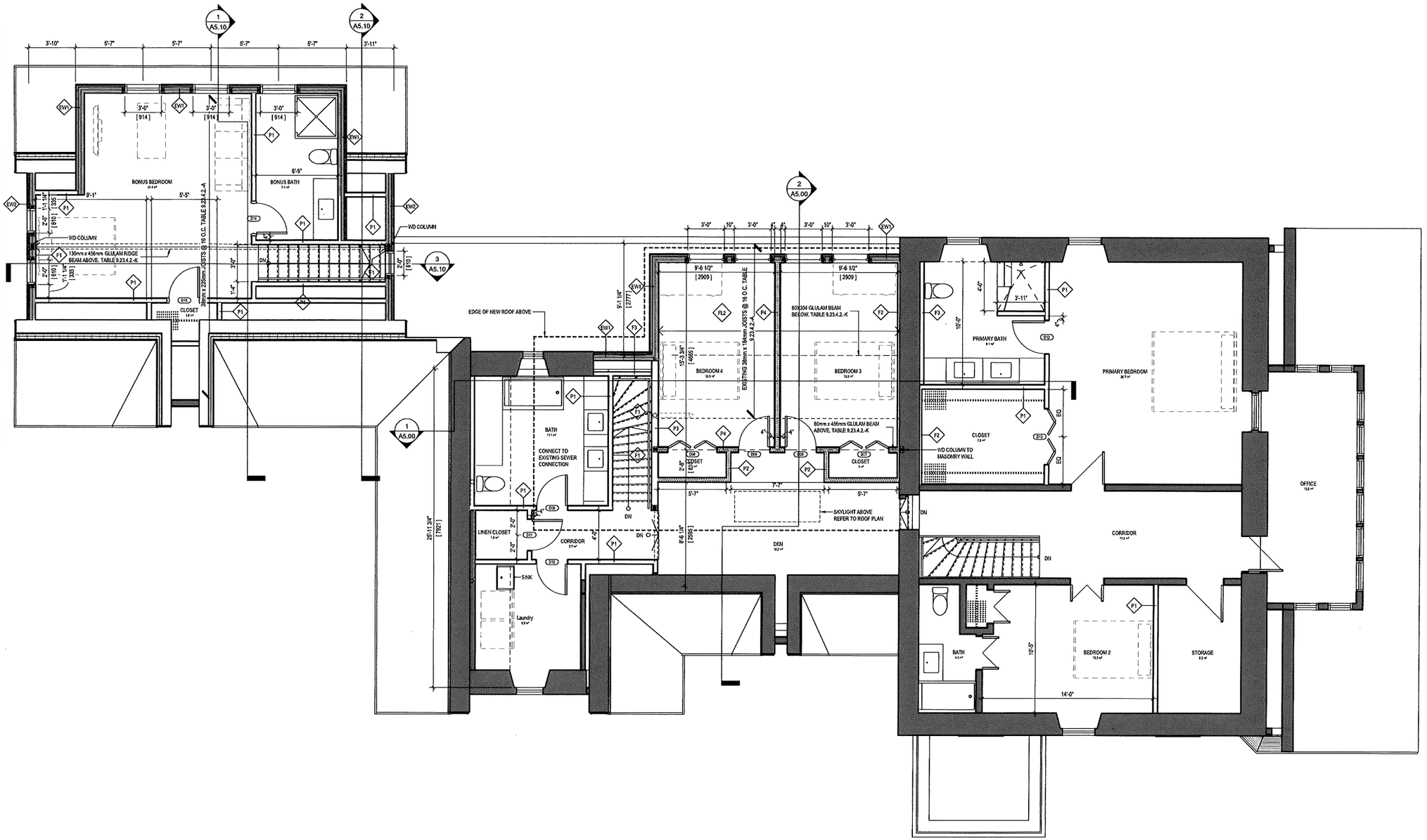
201 Main Street South Hamilton, Ontario

PROPOSED GROUND LEVEL FLOOR PLAN

Project No.:	24063
Scale:	As Indicated
Drawn By:	Author
Checked By:	Checker

A2.01

2025-07-15 2:32:22 PM



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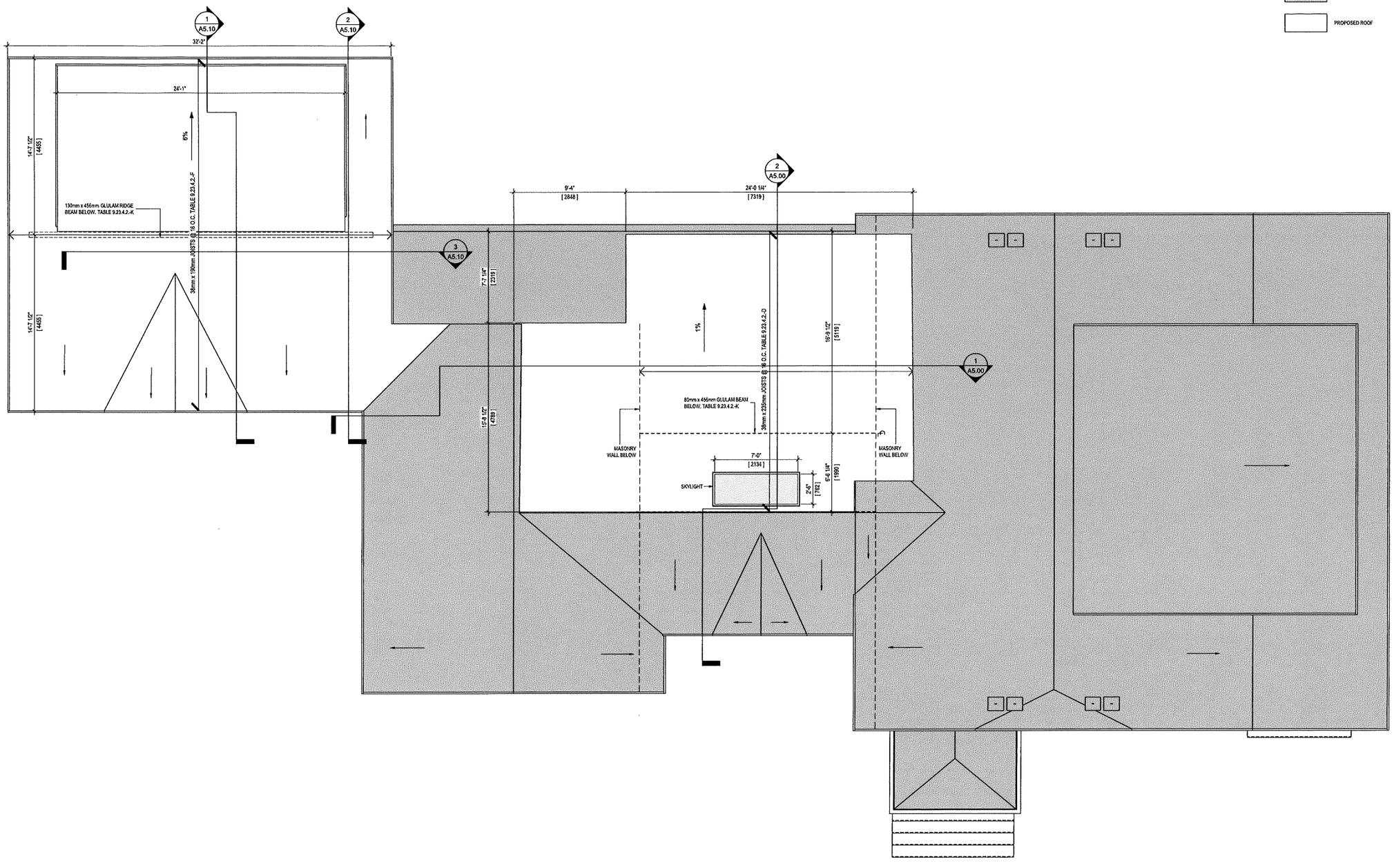
201 Main Street South Hamilton, Ontario

PROPOSED SECOND LEVEL FLOOR PLAN

Project No.:	24063
Scale:	As indicated
Drawn By:	Author
Checked By:	Checker

A2.02

2025-07-15 2:22:23 PM



PROPOSED ROOF PLAN LEGEND

EXISTING ROOF

PROPOSED ROOF

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LICENCE
7098

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PROPOSED ROOF PLAN

Project No.:	24063
Scale:	As Indicated
Drawn By:	Author
Checked By:	Checker

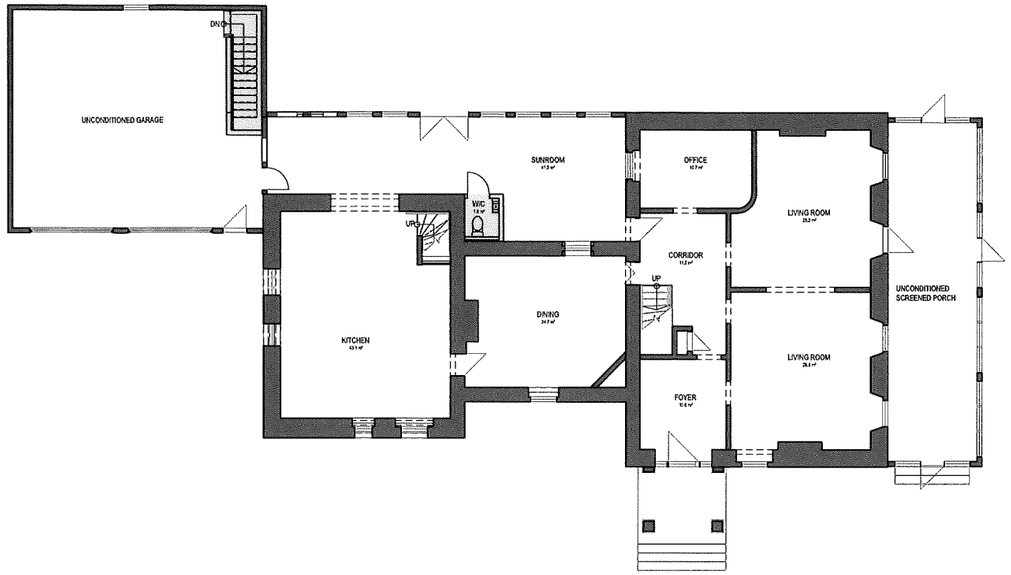
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PERMIT 25-101589 R9 HAS BEEN ISSUED FOR PH1 SCOPE

PHASE 1 APPROVED SCOPE (A2.04)

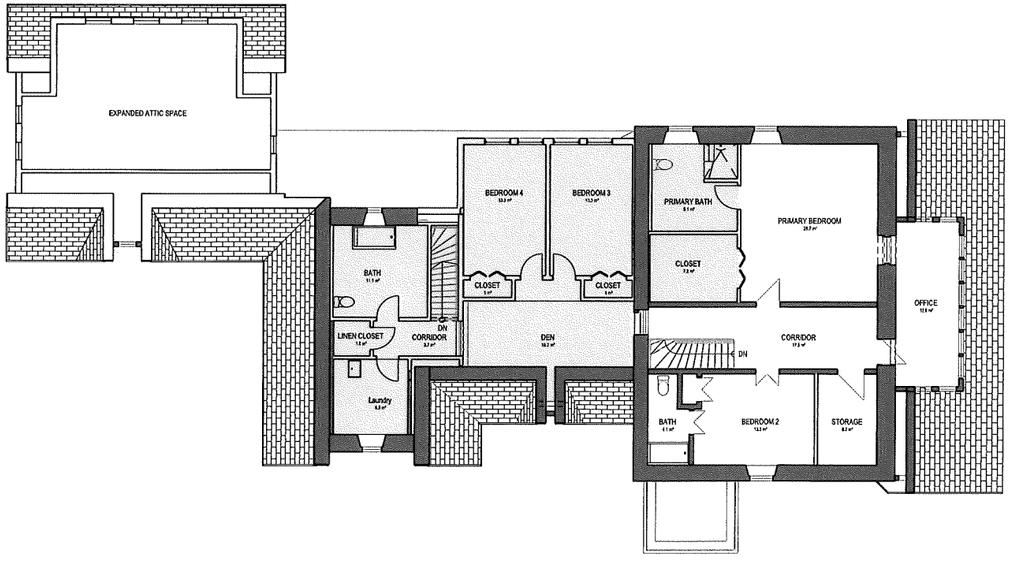
PROPOSED SCOPE (A2.05)



LVL 1 - FLOOR SPACE-PH 1 (1) A2.04

1/8" = 1'-0"

FLOOR SPACE SCHEDULE PROPOSED -...	
Name	Area
LVL 1 - T/O STRUCTURE	
KITCHEN	43.1 m²
WC	1.6 m²
LIVING ROOM	25.2 m²
LIVING ROOM	28.3 m²
FOYER	10.6 m²
CORRIDOR	11.5 m²
OFFICE	10.7 m²
DINING	24.7 m²
SUNROOM	41.2 m²
LVL 1 - T/O STRUCTURE	196.8 m²
LVL 2 - EXISTING DEN	
DEN	18.2 m²
LVL 2 - EXISTING DEN	18.2 m²
LVL 2 - T/O STRUCTURE	
BATH	11.1 m²
Laundry	8.9 m²
BEDROOM 4	13.3 m²
BEDROOM 3	13.3 m²
CLOSET	1.0 m²
CLOSET	1.0 m²
CORRIDOR	3.7 m²
LINEN CLOSET	1.8 m²
LVL 2 - T/O STRUCTURE	52.0 m²
LVL 2 - PRIMARY	
CLOSET	7.2 m²
PRIMARY BATH	9.1 m²
PRIMARY BEDROOM	26.7 m²
CORRIDOR	17.5 m²
BEDROOM 2	13.3 m²
STORAGE	8.2 m²
BATH	4.1 m²
OFFICE	12.8 m²
LVL 2 - PRIMARY	98.9 m²
Grand total: 26	365.8 m²



LVL 2 - FLOOR SPACE-PH 1 (2) A2.04

1/8" = 1'-0"

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FLOOR SPACE PLANS-PH1

Project No.:	24063
Scale:	1/8" = 1'-0"
Drawn By:	Author
Checked By:	Checker

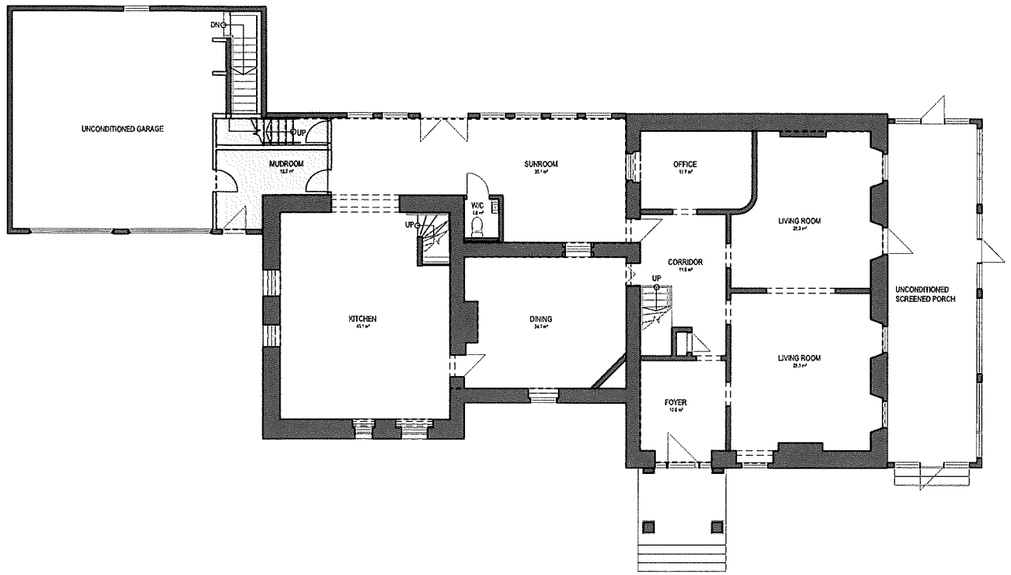
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APPLYING FOR MINOR VARIANCE FOR PROPOSED SCOPE

PHASE 1 APPROVED SCOPE (A2.04)

PROPOSED SCOPE (A2.05)



LVL 1 - FLOOR SPACE-PROPOSED 1 / A2.05

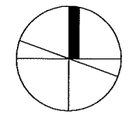
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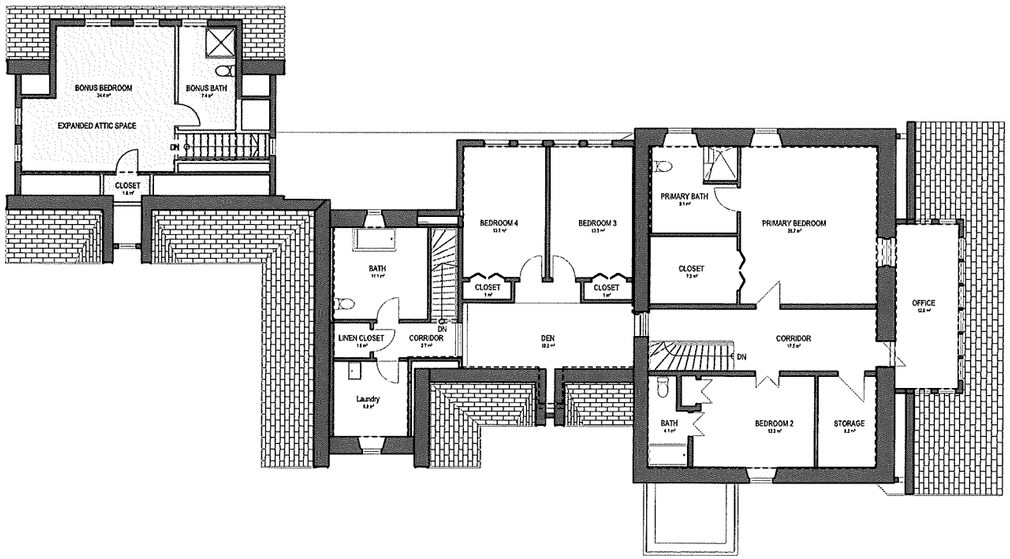
FLOOR SPACE SCHEDULE PROPOSED -...

Name	Area
LVL 1 - T/O STRUCTURE	
KITCHEN	43.1 m²
W/C	1.6 m²
LIVING ROOM	25.2 m²
LIVING ROOM	28.3 m²
FOYER	10.6 m²
CORRIDOR	11.5 m²
OFFICE	10.7 m²
DINING	24.7 m²
SUNROOM	35.1 m²
MUDROOM	12.5 m²
LVL 1 - T/O STRUCTURE	203.2 m²
LVL 2 - EXISTING DEN	
DEN	18.2 m²
LVL 2 - EXISTING DEN	18.2 m²
LVL 2 - T/O STRUCTURE	
BATH	11.1 m²
Laundry	6.9 m²
BEDROOM 4	13.3 m²
BEDROOM 3	13.3 m²
CLOSET	1.0 m²
CLOSET	1.0 m²
CORRIDOR	3.7 m²
LINEN CLOSET	1.8 m²
BONUS BEDROOM	24.4 m²
BONUS BATH	7.4 m²
CLOSET	1.8 m²
LVL 2 - T/O STRUCTURE	86.4 m²
LVL 2 - PRIMARY	
CLOSET	7.2 m²
PRIMARY BATH	9.1 m²
PRIMARY BEDROOM	28.7 m²
CORRIDOR	17.5 m²
BEDROOM 2	13.3 m²
STORAGE	8.2 m²
BATH	4.1 m²
OFFICE	12.8 m²
LVL 2 - PRIMARY	98.9 m²
Grand total: 30	405.6 m²

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LVL 2 - FLOOR SPACE-PROPOSED 2 / A2.05

1/8" = 1'-0"

No.	Description	Date
3	ISSUED FOR MINOR VARIANCE	2025/07/16

TOMS + MCNALLY
DESIGN | ARCHITECTURE | URBANISM | CONSTRUCTION
41 King William, Suite 301 | Hamilton | Ontario | L8R 1A2 | 289 768 2211
www.toms-mcnally.ca

ONTARIO ASSOCIATION OF ARCHITECTS LICENCE 7098

MCNALLY RESIDENCE RENOVATIONS

201 Main Street South Hamilton, Ontario

FLOOR SPACE PLANS-PROPOSED

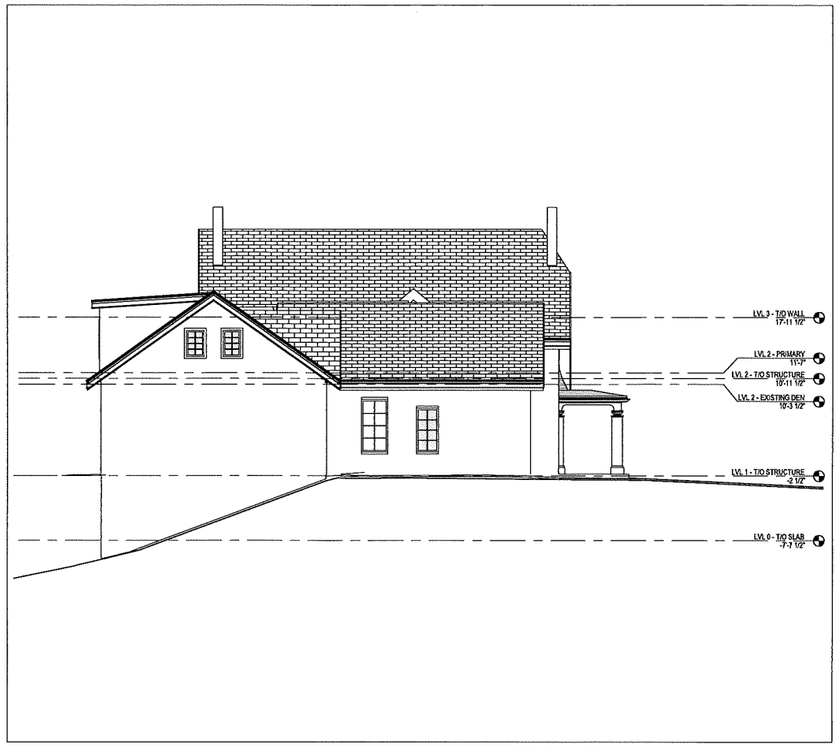
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Drawn By:	Author
Checked By:	Checker

A2.05

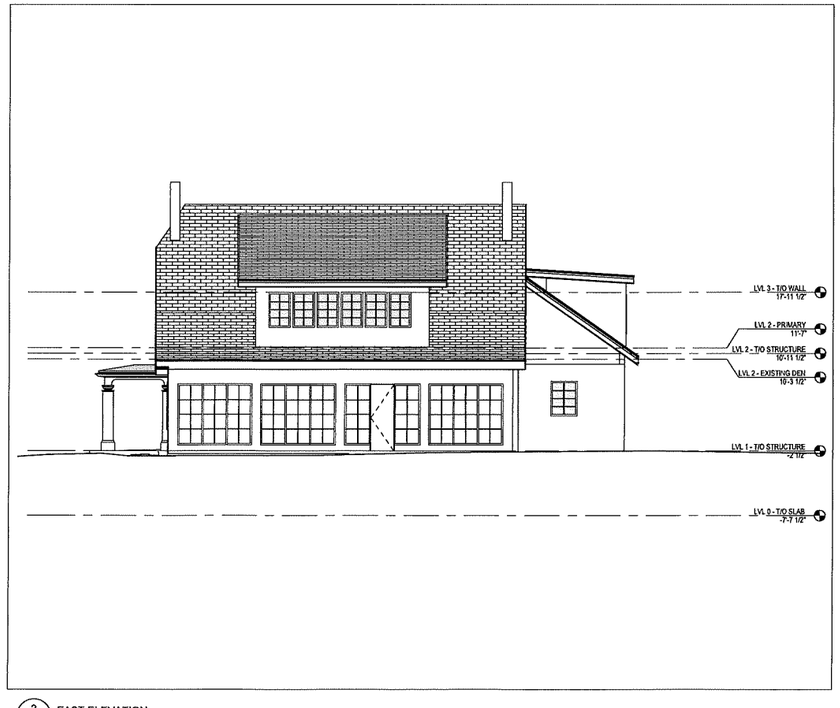
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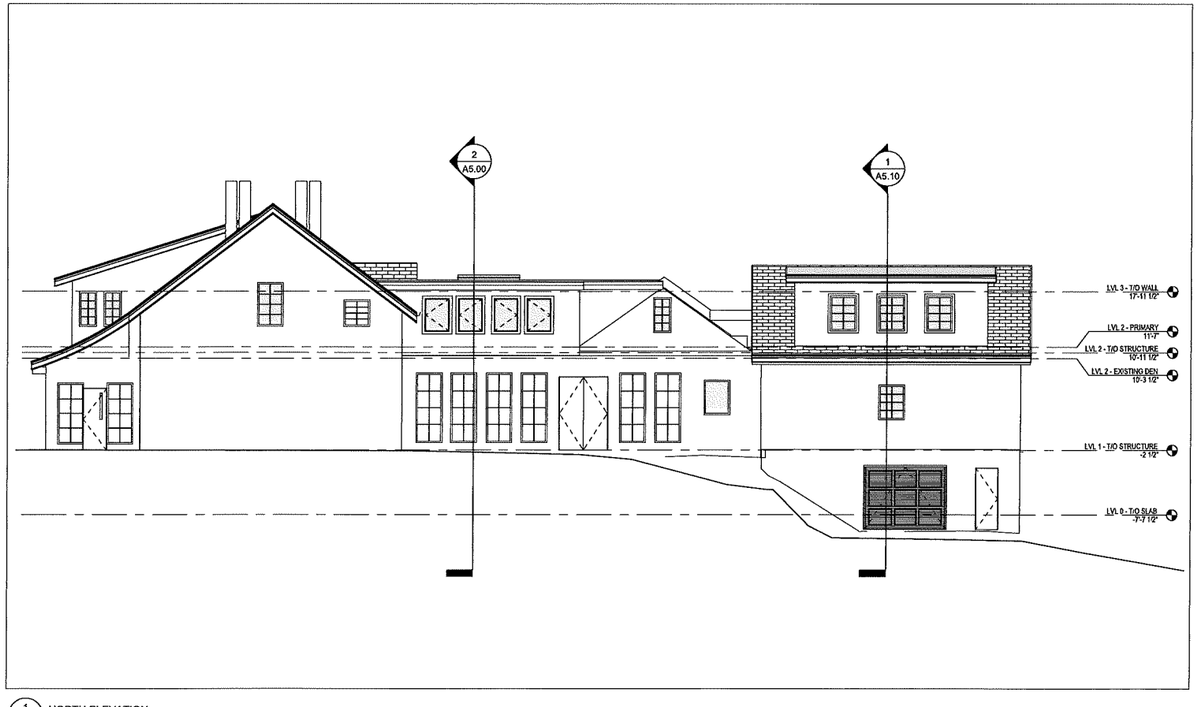
4 A4.00 SOUTH ELEVATION
1/8" = 1'-0"



3 A4.00 WEST ELEVATION
1/8" = 1'-0"



2 A4.00 EAST ELEVATION
1/8" = 1'-0"



1 A4.00 NORTH ELEVATION
1/8" = 1'-0"

GENERAL NOTES:

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No.	Description	Date
3	ISSUED FOR MINOR VARIANCE	2025/07/16
2	ISSUED FOR PERMIT R01	2025/06/19
1	ISSUED FOR PERMIT	2025/04/30

TOMS + MCNALLY
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www.toms-mcnally.ca

ONTARIO ASSOCIATION OF ARCHITECTS
TOMASZ JOHN MCNALLY
LICENCE
7008

MCNALLY RESIDENCE RENOVATIONS

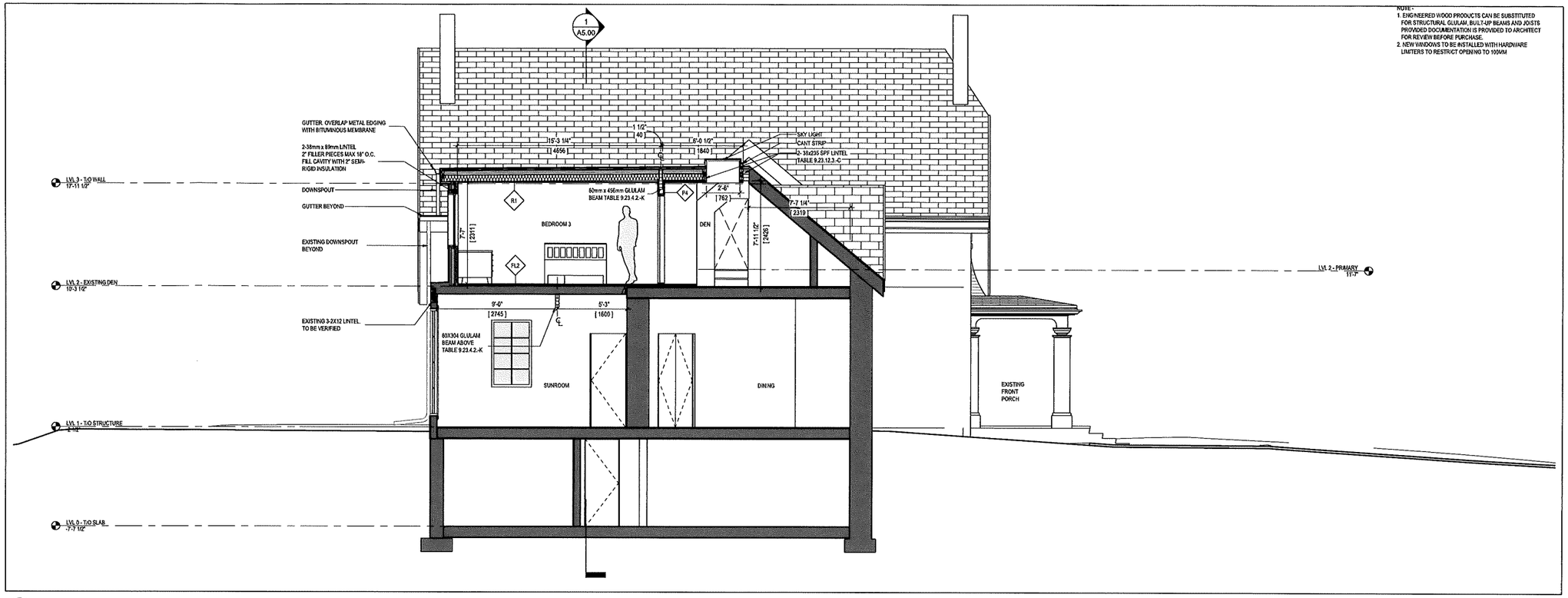
201 Main Street South Hamilton, Ontario

ELEVATIONS

Project No.: 24063
Scale: 1/8" = 1'-0"
Drawn By: Author
Checked By: Checker

A4.00

15/07/16 2:43:27 PM

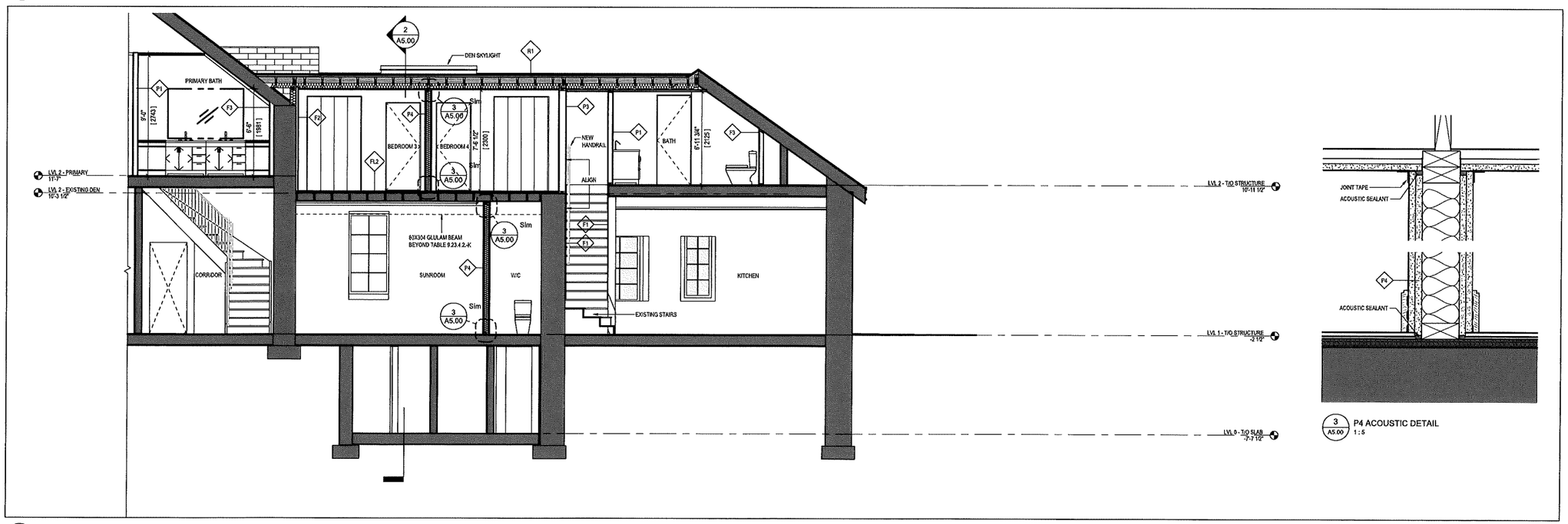


2 A5.00 SECTION THROUGH NEW BEDROOM
1/4" = 1'-0"

NOTE:-
1. ENGINEERED WOOD PRODUCTS CAN BE SUBSTITUTED FOR STRUCTURAL GLULAM, BUILT-UP BEAMS AND JOISTS PROVIDED DOCUMENTATION IS PROVIDED TO ARCHITECT FOR REVIEW BEFORE PURCHASE.
2. NEW WINDOWS TO BE INSTALLED WITH HARDWARE LIMITERS TO RESTRICT OPENING TO 100MM

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1 A5.00 SECTION THROUGH NEW BEDROOM AND BATHS
1/4" = 1'-0"

3 A5.00 P4 ACOUSTIC DETAIL
1 : 5

No.	Description	Date
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1	ISSUED FOR PERMIT	2025/04/30

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www.toms-mcnally.ca

ONTARIO ASSOCIATION OF ARCHITECTS
JEFFREY JOHN MCNALLY
LICENCE 7098

MCNALLY RESIDENCE RENOVATIONS

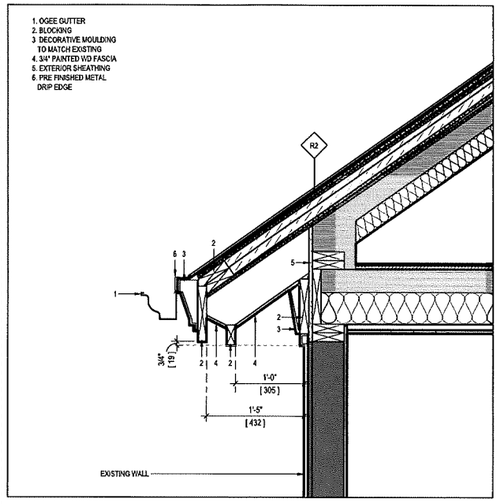
201 Main Street South Hamilton, Ontario

BUILDING SECTIONS

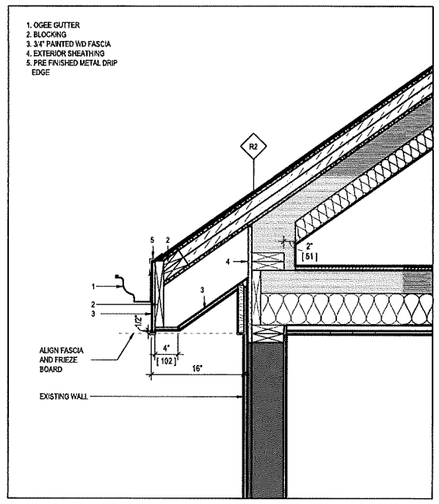
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Scale:	As Indicated
Drawn By:	Author
Checked By:	Checker

A5.00

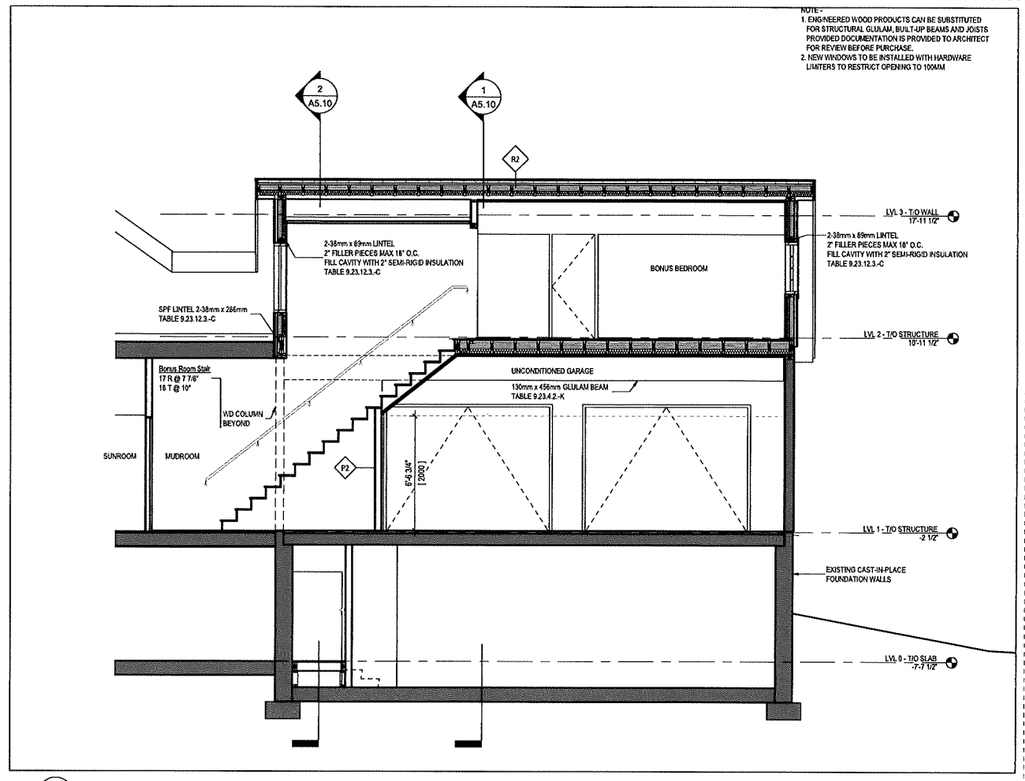
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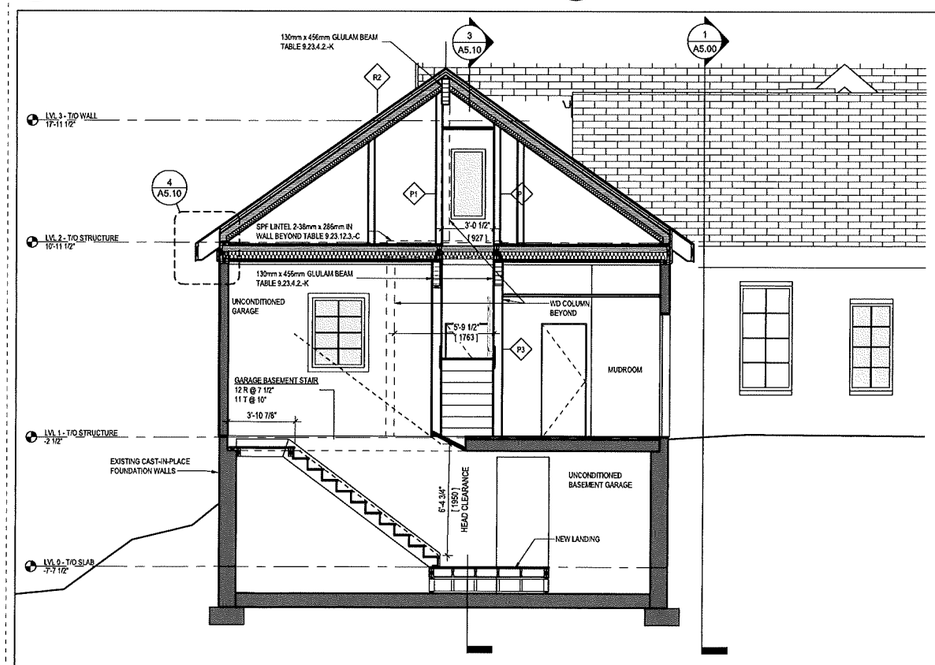
5 A5.10 GARAGE FRIEZE BOARD-OP2
1" = 1'-0"



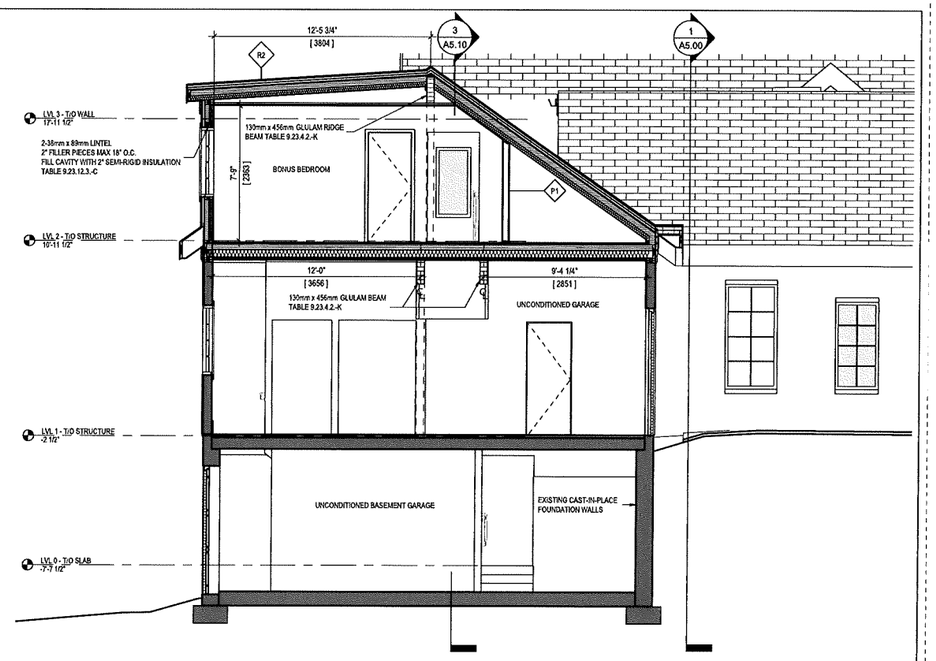
4 A5.10 GARAGE FRIEZE BOARD-OP1
1" = 1'-0"



3 A5.10 SECTION THROUGH BONUS ROOM STAIR
1/4" = 1'-0"



2 A5.10 SECTION THROUGH BASEMENT GARAGE STAIR
1/4" = 1'-0"



1 A5.10 SECTION THROUGH ATTIC AND GARAGE
1/4" = 1'-0"

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ONTARIO ASSOCIATION OF ARCHITECTS
JOSEPH MCNALLY
LICENCE 7098

MCNALLY RESIDENCE RENOVATIONS

201 Main Street South Hamilton, Ontario

BUILDING SECTION

Project No.: 24063
Scale: As Indicated
Drawn By: Author
Checked By: Checker

A5.10

2025-07-15 7:51:34 AM

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	MAILING ADDRESS	
Registered Owners(s)	Greg McNally, Jess Knutson	[redacted]	
Applicant(s)	Toms + McNally Design Russell Wooten		
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 [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 ☐ Credit over phone* ☐ Cheque

*Must provide number above

2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	201 Main Street South Hamilton Ontario		
Assessment Roll Number	30331055800		
Former Municipality	Flamborough		
Lot	1	Concession	3
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:

Section 6.3.79.(b)(vi) of the 90-145-Z Flamborough by-law limits the floor space for a two story dwelling to 372sm. Relief is being applied for to allow construction of additional living space totaling 405sm without increasing building footprint.

☐ Second Dwelling Unit ☐ Reconstruction of Existing Dwelling

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

The intended additional floor space increases the total floor space of the dwelling to above 372m2

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

☑ Yes ☐ No

If yes, please provide an explanation:

Relief being applied for will not increase the dwelling foot print, and will not increase the overall height of the dwelling

4. DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

4.1 Dimensions of Subject Lands:

Lot Frontage	Lot Depth	Lot Area	Width of Street
87.8m	110m	10366sm	8.5m

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	30m±	61m±	10m±	01/01/1844

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Single Family Dwelling	30m±	61m±	10m±	07/01/2025

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

Existing:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Single Family Dwelling	365	366	2	~8.6m

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Single Family Dwelling	365	405.6	2	~8.6m

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) ground infiltration

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

☑ publicly owned and operated sanitary sewage
☐ system privately owned and operated individual
☐ septic system other means (specify) _____

4.7 Type of access: (check appropriate box)

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

4.8 Proposed use(s) of the subject property (single detached dwelling duplex, retail, factory etc.):
single detached dwelling unit

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

7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:
04/24/2025

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

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

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

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

Rural Hamilton Official Plan designation (if applicable): N/A

Rural Settlement Area: N/A

Urban Hamilton Official Plan designation (if applicable) Neighbourhoods

Please provide an explanation of how the application conforms with the Official Plan.
Proposed relief does not change the use of the property.

7.6 What is the existing zoning of the subject land? R1-74e

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-25:151**	**SUBJECT PROPERTY:**	22 Lakeshore Drive, Stoney Creek
ZONE:	R1 (Low Density Residential)	**ZONING BY-LAW:**	Hamilton Zoning By-law 05-200

APPLICANTS: Owner: Gaetano Spiniello and Jennifer McKay
Applicant: Toms + McNally Design c/o Russell Wooten

The following variances are requested:

1. A balcony shall be permitted to encroach a maximum of 1.8 metres into the required rear yard instead of the maximum permitted encroachment of 1.0 metres.

PURPOSE & EFFECT: To permit the construction of a second storey balcony in the rear yard of the existing Single Family Dwelling.

Notes:

i. Applicant shall ensure that the existing right of way is registered on title; otherwise, further variances may be required.

ii. The existing principal dwelling westerly side yard setback is 0.3 metres instead of the required 1.2 metres. This is deemed to comply as per the Vacuum Clause in Section 4.12 and 0.3 metres shall be the minimum required side yard setback for the westerly side yard.

iii. The existing principal dwelling rear yard setback is 2.1 metres instead of the required 7.5 metres. This is deemed to comply as per the Vacuum Clause in Section 4.12 and 2.1 metres shall be the minimum required rear yard setback.

A-25:151

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:	**Thursday, September 4, 2025**
TIME:	**2:50 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:

- 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 September 2, 2025

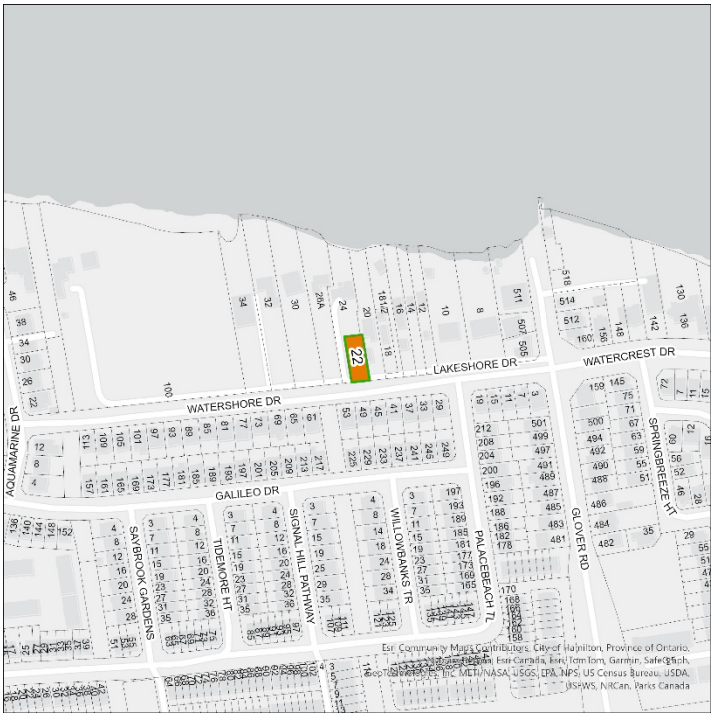
Orally: If you would like to speak to this item at the hearing you may do so via video link, calling in, or attending in person. Please see attached page for complete instructions, registration to participate virtually must be received no later than noon September 3, 2025

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding A-25:151, 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-25:151



Subject Lands

DATED: August 18, 2025

Justin Leung,
Secretary-Treasurer
Committee of Adjustment

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

Hamilton

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

PARTICIPATING PROCEDURES

1. Written Submission Ahead of the Meeting

Members of the public who wish to provide input without speaking at the Hearing may submit written comments in advance of the meeting. Comments must be received by 12:00 p.m. (noon) on the deadline date for written comment submissions listed on the Notice of Public Hearing.

How to Submit Written Comments:

By Email:
Send to: cofa@hamilton.ca

By Mail:
Committee of Adjustment
City of Hamilton
71 Main Street West, 5th Floor
Hamilton, Ontario
L8P 4Y5

All written comments received will be made available to the Committee and the public by the Tuesday prior to the Hearing.

2. Oral Submissions During the Hearing

Interested members of the public, agents, and owners may provide oral comments on Committee of Adjustment Hearing items either virtually via Webex (computer or phone) or by attending in person.

Speaking Time Limit:
All participants providing oral submissions, either in person or virtually are limited to a maximum of 5 minutes to speak. This is to ensure all parties have an equal opportunity to be heard and that the meeting runs efficiently.

3. In-Person Oral Submissions

To participate in person, attend Council Chambers on the date and time listed in the Notice of Public Hearing. You will be required to provide your name and address for the record. It is recommended you arrive at least 10 minutes prior to the scheduled start time.

4. Virtual Oral Submissions

To participate virtually, you must register by 12:00 p.m. (noon) on the virtual oral submissions registration deadline date. This is listed on the Notice of Public Hearing.

- Committee of Adjustment file number
- Hearing date
- Name and mailing address of each person wishing to speak
- Method of participation (phone or video), and, if applicable, the phone number to be used
- Each person must register separately

Registered participants will receive a Webex link one business day before the Hearing. Only those registered will be called upon to speak.

5. Presentations

All presentations are permitted at the discretion of the Committee.

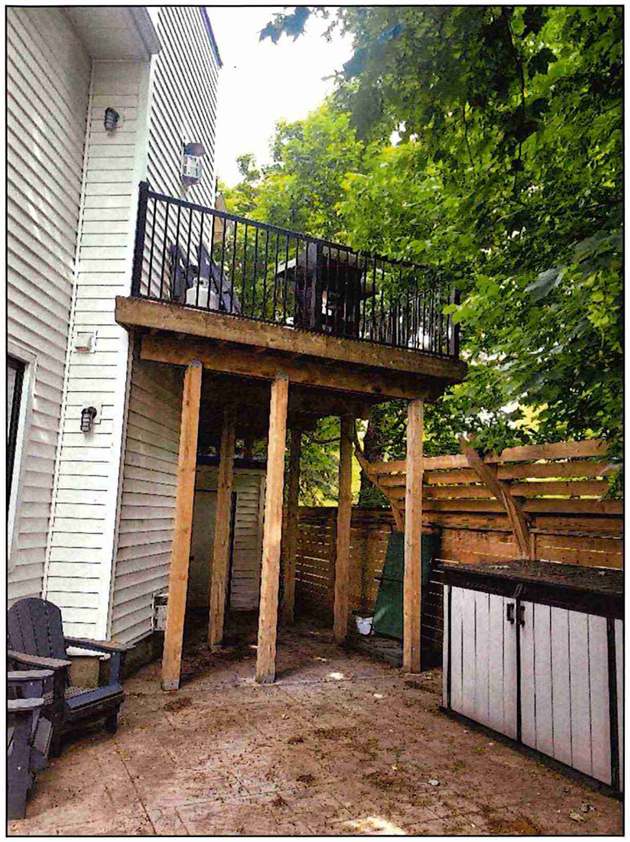
Virtual Presentations:
Presenters participating virtually may be granted permission to share their screen during the Hearing. A copy of the presentation must be submitted to cofa@hamilton.ca **by 12:00 p.m. (noon) on the business day prior to the Hearing.** The submission must be one document in PDF format only.

In-Person Presentations:
Presenters attending in person may be granted permission to use the presentation screen. Presentations must be brought on a USB device and opened by the owner/applicant. A copy of the presentation must also be sent to cofa@hamilton.ca **by 12:00 p.m. (noon) on the business day prior to the Hearing.** The submission must be one document in PDF format only. Handouts are permitted only if the same content can be displayed on the presentation screen.

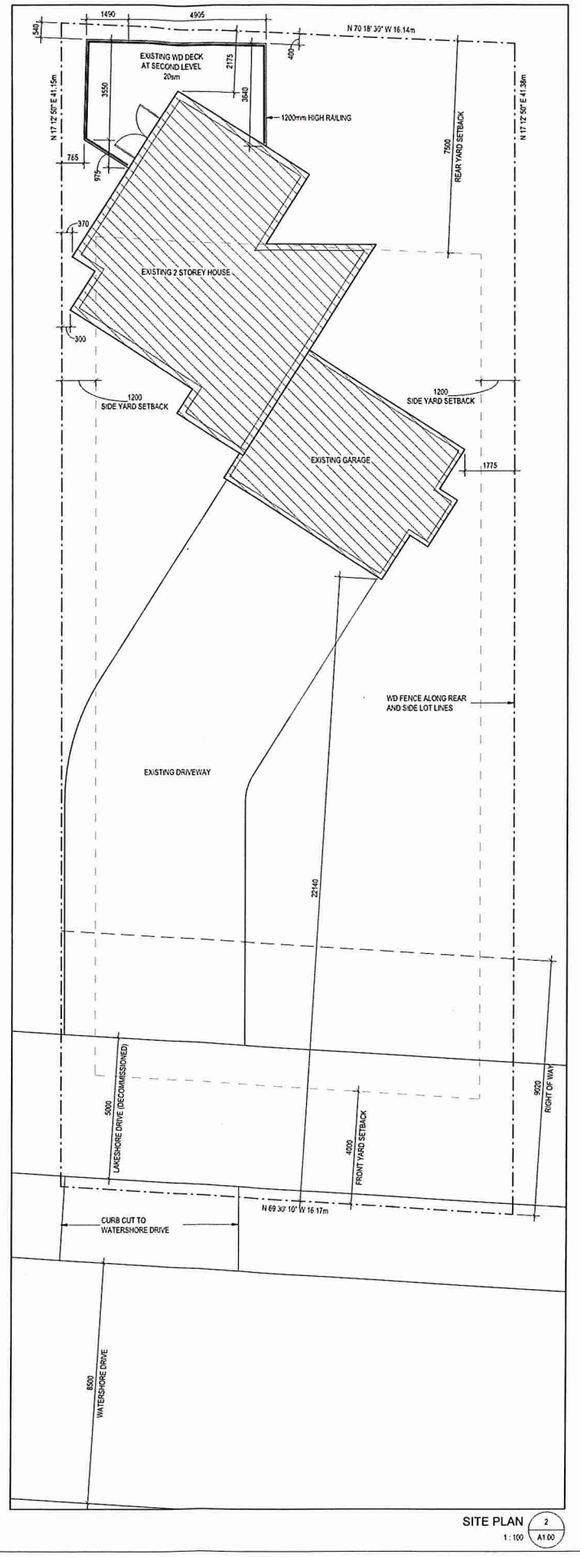
6. Additional Notes

- Webex (video) participation requires a compatible computer or smartphone. The necessary application must be downloaded in advance.
- It is the interested party's responsibility to ensure their device is functional and compatible prior to the Hearing.

For any questions, contact staff at cofa@hamilton.ca or call 905-546-2424 ext. 4221.







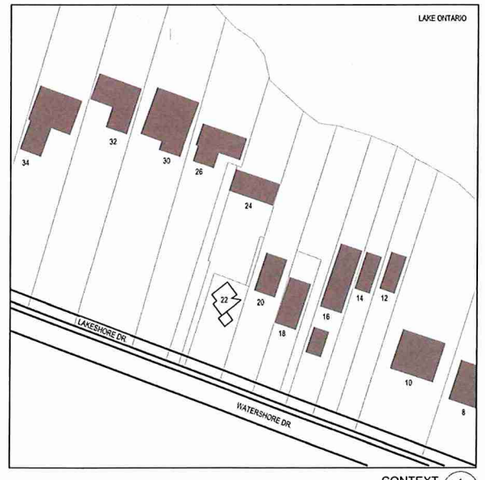
SITE PLAN 2 / A1.00
1 : 100

Address: 22 Lakeshore Drive Proposed use: Single Family Dwelling			
Regulation	**Required**	**Proposed**	**Conforms?**
10.5a.1 Permitted Uses	Single Detached Dwelling	Single Detached Dwelling	Yes
10.5a.3 a)	Minimum Setback from the Front Lot Line 4m	N/A	Yes
b)	Min rear yard 7.5m	.4m	no
c)	Min side yard 1.2m	.7m	no
d) Building Height	Max Building Height 10.5m	N/A	Yes
j) Visual Barrier Req.	Visual Barrier required abutting residential zone	Wood fence	yes
k) Outdoor Storage	i) no outdoor storage of good/materials	None	yes
10.5a.5 Accessory Buildings	Section 4.8	N/A	N/A

2005 AERIAL VIEW SHOWING THE SUBJECT DECK



https://spatialsolutions.maps.arcgis.com/apps/webappviewer/index.html?id=c96a9f5b4e364d5fb3ec1e1129aad776



CONTEXT 1 / A1.00
1 : 1

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3. Positions of exposed or finished mechanical or electrical devices, fittings, and fixtures are indicated on the Architectural drawings. The locations shown on the Architectural drawings govern over the Mechanical and Electrical drawings. Those items not clearly located will be located as directed by the Architect.

No.	Description	Date
1	ISSUED FOR MINOR VARIANCE	2025/07/16

TOMS + MCNALLY
DESIGN | ARCHITECTURE | URBANISM | CONSTRUCTION
41 King William, Suite 301 | Hamilton | Ontario | L8R 1A2 | 289 768 2211
www.toms-mcnally.ca

Lakeshore Residence
22 LAKESHORE DRIVE, STONEY CREEK, HAMILTON, ON

SITE PLAN

Project No.:	25041
Scale:	As indicated
Drawn By:	Author
Checked By:	Checker

A1.00

PLOT DATE: 2025-07-15 05:25 PM

TOMS + MCNALLY
DESIGN | ARCHITECTURE | URBANISM | CONSTRUCTION

Re: 22 Lakeshore Drive Minor Variance

Below is a note from neighbours who have lived at [redacted] (adjacent property to the west) for 25 years that the deck in question was built 25 years ago.

"Fred and Muffy Viinikka
[redacted]

Hi, Sande
Regarding your porch and balcony, to the best of my knowledge they have been there for over 25 years as we have been neighbours for 36 years!"

Russell Wooten,

Graham McNally, OAA

301-41 King William Street
Hamilton Ontario L8R 1A2
289 768 2211
office@toms-mcnally.ca
toms-mcnally.ca

Hamilton Conservation Authority

A Healthy Watershed for Everyone

BY E-MAIL

July 4, 2025 GC-SC

Gaetano Spiniello
[redacted]

Dear Gaetano Spiniello:

RE: Letter of Permission for the Construction of a Rear Yard Deck

Location: 22 Lakeshore Drive
Part of Lot 11, Broken Front Concession City of Hamilton (Stoney Creek)

Staff of the Hamilton Conservation Authority (HCA) have reviewed the above-noted proposal including the deck Site Plan prepared by Toms + McNally dated June 18, 2025 (attached).

