City of Hamilton
COMMITTEE OF ADJUSTMENT
AGENDA

Meeting #:	26-5
Date:	April 30, 2026
Time:	9:30 a.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 9:40 a.m. Minutes ratification

2. WEST DEVELOPMENT

2.1 9:45 a.m. A-26:052 1237 Main Street West, Hamilton (Ward 1) — 7

Owner: F. Tayyab
Applicant: L. Angelici

2.2 9:50 a.m. A-26:049 94 Limeridge Road East, Hamilton (Ward 8) — 31

Owner: S. Maddalena, D. Blaylock
Applicant: L. Angelici

2.3 9:55 a.m. A-26:051 65 Murray Street West, Hamilton (Ward 2) — 53

Owner: K. Schwenger, J. Yach
Applicant: K. Schwenger, J. Yach
Agent: Lauren Boyer Architect

2.4 10:00 a.m. B-26:008 237 Springbrook Avenue, Ancaster (Ward 12) 89

Owner: 1000072010 Ontario Inc. - A. Crowe
Applicant: 1000072010 Ontario Inc. - A. Crowe
Agent: Landwise - K. Gillis

2.5 10:00 a.m. A-26:053 237 Springbrook Avenue, Ancaster (Ward 12) 135

Owner: 1000072010 Ontario Inc. - A. Crowe
Applicant: 1000072010 Ontario Inc. - A. Crowe
Agent: Landwise - K. Gillis

2.6 10:05 a.m. A-26:056 1247 Sheffield Road, Flamborough (Ward 12) 173

Owner: J. Fritsch, E. Fereber
Applicant: J. Fritsch, E. Fereber

2.7 10:10 a.m. A-26:055 3142 Jerseyville Road West, Ancaster (Ward 12) 195

Owner: J. & A. Kroesbergen
Applicant: A. Kroesbergen

2.8 10:15 a.m. A-26:028 21 Dundas Street, Dundas (Ward 13) 215

Owner: M. Peetz, P. Peetz

2.9 BREAK

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2.10 10:35 a.m. A-25:120 52 Purnell Drive, Hamilton (Ward 14) 247

Owner: L. & S. Lauricella
Applicant: J. Bognar
Agent: J. Bognar

2.11 10:40 a.m. A-26:050 5 Alger Court, Flamborough (Ward 15) 273

Owner: T. Sarson, A. Sarson
Applicant: T. Sarson

2.12 10:45 a.m. A-26:060 335 Carisle Road, Flamborough (Ward 15) 293

Owner: A. Venturin, M. Pankratz

2.13 10:50 a.m. B-26:014 364 & 368 Mill Street, Dundas (Ward 15) 321

Owner: Acacia Realty Holdings Inc.
Agent: D. Robertson

2.14 10:55 a.m. B-26:015 1 Westview Crescent, Flamborough (Ward 15) 343

Owner: M. Desrochers, M. Lafferty

2.15 11:00 a.m. A-26:061 26 Cattail Crescent, Flamborough (Ward 15) 371

Owner: M. Patel, C. Patel
Applicant: S. Tarika
Agent: S. Tarika

3. EAST DEVELOPMENT

3.1 11:05 a.m. A-26:054 77 Parkdale Avenue North, Hamilton (Ward 4) 391

Owner: O. Bozur
Applicant: J. Garnet

3.2 11:10 a.m. A-26:058 141 Cole Street, Flamborough (Ward 15) 421

Owner: Parskide Hills Inc. - J. Nesbitt
Applicant: Parskide Hills Inc.
Agent: WEBB Planning Consultants

3.3 11:15 a.m. B-24:30 1007 Beach Boulevard, Hamilton (Ward 5) 459

Owner: S. Clark
Agent: M. Sabelli

3.4 11:15 a.m. A-24:112 1007 Beach Boulevard, Hamilton (Ward 5) 485

Owner: S. Clark
Agent: M. Sabelli

3.5 11:20 a.m. B-26:013 1 Rosscliffe Avenue, Hamilton (Ward 7) 509

Owner: 16112277 Canada Inc. B. Chohan

3.6 BREAK

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3.7 11:40 a.m. A-26:062 718 Rymal Road East, Hamilton (Ward 7) 549

Owner: 16931618 Canada Inc. - K. Alli
Applicant: Bright Hope Childcare Centre In. - K. Alli

3.8 11:45 a.m. B-26:009 128 Slinger Avenue, Stoney Creek (Ward 9) 577

Owner: I. Stanic, I. Stanic
Applicant: Barich Grenkie Surveying Ltd. G. Favaedi, D. Jakovina
Agent: Barich Grenkie Surveying Ltd. G. Favaedi, D. Jakovina

3.9 11:50 a.m. A-26:042 37 Eleventh Road East, Stoney Creek (Ward 9) 631

Owner: K. Simpson, C. Simpson
Applicant: R. Lachapelle
Agent: R. Lachapelle

3.10 11:55 a.m. B-26:007 486 Glover Road, Stoney Creek (Ward 10) 655

Owner: 2452593 Ontario Inc. - M. Abou-Hussein
Applicant: 2452593 Ontario Inc. - M. Abou-Hussein
Agent: Zelinka Priamo Ltd. - D. Elsenbruch

3.11 12:00 p.m. B-26:010 8 Shoreview Place, Stoney Creek (Ward 10) 697

Owner: Seasons Retirement Communities (Stoney Creek) GP Inc.
Applicant: Seasons Retirement Communities (Stoney Creek) GP Inc.
Agent: UrbanSolutions Planning & Land Development Consultants Inc. - M. Johnston

3.12 12:00 p.m. A-26:057 8 Shoreview Place, Stoney Creek (Ward 10) 737

Owner: Seasons Retirement Communities (Stoney Creek) GP Inc.
Applicant: Seasons Retirement Communities (Stoney Creek) GP Inc.
Agent: UrbanSolutions Planning & Land Development Consultants Inc. - M. Johnston

3.13 12:05 p.m. A-26:059 5398 White Church Road East, Glanbrook (Ward 11) 771

Owner: L. & S. Zahorodni
Applicant: A. Zahorodni
Agent: A. Bepple

3.14 12:10 p.m. Chair and staff announcements.

4. CLOSED

5. ADJOURNMENT

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-26:052	**SUBJECT PROPERTY:**	1237 Main Street West, Hamilton
ZONE:	'TOC1' (Transit Oriented Corridor Mixed Use Medium Density) Zone	**ZONING BY-LAW:**	Hamilton Zoning By-law 05-200

APPLICANTS: Owner: Faraz Tayyab
Applicant: Len Angelici
Agent:

The following variances are requested:

1. An expansion of a legal non-conforming use in the form a 230.6 square meter addition (being 98.5% of the existing Gross Floor Area) shall be permitted whereas the by-law permits a maximum expansion of 10% of the existing Gross Floor Area.

2. A Duplex Dwelling shall be permitted to contain a maximum of two (2) Additional Dwelling Units whereas the by-law permits a maximum of one (1) Additional Dwelling Unit within a Duplex.

PURPOSE & EFFECT: To permit the expansion of a Legal Non-Conforming Duplex Dwelling in the form of a rear yard addition and to establish two (2) Additional Dwelling Units.

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, April 30, 2026**
TIME:	**9:45 a.m.**
PLACE:	**Via video link or call in (see attached sheet for details)**
	City Hall Council Chambers (71 Main St. W., Hamilton)

A-26:052

	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 April 28, 2026.

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 April 29, 2026.

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding A-26:052, 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 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-26:052



Subject Lands

DATED: April 13, 2026

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.

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

The following information is required with your written submission:

- Committee of Adjustment file number
- Full name and address of the person providing comments. Anonymous comments will not be accepted.

Comments can also be placed in the drop box which is located at the back of the 1st Floor of City Hall, 71 Main Street West. All written comments received by the deadline 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. To register, email cofa@hamilton.ca with the following information:

- Committee of Adjustment file number
- Hearing date
- Full name and address of the person wishing to speak. Anonymous comments will not be accepted.
- 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.

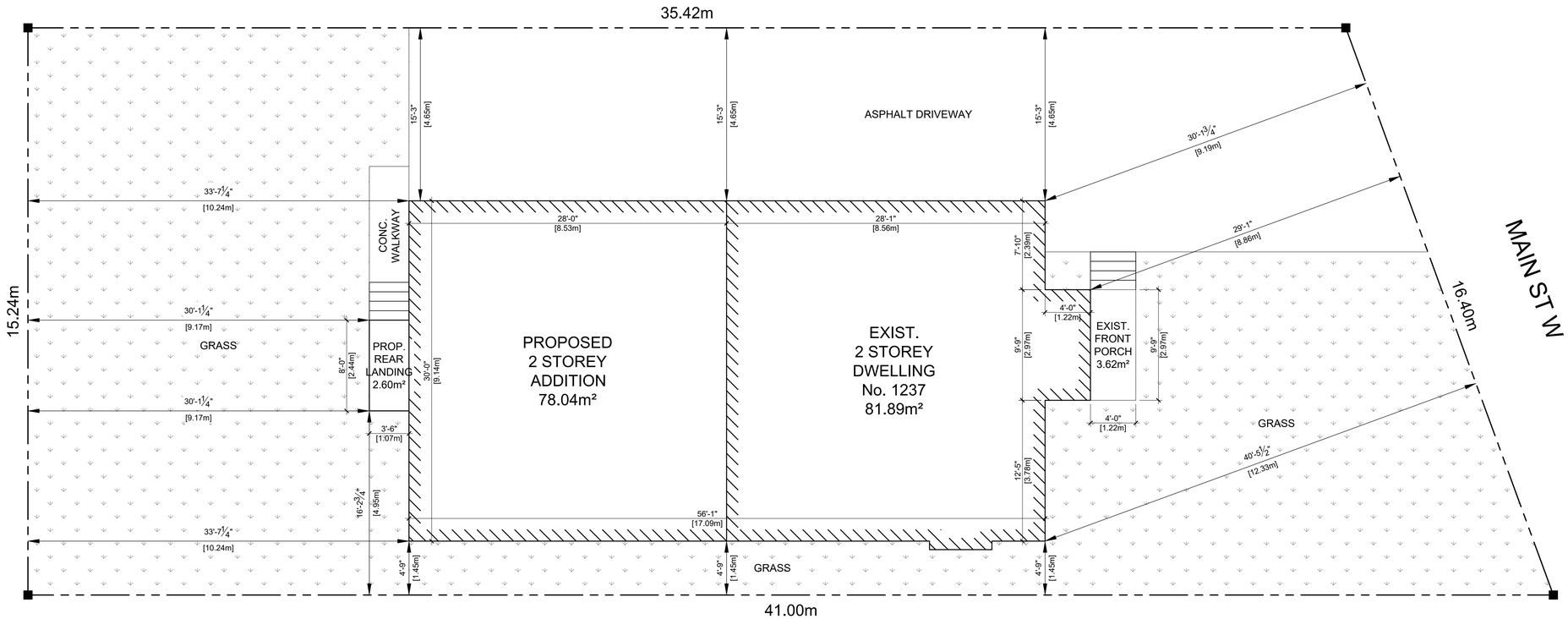
Virtual Presentations:
Presenters participating virtually may be granted permission to share their screen during the Hearing. A copy of the presentation must be submitted to cofa@hamilton.ca **by 12:00 p.m. (noon) on the business day prior to the Hearing.** The submission must be one document in PDF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



LANDSCAPING	
FRONT YARD AREA:	147.10m²
LANDSCAPED AREA:	94.28m²
	=**64.09%**
LOT AREA:	583.20m²
TOTAL LANDSCAPED AREA:	274.10m²
	=**47.00%**

SITE DATA	
ZONE:	TOC1
LOT AREA:	583.20m²
EXISTING DWELLING FOOTPRINT:	81.89m²
PROPOSED ADDITION:	78.04m²
EXISTING FRONT PORCH:	3.62m²
PROPOSED REAR LANDING:	2.60m²
LOT COVERAGE:	27.42%
BUILDING HEIGHT	
No. of STOREYS:	2
SETBACKS	
FRONT:	8.86m
REAR:	10.24m
LEFT SIDE:	1.45m
RIGHT SIDE:	4.65m

NOTE:
NO CHANGE TO GRADES AT PROPERTY LINES AND NO EXISTING DEVELOPMENT FEATURES WILL BE ALTERED OR REMOVED

PROJECT NORTH	TRUE NORTH

No.	REVISION	DATE
01.	DRAWINGS FOR VARIANCE	03/05/2026

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.
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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	43162
NAME	BCIN

03/05/2026
DATE SIGNATURE

Len Angelici Design
270 SHERMAN AVE N, UNIT OF-269
HAMILTON, ON L8L 6N4
(905) 393-8868
info@lenangelicidesign.ca

PROJECT

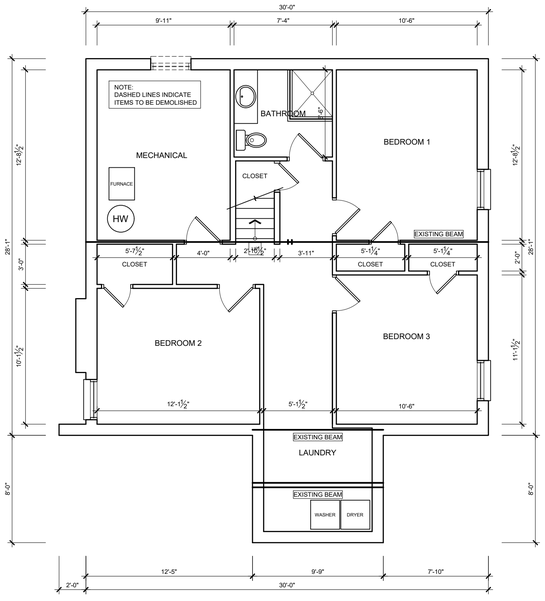
1237 MAIN ST W
HAMILTON, ON

SHEET TITLE

SITE PLAN

DRAWN BY	
L. ANGELICI	
DATE	
03/05/2026	
SCALE	
3/16"=1'-0"	
PROJECT No.	
25018	

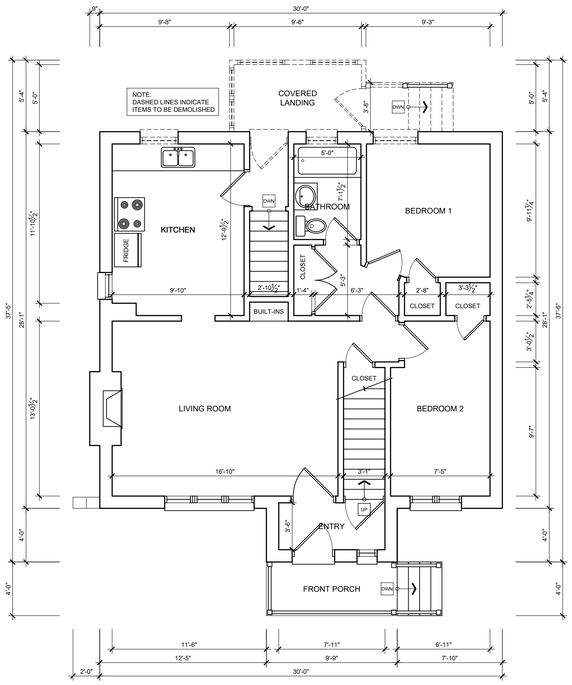
SP1



EXISTING FOUNDATION PLAN - UNIT A

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

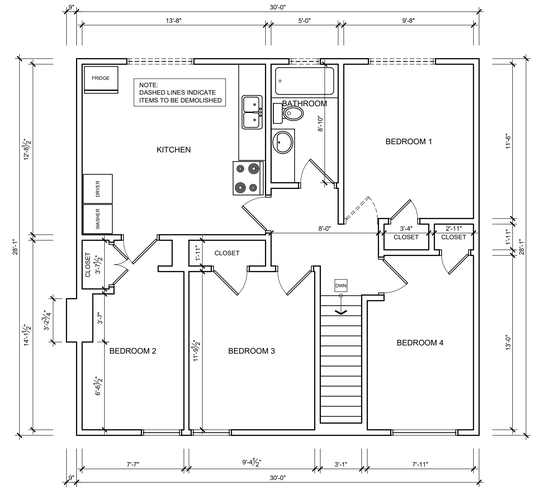
MECHANICAL: 126.02sqft (11.71m²)
FLOOR AREA: 794.48sqft (73.81m²)



EXISTING MAIN FLOOR PLAN - UNIT A

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

FLOOR AREA: 881.50sqft (81.89m²)
TOTAL FLOOR AREA: 2518.48sqft (233.97m²)



EXISTING SECOND FLOOR PLAN - UNIT B

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

FLOOR AREA: 842.50sqft (78.27m²)

PROJECT NORTH	TRUE NORTH

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SEAL

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QUALIFICATION INFORMATION

LEONARD ANGELICI — 42391
NAME — BCIN

REGISTRATION INFORMATION

LEN ANGELICI DESIGN — 43162
NAME — BCIN

03/05/2026
DATE — SIGNATURE

Len Angelici Design
270 SHERMAN AVE N, UNIT OF-269
HAMILTON, ON L8L 6N4
(905) 393-8868
info@lenangelicidesign.ca

PROJECT

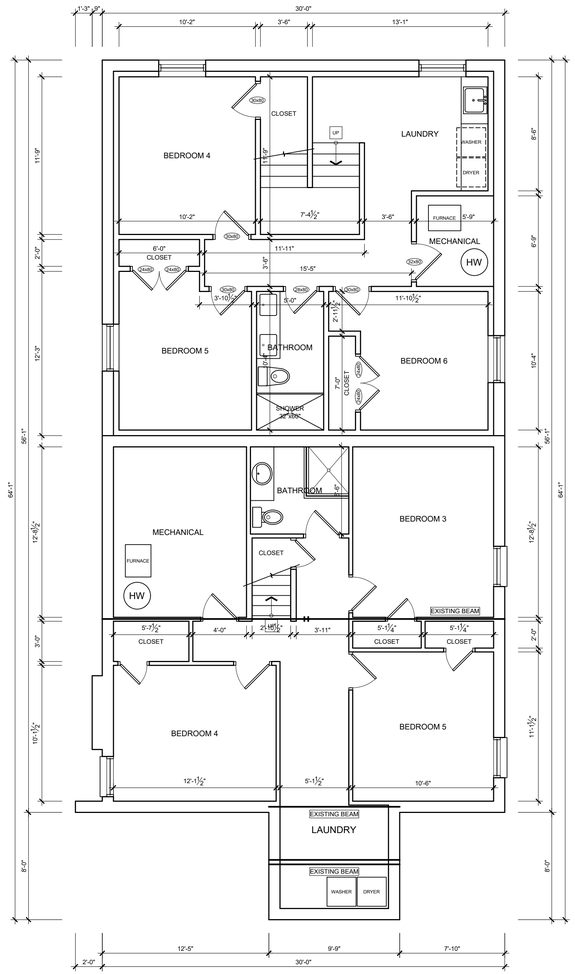
1237 MAIN ST W
HAMILTON, ON

SHEET TITLE

EXISTING FLOOR PLANS

DRAWN BY	
L. ANGELICI	
DATE	
03/05/2026	
SCALE	
3/16"=1'-0"	
PROJECT No.	
25018	

A1



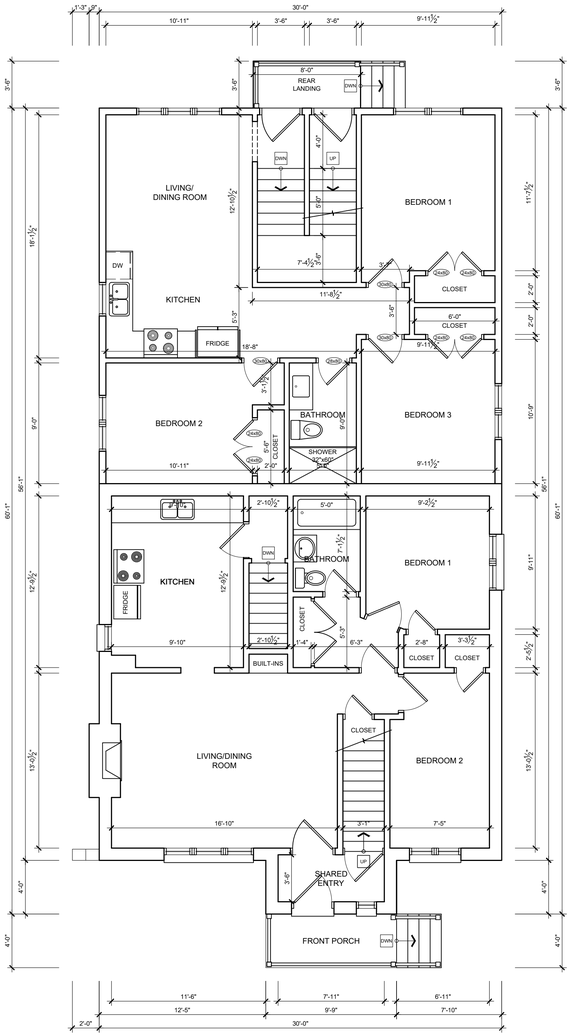
PROPOSED FOUNDATION PLAN - UNITS A & B

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

EXIST. MECHANICAL: 126.02sqft (11.71m²)
EXIST. FLOOR AREA: 794.48sqft (73.81m²)

NEW MECHANICAL: 38.81sqft (3.61m²)
NEW FLOOR AREA: 801.19sqft (74.43m²)

TOTAL BASEMENT FLOOR AREA: 1595.67sqft (148.24m²)



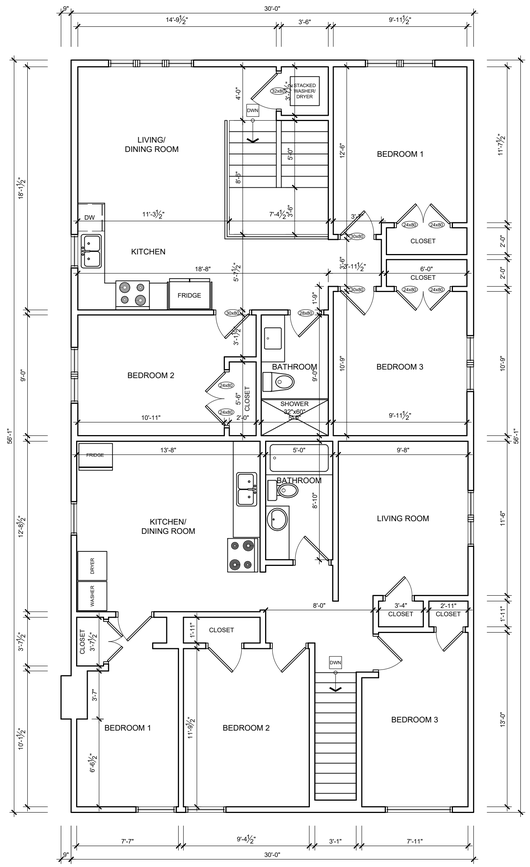
PROPOSED MAIN FLOOR PLAN - UNITS A & B

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

EXIST. FLOOR AREA: 881.50sqft (81.89m²)

NEW FLOOR AREA: 840.00sqft (78.04m²)

TOTAL MAIN FLOOR AREA: 1721.50sqft (159.93m²)



PROPOSED SECOND FLOOR PLAN - UNITS C & D

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

EXIST. FLOOR AREA: 842.50sqft (78.27m²)

NEW FLOOR AREA: 840.00sqft (78.04m²)

TOTAL 2ND FLOOR AREA: 1682.50sqft (156.31m²)

EXIST. FLOOR AREA: 2518.48sqft (233.97m²)
NEW FLOOR AREA: 2481.19sqft (230.51m²) (98.52%)
TOTAL GROSS FLOOR AREA: 4999.67sqft (464.48m²)

PROJECT NORTH	TRUE NORTH

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NAME — BCIN

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LEN ANGELICI DESIGN — 43162
NAME — BCIN

03/05/2026
DATE — SIGNATURE

Len Angelici Design
270 SHERMAN AVE N, UNIT OF-269
HAMILTON, ON L8L 6N4
(905) 393-8868
info@lenangelicidesign.ca

PROJECT

1237 MAIN ST W
HAMILTON, ON

SHEET TITLE

PROPOSED FLOOR PLANS

DRAWN BY	L. ANGELICI
DATE	03/05/2026
SCALE	3/16"=1'-0"
PROJECT No.	25018

A2



FRONT ELEVATION

SCALE 3/16" = 1' - 0"



LEFT SIDE ELEVATION

SCALE 3/16" = 1' - 0"

WALL AREA: 108.86m²
WALL SETBACK: 1.45m
UNPROTECTED OPENINGS AREA: 7.02m² = 6.45%
MAXIMUM ALLOWABLE OPENINGS: 7%



REAR ELEVATION

SCALE 3/16" = 1' - 0"



RIGHT SIDE ELEVATION

SCALE 3/16" = 1' - 0"

WALL AREA: 108.86m²
WALL SETBACK: 4.65m
UNPROTECTED OPENINGS AREA: 7.83m² = 7.19%
MAXIMUM ALLOWABLE OPENINGS: 12%

EXTERIOR FINISH INDEX

- A STONE VENEER
- B BRICK VENEER
- C VINYL SIDING
- D WOOD SIDING
- E ASPHALT SHINGLES
- F 5" PRE-FIN. ALUM. EAVETROUGH ON 8" WITH PRE-FIN. ALUM. FASCIA C/W PRE-FIN. ALUM. DOWNSPOUT

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5. LEN ANGELICI DESIGN IS NOT RESPONSIBLE FOR THE DESIGN OR PRE-ENGINEERED TRUSSES OR ANY PRE-ENGINEERED PRODUCTS.
6. LEN ANGELICI DESIGN IS NOT RESPONSIBLE FOR HEATING, PLUMBING, OR ELECTRICAL DRAWINGS.
7. DRAWING MAY NOT BE CHANGED, ALTERED OR COPIED WITHOUT WRITTEN CONSENT OF LEN ANGELICI DESIGN. FAILURE TO COMPLY WITH THIS STATEMENT IS NOT THE RESPONSIBILITY OF LEN ANGELICI DESIGN.
8. LEN ANGELICI DESIGN IS NOT RESPONSIBLE FOR POOR CONSTRUCTION PRACTICES.

SEAL

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

QUALIFICATION INFORMATION

LEONARD ANGELICI — 42391
NAME — BCIN

REGISTRATION INFORMATION

LEN ANGELICI DESIGN — 43162
NAME — BCIN

03/05/2026
DATE — SIGNATURE

Len Angelici Design
270 SHERMAN AVE N, UNIT OF-269
HAMILTON, ON L8L 6N4
(905) 393-8868
info@lenangelicidesign.ca

PROJECT

1237 MAIN ST W
HAMILTON, ON

SHEET TITLE

ELEVATIONS

DRAWN BY	L. ANGELICI
DATE	03/05/2026
SCALE	3/16"=1'-0"
PROJECT No.	25018

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)	FARAZ TAYYAB	[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	1237 MAIN ST W		
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 11.1.4 i) THE INCREASE SHALL NOT EXCEED A MAXIMUM OF 10% OF THE GROSS FLOOR AREA OF THE BUILDING EXISTING AT THE DATE OF PASSING OF THE 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?

THE PROPOSED ADDITION WILL RESULT IN A 98.52% IN GROSS FLOOR AREA IN ORDER TO FACILITATE A 4 UNIT DWELLING FOR STUDENT HOUSING

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
16.40m	41.00m	583.20m2	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	9.19m	18.78m	1.45m, 4.65m	UNKNOWN
FRONT PORCH	7.72m	N/A	5.23m, 7.04m	UNKNOWN

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
DWELLING	9.19m	10.24m	1.45m, 4.65m	SUMMER 2026
REAR LANDING	N/A	9.17m	4.95m, 7.85m	SUMMER 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
DWELLING	81.89m2	233.97m2	2	7.76m

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
DWELLING	159.93m2	464.48m2	2	7.76m

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.):

SINGLE DETACHED DWELLING - FOURPLEX

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

SINGLE DETACHED DWELLING, MULTI UNIT RESIDENTIAL BUILDING

7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:

AUGUST 5, 2015

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

SINGLE DETACHED DWELLING

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

SINGLE DETACHED DWELLING DUPLEX, STUDENT HOUSING

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) MIXED USE - MEDIUM DENSITY

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

SURROUNDING PROPERTIES ARE MULTI-UNIT DWELLINGS

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

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: 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

_____

_____

STAFF COMMENTS

HEARING DATE: April 30, 2026

Hamilton

A-26:052 — 1237 Main Street West, Hamilton

Recommendation:

Approve — Development Planning

Proposed Conditions:

Proposed Notes:

A building permit is required for the construction of the proposed addition to the existing duplex. (Building Engineering)

A building permit is required for the construction of the proposed additional dwelling units. (Building Engineering)

Be advised that Ontario Building Code regulations may require specific setback and construction types. (Building Engineering)

Hamilton

Development Planning:

Background
The purpose of Minor Variance application A-26:052 is to expand a legal non-conforming duplex and permit the establishment of two additional dwelling units.

Staff note that this Minor Variance application was made under Section 45(2) of the *Planning Act*. Accordingly, staff have reviewed this Minor Variance application under Section 45(2)(a)(i) of the *Planning Act*.

Analysis

Urban Hamilton Official Plan
The subject lands are identified as “Primary Corridor” in Schedule E – Urban Structure and are designated “Mixed Use – Medium Density” in Schedule E-1 – Urban Land Use Designations of the Urban Hamilton Official Plan. As this application is regarding a legal non-conforming use, Policies B.2.4.1.4, B.2.4.2.2, F.1.12.7, F.1.12.8 and F.1.12.9, among others, are applicable.

“F.1.12.7 Legally existing land uses which do not comply with the land use designations shown on Schedule E-1 – Urban Land Use Designations or their related policies should cease to exist over time. Accordingly, such uses shall be deemed as legal non complying.

F.1.12.8 Where appropriate, the City may amend the Zoning By-law to recognize the legal non-complying use as an existing use provided that all the following criteria shall be met:

a) the Zoning By-law shall permit only the existing use and the associated performance standards;

b) the use does not constitute a danger to surrounding uses and persons by virtue of their hazardous nature or by the traffic generated; and,

c) the use is in compliance with appropriate provincial and municipal regulations.

F.1.12.9 The expansion or enlargement or change in legal non-complying uses shall be permitted provided they maintain the intent and purpose of this Plan and the Zoning By-law.”

The existing two storey duplex is non-conforming. The proposal consists of expanding the existing duplex from 233.97 square metres to 464.48 square metres with a two storey, rear addition. The proposed additional dwelling units would be established within the rear addition. Staff note a 4.65 metre setback will be maintained to the westerly side yard and a 1.45 metre setback will be maintained to the easterly side yard. A one storey single detached dwelling is located on the neighbouring property to the west, and a three storey low rise multiple dwelling is located on the neighbouring property to the east.

Hamilton

The proposal is considered residential intensification and has been reviewed against the residential intensification criteria found in Policies B.2.4.1.4 and B.2.4.2.2, including the Neighbourhood Infill Design Guidelines.

Based upon the architectural package provided with this application, staff are of the opinion the proposed addition to the existing duplex is compatible with the existing neighbourhood character and built form while contributing to a range of dwelling types and tenures within the neighbourhood. Staff do not anticipate privacy or overlook impacts as the existing side yard setbacks and height of the duplex will be maintained. Additionally, a landscaped area will be maintained in the rear yard for amenity purposes.

Staff are of the opinion that the proposed expansion maintains the general intent of the Urban Hamilton Official Plan.

Ainslie Wood Westdale Secondary Plan
The subject lands are designated “Mixed Use – Medium Density” and “Area Specific Policy - Area E” on Map. B.6.2-1 Ainslie Wood Westdale – Land Use Plan.

City of Hamilton Zoning By-law No. 05-200
The subject lands are zoned Transit Oriented Corridor Mixed Use Medium Density (TOC1) Zone in City of Hamilton Zoning By-law No. 05-200. The existing duplex is a legal non-conforming use. One additional dwelling unit is permitted.

Variances 1 and 2

1. An expansion of a legal non-conforming use in the form of a 230.6 square metre addition (being 98.5% of the existing gross floor area) shall be permitted whereas the Zoning By-law permits a maximum expansion of 10% of the existing gross floor area.

2. A duplex shall be permitted to contain a maximum of two additional dwelling units whereas the Zoning By-law permits a maximum of one additional dwelling unit within a duplex.

The applicant proposes to permit the expansion of a non-conforming duplex with a two storey, rear addition and the establishment of two additional dwelling units.

Staff note that this application is being reviewed in accordance with Section 45(2)(a)(i) of the *Planning Act*, which reads:

> *“(i) the enlargement or extension of the building or structure, if the use that was made of the building or structure on the day the by-law was passed, or a use permitted under subclause (ii) continued until the date of the application to the committee, but no permission may be given to enlarge or extend the building or structure beyond the limits of the land owned and used in connection therewith on the day the by-law was passed.”*

Hamilton

Having regard for the matters under subsection 45(2) of the *Planning Act*, staff are satisfied that the proposed expansion of the existing dwelling and establishment of two additional dwelling units is desirable for the appropriate development of the subject lands and will not adversely impact neighbouring properties. Based on the foregoing, **staff recommend approval.**

Zoning:

Recommendation:	No Comments
Proposed Conditions:	
Comments:	
Notes:	

Development Engineering:

Recommendation:	No Comments
Proposed Conditions:	N/A
Comments:	N/A
Notes:	N/A

Building Engineering:

Recommendation:	Comments and Conditions/Notes
Proposed Conditions:	
Comments:	
Notes:	A building permit is required for the construction of the proposed addition to the existing duplex. A building permit is required for the construction of the proposed additional dwelling units. Be advised that Ontario Building Code regulations may require specific setback and construction types.

Transportation Planning:

Recommendation:	No Comments
Proposed Conditions:	
Comments:	
Notes:	

Please Note: Public comment will be posted separately, if applicable.

From: Real Estate Canada <Real_EstateCanada@cpkcr.com>
Sent: Friday, April 24, 2026 9:27 AM
To: Committee of adjustment
Subject: RE: April 30, 2026 - Committee of Adjustment Agenda Available

Categories: April 30

External Email: Use caution with links and attachments.

Good morning,
Sorry for the confusion, those comments were for 1237 Main Street West.

From: Committee of adjustment <cofa@hamilton.ca>
Sent: Thursday, April 23, 2026 4:46 PM
To: Real Estate Canada <Real_EstateCanada@cpkcr.com>
Subject: RE: April 30, 2026 - Committee of Adjustment Agenda Available

❗ Caution: This Message Is From an External Sender ❗
This email did not originate from CPKC. If the sender is unfamiliar, avoid opening links or attachments.

Good Afternoon,

Thank you for the e-mail, could you kindly provide clarification on which file number(s) or applications to attach these comments to?

Best regards,

Committee of Adjustment
Planning and Economic Development
City of Hamilton
(905) 546-2424 ext. 4221
Hamilton

From: Real Estate Canada <Real_EstateCanada@cpkcr.com>
Sent: Thursday, April 23, 2026 5:18 PM
To: Committee of adjustment <cofa@hamilton.ca>
Subject: RE: April 30, 2026 - Committee of Adjustment Agenda Available

External Email: Use caution with links and attachments.

Please see comments below.

Good Afternoon,

Comments on, within 500m of CPKC Rail line

CPKC is generally not opposed to Commercial/Industrial type developments adjacent to our right of way. Notwithstanding that statement, commercial developments should still meet certain recommendations based upon site specific conditions and intended use.

CPKC is not in favour of residential uses that are not compatible with rail operations as the safety and welfare of residents can be adversely affected by rail operations. CPKC freight trains operate 24/7 and schedules/volumes are subject to change.

CPKC's approach to any development or expansion in the vicinity of rail operations is encapsulated by the recommended 2013 Proximity Guidelines developed through collaboration between the Railway Association of Canada and the Federation of Canadian Municipalities. CPKC continues to recommend that all proposed developments (whether residential, commercial, or industrial) follow the 2013 Proximity Guidelines. It is incumbent upon the developer to incorporate these safety measures to a degree that satisfies the requirements of the relevant agencies issuing building and development permits. The 2013 Proximity Guidelines can be found here: https://www.proximityinitiative.ca/

CPKC's drainage infrastructure, including ditches and culverts, is designed exclusively to manage railway stormwater. These systems are not engineered to accommodate flows from adjacent developments. Developers must not incorporate or rely on CPKC drainage systems as part of their stormwater management plans, all stormwater management strategies must remain fully independent of CPKC property.

In addition, all construction, continued maintenance, access, and egress must be done without entering the railroad right of way. This includes but is not limited to maintenance of any equipment, lawn care, snow plowing and emergency exits via windows or doors.

CPKC recommends that the below conditions be inserted in all property and tenancy agreements or future offers of purchase and sale for all dwelling units in the proposed building(s):

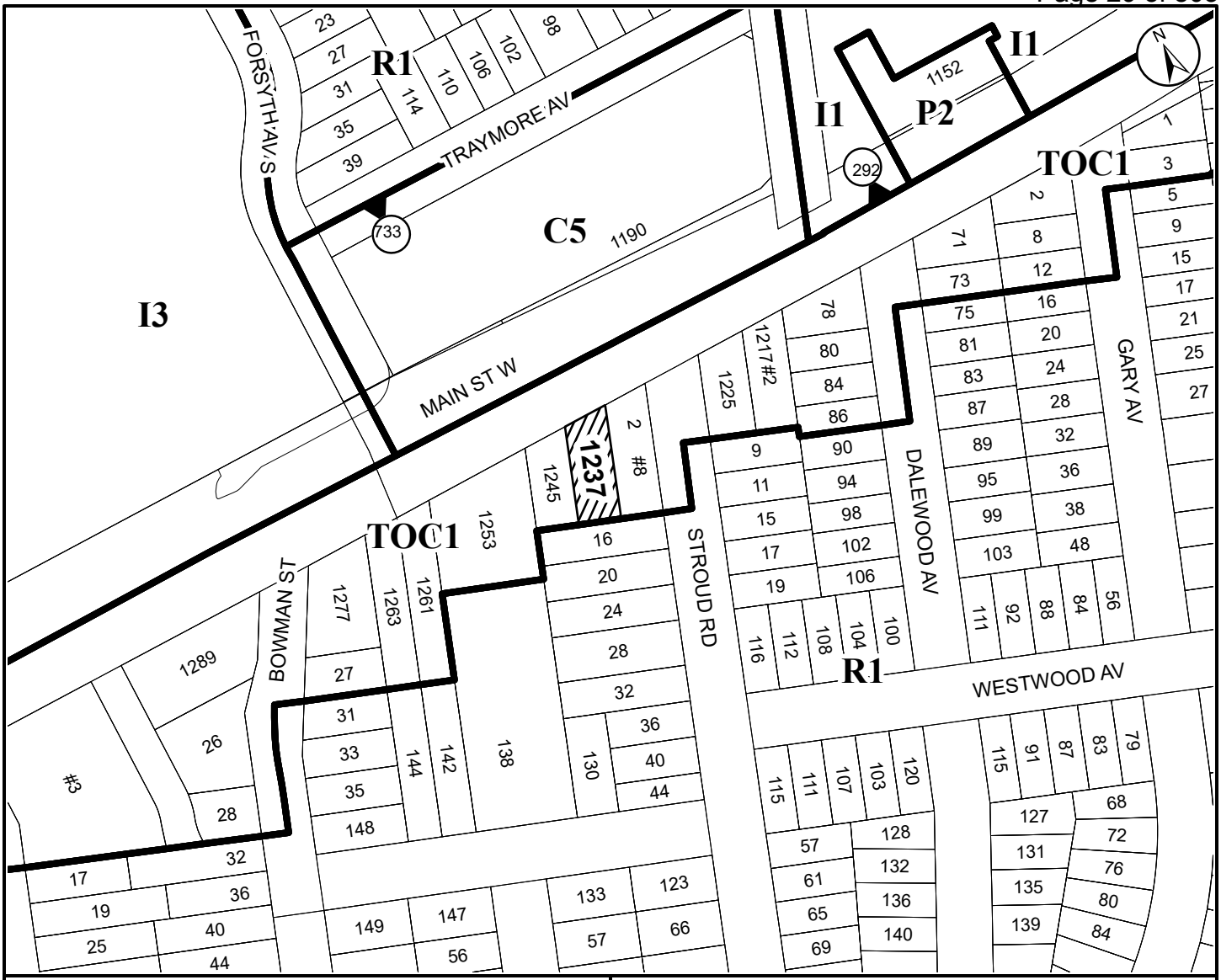
"CPKC and/or its assigns or successors in interest has or have a railway right-of-way and/or yard located adjacent to the subject land hereof with operations conducted 24 hours a day, 7 days a week, including the shunting of trains and the idling of locomotives. There may be alterations to, or expansions of, the railway facilities and/or operations in the future, which alterations or expansions may affect the living environment of the residents in the vicinity. Notwithstanding the inclusion of any noise and/or vibration attenuating measures in the design of the development and individual dwellings, CPKC will not be responsible for complaints or claims arising from the use of its facilities and/or its operations on, over, or under the aforesaid right-of-way and/or yard."

We would appreciate being circulated with all future correspondence related to developments adjacent to our right of way.

Thank you,

Real Estate Canada

Real_EstateCanada@cpkcr.com
7550 Ogden Dale Road SE, Building 1
Calgary AB T2C 4X9



● **Site Location**



City of Hamilton

Committee of Adjustments

Subject Property

1237 Main Street West, Hamilton (Ward 1)

File Name/Number: A-26:052

Date: April 17, 2026

Technician: RS

Scale: N.T.S.

Appendix "A"

Planning and Economic Development Department

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-26:049	**SUBJECT PROPERTY:**	94 Limeridge Road East, Hamilton
ZONE:	'R1' (Low Density Residential – Small Lot) Zone	**ZONING BY-LAW:**	Hamilton Zoning By-law 05-200

APPLICANTS: Owner: Shieleen Maddalena & Doug Blaylock
Applicant: Len Angelici
Agent:

The following variances are requested:

1. A Maximum Gross Floor Area of 115.2m² shall be permitted for an Additional Dwelling Unit – Detached instead of the requirement that the maximum gross floor area of an Additional Dwelling Unit – Detached shall not exceed the lesser of 75.0 square metres or the Gross Floor Area of the principal dwelling.

PURPOSE & EFFECT: To permit the construction of a new Additional Dwelling Unit – Detached within the rear yard 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, April 30, 2026**
TIME:	**9:50 a.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-26:049

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 April 28, 2026.

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 April 29, 2026.

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding A-26:049, 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-26:049



Subject Lands

DATED: April 13, 2026

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.

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

The following information is required with your written submission:

- Committee of Adjustment file number
- Full name and address of the person providing comments. Anonymous comments will not be accepted.

Comments can also be placed in the drop box which is located at the back of the 1st Floor of City Hall, 71 Main Street West. All written comments received by the deadline 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. To register, email cofa@hamilton.ca with the following information:

- Committee of Adjustment file number
- Hearing date
- Full name and address of the person wishing to speak. Anonymous comments will not be accepted.
- 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.

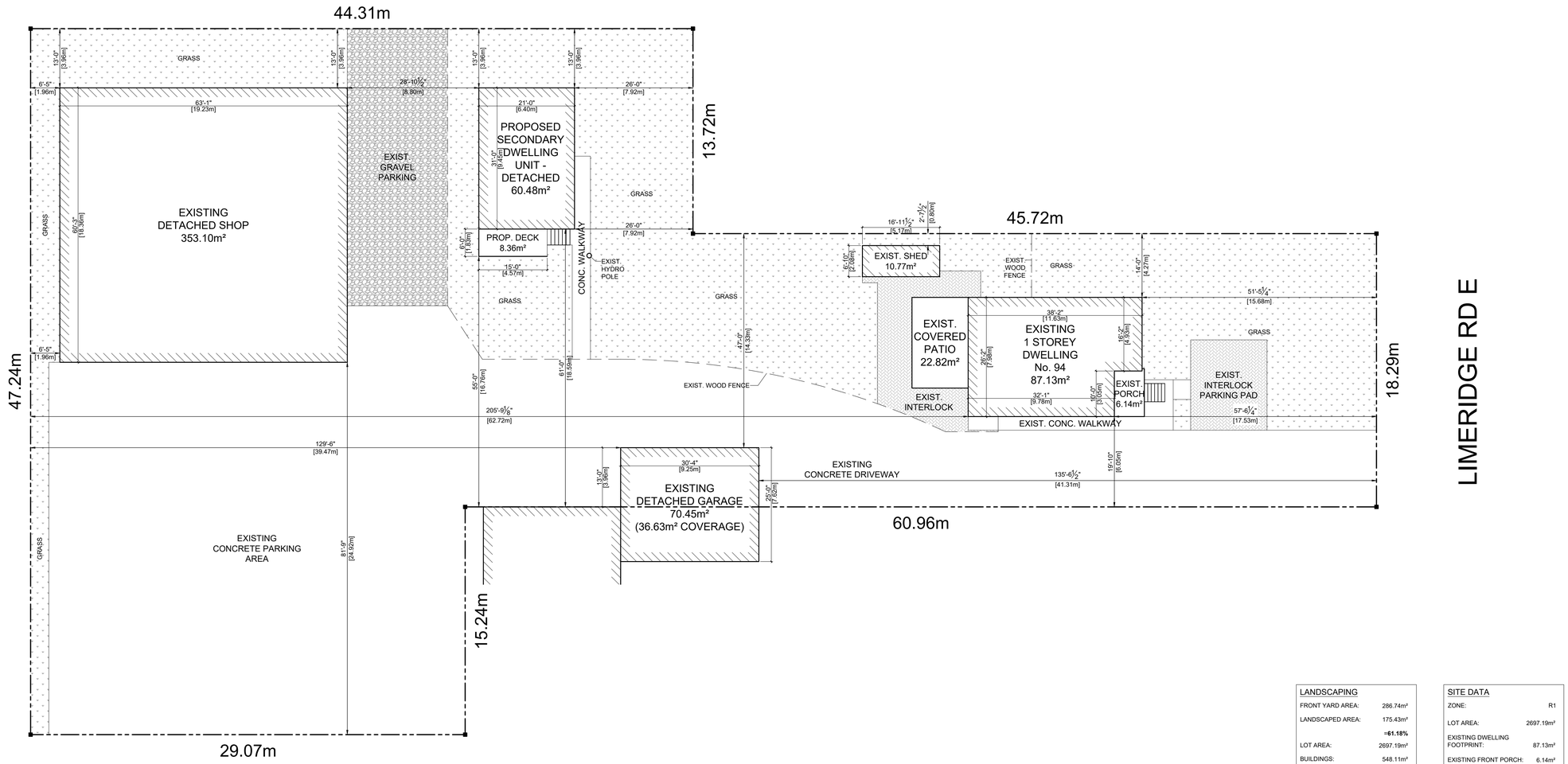
Virtual Presentations:
Presenters participating virtually may be granted permission to share their screen during the Hearing. A copy of the presentation must be submitted to cofa@hamilton.ca **by 12:00 p.m. (noon) on the business day prior to the Hearing.** The submission must be one document in PDF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



LANDSCAPING	
FRONT YARD AREA:	286.74m²
LANDSCAPED AREA:	175.43m²
	=61.18%
LOT AREA:	2697.19m²
BUILDINGS:	548.11m²
DRIVEWAY/PARKING:	1272.89m²
TOTAL LANDSCAPED AREA:	876.19m²
	=32.49%

NOTE:
NO CHANGE TO GRADES AT PROPERTY LINES AND NO EXISTING DEVELOPMENT FEATURES WILL BE ALTERED OR REMOVED

SITE DATA	
ZONE:	R1
LOT AREA:	2697.19m²
EXISTING DWELLING FOOTPRINT:	87.13m²
EXISTING FRONT PORCH:	6.14m²
EXISTING REAR COVERED PATIO:	22.82m²
EXISTING SHED:	10.77m²
EXISTING DETACHED GARAGE:	70.45m² (36.63m² COVERAGE)
EXISTING SHOP:	353.10m²
PROPOSED SECONDARY DWELLING UNIT: DETACHED:	60.48m²
PROPOSED DECK:	8.36m²
LOT COVERAGE:	20.32%
BUILDING HEIGHT	
No. of STOREYS:	1
SECONDARY DWELLING SETBACKS	
WEST:	3.69m
EAST:	18.59m
SOUTH:	8.80m
NORTH:	7.92m

PROJECT NORTH	TRUE NORTH

No.	REVISION	DATE
01.	DRAWINGS FOR VARIANCE	03/04/2026

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.
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SEAL

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QUALIFICATION INFORMATION

LEONARD ANGELICI	42391
NAME	BCIN

REGISTRATION INFORMATION

LEN ANGELICI DESIGN	124457
NAME	BCIN

03/04/2026
DATE SIGNATURE

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

PROJECT

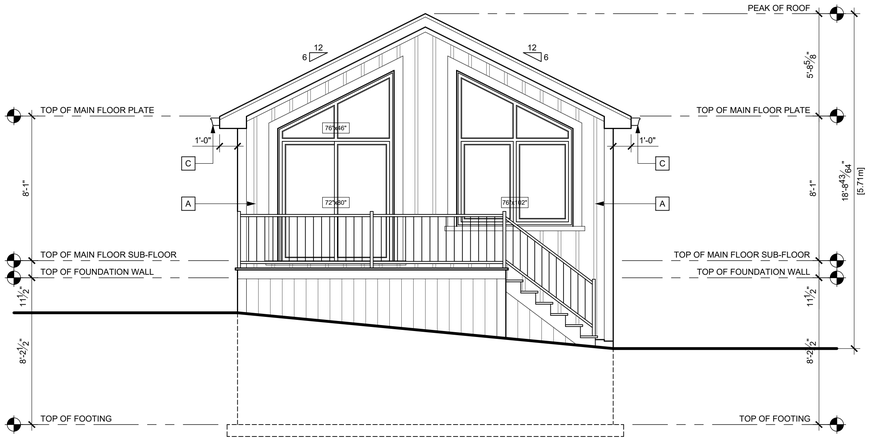
94 LIMERIDGE RD E
GARDEN SUITE
HAMILTON, ON

SHEET TITLE

SITE PLAN

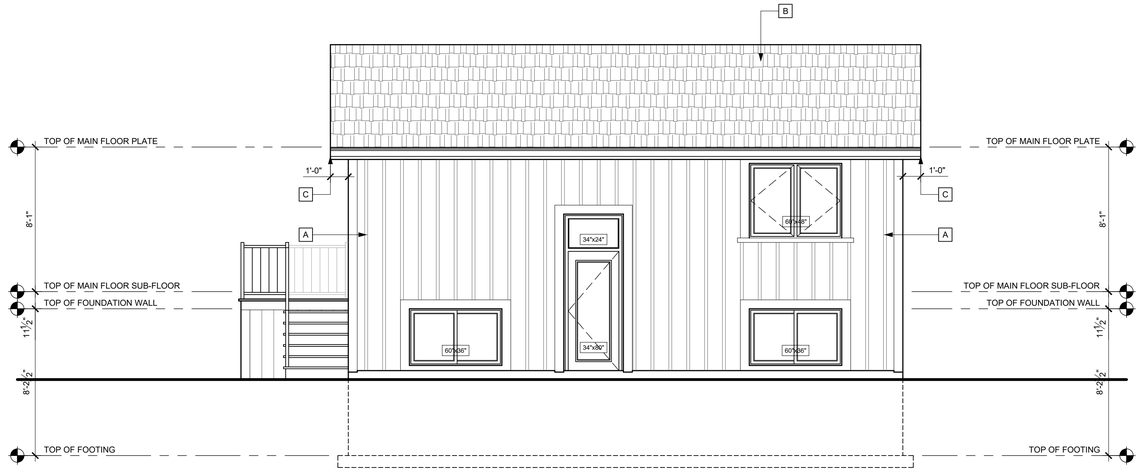
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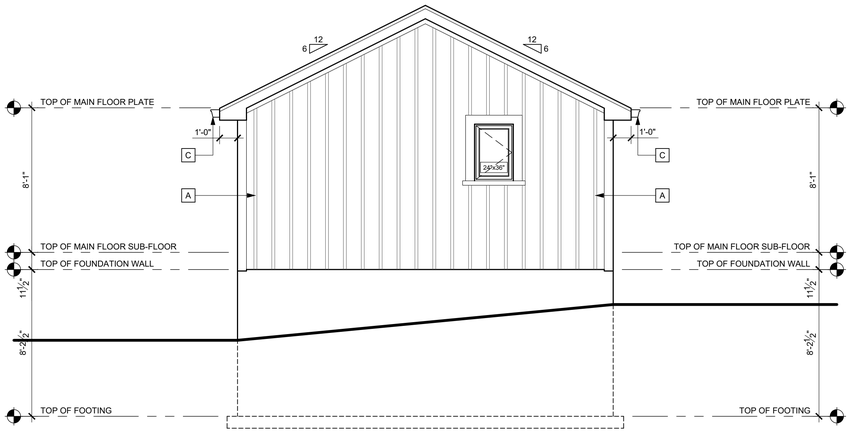
EAST ELEVATION

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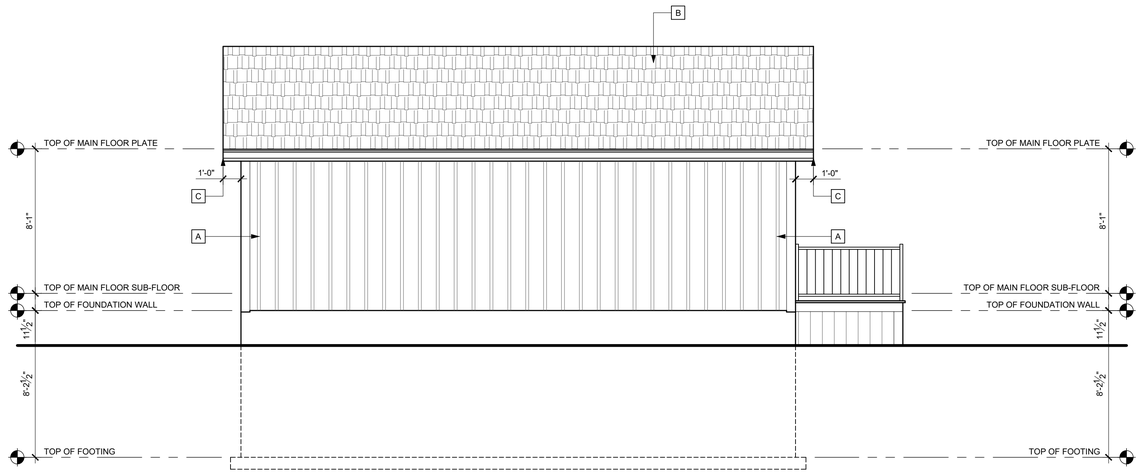
NORTH ELEVATION

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WEST ELEVATION

SCALE: ¼"=1'-0"



SOUTH ELEVATION

SCALE: ¼"=1'-0"

EXTERIOR FINISH INDEX

- A PRE-FIN. BOARD & BATTEN WOOD SIDING
- B ASPHALT SHINGLES
- C 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
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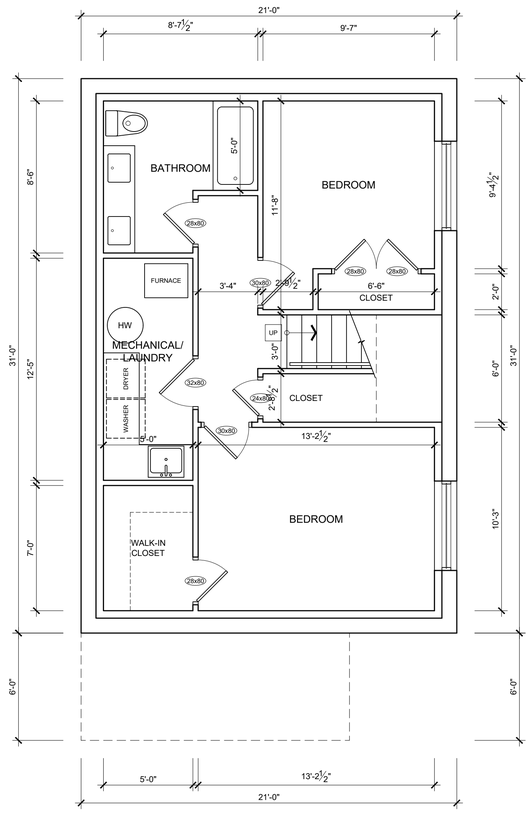
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HAMILTON, ON

SHEET TITLE

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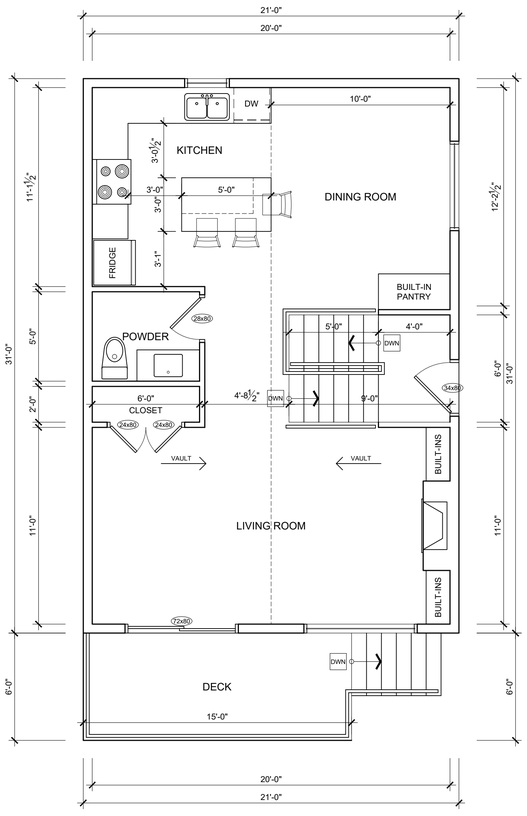
A1



FOUNDATION PLAN

SCALE ¼"=1'-0"

LAUNDRY/ MECHANICAL FLOOR AREA: 62.08sqft (5.77m²)
REMAINING FLOOR AREA: 588.92sqft (54.71sqft)



MAIN FLOOR PLAN

SCALE ¼"=1'-0"

MAIN FLOOR AREA: 651.00sqft (60.48m²)
(69.41% OF PRINCIPAL DWELLING)

GROSS FLOOR AREA: 1239.92sqft (115.19m²)
(MAX. ALLOWED: 807.29sqft (75.00m²))

PROJECT NORTH	TRUE NORTH

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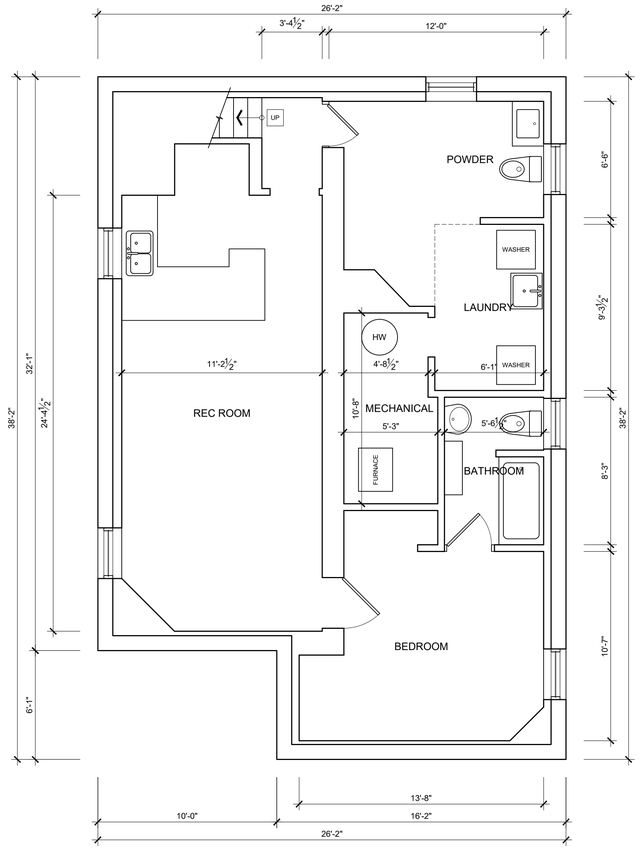
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FLOOR PLANS &
SECTION A

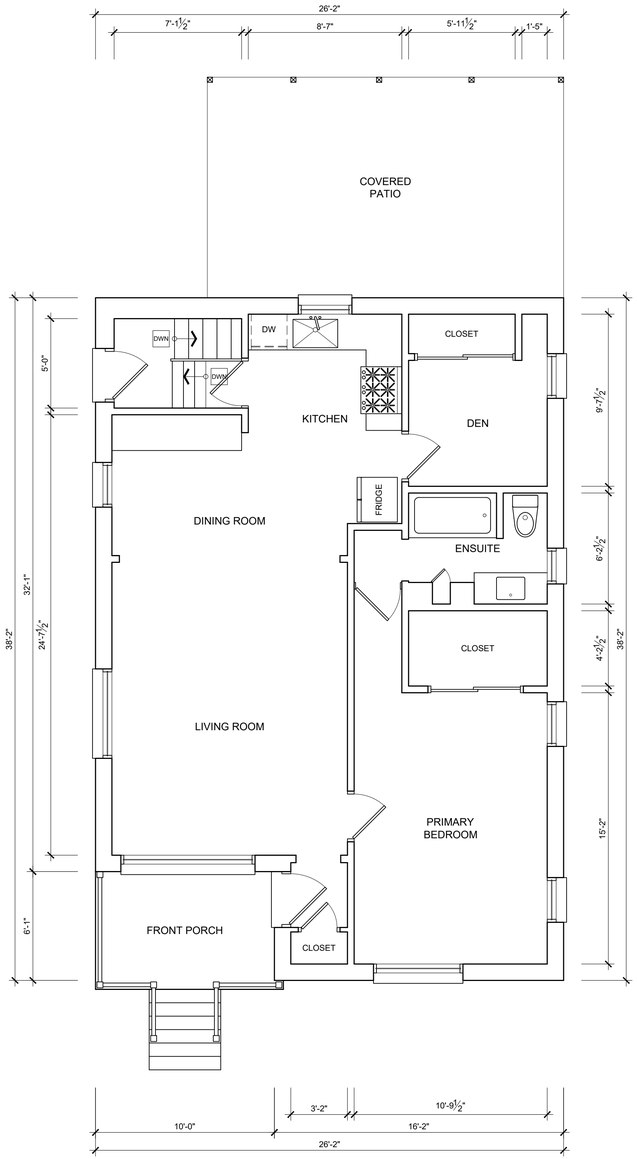
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DATE	
03/04/2026	
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PROJECT No.	
25071	



PRINCIPAL DWELLING - BASEMENT PLAN

SCALE ¼"=1'-0"

LAUNDRY & MECHANICAL FLOOR AREA: 111.80sqft (10.39m²)
REMAINING FLOOR AREA: 826.06sqft (76.74m²)



PRINCIPAL DWELLING - MAIN FLOOR PLAN

SCALE ¼"=1'-0"

FLOOR AREA: 937.86sqft (87.13m²)
TOTAL FLOOR AREA: 1763.92sqft (163.87m²)

PROJECT NORTH	TRUE NORTH

No.	REVISION	DATE
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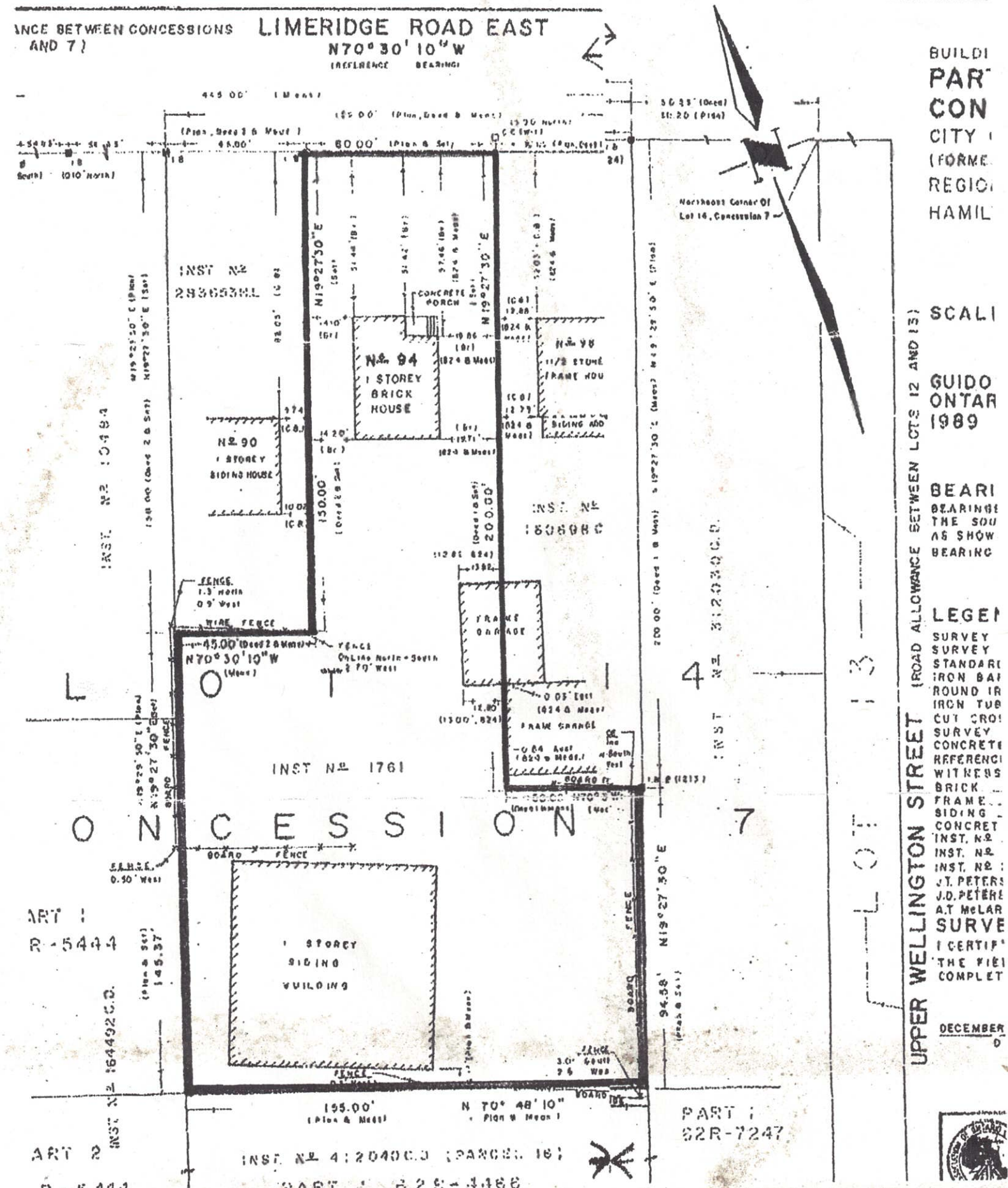
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PRINCIPAL DWELLING
EXISTING FLOOR
PLANS

DRAWN BY	L. ANGELICI
DATE	03/04/2026
SCALE	¼"=1'-0"
PROJECT No.	25071

A3


ANCE BETWEEN CONCESSIONS AND 7)
LIMERIDGE ROAD EAST
N70° 30' 10" W
(REFERENCE BEARING)
60.00' (Plan & Set)
INST № 2936538
№ 94
1 STOREY BRICK HOUSE
№ 90
1 STOREY SIDING HOUSE
CONCRETE PORCH
N19°27'30"E
150.00'
200.00'
INST № 1606980
FENCE 1.3' North 0.9' West
WIRE FENCE
45.00' (Deed & Meas)
N70° 30' 10" W (Meas)
FENCE On Line North - South 0.70' West
FRAME GARAGE
INST № 1761
CONCESSION 7
LOT 13
INST № 312040 C.O.
Northeast Corner Of Lot 14, Concession 7
BOARD FENCE
0.50' West
1 STOREY SIDING BUILDING
PART 1
R-5444
INST № 1644925 C.O.
145.37'
94.58'
N19°27'30"E
FENCE 3.0' South 2.6' West
155.00' (Plan & Meas)
N 70° 48' 10" (Plan & Meas)
PART 1
62R-7247
PART 2
INST № 412040 C.O. (PARCEL 16)
PART 1, 62R-4466
UPPER WELLINGTON STREET (ROAD ALLOWANCE BETWEEN LOTS 12 AND 13)
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FRAME
SIDING
CONCRET
INST. №
INST. №
INST. №
J.T. PETERS
J.D. PETERS
A.T. McLAR
SURVE
I CERTIF
THE FIEI
COMPLET
DECEMBER

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)	SHIELEEN MADDALENA DOUG BLAYLOCK	[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	94 LIMERIDGE RD E		
Assessment Roll Number			
Former Municipality	HAMILTON		
Lot	14	Concession	7
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 i) THE MAXIMUM GROSS FLOOR AREA SHALL NOT EXCEED THE LESSER OF 75 SQUARE METERS OR THE GROSS FLOOR AREA OF THE PRINCIPAL DWELLING TO PROPOSED GROSS FLOOR AREA OF 115.19m2

☑ 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 PROVIDE A 2 STOREY, 2 BEDROOM DWELLING OF COMFORTABLE SIZE WITHIN 75m2 GROSS FLOOR AREA LIMIT

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

☐ Yes ☑ No

If yes, please provide an explanation:

4. DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

4.1 Dimensions of Subject Lands:

Lot Frontage	Lot Depth	Lot Area	Width of Street
18.29m	90.03	2697.19m2	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	15.68m	62.72m	4.27m, 6.05m	1954
DETACHED SHOP	68.85m	1.96m	3.96m, 24.92m	UNKNOWN
DETACHED GARAGE	41.31m	39.47m	0m, 14.33m	UNKNOWN
GARDEN SHED	29.22m	55.64m	0.80m, 15.41m	UNKNOWN

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
DETACHED ADU	53.64m (7.92m)	29.98m (8.80m)	3.69m, 18.59m	SUMMER 2026
DECK	55.47m (9.75m)	29.98m (8.80m)	13.41m, 16.76m	SUMMER 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
DWELLING	87.13m2	163.87m2	1	5.37m
DETACHED SHOP	353.10m2	353.10m2	1	3.18m
DETACHED GARAGE	70.45m2	70.45m2	1	4.32m
GARDEN SHED	10.77m2	10.77m2	1	3.28m

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
DETACHED ADU	60.48m2	115.19m2	1	5.71m
DECK	8.36m2	8.36m2	1	N/A

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, SECONDAY DWELLING UNIT - DETACHED

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:

NOVEMBER 2020

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 Settlement Area: _____

Urban Hamilton Official Plan designation (if applicable) NEIGHBOURHOODS

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

The development of the land and building and is consistent with the general intent and purpose of the By-laws and 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

_____

_____

STAFF COMMENTS

HEARING DATE: April 30, 2026

Hamilton

A-26:049 — 94 Limeridge Road East, Hamilton

Recommendation:

Approve — Development Planning

Proposed Conditions:

Proposed Notes:

A building permit is required for the construction of the proposed additional dwelling unit (detached). (Building Engineering)

Be advised that Ontario Building Code regulations may require specific setback and construction types. (Building Engineering)

"**Acknowledgement Note:** The subject property has been determined to be an area of archaeological potential. It is reasonable to expect that archaeological resources may be encountered during any demolition, grading, construction activities, landscaping, staging, stockpiling or other soil disturbances. If archaeological resources are encountered, the proponent may be required to conduct an archaeological assessment prior to further impact in order to address these concerns and mitigate, through preservation or resource removal and documentation, adverse impacts to any significant archaeological resources found. Mitigation, by an Ontario-licensed archaeologist, may include the monitoring of any mechanical excavation arising from this project. If archaeological resources are identified on-site, further Stage 3 Site-specific Assessment and Stage 4 Mitigation of Development Impacts may be required as determined by the Ontario Ministry of Citizenship and Multiculturalism (MCM). All archaeological reports shall be submitted to the City of Hamilton for approval concurrent with their submission to the MCM.

Should deeply buried archaeological materials be found on the property during any of the above development activities the 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)." (Development Planning)

Hamilton

Development Planning:

Background
The purpose of Minor Variance application A-26:049 is to permit the construction of an additional dwelling unit – detached in the rear yard of an existing single detached dwelling.

Analysis

Urban Hamilton Official Plan
The subject lands are identified as “Neighbourhoods” in Schedule E – Urban Structure and are designated “Neighbourhoods” in Schedule E-1 – Urban Land Use Designations of the Urban Hamilton Official Plan. Policies E.3.2.3 and E.3.4.3, among others, are applicable and permit the existing single detached dwelling and proposed additional dwelling unit – detached.

Archaeology
The subject property meets three (3) of the ten criteria used by the City of Hamilton and Ministry of Citizenship and Multiculturalism for determining archaeological potential:

1) Within 250 metres of known archaeological sites;
2) In the vicinity of distinctive or unusual landforms; and,
3) Along historic transportation routes.

These criteria define the property as having archaeological potential. Accordingly, Section 2 (d) of the *Planning Act* and Section 4.6.2 of the Provincial Planning Statement apply to the subject application.

If this variance is granted, the City does not require an archaeological assessment, but the proponent must be advised in writing by the Committee of Adjustment as follows:

“**Acknowledgement Note:** The subject property has been determined to be an area of archaeological potential. It is reasonable to expect that archaeological resources may be encountered during any demolition, grading, construction activities, landscaping, staging, stockpiling or other soil disturbances. If archaeological resources are encountered, the proponent may be required to conduct an archaeological assessment prior to further impact in order to address these concerns and mitigate, through preservation or resource removal and documentation, adverse impacts to any significant archaeological resources found. Mitigation, by an Ontario-licensed archaeologist, may include the monitoring of any mechanical excavation arising from this project. If archaeological resources are identified on-site, further Stage 3 Site-specific Assessment and Stage 4 Mitigation of Development Impacts may be required as determined by the Ontario Ministry of Citizenship and Multiculturalism (MCM). All archaeological reports shall be submitted to the City of Hamilton for approval concurrent with their submission to the MCM.

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Cultural Heritage
No comments.

City of Hamilton Zoning By-law No. 05-200
The subject lands are zoned Low Density Residential (R1) Zone in City of Hamilton Zoning By-law No. 05-200. The existing single detached dwelling and proposed additional dwelling unit – detached are permitted uses.

Variance 1

1. A maximum gross floor area of 115.2 square metres shall be permitted for an additional dwelling unit – detached instead of the requirement that the maximum gross floor area of an additional dwelling unit – detached shall not exceed the lesser of 75.0 square metres or the gross floor area of the principal dwelling.

The intent of this provision is to ensure the additional dwelling unit – detached remains subordinate in size, character and role to the principal dwelling.

Staff note that the subject property is irregularly shaped and approximately 90 metres deep with an area of 2,697.19 square metres. The proposed additional dwelling unit – detached is to be located in the rear of the property, setback approximately 53.64 metres from the front lot line and 30.0 metres from the rear lot line. Additionally, the additional dwelling unit – detached is setback approximately 7.9 metres from the side lot line adjacent to the neighbouring property at 90 Limeridge Road East.

The principal dwelling has an area of 87.13 square metres and a gross floor area of 163.87 square metres, whereas the additional dwelling unit – detached would have an area of 60.48 square metres and a gross floor area of 115.19 square metres. Staff are of the opinion that the additional dwelling unit – detached will remain subordinate in size, character and role to the principal dwelling.

It is staff's opinion that the requested variance maintains the general intent of the Urban Hamilton Official Plan and Zoning By-law, is desirable for the appropriate development and use of the land and is minor in nature. Staff support the variance.

Staff are of the opinion the requested variance meets the four tests of a minor variance. Based on the foregoing, **staff recommend approval.**

STAFF COMMENTS

HEARING DATE: April 30, 2026

Hamilton

Zoning:

Recommendation:	No Comments
Proposed Conditions:	
Comments:	
Notes:	

Development Engineering:

Recommendation:	No Comments
Proposed Conditions:	N/A
Comments:	N/A
Notes:	N/A

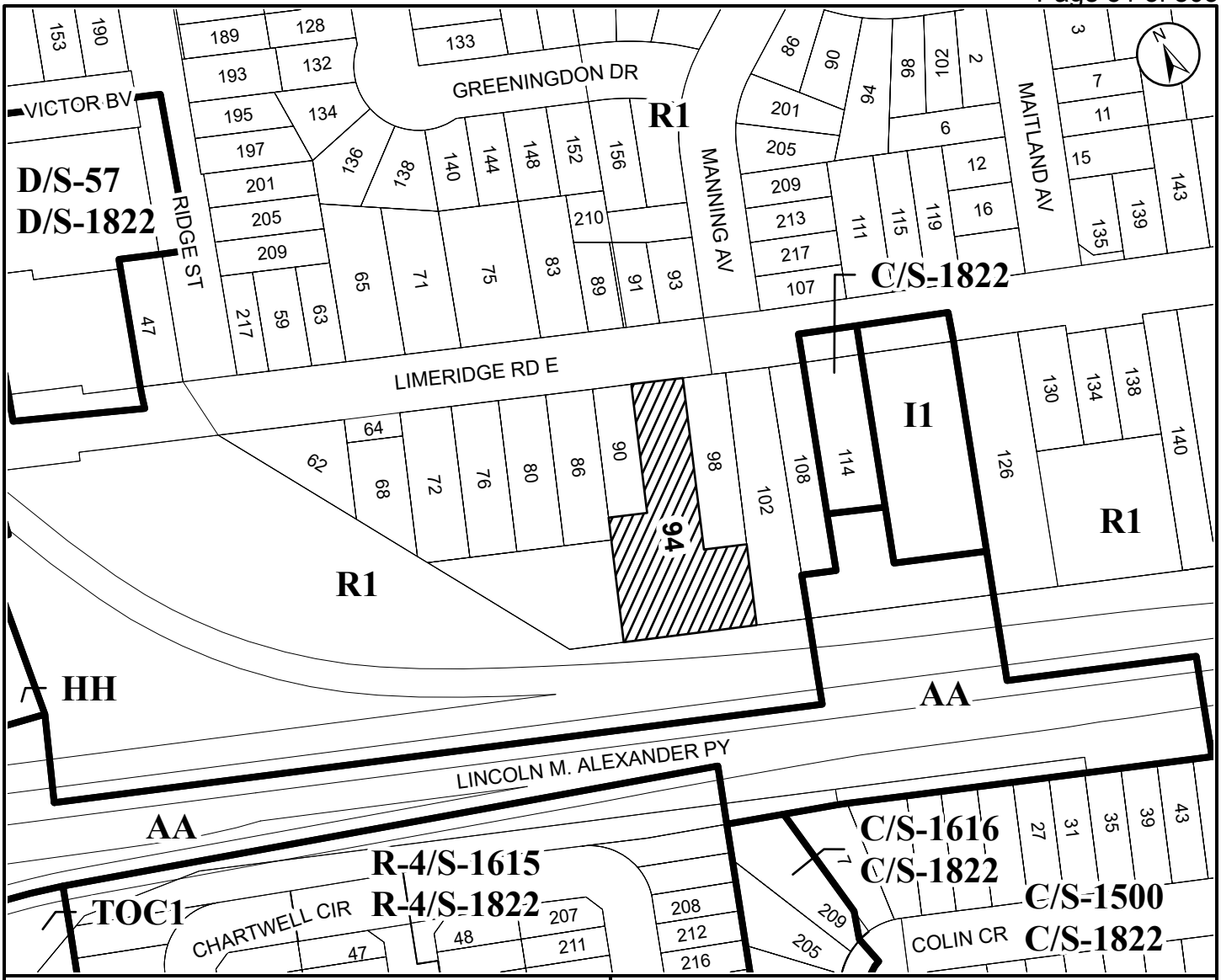
Building Engineering:

Recommendation:	Comments and Conditions/Notes
Proposed Conditions:	
Comments:	
Notes:	A building permit is required for the construction of the proposed additional dwelling unit (detached). Be advised that Ontario Building Code regulations may require specific setback and construction types.

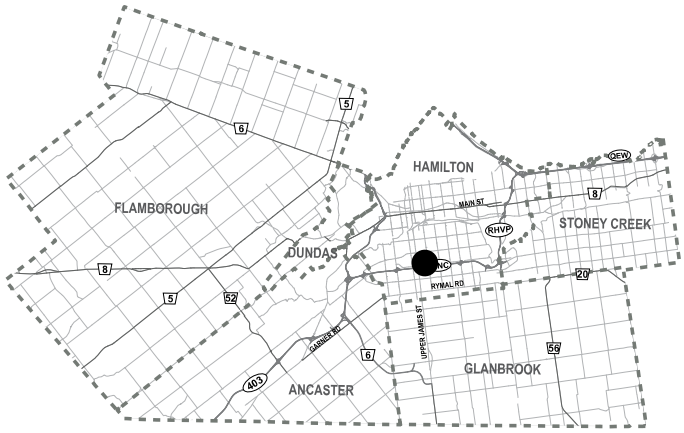
Transportation Planning:

Recommendation:	No Comments
Proposed Conditions:	
Comments:	
Notes:	

Please Note: Public comment will be posted separately, if applicable.



● **Site Location**



City of Hamilton

Committee of Adjustments

Subject Property

94 Limeridge Road East, Hamilton (Ward 8)

File Name/Number: A-26:049

Date: April 16, 2026

Technician: RS

Scale: N.T.S.

Appendix "A"

Planning and Economic Development Department

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-26:051	**SUBJECT PROPERTY:**	65 Murray Street West, Hamilton
ZONE:	D (Urban Protected Residential – One and Two Family Dwelling, Etc)	**ZONING BY-LAW:**	Hamilton Zoning By-law 6593

APPLICANTS: Owner: Katherine Schwenger & Jono Yach
Applicant: Katherine Schwenger & Jono Yach
Agent: Lauren Boyer Architect

The following variances are requested:

1. A Rear Yard depth of at least 1.2m shall be permitted instead of the minimum required 7.5 metre Rear Yard depth.

2. A minimum of 33% of the gross area of the side yard shall be used for a landscape area whereas the by-law requires a minimum of 50% of the gross area of the side yard shall be used for a landscaped area

3. One (1) parking space shall be provided instead of the minimum required two (2) parking spaces for each Class A dwelling unit, for the first 8 habitable rooms in the dwelling unit plus 0.5 parking space for each additional habitable room.

PURPOSE & EFFECT: To facilitate a proposed two storey rear yard addition onto an existing Single Family 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:

A-26:051

DATE:	**Thursday, April 30, 2026**
TIME:	**9:55 a.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 April 28, 2026.

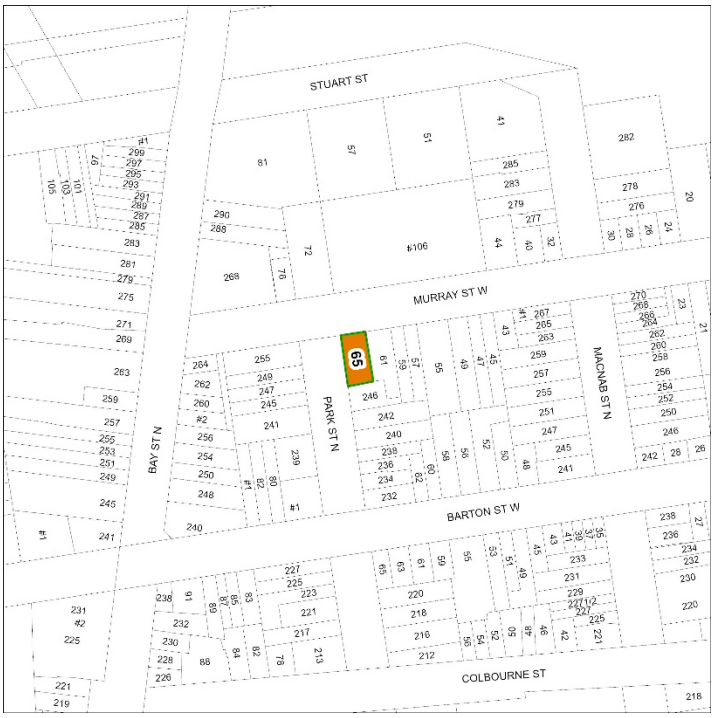
Orally: If you would like to speak to this item at the hearing you may do so via video link, calling in, or attending in person. Please see attached page for complete instructions, registration to participate virtually must be received no later than noon April 29, 2026.

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding A-26:051, 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 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-26:051



Subject Lands

DATED: April 13, 2026

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.

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

The following information is required with your written submission:

- Committee of Adjustment file number
- Full name and address of the person providing comments. Anonymous comments will not be accepted.

Comments can also be placed in the drop box which is located at the back of the 1st Floor of City Hall, 71 Main Street West. All written comments received by the deadline 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. To register, email cofa@hamilton.ca with the following information:

- Committee of Adjustment file number
- Hearing date
- Full name and address of the person wishing to speak. Anonymous comments will not be accepted.
- 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.

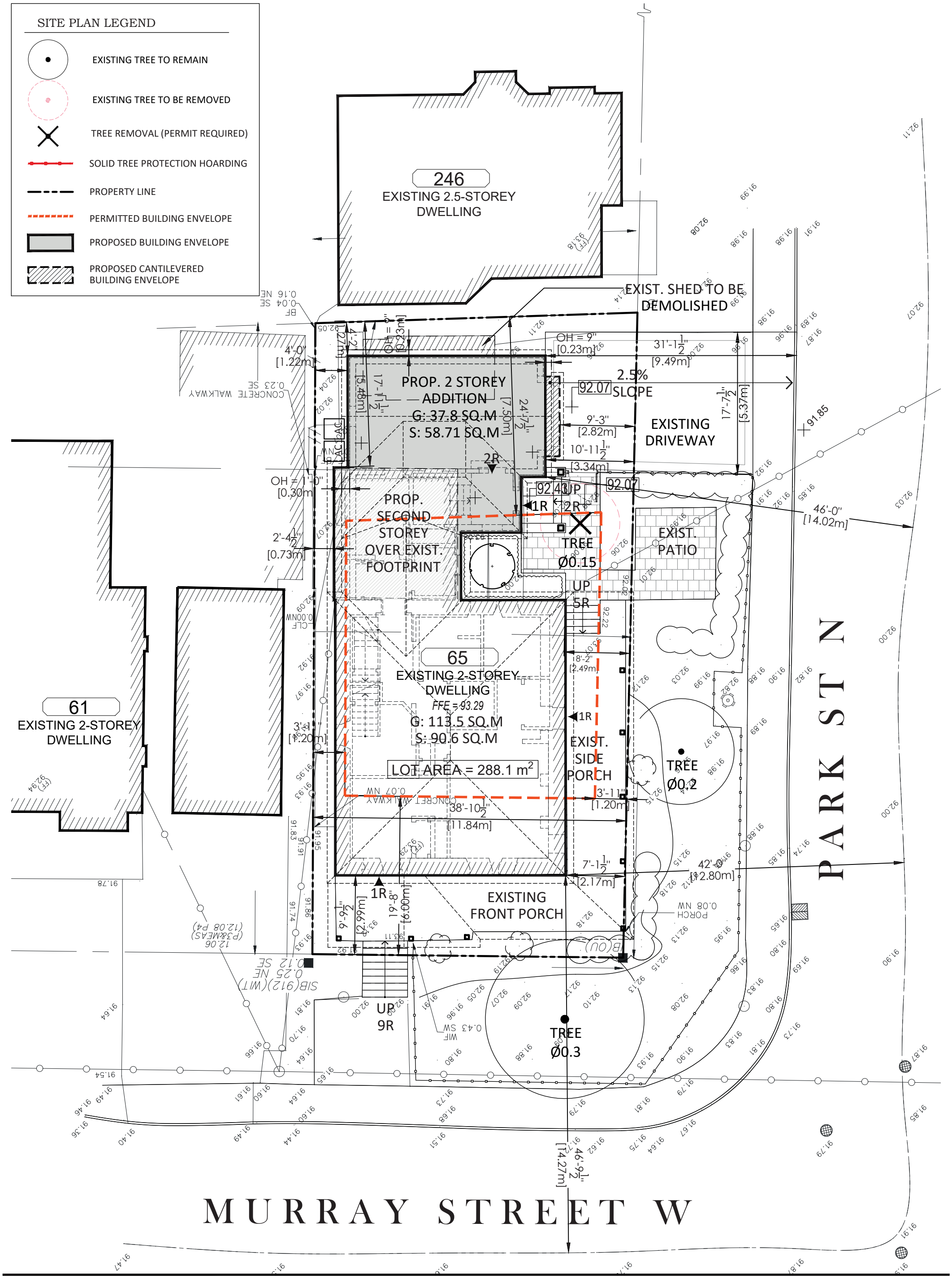
Virtual Presentations:
Presenters participating virtually may be granted permission to share their screen during the Hearing. A copy of the presentation must be submitted to cofa@hamilton.ca **by 12:00 p.m. (noon) on the business day prior to the Hearing.** The submission must be one document in PDF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



LAUREN BOYER
ARCHITECT
3378 GUILDWOOD DRIVE
BURLINGTON, ON L7N 1L5
(T) 289 242 2116

SCALE: 3/32" = 1'-0"

DRAWN BY/CHECK BY: LA / LB

N

ISSUED FOR /REV #
COMMITTEE OF ADJUSTMENT

PLOT DATE: MARCH 05, 2026

PROJECT No: 25-04

PROJECT/ADDRESS:

SCHWENGER YACH RESIDENCE

65 MURRAY STREET WEST
HAMILTON, ON

DRAWING TITLE:

PROPOSED SITE PLAN

DRAWING No:

A101

SCHEDULE 1: ZONING PARAMETERS AND STATISTICS (PAGE 1)

CITY OF HAMILTON ZONING AND DEVELOPMENT STATISTICS (URBAN PROTECTED RESIDENTIAL)						ZONING REFERENCE
65 MURRAY STREET WEST **HAMILTON, ON**			ZONING BY-LAW 6593 **'D' DISTRICT**			PART 10
			LOT WIDTH (12m min.) 11.84 m	LOT AREA (360 m² min.) 288.1 m^2		10-1(4)
			DEEMED STREET WIDTH TBD m	ACTUAL STREET WIDTH TBD m		2.27
SETBACKS			PERMITTED	EXISTING	PROPOSED	10-1(3)
	FRONT (N)	HOUSE	6.0m	2.99m	2.99m	
	REAR (S)	HOUSE	7.5m	5.48m	1.27m	
	STREET SIDE (E)	HOUSE	1.2m	2.49m	2.49m	
	SIDE (W)	HOUSE	1.2m	0.73m	0.73m	
*WHERE A BUILDING OR STRUCTURE IS TO BE ERECTED ON AN INTERIOR LOT BETWEEN TWO EXISTING BUILDINGS OR STRUCTURES LOCATED NOT MORE THAN 30.0M FROM THE PROPOSED BUILDING OR STRUCTURE, SUCH BUILDING OR STRUCTURE MAY BE ERECTED CLOSER TO THE FRONT LOT LINE THAN REQUIRED BY THE DISTRICT IN WHICH THE LOT IS SITUATED, PROVIDED THAT, (a) THE MINIMUM FRONT YARD SHALL BE EQUAL TO THE AVERAGE DEPTH OF THE TWO ADJOINING FRONT YARDS, AND (b) THE REDUCTION OF THE MINIMUM FRONT YARD AS PERMITTED BY THIS PROVISION SHALL NOT EXCEED THIRTY PERCENT (30%) OF THE DEPTH ORDINARILY REQUIRED BY THE DISTRICT PROVISIONS IN WHICH THE LOT IS SITUATE.						18-3 (3iii)
BUILDING HEIGHT HEIGHT SHALL MEAN THE ELEVATION OF CURB LEVEL OPPOSITE THE HIGHEST POINT OF THE BUILDING OR STRUCTURE, ON A LINE PERPENDICULAR TO THE STREET LINE		PERMITTED		PROPOSED		10-1 (2)
		PEAKED	FLAT	PEAKED	FLAT	
	MAX. 3 STOREY	14 M		10.10M		
ENCROACHMENTS		PERMITTED		PROPOSED		18-6 (vi)
CHIMNEY, SILL, BELT COURSE, LEADER, PILASTER, , LINTELS, & DECORATIVE PROJECTIONS	SIDE	0.5m				(a)
	FRONT, REAR, STREET	1.0m				
CANOPY, CORNICE, EAVE OR GUTTER * *MUST BE 1.5M FROM LOT LINE*	SIDE	< OF 1/2" WIDTH OF YARD OR 1.0M				(b)
	FRONT, REAR, STREET	1.5m*				
OPEN FIRE ESCAPE OR OPEN STAIRWAY	REAR	1.0m				(c)
	SIDE	< OF 1/3" WIDTH OF YARD OR 1.0M				
A BAY, BALCONY, OR DORMER **MUST BE 1.5M FROM STREET LOT LINE*	FRONT, REAR, STREET	1.0m*				(cc)
	SIDE	< OF 1/3" WIDTH OF YARD OR 1.0M				
VESTIBULE **MUST BE 1.5M FROM STREET LOT LINE*	FRONT, REAR, STREET	1.2M*				(ccc)
	SIDE	< OF 1/3" WIDTH OF YARD OR 1.2M				
	PROVIDED THAT THE SUM OF THE LENGTHS OF SUCH PROJECTIONS SHALL NOT EXCEED 1/3 OF THE WIDTH OF THE FRONT YARD OR REAR YARD NOR 1/3 THE LENGTH OF THE SIDE YARD INTO WHICH THEY PROJECT, BUT NO CASE SHALL EXCEED 3.0m					
ROOFED OVER OR SCREENED 1-STOREY PORCH AT 1ST STOREY, INCLUING EAVES AND GUTTERS	FRONT, REAR, STREET	3.0M *				(d)
	**MUST BE 1.5M FROM STREET LOT LINE - SEE CONDITIONS (d)*					
CARRIAGE PORCH (PORTE-COCHERE)	FRONT, STREET	1.5M MIN. FROM LOT LINE				(dd)
PEDESTRIAN RAMP	ANY YARD	NO LIMIT				(ddd)
TERRACE, UNCOVERED PORCH, PLATFORM < 1.0M ABOVE 1ST STOREY	FRONT, REAR, STREET	1.5m FROM STREET LINE				(E)
	SIDE	0.5M FROM LOT LINE				
PARKING (FOR HOMES BUILT PRIOR TO 1971)		PERMITTED		EXIST./PROPOSED		18A TABLE 1
PARKING SPACE: 2.7m WIDE X 6.0M LONG		2 SPACES *		1 SPACE		
*ONLY ONE OF THE REQUIRED PARKING SPACES MAY BE LOCATED IN THE FRONT YARD (SINGLE FAMILY DWELLING)						14(h)
ONLY THE ACCESSIBILTY TO ONE OF THE REQUIRED PARKING SPACES MAY BE OBSTRUCTED BY ANOTHER REQUIRED PARKING SPACE						
REFER TO 14(D) FOR GROSS AREA OF FRONT YARD CALCULATIONS/						
SECONDARY DWELLINGS						SECTION 19
REFER TO SECTION 19 OF THE BYLAW						
UNITARY EQUIPMENT MUST BE SCREENED (ENCLOSURE OR LANDSCAPING) WHEN LOCATED IN FRONT YARD		PERMITTED		PROPOSED		18-12 (V)
	REAR	0.6m				
	SIDE	0.6m				
	FRONT	3.0M				

LAUREN BOYER
ARCHITECT
3378 GUILDWOOD DRIVE
BURLINGTON, ON L7N 1L5
(T) 289 242 2116

SCALE: NTS

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ISSUED FOR /REV #
COMMITTEE OF ADJUSTMENT

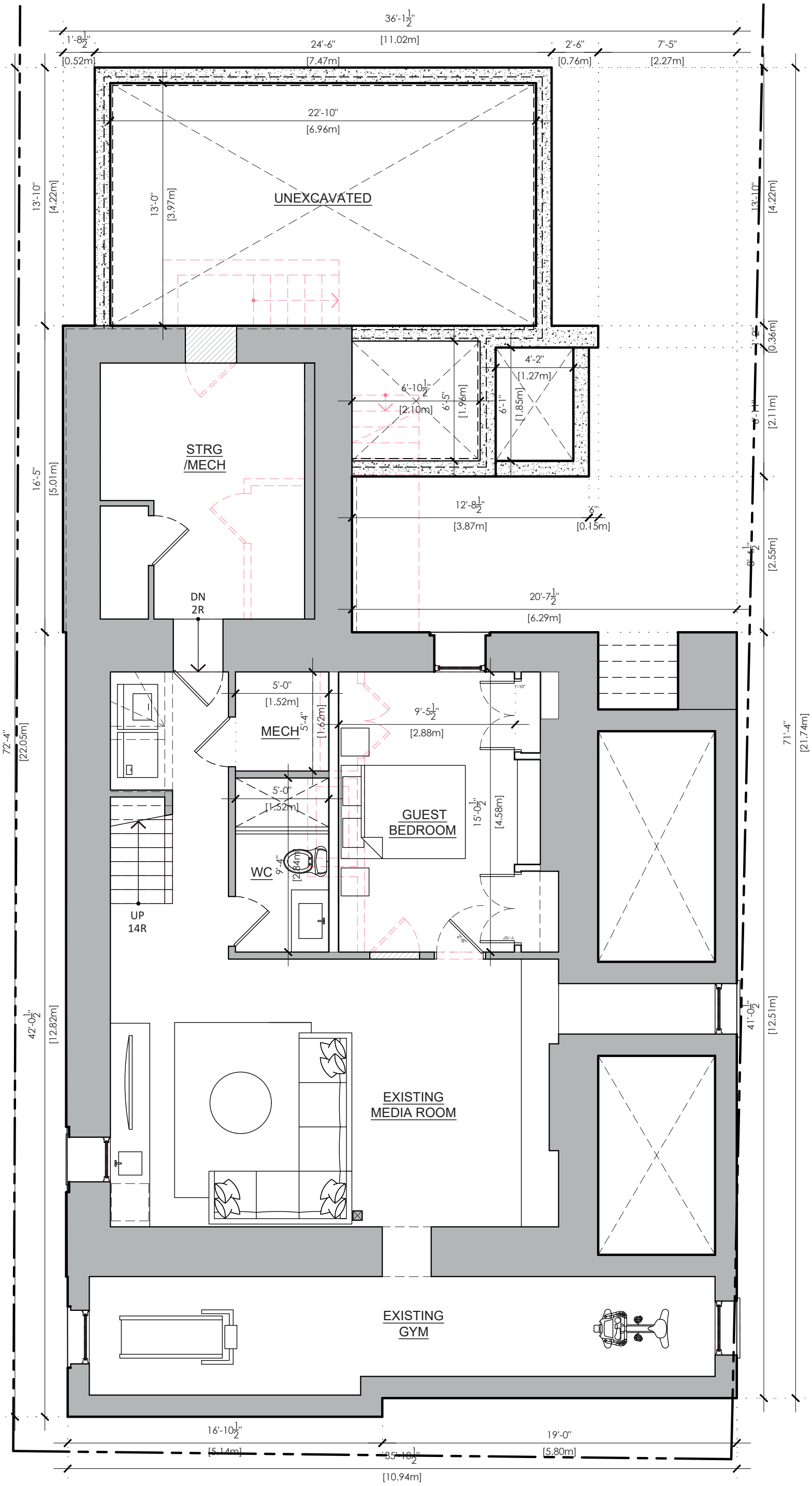
PLOT DATE
MARCH 05, 2026

PROJECT No:
25-04

PROJECT/ADDRESS:
SCHWENGER YACH RESIDENCE
65 MURRAY STREET WEST
HAMILTON, ON

DRAWING TITLE:
ZONING STATISTICS

DRAWING No:
A102



EXISTING BASEMENT AREA:
1716.24 SQ. FT.

PROPOSED NEW FOUNDATION AREA (UNEXCAVATED):
442.47 SQ. FT.

LAUREN BOYER
ARCHITECT

3378 GUILDWOOD DRIVE
BURLINGTON, ON L7N 1L5
(T) 289 242 2116

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

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ISSUED FOR /REV #
COMMITTEE OF ADJUSTMENT

PLOT DATE
MARCH 05, 2026

PROJECT No:
25-04

PROJECT/ADDRESS:

SCHWENGER YACH RESIDENCE

65 MURRAY STREET WEST
HAMILTON, ON

DRAWING TITLE:

PROPOSED BASEMENT PLAN

DRAWING No:

A200

EXISTING WALL

EXISTING WALL TO BE DEMOLISHED

PROPOSED INTERIOR WALL

FILL EXISTING WINDOW OR DOOR OPENING

28'-8½" [8.75m]

1'-8½" [0.52m] | 24'-6" [7.47m] | 2'-6" [0.76m]

13'-10" [4.22m]

GARAGE

13'-0" [3.97m]

15'-0" [4.57m]

-4'-0"

22'-6" [6.86m]

-3'-10"

UP 2R

-3'-6"

-2'-6"

12'-10½" [3.92m]

-0'-0"

DN 4R

6'-4½" [1.94m]

1R

UP 2R

-2'-10"

-4'-0"

6'-1" [2.11m]

9'-5½" [2.89m]

BENCH

MDRM

CL

5'-2" [1.57m]

7'-5½" [2.27m]

3'-0" [0.91m]

5'-0" [1.52m]

PWDR RM

5'-1" [1.80m]

5'-0" [1.52m]

CL

5'-10½" [1.79m]

8'-4½" [2.55m]

12'-11½" [3.95m]

UP 5R

64'-5" [19.63m]

DN 14R

UP 17R

EXISTING KITCHEN

34'-1½" [10.40m]

50'-6½" [15.41m]

EXISTING HALL

EXISTING LIVING ROOM

FP

EXISTING PORCH

28'-6½" [8.70m]

EXISTING GROUND FLOOR AREA:
1228.69 SQ. FT.

PROPOSED NEW GROUND FLOOR AREA:
442.47 SQ. FT.

LAUREN BOYER
ARCHITECT

3378 GUILDWOOD DRIVE
BURLINGTON, ON L7N 1L5
(T) 289 242 2116

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

N

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ISSUED FOR /REV #
COMMITTEE OF ADJUSTMENT

PLOT DATE
MARCH 05, 2026

PROJECT No:
25-04

PROJECT/ADDRESS:

SCHWENGER YACH RESIDENCE

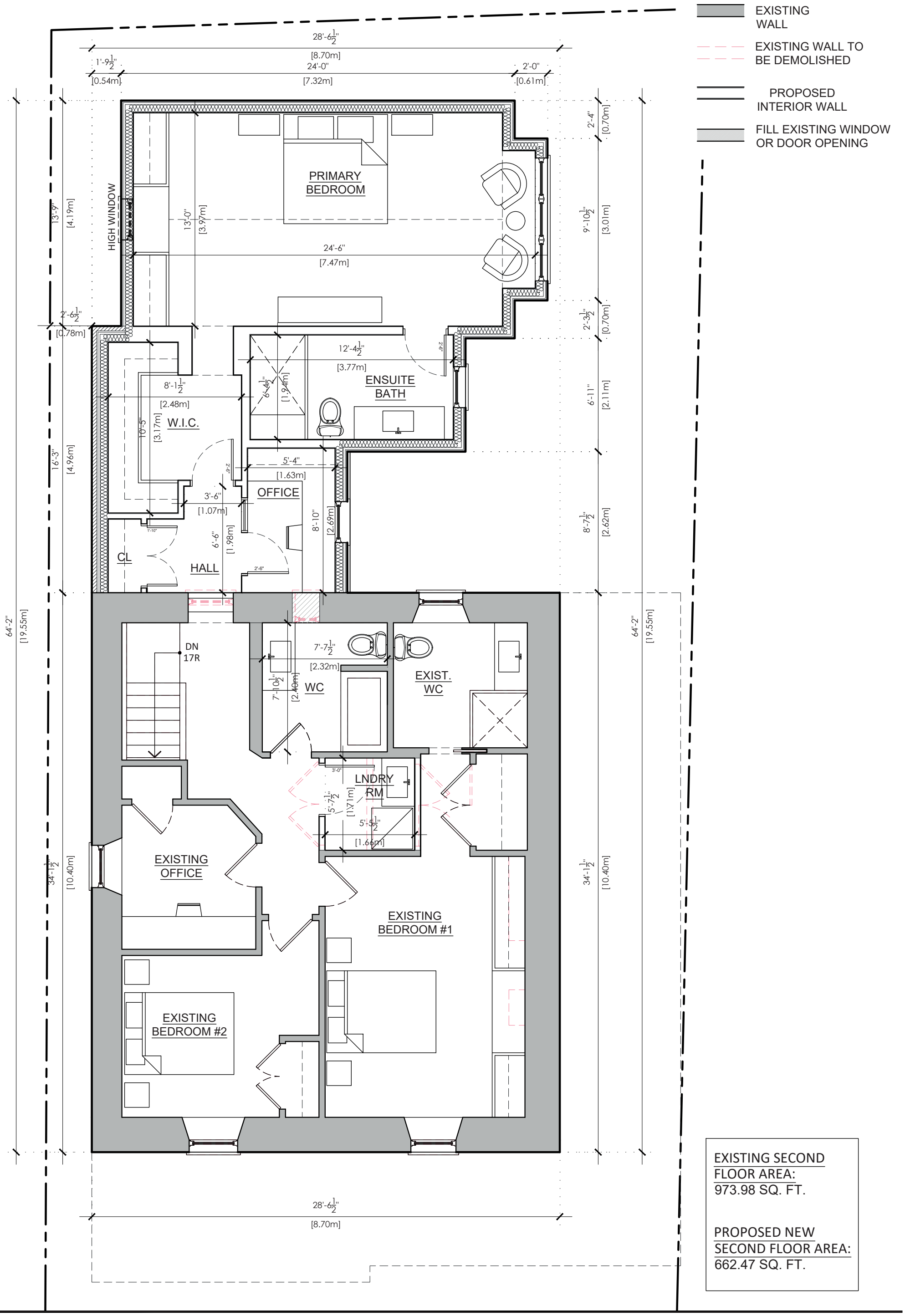
65 MURRAY STREET WEST
HAMILTON, ON

DRAWING TITLE:

PROPOSED GROUND FLOOR PLAN

DRAWING No:

A201



EXISTING SECOND FLOOR AREA:
973.98 SQ. FT.

PROPOSED NEW SECOND FLOOR AREA:
662.47 SQ. FT.

LAUREN BOYER
ARCHITECT
3378 GUILDWOOD DRIVE
BURLINGTON, ON L7N 1L5
(T) 289 242 2116

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

DRAWN BY/CHECK BY: LA / LB

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ISSUED FOR /REV #
COMMITTEE OF ADJUSTMENT

PLOT DATE: MARCH 05, 2026

PROJECT No: 25-04

PROJECT/ADDRESS:

SCHWENGER YACH RESIDENCE

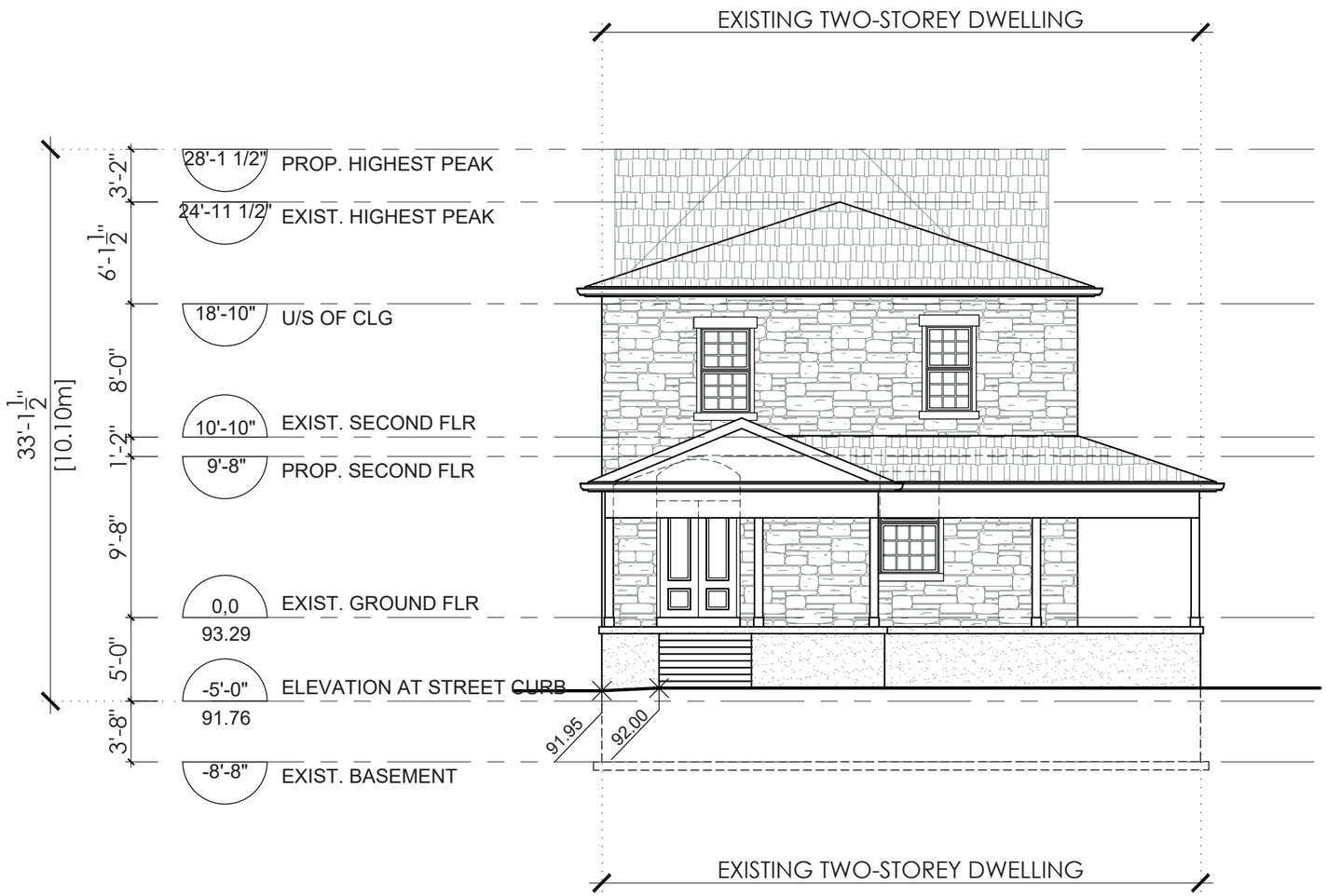
65 MURRAY STREET WEST
HAMILTON, ON

DRAWING TITLE:

PROPOSED SECOND FLOOR PLAN

DRAWING No:

A202



LAUREN BOYER
ARCHITECT

3378 GUILDWOOD DRIVE
BURLINGTON, ON L7N 1L5
(T) 289 242 2116

PROJECT/ADDRESS:

SCHWENGER
YACH RESIDENCE

65 MURRAY STREET WEST
HAMILTON, ON

DRAWING TITLE:

PROPOSED
FRONT ELEVATION

SCALE:
1/8" = 1'-0"

DRAWN BY/CHECK BY:
LA / LB

PLOT DATE
MAR 05 , 2026

PROJECT No:
25-04

DRAWING No:

A301



LAUREN BOYER
ARCHITECT

3378 GUILDWOOD DRIVE
BURLINGTON, ON L7N 1L5
(T) 289 242 2116

PROJECT/ADDRESS:

SCHWENGER YACH RESIDENCE

65 MURRAY STREET WEST
HAMILTON, ON

DRAWING TITLE:

PROPOSED STREET SIDE ELEVATION

SCALE: 1/8" = 1'-0"

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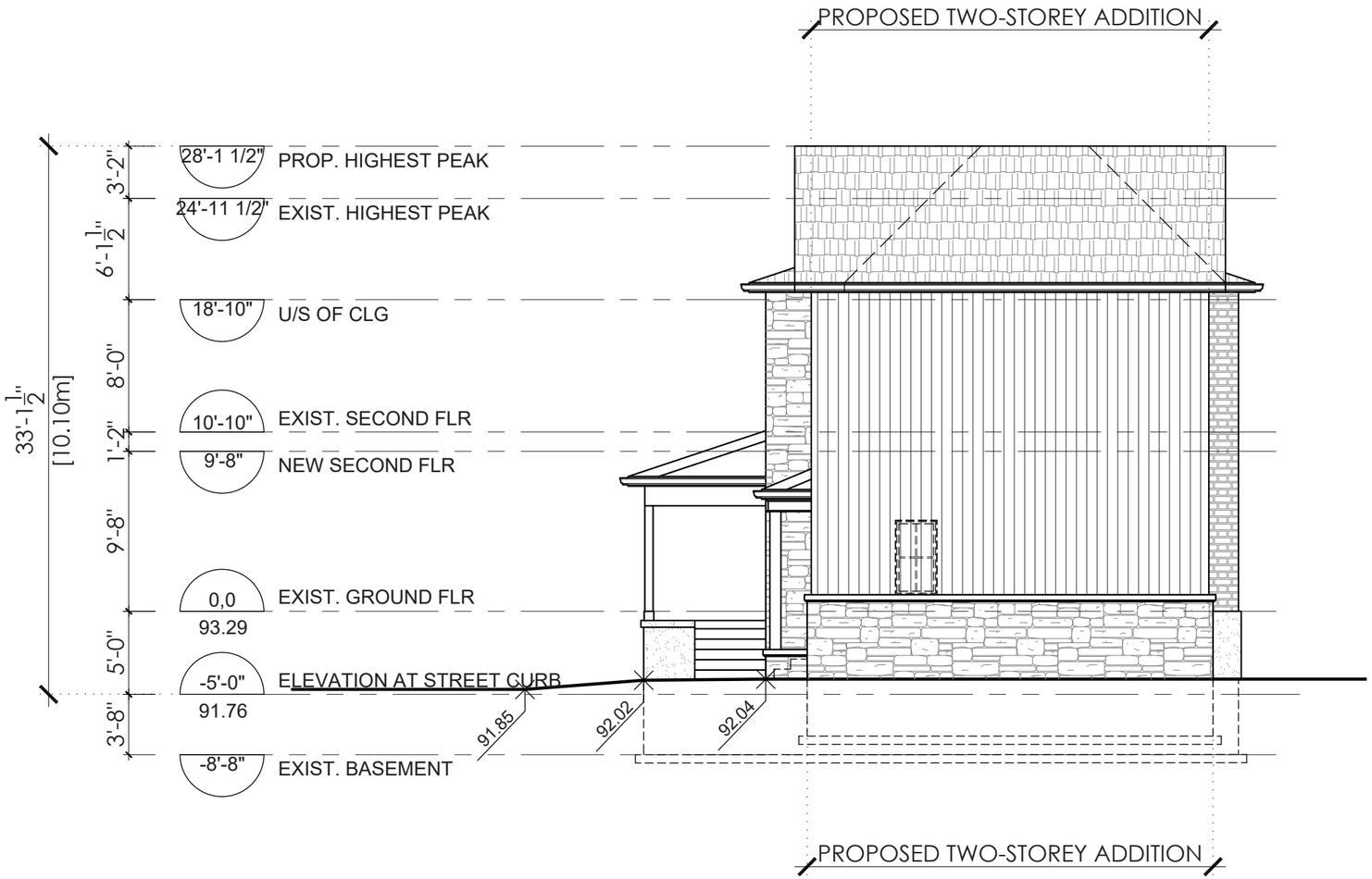
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PLOT DATE: MAR 05 , 2026

PROJECT No: 25-04

DRAWING No:

A302



LAUREN BOYER
ARCHITECT

3378 GUILDWOOD DRIVE
BURLINGTON, ON L7N 1L5
(T) 289 242 2116

PROJECT/ADDRESS:

SCHWENGER
YACH RESIDENCE

65 MURRAY STREET WEST
HAMILTON, ON

DRAWING TITLE:

PROPOSED
REAR ELEVATION

SCALE:
1/8" = 1'-0"

DRAWN BY/CHECK BY:
LA / LB

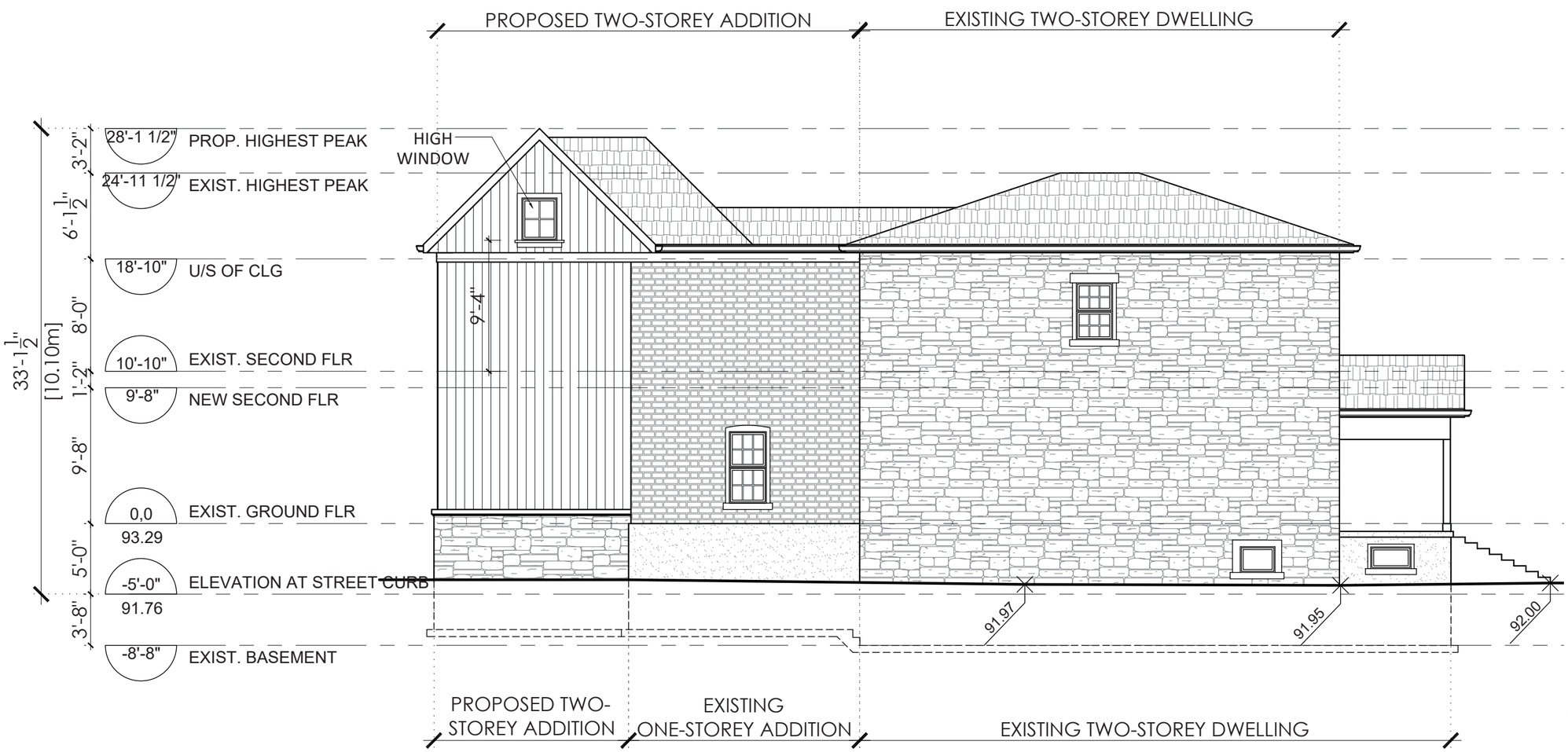
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PLOT DATE
MAR 05 , 2026

PROJECT No:
25-04

DRAWING No:

A303



LAUREN BOYER
ARCHITECT

3378 GUILDWOOD DRIVE
BURLINGTON, ON L7N 1L5
(T) 289 242 2116

PROJECT/ADDRESS:

SCHWENGER YACH RESIDENCE

65 MURRAY STREET WEST
HAMILTON, ON

DRAWING TITLE:

PROPOSED INTERIOR SIDE ELEVATION

SCALE: 1/8" = 1'-0"

DRAWN BY/CHECK BY: LA / LB

N

PLOT DATE: MAR 05 , 2026

PROJECT No: 25-04

DRAWING No:

A304



LAUREN BOYER
ARCHITECT

3378 GUILDWOOD DRIVE
BURLINGTON, ON L7N 1L5
(T) 289 242 2116

PROJECT/ADDRESS:

SCHWENGER YACH RESIDENCE

65 MURRAY STREET WEST
HAMILTON, ON

DRAWING TITLE:

3D VIEW - STREET SIDE ELEVATION 1

SCALE: 1/8" = 1'-0"

DRAWN BY/CHECK BY: LA / LB

N

PLOT DATE: MAR 05 , 2026

PROJECT No: 25-04

DRAWING No:

A305



LAUREN BOYER
ARCHITECT

3378 GUILDWOOD DRIVE
BURLINGTON, ON L7N 1L5
(T) 289 242 2116

PROJECT/ADDRESS:

SCHWENGER
YACH RESIDENCE

65 MURRAY STREET WEST
HAMILTON, ON

DRAWING TITLE:

3D VIEW - STREET
SIDE ELEVATION 2

SCALE:
1/8" = 1'-0"

DRAWN BY/CHECK BY:
LA / LB

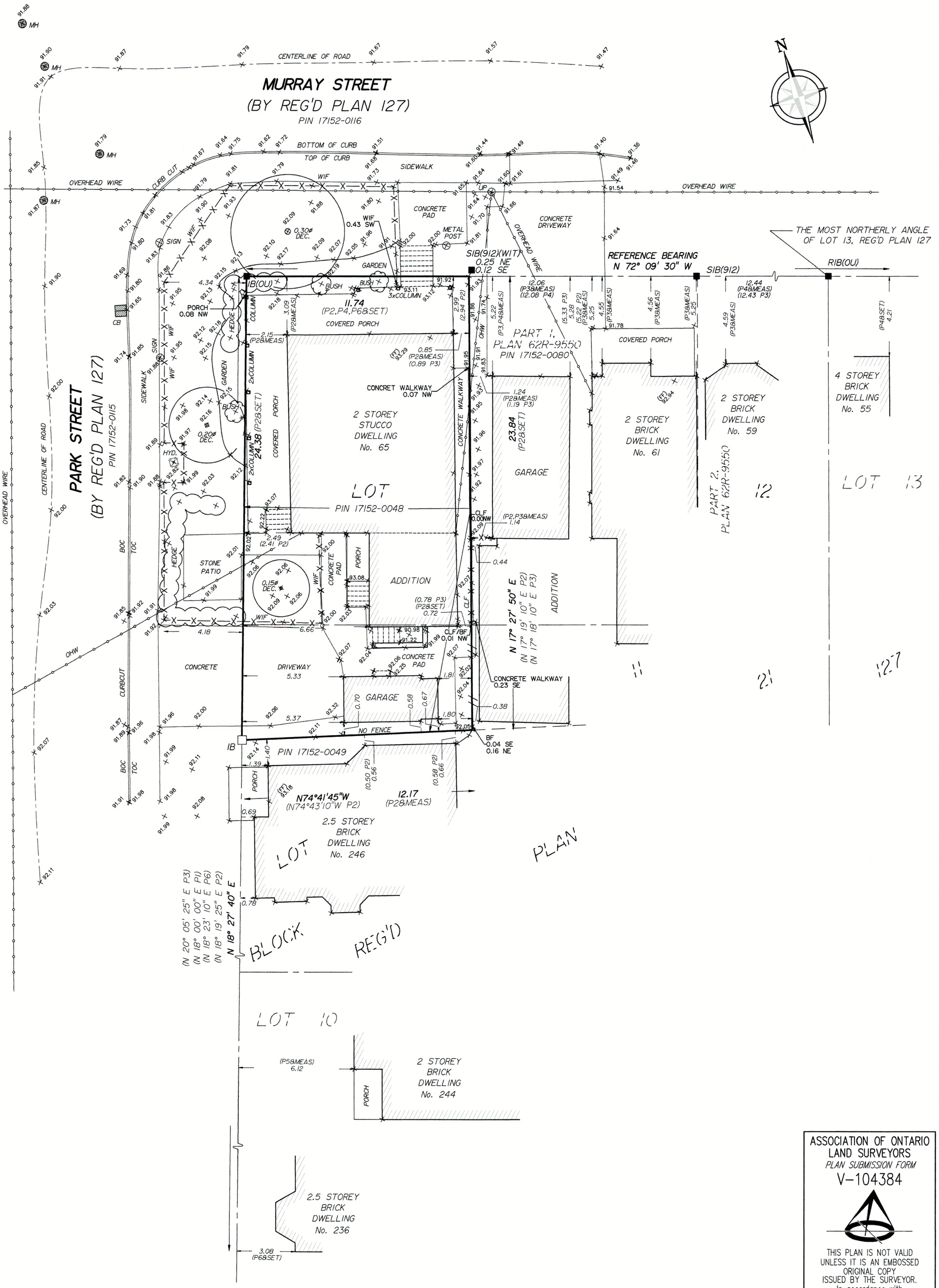
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PLOT DATE
MAR 05 , 2026

PROJECT No:
25-04

DRAWING No:

A306



SURVEYOR'S REAL PROPERTY REPORT – PART 1

PLAN OF SURVEY AND TOPOGRAPHY OF

PART OF LOTS 11, 12, BLOCK 21 REGISTERED PLAN 127 CITY OF HAMILTON

0 5 10 15 M

SCALE 1 : 150

J. H. Gelbloom Surveying Limited
Ontario Land Surveyor 2025

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SURVEYOR'S REAL PROPERTY REPORT – PART 2

REGISTERED EASEMENTS AND/OR RIGHT-OF-WAY
None

NOTABLES
Note the Location of the Fences around the Subject Property.
Note the Location of the Porch along the Westerly limit of the Subject Property.
Note the Location of the Concrete walkway along the Easterly limit of the Subject Property.
Note the Location of the Overhead wires crossing the neighbour property at the Northeasterly limit.

LEGEND

■	Survey Monument Found
□	Survey Monument Set
SIB	Standard Iron Bar
IB	Iron Bar
RIB	Round Iron Bar
(OU)	Origin Unknown
912	Alvis James Clarke, O.L.S.
PI	Registered Plan 127
P2	Plan of Survey by Mackay Mackay&Peters Ltd., O.L.S. dated September 14, 2011
P3	Plan of Survey by Mackay Mackay&Peters Ltd., O.L.S. dated August 18, 2023
P4	Plan of Survey by A.J.Clarke&Associates Ltd., O.L.S. dated August 25, 1992
P5	Plan of Survey by A.J.Clarke&Associates Ltd., O.L.S. dated December 23, 2003
P6	Plan of Survey by B.A. Jacobs Surveying Ltd., O.L.S. dated September 14, 2023
CLF	Chain Link Fence
BF	Board Fence
WIF	Wrought Iron Fence
UP	Utility Pole
MH	Maintenance Hole
CB	Catch Basin
DEC.	Deciduous
CON.	Coniferous
FF	Finished Floor
MPG	Mid Point Grade
HYD.	Hydrant
OHW	Overhead Wires
WIT	Witness
N	Denotes North
S	Denotes South
E	Denotes East
W	Denotes West

BENCHMARK
Elevations are Referred to the City of Hamilton Benchmark 0011965U666, having an Elevation of 85.048 m (CGVD 2013)

NOTE
This REPORT can be updated by this office, however NO ADDITIONAL PRINTS of this ORIGINAL REPORT will be issued, subsequent to the DATE OF CERTIFICATION.
All building ties are perpendicular to property lines unless otherwise noted.

This REPORT was prepared for Katherine Schwenger and the undersigned accepts no responsibility for use by other parties.

NOTE
Distances shown on this plan are in metres and can be converted to feet by dividing by 0.3048.

BEARING NOTE
Bearings are Astronomic, and are Referred to the southerly limit of Murray Street as shown on Plan 20R-Plan 62R-9550, having a Bearing of N 72° 09' 30" 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 11th day of June 11, 2025.

June 16, 2025
Date

Ashraf Rizk, O.L.S.

Party Chief:	Drawn By:	Checked By:	Project:
Y.S.	S.A.	J.G.	25-083

ASSOCIATION OF ONTARIO LAND SURVEYORS
PLAN SUBMISSION FORM
V-104384

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

J. H. Gelbloom Surveying Limited
Ontario Land Surveyor
476 Morden Road, Unit 102, Oakville, Ont., L6K 3W4
office@jhgsurveying.ca
Phone:(905) 338-8210

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)	Katherine Schwenger, Jono	[redacted]
Applicant(s)	Katherine Schwenger, Jono Yach	
Agent or Solicitor	Lauren Boyer Architect	

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	65 Murray Street West		
Assessment Roll Number			
Former Municipality	Hamilton		
Lot		Concession	
Registered Plan Number	127	Lot(s)	11 & 12
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. To allow a rear yard depth of 1.27m, where 7.5m is required.
2. To allow for 1 provided parking space, where 2 spaces are required.

☐ 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 dwelling is a heritage building and is not conforming with the current zoning bylaw. The proposed addition and parking spaces matches current 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
11.74m	24.38m	288.1 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
HOUSE	2.99m	5.48m	2.17m (West), 0.73m (East)	
SHED	n/a	0.58m	5.33m (West), 1.80m (East)	

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
2-STOREY ADDITION	n/a	1.27m	2.82m (West), 1.22m (East)	

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	113.5 sq.m	204.1	2	9.13m
SHED	11.72 sq.m	11.72 sq.m	1	

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
2-STOREY ADDITION	37.8 sq.m	96.51 sq.m	2	10.10m

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 family detached and semi-detached dwellings.

7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:

November 2nd, 2020

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:

100+ 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.

SIngle family dwellings are compatible with the neighbourhood designation of the official plan. The existing character and scale of the neighbourhood is being maintained.

7.6 What is the existing zoning of the subject land? "D" 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: "D" District

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

_____

_____

STAFF COMMENTS

HEARING DATE: April 30, 2026

Hamilton

A-26:051 — 65 Murray Street West, Hamilton

Recommendation:

Table — Development Planning

Proposed Conditions:

1. A permit to injure or remove Municipal Tree Assets is a requirement of this application. A Tree Management Plan must be submitted to Forestry c/o urbanforest@hamilton.ca, to address potential conflicts with publicly owned trees. (Forestry)

2. A Landscape Plan is required by Forestry, depicting the street tree planting scheme for the proposed development. (Forestry)

Proposed Notes:

There are existing public trees within the subject site, on both the Murray St W and Park St N frontages. Location and layout of future structures, hardscape, and utilities must be designed in such a way as to reduce the impact and injury to public trees. All proposed underground installations, excavations, and surface treatment changes within the driplines of the public trees must be accurately depicted on the Tree Management Plan. See the Comments section for more details. (Forestry)

Proposed driveways and hardscape must be designed to provide adequate soft surface landscaping and soil volume to support large canopy street trees, depicted on the Landscape Plan. See Forestry and Horticulture's Design and Preservation Manual (this can be found under the "Forestry Documents" tab on Forestry's website: Doing Work Near a Tree | City of Hamilton). (Forestry)

Forestry conditions relate to **public trees only** and are separate to any conditions, reviews, and fees required through Natural Heritage. (Forestry)

A building permit is required for the construction of the proposed two-storey addition to existing single family dwelling. (Building Engineering)

Be advised that Ontario Building Code regulations may require specific setback and construction types. (Building Engineering)

"**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 (416-212-8886). In the event that human remains are encountered during construction, the proponent should immediately contact both MCM

Hamilton

and the Registrar or Deputy Registrar of the Cemeteries Regulation Unit of the Ministry of Government and Consumer Services (416-212-7499).” (Development Planning)

Hamilton

Development Planning:

Background
The purpose of Minor Variance application A-26:051 is to facilitate a two storey, rear addition to an existing single detached dwelling.

Analysis

Hamilton-Wentworth Regional Official Plan
The subject property is designated “Urban Area” on Map 1 of the Hamilton – Wentworth Regional Official Plan.

West Harbour (Setting Sail) Secondary Plan
The subject lands are designated “Low Density Residential” in Schedule M-2: General Land Use of the West Harbour (Setting Sail) Secondary Plan. Policies found in Section A.6.3.3.1.12, amongst others, are applicable and permit the existing single detached dwelling.

Policy A.6.3.3.1.12 i) states that the scale, type and character of new development shall generally reflect the existing low density development in the neighbourhood. Similarly, A.6.3.3.1.12 v) states that lot dimensions and building setbacks shall generally be consistent with other low density residential properties in the neighbourhood.

Based upon review of the architectural package and the site plan submitted with this application, staff are concerned the proposed addition will provide insufficient setback to the rear property line and landscaped area in the flankage yard. Further, staff note existing landscaping features (e.g. patio, fencing) have been placed beyond the subject property’s bounds, within both the Murray Street West and Park Street North road allowances. Additionally, an Encroachment Agreement with Corridor Management will be required to address the front stair encroachment.

Staff are recommending this application be tabled in order to provide time for discussion between staff and the applicant regarding staff concerns.

Archaeology:
The subject property meets three (3) of the ten criteria used by the City of Hamilton and Ministry of Citizenship and Multiculturalism for determining archaeological potential:

1) Within 250 metres of known archaeological sites;
2) In areas of pioneer Euro-Canadian settlement; and,
3) Along historic transportation routes.

These criteria define the property as having archaeological potential. Accordingly, Section 2 (d) of the *Planning Act* and Section 4.6.2 of the Provincial Planning Statement apply to the subject application.

Hamilton

If this variance is approved, the proponent must be advised by the Committee of Adjustment as follows:

"**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 (416-212-8886). 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)."

Cultural Heritage:
The subject property, located at 65 Murry Street West, is comprised of a circa 1900 two-storey stone dwelling.

Additionally, the subject property is located near a concentration of properties of cultural heritage value or interest listed on the City's Inventory of Hamilton Properties, including:

- 231 Park Street North;
- 236 Park Street North;
- 238 Park Street North;
- 239 Park Street North;
- 241 Park Street North;
- 245 Park Street North;
- 246 Park Street North
- 247 Park Street North;
- 249 Park Street North;
- 255 Park Street North;
- 268 Bay Street North;
- 47 Murray Street West;
- 49 Murray Street West;
- 57 Murray Street West;
- 59 Murray Street West;
- 61 Murray Street West;
- 50 Murray Street West;
- 76 Murray Street West;
- 56 Barton Street West; and,
- 58 Barton Street West.

Hamilton

The City recognizes there may be cultural heritage properties that are not yet identified or included in the Municipal Heritage Register, nor designated under the *Ontario Heritage Act*, but still may be of cultural heritage interest. These may be properties that have yet to be surveyed, or otherwise identified, or their significance and cultural heritage value has not been comprehensively evaluated but are still worthy of conservation (Urban Hamilton Official Plan, Volume 1, Section B.3.4.2.6 and B.3.4.2.7).

Although not formally recognized under the *Ontario Heritage Act* through registration or designation, the subject and adjacent properties are of potential cultural heritage value and staff do have an interest in ensuring any proposed changes are sympathetic to the historic character of the properties and are contextually appropriate.

Additionally, the property is located within the Central Established Historical Neighbourhood.

Accordingly, sections B.3.4.1.4, B.3.4.1.5, B.3.4.2.1(g), B.3.4.2.1(h), and B.3.4.3.6, of the Urban Hamilton Official Plan, Volume 1, apply.

Additionally, sections A.6.3.3.3.1, A.6.3.3.3.2, and A.6.3.3.3.6, of the West Harbour (Setting Sail) Secondary Plan, apply.

The proponent proposes a two storey rear yard addition onto an existing single detached dwelling.

Notwithstanding that the on-site and adjacent properties are listed on the Inventory of Heritage Properties, staff have reviewed the application and are of the opinion that the cultural heritage value or interest of the on-site and adjacent cultural heritage resources will be conserved.

Where new construction and/or alterations or additions to existing structures are proposed in a Cultural Heritage Landscape, key considerations are the visual and physical impacts on landscape features, typically public views of the building fabric, building set-back, the streetscape and significant vistas.

Notwithstanding that the subject property is within the Central Established Historical Neighbourhood; staff have reviewed the application and are of the opinion that the cultural heritage value of the landscape will be conserved.

Staff have no further comments on the application as circulated.

Central Neighbourhood Plan
The subject lands are identified as “Single and Double” on Map 6704 (Map 1 of 2) in the Central Neighbourhood Plan. The existing single detached dwelling conforms to the vision of the Neighbourhood Plan.

Hamilton

The Central Neighbourhood Plan states that existing single detached residential areas “are to be retained in their current form.” Infill housing that is consistent with buildings in the area is the preferred form of redevelopment. This includes consistent building type, setback, height and architecture. Staff are of the opinion that the proposed 1.2 metre rear yard is not consistent with the rear yard setbacks of the area and does not conform to the Central Neighbourhood Plan.

Former City of Hamilton Zoning By-law No. 6593
The subject lands are zoned “D” (Urban Protected Residential – One and Two Family Dwellings, Etc.) District in the Former City of Hamilton Zoning By-law No. 6593. The existing single detached dwelling is a permitted use.

Variances 1 and 2

1. A rear yard depth of at least 1.2 metres shall be permitted instead of the minimum required 7.5 metre rear yard depth.

2. A minimum of 33% of the gross area of the side yard shall be used for a landscape area whereas the Zoning By-law requires a minimum of 50% of the gross area of the side yard shall be used for a landscaped area.

The intent of the first provision is to prevent or mitigate privacy and overlook concerns and to maintain sufficient amenity space for residents of the property. The intent of the second provision is to maintain a consistent neighbourhood character and streetscape ensuring at least 50% of the flankage yard is landscaped area.

Staff have concerns regarding the rear yard setback and overall landscaped area. Additionally, staff have concerns regarding the existing encroachments into both Murray Street West and Park Street North. Restoration of the rights of way or entering into an Encroachment Agreement with Corridor Management may be required.

Variance 3

3. One parking space shall be provided instead of the minimum required two parking spaces for each class A dwelling unit, for the first eight habitable rooms in the dwelling unit plus 0.5 parking spaces for each additional habitable room.

The intent of this provision is to ensure sufficient parking is provided on-site for the dwelling.

Staff have concerns regarding the proposed rear yard setback, landscaping and existing encroachments into public rights of way. Staff recommend tabling this application to allow for staff to meet with the applicant and discuss revisions to the proposal. Based on the foregoing, **staff recommend tabling.**



STAFF COMMENTS

HEARING DATE: April 30, 2026

Zoning:

Recommendation:	Comments Only
Proposed Conditions:	
Comments:	1. Requested variances are required to facilitate a proposed two storey rear yard addition onto an existing single family dwelling
Notes:	

Development Engineering:

Recommendation:	Comments Only
Proposed Conditions:	N/A
Comments:	Provided the existing drainage pattern is maintained, Development Engineering has no comments or objections to the minor variances as proposed.
Notes:	N/A

Building Engineering:

Recommendation:	Comments and Conditions/Notes
Proposed Conditions:	
Comments:	
Notes:	A building permit is required for the construction of the proposed two-storey addition to existing single family dwelling. Be advised that Ontario Building Code regulations may require specific setback and construction types.

Forestry:

Recommendation:	Comments and Conditions/Notes
Proposed Conditions:	A permit to injure or remove Municipal Tree Assets is a requirement of this application. A Tree Management Plan must be submitted to Forestry c/o urbanforest@hamilton.ca, to address potential conflicts with publicly owned trees. A Landscape Plan is required by Forestry, depicting the street tree planting scheme for the proposed development.
Comments:	An assessment of the information provided shows that there are conflicts with publicly owned trees within the subject site.

Hamilton

	Conditions of the Forestry and Horticulture Section will be cleared only after receipt of all applicable fees. Where existing municipal trees are impacted by development work, are within proximity of the development work, or access/egress to the development work, a Public Tree Permit to injure or remove Municipal Trees is required. **TREE MANAGEMENT PLAN** Tree Protection is a measure of efforts to preserve existing trees during against all manner of construction impacts. The Forestry & Horticulture Section requires that a Tree Management Plan be prepared by a MTCU Qualified Arborist, ISA Certified Arborist, or a Registered Landscape Architect. All trees within this proposed development area must be surveyed, identified, and accurately plotted on the plan to determine ownership, including intentions regarding retention or removal. Where ownership of trees in proximity to the boundary between public and private lands is un-certain, the subject trees must be surveyed by the applicant to confirm ownership. Ownership is as per By-law 15-125. Ownership must be clearly identified on the Tree Management Plan as either municipal or private. It is compulsory that all proposed underground and surface treatment changes within individual tree driplines be accurately depicted on the submission. Including, but not limited to building footprints, driveways, walkways, utility connections, site access, and site hoarding. The Tree Inventory Table on the Tree Management Plan shall not be considered complete without the following data and recommended action for each tree: • Species by Botanical and common name • Diameter at breast height in centimeters or millimeters • Ownership {> 50% @ ground level = ownership} • Biological health • Structural condition • Proposed grade changes within individual driplines • Proposed utility construction within individual driplines • Proposed actions {removal, preserve, or injure}

Hamilton

	A Tree Protection Zone Detail showing Tree Preservation Techniques for all retained trees shall be included on the submission as per the Public Tree Preservation and Sustainability Policy. All Healthy trees on municipal property which are found to be in conflict with the proposed development, do not meet our criteria for removal, and all other reasonable alternatives have been explored, are subject to a Loss of Canopy Fee as outlined in the Public Tree Preservation and Sustainability Policy in conjunction with By-Law 15-125. **LANDSCAPE PLAN** The Forestry and Horticulture Section requires that a detailed Landscape Plan be provided, prepared by a **Registered Landscape Architect**, showing the placement of trees to be planted within the public and private lands. The City of Hamilton's Public Tree Preservation and Sustainability Policy, in conjunction with the Tree By-Law 15-125, requires all new developments to provide payment of $740.00 +HST per tree for road allowance street trees, as approved through the review of the proposed street tree planting scheme. Spacing guidelines for trees are 8-10 meters on centre for larger species and 4-8 meters on centre for smaller species. All trees shown on municipal road allowance shall be identified as 'Trees to be planted by City of Hamilton Forestry Section.' The Landscape Plan should specifically outline 50mm caliper size and identify hard surface and soft surface areas on the site. Individually planted trees in new sidewalk installations shall include a detail showing 21m^3 of soil, and a grouping of 2 or more trees in a soil bed shall include 16m^3 of soil per tree. Please see Doing Work Near a Tree | City of Hamilton for further specifications. Urban Forest Health Technician shall be notified, post-construction, when final grade has been achieved, to facilitate the scheduling of the street tree planting(s) via urbanforest@hamilton.ca. Forestry's mandate is to increase canopy coverage across the city to promote a robust green infrastructure, and therefore, a healthy community for all residents of Hamilton. **SUMMARY** • There are Municipal Tree Assets on site; a Tree Management Plan is required. • Landscape Plan required.

	• Conditions will be considered cleared, and a Public Tree Permit will be issued, upon approval of the Tree Management Plan and Landscape Plan and receipt of all applicable fees.
Notes:	There are existing public trees within the subject site, on both the Murray St W and Park St N frontages. Location and layout of future structures, hardscape, and utilities must be designed in such a way as to reduce the impact and injury to public trees. All proposed underground installations, excavations, and surface treatment changes within the driplines of the public trees must be accurately depicted on the Tree Management Plan. See the Comments section for more details. Proposed driveways and hardscape must be designed to provide adequate soft surface landscaping and soil volume to support large canopy street trees, depicted on the Landscape Plan. See Forestry and Horticulture's Design and Preservation Manual (this can be found under the "Forestry Documents" tab on Forestry's website: Doing Work Near a Tree | City of Hamilton). Forestry conditions relate to **public trees only** and are separate to any conditions, reviews, and fees required through Natural Heritage.

Transportation Planning:

Recommendation:	No Comments
Proposed Conditions:	
Comments:	
Notes:	

Please Note: Public comment will be posted separately, if applicable.

From: Jenna Auger <Jenna.Auger@metrolinx.com>
Sent: Wednesday, April 22, 2026 3:26 PM
To: Committee of adjustment
Subject: RE: April 30, 2026 - Committee of Adjustment Agenda Available

Categories: April 30

External Email: Use caution with links and attachments.

Good afternoon,

Thank you for circulating the following Committee of Adjustments agenda.

Noting that the subject lands 65 Murray Street (A26.051) falls within Metrolinx review zones, the requested variance has minimal impact to Metrolinx property. As such, Metrolinx issues no concerns should the specified variances be issued by the Committee. Please, however, note that Metrolinx would be a stakeholder in future applications should development be proposed over this property.

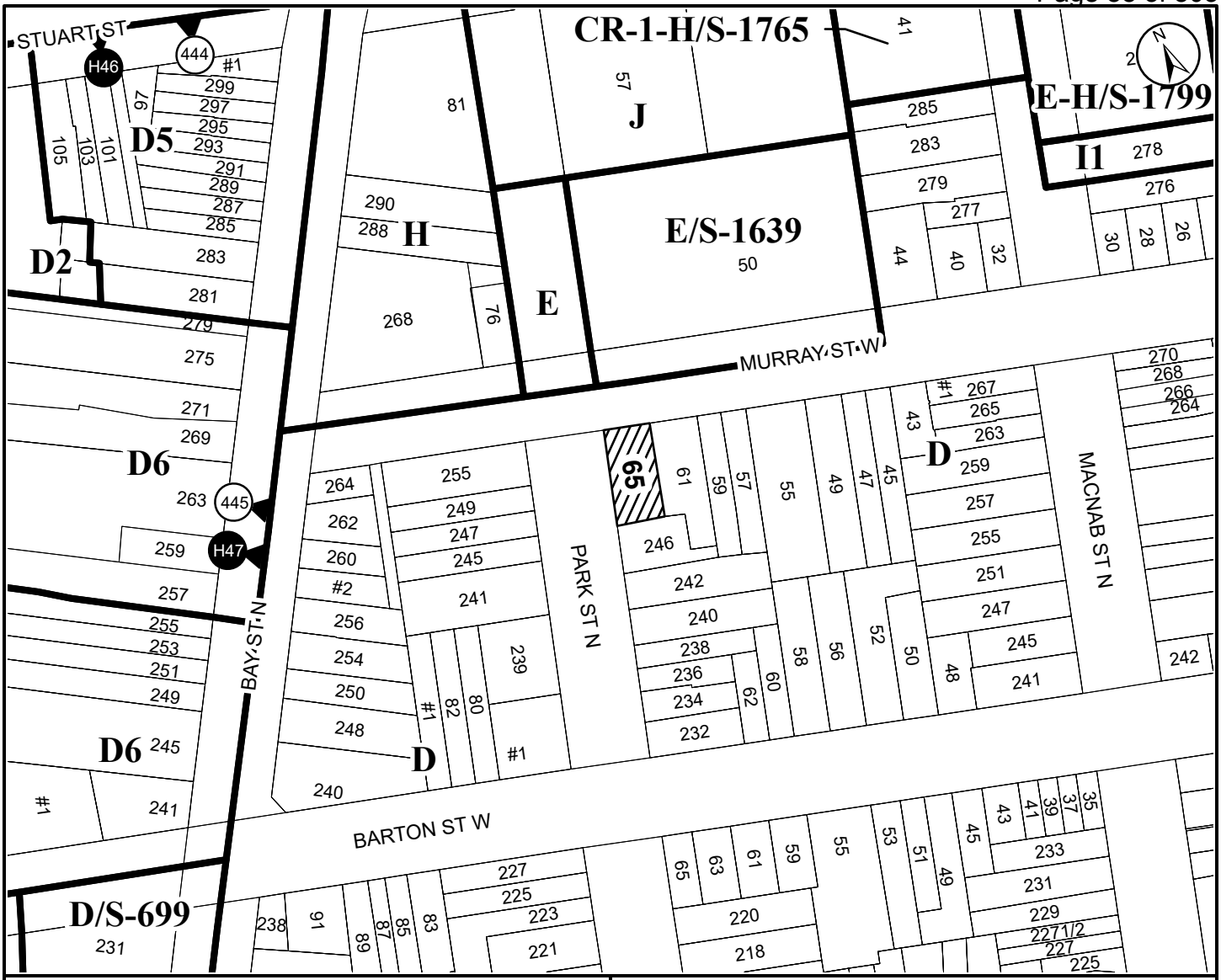
Additionally, we note that the application affiliated with the subject lands 209 Gibson Avenue fall within Lakeshore West GO review zones. However, we are unable to view the submission materials for comments due to it being a delegated item. Would you be able to provide the supporting materials to determine Metrolinx interest for our review?

Many Thanks,

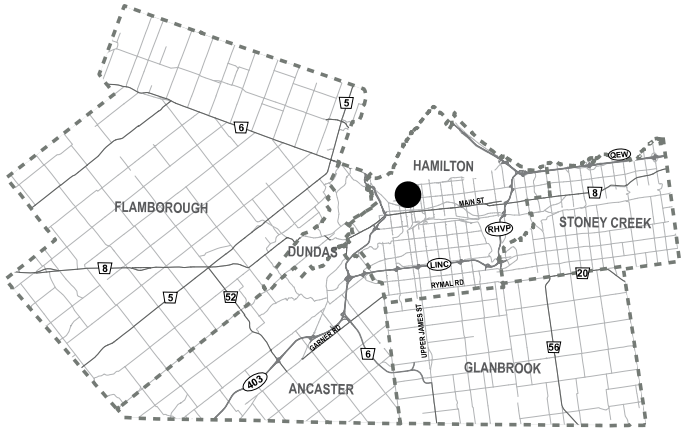
Jenna Auger (She/Her)
Project Analyst, Adjacent Construction Review (ACR)
Integrated Delivery Division
T: (416)-881-0579
20 Bay Street | Toronto | Ontario | M5J 2W3

METROLINX

If you ever feel your concern needs further review, or you would like to escalate your concern, our senior support team is available at Uton.Samuels@metrolinx.com (647) 293-8634



● **Site Location**



City of Hamilton

Committee of Adjustments

Subject Property

65 Murray Street West, Hamilton (Ward 2)

File Name/Number: A-26:051

Date: April 17, 2026

Technician: RS

Scale: N.T.S.

Appendix "A"

Planning and Economic Development Department

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

Hamilton

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-26:008**	**SUBJECT PROPERTY:**	237 Springbrook Avenue, Ancaster

APPLICANTS: Owner: 1000072010 Ontario Inc c/o Andrew Crowe
Applicant: 1000072010 Ontario Inc c/o Andrew Crowe
Agent: Landwise c/o Katelyn Gillis

PURPOSE & EFFECT: To permit the conveyance of seven (7) parcels of land, and to retain one (1) parcel of land, resulting in a total of eight (8) residential lots. Each lot will contain one half of a proposed Semi-detached Dwelling. The existing dwelling and sheds will be removed to facilitate this application.

	Frontage	**Depth**	**Area**
SEVERED LANDS (SEVERED Parcel 1):	7.62 m±	45.65 m±	358.66 m^2 ±
SEVERED LANDS (SEVERED Parcel 2):	7.62 m±	45.7 m±	348.18 m^2 ±
SEVERED LANDS (CONCURRENT LOT Parcel 3):	7.74 m±	45.70 m±	341.55 m^2 ±
SEVERED LANDS (CONCURRENT LOT Parcel 4):	7.65 m±	44.99 m±	329.43 m^2 ±
SEVERED LANDS (CONCURRENT LOT Parcel 5):	7.65 m±	44.99 m±	344.87 m^2 ±
SEVERED LANDS (CONCURRENT LOT Parcel 6):	7.65 m±	44.99 m±	344.42 m^2 ±
SEVERED LANDS (CONCURRENT LOT Parcel 7):	7.53 m±	44.99 m±	355.73 m^2 ±
RETAINED LANDS (RETAINED):	7.62 m±	45.65 m±	348.03 m^2 ±

Associated Planning Act File(s): A-26:053

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, April 30, 2026**
TIME:	**10:00 a.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 **April 28, 2026**.

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 **April 29, 2026**.

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding this matter, 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-26:008



Subject Lands

DATED: April 13, 2026

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.

_____

Justin Leung,
Secretary-Treasurer
Committee of Adjustment

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

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

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

The following information is required with your written submission:

- Committee of Adjustment file number
- Full name and address of the person providing comments. Anonymous comments will not be accepted.

Comments can also be placed in the drop box which is located at the back of the 1st Floor of City Hall, 71 Main Street West. All written comments received by the deadline 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. To register, email cofa@hamilton.ca with the following information:

- Committee of Adjustment file number
- Hearing date
- Full name and address of the person wishing to speak. Anonymous comments will not be accepted.
- 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.

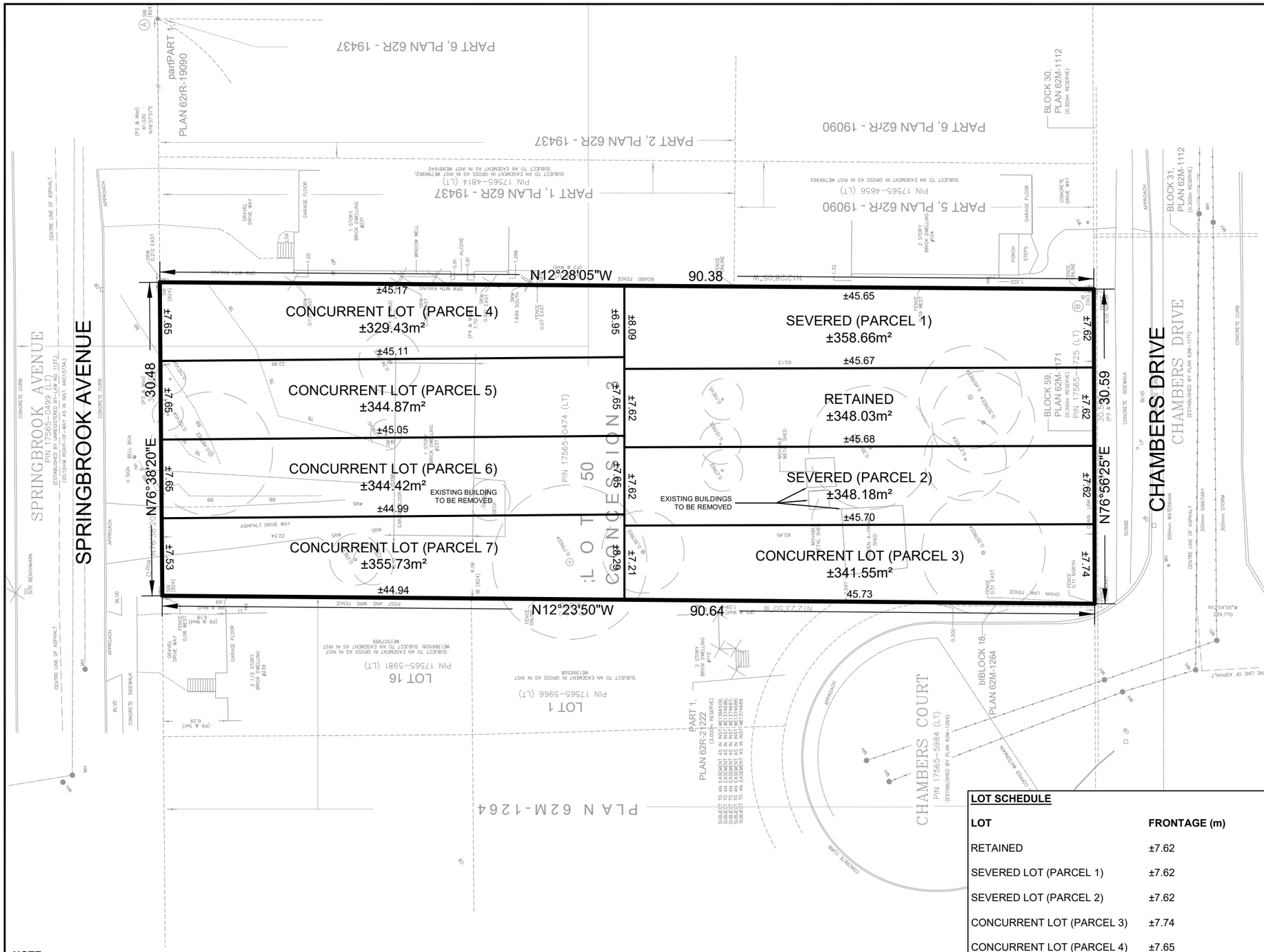
Virtual Presentations:
Presenters participating virtually may be granted permission to share their screen during the Hearing. A copy of the presentation must be submitted to cofa@hamilton.ca **by 12:00 p.m. (noon) on the business day prior to the Hearing.** The submission must be one document in PDF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

1. DIMENSIONS ARE SHOWN IN METERS.
2. FINAL LOT AREA AND FRONTAGE TO BE DETERMINED VIA FINAL SURVEY PLAN.
3. DIMENSIONS SHOWN ARE BASED ON A SURVEY
4. THIS DRAWING IS FOR ILLUSTRATIVE PURPOSES ONLY.
5. ALL BUILDING DESIGN TO BE VERIFIED BY A QUALIFIED PROFESSIONAL.
6. DESIGN SUBJECT TO CHANGE THROUGH PLANNING APPROVAL PROCESS.

LOT SCHEDULE

LOT	FRONTAGE (m)	AREA (m²)	DEPTH (m)
RETAINED	±7.62	±348.03	±45.68
SEVERED LOT (PARCEL 1)	±7.62	±358.66	±45.65
SEVERED LOT (PARCEL 2)	±7.62	±348.18	±45.68
CONCURRENT LOT (PARCEL 3)	±7.74	±341.55	±45.70
CONCURRENT LOT (PARCEL 4)	±7.65	±329.43	±45.11
CONCURRENT LOT (PARCEL 5)	±7.65	±344.87	±45.05
CONCURRENT LOT (PARCEL 6)	±7.65	±344.42	±44.99
CONCURRENT LOT (PARCEL 7)	±7.65	±355.73	±44.94

LEGAL DESCRIPTION

REVISIONS

REV.	DESCRIPTION	DATE	INIT.
A	SUBMISSION TO CofA	12-MAR-2026	JS

DISCLAIMER

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THIS DRAWING IS NOT TO BE USED FOR CONSTRUCTION UNLESS OTHERWISE INDICATED.

PROJECT TITLE

237 SPRINGBROOK AVENUE

HAMILTON, ONTARIO

landwise
PLAN • DESIGN • MANAGE
310 LIMERIDGE ROAD WEST, SUITE 6
HAMILTON ONTARIO, L9C 2V2
P 905-574-1993
W LANDWISE.CA

DRAWING TITLE

CONSENT SKETCH

PRINT DATE	DRAWN BY
12-MAR-2026	JS
REVISION	**DESIGNED BY**
A	JS
SCALE	**DRAWING NUMBER**
1:400	CS1-1

Plotted by: Justin Soldo; 12-MAR-2026; 3:2PM

File Location: D:\Landwise Dropbox\SERVER\PROJECTS_INDEPENDENTS\237 Springbrook Ave, Ancaster\Drawings\Planning\237 Springbrook Ave_Consent Sketch.dwg

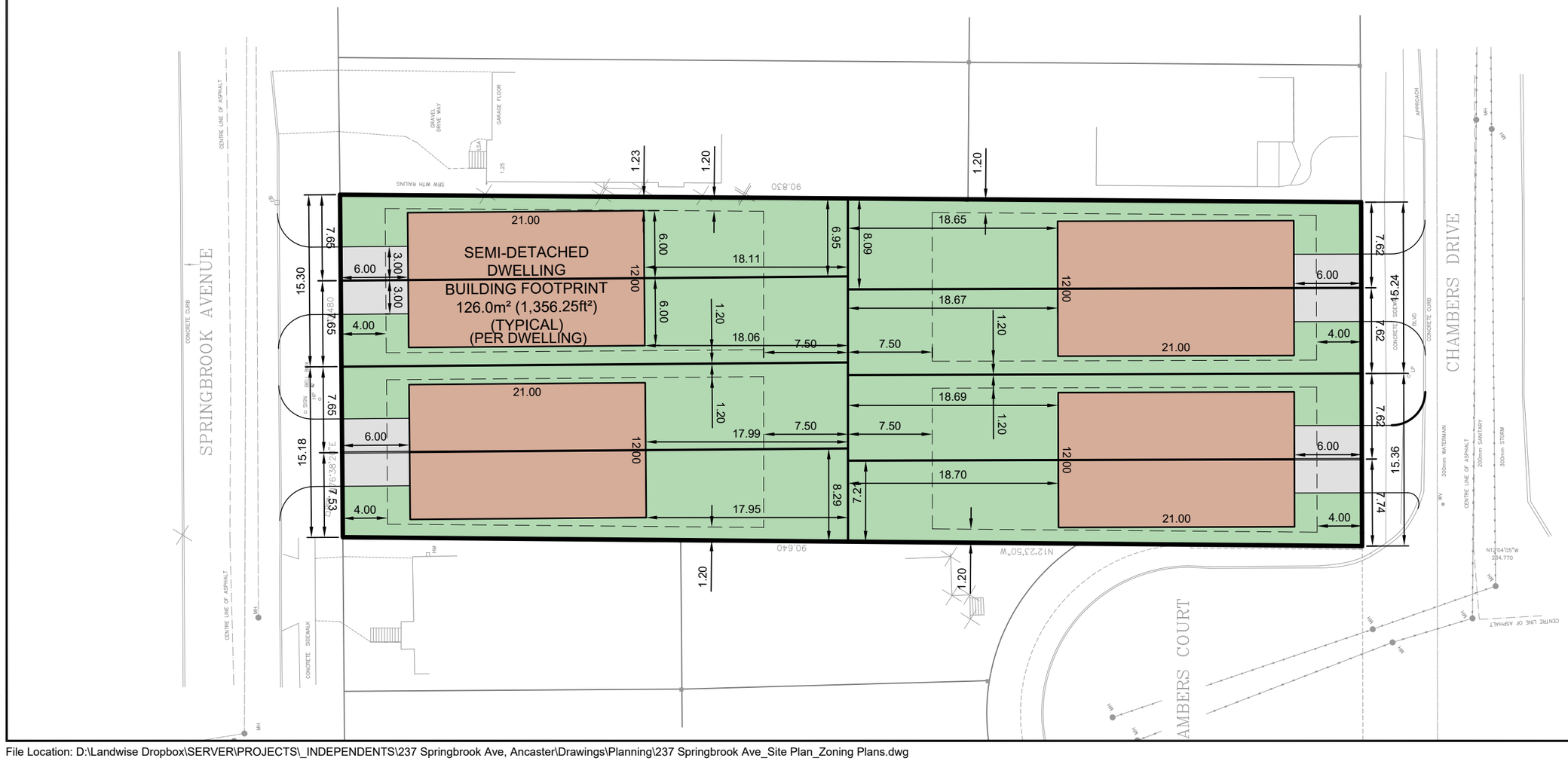
ZONING CHART
HAMILTON ZONING BY-LAW NO. 05-200 - LOW DENSITY RESIDENTIAL (R1) ZONE
EXCEPTION 888 - HOLDING: H166

SEMI-DETACHED DWELLING

PROVISION	REQUIRED	PROPOSED
MIN LOT AREA	270.0m²	329.43m²
MIN LOT WIDTH FOR EACH DWELLING UNIT	9.0m	7.53m (NON-CONFORMING)
MIN SETBACK FROM FRONT LOT LINE	4.0m	6.0m
MIN SETBACK FROM A SIDE LOT LINE	1.2m	1.23m
MIN REAR YARD SETBACK	7.5m	17.95m
MAX BUILDING HEIGHT	10.5m	Max. 10.5m (TBD)
MAX LOT COVERAGE	40.0%	38.2%
MIN LANDSCAPED AREA	30.0%	56.17%
MIN FRONT YARD LANDSCAPE AREA	50.0%	56.2%

ZONING CHART
HAMILTON ZONING BY-LAW NO. 05-200 - LOW DENSITY RESIDENTIAL (R1) ZONE
EXCEPTION 888 - HOLDING: H166

PROVISION	REQUIRED	PROPOSED
REQUIRED PARKING SPACES	1 PER UNIT	2 PER UNIT
MIN PARKING SPACE SIZE	2.8m x 6.0m	3.0m x 6.0m
MIN DRIVE AISLE WIDTH	6.0m	6.0m
MIN ACCESS DRIVEWAY WIDTH	2.7m	2.7m



LEGAL DESCRIPTION

REVISIONS

REV.	DESCRIPTION	DATE	INIT.
B	REVIEW	3-MAR-2026	JS
A	REVIEW	12-JAN-2026	JS

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THIS DRAWING IS NOT TO BE USED FOR CONSTRUCTION UNLESS OTHERWISE INDICATED.

PROJECT TITLE
237 SPRINGBROOK AVENUE
HAMILTON, ONTARIO

landwise
PLAN • DESIGN • MANAGE
310 LIMERIDGE ROAD WEST, SUITE 6
HAMILTON ONTARIO, L9C 2V2
P 905-574-1993
W LANDWISE.CA

DRAWING TITLE
ZONING SKETCH
(SEMI-DETACHED)

PRINT DATE	DRAWN BY
03-MAR-2026	JS
REVISION	DESIGNED BY
B	JS
SCALE	DRAWING NUMBER
1:400	CSP1-1

Plotted by: Justin Soldo; 03-MAR-2026; 9:24AM
File Location: D:\Landwise Dropbox\SERVER\PROJECTS_INDEPENDENTS\237 Springbrook Ave, Ancaster\Drawings\Planning\237 Springbrook Ave_Site Plan_Zoning Plans.dwg

TOPOGRAPHIC SURVEY

OF PART OF

LOT 50

CONCESSION 3

GEOGRAPHIC

TOWNSHIP OF ANCASTER

IN THE

CITY OF HAMILTON

SCALE 1:200 METRIC

4 2 0 4 8 16 metres

R.A. McLAREN, O.L.S. – 2022

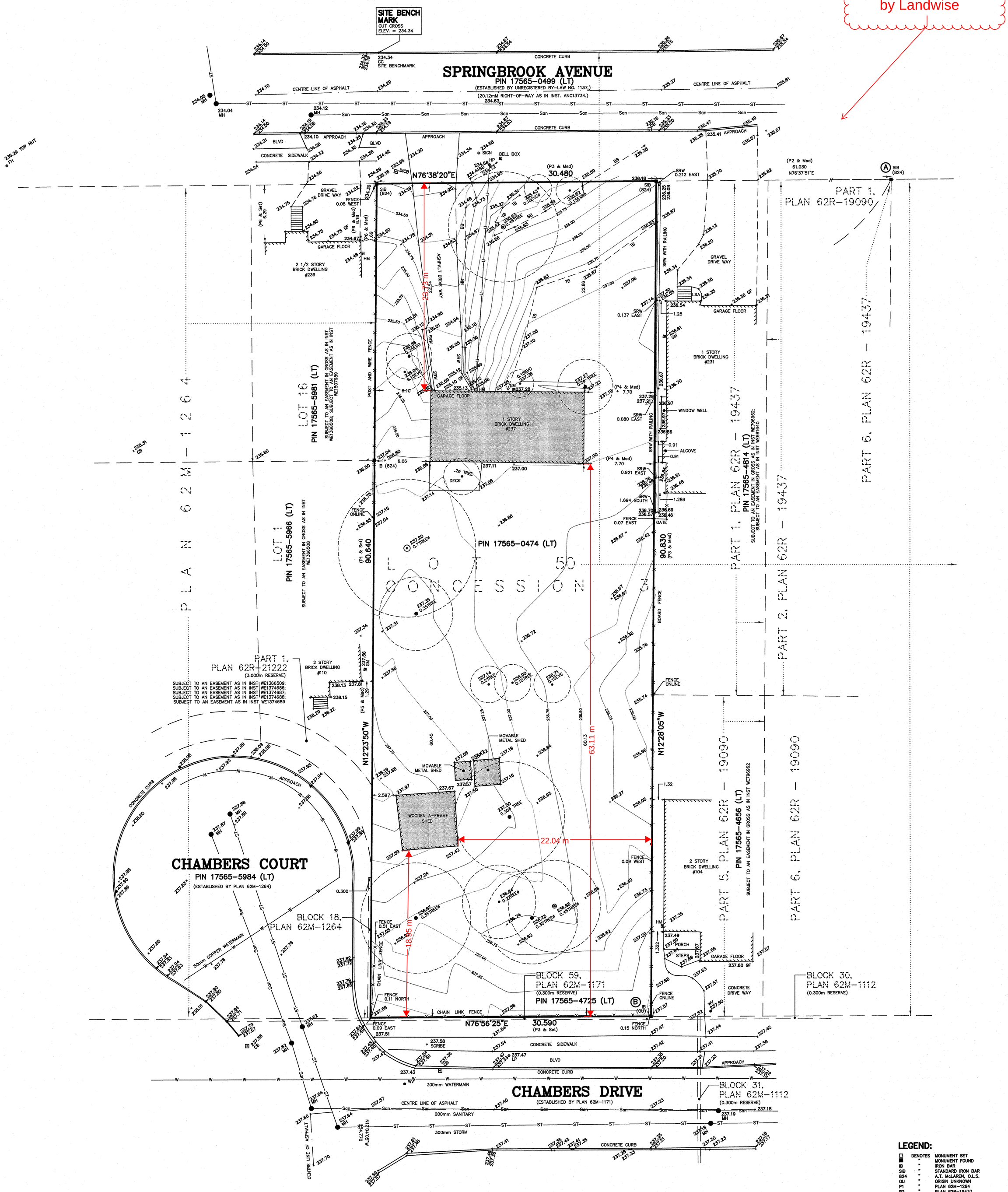
BENCHMARK:

STATION: 0011975U075

HAMILTON–WENTWORTH DEEP BENCH MARK IN MANHOLE AT GARNERS CEMETERY, ALONG SOUTHCOTE ROAD 0.2 KM NORTH OF INTERSECTION OF HIGHWAY NO. 53, 11.6 M WEST OF CENTRE LINE OF SOUTHCOTE ROAD, 21.9 M NORTHWEST OF HYDRO POLE ON EAST SIDE OF ROADWAY, 1.8 M SOUTH OF FENCE, AT ROAD LEVEL.

ELEVATION: 246.851 CGVD28:78

Dimensions in red are added by Landwise



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 0.9996586837365

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 A	4785480.372	585642.148
ORP B	4785377.644	585602.365
COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE–ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.		

NOTE:

UNDERGROUND SERVICE AND UTILITY LOCATIONS WERE LOCATED BY CITY OF HAMILTON DRAWING No. 11–S–21, SHEET No. 01R2 & CITY OF HAMILTON DRAWING No. 19–S–16, SHEET No. 01

UNDERGROUND SERVICE AND UTILITY LOCATIONS MUST BE VERIFIED PRIOR TO CONSTRUCTION

INVERTS MUST BE VERIFIED PRIOR TO CONSTRUCTION

LEGEND:

□	DENOTES	MONUMENT SET
■	"	MONUMENT FOUND
IB	"	IRON BAR
SIB	"	STANDARD IRON BAR
824	"	A.T. McLAREN, O.L.S.
OU	"	ORIGIN UNKNOWN
P1	"	PLAN 62M–1264
P2	"	PLAN 62R–19437
P3	"	PLAM 62R–17492
P4	"	A.T. McLAREN LTD PLAN 32713, DATED MAR 25, 2009
P5	"	ASHENHURST NOUWENS & ASSOCIATES PLAN 18044 SRPR(110) DATED DEC 21, 2021
P6	"	ASHENHURST NOUWENS & ASSOCIATES PLAN 18044 SRPR(239) DATED APR 6, 2021
Msd	"	MEASURED
DICB	"	DITCH CATCH BASIN
SRW	"	STONE RETAINING WALL
HM	"	HYDRO METRE
MH	"	MANHOLE
CB	"	CATCH BASIN
DS	"	DOOR SILL
GM	"	GAS METER
HP	"	HYDRO POLE
LSA	"	LANDSCAPED AREA
U	"	OVERHEAD UTILITIES
TB	"	TOP OF BANK
BB	"	BOTTOM OF BANK
ø	"	DIAMETER

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 29TH DAY OF JANUARY 2022

18FEB22
DATE

R.A. 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.
MM	KM	DW	1:200	36871

March 17, 2026
Via Digital Submission

ATTN: Justin Leung, Secretary-Treasurer

Committee of Adjustment
Planning and Economic Development Department
City of Hamilton
71 Main Street West, 5th Floor
Hamilton, ON L8P 4Y5

RE: 237 Springbrook Avenue, Hamilton
Consent to Sever & Minor Variance Applications

Landwise has been retained by 100072010 Ontario Inc., the landowner of 237 Springbrook Avenue, Ancaster ("subject lands") to submit the enclosed Consent to Sever and Minor Variance applications on their behalf.

Consent to Sever

The Consent to Sever application is required to implement the approved Zoning By-law Amendment ZAC-24-003 via By-law No. 24-037. However, a modification to the original proposal reviewed through ZAC-24-003 has been made; a total of eight (8) residential lots is proposed instead of six (6) residential lots. The revised proposal includes a total of eight (8) semi-detached dwellings with a frontage of ±7.6 metres per dwelling instead of four (4) semi-detached dwellings with a frontage of 9.1 metres to 9.3 metres and two (2) single detached dwellings with a frontage of 12.20 metres.

The Consent to Sever application seeks to establish the following:

1. Retained Lot
2. Severed Lot (Parcel 1)
3. Severed Lot (Parcel 2)
4. Concurrent Lot (Parcel 3)
5. Concurrent Lot (Parcel 4)
6. Concurrent Lot (Parcel 5)
7. Concurrent Lot (Parcel 6)
8. Concurrent Lot (Parcel 7)

Refer to the submitted application form, consent sketch and planning rationale for additional details.

Minor Variance

Relief from Zoning By-law No. 05-200 is required to implement the proposed severances. The proposed lots require a Minor Variance to vary regulation 15.1.2.2.b) to reduce the required lot width for each Semi-Detached Dwelling from 9.0 metres to 7.6 metres.

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

Refer to the submitted Planning Rationale for further information and analysis.

Submission

Landwise requests the circulation of this letter along with the enclosed documents to all relevant departments in support of the Consent to Sever and Minor Variance Applications.

Please find the enclosed:

- Consent to Sever application form with signatures;
- Minor Variance application form with signatures;
- Survey Plan;
- Consent Sketch;
- Conceptual Site Plan;
- Planning Rationale prepared by Landwise dated February 2026.

Note that the application fee will be paid via credit card. The **total application fee is $18,725.00** based on the following:

- Minor Variance fee: $4,135.00
- Consent to Sever (Fully Serviced Lot): $3,565.00
- Concurrent Lot Creation (5 lots): $2,205.00 X 5 = $11,025.00

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

Respectfully submitted,
LANDWISE



Katelyn Gillis
Senior Planner

Cc: 100072010 Ontario Inc. c/o Mr. A. Crowe

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

Landwise has been retained by 100072010 Ontario Inc. to prepare the following Planning Rationale in support of the Consent to Sever and Minor Variance applications for 237 Springbrook Avenue in Ancaster.

DESCRIPTION OF SUBJECT LANDS

237 Springbrook Avenue ("subject lands") is located within the Meadowlands Neighbourhood in Ancaster. The subject lands are legally described as Part of Lot 50, Concession 3, as In HL 156061; Ancaster in the City of Hamilton. The subject lands are a through lot with dual lot frontages, with approximately 30.5 metres along Chambers Drive and approximately 30.4 metres along Springbrook Avenue. The subject lands have a lot depth of approximately 90.9 metres and a lot area of approximately 2,768 square metres (0.68 acres).

The subject lands have a varied topography, sloping downwards towards Springbrook Avenue. It has frontage upon two roads, which have a full complement of municipal and utility services (gas, electricity, municipal water supply and sanitary and storm sewers).

The subject lands are outlined by a board fence along the eastern property line, and a chain link fence along the southern property line. It currently consists of a one storey single detached brick dwelling positioned approximately in the center of the property, with an asphalt driveway from Springbrook Avenue. There is a wooden A-frame shed and two moveable sheds located in the south-west portion of the property.

Figure 1 – Site Location Map



PLANNING STATUS

Urban Hamilton Official Plan

The subject lands are designated "Neighbourhoods" on Schedule E – Urban Structure and Schedule E-1 – Urban Land Use in the *Urban Hamilton Official Plan* ("UHOP"). Within the "Neighbourhoods" designation, low density residential uses with frontage onto local streets are permitted. Appropriate residential intensification is encouraged throughout the Neighbourhoods designation with a use and form that is compatible with the surrounding land use context.

Meadowlands Neighbourhood IV Secondary Plan

The subject lands are within the *Meadowlands Neighbourhood IV Secondary Plan* and are designated "Low Density Residential 2b" per Land Use Plan Map B.2.6-1. Single detached dwellings, duplex and semi-detached dwellings are permitted uses and are envisioned as the predominant housing form in the Neighbourhood (Vol.2, B.2.6.1.4.a.ii).

City of Hamilton Zoning By-law No. 05-200

The subject lands are zoned "Low Density Residential (R1, 888, H166) Zone" in *Zoning By-law No. 05-200*. A Zoning By-law Amendment was approved via By-law No. 24-037 on March 27, 2024. Semi-detached dwellings are a permitted use subject to site specific regulations. Holding Provision No. 166 prohibits development on the subject lands until a number of conditions are satisfied including an archaeological assessment, tree protection plan, payment for new municipal street trees, payment of cost recoveries and hydrant flow testing.

Concurrent Consent to Sever Application

A Consent to Sever with Concurrent Lot Creation application has been submitted concurrently with a Minor Variance application. The intent of the consent application is to retain 1 lot and create 7 new lots for a total of 8 residential lots; 4 new lots fronting Springbrook Avenue and 4 new lots fronting Chambers Drive.

PROPOSED DEVELOPMENT

A Zoning By-law Amendment application (ZAC-24-003) was approved on March 27, 2024 which contemplated a total of six new residential lots; three lots fronting Springbrook Avenue and three lots fronting Chambers Drive. The lots on each frontage were planned to accommodate 2 semi-detached dwellings with 9.1 metre to 9.3 metre frontage and 1 single detached dwelling with 12.2 metre frontage for a total of 6 new dwellings representing 21.7 units per hectare.

The proposed minor variance and associated consent to sever application seeks to add an additional two new lots and develop a total of eight semi-detached dwellings; four units fronting Chambers Drive and four units fronting Springbrook Avenue. This proposal represents a density of 28.9 units per net residential hectare.

Each semi-detached dwelling is proposed to be accessed by a private driveway, with two parking spaces on each lot. Holding Provision 166 would be required to be lifted to permit development on any of the lots.

SEVERANCE

The proposed consent to sever application to establish 7 new residential lots and retain 1 residential lot have been reviewed against the policies of UHOP Volume 1 F.1.14.3.1. The proposed lots comply to the policies of the UHOP including the Meadowlands Neighbourhood IV Secondary Plan. The consent to sever for a total of eight lots does require a minor variance which has been applied for concurrently with the Consent to Sever to reduce the required lot width per semi-detached dwelling. The proposed lotting pattern is logical and reflects the general scale and character of the neighbourhood's fabric in terms of lot frontage and areas, building height, coverage, massing, setbacks, privacy and overlook. The proposed lots front onto a public road and can be fully serviced by municipal water and wastewater systems. Holding 166 requires additional confirmation to confirm there is sufficient capacity prior to development. The proposed lotting pattern is generally in keeping with the previously approved Zoning By-law Amendment ZAC-24-003.

NATURE AND EXTENT OF RELIEF APPLIED FOR:

One Minor Variance is being sought from the Low Density Residential (R1, 888, H166) Zone to facilitate the proposed development. The requested Minor Variance is as follows:

	Zoning By-law No. 05-200 (as amended by By-law No. 24-037)	Purpose
1	15.1.2.2.b)	To allow a Minimum Lot Width of 7.6 metres for each Dwelling Unit whereas 9.0 metres is required.

PLANNING RATIONALE

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

Both the in-effect Official Plan land use designation and Zoning By-law permit semi-detached dwellings on the subject lands. The subject lands are an existing lot of record with a large site area. The proposed lot reduction is required to facilitate a net gain of two additional units from what was originally contemplated through ZAC-24-003. The proposed semi-detached dwellings would more efficiently use the existing urbanized and serviced lot. The existing lot frontages of 30.5 metres on Chambers Avenue and 30.4 metres on Springbrook Avenue cannot accommodate a lot width of 9.0 metres per dwelling unit. Instead, a minimum lot width of 7.6 metres is proposed.

Planning Rationale to Support the Variance:

1. Urban Hamilton Official Plan & Meadowlands Neighbourhood IV Secondary Plan

The Urban Hamilton Official Plan (UHOP) "Neighbourhoods" designation permits low density residential uses within the interior of existing neighbourhoods, with frontage on a local road and with a maximum height of 3-storeys (Vol.1, E.3.4). The subject lands are appropriate for low density residential forms.

The Meadowlands Neighbourhood IV Secondary Plan supports UHOP Volume 1 by permitting 3-storey low density residential forms (Vol.2, B.2.6.a). The neighbourhood is intended to provide a

mix and diversity of housing opportunities in terms of lot size, unit size, style and tenure that are suitable for different age levels, income groups, lifestyles and household structures (Vol.2, B.2.6.b). To support this, the secondary plan encourages increased density through the provision of smaller lots in interior locations (Vol.2, B.2.6.c). The proposed lots provide a compatible lot width that is present in the neighbourhood, including an average lot frontage of approximately 12.0 metres for a single detached lot and approximately 7.0 metres for townhouse dwelling unit.

The existing "Low Density Residential 2b" land use designation plans for a density between 1 to 30 units per hectare with a predominant built form that includes single detached dwellings, semi-detached dwellings, and duplexes (Vol.2, B.2.6.1.3). The proposed eight (8) semi-detached dwellings on 0.277 hectares represents a density of approximately 28.9 units per net residential hectare. Holding Provision No.166 will require that the applicant demonstrate that sufficient water pressure is available to support the proposed density. The proposed development will introduce semi-detached dwellings to add more variety of housing options into the neighbourhood, where most homes are single detached dwellings or townhouses. The proposed lots can accommodate appropriately sized dwellings that are proportionate to surrounding dwellings while accommodating all other applicable zoning regulations of the Low Density Residential (R1, 888, H166) Zone and Holding Provision No. 166 will require a tree protection plan to be approved prior to development (Vol.2, B.2.6.5).

Accordingly, the requested lot width reduction maintains the intent and purpose of the UHOP and Secondary Plan by more efficiently utilizing urban, serviced lands to provide a mix of housing options.

2. Zoning By-law No. 05-200

The general intent of minimum lot widths is to establish a lot pattern to create a neighbourhood character and rhythm while ensuring adequate lot sizes to accommodate safe and functional setbacks and building envelopes. The R1 Zone requires a 9.0 metre lot width for semi-detached dwellings whereas 7.6 metres is proposed. Semi-detached dwellings are a permitted use within the neighbourhood however, upon review of the existing development, no semi-detached dwellings are present in the area. The surrounding area is mostly made up of single detached dwellings with an average lot width of approximately 12.0 metres and a façade width of 10 metres. Townhouses are present in the area, including along the Chambers Avenue frontage, with an average lot width of 7.0 metres.

The proposed reduction in lot width does not negatively impact the function of the proposed semi-detached lot. The standard front yard elements of a residential lot can be accommodated including a single width driveway and porch while providing over 55% front yard landscaping. Recognizing that the single detached dwellings in the area are larger, the inherent design principles of a semi-detached dwelling (i.e. two dwellings with a common interior wall) will create a massing that is similar to the existing detached dwellings so as to not interrupt the rhythm of the streetscape. The proposed reduced lot width accommodates a dwelling width of 6.0 metres. The total width of the semi-detached dwellings will be 12.0 metres wide. The proposed lot pattern and configuration can accommodate all applicable zoning regulations of Zoning By-law No. 05-200, as amended.

The proposed lot width reduction maintains the intent of the Zoning By-law.

3. Is the variance minor?

The variance is considered minor as the proposed lot width reduction does not create a material impact to the function and safety of the proposed lots which will accommodate the required setbacks, lot coverage and landscaping requirements of the Zoning By-law. The proposed lot width reduction will maintain the general scale and character of the neighbourhood while accommodating two additional family-sized dwellings.

Is the variance desirable for the development of the property?

The variance is desirable as it will have the impact of creating a net gain of two (2) additional family-sized dwellings for a total of eight (8) dwellings on a lot that is fully serviced. The proposed variance will support the City's goal of providing more housing choice throughout the various communities.

CONCLUSION

The requested consent to sever application is generally in keeping with the lotting pattern as approved through ZAC-24-003 and maintains the intent of UHOP policy F.1.14.3.1. The requested variance will facilitate maximum efficiency and establish compact and efficient urban development within the neighbourhood. The proposed development maintains the intent of the Low Density Residential (R1, 888, H166) Zone and will contribute to the mix of housing options in the area without interrupting the rhythm of the existing streetscape. The proposed minor variance maintains the intent of the UHOP, the Meadowlands Neighbourhood IV Secondary Plan and Zoning By-law No. 05-200, as amended, is minor in nature, and is desirable. The requested variance is appropriate for the subject lands and represents good land use planning.

Respectfully Submitted,

LANDWISE

Katelyn Gillis, BA
Senior Planner

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*

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

1. APPLICANT INFORMATION

	NAME	MAILING ADDRESS	
Registered Owner(s)	1000072010 Ontario Inc. c/o Andrew Crowe	[redacted]	
Applicant(s)	Same as Registered Owner		
Agent or Solicitor	Landwise c/o Katelyn Gillis		

Please include contact person's name if applying as a company or organization.

1.2 Primary contact ☐ Applicant ☐ Owner ☑ Agent/Solicitor

1.3 Sign should be sent to ☐ Applicant ☐ Owner ☑ Agent/Solicitor

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

If YES, provide email address where sign is to be sent [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 card over phone* [redacted]

*Must provide phone number above

2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	237 Springbrook Avenue		
Assessment Roll Number	140280224000000		
Former Municipality	Ancaster		
Lot	50	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:

15.1.2.2.b) Permit a Minimum Lot Width for each Semi-Detached Dwelling Unit of 7.6m whereas 9.0m is required.

☐ Additional Dwelling Unit ☐ Reconstruction of Existing Dwelling

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

Existing lot frontages.

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 (in metric):

Lot Frontage	Lot Depth	Lot Area	Width of Street
30.48 m	90.83 m	3,050 m2	20.12 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 in metric)

Existing:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
1 storey brick dwelling	23.54 m	63.11 m	6.06 m, 7.70 m	unkown
Wooden A-frame shed	n/a	19 m	2.60 m, 22.08m	unkown

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Semi-detached dwelling	6 m	18.11 m	1.2 m	TBD
Semi-detached dwelling	6 m	17.99 m	1.2 m	TBD
Semi-detached dwelling	6 m	18.67 m	1.2 m	TBD
Semi-detached dwelling	6 m	18.70 m	1.2 m	TBD

4.3. Particulars of all buildings and structures on or proposed for the subject lands. All dimensions to be provided in metric (m, m^2 or ha); attach additional sheets as necessary.

Existing:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
1 storey brick dwelling	142 m^2	unkown	1	~6m
Wooden A-frame shed	41.45 m^2	41.45 m2	1	unkown

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Semi-detached dwelling	±126.0 m^2	±300.0 m^2	3	Max. 10.5m
Semi-detached dwelling	±126.0 m^2	±300.0 m^2	3	Max. 10.5m
Semi-detached dwelling	±126.0 m^2	±300.0 m^2	3	Max. 10.5m
Semi-detached dwelling	±126.0 m^2	±300.0 m^2	3	Max. 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
- [ ] 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.):

Residential semi-detached dwellings

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

Residential single detached dwellings

5. HISTORY OF THE SUBJECT LAND

5.1 Date of acquisition of subject lands:

January 2022

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

Unknown

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

Single Detached Dwelling

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

Unknown.

5.5 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
Low Density Residential 2b

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

Mix of residential uses are permitted.

5.6 What is the existing zoning of the subject land? ZBL 05-200: R1,888,H166

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

- [x] Yes
- [ ] No

If yes, please provide the file number: By-law 24-037 passed March 27, 2024

5.8 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: Unknown. Application submitted concurrently with minor variance

6. ADDITIONAL INFORMATION

6.1 Number of Dwelling Units Existing: 1

6.2 Number of Dwelling Units Proposed: 8

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

Refer to concurrent consent application, consent sketch, concept plan, planning rationale and cover letter.

7. COMPLETE APPLICATION REQUIREMENTS

7.1 All Applications

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

7.2 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 site sketch and general information in the Submission Requirements and Information document.

1. APPLICANT INFORMATION

	NAME	MAILING ADDRESS
Purchaser*		[redacted]
Registered Owner(s)	1000072010 Ontario Inc. c/o Andrew Crowe	
Applicant(s)**	Same as Registered Owner	
Agent or Solicitor	Landwise c/o Katelyn Gillis	

Please include contact person's name if applying as a company or organization.
*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 authorization 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 card over phone* [redacted]
*Must provide phone number above

2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	237 Springbrook Avenue		
Assessment Roll Number	140280224000000		
Former Municipality	Ancaster		
Lot	50	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

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 (including any proposed easements):
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:					
Type of Transfer					
Frontage					
Depth					
Area					
Existing Use	REFER TO ATTACHED PAGE				
Proposed Use					
Existing Buildings/ Structures					
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?

4 DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION 237 SPRINGBROOK ROAD

	Retained (remainder)	Parcel 1	Parcel 2	Parcel 3	Parcel 4	Parcel 5	Parcel 6	Parcel 7
Identified on Sketch as:	"Retained"	Severed	Severed	Concurrent Lot	Concurrent Lot	Concurrent Lot	Concurrent Lot	Concurrent Lot
Type of transfer	N/A	Creation of New Lot	Creation of New Lot	Creation of New Lot	Creation of New Lot	Creation of New Lot	Creation of New Lot	Creation of New Lot
Frontage (+/-)	7.62 m	7.62 m	7.62 m	7.74 m	7.65 m	7.65 m	7.65 m	7.53 m
Depth (+/-)	45.65 m	45.65 m	45.7 m	45.70 m	44.99 m	44.99 m	44.99 m	44.99 m
Area (+/-)	348.03 m^2	358.66 m^2	348.18 m^2	341.55 m^2	329.43 m^2	344.87 m^2	344.42 m^2	355.73 m^2
Existing Use	Residential	Residential	Residential	Residential	Residential	Residential	Residential	Residential
Proposed Use	Residential	Residential	Residential	Residential	Residential	Residential	Residential	Residential
Existing Buildings/ Structures	1-storey brick dwelling (part of)	1-storey brick dwelling (part of)	1-storey brick dwelling (part of)	1-storey brick dwelling (part of)	n/a	n/a	n/a	Wooden A-frame shed
Proposed Buildings/ Structures	Semi-detached Dwelling	Semi-detached Dwelling	Semi-detached Dwelling	Semi-detached Dwelling	Semi-detached Dwelling	Semi-detached Dwelling	Semi-detached Dwelling	Semi-detached Dwelling
Buildings/ Structures to be Removed	1 storey brick dwelling	1 storey brick dwelling	1 storey brick dwelling	1 storey brick dwelling	n/a	n/a	n/a	Wooden A-frame shed

*Note that all dimensions shall be confirmed upon a Reference Plan prepared by an OLS.

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

Rural Settlement Area: N/A

Urban Hamilton Official Plan designation (if applicable) Low Density Residential 2b Meadowlands Neighbourhood IV Secondary Plan

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

The proposed land use and form are permitted within the applicable land use designations.

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? ZBL 05-200: R1,888, H166

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.

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.

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?

January 2022

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)

Proposal is consistent with Provincial plans.

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

☑ Yes ☐ No (Provide explanation)

Within existing settlement area with services.

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

☐ Yes ☑ No (Provide explanation)

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

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

7.6 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

- ☐ 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

_____

_____

STAFF COMMENTS

HEARING DATE: April 30, 2026

Hamilton

B-26:008 — 237 Springbrook Avenue, Ancaster

Recommendation:

Deny — Development Planning

Proposed Conditions:

1. The owner shall submit a deposited Ontario Land Surveyor's Reference Plan to the Committee of Adjustment Office, unless exempted by the Land Registrar. The reference plan must be submitted in pdf and also submitted in CAD format, drawn at true scale and location and tied to the city corporate coordinate system. (Committee of Adjustment Section)

2. The owner shall pay any outstanding realty taxes and/or all other charges owing to the City Treasurer. (Committee of Adjustment Section)

3. The owner submits to the Committee of Adjustment office an administration fee, payable to the City of Hamilton, to cover the costs of setting up a new tax account for each newly created lot. (Committee of Adjustment Section)

4. Please place the condition that the applicant/owner pay the outstanding Municipal Act sewer and water charge of $29,764.06 under By-law 21-232 and the outstanding Municipal Act sewer charge of $13,044.61 under By-law 25-093 valid until May 14, 2026, to the satisfaction of the Development Charges Programs and Policies Section. Please contact developmentofficer@hamilton.ca if payment will be made at a later date. (Development Charges Programs and Policies Section)

5. The owner/applicant shall receive final and binding approval of Minor Variance application A-26:053 (Planning Division – Zoning Section).

