

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-20:126

APPLICANTS: Owner: 2628934 Ontario Inc. c/o Igor Chouminov and Emil Joseph
Agent: A.J. Clarke & Associates Ltd. c/o Stephen Fraser

SUBJECT PROPERTY: Municipal address **386 East 25th St., Hamilton**

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

ZONING: C (Urban Protected Residential, etc.) district

PROPOSAL: To permit a lot to be retained to contain a single family dwelling and to permit a lot to be conveyed to contain a single family dwelling notwithstanding that:

1. A minimum lot width of 9.5m shall be provided instead of the minimum required lot width of 12.0m.
2. A minimum lot area of 350m² shall be provided instead of the minimum required lot area of 360m².
3. A minimum side yard width of 0.9m shall be provided on one side and a minimum side yard of 1.2m shall be provided on the other side instead of the minimum required side yard width of 1.2m.
4. A 0.0m aisle width manoeuvring space shall be provided instead of the minimum required 6.0m aisle width manoeuvring space.
5. The required two (2) parking space shall be permitted to be located within the required front yard instead of the requirement that no part of a required parking space for a single family dwelling shall be located in a required front yard.

NOTE:

- i) The variances are intended for each of the lots to be retained and conveyed.
- ii) The existing dwelling and three (3) existing sheds are intended to be demolished.

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

DATE: Thursday, August 6th, 2020

TIME: 3:15 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

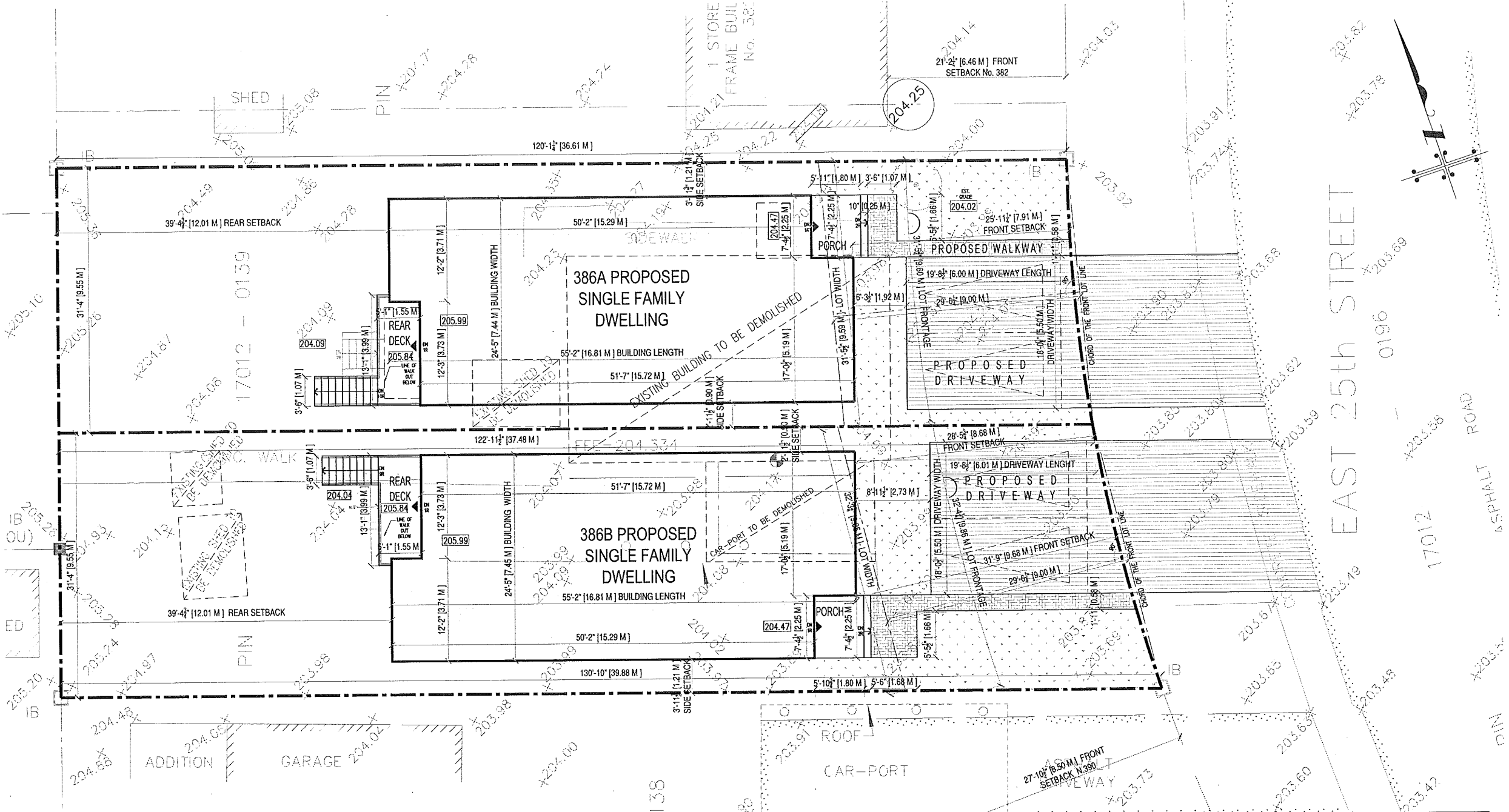
For more information on this matter, including access to drawings illustrating this request:

- 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 21st, 2020

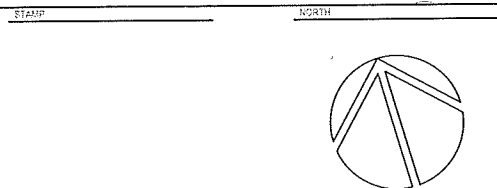
Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

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.



NO.	DATE	REVISION DESCRIPTION	NOTE
1	2020-05-26	ISSUED FOR SEVERANCE APPLICATION	CITY

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PROJECT/REV. NO. 306-20 EAST 25TH ST	DWG. NO. S-0.1
SHEET TITLE SITE PLAN SCALE: 3/32"=1'-0"	11"x17" SHEET SIZE
PROJECT 386 EAST 25TH STREET 386 EAST 25TH ST, HAMILTON, ON L8V 3B1	

DESIGN URBANSCAPE ARCHITECTS 236 LESMILL ROAD, TORONTO, ON, M3B 2T5 phone: 416.850.0021 info@urbanscapearchitect.com www.urbanscapearchitect.com
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A-0.0	SITE STATISTIC
A-0.1	SITE PLAN
A-1.1	BASEMENT FLOOR PLAN
A-1.2	GROUND FLOOR PLAN
A-1.3	ROOF PLAN
A-2.1	FRONT ELEVATION
A-2.2	REAR ELEVATION
A-2.3	SIDE (NORTH) ELEVATION
A-2.4	SIDE (SOUTH) ELEVATION

386 A EAST 25th STREET
HAMILTON , ON
NEW 1-STOREY SINGLE FAMILY DWELLING

ZONING DESIGNATION

MINIMUM LOT AREA	360 M ²
PROPOSED LOT AREA	3794 FT ² [352.5 M ²]
MINIMUM LOT WIDTH (measured at 9.0 m from the front lot line)	12 M
PROPOSED LOT WIDTH	9.59 M

HEIGHT	MAX. PERMITTED	PROPOSED
BUILDING HEIGHT	MAX. 11.0 M	6.91 M

SETBACKS	MIN. REQUIRED	PROPOSED
FRONT YARD SETBACK/EAST	6.0 M	7.91 M
REAR YARD SETBACK /WEST	7.50 M	12.01 M
SIDE YARD SETBACK /NORTH	1.20 M	1.21 M
SIDE YARD SETBACK /SOUTH	1.20 M	0.90 M

FIRST FLOOR 117.63 SQM [1266.21SQF]

AREA OF FRONT YARD	73.55 SQM	[791.7 SQF]	
AREA OF DRIVEWAY	36.24 SQM	[371.1 SQF]	46.9%
AREA OF FRONT YARD LANDSCAPE [AREA FRONT YARD- AREA OF DRIVEWAY]	37.30 SQM	[420.6 SQF]	53.1%
AREA OF SOFT LANDSCAPE	36.1 SQM	[401.4 SQF]	95.4% 50.7% OF FRONT YARD
AREA OF HARD LANDSCAPE	1.78 SQM	[19.2 SQF]	4.6%
TOTAL AREA OF SOFT LANDSCAPING	169.64 SQM	[1826 SQF]	48.1%