The subject property is regulated by the HCA pursuant to *Ontario Regulation 41/24 (Prohibited Activities, Exemptions, and Permits)* made under the *Conservation Authorities Act, R.S.O. 1990* due to the proximity of Stoney Creek Watercourse 6.2 and the associated flood and erosion hazards. However, the existing house and deck are located are located outside of the hazards associated with the watercourse. Therefore, please accept this correspondence as recognition of the construction of a rear yard deck on lands regulated by the HCA. We do not have any objection to the issuance of a building permit by the municipality.

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

E Reimer

Elizabeth Reimer
Conservation Planner

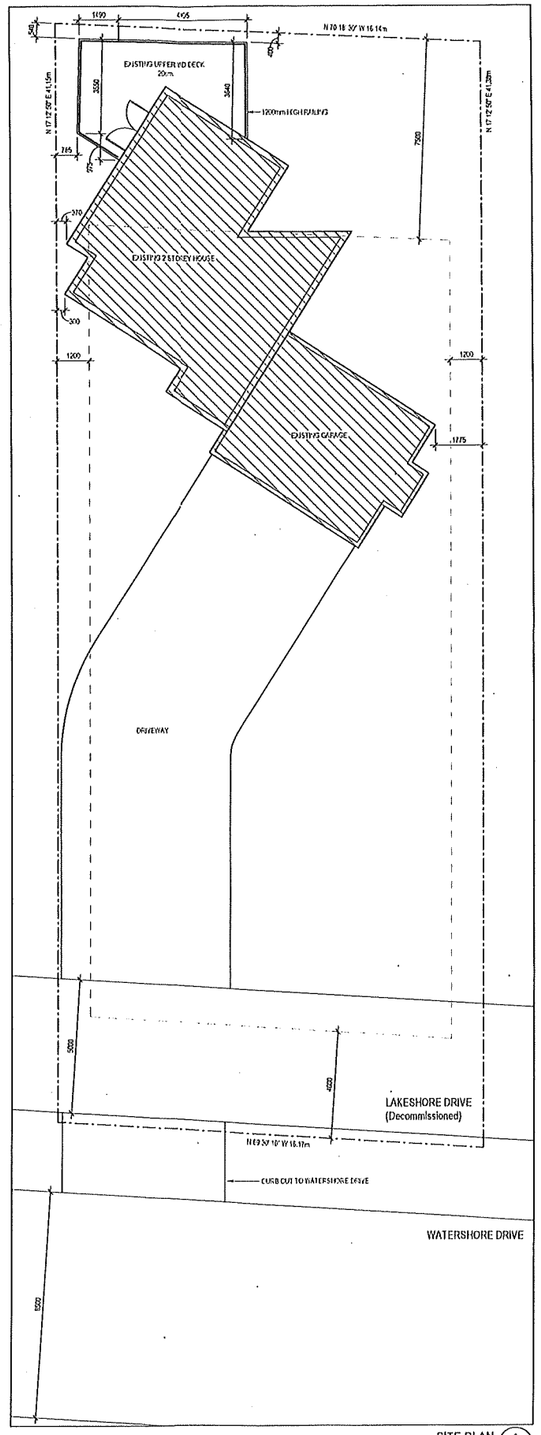
July 4, 2025
Date

Encl. approved plans

C.c. Chantal Costa, Plan Examination Secretary, City of Hamilton, Building Division (by email)
Russel Wooten, Toms + McNally Design (by email)



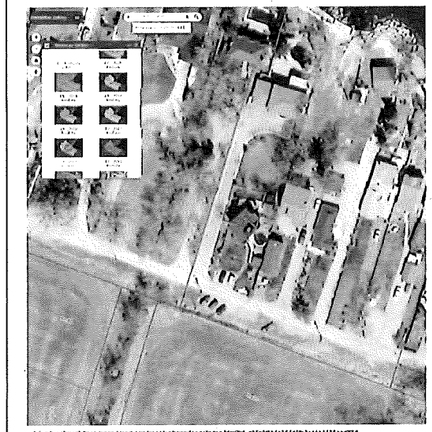


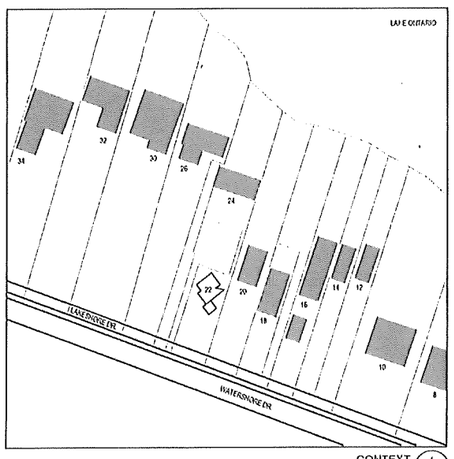


SITE PLAN 2 / A1.00
1 : 100

APPROVED BY THE
July 7, 2025
DATE
SIGNATURE
GC-SC
PERMIT NUMBER
HAMILTON CONSERVATION AUTHORITY

2005 AERIAL VIEW THAT SHOWS THE SUBJECT DECK.





CONTEXT 1 / A1.00
1 : 1

GENERAL NOTES:

1. The Architect bears no responsibility for the interpretations of these documents by the Contractor. Upon written application the Architect will provide written and graphic clarification or supplementary information regarding the intent of the Contract Documents. The Architect will review Shop Drawings submitted by the Contractor for design conformance only.
2. Drawings are not to be scaled for construction. Contractor to verify all existing conditions and dimensions required to perform the Work and report any discrepancies with the Contract Documents to the Architect before commencing work.
3. Positions of exposed or finished mechanical or electrical devices, fittings, and fixtures are indicated on the Architectural drawings. The locations shown on the Architectural drawings govern over the Mechanical and Electrical drawings. Items not clearly located shall be located as directed by the Architect.

No.	Description	Date

TOMS + MCNALLY
DESIGN | ARCHITECTURE | URBANISM | CONSTRUCTION
41 King William, Suite 301 | Hamilton | Ontario | L8R 1A2 | 289.768.2211
www.toms-mcnally.ca

Lakeshore Residence
22 LAKESHORE DRIVE, STONEY CREEK, HAMILTON, ON

SITE PLAN

Project No.:	25041
Scale:	As Indicated
Drawn By:	Author
Checked By:	Checker

A1.00

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	MAILING ADDRESS	
Registered Owners(s)	Gaetano Spiniello Jennifer McKay	[redacted]	
Applicant(s)	Toms + McNally Design Russell Wooten		
Agent or Solicitor			**Phone:** **E-mail:**

1.2 Primary contact ☐ Owner ☑ Applicant ☐ Agent/Solicitor

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

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

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

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

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

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	22 Lakeshore Drive, Stoney Creek, Hamilton, On		
Assessment Roll Number	00302036600		
Former Municipality	Stoney Creek		
Lot	11	Concession	BROKEN FRONT
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:

THERE IS A RIGHT OF WAY THAT EXTENDS FROM THE FRONT LOT LINE TO 9.02M TO THE NORTH ACCROSS THE PROPERTY

3. PURPOSE OF THE APPLICATION

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

All dimensions in the application form are to be provided in metric units (millimetres, metres, hectares, etc.)

3.1 Nature and extent of relief applied for:

Seeking relief for existing structures from side and rear yard setbacks to accommodate existing 300mm distance from property lines,

☐ Second Dwelling Unit ☐ Reconstruction of Existing Dwelling

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

The structures in question were constructed by a previous owner before the year 2000

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

☑ Yes ☐ No

If yes, please provide an explanation:

Seeking recognition of existing conditions

4. DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

4.1 Dimensions of Subject Lands:

Lot Frontage	Lot Depth	Lot Area	Width of Street
16.1m	41.3m	665sm	8.5m

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
Existing 2 Storey Detached Dwelling	22m±	2.1m±	.3m±/1.7m±	01/01/1985
Existing Wood Deck	N/A	.4m±	.78m±	01/01/2005

Proposed:

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

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
Existing 2 Storey Detached Dwelling	850sm±	1700sm±	2	9m
Existing Wood Deck		20sm±		4m

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height

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) ground infiltration

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 Detached Dwelling. No Change

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

Single Family Detached Dwellings

7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:

2018

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

Single Family Detached Dwelling

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

Single Family Detached Dwelling

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

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

Rural Hamilton Official Plan designation (if applicable): N/A

Rural Settlement Area: N/A

Urban Hamilton Official Plan designation (if applicable) Neighbourhoods

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

Proposed relief does not change the use of the property.

7.6 What is the existing zoning of the subject land? R1

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

☐ Yes ☑ No

If yes, please provide the file number: R1

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-25:091**	**SUBJECT PROPERTY:**	1218 Leaside Road, Hamilton
ZONE:	R1 (Low Density Residential)	**ZONING BY-LAW:**	Hamilton Zoning By-law 05-200

APPLICANTS: Owner: Carol Wright
Applicant: Richie Khanna

The following variances are requested:

1. A minimum setback of 0.6 metres from the Rear Lot Line shall be permitted for an accessory building instead of the minimum required setback of 1.2 metres.

2. A maximum combined lot coverage of 65.4 square metres shall be permitted for all accessory buildings, instead of the requirement that the maximum combined lot coverage of all accessory buildings shall not exceed 45 square metres or 7.5% of the lot area, whichever is the lesser.

PURPOSE & EFFECT: To permit an addition to an existing accessory building located at the rear of the property.

Notes:

i. Elevation drawings have not been provided. Additional variances may be required.

ii. An eave or gutter of any accessory building may encroach into any required yard to a maximum of 0.45 metres. Insufficient information has been provided to determine compliance; as such, additional variances may be required.

iii. Applicant shall ensure a minimum of 30% landscaped area is maintained.

A-25:091

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:	**Thursday, September 4, 2025**
TIME:	**2:55 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 September 2, 2025

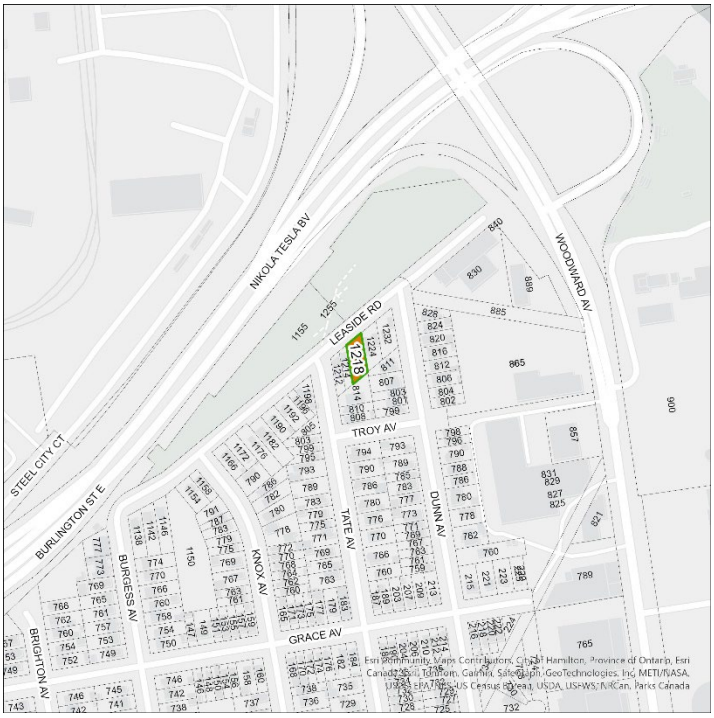
Orally: If you would like to speak to this item at the hearing you may do so via video link, calling in, or attending in person. Please see attached page for complete instructions, registration to participate virtually must be received no later than noon September 3, 2025

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding A-25:091, 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-25:091



Subject Lands

DATED: August 18, 2025

Justin Leung,
Secretary-Treasurer
Committee of Adjustment

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

Hamilton

COMMITTEE OF ADJUSTMENT

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

Telephone (905) 546-2424, ext. 4221

E-mail: cofa@hamilton.ca

PARTICIPATING PROCEDURES

1. Written Submission Ahead of the Meeting

Members of the public who wish to provide input without speaking at the Hearing may submit written comments in advance of the meeting. Comments must be received by 12:00 p.m. (noon) on the deadline date for written comment submissions listed on the Notice of Public Hearing.

How to Submit Written Comments:

By Email:
Send to: cofa@hamilton.ca

By Mail:
Committee of Adjustment
City of Hamilton
71 Main Street West, 5th Floor
Hamilton, Ontario
L8P 4Y5

All written comments received will be made available to the Committee and the public by the Tuesday prior to the Hearing.

2. Oral Submissions During the Hearing

Interested members of the public, agents, and owners may provide oral comments on Committee of Adjustment Hearing items either virtually via Webex (computer or phone) or by attending in person.

Speaking Time Limit:
All participants providing oral submissions, either in person or virtually are limited to a maximum of 5 minutes to speak. This is to ensure all parties have an equal opportunity to be heard and that the meeting runs efficiently.

3. In-Person Oral Submissions

To participate in person, attend Council Chambers on the date and time listed in the Notice of Public Hearing. You will be required to provide your name and address for the record. It is recommended you arrive at least 10 minutes prior to the scheduled start time.

4. Virtual Oral Submissions

To participate virtually, you must register by 12:00 p.m. (noon) on the virtual oral submissions registration deadline date. This is listed on the Notice of Public Hearing.

- Committee of Adjustment file number
- Hearing date
- Name and mailing address of each person wishing to speak
- Method of participation (phone or video), and, if applicable, the phone number to be used
- Each person must register separately

Registered participants will receive a Webex link one business day before the Hearing. Only those registered will be called upon to speak.

5. Presentations

All presentations are permitted at the discretion of the Committee.

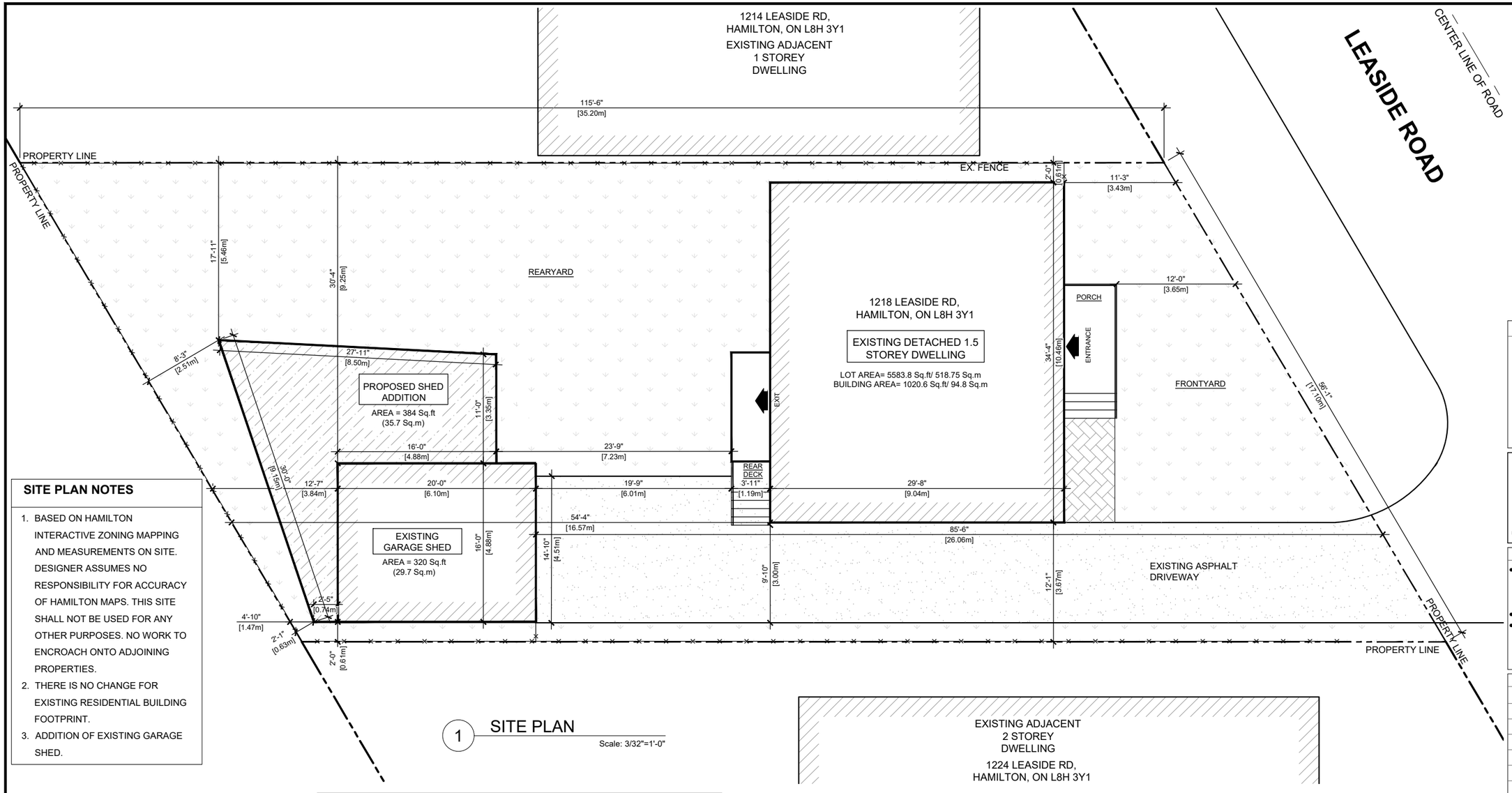
Virtual Presentations:
Presenters participating virtually may be granted permission to share their screen during the Hearing. A copy of the presentation must be submitted to cofa@hamilton.ca **by 12:00 p.m. (noon) on the business day prior to the Hearing.** The submission must be one document in PDF format only.

In-Person Presentations:
Presenters attending in person may be granted permission to use the presentation screen. Presentations must be brought on a USB device and opened by the owner/applicant. A copy of the presentation must also be sent to cofa@hamilton.ca **by 12:00 p.m. (noon) on the business day prior to the Hearing.** The submission must be one document in PDF format only. Handouts are permitted only if the same content can be displayed on the presentation screen.

6. Additional Notes

- Webex (video) participation requires a compatible computer or smartphone. The necessary application must be downloaded in advance.
- It is the interested party's responsibility to ensure their device is functional and compatible prior to the Hearing.

For any questions, contact staff at cofa@hamilton.ca or call 905-546-2424 ext. 4221.



1 SITE PLAN

Scale: 3/32"=1'-0"

SITE PLAN NOTES

1. BASED ON HAMILTON INTERACTIVE ZONING MAPPING 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.
2. THERE IS NO CHANGE FOR EXISTING RESIDENTIAL BUILDING FOOTPRINT.
3. ADDITION OF EXISTING GARAGE SHED.

LIST OF VARIANCES:

EXISTING BUILDING FOOTPRINTS REMAIN AS IS. SETBACKS ARE EXISTING FROM THE TIME BUILDING WAS BUILT. HOWEVER, WE ARE NOT CHANGING ANYTHING IN EXISTING STRUCTURE.

HERE, WE ARE APPLYING ASKING FOR NEW VARIANCE REUESTS, BELOW ARE THE PROPOSED REQUESTED VARIANCES:

1 REQUIRED REAR AND LEFT SIDE YARD SETBACK IS 1.2m FOR ACCESSORY STRUCTURE, HOWEVER THE PROPOSED IS ±0.60m. REQUESTING A VARIANCE FOR NOT BEING ABLE TO COMPLY WITH THE SETBACKS.

2 THE REQUIRED MAXIMUM ACCESSORY STRUCTURE COVERAGE IS 32.9 SQ. M. HOWEVER, THE PROPOSED STRUCTURE, WHEN COMBINED WITH THE EXISTING ONE, WILL TOTAL 65.4 SQ. M. WE ARE REQUESTING A VARIANCE FOR THE INCREASE IN THE GROSS FLOOR AREA (GFA) OF THE GARAGE SHED.

SITE INFORMATION

ADDRESS: 1218 LEASIDE RD
MUNICIPALITY: HAMILTON
POSTAL CODE: L8H 3Y1
BY-LAW: 05-200
ZONE: R1

LOT INFO	REQUIRED	EXISTING	PROPOSED
LOT AREA (SQ.M)	360 Sq.m	518.75 Sq.m	EXISTING TO REMAIN.
LOT WIDTH	12 m	17.10 m	
LOT DEPTH	N/A	35.20 m	
LOT COVERAGE (%)	N/A	25.30%	32.17%

EXISTING BUILDING STATISTICS	REQUIRED	EXISTING	PROPOSED
FRONT SETBACK	6.0 m	4.81 m	EXISTING TO REMAIN
REAR SETBACK	7.5 m	16.5 m	
LEFT SETBACK	1.2 m	3.67 m	
RIGHT SETBACK	1.2 m	0.61 m	
COVERAGE (%)	N/A	18.28%	

LANDSCAPING	REQUIRED	EXISTING	PROPOSED
LANDSCAPE AREA (%)	MIN. 30%	64.1%	47.9%
FRONTYARD LANDSCAPE(%)	50%	89.8%	EXISTING TO REMAIN
PARKING SPACES	2	3	

ACCESSORY BUILDING - SHED STATISTICS	REQUIRED	EXISTING	PROPOSED
SIZE (Sq. m) MAX 45 SQ.M OR **7.5% OF LOT COVERAGE**, LESSER	38.9 Sq. m	29.7 Sq. m	35.7 Sq.m
COVERAGE (%)		5.7%	6.7%
HEIGHT	MAX 4.5m	3.2 m	3.5 m
REAR SETBACK	1.2 m	1.47 m	0.63 m
RIGHT SIDE SETBACK	1.2 m	9.25 m	5.46 m
LEFT SIDE SETBACK	1.2 m	0.61 m	EXISTING TO REMAIN
A VEHICULAR ENTRANCE SETBACK (m)	MIN. 6.0	26.06 m	

SITE PLAN LEGENDS

- PROPERTY LINE
- MAIN ENTRANCE
- NAME — AREA NAME
- LANDSCAPE AREA
- EXISTING BUILDING/STRUCTURE
- NEW BUILDING/STRUCTURE
- ASPHALT DRIVEWAY

ARCHITECT/ENGINEER

R&R DESIGNS
92 Stapleton Ave.
Hamilton, ON L8H 3N6
Tel: 905.547-8668
Richie Khanna
richie@r-rdesigns.net
WWW.r-rdesigns.net

NOTES:

- CONTRACTOR SHALL CHECK DIMENSIONS AND REPORT DISCREPANCIES TO THE ARCHITECT BEFORE PROCEEDING WITH THE WORK.
- DO NOT SCALE DRAWINGS.
- THE DESIGN AND DRAWINGS WERE DEVELOPED FOR A SPECIFIC PURPOSE AND MAY NOT BE ALTERED , ISSUED, OR REPRODUCED FOR ANY OTHER PURPOSE.

REVISIONS

NO.	DESCRIPTION	DATE
1	FOR REVIEW ONLY	17-04-25
2	ISSUED FOR MV	02-05-25
3		
4		
5		
6		
7		

NORTH

FILE #. 2025-RR06

DRAWN BY: B.P.
REVIEWED BY: R.K.
DATE: APR_2025

PROJECT NAME:
SHED ADDITION

ADDRESS:
1218 LEASIDE RD,
HAMILTON, ON.

SHEET NAME
SITE PLAN

SHEET NO. SP0.1

R&R DESIGNS

PURPOSE OF THE APPLICATION

TO: City Of Hamilton,
Committee of Adjustment

Minor Variance Application

Project Address: 1218 LEASIDE RD, HAMILTON (ENLARGING ACCESORY STRUCTURE IN REAR YARD)

Hello,

Please see the following list of nature and extent of relief applied and the reason for the Minor Variance Application for 1218 Leaside Road.

3.1 Nature and extent of relief applied for:

1. Existing building footprints remain as is. Setbacks are existing from the time building was built. However, we are not changing anything in existing structure.

2. Here, we are applying for new variance request, below are the proposed requested variances:

- Required rear and left side yard setback is 1.2m for accessory structure, however the proposed is ±0.60m. requesting a variance for not being able to comply with the setbacks.

- The required maximum accessory structure coverage is 32.9 sq. m. however, the proposed structure, when combined with the existing one, will total 65.4 sq. m. we are requesting a variance for the increase in the gross floor area (GFA) of the garage shed.

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

Reason for not being able to comply with the by-law.

1. The existing building setbacks have existed since the age of the building.
2. The Proposed new Shed will be designed in harmony with the existing structure and using addition of shed owner wants to use as a storage.

Thank you.

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	MAILING ADDRESS
Registered Owners(s)	Carol Wright	[redacted]
Applicant(s)	Richie Khanna R&R Designs Inc.	
Agent or Solicitor	Richie Khanna R&R Designs Inc.	

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	1218 Leaside Road		
Assessment Roll Number			
Former Municipality	Hamilton		
Lot	LTS299&300,PL573	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:

Please see attached - Purpose of the Application letter (Attached at the end of Document)

☐ Second Dwelling Unit ☐ Reconstruction of Existing Dwelling

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

Please see attached - Purpose of the Application letter (Attached at the end of Document)

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
17.10 m	35.20 m	518.75 Sq. m	Approx 9.0 m

4.2 Location of all buildings and structures on or proposed for the subject lands: (Specify distance from side, rear and front lot lines)

Existing:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
EXISTING SINGLE DWELLING	3.65 m	16.54 m	3.67 m, 0.61 m	2006 – Based on the owner's purchase documents and confirmation, though the building itself may be older
EXISTING GARAGE SHED	26.06 m	1.47 m	0.61 m, 9.25 m	

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
PROPOSED NEW SHED	8.40 m TO THE EX. HOUSE	0.63 m	0.61 m, 5.46 m	09/01/2024

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
EXISTING SINGLE DWELLING	98.5 Sq. m	135 Sq. m	2	6.0 m
EXISTING GARAGE SHED	29.8 Sq. m	29.8 Sq. m	1	3.2 m

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
NEW SHED CONNECTING TO EXISTING	35.7 Sq. m	35.7 Sq. m	1	3.5 m

4.4 Type of water supply: (check appropriate box)

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

4.5 Type of storm drainage: (check appropriate boxes)

- ☑ publicly owned and operated storm sewers
- ☐ swales
- ☐ ditches
- ☐ other means (specify)

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

- ☑ publicly owned and operated sanitary sewage
- ☐ system privately owned and operated individual
- ☐ septic system other means (specify) _____

4.7 Type of access: (check appropriate box)

- ☐ provincial highway
- ☐ 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.):

Residential – Single detached dwelling with an accessory garage shed in the rear yard.

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

Residential – Single detached dwelling with existing garage shed in rear yard.

7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:

2006 – Based on the owner's purchase documents and confirmation, though the building itself may be older

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:

2006 – Based on the owner's purchase documents and confirmation, though the building itself may be older

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

Rural Hamilton Official Plan designation (if applicable): N/A

Rural Settlement Area: N/A

Urban Hamilton Official Plan designation (if applicable) Neighborhoods - Schedule E1

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

05-200- zone R1- Low Density Residential

7.6 What is the existing zoning of the subject land? R1

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

Existing property has separate detached Garage and adding some storage area to existing Garage Shed

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
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-25:052**	**SUBJECT PROPERTY:**	80-86 Delawana Drive, Hamilton

APPLICANTS: Owner: Dicenzo Management Inc.
Agent: The Biglieri Group c/o Rachelle Larocque

PURPOSE & EFFECT: To sever the existing residential lot into two (2) parcels. The existing 2-storey fourplex will be divided in half. The severed lands will contain a 2-storey semi-detached duplex dwelling, and the retained lands will contain a 2-storey semi-detached duplex dwelling.

	Frontage	**Depth**	**Area**
SEVERED LANDS (PART 2):	12.19 m±	41.09 m±	500.9 m^2 ±
RETAINED LANDS (PART 1):	12.19 m±	41.09 m±	500.9 m^2 ±

Associated Planning Act File(s): A-25:158

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:	**Thursday, September 4, 2025**
TIME:	**3:00 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:

B-25:052

- 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 **September 2, 2025**

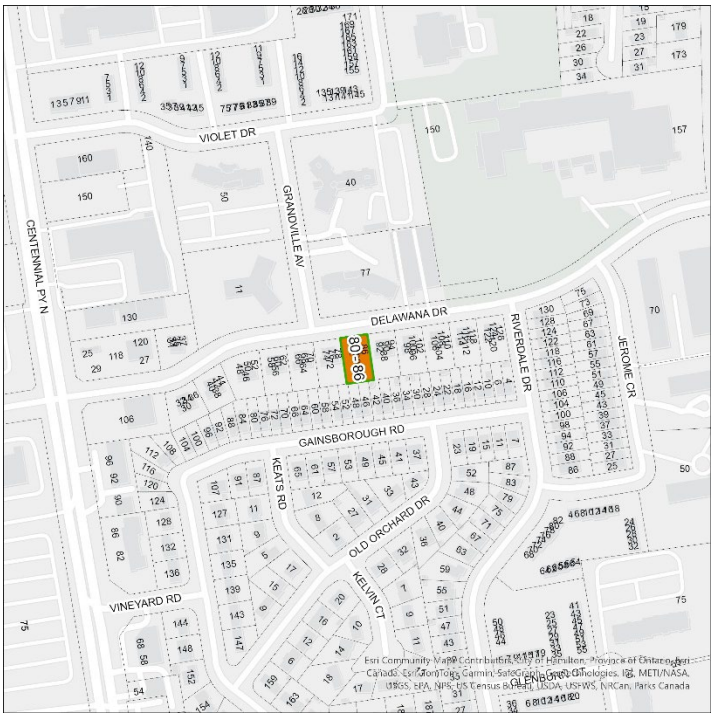
Orally: If you would like to speak to this item at the hearing you may do so via video link, calling in, or attending in person. Please see attached page for complete instructions, registration to participate virtually must be received no later than noon **September 3, 2025**

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding B-25:052, 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-25:052



Subject Lands

DATED: August 18, 2025

_____

Justin Leung,
Secretary-Treasurer
Committee of Adjustment

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

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

Hamilton

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

PARTICIPATING PROCEDURES

1. Written Submission Ahead of the Meeting

Members of the public who wish to provide input without speaking at the Hearing may submit written comments in advance of the meeting. Comments must be received by 12:00 p.m. (noon) on the deadline date for written comment submissions listed on the Notice of Public Hearing.

How to Submit Written Comments:

By Email:
Send to: cofa@hamilton.ca

By Mail:
Committee of Adjustment
City of Hamilton
71 Main Street West, 5th Floor
Hamilton, Ontario
L8P 4Y5

All written comments received will be made available to the Committee and the public by the Tuesday prior to the Hearing.

2. Oral Submissions During the Hearing

Interested members of the public, agents, and owners may provide oral comments on Committee of Adjustment Hearing items either virtually via Webex (computer or phone) or by attending in person.

Speaking Time Limit:
All participants providing oral submissions, either in person or virtually are limited to a maximum of 5 minutes to speak. This is to ensure all parties have an equal opportunity to be heard and that the meeting runs efficiently.

3. In-Person Oral Submissions

To participate in person, attend Council Chambers on the date and time listed in the Notice of Public Hearing. You will be required to provide your name and address for the record. It is recommended you arrive at least 10 minutes prior to the scheduled start time.

4. Virtual Oral Submissions

To participate virtually, you must register by 12:00 p.m. (noon) on the virtual oral submissions registration deadline date. This is listed on the Notice of Public Hearing.

- Committee of Adjustment file number
- Hearing date
- Name and mailing address of each person wishing to speak
- Method of participation (phone or video), and, if applicable, the phone number to be used
- Each person must register separately

Registered participants will receive a Webex link one business day before the Hearing. Only those registered will be called upon to speak.

5. Presentations

All presentations are permitted at the discretion of the Committee.

Virtual Presentations:
Presenters participating virtually may be granted permission to share their screen during the Hearing. A copy of the presentation must be submitted to cofa@hamilton.ca **by 12:00 p.m. (noon) on the business day prior to the Hearing.** The submission must be one document in PDF format only.

In-Person Presentations:
Presenters attending in person may be granted permission to use the presentation screen. Presentations must be brought on a USB device and opened by the owner/applicant. A copy of the presentation must also be sent to cofa@hamilton.ca **by 12:00 p.m. (noon) on the business day prior to the Hearing.** The submission must be one document in PDF format only. Handouts are permitted only if the same content can be displayed on the presentation screen.

6. Additional Notes

- Webex (video) participation requires a compatible computer or smartphone. The necessary application must be downloaded in advance.
- It is the interested party's responsibility to ensure their device is functional and compatible prior to the Hearing.

For any questions, contact staff at cofa@hamilton.ca or call 905-546-2424 ext. 4221.

SKETCH FOR LAND DIVISION
OF
80–86 DELAWANA DRIVE
IN THE
CITY OF HAMILTON

SCALE 1:200 METRIC

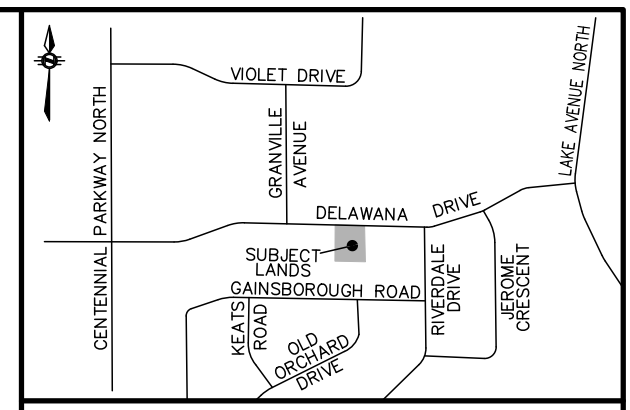
4 2 0 4 8 12 metres

R.A. McLAREN, O.L.S. – 2025

CAUTION:

A) THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED EXCEPT FOR THE PURPOSE INDICATED IN THE TITLEBLOCK.

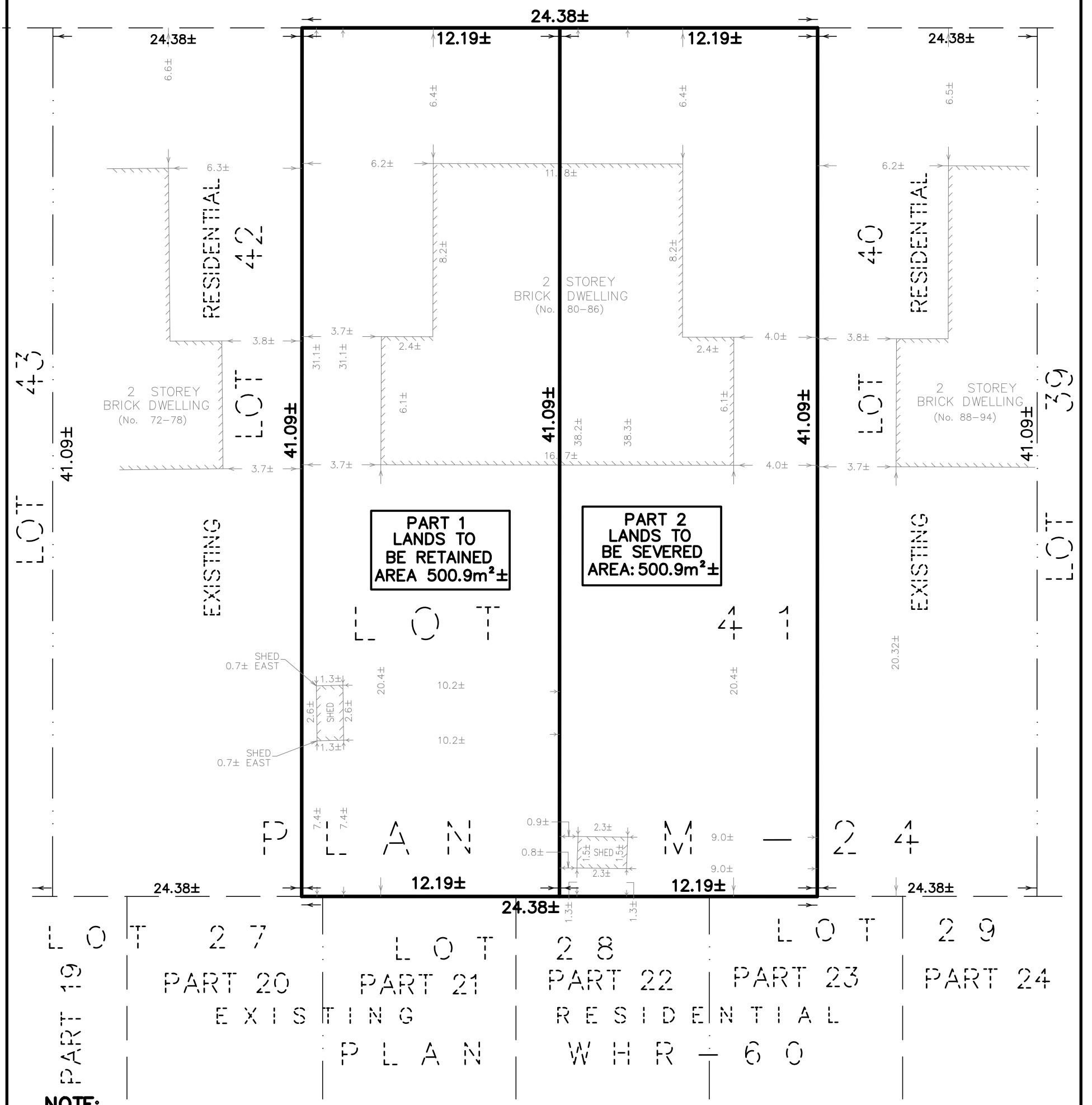
B) THIS SKETCH IS PROTECTED BY COPYRIGHT ©



KEY MAP – NOT TO SCALE

DELAWANA DRIVE

(ESTABLISHED BY PLAN M–24)
(20.12± WIDE)



NOTE:

THIS PLAN COMPRISES ALL OF LOT 41, PLAN M–24, IN THE CITY OF HAMILTON

NOTE:

DISTANCES SHOWN ON THIS PLAN WERE DERIVED FROM A SURVEY DONE BY A.T. MCLAREN, DATED NOVEMBER 22, 2024 – FILE 37913

METRIC NOTE:

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

JULY 18, 2025
DATE

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

Drawn	Checked	Crew Chief	Scale	Dwg.No.
KM	RBM	––	1:200	37913–SK3

Biglieri

By email

July 8, 2025

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

Attention: **Committee of Adjustment, cofa@hamilton.ca**

RE: **Minor Variance Rationale Letter**
80-86 Delawana Drive, Hamilton
TBG Project Number: 25268

On behalf of our client, DiCenzo Management Inc. ("Owner"), the Biglieri Group Ltd. ("Planner") is pleased to provide this rationale letter for a proposed Minor Variance and Consent Applications for 80-86 Delawana Drive in the City of Hamilton ("Subject Site" or "Site"). The proposed Minor Variances are being sought to facilitate the Consent Application which would divide the Subject Site into two lots The proposed variance is the following:

1. To reduce the minimum interior side yard setback to zero (0) metres whereas 1.2 metres is required;
2. To reduce the required lot frontage to 12 metres, whereas 15 metres is required; and,
3. To reduce the required lot area to 500 square metres whereas 540 square metres is required.

SUBJECT SITE AND SURROUNDING AREA

The Subject Site is located in the Hamilton Urban Area on the south side of Delawana Drive, immediately east of the intersection of Delawana Drive and Centennial Parkway North. The broader surrounding context of the Site includes low, medium and high-density residential uses, commercial and retail uses, along with public parks and an elementary school. The following is a more detailed breakdown of the uses immediately adjacent to the Site.

- To the immediate south of the Site there are low-rise residential uses consisting primarily of single-detached dwellings.
- To the immediate west of the Site along Centennial Parkway North there are low-rise commercial uses such as plazas containing retail and restaurants.
- To the immediate north of the Site there are higher density residential uses including 10 to 15 storey apartment buildings.
- To the immediate east of the Site there are residential dwellings that consist of low-rise quadraplexes.

The Subject Site is serviced by Hamilton Street Railway (HSR) transit routes that run along Centennial Parkway North to the west (Routes 44 and 56), Queenston Road to the south (Routes 1/1A, 10 and

2472 Kingston Road, Toronto, Ontario M1N 1V3
21 King Street W Suite 1502, Hamilton, Ontario L8P 4W7
Office: (416) 693-9155 Fax: (416) 693-9133
tbg@thebiglierigroup.com

55/55A), and Barton Road to the north (Route 2). HSR bus routes 44 and 56 provide a north/south connection from the site to the Confederation GO Station located approximately 1.5 kilometres north of the Site.

DESCRIPTION OF PROPOSAL

The proposed Consent and Minor Variance Applications facilitate the division of the Subject Site into two separate lots. A survey demonstrating the proposed consent has been completed by A.T. McLaren Limited dated June 27, 2025, and is appended to this letter. The proposed consent would result in the lot being divided down the centre, resulting in the retained lands having a lot area of 500.9m^2 and frontage of 12.19 metres and the severed lands having a lot area of 500.9m^2 and frontage of 12.19 metres. The existing building on the Site will be divided in half by the proposed Severance. As a result, the Minor Variance is required to permit a side yard setback of zero (0) metres for the existing building on the Site. No redevelopment or alterations are proposed to any buildings or structures on the Site.

PLANNING ANALYSIS

General
The Subject Site is located in the City of Hamilton's *Urban Boundary* per Schedule E of the Urban Hamilton Official Plan (UHOP). On Appendix G of the UHOP, the Site is identified as being within the City's *Built-up Area*. On Schedule E-1 of the UHOP, the Subject Site is designated as *Neighbourhoods*. The Site is also located within the Centennial Neighbourhoods Secondary Plan Area. Per Map B 6.7-1 it is designated as *Low Density Residential 2* within the Secondary Plan. Per Map 6.7-3, Delawana Drive is identified as being a *Neighbourhood Greenway*.

The Subject Site is subject to Former City of Hamilton Zoning By-law 6593. It is zoned *Low Density Multiple Dwelling* per Schedule 103 (DE/S-103). Pursuant to Section 10A(1) of ZBL 6593, permitted uses within the *DE Zone* include two family dwellings, three family dwellings, and multiple dwellings.

Provincial Planning Statement (2024)
In accordance with Section 5 of the Planning Act, all decisions must be consistent with policy statements passed under Section 3 of the Act, which entails the Provincial Planning Statement ("PPS") (2024). The PPS provides provincial direction on matters related to land use planning including growth, housing supply, economic development, and the protection of natural and cultural heritage resources. The Subject Site is located within the City of Hamilton's Urban Boundary. The proposed Consent and Minor Variances does not propose any alterations to the building on the Subject Site. The PPS does not contain any policies that limit the subdivision of land within urban areas. As such, the proposed variances, in so far as they facilitate the proposed Consent Application, are consistent with the PPS.

CONSENT APPLICATION

Planning Act
Per Subsection 53(12) of the *Planning Act* Severance Applications shall have regard for matters listed in Subsection 51(24) of the *Planning Act.* We have reviewed this section, and it is TBG's professional opinion that the Severance Application has appropriate regard for the requirements found therein, as presented below.

(a) The effect of development of the proposed subdivision on matters of provincial interest as referred to in section 2.

- The application does not conflict with matters of provincial interest listed in Section 2 (a) to 2 (s). The Subject Site is located within Hamilton's Urban Area and the Severance Application does not propose any material changes to the buildings or structures on the Site. As such, there is no anticipated effect on the matters of provincial interest identified in Section 2 of the Planning Act.

(b) Whether the proposed subdivision is premature or in the public interest.

- The application is not premature, nor does it conflict with the public interest as it will not result in physical changes to the Site and does not preclude its future development.

(c) Whether the plan conforms to the official plan and adjacent plans of subdivision.

- Further analysis has been provided in the following sections with respect to conformance with the relevant Official Plan policies. It is TBG's opinion that the Severance Application conforms to the Official Plan. Lands surrounding the Subject Site to the south, east, and west appear to have been divided through plans of subdivision. It is TBG's opinion that the Application is in conformance with the surrounding plans of subdivision as the area supports varying lot sizes, housing types, and levels of density.

(d) The suitability of the land for the purposes for which it is to be subdivided.

- The lands are suitable for the proposed and currently permitted residential uses. The proposed Severance will result in the existing building on the Site being divided down the centre, which means the use will be changed from fourplex to duplex. This minor change in use is permitted within the existing policy context.

(d.1) If any affordable housing units are being proposed, the suitability of the proposed units for affordable housing.

- No affordable housing units are being proposed as part of this application.

(e) The number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them.

- No changes are proposed to the road network as part of this application.

(f) The dimensions and shapes of the proposed lots.

- The existing lot is rectangular in shape. The Severance Application proposes to divide the lot down the centre, generating two parcels that are identical in size with the following retained and severed lot areas:
  - Retained lot area: 500.9m^2
  - Severed lot area: 500.9m^2
- The changes to the lot dimensions and shapes will not have any impacts on the function of the existing residential uses on the Subject Site.

(g) The restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be erected on it and the restrictions, if any, on adjoining land.

- The Severance Application is accompanied by Minor Variances which requests a reduction to the Side Yard Setback to zero (0) metres, a reduced lot frontage of 12 metres, and a reduced lot area of 500 square metres to permit the existing building on the Subject Site. No further restrictions are proposed beyond what is already in force through Former City of Hamilton Zoning By-law 6593.

(h) Conservation of natural resources and flood control.

- The application is not anticipated to have any effects on the conservation of natural resources and flood control. The Subject Site is not regulated by the Hamilton Conservation Authority.

(i) The adequacy of utilities and municipal services.

- The servicing in the area is capable of providing adequate services to the units. The servicing will need to be upgraded to reflect the new lot lines and ensure that services do not cross lot lines, however, this will not result in the need for additional servicing as the existing connections will be removed.

(j) The adequacy of school sites.

- The adequacy of school sites is not affected by the application as it does not include any new residential development, just a new lot line to sever the building in half. There is an existing elementary school to the north-east of the property on Delawana Drive (Lake Avenue Elementary School).

(k) The area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes.

- To date, no land has been identified for conveyance for public purposes as part of the application.

(l) The extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy.

- The application has no anticipated effect on the use and conservation of energy.

(m) The interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41 (2) of this Act.

- As no new development is proposed, and the application will only create a new lot line, it is not anticipated that a site plan application will be required.

Urban Hamilton Official Plan

Per Schedule E-1 of the UHOP, the Subject Site is designated as *Neighbourhoods*. Policy 2.7.2 of the UHOP states that *Neighbourhoods* shall primarily consist of residential uses and complementary facilities and services intended to serve residents. Policy 2.7.4 further directs that *Neighbourhoods* shall permit and provide the opportunity for a full range of housing forms, types and tenures. Policy F.1.14.3.1 of the UHOP provides the following requirements for consent applications for new lot creation within neighbourhoods designated areas.

1.14.3.1 Consents for new lot creation, for both the severed and retained lands, for residential uses in the Neighbourhoods designation shown on Map E-1 – Urban Land Use Designation, shall be permitted provided the following conditions are met:

a) The lots comply with the policies of this Plan, including secondary plans, where one exists;	The lots created through the proposed Consent Application comply with the policies contained within the UHOP and the Centennial Neighbourhoods Secondary Plan. A full range of housing options is permitted within *Neighbourhoods* land use designation including varying housing forms, types and tenures.
b) The lots comply with existing Neighbourhood Plans;	The Subject Site is located within the Centennial Neighbourhoods Secondary Plan area. Land Use Plan Map B6.7-1, the Site is designated as *Low Density*

	Residential 2. Per Policy 6.2.5.4.a.i, permitted uses in the *Low Density Residential 2* designation shall include, among other typologies, duplexes and existing legal three, four and five-plexes.
c) The lots are in conformity with the Zoning By-law or a minor variance is approved;	Minor Variances are being requested in conjunction with the Consent Application that will bring it into compliance with the Former Hamilton Zoning By-law 6593.
d) The lots reflect the general scale and character of the established development pattern in the surrounding area by taking into consideration lot frontages and areas, building height, coverage, mass, setbacks, privacy and overview;	The proposed lots are generally consistent with the scale and character of the surrounding area. Surrounding land uses include a mix of residential typologies and densities, with lower density semi-detached and single-detached houses to the south, and high density uses to the north. The proposed lots created through the Consent Application will be consistent with the duplexes located to the immediate south of the Site.
e) The lots are fully serviced by municipal water and wastewater systems; and,	The lots are fully serviced by municipal water and wastewater systems.
f) The lots have frontage on a public road.	Both lots will maintain frontage onto Delawana Drive.

Centennial Neighbourhoods Secondary Plan

The Subject Site is located in the Centennial Neighbourhoods Secondary Plan area. Per Land Use Plan Map B6.7-1, the Site is designated as *Low Density Residential 2*. Per Policy 6.2.5.4.a.i, permitted uses in the *Low Density Residential 2* designation shall include, among other typologies, duplexes and existing legal three, four and five-plexes. The Centennial Neighbourhoods Secondary Plan does not contain any policies specifically regulating the implementation of consent applications.

MINOR VARIANCE

Variances Requested

The following are the variances requested to permit the proposed development:

1. To permit a minimum interior side yard setback of zero (0) metres;
2. To permit a minimum lot frontage of 12 metres; and,
3. To permit a lot area of 500 square metres.

Planning Act

Pursuant to Section 45(1) of the Planning Act, R.S.O. 1990, c. P.13 (“the Act”), The Committee of Adjustment can approve minor variances to Zoning By-laws for land, buildings, or structures upon the Owner’s request, if they believe the changes are in keeping with the general purpose and intent of the Official Plan and Zoning By-law; are desirable for the appropriate development or use of the land,

building or structure; and are minor in nature (the "Four Tests"). The variances must also be consistent with the Provincial Planning Statement, 2024 ("PPS"). As addressed in the above section, section, it is TBG's opinion that the proposed variance is consistent with the Provincial Planning Statement.

FOUR TESTS ANALYSIS

It is TBG's professional planning opinion that the proposed variances satisfy the four tests stipulated by The Planning Act as follows:

The requested variances meet the four tests stipulated by The Planning Act as outlined below:

1) **Is the general intent of the Official Plan maintained?**

   Per Schedule E-1 of the UHOP, the Subject Site is designated as *Neighbourhoods*. Policy 2.7.2 of the UHOP states that *Neighbourhoods* shall primarily consist of residential uses and complementary facilities and services intended to serve residents. Policy 2.7.4 further directs that Neighbourhoods shall permit and provide the opportunity for a full range of housing forms, types and tenures. The Subject Site is also located in the Centennial Neighbourhoods Secondary Plan area. Per Land Use Plan Map B6.7-1, the Site is designated as *Low Density Residential 2*. Per Policy 6.2.5.4.a.i, permitted uses in the *Low Density Residential 2* designation shall include, among other typologies, duplexes and existing legal three, four and five-plexes.

   The proposed Minor Variances in support of the Severance Application would result in the existing fourplex on the Site being converted into a duplex by splitting the lot down the middle. Per the UHOP and the Centennial Neighbourhood Secondary Plan, duplexes are a permitted use within the land use designations that apply to the Site. It is therefore our professional planning opinion that the proposed Minor Variances maintain the general intent of the UHOP and the Secondary Plan.

2) **Is the general intent and purpose of the Zoning By-law maintained?**

   The Subject Site is zoned DE/S-103 under the former City of Hamilton Zoning By-law 6593. Under the current zoning provisions for the Site, two-family dwellings and multiple dwellings are both permitted uses. The Minor Variance requests relief from provisions: 10A(3)(ii)(b) to allow for an interior side yard setback of 0 metres and 10A(4)(ii) to allow for a lot frontage of 12 metres and a lot area of 500 square metres. These variances are required to support the Severance Application which proposes to divide the lot in half. This division of the land would effectively result in the existing fourplex on the lot being converted to a duplex. As the building is currently on the property, the proposed variances are not introducing any new development, but to simply recognize the current situation to enable the requested Severance Application. The units will be provided with an appropriate amenity area in the rear yard, and will not change how this area currently functions and is divided between the units. As two-family dwellings are a permitted use under the current zoning for the Site, it is our professional opinion that the requested Minor Variances maintain the general intent and purpose of the Zoning By-law.

3) Are the proposed variances appropriate for the development of the land and/or building?

The proposed variances are appropriate for the development of the land and building. As outlined in the above sections, the Minor Variances support a Severance Application which would permit the division of the lot into two. The variance does not facilitate any changes to the existing uses on the Site; however, it will result in the existing fourplex on the Site legally becoming a duplex. Since no development of land or buildings is proposed on the Site, and the change in uses conforms to the UHOP and Centennial Neighbourhoods Secondary Plan policies, it is our professional opinion that the variances are appropriate.

4) Are the proposed variances minor?

The variances requested are minor in nature. The proposed reduction of the minimum interior side yard setback from 1.2 metres to 0 metres, reduction of the lot frontage from 15 metres to 12 metres, and the lot area from 540 square metres to 500 square metres facilitates a change to the residential uses on the Site, however, does not create any tangible changes to buildings or structures on the property. Given that the proposed use of duplex (also referred to as a two-family dwelling) is permitted by the current policy framework that applies to the Site, it is our professional Planning Opinion that the variance is minor in nature.

CLOSING

It is our professional Planning Opinion that the application for Minor Variance meets the four tests of minor variance and should be approved by the Committee of Adjustment. It is also our professional Planning Opinion that the application for severance is consistent with and conforms to the policies in the PPS and the City of Hamilton Official Plan and should be approved by the Committee of Adjustment.

We trust you will find all in order, however if you have any questions or require additional information, please contact us at your earliest convenience.

Respectfully,
THE BIGLIERI GROUP LTD.



Rachelle Larocque RPP, MCIP
Partner



Alex Walton, MPl
Planner

cc. DiCenzo Management Inc.

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	MAILING ADDRESS
Registered Owners(s)	Dicenzo Management Inc. (A	[redacted]
Applicant(s)	Dicenzo Management Inc. (Anthony DiCenzo)	
Agent or Solicitor	The Biglieri Group c/o Rachelle Larocque	

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	80-86 Delawana Drive, Hamilton, ON		
Assessment Roll Number	251805046106180		
Former Municipality	Hamilton		
Lot		Concession	
Registered Plan Number	M-24	Lot(s)	41
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:

Request for a 0-metre interior side yard setback.
Request minimum lot area of 500 square metres, lot frontage of 12 metres.

☐ Second Dwelling Unit ☐ Reconstruction of Existing Dwelling

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

There is currently a four-unit dwelling built on the subject site. The proposed minor variance would allow for the lands to be severed in half without demolishing the existing building.

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
24.38	41.09	1000.5	20.12

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
fourplex	6.4 m	20.4 m	3.7m, 4.0m, 0m (shared property line)	01/01/1970
shed #1	31.1m	7.4m	0.7 m	01/01/1990
shed #2	38.2m	1.3 m	9.0 m	01/01/1970

Proposed:

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

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
quadplex	99.3 m2	198.6 m2	2	7m
shed	3.4 m2	3.4 m2	1	2m
shed	3.5 m2	3.5 m2	1	2m

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height

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.):

Duplex Dwellings

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

Quadplex

7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:

August 27, 1997

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

Quadplex

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

Quadplex

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

1980's

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) Neighbourhoods

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

The application conforms with the City of Hamilton Official Plan as it will follow the land use regulations required within the Neighbourhoods designation.

7.6 What is the existing zoning of the subject land? DE/S-103 (Low Density Multiple Dwelling

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: DE/S-103 (Low Density Multiple Dwellings)

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: Filed concurrently

8 ADDITIONAL INFORMATION

8.1 Number of Dwelling Units Existing: 4

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

- [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 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	MAILING ADDRESS
Purchaser*		[redacted]
Registered Owners(s)	Dicenzo Management Inc. c/o Anthony Dicenzo	
Applicant(s)**	Dicenzo Management Inc. c/o Anthony Dicenzo	
Agent or Solicitor	The Biglieri Group c/o Rachelle Larocque	

*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 [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 ☐ Credit over phone*
☑ Cheque

*Must provide number above

2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	80-86 Delawana Drive, Hamilton, ON		
Assessment Roll Number	251805046106180		
Former Municipality	Hamilton		
Lot		Concession	
Registered Plan Number	M24	Lot(s)	41
Reference Plan Number (s)		Part(s)	

2.2 Are there any easements or restrictive covenants affecting the subject land?
☐ Yes ☑ No
If YES, describe the easement or covenant and its effect:

3 PURPOSE OF THE APPLICATION

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

☑ 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:

Dicenzo Management Inc.

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

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:	Lands to be Reta	Lands to be Sev			
Type of Transfer	N/A	Severence			
Frontage	12.19 m	12.19 m			
Depth	41.09 m	41.09 m			
Area	500.9 m2	500.9 m2			
Existing Use	Residential	Residential			
Proposed Use	Residential	Residential			
Existing Buildings/ Structures	2-storey quadplex	2-storey quadplex			
Proposed Buildings/ Structures	2-storey semi-detached duplex	2-storey semi-detached duplex			
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): N/A

Rural Settlement Area: N/A

Urban Hamilton Official Plan designation (if applicable) Neighbourhoods

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

The application conforms with the City of Hamilton Official Plan as it will follow the land use regulations required within the Neighbourhoods designation.

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

☐ Yes ☑ No ☐ Unknown

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

5.3 What is the existing zoning of the subject land? DE/S-103 (Low Density Multiple Dwellings)

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

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

☑ Yes ☐ No ☐ Unknown

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

minor variance submitted concurrently

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)	☐	Eastgate Square Shop
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.

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

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

☑ Yes ☐ No

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

6.4 How long has the applicant owned the subject land?

Acquired August 27, 1997 (28 years)

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.

30-126 Delawana Drive, Hamilton, ON, additional lands throughout the City.

---

7 PROVINCIAL POLICY

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

☑ Yes ☐ No (Provide explanation)

The application is consistent with the Policy Statements issued under Section 3 of the Planning Act, including the 2024 Provincial Planning Statement, as outlined below.

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

☑ Yes ☐ No (Provide explanation)

The application is consistent with the 2024 Provincial Planning Statement, including section 2.2.1, as it will assist in providing an appropriate range and mix of housing options and densities to meet the current and future housing needs in Hamilton and accommodate future growth.

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

☐ Yes ☐ No (Provide explanation)

N/A

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

☐ Yes ☑ No (Provide explanation)

The subject lands are not located within the Niagara Escarpment Plan area.

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

☐ Yes ☑ No (Provide explanation)

The subject lands are not located within the Parkway Belt West Plan area.

7.6 Are the subject lands subject to the Greenbelt Plan?

☐ Yes ☑ No (Provide explanation)

The subject lands are not located within the Greenbelt Plan area.

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

☐ Yes ☑ No (Provide explanation)

The subject lands are not within an area of land designated under any other provincial plan or plans.

8 ADDITIONAL INFORMATION - VALIDATION

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

☐ Yes ☐ No (Provide explanation)

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

☐ Yes ☐ No (Provide explanation and details on plan)

The current owner owns the entirety of 30-126 Delawana Drive, Hamilton, ON.

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

Hamilton

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-25:158**	**SUBJECT PROPERTY:**	80-86 Delawana Drive, Hamilton
ZONE:	DE/S-103 (Low Density Multiple Dwellings)	**ZONING BY-LAW:**	Former Hamilton Zoning By-law 6593

APPLICANTS: Owner: Dicenzo Management Inc.
Agent: The Biglieri Group c/o Rachelle Larocque

The following variances are requested:

1. A minimum interior Side Yard width of 0.0 metres shall be provided whereas the By-law requires a minimum Side Yard width of 2.0 metres.