6. The owner/applicant shall apply for a demolition permit to demolish all existing buildings or alternatively apply for and receive final approval of the appropriate Planning Act application in order to seek relief from the requirements of the Zoning By-law (Planning Division – Zoning Section).

7. The owner/applicant shall submit survey evidence that the lands to be conveyed and the lands to be retained conform to the requirements of the Zoning By-law or alternatively apply for and receive final approval of the appropriate Planning Act application in order to seek relief from the requirements of the Zoning By-law (Planning Division – Zoning Section).

Hamilton

8. A Permit to injure or remove municipal trees is a requirement of this application. A Tree Management Plan must be submitted to the Forestry and Horticulture Section c/o the Urban Forestry Health Technician, to address potential conflicts with publicly owned trees. (Forestry)

9. A Landscape Plan is required by to the Forestry and Horticulture Section, depicting the street tree planting scheme for the proposed development. In some cases, the requirement for a Landscape Plan may be waived. Request for waiver must be made to the Urban Forestry Health Technician. (Forestry)

10. That the owner demonstrate that the proposed **Semi-detached Dwelling** units are self-contained individual dwelling units along the proposed lot line in accordance with the Ontario Building Code, to the satisfaction of the Director of Building Division. (Building Engineering)

11. That the Owner must enter into with the City of Hamilton and register, a Combined External Works and Consent Agreement, along with the current administrative fee (includes grading plan review) to address issues including but not limited to: reconstruction of the existing pavement on Church Street and Lodor Street, extension and upgrades of municipal storm sewer, lot grading and drainage to a suitable outlet on the conveyed and retained parcels (detailed grading plan required), erosion and sediment control measures (to be included on the grading plan); cash payment requirements for items such as any outstanding servicing cost for the existing municipal services adjacent to the property, street trees (City policy requires one (1) street tree/lot, inspection of grading, stormwater management infrastructure and securities for items that may include: lot grading ($10,000.00 grading security), water and sewer services inspections, driveway approaches, relocation of any existing infrastructure/ utilities and any damage during construction (at the Owner's Cost), to the satisfaction of the Director of Development Engineering.

12. The subject property is within an area of cost recoveries; the owner will be responsible to pay for any outstanding cost recoveries on the subject property, to the satisfaction of the City's Director of Development Engineering.

13. That the applicant must lift the Holding 'H' Provision from the subject lands, to the satisfaction of the Director of Development Planning.

Proposed Notes:

We ask that the Owner agrees to physically affix the municipal numbers or full addresses to either the buildings or on signs in accordance with the City's Municipal Addressing By-law and Sign By-law, in a manner that is clearly visible from the road. (Legislative Approvals)

In order to clear conditions, the applicant will be required to make application for Ontario Building Code compliance and pay the relevant fees. (Building Engineering)

Hamilton

Separate and independent services (Water and Sewer) shall be provided for severed and retained parcel of land in accordance with current Sewer and Drain and Waterworks By-laws (23-234 and 23-235, respectively). (Development Engineering)

Hamilton

Development Planning:

Background

	Frontage	Depth	Area
SEVERED LANDS (Severed Parcel 1):	7.62 m±	45.65 m±	358.66 m^2±
SEVERED LANDS (Severed Parcel 2):	7.62 m±	45.7 m±	348.18 m^2±
SEVERED LANDS (Concurrent Lot Parcel 3):	7.74 m±	45.7 m±	341.55 m^2±
SEVERED LANDS (Concurrent Lot Parcel 4):	7.65 m±	44.9 m±	329.43 m^2±
SEVERED LANDS (Concurrent Lot Parcel 5):	7.65 m±	44.9 m±	344.87 m^2±
SEVERED LANDS (Concurrent Lot Parcel 6):	7.65 m±	44.9 m±	344.42 m^2±
SEVERED LANDS (Concurrent Lot Parcel 7):	7.53 m±	44.9 m±	355.73 m^2±
RETAINED LANDS (Retained):	7.62 m±	45.65 m±	348.03 m^2±

The purpose of Consent to Sever Application B-26:008 is to permit the conveyance of seven parcels of land, retaining one parcel of land, for a total of eight residential lots. Each lot will contain one half of a proposed semi-detached dwelling. The existing dwelling and accessory structures are to be removed. Minor Variance application A-26:053 was submitted concurrently to facilitate this severance.

Staff note that Zoning By-law Amendment application ZAC-24-003, approved and implemented via By-law 24-037 on March 27, 2024, rezoned the subject lands to Low Density Residential (R1, 888, H166) Zone in Zoning By-law No. 05-200. The original proposal consisted of four semi-detached dwellings and two single detached dwellings. The revised proposal consists of eight semi-detached dwellings.

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Staff further note that a 0.3 metre reserve remains between Chambers Drive and 273 Springbrook Avenue, being Block 59 of Registered Plan 62M-1171. This reserve must be lifted prior to development occurring.

Analysis

Urban Hamilton Official Plan
The subject lands are identified as “Neighbourhoods” in Schedule E – Urban Structure and are designated as “Neighbourhoods” in Schedule E-1 – Urban Land Use Designations of the Urban Hamilton Official Plan. Policies B.2.4.1.4, B.2.4.2.2, F.1.14.3.1 and E.3.2.3, amongst others, are applicable and permit the proposed semi-detached dwellings.

The proposal is considered residential intensification and has been evaluated against the criteria found in Policies B.2.4.1.4 and B.2.4.2.2. Staff are of the opinion that the proposed lot fabric is not similar to or in keeping with the character and established development pattern within the area.

Policy F.1.14.3.1 permits new lots for residential uses in the “Neighbourhoods” designation subject to the following criteria:

> “a) The lots comply with the policies of this Plan, including secondary plans, where one exists;
>
> b) The lots comply with existing Neighbourhood Plans;
>
> c) The lots are in conformity with the Zoning By-law or a minor variance is approved;
>
> 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;
>
> e) The lots are fully serviced by municipal water and wastewater systems; and,
>
> f) The lots have frontage on a public road.”

Staff note that the proposed lots comply with the minimum area requirements of the Zoning By-law, have frontage on public roads, are fully serviced by municipal water and wastewater and all lots will have frontage along a public road once the 0.3 metre reserve along Chambers Drive has been lifted. However, all proposed lots will not meet the minimum required lot width of 9 metres. Staff are of the opinion the proposed lot fabric is not reflective of the general scale, character or established development pattern of the area.

Meadowlands Neighbourhood IV Secondary Plan

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The subject lands are further designated “Low Density Residential 2b” on Map B.2.6-1 within the Meadowlands Neighbourhood IV Secondary Plan. Policy B.2.6.1.4, among others, is applicable and permits semi-detached dwellings.

Natural Heritage
The subject property is located within the boundaries of the Urban Hamilton Official Plan and has been identified within the Meadowlands Neighbourhood IV Secondary Plan. Based on mapping within the Urban Hamilton Official Plan (Volume 1 Schedule B Natural Heritage System and Volume 2-Meadowlands Neighbourhood IV Secondary Plan Land Use Plan Map B.2.6-1), components of the Natural Heritage System (Core Areas and Linkages) have not been identified within or adjacent to the subject property.

Through aerial photograph interpretation, trees have been identified within the subject property. To facilitate the proposed development, these trees will need to be removed or impacted. The City recognizes the importance of trees to the health and quality of life in the community (i.e., canopy cover, energy conservation, mental health benefits) and encourages sustainable forestry practices and the restoration of trees (Urban Hamilton Official Plan Volume 1 policy C.2.11.1). In addition, the Ancaster By-law (By-law 2000-118) regulating the injury to trees may apply. Through a previous Planning Act application (ZAC-24-003), Holding ‘H’ Provision was identified. In part “H166” states:

> ii) The Owner submitting and receiving approval of a Tree Protection Plan (and applicable review fee) to evaluate the retention of additional trees on the subject lands, to the satisfaction of the Director of Heritage and Urban Design.

To date, a Tree Protection Plan has not been provided, and this part of the Holding has not been addressed.

Archaeology
The subject property meets three (3) of the ten criteria used by the City of Hamilton and Ministry of Citizenship and Multiculturalism for determining archaeological potential:

1) Within 250 metres of known archaeological sites;
2) Within 300 metres of a primary watercourse or permanent waterbody, 200 metres of a secondary watercourse or seasonal waterbody, or 300 metres of a prehistoric watercourse or permanent waterbody; and,
3) In an area of sandy soil in areas of clay or stone.

These criteria define the property as having archaeological potential. Accordingly, Section 2 (d) of the *Planning Act* and Section 4.6.2 of the Provincial Planning Statement apply to the subject application.

A Stage 1-2 archaeological report (P038-1255-2023) has been submitted to the City of Hamilton and the Ministry of Citizenship and Multiculturalism. While the Provincial interest has yet to be signed off by the Ministry, Staff concur with the recommendations made in the report and are of the opinion that

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the municipal interest in the archaeology of this portion of the site has been satisfied. **Staff request a copy of the letter from the Ministry when available.**

Cultural Heritage
No comments.

Staff are of the opinion that the proposed severance does not meet all lot creation criteria within the "Neighbourhoods" designation and that the proposal is not reflective of or compatible with the character of the area. The proposed severance and requested variance do not maintain the general intent of the Urban Hamilton Official Plan.

City of Hamilton Zoning By-law No. 05-200
The subject lands are zoned Low Density Residential (R1, 888, H166) Zone in City of Hamilton Zoning By-law No. 05-200. Semi-detached dwellings are permitted.

Staff note that the minimum required lot area and width for semi-detached dwellings are 270 square metres and 9.0 metres, respectively. All proposed lots exceed the minimum required lot area but do not meet the minimum required lot width.

Staff further note that Holding Provision "H166" applies to the subject lands and no development shall be permitted until such time as:

(i) The Owner submitting the letter from the Ministry of Citizenship and Multiculturalism with respect to acknowledgement of Provincial interest with respect to the Archaeological Assessment, to the satisfaction of the Director of Heritage and Urban Design;

(ii) The Owner submitting and receiving approval of a Tree Protection Plan (and applicable review fee) to evaluate the retention of additional trees on the subject lands, to the satisfaction of the Director of Heritage and Urban Design;

(iii) The Owner making payment, at the applicable rate, for municipal street trees in the public right of way, to the satisfaction of the Director of Environmental Services, Public Works Department;

(iv) The Owner making payment for any outstanding cost recoveries to lift the existing 0.3 metre reserves, to the satisfaction of the Director of Development Engineering;

(v) The Owner completing a two-flow fire hydrant test on existing hydrants on Springbrook Avenue and Chambers Drive and completing any necessary upgrades on the system to support the development, to the satisfaction of the Director of Development Engineering; and,

(vi) The Owner making payment for any outstanding Municipal Act Sewer and Watermain charges, to the satisfaction of the Director of Development Engineering.

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Variance 1

1. A minimum lot width of 7.6 metres shall be provided for each semi-detached dwelling unit instead of the minimum required lot width of 9.0 metres for each semi-detached dwelling unit.

The intent of this provision is to ensure lots are both consistent with the existing lot fabric, development patterns and character of an area and also large enough to meet all other applicable provisions of the Zoning By-law such as building setbacks or minimum landscaped area requirements.

The proposed lots are narrower than the original proposal considered as part of Zoning By-law Amendment application ZAC-24-003, which proposed four semi-detached and two single detached lots. The semi-detached lots in the original proposal met or exceeded the required 9 metre lot width of the Low Density Residential (R1) Zone. However, the proposed lots, at 7.6 metres wide, are consistent with the intended semi-detached lot width permitted in the Low Density Residential – Small Lot (R1a) Zone, which requires a minimum lot width of 7.5 metres for semi-detached dwellings. This lot width, and thus lot fabric and scale, are not consistent with the intended character or development in the area as contemplated in ZAC-24-003.

Staff are of the opinion that Variance 1 does not maintain the general intent of the Urban Hamilton Official Plan, Meadowlands Neighbourhood IV Secondary Plan and Zoning By-law, is not desirable for the appropriate development and use of the land and is not minor in nature. Staff do not support the variance.

Staff recommend the proposed severance and minor variance be denied.

Zoning:

Recommendation:	Comments and Conditions/Notes
Proposed Conditions:	1. The owner/applicant shall receive final and binding approval of Minor Variance application A-26:053 (Planning Division – Zoning Section). 2. The owner/applicant shall apply for a demolition permit to demolish all existing buildings or alternatively apply for and receive final approval of the appropriate Planning Act application in order to seek relief from the requirements of the Zoning By-law (Planning Division – Zoning Section). 3. The owner/applicant shall submit survey evidence that the lands to be conveyed and the lands to be retained conform to the requirements of the Zoning By-law or alternatively apply for and receive final approval of the appropriate Planning Act application in order to seek relief from the requirements of the Zoning By-law (Planning Division – Zoning Section).
Comments:	

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	1. This application is to be heard in conjunction with Minor Variance application A-26:053. 2. The owner/applicant shall obtain an appropriate municipal address for the proposed parcels from the Legislated Approvals and Staging of Development Section of the Planning and Economic Development Department prior to the issuance of a building permit. 3. Demolition of all existing buildings is required to achieve zoning compliance or alternatively the owner/applicant shall receive final approval of the appropriate Planning Act application. 4. In order to clear conditions, the owner/applicant shall be required to make application for a Zoning Compliance Review and pay the relevant fees. 5. Please be advised that additional Planning Act approvals may be required if a road widening and/or daylight triangle dedication is required as part of this application.
Notes:	

Development Engineering:

Recommendation:	Approve with Conditions
Proposed Conditions:	1. That the Owner must enter into with the City of Hamilton and register, a Combined External Works and Consent Agreement, along with the current administrative fee (includes grading plan review) to address issues including but not limited to: reconstruction of the existing pavement on Church Street and Lodor Street, extension and upgrades of municipal storm sewer, lot grading and drainage to a suitable outlet on the conveyed and retained parcels (detailed grading plan required), erosion and sediment control measures (to be included on the grading plan); cash payment requirements for items such as any outstanding servicing cost for the existing municipal services adjacent to the property, street trees (City policy requires one (1) street tree/lot, inspection of grading, stormwater management infrastructure and securities for items that may include: lot grading ($10,000.00 grading security), water and sewer services inspections, driveway approaches, relocation of any existing infrastructure/ utilities and any damage during construction (at the Owner's Cost), to the satisfaction of the Director of Development Engineering.

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	2. The subject property is within an area of cost recoveries; the owner will be responsible to pay for any outstanding cost recoveries on the subject property, to the satisfaction of the City's Director of Development Engineering.
Comments:	According to our GIS records, the existing municipal infrastructure fronting the subject property is summarized as follows: Springbrook Avenue • 400mm ø Watermain • 250mm ø Sanitary Sewer • 300mm ø Storm Sewer Chamber Drive • 300mmø Watermain • 250mm ø Sanitary Sewer • 450mm ø Storm Sewer
Notes:	Separate and independent services (Water and Sewer) shall be provided for severed and retained parcel of land in accordance with current Sewer and Drain and Waterworks By-laws (23-234 and 23-235, respectively).

Building Engineering:

Recommendation:	Comments and Conditions/Notes
Proposed Conditions:	That the owner demonstrate that the proposed **Semi-detached Dwelling** units are self-contained individual dwelling units along the proposed lot line in accordance with the Ontario Building Code, to the satisfaction of the Director of Building Division.
Comments:	
Notes:	In order to clear conditions, the applicant will be required to make application for Ontario Building Code compliance and pay the relevant fees.

Transportation Planning:

Recommendation:	No Comments
Proposed Conditions:	
Comments:	
Notes:	

Forestry:

Recommendation:	Approve with Conditions

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Proposed Conditions:	A Permit to injure or remove municipal trees is a requirement of this application. A Tree Management Plan must be submitted to the Forestry and Horticulture Section c/o the Urban Forestry Health Technician, to address potential conflicts with publicly owned trees. A Landscape Plan is required by to the Forestry and Horticulture Section, depicting the street tree planting scheme for the proposed development. In some cases, the requirement for a Landscape Plan may be waived. Request for waiver must be made to the Urban Forestry Health Technician.
Comments:	Conditions of the Forestry and Horticulture Section will be cleared only after receipt of all applicable fees. An assessment of the information provided shows that there are potential conflicts with publicly owned trees or trees that may become city assets through right of way widening. Where existing municipal trees are impacted by development work, are within proximity of the development work or access/egress to the development work, a Public Tree **Permit** to injure or remove municipal trees is required. Where ownership of trees in proximity to the boundary between public and private land is un-certain, the subject trees must be surveyed by the applicant to confirm ownership. Ownership is as per By-law 15-125. Ownership must be clearly identified on the Tree Management Plan as either municipal or private. **TREE MANAGEMENT** Tree Protection is a measure of efforts to preserve existing trees during the Planning of New Developments, Infrastructure Enhancements, Utility Upgrades & Residential Improvements. The Forestry & Horticulture Section requires that a Tree Management Plan be prepared by a MTCU Qualified Arborist, or ISA Certified Arborist, or a Registered Landscape Architect. All trees within this proposed development area must be surveyed, identified and accurately plotted on the plan to determine ownership, including intensions regarding retention or removal. It is compulsory that all proposed surface treatment changes within individual tree driplines as well as property lines, building footprints, driveways, utility

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	construction corridors and temporary access roads be accurately depicted on the submission. The Tree Inventory Analysis Table on the Tree Management Plan shall not be considered complete without the following data and recommended action for each tree. ❖ Species by Botanical and common name ❖ Diameter at breast height in centimeters or millimeters ❖ Ownership {> 50% @ ground level = ownership} ❖ Biological health ❖ Structural condition ❖ Proposed grade changes within individual driplines {compulsory} ❖ Proposed utility construction within individual driplines {compulsory} ❖ Proposed removals or relocations ❖ Proposed trees to be protected. If it is determined and verified that existing trees can remain, a Tree Protection Zone Detail with notes showing Tree Preservation Techniques shall be included on the submission as per the **Public Tree Preservation and Sustainability Policy.** The determination of ownership of all trees is the responsibility of the applicant and any civil issues which may exist or arise between property owners with respect to trees, must be resolved by the applicant. The ownership of each individual tree inventoried must be clearly stated as municipal or private. All Healthy trees on municipal property which are found to be in conflict with this proposed development and do not meet our criteria for removal are subject to a replacement fee as outlined in the **Public Tree Preservation and Sustainability Policy** in conjunction with **By-Law 15-125**. **A permit will be issued upon approval of the Tree Management Plan and applicable fees.** **LANDSCAPE PLAN** Clarification to ensure a street tree can be accommodated for each lot needs to be confirmed.

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	The Forestry & Horticulture Section requires that a detailed Landscape Planting Plan prepared by a **Registered Landscape Architect**, showing the placement of trees on internal/external City property be provided. All street tree plantings are planted by the City of Hamilton, as approved through the review of a proposed street tree planting plan and shall be identified on plan as 'Trees to be planted by City of Hamilton Forestry Section. The Landscape Plan should specifically outline 50mm caliper size and the species of trees to be planted as well as identify hard surface and soft surface areas on the site. Individually planted trees in new sidewalk installations shall include a detail showing 21 m3 of soil, and a grouping of 2 or more trees in a soil bed shall include 16m3 of soil per tree. New sidewalks, paving or asphalting shall allow 1.5m2 of breathing space for tree roots. An option to allow forestry to determine tree species is permitted and plan shall reflect that decision by denoting on plan 'City of Hamilton forestry department to determine species. Please note: all private trees on plan shall have species denoted. Tree species selection should take into account cultivars {fruitless etc.} salt and heat tolerance, mature tree size, public visibility and daylight triangles, as well as potential pest concerns. Spacing guidelines for trees are ten 8-10m on centre for larger species and 4-8 meters on center for smaller species. Guidelines for species diversity shall ensure no single species shall make up more than 20% of the total street tree population. No coniferous trees will be permitted on City of Hamilton road allowance. Any identified street tree species on plan will be subject to change at time of planting due to but limited to, on site conditions, in stock availability and compatibility with approved species by City of Hamilton. Although utility conflicts may change specific planting locations, every opportunity will be made to keep with the intent of the design. Trees planted on the road allowance will have a minimum approximate caliper of 50 mm. Urban Forest Health Technician from the Forestry Section shall be notified post construction, when final grade has been achieved, to facilitate the scheduling of the street tree planting(s). Otherwise, all sites will be monitored annually by Forestry to determine when site is suitable for the following planting season.

Hamilton

	Forestry's mission to increase urban canopy through new development encourages any opportunity for planting locations.
Notes:	

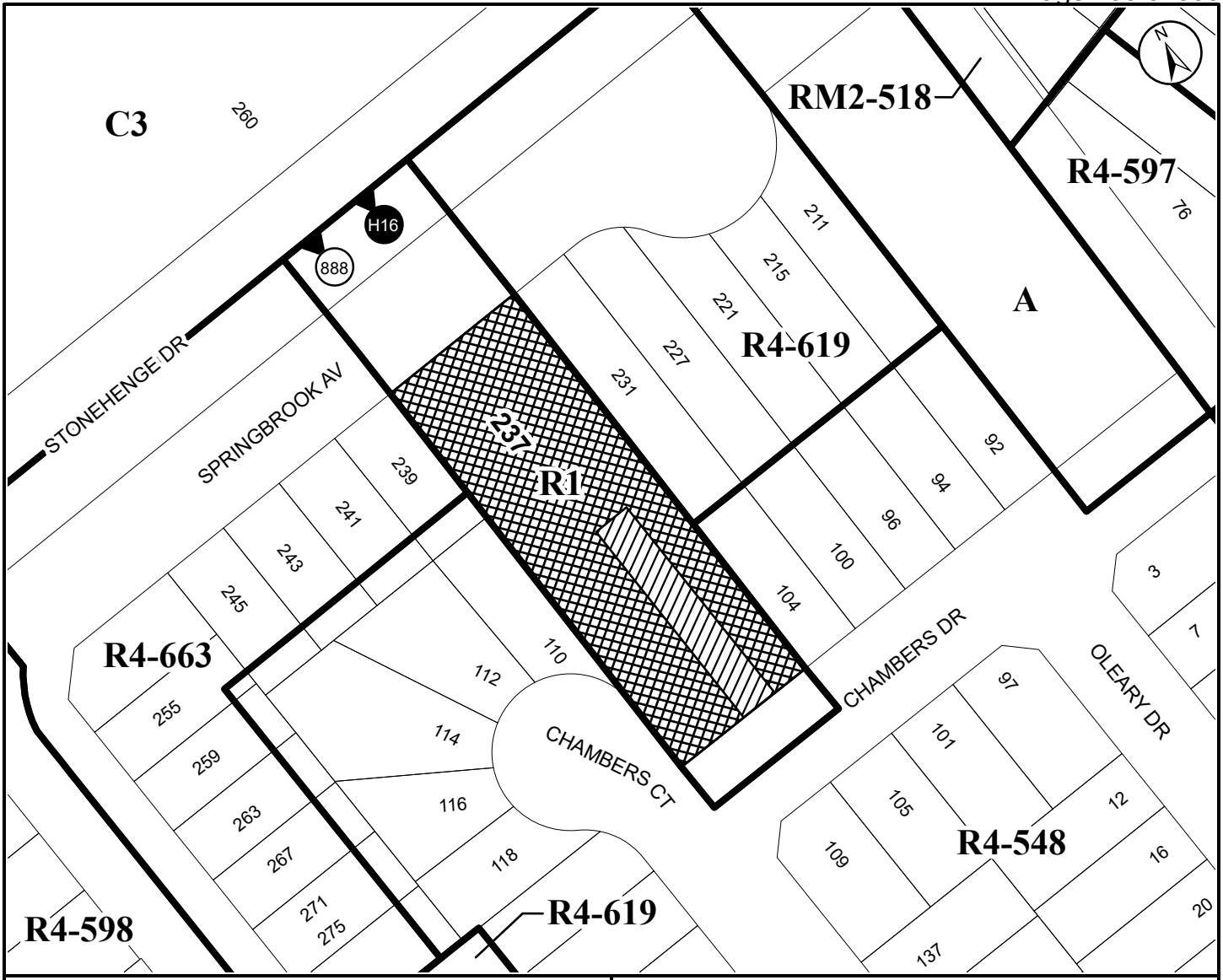
Legislative Approvals:

Recommendation:	Comments and Conditions/Notes
Proposed Conditions:	
Comments:	The lands proposed to be retained and severed will be assigned the following municipal addresses: Parcel 1 – **106A Chambers Drive (Ancaster)** Retained – **106B Chambers Drive (Ancaster)** Parcel 2 – **108A Chambers Drive (Ancaster)** Parcel 3 – **108B Chambers Drive (Ancaster)** Parcel 4 – **233A Springbrook Avenue (Ancaster)** Parcel 5 – **233B Springbrook Avenue (Ancaster)** Parcel 6 – **235 Springbrook Avenue (Ancaster)** Parcel 7 – **237 Springbrook Avenue (Ancaster)**
Notes:	We ask that the Owner agrees to physically affix the municipal numbers or full addresses to either the buildings or on signs in accordance with the City's Municipal Addressing By-law and Sign By-law, in a manner that is clearly visible from the road.

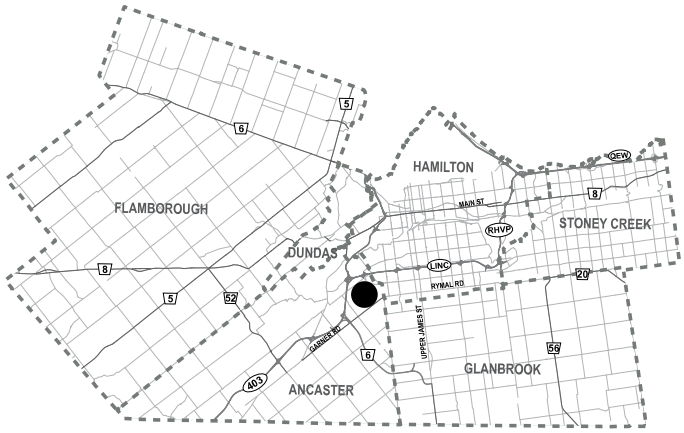
Development Charges Programs and Policies:

Recommendation:	Comments and Conditions/Notes
Proposed Conditions:	Please place the condition that the applicant/owner pay the outstanding Municipal Act sewer and water charge of $29,764.06 under By-law 21-232 and the outstanding Municipal Act sewer charge of $13,044.61 under By-law 25-093 valid until May 14, 2026, to the satisfaction of the Development Charges Programs and Policies Section. Please contact developmentofficer@hamilton.ca if payment will be made at a later date.
Comments:	
Notes:	

Please Note: Public comment will be posted separately, if applicable.



● **Site Location**



City of Hamilton

Committee of Adjustments

Subject Property

237 Springbrook Avenue, Ancaster (Ward 12)

Lands to be Retained

Lands to be Severed

File Name/Number: B-26:008

Date: April 15, 2026

Technician: AL

Scale: N.T.S.

Appendix "A"

Hamilton

Planning and Economic Development Department

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-26:053	**SUBJECT PROPERTY:**	237 Springbrook Avenue, Ancaster
ZONE:	Low Density Residential, Exception 888, Holding 166(R1, 888, H166) Zone	**ZONING BY-LAW:**	Hamilton Zoning By-law 05-200 as amended by By-law 24-037

APPLICANTS: Owner: 1000072010 Ontario Inc c/o Andrew Crowe
Applicant: 1000072010 Ontario Inc c/o Andrew Crowe
Agent: Landwise c/o Katelyn Gillis

The following variances are requested:

1. A minimum lot width for 7.6 metres shall be provided for each dwelling unit instead of the minimum required lot width of 9.0 metres for each dwelling unit.

PURPOSE & EFFECT: To permit the creation of new residential lots for the construction of Semi-Detached Dwellings.

Notes:

1. The requested variance is required to facilitate Land Severance application B-26:008 to be heard in conjunction with this application.

2. Holding provision “H166” is assigned to this property. The holding contains specific conditions required to be satisfied before development can occur on the subject lands.

3. Details regarding the proposed construction have not been provided; therefore, the proposed dwellings have not been reviewed for zoning compliance. Further variances may be required at such time the proposed construction is reviewed for zoning compliance.

4. Lot width, as defined in the Zoning By-law, has not been indicated on the submitted sketch. Proposed “parcel 7” is shown to provide a lot width of +/- 7.53 metres at the street line. A

further variance shall be required if the requested variance for a reduced lot width is not provided when measured in accordance with Lot Width as defined in the Zoning By-law.

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, April 30, 2026**
TIME:	**10:00 a.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 April 28, 2026.

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 April 29, 2026.

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding A-26:053, 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 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-26:053



Subject Lands

DATED: April 13, 2026

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.

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

The following information is required with your written submission:

- Committee of Adjustment file number
- Full name and address of the person providing comments. Anonymous comments will not be accepted.

Comments can also be placed in the drop box which is located at the back of the 1st Floor of City Hall, 71 Main Street West. All written comments received by the deadline 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. To register, email cofa@hamilton.ca with the following information:

- Committee of Adjustment file number
- Hearing date
- Full name and address of the person wishing to speak. Anonymous comments will not be accepted.
- 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.

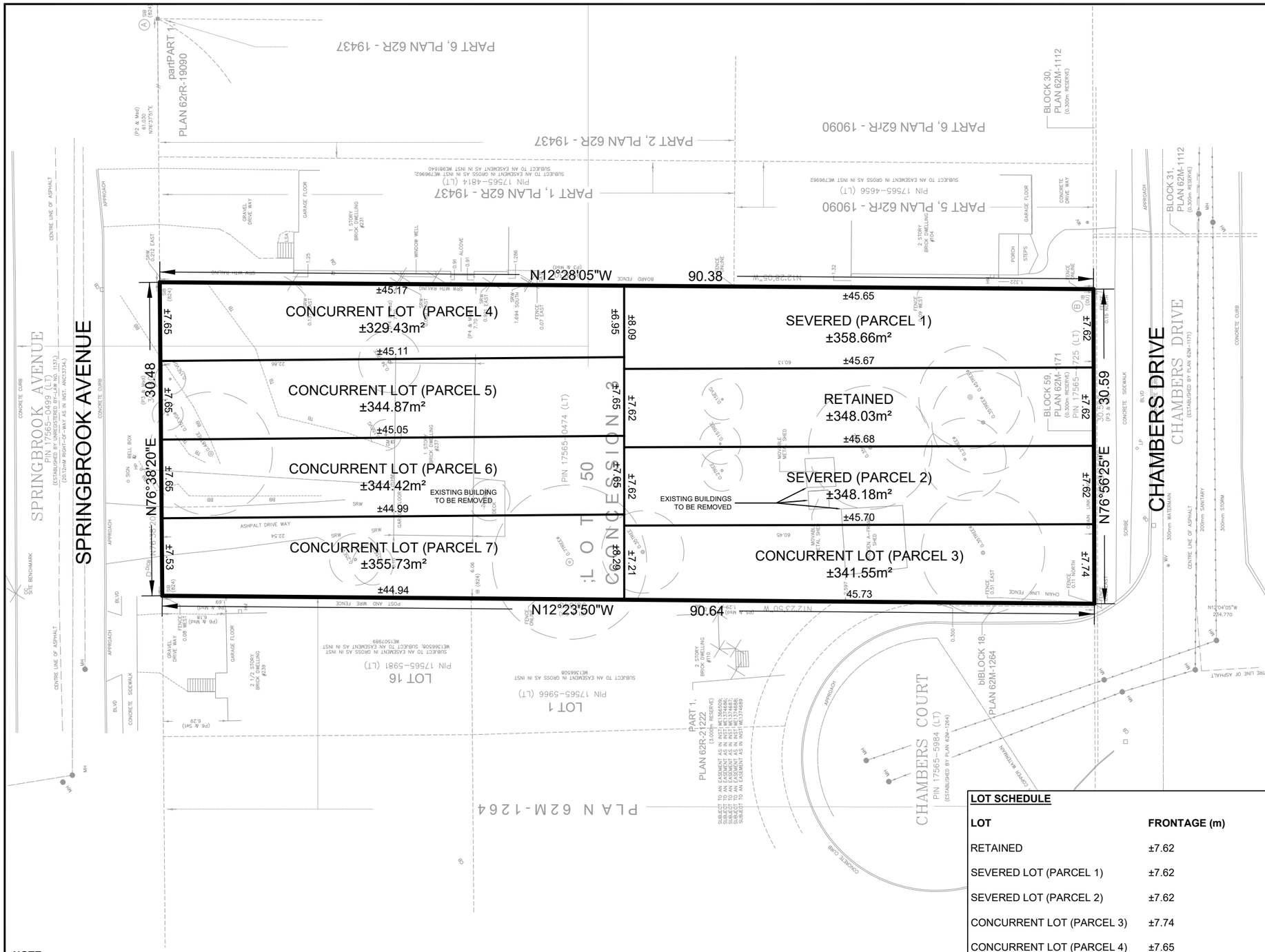
Virtual Presentations:
Presenters participating virtually may be granted permission to share their screen during the Hearing. A copy of the presentation must be submitted to cofa@hamilton.ca **by 12:00 p.m. (noon) on the business day prior to the Hearing.** The submission must be one document in PDF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


SPRINGBROOK AVENUE
PIN 17565-0499 (LT)
(ESTABLISHED BY UNREGISTERED BY-LAW NO. 1197)
(20.12mM RIGHT-OF-WAY AS IN INST. AN(1374A)
CHAMBERS DRIVE
(ESTABLISHED BY PLAN 62M-1171)
CHAMBERS COURT
PIN 17565-5984 (LT)
(ESTABLISHED BY PLAN 62M-1264)
CONCESSION 2
LOT 50
PLAN 62M-1264
PART 6, PLAN 62R - 19437
PART 2, PLAN 62R - 19437
PART 1, PLAN 62R - 19437
PART 6, PLAN 62R - 19090
PART 5, PLAN 62R - 19090
partPART 1, PLAN 62R-19090
BLOCK 30, PLAN 62M-1112
BLOCK 31, PLAN 62M-1112
BLOCK 59, PLAN 62M-1171
BLOCK 18, PLAN 62M-1264
PART 1, PLAN 62R-21222
LOT 16
PIN 17565-5981 (LT)
LOT 1
PIN 17565-5966 (LT)
N12°28'05"W 90.38
N12°23'50"W 90.64
N76°38'20"E 30.48
N76°56'25"E 30.59
CONCURRENT LOT (PARCEL 4)
±329.43m²
±45.17
±45.11
CONCURRENT LOT (PARCEL 5)
±344.87m²
±45.05
CONCURRENT LOT (PARCEL 6)
±344.42m²
±44.99
CONCURRENT LOT (PARCEL 7)
±355.73m²
±44.94
SEVERED (PARCEL 1)
±358.66m²
±45.65
±45.67
RETAINED
±348.03m²
±45.68
SEVERED (PARCEL 2)
±348.18m²
±45.70
CONCURRENT LOT (PARCEL 3)
±341.55m²
45.73
EXISTING BUILDING TO BE REMOVED
EXISTING BUILDINGS TO BE REMOVED
±7.65
±7.66
±7.62
±7.53
±7.21
±7.74
±7.26
±7.62
±7.62
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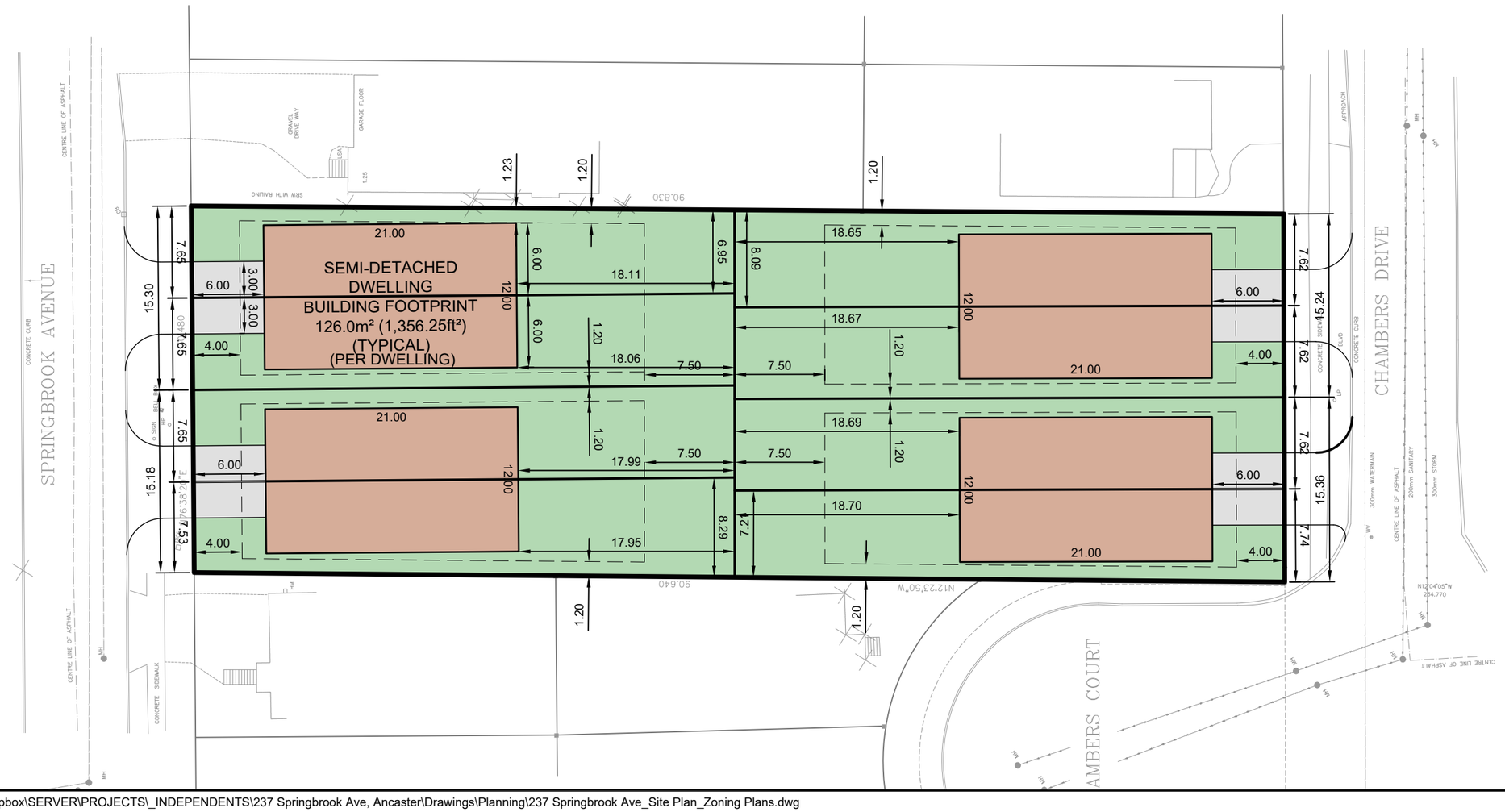
ZONING CHART
HAMILTON ZONING BY-LAW NO. 05-200 - LOW DENSITY RESIDENTIAL (R1) ZONE
EXCEPTION 888 - HOLDING: H166

SEMI-DETACHED DWELLING

PROVISION	REQUIRED	PROPOSED
MIN LOT AREA	270.0m²	329.43m²
MIN LOT WIDTH FOR EACH DWELLING UNIT	9.0m	7.53m (NON-CONFORMING)
MIN SETBACK FROM FRONT LOT LINE	4.0m	6.0m
MIN SETBACK FROM A SIDE LOT LINE	1.2m	1.23m
MIN REAR YARD SETBACK	7.5m	17.95m
MAX BUILDING HEIGHT	10.5m	Max. 10.5m (TBD)
MAX LOT COVERAGE	40.0%	38.2%
MIN LANDSCAPED AREA	30.0%	56.17%
MIN FRONT YARD LANDSCAPE AREA	50.0%	56.2%

ZONING CHART
HAMILTON ZONING BY-LAW NO. 05-200 - LOW DENSITY RESIDENTIAL (R1) ZONE
EXCEPTION 888 - HOLDING: H166

PROVISION	REQUIRED	PROPOSED
REQUIRED PARKING SPACES	1 PER UNIT	2 PER UNIT
MIN PARKING SPACE SIZE	2.8m x 6.0m	3.0m x 6.0m
MIN DRIVE AISLE WIDTH	6.0m	6.0m
MIN ACCESS DRIVEWAY WIDTH	2.7m	2.7m



LEGAL DESCRIPTION

REVISIONS

REV.	DESCRIPTION	DATE	INIT.
B	REVIEW	3-MAR-2026	JS
A	REVIEW	12-JAN-2026	JS

DISCLAIMER
THIS DRAWING IS THE INTELLECTUAL PROPERTY OF LANDWISE. AND IS PROTECTED UNDER COPYRIGHT.
ANY DISCREPANCIES SHALL BE REPORTED TO LANDWISE. PRIOR TO THE START OF CONSTRUCTION.
THIS DRAWING IS NOT TO BE USED FOR CONSTRUCTION UNLESS OTHERWISE INDICATED.

PROJECT TITLE

237 SPRINGBROOK AVENUE

HAMILTON, ONTARIO

landwise
PLAN • DESIGN • MANAGE
310 LIMERIDGE ROAD WEST, SUITE 6
HAMILTON ONTARIO, L9C 2V2
P 905-574-1993
W LANDWISE.CA

DRAWING TITLE

ZONING SKETCH
(SEMI-DETACHED)

PRINT DATE	DRAWN BY
03-MAR-2026	JS
REVISION	DESIGNED BY
B	JS
SCALE	DRAWING NUMBER
1:400	CSP1-1

Plotted by: Justin Soldo; 03-MAR-2026; 9:24AM

File Location: D:\Landwise Dropbox\SERVER\PROJECTS_INDEPENDENTS\237 Springbrook Ave, Ancaster\Drawings\Planning\237 Springbrook Ave_Site Plan_Zoning Plans.dwg

TOPOGRAPHIC SURVEY

OF PART OF

LOT 50

CONCESSION 3

GEOGRAPHIC

TOWNSHIP OF ANCASTER

IN THE

CITY OF HAMILTON

SCALE 1:200 METRIC

4 2 0 4 8 16 metres

R.A. McLAREN, O.L.S. – 2022

BENCHMARK:

STATION: 0011975U075

HAMILTON–WENTWORTH DEEP BENCH MARK IN MANHOLE AT GARNERS CEMETERY, ALONG SOUTHCOTE ROAD 0.2 KM NORTH OF INTERSECTION OF HIGHWAY NO. 53, 11.6 M WEST OF CENTRE LINE OF SOUTHCOTE ROAD, 21.9 M NORTHWEST OF HYDRO POLE ON EAST SIDE OF ROADWAY, 1.8 M SOUTH OF FENCE, AT ROAD LEVEL.

ELEVATION: 246.851 CGVD28:78

Dimensions in red are added by Landwise

SITE BENCH MARK
CUT CROSS
ELEV. = 234.34

SPRINGBROOK AVENUE
PIN 17565–0499 (LT)
(ESTABLISHED BY UNREGISTERED BY–LAW NO. 1137.)
(20.12mM RIGHT–OF–WAY AS IN INST. ANC13734.)

CENTRE LINE OF ASPHALT
CONCRETE CURB
CONCRETE SIDEWALK
BLVD
APPROACH
GRAVEL DRIVE WAY
ASPHALT DRIVE WAY
GARAGE FLOOR
2 1/2 STORY BRICK DWELLING #239
1 STORY BRICK DWELLING #237
1 STORY BRICK DWELLING #231
2 STORY BRICK DWELLING #110
2 STORY BRICK DWELLING #104
WINDOW WELL
ALCOVE
DECK
WOODEN A–FRAME SHED
MOVABLE METAL SHED
SIGN
BELL BOX
GATE
FENCE ONLINE
POST AND WIRE FENCE
CHAIN LINK FENCE
BOARD FENCE
50mm COPPER WATERMAIN
300mm WATERMAIN
200mm SANITARY
300mm STORM
CONCRETE DRIVE WAY

N76°38'20"E (P3 & Msd) 30.480

N12°23'50"W 63.11 m

N12°28'05"W

N76°56'25"E 30.590 (P3 & Set)

90.640 (P1 & Set)

90.830 (P3 & Msd)

33.13 m

22.04 m

18.35 m

LOT 16
PIN 17565–5981 (LT)
SUBJECT TO AN EASEMENT IN GROSS AS IN INST WE1366508; SUBJECT TO AN EASEMENT AS IN INST WE1507889

LOT 1
PIN 17565–5966 (LT)
SUBJECT TO AN EASEMENT IN GROSS AS IN INST WE1366508

PIN 17565–0474 (LT)

PART 1, PLAN 62R–19090
PART 6, PLAN 62R–19437
PART 1, PLAN 62R–19437
PIN 17565–4814 (LT)
SUBJECT TO AN EASEMENT IN GROSS AS IN INST WE796962; SUBJECT TO AN EASEMENT AS IN INST WE981640

PART 5, PLAN 62R–19090
PIN 17565–4656 (LT)
SUBJECT TO AN EASEMENT IN GROSS AS IN INST WE796962

PART 2, PLAN 62R–19437

PLAN 62M–1264

PART 1, PLAN 62R–21222 (3.000m RESERVE)
SUBJECT TO AN EASEMENT AS IN INST WE1366509; SUBJECT TO AN EASEMENT AS IN INST WE1374686; SUBJECT TO AN EASEMENT AS IN INST WE1374687; SUBJECT TO AN EASEMENT AS IN INST WE1374688; SUBJECT TO AN EASEMENT AS IN INST WE1374689

CHAMBERS COURT
PIN 17565–5984 (LT)
(ESTABLISHED BY PLAN 62M–1264)

BLOCK 18, PLAN 62M–1264

BLOCK 59, PLAN 62M–1171 (0.300m RESERVE)
PIN 17565–4725 (LT)

BLOCK 30, PLAN 62M–1112 (0.300m RESERVE)

BLOCK 31, PLAN 62M–1112 (0.300m RESERVE)

CHAMBERS DRIVE
(ESTABLISHED BY PLAN 62M–1171)

LEGEND:

□	DENOTES	MONUMENT SET
■	"	MONUMENT FOUND
IB	"	IRON BAR
SIB	"	STANDARD IRON BAR
824	"	A.T. McLAREN, O.L.S.
OU	"	ORIGIN UNKNOWN
P1	"	PLAN 62M–1264
P2	"	PLAN 62R–19437
P3	"	PLAM 62R–17492
P4	"	A.T. McLAREN LTD PLAN 32713, DATED MAR 25, 2009
P5	"	ASHENHURST NOUWENS & ASSOCIATES PLAN 18044 SRPR(110) DATED DEC 21, 2021
P6	"	ASHENHURST NOUWENS & ASSOCIATES PLAN 18044 SRPR(239) DATED APR 6, 2021
Msd	"	MEASURED
DICB	"	DITCH CATCH BASIN
SRW	"	STONE RETAINING WALL
HM	"	HYDRO METRE
MH	"	MANHOLE
CB	"	CATCH BASIN
DS	"	DOOR SILL
GM	"	GAS METER
HP	"	HYDRO POLE
LSA	"	LANDSCAPED AREA
U	"	OVERHEAD UTILITIES
TB	"	TOP OF BANK
BB	"	BOTTOM OF BANK
ø	"	DIAMETER

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 0.9996586837365

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 A	4785480.372	585642.148
ORP B	4785377.644	585602.365

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

NOTE:

UNDERGROUND SERVICE AND UTILITY LOCATIONS WERE LOCATED BY CITY OF HAMILTON DRAWING No. 11–S–21, SHEET No. 01R2 & CITY OF HAMILTON DRAWING No. 19–S–16, SHEET No. 01

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 29TH DAY OF JANUARY 2022

18FEB22
DATE

R.A. 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.
MM	KM	DW	1:200	36871

March 17, 2026
Via Digital Submission

ATTN: Justin Leung, Secretary-Treasurer

Committee of Adjustment
Planning and Economic Development Department
City of Hamilton
71 Main Street West, 5th Floor
Hamilton, ON L8P 4Y5

RE: 237 Springbrook Avenue, Hamilton
Consent to Sever & Minor Variance Applications

Landwise has been retained by 100072010 Ontario Inc., the landowner of 237 Springbrook Avenue, Ancaster ("subject lands") to submit the enclosed Consent to Sever and Minor Variance applications on their behalf.

Consent to Sever

The Consent to Sever application is required to implement the approved Zoning By-law Amendment ZAC-24-003 via By-law No. 24-037. However, a modification to the original proposal reviewed through ZAC-24-003 has been made; a total of eight (8) residential lots is proposed instead of six (6) residential lots. The revised proposal includes a total of eight (8) semi-detached dwellings with a frontage of ±7.6 metres per dwelling instead of four (4) semi-detached dwellings with a frontage of 9.1 metres to 9.3 metres and two (2) single detached dwellings with a frontage of 12.20 metres.

The Consent to Sever application seeks to establish the following:

1. Retained Lot
2. Severed Lot (Parcel 1)
3. Severed Lot (Parcel 2)
4. Concurrent Lot (Parcel 3)
5. Concurrent Lot (Parcel 4)
6. Concurrent Lot (Parcel 5)
7. Concurrent Lot (Parcel 6)
8. Concurrent Lot (Parcel 7)

Refer to the submitted application form, consent sketch and planning rationale for additional details.

Minor Variance

Relief from Zoning By-law No. 05-200 is required to implement the proposed severances. The proposed lots require a Minor Variance to vary regulation 15.1.2.2.b) to reduce the required lot width for each Semi-Detached Dwelling from 9.0 metres to 7.6 metres.

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

Refer to the submitted Planning Rationale for further information and analysis.

Submission

Landwise requests the circulation of this letter along with the enclosed documents to all relevant departments in support of the Consent to Sever and Minor Variance Applications.

Please find the enclosed:

- Consent to Sever application form with signatures;
- Minor Variance application form with signatures;
- Survey Plan;
- Consent Sketch;
- Conceptual Site Plan;
- Planning Rationale prepared by Landwise dated February 2026.

Note that the application fee will be paid via credit card. The **total application fee is $18,725.00** based on the following:

- Minor Variance fee: $4,135.00
- Consent to Sever (Fully Serviced Lot): $3,565.00
- Concurrent Lot Creation (5 lots): $2,205.00 X 5 = $11,025.00

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

Respectfully submitted,
LANDWISE



Katelyn Gillis
Senior Planner

Cc: 100072010 Ontario Inc. c/o Mr. A. Crowe

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

Landwise has been retained by 100072010 Ontario Inc. to prepare the following Planning Rationale in support of the Consent to Sever and Minor Variance applications for 237 Springbrook Avenue in Ancaster.

DESCRIPTION OF SUBJECT LANDS

237 Springbrook Avenue ("subject lands") is located within the Meadowlands Neighbourhood in Ancaster. The subject lands are legally described as Part of Lot 50, Concession 3, as In HL 156061; Ancaster in the City of Hamilton. The subject lands are a through lot with dual lot frontages, with approximately 30.5 metres along Chambers Drive and approximately 30.4 metres along Springbrook Avenue. The subject lands have a lot depth of approximately 90.9 metres and a lot area of approximately 2,768 square metres (0.68 acres).

The subject lands have a varied topography, sloping downwards towards Springbrook Avenue. It has frontage upon two roads, which have a full complement of municipal and utility services (gas, electricity, municipal water supply and sanitary and storm sewers).

The subject lands are outlined by a board fence along the eastern property line, and a chain link fence along the southern property line. It currently consists of a one storey single detached brick dwelling positioned approximately in the center of the property, with an asphalt driveway from Springbrook Avenue. There is a wooden A-frame shed and two moveable sheds located in the south-west portion of the property.

Figure 1 – Site Location Map



PLANNING STATUS

Urban Hamilton Official Plan

The subject lands are designated "Neighbourhoods" on Schedule E – Urban Structure and Schedule E-1 – Urban Land Use in the *Urban Hamilton Official Plan* ("UHOP"). Within the "Neighbourhoods" designation, low density residential uses with frontage onto local streets are permitted. Appropriate residential intensification is encouraged throughout the Neighbourhoods designation with a use and form that is compatible with the surrounding land use context.

Meadowlands Neighbourhood IV Secondary Plan

The subject lands are within the *Meadowlands Neighbourhood IV Secondary Plan* and are designated "Low Density Residential 2b" per Land Use Plan Map B.2.6-1. Single detached dwellings, duplex and semi-detached dwellings are permitted uses and are envisioned as the predominant housing form in the Neighbourhood (Vol.2, B.2.6.1.4.a.ii).

City of Hamilton Zoning By-law No. 05-200

The subject lands are zoned "Low Density Residential (R1, 888, H166) Zone" in *Zoning By-law No. 05-200*. A Zoning By-law Amendment was approved via By-law No. 24-037 on March 27, 2024. Semi-detached dwellings are a permitted use subject to site specific regulations. Holding Provision No. 166 prohibits development on the subject lands until a number of conditions are satisfied including an archaeological assessment, tree protection plan, payment for new municipal street trees, payment of cost recoveries and hydrant flow testing.

Concurrent Consent to Sever Application

A Consent to Sever with Concurrent Lot Creation application has been submitted concurrently with a Minor Variance application. The intent of the consent application is to retain 1 lot and create 7 new lots for a total of 8 residential lots; 4 new lots fronting Springbrook Avenue and 4 new lots fronting Chambers Drive.

PROPOSED DEVELOPMENT

A Zoning By-law Amendment application (ZAC-24-003) was approved on March 27, 2024 which contemplated a total of six new residential lots; three lots fronting Springbrook Avenue and three lots fronting Chambers Drive. The lots on each frontage were planned to accommodate 2 semi-detached dwellings with 9.1 metre to 9.3 metre frontage and 1 single detached dwelling with 12.2 metre frontage for a total of 6 new dwellings representing 21.7 units per hectare.

The proposed minor variance and associated consent to sever application seeks to add an additional two new lots and develop a total of eight semi-detached dwellings; four units fronting Chambers Drive and four units fronting Springbrook Avenue. This proposal represents a density of 28.9 units per net residential hectare.

Each semi-detached dwelling is proposed to be accessed by a private driveway, with two parking spaces on each lot. Holding Provision 166 would be required to be lifted to permit development on any of the lots.

SEVERANCE

The proposed consent to sever application to establish 7 new residential lots and retain 1 residential lot have been reviewed against the policies of UHOP Volume 1 F.1.14.3.1. The proposed lots comply to the policies of the UHOP including the Meadowlands Neighbourhood IV Secondary Plan. The consent to sever for a total of eight lots does require a minor variance which has been applied for concurrently with the Consent to Sever to reduce the required lot width per semi-detached dwelling. The proposed lotting pattern is logical and reflects the general scale and character of the neighbourhood's fabric in terms of lot frontage and areas, building height, coverage, massing, setbacks, privacy and overlook. The proposed lots front onto a public road and can be fully serviced by municipal water and wastewater systems. Holding 166 requires additional confirmation to confirm there is sufficient capacity prior to development. The proposed lotting pattern is generally in keeping with the previously approved Zoning By-law Amendment ZAC-24-003.

NATURE AND EXTENT OF RELIEF APPLIED FOR:

One Minor Variance is being sought from the Low Density Residential (R1, 888, H166) Zone to facilitate the proposed development. The requested Minor Variance is as follows:

	Zoning By-law No. 05-200 (as amended by By-law No. 24-037)	Purpose
1	15.1.2.2.b)	To allow a Minimum Lot Width of 7.6 metres for each Dwelling Unit whereas 9.0 metres is required.

PLANNING RATIONALE

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

Both the in-effect Official Plan land use designation and Zoning By-law permit semi-detached dwellings on the subject lands. The subject lands are an existing lot of record with a large site area. The proposed lot reduction is required to facilitate a net gain of two additional units from what was originally contemplated through ZAC-24-003. The proposed semi-detached dwellings would more efficiently use the existing urbanized and serviced lot. The existing lot frontages of 30.5 metres on Chambers Avenue and 30.4 metres on Springbrook Avenue cannot accommodate a lot width of 9.0 metres per dwelling unit. Instead, a minimum lot width of 7.6 metres is proposed.

Planning Rationale to Support the Variance:

1. Urban Hamilton Official Plan & Meadowlands Neighbourhood IV Secondary Plan

The Urban Hamilton Official Plan (UHOP) "Neighbourhoods" designation permits low density residential uses within the interior of existing neighbourhoods, with frontage on a local road and with a maximum height of 3-storeys (Vol.1, E.3.4). The subject lands are appropriate for low density residential forms.

The Meadowlands Neighbourhood IV Secondary Plan supports UHOP Volume 1 by permitting 3-storey low density residential forms (Vol.2, B.2.6.a). The neighbourhood is intended to provide a

mix and diversity of housing opportunities in terms of lot size, unit size, style and tenure that are suitable for different age levels, income groups, lifestyles and household structures (Vol.2, B.2.6.b). To support this, the secondary plan encourages increased density through the provision of smaller lots in interior locations (Vol.2, B.2.6.c). The proposed lots provide a compatible lot width that is present in the neighbourhood, including an average lot frontage of approximately 12.0 metres for a single detached lot and approximately 7.0 metres for townhouse dwelling unit.

The existing "Low Density Residential 2b" land use designation plans for a density between 1 to 30 units per hectare with a predominant built form that includes single detached dwellings, semi-detached dwellings, and duplexes (Vol.2, B.2.6.1.3). The proposed eight (8) semi-detached dwellings on 0.277 hectares represents a density of approximately 28.9 units per net residential hectare. Holding Provision No.166 will require that the applicant demonstrate that sufficient water pressure is available to support the proposed density. The proposed development will introduce semi-detached dwellings to add more variety of housing options into the neighbourhood, where most homes are single detached dwellings or townhouses. The proposed lots can accommodate appropriately sized dwellings that are proportionate to surrounding dwellings while accommodating all other applicable zoning regulations of the Low Density Residential (R1, 888, H166) Zone and Holding Provision No. 166 will require a tree protection plan to be approved prior to development (Vol.2, B.2.6.5).

Accordingly, the requested lot width reduction maintains the intent and purpose of the UHOP and Secondary Plan by more efficiently utilizing urban, serviced lands to provide a mix of housing options.

2. Zoning By-law No. 05-200

The general intent of minimum lot widths is to establish a lot pattern to create a neighbourhood character and rhythm while ensuring adequate lot sizes to accommodate safe and functional setbacks and building envelopes. The R1 Zone requires a 9.0 metre lot width for semi-detached dwellings whereas 7.6 metres is proposed. Semi-detached dwellings are a permitted use within the neighbourhood however, upon review of the existing development, no semi-detached dwellings are present in the area. The surrounding area is mostly made up of single detached dwellings with an average lot width of approximately 12.0 metres and a façade width of 10 metres. Townhouses are present in the area, including along the Chambers Avenue frontage, with an average lot width of 7.0 metres.

The proposed reduction in lot width does not negatively impact the function of the proposed semi-detached lot. The standard front yard elements of a residential lot can be accommodated including a single width driveway and porch while providing over 55% front yard landscaping. Recognizing that the single detached dwellings in the area are larger, the inherent design principles of a semi-detached dwelling (i.e. two dwellings with a common interior wall) will create a massing that is similar to the existing detached dwellings so as to not interrupt the rhythm of the streetscape. The proposed reduced lot width accommodates a dwelling width of 6.0 metres. The total width of the semi-detached dwellings will be 12.0 metres wide. The proposed lot pattern and configuration can accommodate all applicable zoning regulations of Zoning By-law No. 05-200, as amended.

The proposed lot width reduction maintains the intent of the Zoning By-law.

3. Is the variance minor?

The variance is considered minor as the proposed lot width reduction does not create a material impact to the function and safety of the proposed lots which will accommodate the required setbacks, lot coverage and landscaping requirements of the Zoning By-law. The proposed lot width reduction will maintain the general scale and character of the neighbourhood while accommodating two additional family-sized dwellings.

Is the variance desirable for the development of the property?

The variance is desirable as it will have the impact of creating a net gain of two (2) additional family-sized dwellings for a total of eight (8) dwellings on a lot that is fully serviced. The proposed variance will support the City's goal of providing more housing choice throughout the various communities.

CONCLUSION

The requested consent to sever application is generally in keeping with the lotting pattern as approved through ZAC-24-003 and maintains the intent of UHOP policy F.1.14.3.1. The requested variance will facilitate maximum efficiency and establish compact and efficient urban development within the neighbourhood. The proposed development maintains the intent of the Low Density Residential (R1, 888, H166) Zone and will contribute to the mix of housing options in the area without interrupting the rhythm of the existing streetscape. The proposed minor variance maintains the intent of the UHOP, the Meadowlands Neighbourhood IV Secondary Plan and Zoning By-law No. 05-200, as amended, is minor in nature, and is desirable. The requested variance is appropriate for the subject lands and represents good land use planning.

Respectfully Submitted,

LANDWISE

Katelyn Gillis, BA
Senior Planner

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 site sketch and general information in the Submission Requirements and Information document.

1. APPLICANT INFORMATION

	NAME	MAILING ADDRESS
Purchaser*		[redacted]
Registered Owner(s)	1000072010 Ontario Inc. c/o Andrew Crowe	
Applicant(s)**	Same as Registered Owner	
Agent or Solicitor	Landwise c/o Katelyn Gillis	

Please include contact person's name if applying as a company or organization.
*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 authorization 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 card over phone* [redacted]
*Must provide phone number above

2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	237 Springbrook Avenue		
Assessment Roll Number	140280224000000		
Former Municipality	Ancaster		
Lot	50	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

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 (including any proposed easements):
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:					
Type of Transfer					
Frontage					
Depth					
Area					
Existing Use	REFER TO ATTACHED PAGE				
Proposed Use					
Existing Buildings/ Structures					
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?

4 DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION 237 SPRINGBROOK ROAD

	Retained (remainder)	Parcel 1	Parcel 2	Parcel 3	Parcel 4	Parcel 5	Parcel 6	Parcel 7
Identified on Sketch as:	"Retained"	Severed	Severed	Concurrent Lot	Concurrent Lot	Concurrent Lot	Concurrent Lot	Concurrent Lot
Type of transfer	N/A	Creation of New Lot	Creation of New Lot	Creation of New Lot	Creation of New Lot	Creation of New Lot	Creation of New Lot	Creation of New Lot
Frontage (+/-)	7.62 m	7.62 m	7.62 m	7.74 m	7.65 m	7.65 m	7.65 m	7.53 m
Depth (+/-)	45.65 m	45.65 m	45.7 m	45.70 m	44.99 m	44.99 m	44.99 m	44.99 m
Area (+/-)	348.03 m^2	358.66 m^2	348.18 m^2	341.55 m^2	329.43 m^2	344.87 m^2	344.42 m^2	355.73 m^2
Existing Use	Residential	Residential	Residential	Residential	Residential	Residential	Residential	Residential
Proposed Use	Residential	Residential	Residential	Residential	Residential	Residential	Residential	Residential
Existing Buildings/ Structures	1-storey brick dwelling (part of)	1-storey brick dwelling (part of)	1-storey brick dwelling (part of)	1-storey brick dwelling (part of)	n/a	n/a	n/a	Wooden A-frame shed
Proposed Buildings/ Structures	Semi-detached Dwelling	Semi-detached Dwelling	Semi-detached Dwelling	Semi-detached Dwelling	Semi-detached Dwelling	Semi-detached Dwelling	Semi-detached Dwelling	Semi-detached Dwelling
Buildings/ Structures to be Removed	1 storey brick dwelling	1 storey brick dwelling	1 storey brick dwelling	1 storey brick dwelling	n/a	n/a	n/a	Wooden A-frame shed

*Note that all dimensions shall be confirmed upon a Reference Plan prepared by an OLS.

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

Rural Settlement Area: N/A

Urban Hamilton Official Plan designation (if applicable) Low Density Residential 2b Meadowlands Neighbourhood IV Secondary Plan

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

The proposed land use and form are permitted within the applicable land use designations.

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? ZBL 05-200: R1,888, H166

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.

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.

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?

January 2022

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)

Proposal is consistent with Provincial plans.

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

☑ Yes ☐ No (Provide explanation)

Within existing settlement area with services.

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

☐ Yes ☑ No (Provide explanation)

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

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

7.6 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

- ☐ 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 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*

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

1. APPLICANT INFORMATION

	NAME	MAILING ADDRESS	
Registered Owner(s)	1000072010 Ontario Inc. c/o Andrew Crowe		[redacted]
Applicant(s)	Same as Registered Owner		
Agent or Solicitor	Landwise c/o Katelyn Gillis		

Please include contact person's name if applying as a company or organization.

1.2 Primary contact ☐ Applicant ☐ Owner ☑ Agent/Solicitor

1.3 Sign should be sent to ☐ Applicant ☐ Owner ☑ Agent/Solicitor

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

If YES, provide email address where sign is to be sent [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 card over phone* [redacted]

*Must provide phone number above

2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	237 Springbrook Avenue		
Assessment Roll Number	140280224000000		
Former Municipality	Ancaster		
Lot	50	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:

15.1.2.2.b) Permit a Minimum Lot Width for each Semi-Detached Dwelling Unit of 7.6m whereas 9.0m is required.

☐ Additional Dwelling Unit ☐ Reconstruction of Existing Dwelling

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

Existing lot frontages.

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 (in metric):

Lot Frontage	Lot Depth	Lot Area	Width of Street
30.48 m	90.83 m	3,050 m2	20.12 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 in metric)

Existing:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
1 storey brick dwelling	23.54 m	63.11 m	6.06 m, 7.70 m	unkown
Wooden A-frame shed	n/a	19 m	2.60 m, 22.08m	unkown

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Semi-detached dwelling	6 m	18.11 m	1.2 m	TBD
Semi-detached dwelling	6 m	17.99 m	1.2 m	TBD
Semi-detached dwelling	6 m	18.67 m	1.2 m	TBD
Semi-detached dwelling	6 m	18.70 m	1.2 m	TBD

4.3. Particulars of all buildings and structures on or proposed for the subject lands. All dimensions to be provided in metric (m, m^2 or ha); attach additional sheets as necessary.

Existing:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
1 storey brick dwelling	142 m^2	unkown	1	~6m
Wooden A-frame shed	41.45 m^2	41.45 m2	1	unkown

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Semi-detached dwelling	±126.0 m^2	±300.0 m^2	3	Max. 10.5m
Semi-detached dwelling	±126.0 m^2	±300.0 m^2	3	Max. 10.5m
Semi-detached dwelling	±126.0 m^2	±300.0 m^2	3	Max. 10.5m
Semi-detached dwelling	±126.0 m^2	±300.0 m^2	3	Max. 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
- [ ] 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.):

Residential semi-detached dwellings

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

Residential single detached dwellings

5. HISTORY OF THE SUBJECT LAND

5.1 Date of acquisition of subject lands:

January 2022

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

Unknown

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

Single Detached Dwelling

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

Unknown.

5.5 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
Low Density Residential 2b

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

Mix of residential uses are permitted.

5.6 What is the existing zoning of the subject land? ZBL 05-200: R1,888,H166

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

- [x] Yes
- [ ] No

If yes, please provide the file number: By-law 24-037 passed March 27, 2024

5.8 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: Unknown. Application submitted concurrently with minor variance

6. ADDITIONAL INFORMATION

6.1 Number of Dwelling Units Existing: 1

6.2 Number of Dwelling Units Proposed: 8

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

Refer to concurrent consent application, consent sketch, concept plan, planning rationale and cover letter.

7. COMPLETE APPLICATION REQUIREMENTS

7.1 All Applications

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

7.2 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

_____

_____

STAFF COMMENTS

HEARING DATE: April 30, 2026

Hamilton

A-26:053 — 237 Springbrook Avenue, Ancaster

Recommendation:

Deny — Development Planning

Proposed Conditions:

1. That the applicant must lift the Holding ‘H’ Provision from the subject lands, to the satisfaction of the Director of Development Planning.

Proposed Notes:

Hamilton

Development Planning:

Background

	Frontage	Depth	Area
SEVERED LANDS (Severed Parcel 1):	7.62 m±	45.65 m±	358.66 m^2±
SEVERED LANDS (Severed Parcel 2):	7.62 m±	45.7 m±	348.18 m^2±
SEVERED LANDS (Concurrent Lot Parcel 3):	7.74 m±	45.7 m±	341.55 m^2±
SEVERED LANDS (Concurrent Lot Parcel 4):	7.65 m±	44.9 m±	329.43 m^2±
SEVERED LANDS (Concurrent Lot Parcel 5):	7.65 m±	44.9 m±	344.87 m^2±
SEVERED LANDS (Concurrent Lot Parcel 6):	7.65 m±	44.9 m±	344.42 m^2±
SEVERED LANDS (Concurrent Lot Parcel 7):	7.53 m±	44.9 m±	355.73 m^2±
RETAINED LANDS (Retained):	7.62 m±	45.65 m±	348.03 m^2±

The purpose of Consent to Sever Application B-26:008 is to permit the conveyance of seven parcels of land, retaining one parcel of land, for a total of eight residential lots. Each lot will contain one half of a proposed semi-detached dwelling. The existing dwelling and accessory structures are to be removed. Minor Variance application A-26:053 was submitted concurrently to facilitate this severance.

Staff note that Zoning By-law Amendment application ZAC-24-003, approved and implemented via By-law 24-037 on March 27, 2024, rezoned the subject lands to Low Density Residential (R1, 888, H166) Zone in Zoning By-law No. 05-200. The original proposal consisted of four semi-detached dwellings and two single detached dwellings. The revised proposal consists of eight semi-detached dwellings.

Hamilton

Staff further note that a 0.3 metre reserve remains between Chambers Drive and 273 Springbrook Avenue, being Block 59 of Registered Plan 62M-1171. This reserve must be lifted prior to development occurring.

Analysis

Urban Hamilton Official Plan
The subject lands are identified as “Neighbourhoods” in Schedule E – Urban Structure and are designated as “Neighbourhoods” in Schedule E-1 – Urban Land Use Designations of the Urban Hamilton Official Plan. Policies B.2.4.1.4, B.2.4.2.2, F.1.14.3.1 and E.3.2.3, amongst others, are applicable and permit the proposed semi-detached dwellings.

The proposal is considered residential intensification and has been evaluated against the criteria found in Policies B.2.4.1.4 and B.2.4.2.2. Staff are of the opinion that the proposed lot fabric is not similar to or in keeping with the character and established development pattern within the area.

Policy F.1.14.3.1 permits new lots for residential uses in the “Neighbourhoods” designation subject to the following criteria:

> “a) The lots comply with the policies of this Plan, including secondary plans, where one exists;
>
> b) The lots comply with existing Neighbourhood Plans;
>
> c) The lots are in conformity with the Zoning By-law or a minor variance is approved;
>
> 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;
>
> e) The lots are fully serviced by municipal water and wastewater systems; and,
>
> f) The lots have frontage on a public road.”

Staff note that the proposed lots comply with the minimum area requirements of the Zoning By-law, have frontage on public roads, are fully serviced by municipal water and wastewater and all lots will have frontage along a public road once the 0.3 metre reserve along Chambers Drive has been lifted. However, all proposed lots will not meet the minimum required lot width of 9 metres. Staff are of the opinion the proposed lot fabric is not reflective of the general scale, character or established development pattern of the area.

Meadowlands Neighbourhood IV Secondary Plan

Hamilton

The subject lands are further designated “Low Density Residential 2b” on Map B.2.6-1 within the Meadowlands Neighbourhood IV Secondary Plan. Policy B.2.6.1.4, among others, is applicable and permits semi-detached dwellings.

Natural Heritage
The subject property is located within the boundaries of the Urban Hamilton Official Plan and has been identified within the Meadowlands Neighbourhood IV Secondary Plan. Based on mapping within the Urban Hamilton Official Plan (Volume 1 Schedule B Natural Heritage System and Volume 2-Meadowlands Neighbourhood IV Secondary Plan Land Use Plan Map B.2.6-1), components of the Natural Heritage System (Core Areas and Linkages) have not been identified within or adjacent to the subject property.

Through aerial photograph interpretation, trees have been identified within the subject property. To facilitate the proposed development, these trees will need to be removed or impacted. The City recognizes the importance of trees to the health and quality of life in the community (i.e., canopy cover, energy conservation, mental health benefits) and encourages sustainable forestry practices and the restoration of trees (Urban Hamilton Official Plan Volume 1 policy C.2.11.1). In addition, the Ancaster By-law (By-law 2000-118) regulating the injury to trees may apply. Through a previous Planning Act application (ZAC-24-003), Holding ‘H’ Provision was identified. In part “H166” states:

> ii) The Owner submitting and receiving approval of a Tree Protection Plan (and applicable review fee) to evaluate the retention of additional trees on the subject lands, to the satisfaction of the Director of Heritage and Urban Design.

To date, a Tree Protection Plan has not been provided, and this part of the Holding has not been addressed.

Archaeology
The subject property meets three (3) of the ten criteria used by the City of Hamilton and Ministry of Citizenship and Multiculturalism for determining archaeological potential:

1) Within 250 metres of known archaeological sites;
2) Within 300 metres of a primary watercourse or permanent waterbody, 200 metres of a secondary watercourse or seasonal waterbody, or 300 metres of a prehistoric watercourse or permanent waterbody; and,
3) In an area of sandy soil in areas of clay or stone.

These criteria define the property as having archaeological potential. Accordingly, Section 2 (d) of the *Planning Act* and Section 4.6.2 of the Provincial Planning Statement apply to the subject application.

A Stage 1-2 archaeological report (P038-1255-2023) has been submitted to the City of Hamilton and the Ministry of Citizenship and Multiculturalism. While the Provincial interest has yet to be signed off by the Ministry, Staff concur with the recommendations made in the report and are of the opinion that

Hamilton

the municipal interest in the archaeology of this portion of the site has been satisfied. **Staff request a copy of the letter from the Ministry when available.**

Cultural Heritage
No comments.

Staff are of the opinion that the proposed severance does not meet all lot creation criteria within the "Neighbourhoods" designation and that the proposal is not reflective of or compatible with the character of the area. The proposed severance and requested variance do not maintain the general intent of the Urban Hamilton Official Plan.

City of Hamilton Zoning By-law No. 05-200
The subject lands are zoned Low Density Residential (R1, 888, H166) Zone in City of Hamilton Zoning By-law No. 05-200. Semi-detached dwellings are permitted.

Staff note that the minimum required lot area and width for semi-detached dwellings are 270 square metres and 9.0 metres, respectively. All proposed lots exceed the minimum required lot area but do not meet the minimum required lot width.

Staff further note that Holding Provision "H166" applies to the subject lands and no development shall be permitted until such time as:

(i) The Owner submitting the letter from the Ministry of Citizenship and Multiculturalism with respect to acknowledgement of Provincial interest with respect to the Archaeological Assessment, to the satisfaction of the Director of Heritage and Urban Design;

(ii) The Owner submitting and receiving approval of a Tree Protection Plan (and applicable review fee) to evaluate the retention of additional trees on the subject lands, to the satisfaction of the Director of Heritage and Urban Design;

(iii) The Owner making payment, at the applicable rate, for municipal street trees in the public right of way, to the satisfaction of the Director of Environmental Services, Public Works Department;

(iv) The Owner making payment for any outstanding cost recoveries to lift the existing 0.3 metre reserves, to the satisfaction of the Director of Development Engineering;

(v) The Owner completing a two-flow fire hydrant test on existing hydrants on Springbrook Avenue and Chambers Drive and completing any necessary upgrades on the system to support the development, to the satisfaction of the Director of Development Engineering; and,

(vi) The Owner making payment for any outstanding Municipal Act Sewer and Watermain charges, to the satisfaction of the Director of Development Engineering.

Hamilton

Variance 1

1. A minimum lot width of 7.6 metres shall be provided for each semi-detached dwelling unit instead of the minimum required lot width of 9.0 metres for each semi-detached dwelling unit.

The intent of this provision is to ensure lots are both consistent with the existing lot fabric, development patterns and character of an area and also large enough to meet all other applicable provisions of the Zoning By-law such as building setbacks or minimum landscaped area requirements.

The proposed lots are narrower than the original proposal considered as part of Zoning By-law Amendment application ZAC-24-003, which proposed four semi-detached and two single detached lots. The semi-detached lots in the original proposal met or exceeded the required 9 metre lot width of the Low Density Residential (R1) Zone. However, the proposed lots, at 7.6 metres wide, are consistent with the intended semi-detached lot width permitted in the Low Density Residential – Small Lot (R1a) Zone, which requires a minimum lot width of 7.5 metres for semi-detached dwellings. This lot width, and thus lot fabric and scale, are not consistent with the intended character or development in the area as contemplated in ZAC-24-003.

Staff are of the opinion that Variance 1 does not maintain the general intent of the Urban Hamilton Official Plan, Meadowlands Neighbourhood IV Secondary Plan and Zoning By-law, is not desirable for the appropriate development and use of the land and is not minor in nature. Staff do not support the variance.

Staff recommend the proposed severance and minor variance be denied.

Zoning:

Recommendation:	Comments Only
Proposed Conditions:	
Comments:	1. Variance 1 should be altered to replace “for” with “of” and “dwelling unit” with “semi-detached dwelling unit”, to read: *“A minimum lot width of 7.6 metres shall be provided for each semi-detached dwelling unit instead of the minimum required lot width of 9.0 metres for each dwelling unit.”* 2. The requested variance(s) is required to facilitate Land Severance application B-26:008 to be heard in conjunction with this application.

Hamilton

	3. Holding provision “H166” is assigned to this property. The holding contains specific conditions required to be satisfied before development can occur on the subject lands. 4. Details regarding the proposed construction have not been provided; therefore, the proposed dwellings have not been reviewed for zoning compliance. Further variances may be required at such time the proposed construction is reviewed for zoning compliance.
Notes:	

Development Engineering:

Recommendation:	No Comments
Proposed Conditions:	N/A
Comments:	N/A
Notes:	N/A

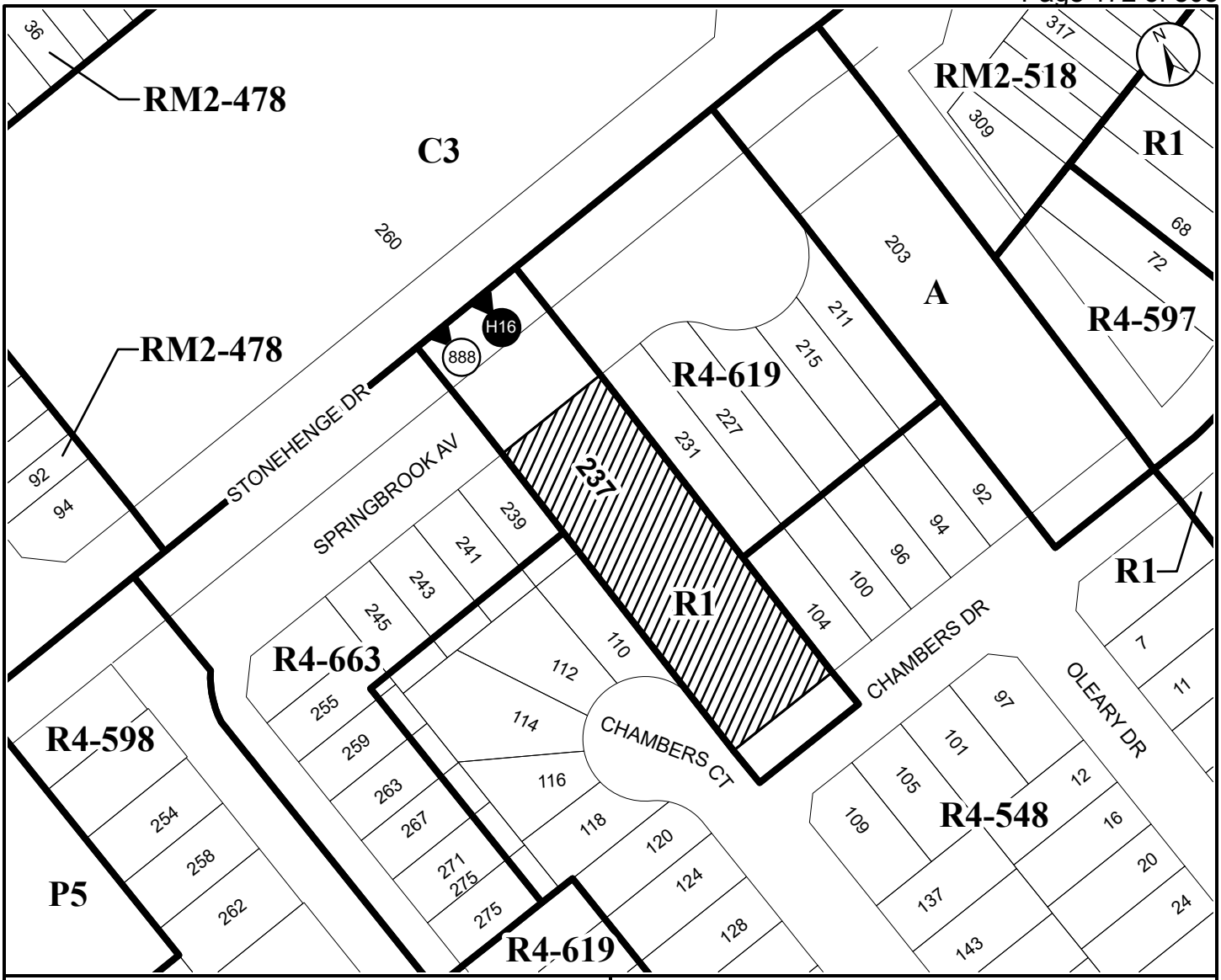
Building Engineering:

Recommendation:	No Comments
Proposed Conditions:	
Comments:	
Notes:	

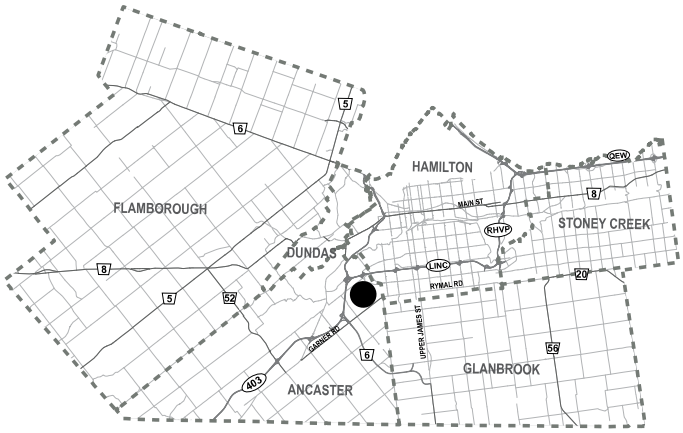
Transportation Planning:

Recommendation:	No Comments
Proposed Conditions:	
Comments:	
Notes:	

Please Note: Public comment will be posted separately, if applicable.



● **Site Location**



City of Hamilton

Committee of Adjustments

Subject Property

237 Springbrook Avenue, Ancaster (Ward 12)

File Name/Number: A-26:053

Date: April 14, 2026

Technician: XX

Scale: N.T.S.

Appendix "A"

Planning and Economic Development Department

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-26:056	**SUBJECT PROPERTY:**	1247 Sheffield Road, Flamborough
ZONE:	Settlement Residential (S1) Zone	**ZONING BY-LAW:**	Hamilton Zoning By-law 05-200

APPLICANTS: Owner: James Fritsch and Emily Ferber
Applicant: James Fritsch and Emily Ferber
Agent:

The following variances are requested:

1. A maximum building height of 6.0 metres shall be permitted instead of the maximum permitted building height of 4.5 metres.

2. A maximum combined lot coverage of 228.0 square metres shall be permitted for all accessory buildings instead of the maximum permitted combined lot coverage of 45.0 square metres for all accessory buildings.

PURPOSE & EFFECT: To permit the construction of an accessory building.

Notes:

i) Elevation drawings have not been submitted. The applicant shall ensure the variance requested for the maximum building height has been calculated in accordance with “Height” and “Grade” as defined within the Zoning By-law.

ii) It is indicated that the “existing garage” is to remain until such time construction of the proposed accessory building is complete. As such, the variance requested for the maximum permitted lot coverage has been altered to include both the existing and proposed accessory buildings.

iii) It is indicated that the proposed accessory building is to be used for the storage of vehicles, however, a driveway providing access to the proposed accessory building is not shown to be

provided. Should the intent be to provide an access driveway leading to the proposed accessory building, such access driveway shall be subject to zoning compliance and further 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, April 30, 2026**
TIME:	**10:05 a.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 April 28, 2026.

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 April 29, 2026.

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding A-26:056, 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 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-26:056



Subject Lands

DATED: April 13, 2026

_____

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.

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

The following information is required with your written submission:

- Committee of Adjustment file number
- Full name and address of the person providing comments. Anonymous comments will not be accepted.

Comments can also be placed in the drop box which is located at the back of the 1st Floor of City Hall, 71 Main Street West. All written comments received by the deadline 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. To register, email cofa@hamilton.ca with the following information:

- Committee of Adjustment file number
- Hearing date
- Full name and address of the person wishing to speak. Anonymous comments will not be accepted.
- 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.

James Fritsch & Emily Ferber

1247 Sheffield Rd

Sheffield Ont Canada

L0R 1Z0

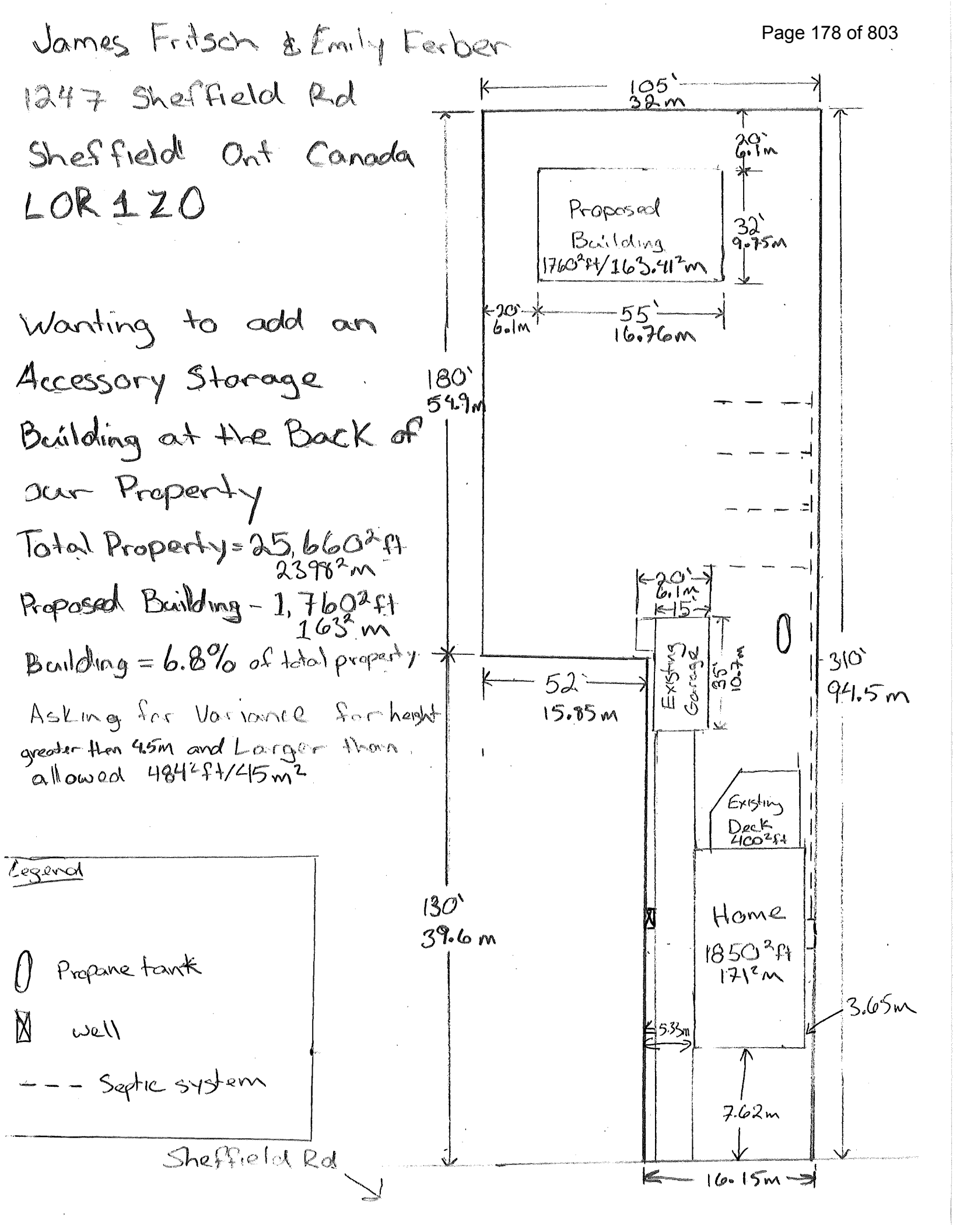
Wanting to add an Accessory Storage Building at the Back of our Property

Total Property = 25,660^{2}ft
2398^{2}m

Proposed Building - 1,760^{2}ft
163^{2}m

Building = 6.8% of total property

Asking for Variance for height greater than 4.5m and Larger than allowed 484^{2}ft/45m^2



Legend

0 Propane tank

well

--- Septic system

James Fritsch & Emily Ferber

1247 Sheffield Road
Sheffied, Ontario, L0R 1Z0

[redacted]

March 23, 2026

Committee of Adjustments

City of Hamilton

Dear Committee Members

We are requesting to build an accessory storage building at the back of our rural property in the town of Sheffield Ontario.

We are wanting to build our building 55'(16.76m) x 32'(9.75m) for an area of 1760sq/ft (163.4sq/m). With a total height no larger than 6m.

The total footprint of this building is less than 7% of our total lot size.

The purpose for this building is to use it for storage purposes only. We want to store our camper trailer, other utility trailers, vehicles and seasonal equipment.

If this gets approved, we plan on removing the existing accessory building once the new proposed building is built.

Thank you for your time and consideration.

James & Emily

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*

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

1. APPLICANT INFORMATION

	NAME	MAILING ADDRESS	
Registered Owner(s)	James Fritsch Emily Ferber	[redacted]	
Applicant(s)	James Fritsch Emily Ferber		
Agent or Solicitor			**E-mail:**

Please include contact person's name if applying as a company or organization.

1.2 Primary contact ☐ Applicant ☒ Owner ☐ Agent/Solicitor

1.3 Sign should be sent to ☐ Applicant ☒ Owner ☐ Agent/Solicitor

1.4 Request for digital copy of sign ☒ Yes* ☒ No mail please

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 card over phone* [redacted]

*Must provide phone number above

2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	1247 Sheffield Rd, Sheffield Ont, L0R 1Z0		
Assessment Roll Number	301.610.06000.0000		
Former Municipality	Beverly / Flamborough		
Lot	7	Concession	6
Registered Plan Number		Lot(s)	
Reference Plan Number (s)		Part(s)	

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

☐ Yes ☒ No

If YES, describe the easement or covenant and its effect:

3. PURPOSE OF THE APPLICATION

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

All dimensions in the application form are to be provided in metric units (millimetres, metres, hectares, etc.)

3.1 Nature and extent of relief applied for:

To add a accessory Storage bauldiy to Store our camper trailer (the reason we are requesting a taller bauldiy) and to store our seasonal equipment, trailers & vehicles (why we are requesting a Larger area)

☐ Additional Dwelling Unit ☐ Reconstruction of Existing Dwelling

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

Taller then the allowed 4.5m (asking for 6.0m max)
Greater area then the allowed 45m² (asking 163.41m²/6.8% of total lot 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 (in metric):

Lot Frontage	Lot Depth	Lot Area	Width of Street
16.15 m (53 feet)	94.5m (310 FT)	2398²m	

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

Existing:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
House	7.7	69.6m	5.3m / 3m	Approx 1926
Garage	33.5m	50.3m	1m / 10.6m	Approx 1950

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Storage Building	78.65m	6.1m	6.1m / 9.14	Spring 2026

4.3. Particulars of all buildings and structures on or proposed for the subject lands. All dimensions to be provided in metric (m, m^2 or ha); attach additional sheets as necessary.

Existing:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
House		171 m^2	2	6.1m
Garage	64 m^2	64 m^2	1	3.5m

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Storage Building	163 m^2	163 m^2	1	6.0m

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
☒ 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 dwellings

5. HISTORY OF THE SUBJECT LAND

5.1 Date of acquisition of subject lands:
Oct 20 2023

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

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

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

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

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

Rural Settlement Area: Sheffield

Urban Hamilton Official Plan designation (if applicable) _____

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

5.6 What is the existing zoning of the subject land? S1

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

☐ Yes ☒ No

If yes, please provide the file number: _____

5.8 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: _____

6. ADDITIONAL INFORMATION

6.1 Number of Dwelling Units Existing: 1

6.2 Number of Dwelling Units Proposed: 1

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

We are not planning on putting utilities to the proposed building.

7. COMPLETE APPLICATION REQUIREMENTS

7.1 All Applications

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

7.2 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

_____

_____

STAFF COMMENTS

HEARING DATE: April 30, 2026

Hamilton

A-26:056 — 1247 Sheffield Road, Flamborough

Recommendation:

Approve — Development Planning

Proposed Conditions:

Proposed Notes:

A building permit is required for the construction of the proposed accessory building. (Building Engineering)

Be advised that Ontario Building Code regulations may require specific setback and construction types. (Building Engineering)

"**Acknowledgement Note:** The subject property has been determined to be an area of archaeological potential. It is reasonable to expect that archaeological resources may be encountered during any demolition, grading, construction activities, landscaping, staging, stockpiling or other soil disturbances. If archaeological resources are encountered, the proponent may be required to conduct an archaeological assessment prior to further impact in order to address these concerns and mitigate, through preservation or resource removal and documentation, adverse impacts to any significant archaeological resources found. Mitigation, by an Ontario-licensed archaeologist, may include the monitoring of any mechanical excavation arising from this project. If archaeological resources are identified on-site, further Stage 3 Site-specific Assessment and Stage 4 Mitigation of Development Impacts may be required as determined by the Ontario Ministry of Citizenship and Multiculturalism (MCM). All archaeological reports shall be submitted to the City of Hamilton for approval concurrent with their submission to the MCM.

Should deeply buried archaeological materials be found on the property during any of the above development activities the 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)." (Development Planning)

Hamilton

Development Planning:

Background
The purpose of Minor Variance application A-26:056 is to permit the construction of an accessory building (detached garage) in the rear yard of a single detached dwelling. Staff note the existing detached garage is to be removed upon construction of the proposed detached garage.

A total lot coverage of 228.0 square metres for all accessory buildings is included in order to permit the existing detached garage and proposed detached garage on the subject property concurrently.

Analysis

Rural Hamilton Official Plan
The subject lands are designated “Rural Settlement Area” in Schedule D – Rural Land Use Designations of the Rural Hamilton Official Plan. Policy 5.0, amongst others, is applicable permits development that complies with general Rural Settlement Area policies and applicable Rural Settlement Area plan policies.

Sheffield Rural Settlement Area Plan
The subject lands are designated “Settlement Residential” in Volume 2: Map 4 – Carlisle Rural Settlement Area Plan of the Rural Hamilton Official Plan. Policy B.1.3.1 permits single detached dwellings.

Archaeology
The subject property meets two (2) of the ten criteria used by the City of Hamilton and Ministry of Citizenship and Multiculturalism for determining archaeological potential:

1) In areas of pioneer Euro-Canadian settlement; and,
2) Along historic transportation routes.

These criteria define the property as having archaeological potential. Accordingly, Section 2 (d) of the *Planning Act* and Section 4.6.2 of the Provincial Planning Statement apply to the subject application.

If this variance is granted, the City does not require an archaeological assessment, but the proponent must be advised in writing by the Committee of Adjustment as follows:

“**Acknowledgement Note:** The subject property has been determined to be an area of archaeological potential. It is reasonable to expect that archaeological resources may be encountered during any demolition, grading, construction activities, landscaping, staging, stockpiling or other soil disturbances. If archaeological resources are encountered, the proponent may be required to conduct an archaeological assessment prior to further impact in order to address these concerns and mitigate, through preservation or resource removal and documentation, adverse impacts to any significant

Hamilton

archaeological resources found. Mitigation, by an Ontario-licensed archaeologist, may include the monitoring of any mechanical excavation arising from this project. If archaeological resources are identified on-site, further Stage 3 Site-specific Assessment and Stage 4 Mitigation of Development Impacts may be required as determined by the Ontario Ministry of Citizenship and Multiculturalism (MCM). All archaeological reports shall be submitted to the City of Hamilton for approval concurrent with their submission to the MCM.

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Cultural Heritage
The subject property is located near a concentration of properties of cultural heritage value or interest listed on the City's Inventory of Heritage Properties, including:

- 1250 Sheffield Road; and,
- 1269 Old Highway 8.

Additionally, the property is located within the Sheffield Cultural Heritage Landscape.

Accordingly, sections B.3.4.1.4, B.3.4.2.1(g), B.3.4.2.1(g), B.3.4.2.1(h), and B.3.4.6.2, of the Urban Hamilton Official Plan, apply.

The proponent proposes the construction of an accessory building in the rear yard.

Notwithstanding that the adjacent properties are listed on the Inventory of Heritage Properties and that the subject property is within the Sheffield Cultural Heritage Landscape, staff have reviewed the application and are of the opinion that the proposal will not negatively impact the adjacent heritage resources or the Sheffield Cultural Heritage Landscape.

Staff have no further comments on the application as circulated.

City of Hamilton Zoning By-law No. 05-200
The subject lands are zoned Settlement Residential (S1) Zone in City of Hamilton Zoning By-law No. 05-200. The existing single detached dwelling and proposed accessory structure are permitted.

Variance 1 and 2
1. A maximum accessory building height of 6.0 metres shall be permitted instead of the maximum permitted 4.5 metres.

Hamilton

2. A maximum combined lot coverage of 228.0 square metres shall be permitted for all accessory buildings instead of the maximum permitted combined lot coverage of 45.0 square metres for all accessory buildings.

The intent of this provision is to ensure accessory buildings remain subordinate in size, character and role to the principal dwelling and to prevent the overdevelopment of properties.

Staff note the existing detached garage is intended to remain until construction of the proposed detached garage is completed.

Staff further note the principal dwelling has a gross floor area of 171 square metres and a height of 6.1 metres. The subject property has an area of approximately 2,398 square metres. The proposed detached garage and existing accessory structure will have an area of 228.0 square metres, representing approximately 9.51% lot coverage.

Staff further note the proposed garage is to be located at the rear of the property, setback approximately 78.65 metres from the front lot line and will have side yard setbacks of 6.1 metres and 9.14 metres respectively. Staff do not anticipate any privacy or overlook impacts or negative effects on neighbourhood character as a result of the increase height due to the proposed location. Staff are of the opinion that the proposed detached garage will remain subordinate to the principal dwelling and will not be an overdevelopment of the subject property.

It is staff's opinion that the requested variances maintain the general intent of the Rural Hamilton Official Plan and Zoning By-law, are desirable for the appropriate use or development of the land and are minor in nature. Staff support the variances.

Staff are of the opinion that the requested variances meet the four tests of a minor variance. **Staff recommend approval.**

Zoning:

Recommendation:	Comments Only
Proposed Conditions:	
Comments:	1. Elevation drawings have not been submitted. The applicant shall ensure the variance requested for the maximum building height has been calculated in accordance with "Building Height" and "Grade" as defined within the Zoning By-law. 2. It is indicated that the "existing garage" is to remain until such time construction of the proposed accessory building is complete. As such, the variance requested for the maximum permitted lot

Hamilton

	coverage has been altered to include both the existing and proposed accessory buildings. 3. It is indicated that the proposed accessory building is to be used for the storage of vehicles, however, a driveway providing access to the proposed accessory building is not shown to be provided. Should the intent be to provide an access driveway leading to the proposed accessory building, such access driveway shall be subject to zoning compliance and further variances may be required.
Notes:	

Development Engineering:

Recommendation:	No Comments
Proposed Conditions:	N/A
Comments:	N/A
Notes:	N/A

Building Engineering:

Recommendation:	Comments and Conditions/Notes
Proposed Conditions:	
Comments:	
Notes:	A building permit is required for the construction of the proposed accessory building. Be advised that Ontario Building Code regulations may require specific setback and construction types.

Transportation Planning:

Recommendation:	No Comments
Proposed Conditions:	
Comments:	
Notes:	

Ministry of Transportation:

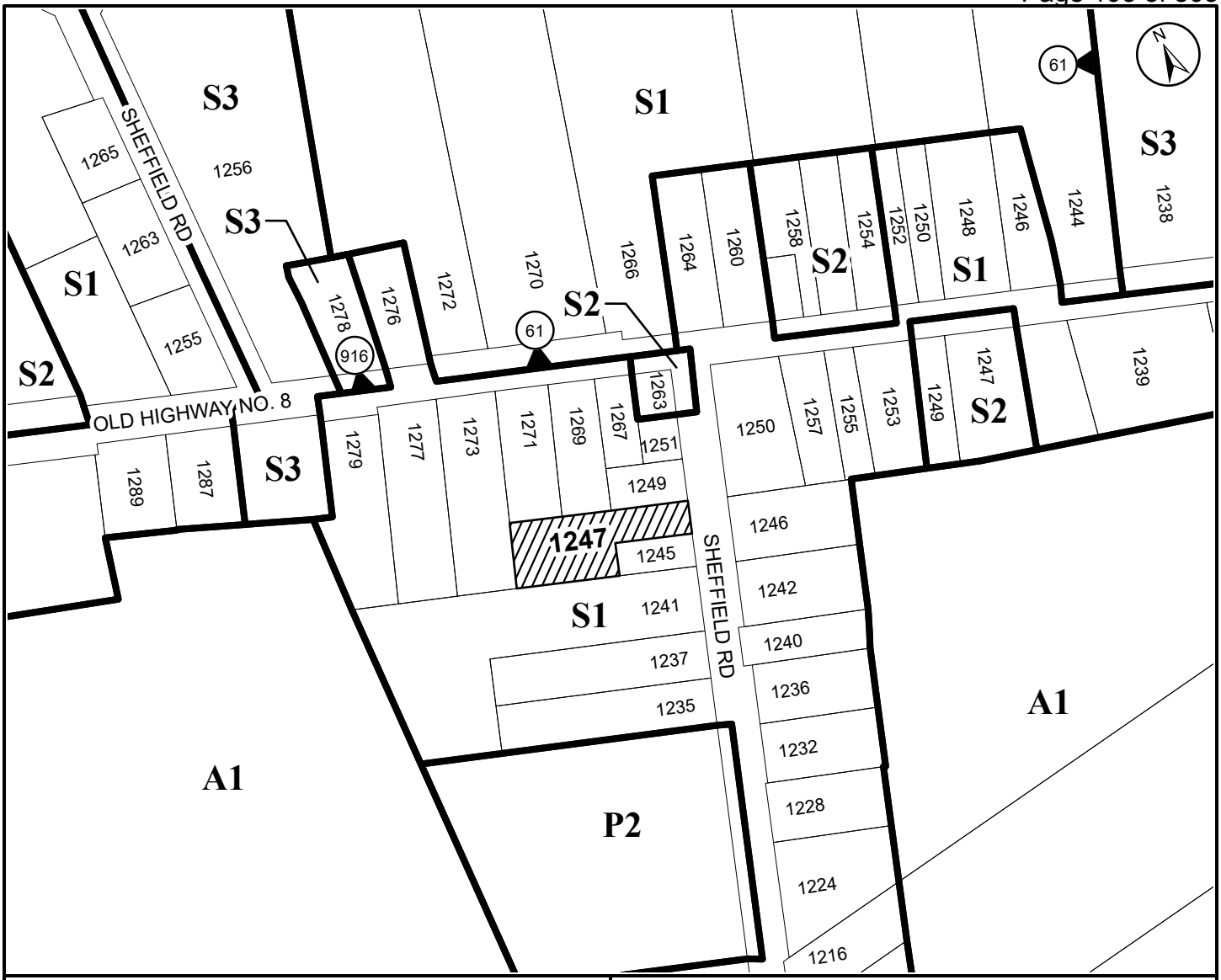
Recommendation:	Comments Only
Proposed Conditions:	

STAFF COMMENTS

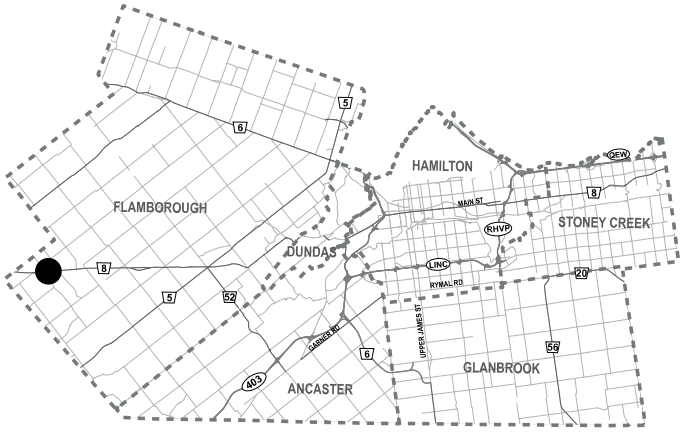
HEARING DATE: April 30, 2026

Comments:	The Ministry has no issues with the proposed minor variances. However, the proponent must be aware that the property is located within the Ministry's permit control area and therefore requires a Ministry Building and Land Use permit. Please ensure that the following documents are uploaded with the application: • Site Plan • Architectural Drawing No construction or grading is to commence before the permit has been approved and issued by the Ministry. The proponent may submit an application through the following link: HCMS - Apply for a permit - Application for Building and Land Use permit (gov.on.ca)
Notes:	

Please Note: Public comment will be posted separately, if applicable.



● **Site Location**



City of Hamilton

Committee of Adjustments

Subject Property

1247 Sheffield Road, Flamborough (Ward 12)

Planning and Economic Development Department

File Name/Number:	A-26:056
Date:	April 14, 2026
Technician:	AL
Scale:	N.T.S.
Appendix "A"	

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-26:055	**SUBJECT PROPERTY:**	3142 Jerseyville Road West, Ancaster
ZONE:	A1 (Agriculture)	**ZONING BY-LAW:**	Hamilton Zoning By-law 05-200

APPLICANTS: Owner: Julia and Andrew Kroesbergen
Applicant: Julia and Andrew Kroesbergen
Agent:

The following variances are requested:

1. A maximum Building Height of 7.2 metres shall be permitted for a building accessory to the Single Detached Dwelling instead of a maximum permitted Building Height of 6.0 metres.

PURPOSE & EFFECT: To construct an Accessory Building in the rear yard of a Single Detached Dwelling

Notes:

i. Please note an eave or gutter of any Accessory Building may encroach into any required yard to a maximum of 0.45 metres.

ii. Elevations have not provided as such the proposed building height cannot be confirmed. The applicant shall ensure that building height is measured in accordance with the definition of Height and Grade below.

> "**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 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.

Grade Shall mean the average level of the proposed or finished ground adjoining a building calculated along the perimeter of all exterior walls."

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, April 30, 2026**
TIME:	**10:10 a.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 April 28, 2026.

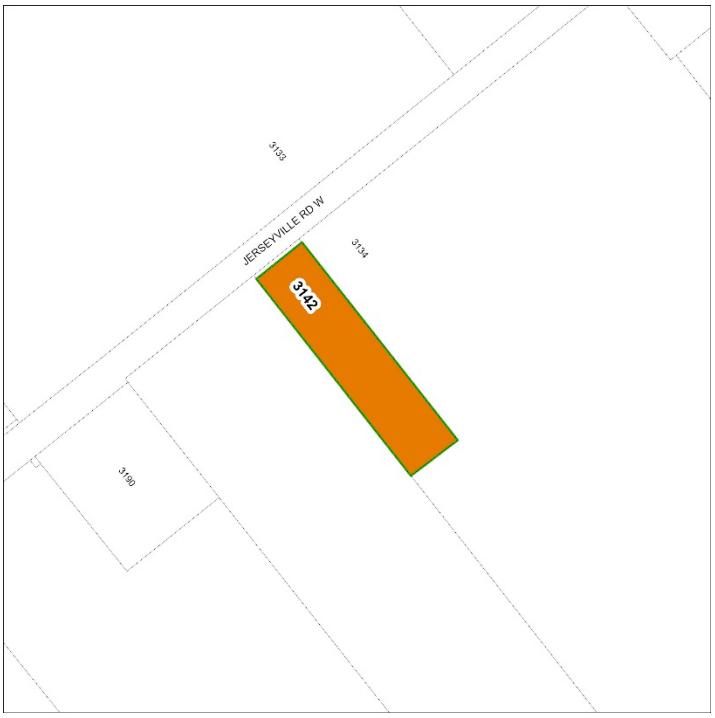
Orally: If you would like to speak to this item at the hearing you may do so via video link, calling in, or attending in person. Please see attached page for complete instructions, registration to participate virtually must be received no later than noon April 29, 2026.

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding A-26:055, 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 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-26:055



Subject Lands

DATED: April 13, 2026

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.

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

The following information is required with your written submission:

- Committee of Adjustment file number
- Full name and address of the person providing comments. Anonymous comments will not be accepted.

Comments can also be placed in the drop box which is located at the back of the 1st Floor of City Hall, 71 Main Street West. All written comments received by the deadline 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.

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- Hearing date
- Full name and address of the person wishing to speak. Anonymous comments will not be accepted.
- 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.

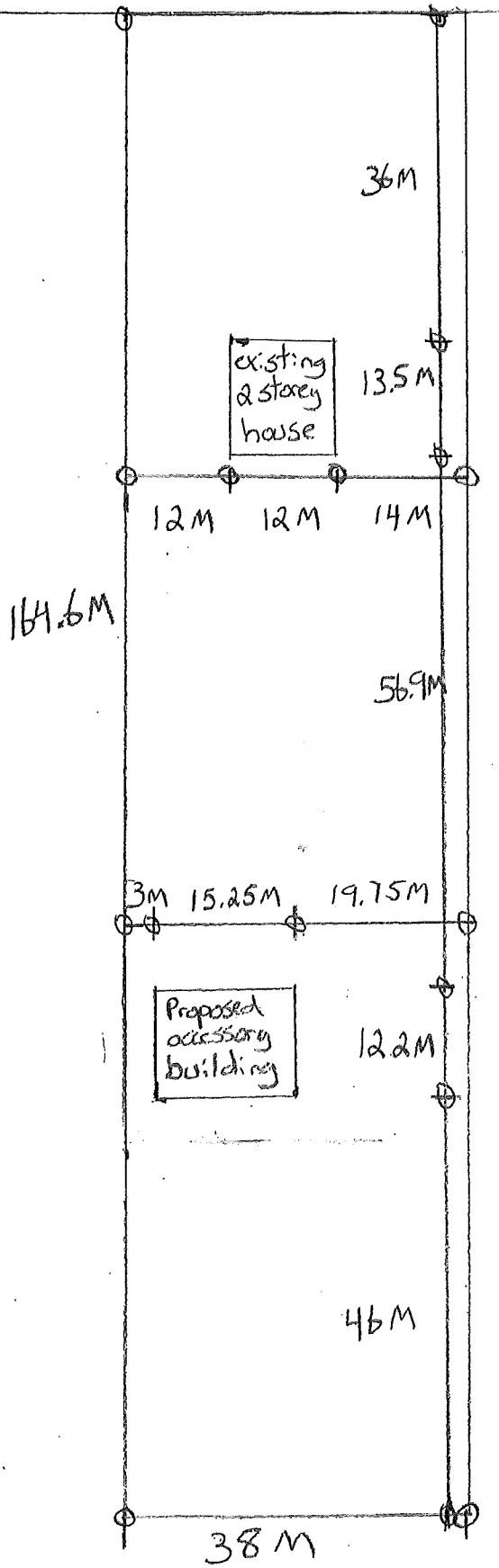
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In-Person Presentations:
Presenters attending in person may be granted permission to use the presentation screen. Presentations must be brought on a USB device and opened by the owner/applicant. A copy of the presentation must also be sent to cofa@hamilton.ca **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
Scale 1:75

Zoning: A1
Sketch of Survey of:
3142 Jerseyville Rd. W. Hamilton
Con 3 pt lot 14 RP 62R19550
Part 2

Lot Size	Setback For Proposed Accessory building	
Frontage 38M	Front yard	106.4M
	rear yard	46M
Depth 164.6M	interior side West	3M
	interior side East	19.75

Drawn by: Andrew Kraesbergen March 14, 2026

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*

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

1. APPLICANT INFORMATION

	NAME	MAILING ADDRESS	
Registered Owner(s)	Julia + Andrew Kroesbergen	[redacted]	
Applicant(s)	Andrew Kroesbergen		**E-mail:**
Agent or Solicitor			**Phone:**
			E-mail:

Please include contact person's name if applying as a company or organization.

1.2 Primary contact ☑ Applicant ☐ Agent/Solicitor ☑ Owner

1.3 Sign should be sent to ☑ Applicant ☐ Agent/Solicitor ☑ Owner

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 card over phone*

*Must provide phone number above

2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	3142 Jerseyville rd W		
Assessment Roll Number	140310026100000		
Former Municipality	Ancaster		
Lot	14	Concession	3
Registered Plan Number	62R19550	Lot(s)	
Reference Plan Number (s)		Part(s)	2

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

☐ Yes ☒ No

If YES, describe the easement or covenant and its effect:

3. PURPOSE OF THE APPLICATION

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

All dimensions in the application form are to be provided in metric units (millimetres, metres, hectares, etc.)

3.1 Nature and extent of relief applied for:

Bylaw 4.8.1.2 : accessory building Max height 6M, would like to build an accessory building with height of 7.1 M.

☐ Additional 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 because need a big door to get big equipment in therefore the walls need to be higher to accomodate this.

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 (in metric):

Lot Frontage	Lot Depth	Lot Area	Width of Street
38 M	164.6 M	0.6 Ha	26.2 M

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

Existing:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
dwelling	36 M	115.1M	12 M West	1870
			13.5M East	

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Storage Shed	106.4 M	46 M	3 M West	June 2026
			19.75 M East	

4.3. Particulars of all buildings and structures on or proposed for the subject lands. All dimensions to be provided in metric (m, m^2 or ha); attach additional sheets as necessary.

Existing:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
~~house~~	~~[illegible] m2~~	~~[illegible] m2~~	~~2~~	~~8.3 M~~
house	162 m2	278 m2	2	8.3 M

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
~~Shed~~				
Accessory building	~~2000 sq ft~~ 185 m2	~~2000 sq ft~~ 185 m2	1	7.1 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
- ☑ 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

5. HISTORY OF THE SUBJECT LAND

5.1 Date of acquisition of subject lands:

July 31, 2024

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

Single detached dwelling

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

Single detached dwelling

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

12 years

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

Rural Hamilton Official Plan designation (if applicable): Agricultural

Rural Settlement Area: Jerseyville

Urban Hamilton Official Plan designation (if applicable) _____

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

5.6 What is the existing zoning of the subject land? A1

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

☐ Yes ☒ No

If yes, please provide the file number: _____

5.8 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: _____

6. ADDITIONAL INFORMATION

6.1 Number of Dwelling Units Existing: 1

6.2 Number of Dwelling Units Proposed: 0

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

- The additional height required for the building
1) will still be lower than the peak of the house
2) won't block any views from neighbouring houses
3) matches the style/height of other buildings in the neighbourhood

7. COMPLETE APPLICATION REQUIREMENTS

7.1 All Applications

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

7.2 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

_____

_____

STAFF COMMENTS

HEARING DATE: April 30, 2026

Hamilton

A-26:055 — 3142 Jerseyville Road West, Ancaster

Recommendation:

Approve — Development Planning

Proposed Conditions:

Proposed Notes:

Please note an eave or gutter of any Accessory Building may encroach into any required yard to a maximum of 0.45 metres. (Zoning)

Elevations have not provided as such the proposed building height cannot be confirmed. The applicant shall ensure that building height is measured in accordance with the definition of Height and Grade below.

> "**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 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.
>
> **Grade** Shall mean the average level of the proposed or finished ground adjoining a building calculated along the perimeter of all exterior walls." (Zoning)

A building permit is required for the construction of the proposed accessory building. (Building Engineering)

Be advised that Ontario Building Code regulations may require specific setback and construction types. (Building Engineering)

"**Acknowledgement Note:** The subject property has been determined to be an area of archaeological potential. It is reasonable to expect that archaeological resources may be encountered

during any demolition, grading, construction activities, landscaping, staging, stockpiling or other soil disturbances. If archaeological resources are encountered, the proponent may be required to conduct an archaeological assessment prior to further impact in order to address these concerns and mitigate, through preservation or resource removal and documentation, adverse impacts to any significant archaeological resources found. Mitigation, by an Ontario-licensed archaeologist, may include the monitoring of any mechanical excavation arising from this project. If archaeological resources are identified on-site, further Stage 3 Site-specific Assessment and Stage 4 Mitigation of Development Impacts may be required as determined by the Ontario Ministry of Citizenship and Multiculturalism (MCM). All archaeological reports shall be submitted to the City of Hamilton for approval concurrent with their submission to the MCM.

Should deeply buried archaeological materials be found on the property during any of the above development activities the 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).” (Development Planning)

Hamilton

Development Planning:

Background
The purpose of Minor Variance application A-26:055 is to facilitate the construction of an accessory building in the rear yard of a single detached dwelling.

Analysis

Rural Hamilton Official Plan
The subject lands are designated “Agriculture” in Schedule D – Rural Land Use Designations of the Rural Hamilton Official Plan. Policy C.3.1.4, amongst others, is applicable and permits the existing single detached dwelling.

Archaeology
The subject property meets four (4) of the ten criteria used by the City of Hamilton and Ministry of Citizenship and Multiculturalism for determining archaeological potential:

1) Within 300 metres of a primary watercourse or permanent waterbody, 200 metres of a secondary watercourse or seasonal waterbody, or 300 metres of a prehistoric watercourse or permanent waterbody;
2) In an area of sandy soil in areas of clay or stone;
3) In areas of pioneer Euro-Canadian settlement; and,
4) Along historic transportation routes.

These criteria define the property as having archaeological potential. Accordingly, Section 2 (d) of the *Planning Act* and Section 4.6.2 of the Provincial Planning Statement apply to the subject application.

If this variance is granted, the City does not require an archaeological assessment, but the proponent must be advised in writing by the Committee of Adjustment as follows:

“**Acknowledgement Note:** The subject property has been determined to be an area of archaeological potential. It is reasonable to expect that archaeological resources may be encountered during any demolition, grading, construction activities, landscaping, staging, stockpiling or other soil disturbances. If archaeological resources are encountered, the proponent may be required to conduct an archaeological assessment prior to further impact in order to address these concerns and mitigate, through preservation or resource removal and documentation, adverse impacts to any significant archaeological resources found. Mitigation, by an Ontario-licensed archaeologist, may include the monitoring of any mechanical excavation arising from this project. If archaeological resources are identified on-site, further Stage 3 Site-specific Assessment and Stage 4 Mitigation of Development Impacts may be required as determined by the Ontario Ministry of Citizenship and Multiculturalism (MCM). All archaeological reports shall be submitted to the City of Hamilton for approval concurrent with their submission to the MCM.

Hamilton

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Cultural Heritage
The subject property located at 3142 Jerseyville Road West, is listed on the City's Inventory of Heritage Properties, and is adjacent to 3134 Jerseyville Road West, another property listed on the City's Inventory of Heritage Properties.

The City recognizes there may be cultural heritage properties that are not yet identified or included in the Municipal Heritage Register, nor designated under the *Ontario Heritage Act*, but still may be of cultural heritage interest. These may be properties that have yet to be surveyed, or otherwise identified, or their significance and cultural heritage value has not been comprehensively evaluated but are still worthy of conservation (Rural Hamilton Official Plan, Volume 1, Section B.3.4.2.6 and B.3.4.2.7).

Although not formally recognized under the *Ontario Heritage Act* through registration or designation, the subject and adjacent property is of potential cultural heritage value and staff do have an interest in ensuring any proposed changes are sympathetic to the historic character of the property and are contextually appropriate.

Accordingly, section B.3.4.1.3, B.3.4.1.4, and B.3.4.2.1(g), of the Rural Hamilton Official Plan, Volume 1, apply.

The proponent proposes to construct an Accessory Building in the rear yard of a Single Detached Dwelling.

Notwithstanding that the on-site and adjacent property is listed on the Inventory of Heritage Properties, Staff have reviewed the application and are of the opinion that the cultural heritage value or interest of the on-site and adjacent cultural heritage resource will be conserved.

Staff have no further comments on the application as circulated.

City of Hamilton Zoning By-law No. 05-200
The subject lands are zoned Agriculture (A1) Zone in City of Hamilton Zoning By-law No. 05-200. The existing single detached dwelling and proposed accessory structure are permitted.

Variance 1
1. A maximum building height of 7.2 metres shall be permitted for abuilding accessory to the single detached dwelling instead of a maximum permitted building height of 6.0 metres.

Hamilton

The intent of this provision is to ensure accessory buildings remain subordinate in size, character and role to the principal dwelling or building.

Staff note the principal dwelling has a height of 8.3 metres whereas the proposed accessory building will have a height of 7.1 metres. Further, the proposed accessory building will be located 56.9 metres to the rear of the principal dwelling and will meet or exceed the required side yard setbacks. Staff anticipate no negative impacts on the neighbouring properties or the rural character of the area and are satisfied that the accessory building will remain subordinate to the principal dwelling in size, character and role.

It is staff's opinion that the requested variance maintains the general intent of the Rural Hamilton Official Plan and Zoning By-law, is desirable for the appropriate use or development of the land and is minor in nature. Staff support the variance.

Staff are of the opinion that the requested variance meets the four tests of a minor variance. **Staff recommend approval.**

Zoning:

Recommendation:	Comments Only
Proposed Conditions:	N/A
Comments:	N/A
Notes:	1. Please note an eave or gutter of any Accessory Building may encroach into any required yard to a maximum of 0.45 metres. 2. Elevations have not provided as such the proposed building height cannot be confirmed. The applicant shall ensure that building height is measured in accordance with the definition of Height and Grade below. "**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 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

Hamilton

	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. **Grade** Shall mean the average level of the proposed or finished ground adjoining a building calculated along the perimeter of all exterior walls.”

Development Engineering:

Recommendation:	No Comments
Proposed Conditions:	N/A
Comments:	N/A
Notes:	N/A

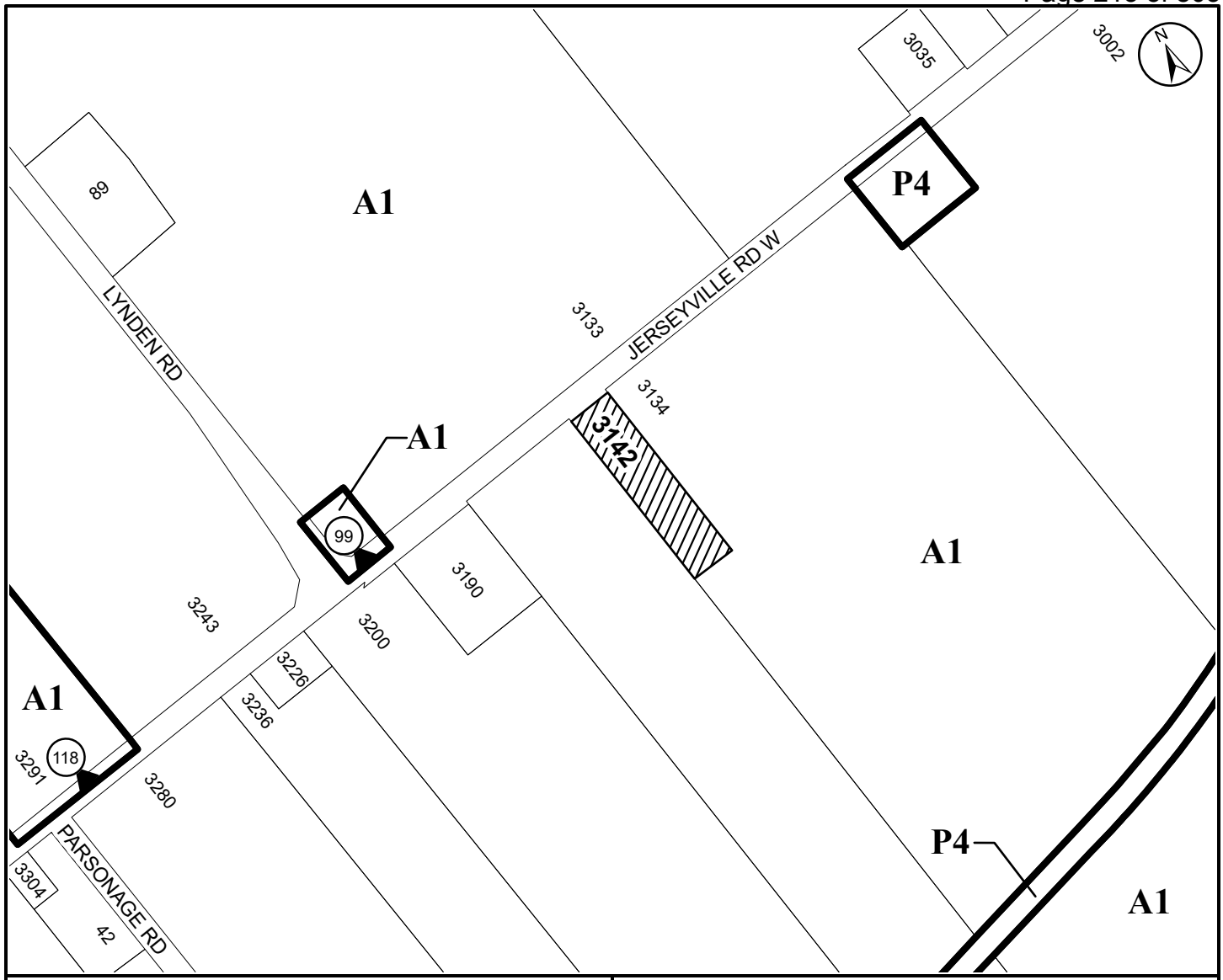
Building Engineering:

Recommendation:	Comments and Conditions/Notes
Proposed Conditions:	
Comments:	
Notes:	A building permit is required for the construction of the proposed accessory building. Be advised that Ontario Building Code regulations may require specific setback and construction types.

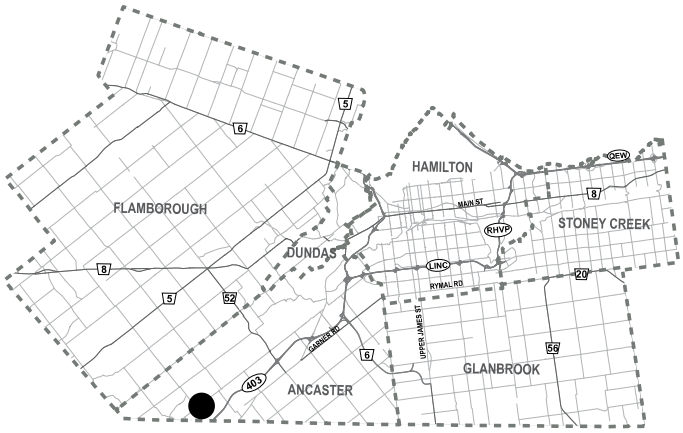
Transportation Planning:

Recommendation:	No Comments
Proposed Conditions:	
Comments:	
Notes:	

Please Note: Public comment will be posted separately, if applicable.



● **Site Location**



City of Hamilton

Committee of Adjustments

Subject Property

3142 Jerseyville Road West, Ancaster (Ward 12)

File Name/Number: A-26:055

Date: April 14, 2026

Technician: AL

Scale: N.T.S.

Appendix "A"

Planning and Economic Development Department

Hamilton

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-26:028	**SUBJECT PROPERTY:**	21 Dundas Street, Dundas
ZONE:	R3 (Low Density Residential)	**ZONING BY-LAW:**	Dundas Zoning By-law 3581-86

APPLICANTS: Owner: Michael Peetz and Patricia Peetz
Applicant:
Agent:

The following variances are requested:

1. The construction of a new dormer and an additional 32.0 square metres of Gross floor area shall be permitted whereas the by-law prohibits an expansion of a legally established non-conforming use.

PURPOSE & EFFECT: To construct an addition onto a legal non-conforming Apartment Building

Notes:

i. Our records indicate the use to be a Legally Established Non-Conforming Apartment Building containing six (6) dwelling units.

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, April 30, 2026**
TIME:	**10:15 a.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

A-26:028

	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

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A-26:028



Subject Lands

DATED: April 13, 2026

Justin Leung,
Secretary-Treasurer
Committee of Adjustment

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- 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.

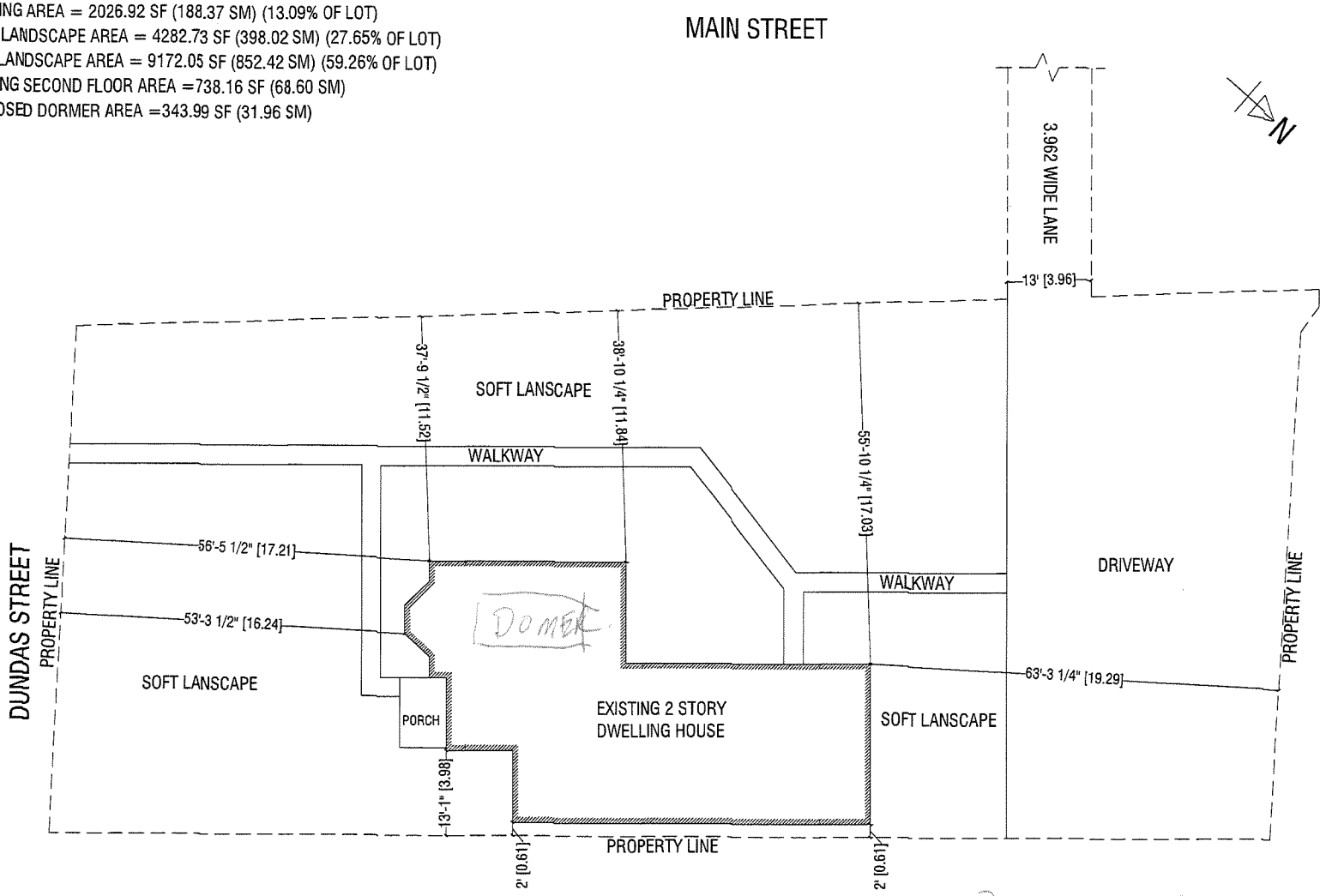
In-Person Presentations:
Presenters attending in person may be granted permission to use the presentation screen. Presentations must be brought on a USB device and opened by the owner/applicant. A copy of the presentation must also be sent to cofa@hamilton.ca **by 12:00 p.m. (noon) on the business day 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.

LOT AREA= 15460.53 SF (1,436.85 SM)
BUILDING AREA = 2026.92 SF (188.37 SM) (13.09% OF LOT)
HARD LANDSCAPE AREA = 4282.73 SF (398.02 SM) (27.65% OF LOT)
SOFT LANDSCAPE AREA = 9172.05 SF (852.42 SM) (59.26% OF LOT)
EXISTING SECOND FLOOR AREA =738.16 SF (68.60 SM)
PROPOSED DORMER AREA =343.99 SF (31.96 SM)



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STAMP:

10/29/25

PROJECT:
21 DUNDAS ST,
DUNDAS, ON

TITLE:
SITE PLAN

CONSULTANT:

DRAWN BY: A.B.K
DATE: 25.10.2025
SCALE: 1/16"=1'-0"
DRAWING NO: A-1

Attic/Roof Renovation

21 DUNDAS ST, DUNDAS, ONTARIO

A-0(a) = OBC MATRIX
A-1 = SITE PLAN
A-2 = EXISTING SECOND FLOOR PLAN
A-3 = EXISTING ATTIC FLOOR PLAN
A-4 = PROPOSED DORMER FLOOR PLAN
A-5 = EXISTING FRONT ELEVATION
A-6 = PROPOSED FRONT ELEVATION
A-7 = EXISTING REAR ELEVATION
A-8 = PROPOSED REAR ELEVATION
A-9 = EXISTING RIGHT ELEVATION
A-10= PROPOSED RIGHT ELEVATION
A-11 = LEFT ELEVATION
A-12 = SECTION A-A
A-13 = SECTION B-B
A-14 = VINYL SIDDING WALL DETAIL
A-15 = BRICK VENEER WALL DETAIL
A-16 = ATTIC SECTION DETAIL

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STAMP:

10/29/25

PROJECT:
21 DUNDAS ST,
DUNDAS, ON

TITLE:
COVER SHEET

CONSULTANT:

DRAWN BY: A.B.K	
DATE: 25.10.2025	DRAWING NO:
SCALE: N.T.S.	A-0

BLE - 3, OBC 9.7.2.3 OR 11.5.1.1.

ROOMS	REQD. WINDOW AREA	WINDOW AREA
DORMER	5% OF 343.99 SF=17.19 SF	25.63 SF

RMER VENTILATION COMPLIES WITH OBC
24, DIV. B, 9.32.3.3. NO ADDITIONAL
CHANICAL VENTILATION IS REQUIRED.

VINYL SIDING, WEATHER-RESISTANT BARRIER (TYVEK OR EQUIVALENT), 7/16" OSB SHEATHING, 2×6 WOOD STUDS @ 16" O.C. WITH R-22 BATT INSULATION, CONTINUOUS 6 MIL POLYETHYLENE VAPOUR BARRIER (SEALED AT JOINTS AND PENETRATIONS), 1/2" INTERIOR GYPSUM BOARD, PAINTED FINISH.

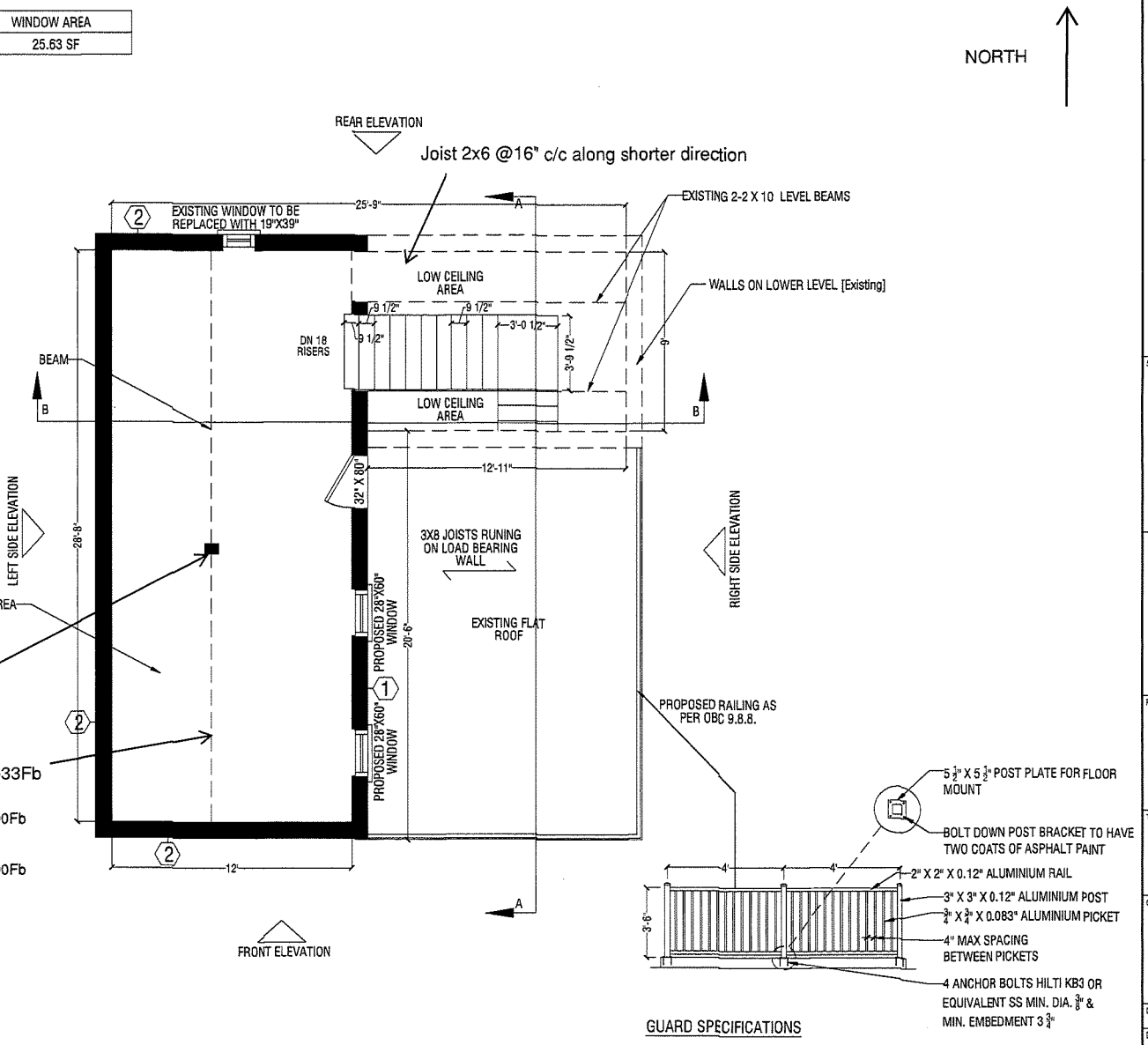
BRICK VENEER, 1" AIR CAVITY WITH WEEP HOLES AT BASE, WEATHER-RESISTANT BARRIER (TYVEK OR EQUIVALENT), 7/16" OSB OR 1/2" PLYWOOD SHEATHING, 2×6 WOOD STUDS @ 16" O.C. WITH R-22 BATT INSULATION, CONTINUOUS 6 MIL POLYETHYLENE VAPOUR BARRIER (SEALED AT JOINTS AND PENETRATIONS), 1/2" INTERIOR GYPSUM BOARD, PAINTED FINISH.

8x8 if installed in the Middle of Span

e Beam -
75x9.5 BIRCH/ASPEN LVL GRADE 2.0E-33Fb

::
4-1.75X9.5 BIRCH/ASPEN LVL GRADE 2.0E-3300Fb
3x8 POST AT 1/3 POINT OF THE BEAM

3-1.75X9.5 BIRCH/ASPEN LVL GRADE 2.0E-3300Fb
3x8 POST AT THE MID POINT OF THE BEAM



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STAMP:

10/29/25

PROJECT:
21 DUNDAS ST,
DUNDAS, ON

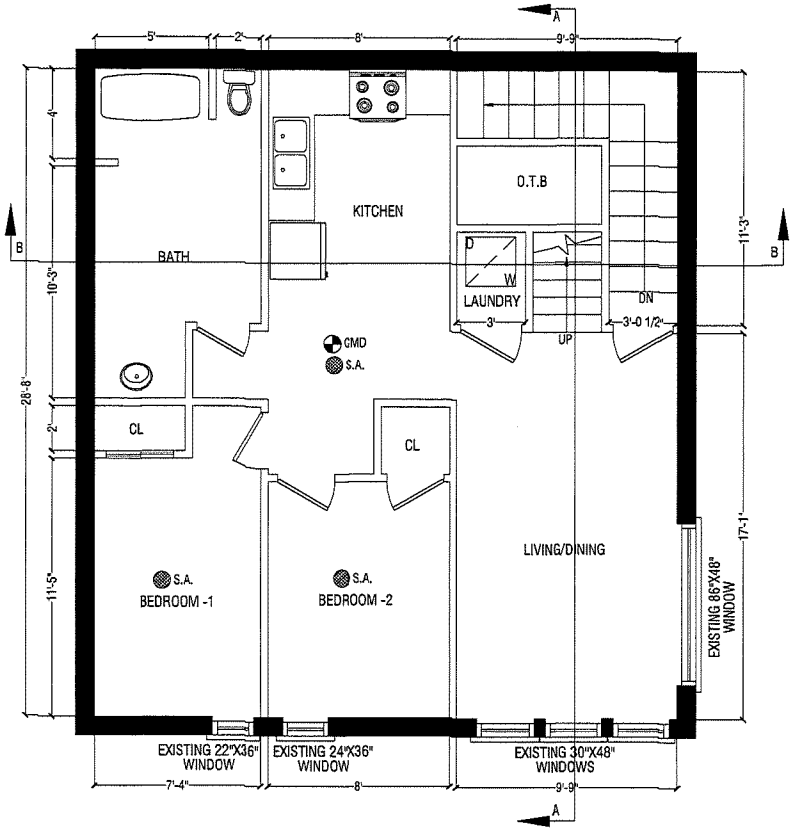
TITLE:
PROPOSED DORMER
FLOOR PLAN

CONSULTANT:

DRAWN BY: A.B.K
DATE: 25.10.2025
SCALE: 3/16"=1'-0"
DRAWING NO: A-4

HEIGHT = 10'-0"

NORTH



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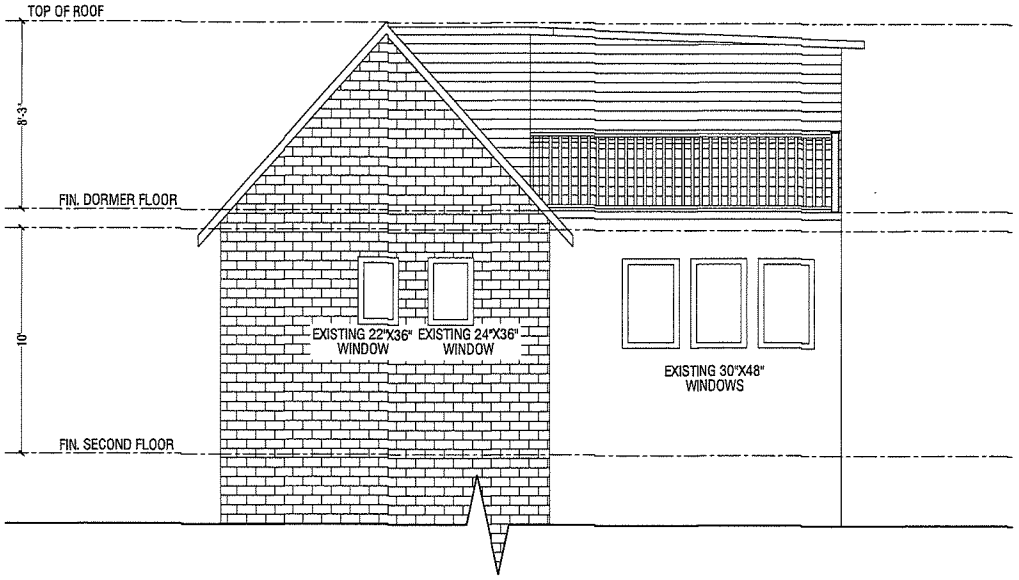
21 DUNDAS ST,
DUNDAS, ON

TITLE:

EXISTING SECOND FLOOR PLAN

CONSULTANT:

DRAWN BY: A.B.K	
DATE: 25.10.2025	DRAWING NO: A-2
SCALE: 3/16"=1'-0"	



PROPOSED FRONT ELEVATION

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PROJECT:

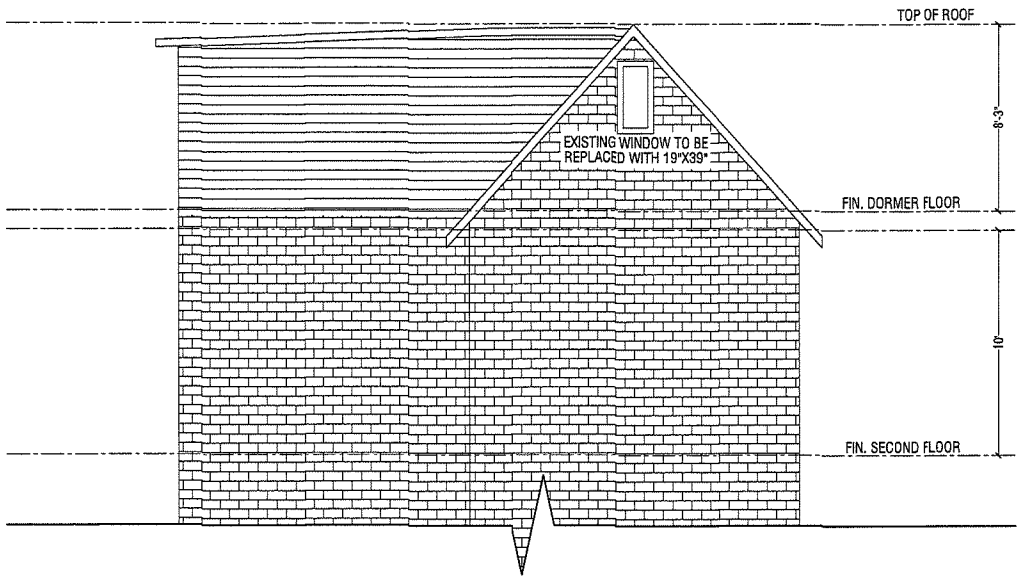
21 DUNDAS ST,
DUNDAS, ON

TITLE:

PROPOSED FRONT ELEVATION

CONSULTANT:

DRAWN BY: A.B.K	
DATE: 25.10.2025	DRAWING NO: A-6
SCALE: 3/16"=1'-0"	



PROPOSED REAR ELEVATION

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STAMP:

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PROJECT:

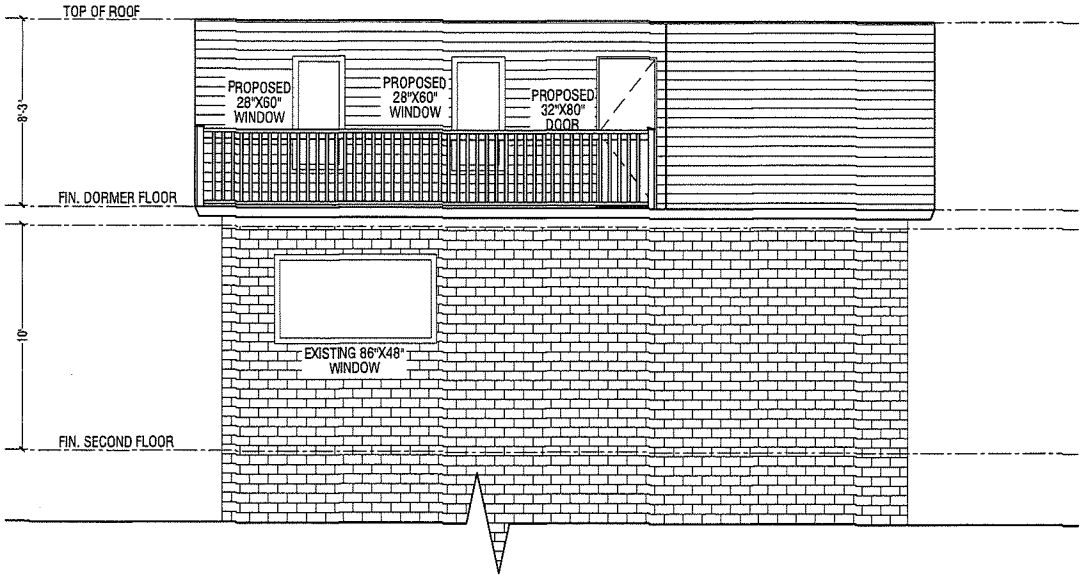
21 DUNDAS ST,
DUNDAS, ON

TITLE:

PROPOSED REAR ELEVATION

CONSULTANT:

DRAWN BY: A.B.K	
DATE: 25.10.2025	DRAWING NO: A-8
SCALE: 3/16"=1'-0"	



PROPOSED RIGHT ELEVATION

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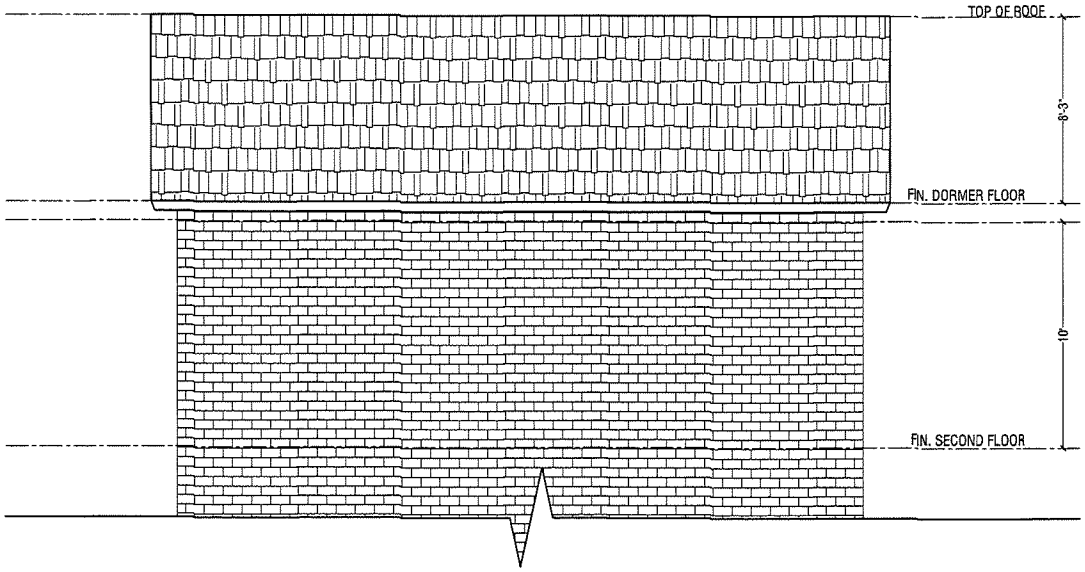
10/29/25

PROJECT:
21 DUNDAS ST,
DUNDAS, ON

TITLE:
PROPOSED RIGHT ELEVATION

CONSULTANT:

DRAWN BY: A.B.K	
DATE: 25.10.2025	DRAWING NO: A-10
SCALE: 3/16"=1'-0"	



LEFT ELEVATION

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STAMP:

10/29/2

PROJECT:

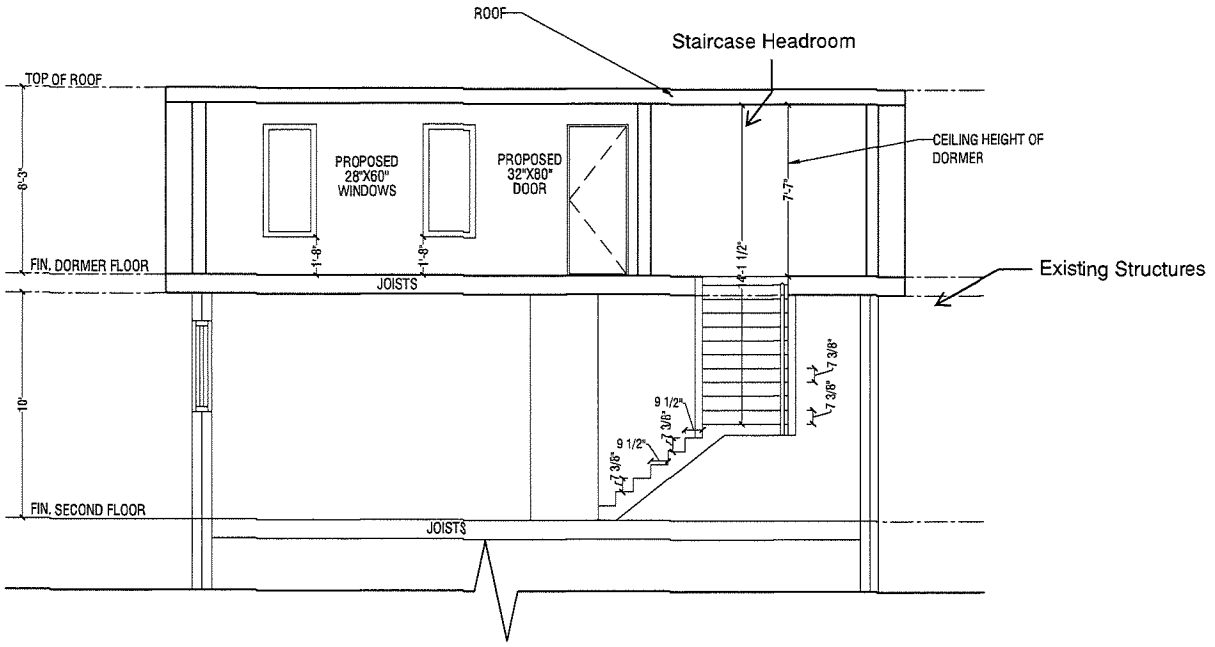
21 DUNDAS ST,
DUNDAS, ON

TITLE:

LEFT ELEVATION

CONSULTANT:

DRAWN BY: A.B.K	
DATE: 25.10.2025	DRAWING NO: A-11
SCALE: 3/16"=1'-0"	



SECTION A-A

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STAMP:

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PROJECT:

21 DUNDAS ST,
DUNDAS, ON

TITLE:

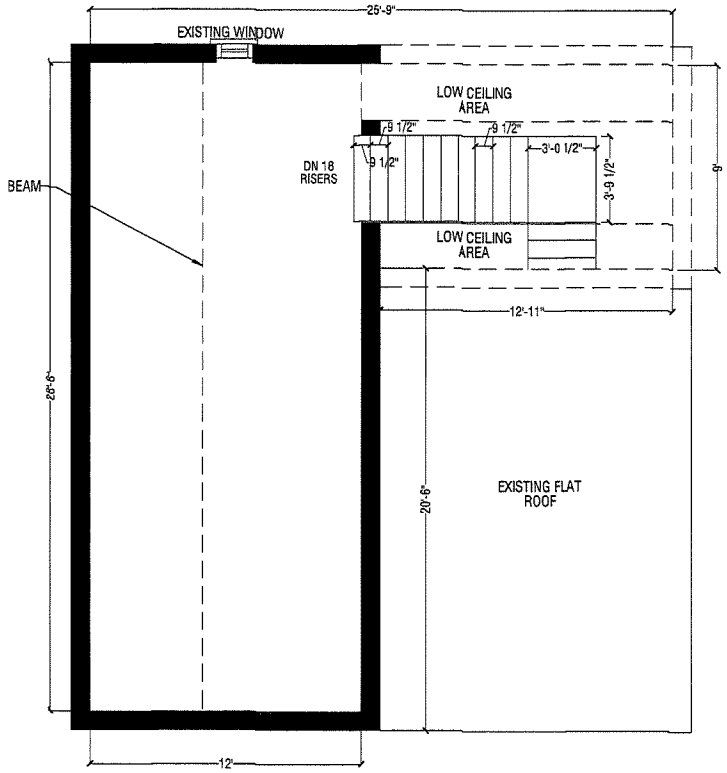
SECTION A-A

CONSULTANT:

DRAWN BY: A.B.K	
DATE: 25.10.2025	DRAWING NO: A-12
SCALE: 3/16"=1'-0"	

CEILING HEIGHT = 10'-0"

NORTH



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STAMP:

10/29/25

PROJECT:

21 DUNDAS ST,
DUNDAS, ON

TITLE:

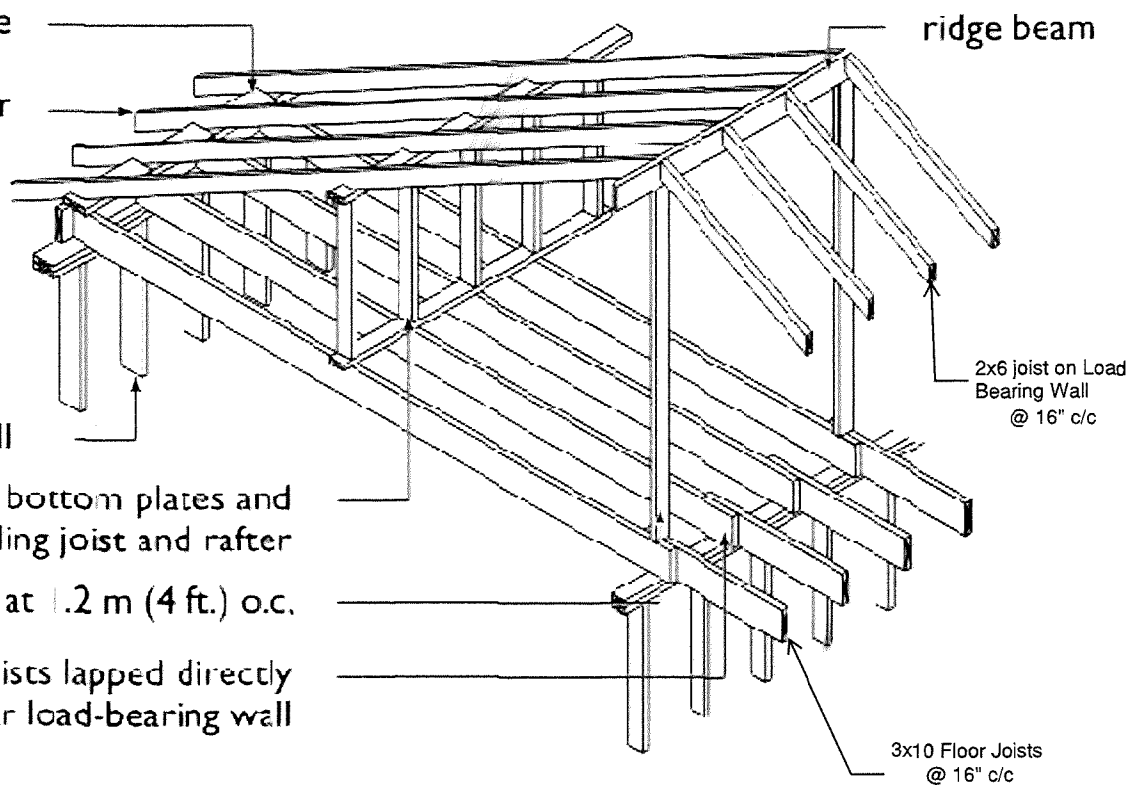
EXISTING ATTIC
FLOOR PLAN

CONSULTANT:

DRAWN BY: A.B.K	
DATE: 25.10.2025	DRAWING NO:
SCALE: 3/16"=1'-0"	A-3

Rafter heel supported on a rafter plate

Rafter plate nailed to top of each ceiling joist with at least two 100 mm (4 in.) nails



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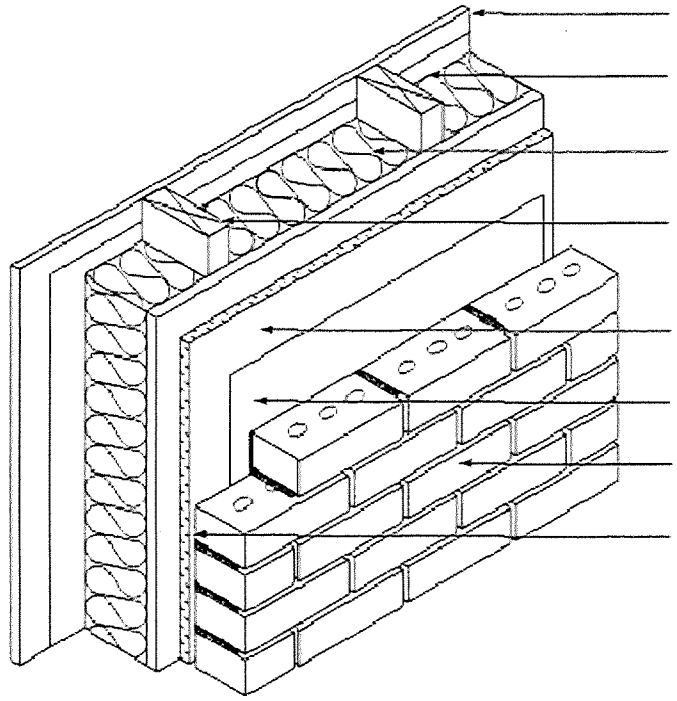
PROJECT:
21 DUNDAS ST,
DUNDAS, ON

TITLE:
ROOF DETAIL

CONSULTANT:

DRAWN BY: A.B.K	
DATE: 13.08.2025	DRAWING NO: A-16
SCALE: 1/4"=1'-0"	

Brick veneer cladding with insulation in the framing space and outboard



12.7 mm (½ in.) gypsum board

polyethylene sheet

batt insulation

38 x 140 mm (2 x 6 in.) framing

rigid insulation sheathing

sheathing membrane (air barrier)

100 mm (4 in.) clay brick

25 mm (1 in.) air space

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STAMP:

10/29/2

PROJECT:

21 DUNDAS ST,
DUNDAS, ON

TITLE:

BRICK VENEER WALL DETAIL

CONSULTANT:

DRAWN BY: A.B.K	
DATE: 13.08.2025	DRAWING NO: A-15
SCALE: 1/4" = 1'-0"	

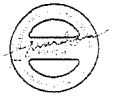
)BC DATA MATRIX
'ROJECT: ATTIC STOCK RENOVATION
.DDRESS: 21 DUNDAS STREET, DUNDAS, ON
:EFERENCE CODE: OBC 2024

ITEM	DATA / DESCRIPTION
MAJOR OCCUPANCY	GROUP C – RESIDENTIAL (SINGLE DWELLING UNIT)
BUILDING TYPE	PART 9 – COMBUSTIBLE WOOD FRAME
STOREYS	2 STOREYS EXISTING
DWELLING UNITS	6 Plex (Existing)
SCOPE OF WORK	Attic Renovation by creating more headroom
SPRINKLER / FIRE ALARM	NOT REQUIRED (SMOKE ALARMS PER 9.10.19)
FIRE SEPARATION	NOT REQUIRED WITHIN SINGLE DWELLING
SPATIAL SEPARATION	COMPLIES (> 1.2 m FROM PROPERTY LINE)
STRUCTURE	EXISTING WOOD JOISTS & RAFTERS & RIDGE BEAM
NSULATION VALUES	WALL R-22 (RSI 3.87) – ROOF R-31 (RSI 5.46)
HEATING / VENTILATION	EXISTING CENTRAL SYSTEM; NATURAL VENTILATION IN ATTIC (9.32.3.3)
GUARDS / HANDRAILS	1070 mm HEIGHT – MAX 100 mm OPENING
BARRIER-FREE DESIGN	NOT APPLICABLE
CLIMATIC DATA (HAMILTON)	JAN –18 °C – JUL 30 °C – Ss=1.0 kPa – Sr=0.4 kPa – q=0.46 kPa

IOTES:
.LL WORK TO COMPLY WITH OBC 2024 AND CITY OF HAMILTON REQUIREMENTS.
.LL DIMENSIONS TO BE VERIFIED ON SITE. DO NOT SCALE DRAWINGS.
:OPYRIGHT © A.B.K 2025.

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STAMP:



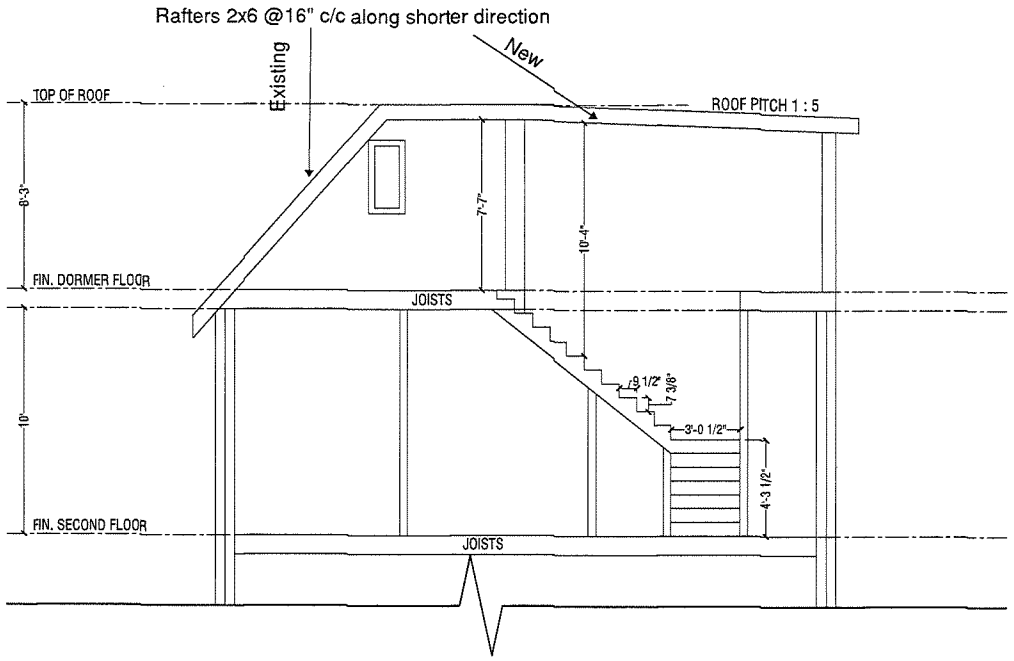
10/29/25

PROJECT:
21 DUNDAS ST,
DUNDAS, ON

TITLE:
DATA MATRIX

CONSULTANT:

DRAWN BY: A.B.K
DATE: 25.10.2025
SCALE: N.T.S.
DRAWING NO: A-0(a)



SECTION B-B

GENERAL NOTES:
- ALL EXISTING SITE CONDITIONS AND ALL DIMENSIONS ON DRAWINGS MUST BE CHECKED AND VERIFIED ON SITE BY CONTRACTOR. ANY VARIANCES OR DISCREPANCIES MUST BE REPORTED TO THE DESIGNER/ENGINEER PRIOR TO COMMENCEMENT OF THE WORK.
- ALL THE WORK SHALL BE CARRIED OU IN ACCORDANCE WITH THE LATEST VERSION OF ONTARIO BUILDING CODE AND REQUIREMENTS OF AUTHORITIES HAVING JURISDICTION.
- ALL FIRE SAFETY SYSTEM TO BE ACTIV DURING AND AFTER CONSTRUCTION.
- IF EXISTING CONSTRUCTION IS DAMAGED DURING THE WORK, CONTRACTOR TO MAKE GOOD TO MATC EXISTING.
- DO NOT SCALE THE DRAWING.
- THE DESIGN AND CONTRACT DOCUMENTS ARE THE COPYRIGHT OF THE DESIGNER/ENGINEER AND MAY NOT BE REPRODUCED, REUSED OR ALTERED WITHOUT WRITTEN PERMISSION OF THE DESIGNER/ENGINEER.

STAMP:

10/29/2

PROJECT:

21 DUNDAS ST,
DUNDAS, ON

TITLE:

SECTION B-B

CONSULTANT:

DRAWN BY: A.B.K	
DATE: 25.10.2025	DRAWING NO: A-13
SCALE: 3/16"=1'-0"	

Hamilton

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

January 21st, 2026

FOLDER: ALR 21-132992
ATTENTION OF: Morgan Gowans
EMAIL: morgan.gowans@hamilton.ca

Patti Peetz
[redacted]

Attention:

Re: Applicable Law Review – Determination of a Legally Established Non-Conforming Use
Zoning District: Low Density Residential (R3)
Zoning By-law: Dundas Zoning By-law No. 3581-86
Address: 21 Dundas Street

An Applicable Law Review respecting zoning by-law compliance pursuant to determine a legally established non-conforming use.

COMMENTS:

1. The application is to determine if "Six-plex" which is considered a Apartment Building in Zoning By-law 3581-86 is a legally established non-conforming use on the property.

2. Submitted supporting evidence includes copies of Tax Assessment from 1960, 1971, 1980, 1993, 2000,2005, 2010, 2015.

3. The Dundas Zoning By-law 3581-86 was passed May 22, 1986, the previous Dundas Zoning By-law 1964 passed May 7, 1962 prior to this no zoning or building permits where required. The Tax Assessment record from 1960 shows it was established prior to the Zoning By-law 1964 coming into effect.

4. The submitted Tax Assessment from 1971, 1980, 1993, 2000,2005, 2010, 2015. show continuity of the Apartment Building use.

5. There has been no building permit for change of use, conversions, renovations, alterations, additions or new buildings since 2015 from City of Hamilton Records.

6. Therefore, based on the submitted evidence and property file records this division deems the use of a Apartment Building (6 units) to be a legally established non-conforming use as it was established prior to the passing of Dundas Zoning By-law 1964 on May 7, 1962 and has continued since.

Yours truly

Morgan Gowans

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)	MICHAEL PEETZ PATRICIA PEETZ	[redacted]	
Applicant(s)			**Phone:**
			E-mail:
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	21 DUNDAS ST, DUNDAS ON L9H 1A1		
Assessment Roll Number	2602500480000000		
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:

EXPANDING THE GROSS FLOOR AREA 31.96 SM ADDING A DOMER.

☐ Second Dwelling Unit ☐ Reconstruction of Existing Dwelling

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

DOMER TO MAKE AREA MORE USEFULL.

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

☒ Yes ☐ No

If yes, please provide an explanation:

LEGAL NON CONFORMING USE FOR A DOMER

4. DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

4.1 Dimensions of Subject Lands:

Lot Frontage	Lot Depth	Lot Area	Width of Street
24.3 m	58.9 m	1436.85 SM.	26.6 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
SIX PLEX	16.24m	19.29m	2m 11.52m	1840

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
DOMER	16.24m	19.29m	2m .61m 11.52m	

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
6 PLEX	185.37 SM	256.97 SM	2	7.10 m

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
DOMER	31.96 sm	SAME	1	2.4 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.):

RESIDENTIAL 6 PLEX

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

RESIDENTIAL 6 PLEX

7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands: 2005

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

6 PLEX

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

6 PLEX

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

60 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) NIEBOROUGH

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

7.6 What is the existing zoning of the subject land? R-3

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: 6

8.2 Number of Dwelling Units Proposed: _____

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

_____

_____

STAFF COMMENTS

HEARING DATE: April 30, 2026

Hamilton

A-26:028 — 21 Dundas Street, Dundas

Recommendation:

Table — Development Planning

Proposed Conditions:

Proposed Notes:

Order to Comply 25-201391, dated July 16, 2025 remains outstanding. (Building Engineering)

A building permit is required for the construction of the proposed addition to the existing apartment building. (Building Engineering)

Be advised that Ontario Building Code regulations may require specific setback and construction types. (Building Engineering)

Hamilton

Development Planning:

Background

The purpose of this application is to increase the existing Gross Floor Area by 32.0 square metres through the addition of a new dormer. The subject property was built prior to the passing of existing Dundas Zoning By-law 3581-86, and Zoning staff confirmed that the current use (an apartment building containing six dwelling units) is considered legally non-conforming, as the existing zoning (R3) only permits a maximum of four dwelling units.

Staff note that since the application was last tabled at the April 2, 2026 Committee of Adjustment Hearing the applicant has provided additional information and the Hamilton Conservation Authority has confirmed that they have no concerns with the Minor Variance approval. Staff note that the applicant as of the time of drafting these comments has not addressed Cultural Heritage Staff concerns.

The following variance(s) are written as requested by the applicant:

1. The construction of a new dormer and an additional 32.0 square metres of Gross floor area shall be permitted whereas the by-law prohibits an expansion of a legally established non-conforming use.

Urban Hamilton Official Plan

The subject property is identified as “Community Node” on Schedule E – Urban Structure and designated “Neighbourhoods” on Schedule E-1 – Urban Land Use Designations of Urban Hamilton Official Plan. Policies E.3.2.1 and E.3.2.3 supports and permits development of full range of residential dwelling types, including apartment buildings with more than four dwelling units. Additionally, Policy F.1.12.9 permits the expansion, enlargement, or change of legal non-complying uses, provided such changes maintain the intent and purpose of the Urban Hamilton Official Plan and the Zoning By-law. The subject property falls within Hamilton Conservation Authority Regulated Area and therefore Policy 3.6.5.11 of Chapter B – Communities applies. The policy requires written consent to be obtained from the applicable Conservation Authority, Hamilton Conservation Authority in this case, for development within hazard lands.

The subject property is not located within a Secondary Plan area, however, it is identified as “UD-3 Dundas Two Zone Floodplain Area” on Map D-1 – Dundas Area Specific Policies, and “UD-5 Land Located to the East and West of the Mixed Use-Medium Density Designation in Downtown Dundas” on Map D-2 – Dundas Area Specific Policies of Volume 3. As such, the policies of Chapter B – Dundas Area Specific Policies (Volume 3) apply to the property. Under Policy 1.0 j) of UD-3, development on the property requires a permit or approval from the Hamilton Conservation Authority.

Hamilton

Policy 1.0 of UD-5 further requires that the area maintain its existing low-rise residential built form and scale, and that any residential infill development reflect the housing forms of adjacent properties.

Staff note that the proposal is for a minor increase in the gross floor area of the existing multiple dwelling through the addition of a dormer. The applicant confirmed that the additional gross floor area does not increase the unit count. In staff's opinion the built form will remain compatible and consistent adjacent low-rise residential built forms. Staff have also confirmed that the Hamilton Conservation Authority have no concern with the Minor Variance approval. Based on the forgoing staff recommend the application be tabled as to address Cultural Heritage Staff concerns.

Archaeology

N/A for retention of existing building and proposed construction on an upper story.

Cultural Heritage

Heritage Planning Staff first provided comments for application A-26:028. It appears that the same architectural package has been submitted with this application.

Cultural Heritage staff recommend this application be tabled as the submitted drawings and description of work do not clearly demonstrate compatibility with the existing built heritage resource. The proposed dormer is difficult to interpret in the elevation drawings and is non-existent in plan. Staff may have additional comments following receipt of a more detailed drawing set that includes the entire front elevation, as well as the proposed colour and materials selected for the dormer and addition. Staff would also appreciate a rendering if available.

Lastly, while this property has yet to be evaluated, staff have noted that it may be a Candidate for Designation. Staff will begin a 9/06 evaluation to determine if the property meets enough criteria for Designation.

Dundas Zoning By-law 3581-86

The subject property is zoned Low Density Residential Zone (R3) under Dundas Zoning By-law 3581-86, which permits a maximum of four dwelling units within a residential building. The property currently contains six dwelling units and is recognized as a legally established non-conforming use. The applicant is seeking approval for an expansion of this legal non-conforming use pursuant to Section 45(2) of the *Planning Act*.

Analysis

Applications under Section 45 (2) of the *Planning Act* are not evaluated using the typical four tests of a Minor Variance outlined under Section 45 (1). The tests used to evaluate an application for the expansion of a legal non-conforming use are:

Hamilton

a) Whether the application is desirable for the appropriate development of the subject property; and,

b) Whether the application will result in undue adverse impacts on the surrounding properties and the neighbourhood.

Variance 1

1. The construction of a new dormer and an additional 32.0 square metres of Gross floor area shall be permitted whereas the by-law prohibits an expansion of a legally established non-conforming use.

The intent of the existing Low Density Residential Zone (R3) is to provide for low density residential development in the form of single detached, semi detached, duplex dwellings, and street townhouse dwellings, as well as the conversion of existing dwellings to contain up to four dwelling units. The existing use (six-plex) is legal non-conforming. Policy F.1.12.9 of the Urban Hamilton Official Plan permits the expansion, enlargement, or change of legal non-complying uses, provided such changes shall maintain the intent and purpose of the Urban Hamilton Official Plan and the Zoning By-law. In Staff's opinion, the proposal maintains the intent and purpose of the Zoning By-law. However, Cultural Heritage staff recommend tabling the application to receive further clarification on the submitted materials to determine if the subject lands are a candidate for heritage designation, as such staff are unable to conclude that the proposal satisfies the test of maintain the intent and purpose of the Official Plan.

Since the application was tabled at the April 2, 2026 hearing, staff have received further clarification on the nature of the addition, which will contain a single bedroom and does not seek to create an additional dwelling unit. Furthermore, the property is located within the Hamilton Conservation Authority regulated areas, and as per policies of the Urban Hamilton Official Plan, the applicant is required to obtain a permit or written approval from Hamilton Conservation Authority. The HCA confirmed they have no concerns with the variance and state a permit may be required.

Policy UD-3 1.0 of Volume 3 regulates development in areas identified as "Dundas Two Zone Floodplain Area" on Map D-1 – Dundas Area Specific Policies. The policy does permit minor renovations/additions to existing buildings used solely for residential purposes in accordance with Hamilton Conservation Authority provided that, in no case, the proposed floor level is lower than the existing ground floor level. Staff note that the HCA has no concerns.

Based on the foregoing, staff recommend that the application **be tabled** to facilitate discussions between cultural heritage staff and the applicant to resolve concerns as it relates to the applicable policies Cultural Heritage Policies of the UHOP.

Hamilton

Zoning:

Recommendation:	Comments Only
Proposed Conditions:	
Comments:	1. Requested variance is required to facilitate an addition to a legal non-conforming apartment building 2. Our records indicate the use to be a Legally Established Non-Conforming Apartment Building containing six (6) dwelling units.
Notes:	

Development Engineering:

Recommendation:	No Comments
Proposed Conditions:	N/A
Comments:	N/A
Notes:	N/A

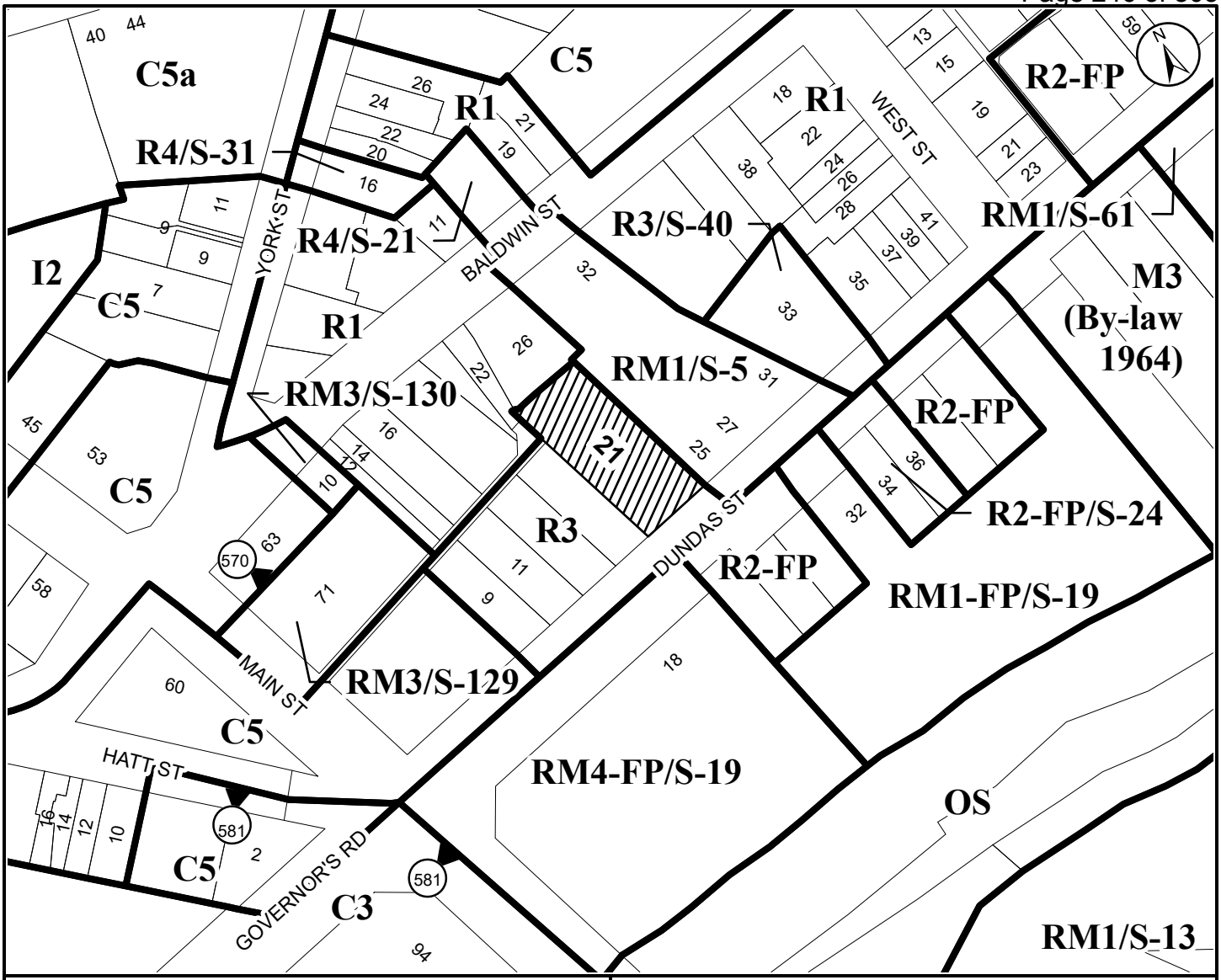
Building Engineering:

Recommendation:	Comments and Conditions/Notes
Proposed Conditions:	
Comments:	
Notes:	Order to Comply 25-201391, dated July 16, 2025 remains outstanding. A building permit is required for the construction of the proposed addition to the existing apartment building. Be advised that Ontario Building Code regulations may require specific setback and construction types.

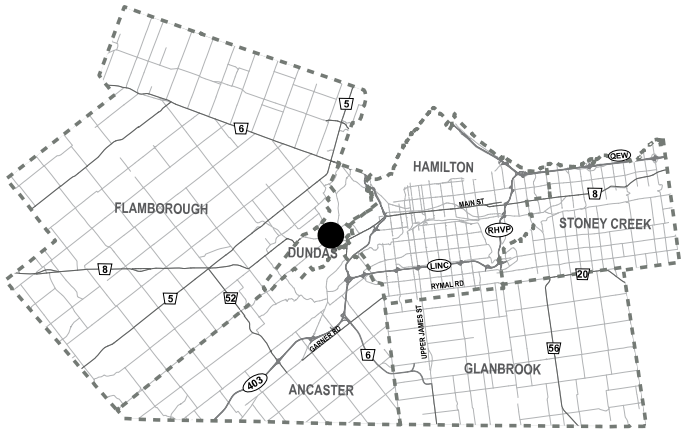
Transportation Planning:

Recommendation:	No Comments
Proposed Conditions:	
Comments:	
Notes:	

Please Note: Public comment will be posted separately, if applicable.



● **Site Location**



City of Hamilton

Committee of Adjustments

Subject Property

21 Dundas Street, Dundas
(Ward 13)

File Name/Number:
A-26:028

Date:
April 15, 2026

Technician:
RS

Scale:
N.T.S.

Appendix "A"

Planning and Economic Development Department

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-25:120	**SUBJECT PROPERTY:**	52 Purnell Drive, Hamilton
ZONE:	Low Density Residential (R1) Zone	**ZONING BY-LAW:**	Hamilton Zoning By-law 05-200

APPLICANTS: Owner: Luigi Lauricella & Sheri Lauricella
Applicant: Jenny Bognar
Agent: Jenny Bognar

The following variances are requested:

1. A minimum setback of 0.4 metres shall be provided from the side lot line instead of the minimum required setback of 1.2 metres from a side lot line.

2. A minimum setback of 2.4 metres shall be provided from the flankage lot line instead of the minimum required setback of 3.0 metres from a flankage lot line.

3. A roof overhang shall be permitted to encroach 0.3 metres into a required yard instead of the maximum permitted encroachment of 0.2 metres (one-half the distance of the required yard).

PURPOSE & EFFECT: To permit the construction of two (2) additions to the existing Single Detached Dwelling.

Notes:

i. A further variance will be required if a single area within the required landscaped area is not maintained for tree protection and/or tree planting which provides a minimum length of 3.75 metres on each side and which does not contain hard landscaping or structures.

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-25:120

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

DATE:	**Thursday, April 30, 2026**
TIME:	**10:35 a.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 April 28, 2026.

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 April 29, 2026.

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding A-25:120, 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-25:120



Subject Lands

DATED: April 13, 2026

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.

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

The following information is required with your written submission:

- Committee of Adjustment file number
- Full name and address of the person providing comments. Anonymous comments will not be accepted.

Comments can also be placed in the drop box which is located at the back of the 1st Floor of City Hall, 71 Main Street West. All written comments received by the deadline 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. To register, email cofa@hamilton.ca with the following information:

- Committee of Adjustment file number
- Hearing date
- Full name and address of the person wishing to speak. Anonymous comments will not be accepted.
- 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.

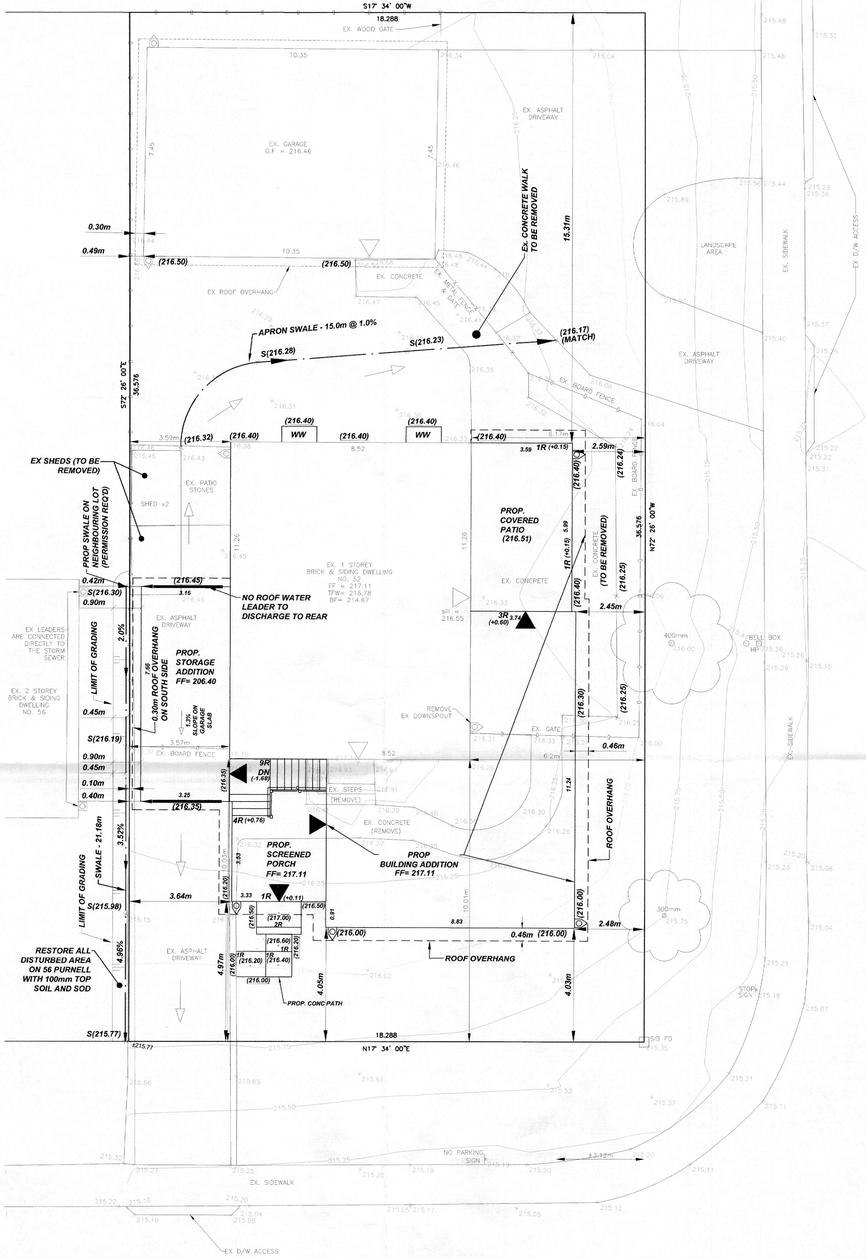
Virtual Presentations:
Presenters participating virtually may be granted permission to share their screen during the Hearing. A copy of the presentation must be submitted to cofa@hamilton.ca **by 12:00 p.m. (noon) on the business day prior to the Hearing.** The submission must be one document in PDF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



DEVELOPMENT STATISTICS			
ADDRESS: 52 PURNELL DRIVE, HAMILTON			
ZONING BY-LAW: 05-200, 24-051 (R1)	MINIMUM / MAXIMUM	PROVIDED	OK
MINIMUM LOT AREA:	360.0 sq.m (min)	668.9sq.m	✓
MINIMUM LOT WIDTH:	12.0m (min)	18.3m	✓
MINIMUM SETBACK FROM THE FRONT LOT LINE:	4.0m (max)	4.03m	✓
MINIMUM SETBACK FROM A SIDE LOT LINE:	1.2m (min)	0.40m	✳
MINIMUM SETBACK FROM A FLANKAGE LOT LINE:	3.0m (min)	2.45m	✳
MINIMUM SETBACK FROM THE REAR LOT LINE:	7.5m (min)	15.31m	✓
MAXIMUM BUILDING HEIGHT:	10.5m (max)	5.27m	✓
MINIMUM LANDSCAPED AREA (FRONT,57.35 SQM/74.02 SQM):	50% (min)	77.5%	✓
MINIMUM LANDSCAPED AREA (FLANKAGE,28.32 SQM/42.02 SQM):	50% (min)	66.3%	✓
MINIMUM LANDSCAPED AREA:	30% (min)	30.3%	✓

✳ =MINOR VARIANCE REQUIRED

LEGEND

- ×100.50 EXISTING ELEVATION
- ×±100.00 EXISTING ELEVATION (CALCULATED)
- 0.00% EXISTING SLOPE
- ×(100.00) PROPOSED ELEVATION
- (100.00) PROPOSED APRON ELEVATION
- ×S(100.00) PROPOSED SWALE ELEVATION
- 0.00% PROPOSED SLOPE
- EXISTING DOWNSPOUT
- PROPOSED DOWNSPOUT
- PROPOSED SWALE
- PROPOSED SILT FENCE
- PROPOSED ENTRANCE LOCATION
- SP PROPOSED SUMP PUMP

GRADING PERMISSION

I, Kim Johnson am the current owner of [redacted] in the City of Hamilton.
(Print Name)

I have reviewed the information contained on this plan and have no objection to the completion of the shared swale along the south limit of my property as described this Grading Plan.

