



Hamilton

COMMITTEE OF ADJUSTMENT

City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5
Telephone (905) 546-2424, ext. 4221, 3935 Fax (905) 546-4202
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.: HM/A-20:117

APPLICANTS: Owner: Gateway Solutions Group Inc. c/o Charles Wah
Agent: Urban Solutions c/o Matt Johnston

SUBJECT PROPERTY: Municipal address **302 Cumberland Ave., Hamilton**

ZONING BY-LAW: Zoning By-law 6593, as Amended by By-law 02-267

ZONING: DE-H/S-1472 (Low Density Multiple Dwellings) district

PROPOSAL: To convert the existing 875 m² building to a multiple dwelling containing a maximum of ten (10) residential units notwithstanding that;

1. A maximum of ten (10) unit multiple dwelling shall be permitted instead of the maximum permitted eight (8) Class A dwelling units within the building existing at the time of the passing of By-Law 02-267; and
2. A minimum lot width of 3.5 m shall be maintained whereas the By-Law requires a minimum of 27.0 m lot width to be provided; and
3. A minimum of ten (10) parking spaces shall be provided on site instead of the minimum required thirteen (13) parking spaces; and
4. No visitor parking spaces shall be provided onsite instead of the minimum required three (3) visitor parking spaces; and
5. A minimum parking space length of 5.8 m shall be provided instead of the minimum required 6.0 m parking space length; and
6. To permit a parking area boundary containing five (5) or more parking spaces to be located 0.0 m from the adjoining residential district to the west and the north instead of the minimum required 1.0 m; and
7. No planting strip shall be provided between the boundary of the parking area and the residential district to the north and the west instead of the minimum required area landscaped with a 1.5 m planting strip between the boundary of the parking area and the residential district; and
8. No visual barrier shall be provided along the boundary of the lot abutting residential district to the north and west instead of the minimum required visual barrier along the boundary of the residential district of not less than 1.2 m in height and not greater than 2.0 m in height; and
9. A minimum of 3.5 m access driveway width shall be maintained whereas the By-Law requires a mutual access driveway having a width of at least 5.5 m; and

10. A minimum landscaped area of 150.0 m² shall be provided on site instead of the minimum required 232.0 m² (per Site Specific By-Law 02-267).

Notes:

These variances are necessary to facilitate Site Plan Control application DA-20-016.

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

DATE: Thursday, August 6th, 2020
TIME: 2:20 p.m.
PLACE: Via video link or call in (see attached sheet for details)
To be streamed at www.hamilton.ca/committeeofadjustment for viewing purposes only

PUBLIC INPUT

Written: If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Please see attached page for complete instructions, including deadlines for submitting to be seen by the Committee.