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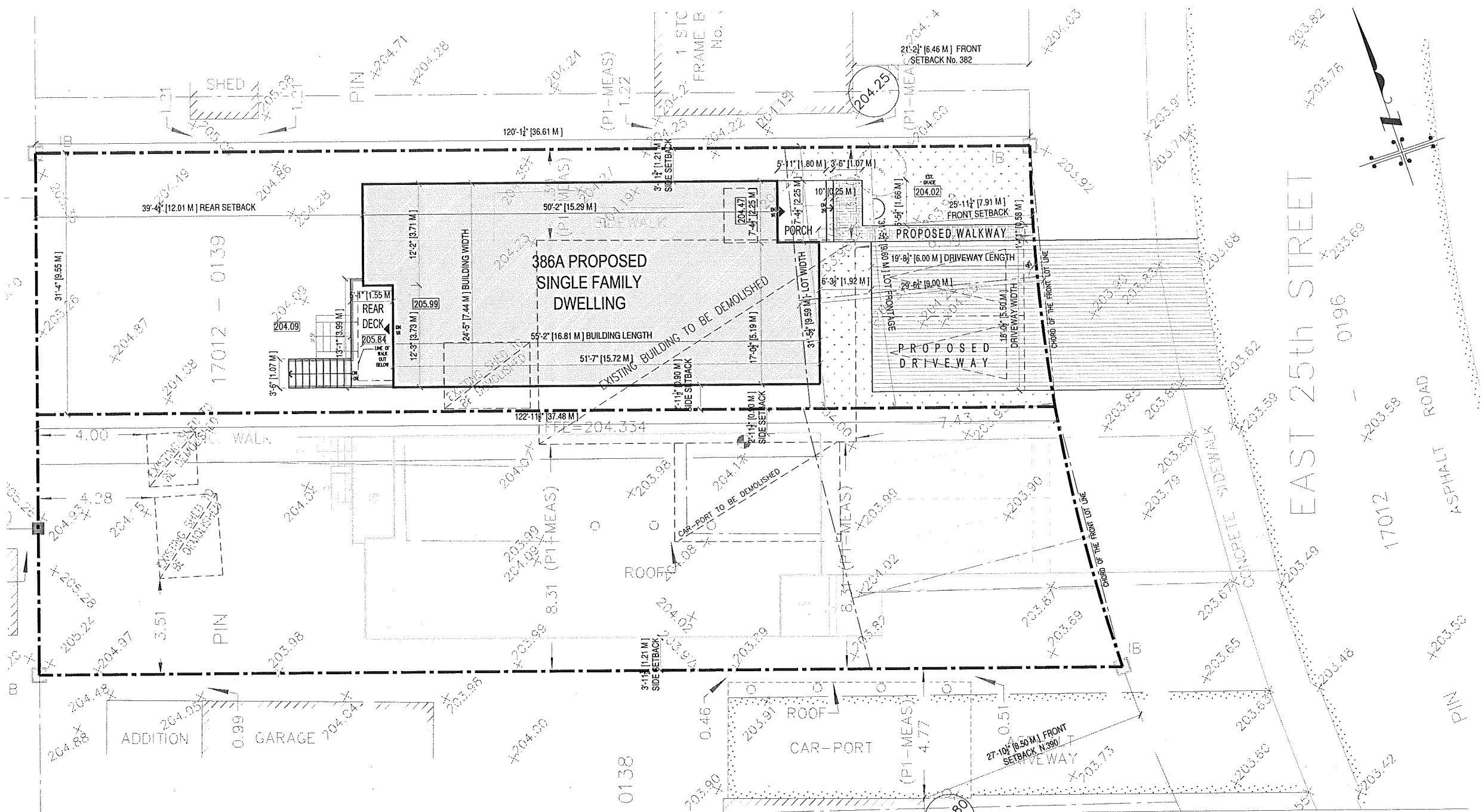
STAND NORTH

PROJECT: 306-20 EAST 25TH ST

SHEET TITLE: SITE STATISTIC

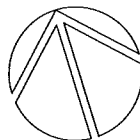
PROJECT: 386A EAST 25TH STREET
386 EAST 25TH ST., HAMILTON, ON L8V 3B1

DRAWING NO. **A-0.0**
 DESIGN
 **URBANSCAPE**
 ARCHITECTS
 236 LESMILL ROAD, TORONTO, ON, M3B 2T5
 phone: 416.850.0021
 info@urbanscapearchitect.com | www.urbanscapearchitect.com
 11"x17" SHEET SIZE



NO.	DATE	REVISION DESCRIPTION	NOTE
1	2020-05-26	ISSUED FOR COA	CITY

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PROJECT NO.
306-20 EAST 25TH ST

SHEET TITLE
SITE PLAN
SCALE: 3/32"=1'-0"