2. A minimum Lot Width of 12.0 metres shall be provided whereas the By-law requires a minimum Lot Width of 18.0 metres.

3. A minimum Lot Area of 500.0 square metres shall be provided whereas the By-law requires a minimum Lot Area of 540.0 square metres.

PURPOSE & EFFECT: To facilitate the creation of a new lot, each containing a Two-Family Dwelling.

Notes:

1) Applicant has submitted a concurrent consent application (B.25.052).

2) Existing multiple dwelling contains 4 dwelling units. This application will facilitate the creation of two separate lots each containing two of the existing dwelling units.

3) Floor plans not provided. Staff are unable to confirm the location of each unit in relation to the proposed lot boundaries.

A-25:158

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:	**Thursday, September 4, 2025**
TIME:	**3:00 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 September 2, 2025

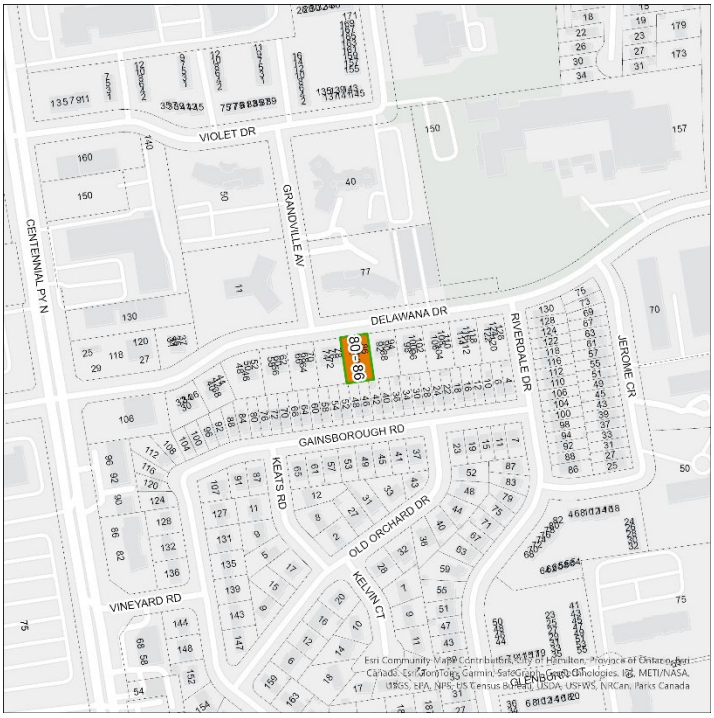
Orally: If you would like to speak to this item at the hearing you may do so via video link, calling in, or attending in person. Please see attached page for complete instructions, registration to participate virtually must be received no later than noon September 3, 2025

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding A-25:158, 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-25:158



Subject Lands

DATED: August 18, 2025

_____

Justin Leung,
Secretary-Treasurer
Committee of Adjustment

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

Hamilton

COMMITTEE OF ADJUSTMENT

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

Telephone (905) 546-2424, ext. 4221

E-mail: cofa@hamilton.ca

PARTICIPATING PROCEDURES

1. Written Submission Ahead of the Meeting

Members of the public who wish to provide input without speaking at the Hearing may submit written comments in advance of the meeting. Comments must be received by 12:00 p.m. (noon) on the deadline date for written comment submissions listed on the Notice of Public Hearing.

How to Submit Written Comments:

By Email:
Send to: cofa@hamilton.ca

By Mail:
Committee of Adjustment
City of Hamilton
71 Main Street West, 5th Floor
Hamilton, Ontario
L8P 4Y5

All written comments received will be made available to the Committee and the public by the Tuesday prior to the Hearing.

2. Oral Submissions During the Hearing

Interested members of the public, agents, and owners may provide oral comments on Committee of Adjustment Hearing items either virtually via Webex (computer or phone) or by attending in person.

Speaking Time Limit:
All participants providing oral submissions, either in person or virtually are limited to a maximum of 5 minutes to speak. This is to ensure all parties have an equal opportunity to be heard and that the meeting runs efficiently.

3. In-Person Oral Submissions

To participate in person, attend Council Chambers on the date and time listed in the Notice of Public Hearing. You will be required to provide your name and address for the record. It is recommended you arrive at least 10 minutes prior to the scheduled start time.

4. Virtual Oral Submissions

To participate virtually, you must register by 12:00 p.m. (noon) on the virtual oral submissions registration deadline date. This is listed on the Notice of Public Hearing.

- Committee of Adjustment file number
- Hearing date
- Name and mailing address of each person wishing to speak
- Method of participation (phone or video), and, if applicable, the phone number to be used
- Each person must register separately

Registered participants will receive a Webex link one business day before the Hearing. Only those registered will be called upon to speak.

5. Presentations

All presentations are permitted at the discretion of the Committee.

Virtual Presentations:
Presenters participating virtually may be granted permission to share their screen during the Hearing. A copy of the presentation must be submitted to cofa@hamilton.ca **by 12:00 p.m. (noon) on the business day prior to the Hearing.** The submission must be one document in PDF format only.

In-Person Presentations:
Presenters attending in person may be granted permission to use the presentation screen. Presentations must be brought on a USB device and opened by the owner/applicant. A copy of the presentation must also be sent to cofa@hamilton.ca **by 12:00 p.m. (noon) on the business day prior to the Hearing.** The submission must be one document in PDF format only. Handouts are permitted only if the same content can be displayed on the presentation screen.

6. Additional Notes

- Webex (video) participation requires a compatible computer or smartphone. The necessary application must be downloaded in advance.
- It is the interested party's responsibility to ensure their device is functional and compatible prior to the Hearing.

For any questions, contact staff at cofa@hamilton.ca or call 905-546-2424 ext. 4221.

SKETCH FOR LAND DIVISION
OF
80–86 DELAWANA DRIVE
IN THE
CITY OF HAMILTON

SCALE 1:200 METRIC

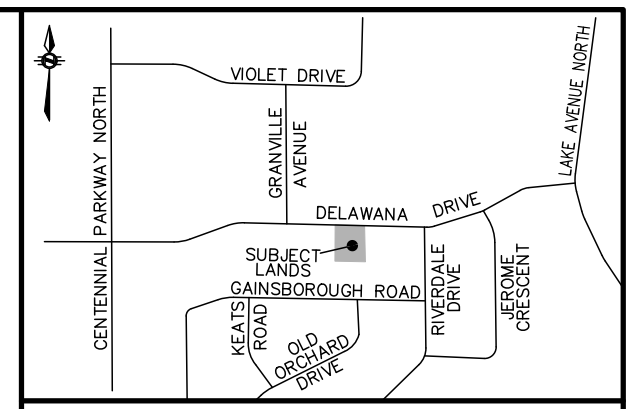
4 2 0 4 8 12 metres

R.A. McLAREN, O.L.S. – 2025

CAUTION:

A) THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED EXCEPT FOR THE PURPOSE INDICATED IN THE TITLEBLOCK.

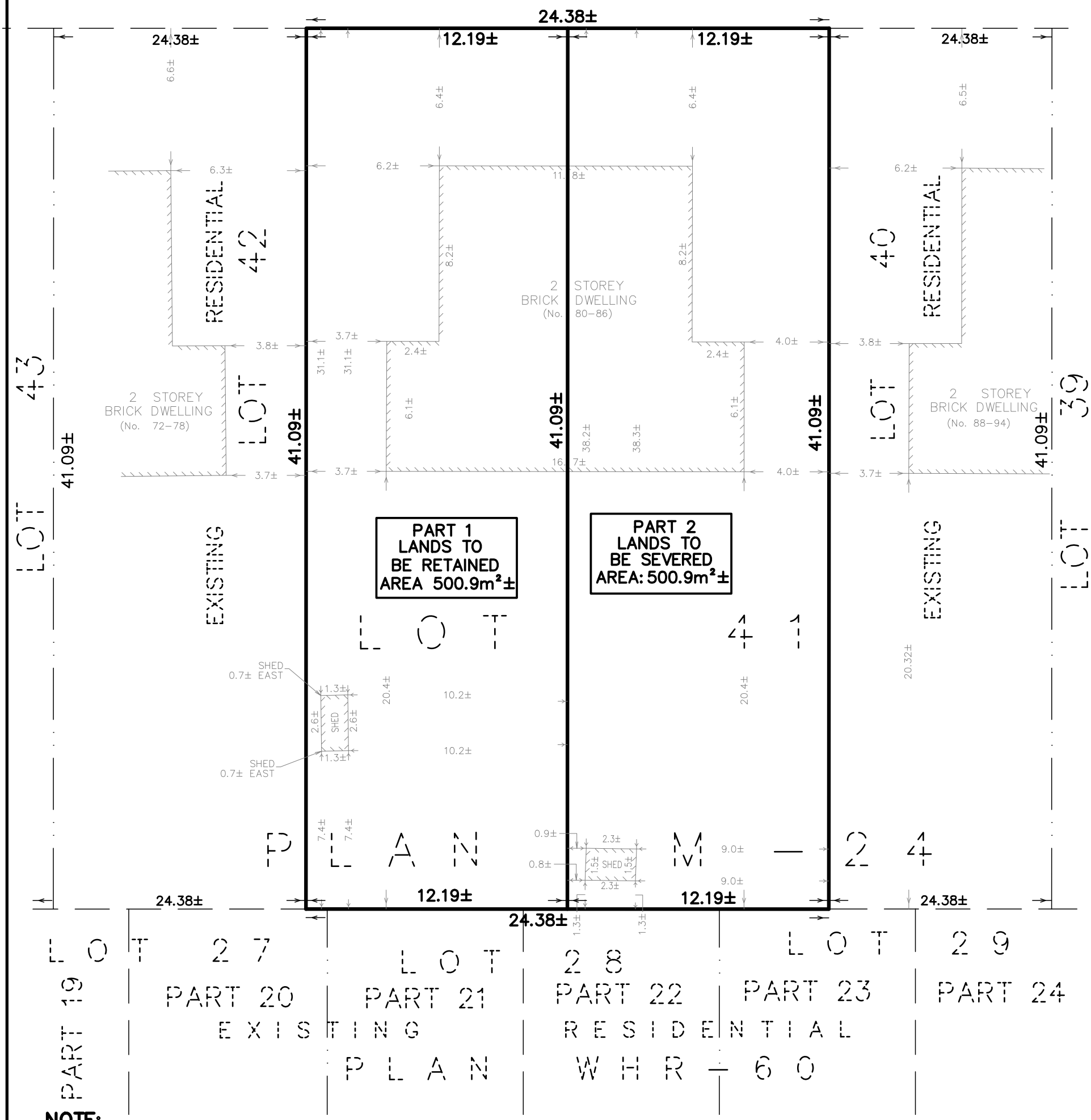
B) THIS SKETCH IS PROTECTED BY COPYRIGHT ©



KEY MAP – NOT TO SCALE

DELAWANA DRIVE

(ESTABLISHED BY PLAN M–24)
(20.12± WIDE)



NOTE:

THIS PLAN COMPRISES ALL OF LOT 41, PLAN M–24, IN THE CITY OF HAMILTON

NOTE:

DISTANCES SHOWN ON THIS PLAN WERE DERIVED FROM A SURVEY DONE BY A.T. MCLAREN, DATED NOVEMBER 22, 2024 – FILE 37913

METRIC NOTE:

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

JULY 18, 2025
DATE

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

Drawn	Checked	Crew Chief	Scale	Dwg.No.
KM	RBM	––	1:200	37913–SK3

Biglieri

By email

July 8, 2025

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

Attention: **Committee of Adjustment, cofa@hamilton.ca**

RE: **Minor Variance Rationale Letter**
80-86 Delawana Drive, Hamilton
TBG Project Number: 25268

On behalf of our client, DiCenzo Management Inc. ("Owner"), the Biglieri Group Ltd. ("Planner") is pleased to provide this rationale letter for a proposed Minor Variance and Consent Applications for 80-86 Delawana Drive in the City of Hamilton ("Subject Site" or "Site"). The proposed Minor Variances are being sought to facilitate the Consent Application which would divide the Subject Site into two lots The proposed variance is the following:

1. To reduce the minimum interior side yard setback to zero (0) metres whereas 1.2 metres is required;
2. To reduce the required lot frontage to 12 metres, whereas 15 metres is required; and,
3. To reduce the required lot area to 500 square metres whereas 540 square metres is required.

SUBJECT SITE AND SURROUNDING AREA

The Subject Site is located in the Hamilton Urban Area on the south side of Delawana Drive, immediately east of the intersection of Delawana Drive and Centennial Parkway North. The broader surrounding context of the Site includes low, medium and high-density residential uses, commercial and retail uses, along with public parks and an elementary school. The following is a more detailed breakdown of the uses immediately adjacent to the Site.

- To the immediate south of the Site there are low-rise residential uses consisting primarily of single-detached dwellings.
- To the immediate west of the Site along Centennial Parkway North there are low-rise commercial uses such as plazas containing retail and restaurants.
- To the immediate north of the Site there are higher density residential uses including 10 to 15 storey apartment buildings.
- To the immediate east of the Site there are residential dwellings that consist of low-rise quadraplexes.

The Subject Site is serviced by Hamilton Street Railway (HSR) transit routes that run along Centennial Parkway North to the west (Routes 44 and 56), Queenston Road to the south (Routes 1/1A, 10 and

2472 Kingston Road, Toronto, Ontario M1N 1V3
21 King Street W Suite 1502, Hamilton, Ontario L8P 4W7
Office: (416) 693-9155 Fax: (416) 693-9133
tbg@thebiglierigroup.com

55/55A), and Barton Road to the north (Route 2). HSR bus routes 44 and 56 provide a north/south connection from the site to the Confederation GO Station located approximately 1.5 kilometres north of the Site.

DESCRIPTION OF PROPOSAL

The proposed Consent and Minor Variance Applications facilitate the division of the Subject Site into two separate lots. A survey demonstrating the proposed consent has been completed by A.T. McLaren Limited dated June 27, 2025, and is appended to this letter. The proposed consent would result in the lot being divided down the centre, resulting in the retained lands having a lot area of 500.9m^2 and frontage of 12.19 metres and the severed lands having a lot area of 500.9m^2 and frontage of 12.19 metres. The existing building on the Site will be divided in half by the proposed Severance. As a result, the Minor Variance is required to permit a side yard setback of zero (0) metres for the existing building on the Site. No redevelopment or alterations are proposed to any buildings or structures on the Site.

PLANNING ANALYSIS

General
The Subject Site is located in the City of Hamilton's *Urban Boundary* per Schedule E of the Urban Hamilton Official Plan (UHOP). On Appendix G of the UHOP, the Site is identified as being within the City's *Built-up Area*. On Schedule E-1 of the UHOP, the Subject Site is designated as *Neighbourhoods*. The Site is also located within the Centennial Neighbourhoods Secondary Plan Area. Per Map B 6.7-1 it is designated as *Low Density Residential 2* within the Secondary Plan. Per Map 6.7-3, Delawana Drive is identified as being a *Neighbourhood Greenway*.

The Subject Site is subject to Former City of Hamilton Zoning By-law 6593. It is zoned *Low Density Multiple Dwelling* per Schedule 103 (DE/S-103). Pursuant to Section 10A(1) of ZBL 6593, permitted uses within the *DE Zone* include two family dwellings, three family dwellings, and multiple dwellings.

Provincial Planning Statement (2024)
In accordance with Section 5 of the Planning Act, all decisions must be consistent with policy statements passed under Section 3 of the Act, which entails the Provincial Planning Statement ("PPS") (2024). The PPS provides provincial direction on matters related to land use planning including growth, housing supply, economic development, and the protection of natural and cultural heritage resources. The Subject Site is located within the City of Hamilton's Urban Boundary. The proposed Consent and Minor Variances does not propose any alterations to the building on the Subject Site. The PPS does not contain any policies that limit the subdivision of land within urban areas. As such, the proposed variances, in so far as they facilitate the proposed Consent Application, are consistent with the PPS.

CONSENT APPLICATION

Planning Act
Per Subsection 53(12) of the *Planning Act* Severance Applications shall have regard for matters listed in Subsection 51(24) of the *Planning Act.* We have reviewed this section, and it is TBG's professional opinion that the Severance Application has appropriate regard for the requirements found therein, as presented below.

(a) The effect of development of the proposed subdivision on matters of provincial interest as referred to in section 2.

- The application does not conflict with matters of provincial interest listed in Section 2 (a) to 2 (s). The Subject Site is located within Hamilton's Urban Area and the Severance Application does not propose any material changes to the buildings or structures on the Site. As such, there is no anticipated effect on the matters of provincial interest identified in Section 2 of the Planning Act.

(b) Whether the proposed subdivision is premature or in the public interest.

- The application is not premature, nor does it conflict with the public interest as it will not result in physical changes to the Site and does not preclude its future development.

(c) Whether the plan conforms to the official plan and adjacent plans of subdivision.

- Further analysis has been provided in the following sections with respect to conformance with the relevant Official Plan policies. It is TBG's opinion that the Severance Application conforms to the Official Plan. Lands surrounding the Subject Site to the south, east, and west appear to have been divided through plans of subdivision. It is TBG's opinion that the Application is in conformance with the surrounding plans of subdivision as the area supports varying lot sizes, housing types, and levels of density.

(d) The suitability of the land for the purposes for which it is to be subdivided.

- The lands are suitable for the proposed and currently permitted residential uses. The proposed Severance will result in the existing building on the Site being divided down the centre, which means the use will be changed from fourplex to duplex. This minor change in use is permitted within the existing policy context.

(d.1) If any affordable housing units are being proposed, the suitability of the proposed units for affordable housing.

- No affordable housing units are being proposed as part of this application.

(e) The number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them.

- No changes are proposed to the road network as part of this application.

(f) The dimensions and shapes of the proposed lots.

- The existing lot is rectangular in shape. The Severance Application proposes to divide the lot down the centre, generating two parcels that are identical in size with the following retained and severed lot areas:
  - Retained lot area: 500.9m^2
  - Severed lot area: 500.9m^2
- The changes to the lot dimensions and shapes will not have any impacts on the function of the existing residential uses on the Subject Site.

(g) The restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be erected on it and the restrictions, if any, on adjoining land.

- The Severance Application is accompanied by Minor Variances which requests a reduction to the Side Yard Setback to zero (0) metres, a reduced lot frontage of 12 metres, and a reduced lot area of 500 square metres to permit the existing building on the Subject Site. No further restrictions are proposed beyond what is already in force through Former City of Hamilton Zoning By-law 6593.

(h) Conservation of natural resources and flood control.

- The application is not anticipated to have any effects on the conservation of natural resources and flood control. The Subject Site is not regulated by the Hamilton Conservation Authority.

(i) The adequacy of utilities and municipal services.

- The servicing in the area is capable of providing adequate services to the units. The servicing will need to be upgraded to reflect the new lot lines and ensure that services do not cross lot lines, however, this will not result in the need for additional servicing as the existing connections will be removed.

(j) The adequacy of school sites.

- The adequacy of school sites is not affected by the application as it does not include any new residential development, just a new lot line to sever the building in half. There is an existing elementary school to the north-east of the property on Delawana Drive (Lake Avenue Elementary School).

(k) The area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes.

- To date, no land has been identified for conveyance for public purposes as part of the application.

(l) The extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy.

- The application has no anticipated effect on the use and conservation of energy.

(m) The interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41 (2) of this Act.

- As no new development is proposed, and the application will only create a new lot line, it is not anticipated that a site plan application will be required.

Urban Hamilton Official Plan

Per Schedule E-1 of the UHOP, the Subject Site is designated as *Neighbourhoods*. Policy 2.7.2 of the UHOP states that *Neighbourhoods* shall primarily consist of residential uses and complementary facilities and services intended to serve residents. Policy 2.7.4 further directs that *Neighbourhoods* shall permit and provide the opportunity for a full range of housing forms, types and tenures. Policy F.1.14.3.1 of the UHOP provides the following requirements for consent applications for new lot creation within neighbourhoods designated areas.

1.14.3.1 Consents for new lot creation, for both the severed and retained lands, for residential uses in the Neighbourhoods designation shown on Map E-1 – Urban Land Use Designation, shall be permitted provided the following conditions are met:

a) The lots comply with the policies of this Plan, including secondary plans, where one exists;	The lots created through the proposed Consent Application comply with the policies contained within the UHOP and the Centennial Neighbourhoods Secondary Plan. A full range of housing options is permitted within *Neighbourhoods* land use designation including varying housing forms, types and tenures.
b) The lots comply with existing Neighbourhood Plans;	The Subject Site is located within the Centennial Neighbourhoods Secondary Plan area. Land Use Plan Map B6.7-1, the Site is designated as *Low Density*

	Residential 2. Per Policy 6.2.5.4.a.i, permitted uses in the *Low Density Residential 2* designation shall include, among other typologies, duplexes and existing legal three, four and five-plexes.
c) The lots are in conformity with the Zoning By-law or a minor variance is approved;	Minor Variances are being requested in conjunction with the Consent Application that will bring it into compliance with the Former Hamilton Zoning By-law 6593.
d) The lots reflect the general scale and character of the established development pattern in the surrounding area by taking into consideration lot frontages and areas, building height, coverage, mass, setbacks, privacy and overview;	The proposed lots are generally consistent with the scale and character of the surrounding area. Surrounding land uses include a mix of residential typologies and densities, with lower density semi-detached and single-detached houses to the south, and high density uses to the north. The proposed lots created through the Consent Application will be consistent with the duplexes located to the immediate south of the Site.
e) The lots are fully serviced by municipal water and wastewater systems; and,	The lots are fully serviced by municipal water and wastewater systems.
f) The lots have frontage on a public road.	Both lots will maintain frontage onto Delawana Drive.

Centennial Neighbourhoods Secondary Plan

The Subject Site is located in the Centennial Neighbourhoods Secondary Plan area. Per Land Use Plan Map B6.7-1, the Site is designated as *Low Density Residential 2*. Per Policy 6.2.5.4.a.i, permitted uses in the *Low Density Residential 2* designation shall include, among other typologies, duplexes and existing legal three, four and five-plexes. The Centennial Neighbourhoods Secondary Plan does not contain any policies specifically regulating the implementation of consent applications.

MINOR VARIANCE

Variances Requested

The following are the variances requested to permit the proposed development:

1. To permit a minimum interior side yard setback of zero (0) metres;
2. To permit a minimum lot frontage of 12 metres; and,
3. To permit a lot area of 500 square metres.

Planning Act

Pursuant to Section 45(1) of the Planning Act, R.S.O. 1990, c. P.13 (“the Act”), The Committee of Adjustment can approve minor variances to Zoning By-laws for land, buildings, or structures upon the Owner’s request, if they believe the changes are in keeping with the general purpose and intent of the Official Plan and Zoning By-law; are desirable for the appropriate development or use of the land,

building or structure; and are minor in nature (the "Four Tests"). The variances must also be consistent with the Provincial Planning Statement, 2024 ("PPS"). As addressed in the above section, section, it is TBG's opinion that the proposed variance is consistent with the Provincial Planning Statement.

FOUR TESTS ANALYSIS

It is TBG's professional planning opinion that the proposed variances satisfy the four tests stipulated by The Planning Act as follows:

The requested variances meet the four tests stipulated by The Planning Act as outlined below:

1) **Is the general intent of the Official Plan maintained?**

   Per Schedule E-1 of the UHOP, the Subject Site is designated as *Neighbourhoods*. Policy 2.7.2 of the UHOP states that *Neighbourhoods* shall primarily consist of residential uses and complementary facilities and services intended to serve residents. Policy 2.7.4 further directs that Neighbourhoods shall permit and provide the opportunity for a full range of housing forms, types and tenures. The Subject Site is also located in the Centennial Neighbourhoods Secondary Plan area. Per Land Use Plan Map B6.7-1, the Site is designated as *Low Density Residential 2*. Per Policy 6.2.5.4.a.i, permitted uses in the *Low Density Residential 2* designation shall include, among other typologies, duplexes and existing legal three, four and five-plexes.

   The proposed Minor Variances in support of the Severance Application would result in the existing fourplex on the Site being converted into a duplex by splitting the lot down the middle. Per the UHOP and the Centennial Neighbourhood Secondary Plan, duplexes are a permitted use within the land use designations that apply to the Site. It is therefore our professional planning opinion that the proposed Minor Variances maintain the general intent of the UHOP and the Secondary Plan.

2) **Is the general intent and purpose of the Zoning By-law maintained?**

   The Subject Site is zoned DE/S-103 under the former City of Hamilton Zoning By-law 6593. Under the current zoning provisions for the Site, two-family dwellings and multiple dwellings are both permitted uses. The Minor Variance requests relief from provisions: 10A(3)(ii)(b) to allow for an interior side yard setback of 0 metres and 10A(4)(ii) to allow for a lot frontage of 12 metres and a lot area of 500 square metres. These variances are required to support the Severance Application which proposes to divide the lot in half. This division of the land would effectively result in the existing fourplex on the lot being converted to a duplex. As the building is currently on the property, the proposed variances are not introducing any new development, but to simply recognize the current situation to enable the requested Severance Application. The units will be provided with an appropriate amenity area in the rear yard, and will not change how this area currently functions and is divided between the units. As two-family dwellings are a permitted use under the current zoning for the Site, it is our professional opinion that the requested Minor Variances maintain the general intent and purpose of the Zoning By-law.

3) Are the proposed variances appropriate for the development of the land and/or building?

The proposed variances are appropriate for the development of the land and building. As outlined in the above sections, the Minor Variances support a Severance Application which would permit the division of the lot into two. The variance does not facilitate any changes to the existing uses on the Site; however, it will result in the existing fourplex on the Site legally becoming a duplex. Since no development of land or buildings is proposed on the Site, and the change in uses conforms to the UHOP and Centennial Neighbourhoods Secondary Plan policies, it is our professional opinion that the variances are appropriate.

4) Are the proposed variances minor?

The variances requested are minor in nature. The proposed reduction of the minimum interior side yard setback from 1.2 metres to 0 metres, reduction of the lot frontage from 15 metres to 12 metres, and the lot area from 540 square metres to 500 square metres facilitates a change to the residential uses on the Site, however, does not create any tangible changes to buildings or structures on the property. Given that the proposed use of duplex (also referred to as a two-family dwelling) is permitted by the current policy framework that applies to the Site, it is our professional Planning Opinion that the variance is minor in nature.

CLOSING

It is our professional Planning Opinion that the application for Minor Variance meets the four tests of minor variance and should be approved by the Committee of Adjustment. It is also our professional Planning Opinion that the application for severance is consistent with and conforms to the policies in the PPS and the City of Hamilton Official Plan and should be approved by the Committee of Adjustment.

We trust you will find all in order, however if you have any questions or require additional information, please contact us at your earliest convenience.

Respectfully,
THE BIGLIERI GROUP LTD.



Rachelle Larocque RPP, MCIP
Partner



Alex Walton, MPl
Planner

cc. DiCenzo Management Inc.

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	MAILING ADDRESS
Purchaser*		[redacted]
Registered Owners(s)	Dicenzo Management Inc. c/o Anthony Dicenzo	
Applicant(s)**	Dicenzo Management Inc. c/o Anthony Dicenzo	
Agent or Solicitor	The Biglieri Group c/o Rachelle Larocque	

*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 [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 ☐ Credit over phone*
☑ Cheque

*Must provide number above

2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	80-86 Delawana Drive, Hamilton, ON		
Assessment Roll Number	251805046106180		
Former Municipality	Hamilton		
Lot		Concession	
Registered Plan Number	M24	Lot(s)	41
Reference Plan Number (s)		Part(s)	

2.2 Are there any easements or restrictive covenants affecting the subject land?
☐ Yes ☑ No
If YES, describe the easement or covenant and its effect:

3 PURPOSE OF THE APPLICATION

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

☑ 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:

Dicenzo Management Inc.

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

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:	Lands to be Reta	Lands to be Sev			
Type of Transfer	N/A	Severence			
Frontage	12.19 m	12.19 m			
Depth	41.09 m	41.09 m			
Area	500.9 m2	500.9 m2			
Existing Use	Residential	Residential			
Proposed Use	Residential	Residential			
Existing Buildings/ Structures	2-storey quadplex	2-storey quadplex			
Proposed Buildings/ Structures	2-storey semi-detached duplex	2-storey semi-detached duplex			
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): N/A

Rural Settlement Area: N/A

Urban Hamilton Official Plan designation (if applicable) Neighbourhoods

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

The application conforms with the City of Hamilton Official Plan as it will follow the land use regulations required within the Neighbourhoods designation.

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

☐ Yes ☑ No ☐ Unknown

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

5.3 What is the existing zoning of the subject land? DE/S-103 (Low Density Multiple Dwellings)

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

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

☑ Yes ☐ No ☐ Unknown

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

minor variance submitted concurrently

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)	☐	Eastgate Square Shop
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.

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

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

☑ Yes ☐ No

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

6.4 How long has the applicant owned the subject land?

Acquired August 27, 1997 (28 years)

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.

30-126 Delawana Drive, Hamilton, ON, additional lands throughout the City.

---

7 PROVINCIAL POLICY

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

☑ Yes ☐ No (Provide explanation)

The application is consistent with the Policy Statements issued under Section 3 of the Planning Act, including the 2024 Provincial Planning Statement, as outlined below.

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

☑ Yes ☐ No (Provide explanation)

The application is consistent with the 2024 Provincial Planning Statement, including section 2.2.1, as it will assist in providing an appropriate range and mix of housing options and densities to meet the current and future housing needs in Hamilton and accommodate future growth.

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

☐ Yes ☐ No (Provide explanation)

N/A

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

☐ Yes ☑ No (Provide explanation)

The subject lands are not located within the Niagara Escarpment Plan area.

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

☐ Yes ☑ No (Provide explanation)

The subject lands are not located within the Parkway Belt West Plan area.

7.6 Are the subject lands subject to the Greenbelt Plan?

☐ Yes ☑ No (Provide explanation)

The subject lands are not located within the Greenbelt Plan area.

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

☐ Yes ☑ No (Provide explanation)

The subject lands are not within an area of land designated under any other provincial plan or plans.

8 ADDITIONAL INFORMATION - VALIDATION

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

☐ Yes ☐ No (Provide explanation)

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

☐ Yes ☐ No (Provide explanation and details on plan)

The current owner owns the entirety of 30-126 Delawana Drive, Hamilton, ON.

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 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	MAILING ADDRESS
Registered Owners(s)	Dicenzo Management Inc. (A	[redacted]
Applicant(s)	Dicenzo Management Inc. (Anthony DiCenzo)	
Agent or Solicitor	The Biglieri Group c/o Rachelle Larocque	

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	80-86 Delawana Drive, Hamilton, ON		
Assessment Roll Number	251805046106180		
Former Municipality	Hamilton		
Lot		Concession	
Registered Plan Number	M-24	Lot(s)	41
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:

Request for a 0-metre interior side yard setback.
Request minimum lot area of 500 square metres, lot frontage of 12 metres.

☐ Second Dwelling Unit ☐ Reconstruction of Existing Dwelling

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

There is currently a four-unit dwelling built on the subject site. The proposed minor variance would allow for the lands to be severed in half without demolishing the existing building.

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
24.38	41.09	1000.5	20.12

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
fourplex	6.4 m	20.4 m	3.7m, 4.0m, 0m (shared property line)	01/01/1970
shed #1	31.1m	7.4m	0.7 m	01/01/1990
shed #2	38.2m	1.3 m	9.0 m	01/01/1970

Proposed:

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

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
quadplex	99.3 m2	198.6 m2	2	7m
shed	3.4 m2	3.4 m2	1	2m
shed	3.5 m2	3.5 m2	1	2m

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height

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.):

Duplex Dwellings

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

Quadplex

7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:

August 27, 1997

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

Quadplex

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

Quadplex

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

1980's

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) Neighbourhoods

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

The application conforms with the City of Hamilton Official Plan as it will follow the land use regulations required within the Neighbourhoods designation.

7.6 What is the existing zoning of the subject land? DE/S-103 (Low Density Multiple Dwelling

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: DE/S-103 (Low Density Multiple Dwellings)

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: Filed concurrently

8 ADDITIONAL INFORMATION

8.1 Number of Dwelling Units Existing: 4

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

- [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
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-25:051**	**SUBJECT PROPERTY:**	88-94 Delawana Drive, Hamilton

APPLICANTS: Owner: Dicenzo Management Inc.
Agent: The Biglieri Group c/o Rachelle Larocque

PURPOSE & EFFECT: To sever the existing residential lot into two (2) parcels. The existing 2-storey fourplex will be divided in half. The severed lands will contain a 2-storey semi-detached duplex dwelling, and the retained lands will contain a 2-storey semi-detached duplex dwelling.

	Frontage	**Depth**	**Area**
SEVERED LANDS (PART 2):	12.19 m±	41.09 m±	500.9 m^2 ±
RETAINED LANDS (PART 1):	12.19 m±	41.09 m±	500.9 m^2 ±

Associated Planning Act File(s): A-25:157

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:	**Thursday, September 4, 2025**
TIME:	**3:05 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:

B-25:051

- 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 **September 2, 2025**

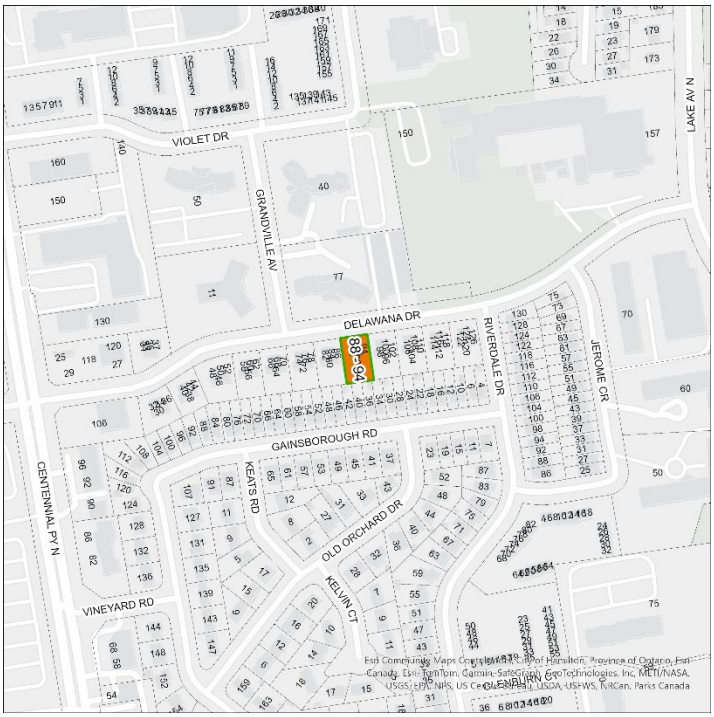
Orally: If you would like to speak to this item at the hearing you may do so via video link, calling in, or attending in person. Please see attached page for complete instructions, registration to participate virtually must be received no later than noon **September 3, 2025**

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding B-25:051, 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-25:051



Subject Lands

DATED: August 18, 2025

_____

Justin Leung,
Secretary-Treasurer
Committee of Adjustment

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

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

Hamilton

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

PARTICIPATING PROCEDURES

1. Written Submission Ahead of the Meeting

Members of the public who wish to provide input without speaking at the Hearing may submit written comments in advance of the meeting. Comments must be received by 12:00 p.m. (noon) on the deadline date for written comment submissions listed on the Notice of Public Hearing.

How to Submit Written Comments:

By Email:
Send to: cofa@hamilton.ca

By Mail:
Committee of Adjustment
City of Hamilton
71 Main Street West, 5th Floor
Hamilton, Ontario
L8P 4Y5

All written comments received will be made available to the Committee and the public by the Tuesday prior to the Hearing.

2. Oral Submissions During the Hearing

Interested members of the public, agents, and owners may provide oral comments on Committee of Adjustment Hearing items either virtually via Webex (computer or phone) or by attending in person.

Speaking Time Limit:
All participants providing oral submissions, either in person or virtually are limited to a maximum of 5 minutes to speak. This is to ensure all parties have an equal opportunity to be heard and that the meeting runs efficiently.

3. In-Person Oral Submissions

To participate in person, attend Council Chambers on the date and time listed in the Notice of Public Hearing. You will be required to provide your name and address for the record. It is recommended you arrive at least 10 minutes prior to the scheduled start time.

4. Virtual Oral Submissions

To participate virtually, you must register by 12:00 p.m. (noon) on the virtual oral submissions registration deadline date. This is listed on the Notice of Public Hearing.

- Committee of Adjustment file number
- Hearing date
- Name and mailing address of each person wishing to speak
- Method of participation (phone or video), and, if applicable, the phone number to be used
- Each person must register separately

Registered participants will receive a Webex link one business day before the Hearing. Only those registered will be called upon to speak.

5. Presentations

All presentations are permitted at the discretion of the Committee.

Virtual Presentations:
Presenters participating virtually may be granted permission to share their screen during the Hearing. A copy of the presentation must be submitted to cofa@hamilton.ca **by 12:00 p.m. (noon) on the business day prior to the Hearing.** The submission must be one document in PDF format only.

In-Person Presentations:
Presenters attending in person may be granted permission to use the presentation screen. Presentations must be brought on a USB device and opened by the owner/applicant. A copy of the presentation must also be sent to cofa@hamilton.ca **by 12:00 p.m. (noon) on the business day prior to the Hearing.** The submission must be one document in PDF format only. Handouts are permitted only if the same content can be displayed on the presentation screen.

6. Additional Notes

- Webex (video) participation requires a compatible computer or smartphone. The necessary application must be downloaded in advance.
- It is the interested party's responsibility to ensure their device is functional and compatible prior to the Hearing.

For any questions, contact staff at cofa@hamilton.ca or call 905-546-2424 ext. 4221.

SKETCH FOR LAND DIVISION
OF
88–94 DELAWANA DRIVE
IN THE
CITY OF HAMILTON

SCALE 1:200 METRIC

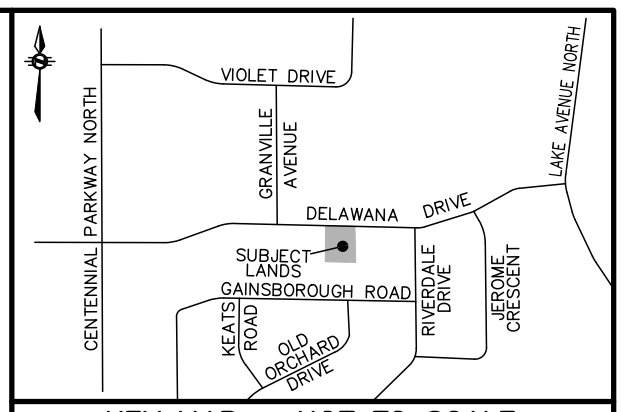
4 2 0 4 8 12 metres

R.A. McLAREN, O.L.S. – 2025

CAUTION:

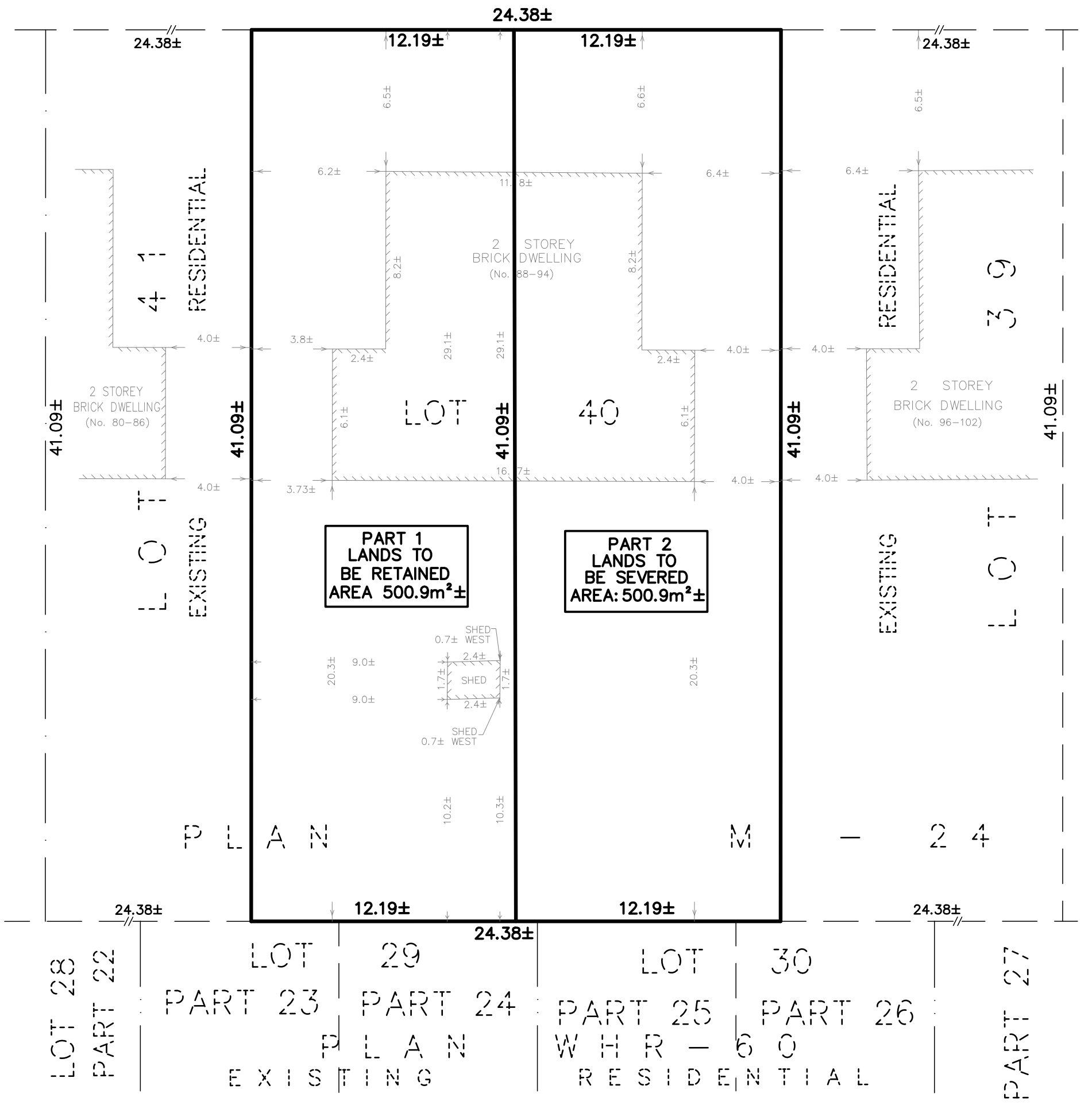
A) THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED EXCEPT FOR THE PURPOSE INDICATED IN THE TITLEBLOCK.

B) THIS SKETCH IS PROTECTED BY COPYRIGHT ©



KEY MAP – NOT TO SCALE

DELAWANA DRIVE
(ESTABLISHED BY PLAN M–24)
(20.12± WIDE)



NOTE:

THIS PLAN COMPRISES ALL OF LOT 40, PLAN M–24, IN THE CITY OF HAMILTON

NOTE:

DISTANCES SHOWN ON THIS PLAN WERE DERIVED FROM A SURVEY DONE BY A.T. MCLAREN, DATED NOVEMBER 22, 2024 – FILE 37913

METRIC NOTE:

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

JULY 18, 2025
DATE

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

Drawn	Checked	Crew Chief	Scale	Dwg.No.
KM	RBM	––	1:200	37913–SK4

Biglieri

By email

July 8, 2025

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

Attention: **Committee of Adjustment, cofa@hamilton.ca**

RE: **Minor Variance Rationale Letter**
88-94 Delawana Drive, Hamilton
TBG Project Number: 25268

On behalf of our client, DiCenzo Management Inc. ("Owner"), the Biglieri Group Ltd. ("Planner") is pleased to provide this rationale letter for a proposed Minor Variance and Consent Applications for 88-94 Delawana Drive in the City of Hamilton ("Subject Site" or "Site"). The proposed Minor Variances are being sought to facilitate the Consent Application which would divide the Subject Site into two lots The proposed variance is the following:

1. To reduce the minimum interior side yard setback to zero (0) metres whereas 1.2 metres is required;
2. To reduce the required lot frontage to 12 metres, whereas 15 metres is required; and,
3. To reduce the required lot area to 500 square metres whereas 540 square metres is required.

SUBJECT SITE AND SURROUNDING AREA

The Subject Site is located in the Hamilton Urban Area on the south side of Delawana Drive, immediately east of the intersection of Delawana Drive and Centennial Parkway North. The broader surrounding context of the Site includes low, medium and high-density residential uses, commercial and retail uses, along with public parks and an elementary school. The following is a more detailed breakdown of the uses immediately adjacent to the Site.

- To the immediate south of the Site there are low-rise residential uses consisting primarily of single-detached dwellings.
- To the immediate west of the Site along Centennial Parkway North there are low-rise commercial uses such as plazas containing retail and restaurants.
- To the immediate north of the Site there are higher density residential uses including 10 to 15 storey apartment buildings.
- To the immediate east of the Site there are residential dwellings that consist of low-rise quadraplexes.

The Subject Site is serviced by Hamilton Street Railway (HSR) transit routes that run along Centennial Parkway North to the west (Routes 44 and 56), Queenston Road to the south (Routes 1/1A, 10 and

2472 Kingston Road, Toronto, Ontario M1N 1V3
21 King Street W Suite 1502, Hamilton, Ontario L8P 4W7
Office: (416) 693-9155 Fax: (416) 693-9133
tbg@thebiglierigroup.com

55/55A), and Barton Road to the north (Route 2). HSR bus routes 44 and 56 provide a north/south connection from the site to the Confederation GO Station located approximately 1.5 kilometres north of the Site.

DESCRIPTION OF PROPOSAL

The proposed Consent and Minor Variance Applications facilitate the division of the Subject Site into two separate lots. A survey demonstrating the proposed consent has been completed by A.T. McLaren Limited dated June 27, 2025, and is appended to this letter. The proposed consent would result in the lot being divided down the centre, resulting in the retained lands having a lot area of 500.9m^2 and frontage of 12.19 metres and the severed lands having a lot area of 500.9m^2 and frontage of 12.19 metres. The existing building on the Site will be divided in half by the proposed Severance. As a result, the Minor Variance is required to permit a side yard setback of zero (0) metres for the existing building on the Site. No redevelopment or alterations are proposed to any buildings or structures on the Site.

PLANNING ANALYSIS

General
The Subject Site is located in the City of Hamilton's *Urban Boundary* per Schedule E of the Urban Hamilton Official Plan (UHOP). On Appendix G of the UHOP, the Site is identified as being within the City's *Built-up Area*. On Schedule E-1 of the UHOP, the Subject Site is designated as *Neighbourhoods*. The Site is also located within the Centennial Neighbourhoods Secondary Plan Area. Per Map B 6.7-1 it is designated as *Low Density Residential 2* within the Secondary Plan. Per Map 6.7-3, Delawana Drive is identified as being a *Neighbourhood Greenway*.

The Subject Site is subject to Former City of Hamilton Zoning By-law 6593. It is zoned *Low Density Multiple Dwelling* per Schedule 103 (DE/S-103). Pursuant to Section 10A(1) of ZBL 6593, permitted uses within the *DE Zone* include two family dwellings, three family dwellings, and multiple dwellings.

Provincial Planning Statement (2024)
In accordance with Section 5 of the Planning Act, all decisions must be consistent with policy statements passed under Section 3 of the Act, which entails the Provincial Planning Statement ("PPS") (2024). The PPS provides provincial direction on matters related to land use planning including growth, housing supply, economic development, and the protection of natural and cultural heritage resources. The Subject Site is located within the City of Hamilton's Urban Boundary. The proposed Consent and Minor Variances does not propose any alterations to the building on the Subject Site. The PPS does not contain any policies that limit the subdivision of land within urban areas. As such, the proposed variances, in so far as they facilitate the proposed Consent Application, are consistent with the PPS.

CONSENT APPLICATION

Planning Act
Per Subsection 53(12) of the *Planning Act* Severance Applications shall have regard for matters listed in Subsection 51(24) of the *Planning Act.* We have reviewed this section, and it is TBG's professional opinion that the Severance Application has appropriate regard for the requirements found therein, as presented below.

(a) The effect of development of the proposed subdivision on matters of provincial interest as referred to in section 2.

- The application does not conflict with matters of provincial interest listed in Section 2 (a) to 2 (s). The Subject Site is located within Hamilton's Urban Area and the Severance Application does not propose any material changes to the buildings or structures on the Site. As such, there is no anticipated effect on the matters of provincial interest identified in Section 2 of the Planning Act.

(b) Whether the proposed subdivision is premature or in the public interest.

- The application is not premature, nor does it conflict with the public interest as it will not result in physical changes to the Site and does not preclude its future development.

(c) Whether the plan conforms to the official plan and adjacent plans of subdivision.

- Further analysis has been provided in the following sections with respect to conformance with the relevant Official Plan policies. It is TBG's opinion that the Severance Application conforms to the Official Plan. Lands surrounding the Subject Site to the south, east, and west appear to have been divided through plans of subdivision. It is TBG's opinion that the Application is in conformance with the surrounding plans of subdivision as the area supports varying lot sizes, housing types, and levels of density.

(d) The suitability of the land for the purposes for which it is to be subdivided.

- The lands are suitable for the proposed and currently permitted residential uses. The proposed Severance will result in the existing building on the Site being divided down the centre, which means the use will be changed from fourplex to duplex. This minor change in use is permitted within the existing policy context.

(d.1) If any affordable housing units are being proposed, the suitability of the proposed units for affordable housing.

- No affordable housing units are being proposed as part of this application.

(e) The number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them.

- No changes are proposed to the road network as part of this application.

(f) The dimensions and shapes of the proposed lots.

- The existing lot is rectangular in shape. The Severance Application proposes to divide the lot down the centre, generating two parcels that are identical in size with the following retained and severed lot areas:
  - Retained lot area: 500.9m^2
  - Severed lot area: 500.9m^2
- The changes to the lot dimensions and shapes will not have any impacts on the function of the existing residential uses on the Subject Site.

(g) The restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be erected on it and the restrictions, if any, on adjoining land.

- The Severance Application is accompanied by Minor Variances which requests a reduction to the Side Yard Setback to zero (0) metres, a reduced lot frontage of 12 metres, and a reduced lot area of 500 square metres to permit the existing building on the Subject Site. No further restrictions are proposed beyond what is already in force through Former City of Hamilton Zoning By-law 6593.

(h) Conservation of natural resources and flood control.

- The application is not anticipated to have any effects on the conservation of natural resources and flood control. The Subject Site is not regulated by the Hamilton Conservation Authority.

(i) The adequacy of utilities and municipal services.

- The servicing in the area is capable of providing adequate services to the units. The servicing will need to be upgraded to reflect the new lot lines and ensure that services do not cross lot lines, however, this will not result in the need for additional servicing as the existing connections will be removed.

(j) The adequacy of school sites.

- The adequacy of school sites is not affected by the application as it does not include any new residential development, just a new lot line to sever the building in half. There is an existing elementary school to the north-east of the property on Delawana Drive (Lake Avenue Elementary School).

(k) The area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes.

- To date, no land has been identified for conveyance for public purposes as part of the application.

(l) The extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy.

- The application has no anticipated effect on the use and conservation of energy.

(m) The interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41 (2) of this Act.

- As no new development is proposed, and the application will only create a new lot line, it is not anticipated that a site plan application will be required.

Urban Hamilton Official Plan

Per Schedule E-1 of the UHOP, the Subject Site is designated as *Neighbourhoods*. Policy 2.7.2 of the UHOP states that *Neighbourhoods* shall primarily consist of residential uses and complementary facilities and services intended to serve residents. Policy 2.7.4 further directs that *Neighbourhoods* shall permit and provide the opportunity for a full range of housing forms, types and tenures. Policy F.1.14.3.1 of the UHOP provides the following requirements for consent applications for new lot creation within neighbourhoods designated areas.

1.14.3.1 Consents for new lot creation, for both the severed and retained lands, for residential uses in the Neighbourhoods designation shown on Map E-1 – Urban Land Use Designation, shall be permitted provided the following conditions are met:

a) The lots comply with the policies of this Plan, including secondary plans, where one exists;	The lots created through the proposed Consent Application comply with the policies contained within the UHOP and the Centennial Neighbourhoods Secondary Plan. A full range of housing options is permitted within *Neighbourhoods* land use designation including varying housing forms, types and tenures.
b) The lots comply with existing Neighbourhood Plans;	The Subject Site is located within the Centennial Neighbourhoods Secondary Plan area. Land Use Plan Map B6.7-1, the Site is designated as *Low Density*

	Residential 2. Per Policy 6.2.5.4.a.i, permitted uses in the *Low Density Residential 2* designation shall include, among other typologies, duplexes and existing legal three, four and five-plexes.
c) The lots are in conformity with the Zoning By-law or a minor variance is approved;	Minor Variances are being requested in conjunction with the Consent Application that will bring it into compliance with the Former Hamilton Zoning By-law 6593.
d) The lots reflect the general scale and character of the established development pattern in the surrounding area by taking into consideration lot frontages and areas, building height, coverage, mass, setbacks, privacy and overview;	The proposed lots are generally consistent with the scale and character of the surrounding area. Surrounding land uses include a mix of residential typologies and densities, with lower density semi-detached and single-detached houses to the south, and high density uses to the north. The proposed lots created through the Consent Application will be consistent with the duplexes located to the immediate south of the Site.
e) The lots are fully serviced by municipal water and wastewater systems; and,	The lots are fully serviced by municipal water and wastewater systems.
f) The lots have frontage on a public road.	Both lots will maintain frontage onto Delawana Drive.

Centennial Neighbourhoods Secondary Plan

The Subject Site is located in the Centennial Neighbourhoods Secondary Plan area. Per Land Use Plan Map B6.7-1, the Site is designated as *Low Density Residential 2*. Per Policy 6.2.5.4.a.i, permitted uses in the *Low Density Residential 2* designation shall include, among other typologies, duplexes and existing legal three, four and five-plexes. The Centennial Neighbourhoods Secondary Plan does not contain any policies specifically regulating the implementation of consent applications.

MINOR VARIANCE

Variances Requested

The following are the variances requested to permit the proposed development:

1. To permit a minimum interior side yard setback of zero (0) metres;
2. To permit a minimum lot frontage of 12 metres; and,
3. To permit a lot area of 500 square metres.

Planning Act

Pursuant to Section 45(1) of the Planning Act, R.S.O. 1990, c. P.13 (“the Act”), The Committee of Adjustment can approve minor variances to Zoning By-laws for land, buildings, or structures upon the Owner’s request, if they believe the changes are in keeping with the general purpose and intent of the Official Plan and Zoning By-law; are desirable for the appropriate development or use of the land,

building or structure; and are minor in nature (the "Four Tests"). The variances must also be consistent with the Provincial Planning Statement, 2024 ("PPS"). As addressed in the above section, section, it is TBG's opinion that the proposed variance is consistent with the Provincial Planning Statement.

FOUR TESTS ANALYSIS

It is TBG's professional planning opinion that the proposed variances satisfy the four tests stipulated by The Planning Act as follows:

The requested variances meet the four tests stipulated by The Planning Act as outlined below:

1) **Is the general intent of the Official Plan maintained?**

   Per Schedule E-1 of the UHOP, the Subject Site is designated as *Neighbourhoods*. Policy 2.7.2 of the UHOP states that *Neighbourhoods* shall primarily consist of residential uses and complementary facilities and services intended to serve residents. Policy 2.7.4 further directs that Neighbourhoods shall permit and provide the opportunity for a full range of housing forms, types and tenures. The Subject Site is also located in the Centennial Neighbourhoods Secondary Plan area. Per Land Use Plan Map B6.7-1, the Site is designated as *Low Density Residential 2*. Per Policy 6.2.5.4.a.i, permitted uses in the *Low Density Residential 2* designation shall include, among other typologies, duplexes and existing legal three, four and five-plexes.

   The proposed Minor Variances in support of the Severance Application would result in the existing fourplex on the Site being converted into a duplex by splitting the lot down the middle. Per the UHOP and the Centennial Neighbourhood Secondary Plan, duplexes are a permitted use within the land use designations that apply to the Site. It is therefore our professional planning opinion that the proposed Minor Variances maintain the general intent of the UHOP and the Secondary Plan.

2) **Is the general intent and purpose of the Zoning By-law maintained?**

   The Subject Site is zoned DE/S-103 under the former City of Hamilton Zoning By-law 6593. Under the current zoning provisions for the Site, two-family dwellings and multiple dwellings are both permitted uses. The Minor Variance requests relief from provisions: 10A(3)(ii)(b) to allow for an interior side yard setback of 0 metres and 10A(4)(ii) to allow for a lot frontage of 12 metres and a lot area of 500 square metres. These variances are required to support the Severance Application which proposes to divide the lot in half. This division of the land would effectively result in the existing fourplex on the lot being converted to a duplex. As the building is currently on the property, the proposed variances are not introducing any new development, but to simply recognize the current situation to enable the requested Severance Application. The units will be provided with an appropriate amenity area in the rear yard, and will not change how this area currently functions and is divided between the units. As two-family dwellings are a permitted use under the current zoning for the Site, it is our professional opinion that the requested Minor Variances maintain the general intent and purpose of the Zoning By-law.

3) Are the proposed variances appropriate for the development of the land and/or building?

The proposed variances are appropriate for the development of the land and building. As outlined in the above sections, the Minor Variances support a Severance Application which would permit the division of the lot into two. The variance does not facilitate any changes to the existing uses on the Site; however, it will result in the existing fourplex on the Site legally becoming a duplex. Since no development of land or buildings is proposed on the Site, and the change in uses conforms to the UHOP and Centennial Neighbourhoods Secondary Plan policies, it is our professional opinion that the variances are appropriate.

4) Are the proposed variances minor?

The variances requested are minor in nature. The proposed reduction of the minimum interior side yard setback from 1.2 metres to 0 metres, reduction of the lot frontage from 15 metres to 12 metres, and the lot area from 540 square metres to 500 square metres facilitates a change to the residential uses on the Site, however, does not create any tangible changes to buildings or structures on the property. Given that the proposed use of duplex (also referred to as a two-family dwelling) is permitted by the current policy framework that applies to the Site, it is our professional Planning Opinion that the variance is minor in nature.

CLOSING

It is our professional Planning Opinion that the application for Minor Variance meets the four tests of minor variance and should be approved by the Committee of Adjustment. It is also our professional Planning Opinion that the application for severance is consistent with and conforms to the policies in the PPS and the City of Hamilton Official Plan and should be approved by the Committee of Adjustment.

We trust you will find all in order, however if you have any questions or require additional information, please contact us at your earliest convenience.

Respectfully,
THE BIGLIERI GROUP LTD.



Rachelle Larocque RPP, MCIP
Partner



Alex Walton, MPl
Planner

cc. DiCenzo Management Inc.

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	MAILING ADDRESS
Registered Owners(s)	Dicenzo Management Inc.	[redacted]
Applicant(s)	Dicenzo Management Inc.	
Agent or Solicitor	The Biglieri Group c/o Rachelle Larocque	

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	88-94 Delawana Drive, Hamilton, ON		
Assessment Roll Number	251805046106168		
Former Municipality	Hamilton		
Lot		Concession	
Registered Plan Number	M-24	Lot(s)	40
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:

Transfer Easement: The Bell Telephone Company of Canada

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:

Request for a 0-metre interior side yard setback.
Request minimum lot area of 500 square metres, lot frontage of 12 metres.