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

MORE INFORMATION

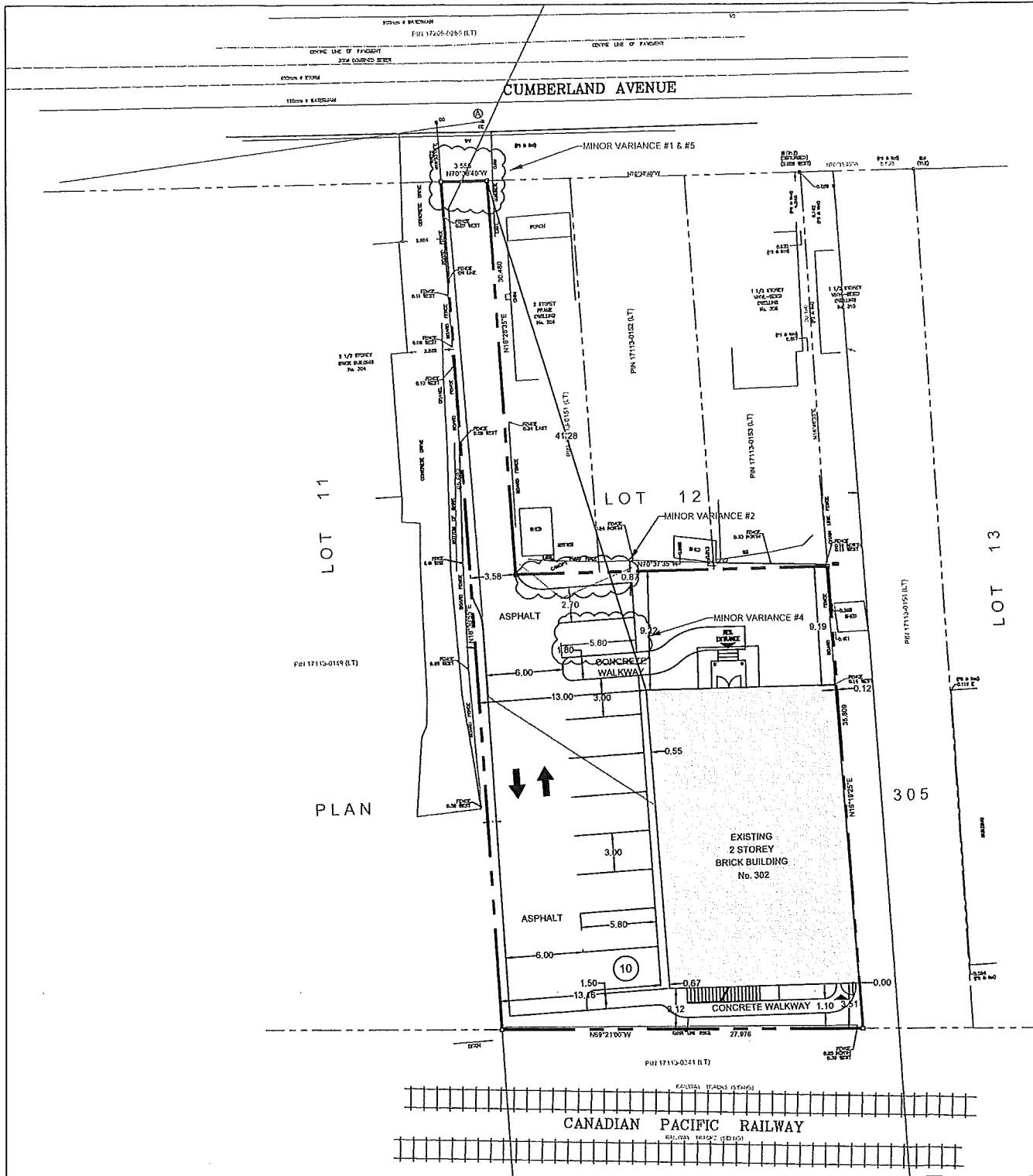
For more information on this matter, including access to drawings illustrating this request:

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

Dated: July 21, 2020

Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

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



Development Statistics		
Item	Required	Proposed
Max. No. of Residential Units	8 units	8 units
Permitted Use	Multiple Dwelling	Multiple Dwelling
Max. Height	11.0 m	8.2 m
Min. Drive Aisle width	5.5 m	3.56 m (MV #5)
Min. Front Yard	6.0 m	N/A (LNC)
Min. Side Yard	3.0 m	0.0 m (LNC)
Min. Rear Yard	7.5 m	3.12 m (LNC)
Min. Lot Width	27.0 m	3.56 m (MV #1)
Min. Parking adjacent to Residential Zone	1.0 m	0.87 m (MV #2)
Min. Landscaped Area	232 m ²	199.01 m ² (MV #6)
Min. Planting Strip	1.0 m	0.0 m (MV #3)
Parking		
Min. Residential Spaces	1.25 spaces/ unit = 10 spaces	10 spaces (Inc. Visitor Parking)
Min. Visitor Spaces	0.25/ unit = 2 spaces	2 spaces
Parking Space Size	3.0 m X 6.0 m	2.7 m X 5.8 m (MV #4)
Short Term Bicycle Parking	N/A	0 spaces

REQUIRED VARIANCE:

VARIANCE #1 - TO PERMIT A MINIMUM LOT WIDTH OF 3.565 METRES, WHEREAS 27.0 METRES IS REQUIRED;

VARIANCE #2 - TO PERMIT A PARKING AREA BOUNDARY ADJOINING A RESIDENTIAL AREA OF 0.75 METRES, WHEREAS 1.0 METRES IS REQUIRED;

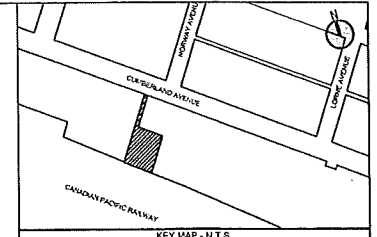
VARIANCE #3 - TO ELIMINATE THE REQUIRED PAVING STRIP BETWEEN THE PARKING AREA AND THE RESIDENTIAL DISTRICT;

VARIANCE #4 - TO PERMIT A PARKING SPACE WIDTH OF 2.7 METRES BY 5.8 METRES IN LENGTH, WHEREAS 3.0 METRES BY 6.0 METRES IS REQUIRED;

VARIANCE #5 - TO PERMIT A DRIVEWAY ACCESS WIDTH OF 3.565 METRES, WHEREAS 5.5 METRES IS REQUIRED;

VARIANCE #6 - TO PERMIT A LANDSCAPED AREA OF 150.0 SQUARED METRES; AND,

VARIANCE #7 - TO PERMIT 0 VISITOR PARKING SPACES, WHEREAS 2 SPACES ARE REQUIRED.