[redacted] March 26 2026
Signature Date

GENERAL GRADING NOTES:

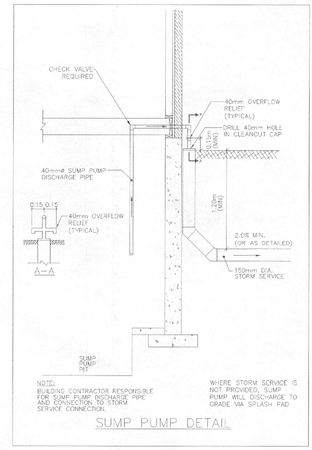
1. MATCH EXISTING GRADE AT PROPERTY / DEVELOPMENT LIMITS WITH SODDED SLOPES OF MAXIMUM 3:1 AND/OR RETAINING WALLS AS SPECIFIED.
2. SLOPES OF SWALES FOR BOTH "BACK-TO-FRONT" AND "SPLIT" DRAINAGE SHALL BE NO LESS THAN 2.0% AND NO GREATER THAN 33% (3:1).
3. MINIMUM GRADE FOR APRON "WRAP-AROUND" SWALE AT THE REAR OF THE UNIT SHALL BE 1.0%.
4. WHEN MATCHING TO EXISTING GRADE AT THE LIMITS OF THE DEVELOPMENT / PROPERTY WHERE 2.0% SLOPE CANNOT BE REASONABLY ACHIEVED A 1.5% GRADE IS PERMITTED PROVIDED A 150MM SUB-DRAIN IS INSTALLED WITH THE SWALE AS PER RD-121 AND CONNECTED TO A SUITABLE OUTLET.
5. DRIVEWAY SLOPES SHALL NOT BE LESS THAN 2.0% AND SHALL NOT BE MORE THAN 7.0%. REVERSED SLOPED DRIVEWAYS ARE NOT ALLOWED FOR ANY NEW CONSTRUCTION.
6. GARAGE FLOOR ELEVATION SHALL BE SET A MINIMUM OF 0.30M HIGHER THAN THE BACK OF WALK, UNLESS OTHERWISE SPECIFIED.
7. THE TOP OF FOUNDATION WALL FOR THE DWELLING UNIT SHALL BE A MINIMUM 150MM (6") ABOVE FINISHED GRADE.
8. UNLESS OTHERWISE NOTED, THE GROUND BETWEEN PROPOSED ELEVATIONS SHALL BE GRADED AS A STRAIGHT LINE.
9. IF GRADING IS REQUIRED ON LANDS ADJACENT TO THE PROPERTY / DEVELOPMENT WHICH ARE NOT OWNED BY THE DEVELOPER, THEN THE DEVELOPER MUST OBTAIN WRITTEN PERMISSION FROM THE ADJACENT PROPERTY OWNER, OTHERWISE RETAINING WALLS MUST BE USED.
10. ALL RETAINING WALLS SHALL BE PLACED A MINIMUM 0.45M FROM PROPERTY LINES.
11. ANY WALL OF GREATER HEIGHT THAN 1.0M MUST BE DESIGNED BY A PROFESSIONAL ENGINEER.
12. TOP OF RETAINING WALL ELEVATIONS SHALL BE SET A MINIMUM OF 150MM ABOVE THE PROPOSED SIDE-YARD SWALES.
13. RETAINING WALLS 0.60M AND HIGHER REQUIRE CONSTRUCTION OF A FENCE OR GUARD RAIL AT THE TOP OF THE REAR OF THE WALL. SUCH FENCES OR GUARD RAILS SHALL BE DESIGNED AND CONSTRUCTED IN ACCORDANCE WITH THE REQUIREMENTS OF THE ONTARIO BUILDING CODE.
14. ALL FILL COMPACTED ON THE LOT(S) SHALL BE COMPACTED TO A MINIMUM 95% SPD (UNLESS OTHERWISE RECOMMENDED BY A GEOTECHNICAL ENGINEER). MATERIALS SHALL BE PLACED IN LIFTS NOT EXCEEDING 300MM DEPTH.
15. FOR DELINEATION OF TREE PROTECTION ZONES, BUFFERS, REMOVALS, AND PROTECTION SCHEMATICS REFER TO THE TREE PROTECTION PLAN (IF APPLICABLE).

BACKYARD GRADING NOTES:

1. "REQUIRED BACKYARD" SHALL BE A MINIMUM OF 6.0 METRES UNLESS OTHERWISE DEFINED IN THE APPLICABLE ZONING BY-LAW.
2. THE MAXIMUM SLOPE IN THE BACKYARD ADJACENT TO THE BUILDING FOR A DISTANCE EQUAL TO THE REQUIRED BACKYARD SHALL BE 5% EXCEPT FOR SIDE OR REAR YARD SWALES AND RETAINING WALLS.
3. WHERE THE 5% RESTRICTION ON THE BACKYARD'S GRADES RESULTS IN ELEVATION DIFFERENCES BETWEEN ADJACENT PROPERTIES, RETAINING WALL SHALL BE CONSTRUCTED ALONG THE SIDES AND BACK OF THE LOT.
4. GENERALLY, SLOPES SHALL BE PLACED ON THE LOWER LOT, WHEREAS RETAINING WALLS SHALL BE PLACED ON THE HIGHER LANDS.
5. THE 5% RESTRICTION DOES NOT PRECLUDE RETAINING WALLS IN THE REQUIRED BACKYARDS PROVIDING THE TERRACES ARE MAINTAINED TO THE 5% GRADE AS SET OUT ABOVE. THE INTENTION OF THIS PROVISION IS TO PROVIDE FOR FLEXIBILITY OF HOUSE CONSTRUCTION.
6. BACK TO FRONT DRAINAGE SHALL ONLY BE PERMITTED WHERE THE COMBINED SIDE YARD SETBACK IS 2.0m OR MORE, PROVIDING A MINIMUM OF 2.0m BETWEEN FOUNDATION WALLS FOR DRAINAGE SWALES. A 1.2m SETBACK IS REQUIRED ON THE GARAGE SIDE OF THE LOT.

SILTATION AND EROSION CONTROL NOTES:

1. SILTATION CONTROL BARRIERS SHALL BE PLACED AS DETAILED ON THE PLAN ACCORDING TO OPSD 219.110 (SEE DETAIL ON THIS SHEET).
2. ALL SILTATION CONTROL MEASURES SHALL BE CLEANED AND MAINTAINED AFTER EACH RAINFALL EVENT TO THE SATISFACTION OF THE CITY OF HAMILTON.
3. CATCH BASIN SEDIMENT CONTROL DEVICES SHALL BE SILTSACK BY ACF ENVIRONMENTAL OR APPROVED EQUIVALENT, TO BE PLACED AS PER THE MANUFACTURER'S RECOMMENDATIONS (IF APPLICABLE).
4. ADDITIONAL SILTATION CONTROL MEASURES MAY BE REQUIRED AS PER FIELD CONDITIONS AS DETERMINED BY THE CITY.



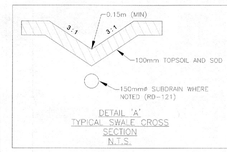
SUMP PUMP DETAIL

ROOFWATER LEADERS/SUMP PUMPS

ALL ROOFWATER LEADERS SHALL DISCHARGE ONTO SPLASH PADS AND THEN TO GRASSED OR LANDSCAPED AREAS A MIN. OF 0.6M FROM THE BUILDING FACE.
SUMP PUMPS WITH CHECK VALVES ARE TO BE INSTALLED IN EACH DWELLING TO PUMP THE WEEPING TILES TO THE STORM PRIVATE DRAIN. THE SUMP OUTLET SHALL EXTEND A MINIMUM OF 150mm ABOVE THE PROPOSED GRADE AT THE DWELLING (BASEMENT CEILING) PRIOR TO DISCHARGING TO THE STORM PRIVATE DRAIN

FOUNDATION DRAINS

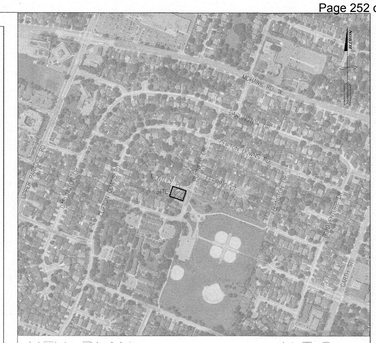
WEEPING TILES SHALL DRAIN TO SUMP PIT AND BE PUMPED TO STORM SEWER VIA PUMP SUMP WITH BACK-FLOW PREVENTOR (SEE DETAIL). MIN ½ HP PUMP WITH BACK-UP POWER REQUIRED.



DETAIL 'A'
TYPICAL SWALE CROSS SECTION
N.T.S.

NOTES:

1. LOCATIONS OF UNDERGROUND SERVICES ARE APPROXIMATE AND MUST BE FIELD VERIFIED PRIOR TO CONSTRUCTION.
2. ANY DISCREPANCIES BETWEEN SERVICE LOCATIONS AND THESE ENGINEERING DRAWINGS MUST BE BROUGHT TO THE ATTENTION OF THE PROJECT ENGINEER.



KEY PLAN N.T.S.

BENCHMARK NOTE:

ELEVATION = 214.006m

DESCRIPTION: B.M No. 713WEST FACE OF BRICK HOUSE #517 ON THE SOUTH SIDE OF MOHAWK RD., SOUTH EAST CORNER MOHAWK & ASHTON RD.. PLAQUE IS SET IN THE 2ND ROW OF BLOCKS FROM THE TOP OF THE FOUNDATION, TWO BLOCKS SOUTH OF THE NORTH WEST CORNER OF THE HOUSE.

SITE BENCHMARK :

ELEVATION = 215.02m

EXISTING SANITARY MANHOLE TOP GRATE TO THE NORTH EAST OF THE SITE AS INDICATED ON THE PLAN.

GENERAL NOTES:

1. TENDERER SHALL SATISFY THEMSELVES AS TO THE NATURE OF THE GROUND AND BID ACCORDINGLY.
2. ALL ROCK LINE INDICATIONS SHOWN ON THE PLAN MUST BE VERIFIED BY THE CONTRACTOR.
3. CONTRACTOR SHALL VERIFY LOCATIONS AND INVERTS OF ALL EXISTING SANITARY AND STORM SEWERS AND WATERMAINS, PRIVATE DRAINS AND WATER SERVICES, GAS MAINS, CABLE TV, HYDRO AND TELEPHONE DUCTS ETC AT START OF CONSTRUCTION.

NO:	DATE:	DESCRIPTION:
6	2026-03-12	UPDATED PER REVISED BUILDING PLANS
5	2025-11-18	ISSUED FOR MINOR VARIANCE REVIEW
4	2025-10-22	REVISED PER UPDATED SITE PLAN
3	2025-07-28	LANDSCAPING CALCULATIONS
2	2025-06-17	ISSUED FOR BUILDING PERMIT SUBMISSION
1	2025-03-24	FIRST SUBMISSION

REVISIONS

NORTH

LICENSED PROFESSIONAL ENGINEER
A. P. SMITH
100193971
2026-03-26
PROVINCE OF ONTARIO

SEAL

LandSmith ENGINEERING & CONSULTING LTD.
LANDSMITH ENGINEERING & CONSULTING LTD.
1059 UPPER JAMES STREET, SUITE 207
HAMILTON, ON L9C 3A6
ANDREW@LANDSMITHEC.COM
289-309-3632

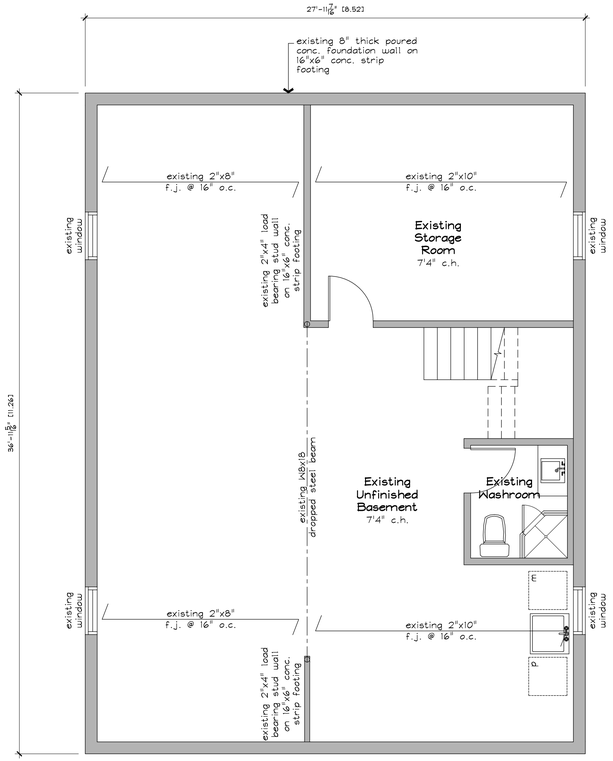
CLIENT:
LUIGI LAURICELLA

MUNICIPALITY:
CITY OF HAMILTON

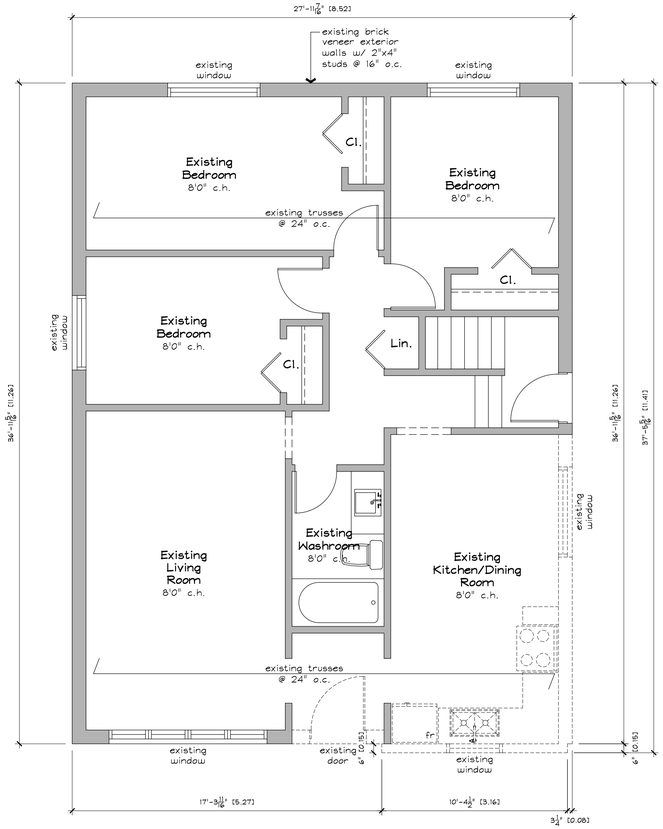
PROJECT NAME:
52 PURNELL DR.

TITLE:
GRADING PLAN

SCALE: 1:100	DATE: 2025-03-17
CHECKED BY: AS	DESIGNED BY: CJ
DWG No: 25007.AU	SHEET No: G1



1 / A1 EXIST. BASEMENT PLAN
1/4" = 1'-0"



1 / A1 EXIST. FIRST FLOOR PLAN
1/4" = 1'-0"

THE LAURICELLA RESIDENCE
52 PURNELL DRIVE
HAMILTON, ON
L9C 4Y3

drafting + design
■ 193 East 43rd Street ■
■ Hamilton, ON ■ L8T 3C3 ■
■ jbdraftinganddesign@live.ca ■
■ 905.517.6027 ■

FOR MINOR VARIANCE
03.27.26 signature required

Jennifer Bognar reviews and takes responsibility for the design work described in this document
firm bcin 103416 ■ individual bcin 33001

DATE	ISSUE DESCRIPTION
11.20.24	ISSUED FOR REVIEW
01.16.25	ISSUED FOR REVIEW
02.18.25	ISSUED FOR REVIEW
03.18.25	ISSUED FOR REVIEW
06.15.25	ISSUED FOR MV
10.22.25	ISSUED FOR MV CONSULT
02.11.26	ISSUED FOR REVIEW
03.04.26	ISSUED FOR REVIEW
03.04.26	ISSUED FOR REVIEW
03.27.26	RE-ISSUED FOR MV

ALL DIMENSIONS AND INFORMATION SHOWN ON THESE DRAWINGS MUST BE CHECKED AND VERIFIED ON SITE AND ANY DISCREPANCIES REPORTED TO THE DESIGNER PRIOR TO COMMENCEMENT OF CONSTRUCTION. IF CONDITIONS, DIMENSIONS, DETAILS, MATERIALS OR SERVICES BE FOUND TO VARY FROM THAT INDICATED ON THE DRAWINGS, THE DESIGNER MUST BE NOTIFIED IMMEDIATELY. THE DESIGNER IS NOT LIABLE FOR ANY CHANGES MADE BY THE CONTRACTOR WITHOUT THE DESIGNERS KNOWLEDGE AND PERMISSION.

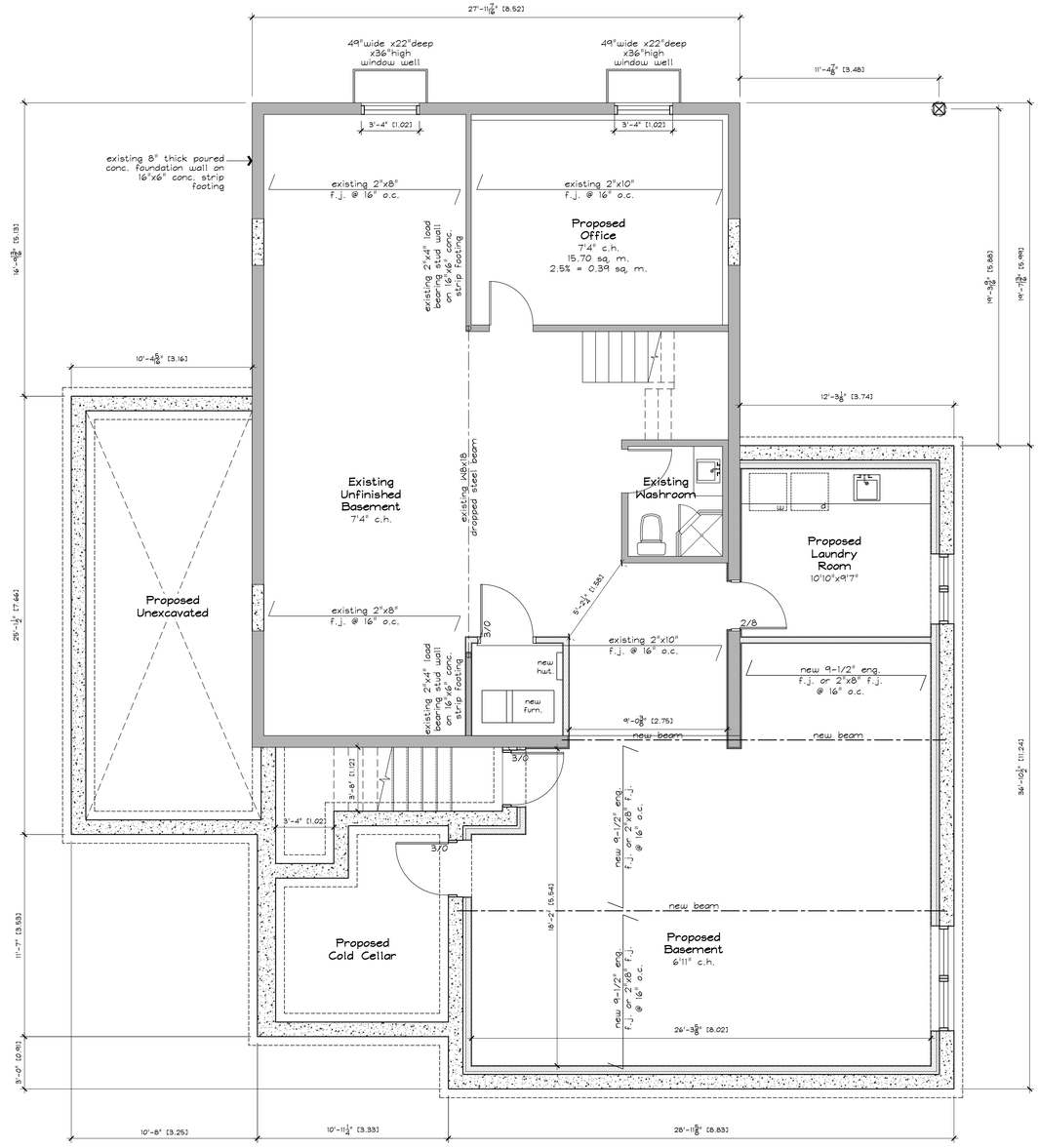
FEATURES OF CONSTRUCTION NOT FULLY SHOWN ARE ASSUMED TO BE THE SAME CHARACTER AS THOSE NOTED FOR SIMILAR CONDITIONS.

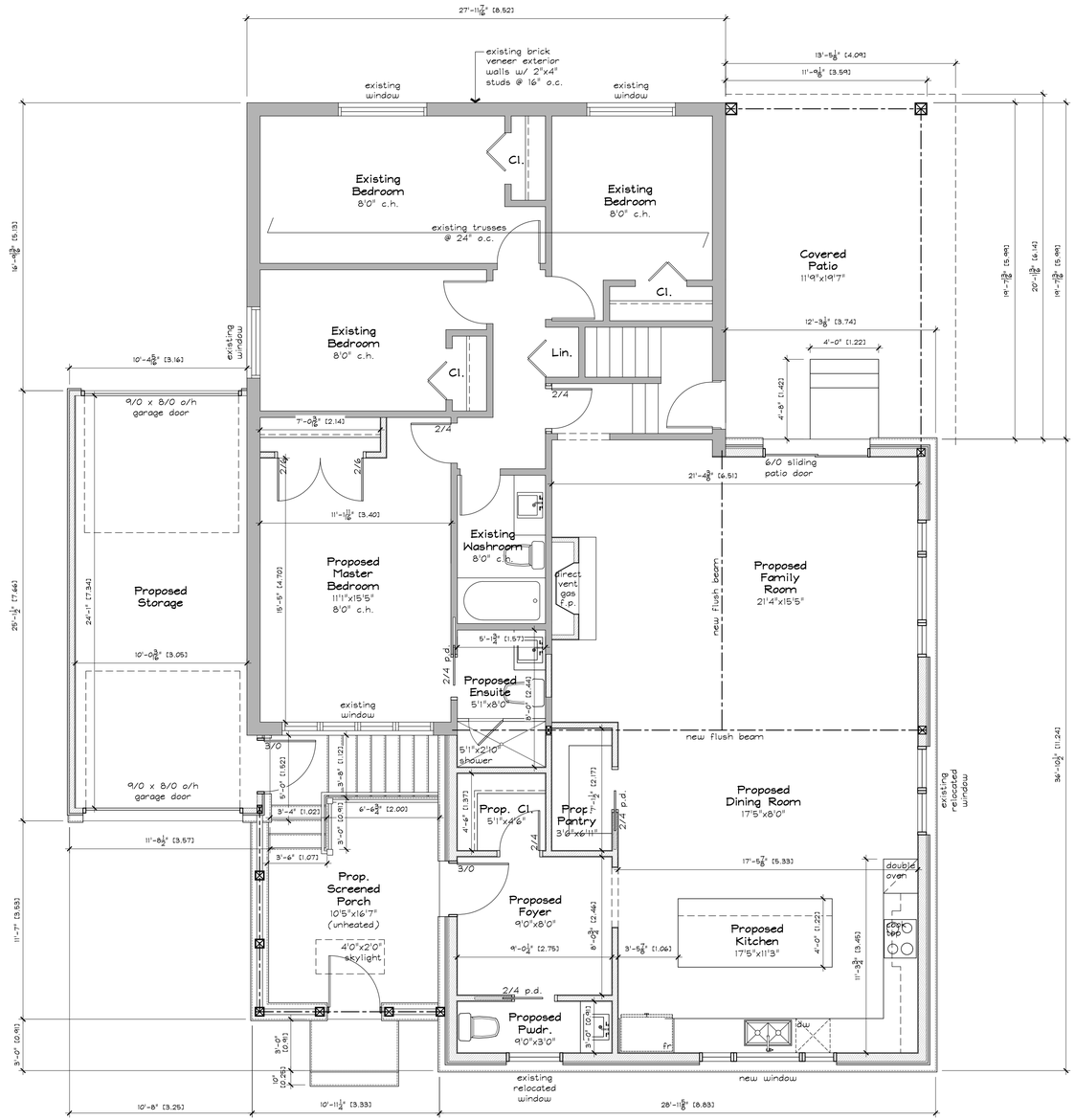
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ALL DRAWINGS AND RELATED DOCUMENTS SHALL REMAIN THE PROPERTY AND COPYRIGHT OF JB DRAFTING AND DESIGN. USE LATEST REVISED DRAWINGS. DO NOT SCALE DRAWINGS.

EXISTING FLOOR PLANS

SHEET A1 OF 4


27'-11 7/16" [8.521]
49"wide x22"deep x36"high window well
49"wide x22"deep x36"high window well
11'-4 7/8" [3.483]
3'-4" [1.023]
3'-4" [1.023]
existing 8" thick poured conc. foundation wall on 16"x6" conc. strip footing
existing 2"x8" f.j. @ 16" o.c.
existing 2"x10" f.j. @ 16" o.c.
existing 2"x4" load bearing stud wall on 16"x6" conc. strip footing
Proposed Office
7'4" c.h.
15.70 sq. m.
2.5% = 0.39 sq. m.
16'-4 29/32" [5.131]
19'-3 31/32" [5.885]
19'-7 7/32" [5.981]
10'-4 23/32" [3.163]
12'-3 1/4" [3.741]
existing 2"x8" f.j. @ 16" o.c.
existing 2"x10" f.j. @ 16" o.c.
existing 2"x4" load bearing stud wall on 16"x6" conc. strip footing
existing 2"x8" f.j. @ 16" o.c.
existing 2"x10" f.j. @ 16" o.c.
new 9-1/2" eng. f.j. or 2"x8" f.j. @ 16" o.c.



Existing Floor Area: 1032.58 sq. ft. (95.93 sq. m.)
Proposed Addition Area (including front porch): 1227.09 sq. ft. (114.00 sq. m.)
Proposed Rear Covered Patio Area: 180.84 sq. ft. (16.80 sq. m.)

1 / A3 PROPOSED FIRST FLOOR PLAN
1/4" = 1'-0"

THE LAURICELLA RESIDENCE
52 PURNELL DRIVE
HAMILTON, ON
L9C 4Y3

drafting + design
■ 193 East 43rd Street ■
■ Hamilton, ON ■ L8T 3C3 ■
■ jbdraftingandesign@live.ca ■
■ 905.517.6027 ■

FOR MINOR VARIANCE
03.27.26 signature required

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02.16.25	ISSUED FOR REVIEW
03.18.25	ISSUED FOR REVIEW
06.12.25	ISSUED FOR MV
10.14.25	ISSUED FOR MV CONSULT
03.01.26	ISSUED FOR MV
03.04.26	ISSUED FOR REVIEW
03.05.26	ISSUED FOR REVIEW
03.27.26	RE-ISSUED FOR MV

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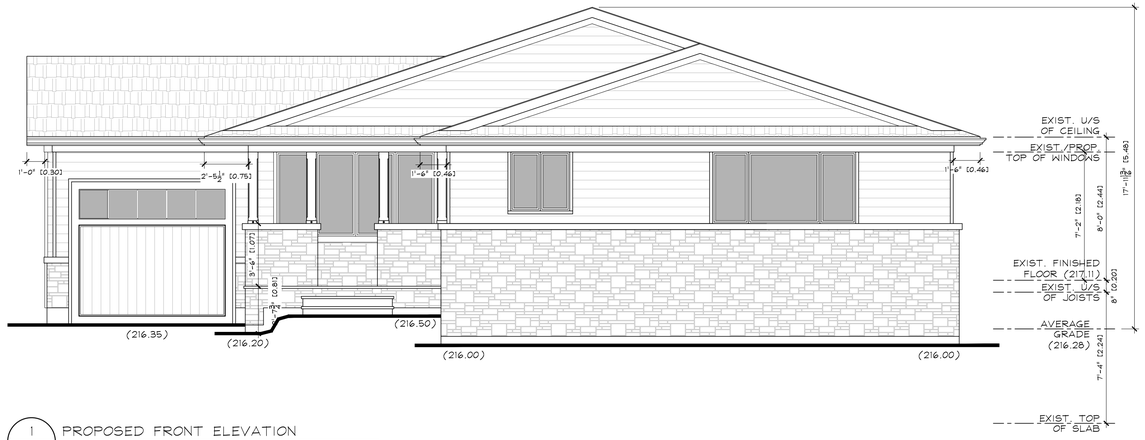
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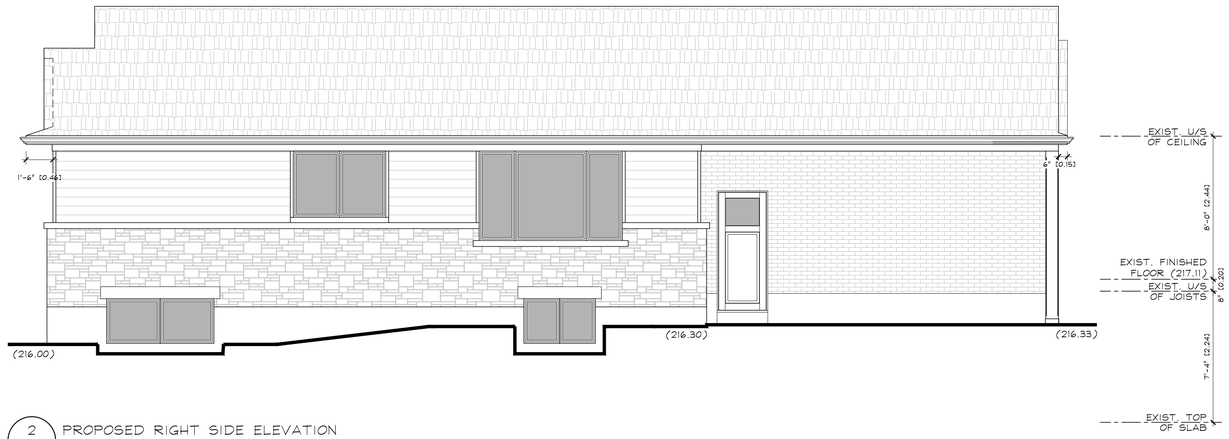
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PROPOSED FIRST FLOOR PLAN

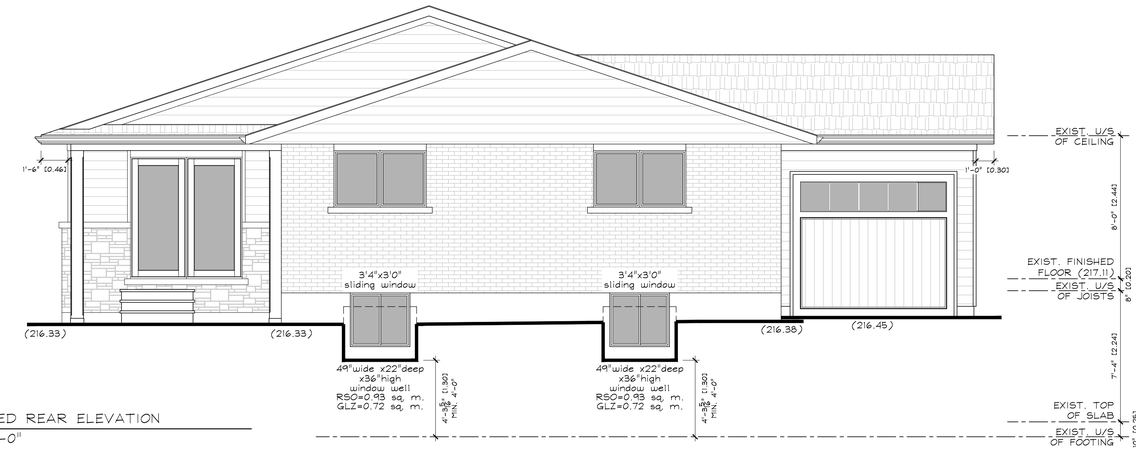
SHEET A3 OF 4



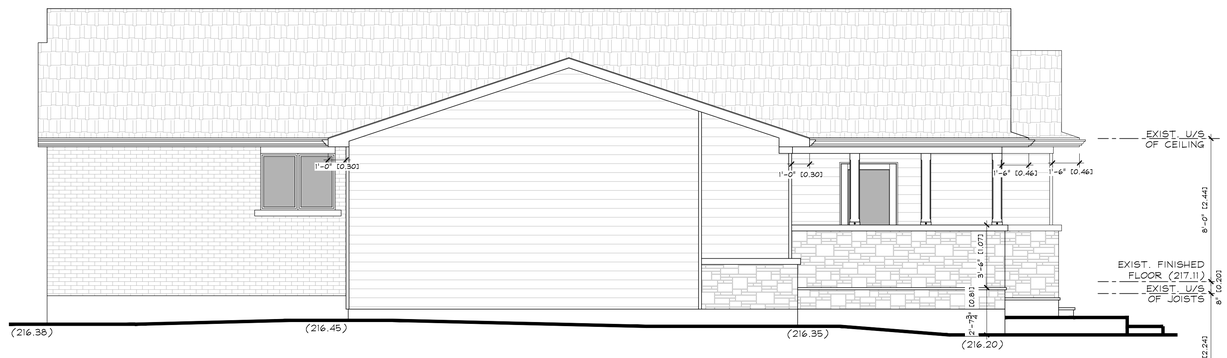
1 A4 PROPOSED FRONT ELEVATION
1/4" = 1'-0"



2 A4 PROPOSED RIGHT SIDE ELEVATION
1/4" = 1'-0"



3 A4 PROPOSED REAR ELEVATION
1/4" = 1'-0"



4 A4 PROPOSED LEFT SIDE ELEVATION
1/4" = 1'-0"

THE LAURICELLA RESIDENCE
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FOR MINOR VARIANCE
03.27.26 signature required

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firm bcin 103416 ■ individual bcin 33001

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02.18.25	ISSUED FOR REVIEW
08.08.25	ISSUED FOR REVIEW
10.22.25	ISSUED FOR MV CONSULT
01.21.26	ISSUED FOR REVIEW
03.04.26	ISSUED FOR REVIEW
03.03.26	ISSUED FOR REVIEW
03.27.26	RE ISSUED FOR MV

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PROPOSED ELEVATIONS

SHEET A4 OF 4

Minor Variance Application – Re-Submission After Deferral

Project: 52 Purnell Drive

To whom it may concern,

We are kindly requesting consideration for a number of minor variances to facilitate the construction of an addition to the existing single-family dwelling.

Variances Required

1. To permit a flankage yard setback of 2.45m. instead of the required 3.0m. for a proposed 1 story addition.

The homeowner requires more living space for their growing kids. They are outgrowing the 3 small bedrooms they currently have and would like to ensure all living spaces are on the main level so they can stay in this house as they age and be close to their kids and the living space while they're small.

We feel this reduced setback will have very little impact on Bentley Place street as there is an extra large boulevard of 5.0m on this side. We have also met the required front yard setback which ensures great visibility from the corner of Bentley Place and Purnell Drive.

2. To permit a South side lot line of 0.40m. instead of the required 1.20m. for a proposed 1 story addition.

The variance requested with the first submission was 0.33m. to the side yard. After the first meeting we met with staff (from planning and site engineering) on site to discuss the changes and what setbacks they could support. After lengthy discussions it was agreed upon that the 0.40m. side yard setback would be sufficient for accessibility on the side of the addition. The existing detached garage has roughly the same setback and it was shown that the side of the structure is easily accessible.

The neighbouring property owner has signed a letter in support of this addition (see below) and is more than happy to have their property accessed when needed to ensure everything is built and graded appropriately. They have also signed the proposed site plan to show that they are in agreement with the shared swale that is being proposed, which was a condition set by the site engineering department.

3. To permit a 0.10m. eave setback instead of the required encroachment of one-half the width of the required interior side yard.

We have ensured that the roof overhang does not encroach the full width of the proposed side yard. The overhang does follow the roof line and does not present any obstructions from an accessibility standpoint and will not have any negative impacts on the neighboring property.

We feel we have worked with staff to address their major concerns from our first proposal and are happy to come back to the table with a revised plan that we hope will please everyone. We have reduced the number of variances from 4 to 3 and have also reduced the severity of 2 of the remaining 3 variances.

Overall, we feel these additions are in keeping with the neighborhood and surrounding homes and poses no negative impact to the streetscape or neighbors.

We appreciate your time and consideration in this manner.

June 1, 2025

To Whom it May Concern,

This letter is to acknowledge our support of the proposed plans to the property of 52 Purnell Drive, Hamilton ON.

Luigi and Sheri Lauricella have been our next door neighbours since the summer of 2012. They have personally discussed their intention of putting an addition onto the house and placement of a side garage that would sit between our houses. The area in question is already fully hardscaped from the previous owners and to date, we have not had any issues with water pooling or drainage in our side yard. Also, they have identified that should this be approved, they may require access to our property to excavate and we are ok with this as well.

In addition, we appreciate the fact that they have opted not to push out a proposed garage/addition and rather set it back between the houses so as not to impede our view when we sit on our front porch.

To reiterate, we are in support of their proposed plans.

Thank you,

[redacted]

June 3, 2025

Don and Kim Jonnson

[redacted]

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)	Luigi Lauricella & Sheri Lauricella (nee Spolnik)	[redacted]
Applicant(s)	Jenny Bognar	
Agent or Solicitor	As per applicant	

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	52 Purnell Drive		
Assessment Roll Number			
Former Municipality	Hamilton		
Lot	83	Concession	
Registered Plan Number	M-29	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:

Part 99 Plan WHR 58 4' Easement (off rear property line)

3. PURPOSE OF THE APPLICATION

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

All dimensions in the application form are to be provided in metric units (millimetres, metres, hectares, etc.)

3.1 Nature and extent of relief applied for:

See attached

☐ Second Dwelling Unit ☐ Reconstruction of Existing Dwelling

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

See attached

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

☐ Yes ☑ No

If yes, please provide an explanation:

4. DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

4.1 Dimensions of Subject Lands:

Lot Frontage	Lot Depth	Lot Area	Width of Street
18.288 m.	36.576 m.	668.90 sq. m.	20.0 m.

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

Existing:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Existing Dwelling	10.01 m.	15.28 m.	6.17 m./3.57 m.	1980's appr.
Existing Detached Garage	n/a	1.22 m.	0.61 m./7.32 m.	2020

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Dwelling Additions	4.03 m.	16.75 m.	2.45 m./0.40 m.	ASAP

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 Dwelling	95.93 sq. m.	95.93 sq. m.	1	4.69 m.
Existing Detached Garage	77.06 sq. m.	77.06 sq. m.	1	4.5 m.

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Dwelling w/ Additions	209.93 sq. m.	209.93 sq. m.	1	5.48 m.
including front porch				

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 dwellings

7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:
August 15, 2012

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

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

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

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.
See attached

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: 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

_____

_____

STAFF COMMENTS

HEARING DATE: April 30, 2026

Hamilton

A-25:120 — 52 Purnell Drive, Hamilton

Recommendation:

Deny — Development Engineering
Approve — Development Planning

Proposed Conditions:

Proposed Notes:

Please note that, if written permission can be obtained from neighbour (56 Purnell Dr) to accommodate a shared swale (0.45m from both properties) Development Engineering would not object to variance 1 being approved. (Development Engineering)

A building permit is required for the construction of the proposed addition to the existing single family dwelling. (Building Engineering)

Be advised that Ontario Building Code regulations may require specific setback and construction types. (Building Engineering)

Hamilton

Development Planning:

Background
The purpose of Minor Variance application A-25:120 is to permit the construction of an addition to the existing dwelling.

Staff note this application was originally tabled at the August 14, 2025, Committee of Adjustment meeting. Development Planning and Development Engineering staff met with the applicant on site and discussed revisions to the proposal as described below.

Analysis

Urban Hamilton Official Plan
The subject property is designated “Neighbourhoods” on Schedule E and Schedule E-1 of the Urban Hamilton Official Plan. Policy E.3.4.3, amongst others, is applicable and permits the existing single detached dwelling.

Gilbert Neighbourhood Plan The subject lands are identified as “Single and Double” on Map 7102 of the Gilbert Neighbourhood Plan.

City of Hamilton Zoning By-law No. 05-200
The subject lands are zoned Low Density Residential (R1) Zone in City of Hamilton Zoning By-law No. 05-200. The existing single detached dwelling is a permitted use.

Variances 1 and 2
1. A minimum setback of 0.4 metres shall be provided from the interior side lot line instead of the minimum required setback of 1.2 metres from a side lot line.

2. A minimum setback of 2.4 metres shall be provided from the flankage lot line instead of the minimum required setback of 3.0 metres from a flankage lot line.

The intent of these provisions is to ensure that sufficient separation is provided between the dwelling and the side lot line in order to prevent or mitigate potential drainage and privacy impacts on the residents and neighbouring properties and maintain the streetscape from the flankage lot line. Development Planning staff defer all drainage concerns to Development Engineering.

Staff note that 0.4 metres is consistent with the southerly side yard setback of the existing detached garage. The proposed setback was revised from 0.3 metres to 0.4 metres after discussions between staff and the applicant.

Hamilton

Staff are of the opinion that Variance 1 maintains the general intent and purpose of the Urban Hamilton Official Plan and Zoning By-law, is desirable for the appropriate use of the land, and is minor in nature. Provided Development Engineering has no concerns, staff support the variance.

In regards to Variance 2, Staff note that the proposed 2.4 metre setback from the flankage lot line is a sufficient distance to the street to mitigate privacy concerns for the residents and maintain the streetscape.

Staff are of the opinion that the requested Variance 2 maintains the general intent and purpose of the Urban Hamilton Official Plan and Zoning By-law, is desirable for the appropriate use of the land, and is minor in nature. Staff supports the variance.

Variance 3

3. A roof overhang shall be permitted to encroach 0.3 metres into a required yard instead of the maximum permitted encroachment of 0.2 metres (one half the distance of the required yard).

The intent of these provisions is to ensure that sufficient separation is provided between the dwelling and the side lot line in order to prevent or mitigate potential water runoff on neighbouring properties. Staff defer all drainage concerns to Development Engineering.

Staff note the proposed roof overhang will remain within the bounds of the subject property and the site plan submitted with this application indicates that runoff from the roof addition is to discharge to the rear of the property, away from the side lot line.

Staff are of the opinion that Variance 3 maintains the general intent and purpose of the Urban Hamilton Official Plan and Zoning By-law, is desirable for the appropriate use of the land, and is minor in nature. Provided Development Engineering has no concerns, staff support the variance.

Based on the foregoing, staff are of the opinion that the requested variances meet the four tests of a minor variance. **Staff recommends approval.**

Zoning:

Recommendation:	Comments Only
Proposed Conditions:	
Comments:	1. A further variance will be required if a single area within the required landscaped area is not maintained for tree protection and/or tree planting which provides a minimum length of 3.75 metres on each side and which does not contain hard landscaping or structures.
Notes:	

STAFF COMMENTS

HEARING DATE: April 30, 2026

Hamilton

Development Engineering:

Recommendation:	Deny
Proposed Conditions:	N/A
Comments:	Variance 1 should be denied, as the proposed side yard setback of 0.4 m does not accommodate the installation of a side yard swale. A minimum setback of 0.90 m is required.
Notes:	Please note that, if written permission can be obtained from neighbour (56 Purnell Dr) to accommodate a shared swale (0.45m from both properties) Development Engineering would not object to variance 1 being approved.

Building Engineering:

Recommendation:	Comments and Conditions/Notes
Proposed Conditions:	
Comments:	
Notes:	A building permit is required for the construction of the proposed addition to the existing single family dwelling. Be advised that Ontario Building Code regulations may require specific setback and construction types.

Transportation Planning:

Recommendation:	No Comments
Proposed Conditions:	
Comments:	
Notes:	

Please Note: Public comment will be posted separately, if applicable.

From: Network Info <network.info@alectrautilities.com>
Sent: Friday, April 24, 2026 8:29 AM
To: Committee of adjustment
Subject: RE: April 30, 2026 - COA - Response
Attachments: CLR2026-054_52 Purnell Dr.pdf; April 30, 2026 Agenda - FINAL.docx

Categories: April 30

External Email: Use caution with links and attachments.

Good morning,

Please see our response attached for 52 Purnell Dr. *Conflict exists.

Alectra Utilities has no comment/objection for the remaining applications in our service area on the agenda.

Regards,

Samantha Burke
ICI & Layouts
55 John Street North, Hamilton, ON, L8R 3M8
t 905.798.2971
alectrautilities.com

alectra utilities
Discover the possibilities

April 22, 2026

City of Hamilton
Planning and Economic Development Department
71 Main St W
Hamilton, Ontario
L8P 4Y5

Attention: Committee of Adjustment

File# A-25:120

Re: 52 Purnell Dr

In response to your correspondence dated April 13, 2026, please be advised that our Engineering Design Department has reviewed the information concerning the above noted Consent Application and our comments are as follows:

- For Residential/Commercial electrical service requirements, the Developer needs to contact our ICI and Layouts Department at 905-798-2634 or 289-748-6342 or visit our web site @ www.alectrautilities.com. To make a service request, Make a Service Request | Alectra Utilities
- Relocation, modification, or removal of any existing hydro facilities shall be at the owner's expense. Please contact Alectra Utilities to facilitate this.
- Developers shall be responsible for the cost of civil work associated with duct structures, transformer foundations, and all related distribution equipment.
- In order for Alectra Utilities to prepare design and procure the materials required to service this site in a timely manner, a minimum of 6 months notification is required. It would be advantages for the developer if Alectra Utilities were contacted at the stage where the new site plan becomes available. Please note that it takes approximately 36-52 weeks to purchase a transformer.
- **Proposed full side addition is in conflict with existing U/G secondary service duct/conductor and meter location. Contact our ICI Group at contact information provided above, to discuss service upgrade and relocation options.**

We would also like to stipulate the following:

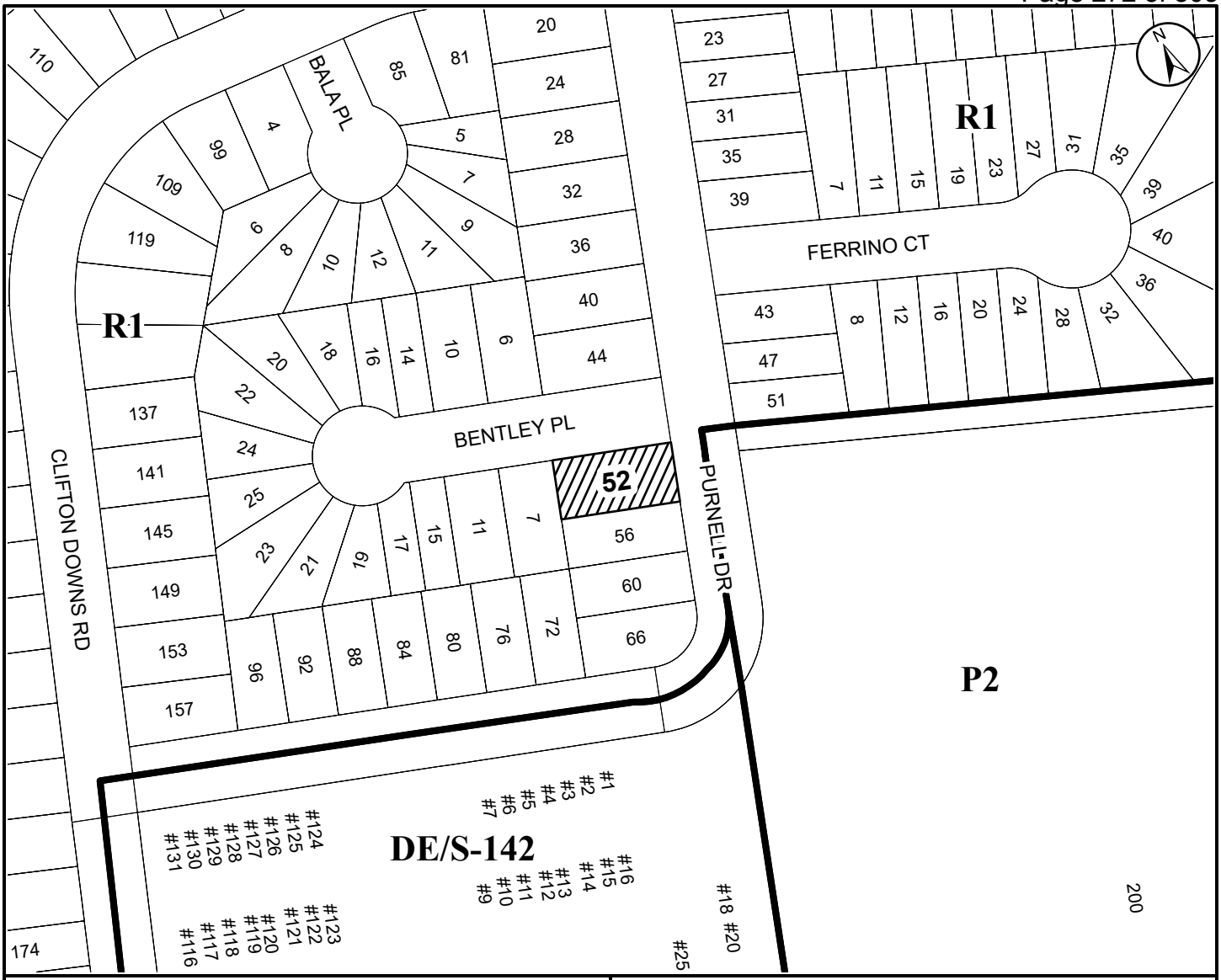
- Do not excavate within two metres of hydro poles and anchors.
- Excavation within one metre of underground hydro plant is not permitted unless approval is granted by an Alectra Utilities respresentative and is present to provide direct supervision. Cost associated with this task shall be at the owner's expense.
- 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 owners expense.
- CALL BEFORE YOU DIG, arrange for underground hydro cable locate(s) before beginning construction by contacting Ontario One Call @ 1-800-400-2255.
- Clearances from Overhead and Underground existing electrical distribution system on our adjacent to the property must be maintained in accordance to:
    - Ontario Building Code (2024) Section 3.1 (3.1.20.1)
    - 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

We trust that you will find this information satisfactory and that the information contained within will be provided to the owner of this project. Should you have any questions regarding this response, please contact Charles Howell at 905-798-2517 in our Engineering Design Department.

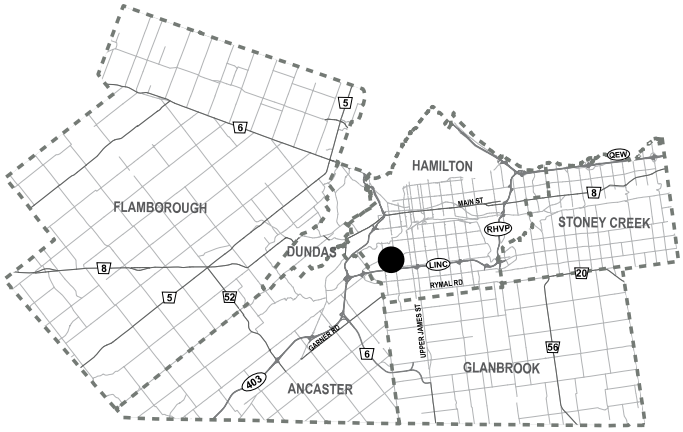
Sincerely,

Mitchell Penner

Mitchell Penner
Manager, C.E.T - Technical Customer Liaison



● **Site Location**



City of Hamilton

Committee of Adjustments

Subject Property

52 Purnell Drive, Hamilton
(Ward 14)

File Name/Number:
A-25:120

Date:
April 15, 2026

Technician:
RS

Scale:
N.T.S.

Appendix "A"

Planning and Economic Development Department

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-26:050	**SUBJECT PROPERTY:**	5 Alger Court, Flamborough
ZONE:	S1 (Settlement Residential)	**ZONING BY-LAW:**	Hamilton Zoning By-law 05-200

APPLICANTS: Owner: Todd Sarson & Ashley Sarson
Applicant: Todd Sarson & Ashley Sarson
Agent:

The following variances are requested:

1. A maximum Gross Floor Area of 66.0 square metres shall be permitted for all buildings accessory to the Single Detached Dwelling instead of the requirement that all buildings accessory to a Single Detached Dwelling shall not exceed 45.0 square metres or 7.5% of the lot area, whichever is the lesser.

PURPOSE & EFFECT: To construct an accessory building in the rear yard of an existing Single Detached Dwelling

Notes:

i. Please be advised that a portion of this property is within an area regulated by Conservation Halton. Please contact (905) 336-1158 or envserv@hrca.on.ca prior to any development.

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, April 30, 2026**
TIME:	**10:40 a.m.**
PLACE:	**Via video link or call in (see attached sheet for details)**
	City Hall Council Chambers (71 Main St. W., Hamilton)

A-26:050

	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 April 28, 2026.

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 April 29, 2026.

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding A-26:050, 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-26:050



Subject Lands

DATED: April 13, 2026

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.

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

The following information is required with your written submission:

- Committee of Adjustment file number
- Full name and address of the person providing comments. Anonymous comments will not be accepted.

Comments can also be placed in the drop box which is located at the back of the 1st Floor of City Hall, 71 Main Street West. All written comments received by the deadline 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. To register, email cofa@hamilton.ca with the following information:

- Committee of Adjustment file number
- Hearing date
- Full name and address of the person wishing to speak. Anonymous comments will not be accepted.
- 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.

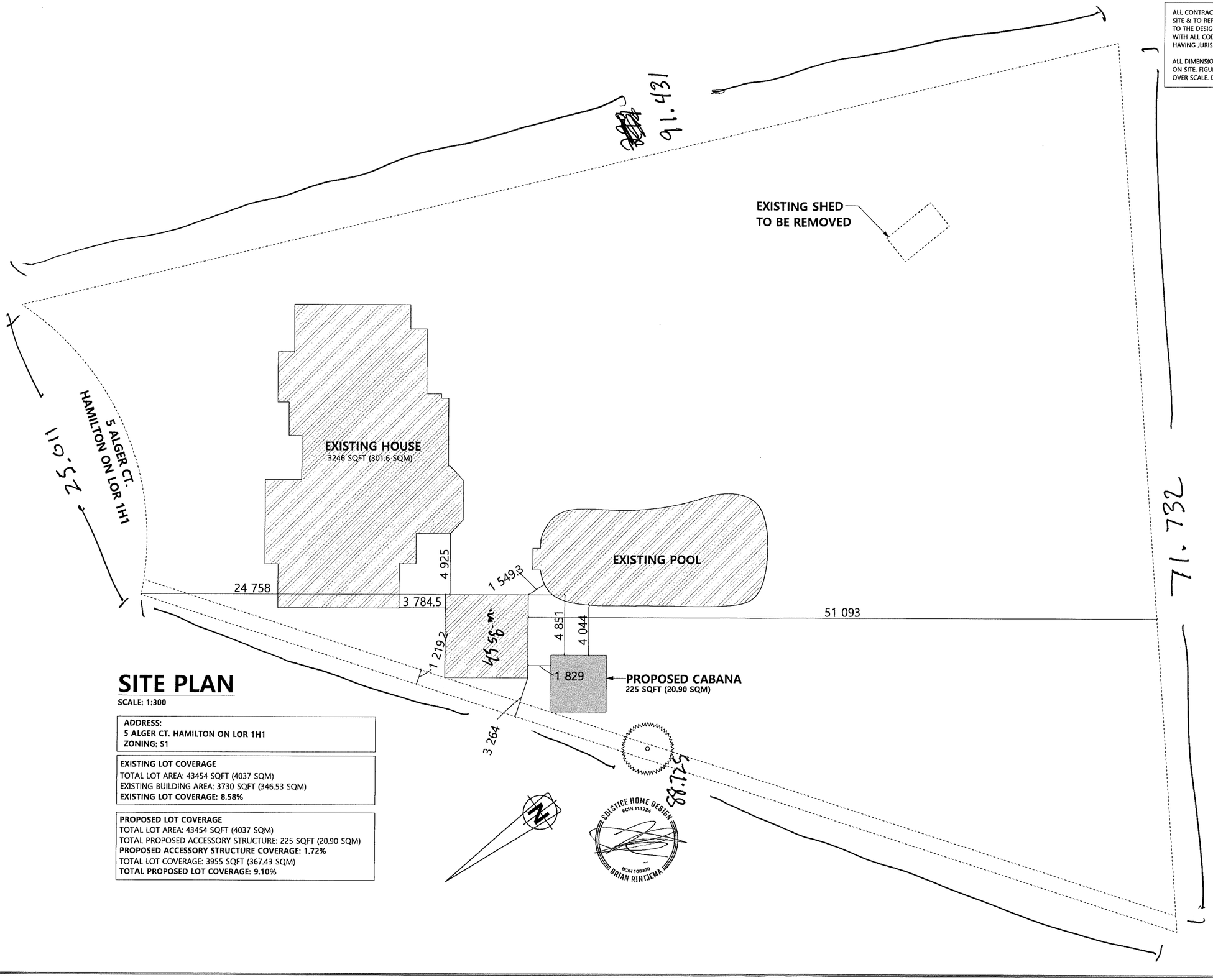
Virtual Presentations:
Presenters participating virtually may be granted permission to share their screen during the Hearing. A copy of the presentation must be submitted to cofa@hamilton.ca **by 12:00 p.m. (noon) on the business day prior to the Hearing.** The submission must be one document in PDF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

SCALE: 1:300

ADDRESS:
5 ALGER CT. HAMILTON ON L0R 1H1
ZONING: S1

EXISTING LOT COVERAGE
TOTAL LOT AREA: 43454 SQFT (4037 SQM)
EXISTING BUILDING AREA: 3730 SQFT (346.53 SQM)
EXISTING LOT COVERAGE: 8.58%

PROPOSED LOT COVERAGE
TOTAL LOT AREA: 43454 SQFT (4037 SQM)
TOTAL PROPOSED ACCESSORY STRUCTURE: 225 SQFT (20.90 SQM)
PROPOSED ACCESSORY STRUCTURE COVERAGE: 1.72%
TOTAL LOT COVERAGE: 3955 SQFT (367.43 SQM)
TOTAL PROPOSED LOT COVERAGE: 9.10%

ALL CONTRACTORS TO VERIFY ALL DIMENSIONS ON SITE & TO REPORT ALL ERRORS AND/OR OMISSIONS TO THE DESIGNER. ALL CONTRACTORS MUST COMPLY WITH ALL CODES, BYLAWS & OTHER AUTHORITIES HAVING JURISDICTION OVER THE WORK.

ALL DIMENSIONS AND CONDITIONS TO BE VERIFIED ON SITE. FIGURED DIMENSIONS TAKE PRECEDENCE OVER SCALE. DO NOT SCALE DRAWINGS

SOLSTICE
HOME DESIGN

77 Seabreeze Crescent
Stoney Creek, ON L8E 0A2

(289) 680-7480

brian.rintjema@gmail.com

BRIAN'S DRAFTING SERVICE
BCIN 113224
BCIN 106999
BRIAN RINTJEMA

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.

Qualification Information

Brian Rintjema		106999
Name	Signature	BCIN

Registration Information

Brian's Drafting Service	113224
Firm	BCIN

5 ALGER CT. COVERED AREA

5 Alger Ct. Hamilton, ON L0R 1H1

PAGE TITLE:
SITE PLAN

PLOT FORMAT SIZE:
11 X 17

DATE:
FEB. 23, 2026

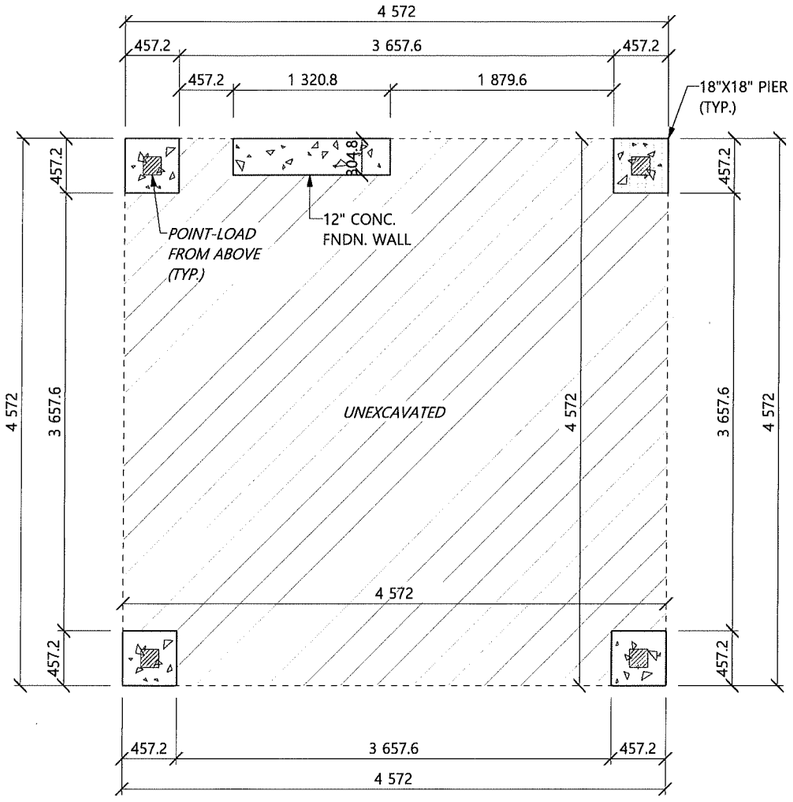
DRAWN BY:
Brian Rintjema

SHEET NO.
4 OF 4

SCALE:
As Noted

ALL CONTRACTORS TO VERIFY ALL DIMENSIONS ON SITE & TO REPORT ALL ERRORS AND/OR OMISSIONS TO THE DESIGNER. ALL CONTRACTORS MUST COMPLY WITH ALL CODES, BYLAWS & OTHER AUTHORITIES HAVING JURISDICTION OVER THE WORK.

ALL DIMENSIONS AND CONDITIONS TO BE VERIFIED ON SITE. FIGURED DIMENSIONS TAKE PRECEDENCE OVER SCALE. DO NOT SCALE DRAWINGS

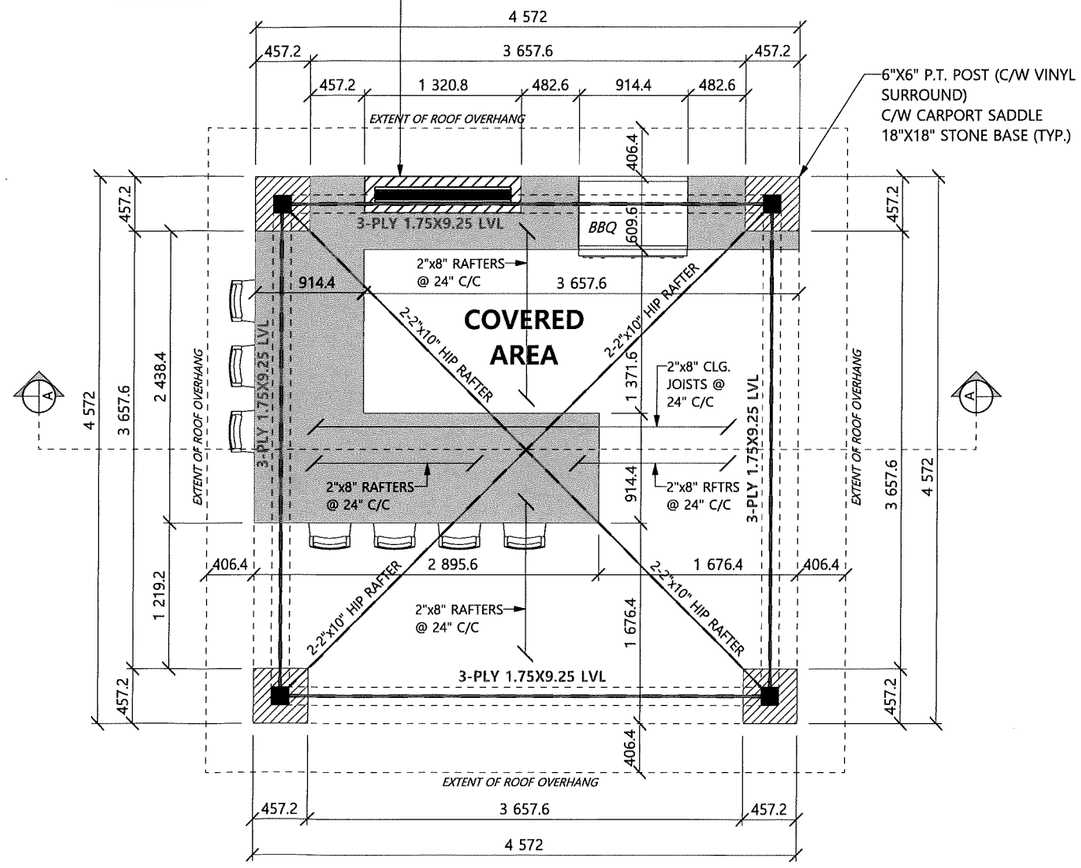


FOUNDATION PLAN

SCALE: 1:50

W1 TYPICAL 2x6 STONE EXTERIOR WALL:

FACE STONE
7 GAUGE CORRUGATED
GALVANIZED METAL BRICK TIES
2x6 STUDS @ 16" o.c.
7 GAUGE CORRUGATED
GALVANIZED METAL BRICK TIES
FACE STONE



MAIN FLOOR PLAN

SCALE: 1:50
AREA:

FLOOR AREA: 225 SQFT (20.90 SQM)

PRE-ENG. LVL HDR. **PRE-ENGINEERED LVL:** ALL PRE-ENG. LVLS TO BE DESIGNED AND SIZED ACCORDING TO APPROVED THRID PARTY CALCULATIONS

SOLSTICE
HOME DESIGN

77 Seabreeze Crescent
Stoney Creek, ON L8E 0A2

(289) 680-7480

brian.rintjema@gmail.com

BRIAN'S DRAFTING SERVICE BCIN 113224
BCIN 106999 BRIAN RINTJEMA

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.

Qualification Information

Brian Rintjema		106999
Name	Signature	BCIN

Registration Information

Brian's Drafting Service	113224
Firm	BCIN

5 ALGER CT. COVERED AREA

5 Alger Ct. Hamilton, ON L0R 1H1

PAGE TITLE:

FOUNDATION PLAN & MAIN FLOOR PLAN

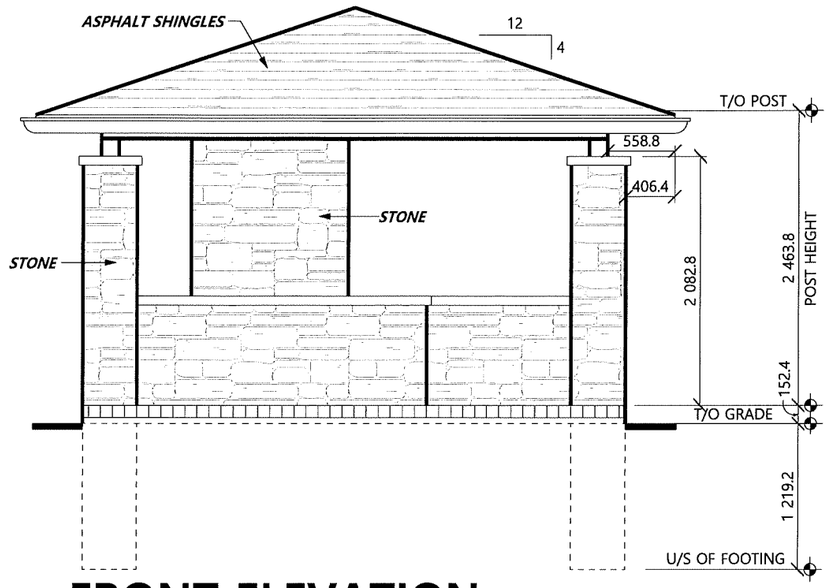
PLOT FORMAT SIZE: **11 X 17**

DATE: **FEB. 23, 2026**

DRAWN BY: **Brian Rintjema**

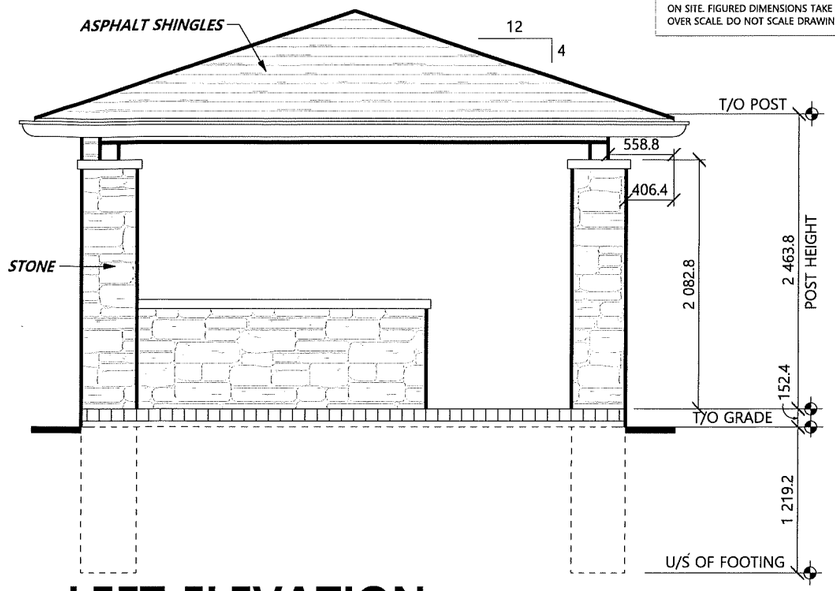
SCALE: **As Noted**

SHEET NO. 1 OF 4



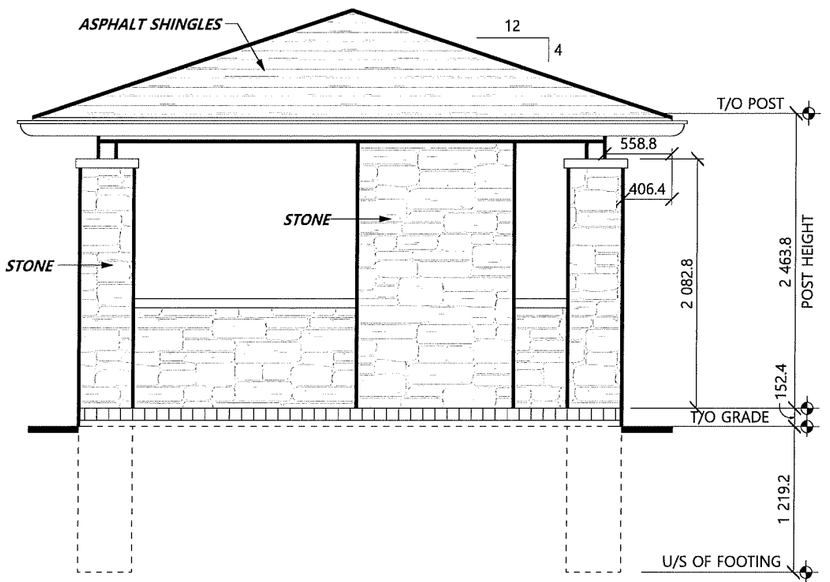
FRONT ELEVATION

SCALE: 1:50



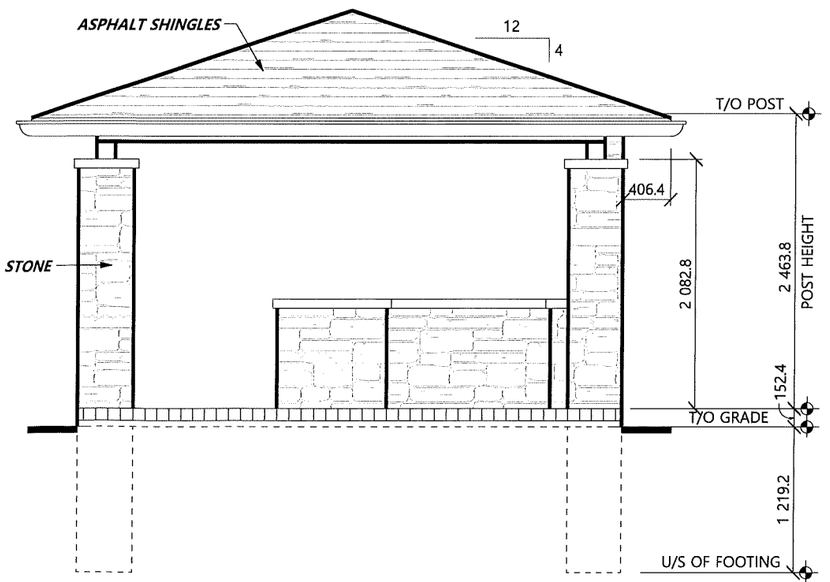
LEFT ELEVATION

SCALE: 1:50



REAR ELEVATION

SCALE: 1:50



RIGHT ELEVATION

SCALE: 1:50

ALL CONTRACTORS TO VERIFY ALL DIMENSIONS ON SITE & TO REPORT ALL ERRORS AND/OR OMISSIONS TO THE DESIGNER. ALL CONTRACTORS MUST COMPLY WITH ALL CODES, BYLAWS & OTHER AUTHORITIES HAVING JURISDICTION OVER THE WORK.

ALL DIMENSIONS AND CONDITIONS TO BE VERIFIED ON SITE. FIGURED DIMENSIONS TAKE PRECEDENCE OVER SCALE. DO NOT SCALE DRAWINGS

SOLSTICE
HOME DESIGN

77 Seabreeze Crescent
Stoney Creek, ON L8E 0A2

(289) 680-7480

brian.rintjema@gmail.com

BRIAN'S DRAFTING SERVICE
BCIN 113224
BCIN 106999
BRIAN RINTJEMA

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.

Qualification Information

Brian Rintjema		106999
Name	Signature	BCIN

Registration Information

Brian's Drafting Service	113224
Firm	BCIN

5 ALGER CT. COVERED AREA

5 Alger Ct. Hamilton, ON L0R 1H1

PAGE TITLE:

ELEVATIONS

PLOT FORMAT SIZE:

11 X 17

DATE:

FEB. 23, 2026

DRAWN BY: **Brian Rintjema**

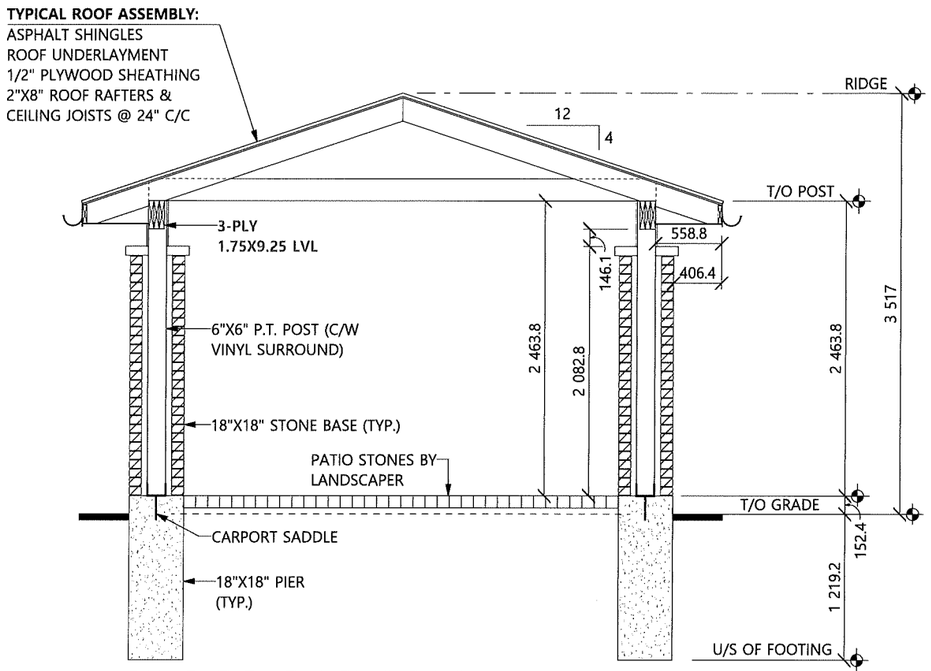
SCALE: **As Noted**

SHEET NO.

2 OF 4

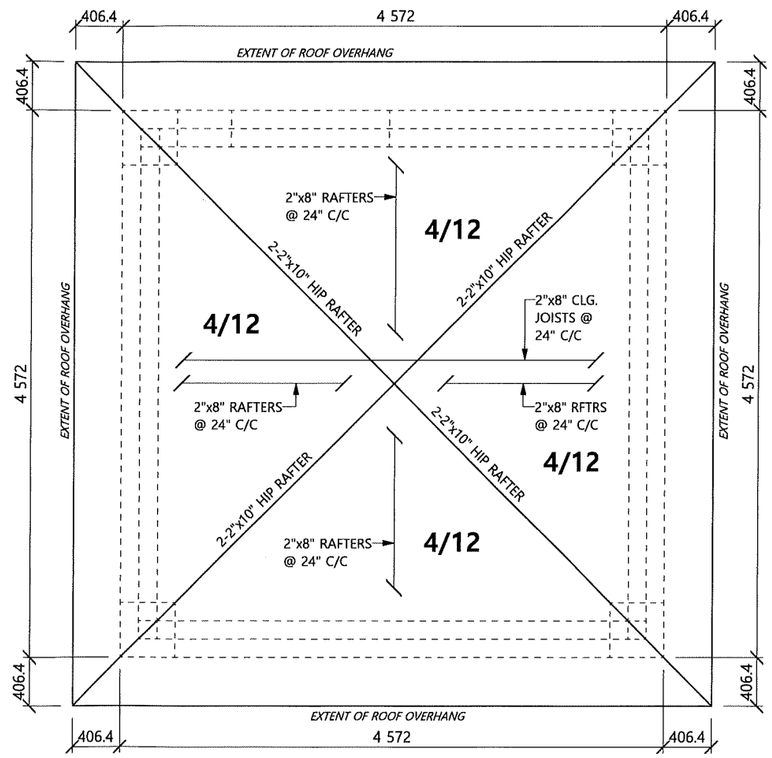
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ALL DIMENSIONS AND CONDITIONS TO BE VERIFIED ON SITE. FIGURED DIMENSIONS TAKE PRECEDENCE OVER SCALE. DO NOT SCALE DRAWINGS



CROSS SECTION A

SCALE: 1:50



ROOF PLAN

SCALE: 1:50

SOLSTICE
HOME DESIGN

77 Seabreeze Crescent
Stoney Creek, ON L8E 0A2

(289) 680-7480

brian.rintjema@gmail.com

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Qualification Information

Brian Rintjema		106999
Name	Signature	BCIN

Registration Information

Brian's Drafting Service	113224
Firm	BCIN

5 ALGER CT.
COVERED AREA

5 Alger Ct. Hamilton, ON L0R 1H1

PAGE TITLE:

CROSS SECTION & ROOF PLAN

PLOT FORMAT SIZE: **11 X 17**

DATE: **FEB. 23, 2026**

DRAWN BY: **Brian Rintjema**

SCALE: **As Noted**

SHEET NO. **3** OF **4**

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*

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

1. APPLICANT INFORMATION

	NAME	MAILING ADDRESS	
Registered Owner(s)	Todd Sarson Ashley Sarson	5 Alger Crt Hamilton, ON L0R 1H1	[redacted]
Applicant(s)	Todd Sarson	5 Alger Crt Hamilton, ON L0R 1H1	
Agent or Solicitor			**Phone:** **E-mail:**

Please include contact person's name if applying as a company or organization.

1.2 Primary contact ☐ Applicant ☑ Owner ☐ Agent/Solicitor

1.3 Sign should be sent to ☐ Applicant ☑ Owner ☐ Agent/Solicitor

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

If YES, provide email address where sign is to be sent [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 card over phone* [redacted]

*Must provide phone number above

2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	5 Alger Crt Hamilton Ontario		
Assessment Roll Number	303810665250000		
Former Municipality			
Lot	3	Concession	
Registered Plan Number	62M931	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:

Expand total lot coverage for allowable accessory bldg. from 45 sqm to add a 21 sqm structure

☐ Additional Dwelling Unit ☐ Reconstruction of Existing Dwelling

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

lot coverage is already at 45 sqm wanting to add covered roof structure of 21 sqm

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

☑ Yes ☐ No

If yes, please provide an explanation:

Require a minor variance to exceed allowable lot coverage for accessory building permit.

4. DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

4.1 Dimensions of Subject Lands (in metric):

Lot Frontage	Lot Depth	Lot Area	Width of Street
18m	82m	4037 SQM	10 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 in metric)

Existing:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
House	12m	56 M	3.2 M	2001
Pool Cabana	25 M	50 m	1.2 M	2025

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Roof Structure	25 M	51 M	1.2 m	2026

4.3. Particulars of all buildings and structures on or proposed for the subject lands. All dimensions to be provided in metric (m, m^2 or ha); attach additional sheets as necessary.

Existing:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
House	305 SqM	500 Sqm	2	8.25 m
Cabana	45 SqM	45 Sqm	1	4.5 m

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Roof Structure	21 Sqm	21 Sqm	1	4 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
- ☑ 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

5. HISTORY OF THE SUBJECT LAND

5.1 Date of acquisition of subject lands:

2020

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

Single detached dwelling

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

Single detached dwelling

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

25 years

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

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

Rural Settlement Area: Carlisle

Urban Hamilton Official Plan designation (if applicable) _____

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

5.6 What is the existing zoning of the subject land? Residential

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

☐ Yes ☑ No

If yes, please provide the file number: _____

5.8 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: _____

6. ADDITIONAL INFORMATION

6.1 Number of Dwelling Units Existing: 1

6.2 Number of Dwelling Units Proposed: 0

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

7. COMPLETE APPLICATION REQUIREMENTS

7.1 All Applications

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

7.2 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

_____

_____

STAFF COMMENTS

HEARING DATE: April 30, 2026

Hamilton

A-26:050 — 5 Alger Court, Flamborough

Recommendation:

Approve — Development Planning

Proposed Conditions:

Proposed Notes:

Please be advised that a portion of this property is within an area regulated by Conservation Halton. Please contact (905) 336-1158 or envserv@hrca.on.ca prior to any development. (Zoning)

A building permit is required for the construction of the proposed accessory building. (Building Engineering)

Be advised that Ontario Building Code regulations may require specific setback and construction types. (Building Engineering)

Hamilton

Development Planning:

Background
The purpose of Minor Variance application A-26:050 is to permit the construction of an accessory building (cabana) in the rear yard of a single detached dwelling.

Analysis

Rural Hamilton Official Plan
The subject lands are designated “Rural Settlement Area” in Schedule D – Rural Land Use Designations of the Rural Hamilton Official Plan. Policy 5.0, amongst others, is applicable and permits the single detached dwelling and accessory structure.

Carlisle Rural Settlement Area Plan
The subject lands are designated “Settlement Residential” in Volume 2: Map 4 – Carlisle Rural Settlement Area Plan of the Rural Hamilton Official Plan. Policy B.1.3.1 permits single detached dwellings.

City of Hamilton Zoning By-law No. 05-200
The subject lands are zoned Settlement Residential (S1) Zone in City of Hamilton Zoning By-law No. 05-200. The existing single detached dwelling and proposed accessory structure are permitted.

Variance 1

1. A maximum gross floor area of 66.0 square metres shall be permitted for all buildings accessory to the single detached dwelling instead of the requirement that all buildings accessory to a single detached dwelling shall not exceed 45.0 square metres or 7.5% of the lot area, whichever is the lesser.

The intent of this provision is to ensure accessory buildings remain subordinate in size, character and role to the principal dwelling and to prevent the overdevelopment of properties.

Staff note the principal dwelling has gross floor area of 500 square metres and the subject property has an area of approximately 4,000 square metres. The existing accessory building has an area of 45 square metres, and the proposed cabana would have an area of 21 square metres, which results in a total gross floor area of 66.0 square metres for all accessory buildings. The proposed 66.0 square metres represents approximately 1.65% lot coverage. Staff are of the opinion that the proposed gross floor area of the accessory buildings will remain subordinate to the principal dwelling and will not be an overdevelopment of the subject property.

It is staff’s opinion that the requested variance maintains the general intent of the Rural Hamilton Official Plan and Zoning By-law, is desirable for the appropriate use or development of the land and is minor in nature. Staff support the variance.

STAFF COMMENTS

HEARING DATE: April 30, 2026

Hamilton

Staff are of the opinion that the requested variance meets the four tests of a minor variance. **Staff recommend approval.**

Zoning:

Recommendation:	Comments Only
Proposed Conditions:	N/A
Comments:	N/A
Notes:	1. Please be advised that a portion of this property is within an area regulated by Conservation Halton. Please contact (905) 336-1158 or envserv@hrca.on.ca prior to any development.

Development Engineering:

Recommendation:	Comments Only
Proposed Conditions:	N/A
Comments:	Provided the existing drainage pattern is maintained, Development Engineering has no comments or objections to the minor variances as proposed.
Notes:	N/A

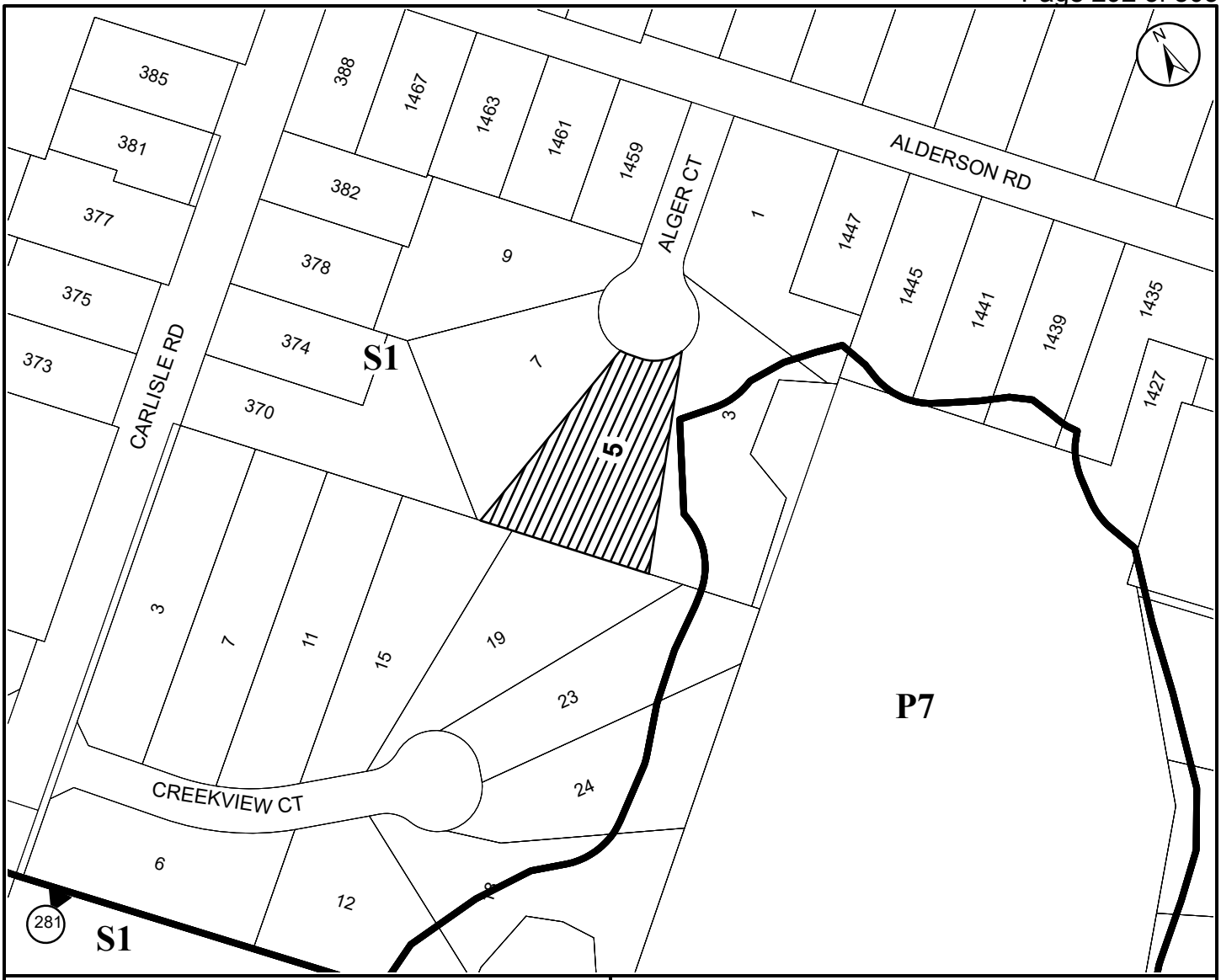
Building Engineering:

Recommendation:	Comments and Conditions/Notes
Proposed Conditions:	
Comments:	
Notes:	A building permit is required for the construction of the proposed accessory building. Be advised that Ontario Building Code regulations may require specific setback and construction types.

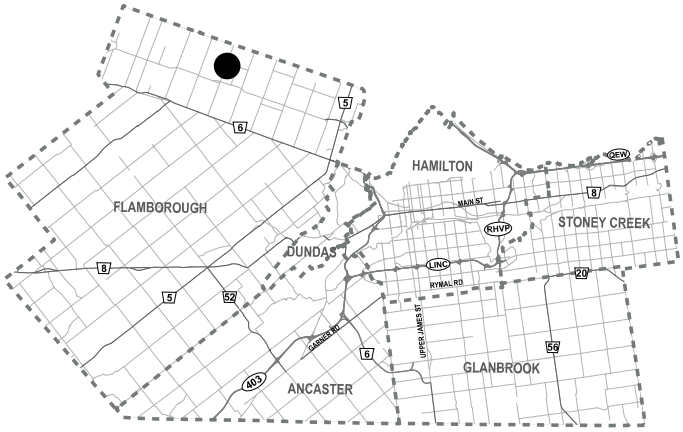
Transportation Planning:

Recommendation:	No Comments
Proposed Conditions:	
Comments:	
Notes:	

Please Note: Public comment will be posted separately, if applicable.



● **Site Location**



City of Hamilton

Committee of Adjustments

Subject Property

5 Alger Court, Flamborough
(Ward 15)

File Name/Number:
A-26:050

Date:
April 16, 2026

Technician:
RS

Scale:
N.T.S.

Appendix "A"

Planning and Economic Development Department

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-26:060	**SUBJECT PROPERTY:**	335 Carlisle Road, Flamborough
ZONE:	S1 (Settlement Residential)	**ZONING BY-LAW:**	Hamilton Zoning By-law 05-200

APPLICANTS: Owner: Angelo Venturin, Michele Pankcatz
Applicant:
Agent:

The following variances are requested:

1. A maximum Gross Floor Area of 68.0 square metres shall be permitted for buildings accessory to the Single Detached Dwelling instead of the requirement that all buildings accessory to a Single Detached Dwelling shall not exceed 45.0 square metres or 7.5% of the lot area, whichever is the lesser.

2. A maximum Building Height of 5.1 metres shall be permitted for all buildings accessory to the Single Detached Dwelling instead of the requirement that all buildings accessory to a Single Detached Dwelling shall have a maximum Building Height of 4.5 metres.

PURPOSE & EFFECT: To construct a detached garage in the rear yard of a 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, April 30, 2026**
TIME:	**10:45 a.m.**
PLACE:	**Via video link or call in (see attached sheet for details)**
	City Hall Council Chambers (71 Main St. W., Hamilton)

A-26:060

	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 April 28, 2026.

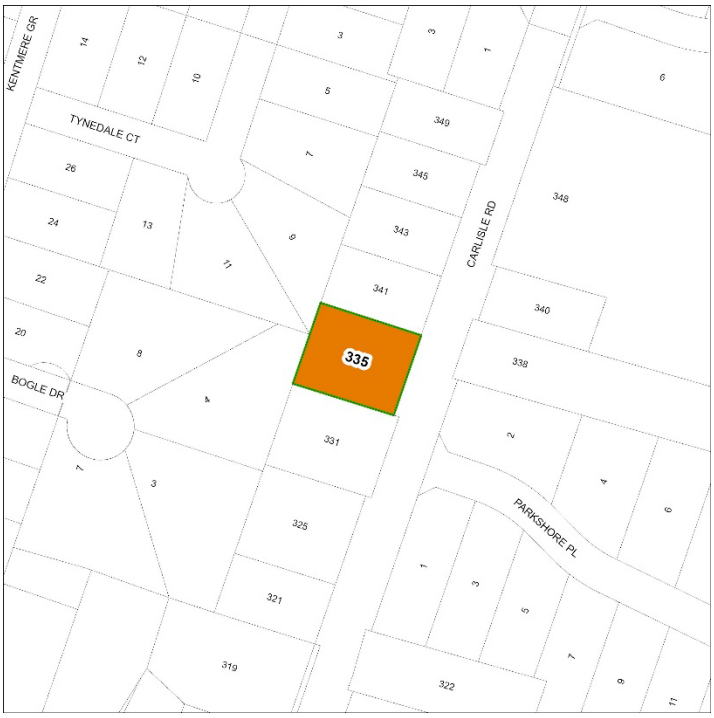
Orally: If you would like to speak to this item at the hearing you may do so via video link, calling in, or attending in person. Please see attached page for complete instructions, registration to participate virtually must be received no later than noon April 29, 2026.

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding A-26:060, 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-26:060



Subject Lands

DATED: April 13, 2026

_____

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.

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

The following information is required with your written submission:

- Committee of Adjustment file number
- Full name and address of the person providing comments. Anonymous comments will not be accepted.

Comments can also be placed in the drop box which is located at the back of the 1st Floor of City Hall, 71 Main Street West. All written comments received by the deadline 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. To register, email cofa@hamilton.ca with the following information:

- Committee of Adjustment file number
- Hearing date
- Full name and address of the person wishing to speak. Anonymous comments will not be accepted.
- 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.

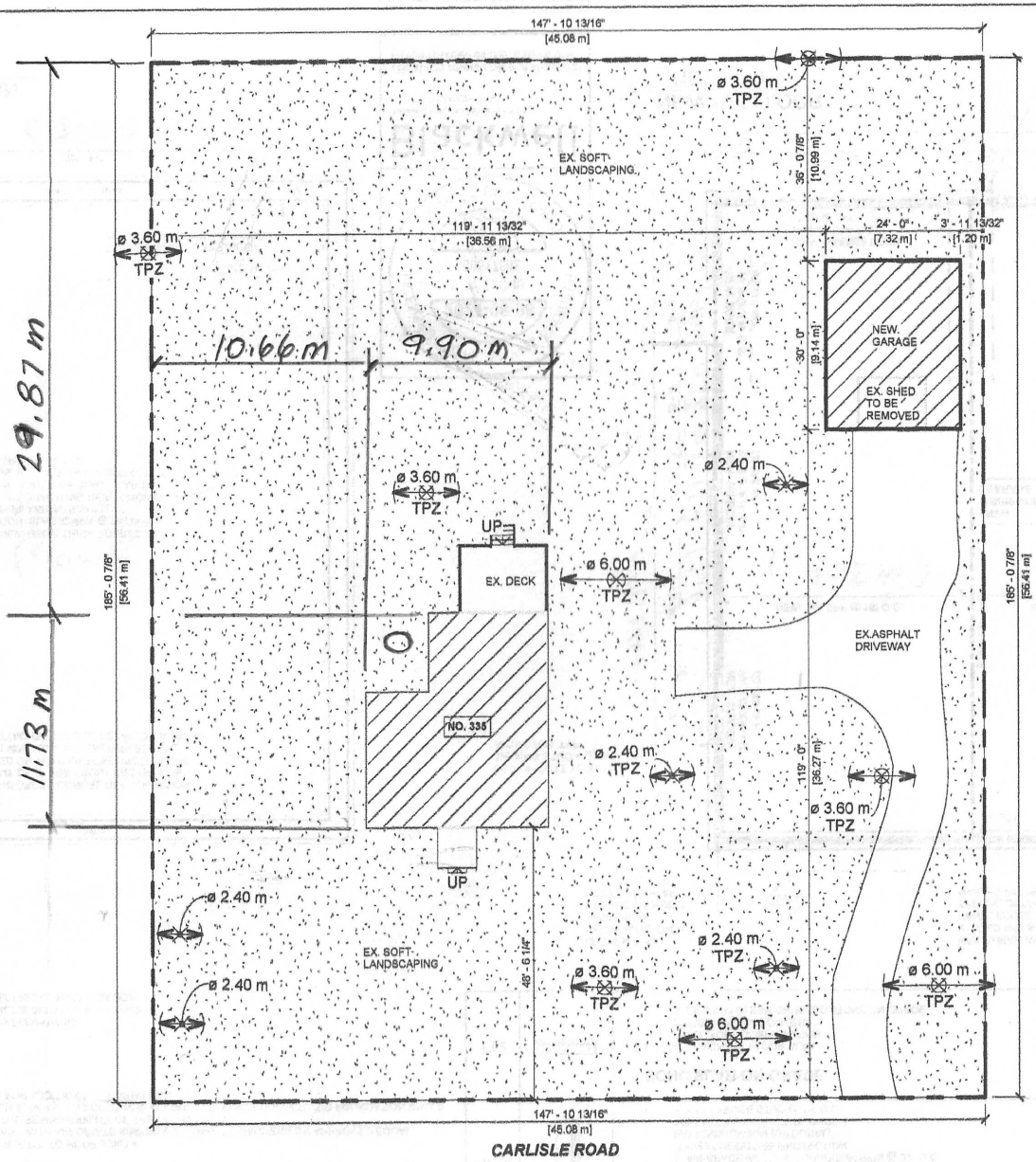
Virtual Presentations:
Presenters participating virtually may be granted permission to share their screen during the Hearing. A copy of the presentation must be submitted to cofa@hamilton.ca **by 12:00 p.m. (noon) on the business day prior to the Hearing.** The submission must be one document in PDF 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
1 : 250

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CONTRACTOR SHALL VERIFY SITE DIMENSIONS

PROPOSED DETACHED GARAGE

335 CARLISLE ROAD

HAMILTON, ONTARIO L0R 1H1

Permit Works
Approvals Made Easy
3575 14TH AVE - UNIT 18
MARKHAM, ON L3R 0H6
email: info@permitworks.ca
mobile: 416-989-8900

KCCL Architect

Drawn by	DHC
Date	2024-08-27
Scale	1 : 250
Project Number	24094

DRAWING NAME
SITE PLAN

SHEET NUMBER
A1.1

ONTARIO ASSOCIATION OF ARCHITECTS
KELVIN CHUN CHUNG LO
LICENCE
9250

3
26

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PROPOSED DETACHED GARAGE

335 CARLISLE ROAD

HAMILTON. ONTARIO L0R 1H1

KCCL Architect

LICENSED ARCHITECT BY ONTARIO ARCHITECT ASSOCIATION

348 Hemlock Drive, Whitchurch Stouffville, Ontario Canada L4A 5A7/
Tel: 416 881 9898. Mobile: 416 602 9616
Email: Info@kcclarchitect.ca
Web: https://www.kcclarchitect.ca

OAA - Licence # 9250. Certificate of Practice # 6195

GENERAL NOTES 1.0

Drawings:
1. Owner and contractor is fully responsible for verifying all existing structural condition prior to any work. Any and all discrepancies shall be reported to KCCL Architect Inc. Prior to any work. Owner and contractor is fully responsible for shoring existing structure prior to any work.
2. DO NOT SCALE DRAWINGS
3. If any conflict of discrepancy exists in the drawings documents, the following priority squence is to be followed:
- Drawings of a later date supersede drawings of an earlier date
- Larger scales drawings supersede those of a smaller scale
- the specifications supersede the drawings

5. Mechanical and electrical contractos are to cross reference the architectural and engineering drawings through-out the course of the project and report any discrepancies to the architect before proceeding

Permits & Inspections:

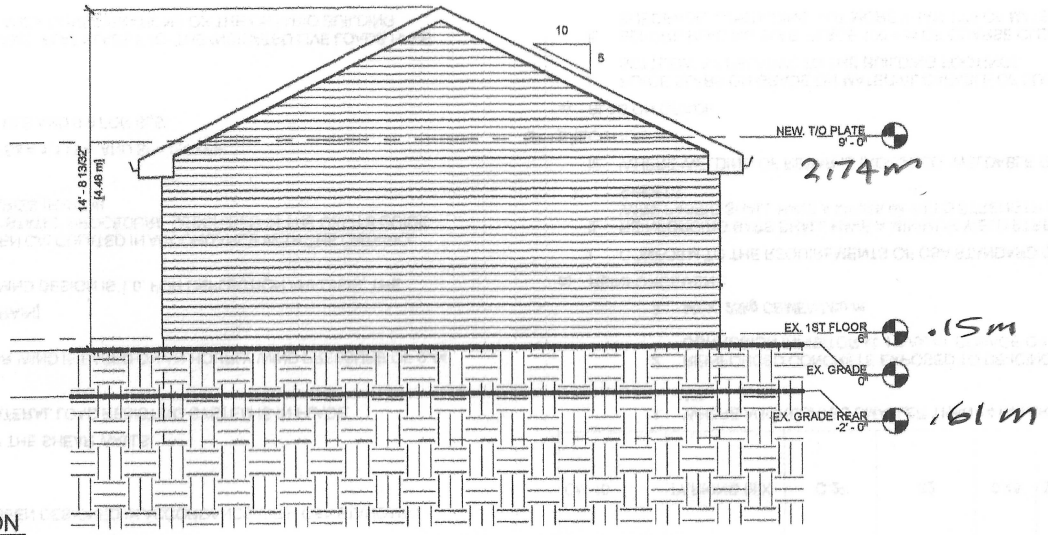
1. **NO DEMOLITION OR CONSTRUCTION IS TO START WITHOUT ISSUANCE OF A VALID BUILDING PERMIT.**
2. Upon completion of the work, the contractors shall pay for and obtain a signed release from the municipality having jurisdiction indicating that the work is complete and the permit is signed off.
3. The contractor shall give all required notices for inspections as required by the building permit and all authorities having jursidiction.
4. The architect will abide by the mechanic's lien act in his/her review of all progress invoices on the project.

Cooperation & Protection:
1. Each contractor is responsible for all necessary cutting and patching required by their respective trades.
2. Protection: The general contractor shall protect all finished work from construction any damage arising from any cause shall be made good by the general contractor to the satisfaction of the architect.
3. Protection: Contractor to provide protection over any base building equipment during all phases of construction.

Substitutions:
1. No substitution for any product or material will be accepted unless authorized by the architect in the form of an addendum.

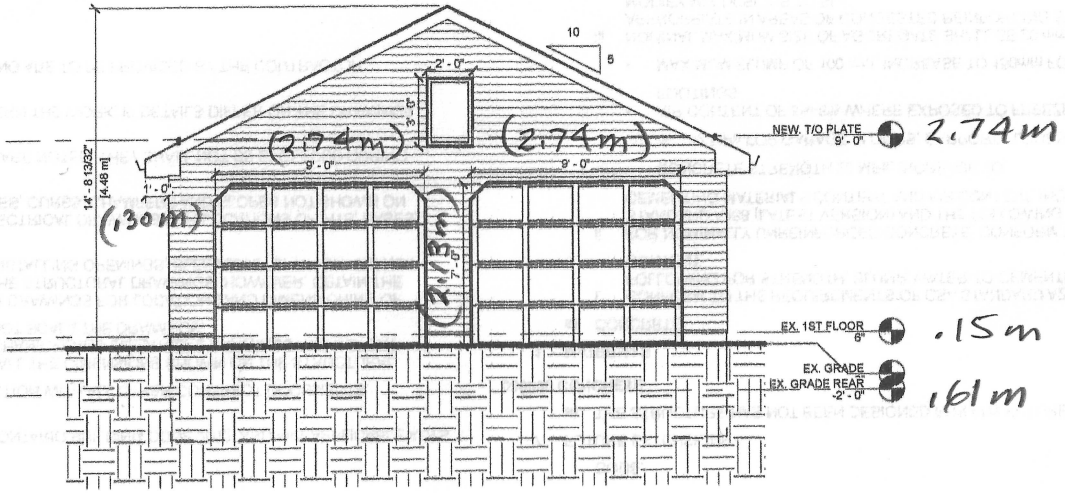
Building Code Compliance Note:
1. These drawings do not represent a comprehensive and exhaustive guide for compliance with the Ontario Building Code. It is assumed that the contractor has reasonably sufficient knowledge of the Ontario Building Code in order to perform all work as per these drawings in such a way that will comply with all aspects of the OBC and will not contravene any other applicable laws.

Legal:
Drawings issued by KCCL Architect Inc are for illustration and design intent purposes only. All Architectural, Mechanical, Electrical, Plumbing, Structural, Sprinkler, Suppression system and life safety items are to be as per outlined in municipal permit approved drawings as per issued by associated professional engineer and respective trades.



1 NEW. ELEVATION
3/16" = 1'-0"

(4.77mm = 304.8mm)



2 NEW. ELEVATION
3/16" = 1'-0"

(4.77mm = 304.8mm)

CONTRACTOR SHALL VERIFY SITE DIMENSIONS

PROPOSED DETACHED GARAGE

335 CARLISLE ROAD

HAMILTON. ONTARIO L0R 1H1

Permit Works
Approvals Made Easy
3575 14TH AVE - UNIT 18
MARKHAM, ON L3R 0H6
email: info@permitworks.ca
mobile: 416-989-8900

KCCL Architect

Drawn by	DHC
Date	2024-08-27
Scale	3/16" = 1'-0"
Project Number	24094

DRAWING NAME
NEW. ELEVATIONS

SHEET NUMBER
A3.2

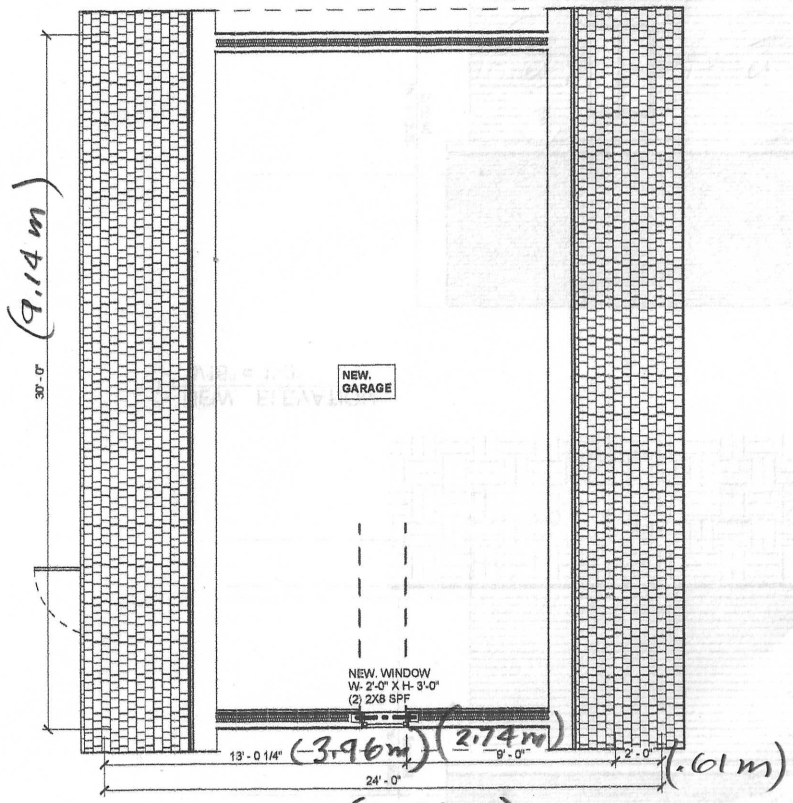
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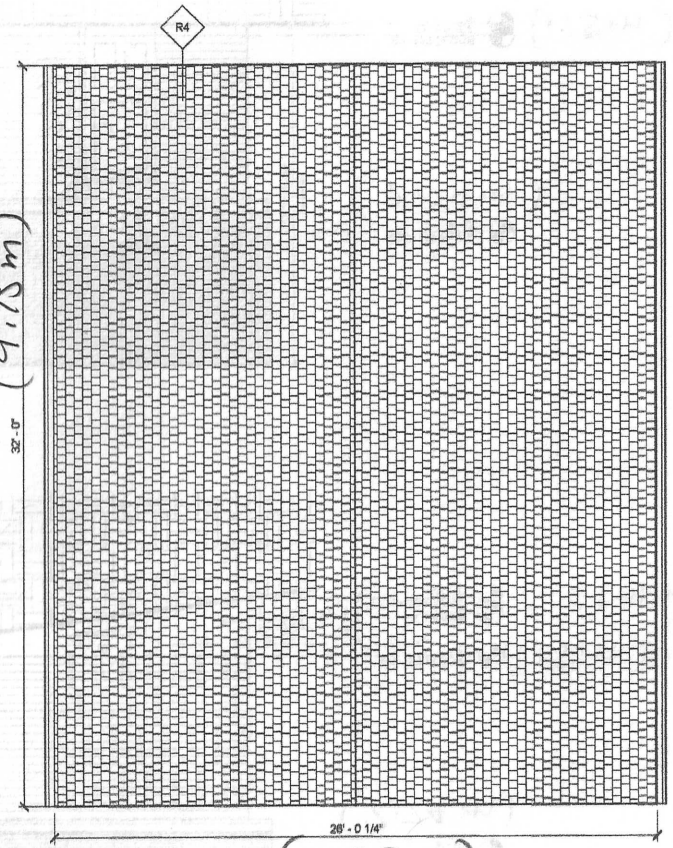
This stamp covers review of structural elements shown on this drawing only.

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2024-08-28
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100517848
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R4		**SLOPED FINISHED CEILING (VAULT CEILING)** • ASPHALT SHINGLES - 30 YEAR, 3 TAB. UNDERLAY ICE AND WATER SHIELD FOR A VERTICAL DIMENSION OF 5'-0" MIN. UP ROOF SLOPE FROM EAVES. • ROOF RAFTER AND SPACING AS PER PLANS • MIN. R31 SPRAY FOAM INSULATION (OPTIONAL) • 1/2" GYPSUM, CEILING BOARD (1.54 m)



3 NEW 1ST FLOOR UPPER
3/16" = 1'-0"



1 NEW ROOF PLAN
3/16" = 1'-0"
(4.77mm = 304.8mm)

NOTE: EXISTING FLOOR PLAN FOR REFERENCE ONLY

CONTRACTOR SHALL VERIFY SITE DIMENSIONS

PROPOSED DETACHED GARAGE
335 CARLISLE ROAD
HAMILTON. ONTARIO L0R 1H1

Permit Works
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3575 14TH AVE - UNIT 18
MARKHAM, ON L3R 0H6
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DRAWING NAME
NEW. FLOOR PLAN

SHEET NUMBER
A2.2

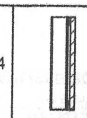
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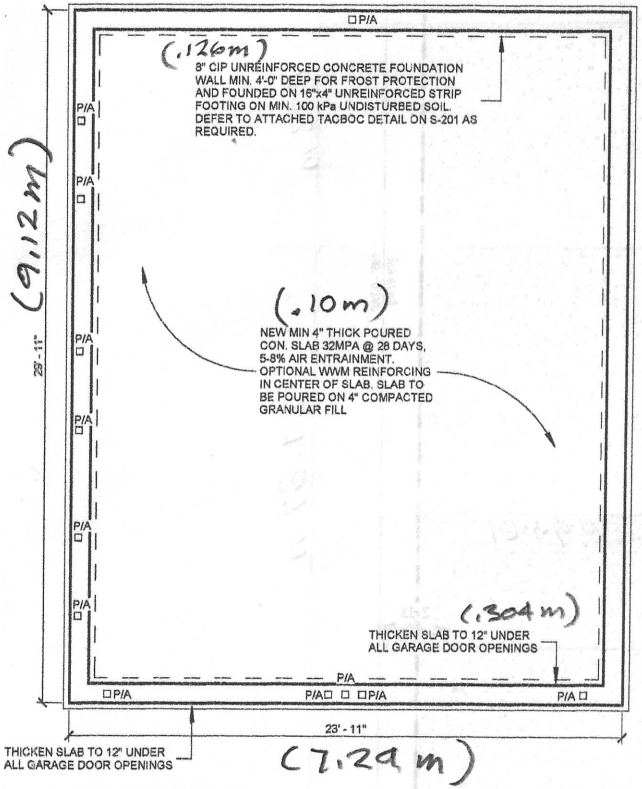
ROOF
1. ROOF LOADS USED IN THE DESIGN:

SNOW: 1.28 kPaa (HAMILTON)
SUPERIMPOSED DEAD LOAD 0.7 kPa

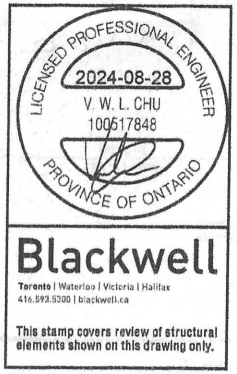
2.ALL ROOF SHEATHING TO BE 5/8" T&G FASTENED DIRECTLY TO ROOF JOISTS.
3. ALL WOOD-TO-WOOD CONNECTIONS ARE TO BE MADE WITH APPORIATE SIMPSON STRONG TIE GANGERS OR APPROVED EQUAL.
4. ALL TEMPORARY WORKS, INCLUDING SHORING IS THE RESPONSIBILITY OF THE CONTRACTOR.
5. PROVIDE SOLID BLOCKING IN JOIST SPACE (SQUASH BLOCKS) AND CONTINUE ALL BUILT UP POSTS DOWN TO T/O FOUNDATION WALLS
6. REFER TO GENERAL NOTES AND TYPICAL DETAILS FOR ADDITIONAL INFORMATION.
7. DO NOT SCALE STRUCTURAL DRAIWNGS.

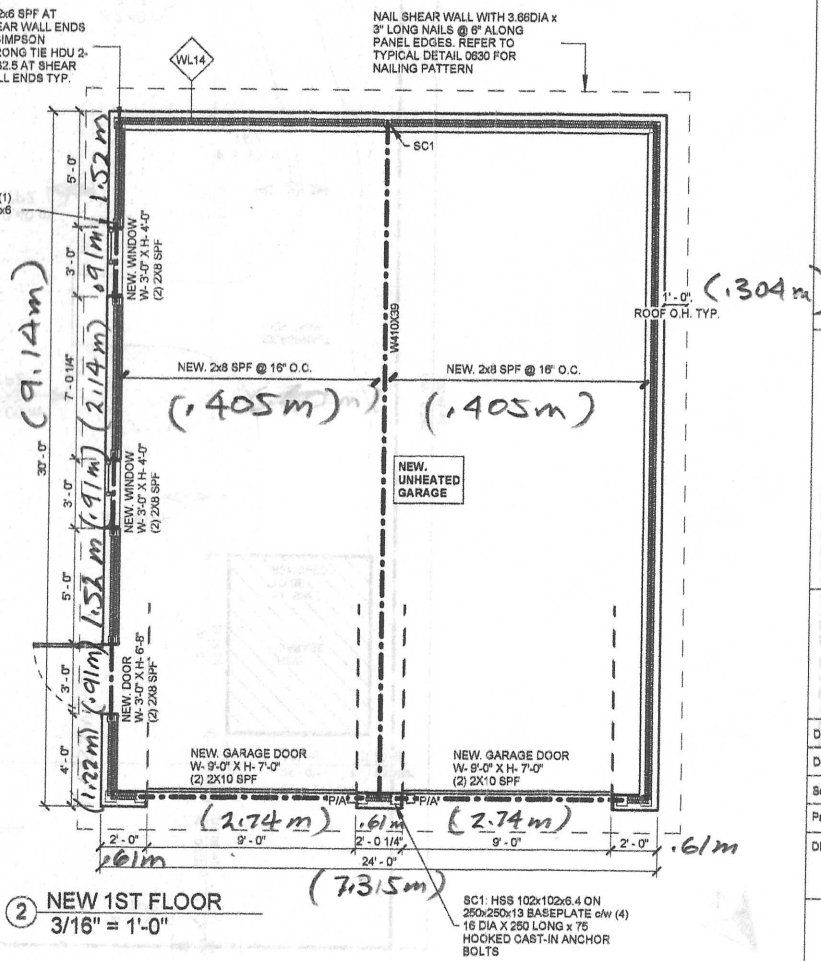
FOUNDATION PLAN NOTES
1. REFER TO ARCHITECTURAL DRAWINGS FOR DATUM ELEVATIONS.
2. FOUND ALL FOOTINGS ON NATIVE UNDISTURBED SOILS WITH THE FOLLOING:
BEARING CAPACITES CONFIRMED ON SITE BY GEOTECHNICAL INVESTIGATION.
100 kPa (SLS), 150 kPa (ULS).

WL14		**WOOD SIDING WALL (GARAGE)** • VERTICAL/HORIZONTAL WOOD SIDING (REFER TO MANUFACTURE'S SPEC. FOR DETAILS) TO BE APPROVED BY OWNER OR ARCHITECT • 1" AIR SPACE W/ 1"X 3" FURRING STRIPS @ 32" O.C. • "TYVEK" MOISTURE PROTECTION • BATT INSULATION (OPTIONAL) • 1/2" EXTERIOR GRADE PLYWOOD • 2" X 6" SPRUCE STUD @ 16" O.C.
FL6		**CONC SLAB ON GRADE** • 4" CONCRETE FLOOR SLAB • 6 MILL POLY DAMPROOFING • 2" RIGID INSULATION (R10) • 5" CF 3/4 "Ø CLEAR CRUSHED STONE ON GRADE



1 FOUNDATION PLAN
3/16" = 1'-0"





2 NEW 1ST FLOOR
3/16" = 1'-0"

PROPOSED DETACHED GARAGE
335 CARLISLE ROAD
HAMILTON. ONTARIO L0R 1H1

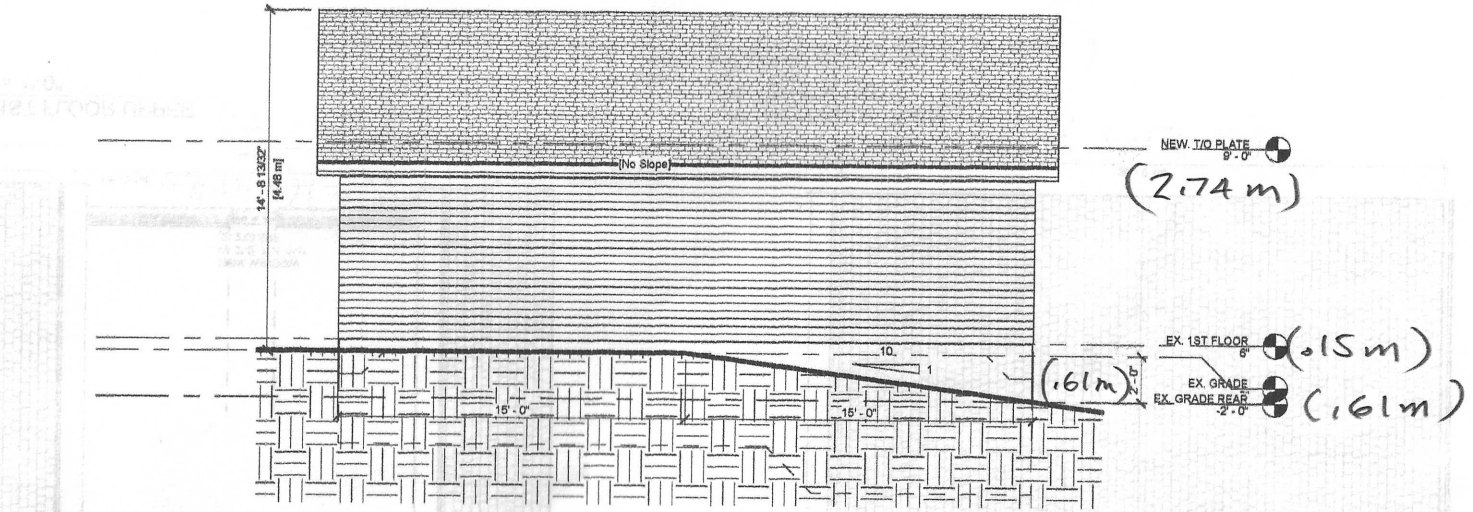
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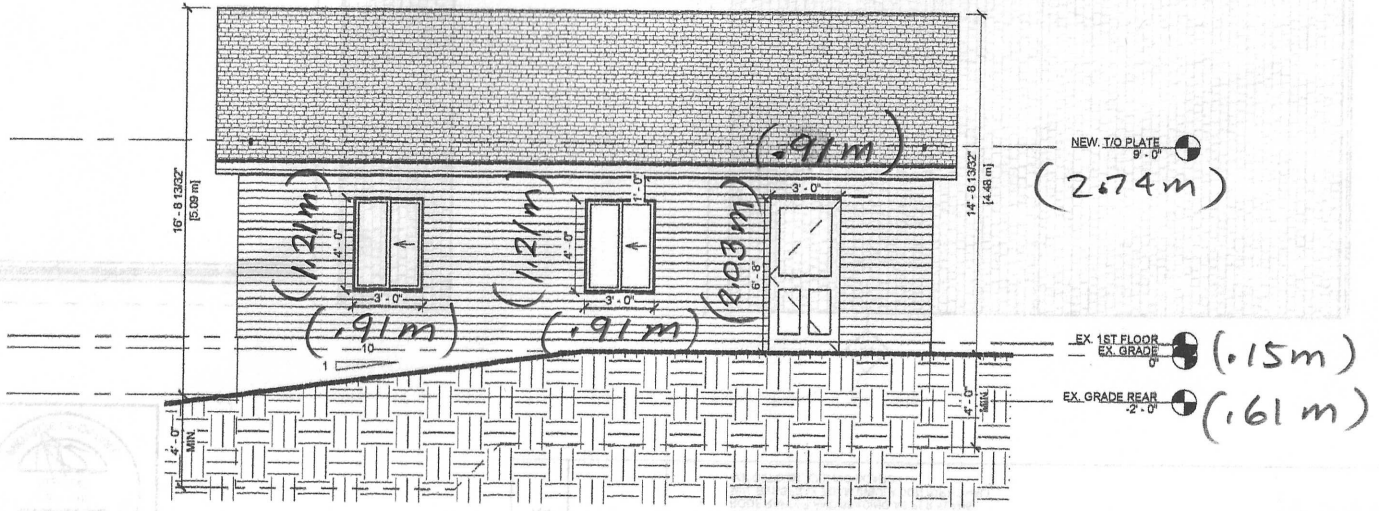
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Scale	As indicated
Project Number	24094
DRAWING NAME	NEW. FLOOR PLAN
SHEET NUMBER	A2.1

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CONTRACTOR SHALL VERIFY SITE DIMENSIONS



1 NEW. ELEVATION
3/16" = 1'-0"



2 NEW. ELEVATION
3/16" = 1'-0"

PROPOSED DETACHED GARAGE
335 CARLISLE ROAD
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DRAWING NAME
NEW. ELEVATIONS

SHEET NUMBER
A3.1

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CONTRACTOR SHALL VERIFY SITE DIMENSIONS

010000 GENERAL

1. CONFORM TO THE REQUIREMENTS OF THE ONTARIO BUILDING CODE 2012, AND ANY APPLICABLE ACTS OF AUTHORITY HAVING JURISDICTION.
2. READ STRUCTURAL DRAWINGS IN CONJUNCTION WITH ALL OTHER CONTRACT DOCUMENTS.
3. BEFORE PROCEEDING WITH WORK, CHECK ALL THE DIMENSIONS SHOWN ON THE STRUCTURAL DRAWINGS WITH THE ARCHITECTURAL, MECHANICAL AND ELECTRICAL DRAWINGS AND REPORT DISCREPANCIES TO THE CONSULTANT. DO NOT SCALE THE DRAWINGS.
4. REFER TO THE ARCHITECTURAL AND OTHER DRAWINGS FOR LOCATIONS AND DIMENSIONING OF OPENINGS AND SLEEVES NOT SHOWN ON THE STRUCTURAL DRAWINGS. HOWEVER, OBTAIN THE CONSULTANT'S PRIOR APPROVAL BEFORE INSTALLING OPENINGS, SLEEVES, ETC. WHICH ARE NOT SHOWN ON STRUCTURAL DRAWINGS.
5. SEE ARCHITECTURAL, MECHANICAL AND ELECTRICAL DRAWINGS FOR LOCATIONS OF PITS, BASES, SUMPS, TRENCHES, DEPRESSIONS, GROOVES, CURBS, CHAMFERS AND SLOPES NOT SHOWN ON STRUCTURAL DRAWINGS.
6. HORIZONTAL AND VERTICAL DESIGN LOADS ARE NOTED. THEY SHALL NOT BE EXCEEDED DURING CONSTRUCTION.
7. TYPICAL STRUCTURAL DETAILS SHALL GOVERN THE WORK. IF DETAILS DIFFER ON THE DRAWINGS, THE MOST STRINGENT SHALL GOVERN.
8. ALL TEMPORARY WORKS INCLUDING SHORING ARE TO BE PROVIDED BY THE CONTRACTOR.

010001 DESIGN NOTES

1. THE BUILDING IS DESIGNATED AS BELONGING TO THE NORMAL IMPORTANCE CATEGORY, AS DEFINED IN THE OBC 2012.
2. ALL REINFORCED CONCRETE ELEMENTS HAVE BEEN DESIGNED IN ACCORDANCE WITH CSA STANDARD A23.3.
3. ALL STRUCTURAL TIMBER ELEMENTS HAVE BEEN DESIGNED IN ACCORDANCE WITH CSA STANDARD O86.
4. LATERAL FORCES ON STRUCTURAL FRAME
   a) THE LATERAL FORCES ARE RESISTED BY THE SHEAR WALLS.
   b) THE FRAME IS NOT STABLE UNTIL THE LATERAL LOAD RESISTING SYSTEM IS IN PLACE.
   c) WIND:
      i. THE DESIGN OF THE STRUCTURE FOR WIND IS BASED ON AN HOURLY WIND PRESSURE OF 0.44 kPa (BASED ON 1/50 YEAR RETURN).
      ii. EXPOSURE CONDITION: ROUGH TERRAIN]
      iii. THE IMPORTANCE FACTOR, Iw, FOR WIND DESIGN IS 1.0. FOR DEFLECTION ANALYSIS, THE FACTOR IS 0.75.
      iv. THE DESIGN WIND FORCES HAVE BEEN CALCULATED IN ACCORDANCE WITH THE ONTARIO BUILDING CODE 2012 AND WITH THE "STATIC" PROCEDURE DESCRIBED IN THE USER'S GUIDE - NBC 2010 - STRUCTURAL COMMENTARIES (PART 4).
5. SNOW LOADS ON ROOFS
   a) THE ROOFS HAVE BEEN DESIGNED WITH Ss = 1.1 kPa AND Sr = 0.4 kPa.
   b) THE IMPORTANCE FACTOR, I_S, IS 1.0 FOR ULS AND 0.9 FOR SLS.
6. LIVE AND OTHER LOADS
   a) SEE NOTES BELOW FLOOR PLANS.
   b) IN THE DESIGN OF COLUMNS, WALLS, BEAMS, FLAT SLABS ETC. THE INDICATED LIVE LOADS HAVE NOT BEEN REDUCED AS PER TRIBUTARY AREA CONSIDERATIONS OF THE ONTARIO BUILDING CODE.
7. FUTURE EXTENSIONS
   a) THE STRUCTURE HAS NOT BEEN DESIGNED FOR ANY FUTURE EXTENSIONS.

030000 CONCRETE

1. MATERIALS
   a) CONCRETE
      i. CONFORM TO THE REQUIREMENTS OF CSA STANDARD A23.1 (LATEST VERSION) AND THE FOLLOWING FOR STRENGTH, SLUMP, WATER-TO-CEMENTING MATERIALS CONTENT AND AIR CONTENT.
      ii. FOR NOMINALLY UNREINFORCED CONCRETE; CONFORM TO THE REQUIREMENTS OF CSA STANDARD A438 (LATEST VERSION) AND THE FOLLOWING FOR STRENGTH, SLUMP, WATER-TO-CEMENTING MATERIALS CONTENT AND AIR CONTENT, INCLUDING THE FOLLOWING;
         - CONCRETE STRENGTH 20 MPa, INCREASE TO;
            - 32 MPa FOR GARAGE FLOORS, CARPORT FLOORS AND ALL EXTERIOR FLATWORK.
         - AIR CONTENT OF 5%-8% WHERE EXPOSED TO FREEZE-THAW, REDUCE TO 3%-6% FOR FOOTINGS.
         - MAXIMUM SLUMP OF 100 mm, INCREASE TO 150mm FOR CONVENTIONAL FOUNDATIONS.
      iii. NOMINAL MAXIMUM SIZE OF AGGREGATE SHALL BE 20 mm. USE SMALLER AGGREGATES AS APPROPRIATE IN AREAS OF CONGESTED REINFORCING STEEL OR TO IMPROVE WORKABILITY. MODIFY MIX DESIGNS TO SUIT.

CATEGORY	DESCRIPTION	EXPOSURE CLASS PER A23.1	CONCRETE STRENGTH f'c (MPa)	MAX. W/C RATIO	AIR CONTENT[1]	SCOPE
CM 10	PARKING MIX	C-2[2]	32	0.45	5%-8%	SLAB ON GRADE IN PKG GARAGE, EXPOSED TO DE-ICING CHEMICALS AND/OR TO FREEZE THAW.

1. WHERE AGGREGATES SMALLER THAN 14 mm ARE USED, INCREASE AIR CONTENT BY 1%
2. REINFORCED CONCRETE EXPOSED TO DE-ICING CHEMICALS TO HAVE DCI CORROSION INHIBITOR @ 11L/cu.m. DOSAGE OR APPROVED EQUIVALENT
3. *MAX. 25kg CEMENT/cu.m.*

   a) REINFORCEMENT:
      i. CONFORM TO THE REQUIREMENTS OF CSA STANDARD G30 SERIES.
      ii. REINFORCING BARS SHALL HAVE A MINIMUM YIELD STRENGTH fy = 400 MPa, AND WELDED WIRE FABRIC SHALL HAVE A MINIMUM YIELD STRENGTH OF fy = 386 MPa, SUPPLY IN FLAT SHEETS.
      iii. WHERE WELDING OF REBAR IS INDICATED, WELDABLE GRADE REBAR SHALL BE USED.
2. EXECUTION
   a) SLAB ON GRADE
      i. PLACE SLABS ON GRADE ON MATERIAL CAPABLE OF SUSTAINING 24 kPa WITHOUT SETTLEMENT RELATIVE TO THE BUILDING FOOTINGS.
      ii. BEFORE PLACING SLAB, PLACE 100 mm OF COARSE CLEAN GRANULAR MATERIAL OVER THE SUBGRADE, CONTAINING NOT MORE THAN 10% OF MATERIAL THAT WILL PASS A 4 mm SIEVE.

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MK	DATE	DESCRIPTION

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Checked by VC | Scale NTS | Project # 240276

Project Name 335 CARLISLE RD DETACHED GARAGE
Sheet Title GENERAL NOTES

S-001

b) CONCRETE AND REINFORCEMENT

i. PROVIDE DOWELS TO WALLS AND COLUMNS SIMILAR IN NUMBER, SIZE, AND SPACING TO THE VERTICAL STEEL IN THE WALL OR COLUMN EXCEPT WHEN NOTED OTHERWISE.

ii. CONSTRUCTION JOINTS:

- HORIZONTAL CONSTRUCTION JOINTS SHALL NOT BE MADE IN BEAMS OR JOISTS, UNLESS SHOWN OR REVIEWED BY THE CONSULTANT.
- VERTICAL CONSTRUCTION JOINS MAY BE MADE ONLY AT MID-SPAN OF BEAMS, JOISTS, AND SLABS UNLESS OTHERWISE SHOWN OR DIRECTED AND THEIR LOCATION SHALL BE REVIEWED BY THE CONSULTANT.
- PROVIDE 38x89 KEYS AT CONSTRUCTION JOINTS UNLESS NOTED OTHERWISE.

iii. WELDING OF REBAR SHALL BE DONE IN ACCORDANCE WITH CSA W186.

c) CONCRETE COVER TO REINFORCEMENT:

i. CONFORM TO THE REQUIREMENTS OF CSA STANDARD A23.1 (LATEST VERSION) AND THE FOLLOWING FOR COVER TO REINFORCEMENT (mm):

ii. ADDITIONAL COVER REQUIREMENTS AS APPLICABLE:

- CONCRETE EXPOSED TO CHLORIDES (C-1, C-3) (DOES NOT INCLUDE CONCRETE PROTECTED BY A WATERPROOFING MEMBRANE):
  - 30M BARS AND SMALLER: 60mm
- EXPOSED TO EARTH OR WEATHER (F-1, F-2)
  - 25M AND SMALLER: 40mm

d) WATERSTOPS

i. PROVIDE WATERSTOPS AT ALL CONCRETE JOINTS MORE THAN 600 MM BELOW GRADE.

060000 WOOD

1. MATERIALS

a) SAWN LUMBER

i. CONFORM TO THE REQUIREMENTS OF CSA-O141

ii. SPECIES - SPRUCE-PINE-FIR

iii. GRADE - [No.1/No.2]

b) PLYWOOD SHEATHING

i. CONFORM TO THE REQUIREMENTS OF CSA O121 AND CSA O151

ii. FLOOR AND ROOF SHEATHING TO BE TONGUE AND GROOVE.

c) CONNECTIONS

i. ALL WOOD TO WOOD CONNECTIONS OR WOOD TO STEEL CONNECTIONS, UNLESS OTHERWISE NOTED, ARE TO BE THE APPROPRIATE SIMPSON STRONG-TIE HANGER OR APPROVED EQUIVALENT, SIZED FOR THE CONNECTION FORCE AND MEMBER CONFIGURATION INDICATED.

ii. NAILS ARE TO BE COMMON STEEL WIRE NAILS CONFORMING TO THE REQUIREMENTS OF ASTM F1667 OR CSA B111. NAILS SHALL HAVE A MINIMUM DIAMETER (CORRESPONDING TO NAIL LENGTH) AS FOLLOWS: 2.87mm (FOR 57mm LONG NAILS); 3.25mm (62mm LONG); 3.66mm (76mm AND 82mm LONG); 4.88mm (102mm LONG).

iii. WOOD SCREWS ARE TO CONFORM TO THE REQUIREMENTS OF ASTM B18.6.1. REFER TO CSA O86 FOR DIAMETER AND MINIMUM YIELD STRENGTH INFORMATION.

iv. BOLTS, NUTS AND WASHERS: ASTM A307 OR SAE J429 GRADE 2.

v. UNLESS OTHERWISE APPROVED BY THE CONSULTANT, ALL NAILS ARE TO HAVE FULL ROUND HEADS; CLIPPED HEAD NAILS ARE NOT ACCEPTABLE. NAILS ARE TO BE DRIVEN FLUSH; DO NOT OVERDRIVE NAILS.

vi. HOLD DOWNS SHALL BE INSTALLED IN DOUBLE STUDS AT THE END OF THE SHEARWALL UNLESS NOTED OTHERWISE. SHOULD THE HOLD DOWN BE LOCATED INWARD FROM THE WALL END DUE TO FIELD CONDITIONS, THE SHEATHING SHALL BE NAILED TO THE DOUBLE STUDS CARRYING THE HOLD DOWN WITH EDGE NAIL SPACING.

2. EXECUTION

a) PROTECT ALL WOOD PRODUCTS FROM DAMAGE AND STAINING DUE TO WETTING AND MOISTURE.

b) PROTECT INSTALLED DECKING AND SHEATHING FROM EXCESSIVE MOISTURE UNTIL FINAL WATERPROOFING IS COMPLETE. ENSURE SURFACES THAT ARE TO RECEIVE FINISHES MEET MANUFACTURERS REQUIREMENTS FOR MAXIMUM MOISTURE CONTENT FOR THE FINISH SPECIFIED.

c) DIMENSION LUMBER WITH SMALLER NOMINAL DIMENSION OF 2 INCHES (“2-BY- “) PRESERVATIVE TREATED FOR EXTERIOR APPLICATIONS SHALL NOT BE INCISED. IF INCISED LUMBER IS TO BE USED, CONFIRM MEMBER SIZES WITH THE ENGINEER PRIOR TO CONSTRUCTION.

d) ALL JOISTS, LINTELS AND BUILT-UP BEAMS COMPRISED OF “2-BY- “ SAWN LUMBER MUST BEAR FULLY 38mm MINIMUM ON THE SUPPORT SURFACE. IF HANGERS ARE USED, THEY MUST ADEQUATELY SUPPORT THE FULL SHEAR CAPACITY OF THE MEMBER, UNLESS NOTED OTHERWISE.

e) PROVIDE SIMPSON STRONG-TIE CONNECTORS OR EQUIVALENT AT ALL JOIST TO JOIST, JOIST TO BEAM, AND BEAM TO POST CONNECTIONS UNLESS NOTED OTHERWISE.

f) NAIL ALL OTHER FRAMING IN ACCORDANCE WITH OBC CLAUSE 9.23.3 AND OBC TABLE 9.23.3.4.

310000 FOUNDATIONS

1. FOUND ALL FOOTINGS ON NATURALLY CONSOLIDATED UNDISTURBED SOIL CAPABLE OF SAFELY SUSTAINING AN ULTIMATE BEARING VALUE OF 150 kPa ULS BEARING CAPACITY AND AN ALLOWABLE BEARING VALUE OF 100 kPa SLS BEARING CAPACITY.
2. THE LINE OF SLOPE BETWEEN ADJACENT FOOTINGS OR EXCAVATIONS OR ALONG STEPPED FOOTINGS SHALL NOT EXCEED A RISE OF 7 IN A RUN OF 10. AT STEPS CONSTRUCT LOWER FOOTINGS PRIOR TO CONSTRUCTING HIGHER FOOTINGS.

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No.	DESCRIPTION	DATE
01	ISSUED FOR PERMIT	2024-05-23

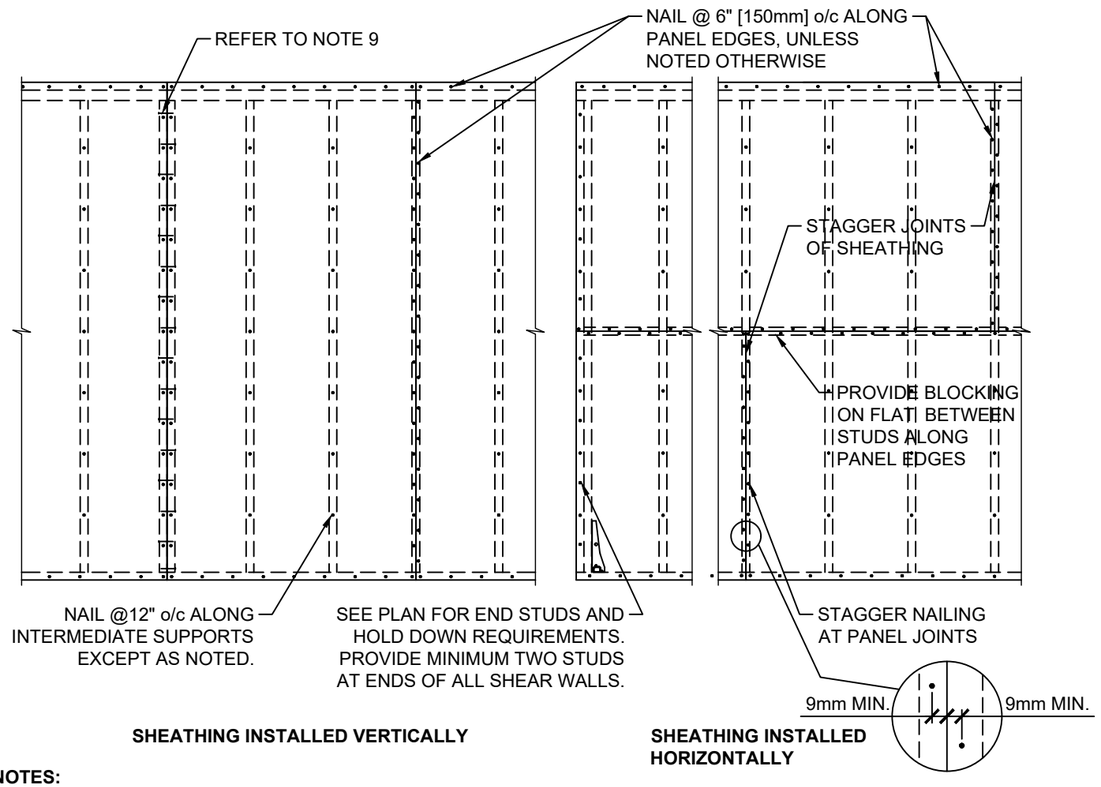
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Project Name
335 CARLISLE RD
DETACHED GARAGE

Sheet Title
GENERAL NOTES

S-002

WOOD FRAMED SHEAR WALLS — TD0630



SHEATHING INSTALLED VERTICALLY

SHEATHING INSTALLED HORIZONTALLY

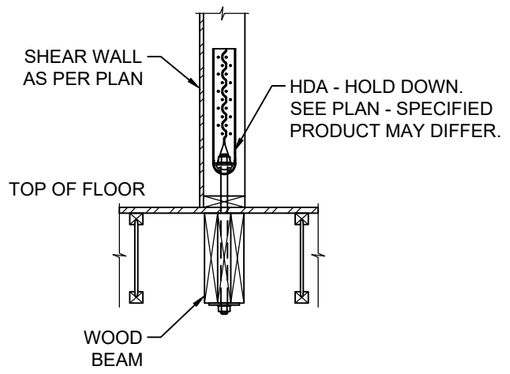
NOTES:

1. ALL PANEL EDGES ARE TO BE BACKED WITH MINIMUM 1½" [38] WIDE FRAMING MEMBERS.
2. SHEATHING IS TO BE PLYWOOD, OSB, OR WAFERBOARD. CONFORM TO CSA O121 FOR DOUGLAS FIR PYWOOD, OR CSA O151 FOR CANADIAN SOFTWOOD PLYWOOD. CONFORM TO CSA O437 OR CSA O452 FOR OSB AND WAFERBOARD. PANELS ARE TO BE 1200x2400 [4'x8'] OR LARGER EXCEPT WHERE SMALLER SHEETS ARE NEEDED NEAR BOUNDARIES.
3. UNLESS NOTED OTHERWISE ON THE DRAWINGS, ALL SHEAR WALLS ARE TO BE SHEATHED WITH MINIMUM 11mm [7/16"] THICK SHEATHING ON ONE SIDE, NAILED IN ACCORDANCE WITH THE PATTERNS SHOWN ABOVE.
4. NAIL LENGTHS ARE TO CONFORM TO THE FOLLOWING, U/N:

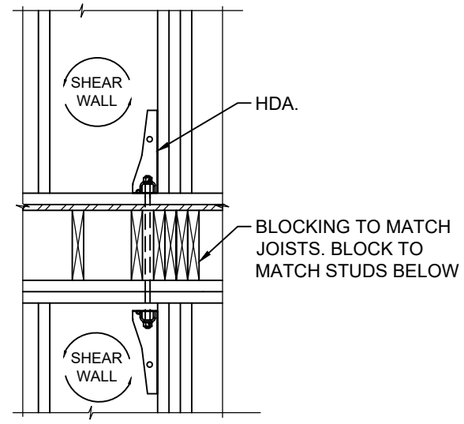
SHEATHING THICKNESS	NAIL LENGTH	NAIL DIA. (MIN.)
11mm [7/16"]	2½"	3.25mm [0.128"]
12.5mm [½"] OR GREATER	3" U/N	3.66mm [0.144"]

   NOTE: REDUCE NAIL SPACING BY ⅓ IF USING 3.05mm (0.120") DIAMETER, POWER-DRIVEN NAILS. i.e. REDUCE SPACING TO 100mm o/c AROUND PANEL EDGES.
5. CLIPPED HEAD NAILS ARE NOT PERMITTED; NAILS MUST HAVE CONCENTRIC, FULL ROUND HEADS.
6. NAIL HEADS ARE TO BE DRIVEN FLUSH WITH FACE OF SHEATHING. DO NOT OVER-DRIVE NAILS MORE THAN 15% OF THE THICKNESS OF THE SHEATHING.
7. INTERMEDIATE NAILING IS TO BE AT 12" [300] o/c (AS SHOWN).
8. NAILS ARE TO BE SPACED NO CLOSER THAN 9mm TO PANEL EDGES.
9. WHERE PANELIZED WALLS WITH PRE-INSTALLED SHEATHING ARE USED, AND WHERE THE SHEATHING DOES NOT OVERLAP AND IS NOT NAILED TO ADJACENT PANELS, PROVIDE EQUIVALENT NAIL SIZE AND SPACING BETWEEN STUDS OF ADJACENT PANELS AS IS USED AROUND PANEL PERIMETER TO ENSURE CONTINUITY OF SHEARWALL.

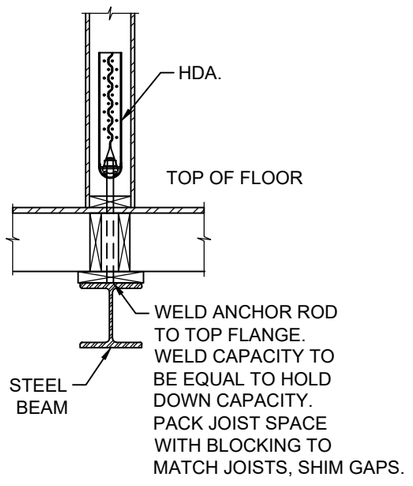
SHEAR WALL - HOLD DOWN DETAILS — TD0631



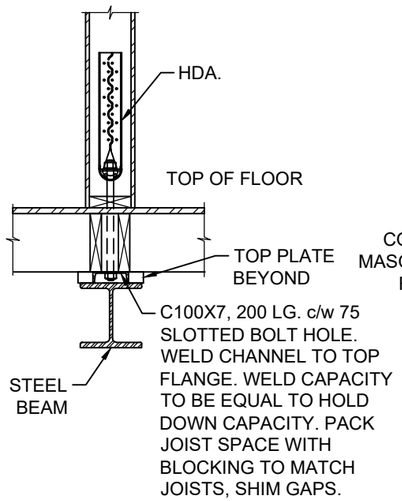
DETAIL OF HOLD DOWN ANCHOR AT WOOD BEAM



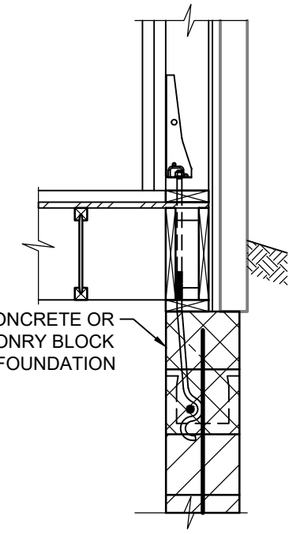
DETAIL OF HOLD DOWN ANCHOR THROUGH FLOOR SPACE



DETAIL OF HOLD DOWN ANCHOR AT STEEL BEAM OPTION 1



DETAIL OF HOLD DOWN ANCHOR AT STEEL BEAM OPTION 2



DETAIL OF HOLD DOWN ANCHOR INTO FOUNDATION WALL

Blackwell
LICENSED PROFESSIONAL ENGINEER
V. W. L. CHU
100617848
PROVINCE OF ONTARIO
Toronto 416.593.5300 | Waterloo 519.616.0895 | Victoria 778.817.1010 | Halifax 902.593.0125 | blackwell.ca

NO	DATE	DESCRIPTION
01	2024-05-22	ISSUED FOR PERMIT

Drawn by: VC
Date: 2024-05-22
Checked by: VC
Scale: NTS
Project #: 240276

Project Name: 335 CARLISLE RD DETACHED GARAGE
Sheet Title: TYPICAL DETAILS

S-003

S-201

Project Name
335 CARLISLE RD
DETACHED GARAGE

Sheet Title
SECTION DETAILS
(TACBOC)

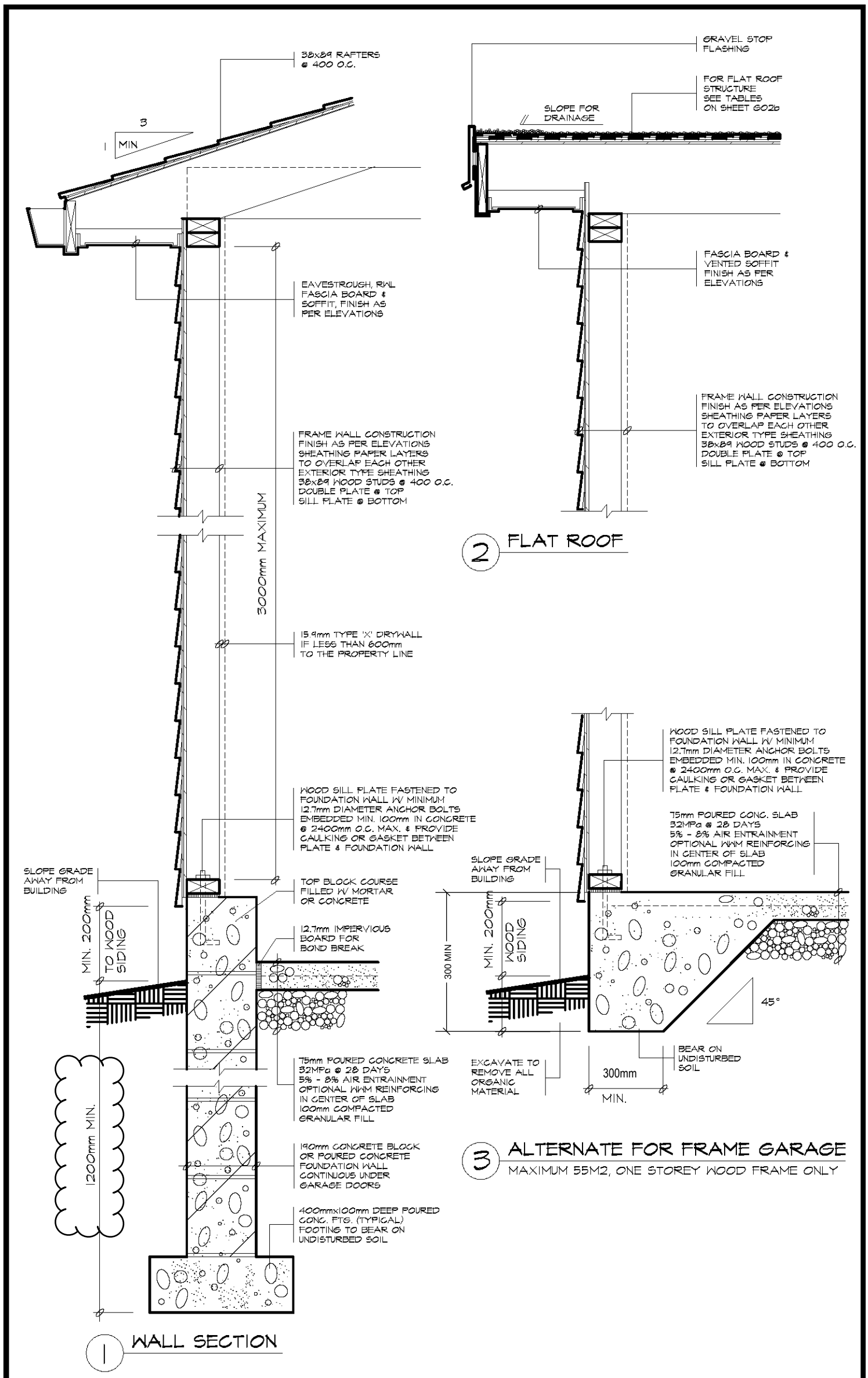
Checked by	Drawn by
VC	VC
Scale	Date
NTS	2024-05-22
Project #	
240276	

01	2024-05-23	ISSUED FOR PERMIT
MK	DATE	DESCRIPTION

LICENSED PROFESSIONAL ENGINEER
V. W. L. CHU
100617848
PROVINCE OF ONTARIO

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TACBOC
STANDARD DETAIL

TITLE
DETACHED GARAGE
FRAME DETAILS

DWG. NO.
G02c
2007

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)	Angelo Venturin, Michele Pa PANKRATZ	[redacted]	
Applicant(s)			**E-mail:**
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	335 Carlisle Road, Hamilton, ON, L0R 1H1		
Assessment Roll Number			
Former Municipality			
Lot	Part of lot 6	Concession	9
Registered Plan Number	62R-7418	Lot(s)	
Reference Plan Number (s)		Part(s)	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

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:

Interior Sideyard Setback Required 3m / Proposed 1.2m (For the proposed garage)
Lot Coverage Permitted 45 sq m / Proposed 66.9 sq m

☐ Second Dwelling Unit ☐ Reconstruction of Existing Dwelling

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

Proposing a Detached Garage in the Rear Yard

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
45.08m	56.41m	2542.96 sq m	8.5 m

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

Existing:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Dwelling	14.8 m	30m	24m, 11m	01/01/1890

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Detached Garage	36.27m	10.99m	1.20m	6/1/2025

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	102 sq m	176 sq m	2	7.62m

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Detached Garage	66.9 sq m	66.9 sq m	1	4.48m

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)

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

4.7 Type of access: (check appropriate box)

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

_____

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

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

7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:
May 21, 2024

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

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

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

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

Rural Hamilton Official Plan designation (if applicable): RURAL SETTLEMENT AREA

Rural Settlement Area: _____

Urban Hamilton Official Plan designation (if applicable) _____

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

7.6 What is the existing zoning of the subject land? S1

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

_____

_____

STAFF COMMENTS

HEARING DATE: April 30, 2026

Hamilton

A-26:060 — 335 Carisle Road, Flamborough

Recommendation:

Approve — Development Planning

Proposed Conditions:

Proposed Notes:

A building permit is required for the construction of the proposed detached garage. (Building Engineering)

Be advised that Ontario Building Code regulations may require specific setback and construction types. (Building Engineering)

"**Acknowledgement Note:** The subject property has been determined to be an area of archaeological potential. It is reasonable to expect that archaeological resources may be encountered during any demolition, grading, construction activities, landscaping, staging, stockpiling or other soil disturbances. If archaeological resources are encountered, the proponent may be required to conduct an archaeological assessment prior to further impact in order to address these concerns and mitigate, through preservation or resource removal and documentation, adverse impacts to any significant archaeological resources found. Mitigation, by an Ontario-licensed archaeologist, may include the monitoring of any mechanical excavation arising from this project. If archaeological resources are identified on-site, further Stage 3 Site-specific Assessment and Stage 4 Mitigation of Development Impacts may be required as determined by the Ontario Ministry of Citizenship and Multiculturalism (MCM). All archaeological reports shall be submitted to the City of Hamilton for approval concurrent with their submission to the MCM.

Should deeply buried archaeological materials be found on the property during any of the above development activities the 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)." (Development Planning)

Hamilton

Development Planning:

Background
The purpose of Minor Variance application A-26:060 is to permit the construction of an accessory building (detached garage) in the rear yard of a single detached dwelling.

Analysis

Rural Hamilton Official Plan
The subject lands are designated “Rural Settlement Area” in Schedule D – Rural Land Use Designations of the Rural Hamilton Official Plan. Policy 5.0, amongst others, is applicable and requires that development complies with general the Rural Settlement Area policies and applicable Rural Settlement Area plan policies.

Carlisle Rural Settlement Area Plan
The subject lands are designated “Settlement Residential” in Volume 2: Map 4 – Carlisle Rural Settlement Area Plan of the Rural Hamilton Official Plan. Policy B.1.3.1 permits single detached dwellings.

Archaeology
The subject property meets four (4) of the ten criteria used by the City of Hamilton and Ministry of Citizenship and Multiculturalism for determining archaeological potential:

1) Within 300 metres of a primary watercourse or permanent waterbody, 200 metres of a secondary watercourse or seasonal waterbody, or 300 metres of a prehistoric watercourse or permanent waterbody;
2) In an area of sandy soil in areas of clay or stone;
3) In areas of pioneer Euro-Canadian settlement; and,
4) Along historic transportation routes.

These criteria define the property as having archaeological potential. Accordingly, Section 2 (d) of the *Planning Act* and Section 4.6.2 of the Provincial Planning Statement apply to the subject application.

If this variance is granted, the City does not require an archaeological assessment, but the proponent must be advised in writing by the Committee of Adjustment as follows:

“**Acknowledgement Note:** The subject property has been determined to be an area of archaeological potential. It is reasonable to expect that archaeological resources may be encountered during any demolition, grading, construction activities, landscaping, staging, stockpiling or other soil disturbances. If archaeological resources are encountered, the proponent may be required to conduct an archaeological assessment prior to further impact in order to address these concerns and mitigate, through preservation or resource removal and documentation, adverse impacts to any significant

Hamilton

archaeological resources found. Mitigation, by an Ontario-licensed archaeologist, may include the monitoring of any mechanical excavation arising from this project. If archaeological resources are identified on-site, further Stage 3 Site-specific Assessment and Stage 4 Mitigation of Development Impacts may be required as determined by the Ontario Ministry of Citizenship and Multiculturalism (MCM). All archaeological reports shall be submitted to the City of Hamilton for approval concurrent with their submission to the MCM.

Should deeply buried archaeological materials be found on the property during any of the above development activities the 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).”

Cultural Heritage
The subject property, located at 335 Carlisle Road, is listed on the City’s Inventory of Heritage Properties.

The City recognizes there may be cultural heritage properties that are not yet identified or included in the Municipal Heritage Register, nor designated under the *Ontario Heritage Act*, but still may be of cultural heritage interest. These may be properties that have yet to be surveyed, or otherwise identified, or their significance and cultural heritage value has not been comprehensively evaluated but are still worthy of conservation (Urban Hamilton Official Plan, Volume 1, Section B.3.4.2.6 and B.3.4.2.7).

Although not formally recognized under the *Ontario Heritage Act* through registration or designation, the subject property is of potential cultural heritage value and staff do have an interest in ensuring any proposed changes are sympathetic to the historic character of the property and are contextually appropriate.

Additionally, the property is located within the Carlisle Cultural Heritage Landscape.

Accordingly, sections B.3.4.1.4, B.3.4.2.1(g) B.3.4.2.1(h), and B.3.4.6.2, of the Urban Hamilton Official Plan, Volume 1, apply.

The proponent proposes to construct a detached garage in the rear yard of a single detached dwelling.

Notwithstanding that the on-site property is listed on the Inventory of Heritage Properties and that the property is located within the Carlisle Cultural Heritage Landscape, staff have reviewed the application and are of the opinion that the cultural heritage value or interest of the on-site cultural heritage resource and the landscape will be conserved.

Staff have no further comments on the application as circulated.

Hamilton

City of Hamilton Zoning By-law No. 05-200
The subject lands are zoned Settlement Residential (S1) Zone in City of Hamilton Zoning By-law No. 05-200. The existing single detached dwelling and proposed accessory structure are permitted.

Variance 1 and 2

1. A maximum gross floor area of 68.0 square metres shall be permitted for all buildings accessory to the single detached dwelling instead of the requirement that all buildings accessory to a single detached dwelling shall not exceed 45.0 square metres or 7.5% of the lot area, whichever is the lesser.

2. A maximum building height of 5.1 metres shall be permitted for all buildings accessory to the single detached dwelling instead of the requirement that all buildings accessory to a single detached dwelling shall have a maximum building height of 4.5 metres.

The intent of this provision is to ensure accessory buildings remain subordinate in size, character and role to the principal dwelling and to prevent the overdevelopment of properties.

Staff note that the principal dwelling has a gross floor area of 176 square metres and a height of 7.62 metres. The subject property has an area of approximately 2,543 square metres. The proposed detached garage will have an area of 66.9 square metres, representing approximately 2.63% lot coverage. Staff note that the grade on the subject property decreases towards the rear of the property, Variance 2 is required to account for this grade change. Staff are of the opinion that the proposed detached garage will remain subordinate to the principal dwelling and will not be an overdevelopment of the subject property.

It is staff's opinion that the requested variances maintain the general intent of the Rural Hamilton Official Plan and Zoning By-law, are desirable for the appropriate use or development of the land and are minor in nature. Staff support the variances.

Staff are of the opinion that the requested variances meet the four tests of a minor variance. **Staff recommend approval.**

Zoning:

Recommendation:	No Comments
Proposed Conditions:	N/A
Comments:	N/A
Notes:	N/A

Development Engineering:

Hamilton

Recommendation:	Comments Only
Proposed Conditions:	N/A
Comments:	Provided the existing drainage pattern is maintained, Development Engineering has no comments or objections to the minor variances as proposed.
Notes:	N/A

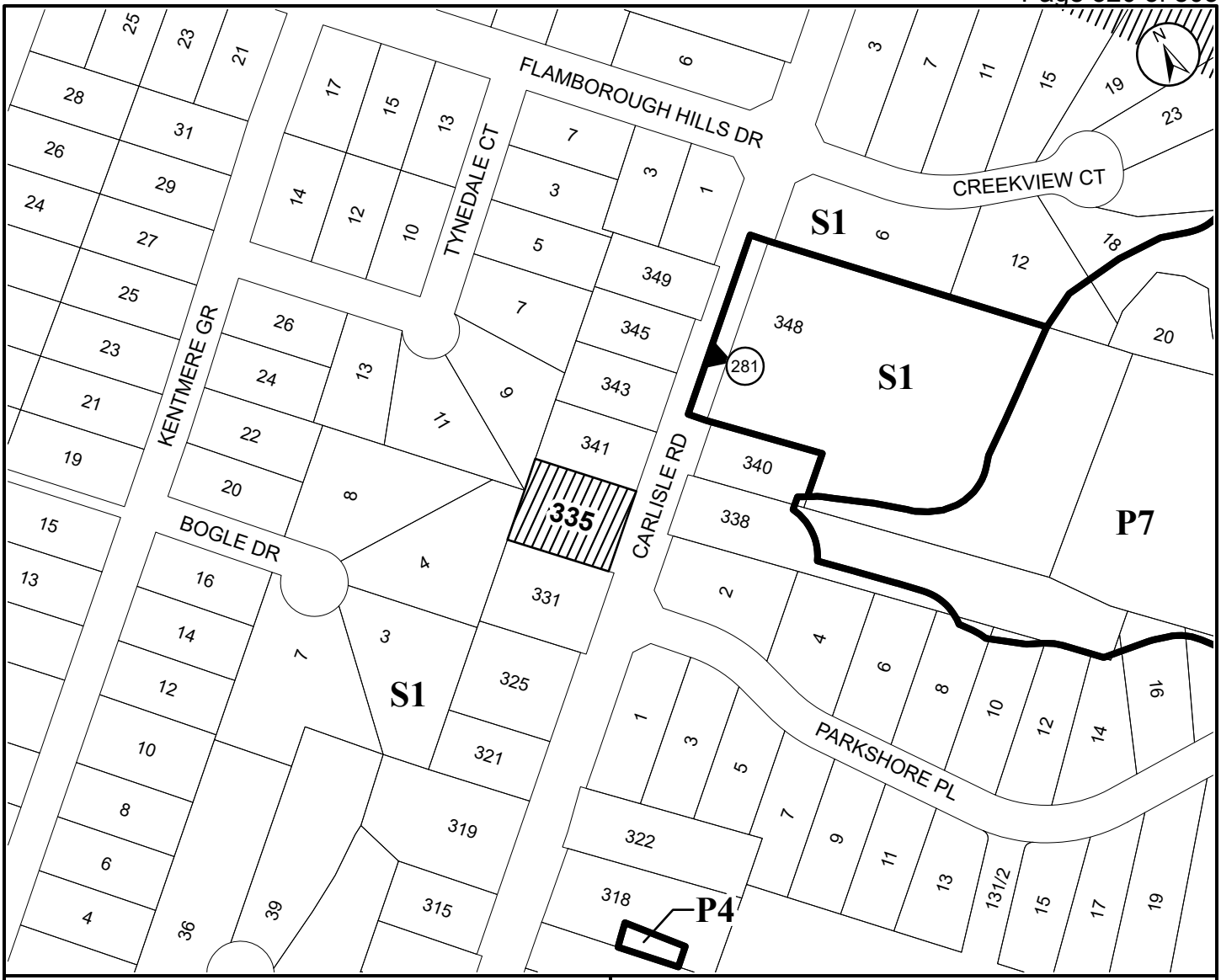
Building Engineering:

Recommendation:	Comments and Conditions/Notes
Proposed Conditions:	
Comments:	
Notes:	A building permit is required for the construction of the proposed detached garage. Be advised that Ontario Building Code regulations may require specific setback and construction types.

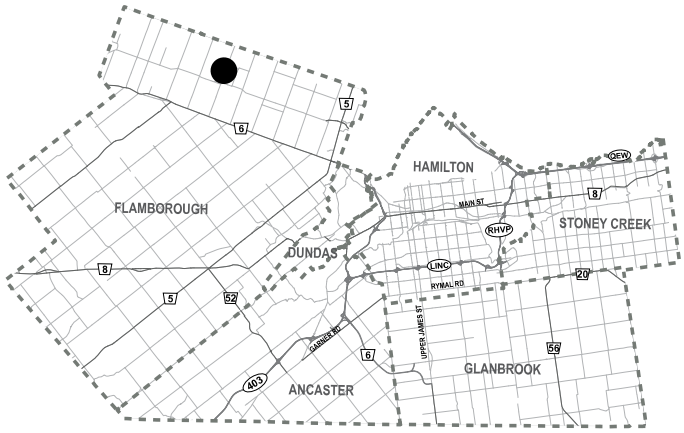
Transportation Planning:

Recommendation:	No Comments
Proposed Conditions:	
Comments:	
Notes:	

Please Note: Public comment will be posted separately, if applicable.



● **Site Location**



City of Hamilton

Committee of Adjustments

Subject Property

335 Carlisle Road, Flamborough (Ward 15)

File Name/Number: A-26:060

Date: April 14, 2026

Technician: XX

Scale: N.T.S.

Appendix "A"

Planning and Economic Development Department

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-26:014**	**SUBJECT PROPERTY:**	364 & 368 Mill Street, Dundas

APPLICANTS: Owner: Acacia Realty Holdings Inc
Applicant:
Agent: Don Robertson

PURPOSE & EFFECT: To permit the conveyance of an industrial parcel of land being the land known as 368 Mill Street, Dundas and to retain a parcel of land known municipally as 364 Mill Street, Dundas. The existing structures will remain. These properties inadvertently merged in title and the owner wishes to recreate the two original lots.

	Frontage	**Depth**	**Area**
SEVERED LANDS (368 MILL):	35.58 m±	73.37 m±	2626 m^2 ±
RETAINED LANDS (364 MILL):	40.93 m±	Irregular	6559 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, April 30, 2026**
TIME:	**10:50 a.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 **April 28, 2026**.

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 **April 29, 2026**.

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding this matter, 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-26:014



Subject Lands

DATED: April 13, 2026

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.

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

The following information is required with your written submission:

- Committee of Adjustment file number
- Full name and address of the person providing comments. Anonymous comments will not be accepted.

Comments can also be placed in the drop box which is located at the back of the 1st Floor of City Hall, 71 Main Street West. All written comments received by the deadline 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. To register, email cofa@hamilton.ca with the following information:

- Committee of Adjustment file number
- Hearing date
- Full name and address of the person wishing to speak. Anonymous comments will not be accepted.
- 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.

GENCH MARK NOTE:
ELEVATIONS SHOWN ON THIS PLAN ARE GEODETIC AND ARE DERIVED FROM BENCH MARK NORTH OF KING STREET WEST, TABLET IN SOUTH CONCRETE CURB AND 10cm. EQUOW WOOD AND SITUATED 30MM. ELEVATION=103.85M

NO.	DATE	BY	REVISIONS
11.	MAR/20	MC	REMOVED SHIPPING CONTAINERS
10.	SEP1/19	MC	REVISED PER CITY COMMENTS
9.	MAR/19	MC	REVISED PER CITY COMMENTS
8.	OCT/18	MC	REVISED PER CITY COMMENTS
7.	SEP1/18	MC	REVISED PER CITY COMMENTS
6.	APR1/18	MC	REVISED PER CITY COMMENTS
5.	JULY/17	MC	REMOVED BUILDING ADDITION

DESIGN	JP	CHK'D	SL	DATE Oct. 29, 15
DRAWN	JP	CHK'D	SL	

1:300

APPROVALS

STAMP

S. ILLICHLIAN & ASSOCIATES LIMITED
CONSULTING ENGINEERS
3228 South Service Road, Suite #105 East Wing, Burlington, Ont. L7N 3H8
Tel (905) 631-6578
Fax (905) 631-8627
email: info@sia.on.ca

CLIENT
WINDMILL POWER EQUIPMENT
368 MILL STREET, DUNDAS ON L9H 2M1

PROJECT NAME
WINDMILL POWER EQUIPMENT
368 MILL STREET
CITY OF HAMILTON

TITLE
SITE PLAN
SPA-15-113

PROJECT No. 15014 DRAWING No. C102

DWG No.: 15014-C100
SITE PLAN
S:\15\01\Working\DRAWINGS\15014-Site Plan & Grading Plan.dwg

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 site sketch and general information in the Submission Requirements and Information document.

1. APPLICANT INFORMATION

	NAME	MAILING ADDRESS	
Purchaser*			**Phone:**
			E-mail:
Registered Owner(s)	ACACIA REALTY HOLDINGS INC.	[redacted]	
Applicant(s)**			
Agent or Solicitor	Don Robertson		

Please include contact person's name if applying as a company or organization.
*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 authorization 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 card over phone*
☐ Cheque

*Must provide phone number above

2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	364 & 368 Mill Street Dundas L9H2M1		
Assessment Roll Number	251826011011100		
Former Municipality	Dundas		
Lot	Part Lot 23	Concession	
Registered Plan Number	1370	Lot(s)	1,6,&7
Reference Plan Number (s)	62R11763	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:

I can't find any

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:

Vince Borgdorff

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 (including any proposed easements):
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 Lands	Severed			
Type of Transfer					
Frontage	40.93M	35.8M			
Depth	Iregg	73.37			
Area	6559 sq m	.2626 sq m			
Existing Use	office storage	furniture Mgn			
Proposed Use	same	same			
Existing Buildings/ Structures	as per sketch 279M	as per sketch 463M			
Proposed Buildings/ Structures	364 Pin # 1748200236	368 Pin # 174820007			
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): _____

Rural Settlement Area: _____

Urban Hamilton Official Plan designation (if applicable) M6

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

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

☐ Yes ☑ No ☐ Unknown

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

_____

5.3 What is the existing zoning of the subject land? M6

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.

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

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?
24 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.
151 Hwy West Hamilton (Flamborough)

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 Planning Statement (PPS)?
☑ Yes ☐ No (Provide explanation)

7.3 Are the subject lands subject to the Niagara Escarpment Plan?
☐ Yes ☑ No (Provide explanation)
Unknown

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

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

7.6 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

- ☑ 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

_____

_____

STAFF COMMENTS

HEARING DATE: April 30, 2026

Hamilton

B-26:014 — 364 & 368 Mill Street, Dundas

Recommendation:

Table — Development Planning

Proposed Conditions:

1. The owner shall submit a deposited Ontario Land Surveyor's Reference Plan to the Committee of Adjustment Office, unless exempted by the Land Registrar. The reference plan must be submitted in pdf and also submitted in CAD format, drawn at true scale and location and tied to the city corporate coordinate system. (Committee of Adjustment Section)

2. The owner shall pay any outstanding realty taxes and/or all other charges owing to the City Treasurer. (Committee of Adjustment Section)

3. The owner submits to the Committee of Adjustment office an administration fee, payable to the City of Hamilton, to cover the costs of setting up a new tax account for each newly created lot. (Committee of Adjustment Section)

4. The owner/applicant shall receive final approval of the appropriate Planning Act application in order to seek relief from the requirements of the Zoning By-law (Planning Division – Zoning Review Section).

5. The owner/applicant shall provide confirmation of the existing uses on the lands to be retained/conveyed in order to determine compliance with the permitted uses of the M6 Zone or alternatively apply for and receive final approval of the appropriate Planning Act application in order to permit the intended use (Planning Division – Zoning Review Section).

6. The owner/applicant shall submit survey evidence that the lands to be severed and the lands to be retained, including the location of any existing structure(s), parking and landscaping lot width and lot area, conform to the requirements of the Zoning By-Law or alternatively apply for and receive final approval of the appropriate Planning Act application in order to seek relief from the requirements of the Zoning By-law (Planning Division – Zoning Review Section).

7. The owner shall comply with Ontario Building Code requirements regarding spatial separation distances of any structures. Compliance to be confirmed by the Planning and Economic Development Department (Building Division – **Building Engineering Section**).

8. The applicant has to demonstrate that existing building on 368 Mill Street is serviced with Water and Sewer connection. (Development Engineering)

Hamilton

9. The Owner shall be responsible for paying any outstanding cost recoveries and/or any applicable charges under the Municipal Act related to the subject lands, to the satisfaction of the City's Director of Development Engineering.

Proposed Notes:

Prior to a person performing any work on, in or around a public tree an application for a permit shall be submitted to Forestry. Email urbanforest@hamilton.ca for questions or public tree permit application. (Forestry)

In order to clear conditions, the applicant will be required to make application for Ontario Building Code compliance and pay the relevant fees. (Building Engineering)

"**Advisory Note:** The City does not require an archaeological assessment as part of this application, but the applicant is advised that the City retains the authority to require an archaeological assessment for any future applications on the subject property under the *Planning Act*." (Development Planning)

Hamilton

Development Planning:

Background

	Frontage	Depth	Area
SEVERED LANDS (368 Mill Street):	35.58 m±	73.37 m±	2, 626 m^2±
RETAINED LANDS (364 Mill Street):	40.93 m±	irregular	6,559 m^2±

The purpose of Consent to Sever application B-26:014 is to permit the conveyance of an industrial parcel of land known as 368 Mill Street, Dundas and to retain a parcel of land known as 364 Mill Street, Dundas. The existing structures are to remain.

Analysis

Urban Hamilton Official Plan
The subject lands are identified as “Employment Areas” in Schedule E – Urban Structure and are further identified as “UD-1 Dundas Two Zone Floodplain Area” on Map D-1 – Area Specific Policies of the Urban Hamilton Official Plan. The subject lands are designated “Industrial Land” in Schedule E-1 – Urban Land Use Designations. Policies E.5.3.2 and F.1.14.3.5, amongst others, are applicable. Both the retained and severed lands contain existing buildings and industrial uses, which are to remain.

Staff note that while the intent of the proposal is to recreate inadvertently merged lots, the Urban Hamilton Official Plan does not have policies regarding the correction of inadvertent mergers. The proposal is considered new lot creation and development. Therefore, staff have reviewed this application against the Urban Hamilton Official Plan’s criteria accordingly for the creation of new lots.

Policy E.5.3.2 permits a full range of manufacturing uses, warehousing, repair services, building or contracting supply establishments, research and development, salvage/storage yards and similar industrial uses. Limited office uses, ancillary uses which support the Employment Area such as hotels, restaurants or trade schools are also permitted.

Per Policy F.1.14.3.5, lot creation for employment uses shall be permitted provided the following conditions are met:

a) The lots comply with the policies of the Urban Hamilton Official Plan, including secondary plans where one exists;

b) The lots are in conformity with the Zoning By-law or a minor variance is approved;

c) The lots are fully serviced by municipal water and wastewater systems; and,

Hamilton

d) The lots have frontage on a public road.

Staff note the existing industrial uses are permitted in the “Industrial Land” designation, the lots are fully serviced by municipal services and have frontage on a public road. However, the severed lot does not meet the 4,000 square metre minimum lot area required by the Zoning By-law.

Policy UD-1 1.0, found in Volume 3, Chapter B of the Urban Hamilton Official Plan, provides the applicable policies within the floodplain area as shown on Map D-1. Policy 1.0 b) requires a proponent to contact the Hamilton Conservation Authority to determine if and what flood protection measure are necessary, prior to development or redevelopment within or in proximity to UD-1.

Archaeology
The subject property meets two (2) of the ten criteria used by the City of Hamilton and Ministry of Citizenship and Multiculturalism for determining archaeological potential:

1) Within 300 metres of a primary watercourse or permanent waterbody, 200 metres of a secondary watercourse or seasonal waterbody, or 300 metres of a prehistoric watercourse or permanent waterbody; and,
2) In an area of sandy soil in areas of clay or stone;.

These criteria define the property as having archaeological potential. Accordingly, Section 2 (d) of the *Planning Act* and Section 4.6.2 of the Provincial Planning Statement apply to the subject application, which would normally require an archaeological assessment. This application is centred around an adjustment of property boundaries and will not result in significant soil disturbance.

If this consent is granted, the City does not require an archaeological assessment, but the proponent must be advised in writing by the Committee of Adjustment as follows:

“**Advisory Note:** The City does not require an archaeological assessment as part of this application, but the applicant is advised that the City retains the authority to require an archaeological assessment for any future applications on the subject property under the *Planning Act*.”

Cultural Heritage
No comments.

Communication from the Hamilton Conservation Authority has not been provided with this application. To ensure compliance with the Urban Hamilton Official Plan regarding development within UD-1, **staff recommend this application be tabled** until communication from the Hamilton Conservation Authority regarding mitigation measures, if any are required, is provided.

City of Hamilton Zoning By-law No. 05-200

Hamilton

The subject lands are zoned Light Industrial (M6) Zone in City of Hamilton Zoning By-law No. 05-200. The existing uses are permitted.

Staff note that the Zoning By-law requires a minimum lot area of 4,000 square metres. The severed lands will not meet this requirement as the proposed lot area is 2,626 square metres. Staff have concerns regarding the proposed severed lot's area and its ability to accommodate a broad range of industrial or employment uses. This would include consideration of associated parking, required setbacks and general conformity to the Zoning By-law and potentially setbacks or other mitigation measures that may be required by the Hamilton Conservation Authority.

In conclusion, **staff recommend this application be tabled to allow time for additional information to be provided to address staff's concerns regarding the suitability of the proposed severed lot and confirmation from the Hamilton Conservation Authority regarding flood mitigation measures, if any are required, has been provided.**

Zoning:

Recommendation:	Comments and Conditions/Notes
Proposed Conditions:	1. The owner/applicant shall receive final approval of the appropriate Planning Act application in order to seek relief from the requirements of the Zoning By-law (Planning Division – Zoning Review Section). 2. The owner/applicant shall provide confirmation of the existing uses on the lands to be retained/conveyed in order to determine compliance with the permitted uses of the M6 Zone or alternatively apply for and receive final approval of the appropriate Planning Act application in order to permit the intended use (Planning Division – Zoning Review Section). 3. The owner/applicant shall submit survey evidence that the lands to be severed and the lands to be retained, including the location of any existing structure(s), parking and landscaping lot width and lot area, conform to the requirements of the Zoning By-Law or alternatively apply for and receive final approval of the appropriate Planning Act application in order to seek relief from the requirements of the Zoning By-law (Planning Division – Zoning Review Section).
Comments:	1. The applicant should obtain an appropriate municipal address for the proposed parcel(s) from the Legislated Approvals and Staging of Development Section of the Planning and Economic Development Department prior to the issuance of a building permit.

Hamilton

	2. The appropriate Planning Act approvals lot width and lot area, will be required for zoning compliance of the lands to be conveyed/retained. 3. Please be advised that Planning Act approvals may be required if a Road Widening and/or daylight triangle dedication is required as part of this application. 4. In order to clear conditions, the applicant will be required to make application for a Zoning Compliance Review and pay the relevant fees.
Notes:	N/A

Development Engineering:

Recommendation:	Approve with Conditions
Proposed Conditions:	1. The applicant has to demonstrate that existing building on 368 Mill Street is serviced with Water and Sewer connection. 2. The Owner shall be responsible for paying any outstanding cost recoveries and/or any applicable charges under the Municipal Act related to the subject lands, to the satisfaction of the City's Director of Development Engineering.
Comments:	Separate and independent services (Water and Sewer) shall be provided for severed and retained parcel of land in accordance with current Sewer and Drain and Waterworks By-laws (23-234 and 23-235, respectively). For any future site plan application at 364 Mill Street, separate services (Water and Sewer) shall be provided.
Notes:	

Building Engineering:

Recommendation:	Comments and Conditions/Notes
Proposed Conditions:	The owner shall comply with Ontario Building Code requirements regarding spatial separation distances of any structures. Compliance to be confirmed by the Planning and Economic Development Department (Building Division – **Building Engineering Section**).
Comments:	
Notes:	In order to clear conditions, the applicant will be required to make application for Ontario Building Code compliance and pay the relevant fees.

Hamilton

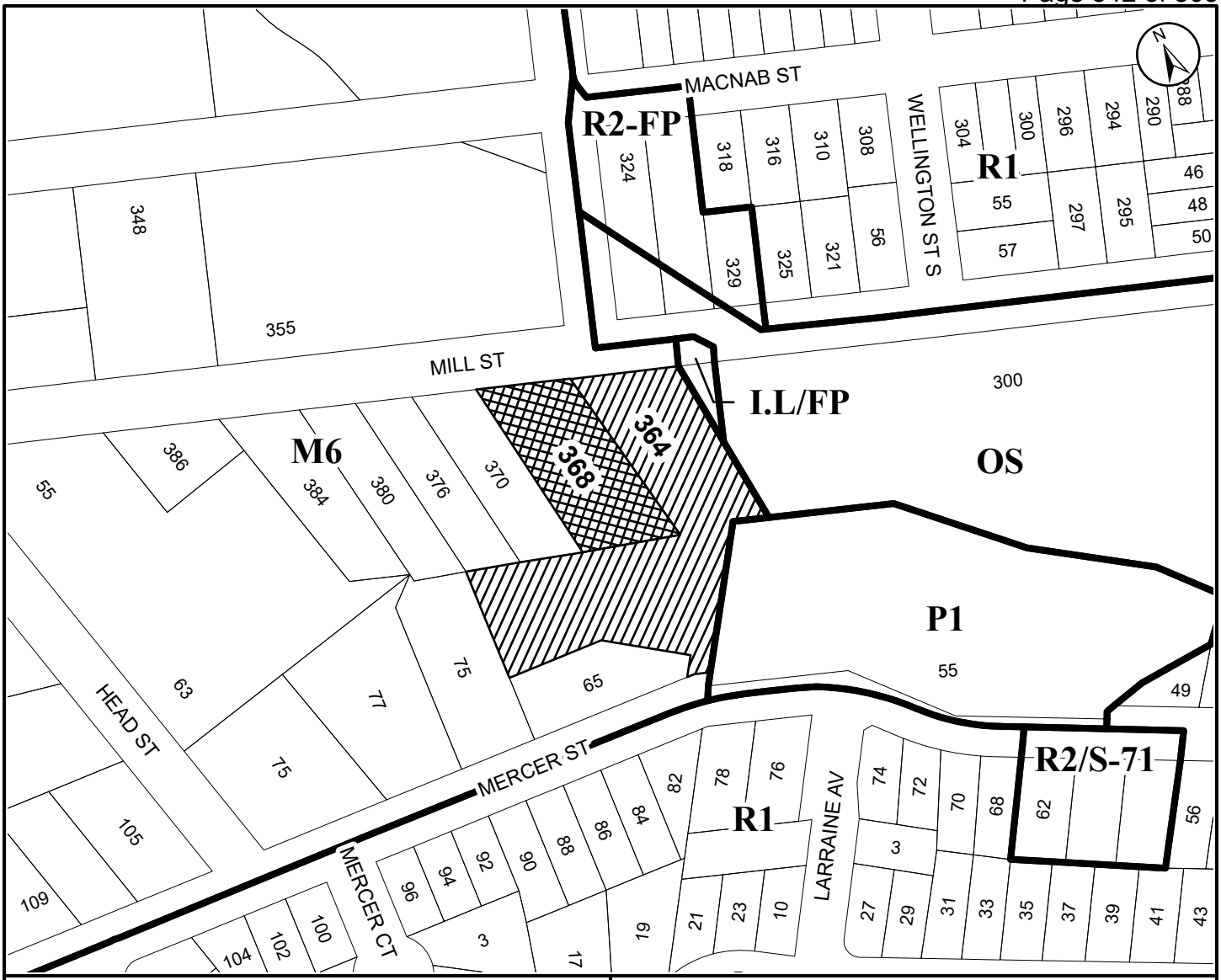
Transportation Planning:

Recommendation:	Approve
Proposed Conditions:	
Comments:	
Notes:	

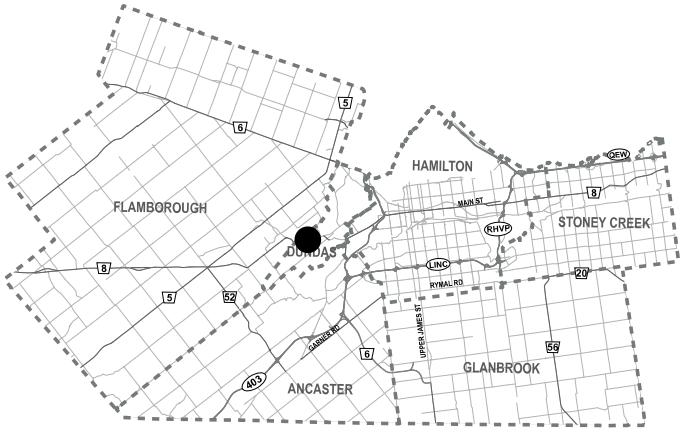
Forestry:

Recommendation:	Approve
Proposed Conditions:	
Comments:	There are municipal tree assets on site although it is determined that no impacts are anticipated through this application. No public tree permit is required. No Landscape plan required.
Notes:	Prior to a person performing any work on, in or around a public tree an application for a permit shall be submitted to Forestry. Email urbanforest@hamilton.ca for questions or public tree permit application.

Please Note: Public comment will be posted separately, if applicable.



● **Site Location**



City of Hamilton

Committee of Adjustments

Subject Property

364 & 368 Mill Street, Dundas (Ward 15)

Lands to be Retained

Lands to be Severed

Planning and Economic Development Department

File Name/Number: B-26:014

Date: April 22, 2026

Technician: RS

Scale: N.T.S.

Appendix "A"

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-26:015**	**SUBJECT PROPERTY:**	1 Westview Crescent, Flamborough

APPLICANTS: Owner: Mike Desrochers and Maevanne Lafferty

PURPOSE & EFFECT: To sever the existing residential lot into three (3) residential parcels. Each lot will contain a proposed dwelling. The existing dwelling will be removed to facilitate this application.

	Frontage	**Depth**	**Area**
SEVERED LANDS (Lot 3):	15.24 m±	48.768 m±	743.22 m^2 ±
SEVERED LANDS (Lot 2):	24.384 m±	31.394 m±	765.52 m^2 ±
RETAINED LANDS (Retained Lot):	24.384 m±	31.394 m±	765.52 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, April 30, 2026**
TIME:	**10:55 a.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 **April 28, 2026**.

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 **April 29, 2026**.

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding this matter, 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-26:015



Subject Lands

DATED: April 13, 2026

_____

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.

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

The following information is required with your written submission:

- Committee of Adjustment file number
- Full name and address of the person providing comments. Anonymous comments will not be accepted.

Comments can also be placed in the drop box which is located at the back of the 1st Floor of City Hall, 71 Main Street West. All written comments received by the deadline 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. To register, email cofa@hamilton.ca with the following information:

- Committee of Adjustment file number
- Hearing date
- Full name and address of the person wishing to speak. Anonymous comments will not be accepted.
- 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.

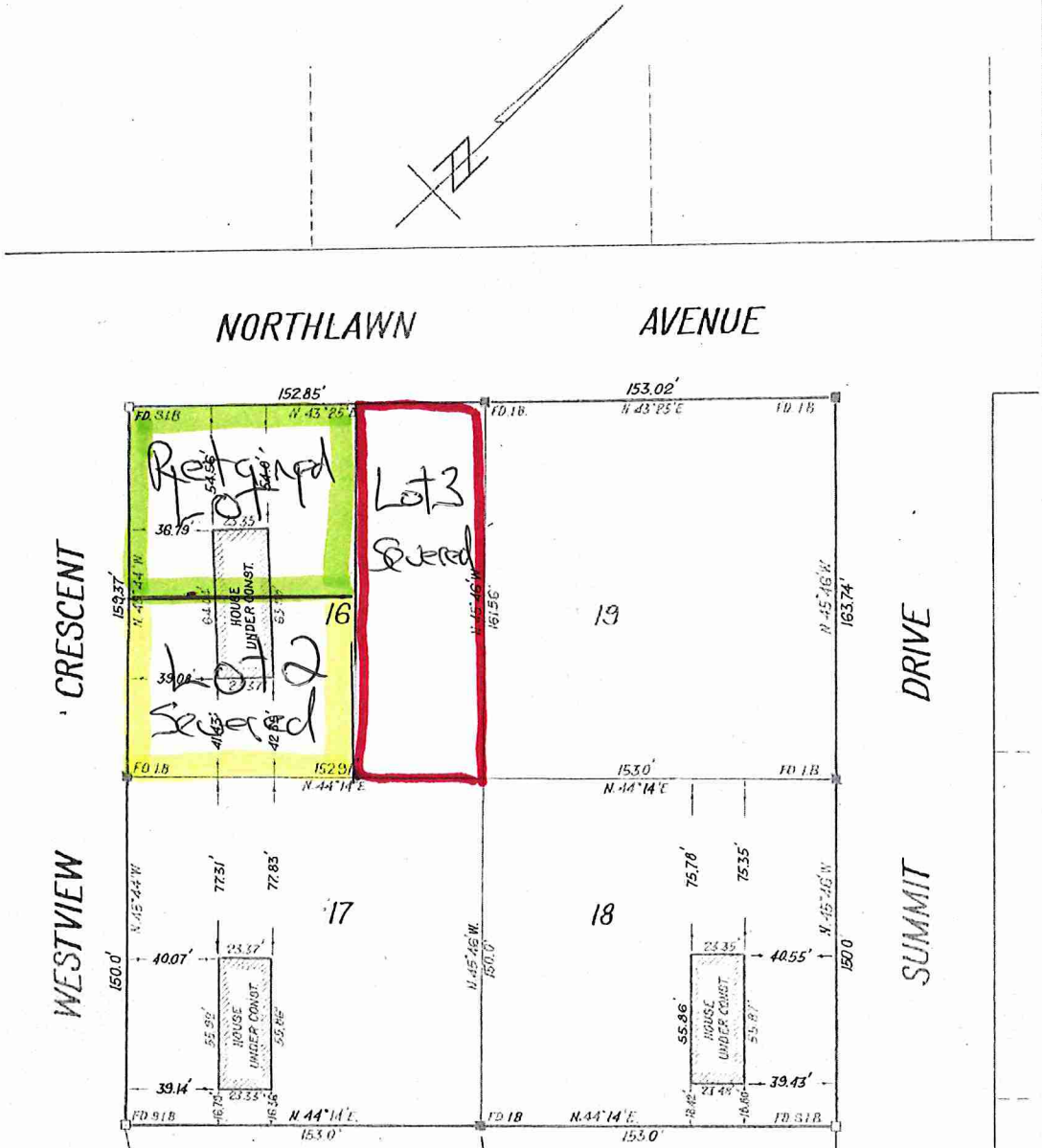
PLAN SHOWING

LOTS 16 17 18 & 19
HUNTER PARK ANNEX REG. PLAN No. 1310

IN THE

TOWNSHIP OF EAST-FLAMBOROUGH

SCALE 1"=60'



Lot 1 — 24.384 x 31.394

Lot 2 — 24.384 x 31.394

Lot 3 — 15.24 x 48.768

HUNTER PARK SURVEY
REG PLAN No. 1261

Lot 1 80 x 103

Lot 2 80 x 103

Lot 3 50 x 160

D. R. HARRINGTON
ONTARIO LAND SURVEYOR
HAMILTON ONTARIO

PLAN N. 422

DECEMBER 27TH 1965

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 site sketch and general information in the Submission Requirements and Information document.

1. APPLICANT INFORMATION

	NAME	MAILING ADDRESS	
Purchaser*			**Phone:**
			E-mail:
Registered Owner(s) mike desrochers maevanne lafferty	mike desrochers maevanne lafferty	[redacted]	
Applicant(s)**			**Phone:**
			E-mail:
Agent or Solicitor			**Phone:**
			E-mail:

Please include contact person's name if applying as a company or organization.
*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 authorization 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 [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 card over phone*
☐ Cheque

*Must provide phone number above

2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	1 westview cresent waterdown ontario L8B-0E4		
Assessment Roll Number	303 410 17000 0000		
Former Municipality	east flambourgh		
Lot	16	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:
mike desrochers and maevanne lafferty

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 (including any proposed easements):
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:	lot 1	lot 2	lot 3		
Type of Transfer	Lot Creation	Lot Creation	Lot Creation		
Frontage	24.384	24.384	15.24		
Depth	31.394	31.394	48.768		
Area	765.52	765.52	743.22		
Existing Use	residental	residental	residental		
Proposed Use	residental	residental	residental		
Existing Buildings/ Structures	yes 1 house	yes 1 house	no		
Proposed Buildings/ Structures	yes 1 house	yes 1 house	yes 1 house		
Buildings/ Structures to be Removed	yes	yes	no		

* Additional fees apply.

4.2 Subject Land Servicing

a) Type of access: (check appropriate box)
- ☐ provincial highway
- ☐ municipal road, seasonally maintained
- ☒ municipal road, maintained all year
- ☐ right of way
- ☐ other public road

b) Type of water supply proposed: (check appropriate box)
- ☒ publicly owned and operated piped water system
- ☐ privately owned and operated individual well
- ☐ lake or other water body
- ☐ other means (specify)

c) Type of sewage disposal proposed: (check appropriate box)
- ☒ publicly owned and operated sanitary sewage system
- ☐ privately owned and operated individual septic system
- ☐ other means (specify) _____

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

☒ electricity ☒ telephone ☒ school bussing ☒ garbage collection

5 CURRENT LAND USE

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

Rural Hamilton Official Plan designation (if applicable): _____

Rural Settlement Area: _____

Urban Hamilton Official Plan designation (if applicable) X Neighbourhoods

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

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

☐ Yes ☒ No ☐ Unknown

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

_____

5.3 What is the existing zoning of the subject land? R1-14

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.

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?

6 months

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.