☐ Second Dwelling Unit ☐ Reconstruction of Existing Dwelling

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

There is currently a four-unit dwelling built on the subject site. The proposed minor variance would allow for the lands to be severed in half without demolishing the existing building.

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
24.38	41.09	1000.5	20.12

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
fourplex	6.5 m	20.3 m	3.8m, 4.0m, 0m (shared property line)	01/01/1970
shed	29.1m	10.3 m	0.7 m	01/01/1990

Proposed:

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

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
quadplex	99.3 m2	198.6 m2	2	7 m
shed	4.1 m2	4.1 m2	1	2m

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height

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.):

Duplex Dwellings

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

Quadplex

7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:

August 27, 1997

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

Quadplex

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

Quadplex

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

1980's

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) Neighbourhoods

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

The application conforms with the City of Hamilton Official Plan as it will follow the land use regulations required within the Neighbourhoods designation.

7.6 What is the existing zoning of the subject land? DE/S-103 (Low Density Multiple Dwelling

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: DE/S-103 (Low Density Multiple Dwellings)

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: Filed concurrently

8 ADDITIONAL INFORMATION

8.1 Number of Dwelling Units Existing: 4

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

- [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 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	MAILING ADDRESS	
Purchaser*			**Phone:** **E-mail:**
Registered Owners(s)	Dicenzo Management Inc. c/o Anthony Dicenzo	[redacted]	
Applicant(s)**	Dicenzo Management Inc. c/o Anthony Dicenzo		
Agent or Solicitor	The Biglieri Group c/o Rachelle Larocque		

*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 [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 ☐ Credit over phone*
☑ Cheque

*Must provide number above

2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	88-94 Delawana Drive, Hamilton, ON		
Assessment Roll Number	251805046106184		
Former Municipality	Hamilton		
Lot		Concession	
Registered Plan Number	M24	Lot(s)	40
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:

Transfer Easement: The Bell Telephone Company of Canada

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:

Dicenzo Management Inc.

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

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:	Lands to be Reta	Lands to be Sev			
Type of Transfer	N/A	Severence			
Frontage	12.19 m	12.19 m			
Depth	41.09 m	41.09 m			
Area	500.9 m2	500.9 m2			
Existing Use	Residential	Residential			
Proposed Use	Residential	Residential			
Existing Buildings/ Structures	2-storey quadplex	2-storey quadplex			
Proposed Buildings/ Structures	2-storey semi-detached duplex	2-storey semi-detached duplex			
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): N/A

Rural Settlement Area: N/A

Urban Hamilton Official Plan designation (if applicable) Neighbourhoods

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

The application conforms with the City of Hamilton Official Plan as it will follow the land use regulations required within the Neighbourhoods designation.

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

☐ Yes ☑ No ☐ Unknown

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

5.3 What is the existing zoning of the subject land? DE/S-103 (Low Density Multiple Dwellings)

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

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

☑ Yes ☐ No ☐ Unknown

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

minor variance submitted concurrently

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)	☐	Eastgate Square Shop
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.

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

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

☑ Yes ☐ No

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

6.4 How long has the applicant owned the subject land?

Acquired August 27, 1997 (28 years)

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.

30-126 Delawana Drive, Hamilton, ON, additional lands throughout the City.

---

7 PROVINCIAL POLICY

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

☑ Yes ☐ No (Provide explanation)

The application is consistent with the Policy Statements issued under Section 3 of the Planning Act, including the 2024 Provincial Planning Statement, as outlined below.

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

☑ Yes ☐ No (Provide explanation)

The application is consistent with the 2024 Provincial Planning Statement, including section 2.2.1, as it will assist in providing an appropriate range and mix of housing options and densities to meet the current and future housing needs in Hamilton and accommodate future growth.

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

☐ Yes ☐ No (Provide explanation)

N/A

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

☐ Yes ☑ No (Provide explanation)

The subject lands are not located within the Niagara Escarpment Plan area.

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

☐ Yes ☑ No (Provide explanation)

The subject lands are not located within the Parkway Belt West Plan area.

7.6 Are the subject lands subject to the Greenbelt Plan?

☐ Yes ☑ No (Provide explanation)

The subject lands are not located within the Greenbelt Plan area.

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

☐ Yes ☑ No (Provide explanation)

The subject lands are not within an area of land designated under any other provincial plan or plans.

8 ADDITIONAL INFORMATION - VALIDATION

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

☐ Yes ☐ No (Provide explanation)

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

☐ Yes ☐ No (Provide explanation and details on plan)

The current owner owns the entirety of 30-126 Delawana Drive, Hamilton, ON.

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-25:157**	**SUBJECT PROPERTY:**	88-94 Delawana Drive, Hamilton
ZONE:	DE/S-103 (Low Density Multiple Dwellings)	**ZONING BY-LAW:**	Former Hamilton Zoning By-law 6593

APPLICANTS: Owner: Dicenzo Management Inc.
Agent: The Biglieri Group c/o Rachelle Larocque

The following variances are requested:

1. A minimum interior Side Yard width of 0.0 metres shall be provided whereas the By-law requires a minimum Side Yard width of 2.0 metres.

2. A minimum Lot Width of 12.0 metres shall be provided whereas the By-law requires a minimum Lot Width of 18.0 metres.

3. A minimum Lot Area of 500.0 square metres shall be provided whereas the By-law requires a minimum Lot Area of 540.0 square metres.

PURPOSE & EFFECT: To facilitate the creation of a new lot, each containing a Two-Family Dwelling.

Notes:

1) Applicant has submitted a concurrent consent application (B.25.051).

2) Existing multiple dwelling contains 4 dwelling units. This application will facilitate the creation of two separate lots each containing two of the existing dwelling units.

3) Floor plans not provided. Staff are unable to confirm the location of each unit in relation to the proposed lot boundaries.

A-25:157

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:	**Thursday, September 4, 2025**
TIME:	**3:05 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 September 2, 2025

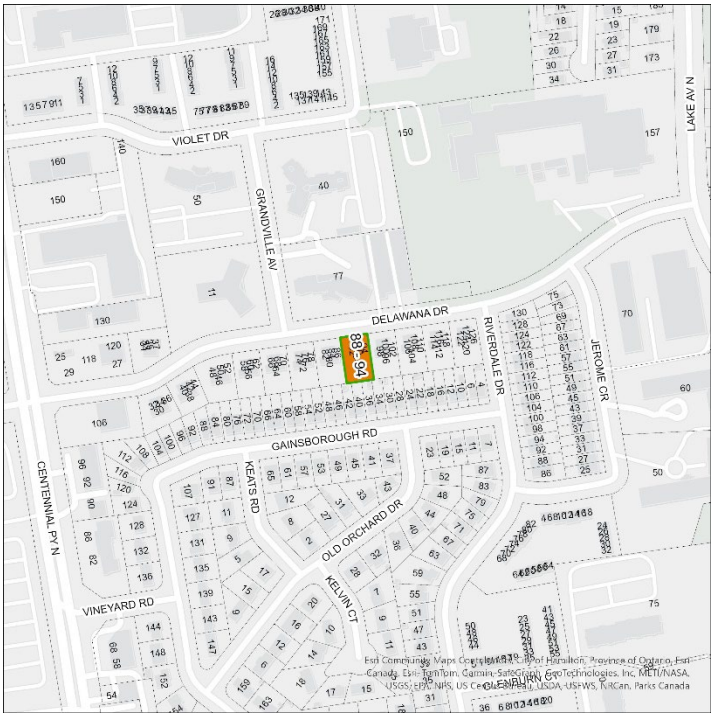
Orally: If you would like to speak to this item at the hearing you may do so via video link, calling in, or attending in person. Please see attached page for complete instructions, registration to participate virtually must be received no later than noon September 3, 2025

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding A-25:157, 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-25:157



Subject Lands

DATED: August 18, 2025

Justin Leung,
Secretary-Treasurer
Committee of Adjustment

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

Hamilton

COMMITTEE OF ADJUSTMENT

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

Telephone (905) 546-2424, ext. 4221

E-mail: cofa@hamilton.ca

PARTICIPATING PROCEDURES

1. Written Submission Ahead of the Meeting

Members of the public who wish to provide input without speaking at the Hearing may submit written comments in advance of the meeting. Comments must be received by 12:00 p.m. (noon) on the deadline date for written comment submissions listed on the Notice of Public Hearing.

How to Submit Written Comments:

By Email:
Send to: cofa@hamilton.ca

By Mail:
Committee of Adjustment
City of Hamilton
71 Main Street West, 5th Floor
Hamilton, Ontario
L8P 4Y5

All written comments received will be made available to the Committee and the public by the Tuesday prior to the Hearing.

2. Oral Submissions During the Hearing

Interested members of the public, agents, and owners may provide oral comments on Committee of Adjustment Hearing items either virtually via Webex (computer or phone) or by attending in person.

Speaking Time Limit:
All participants providing oral submissions, either in person or virtually are limited to a maximum of 5 minutes to speak. This is to ensure all parties have an equal opportunity to be heard and that the meeting runs efficiently.

3. In-Person Oral Submissions

To participate in person, attend Council Chambers on the date and time listed in the Notice of Public Hearing. You will be required to provide your name and address for the record. It is recommended you arrive at least 10 minutes prior to the scheduled start time.

4. Virtual Oral Submissions

To participate virtually, you must register by 12:00 p.m. (noon) on the virtual oral submissions registration deadline date. This is listed on the Notice of Public Hearing.

- Committee of Adjustment file number
- Hearing date
- Name and mailing address of each person wishing to speak
- Method of participation (phone or video), and, if applicable, the phone number to be used
- Each person must register separately

Registered participants will receive a Webex link one business day before the Hearing. Only those registered will be called upon to speak.

5. Presentations

All presentations are permitted at the discretion of the Committee.

Virtual Presentations:
Presenters participating virtually may be granted permission to share their screen during the Hearing. A copy of the presentation must be submitted to cofa@hamilton.ca **by 12:00 p.m. (noon) on the business day prior to the Hearing.** The submission must be one document in PDF format only.

In-Person Presentations:
Presenters attending in person may be granted permission to use the presentation screen. Presentations must be brought on a USB device and opened by the owner/applicant. A copy of the presentation must also be sent to cofa@hamilton.ca **by 12:00 p.m. (noon) on the business day prior to the Hearing.** The submission must be one document in PDF format only. Handouts are permitted only if the same content can be displayed on the presentation screen.

6. Additional Notes

- Webex (video) participation requires a compatible computer or smartphone. The necessary application must be downloaded in advance.
- It is the interested party's responsibility to ensure their device is functional and compatible prior to the Hearing.

For any questions, contact staff at cofa@hamilton.ca or call 905-546-2424 ext. 4221.

SKETCH FOR LAND DIVISION
OF
88–94 DELAWANA DRIVE
IN THE
CITY OF HAMILTON

SCALE 1:200 METRIC

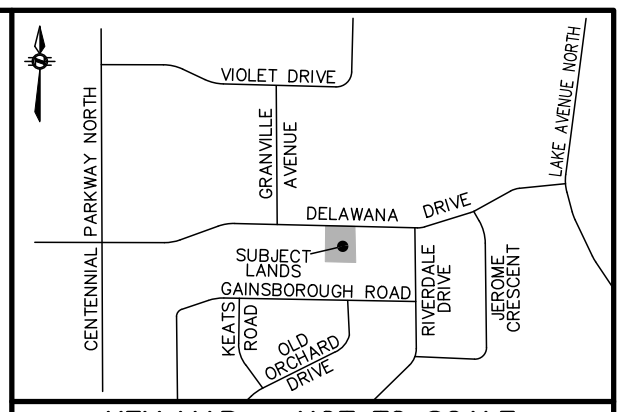
4 2 0 4 8 12 metres

R.A. McLAREN, O.L.S. – 2025

CAUTION:

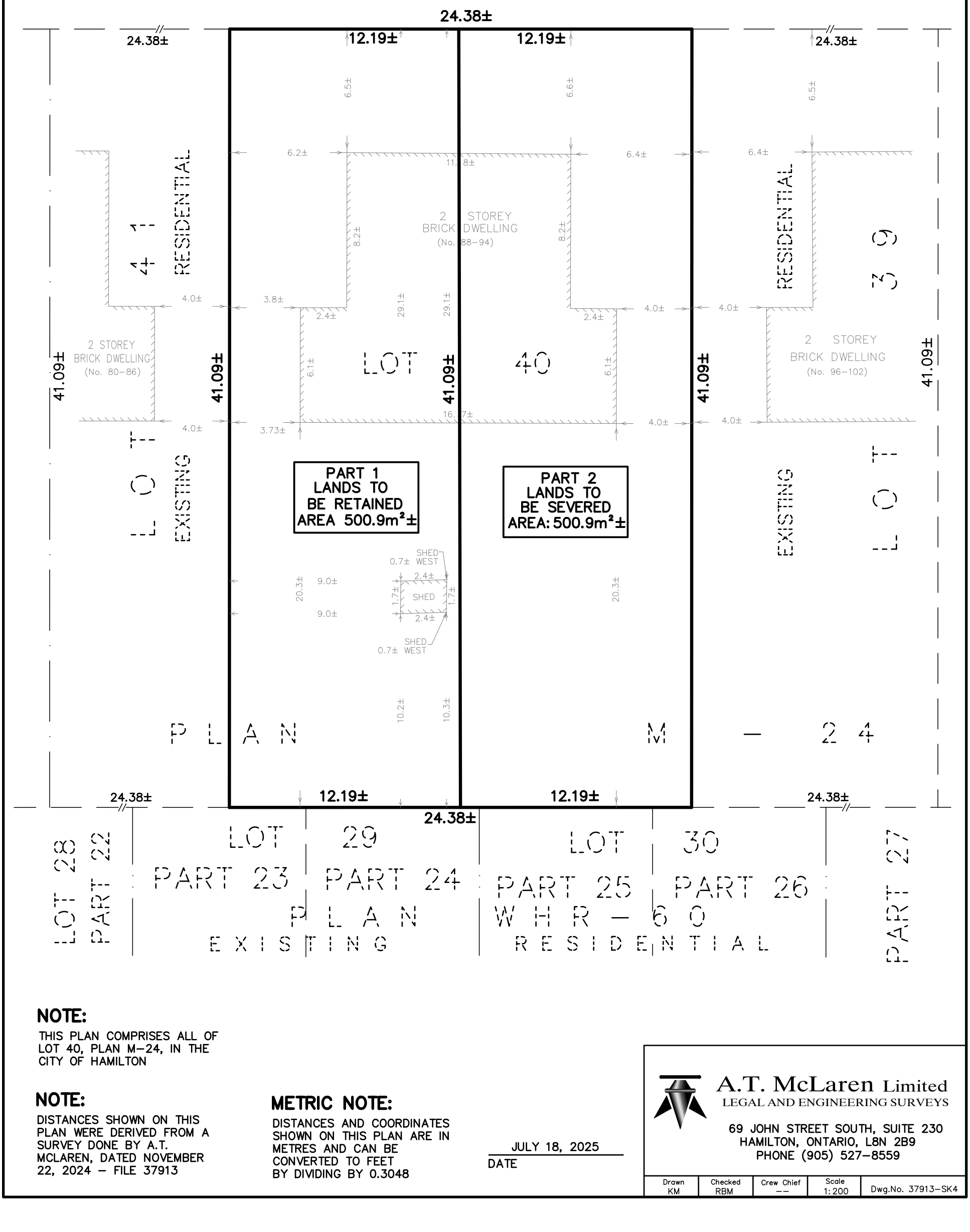
A) THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED EXCEPT FOR THE PURPOSE INDICATED IN THE TITLEBLOCK.

B) THIS SKETCH IS PROTECTED BY COPYRIGHT ©



KEY MAP – NOT TO SCALE

DELAWANA DRIVE
(ESTABLISHED BY PLAN M–24)
(20.12± WIDE)



NOTE:

THIS PLAN COMPRISES ALL OF LOT 40, PLAN M–24, IN THE CITY OF HAMILTON

NOTE:

DISTANCES SHOWN ON THIS PLAN WERE DERIVED FROM A SURVEY DONE BY A.T. MCLAREN, DATED NOVEMBER 22, 2024 – FILE 37913

METRIC NOTE:

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

JULY 18, 2025
DATE

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

Drawn	Checked	Crew Chief	Scale	Dwg.No.
KM	RBM	––	1:200	37913–SK4

Biglieri

By email

July 8, 2025

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

Attention: **Committee of Adjustment, cofa@hamilton.ca**

RE: **Minor Variance Rationale Letter**
88-94 Delawana Drive, Hamilton
TBG Project Number: 25268

On behalf of our client, DiCenzo Management Inc. ("Owner"), the Biglieri Group Ltd. ("Planner") is pleased to provide this rationale letter for a proposed Minor Variance and Consent Applications for 88-94 Delawana Drive in the City of Hamilton ("Subject Site" or "Site"). The proposed Minor Variances are being sought to facilitate the Consent Application which would divide the Subject Site into two lots The proposed variance is the following:

1. To reduce the minimum interior side yard setback to zero (0) metres whereas 1.2 metres is required;
2. To reduce the required lot frontage to 12 metres, whereas 15 metres is required; and,
3. To reduce the required lot area to 500 square metres whereas 540 square metres is required.

SUBJECT SITE AND SURROUNDING AREA

The Subject Site is located in the Hamilton Urban Area on the south side of Delawana Drive, immediately east of the intersection of Delawana Drive and Centennial Parkway North. The broader surrounding context of the Site includes low, medium and high-density residential uses, commercial and retail uses, along with public parks and an elementary school. The following is a more detailed breakdown of the uses immediately adjacent to the Site.

- To the immediate south of the Site there are low-rise residential uses consisting primarily of single-detached dwellings.
- To the immediate west of the Site along Centennial Parkway North there are low-rise commercial uses such as plazas containing retail and restaurants.
- To the immediate north of the Site there are higher density residential uses including 10 to 15 storey apartment buildings.
- To the immediate east of the Site there are residential dwellings that consist of low-rise quadraplexes.

The Subject Site is serviced by Hamilton Street Railway (HSR) transit routes that run along Centennial Parkway North to the west (Routes 44 and 56), Queenston Road to the south (Routes 1/1A, 10 and

2472 Kingston Road, Toronto, Ontario M1N 1V3
21 King Street W Suite 1502, Hamilton, Ontario L8P 4W7
Office: (416) 693-9155 Fax: (416) 693-9133
tbg@thebiglierigroup.com

55/55A), and Barton Road to the north (Route 2). HSR bus routes 44 and 56 provide a north/south connection from the site to the Confederation GO Station located approximately 1.5 kilometres north of the Site.

DESCRIPTION OF PROPOSAL

The proposed Consent and Minor Variance Applications facilitate the division of the Subject Site into two separate lots. A survey demonstrating the proposed consent has been completed by A.T. McLaren Limited dated June 27, 2025, and is appended to this letter. The proposed consent would result in the lot being divided down the centre, resulting in the retained lands having a lot area of 500.9m^2 and frontage of 12.19 metres and the severed lands having a lot area of 500.9m^2 and frontage of 12.19 metres. The existing building on the Site will be divided in half by the proposed Severance. As a result, the Minor Variance is required to permit a side yard setback of zero (0) metres for the existing building on the Site. No redevelopment or alterations are proposed to any buildings or structures on the Site.

PLANNING ANALYSIS

General
The Subject Site is located in the City of Hamilton's *Urban Boundary* per Schedule E of the Urban Hamilton Official Plan (UHOP). On Appendix G of the UHOP, the Site is identified as being within the City's *Built-up Area*. On Schedule E-1 of the UHOP, the Subject Site is designated as *Neighbourhoods*. The Site is also located within the Centennial Neighbourhoods Secondary Plan Area. Per Map B 6.7-1 it is designated as *Low Density Residential 2* within the Secondary Plan. Per Map 6.7-3, Delawana Drive is identified as being a *Neighbourhood Greenway*.

The Subject Site is subject to Former City of Hamilton Zoning By-law 6593. It is zoned *Low Density Multiple Dwelling* per Schedule 103 (DE/S-103). Pursuant to Section 10A(1) of ZBL 6593, permitted uses within the *DE Zone* include two family dwellings, three family dwellings, and multiple dwellings.

Provincial Planning Statement (2024)
In accordance with Section 5 of the Planning Act, all decisions must be consistent with policy statements passed under Section 3 of the Act, which entails the Provincial Planning Statement ("PPS") (2024). The PPS provides provincial direction on matters related to land use planning including growth, housing supply, economic development, and the protection of natural and cultural heritage resources. The Subject Site is located within the City of Hamilton's Urban Boundary. The proposed Consent and Minor Variances does not propose any alterations to the building on the Subject Site. The PPS does not contain any policies that limit the subdivision of land within urban areas. As such, the proposed variances, in so far as they facilitate the proposed Consent Application, are consistent with the PPS.

CONSENT APPLICATION

Planning Act
Per Subsection 53(12) of the *Planning Act* Severance Applications shall have regard for matters listed in Subsection 51(24) of the *Planning Act.* We have reviewed this section, and it is TBG's professional opinion that the Severance Application has appropriate regard for the requirements found therein, as presented below.

(a) The effect of development of the proposed subdivision on matters of provincial interest as referred to in section 2.

- The application does not conflict with matters of provincial interest listed in Section 2 (a) to 2 (s). The Subject Site is located within Hamilton's Urban Area and the Severance Application does not propose any material changes to the buildings or structures on the Site. As such, there is no anticipated effect on the matters of provincial interest identified in Section 2 of the Planning Act.

(b) Whether the proposed subdivision is premature or in the public interest.

- The application is not premature, nor does it conflict with the public interest as it will not result in physical changes to the Site and does not preclude its future development.

(c) Whether the plan conforms to the official plan and adjacent plans of subdivision.

- Further analysis has been provided in the following sections with respect to conformance with the relevant Official Plan policies. It is TBG's opinion that the Severance Application conforms to the Official Plan. Lands surrounding the Subject Site to the south, east, and west appear to have been divided through plans of subdivision. It is TBG's opinion that the Application is in conformance with the surrounding plans of subdivision as the area supports varying lot sizes, housing types, and levels of density.

(d) The suitability of the land for the purposes for which it is to be subdivided.

- The lands are suitable for the proposed and currently permitted residential uses. The proposed Severance will result in the existing building on the Site being divided down the centre, which means the use will be changed from fourplex to duplex. This minor change in use is permitted within the existing policy context.

(d.1) If any affordable housing units are being proposed, the suitability of the proposed units for affordable housing.

- No affordable housing units are being proposed as part of this application.

(e) The number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them.

- No changes are proposed to the road network as part of this application.

(f) The dimensions and shapes of the proposed lots.

- The existing lot is rectangular in shape. The Severance Application proposes to divide the lot down the centre, generating two parcels that are identical in size with the following retained and severed lot areas:
  - Retained lot area: 500.9m^2
  - Severed lot area: 500.9m^2
- The changes to the lot dimensions and shapes will not have any impacts on the function of the existing residential uses on the Subject Site.

(g) The restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be erected on it and the restrictions, if any, on adjoining land.

- The Severance Application is accompanied by Minor Variances which requests a reduction to the Side Yard Setback to zero (0) metres, a reduced lot frontage of 12 metres, and a reduced lot area of 500 square metres to permit the existing building on the Subject Site. No further restrictions are proposed beyond what is already in force through Former City of Hamilton Zoning By-law 6593.

(h) Conservation of natural resources and flood control.

- The application is not anticipated to have any effects on the conservation of natural resources and flood control. The Subject Site is not regulated by the Hamilton Conservation Authority.

(i) The adequacy of utilities and municipal services.

- The servicing in the area is capable of providing adequate services to the units. The servicing will need to be upgraded to reflect the new lot lines and ensure that services do not cross lot lines, however, this will not result in the need for additional servicing as the existing connections will be removed.

(j) The adequacy of school sites.

- The adequacy of school sites is not affected by the application as it does not include any new residential development, just a new lot line to sever the building in half. There is an existing elementary school to the north-east of the property on Delawana Drive (Lake Avenue Elementary School).

(k) The area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes.

- To date, no land has been identified for conveyance for public purposes as part of the application.

(l) The extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy.

- The application has no anticipated effect on the use and conservation of energy.

(m) The interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41 (2) of this Act.

- As no new development is proposed, and the application will only create a new lot line, it is not anticipated that a site plan application will be required.

Urban Hamilton Official Plan

Per Schedule E-1 of the UHOP, the Subject Site is designated as *Neighbourhoods*. Policy 2.7.2 of the UHOP states that *Neighbourhoods* shall primarily consist of residential uses and complementary facilities and services intended to serve residents. Policy 2.7.4 further directs that *Neighbourhoods* shall permit and provide the opportunity for a full range of housing forms, types and tenures. Policy F.1.14.3.1 of the UHOP provides the following requirements for consent applications for new lot creation within neighbourhoods designated areas.

1.14.3.1 Consents for new lot creation, for both the severed and retained lands, for residential uses in the Neighbourhoods designation shown on Map E-1 – Urban Land Use Designation, shall be permitted provided the following conditions are met:

a) The lots comply with the policies of this Plan, including secondary plans, where one exists;	The lots created through the proposed Consent Application comply with the policies contained within the UHOP and the Centennial Neighbourhoods Secondary Plan. A full range of housing options is permitted within *Neighbourhoods* land use designation including varying housing forms, types and tenures.
b) The lots comply with existing Neighbourhood Plans;	The Subject Site is located within the Centennial Neighbourhoods Secondary Plan area. Land Use Plan Map B6.7-1, the Site is designated as *Low Density*

	Residential 2. Per Policy 6.2.5.4.a.i, permitted uses in the *Low Density Residential 2* designation shall include, among other typologies, duplexes and existing legal three, four and five-plexes.
c) The lots are in conformity with the Zoning By-law or a minor variance is approved;	Minor Variances are being requested in conjunction with the Consent Application that will bring it into compliance with the Former Hamilton Zoning By-law 6593.
d) The lots reflect the general scale and character of the established development pattern in the surrounding area by taking into consideration lot frontages and areas, building height, coverage, mass, setbacks, privacy and overview;	The proposed lots are generally consistent with the scale and character of the surrounding area. Surrounding land uses include a mix of residential typologies and densities, with lower density semi-detached and single-detached houses to the south, and high density uses to the north. The proposed lots created through the Consent Application will be consistent with the duplexes located to the immediate south of the Site.
e) The lots are fully serviced by municipal water and wastewater systems; and,	The lots are fully serviced by municipal water and wastewater systems.
f) The lots have frontage on a public road.	Both lots will maintain frontage onto Delawana Drive.

Centennial Neighbourhoods Secondary Plan

The Subject Site is located in the Centennial Neighbourhoods Secondary Plan area. Per Land Use Plan Map B6.7-1, the Site is designated as *Low Density Residential 2*. Per Policy 6.2.5.4.a.i, permitted uses in the *Low Density Residential 2* designation shall include, among other typologies, duplexes and existing legal three, four and five-plexes. The Centennial Neighbourhoods Secondary Plan does not contain any policies specifically regulating the implementation of consent applications.

MINOR VARIANCE

Variances Requested

The following are the variances requested to permit the proposed development:

1. To permit a minimum interior side yard setback of zero (0) metres;
2. To permit a minimum lot frontage of 12 metres; and,
3. To permit a lot area of 500 square metres.

Planning Act

Pursuant to Section 45(1) of the Planning Act, R.S.O. 1990, c. P.13 (“the Act”), The Committee of Adjustment can approve minor variances to Zoning By-laws for land, buildings, or structures upon the Owner’s request, if they believe the changes are in keeping with the general purpose and intent of the Official Plan and Zoning By-law; are desirable for the appropriate development or use of the land,

building or structure; and are minor in nature (the "Four Tests"). The variances must also be consistent with the Provincial Planning Statement, 2024 ("PPS"). As addressed in the above section, section, it is TBG's opinion that the proposed variance is consistent with the Provincial Planning Statement.

FOUR TESTS ANALYSIS

It is TBG's professional planning opinion that the proposed variances satisfy the four tests stipulated by The Planning Act as follows:

The requested variances meet the four tests stipulated by The Planning Act as outlined below:

1) **Is the general intent of the Official Plan maintained?**

   Per Schedule E-1 of the UHOP, the Subject Site is designated as *Neighbourhoods*. Policy 2.7.2 of the UHOP states that *Neighbourhoods* shall primarily consist of residential uses and complementary facilities and services intended to serve residents. Policy 2.7.4 further directs that Neighbourhoods shall permit and provide the opportunity for a full range of housing forms, types and tenures. The Subject Site is also located in the Centennial Neighbourhoods Secondary Plan area. Per Land Use Plan Map B6.7-1, the Site is designated as *Low Density Residential 2*. Per Policy 6.2.5.4.a.i, permitted uses in the *Low Density Residential 2* designation shall include, among other typologies, duplexes and existing legal three, four and five-plexes.

   The proposed Minor Variances in support of the Severance Application would result in the existing fourplex on the Site being converted into a duplex by splitting the lot down the middle. Per the UHOP and the Centennial Neighbourhood Secondary Plan, duplexes are a permitted use within the land use designations that apply to the Site. It is therefore our professional planning opinion that the proposed Minor Variances maintain the general intent of the UHOP and the Secondary Plan.

2) **Is the general intent and purpose of the Zoning By-law maintained?**

   The Subject Site is zoned DE/S-103 under the former City of Hamilton Zoning By-law 6593. Under the current zoning provisions for the Site, two-family dwellings and multiple dwellings are both permitted uses. The Minor Variance requests relief from provisions: 10A(3)(ii)(b) to allow for an interior side yard setback of 0 metres and 10A(4)(ii) to allow for a lot frontage of 12 metres and a lot area of 500 square metres. These variances are required to support the Severance Application which proposes to divide the lot in half. This division of the land would effectively result in the existing fourplex on the lot being converted to a duplex. As the building is currently on the property, the proposed variances are not introducing any new development, but to simply recognize the current situation to enable the requested Severance Application. The units will be provided with an appropriate amenity area in the rear yard, and will not change how this area currently functions and is divided between the units. As two-family dwellings are a permitted use under the current zoning for the Site, it is our professional opinion that the requested Minor Variances maintain the general intent and purpose of the Zoning By-law.

3) Are the proposed variances appropriate for the development of the land and/or building?

The proposed variances are appropriate for the development of the land and building. As outlined in the above sections, the Minor Variances support a Severance Application which would permit the division of the lot into two. The variance does not facilitate any changes to the existing uses on the Site; however, it will result in the existing fourplex on the Site legally becoming a duplex. Since no development of land or buildings is proposed on the Site, and the change in uses conforms to the UHOP and Centennial Neighbourhoods Secondary Plan policies, it is our professional opinion that the variances are appropriate.

4) Are the proposed variances minor?

The variances requested are minor in nature. The proposed reduction of the minimum interior side yard setback from 1.2 metres to 0 metres, reduction of the lot frontage from 15 metres to 12 metres, and the lot area from 540 square metres to 500 square metres facilitates a change to the residential uses on the Site, however, does not create any tangible changes to buildings or structures on the property. Given that the proposed use of duplex (also referred to as a two-family dwelling) is permitted by the current policy framework that applies to the Site, it is our professional Planning Opinion that the variance is minor in nature.

CLOSING

It is our professional Planning Opinion that the application for Minor Variance meets the four tests of minor variance and should be approved by the Committee of Adjustment. It is also our professional Planning Opinion that the application for severance is consistent with and conforms to the policies in the PPS and the City of Hamilton Official Plan and should be approved by the Committee of Adjustment.

We trust you will find all in order, however if you have any questions or require additional information, please contact us at your earliest convenience.

Respectfully,
THE BIGLIERI GROUP LTD.



Rachelle Larocque RPP, MCIP
Partner



Alex Walton, MPl
Planner

cc. DiCenzo Management Inc.

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	MAILING ADDRESS	
Purchaser*			**Phone:** **E-mail:**
Registered Owners(s)	Dicenzo Management Inc. c/o Anthony Dicenzo	[redacted]	
Applicant(s)**	Dicenzo Management Inc. c/o Anthony Dicenzo		
Agent or Solicitor	The Biglieri Group c/o Rachelle Larocque		

*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 [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 ☐ Credit over phone*
☑ Cheque

*Must provide number above

2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	88-94 Delawana Drive, Hamilton, ON		
Assessment Roll Number	251805046106184		
Former Municipality	Hamilton		
Lot		Concession	
Registered Plan Number	M24	Lot(s)	40
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:

Transfer Easement: The Bell Telephone Company of Canada

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:

Dicenzo Management Inc.

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

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:	Lands to be Reta	Lands to be Sev			
Type of Transfer	N/A	Severence			
Frontage	12.19 m	12.19 m			
Depth	41.09 m	41.09 m			
Area	500.9 m2	500.9 m2			
Existing Use	Residential	Residential			
Proposed Use	Residential	Residential			
Existing Buildings/ Structures	2-storey quadplex	2-storey quadplex			
Proposed Buildings/ Structures	2-storey semi-detached duplex	2-storey semi-detached duplex			
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): N/A

Rural Settlement Area: N/A

Urban Hamilton Official Plan designation (if applicable) Neighbourhoods

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

The application conforms with the City of Hamilton Official Plan as it will follow the land use regulations required within the Neighbourhoods designation.

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

☐ Yes ☑ No ☐ Unknown

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

5.3 What is the existing zoning of the subject land? DE/S-103 (Low Density Multiple Dwellings)

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

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

☑ Yes ☐ No ☐ Unknown

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

minor variance submitted concurrently

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)	☐	Eastgate Square Shop
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.

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

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

☑ Yes ☐ No

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

6.4 How long has the applicant owned the subject land?

Acquired August 27, 1997 (28 years)

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.

30-126 Delawana Drive, Hamilton, ON, additional lands throughout the City.

---

7 PROVINCIAL POLICY

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

☑ Yes ☐ No (Provide explanation)

The application is consistent with the Policy Statements issued under Section 3 of the Planning Act, including the 2024 Provincial Planning Statement, as outlined below.

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

☑ Yes ☐ No (Provide explanation)

The application is consistent with the 2024 Provincial Planning Statement, including section 2.2.1, as it will assist in providing an appropriate range and mix of housing options and densities to meet the current and future housing needs in Hamilton and accommodate future growth.

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

☐ Yes ☐ No (Provide explanation)

N/A

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

☐ Yes ☑ No (Provide explanation)

The subject lands are not located within the Niagara Escarpment Plan area.

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

☐ Yes ☑ No (Provide explanation)

The subject lands are not located within the Parkway Belt West Plan area.

7.6 Are the subject lands subject to the Greenbelt Plan?

☐ Yes ☑ No (Provide explanation)

The subject lands are not located within the Greenbelt Plan area.

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

☐ Yes ☑ No (Provide explanation)

The subject lands are not within an area of land designated under any other provincial plan or plans.

8 ADDITIONAL INFORMATION - VALIDATION

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

☐ Yes ☐ No (Provide explanation)

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

☐ Yes ☐ No (Provide explanation and details on plan)

The current owner owns the entirety of 30-126 Delawana Drive, Hamilton, ON.

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 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	MAILING ADDRESS
Registered Owners(s)	Dicenzo Management Inc.	[redacted]
Applicant(s)	Dicenzo Management Inc.	
Agent or Solicitor	The Biglieri Group c/o Rachelle Larocque	

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	88-94 Delawana Drive, Hamilton, ON		
Assessment Roll Number	251805046106168		
Former Municipality	Hamilton		
Lot		Concession	
Registered Plan Number	M-24	Lot(s)	40
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:

Transfer Easement: The Bell Telephone Company of Canada

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:

Request for a 0-metre interior side yard setback.
Request minimum lot area of 500 square metres, lot frontage of 12 metres.

☐ Second Dwelling Unit ☐ Reconstruction of Existing Dwelling

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

There is currently a four-unit dwelling built on the subject site. The proposed minor variance would allow for the lands to be severed in half without demolishing the existing building.

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
24.38	41.09	1000.5	20.12

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
fourplex	6.5 m	20.3 m	3.8m, 4.0m, 0m (shared property line)	01/01/1970
shed	29.1m	10.3 m	0.7 m	01/01/1990

Proposed:

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

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
quadplex	99.3 m2	198.6 m2	2	7 m
shed	4.1 m2	4.1 m2	1	2m

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height

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.):

Duplex Dwellings

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

Quadplex

7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:

August 27, 1997

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

Quadplex

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

Quadplex

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

1980's

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) Neighbourhoods

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

The application conforms with the City of Hamilton Official Plan as it will follow the land use regulations required within the Neighbourhoods designation.

7.6 What is the existing zoning of the subject land? DE/S-103 (Low Density Multiple Dwelling

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: DE/S-103 (Low Density Multiple Dwellings)

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: Filed concurrently

8 ADDITIONAL INFORMATION

8.1 Number of Dwelling Units Existing: 4

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

- [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
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-25:053**	**SUBJECT PROPERTY:**	72-78 Delawana Drive, Hamilton

APPLICANTS: Owner: Dicenzo Management Inc.
Agent: The Biglieri Group c/o Rachelle Larocque

PURPOSE & EFFECT: To sever the existing residential lot into two (2) parcels. The existing 2-storey fourplex will be divided in half. The severed lands will contain a 2-storey semi-detached duplex dwelling, and the retained lands will contain a 2-storey semi-detached duplex dwelling. Three (3) existing sheds will be moved to facilitate this application.

	Frontage	**Depth**	**Area**
SEVERED LANDS (PART 2):	12.19 m±	41.09 m±	500.9 m^2 ±
RETAINED LANDS (PART 1):	12.19 m±	41.09 m±	500.9 m^2 ±

Associated Planning Act File(s): A-25:160

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:	**Thursday, September 4, 2025**
TIME:	**3:10 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
- 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 **September 2, 2025**

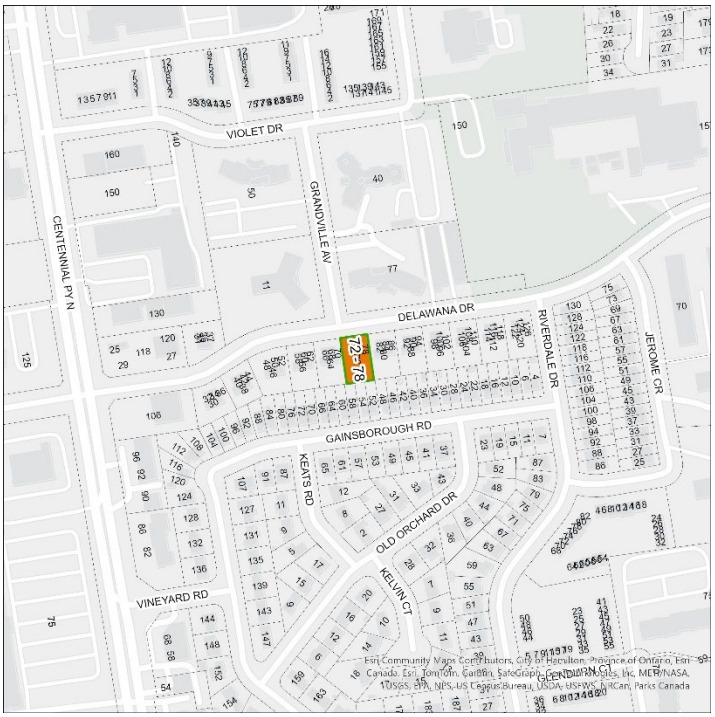
Orally: If you would like to speak to this item at the hearing you may do so via video link, calling in, or attending in person. Please see attached page for complete instructions, registration to participate virtually must be received no later than noon **September 3, 2025**

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding B-25:053, 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-25:053



Subject Lands

DATED: August 18, 2025

_____

Justin Leung,
Secretary-Treasurer
Committee of Adjustment

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

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

Hamilton

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

PARTICIPATING PROCEDURES

1. Written Submission Ahead of the Meeting

Members of the public who wish to provide input without speaking at the Hearing may submit written comments in advance of the meeting. Comments must be received by 12:00 p.m. (noon) on the deadline date for written comment submissions listed on the Notice of Public Hearing.

How to Submit Written Comments:

By Email:
Send to: cofa@hamilton.ca

By Mail:
Committee of Adjustment
City of Hamilton
71 Main Street West, 5th Floor
Hamilton, Ontario
L8P 4Y5

All written comments received will be made available to the Committee and the public by the Tuesday prior to the Hearing.

2. Oral Submissions During the Hearing

Interested members of the public, agents, and owners may provide oral comments on Committee of Adjustment Hearing items either virtually via Webex (computer or phone) or by attending in person.

Speaking Time Limit:
All participants providing oral submissions, either in person or virtually are limited to a maximum of 5 minutes to speak. This is to ensure all parties have an equal opportunity to be heard and that the meeting runs efficiently.

3. In-Person Oral Submissions

To participate in person, attend Council Chambers on the date and time listed in the Notice of Public Hearing. You will be required to provide your name and address for the record. It is recommended you arrive at least 10 minutes prior to the scheduled start time.

4. Virtual Oral Submissions

To participate virtually, you must register by 12:00 p.m. (noon) on the virtual oral submissions registration deadline date. This is listed on the Notice of Public Hearing.

- Committee of Adjustment file number
- Hearing date
- Name and mailing address of each person wishing to speak
- Method of participation (phone or video), and, if applicable, the phone number to be used
- Each person must register separately

Registered participants will receive a Webex link one business day before the Hearing. Only those registered will be called upon to speak.

5. Presentations

All presentations are permitted at the discretion of the Committee.

Virtual Presentations:
Presenters participating virtually may be granted permission to share their screen during the Hearing. A copy of the presentation must be submitted to cofa@hamilton.ca **by 12:00 p.m. (noon) on the business day prior to the Hearing.** The submission must be one document in PDF format only.

In-Person Presentations:
Presenters attending in person may be granted permission to use the presentation screen. Presentations must be brought on a USB device and opened by the owner/applicant. A copy of the presentation must also be sent to cofa@hamilton.ca **by 12:00 p.m. (noon) on the business day prior to the Hearing.** The submission must be one document in PDF format only. Handouts are permitted only if the same content can be displayed on the presentation screen.

6. Additional Notes

- Webex (video) participation requires a compatible computer or smartphone. The necessary application must be downloaded in advance.
- It is the interested party's responsibility to ensure their device is functional and compatible prior to the Hearing.

For any questions, contact staff at cofa@hamilton.ca or call 905-546-2424 ext. 4221.

SKETCH FOR LAND DIVISION
OF
72–78 DELAWANA DRIVE
IN THE
CITY OF HAMILTON

SCALE 1:200 METRIC

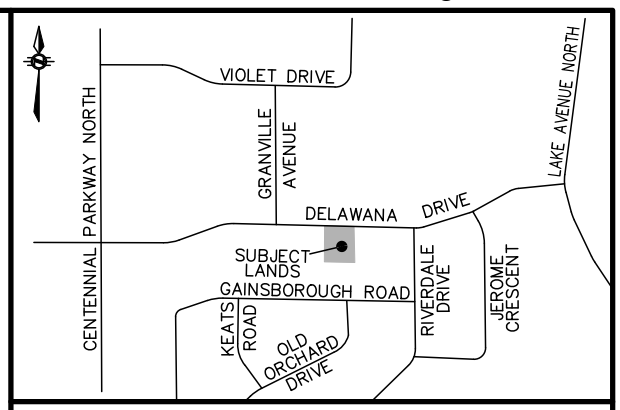
4 2 0 4 8 12 metres

R.A. McLAREN, O.L.S. – 2025

CAUTION:

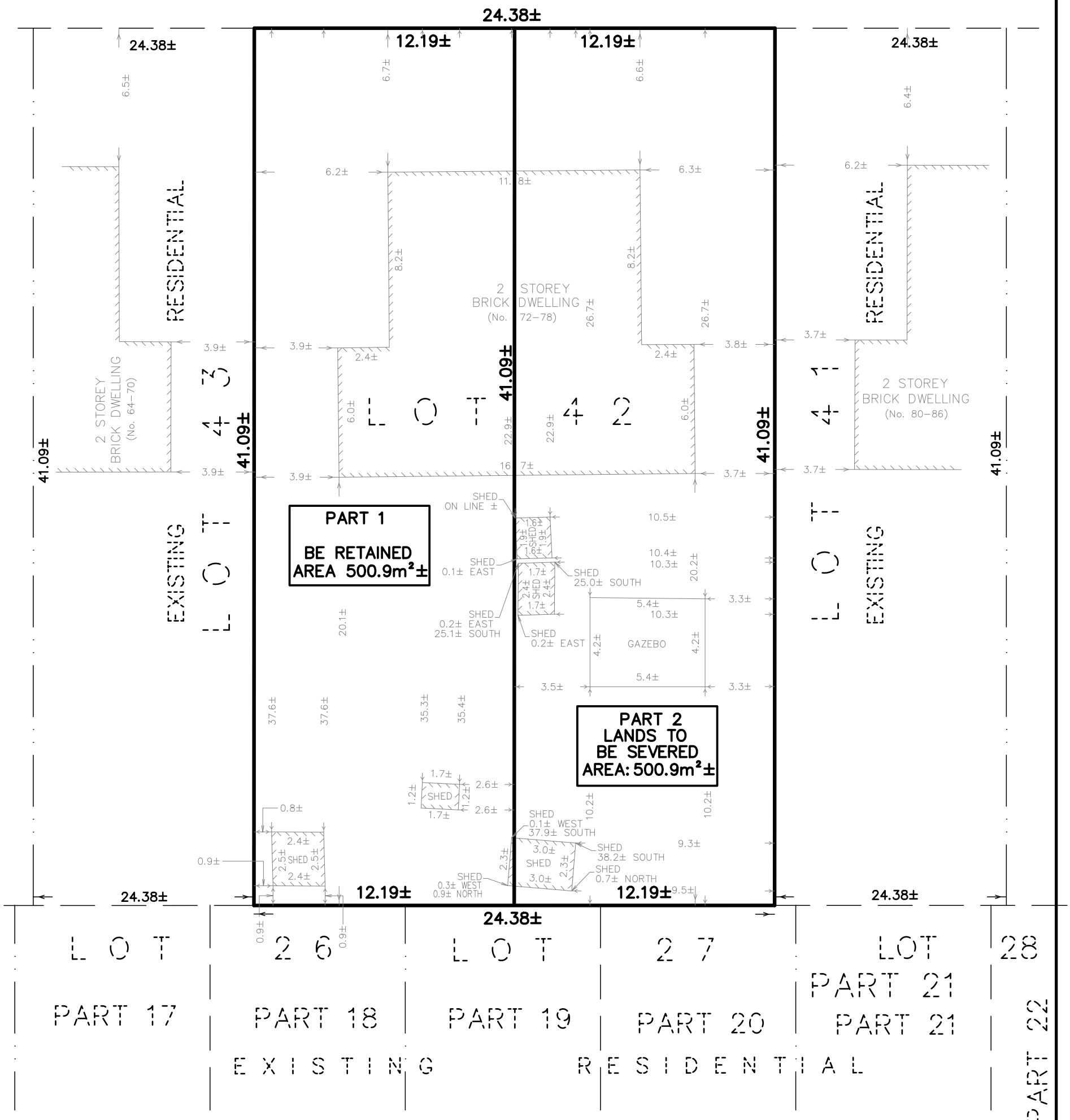
A) THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED EXCEPT FOR THE PURPOSE INDICATED IN THE TITLEBLOCK.

B) THIS SKETCH IS PROTECTED BY COPYRIGHT ©



KEY MAP – NOT TO SCALE

DELAWANA DRIVE
(ESTABLISHED BY PLAN M–24)
(20.12± WIDE)



NOTE:

THIS PLAN COMPRISES ALL OF LOT 42, PLAN M–24, IN THE CITY OF HAMILTON

NOTE:

DISTANCES SHOWN ON THIS PLAN WERE DERIVED FROM A SURVEY DONE BY A.T. MCLAREN, DATED NOVEMBER 22, 2024 – FILE 37913

METRIC NOTE:

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

JULY 18, 2025
DATE

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

Drawn	Checked	Crew Chief	Scale	Dwg.No.
KM	RBM	––	1:200	37913–SK2

By email

July 8, 2025

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

Attention: **Committee of Adjustment, cofa@hamilton.ca**

RE: **Minor Variance Rationale Letter**
72-78 Delawana Drive, Hamilton
TBG Project Number: 25268

On behalf of our client, DiCenzo Management Inc. ("Owner"), the Biglieri Group Ltd. ("Planner") is pleased to provide this rationale letter for a proposed Minor Variance and Consent Applications for 72-78 Delawana Drive in the City of Hamilton ("Subject Site" or "Site"). The proposed Minor Variances are being sought to facilitate the Consent Application which would divide the Subject Site into two lots The proposed variance is the following:

1. To reduce the minimum interior side yard setback to zero (0) metres whereas 1.2 metres is required;
2. To reduce the required lot frontage to 12 metres, whereas 15 metres is required; and,
3. To reduce the required lot area to 500 square metres whereas 540 square metres is required.

SUBJECT SITE AND SURROUNDING AREA

The Subject Site is located in the Hamilton Urban Area on the south side of Delawana Drive, immediately east of the intersection of Delawana Drive and Centennial Parkway North. The broader surrounding context of the Site includes low, medium and high-density residential uses, commercial and retail uses, along with public parks and an elementary school. The following is a more detailed breakdown of the uses immediately adjacent to the Site.

- To the immediate south of the Site there are low-rise residential uses consisting primarily of single-detached dwellings.
- To the immediate west of the Site along Centennial Parkway North there are low-rise commercial uses such as plazas containing retail and restaurants.
- To the immediate north of the Site there are higher density residential uses including 10 to 15 storey apartment buildings.
- To the immediate east of the Site there are residential dwellings that consist of low-rise quadraplexes.

The Subject Site is serviced by Hamilton Street Railway (HSR) transit routes that run along Centennial Parkway North to the west (Routes 44 and 56), Queenston Road to the south (Routes 1/1A, 10 and 55/55A), and Barton Road to the north (Route 2). HSR bus routes 44 and 56 provide a north/south

2472 Kingston Road, Toronto, Ontario M1N 1V3
21 King Street W Suite 1502, Hamilton, Ontario L8P 4W7
Office: (416) 693-9155 Fax: (416) 693-9133
tbg@thebiglierigroup.com

connection from the site to the Confederation GO Station located approximately 1.5 kilometres north of the Site.

DESCRIPTION OF PROPOSAL

The proposed Consent and Minor Variance Applications facilitate the division of the Subject Site into two separate lots. A survey demonstrating the proposed consent has been completed by A.T. McLaren Limited dated June 27, 2025, and is appended to this letter. The proposed consent would result in the lot being divided down the centre, resulting in the retained lands having a lot area of 500.9m^2 and frontage of 12.19 metres and the severed lands having a lot area of 500.9m^2 and frontage of 12.19 metres. The existing building on the Site will be divided in half by the proposed Severance. As a result, the Minor Variance is required to permit a side yard setback of zero (0) metres for the existing building on the Site, as well as a reduction to the minimum lot fronate ag minimum lot areas. No redevelopment or alterations are proposed to any buildings or structures on the Site. The three (3) existing sheds on the property which will not meet the required setback to the interior lot line will be moved so that they meet the minimum 0.45 metre setback.

PLANNING ANALYSIS

General

The Subject Site is located in the City of Hamilton's *Urban Boundary* per Schedule E of the Urban Hamilton Official Plan (UHOP). On Appendix G of the UHOP, the Site is identified as being within the City's *Built-up Area*. On Schedule E-1 of the UHOP, the Subject Site is designated as *Neighbourhoods*. The Site is also located within the Centennial Neighbourhoods Secondary Plan Area. Per Map B 6.7-1 it is designated as *Low Density Residential 2* within the Secondary Plan. Per Map 6.7-3, Delawana Drive is identified as being a *Neighbourhood Greenway*.

The Subject Site is subject to Former City of Hamilton Zoning By-law 6593. It is zoned *Low Density Multiple Dwelling* per Schedule 103 (DE/S-103). Pursuant to Section 10A(1) of ZBL 6593, permitted uses within the *DE Zone* include two family dwellings, three family dwellings, and multiple dwellings.

Provincial Planning Statement (2024)

In accordance with Section 5 of the Planning Act, all decisions must be consistent with policy statements passed under Section 3 of the Act, which entails the Provincial Planning Statement ("PPS") (2024). The PPS provides provincial direction on matters related to land use planning including growth, housing supply, economic development, and the protection of natural and cultural heritage resources. The Subject Site is located within the City of Hamilton's Urban Boundary. The proposed Consent and Minor Variances does not propose any alterations to the building on the Subject Site. The PPS does not contain any policies that limit the subdivision of land within urban areas. As such, the proposed variances, in so far as they facilitate the proposed Consent Application, are consistent with the PPS.

CONSENT APPLICATION

Planning Act

Per Subsection 53(12) of the *Planning Act* Severance Applications shall have regard for matters listed in Subsection 51(24) of the *Planning Act.* We have reviewed this section, and it is TBG's professional

opinion that the Severance Application has appropriate regard for the requirements found therein, as presented below.

(a) The effect of development of the proposed subdivision on matters of provincial interest as referred to in section 2.
- The application does not conflict with matters of provincial interest listed in Section 2 (a) to 2 (s). The Subject Site is located within Hamilton's Urban Area and the Severance Application does not propose any material changes to the buildings or structures on the Site. As such, there is no anticipated effect on the matters of provincial interest identified in Section 2 of the Planning Act.

(b) Whether the proposed subdivision is premature or in the public interest.
- The application is not premature, nor does it conflict with the public interest as it will not result in physical changes to the Site and does not preclude its future development.

(c) Whether the plan conforms to the official plan and adjacent plans of subdivision.
- Further analysis has been provided in the following sections with respect to conformance with the relevant Official Plan policies. It is TBG's opinion that the Severance Application conforms to the Official Plan. Lands surrounding the Subject Site to the south, east, and west appear to have been divided through plans of subdivision. It is TBG's opinion that the Application is in conformance with the surrounding plans of subdivision as the area supports varying lot sizes, housing types, and levels of density.

(d) The suitability of the land for the purposes for which it is to be subdivided.
- The lands are suitable for the proposed and currently permitted residential uses. The proposed Severance will result in the existing building on the Site being divided down the centre, which means the use will be changed from fourplex to duplex. This minor change in use is permitted within the existing policy context.

(d.1) If any affordable housing units are being proposed, the suitability of the proposed units for affordable housing.
- No affordable housing units are being proposed as part of this application.

(e) The number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them.
- No changes are proposed to the road network as part of this application.

(f) The dimensions and shapes of the proposed lots.
- The existing lot is rectangular in shape. The Severance Application proposes to divide the lot down the centre, generating two parcels that are identical in size with the following retained and severed lot areas:
  - Retained lot area: 500.9m^2
  - Severed lot area: 500.9m^2
- The changes to the lot dimensions and shapes will not have any impacts on the function of the existing residential uses on the Subject Site.

(g) The restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be erected on it and the restrictions, if any, on adjoining land.
- The Severance Application is accompanied by Minor Variances which requests a reduction to the Side Yard Setback to zero (0) metres, a reduced lot frontage of 12 metres, and a reduced lot area of 500 square metres to permit the existing building on

the Subject Site. No further restrictions are proposed beyond what is already in force through Former City of Hamilton Zoning By-law 6593.

(h) Conservation of natural resources and flood control.

- The application is not anticipated to have any effects on the conservation of natural resources and flood control. The Subject Site is not regulated by the Hamilton Conservation Authority.

(i) The adequacy of utilities and municipal services.

- The servicing in the area is capable of providing adequate services to the units. The servicing will need to be upgraded to reflect the new lot lines and ensure that services do not cross lot lines, however, this will not result in the need for additional servicing as the existing connections will be removed.

(j) The adequacy of school sites.

- The adequacy of school sites is not affected by the application as it does not include any new residential development, just a new lot line to sever the building in half. There is an existing elementary school to the north-east of the property on Delawana Drive (Lake Avenue Elementary School).

(k) The area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes.

- To date, no land has been identified for conveyance for public purposes as part of the application.

(l) The extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy.

- The application has no anticipated effect on the use and conservation of energy.

(m) The interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41 (2) of this Act.

- As no new development is proposed, and the application will only create a new lot line, it is not anticipated that a site plan application will be required.

Urban Hamilton Official Plan

Per Schedule E-1 of the UHOP, the Subject Site is designated as *Neighbourhoods*. Policy 2.7.2 of the UHOP states that *Neighbourhoods* shall primarily consist of residential uses and complementary facilities and services intended to serve residents. Policy 2.7.4 further directs that *Neighbourhoods* shall permit and provide the opportunity for a full range of housing forms, types and tenures. Policy F.1.14.3.1 of the UHOP provides the following requirements for consent applications for new lot creation within neighbourhoods designated areas.

1.14.3.1 Consents for new lot creation, for both the severed and retained lands, for residential uses in the Neighbourhoods designation shown on Map E-1 – Urban Land Use Designation, shall be permitted provided the following conditions are met:

a) The lots comply with the policies of this Plan, including secondary plans, where one exists;	The lots created through the proposed Consent Application comply with the policies contained within the UHOP and the Centennial Neighbourhoods Secondary Plan. A full range of housing options is permitted within *Neighbourhoods* land use designation including varying housing forms, types and tenures.

b) The lots comply with existing Neighbourhood Plans;	The Subject Site is located within the Centennial Neighbourhoods Secondary Plan area. Land Use Plan Map B6.7-1, the Site is designated as *Low Density Residential 2*. Per Policy 6.2.5.4.a.i, permitted uses in the *Low Density Residential 2* designation shall include, among other typologies, duplexes and existing legal three, four and five-plexes.
c) The lots are in conformity with the Zoning By-law or a minor variance is approved;	Minor Variances are being requested in conjunction with the Consent Application that will bring it into compliance with the Former Hamilton Zoning By-law 6593.
d) The lots reflect the general scale and character of the established development pattern in the surrounding area by taking into consideration lot frontages and areas, building height, coverage, mass, setbacks, privacy and overview;	The proposed lots are generally consistent with the scale and character of the surrounding area. Surrounding land uses include a mix of residential typologies and densities, with lower density semi-detached and single-detached houses to the south, and high density uses to the north. The proposed lots created through the Consent Application will be consistent with the duplexes located to the immediate south of the Site.
e) The lots are fully serviced by municipal water and wastewater systems; and,	The lots are fully serviced by municipal water and wastewater systems.
f) The lots have frontage on a public road.	Both lots will maintain frontage onto Delawana Drive.

Centennial Neighbourhoods Secondary Plan

The Subject Site is located in the Centennial Neighbourhoods Secondary Plan area. Per Land Use Plan Map B6.7-1, the Site is designated as *Low Density Residential 2*. Per Policy 6.2.5.4.a.i, permitted uses in the *Low Density Residential 2* designation shall include, among other typologies, duplexes and existing legal three, four and five-plexes. The Centennial Neighbourhoods Secondary Plan does not contain any policies specifically regulating the implementation of consent applications.

MINOR VARIANCE

Variances Requested

The following are the variances requested to permit the proposed development:

1. To permit a minimum interior side yard setback of zero (0) metres;
2. To permit a minimum lot frontage of 12 metres; and,
3. To permit a lot area of 500 square metres.