KEY MAP - N.T.S.

**PART OF LOT 5 CONCESSION 1
GEOGRAPHIC TOWNSHIP OF
GLANFORD
IN THE CITY OF HAMILTON**

SCALE 1:350 METRES

- LEGEND:**
- SUBJECT LANDS
 - EXISTING PROPERTY LINES
 - ▭ PROPOSED BUILDING
 - ▨ EXISTING BUILDINGS
 - ▶ PROPOSED ENTRANCE
 - x-x- EXISTING FENCE

DESIGN BY: Urban Solutions CHECKED BY: M. Armitage
DRAWN BY: L. Dwyer DATE: May 28, 2009

NOT FOR CONSTRUCTION

PREPARED BY:

URBAN SOLUTIONS
PLANNING & LAND DEVELOPMENT

105 Main Street East, Suite 501
Hamilton, ON L8N 1G8
905-548-1087 - UrbanSolutions.info

PROJECT:

**MINOR VARIANCE
SKETCH**

PROJECT:

**302 CUMBERLAND AVENUE
City of Hamilton**

CLIENT:

Gateway Group

U.S. FILE NUMBER: 338-19 SHEET NUMBER: 1



Hamilton

Planning and Economic Development Department
Planning Division

Committee of Adjustment
City Hall
5th floor 71 Main Street West
Hamilton, Ontario L8P 4Y5

Phone (905) 546-2424 ext.4221
Fax (905) 546-4202

**PLEASE FILL OUT THE FOLLOWING PAGES AND
RETURN TO THE CITY OF HAMILTON PLANNING
DEPARTMENT.**

20-171447

FOR OFFICE USE ONLY.	
APPLICATION NO. <u>Hm/A-20-117</u>	DATE APPLICATION RECEIVED <u>June 10/20</u>
PAID _____	DATE APPLICATION DEEMED COMPLETE _____
SECRETARY'S SIGNATURE _____	

**CITY OF HAMILTON
COMMITTEE OF ADJUSTMENT
HAMILTON, ONTARIO**

The Planning Act

Application for Minor Variance or for Permission

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

- Name of Owner Gateway Solutions Group Inc.
c/o Charles Wah T
-
- Name of Agent UrbanSolutions Planning & Land Development Consultants Inc. c/o Matt Johnston
 T
-

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

- Names and addresses of any mortgagees, holders of charges or other encumbrances: N/A

Postal Code _____

Postal Code _____

6. Nature and extent of relief applied for:

Please refer to enclosed cover letter and Minor Variance sketch for details.

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

Please refer to enclosed cover letter for details.

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

Part of Lot 12, Registered Plan No. 305. Former Municipality of Hamilton

Municipal address: 302 Cumberland Avenue, Hamilton

9. PREVIOUS USE OF PROPERTY

Residential Industrial Commercial

Agricultural Vacant

Other

9.1 If Industrial or Commercial, specify use

Ink & Chemical Manufacturing

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

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

Yes No Unknown

9.10 Is there any reason to believe the subject land may have been contaminated by former uses on the site or adjacent sites?

Yes No Unknown

9.11 What information did you use to determine the answers to 9.1 to 9.10 above?

Consultation with owner & Phase One Environmental Site Assessment prepared by WSP.

9.12 If previous use of property is industrial or commercial or if YES to any of 9.2 to 9.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.

Is the previous use inventory attached? Yes No

ACKNOWLEDGEMENT CLAUSE

I acknowledge that the City of Hamilton is not responsible for the identification and remediation of contamination on the property which is the subject of this Application – by reason of its approval to this Application.

Date May 28, 2020


Signature Property Owner

Gateway Solutions Group Inc. c/o Charles Wah

Print Name of Owner

10. Dimensions of lands affected:

Frontage +/- 3.56 metres
Depth +/- 65.68 metres
Area +/- 1097.01 squared metres
Width of street +/- 18.4 metres

11. Particulars of all buildings and structures on or proposed for the subject lands: (Specify ground floor area, gross floor area, number of stories, width, length, height, etc.)