193 mill street south waterdown ontario L0R-2H0

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 Planning Statement (PPS)?
☒ Yes ☐ No (Provide explanation)

7.3 Are the subject lands subject to the Niagara Escarpment Plan?
☐ Yes ☒ No (Provide explanation)

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

7.5 Are the subject lands subject to the Greenbelt Plan?
☐ Yes ☒ No (Provide explanation)

7.6 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

- ☐ 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

_____

_____

STAFF COMMENTS

HEARING DATE: April 30, 2026

Hamilton

B-26:015 — 1 Westview Crescent, Flamborough

Recommendation:

Approve with conditions — Development Planning

Proposed Conditions:

1. The owner shall submit a deposited Ontario Land Surveyor's Reference Plan to the Committee of Adjustment Office, unless exempted by the Land Registrar. The reference plan must be submitted in pdf and also submitted in CAD format, drawn at true scale and location and tied to the city corporate coordinate system. (Committee of Adjustment Section)

2. The owner shall pay any outstanding realty taxes and/or all other charges owing to the City Treasurer. (Committee of Adjustment Section)

3. The owner submits to the Committee of Adjustment office an administration fee, payable to the City of Hamilton, to cover the costs of setting up a new tax account for each newly created lot. (Committee of Adjustment Section)

4. The owner/applicant shall receive final approval of the appropriate Planning Act application in order to seek relief from the requirements of the Zoning By-law (Planning Division – Zoning Review Section).

5. The owner/applicant shall apply for a demolition permit to demolish the existing single detached on the lands to be retained and severed, or alternatively apply for and receive final approval of the appropriate Planning Act application in order to seek relief from the requirements of the Zoning By-law (Planning Division – Zoning Review Section). NOTE: The demolition permit shall have a status of either "Review", "Issued", or "Closed" in order for this condition to be cleared by the Zoning Review Section.

6. The owner/applicant shall submit survey evidence that **the lands to be severed and the lands to be retained**, including the location of any existing structure(s), conform to the requirements of the Zoning By-Law or alternatively apply for and receive final approval of the appropriate Planning Act application in order to seek relief from the requirements of the Zoning By-law (Planning Division – Zoning Review Section).

7. A Permit to injure or remove municipal trees is a requirement of this application. A Tree Management Plan must be submitted to the Forestry and Horticulture Section c/o the Urban Forestry Health Technician, to address potential conflicts with publicly owned trees. (Forestry)

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8. The Applicant shall dedicate 4.57 metres Daylighting Triangle or Radius to the right-of-way at the corner of Westview Crescent and Northlawn Avenue, as per the Council Approved Urban Official Plan: Chapter C - City Wide Systems and Designations 4.5 Road Network Functional Classification; Daylighting Triangles 4.5.7, to the satisfaction of the Manager, Transportation Planning.

9. That the Owner must enter into with the City of Hamilton and register, a Consent Agreement, along with the current administrative fee (includes grading plan review) to address issues including but not limited to:, lot grading and drainage to a suitable outlet on the conveyed and retained parcels (detailed grading plan required), erosion and sediment control measures (to be included on the grading plan); cash payment requirements for items such as any outstanding servicing cost for the existing municipal services adjacent to the property, street trees (City policy requires one (1) street tree/lot, inspection of grading, stormwater management infrastructure and securities for items that may include: lot grading ($10,000.00 grading security), water and sewer services inspections, driveway approaches, relocation of any existing infrastructure/ utilities and any damage during construction (at the Owner's Cost), to the satisfaction of the Director of Development Engineering.

10. That the owner provides a cash payment to the City for the future urbanization of Allison Crescent based on the frontage of the severed portion of the property and the "New Roads Servicing Rate" at the time of payment to the satisfaction of the Director of Development Engineering.

11. The Owner shall submit a Stormwater Management Brief to demonstrate how the stormwater runoff will be handled in accordance with City and MECP standards. (Development Engineering)

12. That the proponent shall carry out an archaeological assessment of that portion of the property subject to soil disturbance arising from this application, including new structures, foundation, driveways, any associated landscape alterations or soil disturbance through staging, stockpiling and temporary access, in addition to any areas impacted by the installation of services, such as water and wastewater, electricity, pipelines, easements and ground-source heat pumps. The proponent shall mitigate, through preservation or resource removal and documentation, adverse impacts to any significant archaeological resources found. No demolition, grading, construction activities, landscaping, staging, stockpiling or other soil disturbances shall take place on the subject property prior to the approval of the Director of Planning confirming that all archaeological resource concerns have met conservation requirements. All archaeological reports shall be submitted to the City of Hamilton concurrent with their submission to the Ministry of Citizenship and Multiculturalism.

13. That the owner shall investigate the noise levels on the severed lands and determine and implement the noise control measures that are satisfactory to the City of Hamilton in meeting the Ministry of Environment, Conservation and Parks (MECP) recommended sound level limits. An acoustical report prepared by a qualified Professional Engineer containing the recommended

Hamilton

noise control measures shall be submitted to the satisfaction of the City of Hamilton, Director of Planning and Chief Planner. Should a peer review of the acoustical report be warranted, all associated costs shall be borne by the owner and shall be submitted to the satisfaction of the City of Hamilton, Director of Development Planning.

14. The owner shall demolish the existing dwelling, subject to a demolition permit issued in the normal manner, to the satisfaction of the Director of Development Planning.

15. That the owner submits and receives approval of a Tree Protection Plan including the review fee as part of the Schedule of Rates and Fees, to the satisfaction of the Manager of Heritage and Urban Design. The Tree Protection Plan is to be prepared by a qualified tree management professional (i.e., certified arborist, registered professional forester, or landscape architect) in accordance with the City's Council adopted Tree Protection Guidelines (revised October 2010).

16. That the owner submits and receives approval of a Landscape Plan that shows the location of compensation trees, to the satisfaction of the Manager of Heritage and Urban Design.

Proposed Notes:

We ask that the Owner agrees to physically affix the municipal numbers or full addresses to either the buildings or on signs in accordance with the City's Municipal Addressing By-law and Sign By-law, in a manner that is clearly visible from the road. (Legislative Approvals)

Hamilton

Development Planning:

Background

	Frontage	**Depth**	**Area**
SEVERED LANDS (Lot 3):	15.24 m±	48.768 m±	743.22 m^2±
SEVERED LANDS (Lot 2):	24.384 m±	31.394 m±	765.52 m^2±
RETAINED LANDS:	24.384 m±	31.394 m±	765.52 m^2±

The purpose of Consent to Sever application B-26:015 is to sever the existing lot into three parcels, each to contain a proposed single detached dwelling. The existing single detached dwelling will be removed to facilitate the application.

Analysis

Urban Hamilton Official Plan
The subject lands are identified as “Neighbourhoods” in Schedule E – Urban Structure and are designated as “Neighbourhoods” in Schedule E-1 – Urban Land Use Designations of the Urban Hamilton Official Plan. Policies B.2.4.1.4, B.2.4.2.2, B.3.6.3.7, F.1.14.3.1 and E.3.4.3, amongst others, are applicable and permit the single detached dwellings.

The proposal is considered residential intensification and has been evaluated against the criteria found in Policies B.2.4.1.4 and B.2.4.2.2. Staff are of the opinion that the proposal is similar to and compatible with the built form, uses and established development pattern within the area. The proposed lots are consistent with the existing lot fabric.

Policy B.3.6.3.7 a) requires a noise feasibility study, detailed noise study or both for residential developments within 100 metres of a minor arterial road, as identified on Schedule C – Functional Road Classification. The subject lands are located within 100 metres of Centre Road, which is identified as a minor arterial road on Schedule C – Functional Road Classification of the Urban Hamilton Official Plan. Therefore, staff are recommending a condition requiring a noise study be provided to confirm conformity with the policies regarding sensitive land use developments.

Policy F.1.14.3.1 permits new lots for residential uses in the “Neighbourhoods” designation subject to the following criteria:

> “a) The lots comply with the policies of this Plan, including secondary plans, where one exists;
>
> b) The lots comply with existing Neighbourhood Plans;
>
> c) The lots are in conformity with the Zoning By-law or a minor variance is approved;

Hamilton

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;

e) The lots are fully serviced by municipal water and wastewater systems; and,

f) The lots have frontage on a public road."

Staff note that the proposed lots comply with the minimum area requirements of the Zoning By-law, have frontage on public roads, and are similar in character, scale and the established development pattern of the area, are fully serviced by municipal water and wastewater and all lots will have frontage along a public road. However, Lot 3 will not meet the required minimum lot frontage of 18 metres. A future *Planning Act* application will be required to provide relief from this requirement of the Zoning By-law.

Development Planning staff note that Zoning staff will require confirmation that the proposed lots conform to the Zoning By-law.

Archaeology
The subject property meets three (3) of the ten criteria used by the City of Hamilton and Ministry of Citizenship and Multiculturalism for determining archaeological potential:

1) Within 250 metres of known archaeological sites;
2) Within 300 metres of a primary watercourse or permanent waterbody, 200 metres of a secondary watercourse or seasonal waterbody, or 300 metres of a prehistoric watercourse or permanent waterbody; and,
3) Along historic transportation routes.

These criteria define the property as having archaeological potential. Accordingly, Section 2 (d) of the *Planning Act* and Section 4.6.2 of the Provincial Planning Statement apply to the subject application.

If this severance is granted, Staff require that the Committee of Adjustment attach the following condition to the application:

"**Condition:** That the proponent shall carry out an archaeological assessment of that portion of the property subject to soil disturbance arising from this application, including new structures, foundation, driveways, any associated landscape alterations or soil disturbance through staging, stockpiling and temporary access, in addition to any areas impacted by the installation of services, such as water and wastewater, electricity, pipelines, easements and ground-source heat pumps. The proponent shall mitigate, through preservation or resource removal and documentation, adverse impacts to any significant archaeological resources found. No demolition, grading, construction activities, landscaping, staging, stockpiling or other soil disturbances shall take place on the subject property

Hamilton

prior to the approval of the Director of Planning confirming that all archaeological resource concerns have met conservation requirements. All archaeological reports shall be submitted to the City of Hamilton concurrent with their submission to the Ministry of Citizenship and Multiculturalism."

Cultural Heritage
No comments.

Natural Heritage
The subject property is located within the boundaries of the Urban Hamilton Official Plan. Based on aerial photograph interpretation, trees have been identified within and adjacent to the subject property. The City recognizes the importance of trees to the health and quality of life in the community (i.e., canopy cover, energy conservation, mental health benefits) and encourages the protection and restoration of trees (policy C.2.11.1). Further, through the Council adopted Urban Forest Strategy, a canopy cover target of 40 percent by 2050 within the urban area has been identified. The maintenance of existing trees assist in achieving this goal. A tree inventory has not been provided. Based on the proposal, trees may be impacted. If these trees are to be removed, the City requires 1 for 1 compensation to be provided in order to ensure that existing tree cover is maintained.

The following conditions should be considered:

- That the owner submits and receives approval of a Tree Protection Plan including the review fee as part of the Schedule of Rates and Fees, to the satisfaction of the Manager of Heritage and Urban Design. The Tree Protection Plan is to be prepared by a qualified tree management professional (i.e., certified arborist, registered professional forester, or landscape architect) in accordance with the City's Council adopted Tree Protection Guidelines (revised October 2010).

- That the owner submits and receives approval of a Landscape Plan that shows the location of compensation trees, to the satisfaction of the Manager of Heritage and Urban Design.

Staff are of the opinion the proposed severance maintains the general intent of the Urban Hamilton Official Plan**.**

Town of Flamborough Zoning By-law No. 90-145-Z
The subject lands are zoned Urban Residential (Single Detached) (R1-14) Zone, Modified in Town of Flamborough Zoning By-law No. 90-145-Z. The proposed single detached dwellings are permitted.

Staff note that the Zoning By-law requires a minimum lot area of 557.4 square metres and a minimum frontage of 18 metres. Lots 1 and 2 will satisfy these requirements, whereas Lot 3 will not meet the 18 metre lot frontage requirement. A future *Planning Act* application will be required to provide relief from this requirement of the Zoning By-law.

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In conclusion, **staff recommend approval of the proposed severance subject to the recommended conditions.**

Zoning:

Recommendation:	Comments and Conditions/Notes
Proposed Conditions:	1. The owner/applicant shall receive final approval of the appropriate Planning Act application in order to seek relief from the requirements of the Zoning By-law (Planning Division – Zoning Review Section). 2. The owner/applicant shall apply for a demolition permit to demolish the existing single detached on the lands to be retained and severed, or alternatively apply for and receive final approval of the appropriate Planning Act application in order to seek relief from the requirements of the Zoning By-law (Planning Division – Zoning Review Section). NOTE: The demolition permit shall have a status of either “Review”, “Issued”, or “Closed” in order for this condition to be cleared by the Zoning Review Section. 3. The owner/applicant shall submit survey evidence that the **lands to be severed and the lands to be retained**, including the location of any existing structure(s), conform to the requirements of the Zoning By-Law or alternatively apply for and receive final approval of the appropriate Planning Act application in order to seek relief from the requirements of the Zoning By-law (Planning Division – Zoning Review Section).
Comments:	1. The applicant is proposing to sever the existing land into three (3) separate parcels, with the retained parcel and severed parcels intended to contain a future Single Detached Dwelling. A Single Detached Dwelling is permitted in the current R1-14 Zone of Flamborough Zoning By-law 90-145-Z. 2. This is a Corner Lot, with frontages along Westview Crescent and Northlawn Avenue. 3. The current R1-14 Zone requires a minimum lot frontage of 18 metres, whereas the severed lot, “Lot 3”, does not comply with this regulation and a successful Planning Act application will be required to permit a reduced lot frontage. 4. The subject lands are zoned Urban Residential (Single Detached Dwelling) Zone, pursuant to the Flamborough Zoning By-law 90-145-

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	Z. The applicant shall ensure all future development conforms to the requirements of the applicable zone. Should future development not be able to comply with the applicable zoning requirements, variances will be required. 5. The owner / applicant should obtain an appropriate municipal address for the proposed parcels from the Legislated Approvals and Economic Development Department prior to the issuance of a building permit 6. In order to clear conditions, the owner/applicant will be required to submit an application for Zoning Compliance Review and pay the relevant fees. 7. Please be advised that additional Planning Act approvals may be required if a road widening and / or daylight triangle dedication is required as part of this application. 8. Please be advised that a portion of this property is within an area regulated by Hamilton Conservation Authority. Please contact (905) 525-2181 or nature@conservationhamilton.ca prior to any development.
Notes:	

Development Engineering:

Recommendation:	Approve with Conditions
Proposed Conditions:	1. That the Owner must enter into with the City of Hamilton and register, a Consent Agreement, along with the current administrative fee (includes grading plan review) to address issues including but not limited to:, lot grading and drainage to a suitable outlet on the conveyed and retained parcels (detailed grading plan required), erosion and sediment control measures (to be included on the grading plan); cash payment requirements for items such as any outstanding servicing cost for the existing municipal services adjacent to the property, street trees (City policy requires one (1) street tree/lot, inspection of grading, stormwater management infrastructure and securities for items that may include: lot grading ($10,000.00 grading security), water and sewer services inspections, driveway approaches, relocation of any existing infrastructure/ utilities and any damage during construction (at the Owner's Cost), to the satisfaction of the Director of Development Engineering.

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	2. That the owner provides a cash payment to the City for the future urbanization of Allison Crescent based on the frontage of the severed portion of the property and the "New Roads Servicing Rate" at the time of payment to the satisfaction of the Director of Development Engineering. 3. The Owner shall submit a Stormwater Management Brief to demonstrate how the stormwater runoff will be handled in accordance with City and MECP standards.
Comments:	According to our GIS records, the existing municipal infrastructure fronting the subject property is summarized as follows: Springbrook Avenue • 400mm ø Watermain • 250mm ø Sanitary Sewer • 300mm ø Storm Sewer Chamber Drive • 300mmø Watermain • 250mm ø Sanitary Sewer • 450mm ø Storm Sewer Separate and independent services (Water and Sewer) shall be provided for severed and retained parcel of land in accordance with current Sewer and Drain and Waterworks By-laws (23-234 and 23-235, respectively).
Notes:	

Building Engineering:

Recommendation:	No Comments
Proposed Conditions:	
Comments:	
Notes:	

Transportation Planning:

Recommendation:	Approve with Conditions
Proposed Conditions:	The Applicant shall dedicate 4.57 metres Daylighting Triangle or Radius to the right-of-way at the corner of Westview Crescent and Northlawn Avenue, as per the Council Approved Urban Official Plan: Chapter C - City Wide Systems and Designations 4.5 Road Network Functional Classification; Daylighting Triangles 4.5.7, to the satisfaction of the Manager, Transportation Planning.

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Comments:	
Notes:	

Forestry:

Recommendation:	Approve with Conditions
Proposed Conditions:	A Permit to injure or remove municipal trees is a requirement of this application. A Tree Management Plan must be submitted to the Forestry and Horticulture Section c/o the Urban Forestry Health Technician, to address potential conflicts with publicly owned trees.
Comments:	Conditions of the Forestry and Horticulture Section will be cleared only after receipt of all applicable fees. An assessment of the information provided shows that there are potential conflicts with publicly owned trees or trees that may become city assets through right of way widening. Where existing municipal trees are impacted by development work, are within proximity of the development work or access/egress to the development work, a Public Tree **Permit** to injure or remove municipal trees is required. Where ownership of trees in proximity to the boundary between public and private land is un-certain, the subject trees must be surveyed by the applicant to confirm ownership. Ownership is as per By-law 15-125. Ownership must be clearly identified on the Tree Management Plan as either municipal or private. No Landscape plan required. **TREE MANAGEMENT** Tree Protection is a measure of efforts to preserve existing trees during the Planning of New Developments, Infrastructure Enhancements, Utility Upgrades & Residential Improvements. The Forestry & Horticulture Section requires that a Tree Management Plan be prepared by a MTCU Qualified Arborist, or ISA Certified Arborist, or a Registered Landscape Architect. All trees within this proposed development area must be surveyed, identified and accurately plotted on the plan to determine ownership, including intensions regarding retention or removal.

Hamilton

	It is compulsory that all proposed surface treatment changes within individual tree driplines as well as property lines, building footprints, driveways, utility construction corridors and temporary access roads be accurately depicted on the submission. The Tree Inventory Analysis Table on the Tree Management Plan shall not be considered complete without the following data and recommended action for each tree. ❖ Species by Botanical and common name ❖ Diameter at breast height in centimeters or millimeters ❖ Ownership {> 50% @ ground level = ownership} ❖ Biological health ❖ Structural condition ❖ Proposed grade changes within individual driplines {compulsory} ❖ Proposed utility construction within individual driplines {compulsory} ❖ Proposed removals or relocations ❖ Proposed trees to be protected. If it is determined and verified that existing trees can remain, a Tree Protection Zone Detail with notes showing Tree Preservation Techniques shall be included on the submission as per the **Public Tree Preservation and Sustainability Policy.** The determination of ownership of all trees is the responsibility of the applicant and any civil issues which may exist or arise between property owners with respect to trees, must be resolved by the applicant. The ownership of each individual tree inventoried must be clearly stated as municipal or private. All Healthy trees on municipal property which are found to be in conflict with this proposed development and do not meet our criteria for removal are subject to a replacement fee as outlined in the **Public Tree Preservation and Sustainability Policy** in conjunction with **By-Law 15-125**. **A <u>permit</u> will be issued upon approval of the Tree Management Plan and applicable fees.**
Notes:	

Legislative Approvals:

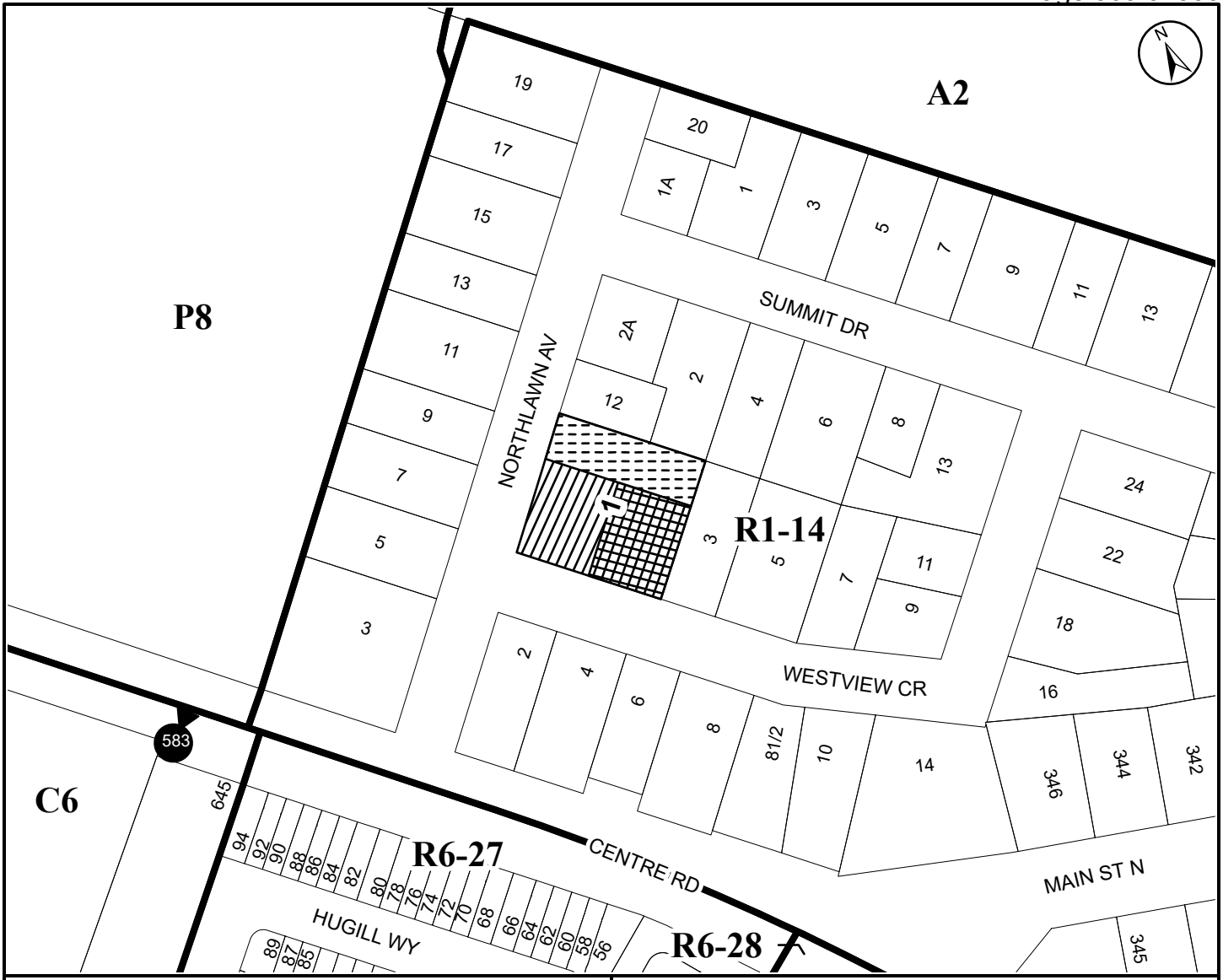
STAFF COMMENTS

HEARING DATE: April 30, 2026

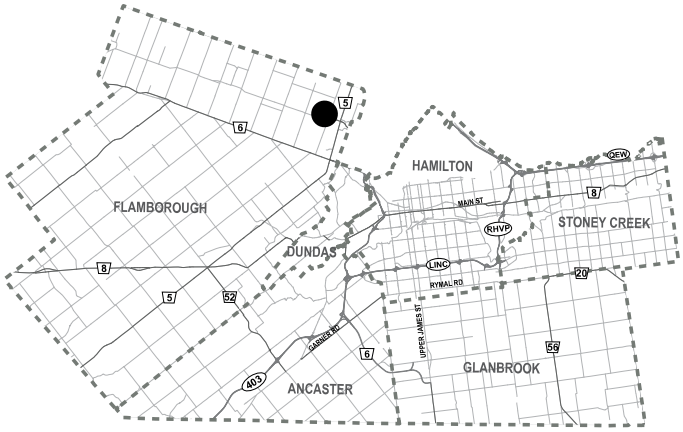
Hamilton

Recommendation:	Comments and Conditions/Notes
Proposed Conditions:	
Comments:	The lands to be retained (Part 1) will be assigned the address of **1A Westview Crescent (Flamborough)**. The lands to be conveyed (Part 2 & 3) will be assigned the addresses of **1B Westview Crescent (Flamborough)** and **8 Northlawn Avenue (Flamborough)** If at a future date it is discovered that the main entry of the house to be constructed on the retained lands will face Northlawn Avenue, an address change will be required
Notes:	We ask that the Owner agrees to physically affix the municipal numbers or full addresses to either the buildings or on signs in accordance with the City's Municipal Addressing By-law and Sign By-law, in a manner that is clearly visible from the road.

Please Note: Public comment will be posted separately, if applicable.



● **Site Location**



City of Hamilton

Committee of Adjustments

Subject Property

1 Westview Crescent, Flamborough (Ward 15)

Lands to be Retained

Lands to be Severed

Lands to be Severed

Planning and Economic Development Department

File Name/Number: B-26:015

Date: April 22, 2026

Technician: RS

Scale: N.T.S.

Appendix "A"

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-26:061	**SUBJECT PROPERTY:**	26 Cattail Crescent, Flamborough
ZONE:	R1-64 (Urban Residential Single Detached – Special Exception 64 Zone)	**ZONING BY-LAW:**	Flamborough Zoning By-law 90-145-Z

APPLICANTS: Owner: Mayur Kumar Patel, Chetna Ben Patel
Applicant: Shivang Tarika
Agent: Shivang Tarika

The following variances are requested:

1. A deck shall be permitted in a required interior side yard (easterly) whereas the Zoning By-law does not permit a deck to be located in any required interior side yard.

2. A deck shall be permitted to be located a minimum of 0.3 metres from an interior side lot line instead of the minimum required setback of 1.0 metre from an interior side lot line or rear lot line.

PURPOSE & EFFECT: To permit the construction of a deck for an 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, April 30, 2026**
TIME:	**11:00 a.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

A-26:061

	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 April 28, 2026.

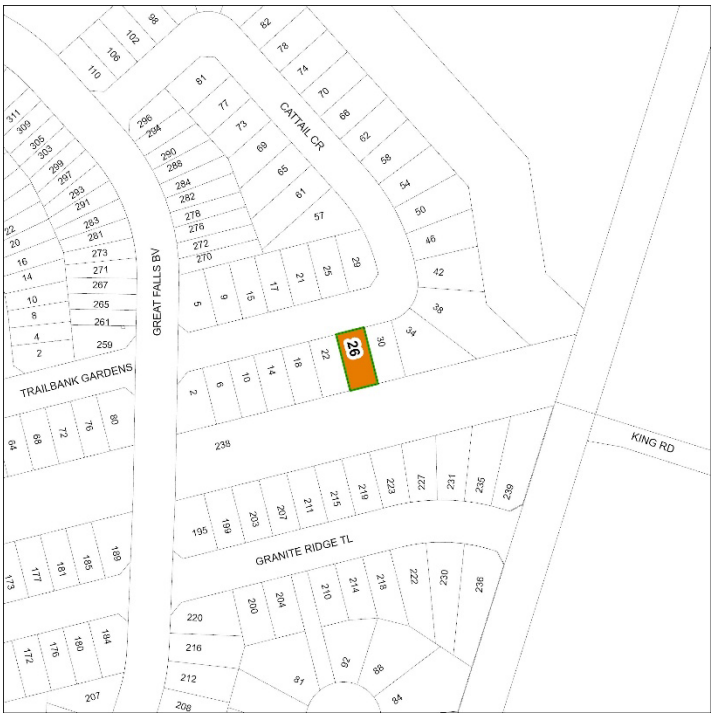
Orally: If you would like to speak to this item at the hearing you may do so via video link, calling in, or attending in person. Please see attached page for complete instructions, registration to participate virtually must be received no later than noon April 29, 2026.

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding A-26:061, 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-26:061



Subject Lands

DATED: April 13, 2026

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.

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

The following information is required with your written submission:

- Committee of Adjustment file number
- Full name and address of the person providing comments. Anonymous comments will not be accepted.

Comments can also be placed in the drop box which is located at the back of the 1st Floor of City Hall, 71 Main Street West. All written comments received by the deadline 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. To register, email cofa@hamilton.ca with the following information:

- Committee of Adjustment file number
- Hearing date
- Full name and address of the person wishing to speak. Anonymous comments will not be accepted.
- 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.

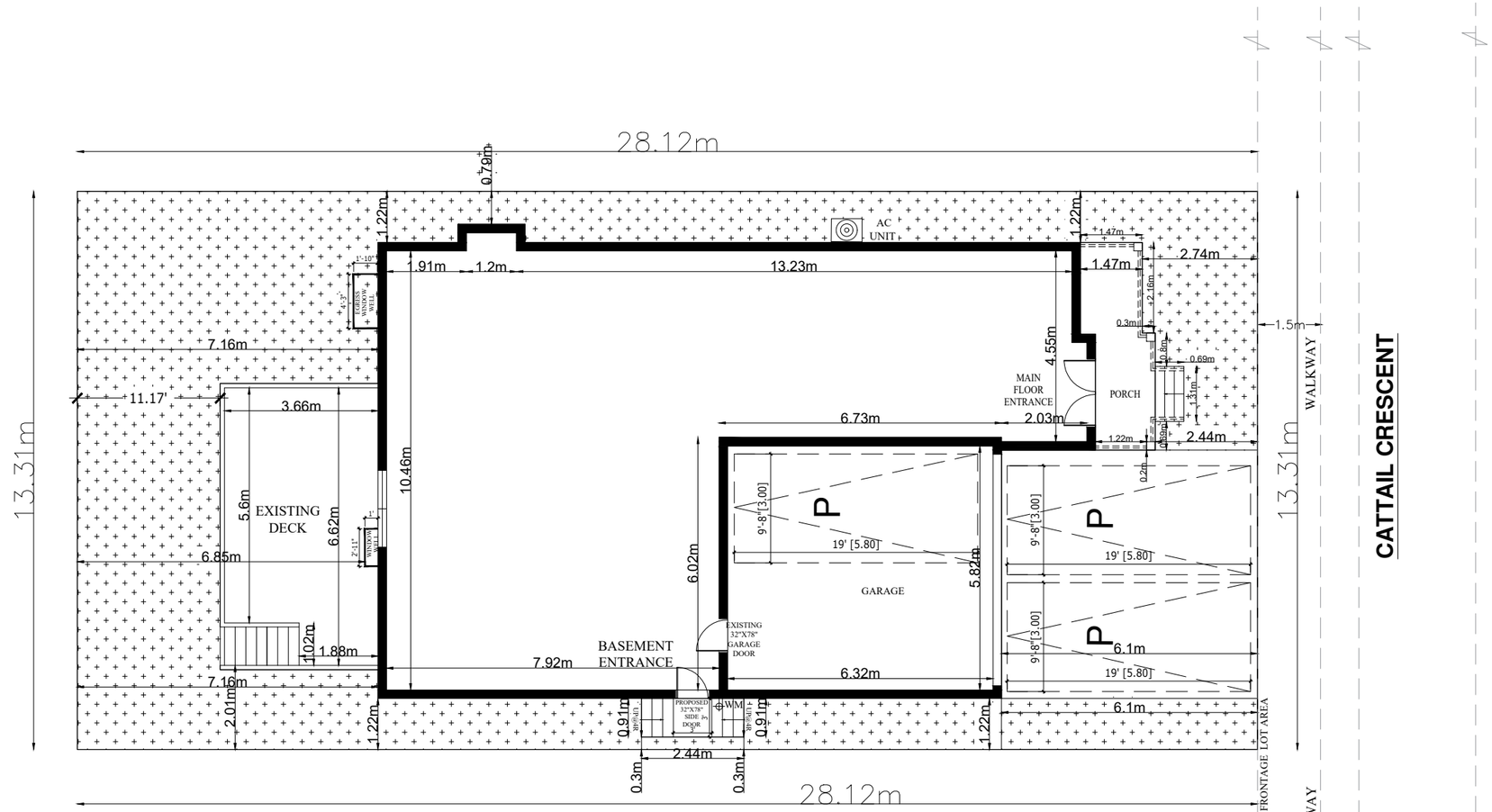
Virtual Presentations:
Presenters participating virtually may be granted permission to share their screen during the Hearing. A copy of the presentation must be submitted to cofa@hamilton.ca **by 12:00 p.m. (noon) on the business day prior to the Hearing.** The submission must be one document in PDF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



FRONT YARD AREA = 737.86 SQFT / 68.57 SQM
LOT AREA= 4028.25 SQFT/ 374.37 SQM
LOT COVERAGE= 2210.20 SQMT/ 205.40 SQM

26 CATTAIL CRESCENT

SITE PLAN
SCALE 3/32"=1'-0"

GENERAL NOTES

DO NOT SCALE DRAWINGS
PROPERTY RIGHTS RETAINED BY:
BG CONSTRUCTION DESIGN
ANY REPRODUCTION IN WHOLE OR IN PART UNDER THE RULES AND BY-LAWS OF THE CORPORATION IS STRICTLY FORBIDEN.
ANY REPRODUCTIONS MUST BE AUTHORIZED BY
ALL DRAWINGS ARE IN METRIC SCALE

SCOPE OF WORK

PROPOSAL TO CONSTRUCT SECONDARY UNIT AND SIDE DOOR.

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

SHIVANG TARIKA		106440
NAME	SIGNATURE	BCIN

SHIVANG TARIKA

NO	REVISION / ISSUE	DATE

SITE PLAN

CITY : HAMILTON

26 CATTAIL CRESCENT

EXISTING DWELLING

PROJECT	SHEET
MAY 2025	A1
SCALE 3/32"=1'-0"	

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*

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

1. APPLICANT INFORMATION

	NAME	MAILING ADDRESS
Registered Owner(s)	Mayur Kumar Patel , Chetna Ben Patel	[redacted]
Applicant(s)	Shivang Tarika	
Agent or Solicitor	Shivang Tarika	

Please include contact person's name if applying as a company or organization.

1.2 Primary contact ☑ Applicant ☐ Owner ☐ Agent/Solicitor

1.3 Sign should be sent to ☑ Applicant ☐ Owner ☐ Agent/Solicitor

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

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

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

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

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

*Must provide phone number above

2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	26 Cattail Crescent, Hamilton, ON, L8B 1Z6		
Assessment Roll Number			
Former Municipality	Flamborough		
Lot	349	Concession	
Registered Plan Number	PLAN 62M1266	Lot(s)	
Reference Plan Number (s)	PLAN 62M1266	Part(s)	

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

☐ Yes ☑ No

If YES, describe the easement or covenant and its effect:

3. PURPOSE OF THE APPLICATION

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

All dimensions in the application form are to be provided in metric units (millimetres, metres, hectares, etc.)

3.1 Nature and extent of relief applied for:

We are seeking a relief from the requirements of the Zoning By-law to the construction of a proposed deck within the interior side yard.

☑ Additional Dwelling Unit ☐ Reconstruction of Existing Dwelling

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

By-law Not with standing subsection 5.2.3 (a), no deck shall be permitted in any required interior side yard. The deck is necessary to provide safe and functional access to the side entrance, which serves as the primary access point for the secondary dwelling unit.

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 (in metric):

Lot Frontage	Lot Depth	Lot Area	Width of Street
13.31m	28.12 m	374.24 sqm	8.2 m

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

Existing:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Residential	2.44 m	7.16 m	1.22 m ,1.22m	03/03/2021

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Residential	2.44 m	7.16 m	1.22 m ,0.3m	03/03/2026

4.3. Particulars of all buildings and structures on or proposed for the subject lands. All dimensions to be provided in metric (m, m^2 or ha); attach additional sheets as necessary.

Existing:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Residential	205.40 SQ.M	451.90 SQ.M	2	6.19 M

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Residential	207.16 SQ.M	454.13SQ.M	2	6.19 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
- ☐ 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.):
Secondary Dwelling Unit

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

5. HISTORY OF THE SUBJECT LAND

5.1 Date of acquisition of subject lands:
2024

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

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

5.4 Length of time the existing uses of the subject property have continued:
4 year

5.5 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.

5.6 What is the existing zoning of the subject land? R1-64

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

☐ Yes ☑ No

If yes, please provide the file number: _____

5.8 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: _____

6. ADDITIONAL INFORMATION

6.1 Number of Dwelling Units Existing: 1

6.2 Number of Dwelling Units Proposed: 2

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

7. COMPLETE APPLICATION REQUIREMENTS

7.1 All Applications

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

7.2 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

_____

_____

STAFF COMMENTS

HEARING DATE: April 30, 2026

Hamilton

A-26:061 — 26 Cattail Crescent, Flamborough

Recommendation:

Deny — Development Engineering
Deny — Development Planning

Proposed Conditions:

Proposed Notes:

A building permit is required for the construction of the proposed deck. (Building Engineering)

Be advised that Ontario Building Code regulations may require specific setback and construction types. (Building Engineering)

Building Permit # 25-100804, issued on April 30, 2025, for alterations to the exterior of the single family dwelling to construct a 30m² deck in the rear yard, remains not finalized. (Building Engineering)

Building Permit # 25-103029, issued on September 23, 2025, to convert the existing single family dwelling to contain a secondary dwelling unit and for alterations to the interior of the single family dwelling with a secondary dwelling unit to finish the basement for both the secondary dwelling unit and for the principal dwelling unit, remains not finalized. (Building Engineering)

Hamilton

Development Planning:

Background
The purpose of Minor Variance application A-26:061 is to permit the construction of a deck in the side yard of an existing dwelling, to serve as an entrance for a proposed additional dwelling unit.

Analysis

Urban Hamilton Official Plan
The subject lands are identified as “Neighbourhoods” on Schedule E – Urban Structure of the Urban Hamilton Official Plan. The subject lands are designated “Neighbourhoods” on Schedule E-1 – Urban Land Use Designations of the Urban Hamilton Official Plan. Policies B.3.5.7.2 and E.3.2.3, amongst others, are applicable and permits the existing single detached dwelling and additional dwelling unit.

Policy B.3.5.7.2 of the Urban Hamilton Official Plan states that, where feasible and in compliance with other policies of the Urban Hamilton Official Plan, the City shall ensure that the efficiency of emergency medical, fire and police services be considered as part of applications such as Draft Plans of Subdivision, Zoning By-law Amendments or severances. Staff are of the opinion that the proposed porch, in conjunction with the existing restricted westerly side yard, would conflict with this policy as the proposal would result in no unobstructed access to the rear of the subject property. This could interfere with the efficiency and response times of emergency services and pose a public health and safety risk.

Waterdown South Secondary Plan
The subject lands are identified as “Low Density Residential 2” on Map B.4.3-1 – Waterdown South Secondary Plan – Land Use Plan. Policy B.4.3.3.5, amongst others, is applicable and permits the existing single detached dwelling.

Archaeology:
The subject property meets three (3) of the ten criteria used by the City of Hamilton and Ministry of Citizenship and Multiculturalism for determining archaeological potential:

1) Within 250 metres of known archaeological sites;
2) In the vicinity of distinctive or unusual landforms; and,
3) Along historic transportation routes.

These criteria define the property as having archaeological potential. Accordingly, Section 2 (d) of the *Planning Act* and Section 4.6.2 of the Provincial Planning Statement apply to the subject application.

A Stage 4 (P018-179-2006) archaeological report for the subject property were submitted to the City and the Ministry of Citizenship and Multiculturalism. The Province acknowledged the reports

Hamilton

compliance with licensing requirements in a letter dated February 8, 2010. Staff is of the opinion that the municipal interest in the archaeology of this portion of the site has been satisfied.

Cultural Heritage
No comments.

Town of Flamborough Zoning By-law No. 90-145-Z
The subject lands are zoned Urban Residential (Single Detached) (R1-14) Zone, Modified in Town of Flamborough Zoning By-law No. 90-145-Z. The existing single detached dwelling and proposed additional dwelling unit are permitted.

Variances 1 and 2

1. A deck shall be permitted in a required interior side yard (easterly) whereas the Zoning By-law does not permit a deck to be located in any interior side yard.

2. A deck shall be permitted to be located a minimum of 0.3 metres from an interior side lot line instead of the minimum required setback of 1.0 metres from an interior side lot line or rear lot line.

The intent of these provisions is to ensure sufficient clearance is maintained between a dwelling and side lot line for access, maintenance and drainage purposes. Staff defer any drainage concerns to Development Engineering.

Staff note that the there is an existing air-conditioning unit within the westerly side yard, however no setback is provided for it on the submitted site plan. Additionally, only a 0.79 metre setback is maintained in the westerly side yard. Staff are of the opinion that the proposed 0.3 metre setback is insufficient for access and maintenance purposes within the easterly side yard. Access to the rear of the property is further constrained by the existing 0.79 metre setback in the westerly side yard.

The requested variances do not maintain the intent of the Zoning By-law as unobstructed access to the rear of the property is not maintained. Consequently, the requested variances are neither desirable nor minor in nature as this lack of access to the rear of the property can interfere with the regular use and maintenance of the exterior of the property and even pose a delay and public safety issue in instances of emergency or first responders attending the subject property.

In conclusion, staff are of the opinion that Variances 1 and 2 do not maintain the intent of the Urban Hamilton Official Plan and Zoning By-law, are not desirable and appropriate for the development or use of the land and are not minor in nature. Staff do not support the variances.

Staff are of the opinion that the requested variances do not meet the four tests of a minor variance. Based on the foregoing, **staff recommend denial.**



STAFF COMMENTS

HEARING DATE: April 30, 2026

Zoning:

Recommendation:	No Comments
Proposed Conditions:	
Comments:	
Notes:	

Development Engineering:

Recommendation:	Deny
Proposed Conditions:	N/A
Comments:	Variance 2 should be denied, as the proposed side yard setback of 0.3 m does not accommodate the installation of a side yard swale. A minimum setback of 0.45 m is required for a shared swale at property line.
Notes:	N/A

Building Engineering:

Recommendation:	Comments and Conditions/Notes
Proposed Conditions:	
Comments:	
Notes:	A building permit is required for the construction of the proposed deck. Be advised that Ontario Building Code regulations may require specific setback and construction types. Building Permit # 25-100804, issued on April 30, 2025, for alterations to the exterior of the single family dwelling to construct a 30m² deck in the rear yard, remains not finalized. Building Permit # 25-103029, issued on September 23, 2025, to convert the existing single family dwelling to contain a secondary dwelling unit and for alterations to the interior of the single family dwelling with a secondary dwelling unit to finish the basement for both the secondary dwelling unit and for the principal dwelling unit, remains not finalized.

Transportation Planning:

Recommendation:	No Comments
Proposed Conditions:	
Comments:	
Notes:	

Hamilton

Please Note: Public comment will be posted separately, if applicable.

From: Shailly, Gyanendita (MNR) <Gyanendita.Shailly@ontario.ca>
Sent: Wednesday, April 22, 2026 3:13 PM
To: Committee of adjustment
Cc: Adair, Kendra (MNR); Sperling, Janet (MNR)
Subject: FW: April 30, 2026 - Committee of Adjustment Agenda Available
Attachments: COA Comment - Per File - Brief.dotx; COA Comment - Per File - Report.dotx; Participating Procedures.pdf; April 30, 2026 Agenda - FINAL.docx; April 30 - Comment Agenda_2026.docx

Categories: April 30

You don't often get email from gyanendita.shailly@ontario.ca. Learn why this is important

External Email: Use caution with links and attachments.

Good aftrenoon, Committee of Adjustment,

NEC staff have reviewed the April 30th, 2026 CofA agenda and has following comments for your consideration:

- **A-26:061 26 Cattail Crescent, Flamborough (Ward 15)**
  - The subject property is located outside of the Niagara Escarpment Development Control Area. A Development Permit is not required from our office for development on the subject property.
  - However, it is located within the Niagara Escarpment Plan Area and is designated as Urban Area by the 2017 Niagara Escarpment Plan. As such, proposed uses and development activities on the property shall conform with Parts 1.7 and 2 of the Niagara Escarpment Plan.
  - NEC staff understands that the proposal is to permit the construction of a deck for an existing Single Detached dwelling.
  - *As per Part 1.7.4 of NEP, "Proposed uses and the creation of new lots may be permitted, subject to conformity with Part 2, Development Criteria, the Development Objectives and, where applicable, zoning by-laws that are not in conflict with the Niagara Escarpment Plan. Changes to permitted uses, expansions and alterations of existing uses or the creation of new lots within the Urban Area designation will not require an amendment to the Niagara Escarpment Plan".*
  - As per *Part 1.7.5.1 of NEP, "All development shall be of an urban design compatible with the scenic resources of the Escarpment. Where appropriate, provision for maximum heights, adequate setbacks and screening are required to minimize the visual impact of urban development".*

  Provided the City staff are satisfied that the proposal conforms to the Official Plan and/or any Secondary Plans in effect, NEC staff have no objections.

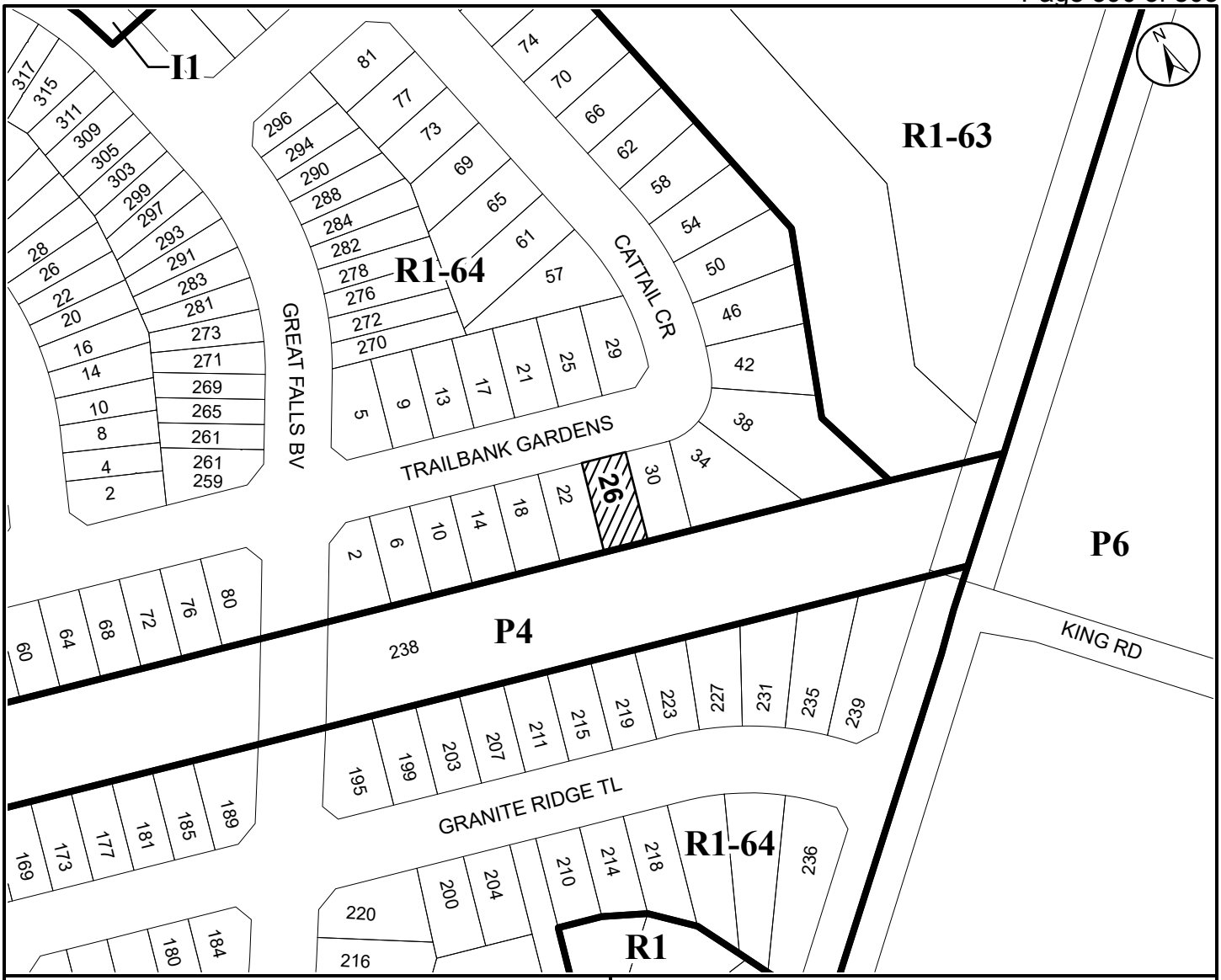
- **B-26:013 1 Rosscliffe Avenue, Hamilton (Ward 7)**
  - The subject property is located outside of the Niagara Escarpment Development Control Area. As such a Development Permit is not required from our office for the development.
  - However, it is located within the Niagara Escarpment Plan Area and is designated as Urban Area by the 2017 Niagara Escarpment Plan. As such, proposed uses and development activities on the property shall conform with the Urban Area policies mentioned in Parts 1.7 and 2 of the Niagara Escarpment Plan.

- NEC staff understands that the proposal is to sever the existing residential lot into two parcels. The severed lands will contain a proposed single-detached dwelling, and the retained lands will contain the existing 2-storey brick dwelling which is intended to remain.
- As per Part 2.4 Lot Creation, "*The objective is to direct the formation of new lots to those locations that are the least environmentally sensitive*.
    1. *Lot creation, including lots created within Urban Areas, Minor Urban Centres and Escarpment Recreation Areas, shall be subject to conformity with official plans and/or secondary plans and, where applicable, zoning by-laws that are not in conflict with the Niagara Escarpment Plan, and the criteria set out under Part 2, Development Criteria*.
    2. *New lots to meet residential needs should be created primarily in designated Urban Areas, Minor Urban Centres and Escarpment Recreation Areas*.
    3. *Ribbon or strip development should be prevented*.
    4. *The size and configuration of new lots shall be subject to the requirements of official plans and/or secondary plans, and where applicable, zoning by-laws and the objectives of the designation*.
    5. *New lots must maintain and enhance the existing community character and/or open landscape character of the Escarpment; and protect and enhance existing natural heritage and hydrologic features and functions*.
    8. *New lots created by consent shall front onto an existing public road that is of a reasonable standard of construction and generally maintained all year round."*

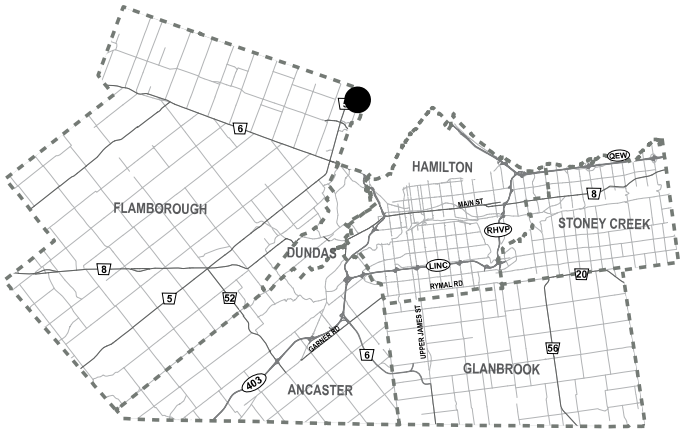
NEC staff have no objection to the proposal as such, provided the City is satisfied that the proposed development conforming to the Official Plan and/or any Secondary Plans in effect.

Kind regards,

G. Shailly
Senior Planner | Niagara escarpment Commission
232 Guelph Street, Georgetown, Ontario, L7G 4B1
905-703-0695 | gyanendita.shailly@ontario.ca



● **Site Location**



City of Hamilton

Committee of Adjustments

Subject Property

26 Cattail Crescent, Flamborough (Ward 15)

File Name/Number: A-26:061

Date: April 14, 2026

Technician: AL

Scale: N.T.S.

Appendix "A"

Planning and Economic Development Department

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-26:054	**SUBJECT PROPERTY:**	77 Parkdale Avenue North, Hamilton
ZONE:	C5 (Mixed Use Medium Density)	**ZONING BY-LAW:**	Hamilton Zoning By-law 05-200

APPLICANTS: Owner: Otto Bozur
Applicant: Joey Garnett
Agent:

The following variances are requested:

1. The construction of a building with a Gross Floor Area of 238.0 square metres associated with an existing Motor Vehicle Dealership shall be permitted, whereas the By-law prohibits the expansion of a Legally Established Non-Conforming Use.

PURPOSE & EFFECT: To facilitate the construction a new building and the expansion of a Legally Established Non-Conforming Use of a Motor Vehicle Dealership.

Notes:

i. Our records indicate the use to be a Legally Established Non-Conforming Motor Vehicle Dealership.

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, April 30, 2026**
TIME:	**11:05 a.m.**
PLACE:	**Via video link or call in (see attached sheet for details)**
	City Hall Council Chambers (71 Main St. W., Hamilton)

A-26:054

	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 April 28, 2026.

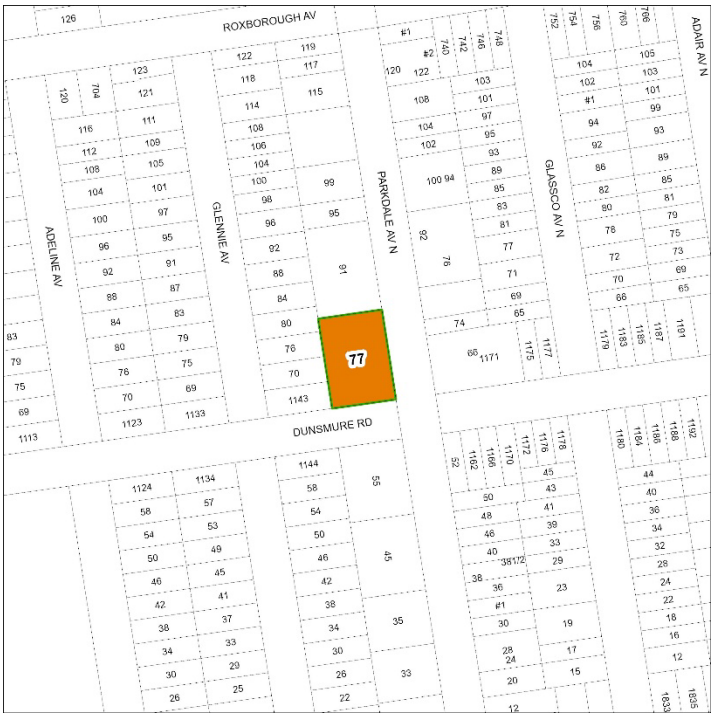
Orally: If you would like to speak to this item at the hearing you may do so via video link, calling in, or attending in person. Please see attached page for complete instructions, registration to participate virtually must be received no later than noon April 29, 2026.

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding A-26:054, 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 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-26:054



Subject Lands

DATED: April 13, 2026

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.

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

The following information is required with your written submission:

- Committee of Adjustment file number
- Full name and address of the person providing comments. Anonymous comments will not be accepted.

Comments can also be placed in the drop box which is located at the back of the 1st Floor of City Hall, 71 Main Street West. All written comments received by the deadline 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. To register, email cofa@hamilton.ca with the following information:

- Committee of Adjustment file number
- Hearing date
- Full name and address of the person wishing to speak. Anonymous comments will not be accepted.
- 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.

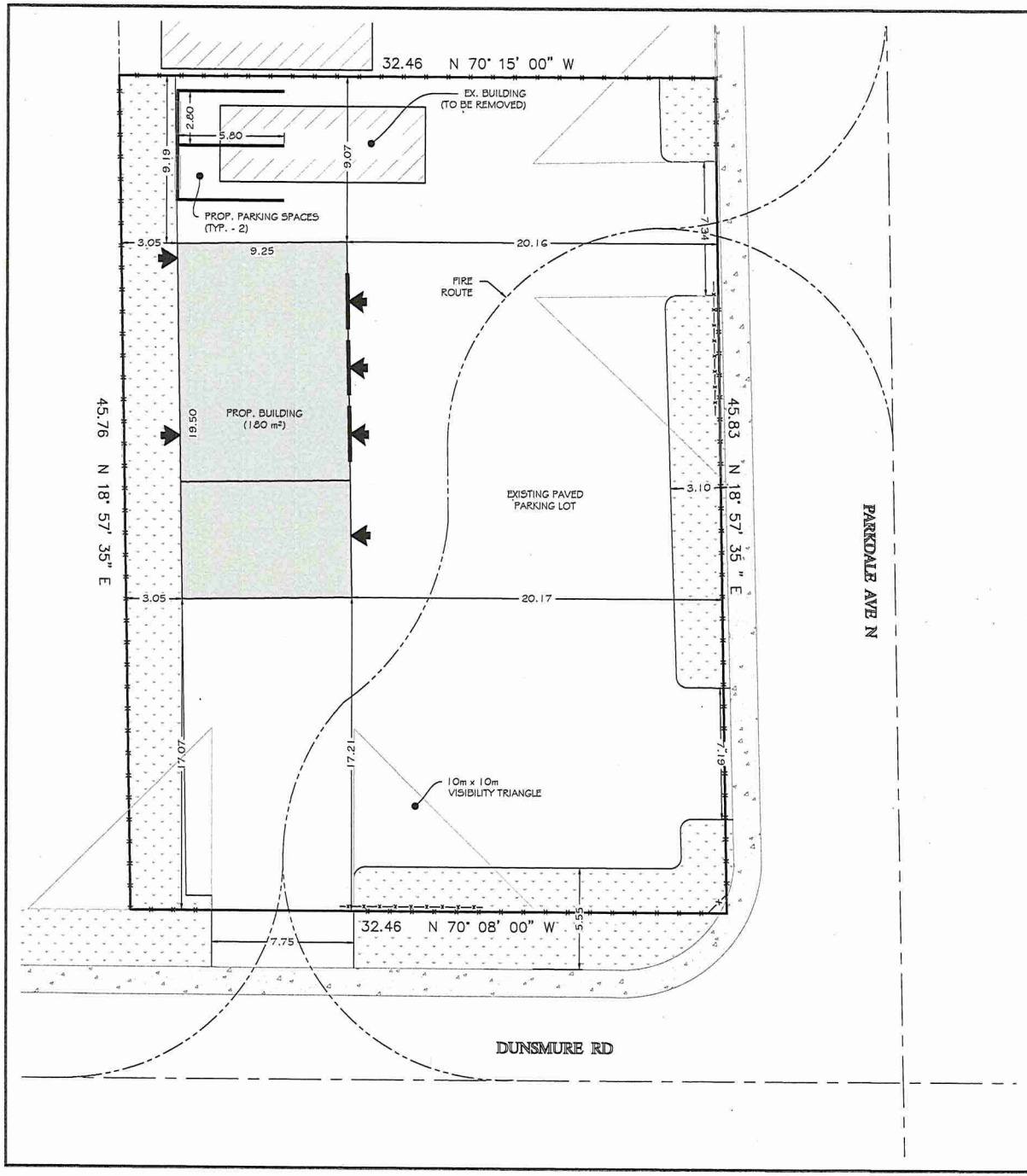
Virtual Presentations:
Presenters participating virtually may be granted permission to share their screen during the Hearing. A copy of the presentation must be submitted to cofa@hamilton.ca **by 12:00 p.m. (noon) on the business day prior to the Hearing.** The submission must be one document in PDF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



GENERAL NOTES:

1.	DO NOT SCALE DRAWINGS.
2.	ALL DIMENSIONS TO BE VERIFIED BY CONTRACTOR.
3.	ANY ERRORS / OMISSIONS TO BE REPORTED TO THE ENGINEER PRIOR TO CONSTRUCTION.
4.	A 1.0m STRIP SHALL BE LEFT UNDISTURBED ALONG THE BOUNDARIES ABUTTING ADJACENT PROPERTIES.
5.	ALL WORK TO CONFORM TO O.B.C. 2024.
6.	BEFORE STARTING WORK THE CONTRACTOR SHALL DETERMINE THE POSITION OF THE POLE LINES, WATER MAINS AND OTHER OVERHEAD AND UNDERGROUND UTILITIES AND STRUCTURES AND ASSUME ALL LIABILITY FOR DAMAGE TO THEM.

HAMILTON 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 7.5m UNLESS OTHERWISE STATED.
4.	ALL DRIVEWAYS FROM PROPERTY LINES FOR THE FIRST 7.5m SHALL BE WITHIN 5% MAXIMUM GRADE, THEREAFTER, ALL DRIVEWAYS SHALL BE WITHIN 10% MAXIMUM GRADES.
5.	THE APPROVAL OF THIS PLAN DOES NOT EXEMPT THE OWNERS 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
6.	ABANDONED ACCESSES MUST BE REMOVED AND THE CURB AND BOULEVARD RESTORED WITH SOD AT THE OWNERS EXPENSE TO THE SATISFACTION OF THE CORRIDOR MANAGEMENT SECTION, PUBLIC WORKS DEPARTMENT.
7.	FOR VISIBILITY TRIANGLES AT THE VEHICULAR ACCESS POINTS, 10 METRE BY 10 METRE VISIBILITY TRIANGLES IN WHICH THE MAXIMUM HEIGHT OF ANY OBJECTS OR MATURE VEGETATION IS NOT TO EXCEED A HEIGHT OF 0.60m ABOVE THE CORRESPONDING PERPENDICULAR CENTRELINE ELEVATION OF THE ADJACENT STREET.
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) AS GAS PIPELINES BEFORE BEGINNING CONSTRUCTION BY CONTACTING ONTARIO ONE CALL AT 1-800-400-2255.

SITE STATISTICS

ZONE: C5 - MIXED USE MEDIUM DENSITY

	PERMITTED	PROPOSED
NET LOT AREA (m²)	N/A	1426 m²
BUILDING COVERAGE (MAX.)	N/A	180 m²
GROSS FLOOR AREA (MAX.)	4000 m²	236 m²
BUILDING HEIGHT (MAX.)	22 m	7.5 m
NUMBER OF STOREYS	N/A	2
NUMBER OF RESIDENTIAL UNITS (MAX.)	N/A	0
NUMBER OF PARKING SPACES	2	2
NUMBER OF LOADING SPACES	N/A	N/A
LANDSCAPED AREA (MIN.)	3.0m STRIP AT STREET FRONT	3.0m STRIP AT STREET FRONT

ROLL No.: 2518-050-383-09090
PLANNING APPLICATION: N/A

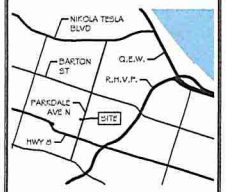
KLS ENGINEERING
1333 HIGHWAY #3
DUNNVILLE, ONTARIO
N1A 2W7
phone: (905) 774-4307

THE DRAWINGS AND SPECIFICATIONS ARE THE PROPERTY OF THE ENGINEER TO BE USED ONLY FOR THE PROJECT FOR WHICH THEY WERE ISSUED.
COPYRIGHT 2025

ENGINEERS SEAL
REGISTERED PROFESSIONAL ENGINEER
OCT. 2025
D. V. CHINNEY
PROVINCE OF ONTARIO

SCALE 1:150 METERS 0 1 5

KEY PLAN



THIS SITE PLAN WAS PREPARED FROM SURVEY INFORMATION OBTAINED FROM:
J.P. WOOLLEY SURVEYING LTD.
ONTARIO LAND SURVEYORS
125 NAVAN STREET
CALEDONIA, ONTARIO N3W 1G4
PROJECT No. 08-1143-2
&
HAMILTON GIS MAPPING

#	PURPOSE OF ISSUE	DATE OF ISSUE	BY
4			
3			
2			
1			
0	ISSUED FOR APPROVAL	OCT 2/25	MD

OTTO BOZUR

CAR DEALERSHIP

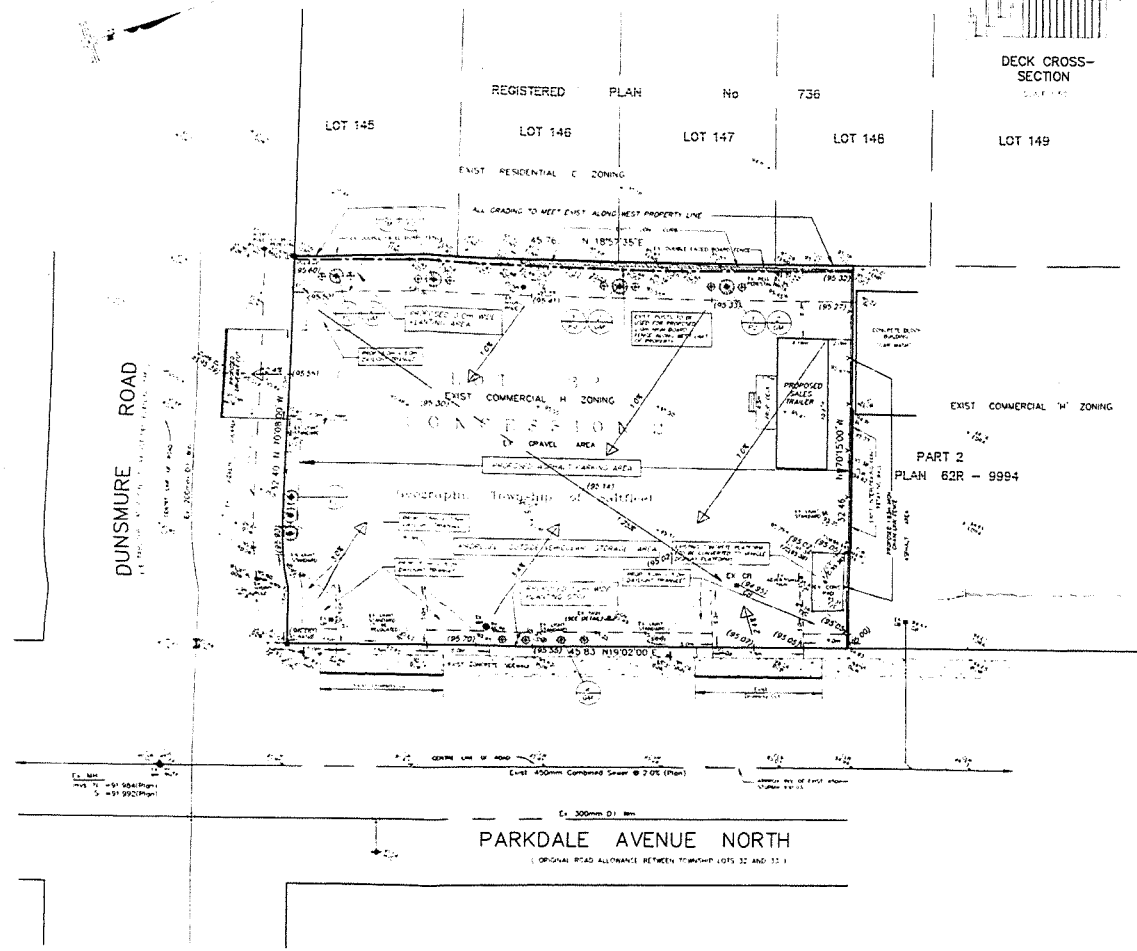
77 PARKDALE AVE N
HAMILTON, ON
L8H 5X1

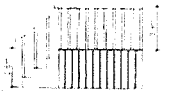
DRAWING: SITE PLAN

AS NOTED | FILE NO. B16-25-150

DRAWING LOCATION: DRAWINGS\2025\BOZUR, SHANE - SITE PLAN - B16-25-150-0.2.DWG

DRAWN BY: MIKE DWYER
START DATE: MAY 20, 2025
SHEET: 1 OF 1
DRAWING NUMBER: C-1

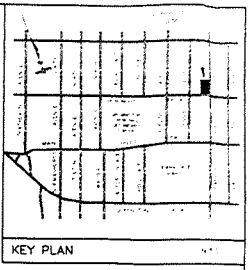


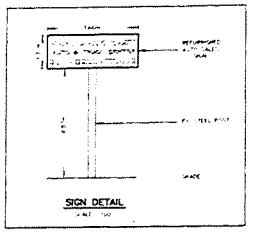


NOTES ON GRADING PLAN

1. Any changes in grades and catch basins require the approval of the Commissioner of Regional Environmental Department
2. All driveways from property lines for the first 7.5m shall be within 5% maximum grade, thereafter, all driveways shall be within 10% maximum grade
3. The approval of this plan does not exempt the owner's bonded contractor from the requirements to obtain various permits/approvals normally required to complete a construction project such as, but not limited to the following

- Road cut permits	- Sewer permits
- Approach approval permits	- Relocation of services
- Committee of adjustment	- Encroachment agreements (if required)





SKETCH OF
PART OF LOT 33 - CONCESSION 2
GEOGRAPHIC TOWNSHIP OF SALTFLEET
IN THE
CITY OF HAMILTON
REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH
SCALE 1:200
0 5 10 metres
D. G. ALDWORTH O.L.S.
1998

NOTES ON SITE PLAN

1. All work involved in the construction, relocation repair of municipal services for the project shall be to the satisfaction of the Commissioner of Regional Transportation/Environmental Services
2. Fire Route Signs and 3-Way Fire Hydrants shall be installed to the satisfaction of the City Fire Department and at the expense of the owner
3. Main Driveway dimensions of the property, the commercial crossing shall be unless otherwise stated
4. All driveways from property lines for the first 7.5m shall be within 5% maximum grade, thereafter all driveways shall be within 10% maximum grades
5. The approval of this plan does not exempt the owner's bonded contractor from the requirements to obtain the various permits/approvals normally required to complete a construction project such as, but not limited to the following

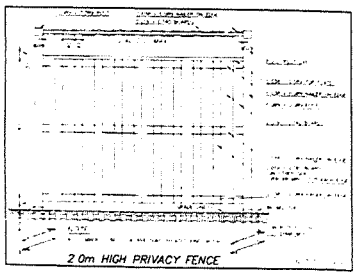
- Road cut permits	- Sewer permits
- Approach approval permits	- Relocation of services
- Committee of Adjustment	- Encroachment agreements (if required)

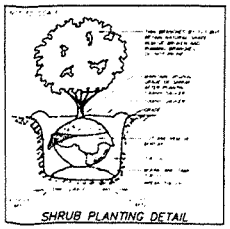
LEGEND:

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

NOTE:
DISTANCES AND BEARINGS SHOWN ON THIS PLAN DERIVED FROM A PLAN OF SURVEY BY J.P. MOSLEY O.L.S. DATED MAY 4, 1998 AND IS NOT BASED ON AN ACTUAL FIELD SURVEY WITH THE EXCEPTION OF THE ELEVATIONS

BENCH MARK
CITY OF HAMILTON INDEX NO. 81-43
ELEVATION = 93.743 m
IN DEPRESSION CENTRELINE ROAD SIDE OF VAN WINDEN CRESCENT, SCHOOL LOCATED AT NORTHWEST CORNER OF HEATING PLANT SECTION EAST OF REAR LOADING PLATFORM ENTRANCE
0.40 m EAST OF NORTHWEST CORNER AND 0.30 m UP NO. 735





NOTES ON LANDSCAPE PLAN

1. Any plant material or substitutions require the approval of the City of Hamilton
2. Plant material and landscaping shall be minimum to be provided by the owner. Any additions must comply to the Zoning By-law
3. Any sodding, planting or work on lands abutting the property from the lot lines to sidewalk and curbing, shall be to satisfaction of the City and/or Regional Municipality
4. All landscaping shall be installed prior to the end of the first growing season following completion of the development

LIST OF PLANT MATERIAL

KEY	QTY	BOTANICAL NAME	COMMON NAME	SIZE	REMARKS
AU	*	AMELANCHIER CANADENSIS 'AUTUMN BRILLIANCE'			
GM	12	SPIRAEA 'GOLD MOUND'			

AREA TO BE SODDED

DETAILS OF DEVELOPMENT:

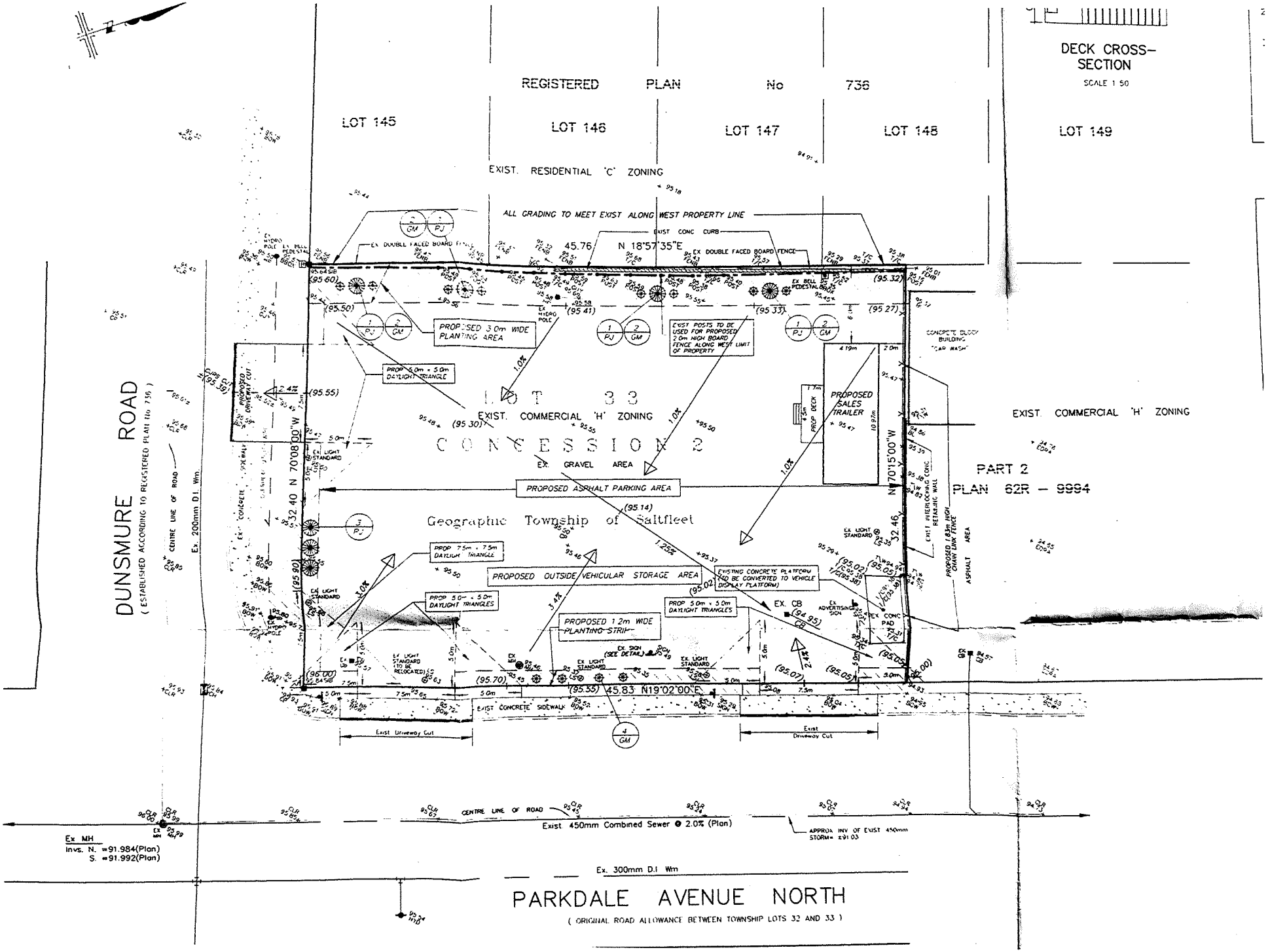
EXISTING 'H' ZONING		
	MAX./MIN. REQUIRED	PROPOSED
NET LOT AREA		
LOT WIDTH (MIN.)		
FRONT YARD (MIN.)		
REAR YARD (MIN.)		
BUILDING HEIGHT (MAX.)		
NO. OF STOREYS (MAX.)		

NOT ISSUED FOR CONSTRUCTION

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

CITY OF HAMILTON	DESIGN: M. DAVIS / DRAWN: M. DAVIS
No. 77 PARKDALE AVENUE NORTH	SCALE:
SITE\GRADING\LANDSCAPING PLAN	DATE: SEPTEMBER 1998 / DWG. K-1552-1

No. 77 PARKDALE AVENUE NORTH


DECK CROSS-SECTION
SCALE 1:50
REGISTERED PLAN No 736
LOT 145
LOT 146
LOT 147
LOT 148
LOT 149
EXIST. RESIDENTIAL 'C' ZONING
ALL GRADING TO MEET EXIST. ALONG WEST PROPERTY LINE
EXIST CONC CURB
45.76 N 18°57'35"E
EX DOUBLE FACED BOARD FENCE
PROPOSED 3.0m WIDE PLANTING AREA
EXIST POSTS TO BE USED FOR PROPOSED 2.0m HIGH BOARD FENCE ALONG WEST LIMIT OF PROPERTY
PROP 5.0m x 5.0m DAYLIGHT TRIANGLE
LOT 33
EXIST. COMMERCIAL 'H' ZONING
CONCESSION 2
PROPOSED SALES TRAILER
CONCRETE BLOCK BUILDING "CAR WASH"
EXIST. COMMERCIAL 'H' ZONING
EX GRAVEL AREA
PROPOSED ASPHALT PARKING AREA
Geographic Township of Saltfleet
PART 2
PLAN 62R - 9994
PROP 7.5m x 7.5m DAYLIGHT TRIANGLE
PROPOSED OUTSIDE VEHICULAR STORAGE AREA
EXISTING CONCRETE PLATFORM TO BE CONVERTED TO VEHICLE DISPLAY PLATFORM
PROP 5.0m x 5.0m DAYLIGHT TRIANGLES
PROPOSED 1.2m WIDE PLANTING STRIP
EX. CB
EX CONC PAD
EX LIGHT STANDARD (TO BE RELOCATED)
EXIST CONCRETE SIDEWALK
Exist Driveway Cut
Exist Driveway Cut
DUNSMURE ROAD
(ESTABLISHED ACCORDING TO REGISTERED PLAN No 736)
CENTRE LINE OF ROAD
Ex. 200mm D.I. Wm.
N 70°08'00" W 32.40
N 70°15'00" W 32.46
CENTRE LINE OF ROAD
Exist. 450mm Combined Sewer @ 2.0% (Plan)
APPROX INV OF EXIST 450mm STORM= ±91.03
Ex MH
Invs. N. =91.984(Plan)
S. =91.992(Plan)
Ex. 300mm D.I. Wm
PARKDALE AVENUE NORTH
(ORIGINAL ROAD ALLOWANCE BETWEEN TOWNSHIP LOTS 32 AND 33)

OTTO BOZUR

CAR DEALERSHIP

77 PARKDALE AVE. N
HAMILTON, ON
L8H 5X1



DRAWING LIST	
Sheet Title	**Drawing Number**
ELEVATIONS & NOTES	S-1
FOUNDATION PLAN	S-2
FIRST FLOOR PLAN	S-3
PLAN VIEWS	S-4
ROOF PLAN	S-5
DETAILS	S-6
DETAILS 2	S-7

REQUIRED INSPECTIONS BY **KLS ENGINEERING LTD.**	
☑	FOOTINGS (PRIOR TO POUR)
☑	REBAR (PRIOR TO POUR)
☑	FRAMING / FINAL
TO BOOK INSPECTIONS, CALL **(905) 774-4307**	

MUNICIPALITY APPROVED DRAWINGS TO BE CONFIRMED BY KLS ENGINEERING PRIOR TO CONSTRUCTION.
PLEASE NOTIFY KLS ENGINEERING MINIMUM 48 HOURS IN ADVANCE FOR AN INSPECTION REQUEST.
MUNICIPALITY INSPECTIONS ARE STILL REQUIRED

KLS ENGINEERING
1333 HIGHWAY #3
DUNNVILLE, ONTARIO
N1A 2W7
phone: (905) 774-4307

THE DRAWINGS AND SPECIFICATIONS ARE THE PROPERTY OF THE ENGINEER TO BE USED ONLY FOR THE PROJECT FOR WHICH THEY WERE ISSUED.

COPYRIGHT 2025

REGISTERED PROFESSIONAL ENGINEER
OCT. 2025
D. V. GLENNEY
PROVINCE OF ONTARIO

#	PURPOSE OF ISSUE	DATE OF ISSUE	BY
5			
4			
3			
2			
1			
0	ISSUED FOR PERMIT	OCT 2025	EB

OTTO BOZUR

CAR DEALERSHIP

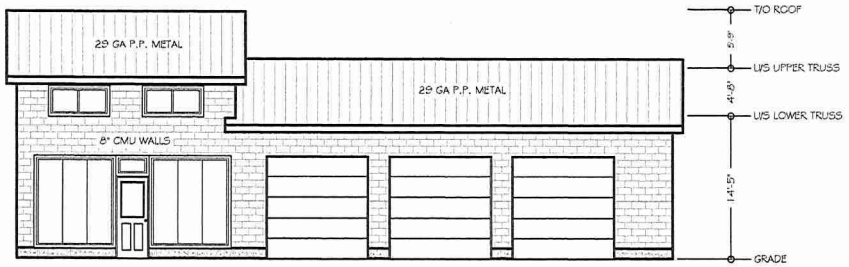
77 PARKDALE AVE. N
HAMILTON, ON
L8H 5X1

DRAWING: TITLE PAGE

SCALE: AS NOTED
FILE NUMBER: B16-25-150

DWGS\2025\BOZUR, SHANE - NEW BUILDING - B16-25-150

DRAWN BY: E. BALT
DATE: AUG 19, 2025
SHEET NUMBER: TITLE
DRAWING NUMBER: TITLE



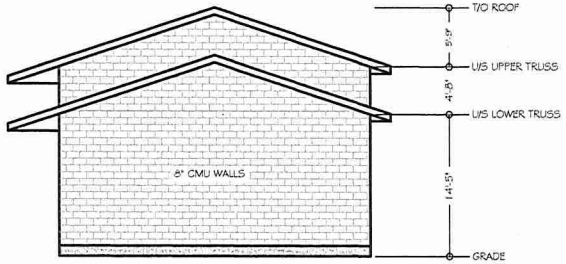
ELEVATION - EAST
SCALE: 1/8" = 1'-0"



ELEVATION - SOUTH
SCALE: 1/8" = 1'-0"



ELEVATION - WEST
SCALE: 1/8" = 1'-0"



ELEVATION - NORTH
SCALE: 1/8" = 1'-0"

GENERAL NOTES:

- DO NOT SCALE DRAWINGS.
- ALL DIMENSIONS TO BE VERIFIED BY CONTRACTOR.
- ANY ERRORS / OMISSIONS TO BE REPORTED TO ENGINEER PRIOR TO CONSTRUCTION
- ALL WORK TO CONFORM TO O.B.C. 2024
- NOTIFY ENGINEER 48 HRS. IN ADVANCE FOR INSPECTION OF FOOTING EXCAVATION AND FRAMING.
- REMOVE ALL TOP-SOIL AND ORGANIC MATERIAL.
- ALL FOOTINGS TO BE ON UNDISTURBED SOIL AND MIN. OF 4'-0" BELOW LINE OF FINISHED GRADE
- SOIL BRG. CAPACITY TO SUSTAIN A MIN. 3000 P.S.F.

CONCRETE NOTES:

- ULTIMATE COMPRESSIVE STRENGTH @ 28 DAYS
- 32 MPA FOR SLAB ON GRADE
- 25 MPA FOR WALLS AND FOOTINGS
- SLUMP 3" +-1"
- MAX WATER CEMENT RATIO .45 (USE WATER REDUCING AGENT TO IMPROVE WORKABILITY NO WATER TO BE ADDED ON SITE) USE VIBRATORY EQUIPMENT TO ACHIEVE UNIFORM DENSITY
- AIR ENTRAINMENT 5% - 8%
- REINFORCING STEEL TO HAVE MIN. YIELD STRENGTH OF 400 MPA WITH MIN. 3" COVER
- MINIMUM SPLICE LENGTH (10M - 18") (15M - 24")

STRUCTURAL STEEL NOTES:

- STRUCTURAL STEEL TO BE INSPECTED BY THE ENGINEER PRIOR TO COVERING.
- ANCHORS BOLTS TO BE GRADE 55 (449M) CSA G40.21
- CONNECTION BOLTS TO BE HIGH STRENGTH ASTM A325
- WELDING TO CONFORM TO CSA W59.
- STRUCTURAL STEEL TO CONFORM TO G40.21 350W.
- REINFORCING STEEL TO HAVE YIELD STRENGTH OF 400 MPA. CSA G30.18
- MINIMUM SPLICE LENGTH (10M - 18") (15M - 24")

LUMBER NOTES:

- ALL LUMBER TO BE SPF GRADE #2 OR BETTER UNLESS OTHERWISE SPECIFIED.
- LUMBER EXPOSED TO MOISTURE TO BE PRESSURE TREATED
- ALL LUMBER SET IN THE GROUND TO BE RATED FOR "GROUND CONTACT"
- ALL FASTENERS IN CONTACT WITH PRESSURE TREATED MATERIAL TO BE COMPATIBLE WITH PRESSURE TREATED CHEMICALS
- ALL STEEL SIDING IN CONTACT WITH PRESSURE TREATED WOOD TO BE ISOLATED WITH A LAYER OF ICE & WATER SHIELD OR EQUAL.
- SUBMIT ENGINEERED TRUSS DRAWINGS
- TRUSS BRACING AND STRAPPING AS SPECIFIED BY ENGINEERED TRUSS DRAWING
- TRUSS TIE DOWN TO SUSTAIN UPLIFT SHOWN ON TRUSS DESIGN AND TO BE CONTINUOUS ON FOUNDATION WALL
- ALL UNTELD TO BE 2 - 2" x 10" UNLESS OTHERWISE SPECIFIED

SPECIFIED ROOF TOP CHORD LOADS: HAMILTON (BELOW ESCARPMENT - EAST OF HIGHWAY 403)

- SNOW LOAD = 1.1 kPa (22.97 psf)
- RAIN LOAD = 0.4 kPa (8.4 psf)
- HOURLY WIND PRESSURE (1/50) = 0.44 kPa
- DEAD LOAD = 0.20 kPa (4.2 psf)

KLS ENGINEERING
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DUNNVILLE, ONTARIO
N1A 2W7
phone: (905) 774-4307

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OCT. 2025
D. V. CENNEY
PROVINCE OF ONTARIO

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OTTO BOZUR

CAR DEALERSHIP

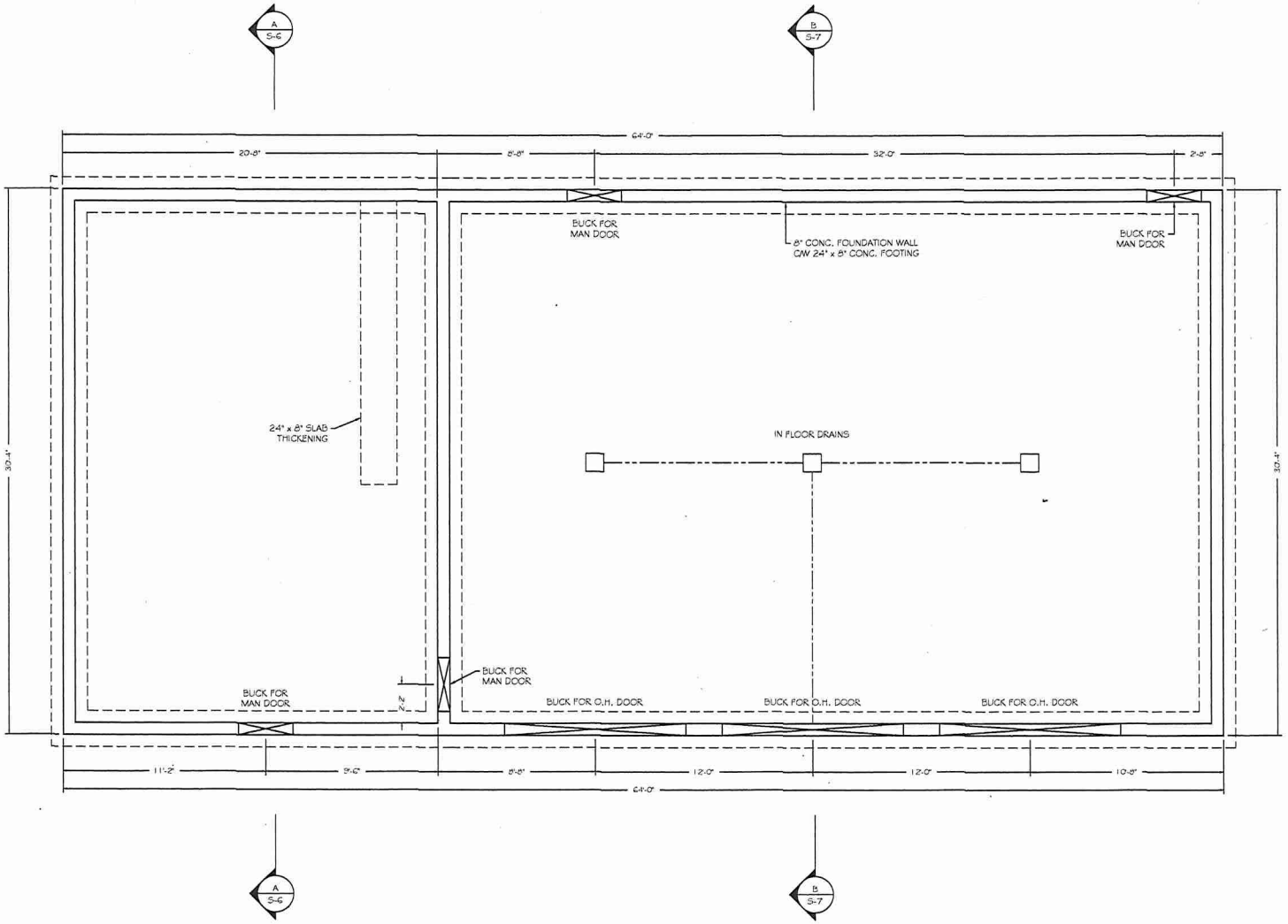
77 PARKDALE AVE. N
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L8H 5X1

DRAWING: ELEVATIONS

SCALE: AS NOTED
FILE NUMBER: B16-25-150

DWG\N-2025\BOZUR, SHANE - NEW BUILDING - B16-25-150

DRAWN BY: E. BALT
DATE: AUG 19, 2025
SHEET NUMBER: 1 OF 7
DRAWING NUMBER: S-1



FOUNDATION PLAN
SCALE: 1/4" = 1'-0"

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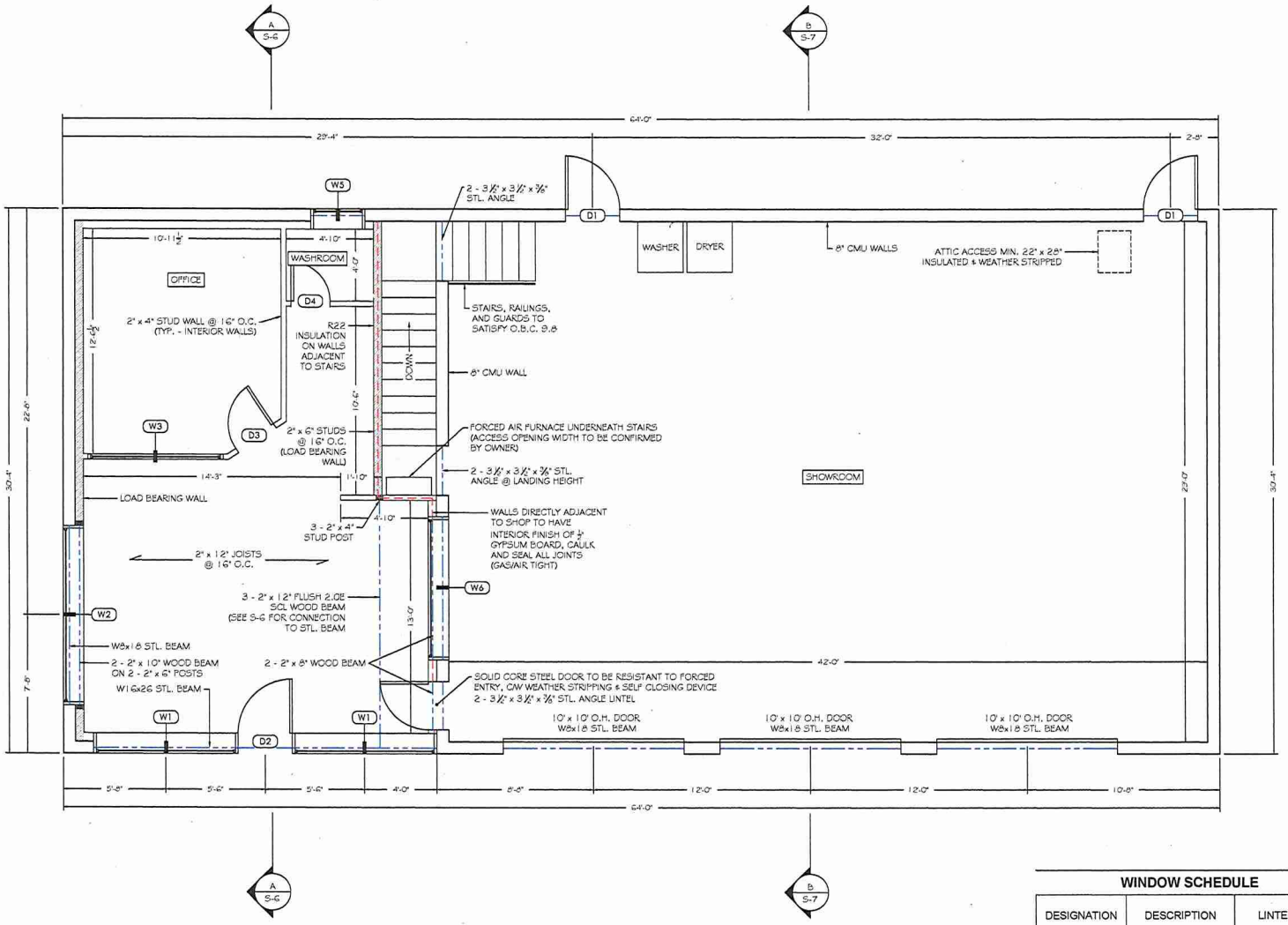
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DRAWING
FOUNDATION PLAN

SCALE	FILE NUMBER
AS NOTED	B16-25-150

DWGS\2025\BOZUR, SHANE - NEW BUILDING - B16-25-150

DRAWN BY	DRAWING NUMBER
E. BALT	S-2
DATE: AUG 19, 2025	
SHEET NUMBER: 2 OF 7	



FIRST FLOOR PLAN
SCALE: 1/4" = 1'-0"

DOOR SCHEDULE

DESIGNATION	DESCRIPTION	LINTEL SIZE
D1	36" x 80"	2 - 3½" x 3½" x ⅜" STL. ANGLE
D2	36" x 96" C/W 36" x 24" TRANSOM WINDOW	-
D3	30" x 80"	2 - 2" x 6" WOOD BEAM
D4	26" x 80"	2 - 2" x 6" WOOD BEAM

WINDOW SCHEDULE

DESIGNATION	DESCRIPTION	LINTEL SIZE
W1	96" x 108"	-
W2	120" x 108"	-
W3	90" x 108"	2 - 2" x 6" WOOD BEAM
W4	72" x 36"	2 - 6" x 3½" x ⅜" STL. ANGLE
W5	36" x 36"	2 - 3½" x 3½" x ⅜" STL. ANGLE
W6	96" x 108"	2 - 6" x 3½" x ⅜" STL. ANGLE

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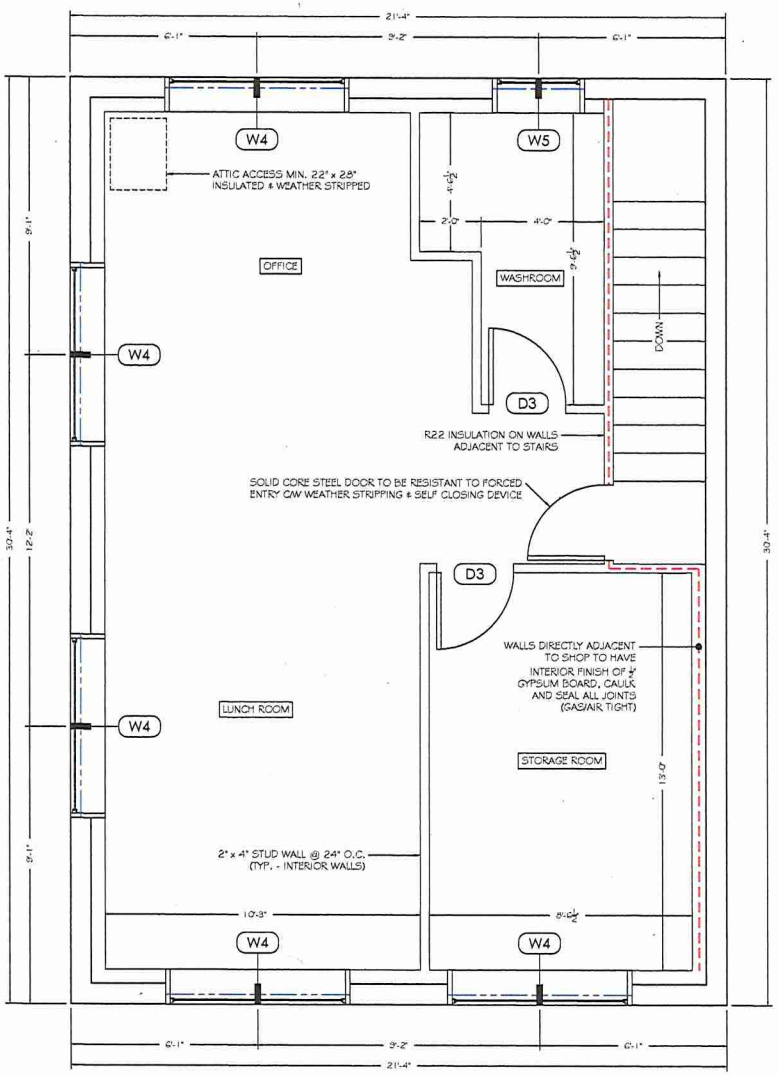
DRAWING
FIRST FLOOR PLAN

SCALE: AS NOTED
FILE NUMBER: B16-25-150

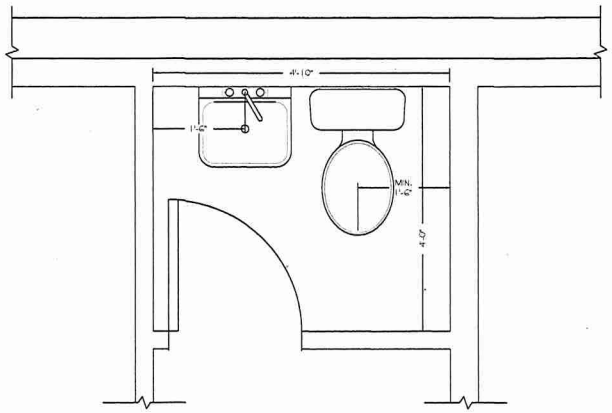
DWG\2025\BOZUR, SHANE - NEW BUILDING - B16-25-150

DRAWN BY: E. BALT
DATE: AUG 19, 2025
SHEET NUMBER: 3 OF 7

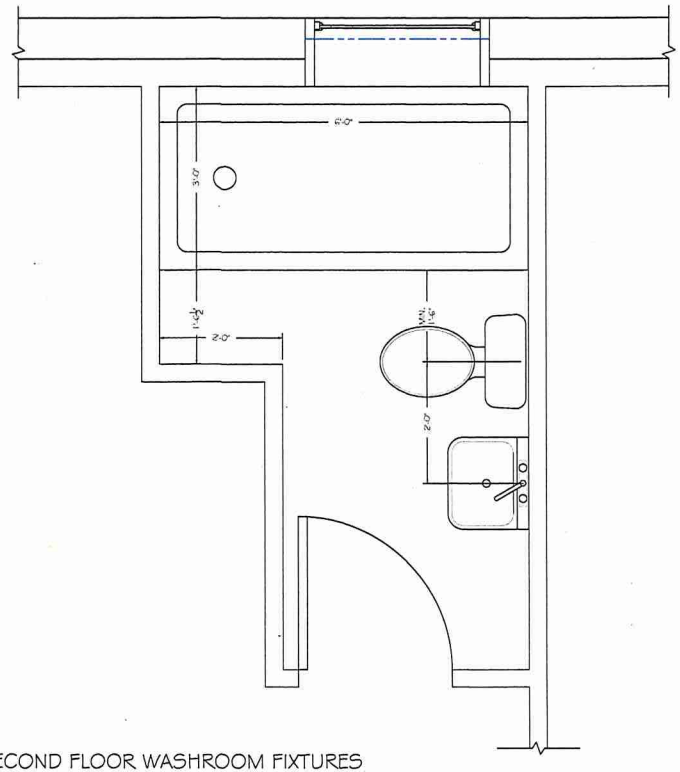
DRAWING NUMBER: S-3



SECOND FLOOR PLAN
SCALE: 3/8" = 1'-0"



FIRST FLOOR WASHROOM FIXTURES
SCALE: 3/4" = 1'-0"



SECOND FLOOR WASHROOM FIXTURES
SCALE: 3/4" = 1'-0"

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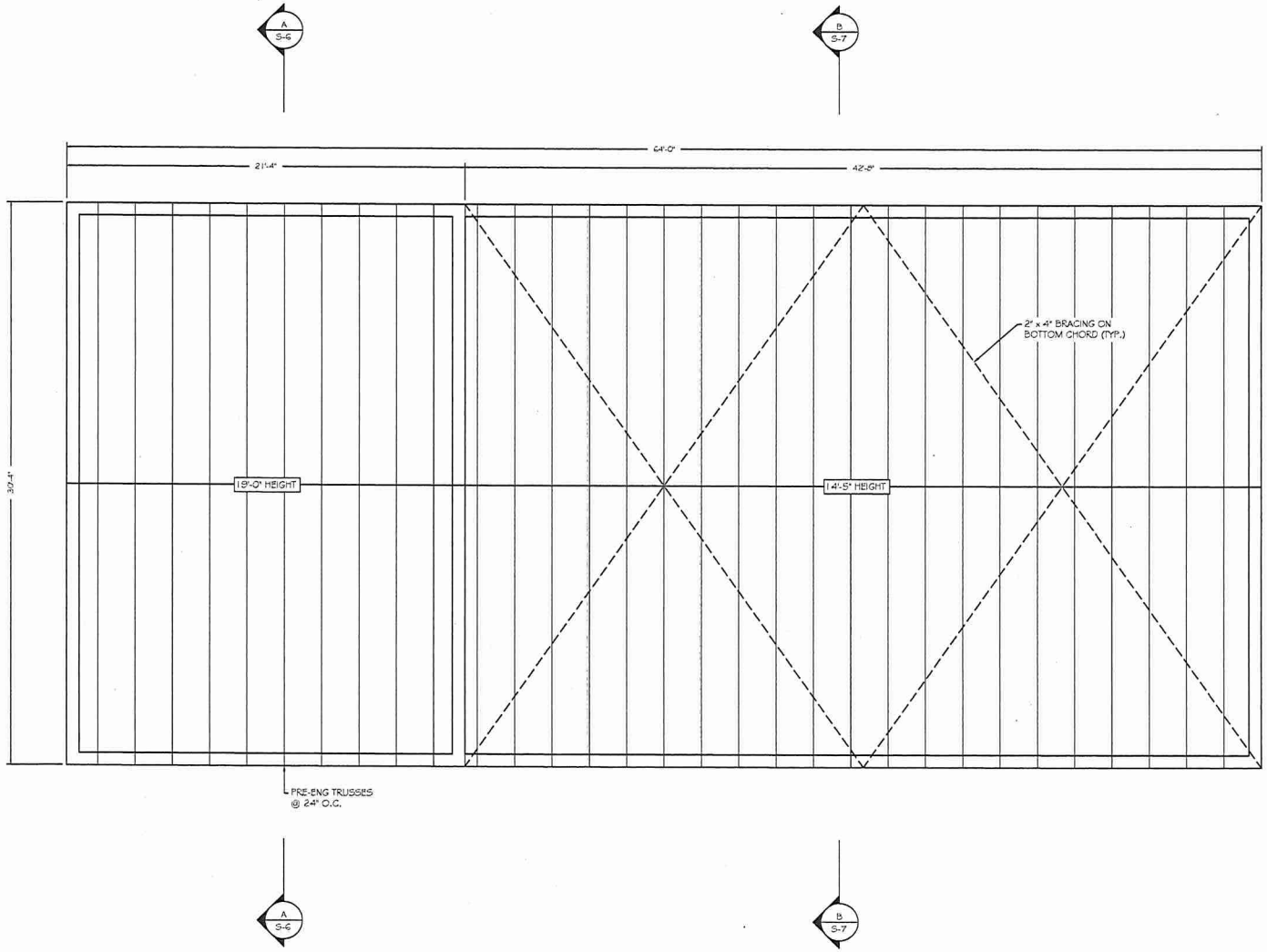
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DRAWING
PLAN VIEWS

SCALE	FILE NUMBER
AS NOTED	B16-25-150

DWGS\2025\BOZUR, OTTO\ARCH - NEW BUILDING - B16-25-150

DRAWN BY	DRAWING NUMBER
E. BALT	S-4
DATE: AUG 19, 2025	
SHEET NUMBER: 4 OF 7	



ROOF PLAN
SCALE: 1/4" = 1'-0"

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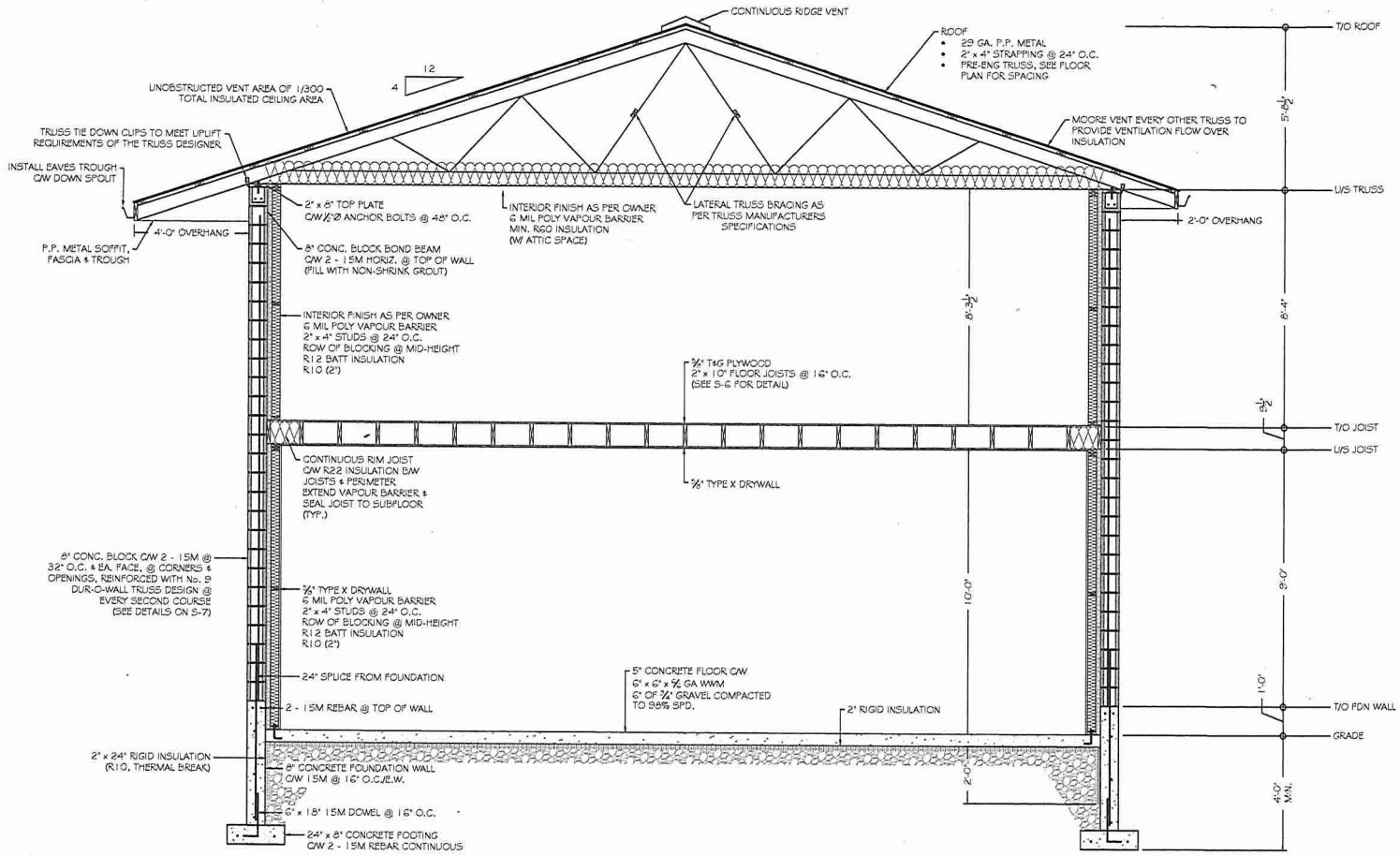
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DRAWING
ROOF PLAN

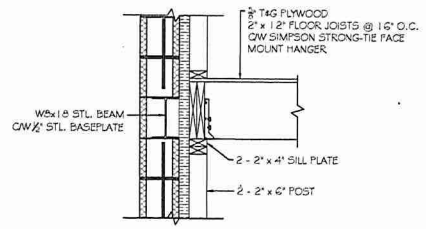
SCALE	FILE NUMBER
AS NOTED	B16-25-150

DWGS-2025/BOZUR, SHANE - NEW BUILDING - B16-25-150

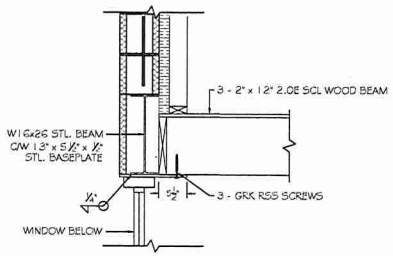
DRAWN BY	DRAWING NUMBER
E. BALT	S-5
DATE: AUG 19, 2025	
SHEET NUMBER: 5 OF 7	



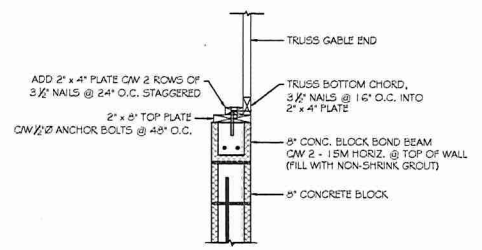
SECTION A - A
SCALE: 3/8" = 1'-0"



JOIST TO WALL CONNECTION OVER WINDOW
SCALE: 3/4" = 1'-0"



FLUSH BEAM TO STL. BEAM CONNECTION
SCALE: 3/4" = 1'-0"



TRUSS GABLE END ATTACHMENT
SCALE: 3/4" = 1'-0"

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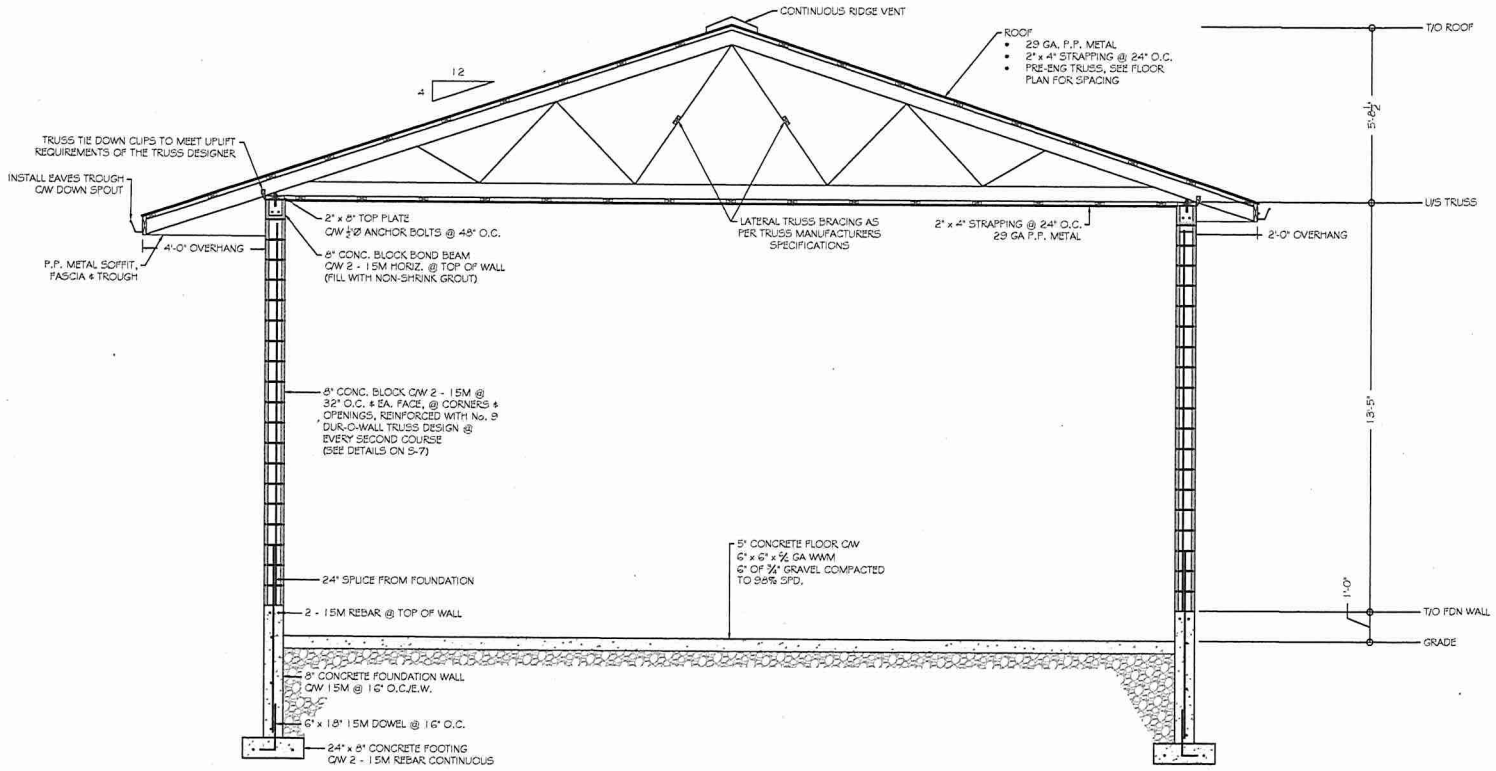
DRAWING: DETAILS

SCALE: AS NOTED
FILE NUMBER: B16-25-150

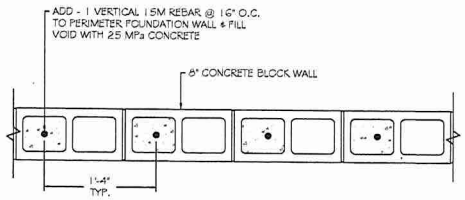
DWGS-2025/BOZUR, MANE - NEW BUILDING - B16-25-150

DRAWN BY: B. BALT
DATE: AUG 12, 2025
SHEET NUMBER: 6 OF 7

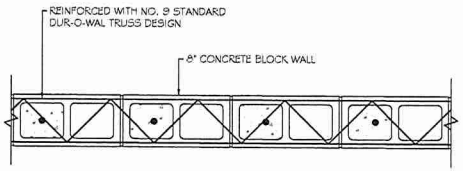
DRAWING NUMBER: S-6

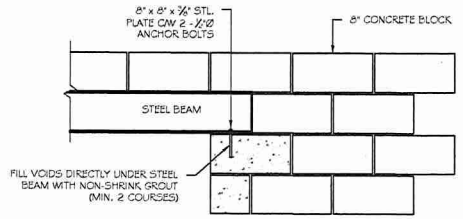


SECTION B - B
SCALE: 3/8" = 1'-0"



LOAD-BEARING CMU WALL REINFORCEMENT
SCALE: 1" = 1'-0"





STL. BEAM TO CMU CONNECTION (TYPICAL)
SCALE: 3/4" = 1'-0"

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CAR DEALERSHIP

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DRAWING: DETAILS 2

SCALE: AS NOTED
FILE NUMBER: B16-25-150

DWGS/2025/BOZUR, SHANE - NEW BUILDING - B16-25-150

DRAWN BY: E. BALT
DATE: AUG 19, 2025
SHEET NUMBER: 7 OF 7
DRAWING NUMBER: S-7

Hamilton

Planning and Economic Development Department
Planning Division
71 Main Street West, 5th Floor
Hamilton, Ontario, L8P 4Y5
Phone: 905-546-2424 x 2719 Fax: 905-546-4202
Email: ZoningInquiry@hamilton.ca

CERTIFICATE OF ZONING VERIFICATION REPORT

ATTENTION OF: Joey Garnet
EMAIL: [redacted]
ISSUED BY: Kelly Vanwalleghem
TELEPHONE: 905-546-2424 x 3740
PROPOSED USE: Motor Vehicle Dealership and Motor Vehicle Service Station

CERTIFICATE NO. ZVE-26-053 - 01
77 Parkdale Avenue North, Hamilton
ISSUE DATE: March 16, 2026

ZONING DISTRICT:
C5 (Mixed Use Medium Density)
SECTION 10.5 OF HAMILTON ZONING BY-LAW 05-200
SITE PLAN CONTROL: Required for future development
COMMITTEE OF ADJUSTMENT: N/A

THE PROPOSED USE IS:
SEE COMMENTS

COMMENTS:

The proposed use of a "Used motor vehicle sales operation, public garage new/used vehicle sales" is defined as a Motor Vehicle Dealership and Motor Vehicle Service Station. The proposed use of a Motor Vehicle Service Station is a permitted use within the current C5 zone.

The recognized use is Motor Vehicle Dealership which may be legally established non-conforming provided that it has continuously existed from prior to the passing of Hamilton Zoning By-law 05-200 on November 8, 2017 until present.

This Division makes no representation and gives no warranty or opinion as to whether the non-conforming use has been lost by discontinuance of use. The Applicant should make appropriate inquiries to satisfy themselves that the non-conforming use has not been lost by discontinuance.

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.

The use and operation of a business may be subject to the issuance and maintenance of a municipal license from the Licensing Section of the Licensing & By-law Services Division. For more information, please contact licensing@hamilton.ca.

Tenant improvements, change of use, conversions, renovations, alterations, additions or new buildings are subject to the issuance of a building permit from the Building Division. Please contact

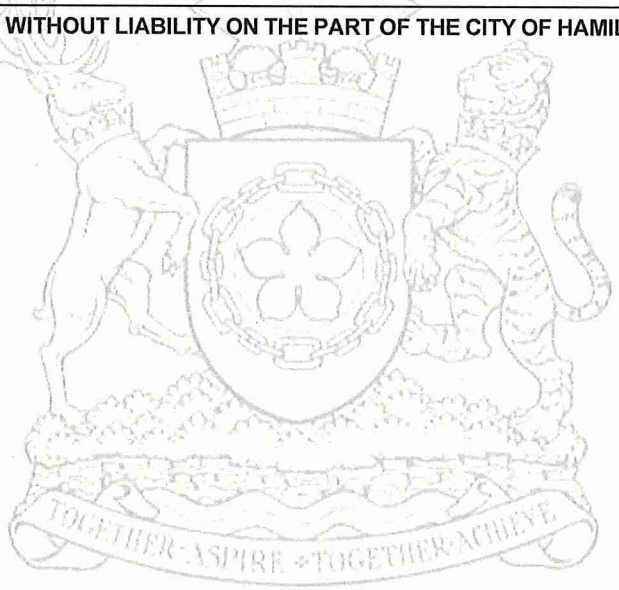
the Building Division at building@hamilton.ca.

Development Charges (DCs) may apply if a building permit is required. DCs are a development fee associated with development (new construction) and redevelopment (change of use) which help to fund the cost of new infrastructure required as a result of growth. Visit https://www.hamilton.ca/build-invest-grow/planning-development/development-charges/development-charges or contact the Development Charges, Programs & Policies Team at DCRequest@hamilton.ca for more information.

Kelly Vanwalleghem

FOR DIRECTOR OF PLANNING AND CHIEF PLANNER

***** THIS CERTIFICATE IS ISSUED WITHOUT LIABILITY ON THE PART OF THE CITY OF HAMILTON OR ITS OFFICIALS *****



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*

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

1. APPLICANT INFORMATION

	NAME	MAILING ADDRESS	
Registered Owner(s)	Otto Bozur	[redacted]	
Applicant(s)	Joey Garnet		
Agent or Solicitor			**Phone:**
			E-mail:

Please include contact person's name if applying as a company or organization.

1.2 Primary contact ☑ Applicant ☐ Owner ☐ Agent/Solicitor

1.3 Sign should be sent to ☐ Applicant ☑ Owner ☐ Agent/Solicitor

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

If YES, provide email address where sign is to be sent [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 card over phone* [redacted]

*Must provide phone number above

2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	77 Parkdale Ave North		
Assessment Roll Number	050383090900000		
Former Municipality	City of Hamilton		
Lot	33	Concession	2
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 the minimum required rear yard setback of 7.5 metres to permit a rear yard setback of 3.05 metres for the proposed building, representing a reduction of 4.45 metres.

☐ Additional Dwelling Unit ☑ Reconstruction of Existing Dwelling

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

The subject property is an existing developed commercial corner lot operating as a legally established motor vehicle dealership use. The lot has fixed access points, existing on-site circulation patterns, visibility triangle requirements, and proximity to adjacent residential uses that constrain the ability to reposition the proposed building while maintaining safe and functional vehicle movement and parking on the site.The proposed rear yard setback reduction is required to allow for an efficient and functional redevelopment of the property while maintaining appropriate setbacks from the street, preserving fire access routes, and accommodating required parking and maneuvering areas. Strict compliance with the rear yard requirement would significantly limit the reasonable use of the property and hinder the improvement and modernization of an existing commercial site.

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 (in metric):

Lot Frontage	Lot Depth	Lot Area	Width of Street
45.83 m	45.76 m	1,486 m²	15 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 in metric)

Existing:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Existing trailer / temporary commercial office	See site plan	6 m	2	01/01/1998

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Commercial building / motor vehicle dealership	20.16 m	3.05 m	9.2 m	06/01/2026

4.3. Particulars of all buildings and structures on or proposed for the subject lands. All dimensions to be provided in metric (m, m^2 or ha); attach additional sheets as necessary.

Existing:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Existing trailer / temporary commercial office	53.4	53.4	1	3m

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Commercial building	180 m^2	238 m^2	2	7.5 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
☐ 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.):

Motor vehicle dealership building associated with an existing legally established non-conforming motor vehicle dealership use

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

North: commercial East: arterial road / commercial corridor South: municipal road with residential/commercial context West: residential

5. HISTORY OF THE SUBJECT LAND

5.1 Date of acquisition of subject lands:

May 1 2025

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

Motor vehicle dealership / used motor vehicle sales operation

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

Motor vehicle dealership / used motor vehicle sales operation

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

Since approximately 1998 (approximately 27 years).

5.5 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.

The proposed variance facilitates the continued use and redevelopment of an existing commercial property located on a major arterial corridor within the Urban Hamilton Official Plan's Mixed Use – Medium Density designation. The proposal supports intensification objectives by allowing reinvestment in an established urban site while maintaining compatibility with surrounding land uses through appropriate setbacks, site circulation, and buffering. The requested relief is minor in nature and maintains the general intent of the Official Plan.

5.6 What is the existing zoning of the subject land? C5 – Mixed Use Medium Density

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

☐ Yes ☑ No

If yes, please provide the file number: _____

5.8 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: _____

6. ADDITIONAL INFORMATION

6.1 Number of Dwelling Units Existing: 0

6.2 Number of Dwelling Units Proposed: 0

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

The subject property is an existing corner commercial lot that has operated as a motor vehicle dealership for several decades and has been recognized through a recent zoning verification process as a legally established non-conforming use. The proposed variance facilitates reinvestment in the property through construction of a new building while maintaining functional site circulation, fire access, and required parking. The requested rear yard relief is minor in nature relative to the size of the lot and is necessary due to the constrained configuration of the site, existing access locations, visibility triangle requirements, and adjacency to residential uses. The proposal represents an appropriate improvement to an existing urban commercial property.

7. COMPLETE APPLICATION REQUIREMENTS

7.1 All Applications

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

7.2 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

_____

_____

STAFF COMMENTS

HEARING DATE: April 30, 2026

Hamilton

A-26:054 — 77 Parkdale Avenue North, Hamilton

Recommendation:

Approve — Development Planning

Proposed Conditions:

1. That construction of a building with a Gross Floor Area of 238.0 square metres associated with the existing Motor Vehicle Dealership shall be regulated by the provisions of Section 10.7 - Arterial Commercial (C7) Zone of Zoning By-Law No. 05-200. (Development Planning)

Proposed Notes:

A building permit is required for the construction of the proposed new building and expansion of the motor vehicle dealership. (Building Engineering)

Be advised that Ontario Building Code regulations may require specific setback and construction types. (Building Engineering)

If this variance is approved, the proponent must be advised by the Committee of Adjustment as follows:

"**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 (416-212-8886). 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)." (Development Planning)

Hamilton

Development Planning:

Background

The purpose of the application is to facilitate the construction a new building and the expansion of a Legally Established Non-Conforming Use of a Motor Vehicle Dealership.

The following variance is requested:

1. The construction of a building with a Gross Floor Area of 238.0 square metres associated with an existing Motor Vehicle Dealership shall be permitted, whereas the By-law prohibits the expansion of a Legally Established Non-Conforming Use.

Urban Hamilton Official Plan

The subject property is designated “Mixed Use – Medium Density” on Schedule E-1 – Urban Land Use Designations of the Urban Hamilton Official Plan. Policy E.4.2.3 and E.4.6.5 permits a variety of commercial and mixed uses and identifies policies that apply to development. The applicable official plan policies do not permit the existing Motor Vehicle Dealership. The subject property is not located in any Secondary Plan area found in Volume 2 of the Urban Hamilton Official Plan. Staff note that the use is existing and would appear to be legal non-conforming and is subject to criteria and the provisions of the Zoning By-law.

The following Official Plan Policies are applicable, among others:

“F.1.12 It is recognized there are some previously existing land uses that do not presently comply with the goals and objectives set out in this Plan. This Plan, while endeavouring to achieve a high degree of land use compatibility for new development, recognizes there is a degree of diversity in land use for existing areas where time and custom have achieved an acceptable level of tolerance. Many of these uses have been established for a considerable number of years. In some cases, it is recognized such situations exist and they can be continued in the interim. In other cases, there are some existing uses that not only do not comply with the Official Plan or conform to the Zoning By-law, and are incompatible with surrounding land uses.

F.1.12.9 The expansion or enlargement or change in legal non-complying uses shall be permitted provided they maintain the intent and purpose of this Plan and the Zoning By-law.

F.1.13.1 Council may appoint a Committee of Adjustment to authorize consents, variances to the Zoning By-law, an Interim Control By-law, extensions or enlargement of legal non-

Hamilton

> conforming uses provided they maintain the intent and purpose of this Plan and any other requirements of the Planning Act, R.S.O., 1990 c. P.13."

Zoning staff have confirmed that the use was legally established and is considered legal non-complying. The proposed variance seeks to expand the existing use through the development of a building. Staff note that minor variances can be granted for the extension and enlargement of legal non-conforming uses. Staff note that there is an existing structure (sales trailer) on the lands that is proposed to be removed and replaced with the proposed building.

Archaeology

The subject property meets two (2) of the ten criteria used by the City of Hamilton and Ministry of Citizenship and Multiculturalism for determining archaeological potential:

1) In areas of pioneer Euro-Canadian settlement; and,
2) Along historic transportation routes.

These criteria define the property as having archaeological potential. Accordingly, Section 2 (d) of the *Planning Act* and Section 4.6.2 of the Provincial Planning Statement apply to the subject application.

Cultural Heritage

No comments.

City of Hamilton Zoning By-law No. 05-200

The subject property is zoned as Mixed Use Medium Density (C5) Zone in Zoning By-law No. 05-200. The C5 Zone does not permit the existing Motor Vehicle Dealership. Based on Zoning staff's review and confirmation the existing motor vehicle dealership is legal non-conforming. The (C5) Zone specifically prohibits the use of motor vehicle dealerships.

Analysis

Applications under Section 45 (2) of the *Planning Act* are not evaluated using the typical four tests of a Minor Variance outlined under Section 45 (1). The tests used to evaluate an application for the expansion of a legal non-conforming use are:

a) Whether the application is desirable for the appropriate development of the subject property; and,

b) Whether the application will result in undue adverse impacts on the surrounding properties and the neighbourhood.

STAFF COMMENTS

HEARING DATE: April 30, 2026

Hamilton

Minor Variance

Variance 1

1. The construction of a building with a Gross Floor Area of 238.0 square metres associated with an existing Motor Vehicle Dealership shall be permitted, whereas the By-law prohibits the expansion of a Legally Established Non-Conforming Use.

Staff have reviewed the proposed variance which seeks to permit the expansion of a legally established non-complying use. The variance is required to allow the construction of a new permeant building in support of a Motor Vehicle Dealership. As demonstrated in the application the property currently has a temporary trailer, which is being replaced by the proposed permanent building. In the opinion of staff, the proposed building with a Gross Floor Area of 238.0 square metres is appropriate and will not result in undue adverse impacts. Staff note that the entirety of the subject property appears to have been historically used as a Motor Vehicle Dealership, which will remain the same following the proposed development. The application does not contemplate the expansion of the use beyond the bounds of the subject lands.

In terms of impacts to neighbouring lots, staff note that there are existing residential uses located to the west of the subject lands. Staff note that there is a proposed 3 metre planting strip between the proposed building and adjacent residential lots to the west. Staff note that the proposed development will be subject to Site Plan control, where detailed design elements will be considered to ensure no undue adverse impacts are generated. Based on the provided plans, staff are of the opinion that the proposed construction of a building in support of an existing Motor Vehicle Dealership will not result in adverse impacts and constitutes appropriate development of the subject property. Staff note that, as the legal non-conforming use is not permitted in the Mixed Use Medium Density (C5) Zone, there are no performance standards to regulate the use. Staff have recommended the inclusion of a condition that applies the regulations of the Arterial Commercial (C7) Zone of the Zoning By-law to the proposed expansion to regulate the use and ensure it’s compatibly integrated into the neighbourhood.

Based on the foregoing, staff recommend that the application **be approved** as it is desirable for the appropriate development of the subject property and will not result in undue adverse impacts on surrounding properties and the neighbourhood.

Zoning:

Recommendation:	Comments Only
Proposed Conditions:	
Comments:	1. Our records indicate the use to be a Legally Established Non-Conforming Motor Vehicle Dealership.
Notes:	

STAFF COMMENTS

HEARING DATE: April 30, 2026

Hamilton

Development Engineering:

Recommendation:	No Comments
Proposed Conditions:	
Comments:	
Notes:	

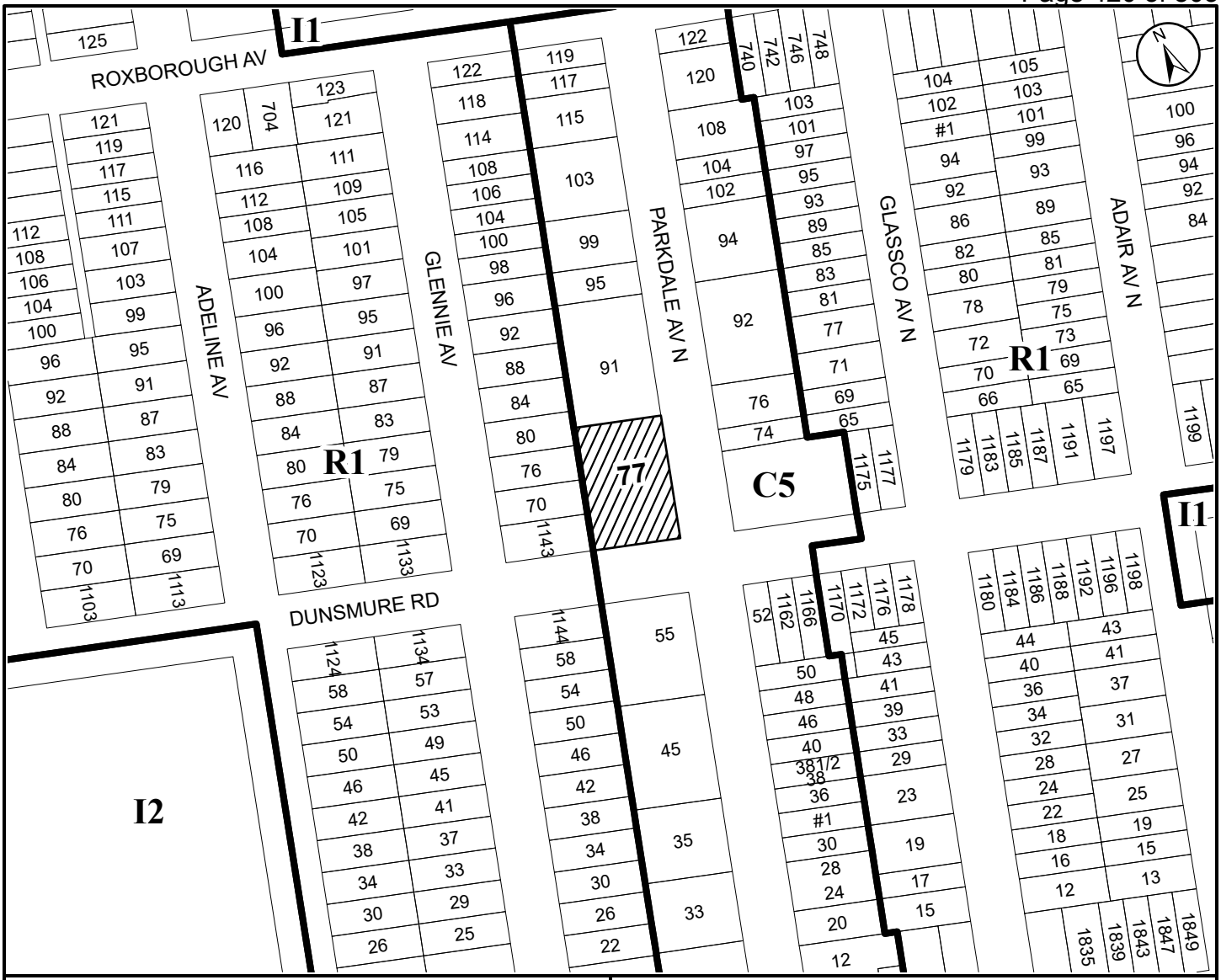
Building Engineering:

Recommendation:	Comments and Conditions/Notes
Proposed Conditions:	
Comments:	
Notes:	A building permit is required for the construction of the proposed new building and expansion of the motor vehicle dealership. Be advised that Ontario Building Code regulations may require specific setback and construction types.

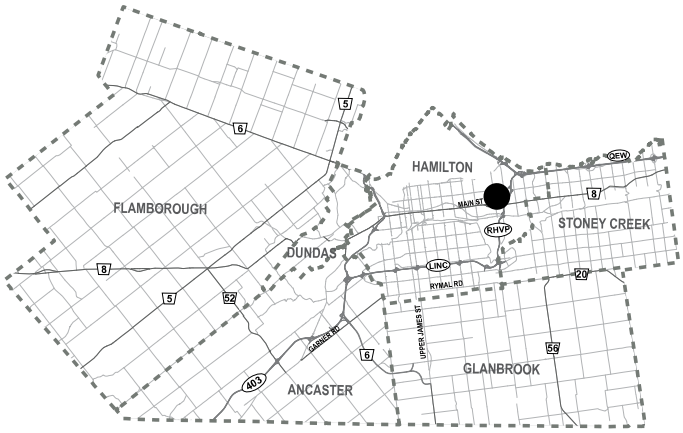
Transportation Planning:

Recommendation:	No Comments
Proposed Conditions:	
Comments:	
Notes:	

Please Note: Public comment will be posted separately, if applicable.



● **Site Location**



City of Hamilton

Committee of Adjustments

Subject Property

77 Parkdale Avenue North, Hamilton (Ward 4)

File Name/Number: A-26:054

Date: April 14, 2026

Technician: AL

Scale: N.T.S.

Appendix "A"

Planning and Economic Development Department

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-26:058	**SUBJECT PROPERTY:**	141 Cole Street, Flamborough
ZONE:	R6-27 (Medium Density Residential – Special Exception 27 Zone)	**ZONING BY-LAW:**	Flamborough Zoning By-law 90-145-Z

APPLICANTS: Owner: Parkside Hills Inc c/o Jack Nesbitt
Applicant: Parkside Hills Inc c/o Jack Nesbitt
Agent: WEBB Planning Consultants

The following variances are requested:

1. A minimum exterior side yard of 1.0m shall be permitted instead of the minimum required 2.4 metres exterior side yard.

PURPOSE & EFFECT: To facilitate the construction of back-to-back and street townhouses in accordance with Site Plan Control Application No. DA-17-120.

Notes:

i. This minor variance application is associated with Site Plan Control Application No. DA-17-120 which was granted conditional approval, pursuant to an Order of the Land Tribunal dated March 18, 2020.

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, April 30, 2026**
TIME:	**11:10 a.m.**
PLACE:	**Via video link or call in (see attached sheet for details)**

A-26:058

	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 April 28, 2026.

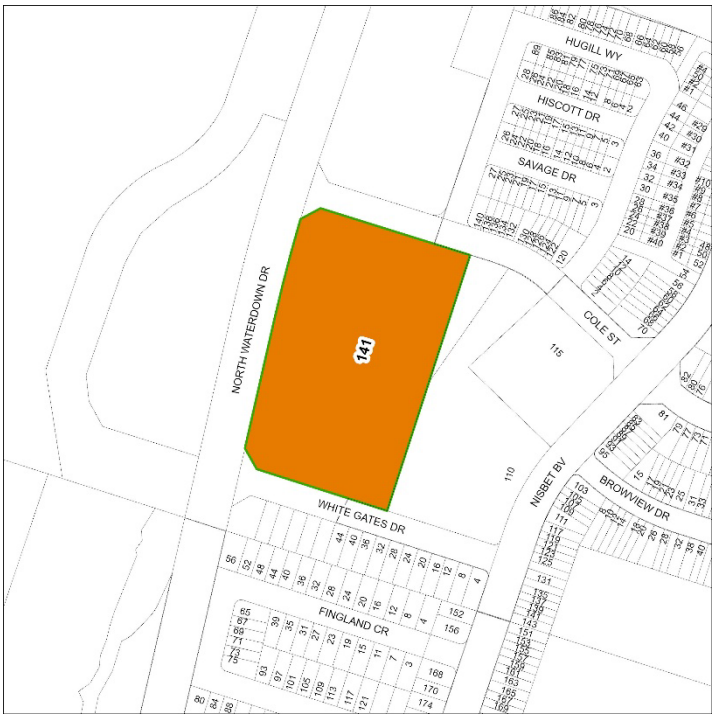
Orally: If you would like to speak to this item at the hearing you may do so via video link, calling in, or attending in person. Please see attached page for complete instructions, registration to participate virtually must be received no later than noon April 29, 2026.

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding A-26:058, 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 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-26:058



Subject Lands

DATED: April 13, 2026

_____

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.

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

The following information is required with your written submission:

- Committee of Adjustment file number
- Full name and address of the person providing comments. Anonymous comments will not be accepted.

Comments can also be placed in the drop box which is located at the back of the 1st Floor of City Hall, 71 Main Street West. All written comments received by the deadline 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. To register, email cofa@hamilton.ca with the following information:

- Committee of Adjustment file number
- Hearing date
- Full name and address of the person wishing to speak. Anonymous comments will not be accepted.
- 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.

UNDERTAKING

RE: 141 COLE STREET, FLAMBOROUGH

I, (WE) PARKSIDE HILLS INC, THE OWNER(S) OF THE LAND, HEREBY UNDERTAKE AND AGREE WITHOUT RESERVATION,

(A) TO COMPLY WITH ALL THE CONTENT OF THIS PLAN & DRAWING & 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 & DRAWING(S) IN ACCORDANCE WITH THE CONDITIONS OF APPROVAL AS SET OUT IN THE LETTER OF APPROVAL DATED MARCH 18, 2020.
(C) TO MAINTAIN TO THE SATISFACTION OF THE CITY & AT MY(OUR) SOLE RISK & EXPENSE, ALL OF THE FACILITIES, WORKS OR MATTERS MENTIONED IN SECTION 41(7)(B) OF THE SAID ACT, SHOWN IN THIS PLAN & DRAWING, INCLUDING REMOVAL OF SNOW FROM ACCESS RAMPS & DRIVEWAYS, PARKING & LOADING AREAS & WALKWAYS;
(D) IN THE EVENT THAT THE OWNER DOES NOT COMPLY WITH THE PLAN DATED MARCH 17, 2026, THE OWNER AGREES THAT THE CITY MAY ENTER THE LAND AND DO THE REQUIRED WORKS, AND FURTHER THE OWNER AUTHORIZES THE CITY TO USE THE SECURITY FILED TO OBTAIN COMPLIANCE WITH THIS PLAN.
(E) THE OWNER SHALL COMPLETE TO THE SATISFACTION OF THE DIRECTOR OF ENGINEERING OF THE CITY OF HAMILTON & CANADA POST:

1. *INCLUDE ON ALL OFFERS OF PURCHASE & 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.*
2. *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 & 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 MAILBOXES.*
   - 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.*
3. *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.*

(F) THAT THE OWNER AGREES TO DISPLAY THE MUNICIPAL NUMBER AT THE FRONT ENTRANCE WITH EITHER THE MUNICIPAL NUMBER OR FULL ADDRESS IN A MANNER THAT IS VISIBLE FROM THE STREET.
(G) THAT THE OWNER SUBMIT A FINAL UNIT NUMBERING PLAN SHOWING UNITS 1 TO 116 THAT WILL REFLECT THE UNIT NUMBERS TO BE AFFIXED TO THE FRONT OF EACH BUILDING UNIT TO THE LEGISLATIVE APPROVALS SECTION OF GROWTH MANAGEMENT.
(H) THE OWNER SHALL INCLUDE THE FOLLOWING "TYPE A" AND "TYPE C" WARNING CLAUSES BELOW TO ADVISE PURCHASERS AND TENANTS IN ALL OFFERS AGREEMENTS OF PURCHASE AND SALE, LEASE, OR RENT OF THE UNITS 34-38, 44-51, 62-69, 80-87, 98-103, 114-116, 124-128, AND 134-136:

TYPE A:
"PURCHASERS/TENANTS ARE ADVISED THAT SOUND LEVELS DUE TO INCREASING ROAD TRAFFIC MAY OCCASIONALLY INTERFERE WITH SOME ACTIVITIES OF THE DWELLING OCCUPANTS AS THE SOUND LEVELS EXCEED THE MUNICIPALITY'S AND THE MINISTRY OF THE ENVIRONMENT'S NOISE CRITERIA."
TYPE C:
"THIS DWELLING UNIT HAD BEEN FITTED WITH A FORCED AIR HEATING SYSTEM AND THE DUCTING, ETC. WAS SIZED TO ACCOMMODATE CENTRAL AIR CONDITIONING. INSTALLATION OF CENTRAL AIR CONDITIONING BY THE OCCUPANT WILL ALLOW WINDOWS AND EXTERIOR DOORS TO REMAIN CLOSED, THEREBY ENSURING THAT THE INDOOR SOUND LEVELS ARE WITHIN THE MUNICIPALITY'S AND THE MINISTRY OF THE ENVIRONMENT' NOISE CRITERIA.
NOTE: THE LOCATION AND INSTALLATION OF THE OUTDOOR AIR CONDITIONING DEVICE SHOULD BE DONE SO AS TO COMPLY WITH NOISE CRITERIA OF MOE PUBLICATION NPC-216, RESIDENTIAL AIR CONDITIONING DEVICES AND THUS MINIMIZE THE NOISE IMPACTS BOTH ON AND IN THE IMMEDIATE VICINITY OF THE SUBJECT PROPERTY.)"

(I) THE OWNER FURTHER AGREES TO IMPLEMENT THE FOLLOWING NOISE MITIGATION MEASURES PER TH ACCEPTED NOISE IMPACT STUDY DATED APRIL, 2020 AND ADDENDUM DATED JULY 2, 2020:

1. *INCLUDE THE SPECIFIED MINIMUM BUILDING COMPONENTS FOR UNITS 34-38, 44-51, 62-69, 80-87, 98-103, 114-116, 124-128, AND 134-136 AS SPECIFIED IN THE ACCEPTED NOISE STUDY.*
2. *THAT A LETTER FROM THE WINDOW COMPANY BE ISSUED TO CONFIRM STC VALUES FOR ALL PROPOSED WINDOWS TO BE INSTALLED AND AN ACOUSTICAL CERTIFICATE BE SENT TO THE CITY OF HAMILTON CONFIRMING THAT STC VALUES HAVE BEEN ACHIEVED.*
3. *THAT A QUALIFIED ACOUSTICAL CONSULTANT CERTIFY THAT THE REQUIRED NOISE CONTROL MEASURES HAVE BEEN INCORPORATED INTO THE BUILDER'S PLANS PRIOR TO ISSUANCES OF A BUILDING PERMIT; AND*
4. *THAT A QUALIFIED ACOUSTICAL CONSULTANT CERTIFY THAT THE REQUIRED CONTROL MEASURES HAVE BEEN PROPERLY INSTALLED PRIOR TO AN OCCUPANT PERMIT.*

DATED THIS 17 *DAY OF* March *20* 26

WITNESS (SIGNATURE) *OWNER(S) (SIGNATURE)* , pres.

WITNESS (PRINT) Roberta Harvey *OWNER(S) (PRINT)* John G. Nesbitt

GENERAL NOTES

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.

FIRE ROUTE SIGNS AND 3-WAY FIRE HYDRANTS SHALL BE ESTABLISHED TO THE SATISFACTION OF THE CITY FIRE DEPARTMENT AND AT THE EXPENSE OF THE OWNER.

MAIN DRIVEWAY DIMENSIONS AT THE PROPERTY LINE BOUNDARIES ARE PLUS OR MINUS 7.5m UNLESS OTHERWISE STATED.

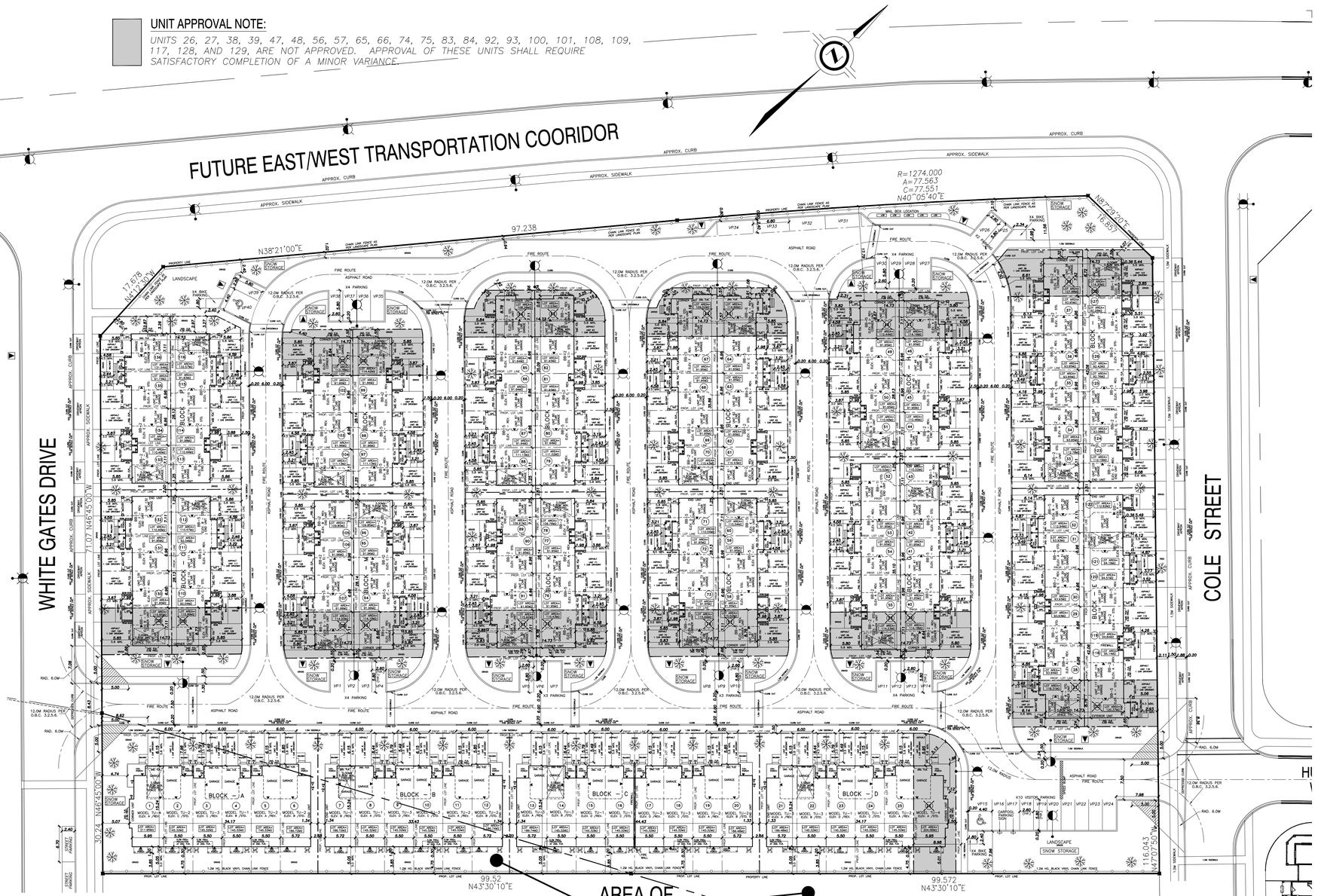
ALL DRIVEWAYS FROM PROPERTY LINES FOR THE FIRST 7.5m SHALL BE WITHIN 5% MAXIMUM GRADE, THEREAFTER, ALL DRIVEWAYS SHALL BE WITHIN 10% MAXIMUM GRADES.

ABANDONED ACCESSES MUST BE REMOVED AND THE CURB AND BOULEVARD RESTORED WITH SOD AT THE OWNER'S EXPENSE TO THE SATISFACTION OF THE GEOMATICS & CORRIDOR MANAGEMENT SECTION, PUBLIC WORKS DEPARTMENT.

5mX5m VISIBLILTY TRIANGLES IN WHICH THE MAXIMUM HEIGHT OF ANY OBJECTS OR MATURE VEGETATION IS NOT TO EXCEED A HEIGHT OF 0.7m ABOVE THE CORRESPONDING PERPENDICULAR CENTRELINE ELEVATION OF THE ADJACENT STREET.

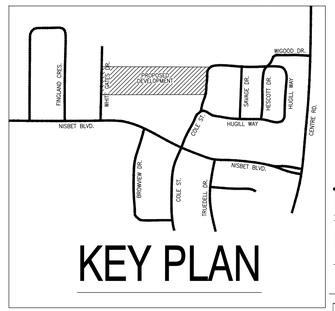
UNIT APPROVAL NOTE:

UNITS 26, 27, 38, 39, 47, 48, 56, 57, 65, 66, 74, 75, 83, 84, 92, 93, 100, 101, 108, 109, 117, 128, AND 129, ARE NOT APPROVED. APPROVAL OF THESE UNITS SHALL REQUIRE SATISFACTORY COMPLETION OF A MINOR VARIANCE.



AREA OF LAND SWAP

COMMUNITY PARK



KEY PLAN

THE APPROVAL OF THIS SITE 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 PERMITS*
- *-ROAD CUT PERMITS*
- *-APPROACH APPROVAL PERMITS*
- *-COMMITTEE OF ADJUSTMENT*
- *-SEWER AND WATER PERMITS*
- *-RELOCATION OF SERVICES*
- *-ENCROACHMENT AGREEMENTS (IF REQUIRED)*

A MINIMUM 1.2 METRE SEPARATION MUST BE PROVIDED WITHIN THE CITY'S ROAD ALLOWANCE AREA BETWEEN DRIVEWAYS, A FENCE, AND ANY POLE, UTILITY, FIRE HYDRANT, TREE SIGN, ETC. ANY COSTS FOR TRAFFIC SIGNS OR UTILITY RELOCATED ARE THE SOLE RESPONSIBILITY OF THE APPLICANT/OWNER. IT IS THE APPLICANT'S RESPONSIBILITY TO COORDINATE WITH THE APPROPRIATE DEPARTMENTS AHEAD OF TIME.

PROPOSED SIGNAGE SHALL CONFORM TO THE CITY'S SIGN BY-LAW NO. 10-197

LIGHTING MUST BE DIRECTED ON SITE & MUST NOT SPILL OVER TO ADJACENT PROPERTIES OR STREETS.

THIS PROPERTY IS ELIGIBLE FOR WEEKLY COLLECTION OF GARBAGE, RECYCLING, ORGANICS, AND LEAF AND YARD WASTE THROUGH THE CITY OF HAMILTON SUBJECT TO COMPLIANCE WITH SPECIFICATIONS INDICATED BY THE PUBLIC WORKS DEPARTMENT AND SUBJECT TO COMPLIANCE WITH THE CITY'S SOLID WASTE MANAGEMENT BY-LAW 09-067, AS AMENDED.

SURFACE TREATMENT

ALL PROPOSED SURFACE TREATMENT TO BE ASPHALT.

ENCROACHMENTS

NO ENCROACHMENTS BEYOND THE ALLOWABLE AS PER ZONING BY-LAW ARE PROPOSED.

A/C UNITS

A/C UNITS SHOWN ON PLAN ARE LOCATED ON MAIN FLOOR BALCONY FOR BACK-TO-BACK UNITS.

LEGEND

- STREETLIGHT
- ENTRY POINTS INTO BUILDING
- GM GAS METER OR HYDRO METER
- HYDRO TRANSFORMER SEE ALECTRA PLAN FOR DETAILS & UNIT HYDRO METER LOCATIONS
- TREE SEE LANDSCAPE PLAN
- VP# VISITOR PARKING SPOT
- FENCE
- A/C UNIT

SITE AREA = 24039 M2 (5.94ac)	
All BUILDING AREA (foot print) = 8444 M2 (2.09ac)	
LANDSCAPE AREA = 5706.27 M2 (1.41ac) (grass area's)	
HARD SURFACE AREA = 9885.88 M2 (2.44ac) (asphalt road, driveways and walkway's)	
MAX. ALLOWABLE HEIGHT = 4 STOREYS	TOTAL PROPOSED UNITS= 136 UNITS
x26 TOWNHOUSE UNITS HEIGHT= 2 STOREYS = 9.59M (32'-6") (to top of roof)	VISITORS PARKING FOR UNITS FRONTING PUBLIC STREET NOT REQUIRED= 136 - 26= 116 UNITS
x110 BACK TO BACK UNITS HEIGHT= 3 STOREYS = 11.84M (38'-10") (to top of roof)	VISITORS PARKING FOR UNITS ON PRIVATE ROAD = 116 X .25 PER UNIT= 29 SPOTS REQ'D.
	TOTAL VISITOR PARKING SPOTS PROVIDED = 40 SPOTS

I JEFF JANSEN DECLARE THAT I HAVE REVIEWED AND TAKE DESIGN RESPONSIBILITY FOR THE DESIGN WORK ON BEHALF OF JANSEN CONSULTING UNDER DIVISION C, SUBSECTION 3.2.5 AND 3.2.4 OF THE BUILDING CODE. I AM QUALIFIED AND THE FIRM IS REGISTERED SET OUT BY THE O.B.C.
QUALIFIED DESIGNER BCIN – 30272 FIRM BCIN – 33073
DATE: AUGUST 30/2017 SIGNATURE:

70 Main Street , P.O. Box 38
Campbellville. On. , L0P 1B0
Ph. 905-854-9696
Fax 905-854-9559
Cell 905-815-3438
EMAIL : jeffjansen@xplornet.com

TYPE W-012
PROJECT PARK PLACE 2B
LOCATION WATERDOWN

OWNERS INFORMATION
410 Industrial Drive
Milton, Ontario
L9T 5A6
PH. 905-693-8525
FAX. 905-693-1103

SITE PLAN
141 COLE STREET
DA-17-120

COUNTRYGREEN HOMES

06	MAR 17/2026	REVISIONS AS PER CITY COMMENTS
05	FEB 12/2026	REVISIONS AS PER CITY COMMENTS
04	DEC 12/2025	REVISIONS AS PER CITY COMMENTS
03	APR 7/2020	REVISIONS AS PER TOWN COMMENTS
02	MAR 9/2020	REVISIONS AS PER CONSOLIDATED MODELS
01	OCT 24/2019	REVISIONS AS PER TOWN COMMENTS DATED OCT. 1/2019
		REVISIONS

SCALE 1:400 | DATE 3/17/2026 | PROJECT NO. 2015-012
DRAWN BY A.S. | CHECKED BY J.J.
FILE NAME 2015-012S | DRAWING NO. S1



117 MODEL - BB-5
THE LOBELIA
ELEV. A / STD.
EXTERIOR END UNIT

118 MODEL - BB-2
THE AZALEA
ELEV. A / REV.

119 MODEL - BB-2
THE AZALEA
ELEV. A / STD.

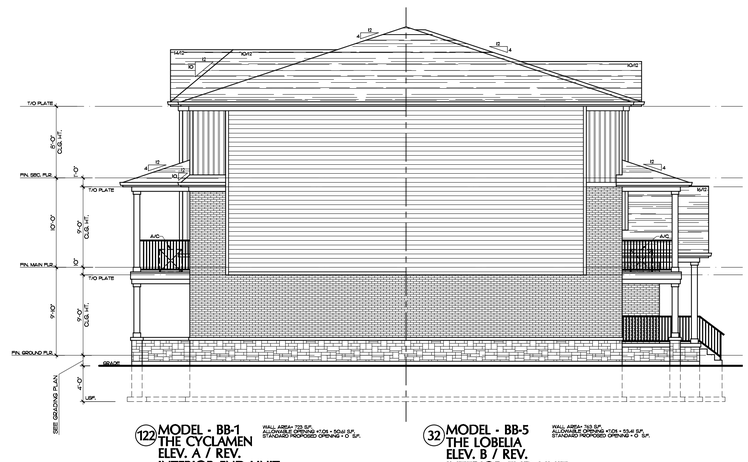
120 MODEL - BB-5
THE LOBELIA
ELEV. C / REV.

121 MODEL - BB-5
THE LOBELIA
ELEV. D / STD.

122 MODEL - BB-1
THE CYCLAMEN
ELEV. A / REV.
INTERIOR END UNIT

NOTE-A= LOOKO + GAS METERS TYP. SEE SD-46

FRONT ELEVATION - BLOCK E



122 MODEL - BB-1
THE CYCLAMEN
ELEV. A / REV.
INTERIOR END UNIT

WALL AREA= 705 SF.
ALLOWABLE OPENING =(26 + 50.4)= 51 SF.
STANDARD PROPOSED OPENING = 0 SF.

32 MODEL - BB-5
THE LOBELIA
ELEV. B / REV.
INTERIOR END UNIT

WALL AREA= 743 SF.
ALLOWABLE OPENING =(4.04 + 53.4)= 57 SF.
STANDARD PROPOSED OPENING = 0 SF.

SIDE ELEVATION - BLOCK E



32 MODEL - BB-5
THE LOBELIA
ELEV. B / REV.
INTERIOR END UNIT

31 MODEL - BB-5
THE LOBELIA
ELEV. A / STD.

30 MODEL - BB-2
THE AZALEA
ELEV. C / REV.

29 MODEL - BB-2
THE AZALEA
ELEV. C / STD.

28 MODEL - BB-4
THE DAHLIA
ELEV. A / REV.

27 MODEL - BB-4
THE DAHLIA
ELEV. B / STD.
CORNER END UNIT

NOTE-A= LOOKO + GAS METERS TYP. SEE SD-46

FRONT ELEVATION - BLOCK E



27 MODEL - BB-4
THE DAHLIA
ELEV. B / STD.
CORNER END UNIT

WALL AREA= 812 SF.
ALLOWABLE OPENING =(26 + 50.4)= 76 SF.
STANDARD PROPOSED OPENING = 32 SF.

117 MODEL - BB-5
THE LOBELIA
ELEV. A / STD.
EXTERIOR END UNIT

WALL AREA= 783 SF.
ALLOWABLE OPENING =(4.04 + 53.4)= 57 SF.
STANDARD PROPOSED OPENING = 40 SF.

SIDE ELEVATION - BLOCK E

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DATE: OCT. 27, 2022 SIGNATURE:

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

TYPE : BB MODELS
BLOCK E
PROJECT :
PARKSIDE
LOCATION :
WATERDOWN, ON

OWNERS INFORMATION :
COUNTRY GREEN HOMES
410 INDUSTRIAL DRIVE
MILTON, ON
L9T 5A6

COUNTRYGREEN HOMES

BLOCK FRONT ELEVATIONS
BLOCK SIDE ELEVATIONS

NO.	DATE	DESCRIPTION
		REVISIONS

SCALE 1/8"=1'-0" | DATE OCT. 27, 2022 | PROJECT NO. 2015-012
DRAWN BY A.J. | CHECKED BY J.J.
FILE NAME 2015-012 BLOCK E | DRAWING NO. B3



123 MODEL - BB-2
THE AZALEA
ELEV. D / REV.
INTERIOR END UNIT

124 MODEL - BB-2
THE AZALEA
ELEV. E / STD.

125 MODEL - BB-5
THE LOBELIA
ELEV. F / REV.

126 MODEL - BB-5
THE LOBELIA
ELEV. F / STD.

127 MODEL - BB-1
THE CYCLAMEN
ELEV. A / REV.

128 MODEL - BB-1
THE CYCLAMEN
ELEV. B / STD.
CORNER END UNIT

NOTE-A:
HYDRO + GAS
METERS TYP.
SEE SD-46

FRONT ELEVATION - BLOCK F



128 MODEL - BB-1
THE CYCLAMEN
ELEV. B / STD.
CORNER END UNIT

WALL AREA= 723 S.F.
ALLOWABLE OPENING =(OS + 50=) S.F.
STANDARD PROPOSED OPENING = 0 S.F.

38 MODEL - BB-2
THE AZALEA
ELEV. B / REV.
CORNER END UNIT

WALL AREA= 723 S.F.
ALLOWABLE OPENING =(OS + 50=) S.F.
STANDARD PROPOSED OPENING = 49 S.F.

SIDE ELEVATION - BLOCK F



38 MODEL - BB-2
THE AZALEA
ELEV. B / REV.
CORNER END UNIT

37 MODEL - BB-2
THE AZALEA
ELEV. E / STD.

36 MODEL - BB-5
THE LOBELIA
ELEV. E / REV.

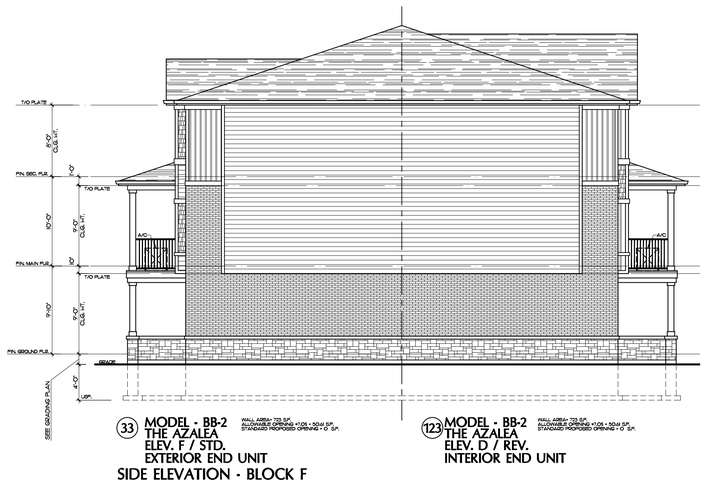
35 MODEL - BB-5
THE LOBELIA
ELEV. E / STD.

34 MODEL - BB-2
THE AZALEA
ELEV. A / REV.

33 MODEL - BB-2
THE AZALEA
ELEV. F / STD.
EXTERIOR END UNIT

NOTE-A:
HYDRO + GAS
METERS TYP.
SEE SD-46

FRONT ELEVATION - BLOCK F



33 MODEL - BB-2
THE AZALEA
ELEV. F / STD.
EXTERIOR END UNIT

WALL AREA= 723 S.F.
ALLOWABLE OPENING =(OS + 50=) S.F.
STANDARD PROPOSED OPENING = 0 S.F.

123 MODEL - BB-2
THE AZALEA
ELEV. D / REV.
INTERIOR END UNIT

WALL AREA= 723 S.F.
ALLOWABLE OPENING =(OS + 50=) S.F.
STANDARD PROPOSED OPENING = 0 S.F.

SIDE ELEVATION - BLOCK F

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QUALIFIED DESIGNER BCIN – 30272 FIRM BCIN – 110042

DATE: OCT. 27, 2022 SIGNATURE:

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Campbellville, ON, L0P 1B0
Ph. 905-854-9696
Fax 905-854-9559
Cell 905-815-3438
EMAIL : jeffjansendesign@gmail.com

TYPE : BB MODELS
BLOCK F

PROJECT :
PARKSIDE
LOCATION :
WATERDOWN, ON

OWNERS INFORMATION :
COUNTRY GREEN HOMES
410 INDUSTRIAL DRIVE
MILTON, ON
L9T 5A6

COUNTRYGREEN HOMES

BLOCK FRONT ELEVATIONS
BLOCK SIDE ELEVATIONS

NO.	DATE	DESCRIPTION
REVISIONS		

SCALE: 1/8"=1'-0"
DATE: OCT. 27, 2022
DRAWN BY: A.J.
CHECKED BY: J.J.
FILE NAME: 2015-012 BLOCK F
PROJECT NO.: 2015-012
DRAWING NO.: B6



39 MODEL - BB-2
THE AZALEA
ELEV. B / REV.
CORNER END UNIT

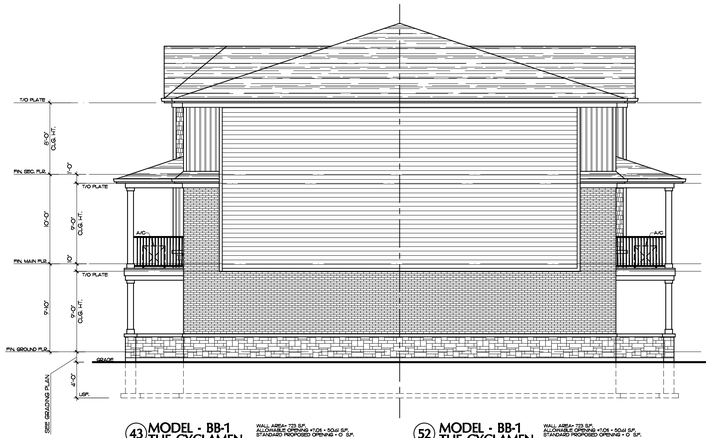
40 MODEL - BB-2
THE AZALEA
ELEV. E / STD.

41 MODEL - BB-5
THE LOBELIA
ELEV. C / REV.

42 MODEL - BB-5
THE LOBELIA
ELEV. D / STD.

43 MODEL - BB-1
THE CYCLAMEN
ELEV. A / REV.
INTERIOR END UNIT

FRONT ELEVATION - BLOCK G



43 MODEL - BB-1
THE CYCLAMEN
ELEV. A / REV.
INTERIOR END UNIT

WALL AREA= 725 SQ.F.
ALLOWABLE OPENING =726 x 50=41 SQF.
STANDARD PROPOSED OPENING = 0 SQF.

52 MODEL - BB-1
THE CYCLAMEN
ELEV. B / STD.
INTERIOR END UNIT

WALL AREA= 725 SQ.F.
ALLOWABLE OPENING =726 x 50=41 SQF.
STANDARD PROPOSED OPENING = 0 SQF.

SIDE ELEVATION - BLOCK G



52 MODEL - BB-1
THE CYCLAMEN
ELEV. B / STD.
INTERIOR END UNIT

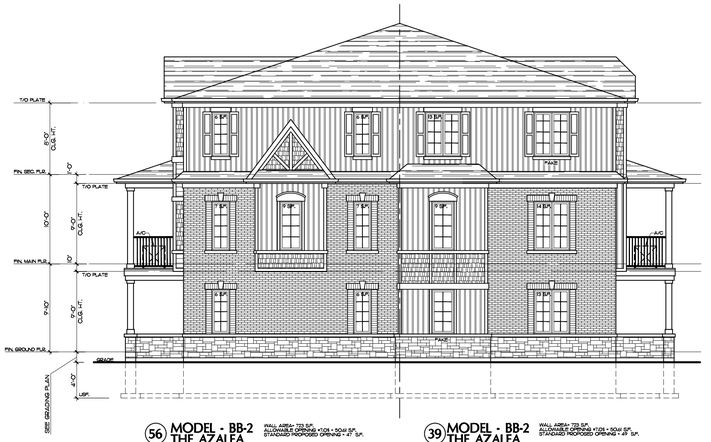
53 MODEL - BB-5
THE LOBELIA
ELEV. B / REV.

54 MODEL - BB-5
THE LOBELIA
ELEV. A / STD.

55 MODEL - BB-2
THE AZALEA
ELEV. A / REV.

56 MODEL - BB-2
THE AZALEA
ELEV. F / STD.
CORNER END UNIT

FRONT ELEVATION - BLOCK G



56 MODEL - BB-2
THE AZALEA
ELEV. F / STD.
CORNER END UNIT

WALL AREA= 725 SQ.F.
ALLOWABLE OPENING =726 x 50=41 SQF.
STANDARD PROPOSED OPENING = 47 SQF.

39 MODEL - BB-2
THE AZALEA
ELEV. B / REV.
CORNER END UNIT

WALL AREA= 725 SQ.F.
ALLOWABLE OPENING =726 x 50=41 SQF.
STANDARD PROPOSED OPENING = 69 SQF.

SIDE ELEVATION - BLOCK G

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DATE: OCT. 27, 2022 SIGNATURE:

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Campbellville, ON, L0P 1B0
Ph. 905-854-9696
Fax 905-854-9559
Cell 905-815-3438
EMAIL : jeffjansendesign@gmail.com

TYPE : BB MODELS
BLOCK G

PROJECT :
PARKSIDE

LOCATION :
WATERDOWN, ON

OWNERS INFORMATION :
COUNTRY GREEN HOMES
410 INDUSTRIAL DRIVE
MILTON, ON
L9T 5A6

COUNTRYGREEN HOMES

BLOCK FRONT ELEVATIONS
BLOCK SIDE ELEVATIONS

NO.	DATE	DESCRIPTION
		REVISIONS

SCALE: 1/8"=1'-0"
DATE: OCT. 27, 2022
DRAWN BY: A.J.
CHECKED BY: J.J.
FILE NAME: 2015-012 BLOCK G
PROJECT NO.: 2015–012
DRAWING NO.: B9



(44) MODEL - BB-2
THE AZALEA
ELEV. D / REV.
INTERIOR END UNIT

(45) MODEL - BB-2
THE AZALEA
ELEV. C / STD.

(46) MODEL - BB-5
THE LOBELIA
ELEV. B / REV.

(47) MODEL - BB-5
THE LOBELIA
ELEV. A / STD.
CORNER END UNIT

FRONT ELEVATION - BLOCK H



(47) MODEL - BB-5
THE LOBELIA
ELEV. A / STD.
CORNER END UNIT
WALL AREA= 765 S/F.
ALLOWABLE OPENING =726 + 53.46 S/F.
STANDARD PROPOSED OPENING = 69 S/F.

(48) MODEL - BB-5
THE LOBELIA
ELEV. D / REV.
CORNER END UNIT
WALL AREA= 765 S/F.
ALLOWABLE OPENING =726 + 53.46 S/F.
STANDARD PROPOSED OPENING = 69 S/F.

SIDE ELEVATION - BLOCK H



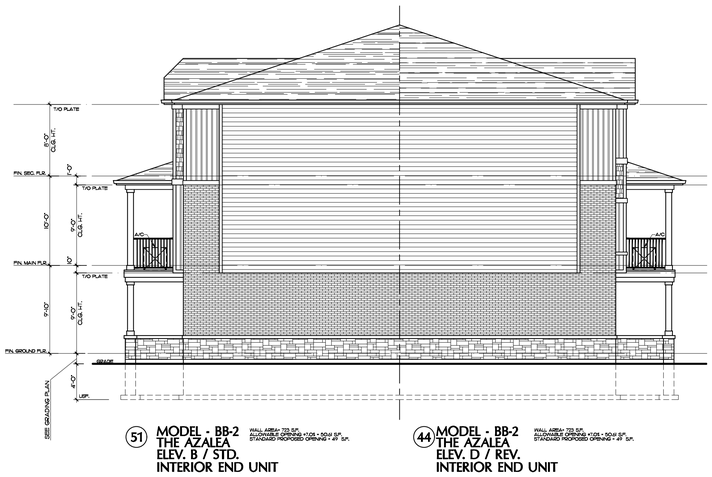
(48) MODEL - BB-5
THE LOBELIA
ELEV. D / REV.
CORNER END UNIT

(49) MODEL - BB-5
THE LOBELIA
ELEV. C / STD.

(50) MODEL - BB-2
THE AZALEA
ELEV. E / REV.

(51) MODEL - BB-2
THE AZALEA
ELEV. B / STD.
EXTERIOR END UNIT

FRONT ELEVATION - BLOCK H



(51) MODEL - BB-2
THE AZALEA
ELEV. B / STD.
INTERIOR END UNIT
WALL AREA= 725 S/F.
ALLOWABLE OPENING =1/24 = 30.21 S/F.
STANDARD PROPOSED OPENING = 69 S/F.

(44) MODEL - BB-2
THE AZALEA
ELEV. D / REV.
INTERIOR END UNIT
WALL AREA= 725 S/F.
ALLOWABLE OPENING =1/24 = 30.21 S/F.
STANDARD PROPOSED OPENING = 69 S/F.

I JEFF JANSEN DECLARE THAT I HAVE REVIEWED AND TAKE DESIGN RESONSIBILTY FOR THE DESIGN WORK ON BEHALF OF JANSEN CONSULTING UNDER DIVISION C, SUBSECTION 3.2.5 AND 3.2.4 OF THE BUILDING CODE. I AM QUALIFIED AND THE FIRM IS REGISTERED SET OUT BY THE O.B.C. QUALIFIED DESIGNER BCIN – 30272 FIRM BCIN – 110042

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Fax 905-854-9559
Cell 905-815-3438
EMAIL : jeffjansendesign@gmail.com

TYPE : BB MODELS
BLOCK H

PROJECT :
PARKSIDE

LOCATION :
WATERDOWN, ON

OWNERS INFORMATION :
COUNTRY GREEN HOMES
410 INDUSTRIAL DRIVE
MILTON, ON
L9T 5A6

COUNTRYGREEN HOMES

BLOCK FRONT ELEVATIONS
BLOCK SIDE ELEVATIONS

NO.	DATE	DESCRIPTION
REVISIONS		

SCALE: 1/8"=1'-0"
DATE: OCT. 27, 2022
DRAWN BY: A.J.
CHECKED BY: J.J.
FILE NAME: 2015-012 BLOCK H
PROJECT NO.: 2015–012
DRAWING NO.: B12



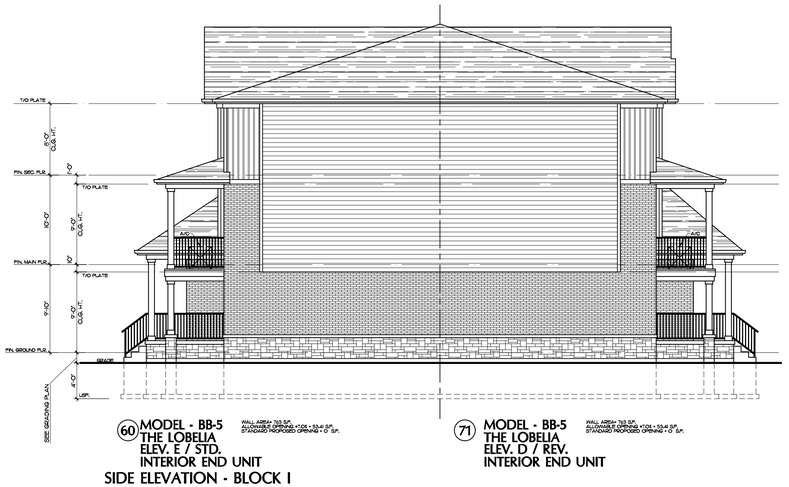
57 MODEL - BB-1
THE CYCLAMEN
ELEV. A / REV.
CORNER END UNIT

58 MODEL - BB-1
THE CYCLAMEN
ELEV. B / STD.

59 MODEL - BB-5
THE LOBELIA
ELEV. E / REV.

60 MODEL - BB-5
THE LOBELIA
ELEV. E / STD.
INTERIOR END UNIT

FRONT ELEVATION - BLOCK 1



60 MODEL - BB-5
THE LOBELIA
ELEV. E / STD.
INTERIOR END UNIT

WALL AREA= 765 S.F.
ALLOWABLE OPENING =(35 x 10%) = 76.5 S.F.
STANDARD PROPOSED OPENING = 0 S.F.

71 MODEL - BB-5
THE LOBELIA
ELEV. D / REV.
INTERIOR END UNIT

WALL AREA= 765 S.F.
ALLOWABLE OPENING =(35 x 10%) = 76.5 S.F.
STANDARD PROPOSED OPENING = 0 S.F.

SIDE ELEVATION - BLOCK 1



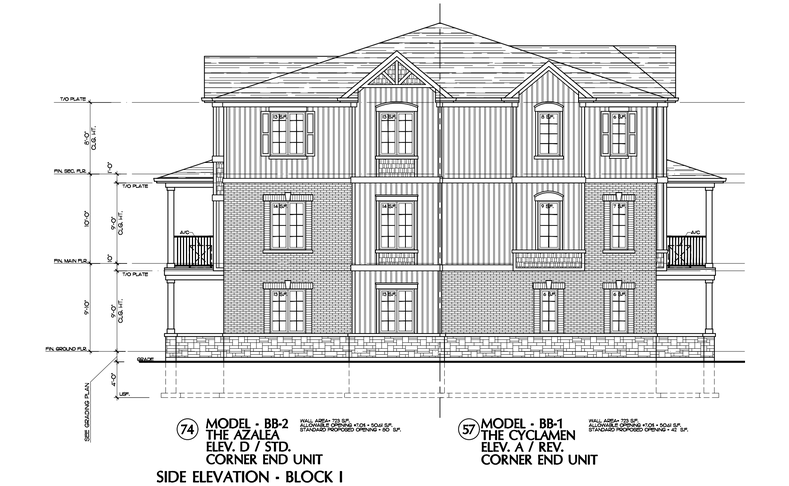
71 MODEL - BB-5
THE LOBELIA
ELEV. D / REV.
INTERIOR END UNIT

72 MODEL - BB-5
THE LOBELIA
ELEV. C / STD.

73 MODEL - BB-2
THE AZALEA
ELEV. C / REV.

74 MODEL - BB-2
THE AZALEA
ELEV. D / STD.
CORNER END UNIT

FRONT ELEVATION - BLOCK 1



74 MODEL - BB-2
THE AZALEA
ELEV. D / STD.
CORNER END UNIT

WALL AREA= 725 S.F.
ALLOWABLE OPENING =(35 x 10%) = 72.5 S.F.
STANDARD PROPOSED OPENING = 80 S.F.

57 MODEL - BB-1
THE CYCLAMEN
ELEV. A / REV.
CORNER END UNIT

WALL AREA= 725 S.F.
ALLOWABLE OPENING =(35 x 10%) = 72.5 S.F.
STANDARD PROPOSED OPENING = 40 S.F.

SIDE ELEVATION - BLOCK 1

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DATE: OCT. 27, 2022 SIGNATURE:

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Ph. 905-854-9696
Fax 905-854-9559
Cell 905-815-3438
EMAIL : jeffjansendesign@gmail.com

TYPE : BB MODELS
BLOCK 1

PROJECT :
PARKSIDE
LOCATION :
WATERDOWN, ON

OWNERS INFORMATION :
COUNTRY GREEN HOMES
410 INDUSTRIAL DRIVE
MILTON, ON
L9T 5A6

COUNTRYGREEN HOMES

BLOCK FRONT ELEVATIONS
BLOCK SIDE ELEVATIONS

NO.	DATE	DESCRIPTION

REVISIONS

SCALE: 1/8"=1'-0"
DATE: OCT. 27, 2022
DRAWN BY: A.I.
CHECKED BY: J.J.
FILE NAME: 2015-012 BLOCK 1
PROJECT NO.: 2015-012
DRAWING NO.: B15



61 MODEL - BB-2
THE AZALEA
ELEV. D / REV.
INTERIOR END UNIT

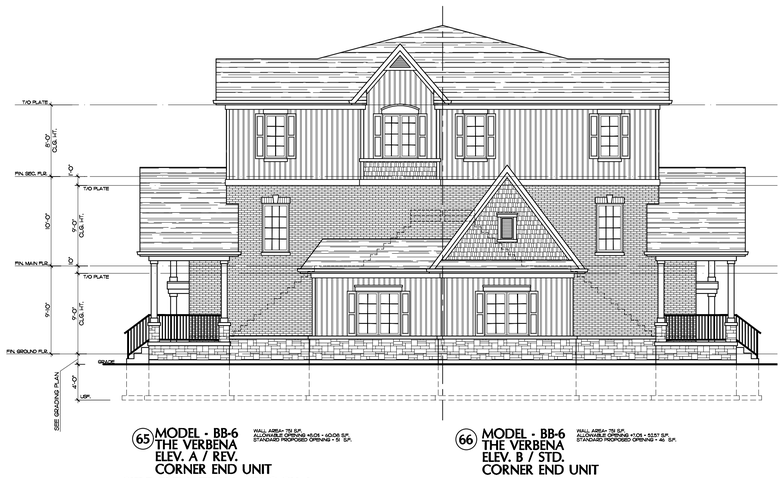
62 MODEL - BB-2
THE AZALEA
ELEV. C / STD.

63 MODEL - BB-5
THE LOBELIA
ELEV. D / REV.

64 MODEL - BB-5
THE LOBELIA
ELEV. C / STD.

65 MODEL - BB-6
THE VERBENA
ELEV. A / REV.
CORNER END UNIT

FRONT ELEVATION - BLOCK J



65 MODEL - BB-6
THE VERBENA
ELEV. A / REV.
CORNER END UNIT
WALL AREA= 791 S.F.
ALLOWABLE OPENING =(.05 x 1000) S.F.
STANDARD PROPOSED OPENING = 51 S.F.

66 MODEL - BB-6
THE VERBENA
ELEV. B / STD.
CORNER END UNIT
WALL AREA= 791 S.F.
ALLOWABLE OPENING =(.05 x 1257) S.F.
STANDARD PROPOSED OPENING = 45. S.F.

SIDE ELEVATION - BLOCK J



66 MODEL - BB-6
THE VERBENA
ELEV. B / STD.
CORNER END UNIT

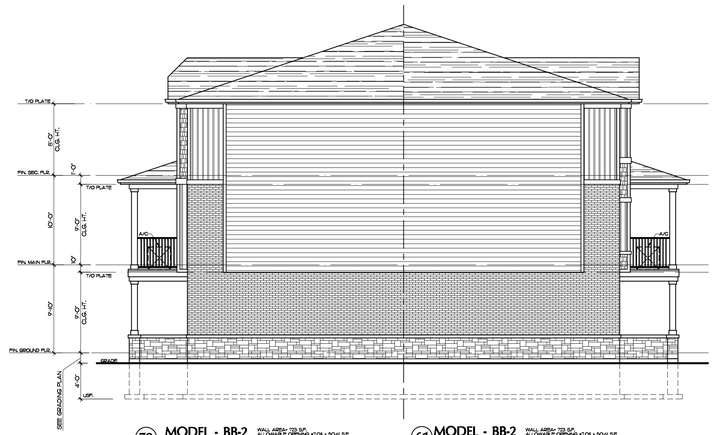
67 MODEL - BB-5
THE LOBELIA
ELEV. F / REV.

68 MODEL - BB-5
THE LOBELIA
ELEV. F / STD.

69 MODEL - BB-2
THE AZALEA
ELEV. E / REV.

70 MODEL - BB-2
THE AZALEA
ELEV. B / STD.
INTERIOR END UNIT

FRONT ELEVATION - BLOCK J



70 MODEL - BB-2
THE AZALEA
ELEV. B / STD.
INTERIOR END UNIT
WALL AREA= 773 S.F.
ALLOWABLE OPENING =(.05 x 1000) S.F.
STANDARD PROPOSED OPENING = 0 S.F.

61 MODEL - BB-2
THE AZALEA
ELEV. D / REV.
INTERIOR END UNIT
WALL AREA= 773 S.F.
ALLOWABLE OPENING =(.05 x 1044) S.F.
STANDARD PROPOSED OPENING = 0 S.F.

SIDE ELEVATION - BLOCK J

I JEFF JANSEN DECLARE THAT I HAVE REVIEWED AND TAKE DESIGN RESPONSIBILITY FOR THE DESIGN WORK ON BEHALF OF JANSEN CONSULTING UNDER DIVISION C, SUBSECTION 3.2.5 AND 3.2.4 OF THE BUILDING CODE. I AM QUALIFIED AND THE FIRM IS REGISTERED SET OUT BY THE O.B.C.
QUALIFIED DESIGNER BCIN – 30272 FIRM BCIN – 110042

DATE: OCT. 27, 2022 SIGNATURE:

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

TYPE : BB MODELS
BLOCK J

PROJECT :
PARKSIDE

LOCATION :
WATERDOWN, ON

OWNERS INFORMATION :
COUNTRY GREEN HOMES
410 INDUSTRIAL DRIVE
MILTON, ON
L9T 5A6

COUNTRYGREEN HOMES

BLOCK FRONT ELEVATIONS
BLOCK SIDE ELEVATIONS

NO.	DATE	DESCRIPTION
		REVISIONS

SCALE: 1/8"=1'-0"
DATE: OCT. 27, 2022
DRAWN BY: A.I.
CHECKED BY: J.J.
FILE NAME: 2015-012 BLOCK J
PROJECT NO.: 2015–012
DRAWING NO.: B18



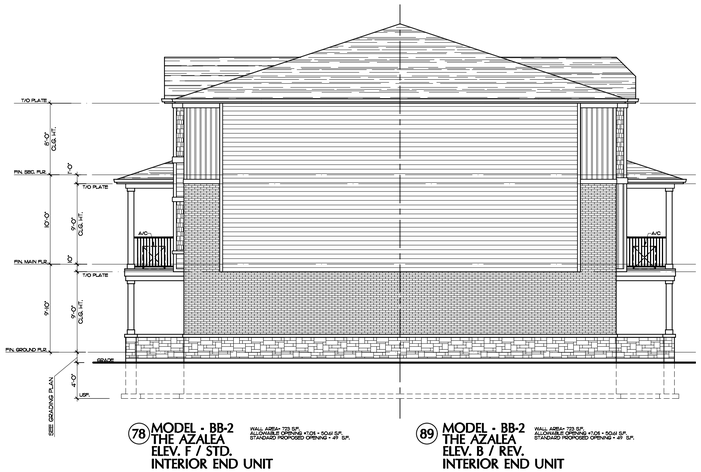
75 MODEL - BB-5
THE LOBELIA
ELEV. E / REV.
CORNER END UNIT

76 MODEL - BB-5
THE LOBELIA
ELEV. E / STD.

77 MODEL - BB-2
THE AZALEA
ELEV. A / REV.

78 MODEL - BB-2
THE AZALEA
ELEV. F / STD.
INTERIOR END UNIT

FRONT ELEVATION - BLOCK K



78 MODEL - BB-2
THE AZALEA
ELEV. F / STD.
INTERIOR END UNIT
WALL AREA= 723 SF.
ALLOWABLE OPENING =726 x 50.40 SF.
STANDARD PROPOSED OPENING = 49 SF.

89 MODEL - BB-2
THE AZALEA
ELEV. B / REV.
INTERIOR END UNIT
WALL AREA= 723 SF.
ALLOWABLE OPENING =726 x 50.40 SF.
STANDARD PROPOSED OPENING = 61 SF.

SIDE ELEVATION - BLOCK K



89 MODEL - BB-2
THE AZALEA
ELEV. B / REV.
INTERIOR END UNIT

90 MODEL - BB-2
THE AZALEA
ELEV. C / STD.

91 MODEL - BB-4
THE DAHLIA
ELEV. B / REV.

92 MODEL - BB-4
THE DAHLIA
ELEV. A / STD.
CORNER END UNIT

FRONT ELEVATION - BLOCK K



92 MODEL - BB-4
THE DAHLIA
ELEV. A / STD.
CORNER END UNIT
WALL AREA= 813 SF.
ALLOWABLE OPENING =726 x 56.64 SF.
STANDARD PROPOSED OPENING = 57 SF.

75 MODEL - BB-5
THE LOBELIA
ELEV. E / REV.
CORNER END UNIT
WALL AREA= 769 SF.
ALLOWABLE OPENING =726 x 53.41 SF.
STANDARD PROPOSED OPENING = 51 SF.

SIDE ELEVATION - BLOCK K

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QUALIFIED DESIGNER BCIN – 30272 FIRM BCIN – 110042

DATE: OCT. 27, 2022 SIGNATURE:

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Fax 905-854-9559
Cell 905-815-3438
EMAIL : jeffjansendesign@gmail.com

TYPE : BB MODELS
BLOCK K
PROJECT :
PARKSIDE
LOCATION :
WATERDOWN, ON

OWNERS INFORMATION :
COUNTRY GREEN HOMES
4110 INDUSTRIAL DRIVE
MILTON, ON
L9T 5A6

COUNTRYGREEN HOMES

BLOCK FRONT ELEVATIONS
BLOCK SIDE ELEVATIONS

NO.	DATE	DESCRIPTION
REVISIONS		

SCALE: 1/8"=1'-0"
DATE: OCT. 27, 2022
DRAWN BY: A.I.
CHECKED BY: J.J.
FILE NAME: 2015-012 BLOCK K
PROJECT NO.: 2015–012
DRAWING NO.: B21



79 MODEL - BB-5 THE LOBELIA ELEV. B / REV. INTERIOR END UNIT

80 MODEL - BB-5 THE LOBELIA ELEV. A / STD.

81 MODEL - BB-2 THE AZALEA ELEV. C / REV.

82 MODEL - BB-2 THE AZALEA ELEV. G / STD.

83 MODEL - BB-3 THE AMARYLLIS ELEV. A / REV. CORNER END UNIT

FRONT ELEVATION - BLOCK L



83 MODEL - BB-3 THE AMARYLLIS ELEV. A / REV. CORNER END UNIT
WALL AREA= 726 SQ.FT.
ALLOWABLE OPENING =726 x 527 SF.
STACKED PROPOSED OPENING = 97 SF.

84 MODEL - BB-3 THE AMARYLLIS ELEV. B / STD. CORNER END UNIT
WALL AREA= 720 SQ.FT.
ALLOWABLE OPENING =726 x 527= 382 SF.
STACKED PROPOSED OPENING = 225 SF.

SIDE ELEVATION - BLOCK L



84 MODEL - BB-3 THE AMARYLLIS ELEV. B / STD. CORNER END UNIT

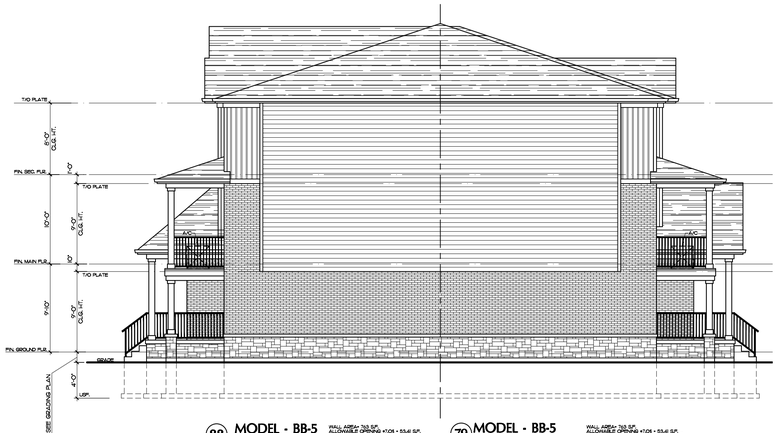
85 MODEL - BB-2 THE AZALEA ELEV. H / REV.