PROJECT
386A EAST 25TH STREET
386 EAST 25TH ST, HAMILTON, ON L8V 3B1

DWG NO.
A-0.1
11'x17' SHEET SIZE

DESIGN
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phone: 416.850.0021
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LOCATION



LIST OF DRAWINGS

- A-0.0
- SITE STATISTIC
- A-0.1
- SITE PLAN
- A-1.1
- BASEMENT FLOOR PLAN
- A-1.2
- GROUND FLOOR PLAN
- A-1.3
- ROOF PLAN
- A-2.1
- FRONT ELEVATION
- A-2.2
- REAR ELEVATION
- A-2.3
- SIDE (NORTH) ELEVATION
- A-2.4
- SIDE (SOUTH) ELEVATION

BYLAW 6593

386 B EAST 25th STREET
HAMILTON , ON
NEW 1-STOREY SINGLE FAMILY DWELLING

SITE STATISTICS		
ZONING DESIGNATION		
MINIMUM LOT AREA	360 M ²	
PROPOSED LOT AREA	3960 FT ² [367.9 M ²]	
MINIMUM LOT WIDTH	12 M	
(measured at 9.0 m from the front lot line)		
PROPOSED LOT WIDTH	9.85 M	
HEIGHT	MAX. PERMITTED	PROPOSED
BUILDING HEIGHT	MAX. 11.0 M	6.91 M
SETBACKS	MIN. REQUIRED	PROPOSED
FRONT YARD SETBACK/EAST	6.0 M	8.68 M
REAR YARD SETBACK /WEST	7.50 M	12.01 M
SIDE YARD SETBACK /NORTH	1.20 M	0.90 M
SIDE YARD SETBACK /SOUTH	1.20 M	1.21 M

GROSS FLOOR AREA CALCULATIONS	
FIRST FLOOR	117.63 SQM [1266.21SQF]

LANDSCAPING AREA CALCULATIONS			
AREA OF FRONT YARD	87.8	SQM [945.0 SQF]	
AREA OF DRIVEWAY	36.24	SQM [390.1 SQF]	41.28%
AREA OF FRONT YARD LANDSCAPE	51.55	SQM [554.9 SQF]	58.72%
[AREA FRONT YARD- AREA OF DRIVEWAY]			
AREA OF SOFT LANDSCAPE	48.75	SQM [524.8 SQF]	94.5%
			55.5% OF FRONT YARD
AREA OF HARD LANDSCAPE	2.8	SQM [30.1 SQF]	5.5%
TOTAL AREA OF SOFT LANDSCAPING	181.16	SQM [1950 SQF]	49.25%

NO.	DATE	REVISION DESCRIPTION	NOTE
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NOTE:

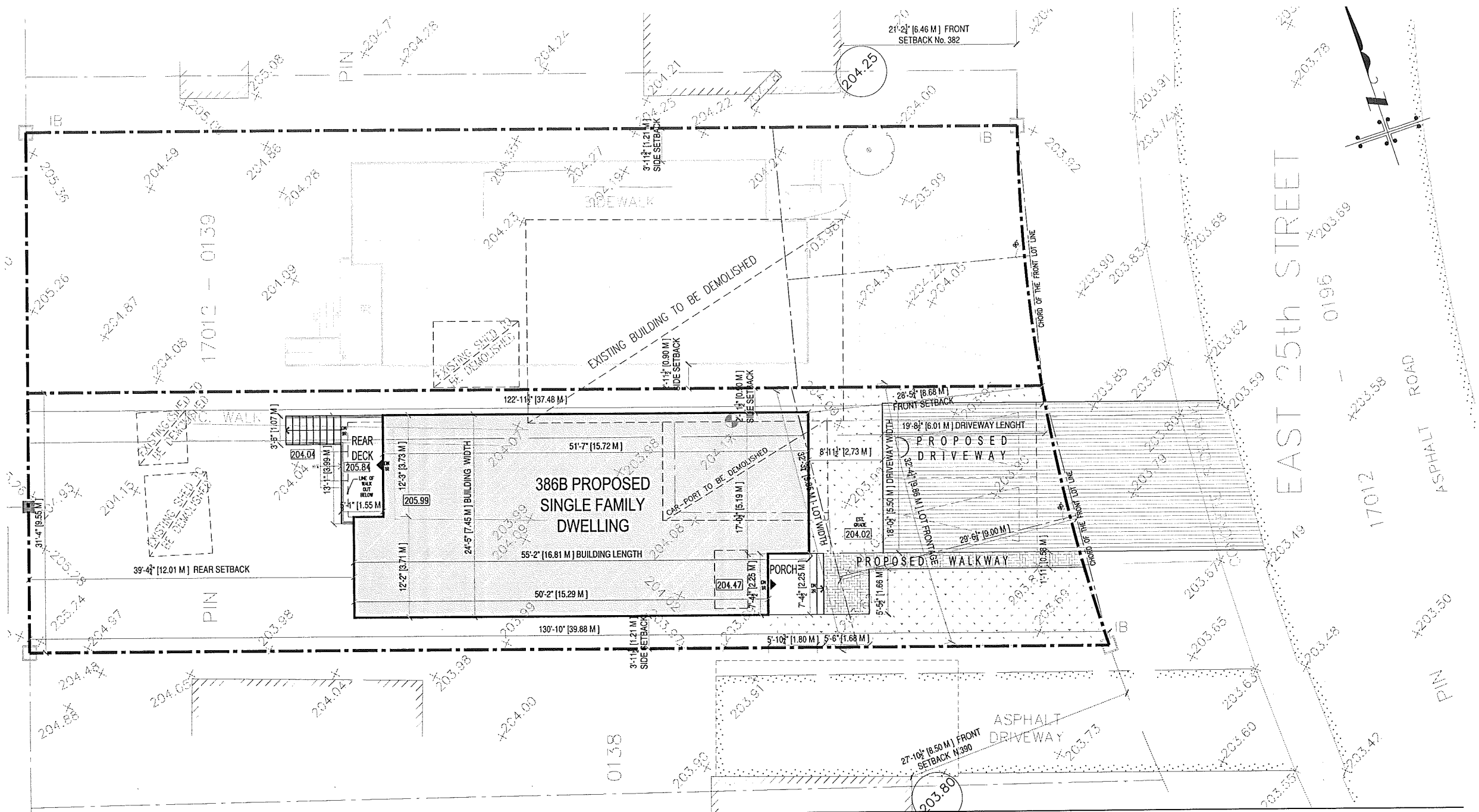
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STAMP	NORTH

PROJECT/REV. NO.	306-20 EAST 25TH ST
SHEET TITLE	SITE STATISTIC
PROJECT	386B EAST 25TH STREET 386 EAST 25TH ST, HAMILTON, ON L8V 3B1

DWG. NO.	A-0.0
11"x17" SHEET SIZE	

DESIGN	<div><div></div>URBANSCAPE ARCHITECTS</div> <div>236 LESMILL ROAD, TORONTO, ON, M3B 2T5 phone: 416.850.0021 info@urbanscapearchitect.com www.urbanscapearchitect.com</div>
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STATION

NORTH

FROM/REV. NO.
306-20 EAST 25TH ST

SHEET TITLE
SITE PLAN
SCALE: 3/32"=1'-0"

PROJECT
386B EAST 25TH STREET
386 EAST 25TH ST, HAMILTON, ON L8V 3B1

DWG. NO.
A-0.1
11'x17' SHEET SIZE

DESIGN

URBANSCAPE
ARCHITECTS

236 LESMILL ROAD, TORONTO, ON, M3B 2T5
phone: 416.850.0021
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Committee of Adjustment
City Hall
5th floor 71 Main Street West
Hamilton, Ontario L8P 4Y5

Planning and Economic Development Department
Planning Division

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.**

FOR OFFICE USE ONLY.

APPLICATION NO. _____ **DATE APPLICATION RECEIVED** _____

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.

2628934 Ontario Inc. (c/o Igor Chouminov/

1. Name of Owner Emil Joseph Telephone No. _____

FAX NO. _____ E-mail address. _____

2. Address _____

_____ Postal Code _____

3. Name of Agent A.J. Clarke and Associates Ltd. Telephone No. _____
(c/o Stephen Fraser)

FAX NO. _____ E-mail address. _____

4. Address _____

_____ Postal Code _____

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

5. Names and addresses of any mortgagees, holders of charges or other encumbrances:

Mortgage - RPN Finance

_____ Postal Code _____

_____ Postal Code _____

6. Nature and extent of relief applied for:

Please refer to the concurrently submitted covering letter.

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

The proposed variances are required as a result of the severance of the subject lands into two building lots. Due to the reduction in the frontage for the resultant lots, it is not possible to comply with the by-law. a small reduction in the interior side yard has also been requested to facilitate the appropriate building envelope.