Existing: Please refer to enclosed Minor Variance Sketch and Site Plan Control application DA-20-016.

Proposed: Please refer to enclosed Minor Variance Sketch and Site Plan Control application DA-20-016

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

Existing: Please refer to enclosed Minor Variance Sketch and Site Plan Control application DA-20-016

Proposed: Please refer to enclosed Minor Variance Sketch and Site Plan Control application DA-20-016

13. Date of acquisition of subject lands:
Unknown

14. Date of construction of all buildings and structures on subject lands:
Unknown

15. Existing uses of the subject property: Vacant. Previously operating as a co-operative office space.

16. Existing uses of abutting properties: North/ East/ West: Residential, South: Railway and Open Space

17. Length of time the existing uses of the subject property have continued:
Unknown

18. Municipal services available: (check the appropriate space or spaces)

Water _____ Connected

Sanitary Sewer _____ Connected _____

Storm Sewers

19. Present Official Plan/Secondary Plan provisions applying to the land:
Neighbourhoods in Urban Hamilton Official Plan

20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
Low Density Multiple Dwellings "DE-H/S-1472" in the City of Hamilton By-law No. 6593.

21. Has the owner previously applied for relief in respect of the subject property?
Yes No

If the answer is yes, describe briefly.

A Site Plan application was submitted and received Site Plan approval on May 20, 2020 as part of DA- 20-016 and is now conditionally approved pending approval of Minor Variance application

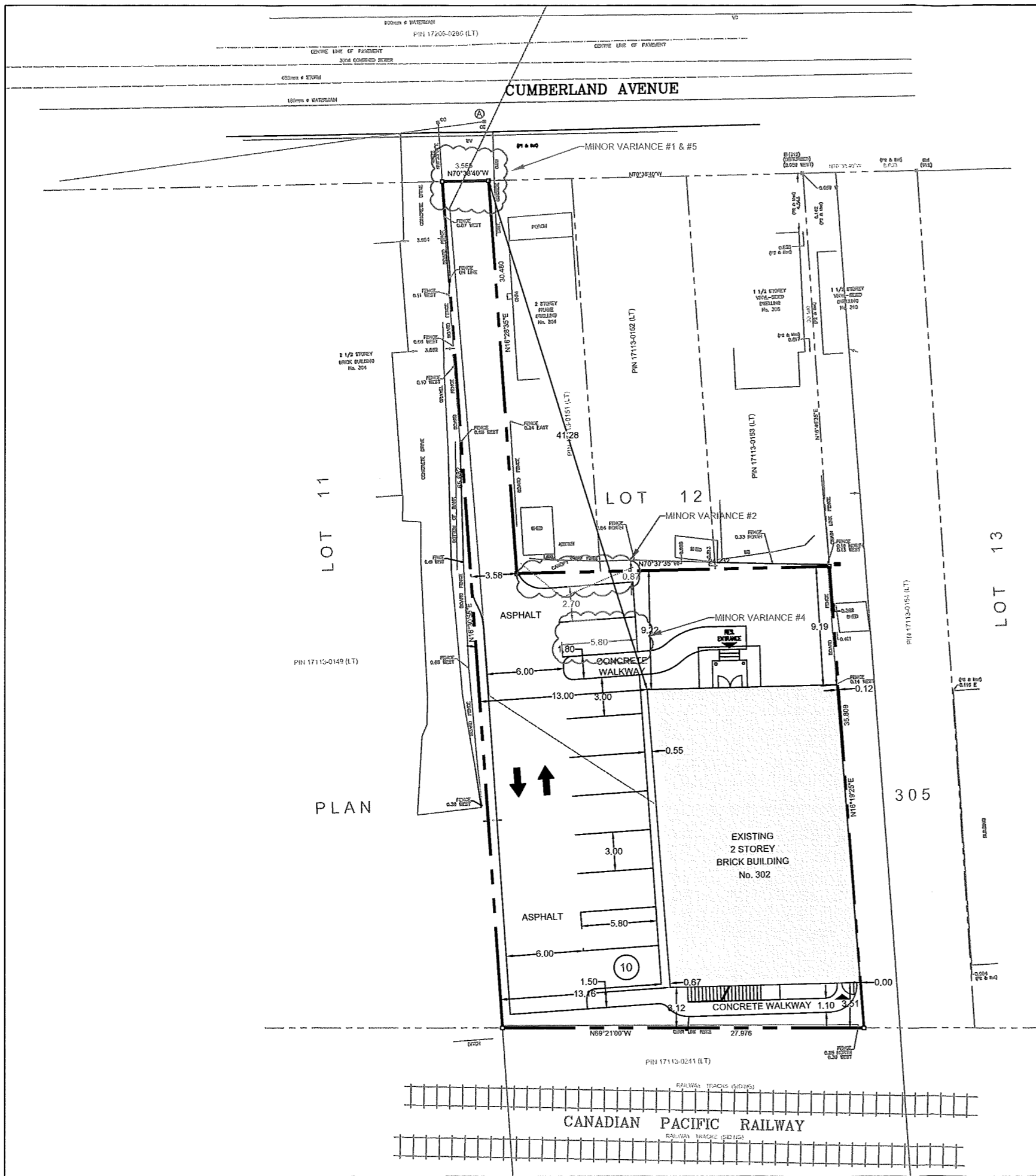
22. Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*?