86 MODEL - BB-2 THE AZALEA ELEV. E / STD.

87 MODEL - BB-5 THE LOBELIA ELEV. C / REV.

88 MODEL - BB-5 THE LOBELIA ELEV. D / STD. INTERIOR END UNIT

FRONT ELEVATION - BLOCK L



88 MODEL - BB-5 THE LOBELIA ELEV. D / STD. INTERIOR END UNIT
WALL AREA= 328 SQ.FT.
ALLOWABLE OPENING =726 x 53.4 SF.
STACKED PROPOSED OPENING = 0 SF.

79 MODEL - BB-5 THE LOBELIA ELEV. B / REV. INTERIOR END UNIT
WALL AREA= 328 SQ.FT.
ALLOWABLE OPENING =726 x 53.4 SF.
STACKED PROPOSED OPENING = 0 SF.

SIDE ELEVATION - BLOCK L

I JEFF JANSEN DECLARE THAT I HAVE REVIEWED AND TAKE DESIGN RESONSIBLITY FOR THE DESIGN WORK ON BEHALF OF JANSEN CONSULTING UNDER DIVISION C, SUBSECTION 3.2.5 AND 3.2.4 OF THE BUILDING CODE. I AM QUALIFIED AND THE FIRM IS REGISTERED SET OUT BY THE O.B.C. QUALIFIED DESIGNER BCIN – 30272 FIRM BCIN – 110042

DATE: OCT. 27, 2022 SIGNATURE:

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Fax 905-854-9559
Cell 905-815-3438
EMAIL : jeffjansendesign@gmail.com

TYPE : BB MODELS
BLOCK L

PROJECT :
PARKSIDE

LOCATION :
WATERDOWN, ON

OWNERS INFORMATION :
COUNTRY GREEN HOMES
410 INDUSTRIAL DRIVE
MILTON, ON
L9T 5A6

COUNTRYGREEN HOMES

BLOCK FRONT ELEVATIONS
BLOCK SIDE ELEVATIONS

NO.	DATE	DESCRIPTION
REVISIONS		

SCALE 1/8"=1'-0" | DATE OCT. 27, 2022 | PROJECT NO. 2015-012
DRAWN BY A.I. | CHECKED BY J.J.
FILE NAME 2015-012 BLOCK L | DRAWING NO. B24



NOTE-A:
HYDRO + GAS METERS TYP. SEE SD-46

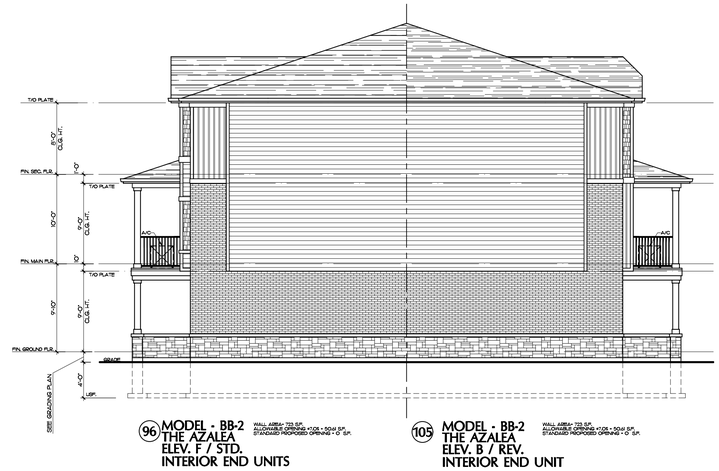
93 MODEL - BB-5
THE LOBELIA
ELEV. F / REV.
CORNER END UNIT

94 MODEL - BB-5
THE LOBELIA
ELEV. F / STD.

95 MODEL - BB-2
THE AZALEA
ELEV. C / REV.

96 MODEL - BB-2
THE AZALEA
ELEV. F / STD.
INTERIOR END UNITS

FRONT ELEVATION - BLOCK M



96 MODEL - BB-2
THE AZALEA
ELEV. F / STD.
INTERIOR END UNITS
WALL AREA= 725 S.F.
ALLOWABLE OPENING =726 x 10=44 S.F.
STANDARD PROPOSED OPENING = 0 S.F.

105 MODEL - BB-2
THE AZALEA
ELEV. B / REV.
INTERIOR END UNIT
WALL AREA= 703 S.F.
ALLOWABLE OPENING =726 x 10=44 S.F.
STANDARD PROPOSED OPENING = 0 S.F.

SIDE ELEVATION - BLOCK M



NOTE-A:
HYDRO + GAS METERS TYP. SEE SD-46

105 MODEL - BB-2
THE AZALEA
ELEV. B / REV.
INTERIOR END UNIT

106 MODEL - BB-2
THE AZALEA
ELEV. E / STD.

107 MODEL - BB-5
THE LOBELIA
ELEV. C / REV.

108 MODEL - BB-5
THE LOBELIA
ELEV. D / STD.
CORNER END UNIT

FRONT ELEVATION - BLOCK M



108 MODEL - BB-5
THE LOBELIA
ELEV. D / STD.
CORNER END UNIT
WALL AREA= 763 S.F.
ALLOWABLE OPENING =726 x 10=44 S.F.
STANDARD PROPOSED OPENING = 0 S.F.

93 MODEL - BB-5
THE LOBELIA
ELEV. F / REV.
CORNER END UNIT
WALL AREA= 763 S.F.
ALLOWABLE OPENING =726 x 10=44 S.F.
STANDARD PROPOSED OPENING = 11 S.F.

SIDE ELEVATION - BLOCK M

I JEFF JANSEN DECLARE THAT I HAVE REVIEWED AND TAKE DESIGN RESPONSIBILITY FOR THE DESIGN WORK ON BEHALF OF JANSEN CONSULTING UNDER DIVISION C, SUBSECTION 3.2.5 AND 3.2.4 OF THE BUILDING CODE. I AM QUALIFIED AND THE FIRM IS REGISTERED SET OUT BY THE O.B.C.
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DATE: OCT. 27, 2022 SIGNATURE:

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Fax 905-854-9559
Cell 905-815-3438
EMAIL : jeffjansendesign@gmail.com

TYPE : BB MODELS
BLOCK M

PROJECT :
PARKSIDE

LOCATION :
WATERDOWN, ON

OWNERS INFORMATION :
COUNTRY GREEN HOMES
4110 INDUSTRIAL DRIVE
MILTON, ON
L9T 5A6

COUNTRYGREEN HOMES

BLOCK FRONT ELEVATIONS
BLOCK SIDE ELEVATIONS

NO.	DATE	DESCRIPTION
REVISIONS		

SCALE: 1/8"=1'-0"
DATE: OCT. 27, 2022
DRAWN BY: A.I.
CHECKED BY: J.J.
FILE NAME: 2015-012 BLOCK M
PROJECT NO.: 2015-012
DRAWING NO.: B27



97 MODEL - BB-5
THE LOBELIA
ELEV. B / REV.
INTERIOR END UNIT

98 MODEL - BB-5
THE LOBELIA
ELEV. A / STD.

99 MODEL - BB-2
THE AZALEA
ELEV. A / REV.

100 MODEL - BB-2
THE AZALEA
ELEV. D / STD.
CORNER END UNIT

FRONT ELEVATION - BLOCK N



100 MODEL - BB-2
THE AZALEA
ELEV. D / STD.
CORNER END UNIT
WALL AREA= 1213 SF.
ALLOWABLE OPENING =(126 + 506) SF.
STANDARD PROPOSED OPENING = 501 SF.

101 MODEL - BB-2
THE AZALEA
ELEV. F / REV.
CORNER END UNIT
WALL AREA= 1213 SF.
ALLOWABLE OPENING =(126 + 506) SF.
STANDARD PROPOSED OPENING = 471 SF.

SIDE ELEVATION - BLOCK N



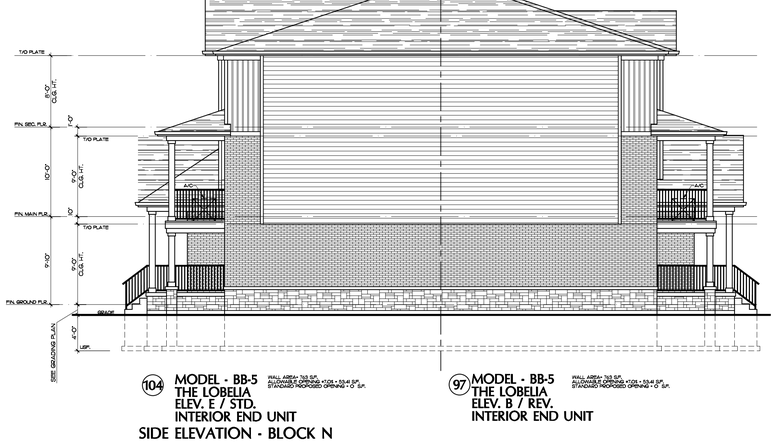
101 MODEL - BB-2
THE AZALEA
ELEV. F / REV.
CORNER END UNIT

102 MODEL - BB-2
THE AZALEA
ELEV. C / STD.

103 MODEL - BB-5
THE LOBELIA
ELEV. E / REV.

104 MODEL - BB-5
THE LOBELIA
ELEV. E / STD.
INTERIOR END UNIT

FRONT ELEVATION - BLOCK N



104 MODEL - BB-5
THE LOBELIA
ELEV. E / STD.
INTERIOR END UNIT
WALL AREA= 765 SF.
ALLOWABLE OPENING =(126 + 53.4) SF.
STANDARD PROPOSED OPENING = 0 SF.

97 MODEL - BB-5
THE LOBELIA
ELEV. B / REV.
INTERIOR END UNIT
WALL AREA= 765 SF.
ALLOWABLE OPENING =(126 + 53.4) SF.
STANDARD PROPOSED OPENING = 0 SF.

SIDE ELEVATION - BLOCK N

I JEFF JANSEN DECLARE THAT I HAVE REVIEWED AND TAKE DESIGN RESONSIBILITY FOR THE DESIGN WORK ON BEHALF OF JANSEN CONSULTING UNDER DIVISION C, SUBSECTION 3.2.5 AND 3.2.4 OF THE BUILDING CODE. I AM QUALIFIED AND THE FIRM IS REGISTERED SET OUT BY THE O.B.C.
QUALIFIED DESIGNER BCIN – 30272 FIRM BCIN – 110042

DATE: OCT. 27, 2022 SIGNATURE:

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Ph. 905-854-9696
Fax 905-854-9559
Cell 905-815-3438
EMAIL : jeffjansendesign@gmail.com

TYPE : BB MODELS
BLOCK N
PROJECT :
PARKSIDE
LOCATION :
WATERDOWN, ON

OWNERS INFORMATION :
COUNTRY GREEN HOMES
410 INDUSTRIAL DRIVE
MILTON, ON
L9T 5A6

COUNTRYGREEN HOMES

BLOCK FRONT ELEVATIONS
BLOCK SIDE ELEVATIONS

NO.	DATE	DESCRIPTION

REVISIONS

SCALE 1/8"=1'-0" | DATE OCT. 27, 2022 | PROJECT NO. 2015-012
DRAWN BY A.I. | CHECKED BY J.J.
FILE NAME 2015-012 BLOCK N | DRAWING NO. B30



109 MODEL - BB-2
THE AZALEA
ELEV. F / REV.
CORNER END UNIT

110 MODEL - BB-2
THE AZALEA
ELEV. C / STD.

111 MODEL - BB-5
THE LOBELIA
ELEV. A / REV.

112 MODEL - BB-5
THE LOBELIA
ELEV. B / STD.
INTERIOR END UNIT

FRONT ELEVATION - BLOCK O



112 MODEL - BB-5
THE LOBELIA
ELEV. B / STD.
INTERIOR END UNIT
WALL AREA= 765 SF.
ALLOWABLE OPENING =(126 + 53.4) SF.
STANDARD PROPOSED OPENING = 0" SF.

132 MODEL - BB-5
THE LOBELIA
ELEV. F / REV.
INTERIOR END UNIT
WALL AREA= 765 SF.
ALLOWABLE OPENING =(126 + 53.4) SF.
STANDARD PROPOSED OPENING = 0" SF.

SIDE ELEVATION - BLOCK O



132 MODEL - BB-5
THE LOBELIA
ELEV. F / REV.
INTERIOR END UNIT

131 MODEL - BB-5
THE LOBELIA
ELEV. F / STD.

130 MODEL - BB-1
THE CYCLAMEN
ELEV. A / REV.

129 MODEL - BB-1
THE CYCLAMEN
ELEV. B / STD.
CORNER END UNIT

FRONT ELEVATION - BLOCK O



129 MODEL - BB-1
THE CYCLAMEN
ELEV. B / STD.
CORNER END UNIT
WALL AREA= 723 SF.
ALLOWABLE OPENING =(126 + 50.4) SF.
STANDARD PROPOSED OPENING = 42 SF.

109 MODEL - BB-2
THE AZALEA
ELEV. F / REV.
CORNER END UNIT
WALL AREA= 723 SF.
ALLOWABLE OPENING =(126 + 50.4) SF.
STANDARD PROPOSED OPENING = 41 SF.

SIDE ELEVATION - BLOCK O

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QUALIFIED DESIGNER BCIN – 30272 FIRM BCIN – 110042
DATE: OCT. 27, 2022 SIGNATURE:

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Ph. 905-854-9696
Fax 905-854-9559
Cell 905-815-3438
EMAIL : jeffjansendesign@gmail.com

TYPE : BB MODELS
BLOCK O
PROJECT :
PARKSIDE
LOCATION :
WATERDOWN, ON

OWNERS INFORMATION :
COUNTRY GREEN HOMES
410 INDUSTRIAL DRIVE
MILTON, ON
L9T 5A6

COUNTRYGREEN HOMES

BLOCK FRONT ELEVATIONS
BLOCK SIDE ELEVATIONS

NO.	DATE	DESCRIPTION
REVISIONS		

SCALE: 1/8"=1'-0"
DATE: OCT. 27, 2022
DRAWN BY: A.I.
CHECKED BY: J.J.
FILE NAME: 2015-012 BLOCK O
PROJECT NO.: 2015-012
DRAWING NO.: B33



(113) MODEL - BB-2
THE AZALEA
ELEV. D / REV.
INTERIOR END UNIT

(114) MODEL - BB-2
THE AZALEA
ELEV. A / STD.

(115) MODEL - BB-5
THE LOBELIA
ELEV. C / REV.

(116) MODEL - BB-5
THE LOBELIA
ELEV. D / STD.
CORNER END UNIT

FRONT ELEVATION - BLOCK P



(116) MODEL - BB-5
THE LOBELIA
ELEV. D / STD.
CORNER END UNIT
WALL AREA= 313 SF.
ALLOWABLE OPENING =(OS. = 53.40 SF.
STANDARD PROPOSED OPENING = 49 SF.

(136) MODEL - BB-4
THE DAHLIA
ELEV. B / REV.
CORNER END UNIT
WALL AREA= 312 SF.
ALLOWABLE OPENING =(OS. = 50.64 SF.
STANDARD PROPOSED OPENING = 37 SF.

SIDE ELEVATION - BLOCK P



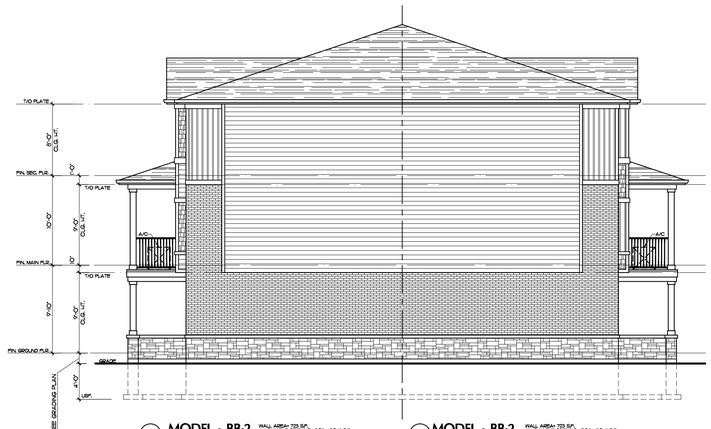
(136) MODEL - BB-4
THE DAHLIA
ELEV. B / REV.
CORNER END UNIT

(135) MODEL - BB-4
THE DAHLIA
ELEV. A / STD.

(134) MODEL - BB-2
THE AZALEA
ELEV. E / REV.

(133) MODEL - BB-2
THE AZALEA
ELEV. F / STD.
INTERIOR END UNIT

FRONT ELEVATION - BLOCK P



(133) MODEL - BB-2
THE AZALEA
ELEV. F / STD.
INTERIOR END UNIT
WALL AREA= 170 SF.
ALLOWABLE OPENING =(OS. = 50.61 SF.
STANDARD PROPOSED OPENING = 49 SF.

(113) MODEL - BB-2
THE AZALEA
ELEV. D / STD.
INTERIOR END UNIT
WALL AREA= 170 SF.
ALLOWABLE OPENING =(OS. = 50.61 SF.
STANDARD PROPOSED OPENING = 49 SF.

SIDE ELEVATION - BLOCK P

I JEFF JANSEN DECLARE THAT I HAVE REVIEWED AND TAKE DESIGN RESONSIBILTY FOR THE DESIGN WORK ON BEHALF OF JANSEN CONSULTING UNDER DIVISION C, SUBSECTION 3.2.5 AND 3.2.4 OF THE BUILDING CODE. I AM QUALIFIED AND THE FIRM IS REGISTERED SET OUT BY THE O.B.C. QUALIFIED DESIGNER BCIN – 30272 FIRM BCIN – 110042

DATE: OCT. 27, 2022 SIGNATURE:

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Ph. 905-854-9696
Fax 905-854-9559
Cell 905-815-3438
EMAIL : jeffjansendesign@gmail.com

TYPE : BB MODELS
BLOCK P

PROJECT :
PARKSIDE

LOCATION :
WATERDOWN, ON

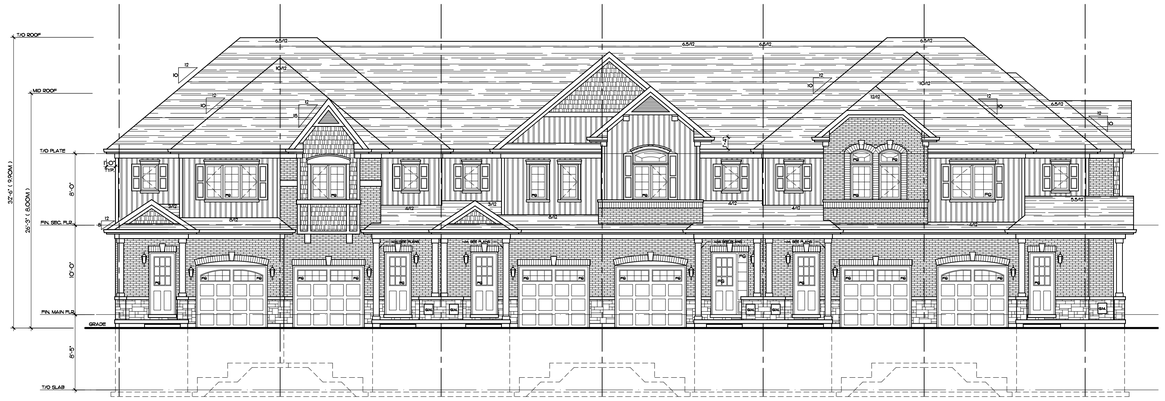
OWNERS INFORMATION :
COUNTRY GREEN HOMES
410 INDUSTRIAL DRIVE
MILTON, ON
L9T 5A6

COUNTRYGREEN HOMES

BLOCK FRONT ELEVATIONS
BLOCK SIDE ELEVATIONS

NO.	DATE	DESCRIPTION
		REVISIONS

SCALE: 1/8"=1'-0"
DATE: OCT. 27, 2022
DRAWN BY: A.J.
CHECKED BY: J.J.
FILE NAME: 2015-012 BLOCK P
PROJECT NO.: 2015–012
DRAWING NO.: B36



⑥ MODEL - TU-2
THE CHARTREUSE
ELEV. B / STD.
INTERIOR END UNIT

⑤ MODEL - TU-2
THE CHARTREUSE
ELEV. A / REV.

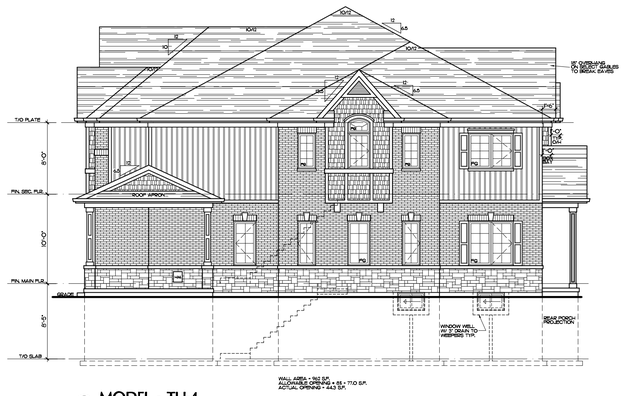
④ MODEL - TU-1
THE PERSIMMON
ELEV. B / STD.

③ MODEL - TU-3
THE VERMILLION
ELEV. C / REV.

② MODEL - TU-2
THE CHARTREUSE
ELEV. C / STD.

① MODEL - TU-4
THE FRAMBOISE
ELEV. A / REV.
CORNER END UNIT

BLOCK A
FRONT ELEVATION



① MODEL - TU-4
THE FRAMBOISE
ELEV. A / REV.
CORNER END UNIT

BLOCK A
RIGHT ELEVATION



① MODEL - TU-4
THE FRAMBOISE
ELEV. A / REV.
CORNER END UNIT

② MODEL - TU-2
THE CHARTREUSE
ELEV. C / STD.

③ MODEL - TU-3
THE VERMILLION
ELEV. C / REV.

④ MODEL - TU-1
THE PERSIMMON
ELEV. B / STD.

⑤ MODEL - TU-2
THE CHARTREUSE
ELEV. A / REV.

⑥ MODEL - TU-2
THE CHARTREUSE
ELEV. B / STD.
INTERIOR END UNIT

BLOCK A
REAR ELEVATION



⑥ MODEL - TU-2
THE CHARTREUSE
ELEV. B / STD.
INTERIOR END UNIT

BLOCK A
LEFT ELEVATION

I JEFF JANSEN DECLARE THAT I HAVE REVIEWED AND TAKE DESIGN RESONSIBILTY FOR THE DESIGN WORK ON BEHALF OF JANSEN CONSULTING UNDER DIVISION C, SUBSECTION 3.2.5 AND 3.2.4 OF THE BUILDING CODE. I AM QUALIFIED AND THE FIRM IS REGISTERED SET OUT BY THE O.B.C.
QUALIFIED DESIGNER BCIN – 30272 FIRM BCIN – 110042

DATE: DEC. 29 2022 SIGNATURE:

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

TYPE : TU MODELS
BLOCK A

PROJECT :
PARKPLACE VILLAGE
LOCATION :
WATERDOWN

OWNERS INFORMATION :
COUNTRY GREEN HOMES
410 INDUSTRIAL DRIVE
MILTON, ON
L9T 5A6

COUNTRYGREEN HOMES

FRONT ELEVATION
RIGHT ELEVATION
REAR ELEVATION
LEFT ELEVATION

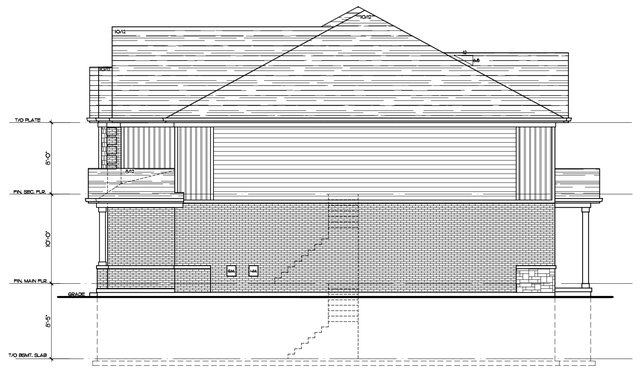
NO.	DATE	DESCRIPTION
REVISIONS		

SCALE: 1/8"=1'-0"
DATE: DEC. 29 2022
DRAWN BY: A.I.
CHECKED BY: J.J.
PROJECT NO.: 2015-012
FILE NAME: 2015-012 BLOCK A
DRAWING NO.: B2



⑫ MODEL - TU-2 THE CHARTREUSE ELEV. B / STD. INTERIOR END UNIT
⑪ MODEL - TU-2 THE CHARTREUSE ELEV. A / REV.
⑩ MODEL - TU-3 THE VERMILLION ELEV. C / STD.
⑨ MODEL - TU-3 THE VERMILLION ELEV. D / REV.
⑧ MODEL - TU-1 THE PERSIMMON ELEV. A / STD.
⑦ MODEL - TU-1 THE PERSIMMON ELEV. B / REV. INTERIOR END UNIT

BLOCK B
FRONT ELEVATION



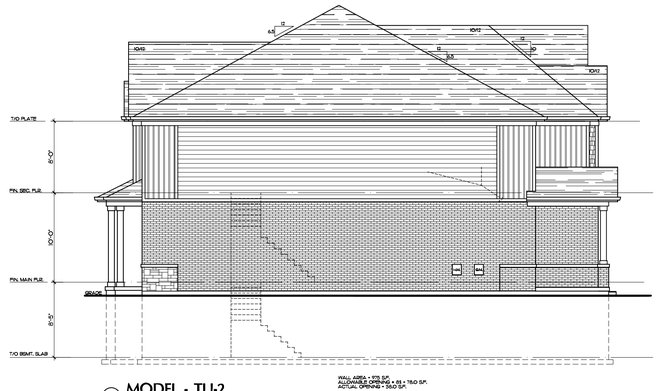
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BLOCK B
RIGHT ELEVATION



⑦ MODEL - TU-1 THE PERSIMMON ELEV. B / REV. INTERIOR END UNIT
⑧ MODEL - TU-1 THE PERSIMMON ELEV. A / STD.
⑨ MODEL - TU-3 THE VERMILLION ELEV. D / REV.
⑩ MODEL - TU-3 THE VERMILLION ELEV. C / STD.
⑪ MODEL - TU-2 THE CHARTREUSE ELEV. A / REV.
⑫ MODEL - TU-2 THE CHARTREUSE ELEV. B / STD. INTERIOR END UNIT

BLOCK B
REAR ELEVATION



⑫ MODEL - TU-2 THE CHARTREUSE ELEV. B / STD. INTERIOR END UNIT

BLOCK B
LEFT ELEVATION

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TYPE : TU MODELS
BLOCK B
PROJECT :
PARKPLACE VILLAGE
LOCATION :
WATERDOWN

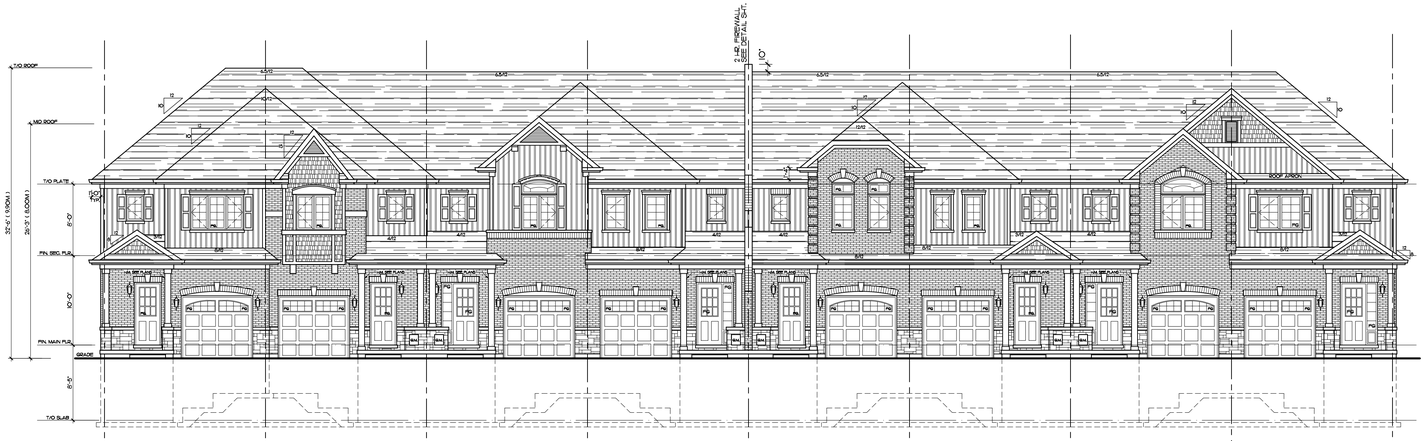
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FRONT ELEVATION
RIGHT ELEVATION
REAR ELEVATION
LEFT ELEVATION

NO.	DATE	DESCRIPTION
REVISIONS		

SCALE 1/8"=1'-0"
DATE DEC. 29 2022
DRAWN BY A.J.
CHECKED BY J.J.
FILE NAME 2015-012 BLOCK B
PROJECT NO. 2015-012
DRAWING NO. B4



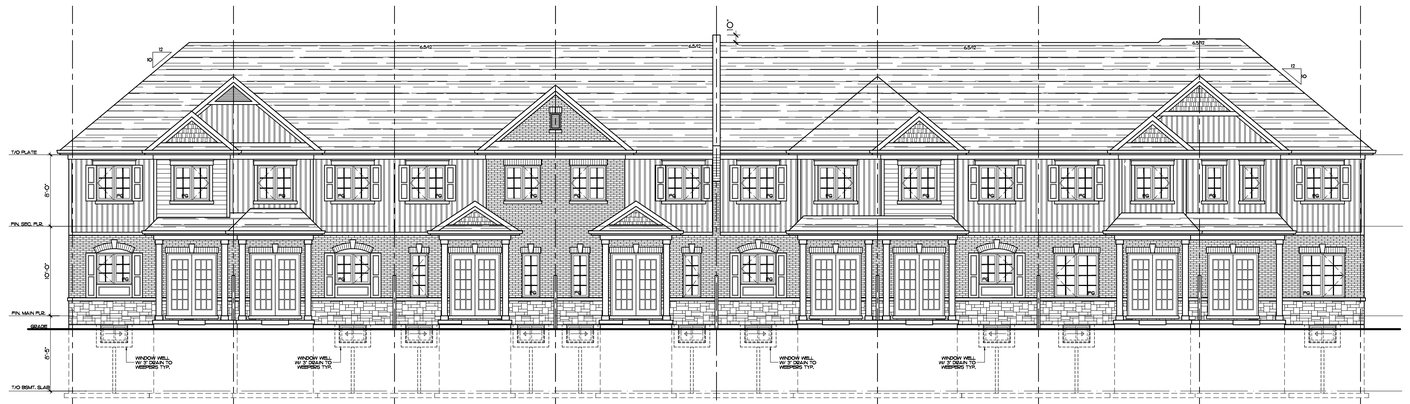
20 MODEL - TU-2 THE CHARTREUSE ELEV. B / STD. INTERIOR END UNIT
19 MODEL - TU-2 THE CHARTREUSE ELEV. A / REV.
18 MODEL - TU-3 THE VERMILLION ELEV. C / STD.
17 MODEL - TU-3 THE VERMILLION ELEV. D / REV.
16 MODEL - TU-1 THE PERSIMMON ELEV. C / STD.
15 MODEL - TU-1 THE PERSIMMON ELEV. D / REV.
14 MODEL - TU-3 THE VERMILLION ELEV. B / STD.
13 MODEL - TU-3 THE VERMILLION ELEV. A / REV. INTERIOR END UNIT

BLOCK C
FRONT ELEVATION



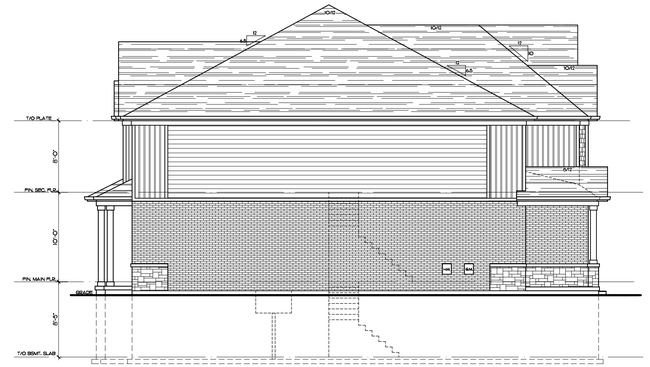
13 MODEL - TU-3 THE VERMILLION ELEV. A / REV. INTERIOR END UNIT

BLOCK C
RIGHT ELEVATION



13 MODEL - TU-3 THE VERMILLION ELEV. A / REV. INTERIOR END UNIT
14 MODEL - TU-3 THE VERMILLION ELEV. B / STD.
15 MODEL - TU-1 THE PERSIMMON ELEV. D / REV.
16 MODEL - TU-1 THE PERSIMMON ELEV. C / STD.
17 MODEL - TU-3 THE VERMILLION ELEV. D / REV.
18 MODEL - TU-3 THE VERMILLION ELEV. C / STD.
19 MODEL - TU-2 THE CHARTREUSE ELEV. A / REV.
20 MODEL - TU-2 THE CHARTREUSE ELEV. B / STD. INTERIOR END UNIT

BLOCK C
REAR ELEVATION



20 MODEL - TU-2 THE CHARTREUSE ELEV. B / STD. INTERIOR END UNIT

BLOCK C
LEFT ELEVATION

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EMAIL : jeffjansendesign@gmail.com

TYPE : TU MODELS
BLOCK C
PROJECT :
PARKPLACE VILLAGE
LOCATION :
WATERDOWN

OWNERS INFORMATION :
COUNTRY GREEN HOMES
410 INDUSTRIAL DRIVE
MILTON, ON
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COUNTRYGREEN HOMES

FRONT ELEVATION
LEFT ELEVATION
REAR ELEVATION
RIGHT ELEVATION

NO.	DATE	DESCRIPTION
REVISIONS		

SCALE 1/8"=1'-0"
DATE JAN. 02 2023
DRAWN BY A.I.
CHECKED BY J.J.
PROJECT NO. 2015-012
FILE NAME 2015-012 BLOCK C
DRAWING NO. B7



26 MODEL - TU-4
THE FRAMBOISE
ELEV. A / STD.
CORNER END UNIT

25 MODEL - TU-2
THE CHARTREUSE
ELEV. A / REV.

24 MODEL - TU-1
THE PERSIMMON
ELEV. C / STD.

23 MODEL - TU-1
THE PERSIMMON
ELEV. D / REV.

22 MODEL - TU-3
THE VERMILLION
ELEV. B / STD.

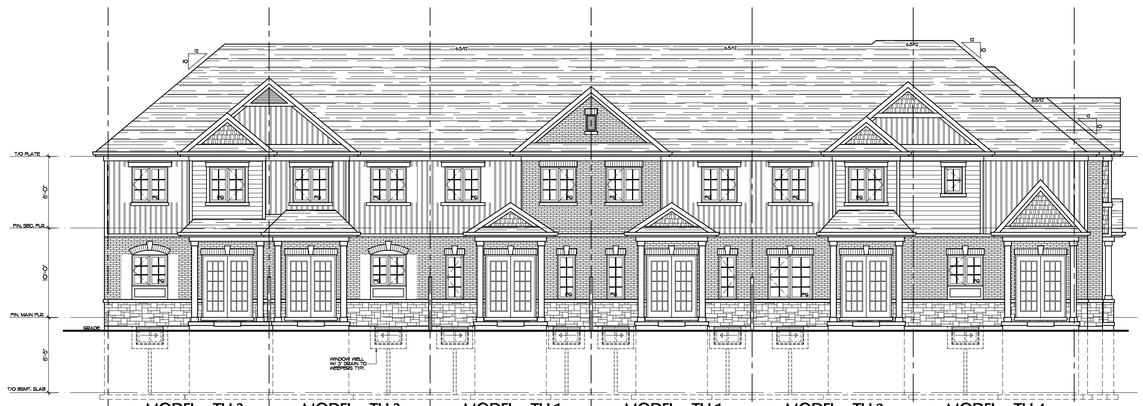
21 MODEL - TU-3
THE VERMILLION
ELEV. A / REV.
INTERIOR END UNIT

BLOCK D
FRONT ELEVATION



21 MODEL - TU-3
THE VERMILLION
ELEV. A / REV.
INTERIOR END UNIT

BLOCK D
RIGHT ELEVATION



21 MODEL - TU-3
THE VERMILLION
ELEV. A / REV.
INTERIOR END UNIT

22 MODEL - TU-3
THE VERMILLION
ELEV. B / STD.

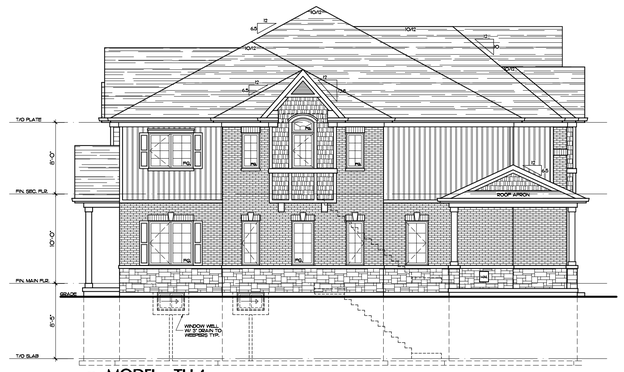
23 MODEL - TU-1
THE PERSIMMON
ELEV. D / REV.

24 MODEL - TU-1
THE PERSIMMON
ELEV. C / STD.

25 MODEL - TU-2
THE CHARTREUSE
ELEV. A / REV.

26 MODEL - TU-4
THE FRAMBOISE
ELEV. A / STD.
CORNER END UNIT

BLOCK D
REAR ELEVATION



26 MODEL - TU-4
THE FRAMBOISE
ELEV. A / STD.
CORNER END UNIT

BLOCK D
LEFT ELEVATION

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EMAIL : jeffjansendesign@gmail.com

TYPE : TU MODELS
BLOCK D

PROJECT :
PARKPLACE VILLAGE

LOCATION :
WATERDOWN

OWNERS INFORMATION :
COUNTRY GREEN HOMES
410 INDUSTRIAL DRIVE
MILTON, ON
L9T 5A6

COUNTRYGREEN HOMES

FRONT ELEVATION
RIGHT ELEVATION
REAR ELEVATION
LEFT ELEVATION

NO.	DATE	DESCRIPTION
REVISIONS		

SCALE	1/8"=1'-0"
DATE	JAN. 02 2023
DRAWN BY	A.I.
CHECKED BY	J.J.
FILE NAME	2015-012 BLOCK D
PROJECT NO.	2015-012
DRAWING NO.	B9

WEBB
PLANNING CONSULTANTS

March 25, 2026

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, 141 Cole Street, Waterdown
Parkside Hills Plan of Subdivision, Parkside Hills Inc.

WEBB Planning Consultants are retained by the property owners, Parkside Hills Inc., to facilitate the municipal planning approvals required to implement the planned development of the subject property for a mix of Street and Back-to-Back Townhouses. This letter and materials are provided in support of an application for Minor Variance to achieve compliance with the Regulations of the former Town of Flamborough Zoning By-law 90-145-Z.

The development parcel is located within the Parkside Hills Phase Two Registered Plan of Subdivision, part of the Waterdown North Secondary Plan area of the Waterdown Urban Settlement Area. Pursuant to an Order of the OMB issued in January 2013, the Official Plan Designation and Zoning of the Subdivision provide for the development of a mix of residential dwelling types and densities, a mixed use block, and municipal infrastructure including a centralized stormwater management facility and the lands to secure the alignment and development of the Waterdown by-pass, now opened as North Waterdown Drive.

The subject Block, assigned the municipal address of 141 Cole Street, has been the subject of an Application for Site Plan Approval, City File No. DA-17-120. The Application was granted Conditional Approval pursuant to an Order of the Ontario Land Tribunal dated March 18, 2020, and has subsequently satisfied all Conditions of Approval and granted final Site Plan Approval on March 18, 2026.

As illustrated by the accompanying copy of the final Site Plan, the 2.4 hectare parcel is proposed to be developed for a total of 136 townhouse dwellings, a mix of 20 street townhouses and 116 back-to-back townhouses.

A fulsome Zoning Analysis has been completed through the Site Plan Approval review and confirms limited non-compliance with Regulations of the former Town of Flamborough Zoning By-law 90-145-Z.

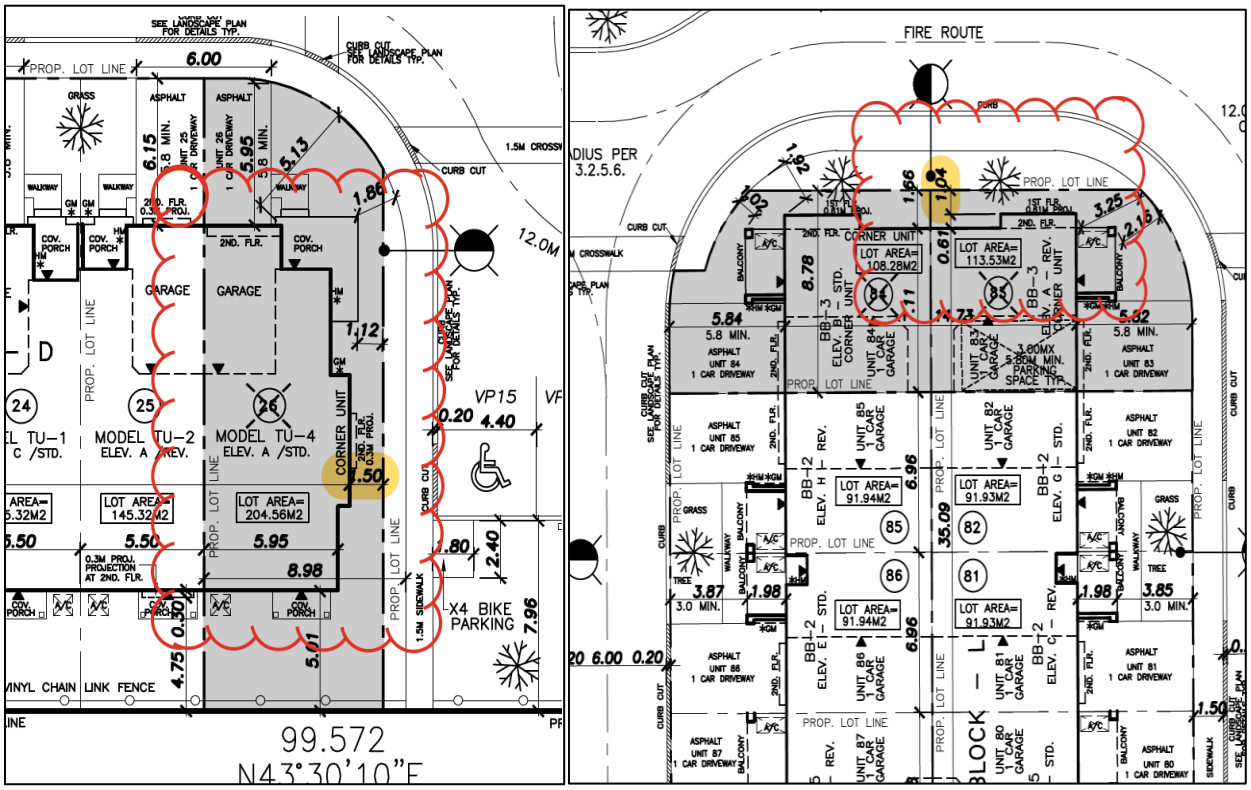


FIGURE ONE: EXTERIOR YARD REDUCTIONS

Based on the intent to Register a Plan of Condominium, the lot boundaries for the purpose of Zoning compliance are determined to be the limits of the internal Parcels of Tied Land (POTL's), not the overall boundaries of the development block. As a result, certain units will not meet the required 2.4 metres width for exterior side yards, the actual setback upon Registration of the Condominium ranging from 1.5 metres to a minimum of 1.04 metres as illustrated by Figure One above.

To achieve full Zoning compliance it is therefore necessary to submit an Application for Minor Variance to seek approval from the Committee of Adjustment to modify Regulation 11.3.27.(g) of By-law 90-145-Z, reducing the exterior side yard setback from 2.4 metres to a minimum of 1.0 metre (rounded down to 1.0 from 1.04 metres to allow for minor tolerances).

It is our opinion that the Variance is technical in nature and results from the change in tenure from a block townhouse development to a Condominium with individual units created as POTL's. The intent of the Zoning By-law to provide adequate separation of dwelling units to adjoining public streets is maintained, the internal unit boundaries resulting from Registration of the future condominium still provide the necessary separation to internal streets and parking areas to ensure no negative impacts and assurance of quality amenity space and privacy for residents.

ANALYSIS OF VARIANCE

We have undertaken a planning analysis and it is our opinion that the proposed Variance is appropriate for the proposed development of the lands. As summarized below, the Variance have 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 designated as Medium Residential 3 by the North Waterdown Secondary Plan. The proposed mix of townhouses dwellings comply with the permitted uses of the Designation, the density is below the permitted maximum range and building heights are less than the permitted maximum of four storeys. The reduction in the yard widths does note result in an over intensification or inappropriate built form.

The minor reduction in the exterior yard maintains the stated Objectives for Residential Development, Policy 4.2.2 of the Secondary Plan, specially, ensuring the development creates an urban environment that provides for safe, functional and attractive residential neighbourhoods.

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 Zoning By-law Regulation for exterior side yards is to ensure adequate separation of dwelling units to the adjoining public streets is maintained. Exterior yards are typically greater than interior side yards based on potential for adverse conditions associated with road noise associated with traffic volumes.

In the example of this development proposal, where exterior yards are dimensioned from the internal unit boundaries resulting from Registration of the future condominium, the Site Plan shows in all cases the separation from public streets in maintained and separation from the internal private streets also achieved. The location of the POTL boundaries will still provide the necessary separation to internal streets and parking areas to ensure no negative impacts and assurance of quality amenity space and privacy for residents.

The Variance is Minor.

The appropriate test to establish that the Variances are minor is to consider if any adverse or negative impacts arise from the development.

It is our opinion that the Variance does not permit an over-intensification of the site or reduction in the performance criteria that are otherwise intended to provide for the appropriate separation and buffering of dwelling units from adjoining municipal streets.

The reduction in the measured width for the exterior yards does not create an adverse condition for residents of the development as the circumstance applies to the private streets within the development, the cross section of the proposed streets include added buffering by the provision of internal sidewalks and landscaping.

The proposed development is desirable for the appropriate development of the lands.

It is our opinion that the Variance provides for the desirable and appropriate development of the lands. Notwithstanding the technical nature of the interpretation that measures setbacks to the POTL boundary, the units have significant separation to the adjoining municipal streets and provided with separation to the internal streets and parking areas.

Overall, the design and massing of the site provides needed housing within the approved density range, ample on-site amenity space and immediate proximity to a neighbourhood park to provide complementary open space.

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 with a mix of housing types, adds to the diversity of housing choices at a location within the established community, efficiently using existing municipal infrastructure and public service facilities.

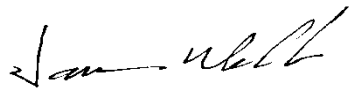
To facilitate the City's review of the proposed development, the following materials are being submitted to advance the Application for Minor Variance: :

- Completed Application for Minor Variance;
- Application fee of $4,135.00, to be paid via cheque;
- Site Plan and Building Elevations prepared by Jansen

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: Parkside Hills 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*

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

1. APPLICANT INFORMATION

	NAME	MAILING ADDRESS
Registered Owner(s)	Parkside Hills Inc. c/o Jack Nesbitt	[redacted]
Applicant(s)	Parkside Hills Inc.	
Agent or Solicitor	WEBB Planning Consultants	

Please include contact person's name if applying as a company or organization.

1.2 Primary contact ☐ Applicant ☐ Owner ☑ Agent/Solicitor

1.3 Sign should be sent to ☐ Applicant ☐ Owner ☑ Agent/Solicitor

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

If YES, provide email address where sign is to be sent [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 card over phone*

*Must provide phone number above

2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	141 Cole Street		
Assessment Roll Number			
Former Municipality	Town of Flamborough		
Lot	Part of Lot 8	Concession	Con 4
Registered Plan Number	62m-1305	Lot(s)	Blk 8
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 an exterior side yard of 1.0 metre notwithstanding the requirement to provide an exterior side yard of 2.4 metres as per Regulation 11.3.27.(g) of Zoning Bylaw 90-145-Z

☐ Additional Dwelling Unit ☐ Reconstruction of Existing Dwelling

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

proposed change in tenure from Block Townhouse development to a Street Townhouse development per planned Registration of Common Element Condominium

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 (in metric):

Lot Frontage	Lot Depth	Lot Area	Width of Street
101.2 m (White Gates)	198.9 m	2.4 Ha	20.0 m (White Gates)

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

Existing:

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

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Street TH	5.85	5.05	Int: 1.2m Ext: 1.2m	12/12/2026
B-2-B TH	4.58	0.0	Int: 1.2m Ext: 1.2m	12/12/2026

4.3. Particulars of all buildings and structures on or proposed for the subject lands. All dimensions to be provided in metric (m, m^2 or ha); attach additional sheets as necessary.

Existing:

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

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Street TH	940 m2	1523 m2	2 st.	9.9 m
B-2-B TH	552 m2	1371 m2	3 st.	10.2 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
☐ 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.):
26 Street Townhouses and 110 Back-to-Back Townhouses

4.9 Existing uses of abutting properties (single detached dwelling, duplex, retail, factory etc.):
Low density Residential to west, vacant block to east, municipal park to south, municipal streets, SWM pond to north.

5. HISTORY OF THE SUBJECT LAND

5.1 Date of acquisition of subject lands:
Nov. 2025

5.2 Previous use(s) of the subject property: (single detached dwelling, duplex, retail, factory etc)
Vacant, prior farmland

5.3 Existing use(s) of the subject property: (single detached dwelling, duplex, retail, factory etc)
lands are partially serviced in anticipation of pending development

5.4 Length of time the existing uses of the subject property have continued:
24 months

5.5 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) Medium Density Residential 3

Please provide an explanation of how the application conforms with the Official Plan.
Housing form, density and building height confrom with applicable Policies

5.6 What is the existing zoning of the subject land? R6-27

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

☑ Yes ☐ No

If yes, please provide the file number: FL/A-22:217

5.8 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: _____

6. ADDITIONAL INFORMATION

6.1 Number of Dwelling Units Existing: 0

6.2 Number of Dwelling Units Proposed: 136

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

Please refer to accompanying cover letter providing a broader explanation of the proposal and an evaluation pursuant to the four tests of Section 45(1) of the Planning Act.

7. COMPLETE APPLICATION REQUIREMENTS

7.1 All Applications

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

7.2 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

_____

_____

STAFF COMMENTS

HEARING DATE: April 30, 2026

Hamilton

A-26:058 — 141 Cole Street, Flamborough

Recommendation:

Approve Variance 1 subject to proposed condition. — Development Planning

Proposed Conditions:

1. That the requested variance generally applies to the provided site sketch and elevation package found in the Notice of Public Hearing for file A-26:058 (141 Cole Street, Flamborough) being heard on April 30, 2026, to the satisfaction of the Director of Development Planning. (Development Planning)

Proposed Notes:

A building permit is required for the construction of the proposed back-to-back townhouses. (Building Engineering)

Be advised that Ontario Building Code regulations may require specific setback and construction types. (Building Engineering)

Hamilton

Development Planning:

Background

The purpose of the application is to facilitate the construction of back-to-back and street townhouses in accordance with Site Plan Control Application No. DA-17-120.

The following variance is required:

1. A minimum exterior side yard of 1.0m shall be permitted instead of the minimum required 2.4 metres exterior side yard.

Urban Hamilton Official Plan

The subject property is designated “Neighbourhoods” on Schedule E-1 – Urban Land Use Designations of the Urban Hamilton Official Plan. Policy E.3.2.3 a) permits residential dwellings, including second dwelling units and housing with supports. Policy E.3.4.3 permits single-detached, semi-detached, duplex, triplex, fourplex and street townhouse dwellings. The subject property is located in the Waterdown North Secondary Plan found in Volume 2 of the Urban Hamilton Official Plan. The forgoing volume 1 policies of the UHOP permits the proposed back-to-back and street townhouses subject to the applicable zoning by-law provisions.

Waterdown North Secondary Plan

The subject property is further designated “Medium Density Residential 3” on Map B.4.2-1 – Waterdown North Secondary Plan – Land Use Plan. Policy B.4.2.4.2 and B.4.2.4.4 among others are applicable which permit the proposed development of back-to-back and street townhouses. Based on the forgoing the proposal complies with the Waterdown North Secondary Plan.

Archaeology

The subject property meets five (5) of the ten criteria used by the City of Hamilton and Ministry of Citizenship and Multiculturalism for determining archaeological potential:

1) Within 250 metres of known archaeological sites;
2) Within 300 metres of a primary watercourse or permanent waterbody, 200 metres of a secondary watercourse or seasonal waterbody, or 300 metres of a prehistoric watercourse or permanent waterbody;
3) In an area of sandy soil in areas of clay or stone;
4) In areas of pioneer Euro-Canadian settlement; and,
5) Along historic transportation routes.

Hamilton

These criteria define the property as having archaeological potential. Accordingly, Section 2 (d) of the *Planning Act* and Section 4.6.2 of the Provincial Planning Statement apply to the subject application.

A Stage 1-2 (P321-0058-2019) archaeological report for the subject property were submitted to the City and the Ministry of Citizenship and Multiculturalism. The Province signed-off on the report for compliance with licensing requirements in a letter dated February 29, 2020. Staff is of the opinion that the municipal interest in the archaeology of this portion of the site has been satisfied.

Cultural Heritage

No comments.

Flamborough Zoning By-law 90-145-Z

The subject property is zoned as Medium Density Residential (R6-27) Zone, Modified, in Zoning By-law No. 90-145-Z. The (R6-27) Zone permits the proposed back-to-back and street townhouses subject to regulations.

Staff note that the R6-27 Zone recognizes the proposed development. Special exception 27 as found in 11.3.27 of the Zoning By-law permits the development of Townhouse, Street Townhouse, Back-to-Back Townhouse, Stacked Townhouse and Apartment Building.

Analysis

Variance 1

1. A minimum exterior side yard of 1.0m shall be permitted instead of the minimum required 2.4 metres exterior side yard.

The intent of the minimum side yard setback provision is to ensure that there is an adequate side yard to provide sufficient space for access, maintenance, and grading/drainage. This provision also ensures consistent yards and sufficient separation between buildings. Based on staff's analysis of the proposed variance, staff are of the opinion that the proposed decrease in side yard setback from 2.4 metres to 1.0 metres is minor, as staff do not foresee undue adverse impacts being generated through the proposed decrease in required side yard. The variance is required to implement related Site Plan Control application DA-17-120. Based on the provided information the setback reduction is required due to the change in tenure to POTL's (Parcels of Tied Land) to a Common Element Condominium. Staff seek to include a condition to recognize the provided plans so that the relief is only applied as proposed. Through the submitted minor variance sketch and package, the applicant has demonstrated that the proposed configuration is in keeping with the character of the area which will not result in privacy and overlook concerns. The setback provided will ensure sufficient space for access to conduct maintenance and repair. Staff defer concerns relating to drainage to Development

Hamilton

STAFF COMMENTS

HEARING DATE: April 30, 2026

Engineering Staff for comment. Based on the forgoing analysis **staff are supportive of variance 1** as it satisfies the four tests of a minor variance under the *Planning Act*.

Based on the forgoing, staff recommend the **approval of Variance 1** as it maintains the general intent and purpose of the Official Plan and Zoning By-law, is minor in nature, and is desirable for the appropriate development of the subject lands.

Zoning:

Recommendation:	Comments Only
Proposed Conditions:	
Comments:	1. This minor variance application is associated with Site Plan Control Application No. DA-17-120 which was granted conditional approval, pursuant to an Order of the Land Tribunal dated March 18, 2020.
Notes:	

Development Engineering:

Recommendation:	No Comments
Proposed Conditions:	N/A
Comments:	N/A
Notes:	N/A

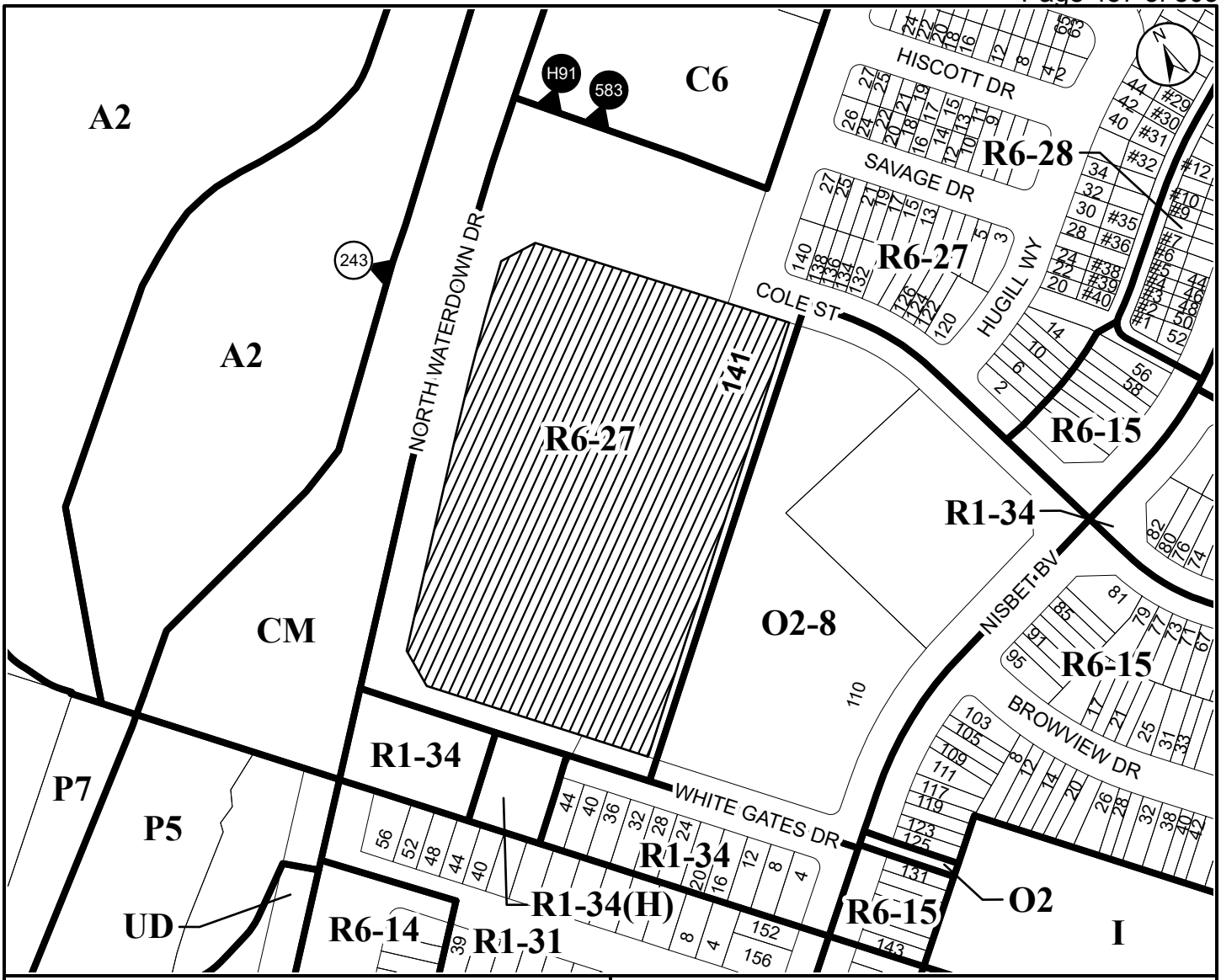
Building Engineering:

Recommendation:	Comments and Conditions/Notes
Proposed Conditions:	
Comments:	
Notes:	A building permit is required for the construction of the proposed back-to-back townhouses. Be advised that Ontario Building Code regulations may require specific setback and construction types.

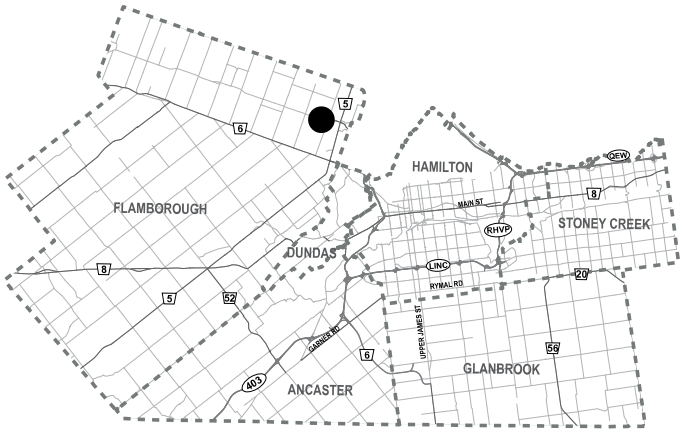
Transportation Planning:

Recommendation:	No Comments
Proposed Conditions:	
Comments:	
Notes:	

Please Note: Public comment will be posted separately, if applicable.



● **Site Location**



City of Hamilton

Committee of Adjustments

Subject Property

141 Cole Street, Flamborough
(Ward 4)

File Name/Number:
A-26:058

Date:
April 14, 2026

Technician:
AL

Scale:
N.T.S.

Appendix "A"

Planning and Economic Development Department

Hamilton

APPLICATION TABLED

Hamilton

B-24:30 — 1007 Beach Boulevard, Hamilton

This application has been **TABLED** prior to the meeting and will not be heard at the April 30, 2026 Committee of Adjustment Hearing. — Committee of Adjustment Staff (4/13/2026)

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding this file, 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.

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

NOTICE OF PUBLIC HEARING
Consent/Land Severance

You are receiving this notice because you are either:

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

APPLICATION NO.:	**B-24:30**	**SUBJECT PROPERTY:**	1007 Beach Blvd, Hamilton

APPLICANTS: Owner: Sandra Clark
Applicant:
Agent: Michael P. Sabelli

PURPOSE & EFFECT: To permit the conveyance of a parcel of land to create a new residential building lot. The existing dwelling will be demolished to facilitate this application.

	Frontage	**Depth**	**Area**
SEVERED LANDS:	8.734 m±	40.806 m±	356.40 $m^{2\pm}$
RETAINED LANDS:	8.734 m±	40.806 m±	356.40 $m^{2\pm}$

Associated Planning Act File(s): A-24:112

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, April 30, 2026**
TIME:	**11:15 a.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 **April 28, 2026**.

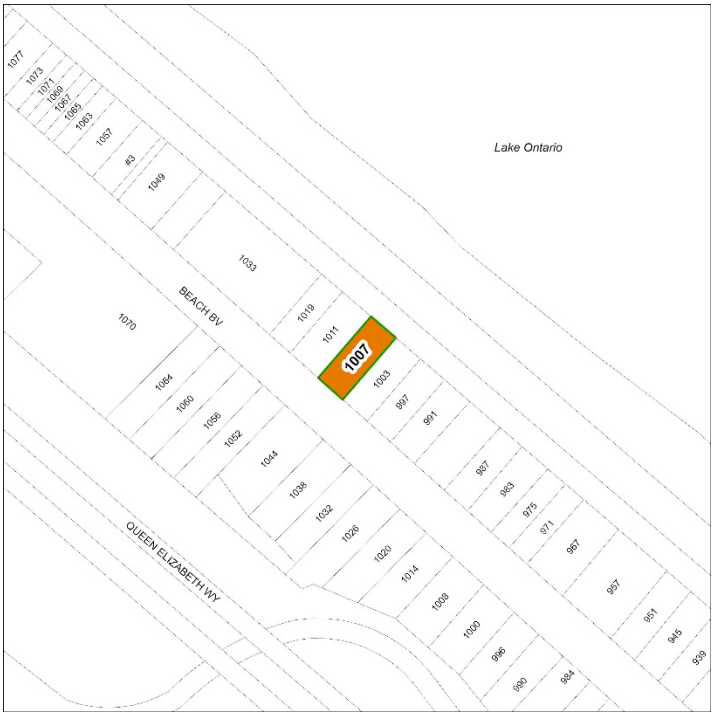
Orally: If you would like to speak to this item at the hearing you may do so via video link, calling in, or attending in person. Please see attached page for complete instructions, registration to participate virtually must be received no later than noon **April 29, 2026**.

FURTHER NOTIFICATION

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

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

B-24:30



Subject Lands

DATED: April 13, 2026

_____

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.

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

The following information is required with your written submission:

- Committee of Adjustment file number
- Full name and address of the person providing comments. Anonymous comments will not be accepted.

Comments can also be placed in the drop box which is located at the back of the 1st Floor of City Hall, 71 Main Street West. All written comments received by the deadline 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. To register, email cofa@hamilton.ca with the following information:

- Committee of Adjustment file number
- Hearing date
- Full name and address of the person wishing to speak. Anonymous comments will not be accepted.
- 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.

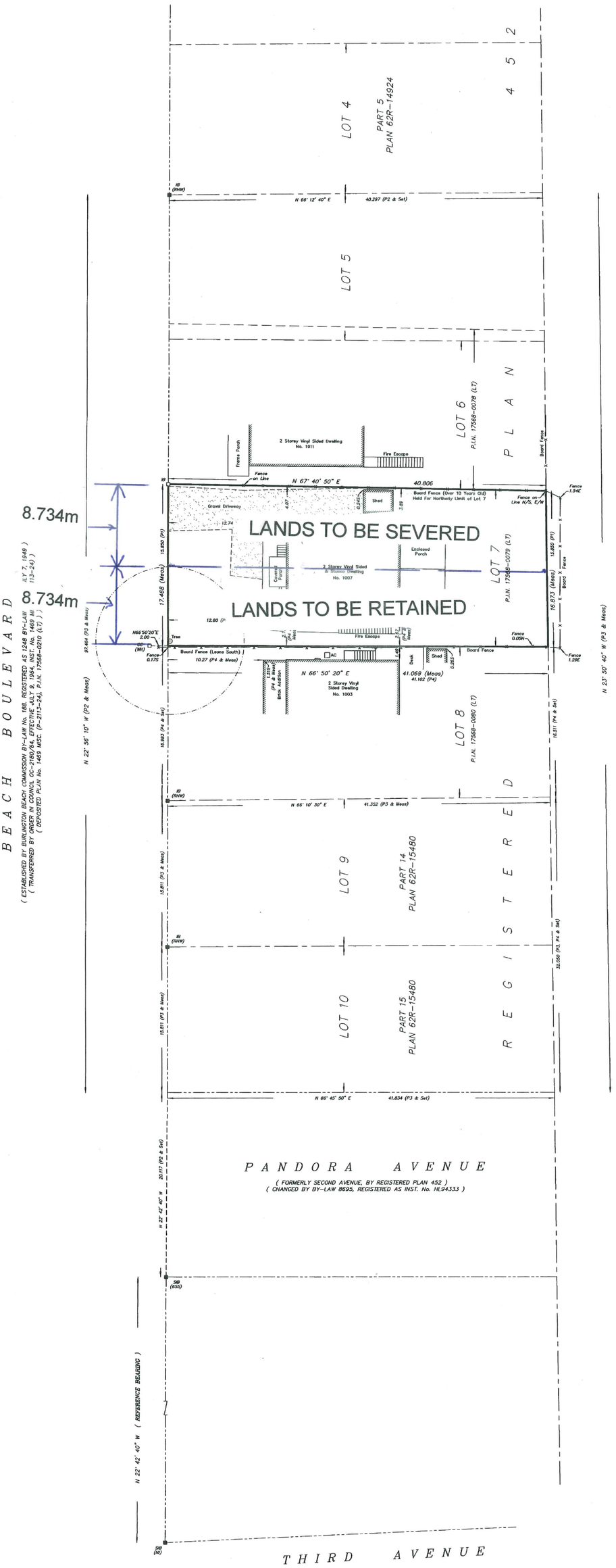
In-Person Presentations:
Presenters attending in person may be granted permission to use the presentation screen. Presentations must be brought on a USB device and opened by the owner/applicant. A copy of the presentation must also be sent to cofa@hamilton.ca **by 12:00 p.m. (noon) on the business day 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
LOT 7
REGISTERED PLAN 452
CITY OF HAMILTON



SCALE 1:200
0 5 10 15 METRES

B.A. JACOBS SURVEYING LTD.
ONTARIO LAND SURVEYOR

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

BEARING NOTE:
BEARINGS HEREON ARE GRID BEARINGS AND ARE DERIVED FROM THE EASTERLY LIMIT OF BEACH BOULEVARD AS SHOWN ON PLAN 62R-14924 BEING N 22°42'40" W AND ARE BASED ON THE NAD83, UTM COORDINATE SYSTEM, ZONE 17, CENTRAL MERIDIAN 81° WEST LONGITUDE.

LEGEND:

■	DENOTES SURVEY MONUMENT FOUND
□	DENOTES SURVEY MONUMENT PLANTED
SIB	DENOTES STANDARD IRON BAR
IB	DENOTES IRON BAR
CC	DENOTES CUT CROSS
WIT.	DENOTES WITNESS
(NI)	DENOTES NO IDENTIFICATION
P1	DENOTES REGISTERED PLAN 452
P2	DENOTES PLAN 62R-14924
P3	DENOTES PLAN 62R-15480
P4	DENOTES PLAN BY A.J. CLARKE O.L.S. (FILE: E-5142)
(655)	DENOTES J.T. PETERS O.L.S.
(RHW)	DENOTES REGION OF HAMILTON-WENTWORTH

SURVEYOR'S REAL PROPERTY REPORT
PART 2 – REPORT SUMMARY

DESCRIPTION OF LAND
BEING ALL OF LOT 7, REGISTERED PLAN 452, KNOWN AS MUNICIPAL No. 1007 BEACH BOULEVARD, CITY OF HAMILTON

REGISTERED EASEMENTS AND/OR RIGHTS OF WAY
NO EASEMENTS LISTED ON THE PARCEL REGISTER FOUND IN THE LAND REGISTRY OFFICE.

BOUNDARY FEATURES
NOTE LOCATION OF THE FENCES AS THEY RELATE TO THE BOUNDARIES OF THE SUBJECT PROPERTY.

COMPLIANCE WITH MUNICIPAL ZONING BY-LAWS
NOT CERTIFIED BY THIS REPORT

ASSOCIATION OF ONTARIO LAND SURVEYORS
PLAN SUBMISSION FORM
V-54816
THIS PLAN IS NOT VALID UNLESS IT IS AN EMBOSSED ORIGINAL COPY ISSUED BY THE SURVEYOR in accordance with Regulation 1026, Section 29(3)

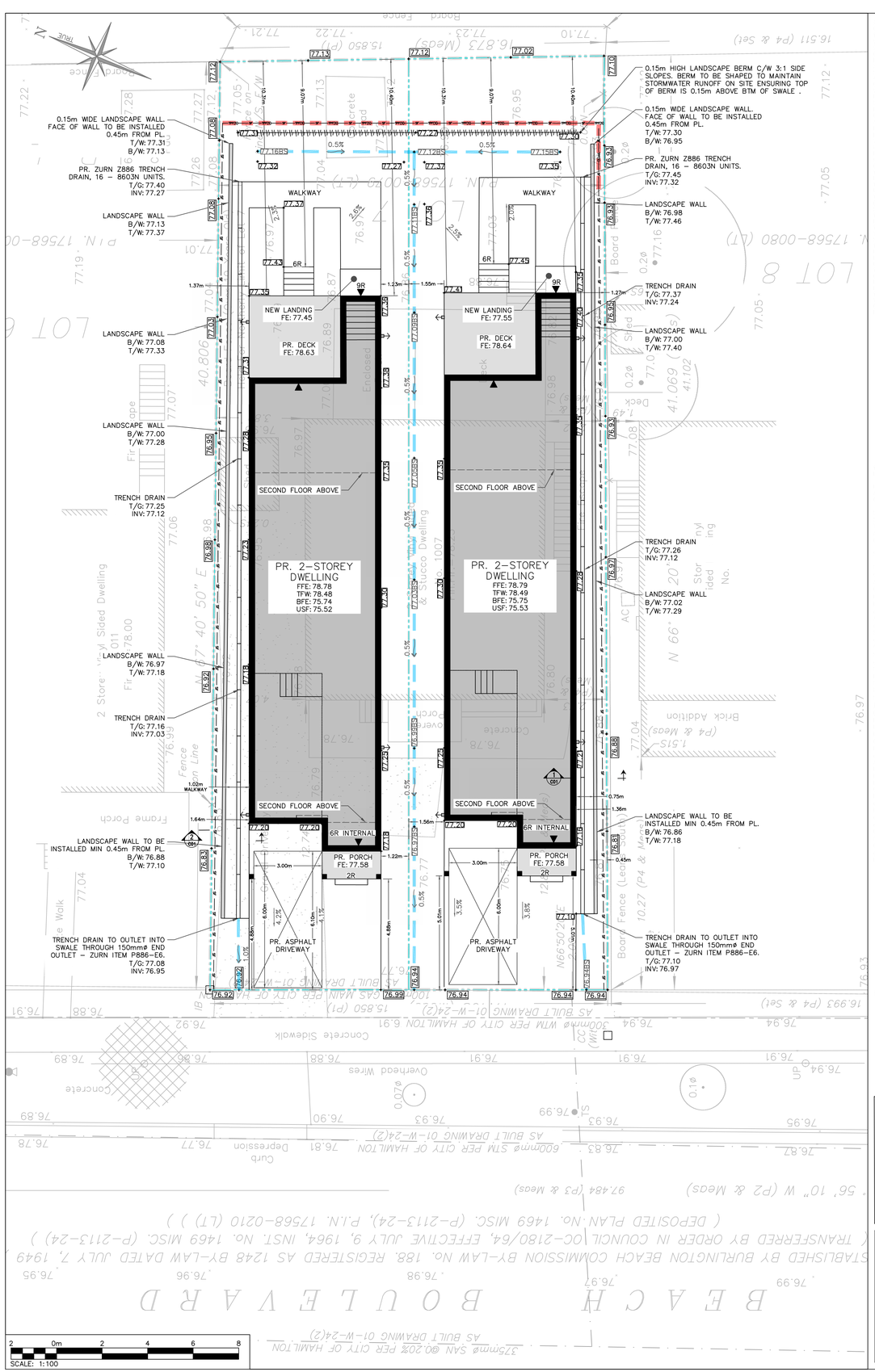
THIS REPORT WAS PREPARED FOR SANDRA CLARK

SURVEYOR'S CERTIFICATE
I CERTIFY THAT:
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.
2. THE SURVEY WAS COMPLETED ON DECEMBER 12, 2023.

DECEMBER 12, 2023 — DATE
BRYAN JACOBS — ONTARIO LAND SURVEYOR

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

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CITY OF HAMILTON – LOT GRADING NOTES

GENERAL GRADING NOTES

1. ALONG ADJOINING PROPERTIES GRADE TO MEET EXISTING OR PROPOSED ELEVATIONS WITH SMOOTH SLOPES (MIN. 3H TO 1V) AND/OR RETAINING WALLS AS SPECIFIED
2. ALL RETAINING WALLS, WALKWAYS, CURBS, ETC., SHALL BE PLACED A MIN. OF 0.45M OFF THE PROPERTY LINE. ALL WALLS 0.6m OR HIGHER SHALL BE DESIGNED BY A P.ENG.
3. SHOULD A RETAINING WALL BE REQUIRED, THE TOP OF WALL ELEVATIONS SHALL BE SET 150MM ABOVE THE PROPOSED SIDE YARD SWALES
4. RETAINING WALLS 0.6M IN HEIGHT OR GREATER REQUIRE CONSTRUCTION OF A FENCE OR GUARD RAIL AT THE TOP OF THE REAR OF THE WALL. GUARDS FOR RETAINING WALLS SHALL BE DESIGNED AND CONSTRUCTED IN ACCORDANCE WITH THE REQUIREMENTS OF EXTERIOR GUARDS AS CONTAINED IN THE ONTARIO BUILDING CODE
5. SLOPES OF SWALES FOR BOTH 'BACK TO FRONT' AND 'SPLIT DRAINAGE SHALL BE NO LESS THAN 2.0% (PREFERRED) AND NO GREATER THAN 33% (3:1 SLOPES)
6. WHEN MATCHING TO EXISTING PROPERTIES WHERE A 2.0% GRADE CANNOT BE ACHIEVED, A 1.5M GRADE IS PERMITTED PROVIDED SUBDRAINS ARE INSTALLED BELOW THE BOTTOM OF THE SWALE AND DRAINED TO A SUITABLE OUTLET, (WITH A MINIMUM 0.3M COVER OVER THE SUB-DRAIN), OR AS OTHERWISE MEASURED
7. MINIMUM GRADE FOR A WRAP–AROUND SWALE IN THE BACKYARD SHALL BE 1.0%
8. UNLESS OTHERWISE NOTED, THE GROUND BETWEEN PROPOSED ELEVATIONS ON SIDE LOTS SHALL BE GRADED AS A STRAIGHT LINE
9. TOP OF FOUNDATION WALLS FOR BUILDINGS SHALL BE 150MM (MIN) ABOVE FINISHED GRADE
10. DRIVEWAY SLOPES SHALL NOT BE LESS THAN 2% AND NOT MORE THAN 7.0%. REVERSED SLOPED DRIVEWAYS IN NEW DEVELOPMENTS ARE NOT PERMITTED
11. GARAGE FLOOR ELEV. TO BE SET MINIMUM 0.3M HIGHER THAN BACK OF WALK, UNLESS OTHERWISE SPECIFIED
12. ALL FILL PLACED ON LOTS SHALL BE COMPACTED TO A MINIMUM 95% SPD (UNLESS OTHERWISE RECOMMENDED BY THE GEOTECHNICAL ENGINEER). ALL MATERIAL SHALL BE PLACED IN LAYERS NOT EXCEEDING 300MM LIFTS.
13. FOR DELINEATION OF TREE PROTECTION ZONES, BUFFERS, REMOVALS AND PROTECTION MEASURES, ETC., REFER TO TREE PROTECTION PLAN
14. LOT GRADING FOR ALL LOTS IN THE SUBDIVISION SHALL CONFORM STRICTLY WITH THIS PLAN. ANY CHANGES, UNLESS APPROVED PRIOR TO CONSTRUCTION BY THE CITY, SHALL RESULT IN NON ACCEPTANCE OF THE SUBDIVISION BY THE CITY
15. IF GRADING IS REQUIRED ON LANDS ADJACENT TO THE DEVELOPMENT WHICH ARE NOT OWNED BY THE DEVELOPER, THEN THE DEVELOPER MUST OBTAIN WRITTEN PERMISSION FROM THE ADJACENT PROPERTY OWNER TO ALLOW THE DEVELOPER TO GRADE ON THE ADJACENT LANDS, OTHERWISE RETAINING WALLS MUST BE USED
16. THE WRITTEN PERMISSION REQUIRED FROM THE ADJACENT PROPERTY OWNER SHALL BE OBTAINED PRIOR TO ENTERING THE LANDS. SHOULD PERMISSION NOT BE OBTAINED OR IS WITHDRAWN PRIOR TO COMMENCING THE WORKS, THE DEVELOPER SHALL LIMIT HIS ACTIVITIES TO THE LIMITS OF THE DEVELOPMENT SITE
17. DRIVEWAY AND DRIVEWAY APPROACHES SHALL BE LOCATED SUCH THAT HYDRO VAULTS AND OTHER STREET FURNITURE ARE A MIN. OF 1.2M FROM THE PROJECTIONS OF THE OUTSIDE GARAGE WALLS

BACKYARD GRADING NOTES

a. DEFINITION: "REQUIRED BACK YARD" SHALL MEAN THE LESSER OF THE DISTANCE REGULATED BY THE ZONING BY–LAW OR 7.5m.
b. THE MAXIMUM SLOPE IN THE BACK YARD ADJACENT TO THE BUILDING FOR A DISTANCE EQUAL TO THE REQUIRED BACK YARD SHALL BE 5%, EXCEPT AS SET OUT IN ITEMS BELOW
c. THE 5% RESTRICTION SHALL NOT APPLY TO THE SIDES OF A SWALE ALONG THE SIDES OR BACK OF THE LOT, PROVIDING THE TOTAL WIDTH OF THE SWALE SHALL NOT EXCEED ONE (1) METRE ON EACH LOT
d. WHERE THE DIFFERENCE IN ELEVATION OF GRADES RESULTS IN ELEVATION DIFFERENCES BETWEEN DIFFERENT PROPERTIES, RETAINING WALLS SHALL BE CONSTRUCTED ALONG THE SIDES AND THE BACK OF THE LOT. SLOPES WITH A MAXIMUM OF THREE HORIZONTAL TO ONE VERTICAL MAY REPLACE THE WALLS WHERE THE DIFFERENCE IN ELEVATION IS LESS THAN 0.3M
e. GENERALLY, SLOPES SHALL BE PLACED ON THE LOWER LOT, WHEREAS RETAINING WALLS SHALL BE PLACED ON THE HIGHER LANDS
f. THE MAXIMUM HEIGHT OF RETAINING WALLS IN THE REQUIRED BACKYARDS PROVIDING THE TERRACES ARE MAINTAINED TO THE 5% GRADE AS SET OUT IN ITEM B) ABOVE, THE INTENTION OF THIS PROVISION IS TO PROVIDE FOR FLEXIBILITY OF HOUSE CONSTRUCTION
g. THERE IS NO CONTROL ON THE STEEPNESS OF THE SLOPES IN SIDE YARDS, FRONT YARDS AND BACK YARDS, AS DEFINED IN A) ABOVE, PROVIDING THE SLOPES ARE STABLE FOR THE SOILS OF THE AREA (MINIMUM 3H:1V)

18. ANY INCREASE IN IMPERVIOUS SURFACE FROM APPROVED PLAN REQUIRED TO BE REVIEWED VIA REVISION PROCESS.

ROOFWATER LEADERS

ALL ROOFWATER LEADERS SHALL DISCHARGE ONTO SPLASH PADS AND THEN TO GRASSED OR LANDSCAPED AREAS A MIN. OF 0.6M FROM THE BUILDING FACE

SUMP PUMPS

SUMP PUMPS WITH CHECK VALVES ARE TO BE INSTALLED IN EACH DWELLING TO PUMP THE WEEPING TILES TO THE STORM PRIVATE DRAIN. THE SUMP OUTLET SHALL EXTEND A MINIMUM OF 150MM ABOVE THE PROPOSED GRADE AT THE DWELLING (BASEMENT CEILING) PRIOR TO DISCHARGING TO THE STORM PRIVATE DRAIN

SEWERS

SANITARY AND STORM SEWERS

a) CONSTRUCTION OF SANITARY & STORM SEWERS & PRIVATE DRAINS SHALL BE IN ACCORDANCE WITH CITY STANDARDS & SPECIFICATIONS (LATEST EDITION) AND MINISTRY OF ENVIRONMENT (MOE) GUIDELINES (LATEST EDITION).
b) COVER FOR SANITARY & STORM SEWERS & PRIVATE DRAINS SHALL BE GRANULAR 'A' MATERIAL AS PER OPSD 802.030 OR 802.033, CLASS 'B' BEDDING.
c) COVER AND BEDDING MATERIAL FOR PVC PIPE SHALL BE GRANULAR 'A' MATERIAL AS PER OPSD 802.010 OR 802.013.
d) PVC PIPE WILL REQUIRE SPECIAL CONSTRUCTION PROCEDURES AS PER CITY SPECIFICATIONS.
e) ALL SEWERS TO BE FLUSHED PRIOR TO VIDEO INSPECTION.
f) MANHOLE FRAMES AND COVERS SHALL BE AS PER OPSD 401.010 (STORM–OPEN, SANITARY–CLOSED).
g) SANITARY SEWER (200MM TO 375MM DIA) SHALL BE PVC PIPE, CSA B182.2, SDR–35.
h) STORM SEWER (300MM TO 600MM DIA.) SHALL BE PVC PIPE, CSA B182.2, SDR–35.
i) STORM SEWER > 600MM DIA. SHALL BE CONCRETE PIPE, CSA A257.2 (AS SPECIFIED)
j) PVC (SANITARY AND STORM) SEWERS ARE TO BE TESTED FOR DEFLECTION (MANDREL PASSAGE) AFTER INSTALLATION. SANITARY SEWERS SHALL ALSO BE TESTED FOR LEAKAGE (LOW AIR PRESSURE). PRIOR TO ASSUMPTION BY THE CITY, PIPE DEFLECTION TESTING SHALL BE REPEATED.
k) ALTERNATE MATERIALS MAY BE ACCEPTABLE PROVIDED APPROVAL HAS FIRST BEEN OBTAINED FROM THE CITY/ENGINEER.

PRIVATE DRAINS

a) TO BE LOCATED 1.5M ON RIGHT SIDE OF CENTERLINE OF LOT OR AS DETAILED AND EXTENDED 1.0M BEYOND THE STREET LINE. THE STORM SERVICE SHALL BE INSTALLED TO THE NORTH OR EAST OF THE SANITARY SERVICE.
b) PRIVATE DRAINS TO BE 150MM DIA. PVC PIPE, CSA B182.1 M–1983, SDR 28 AS PER FORM 500. STORM PIPE SHALL BE WHITE AND SANITARY SHALL BE ANY COLOUR OTHER THAN WHITE. WOOD MARKING AT END OF SANITARY PRIVATE DRAIN SHALL BE PAINTED RED.
c) COVER AND BEDDING MATERIAL FOR PRIVATE DRAINS SHALL BE GRANULAR 'A' INSTALLED AS PER OPSD 802.010 OR 802.013.
d) MINIMUM FALL FOR PRIVATE DRAINS TO BE 2.0%.
e) TOP OF SANITARY PRIVATE DRAINS AT STREET LINE TO BE 2.2M (MIN.) BELOW CENTERLINE ROAD ELEVATION AT THAT POINT OR AS DETAILED.
f) TOP OF STORM PRIVATE DRAINS AT STREET LINE TO BE 1.2M (MIN.) BELOW CENTERLINE ROAD ELEVATION AT THAT POINT OR AS DETAILED.
g) BUILDING RAINWATER LEADERS SHALL NOT BE CONNECTED TO THE STORM PRIVATE DRAIN BUT SHALL DISCHARGE ONTO THE GROUND SURFACE VIA SPLASH PADS.
h) SUMP PUMPS WITH CHECK VALVES SHALL BE INSTALLED IN EACH DWELLING TO PUMP THE BUILDING WEEPING TILES TO THE STORM PRIVATE DRAINS. THE SUMP OUTLET PIPE SHALL EXTEND A MINIMUM OF 150MM ABOVE THE PROPOSED GRADE AT THE DWELLING (BASEMENT CEILING) PRIOR TO DISCHARGING TO THE STORM PRIVATE DRAIN.

WATERMAINS

a) CONSTRUCTION OF WATERMAINS & PRIVATE SERVICES SHALL BE IN ACCORDANCE WITH CITY STANDARDS & SPECIFICATIONS (LATEST EDITION) AND MINISTRY OF ENVIRONMENT (MOE) GUIDELINES (LATEST EDITION).
b) TO BE INSTALLED TO A MINIMUM DEPTH OF 1.80M BELOW PROPOSED CENTERLINE ROAD GRADE ON ALL ROADS EXCEPT ON (NAME OF ROAD) WHERE THE MINIMUM DEPTH IS 1.6M.
c) PVC PIPE IN SIZES 100MM THROUGH 300MM SHALL BE CLASS 150 DR18 CONFORMING TO AWWA C900. FOR 400MM, SEE SECTION 7: SPECIAL NOTES.
d) TRACER WIRE SHALL BE INSTALLED WITH ALL PVC PIPE IN ACCORDANCE WITH FORM 400. IT SHALL BE 12 GAUGE TW75, TWU75 OR RW90XLPE COATED COPPER AND SHALL BE POSITIONED ABOVE THE TOP OF THE PIPE AND FASTENED AT 4 METRE INTERVALS. THE WIRE IS TO BE INSTALLED BETWEEN EACH VALVE AND/OR THE END OF THE NEW PVC WATERMAIN. JOINTS IN THE WIRE BETWEEN VALVES ARE NOT PERMITTED. AT EACH GATE VALVE A LOOP WIRE IS TO BE BROUGHT UP INSIDE THE VALVE BOX TO THE CAP. THE TRACER WIRE SHALL BE BROUGHT TO THE SURFACE AT THE SECONDARY VALVE ON ALL FIRE HYDRANTS. THE TRACER WIRE SHALL ALSO BE CONNECTED TO THE CATHODIC PROTECTION SYSTEM AS REQUIRED.
e) MOLDED PVC FITTINGS FOR PIPE SIZES 100MM TO 300MM SHALL CONFORM TO AWWA C900 AND CERTIFIED TO CSA B137.2.
f) FABRICATED FITTINGS 250MM AND 300MM SHALL BE MANUFACTURED FROM SEGMENTS OF AWWA C900, CLASS 150 (DR18) PVC PIPE BONDED TOGETHER AND OVER–WRAPPED WITH FIBREGLASS–REINFORCED POLYESTER TO MEET THE REQUIREMENTS OF CSA B137.3.
g) WHERE METAL FITTINGS ARE TO BE USED ON PVC MAINS SUFFICIENT CATHODIC PROTECTION MUST BE PROVIDED AS PER THE FOLLOWING REQUIREMENTS:
   i. MINIMUM OF ONE 11KG ZINC ANODE SHALL BE INSTALLED FOR EVERY 100DM OF TRACER WIRE;
   ii. ONE 11KG ZINC ANODE SHALL BE INSTALLED FOR EACH COPPER WATER SERVICE CONNECTION;
   iii. ONE 11KG ZINC ANODE SHALL BE INSTALLED ON EVERY VALVE, HYDRANT, BEND, TEE, SLEEVE, REDUCER, PLUG, CAP, JOINT RESTRAINT, ETC., CONNECTED TO THE PVC PIPE.
h) BEDDING AND BACKFILL AS PER WM-200.02.01 AND WM–200.02 GRANULAR 'A' MATERIAL FOR MAINS AND SERVICES GREATER THAN 50MM.
i) WATERMAIN DEFLECTION FOR PVC PIPE:
   i. MAXIMUM ALLOWABLE DEFLECTION OF 1.5 DEGREES PER JOINT UP TO 250MM DIAMETER (160MM PER 6.1M PIPE LENGTH) AND 1.2 DEGREES FOR 300MM DIAMETER (125MM PER 6.1M PIPE LENGTH) SHALL NOT BE EXCEEDED.
   ii. ALL JOINTS SHALL BE DEFLECTED AN EQUAL AMOUNT.

ROADWORK:

1. RESTORATION OF ROAD OVER UTILITY CUTS IN HAMILTON TO BE AS PER STANDARD DRAWINGS RD–100.01 AND RD–100.02, WITH GRANULAR "A" BEDDING.
2. CONCRETE CURB AND GUTTER AS PER OPSD 600.040 – (BARRIER TYPE), MIN. 30 MPa STRENGTH. A 50mm KEY IS REQUIRED FOR ALL LOCATIONS.
3. CURB DEPRESSION AT DRIVEWAYS AS PER OPSD 600.040 AND OPSD 310–050.
4. 1.5m WIDE CONCRETE SIDEWALK AS PER OPSD 310.010 (125mm THICK MIN. 30 MPa STRENGTH WITH GRANULAR "A" BASE AS REQUIRED TO PROVIDE A LEVELING COURSE FOR THE CONCRETE. AT DRIVEWAYS, CONCRETE DEPTH TO BE MIN. 175mm.

GENERAL ENGINEERING 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. CONTRACTOR SHALL VERIFY THE LOCATION OF ALL UTILITIES INCLUDING GASMAINS, WATERMAINS, TELEVISION CABLES, HYDRO, TELEPHONE CABLES, ETC.
3. ALL SURVEY INFORMATION ON THIS PLAN IS FOR INFORMATION PURPOSES ONLY.
4. THE APPROVAL OF THIS PLAN DOES NOT EXEMPT THE OWNER'S BONDED CONTRACTOR FROM OBTAINING ALL NECESSARY APPROVALS AND PERMITS, APPROVALS NORMALLY REQUIRED TO COMPLETE A CONSTRUCTION PROJECT, SUCH AS, BUT NOT LIMITED TO THE FOLLOWING:
   –BUILDING PERMIT –SEWER AND WATER PERMIT
   –ROAD CUTS PERMITS –RELOCATION OF SERVICES
   –APPROACH APPROVAL PERMITS –ENCROACHMENT AGREEMENTS
   –COMMITTEE OF ADJUSTMENT (IF REQ'D)
5. LOT GRADING IS TO CONFORM TO THE LATEST REVISION OF THE CITY OF HAMILTON LOT GRADING POLICY.
6. ALL CURB STOPS AND VALVES MUST BE CERTIFIED TO BE IN WORKING ORDER AT THE TIME OF ISSUANCE OF THE FINAL LOT GRADING CERTIFICATE. FINAL LOT GRADING CERTIFICATES MUST INCLUDE A STATEMENT ATTESTING TO THE DATE OF INSPECTION AND THAT THE WATER BOX IS AT GRADE AND FOUND TO BE FREE FROM DAMAGE OR DEFECT.
7. ALL DISTURBED AREAS WITHIN THE ROAD ALLOWANCE SHALL BE RESTORED TO EXISTING CONDITION OR BETTER.
8. ALL DISTURBED BOULEVARD AREAS ARE TO BE REINSTATED WITH MINIMUM 150mm TOPSOIL AND NO. 1 NURSERY SOD IN ACCORDANCE WITH OPSS 803 AND TO THE SATISFACTION OF THE CITY OF HAMILTON.
9. LOT GRADING SHALL CONFORM STRICTLY WITH THIS PLAN. ANY CHANGES, UNLESS APPROVED PRIOR TO CONSTRUCTION BY THE TOWN, SHALL RESULT IN NON–ACCEPTANCE OF THE DEVELOPMENT BY THE TOWN.
10. ABANDONED ACCESSES MUST BE REMOVED AND THE CURB AND BOULEVARD RESTORED WITH NO. 1 NURSERY SOD AT THE OWNER'S EXPENSE TO THE SATISFACTION OF THE CITY OF HAMILTON.
11. ALL SERVICES TO BE INSTALLED AS PER CITY OF HAMILTON CONSTRUCTION AND MATERIAL SPECIFICATIONS MANUAL (LATEST EDITION) AND MINISTRY OF THE ENVIRONMENT GUIDELINES (LATEST EDITION).
12. MINIMUM HORIZONTAL SEPARATION BETWEEN WATER SERVICES/MAINS AND SEWER DRAINS AND MUNICIPAL SEWER MAINS SHALL BE 2.5m MEASURED FROM THE CLOSEST PIPE EDGE TO CLOSEST PIPE EDGE. VERTICAL SEPARATION WHERE WATER SERVICE/MAIN PASSES OVER A SEWER DRAIN OR MUNICIPAL SEWER MAIN MUST BE A MINIMUM OF 0.25m UNLESS GREATER SEPARATION IS REQUIRED TO PROVIDE FOR PROPER BEDDING AND STRUCTURAL SUPPORT. WATER SERVICES/MAINS PASSING UNDER SEWER DRAINS OR MUNICIPAL SEWER MAINS MUST HAVE A SEPARATION OF 0.5m BETWEEN THE INVERT OF THE SEWER MAIN/DRAIN AND THE CROWN OF THE WATERSERVICE/MAIN. ALL WATER SERVICES TO BE INSTALLED WITH A MINIMUM OF 1.6m COVER. SEWER DRAINS TO BE INSTALLED WITH A MINIMUM COVER OF 2.20m AT THE PROPERTY LINE BELOW THE FINAL ROAD GRADE OR AT SUCH HIGHER ELEVATION ONLY AS MAY BE NECESSITATED BY THE LEVEL OF THE MAIN SEWER. ON PRIVATE PROPERTY THE MINIMUM COVER FOR SEWER DRAINS IS TO BE NO LESS THAN 1.2m.
13. APPROVAL OF THIS DRAWING IS FOR MATERIAL ACCEPTABILITY AND COMPLIANCE WITH MUNICIPAL AND PROVINCIAL SPECIFICATIONS AND STANDARDS ONLY. APPROVAL AND INSPECTION BY THE CITY OF THE WORKS DOES NOT CERTIFY THE LINE AND GRADE OF THE WORKS AND IT IS THE OWNER'S RESPONSIBILITY TO HAVE THEIR ENGINEER CERTIFY THIS ACCORDINGLY.

SEWERS:

1. CONSTRUCTION OF SANITARY & STORM SEWERS & PRIVATE DRAINS SHALL BE IN ACCORDANCE WITH THE CITY STANDARDS & SPECIFICATIONS (LATEST EDITION) AND MINISTRY OF ENVIRONMENT (MOE) GUIDELINES (LATEST EDITION).
2. THE REUSE OF EXISTING SEWERS ON PRIVATE PROPERTY IS AT THE OWNER'S SOLE RISK AND RESPONSIBILITY. SEWER LATERALS WITHIN THE MUNICIPAL ROAD ALLOWANCE OR WITHIN MUNICIPAL EASEMENTS MAY BE REUSED IF IN GOOD WORKING CONDITION, MEET BY–LAW REQUIREMENTS AND ARE OF ADEQUATE CAPACITY TO MEET THE REQUIREMENTS OF THE SITE. THE OWNER OR THEIR CONTRACTOR IS RESPONSIBLE FOR HAVING THE LATERAL TO BE REUSED VIDEO INSPECTED WHILE THE CITY OF HAMILTON SEWER INSPECTOR IS PRESENT. CONTACT PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT, GROWTH MANAGEMENT DIVISION, DEVELOPMENT ENGINEERING CONSTRUCTION SECTION AT (905)546–2424 X7860 TO ARRANGE FOR AN INSPECTION.
3. EVERY CONNECTION TO A MUNICIPAL SEWER MAIN MUST BE BY PROPER "Y" OR "Y" FITTINGS. SADDLES MAY ONLY BE USED WHERE APPROVED BY THE SENIOR DIRECTOR OF GROWTH MANAGEMENT OR THEIR DESIGNATE AND IN ACCORDANCE WITH THE APPROVED SEWER PRODUCTS LIST "CITY OF HAMILTON CONSTRUCTION AND MATERIAL SPECIFICATIONS MANUAL" LATEST EDITION.
4. ALL EXISTING UNUSED SEWER DRAINS SERVICING A PROPERTY BEING REDEVELOPED, IN WHOLE OR IN PART, MUST BE EITHER REMOVED FROM MUNICIPAL PROPERTY (I.E. ROAD ALLOWANCE ETC., WITH AN APPROPRIATE REPAIR TO THE MUNICIPAL SEWER TO WHICH THEY CONNECT), AND REMOVED FROM PRIVATE PROPERTY, OR ALTERNATIVELY, UNUSED SEWER DRAINS MAY BE ABANDONED IN ACCORDANCE WITH CITY MINIMUM REQUIREMENTS I.E., TRENCHLESS ABANDONMENT BY FILLING THE INTERNAL WITH GROUT WITHIN THE ENTIRE ROW.
5. THE DEPTH OF SANITARY SEWER CONNECTION AT THE STREET LINE TO BE CONFIRMED IN FIELD PRIOR TO CONSTRUCTION TO ENSURE GRAVITY FLOW.
6. CONTRACTOR TO DETERMINE EXISTING INVERTS AND REPORT ANY DISCREPANCIES TO THE CIVIL ENGINEER (WESTX INC.)
7. SEWER ABANDONMENT: PLUG SEWER AT EITHER END WITH A MINIMUM 300mm CONCRETE.
8. APPROVAL OF THIS DRAWING IS FOR MATERIAL ACCEPTABILITY AND COMPLIANCE WITH MUNICIPAL AND PROVINCIAL SPECIFICATIONS AND STANDARDS ONLY. APPROVAL AND INSPECTION BY THE CITY OF THE WORKS DOES NOT CERTIFY THE LINE AND GRADE OF THE WORKS AND IT IS THE OWNER'S RESPONSIBILITY TO HAVE THEIR ENGINEER CERTIFY THIS ACCORDINGLY.

COMPACTION REQUIREMENTS:

1. ALL BEDDING AND BACKFILL MATERIAL, ROAD SUBGRADES AND GENERALLY ALL MATERIAL USED FOR LOT GRADING AND FILL SECTIONS ETC. SHALL BE COMPACTED TO A MIN. 95% SPD UNLESS OTHERWISE RECOMMENDED BY A GEOTECHNICAL ENGINEER.
2. ALL MATERIAL SHALL BE PLACED IN LAYERS NOT EXCEEDING 300mm LIFTS.
3. USE OF GRANULAR ROAD BASE MATERIALS SHALL BE COMPACTED TO A MIN. 98% SPD.
4. USE OF VIBRATOR OR COMPACTOR WHILE COMPACTING IS NOT PERMITTED.

EROSION & SEDIMENT CONTROL:

1. ALL EROSION AND SEDIMENT CONTROLS ARE TO BE INSTALLED ACCORDING TO APPROVED PLANS PRIOR TO COMMENCEMENT OF ANY EARTH MOVING WORK ON THE SITE AND SHALL REMAIN IN PLACE UNTIL ALL DISTURBED AREAS ARE STABILIZED WITH THE INTENDED FINAL GROUND.
2. ALL SILTATION CONTROL MEASURES SHALL BE CLEANED AND MAINTAINED AFTER EACH RAINFALL AS DIRECTED AND TO THE SATISFACTION OF THE CITY OF HAMILTON.
3. ADDITIONAL SILT CONTROL LOCATIONS MAY BE REQUIRED AS DETERMINED BY THE CITY OF HAMILTON.
4. EROSION AND SEDIMENT CONTROLS SHALL BE MAINTAINED IN PROPER WORKING ORDER AT ALL TIMES. DAMAGED OR CLOGGED DEVICES SHALL BE REPAIRED WITHIN 48 HOURS.
5. EXISTING STORM SEWERS AND DRAINAGE DITCHES ADJACENT TO THE WORKS SHALL BE PROTECTED AT ALL TIMES FROM THE ENTRY OF SEDIMENT/SILT THAT MAY ACCUMULATE FROM THE SITE. FOR STORM SEWERS: ALL INLETS (REAR LOT CATCHBASINS, ROAD CATCHBASINS, PIPE INLETS, ETC.) MUST BE SECURELY FITTED WITH SILTATION CONTROL MEASURES. FOR DRAINAGE DITCHES: THE INSTALLATION OF ROCK CHECK DAMS, SILTATION FENCING, AND SEDIMENT CONTAINMENT DEVICES MUST BE INSTALLED TO TRAP AND CONTAIN SEDIMENT. THESE SILTATION CONTROL DEVICES SHALL BE INSPECTED AND MAINTAINED PER ITEMS 2 AND 3 ABOVE.
6. IN THE EVENT OF A SPILL (RELEASE OF DELETERIOUS MATERIAL) ON OR EMANATING FROM THE SITE, THE OWNER OR OWNERS AGENT SHALL IMMEDIATELY NOTIFY THE MOECC AND FOLLOW ANY PRESCRIBED CLEAN UP PROCEDURE. THE OWNER OR OWNERS AGENT WILL ADDITIONALLY IMMEDIATELY NOTIFY THE CITY.
7. IT IS REQUIRED TO STABILIZE AREAS THAT WILL REMAIN DISTURBED FOR MORE THAN 30 DAYS.
8. SILT FENCE AND CATCHBASIN PROTECTION ARE NOT TO BE REMOVED UNTIL COMPLETION OF CONSTRUCTION.
9. THE SILTATION AND EROSION CONTROL MEASURES ILLUSTRATED ON THIS PLAN ARE CONSIDERED TO BE THE MINIMUM REQUIREMENT. CONDITIONS MAY REQUIRE ADDITIONAL MEASURES WHICH WILL BE IDENTIFIED DURING CONSTRUCTION.
10. ALL EROSION AND SILTATION CONTROL DEVICES SHOULD BE AS PER THE "GREATER GOLDEN HORSESHOE AREA CONSERVATION AUTHORITIES", "EROSION AND SEDIMENT CONTROL GUIDELINE FOR URBAN CONSTRUCTION".
11. THE OWNER IS RESPONSIBLE FOR THE REMOVAL OF ALL MUD AND DEBRIS THAT ARE TRACKED ONTO THE ROADWAYS FROM VEHICLES ENTERING AND LEAVING THE CONSTRUCTION SITE. THE OWNER SHALL, UPON VERBAL AND/OR REQUEST BY THE CITY, IMMEDIATELY PROCEED WITH THE CLEAN-UP OPERATIONS. IF THERE EXISTS A FAILURE ON THE OWNER FAIL TO MAINTAIN THE ROAD AS DIRECTED, THE CITY WILL HAVE THE CLEANING CARRIED OUT, AND DRAW ON THE SECURITY FOR COSTS AND/OR LAY CHARGES.

TREE PRESERVATION:

1. PRIOR TO THE COMMENCEMENT OF ANY SITE ACTIVITY SUCH AS SITE ALTERATION, DEMOLITION OR CONSTRUCTION, THE TREE PROTECTION MEASURES SPECIFIED ON THIS PLAN MUST BE INSTALLED TO THE SATISFACTION OF URBAN FORESTRY/TREE PROTECTION
2. NO CONSTRUCTION ACTIVITIES INCLUDING GRADE CHANGES, SURFACE TREATMENTS OR EXCAVATION OF ANY KIND ARE PERMITTED WITHIN THE AREA IDENTIFIED ON THE TREE PROTECTION PLAN OR SITE PLAN AS A TREE PROTECTION ZONE (TPZ). NO ROOT CUTTING IS PERMITTED. NO STORAGE OF MATERIALS OR FILL IS PERMITTED WITHIN THE TPZ. NO MOVEMENT OR STORAGE OF VEHICLES OR EQUIPMENT IS PERMITTED WITHIN THE TPZ. THE AREA(S) IDENTIFIED AS A TPZ MUST BE PROTECTED AND REMAIN UNDISTURBED AT ALL TIMES.
3. ALL ADDITIONAL TREE PROTECTION OR PRESERVATION REQUIREMENTS, ABOVE AND BEYOND THE INSTALLATION OF TREE PROTECTION BARRIERS, MUST BE UNDERTAKEN OR IMPLEMENTED AS DETAILED IN THE URBAN FORESTRY APPROVED ARBORIST REPORT AND/OR THE APPROVED TREE PROTECTION PLAN AND TO THE SATISFACTION OF URBAN FORESTRY.
4. ALL WORK WITHIN THE TREE PROTECTION ZONES MUST BE COMPLETED WITH THE USE OF AIR SPADE (OR HYDRO VAC) UNDER SUPERVISION OF THE PROJECT ARBORIST.
5. WHEREVER POSSIBLE, THE CUTTING OF SURFACE ROOTS OF EXISTING TREES IS TO BE AVOIDED. HOWEVER, IF THESE CUTS ARE REQUIRED, THEY SHOULD BE COMPLETED UNDER THE SUPERVISION OF A TREE MANAGEMENT PROFESSIONAL (I.E. CERTIFIED ARBORIST) SO THAT CUTS ARE MADE APPROPRIATELY.
6. THE TREES ON THIS PROPERTY MAY BE USED BY BIRDS THAT ARE PROTECTED UNDER MIGRATORY BIRDS CONVENTION ACT, 1994. THIS ACT IS IMPLEMENTED BY ENVIRONMENT CANADA AND PROTECTS BIRDS AND THEIR NESTS. THE TIMING FOR THIS PROTECTION IS FROM MARCH TO AUGUST 31ST. TREE REMOVAL OPERATIONS SHALL BE UNDERTAKEN DURING THIS PERIOD. ANY REQUIRED REMOVALS SHALL BE ONLY PERFORMED DURING THE PERIOD OF SEPTEMBER 1ST THROUGH MARCH 30TH
7. IT IS THE APPLICANTS RESPONSIBILITY TO DISCUSS POTENTIAL IMPACTS TO TREES LOCATED NEAR OR WHOLLY ON ADJACENT PROPERTIES OR ON SHARED BOUNDARY LINES WITH THEIR NEIGHBOURS. SHOULD SUCH TREES BE INJURED TO THE POINT OF INSTABILITY OR DEATH THE APPLICANT MAY BE HELD RESPONSIBLE THROUGH CIVIL ACTION. THE APPLICANT WOULD ALSO BE REQUIRED TO REPLACE SUCH TREES TO THE SATISFACTION OF URBAN FORESTRY.
8. TREE PROTECTION BARRIERS MUST BE INSTALLED USING PLYWOOD CLAD HOARDING (MINIMUM 19MM OR ¾" THICK) OR AN EQUIVALENT APPROVED BY URBAN FORESTRY.
9. WHERE REQUIRED, SIGNS AS SPECIFIED IN SECTION 4, TREE PROTECTION SIGNAGE MUST BE ATTACHED TO ALL SIDES OF THE BARRIER.
10. WHERE CHANGES TO THE LOCATION OF THE APPROVED TPZ OR SEDIMENT CONTROL OR WHERE TEMPORARY ACCESS TO THE TPZ IS PROPOSED, URBAN FORESTRY MUST BE CONTACTED TO OBTAIN APPROVAL PRIOR TO ALTERATION.
11. IF THE MINIMUM TREE PROTECTION ZONE (TPZ) MUST BE REDUCED TO FACILITATE CONSTRUCTION ACCESS, THE TREE PROTECTION BARRIERS MUST BE INSTALLED AT A LESSER DISTANCE AND THE EXPOSED PORTION OF TPZ MUST BE PROTECTED USING A HORIZONTAL ROOT PROTECTION METHOD APPROVED BY URBAN FORESTRY.
12. ANY RO

Hamilton

Mailing Address:
71 Main Street West
Hamilton, Ontario
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Planning and Economic Development Department
Planning Division
71 Main Street West, 4th Floor, Hamilton, Ontario, L8P 4Y5
Phone: 905-546-2424 ext. 1291
Fax: 905-540-5611

November 25, 2025

Sandra Clark
1007 Beach Boulevard
Hamilton Ontario
L8H 6Z8

Re: Notice of Council Decision for Heritage Permit Application HP2025-026 for 1007 Beach Boulevard, Hamilton (Ward 5), Hamilton Beach Heritage Conservation District, Designated under Part V of the *Ontario Heritage Act* (By-law No. 00-135)

Please be advised that Council, at its meeting on November 19, 2025, resolved to approve Heritage Permit Application HP2025-026 (Planning Committee Minutes 25-015, Item 9.3, PED25228) for the demolition of the existing two-storey single-detached dwelling; and construction of two new two-storey dwellings at 1007 Beach Boulevard, Hamilton under section 34 of the Ontario Heritage Act, in accordance with the submitted Heritage Permit Application and the following conditions:

a) That the design of the new proposed dwellings be revised to remove the attached front garages and that the revised designs, including plans and elevations, be submitted, to the satisfaction and approval of the Director of Planning and Chief Planner;

b) That the **final architectural drawings** and **material choices** for the new dwellings bet submitted, to the satisfaction and approval of the Director of Planning and Chief Planner, prior to submission as part of any application for a Building Permit and / or the commencement of any alterations;

c) That a **Landscape Plan**, including new landscaping and street trees in the front yard, be submitted, to the satisfaction and approval of the Director of Planning and Chief Planner, prior to submission as part of any application for a Consent to Sever, Building Permit and / or the commencement of any alterations;

d) That the applicant makes reasonable effort to facilitate removal and salvage of heritage materials and any material which can be reused as to avoid additional waste as part of the demolition process and submit documentation of the salvage efforts, to the satisfaction and approval of the Director of Planning and Chief Planner;

e) That any minor changes to the plans and elevations following approval shall be submitted to the satisfaction and approval of the Director of Planning and Chief Planner, prior to submission as part of any application for a Building Permit and / or the commencement of any alterations; and,

f) That demolition, construction, and site alterations, in accordance with this approval, shall be completed no later than September 30, 2028. If the construction and site alterations are not completed by September 30, 2028, then this approval expires as of that date, and no alterations shall be undertaken without a new approval issued by the City of Hamilton.

Please note that this property is designated under Part V of the *Ontario Heritage Act*, and that this permit is only for the above-noted work. Any departure from the approved plans and specifications is prohibited, and could result in penalties, as provided for by the *Ontario Heritage Act*. The terms and conditions of this approval may be appealed to the Ontario Land Tribunal within 30 days of your receipt of this permit.

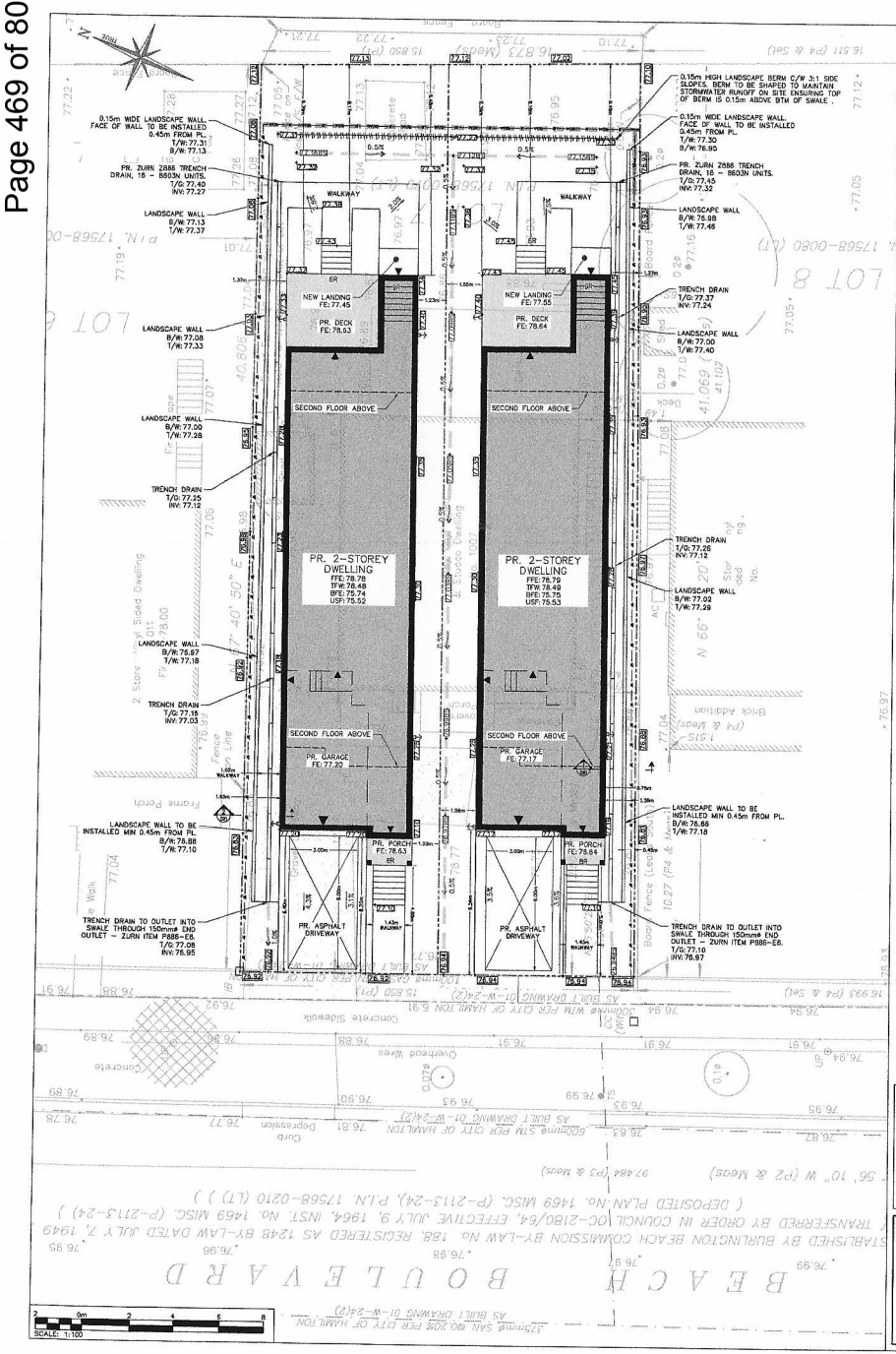
The issuance of this permit under the *Ontario Heritage Act* is not a waiver of any of the provisions of any By-law of the City of Hamilton, the requirements of the *Building Code Act*, the *Planning Act*, or any other applicable legislation.

If you have any questions, please contact me at 905-546-2424, Ext. 1291, or via email at Lisa.Christie@hamilton.ca.

Kind regards,

Lisa Christie

Lisa Christie
Cultural Heritage Planner
Development Planning, Heritage and Urban Design



CITY OF HAMILTON – LOT GRADING NOTES

GENERAL GRADING NOTES

1. ALONG ADJOINING PROPERTIES GRADE TO MEET EXISTING OR PROPOSED ELEVATIONS WITH 3:1(MAX) SLOPES (MIN. 2% TO 5%) AND/OR RETAINING WALLS AS SPECIFIED.
2. ALL RETAINING WALLS, WALKWAYS, CURBS, ETC., SHALL BE PLACED A MIN. OF 0.45M OFF THE PROPERTY LINE. ALL WALLS 0.60M OR HIGHER SHALL BE DESIGNED BY A P.ENG.
3. WHERE A RETAINING WALL BE REQUIRED, THE TOP OF WALL ELEVATIONS SHALL BE SET 150MM ABOVE THE PROPOSED SIDE YARD GRADES.
4. RETAINING WALLS 1.0M IN HEIGHT OR GREATER REQUIRE CONSTRUCTION OF A FENCE OR GUARD RAIL AT THE TOP OF THE REAR OF THE WALL. SLOPED FACE RETAINING WALLS SHALL BE DESIGNED AND CONSTRUCTED IN ACCORDANCE WITH THE REQUIREMENTS OF BUILDING CODE AND/OR AS CONFORMANTS TO THE ONTARIO BUILDING CODE.
5. SLOPES OF SWALES FOR BOTH 'BACK TO FRONT' AND 'SPLIT' DRAINAGE SHALL BE NO LESS THAN 2% GRADE AND NO GREATER THAN 33% GRADE (3:1 SLOPES).
6. WHERE MATCHING TO EXISTING PROPERTIES WHERE A 2.0% GRADE CANNOT BE ACHIEVED, SWALES SHALL BE PERMITTED PROVIDED A 150MM SUB-DRAIN IS INSTALLED BELOW THE BOTTOM OF THE SWALE AND DRAINED TO A SUITABLE OUTLET, (WITH A MINIMUM 0.3% GRADE) OTHER OPTIONS MAY BE CONSIDERED BY THE CITY.
7. MINIMUM GRADE AROUND SWALE IN THE BACKYARD SHALL BE 1.0%.
8. UNLESS OTHERWISE NOTED, THE GROUND BETWEEN ELEVATIONS ON SIDE LOTS SHALL BE GRADED AT A STRAIGHT SLOPE.
9. TOP OF FOUNDATION WALLS FOR BUILDINGS SHALL BE 150MM (MIN) ABOVE FINISHED GRADE.
10. DRIVEWAY SLOPES SHALL NOT BE LESS THAN 2% AND NOT MORE THAN 7.0%. DRIVEWAY SLOPES SHALL BE 2% AT THE ROAD.
11. GARAGE FLOOR SLABS SHALL BE SET MINIMUM 0.3M HIGHER THAN BACK OF WALK, UNLESS OTHERWISE SPECIFIED.
12. ALL FILL PLACED ON LOTS SHALL BE COMPACTED TO A MINIMUM 95% SPD (UNLESS OTHERWISE RECOMMENDED BY THE GEOTECHNICAL ENGINEER). ALL MATERIAL SHALL BE PLACED IN LAYERS NOT EXCEEDING 300MM LIFTS.
13. FOR CLARIFICATIONS OF THE PROTECTION ZONES, BUFFERS, REMOVALS AND REPLACEMENTS, ETC., REFER TO TREE PROTECTION PLAN.
14. ALL LOTS AND BLOCKS IN THIS SUBDIVISION SHALL CONFORM STRICTLY WITH THIS PLAN. ANY CHANGES, UNLESS APPROVED BY CONSTRUCTION BY THE CITY, SHALL RESULT IN NON-ACCEPTANCE OF THE SUBDIVISION.
15. IF GRADING IS REQUIRED ON LANDS ADJACENT TO THE DEVELOPMENT WHICH ARE NOT OWNED BY THE DEVELOPER, THEN THE DEVELOPER MUST OBTAIN WRITTEN PERMISSION FROM THE ADJACENT PROPERTY OWNER TO ALLOW THE DEVELOPER TO GRADE ON THE ADJACENT LANDS, OTHERWISE RETAINING WALLS MUST BE USED.
16. THE WRITTEN PERMISSION REQUIRED FROM THE ADJACENT LANDOWNER SHALL BE DRAWN UP BY THE DEVELOPER'S LAWYER AND THE LANDOWNER MUST BE CHARGED A NOMINAL FEE OF $1.00 FOR THE PERMISSION. THE DEVELOPER SHALL LIMIT HIS ACTIVITIES TO THE LIMITS OF THE DEVELOPMENT ONLY.
17. DRIVEWAY AND WALKWAY APPROACHES SHALL BE LOCATED SUCH THAT AFRONT VAULTS AND OTHER STREET FURNITURE ARE A MIN. OF 1.2M FROM THE PROJECTIONS OF DIVIDED SIDELINES.

BACKYARD GRADING NOTES:

a. DEFINITION: REQUIRED BACK YARD" SHALL MEAN THE LESSER OF THE AREA CALCULATED BY THE ZONING BY-LAW OR BY:
b. A RECTANGLE EQUAL TO THE DISTANCE FROM THE BUILDING TO THE BUILDING FACE, AND A DEPTH EQUAL TO THE REQUIRED BACK YARD SHALL BE SET EXCEPT AS SET OUT IN ITEMS BELOW
c. THE 5% RESTRICTION SHALL NOT APPLY TO THE SIDES OF A SWALE ALONG THE SIDES OR BACK OF THE LOT, PROVIDING THE TOTAL WIDTH OF THE SWALE SHALL NOT EXCEED ONE (1) METRE ON EACH LOT.
d. WHERE THE 5% RESTRICTION ON THE BACKYARD GRADES RESULTS IN A DIFFERENCE IN ELEVATION BETWEEN DIFFERENT PROPERTIES, RETAINING WALLS SHALL BE CONSTRUCTED ALONG THE SIDE AND THE BACK OF THE LOT. SLOPES WITH A MAXIMUM RATIO OF THREE HORIZONTAL TO ONE VERTICAL MAY REPLACE RETAINING WALLS WHERE THE DIFFERENCE IN ELEVATION IS LESS THAN 0.3M.
e. GENERALLY, SLOPES SHALL BE PLACED ON THE LOWER LOT, WHERE RETAINING WALLS SHALL BE PLACED ON THE HIGHER LANDS.
f. THE CITY MAY REQUIRE SLOPES AND/OR RETAINING WALLS IN THE REQUIRED BACKYARD WHERE SLOPES ARE MAINTAINED TO THE 5% GRADE AS SET OUT IN ITEM (b) ABOVE, BUT WHERE IN THE OPINION OF THE CITY, THERE IS NO FLEXIBILITY OF HOUSING LOCATION.
g. THERE IS NO CONTROL ON THE STEEPNESS OF THE SLOPES IN SIDE YARDS, FRONT YARDS AND BACK YARDS, OUTSIDE THE AREA ATTACHED AS ABOVE, PROVIDING THE SLOPES ARE STABLE FOR THE SOILS OF THE AREA.

18. ANY INCREASE IN IMPERVIOUS SURFACE FROM APPROVED PLAN REQUIRED TO BE REVIEWED BY CITY.

ROOFWATER LEADERS

ALL ROOFWATER LEADERS SHALL DISCHARGE ONTO SPLASH PADS AND THEN TO GRASSED OR LANDSCAPED AREAS A MIN. OF 0.6M FROM THE BUILDING FACE

SUMP PUMPS

SUMP PUMPS WITH CHECK VALVES ARE TO BE INSTALLED IN EACH DWELLING TO PUMP THE WEEPING TILES TO THE STORM PRIVATE DRAIN. THE SUMP OUTLET SHALL EXTEND A MINIMUM 150MM ABOVE THE PROPOSED GRADE AT THE DWELLING (BASEMENT CEILING) PRIOR TO DISCHARGING TO THE STORM PRIVATE DRAIN

SEWERS

SANITARY AND STORM SEWERS

a) CONSTRUCTION OF SANITARY & STORM SEWERS & PRIVATE DRAINS SHALL BE IN ACCORDANCE WITH CITY STANDARDS & SPECIFICATIONS (LATEST EDITION) AND MINISTRY OF ENVIRONMENT GUIDELINES (LATEST EDITION).

b) COVER AND BEDDING MATERIAL FOR CONCRETE PIPE SHALL BE GRANULAR 'A' MATERIAL AS PER OPSD 802.030 OR 802.031, CLASS 'B' BEDDING.

c) COVER AND BEDDING MATERIAL FOR PVC PIPE SHALL BE GRANULAR 'A' MATERIAL AS PER OPSD 802.010 OR 802.013.

d) PVC PIPE WILL REQUIRE SPECIAL CONSTRUCTION PROCEDURES AS PER CITY SPECIFICATIONS.

e) ALL SEWERS TO BE FLUSHED PRIOR TO VIDEO INSPECTION.

f) MANHOLE FRAMES AND COVERS SHALL BE AS PER OPSD 401.010 (STORM–OPEN, SANITARY–CLOSED).

g) SANITARY SEWER (200MM TO 375MM DIA) SHALL BE PVC PIPE, CSA B182.2, SDR–35.

h) STORM SEWER (300MM TO 600MM DIA.) SHALL BE PVC PIPE, CSA B182.2, SDR–35.

i) STORM SEWER > 600MM DIA. SHALL BE CONCRETE PIPE, CSA A257.2 (AS SPECIFIED)

j) ALL (SANITARY AND STORM) SEWERS ARE TO BE TESTED FOR DEFLECTION (MANDREL PASSING) AFTER INSTALLATION. SANITARY SEWERS SHALL ALSO BE TESTED FOR LEAKAGE (LOW AIR PRESSURE), PRIOR TO ASSUMPTION BY THE CITY. PIPE DEFLECTION TESTING SHALL BE 5%.

k) ALTERNATE MATERIAL MAY BE ACCEPTABLE PROVIDED APPROVAL HAS FIRST BEEN OBTAINED FROM THE CITY/ENGINEER.

SERVICES

a) TO BE LOCATED 1.5M ON RIGHT SIDE OF CENTERLINE OF LOT OR AS DETAILED AND EXTENDED 1.0M BEYOND THE STREET LINE. THE STORM SERVICE SHALL BE INSTALLED TO THE NORTH OR EAST OF THE SANITARY SERVICE.

b) PRIVATE DRAINS TO BE 100M DIA. PVC PIPE, CSA B182.1 M–1993, SDR 28 AS PER FORM 500, STORM PIPE SHALL BE WHITE, AND SANITARY SHALL BE APPLE COLOUR UNLESS THEY ARE CONCRETE MATERIAL IN WHICH CASE THEY SHALL BE COLOUR PAINTED RED.

c) COVER AND BEDDING MATERIAL FOR PRIVATE DRAINS SHALL BE GRANULAR 'A' INSTALLED AS PER OPSD 802.010 OR 802.013.

d) MINIMUM FALL FOR PRIVATE DRAINS TO BE 2.0%.

e) TOP OF SANITARY PRIVATE DRAINS AT STREET LINE TO BE 2.2M (MIN.) BELOW EXISTING OR PROPOSED ELEVATION AT THAT LOCATION OR AS DETAILED.

f) TOP OF STORM PRIVATE DRAINS AT STREET LINE TO BE 1.2M (MIN.) BELOW EXISTING ROAD ELEVATION AT THAT LOCATION OR AS DETAILED.

g) BUILDING RAINWATER LEADERS SHALL NOT BE CONNECTED TO THE STORM PRIVATE DRAIN BUT SHALL DISCHARGE ONTO THE GROUND SURFACE VIA SPLASH PADS.

h) SUMP PUMPS WITH CHECK VALVES SHALL BE INSTALLED IN EACH DWELLING TO PUMP THE BUILDING WEEPING TILES TO THE STORM PRIVATE DRAINS. THE SUMP OUTLET PIPE SHALL EXTEND A MINIMUM OF 150MM ABOVE THE PROPOSED GRADE AT THE DWELLING (BASEMENT CEILING) PRIOR TO DISCHARGING TO THE STORM PRIVATE DRAIN.

WATERMAINS

a) CONSTRUCTION OF WATERMAINS & PRIVATE SERVICES SHALL BE IN ACCORDANCE WITH CITY STANDARDS & SPECIFICATIONS (LATEST EDITION) AND MINISTRY OF ENVIRONMENT (MOE) GUIDELINES (LATEST EDITION).

b) TO BE INSTALLED TO A MINIMUM DEPTH OF 1.80M BELOW PROPOSED CENTERLINE ROAD GRADE ON ALL ROADS EXCEPT ON SWALE OF ROAD WHERE THE MINIMUM DEPTH IS 1.54.

c) PVC PIPE IN SIZES 100MM THROUGH 300MM SHALL BE CLASS 150 DR18 CONFORMING TO AWWA C900. FOR 400MM, SEE SECTION 7: SPECIAL NOTES.

d) TRACER WIRE SHALL BE INSTALLED WITH ALL PVC PIPE IN ACCORDANCE WITH FORM 400. IT SHALL BE 12 GAUGE TWTU, TWU75 OR PWU90L COATED COPPER AND SHALL BE POSITIONED ALONG THE TOP OF THE PIPE AND FASTENED AT 3 METRE INTERVALS. THE WIRE IS TO BE INSTALLED BETWEEN EACH VALVE AND/OR THE END OF THE NON PVC WATERMAIN, ADJACENT TO THE WIRE BETWEEN THE VALVES ARE NOT PERMITTED. AT EACH GATE VALVE A LOOP WIRE IS TO BE BROUGHT UP INSIDE THE VALVE BOX TO THE CAP. THE TRACER WIRE SHALL BE BROUGHT TO THE SURFACE AT THE SECONDARY VALVE ON ALL FIRE HYDRANTS. THE TRACER WIRE SHALL ALSO BE CONNECTED TO THE CATHODIC PROTECTION SYSTEM AS REQUIRED.

e) MOLDED PVC FITTINGS FOR PIPE SIZES 100MM TO 300MM SHALL CONFORM TO AWWA C900 AND CERTIFIED TO CSA B137.2.

f) EMBRACITE FITTINGS 250MM AND 300MM SHALL BE MANUFACTURED FROM SEGMENTS OF AWWA C900, CLASS 150 (DR18) PVC PIPE, BONDED TOGETHER AND OVER–WRAPPED WITH FIBREGLASS–REINFORCED POLYESTER TO MEET THE REQUIREMENTS OF CSA B137.2.

g) WHERE METAL FITTINGS ARE TO BE USED ON PVC MAINS SUFFICIENT CATHODIC PROTECTION SHALL BE PROVIDED AS PER THE FOLLOWING REQUIREMENTS:

i. ONE 11KG ZINC ANODE SHALL BE INSTALLED FOR EVERY 100MM OF TRACER WIRE.
ii. ONE 11KG ZINC ANODE SHALL BE INSTALLED FOR EACH COPPER WATER SERVICE CONNECTION.
iii. ONE 11KG ZINC ANODE SHALL BE INSTALLED ON EVERY VALVE, HYDRANT, BEND, TEE, SLEEVE, REDUCER, PLUG, CAP, JOINT RESTRAINT, COUPLING, ETC., CONNECTED TO THE PVC PIPE.

h) BEDDING AND BACKFILL AS PER WM–200.01 AND WM–200.02 GRANULAR 'A' MATERIAL FOR MAINS AND SERVICES GREATER THAN 50MM.

i) WATERMAIN DEFLECTION FOR PVC PIPE.
i. MAXIMUM DEFLECTION AT EACH JOINT IS 1.5 DEGREES PER JOINT UP TO 250MM DIAMETER (150MM PER 6.1M PIPE LENGTH) AND 1.0 DEGREES FOR 350MM DIAMETER (150MM PER 6.1M PIPE LENGTH) SHALL NOT BE EXCEEDED.
ii. ALL JOINTS SHALL BE DEFLECTED AN EQUAL AMOUNT.

ROADWORKS:

1. RESTORATION OF ROAD OVER UTILITY CUTS IN HAMILTON TO BE AS PER STANDARD DRAWINGS RD–100.01 AND RD–100.02, WITH GRANULAR 'A' BEDDING.
2. CONCRETE CURB AND GUTTER AS PER OPSD 600.040 – (BARRIER TYPE), MIN. 30 MPA CONCRETE WITH A 80mm ADT 'B' REQUIRED FOR ALL LOCATIONS.
3. CURB DEPRESSIONS AT DRIVEWAYS AS PER OPSD 600.040 AND OPSD 310–050.
4. 1.5m WIDE CONCRETE SIDEWALK AS PER OPSD 310.010 (150mm THICKNESS) MIN. WITH STRENGTH WITH GRANULAR 'A' BASE AS REQUIRED TO PROVIDE A LEVELING COURSE FOR THE CONCRETE. AT DRIVEWAYS, CONCRETE DEPTH TO BE MIN. 175mm.

GENERAL ENGINEERING NOTES:

1. ALL WORK INVOLVED IN THE CONSTRUCTION, RELOCATION, REPAIR OF MUNICIPAL SERVICES AND UTILITIES SHALL BE TO THE SATISFACTION OF THE DIRECTOR OF PLANNING AND CITY ENRICHMENT, TRANSPORTATION AND ECONOMIC DEVELOPMENT DEPARTMENT.
2. CONSTRUCTOR SHALL VERIFY THE LOCATIONS OF ALL EXISTING SERVICES (WATERMAINS, TELEVISION CABLES, HYDRO, TELEPHONE CABLES, ETC.).
3. ALL SURVEY INFORMATION ON THIS PLAN IS FOR INFORMATION PURPOSES ONLY.
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:
–ROAD CUTS –SEWER AND WATER PERMIT
–ROAD CUTS ESTIMATE –ALLOCATION OF SERVICES
–APPROACH APPROVAL PERMITS –ENCROACHMENT AGREEMENTS
–COMMITTEE OF ADJUSTMENT (IF REQUIRED) –STORAGE OF MATERIALS
5. LOT GRADING IS TO CONFORM TO THE LATEST REVISION OF THE CITY OF HAMILTON GRADING POLICY.
6. ALL CURB STOPS AND VALVES MUST BE CERTIFIED TO BE IN WORKING ORDER AT THE TIME OF ASSUMPTION OF THE FINAL LOT GRADING CERTIFICATE. FINAL LOT GRADING CERTIFICATES MUST INCLUDE A STATEMENT ATTESTING TO THE DATE OF INSPECTION AND THAT THE WATER BOX IS IN GOOD AND FUNCTIONAL ORDER AND FREE FROM SHRUBS OR OTHER OBSTRUCTIONS.
7. ALL DISTURBED AREAS WITHIN THE ROAD ALLOWANCE SHALL BE RESTORED TO EXISTING CONDITION OR BETTER.
8. ALL DISTURBED SURVEY MONUMENTS AREAS ARE TO BE REINSTATED WITH MINIMUM 150mm TOPSOIL AND NO. 1 NURSERY SOD IN ACCORDANCE WITH OPSD 803 AND TO THE SATISFACTION OF THE CITY OF HAMILTON.
9. LOT GRADING SHALL CONFORM STRICTLY WITH THIS PLAN. ANY CHANGES, UNLESS APPROVED PRIOR TO CONSTRUCTION BY THE TOWN, SHALL RESULT IN NON–ACCEPTANCE OF THE DEVELOPMENT BY THE TOWN.
10. UNAUTHORIZED ACCESSES MUST BE REMOVED AND THE CURB AND BOULEVARD RESTORED TO THE SATISFACTION OF THE TOWN AT THE OWNER'S EXPENSE PRIOR TO ASSUMPTION.
11. ALL SERVICES TO BE INSTALLED AS PER CITY OF HAMILTON CONSTRUCTION AND MATERIAL SPECIFICATIONS MANUAL (LATEST EDITION) AND MINISTRY OF THE ENVIRONMENT GUIDELINES (LATEST EDITION).
12. MINIMUM HORIZONTAL SEPARATION BETWEEN WATER SERVICES/MAINS AND SEWER DRAINS AND MUNICIPAL SEWER MAINS SHALL BE 2.5m MEASURED FROM THE CLOSEST PIPE EDGE TO CLOSEST PIPE EDGE. VERTICAL SEPARATION WHERE WATER SERVICES/MAIN PASSES OVER A SEWER DRAIN OR MUNICIPAL SEWER MAIN MUST BE A MINIMUM OF 0.5m UNLESS GREATER SEPARATION IS REQUIRED TO PROVIDE FOR PROPER BEDDING AND STRUCTURAL SUPPORT. WATER SERVICES/MAINS PASSING UNDER SEWER DRAINS OR MUNICIPAL SEWER MAINS SHALL HAVE A DEPTH OF COVER OF 2.5m BETWEEN THE INVERT OF THE SEWER MAIN/DRAIN AND THE CROWN OF THE WATERSERVICE/MAIN. ALL WATER SERVICES TO BE INSTALLED WITH A MINIMUM DEPTH OF COVER OF 2.5m AT PROPERTY LINE. INSTALLED WITH A MINIMUM GRADE OF 1% AT A DEPTH OF 2.5m AT PROPERTY LINE. THE FINAL ROAD GRADE OR AT SUCH HIGHER ELEVATION ONLY AS MAY BE NECESSITATED BY THE LEVEL OF THE MAIN SEWER. DEPTH OF COVER ON PRIVATE PROPERTY THE MINIMUM COVER FOR SEWER DRAINS IS TO BE NO LESS THAN 1.2m.
13. ALL MATERIALS USED IN CONSTRUCTION FOR MATERIAL ACCEPTABILITY AND COMPLIANCE WITH APPLICABLE MUNICIPAL SPECIFICATIONS AND STANDARDS ONLY. APPROVAL AND INSPECTION BY THE CITY OF HAMILTON DOES NOT CERTIFY THE LINE AND GRADE OF THE WORKS AND IT IS THE OWNER'S RESPONSIBILITY TO HAVE THEIR ENGINEER CERTIFY THIS ACCORDINGLY.

SEWERS

1. CONSTRUCTION OF SANITARY & STORM SEWERS & PRIVATE DRAINS SHALL BE IN ACCORDANCE WITH THE CITY STANDARDS & SPECIFICATIONS (LATEST EDITION) AND MINISTRY OF ENVIRONMENT GUIDELINES (LATEST EDITION).
2. THE HEAD OFFICE FOR GROWTH MANAGEMENT DIVISION, DEVELOPMENT ENGINEERING CONSTRUCTION SECTION AT (905)546–2424 EXT. 5780 TO ARRANGE FOR PRE–CONSTRUCTION AND MATERIAL SPECIFICATIONS MANUAL. SUCH MEETING SHALL BE ATTENDED BY THE CONTRACTOR, SUBSEQUENT TO THIS MEETING, SUBMITTALS FOR APPROVAL OF SHOP DRAWINGS, SAMPLES AND ANY OTHER SUBMISSIONS AS REQUIRED BY THE CITY OF HAMILTON, SHALL BE MADE TO THE GROWTH MANAGEMENT DIVISION OF THE PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT.
3. TO EXPEDITE CONSTRUCTION, CONTRACTOR SHALL ENSURE THAT ONLY APPROVED SEWER PRODUCTS LISTED 'CITY OF HAMILTON CONSTRUCTION AND MATERIAL SPECIFICATIONS MANUAL' LATEST EDITION.
4. ALL EXISTING UNUSED SEWER DRAINS SERVICING A PROPERTY BEING REDEVELOPED, IN WHOLE OR IN PART, MUST BE EITHER REMOVED FROM THE MUNICIPAL PROPERTY (I.E. ROAD ALLOWANCE ETC., WITH AN APPROPRIATE REPAIR TO THE MUNICIPAL SEWER TO WHICH THEY CONNECT), AND REMOVED FROM PRIVATE PROPERTY, OR ABANDONED IN PLACE. UNUSED SEWER DRAINS MAY BE ABANDONED IN ACCORDANCE WITH CITY MINIMUM REQUIREMENTS I.E. TRENCHLESS ABANDONMENT BY FILLING THE LATERAL WITH GROUT WITHIN THE ENTIRE ROW.
5. TYPE, DEPTH OF SANITARY SEWER CONNECTION AT THE STREET LINE TO BE DETERMINED BY THE CITY PRIOR TO CONSTRUCTION TO ENSURE GRAVITY FLOW.
6. CONTRACTOR TO DETERMINE EXISTING INVERTS AND REPORT ANY DISCREPANCIES TO THE CITY ENGINEER (WESTS INC.).
7. SEWER ABANDONMENTS: PLUG EACH AT EITHER END WITH A MINIMUM 300mm CONCRETE.
8. APPROVAL OF THIS DRAWING IS FOR MATERIAL ACCEPTABILITY AND COMPLIANCE WITH MUNICIPAL AND PROVINCIAL SPECIFICATIONS AND STANDARDS ONLY. APPROVAL AND INSPECTION BY THE CITY OF THE WORKS DOES NOT CERTIFY THE LINE AND GRADE OF THE WORKS AND IT IS THE OWNERS RESPONSIBILITY TO HAVE THEIR ENGINEER CERTIFY THIS ACCORDINGLY.

COMPACTION REQUIREMENTS:

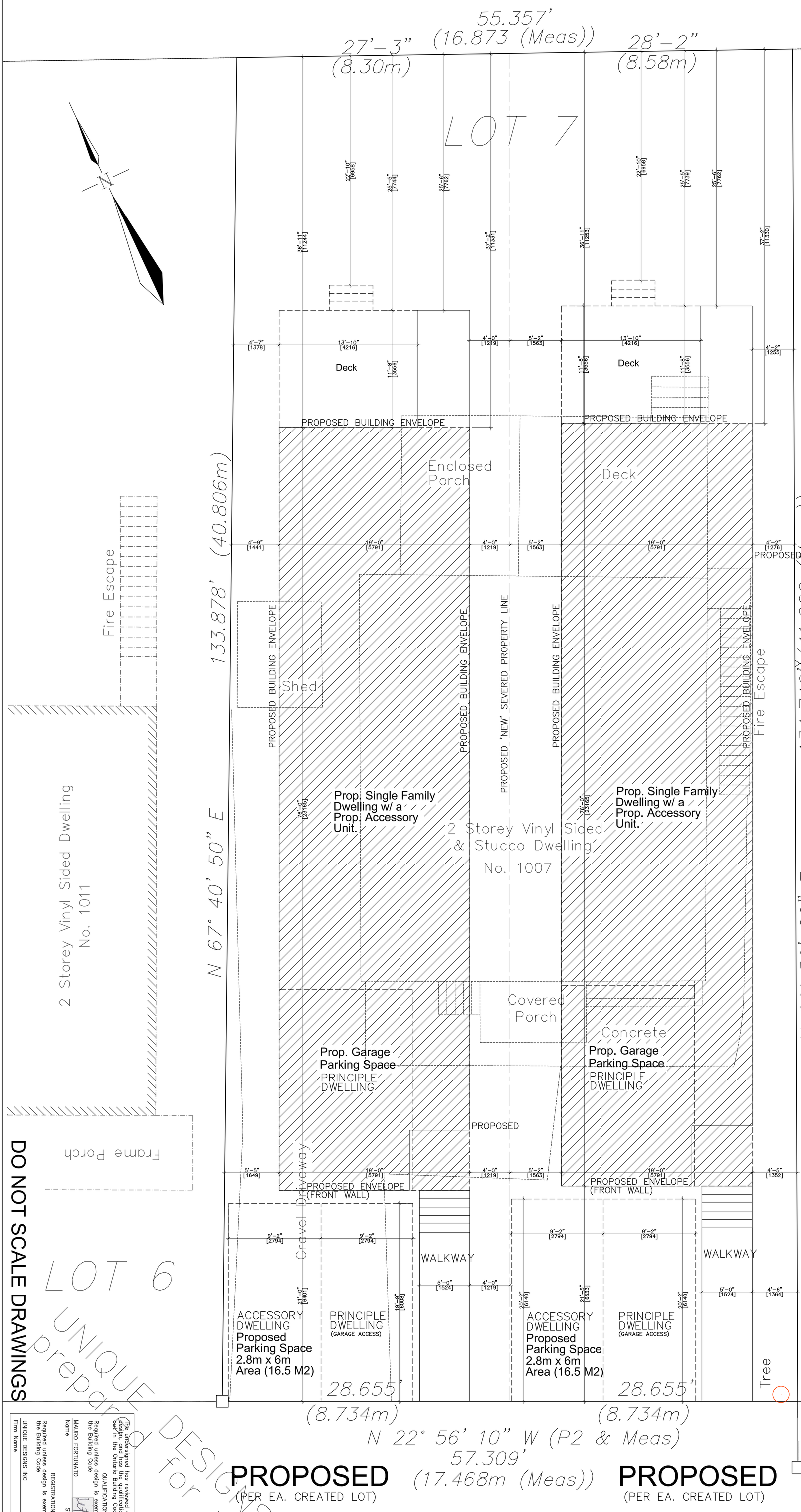
1. ALL BEDDING AND BACKFILL MATERIAL, ROAD SUBGRADES AND GENERALLY ALL MATERIAL USED FOR LOT GRADING AND ESL SECTIONS ETC. SHALL BE COMPACTED TO 95% SPD UNLESS OTHERWISE RECOMMENDED BY A GEOTECHNICAL ENGINEER).
2. ALL MATERIAL SHALL BE PLACED IN LAYERS NOT EXCEEDING 300mm LIFTS.
3. ALL GRANULAR ROAD BASE MATERIALS SHALL BE COMPACTED TO A MIN 98% SPD.
4. USE OF VIBRATION OR COMPACTION WHILE COMPACTING IS NOT PERMITTED.

EROSION & SEDIMENT CONTROL:

1. ALL EROSION AND SEDIMENT CONTROLS ARE TO BE INSTALLED ACCORDING TO CITY OF HAMILTON STANDARDS TO COMMENCEMENT OF ANY EARTH MOVING WORK ON THE SITE AND MAINTAINED IN GOOD WORKING ORDER UNTIL ALL DISTURBED AREAS ARE STABILIZED WITH THE INTENDED FINAL GROUND COVER.
2. ALL EROSION AND SEDIMENT CONTROL MEASURES SHALL BE CLEANED AND MAINTAINED AFTER EACH RAINFALL AS DIRECTED AND TO THE SATISFACTION OF THE CITY OF HAMILTON.
3. ADDITIONAL SITE SPECIFIC CONTROL LOCATIONS MAY BE REQUIRED AS DETERMINED BY THE CITY OF HAMILTON.
4. EROSION AND SEDIMENT CONTROLS SHALL BE MAINTAINED IN PROPER WORKING CONDITION AT ALL TIMES. DAMAGED OR CLOGGED DEVICES SHALL BE REPAIRED WITHIN 48 HOURS.
5. EXISTING STORM SEWERS AND DRAINAGE DITCHES ADJACENT TO THE WORKS SHALL BE PROTECTED AT ALL TIMES FROM THE ENTRY OF SEDIMENT DUE TO CONSTRUCTION FROM THE SITE. STORM SEWERS ALL INLETS (MAIN LOT CATCHBASINS, ROAD CATCHBASINS, PIPE INLETS, ETC.) MUST BE SECURELY FITTED WITH SILTATION CONTROL MEASURES. FOR DRAINAGE DITCHES THE INSTALLATION OF SILTATION CHECK DAMS, SILTATION FENCING, AND SEDIMENT CONTAINMENT DEVICES MUST BE INSTALLED TO TRAP AND CONTAIN SEDIMENT. THESE LOCATION OF SUCH DEVICES SHALL BE INSPECTED AND MAINTAINED PER ISSUE 2 AND 3 ABOVE.
6. NO FUELS, OILS, OR OTHER POLLUTANTS (OF DELETERIOUS MATERIAL) ON OR DRAINING FROM THE SITE. THE SAFE AND PROPER DISPOSAL AGENT SHALL IMMEDIATELY NOTIFY THE OWNER AND FOLLOW ANY PRESCRIBED CLEAN UP PROCEDURES. THE OWNER OR OWNERS AGENT WILL ADDITIONALLY IMMEDIATELY NOTIFY THE CITY OF HAMILTON.
7. IT IS REQUIRED TO STABILIZE ALL AREAS THAT WILL REMAIN DISTURBED FOR MORE THAN 30 DAYS.
8. SILT FENCE AND CATCHBASIN PROTECTION ARE NOT TO BE REMOVED UNTIL ASSUMPTION OF THE SUBDIVISION.
9. THE SILTATION CONTROL MEASURES / DEVICES / MEASURES ILLUSTRATED ON THIS PLAN ARE CONSIDERED TO BE THE MINIMUM REQUIREMENTS. ADDITIONAL SILTATION CONTROL MEASURES MAY BE DEEMED BY THE OWNER'S CONSULTANT DURING CONSTRUCTION.
10. ALL EROSION AND SILTATION CONTROL DEVICES SHOULD BE AS PER THE "GREATER GOLDEN HORSESHOE AREA CONSERVATION AUTHORITY'S, "EROSION AND SEDIMENT CONTROL GUIDELINE FOR URBAN CONSTRUCTION".
11. THE OWNER IS RESPONSIBLE FOR THE REMOVAL OF ALL MUD AND DEBRIS THAT ARE TRACKED ONTO THE ROADWAYS FROM VEHICLES ENTERING AND LEAVING THE CONSTRUCTION SITE. THE OWNER SHALL, UPON VERBAL AND/OR WRITTEN REQUEST BY THE CITY, IMMEDIATELY PROCEED WITH THE CLEANUP OPERATION AT THEIR EXPENSE. SHOULD THE OWNER FAIL TO PROCEED WITH THE CLEANUP OPERATION, THE CITY WILL PROCEED WITH THE CLEANING AND DRAW ON THE SECURITY FOR THE COSTS AND/OR LAY CHARGES.

TREE PRESERVATION:

1. PRIOR TO THE COMMENCEMENT OF ANY SITE ACTIVITY SUCH AS SITE ALTERATION, DEMOLITION OR CONSTRUCTION, THE TREE PROTECTION MEASURES SHOWN ON THIS PLAN MUST BE INSTALLED TO THE SATISFACTION OF URBAN FORESTRY.TREE PROTECTION ZONES (TPZ) AND BARRIERS INCLUDING SNOW FENCE CHANGES, SURFACE TREATMENTS OR EXCAVATION OF ANY KIND MUST BE COMPLETED WITHIN THE AREA IDENTIFIED ON THE TREE PROTECTION PLAN OR SITE PLAN. NO CONSTRUCTION ACTIVITY OR GRADE CHANGE SHALL TAKE PLACE WITHIN THE TPZ. NO MOVEMENT OR STORAGE OF MATERIALS OR EQUIPMENT SHALL BE PERMITTED WITHIN THE TPZ. THE AREA(S) IDENTIFIED AS A TPZ MUST BE PROTECTED AND REMAIN UNDISTURBED AT ALL TIMES.
2. ALL ADDITIONAL TREE PROTECTION OR PRESERVATION REQUIREMENTS ABOVE AND BEYOND THE INSTALLATION OF TREE PROTECTION BARRIERS, MUST BE UNDERTAKEN OR SUPERVISED BY A CERTIFIED ARBORIST IN THE URBAN FORESTRY FIELD AND APPROVED BY URBAN FORESTRY AND THE APPROVED TREE PROTECTION PLAN AND TO THE SATISFACTION OF URBAN FORESTRY.
3. ALL WORK WITHIN THE TREE PROTECTION ZONES MUST BE PERFORMED USING THE USE OF AIR SPADE (OR HYDRO VAC) UNDER SUPERVISION OF THE PROJECT ARBORIST. WHERE POSSIBLE, ROOTS GREATER THAN 50mm IN DIAMETER MUST BE PRESERVED AND SHALL NOT BE CUT UNLESS PERMISSION IS GRANTED BY URBAN FORESTRY. WHERE ROOTS GREATER THAN 50mm IN DIAMETER ARE REQUIRED TO BE CUT, THE CUTS SHOULD BE AVOIDED. HOWEVER, IF THESE CUTS ARE REQUIRED, THE CUTS SHOULD BE COMPLETED UNDER THE SUPERVISION OF A TREE MANAGEMENT PROFESSIONAL (I.E. CERTIFIED ARBORIST) SO THAT CUTS ARE MADE APPROPRIATELY.
4. TREES ON THIS SITE ARE PROTECTED BY THE TERMS THAT ARE PROTECTED UNDER THE REGIONAL FOREST BY–LAW, CONSERVATION ACT 1946. THIS ACT IS IMPLEMENTED BY ENVIRONMENT CANADA AND THE CANADIAN WILDLIFE SERVICE. THE TREES AND WOODLOT ON THIS PROPERTY ARE PROTECTED FROM MARCH 1ST TO AUGUST 31ST. NO TREE REMOVAL OR PRUNING SHALL BE UNDERTAKEN DURING THIS PERIOD. ANY REQUIRED REMOVALS SHOULD ONLY PERFORMED DURING THE PERIOD OF SEPTEMBER 1ST THROUGH MARCH 30TH.
5. IT IS THE APPLICANTS' RESPONSIBILITY TO DISCUSS POTENTIAL IMPACTS TO TREES LOCATED NEAR OR WHOLLY OR ADJACENT PROPERTIES OR ON SHARED BOUNDARY LINES WITH THEIR NEIGHBOURS. SHOULD SUCH TREES BE INJURED TO THE POINT OF REQUIRING REMOVAL, THE APPLICANT/OWNER MAY BE HELD RESPONSIBLE. FURTHER, THE APPLICANT AND/OR INDIVIDUAL WOULD ALSO BE REQUIRED TO REPLACE SUCH TREES TO THE SATISFACTION OF URBAN FORESTRY.
6. ALL TREE PROTECTION ZONES AND BARRIERS MUST BE INSTALLED 5/1000 FROM THE DRIPLINE (MINIMUM 1.8MM OR –" THICK) OR AN EQUIVALENT APPROVED BY URBAN FORESTRY.
7. WHERE SILTATION CONTROL HAS BEEN SPECIFIED IN PROXIMITY TO TREES, FENCE MUST BE ATTACHED TO ALL SIDES OF THE BARRIER.
8. THE APPLICANT IS RESPONSIBLE FOR INSTALLATION OF THE APPROVED TPZ OR SEDIMENT CONTROL TO THE SATISFACTION OF URBAN FORESTRY PRIOR TO THE START OF ANY WORK. ONCE INSTALLED, CONTACTED TO OBTAIN APPROVAL PRIOR TO IT BEING REMOVED. URBAN FORESTRY MUST BE CONTACTED TO OBTAIN APPROVAL PRIOR TO IT BEING REMOVED.
9. IF THE MINIMUM TREE PROTECTION ZONE CANNOT BE ACHIEVED DUE TO ACTIVE CONSTRUCTION ACCESS, THE TREE PROTECTION BARRIERS MUST BE MAINTAINED AT A LESSER DISTANCE AND THE EXPOSED PORTION OF TPZ MUST BE PROTECTED USING A HORIZONTAL ROOT PROTECTION METHOD APPROVED BY URBAN FORESTRY.
10. ANY BRANCHES OR ROOTS THAT DO NOT EXCEED 50mm IN DIAMETER SHALL BE REMOVED BY URBAN FORESTRY. SHOULD BE PRUNED BY AN ARBORIST. ALL PRUNING OF TREES T



CITY OF HAMILTON
BY-LAW NO. 22-195

That the District Maps appended to and forming part of Zoning By-law No. 6593 (Hamilton) are amended by adding Site Specific S-1822 to lands zoned:

That SECTION 19: RESIDENTIAL CONVERSION REQUIREMENTS be amended by modifying Section 19.(1) (ii) as follows:
i) By adding a clause to Subsection 19.(1) (ii) (a):
"1. Notwithstanding Section 19.(1) (ii) (a), one parking space shall be required for a Secondary Dwelling Unit – Detached if it constitutes the fourth Dwelling Unit on a lot."
ii) By adding a new Subsection:
"(iv) Notwithstanding any applicable regulations of this By-law, no more than four Dwelling Units shall be permitted on a lot in a "B-1", "B-2", "C", "R-4", "D", or "R-2" District."

"Dwelling, Two Family" shall mean a building comprising two self contained Class A dwelling units, whether or not a private garage or other accessory building is attached to the same, and which may also contain such lodgers' rooms as may be permitted under the provisions of this By-Law in the district in which it is situate."

e) That notwithstanding Section 9. (3) and (4), in the "C" (Urban Protected Residential, etc.) District, the following provisions shall apply to the uses permitted in Section 3 b) to this By-law:
i) A Semi-Detached Dwelling shall be subject to the provisions as provided in subsection 9A. (3) (b) and (c).

To Amend Former City of Hamilton Zoning By-law No. 6593 Respecting Modifications and Updates to Low Density Residential Zones
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ii) A Two Family Dwelling shall be subject to the provisions as provided in subsection 10B. (3) and (4) (ii).
iii) A Street Townhouse Dwelling shall be subject to the provisions as provided in subsection 10F. (4), (5), and (6).

Use	"B-1" District	"B-2" District	"C" District	"R-4" District	"D" District	"R-2" District
Semi-Detached Dwelling	✔	✔	✔		✔	✔
Two Family Dwelling	✔	✔	✔	✔		
Street Townhouse Dwelling	✔	✔	✔	✔	✔	✔

4. That the SECTION 19: RESIDENTIAL CONVERSION REQUIREMENTS contained in Section 19 of Zoning By-law No. 6593, applicable to the lands the extent and boundaries of which are shown on Schedules "A-1" and "A-2" to this By-law, be amended to include the following special requirements:
a) That in addition to the requirements of Section 19, the following provisions shall apply to conversions in "B-1", "B-2", "C", "R-4", "D", and "R-2" Districts:

To Amend Former City of Hamilton Zoning By-law No. 6593 Respecting Modifications and Updates to Low Density Residential Zones
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"i) For the purpose of Section 4 to this By-law, a converted dwelling shall mean a single detached or two family dwelling, existing as of XX, 2022, converted to contain greater than two but no more than four Dwelling Units.

ii) All the regulations of Zoning By-law No. 6593 applicable to the existing dwelling shall continue to apply unless specifically provided in Section 4 to this By-law.

iii) Notwithstanding any applicable regulations of Zoning By-law No. 6593, no more than four Dwelling Units shall be permitted on a lot.

iv) No parking spaces are required for Dwelling Units within a converted dwelling, provided the required parking spaces which existed on XX, 2022 for the existing dwelling shall continue to be provided and maintained.

a) Notwithstanding Section 4 a) iv) to this By-law, one parking space is required for the following conditions:

1) For the fourth Dwelling Unit in a converted dwelling; and,
2) For the fourth Dwelling Unit on a lot."

5. That no building or structure shall be erected, altered, extended, or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "B-1" (Suburban Agriculture and Residential, etc.) District provisions, "B-2" (Suburban Residential) District provisions, "C" (Urban Protected Residential, etc.) District provisions, "R-4" (Small Lot Single Family Detached) District provisions, "D" (Urban Protected Residential – One and Two Family Dwellings, etc.) District provisions, and "R-2" (Urban Protected Residential One and Two Family Dwellings, etc.) District provisions, subject to the special requirements in Section 3 and 4 of this By-law.

6. That the District maps appended to and forming part of Zoning By-law No. 6593, are amended by marking the lands referred to in Section 1 of this By-law as Schedule S-1822.

7. That Zoning By-law No. 6593 is amended by adding this By-law to Section 19B as Schedule S-1822.

To Amend Former City of Hamilton Zoning By-law No. 6593 Respecting Modifications and Updates to Low Density Residential Zones
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8. That no building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with Section 2 of this By-law.

9. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law in accordance with the Planning Act.
10. That this By-law shall not come into force and effect until such time as Official Plan Amendment No. 167 to the Urban Hamilton Official Plan is in full force and effect.

11. That for the purposes of the Ontario Building Code, this By-law or any part if it is not made until it has come into force as provided by Section 34 of the Planning Act.

The Corporation of the City of Hamilton
BY-LAW NO. 99-169
To Amend:
Zoning By-law No. 6593

1. The "C" (Urban Protected Residential, etc.) District, the "G" (Neighbourhood Shopping Centre, etc.) District, and the "H" (Community Shopping and Commercial, etc.) District provisions, as contained in Section 9, 13 and 14, respectively, of Zoning By-law No. 6593, applicable to the lands east (lake side) of Beach Boulevard, the extent and boundaries of which are shown on plans hereto annexed as Schedules "An "A-1" and "A-2", are amended to the extent only of the special requirement that,

(a) all buildings and structures, including accessory buildings, shall provide a side yard along each side lot line, of a width of at least 1.7 metres; and,

(b) notwithstanding clause (a), a side yard maybe reduced to a width of at least 1.5 metres, only where a common swale between the adjoining properties has been approved under a Lot Grading Agreement or approved under a Site Plan Control Agreement; and,
(c) notwithstanding clauses (a) and (b), Sections 18(3)(v), (vicc), and (vi)(e) shall not apply to side yards.

2. The "C" (Urban Protected Residential, etc.) District provisions, as contained in Section 9 of Zoning By-law No. 6593, applicable to the lands comprised in Blocks "1" and "2", the extent and boundaries of each Block are shown on a plan hereto annexed as Schedule "A-3", are amended to the extent only of the special requirement that,

(a) No building or structure, except fences shall be located within 4.5 metres of the rear lot line;
(i) every fence, excluding the supporting posts must be at least .075m from the ground to the bottom of the fence, so as not to obstruct the natural flow of water.

SITE STATISTICS

MUNICIPAL ADDRESS
1007 BEACH BLVD
HAMILTON, ONT.

BUILDING CLASSIFICATION
RESIDENTIAL

ZONING
'C' – URBAN PROTECTED RESIDENTIAL, ETC

REQUIREMENTS FOR DETACHED

MIN. SIDE YARDS	1.2 M (3.94')
MIN. FRONT YARD	6.0 M (19.69')
MIN. REAR YARD	7.5 M (24.61')
MAX. BLDG HT.	11.0 M (36.09')

INTENSITY OF USE – LOT AREA
MIN REQ'D LOT WIDTH – 12 M (39.37')
MIN REQ'D LOT AREA – 360.00 SQ.M. (3875.13 SQ.FT.)

OTHER BY-LAW REQUIREMENTS:
BY-LAW 00-136
MAX. HT. 9.0M (29.527')
FRONT YARD SETBACK 12.0M (39.370')
GARAGE WALL TO BE 1.5M (4.921') FROM FRONT WALL OF DWELLING AND HAVE A FRONT YARD OF 7.5M (24.60')

BY-LAW 22-195 – 2 FAMILY PERMITTED
MAX. HT. 9.0M (29.527')
FRONT YARD SETBACK 12.0M (39.370')
GARAGE WALL TO BE 1.5M (4.921') FROM FRONT WALL OF DWELLING AND HAVE A FRONT YARD OF 7.5M (24.60')

BY-LAW 99-169
MIN SIDE YARD 1.7M (5.57')
MIN SIDE YARD 1.5M PERMITTED WITH A GRADING PLAN SHOWING COMMON SWALES BETWEEN DWELLINGS UNDER AN APPROVED LOT GRADING AGREEMENT
NO BUILDING OR STRUCTURE OTHER THAN A FENCE TO BE WITHIN 4.5M OF REQUIRED REAR YARD.

REQUIRED/ QUESTIONS:

1. SEVERANCE OF PROPERTY INTO TWO PARCELS.
2. VARIANCE FOR LOT WIDTH – VIA SEVERANCE?
3. VARIANCE FOR SETBACKS SIDE YARDS ONLY! 4'–0" ONE SIDE AND 5'–0" OTHER....UNDER GRADING PLAN AND APPROVAL?
4. VARIANCE FOR SETBACK OF GARAGE TO BE FLUSH OR CLOSE TO FLUSH WITH HAVING TO BE 1.5M BEHIND FRONT WALL AS ALLOT OF NEW HOMES ON THIS SIDE ARE?
5. IS STREET PARKING PERMITTED?
6. CAN PARKING BE 1 CAR IN GARAGE AND STREET PARKING
7. CAN 3 UNITS BE A POSSIBILITY OR JUST TWO PER BUILDING?

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
Required unless design is exempt under Div.C, Article 3.2.5.1 of the Building Code

MAURO FORTUNATO — 15084 BCIN
Name — Signature

REGISTRATION INFORMATION
Required unless design is exempt under Div.C, Article 3.2.4.1 of the Building Code

UNIQUE DESIGNS INC — 31090 BCIN
Firm Name

SPECTATOR READERS' CHOICE 2018 THE HAMILTON SPECTATOR PLATINUM WINNER

A. ISSUED FOR PROPOSED LAND SEVERANCE AND REQUIRED MINOR VARIANCES

CLARK RESIDENCE

1007 BEACH BLVD.,
HAMILTON, ONT.

Job Number 072423
Date: 07.27.23
Drawn By
Scale 3/16"=1'-0"
A0

UNIQUE DESIGNS DRAFTING DESIGN INC.
UNIQUE DESIGNS INC.

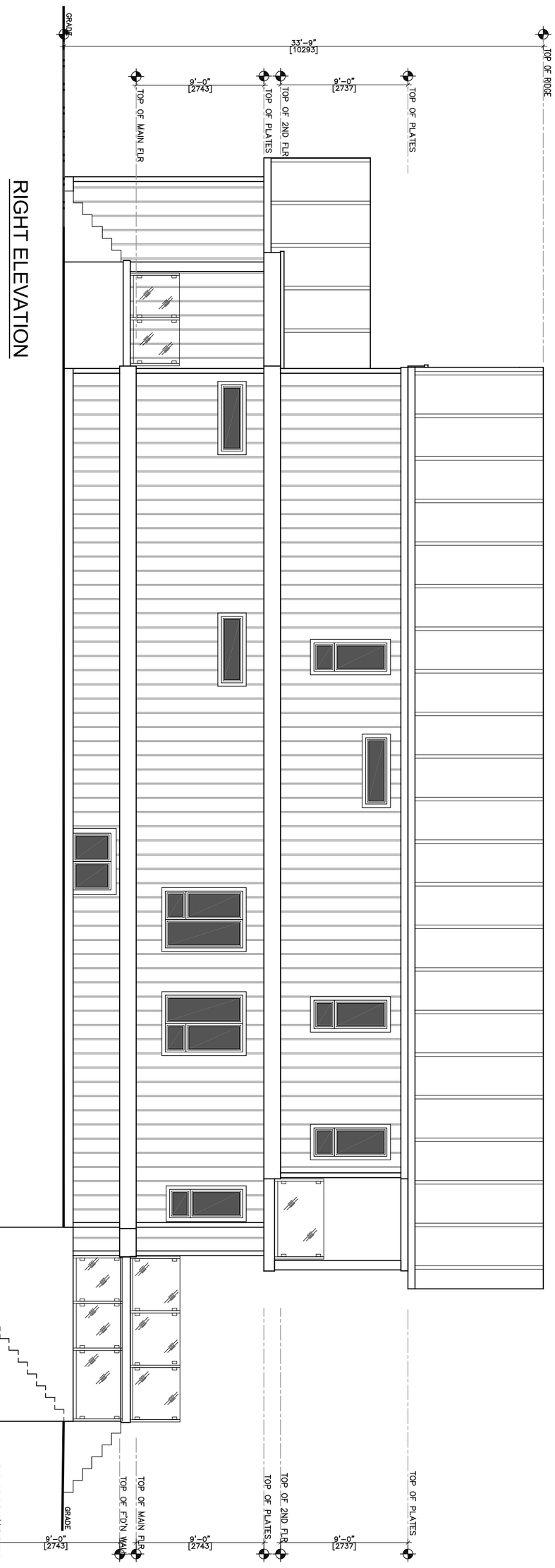
SECONDARY DWELLING UNIT - DETACHED

PLOT PLAN

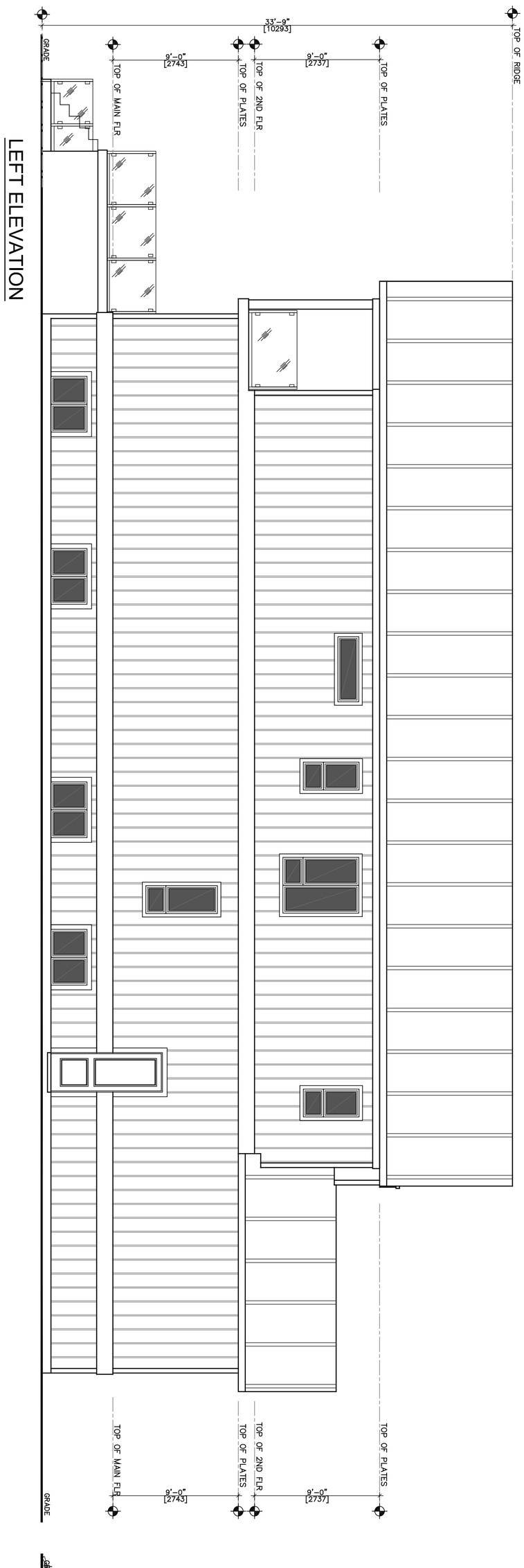
No.	DATE	DESCRIPTION
1.	07.26.23	ISSUED FOR REVIEW
2.	08.09.23	RE-ISSUED FOR REVIEW
3.	01.02.24	RE-ISSUED FOR SEVERANCE/ VARIANCES
4.	05.06.24	RE-ISSUED FOR SEVERANCE/ VARIANCES
5.		
6.		
7.		
8.		

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.

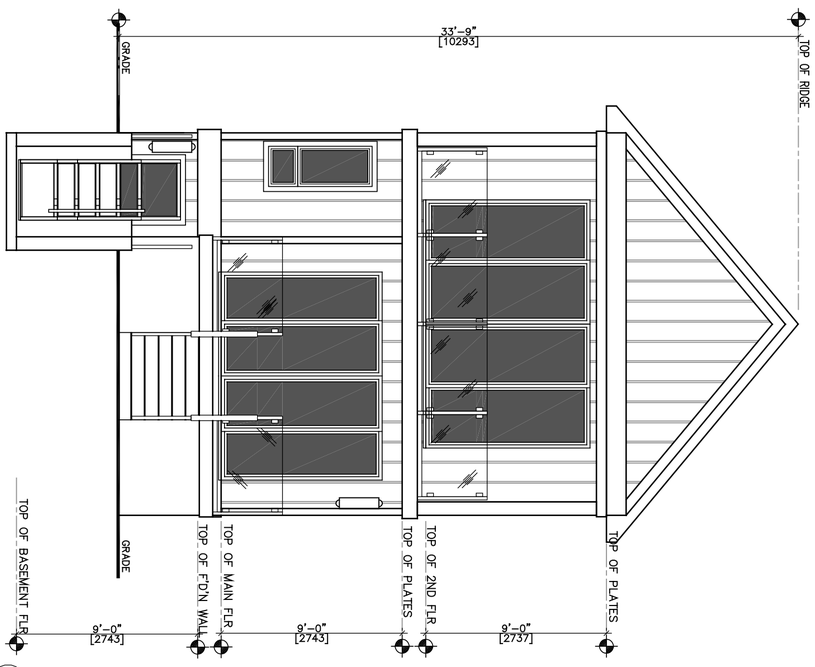
THE USE OF THIS DRAWING OR PART THEREOF IS FORBIDDEN WITHOUT THE WRITTEN APPROVAL OF THE DESIGNER.



RIGHT ELEVATION



LEFT ELEVATION



REAR ELEVATION



FRONT ELEVATION

IT SHALL BE THE RESPONSIBILTY OF THE BUILDER TO HAVE ALL GRADES AND ELEVATIONS VERIFIED BY GRADING AND SERVICES ENGINEERED PROPOSED GRADE LINE AS INDICATED ARE FOR REFERENCE ONLY AND DO NOT NECESSARILY DEPICT FINISHED GRADING CONDITIONS

DO NOT SCALE DRAWINGS

UNIQUE DESIGNS INC.
prepared for variance

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
Required unless design is exempt under Div.C, Article 3.2.5.1 of the Building Code

MAURO FORTUNATO — 15084
Name — Signature — BCIN

REGISTRATION INFORMATION
Required unless design is exempt under Div.C, Article 3.2.4.1 of the Building Code

UNIQUE DESIGNS INC — 31090
Firm Name — BCIN

A. ISSUED FOR PROPOSED LAND SEVERANCE AND REQUIRED MINOR VARIANCES

CLARK RESIDENCE

1007 BEACH BLVD.,
HAMILTON, ONT.

Drawn By

Date: 10.27.23

Job Number 072423

Scale 3/16"=1'-0"

A1

UNIQUE DESIGNS
DRAFTING DESIGN INC.

UNIQUE DESIGNS INC.

LOT SEVERANCE
MINOR VARIANCE
APPLICATION

PROPOSED ELEVATIONS
FOR BOTH SIDES

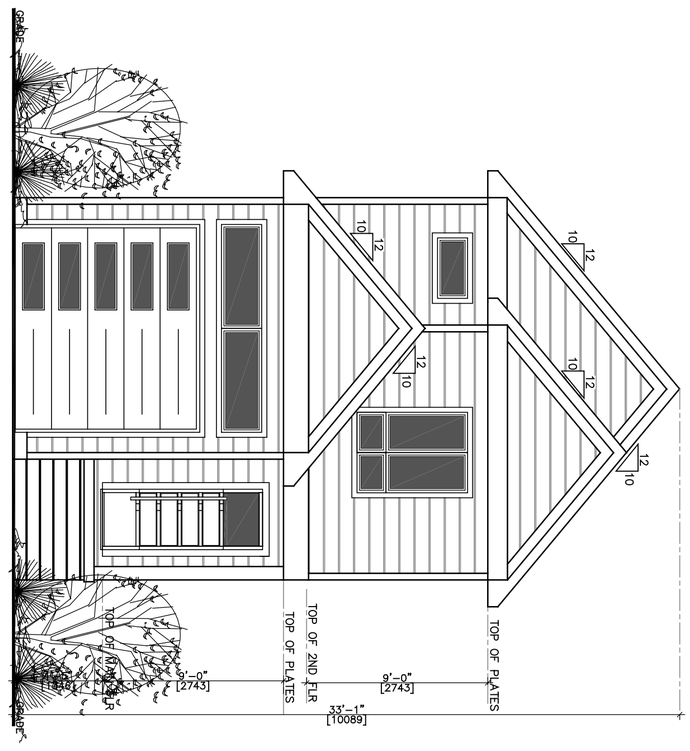
No.	DATE	DESCRIPTION
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6.		
7.		
8.		

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SPECTATOR READERS' CHOICE 2018 HAMILTON SPECTATOR PLATINUM WINNER

OPTIONAL - FRONT ELEVATION - 'B'

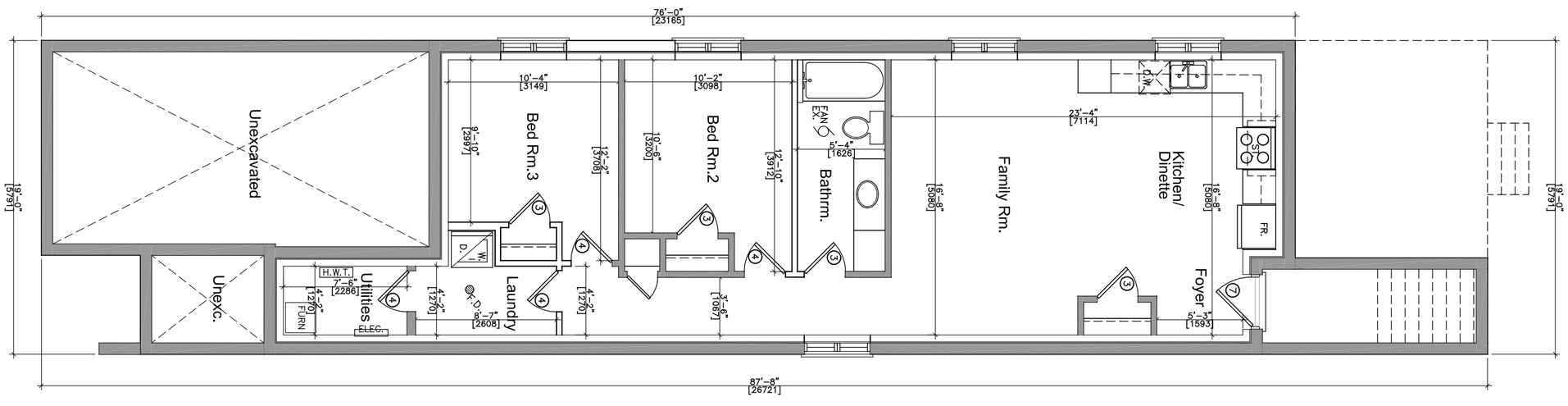


OPTIONAL FRONT ELEVATION - 'C'



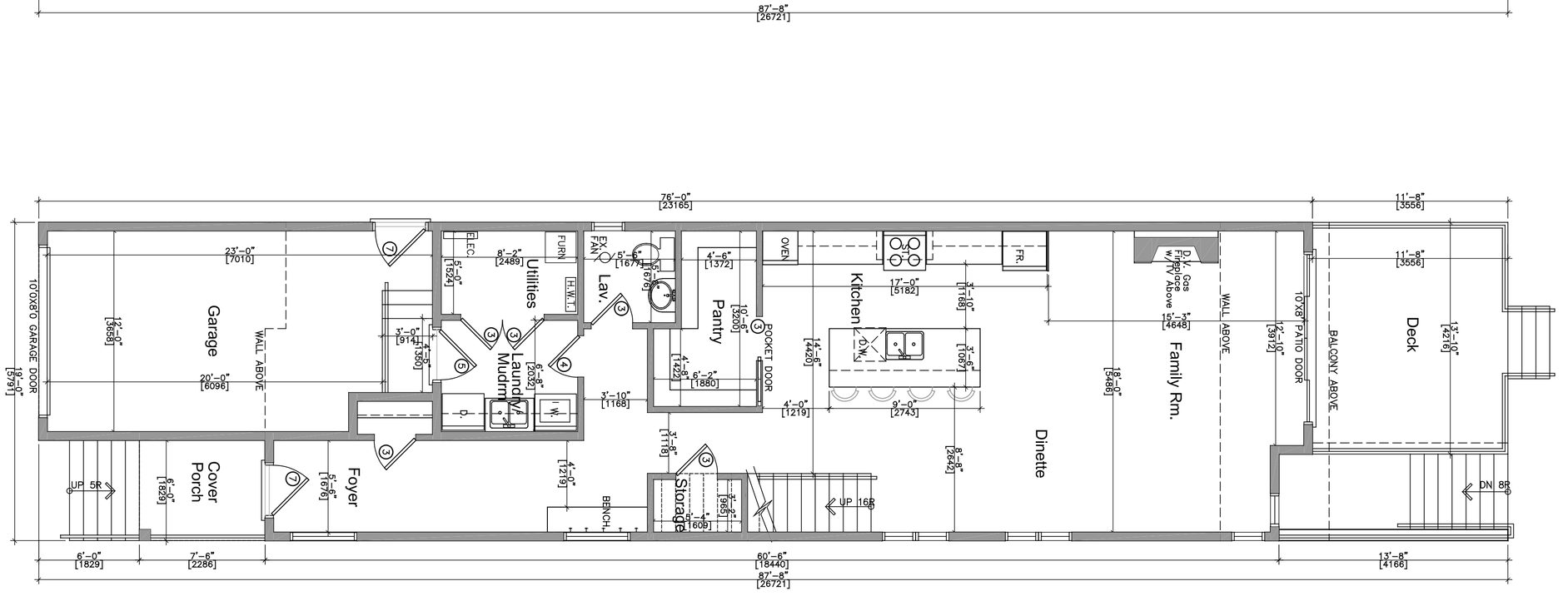
FOUNDATION PLAN
PROPOSED ADU

LOWER LEVEL UNIT
794 SQ. FT.



FIRST FLOOR PLAN

1065 SQ. FT.
TOTAL: 2082 SQ. FT.



SECOND FLOOR PLAN - 'B'

1017 SQ. FT. ---- FOR ELEVATIONS 'A', 'B', 'C'.

UNIQUE DESIGNS INC.
prepared for variance

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.

QUALIFICATION INFORMATION
Required unless design is exempt under Div.C, Article 3.2.5.1 of the Building Code

MAURO FORTUNATO — Name — Signature — 15084 BCIN

REGISTRATION INFORMATION
Required unless design is exempt under Div.C, Article 3.2.4.1 of the Building Code

UNIQUE DESIGNS INC — Firm Name — 31090 BCIN

A. ISSUED FOR PROPOSED LAND SEVERANCE AND REQUIRED MINOR VARIANCES

CLARK RESIDENCE

1007 BEACH BLVD.,
HAMILTON, ONT.

UNIQUE DESIGNS DRAFTING DESIGN INC.

UNIQUE DESIGNS INC.

LOT SEVERANCE
MINOR VARIANCE
APPLICATION

PROPOSED FLOOR PLANS

No.	DATE	DESCRIPTION
1.	07.26.23	ISSUED FOR REVIEW
2.	08.09.23	RE-ISSUED FOR REVIEW
3.	10.27.23	LOT SEVERANCE APPLICATION
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Drawn By

Scale 3/16"=1'-0"

Date: 10.27.23

Job Number 072423

A2

Variances required as determined by an Applicable Law Review – Zoning By-law on February 23, 2024

1. A maximum building height of 10.09 metres shall be provided whereas the by-law permits a maximum height of two storeys or 9.0 metres.
2. A minimum side yard setback of 1.22 metres for the western lot and 1.28 metres for the eastern lot shall be provided whereas the by-law requires a minimum side yard setback of 1.7 metres.
3. A minimum lot frontage of 8.73 metres shall be provided for each lot whereas the by-law requires a minimum lot frontage of 12.0 metres.
4. A minimum lot area of 338 square metres for the western lot and 352 square metres for the eastern lot shall be provided whereas the by-law requires a minimum lot area of 360 square metres.
5. A minimum landscaped area of X% for the western lot and X% for the eastern lot shall be provided whereas the by-law requires a minimum of 50% of the gross area of the front yard to be landscaped.

Yours truly

for the Manager of Zoning & Committee of Adjustment

I am Sandra Clark, owner of the property known as 1007 Beach Blvd. in the City of Hamilton.

I recently purchased this property with the intention of severing and creating 2 building lot, each having a frontage of 8.734 metres and a lot area of 356.4 square metres. At the present time there is an existing abandoned dwelling unit that is a complete eyesore to the area residents and not viable to be rehabilitated. That being the case, I understand that variances would be required as this property is located in a "C" (urban protected residential) zoning and within the Heritage District of Beach Blvd.

I discussion with the City's planning staff, they have stated that these proposed lot sizes are not consistent with the current lot fabric of the area.

In my research, I have discovered that there are numerous lots in the area with a lot frontage of approximately 9 metres which in my opinion complements this area.

My goal if my variance and severance applications are approved by the Committee is to construct new dwelling units on each lot with each dwelling containing a secondary dwelling unit. These dwelling units will be designed and constructed to compliment the area as shown on the attached drawings prepared by Unique Designs Inc., a local firm experienced infill developments such as this.

I intend to live in one of the units and therefore add 3 units to the affordable rental housing inventory.

In my opinion, the designated Heritage District for this area is outdated and does not meet the needs of the citizens of Hamilton who wish to live in this area.

I therefore hope that this Committee approves my severance application and my minor variance application before you.

I have compiled a list of the lot sizes on Beach Blvd that are 35 foot frontage and smaller
485- 15x95
1071-1063. 5 lots 19x124
1091-1081 6 lots townhouses similar in size
491- 24x95
483- 25x114
493-25x95
495-25x96
285-27x125
305-30x87
307-30x58
397-30x216
401-30x495
841-30x100
851-30x135
208-32x169
198-33x156
271-33x234
795-33x149
204-34x158

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
Purchaser*	
Registered Owners(s)	SANDRA CLARK
Applicant(s)**	
Agent or Solicitor	MICHAEL P. SABELLI

[redacted]

*Purchaser must provide a copy of the portion of the agreement of purchase and sale that authorizes the purchaser to make the application in respect of the land that is the subject of the application.
** Owner's authorisation required if the applicant is not the owner or purchaser.

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

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

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

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

2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	1007 BEACH BLVD.		
Assessment Roll Number			
Former Municipality	—		
Lot	7	Concession	
Registered Plan Number	452	Lot(s)	—
Reference Plan Number (s)	—	Part(s)	—

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

3 PURPOSE OF THE APPLICATION

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:

N/A

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:	LANDS TO BE SEVERED	LANDS TO BE RETAINED			
Type of Transfer	N/A				
Frontage	8.734M	8.734M			
Depth	40.806M	~~40.806M~~	40.806M		
Area	356.40M²	356.40M²			
Existing Use	RESIDENTIAL	RESIDENTIAL			
Proposed Use	RESIDENTIAL	RESIDENTIAL			
Existing Buildings/ Structures	SINGLE FAMILY DWELLING	SINGLE FAMILY DWELLING			
Proposed Buildings/ Structures	SINGLE FAMILY DWELLING	SINGLE FAMILY DWELLING			
Buildings/ Structures to be Removed	EXISTING DWELLING	EXISTING DWELLING			

* Additional fees apply.

4.2 Subject Land Servicing

a) Type of access: (check appropriate box)

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

_____

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

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

_____

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

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

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

☒ electricity ☒ telephone ☐ school bussing ☒ garbage collection

5 CURRENT LAND USE

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

Rural Hamilton Official Plan designation (if applicable): —

Rural Settlement Area: ✓

Urban Hamilton Official Plan designation (if applicable) NEIGHBOURHOODS

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

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

☐ Yes ☒ No ☐ Unknown

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

—

5.3 What is the existing zoning of the subject land? "C" - URBAN PROTECTED 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.

TO BE ASSIGNED

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.

—

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)

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

- [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

_____

_____

APPLICATION TABLED

Hamilton

A-24:112 — 1007 Beach Boulevard, Hamilton

This application has been **TABLED** prior to the meeting and will not be heard at the April 30, 2026 Committee of Adjustment Hearing. — Committee of Adjustment Staff (4/13/2026)

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding this file, 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.

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

NOTICE OF PUBLIC HEARING
Minor Variance

You are receiving this notice because you are either:

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

APPLICATION NO.:	A-24:112	**SUBJECT PROPERTY:**	1007 Beach Blvd, Hamilton
ZONE:	C/S-1435 C/S-1435a C/S-1822 (Urban Protected Residential, Etc.)	**ZONING BY-LAW:**	Hamilton Zoning By-law 6593

APPLICANTS: Owner: Sandra Clark
Applicant:
Agent: Michael P. Sabelli

The following variances are requested:

1. A minimum Side Yard width of 1.2 metres shall be permitted for the portion of the lands to be retained and the portion of the lands to be severed, instead of the minimum required Side Yard width of 1.5 metres.

PURPOSE & EFFECT: To facilitate Consent/Land Severance Application B-24:30 to create two (2) lots and facilitate the construction of two (2) new Single Family Dwellings, one on each of the proposed lots.

Notes:

i. Variance #1 is written to reflect the requirement of Amending By-law 99-169 1.(a) & (b) of Hamilton Zoning By-law 6593 which establishes a minimum Side Yard width of 1.5 metres where a common swale between the adjoining properties is provided which has been approved under a Lot Grading Agreement or approved under a Site Plan Control Agreement.

ii. The height of the two (2) proposed Single Family Dwellings has not been provided. As this information has not been provided, we are unable to determine compliance and additional variances may be required.

iii. Two (2) fences are indicated in the Rear Yard for both proposed properties. The distance between the bottom of the fences and the ground has not been indicated. The requirement is

every fence, excluding the supporting posts must be at least 0.075m from the ground to the bottom of the fence, so as not to obstruct the natural flow of water. As this information has not been provided, we are unable to determine compliance and additional variances may be required.

iv. The width of the two (2) proposed lots has not been indicated. The requirement is a Minimum Lot Width of at least 12.0 metres (39.27 feet). As this information has not been provided, we are unable to determine compliance and additional variances may be required.

v. The area of the two (2) proposed lots has not been indicated. The requirement is a Minimum Lot Area of at least 360.0 square metres (3,875.13 square feet) within the district. As this information has not been provided, we are unable to determine compliance and additional variances may be required.

vi. Front porches are indicated for both proposed lots. It is unclear if the front porches are to be enclosed and if they are considered as part of the Principal Building or to be measured as part of a permitted encroachment as per Section 18(3)(vi)(d). As this information has not been provided, we are unable to determine compliance and additional variances may be required.

vii. The percentage of the gross area of the front yard which is Landscaping has not been indicated for the two (2) proposed Lots. As this information has not been provided, we are unable to determine compliance and additional variances may be required.

viii. A Garage has not been indicated for the two (2) proposed Lots. If Garages are part of the proposed Single Family Dwellings they are required to meet the zoning regulations. As this information has not been provided, we are unable to determine compliance and additional variances may be required.

ix. The number of Habitable Rooms has not been indicated. Therefore, we are unable to determine the Required number of Parking Spaces for the two (2) proposed Single Family Dwellings. As this information has not been provided, we are unable to determine compliance and 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, April 30, 2026**
TIME:	**11:15 a.m.**
PLACE:	**Via video link or call in (see attached sheet for details)**
	City Hall Council Chambers (71 Main St. W., Hamilton)
	To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment

A-24:112

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 April 28, 2026.

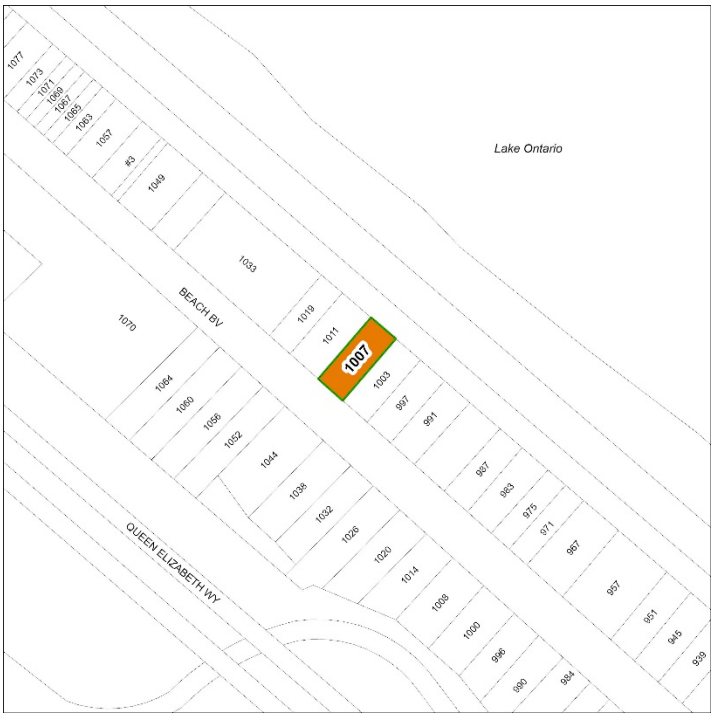
Orally: If you would like to speak to this item at the hearing you may do so via video link, calling in, or attending in person. Please see attached page for complete instructions, registration to participate virtually must be received no later than noon April 29, 2026.

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding A-24:112, you must submit a written request to cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5**.**

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

A-24:112



Subject Lands

DATED: April 13, 2026

_____

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.

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

The following information is required with your written submission:

- Committee of Adjustment file number
- Full name and address of the person providing comments. Anonymous comments will not be accepted.

Comments can also be placed in the drop box which is located at the back of the 1st Floor of City Hall, 71 Main Street West. All written comments received by the deadline 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. To register, email cofa@hamilton.ca with the following information:

- Committee of Adjustment file number
- Hearing date
- Full name and address of the person wishing to speak. Anonymous comments will not be accepted.
- 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.

