



A. J. Clarke and Associates Ltd.

SURVEYORS • PLANNERS • ENGINEERS

January 29, 2020

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

hand delivered

Attn: Ms. Jamila Sheffield
Planning Technician II

**Re: Minor Variance Application
135 Limeridge Road East, City of Hamilton**

Dear Madam,

On behalf of our client, 2573855 Ontario Inc., we are pleased to provide you with the enclosed submission in support of a minor variance application as required through the corresponding conditional approval of consent application HM/B-19:74 to sever the subject lands. Please find the following enclosed materials:

1. A cheque in the amount of \$3,302.00 made payable to the City of Hamilton, in payment of the requisite application fee;
2. Two (2) copies of the completed application form, including an original;
3. Three (3) copies of the survey sketch – one (1) full size and two (2) ledger size;

The subject lands are designated Neighbourhoods on Schedule E-1 of the Urban Hamilton Official Plan and zoned Urban Protected Residential, Etc. "C" District in the former City of Hamilton Zoning By-law 6593.

The subject lands are subject to Severance Application No. HM/B-19:74, which was conditionally approved on January 23rd, 2020. As per condition 6 of the Consolidation Report, the owner is required to receive final approval of any necessary variances from the requirements of the Zoning By-law as determined necessary by the Planning and Economic Development Department. Accordingly, the subject minor variance application is submitted to address any zoning deficiencies for the subject lands.

Both the severed and retained parcels will have an area of 464.51 square metres, as well as a width 15.24 metres. The existing single-detached dwelling and accessory garage on the retained parcel will be retained. It is intended to redevelop the severed lands by constructing a single-detached dwelling. The retained lands require land dedications for the purposes of a road widening and daylight triangle. Therefore, the proposed lot area of the retained lands will be ± 408.31 square metres after the ± 56.20 square metre road widening is dedicated to the City.



The subject minor variance application is required to facilitate the clearance of conditions for conditionally approved severance application HM/B-19:74. The proposed variances are required to recognize site-specific performance standards for the existing buildings on the subject lands. The following table identifies the relevant sections of Zoning By-law 6593 from which variances are required:

By-law Section	Provision	Requirement	Proposed
Section 9(3)(iii)	Min. Side Yard	1.2 m	0.6 m for a flankage side yard
Section 18(3)(vi)(b)	Encroachments	A canopy, cornice, eave or gutter may project: iii. Into a required side yard not more than one-half of its width, or 1.0 metres, whichever is the lesser.	Can project in a required flankage side yard not more than one-half of its width.
Section 18(4)(iv)	Accessory Structure Location	In a residential district, no accessory building shall be erected on a corner lot at a distance from the street line less than the depth of front yard required for a dwelling on the adjoining lot except where such accessory building is separated from the adjoining lot by a distance at least as great as the depth of the required rear yard, in which case it need not be further from the street line than the width of the required side yard.	An accessory building shall be permitted on a corner lot line at a distance of no less than 1 metre from any street line.

Accordingly, three (3) variances are required to recognize the location of the existing single-detached dwelling and accessory garage on the retained lands. The following minor variances are proposed:

Retained Lands

- 1) A minimum flankage side yard of 0.6 metres shall be permitted instead of the minimum required side yard if 1.2 metres.
- 2) A canopy, cornice, eave or gutter may be permitted to project into a required flankage side yard not more than one-half of its width (being 0.3 metres).
- 3) In a residential district, an accessory building shall be permitted on a corner lot at a distance of no less than 1.0 metre from any street line instead of the requirement that an accessory building on a corner lot be erected at a distance from the street line no less than the depth of the front yard required for a dwelling on the adjoining lot.



All of the proposed variances serve to recognize the location of the existing dwelling and accessory garage on the retained lands. As long-standing existing structures, the proposed variances will not have any adverse impacts on the streetscape or the character of the broader neighbourhood. No variances are proposed for the severed lands.

I trust this is satisfactory for your purposes and thank you for your co-operation in this matter. Should you have any questions or require additional information, please do not hesitate to contact our office.

Yours very truly,

Stephen Fraser, MCIP, RPP
A. J. Clarke and Associates Ltd.

Encl.

Copy: 2573855 Ontario Inc.