Planning Act

Pursuant to Section 45(1) of the Planning Act, R.S.O. 1990, c. P.13 ("the Act"), The Committee of Adjustment can approve minor variances to Zoning By-laws for land, buildings, or structures upon the Owner's request, if they believe the changes are in keeping with the general purpose and intent of the Official Plan and Zoning By-law; are desirable for the appropriate development or use of the land, building or structure; and are minor in nature (the "Four Tests"). The variances must also be consistent with the Provincial Planning Statement, 2024 ("PPS"). As addressed in the above section, section, it is TBG's opinion that the proposed variance is consistent with the Provincial Planning Statement.

FOUR TESTS ANALYSIS

It is TBG's professional planning opinion that the proposed variances satisfy the four tests stipulated by The Planning Act as follows:

The requested variances meet the four tests stipulated by The Planning Act as outlined below:

1) **Is the general intent of the Official Plan maintained?**

   Per Schedule E-1 of the UHOP, the Subject Site is designated as *Neighbourhoods*. Policy 2.7.2 of the UHOP states that *Neighbourhoods* shall primarily consist of residential uses and complementary facilities and services intended to serve residents. Policy 2.7.4 further directs that Neighbourhoods shall permit and provide the opportunity for a full range of housing forms, types and tenures. The Subject Site is also located in the Centennial Neighbourhoods Secondary Plan area. Per Land Use Plan Map B6.7-1, the Site is designated as *Low Density Residential 2*. Per Policy 6.2.5.4.a.i, permitted uses in the *Low Density Residential 2* designation shall include, among other typologies, duplexes and existing legal three, four and five-plexes.

   The proposed Minor Variances in support of the Severance Application would result in the existing fourplex on the Site being converted into a duplex by splitting the lot down the middle. Per the UHOP and the Centennial Neighbourhood Secondary Plan, duplexes are a permitted use within the land use designations that apply to the Site. It is therefore our professional planning opinion that the proposed Minor Variances maintain the general intent of the UHOP and the Secondary Plan.

2) **Is the general intent and purpose of the Zoning By-law maintained?**

   The Subject Site is zoned DE/S-103 under the former City of Hamilton Zoning By-law 6593. Under the current zoning provisions for the Site, two-family dwellings and multiple dwellings are both permitted uses. The Minor Variance requests relief from provisions: 10A(3)(ii)(b) to allow for an interior side yard setback of 0 metres and 10A(4)(ii) to allow for a lot frontage of 12 metres and a lot area of 500 square metres. These variances are required to support the Severance Application which proposes to divide the lot in half. This division of the land would effectively result in the existing fourplex on the lot being converted to a duplex. As the building is currently on the property, the proposed variances are not introducing any new development, but to simply recognize the current situation to enable the requested Severance Application. The units will be provided with an appropriate amenity area in the rear yard, and will not change how this area currently functions and is divided between the units. As two-family dwellings are a permitted use under the current zoning for the Site, it is our professional

opinion that the requested Minor Variances maintain the general intent and purpose of the Zoning By-law.

3) Are the proposed variances appropriate for the development of the land and/or building?

The proposed variances are appropriate for the development of the land and building. As outlined in the above sections, the Minor Variances support a Severance Application which would permit the division of the lot into two. The variance does not facilitate any changes to the existing uses on the Site; however, it will result in the existing fourplex on the Site legally becoming a duplex. Since no development of land or buildings is proposed on the Site, and the change in uses conforms to the UHOP and Centennial Neighbourhoods Secondary Plan policies, it is our professional opinion that the variances are appropriate.

4) Are the proposed variances minor?

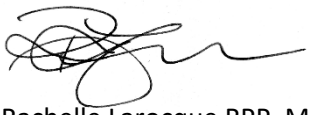
The variances requested are minor in nature. The proposed reduction of the minimum interior side yard setback from 1.2 metres to 0 metres, reduction of the lot frontage from 15 metres to 12 metres, and the lot area from 540 square metres to 500 square metres facilitates a change to the residential uses on the Site, however, does not create any tangible changes to buildings or structures on the property. Given that the proposed use of duplex (also referred to as a two-family dwelling) is permitted by the current policy framework that applies to the Site, it is our professional Planning Opinion that the variance is minor in nature.

CLOSING

It is our professional Planning Opinion that the application for Minor Variance meets the four tests of minor variance and should be approved by the Committee of Adjustment. It is also our professional Planning Opinion that the application for severance is consistent with and conforms to the policies in the PPS and the City of Hamilton Official Plan and should be approved by the Committee of Adjustment.

We trust you will find all in order, however if you have any questions or require additional information, please contact us at your earliest convenience.

Respectfully,
THE BIGLIERI GROUP LTD.



Rachelle Larocque RPP, MCIP
Partner



Alex Walton, MPl
Planner

cc. DiCenzo Management Inc.

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	MAILING ADDRESS
Registered Owners(s)	Dicenzo Management Inc. (A	[redacted]
Applicant(s)	Dicenzo Management Inc. (Anthony DiCenzo)	
Agent or Solicitor	The Biglieri Group c/o Rachelle Larocque	

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	72-78 Delawana Drive, Hamilton, ON		
Assessment Roll Number	251805046106176		
Former Municipality	Hamilton		
Lot		Concession	
Registered Plan Number	M-24	Lot(s)	42
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:

Request for a 0-metre interior side yard setback.
Request minimum lot area of 500 square metres, lot frontage of 12 metres.

☐ Second Dwelling Unit ☐ Reconstruction of Existing Dwelling

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

There is currently a four-unit dwelling built on the subject site. The proposed minor variance would allow for the lands to be severed in half.

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
24.38 m	41.09 m	1001.8 m2	20.12

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
fourplex	6.6 m	20.29 m	3.7m, 3.9m, 0m (shared property line)	01/01/1970
shed #1 and #2	#1: 37.6m, #2: 35.3m	#1: 0.9 m, #2: 3.5m	#1: 0.8 m, #2: 2.6 m	01/01/1990
shed #3, #4, and #5	22.9m, 25m,	#3: 0.7 m	#3: 0 m, #4: 0.2 m, #5: 0 m	01/01/1990
gazebo	26.7m	10.2 m	3.3m, 3.5m	01/01/1990

Proposed:

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

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
quadplex	99.3 m2	198.6 m2	2	7 m
shed #1 and #2	#1: 6.0 m2, #2: 2.0 m2	#1: 6.0 m2, #2: 2.0 m2	1	2
shed #3, #4, and #5	#3: 6.9 m2, #4: 4.1 m2, #5: 2.9 m2	#3: 6.9 m2, #4: 4.1 m2, #5: 2.9 m2	1	2
gazebo	22.7 square metres	22.7 square metres	1	2

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height

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.):

Duplex Dwellings

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

Quadplex

7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:

August 27, 1997

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

Quadplex

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

Quadplex

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

1970's

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) Neighbourhoods

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

The application conforms with the City of Hamilton Official Plan as it will follow the land use regulations required within the Neighbourhoods designation.

7.6 What is the existing zoning of the subject land? DE/S-103 (Low Density Multiple Dwelling

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: DE/S-103 (Low Density Multiple Dwellings)

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: Filed concurrently

8 ADDITIONAL INFORMATION

8.1 Number of Dwelling Units Existing: 4

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

- [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 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	MAILING ADDRESS	
Purchaser*			**Phone:** **E-mail:**
Registered Owners(s)	Dicenzo Management Inc. c/o Anthony Dicenzo	[redacted]	
Applicant(s)**	Dicenzo Management Inc. c/o Anthony Dicenzo		
Agent or Solicitor	The Biglieri Group c/o Rachelle Larocque		

*Purchaser must provide a copy of the portion o [redacted] izes 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 [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 ☐ Credit over phone*
☑ Cheque

*Must provide number above

2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	72-78 Delawana Drive, Hamilton, ON		
Assessment Roll Number	251805046106176		
Former Municipality	Hamilton		
Lot		Concession	
Registered Plan Number	M24	Lot(s)	42
Reference Plan Number (s)		Part(s)	

2.2 Are there any easements or restrictive covenants affecting the subject land?
☐ Yes ☑ No
If YES, describe the easement or covenant and its effect:

3 PURPOSE OF THE APPLICATION

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

☑ 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:

Dicenzo Management Inc.

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

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:	Lands to be Reta	Lands to be Sev			
Type of Transfer	N/A	Severence			
Frontage	12.19 m	12.19 m			
Depth	41.09 m	41.09 m			
Area	500.9 m2	500.9 m2			
Existing Use	Residential	Residential			
Proposed Use	Residential	Residential			
Existing Buildings/ Structures	2-storey quadplex	2-storey quadplex			
Proposed Buildings/ Structures	2-storey semi-detached duplex	2-storey semi-detached duplex			
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): N/A

Rural Settlement Area: N/A

Urban Hamilton Official Plan designation (if applicable) Neighbourhoods

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

The application conforms with the City of Hamilton Official Plan as it will follow the land use regulations required within the Neighbourhoods designation.

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

☐ Yes ☑ No ☐ Unknown

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

5.3 What is the existing zoning of the subject land? DE/S-103 (Low Density Multiple Dwellings)

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

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

☑ Yes ☐ No ☐ Unknown

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

minor variance submitted concurrently

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)	☐	Eastgate Square Shop
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.

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

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

☐ Yes ☑ No

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

6.4 How long has the applicant owned the subject land?

Acquired August 27, 1997 (28 years)

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.

30-126 Delawana Drive, Hamilton, ON, additional lands throughout the City.

7 PROVINCIAL POLICY

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

☑ Yes ☐ No (Provide explanation)

The application is consistent with the Policy Statements issued under Section 3 of the Planning Act, including the 2024 Provincial Planning Statement, as outlined below.

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

☑ Yes ☐ No (Provide explanation)

The application is consistent with the 2024 Provincial Planning Statement, including section 2.2.1, as it will assist in providing an appropriate range and mix of housing options and densities to meet the current and future housing needs in Hamilton and accommodate future growth.

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

☐ Yes ☐ No (Provide explanation)

N/A

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

☐ Yes ☑ No (Provide explanation)

The subject lands are not located within the Niagara Escarpment Plan area.

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

☐ Yes ☑ No (Provide explanation)

The subject lands are not located within the Parkway Belt West Plan area.

7.6 Are the subject lands subject to the Greenbelt Plan?

☐ Yes ☑ No (Provide explanation)

The subject lands are not located within the Greenbelt Plan area.

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

☐ Yes ☑ No (Provide explanation)

The subject lands are not within an area of land designated under any other provincial plan or plans.

8 ADDITIONAL INFORMATION - VALIDATION

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

☐ Yes ☐ No (Provide explanation)

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

☐ Yes ☐ No (Provide explanation and details on plan)

The current owner owns the entirety of 30-126 Delawana Drive, Hamilton, ON.

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-25:160**	**SUBJECT PROPERTY:**	72-78 Delawana Drive, Hamilton
ZONE:	DE/S-103 (Low Density Multiple Dwellings)	**ZONING BY-LAW:**	Former Hamilton Zoning By-law 6593

APPLICANTS: Owner: Dicenzo Management Inc.
Agent: The Biglieri Group c/o Rachelle Larocque

The following variances are requested:

1. A minimum interior Side Yard width of 0.0 metres shall be provided whereas the By-law requires a minimum Side Yard width of 2.0 metres.

2. A minimum Lot Width of 12.0 metres shall be provided whereas the By-law requires a minimum Lot Width of 18.0 metres.

3. A minimum Lot Area of 500.0 square metres shall be provided whereas the By-law requires a minimum Lot Area of 540.0 square metres.

PURPOSE & EFFECT: To facilitate the creation of a new lot, each containing a Two-Family dwelling.

Notes:

1) Applicant has submitted a concurrent consent application (B.25.053).

2) Existing multiple dwelling contains 4 dwelling units. This application will facilitate the creation of two separate lots each containing two of the existing dwelling units.

3) Floor plans not provided. Staff are unable to confirm the location of each unit in relation to the proposed lot boundaries.

A-25:160

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:	**Thursday, September 4, 2025**
TIME:	**3:10 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 September 2, 2025

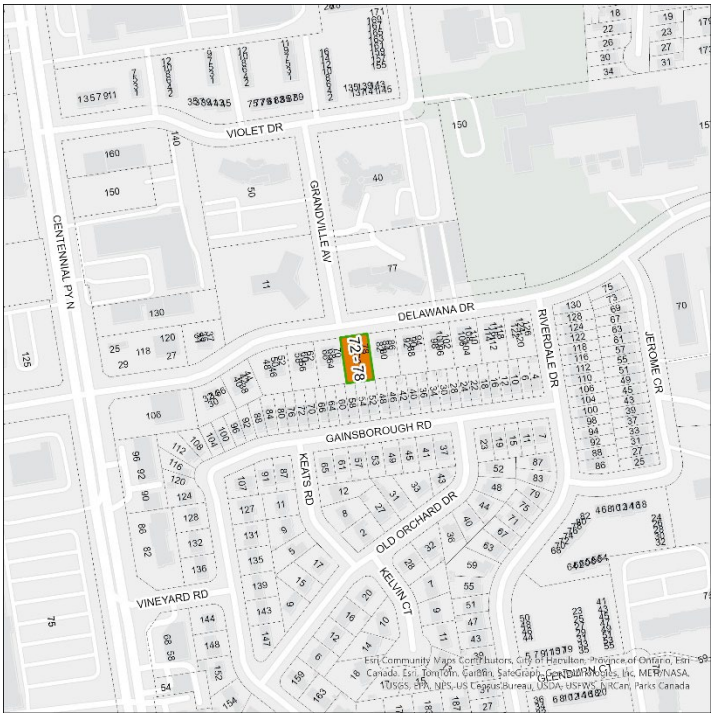
Orally: If you would like to speak to this item at the hearing you may do so via video link, calling in, or attending in person. Please see attached page for complete instructions, registration to participate virtually must be received no later than noon September 3, 2025

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding A-25:160, 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-25:160



Subject Lands

DATED: August 18, 2025

Justin Leung,
Secretary-Treasurer
Committee of Adjustment

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

Hamilton

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

PARTICIPATING PROCEDURES

1. Written Submission Ahead of the Meeting

Members of the public who wish to provide input without speaking at the Hearing may submit written comments in advance of the meeting. Comments must be received by 12:00 p.m. (noon) on the deadline date for written comment submissions listed on the Notice of Public Hearing.

How to Submit Written Comments:

By Email:
Send to: cofa@hamilton.ca

By Mail:
Committee of Adjustment
City of Hamilton
71 Main Street West, 5th Floor
Hamilton, Ontario
L8P 4Y5

All written comments received will be made available to the Committee and the public by the Tuesday prior to the Hearing.

2. Oral Submissions During the Hearing

Interested members of the public, agents, and owners may provide oral comments on Committee of Adjustment Hearing items either virtually via Webex (computer or phone) or by attending in person.

Speaking Time Limit:
All participants providing oral submissions, either in person or virtually are limited to a maximum of 5 minutes to speak. This is to ensure all parties have an equal opportunity to be heard and that the meeting runs efficiently.

3. In-Person Oral Submissions

To participate in person, attend Council Chambers on the date and time listed in the Notice of Public Hearing. You will be required to provide your name and address for the record. It is recommended you arrive at least 10 minutes prior to the scheduled start time.

4. Virtual Oral Submissions

To participate virtually, you must register by 12:00 p.m. (noon) on the virtual oral submissions registration deadline date. This is listed on the Notice of Public Hearing.

- Committee of Adjustment file number
- Hearing date
- Name and mailing address of each person wishing to speak
- Method of participation (phone or video), and, if applicable, the phone number to be used
- Each person must register separately

Registered participants will receive a Webex link one business day before the Hearing. Only those registered will be called upon to speak.

5. Presentations

All presentations are permitted at the discretion of the Committee.

Virtual Presentations:
Presenters participating virtually may be granted permission to share their screen during the Hearing. A copy of the presentation must be submitted to cofa@hamilton.ca **by 12:00 p.m. (noon) on the business day prior to the Hearing.** The submission must be one document in PDF format only.

In-Person Presentations:
Presenters attending in person may be granted permission to use the presentation screen. Presentations must be brought on a USB device and opened by the owner/applicant. A copy of the presentation must also be sent to cofa@hamilton.ca **by 12:00 p.m. (noon) on the business day prior to the Hearing.** The submission must be one document in PDF format only. Handouts are permitted only if the same content can be displayed on the presentation screen.

6. Additional Notes

- Webex (video) participation requires a compatible computer or smartphone. The necessary application must be downloaded in advance.
- It is the interested party's responsibility to ensure their device is functional and compatible prior to the Hearing.

For any questions, contact staff at cofa@hamilton.ca or call 905-546-2424 ext. 4221.

SKETCH FOR LAND DIVISION
OF
72–78 DELAWANA DRIVE
IN THE
CITY OF HAMILTON

SCALE 1:200 METRIC

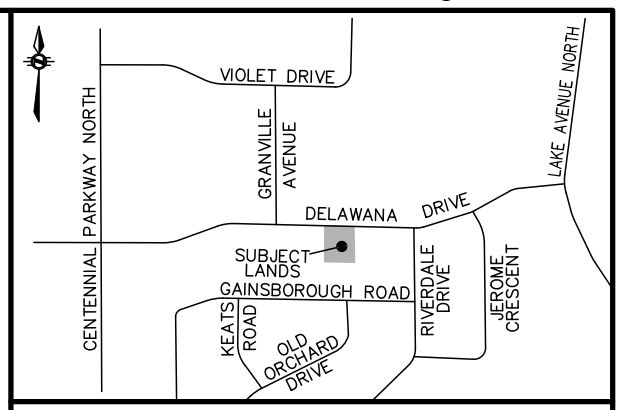
4 2 0 4 8 12 metres

R.A. McLAREN, O.L.S. – 2025

CAUTION:

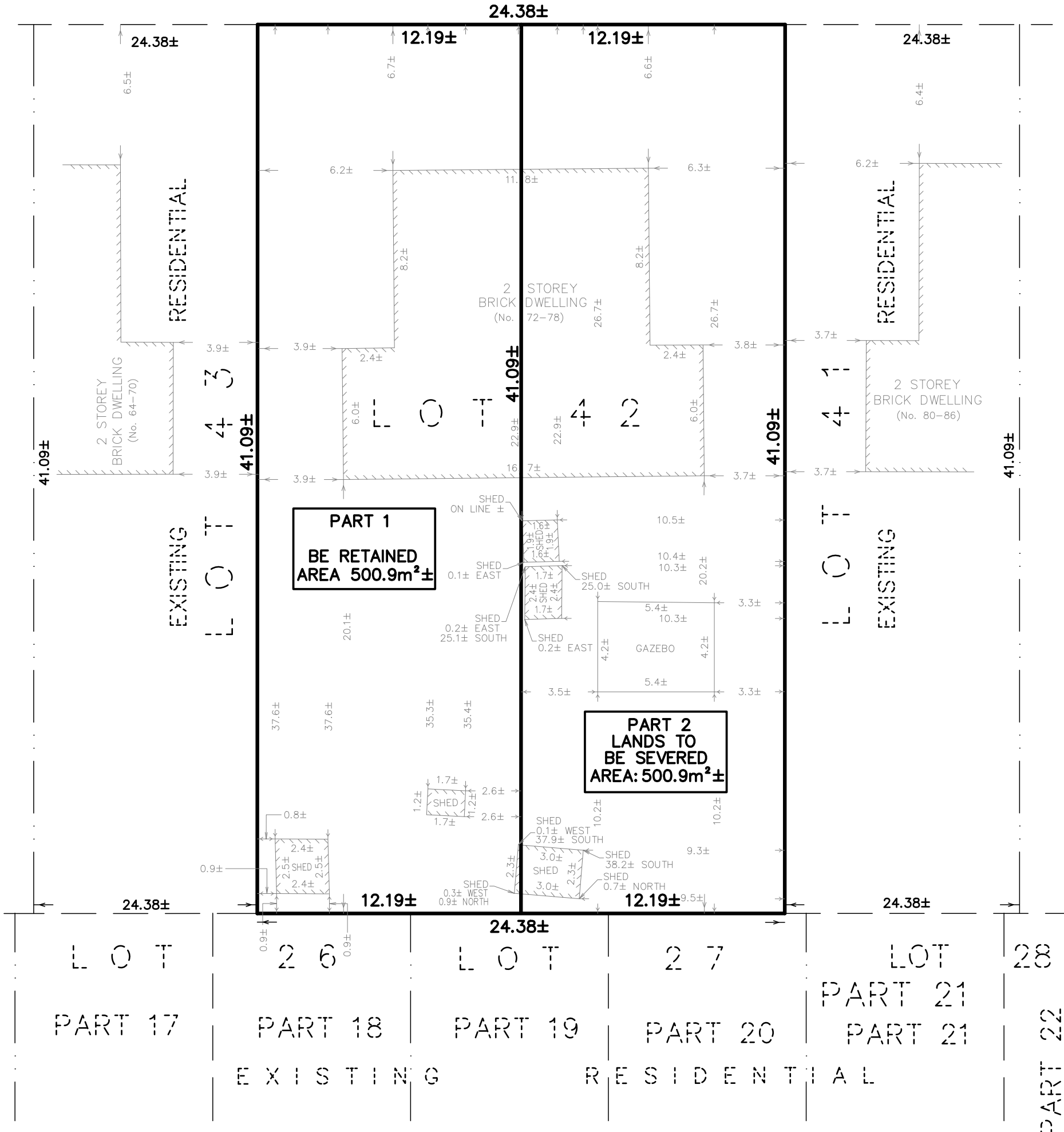
A) THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED EXCEPT FOR THE PURPOSE INDICATED IN THE TITLEBLOCK.

B) THIS SKETCH IS PROTECTED BY COPYRIGHT ©



KEY MAP – NOT TO SCALE

DELAWANA DRIVE
(ESTABLISHED BY PLAN M–24)
(20.12± WIDE)



NOTE:

THIS PLAN COMPRISES ALL OF LOT 42, PLAN M–24, IN THE CITY OF HAMILTON

NOTE:

DISTANCES SHOWN ON THIS PLAN WERE DERIVED FROM A SURVEY DONE BY A.T. MCLAREN, DATED NOVEMBER 22, 2024 – FILE 37913

METRIC NOTE:

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

JULY 18, 2025
DATE

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

Drawn	Checked	Crew Chief	Scale	Dwg.No.
KM	RBM	––	1:200	37913–SK2

By email

July 8, 2025

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

Attention: **Committee of Adjustment, cofa@hamilton.ca**

RE: **Minor Variance Rationale Letter**
72-78 Delawana Drive, Hamilton
TBG Project Number: 25268

On behalf of our client, DiCenzo Management Inc. ("Owner"), the Biglieri Group Ltd. ("Planner") is pleased to provide this rationale letter for a proposed Minor Variance and Consent Applications for 72-78 Delawana Drive in the City of Hamilton ("Subject Site" or "Site"). The proposed Minor Variances are being sought to facilitate the Consent Application which would divide the Subject Site into two lots The proposed variance is the following:

1. To reduce the minimum interior side yard setback to zero (0) metres whereas 1.2 metres is required;
2. To reduce the required lot frontage to 12 metres, whereas 15 metres is required; and,
3. To reduce the required lot area to 500 square metres whereas 540 square metres is required.

SUBJECT SITE AND SURROUNDING AREA

The Subject Site is located in the Hamilton Urban Area on the south side of Delawana Drive, immediately east of the intersection of Delawana Drive and Centennial Parkway North. The broader surrounding context of the Site includes low, medium and high-density residential uses, commercial and retail uses, along with public parks and an elementary school. The following is a more detailed breakdown of the uses immediately adjacent to the Site.

- To the immediate south of the Site there are low-rise residential uses consisting primarily of single-detached dwellings.
- To the immediate west of the Site along Centennial Parkway North there are low-rise commercial uses such as plazas containing retail and restaurants.
- To the immediate north of the Site there are higher density residential uses including 10 to 15 storey apartment buildings.
- To the immediate east of the Site there are residential dwellings that consist of low-rise quadraplexes.

The Subject Site is serviced by Hamilton Street Railway (HSR) transit routes that run along Centennial Parkway North to the west (Routes 44 and 56), Queenston Road to the south (Routes 1/1A, 10 and 55/55A), and Barton Road to the north (Route 2). HSR bus routes 44 and 56 provide a north/south

2472 Kingston Road, Toronto, Ontario M1N 1V3
21 King Street W Suite 1502, Hamilton, Ontario L8P 4W7
Office: (416) 693-9155 Fax: (416) 693-9133
tbg@thebiglierigroup.com

connection from the site to the Confederation GO Station located approximately 1.5 kilometres north of the Site.

DESCRIPTION OF PROPOSAL

The proposed Consent and Minor Variance Applications facilitate the division of the Subject Site into two separate lots. A survey demonstrating the proposed consent has been completed by A.T. McLaren Limited dated June 27, 2025, and is appended to this letter. The proposed consent would result in the lot being divided down the centre, resulting in the retained lands having a lot area of 500.9m^2 and frontage of 12.19 metres and the severed lands having a lot area of 500.9m^2 and frontage of 12.19 metres. The existing building on the Site will be divided in half by the proposed Severance. As a result, the Minor Variance is required to permit a side yard setback of zero (0) metres for the existing building on the Site, as well as a reduction to the minimum lot fronate ag minimum lot areas. No redevelopment or alterations are proposed to any buildings or structures on the Site. The three (3) existing sheds on the property which will not meet the required setback to the interior lot line will be moved so that they meet the minimum 0.45 metre setback.

PLANNING ANALYSIS

General

The Subject Site is located in the City of Hamilton's *Urban Boundary* per Schedule E of the Urban Hamilton Official Plan (UHOP). On Appendix G of the UHOP, the Site is identified as being within the City's *Built-up Area*. On Schedule E-1 of the UHOP, the Subject Site is designated as *Neighbourhoods*. The Site is also located within the Centennial Neighbourhoods Secondary Plan Area. Per Map B 6.7-1 it is designated as *Low Density Residential 2* within the Secondary Plan. Per Map 6.7-3, Delawana Drive is identified as being a *Neighbourhood Greenway*.

The Subject Site is subject to Former City of Hamilton Zoning By-law 6593. It is zoned *Low Density Multiple Dwelling* per Schedule 103 (DE/S-103). Pursuant to Section 10A(1) of ZBL 6593, permitted uses within the *DE Zone* include two family dwellings, three family dwellings, and multiple dwellings.

Provincial Planning Statement (2024)

In accordance with Section 5 of the Planning Act, all decisions must be consistent with policy statements passed under Section 3 of the Act, which entails the Provincial Planning Statement ("PPS") (2024). The PPS provides provincial direction on matters related to land use planning including growth, housing supply, economic development, and the protection of natural and cultural heritage resources. The Subject Site is located within the City of Hamilton's Urban Boundary. The proposed Consent and Minor Variances does not propose any alterations to the building on the Subject Site. The PPS does not contain any policies that limit the subdivision of land within urban areas. As such, the proposed variances, in so far as they facilitate the proposed Consent Application, are consistent with the PPS.

CONSENT APPLICATION

Planning Act

Per Subsection 53(12) of the *Planning Act* Severance Applications shall have regard for matters listed in Subsection 51(24) of the *Planning Act.* We have reviewed this section, and it is TBG's professional

opinion that the Severance Application has appropriate regard for the requirements found therein, as presented below.

(a) The effect of development of the proposed subdivision on matters of provincial interest as referred to in section 2.
- The application does not conflict with matters of provincial interest listed in Section 2 (a) to 2 (s). The Subject Site is located within Hamilton's Urban Area and the Severance Application does not propose any material changes to the buildings or structures on the Site. As such, there is no anticipated effect on the matters of provincial interest identified in Section 2 of the Planning Act.

(b) Whether the proposed subdivision is premature or in the public interest.
- The application is not premature, nor does it conflict with the public interest as it will not result in physical changes to the Site and does not preclude its future development.

(c) Whether the plan conforms to the official plan and adjacent plans of subdivision.
- Further analysis has been provided in the following sections with respect to conformance with the relevant Official Plan policies. It is TBG's opinion that the Severance Application conforms to the Official Plan. Lands surrounding the Subject Site to the south, east, and west appear to have been divided through plans of subdivision. It is TBG's opinion that the Application is in conformance with the surrounding plans of subdivision as the area supports varying lot sizes, housing types, and levels of density.

(d) The suitability of the land for the purposes for which it is to be subdivided.
- The lands are suitable for the proposed and currently permitted residential uses. The proposed Severance will result in the existing building on the Site being divided down the centre, which means the use will be changed from fourplex to duplex. This minor change in use is permitted within the existing policy context.

(d.1) If any affordable housing units are being proposed, the suitability of the proposed units for affordable housing.
- No affordable housing units are being proposed as part of this application.

(e) The number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them.
- No changes are proposed to the road network as part of this application.

(f) The dimensions and shapes of the proposed lots.
- The existing lot is rectangular in shape. The Severance Application proposes to divide the lot down the centre, generating two parcels that are identical in size with the following retained and severed lot areas:
  - Retained lot area: 500.9m^2
  - Severed lot area: 500.9m^2
- The changes to the lot dimensions and shapes will not have any impacts on the function of the existing residential uses on the Subject Site.

(g) The restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be erected on it and the restrictions, if any, on adjoining land.
- The Severance Application is accompanied by Minor Variances which requests a reduction to the Side Yard Setback to zero (0) metres, a reduced lot frontage of 12 metres, and a reduced lot area of 500 square metres to permit the existing building on

the Subject Site. No further restrictions are proposed beyond what is already in force through Former City of Hamilton Zoning By-law 6593.

(h) Conservation of natural resources and flood control.

- The application is not anticipated to have any effects on the conservation of natural resources and flood control. The Subject Site is not regulated by the Hamilton Conservation Authority.

(i) The adequacy of utilities and municipal services.

- The servicing in the area is capable of providing adequate services to the units. The servicing will need to be upgraded to reflect the new lot lines and ensure that services do not cross lot lines, however, this will not result in the need for additional servicing as the existing connections will be removed.

(j) The adequacy of school sites.

- The adequacy of school sites is not affected by the application as it does not include any new residential development, just a new lot line to sever the building in half. There is an existing elementary school to the north-east of the property on Delawana Drive (Lake Avenue Elementary School).

(k) The area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes.

- To date, no land has been identified for conveyance for public purposes as part of the application.

(l) The extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy.

- The application has no anticipated effect on the use and conservation of energy.

(m) The interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41 (2) of this Act.

- As no new development is proposed, and the application will only create a new lot line, it is not anticipated that a site plan application will be required.

Urban Hamilton Official Plan

Per Schedule E-1 of the UHOP, the Subject Site is designated as *Neighbourhoods*. Policy 2.7.2 of the UHOP states that *Neighbourhoods* shall primarily consist of residential uses and complementary facilities and services intended to serve residents. Policy 2.7.4 further directs that *Neighbourhoods* shall permit and provide the opportunity for a full range of housing forms, types and tenures. Policy F.1.14.3.1 of the UHOP provides the following requirements for consent applications for new lot creation within neighbourhoods designated areas.

1.14.3.1 Consents for new lot creation, for both the severed and retained lands, for residential uses in the Neighbourhoods designation shown on Map E-1 – Urban Land Use Designation, shall be permitted provided the following conditions are met:

a) The lots comply with the policies of this Plan, including secondary plans, where one exists;	The lots created through the proposed Consent Application comply with the policies contained within the UHOP and the Centennial Neighbourhoods Secondary Plan. A full range of housing options is permitted within *Neighbourhoods* land use designation including varying housing forms, types and tenures.

b) The lots comply with existing Neighbourhood Plans;	The Subject Site is located within the Centennial Neighbourhoods Secondary Plan area. Land Use Plan Map B6.7-1, the Site is designated as *Low Density Residential 2*. Per Policy 6.2.5.4.a.i, permitted uses in the *Low Density Residential 2* designation shall include, among other typologies, duplexes and existing legal three, four and five-plexes.
c) The lots are in conformity with the Zoning By-law or a minor variance is approved;	Minor Variances are being requested in conjunction with the Consent Application that will bring it into compliance with the Former Hamilton Zoning By-law 6593.
d) The lots reflect the general scale and character of the established development pattern in the surrounding area by taking into consideration lot frontages and areas, building height, coverage, mass, setbacks, privacy and overview;	The proposed lots are generally consistent with the scale and character of the surrounding area. Surrounding land uses include a mix of residential typologies and densities, with lower density semi-detached and single-detached houses to the south, and high density uses to the north. The proposed lots created through the Consent Application will be consistent with the duplexes located to the immediate south of the Site.
e) The lots are fully serviced by municipal water and wastewater systems; and,	The lots are fully serviced by municipal water and wastewater systems.
f) The lots have frontage on a public road.	Both lots will maintain frontage onto Delawana Drive.

Centennial Neighbourhoods Secondary Plan

The Subject Site is located in the Centennial Neighbourhoods Secondary Plan area. Per Land Use Plan Map B6.7-1, the Site is designated as *Low Density Residential 2*. Per Policy 6.2.5.4.a.i, permitted uses in the *Low Density Residential 2* designation shall include, among other typologies, duplexes and existing legal three, four and five-plexes. The Centennial Neighbourhoods Secondary Plan does not contain any policies specifically regulating the implementation of consent applications.

MINOR VARIANCE

Variances Requested

The following are the variances requested to permit the proposed development:

1. To permit a minimum interior side yard setback of zero (0) metres;
2. To permit a minimum lot frontage of 12 metres; and,
3. To permit a lot area of 500 square metres.

Planning Act

Pursuant to Section 45(1) of the Planning Act, R.S.O. 1990, c. P.13 ("the Act"), The Committee of Adjustment can approve minor variances to Zoning By-laws for land, buildings, or structures upon the Owner's request, if they believe the changes are in keeping with the general purpose and intent of the Official Plan and Zoning By-law; are desirable for the appropriate development or use of the land, building or structure; and are minor in nature (the "Four Tests"). The variances must also be consistent with the Provincial Planning Statement, 2024 ("PPS"). As addressed in the above section, section, it is TBG's opinion that the proposed variance is consistent with the Provincial Planning Statement.

FOUR TESTS ANALYSIS

It is TBG's professional planning opinion that the proposed variances satisfy the four tests stipulated by The Planning Act as follows:

The requested variances meet the four tests stipulated by The Planning Act as outlined below:

1) **Is the general intent of the Official Plan maintained?**

   Per Schedule E-1 of the UHOP, the Subject Site is designated as *Neighbourhoods*. Policy 2.7.2 of the UHOP states that *Neighbourhoods* shall primarily consist of residential uses and complementary facilities and services intended to serve residents. Policy 2.7.4 further directs that Neighbourhoods shall permit and provide the opportunity for a full range of housing forms, types and tenures. The Subject Site is also located in the Centennial Neighbourhoods Secondary Plan area. Per Land Use Plan Map B6.7-1, the Site is designated as *Low Density Residential 2*. Per Policy 6.2.5.4.a.i, permitted uses in the *Low Density Residential 2* designation shall include, among other typologies, duplexes and existing legal three, four and five-plexes.

   The proposed Minor Variances in support of the Severance Application would result in the existing fourplex on the Site being converted into a duplex by splitting the lot down the middle. Per the UHOP and the Centennial Neighbourhood Secondary Plan, duplexes are a permitted use within the land use designations that apply to the Site. It is therefore our professional planning opinion that the proposed Minor Variances maintain the general intent of the UHOP and the Secondary Plan.

2) **Is the general intent and purpose of the Zoning By-law maintained?**

   The Subject Site is zoned DE/S-103 under the former City of Hamilton Zoning By-law 6593. Under the current zoning provisions for the Site, two-family dwellings and multiple dwellings are both permitted uses. The Minor Variance requests relief from provisions: 10A(3)(ii)(b) to allow for an interior side yard setback of 0 metres and 10A(4)(ii) to allow for a lot frontage of 12 metres and a lot area of 500 square metres. These variances are required to support the Severance Application which proposes to divide the lot in half. This division of the land would effectively result in the existing fourplex on the lot being converted to a duplex. As the building is currently on the property, the proposed variances are not introducing any new development, but to simply recognize the current situation to enable the requested Severance Application. The units will be provided with an appropriate amenity area in the rear yard, and will not change how this area currently functions and is divided between the units. As two-family dwellings are a permitted use under the current zoning for the Site, it is our professional

opinion that the requested Minor Variances maintain the general intent and purpose of the Zoning By-law.

3) Are the proposed variances appropriate for the development of the land and/or building?

The proposed variances are appropriate for the development of the land and building. As outlined in the above sections, the Minor Variances support a Severance Application which would permit the division of the lot into two. The variance does not facilitate any changes to the existing uses on the Site; however, it will result in the existing fourplex on the Site legally becoming a duplex. Since no development of land or buildings is proposed on the Site, and the change in uses conforms to the UHOP and Centennial Neighbourhoods Secondary Plan policies, it is our professional opinion that the variances are appropriate.

4) Are the proposed variances minor?

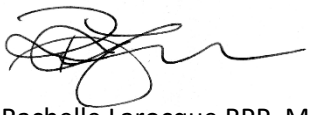
The variances requested are minor in nature. The proposed reduction of the minimum interior side yard setback from 1.2 metres to 0 metres, reduction of the lot frontage from 15 metres to 12 metres, and the lot area from 540 square metres to 500 square metres facilitates a change to the residential uses on the Site, however, does not create any tangible changes to buildings or structures on the property. Given that the proposed use of duplex (also referred to as a two-family dwelling) is permitted by the current policy framework that applies to the Site, it is our professional Planning Opinion that the variance is minor in nature.

CLOSING

It is our professional Planning Opinion that the application for Minor Variance meets the four tests of minor variance and should be approved by the Committee of Adjustment. It is also our professional Planning Opinion that the application for severance is consistent with and conforms to the policies in the PPS and the City of Hamilton Official Plan and should be approved by the Committee of Adjustment.

We trust you will find all in order, however if you have any questions or require additional information, please contact us at your earliest convenience.

Respectfully,
THE BIGLIERI GROUP LTD.



Rachelle Larocque RPP, MCIP
Partner



Alex Walton, MPl
Planner

cc. DiCenzo Management Inc.

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	MAILING ADDRESS	
Purchaser*			**Phone:** **E-mail:**
Registered Owners(s)	Dicenzo Management Inc. c/o Anthony Dicenzo	[redacted]	
Applicant(s)**	Dicenzo Management Inc. c/o Anthony Dicenzo		
Agent or Solicitor	The Biglieri Group c/o Rachelle Larocque		

*Purchaser must provide a copy of the portion o [redacted] izes 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 [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 ☐ Credit over phone*
☑ Cheque

*Must provide number above

2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	72-78 Delawana Drive, Hamilton, ON		
Assessment Roll Number	251805046106176		
Former Municipality	Hamilton		
Lot		Concession	
Registered Plan Number	M24	Lot(s)	42
Reference Plan Number (s)		Part(s)	

2.2 Are there any easements or restrictive covenants affecting the subject land?
☐ Yes ☑ No
If YES, describe the easement or covenant and its effect:

3 PURPOSE OF THE APPLICATION

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

☑ 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:

Dicenzo Management Inc.

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

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:	Lands to be Reta	Lands to be Sev			
Type of Transfer	N/A	Severence			
Frontage	12.19 m	12.19 m			
Depth	41.09 m	41.09 m			
Area	500.9 m2	500.9 m2			
Existing Use	Residential	Residential			
Proposed Use	Residential	Residential			
Existing Buildings/ Structures	2-storey quadplex	2-storey quadplex			
Proposed Buildings/ Structures	2-storey semi-detached duplex	2-storey semi-detached duplex			
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): N/A

Rural Settlement Area: N/A

Urban Hamilton Official Plan designation (if applicable) Neighbourhoods

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

The application conforms with the City of Hamilton Official Plan as it will follow the land use regulations required within the Neighbourhoods designation.

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

☐ Yes ☑ No ☐ Unknown

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

5.3 What is the existing zoning of the subject land? DE/S-103 (Low Density Multiple Dwellings)

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

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

☑ Yes ☐ No ☐ Unknown

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

minor variance submitted concurrently

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)	☐	Eastgate Square Shop
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.

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

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

☐ Yes ☑ No

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

6.4 How long has the applicant owned the subject land?

Acquired August 27, 1997 (28 years)

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.

30-126 Delawana Drive, Hamilton, ON, additional lands throughout the City.

7 PROVINCIAL POLICY

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

☑ Yes ☐ No (Provide explanation)

The application is consistent with the Policy Statements issued under Section 3 of the Planning Act, including the 2024 Provincial Planning Statement, as outlined below.

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

☑ Yes ☐ No (Provide explanation)

The application is consistent with the 2024 Provincial Planning Statement, including section 2.2.1, as it will assist in providing an appropriate range and mix of housing options and densities to meet the current and future housing needs in Hamilton and accommodate future growth.

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

☐ Yes ☐ No (Provide explanation)

N/A

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

☐ Yes ☑ No (Provide explanation)

The subject lands are not located within the Niagara Escarpment Plan area.

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

☐ Yes ☑ No (Provide explanation)

The subject lands are not located within the Parkway Belt West Plan area.

7.6 Are the subject lands subject to the Greenbelt Plan?

☐ Yes ☑ No (Provide explanation)

The subject lands are not located within the Greenbelt Plan area.

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

☐ Yes ☑ No (Provide explanation)

The subject lands are not within an area of land designated under any other provincial plan or plans.

8 ADDITIONAL INFORMATION - VALIDATION

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

☐ Yes ☐ No (Provide explanation)

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

☐ Yes ☐ No (Provide explanation and details on plan)

The current owner owns the entirety of 30-126 Delawana Drive, Hamilton, ON.

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 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	MAILING ADDRESS
Registered Owners(s)	Dicenzo Management Inc. (A	[redacted]
Applicant(s)	Dicenzo Management Inc. (Anthony DiCenzo)	
Agent or Solicitor	The Biglieri Group c/o Rachelle Larocque	

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	72-78 Delawana Drive, Hamilton, ON		
Assessment Roll Number	251805046106176		
Former Municipality	Hamilton		
Lot		Concession	
Registered Plan Number	M-24	Lot(s)	42
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:

Request for a 0-metre interior side yard setback.
Request minimum lot area of 500 square metres, lot frontage of 12 metres.

☐ Second Dwelling Unit ☐ Reconstruction of Existing Dwelling

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

There is currently a four-unit dwelling built on the subject site. The proposed minor variance would allow for the lands to be severed in half.

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
24.38 m	41.09 m	1001.8 m2	20.12

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
fourplex	6.6 m	20.29 m	3.7m, 3.9m, 0m (shared property line)	01/01/1970
shed #1 and #2	#1: 37.6m, #2: 35.3m	#1: 0.9 m, #2: 3.5m	#1: 0.8 m, #2: 2.6 m	01/01/1990
shed #3, #4, and #5	22.9m, 25m,	#3: 0.7 m	#3: 0 m, #4: 0.2 m, #5: 0 m	01/01/1990
gazebo	26.7m	10.2 m	3.3m, 3.5m	01/01/1990

Proposed:

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

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
quadplex	99.3 m2	198.6 m2	2	7 m
shed #1 and #2	#1: 6.0 m2, #2: 2.0 m2	#1: 6.0 m2, #2: 2.0 m2	1	2
shed #3, #4, and #5	#3: 6.9 m2, #4: 4.1 m2, #5: 2.9 m2	#3: 6.9 m2, #4: 4.1 m2, #5: 2.9 m2	1	2
gazebo	22.7 square metres	22.7 square metres	1	2

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height

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.):

Duplex Dwellings

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

Quadplex

7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:

August 27, 1997

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

Quadplex

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

Quadplex

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

1970's

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) Neighbourhoods

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

The application conforms with the City of Hamilton Official Plan as it will follow the land use regulations required within the Neighbourhoods designation.

7.6 What is the existing zoning of the subject land? DE/S-103 (Low Density Multiple Dwelling

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: DE/S-103 (Low Density Multiple Dwellings)

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: Filed concurrently

8 ADDITIONAL INFORMATION

8.1 Number of Dwelling Units Existing: 4

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

- [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-25:168**	**SUBJECT PROPERTY:**	51 Galbraith Drive, Stoney Creek
ZONE:	'R1' (Low Density Residential)	**ZONING BY-LAW:**	Hamilton Zoning By-law 05-200

APPLICANTS: Owner: Valeriano DiPietro
Applicant: Julianna Beckett

The following variances are requested:

1. A maximum height of 5.7 metres shall be provided for an accessory building instead of the maximum permitted accessory building height of 4.5 metres.

2. A combined lot coverage of 73.0 square metres shall be provided for all accessory buildings instead of the maximum permitted lot coverage of 45 square metres or 7.5% of the lot area, whichever is the lesser.

3. A minimum setback of 3.4m from the Front Lot Line shall be provided instead of the minimum required setback of 4.0 metres.

4. An exterior staircase may encroach into the required front yard to a maximum of 2.3 metres whereas the zoning by-law does not permit fire escapes or exterior staircases to encroach into a required front yard.

PURPOSE & EFFECT: To permit the construction of a new addition in the front yard of the existing Single Detached Dwelling and a new accessory building (garage) in the rear yard.

Notes:

i. The proposed covered front porch has been determined to be enclosed. Therefore, it is considered part of the principal building and has been reviewed as such.

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ii. Dimensions for the eaves and gutters of the front yard addition have not been provided. As such, additional Variances may be required if compliance cannot be achieved.

iii. The Landscaped area in the Front Yard has not been provided. As such, additional Variances may be required.

iv. A single area within the required landscaped area for tree protection and/or tree planting has not been indicated. As such, additional Variances may be required.

v. Information regarding additions to Parking have not been provided. As such, additional Variances may be required.

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

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

DATE:	**Thursday, September 4, 2025**
TIME:	**3:30 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 September 2, 2025

Orally: If you would like to speak to this item at the hearing you may do so via video link, calling in, or attending in person. Please see attached page for complete instructions, registration to participate virtually must be received no later than noon September 3, 2025

FURTHER NOTIFICATION

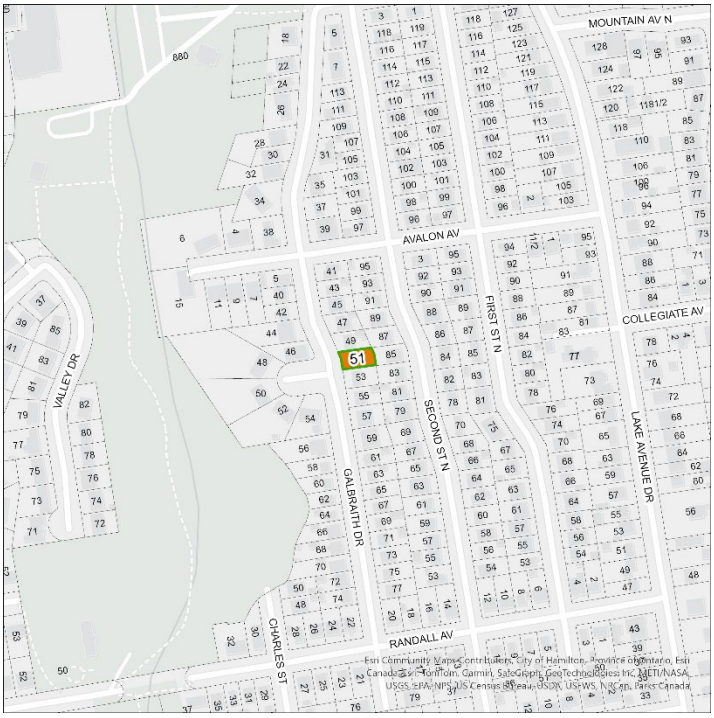
If you wish to be notified of future Public Hearings, if applicable, regarding A-25:168, you must submit a written request to cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5**.**

If you wish to be provided a Notice of Decision, you must attend the Public Hearing and file a written

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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-25:168



Subject Lands

DATED: August 18, 2025

Justin Leung,
Secretary-Treasurer
Committee of Adjustment

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

Hamilton

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

PARTICIPATING PROCEDURES

1. Written Submission Ahead of the Meeting

Members of the public who wish to provide input without speaking at the Hearing may submit written comments in advance of the meeting. Comments must be received by 12:00 p.m. (noon) on the deadline date for written comment submissions listed on the Notice of Public Hearing.

How to Submit Written Comments:

By Email:
Send to: cofa@hamilton.ca

By Mail:
Committee of Adjustment
City of Hamilton
71 Main Street West, 5th Floor
Hamilton, Ontario
L8P 4Y5

All written comments received will be made available to the Committee and the public by the Tuesday prior to the Hearing.

2. Oral Submissions During the Hearing

Interested members of the public, agents, and owners may provide oral comments on Committee of Adjustment Hearing items either virtually via Webex (computer or phone) or by attending in person.

Speaking Time Limit:
All participants providing oral submissions, either in person or virtually are limited to a maximum of 5 minutes to speak. This is to ensure all parties have an equal opportunity to be heard and that the meeting runs efficiently.

3. In-Person Oral Submissions

To participate in person, attend Council Chambers on the date and time listed in the Notice of Public Hearing. You will be required to provide your name and address for the record. It is recommended you arrive at least 10 minutes prior to the scheduled start time.

4. Virtual Oral Submissions

To participate virtually, you must register by 12:00 p.m. (noon) on the virtual oral submissions registration deadline date. This is listed on the Notice of Public Hearing.

- Committee of Adjustment file number
- Hearing date
- Name and mailing address of each person wishing to speak
- Method of participation (phone or video), and, if applicable, the phone number to be used
- Each person must register separately

Registered participants will receive a Webex link one business day before the Hearing. Only those registered will be called upon to speak.

5. Presentations

All presentations are permitted at the discretion of the Committee.

Virtual Presentations:
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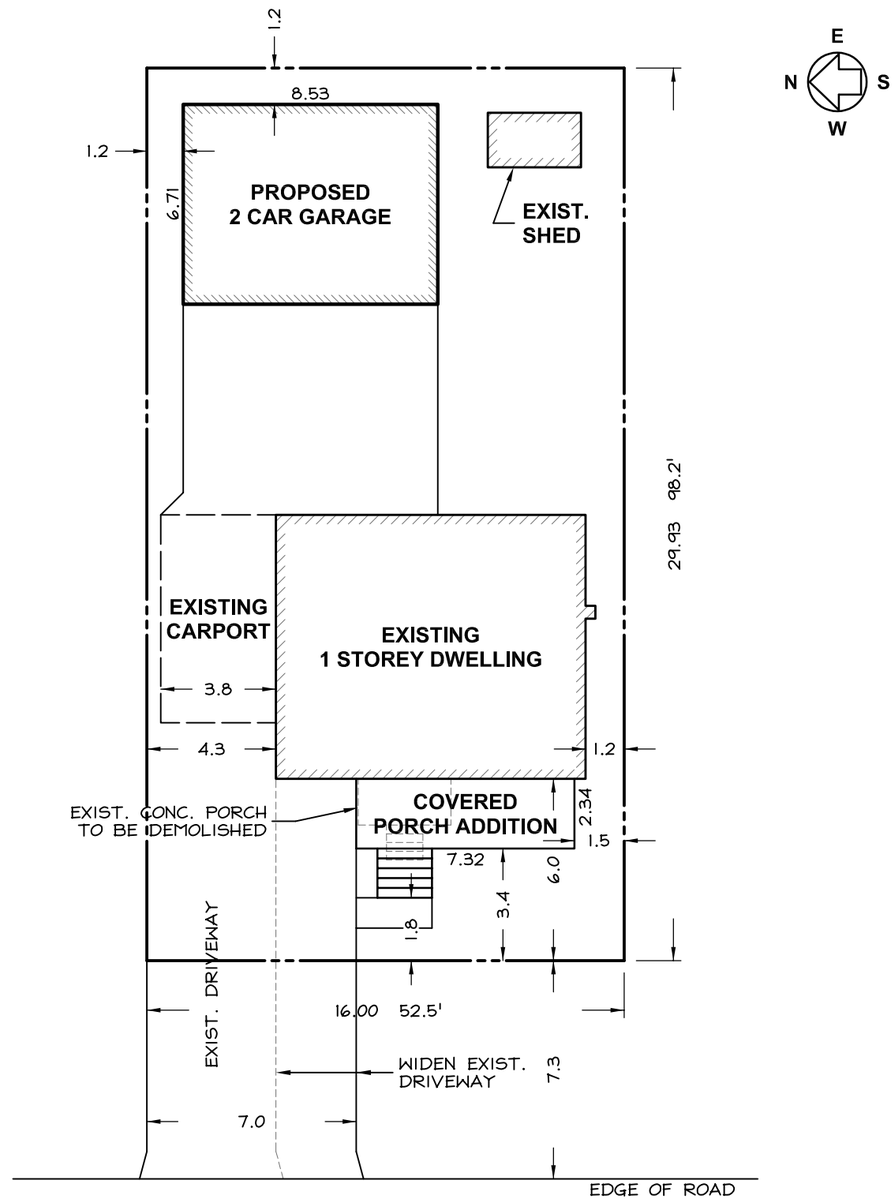
6. Additional Notes

- Webex (video) participation requires a compatible computer or smartphone. The necessary application must be downloaded in advance.
- It is the interested party's responsibility to ensure their device is functional and compatible prior to the Hearing.

For any questions, contact staff at cofa@hamilton.ca or call 905-546-2424 ext. 4221.

SITE AND BUILDING STATISTICS

1. LOT AREA	–	479.0 SM.	5,156 SFT.
2. EXISTING GROSS BUILDING FOOTPRINT AREA:			
EXISTING DWELLING	–	92.0 SM.	990 SFT.
EXISTING CARPORT	–	27.0 SM.	290 SFT.
EXISTING PORCH	–	4.8 SM.	52 SFT.
EXISTING SHED	–	5.7 SM.	62 SFT.
GROSS BUILDING FOOTPRINT AREA	–	129.5 SM.	1,394 SFT.
3. PROPOSED BUILDING FOOTPRINT AREA:			
EXISTING DWELLING	–	92.0 SM.	990 SFT.
EXISTING CARPORT	–	27.0 SM.	290 SFT.
NEW PORCH	–	17.1 SM.	184 SFT.
NEW DETACHED GARAGE	–	57.3 SM.	616 SFT.
EXISTING SHED	–	5.7 SM.	62 SFT.
GROSS BUILDING FOOTPRINT AREA	–	199.1 SM.	2,142 SFT.
4. GROSS ACCESSORY BUILDING AREA:			
NEW DETACHED GARAGE	–	57.3 SM.	616 SFT.
EXISTING SHED	–	5.7 SM.	62 SFT.
GROSS ACCESSORY BUILDING AREA	–	63.0 SM.	678 SFT.
5. ACCESSORY BUILDING LOT COVERAGE:			
PROPOSED LOT COVERAGE	–	14%	
MAXIMUM LOT COVERAGE	–	7.5%	
6. ACCESSORY BUILDING HEIGHT:			
PROPOSED GARAGE HEIGHT	–	5.5m	
MAXIMUM GARAGE HEIGHT	–	4.5m	
7. LANDSCAPED AREA:			
PROPOSED LANDSCAPED AREA	–	34%	
MINIMUM LANDSCAPED AREA	–	30%	



GALBRAITH DRIVE

SITE PLAN
Scale: 1:200

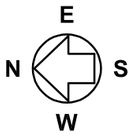
NOTE:
SITE PLAN DIMENSIONS ARE IN METERS

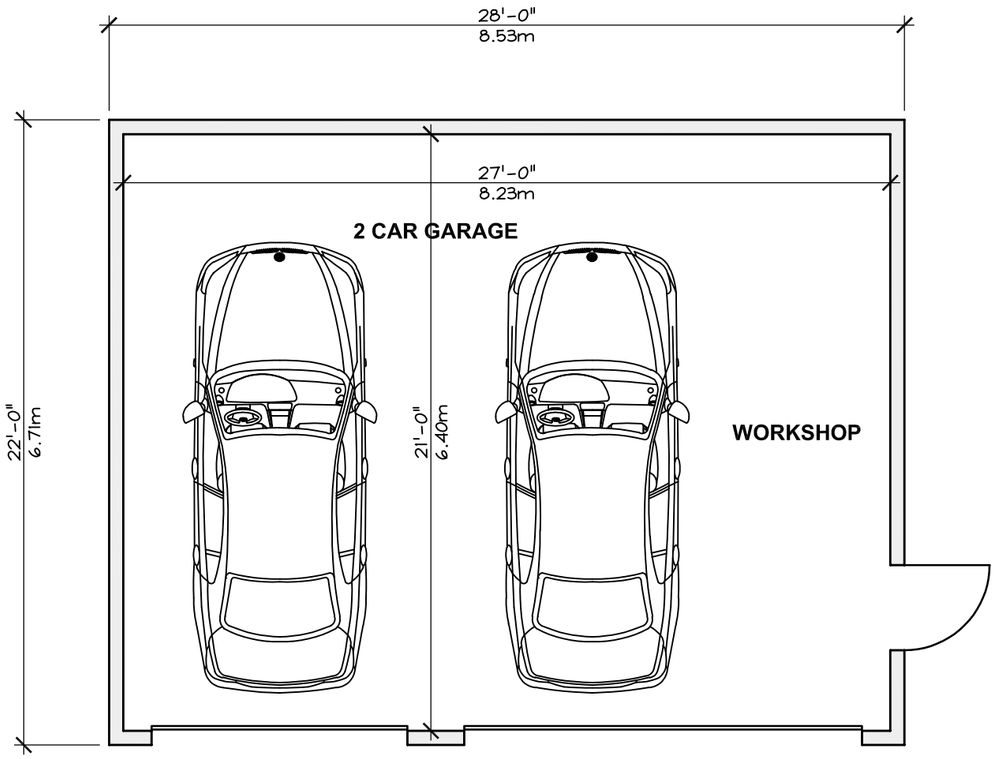
NOTE:
A SURVEY IS NOT AVAILABLE FOR THIS PROPERTY, ALL DIMENSIONS ARE BASED ON SITE MEASUREMENTS AND ARE APPROXIMATE.