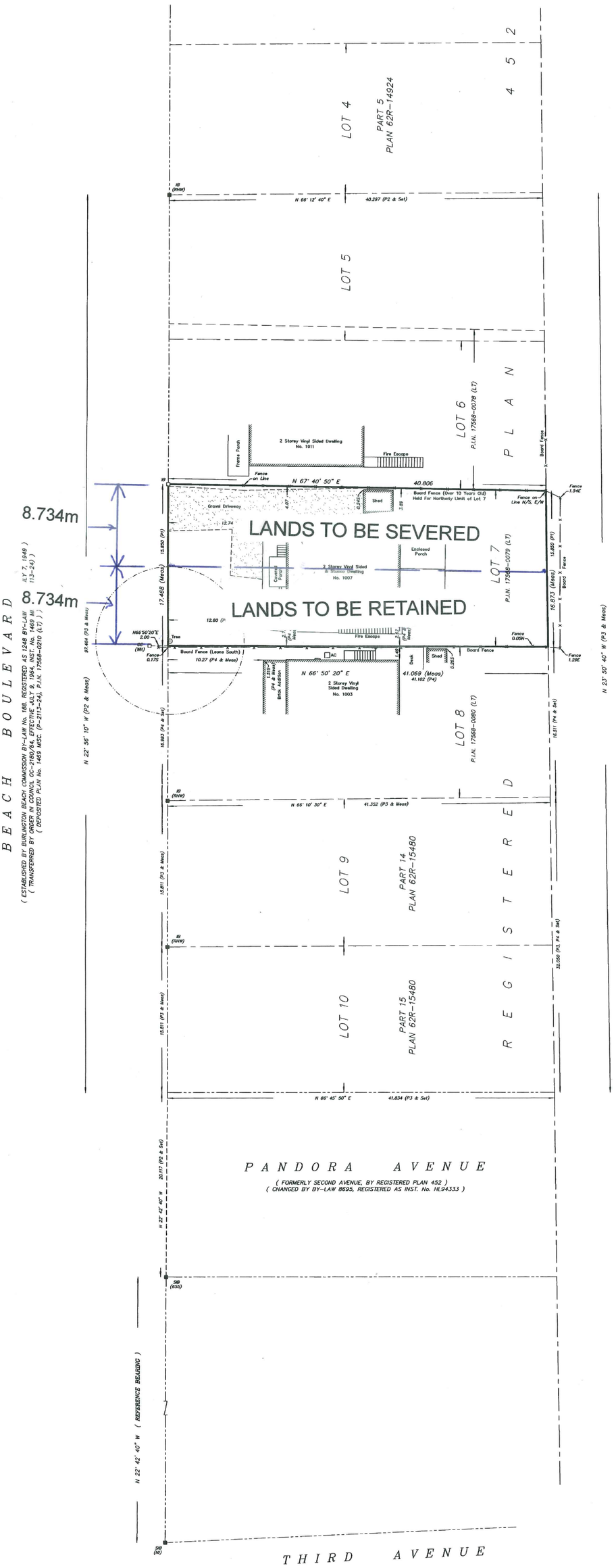
In-Person Presentations:
Presenters attending in person may be granted permission to use the presentation screen. Presentations must be brought on a USB device and opened by the owner/applicant. A copy of the presentation must also be sent to cofa@hamilton.ca **by 12:00 p.m. (noon) on the business day 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
LOT 7
REGISTERED PLAN 452
CITY OF HAMILTON



SCALE 1:200
0 5 10 15 METRES

B.A. JACOBS SURVEYING LTD.
ONTARIO LAND SURVEYOR

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

BEARING NOTE:
BEARINGS HEREON ARE GRID BEARINGS AND ARE DERIVED FROM THE EASTERLY LIMIT OF BEACH BOULEVARD AS SHOWN ON PLAN 62R-14924 BEING N 22°42'40" W AND ARE BASED ON THE NAD83, UTM COORDINATE SYSTEM, ZONE 17, CENTRAL MERIDIAN 81° WEST LONGITUDE.

LEGEND:

■	DENOTES SURVEY MONUMENT FOUND
□	DENOTES SURVEY MONUMENT PLANTED
SIB	DENOTES STANDARD IRON BAR
IB	DENOTES IRON BAR
CC	DENOTES CUT CROSS
WIT.	DENOTES WITNESS
(NI)	DENOTES NO IDENTIFICATION
P1	DENOTES REGISTERED PLAN 452
P2	DENOTES PLAN 62R-14924
P3	DENOTES PLAN 62R-15480
P4	DENOTES PLAN BY A.J. CLARKE O.L.S. (FILE: E-5142)
(655)	DENOTES J.T. PETERS O.L.S.
(RHW)	DENOTES REGION OF HAMILTON-WENTWORTH

SURVEYOR'S REAL PROPERTY REPORT
PART 2 – REPORT SUMMARY

DESCRIPTION OF LAND
BEING ALL OF LOT 7, REGISTERED PLAN 452, KNOWN AS MUNICIPAL No. 1007 BEACH BOULEVARD, CITY OF HAMILTON

REGISTERED EASEMENTS AND/OR RIGHTS OF WAY
NO EASEMENTS LISTED ON THE PARCEL REGISTER FOUND IN THE LAND REGISTRY OFFICE.

BOUNDARY FEATURES
NOTE LOCATION OF THE FENCES AS THEY RELATE TO THE BOUNDARIES OF THE SUBJECT PROPERTY.

COMPLIANCE WITH MUNICIPAL ZONING BY-LAWS
NOT CERTIFIED BY THIS REPORT

ASSOCIATION OF ONTARIO LAND SURVEYORS
PLAN SUBMISSION FORM
V-54816
THIS PLAN IS NOT VALID UNLESS IT IS AN EMBOSSED ORIGINAL COPY ISSUED BY THE SURVEYOR In accordance with Regulation 1026, Section 29(3)

THIS REPORT WAS PREPARED FOR SANDRA CLARK

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.
2. THE SURVEY WAS COMPLETED ON DECEMBER 12, 2023.

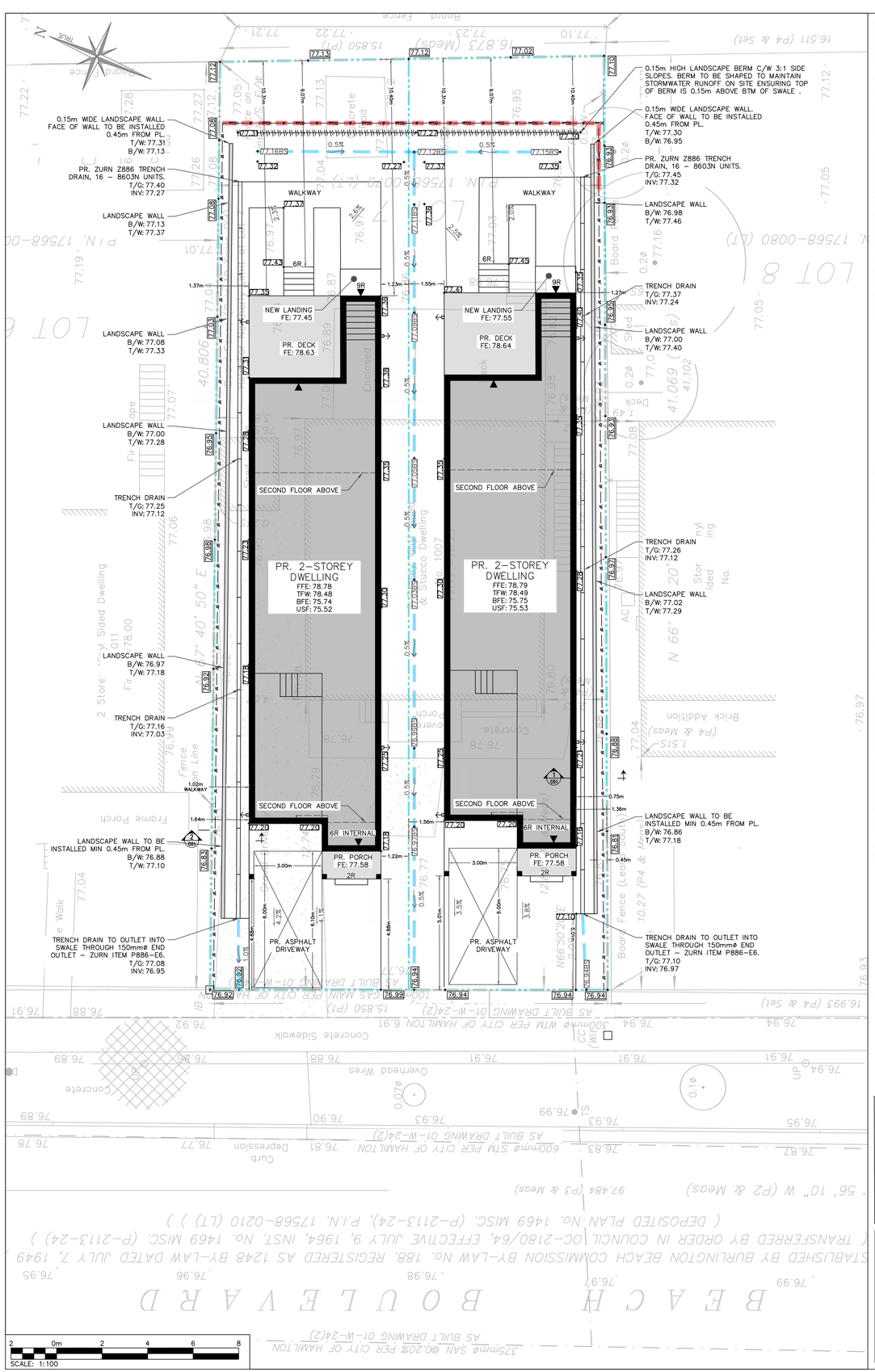
DECEMBER 12, 2023 — DATE

BRYAN JACOBS
ONTARIO LAND SURVEYOR

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

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JOB No. 23s58



CITY OF HAMILTON – LOT GRADING NOTES

GENERAL GRADING NOTES

1. ALONG ADJOINING PROPERTIES GRADE TO MEET EXISTING OR PROPOSED ELEVATIONS WITH SMOOTH SLOPES (MIN. 3H TO 1V) AND/OR RETAINING WALLS AS SPECIFIED
2. ALL RETAINING WALLS, WALKWAYS, CURBS, ETC., SHALL BE PLACED A MIN. OF 0.45M OFF THE PROPERTY LINE. WALLS 0.60m OR HIGHER SHALL BE DESIGNED BY A P.ENG.
3. SHOULD A RETAINING WALL BE REQUIRED, THE TOP OF WALL ELEVATIONS SHALL BE SET 150MM ABOVE THE PROPOSED SIDE YARD SWALES
4. RETAINING WALLS 0.6M IN HEIGHT OR GREATER REQUIRE CONSTRUCTION OF A FENCE OR GUARD RAIL AT THE TOP OF THE REAR OF THE WALL. GUARDS FOR RETAINING WALLS SHALL BE DESIGNED AND CONSTRUCTED IN ACCORDANCE WITH THE REQUIREMENTS OF EXTERIOR GUARDS AS CONTAINED IN THE ONTARIO BUILDING CODE
5. SLOPES OF SWALES FOR BOTH 'BACK TO FRONT' AND 'SPLIT DRAINAGE SHALL BE NO LESS THAN 2.0% (GRADE) AND NO GREATER THAN 33% (3:1 SLOPES)
6. WHEN MATCHING TO EXISTING PROPERTIES WHERE A 2.0% GRADE CANNOT BE ACHIEVED, A 1.5M WIDE GRADE IS PERMITTED TO BE INSTALLED AT 0.5% GRADE BELOW THE BOTTOM OF THE SWALE AND DRAINED TO A SUITABLE OUTLET, (WITH A MINIMUM 0.3M COVER OVER THE SUB-DRAIN), OR ALTERNATIVELY MEASURES
7. MINIMUM GRADE FOR A WRAP–AROUND SWALE IN THE BACKYARD SHALL BE 1.0%
8. UNLESS OTHERWISE NOTED, THE GROUND BETWEEN PROPOSED ELEVATIONS ON SIDE LOTS SHALL BE GRADED AS A STRAIGHT LINE
9. TOP OF FOUNDATION WALLS FOR BUILDINGS SHALL BE 150MM (MIN) ABOVE FINISHED GRADE
10. DRIVEWAY SLOPES SHALL NOT BE LESS THAN 2% AND NOT MORE THAN 7.0%. REVERSED SLOPED DRIVEWAYS IN NEW DEVELOPMENTS ARE NOT PERMITTED
11. GARAGE FLOOR ELEV. TO BE SET MINIMUM 0.3M HIGHER THAN BACK OF WALK, UNLESS OTHERWISE SPECIFIED
12. ALL FILL PLACED ON LOTS SHALL BE COMPACTED TO A MINIMUM 95% SPD (UNLESS OTHERWISE RECOMMENDED BY THE GEOTECHNICAL ENGINEER). ALL MATERIAL SHALL BE PLACED IN LAYERS NOT EXCEEDING 300MM LIFTS.
13. FOR DELINEATION OF TREE PROTECTION ZONES, BUFFERS, REMOVALS AND PROTECTION STRATEGIES, ETC., REFER TO TREE PROTECTION PLAN
14. LOT GRADING FOR ALL LOTS IN THE SUBDIVISION SHALL CONFORM STRICTLY WITH THIS PLAN. ANY CHANGES, UNLESS APPROVED PRIOR TO CONSTRUCTION BY THE CITY, SHALL RESULT IN NON ACCEPTANCE OF THE SUBDIVISION BY THE CITY
15. IF GRADING IS REQUIRED ON LANDS ADJACENT TO THE DEVELOPMENT WHICH ARE NOT OWNED BY THE DEVELOPER, THEN THE DEVELOPER MUST OBTAIN WRITTEN PERMISSION FROM THE ADJACENT PROPERTY OWNER TO ALLOW THE DEVELOPER TO GRADE ON THE ADJACENT LANDS, OTHERWISE RETAINING WALLS MUST BE USED
16. THE WRITTEN PERMISSION REQUIRED FROM THE ADJACENT PROPERTY OWNER SHALL BE OBTAINED PRIOR TO ENTERING THE LANDS. SHOULD PERMISSION NOT BE OBTAINED OR IS WITHDRAWN PRIOR TO COMMENCING THE GRADING, THE DEVELOPER SHALL LIMIT HIS ACTIVITIES TO THE LIMITS OF THE DEVELOPMENT SITE
17. DRIVEWAY AND DRIVEWAY APPROACHES SHALL BE LOCATED SUCH THAT HYDRO VAULTS AND OTHER STREET FURNITURE ARE A MIN. OF 1.2M FROM THE PROJECTIONS OF THE OUTSIDE GARAGE WALLS

BACKYARD GRADING NOTES

a. DEFINITION: "REQUIRED BACK YARD" SHALL MEAN THE LESSER OF THE DISTANCE REGULATED BY THE ZONING BY–LAW OR 7.5M.
b. THE MAXIMUM SLOPE IN THE BACK YARD ADJACENT TO THE BUILDING FOR A DISTANCE EQUAL TO THE REQUIRED BACK YARD SHALL BE 5%, EXCEPT AS SET OUT IN ITEMS BELOW
c. THE 5% RESTRICTION SHALL NOT APPLY TO THE SIDES OF A SWALE ALONG THE SIDES OR BACK OF THE LOT, PROVIDING THE TOTAL WIDTH OF THE SWALE SHALL NOT EXCEED ONE (1) METRE ON EACH LOT
d. WHERE THE DIFFERENCE IN ELEVATION BETWEEN GRADES RESULTS IN ELEVATION DIFFERENCES BETWEEN DIFFERENT PROPERTIES, RETAINING WALLS SHALL BE CONSTRUCTED ALONG THE SIDES AND THE BACK OF THE LOT. SLOPES WITH A MAXIMUM OF THREE HORIZONTAL TO ONE VERTICAL MAY REPLACE THE WALLS WHERE THE DIFFERENCE IN ELEVATION IS LESS THAN 0.3M
e. GENERALLY, SLOPES SHALL BE PLACED ON THE LOWER LOT, WHEREAS RETAINING WALLS SHALL BE PLACED ON THE HIGHER LANDS
f. THE MAXIMUM HEIGHT OF RETAINING WALLS IN THE REQUIRED BACKYARDS PROVIDING THE TERRACES ARE MAINTAINED TO THE 5% GRADE AS SET OUT IN ITEM B) ABOVE, THE INTENTION OF THIS PROVISION IS TO PROVIDE FOR FLEXIBILITY OF HOUSE CONSTRUCTION
g. THERE IS NO CONTROL ON THE STEEPNESS OF THE SLOPES IN SIDE YARDS, FRONT YARDS AND BACK YARDS, AS DEFINED IN A) ABOVE, PROVIDING THE SLOPES ARE STABLE FOR THE SOILS OF THE AREA (MINIMUM 3H:1V)

18. ANY INCREASE IN IMPERVIOUS SURFACE FROM APPROVED PLAN REQUIRED TO BE REVIEWED VIA REVISION PROCESS.

ROOFWATER LEADERS

ALL ROOFWATER LEADERS SHALL DISCHARGE ONTO SPLASH PADS AND THEN TO GRASSED OR LANDSCAPED AREAS A MIN. OF 0.6M FROM THE BUILDING FACE

SUMP PUMPS

SUMP PUMPS WITH CHECK VALVES ARE TO BE INSTALLED IN EACH DWELLING TO PUMP THE WEEPING TILES TO THE STORM PRIVATE DRAIN. THE SUMP OUTLET SHALL EXTEND A MINIMUM OF 150MM ABOVE THE PROPOSED GRADE AT THE DWELLING (BASEMENT CEILING) PRIOR TO DISCHARGING TO THE STORM PRIVATE DRAIN

SEWERS

SANITARY AND STORM SEWERS

a) CONSTRUCTION OF SANITARY & STORM SEWERS & PRIVATE DRAINS SHALL BE IN ACCORDANCE WITH CITY STANDARDS & SPECIFICATIONS (LATEST EDITION) AND MINISTRY OF ENVIRONMENT (MOE) GUIDELINES (LATEST EDITION).
b) COVER FOR PVC PIPE IS TO BE CONCRETE PIPE SHALL BE GRANULAR 'A' MATERIAL AS PER OPSD 802.030 OR 802.033, CLASS 'B' BEDDING.
c) COVER AND BEDDING MATERIAL FOR PVC PIPE SHALL BE GRANULAR 'A' MATERIAL AS PER OPSD 802.010 OR 802.013.
d) PVC PIPE WILL REQUIRE SPECIAL CONSTRUCTION PROCEDURES AS PER CITY SPECIFICATIONS.
e) ALL SEWERS TO BE FLUSHED PRIOR TO VIDEO INSPECTION.
f) MANHOLE FRAMES AND COVERS SHALL BE AS PER OPSD 401.010 (STORM–OPEN, SANITARY–CLOSED).
g) SANITARY SEWER (200MM TO 375MM DIA) SHALL BE PVC PIPE, CSA B182.2, SDR–35.
h) STORM SEWER (300MM TO 600MM DIA.) SHALL BE PVC PIPE, CSA B182.2, SDR–35.
i) STORM SEWER > 600MM DIA. SHALL BE CONCRETE PIPE, CSA A257.2 (AS SPECIFIED)
j) PVC (SANITARY AND STORM) SEWERS ARE TO BE TESTED FOR DEFLECTION (MANDREL PASSAGE) AFTER INSTALLATION. SANITARY SEWERS SHALL ALSO BE TESTED FOR LEAKAGE (LOW AIR PRESSURE). PRIOR TO ASSUMPTION BY THE CITY, PIPE DEFLECTION TESTING SHALL BE REPEATED.
k) ALTERNATE MATERIALS MAY BE ACCEPTABLE PROVIDED APPROVAL HAS FIRST BEEN OBTAINED FROM THE CITY/ENGINEER.

PRIVATE DRAINS

a) TO BE LOCATED 1.5M ON RIGHT SIDE OF CENTERLINE OF LOT OR AS DETAILED AND EXTENDED 1.0M BEYOND THE STREET LINE. THE STORM SERVICE SHALL BE INSTALLED TO THE NORTH OR EAST OF THE SANITARY SERVICE.
b) PRIVATE DRAINS TO BE 150MM DIA. PVC PIPE, CSA B182.1 M–1983, SDR 28 AS PER FORM 500. STORM PIPE SHALL BE WHITE AND SANITARY SHALL BE ANY COLOUR OTHER THAN WHITE. WOOD MARKING AT END OF SANITARY PRIVATE DRAIN SHALL BE PAINTED RED.
c) COVER AND BEDDING MATERIAL FOR PRIVATE DRAINS SHALL BE GRANULAR 'A' INSTALLED AS PER OPSD 802.010 OR 802.013.
d) MINIMUM FALL FOR PRIVATE DRAINS TO BE 2.0%.
e) TOP OF SANITARY PRIVATE DRAINS AT STREET LINE TO BE 2.2M (MIN.) BELOW CENTERLINE ROAD ELEVATION AT THAT POINT OR AS DETAILED.
f) TOP OF STORM PRIVATE DRAINS AT STREET LINE TO BE 1.2M (MIN.) BELOW CENTERLINE ROAD ELEVATION AT THAT POINT OR AS DETAILED.
g) BUILDING RAINWATER LEADERS SHALL NOT BE CONNECTED TO THE STORM PRIVATE DRAIN BUT SHALL DISCHARGE ONTO THE GROUND SURFACE VIA SPLASH PADS.
h) SUMP PUMPS WITH CHECK VALVES SHALL BE INSTALLED IN EACH DWELLING TO PUMP THE BUILDING WEEPING TILES TO THE STORM PRIVATE DRAINS. THE SUMP OUTLET PIPE SHALL EXTEND A MINIMUM OF 150MM ABOVE THE PROPOSED GRADE AT THE DWELLING (BASEMENT CEILING) PRIOR TO DISCHARGING TO THE STORM PRIVATE DRAIN.

WATERMAINS

a) CONSTRUCTION OF WATERMAINS & PRIVATE SERVICES SHALL BE IN ACCORDANCE WITH CITY STANDARDS & SPECIFICATIONS (LATEST EDITION) AND MINISTRY OF ENVIRONMENT (MOE) GUIDELINES (LATEST EDITION).
b) TO BE INSTALLED TO A MINIMUM DEPTH OF 1.80M BELOW PROPOSED CENTERLINE ROAD GRADE ON ALL ROADS EXCEPT ON (NAME OF ROAD) WHERE THE MINIMUM DEPTH IS 1.6M.
c) PVC PIPE IN SIZES 100MM THROUGH 300MM SHALL BE CLASS 150 DR18 CONFORMING TO AWWA C900. FOR 400MM, SEE SECTION 7: SPECIAL NOTES.
d) TRACER WIRE SHALL BE INSTALLED WITH ALL PVC PIPE IN ACCORDANCE WITH FORM 400. IT SHALL BE 12 GAUGE TW75, TWU75 OR RW90XLPE COATED COPPER AND SHALL BE POSITIONED ALONG THE TOP OF THE PIPE AND FASTENED AT 4 METRE INTERVALS. THE WIRE IS TO BE INSTALLED BETWEEN EACH VALVE AND/OR THE END OF THE NEW PVC WATERMAIN. JOINTS IN THE WIRE BETWEEN VALVES ARE NOT PERMITTED. AT EACH GATE VALVE A LOOP WIRE IS TO BE BROUGHT UP INSIDE THE VALVE BOX TO THE CAP. THE TRACER WIRE SHALL BE BROUGHT TO THE SURFACE AT THE SECONDARY VALVE ON ALL FIRE HYDRANTS. THE TRACER WIRE SHALL ALSO BE CONNECTED TO THE CATHODIC PROTECTION SYSTEM AS REQUIRED.
e) MOLDED PVC FITTINGS FOR PIPE SIZES 100MM TO 300MM SHALL CONFORM TO AWWA C900 AND CERTIFIED TO CSA B137.2.
f) FABRICATED FITTINGS 250MM AND 300MM SHALL BE MANUFACTURED FROM SEGMENTS OF AWWA C900, CLASS 150 (DR18) PVC PIPE, BONDED TOGETHER AND OVER–WRAPPED WITH FIBREGLASS–REINFORCED POLYESTER TO MEET THE REQUIREMENTS OF CSA B137.3.
g) WHERE METAL FITTINGS ARE TO BE USED ON PVC MAINS SUFFICIENT CATHODIC PROTECTION MUST BE PROVIDED AS PER THE FOLLOWING REQUIREMENTS:
   i. MINIMUM OF ONE 11KG ZINC ANODE SHALL BE INSTALLED FOR EVERY 100DM OF TRACER WIRE;
   ii. ONE 11KG ZINC ANODE SHALL BE INSTALLED FOR EACH COPPER WATER SERVICE CONNECTION;
   iii. ONE 11KG ZINC ANODE SHALL BE INSTALLED ON EVERY VALVE, HYDRANT, BEND, TEE, SLEEVE, REDUCER, PLUG, CAP, JOINT RESTRAINT/SILT THAT MAY BE ETC., CONNECTED TO THE PVC PIPE.
h) BEDDING AND BACKFILL AS PER WM–200.01 AND WM–200.02 GRANULAR 'A' MATERIAL FOR MAINS AND SERVICES GREATER THAN 50MM.
i) WATERMAIN DEFLECTION FOR PVC PIPE:
   i. MAXIMUM ALLOWABLE DEFLECTION OF 1.5 DEGREES PER JOINT UP TO 250MM DIAMETER (160MM PER 6.1M PIPE LENGTH) AND 1.2 DEGREES FOR 300MM DIAMETER (125MM PER 6.1M PIPE LENGTH) SHALL NOT BE EXCEEDED.
   ii. ALL JOINTS SHALL BE DEFLECTED AN EQUAL AMOUNT.

ROADWORK:

1. RESTORATION OF ROAD OVER UTILITY CUTS IN HAMILTON TO BE AS PER STANDARD DRAWINGS RD–100.01 AND RD–100.02, WITH GRANULAR "A" BEDDING.
2. CONCRETE CURB AND GUTTER AS PER OPSD 600.040 – (BARRIER TYPE), MIN. 30 MPa STRENGTH. A 50mm KEY IS REQUIRED FOR ALL LOCATIONS.
3. CURB DEPRESSION AT DRIVEWAYS AS PER OPSD 600.040 AND OPSD 310–050.
4. 1.5m WIDE CONCRETE SIDEWALK AS PER OPSD 310.010 (125mm THICK MIN. 30 MPa STRENGTH WITH GRANULAR "A" BASE AS REQUIRED TO PROVIDE A LEVELING COURSE FOR THE CONCRETE. AT DRIVEWAYS, CONCRETE DEPTH TO BE MIN. 175mm.

GENERAL ENGINEERING 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. CONTRACTOR SHALL VERIFY THE LOCATION OF ALL UTILITIES INCLUDING GASMAINS, WATERMAINS, TELEVISION CABLES, HYDRO, TELEPHONE CABLES, ETC.
3. ALL SURVEY INFORMATION ON THIS PLAN IS FOR INFORMATION PURPOSES ONLY.
4. THE APPROVAL OF THIS PLAN DOES NOT EXEMPT THE OWNER'S BONDED CONTRACTOR FROM OBTAINING ALL APPROVALS OR PERMITS FROM AUTHORITIES NORMALLY REQUIRED TO COMPLETE A CONSTRUCTION PROJECT, SUCH AS, BUT NOT LIMITED TO THE FOLLOWING:
   –BUILDING PERMIT –SEWER AND WATER PERMIT
   –ROAD CUTS PERMITS –RELOCATION OF SERVICES
   –APPROACH APPROVAL PERMITS –ENCROACHMENT AGREEMENTS
   –COMMITTEE OF ADJUSTMENT (IF REQ'D)
5. LOT GRADING IS TO CONFORM TO THE LATEST REVISION OF THE CITY OF HAMILTON LOT GRADING POLICY.
6. ALL CURB STOPS AND VALVES MUST BE CERTIFIED TO BE IN WORKING ORDER AT THE TIME OF ISSUANCE OF THE FINAL LOT GRADING CERTIFICATE. FINAL LOT GRADING CERTIFICATES MUST INCLUDE A STATEMENT ATTESTING TO THE DATE OF INSPECTION AND THAT THE WATER BOX IS AT GRADE AND FOUND TO BE FREE FROM DAMAGE OR DEFECT.
7. ALL DISTURBED AREAS WITHIN THE ROAD ALLOWANCE SHALL BE RESTORED TO EXISTING CONDITION OR BETTER.
8. ALL DISTURBED BOULEVARD AREAS ARE TO BE REINSTATED WITH MINIMUM 150mm TOPSOIL AND NO. 1 NURSERY SOD IN ACCORDANCE WITH OPSS 803 AND TO THE SATISFACTION OF THE CITY OF HAMILTON.
9. LOT GRADING SHALL CONFORM STRICTLY WITH THIS PLAN. ANY CHANGES, UNLESS APPROVED PRIOR TO CONSTRUCTION BY THE TOWN, SHALL RESULT IN NON–ACCEPTANCE OF THE DEVELOPMENT BY THE TOWN.
10. ABANDONED ACCESSES MUST BE REMOVED AND THE CURB AND BOULEVARD RESTORED WITH NO. 1 NURSERY SOD AT THE OWNER'S EXPENSE TO THE SATISFACTION OF THE CITY OF HAMILTON.
11. ALL SERVICES TO BE INSTALLED AS PER CITY OF HAMILTON CONSTRUCTION AND MATERIAL SPECIFICATIONS MANUAL (LATEST EDITION) AND MINISTRY OF THE ENVIRONMENT GUIDELINES (LATEST EDITION).
12. MINIMUM HORIZONTAL SEPARATION BETWEEN WATER SERVICES/MAINS AND SEWER DRAINS AND MUNICIPAL SEWER MAINS SHALL BE 2.5m MEASURED FROM THE CLOSEST PIPE EDGE TO CLOSEST PIPE EDGE. VERTICAL SEPARATION WHERE WATER SERVICE/MAIN PASSES OVER A SEWER DRAIN OR MUNICIPAL SEWER MAIN MUST BE A MINIMUM OF 0.25m UNLESS GREATER SEPARATION IS REQUIRED TO PROVIDE FOR PROPER BEDDING AND STRUCTURAL SUPPORT. WATER SERVICES/MAINS PASSING UNDER SEWER DRAINS OR MUNICIPAL SEWER MAINS MUST HAVE A SEPARATION OF 0.5m BETWEEN THE INVERT OF THE SEWER MAIN/DRAIN AND THE CROWN OF THE WATERSERVICE/MAIN. ALL WATER SERVICES TO BE INSTALLED WITH A MINIMUM OF 1.6m COVER. SEWER DRAINS TO BE INSTALLED WITH A MINIMUM COVER OF 2.20m AT THE PROPERTY LINE BELOW THE FINAL ROAD GRADE OR AT SUCH HIGHER ELEVATION ONLY AS MAY BE NECESSITATED BY THE LEVEL OF THE MAIN SEWER. ON PRIVATE PROPERTY THE MINIMUM COVER FOR SEWER DRAINS IS TO BE NO LESS THAN 1.2m.
13. APPROVAL OF THIS DRAWING IS FOR MATERIAL ACCEPTABILITY AND COMPLIANCE WITH MUNICIPAL AND PROVINCIAL SPECIFICATIONS AND STANDARDS ONLY. APPROVAL AND INSPECTION BY THE CITY OF THE WORKS DOES NOT CERTIFY THE LINE AND GRADE OF THE WORKS AND IT IS THE OWNER'S RESPONSIBILITY TO HAVE THEIR ENGINEER CERTIFY THIS ACCORDINGLY.

SEWERS:

1. CONSTRUCTION OF SANITARY & STORM SEWERS & PRIVATE DRAINS SHALL BE IN ACCORDANCE WITH THE CITY STANDARDS & SPECIFICATIONS (LATEST EDITION) AND MINISTRY OF ENVIRONMENT (MOE) GUIDELINES (LATEST EDITION).
2. THE REUSE OF EXISTING SEWERS ON PRIVATE PROPERTY IS AT THE OWNER'S SOLE RISK AND RESPONSIBILITY. SEWER LATERALS WITHIN THE MUNICIPAL ROAD ALLOWANCE OR WITHIN MUNICIPAL EASEMENTS MAY BE REUSED IF IN GOOD WORKING CONDITION, MEET BY–LAW REQUIREMENTS AND ARE OF ADEQUATE CAPACITY TO MEET THE REQUIREMENTS OF THE SITE. THE OWNER OR THEIR CONTRACTOR IS RESPONSIBLE FOR HAVING THE LATERAL TO BE REUSED VIDEO INSPECTED WHILE THE CITY OF HAMILTON SEWER INSPECTOR IS PRESENT. CONTACT PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT, GROWTH MANAGEMENT DIVISION, DEVELOPMENT ENGINEERING CONSTRUCTION SECTION AT (905)546–2424 X7860 TO ARRANGE FOR AN INSPECTION.
3. EVERY CONNECTION TO A MUNICIPAL SEWER MAIN MUST BE BY PROPER "Y" OR "Y" FITTINGS. SADDLES MAY ONLY BE USED WHERE APPROVED BY THE SENIOR DIRECTOR OF GROWTH MANAGEMENT OR THEIR DESIGNATE AND IN ACCORDANCE WITH THE APPROVED SEWER PRODUCTS LIST "CITY OF HAMILTON CONSTRUCTION AND MATERIAL SPECIFICATIONS MANUAL" LATEST EDITION.
4. ALL EXISTING UNUSED SEWER DRAINS SERVICING A PROPERTY BEING REDEVELOPED, IN WHOLE OR IN PART, MUST BE EITHER REMOVED FROM MUNICIPAL PROPERTY (I.E. ROAD ALLOWANCE ETC., WITH AN APPROPRIATE REPAIR TO THE MUNICIPAL SEWER TO WHICH THEY CONNECT), AND REMOVED FROM PRIVATE PROPERTY, OR ALTERNATIVELY, UNUSED SEWER DRAINS MAY BE ABANDONED IN ACCORDANCE WITH CITY MINIMUM REQUIREMENTS I.E., TRENCHLESS ABANDONMENT BY FILLING THE LATERAL WITH GROUT WITHIN THE ENTIRE ROW.
5. THE DEPTH OF SANITARY SEWER CONNECTION AT THE STREET LINE TO BE CONFIRMED IN FIELD PRIOR TO CONSTRUCTION TO ENSURE GRAVITY FLOW.
6. CONTRACTOR TO DETERMINE EXISTING INVERTS AND REPORT ANY DISCREPANCIES TO THE CIVIL ENGINEER (WESTX INC.)
7. SEWER ABANDONMENT: PLUG SEWER AT EITHER END WITH A MINIMUM 300mm CONCRETE.
8. APPROVAL OF THIS DRAWING IS FOR MATERIAL ACCEPTABILITY AND COMPLIANCE WITH MUNICIPAL AND PROVINCIAL SPECIFICATIONS AND STANDARDS ONLY. APPROVAL AND INSPECTION BY THE CITY OF THE WORKS DOES NOT CERTIFY THE LINE AND GRADE OF THE WORKS AND IT IS THE OWNER'S RESPONSIBILITY TO HAVE THEIR ENGINEER CERTIFY THIS ACCORDINGLY.

COMPACTION REQUIREMENTS:

1. ALL BEDDING AND BACKFILL MATERIAL, ROAD SUBGRADES AND GENERALLY ALL MATERIAL USED FOR LOT GRADING AND FILL SECTIONS ETC. SHALL BE COMPACTED TO A MIN. 95% SPD UNLESS OTHERWISE RECOMMENDED BY THE GEOTECHNICAL ENGINEER. ALL MATERIAL SHALL BE PLACED IN LAYERS NOT EXCEEDING 300mm LIFTS.
2. ALL GRANULAR ROAD BASE MATERIALS SHALL BE COMPACTED TO A MIN. 98% SPD.
3. USE OF VIBRATOR OR COMPACTOR WHILE COMPACTING IS NOT PERMITTED.

EROSION & SEDIMENT CONTROL:

1. ALL EROSION AND SEDIMENT CONTROLS ARE TO BE INSTALLED ACCORDING TO APPROVED PLANS PRIOR TO COMMENCEMENT OF ANY EARTH MOVING WORK ON THE SITE AND SHALL REMAIN IN PLACE UNTIL ALL DISTURBED AREAS ARE STABILIZED WITH THE INTENDED FINAL GROUND.
2. ALL SILTATION CONTROL MEASURES SHALL BE CLEANED AND MAINTAINED AFTER EACH RAINFALL AS DIRECTED AND TO THE SATISFACTION OF THE CITY OF HAMILTON.
3. ADDITIONAL SILT CONTROL LOCATIONS MAY BE REQUIRED AS DETERMINED BY THE CITY OF HAMILTON.
4. EROSION AND SEDIMENT CONTROLS SHALL BE MAINTAINED IN PROPER WORKING ORDER AT ALL TIMES. DAMAGED OR CLOGGED DEVICES SHALL BE REPAIRED WITHIN 48 HOURS.
5. EXISTING STORM SEWERS AND DRAINAGE DITCHES ADJACENT TO THE WORKS SHALL BE PROTECTED AT ALL TIMES FROM THE ENTRY OF SEDIMENT/SILT THAT MAY BE GENERATED FROM THE SITE. FOR STORM SEWERS: ALL INLETS (REAR LOT CATCHBASINS, ROAD CATCHBASINS, PIPE INLETS, ETC.) MUST BE SECURED/PROTECTED WITH SILTATION CONTROL MEASURES. FOR DRAINAGE DITCHES: THE INSTALLATION OF ROCK CHECK DAMS, SILTATION FENCING, AND SEDIMENT CONTAINMENT DEVICES MUST BE INSTALLED TO TRAP AND CONTAIN SEDIMENT. THESE SILTATION CONTROL DEVICES SHALL BE INSPECTED AND MAINTAINED PER ITEMS 2 AND 3 ABOVE.
6. IN THE EVENT OF A SPILL (RELEASE OF DELETERIOUS MATERIAL) ON OR EMANATING FROM THE SITE, THE OWNER OR OWNERS AGENT SHALL IMMEDIATELY NOTIFY THE MOECC AND FOLLOW ANY PRESCRIBED CLEAN UP PROCEDURE. THE OWNER OR OWNERS AGENT WILL ADDITIONALLY IMMEDIATELY NOTIFY THE CITY.
7. IT IS REQUIRED TO STABILIZE AREAS THAT WILL REMAIN DISTURBED FOR MORE THAN 30 DAYS.
8. SILT FENCE AND CATCHBASIN PROTECTION ARE NOT TO BE REMOVED UNTIL COMPLETION OF CONSTRUCTION.
9. THE SILTATION AND EROSION CONTROL MEASURES ILLUSTRATED ON THIS PLAN ARE CONSIDERED TO BE THE MINIMUM REQUIREMENT. CONDITIONS MAY REQUIRE ADDITIONAL MEASURES WHICH WILL BE IDENTIFIED DURING CONSTRUCTION.
10. ALL EROSION AND SILTATION CONTROL DEVICES SHOULD BE AS PER THE "GREATER GOLDEN HORSESHOE AREA CONSERVATION AUTHORITIES", "EROSION AND SEDIMENT CONTROL GUIDELINE FOR URBAN CONSTRUCTION".
11. THE OWNER IS RESPONSIBLE FOR THE REMOVAL OF ALL MUD AND DEBRIS THAT ARE TRACKED ONTO THE ROADWAYS FROM VEHICLES ENTERING AND LEAVING THE CONSTRUCTION SITE. THE OWNER SHALL, UPON VERBAL AND/OR REQUEST BY THE CITY, IMMEDIATELY PROCEED WITH THE CLEAN-UP OPERATIONS. IF THERE EXISTS A NEED FOR THE OWNER FAIL TO MAINTAIN THE ROAD AS DIRECTED, THE CITY WILL HAVE THE CLEANING CARRIED OUT, AND DRAW ON THE SECURITY FOR COSTS AND/OR LAY CHARGES.

TREE PRESERVATION:

1. PRIOR TO THE COMMENCEMENT OF ANY SITE ACTIVITY SUCH AS SITE ALTERATION, DEMOLITION OR CONSTRUCTION, THE TREE PROTECTION MEASURES SPECIFIED ON THIS PLAN MUST BE INSTALLED TO THE SATISFACTION OF URBAN FORESTRY/TREE PROTECTION
2. NO CONSTRUCTION ACTIVITIES INCLUDING GRADE CHANGES, SURFACE TREATMENTS OR EXCAVATION OF ANY KIND ARE PERMITTED WITHIN THE AREA IDENTIFIED ON THE TREE PROTECTION PLAN OR SITE PLAN AS A TREE PROTECTION ZONE (TPZ). NO ROOT CUTTING IS PERMITTED. NO STORAGE OF MATERIALS OR FILL IS PERMITTED WITHIN THE TPZ. NO MOVEMENT OR STORAGE OF VEHICLES OR EQUIPMENT IS PERMITTED WITHIN THE TPZ. THE AREA(S) IDENTIFIED AS A TPZ MUST BE PROTECTED AND REMAIN UNDISTURBED AT ALL TIMES.
3. ALL ADDITIONAL TREE PROTECTION OR PRESERVATION REQUIREMENTS, ABOVE AND BEYOND THE INSTALLATION OF TREE PROTECTION BARRIERS, MUST BE UNDERTAKEN OR IMPLEMENTED AS DETAILED IN THE URBAN FORESTRY APPROVED ARBORIST REPORT AND/OR THE APPROVED TREE PROTECTION PLAN AND TO THE SATISFACTION OF URBAN FORESTRY.
4. ALL WORK WITHIN THE TREE PROTECTION ZONES MUST BE COMPLETED WITH THE USE OF AIR SPADE (OR HYDRO VAC) UNDER SUPERVISION OF THE PROJECT ARBORIST.
5. WHEREVER POSSIBLE, THE CUTTING OF SURFACE ROOTS OF EXISTING TREES IS TO BE AVOIDED. HOWEVER, IF THESE CUTS ARE REQUIRED, THEY SHOULD BE COMPLETED UNDER THE SUPERVISION OF A TREE MANAGEMENT PROFESSIONAL (I.E. CERTIFIED ARBORIST) SO THAT CUTS ARE MADE APPROPRIATELY.
6. THE TREES ON THIS PROPERTY MAY BE USED BY BIRDS THAT ARE PROTECTED UNDER MIGRATORY BIRDS CONVENTION ACT, 1994. THIS ACT IS IMPLEMENTED BY ENVIRONMENT CANADA AND PROTECTS BIRDS AND THEIR NESTS. THE TIMING FOR THIS PROTECTION IS FROM MARCH 31ST TO AUGUST 31ST. TREE REMOVAL OPERATIONS SHALL BE UNDERTAKEN DURING THIS PERIOD. ANY REQUIRED REMOVALS SHALL BE ONLY PERFORMED DURING THE PERIOD OF SEPTEMBER 1ST THROUGH MARCH 30TH
7. IT IS THE APPLICANTS RESPONSIBILITY TO DISCUSS POTENTIAL IMPACTS TO TREES LOCATED NEAR OR WHOLLY ON ADJACENT PROPERTIES OR ON SHARED BOUNDARY LINES WITH THEIR NEIGHBOURS. SHOULD SUCH TREES BE INJURED TO THE POINT OF INSTABILITY OR DEATH THE APPLICANT MAY BE HELD RESPONSIBLE THROUGH CIVIL ACTION. THE APPLICANT WOULD ALSO BE REQUIRED TO REPLACE SUCH TREES TO THE SATISFACTION OF URBAN FORESTRY.
8. TREE PROTECTION BARRIERS MUST BE INSTALLED USING PLYWOOD CLAD HOARDING (MINIMUM 19MM OR ¾" THICK) OR AN EQUIVALENT APPROVED BY URBAN FORESTRY.
9. WHERE REQUIRED, SIGNS AS SPECIFIED IN SECTION 4, TREE PROTECTION SIGNAGE MUST BE ATTACHED TO ALL SIDES OF THE BARRIER.
10. WHERE CHANGES TO THE LOCATION OF THE APPROVED TPZ OR SEDIMENT CONTROL OR WHERE TEMPORARY ACCESS TO THE TPZ IS PROPOSED, URBAN FORESTRY MUST BE CONTACTED TO OBTAIN APPROVAL PRIOR TO ALTERATION.
11. IF THE MINIMUM TREE PROTECTION ZONE (TPZ) MUST BE REDUCED TO FACILITATE CONSTRUCTION ACCESS, THE TREE PROTECTION BARRIERS MUST BE INSTALLED AT A LESSER DISTANCE AND THE EXPOSED PORTION OF TPZ MUST BE PROTECTED USING A HORIZONTAL ROOT PROTECTION METHOD APPROVED BY URBAN FORESTRY.
12. ANY ROOTS OR BRANCHES INDICATED ON THIS PLAN WHICH REQUIRE PRUNING, AS APPROVED BY URBAN FORESTRY, MUST BE PRUNED BY AN ARBORIST. ALL PRUNING OF TRE

Hamilton

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Hamilton, Ontario
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Planning and Economic Development Department
Planning Division
71 Main Street West, 4th Floor, Hamilton, Ontario, L8P 4Y5
Phone: 905-546-2424 ext. 1291
Fax: 905-540-5611

November 25, 2025

Sandra Clark
1007 Beach Boulevard
Hamilton Ontario
L8H 6Z8

Re: Notice of Council Decision for Heritage Permit Application HP2025-026 for 1007 Beach Boulevard, Hamilton (Ward 5), Hamilton Beach Heritage Conservation District, Designated under Part V of the *Ontario Heritage Act* (By-law No. 00-135)

Please be advised that Council, at its meeting on November 19, 2025, resolved to approve Heritage Permit Application HP2025-026 (Planning Committee Minutes 25-015, Item 9.3, PED25228) for the demolition of the existing two-storey single-detached dwelling; and construction of two new two-storey dwellings at 1007 Beach Boulevard, Hamilton under section 34 of the Ontario Heritage Act, in accordance with the submitted Heritage Permit Application and the following conditions:

a) That the design of the new proposed dwellings be revised to remove the attached front garages and that the revised designs, including plans and elevations, be submitted, to the satisfaction and approval of the Director of Planning and Chief Planner;

b) That the **final architectural drawings** and **material choices** for the new dwellings bet submitted, to the satisfaction and approval of the Director of Planning and Chief Planner, prior to submission as part of any application for a Building Permit and / or the commencement of any alterations;

c) That a **Landscape Plan**, including new landscaping and street trees in the front yard, be submitted, to the satisfaction and approval of the Director of Planning and Chief Planner, prior to submission as part of any application for a Consent to Sever, Building Permit and / or the commencement of any alterations;

d) That the applicant makes reasonable effort to facilitate removal and salvage of heritage materials and any material which can be reused as to avoid additional waste as part of the demolition process and submit documentation of the salvage efforts, to the satisfaction and approval of the Director of Planning and Chief Planner;

e) That any minor changes to the plans and elevations following approval shall be submitted to the satisfaction and approval of the Director of Planning and Chief Planner, prior to submission as part of any application for a Building Permit and / or the commencement of any alterations; and,

f) That demolition, construction, and site alterations, in accordance with this approval, shall be completed no later than September 30, 2028. If the construction and site alterations are not completed by September 30, 2028, then this approval expires as of that date, and no alterations shall be undertaken without a new approval issued by the City of Hamilton.

Please note that this property is designated under Part V of the *Ontario Heritage Act*, and that this permit is only for the above-noted work. Any departure from the approved plans and specifications is prohibited, and could result in penalties, as provided for by the *Ontario Heritage Act*. The terms and conditions of this approval may be appealed to the Ontario Land Tribunal within 30 days of your receipt of this permit.

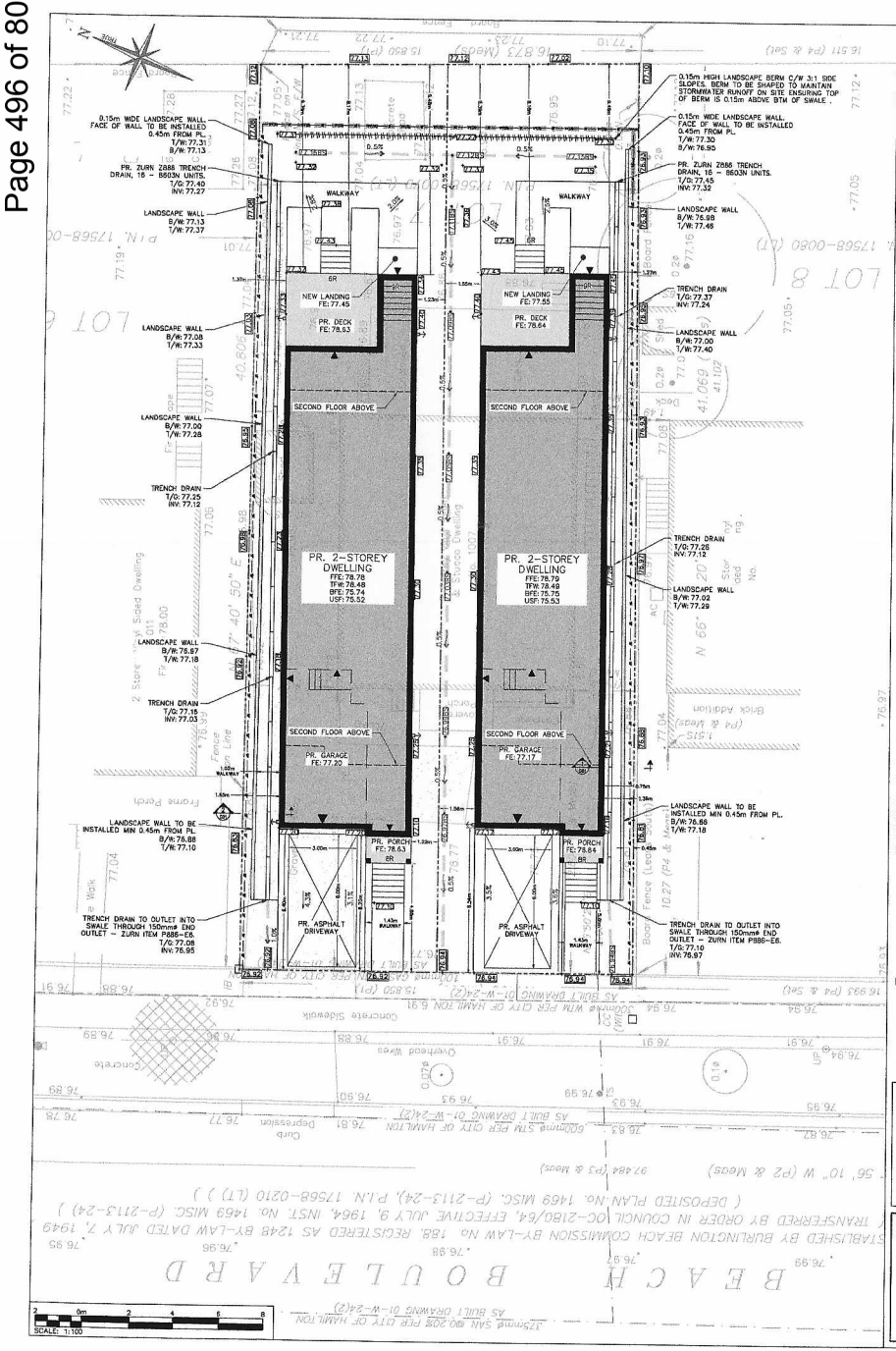
The issuance of this permit under the *Ontario Heritage Act* is not a waiver of any of the provisions of any By-law of the City of Hamilton, the requirements of the *Building Code Act*, the *Planning Act*, or any other applicable legislation.

If you have any questions, please contact me at 905-546-2424, Ext. 1291, or via email at Lisa.Christie@hamilton.ca.

Kind regards,

Lisa Christie

Lisa Christie
Cultural Heritage Planner
Development Planning, Heritage and Urban Design



CITY OF HAMILTON – LOT GRADING NOTES

GENERAL GRADING NOTES

1. ALONG ADJOINING PROPERTIES GRADE TO MEET EXISTING OR PROPOSED ELEVATIONS WITH 5:1(H):1(V) SLOPES (MIN. 2% TO 3%) AND/OR RETAINING WALLS AS SPECIFIED.
2. ALL RETAINING WALLS, WALKWAYS, CURBS, ETC., SHALL BE PLACED A MIN. OF 0.45M OFF THE PROPERTY LINE. ALL WALLS 0.60M OR HIGHER SHALL BE DESIGNED BY A P.ENG.
3. WHERE A RETAINING WALL BE REQUIRED, THE TOP OF WALL ELEVATIONS SHALL BE SET 150MM ABOVE THE PROPOSED SIDE YARD GRADES.
4. RETAINING WALLS 0.75M IN HEIGHT OR HIGHER REQUIRE CONSTRUCTION OF A FENCE OR GUARD RAIL AT THE TOP OF THE REAR OF THE WALL. GUARDS FOR RETAINING WALLS SHALL BE DESIGNED AND CONSTRUCTED IN ACCORDANCE WITH REQUIREMENTS OF BUILDING CODE AS CONTAINED IN THE ONTARIO BUILDING CODE.
5. SLOPES OF SWALES FOR BOTH 'BACK TO FRONT' AND 'SPLIT' DRAINAGE SHALL BE NO LESS THAN 2.0% GRADE AND NO GREATER THAN 33% GRADE (3:1 SLOPES).
6. WHERE MATCHING TO EXISTING PROPERTIES WHERE A 2.0% GRADE CANNOT BE ACHIEVED, SWALES SHALL BE PERMITTED WITH A MINIMUM GRADE OF 1.0% PROVIDED A MINIMUM 0.3m DEPTH OVER THE SWALE AND DRAINED TO A SUITABLE OUTLET, (WITH A MINIMUM 0.3m COVER OVER PIPE) TO THE SATISFACTION OF THE CITY.
7. UNDRAINED BASED GRADED SWALE IN THE BACKYARD SHALL BE 1.0%.
8. UNLESS OTHERWISE NOTED, THE GROUND BETWEEN ELEVATIONS ON SIDE LOTS SHALL BE GRADED AT A UNIFORM SLOPE.
9. TOP OF FOUNDATION WALLS FOR BUILDINGS SHALL BE 150MM (MIN) ABOVE FINISHED GRADE.
10. DRIVEWAY SLOPES SHALL NOT BE LESS THAN 2% AND NOT MORE THAN 7.0%. 11. GARAGE FLOOR SLABS AND DRIVEWAYS ARE NOT PERMITTED
12. ALL FILL PLACED ON LOTS SHALL BE COMPACTED TO A MINIMUM 95% SPD UNLESS OTHERWISE RECOMMENDED BY THE GEOTECHNICAL ENGINEER(S). ALL MATERIAL SHALL BE PLACED IN LAYERS NOT EXCEEDING 300MM LIFTS
13. FOR CLARIFICATIONS OF LOT PROTECTION SWALES, BUFFERS, REMOVALS AND RETAINING WALLS, ETC., REFER TO THE PROTECTION PLAN
14. ALL GRADING WORKS IN THIS SUBDIVISION SHALL CONFORM STRICTLY WITH SHALL REPLAT IN NEW APPROVAL OF THE SUBDIVISION AGREEMENT BY THE CITY.
15. IF GRADING IS REQUIRED ON LANDS ADJACENT TO THE DEVELOPMENT WHICH ARE NOT OWNED BY THE DEVELOPER, THEN THE DEVELOPER MUST OBTAIN WRITTEN PERMISSION FROM THE ADJACENT PROPERTY OWNER TO ALLOW THE DEVELOPER TO GRADE ON THE ADJACENT LANDS, OTHERWISE RETAINING WALLS MUST BE USED
16. THE WRITTEN PERMISSION REQUIRED FROM THE ADJACENT LANDOWNER SHALL BE ENCLOSED WITH THE GRADING PLAN SUBMISSION. PERMISSION NOT BE GRANTED IF WITHDRAWN PRIOR TO COMPLETION OF THE WORKS THEN THE DEVELOPER SHALL LIMIT HIS ACTIVITIES TO THE LIMITS OF THE DEVELOPMENT.
17. DRIVEWAY AND DRIVEWAY APPROACHES SHALL BE LOCATED SUCH THAT HYDRO VAULTS AND OTHER STREET FURNITURE ARE A MIN. OF 1.2M FROM THE PROJECTIONS OF DEPOSITED SIDEWALK BARRIER.

BACKYARD GRADING NOTES:

a. DEFINITION: REQUIRED BACK YARD" SHALL MEAN THE LESSER OF THE GRADING ELEVATIONS AS SHOWN ON THE APPROVED BY-LAW OR (a) A DISTANCE EQUAL TO 7.5m FROM THE REAR LOT LINE TO THE BUILDING FOR SINGLE AND SEMI-DETACHED DWELLINGS AND (b) A DISTANCE EQUAL TO THE REQUIRED BACK YARD SHALL BE SIC EXCEPT AS SET OUT IN ITEMS BELOW
b. THE 5% RESTRICTION SHALL NOT APPLY TO THE SIDES OF A SWALE ALONG THE SIDES OR BACK OF THE LOT, PROVIDING THE TOTAL WIDTH OF THE SWALE SHALL NOT EXCEED ONE (1) METRE ON EACH LOT
c. WHERE THE 5% RESTRICTION ON THE BACKYARD GRADES RESULTS IN A DIFFERENCE IN ELEVATION BETWEEN DIFFERENT PROPERTIES, RETAINING WALLS SHALL BE CONSTRUCTED ALONG THE SIDE AND THE BACK OF THE LOT. SLOPES WITH A MAXIMUM OF THREE HORIZONTAL TO ONE VERTICAL MAY REPLACE RETAINING WALLS WHERE THE DIFFERENCE IN ELEVATION IS LESS THAN 0.9M
d. GENERALLY, SLOPES SHALL BE PLACED ON THE LOWER LOT WHERE RETAINING WALLS SHALL BE PLACED ON THE HIGHER LANDS
e. THE MAXIMUM HEIGHT OF SLOPES OR RETAINING WALLS IN THE REQUIRED BACKYARD AREAS SHALL BE MAINTAINED TO THE 5% GRADE AS SET OUT IN ITEM (b) ABOVE, PROVIDING THE SLOPES ARE STABLE FOR THE SOILS OF THE AREA.
f. THERE IS NO CONTROL ON THE STEEPNESS OF THE SLOPES IN SIDE YARDS, FRONT YARDS AND BACK YARDS OUTSIDE THE AREA STATED IN (a) ABOVE, PROVIDING THE SLOPES ARE STABLE FOR THE SOILS OF THE AREA

18. ANY INCREASE IN IMPERVIOUS SURFACE FROM APPROVED PLAN REQUIRED TO BE REVIEWED BY INSPECTION PROCESS.

ROOFWATER LEADERS

ALL ROOFWATER LEADERS SHALL DISCHARGE ONTO SPLASH PADS AND THEN TO GRASSED OR LANDSCAPED AREAS A MIN. OF 0.6M FROM THE BUILDING FACE

SUMP PUMPS

SUMP PUMPS WITH CHECK VALVES ARE TO BE INSTALLED IN EACH DWELLING TO PUMP THE WEEPING TILES TO THE STORM PRIVATE DRAIN. THE SUMP OUTLET SHALL EXTEND A MINIMUM 150MM ABOVE THE PROPOSED GRADE AT THE DWELLING (BASEMENT CEILING) PRIOR TO DISCHARGING TO THE STORM PRIVATE DRAIN.

SEWERS

SANITARY AND STORM SEWERS

a) CONSTRUCTION OF SANITARY & STORM SEWERS & PRIVATE DRAINS SHALL BE IN ACCORDANCE WITH CITY STANDARDS & SPECIFICATIONS (LATEST EDITION) AND MINISTRY OF ENVIRONMENT GUIDELINES (LATEST EDITION).
b) COVER AND BEDDING MATERIAL FOR CONCRETE PIPE SHALL BE GRANULAR 'A' MATERIAL AS PER OPSD 802.030 OR 802.031, CLASS 'B' BEDDING.
c) COVER AND BEDDING MATERIAL FOR PVC PIPE SHALL BE GRANULAR 'A' MATERIAL AS PER OPSD 802.010 OR 802.013.
d) PVC PIPE WILL REQUIRE SPECIAL CONSTRUCTION PROCEDURES AS PER CITY SPECIFICATIONS.
e) ALL SEWERS TO BE FLUSHED PRIOR TO VIDEO INSPECTION.
f) MANHOLE FRAMES AND COVERS SHALL BE AS PER OPSD 401.010 (STORM–OPEN, SANITARY–CLOSED).
g) SANITARY SEWER (200MM TO 375MM DIA) SHALL BE PVC PIPE, CSA B182.2, OR–35.
h) STORM SEWER (300MM TO 600MM DIA.) SHALL BE PVC PIPE, CSA B182.2, OR–35.
i) STORM SEWER > 600MM DIA. SHALL BE CONCRETE PIPE, CSA A257.2 (AS SPECIFIED)
j) ALL (SANITARY AND STORM) SEWERS ARE TO BE TESTED FOR DEFLECTION (MANDREL PASSING) AFTER INSTALLATION. SANITARY SEWERS SHALL ALSO BE TESTED FOR LEAKAGE (LOW AIR PRESSURE), PRIOR TO ASSUMPTION BY THE CITY. PIPE DEFLECTION TESTING SHALL BE 5%.
k) ALTERNATE MATERIAL (S) MAY BE ACCEPTABLE PROVIDED APPROVAL HAS FIRST BEEN OBTAINED FROM THE CITY/ENGINEER.

SERVICES

a) TO BE LOCATED 1.0M ON RIGHT SIDE OF CENTERLINE OF LOT OR AS DETAILED AND EXTENDED 1.0M BEYOND THE STREET LINE. THE STORM SERVICE SHALL BE INSTALLED TO THE NORTH OR EAST OF THE SANITARY SERVICE.
b) PRIVATE DRAINS TO BE 100MM DIA. PVC PIPE, CSA B182.1 M–1993, SDR 28 AS PER FORM 500, STORM PIPE SHALL BE WHITE, AND SANITARY SHALL BE APPLE COLOUR (OTHER THAN WHITE). WOOD MARKING AT END OF SANITARY PRIVATE DRAIN SHALL BE PAINTED RED.
c) COVER AND BEDDING MATERIAL FOR PRIVATE DRAINS SHALL BE GRANULAR 'A' INSTALLED AS PER OPSD 802.010 OR 802.013.
d) MINIMUM FALL FOR PRIVATE DRAINS TO BE 2.0%.
e) TOP OF SANITARY PRIVATE DRAINS AT STREET LINE TO BE 2.2M (MIN.) BELOW CONTROLLING ELEVATION AT THAT POINT OR AS DETAILED.
f) TOP OF STORM PRIVATE DRAINS AT STREET LINE TO BE 1.2M (MIN.) BELOW CONTROLLING ROAD ELEVATION AT THAT POINT OR AS DETAILED.
g) BUILDING RAINWATER LEADERS SHALL NOT BE CONNECTED TO THE STORM PRIVATE DRAIN BUT SHALL DISCHARGE ONTO THE GROUND SURFACE VIA SPLASH PADS.
h) SUMP PUMPS WITH CHECK VALVES SHALL BE INSTALLED IN EACH DWELLING TO PUMP THE BUILDING WEEPING TILES TO THE STORM PRIVATE DRAINS. THE SUMP OUTLET PIPE SHALL EXTEND A MINIMUM OF 150MM ABOVE THE PROPOSED GRADE AT THE DWELLING (BASEMENT CEILING) PRIOR TO DISCHARGING TO THE STORM PRIVATE DRAIN.

WATERMAINS

a) CONSTRUCTION OF WATERMAINS & PRIVATE SERVICES SHALL BE IN ACCORDANCE WITH CITY STANDARDS & SPECIFICATIONS (LATEST EDITION) AND MINISTRY OF ENVIRONMENT (MOE) GUIDELINES (LATEST EDITION).
b) TO BE INSTALLED TO A MINIMUM DEPTH OF 1.80M BELOW PROPOSED CENTERLINE ROAD GRADE OR ALL BOARD EXCEPT IN ZONE OF ROAD WHERE THE MINIMUM DEPTH IS 1.54.
c) PVC PIPE IN SIZES 100MM THROUGH 300MM SHALL BE CLASS 150 DR18 CONFORMING TO AWWA C900. FOR 400MM, SEE SECTION 7: SPECIAL NOTES.
d) TRACER WIRE SHALL BE INSTALLED WITH ALL PVC PIPE IN ACCORDANCE WITH FORM 400. IT SHALL BE 12 GAUGE TWTS, THWS OR RWU90 INSULATED COPPER AND SHALL BE FASTENED ALONG THE TOP OF THE PIPE AND FASTENED AT 3 METRE INTERVALS. THE WIRE IS TO BE INSTALLED BETWEEN EACH VALVE AND/OR THE END OF THE NON PVC WATERMAIN, ADJACENT TO THE WIRE BETWEEN VALVES ARE NOT PERMITTED. AT EACH GATE VALVE A LOOP WIRE IS TO BE BROUGHT UP INSIDE THE VALVE BOX TO THE CAP. THE TRACER WIRE SHALL BE BROUGHT TO THE SURFACE AT THE SECONDARY VALVE ON ALL FIRE HYDRANTS. THE TRACER WIRE SHALL ALSO BE CONNECTED TO THE CATHODIC PROTECTION SYSTEM AS REQUIRED.
e) MOLDED PVC FITTINGS FOR PIPE SIZES 100MM TO 300MM SHALL CONFORM TO AWWA C900 AND CERTIFIED TO CSA B137.2.
f) EMBRIOTITS FITTINGS 250MM AND 300MM SHALL BE MANUFACTURED FROM SEGMENTS OF AWWA C900, CLASS 150 (DR18) PVC PIPE, BONDED TOGETHER AND OVER–WRAPPED WITH FIBREGLASS–REINFORCED POLYESTER TO MEET THE REQUIREMENTS OF CSA B137.2.
g) WHERE METAL FITTINGS ARE TO BE USED ON PVC MAINS SUFFICIENT CATHODIC PROTECTION SHALL BE PROVIDED AS PER THE FOLLOWING REQUIREMENTS:
   i. ONE 11KG ZINC ANODE SHALL BE INSTALLED FOR EVERY 100MM OF TRACER WIRE.
   ii. ONE 11KG ZINC ANODE SHALL BE INSTALLED FOR EACH COPPER WATER SERVICE CONNECTION.
   iii. ONE 11KG ZINC ANODE SHALL BE INSTALLED ON EVERY VALVE, HYDRANT, BEND, TEE, SLEEVE, REDUCER, PLUG, CAP, JOINT RESTRAINT, COUPLING, ETC., CONNECTED TO THE PVC PIPE.
h) BEDDING AND BACKFILL AS PER WM–200.01 AND WM–200.02 GRANULAR 'A' MATERIAL FOR MAINS AND SERVICES GREATER THAN 50MM.
i) WATERMAIN DEFLECTION FOR PVC PIPE.
   i. HORIZONTAL DEFLECTION OF 1.5 DEGREES PER JOINT UP TO 250MM DIAMETER (150MM PER 6.1M PIPE LENGTH) AND 1.2 DEGREES FOR 350MM DIAMETER (125MM PER 6.1M PIPE LENGTH) SHALL NOT BE EXCEEDED.
   ii. ALL JOINTS SHALL BE DEFLECTED AN EQUAL AMOUNT.

ROADWORKS:

1. RESTORATION OF ROAD OVER UTILITY CUTS IN HAMILTON TO BE AS PER STANDARD DRAWINGS RD–100.01 AND RD–100.02, WITH GRANULAR 'A' BEDDING.
2. CONCRETE CURB AND GUTTER AS PER OPSD 600.040 – (BARRIER TYPE), MIN. 30 MPA CONCRETE WITH A 80mm ACC. IS REQUIRED FOR ALL LOCATIONS.
3. CURB DEPRESSIONS AT DRIVEWAYS AS PER OPSD 600.040 AND OPSD 310–050.
4. 1.5m WIDE CONCRETE SIDEWALK AS PER OPSD 310.013 (150mm THICKNESS) MIN. 30 MPA STRENGTH WITH GRANULAR 'A' BASE AS REQUIRED TO PROVIDE A LEVELING COURSE FOR THE CONCRETE. AT DRIVEWAYS, CONCRETE DEPTH TO BE MIN. 175mm.

GENERAL ENGINEERING NOTES:

1. ALL WORK INVOLVED IN THE CONSTRUCTION, RELOCATION, REPAIR OF MUNICIPAL SERVICES SHALL BE SUBJECT TO THE SATISFACTION OF THE DIRECTOR OF PLANNING AND CHIEF PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT.
2. CONSTRUCTION SHALL VERIFY THE LOCATIONS OF ALL UNDERGROUND UTILITIES, INCLUDING, TELEPHONE CABLES, HYDRO, TELEPHONE CABLES, ETC.
3. ALL SURVEY INFORMATION ON THIS PLAN IS FOR INFORMATION PURPOSES ONLY.
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:
   –ROAD CUTS PERMIT –SEWER AND WATER PERMIT
   –ROAD CUTS INTAKE –ALLOCATION OF SERVICES
   –APPROACH APPROVAL PERMITS –ENCROACHMENT AGREEMENTS
   –COMMITTEE OF ADJUSTMENT (IF REQ'D)
5. LOT GRADING IS TO CONFORM TO THE LATEST REVISION OF THE CITY OF HAMILTON LOT GRADING POLICY.
6. ALL CURB STOPS AND VALVES MUST BE CENTRICED TO BE IN WORKING ORDER AT THE TIME OF ASSUMPTION OF THE FINAL LOT GRADING CERTIFICATE. FINAL LOT GRADING CERTIFICATES MUST INCLUDE A STATEMENT AFFIRMING THE DATE OF INSPECTION AND THAT THE WATER BOX IS IN GRADE AND FOUND TO BE FREE FROM SHANKIE OR DEBRIS.
7. ALL DISTURBED AREAS WITHIN THE ROAD ALLOWANCE SHALL BE RESTORED TO EXISTING CONDITION OR BETTER.
8. ALL DISTURBED SURROUNDING AREAS ARE TO BE REINSTATED WITH MINIMUM 150mm TOPSOIL AND NO. 1 NURSERY SOD IN ACCORDANCE WITH OPSD 803 AND TO THE SATISFACTION OF THE CITY OF HAMILTON.
9. LOT GRADING IS TO CONFORM STRICTLY WITH THIS PLAN. ANY CHANGES, UNLESS APPROVED PRIOR TO CONSTRUCTION BY THE TOWN, SHALL RESULT IN NON–ACCEPTANCE OF THE DEVELOPMENT BY THE TOWN.
10. UNAUTHORIZED ACCESSES MUST BE REMOVED AND THE CURB AND BOULEVARD RESTORED TO THE SATISFACTION OF THE TOWN AT THE OWNER'S EXPENSE AT THE TIME OF HOME CONSTRUCTION.
11. ALL SERVICES TO BE INSTALLED AS PER CITY OF HAMILTON CONSTRUCTION AND MATERIAL SPECIFICATIONS MANUAL (LATEST EDITION) AND MINISTRY OF THE ENVIRONMENT GUIDELINES (LATEST EDITION).
12. MINIMUM HORIZONTAL SEPARATION BETWEEN WATER SERVICES/MAINS AND SEWER DRAINS AND MUNICIPAL SEWER MAINS SHALL BE 2.5m MEASURED FROM THE CLOSEST PIPE EDGE TO CLOSEST PIPE EDGE. VERTICAL SEPARATION WHERE WATER SERVICES/MAIN PASSES OVER A SEWER DRAIN OR MUNICIPAL SEWER MAIN MUST BE A MINIMUM OF 0.45m UNLESS GREATER SEPARATION IS REQUIRED TO PROVIDE FOR PROPER BEDDING AND STRUCTURAL SUPPORT. WATER SERVICES/MAINS PASSING UNDER SEWER DRAINS OR MUNICIPAL SEWER MAINS SHALL BE INSTALLED WITH A DEPTH OF 2.5m BETWEEN THE INVERT OF THE SEWER MAIN/DRAIN AND THE CROWN OF THE WATERSERVICE/MAIN. ALL WATER SERVICES TO BE INSTALLED WITH A MINIMUM COVER OF 2.5m MEASURED FROM THE FINAL ROAD GRADE OR AT SUCH HIGHER ELEVATION ONLY AS MAY BE NECESSITATED BY THE LEVEL OF THE MAIN SEWER. ELEVATION ON PRIVATE PROPERTY THE MINIMUM COVER FOR SEWER DRAINS IS TO BE NO LESS THAN 1.2m.
13. THE OWNER'S CONSULTING ENGINEER IS FOR MATERIAL ACCEPTABILITY AND COMPLIANCE WITH CONTRACT DOCUMENTS, MUNICIPAL SPECIFICATIONS AND STANDARDS ONLY. APPROVAL AND INSPECTION BY THE CITY OR ITS AGENTS DOES NOT EXEMPT THE LINE AND GRADE OF THE WORKS AND IT IS THE OWNER'S RESPONSIBILITY TO HAVE THEIR ENGINEER CERTIFY THIS ACCORDINGLY.

SEWERS:

1. CONSTRUCTION OF SANITARY & STORM SEWERS & PRIVATE DRAINS SHALL BE IN ACCORDANCE WITH THE CITY STANDARDS & SPECIFICATIONS (LATEST EDITION) AND MINISTRY OF ENVIRONMENT GUIDELINES (LATEST EDITION).
2. THE HEAD OFFICE FOR THE CONSTRUCTION IS HAMILTON WATER, ENGINEERING & CONSTRUCTION MANAGEMENT DIVISION, DEVELOPMENT ENGINEERING CONSTRUCTION SECTION AT 1(905)546–2424 EXT. 5780 TO ARRANGE FOR THE FOLLOWING INSPECTIONS. ALL CONSTRUCTION SCHEDULING SHOULD BE DISCUSSED WITH THE INSPECTOR, SADDLES MAY ONLY BE INSTALLED BY CITY FORCES. THE SEWER DIRECTION AND GROWTH MANAGEMENT OF THEIR STANDARD CONDITIONS. IN ACCORDANCE WITH THE APPROVED SEWER PRODUCTS LIST 'CITY OF HAMILTON CONSTRUCTION AND MATERIAL SPECIFICATIONS MANUAL' LATEST EDITION.
4. ALL EXISTING UNUSED SEWER DRAINS SERVICING A PROPERTY BEING REDEVELOPED, IN WHOLE OR IN PART, MUST BE EITHER REMOVED FROM THE MUNICIPAL PROPERTY (I.E. ROAD ALLOWANCE ETC., WITH AN APPROPRIATE REPAIR TO THE MUNICIPAL SEWER TO WHICH THEY CONNECT), AND REMOVED FROM PRIVATE PROPERTY, OR ABANDONED IN PLACE. UNUSED SEWER DRAINS MAY BE ABANDONED IN ACCORDANCE WITH CITY MINIMUM REQUIREMENTS I.E. TRENCHLESS ABANDONMENT BY FILLING THE LATERAL WITH GROUT WITHIN THE ENTIRE ROW.
5. TYPE, DEPTH OF SANITARY SEWER CONNECTION AT THE STREET LINE TO BE DETERMINED BY THE CITY PRIOR TO CONSTRUCTION TO ENSURE GRAVITY FLOW.
6. CONTRACTOR TO DETERMINE EXISTING INVERTS AND REPORT ANY DISCREPANCIES TO THE CITY ENGINEER (WESTS INC.).
7. SEWER ABANDONMENTS: PLUG EACH AT EITHER END WITH A MINIMUM 300mm CONCRETE.
8. APPROVAL OF THIS DRAWING IS FOR MATERIAL ACCEPTABILITY AND COMPLIANCE WITH MUNICIPAL AND PROVINCIAL SPECIFICATIONS AND STANDARDS ONLY. APPROVAL AND INSPECTION BY THE CITY OF THE WORKS DOES NOT EXEMPT THE LINE AND GRADE OF THE WORKS AND IT IS THE OWNERS RESPONSIBILITY TO HAVE THEIR ENGINEER CERTIFY THIS ACCORDINGLY.

COMPACTION REQUIREMENTS:

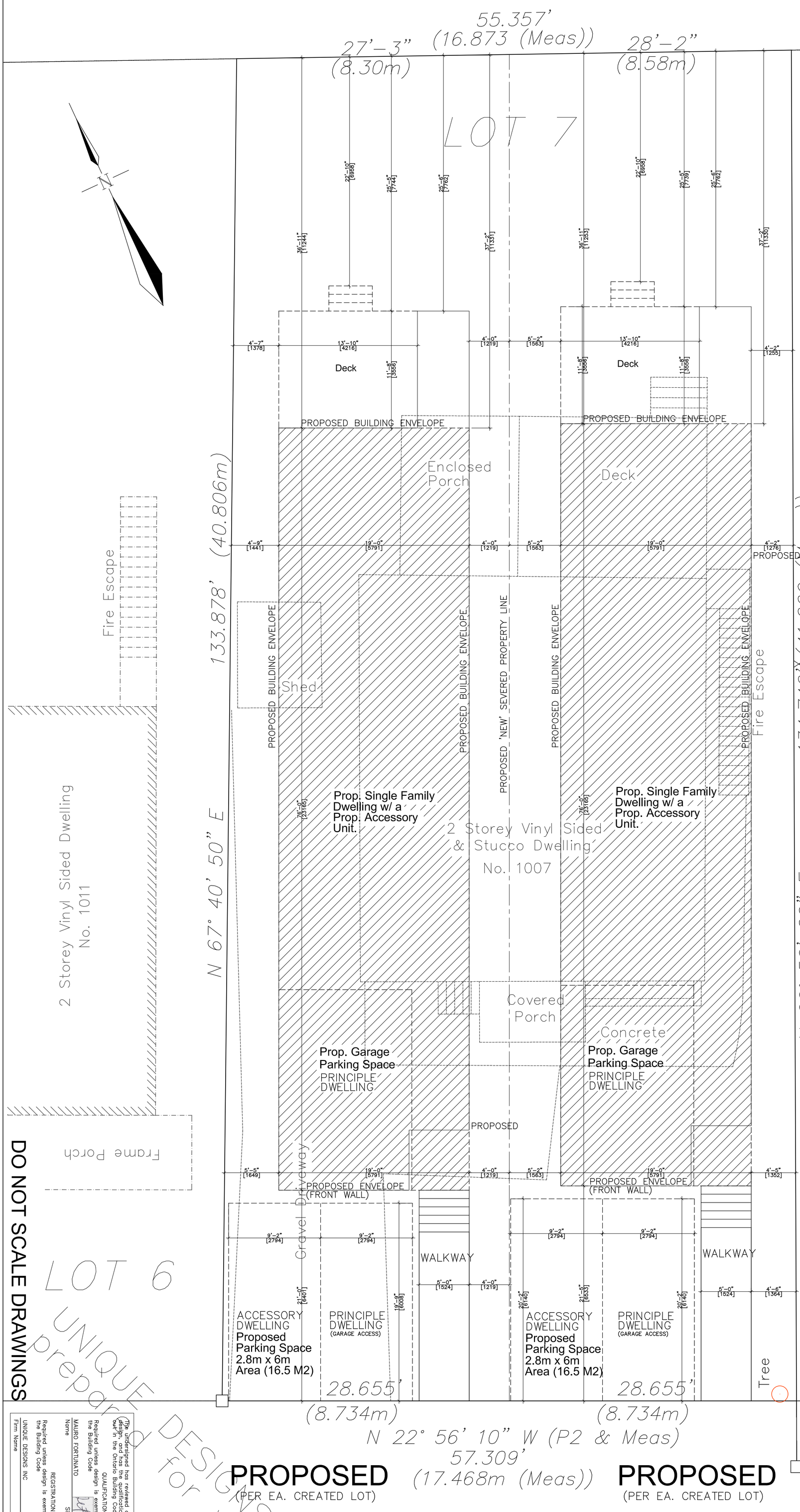
1. ALL BEDDING AND BACKFILL MATERIAL, ROAD SUBGRADES AND GENERALLY ALL MATERIAL USED FOR LOT GRADING AND ESL SECTIONS ETC. SHALL BE COMPACTED TO 95% SPD UNLESS OTHERWISE RECOMMENDED BY A GEOTECHNICAL ENGINEER(S).
2. ALL MATERIAL SHALL BE PLACED IN LAYERS NOT EXCEEDING 300mm LIFTS.
3. ALL GRANULAR ROAD BASE MATERIALS SHALL BE COMPACTED TO A MIN 98% SPD.
4. USE OF VIBRATION OR COMPACTION WHILE COMPACTING IS NOT PERMITTED.

EROSION & SEDIMENT CONTROL:

1. ALL EROSION AND SEDIMENT CONTROLS ARE TO BE INSTALLED ACCORDING TO CITY OF HAMILTON STANDARDS IN CONJUNCTION WITH THE START OF ANY EARTH WORKS ON THE SITE AND SHALL REMAIN IN PLACE UNTIL ADDITIONAL AREAS ARE STABILIZED WITH THE INTENDED FINAL GROUND.
2. ALL EROSION AND SEDIMENT CONTROL MEASURES SHALL BE CLEANED AND MAINTAINED AFTER EACH RAINFALL AS DIRECTED AND TO THE SATISFACTION OF THE CITY OF HAMILTON.
3. ADDITIONAL SILT CONTROL LOCATIONS MAY BE REQUIRED AS DETERMINED BY THE CITY OF HAMILTON.
4. ALL EROSION AND SEDIMENT CONTROLS SHALL BE MAINTAINED IN PROPER WORKING CONDITION AT ALL TIMES. DAMAGED OR CLOGGED DEVICES SHALL BE REPAIRED WITHIN 48 HOURS.
5. EXISTING STORM SEWERS AND DRAINAGE DITCHES ADJACENT TO THE WORKS SHALL BE PROTECTED AT ALL TIMES FROM THE ENTRY OF SEDIMENT AS THEY RECEIVE RUNOFF FROM THE SITE. FOR STORM SEWERS ALL INLETS (REAR LOT CATCHBASINS, PIPE INLETS, ETC.) MUST BE SECURELY FITTED WITH SILTATION CONTROL MEASURES. FOR DRAINAGE DITCHES THE INSTALLATION OF CONTINUOUS SILT FENCING, SILTATION FENCING, AND SEDIMENT CONTAINMENT DEVICES MUST BE INSTALLED TO TRAP AND CONTAIN SEDIMENT. THESE LOCATION OF SILT TRAPS SHALL BE INSPECTED AND MAINTAINED PER ISSUE 2 AND 3 ABOVE.
6. ALL SPILLS (OIL, GAS, FUEL, OR OTHER FORMS OF DELETERIOUS MATERIAL) ON OR EMANATING FROM THE SITE THAT HAVE EXCEEDED APPROPRIATE AGENCY LIMITS IMMEDIATELY NOTIFY THE MOECC AND FOLLOW ANY PRESCRIBED CLEAN–UP PROCEDURES. THE OWNER OR CONSULTANT SHALL ALSO BE NOTIFIED IMMEDIATELY WITH DETAILS OF THE SPILL.
7. IT IS REQUIRED TO STABILIZE ALL AREAS THAT WILL REMAIN DISTURBED FOR MORE THAN 30 DAYS.
8. SILT FENCE AND CATCHBASIN PROTECTION ARE NOT TO BE REMOVED UNTIL CONSTRUCTION IS COMPLETED.
9. THE SILTATION CONTROL MEASURES CONSIDERED ADJACENT TO THE WORKS SHALL BE CONSIDERED TO BE THE MINIMUM REQUIREMENTS. ADDITIONAL SILTATION CONTROL MEASURES MAY BE DEEMED BY THE OWNER'S CONSULTANT DURING CONSTRUCTION.
10. ALL EROSION AND SILTATION CONTROL DEVICES SHOULD BE AS PER THE "GREATER GOLDEN HORSESHOE AREA CONSERVATION AUTHORITY'S "EROSION AND SEDIMENT CONTROL GUIDELINE FOR URBAN CONSTRUCTION".
11. THE OWNER IS RESPONSIBLE FOR THE REMOVAL OF ALL MUD AND DEBRIS THAT ARE TRACKED ONTO THE ROADWAYS FROM VEHICLES ENTERING AND LEAVING THE CONSTRUCTION SITE. THE GRADE SHALL, WHEN VERBAL AND/OR REQUEST BY THE CITY, COMMENCE TO CLEAN UP THE DEBRIS AT THEIR EXPENSE. SHOULD THE OWNER FAIL TO CLEAN UP AFTER THE CITY HAS GIVEN THE REQUEST, THE CITY WILL DRAW ON THE SECURITY FOR COSTS AND/OR LAY CHARGES.

TREE PRESERVATION:

1. PRIOR TO THE COMMENCEMENT OF ANY SITE ACTIVITY SUCH AS SITE ALTERATION, DEMOLITION OR CONSTRUCTION, THE TREE PROTECTION AS OUTLINED ON THIS TREE PLAN MUST BE INSTALLED TO THE SATISFACTION OF URBAN FORESTRY.TREE PROTECTION SHALL BE INSTALLED AS SHOWN INCLUDING SNOW FENCE BARRIERS, SURFACE TREATMENTS OR EXCAVATION OF ROOTS AS REQUIRED WITHIN THE AREA IDENTIFIED ON THE TREE PROTECTION PLAN OR SITE PLAN. NO CONSTRUCTION ACTIVITY TYPE MAY TAKE PLACE WITHIN THE TPZ. NO MOVEMENT OR STORAGE OF VEHICLES OR EQUIPMENT IS PERMITTED WITHIN THE TPZ. THE AREA(S) IDENTIFIED AS A TPZ MUST BE PROTECTED AND REMAIN UNDISTURBED AT ALL TIMES.
2. ALL ADDITIONAL TREE PROTECTION OR PRESERVATION REQUIREMENTS ABOVE AND BEYOND THE INSTALLATION OF TREE PROTECTION BARRIERS, MUST BE UNDERTAKEN OR SUPERVISED BY A CERTIFIED ARBORIST IN THE URBAN FORESTRY FIELD AND IN ACCORDANCE WITH THE APPROVED TREE PROTECTION PLAN AND TO THE SATISFACTION OF URBAN FORESTRY.
3. ALL ROOTS WITHIN THE TREE PROTECTION ZONES MUST BE EXPOSED MANUALLY BY THE USE OF AIR SPADE (OR HYDRO VAC) UNDER SUPERVISION OF THE PROJECT ARBORIST. 4. WHERE POSSIBLE, ROOTS 40mm AND GREATER IN DIAMETER THAT ARE ENCOUNTERED SHALL BE AVOIDED. HOWEVER, IF THESE CUTS ARE REQUIRED, THE CUTS SHOULD BE COMPLETED UNDER THE SUPERVISION OF A TREE MANAGEMENT PROFESSIONAL (I.E. CERTIFIED ARBORIST) SO THAT CUTS ARE MADE APPROPRIATELY.
5. ALL TREES ON THIS PROPERTY, INCLUDING THOSE THAT ARE PROTECTED UNDER THE MUNICIPAL TREE CONSERVATION ACT 1946, THAT ACT IS IMPLEMENTED BY CAMPBELLWOOD, CAMILLA CREEK OR ROCK CHAPEL TREE CONSERVATION BY–LAW, AND ANY TREES PROTECTED BY A TREE CONSERVATION BY–LAW FROM THE MUNICIPALITY OF HALDIMAND SHALL BE UNDERTAKEN DURING THE PERIOD MAY SEPTEMBER 1 THROUGH MARCH 30/31 ONLY PERFORMED DURING THE PERIOD OF SEPTEMBER 1ST THROUGH MARCH 30/31.
6. IT IS THE APPLICANTS' RESPONSIBILITY TO DISCUSS POTENTIAL IMPACTS TO TREES LOCATED NEAR OR WHOLLY OR ADJACENT PROPERTIES OR ON SHARED BOUNDARY LINES WITH THEIR NEIGHBOURS. SHOULD SUCH TREES BE INJURED TO THE POINT OF REQUIRING REMOVAL, THE APPLICANT/OWNER MAY BE HELD RESPONSIBLE THROUGH THE COURTS. THE APPLICANT WILL ALSO BE REQUIRED TO REPLACE SUCH TREES TO THE SATISFACTION OF URBAN FORESTRY.
7. ALL TREE PROTECTION ZONES MUST BE INSTALLED 2/3RDS OUT FROM THE DRIPLINE (MINIMUM 1.5MM OR –/– THICK) OR AN EQUIVALENT APPROVED BY URBAN FORESTRY.
8. WHERE BUILDING CODES AND SPECIFIED CLEARANCES TREE PROTECTION FENCE MUST BE ATTACHED TO ALL SIDES OF THE BARRIER.
9. THE APPLICANT SHALL ARRANGE FOR INSTALLATION OF APPROVED TPZ OR SEDIMENT CONTROL FENCING AND THE SUBSEQUENT INSPECTION OF THE APPROVED TPZ BY URBAN FORESTRY PRIOR TO COMMENCEMENT OF ANY SITE ACTIVITY. ONCE THE TPZ HAS BEEN APPROVED, URBAN FORESTRY MUST BE CONTACTED TO OBTAIN APPROVAL PRIOR TO ANY REMOVAL.
10. IF THE MINIMUM TREE PROTECTION ZONE CANNOT BE ACHIEVED DUE TO EXISTING CONSTRUCTION ACCESS, THE TREE PROTECTION BARRIERS MUST BE MAINTAINED AT A LESSER DISTANCE AND THE EXPOSED PORTION OF TPZ MUST BE PROTECTED USING A HORIZONTAL ROOT PROTECTION METHOD APPROVED BY URBAN FORESTRY.
11. IF ANY ROOTS OR BRANCHES 40mm OR MORE IN DIAMETER REQUIRE REMOVAL AS DIRECTED BY URBAN FORESTRY, MUST BE PRUNED BY AN ARBORIST. ALL PRUNING OF TREES TO BE PERFORMED IN ACCORDANCE WITH GOOD ARBORICULTURAL PRACTICE. NOTE THAT HAVE EXCEEDED APPROVED LIMITS FROM URBAN FORESTRY TO BE PRUNED BY A LICENSED ARBORIST. 12. ROOTS THAT ARE EXPOSED USING PNEUMATIC EXCAVATION OR BY HAND DIGGING MUST BE BACKFILLED WITH SOIL AS SOON AS POSSIBLE. PRESSURE FOR HYDRAULIC EXCAVATION MUST BE LOW ENOUGH THAT ROOT BARK IS NOT DAMAGED OR REMOVED. THIS WILL ALLOW A CLEAN SMOOTH CUT TO BE MADE WHERE TEARING OF THE ROOTS. THE ARBORIST IS REQUIRED TO CARRY OUT CROWN O



CITY OF HAMILTON
BY-LAW NO. 22-195

That the District Maps appended to and forming part of Zoning By-law No. 6593 (Hamilton) are amended by adding Site Specific S-1822 to lands zoned:

That SECTION 19: RESIDENTIAL CONVERSION REQUIREMENTS be amended by modifying Section 19.(1) (ii) as follows:
i) By adding a clause to Subsection 19.(1) (ii) (a):
"1. Notwithstanding Section 19.(1) (ii) (a), one parking space shall be required for a Secondary Dwelling Unit – Detached if it constitutes the fourth Dwelling Unit on a lot."
ii) By adding a new Subsection:
"(iv) Notwithstanding any applicable regulations of this By-law, no more than four Dwelling Units shall be permitted on a lot in a "B-1", "B-2", "C", "R-4", "D", or "R-2" District."

"Dwelling, Two Family" shall mean a building comprising two self contained Class A dwelling units, whether or not a private garage or other accessory building is attached to the same, and which may also contain such lodgers' rooms as may be permitted under the provisions of this By-Law in the district in which it is situate."

e) That notwithstanding Section 9. (3) and (4), in the "C" (Urban Protected Residential, etc.) District, the following provisions shall apply to the uses permitted in Section 3 b) to this By-law:
i) A Semi-Detached Dwelling shall be subject to the provisions as provided in subsection 9A. (3) (b) and (c).

To Amend Former City of Hamilton Zoning By-law No. 6593 Respecting Modifications and Updates to Low Density Residential Zones
Page 4 of 8

ii) A Two Family Dwelling shall be subject to the provisions as provided in subsection 10B. (3) and (4) (ii).
iii) A Street Townhouse Dwelling shall be subject to the provisions as provided in subsection 10F. (4), (5), and (6).

Use	"B-1" District	"B-2" District	"C" District	"R-4" District	"D" District	"R-2" District
Semi-Detached Dwelling	✔	✔	✔		✔	✔
Two Family Dwelling	✔	✔	✔	✔		
Street Townhouse Dwelling	✔	✔	✔	✔	✔	✔

4. That the SECTION 19: RESIDENTIAL CONVERSION REQUIREMENTS contained in Section 19 of Zoning By-law No. 6593, applicable to the lands the extent and boundaries of which are shown on Schedules "A-1" and "A-2" to this By-law, be amended to include the following special requirements:
a) That in addition to the requirements of Section 19, the following provisions shall apply to conversions in "B-1", "B-2", "C", "R-4", "D", and "R-2" Districts:

To Amend Former City of Hamilton Zoning By-law No. 6593 Respecting Modifications and Updates to Low Density Residential Zones
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"i) For the purpose of Section 4 to this By-law, a converted dwelling shall mean a single detached or two family dwelling, existing as of XX, 2022, converted to contain greater than two but no more than four Dwelling Units.

ii) All the regulations of Zoning By-law No. 6593 applicable to the existing dwelling shall continue to apply unless specifically provided in Section 4 to this By-law.

iii) Notwithstanding any applicable regulations of Zoning By-law No. 6593, no more than four Dwelling Units shall be permitted on a lot.

iv) No parking spaces are required for Dwelling Units within a converted dwelling, provided the required parking spaces which existed on XX, 2022 for the existing dwelling shall continue to be provided and maintained.

a) Notwithstanding Section 4 a) iv) to this By-law, one parking space is required for the following conditions:

1) For the fourth Dwelling Unit in a converted dwelling; and,
2) For the fourth Dwelling Unit on a lot."

5. That no building or structure shall be erected, altered, extended, or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "B-1" (Suburban Agriculture and Residential, etc.) District provisions, "B-2" (Suburban Residential) District provisions, "C" (Urban Protected Residential, etc.) District provisions, "R-4" (Small Lot Single Family Detached) District provisions, "D" (Urban Protected Residential – One and Two Family Dwellings, etc.) District provisions, and "R-2" (Urban Protected Residential One and Two Family Dwellings, etc.) District provisions, subject to the special requirements in Section 3 and 4 of this By-law.

6. That the District maps appended to and forming part of Zoning By-law No. 6593, are amended by marking the lands referred to in Section 1 of this By-law as Schedule S-1822.

7. That Zoning By-law No. 6593 is amended by adding this By-law to Section 19B as Schedule S-1822.

To Amend Former City of Hamilton Zoning By-law No. 6593 Respecting Modifications and Updates to Low Density Residential Zones
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8. That no building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with Section 2 of this By-law.

9. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law in accordance with the Planning Act.
10. That this By-law shall not come into force and effect until such time as Official Plan Amendment No. 167 to the Urban Hamilton Official Plan is in full force and effect.

11. That for the purposes of the Ontario Building Code, this By-law or any part if it is not made until it has come into force as provided by Section 34 of the Planning Act.

The Corporation of the City of Hamilton
BY-LAW NO. 99-169
To Amend:
Zoning By-law No. 6593

1. The "C" (Urban Protected Residential, etc.) District, the "G" (Neighbourhood Shopping Centre, etc.) District, and the "H" (Community Shopping and Commercial, etc.) District provisions, as contained in Section 9, 13 and 14, respectively, of Zoning By-law No. 6593, applicable to the lands east (lake side) of Beach Boulevard, the extent and boundaries of which are shown on plans hereto annexed as Schedules "An, "A-1" and "A-2", are amended to the extent only of the special requirement that,

(a) all buildings and structures, including accessory buildings, shall provide a side yard along each side lot line, of a width of at least 1.7 metres; and,

(b) notwithstanding clause (a), a side yard maybe reduced to a width of at least 1.5 metres, only where a common swale between the adjoining properties has been approved under a Lot Grading Agreement or approved under a Site Plan Control Agreement; and,
(c) notwithstanding clauses (a) and (b), Sections 18(3)(v), (vicc), and (vi)(e) shall not apply to side yards.

2. The "C" (Urban Protected Residential, etc.) District provisions, as contained in Section 9 of Zoning By-law No. 6593, applicable to the lands comprised in Blocks "1" and "2", the extent and boundaries of each Block are shown on a plan hereto annexed as Schedule "A-3", are amended to the extent only of the special requirement that,

(a) No building or structure, except fences shall be located within 4.5 metres of the rear lot line;
(i) every fence, excluding the supporting posts must be at least .075m from the ground to the bottom of the fence, so as not to obstruct the natural flow of water.

SITE STATISTICS

MUNICIPAL ADDRESS
1007 BEACH BLVD
HAMILTON, ONT.

BUILDING CLASSIFICATION
RESIDENTIAL

ZONING
'C' – URBAN PROTECTED RESIDENTIAL, ETC

REQUIREMENTS FOR DETACHED

MIN. SIDE YARDS	1.2 M (3.94')
MIN. FRONT YARD	6.0 M (19.69')
MIN. REAR YARD	7.5 M (24.61')
MAX. BLDG HT.	11.0 M (36.09')

INTENSITY OF USE – LOT AREA
MIN REQ'D LOT WIDTH – 12 M (39.37')
MIN REQ'D LOT AREA – 360.00 SQ.M. (3875.13 SQ.FT.)

OTHER BY-LAW REQUIREMENTS:
BY-LAW 00-136
MAX. HT. 9.0M (29.527')
FRONT YARD SETBACK 12.0M (39.370')
GARAGE WALL TO BE 1.5M (4.921') FROM FRONT WALL OF DWELLING AND HAVE A FRONT YARD OF 7.5M (24.60')

BY-LAW 22-195 – 2 FAMILY PERMITTED
MAX. HT. 9.0M (29.527')
FRONT YARD SETBACK 12.0M (39.370')
GARAGE WALL TO BE 1.5M (4.921') FROM FRONT WALL OF DWELLING AND HAVE A FRONT YARD OF 7.5M (24.60')

BY-LAW 99-169
MIN SIDE YARD 1.7M (5.57')
MIN SIDE YARD 1.5M PERMITTED WITH A GRADING PLAN SHOWING COMMON SWALES BETWEEN DWELLINGS UNDER AN APPROVED LOT GRADING AGREEMENT
NO BUILDING OR STRUCTURE OTHER THAN A FENCE TO BE WITHIN 4.5M OF REQUIRED REAR YARD.

REQUIRED/ QUESTIONS:

1. SEVERANCE OF PROPERTY INTO TWO PARCELS.
2. VARIANCE FOR LOT WIDTH – VIA SEVERANCE?
3. VARIANCE FOR SETBACKS SIDE YARDS ONLY! 4'–0" ONE SIDE AND 5'–0" OTHER....UNDER GRADING PLAN AND APPROVAL?
4. VARIANCE FOR SETBACK OF GARAGE TO BE FLUSH OR CLOSE TO FLUSH WITH HAVING TO BE 1.5M BEHIND FRONT WALL AS ALLOT OF NEW HOMES ON THIS SIDE ARE?
5. IS STREET PARKING PERMITTED?
6. CAN PARKING BE 1 CAR IN GARAGE AND STREET PARKING
7. CAN 3 UNITS BE A POSSIBILITY OR JUST TWO PER BUILDING?

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
Required unless design is exempt under Div.C, Article 3.2.5.1 of the Building Code

MAURO FORTUNATO — 15084 BCIN
Name — Signature

REGISTRATION INFORMATION
Required unless design is exempt under Div.C, Article 3.2.4.1 of the Building Code

UNIQUE DESIGNS INC — 31090 BCIN
Firm Name

A. ISSUED FOR PROPOSED LAND SEVERANCE AND REQUIRED MINOR VARIANCES

CLARK RESIDENCE

1007 BEACH BLVD.,
HAMILTON, ONT.

Job Number 072423
Date: 07.27.23
Drawn By
Scale 3/16"=1'-0"
A0

UNIQUE DESIGNS DRAFTING DESIGN INC.
UNIQUE DESIGNS INC.

SECONDARY DWELLING UNIT - DETACHED

PLOT PLAN

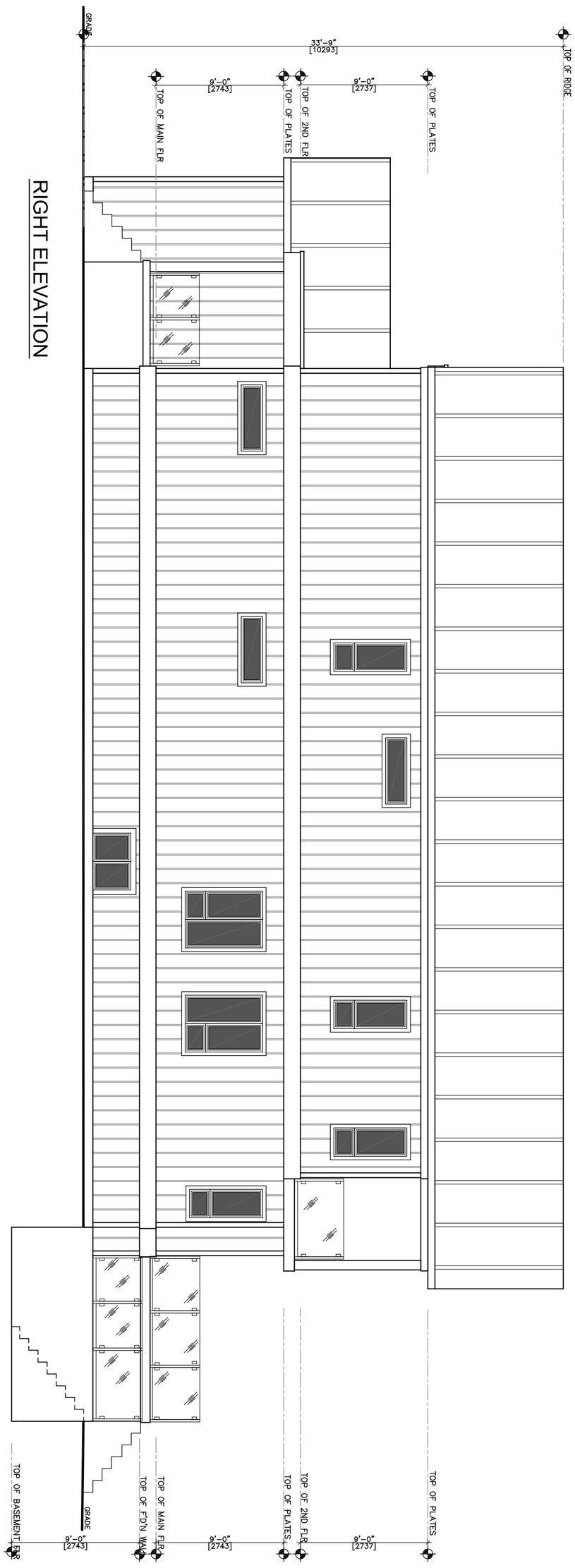
No.	DATE	DESCRIPTION
1.	07.26.23	ISSUED FOR REVIEW
2.	08.09.23	RE-ISSUED FOR REVIEW
3.	01.02.24	RE-ISSUED FOR SEVERANCE/ VARIANCES
4.	05.06.24	RE-ISSUED FOR SEVERANCE/ VARIANCES
5.		
6.		
7.		
8.		

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.

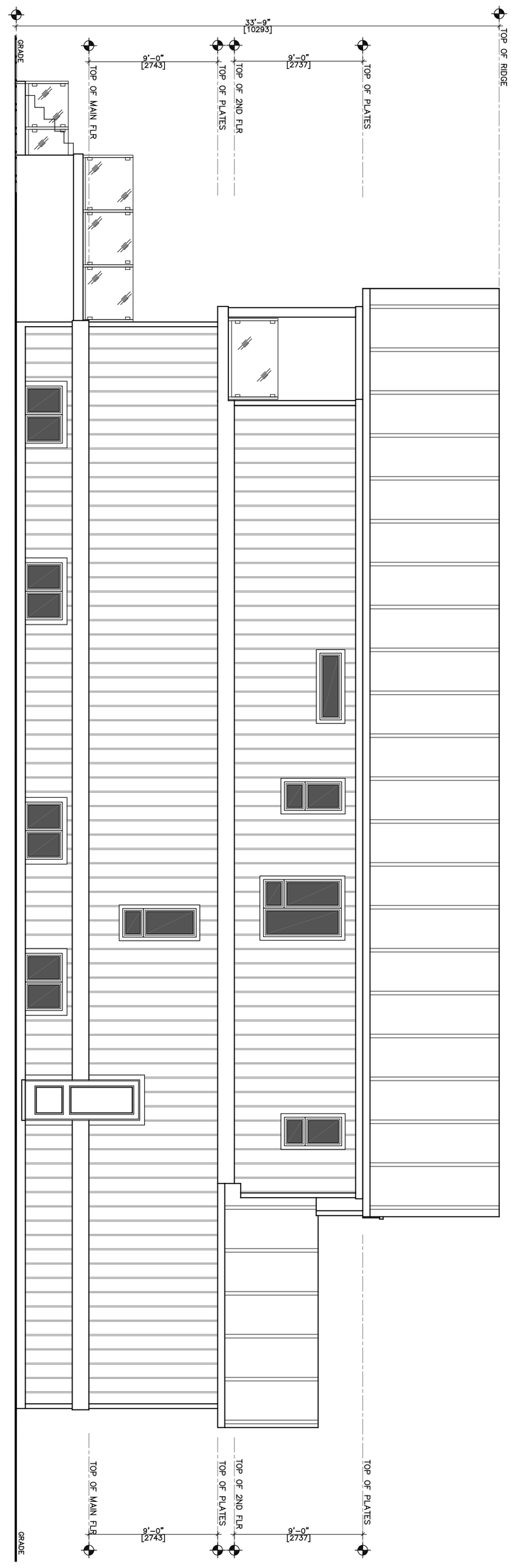
THE USE OF THIS DRAWING OR PART THEREOF IS FORBIDDEN WITHOUT THE WRITTEN APPROVAL OF THE DESIGNER.

SPECTATOR READERS' CHOICE 2018 THE HAMILTON SPECTATOR PLATINUM WINNER

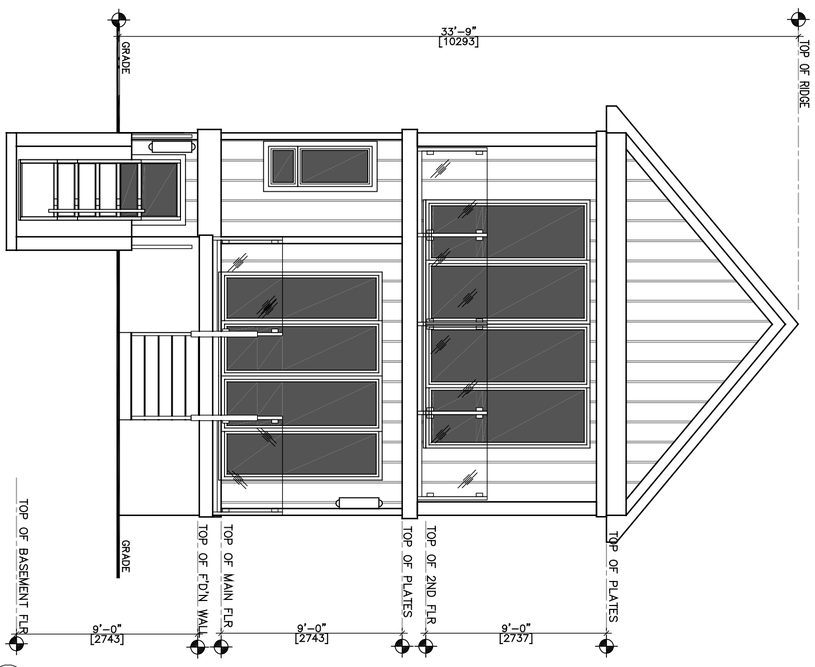
RIGHT ELEVATION



LEFT ELEVATION



REAR ELEVATION



FRONT ELEVATION



IT SHALL BE THE RESPONSIBILTY OF THE BUILDER TO HAVE ALL GRADES AND ELEVATIONS VERIFIED BY GRADING AND SERVICES ENGINEERED PROPOSED GRADE LINE AS INDICATED ARE FOR REFERENCE ONLY AND DO NOT NECESSARILY DEPICT FINISHED GRADING CONDITIONS

DO NOT SCALE DRAWINGS

UNIQUE DESIGNS INC.
prepared for variance

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
Required unless design is exempt under Div.C, Article 3.2.5.1 of the Building Code

MAURO FORTUNATO — Signature — 15084 BCIN
Name

REGISTRATION INFORMATION
Required unless design is exempt under Div.C, Article 3.2.4.1 of the Building Code

UNIQUE DESIGNS INC — 31090 BCIN
Firm Name

A. ISSUED FOR PROPOSED LAND SEVERANCE AND REQUIRED MINOR VARIANCES

CLARK RESIDENCE

1007 BEACH BLVD.,
HAMILTON, ONT.

Drawn By

Scale 3/16"=1'-0"

Date: 10.27.23

Job Number 072423

A1

UNIQUE DESIGNS DRAFTING DESIGN INC.

UNIQUE DESIGNS INC.

LOT SEVERANCE
MINOR VARIANCE
APPLICATION

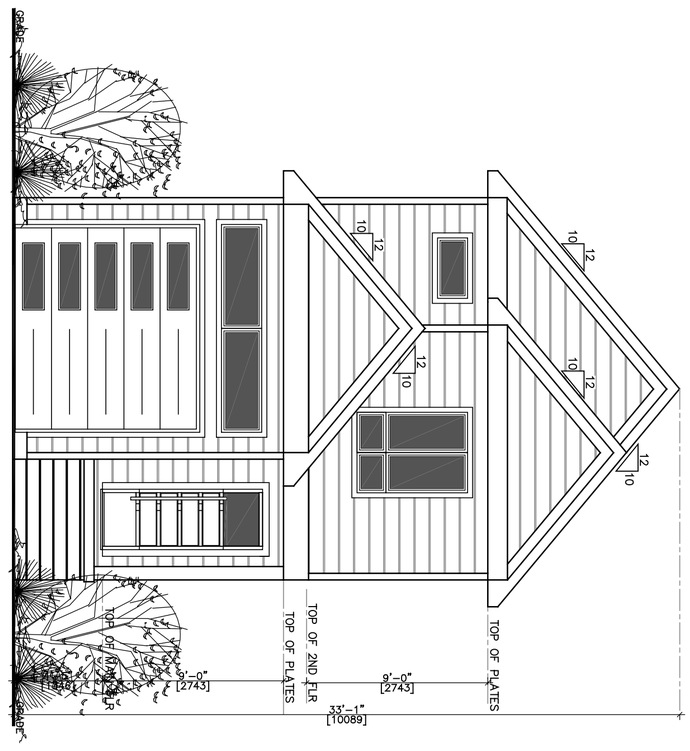
PROPOSED ELEVATIONS
FOR BOTH SIDES

No.	DATE	DESCRIPTION
1.	07.26.23	ISSUED FOR REVIEW
2.	08.09.23	RE-ISSUED FOR REVIEW
3.	10.27.23	LOT SEVERANCE APPLICATION
4.	01.02.24	RE-ISSUED FOR SEVERANCE/ VARIANCES
5.	05.06.24	RE-ISSUED FOR SEVERANCE/ VARIANCES
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.

OPTIONAL - FRONT ELEVATION - 'B'

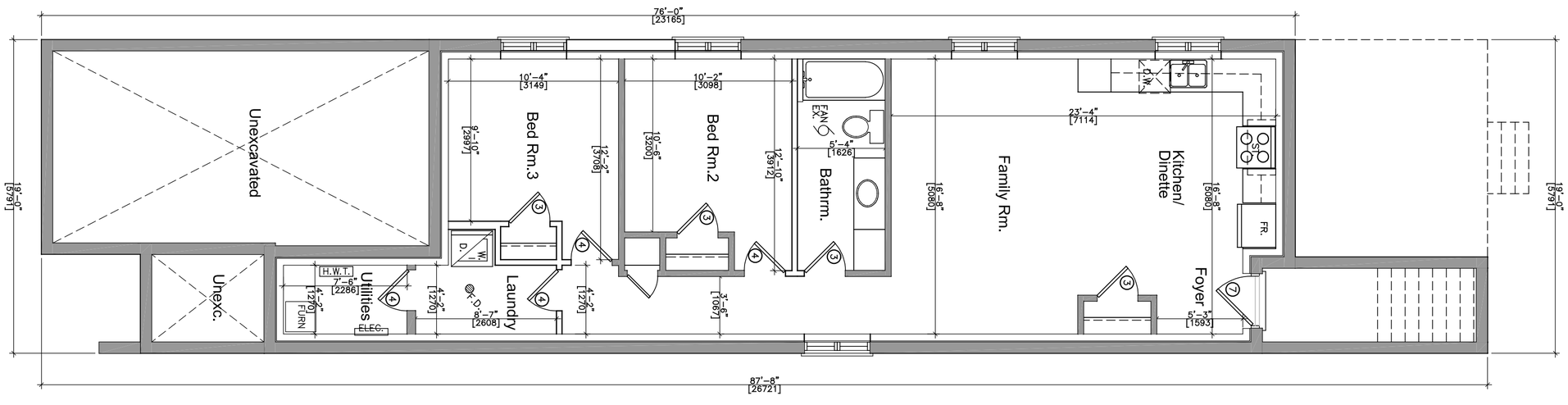


OPTIONAL FRONT ELEVATION - 'C'



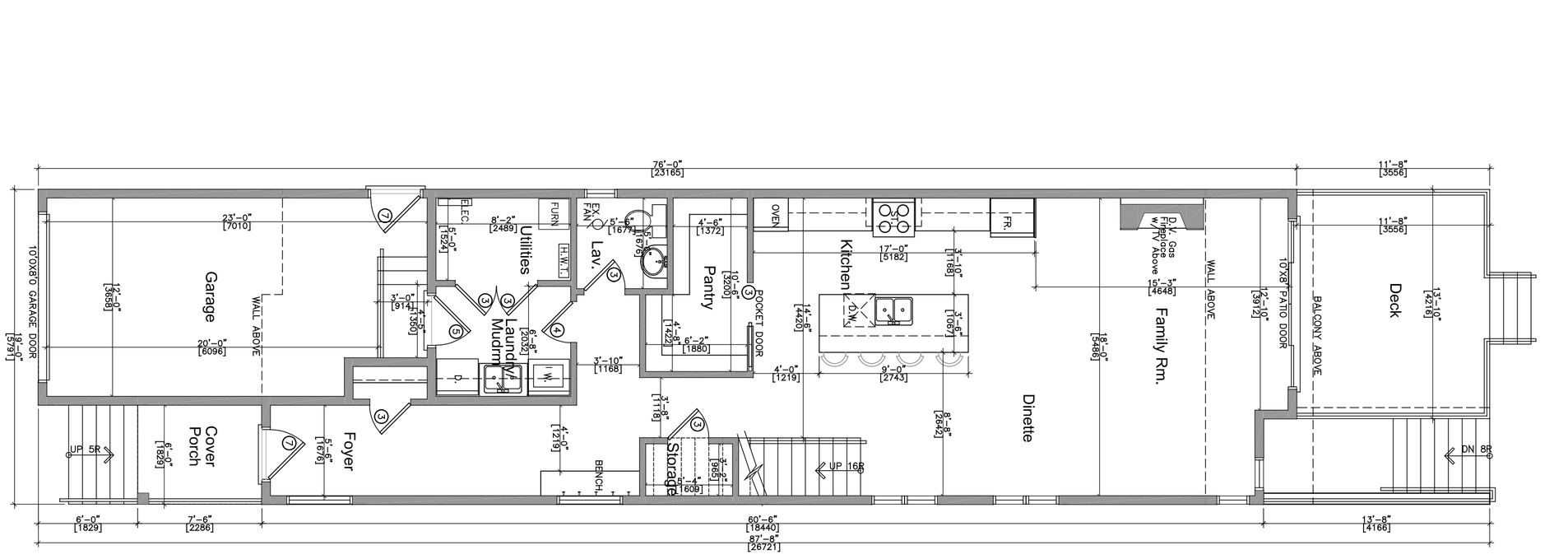
FOUNDATION PLAN
PROPOSED ADU

LOWER LEVEL UNIT
794 SQ. FT.



FIRST FLOOR PLAN

1065 SQ. FT.
TOTAL: 2082 SQ. FT.



SECOND FLOOR PLAN - 'B'

1017 SQ. FT. ---- FOR ELEVATIONS 'A', 'B', 'C'.

UNIQUE DESIGNS INC.
prepared for variance

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.

QUALIFICATION INFORMATION
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UNIQUE DESIGNS INC — Firm Name — 31090 BCIN

A. ISSUED FOR PROPOSED LAND SEVERANCE AND REQUIRED MINOR VARIANCES

CLARK RESIDENCE

1007 BEACH BLVD.,
HAMILTON, ONT.

UNIQUE DESIGNS DRAFTING DESIGN INC.

UNIQUE DESIGNS INC.

LOT SEVERANCE
MINOR VARIANCE
APPLICATION

PROPOSED FLOOR PLANS

No.	DATE	DESCRIPTION
1.	07.26.23	ISSUED FOR REVIEW
2.	08.09.23	RE-ISSUED FOR REVIEW
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4.	01.02.24	RE-ISSUED FOR SEVERANCE/ VARIANCES
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Drawn By
Date: 10.27.23
Scale 3/16"=1'-0"
Job Number 072423
A2

SPECTATOR READERS' CHOICE 2018 HAMILTON SPECTATOR PLATINUM WINNER

Variances required as determined by an Applicable Law Review – Zoning By-law on February 23, 2024

1. A maximum building height of 10.09 metres shall be provided whereas the by-law permits a maximum height of two storeys or 9.0 metres.
2. A minimum side yard setback of 1.22 metres for the western lot and 1.28 metres for the eastern lot shall be provided whereas the by-law requires a minimum side yard setback of 1.7 metres.
3. A minimum lot frontage of 8.73 metres shall be provided for each lot whereas the by-law requires a minimum lot frontage of 12.0 metres.
4. A minimum lot area of 338 square metres for the western lot and 352 square metres for the eastern lot shall be provided whereas the by-law requires a minimum lot area of 360 square metres.
5. A minimum landscaped area of X% for the western lot and X% for the eastern lot shall be provided whereas the by-law requires a minimum of 50% of the gross area of the front yard to be landscaped.

Yours truly

for the Manager of Zoning & Committee of Adjustment

I am Sandra Clark, owner of the property known as 1007 Beach Blvd. in the City of Hamilton.

I recently purchased this property with the intention of severing and creating 2 building lot, each having a frontage of 8.734 metres and a lot area of 356.4 square metres. At the present time there is an existing abandoned dwelling unit that is a complete eyesore to the area residents and not viable to be rehabilitated. That being the case, I understand that variances would be required as this property is located in a "C" (urban protected residential) zoning and within the Heritage District of Beach Blvd.

I discussion with the City's planning staff, they have stated that these proposed lot sizes are not consistent with the current lot fabric of the area.

In my research, I have discovered that there are numerous lots in the area with a lot frontage of approximately 9 metres which in my opinion complements this area.

My goal if my variance and severance applications are approved by the Committee is to construct new dwelling units on each lot with each dwelling containing a secondary dwelling unit. These dwelling units will be designed and constructed to compliment the area as shown on the attached drawings prepared by Unique Designs Inc., a local firm experienced infill developments such as this.

I intend to live in one of the units and therefore add 3 units to the affordable rental housing inventory.

In my opinion, the designated Heritage District for this area is outdated and does not meet the needs of the citizens of Hamilton who wish to live in this area.

I therefore hope that this Committee approves my severance application and my minor variance application before you.

I have compiled a list of the lot sizes on Beach Blvd that are 35 foot frontage and smaller
485- 15x95
1071-1063. 5 lots 19x124
1091-1081 6 lots townhouses similar in size
491- 24x95
483- 25x114
493-25x95
495-25x96
285-27x125
305-30x87
307-30x58
397-30x216
401-30x495
841-30x100
851-30x135
208-32x169
198-33x156
271-33x234
795-33x149
204-34x158

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
Registered Owners(s)	SANDRA CLARK
Applicant(s)	
Agent or Solicitor	MICHAEL P. SABELLI

[redacted]

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

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

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

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

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

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

2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	1007 BEACH BLVD.		
Assessment Roll Number	—		
Former Municipality			
Lot	7	Concession	—
Registered Plan Number	452	Lot(s)	—
Reference Plan Number (s)	—	Part(s)	—

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

☐ Yes ☒ No

If YES, describe the easement or covenant and its effect:

3. PURPOSE OF THE APPLICATION

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

All dimensions in the application form are to be provided in metric units (millimetres, metres, hectares, etc.)

3.1 Nature and extent of relief applied for:

SEE ATTACHED SHEET

☐ Second Dwelling Unit ☒ Reconstruction of Existing Dwelling

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

INSUFFICENT LOT WIDTH OF EXISTING LOT.

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
8.734 M	40.806 M	356.40M²	20 M

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

Existing:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
EXISTING DWELLING TO BE DEMOLISHED				

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
SINGLE FAMILY DWELLING	6.40M	~~9.754M~~ 9.0M	1.219M	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 DWELLING TO BE DEMOLISHED				

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
SINGLE FAMILY DWELLING	98.94 m^2	193.41 m^2	2	10.1M

4.4 Type of water supply: (check appropriate box)

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

4.5 Type of storm drainage: (check appropriate boxes)

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

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

- [x] publicly owned and operated sanitary sewage
- [ ] system privately owned and operated individual
- [ ] septic system other means (specify) _____

4.7 Type of access: (check appropriate box)

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

_____

4.8 Proposed use(s) of the subject property (single detached dwelling duplex, retail, factory etc.):
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 2023

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:
MORE THAN 25 YEARS

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

Rural Hamilton Official Plan designation (if applicable): NEIGHBOURHOODS

Rural Settlement Area: —

Urban Hamilton Official Plan designation (if applicable) _____

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

7.6 What is the existing zoning of the subject land? "C" - URBAN PROTECTED RESIDENTIAL

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

- [ ] Yes
- [x] No

If yes, please provide the file number: _____

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

☒ Yes ☐ No

If yes, please provide the file number: TO BE ASSIGNED

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

☒ Yes ☐ No

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

8 ADDITIONAL INFORMATION

8.1 Number of Dwelling Units Existing: 1

8.2 Number of Dwelling Units Proposed: 1

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

11 COMPLETE APPLICATION REQUIREMENTS

11.1 All Applications

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

11.4 Other Information Deemed Necessary

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

_____

_____

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

NOTICE OF PUBLIC HEARING
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-26:013**	**SUBJECT PROPERTY:**	1 Rosscliffe Avenue, Hamilton

APPLICANTS: Owner: 16112277 Canada Inc (Baljinder Chohan)
Applicant:
Agent:

PURPOSE & EFFECT: To sever the existing residential lot into two parcels. The severed lands will contain a proposed single-detached dwelling, and the retained lands will contain the existing 2-storey brick dwelling which is intended to remain.

	Frontage	**Depth**	**Area**
SEVERED LANDS (Severed Lot 2):	13.87 m±	33.52 m±	363.5 m^2 ±
RETAINED LANDS (Retained Lot 1):	25.75 m±	33.52 m±	964.8 m^2 ±

Associated Planning Act File(s): ZCR-25-28-03 (supporting document)

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, April 30, 2026**
TIME:	**11:20 a.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 **April 28, 2026**.

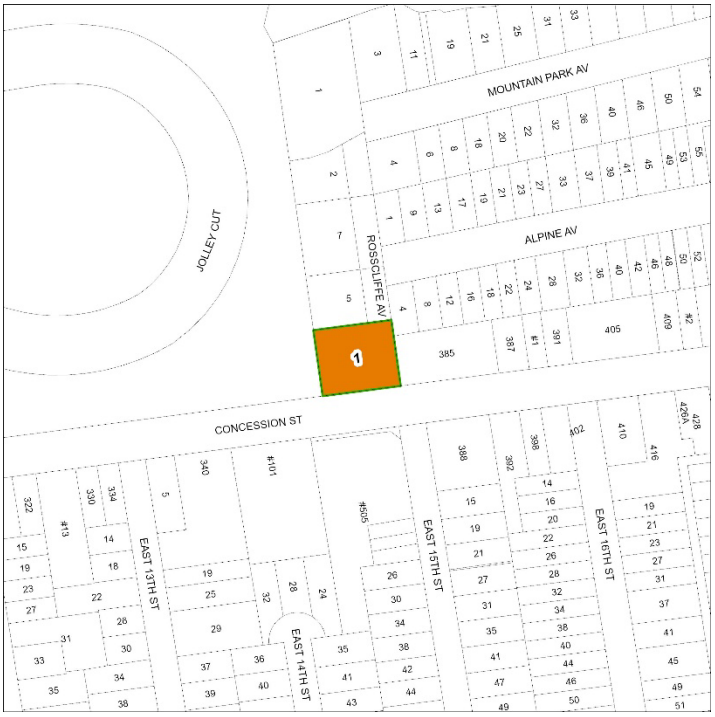
Orally: If you would like to speak to this item at the hearing you may do so via video link, calling in, or attending in person. Please see attached page for complete instructions, registration to participate virtually must be received no later than noon **April 29, 2026**.

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding this matter, 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-26:013



DATED: April 13, 2026

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.

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

The following information is required with your written submission:

- Committee of Adjustment file number
- Full name and address of the person providing comments. Anonymous comments will not be accepted.

Comments can also be placed in the drop box which is located at the back of the 1st Floor of City Hall, 71 Main Street West. All written comments received by the deadline 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. To register, email cofa@hamilton.ca with the following information:

- Committee of Adjustment file number
- Hearing date
- Full name and address of the person wishing to speak. Anonymous comments will not be accepted.
- 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.

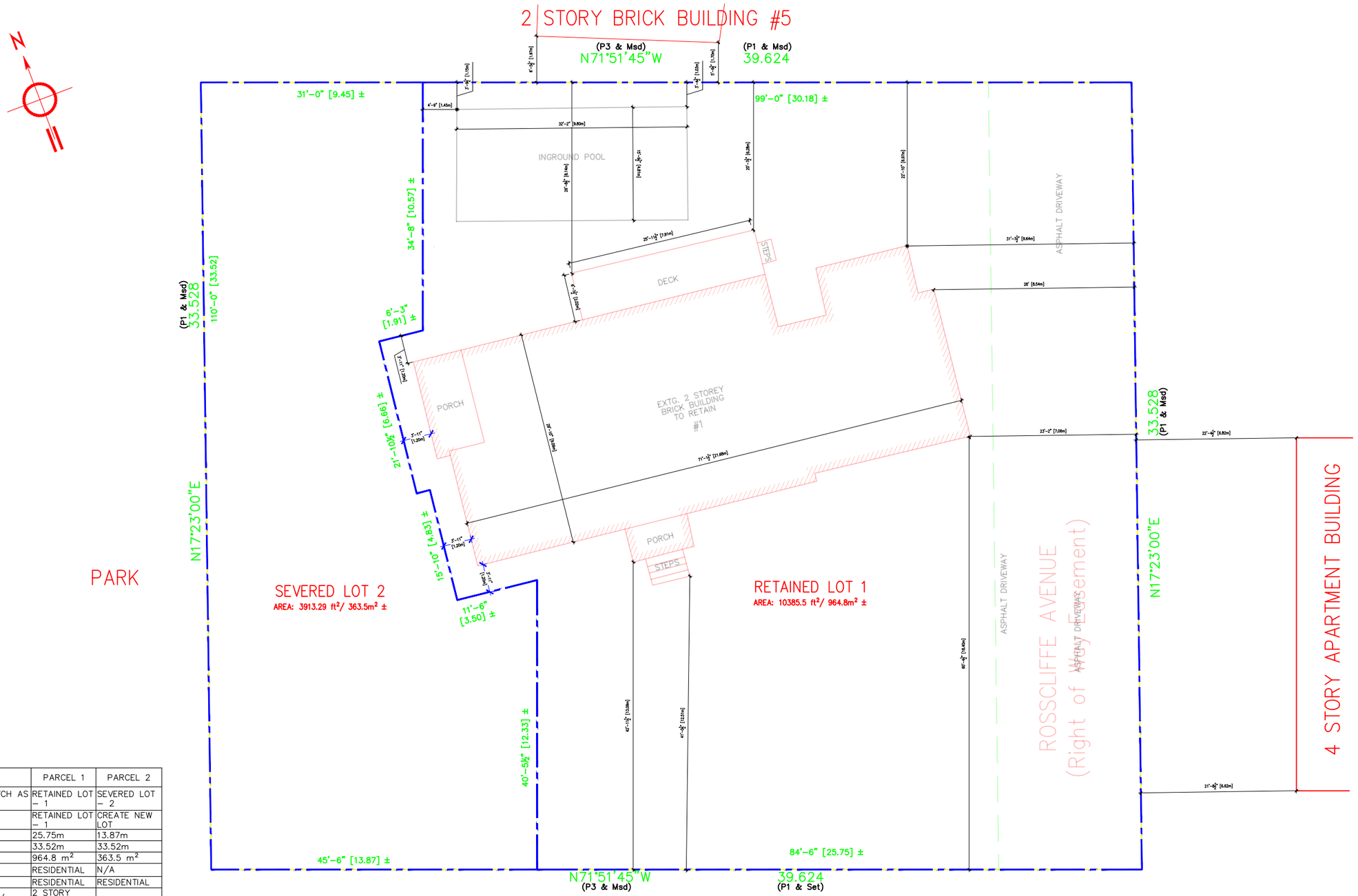
Virtual Presentations:
Presenters participating virtually may be granted permission to share their screen during the Hearing. A copy of the presentation must be submitted to cofa@hamilton.ca **by 12:00 p.m. (noon) on the business day prior to the Hearing.** The submission must be one document in PDF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



	PARCEL 1	PARCEL 2
IDENTIFIED ON SKETCH AS :	RETAINED LOT – 1	SEVERED LOT – 2
TYPE OF TRANSFER	RETAINED LOT – 1	CREATE NEW LOT
FRONTAGE	25.75m	13.87m
DETPH	33.52m	33.52m
AREA	964.8 m^2	363.5 m^2
EXISTING USE	RESIDENTIAL	N/A
PROPOSE USE	RESIDENTIAL	RESIDENTIAL
EXISTING BUILDING / STRUCTURES	2 STORY BRICK DWELLING	N/A
PROPOSE BUILDING / STRUCTURES	2 STORY BRICK DWELLING	SINGLE DETACHED DWELLING
BUILDING / STRUCTURES TO BE REMOVED	N/A	N/A

1 SITE PLAN - 1
Scale: 1 : 175

DATE	ISSUED FOR

GENERAL NOTES:
- LOCATIONS OF SITE FEATURES ARE APPROXIMATE AND MAY VARY FROM THAT SHOWN.
- CONTRACTOR TO VERIFY QUANTITIES AND DIMENSIONS BEFORE PROCEEDING.
- THIS DRAWING IS NOT TO BE SCALED

KEY DRAFT
KEYDRAFTDESIGN.COM
MAIL:-CONTACT@KEYDRAFTDESIGN.COM
PHONE:-+1(437)225-8713
ADDRESS:- 38,SEDGEWICK CIRCLE,BRAMPTON,ON,L7A2P7

CLIENT INITIAL / ADDRESS:

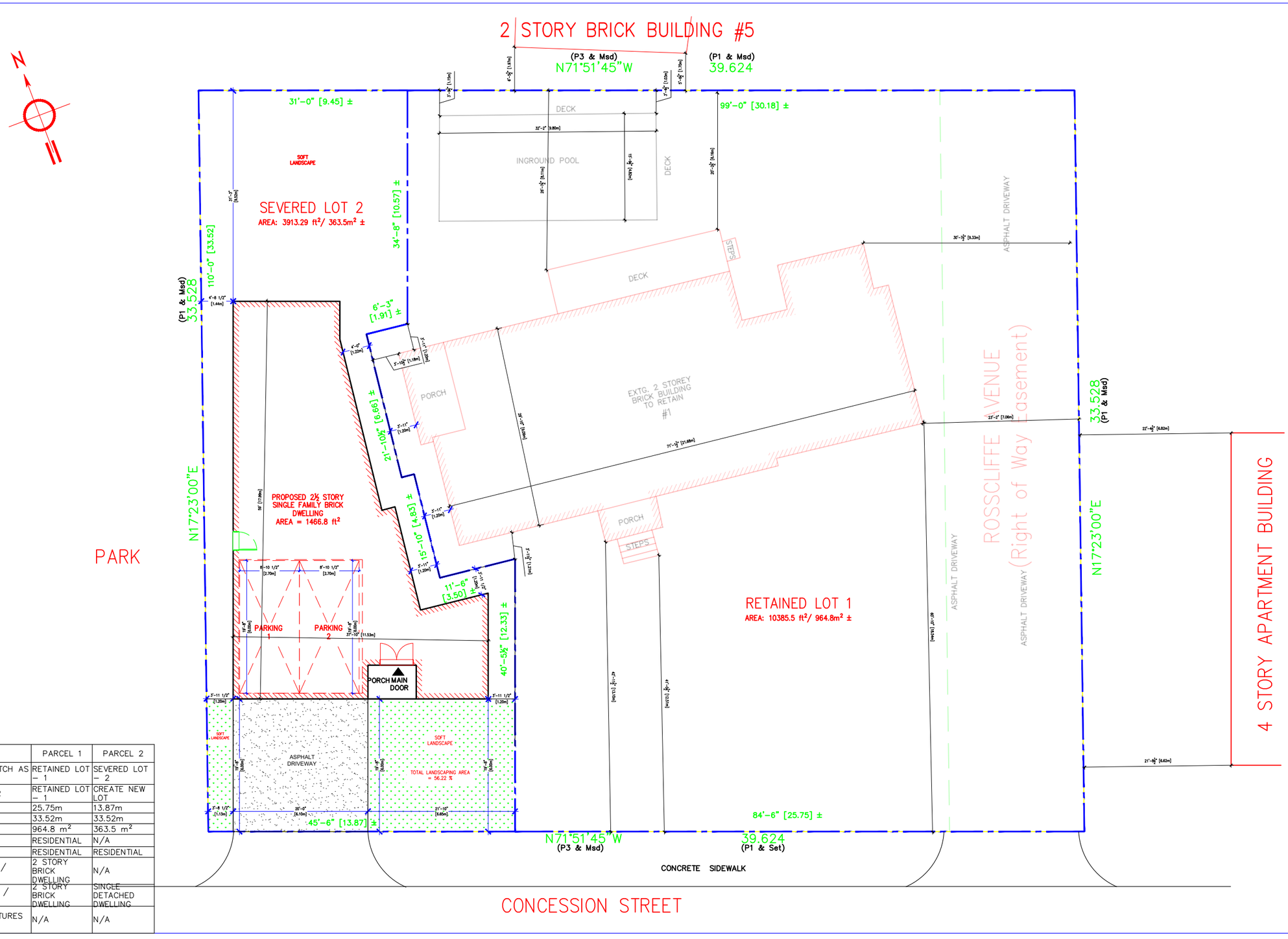
1 ROSSCLIFFE AVENUE, HAMILTON, ON, CANADA

PROJECT NAME:

DRAWING TITLE:

SITE PLAN - 1

PROJ. NO.:	DRAWING NO.:
DRW. BY: N. L	A0.1
CHK. BY: A. D	
SCALE: AS NOTED	
DATE:	



	PARCEL 1	PARCEL 2
IDENTIFIED ON SKETCH AS :	RETAINED LOT – 1	SEVERED LOT – 2
TYPE OF TRANSFER	RETAINED LOT – 1	CREATE NEW LOT
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EXISTING BUILDING / STRUCTURES	2 STORY BRICK DWELLING	N/A
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BUILDING / STRUCTURES TO BE REMOVED	N/A	N/A

1 SITE PLAN - 1
Scale: 1 : 175

LEGEND

DATE	ISSUED FOR

GENERAL NOTES:
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- CONTRACTOR TO VERIFY QUANTITIES AND DIMENSIONS BEFORE PROCEEDING.
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KEY DRAFT
KEYDRAFTDESIGN.COM
MAIL:-CONTACT@KEYDRAFTDESIGN.COM
PHONE:-+1(437)225-8713
ADDRESS:- 38,SEDGEWICK CIRCLE,BRAMPTON,ON,L7A2P7

CLIENT INITIAL / ADDRESS:
1 ROSSCLIFFE AVENUE, HAMILTON, ON, CANADA

PROJECT NAME:

DRAWING TITLE:
SITE PLAN - 1

PROJ. NO.:	DRAWING NO.:
DRW. BY: N. L	A0.1
CHK. BY: A. D	
SCALE: AS NOTED	
DATE:	

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

March 24th, 2026

FILE: ZCR
FOLDER: ZCR-25-218-03
ATTENTION OF: Alyssa Vaccari
EMAIL: Alyssa.Vaccari@hamilton.ca

16112277 CANADA INC (BILL CHOHAN)
[redacted]

Attention:

RE: **APPLICABLE LAW REVIEW – ZONING BYLAW COMPLIANCE REVIEW**
PRESENT ZONING: C/S-1822 – URBAN PROTECTED RESIDENTIAL (6593 FORMER HAMILTON ZONING BY-LAW) (22-195)
ADDRESS: 1 ROSSCLIFFE AVENUE, HAMILTON

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

COMMENTS:

1. Application is proposing to sever the existing lot into two parcels. An existing two (2) storey building and inground pool will remain on the retained lands and the severed lot will be for the use of one (1) Single Family Dwelling.

2. The property is subject to the "C" Urban Protected Residential District and Site-Specific S-1822 within the 6593 Former Hamilton Zoning By-law. A single Detached Dwelling is permitted within the "C" District.

3. Construction of the Single Detached Dwelling is subject to the issuance of a building permit in the normal manner.

C District – Urban Protected Residential
(Section 9 of Former Hamilton Zoning By-law 6593)

	Required By By-Law	Provided	Conforming/ Non-Conforming
Section 9 – C District Requirements			

	Required By By-Law	Provided	Conforming/ Non-Conforming
Permitted Uses [as per section 9. (1) of Former Hamilton Zoning By-law 6593]	See Section 9 (1) A single Detached Dwelling	Retained Lands: Existing building Severed Lands: Single Detached Dwelling	**Existing condition** **Conforms**
Height Requirements [as per section 9. (2) of Former Hamilton Zoning By-law 6593] *Storey: shall mean that portion of a building, other than a cellar, included between the surface of any floor and the surface of the floor, roof deck or ridge next above it, except an attic storey.* *Storey, Half: shall mean that portion of a building situated wholly or in part within a sloping roof and in which: (a) there is sufficient space to provide a height between finished floor and finished ceiling of at least 2.3m (7 feet, 7 inches) over a floor area equal to at least fifty percent of the area of the floor; or* *(b) there is sufficient space to provide a height between finished floor and finished ceiling of at least 2.1m (6 feet, 11 inches) over all of the area of the floor.* *Cellar: means that portion of building which is partly below adjacent ground but which has more than one-half of the clear height from the top of its floor to the underside of its finished ceiling below adjacent ground.* *Habitable Room: means any room of a residential*	In a "C" District, no building shall exceed two and a half storeys, and no structure shall exceed 11.0 metres (36.09 feet), in height. (9141/60) (79-288) (80-049)	Retained Lands: Existing Building Severed Lands: 11m, 2 and a half storey Bottom floor/basement - is considered a cellar as per the definition and of the assumption that grade has been established as per the definition in the By-law. Top floor – is considered a half storey. (as per policy ZON-021) - 9ft between finished floor and finished celing - 6 ft 11 inches between finished floor and finished celing - 2 Dormers with a width of 1.1m	**Existing Condition** **Conforms** **(Please be advised the top floor is considered as a 'storey, half' as per the definition and Policy ZON-021. The bottom floor is considered a cellar under the assumption that grade was established as per the definition within the by-law)**

	Required By By-Law	Provided	Conforming/ Non-Conforming
building or an institutional building, used or capable of being used by one or more persons for living, eating or sleeping, or as a kitchen serving a dwelling unit; but does not include a bathroom, water-closet compartment, laundry, serving or storage pantry, corridor or other space not for use frequently or during extended periods. *Grade: with reference to the height of a building or structure, wherever curb-level has been established, shall mean the elevation of curb level opposite the highest point of the building or structure, on a line perpendicular to the street line, or, wherever curb-level has not been established, or wherever the mean elevation of the ground adjoining the building or structure on all sides and within 4.5 metres (14.76 feet) of it is higher than curb-level opposite the highest point of the building or structure, then grade shall mean the mean elevation of all the ground adjoining the building of structure and within 4.5 metres (14.76 feet) of it,* *Provided, however, that wherever a lot other than a corner lot abuts upon two or more streets having different elevations opposite the lot, the higher of such elevations shall be considered as grade for only half of the depth of the building or for a*			

	Required By By-Law	Provided	Conforming/ Non-Conforming
depth of 36.0 metres (118.11 feet) measured perpendicularly from the street line of the higher street, whichever is the lesser distance, (79-288) And provided further, that with reference to the height of a building or structure on a corner lot, grade shall mean the average elevation of the curb levels opposite the building or structure on the two streets, or the mean elevation of all the ground adjoining the building or structure and within 4.5 metres			
Area Requirements [as per section 9. (3) of Former Hamilton Zoning By-law 6593]	The following yards shall be provided within the district, and maintained, as appurtenant to every building or structure in a "C" District: (8927/60) (i) A front yard of a depth of at least 6.0 metres (19.69 feet) (79-288) (80-049) (ii) A side yard along each side lot line, of a width of at least 1.2 metres (3.94 feet) (690/52) (79-288) (80-049) (iii) A rear yard of a depth of at least 7.5 metres (24.61 feet) (79-288) (80-049)	Retained Lands: Front/ Rear Yard – Existing Side yard: 1.2m Severed Lands: Front yard – 6m Side yard – 1.2m Rear yard – 9.52m	**Existing condition** **Conforms** **Conforms**
Intensity of Use [as per section 9. (4) of Former Hamilton Zoning By-law 6593]	Every lot or tract of land in a "C" District shall have a width of at least 12.0 metres (39.37 feet) and an area of at least 360.0 square metres (3,875.13 square feet) within the district. (8927/60) (6908/52) (79-288) (80-049)	Retained Lands: 25.75m/964.8m^2 Severed Lands: 13.87m/363.5m^2	**Conforms** **Conforms**
Distance requirements [as per section 9. (5) of Former Hamilton Zoning By-law 6593]	(5) Except as provided in Subsection 6, every residential care facility shall be situated on a lot having a minimum radial separation distance of 300.0 metres from the lot line to the lot line of any other lot occupied or as may be occupied by a residential care facility, emergency shelter, corrections residence or correctional facility. (81-27) (01-143) (07-107)	Not proposed	**N/A**

	Required By By-Law	Provided	Conforming/ Non-Conforming
	(6) Where the radial separation distance from the lot line of an existing residential care facility is less than 300.0 metres to the lot line of any other lot occupied by a residential care facility, emergency shelter, corrections residence or correctional facility may be expanded or redeveloped to accommodate not more than the permitted number of residents. (81-27) (01-143) (07-107)		
Section 18 – Supplementary Requirements and Modifications *(In accordance with the applicable regulations of Section 18 within the 6593 Former Hamilton Zoning By-law)*			
Encroachments on Yards [as per section 18 (3) (vi) of Former Hamilton Zoning By-law 6593]	(a) A chimney, sill, belt course, leader, pilaster, lintel or ornamental projection may project not more than 0.5 metres (1.64 feet) into a required side yard, and not more than 1.0 metre (3.28 feet) into any other required yard; (79-288) (80-049)	Retained Lands: Existing Severed Lands: Not propsoed	**Exiting condition** **N/A**
	(b) A canopy, cornice, eave or gutter may project, (8544/59) (8909/60) (81-308)	Retained Lands: Existing	**Existing Condition**
	(i) into a required front yard not more than 1.5 metre (4.92 feet) provided that no such projection shall be closer to a street line than 1.5 metres (4.92 feet); (8544/59) (8909/60) (79-288) (80-049)	Severed Lands: 0.35m into front, side and rear yard	**Conforms**
	(ii) into a required rear yard not more than 1.5 metre (4.92 feet); (8544/59) (8909/60) (79-288) (80-049)		
	(iii) into a required side yard not more than one-half of its width, or 1.0 metre (3.28 feet), whichever is the lesser;		
	(cc) A bay, balcony or dormer may project (8544/59)	Retained Lands: Existing	**Existing Condition**
	(i) into a required front yard not more than 1.0 metre (3.28 feet), provided that no such projection shall be closer to a street line than 1.5 metres (4.92 feet); (8544/59) (79-288) (80-049)	Severed Lands: Front yard – dormer does not encroach into front yard	**N/A** **Conforms**
	(ii) into a required rear yard not more than 1.0 metre (3.28 feet); or (8544/59) (79-288) (80-049)	Rear yard – not propsoed within the required rear yard	**Conforms**
	(iii) into a required side yard not more than one-third of its width, or 1.0 metre (3.28 feet), whichever is the lesser,	Side yard – not proposed to	

	Required By By-Law	Provided	Conforming/ Non-Conforming
		encroach within the required side yard.	**Existing Condition**
	(d) A roofed-over or screened but otherwise unenclosed one-storey porch at the first storey level, including eaves and gutters, may project into a required front yard or rear yard to a distance of not more than 3.0 metres (9.84 feet), 18-8 and every such projecting porch shall be distant at least 1.5 metres (4.92 feet) from the front lot line, and the enclosure of such a porch to the following extent shall not be deemed enclosure for the purpose of this Section: (79-190) (80-049)	Retained Lands: Existing Severed Lands: Front yard – Not propsoed within he required 6m front yard Side yard – does not project into required side yard	**Conforms** **Conforms** **N/A**
	(i) the porch may have a solid guard around the perimeter of the porch not more than 1.0 metres (3.28 feet) in height measured from the floor of the porch; (79-190) (80-049) (ii) the roof may be supported on columns or piers having maximum width of 0.5 metres (1.64 feet); (79-190) (80-049) (iii) the beam, lintel or crown of an arch shall be no more than 0.3 metres (0.98 feet) in depth; (80-049) (iv) the minimum distance between piers or columns shall be 1.0 metre (3.28 feet) and in the case of arches, the arches shall have a minimum clear width of 1.0 metre (3.28 feet).	Severed Lands: Not propsoed	
Special Requirements for Front Yard Landscaping [as per section 18 (14) of Former Hamilton Zoning By-law 6593]	Notwithstanding any other provisions of this By-Law, for any single family dwelling, two family dwelling or three family dwelling: 18-17 (i) not less than 50% of the gross area of the front yard shall be used for a landscaped area excluding concrete, asphalt, gravel, pavers, or other similar materials; (ii) for the purposes of clause 14.(i), the gross area of the front yard shall be calculated as the area between the front lot line and the front of the principle dwelling and the area extending from the side lot line to side lot line but subtracting: (a) unenclosed entrance porches; (b) vestibules;	Severed Lands: Front yard – 83.63m^2 50 x 83.63 / 100 = 41.81m^2 is 50% Proposed – 47.02m^2	**Conforms**

	Required By By-Law	Provided	Conforming/ Non-Conforming
	(c) ramps; (d) front steps; (e) chimneys; (f) bay windows; (g) ornamental projections; (h) terraces; (i) platforms; and, (j) a walkway between the front entrance of the principle building and the front lot line or driveway with a maximum width of 0.6m;		
Section 18A – Parking and Loading Requirements *(In accordance with the applicable regulations of Section 18A within the 6593 Former Hamilton Zoning By-law)*			
[as per section 18A (7) of Former Hamilton Zoning By-law 6593]	Every required parking space, other than a parallel parking space, shall have dimensions not less than 2.7 metres wide and 6.0 metres long	Retained Lands: Existing Severed Lands: 2.7m x 6.0m	**Existing condition** **Conforms**
[as per section 18A (7b) of Former Hamilton Zoning By-law 6593]	Where a dwelling is constructed with an attached garage, then the finished level of the garage floor shall be a minimum of 0.3 metres above grade.	Severed Lands: 0.3m	**Conforms**
[as per section 18A (9) of Former Hamilton Zoning By-law 6593]	Required parking space, loading space and manoeuvring space shall be provided and maintained only on the lot on which the principle use, building or structure is located.	Retained Lands: Existing Severed Lands: Provided on the lot	**Existing condition** **Conforms**
[as per section 18A (10) of Former Hamilton Zoning By-law 6593]	Sufficient space additional to required parking space shall be provided and maintained on the same lot on which the parking space is located, in such a manner as to enable each and every parking space to be unobstructed and freely and readily accessible from within the lot, without moving any vehicle on the lot or encroaching on any designated parking or loading space.	Retained Lands: Existing Severed Lands: sufficient space provided on the lot for unobstructed maneuvering	**Existing condition** **Conforms**
[as per section 18A (14g) of Former Hamilton Zoning By-law 6593]	Except as provided for in clauses (14a), (14b) and (14h), no part of the required parking area in a residential district shall be located in a required front yard.	Retained Lands: Existing Severed Lands: Both spaces proposed within the garage	**Existing condition** **Conforms**
[as per section 18A (14h) of Former Hamilton	For the purpose of a single family dwelling, the following shall apply: (i) only one of the	Severed Lands: Both spaces	**N/A**

	Required By By-Law	Provided	Conforming/ Non-Conforming
Zoning By-law 6593]	required parking spaces may be located in the front yard, and (ii) notwithstanding Subsection 10, only the accessibility to one of the required parking spaces may be obstructed by any other required parking spaces.	propsoed within the garage	
[as per section 18A (21) of Former Hamilton Zoning By-law 6593]	All required parking spaces and manoeuvring spaces shall have access by means of one or more access driveways, (a) located on the lot; or (b) located partly on the lot in the case of a mutual driveway; or (c) by means of a right of way.	Retained Lands: Existing Severed Lands: provided on the lot	**Existing condition** **Conforms**
[as per section 18A (22) of Former Hamilton Zoning By-law 6593]	All manoeuvring spaces shall be maintained free and clear of all obstructions to permit unobstructed access to and egress from required parking spaces.	Retained Lands: Existing Severed Lands: Clear and unobstructed	**Existing condition** **Conforms**
[as per section 18A (24) of Former Hamilton Zoning By-law 6593]	Every parking area for a use where, (a) there are five or less parking spaces shall have not less than one access driveway or one mutual driveway, having a width of at least 2.8 metres;	Retained Lands: Existing Severed Lands: 6.10m	**Existing Condition** **Conforms**
[as per section 18A (30) and (31) of Former Hamilton Zoning By-law 6593]	(30) Except as provided in subsection 31, a permanent durable and dustless surface that is graded, drained, and paved with concrete or asphalt or a combination of concrete and asphalt shall be provided and maintained for every parking area, manoeuvring space, loading space and access driveway. (31) A gravel or similar surface or other suitable paving shall be provided and maintained for every parking space and access driveway accessory to a single family dwelling, a two family dwelling, and to street townhouse dwellings each having separate access driveways.	Retained Lands: Existing Severed Lands: Asphalt	**Existing condition** **Conforms**
Minimum Required Parking Table 1 Habitable Room - means any room of a residential building or an institutional building, used or capable of being used by one or more persons for living, eating or	Single Family Dwelling - 2 parking spaces for each Class A dwelling unit, for the first 8 habitable rooms in the dwelling unit plus 0.5 parking space for each additional habitable room 8 habitable rooms proposed Section 18A (6) states - Where calculations of the number of parking and loading spaces	Retained Lands: Existing Severed Lands: 2 parking spaces propsoed.	**Existing condition** **Conforms**

	Required By By-Law	Provided	Conforming/ Non-Conforming
sleeping, or as a kitchen serving a dwelling unit; but does not include a bathroom, water-closet compartment, laundry, serving or storage pantry, corridor or other space not for use frequently or during extended periods.	result in a fractional number of parking or loading spaces, the next higher number shall be taken. 2 parking spaces required.		
Minimum Required Manoeuvring Space Table 6	Parking Degree 90° = 6.0m	Retained Lands: Existing Severed Lands: 6m in length driveway	**Existing condition** **Conforms**

Yours truly



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 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 site sketch and general information in the Submission Requirements and Information document.

1. APPLICANT INFORMATION

	NAME	MAILING ADDRESS	
Purchaser*			**Phone:** **E-mail:**
Registered Owner(s)	16112277 Canada Inc contact: ~~Bill Chohan~~ BALJINDER CHOHAN	[redacted]	
Applicant(s)**			**E-mail:**
Agent or Solicitor			**Phone:** **E-mail:**

Please include contact person's name if applying as a company or organization.
*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 authorization 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 [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 card over phone*

[redacted]

*Must provide phone number above

2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	1 Rosscliffe Ave		
Assessment Roll Number	070816050300000		
Former Municipality	6593 Former Hamilton		
Lot	PT Lot 12	Concession	Con 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:

Right of Way on Retained Lot

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:

N/A

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 (including any proposed easements):
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 lot 1	Severed lot 2			
Type of Transfer	Retained lot 1	Create New Lot			
Frontage	25.75m	13.87m			
Depth	33.52m	33.52m			
Area	964.8m²	363.5m²			
Existing Use	Residential	N/A			
Proposed Use	Residential	Residential			
Existing Buildings/ Structures	2 Storey Brick Dwelling	N/A			
Proposed Buildings/ Structures	2 Storey Brick Dwelling Existing	Single Detached Dwelling			
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 conform to regulations required under 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? C/S-1822 (22-195)

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.

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?

July10,2024

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)

as it will provide a mix of housing

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

☑ Yes ☐ No (Provide explanation)

as it will provide much needed housing for future growth of Hamilton

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

☐ Yes ☑ No (Provide explanation)

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

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

7.6 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)

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

Zoning ByLaw Compliance Review Attached

STAFF COMMENTS

HEARING DATE: April 30, 2026

Hamilton

B-26:013 — 1 Rosscliffe Avenue, Hamilton

Recommendation:

Deny — Development Planning

Proposed Conditions:

1. The owner shall submit a deposited Ontario Land Surveyor's Reference Plan to the Committee of Adjustment Office, unless exempted by the Land Registrar. The reference plan must be submitted in pdf and also submitted in CAD format, drawn at true scale and location and tied to the city corporate coordinate system. (Committee of Adjustment Section)

2. The owner shall pay any outstanding realty taxes and/or all other charges owing to the City Treasurer. (Committee of Adjustment Section)

3. The owner submits to the Committee of Adjustment office an administration fee, payable to the City of Hamilton, to cover the costs of setting up a new tax account for each newly created lot. (Committee of Adjustment Section)

4. A permit to injure or remove Municipal Tree Assets is a requirement of this application. A Tree Management Plan must be submitted to Forestry c/o urbanforest@hamilton.ca, to address potential conflicts with publicly owned trees. (Forestry)

5. A Landscape Plan is required by Forestry, depicting the street tree planting scheme for the proposed development. (Forestry)

6. Transportation Planning does not support the proposed driveway access to Concession Street and recommends that the Committee only approves the severance conditional upon the following, that:

   A 0.3 metres Reserve shall be established on the severed lot's frontage to restrict vehicle access, to the satisfaction of the Manager, Transportation Planning. (Transportation Planning)

7. The owner shall comply with Ontario Building Code requirements regarding spatial separation distances of any structures. Compliance to be confirmed by the Planning and Economic Development Department (Building Division – **Plan Examination Section**).

8. That the Owner must enter into with the City of Hamilton and register, a **Consent Agreement**, having an administrative fee of **$5,370.00** (includes grading plan review) to address issues including but not limited to: lot grading and drainage to a suitable outlet on the conveyed and

Hamilton

retained parcels (detailed grading plan required), erosion and sediment control measures (to be included on the grading plan); cash payment requirements for items such as any outstanding servicing cost for the existing municipal services adjacent to the property, street trees (City policy requires one (1) street tree/lot, inspection of grading, stormwater management infrastructure and securities for items that may include: lot grading ($10,000.00 grading security), water and sewer services inspections, driveway approaches, relocation of any existing infrastructure (such as hydrants) and any damage during construction (unknown costs at this time), to the satisfaction of the City's Director of Development Engineering.

9. The Owner shall submit a Grading Plan and Servicing Plan in accordance with City Standards. (Development Engineering)

10. The Owner shall submit a Stormwater Management Brief to demonstrate how the stormwater runoff will be handled in accordance with City and MECP standards. (Development Engineering)

11. Prior to submission of Grading and Servicing Plans to Growth Management, the Owner shall obtain clearances from Natural Heritage including a copy of the approved Tree Protection and Landscape Plans. (Development Engineering)

12. That the owner shall investigate the noise levels on the severed and retained lands and determine and implement the noise control measures that are satisfactory to the City of Hamilton in meeting the Ministry of Environment, Conservation and Parks (MECP) recommended sound level limits. An acoustical report prepared by a qualified Professional Engineer containing the recommended noise control measures shall be submitted to the satisfaction of the City of Hamilton, Director of Development Planning. Should a peer review of the acoustical report be warranted, all associated costs shall be borne by the owner and shall be submitted, to the satisfaction of the Director of Development Planning. (Development Planning)

13. That the owner submits and receives approval of a Tree Protection Plan including the review fee as part of the Schedule of Rates and Fees, to the satisfaction of the Manager of Heritage and Urban Design. The Tree Protection Plan is to be prepared by a qualified tree management professional (i.e., certified arborist, registered professional forester, or landscape architect) in accordance with the City's Council adopted Tree Protection Guidelines (revised October 2010). (Natural Heritage)

14. That the owner submits and receives approval of a Landscape Plan that shows the location of compensation trees to the satisfaction of the Manager of Heritage and Urban Design. (Natural Heritage)

15. That the proponent shall carry out an archaeological assessment of the entire property of be conveyed and mitigate, through preservation or resource removal and documentation, adverse

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impacts to any significant archaeological resources found. No demolition, grading, construction activities, landscaping, staging, stockpiling or other soil disturbances shall take place on the subject property prior to the approval of the Director of Planning confirming that all archaeological resource concerns have met conservation requirements. All archaeological reports shall be submitted to the City of Hamilton concurrent with their submission to the Ontario Ministry of Citizenship and Multiculturalism (MCM).
Should deeply buried archaeological materials be found on the property during any of the above development activities the 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)." (Cultural Heritage)

Proposed Notes:

There are public trees within and immediately adjacent to the Lands to be Severed: street trees on the Concession St frontage, and park trees along the pathway to the west of the subject property. Location and layout of future structures, hardscape, and utilities must be designed in such a way as to reduce the impact and injury to public trees. All proposed underground installations, excavations, and surface treatment changes within the driplines of the public trees must be accurately depicted on the Tree Management Plan. See the Comments section for more details. (Forestry)

Proposed driveways and hardscape must be designed to provide adequate soft surface landscaping and soil volume to support large canopy street trees, depicted on the Landscape Plan. See Forestry and Horticulture's Design and Preservation Manual (this can be found under the "Forestry Documents" tab on Forestry's website: Doing Work Near a Tree | City of Hamilton). (Forestry)

Forestry conditions relate to **public trees only** and are separate to any conditions, reviews, and fees required through Natural Heritage. (Forestry)

We ask that the Owner agrees to physically affix the municipal numbers or full addresses to either the buildings or on signs in accordance with the City's Municipal Addressing By-law and Sign By-law, in a manner that is clearly visible from the road. (Legislative Approvals)

In order to clear conditions, the applicant will be required to make application for Ontario Building Code compliance and pay the relevant fees. (Building Engineering)

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Development Planning:

Background

The purpose of the application is to sever the existing residential lot into two parcels. The severed lands will contain a proposed single-detached dwelling, and the retained lands will contain the existing 2-storey brick dwelling which is intended to remain.

The lands are to be conveyed as follows:

	Frontage	**Depth**	**Area**
SEVERED LANDS (Severed Lot 2):	13.87 m±	33.52 m±	363.5 m2 ±
RETAINED LANDS (Retained Lot 1):	25.75 m±	33.52 m±	964.8 m2 ±

Niagara Escarpment Plan

The subject property falls within the plan area of the Niagara Escarpment Plan. Policy C.1.1.1 of the Urban Hamilton Official Plan requires that development comply with official plan, the Niagara Escarpment Plan, and the Greenbelt Plan. Where there is discrepancy between this Plan and the Niagara Escarpment Plan, the most restrictive policies will prevail.

"C. 1.1.6 To minimize the impact and further encroachments in the Escarpment environment, for those lands located within the Niagara Escarpment Plan area identified on Schedule A - Provincial Plans, the following policies shall apply:

a) The design of the development shall be compatible with the visual and natural environment;

b) Setbacks and screening adequate to minimize the visual impact of development on the Escarpment landscape shall be required; and

C.1.1.10 On lands located within Urban Hamilton and identified as Niagara Escarpment Plan Urban Area on Schedule A - Provincial Plans, the following policies shall apply:

b) Where lands are designated Commercial and Mixed Use Areas on Schedule E-1 - Urban Land Use Designations, the policies contained in Section E.4.0 - Commercial and Mixed Use Areas Designation shall apply;"

The applicant will be required to demonstrate that the any proposed development shall be compatible with the visual and natural environment, adequate setbacks and screening is required to minimize the

visual impact of development on the Niagara Escarpment. Policy C.1.1.10 identifies that Section E.4.0 applies. Staff defer to NEC staff for further comment as it relates to the applicable policies of the Niagara Escarpment Plan.

Urban Hamilton Official Plan

The subject property is designated “Mixed Use – Medium Density” on Schedule E-1 – Urban Land Use Designations of the Urban Hamilton Official Plan. Policy E.4.6.5 permits a variety of uses including commercial, institutional, multiple dwellings, accessory uses, etc. The subject property is not identified to be within a secondary plan area found in Volume 2 of the Urban Hamilton Official Plan. Based on the above Volume 1 policies, the subject property does not permit the proposed development of a lot for a single detached dwelling. The proposal implements a land use that is not permitted within the Urban Hamilton Official Plan and does not conform.

The proposal is considered residential intensification in accordance with the Urban Hamilton Official Plan. Staff have completed an analysis of the proposal against Policy B.2.4.1.4 and Section B.3.3 and are of the opinion that due to the irregular lot shape, the proposal does not the respect the relationship of the proposed development to existing neighbourhood character so that it builds upon desirable established patterns and built form.

Policy B.3.6.3.7 addresses impacts related to road traffic noise and vibration. Concession Street is identified as a Major Arterial Road in Schedule C – Functional Road Classification. The requirement for a noise study is for lands within 400 metres of a major arterial road. The severed lands will be ≈0.0 metres from a Major Arterial Road and will have frontage along Concession Street. Based on the forgoing staff recommend the inclusion of a noise study to be completed to the satisfaction of the Director of Development Planning should the application be approved by committee.

The following Official Plan policy applies to consent applications to create a new lot:

“F.1.14.3.4 Consents for new lot creation for both the severed and retained lands for mixed uses, commercial, institutional, or open space uses in the Commercial/ Mixed Use and Institutional designation shall be permitted provided the following conditions are met:

a) the lots severed for commercial, institutional or open space uses shall comply with the policies of this Plan including secondary plans, where one exists;

b) The lots are in conformity with the Zoning By-law or a minor variance is approved;

c) the lots severed for residential uses, including mixed use buildings which contain residential uses shall comply with Section B.2.4 – Residential Intensification Policies, Section B.3.3 – Urban Design Policies, Section E.3.0 – Neighbourhoods Designation and any other relevant policies of this Plan;

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d) the lots are fully serviced by municipal water and wastewater systems; and,

e) the lots have frontage on a public road.

Staff have completed an analysis of the lot creation policies of Policy F.1.14.3.4 and are of the opinion that the proposed severance does not conform to the above noted policies. The use proposed for the lands to be severed is not permitted and does not comply with the applicable Mixed Use Medium Density policies of the Urban Hamilton Official Plan. Staff have concerns with the irregular lot shape proposed and the close proximity to the Niagara Escarpment, which is identified in Schedule-B as a Core Area natural heritage feature. Staff defer to Natural Heritage staff for further comment. Further, the proposed lots do not appear to be zoning compliant and would require relief from the zoning by-law to permit development. Development Planning staff defer to Zoning staff to verify if a condition to determine zoning compliance is necessary for the newly proposed lots. The lots proposed do not comply with the policies in Section B.2.4. Specifically, Policy 2.4.1.4 b), which encourages development that respects the relationship of the proposed development to existing neighbourhood character so that it builds upon desirable established patterns and built form. The proposed lots have frontage on a public road (Concession Road). Planning Staff defer to Development Engineering staff on any concerns related to servicing with respect to F.1.14.3.1 e). Accordingly, staff are of the opinion that the proposed severance does not comply with the applicable policies of the Urban Hamilton Official Plan.

Development Planning staff also have concerns as to whether the proposed lot to be severed has a viable building envelope, when you consider constraints such as the irregular lot shape, existing natural heritage features that need to be preserved, and the proximity to the Niagara Escarpment.

Natural Heritage

The subject property is located within the boundaries of the Urban Hamilton Official Plan (UHOP). Based on Schedule B (Natural Heritage System) of the UHOP, a Core Area has been identified within and adjacent to the subject property. In this case, the Core Area has been identified as the Hamilton Escarpment Environmentally Significant Area (ESA). Based on policy C.2.3, any development or site alteration shall not negatively impact the features or ecological functions of the Core Area.

Based on aerial photograph interpretation, trees have been identified within and adjacent to the subject property. Since specific surveys have not been completed for this property as part of the Natural Areas Inventory, it is unclear if these trees contribute to the function of the Hamilton Escarpment Environmentally Significant Area (ESA) and if there will be negative impacts. In addition, the City recognizes the importance of trees to the health and quality of life in the community (i.e., canopy cover, energy conservation, mental heath benefits) and encourages the protection and restoration of trees (policy C.2.11.1). Further, through the Council adopted Urban Forest Strategy, a canopy cover target of 40 percent by 2050 within the urban area has been identified. The

Hamilton

maintenance of existing trees assists in achieving this goal. A tree inventory has not been provided. Based on the proposal, trees may be impacted. If trees are to be removed, the City requires 1 for 1 compensation to be provided in order t ensure existing tree cover is maintained.

Archaeology

The subject property meets two (2) of the ten criteria used by the City of Hamilton and Ministry of Citizenship and Multiculturalism for determining archaeological potential:

1) In the vicinity of distinctive or unusual landforms; and,
2) Along historic transportation routes.

These criteria define the property as having archaeological potential. Accordingly, Section 2 (d) of the *Planning Act* and Section 4.6.2 of the Provincial Planning Statement apply to the subject application.

Cultural Heritage

The subject property is listed on the City of Hamilton's Inventory of Heritage Properties and is located within the Inch Park Established historical neighbourhood.

Accordingly, sections B.3.4.1.4, B.3.4.2.1(g), and B.3.4.3.6, of the Urban Hamilton Official Plan, Volume 1, apply.

The proponent proposes to sever the existing residential lot into two parcels. The severed lands will contain a proposed single-detached dwelling, and the retained lands will contain the existing 2-storey brick dwelling which is intended to remain.

Notwithstanding that the subject property is Inventoried and within the Inch Park Established Historical Neighbourhood, staff have reviewed the application and are of the opinion that the cultural heritage value of the landscape will be conserved with the retention of the existing two storey dwelling.

Staff have no further comments on the application as circulated.

Former City of Hamilton Zoning By-law No. 6593

The subject property is zoned as C District (C/S) Zone in Zoning By-law No. 05-200. The (C/S) zone permits the existing dwelling and proposed single detached dwelling subject to conditions.

Analysis

<u>Severance</u>

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Based on the above analysis, the proposed severance does not conform to the policies of the Urban Hamilton Official Plan as the proposed use does not comply with the policies of the Mixed Use Medium Density land use designation. Planning staff are of the opinion that the proposed lots and configuration do not respect the relationship of the existing neighbourhood character so that it builds upon desirable established patterns and built form. Development Planning staff also have concerns as to whether the proposed lot to be severed has a viable building envelope, when you consider constraints such as the irregular lot shape, existing natural heritage features that need to be preserved, and the proximity to the Niagara Escarpment.

Based on the forgoing analysis **staff recommend the application be denied** as the proposed severance does not comply with the Urban Hamilton Official Plan.

Zoning:

Recommendation:	Comments Only
Proposed Conditions:	
Comments:	1. The owner/applicant should obtain an appropriate municipal address for the proposed parcel(s) from the Legislated Approvals and Staging of Development Section of the Planning and Economic Development Department prior to the issuance of a building permit. 2. Please be advised that a Planning Act approvals may be required if a road widening and/or daylight triangle dedication is required as part of this application. 3. Please be advised the subject lands fall under Inventoried Heritage.
Notes:	

Development Engineering:

Recommendation:	Approve with Conditions
Proposed Conditions:	1. That the Owner must enter into with the City of Hamilton and register, a **Consent Agreement**, having an administrative fee of **$5,370.00** (includes grading plan review) to address issues including but not limited to: lot grading and drainage to a suitable outlet on the conveyed and retained parcels (detailed grading plan required), erosion and sediment control measures (to be included on the grading plan); cash payment requirements for items such as any outstanding servicing cost for the existing municipal services adjacent to the property, street trees (City policy requires one (1) street tree/lot, inspection of grading, stormwater management infrastructure and securities for items that may include: lot grading ($10,000.00 grading security), water and sewer services inspections, driveway approaches, relocation of any existing infrastructure (such as hydrants) and any damage

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	during construction (unknown costs at this time), to the satisfaction of the City's Director of Development Engineering. 2. The Owner shall submit a Grading Plan and Servicing Plan in accordance with City Standards. 3. The Owner shall submit a Stormwater Management Brief to demonstrate how the stormwater runoff will be handled in accordance with City and MECP standards. 4. Prior to submission of Grading and Servicing Plans to Growth Management, the Owner shall obtain clearances from Natural Heritage including a copy of the approved Tree Protection and Landscape Plans.
Comments:	According to our records, the existing municipal infrastructure fronting the subject property summarized as follows: **Rosscliffe Avenue** • 300mm ø CISP Watermain • 375mm ø Combined Sewer • 400mm ø CISP Watermain Separate and independent services shall be provided for each dwelling constructed within each parcel of land in accordance with the current Sewer and Drain and Waterworks By-laws (23-234 and 23-235, respectively).
Notes:	

Building Engineering:

Recommendation:	Comments and Conditions/Notes
Proposed Conditions:	The owner shall comply with Ontario Building Code requirements regarding spatial separation distances of any structures. Compliance to be confirmed by the Planning and Economic Development Department (Building Division – **Plan Examination Section**).
Comments:	
Notes:	In order to clear conditions, the applicant will be required to make application for Ontario Building Code compliance and pay the relevant fees.

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Transportation Planning:

Recommendation:	Approve with Conditions
Proposed Conditions:	Transportation Planning does not support the proposed driveway access to Concession Street and recommends that the Committee only approves the severance conditional upon the following, that: 1. A 0.3 metres Reserve shall be established on the severed lot's frontage to restrict vehicle access, to the satisfaction of the Manager, Transportation Planning.
Comments:	Transportation Planning does not support direct vehicle access from the proposed severed lot to Concession Street, which is designed such that drivers would be required to reverse out onto a busy Arterial road and goes against our policy of controlling access to Arterial roads, as specified in the Urban Official Plan Vol. 1 Section C.4.5.2.d.ii.
Notes:	

Forestry:

Recommendation:	Comments and Conditions/Notes
Proposed Conditions:	A permit to injure or remove Municipal Tree Assets is a requirement of this application. A Tree Management Plan must be submitted to Forestry c/o urbanforest@hamilton.ca, to address potential conflicts with publicly owned trees. A Landscape Plan is required by Forestry, depicting the street tree planting scheme for the proposed development.
Comments:	An assessment of the information provided shows that there are potential conflicts with publicly owned trees both within the subject site, and within adjacent sites. Conditions of the Forestry and Horticulture Section will be cleared only after receipt of all applicable fees. Where existing municipal trees are impacted by development work, are within proximity of the development work, or access/egress to the development work, a Public Tree Permit to injure or remove Municipal Trees is required. **TREE MANAGEMENT PLAN** Tree Protection is a measure of efforts to preserve existing trees during against all manner of construction impacts. The Forestry & Horticulture Section requires that a Tree Management Plan be prepared by a MTCU Qualified Arborist, ISA Certified Arborist, or a

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	Registered Landscape Architect. All trees within this proposed development area must be surveyed, identified, and accurately plotted on the plan to determine ownership, including intentions regarding retention or removal. Where ownership of trees in proximity to the boundary between public and private lands is un-certain, the subject trees must be surveyed by the applicant to confirm ownership. Ownership is as per By-law 15-125. Ownership must be clearly identified on the Tree Management Plan as either municipal or private. It is compulsory that all proposed underground and surface treatment changes within individual tree driplines be accurately depicted on the submission. Including, but not limited to building footprints, driveways, walkways, utility connections, site access, and site hoarding. The Tree Inventory Table on the Tree Management Plan shall not be considered complete without the following data and recommended action for each tree: • Species by Botanical and common name • Diameter at breast height in centimeters or millimeters • Ownership {> 50% @ ground level = ownership} • Biological health • Structural condition • Proposed grade changes within individual driplines • Proposed utility construction within individual driplines • Proposed actions {removal, preserve, or injure} A Tree Protection Zone Detail showing Tree Preservation Techniques for all retained trees shall be included on the submission as per the Public Tree Preservation and Sustainability Policy. All Healthy trees on municipal property which are found to be in conflict with the proposed development, do not meet our criteria for removal, and all other reasonable alternatives have been explored, are subject to a Loss of Canopy Fee as outlined in the Public Tree Preservation and Sustainability Policy in conjunction with By-Law 15-125. **LANDSCAPE PLAN** The Forestry and Horticulture Section requires that a detailed Landscape Plan be provided, prepared by a **Registered Landscape Architect**, showing the placement of trees to be planted within the public and private lands.

Hamilton

	The City of Hamilton's Public Tree Preservation and Sustainability Policy, in conjunction with the Tree By-Law 15-125, requires all new developments to provide payment of $740.00 +HST per tree for road allowance street trees, as approved through the review of the proposed street tree planting scheme. Spacing guidelines for trees are 8-10 meters on centre for larger species and 4-8 meters on centre for smaller species. All trees shown on municipal road allowance shall be identified as 'Trees to be planted by City of Hamilton Forestry Section.' The Landscape Plan should specifically outline 50mm caliper size and identify hard surface and soft surface areas on the site. Individually planted trees in new sidewalk installations shall include a detail showing 21m^3 of soil, and a grouping of 2 or more trees in a soil bed shall include 16m^3 of soil per tree. Please see Doing Work Near a Tree | City of Hamilton for further specifications. Urban Forest Health Technician shall be notified, post-construction, when final grade has been achieved, to facilitate the scheduling of the street tree planting(s) via urbanforest@hamilton.ca. Forestry's mandate is to increase canopy coverage across the city to promote a robust green infrastructure, and therefore, a healthy community for all residents of Hamilton. **SUMMARY** • There are Municipal Tree Assets on site; a Tree Management Plan is required. • Landscape Plan required. • Conditions will be considered cleared, and a Public Tree Permit will be issued, upon approval of the Tree Management Plan and Landscape Plan and receipt of all applicable fees.
Notes:	There are public trees within and immediately adjacent to the Lands to be Severed: street trees on the Concession St frontage, and park trees along the pathway to the west of the subject property. Location and layout of future structures, hardscape, and utilities must be designed in such a way as to reduce the impact and injury to public trees. All proposed underground installations, excavations, and surface treatment changes within the driplines of the public trees must be accurately depicted on the Tree Management Plan. See the Comments section for more details. Proposed driveways and hardscape must be designed to provide adequate soft surface landscaping and soil volume to support large canopy street trees, depicted on the Landscape Plan. See Forestry and Horticulture's Design and Preservation Manual (this can be found under the "Forestry

	Documents" tab on Forestry's website: Doing Work Near a Tree | City of Hamilton). Forestry conditions relate to **public trees only** and are separate to any conditions, reviews, and fees required through Natural Heritage.

Legislative Approvals:

Recommendation:	Comments and Conditions/Notes
Proposed Conditions:	
Comments:	The lands to be retained (Lot 1) will remain as **1 Rosscliffe Avenue(Hamilton)**. The lands to be conveyed (Lot 2) will be assigned the address of **365 Concession Street (Hamilton).**
Notes:	We ask that the Owner agrees to physically affix the municipal numbers or full addresses to either the buildings or on signs in accordance with the City's Municipal Addressing By-law and Sign By-law, in a manner that is clearly visible from the road.

Please Note: Public comment will be posted separately, if applicable.

From: Shailly, Gyanendita (MNR) <Gyanendita.Shailly@ontario.ca>
Sent: Wednesday, April 22, 2026 3:13 PM
To: Committee of adjustment
Cc: Adair, Kendra (MNR); Sperling, Janet (MNR)
Subject: FW: April 30, 2026 - Committee of Adjustment Agenda Available
Attachments: COA Comment - Per File - Brief.dotx; COA Comment - Per File - Report.dotx; Participating Procedures.pdf; April 30, 2026 Agenda - FINAL.docx; April 30 - Comment Agenda_2026.docx

Categories: April 30

You don't often get email from gyanendita.shailly@ontario.ca. Learn why this is important

External Email: Use caution with links and attachments.

Good aftrenoon, Committee of Adjustment,

NEC staff have reviewed the April 30th, 2026 CofA agenda and has following comments for your consideration:

- **A-26:061 26 Cattail Crescent, Flamborough (Ward 15)**
  - The subject property is located outside of the Niagara Escarpment Development Control Area. A Development Permit is not required from our office for development on the subject property.
  - However, it is located within the Niagara Escarpment Plan Area and is designated as Urban Area by the 2017 Niagara Escarpment Plan. As such, proposed uses and development activities on the property shall conform with Parts 1.7 and 2 of the Niagara Escarpment Plan.
  - NEC staff understands that the proposal is to permit the construction of a deck for an existing Single Detached dwelling.
  - *As per Part 1.7.4 of NEP, "Proposed uses and the creation of new lots may be permitted, subject to conformity with Part 2, Development Criteria, the Development Objectives and, where applicable, zoning by-laws that are not in conflict with the Niagara Escarpment Plan. Changes to permitted uses, expansions and alterations of existing uses or the creation of new lots within the Urban Area designation will not require an amendment to the Niagara Escarpment Plan".*
  - As per *Part 1.7.5.1 of NEP, "All development shall be of an urban design compatible with the scenic resources of the Escarpment. Where appropriate, provision for maximum heights, adequate setbacks and screening are required to minimize the visual impact of urban development".*

  Provided the City staff are satisfied that the proposal conforms to the Official Plan and/or any Secondary Plans in effect, NEC staff have no objections.

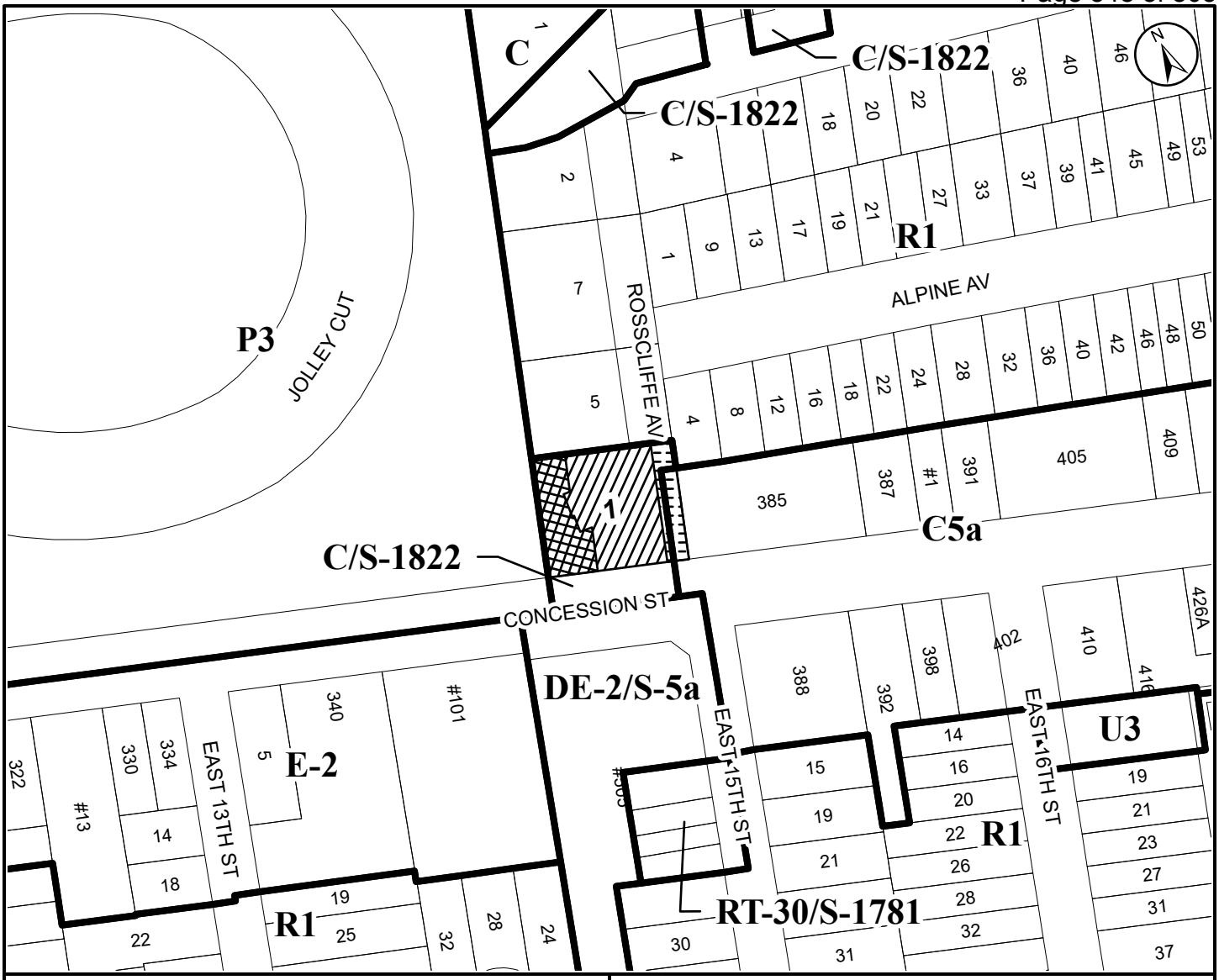
- **B-26:013 1 Rosscliffe Avenue, Hamilton (Ward 7)**
  - The subject property is located outside of the Niagara Escarpment Development Control Area. As such a Development Permit is not required from our office for the development.
  - However, it is located within the Niagara Escarpment Plan Area and is designated as Urban Area by the 2017 Niagara Escarpment Plan. As such, proposed uses and development activities on the property shall conform with the Urban Area policies mentioned in Parts 1.7 and 2 of the Niagara Escarpment Plan.

- NEC staff understands that the proposal is to sever the existing residential lot into two parcels. The severed lands will contain a proposed single-detached dwelling, and the retained lands will contain the existing 2-storey brick dwelling which is intended to remain.
- As per Part 2.4 Lot Creation, "*The objective is to direct the formation of new lots to those locations that are the least environmentally sensitive*.
    1. *Lot creation, including lots created within Urban Areas, Minor Urban Centres and Escarpment Recreation Areas, shall be subject to conformity with official plans and/or secondary plans and, where applicable, zoning by-laws that are not in conflict with the Niagara Escarpment Plan, and the criteria set out under Part 2, Development Criteria*.
    2. *New lots to meet residential needs should be created primarily in designated Urban Areas, Minor Urban Centres and Escarpment Recreation Areas*.
    3. *Ribbon or strip development should be prevented*.
    4. *The size and configuration of new lots shall be subject to the requirements of official plans and/or secondary plans, and where applicable, zoning by-laws and the objectives of the designation*.
    5. *New lots must maintain and enhance the existing community character and/or open landscape character of the Escarpment; and protect and enhance existing natural heritage and hydrologic features and functions*.
    8. *New lots created by consent shall front onto an existing public road that is of a reasonable standard of construction and generally maintained all year round."*

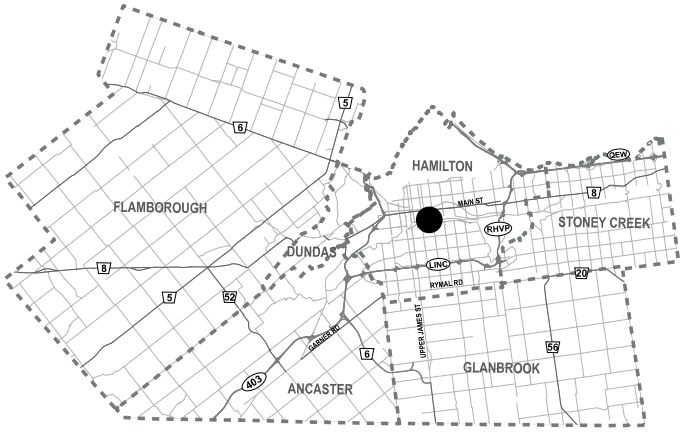
NEC staff have no objection to the proposal as such, provided the City is satisfied that the proposed development conforming to the Official Plan and/or any Secondary Plans in effect.

Kind regards,

G. Shailly
Senior Planner | Niagara escarpment Commission
232 Guelph Street, Georgetown, Ontario, L7G 4B1
905-703-0695 | gyanendita.shailly@ontario.ca



● **Site Location**



City of Hamilton

Committee of Adjustments

Subject Property

1 Rosscliffe Avenue, Hamilton (Ward 7)

Lands to be Retained

Lands to be Severed

Existing Right of Way Easement

File Name/Number: B-26:013

Date: April 22, 2026

Technician: RS

Scale: N.T.S.

Appendix "A"

Planning and Economic Development Department

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-26:062	**SUBJECT PROPERTY:**	718 Rymal Road East, Hamilton
ZONE:	C/S-1822 (Urban Protected Residential Etc.) and AA (Agricultural)	**ZONING BY-LAW:**	Hamilton Zoning By-law 6593

APPLICANTS: Owner: 16931618 Canada Inc (Kemesha Alli)
Applicant: Bright Hope Childcare Centre Inc (Kemesha Alli)
Agent:

The following variances are requested:

PURPOSE & EFFECT: To facilitate the conversion of a Single Family Dwelling to a Child Care Centre.

1. Every required parking space, other than a parallel parking space, shall be permitted to have dimensions not less than 2.8 metres wide and 5.8 metres long, instead of the minimum required dimensions of 2.7 metres wide and 6.0 metres long.

2. The required area for parking, manoeuvring and access in respect of the Child Care Centre use within a residential district shall be permitted to occupy 58% of the gross area of the front yard, instead of the requirement that the required area for parking, manoeuvring and access shall not occupy more than 50% of the gross floor area of the front yard.

3. Not less than 43% of the gross area of the front yard shall be landscaped, instead of the requirement that not less than 50% of the gross area of the front yard shall be landscaped.

Notes:

i. A Child Care Centre requires 1 parking space per 6 children who may be lawfully accommodated. The applicant has confirmed that there will be 57 children, which results in a requirement of 10 parking spaces.

ii. The boundary of every parking area and loading space on a lot containing five or more parking spaces located on the surface of a lot adjoining a residential district shall be fixed and not less than 1.5 metres from the adjoining residential district boundary. The submitted site plan shows the westerly parking spaces located 1.0 metres from the adjoining residential district counter, which is non-conforming. The applicant has confirmed via email that the site plan shall be revised to meet this requirement. Additional variance shall be required if compliance cannot be achieved.

iii. Between the boundary of the parking area and the residential district, an area landscaped with a planting strip shall be provided and maintained. The submitted site plan does not show an area landscaped with a planting strip between the parking area and the residential district. The applicant has confirmed via email that the site plan shall be revised to meet this requirement. Additional variance shall be required if compliance cannot be achieved.

iv. Variance No. 2 indicates that the required area for parking, maneuvering and access shall occupy 58% of the gross area of the front yard, which was indicated as per the applicants submitted cover letter.

v. Please be advised that Planning Act approvals may be required if a road widening and/or daylight triangle dedication is required as part of this application.

vi. Insufficient information has been provided to determine compliance for the proposed accessory buildings (shed and shade structure) located at the rear of the property; therefore, additional variances may be required.

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

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, April 30, 2026**
TIME:	**11:40 a.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 April 28, 2026.

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 April 29, 2026.

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding A-26:062, 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-26:062



Subject Lands

DATED: April 13, 2026

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.

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

The following information is required with your written submission:

- Committee of Adjustment file number
- Full name and address of the person providing comments. Anonymous comments will not be accepted.

Comments can also be placed in the drop box which is located at the back of the 1st Floor of City Hall, 71 Main Street West. All written comments received by the deadline 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. To register, email cofa@hamilton.ca with the following information:

- Committee of Adjustment file number
- Hearing date
- Full name and address of the person wishing to speak. Anonymous comments will not be accepted.
- 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

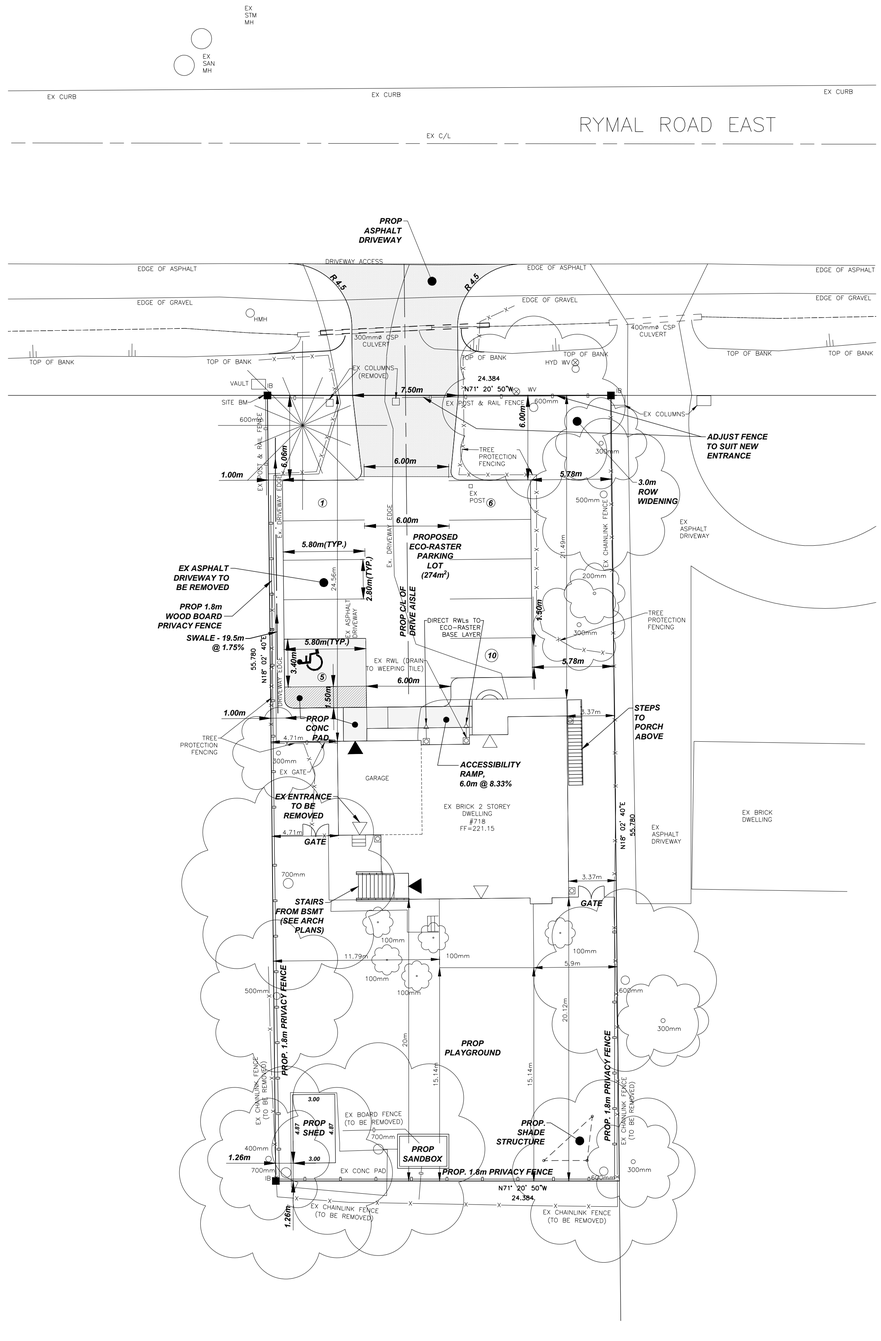
- Webex (video) participation requires a compatible computer or smartphone. The necessary application must be downloaded in advance.
- It is the interested party's responsibility to ensure their device is functional and compatible prior to the Hearing.