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

Plan No. 995 - Pt. Lts. 52 & 53

386 East 25th Street, Hamilton

9. PREVIOUS USE OF PROPERTY

Residential x Industrial Commercial

Agricultural _____ Vacant _____

Other _____

9.1 If Industrial or Commercial, specify use

9.2 Has the grading of the subject land been changed by adding earth or other material, i.e. has filling occurred? In accordance with the development of Plan 995.

Yes x No Unknown

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

Yes No x Unknown

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

Yes No Unknown x

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 x

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 x

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 x

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 x Unknown _____

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

Property owner's knowledge and aerial imagery.

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 x N/A

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.

5.27.2020

Date

Signature Property Owner

2628934 Ontario Inc. (c/o Igor Chouminov/
Emil Joseph)

Print Name of Owner

10. Dimensions of lands affected:

Frontage	<u>±19.44m</u>
Depth	<u>±37.46m</u>
Area	<u>±720.41sq.m</u>
Width of street	<u>±20m</u>

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: One single detached dwelling and three accessory structures.
Please refer to survey for details of existing dwelling.

Proposed: Following the successful severance of the subject lands, two
single detached dwellings are proposed, one on each lot. Please refer to site plan
submitted for details of proposed single detached dwellings.

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 survey for details of existing dwelling.

Proposed: Please refer to site plan submitted for details of the location of
all proposed buildings.

13. Date of acquisition of subject lands:
January 27th, 2020
14. Date of construction of all buildings and structures on subject lands:
Unknown
15. Existing uses of the subject property: Residential (single detached dwelling)
16. Existing uses of abutting properties: Residential (single detached dwelling)
Townhouses opposite East 25th Street.
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 x Connected x
Sanitary Sewer x Connected x
Storm Sewers x
19. Present Official Plan/Secondary Plan provisions applying to the land:
Designated "Neighbourhoods" in the Urban Hamilton Official Plan.
No Secondary Plan is applicable.
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
Lands are zoned as "C" Urban Protected Residential, etc. under City of
Zoning 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.

22. Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*? Severance Application concurrently submitted.
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 referred to in Section 5 and be accompanied by the appropriate fee in cash or by cheque made payable to the City of Hamilton.



A. J. Clarke and Associates Ltd.

SURVEYORS • PLANNERS • ENGINEERS

June 15th, 2020

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

Attn: Ms. Jamila Sheffield - Secretary-Treasurer

Re: Minor Variance Application Submission for 386 East 25th Street, Hamilton

Dear Madam,

Please accept the submitted enclosed application for a Minor Variance on the subject lands. The submitted Minor Variance will facilitate the proposed development as submitted through the concurrently submitted consent application. The subject submission proposes the creation of two lots that front onto East 25th Street, with the existing dwelling at 386 East 25th Street to be demolished and two new single detached dwellings are proposed to be constructed. This will result in a total of two building lots and two new single detached dwellings, which are shown as 386A and 386B East 25th Street on the concurrently submitted Site Plan. Details of the frontage and area for each of the proposed lots is shown in the below table.

Parcel	Lot Frontage (metres)	Lot Area (square metres)
386A	9.59 m (East 25 th Street)	352.5 m ²
386B	9.85 m (East 25 th Street)	367.9 m ²

As required for the above-noted application, please find attached the following:

1. A cheque in the amount of \$6,147.00 made payable to the City of Hamilton in payment of the Application Fee (combined with concurrently submitted Severance Fee).
2. Two (2) copies of the completed application form with signatures.
3. One (1) full size copy of the revised Site Plan to scale.
4. Two (2) copies of the revised Site Plan, reduced to 11x17.
5. One (1) copy of a Survey of the subject lands, reduced to 11X17.
6. One (1) copy of the architectural plans of the proposed single detached dwellings.

Further to Questions 6 & 7 of the concurrently submitted Minor Variance Application Form, please accept the below responses.

Question 6 – nature and extent of relief

In order to facilitate the proposed development, the following items of relief are requested from the City of Hamilton Zoning By-law No 6593:

1. That a minimum lot width of 9.55 metres be permitted; whereas a minimum lot width of 12 metres is required.



2. That a minimum lot area of 350 square metres be permitted; whereas a minimum lot area of 360 square metres is required.
3. That a side yard of 1.2 metres on one side and 0.9 metres on the other be required; whereas a 1.2m side yard is required along each side lot line.
4. That two required parking spaces may be located in the front yard; whereas only one of the required parking spaces are permitted to be in the front yard.
5. That the maneuvering space aisle width for a 90 degree parking angle shall be 0m, whereas a 6m maneuvering space aisle width is required.