Prassas Design
57 SHADE FOREST TRAIL HAMILTON, ONTARIO L9B 0E5
PHONE: 905-318-0452 FAX: 905-318-7649

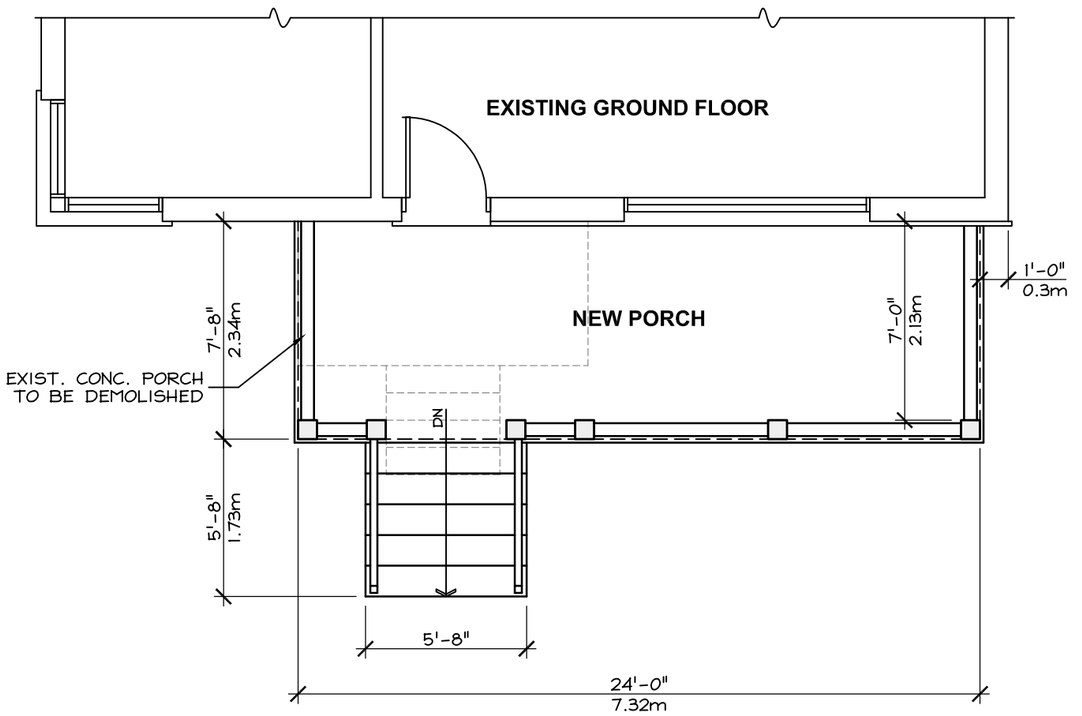
BECKETT RESIDENCE
51 GALBRAITH DR., HAMILTON, ONTARIO
PORCH & DETACHED GARAGE

Scale: AS NOTED
Date: FEBRUARY 24/25
Drawing No. 1





GARAGE PLAN
Scale: 3/16" = 1'-0"



FRONT PORCH PLAN
Scale: 3/16" = 1'-0"

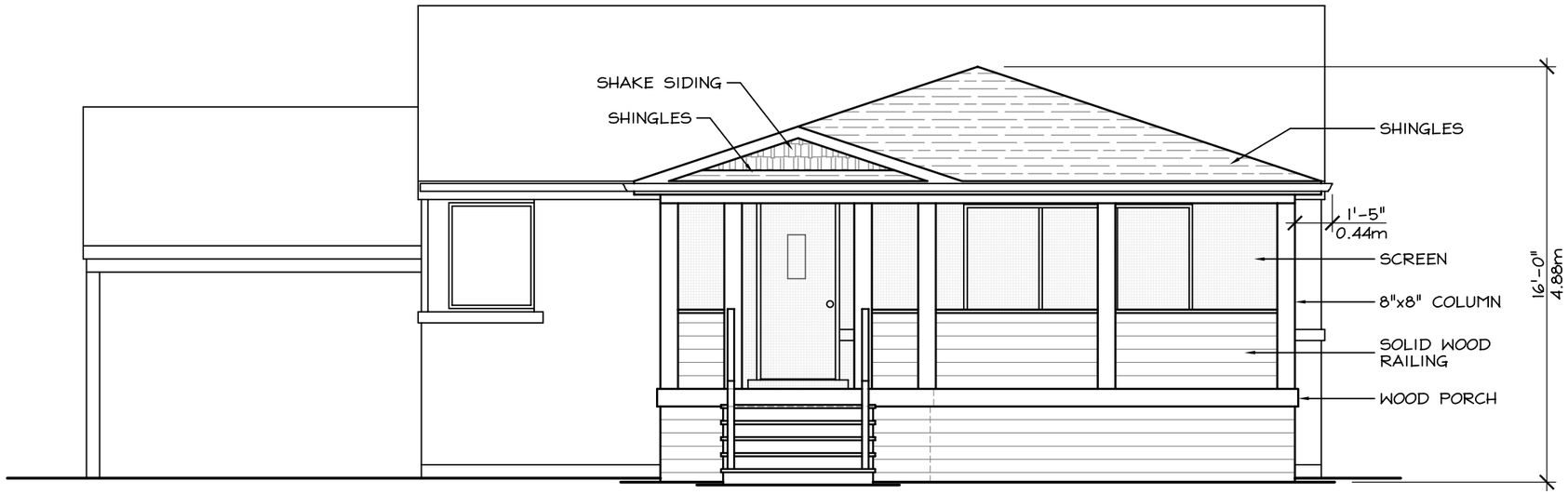
Prassas Design
57 SHADE FOREST TRAIL HAMILTON, ONTARIO L9B 0E5
PHONE: 905-318-0452 FAX: 905-318-7649

BECKETT RESIDENCE
51 GALBRAITH DR., HAMILTON, ONTARIO
PORCH & DETACHED GARAGE

Scale
AS NOTED

Date
FEBRUARY 24/25

Drawing No.
2



WEST FRONT ELEVATION

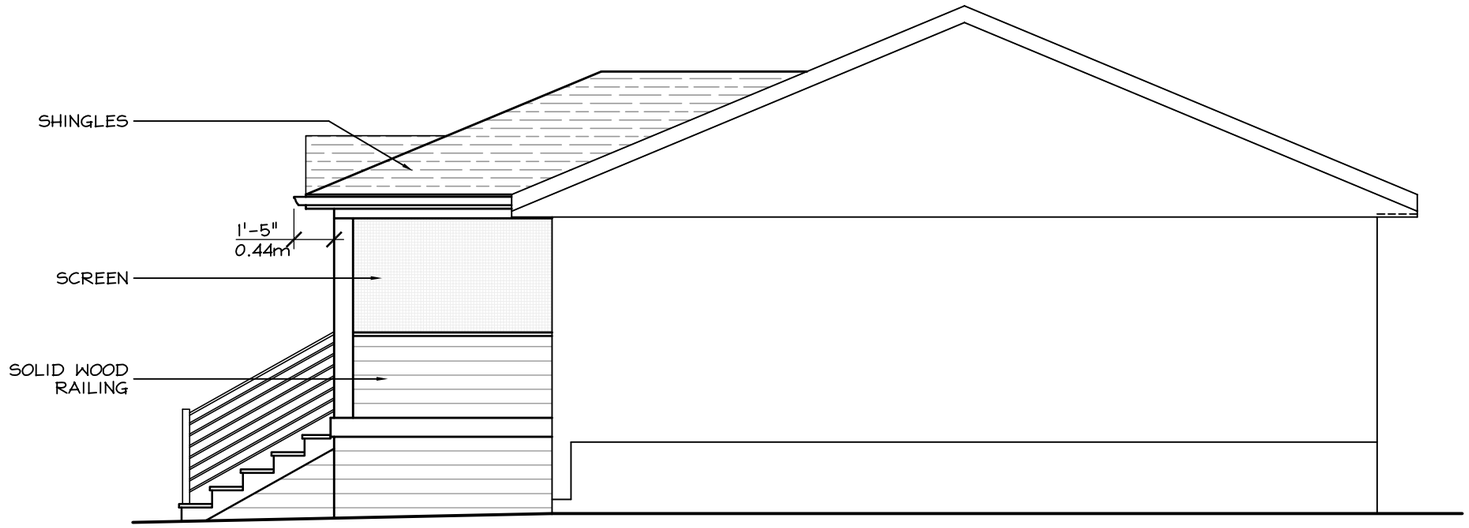
Scale: 3/16" = 1'-0"

FRONT PORCH

Prassas Design
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PHONE: 905-318-0452 FAX: 905-318-7649

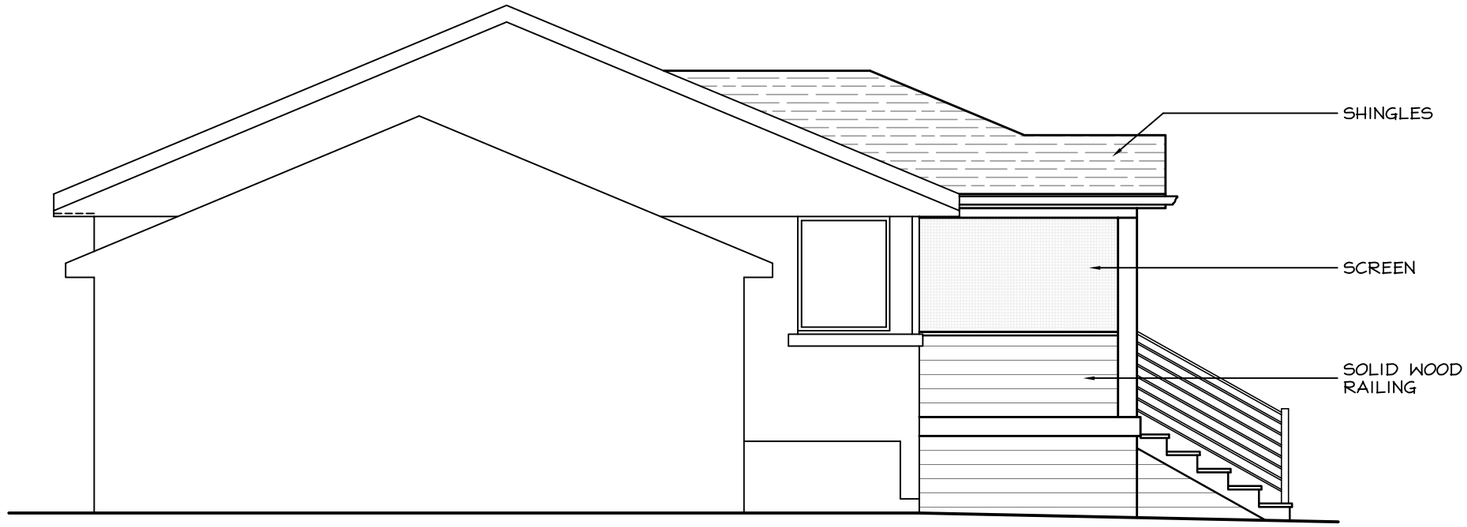
BECKETT RESIDENCE
51 GALBRAITH DR., HAMILTON, ONTARIO
PORCH & DETACHED GARAGE

Scale AS NOTED
Date FEBRUARY 24/25
Drawing No. 3



SOUTH SIDE ELEVATION

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



NORTH SIDE ELEVATION

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

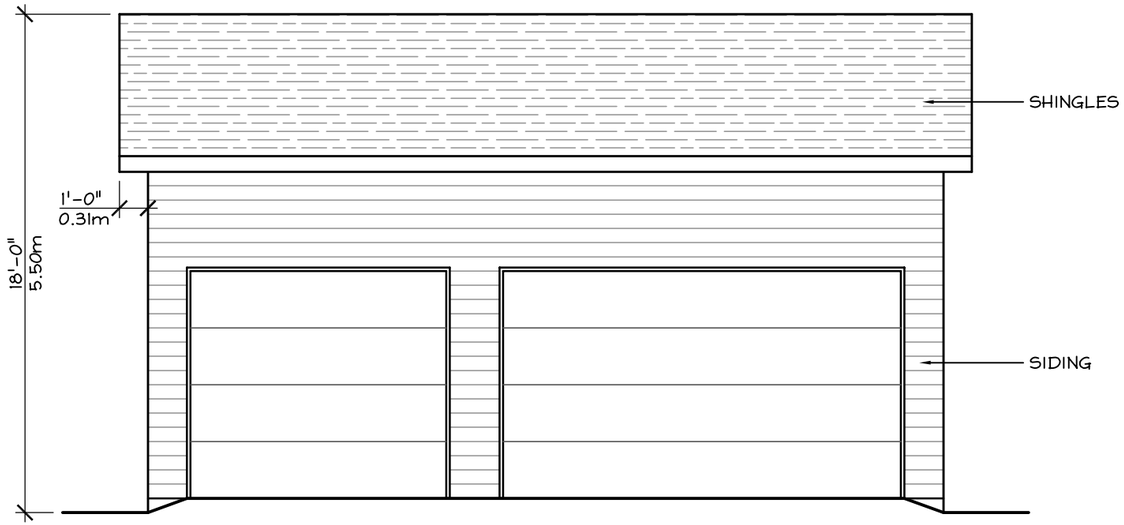
FRONT PORCH

Prassas Design
57 SHADE FOREST TRAIL HAMILTON, ONTARIO L9B 0E5
PHONE: 905-318-0452 FAX: 905-318-7649

BECKETT RESIDENCE
51 GALBRAITH DR., HAMILTON, ONTARIO
PORCH & DETACHED GARAGE

Scale AS NOTED
Date FEBRUARY 24/25

Drawing No. 4



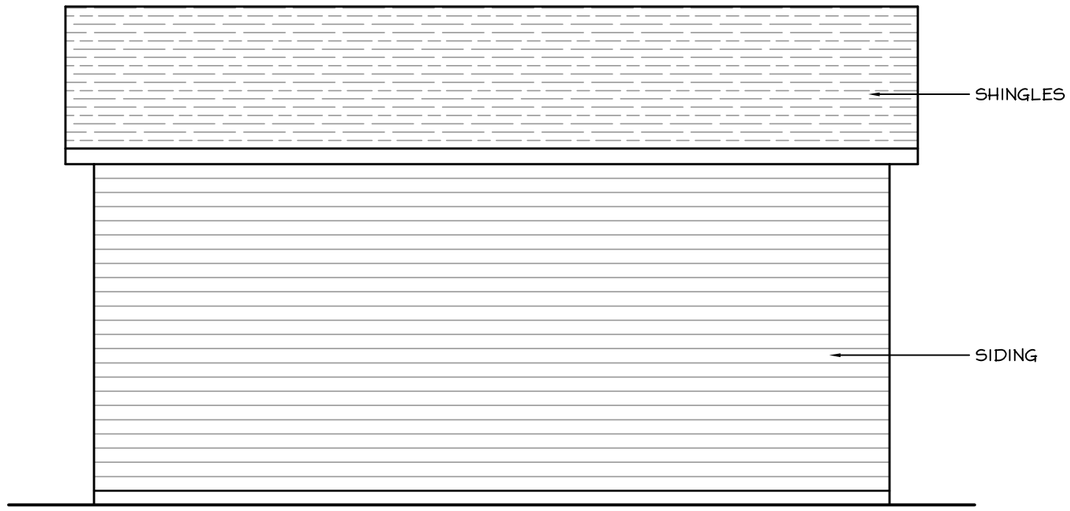
WEST FRONT ELEVATION

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



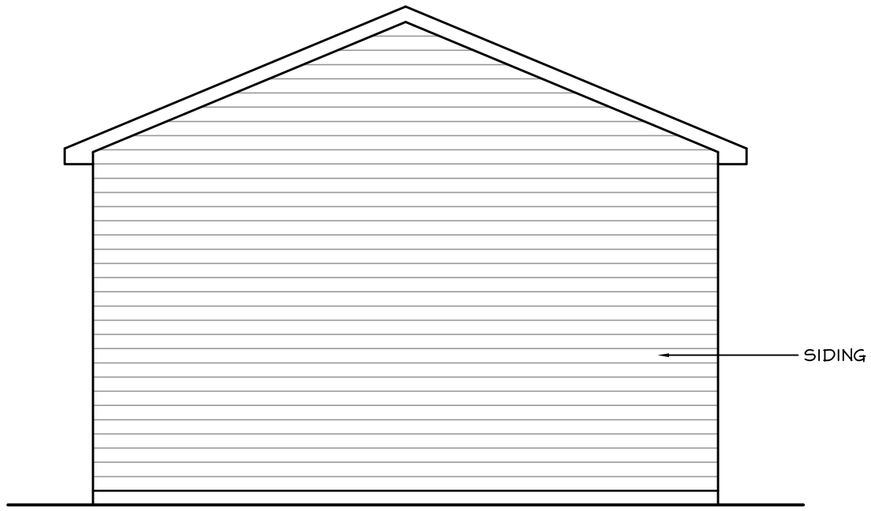
SOUTH SIDE ELEVATION

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



EAST REAR ELEVATION

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



NORTH SIDE ELEVATION

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

DETACHED GARAGE

Prassas Design
57 SHADE FOREST TRAIL HAMILTON, ONTARIO L9B 0E5
PHONE: 905-318-0452 FAX: 905-318-7649

BECKETT RESIDENCE
51 GALBRAITH DR., HAMILTON, ONTARIO
PORCH & DETACHED GARAGE

Scale AS NOTED
Date FEBRUARY 24/25

Drawing No. 5

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	MAILING ADDRESS	
Registered Owners(s)	Valeriano DiPietro	[redacted]	
Applicant(s)	Julianna Beckett		
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 [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 ☐ Credit over phone* ☐ Cheque

*Must provide number above

2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	51 Galbraith Dr. Hamilton, ON L8G 2A1		
Assessment Roll Number	003385124000000		
Former Municipality	Stoney Creek		
Lot	45	Concession	
Registered Plan Number	973	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:

1. Front yard setback for the new porch stair – 1.8m.
2. Accessory building lot coverage for the new garage and existing shed – 14%.
3. Accessory building height of the new garage – 5.5m.

☐ Second Dwelling Unit ☐ Reconstruction of Existing Dwelling

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

To add to the enjoyment of use of our property, we propose building a covered porch at the front, which will require moving the stairs forward. The stairs are planned at a functional elevation, so requires a greater depth.

To add to the enjoyment of use of our property, we propose building a garage, which will serve as storage for vehicles, but also provide a workshop area for our family to work on our vehicles. I have a personal interest in automobile mechanics and being able to service my own vehicles. For this reason, we propose building a garage that has enough square footage for a workshop, as well as enough height for a lift to be installed.

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 m	29.93 m	479.0 sqm	

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	6.0m	14.9m	1.2m	1957
Porch	4.5m	n/a	5.7m	1957
Carport	7.9m	14.9m	0.45m	unknown
Shed	n/a	1.4m	1.4m	unknown

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Porch	3.4m	n/a	1.5m	08/30/2025
Porch stair	1.8m	n/a	n/a	08/30/2025
Detached garage	n/a	1.2m	1.2m	08/30/2025

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

Existing:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
House	92.0 sqm	184.0 sqm	1 (+ basement)	5.5m
carport	27.0 sqm	27.0 sqm	1	4.3m
shed	5.7 sqm	5.7 sqm	1	1.5 m
Porch	unknown	~~unknown~~ 4.8 sqm	1	5ft

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
covered porch	17.1 sqm	17.1 sqm	1	4.88 m
garage	57.3 sqm	57.3 sqm	1	5.5 m

4.4 Type of water supply: (check appropriate box)

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

4.5 Type of storm drainage: (check appropriate boxes)

☑ publicly owned and operated storm sewers
☐ swales
☐ ditches
☐ other means (specify)

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

☑ publicly owned and operated sanitary sewage
☐ system privately owned and operated individual
☐ septic system other means (specify) _____

4.7 Type of access: (check appropriate box)

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

4.8 Proposed use(s) of the subject property (single detached dwelling duplex, retail, factory etc.):

Single detached dwelling.

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

Single detached dwelling.

7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:

January 31, 2013

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

Single detached dwelling.

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

Single detached dwelling.

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

Since the house was built.

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) ~~Residential~~ Neighbourhoods

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

n/a

7.6 What is the existing zoning of the subject land? R1

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: R1

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

☐ Yes ☑ No

If yes, please provide the file number: _____

8 ADDITIONAL INFORMATION

8.1 Number of Dwelling Units Existing: 1

8.2 Number of Dwelling Units Proposed: 0

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

Drawings of property and existing and proposed changes are provided attached.

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-25:155**	**SUBJECT PROPERTY:**	738 Upper Gage Avenue, Hamilton
ZONE:	R1 (Low Density Residential)	**ZONING BY-LAW:**	Hamilton Zoning By-law 05-200

APPLICANTS: Owner: Gregory Wilson
Applicant: Len Angelci

The following variances are requested:

1. A minimum setback of 1.0 metres shall be permitted from the interior Side Lot Line for an Additional Dwelling Unit-Detached instead of the minimum required setback of 1.2 metres.

2. An unobstructed path from the Street Line to the entrance of an Additional Dwelling Unit-Detached shall not be required, whereas the By-law requires an obstructed path to be provided.

3. A maximum height of 6.7 metres shall be permitted for an Additional Dwelling Unit – Detached, instead of the maximum permitted height of 6.0 metres.

4. The maximum Gross Floor Area for an Accessory Dwelling Unit - Detached shall not exceed 192.2 square metres, instead of the requirement that the maximum Gross Floor Area shall not exceed 75 square metres or the Gross Floor Area of the principle dwelling, whichever is the lesser.

5. The ground floor area of an Additional Dwelling Unit-Detached shall not exceed 87.3% of the ground floor area of the principal dwelling, instead of the requirement that when the ground floor area of the principle dwelling is less than or equal to 105 square metres, the ground floor area shall not exceed 70% ground floor area of the principle dwelling.

PURPOSE & EFFECT: To permit an addition onto an existing accessory building and convert to an

A-25:155

Additional Dwelling Unit – Detached, on a lot containing a Single Detached Dwelling.

Notes:

i. Please be advised a variance for Section 4.33.2 d) i), respecting eaves and gutter encroachment is not required provided that variance No.1 is granted.

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:	**Thursday, September 4, 2025**
TIME:	**3:35 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

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 September 2, 2025

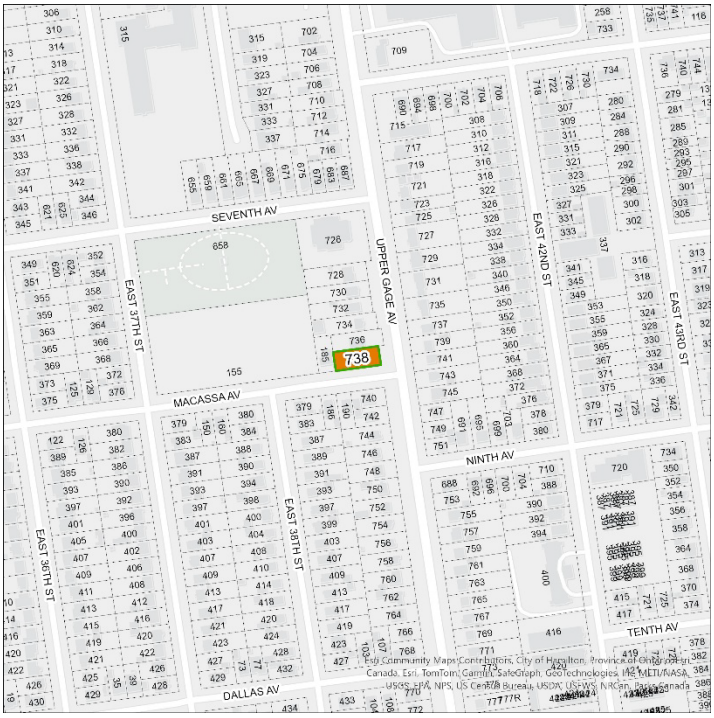
Orally: If you would like to speak to this item at the hearing you may do so via video link, calling in, or attending in person. Please see attached page for complete instructions, registration to participate virtually must be received no later than noon September 3, 2025

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding A-25:155, 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-25:155



Subject Lands

DATED: August 18, 2025

_____

Justin Leung,
Secretary-Treasurer
Committee of Adjustment

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

Hamilton

COMMITTEE OF ADJUSTMENT

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

Telephone (905) 546-2424, ext. 4221

E-mail: cofa@hamilton.ca

PARTICIPATING PROCEDURES

1. Written Submission Ahead of the Meeting

Members of the public who wish to provide input without speaking at the Hearing may submit written comments in advance of the meeting. Comments must be received by 12:00 p.m. (noon) on the deadline date for written comment submissions listed on the Notice of Public Hearing.

How to Submit Written Comments:

By Email:
Send to: cofa@hamilton.ca

By Mail:
Committee of Adjustment
City of Hamilton
71 Main Street West, 5th Floor
Hamilton, Ontario
L8P 4Y5

All written comments received will be made available to the Committee and the public by the Tuesday prior to the Hearing.

2. Oral Submissions During the Hearing

Interested members of the public, agents, and owners may provide oral comments on Committee of Adjustment Hearing items either virtually via Webex (computer or phone) or by attending in person.

Speaking Time Limit:
All participants providing oral submissions, either in person or virtually are limited to a maximum of 5 minutes to speak. This is to ensure all parties have an equal opportunity to be heard and that the meeting runs efficiently.

3. In-Person Oral Submissions

To participate in person, attend Council Chambers on the date and time listed in the Notice of Public Hearing. You will be required to provide your name and address for the record. It is recommended you arrive at least 10 minutes prior to the scheduled start time.

4. Virtual Oral Submissions

To participate virtually, you must register by 12:00 p.m. (noon) on the virtual oral submissions registration deadline date. This is listed on the Notice of Public Hearing.

- Committee of Adjustment file number
- Hearing date
- Name and mailing address of each person wishing to speak
- Method of participation (phone or video), and, if applicable, the phone number to be used
- Each person must register separately

Registered participants will receive a Webex link one business day before the Hearing. Only those registered will be called upon to speak.

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All presentations are permitted at the discretion of the Committee.

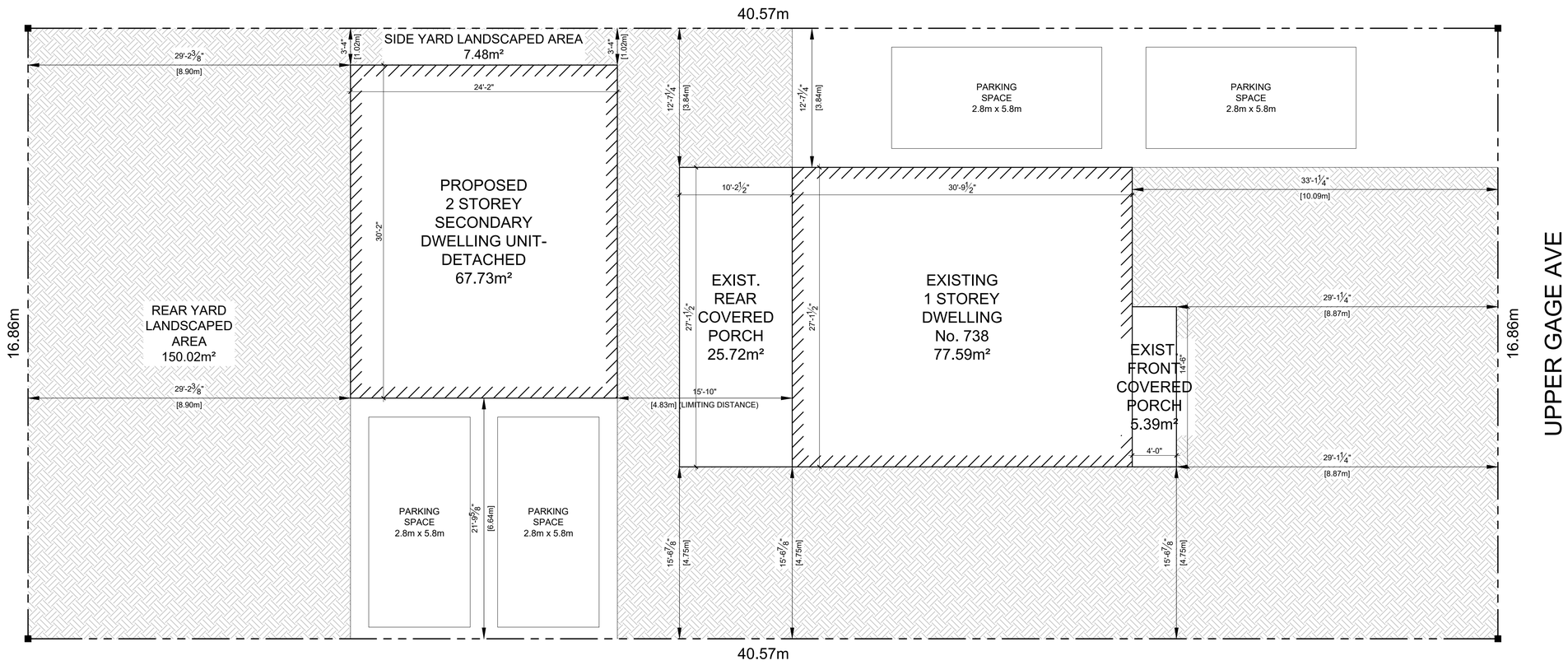
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For any questions, contact staff at cofa@hamilton.ca or call 905-546-2424 ext. 4221.



MACASSA AVENUE

NOTE:
NO CHANGE TO GRADES AT PROPERTY LINES AND NO EXISTING DEVELOPMENT FEATURES WILL BE ALTERED OR REMOVED

SITE DATA

ZONE:	R1
LOT AREA:	683.81m²
EXISTING DWELLING FOOTPRINT:	77.59m²
EXISTING FRONT PORCH:	5.39m²
EXISTING REAR PORCH:	25.72m²
PROPSED SECONDARY DWELLING UNIT: DETACHED:	67.73m²
LOT COVERAGE:	25.80%
BUILDING HEIGHT	
No. of STOREYS:	2
SECONDARY DWELLING SETBACKS	
WEST SIDE:	8.90m
EAST SIDE:	4.83m
SOUTH SIDE:	6.64m
NORTH SIDE:	1.02m

PROJECT NORTH	TRUE NORTH

No.	REVISION	DATE
01.	DRAWINGS FOR VARIANCE	07/14/2025

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.
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QUALIFICATION INFORMATION

LEONARD ANGELICI — 42391 (NAME — BCIN)

REGISTRATION INFORMATION

LEN ANGELICI DESIGN — 124457 (NAME — BCIN)

07/14/2025 (DATE) — SIGNATURE

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

PROJECT

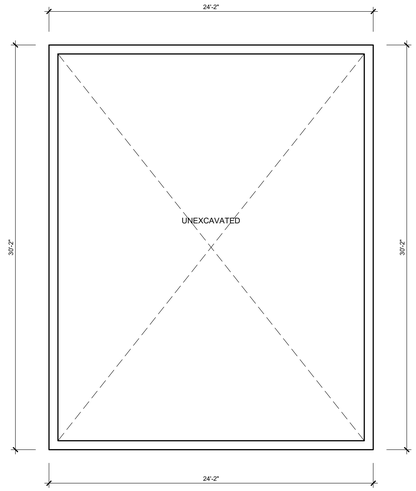
738 UPPER GAGE AVE
HAMILTON, ON

SHEET TITLE

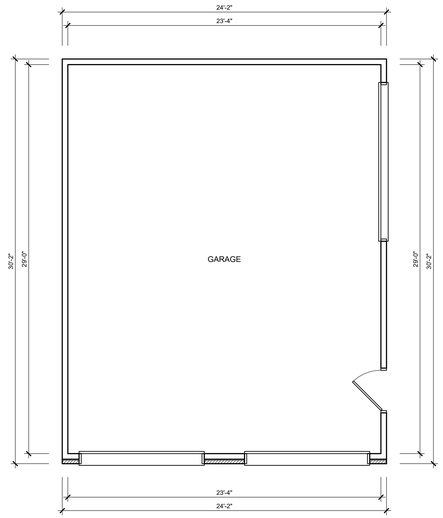
SITE PLAN

DRAWN BY	
L. ANGELICI	
DATE	
07/14/2025	
SCALE	
3/16"=1'-0"	
PROJECT No.	
25019	

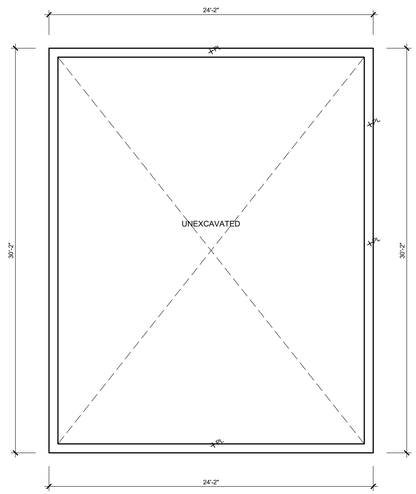
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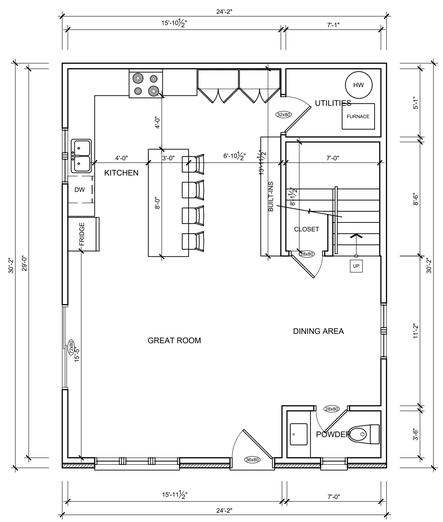
EXISTING FOUNDATION PLAN
SCALE 3/16" = 1' - 0"



EXISTING GROUND FLOOR PLAN
SCALE 3/16" = 1' - 0"

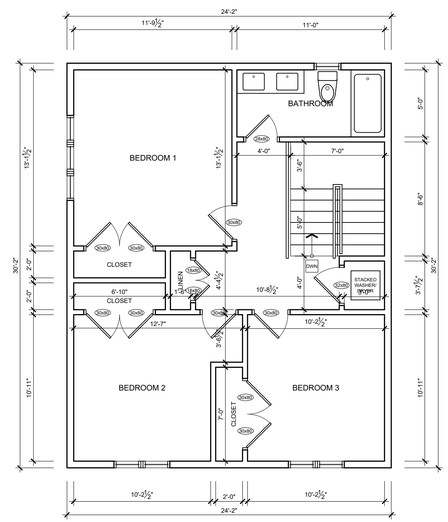


PROPOSED FOUNDATION PLAN
SCALE 3/16" = 1' - 0"



PROPOSED GROUND FLOOR PLAN
SCALE 3/16" = 1' - 0"

FLOOR AREA: 729.03sqft (67.73m²)
TOTAL FLOOR AREA: 1398.56sqft (129.93m²)



PROPOSED SECOND FLOOR PLAN
SCALE 3/16" = 1' - 0"

STAIR OPENING: 59.5sqft (5.53m²)
FLOOR AREA: 669.53 (62.20m²)

01.	DRAWINGS FOR VARIANCE	07/14/2025
No.	REVISION	DATE

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REGISTRATION INFORMATION

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NAME	BCIN

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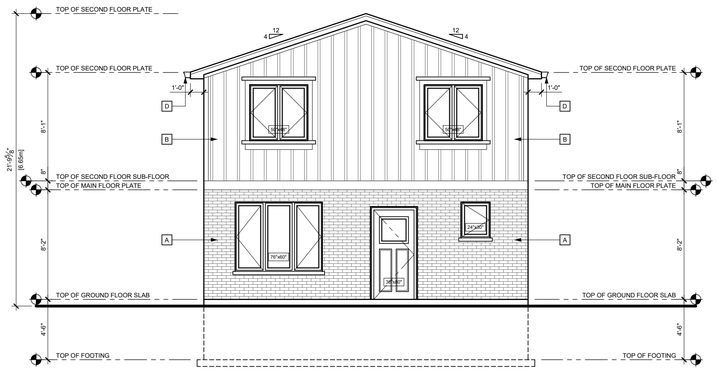
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EXISTING & PROPOSED FLOOR PLANS

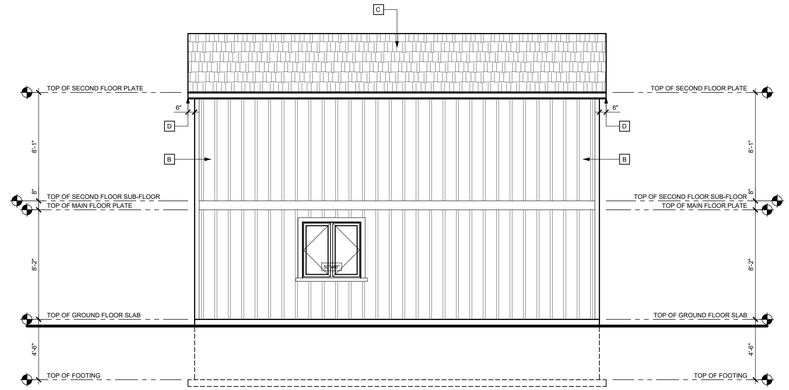
DRAWN BY	L. ANGELICI
DATE	07/14/2025
SCALE	3/16"=1'-0"
PROJECT No.	25019

A1



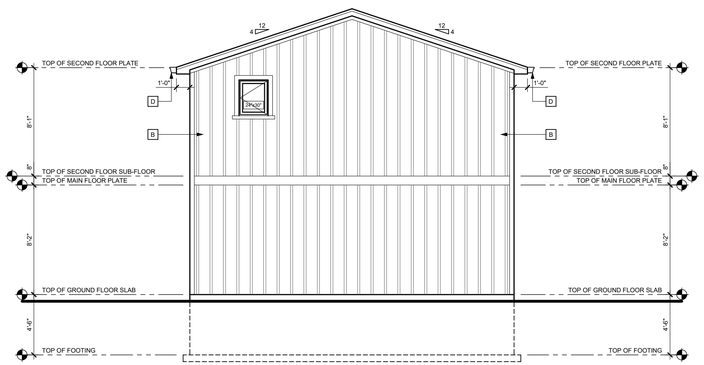
FRONT ELEVATION

SCALE 3/16" = 1' - 0"



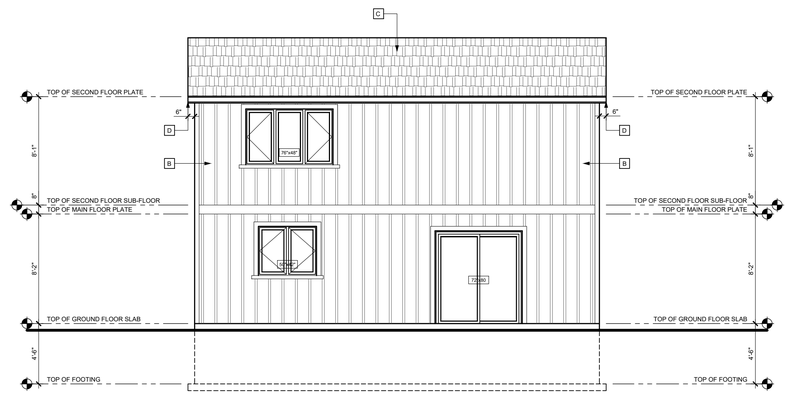
RIGHT SIDE ELEVATION

SCALE 3/16" = 1' - 0"



REAR ELEVATION

SCALE 3/16" = 1' - 0"



LEFT SIDE ELEVATION

SCALE 3/16" = 1' - 0"

EXTERIOR FINISH INDEX

- A BRICK VENEER
- B BOARD & BATTEN WOOD SIDING
- C ASPHALT SHINGLES
- D 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	07/14/2025

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info@lenangelicidesign.ca

PROJECT

738 UPPER GAGE AVE
HAMILTON, ON

SHEET TITLE

ELEVATIONS

DRAWN BY	
L. ANGELICI	A2
DATE	
07/14/2025	
SCALE	
3/16"=1'-0"	
PROJECT No.	
25019	

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	MAILING ADDRESS	
Registered Owners(s)	GREGORY WILLSON	[redacted]	
Applicant(s)	LEN ANGELCI		
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 [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	738 UPPER GAGE 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:

RELIEF FROM 4.33.2.d) MIN. 1.2m SIDE YARD SETBACK TO PROPOSED 1.02m
RELIEF FROM 4.33.2.h) MAX. HEIGHT OF 6m TO PROPOSED 6.65m
RELIEF FROM 4.33.2.i) MAX FLOOR AREA SHALL NOT EXCEED 75m2 TO PROPOSED 129.93m2
RELIEF FROM 4.33.2.i)ii) MAX. GROUND FLOOR AREA OF 70% OF PRINCIPAL DWELLING TO PROPOSED 87.29%

☑ Second Dwelling Unit ☐ Reconstruction of Existing Dwelling

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

EXISTING DETACHED GARAGE TO BE CONVERTED INTO PROPOSED SECONDARY DWELLING UNIT - DETACHED INCLUDING A SECOND STOREY ADDITION WITH LOW PITCH ROOF THAT EXCEEDS THE MAX HEIGHT REQUIREMENT. THE EXISTING GARAGE DIMENSIONS EXCEED THE FLOOR AREA REQUIRMENTS AND DOES NOT COMPLY WITH THE REQUIRED SIDE YARD 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
16.86m	40.57m	683.81m2	N/A

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	10.09m	21.09m	4.75m, 3.84m	UNKNOWN
FRONT PORCH	8.87m	N/A	4.75m, 7.69m	UNKNOWN
REAR PORCH	N/A	17.98m	4.75m, 3.84m	UNKNOWN
DETACHED GARAGE	24.30m	8.90m	6.64m, 1.02m	UNKNOWN

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
DETACHED DWELLING UNIT	24.30m	8.90m	6.64m, 1.02m	FALL 2025

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

Existing:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
DWELLING	77.59m2	77.59m2	1	5.94m
DETACHED GARAGE	67.73m2	67.73m2	1	3.98m

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
DETACHED DWELLING UNIT	67.73m2	129.93m2	2	6.65m

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 DETACHED DWELLING UNIT, SECONDARY DWELLING UNIT - DETACHED

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

SINGLE FAMILY DETACHED DWELLING UNIT

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 FAMILY DETACHED DWELLING UNIT

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

SINGLE FAMILY DETACHED DWELLING UNIT

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 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? R1

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: 2

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-25:162	**SUBJECT PROPERTY:**	623 Miles Road, Glanbrook
ZONE:	A2 (Rural)	**ZONING BY-LAW:**	Hamilton Zoning By-law 05-200

APPLICANTS: Owner: Angela and Michael Pejic
Applicant: Len Angelici

The following variances are requested:

1. A maximum height of 8.3 metres shall be permitted for an accessory building instead of the maximum permitted height of 6.0 metres.

2. An aggregate Gross Floor Area of 458.4 square metres shall be permitted for all accessory buildings, instead of the requirement that the aggregate Gross Floor Area for all accessory buildings shall not exceed 200 square metres, or 5% lot coverage, whichever is the lesser.

PURPOSE & EFFECT: To facilitate the construction of an accessory building located at the rear of the property.

Notes:

i. The proposed accessory building shall only be used for uses accessory to a Single Detached Dwelling and/or Agricultural uses.

ii. The applicant shall ensure that the height of the accessory building has been measured from Grade as defined in the Zoning By-law; otherwise, additional variances may be required.

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

A-25:162

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

DATE:	**Thursday, September 4, 2025**
TIME:	**3:40 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

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 September 2, 2025

Orally: If you would like to speak to this item at the hearing you may do so via video link, calling in, or attending in person. Please see attached page for complete instructions, registration to participate virtually must be received no later than noon September 3, 2025

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding A-25:162, 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-25:162



Subject Lands

DATED: August 18, 2025

_____

Justin Leung,
Secretary-Treasurer
Committee of Adjustment

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

Hamilton

COMMITTEE OF ADJUSTMENT

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

Telephone (905) 546-2424, ext. 4221

E-mail: cofa@hamilton.ca

PARTICIPATING PROCEDURES

1. Written Submission Ahead of the Meeting

Members of the public who wish to provide input without speaking at the Hearing may submit written comments in advance of the meeting. Comments must be received by 12:00 p.m. (noon) on the deadline date for written comment submissions listed on the Notice of Public Hearing.

How to Submit Written Comments:

By Email:
Send to: cofa@hamilton.ca

By Mail:
Committee of Adjustment
City of Hamilton
71 Main Street West, 5th Floor
Hamilton, Ontario
L8P 4Y5

All written comments received will be made available to the Committee and the public by the Tuesday prior to the Hearing.

2. Oral Submissions During the Hearing

Interested members of the public, agents, and owners may provide oral comments on Committee of Adjustment Hearing items either virtually via Webex (computer or phone) or by attending in person.

Speaking Time Limit:
All participants providing oral submissions, either in person or virtually are limited to a maximum of 5 minutes to speak. This is to ensure all parties have an equal opportunity to be heard and that the meeting runs efficiently.

3. In-Person Oral Submissions

To participate in person, attend Council Chambers on the date and time listed in the Notice of Public Hearing. You will be required to provide your name and address for the record. It is recommended you arrive at least 10 minutes prior to the scheduled start time.

4. Virtual Oral Submissions

To participate virtually, you must register by 12:00 p.m. (noon) on the virtual oral submissions registration deadline date. This is listed on the Notice of Public Hearing.

- Committee of Adjustment file number
- Hearing date
- Name and mailing address of each person wishing to speak
- Method of participation (phone or video), and, if applicable, the phone number to be used
- Each person must register separately

Registered participants will receive a Webex link one business day before the Hearing. Only those registered will be called upon to speak.

5. Presentations

All presentations are permitted at the discretion of the Committee.

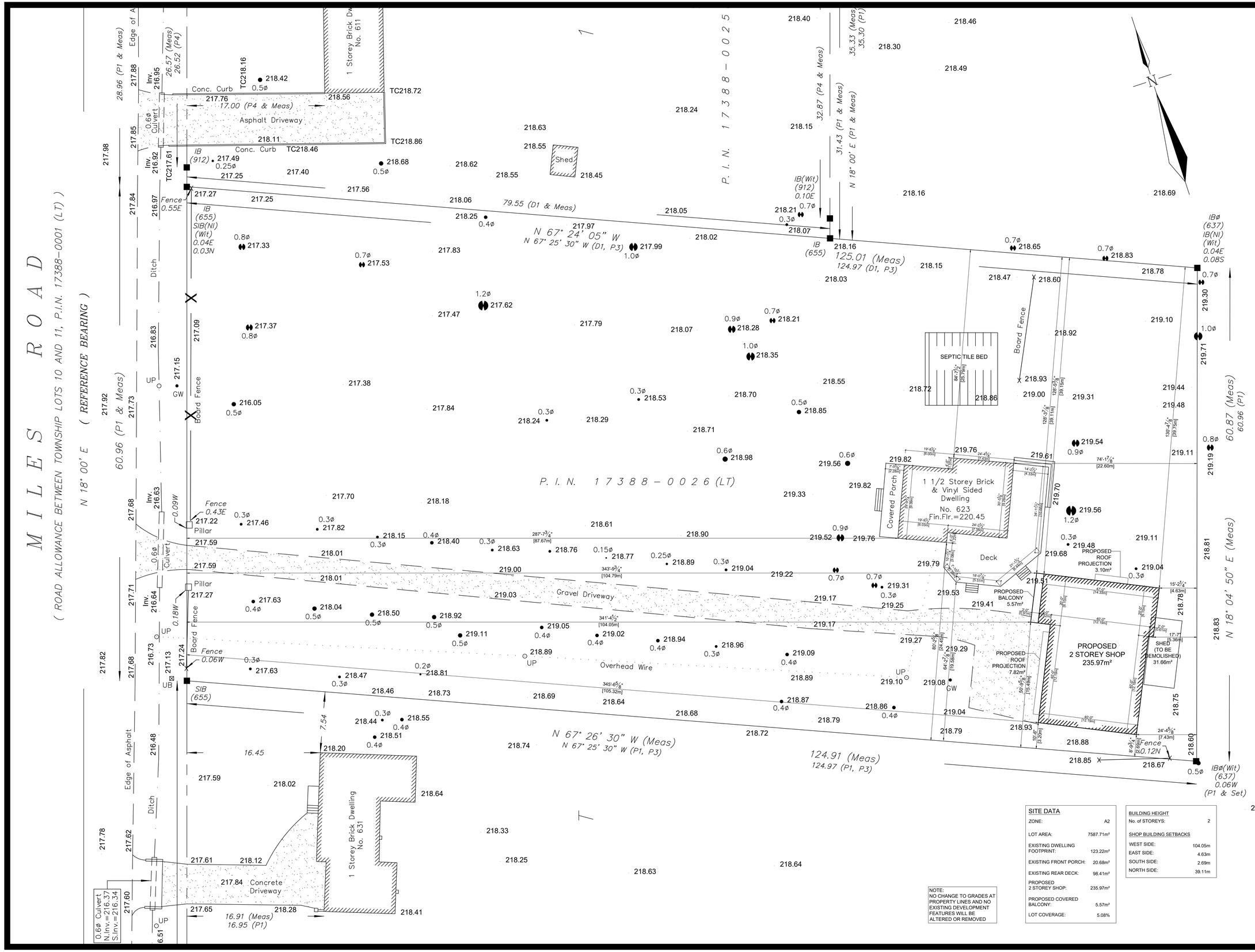
Virtual Presentations:
Presenters participating virtually may be granted permission to share their screen during the Hearing. A copy of the presentation must be submitted to cofa@hamilton.ca **by 12:00 p.m. (noon) on the business day prior to the Hearing.** The submission must be one document in PDF format only.

In-Person Presentations:
Presenters attending in person may be granted permission to use the presentation screen. Presentations must be brought on a USB device and opened by the owner/applicant. A copy of the presentation must also be sent to cofa@hamilton.ca **by 12:00 p.m. (noon) on the business day prior to the Hearing.** The submission must be one document in PDF format only. Handouts are permitted only if the same content can be displayed on the presentation screen.

6. Additional Notes

- Webex (video) participation requires a compatible computer or smartphone. The necessary application must be downloaded in advance.
- It is the interested party's responsibility to ensure their device is functional and compatible prior to the Hearing.

For any questions, contact staff at cofa@hamilton.ca or call 905-546-2424 ext. 4221.



NOTE:
NO CHANGE TO GRADES AT PROPERTY LINES AND NO EXISTING DEVELOPMENT FEATURES WILL BE ALTERED OR REMOVED

SITE DATA

ZONE:	A2
LOT AREA:	7587.71m²
EXISTING DWELLING FOOTPRINT:	123.22m²
EXISTING FRONT PORCH:	20.68m²
EXISTING REAR DECK:	98.41m²
PROPOSED 2 STOREY SHOP:	235.97m²
PROPOSED COVERED BALCONY:	5.57m²
LOT COVERAGE:	5.08%

BUILDING HEIGHT

No. of STOREYS:	2

SHOP BUILDING SETBACKS

WEST SIDE:	104.05m
EAST SIDE:	4.63m
SOUTH SIDE:	2.69m
NORTH SIDE:	39.11m

PROJECT NORTH	TRUE NORTH

No.	REVISION	DATE
01.	DRAWINGS FOR VARIANCE	07/24/2025

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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	124457
NAME	BCIN

07/24/2025
DATE SIGNATURE

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

PROJECT

SHOP BUILDING
623 MILES RD
GLANBROOK, ON

SHEET TITLE

SITE PLAN

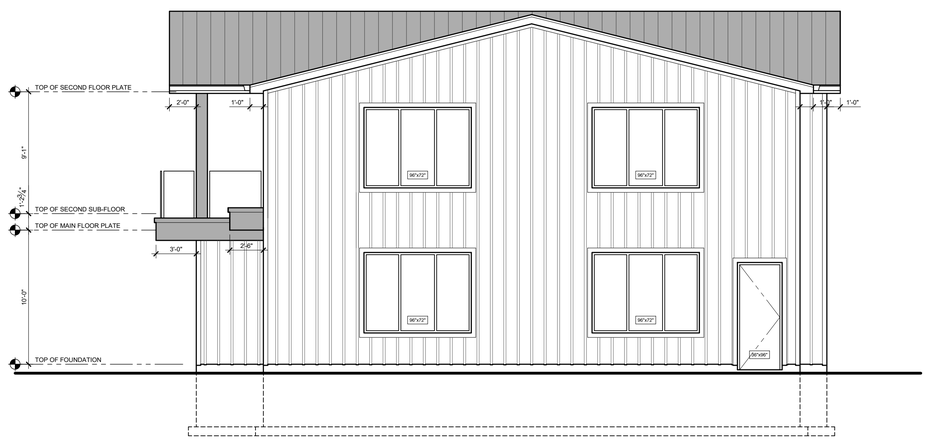
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L. ANGELICI	
DATE	
07/24/2025	
SCALE	
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PROJECT No.	
24054	

SP1



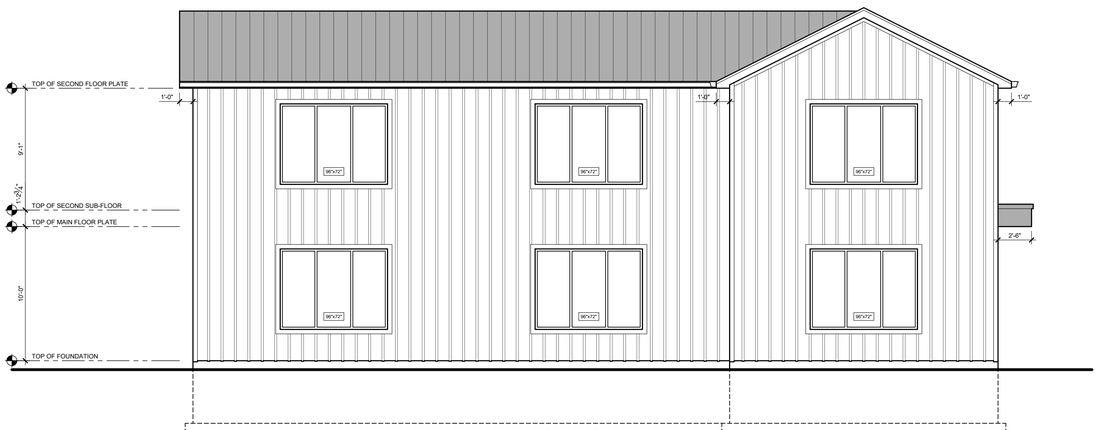
FRONT ELEVATION

SCALE $^{3}/_{16}$" = 1' - 0"



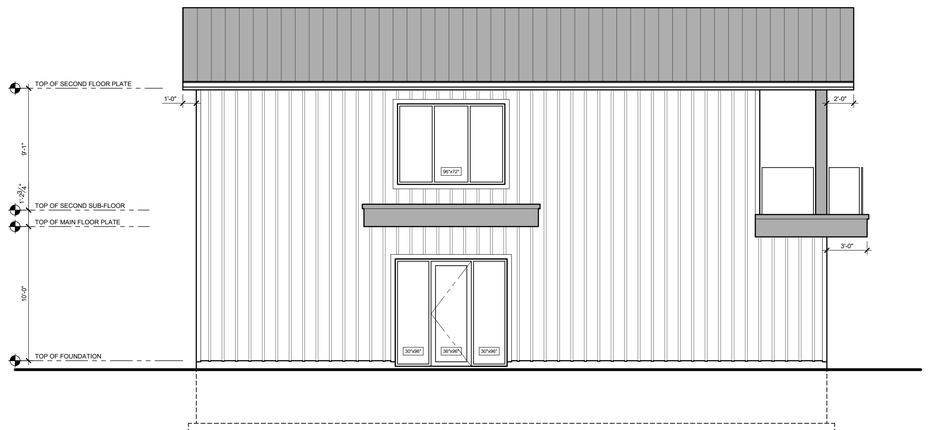
RIGHT SIDE ELEVATION

SCALE $^{3}/_{16}$" = 1' - 0"



REAR ELEVATION

SCALE $^{3}/_{16}$" = 1' - 0"



LEFT SIDE ELEVATION

SCALE $^{3}/_{16}$" = 1' - 0"

PROJECT NORTH	TRUE NORTH

No.	REVISION	DATE
01.	DRAWINGS FOR VARIANCE	07/24/2025

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.
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LEONARD ANGELICI	42391
NAME	BCIN

REGISTRATION INFORMATION

LEN ANGELICI DESIGN	124457
NAME	BCIN

07/24/2025

DATE SIGNATURE

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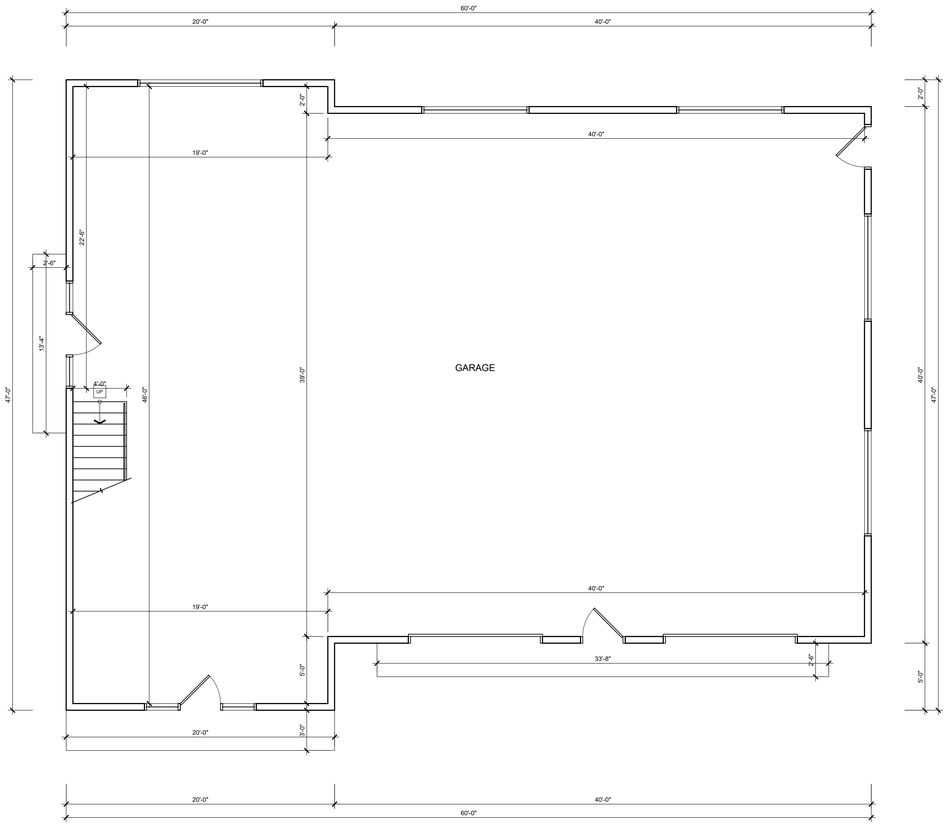
PROJECT

SHOP BUILDING
623 MILES RD
GLANBROOK, ON

SHEET TITLE

ELEVATIONS

DRAWN BY	A1
L. ANGELICI	
DATE	
07/24/2025	
SCALE	
$^{3}/_{16}$"=1'-0"	
PROJECT No.	
24054	

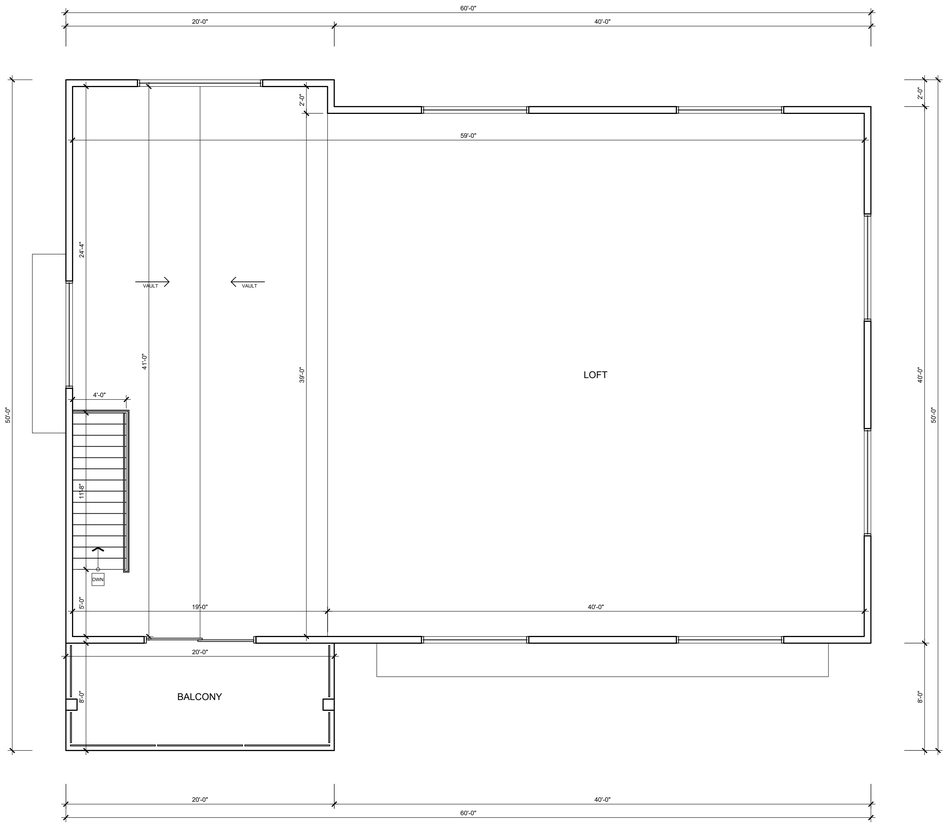


GROUND FLOOR PLAN

SCALE 3/16" = 1' - 0"

FLOOR AREA: 2540sqft (235.97m²)

GROSS FLOOR AREA: 4933.33sqft (458.32m²)



SECOND FLOOR PLAN

SCALE 3/16" = 1' - 0"

FLOOR AREA: 2393.33sqft (222.35m²)
STAIR OPENING: 46.67sqft (4.34m²)
BALCONY AREA: 160.00sqft (14.86m²)

PROJECT NORTH	TRUE NORTH

01.	DRAWINGS FOR VARIANCE	07/24/2025
No.	REVISION	DATE

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PROJECT

SHOP BUILDING
623 MILES RD
GLANBROOK, ON

SHEET TITLE

FLOOR PLANS

DRAWN BY	
L. ANGELICI	A2
DATE	
07/24/2025	
SCALE	
3/16"=1'-0"	
PROJECT No.	
24054	

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	MAILING ADDRESS	
Registered Owners(s)	ANGELA & MICHAEL PEJIC	[redacted]	
Applicant(s)	LEN ANGELICI		
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 [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	623 MILES RD		
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:

RELIEF FROM 4.8.1.2. a) ALL ACCESSORY BUILDINGS SHALL HAVE A MAX. HEIGHT OF 6m TO PROPOSED 8.22m
RELIEF FROM 4.8.1.2. b) THE AGGREGATE GROSS FLOOR AREA OF ALL ACCESSORY BUILDINGS SHALL NOT EXCEED 200m2 TO PROPOSED 458.32m2 GROSS FLOOR AREA

☐ Second Dwelling Unit ☐ Reconstruction of Existing Dwelling

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

6m IN HEIGHT DOES NOT ALLOW FOR A FULL SECOND STOREY WITH A LOW PITCHED ROOF
THE HOMEOWNERS INTEND TO USE THE GROUND FLOOR FOR BOTH PERSONAL AND AGRICULTURAL VEHICLES

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
60.96m	125.01m	7587.71m2	N/A

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	87.68m	22.58m	25.57m, 25.85m	UNKNOWN
FRONT PORCH	85.41m	N/A	24.52, 27.10m	UNKNOWN
REAR DECK	N/A	18.30m	19.58m, 25.84m	UNKNOWN
SHED	117.99m	1.81m	8.75m, 43.39m	UNKNOWN

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
SHOP BUILDING	104.05m	4.63m	2.69m, 39.11m	FALL 2025

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

Existing:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
DWELLING	123.22m2	236.29m2	1.5	UNKNOWN
FRONT PORCH	20.68m2	20.68m	N/A	UNKNOWN
REAR DECK	98.41m2	98.41m2	N/A	UNKNOWN
SHED	31.66m2	31.66m2	1	UNKNOWN

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
SHOP BUILDING	235.97m2	458.32m2	2	8.22m

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 DETACHED DWELLING

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

SINGLE FAMILY DETACHED DWELLINGS

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 FAMILY DETACHED DWELLING

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

SINGLE FAMILY DETACHED 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

Rural Settlement Area: _____

Urban Hamilton Official Plan designation (if applicable) _____

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

THE USE OF PROPERTY IS NOT BEING CHANGED AND WILL NOT AFFECT SURROUNDING PROPERTIES

7.6 What is the existing zoning of the subject land? A2

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
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-25:055**	**SUBJECT PROPERTY:**	219 Eleanor Avenue, Hamilton

APPLICANTS: Owner: Joe Butera

PURPOSE & EFFECT: To sever the existing residential lot into two (2) parcels, the severed lands will be a vacant residential building lot and the retained lands will contain the existing dwelling which is intended to remain.