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

DEVELOPMENT STATISTICS				
ADDRESS:	718 RYMAL RD EAST			
ZONING BY-LAW:	22-195 (C/S-1822)	MINIMUM / MAXIMUM	OK	VARIANCE REQUIRED
EXISTING LOT AREA:	1286.91m	360m2 (MIN)	✓	No
FRONT-YARD LANDSCAPED AREA:	241.28m2 / 572.52m2 = 42.14%	50% (MIN)		Yes
OCCUPANT LOAD:	57	57 (MAX)	✓	No
PARKING SPACES:	10	10 (MIN)	✓	No
BUILDING COVERAGE:	186.14m2 /1286.91m2 = 14.46%			
GROSS FLOOR AREA:	306.19m2			
BUILDING HEIGHT:	229.81m-220.27=9.54m (est.) (ROOF PEAK-AVERAGE APRON GRADE)			

LEGEND

×100.50	EXISTING ELEVATION
×±100.50	EXISTING ELEVATION (CALCULATED)
0.00%	EXISTING SLOPE
	EXISTING DOWNSPOUT
	EXISTING ENTRANCE LOCATION
WV	EXISTING WATER VALVE
×(100.00)	PROPOSED ELEVATION
(100.00)	PROPOSED APRON ELEVATION
×S(100.00)	PROPOSED SWALE ELEVATION
0.00%	PROPOSED SLOPE
	PROPOSED DOWNSPOUT
	PROPOSED SWALE
	PROPOSED SILT FENCE
	PROPOSED ENTRANCE LOCATION



0 5 10 15

1:200

NOTES:
1. LOCATIONS OF UNDERGROUND SERVICES ARE APPROXIMATE AND MUST BE FIELD VERIFIED PRIOR TO CONSTRUCTION.
2. ANY DISCREPANCIES BETWEEN SERVICE LOCATIONS AND THESE ENGINEERING DRAWINGS MUST BE BROUGHT TO THE ATTENTION OF THE PROJECT ENGINEER.



KEY PLAN N.T.S.

BENCHMARK NOTE:

ELEVATION = 214.662 (CGVD-2013)

MONUMENT: 0011965U074

IRON PIPE WITH BRASS CAP ON SOUTH SIDE OF HIGHWAY NO. 53, 67.0 M WEST OF CENTRE LINE OF UPPER GAGE AVENUE, DIRECTLY OPPOSITE A TEXACO STATION AND VARIETY STORE, 36.5 M EAST OF EAST WALL OF HOUSE NO. 858, 17.8 M SOUTH OF CENTRE LINE OF HIGHWAY, 1.8 M NORTH OF FENCE, 1.2 M EAST OF POWER POLE, AT ROAD LEVEL.

SITE BENCHMARK :

ELEVATION = 219.66m

IRON BAR LOCATED AT THE NORTH WEST CORNER OF THE SITE, AS INDICATED ON THE PLAN.

GENERAL NOTES:

1. TENDERER SHALL SATISFY THEMSELVES AS TO THE NATURE OF THE GROUND AND BID ACCORDINGLY.
2. ALL ROCK LINE INDICATIONS SHOWN ON THE PLAN MUST BE VERIFIED BY THE CONTRACTOR.
3. CONTRACTOR SHALL VERIFY LOCATIONS AND INVERTS OF ALL EXISTING SANITARY AND STORM SEWERS AND WATERMAINS, PRIVATE DRAINS AND WATER SERVICES, GAS MAINS, CABLE TV, HYDRO AND TELEPHONE DUCTS ETC AT START OF CONSTRUCTION.

NO:	DATE:	DESCRIPTION:
3	2026-03-09	REVISED FOR ZONING COMPLIANCE REVIEW
1	2026-02-20	PER CLIENT UPDATES
0	2026-02-09	ISSUED FOR MINOR SITE PLAN APPLICATION

REVISIONS

NORTH

LICENSED PROFESSIONAL ENGINEER
A. P. SMITH
100193971
2026-03-09
PROVINCE OF ONTARIO

SEAL

LandSmith ENGINEERING & CONSULTING LTD.
LANDSMITH ENGINEERING & CONSULTING LTD.
1059 UPPER JAMES STREET, SUITE 207
HAMILTON, ON L9C 3A6
ANDREW@LANDSMITHEC.COM
289-309-3632

CLIENT:

BRIGHT HOPE CHILD CARE CENTER

MUNICIPALITY:

CITY OF HAMILTON

PROJECT NAME:

718 RYMAL ROAD EAST

TITLE:

SITE PLAN

SCALE: 1:200	DATE: 2025-12-09
CHECKED BY: AS	DESIGNED BY: OJ
DWG No: 25076Kem	SHEET No: SP1

March 6, 2026

To: Secretary-Treasurer
Committee of Adjustment
City of Hamilton
Planning and Economic Development Department

Re: Minor Variance Application – 718 Rymal Road East, Hamilton
Applicant: Bright Hope Childcare Centre
Proposed Use: Day Nursery / Licensed Child Care Centre

Dear Committee Members,

Please accept this Minor Variance application for the property located at 718 Rymal Road East. The purpose of the variance is to permit a licensed child care centre (with licensed capacity of 57 children) within the existing single-detached dwelling, where the current performance standards of the zoning by-law cannot be fully met due to the age and configuration of the existing building.

The proposed use is permitted under the C/S-1822 – Urban Protected Residential zoning, and no additions or structural changes are being proposed. The variance is required solely to address technical site requirements related to parking configuration, setbacks, and site layout, which cannot reasonably be achieved without significant reconstruction. We are requesting:

1. To adjust the parking stall size from minimum dimensions of 2.7m (width) x 6.0m (length) as required by Section 18A(7) of By-law 6593, to 2.8m (width) x 5.8m (length) (note only the length is below the previous minimum, and that the desired size is consistent with City of Hamilton Bylaw 05-200 section 5.2.1a)

2. To adjust the required area for parking, maneuvering and access from 50% of the gross area of the front yard (maximum) as per Section 18A(38) of By-law 6593 to allow that 58% of the gross area of the front yard be occupied and conversely - to adjust the requirement that not less than 50% of the gross area of the front yard shall be landscaped as per Section 18A(38) of By-law 6593 to allow that only 42% of the gross area of the front yard shall be landscaped.

The project supports the City’s goals of expanding access to licensed child care spaces and maintains the residential character of the neighbourhood. The accompanying Planning Justification demonstrates that the variance meets all four tests of the Planning Act and represents appropriate and desirable development.

Thank you for your consideration of this application. Should any further information be required, I would be pleased to provide it.

Sincerely,

Kemesha Alli
Bright Hope Childcare Centre Inc.

Planning Justification – Minor Variance Application

718 Rymal Road East, Hamilton L9W 1B3

Purpose of The Application

The purpose of this minor variance application is to permit the establishment of a licensed child care centre within the existing single-detached dwelling. The property is designated Neighbourhoods under the Urban Hamilton Official Plan and zoned **C/S-1822** – Urban Protected Residential under **By-law 659**3, as amended by **By-law 22-195**. A day nursery is a permitted use in this zone.

The existing dwelling was constructed prior to the introduction of modern zoning performance standards that apply to institutional and community-serving uses such as child care centres. No additions, expansions, or structural changes are proposed. However, the existing site layout does not fully comply with certain performance standards, including parking configuration, setback alignment, and site circulation requirements, all of which are directly related to the age and historic layout of the property.

The requested variance enables a permitted use to operate within the existing structure without unnecessary reconstruction or disruption to the established neighbourhood. The proposal maintains residential character, meets the intent of the Official Plan, and supports the City's goal of increasing access to licensed child care spaces.

This justification demonstrates that the variance is **minor, appropriate, and consistent with good planning practice**.

FOUR PLANNING ACT TESTS

Section 45(1) of the Planning Act requires a minor variance to satisfy four tests. The proposed variance meets all four:

1. Maintains the general intent and purpose of the Official Plan

- The property is designated Neighbourhoods, where community services such as child care facilities are permitted.
- The use will operate in the existing dwelling with no change to built form or neighbourhood character.
- The proposal supports the Official Plan's goals of providing accessible early years and child care services within neighbourhoods.

2. Maintains the general intent and purpose of the Zoning By-law

- The zoning (C/S-1822 – Urban Protected Residential) permits a day nursery as-of-right.
- The variance relates only to performance standards that the existing dwelling cannot meet due to its age and configuration.
- No new construction is proposed, and the essential intent of the zoning — residential form with compatible community uses —I s upheld.

3. Is desirable for the appropriate development and use of the land

- The use is compatible with surrounding residential properties.
- No adverse impacts are anticipated on traffic, streetscape, or neighbouring lots.
- The variance allows the property to serve an urgent community need without altering its physical characteristics.

4. Is minor in nature

- The variance seeks relief only from technical performance standards, not from the permitted use.
- There are no physical changes to the building, lot size, or built form.
- The functional impact is minimal, and no negative impacts on neighbouring properties are expected.

Conclusion

As all four tests are satisfied, the requested variance represents good planning and should be approved.

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*

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

1. APPLICANT INFORMATION

	NAME	MAILING ADDRESS	
Registered Owner(s)	16931618 Canada Inc. (Kemesha Alli)	[redacted]	
Applicant(s)	Bright Hope Childcare Centre Inc. (Kemesha Alli)		
Agent or Solicitor			**Phone:**
			E-mail:

Please include contact person's name if applying as a company or organization.

1.2 Primary contact ☑ Applicant ☐ Owner ☐ Agent/Solicitor

1.3 Sign should be sent to ☑ Applicant ☐ Owner ☐ Agent/Solicitor

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

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

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

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

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

*Must provide phone number above

2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	718 Rymal Road East, Hamilton L8W 1B3		
Assessment Roll Number			
Former Municipality	Hamilton (Township of Glanford)		
Lot	10	Concession	1
Registered Plan Number		Lot(s)	
Reference Plan Number (s)		Part(s)	

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

☐ Yes ☑ No

If YES, describe the easement or covenant and its effect:

3. PURPOSE OF THE APPLICATION

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

All dimensions in the application form are to be provided in metric units (millimetres, metres, hectares, etc.)

3.1 Nature and extent of relief applied for:

To permit the establishment of a licensed child acre centre within the existing single-detached dwelling where the existing site layout and building conditions do not fully comply with the performance standards of the zoning by-law for a day nursery use. No additions or structural expansions are proposed.

☐ Additional Dwelling Unit ☑ Reconstruction of Existing Dwelling

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

The dwelling was constructed many years before the current zoning performance standards were introduced. Certain requirements such as parking configuration, setbacks, and site layout cannot be met without unnecessary reconstruction /renovation to the existing building and neighbourhood. The use is permitted under the zoning, and the variance simply enables the permitted use to operate in the existing structure.

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 (in metric):

Lot Frontage	Lot Depth	Lot Area	Width of Street
24.384	55.78	1,360	

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

Existing:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Single Detached	24.38	Greater than 7.5 metres	4.71 metres, 3.37 metres	03/06/2002

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Single Detached	24.38	Greater than 7.5 metres	4.71 metres, 3.37 metres	08/07/2026

4.3. Particulars of all buildings and structures on or proposed for the subject lands. All dimensions to be provided in metric (m, m^2 or ha); attach additional sheets as necessary.

Existing:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Single Detached	174.45	306.19	2	9.54m

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Single Detached	174.45	306.19	2	9.54m

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
☐ 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.):

Licensed child care centre within the existing single-detached dwelling.

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

Single detached dwelling

5. HISTORY OF THE SUBJECT LAND

5.1 Date of acquisition of subject lands:

July 17, 2025

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

single detached dwelling

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

Single detached dwelling

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

Over 20 Years.

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

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

Rural Settlement Area: _____

Urban Hamilton Official Plan designation (if applicable) Urban Hamilton Official Plan Neighbourhood

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

The proposed child care centre is permitted within the Neighbourhoods designation of the Urban Hamilton Official Plan. The variance allows the use to operate within the existing dwelling without altering neighbourhood character, consistent with the Official Plan's policies supporting accessible community services.

5.6 What is the existing zoning of the subject land? C/S-1822 – Urban Protected Residential under By-Law Section 9

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

☐ Yes ☑ No

If yes, please provide the file number: _____

5.8 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: _____

6. ADDITIONAL INFORMATION

6.1 Number of Dwelling Units Existing: 1

6.2 Number of Dwelling Units Proposed: 1

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

The property is zoned C/S-1822—Urban Protected Residential under Section 9 of Zoning By-law 6593, as amended by By-law 22-195. A day nursery is a permitted use in this district. No additions or structural changes are proposed. The need for the variance arises solely from performance standards that did not exist when the dwelling was constructed. The requested variance allows a permitted community use to operate safely within the existing building while maintaining neighbourhood character and supporting the City's need for additional licensed child care spaces. The minor site plan application was submitted February 27, 2026, and the variance is required to finalize that process. Including the particulars as it relates to Building Permit Application Number 25-104182. Thank you.

7. COMPLETE APPLICATION REQUIREMENTS

7.1 All Applications

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

7.2 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

_____

_____

STAFF COMMENTS

HEARING DATE: April 30, 2026

Hamilton

A-26:062 — 718 Rymal Road East, Hamilton

Recommendation:

Approve variances 1-3 with proposed condition. — Development Planning

Proposed Conditions:

1. A permit to injure or remove Municipal Tree Assets is a requirement of this application. A Tree Management Plan must be submitted to Forestry c/o urbanforest@hamilton.ca, to address potential conflicts with publicly owned trees. (Forestry)

2. That the requested variances generally apply to the provided site sketch and elevation package found in the Notice of Public Hearing for file A-26:062 (718 Rymal Road East, Hamilton) being heard on April 30, 2026, to the satisfaction of the Director of Development Planning. (Development Planning)

Proposed Notes:
There are existing public trees within the subject site. Location and layout of future structures, hardscape, and utilities must be designed in such a way as to reduce the impact and injury to public trees. All proposed underground installations, excavations, and surface treatment changes within the driplines of the public trees must be accurately depicted on the Tree Management Plan. See the Comments section for more details. (Forestry)

If construction results in one or more of the public trees on site to require removal, as determined by the Urban Forest Health Technician, Loss of Canopy Fees will be owed to Forestry, and removal will be required at the expense of the development. Replacement street trees may also be required. (Forestry)

Forestry conditions relate to **public trees only** and are separate to any conditions, reviews, and fees required through Natural Heritage. (Forestry)

A building permit is required for the conversion of the proposed Child Care. (Building Engineering)

If this variance is granted, the City does not require an archaeological assessment, but the proponent must be advised in writing by the Committee of Adjustment as follows:

"**Acknowledgement Note:** The subject property has been determined to be an area of archaeological potential. It is reasonable to expect that archaeological resources may be encountered during any demolition, grading, construction activities, landscaping, staging, stockpiling or other soil disturbances. If archaeological resources are encountered, the proponent may be required to conduct

Hamilton

an archaeological assessment prior to further impact in order to address these concerns and mitigate, through preservation or resource removal and documentation, adverse impacts to any significant archaeological resources found. Mitigation, by an Ontario-licensed archaeologist, may include the monitoring of any mechanical excavation arising from this project. If archaeological resources are identified on-site, further Stage 3 Site-specific Assessment and Stage 4 Mitigation of Development Impacts may be required as determined by the Ontario Ministry of Citizenship and Multiculturalism (MCM). All archaeological reports shall be submitted to the City of Hamilton for approval concurrent with their submission to the MCM.

Should deeply buried archaeological materials be found on the property during any of the above development activities the 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).” (Development Planning)

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Development Planning:

Background

The purpose of the application is to facilitate the conversion of a Single Family Dwelling into a Child Care Centre.

The following variances are requested:

1. Every required parking space, other than a parallel parking space, shall be permitted to have dimensions not less than 2.8 metres wide and 5.8 metres long, instead of the minimum required dimensions of 2.7 metres wide and 6.0 metres long.

2. The required area for parking, manoeuvring and access in respect of the Child Care Centre use within a residential district shall be permitted to occupy 58% of the gross area of the front yard, instead of the requirement that the required area for parking, manoeuvring and access shall not occupy more than 50% of the gross floor area of the front yard.

3. Not less than 43% of the gross area of the front yard shall be landscaped, instead of the requirement that not less than 50% of the gross area of the front yard shall be landscaped.

Urban Hamilton Official Plan

The subject property is designated “Neighbourhoods” on Schedule E-1 – Urban Land Use Designations of the Urban Hamilton Official Plan. Policy E.3.2.3 a) permits local community facilities/services. Policy E.3.10.1 permits Child Care Centres. The subject lands are not identified as being within a secondary plan area. Based on the forgoing policies, the proposed Child Care Centre is permitted subject to the provisions of the applicable Zoning By-law.

Archaeology

The subject property meets two (2) of the ten criteria used by the City of Hamilton and Ministry of Citizenship and Multiculturalism for determining archaeological potential:

1) Within 300 metres of a primary watercourse or permanent waterbody, 200 metres of a secondary watercourse or seasonal waterbody, or 300 metres of a prehistoric watercourse or permanent waterbody;
2) Along historic transportation routes.

These criteria define the property as having archaeological potential. Accordingly, Section 2 (d) of the *Planning Act* and Section 4.6.2 of the Provincial Planning Statement apply to the subject application.

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Cultural Heritage

No comments.

Former City of Hamilton Zoning By-law No. 6593

The subject property is zoned as C/S-1822 (Urban Protected Residential Etc.) and AA (Agricultural) Zone in Zoning By-law No. 6593. The zone permits the proposed Child Care Centre subject to performance criteria.

Analysis

Variance 1

1. Every required parking space, other than a parallel parking space, shall be permitted to have dimensions not less than 2.8 metres wide and 5.8 metres long, instead of the minimum required dimensions of 2.7 metres wide and 6.0 metres long.

The intent of the above provision is to ensure that parking spaces are of a minimum size in order to appropriately function and accommodate a variety of vehicles and door swing. Staff note that the sizes are deficient in width by ≈0.1 metres and ≈0.2 metres in depth. Staff note that the dimensions of the parking spaces are in accordance with the dimensions required by Zoning By-law No. 05-200 (2.8m X 5.8m), which in the future will be in effect on the subject lands. Staff do not foresee any adverse impacts being generated through the reduction in permitted parking stall size as they remain a viable and functional size. Based on the forgoing analysis **staff are supportive of variance 1** as it satisfies the four tests of a minor variance under the *Planning Act.*

Variances 2 and 3

2. The required area for parking, manoeuvring and access in respect of the Child Care Centre use within a residential district shall be permitted to occupy 58% of the gross area of the front yard, instead of the requirement that the required area for parking, manoeuvring and access shall not occupy more than 50% of the gross floor area of the front yard.

3. Not less than 43% of the gross area of the front yard shall be landscaped, instead of the requirement that not less than 50% of the gross area of the front yard shall be landscaped.

The intent of the above provisions is to ensure there is an appropriate balance between areas dedicated for parking and landscaping within the front yard. This helps mitigate the visual impact of parking on the streetscape, while also ensuring sufficient area for landscaping and softscaping to mitigate stormwater impacts. In staff's opinion, the proposed increase in gross area of the front yard for areas dedicated to parking from 50% to 58% is considered minor and will not result in adverse impacts. The reduction in landscaping from 50% to 43% is also considered minor and maintains a

Hamilton

sufficient area for landscaping in the front yard. Staff defer grading and drainage concerns to Development Engineering staff. The proposed development is subject to Site Plan Control (file# SPC-2026-00028), where the landscaping and stormwater design can be finalized to ensure they are acceptable. Based on the forgoing analysis **staff are supportive of variances 2 and 3** as they satisfy the four tests of a minor variance under the *Planning Act.*

Based on the forgoing staff recommend that **variances 1-3 be approved subject to the recommended conditions** as they maintain the general intent and purpose of the Official Plan and Zoning By-law, are minor in nature, and are desirable for the appropriate development of the subject lands.

Zoning:

Recommendation:	Comments Only
Proposed Conditions:	
Comments:	i. A Child Care Centre requires 1 parking space per 6 children who may be lawfully accommodated. The applicant has confirmed that there will be 57 children, which results in a requirement of 10 parking spaces. ii. The boundary of every parking area and loading space on a lot containing five or more parking spaces located on the surface of a lot adjoining a residential district shall be fixed and not less than 1.5 metres from the adjoining residential district boundary. The submitted site plan shows the westerly parking spaces located 1.0 metres from the adjoining residential district counter, which is non-conforming. The applicant has confirmed via email that the site plan shall be revised to meet this requirement. Additional variance shall be required if compliance cannot be achieved. iii. Between the boundary of the parking area and the residential district, an area landscaped with a planting strip shall be provided and maintained. The submitted site plan does not show an area landscaped with a planting strip between the parking area and the residential district. The applicant has confirmed via email that the site plan shall be revised to meet this requirement. Additional variance shall be required if compliance cannot be achieved. iv. Variance No. 2 indicates that the required area for parking, maneuvering and access shall occupy 58% of the gross area of the front yard, which was indicated as per the applicants submitted cover letter. v. Please be advised that Planning Act approvals may be required if a road

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	widening and/or daylight triangle dedication is required as part of this application. vi. Insufficient information has been provided to determine compliance for the proposed accessory buildings (shed and shade structure) located at the rear of the property; therefore, additional variances may be required. vii. The lands are subject to Site Plan Control. As such, development or redevelopment may require application to Development Planning. For further information, please contact pdgeninq@hamilton.ca.
Notes:	

Development Engineering:

Recommendation:	No Comments
Proposed Conditions:	
Comments:	
Notes:	

Building Engineering:

Recommendation:	Comments and Conditions/Notes
Proposed Conditions:	
Comments:	
Notes:	A building permit is required for the conversion of the proposed Child Care.

Transportation Planning:

Recommendation:	No Comments
Proposed Conditions:	
Comments:	
Notes:	

Forestry:

Recommendation:	Comments and Conditions/Notes
Proposed Conditions:	A permit to injure or remove Municipal Tree Assets is a requirement of this application. A Tree Management Plan must be submitted to Forestry c/o urbanforest@hamilton.ca, to address potential conflicts with publicly owned trees.

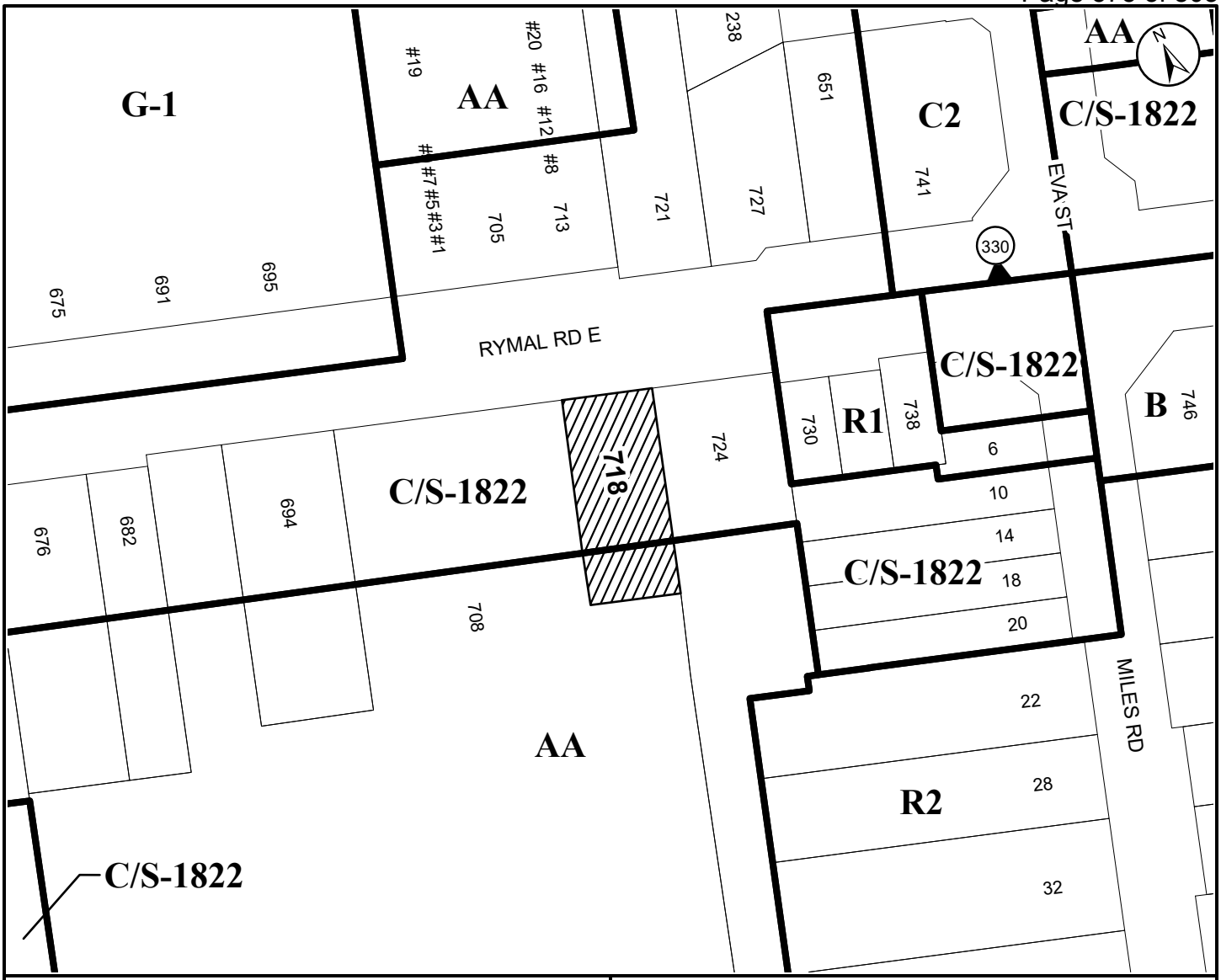
Hamilton

Comments:	An assessment of the information provided shows that there are potential conflicts with publicly owned trees within the subject site. Conditions of the Forestry and Horticulture Section will be cleared only after receipt of all applicable fees. Where existing municipal trees are impacted by development work, are within proximity of the development work, or access/egress to the development work, a Public Tree Permit to injure or remove Municipal Trees is required. **TREE MANAGEMENT PLAN** Tree Protection is a measure of efforts to preserve existing trees during against all manner of construction impacts. The Forestry & Horticulture Section requires that a Tree Management Plan be prepared by a MTCU Qualified Arborist, ISA Certified Arborist, or a Registered Landscape Architect. All trees within this proposed development area must be surveyed, identified, and accurately plotted on the plan to determine ownership, including intentions regarding retention or removal. Where ownership of trees in proximity to the boundary between public and private lands is un-certain, the subject trees must be surveyed by the applicant to confirm ownership. Ownership is as per By-law 15-125. Ownership must be clearly identified on the Tree Management Plan as either municipal or private. It is compulsory that all proposed underground and surface treatment changes within individual tree driplines be accurately depicted on the submission. Including, but not limited to building footprints, driveways, walkways, utility connections, site access, and site hoarding. The Tree Inventory Table on the Tree Management Plan shall not be considered complete without the following data and recommended action for each tree: • Species by Botanical and common name • Diameter at breast height in centimeters or millimeters • Ownership {> 50% @ ground level = ownership} • Biological health • Structural condition • Proposed grade changes within individual driplines • Proposed utility construction within individual driplines

Hamilton

	• Proposed actions {removal, preserve, or injure} A Tree Protection Zone Detail showing Tree Preservation Techniques for all retained trees shall be included on the submission as per the Public Tree Preservation and Sustainability Policy. All Healthy trees on municipal property which are found to be in conflict with the proposed development, do not meet our criteria for removal, and all other reasonable alternatives have been explored, are subject to a Loss of Canopy Fee as outlined in the Public Tree Preservation and Sustainability Policy in conjunction with By-Law 15-125. **SUMMARY** • There are Municipal Tree Assets on site; a Tree Management Plan is required. • Landscape Plan not required. • Conditions will be considered cleared, and a Public Tree Permit will be issued, upon approval of the Tree Management Plan and receipt of all applicable fees.
Notes:	There are existing public trees within the subject site. Location and layout of future structures, hardscape, and utilities must be designed in such a way as to reduce the impact and injury to public trees. All proposed underground installations, excavations, and surface treatment changes within the driplines of the public trees must be accurately depicted on the Tree Management Plan. See the Comments section for more details. If construction results in one or more of the public trees on site to require removal, as determined by the Urban Forest Health Technician, Loss of Canopy Fees will be owed to Forestry, and removal will be required at the expense of the development. Replacement street trees may also be required. Forestry conditions relate to **public trees only** and are separate to any conditions, reviews, and fees required through Natural Heritage.

Please Note: Public comment will be posted separately, if applicable.



● **Site Location**



City of Hamilton

Committee of Adjustments

Subject Property

718 Rymal Road East, Hamilton (Ward 7)

File Name/Number: A-26:062

Date: April 14, 2026

Technician: AL

Scale: N.T.S.

Appendix "A"

Planning and Economic Development Department

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-26:009**	**SUBJECT PROPERTY:**	128 Slinger Avenue, Stoney Creek

APPLICANTS:
Owner: Izabela Stanic and Ivana Stanic
Applicant: Golnaz Favaedi Darko Jakovina Barich Grenkie Surveying Ltd
Agent: Golnaz Favaedi Darko Jakovina Barich Grenkie Surveying Ltd

PURPOSE & EFFECT: To sever the existing residential lot into three (3) parcels. The severed lands will be vacant residential building lots, and the retained lands will contain the existing dwelling and garage which are intended to remain.

	Frontage	**Depth**	**Area**
SEVERED LANDS (PART 2):	22.75 m±	30.59 m±	695.44 m^2 ±
SEVERED LANDS (PART 3):	15.13 m±	37.99 m±	574.49 m^2 ±
RETAINED LANDS (PART 1):	15.24 m±	30.59 m±	465.92 m^2 ±

Associated Planning Act File(s): SC/B-22:108 (lapsed)

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, April 30, 2026**
TIME:	**11:45 a.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 **April 28, 2026**.

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 **April 29, 2026**.

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding this matter, 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-26:009



Subject Lands

DATED: April 13, 2026

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.

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

The following information is required with your written submission:

- Committee of Adjustment file number
- Full name and address of the person providing comments. Anonymous comments will not be accepted.

Comments can also be placed in the drop box which is located at the back of the 1st Floor of City Hall, 71 Main Street West. All written comments received by the deadline 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. To register, email cofa@hamilton.ca with the following information:

- Committee of Adjustment file number
- Hearing date
- Full name and address of the person wishing to speak. Anonymous comments will not be accepted.
- 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.

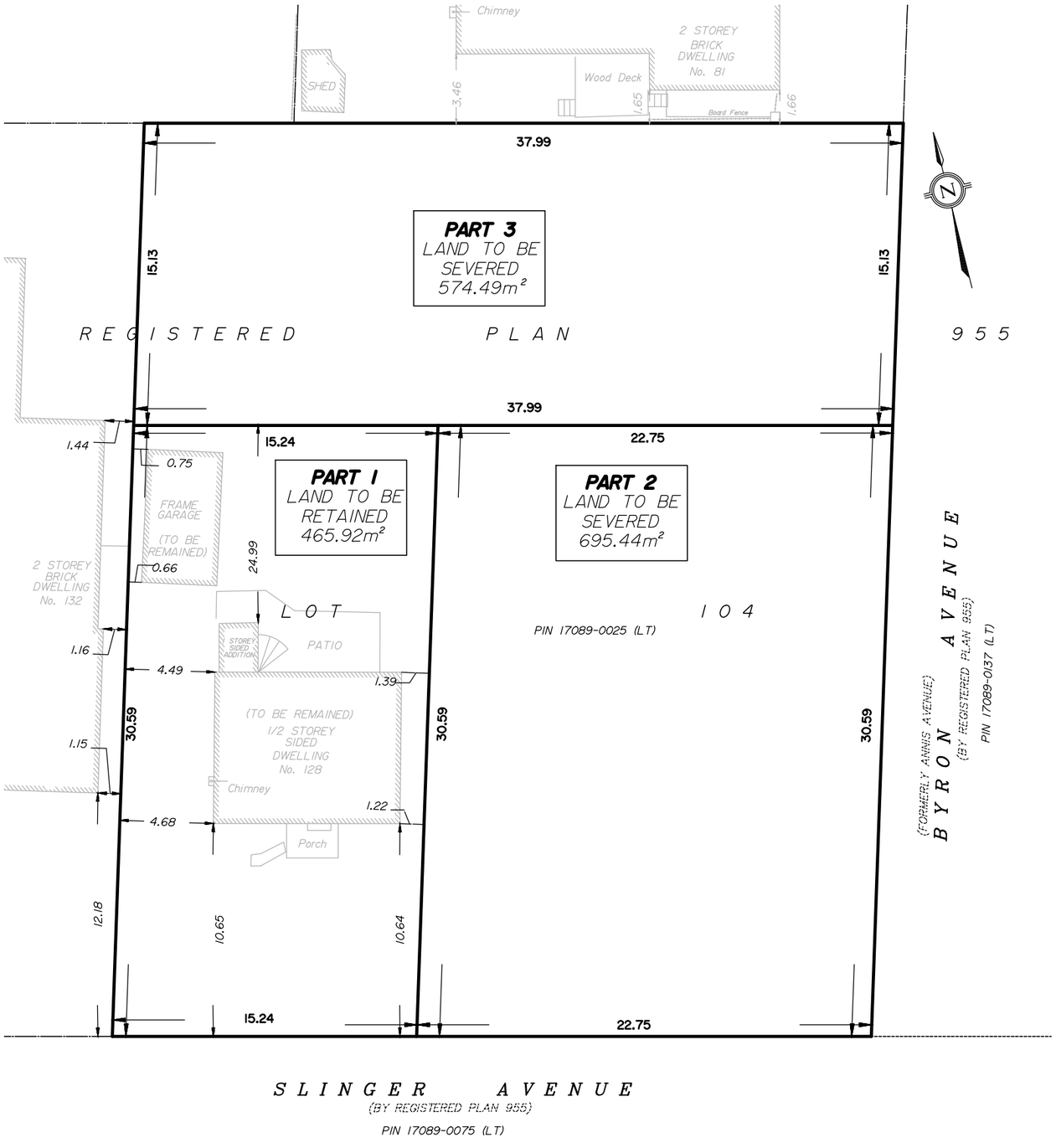
Virtual Presentations:
Presenters participating virtually may be granted permission to share their screen during the Hearing. A copy of the presentation must be submitted to cofa@hamilton.ca **by 12:00 p.m. (noon) on the business day prior to the Hearing.** The submission must be one document in PDF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





ADDRESS: 128 SLINGER AVE, HAMILTON

SEVERANCE SKETCH OF

LOT 104
REGISTERED PLAN 955
IN THE
CITY OF HAMILTON

SCALE & NOTES

Scale 1:250

5 0 5 10 15 METRES

BARICH GRENKIE SURVEYING LTD.

A DIVISION OF GEOMAPLE

C COPYRIGHT 2026

METRIC

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

Barich Grenkie
Surveying Ltd.
301 HWY No. 8 (2nd FLOOR) - STONEY CREEK, ON
L8G 1E5 (905) 662-6767
A DIVISION OF GEOMAPLE

DWN BY: GF

CHK BY: DJ

JOB No. 26-3417

Z:\Office\PROJECTS\Jobs 2026\26-3417 - 128 Slinger Ave, Hamilton, ON\Engineering\26-3417 SKETCH.dwg

GENERAL NOTES

1. THIS/THESE PLAN(S) IS/ARE NOT TO BE USED FOR CONSTRUCTION UNTIL SEALED BY THE ENGINEER AND INDICATED ISSUED FOR CONSTRUCTION ON THE DRAWING.
2. THIS/THESE PLAN(S) IS/ARE NOT TO BE REPRODUCED IN WHOLE OR IN PART WITHOUT THE WRITTEN PERMISSION OF BARICH GRENKIE SURVEYING LIMITED.
3. INFORMATION REGARDING ANY EXISTING SERVICES AND/OR UTILITIES SHOWN ON THE APPROVED SET OF CONSTRUCTION DRAWINGS ARE FURNISHED AS THE BEST AVAILABLE INFORMATION. THE CONTRACTOR SHALL INTERPRET THIS INFORMATION AS HE SEES FIT WITH THE UNDERSTANDING THAT THE OWNER AND HIS AGENTS DISCLAIM ALL RESPONSIBILITY FOR ITS ACCURACY AND /OR SUFFICIENCY. THE CONTRACTOR SHALL ASSUME LIABILITY FOR ANY DAMAGE TO EXISTING WORKS.
4. SITE PLAN INFORMATION TAKEN FROM SURVEY BY BARICH GRENKIE SURVEYING LTD.
5. THIS/THESE PLAN(S) TO BE USED FOR SERVICING AND GRADING ONLY, FOR BUILDING LOCATION REFER TO THE SITE PLAN.
6. MUNICIPAL APPROVAL OF THESE DRAWINGS IS FOR MATERIAL AND COMPLIANCE WITH CITY/TOWN STANDARDS AND PROVINCIAL SPECIFICATIONS AND STANDARDS ONLY. APPROVAL AND INSPECTION OF THE WORKS BY THE CITY/TOWN STAFF DOES NOT CERTIFY THE LINE AND GRADE OF THE WORKS NOR RELIEVE THE CONTRACTOR OF CERTIFICATION OF ALL WORKS BY THE OWNER'S ENGINEER.
7. ALTERNATE MATERIALS MAY BE ACCEPTABLE PROVIDED WRITTEN APPROVAL HAS FIRST BEEN OBTAINED FROM THE CITY OF HAMILTON AND THE ENGINEER.
8. 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:
   - ROAD CUT PERMITS
   - SEWER PERMITS
   - APPROACH APPROVAL PERMITS
   - RELOCATION OF SERVICES
   - COMMITTEE OF ADJUSTMENT
   - ENCROACHMENT AGREEMENTS
9. PRIOR TO CONSTRUCTION THE CONTRACTOR MUST:
   i. CHECK AND VERIFY ALL DIMENSIONS AND EXISTING ELEVATIONS WHICH INCLUDE BUT ARE NOT LIMITED TO THE BENCHMARK ELEVATIONS, EXISTING SERVICE CONNECTIONS, EXISTING INVERTS AND REPORT FINDING IN WRITING TO THE ENGINEER.
   ii. OBTAIN ALL UTILITY LOCATES AND REQUIRED PERMITS AND LICENSES.
   iii. VERIFY ALL FINISHED FLOOR ELEVATIONS AND BASEMENT FLOOR ELEVATIONS WHICH MY APPEAR ON THESE PLANS COMPLY WITH THE FINAL ARCHITECTURAL DRAWINGS.
   iv. CONFIRM ALL DRAWINGS USED FOR CONSTRUCTION ARE OF THE MOST RECENT REVISION.
   v. NOTIFY THE ENGINEER OF THE PROPOSED CONSTRUCTION SCHEDULE FOR COORDINATION OF NECESSARY INSPECTIONS.
10. THE CONTRACTOR IS RESPONSIBLE FOR CONTACTING THE ENGINEER 48 HOURS PRIOR TO THE COMMENCING SITE WORKS TO ARRANGE FOR INSPECTION. THE ENGINEER SHALL DETERMINE THE EXTENT OF INSPECTION AND TESTING REQUIRED FOR CERTIFICATION OF THE UNDERGROUND SERVICE INSTALLATION AS MANDATED BY THE ONTARIO BUILDING CODE DIVISION C, PART 1, SECTION 1.2.2, GENERAL REVIEW. FAILURE TO MAKE SUITABLE ARRANGEMENTS FOR INSPECTION WILL LEAD TO POST CONSTRUCTION TESTING AND INSPECTION AS DETERMINED BY THE ENGINEER, THE COSTS OF WHICH INCLUDING ANY DELAYS IN CONSTRUCTION SHALL BE BOURNE BY THE CONTRACTOR. FULL PAYMENT FOR UN-INSPECTED WORKS MAY BE WITHHELD UNTIL THE COMPLETION OF THE POST CONSTRUCTION INSPECTION AND TESTING TO THE SATISFACTION OF THE ENGINEER.
11. INSPECTION BY THE OWNER'S ENGINEER IS FOR CERTIFICATION AND GENERAL CONFORMANCE PURPOSES AND DOES NOT CERTIFY LINE AND GRADE OR IMPLY AN ASSURANCE OF QUALITY CONTROL. THE CONTRACTOR SHALL BE RESPONSIBLE TO ENSURE THE INSTALLATION OF THE WORKS TO PROPER LINE, GRADE AND QUALITY TO CURRENT INDUSTRY STANDARDS.
12. ANY UTILITY RELOCATIONS AND RESTORATIONS DUE TO THE DEVELOPMENT TO BE UNDERTAKEN AT THE EXPENSE OF THE OWNER/DEVELOPER AND SHALL BE COORDINATED BY THE CONTRACTOR.
13. ALL RESTORATIONS AND RECONSTRUCTIONS SHALL BE COMPLETED TO MATCH EXISTING CONDITIONS OR BETTER AND ARE TO BE PERFORMED TO THE SATISFACTION OF THE ENGINEER AND THE CITY/TOWN STANDARDS.
14. SERVICING CONTRACTOR TO MAINTAIN A "CONFINED TRENCH CONDITION" IN ALL SEWER AND WATERMAIN INSTALLATION TRENCHES.
15. THE SITE SERVICING CONTRACTOR SHALL TERMINATE ALL SERVICES 1.0m FROM THE BUILDING FACE.
16. NO BLASTING WILL BE PERMITTED.

SEWERS

1. STORM SEWERS
   A. CONSTRUCTION OF STORM SEWERS SHALL BE IN ACCORDANCE WITH CITY STANDARDS & SPECIFICATIONS (LATEST EDITION) AND MINISTRY OF ENVIRONMENT (MOE) GUIDELINES (LATEST EDITION).
   B. COVER AND BEDDING MATERIAL FOR PVC PIPE SHALL BE GRANULAR 'A' MATERIAL AS PER OPSD 802.010 OR 802.013.
   C. PVC PIPE WILL REQUIRE SPECIAL CONSTRUCTION PROCEDURES AS PER CITY SPECIFICATIONS.
   D. ALL SEWERS TO BE VIDEO INSPECTED.
   E. ALL SEWERS TO BE FLUSHED PRIOR TO VIDEO INSPECTION.
   F. STORM SEWERS 250mm TO 600mm IN DIAMETER SHALL BE PVC PIPE, CSA B182.2, SDR-35.
   G. PROPOSED PRIVATE REAR LOT CATCH BASINS (RCBS'S) ARE TO BE AS PER OPSD 705.010, COMPLETE WITH BIRDCAGE FRAME AND GRATE AS PER OPSD 400.120. REAR LOT CATCH BASINS ARE TO BE SUMPLESS.
   H. ALL PVC SEWERS ARE TO BE TESTED FOR DEFLECTION (MANDREL PASSAGE) AFTER INSTALLATION.

2. STORM AND SANITARY PRIVATE DRAINS
   A. CONSTRUCTION OF PRIVATE DRAINS SHALL BE IN ACCORDANCE WITH CITY STANDARDS & SPECIFICATIONS (LATEST EDITION) AND MINISTRY OF ENVIRONMENT (MOE) GUIDELINES (LATEST EDITION)
   B. PRIVATE DRAINS TO BE 150mmø PVC PIPE, CSA B182.1 M-1983, SDR 28 AS PER FORM 500. STORM PIPE SHALL BE WHITE AND SANITARY SHALL BE ANY COLOUR OTHER THAN WHITE. WOOD MARKING AT END OF SANITARY PRIVATE DRAIN SHALL BE PAINTED RED.
   C. COVER AND BEDDING MATERIAL FOR PRIVATE DRAINS SHALL BE GRANULAR 'A' INSTALLED AS PER OPSD 802.010 OR 802.013.
   D. MINIMUM FALL FOR PRIVATE DRAINS TO BE 2.0%.
   E. TOP OF SANITARY PRIVATE DRAINS AT STREET LINE TO BE 2.2M (MIN.) BELOW CENTERLINE ROAD ELEVATION AT THAT POINT OR AS DETAILED.
   F. TOP OF STORM PRIVATE DRAINS AT STREET LINE TO BE 1.2M (MIN.) BELOW CENTERLINE ROAD ELEVATION AT THAT POINT OR AS DETAILED.
   G. BUILDING RAINWATER LEADERS SHALL NOT BE CONNECTED TO THE STORM PRIVATE DRAIN BUT SHALL DISCHARGE TO LANDSCAPED SURFACES VIA SPLASH PADS.
   H. SUMP PUMPS WITH CHECK VALVES SHALL BE INSTALLED IN EACH DWELLING TO PUMP THE BUILDING WEEPING TILES TO THE STORM PRIVATE DRAINS. THE SUMP OUTLET PIPE SHALL EXTEND A MINIMUM OF 150mm ABOVE THE PROPOSED GRADE AT THE DWELLING (BASEMENT CEILING) PRIOR TO DISCHARGING TO THE STORM PRIVATE DRAIN. SEE DETAIL 3.
   I. IF THE APPLICANT/OWNER INTENDS TO REUSE A PORTION OF A SITE'S EXISTING SEWER SYSTEM, IT IS THEIR RESPONSIBILITY TO ENSURE THAT THE SEWER IS OF ADEQUATE CAPACITY, MEETS ALL APPLICABLE BY-LAW REQUIREMENT, AND IS IN GOOD WORKING ORDER. SEWERS TO BE REUSED MUST BE VIDEO INSPECTED, WHILE THE CITY/TOWN SEWER INSPECTOR IS PRESENT. THE APPLICANT/OWNER IS RESPONSIBLE FOR MAKING ALL ARRANGEMENTS WITH THEIR PRIVATE VIDEO INSPECTION CONTRACTOR ALONG WITH PAYMENT OF AN INSPECTION FEE.

WATERMAINS AND WATER SERVICES

1. WATER SERVICES
   A. CONSTRUCTION OF PRIVATE WATER SERVICES SHALL BE IN ACCORDANCE WITH CITY STANDARDS & SPECIFICATIONS (LATEST EDITION) AND MINISTRY OF ENVIRONMENT (MOE) GUIDELINES (LATEST EDITION).
   B. WHERE METAL FITTINGS ARE TO BE USED ON PVC MAINS SUFFICIENT CATHODIC PROTECTION MUST BE PROVIDED AS PER THE FOLLOWING REQUIREMENTS:
      i. MINIMUM OF ONE 11KG ZINC ANODE SHALL BE INSTALLED FOR EVERY 1000m OF TRACER WIRE;
      ii. ONE 11KG ZINC ANODE SHALL BE INSTALLED FOR EACH COPPER WATER SERVICE CONNECTION;
      iii. ONE 11KG ZINC ANODE SHALL BE INSTALLED ON EVERY VALVE, HYDRANT, BEND, TEE, SLEEVE, REDUCER, PLUG, CAP, JOINT RESTRAINT, COUPLING, ETC., CONNECTED TO THE PVC PIPE.
   C. WATER SERVICE TO BE 25mm DIA. TYPE 'K' SOFT COPPER AS PER WM-207.01 OR AS DETAILED.
   D. GRANULAR BEDDING AS PER WM-200.07 AND WM-200.02 TO BE GRANULAR 'D' AS PER FORM 600.
   E. ALL VALVE BOXES TO BE SET TO PROPOSED GRADES.

GRADING NOTES

1. GENERAL GRADING
   A. ALONG ADJOINING PROPERTIES GRADE TO MEET EXISTING OR PROPOSED ELEVATIONS WITH SODDED SLOPES (MIN. 3H TO 1V) AND/OR RETAINING WALLS AS SPECIFIED.
   B. ALL RETAINING WALLS, WALKWAYS, CURBS, ETC., SHALL BE PLACED A MIN. OF 0.45m OFF THE PROPERTY LINE. ALL WALLS 1.0M OR HIGHER SHALL BE DESIGNED BY A P.ENG.
   C. SHOULD A RETAINING WALL BE REQUIRED, THE TOP OF WALL ELEVATIONS SHALL BE SET 150mm ABOVE THE PROPOSED SIDE YARD SWALES.
   D. RETAINING WALLS 0.6m IN HEIGHT OR GREATER REQUIRE CONSTRUCTION OF A FENCE OR GUARD RAIL AT THE TOP OF THE REAR OF THE WALL GUARDS FOR RETAINING WALLS SHALL BE DESIGNED AND CONSTRUCTED IN ACCORDANCE WITH THE REQUIREMENTS OF EXTERIOR GUARDS AS CONTAINED IN THE ONTARIO BUILDING CODE.
   E. TOP OF FOUNDATION WALLS FOR BUILDINGS SHALL BE 150mm (MIN) ABOVE FINISHED GRADE.
   F. DRIVEWAY SLOPES SHALL NOT BE LESS THAN 2% AND NOT MORE THAN 7.0%. REVERSED SLOPED DRIVEWAYS IN NEW DEVELOPMENTS ARE NOT PERMITTED.
   G. IF GRADING IS REQUIRED ON LANDS ADJACENT TO THE DEVELOPMENT WHICH ARE NOT OWNED BY THE DEVELOPER, THEN THE DEVELOPER MUST OBTAIN WRITTEN PERMISSION FROM THE ADJACENT PROPERTY OWNER TO ALLOW THE DEVELOPER TO GRADE ON THE ADJACENT LANDS, OTHERWISE RETAINING WALLS MUST BE USED.
   H. THE WRITTEN PERMISSION REQUIRED FROM THE ADJACENT LANDOWNER SHALL BE OBTAINED PRIOR TO ENTERING THE LANDS. SHOULD PERMISSION NOT BE OBTAINED OR IS WITHDRAWN PRIOR TO COMMENCING THE WORK, THEN THE DEVELOPER SHALL LIMIT HIS ACTIVITIES TO THE LIMITS OF THE DEVELOPMENT SITE.
   I. DRIVEWAY AND DRIVEWAY APPROACHES SHALL BE LOCATED SUCH THAT HYDRO VAULTS AND OTHER STREET FURNITURE ARE A MIN. OF 1.2m FROM THE PROJECTIONS OF THE OUTSIDE GARAGE WALLS.
   J. ANY CHANGES IN GRADES AND CATCH BASINS REQUIRE THE APPROVAL OF THE CITY'S MANAGER OF DEVELOPMENT ENGINEERING.
   K. ALL DRIVEWAYS FROM PROPERTY LINES FOR THE FIRST 7.5m SHALL BE WITHIN 5% MAXIMUM GRADE, THEREAFTER, ALL DRIVEWAYS SHALL BE WITHIN 10% MAXIMUM GRADES.
   L. SLOPES OF SWALES FOR BOTH "BACK TO FRONT" AND "SPLIT" DRAINAGE SHALL BE NO LESS THAN 2.0% GRADE AND NO GREATER THAN 33.0% GRADE (3:1 SLOPE).
   M. WHEN MATCHING TO EXISTING PROPERTIES WHERE A 2.0% GRADE CANNOT BE ACHIEVED, A 1.5% GRADE IS PERMITTED, PROVIDED A 150mmø SUBDRAIN IS INSTALLED BELOW THE BOTTOM OF THE SWALE AND DRAINED TO A SUITABLE OUTLET (WITH A MINIMUM 0.3m COVER OVER THE SUBDRAIN), OR OTHER MITIGATION MEASURES.
   N. MINIMUM GRADE FOR WRAP-AROUND SWALE IN BACKYARDS SHALL BE 1.0%.
   O. UNLESS OTHERWISE NOTED, THE GROUND BETWEEN PROPOSED ELEVATIONS ON SIDE LOTS SHALL BE GRADED IN A STRAIGHT LINE.
   P. GARAGE FLOOR ELEVATIONS TO BE SET 0.3m HIGHER THAN BACK OF WALK, UNLESS OTHERWISE SPECIFIED.
   Q. ALL FILL PLACED ON LOTS SHALL BE COMPACTED TO A MINIMUM 95% S.P.D. (UNLESS OTHERWISE RECOMMENDED BY THE GEOTECHNICAL ENGINEER). ALL MATERIAL SHALL BE PLACED IN LIFTS NOT EXCEEDING 300mm.

2. BACKYARD GRADING
   A. DEFINITION: "REQUIRED BACK YARD" SHALL MEAN THE LESSER OF THE DISTANCE REGULATED BY THE ZONING BY-LAW @ 6.0m.
   B. THE MAXIMUM 5.0% RESTRICTION SHALL NOT APPLY TO THE SIDES OF A SWALE ALONG THE BACK OF THE LOT, PROVIDING THE TOTAL WIDTH OF THE SWALE DOES NOT EXCEED 1.0m ON EACH LOT.
   C. WHERE THE 5.0% RESTRICTION ON BACKYARD GRADES RESULTS IN ELEVATION DIFFERENCES BETWEEN DIFFERENT PROPERTIES, RETAINING WALLS SHALL BE CONSTRUCTED ALONG THE SIDES AND THE BACK OF THE LOT. 3:1 SLOPES CAN REPLACE THE WALLS WHERE THE DIFFERENCE IN ELEVATION IS LESS THAN 0.3m.
   D. GENERALLY, SLOPES SHALL BE PLACED ON THE LOWER LOT, WHEREAS RETAINING WALLS SHALL BE PLACED ON THE HIGHER LANDS.
   E. THERE IS NO CONTROL ON THE STEEPNESS OF THE SLOPES IN SIDE YARDS, FRONT YARDS, AND BACK YARDS, OUTSIDE THE AREAS DEFINED IN ITEM "A" ABOVE, PROVIDING THE SLOPES ARE STABLE FOR THE SOILS OF THE AREA (3:1 MAXIMUM).

COMPACTION REQUIREMENTS

UNLESS OTHERWISE NOTED OR DIRECTED BY THE GEOTECHNICAL CONSULTANT, THE FOLLOWING SHALL APPLY:

A. ALL BEDDING AND BACKFILL MATERIAL, ROAD SUB-GRADES AND GENERALLY ALL MATERIAL USED FOR LOT GRADING AND FILL SECTIONS, ETC., SHALL BE COMPACTED TO MIN. 98% SPD. ALL MATERIAL SHALL BE PLACED IN LAYERS NOT EXCEEDING 300mm LIFTS.
B. ALL GRANULAR ROAD BASE MATERIALS SHALL BE COMPACTED TO 98% SPD.
C. FOR ALL SEWERS AND WATERMAINS IN FILL SECTIONS, THE COMPACTION SHALL BE CERTIFIED BY A GEOTECHNICAL ENGINEER PRIOR TO LAYING OF PIPE.

SILTATION AND EROSION CONTROL

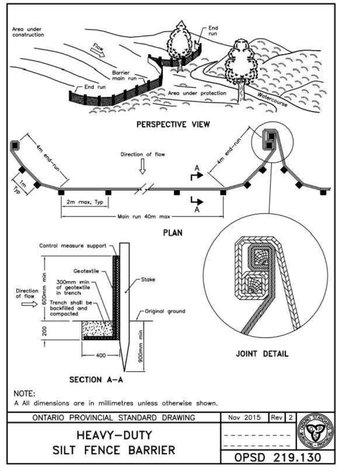
A. SILTATION CONTROL BARRIERS SHALL BE PLACED AS DETAILED.
B. ALL SILTATION CONTROL MEASURES SHALL BE CLEANED AND MAINTAINED AFTER EACH RAINFALL AS DIRECTED AND TO THE SATISFACTION OF THE OF CITY/TOWN AND/OR THE CONSERVATION AUTHORITY.
C. ADDITIONAL SILT CONTROL LOCATIONS MAY BE REQUIRED AS DETERMINED BY THE ENGINEER, THE CITY/TOWN AND/OR THE CONSERVATION AUTHORITY.

RESTORATIONS

A. ALL TRENCH EXCAVATION WITHIN EXISTING ROAD ALLOWANCES SHALL BE BACKFILLED WITH GRANULAR "A", COMPACTED TO 98& SPD. PAVEMENT RESTORATION SHALL BE PERFORMED AS PER RD-100.01 & 100.02.
B. ALL BOULEVARDS TO BE RESTORED WITH #1 NURSERY SOD ON 100mm MINIMUM THICK SELECT TOPSOIL.
C. BEDDING MATERIALS TO BE AS PER FORM 600. COMPACTION TO BE AS PER FORM 900.

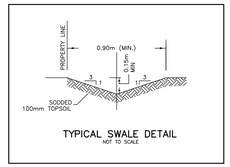
REMOVALS & ABANDONMENTS

1. COMPLETELY REMOVE ABANDONED SEWER/WATERMAIN WHERE POSSIBLE AND/OR AS DIRECTED BY THE CITY OF HAMILTON. IF MAINS TO BE ABANDONED IN PLACE, FOLLOW OPSS 510.
2. WHERE ABANDONING A WATER SERVICE CONNECTION OR WATERMAIN CONNECTED TO A LIVE MAIN, THE PREFERRED METHOD IS TO REMOVE THE CURB STOP AND STEM, SHUT OFF MAIN STOP AND DISCONNECT/CUT WATER SERVICE AT MAIN STOP.

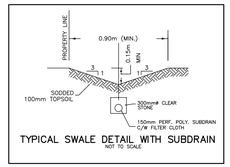


NOTE:
A All dimensions are in millimetres unless otherwise shown.

ONTARIO PROVINCIAL STANDARD DRAWING	Nov. 2015	Rev. 2
HEAVY-DUTY SILT FENCE BARRIER		OPSD 219.130

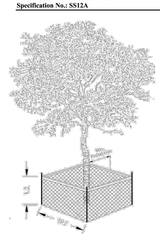


TYPICAL SWALE DETAIL
NOT TO SCALE



TYPICAL SWALE DETAIL WITH SUBDRAIN
NOT TO SCALE

Tree Protection and Preservation Specification No.: SS12A



Detail TP-1 – Tree Protection Detail.

Trunk Diameter (DBH)	Minimum Tree Protection Zone (MTPZ) Distances Required [1]	Critical Root Zone (CRZ) Distances Required [2]
< 10 cm	1.8 m	1.8 m
11 - 40 cm	2.4 m	4.0 m
41 - 50 cm	3.0 m	5.0 m
51 - 60 cm	3.6 m	6.0 m
61 - 70 cm	4.2 m	7.0 m
71 - 80 cm	4.8 m	8.0 m
81 - 90 cm	5.4 m	9.0 m
91 - 100< cm	6.0 m	10.0 m

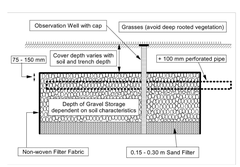
NOTES:
[1] The roots of a tree can extend from the trunk to approximately 2-3 times the distance of the drip line.
[2] Diameter at breast height (DBH) is the measurement of tree trunk taken at 1.4 metres above ground.
*Minimum Tree Protection Zone and Critical Root Zone distances are to be measured from the outside edge of the tree base towards the drip line and may be limited by an existing paved surface, provided the existing paved surface remains intact throughout the construction work and is subject to Section 6 of this specification.
**Where work is being performed beyond the Minimum Tree Protection Zone but within the Critical Root Zone the works are subject to Section 8 of this specification.

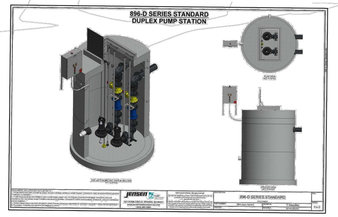
TREE PROTECTION BARRIER

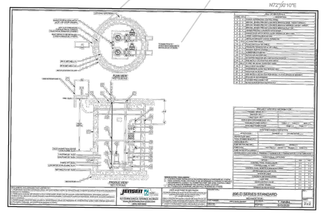
1. The required barrier is a 1.2 metre (4 ft) high orange plastic web snow fencing on 2" x 4" frame. Where orange plastic web snow fencing creates a restriction to sightlines, page wire fencing with reflective tape can be used.
2. Tree protection barriers are to be erected prior to the commencement of any construction or grading activities on the site and are to remain in place throughout the entire duration of the project. The barriers shall be maintained erect and in good repair throughout the duration of construction operations with breaks and unsupported sections repaired immediately. Tree protection may be not be removed prior to the completion of construction without written authorization from the Manager of Urban Forestry or designate.
3. All supports and bracing used to safely secure the barrier should be located outside the MTPZ. All supports and bracing should minimize damage to roots.
4. Where some fill or excavated material must be temporarily located near a MTPZ, a wooden barrier with silt fencing must be used to ensure no material enters the MTPZ.
5. No material or fill may be stored or placed inside the MTPZ.
6. No construction vehicles shall be parked, serviced, refueled, repaired, or refueled within the MTPZ.
7. No construction activity, grade changes, surface treatment or excavations of any kind is permitted within the MTPZ without written authorization from the Manager of Urban Forestry or designate.
8. A laminated Minimum Tree Protection Zone sign (See Detail TP-3 – Minimum Tree Protection Zone Sign) must be attached to the side of the Tree Protection where it will be visible by persons entering the site. Minimum size must be 10"x14".

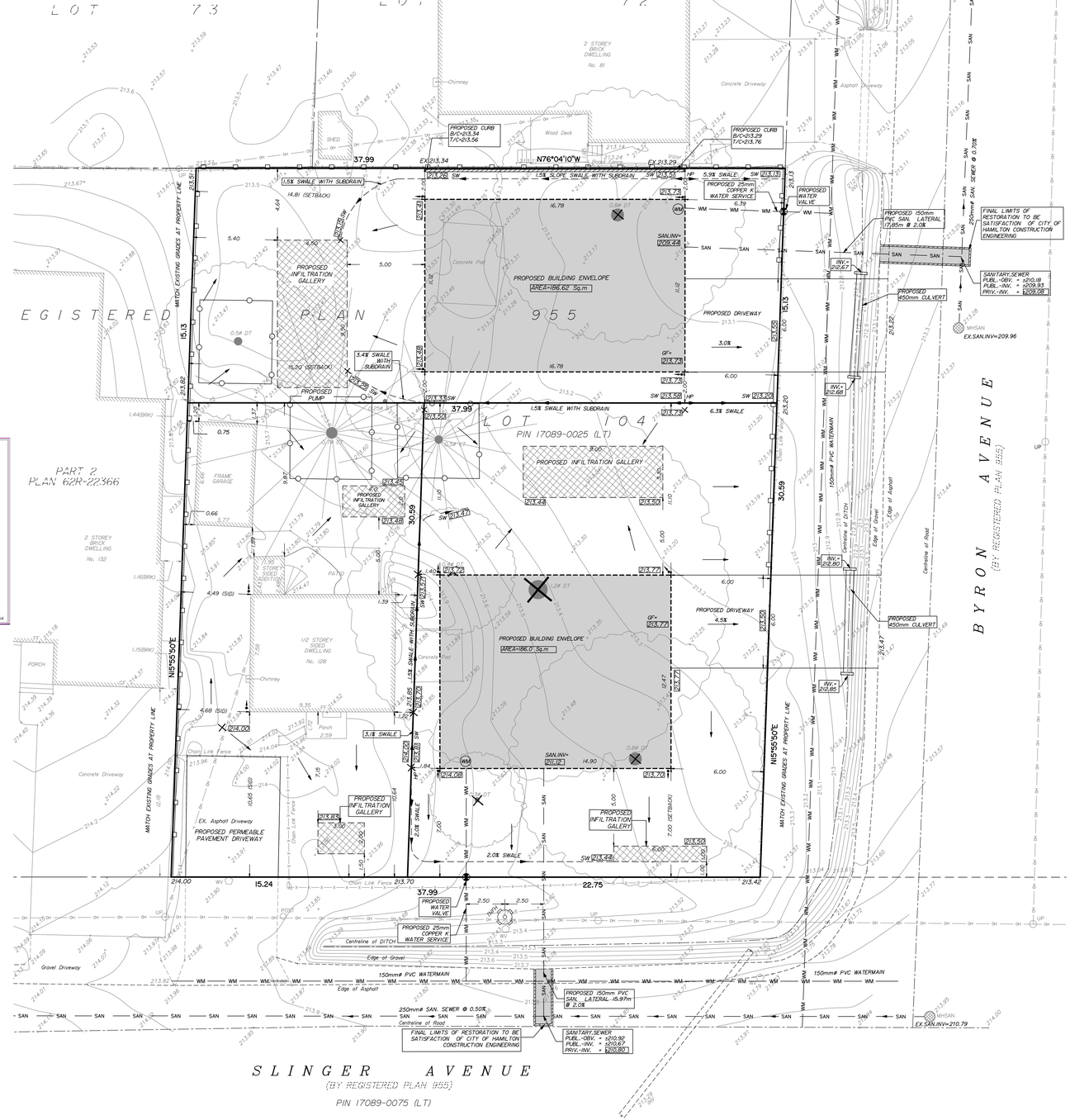
MUNICIPAL ADDRESS	
128 SLINGER AVENUE, HAMILTON	
LEGAL DESCRIPTION	
LOT 104 REGISTERED PLAN 955–PART 2 CITY OF HAMILTON	
ZONING	
R1–LOW DENSITY RESIDENTIAL	
SITE STATISTICS	BYLAW / PROPOSED
LOT AREA	360 m^2 / 695.44 m^2
FRONT YARD SETBACK	4.0 m / 4.0 m
REAR YARD SETBACK	7.5 m / 7.5 m
SIDE YARD SETBACK	1.2 m / 1.2 m
FLANKAGE SIDE YARD SETBACK	1.2 m / 6.0 m
LOT WIDTH	12.0 m / 22.75 m
LOT COVERAGE	N/A / 27%

MUNICIPAL ADDRESS	
128 SLINGER AVENUE, HAMILTON	
LEGAL DESCRIPTION	
LOT 104 REGISTERED PLAN 955–PART 3 CITY OF HAMILTON	
ZONING	
R1–LOW DENSITY RESIDENTIAL	
SITE STATISTICS	BYLAW / PROPOSED
LOT AREA	360 m^2 / 574.49 m^2
FRONT YARD SETBACK	4.0 m / 6.0 m
REAR YARD SETBACK	7.5 m / 7.5 m
SIDE YARD SETBACK(NORTH)	1.2 m / 2.06 m
SIDE YARD SETBACK(SOUTH)	1.2 m / 1.2 m
LOT WIDTH	12.0 m / 15.13 m
LOT COVERAGE	N/A / 33%

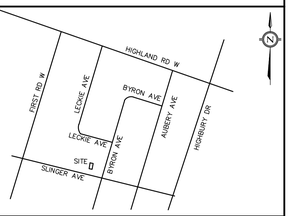








KEY MAP



NOT TO SCALE

ADDRESS: *128 SLINGER AVENUE, HAMILTON*

SITE AND GRADING PLAN OF
LOT 104
REGISTERED PLAN 955
IN THE
CITY OF HAMILTON

BARICH GRENKIE SURVEYING LTD.
A DIVISION OF GEOMAPLE
© COPYRIGHT 2026
METRIC
DISTANCES AND CO-ORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

LEGEND

DT	DENOTES DECIDUOUS TREE
CT	DENOTES CONIFEROUS TREE
	DENOTES SERVICE VALVE
	DENOTES SUBJECT LANDS BOUNDARY
	DENOTES DEED LINE
	DENOTES LOT LINE
	DENOTES FENCE LINE
	DENOTES TREE TO BE REMOVED
N-E-S-W	DENOTES NORTH-EAST-SOUTH-WEST
100.00	DENOTES EXISTING ELEVATION
[100.00]	DENOTES PROPOSED ELEVATION
	DENOTES PROPOSED TREE PROTECTION
	DENOTES PROPOSED SILT FENCE
	DENOTES DOWN SPOUT WITH SPLASH PAD
WM	DENOTES WATER METER

ELEVATION NOTE

ELEVATIONS ARE GEODETIC ORIGIN (CGVD-1928:78), AND ARE DERIVED FROM REAL TIME NETWORK (RTN) OBSERVATIONS AND NATURAL RESOURCES CANADA'S GEOID MODEL HT2.0

NO.	DATE	BY	REVISIONS
0	03/17/2026	GF	ISSUED FOR REVIEW

DESIGN	GF	CHK'D	DJ	DATE
DRAWN	GF	CHK'D	DJ	MARCH 17, 2026

Scale 1:150
2 0 2 4 6 8 10 METRES

APPROVALS

STAMP: LICENSED PROFESSIONAL ENGINEER — M. FATHI — 100086843 — MARCH 17,2026 — PROVINCE OF ONTARIO

Barich Grenkie Surveying Ltd.
PROFESSIONAL SURVEYORS AND ENGINEERS
301 HWY No. 8 (2ND FLOOR) - STONEY CREEK, ON
(905) 662-6767
A DIVISION OF GEOMAPLE

DWN BY: GF
CHK BY: MF
JOB No. 26-3417

CLIENT: IVICA STANIC

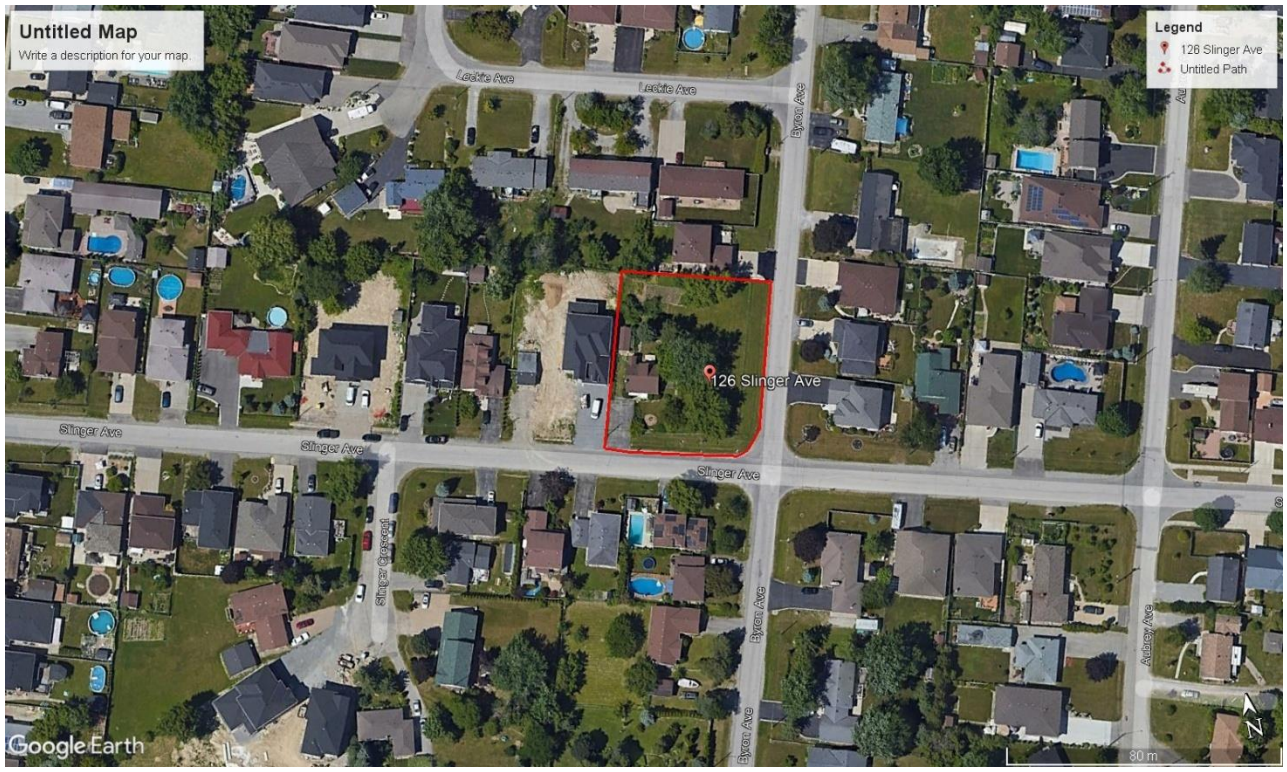
PROJECT NAME: PROPOSED BUILDING ENVELOPE
128 SLINGER AVENUE, HAMILTON

TITLE: SITE AND GRADING PLAN

PROJECT No. 26-3417

DRAWING No. 26-3417 SGP

Z:\Other\PROJECTS\Jobs 2026\26-3417 - 128 Slinger Ave, Hamilton, ON\Engineering\26-3417 SGP.dwg



STORMWATER MANAGEMENT BRIEF

Single Family Residential Lot Severance

128 Slinger Ave, Stoney Creek, ON, L8J 2S8

Barich Grenkie Ltd.
(A division of Geomaple)

March 2026
26-3417
Rev 1.0

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1.0 INTRODUCTION

Barich Grenkie Ltd. (A Division of Geomaple Inc.) has been retained to prepare a Stormwater Management Brief in support of a proposed consent (severance) application for the property municipally known as 128 Slinger Avenue in Stoney Creek, Ontario. The property has a total site area of approximately 1735.85 m² and is proposed to be divided into three residential parcels (Parts 1, 2, and 3) in accordance with the conceptual severance sketch shown in Figure 1.

Part 1, located in the south-western portion of the site, contains an existing single detached dwelling, a detached garage, and an existing driveway, all of which are proposed to remain unchanged as part of the retained parcel. The remaining area consists primarily of landscaped yard surfaces. Part 2 and 3 are proposed as new parcels and currently remain largely undeveloped, covered by lawn and landscaped areas. Only conceptual building envelopes have been identified for these parcels, and no detailed building or servicing plans have been prepared.

Previous review comments from the City of Hamilton have identified drainage and flooding concerns within the Leckie Neighbourhood. Accordingly, this Stormwater Management Brief has been prepared to review the existing drainage conditions and assess potential impacts associated with the proposed severance. The report also outlines a conceptual stormwater management strategy to ensure that post-development runoff is appropriately controlled and does not exacerbate flooding or increase discharge to the surrounding drainage system.

Please refer to Figure 1 for the site location and conceptual severance layout.

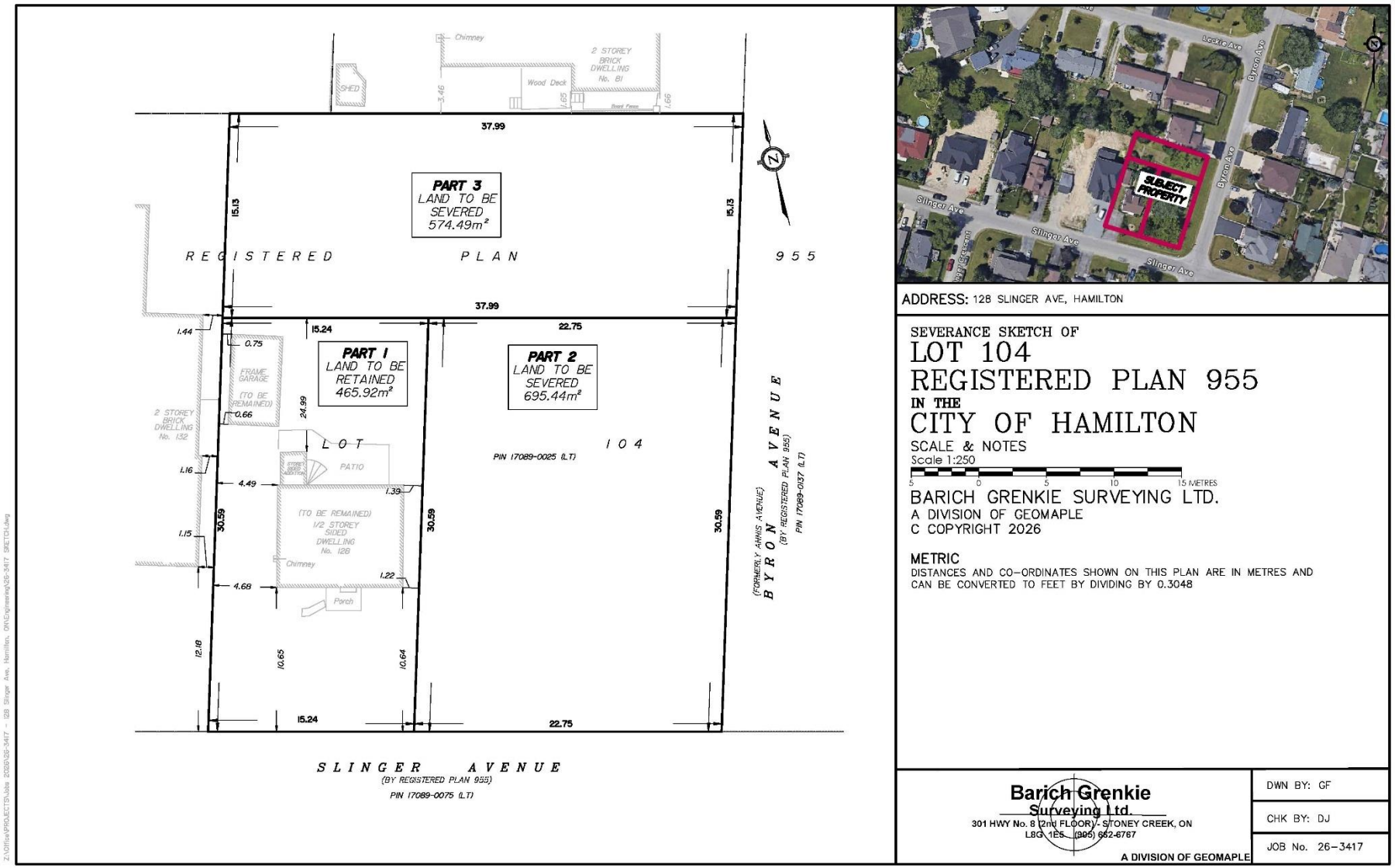


Figure 1. Location of Subject Site and Positioning of the Severed Lots

2.0 ANALYSIS METHODOLOGY

The design of the stormwater management facilities for this site adheres to the following guidelines:

- **Ministry of the Environment Stormwater Management Planning and Design Manual** (March 2003).
- **Toronto and Region Conservation Authority's Stormwater Management Criteria** (2012).
- **WWFMG (Wet Weather Flow Management Guidelines),** Revision November 2006.

We have chosen the Rational Method for modeling the stormwater system design. Considering the relatively small size of the site, this method is applicable for estimating stormwater runoff volumes and peak flow rates.

3.0 SITE DESCRIPTION & EXISTING CONDITION

approximately 1735.85 m². As illustrated in Figure 2, the property can be conceptually divided into three parcels (Parts 1, 2, and 3) corresponding to the proposed severance; however, the existing drainage patterns are continuous across the site.

Part 1, which contains the existing single detached dwelling, detached garage, and driveway, represents the only developed portion of the property. Parts 1 and 2, remain largely undeveloped and are generally covered with lawn and landscaped surfaces.

The increased runoff coefficients under existing conditions for each sub-catchment are summarized in Tables 2 through 4. For Catchment 1, the weighted run-off coefficient (C) is 0.51, which increases slightly for longer return periods, reaching 0.63 for the 100-year storm. Catchment 2 has a weighted run-off coefficient of 0.26, increasing to 0.32 for the 100-year return period. Catchment 3 has a weighted run-off coefficient of 0.27, increasing to 0.33 for the 100-year storm. These coefficients incorporate the increase factors applied for each return period and reflect the existing imperviousness of the site.

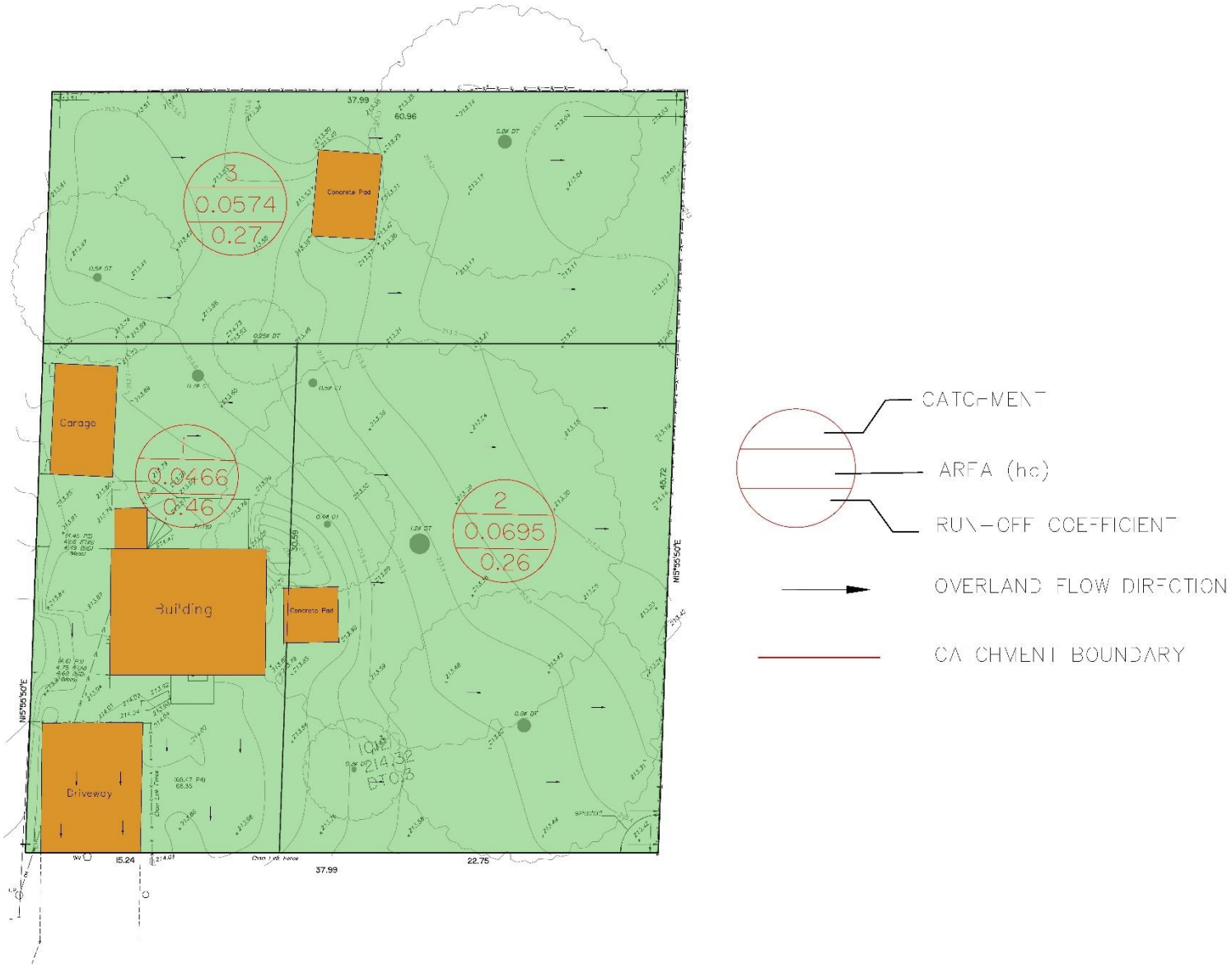


Figure 2. Pre-development Catchment area plan

Table 1.Weighted Run-Off Coefficient for Property at Existing Condition

Existing					
No.	**Sub-catchments**	**Area**	**Percent (%)**	**Run-Off Coefficient (C)**	**Area * C (m2)**
2	CATCHMENT1	465.9	81.10%	0.51	236.1
3	CATCHMENT2	695.4	121.05%	0.26	180.4
1	CATCHMENT3	574.5	100.00%	0.27	156.4
Total Coverd Area		**574.5**	**100.00%**	**0.27**	**156.4**
CATCHMENT1					
No.	**Land Use**	**Area (m2)**	**Percent (%)**	**Run-Off Coefficient (C)**	**Area * C (m2)**
1	Grassed Area	313.2	67.21%	0.25	78.3
2	Garage	25.07	5.38%	0.90	22.6
3	Concrete pad	0.82	0.18%	0.90	0.7
4	Building	75.62	16.23%	0.90	68.1
5	Porch	4.44	0.95%	0.80	3.6
6	Patio	23.06	4.95%	0.90	20.8
7	Driveway	46.81	10.05%	0.90	42.1
Total Sub-catchments1		**465.9**	**104.95%**	**0.51**	**236.1**
CATCHMENT2					
No.	**Land Use**	**Area (m2)**	**Percent (%)**	**Run-Off Coefficient (C)**	**Area * C (m2)**
1	Concrete pad	10.07	1.75%	0.9	9.1
2	Grassed Area	685.4	119.30%	0.25	171.3
Total Sub-catchments2		**695.4**	**121.05%**	**0.26**	**180.4**
CATCHMENT3					
No.	**Land Use**	**Area (m2)**	**Percent (%)**	**Run-Off Coefficient (C)**	**Area * C (m2)**
1	Concrete pad	19.72	3.43%	0.9	17.7
2	Grassed Area	554.8	96.57%	0.25	138.7
Total Sub-catchments2		**574.5**	**100.00%**	**0.27**	**156.4**

Under the existing condition, the site runoff coefficients for each catchment are presented in Tables 2 through 4.

Table 2.Increased Run-Off Coefficients at Existing Condition-Catchment 1

Return Period (Year)	Increased Factor	Weighted Run-Off Coefficient	Increased Run-Off Coefficient
2	1	0.51	0.51
5	1	0.51	0.51
10	1	0.51	0.51
25	1.1	0.51	0.56
50	1.2	0.51	0.61
100	1.25	0.51	0.63

Table 3.Increased Run-Off Coefficients at Existing Condition-Catchment 2

Return Period (Year)	Increased Factor	Weighted Run-Off Coefficient	Increased Run-Off Coefficient
2	1	0.26	0.26
5	1	0.26	0.26
10	1	0.26	0.26
25	1.1	0.26	0.29
50	1.2	0.26	0.31
100	1.25	0.26	0.32

Table 4. Increased Run-Off Coefficients at Existing Condition-Catchment 3

Return Period (Year)	Increased Factor	Weighted Run-Off Coefficient	Increased Run-Off Coefficient
2	1	0.27	0.27
5	1	0.27	0.27
10	1	0.27	0.27
25	1.1	0.27	0.29
50	1.2	0.27	0.32
100	1.25	0.27	0.33

Note: In accordance with WWFMG policy, a runoff coefficient of no more than R=0.50 is to be used for computing pre-development peak flows; in this case. therefore, the site will be limited to the maximum allowable coefficient of R=0.50.

4.0 PROPOSED CONDITIONS

Under the proposed consent (severance) application, the site will be divided into three residential parcels (Parts 1, 2 and 3) as shown in Figure 1. Part1, containing the existing dwelling, garage, and driveway, will remain unchanged. Part 2 and 3 remain largely undeveloped, with only conceptual building envelopes identified at this stage.

A portion of the property is proposed to be allocated for an impervious storage or gallery area, while ensuring that grading and overland flow directions remain consistent with existing site conditions. This measure will ensure that drainage patterns are maintained and no negative impact occurs on downstream infrastructure.

Please refer to Figure 3 for conceptual site grading and servicing details And Figure 4 shows the post-Development catchment area plan.

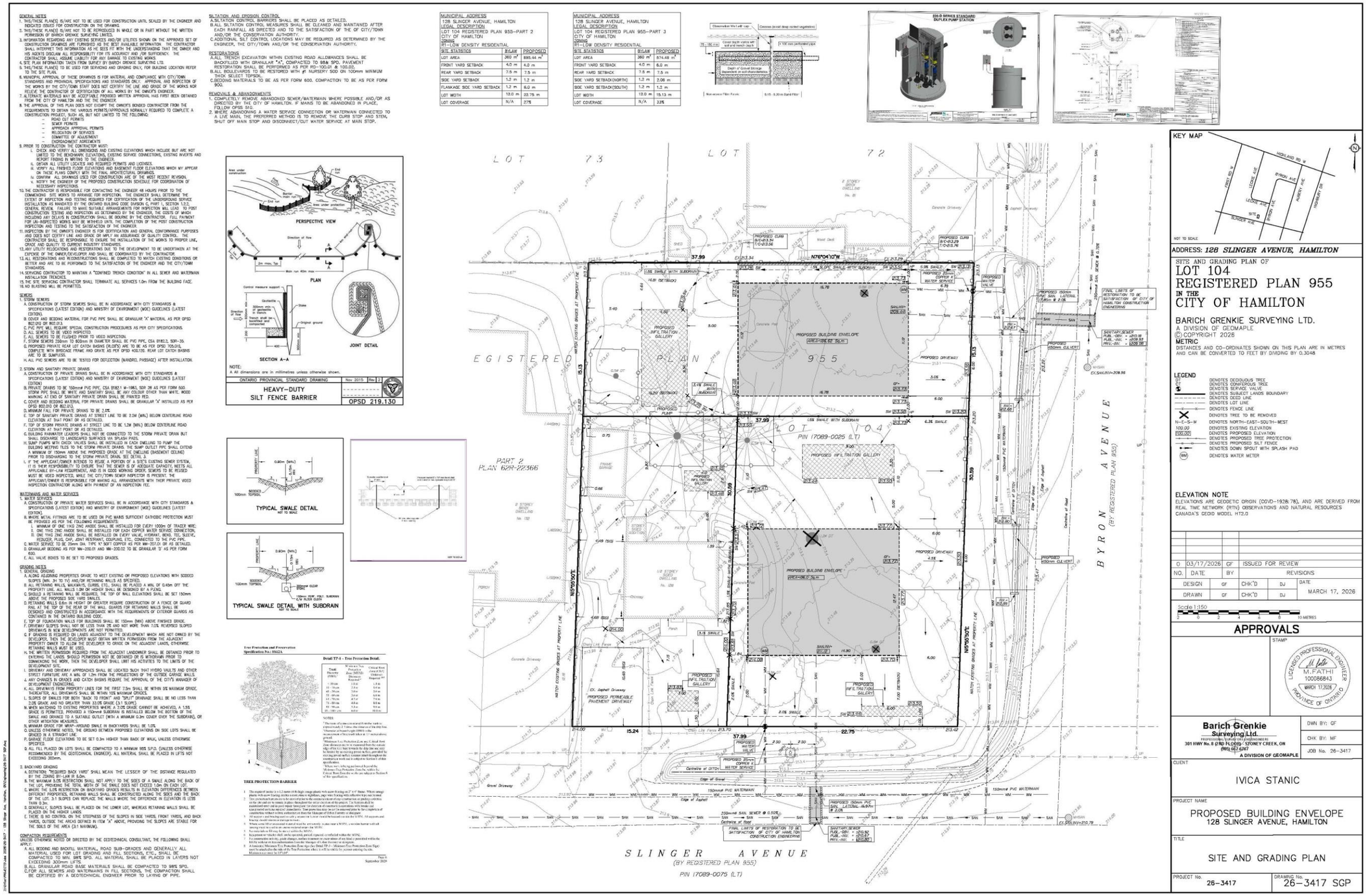


Figure 3. conceptual site grading and servicing details

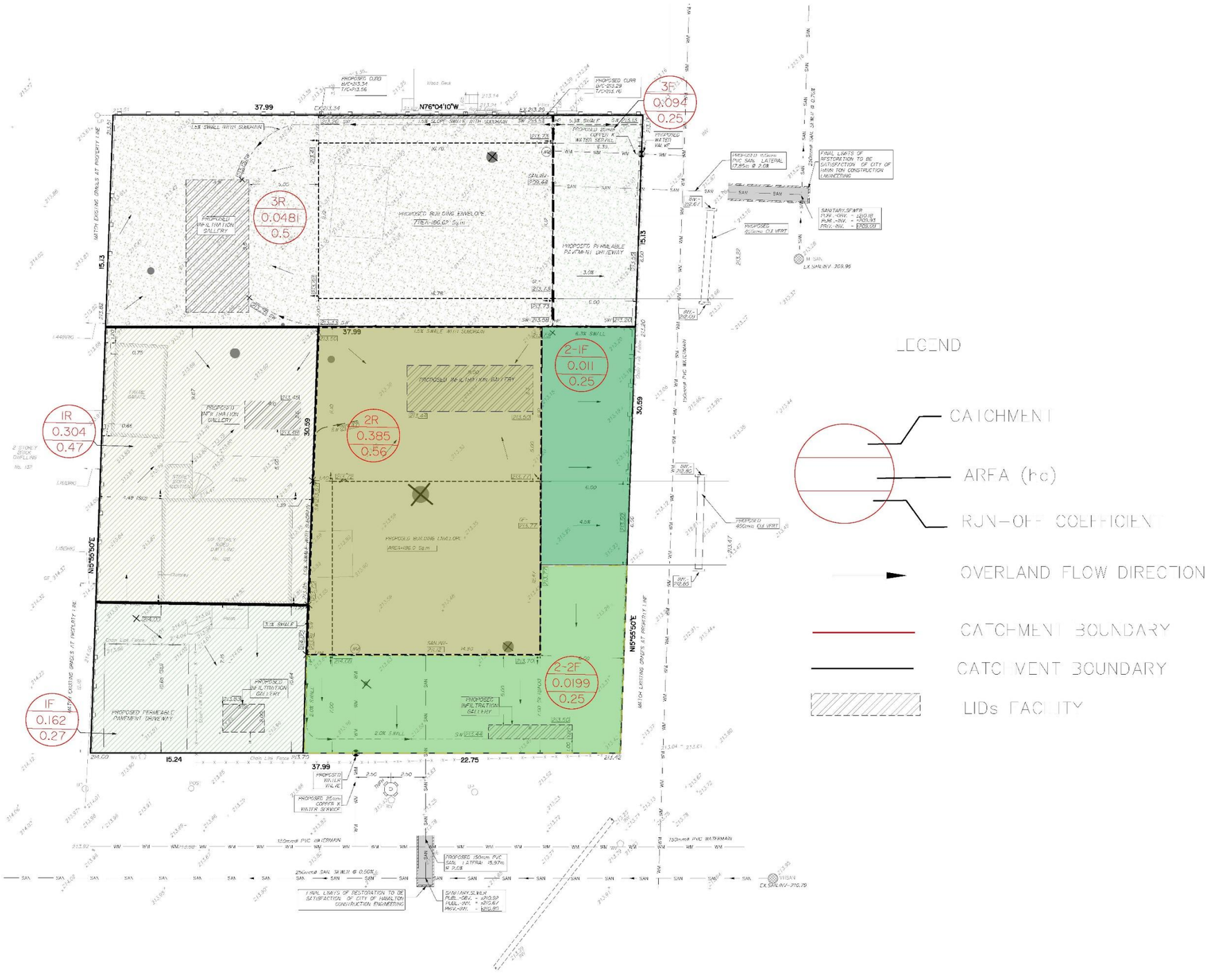


Figure 4. Post-Development catchment area plan

The weighted run-off coefficient under the proposed condition for the mentioned site has been calculated in Table 5.

Table 5.Weighted Run-Off Coefficient for Property at proposed Condition

REAR CATCHMENT2					
No.	**Land Use**	**Area (m2)**	**Percent (%)**	**Run-Off Coefficient (C)**	**Area * C (m2)**
1	Grassed Area	200.0	51.83%	0.25	50.0
2	Building	185.9	48.17%	0.90	167.3
Total Sub-catchments2		**385.98**	**100.00%**	**0.56**	**217.4**
FRONT CATCHMENT2-1					
No.	**Land Use**	**Area (m2)**	**Percent (%)**	**Run-Off Coefficient (C)**	**Area * C (m2)**
1	Grassed Area	74.0	67.27%	0.25	18.5
3	Driveway permeable pavement	36.0	32.73%	0.25	9.0
Total Sub-catchments2		**110.00**	**100.00%**	**481.00**	**27.5**
FRONT CATCHMENT2-2					
No.	**Land Use**	**Area (m2)**	**Percent (%)**	**Run-Off Coefficient (C)**	**Area * C (m2)**
1	Grassed Area	199.4	100.00%	0.25	49.9
Total Sub-catchments2		**199.42**	**100.00%**	**0.25**	**49.9**
REAR CATCHMENT3					
No.	**Land Use**	**Area (m2)**	**Percent (%)**	**Run-Off Coefficient (C)**	**Area * C (m2)**
1	Grassed Area	294.15	61.19%	0.25	73.5
2	Building	186.59	38.81%	0.90	167.9
Total Sub-catchments2		**480.74**	**100.00%**	**0.50**	**241.5**
FRONT CATCHMENT3					
No.	**Land Use**	**Area (m2)**	**Percent (%)**	**Run-Off Coefficient (C)**	**Area * C (m2)**
1	Grassed Area	57.8	61.60%	0.25	14.4
3	Driveway permeable pavement	36.0	38.40%	0.25	9.0
Total Sub-catchments2		**93.75**	**100.00%**	**0.25**	**23.4**

Under the proposed condition, the site will have the increased run-off coefficients stated in in Tables 6 through 9.

Table 6.Increased Run-Off Coefficients at Proposed Condition- REAR CATCHMENT2

Return Period (Year)	Increased Factor	Weighted Run-Off Coefficient	Increased Run-Off Coefficient
2	1	0.56	0.56
5	1	0.56	0.56
10	1	0.56	0.56
25	1.1	0.56	0.62

50	1.2	0.56	0.68
100	1.25	0.56	0.70

Table 7.Increased Run-Off Coefficients at Proposed Condition- FRONT CATCHMENT2

Return Period (Year)	Increased Factor	Weighted Run-Off Coefficient	Increased Run-Off Coefficient
2	1	0.25	0.25
5	1	0.25	0.25
10	1	0.25	0.25
25	1.1	0.25	0.28
50	1.2	0.25	0.30
100	1.25	0.25	0.31

Table 8.Increased Run-Off Coefficients at Proposed Condition- REAR CATCHMENT3

Return Period (Year)	Increased Factor	Weighted Run-Off Coefficient	Increased Run-Off Coefficient
2	1	0.50	0.50
5	1	0.50	0.50
10	1	0.50	0.50
25	1.1	0.50	0.55
50	1.2	0.50	0.60
100	1.25	0.50	0.63

Table 9. Increased Run-Off Coefficients at Proposed Condition- FRONT CATCHMENT3

Return Period (Year)	Increased Factor	Weighted Run-Off Coefficient	Increased Run-Off Coefficient
2	1	0.25	0.25
5	1	0.25	0.25
10	1	0.25	0.25
25	1.1	0.25	0.28
50	1.2	0.25	0.30
100	1.25	0.25	0.31

4.0 STORMWATER MANAGEMENT (SWM)

For modeling of different storm events IDF-Curve for City of Hamilton has been used as shown in Table 10 below.

Figure 5. Rainfall Intensity for City of Hamilton (Mount Hope)

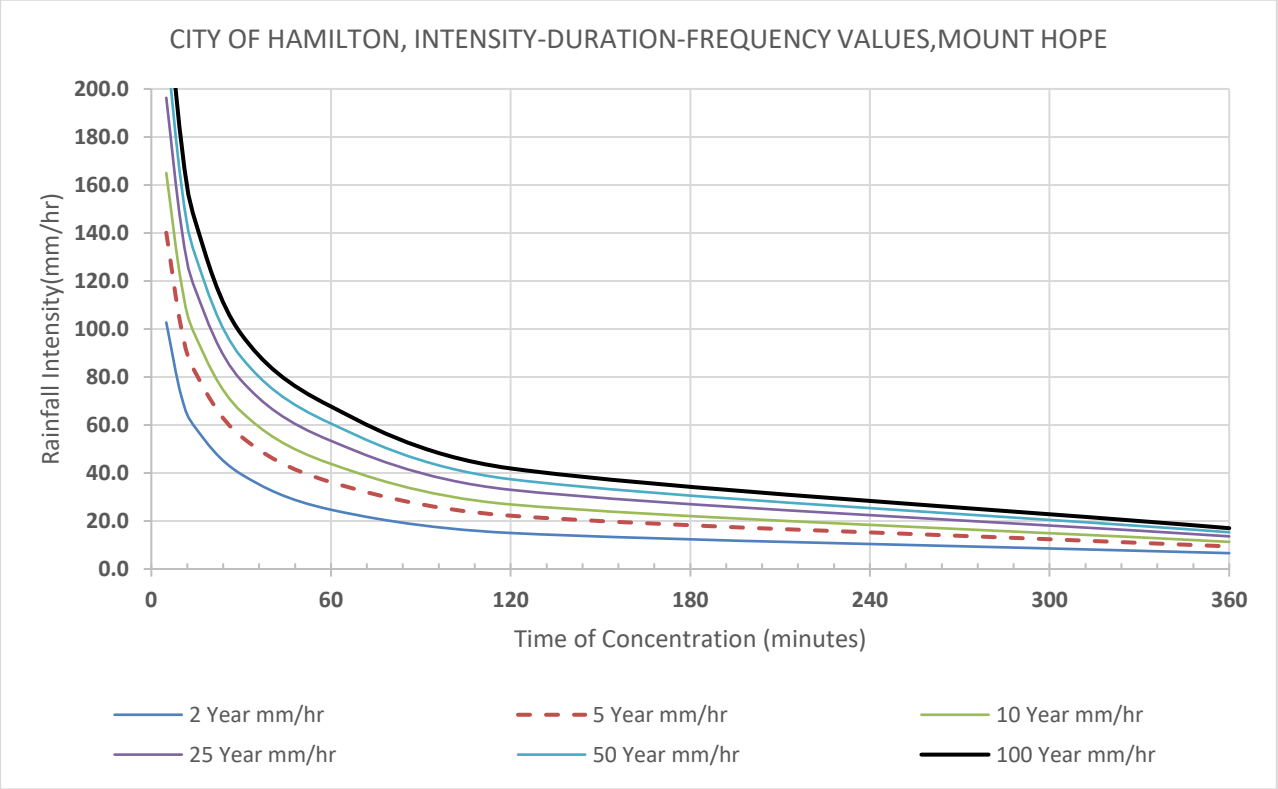


Table 10.Rainfall Intensity Equation Coefficient

TABLE 2.1
IDF PARAMETERS - MOUNT HOPE

Parameter	2	5	10	25	50	100
A	646.0	1049.5	1343.7	1719.5	1954.8	2317.4
B	6.0	8.0	9.0	10.0	10.0	11.0
C	0.781	0.803	0.814	0.823	0.826	0.836

Source: Comprehensive Development Guidelines and Financial Policies Manual, 2019.

Rainfall Intensity:

$$I = \frac{A}{(T+B)^C}$$

Where:

i – Intensity (mm/hr)

T_d – Time of Concentration in minutes (hr)

A, B, C coefficient as above

Table 11 shows rainfall intensity for different storm events using IDF-curve for city of Toronto.

Table 11.Rainfall Intensity for city of Hamilton

Intensity (mm/hr)							
T (hr)	***T (min)***	**2-Year**	**5-Year**	**10-Year**	**25-Year**	**50-Year**	**100-Year**
0.08	5	102.7	140.1	165	196.3	219.6	242.4
0.17	**10**	**72.1**	**100.4**	**119.1**	**142.8**	**160.4**	**177.8**
0.25	15	58.4	81.2	96.3	115.4	129.5	143.6
0.50	30	39.6	55.2	65.6	78.6	88.3	97.9
1.00	60	24.7	36.2	43.8	53.4	60.6	67.7
2.00	120	15	22.2	26.9	33	37.4	41.9
6.00	360	6.6	9.4	11.3	13.6	15.3	17
12.00	720	3.7	5.2	6.2	7.5	8.4	9.3
24.00	1440	2.2	3	3.5	4.2	4.6	5.1

Table 12.Rainfall Depth for different Storm Events

P(mm)							
T (hr)	***T (min)***	**2-Year**	**5-Year**	**10-Year**	**25-Year**	**50-Year**	**100-Year**
0.08	5	8.6	11.7	13.8	16.4	18.3	20.2
0.17	10	12.0	16.7	19.9	23.8	26.7	29.6
0.25	15	14.6	20.3	24.1	28.9	32.4	35.9
0.50	30	19.8	27.6	32.8	39.3	44.2	49.0
1.00	60	24.7	36.2	43.8	53.4	60.6	67.7
2.00	120	30.0	44.4	53.8	66.0	74.8	83.8
6.00	**360**	**39.6**	**56.4**	**67.8**	**81.6**	**91.8**	**102.0**
12.00	720	44.4	62.4	74.4	90.0	100.8	111.6
24.00	1440	52.8	72.0	84.0	100.8	110.4	122.4

The rainfall depths have been selected based on the 6-hour (360-min) storm duration

4.1 Peak Flows and Volumes

Given to the site size, the Rational Method, having the following equation, was used to calculate the peak runoff flow:

$$Q = k.\ C.\ i.\ A$$

Where: Q is the peak runoff flow (m^3/s), k is a metric constant of 0.00278, C is the

increased runoff coefficient, *i* is the rainfall intensity (mm/hr) based on the 10-min time of concentration, and A is the total drainage area (ha).

4.2 Peak Flow at Pre and Post Development

Table 13 and 19 show the peak of flows for pre-development condition using the IDF curves of city of Hamilton. Table 20 and Table 26 show the peak of flows for post-development condition using the IDF curves of Hamilton.

Table 13.Peak Flows at Pre-Development- REAR CATCHMENT 1

Return Period (Year)	Area (ha)	Run-off Coefficient (C)	Rainfall Intensity (mm/hr)	Peak flow (m3/s)
2	0.030	0.47	80.0	0.003
5	0.030	0.47	111.1	0.004
10	0.030	0.47	134.9	0.005
25	0.030	0.50	161.0	0.007
50	0.030	0.50	176.8	0.007
100	0.030	0.50	199.4	0.008

Table 14.Peak Flows at Pre-Development- REAR CATCHMENT 1

Return Period (Year)	Area (ha)	Run-off Coefficient (C)	Rainfall Intensity (mm/hr)	Peak flow (m3/s)
2	0.016	0.27	80.0	0.001
5	0.016	0.27	111.1	0.001
10	0.016	0.27	134.9	0.002
25	0.016	0.29	161.0	0.002
50	0.016	0.32	176.8	0.003
100	0.016	0.33	199.4	0.003

Table 15.Peak Flows at Pre-Development- REAR CATCHMENT 3

Return Period (Year)	Area (ha)	Run-off Coefficient (C)	Rainfall Intensity (mm/hr)	Peak flow (m3/s)
2	0.048	0.28	80.0	0.003
5	0.048	0.28	111.1	0.004
10	0.048	0.28	134.9	0.005
25	0.048	0.30	161.0	0.007
50	0.048	0.33	176.8	0.008

100	0.048	0.35	199.4	0.009

Table 16.Peak Flows at Pre-Development-FRONT CATCHMENT 3

Return Period (Year)	Area (ha)	Run-off Coefficient (C)	Rainfall Intensity (mm/hr)	Peak flow (m3/s)
2	0.009	0.25	80.0	0.001
5	0.009	0.25	111.1	0.001
10	0.009	0.25	134.9	0.001
25	0.009	0.28	161.0	0.001
50	0.009	0.30	176.8	0.001
100	0.009	0.31	199.4	0.002

Table 17.Peak Flows at Pre-Development-REAR CATCHMENT 2

Return Period (Year)	Area (ha)	Run-off Coefficient (C)	Rainfall Intensity (mm/hr)	Peak flow (m3/s)
2	0.039	0.27	80.0	0.002
5	0.039	0.27	111.1	0.003
10	0.039	0.27	134.9	0.004
25	0.039	0.29	161.0	0.005
50	0.039	0.32	176.8	0.006
100	0.039	0.33	199.4	0.007

Table 18.Peak Flows at Pre-Development-FRONT CATCHMENT 2-1

Return Period (Year)	Area (ha)	Run-off Coefficient (C)	Rainfall Intensity (mm/hr)	Peak flow (m3/s)
2	0.011	0.25	80.0	0.001
5	0.011	0.25	111.1	0.001
10	0.011	0.25	134.9	0.001
25	0.011	0.28	161.0	0.001
50	0.011	0.30	176.8	0.002
100	0.011	0.31	199.4	0.002

Table 19.Peak Flows at Pre-Development-FRONT CATCHMENT 2-2

Return Period (Year)	Area (ha)	Run-off Coefficient (C)	Rainfall Intensity (mm/hr)	Peak flow (m3/s)
2	0.020	0.25	80.0	0.001

5	0.020	0.25	111.1	0.002
10	0.020	0.25	134.9	0.002
25	0.020	0.28	161.0	0.002
50	0.020	0.30	176.8	0.003
100	0.020	0.31	199.4	0.003

Table 20.Peak Flows at Post-Development- REAR CATCHMENT 3

Return Period (Year)	Area (ha)	Run-off Coefficient (C)	Rainfall Intensity (mm/hr)	Peak flow (m3/s)
2	0.048	0.50	80.0	0.005
5	0.048	0.50	111.1	0.007
10	0.048	0.50	134.9	0.009
25	0.048	0.55	161.0	0.012
50	0.048	0.60	176.8	0.014
100	0.048	0.63	199.4	0.017

Table 21.Peak Flows at Post-Development-FRONT CATCHMENT 3

Return Period (Year)	Area (ha)	Run-off Coefficient (C)	Rainfall Intensity (mm/hr)	Peak flow (m3/s)
2	0.009	0.25	80.0	0.001
5	0.009	0.25	111.1	0.001
10	0.009	0.25	134.9	0.001
25	0.009	0.28	161.0	0.001
50	0.009	0.30	176.8	0.001
100	0.009	0.31	199.4	0.002

Table 22. **Peak Flows at Post-Development-REAR CATCHMENT 2**

Return Period (Year)	Area (ha)	Run-off Coefficient (C)	Rainfall Intensity (mm/hr)	Peak flow (m3/s)
2	0.039	0.56	80.0	0.005
5	0.039	0.56	111.1	0.007
10	0.039	0.56	134.9	0.008
25	0.039	0.62	161.0	0.011
50	0.039	0.68	176.8	0.013
100	0.039	0.70	199.4	0.015

Table 23.Peak Flows at Post-Development-FRONT CATCHMENT 2-1

Return Period (Year)	Area (ha)	Run-off Coefficient (C)	Rainfall Intensity (mm/hr)	Peak flow (m3/s)
2	0.011	0.25	80.0	0.001
5	0.011	0.25	111.1	0.001
10	0.011	0.25	134.9	0.001
25	0.011	0.28	161.0	0.001
50	0.011	0.30	176.8	0.002
100	0.011	0.31	199.4	0.002

Table 24. Peak Flows at Post-Development-FRONT CATCHMENT 2-1

Return Period (Year)	Area (ha)	Run-off Coefficient (C)	Rainfall Intensity (mm/hr)	Peak flow (m3/s)
2	0.020	0.25	80.0	0.001
5	0.020	0.25	111.1	0.002
10	0.020	0.25	134.9	0.002
25	0.020	0.28	161.0	0.002
50	0.020	0.30	176.8	0.003
100	0.020	0.31	199.4	0.003

Table 25.Peak Flows at Post-Development (REAR CATCHMENT)

Return Period (Year)	Area (ha)	Run-off Coefficient (C)	Rainfall Intensity (mm/hr)	Peak flow (m3/s)
2	0.098	0.58	72.1	0.011
5	0.098	0.58	100.4	0.016
10	0.098	0.58	119.1	0.019
25	0.098	0.64	142.8	0.025
50	0.098	0.70	160.4	0.031
100	0.098	0.73	177.8	0.035

Table 26.Peak Flows at Post-Development (FRONT CATCHMENT)

Return Period (Year)	Area (ha)	Run-off Coefficient (C) *	Rainfall Intensity (mm/hr)	Peak flow (m3/s)
2	0.027	0.62	72.1	0.003
5	0.027	0.62	100.4	0.005
10	0.027	0.62	119.1	0.005
25	0.027	0.68	142.8	0.007
50	0.027	0.74	160.4	0.009
100	0.027	0.77	177.8	0.010

4.3 Sizing of LID - Infiltration Facility

To mitigate potential impacts on the municipal stormwater system due to increased hardscape, the following infiltration gallery design has been proposed:

Part 1: Two infiltration structures are provided—one at the rear and one at the front of the site.

Part 2: Similarly, two infiltration structures are proposed—one at the rear and one at the front of the site.

Part 3: A single infiltration structure is proposed at the rear of the site.

Flow routing through the infiltration galleries**:**

Front-site galleries will discharge surface water to the street, consistent with existing conditions.

Rear-site gallery for catchment 2 also discharges directly to the street.

Rear-site gallery for catchment 1 directs water, following the existing slope, to catchment 2, where it enters the gallery and is subsequently discharged to the street.

catchment 3 gallery, due to its higher elevation relative to catchment 1, will utilize a small pump to transfer water to catchment 1. From there, water flows along the existing slope toward Byron Street.

Calculations for the infiltration galleries for each catchment are presented in Tables 27 to 36. Additionally, Table 37 summarizes the minimum required volume and the designed volume for each gallery.

Table 27.Input Data for Sizing Infiltration Facility-Catchment 1F

	S1	
Length of Infiltration Facility. L =	3.00	m
Width of Infiltration Facility. W =	2.00	m
High of Infiltration Facility. H =	0.50	m
Infiltration rate INF (Assumption)=	15.00	mm/hour
Side Area of Infiltration:	5.00	m2
Bottom Area of Infiltration:	6	m2
Total Area of Infiltration:	5.00	m2
Total Volume of Infiltration Facility:	3.00	m3
Void Volume of Infiltration:	1.2	m3
C =	0.33	

Void Ration V= 40%

$$i_{100} = \frac{2317.4}{(t_d + 11.0)^{0.836}}$$

$Q_{allowable}$= 0.001 m3/s

Table 28.Result from Sizing Infiltration Facility-Catchment 1F

Duration (min)	i_{100} (mm/hr)	Q_{100} (m^3/s)	Q_{stored} (Q100-Q2) (m^3/s)	Peak Volume (m^3)	Out flow (Infiltration) (m^3)	Required Storage (m^3)	Total Volume (m^3)
5	242.40	0.004	0.002	0.685	0.006	0.7	1.2
10	181.81	0.003	0.001	0.830	0.013	0.8	1.2
15	**152.08**	**0.002**	**0.001**	**0.847**	**0.019**	**0.8**	**1.2**
20	131.29	0.002	0.001	0.758	0.025	0.7	1.2
25	115.86	0.002	0.000	0.603	0.031	0.6	1.2

Table 29.Input Data for Sizing Infiltration Facility-Catchment 1R

	S1	
Length of Infiltration Facility. L =	4.00	
Width of Infiltration Facility. W =	2.00	
High of Infiltration Facility. H =	0.50	
Infiltration rate INF (Assumption)=	15.00	mm/hour
Side Area of Infiltration:	6.00	
Bottom Area of Infiltration:	8	
Total Area of Infiltration:	6.00	m2
Total Volume of Infiltration Facility:	4.00	m3
Void Volume of Infiltration:	3.748	m3
C =	0.58	

Void Ration V= 94%

$$i_{100} = \frac{2317.4}{(t_d + 11.0)^{0.836}}$$

$Q_{allowable}$= 0.004 m3/s

Table 30.Result from Sizing Infiltration Facility-Catchment 1R

Duration (min)	i_{100} (mm/hr)	Q_{100} (m^3/s)	Q_{stored} (Q100-Q2) (m^3/s)	Peak Volume (m^3)	Out flow (Infiltration) (m^3)	Required Storage (m^3)	Total Volume (m^3)
5	242.40	0.012	0.008	2.272	0.008	2.3	3.7
10	181.81	0.009	0.005	2.751	0.015	2.7	3.7
15	**152.08**	**0.008**	**0.003**	**2.807**	**0.023**	**2.8**	**3.7**
20	131.29	0.006	0.002	2.512	0.030	2.5	3.7
25	115.86	0.006	0.001	1.999	0.038	2.0	3.7

Table 31.Input Data for Sizing Infiltration Facility-Catchment 2R

	S1	
Length of Infiltration Facility. L =	9.00	
Width of Infiltration Facility. W =	3.30	
High of Infiltration Facility. H =	0.50	
Infiltration rate INF (Assumption)=	15.00	mm/hour
Side Area of Infiltration:	12.30	
Bottom Area of Infiltration:	29.7	
Total Area of Infiltration:	42.00	m2
Total Volume of Infiltration Facility:	21.00	m3
Void Volume of Infiltration:	11.88	m3
C =	0.70	

Void Ration V= 40%

$$i_{100} = \frac{2317.4}{(t_d + 11.0)^{0.836}}$$

$Q_{allowable}$= 0.002 m3/s

Table 32.Result from Sizing Infiltration Facility-Catchment 2R

Duration (min)	i_{100} (mm/hr)	Q_{100} (m^3/s)	Q_{stored} (Q100-Q2) (m^3/s)	Peak Volume (m^3)	Out flow (Infiltration) (m^3)	Required Storage (m^3)	Total Volume (m^3)
5	242.40	0.018	0.016	4.802	0.053	4.7	11.9
10	181.81	0.014	0.011	6.860	0.105	6.8	11.9
15	152.08	0.011	0.009	8.271	0.158	8.1	11.9
20	131.29	0.010	0.008	9.145	0.210	8.9	11.9
25	115.86	0.009	0.006	9.684	0.263	9.4	11.9
30	103.92	0.008	0.006	9.999	0.315	9.7	11.9
35	94.39	0.007	0.005	10.155	0.368	9.8	11.9
40	**86.59**	**0.007**	**0.004**	**10.193**	**0.420**	**9.8**	**11.9**
45	80.08	0.006	0.004	10.140	0.473	9.7	11.9
50	74.55	0.006	0.003	10.016	0.525	9.5	11.9
55	69.80	0.005	0.003	9.834	0.578	9.3	11.9
60	65.67	0.005	0.003	9.605	0.630	9.0	11.9
80	53.36	0.004	0.002	8.349	0.840	7.5	11.9
100	45.20	0.003	0.001	6.739	1.050	5.7	11.9
120	39.35	0.003	0.001	4.910	1.260	3.7	11.9
140	34.94	0.003	0.000	2.935	1.470	1.5	11.9

Table 33.Input Data for Sizing Infiltration Facility-Catchment 2R

	S1	
Length of Infiltration Facility. L =	9.00	
Width of Infiltration Facility. W =	3.30	
High of Infiltration Facility. H =	0.50	
Infiltration rate INF (Assumption)=	15.00	mm/hour
Side Area of Infiltration:	12.30	
Bottom Area of Infiltration:	29.7	
Total Area of Infiltration:	42.00	m2
Total Volume of Infiltration Facility:	21.00	m3
Void Volume of Infiltration:	11.88	m3
C =	0.70	

Void Ration V= 40%

$$i_{100} = \frac{2317.4}{(t_d + 11.0)^{0.836}}$$

$Q_{allowable}$= 0.002 m3/s

Table 34.Result from Sizing Infiltration Facility-Catchment 2R

Duration (min)	i_{100} (mm/hr)	Q_{100} (m^3/s)	Q_{stored} (Q100-Q2) (m^3/s)	Peak Volume (m^3)	Out flow (Infiltration) (m^3)	Required Storage (m^3)	Total Volume (m^3)
5	242.40	0.018	0.016	4.802	0.053	4.7	11.9
10	181.81	0.014	0.011	6.860	0.105	6.8	11.9
15	152.08	0.011	0.009	8.271	0.158	8.1	11.9
20	131.29	0.010	0.008	9.145	0.210	8.9	11.9
25	115.86	0.009	0.006	9.684	0.263	9.4	11.9
30	103.92	0.008	0.006	9.999	0.315	9.7	11.9
35	94.39	0.007	0.005	10.155	0.368	9.8	11.9
40	**86.59**	**0.007**	**0.004**	**10.193**	**0.420**	**9.8**	**11.9**
45	80.08	0.006	0.004	10.140	0.473	9.7	11.9
50	74.55	0.006	0.003	10.016	0.525	9.5	11.9
55	69.80	0.005	0.003	9.834	0.578	9.3	11.9
60	65.67	0.005	0.003	9.605	0.630	9.0	11.9
80	53.36	0.004	0.002	8.349	0.840	7.5	11.9
100	45.20	0.003	0.001	6.739	1.050	5.7	11.9
120	39.35	0.003	0.001	4.910	1.260	3.7	11.9
140	34.94	0.003	0.000	2.935	1.470	1.5	11.9

Table 35. Input Data for Sizing Infiltration Facility-Catchment 3R

	S1	
Length of Infiltration Facility. L =	9.50	
Width of Infiltration Facility. W =	4.50	
High of Infiltration Facility. H =	0.70	
Infiltration rate INF (Assumption)=	15.00	mm/hour
Side Area of Infiltration:	19.60	
Bottom Area of Infiltration:	42.75	
Total Area of Infiltration:	19.60	m2
Total Volume of Infiltration Facility:	29.93	m3
Void Volume of Infiltration:	11.97	m3
C =	0.63	

Void Ration V= 40%

$$i_{100} = \frac{2317.4}{(t_d + 11.0)^{0.836}}$$

$Q_{allowable}$= 0.003 m3/s

Table 36.Result from Sizing Infiltration Facility-Catchment 3R

Duration (min)	i_{100} (mm/hr)	Q_{100} (m^3/s)	Q_{stored} (Q100-Q2) (m^3/s)	Peak Volume (m^3)	Out flow (Infiltration) (m^3)	Required Storage (m^3)	Total Volume (m^3)
5	242.40	0.020	0.017	5.210	0.025	5.2	12.0
10	181.81	0.015	0.012	7.373	0.049	7.3	12.0
15	152.08	0.013	0.010	8.816	0.074	8.7	12.0
20	**131.29**	**0.011**	**0.008**	**9.662**	**0.098**	**9.6**	**12.0**
25	115.86	0.010	0.007	10.137	0.123	10.0	12.0
30	103.92	0.009	0.006	10.363	0.147	10.2	12.0
35	94.39	0.008	0.005	10.412	0.172	10.2	12.0
40	86.59	0.007	0.004	10.330	0.196	10.1	12.0
45	80.08	0.007	0.004	10.147	0.221	9.9	12.0
50	74.55	0.006	0.003	9.885	0.245	9.6	12.0
60	65.67	0.006	0.003	9.180	0.294	8.9	12.0
120	39.35	0.003	0.000	2.473	0.588	1.9	12.0

Table 37.Infiltration Tanks Characteristics

catchment	underground storage Facility	Min. Required Volume (m3)	Provided Volume(m3)	Drawdown Time(hrs)
Catchment 1F	Infiltration gallery1	0.8	1.4	13.3
Catchment 1R	Infiltration gallery2	2.8	3.7	13.3
Catchment2-2F	Infiltration gallery3	1.3	1.7	37.4
Catchment 2R	Infiltration gallery4	9.8	11.9	26.6
Catchment3R	Infiltration gallery5	9.6	12	18.7

4.4 Quality Control

In general, post development runoff from the subject lands is considered relatively clean. Therefore, water quality controls are not proposed. The provision of lot level controls including the swales and infiltration galleries will provide water quality benefit

5.0 Erosion and Sediment Control

During construction, earth grading and excavation will create the potential of soil erosion and sedimentation. It is needed that effective environmental and sedimentation controls are in place and maintained during construction to ensure the stormwater runoff's quality.

Therefore, the following recommendations shall be implemented and maintained during construction to achieve acceptable stormwater runoff quality:

• Installation of silt and sediment control fences along the entire perimeter of the site prior to construction to reduce silt and sediment migration onto surrounding properties and the watercourse, and maintenance of these fences throughout construction activities;

• Installation of a clear stone "mud-mat" at the entrance of construction site to control and minimize transportation of sediment;

• Use of watering for dust control and suppression and mud tracking to level deemed appropriate;

• Restoration of exposed surfaces with vegetative and non-vegetative material;

• Minimize the amount of existing vegetation removed; and

• Reduce stormwater drainage velocities where possible.

• Confine refueling/servicing equipment to areas well away from inlets to the minor system or major system elements.

All waste and unused building materials (including garbage, cleaning wastes, wastewater, toxic materials, or hazardous materials) shall be properly disposed of and not allowed to

be mixed with and carried off by runoff from the site into a receiving watercourse or storm sewer.

6.0 SUMMARY & CONCLUSION

The proposed development incorporates appropriately sized infiltration galleries and low-impact design measures to manage stormwater effectively. Post-development peak flows are maintained at or below pre-development levels, and runoff is controlled for both minor and major storm events. Grading and overland flow directions remain consistent with existing conditions, ensuring no adverse impact on downstream infrastructure. Overall, the stormwater management plan provides a sustainable solution that meets municipal and conservation authority requirements while supporting future development on the site.

AUTORIZED FOR ISSUE BY:
Barich Grenkie.
(A Division of Geomaple Canada Inc.)



Majid Fathi, P.Eng., O.L.S.March. 17, 2026

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 site sketch and general information in the Submission Requirements and Information document.

1. APPLICANT INFORMATION

	NAME	MAILING ADDRESS	
Purchaser*			**Phone:** **E-mail:**
Registered Owner(s)	IZABELA STANIC IVANA STANIC	[redacted]	
Applicant(s)**	GOLNAZ FAVAEDI DARKO JAKOVINA BARICH GRENKIE SURVEYING LTD.		
Agent or Solicitor	GOLNAZ FAVAEDI DARKO JAKOVINA BARICH GRENKIE SURVEYING LTD.		

Please include contact person's name if applying as a company or organization.
*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 authorization 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 card over phone* [redacted]

*Must provide phone number above

2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	128 Slinger Ave, Hamilton, ON		
Assessment Roll Number			
Former Municipality			
Lot	104	Concession	
Registered Plan Number	955	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 (including any proposed easements):
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:	PART 1	PART 2	PART 3		
Type of Transfer	N/A	New residential lot	New residential lot		
Frontage	15.24 m	22.75 m	15.13 m		
Depth	30.59 m	30.59 m	37.99 m		
Area	465.92 sq.m	695.44 sq.m	574.49 sq.m		
Existing Use	RESIDENTIAL	RESIDENTIAL	RESIDENTIAL		
Proposed Use	RESIDENTIAL	RESIDENTIAL	RESIDENTIAL		
Existing Buildings/ Structures	1	0	0		
Proposed Buildings/ Structures	0	0	0		
Buildings/ Structures to be Removed	0	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?

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

Rural Settlement Area: _____

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 the official plan because the lands are to remain as residential and will continue to respect the character of the existing neighbourhoods.

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? RESIDENTIAL R1 ZONE

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 SC/B-22:108 has not been fulfilled within two years from the date of this Notice of Decision.

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.

SC/B-22:108

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 within two years from the date of this 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?

5 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.

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 Planning Statement (PPS)?

☑ Yes ☐ No (Provide explanation)

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

☐ Yes ☑ No (Provide explanation)

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

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

7.6 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

- ☐ 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

_____

_____

STAFF COMMENTS

HEARING DATE: April 30, 2026

Hamilton

B-26:009 — 128 Slinger Avenue, Stoney Creek

Recommendation:

Approve — Development Planning

Proposed Conditions:

1. The owner shall submit a deposited Ontario Land Surveyor's Reference Plan to the Committee of Adjustment Office, unless exempted by the Land Registrar. The reference plan must be submitted in pdf and also submitted in CAD format, drawn at true scale and location and tied to the city corporate coordinate system. (Committee of Adjustment Section)

2. The owner shall pay any outstanding realty taxes and/or all other charges owing to the City Treasurer. (Committee of Adjustment Section)

3. The owner submits to the Committee of Adjustment office an administration fee, payable to the City of Hamilton, to cover the costs of setting up a new tax account for each newly created lot. (Committee of Adjustment Section)

4. A Permit to injure or remove municipal trees is a requirement of this application. A Tree Management Plan must be submitted to the Forestry and Horticulture Section c/o the Urban Forestry Health Technician, to address potential conflicts with publicly owned trees. (Forestry)

5. A Landscape Plan is required by the Forestry and Horticulture Section, depicting the street tree planting scheme for the proposed development. In some cases, the requirement for a Landscape Plan may be waived. Request for waiver must be made to the Urban Forestry Health Technician. (Forestry)

6. The owner/applicant shall submit survey evidence that the severed lands, including the location of any existing structure(s), parking, landscaping, parking and lot coverage conform to the requirements of the Zoning By-Law or alternatively apply for and receive final approval of the appropriate Planning Act application in order to seek relief from the requirements of the Zoning By-law (Planning Division – Zoning Review Section).

7. The Applicant shall dedicate a 4.57 metres Daylighting Triangle to the right-of-way at the corner of Slinger Avenue and Byron Avenue, as per the Council Approved Urban Official Plan: Chapter C - City Wide Systems and Designations 4.5 Road Network Functional Classification; Daylighting Triangles 4.5.7, to the satisfaction of the Manager, Transportation Planning.

Hamilton

8. The owner shall comply with Ontario Building Code requirements regarding spatial separation distances of any structures. Compliance to be confirmed by the Planning and Economic Development Department (Building Division –**Plan Examination Section**

9. That the Owner must enter into with the City of Hamilton and register, a **Consent Agreement**, having an administrative fee of **$5,370.00** (includes grading plan review) to address issues including but not limited to: lot grading and drainage to a suitable outlet on the conveyed and retained parcels (detailed grading plan required), erosion and sediment control measures (to be included on the grading plan); cash payment requirements for items such as any outstanding servicing cost for the existing municipal services adjacent to the property, street trees (City policy requires one (1) street tree/lot, inspection of grading, stormwater management infrastructure and securities for items that may include: lot grading ($10,000.00 grading security), water and sewer services inspections, driveway approaches, relocation of any existing infrastructure (such as hydrants) and any damage during construction (unknown costs at this time), to the satisfaction of the City's Director of Development Engineering.

10. The Owner shall submit a Grading Plan and Servicing Plan in accordance with City Standards. (Development Engineering)

11. The Owner shall submit a Stormwater Management Brief to demonstrate how the stormwater runoff will be handled in accordance with City and MECP standards. (Development Engineering)

Proposed Notes:

We ask that the Owner agrees to physically affix the municipal numbers or full addresses to either the buildings or on signs in accordance with the City's Municipal Addressing By-law and Sign By-law, in a manner that is clearly visible from the road. (Legislative Approvals)

In order to clear conditions, the applicant will be required to make application for Ontario Building Code compliance and pay the relevant fees (Building Engineering)

Hamilton

Development Planning:

Background

The purpose of the application is to sever the existing residential lot into three (3) parcels. The severed lands will be vacant residential building lots, and the retained lands will contain the existing dwelling and garage which are intended to remain.

Staff note that the subject lands were subject to a previous application (SC/B-22:108), which was tabled by the Committee of Adjustment at the November 17, 2022 Hearing due to development engineering concerns relating to adequate site drainage.

The lands are to be conveyed as follows:

	Frontage	**Depth**	**Area**
SEVERED LANDS (PART 2):	22.75 m±	30.59 m±	695.44 m²±
RETAINED LANDS (PART 3):	15.13 m±	37.99 m±	574.49 m²±
RETAINED LANDS (PART 1):	15.24 m±	30.59 m±	465.92 m²±

Urban Hamilton Official Plan

The subject property is designated “Neighbourhoods” on Schedule E-1 – Urban Land Use Designations of the Urban Hamilton Official Plan. Policy E.3.2.3 a) permits residential dwellings, including second dwelling units and housing with supports. Policy E.3.4.3 permits single-detached, semi-detached, duplex, triplex, fourplex and street townhouse dwellings. The subject property is identified to be within the West Mountain Area (Heritage Green) Secondary Plan found in Volume 2 of the UHOP. Based on the above Volume 1 policies the subject property permits the proposed single detached dwellings subject to the applicable Zoning By-law.

West Mountain Area (Heritage Green) Secondary Plan

The subject property is further designated “Low Density Residential 2b” on Map B.7.6-1 – West Mountain Area (Heritage Green) Secondary Plan – Land Use Plan. In accordance with Policy B.1.5 a), Policy E.3.4.3 of Volume 1 shall apply for the purposes of permitted density ranges, built form, and height. Based on the forgoing the proposal complies with the West Mountain Area (Heritage Green) Secondary Plan.

Hamilton

The proposal is considered residential intensification in accordance with the Urban Hamilton Official Plan. Staff have completed an analysis of the proposal against Policies B.2.4.1.4 and B.2.4.2.2 and are satisfied that the proposed severance conforms to the residential intensification policies. The proposed severance is compatible with the scale and character of the neighbourhood, maintains the general streetscape pattern, and considers the relationship of the proposed lots with existing development.

The following Official Plan policy applies to consent applications to create a new lot:

"F.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;

b) The lots comply with existing Neighbourhood Plans;

c) The lots are in conformity with the Zoning By-law or a minor variance is approved;

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;

e) The lots are fully serviced by municipal water and wastewater systems; and,

f) The lots have frontage on a public road."

Staff have completed an analysis of the lot creation policies of Policy F.1.14.3.1 and are of the opinion that the proposed severance conforms to the above noted policies. The proposed lots reflect the general scale and character of the established development pattern in the surrounding area. The subject lands conform with the applicable secondary plan area policies. The proposed lots appear to be zoning compliant with respect to lot area, depth, and width. Development Planning staff defer to Zoning staff to verify if a condition to determine zoning compliance is necessary for the newly proposed lots. The proposed lots have frontage on a public road (Slinger Avenue and Byron Avenue). Planning Staff defer to Development Engineering staff on any concerns related to servicing, with respect to F.1.14.3.1 e), and drainage. Accordingly, the proposed severance complies with the Urban Hamilton Official Plan.

Archaeology

No comments.

Hamilton

Cultural Heritage

No comments.

City of Hamilton Zoning By-law No. 05-200

The subject property is zoned as Low Density Residential (R1) Zone in Zoning By-law No. 05-200. The (R1) Zone permits the proposed single detached dwellings subject to provisions of the Zoning By-law.

Analysis

Severance

Based on the above analysis, the proposed severance conforms to the policies of the Urban Hamilton Official Plan. Development Planning staff are of the opinion that the lots are well integrated within the existing neighbourhood and represent a compatible form of residential intensification in keeping with the existing neighbourhood character and streetscape.

Based on the forgoing analysis staff recommend the **approval** of the severance as it conforms to the Urban Hamilton Official Plan.

Zoning:

Recommendation:	Comments and Conditions/Notes
Proposed Conditions:	1. The owner/applicant shall submit survey evidence that the severed lands, including the location of any existing structure(s), parking, landscaping**,** parking and lot coverage conform to the requirements of the Zoning By-Law or alternatively apply for and receive final approval of the appropriate Planning Act application in order to seek relief from the requirements of the Zoning By-law (Planning Division – Zoning Review Section).
Comments:	1. In order to clear conditions, the owner/applicant will be required to make application for a Zoning Compliance Review and pay the relevant fees. 2. Any future development shall be subject to the current zone regulations of this property. 3. Please be advised that Planning Act approvals may be required if a road widening and/or daylight triangle dedication is required as part of this application.

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	4. The owner/applicant should obtain an appropriate municipal address for the proposed parcel(s) from the Legislated Approvals and Staging of Development Section of the Planning and Economic Development Department prior to the issuance of a building permit.
Notes:	

Development Engineering:

Recommendation:	Approve with Conditions
Proposed Conditions:	1. That the Owner must enter into with the City of Hamilton and register, a **Consent Agreement**, having an administrative fee of **$5,370.00** (includes grading plan review) to address issues including but not limited to: lot grading and drainage to a suitable outlet on the conveyed and retained parcels (detailed grading plan required), erosion and sediment control measures (to be included on the grading plan); cash payment requirements for items such as any outstanding servicing cost for the existing municipal services adjacent to the property, street trees (City policy requires one (1) street tree/lot, inspection of grading, stormwater management infrastructure and securities for items that may include: lot grading ($10,000.00 grading security), water and sewer services inspections, driveway approaches, relocation of any existing infrastructure (such as hydrants) and any damage during construction (unknown costs at this time), to the satisfaction of the City's Director of Development Engineering. 2. The Owner shall submit a Grading Plan and Servicing Plan in accordance with City Standards. 3. The Owner shall submit a Stormwater Management Brief to demonstrate how the stormwater runoff will be handled in accordance with City and MECP standards.
Comments:	According to our records, the existing municipal infrastructure fronting the subject property summarized as follows: **Slinger Avenue** • 150mm ø Ductile Iron Watermain • 250mm ø Sanitary Sewer **Byron Avenue** • 150mm ø Ductile Iron Watermain Separate and independent services shall be provided for each dwelling constructed within each parcel of land in accordance with the current

Hamilton

	Sewer and Drain and Waterworks By-laws (23-234 and 23-235, respectively). The proposed development shall be self contained with no negative impacts to the adjacent properties.
Notes:	

Building Engineering:

Recommendation:	Comments and Conditions/Notes
Proposed Conditions:	The owner shall comply with Ontario Building Code requirements regarding spatial separation distances of any structures. Compliance to be confirmed by the Planning and Economic Development Department (Building Division –**Plan Examination Section**
Comments:	
Notes:	In order to clear conditions, the applicant will be required to make application for Ontario Building Code compliance and pay the relevant fees

Transportation Planning:

Recommendation:	Approve with Conditions
Proposed Conditions:	The Applicant shall dedicate a 4.57 metres Daylighting Triangle to the right-of-way at the corner of Slinger Avenue and Byron Avenue, as per the Council Approved Urban Official Plan: Chapter C - City Wide Systems and Designations 4.5 Road Network Functional Classification; Daylighting Triangles 4.5.7, to the satisfaction of the Manager, Transportation Planning.
Comments:	
Notes:	

Forestry:

Recommendation:	Approve with Conditions
Proposed Conditions:	A Permit to injure or remove municipal trees is a requirement of this application. A Tree Management Plan must be submitted to the Forestry and Horticulture Section c/o the Urban Forestry Health Technician, to address potential conflicts with publicly owned trees. A Landscape Plan is required by the Forestry and Horticulture Section, depicting the street tree planting scheme for the proposed development. In some cases, the requirement for a Landscape Plan may be waived. Request for waiver must be made to the Urban Forestry Health Technician.

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Comments:	Conditions of the Forestry and Horticulture Section will be cleared only after receipt of all applicable fees. An assessment of the information provided shows that there are potential conflicts with publicly owned trees or trees that may become city assets through right of way widening. Where existing municipal trees are impacted by development work, are within proximity of the development work or access/egress to the development work, a Public Tree **Permit** to injure or remove municipal trees is required. Where ownership of trees in proximity to the boundary between public and private land is un-certain, the subject trees must be surveyed by the applicant to confirm ownership. Ownership is as per By-law 15-125. Ownership must be clearly identified on the Tree Management Plan as either municipal or private. **TREE MANAGEMENT** Tree Protection is a measure of efforts to preserve existing trees during the Planning of New Developments, Infrastructure Enhancements, Utility Upgrades & Residential Improvements. The Forestry & Horticulture Section requires that a Tree Management Plan be prepared by a MTCU Qualified Arborist, or ISA Certified Arborist, or a Registered Landscape Architect. All trees within this proposed development area must be surveyed, identified and accurately plotted on the plan to determine ownership, including intensions regarding retention or removal. It is compulsory that all proposed surface treatment changes within individual tree driplines as well as property lines, building footprints, driveways, utility construction corridors and temporary access roads be accurately depicted on the submission. The Tree Inventory Analysis Table on the Tree Management Plan shall not be considered complete without the following data and recommended action for each tree. ❖ Species by Botanical and common name ❖ Diameter at breast height in centimeters or millimeters ❖ Ownership {> 50% @ ground level = ownership}

Hamilton

- ❖ Biological health
- ❖ Structural condition
- ❖ Proposed grade changes within individual driplines {compulsory}
- ❖ Proposed utility construction within individual driplines {compulsory}
- ❖ Proposed removals or relocations
- ❖ Proposed trees to be protected.

If it is determined and verified that existing trees can remain, a Tree Protection Zone Detail with notes showing Tree Preservation Techniques shall be included on the submission as per the **Public Tree Preservation and Sustainability Policy.**

The determination of ownership of all trees is the responsibility of the applicant and any civil issues which may exist or arise between property owners with respect to trees, must be resolved by the applicant. The ownership of each individual tree inventoried must be clearly stated as municipal or private.

All Healthy trees on municipal property which are found to conflict with this proposed development and do not meet our criteria for removal are subject to a replacement fee as outlined in the **Public Tree Preservation and Sustainability Policy** in conjunction with **By-Law 15-125**.

A permit will be issued upon approval of the Tree Management Plan and applicable fees.

LANDSCAPE PLAN

Clarification to ensure a street tree can be accommodated for each lot needs to be confirmed.

The Forestry & Horticulture Section requires that a detailed Landscape Planting Plan prepared by a **Registered Landscape Architect**, showing the placement of trees on internal/external City property be provided.

All street tree plantings are planted by the City of Hamilton, as approved through the review of a proposed street tree planting plan and shall be identified on plan as 'Trees to be planted by City of Hamilton Forestry Section.

The Landscape Plan should specifically outline 50mm caliper size and the species of trees to be planted as well as identify hard surface and soft surface areas on the site. Individually planted trees in new sidewalk installations

Hamilton

	shall include a detail showing 21 m3 of soil, and a grouping of 2 or more trees in a soil bed shall include 16m3 of soil per tree. New sidewalks, paving or asphalting shall allow 1.5m2 of breathing space for tree roots. An option to allow forestry to determine tree species is permitted and plan shall reflect that decision by denoting on plan 'City of Hamilton forestry department to determine species. Please note: all private trees on plan shall have species denoted. Tree species selection should take into account cultivars {fruitless etc.} salt and heat tolerance, mature tree size, public visibility and daylight triangles, as well as potential pest concerns. Spacing guidelines for trees are ten 8-10m on centre for larger species and 4-7 meters on center for smaller species. Guidelines for species diversity shall ensure no single species shall make up more than 20% of the total street tree population. No coniferous trees will be permitted on City of Hamilton Road allowance. Any identified street tree species on plan will be subject to change at time of planting due to but limited to, on site conditions, in stock availability and compatibility with approved species by City of Hamilton. Although utility conflicts may change specific planting locations, every opportunity will be made to keep with the intent of the design. Trees planted on the road allowance will have a minimum approximate caliper of 50 mm. Urban Forest Health Technician from the Forestry Section shall be notified post construction, when final grade has been achieved, to facilitate the scheduling of the street tree planting(s). Otherwise, all sites will be monitored annually by Forestry to determine when site is suitable for the following planting season. Forestry's mission to increase urban canopy through new development encourages any opportunity for planting locations.
Notes:	

Legislative Approvals:

Recommendation:	Comments and Conditions/Notes
Proposed Conditions:	
Comments:	The lands to be retained (Part 1) will remain as **128 Slinger Avenue (Stoney Creek)**. The lands to be conveyed (Part 2 & 3) will be assigned the address of **128 Slinger Avenue (Stoney Creek)** and **77 Byron Avenue (Stoney Creek)**.

Hamilton

	If at a future date it is discovered that the main entry of the house to be constructed on the conveyed lands (Part 2) will face Bryon Avenue, an address change will be required.
Notes:	We ask that the Owner agrees to physically affix the municipal numbers or full addresses to either the buildings or on signs in accordance with the City's Municipal Addressing By-law and Sign By-law, in a manner that is clearly visible from the road.

Please Note: Public comment will be posted separately, if applicable.



● **Site Location**



City of Hamilton

Committee of Adjustments

Subject Property

128 Slinger Avenue, Stoney Creek (Ward 9)

Lands to be Retained

Lands to be Severed

Lands to be Severed

Planning and Economic Development Department

File Name/Number: B-26:009

Date: April 21, 2026

Technician: RS

Scale: N.T.S.

Appendix "A"

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-26:042	**SUBJECT PROPERTY:**	37 Eleventh Road East, Stoney Creek
ZONE:	A1 (Agriculture)	**ZONING BY-LAW:**	Hamilton Zoning By-law 05-200

APPLICANTS: Owner: Ken Simpson & Corina Simpson
Applicant: Rob Lachapelle
Agent: Rob Lachapelle

The following variances are requested:

1. An accessory building shall be permitted in the Front Yard, instead of the requirement that accessory buildings shall not be permitted within a front or flankage yard.

2. An accessory building shall be permitted to have a maximum Building Height of 7.7 metres, instead of the requirement that all Accessory buildings shall have a maximum Building Height of 6.0 metres.

PURPOSE & EFFECT: To facilitate the construction of an Accessory Building located in the Front Yard on a lot containing a Single-Detached Dwelling.

Notes:

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, April 30, 2026**
TIME:	**11:50 a.m.**
PLACE:	**Via video link or call in (see attached sheet for details)**

A-26:042

	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 April 28, 2026.

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 April 29, 2026.

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding A-26:042, 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-26:042



Subject Lands

DATED: April 13, 2026

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

The following information is required with your written submission:

- Committee of Adjustment file number
- Full name and address of the person providing comments. Anonymous comments will not be accepted.

Comments can also be placed in the drop box which is located at the back of the 1st Floor of City Hall, 71 Main Street West. All written comments received by the deadline 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. To register, email cofa@hamilton.ca with the following information:

- Committee of Adjustment file number
- Hearing date
- Full name and address of the person wishing to speak. Anonymous comments will not be accepted.
- 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.

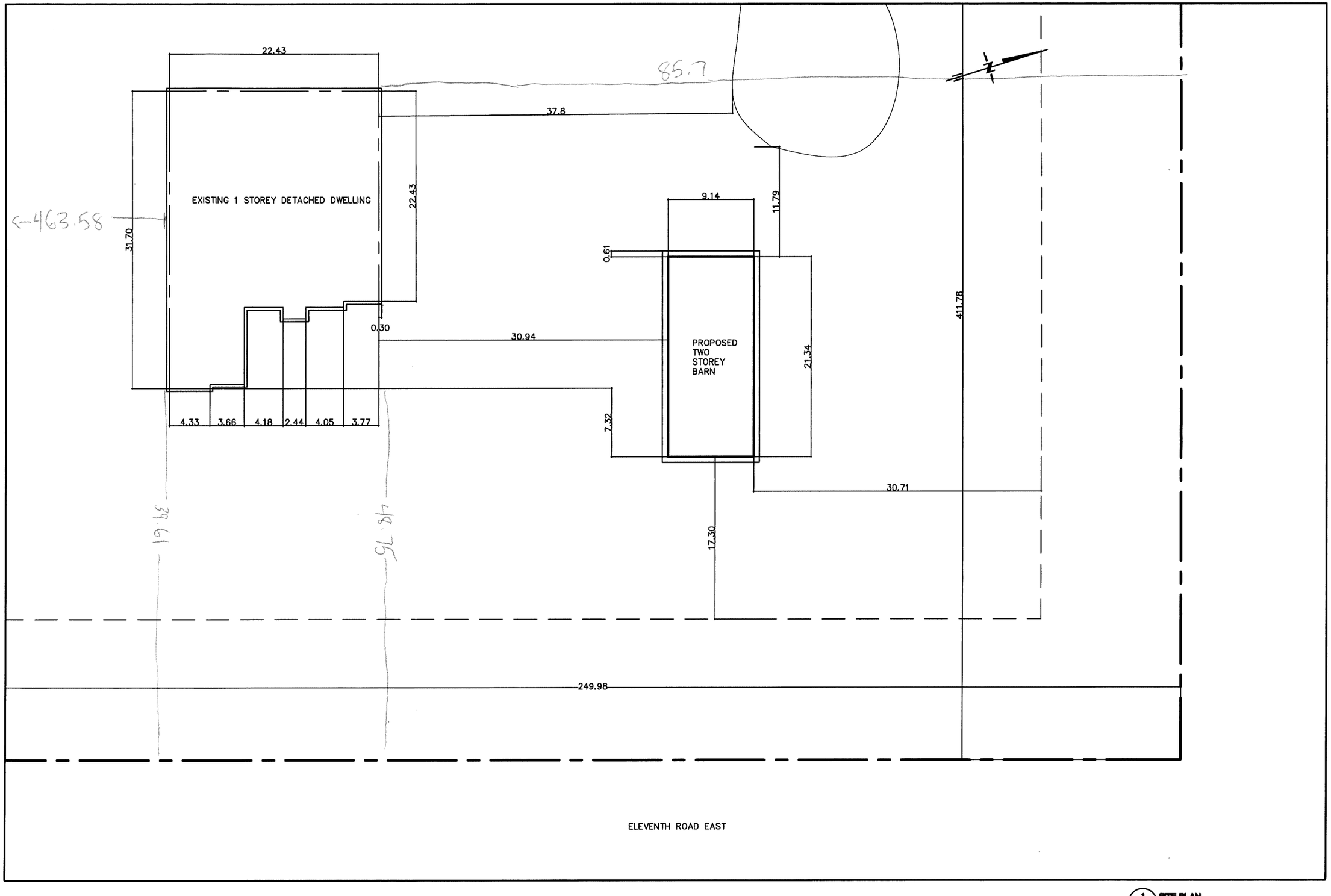
Virtual Presentations:
Presenters participating virtually may be granted permission to share their screen during the Hearing. A copy of the presentation must be submitted to cofa@hamilton.ca **by 12:00 p.m. (noon) on the business day prior to the Hearing.** The submission must be one document in PDF 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 A1.01 SITE PLAN SCALE: 1:384

THE GENERAL CONTRACTOR SHALL CHECK AND VERIFY ALL INFORMATION SHOWN HEREIN AND SHALL REPORT ERRORS AND OMISSIONS TO THE DESIGNER.

THIS DRAWING IS THE PROPERTY OF ROB LACHAPELLE AND SHALL NOT BE REPRODUCED WITHOUT WRITTEN AUTHORIZATION.

THIS DRAWING MUST NOT BE SCALED.

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

ROB LACHAPELLE
R Lachapelle
BCIN #128401
LAB ARCHITECTURE
BCIN #205108

ISSUED	DATE
ISSUED FOR MINOR VARIANCE	MARCH 1 2026

PROJECT NAME:
DETACHED BARN
2026-01
37 ELEVENTH ROAD EAST
HAMILTON, ONTARIO
L8J 3N2

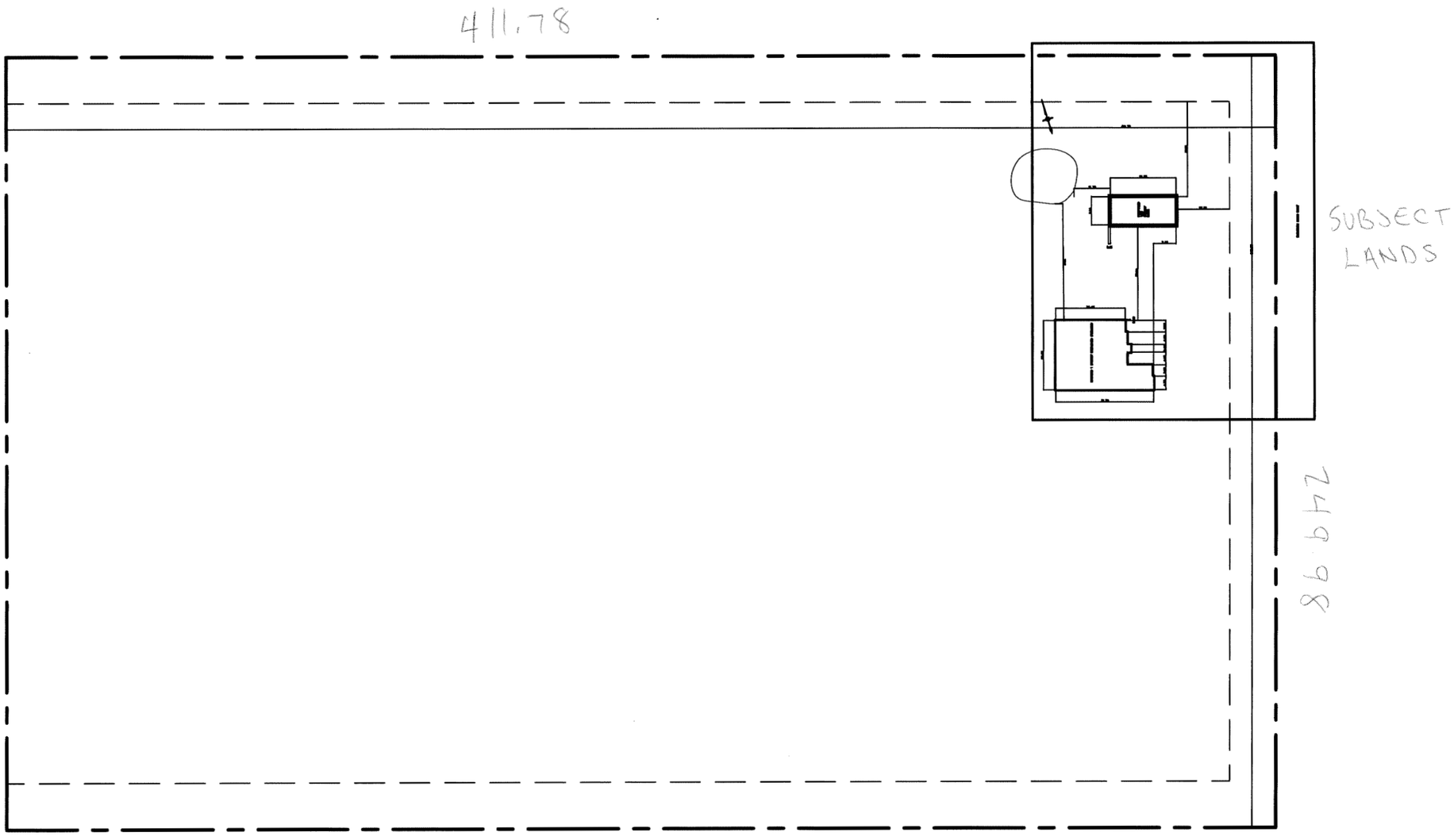
DRAWING NAME:
SITE PLAN

PROJECT NO:
26-01

DRAWN BY: R.LACHAPELLE
CHECKED BY: R.LACHAPELLE

DATE: JUNE 2026
SCALE: AS SHOWN

DRAWING NO:
A1.01



1 A1.01 SITE PLAN SCALE: 1:1536

A1.01 (2), 3/2/2026 7:14:00 AM, ANSI expand B (17.00 x 11.00 Inches)

THE GENERAL CONTRACTOR SHALL CHECK AND VERIFY ALL INFORMATION SHOWN HEREIN AND SHALL REPORT ERRORS AND OMISSIONS TO THE DESIGNER.

THIS DRAWING IS THE PROPERTY OF ROB LACHAPELLE AND SHALL NOT BE REPRODUCED WATHOUT WRITTEN AUTHORIZATION.

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QUALIFICATION INFORMATION

ROB LACHAPELLE
R Lachapelle
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LAB ARCHITECTURE
BCIN #205108

ISSUED	DATE
ISSUED FOR MINOR VARIANCE	MARCH 1 2026

PROJECT NAME:
DETACHED BARN
2026-01

37 ELEVENTH ROAD EAST
HAMILTON, ONTARIO
L8J 3N2

DRAWING NAME:
SITE PLAN

PROJECT NO:
26-01

DRAWN BY: R.LACHAPELLE
CHECKED BY: R.LACHAPELLE

DATE: JUNE 2026
SCALE: AS SHOWN

DRAWING NO.
A1.01

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*

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

1. APPLICANT INFORMATION

	NAME	MAILING ADDRESS	
Registered Owner(s)	Ken Simpson Corina Simpson	[redacted]	
Applicant(s)	Rob Lachapelle		
Agent or Solicitor			**Phone:**
			E-mail:

Please include contact person's name if applying as a company or organization.

1.2 Primary contact ☑ Applicant ☐ Owner ☐ Agent/Solicitor

1.3 Sign should be sent to ☑ Applicant ☑ Owner ☐ Agent/Solicitor

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

If YES, provide email address where sign is to be sent [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 card over phone*

*Must provide phone number above

2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	37 Eleventh Road East PIN 17379-0194		
Assessment Roll Number	003810018-000000		
Former Municipality			
Lot		Concession	
Registered Plan Number		Lot(s)	
Reference Plan Number (s)		Part(s)	

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

☐ Yes ☑ No

If YES, describe the easement or covenant and its effect:

3. PURPOSE OF THE APPLICATION

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

All dimensions in the application form are to be provided in metric units (millimetres, metres, hectares, etc.)

3.1 Nature and extent of relief applied for:

We want to build an accessory building in the front yard, not set back or in line with the principal dwelling by roughly 7.32m where old accessory building was located.

☐ Additional Dwelling Unit ☐ Reconstruction of Existing Dwelling

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

If we move the accessory building back and in line with the house, it will encroach on a pond and if we move it north or south it will infringe on agricultural land.

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 (in metric):

Lot Frontage	Lot Depth	Lot Area	Width of Street
262.15m	411.79m	107 949.51 sqm	12m

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

Existing:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
PRINCIPAL DWELLING	39.611m		141.3m/85.8m	06/01/2019

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
ACCESSORY BUILDING	32.50m	366.785m	45.8m/194.5m	07/01/2026

4.3. Particulars of all buildings and structures on or proposed for the subject lands. All dimensions to be provided in metric (m, m^2 or ha); attach additional sheets as necessary.

Existing:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
PRINCIPAL DWELLING	503sqm	940sqm	2	8.6m

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
ACCESSORY BUILDING	200 sqm	339 sqm	1.5	7.62m

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) cistern

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
☑ 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, agricultural

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

single detached, agricultural

5. HISTORY OF THE SUBJECT LAND

5.1 Date of acquisition of subject lands:
Sept. 2025

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

single detached, agricultural

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

single detached, agricultural

5.4 Length of time the existing uses of the subject property have continued:
2019

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

Rural Hamilton Official Plan designation (if applicable): AGRICULTURAL

Rural Settlement Area: _____

Urban Hamilton Official Plan designation (if applicable) _____

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

The accessory building will be used to storm equipment and vehicles. The loft area will be used for sotrage. The accessory building will not affect local agricultural land and will remain close to source of water and have road access.

5.6 What is the existing zoning of the subject land? A1/P6

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

☐ Yes ☑ No

If yes, please provide the file number: _____

5.8 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: _____

6. ADDITIONAL INFORMATION

6.1 Number of Dwelling Units Existing: 1

6.2 Number of Dwelling Units Proposed: 1

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

We are applying for a height of 7.62m, more than the allowable height for an accesory building of 6m. We are applying for the additional height to provide a loft area for more storage space for equipment and personal belongings. The accessory building will be subordinate to the primary dwelling (8.6m vs 7.6m).

The accessory building will be 7.32m in front of the principal dwelling, 30.94m away from the principal dwelling, and set back 17.3m from the road. Given the agricultural landscape and location of the pond, we do not have the ability to move the accessory building back to be in line with the house. We also cannot move it north or south because it would infringe on agricultural land.

We do not feel it will have a material impact on neighbouring properties given the size of the land (25 acres), distance from the neighbours and road, and the use and nature of the land.

7. COMPLETE APPLICATION REQUIREMENTS

7.1 All Applications

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

7.2 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

_____

_____

STAFF COMMENTS

HEARING DATE: April 30, 2026

Hamilton

A-26:042 — 37 Eleventh Road East, Stoney Creek

Recommendation:

Deny Variance 1 and Approve Variance 2 — Development Planning

Proposed Conditions:

Proposed Notes:

A building permit is required for the construction of an Accessory Building located in the Front Yard on a lot containing a Single-Detached Dwelling. (Building Engineering)

Be advised that Ontario Building Code regulations may require specific setback and construction types. (Building Engineering)

If this variance is granted, the City does not require an archaeological assessment, but the proponent must be advised in writing by the Committee of Adjustment as follows:

"**Acknowledgement Note:** The subject property has been determined to be an area of archaeological potential. It is reasonable to expect that archaeological resources may be encountered during any demolition, grading, construction activities, landscaping, staging, stockpiling or other soil disturbances. If archaeological resources are encountered, the proponent may be required to conduct an archaeological assessment prior to further impact in order to address these concerns and mitigate, through preservation or resource removal and documentation, adverse impacts to any significant archaeological resources found. Mitigation, by an Ontario-licensed archaeologist, may include the monitoring of any mechanical excavation arising from this project. If archaeological resources are identified on-site, further Stage 3 Site-specific Assessment and Stage 4 Mitigation of Development Impacts may be required as determined by the Ontario Ministry of Citizenship and Multiculturalism (MCM). All archaeological reports shall be submitted to the City of Hamilton for approval concurrent with their submission to the MCM.

Should deeply buried archaeological materials be found on the property during any of the above development activities the 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)." (Development Planning)

Hamilton

Development Planning:

Background

The purpose of the application is to facilitate the construction of an Accessory Building located in the Front Yard on a lot containing a Single-Detached Dwelling.

Staff note since the application was last tabled by the applicant prior to the April 2, 2026, hearing. The applicant has provided further clarification as it relates to inconsistencies in the submitted information on the application form. Based on Zoning staff's interpretation the proposed building has been determined to be accessory to the existing dwelling and not an agricultural building. The applicant has provided a revised plan dated April 21, 2026, which demonstrates that the proposed Accessory Building will be located in the side yard. Accordingly, Variance 1 is no longer required.

The following variances are requested:

1. An accessory building shall be permitted in the Front Yard, instead of the requirement that accessory buildings shall not be permitted within a front or flankage yard.

2. An accessory building shall be permitted to have a maximum Building Height of 7.7 metres, instead of the requirement that all Accessory buildings shall have a maximum Building Height of 6.0 metres.

Rural Hamilton Official Plan

The subject property is designated "Agriculture" on Schedule D of the Rural Hamilton Official Plan. Policy D.2.1 permits a variety of agricultural uses, agricultural-related commercial and agricultural-related industrial uses and on farm secondary uses. The subject property is not identified as being within a Rural Settlement Area found in Volume 2 of the Rural Hamilton Official Plan. Based on the policies found in Volume 1 of the Rural Hamilton Official Plan the existing single detached dwelling and proposed accessory building are permitted subject to the provisions of the applicable Zoning By-law.

Archaeology

The subject property meets two (2) of the ten criteria used by the City of Hamilton and Ministry of Citizenship and Multiculturalism for determining archaeological potential:

1) Within 300 metres of a primary watercourse or permanent waterbody, 200 metres of a secondary watercourse or seasonal waterbody, or 300 metres of a prehistoric watercourse or permanent waterbody; and,
2) Along historic transportation routes.

Hamilton

These criteria define the property as having archaeological potential. Accordingly, Section 2 (d) of the *Planning Act* and Section 4.6.2 of the Provincial Planning Statement apply to the subject application.

Cultural Heritage

No comments.

City of Hamilton Zoning By-law No. 05-200

The subject property is zoned Agriculture (A1) Zone in Zoning By-law No. 05-200, which permits the existing single detached dwelling and proposed accessory building, subject to performance standards.

Analysis

Variance 1

1. An accessory building shall be permitted in the Front Yard, instead of the requirement that accessory buildings shall not be permitted within a front or flankage yard.

Staff recommend that Variance 1 be denied as it is no longer required based on the revised plans provided by the applicant which demonstrates that the Accessory Building will be located in the side yard in relation to the existing Primary Dwelling. The intent of the above Zoning provisions which prohibits accessory structures in the front yard is to ensure the structure remains incidental and subordinate to the principal building; limit impacts on the established streetscape; facilitate development that is consistent with the neighbourhood character; limit the overdevelopment of front yards; and, encourage landscaping and open space along the streetscape. It is noted that staff are unable to support a variance to permit an Accessory Building in the front yard as it does not maintain this general intent and purpose of the Zoning Bylaw. The applicant has addressed staff prior concerns and has relocated the Accessory Dwelling outside of the front yard and into the side yard. Based on the forgoing analysis staff recommend **Variance 1 be denied** as it is no longer required.

Variance 2

2. An accessory building shall be permitted to have a maximum Building Height of 7.7 metres, instead of the requirement that all Accessory buildings shall have a maximum Building Height of 6.0 metres.

The intent of the maximum building height for buildings accessory to a single detached dwelling is to maintain that accessory buildings are subordinate to the principal dwelling and to prevent impacts to neighbouring land uses including the prevention/introduction of overlook and privacy concerns and visual impacts. Staff have reviewed the application and generally have no concerns given the context

Hamilton

of the area being large rural lots and the proposed accessory building being setback approximately 40 metres from the front lot line. In staff's opinion, the proposed accessory structure is sufficiently setback from adjacent lot lines to mitigate any impact associated with the minor increase in height. The increase in building height from 6.0 to 7.7 metres is considered a minor ≈1.7 metre increase in height. Concerns of overlook and privacy is not anticipated given the rural context and the building being significantly setback from nearby lots. The Accessory Dwelling is subordinate in height in relation to the Primary Dwelling which has a height of 8.6 metres. In staff's opinion the proposed increase in height is minor and undue adverse impacts are not anticipated. Staff are **supportive of Variance 2** as it satisfies the four tests of a minor variance under the *Planning Act.*

Based on the forgoing analysis staff recommend that **Variance 1 be denied** as it is not required and **Variance 2 be approved** as it maintains the general intent and purpose of the Official Plan and Zoning By-law, is minor in nature and is desirable for the appropriate development of the subject lands.

Zoning:

Recommendation:	No Comments
Proposed Conditions:	
Comments:	
Notes:	

Development Engineering:

Recommendation:	No Comments
Proposed Conditions:	
Comments:	
Notes:	

Building Engineering:

Recommendation:	Comments and Conditions/Notes
Proposed Conditions:	
Comments:	
Notes:	A building permit is required for the construction of an Accessory Building located in the Front Yard on a lot containing a Single-Detached Dwelling. Be advised that Ontario Building Code regulations may require specific setback and construction types.

STAFF COMMENTS

HEARING DATE: April 30, 2026

Hamilton

Transportation Planning:

Recommendation:	No Comments
Proposed Conditions:	
Comments:	
Notes:	

Please Note: Public comment will be posted separately, if applicable.

From: Kyle Riley <kriley@npca.ca>
Sent: Tuesday, April 21, 2026 8:59 AM
To: Committee of adjustment
Subject: Re: April 30, 2026 - Committee of Adjustment Agenda Available
Attachments: 37 Eleventh Road East Basemap.pdf; 5398 White Church Road East Basemap.pdf

Categories: April 30

External Email: Use caution with links and attachments.

Hello,

The Niagara Peninsula Conservation Authority ("NPCA") has reviewed the subject matter forming Hamilton's April 30th, 2026, Committee of Adjustments Agenda, and offers the following comments.

37 Eleventh Road East - **A-26:042**

The Applicants seek to construct an accessory building in the front yard of a lot containing a single-detached dwelling, requiring variances to permit the structure to be located in the front yard and to permit a maximum height of 7.7m for an accessory structure instead of 6m.

The NPCA notes the presence of an unmapped floodplain to the north of this address. The NPCA has reviewed and note that the proposed accessory structure is 2m higher than the current watercourse. The NPCA is not concerned with flooding at the structure due to scope, nature, and location. We offer No Objections to proposed development as a result.

5398 White Church Road East - **A-26:059**

The Applicants seek to construct a D-ADU in the front yard of 5398 White Church Road. The Applicants require Minor Variances; to permit a D-ADU on a single detached lot having a minimum lot area of .23 ha instead of the minimum required lot area of 1.5 ha; to permit a D-ADU in the front Yard where they are only permitted in the Side or Rear Yard; to allow a D-ADU with no setback from the from the front Facade of the principles dwelling instead of the required 5m.

The NPCA notes there is a sizable area of potentially unevaluated wetlands located to the north of this address. The proposed limit of development remains setback a fair distance from the northern lot lines.

The NPCA offers No Objections to the proposed Minor Variances at this address due to the appropriate setbacks demonstrated from the Northern Lot lines.

The NPCA requests ESC-fencing be added along the northern edge of development to prevent sediment wash-out into any potentially regulated features which may exist on the northern parcel.

There are no NPCA Planning or Permitting fees required to facilitate this Application.

Conclusion:

We thank you for circulating this Agenda to the NPCA for our comments. Please contact the undersigned should you have any questions.

Best regards,

Kyle Riley (M.A.)
Watershed Planner

Niagara Peninsula Conservation Authority (NPCA)

3350 Merrittville Highway, Unit 9, Thorold, Ontario L2V 4Y6

(O) 905.788.3135 Ext 252
(Cell) 905.933.2541
[www.npca.ca%20]www.npca.ca
kriley@npca.ca

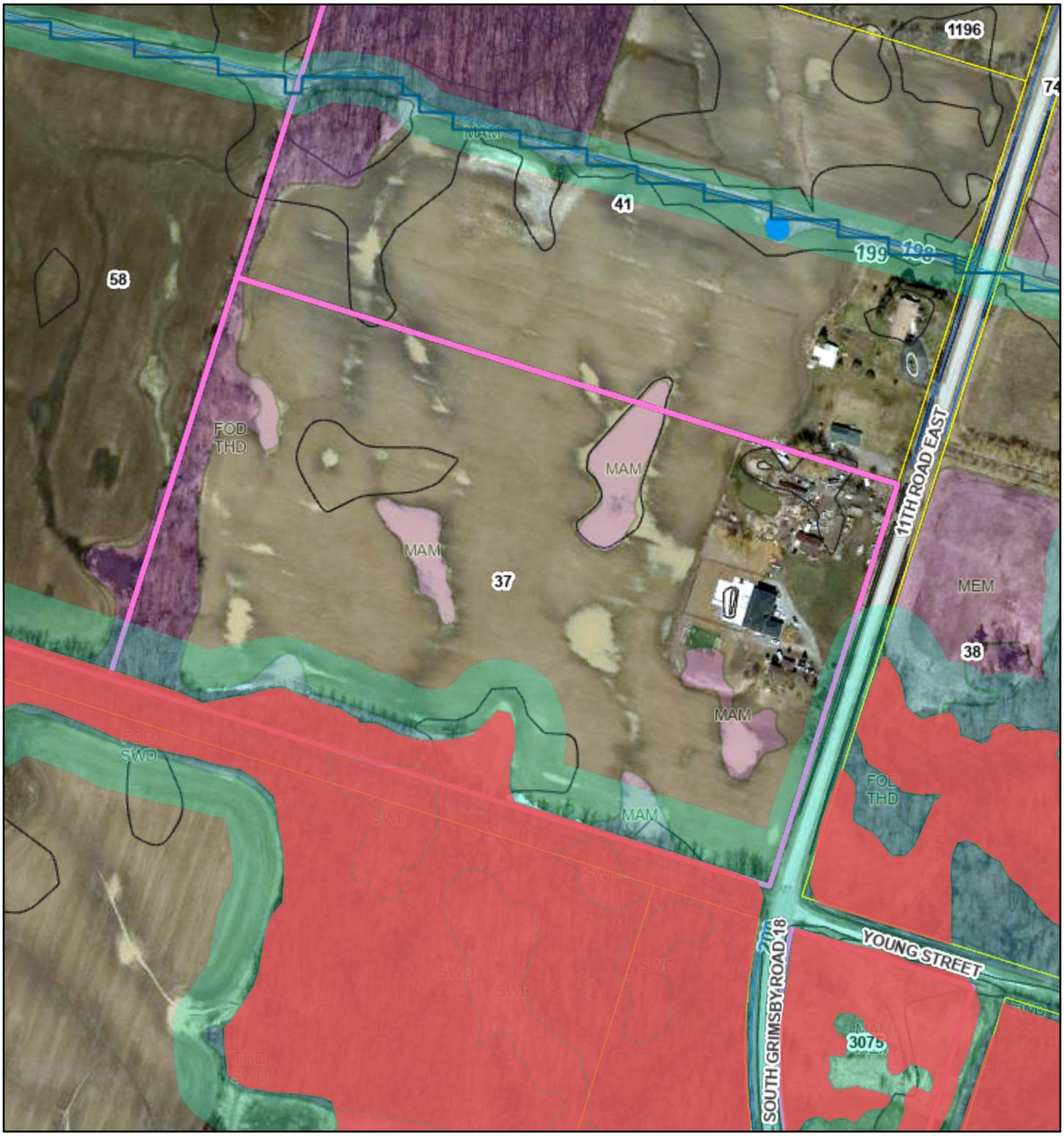
For more information on Permits and Planning please go to the Permits & Planning webpage at https://npca.ca/administration/permits.

For mapping on features regulated by the NPCA please go to our GIS webpage at https://gis-npca-camaps.opendata.arcgis.com/ and utilize our Watershed Explorer App or GIS viewer.

The NPCA completed its Watershed-based Resource Management and Conservation Area Strategies, paving the way for sustainable conservation across the Niagara Peninsula watershed. It's Watershed Natural Asset Analysis and Valuation for the Niagara Peninsula watershed offers new insights that redefine how we view nature. **Explore them today!**

To send NPCA staff information regarding a potential violation of Ontario Regulation 41/24 please go to the NPCA Enforcement and Compliance webpage at https://npca.ca/administration/enforcement-compliance.

ArcGIS Web Map



4/21/2026, 8:55:45 AM

1:4,514

0 0.03 0.06 0.11 mi

0 0.04 0.09 0.17 km

SWOOP 2020 NPCA
- Red: Band_1
- Green: Band_2
- Blue: Band_3

LIO - Wetland DRAFT
- Evaluated-Provincial
- Roads
- WRIP Quaternary Watersheds (10K)

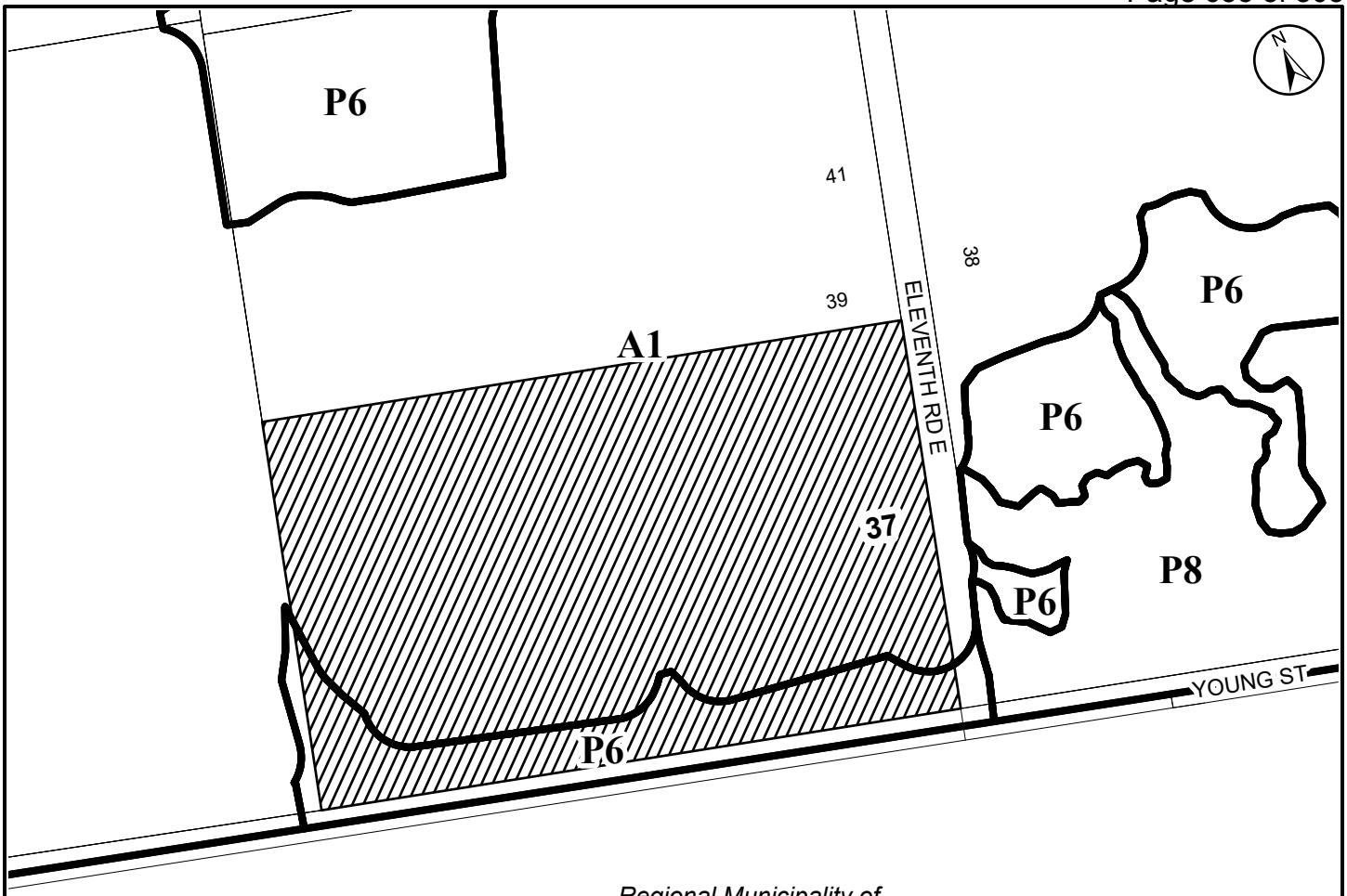
- NPCA APPROXIMATE REGULATION LANDS
- Reaches Draining 125ha Requiring FPM
- CityView Application Views
- Assessment Parcels
- 2K Hydrography
- 2K HydroPoly
- ELC 2020 NPCA

Niagara Region Ortho 2023
- Red: Red
- Green: Green
- Blue: Blue

Niagara Region 2018 Imagery
- Red: Band_1
- Green: Band_2
- Blue: Band_3

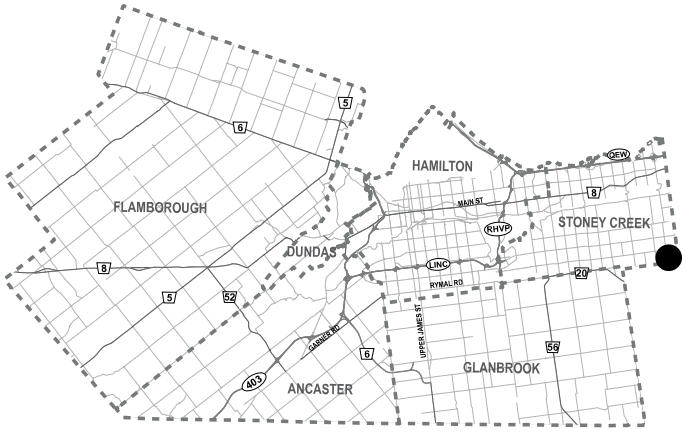
NPCA, Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community

Web AppBuilder for ArcGIS
McMaster University, City of Hamilton, City of Welland, Niagara Region, Regional Municipality of Niagara, Province of Ontario, Ontario MNR, Esri Canada, Esri, HERE, Garmin, INCREMENT P, USGS,



Regional Municipality of Niagara

● **Site Location**



City of Hamilton

Committee of Adjustments

Subject Property

37 Eleventh Road East, Stoney Creek (Ward 9)

File Name/Number: A-26:042

Date: April 15, 2026

Technician: RS

Scale: N.T.S.

Appendix "A"

Planning and Economic Development Department

Hamilton

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-26:007**	**SUBJECT PROPERTY:**	486 Glover Road, Stoney Creek

APPLICANTS: Owner: 2452593 ONTARIO INC (Mohamed About-Hussein)
Applicant: 2452593 ONTARIO INC (Mohamed About-Hussein)
Agent: Zelinka Priamo Ltd c/o Danieli Sikelero Elsenbruch

PURPOSE & EFFECT: To permit the severance of a parcel of land to create a new residential building lot. The severed lands will contain a proposed single-detached dwelling, and the retained lands will contain the existing single-detached dwelling and shed which are intended to remain.

	Frontage	**Depth**	**Area**
SEVERED LANDS:	18.3 m±	31 m±	567 m^2 ±
RETAINED LANDS:	18.3 m±	30 m±	548.1 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, April 30, 2026**
TIME:	**11:55 a.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 **April 28, 2026**.

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 **April 29, 2026**.

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding this matter, 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-26:007



Subject Lands

DATED: April 13, 2026

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.

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

The following information is required with your written submission:

- Committee of Adjustment file number
- Full name and address of the person providing comments. Anonymous comments will not be accepted.

Comments can also be placed in the drop box which is located at the back of the 1st Floor of City Hall, 71 Main Street West. All written comments received by the deadline 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. To register, email cofa@hamilton.ca with the following information:

- Committee of Adjustment file number
- Hearing date
- Full name and address of the person wishing to speak. Anonymous comments will not be accepted.
- 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.

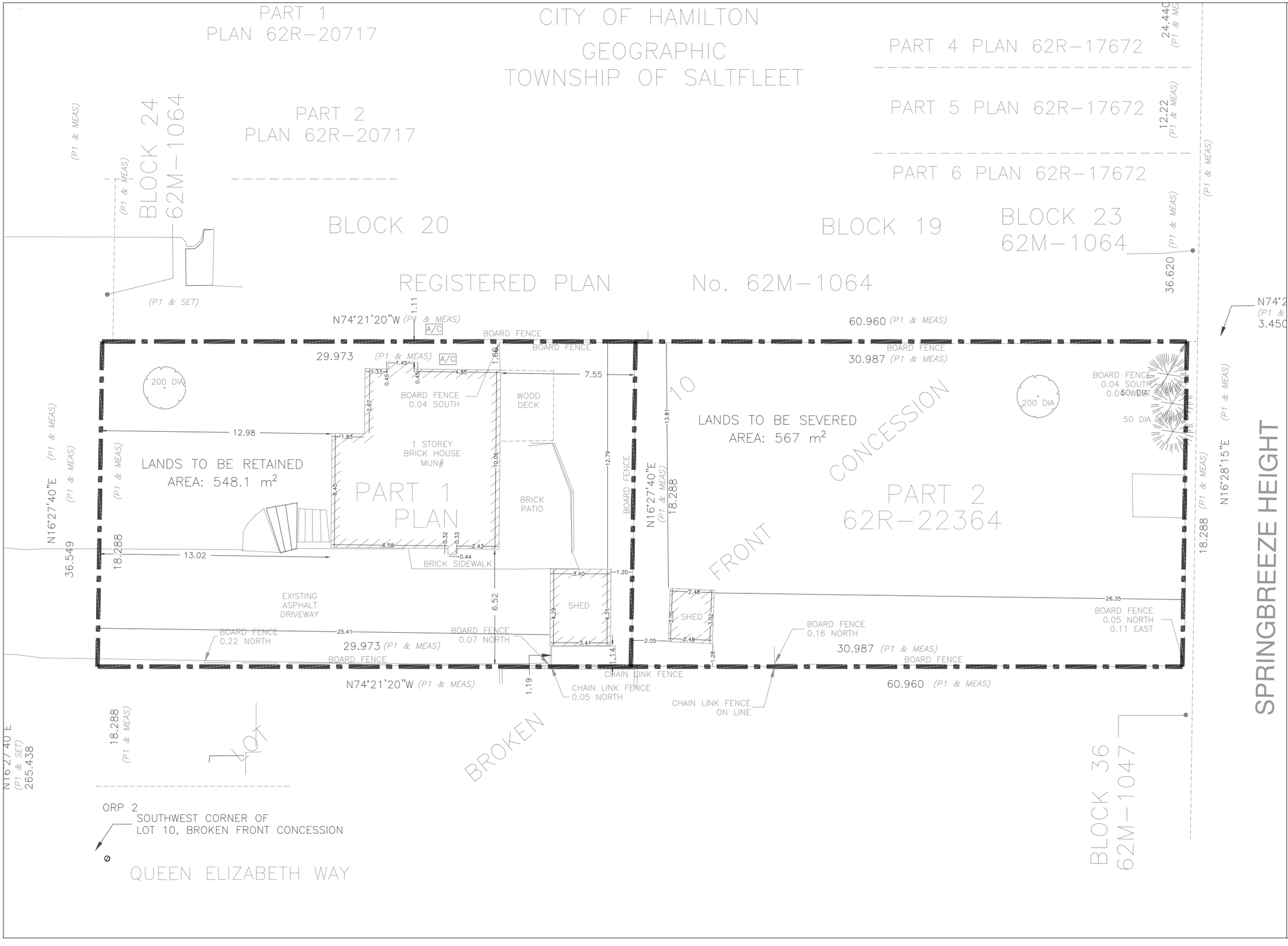
Virtual Presentations:
Presenters participating virtually may be granted permission to share their screen during the Hearing. A copy of the presentation must be submitted to cofa@hamilton.ca **by 12:00 p.m. (noon) on the business day prior to the Hearing.** The submission must be one document in PDF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



KEY PLAN



CONSENT SKETCH

OF

486 GLOVER ROAD

CITY OF STONEY CREEK

SITE STATISTICS

PART 1 – LANDS TO BE RETAINED
Existing Zone: R1

	REQUIRED	PROPOSED
LOT AREA (MIN)	360 m²	548.1 m²
LOT FRONTAGE (MIN)	12.0 m	18.3 m
LOT DEPTH	N/A	30.0 m
FRONT YARD SETBACK (MIN)	4.0 m	13.0 m
INT. SIDE YARD (MIN)	1.2 m	1.5 m
INT. SIDE YARD (MIN)	1.2 m	6.6 m
REAR YARD SETBACK (MIN)	7.5 m	7.5 m
LANDSCAPED AREA (MIN)	30%	51.5%
HEIGHT (MAX)	10.5 m	<10.5m
PARKING (MIN)	2 SPACES	2 SPACES

PART 2 – LANDS TO BE SEVERED
Existing Zone: R1

	REQUIRED	PROPOSED
LOT AREA (MIN)	360 m²	567 m²
LOT FRONTAGE (MIN)	12.0 m	18.3 m
LOT DEPTH	N/A	31.0 m
FRONT YARD SETBACK (MIN)	4.0 m	TBD
INT. SIDE YARD (MIN)	1.2 m	TBD
INT. SIDE YARD (MIN)	1.2 m	TBD
REAR YARD SETBACK (MIN)	7.5 m	TBD
LANDSCAPED AREA (MIN)	30%	TBD
HEIGHT (MAX)	10.5 m	TBD
PARKING (MIN)	2 SPACES	TBD

NO.	REVISION	DATE	INITIAL

Willowbridge Homes

486 GLOVER ROAD,
STONEY CREEK

Zelinka Priamo Ltd.
LAND USE PLANNERS
318 Wellington Road, London, Ontario N6C 4P4
Tel: (519) 474-7137 Fax: (519) 474-2284 email: zp@zpplan.com

DRAWN BY	PROJECT NO.
DSE	WLW/STO/22-01
DATE	SCALE
MAR 2026	1:250

NOTES & LEGEND

■	DENOTES MONUMENT FOUND
□	DENOTES MONUMENT PLANTED
PB	DENOTES PLASTIC BAR
CC	DENOTES CUT CROSS
WIT	DENOTES WITNESS
SIB	DENOTES STANDARD IRON BAR
IB	DENOTES IRON BAR
SU	DENOTES SOURCE UNKNOWN
655	DENOTES J.D. PETERS O.L.S.'s
824	A.T McLAREN O.L.S.'s
AGM	DENOTES ARCHIBALD, GRAY & McKAY LTD., O.L.S.'s
AN	DENOTES ASHENHURST NOUWENS LTD. O.L.S.'s
P1	DENOTES PLAN 62R–20717
P2	DENOTES PLAN 62R–18952
P3	DENOTES PLAN 62R–18944
P4	DENOTES PLAN 62R–17672
D1	DENOTES INSTRUMENT AB12789

UTM GRID NOTES

BEARINGS ARE U.T.M. GRID NAD83 (CSRS) EPOCH(2010), DERIVED FROM G.N.S.S. OBSERVATIONS AND THE LEICA SMARTNET BASE STATION NETWORK AND ARE REFERRED TO THE CENTRAL MERIDIAN 81°00' WEST LONGITUDE, ZONE 17.

DISTANCES SHOWN ON THIS PLAN ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.9997356108.

FOR BEARING COMPARISONS, A ROTATION OF 00°00'30" CLOCKWISE WAS APPLIED TO BEARINGS ON P1,P3 AND P4

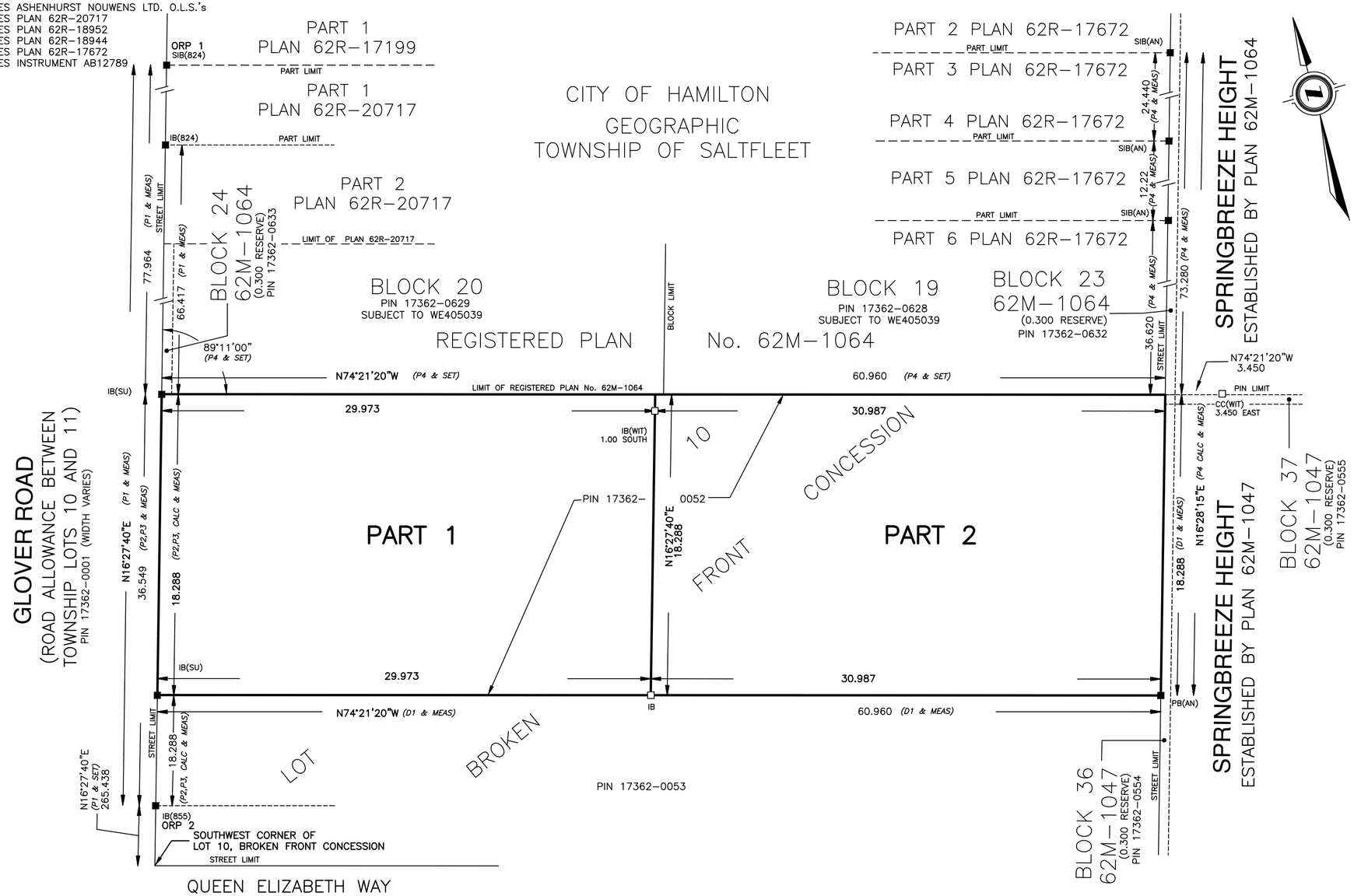
OBSERVED REFERENCE POINTS (ORPs) DERIVED FROM G.N.S.S. OBSERVSTIONS USING REAL TIME NETWORK (RTN). U.T.M. ZONE 17, NAD83 (CSRS) EPOCH(2010). COORDINATES TO URBAN ACCURACY PER SEC. 14(2) OF O.REG. 216/10

POINT ID	NORTHING	EASTING
ORP 1	4787126.19	607644.52
ORP 2	4787016.40	607612.08

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

PART SCHEDULE			
PART	LOT	CONCESSION/PLAN	P.I.N.
1	PART OF LOT 10	BROKEN FRONT CONCESSION	ALL OF 17362–0052
2			

PARTS 1 AND 2 , COMPRISE ALL OF PIN 17362–0052



PLAN 62R-22364

Received and deposited

July 11th, 2024

Monica Canas

Representative for the Land Registrar for the Land Titles Division of Wentworth (No.62)

PLAN OF SURVEY
OF PART OF
LOT 10, BROKEN FRONT CONCESSION
(GEOGRAPHIC TOWNSHIP OF SALTFLEET)
NOW IN THE
CITY OF HAMILTON

SCALE 1:200

5 4 3 2 1 0 5 10

SCALE IN METRES

THE INTENDED PLOT SIZE OF THIS PLAN IS 760mm IN WIDTH BY 355mm IN HEIGHT WHEN PLOTTED AT A SCALE OF 1:200

2024
ARCHIBALD, GRAY & McKAY LTD.
ONTARIO LAND SURVEYORS

METRIC: 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 LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.