Yes

No

23. The applicant shall attach to each copy of this application a plan showing the dimensions of the subject lands and of all abutting lands and showing the location, size and type of all buildings and structures on the subject and abutting lands, and where required by the Committee of Adjustment such plan shall be signed by an Ontario Land Surveyor.

NOTE: It is required that two copies of this application be filed with the secretary-treasurer of the Committee of Adjustment together with the maps



Development Statistics		
Item	Required	Proposed
Max. No. of Residential Units	8 units	8 units
Permitted Use	Multiple Dwelling	Multiple Dwelling
Max. Height	11.0 m	8.2 m
Min. Drive Aisle width	5.5 m	3.56 m (MV #5)
Min. Front Yard	6.0 m	N/A (LNC)
Min. Side Yard	3.0 m	0.0 m (LNC)
Min. Rear Yard	7.5 m	3.12 m (LNC)
Min. Lot Width	27.0 m	3.56 m (MV #1)
Min. Parking adjacent to Residential Zone	1.0 m	0.87 m (MV #2)
Min. Landscaped Area	232 m ²	199.01 m ² (MV #6)
Min. Planting Strip	1.0 m	0.0 m (MV #3)
Parking		
Min. Residential Spaces	1.25 spaces/ unit = 10 spaces	10 spaces (Inc. Visitor Parking)
Min. Visitor Spaces	0.25/ unit = 2 spaces	2 spaces
Parking Space Size	3.0 m X 6.0 m	2.7 m X 5.8 m (MV #4)
Short Term Bicycle Parking	N/A	0 spaces

REQUIRED VARIANCE:

VARIANCE #1 - TO PERMIT A MINIMUM LOT WIDTH OF 3.565 METRES, WHEREAS 27.0 METRES IS REQUIRED;

VARIANCE #2 - TO PERMIT A PARKING AREA BOUNDARY ADJOINING A RESIDENTIAL AREA OF 0.75 METRES, WHEREAS 1.0 METRES IS REQUIRED;

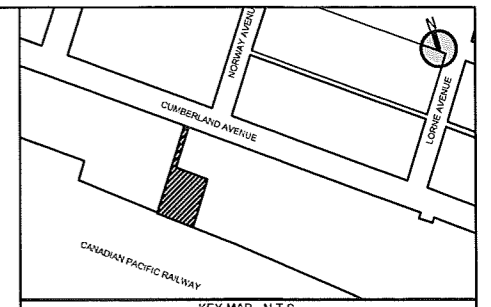
VARIANCE #3 - TO ELIMINATE THE REQUIRED PANTING STRIP BETWEEN THE PARKING AREA AND THE RESIDENTIAL DISTRICT;

VARIANCE #4 - TO PERMIT A PARKING SPACE WIDTH OF 2.7 METRES BY 5.8 METRES IN LENGTH, WHEREAS 3.0 METRES BY 6.0 METRES IS REQUIRED;

VARIANCE #5 - TO PERMIT A DRIVEWAY ACCESS WIDTH OF 3.565 METRES, WHEREAS 5.5 METRES IS REQUIRED;

VARIANCE #6 - TO PERMIT A LANDSCAPED AREA OF 150.0 SQUARED METRES; AND,

VARIANCE #7 - TO PERMIT 0 VISITOR PARKING SPACES, WHEREAS 2 SPACES ARE REQUIRED.



KEY MAP - N.T.S.