	Frontage	**Depth**	**Area**
SEVERED LANDS (LAND TO BE SEVERED):	12.0 m±	46.8 m±	561.4 m^2 ±
RETAINED LANDS (LAND TO BE RETAINED):	17.9 m±	46.8 m±	841.9 m^2 ±

Associated Planning Act File(s): N/A

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

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

DATE:	**Thursday, September 4, 2025**
TIME:	**3:45 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-25:055

- 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 **September 2, 2025**

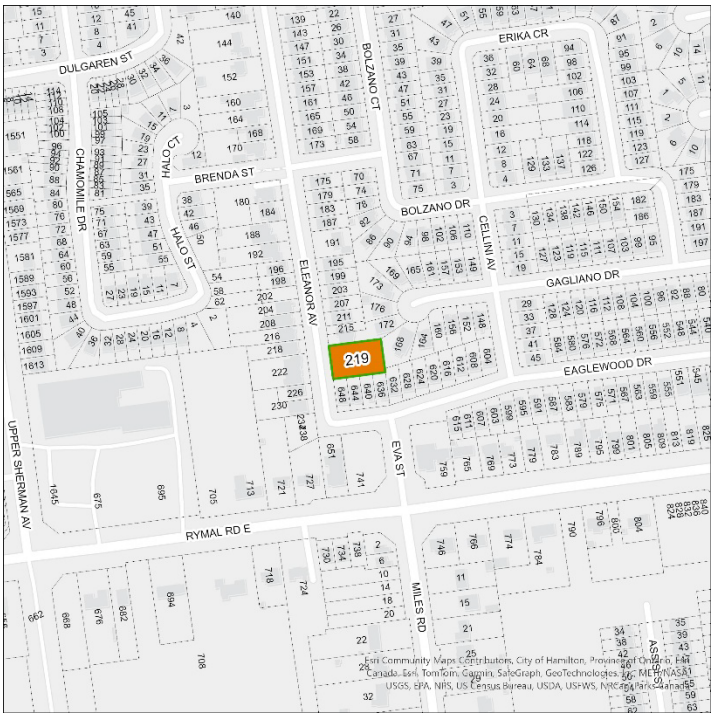
Orally: If you would like to speak to this item at the hearing you may do so via video link, calling in, or attending in person. Please see attached page for complete instructions, registration to participate virtually must be received no later than noon **September 3, 2025**

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding B-25:055, 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-25:055



Subject Lands

DATED: August 18, 2025

_____

Justin Leung,
Secretary-Treasurer
Committee of Adjustment

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

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

Hamilton

COMMITTEE OF ADJUSTMENT

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

Telephone (905) 546-2424, ext. 4221

E-mail: cofa@hamilton.ca

PARTICIPATING PROCEDURES

1. Written Submission Ahead of the Meeting

Members of the public who wish to provide input without speaking at the Hearing may submit written comments in advance of the meeting. Comments must be received by 12:00 p.m. (noon) on the deadline date for written comment submissions listed on the Notice of Public Hearing.

How to Submit Written Comments:

By Email:
Send to: cofa@hamilton.ca

By Mail:
Committee of Adjustment
City of Hamilton
71 Main Street West, 5th Floor
Hamilton, Ontario
L8P 4Y5

All written comments received will be made available to the Committee and the public by the Tuesday prior to the Hearing.

2. Oral Submissions During the Hearing

Interested members of the public, agents, and owners may provide oral comments on Committee of Adjustment Hearing items either virtually via Webex (computer or phone) or by attending in person.

Speaking Time Limit:
All participants providing oral submissions, either in person or virtually are limited to a maximum of 5 minutes to speak. This is to ensure all parties have an equal opportunity to be heard and that the meeting runs efficiently.

3. In-Person Oral Submissions

To participate in person, attend Council Chambers on the date and time listed in the Notice of Public Hearing. You will be required to provide your name and address for the record. It is recommended you arrive at least 10 minutes prior to the scheduled start time.

4. Virtual Oral Submissions

To participate virtually, you must register by 12:00 p.m. (noon) on the virtual oral submissions registration deadline date. This is listed on the Notice of Public Hearing.

- Committee of Adjustment file number
- Hearing date
- Name and mailing address of each person wishing to speak
- Method of participation (phone or video), and, if applicable, the phone number to be used
- Each person must register separately

Registered participants will receive a Webex link one business day before the Hearing. Only those registered will be called upon to speak.

5. Presentations

All presentations are permitted at the discretion of the Committee.

Virtual Presentations:
Presenters participating virtually may be granted permission to share their screen during the Hearing. A copy of the presentation must be submitted to cofa@hamilton.ca **by 12:00 p.m. (noon) on the business day prior to the Hearing.** The submission must be one document in PDF format only.

In-Person Presentations:
Presenters attending in person may be granted permission to use the presentation screen. Presentations must be brought on a USB device and opened by the owner/applicant. A copy of the presentation must also be sent to cofa@hamilton.ca **by 12:00 p.m. (noon) on the business day prior to the Hearing.** The submission must be one document in PDF format only. Handouts are permitted only if the same content can be displayed on the presentation screen.

6. Additional Notes

- Webex (video) participation requires a compatible computer or smartphone. The necessary application must be downloaded in advance.
- It is the interested party's responsibility to ensure their device is functional and compatible prior to the Hearing.

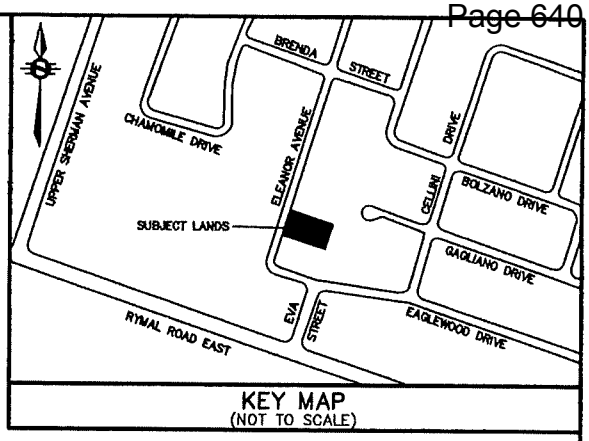
For any questions, contact staff at cofa@hamilton.ca or call 905-546-2424 ext. 4221.

SKETCH TO ILLUSTRATE LAND SEVERANCE
OF
219 ELEANOR AVENUE
IN THE
CITY OF HAMILTON

SCALE 1:300 METRIC

6 3 0 6 12 18 metres

S.D. McLAREN, O.L.S. – 2023



KEY MAP
(NOT TO SCALE)

LOT 29, REGISTERED PLAN 853
PART 21, PLAN 62R-8933

LOT 26
BLOCK 34

RAEBURN ROAD
(CLOSED BY COURT ORDER, REGISTERED AS INST. VM7509)

PART 2 PLAN 62R-11291 PART 1

EXISTING RESIDENTIAL

46.8±

ELEANOR AVENUE
(ESTABLISHED BY REG'D PLAN 853)
(20.117m WIDE)

FALLEN OVER GARAGE

1.72

← 11.25 →

1 STOREY BRICK DWELLING No. 219

LANDS TO BE RETAINED
AREA=841.9m²±

17.9±

29.9±

18.1±

30.1±

← 19.5 →

1.4±

46.8±

2.0±

LOT 7

LANDS TO BE SEVERED
AREA=561.4m²±

12.0±

12.0±

46.8±

EXISTING RESIDENTIAL
PLAN 62R-10794
LOT 6

PART 1 | PART 2 | PART 3 | REGISTERED PLAN 1007 | PART 4

EXISTING RESIDENTIAL
LOT 27
PLAN 62M-781

LOT 1
PLAN 62M-483

EAGLEWOOD DRIVE
(FORMERLY ALMA AVENUE)
(ESTABLISHED BY REG'D PLAN 1007)

JANUARY 6, 2023
DATE

CAUTION:

A) THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED EXCEPT FOR THE PURPOSE INDICATED IN THE TITLE BLOCK.

B) THIS PLAN IS PROTECTED BY COPYRIGHT ©

NOTE:

DISTANCES SHOWN ON THIS PLAN WERE DERIVED FROM PLAN BY A.T. McLAREN LTD DATED DECEMBER 20, 2022, FILE No. 37171.

METRIC NOTE:

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

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

Drawn	Checked	Crew Chief	Scale	Dwg.No.
JC	KM	MW	1:300	37171-SK

SURVEYOR'S REAL PROPERTY REPORT
PART 1, PLAN OF
LOT 7
REGISTERED PLAN 1007
IN THE
CITY OF HAMILTON
SCALE 1:150 METRIC

S.D. McLAREN, O.L.S. – 2022

BENCHMARK:
MONUMENT 07720090004
RIB WITH BRASS CAP, LOCATED IN HAMILTON IN TURNER PARK AT THE INTERSECTION OF RYMAL ROAD AND UPPER WENTWORTH STREET, 150 M SOUTH OF THE CENTRELINE OF RYMAL ROAD.
ELEVATION: 218.885 metres CGVD–1928:1978

SURVEYOR'S REAL PROPERTY REPORT (PART 2)
[illegible] TO ANY EASEMENTS
THIS PLAN DOES NOT CERTIFY COMPLIANCE WITH ZONING BY-LAWS.
THIS PLAN WAS PREPARED FOR GIUSEPPE BUTERA.

BRENDA STREET
PART 12, PLAN 62R–8933
LOT 29, REGISTERED PLAN 853
LOT 3
BOLZANO DRIVE
NOTE:
UNDERGROUND SERVICES WERE DERIVED FROM DRAWINGS BY THE REGIONAL MUNICIPALITY OF HAMILTON–WENTWORTH DEPARTMENT OF ENGINEERING, DATED FEBRUARY 4, 1966 (CITY OF HAMILTON DRAWING No. 84–5–5B, SHEET 1 OF 2)
UNDERGROUND SERVICE AND UTILITY LOCATIONS MUST BE VERIFIED PRIOR TO CONSTRUCTION
INVERTS MUST BE VERIFIED PRIOR TO CONSTRUCTION
LOT 26
LOT 29, REGISTERED PLAN 853
PART 21, PLAN 62R–8933
BLOCK 34
PIN 16923–0325 (LT)
PARCEL 'D'
RAEBURN ROAD
(CLOSED BY CITY OF HAMILTON BY–LAW No. 85–300)
PART 2
PLAN 62R–11291
PART 1
PIN 16923–0351 (LT)
ELEANOR AVENUE
PIN 16923–0282 (LT)
SITE BENCH MARK
ELEV. = 217.38
LOT 7
PIN 16923–0081 (LT)
PLAN 1007
LOT 27
PLAN 62M–781
PIN 16923–0328 (LT)
PLAN 62R–10794
LOT 6
PART 1 PIN 16923–0082 (LT)
PART 2 PIN 16923–0083 (LT)
PART 3 PIN 16923–0084 (LT)
PART 4 PIN 16923–0085 (LT)
REGISTERED PLAN 1007
LOT 1
PLAN 62M–483
PIN 16923–0138 (LT)
CELLINI AVENUE
PART 2 PLAN 62R–10423
EAGLEWOOD DRIVE
(FORMERLY ALMA AVENUE)
(ESTABLISHED BY REG'D PLAN 1007)
EAGLEWOOD DRIVE
(ESTABLISHED BY PLAN 62M–483)
PARCEL 'B'
REGISTERED PLAN 1007

LEGEND:
[illegible]

BEARING NOTE:
BEARINGS ARE UTM GRID, DERIVED FROM OBSERVED REFERENCE POINTS A AND B, BY REAL TIME NETWORK OBSERVATIONS, UTM ZONE 17, NAD83 (CSRS) (2010.0)

NOTE:
DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.99947582

INTEGRATION DATA

OBSERVED REFERENCE POINTS (ORP'S) UTM ZONE 17, NAD83 (CSRS) (2010.0) COORDINATES TO URBAN ACCURACY PER SEC. 14(2) OF CARIS R12/5		
POINT ID	NORTHING	EASTING
ORP A	4783[illegible].[illegible]	[illegible].[illegible]
ORP B	4783[illegible].[illegible]	[illegible].[illegible]

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

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

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 THE [illegible] DAY OF DECEMBER, 2022
Dec 20, 2022
DATE
S. IAN McLAREN, O.L.S.
THE PLAN OF SURVEY RELATED TO A.L.S. PLAN SUBMISSION FORM NUMBER 37121

© I.S. McLAREN, O.L.S. – 2022. NO PERSON MAY COPY REPRODUCE, DISTRIBUTE OR ALTER THIS PLAN IN WHOLE OR IN PART WITHOUT THE WRITTEN PERMISSION OF S.I. McLAREN, O.L.S.

A.T. McLaren
LEGAL AND ENGINEERING SURVEYS
99 JOHN STREET SOUTH, SUITE 330
HAMILTON, ONTARIO, L8N 2B9
PHONE (905) 527–8559 FAX (905) 527–0032

Project No.	Date	Drawn by	Scale	Drawing No.
[illegible]	2022	AMG	1:150	37121

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	MAILING ADDRESS	
Purchaser*			**Phone:** **E-mail:**
Registered Owners(s)	JOE BUTERA	[redacted]	
Applicant(s)**	SAME		**Phone:** **E-mail:**
Agent or Solicitor			**Phone:** **E-mail:**

*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 ☐ Applicant ☒ Owner ☐ Agent/Solicitor

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

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

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	219 ELEANOR 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

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:

—

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

—

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:	LAND TO BE RETAINED	LAND TO BE SEVERED			
Type of Transfer	N/A	LOT CREATION			
Frontage	17.9	12.0			
Depth	46.8	46.8			
Area	841.9	561.4			
Existing Use	RESIDENTIAL				
Proposed Use		RESIDENTIAL			
Existing Buildings/ Structures	HOUSE	NOTHING			
Proposed Buildings/ Structures	—	—			
Buildings/ Structures to be Removed	—	—			

* 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? RESIDENTIAL

Rural Hamilton Official Plan designation (if applicable): ~~NEIGHBOURHOOD~~

Rural Settlement Area: _____

Urban Hamilton Official Plan designation (if applicable) NEIGHBOURHOOD

Please provide an explanation of how the application conforms with a City of Hamilton Official Plan. LAND TO BE SEVERED CONFORM TO EXISTING ZONING AND OFFICIAL PLAN WITH FUTURE USE AS RESIDENTIAL

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

☐ Yes ☒ No ☐ Unknown

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

_____

5.3 What is the existing zoning of the subject land? C/S - 1822

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

_____

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

☐ Yes ☒ No ☐ Unknown

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

_____

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

Use or Feature	On the Subject Land	Within 500 Metres of Subject Land, unless otherwise specified (indicate approximate distance)
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.

HM/B-23:02 APPROVED

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

NO CHANGE

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

☐ Yes ☒ No

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

6.4 How long has the applicant owned the subject land?

10 yrs

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

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

7 PROVINCIAL POLICY

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

☒ Yes ☐ No (Provide explanation)

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

☒ Yes ☐ No (Provide explanation)

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

☒ Yes ☐ No (Provide explanation)

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

☐ Yes ☒ No (Provide explanation)

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

☐ Yes ☒ No (Provide explanation)

7.6 Are the subject lands subject to the Greenbelt Plan?

☐ Yes ☒ No (Provide explanation)

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

☐ Yes ☒ No (Provide explanation)

8 ADDITIONAL INFORMATION - VALIDATION

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

☐ Yes ☒ No (Provide explanation)

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

☒ Yes ☐ No (Provide explanation and details on plan)

OWNS 215 ELEANOR AVE

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

N/A

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)

N/A

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

- [ ] 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-25:147**	**SUBJECT PROPERTY:**	264 Cedardale Avenue, Stoney Creek
ZONE:	R1 (Low Density Residential)	**ZONING BY-LAW:**	Hamilton Zoning By-law 05-200

APPLICANTS: Owner: Antonio Cosoleto
Agent: Salvatore Cosoleto

The following variances are requested:

1. The eaves and gutters for an Additional Dwelling Unit-Detached may extend a maximum of 0.48 metres into a minimum required setback area, instead of the maximum permitted 0.45 metres.

2. The Gross Floor Area for an Additional Dwelling Unit-Detached shall not exceed 95.4 square metres instead of the requirement that the maximum Gross Floor Area shall not exceed the lesser of 75 square metres or the Gross Floor Area of the principle dwelling.

PURPOSE & EFFECT: To permit the construction of an Additional Dwelling Unit-Detached in the rear yard of an existing Single Detached Dwelling.

Notes:

i. Please be advised insufficient information was provided to determine zoning conformity with Section 5, Parking; therefore additional variances may be required if conformity cannot be achieved.

ii. Please be advised insufficient information has been provided to determine zoning compliance with Section 15.1.2.1 h), minimum Landscaped Area; therefore, additional variances may be required if conformity cannot be achieved.

A-25:147

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:	**Thursday, September 4, 2025**
TIME:	**3:50 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:

- 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 September 2, 2025

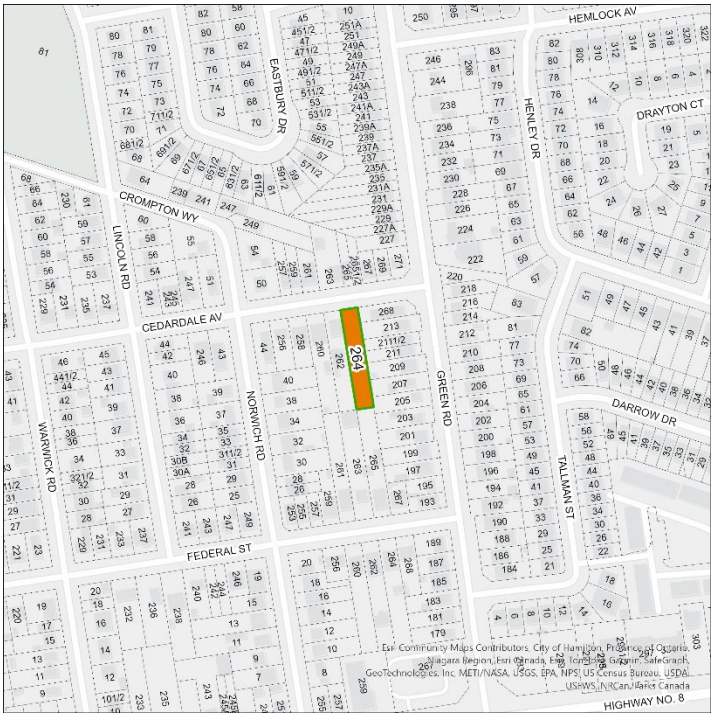
Orally: If you would like to speak to this item at the hearing you may do so via video link, calling in, or attending in person. Please see attached page for complete instructions, registration to participate virtually must be received no later than noon September 3, 2025

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding A-25:147, 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-25:147



Subject Lands

DATED: August 18, 2025

_____

Justin Leung,
Secretary-Treasurer
Committee of Adjustment

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

Hamilton

COMMITTEE OF ADJUSTMENT

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

Telephone (905) 546-2424, ext. 4221

E-mail: cofa@hamilton.ca

PARTICIPATING PROCEDURES

1. Written Submission Ahead of the Meeting

Members of the public who wish to provide input without speaking at the Hearing may submit written comments in advance of the meeting. Comments must be received by 12:00 p.m. (noon) on the deadline date for written comment submissions listed on the Notice of Public Hearing.

How to Submit Written Comments:

By Email:
Send to: cofa@hamilton.ca

By Mail:
Committee of Adjustment
City of Hamilton
71 Main Street West, 5th Floor
Hamilton, Ontario
L8P 4Y5

All written comments received will be made available to the Committee and the public by the Tuesday prior to the Hearing.

2. Oral Submissions During the Hearing

Interested members of the public, agents, and owners may provide oral comments on Committee of Adjustment Hearing items either virtually via Webex (computer or phone) or by attending in person.

Speaking Time Limit:
All participants providing oral submissions, either in person or virtually are limited to a maximum of 5 minutes to speak. This is to ensure all parties have an equal opportunity to be heard and that the meeting runs efficiently.

3. In-Person Oral Submissions

To participate in person, attend Council Chambers on the date and time listed in the Notice of Public Hearing. You will be required to provide your name and address for the record. It is recommended you arrive at least 10 minutes prior to the scheduled start time.

4. Virtual Oral Submissions

To participate virtually, you must register by 12:00 p.m. (noon) on the virtual oral submissions registration deadline date. This is listed on the Notice of Public Hearing.

- Committee of Adjustment file number
- Hearing date
- Name and mailing address of each person wishing to speak
- Method of participation (phone or video), and, if applicable, the phone number to be used
- Each person must register separately

Registered participants will receive a Webex link one business day before the Hearing. Only those registered will be called upon to speak.

5. Presentations

All presentations are permitted at the discretion of the Committee.

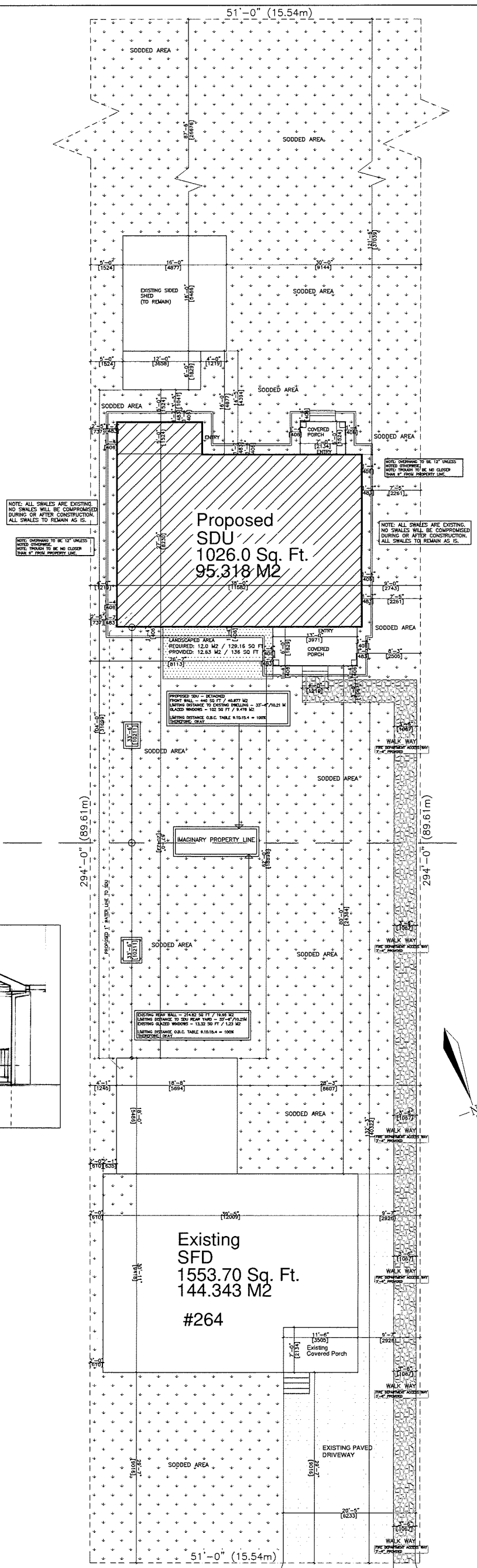
Virtual Presentations:
Presenters participating virtually may be granted permission to share their screen during the Hearing. A copy of the presentation must be submitted to cofa@hamilton.ca **by 12:00 p.m. (noon) on the business day prior to the Hearing.** The submission must be one document in PDF format only.

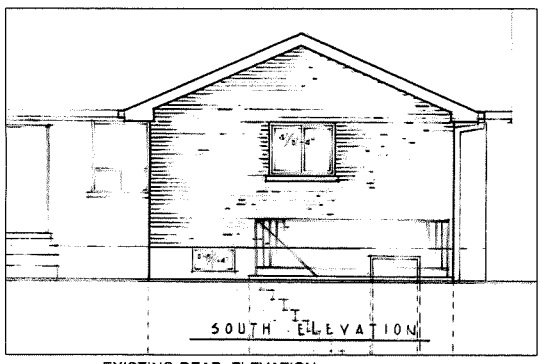
In-Person Presentations:
Presenters attending in person may be granted permission to use the presentation screen. Presentations must be brought on a USB device and opened by the owner/applicant. A copy of the presentation must also be sent to cofa@hamilton.ca **by 12:00 p.m. (noon) on the business day prior to the Hearing.** The submission must be one document in PDF format only. Handouts are permitted only if the same content can be displayed on the presentation screen.

6. Additional Notes

- Webex (video) participation requires a compatible computer or smartphone. The necessary application must be downloaded in advance.
- It is the interested party's responsibility to ensure their device is functional and compatible prior to the Hearing.

For any questions, contact staff at cofa@hamilton.ca or call 905-546-2424 ext. 4221.





EXISTING REAR ELEVATION

EXISTING REAR WALL = 214.82 SQ FT / 19.95 M2
LIMITING DISTANCE TO SDU REAR YARD = 33'-6" / 10.21M
EXISTING GLAZED WINDOWS = 13.32 SQ FT / 1.23 M2
LIMITING DISTANCE O.B.C. TABLE 9.10.15.4 = 100%
THEREFORE, OKAY

DO NOT SCALE DRAWINGS

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

Required unless design is exempt under Div.C. Article 3.2.5.1 of the Building Code

QUALIFICATION INFORMATION

MAURO FORTUNATO — 15084 — BCIN
Name — Signature

Required unless design is exempt under Div.C. Article 3.2.4.1 of the Building Code

REGISTRATION INFORMATION

UNIQUE DESIGNS INC. — 31090 — BCIN
Firm Name

SITE STATISTICS

MUNICIPAL ADDRESS
264 CEDARDALE AVE
STONEY CREEK, ONT.

BUILDING CLASSIFICATION
RESIDENTIAL

ZONING
R1 – ZONING
BY LAW NO. 22-132

REQUIREMENTS FOR SDU – DETACHED

MIN. SIDE YARDS	1.2 M (3.94')
MIN. FRONT YARD	N/A
MIN. REAR YARD	7.5 M (24.606')

EXISTING YARDS AT DWELLING

SIDE YARD (LEFT)	SEE PLOT PLAN
SIDE YARD (RIGHT	SEE PLOT PLAN
FRONT YARD	SEE PLOT PLAN
REAR YARD	SEE PLOT PLAN

LOT AREA
1392.988 M2 (14994.0 SQ FT)

PROPOSED AT SDU – DETACHED
SEE CHART BELOW

PROPOSED SDU - DETACHED REAR YARD

LOT AREA 14994 Sq Ft
(1392.988 m2)

Max Ht for SDU Permitted:
19.68 ft / 6.0 m

Ht for SDU Provided:
16.92 ft / 5.163 m

Lot Cover max - all buildings
25%: max 3748.5 sq ft / 348.247 m2
Existing dwelling: 1553.70 sq ft / 144.34 m2
Existing shed: 288.0 sq ft / 26.75 m2
Prop. SDU : 1026.0 sq ft / 35.318 m2
Total All bldgs : 2867.7 sq ft / 266.418 m2
Therefore < than 25% required.

Max Gross Flr Area - max 75 m2
Exist dwelling: 1553.70 sq ft / 144.34 m2
1553.70 x 70% = 1087.59 max SDU permitted
SDU Provided: 1026.0 sq ft/ 35.318 m2

Landscaped
Area (136.0 sq ft / 12.63 m2)

Parking Area
Area (842.64 sq ft / 78.28 m2)

Secondary Dwelling Max Permitted
512 Sq Ft (47.56 m2)

Proposed / Provided
1026.00 Sq Ft (95.3185 m2)

NOTE:
THIS PLOT PLAN IS NOT A SURVEY. UNIQUE DESIGNS INC. DOES NOT GUARANTEE THE ACCURACY OF THIS DOCUMENT NOR DOES UNIQUE DESIGN INC. CLAIM TO HAVE THE QUALIFICATIONS TO PRODUCE A DRAWING INTENDED FOR THE USE AS A SURVEY. THE DRAWING PRODUCED IS INTENDED TO BE USED ONLY AS A DIAGRAM TO COMPLEMENT THE PROVIDED ARCHITECTURAL DRAWINGS. SPECIFICALLY, FOR THE PURPOSES OF ORIENTATION, ZONING, LIMITING DISTANCES AND BUILDING HEIGHT AND THEIR RELATIONSHIP WITH THE INTENDED USE OF THE BUILDING. TRUE SITE SETBACKS MAY NEED TO BE PROVIDED BY A QUALIFIED LAND SURVEYOR.

NOTE:
ALL PROPOSED RAIN WATER LEADERS TO DISCHARGE ANY RAIN WATER ON PROPERTY OR EXISTING SWALES.
NO WATER IS TO BE DRAINED ON TO ADJACENT PROPERTIES OR WALKWAYS OR DRIVEWAYS.

Job Number	Date:	Drawn By
020525	02.20.25	
A0	Scale 1/8"=1'-0"	

COSOLETO RESIDENCE

264 CEDARDALE AVE.,
STONEY CREEK, ONT.

UNIQUE DESIGNS INC.
DRAFTING DESIGN INC

CUSTOM
SDU DETACHED

PLOT PLAN

No.	DATE	DESCRIPTION
1.	03.04.25	ISSUED FOR PERMIT/ VARIANCE
2.	05.30.26	DIMENSIONS ENLARGED
3.		
4.		
5.		
6.		
7.		
8.		

THESE DRAWINGS ARE NOT TO BE SCALED. CONTRACTOR MUST CHECK AND VERIFY ALL DIMENSIONS AND CONDITIONS ON THE PROJECT, AND MUST REPORT ANY DISCREPANCIES TO THE DESIGNER BEFORE PROCEEDING WITH THE WORK.

THE USE OF THIS DRAWING OR PART THEREOF IS FORBIDDEN WITHOUT THE WRITTEN APPROVAL OF THE DESIGNER.

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	MAILING ADDRESS
Registered Owners(s)	ANTONINO COSOLETO	[redacted]
Applicant(s)	SAME AS ABOVE	
Agent or Solicitor	SALVATORE COSOLETO	

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

[redacted]

2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	264 CEDARDALE 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:

Square footage "Extra" 4th.

☑ Second Dwelling Unit ☐ Reconstruction of Existing Dwelling

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

REQUIRE VARIANCE TO ACCOMMODATE EXTRA SQUARE FOOTAGE

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

☐ Yes ☑ No

If yes, please provide an explanation:

4. DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

4.1 Dimensions of Subject Lands:

Lot Frontage	Lot Depth	Lot Area	Width of Street
15.54	89.61	1392.5 sq/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
Existing SFD	9.16	71.17	[illegible]	1950 → 1960
		26.67		
SHED	→		.61 / 2.9	
	55.64		1.52 / 9.1	

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Proposed SDU	44.35	37.03	→ 1.21	
			2.74	

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
Existing SFD	144. sq/m		1	9 m
SHED	17.84		1	3 m

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Proposed SDU	95.32		1	9 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)

- [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.):

- SECONDARY DWELLING

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

- SINGLE DETACHED HOME.

7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:

→ 1985

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

→ RESIDENTIAL

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

→ BACKYARD TO HOME

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

→ 70 YEARS

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

Rural Hamilton Official Plan designation (if applicable): _____

Rural Settlement Area: _____

Urban Hamilton Official Plan designation (if applicable) 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? R1

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: 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
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-25:054**	**SUBJECT PROPERTY:**	282 Dewitt Road, Stoney Creek

APPLICANTS: Owner: Polakala Kesava Mandadi - Bhrathi Polakala
Applicant: Shikhar Kapur, Skap Architects Inc

PURPOSE & EFFECT: To sever the existing residential lot into two (2) parcels, the severed lands will contain a proposed fourplex and the retained lands will contain a proposed fourplex. The existing 1.5 storey dwelling and garage will be removed to facilitate this application.

	Frontage	**Depth**	**Area**
SEVERED LANDS (UNIT B):	10.82 m±	51.82 m±	560.6924 m^2 ±
RETAINED LANDS (UNIT A):	10.82 m±	51.82 m±	560.6924 m^2 ±

Associated Planning Act File(s): A-25:161

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:	**Thursday, September 4, 2025**
TIME:	**3:55 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:

B-25:054

- 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 **September 2, 2025**

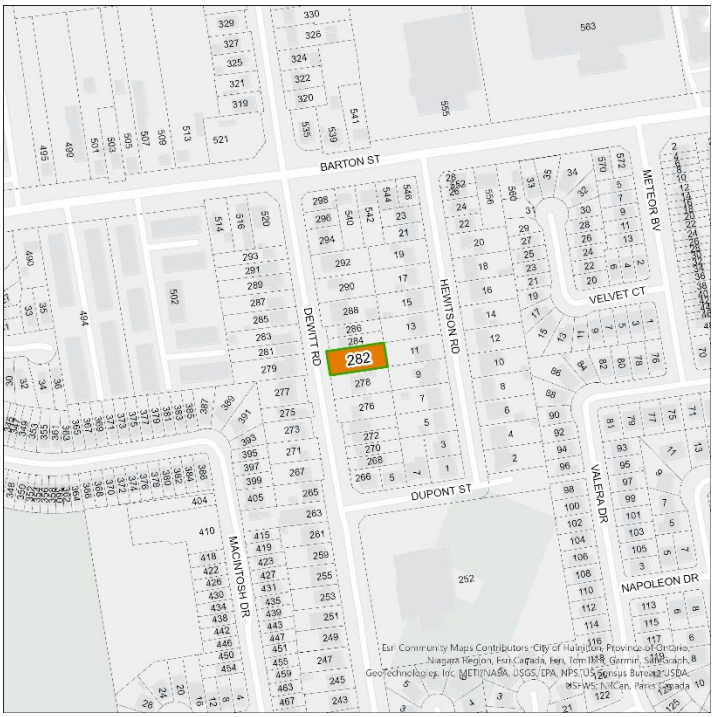
Orally: If you would like to speak to this item at the hearing you may do so via video link, calling in, or attending in person. Please see attached page for complete instructions, registration to participate virtually must be received no later than noon **September 3, 2025**

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding B-25:054, 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-25:054



Subject Lands

DATED: August 18, 2025

_____

Justin Leung,
Secretary-Treasurer
Committee of Adjustment

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

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

Hamilton

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

PARTICIPATING PROCEDURES

1. Written Submission Ahead of the Meeting

Members of the public who wish to provide input without speaking at the Hearing may submit written comments in advance of the meeting. Comments must be received by 12:00 p.m. (noon) on the deadline date for written comment submissions listed on the Notice of Public Hearing.

How to Submit Written Comments:

By Email:
Send to: cofa@hamilton.ca

By Mail:
Committee of Adjustment
City of Hamilton
71 Main Street West, 5th Floor
Hamilton, Ontario
L8P 4Y5

All written comments received will be made available to the Committee and the public by the Tuesday prior to the Hearing.

2. Oral Submissions During the Hearing

Interested members of the public, agents, and owners may provide oral comments on Committee of Adjustment Hearing items either virtually via Webex (computer or phone) or by attending in person.

Speaking Time Limit:
All participants providing oral submissions, either in person or virtually are limited to a maximum of 5 minutes to speak. This is to ensure all parties have an equal opportunity to be heard and that the meeting runs efficiently.

3. In-Person Oral Submissions

To participate in person, attend Council Chambers on the date and time listed in the Notice of Public Hearing. You will be required to provide your name and address for the record. It is recommended you arrive at least 10 minutes prior to the scheduled start time.

4. Virtual Oral Submissions

To participate virtually, you must register by 12:00 p.m. (noon) on the virtual oral submissions registration deadline date. This is listed on the Notice of Public Hearing.

- Committee of Adjustment file number
- Hearing date
- Name and mailing address of each person wishing to speak
- Method of participation (phone or video), and, if applicable, the phone number to be used
- Each person must register separately

Registered participants will receive a Webex link one business day before the Hearing. Only those registered will be called upon to speak.

5. Presentations

All presentations are permitted at the discretion of the Committee.

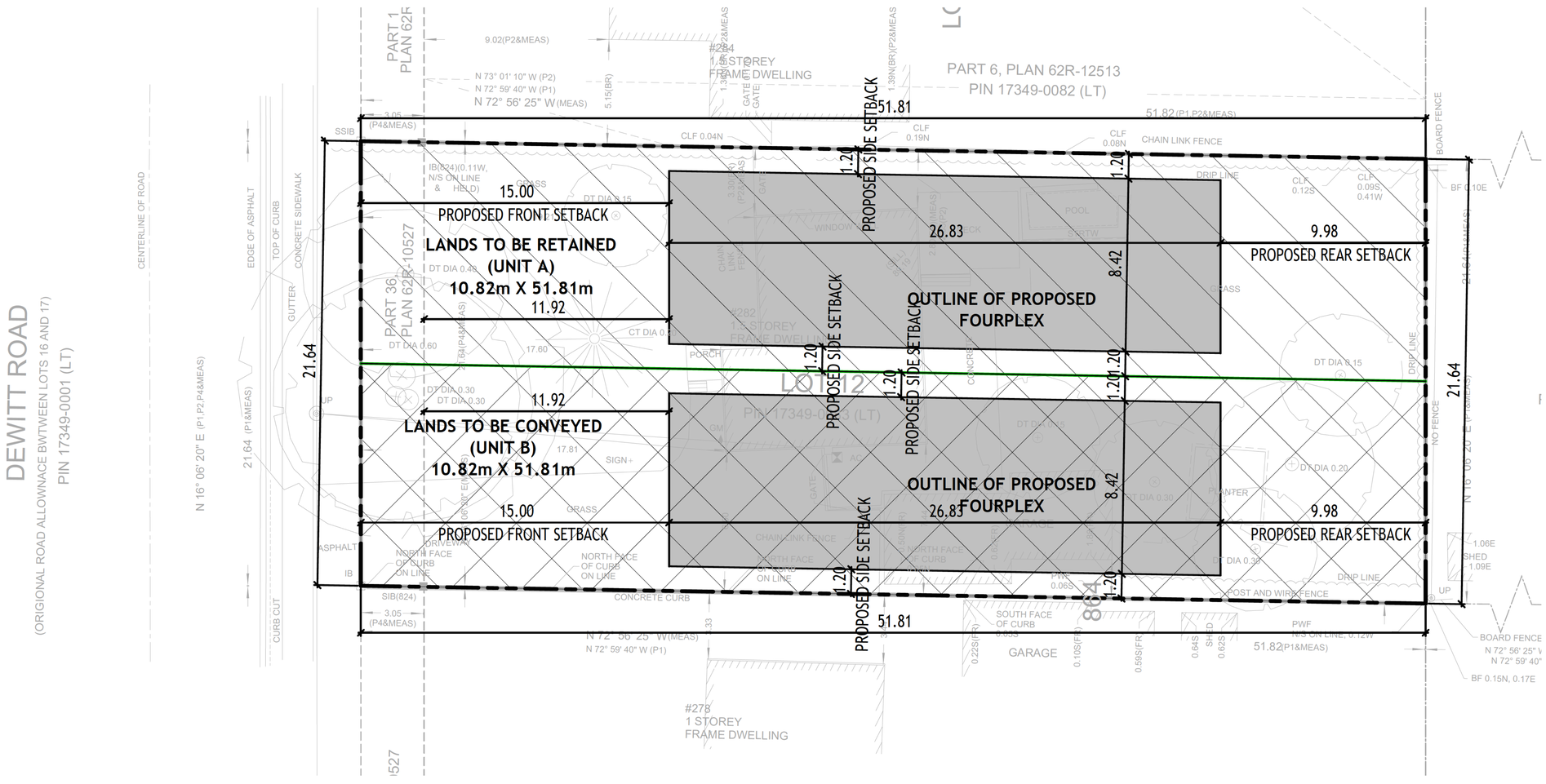
Virtual Presentations:
Presenters participating virtually may be granted permission to share their screen during the Hearing. A copy of the presentation must be submitted to cofa@hamilton.ca **by 12:00 p.m. (noon) on the business day prior to the Hearing.** The submission must be one document in PDF format only.

In-Person Presentations:
Presenters attending in person may be granted permission to use the presentation screen. Presentations must be brought on a USB device and opened by the owner/applicant. A copy of the presentation must also be sent to cofa@hamilton.ca **by 12:00 p.m. (noon) on the business day prior to the Hearing.** The submission must be one document in PDF format only. Handouts are permitted only if the same content can be displayed on the presentation screen.

6. Additional Notes

- Webex (video) participation requires a compatible computer or smartphone. The necessary application must be downloaded in advance.
- It is the interested party's responsibility to ensure their device is functional and compatible prior to the Hearing.

For any questions, contact staff at cofa@hamilton.ca or call 905-546-2424 ext. 4221.



1 Conceptual Site Plan for Severance
1/8" = 1'-0"

SKAP
ARCHITECTS LTD.

www.skaparchitects.com | 416.878.6559

These drawings are intended for conceptual and preliminary design purposes only. They are not to be used for construction, permit application, or tender. All dimensions, materials, and design elements shown are subject to further development, coordination, and approval. Skap Architects Ltd. assumes no responsibility for use beyond conceptual review.

Do not scale drawings. Verify all dimensions and conditions on site. All designs remain the intellectual property of Skap Architects Ltd.

No.	Description	Date
1	Submitted for Site Severance	2025.07.18
2	Re-Submitted for Site Severance	2025.07.24

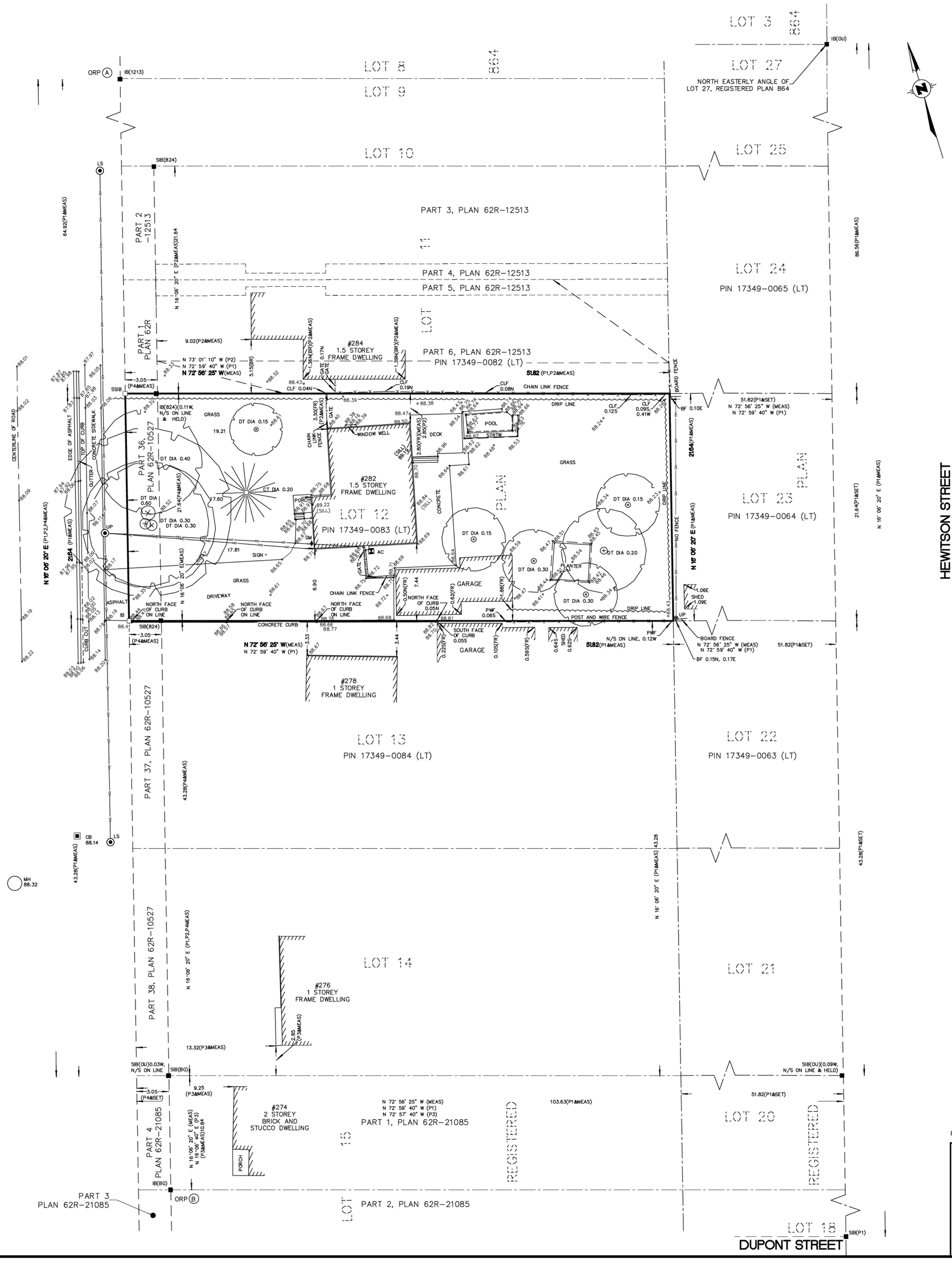
282 Dewitt Rd.
Stoney Creek
Hamilton ON

Conceptual Site Plan for Severance

Project Number	2502
Date	2025.07.24

A101

7/24/2025 11:59:19 AM



SURVEYOR'S REAL PROPERTY REPORT
PART 1
PLAN OF SURVEY OF
ALL OF
LOT 12
REGISTERED PLAN No. 864
CITY OF HAMILTON
REGIONAL MUNICIPALITY OF HAMILTON WENTWORTH

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

THE INTENDED PLOT SIZE OF THIS PLAN IS 690mm IN WIDTH BY 629mm IN HEIGHT WHEN PLOTTED AT A SCALE OF 1:200

© COPYRIGHT 2023, AK&M SURVEYING LTD.

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

NOTES

1) BEARINGS ARE UTM GRID, DERIVED FROM OBSERVED REFERENCE POINTS A AND B, BY REAL TIME NETWORK (RTN) OBSERVATIONS, UTM ZONE 17, NAD83 (CSRS)(2010.0)
2) DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.999721
3) FOR BEARING COMPARISONS A ROTATION OF 00°58' 40" COUNTER CLOCKWISE WAS APPLIED TO P1.
4) FOR BEARING COMPARISONS A ROTATION OF 00°51' 10" COUNTERCLOCKWISE WAS APPLIED TO P2 AND P4.
5) TIES ARE TAKEN TO FOUNDATION UNLESS OTHERWISE NOTED.

INTEGRATION DATA

OBSERVED REFERENCE POINTS (ORPs): UTM ZONE 17, NAD83(CSRS)(2010.0)
COORDINATES TO A URBAN ACCURACY PER SECTION 14(2) OF O.REG. 216/ 10

POINT ID	EASTING	NORTHING
ORP (A)	604 793.58	4 786 469.62
ORP (B)	604 757.48	4 786 333.56

COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN

PART 2: SURVEY REPORT

– DESCRIPTION OF LAND:
LOT 12, REGISTERED PLAN 864

– REGISTERED EASEMENTS AND/OR RIGHTS-OF-WAY
NONE REGISTERED/ PROPERTY IS SUBJECT TO AN EASEMENT/ RIGHT-OF-WAY AS IN INSTRUMENT NUMBER

– BOUNDARY FEATURES
FENCES AND OVERHEAD HYDRO WIRE AND THEIR RELATIONSHIP TO THE PROPERTY LIMITS ARE SHOWN ON THE FACE OF THE PLAN

– COMPLIANCE WITH MUNICIPAL ZONING BY-LAWS:
PLAN DOES NOT CERTIFY ZONING COMPLIANCE

BENCHMARK NOTE

ELEVATIONS HEREON ARE GEODETIC AND DERIVED USING LEICA SMARTNET NETWORK(EPOCH 2002) AND ARE REFERRED TO THE CGVD-1928:1978 DATUM.

LEGEND

■	DENOTES	FOUND MONUMENT
□	DENOTES	PLANTED MONUMENT
SIB	DENOTES	STANDARD IRON BAR
SSIB	DENOTES	SHORT STANDARD IRON BAR
IB	DENOTES	IRON BAR
OU	DENOTES	ORIGIN UNKNOWN
BG	DENOTES	B. GRENKIE SURVEYING LTD., O.L.S.
824	DENOTES	A.T. McLAREN LTD, O.L.S.
1213	DENOTES	J. D. PETERS, O.L.S.
CALC	DENOTES	CALCULATED
MEAS	DENOTES	MEASURED
WIT	DENOTES	WITNESS
PROD	DENOTES	PRODUCTION
P1	DENOTES	REGISTERED PLAN 864
P2	DENOTES	PLAN OF SURVEY BY A.T. McLAREN LTD, O.L.S., DATED: JANUARY 6TH, 2023
P3	DENOTES	SURVEYORS REAL PROPERTY REPORT BY BARICH GRENKIE SURVEYING LTD., O.L.S., DATED: MARCH 23RD, 2023
P4	DENOTES	PLAN 62R-10527
AC	DENOTES	AIR CONDITIONER
BR	DENOTES	BRICK
BF	DENOTES	BOARD FENCE
CB	DENOTES	CATCH BASIN
CLF	DENOTES	CHAIN LINK FENCE
CONC	DENOTES	CONCRETE
CT	DENOTES	CONIFEROUS TREE
DT	DENOTES	DECIDUOUS TREE
FDN	DENOTES	FOUNDATION
LS	DENOTES	LIGHT STANDARD
MH	DENOTES	MANHOLE
STRTW	DENOTES	STONE RETAINING WALL
UP	DENOTES	UTILITY POLE
-OH-	DENOTES	OVERHEAD HYDRO

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

1) THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
2) THE SURVEY WAS COMPLETED ON 19TH DAY OF JUNE, 2023

JUNE 22ND, 2023
DATE

ATHIITHTHAN KANAGANAYAGAM
ONTARIO LAND SURVEYOR

PREPARED FOR: LAND AND BUILDING EXPERTS INC.

ASSOCIATION OF ONTARIO LAND SURVEYORS
PLAN SUBMISSION FORM
V-54961
THIS PLAN IS NOT VALID UNLESS IT IS AN EMBOSSED ORIGINAL COPY ISSUED BY THE SURVEYOR In accordance with Regulation 1026, Section 29(3)

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

AK&M SURVEYING LTD.

DATE: June 22, 2023	CHECKED BY: AK	DRAWN BY: BFV	PROJECT No.: 2023-01-43

FILE LOCATION: G:\Shared drives\AK&M Survey Ltd. Job Folders(Brampton)\2023-01-43\Drawing\SRPR\2023-01-43.dwg

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	MAILING ADDRESS
Registered Owners(s)	Polakala Kesava Mandadi Bhrathi Polakala	[redacted]
Applicant(s)	Shikhar Kapur, Skap Architects Inc.	
Agent or Solicitor	Shikhar Kapur, Skap Architects Inc.	

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	282 Dewitt Road, Stoney Creek		
Assessment Roll Number	003.240.02200.0000		
Former Municipality			
Lot	12	Concession	
Registered Plan Number	864	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 permit a minimum lot width of 10.82 meters whereas a minimum lot width of 12.0 meters is required per new 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?

Existing site 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
21.64	51.82	1,121.38	20

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
1.5 Storey Frame Dwelling	17.81	24.31	2.85 | 7.44	01/01/1952
Detached garage	25.46	15.23	0.50 | 15.38	01/01/1952

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Fourplex	15m	9.98m	1.2m	
Fourplex	15m	9.98m	1.2m	

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
1.5 Storey Frame Dwelling	101.05	145	1.5	5
Detached garage	48.26	48.26	1	2.7

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Fouplex	224 sq.m.	672 sq.m.	3	10.5m
Fouplex	224 sq.m.	672 sq.m.	3	10.5m

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
- [x] 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.):

Fourplex on each lot post severance.

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

Single detached dwelling Residential

7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:

4 years

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

Single detached dwelling Residential

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

Single detached dwelling Residential

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

73

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

Rural Hamilton Official Plan designation (if applicable): Urban Area

Rural Settlement Area:

Urban Hamilton Official Plan designation (if applicable) Neighborhoods

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

The application proposes a severance of a large lot into 2 separate lots. The proposed development is considered residential intensification in the Neighbourhoods designation, Policy B.2.4.2.2 of the Urban Hamilton Official Plan is applicable.

7.6 What is the existing zoning of the subject land? R1 Low Density 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: 8

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

The minor variance proposal is for street frontage, there is not an application for a proposal development yet. However, post severance, we would like to proceed with a permit for a fourplex on each of the parcels of lot. The fourplex's would be inline with provincial and city policy that advocate for gentle intensification of existing residential infrastructure.

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 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	MAILING ADDRESS	
Purchaser*	Polakala Kesava Mandadi Bhrathi Polakala	[redacted]	
Registered Owners(s)	Polakala Kesava Mandadi Bhrathi Polakala		
Applicant(s)**	Shikhar Kapur, Skap Architects Inc.		
Agent or Solicitor	Shikhar Kapur, Skap Architects Inc.		

*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 ☐ Cheque ☑ Credit over phone* [redacted]
*Must provide number above

2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	282 Dewitt Road, Stoney Creek		
Assessment Roll Number	003.240.02200.0000		
Former Municipality			
Lot	12	Concession	
Registered Plan Number	864	Lot(s)	
Reference Plan Number (s)		Part(s)	

2.2 Are there any easements or restrictive covenants affecting the subject land?
☐ Yes ☑ No
If YES, describe the easement or covenant and its effect:

3 PURPOSE OF THE APPLICATION

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

☑ 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:
Polakala Kesava Mandadi, Bhrathi Polakala

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

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:	UNIT A	UNIT B			
Type of Transfer	N/A	Conveyed			
Frontage	10.82	10.82			
Depth	51.82	51.82			
Area	560.6924	560.6924			
Existing Use	Residential	Residential			
Proposed Use	Residential	Residential			
Existing Buildings/ Structures	part of 1.5 storey house	part of 1.5 storey house & garage			
Proposed Buildings/ Structures	A fourplex	A fourplex			
Buildings/ Structures to be Removed	part of 1.5 storey house	part of 1.5 storey house & garage			

* 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): Urban Area

Rural Settlement Area:

Urban Hamilton Official Plan designation (if applicable) Neighborhoods

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

The application proposes a severance of a large lot into 2 separate lots. The goal is to build thoughtful fourplex on both lots post severance within the city of Hamilton's guidelines and further advancing the city of Hamilton and province of Ontario's goal of adding residential units to the city.

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

☐ Yes ☑ No ☐ Unknown

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

5.3 What is the existing zoning of the subject land? R1 Low Density Residential

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

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

☐ Yes ☑ No ☐ Unknown

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

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

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

6 HISTORY OF THE SUBJECT LAND

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

☐ Yes ☑ No ☐ Unknown

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

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

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.

6.4 How long has the applicant owned the subject land?

4 years

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.

1. 251 Margaret Avenue, Stoney Creek
2. 448 Osbornre€Street, Hamilton

7 PROVINCIAL POLICY

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

☑ Yes ☐ No (Provide explanation)

The proposal of severance and subsequent development of two fourplexes is consistent with the PPS, 2020. It promotes efficient land use, supports intensification within a serviced urban area, and contributes to a range of housing options. The proposal aligns with provincial objectives for compact, transit-supportive, and sustainable growth.

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

☑ Yes ☐ No (Provide explanation)

By providing gentle intensification in a serviced, transit-accessible area, the proposal helps to accommodate growth in a sustainable manner, consistent with the principles of smart growth and the efficient use of land as outlined in the PPS. It also supports housing affordability and diversity, aligning with broader provincial and municipal housing objectives.

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

☑ Yes ☐ No (Provide explanation)

The proposed severance and development of two fourplexes conforms to the Growth Plan for the Greater Golden Horseshoe by promoting compact, higher-density housing within an existing built-up area. It supports intensification, optimizes the use of existing infrastructure, and contributes to a more diverse housing stock—key objectives of the Growth Plan's vision for complete, transit-supportive communities.