Question 7 – why is it not possible to comply with the provisions of the By-law?

The variances related to lot frontage and lot area are a result of the concurrently submitted severance application that proposes the creation of two building lots; 386A and 386B East 25th Street. The relief from the by-law is required as the newly created lots are unable to meet the minimum lot area and frontage requirements of the “C” District in which the subject lands are located. The balance of the variances related to the minimum side yard, maneuvering space, and parking in the front yard is a result of the detailed design of the proposed dwellings. How each of the proposed variances satisfies the four tests of established under Section 45(1) of the *Planning Act* is discussed below in greater detail.

Analysis

The purpose of this analysis is to demonstrate how each of the variances applied for satisfies the four test established under Section 45(1) of the *Planning Act*.

Are the proposed variances desirable and appropriate?

With respect to variances 1 & 2, the general scale and character of the established development pattern varies significantly in the surrounding area. Lot widths vary significantly within the neighbourhood with frontages varying between ± 8.5 m (on East 24th Street) to ± 20 m. Lot areas also vary significantly from ± 355 m² to ± 800 m². The subject neighbourhood is characterized by a significant amount of diversity in terms of built form, scale, and development patterns. Directly opposite the subject lands is a medium density block townhouse development, with units fronting onto East 25th street opposite the subject lands. To the rear of the subject lands, fronting onto East 24th Street, there is existing duplexes and semi-detached development along with single detached residential development on ± 10.5 m lots. The proposed development would consist of an example of appropriate and compatible intensification that is in keeping with the wide variety of established development in the immediate neighbourhood. The proposed development will conform to the applicable regulations of the Zoning By-law (“C” District) with respect to building height, coverage and massing, and will therefore be consistent with nearby development. Furthermore, the lot is of a sufficient size to accommodate a suitable building envelope, along with ample landscaped area and space for amenity/recreation.



The proposed variances will facilitate a form of residential intensification, consistent with provincial policy direction, that is in keeping with the character of the area and that is compatible with adjacent development.

With respect to variance 3, the reduction in the minimum side yard to 0.9m on one side of the dwelling will allow for a more suitable building envelope, while also accommodating a suitable distance between the two proposed single detached dwellings. This will be further confirmed through the detailed engineering design completed through the Consent Agreement. A 1.8m mutual access easement has also been applied for to ensure that future property owners have the legal means to properly maintain their dwelling. It is important to note that the northern and southern side yards adjacent to existing development will remain at 1.2m to ensure compatibility.

With respect to variance 4 and 5, the addition of an additional parking space in the front yard can be appropriately accommodated while maintaining a minimum of 50% landscaped area in the front yard, and keeping the parking area to below 50% of the total area of the front yard. This will ensure that there is sufficient landscaping and that parking areas do not dominate the streetscape. Furthermore, this is required as the proposed dwellings do not have attached garages. Attached garages are not typical along this portion of East 25th Street, and the required parking is either provided in the front yard (as proposed), or through a combination of the front yard and attached carport. The existing dwelling at 386 East 25th Street provides the required parking in the front yard, along with the neighbour to the north at 382. The variance related to maneuvering space is administrative in nature. It is not typical for residential driveways for single detached dwellings to have 6 metres of maneuvering space. The proposed driveway spaces will operate similar to the existing driveway configuration that exists on the subject lands today, as is typical on this street.

Accordingly, the proposed variances are considered desirable and appropriate.

Are the proposed variances in keeping with the intent of the Official Plan?

The proposed development is located within the "Neighbourhoods" designation within the City's Urban Hamilton Official Plan (UHOP). Section E.3.0 provides policies for lands designated "Neighbourhoods" on Schedule E-1 (Urban Land Use Designations). The designation is broadly supportive of the development of complete communities that are made up of more than just homes, but include a variety of land uses. The proposed development conforms to the applicable policies of the "Neighbourhoods" designation, as it is a permitted use and conforms to the "Neighbourhoods" policies related to function, scale and design.

In addition to the designation specific policies of the UHOP, the proposed variances were evaluated against the lot creation policies of Section 1.14.3; and against the residential intensification policies of Section B.2.4 of the UHOP, and otherwise.

Accordingly, the proposed variances are in keeping with the intent of the Official Plan.



Are the proposed variances in keeping with the intent of the Zoning by-law?

The intent of the Zoning By-law is to control land use and development standards through the regulation of permitted uses and performance standards. There is no proposed change in use over what currently exists on the subject lands.