**PART OF LOT 5 CONCESSION 1
GEOGRAPHIC TOWNSHIP OF
GLANFORD
IN THE CITY OF HAMILTON**

SCALE 1:350 METRES

- LEGEND:**
- SUBJECT LANDS
 - EXISTING PROPERTY LINES
 - ▭ PROPOSED BUILDING
 - ▨ EXISTING BUILDINGS
 - ▶ PROPOSED ENTRANCE
 - X --- EXISTING FENCE

DESIGN BY: Lintack Architects CHECKED BY: M. Johnston
DRAWN BY: L. Derran DATE: May 29, 2020

NOT FOR CONSTRUCTION

PREPARED BY:



URBAN SOLUTIONS
PLANNING & LAND DEVELOPMENT

105 Main Street East, Suite 501
Hamilton, ON L8N 1G6
905-546-1087 - UrbanSolutions.info

PROJECT:

**MINOR VARIANCE
SKETCH**

PROJECT:

**302 CUMBERLAND AVENUE
City of Hamilton**

CLIENT:

Gateway Group

UIS FILE NUMBER: 338-19 SHEET NUMBER: 1

TOPOGRAPHIC SURVEY
OF PART OF
LOT 12
REGISTERED PLAN 305
IN THE
CITY OF HAMILTON

SCALE 1:150 METRIC

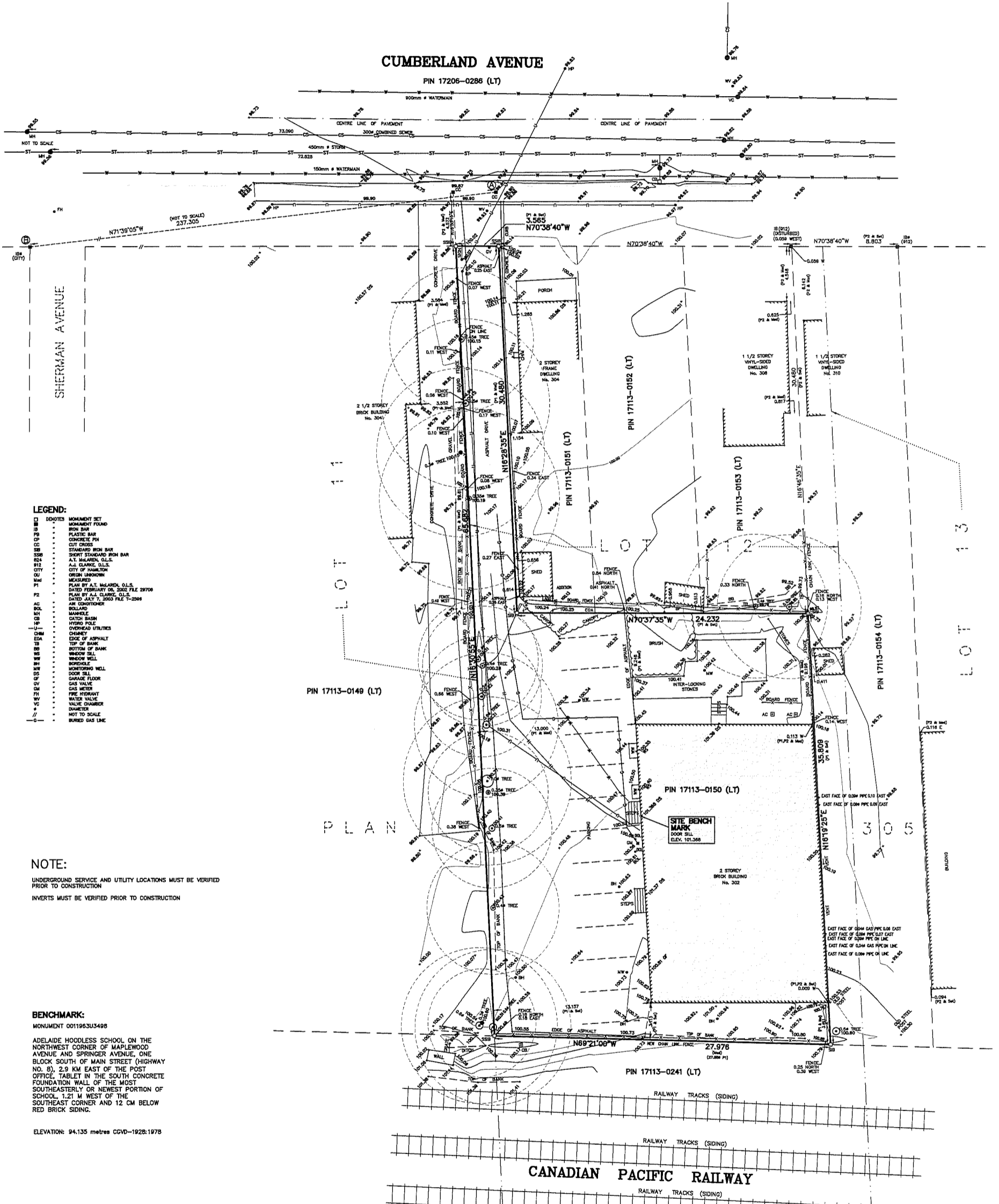


S.D. McLAREN, O.I.S. - 2019



CUMBERLAND AVENUE

PIN 17206-0286 (LT)