2) THE SURVEY WAS COMPLETED ON THE 17TH, JUNE, 2024

JULY 9, 2024

JUAN D. ZAPATA
ONTARIO LAND SURVEYOR

THIS PLAN OF SURVEY IS RELATED TO AOLS PLAN SUBMISSION FORM NUMBER V80754

AGM PLAN • SURVEY • ENGINEER
ARCHIBALD, GRAY & McKAY LTD.
3514 WHITE OAK ROAD, LONDON, ON, N6E 2Z9
PHONE 519-685-5300 FAX 519-685-5303
EMAIL info@agm.on.ca WEB www.agm.on.ca

DRAWN BY: MP	DIGITAL FILE: HC2401RP2.dwg	PLAN No: 2-A-5553
CHECKED BY: JDZ		
Plot date: Jul 09, 2024	FILE No: HAM–BF–10–1	

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Zelinka Priamo Ltd.
LAND USE PLANNERS

March 6, 2026 *Sent via e-mail*

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

RE: **Application for Consent to Sever (New Residential Lot)**
486 Glover Road
Stoney Creek, ON
Our File: **WLW/STO/22-01**

Zelinka Priamo Ltd., on behalf of 2452593 Ontario Inc., is pleased to resubmit the Consent to Sever Application for the lands known municipally as 486 Glover Road (hereinafter referred to as the "subject lands").

BACKGROUND INFORMATION

A Consent Application for the subject lands was conditionally approved on February 13, 2024 (File # SC/B-23:91). This approval was subject to satisfying a total of nine conditions by February 16, 2026. Most of the consent conditions were satisfied; however, a few remain outstanding, including the approval of the engineering plan, the preparation and registration of an Agreement, and the processing of fees, which are typically cleared after all other conditions are satisfied.

Since the original Consent application lapsed on February 16, 2026, a duplicate Consent application is resubmitted in order to proceed with finalizing the previously approved conditions for the subject lands.

Enclosed are copies of the clearance letters for the original consent conditions, which include clearance from the Zoning Department (Annex A), Building Department (Annex B), and Cultural Heritage Department (Annex C).

318 Wellington Road, London, ON, N6C 4P4
TEL (519) 474-7137 Email: zp@zpplan.com

THE SUBJECT LANDS AND SURROUNDING LAND USES

The subject lands are a through-lot located on the west side of Glover Road, approximately 115m south of the intersection with Watercrest Drive (Figure 1). These lands have a lot area of approximately 1,117.9 m^2, a lot frontage of approximately 18.3 m along Glover Road and Springbreeze Heights, and a lot depth of approximately 61.0 m.

Figure 1 – Location of the Subject Lands (outlined in red)



The westerly portion of the subject lands (i.e. lands to be retained) currently consists of a single-storey, detached dwelling and a shed, which was originally a detached garage (see Figures 2 and 3, next page), and the majority of the easterly portion (i.e. lands to be severed) is vacant and contains a small portable shed.

Originally, the detached garage partially encroached on the proposed lands to be severed. Additionally, two accessory buildings were located on the proposed severed lands. However, the detached garage has been partially demolished so that it now entirely falls within the retained lands, and the accessory structures on the lands to be severed have already been removed. The relevant consent condition from the original Consent Application # SC/B-23:91 has been cleared by the Zoning Department (refer to the enclosed Annex A).

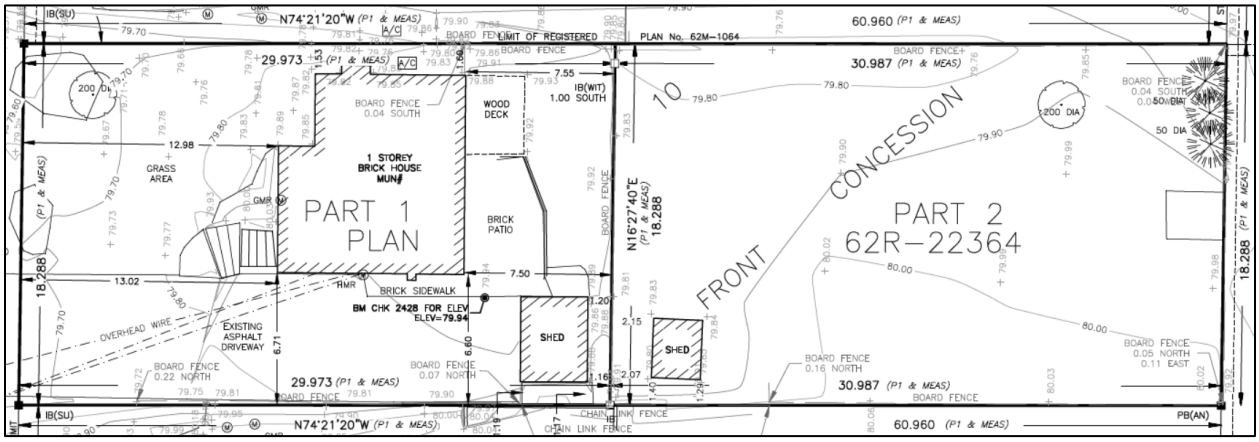
A single-lane driveway along the southerly property line provides vehicular access to the subject lands from Glover Road, leading to the existing detached garage.

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TEL (519) 474-7137 Email: zp@zpplan.com

Figure 2 – Existing single-detached dwelling (looking east on Glover Road)



Figure 3 – Topographical survey showing location of the existing structures (excerpt)



Surrounding land uses consist of:

- North: Single-detached dwellings abutting the subject lands. Further north are low-density residential uses;
- South: Single-detached dwelling abutting the subject lands. Further south are low- and medium-density residential uses and an Open Space with a stormwater management pond;
- East: East of Springbreeze Heights are low-density residential uses. Further east are low-density residential uses; and,
- West: West of Glover Road are low-density residential uses and southwest are low- and medium-density residential uses. Further west are low-density residential uses.

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TEL (519) 474-7137 Email: zp@zpplan.com

The subject lands are designated "*Neighbourhoods*" in the Urban Hamilton Official Plan, and designated "*Low Density Residential 2b*" in the Urban Lakeshore Area Secondary Plan. The subject lands are currently zoned "*Low Density Residential (R1) Zone*" in the Hamilton Zoning By-law 05-200.

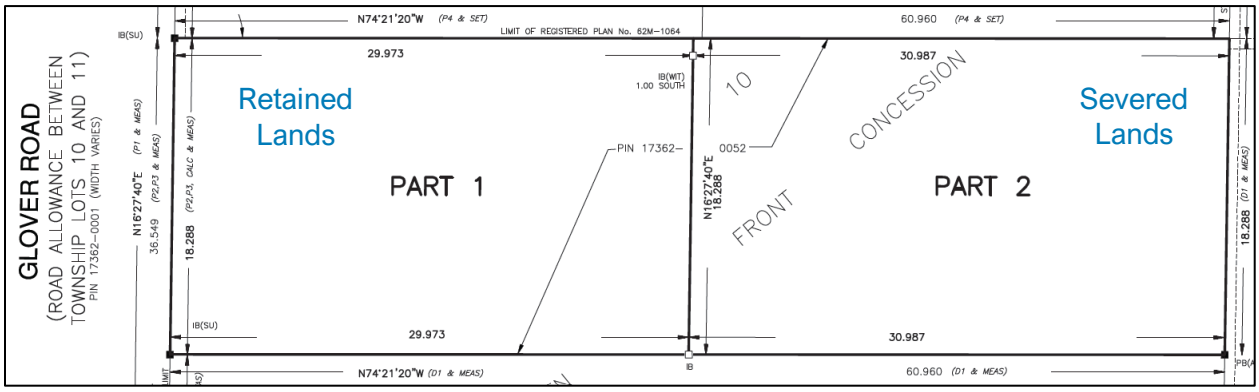
THE PROPOSAL

The subject lands are proposed to be severed to create one new lot to facilitate the construction of a single-detached dwelling on the severed lot. Though detailed conceptual and elevation plans have not yet been prepared for the proposed single-detached dwelling on the severed lands, it is anticipated to be consistent with the characteristics of the surrounding context. Vehicular and pedestrian access to the severed lot is proposed from Springbreeze Heights.

No changes are proposed for the existing single-storey, single-detached dwelling on the retained parcel, which will maintain its vehicular and pedestrian accesses.

The retained lands are proposed to have a lot frontage of approximately 18.3m, a lot depth of approximately 30.0m, and a lot area of approximately 548.1m^2; and the severed lands are proposed to have a lot frontage of approximately 18.3m, a lot depth of approximately 31.0m, and a lot area of approximately 567m^2 (Figure 3).

Figure 3 – Deposited R-plan (excerpt)



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PLANNING CONSIDERATIONS

The subject lands are designated "*Neighbourhoods*" in the Urban Hamilton Official Plan, and designated "*Low Density Residential 2b*" in the Urban Lakeshore Area Secondary Plan. According to Section 1.14.3.1 of the Chapter F – Implementation of the Urban Hamilton Official Plan, consent to create a new lot is permitted within "*Neighbourhoods*" designation, provided that:

a) *"The lots comply with the policies of this Plan, including secondary plans, where one exists;* and *b) The lots comply with existing Neighbourhood Plans.*

The proposed severance would result in residential lots that comply with the policies of the "*Neighbourhoods*" designation in the Urban Hamilton Official Plan, and with the "*Low Density Residential 2b*" designation in the Urban Lakeshore Area Secondary Plan. The lands to be retained will maintain their current residential use, and the lands to be severed are future planned for residential use, which is a permitted use within the "*Neighbourhoods*" and "*Low Density Residential 2b*" designations.

c) *The lots are in conformity with the Zoning By-law or a minor variance is approved;*

The subject lands are zoned "*Low Density Residential (R1) Zone*" and the proposed lots (retained and severed) fully conform to the zoning regulations of the Hamilton Zoning By-law 05-200, providing the required minimum lot areas and lot frontages for both lots and adequate setback, height, parking spaces, and lot coverage for the existing single-detached dwelling on the lands to be retained.

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 severance will result in lots that are consistent with the surrounding area in terms of pattern and lot size and frontage, having no significant undue conditions on adjacent properties or on the street character. The existing single-detached dwelling will remain in the lands to be retained, which fully conforms to the zoning regulations of the Hamilton Zoning By-law.

e) *The lots are fully serviced by municipal water and wastewater systems; and,* e) *The lots have frontage on a public road."*

The retained lands are fully serviced by municipal water and sanitary sewage systems and front on a public road. The severed lands are proposed to be connected to existing municipal services and will also front on a public road.

As discussed above, the proposed severance meets the criteria for lot creation within the "*Neighbourhoods*" designation. Moreover, the proposal is consistent with the 2024 Provincial Planning Statement. The subject lands are within the settlement area, which is the focused area for growth and development (Section 2.3.1.1). The proposed severance to facilitate the construction of a single-detached dwelling is a soft infill on underutilized lands, which is aligned

318 Wellington Road, London, ON, N6C 4P4
TEL (519) 474-7137 Email: zp@zpplan.com

with the direction for intensification within built-up areas (Section 2.3.1.4), while providing additional housing to meet projected needs of current and future residents (Section 2.2.1).

CONCLUSION

As demonstrated above, the proposed severance is consistent with the applicable policies of the Provincial Planning Statement and maintains the intent and purpose of the Urban Hamilton Official Plan, the Urban Lakeshore Area Secondary Plan, and the City of Hamilton Zoning By-law. Furthermore, the requested consent to sever will not create any significant undue conditions on the subject lands, or neighbouring uses, while providing a compatible residential lot fabric in the area.

SUBMISSION MATERIALS

As per the submission requirements for a Consent to Sever application, please find the following materials submitted digitally (PDF format) in support of the application:

- Completed Consent application form and authorizations;
- Cheque made payable to “The City of Hamilton” in the amount of $3,565.00 for the Consent Application Fee;
- Deposited R-plan; and,
- Consent Sketch (with site data table).

We trust that the enclosed information is complete and satisfactory, and look forward to a timely approval process. Should you have any questions or require additional information, please feel free to contact our office.

Yours very truly,

ZELINKA PRIAMO LTD.

Danieli Sikelero Elsenbruch
Intermediate Planner

cc. The client (via email)

318 Wellington Road, London, ON, N6C 4P4
TEL (519) 474-7137 Email: zp@zpplan.com

ANNEX A

Zoning Department Clearance Letter

318 Wellington Road, London, ON, N6C 4P4
TEL (519) 474-7137 Email: zp@zpplan.com

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

February 10, 2025

FILE: ZCR-26-019
ATTENTION OF: Kayla Medeiros
TELEPHONE NO: (905) 546-2424 ext. 5867

Zelinka Priamo Ltd. c/o Danieli Sikelero Elsenbruch
[redacted]

Attention:

Re: APPLICABLE LAW REVIEW – ZONING BYLAW (CLEARANCE OF ZONING CONDITIONS)
Present Zoning: R1 (Low Density Residential), Hamilton Zoning By-law 05-200
Address: 486 Glover Road, Stoney Creek

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

COMMENTS:

This application was made in order to facilitate the clearance of conditions (Condition #5 and #6) of lands severance application SC/B-23:91 which was approved by Committee of Adjustment on February 13, 2024.

1. Demolition Permit No. 25-103080, to partially demolish a detached garage in the rear yard of a single family dwelling and altering the size from altering the size from 54.7m² to 14.29m² has been closed. Note that the other two structures were removed under this building permit. As such, **Conditions #5 and #6** of Land Severance application SC/B-23:91 can be **cleared**.

Yours truly

Kayla Medeiros

for the Manager of Zoning and Committee of Adjustment

ANNEX B

Building Department Clearance Letter

318 Wellington Road, London, ON, N6C 4P4
TEL (519) 474-7137 Email: zp@zpplan.com

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Building Division
71 Main Street West – 3RD Floor
Hamilton, Ontario, Canada, L8P 4Y5
Phone: 905.546.2720 Fax: 905.546.2764
www.hamilton.ca

FILE NO: **26-500006-00 OBC**
COA #: **SC/B-23:91**
ATTENTION OF: Danieli Sikelero
TELEPHONE NO: [redacted]

.

Date Feb 12 2026

Danieli Sikelero
[redacted]

Dear Danieli,

RE: 486 Glover Rd

An Ontario Building Code Compliance Review request letter was received by our department on February 12th 2026. This application was submitted to determine if the spatial separation distances of the existing structure would be in compliance with the Ontario Building Code (Condition #9) with respect to the location of the proposed new property line.
We are pleased to inform you that the location of the existing structure is deemed to be in compliance with the Ontario Building Code. Therefore, Condition #9 of your Committee of Adjustment Land Severance Application SC/B-23:91 has been satisfied.
If you have any further questions, please feel free to contact our office.

Yours very truly,
Ryan Allison
Plans Examiner

ANNEX C

Cultural Heritage Department Clearance Letter

318 Wellington Road, London, ON, N6C 4P4
TEL (519) 474-7137 Email: zp@zpplan.com

Danieli Sikelero - Zelinka Priamo Ltd.

From: Oldfield, Meg <Meg.Oldfield@hamilton.ca>
Sent: January 23, 2026 9:20 AM
To: Danieli Sikelero - Zelinka Priamo Ltd.; Kobelak, Anna
Cc: Cultural Heritage Planning; Committee of adjustment
Subject: RE: Impending Lapse of Consent Application - SC/B-23:91 - 486 Glover Road, Stoney Creek

Great thanks Danieli, very much appreciated.

@Kobelak, Anna Condition number 4 is cleared.

Best,

Meg Oldfield
Cultural Heritage Planner
Planning and Economic Development
City of Hamilton
(905) 546-2424 Ext. 7163
Hamilton

From: Danieli Sikelero - Zelinka Priamo Ltd. [redacted]
Sent: Friday, January 23, 2026 9:18 AM
To: Oldfield, Meg <Meg.Oldfield@hamilton.ca>
Cc: Kobelak, Anna <Anna.Kobelak@hamilton.ca>; Cultural Heritage Planning <CulturalHeritagePlanning@hamilton.ca>; Committee of adjustment <cofa@hamilton.ca>
Subject: RE: Impending Lapse of Consent Application - SC/B-23:91 - 486 Glover Road, Stoney Creek

Good morning Meg,

Please find attached a copy of the report.

Feel free to contact me if you have any questions or require additional information.

Thanks,

Danieli Sikelero Elsenbruch *(she/her)*
Intermediate Planner
Zelinka Priamo Ltd.
[redacted]

From: Oldfield, Meg <Meg.Oldfield@hamilton.ca>
Sent: January 23, 2026 9:11 AM
To: Danieli Sikelero - Zelinka Priamo Ltd. [redacted]
Cc: Kobelak, Anna <Anna.Kobelak@hamilton.ca>; Cultural Heritage Planning <CulturalHeritagePlanning@hamilton.ca>; Committee of adjustment <cofa@hamilton.ca>
Subject: RE: Impending Lapse of Consent Application - SC/B-23:91 - 486 Glover Road, Stoney Creek

Good morning,

Staff require a copy of the completed Stage 1-2 archaeological assessment in order to clear the condition.

Thank you,

Meg Oldfield
Cultural Heritage Planner
Planning and Economic Development
City of Hamilton
(905) 546-2424 Ext. 7163

Hamilton

From: Kobelak, Anna <Anna.Kobelak@hamilton.ca>
Sent: Thursday, January 22, 2026 2:54 PM
To: Cultural Heritage Planning <CulturalHeritagePlanning@hamilton.ca>
Cc: [redacted]; Committee of adjustment <cofa@hamilton.ca>
Subject: FW: Impending Lapse of Consent Application - SC/B-23:91 - 486 Glover Road, Stoney Creek

Good afternoon,

Please assist Danieli with clearing condition #4 for the referenced file.

Thank you in advance.

Best Regards,

Anna Kobelak

Assistant Secretary, Committee of Adjustment

Planning and Economic Development

City of Hamilton

(905) 546-2424 ext. 5498

Hamilton

From: Nikolic, Tara <Tara.Nikolic@hamilton.ca>
Sent: Thursday, January 22, 2026 1:59 PM
To: Committee of adjustment <cofa@hamilton.ca>
Subject: Re: Impending Lapse of Consent Application - SC/B-23:91 - 486 Glover Road, Stoney Creek

Hi Anna,

Cultural Heritage would be clearing this condition.

Thanks,

Tara Nikolic

Planning Technician I - Development Planning, East Team

Planning and Economic Development

Planning Division, City of Hamilton

(905)546-2424 ext.8153

Hamilton

From: Committee of adjustment <cofa@hamilton.ca>
Sent: Thursday, January 22, 2026 1:44 PM
To: Nikolic, Tara <Tara.Nikolic@hamilton.ca>
Cc: Vrooman, Tim <Tim.Vrooman@hamilton.ca>
Subject: FW: Impending Lapse of Consent Application - SC/B-23:91 - 486 Glover Road, Stoney Creek

Hello Tara,

Wanted to confirm whether development planning would be clearing condition 4 for the referenced file.

If so, the applicant has submitted information in reference to the condition.

Best Regards,

Anna Kobelak

Assistant Secretary, Committee of Adjustment

Planning and Economic Development

City of Hamilton

(905) 546-2424 ext. 5498

Hamilton

From: Danieli Sikelero - Zelinka Priamo Ltd. [redacted]
Sent: Wednesday, January 21, 2026 3:14 PM
To: Committee of adjustment <cofa@hamilton.ca>
Subject: RE: Impending Lapse of Consent Application - SC/B-23:91 - 486 Glover Road, Stoney Creek

Hi Anna,

Please find attached the Ministry letter and correspondence from the Building Department.

Thanks,

Danieli Sikelero Elsenbruch *(she/her)*

Intermediate Planner

Zelinka Priamo Ltd.

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

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 site sketch and general information in the Submission Requirements and Information document.

1. APPLICANT INFORMATION

	NAME	MAILING ADDRESS
Purchaser*		[redacted]
Registered Owner(s)	2452593 ONTARIO INC. (Mohamed Abou-Hussein)	
Applicant(s)**	Same as owner	
Agent or Solicitor	Zelinka Priamo Ltd. c/o Danieli Sikelero Elsenbruch	

Please include contact person's name if applying as a company or organization.
*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 authorization 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 card over phone*
☑ Cheque

*Must provide phone number above

2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	486 Glover Road		
Assessment Roll Number	2503100 - 02017600		
Former Municipality	Stoney Creek		
Lot	10	Concession	BROKEN FRONT SALTFLEET , AS IN AB12789
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:

N/A

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 (including any proposed easements):
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 Lands	Severed Lands			
Type of Transfer	N/A	Creation of new lot			
Frontage	18.3	18.3			
Depth	30	31			
Area	548.1	567			
Existing Use	Residential	Residential			
Proposed Use	Residential	Residential			
Existing Buildings/ Structures	1 single-detached dwelling and 1 shed	Future single-detached dwelling			
Proposed Buildings/ Structures	N/A	1 single detached dwelling			
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): _____

Rural Settlement Area: _____

Urban Hamilton Official Plan designation (if applicable) Neighbourhoods

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

Please refer to the enclosed letter

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

☐ Yes ☑ No ☐ Unknown

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

_____

5.3 What is the existing zoning of the subject land? Low Density Residential (R1) Zone

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)	☐	500m, Business Park
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.

Consent application SC/B-23:91. Granted, but lapsed on February 16, 2026

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

There are no changes to the original submission.

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?

Since May 25, 2022

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)

Please refer to the enclosed letter

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

☑ Yes ☐ No (Provide explanation)

Please refer to the enclosed letter

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

☐ Yes ☑ No (Provide explanation)

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

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

7.6 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

- [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

_____

_____

STAFF COMMENTS

HEARING DATE: April 30, 2026

Hamilton

B-26:007 — 486 Glover Road, Stoney Creek

Recommendation:

Approve — Development Planning

Proposed Conditions:

1. The owner shall submit a deposited Ontario Land Surveyor's Reference Plan to the Committee of Adjustment Office, unless exempted by the Land Registrar. The reference plan must be submitted in pdf and also submitted in CAD format, drawn at true scale and location and tied to the city corporate coordinate system. (Committee of Adjustment Section)

2. The owner shall pay any outstanding realty taxes and/or all other charges owing to the City Treasurer. (Committee of Adjustment Section)

3. The owner submits to the Committee of Adjustment office an administration fee, payable to the City of Hamilton, to cover the costs of setting up a new tax account for each newly created lot. (Committee of Adjustment Section)

4. The owner/applicant shall demolish the accessory building on the lands to be lands to be conveyed to the satisfaction of the Planning and Economic Development Department (Planning Division – Zoning Review Section), or alternatively apply for and receive final approval of the appropriate Planning Act application in order for the accessory building to remain when no principal use is existing (Planning Division – Zoning Review Section). **NOTE: If a demolition permit is required, the permit shall have a status of either "Review", "Issued", or "Closed" in order for this condition to be cleared by the Zoning Review Section.**

5. The owner/applicant shall submit survey evidence that the lands to be retained, including the location of any existing structure(s), parking, landscaping and lot coverage conform to the requirements of the Zoning By-Law or alternatively apply for and receive final approval of the appropriate Planning Act application in order to seek relief from the requirements of the Zoning By-law (Planning Division – Zoning Review Section).

6. The owner shall comply with Ontario Building Code requirements regarding spatial separation distances of any structures. Compliance to be confirmed by the Planning and Economic Development Department (Building Division – Plans Examination Section)

7. That the Owner must enter into with the City of Hamilton and register, a **Consent Agreement**, having an administrative fee of **$5,370.00** (includes grading plan review) to address issues

Hamilton

including but not limited to: lot grading and drainage to a suitable outlet on the conveyed and retained parcels (detailed grading plan required), erosion and sediment control measures (to be included on the grading plan); cash payment requirements for items such as any outstanding servicing cost for the existing municipal services adjacent to the property, street trees (City policy requires one (1) street tree/lot, inspection of grading, stormwater management infrastructure and securities for items that may include: lot grading ($10,000.00 grading security), water and sewer services inspections, driveway approaches, relocation of any existing infrastructure (such as hydrants) and any damage during construction (unknown costs at this time), to the satisfaction of the City's Director of Development Engineering.

8. The Owner shall submit a Grading Plan and Servicing Plan in accordance with City Standards. (Development Engineering)

9. The Owner shall submit a Stormwater Management Brief to demonstrate how the stormwater runoff will be handled in accordance with City and MECP standards. (Development Engineering)

10. Currently, there is an existing 0.3m reserve along the frontage of the property on Springbreeze Heights. The Owner shall prepare a Reference Plan identifying the portion of Block 37 (0.3m reserve) on registered plan 62M-1047 to be lifted. (Development Engineering)

Proposed Notes:

We ask that the Owner agrees to physically affix the municipal numbers or full addresses to either the buildings or on signs in accordance with the City's Municipal Addressing By-law and Sign By-law, in a manner that is clearly visible from the road. (Legislative Approvals)

In order to clear conditions, the applicant will be required to make application for Ontario Building Code compliance and pay the relevant fees (Building Engineering)

Hamilton

Development Planning:

Background

The purpose of the application is to permit the severance of a parcel of land to create a new residential building lot. The severed lands will contain a proposed single-detached dwelling, and the retained lands will contain the existing single-detached dwelling and shed which are intended to remain.

Staff note that the subject lands received conditional approval of a severance on February 13, 2024 (SC/B:23-91). The previous application has lapsed in approval due to not all conditions being cleared within two years of conditional approval.

The lands are to be conveyed as follows:

	Frontage	**Depth**	**Area**
SEVERED LANDS:	18.3 m±	31 m±	567 m² ±
RETAINED LANDS:	18.3 m±	30 m±	548.1 m² ±

Urban Hamilton Official Plan

The subject property is designated “Neighbourhoods” on Schedule E-1 – Urban Land Use Designations of the Urban Hamilton Official Plan. Policy E.3.2.3 a) permits residential dwellings, including second dwelling units and housing with supports. Policy E.3.4.3 permits single-detached, semi-detached, duplex, triplex, fourplex and street townhouse dwellings. The subject property is identified to be within the Urban Lakeshore Area Secondary Plan found in Volume 2 of the UHOP. Based on the above Volume 1 policies the subject lands permit the existing and proposed single detached dwellings subject to performance criteria of the applicable Zoning By-law.

Urban Lakeshore Area Secondary Plan

The subject property is further designated “Low Density Residential 2b” on Map B.7.3-1 – Urban Lakeshore Area Secondary Plan – Land Use Plan. In accordance with Policy B.1.5 a), Policy E.3.4.3 of Volume 1 shall apply for the purposes of permitted density ranges, built form, and height. Based on the forgoing the proposal complies with the Urban Lakeshore Area Secondary Plan.

Trillium Neighbourhood Plan

Hamilton

The subject property is identified as “Low Density Residential” in the Trillium Neighbourhood Plan which permits the existing and proposed use.

The proposal is considered residential intensification in accordance with the Urban Hamilton Official Plan. Staff have completed an analysis of the proposal against Policies B.2.4.1.4 and B.2.4.2.2 and are satisfied that the proposed severance conforms to the residential intensification policies. The proposed severance is compatible with the scale and character of the neighbourhood, maintains the general streetscape pattern, and considers the relationship of the proposed lots with existing development.

The following Official Plan policy applies to consent applications to create a new lot:

“F.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;

b) The lots comply with existing Neighbourhood Plans;

c) The lots are in conformity with the Zoning By-law or a minor variance is approved;

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;

e) The lots are fully serviced by municipal water and wastewater systems; and,

f) The lots have frontage on a public road.”

Staff have completed an analysis of the lot creation policies of Policy F.1.14.3.1 and are of the opinion that the proposed severance conforms to the above noted policies. The proposed lots reflect the general scale and character of the established development pattern in the surrounding area. The subject lands are within the Urban Lakeshore Area Secondary Plan and comply with the applicable policies. The subject lands are identified as being within the Trillium Neighbourhood Plan as Low Density Residential which allows the proposed development of Single Detached Dwellings. The proposed lots appear to be zoning compliant with respect to lot area and lot width. Development Planning staff defer to Zoning staff to verify if a condition to determine zoning compliance is necessary for the newly proposed lots. The proposed lots have frontage on a public road (Glover Road and Springbreeze Heights). Planning Staff defer to Development Engineering staff on any concerns related to servicing, with respect to F.1.14.3.1 e). Accordingly, the proposed severance complies with the Urban Hamilton Official Plan.

Hamilton

Archaeology

The subject property meets five (5) of the ten criteria used by the City of Hamilton and Ministry of Citizenship and Multiculturalism for determining archaeological potential:

1) Within 250 metres of known archaeological sites;
2) Within 300 metres of a primary watercourse or permanent waterbody, 200 metres of a secondary watercourse or seasonal waterbody, or 300 metres of a prehistoric watercourse or permanent waterbody;
3) In an area of sandy soil in areas of clay or stone;
4) In areas of pioneer Euro-Canadian settlement; and,
5) Along historic transportation routes.

These criteria define the property as having archaeological potential. Accordingly, Section 2 (d) of the Planning Act and Section 4.6.2 of the Provincial Planning Statement apply to the subject application.

A Stage 1-2 (P1289-0512-2024) archaeological report for the subject property were submitted to the City and the Ministry of Citizenship and Multiculturalism. The Province confirmed receipt of the report in a letter dated October 18, 2024. Staff is of the opinion that the municipal interest in the archaeology of this portion of the site has been satisfied.

Cultural Heritage

No comments.

City of Hamilton Zoning By-law No. 05-200

The subject property is zoned as Low Density Residential (R1) Zone in Zoning By-law No. 05-200. The (R1) Zone permits the existing and proposed single detached dwellings subject to conditions.

Analysis

Severance

Based on the above analysis, the proposed severance conforms to the policies of the Urban Hamilton Official Plan. Development Planning staff are of the opinion that the lots are well integrated within the existing neighbourhood and represent a compatible form of residential intensification in keeping with the existing neighbourhood character and streetscape.

Based on the forgoing analysis staff recommend the **approval of the severance** as it conforms to the Urban Hamilton Official Plan.

Hamilton

Zoning:

Recommendation:	Comments and Conditions/Notes
Proposed Conditions:	1. The owner/applicant shall demolish the accessory building on the lands to be lands to be conveyed to the satisfaction of the Planning and Economic Development Department (Planning Division – Zoning Review Section), or alternatively apply for and receive final approval of the appropriate Planning Act application in order for the accessory building to remain when no principal use is existing (Planning Division – Zoning Review Section). **NOTE: If a demolition permit is required, the permit shall have a status of either "Review", "Issued", or "Closed" in order for this condition to be cleared by the Zoning Review Section.** 2. The owner/applicant shall submit survey evidence that the lands to be retained, including the location of any existing structure(s), parking, landscaping and lot coverage conform to the requirements of the Zoning By-Law or alternatively apply for and receive final approval of the appropriate Planning Act application in order to seek relief from the requirements of the Zoning By-law (Planning Division – Zoning Review Section).
Comments:	1. Any future development shall be subject to the current zone regulations of this property. 2. Please be advised that Planning Act approvals may be required if a road widening and/or daylight triangle dedication is required as part of this application. 3. The owner/applicant should obtain an appropriate municipal address for the proposed parcel(s) from the Legislated Approvals and Staging of Development Section of the Planning and Economic Development Department prior to the issuance of a building permit. 4. In order to clear conditions, the owner/applicant will be required to make application for a Zoning Compliance Review and pay the relevant fees.
Notes:	

Development Engineering:

Recommendation:	Approve with Conditions
Proposed Conditions:	1. That the Owner must enter into with the City of Hamilton and register, a **Consent Agreement**, having an administrative fee of **$5,370.00** (includes

Hamilton

	grading plan review) to address issues including but not limited to: lot grading and drainage to a suitable outlet on the conveyed and retained parcels (detailed grading plan required), erosion and sediment control measures (to be included on the grading plan); cash payment requirements for items such as any outstanding servicing cost for the existing municipal services adjacent to the property, street trees (City policy requires one (1) street tree/lot, inspection of grading, stormwater management infrastructure and securities for items that may include: lot grading ($10,000.00 grading security), water and sewer services inspections, driveway approaches, relocation of any existing infrastructure (such as hydrants) and any damage during construction (unknown costs at this time), to the satisfaction of the City's Director of Development Engineering. 2. The Owner shall submit a Grading Plan and Servicing Plan in accordance with City Standards. 3. The Owner shall submit a Stormwater Management Brief to demonstrate how the stormwater runoff will be handled in accordance with City and MECP standards. 5. Currently, there is an existing 0.3m reserve along the frontage of the property on Springbreeze Heights. The Owner shall prepare a Reference Plan identifying the portion of Block 37 (0.3m reserve) on registered plan 62M-1047 to be lifted.
Comments:	According to our records, the existing municipal infrastructure fronting the subject property summarized as follows: **Glover Road** • 300mm ø PVC Watermain • 250mm ø Sanitary Sewer • 1050mm ø Storm Sewer **Springbreeze Heights** • 200mm ø PVC Watermain • 250mm ø Sanitary Sewer • 450mm ø Storm Sewer Separate and independent services shall be provided for each dwelling constructed within each parcel of land in accordance with the current Sewer and Drain and Waterworks By-laws (23-234 and 23-235, respectively).
Notes:	

Hamilton

Building Engineering:

Recommendation:	Comments and Conditions/Notes
Proposed Conditions:	The owner shall comply with Ontario Building Code requirements regarding spatial separation distances of any structures. Compliance to be confirmed by the Planning and Economic Development Department (Building Division – Plans Examination Section)
Comments:	
Notes:	In order to clear conditions, the applicant will be required to make application for Ontario Building Code compliance and pay the relevant fees

Transportation Planning:

Recommendation:	No Comments
Proposed Conditions:	
Comments:	
Notes:	

Ministry of Transportation:

Recommendation:	Comments Only
Proposed Conditions:	
Comments:	The property is within the Ministry's Permit Control Area and requires a Ministry Building and Land Use Permit. Comments from the Ministry's Corridor Section Planner (Usama Ali) are required prior to application approval.
Notes:	

Forestry:

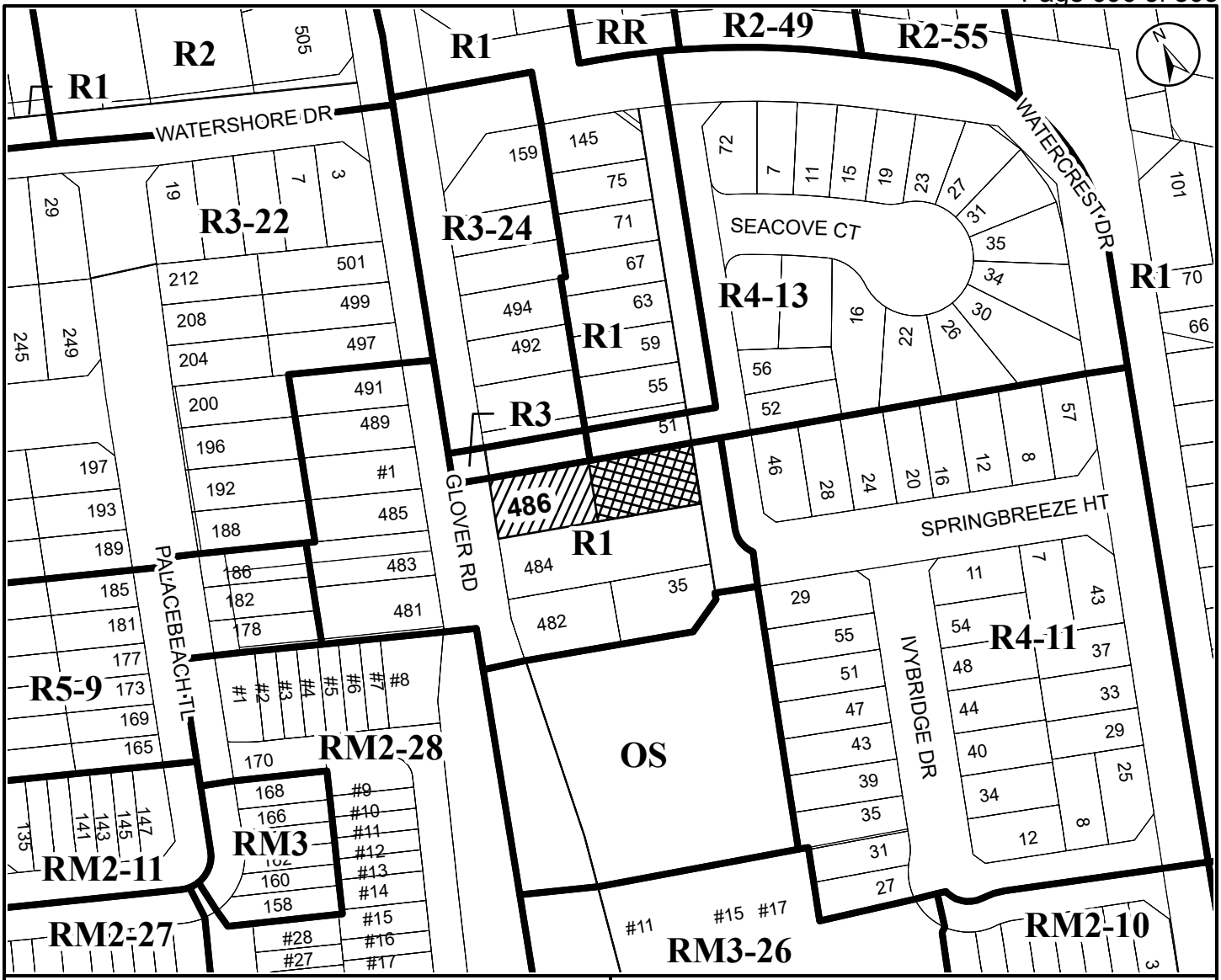
Recommendation:	Approve
Proposed Conditions:	
Comments:	There are no Municipal Tree Assets on site. No public tree permit is required. No Landscape plan required. Forestry has no concerns or conditions regarding this application. For questions please contact: urbanforest@hamilton.ca
Notes:	

Hamilton

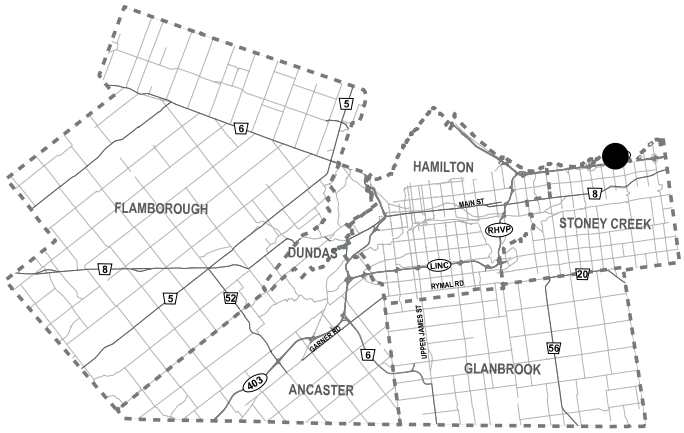
Legislative Approvals:

Recommendation:	Comments and Conditions/Notes
Proposed Conditions:	
Comments:	The lands to be retained (Part 1) will remain as **486 Glover Road (Stoney Creek)**. The lands to be severed (Part 2) will be assigned the address of **47 Springbreeze Heights (Stoney Creek)**.
Notes:	We ask that the Owner agrees to physically affix the municipal numbers or full addresses to either the buildings or on signs in accordance with the City's Municipal Addressing By-law and Sign By-law, in a manner that is clearly visible from the road.

Please Note: Public comment will be posted separately, if applicable.



● **Site Location**



City of Hamilton

Committee of Adjustments

Subject Property

486 Glover Road, Stoney Creek (Ward 10)

Lands to be Retained

Lands to be Severed

Planning and Economic Development Department

File Name/Number:
B-26:007

Date:
April 21, 2026

Technician:
RS

Scale:
N.T.S.

Appendix "A"

Hamilton

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-26:010**	**SUBJECT PROPERTY:**	8 Shoreview Place, Stoney Creek

APPLICANTS:
Owner: Seasons Retirement Communities (Stoney Creek) GP Inc
Applicant: Seasons Retirement Communities (Stoney Creek) GP Inc
Agent: UrbanSolutions Planning & Land Development Consultants Inc

PURPOSE & EFFECT: To sever the existing Mixed Use Commercial lot into two (2) parcels. The severed lands will be a vacant Mixed Use Commercial lot, and the retained lands will contain the existing Retirement Residence which is intended to remain. To establish three (3) easements across the subject lands.

	Frontage	**Depth**	**Area**
SEVERED LANDS & EASEMENT (LANDS TO BE SEVERED AND SUBJECT TO PROPOSED BLANKET EASEMENT FOR STORMWATER MANAGEMENT IN FAVOUR OF LANDS TO BE RETAINED):	45.76 m±	135.492 m±	8,917.99 m^2 ±
RETAINED LANDS & EASEMENT (LANDS TO BE RETAINED AND SUBJECT TO PROPOSED BLANKET EASEMENT FOR STORMWATER MANAGEMENT IN FAVOUR OF LANDS TO BE SEVERED):	80.30 m±	65.88 m±	11,501.72 m^2 ±
EASEMENT (LANDS SUBJECT TO PROPOSED ACCESS EASEMENT IN FAVOUR OF LANDS TO BE RETAINED):	6.75 m±	N/A	337.81 m^2 ±

Associated Planning Act File(s): A-26:057 (Concurrent Minor Variance Application); SC/B-23:97 (Lapsed); SC/A-23:249 (Approved)

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.

B-26:010

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

DATE:	**Thursday, April 30, 2026**
TIME:	**12:00 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 **April 28, 2026**.

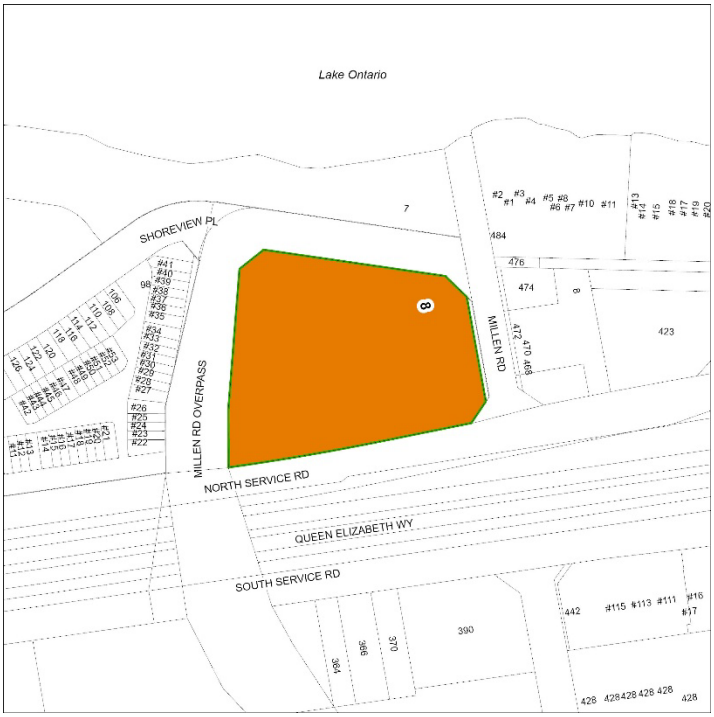
Orally: If you would like to speak to this item at the hearing you may do so via video link, calling in, or attending in person. Please see attached page for complete instructions, registration to participate virtually must be received no later than noon **April 29, 2026**.

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding this matter, 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-26:010



Subject Lands

DATED: April 13, 2026

_____

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.

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

The following information is required with your written submission:

- Committee of Adjustment file number
- Full name and address of the person providing comments. Anonymous comments will not be accepted.

Comments can also be placed in the drop box which is located at the back of the 1st Floor of City Hall, 71 Main Street West. All written comments received by the deadline 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. To register, email cofa@hamilton.ca with the following information:

- Committee of Adjustment file number
- Hearing date
- Full name and address of the person wishing to speak. Anonymous comments will not be accepted.
- 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.

URBAN SOLUTIONS
PLANNING & LAND DEVELOPMENT

March 19, 2026

406-21

Via Email & Delivered

Mr. Justin Leung
Secretary Treasurer, Committee of Adjustment

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

Dear Mr. Leung,

Re: 8 SHOREVIEW PLACE, STONEY CREEK
Consent to Sever & Minor Variance Applications

UrbanSolutions Planning & Land Development Consultants Inc. (UrbanSolutions) is the authorized planning consultant acting on behalf of Seasons Retirement Communities (Stoney Creek) GP Inc., for the lands municipally known as 8 Shoreview Place in the former City of Stoney Creek. On behalf of the owners, please accept the enclosed Consent to Sever and Minor Variance applications

The subject lands are comprised of an irregularly-shaped, 2.04-hectare lot, having frontage on all sides, including Millen Road to the east and west, the North Service Road to the south, and Shoreview Place to the north. The property is surrounded by a range of uses including townhouses, semi-detached dwellings, and residential multiple dwellings. The subject lands are designated *'Neighbourhoods'* in the Urban Hamilton Official Plan Schedule E-1 – Urban Land Use, and zoned *'Mixed Use Commercial (MUC-5)'* in the Former Town of Stoney Creek Zoning By-law No. 3692-92.

Application History

The subject lands were previously subdivided by the South Shore Estates subdivision registered in 1973. This subdivision comprised of 13 lots for high density apartment buildings while only two were ultimately built. In 2010, members of the UrbanSolutions team assisted LiUNA/Fengate in securing an Official Plan Amendment and Zoning By-law Amendment resulting in the current site-specific *Mixed-Use Commercial (MUC-5)* Zone. The previous Official Plan and Zoning By-law Amendment facilitated the existing 9-storey Seasons retirement and memory care facility on the east side of the property.

In November, 2023, the City of Hamilton issued conditional approval of Site Plan Application No. DA-23-012, which contemplated a mixed use building having one 37-storey and one 25-storey tower containing 730 dwelling units and 968 parking spaces. Consent to Sever and Minor Variance applications to permit this previous development proposal were subsequently approved by the Committee of Adjustment on February 13, 2024 (SC/B-23:97 & SC/A-23:349). The development contemplated within DA-23-012 is no longer being pursued and the Consent to Sever application has been intentionally allowed to lapse.

Purpose of the Application

Similar to the previous Consent to Sever application, the purpose of this application is to sever the western portion of the existing lot and establish three (3) easements across the subject lands. The retained lands will continue to accommodate the existing Seasons Retirement Residence and will be subject to a blanket easement for stormwater management in favour of the severed lands. In turn, a reciprocal blanket easement for stormwater management is proposed over the severed lands in favour of the retained parcel, ensuring the continued function and integration of the existing grading and drainage infrastructure across both properties. In addition, a 329.22 m^2 access easement is proposed over the lands to be severed to maintain shared use of the existing westerly driveway access, which is intended to continue serving both parcels.

The location of the proposed severance line has been established with regard for existing site conditions, and the alignment of the proposed lot line ensures that all servicing connections associated with the Seasons Retirement Residence remain entirely within the retained lands. This approach avoids the need for additional servicing easements and avoids the creation of cross-lot servicing conflicts.

The enclosed Committee of Adjustment Sketch illustrates the proposed severance, as well as the location and extent of the required easements described above.

In addition to the proposed severance and easements noted above, a Minor Variance application is required to bring the proposed lot fabric into conformity with the required minimum lot area of the site-specific "MUC-5" Zone. As a result, the requested variances are as follows:

Lands to be Retained

Variance No. 1 – To permit a minimum lot area of 11,500.0 square metres for the lands to be retained, whereas a minimum lot area of 20,400.0 square metres is required.

Lands to be Severed

Variance No. 2 – To permit a minimum lot area of 8,900.0 square metres for the lands to be severed, whereas a minimum lot area of 20,400.0 square metres is required.

As per Section 45(1) of the *Planning Act,* R.S.O, 1990, as amended, applications to the Committee to vary from the Zoning By-law must meet 4 tests as outlined below:

- The proposal meets the general purpose and intent of the Official Plan;
- The proposal meets the general purpose and intent of the Zoning By-Law;
- The variance is minor in nature; and,
- The proposal is desirable for the appropriate development or use of the land.

The subject lands are designated as *Neighbourhoods* in the Urban Hamilton Official Plan which permits the proposed use of the lands. The *Neighbourhoods* designation intends to facilitate compact, mixed-use, transit-friendly neighbourhoods that provide for a range of dwelling types and densities. The proposed variances achieve the policy goals of the *Neighbourhoods* designation as they facilitate intensification on an underutilized parcel while protecting the existing retirement residence and associated parking spaces. The lands to be severed are appropriately sized to accommodate future development supporting a range of densities and uses. Therefore, the requested variances for lot area appropriately implement the Official Plan's policies regarding intensification by providing opportunity for the development of compact urban forms and reinforce the achievement of complete communities. As such, the proposal meets the intent and purpose of the Urban Hamilton Official Plan.

The requested variances are required as the minimum lot area established in the site-specific MUC-5 Zone applicable to the subject lands was originally set to reflect the existing total lot area of the property. This standard was introduced through a previous Zoning By-law Amendment to facilitate the development of the existing retirement residence currently located on the lands. While minimum lot area requirements are generally intended to ensure parcels are appropriately sized to accommodate their intended use and support appropriate stormwater management, the approximate 2-hectare minimum lot area requirement applicable to the subject lands is excessive and not reflective of modern zoning practices implemented through the City of Hamilton Zoning By-law No. 05-200. The modern medium and high-density mixed-use zones typically use development standards such as building height, setbacks, stepbacks, and other metrics to regulate built form rather than establishing a minimum lot area. Minimum lot area requirements are more commonly applied within low-density residential zones where smaller individual parcels are typical. The proposed lot fabric will remain appropriately sized to accommodate medium to high-density mixed-use development and the requested variances are therefore consistent with the intent of modern mixed-use zoning standards and are in keeping with the general purpose and intent of the Stoney Creek Zoning By-law No. 3692-92.

The proposed lot areas for the retained and severed lands remain appropriately sized to accommodate both the existing retirement residence and associated parking on one parcel, and future development on the western lands to be severed. The subject lands in their current state are underutilized, with only 11,830 m^2 of area (58%) being developed with the retirement residence and associated parking area, while the balance of the lands remain undeveloped and have historically been contemplated for a future phase of development. The requested variances will facilitate the severance of the underutilized portion of the lands to ensure the efficient use of the City's available urban land base and support urban infill development having access to municipal services. Importantly, the proposed variances facilitate a lot configuration which has regard for existing servicing infrastructure to ensure that servicing connections for the retained retirement residence remain wholly within the retained parcel and are not impacted, maintaining appropriate servicing and stormwater management functions. As such, the requested variances are deemed to be minor in nature and are desirable for the appropriate development or use of the land.

To assist in the evaluation of the application, please refer to the enclosed Committee of Adjustment Sketch.

The Consent to Sever application satisfies Section 53(1) of the *Planning Act,* R.S.O, 1990, as amended, as a plan of subdivision is not necessary for the proper and orderly development of the subject lands. Further, the requested Minor Variances satisfy the four tests of Section 45(1) of the *Planning Act,* R.S.O, 1990, and represent good land use planning.

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

- One (1) copy of the completed Minor Variance Application form;
- One (1) copy of the completed Consent to Sever Application form;
- One (1) copy of the Committee of Adjustment Sketch, prepared by UrbanSolutions;
- One (1) copy of the Topographic Survey, prepared by A.T. McLaren;
- One (1) cheque in the amount of **$4,135.00** made payable to the City of Hamilton for the Minor Variance Application fee; and,
- One (1) cheque in the amount of **$3,565.00** made payable to the City of Hamilton for the Consent to Sever Application fee.

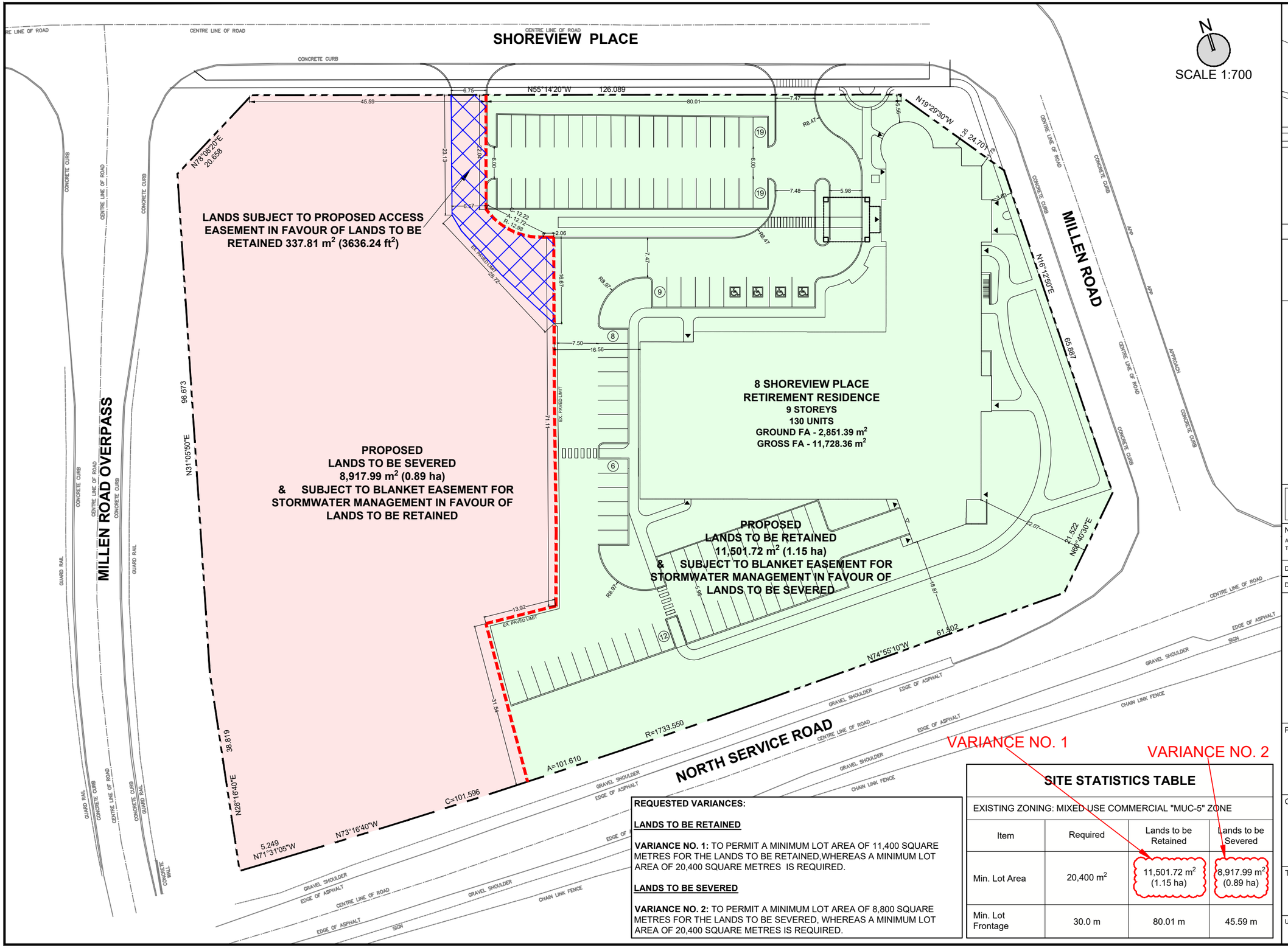
We trust the enclosed is in order; however, please feel free to contact the undersigned with any questions.

Regards,
UrbanSolutions

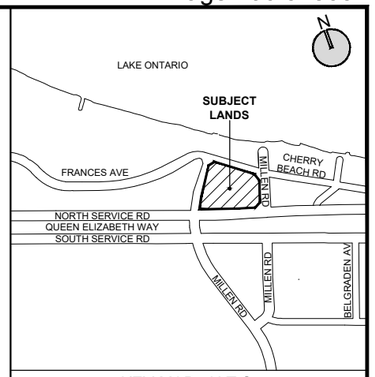
Matt Johnston, MCIP, RPP
Principal

Stefano Rosatone, BES
Planner

cc: Seasons Retirement Communities (Stoney Creek) GP Inc.



SCALE 1:700



KEY MAP - N.T.S.

SCALE 1:700

METRES

0 10 20 30

LEGEND

- SUBJECT LANDS
- PROPOSED SEVERANCE LINE
- LANDS SUBJECT TO PROPOSED ACCESS EASEMENT IN FAVOUR OF LANDS TO BE RETAINED 329.22 m² (3,663.92 ft²)
- LANDS TO BE SEVERED AND SUBJECT TO PROPOSED BLANKET EASEMENT FOR STORMWATER MANAGEMENT IN FAVOUR OF LANDS TO BE RETAINED
- LANDS TO BE RETAINED AND SUBJECT TO PROPOSED BLANKET EASEMENT FOR STORMWATER MANAGEMENT IN FAVOUR OF LANDS TO BE SEVERED

NOT FOR CONSTRUCTION
ISSUED FOR REVIEW & COMMENTS ONLY

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

DESIGN BY: S. ERICKSON	CHECKED BY: M. JOHNSTON
DRAWN BY: L.DRENNAN	DATE: APRIL 2, 2026

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

PROJECT:
8 SHOREVIEW PLACE
CITY OF HAMILTON

CLIENT:
SEASONS RETIREMENT COMMUNITIES (STONEY CREEK) GP INC.

TITLE:
COMMITTEE OF ADJUSTMENT SKETCH

U/S FILE NUMBER:	SHEET NUMBER:
406-21	1

REQUESTED VARIANCES:

LANDS TO BE RETAINED

VARIANCE NO. 1: TO PERMIT A MINIMUM LOT AREA OF 11,400 SQUARE METRES FOR THE LANDS TO BE RETAINED,WHEREAS A MINIMUM LOT AREA OF 20,400 SQUARE METRES IS REQUIRED.

LANDS TO BE SEVERED

VARIANCE NO. 2: TO PERMIT A MINIMUM LOT AREA OF 8,800 SQUARE METRES FOR THE LANDS TO BE SEVERED, WHEREAS A MINIMUM LOT AREA OF 20,400 SQUARE METRES IS REQUIRED.

VARIANCE NO. 1

VARIANCE NO. 2

SITE STATISTICS TABLE

EXISTING ZONING: MIXED USE COMMERCIAL "MUC-5" ZONE

Item	Required	Lands to be Retained	Lands to be Severed
Min. Lot Area	20,400 m²	11,501.72 m² (1.15 ha)	8,917.99 m² (0.89 ha)
Min. Lot Frontage	30.0 m	80.01 m	45.59 m

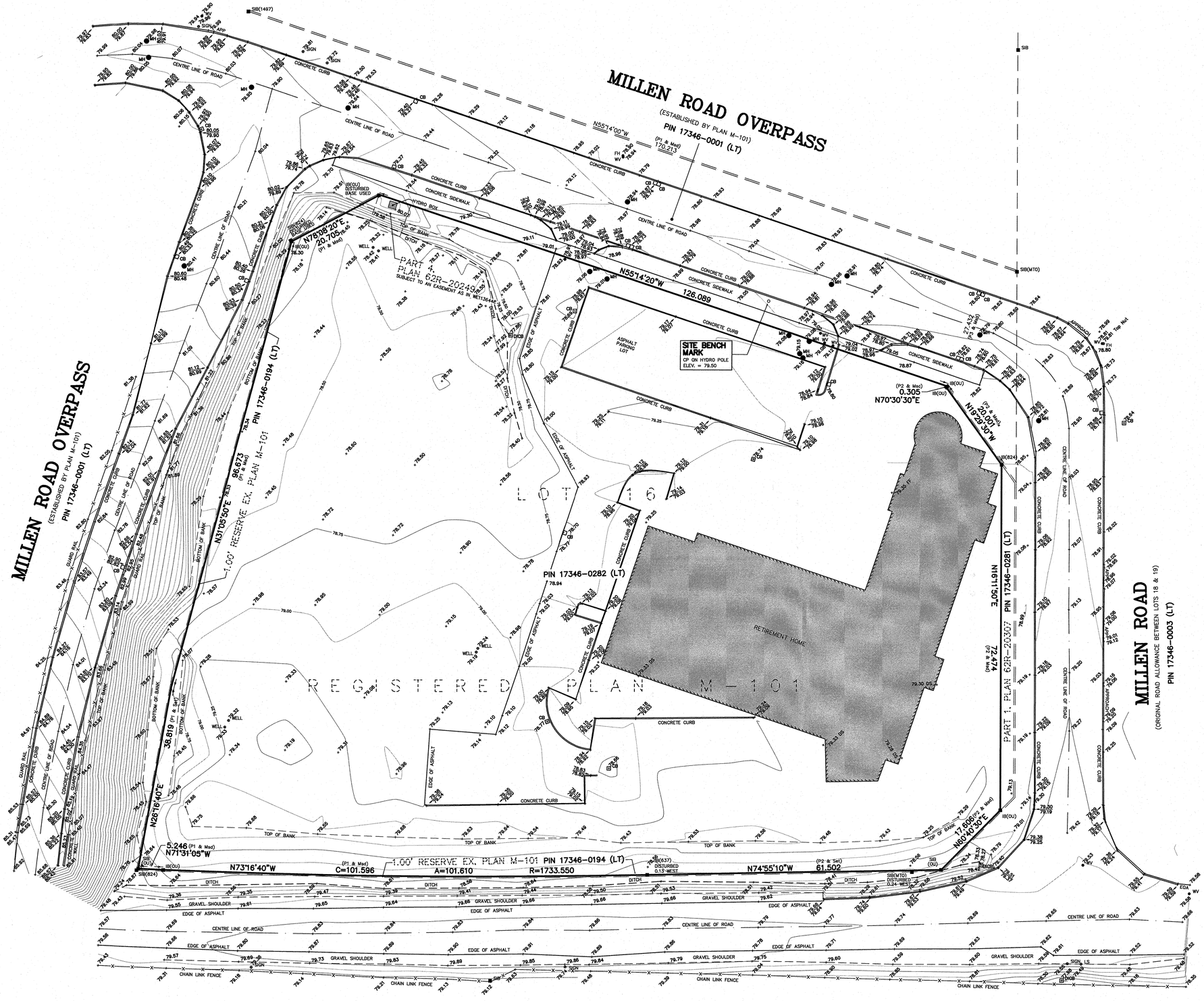
C:\Users\StephenEricksonBACPT\OneDrive - Urban Solutions\Documents - Active Projects\406-21 - 8 Shoreview Place, Stoney Creek\2 - Drawings\1 - UrbanSolutions\CoA\SV-2026\406-21-SV Sketch-2026-04-02.dwg

TOPOGRAPHIC SURVEY
OF
LOT 16
PLAN M101
IN THE
CITY OF HAMILTON

SCALE 1:400 METRIC

8 4 0 8 16 24 metres

R.A. McLAREN, O.L.S. – 2022



LEGEND:

□	•	DENOTES MONUMENT SET
■	•	MONUMENT FOUND
IB	•	IRON BAR
IBIP	•	ROUND IRON BAR
PB	•	PLASTIC BAR
CC	•	CUT CROSS
SIB	•	STANDARD IRON BAR
SSIB	•	SHORT STANDARD IRON BAR
637	•	HAROLD B. ASHENHURST, O.L.S.
824	•	A.T. McLAREN LTD.
1497	•	H.G. ASHENHURST LTD.
BG	•	BARICH GRENKIE SURVEYING LTD.
OU	•	ORIGIN UNKNOWN
WIT	•	WITNESS
Msd	•	MEASURED
P1	•	REGISTERED PLAN M-101
P2	•	PLAN 62R-20307
P3	•	PLAN 62R-18724
MH	•	MANHOLE
CB	•	CATCH BASIN
DICB	•	DITCH INLET CATCH BASIN
FH	•	FIRE HYDRANT
HP	•	HYDRO POLE
U	•	OVERHEAD UTILITIES
APP	•	APPROACH
DS	•	DOOR SILL
FF	•	FIRST FLOOR
ø	•	DIAMETER
//	•	NOT TO SCALE

NOTE:
UNDERGROUND SERVICE AND UTILITY LOCATIONS MUST BE VERIFIED PRIOR TO CONSTRUCTION

INVERTS MUST BE VERIFIED PRIOR TO CONSTRUCTION

BEARING NOTE:
BEARINGS ARE GRID BEARING AND ARE DERIVED FROM HORIZONTAL CONTROL MONUMENTS 00819870515 AND 00919723309 AND ARE REFERRED TO THE NORTH AMERICAN DATUM 1983 3° MTM, ZONE 10, CENTRAL MERIDIAN 79°30' LONGITUDE WEST

00819870515 N=4789614.020 E=283946.638
00919723309 N=4788015.384 E=288599.922

BENCHMARK:
MONUMENT 00819748492

LOCATION: CONCRETE BRIDGE CARRYING MILLEN RD OVER QEW, 1.9 KM WEST OF CARRYING MILLEN RD OVER QEW 1.9 KM WEST OF CONCRETE BRIDGE CARRYING FRUITLAND RD (HAMILTON – WENTWORTH REGIONAL ROAD 55) OVER QEW IN THE TOWN OF STONEY CREEK AND 0.6 KM EAST OF GREEN RD. TABLET IS SET HORIZONTALLY IN NORTH FACE OF SOUTH CONCRETE ABUTMENT, 43 CM EAST OF N.W. CORNER, 34 CM ABOVE CONCRETE APRON AND 38.4 M SOUTH OF CENTRELINE OF EASTBOUND LANE OF QEW.

ELEVATION: 81.830 metres CGVD-1928:1978

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 27th DAY OF OCTOBER, 2022

23NOV2022
DATE

R.A. 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.
JM	KM	JK	1:400	36928

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*

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

1. APPLICANT INFORMATION

	NAME	MAILING ADDRESS
Registered Owner(s)	Seasons Retirement Communities (Stoney Creek) GP Inc.	[redacted]
Applicant(s)	Same as Owner	
Agent or Solicitor	UrbanSolutions Planning & Land Development Consultants Inc. c/o Matt Johnston [UrbanSolutions]	

Please include contact person's name if applying as a company or organization.

1.2 Primary contact ☐ Applicant ☐ Owner ☑ Agent/Solicitor

1.3 Sign should be sent to ☐ Applicant ☐ Owner ☑ Agent/Solicitor

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

If YES, provide email address where sign is to be sent [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 card over phone*

*Must provide phone number above

2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	8 Shoreview Place		
Assessment Roll Number	251800304019200		
Former Municipality	Stoney Creek		
Lot	Lot 16	Concession	
Registered Plan Number	62M-101	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:

Subject to an easement as in WE1136448

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 reduced minimum lot areas for the lands to be retained and lands to be severed.

☐ Additional Dwelling Unit ☐ Reconstruction of Existing Dwelling

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

Existing site-specific zoning limits minimum lot size to existing lot size.

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

☐ Yes ☑ No

If yes, please provide an explanation:

N/A

4. DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

4.1 Dimensions of Subject Lands (in metric):

Lot Frontage	Lot Depth	Lot Area	Width of Street
126.06 m	Varies	2.04 ha	+/- 20.10 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 in metric)

Existing:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Retirement Residence	10.26 m	19.11 m	+/- 85 m & 1.20 m	2016

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Retirement Residence	10.26 m	19.11 m	16.5 m & 1.20 m	2016

4.3. Particulars of all buildings and structures on or proposed for the subject lands. All dimensions to be provided in metric (m, m^2 or ha); attach additional sheets as necessary.

Existing:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Retirement Residence	+/- 2,851.39 sq.m.	+/- 11,728.36 sq.m.	9	+/- 34.00 m

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Retirement Residence	+/- 2,851.39 sq.m.	+/- 11,728.36 sq.m.	9	+/- 34.00 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
☐ 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.):

Existing retirement residence to remain.

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

Single & Semi-Detached Dwelling, Townhouse, Multiple Dwelling

5. HISTORY OF THE SUBJECT LAND

5.1 Date of acquisition of subject lands:

Unknown

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

Retirement Residence

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

Retirement Residence

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

Since 2016

5.5 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 (Sched. E & E-1)

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

Please refer to enclosed Cover Letter.

5.6 What is the existing zoning of the subject land? Mixed Use Commercial "MUC-5" Zone in By-law 3692-92

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

☑ Yes ☐ No

If yes, please provide the file number: SC/A-23:349

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

☑ Yes ☐ No

If yes, please provide the file number: Concurrent application

6. ADDITIONAL INFORMATION

6.1 Number of Dwelling Units Existing: 130

6.2 Number of Dwelling Units Proposed: 0

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

N/A

7. COMPLETE APPLICATION REQUIREMENTS

7.1 All Applications

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

7.2 Other Information Deemed Necessary

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

_____

_____

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 site sketch and general information in the Submission Requirements and Information document.

1. APPLICANT INFORMATION

	NAME	MAILING ADDRESS	
Purchaser*	N/A		**Phone:**
			E-mail:
Registered Owner(s)	Seasons Retirement Communities (Stoney Creek) GP Inc. c/o Andrew Salomon	[redacted]	
Applicant(s)**	Same as Owner		
Agent or Solicitor	UrbanSolutions Planning & Land Development Consultants Inc.		

Please include contact person's name if applying as a company or organization.
*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 authorization 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 [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 card over phone*

*Must provide phone number above

2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	8 Shoreview Place		
Assessment Roll Number	251800304019200		
Former Municipality	Stoney Creek		
Lot	Lot 16	Concession	
Registered Plan Number	62M-101	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:

Subject to an easement as in WE1136448

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:

N/A

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 (including any proposed easements):
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 Retained & subject to blanket easement in favour of Lands to be Severed	Lands to be Severed & subject to Blanket Easement in favour of Lands to be Retained	Access Easement in favour of Lands to be Retained		
Type of Transfer	Easement over retained lands	Lot Creation + Easement	Easement		
Frontage	+/- 80.30 m	+/- 45.76 m	+/- 6.75 m		
Depth	+/- 65.88 m	+/- 135.492 m	N/A		
Area	+/- 11,501.72 m2	+/- 8,917.99 m2	+/- 337.81 m2		
Existing Use	Retirement Residence	Vacant	Driveway		
Proposed Use	Retirement Residence	Vacant	Driveway		
Existing Buildings/ Structures	9 Storey Retirement Residence	N/A	N/A		
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)

c) Type of sewage disposal proposed: (check appropriate box)
☑ publicly owned and operated sanitary sewage system
☐ privately owned and operated individual septic system
☐ other means (specify)

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

☑ electricity ☑ telephone ☐ school bussing ☑ garbage collection

5 CURRENT LAND USE

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

Rural ~~Hamilton Official Plan~~ designation (if applicable): _____

Rural Settlement Area: _____

Urban Hamilton Official Plan designation (if applicable) Neighbourhoods

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

Please refer to enclosed cover letter.

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

☐ Yes ☑ No ☐ Unknown

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

N/A

5.3 What is the existing zoning of the subject land? Mixed Use Commercial "MUC-5" Zone in Stoney Creek Zoning By-law No. 3692-92

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.

SC/B-23:97 (Lapsed); SC/A-23:349 (Approved); A-26:*TBC* (March 2026 Concurrent Minor Variance Application submitted)

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

Use or Feature	On the Subject Land	Within 500 Metres of Subject Land, unless otherwise specified (indicate approximate distance)
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	☐	60m - Lake Ontario shoreline
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.

Registered Plan 62M-101 'South Shore Estates'

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

N/A

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

☐ Yes ☑ No

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

N/A

6.4 How long has the applicant owned the subject land?

Unknown

6.5 Does the applicant own any other land in the City? ☐ Yes ☑ No
If YES, describe the lands below or attach a separate page.

N/A

7 PROVINCIAL POLICY

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

☑ Yes ☐ No (Provide explanation)

Please refer to enclosed cover letter.

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

☑ Yes ☐ No (Provide explanation)

Please refer to enclosed cover letter.

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

☐ Yes ☑ No (Provide explanation)

N/A

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

☐ Yes ☑ No (Provide explanation)

N/A

7.5 Are the subject lands subject to the Greenbelt Plan?

☐ Yes ☑ No (Provide explanation)

N/A

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

☐ Yes ☑ No (Provide explanation)

N/A

8 ADDITIONAL INFORMATION - VALIDATION

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

☐ Yes ☐ No (Provide explanation)

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

☐ Yes ☐ No (Provide explanation and details on plan)

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

9 ADDITIONAL INFORMATION - CANCELLATION

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

☐ Yes ☐ No (Provide explanation)

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

☐ Yes ☐ No (Provide explanation and details on plan)

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

10 ADDITIONAL INFORMATION - FARM CONSOLIDATION

10.1 Purpose of the Application (Farm Consolidation)

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

☐ Surplus Farm Dwelling Severance from an Abutting Farm Consolidation

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

10.2 Location of farm consolidation property:

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

10.3 Rural Hamilton Official Plan Designation(s)
If proposal is for the creation of a non-farm parcel resulting from a farm consolidation, indicate the existing land use designation of the abutting or non-abutting farm consolidation property.

10.4 Description of farm consolidation property:

Frontage (m):	Area (m² or ha):

Existing Land Use(s): _____ Proposed Land Use(s): _____

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

Frontage (m):	Area (m² or ha):

10.6 Existing Land Use: _____ Proposed Land Use: _____

10.7 Description of surplus dwelling lands proposed to be severed:

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

Front yard set back: _____

a) Date of construction:
☐ Prior to December 16, 2004 ☐ After December 16, 2004

b) Condition:
☐ Habitable ☐ Non-Habitable

11 COMPLETE APPLICATION REQUIREMENTS

11.1 All Applications

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

11.2 Validation of Title

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

11.3 Cancellation

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

11.4 Other Information Deemed Necessary

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

_____

_____

STAFF COMMENTS

HEARING DATE: April 30, 2026

Hamilton

B-26:010 — 8 Shoreview Place, Stoney Creek

Recommendation:

Approve Variances 1 and 2 and the proposed lot severance/easements. — Development Planning

Proposed Conditions:

1. The owner shall submit a deposited Ontario Land Surveyor's Reference Plan to the Committee of Adjustment Office, unless exempted by the Land Registrar. The reference plan must be submitted in pdf and also submitted in CAD format, drawn at true scale and location and tied to the city corporate coordinate system. (Committee of Adjustment Section)

2. The owner shall pay any outstanding realty taxes and/or all other charges owing to the City Treasurer. (Committee of Adjustment Section)

3. The owner submits to the Committee of Adjustment office an administration fee, payable to the City of Hamilton, to cover the costs of setting up a new tax account for each newly created lot. (Committee of Adjustment Section)

4. A Permit to injure or remove municipal trees is a requirement of this application. A Tree Management Plan must be submitted to the Forestry and Horticulture Section c/o the Urban Forestry Health Technician, to address potential conflicts with publicly owned trees. (Forestry)

5. A Landscape Plan is required by to the Forestry and Horticulture Section, depicting the street tree planting scheme for the proposed development. In some cases, the requirement for a Landscape Plan may be waived. Request for waiver must be made to the Urban Forestry Health Technician. (Forestry)

6. The owner/applicant shall receive final approval of the appropriate Planning Act Application in order to seek relief from the requirements of the Zoning By-law. (Planning Division – Zoning Review Section).

7. The owner shall comply with Ontario Building Code requirements regarding spatial separation distances of any structures. Compliance to be confirmed by the Planning and Economic Development Department (Building Division –**Building Engineering Section**).

Hamilton

Proposed Notes:

We ask that the Owner agrees to physically affix the municipal numbers or full addresses to either the buildings or on signs in accordance with the City's Municipal Addressing By-law and Sign By-law, in a manner that is clearly visible from the road. (Legislative Approvals)

In order to clear conditions, the applicant will be required to make application for Ontario Building Code compliance and pay the relevant fees (Building Engineering)

Hamilton

Development Planning:

Background

The purpose of the application is to sever the existing Mixed Use Commercial lot into two (2) parcels and to establish three (3) easements across the subject lands. The severed lands will be a vacant Mixed Use Commercial lot, and the retained lands will contain the existing Retirement Residence which is intended to remain.

The lands are to be conveyed as follows:

	Frontage	Depth	Area
SEVERED LANDS & EASEMENT (LANDS TO BE SEVERED AND SUBJECT TO PROPOSED BLANKET EASEMENT FOR STORMWATER MANAGEMENT IN FAVOUR OF LANDS TO BE RETAINED):	45.76 m±	135.492m±	8,917.99m²±
RETAINED LANDS & EASEMENT (LANDS TO BE RETAINED AND SUBJECT TO PROPOSED BLANKET EASEMENT FOR STORMWATER MANAGEMENT IN FAVOUR OF LANDS TO BE SEVERED):	80.30 m±	65.88 m±	11,501.72 m²±
EASEMENT (LANDS SUBJECT TO PROPOSED ACCESS EASEMENT IN FAVOUR OF LANDS TO BE RETAINED):	6.75 m±	N/A	337.81 m²±

The following variances are requested:

1. A minimum Lot Area of 11,500 square metres shall be permitted for the lands to be retained instead of the minimum required Lot Area of 20,400 square metres.

2. A minimum Lot Area of 8,900.0 square metres shall be permitted for the lands to be severed instead of the minimum required Lot Area of 20,400 square metres.

Urban Hamilton Official Plan

The subject property is designated as ‘Neighbourhoods” on Schedule E-1 – Urban Land Use Designations in the Urban Hamilton Official Plan. Policies E.3.2.3 and E.3.10.1 among others, are applicable. Policy E.3.10.1 permits long term care facilities, health care and seniors’ centres. Based on the forgoing the existing Retirement Residence is permitted and the lands to be severed for future development will be required to comply with the applicable policies of the UHOP.

Hamilton

The proposal is considered residential intensification in accordance with the Urban Hamilton Official Plan. Staff have completed an analysis of the proposal against Policies B.2.4.1.4 and B.2.4.2.2 and are satisfied that the proposed severance conforms to the residential intensification policies. The proposed severance is compatible with the scale and character of the neighbourhood, maintains the general streetscape pattern, and considers the relationship of the proposed lots with existing development.

The following Official Plan policy applies to consent applications to create a new lot:

"F.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;

b) The lots comply with existing Neighbourhood Plans;

c) The lots are in conformity with the Zoning By-law or a minor variance is approved;

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;

e) The lots are fully serviced by municipal water and wastewater systems; and,

f) The lots have frontage on a public road."

Staff have completed an analysis of the lot creation policies of Policy F.1.14.3.1 and are of the opinion that the proposed severance conforms to the above noted policies. The proposed lots reflect the general scale and character of the established development pattern in the surrounding area. The subject lands are not identified as being within a Secondary Plan Area. The proposed lots will be zoning compliant with respect to lot area through the concurrently applied minor variance application. Development Planning staff defer to Zoning staff to verify if a condition to determine zoning compliance is necessary for the newly proposed lots. The proposed lots have frontage on a public road (Shoreview Place). Planning Staff defer to Development Engineering staff on any concerns related to servicing, with respect to F.1.14.3.1 e). Accordingly, the proposed severance complies with the Urban Hamilton Official Plan.

Archaeology

Hamilton

The subject property meets three (3) of the ten criteria used by the City of Hamilton and Ministry of Citizenship and Multiculturalism for determining archaeological potential:

1) Within 300 metres of a primary watercourse or permanent waterbody, 200 metres of a secondary watercourse or seasonal waterbody, or 300 metres of a prehistoric watercourse or permanent waterbody;
2) In an area of sandy soil in areas of clay or stone; and,
3) Along historic transportation routes.

These criteria define the property as having archaeological potential. Accordingly, Section 2 (d) of the *Planning Act* and Section 4.6.2 of the Provincial Planning Statement apply to the subject application.

A Stage 1-2 (P017-221-2012) archaeological report for the subject property were submitted to the City and the Ministry of Citizenship and Multiculturalism. The Province signed-off on the report for compliance with licensing requirements in a letter dated October 19, 2012. Staff is of the opinion that the municipal interest in the archaeology of this portion of the site has been satisfied.

Cultural Heritage

No comments.

Stoney Creek Zoning By-law No. 3692-92

The subject property is zoned as Mixed Use Commercial “MUC-5” Zone, Modified, in Zoning By-law No. 3692-92. The “MUC-5” Zone permits the existing Retirement Residence subject to regulations. Staff note at this time the lands to be severed are to remain as vacant and will be subject to future approval should development be proposed.

Analysis

Minor Variance

Variances 1 and 2

1. A minimum Lot Area of 11,500 square metres shall be permitted for the lands to be retained instead of the minimum required Lot Area of 20,400 square metres.

2. A minimum Lot Area of 8,900.0 square metres shall be permitted for the lands to be severed instead of the minimum required Lot Area of 20,400 square metres.

The intent of the above provisions is to ensure that lots are of a sufficient size to facilitate development in accordance with the permitted uses that pertain to the “MUC-5” Zone. Staff note that the lands were subject to previous approvals that implemented the minimum required lot area (By-law No. 10-027). The By-law restricted the minimum required lot area to 20,400 square metres to

Hamilton

recognize the development of the Retirement Residence. Staff are of the opinion that the reduction from 20,400 square metres to 11,500 square metres is minor in this case and does not result in adverse impacts as the site and development is existing and the variance is only required due to the lots being severed. The lands to be retained will remain and the lands to be severed will remain vacant subject to future development. The existing development can be adequately supported as demonstrated with the reduced lot area and the proposed easement for access. Staff defer to Development Engineering for further comment as it relates to comments regarding the proposed easement for storm water management. Furthermore, staff defer to Transportation Planning staff for comment as it relates to the proposed access easement.

Based on the forgoing analysis **staff recommend Variances 1 and 2 be approved** as they satisfy the four tests under the *Planning Act.*

Severance/Easements

Based on the above analysis, the proposed severance and easements for access conform to the policies of the Urban Hamilton Official Plan. Staff defer to Development Engineering staff for comment as it relates to easements for storm water management and to Transportation Planning staff for comment as it relates to the proposed access easement. Development Planning staff are of the opinion that the lots are well integrated within the existing neighbourhood and represent a compatible form of intensification which is in keeping with the existing neighbourhood character and streetscape. The lands to be severed will be used to facilitate future development and the proposed lot configuration maintains sufficient access for the existing development.

Based on the forgoing analysis staff recommend the **approval** of the severance/easements as they conform to the Urban Hamilton Official Plan.

Zoning:

Recommendation:	Comments and Conditions/Notes
Proposed Conditions:	1. The owner/applicant shall receive final approval of the appropriate Planning Act Application in order to seek relief from the requirements of the Zoning By-law. (Planning Division – Zoning Review Section).
Comments:	1. Please note that Minor Variance Application A-26:057 has been submitted to facilitate the proposed severance. 2. The owner/applicant should obtain an appropriate municipal address for the proposed parcel(s) from the Legislated Approvals and Staging of Development Section of the Planning and Economic Development Department prior to the issuance of a building permit.

Hamilton

	3. In order to clear conditions, the owner/applicant will be required to make application for a Zoning Compliance Review and pay the relevant fees. 4. Any future development on the retained lands is subject to the MUC-5 Zone within Stoney Creek Zoning By-law 3692-92. 5. The submitted application indicates the easements on the severed and retained land will be required to maintain existing access to the properties. Please note that legally established rights of ways shall be properly registered on title should access between properties (lands to be conveyed and retained) and sharing of the parking areas be provided.
Notes:	

Development Engineering:

Recommendation:	Comments Only
Proposed Conditions:	
Comments:	According to our records, the existing municipal infrastructure fronting the subject property summarized as follows: **Shoreview Place** • 300mm ø Ductile Iron Watermain • 250mm ø Sanitary Sewer • 825mm ø Storm Sewer • 50mm ø Sanitary Forcemain **Millen Road** • 300mm ø PVC Watermain • 1050mm ø Storm Sewer Separate and independent services shall be provided for each dwelling constructed within each parcel of land in accordance with the current Sewer and Drain and Waterworks By-laws (23-234 and 23-235, respectively). All Grading and Servicing requirements shall be addressed through a future Site Plan application. The Owner will be required to a execute a reciprocal easement over the

Hamilton

	severed and retained lands to maintain the existing overland drainage.
Notes:	

Building Engineering:

Recommendation:	Comments and Conditions/Notes
Proposed Conditions:	The owner shall comply with Ontario Building Code requirements regarding spatial separation distances of any structures. Compliance to be confirmed by the Planning and Economic Development Department (Building Division –**Building Engineering Section**).
Comments:	
Notes:	In order to clear conditions, the applicant will be required to make application for Ontario Building Code compliance and pay the relevant fees

Forestry:

Recommendation:	Approve with Conditions
Proposed Conditions:	A Permit to injure or remove municipal trees is a requirement of this application. A Tree Management Plan must be submitted to the Forestry and Horticulture Section c/o the Urban Forestry Health Technician, to address potential conflicts with publicly owned trees. A Landscape Plan is required by to the Forestry and Horticulture Section, depicting the street tree planting scheme for the proposed development. In some cases, the requirement for a Landscape Plan may be waived. Request for waiver must be made to the Urban Forestry Health Technician.
Comments:	Conditions of the Forestry and Horticulture Section will be cleared only after receipt of all applicable fees. An assessment of the information provided shows that there are potential conflicts with publicly owned trees or trees that may become city assets through right of way widening. Where existing municipal trees are impacted by development work, are within proximity of the development work or access/egress to the development work, a Public Tree **Permit** to injure or remove municipal trees is required.

Hamilton

	Where ownership of trees in proximity to the boundary between public and private land is un-certain, the subject trees must be surveyed by the applicant to confirm ownership. Ownership is as per By-law 15-125. Ownership must be clearly identified on the Tree Management Plan as either municipal or private. **TREE MANAGEMENT** Tree Protection is a measure of efforts to preserve existing trees during the Planning of New Developments, Infrastructure Enhancements, Utility Upgrades & Residential Improvements. The Forestry & Horticulture Section requires that a Tree Management Plan be prepared by a MTCU Qualified Arborist, or ISA Certified Arborist, or a Registered Landscape Architect. All trees within this proposed development area must be surveyed, identified and accurately plotted on the plan to determine ownership, including intensions regarding retention or removal. It is compulsory that all proposed surface treatment changes within individual tree driplines as well as property lines, building footprints, driveways, utility construction corridors and temporary access roads be accurately depicted on the submission. The Tree Inventory Analysis Table on the Tree Management Plan shall not be considered complete without the following data and recommended action for each tree. ❖ Species by Botanical and common name ❖ Diameter at breast height in centimeters or millimeters ❖ Ownership {> 50% @ ground level = ownership} ❖ Biological health ❖ Structural condition ❖ Proposed grade changes within individual driplines {compulsory} ❖ Proposed utility construction within individual driplines {compulsory} ❖ Proposed removals or relocations ❖ Proposed trees to be protected. If it is determined and verified that existing trees can remain, a Tree Protection Zone Detail with notes showing Tree Preservation Techniques shall be included on the submission as per the **Public Tree Preservation and Sustainability Policy.**

Hamilton

	The determination of ownership of all trees is the responsibility of the applicant and any civil issues which may exist or arise between property owners with respect to trees, must be resolved by the applicant. The ownership of each individual tree inventoried must be clearly stated as municipal or private. All Healthy trees on municipal property which are found to conflict with this proposed development and do not meet our criteria for removal are subject to a replacement fee as outlined in the **Public Tree Preservation and Sustainability Policy** in conjunction with **By-Law 15-125**. **A permit will be issued upon approval of the Tree Management Plan and applicable fees.** **LANDSCAPE PLAN** Clarification to ensure a street tree can be accommodated for each lot needs to be confirmed. The Forestry & Horticulture Section requires that a detailed Landscape Planting Plan prepared by a **Registered Landscape Architect**, showing the placement of trees on internal/external City property be provided. All street tree plantings are planted by the City of Hamilton, as approved through the review of a proposed street tree planting plan and shall be identified on plan as 'Trees to be planted by City of Hamilton Forestry Section. The Landscape Plan should specifically outline 50mm caliper size and the species of trees to be planted as well as identify hard surface and soft surface areas on the site. Individually planted trees in new sidewalk installations shall include a detail showing 21 m3 of soil, and a grouping of 2 or more trees in a soil bed shall include 16m3 of soil per tree. New sidewalks, paving or asphalting shall allow 1.5m2 of breathing space for tree roots. An option to allow forestry to determine tree species is permitted and plan shall reflect that decision by denoting on plan 'City of Hamilton forestry department to determine species. Please note: all private trees on plan shall have species denoted. Tree species selection should take into account cultivars {fruitless etc.} salt and heat tolerance, mature tree size, public visibility and daylight triangles, as well as potential pest concerns. Spacing guidelines for trees are ten 8-

Hamilton

	10m on centre for larger species and 4-7 meters on center for smaller species. Guidelines for species diversity shall ensure no single species shall make up more than 20% of the total street tree population. No coniferous trees will be permitted on City of Hamilton Road allowance. Any identified street tree species on plan will be subject to change at time of planting due to but limited to, on site conditions, in stock availability and compatibility with approved species by City of Hamilton. Although utility conflicts may change specific planting locations, every opportunity will be made to keep with the intent of the design. Trees planted on the road allowance will have a minimum approximate caliper of 50 mm. Urban Forest Health Technician from the Forestry Section shall be notified post construction, when final grade has been achieved, to facilitate the scheduling of the street tree planting(s). Otherwise, all sites will be monitored annually by Forestry to determine when site is suitable for the following planting season. Forestry's mission to increase urban canopy through new development encourages any opportunity for planting locations.
Notes:	

Transportation Planning:

Recommendation:	No Comments
Proposed Conditions:	
Comments:	
Notes:	

Ministry of Transportation:

Recommendation:	Comments Only
Proposed Conditions:	
Comments:	The property is within the Ministry's Permit Control Area and requires a Ministry Building and Land Use Permit. Comments from the Ministry's Corridor Section Planner (Usama Ali) are required prior to application approval.
Notes:	

STAFF COMMENTS

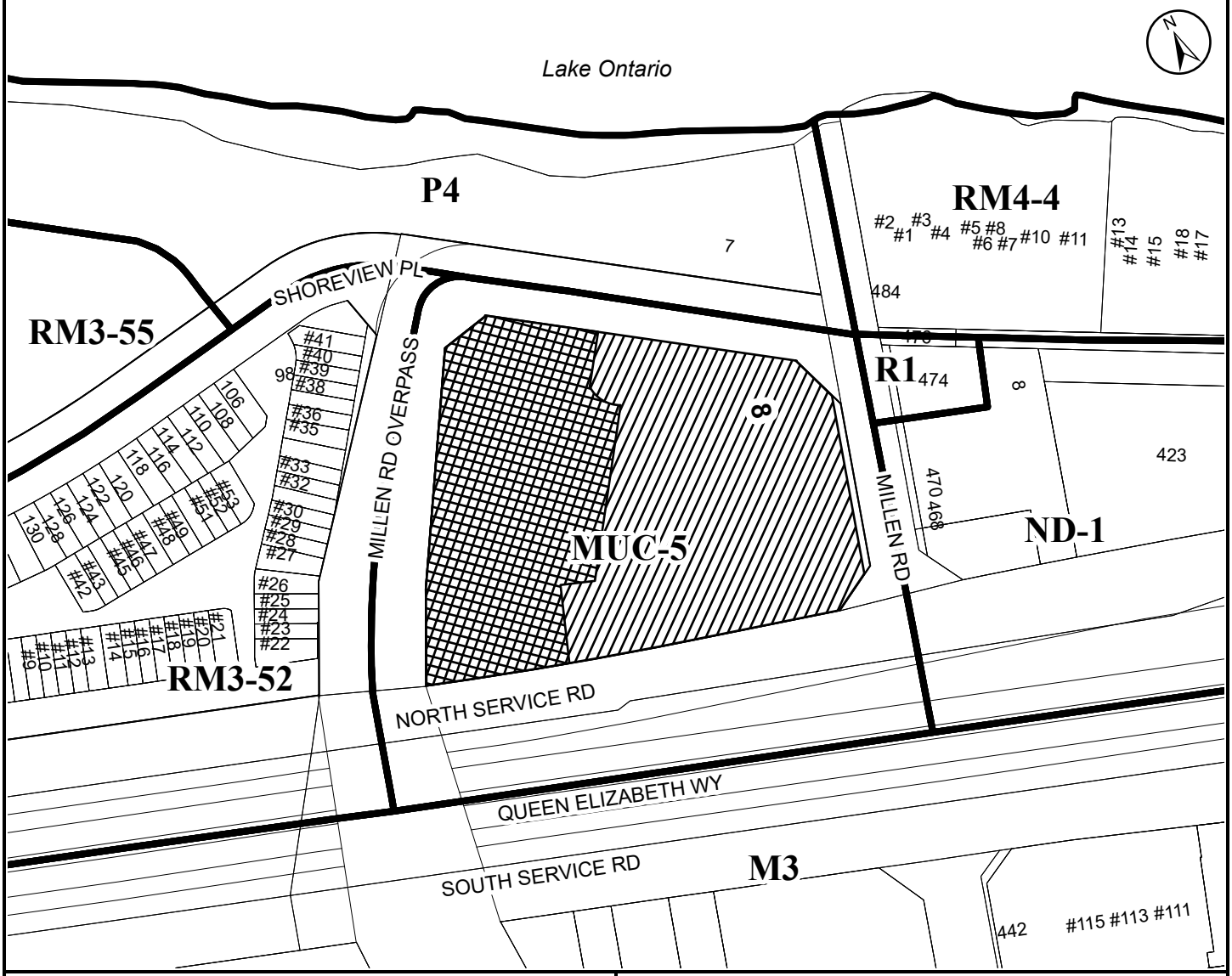
HEARING DATE: April 30, 2026

Hamilton

Legislative Approvals:

Recommendation:	Comments and Conditions/Notes
Proposed Conditions:	
Comments:	The lands to be retained (Part 1) will remain as **8 Shoreview Place (Stoney Creek)**. The lands to be severed (Part 2) will be assigned the address of **32 Shoreview Place (Stoney Creek)**.
Notes:	We ask that the Owner agrees to physically affix the municipal numbers or full addresses to either the buildings or on signs in accordance with the City's Municipal Addressing By-law and Sign By-law, in a manner that is clearly visible from the road.

Please Note: Public comment will be posted separately, if applicable.



● **Site Location**



City of Hamilton

Committee of Adjustments

Subject Property

8 Shoreview Place, Stoney Creek
(Ward 10)

Lands to be Retained

Lands to be Severed

Planning and Economic Development Department

File Name/Number: B-26:010

Date: April 17, 2026

Technician: RS

Scale: N.T.S.

Appendix "A"

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-26:057	**SUBJECT PROPERTY:**	8 Shoreview Place, Stoney Creek
ZONE:	MUC-5 (Mixed Use Commercial)	**ZONING BY-LAW:**	Stoney Creek Zoning By-law 3692-92

APPLICANTS: Owner: Seasons Retirement Communities (Stoney Creek) GP Inc
Applicant: Seasons Retirement Communities (Stoney Creek) GP Inc
Agent: UrbanSolutions Planning and Land Development Consultants Inc. c/o Matt Johnston (UrbanSolutions)

The following variances are requested:

1. A minimum Lot Area of 11,500 square metres shall be permitted for the lands to be retained instead of the minimum required Lot Area of 20,400 square metres.

2. A minimum Lot Area of 8,900.0 square metres shall be permitted for the lands to be severed instead of the minimum required Lot Area of 20,400 square metres.

PURPOSE & EFFECT: To facilitate a consent/land severance application pertaining to the western portion of the lot.

Notes:

i. The submitted application indicates the easements on the severed and retained land will be required to maintain existing access to the properties. Please note that legally established rights of ways shall be properly registered on title should access between properties (lands to be conveyed and retained) and sharing of the parking areas 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.

A-26:057

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

DATE:	**Thursday, April 30, 2026**
TIME:	**12:00 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 April 28, 2026.

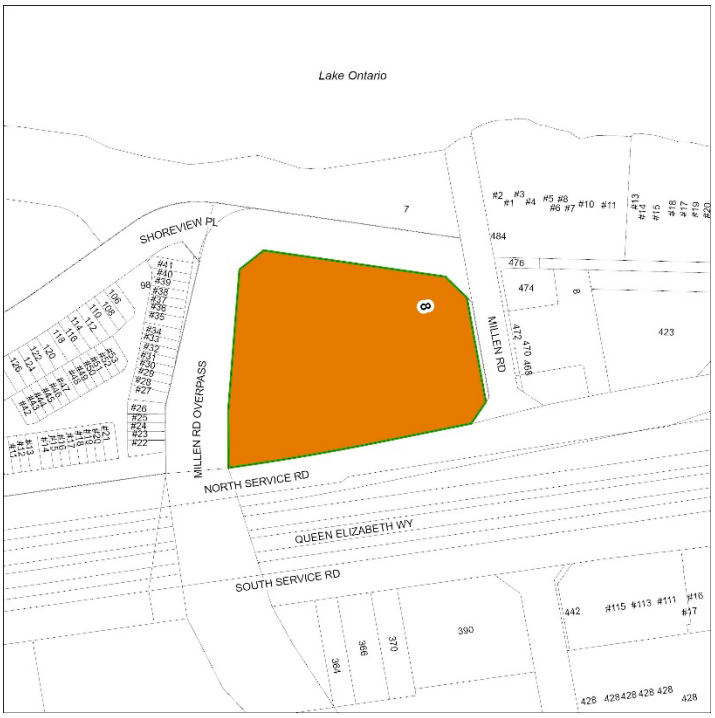
Orally: If you would like to speak to this item at the hearing you may do so via video link, calling in, or attending in person. Please see attached page for complete instructions, registration to participate virtually must be received no later than noon April 29, 2026.

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding A-26:057, 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 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-26:057



Subject Lands

DATED: April 13, 2026

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.

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

The following information is required with your written submission:

- Committee of Adjustment file number
- Full name and address of the person providing comments. Anonymous comments will not be accepted.

Comments can also be placed in the drop box which is located at the back of the 1st Floor of City Hall, 71 Main Street West. All written comments received by the deadline 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. To register, email cofa@hamilton.ca with the following information:

- Committee of Adjustment file number
- Hearing date
- Full name and address of the person wishing to speak. Anonymous comments will not be accepted.
- 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.

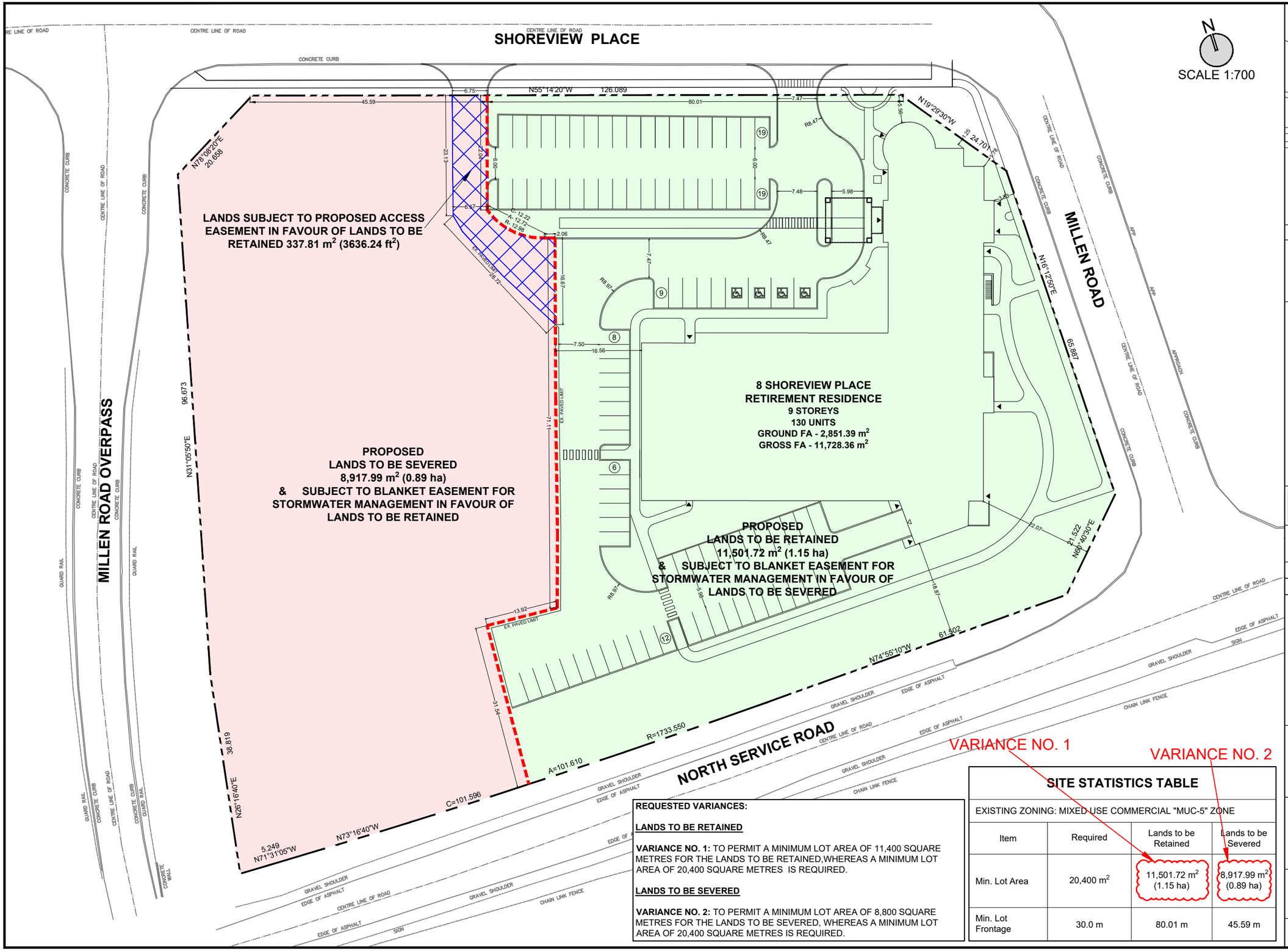
Virtual Presentations:
Presenters participating virtually may be granted permission to share their screen during the Hearing. A copy of the presentation must be submitted to cofa@hamilton.ca **by 12:00 p.m. (noon) on the business day prior to the Hearing.** The submission must be one document in PDF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

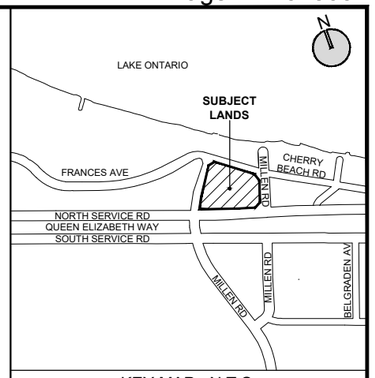
In-Person Presentations:
Presenters attending in person may be granted permission to use the presentation screen. Presentations must be brought on a USB device and opened by the owner/applicant. A copy of the presentation must also be sent to cofa@hamilton.ca **by 12:00 p.m. (noon) on the business day 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.





KEY MAP - N.T.S.

SCALE 1:700

METRES

0 10 20 30

LEGEND

- SUBJECT LANDS
- PROPOSED SEVERANCE LINE
- LANDS SUBJECT TO PROPOSED ACCESS EASEMENT IN FAVOUR OF LANDS TO BE RETAINED 329.22 m² (3,663.92 ft²)
- LANDS TO BE SEVERED AND SUBJECT TO PROPOSED BLANKET EASEMENT FOR STORMWATER MANAGEMENT IN FAVOUR OF LANDS TO BE RETAINED
- LANDS TO BE RETAINED AND SUBJECT TO PROPOSED BLANKET EASEMENT FOR STORMWATER MANAGEMENT IN FAVOUR OF LANDS TO BE SEVERED

NOT FOR CONSTRUCTION
ISSUED FOR REVIEW & COMMENTS ONLY

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

DESIGN BY: S. ERICKSON	CHECKED BY: M. JOHNSTON
DRAWN BY: L.DRENNAN	DATE: APRIL 2, 2026

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

PROJECT:
8 SHOREVIEW PLACE
CITY OF HAMILTON

CLIENT:
SEASONS RETIREMENT COMMUNITIES (STONEY CREEK) GP INC.

TITLE:
COMMITTEE OF ADJUSTMENT SKETCH

U/S FILE NUMBER:	SHEET NUMBER:
406-21	1

REQUESTED VARIANCES:

LANDS TO BE RETAINED

VARIANCE NO. 1: TO PERMIT A MINIMUM LOT AREA OF 11,400 SQUARE METRES FOR THE LANDS TO BE RETAINED,WHEREAS A MINIMUM LOT AREA OF 20,400 SQUARE METRES IS REQUIRED.

LANDS TO BE SEVERED

VARIANCE NO. 2: TO PERMIT A MINIMUM LOT AREA OF 8,800 SQUARE METRES FOR THE LANDS TO BE SEVERED, WHEREAS A MINIMUM LOT AREA OF 20,400 SQUARE METRES IS REQUIRED.

VARIANCE NO. 1

VARIANCE NO. 2

SITE STATISTICS TABLE

EXISTING ZONING: MIXED USE COMMERCIAL "MUC-5" ZONE

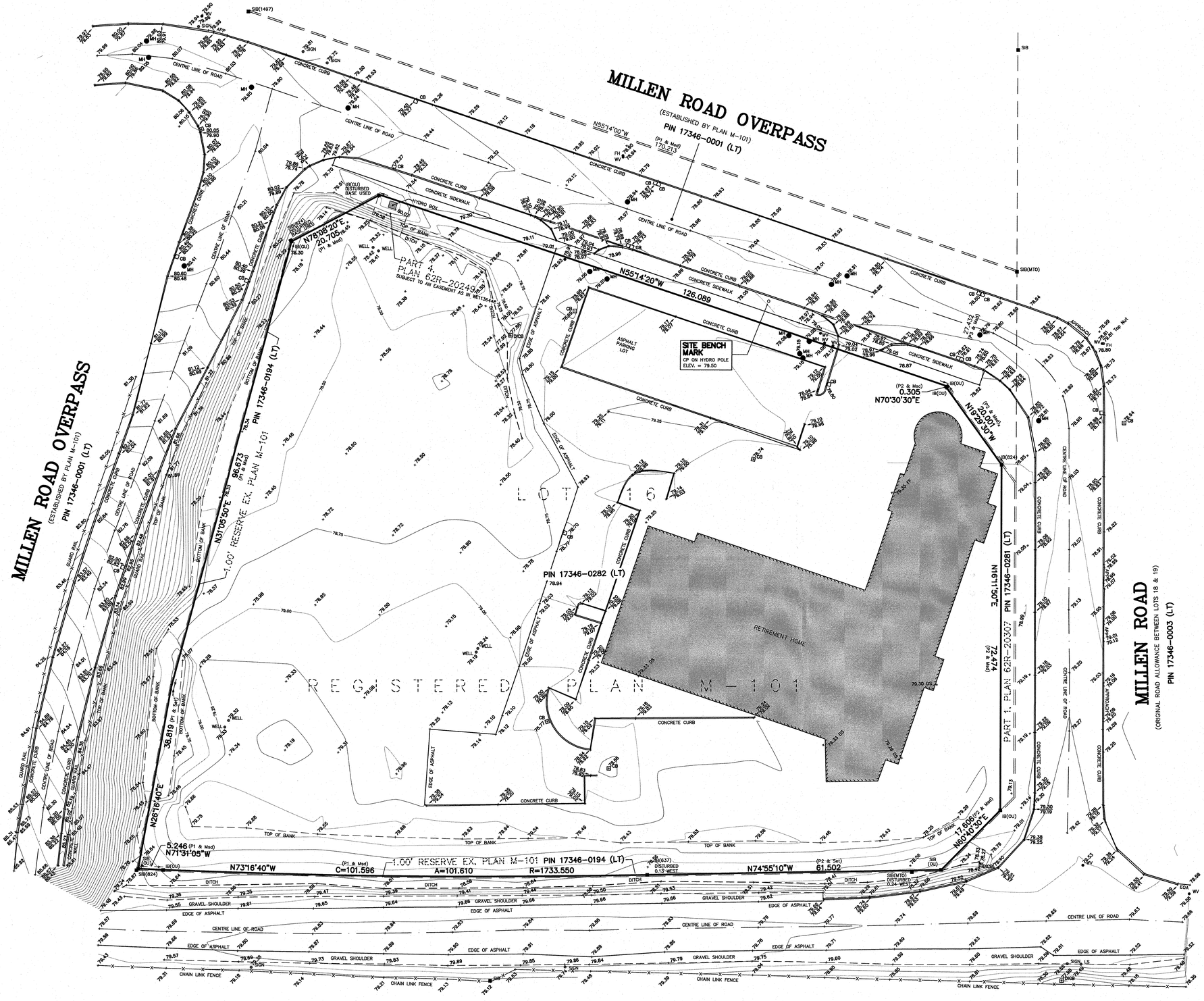
Item	Required	Lands to be Retained	Lands to be Severed
Min. Lot Area	20,400 m²	11,501.72 m² (1.15 ha)	8,917.99 m² (0.89 ha)
Min. Lot Frontage	30.0 m	80.01 m	45.59 m

TOPOGRAPHIC SURVEY
OF
LOT 16
PLAN M101
IN THE
CITY OF HAMILTON

SCALE 1:400 METRIC

8 4 0 8 16 24 metres

R.A. McLAREN, O.L.S. – 2022



LEGEND:

□	•	DENOTES MONUMENT SET
■	•	MONUMENT FOUND
IB	•	IRON BAR
IBW	•	ROUND IRON BAR
PB	•	PLASTIC BAR
CC	•	CUT CROSS
SIB	•	STANDARD IRON BAR
SSIB	•	SHORT STANDARD IRON BAR
637	•	HAROLD B. ASHENHURST, O.L.S.
824	•	A.T. McLAREN LTD.
1497	•	H.G. ASHENHURST LTD.
BG	•	BARICH GRENKIE SURVEYING LTD.
OU	•	ORIGIN UNKNOWN
WIT	•	WITNESS
Msd	•	MEASURED
P1	•	REGISTERED PLAN M-101
P2	•	PLAN 62R-20307
P3	•	PLAN 62R-18724
MH	•	MANHOLE
CB	•	CATCH BASIN
DICB	•	DITCH INLET CATCH BASIN
FH	•	FIRE HYDRANT
HP	•	HYDRO POLE
U	•	OVERHEAD UTILITIES
APP	•	APPROACH
DS	•	DOOR SILL
FF	•	FIRST FLOOR
ø	•	DIAMETER
//	•	NOT TO SCALE

NOTE:
UNDERGROUND SERVICE AND UTILITY LOCATIONS MUST BE VERIFIED PRIOR TO CONSTRUCTION

INVERTS MUST BE VERIFIED PRIOR TO CONSTRUCTION

BEARING NOTE:
BEARINGS ARE GRID BEARING AND ARE DERIVED FROM HORIZONTAL CONTROL MONUMENTS 00819870515 AND 00919723309 AND ARE REFERRED TO THE NORTH AMERICAN DATUM 1983 3° MTM, ZONE 10, CENTRAL MERIDIAN 79°30' LONGITUDE WEST

00819870515 N=4789614.020 E=283946.638
00919723309 N=4788015.384 E=288599.922

BENCHMARK:
MONUMENT 00819748492

LOCATION: CONCRETE BRIDGE CARRYING MILLEN RD OVER QEW, 1.9 KM WEST OF CARRYING MILLEN RD OVER QEW 1.9 KM WEST OF CONCRETE BRIDGE CARRYING FRUITLAND RD (HAMILTON – WENTWORTH REGIONAL ROAD 55) OVER QEW IN THE TOWN OF STONEY CREEK AND 0.6 KM EAST OF GREEN RD. TABLET IS SET HORIZONTALLY IN NORTH FACE OF SOUTH CONCRETE ABUTMENT, 43 CM EAST OF N.W. CORNER, 34 CM ABOVE CONCRETE APRON AND 38.4 M SOUTH OF CENTRELINE OF EASTBOUND LANE OF QEW.

ELEVATION: 81.830 metres CGVD-1928:1978

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 27th DAY OF OCTOBER, 2022

23NOV2022
DATE

R.A. McLAREN, O.L.S.

©R.A. 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 R.A. 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.
JM	KM	JK	1:400	36928

URBAN SOLUTIONS
PLANNING & LAND DEVELOPMENT

March 19, 2026

406-21

Via Email & Delivered

Mr. Justin Leung
Secretary Treasurer, Committee of Adjustment

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

Dear Mr. Leung,

Re: 8 SHOREVIEW PLACE, STONEY CREEK
Consent to Sever & Minor Variance Applications

UrbanSolutions Planning & Land Development Consultants Inc. (UrbanSolutions) is the authorized planning consultant acting on behalf of Seasons Retirement Communities (Stoney Creek) GP Inc., for the lands municipally known as 8 Shoreview Place in the former City of Stoney Creek. On behalf of the owners, please accept the enclosed Consent to Sever and Minor Variance applications

The subject lands are comprised of an irregularly-shaped, 2.04-hectare lot, having frontage on all sides, including Millen Road to the east and west, the North Service Road to the south, and Shoreview Place to the north. The property is surrounded by a range of uses including townhouses, semi-detached dwellings, and residential multiple dwellings. The subject lands are designated *'Neighbourhoods'* in the Urban Hamilton Official Plan Schedule E-1 – Urban Land Use, and zoned *'Mixed Use Commercial (MUC-5)'* in the Former Town of Stoney Creek Zoning By-law No. 3692-92.

Application History

The subject lands were previously subdivided by the South Shore Estates subdivision registered in 1973. This subdivision comprised of 13 lots for high density apartment buildings while only two were ultimately built. In 2010, members of the UrbanSolutions team assisted LiUNA/Fengate in securing an Official Plan Amendment and Zoning By-law Amendment resulting in the current site-specific *Mixed-Use Commercial (MUC-5)* Zone. The previous Official Plan and Zoning By-law Amendment facilitated the existing 9-storey Seasons retirement and memory care facility on the east side of the property.

In November, 2023, the City of Hamilton issued conditional approval of Site Plan Application No. DA-23-012, which contemplated a mixed use building having one 37-storey and one 25-storey tower containing 730 dwelling units and 968 parking spaces. Consent to Sever and Minor Variance applications to permit this previous development proposal were subsequently approved by the Committee of Adjustment on February 13, 2024 (SC/B-23:97 & SC/A-23:349). The development contemplated within DA-23-012 is no longer being pursued and the Consent to Sever application has been intentionally allowed to lapse.

Purpose of the Application

Similar to the previous Consent to Sever application, the purpose of this application is to sever the western portion of the existing lot and establish three (3) easements across the subject lands. The retained lands will continue to accommodate the existing Seasons Retirement Residence and will be subject to a blanket easement for stormwater management in favour of the severed lands. In turn, a reciprocal blanket easement for stormwater management is proposed over the severed lands in favour of the retained parcel, ensuring the continued function and integration of the existing grading and drainage infrastructure across both properties. In addition, a 329.22 m^2 access easement is proposed over the lands to be severed to maintain shared use of the existing westerly driveway access, which is intended to continue serving both parcels.

The location of the proposed severance line has been established with regard for existing site conditions, and the alignment of the proposed lot line ensures that all servicing connections associated with the Seasons Retirement Residence remain entirely within the retained lands. This approach avoids the need for additional servicing easements and avoids the creation of cross-lot servicing conflicts.

The enclosed Committee of Adjustment Sketch illustrates the proposed severance, as well as the location and extent of the required easements described above.

In addition to the proposed severance and easements noted above, a Minor Variance application is required to bring the proposed lot fabric into conformity with the required minimum lot area of the site-specific "MUC-5" Zone. As a result, the requested variances are as follows:

Lands to be Retained

Variance No. 1 – To permit a minimum lot area of 11,500.0 square metres for the lands to be retained, whereas a minimum lot area of 20,400.0 square metres is required.

Lands to be Severed

Variance No. 2 – To permit a minimum lot area of 8,900.0 square metres for the lands to be severed, whereas a minimum lot area of 20,400.0 square metres is required.

As per Section 45(1) of the *Planning Act,* R.S.O, 1990, as amended, applications to the Committee to vary from the Zoning By-law must meet 4 tests as outlined below:

- The proposal meets the general purpose and intent of the Official Plan;
- The proposal meets the general purpose and intent of the Zoning By-Law;
- The variance is minor in nature; and,
- The proposal is desirable for the appropriate development or use of the land.

The subject lands are designated as *Neighbourhoods* in the Urban Hamilton Official Plan which permits the proposed use of the lands. The *Neighbourhoods* designation intends to facilitate compact, mixed-use, transit-friendly neighbourhoods that provide for a range of dwelling types and densities. The proposed variances achieve the policy goals of the *Neighbourhoods* designation as they facilitate intensification on an underutilized parcel while protecting the existing retirement residence and associated parking spaces. The lands to be severed are appropriately sized to accommodate future development supporting a range of densities and uses. Therefore, the requested variances for lot area appropriately implement the Official Plan's policies regarding intensification by providing opportunity for the development of compact urban forms and reinforce the achievement of complete communities. As such, the proposal meets the intent and purpose of the Urban Hamilton Official Plan.

The requested variances are required as the minimum lot area established in the site-specific MUC-5 Zone applicable to the subject lands was originally set to reflect the existing total lot area of the property. This standard was introduced through a previous Zoning By-law Amendment to facilitate the development of the existing retirement residence currently located on the lands. While minimum lot area requirements are generally intended to ensure parcels are appropriately sized to accommodate their intended use and support appropriate stormwater management, the approximate 2-hectare minimum lot area requirement applicable to the subject lands is excessive and not reflective of modern zoning practices implemented through the City of Hamilton Zoning By-law No. 05-200. The modern medium and high-density mixed-use zones typically use development standards such as building height, setbacks, stepbacks, and other metrics to regulate built form rather than establishing a minimum lot area. Minimum lot area requirements are more commonly applied within low-density residential zones where smaller individual parcels are typical. The proposed lot fabric will remain appropriately sized to accommodate medium to high-density mixed-use development and the requested variances are therefore consistent with the intent of modern mixed-use zoning standards and are in keeping with the general purpose and intent of the Stoney Creek Zoning By-law No. 3692-92.

The proposed lot areas for the retained and severed lands remain appropriately sized to accommodate both the existing retirement residence and associated parking on one parcel, and future development on the western lands to be severed. The subject lands in their current state are underutilized, with only 11,830 m^2 of area (58%) being developed with the retirement residence and associated parking area, while the balance of the lands remain undeveloped and have historically been contemplated for a future phase of development. The requested variances will facilitate the severance of the underutilized portion of the lands to ensure the efficient use of the City's available urban land base and support urban infill development having access to municipal services. Importantly, the proposed variances facilitate a lot configuration which has regard for existing servicing infrastructure to ensure that servicing connections for the retained retirement residence remain wholly within the retained parcel and are not impacted, maintaining appropriate servicing and stormwater management functions. As such, the requested variances are deemed to be minor in nature and are desirable for the appropriate development or use of the land.

To assist in the evaluation of the application, please refer to the enclosed Committee of Adjustment Sketch.

The Consent to Sever application satisfies Section 53(1) of the *Planning Act,* R.S.O, 1990, as amended, as a plan of subdivision is not necessary for the proper and orderly development of the subject lands. Further, the requested Minor Variances satisfy the four tests of Section 45(1) of the *Planning Act,* R.S.O, 1990, and represent good land use planning.

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

- One (1) copy of the completed Minor Variance Application form;
- One (1) copy of the completed Consent to Sever Application form;
- One (1) copy of the Committee of Adjustment Sketch, prepared by UrbanSolutions;
- One (1) copy of the Topographic Survey, prepared by A.T. McLaren;
- One (1) cheque in the amount of **$4,135.00** made payable to the City of Hamilton for the Minor Variance Application fee; and,
- One (1) cheque in the amount of **$3,565.00** made payable to the City of Hamilton for the Consent to Sever Application fee.

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

Regards,
UrbanSolutions

Matt Johnston, MCIP, RPP
Principal

Stefano Rosatone, BES
Planner

cc: Seasons Retirement Communities (Stoney Creek) GP Inc.

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 site sketch and general information in the Submission Requirements and Information document.

1. APPLICANT INFORMATION

	NAME	MAILING ADDRESS	
Purchaser*	N/A		**Phone:**
			E-mail:
Registered Owner(s)	Seasons Retirement Communities (Stoney Creek) GP Inc. c/o Andrew Salomon	[redacted]	
Applicant(s)**	Same as Owner		
Agent or Solicitor	UrbanSolutions Planning & Land Development Consultants Inc.		

Please include contact person's name if applying as a company or organization.
*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 authorization 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 [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 card over phone*

*Must provide phone number above

2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	8 Shoreview Place		
Assessment Roll Number	251800304019200		
Former Municipality	Stoney Creek		
Lot	Lot 16	Concession	
Registered Plan Number	62M-101	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:

Subject to an easement as in WE1136448

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:

N/A

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 (including any proposed easements):
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 Retained & subject to blanket easement in favour of Lands to be Severed	Lands to be Severed & subject to Blanket Easement in favour of Lands to be Retained	Access Easement in favour of Lands to be Retained		
Type of Transfer	Easement over retained lands	Lot Creation + Easement	Easement		
Frontage	+/- 80.30 m	+/- 45.76 m	+/- 6.75 m		
Depth	+/- 65.88 m	+/- 135.492 m	N/A		
Area	+/- 11,501.72 m2	+/- 8,917.99 m2	+/- 337.81 m2		
Existing Use	Retirement Residence	Vacant	Driveway		
Proposed Use	Retirement Residence	Vacant	Driveway		
Existing Buildings/ Structures	9 Storey Retirement Residence	N/A	N/A		
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)

c) Type of sewage disposal proposed: (check appropriate box)
☑ publicly owned and operated sanitary sewage system
☐ privately owned and operated individual septic system
☐ other means (specify)

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

☑ electricity ☑ telephone ☐ school bussing ☑ garbage collection

5 CURRENT LAND USE

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

Rural ~~Hamilton Official Plan~~ designation (if applicable): _____

Rural Settlement Area: _____

Urban Hamilton Official Plan designation (if applicable) Neighbourhoods

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

Please refer to enclosed cover letter.

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

☐ Yes ☑ No ☐ Unknown

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

N/A

5.3 What is the existing zoning of the subject land? Mixed Use Commercial "MUC-5" Zone in Stoney Creek Zoning By-law No. 3692-92

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.

SC/B-23:97 (Lapsed); SC/A-23:349 (Approved); A-26:*TBC* (March 2026 Concurrent Minor Variance Application submitted)

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

Use or Feature	On the Subject Land	Within 500 Metres of Subject Land, unless otherwise specified (indicate approximate distance)
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	☐	60m - Lake Ontario shoreline
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.

Registered Plan 62M-101 'South Shore Estates'

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

N/A

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

☐ Yes ☑ No

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

N/A

6.4 How long has the applicant owned the subject land?

Unknown

6.5 Does the applicant own any other land in the City? ☐ Yes ☑ No
If YES, describe the lands below or attach a separate page.

N/A

7 PROVINCIAL POLICY

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

☑ Yes ☐ No (Provide explanation)

Please refer to enclosed cover letter.

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

☑ Yes ☐ No (Provide explanation)

Please refer to enclosed cover letter.

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

☐ Yes ☑ No (Provide explanation)

N/A

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

☐ Yes ☑ No (Provide explanation)

N/A

7.5 Are the subject lands subject to the Greenbelt Plan?

☐ Yes ☑ No (Provide explanation)

N/A

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

☐ Yes ☑ No (Provide explanation)

N/A

8 ADDITIONAL INFORMATION - VALIDATION

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

☐ Yes ☐ No (Provide explanation)

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

☐ Yes ☐ No (Provide explanation and details on plan)

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

9 ADDITIONAL INFORMATION - CANCELLATION

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

☐ Yes ☐ No (Provide explanation)

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

☐ Yes ☐ No (Provide explanation and details on plan)

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

10 ADDITIONAL INFORMATION - FARM CONSOLIDATION

10.1 Purpose of the Application (Farm Consolidation)

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

☐ Surplus Farm Dwelling Severance from an Abutting Farm Consolidation

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

10.2 Location of farm consolidation property:

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

10.3 Rural Hamilton Official Plan Designation(s)
If proposal is for the creation of a non-farm parcel resulting from a farm consolidation, indicate the existing land use designation of the abutting or non-abutting farm consolidation property.

10.4 Description of farm consolidation property:

Frontage (m):	Area (m² or ha):

Existing Land Use(s): _____ Proposed Land Use(s): _____

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

Frontage (m):	Area (m² or ha):

10.6 Existing Land Use: _____ Proposed Land Use: _____

10.7 Description of surplus dwelling lands proposed to be severed:

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

Front yard set back: _____

a) Date of construction:
☐ Prior to December 16, 2004 ☐ After December 16, 2004

b) Condition:
☐ Habitable ☐ Non-Habitable

11 COMPLETE APPLICATION REQUIREMENTS

11.1 All Applications

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

11.2 Validation of Title

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

11.3 Cancellation

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

11.4 Other Information Deemed Necessary

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

_____

_____

Committee of Adjustment
City Hall, 5th Floor,
71 Main 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*

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

1. APPLICANT INFORMATION

	NAME	MAILING ADDRESS
Registered Owner(s)	Seasons Retirement Communities (Stoney Creek) GP Inc.	[redacted]
Applicant(s)	Same as Owner	
Agent or Solicitor	UrbanSolutions Planning & Land Development Consultants Inc. c/o Matt Johnston [UrbanSolutions]	

Please include contact person's name if applying as a company or organization.

1.2 Primary contact ☐ Applicant ☐ Owner ☑ Agent/Solicitor

1.3 Sign should be sent to ☐ Applicant ☐ Owner ☑ Agent/Solicitor

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

If YES, provide email address where sign is to be sent [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 card over phone*

*Must provide phone number above

2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	8 Shoreview Place		
Assessment Roll Number	251800304019200		
Former Municipality	Stoney Creek		
Lot	Lot 16	Concession	
Registered Plan Number	62M-101	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:

Subject to an easement as in WE1136448

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 reduced minimum lot areas for the lands to be retained and lands to be severed.

☐ Additional Dwelling Unit ☐ Reconstruction of Existing Dwelling

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

Existing site-specific zoning limits minimum lot size to existing lot size.

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

☐ Yes ☑ No

If yes, please provide an explanation:

N/A

4. DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

4.1 Dimensions of Subject Lands (in metric):

Lot Frontage	Lot Depth	Lot Area	Width of Street
126.06 m	Varies	2.04 ha	+/- 20.10 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 in metric)

Existing:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Retirement Residence	10.26 m	19.11 m	+/- 85 m & 1.20 m	2016

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Retirement Residence	10.26 m	19.11 m	16.5 m & 1.20 m	2016

4.3. Particulars of all buildings and structures on or proposed for the subject lands. All dimensions to be provided in metric (m, m^2 or ha); attach additional sheets as necessary.

Existing:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Retirement Residence	+/- 2,851.39 sq.m.	+/- 11,728.36 sq.m.	9	+/- 34.00 m

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Retirement Residence	+/- 2,851.39 sq.m.	+/- 11,728.36 sq.m.	9	+/- 34.00 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
☐ 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.):

Existing retirement residence to remain.

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

Single & Semi-Detached Dwelling, Townhouse, Multiple Dwelling

5. HISTORY OF THE SUBJECT LAND

5.1 Date of acquisition of subject lands:

Unknown

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

Retirement Residence

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

Retirement Residence

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

Since 2016

5.5 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 (Sched. E & E-1)

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

Please refer to enclosed Cover Letter.

5.6 What is the existing zoning of the subject land? Mixed Use Commercial "MUC-5" Zone in By-law 3692-92

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

☑ Yes ☐ No

If yes, please provide the file number: SC/A-23:349

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

☑ Yes ☐ No

If yes, please provide the file number: Concurrent application

6. ADDITIONAL INFORMATION

6.1 Number of Dwelling Units Existing: 130

6.2 Number of Dwelling Units Proposed: 0

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

N/A

7. COMPLETE APPLICATION REQUIREMENTS

7.1 All Applications

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

7.2 Other Information Deemed Necessary

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

_____

_____

STAFF COMMENTS

HEARING DATE: April 30, 2026

Hamilton

A-26:057 — 8 Shoreview Place, Stoney Creek

Recommendation:

Approve Variances 1 and 2 and the proposed lot severance/easements. — Development Planning

Proposed Conditions:

Proposed Notes:

A building permit is required for the construction of the proposed 9 storey retirement residence (Building Engineering)

Hamilton

Development Planning:

Background

The purpose of the application is to sever the existing Mixed Use Commercial lot into two (2) parcels and to establish three (3) easements across the subject lands. The severed lands will be a vacant Mixed Use Commercial lot, and the retained lands will contain the existing Retirement Residence which is intended to remain.

The lands are to be conveyed as follows:

	Frontage	Depth	Area
SEVERED LANDS & EASEMENT (LANDS TO BE SEVERED AND SUBJECT TO PROPOSED BLANKET EASEMENT FOR STORMWATER MANAGEMENT IN FAVOUR OF LANDS TO BE RETAINED):	45.76 m±	135.492m±	8,917.99m²±
RETAINED LANDS & EASEMENT (LANDS TO BE RETAINED AND SUBJECT TO PROPOSED BLANKET EASEMENT FOR STORMWATER MANAGEMENT IN FAVOUR OF LANDS TO BE SEVERED):	80.30 m±	65.88 m±	11,501.72 m²±
EASEMENT (LANDS SUBJECT TO PROPOSED ACCESS EASEMENT IN FAVOUR OF LANDS TO BE RETAINED):	6.75 m±	N/A	337.81 m²±

The following variances are requested:

1. A minimum Lot Area of 11,500 square metres shall be permitted for the lands to be retained instead of the minimum required Lot Area of 20,400 square metres.

2. A minimum Lot Area of 8,900.0 square metres shall be permitted for the lands to be severed instead of the minimum required Lot Area of 20,400 square metres.

Urban Hamilton Official Plan

The subject property is designated as ‘Neighbourhoods” on Schedule E-1 – Urban Land Use Designations in the Urban Hamilton Official Plan. Policies E.3.2.3 and E.3.10.1 among others, are applicable. Policy E.3.10.1 permits long term care facilities, health care and seniors’ centres. Based

Hamilton

on the forgoing the existing Retirement Residence is permitted and the lands to be severed for future development will be required to comply with the applicable policies of the UHOP.

The proposal is considered residential intensification in accordance with the Urban Hamilton Official Plan. Staff have completed an analysis of the proposal against Policies B.2.4.1.4 and B.2.4.2.2 and are satisfied that the proposed severance conforms to the residential intensification policies. The proposed severance is compatible with the scale and character of the neighbourhood, maintains the general streetscape pattern, and considers the relationship of the proposed lots with existing development.

The following Official Plan policy applies to consent applications to create a new lot:

"F.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;

b) The lots comply with existing Neighbourhood Plans;

c) The lots are in conformity with the Zoning By-law or a minor variance is approved;

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;

e) The lots are fully serviced by municipal water and wastewater systems; and,

f) The lots have frontage on a public road."

Staff have completed an analysis of the lot creation policies of Policy F.1.14.3.1 and are of the opinion that the proposed severance conforms to the above noted policies. The proposed lots reflect the general scale and character of the established development pattern in the surrounding area. The subject lands are not identified as being within a Secondary Plan Area. The proposed lots will be zoning compliant with respect to lot area through the concurrently applied minor variance application. Development Planning staff defer to Zoning staff to verify if a condition to determine zoning compliance is necessary for the newly proposed lots. The proposed lots have frontage on a public road (Shoreview Place). Planning Staff defer to Development Engineering staff on any concerns related to servicing, with respect to F.1.14.3.1 e). Accordingly, the proposed severance complies with the Urban Hamilton Official Plan.

Archaeology

Hamilton

The subject property meets three (3) of the ten criteria used by the City of Hamilton and Ministry of Citizenship and Multiculturalism for determining archaeological potential:

1) Within 300 metres of a primary watercourse or permanent waterbody, 200 metres of a secondary watercourse or seasonal waterbody, or 300 metres of a prehistoric watercourse or permanent waterbody;
2) In an area of sandy soil in areas of clay or stone; and,
3) Along historic transportation routes.

These criteria define the property as having archaeological potential. Accordingly, Section 2 (d) of the *Planning Act* and Section 4.6.2 of the Provincial Planning Statement apply to the subject application.

A Stage 1-2 (P017-221-2012) archaeological report for the subject property were submitted to the City and the Ministry of Citizenship and Multiculturalism. The Province signed-off on the report for compliance with licensing requirements in a letter dated October 19, 2012. Staff is of the opinion that the municipal interest in the archaeology of this portion of the site has been satisfied.

Cultural Heritage

No comments.

Stoney Creek Zoning By-law No. 3692-92

The subject property is zoned as Mixed Use Commercial “MUC-5” Zone, Modified, in Zoning By-law No. 3692-92. The “MUC-5” Zone permits the existing Retirement Residence subject to regulations. Staff note at this time the lands to be severed are to remain as vacant and will be subject to future approval should development be proposed.

Analysis

Minor Variance

Variances 1 and 2

1. A minimum Lot Area of 11,500 square metres shall be permitted for the lands to be retained instead of the minimum required Lot Area of 20,400 square metres.

2. A minimum Lot Area of 8,900.0 square metres shall be permitted for the lands to be severed instead of the minimum required Lot Area of 20,400 square metres.

The intent of the above provisions is to ensure that lots are of a sufficient size to facilitate development in accordance with the permitted uses that pertain to the “MUC-5” Zone. Staff note that the lands were subject to previous approvals that implemented the minimum required lot area (By-law

Hamilton

No. 10-027). The By-law restricted the minimum required lot area to 20,400 square metres to recognize the development of the Retirement Residence. Staff are of the opinion that the reduction from 20,400 square metres to 11,500 square metres is minor in this case and does not result in adverse impacts as the site and development is existing and the variance is only required due to the lots being severed. The lands to be retained will remain and the lands to be severed will remain vacant subject to future development. The existing development can be adequately supported as demonstrated with the reduced lot area and the proposed easement for access. Staff defer to Development Engineering for further comment as it relates to comments regarding the proposed easement for storm water management. Furthermore, staff defer to Transportation Planning staff for comment as it relates to the proposed access easement.

Based on the forgoing analysis **staff recommend Variances 1 and 2 be approved** as they satisfy the four tests under the *Planning Act.*

Severance/Easements

Based on the above analysis, the proposed severance and easements for access conform to the policies of the Urban Hamilton Official Plan. Staff defer to Development Engineering staff for comment as it relates to easements for storm water management and to Transportation Planning staff for comment as it relates to the proposed access easement. Development Planning staff are of the opinion that the lots are well integrated within the existing neighbourhood and represent a compatible form of intensification which is in keeping with the existing neighbourhood character and streetscape. The lands to be severed will be used to facilitate future development and the proposed lot configuration maintains sufficient access for the existing development.

Based on the forgoing analysis staff recommend the **approval** of the severance/easements as they conform to the Urban Hamilton Official Plan.

Zoning:

Recommendation:	Comments Only
Proposed Conditions:	
Comments:	i. The submitted application indicates the easements on the severed and retained land will be required to maintain existing access to the properties. Please note that legally established rights of ways shall be properly registered on title should access between properties (lands to be conveyed and retained) and sharing of the parking areas be provided.
Notes:	

Development Engineering:

Recommendation:	No Comments
Proposed Conditions:	

Hamilton

Comments:	
Notes:	

Building Engineering:

Recommendation:	Comments and Conditions/Notes
Proposed Conditions:	
Comments:	
Notes:	A building permit is required for the construction of the proposed 9 storey retirement residence

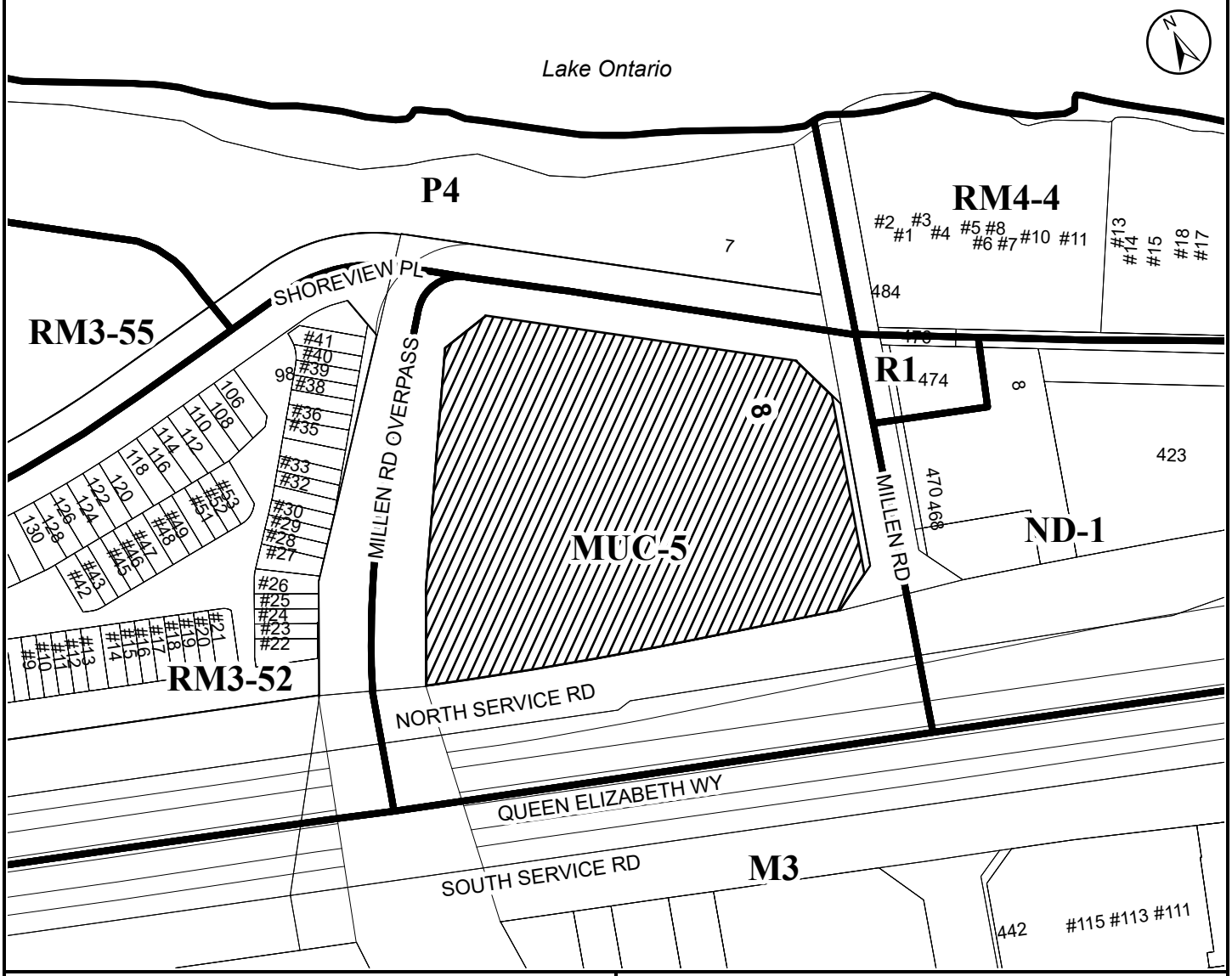
Transportation Planning:

Recommendation:	No Comments
Proposed Conditions:	
Comments:	
Notes:	

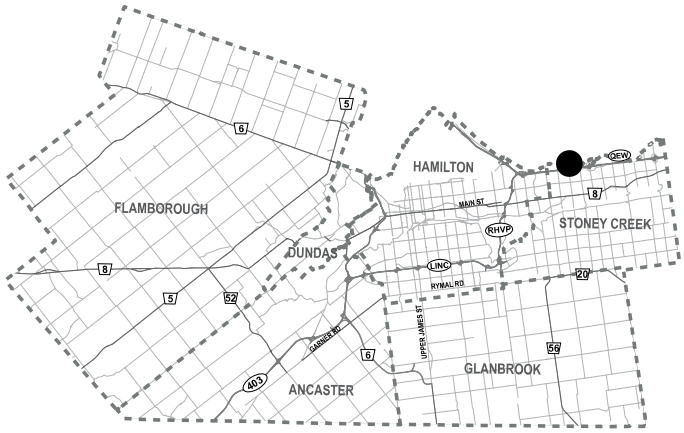
Ministry of Transportation:

Recommendation:	Comments Only
Proposed Conditions:	
Comments:	The Ministry has no concerns with the proposed minor variances. However, Planner's comments for application B-26010 must be obtained for the application to be considered fully approved. The subject property is located within the Ministry's permit control area and therefore requires a Ministry Building and Land Use (BLU) permit. Any future development will require Ministry review and approval. No construction or grading shall commence prior to the issuance of the required permit by the Ministry.
Notes:	

Please Note: Public comment will be posted separately, if applicable.



● **Site Location**



City of Hamilton

Committee of Adjustments

Subject Property

8 Shoreview Place, Stoney Creek (Ward 10)

File Name/Number: A-26:057

Date: April 17, 2026

Technician: RS

Scale: N.T.S.

Appendix "A"

Planning and Economic Development Department

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-26:059	**SUBJECT PROPERTY:**	5398 White Church Road, Glanbrook
ZONE:	A1 (Agriculture) and P6 (Conservation/Hazard Land Rural)	**ZONING BY-LAW:**	Hamilton Zoning By-law 05-200

APPLICANTS: Owner: Lisa and Steve Zahorodni
Applicant: Allison Zahorodni
Agent: Angela Bepple

The following variances are requested:

1. An Additional Dwelling Unit – Detached shall be permitted on a lot containing a Single Detached Dwelling having a minimum Lot Area of 0.23 hectares, instead of the minimum required Lot Area of 1.5 hectares.

2. An Additional Dwelling Unit - Detached shall be permitted within a Front Yard instead of the requirement that Additional Dwelling Units – Detached shall only be permitted in a Rear and/or Interior Side Yard.

3. An Additional Dwelling Unit – Detached shall not be required to be setback a minimum distance from the front Façade of the principle dwelling instead of the requirement that an Additional Dwelling Unit – Detached shall be setback a minimum of 5.0 metre from the front Façade of the principal dwelling.

PURPOSE & EFFECT: To permit the construction of an Additional Dwelling Unit – Detached on a lot with an existing Single Detached Dwelling, under the Agriculture (A1) Zone.

Notes:

i. Please be advised insufficient information was provided to determine zoning compliance with Section 4.33.4 e) i) and ii). Additional variances may be required if zoning conformity cannot be achieved.

ii. Please be advised insufficient information was provided to determine zoning compliance with Section 4.33.4 k). Additional variances may be required if zoning conformity cannot be achieved.

iii. Please be advised Insufficient information was provided to determine zoning compliance with Section 5, Parking of the Hamilton Zoning By-law 05-200. Additional variances may be required if zoning conformity cannot be achieved.

iv. Please be advised Additional Dwelling Units – Detached waste disposal and water supply systems shall be in accordance with Section 4.22 iii) below.

For lands in a Rural zone, 1) 2) An approved waste disposal and water supply systems to sustain the use of land for buildings shall be provided and maintained to the satisfaction of the Chief Building Official; and, All regulatory approvals have been received to the satisfaction of the General Manager of the Planning and Economic Development Department and/or his or her designate

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, April 30, 2026**
TIME:	**12:05 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 April 28, 2026.

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 April 29, 2026.

A-26:059

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding A-26:059, 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-26:059



Subject Lands

DATED: April 13, 2026

_____

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.

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

The following information is required with your written submission:

- Committee of Adjustment file number
- Full name and address of the person providing comments. Anonymous comments will not be accepted.

Comments can also be placed in the drop box which is located at the back of the 1st Floor of City Hall, 71 Main Street West. All written comments received by the deadline 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. To register, email cofa@hamilton.ca with the following information:

- Committee of Adjustment file number
- Hearing date
- Full name and address of the person wishing to speak. Anonymous comments will not be accepted.
- 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.

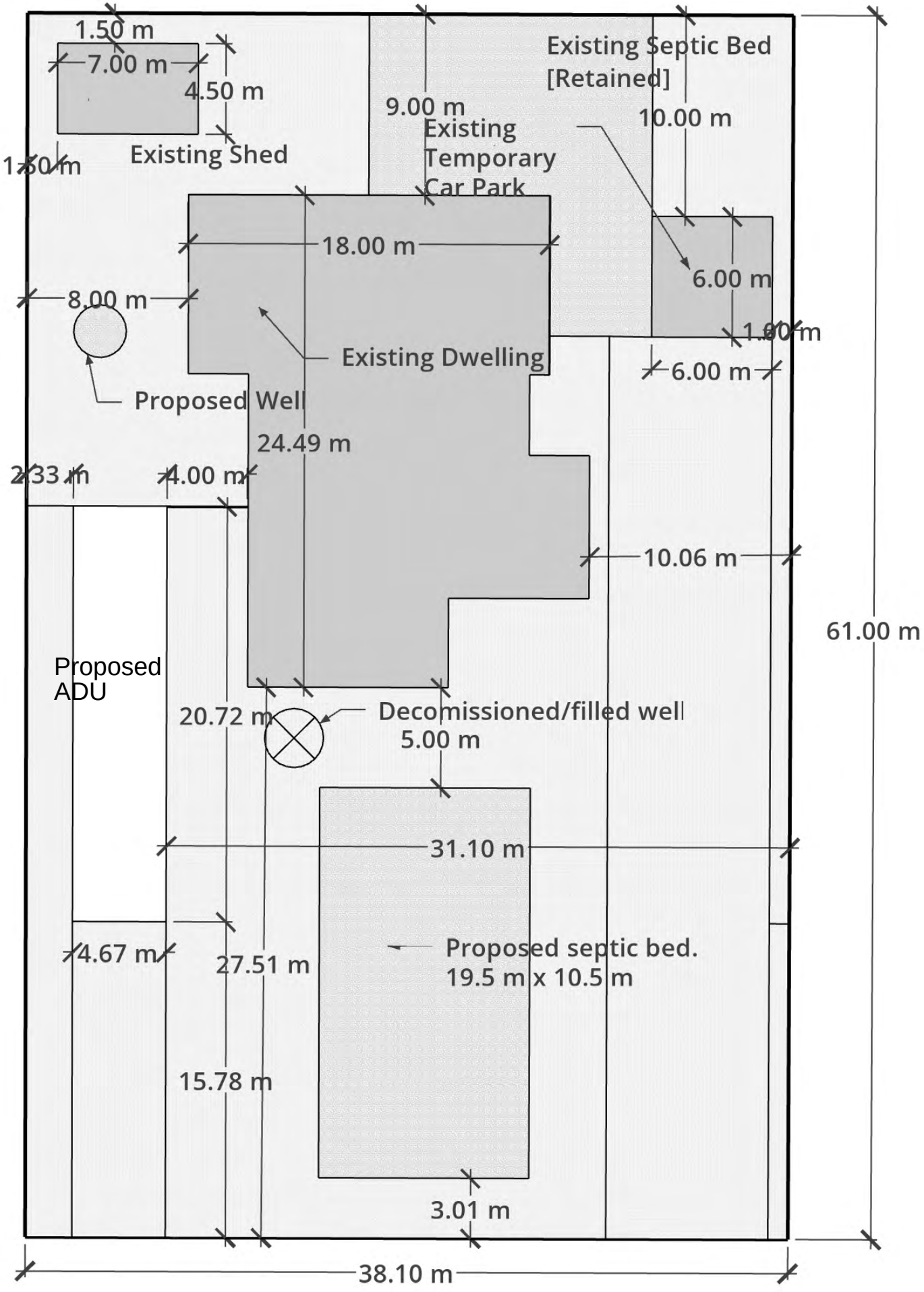
Virtual Presentations:
Presenters participating virtually may be granted permission to share their screen during the Hearing. A copy of the presentation must be submitted to cofa@hamilton.ca **by 12:00 p.m. (noon) on the business day prior to the Hearing.** The submission must be one document in PDF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

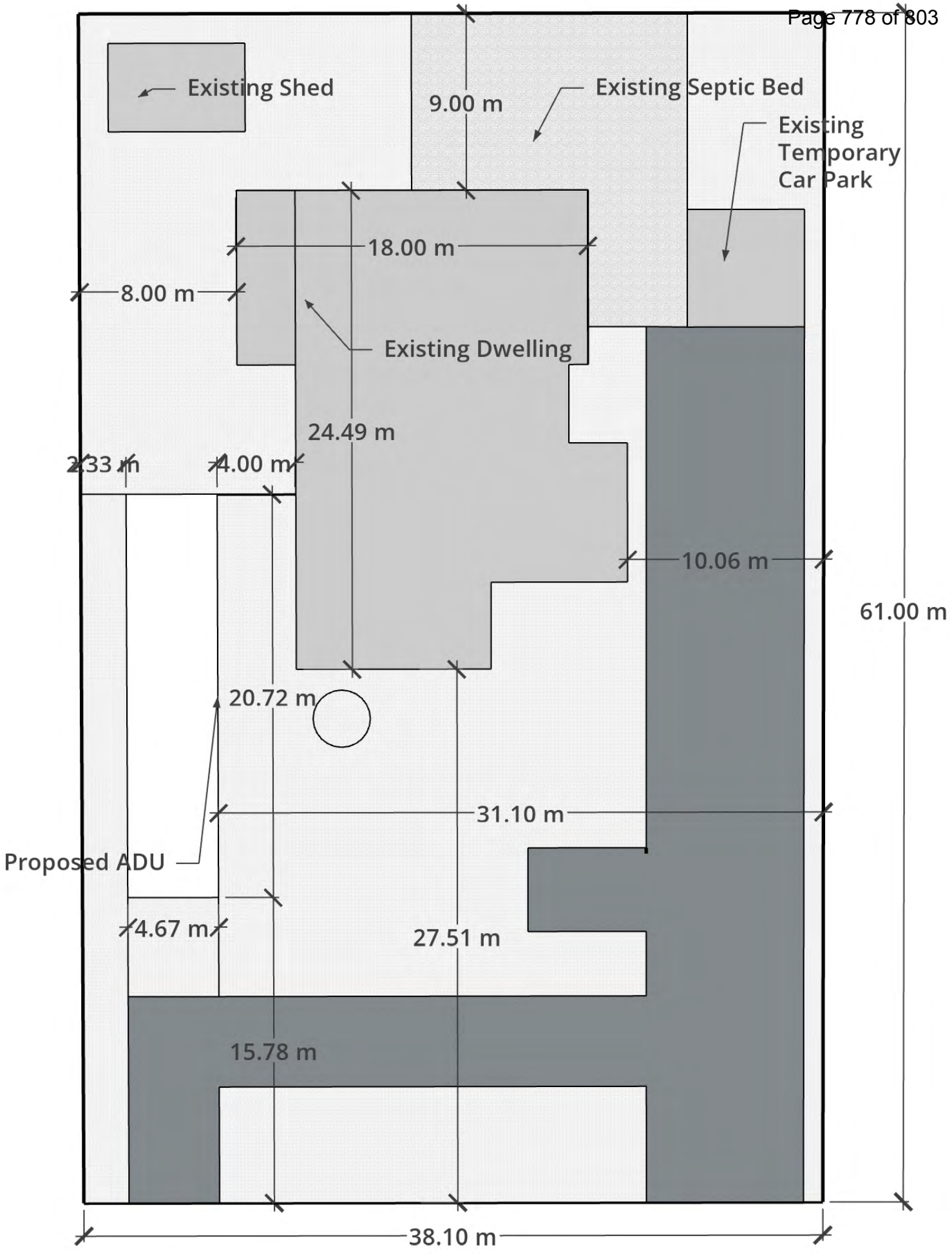
6. Additional Notes

- 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.



White Church Road



White Church Road

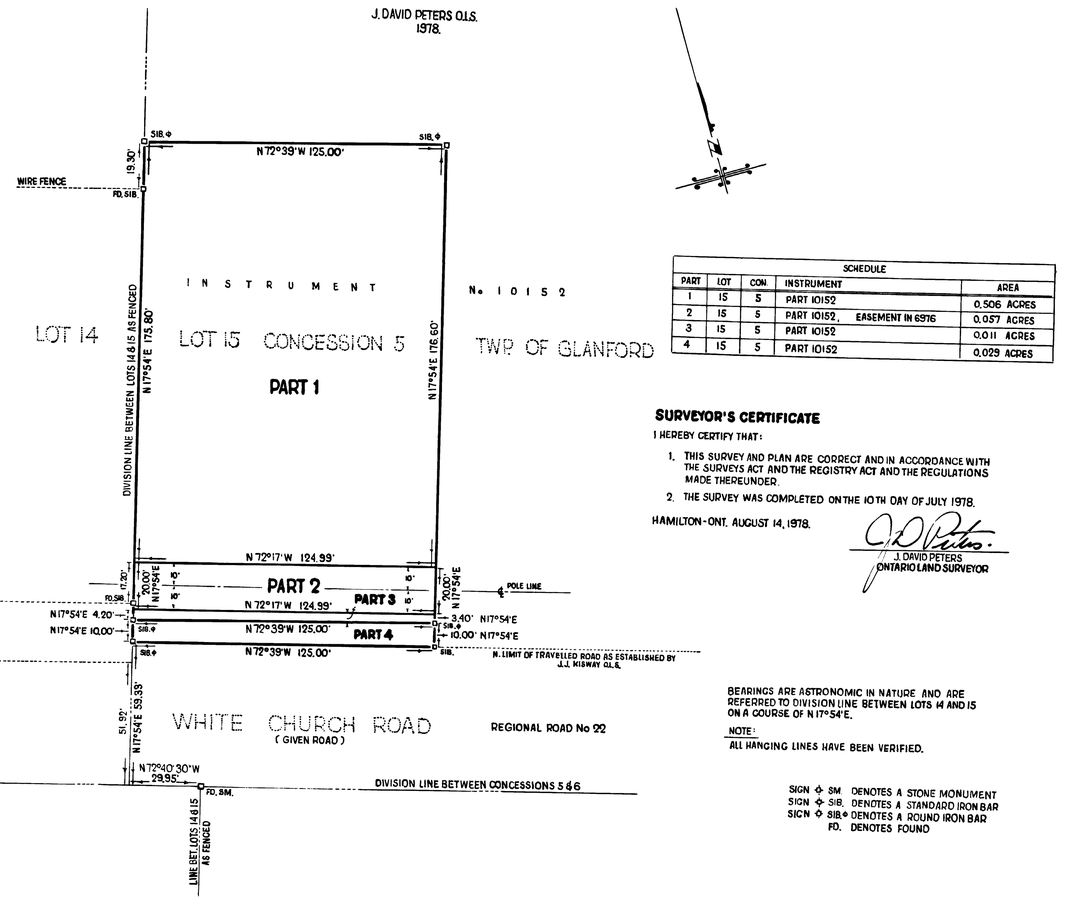
RECEIVED AND DEPOSITED AS
PLAN 62R-4346
DATED: Aug. 23. 1978
Lima Hobbs Dep
LAND REGISTRAR FOR THE REGISTRY DIVISION OF WENTWORTH

I REQUIRE THIS PLAN TO BE DEPOSITED UNDER PART II OF THE REGISTRY ACT.
DATED: AUGUST 14, 1978.
J. DAVID PETERS

CAUTION:
THIS PLAN IS NOT A PLAN OF SUBDIVISION WITHIN THE MEANING OF SECTION 29, 32 OR 33 OF THE PLANNING ACT.

PLAN
SHOWING
PART OF LOT 15 CONCESSION 5 TOWNSHIP OF GLANFORD
NOW IN THE
TOWNSHIP OF GLANBROOK
IN THE
REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH
SCALE 1" = 40'

J. DAVID PETERS O.L.S.
1978.



SCHEDULE				
PART	LOT	CON.	INSTRUMENT	AREA
1	15	5	PART 10152	0.506 ACRES
2	15	5	PART 10152, EASEMENT IN 6976	0.057 ACRES
3	15	5	PART 10152	0.011 ACRES
4	15	5	PART 10152	0.029 ACRES

SURVEYOR'S CERTIFICATE

I HEREBY 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 10TH DAY OF JULY 1978.

HAMILTON-ONT. AUGUST 14, 1978.

J. DAVID PETERS
ONTARIO LAND SURVEYOR

BEARINGS ARE ASTRONOMIC IN NATURE AND ARE REFERRED TO DIVISION LINE BETWEEN LOTS 14 AND 15 ON A COURSE OF N 17°54'E.

NOTE:
ALL HANGING LINES HAVE BEEN VERIFIED.

SIGN ⌖ SM. DENOTES A STONE MONUMENT
SIGN ⌖ SIB. DENOTES A STANDARD IRON BAR
SIGN ⌖ SIB.● DENOTES A ROUND IRON BAR
FD. DENOTES FOUND

MACKAY, MACKAY & PETERS LIMITED
ONTARIO LAND SURVEYORS
HAMILTON-ONTARIO

Y-17553

16X

March 6, 2026

Secretary-Treasurer
Committee of Adjustment
City of Hamilton
71 Main Street West
Hamilton, Ontario L8P 4Y5

Re: Application for Minor Variance – 5398 White Church Road East, Hamilton, Ontario

Dear Members of the Committee of Adjustment,

We are pleased to submit this letter in support of the Minor Variance application for the above-noted property. The applicant seeks relief from the City of Hamilton Zoning By-law to permit an Accessory Dwelling Unit (ADU) on lands zoned Agricultural (A), where the by-law requires a minimum lot area of 1.5 hectares. The subject property is approximately 0.23 hectares in size. Accordingly, the applicant respectfully requests the Committee's approval to recognize the proposed ADU on the existing lot.

1. Property Context and Background

The subject property is located at 5398 White Church Road East, Hamilton, Ontario. While designated Agricultural in the Rural Hamilton Official Plan (RHOP) and zoned Agricultural under the Zoning By-law, the property and its immediately adjacent neighbours are not, and have not been, used for agricultural purposes for many decades. The property was created by subdivision in approximately 1978, and its dimensions and area have remained unchanged since that time.

The subject site and its neighbours along this portion of White Church Road constitute an established pattern of large residential lots, each individually serviced by private well and septic systems. These lots exist adjacent to, but are functionally distinct from, the larger agricultural landholdings in the surrounding area.

2. Proposed Variance

The applicant proposes to construct an Accessory Dwelling Unit in association with the existing principal dwelling on the subject property. The Zoning By-law requires a minimum lot area of 1.5 hectares for an ADU in the Agricultural zone; the subject lot does not satisfy this requirement. The requested variance is limited in scope and is necessary solely to recognize the existing lot configuration, which has been established for over forty years.

3. Four Tests for Minor Variance

Pursuant to Section 45(1) of the Planning Act, R.S.O. 1990, c. P.13, the Committee of Adjustment may grant a minor variance where the application satisfies the following four tests. Each is addressed below.

(a) General Intent and Purpose of the Official Plan

The Rural Hamilton Official Plan emphasizes both the protection of the agricultural land base and the fundamental importance of housing to community well-being. Although the subject lands carry an Agricultural designation under the RHOP, this segment of White Church Road has long been characterized by an established cluster of residential lots of comparable size and character. The addition of an accessory dwelling unit represents contextually appropriate residential infill within this cluster, rather than the introduction of a new residential use into an active agricultural landscape.

The RHOP recognizes that additional housing opportunities in rural areas must be balanced against private servicing constraints. In this case, a qualified septic designer has confirmed that adequate and sustainable water and wastewater servicing can be accommodated entirely on-site (see Section 6 below). The proposal therefore satisfies the servicing rationale underlying these policies and is consistent with the general intent and purpose of the Rural Hamilton Official Plan.

(b) General Intent and Purpose of the Zoning By-law

The minimum lot area requirement for ADUs in the Agricultural zone is intended to ensure that lots can accommodate private water and septic servicing without adverse environmental impacts, and to avoid introducing incompatible residential uses into active agricultural areas. The requirement reflects the wide variation in soil types, hydrogeological conditions, and lot configurations across the municipality.

The subject application directly addresses both of these underlying objectives. The proposed servicing design demonstrates that the lot can sustainably support both the principal dwelling and the accessory unit. This includes separate septic and water infrastructure for the ADU, and the decommissioning of the existing well. Furthermore, the property is not used for agricultural purposes and is situated within a long-established residential pattern; no agricultural operations will be affected. The general intent and purpose of the Zoning By-law is therefore maintained.

(c) Desirable for the Appropriate Development or Use of the Land

The proposed ADU represents a modest and appropriate form of gentle intensification on a lot that has functioned exclusively as a residential property for decades. The proposal makes efficient use of existing infrastructure and services, consistent with provincial and municipal policy objectives to increase housing supply. It does not require the removal of any land from agricultural production, introduce new servicing demands on neighbouring properties, or alter the residential character of the surrounding area. The variance is accordingly desirable for the appropriate use of the land.

(d) Minor in Nature

The requested variance is limited to the minimum lot area requirement and arises solely from the pre-existing configuration of a lot created in 1978. No changes to permitted uses, setbacks, built form, or any other zoning standard are sought. The ADU will be of limited scale, located in close proximity to the principal dwelling, and fully serviced on-site. Given the longstanding residential character of the subject property and the demonstrated

servicing capacity, the variance is minor in nature and will have no adverse impact on adjacent properties or the surrounding area.

4. Consistency with the Provincial Planning Statement, 2024

The proposal is consistent with the Provincial Planning Statement, 2024 (PPS). In particular, it supports Section 2.5(1)(c), which requires the accommodation of an appropriate range and mix of housing in rural settlement areas, and Section 2.5(1)(d), which directs that rural infrastructure and public service facilities be used efficiently.

Section 4.3.2.5 of the PPS permits additional residential units on agricultural lands subject to the following criteria. The proposal has been assessed against each requirement:

a) **Minimum Distance Separation (MDS) Formulae:** Based on a conservative assessment of nearby agricultural uses, the proposed ADU is anticipated to comply with applicable MDS requirements. Confirmation can be provided prior to issuance of a building permit if verification is required by the municipality.

b) **Compatibility with agricultural operations:** The subject property has not been used for agricultural purposes for at least four decades. The proposed ADU will not hinder or interfere with any surrounding agricultural operations.

c) **Sewage and water services:** A qualified septic designer has confirmed that adequate on-site water and wastewater servicing can be provided for both the principal dwelling and the ADU. Full details are provided in Section 6.

d) **Public health and safety:** The proposed servicing design addresses all applicable public health and safety requirements under the Ontario Building Code and the Zoning By-law.

e) **Limited scale and proximity to principal dwelling:** The ADU is of limited scale and will be located in close proximity to the existing principal dwelling on the subject property.

f) **Minimizing land taken out of agricultural production:** No agricultural land will be removed from production. The property is, and has long been, used exclusively for residential purposes.

5. Conformity with the Greenbelt Plan, 2017

The subject property is located within the Protected Countryside designation of the Greenbelt Plan, 2017. The applicant acknowledges that Section 4.5.3 of the Greenbelt Plan, which addresses second dwelling units in the Protected Countryside, permits such units within single dwellings or within existing accessory structures. The proposed ADU is a newly constructed detached structure and therefore does not fall squarely within the express language of Section 4.5.3.

The applicant submits, however, that the proposal is consistent with the purposes and objectives of the Greenbelt Plan, and that the apparent tension with Section 4.5.3 arises from a gap in the plan rather than a deliberate prohibition. The Greenbelt Plan's ADU provisions were established prior to the province's subsequent policy evolution on housing, including the More Homes Built Faster Act, 2022 and the Provincial Planning

Statement, 2024, which together established additional residential units as a permitted use across Ontario, including on agricultural lands. The Greenbelt Plan has not been updated to reflect this shift in provincial housing policy, creating an unresolved gap between the plan's language and current provincial intent.

The core purposes of the Greenbelt Plan are to protect the natural environment, agricultural lands, and the character of the countryside. The proposed ADU does not conflict with any of these purposes. Specifically:

a) No agricultural land is removed from production. The subject property has not been used for agricultural purposes for at least four decades and is situated within a long-established residential cluster;
b) No new lot is created. The proposed ADU is an accessory use on the existing lot;
c) No new infrastructure extension is required. The proposal is fully serviced on-site by private well and septic systems;
d) No natural heritage features are affected. The subject property is not located within the Natural Heritage System designation of the Greenbelt Plan; and
e) The countryside character of the area is maintained. The ADU is of limited scale and is accessory to a long-established residential use.

The applicant respectfully submits that a prohibition on a modest detached ADU of this nature would be inconsistent with the current direction of provincial housing policy, and that the Greenbelt Plan's silence on newly constructed detached ADUs in the post-2022 policy context should not be read as a prohibition where none of the plan's underlying purposes are engaged. Should the Committee or City staff wish to seek guidance from the Ministry of Municipal Affairs and Housing on this question, the applicant is supportive of that process.

6. Servicing

The subject property is not located within a vulnerable area as identified in the applicable Assessment Report prepared pursuant to Sections 15–21 of the Clean Water Act, 2006, S.O. 2006, c. 22, as confirmed by review of City of Hamilton source water protection and watercourse mapping. The owners retained Hygrade Excavating to complete a site assessment and to develop a servicing solution meeting the requirements of the Ontario Building Code (Part 8 - Sewage Systems), the Zoning By-law, and applicable environmental standards. The proposed servicing design includes the following elements:

1. The existing septic system will be retained and will continue to service the principal dwelling exclusively;
2. The existing well will be properly capped and decommissioned in accordance with applicable standards;
3. A new well will be constructed at the location identified on the Proposed Site Plan; and
4. A new septic bed and associated infrastructure will be constructed for the ADU at the location identified on the Proposed Site Plan.

This design ensures that the effluent from both the principal dwelling and the ADU will be contained entirely on the subject property, and that source water and groundwater on and adjacent to the property will be protected. The servicing solution demonstrates that the lot can sustainably support the proposed additional residential unit, notwithstanding the variance to the minimum lot area requirement.

7. Conclusion

For the reasons set out above, the application satisfies all four tests for a minor variance under the Planning Act. The proposed Accessory Dwelling Unit is consistent with the Provincial Planning Statement, 2024, and conforms with the general intent and purpose of the Rural Hamilton Official Plan and Zoning By-law. The variance is minor in nature, arises from the pre-existing configuration of a long-established residential lot, and will have no adverse impact on surrounding properties or agricultural operations.

With respect to the Greenbelt Plan, 2017, the applicant submits that the proposal is consistent with the plan's purposes and objectives, and that the gap between the plan's ADU language and the current direction of provincial housing policy should not operate as a prohibition where none of the plan's underlying purposes are engaged by the proposed development.

The application will modestly contribute to the local supply of housing in a manner that is compatible with the surrounding residential and agricultural context, and that fully meets applicable servicing and environmental standards. We respectfully request that the Committee approve the application as submitted.

We are available to attend the hearing and to respond to any questions from the Committee. Please do not hesitate to contact the undersigned should additional information be required in advance of the hearing.

Yours truly,

Angela Bepple
Bepple Paralegal Services
437-288-7121
abepple@beppleparalegal.ca

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)	Lisa and Steve Zahorodni	[redacted]
Applicant(s)	Allison Zahorodni	
Agent or Solicitor	Angela Bepple	

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	5398 Whitechurch Road East		
Assessment Roll Number			
Former Municipality	Glanbrook		
Lot	Pt Lt 15	Concession	5
Registered Plan Number		Lot(s)	
Reference Plan Number (s)	62R4346	Part(s)	1,2,3

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

☑ Yes ☐ No

If YES, describe the easement or covenant and its effect:

Subject to Ontario Hyrdo easement GL6976 since 1942

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 an Accessory Dwelling Unit on an agricultural lot under 1.5 hectares in size.
The existing lot is approximately 0.23 hectares in size.

☑ Second Dwelling Unit ☐ Reconstruction of Existing Dwelling

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

The lot area is pre-existing.

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

☐ Yes ☑ No

If yes, please provide an explanation:

4. DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

4.1 Dimensions of Subject Lands:

Lot Frontage	Lot Depth	Lot Area	Width of Street
38.1 M	61 M	2333 sqm	21 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 Dwelling unit	24.5 M	9 M	8 M, 8 M	01/01/1979

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
ADU	20.5 M	20 M	2.33M, 4 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
Single Dwelling Unit	419 sqm	630 sqm	2	7 M

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
ADU	96.8 sqm	96.8 sqm	1	4 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 and detached Accessory Dwelling Unit

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

Residential (Agricultural), Agricultural, Conservation / Hazard Land - Rural Zone

7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:

December 2017

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

Single detached residential dwelling

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

Single detached residential dwelling

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

40 + years

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.

ADUs are permitted in Agricultural zones.

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

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

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

_____

_____

STAFF COMMENTS

HEARING DATE: April 30, 2026

Hamilton

A-26:059 — 5398 White Church Road East, Glanbrook

Recommendation:

Deny — Source Protection Planning
Deny — Development Planning

Proposed Conditions:

Proposed Notes:

We recommend this application not be supported for the reasons outlined above. Should the Committee of Adjustment approve the application, it is recommended that a condition of approval be included requiring a water supply assessment, to the satisfaction of Director, Hamilton Water. This study should confirm that the on-site water supply is adequate to meet the intended complete use and will not result in adverse on-site or off-site impacts. (Source Protection Planning)

A building permit is required for the construction of an Additional Dwelling Unit – Detached on a lot with an existing Single Detached Dwelling, under the Agriculture (A1) Zone. (Building Engineering)

If this variance is granted, the City does not require an archaeological assessment, but the proponent must be advised in writing by the Committee of Adjustment as follows:

"**Acknowledgement Note:** The subject property has been determined to be an area of archaeological potential. It is reasonable to expect that archaeological resources may be encountered during any demolition, grading, construction activities, landscaping, staging, stockpiling or other soil disturbances. If archaeological resources are encountered, the proponent may be required to conduct an archaeological assessment prior to further impact in order to address these concerns and mitigate, through preservation or resource removal and documentation, adverse impacts to any significant archaeological resources found. Mitigation, by an Ontario-licensed archaeologist, may include the monitoring of any mechanical excavation arising from this project. If archaeological resources are identified on-site, further Stage 3 Site-specific Assessment and Stage 4 Mitigation of Development Impacts may be required as determined by the Ontario Ministry of Citizenship and Multiculturalism (MCM). All archaeological reports shall be submitted to the City of Hamilton for approval concurrent with their submission to the MCM.

Should deeply buried archaeological materials be found on the property during any of the above development activities the MCM should be notified immediately (416-212-8886). In the event that human remains are encountered during construction, the proponent should immediately contact both

Hamilton

MCM and the Registrar or Deputy Registrar of the Cemeteries Regulation Unit of the Ministry of Government and Consumer Services (416-212-7499).” (Development Planning)

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Development Planning:

Background

The purpose of the application is to permit the construction of an Additional Dwelling Unit – Detached on a lot with an existing Single Detached Dwelling, under the Agriculture (A1) Zone.

The following variances are requested:

1. An Additional Dwelling Unit – Detached shall be permitted on a lot containing a Single Detached Dwelling having a minimum Lot Area of 0.23 hectares, instead of the minimum required Lot Area of 1.5 hectares.

2. An Additional Dwelling Unit - Detached shall be permitted within a Front Yard instead of the requirement that Additional Dwelling Units – Detached shall only be permitted in a Rear and/or Interior Side Yard.

3. An Additional Dwelling Unit – Detached shall not be required to be setback a minimum distance from the front Façade of the principle dwelling instead of the requirement that an Additional Dwelling Unit – Detached shall be setback a minimum of 5.0 metre from the front Façade of the principal dwelling.

Provincial Planning Statement (2024)

“4.3.2.5 Where a residential dwelling is permitted on a lot in a prime agricultural area, up to two additional residential units shall be permitted in accordance with provincial guidance, provided that, where two additional residential units are proposed, at least one of these additional residential units is located within or attached to the principal dwelling, and any additional residential units:

a) comply with the minimum distance separation formulae;

b) are compatible with, and would not hinder, surrounding agricultural operations;

c) have appropriate sewage and water services;

d) address any public health and safety concerns;

e) are of limited scale and are located within, attached, or in close proximity to the principal dwelling or farm building cluster; and

f) minimize land taken out of agricultural production.

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Lots with additional residential units may only be severed in accordance with policy 4.3.3.1.c).”

The above policy identifies that additional residential units shall be permitted where a residential dwelling is permitted. Subsections c) and d) of this policy seek to address concerns of private servicing through the introduction of an Additional Dwelling Unit – Detached and potential public health concerns and impacts to sewage and water services. Staff are not satisfied that the proposed Additional Dwelling Unit – Detached is consistent with subsection c) and d) above, given that the size of the lot does not meet the minimum size requirements as stated in the Rural Hamilton Official Plan and implemented through the Zoning By-law and that a Hydrogeological Study is to be submitted and satisfactory to Source Protection Planning staff. Based on the above Provincial Planning Statement policies, staff are of the opinion that the proposal is not consistent with the Provincial Planning Statement.

Rural Hamilton Official Plan

The subject property is designated Agriculture on Schedule D – Rural Land Use Designations in the Rural Hamilton Official Plan. Policies D.2.0 among others are applicable. The subject lands are not identified as being located within a Rural Settlement area as found in Volume 2 of the Rural Hamilton Official Plan.

The below policies, among others, are applicable:

“C.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:

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.”

Policy C.3.1.2 e) states that an Additional Dwelling Unit – Detached is permitted provided that the lot has a minimum area of 1.5 hectares. The policy further states that a minimum lot area may be reduced if it can be demonstrated that the minimum servicing requirements of Policy C.5.1 of the Plan

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can be achieved. The applicant has not provided a hydrogeological study in support of this application and is not satisfactory to Source Protection Planning staff based on comments provided to Planning staff. The hydrogeological study is required to demonstrate that the Additional Dwelling Unit – Detached is situated on a lot large enough to support the required private servicing and meet the City's private servicing requirements as indicated in Section C.5.1 of the Rural Hamilton Official Plan.

The following additional policies are applicable related to private servicing.

"C.5.1.1

No draft, conditional, or final approval of development proposals shall be granted by the City for any development in Rural Hamilton that could impact existing private services or involves proposed private services until the development proposal has complied with all of the following:

a) Prior to or at the time of application for a proposal that could impact existing private services or involves proposed private services, development proponents shall submit complete information regarding existing or proposed private water and wastewater services. This information shall be complete to the satisfaction of the City. Where sufficient information is not available to enable a full assessment of on-site and off-site water supply and/or sewage disposal impacts or if the proponent does not agree with the City's calculations, the proponent shall be required to submit a hydrogeological study report completed in accordance with Section F.3.2.5 – Hydrogeological Studies of this Plan and Hydrogeological Study Guidelines as maybe approved or amended from time to time.

b) Any information submitted or study required in Policy C.5.1.1 a) shall be completed to the satisfaction of the City in accordance with Section F.3.2.5 of this Plan and Hydrogeological Study Guidelines as may be amended from time to time. The City may request or conduct a peer review of the study or servicing information, which shall be completed by an agency or professional consultant acceptable to the City and retained by the City at the applicant's expense.

d) Development of a new land use or a new or replacement building on an existing lot that require(s) water and/or sewage servicing, may only be permitted where it has been determined by the requirements of Policies C.5.1.1 a) and b) that the soils and size of the lot are sufficient to accommodate the water system and sewage disposal system within acceptable levels of on-site or off-site impacts including nitrate impact, and shall include sufficient land for a reserve discharge site or leaching bed. The maximum lot size shall be in accordance with F.1.14.2.1 f)."

The subject ±0.23 hectare lot is undersized to accommodate an Additional Dwelling Unit – Detached and the proponent is required to submit a Hydrogeological Study to the satisfaction of the City. Based on subsections a), b) and d) above, the hydrogeological study is required to demonstrate that there is sufficient land to accommodate private servicing including nitrate impacts and sufficient land for a

Hamilton

reserve discharge site or leaching bed. Development Planning staff defer further comments regarding policy C.5.1.1 to Source Water Protection Staff. Accordingly, the proposal does not comply with the Rural Hamilton Official Plan.

Archaeology

The subject property meets two (2) of the ten criteria used by the City of Hamilton and Ministry of Citizenship and Multiculturalism for determining archaeological potential:

1) Within 300 metres of a primary watercourse or permanent waterbody, 200 metres of a secondary watercourse or seasonal waterbody, or 300 metres of a prehistoric watercourse or permanent waterbody;
2) Along historic transportation routes.

These criteria define the property as having archaeological potential. Accordingly, Section 2 (d) of the *Planning Act* and Section 4.6.2 of the Provincial Planning Statement apply to the subject application.

Cultural Heritage

No comments.

City of Hamilton Zoning By-law 05-200

The subject property is zoned Agriculture (A1) Zone in the City of Hamilton Zoning By-law No. 05-200. Additional Dwelling Unit(s) – Detached are permitted subject to criteria.

Analysis

Variance 1

1. An Additional Dwelling Unit – Detached shall be permitted on a lot containing a Single Detached Dwelling having a minimum Lot Area of 0.23 hectares, instead of the minimum required Lot Area of 1.5 hectares.

In accordance with the above policies, the intent of this provision is to restrict Additional Dwelling Units – Detached on lots that are undersized and are unable to sufficiently support private servicing. The applicant has not provided a Hydrogeological Study for review for Source Protection Planning staff. Staff are unable to review the application to determine if the applicable private servicing policies are being maintained. The proposed decrease in minimum lot area is not minor based on the provided information. Should the applicant seek to reduce the required lot area a satisfactory Hydrogeological study is to be submitted to address the impacts to private servicing and the existing private servicing systems that already exist on the subject lands. Based on the forgoing analysis **staff recommend that Variance 1 be denied** as it does not satisfy the four tests under the *Planning Act.*

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Variances 2 and 3

2. An Additional Dwelling Unit - Detached shall be permitted within a Front Yard instead of the requirement that Additional Dwelling Units – Detached shall only be permitted in a Rear and/or Interior Side Yard.

3. An Additional Dwelling Unit – Detached shall not be required to be setback a minimum distance from the front Façade of the principle dwelling instead of the requirement that an Additional Dwelling Unit – Detached shall be setback a minimum of 5.0 metre from the front Façade of the principal dwelling.

The intent of the above Zoning provisions which prohibits accessory structures in the front yard and to restrict the distance that Additional Dwelling Units – Detached are setback from the front façade of the principal dwellings which is to ensure the structure remains incidental and subordinate to the principal building; limit impacts on the established streetscape; facilitate development that is consistent with the neighborhood character; limit the overdevelopment of front yards; and, encourage landscaping and open space along the streetscape. Staff are unable to support the proposed variance to permit an Additional Dwelling Unit – Detached in the front yard as it does not maintain the general intent and purpose of the Zoning By-law, which seeks to prohibit such instances. Staff recognize that the accessory building is existing, which is to be converted into a dwelling unit and has existed along the streetscape since between 2023 and 2025. Staff note that there does not appear to be a building permit in relation to the existing structure. Based on the forgoing analysis **staff recommend that Variances 2 and 3 be denied** as they do not satisfy the four tests under the *Planning Act*.

Based on the forgoing analysis **staff recommend that variances 1-3 be denied** as they do not maintain the general intent and purpose of the applicable Official Plan and Zoning By-law, are not minor in nature, and are not desirable for the appropriate development of the subject lands.

Zoning:

Recommendation:	Comments Only
Proposed Conditions:	
Comments:	i. Please be advised insufficient information was provided to determine zoning compliance with Section 4.33.4 e) i) and ii). Additional variances may be required if zoning conformity cannot be achieved. ii. Please be advised insufficient information was provided to determine zoning compliance with Section 4.33.4 k). Additional variances may be required if zoning conformity cannot be achieved.

Hamilton

	iii. Please be advised Insufficient information was provided to determine zoning compliance with Section 5, Parking of the Hamilton Zoning By-law 05-200. Additional variances may be required if zoning conformity cannot be achieved. iv. Please be advised Additional Dwelling Units – Detached waste disposal and water supply systems shall be in accordance with Section 4.22 iii) below. *For lands in a Rural zone, 1) 2) An approved waste disposal and water supply systems to sustain the use of land for buildings shall be provided and maintained to the satisfaction of the Chief Building Official; and, All regulatory approvals have been received to the satisfaction of the General Manager of the Planning and Economic Development Department and/or his or her designate*
Notes:	

Development Engineering:

Recommendation:	No Comments
Proposed Conditions:	
Comments:	
Notes:	

Building Engineering:

Recommendation:	Comments and Conditions/Notes
Proposed Conditions:	
Comments:	
Notes:	A building permit is required for the construction of an Additional Dwelling Unit – Detached on a lot with an existing Single Detached Dwelling, under the Agriculture (A1) Zone.

Transportation Planning:

Recommendation:	No Comments
Proposed Conditions:	
Comments:	
Notes:	

Hamilton

Source Protection Planning:

Recommendation:	Deny
Proposed Conditions:	
Comments:	Source Protection Planning understands that the applicant is seeking a minor variance to reduce the minimum required lot area from 1.5 ha to 0.23 ha for a detached additional dwelling unit (ADU). We note that the lot size of 0.23 ha is significantly less than the minimum area of 1.5 ha required in Section C.3.1.2 (e)(i) of the Rural Hamilton Official Plan (RHOP). Further, based on our desktop analysis of the site, the lot size is not considered sufficient to accommodate on-site septic servicing to include the proposed detached ADU without potential adverse impacts. For this reason, Source Protection Planning is unable to support this application at this time as it does not comply with the RHOP Policies. Notwithstanding the above, Section C.3.1.2(e)(iii) of the RHOP does allow the applicant to complete an independent hydrogeological study to support the proposed detached ADU, but we note that this study may not yield favorable results.
Notes:	We recommend this application not be supported for the reasons outlined above. Should the Committee of Adjustment approve the application, it is recommended that a condition of approval be included requiring a water supply assessment, to the satisfaction of Director, Hamilton Water. This study should confirm that the on-site water supply is adequate to meet the intended complete use and will not result in adverse on-site or off-site impacts.

Please Note: Public comment will be posted separately, if applicable.

From: Kyle Riley <kriley@npca.ca>
Sent: Tuesday, April 21, 2026 8:59 AM
To: Committee of adjustment
Subject: Re: April 30, 2026 - Committee of Adjustment Agenda Available
Attachments: 37 Eleventh Road East Basemap.pdf; 5398 White Church Road East Basemap.pdf

Categories: April 30

External Email: Use caution with links and attachments.

Hello,

The Niagara Peninsula Conservation Authority ("NPCA") has reviewed the subject matter forming Hamilton's April 30th, 2026, Committee of Adjustments Agenda, and offers the following comments.

37 Eleventh Road East - **A-26:042**

The Applicants seek to construct an accessory building in the front yard of a lot containing a single-detached dwelling, requiring variances to permit the structure to be located in the front yard and to permit a maximum height of 7.7m for an accessory structure instead of 6m.

The NPCA notes the presence of an unmapped floodplain to the north of this address. The NPCA has reviewed and note that the proposed accessory structure is 2m higher than the current watercourse. The NPCA is not concerned with flooding at the structure due to scope, nature, and location. We offer No Objections to proposed development as a result.

5398 White Church Road East - **A-26:059**

The Applicants seek to construct a D-ADU in the front yard of 5398 White Church Road. The Applicants require Minor Variances; to permit a D-ADU on a single detached lot having a minimum lot area of .23 ha instead of the minimum required lot area of 1.5 ha; to permit a D-ADU in the front Yard where they are only permitted in the Side or Rear Yard; to allow a D-ADU with no setback from the from the front Facade of the principles dwelling instead of the required 5m.

The NPCA notes there is a sizable area of potentially unevaluated wetlands located to the north of this address. The proposed limit of development remains setback a fair distance from the northern lot lines.

The NPCA offers No Objections to the proposed Minor Variances at this address due to the appropriate setbacks demonstrated from the Northern Lot lines.

The NPCA requests ESC-fencing be added along the northern edge of development to prevent sediment wash-out into any potentially regulated features which may exist on the northern parcel.

There are no NPCA Planning or Permitting fees required to facilitate this Application.

Conclusion:

We thank you for circulating this Agenda to the NPCA for our comments. Please contact the undersigned should you have any questions.

Best regards,

Kyle Riley (M.A.)
Watershed Planner

Niagara Peninsula Conservation Authority (NPCA)

3350 Merrittville Highway, Unit 9, Thorold, Ontario L2V 4Y6

(O) 905.788.3135 Ext 252
(Cell) 905.933.2541
[www.npca.ca%20]www.npca.ca
kriley@npca.ca

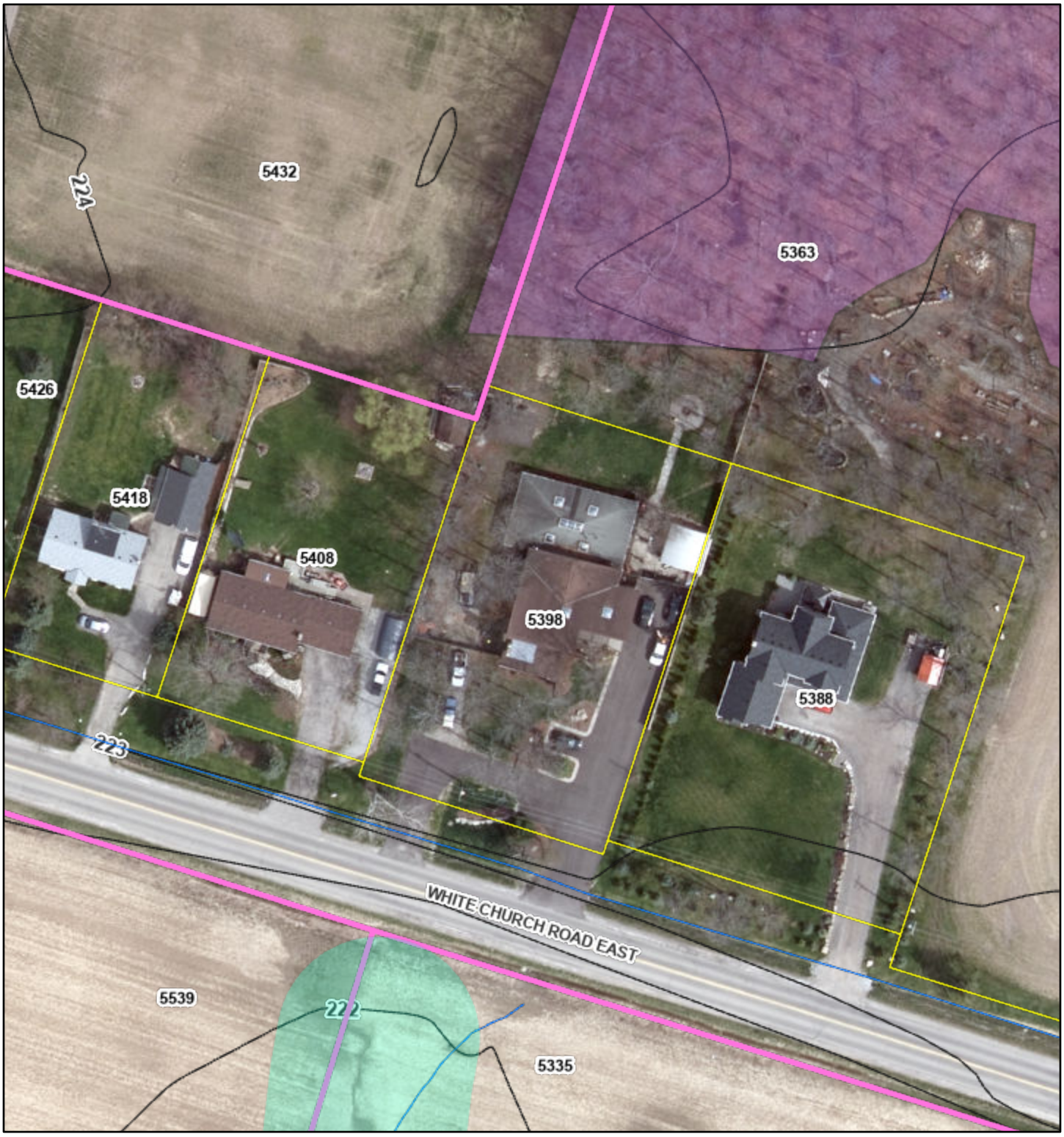
For more information on Permits and Planning please go to the Permits & Planning webpage at https://npca.ca/administration/permits.

For mapping on features regulated by the NPCA please go to our GIS webpage at https://gis-npca-camaps.opendata.arcgis.com/ and utilize our Watershed Explorer App or GIS viewer.

The NPCA completed its Watershed-based Resource Management and Conservation Area Strategies, paving the way for sustainable conservation across the Niagara Peninsula watershed. It's Watershed Natural Asset Analysis and Valuation for the Niagara Peninsula watershed offers new insights that redefine how we view nature. **Explore them today!**

To send NPCA staff information regarding a potential violation of Ontario Regulation 41/24 please go to the NPCA Enforcement and Compliance webpage at https://npca.ca/administration/enforcement-compliance.

ArcGIS Web Map



4/21/2026, 8:57:33 AM

1:1,128

0 0.01 0.01 0.02 mi

0 0.01 0.02 0.04 km

SWOOP 2020 NPCA
- Red: Band_1
- Green: Band_2
- Blue: Band_3

Roads

WRIP Quaternary Watersheds (10K)

NPCA APPROXIMATE REGULATION LANDS

CityView Application Views

Assessment Parcels

2K Hydrography

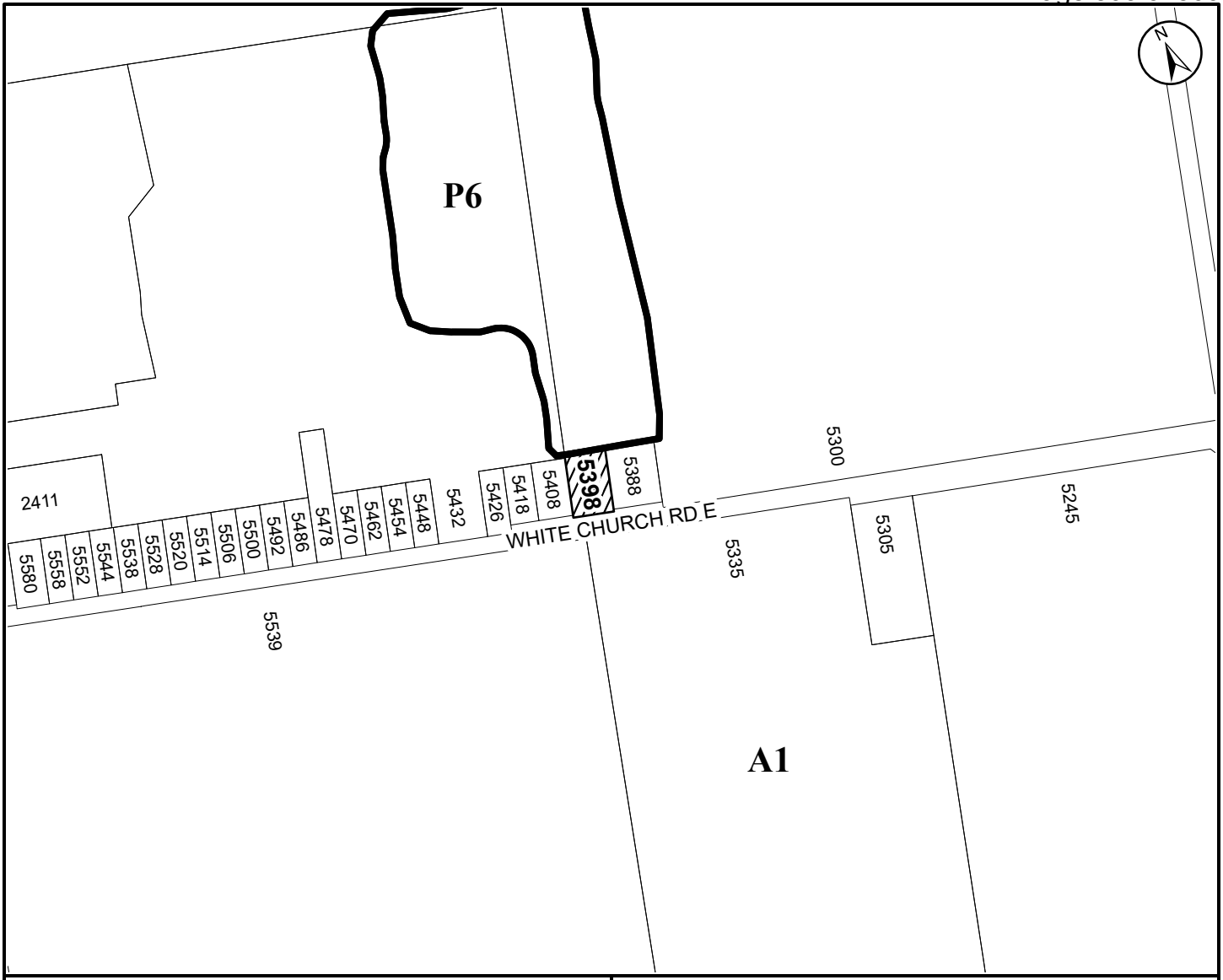
ELC 2020 NPCA

Niagara Region Ortho 2023
- Red: Red
- Green: Green

NPCA, Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community

Web AppBuilder for ArcGIS

City of Hamilton, Province of Ontario, Ontario MNR, Esri Canada, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA, AAFC, NRCan | Niagara Region, Ministry of Natural Resources | Niagara



● **Site Location**



City of Hamilton

Committee of Adjustments

Subject Property

5398 White Church Road East, Glanbrook (Ward 11)

File Name/Number: A-26:059

Date: April 14, 2026

Technician: XX

Scale: N.T.S.

Appendix "A"

Planning and Economic Development Department

Hamilton