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

☐ Yes ☑ No (Provide explanation)

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

☐ Yes ☑ No (Provide explanation)

7.6 Are the subject lands subject to the Greenbelt Plan?

☐ Yes ☑ No (Provide explanation)

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

☐ Yes ☑ No (Provide explanation)

8 ADDITIONAL INFORMATION - VALIDATION

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

☐ Yes ☐ No (Provide explanation)

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

☐ Yes ☐ No (Provide explanation and details on plan)

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

- [ ] 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-25:161**	**SUBJECT PROPERTY:**	282 Dewitt Road, Stoney Creek
ZONE:	R1 (Low Density Residential)	**ZONING BY-LAW:**	Hamilton Zoning By-law 05-200

APPLICANTS: Owner: Polakala Kesava Mandadi – Bhrathi Polakala
Applicant: Shikhar Kapur, Skap Architechs Inc

The following variances are requested:

1. A minimum lot width of 10.9 metres shall be permitted instead of the minimum lot width of 12.0 metres.

2. A minimum aggregate setback from a side lot line of 2.4 metres shall be permitted instead of the minimum aggregate side yard setback of 3.5 metres.

3. A maximum lot coverage of 40.3% shall be permitted instead of the maximum lot coverage of 40%.

PURPOSE & EFFECT: To facilitate the severance of the lot for future construction of a fourplex dwelling.

Notes:

i. Please be advised Building Height shall be in accordance with the definition within the Hamilton Zoning By-law 05-200.

ii. Please be advised that insufficient information was provided to determine zoning compliance with Section 4.6 Permitted Yard Encroachments and Section 4.9 Mechanical and Unitary Equipment of Hamilton Zoning By-law 05-200. Additional variances may be required if zoning compliance cannot be achieved.

A-25:161

iii. Please be advised that insufficient information was provided to determine zoning compliance with Section 5 Parking of Hamilton Zoning By-law 05-200. Additional variances may be required if zoning compliance cannot be achieved.

iv. Please be advised that insufficient information was provided to determine zoning compliance with Section 15.2.2.4 i) Minimum Landscaped Area, j) Visual Barrier and k) Amenity Area and l) Waste Storage of Hamilton Zoning By-law 05-200. Additional variances may be required if zoning compliance cannot be achieved.

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:	**Thursday, September 4, 2025**
TIME:	**3:55 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 September 2, 2025

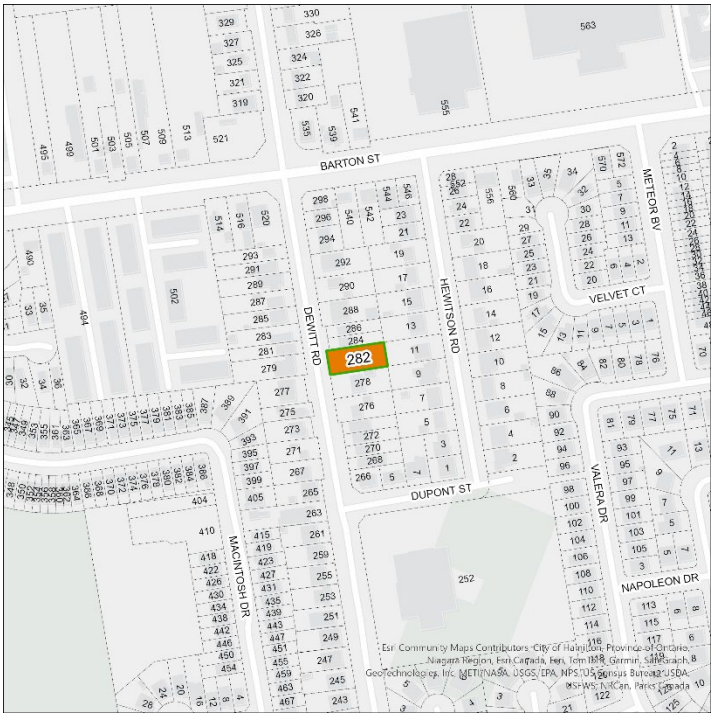
Orally: If you would like to speak to this item at the hearing you may do so via video link, calling in, or attending in person. Please see attached page for complete instructions, registration to participate virtually must be received no later than noon September 3, 2025

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding A-25:161, 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-25:161



Subject Lands

DATED: August 18, 2025

Justin Leung,
Secretary-Treasurer
Committee of Adjustment

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

Hamilton

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

PARTICIPATING PROCEDURES

1. Written Submission Ahead of the Meeting

Members of the public who wish to provide input without speaking at the Hearing may submit written comments in advance of the meeting. Comments must be received by 12:00 p.m. (noon) on the deadline date for written comment submissions listed on the Notice of Public Hearing.

How to Submit Written Comments:

By Email:
Send to: cofa@hamilton.ca

By Mail:
Committee of Adjustment
City of Hamilton
71 Main Street West, 5th Floor
Hamilton, Ontario
L8P 4Y5

All written comments received will be made available to the Committee and the public by the Tuesday prior to the Hearing.

2. Oral Submissions During the Hearing

Interested members of the public, agents, and owners may provide oral comments on Committee of Adjustment Hearing items either virtually via Webex (computer or phone) or by attending in person.

Speaking Time Limit:
All participants providing oral submissions, either in person or virtually are limited to a maximum of 5 minutes to speak. This is to ensure all parties have an equal opportunity to be heard and that the meeting runs efficiently.

3. In-Person Oral Submissions

To participate in person, attend Council Chambers on the date and time listed in the Notice of Public Hearing. You will be required to provide your name and address for the record. It is recommended you arrive at least 10 minutes prior to the scheduled start time.

4. Virtual Oral Submissions

To participate virtually, you must register by 12:00 p.m. (noon) on the virtual oral submissions registration deadline date. This is listed on the Notice of Public Hearing.

- Committee of Adjustment file number
- Hearing date
- Name and mailing address of each person wishing to speak
- Method of participation (phone or video), and, if applicable, the phone number to be used
- Each person must register separately

Registered participants will receive a Webex link one business day before the Hearing. Only those registered will be called upon to speak.

5. Presentations

All presentations are permitted at the discretion of the Committee.

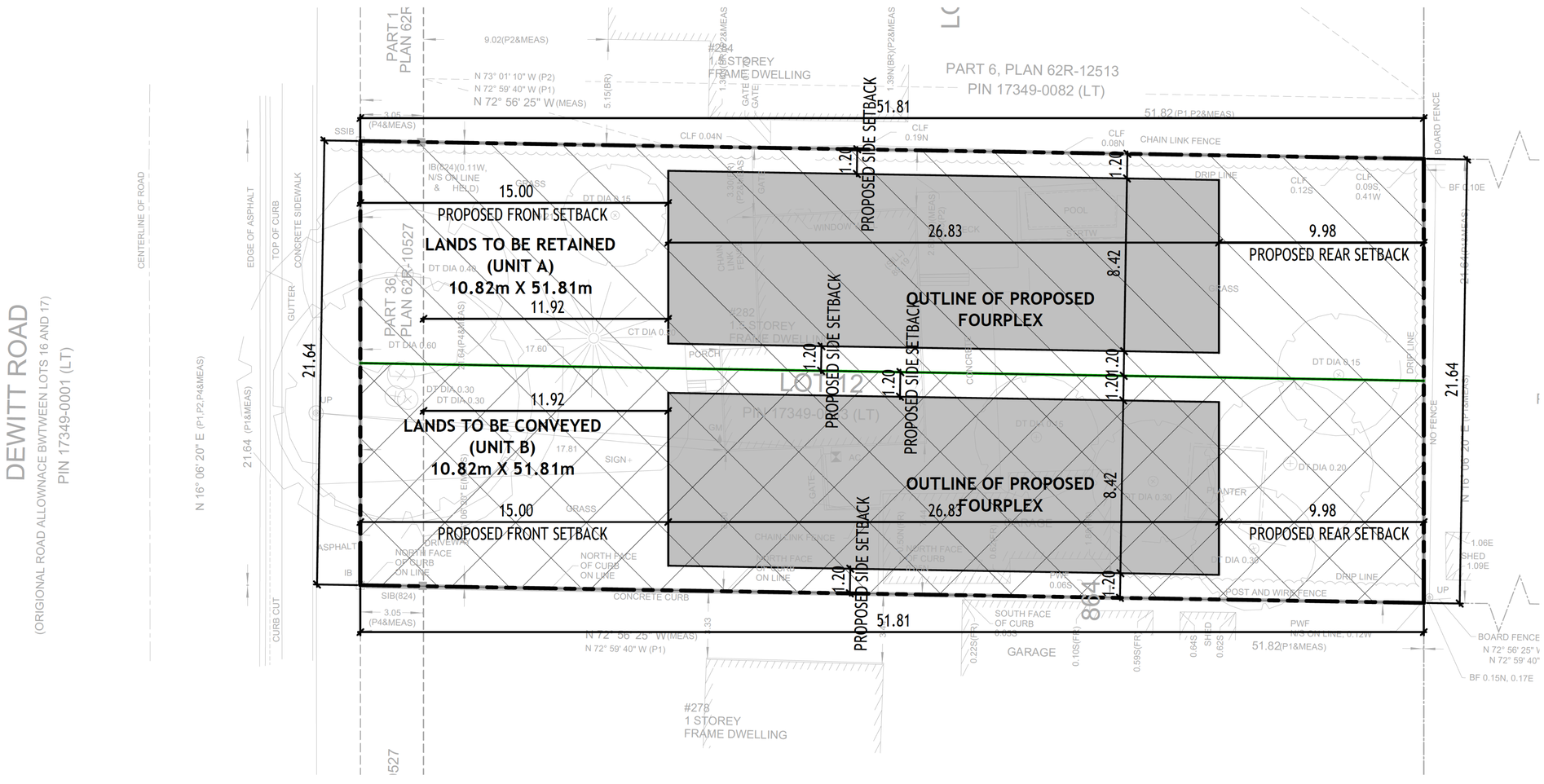
Virtual Presentations:
Presenters participating virtually may be granted permission to share their screen during the Hearing. A copy of the presentation must be submitted to cofa@hamilton.ca **by 12:00 p.m. (noon) on the business day prior to the Hearing.** The submission must be one document in PDF format only.

In-Person Presentations:
Presenters attending in person may be granted permission to use the presentation screen. Presentations must be brought on a USB device and opened by the owner/applicant. A copy of the presentation must also be sent to cofa@hamilton.ca **by 12:00 p.m. (noon) on the business day prior to the Hearing.** The submission must be one document in PDF format only. Handouts are permitted only if the same content can be displayed on the presentation screen.

6. Additional Notes

- Webex (video) participation requires a compatible computer or smartphone. The necessary application must be downloaded in advance.
- It is the interested party's responsibility to ensure their device is functional and compatible prior to the Hearing.

For any questions, contact staff at cofa@hamilton.ca or call 905-546-2424 ext. 4221.



1 Conceptual Site Plan for Severance
1/8" = 1'-0"

SKAP
ARCHITECTS LTD.

www.skaparchitects.com | 416.878.6559

These drawings are intended for conceptual and preliminary design purposes only. They are not to be used for construction, permit application, or tender. All dimensions, materials, and design elements shown are subject to further development, coordination, and approval. Skap Architects Ltd. assumes no responsibility for use beyond conceptual review.

Do not scale drawings. Verify all dimensions and conditions on site. All designs remain the intellectual property of Skap Architects Ltd.

No.	Description	Date
1	Submitted for Site Severance	2025.07.18
2	Re-Submitted for Site Severance	2025.07.24

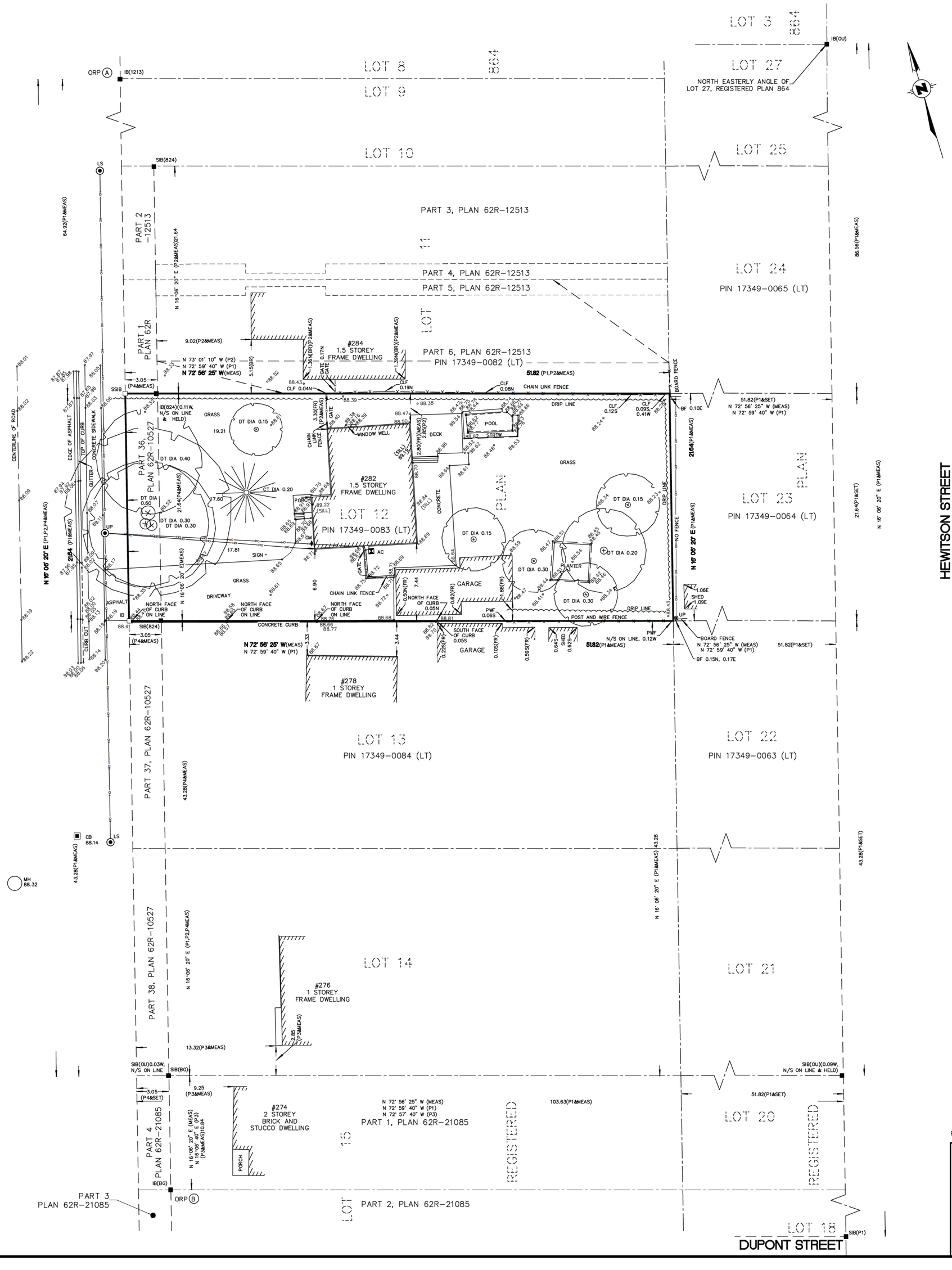
282 Dewitt Rd.
Stoney Creek
Hamilton ON

Conceptual Site Plan for Severance

Project Number	2502
Date	2025.07.24

A101

7/24/2025 11:59:19 AM



SURVEYOR'S REAL PROPERTY REPORT
PART 1
PLAN OF SURVEY OF
ALL OF
LOT 12
REGISTERED PLAN No. 864
CITY OF HAMILTON
REGIONAL MUNICIPALITY OF HAMILTON WENTWORTH

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

THE INTENDED PLOT SIZE OF THIS PLAN IS 690mm IN WIDTH BY 629mm IN HEIGHT WHEN PLOTTED AT A SCALE OF 1:200

© COPYRIGHT 2023, AK&M SURVEYING LTD.

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

NOTES

1) BEARINGS ARE UTM GRID, DERIVED FROM OBSERVED REFERENCE POINTS A AND B, BY REAL TIME NETWORK (RTN) OBSERVATIONS, UTM ZONE 17, NAD83 (CSRS)(2010.0)
2) DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.999721
3) FOR BEARING COMPARISONS A ROTATION OF 00°58' 40" COUNTER CLOCKWISE WAS APPLIED TO P1.
4) FOR BEARING COMPARISONS A ROTATION OF 00°51' 10" COUNTERCLOCKWISE WAS APPLIED TO P2 AND P4.
5) TIES ARE TAKEN TO FOUNDATION UNLESS OTHERWISE NOTED.

INTEGRATION DATA

OBSERVED REFERENCE POINTS (ORPs): UTM ZONE 17, NAD83(CSRS)(2010.0)
COORDINATES TO A URBAN ACCURACY PER SECTION 14(2) OF O.REG. 216/ 10

POINT ID	EASTING	NORTHING
ORP (A)	604 793.58	4 786 469.62
ORP (B)	604 757.48	4 786 333.56

COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN

PART 2: SURVEY REPORT

– DESCRIPTION OF LAND:
LOT 12, REGISTERED PLAN 864

– REGISTERED EASEMENTS AND/OR RIGHTS-OF-WAY
NONE REGISTERED/ PROPERTY IS SUBJECT TO AN EASEMENT/ RIGHT-OF-WAY AS IN INSTRUMENT NUMBER

– BOUNDARY FEATURES
FENCES AND OVERHEAD HYDRO WIRE AND THEIR RELATIONSHIP TO THE PROPERTY LIMITS ARE SHOWN ON THE FACE OF THE PLAN

– COMPLIANCE WITH MUNICIPAL ZONING BY-LAWS:
PLAN DOES NOT CERTIFY ZONING COMPLIANCE

BENCHMARK NOTE

ELEVATIONS HEREON ARE GEODETIC AND DERIVED USING LEICA SMARTNET NETWORK(EPOCH 2002) AND ARE REFERRED TO THE CGVD-1928:1978 DATUM.

LEGEND

■	DENOTES	FOUND MONUMENT
□	DENOTES	PLANTED MONUMENT
SIB	DENOTES	STANDARD IRON BAR
SSIB	DENOTES	SHORT STANDARD IRON BAR
IB	DENOTES	IRON BAR
OU	DENOTES	ORIGIN UNKNOWN
BG	DENOTES	B. GRENKIE SURVEYING LTD., O.L.S.
824	DENOTES	A.T. McLAREN LTD, O.L.S.
1213	DENOTES	J. D. PETERS, O.L.S.
CALC	DENOTES	CALCULATED
MEAS	DENOTES	MEASURED
WIT	DENOTES	WITNESS
PROD	DENOTES	PRODUCTION
P1	DENOTES	REGISTERED PLAN 864
P2	DENOTES	PLAN OF SURVEY BY A.T. McLAREN LTD, O.L.S., DATED: JANUARY 6TH, 2023
P3	DENOTES	SURVEYORS REAL PROPERTY REPORT BY BARICH GRENKIE SURVEYING LTD., O.L.S., DATED: MARCH 23RD, 2023
P4	DENOTES	PLAN 62R-10527
AC	DENOTES	AIR CONDITIONER
BR	DENOTES	BRICK
BF	DENOTES	BOARD FENCE
CB	DENOTES	CATCH BASIN
CLF	DENOTES	CHAIN LINK FENCE
CONC	DENOTES	CONCRETE
CT	DENOTES	CONIFEROUS TREE
DT	DENOTES	DECIDUOUS TREE
FDN	DENOTES	FOUNDATION
LS	DENOTES	LIGHT STANDARD
MH	DENOTES	MANHOLE
STRTW	DENOTES	STONE RETAINING WALL
UP	DENOTES	UTILITY POLE
-OH-	DENOTES	OVERHEAD HYDRO

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

1) THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
2) THE SURVEY WAS COMPLETED ON 19TH DAY OF JUNE, 2023

JUNE 22ND, 2023
DATE

ATHIITHTHAN KANAGANAYAGAM
ONTARIO LAND SURVEYOR

PREPARED FOR: LAND AND BUILDING EXPERTS INC.

ASSOCIATION OF ONTARIO LAND SURVEYORS
PLAN SUBMISSION FORM
V-54961
THIS PLAN IS NOT VALID UNLESS IT IS AN EMBOSSED ORIGINAL COPY ISSUED BY THE SURVEYOR In accordance with Regulation 1026, Section 29(3)

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

AK&M SURVEYING LTD.

DATE: June 22, 2023	CHECKED BY: AK	DRAWN BY: BFV	PROJECT No.: 2023-01-43

FILE LOCATION: G:\Shared drives\AK&M Survey Ltd. Job Folders(Brampton)\2023-01-43\Drawing\SRPR\2023-01-43.dwg

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	MAILING ADDRESS	
Purchaser*	Polakala Kesava Mandadi Bhrathi Polakala	[redacted]	
Registered Owners(s)	Polakala Kesava Mandadi Bhrathi Polakala		
Applicant(s)**	Shikhar Kapur, Skap Architects Inc.		
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*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 ☐ Cheque ☑ Credit over phone* [redacted]
*Must provide number above

2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	282 Dewitt Road, Stoney Creek		
Assessment Roll Number	003.240.02200.0000		
Former Municipality			
Lot	12	Concession	
Registered Plan Number	864	Lot(s)	
Reference Plan Number (s)		Part(s)	

2.2 Are there any easements or restrictive covenants affecting the subject land?
☐ Yes ☑ No
If YES, describe the easement or covenant and its effect:

3 PURPOSE OF THE APPLICATION

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

☑ 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:
Polakala Kesava Mandadi, Bhrathi Polakala

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

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:	UNIT A	UNIT B			
Type of Transfer	N/A	Conveyed			
Frontage	10.82	10.82			
Depth	51.82	51.82			
Area	560.6924	560.6924			
Existing Use	Residential	Residential			
Proposed Use	Residential	Residential			
Existing Buildings/ Structures	part of 1.5 storey house	part of 1.5 storey house & garage			
Proposed Buildings/ Structures	A fourplex	A fourplex			
Buildings/ Structures to be Removed	part of 1.5 storey house	part of 1.5 storey house & garage			

* 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): Urban Area

Rural Settlement Area:

Urban Hamilton Official Plan designation (if applicable) Neighborhoods

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

The application proposes a severance of a large lot into 2 separate lots. The goal is to build thoughtful fourplex on both lots post severance within the city of Hamilton's guidelines and further advancing the city of Hamilton and province of Ontario's goal of adding residential units to the city.

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

☐ Yes ☑ No ☐ Unknown

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

5.3 What is the existing zoning of the subject land? R1 Low Density Residential

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

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

☐ Yes ☑ No ☐ Unknown

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

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

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

6 HISTORY OF THE SUBJECT LAND

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

☐ Yes ☑ No ☐ Unknown

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

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

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.

6.4 How long has the applicant owned the subject land?

4 years

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.

1. 251 Margaret Avenue, Stoney Creek
2. 448 Osbornre€Street, Hamilton

7 PROVINCIAL POLICY

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

☑ Yes ☐ No (Provide explanation)

The proposal of severance and subsequent development of two fourplexes is consistent with the PPS, 2020. It promotes efficient land use, supports intensification within a serviced urban area, and contributes to a range of housing options. The proposal aligns with provincial objectives for compact, transit-supportive, and sustainable growth.

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

☑ Yes ☐ No (Provide explanation)

By providing gentle intensification in a serviced, transit-accessible area, the proposal helps to accommodate growth in a sustainable manner, consistent with the principles of smart growth and the efficient use of land as outlined in the PPS. It also supports housing affordability and diversity, aligning with broader provincial and municipal housing objectives.

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

☑ Yes ☐ No (Provide explanation)

The proposed severance and development of two fourplexes conforms to the Growth Plan for the Greater Golden Horseshoe by promoting compact, higher-density housing within an existing built-up area. It supports intensification, optimizes the use of existing infrastructure, and contributes to a more diverse housing stock—key objectives of the Growth Plan's vision for complete, transit-supportive communities.

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

☐ Yes ☑ No (Provide explanation)

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

☐ Yes ☑ No (Provide explanation)

7.6 Are the subject lands subject to the Greenbelt Plan?

☐ Yes ☑ No (Provide explanation)

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

☐ Yes ☑ No (Provide explanation)

8 ADDITIONAL INFORMATION - VALIDATION

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

☐ Yes ☐ No (Provide explanation)

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

☐ Yes ☐ No (Provide explanation and details on plan)

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

- [ ] 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 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	MAILING ADDRESS
Registered Owners(s)	Polakala Kesava Mandadi Bhrathi Polakala	[redacted]
Applicant(s)	Shikhar Kapur, Skap Architects Inc.	
Agent or Solicitor	Shikhar Kapur, Skap Architects Inc.	

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	282 Dewitt Road, Stoney Creek		
Assessment Roll Number	003.240.02200.0000		
Former Municipality			
Lot	12	Concession	
Registered Plan Number	864	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 permit a minimum lot width of 10.82 meters whereas a minimum lot width of 12.0 meters is required per new 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?

Existing site 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
21.64	51.82	1,121.38	20

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
1.5 Storey Frame Dwelling	17.81	24.31	2.85 | 7.44	01/01/1952
Detached garage	25.46	15.23	0.50 | 15.38	01/01/1952

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Fourplex	15m	9.98m	1.2m	
Fourplex	15m	9.98m	1.2m	

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
1.5 Storey Frame Dwelling	101.05	145	1.5	5
Detached garage	48.26	48.26	1	2.7

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Fouplex	224 sq.m.	672 sq.m.	3	10.5m
Fouplex	224 sq.m.	672 sq.m.	3	10.5m

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
- [x] 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.):

Fourplex on each lot post severance.

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

Single detached dwelling Residential

7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:

4 years

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

Single detached dwelling Residential

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

Single detached dwelling Residential

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

73

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

Rural Hamilton Official Plan designation (if applicable): Urban Area

Rural Settlement Area:

Urban Hamilton Official Plan designation (if applicable) Neighborhoods

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

The application proposes a severance of a large lot into 2 separate lots. The proposed development is considered residential intensification in the Neighbourhoods designation, Policy B.2.4.2.2 of the Urban Hamilton Official Plan is applicable.

7.6 What is the existing zoning of the subject land? R1 Low Density 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: 8

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

The minor variance proposal is for street frontage, there is not an application for a proposal development yet. However, post severance, we would like to proceed with a permit for a fourplex on each of the parcels of lot. The fourplex's would be inline with provincial and city policy that advocate for gentle intensification of existing residential infrastructure.

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
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-25:057**	**SUBJECT PROPERTY:**	5309 Harrison Road, Glanbrook

APPLICANTS: Owner: Sante Mario Zizza
Agent: Steven Gee
Applicant: Elizabeth and James Ditommaso

PURPOSE & EFFECT: To permit the conveyance of a parcel of land to be added to property known municipally as 3226 Hall Road, Binbrook.

	Frontage	**Depth**	**Area**
SEVERED LANDS (Lands to be Severed):	10.668 m±	60.96 m±	650.321 m^2 ±
RETAINED LANDS (Lands to be Retained by Registered Owner):	231.84 m±	124.93 m±	21,514.7 m^2 ±

Associated Planning Act File(s): N/A

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

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

DATE:	**Thursday, September 4, 2025**
TIME:	**4:00 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:

B-25:057

- 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 **September 2, 2025**

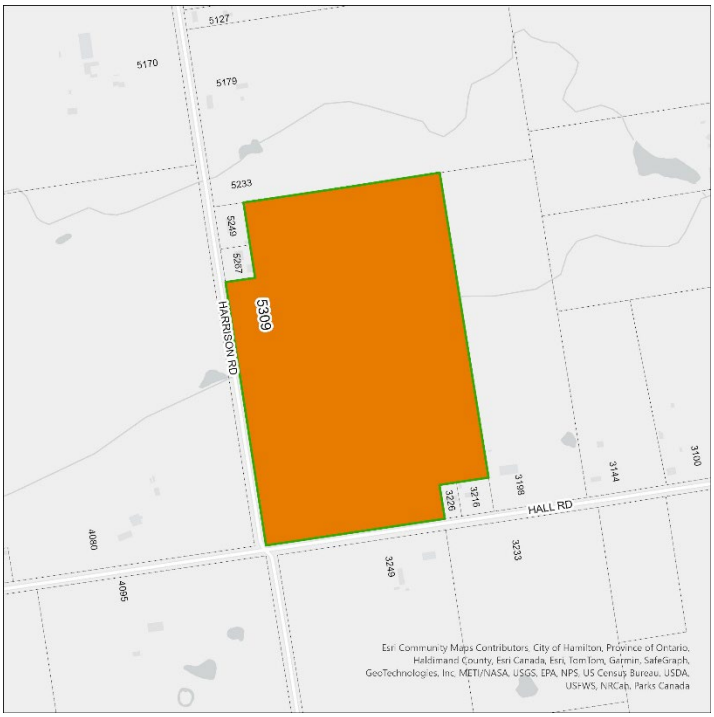
Orally: If you would like to speak to this item at the hearing you may do so via video link, calling in, or attending in person. Please see attached page for complete instructions, registration to participate virtually must be received no later than noon **September 3, 2025**

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding B-25:057, 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-25:057



Subject Lands

DATED: August 18, 2025

_____

Justin Leung,
Secretary-Treasurer
Committee of Adjustment

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

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

Hamilton

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

PARTICIPATING PROCEDURES

1. Written Submission Ahead of the Meeting

Members of the public who wish to provide input without speaking at the Hearing may submit written comments in advance of the meeting. Comments must be received by 12:00 p.m. (noon) on the deadline date for written comment submissions listed on the Notice of Public Hearing.

How to Submit Written Comments:

By Email:
Send to: cofa@hamilton.ca

By Mail:
Committee of Adjustment
City of Hamilton
71 Main Street West, 5th Floor
Hamilton, Ontario
L8P 4Y5

All written comments received will be made available to the Committee and the public by the Tuesday prior to the Hearing.

2. Oral Submissions During the Hearing

Interested members of the public, agents, and owners may provide oral comments on Committee of Adjustment Hearing items either virtually via Webex (computer or phone) or by attending in person.

Speaking Time Limit:
All participants providing oral submissions, either in person or virtually are limited to a maximum of 5 minutes to speak. This is to ensure all parties have an equal opportunity to be heard and that the meeting runs efficiently.

3. In-Person Oral Submissions

To participate in person, attend Council Chambers on the date and time listed in the Notice of Public Hearing. You will be required to provide your name and address for the record. It is recommended you arrive at least 10 minutes prior to the scheduled start time.

4. Virtual Oral Submissions

To participate virtually, you must register by 12:00 p.m. (noon) on the virtual oral submissions registration deadline date. This is listed on the Notice of Public Hearing.

- Committee of Adjustment file number
- Hearing date
- Name and mailing address of each person wishing to speak
- Method of participation (phone or video), and, if applicable, the phone number to be used
- Each person must register separately

Registered participants will receive a Webex link one business day before the Hearing. Only those registered will be called upon to speak.

5. Presentations

All presentations are permitted at the discretion of the Committee.

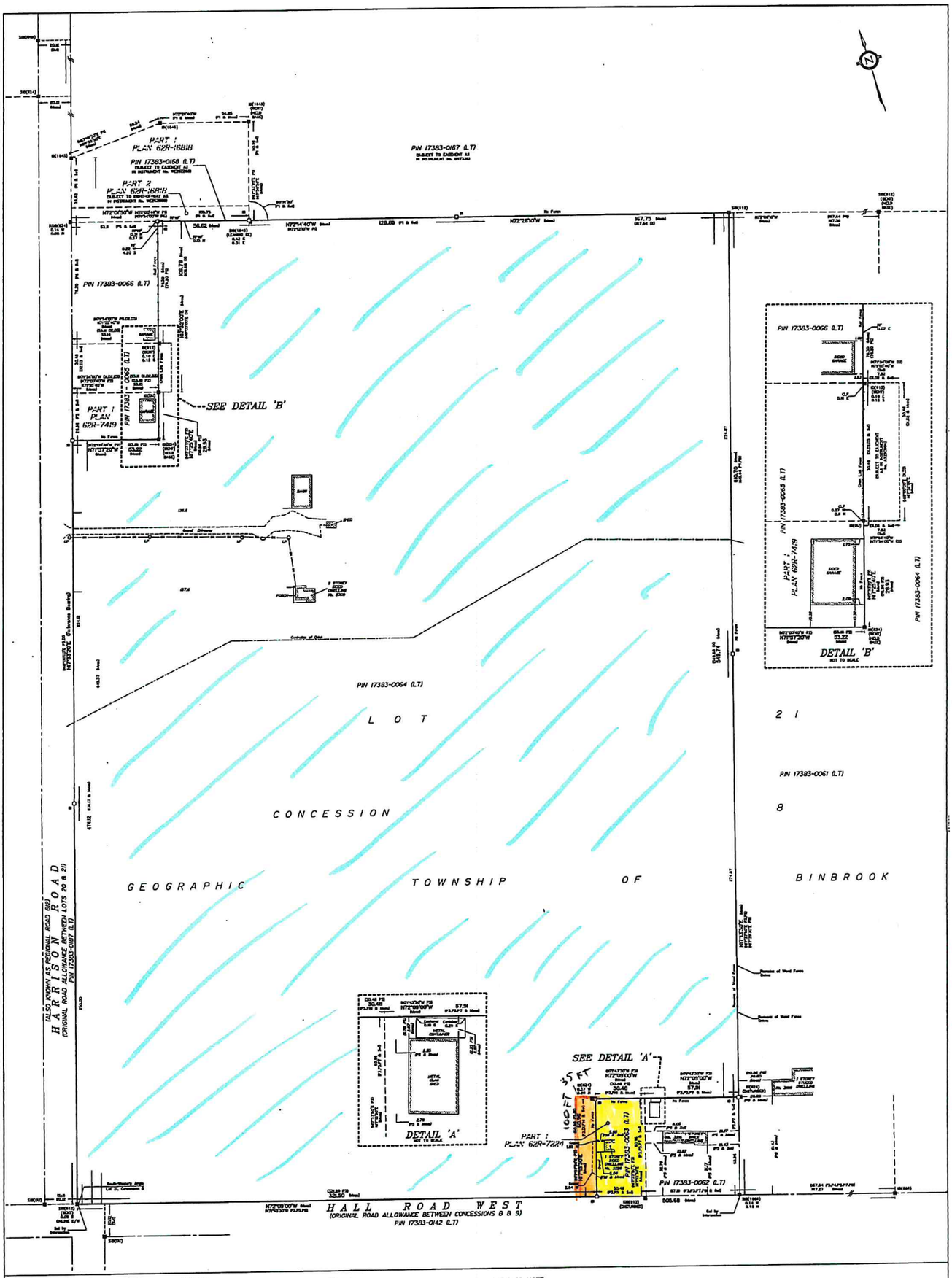
Virtual Presentations:
Presenters participating virtually may be granted permission to share their screen during the Hearing. A copy of the presentation must be submitted to cofa@hamilton.ca **by 12:00 p.m. (noon) on the business day prior to the Hearing.** The submission must be one document in PDF format only.

In-Person Presentations:
Presenters attending in person may be granted permission to use the presentation screen. Presentations must be brought on a USB device and opened by the owner/applicant. A copy of the presentation must also be sent to cofa@hamilton.ca **by 12:00 p.m. (noon) on the business day prior to the Hearing.** The submission must be one document in PDF format only. Handouts are permitted only if the same content can be displayed on the presentation screen.

6. Additional Notes

- Webex (video) participation requires a compatible computer or smartphone. The necessary application must be downloaded in advance.
- It is the interested party's responsibility to ensure their device is functional and compatible prior to the Hearing.

For any questions, contact staff at cofa@hamilton.ca or call 905-546-2424 ext. 4221.



SURVEYOR'S REAL PROPERTY REPORT
PART 1
PLAN OF SURVEY OF
PART OF LOT 21
CONCESSION 8
GEOGRAPHIC TOWNSHIP OF BINBROOK
IN THE
CITY OF HAMILTON

SCALE NOTES
Scale 1:1000

BARICH GRENKIE SURVEYING LTD.
A DIVISION OF GEOMAPLE
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METRIC
DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

LEGEND

IB	DENOTES	SURVEY MONUMENT FOUND
IB	DENOTES	SURVEY MONUMENT PLANTED
IB	DENOTES	IRON BAR
SIB	DENOTES	STANDARD IRON BAR
RSIB	DENOTES	ROUND STANDARD IRON BAR
OU	DENOTES	ORIGIN UNKNOWN
P1	DENOTES	PLAN 62R-16818
P2	DENOTES	PLAN 62R-7419
P3	DENOTES	PLAN 62R-7224
P4	DENOTES	PLAN BY A. J. CLARKE, O.L.S. DATED JULY 21, 1958
P5	DENOTES	PLAN BY A. J. CLARKE, O.L.S. DATED APRIL 25, 1958
P6	DENOTES	PLAN BY A. J. CLARKE, O.L.S. DATED JULY 23, 1963
P7	DENOTES	PLAN BY A. J. CLARKE, O.L.S. DATED JUNE 13, 1970
P8	DENOTES	PLAN BY A. J. CLARKE, O.L.S. DATED JANUARY 23, 1968
D1	DENOTES	INSTRUMENT No. CD460838
D2	DENOTES	INSTRUMENT No. AB290864
D3	DENOTES	INSTRUMENT No. WA84287
CALC1	DENOTES	CALCULATION DERIVED FROM D1 & P2
FN1	DENOTES	A. T. MCLAREN FIELD NOTES DATED SEPTEMBER 12, 1991

LEGEND

MM	DENOTES	M. E. MARTIN, O.L.S.
ATM	DENOTES	A. T. MCLAREN, O.L.S.
AJC	DENOTES	A. J. CLARKE, O.L.S.
APW	DENOTES	A. P. WOOLEY, O.L.S.
WTP	DENOTES	W. T. PEARCE, O.L.S.
ROW	DENOTES	REGION OF HAMILTON-WENTWORTH
RF	DENOTES	RAIL FENCE
ROW	DENOTES	REMAINS OF POST & WIRE FENCE
CLF	DENOTES	CHAIN LINK FENCE

ASSOCIATION OF ONTARIO LAND SURVEYORS PLAN SUBMISSION FORM V-82643
THIS PLAN IS NOT VALID UNLESS IT IS AN EMBOSSED ORIGINAL COPY ISSUED BY THE SURVEYOR

BEARING NOTE
BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE EASTERLY LIMIT OF HARRISON ROAD AS SHOWN ON PLAN 62R-16818 HAVING A BEARING OF N17°33'20"E.

THIS PLAN WAS PREPARED FOR SANTE ZIZZA AND THE UNDERSIGNED ASSUMES NO RESPONSIBILITY FOR USE BY OTHER PARTIES.

SURVEYOR'S REAL PROPERTY REPORT
PART 2
DESCRIPTION SUMMARY – LANDS DESCRIBED IN PIN 17383-0064 (LT). PART OF LOT 21, CONCESSION 8, GEOGRAPHIC TOWNSHIP OF BINBROOK

REGISTERED EASEMENTS/RIGHTS-OF-WAY – SUBJECT TO EASEMENT AS IN INSTRUMENT No. AB290864

ADDITIONAL REMARKS – MAKE NOTE OF THE LOCATION OF FENCES AND DRIVEWAYS AS SHOWN ON THE FACE OF THE PLAN.

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

SURVEYOR'S CERTIFICATE
I CERTIFY THAT
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.
2. THE SURVEY WAS COMPLETED ON NOVEMBER 18, 2024.

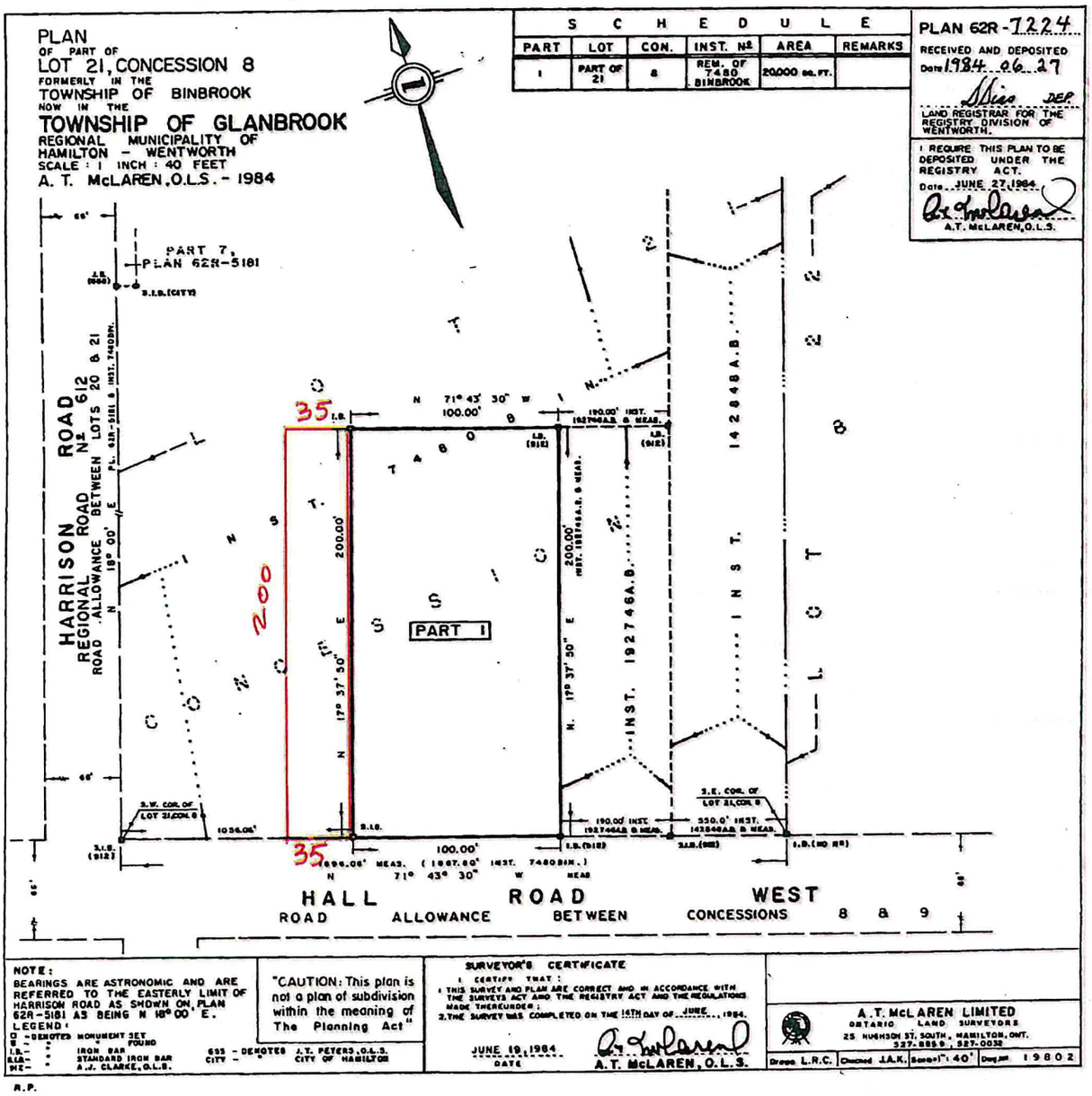
NOVEMBER 20, 2024
ERIC G. SALZEN
O.L.S., O.L.I.P

Barich Grenkie Surveying Ltd.
A DIVISION OF GEOMAPLE

DWN BY: EMA
CHK BY: EGS
JOB No. 24-3287

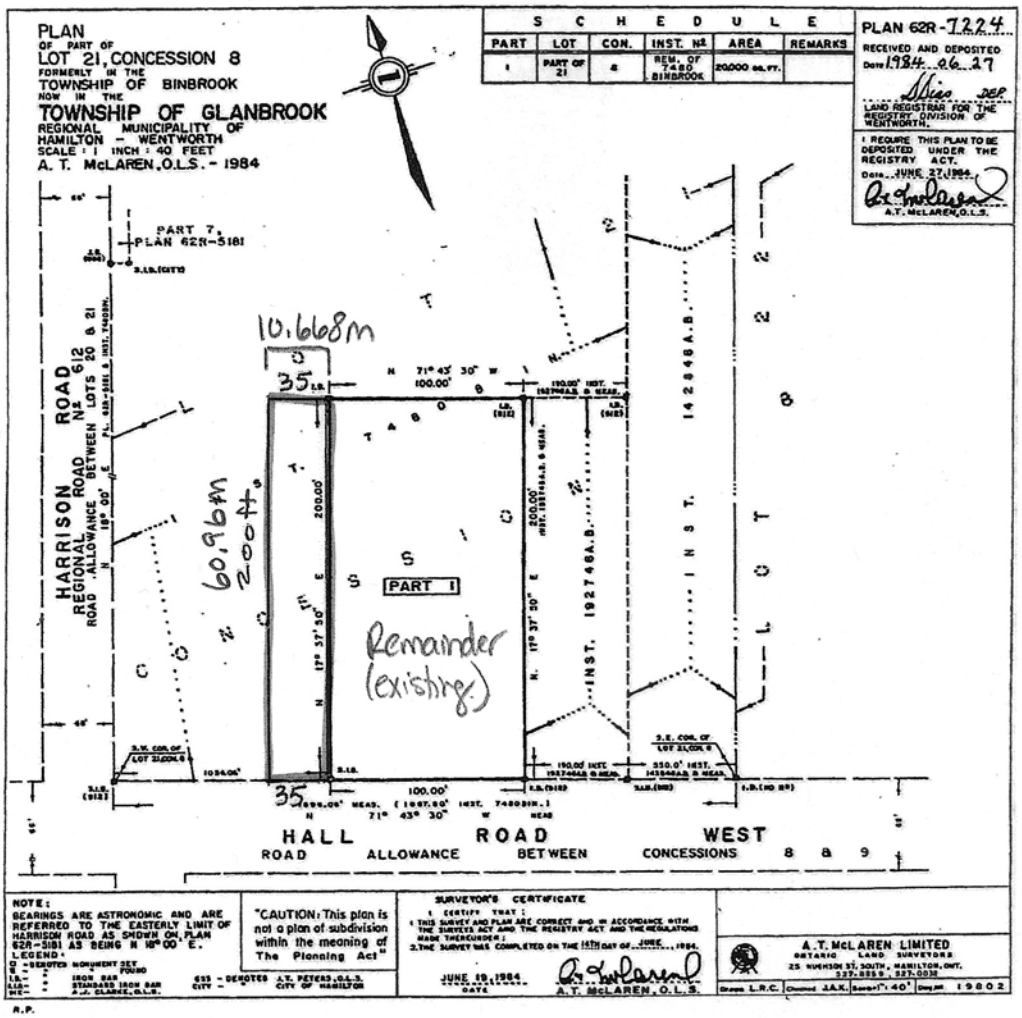
- Lands to be Severed
- Adjacent Property for Conveyance owned by Purchaser.
- Lands to be Retained by Registered Owner.

SCHEDULE "B"



A.P.

SCHEDULE "B"

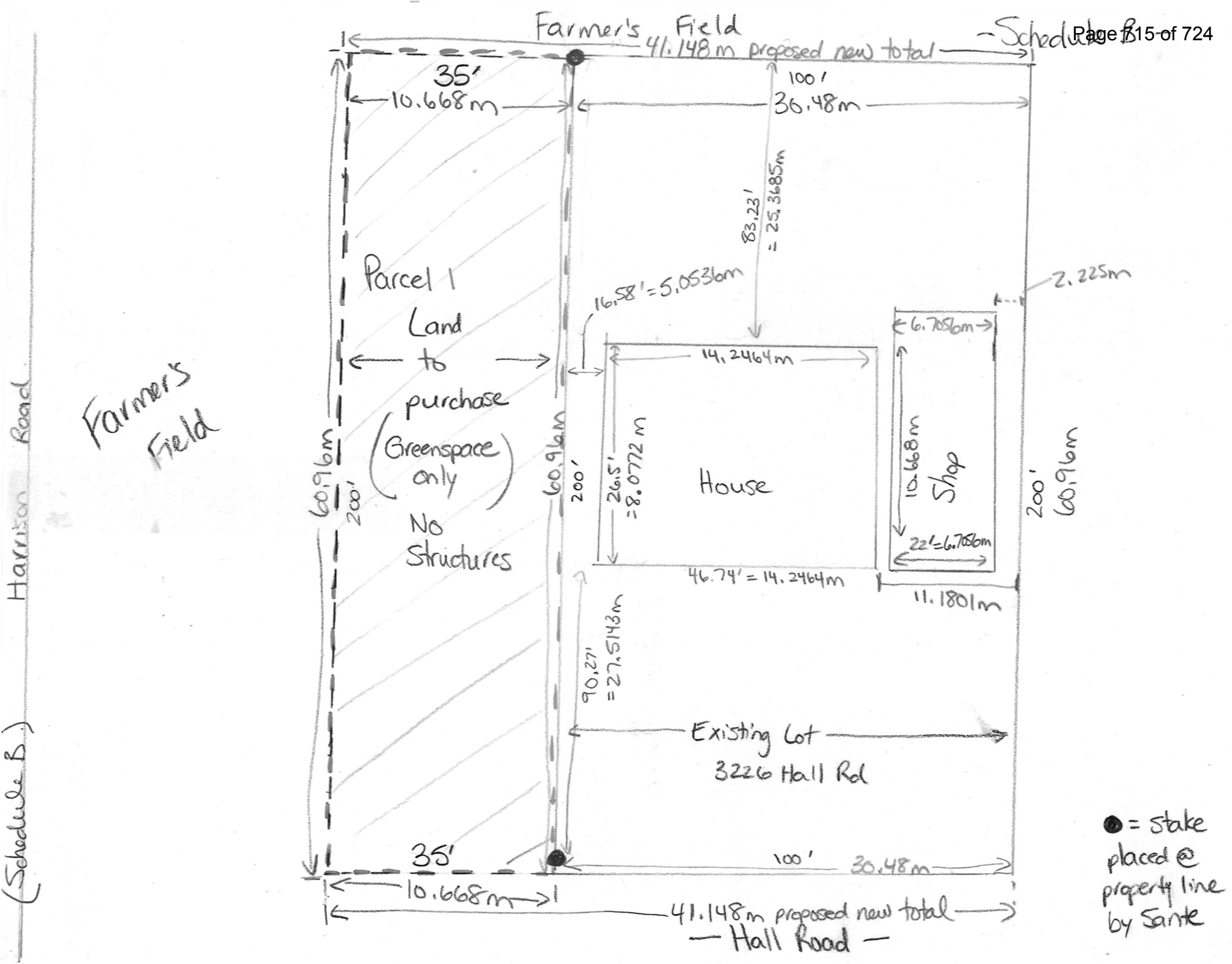


Area = 650.321 m²

Width = 35 ft = 10.668 m frontage

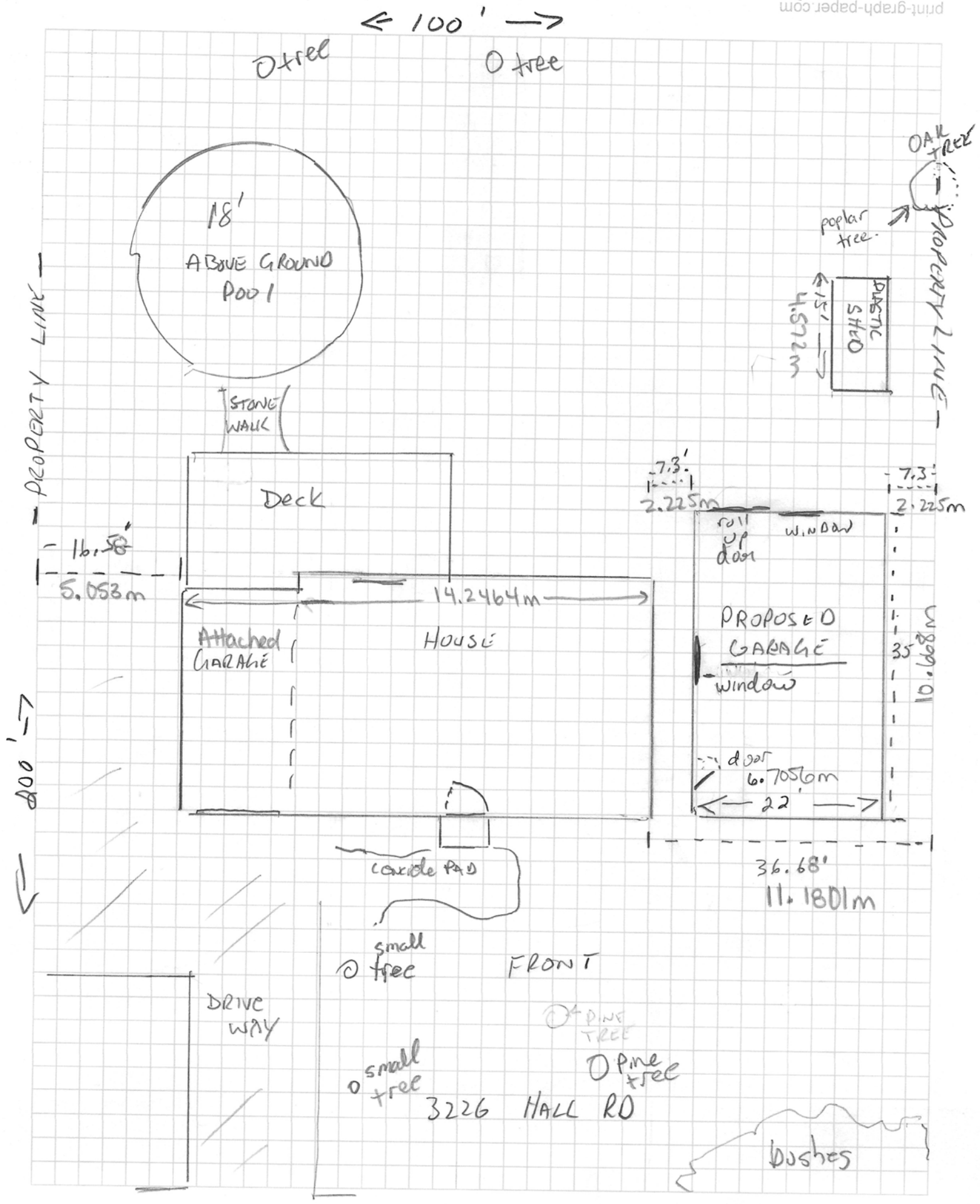
length = 200 ft = 60.96 m

Subject land = no buildings, no structures just greenspace


Farmer's Field
41.148m proposed new total
Schedule B
35'
10.668m
100'
30.48m
83.23'
= 25.3685m
Parcel 1
Land
to
purchase
(Greenspace
only)
No
Structures
16.58' = 5.0536m
2.225m
6.7056m
14.2464m
House
26.5'
= 8.0772m
Shop
10.668m
22' = 6.7056m
46.74' = 14.2464m
11.1801m
60.96m
200'
90.27'
= 27.5143m
Existing Lot
3226 Hall Rd
35'
10.668m
100'
30.48m
41.148m proposed new total
Hall Road
Farmers Field
Harrison Road
(Schedule B.)
● = stake placed @ property line by Sante

Retained (remainder) Our existing property

print-graph-paper.com



[redacted]

July 8 emailed w/site sketch

Hamilton

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

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

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

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

1. APPLICANT INFORMATION

	NAME	MAILING ADDRESS
Purchaser*	James Ditommaso Elizabeth Ditommaso	[redacted]
Registered Owners(s)	Sante Mario Zizza	
Applicant(s)**	James Ditommaso Elizabeth Ditommaso	
Agent or Solicitor	Steven Gee	

*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 ☐ Applicant ☐ Owner ☑ Agent/Solicitor

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

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

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	5309 Harrison Rd Binbrook		
Assessment Roll Number	25 09 100 710 35000		
Former Municipality	Binbrook		
Lot	Pt Lt 21	Concession	8
Registered Plan Number		Lot(s)	
Reference Plan Number (s)		Part(s)	

2.2 Are there any easements or restrictive covenants affecting the subject land?
☐ Yes ☑ No
If YES, describe the easement or covenant and its effect:

3 PURPOSE OF THE APPLICATION

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

☐ 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:

James Ditommaso and Elizabeth Ditommaso

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

3226 Hall Road Binbrook ON L0R 1C0 PIN 17383-0063(LT)

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)

[redacted]

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~~ MERGED ~~Land of Purchaser~~	Parcel 3*	Parcel 4*
Identified on Sketch as:	Remainder	Red Rectangle	Black Rectangle		
Type of Transfer	N/A	~~Sale~~ Lot Addition	N/A		
Frontage	231.84 m	10.668 m	30.48 m		
Depth	124.93m	60.96 m	60.96 m		
Area	21,514.7 m²	650.321 m²	1858.06m²		
Existing Use	Agricultural	Agricultural	Agricultural		
Proposed Use	Agricultural	Agricultural/Part of Field	Agricultural		
Existing Buildings/ Structures	House, Barn, Shed	N/A	House 14.2464 m x 8.08 m Garage 6.7056m * 10.668 m		
Proposed Buildings/ Structures	N/A	N/A	N/A		
Buildings/ Structures to be Removed	N/A	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) Existing Cistern o.

c) Type of sewage disposal proposed: (check appropriate box)
- ☐ publicly owned and operated sanitary sewage system
- ☑ privately owned and operated individual septic system existing
- ☐ other means (specify) _____

4.3 Other Services: (check if the service is available) - None to be added
- ☑ electricity
- ☐ telephone
- ☑ school bussing
- ☑ garbage collection

5 CURRENT LAND USE

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

Rural Hamilton Official Plan designation (if applicable): Agriculture

Rural Settlement Area: _____

Urban Hamilton Official Plan designation (if applicable) _____

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

This falls under 1.14.2.6 as a minor boundary adjustment.

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

☐ Yes ☑ No ☐ Unknown

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

_____

5.3 What is the existing zoning of the subject land? Agricultural

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

_____

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

☐ Yes ☑ No ☐ Unknown

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

_____

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

Use or Feature	On the Subject Land	Within 500 Metres of Subject Land, unless otherwise specified (indicate approximate distance)
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	☐	

[redacted]

6 HISTORY OF THE SUBJECT LAND

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

☐ Yes ☑ No ☐ Unknown

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

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

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

☐ Yes ☑ No

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

6.4 How long has the applicant owned the subject land?

1 year

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

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

---

7 PROVINCIAL POLICY

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

☑ Yes ☐ No (Provide explanation)

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

☑ Yes ☐ No (Provide explanation)

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

☑ Yes ☐ No (Provide explanation)

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

☐ Yes ☑ No (Provide explanation)

[redacted]

7.5 Are the subject lands subject to the Parkway Belt West Plan?
☐ Yes ☑ No (Provide explanation)

7.6 Are the subject lands subject to the Greenbelt Plan?
☑ Yes ☐ No (Provide explanation)

7.7 Are the subject lands within an area of land designated under any other provincial plan or plans?
☐ Yes ☑ No (Provide explanation)

8 ADDITIONAL INFORMATION - VALIDATION

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

☐ Yes ☑ N o (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)

[redacted]

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

[redacted]

11 COMPLETE APPLICATION REQUIREMENTS

11.1 All Applications

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

11.2 Validation of Title

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

11.3 Cancellation

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

11.4 Other Information Deemed Necessary

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

_____

_____

[redacted]