LEGEND:

- MONUMENT SET
- MONUMENT FOUND
- IRON BAR
- ▨ PLASTIC BAR
- ▧ CONCRETE PIN
- CUT CROSS
- ▨ STANDARD IRON BAR
- ▧ SHORT STANDARD IRON BAR
- A.T. MCLAREN, O.I.S.
- A.J. CLARKE, O.I.S.
- CITY OF HAMILTON
- ORIGIN UNKNOWN
- MEASURED
- PLAN BY A.T. MCLAREN, O.I.S.
- DATED FEBRUARY 08, 2002 FILE 29708
- PLAN BY A.J. CLARKE, O.I.S.
- DATED MAY 7, 2003 FILE T-2008
- AIR CONDITIONER
- BOLLARD
- MANHOLE
- CATCH BASIN
- HYDRO POLE
- OVERHEAD UTILITIES
- CHIMNEY
- TOP OF ASPHALT
- TOP OF BANK
- BOTTOM OF BANK
- WINDOW SILL
- WINDOW WELL
- WINDOZE
- MONITORING WELL
- DOOR SILL
- GARAGE FLOOR
- GAS VALVE
- GAS METER
- FIRE HYDRANT
- WATER VALVE
- VALVE CHAMBER
- DIAMETER
- NOT TO SCALE
- BURIED GAS LINE

NOTE:

UNDERGROUND SERVICE AND UTILITY LOCATIONS MUST BE VERIFIED PRIOR TO CONSTRUCTION
INVERTS MUST BE VERIFIED PRIOR TO CONSTRUCTION

BENCHMARK:

MONUMENT 0011963U3498
ADELAIDE HOODLESS SCHOOL ON THE NORTHWEST CORNER OF MAPLEWOOD AVENUE AND SPRINGER AVENUE, ONE BLOCK SOUTH OF MAIN STREET (HIGHWAY NO. 8), 2.9 KM EAST OF THE POST OFFICE. TABLE IN THE SOUTH CONCRETE FOUNDATION WALL OF THE MOST SOUTHEASTERLY OR NEWEST PORTION OF SCHOOL, 1.21 M WEST OF THE SOUTHEAST CORNER AND 12 CM BELOW RED BRICK SIDING.

ELEVATION: 94.135 metres CGVD-1928:1978

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 0.999898529

INTEGRATION DATA

POINT ID	NORTHING	EASTING
ORP A	4785434.574	584248.040
ORP B	4785506.248	584023.880

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

METRIC NOTE

DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN 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 SURVEY ACT, THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM
2. THE SURVEY WAS COMPLETED ON THE 14TH DAY OF OCTOBER, 2019
DATE: OCTOBER 1, 2019
S. DAN McLAREN, O.I.S.

© S.D. McLAREN, O.I.S. - 2019. NO PERSON MAY COPY, REPRODUCE, DISTRIBUTE OR ALTER THIS PLAN IN WHOLE OR IN PART WITHOUT THE WRITTEN PERMISSION OF S.D. McLAREN, O.I.S.

A.T. McLaren Limited
LEGAL AND ENGINEERING SURVEYS
89 JONES STREET SOUTH, SUITE 230
HAMILTON, ONTARIO, L9B 2S9
PHONE (905) 527-8350 FAX (905) 527-9332
Sheet 30
Drawn by RAM
Checked by S.D.M.
Date 1/15/20
Dwg. No. 30092

**URBAN SOLUTIONS**
PLANNING & LAND DEVELOPMENT

June 4, 2020

338-19

Via Courier

Mr. Jamila Sheffied
Secretary-Treasurer
Committee of Adjustment

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

Dear Ms. Sheffield,

**Re: 302 Cumberland Avenue, Hamilton
Minor Variance Application Submission**

UrbanSolutions Planning & Land Development Consultants Inc. (UrbanSolutions) is the authorized planning consultant acting on behalf of Gateway Solutions Group Inc. c/o Charles Wah (Owner), for the lands municipally known as 302 Cumberland Avenue, in the City of Hamilton.

A Site Plan application was submitted for the redevelopment of an existing warehouse building on the subject lands to a eight (8) unit residential building with ten (10) surface parking spaces and implements City Council's 2002 approval of ZAC-02-20 (City By-law No. 02-267). The Site Plan application received approval on May 20, 2020 as part of DA-20-016 subject to conditions including the approval of the enclosed Minor Variance application. We are pleased to submit this Application for Minor Variance, on behalf of the Owner, to satisfy this condition of approval.

The subject lands are designated Neighbourhoods in the Urban Hamilton Official Plan and Zoned Low Density Multiple Dwellings "DE-H/S-1472" in the City of Hamilton By-law No. 6593.

Purpose of the Application

This Minor Variance Application is required to achieve relief from the specified permitted uses on the subject lands within a Low Density Multiple Dwellings "DE-H/S-1472" Zone and facilitate the Site Plan approval. The following variance is required:

- Variance No. 1: To permit a lot width of 3.565 metres, whereas 27.0 metres is required;
- Variance No. 2: To permit a parking area boundary adjoining a residential area of 0.75 metres, whereas 1.0 metre is required;

- Variance No. 3: To eliminate the required planting strip between the parking area and the residential district;
- Variance No. 4: To permit a parking space width of 2.7 metres by 5.8 metres in length, whereas 3.0 metres by 6.0 metres is required;
- Variance No. 5: To permit a driveway access width of 3.565 metres, whereas 5.5 metres is required;
- Variance No. 6: To permit a landscaped area of 150.0 squared metres; and,

Analysis

To assist in the evaluation of the application, please refer to the enclosed Minor Variance Sketch.

Section 45(1) of the *Planning Act*, R.S.O, 1990, as amended, requires a Minor Variance to satisfy four tests. Justification for the proposed variance in keeping with these tests is provided below.

1. Is the proposed minor variance in keeping with the general purpose and intent of the Urban Hamilton Official Plan?

The subject lands are designated as Neighbourhoods in the Urban Hamilton Official Plan. The purpose of this designation is to permit a range of residential dwelling types and scales to create a complete community. The proposed development will provide a residential use which will be more compatible with the surrounding residential dwellings and provide a mix of form of residential development to add character and design features to the neighbourhood. It is in our opinion that the proposed minor variances maintains the general purpose and intent of the Urban Hamilton Official Plan.

2. Is the proposed minor variance in keeping with the general purpose and intent of the Zoning By-law?

The subject lands are located in the Low Density Multiple Dwellings "DE-H/S-1472" in the City of Hamilton By-law No. 6593. The proposed development is existing and proposed to be redeveloped for a new use. The design of the subject lands will be in coordination with City staff through the Site Plan process to maintain the general purpose of the Zoning By-law. The intent of the zone is to permit multiple dwellings not exceeding three storeys. As the proposed development conforms to all other zone provisions, in our opinion, the intent of the Zoning By-law is maintained.

3. Is the proposed minor variance desirable for the appropriate development or use of the land, building or structure?

The requested variance will facilitate the Site Plan Control approval, which will result in a form of development that is more in keeping with the planned character of the surrounding area. Therefore, the application is desirable and appropriate for the development of the land.

4. Is the proposed minor variance minor in nature?

The requested variance is minor in nature as it is necessary to facilitate the Site Plan approval and will not result in any adverse impacts on the surrounding neighbourhood.

As such, the proposed variance satisfies the four tests outlined in Section 45(1) of the *Planning Act* as the relief requested is minor in nature, is desirable for the appropriate development of the lands, and meets the general intent and purpose of the Official Plan and Zoning By-law.

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

- Two (2) copies of the completed Minor Variance Application form;
- One (1) copy of the Survey Plan, prepared by A.T. McLaren;
- Two (2) copies of the Minor Variance Sketch; and,
- One (1) cheque payable to the City of Hamilton in the amount of **\$3,302.00**.

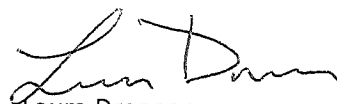
We trust the enclosed is in order; however, please feel free to contact the undersigned with any questions.

Regards,

UrbanSolutions



Matt Johnston, MCIP, RPP
Principal



Laura Drennan
Planning Technician

cc: Mr. Charles Wah, Owner
Councillor Naan, City of Hamilton Ward 3