With respect to variances 1 and 2, the lot frontage and lot area regulations set forth in the “C” District regulate the intensity of a permitted use. This is to ensure overdevelopment of lands does not occur, and that development is in keeping with the character of the neighbourhood while being compatible with surrounding development. The proposed variances to lot area and frontage will allow for lot creation that is in keeping with the character of the area, while also being compatible with adjacent development. The resultant lots will be functional, and do not represent an overdevelopment of the lands.

With respect to variance 3, the intent of the minimum side yard is to ensure that development is appropriately spaced, to ensure compatibility with adjacent development and to be in keeping with the character of the area. It is also to ensure sufficient space for grading, drainage, and other engineering concerns. A reduction in the minimum side yard to 0.9m on one side of the dwelling will allow for a more suitable building envelope, while also accommodating a suitable distance between the two proposed single detached dwellings. Engineering matters will be dealt with through the detailed engineering design completed through the Consent Agreement. A 1.8m mutual access easement has also been applied for to ensure that future property owners have the legal means to properly maintain their dwelling. It is important to note that the northern and southern side yards adjacent to existing development will remain at 1.2m to ensure compatibility.

With respect to variances 4 and 5, the intent of only permitting one parking space in the required front yard is to ensure that surface parking does not dominate the streetscape, and that an appropriate amount of landscaping can be accommodate in the front yard. The proposed development is meeting the minimum landscaping requirements (50%) in the front yard, and the maximum parking area requirements (50%) in the front yard. Furthermore, this portion of East 25th Street is characterized by surface parking in the front yard, with very few dwellings containing an attached garage. The proposed parking arrangement is certainly not atypical for the area. The intent of the required 6 metre aisle width for maneuvering is more so intended towards larger parking areas where vehicles must maneuver on-site in order to exit in a forward manner. In these instances, there is also two-way traffic with the parking area. A typical residential driveway rarely provide sufficient maneuvering space to exit in a forward manner, nor is there likely to be two way traffic. As mentioned above, the parking arrangement provided on-site is typical for the area and similar to what currently exists on-site.

Are the proposed variances Minor in nature?

It is important to remember that this test deals with impact; is the impact anticipated from the proposed variances minor in nature. With respect to variances 1 & 2, the proposed lot widths



and areas are in keeping with the character of the area and are compatible with adjacent development. There are no anticipated impacts in terms of visual impact, shadowing, overlook, traffic, or otherwise resulting from the proposed development. The requested reduction of 10 square metres in minimum lot area and 2.5 metres in minimum lot width is considered minor.

With respect to variance 3, the reduction of one of the interior side yards from 1.2m to 0.9m is considered minor in nature. The side yards adjacent to existing development are being maintained at 1.2 metres to ensure there are no adverse impacts. As previously discussed, engineering matters will be dealt with through the detailed engineering design completed through the Consent Agreement. A 1.8m mutual access easement has also been applied for to ensure that future property owners have the legal means to properly maintain their dwelling. Accordingly, a reduction of one of the required side yards by 0.3 metres is considered minor.

With respect to variances 4 and 5 it has been demonstrated that this portion of East 25th Street is characterized by properties with surface parking in the front yard, and that very few dwellings have attached garage. It has also been demonstrated that an appropriate amount of landscaping can be accommodate in the front yard. Accordingly, the variance for an additional parking space in the front yard is considered minor in nature. Likewise, the required 6m aisle width for maneuvering space is not something that is typically provided in residential driveways for single detached dwellings; accordingly, the variance to permit no maneuvering space is considered minor in nature.

Conclusion

The variances applied for to facilitate the concurrent consent application meets the four tests of established under Section 45(1) of the *Planning Act*, represent good planning and should be approved.

We would request the opportunity to discuss the items of relief required in order to facilitate the proposed severance with the appropriate Staff when a Zoning review is conducted for the subject application. This will ensure that all of the appropriate variances are captured in order to implement the proposed development concept. 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,

A handwritten signature in blue ink, appearing to read 'S. Skidmore'.

Spencer Skidmore, MCIP, RPP

A. J. Clarke and Associates Ltd.

cc. 2628934 Ontario Inc. (c/o Igor Chouminov/Emil Joseph)

LOCATION



LIST OF DRAWINGS

- A-0.0
- A-0.1
- A-1.1
- A-1.2
- A-1.3
- A-2.1
- A-2.2
- A-2.3
- A-2.4
- SITE STATISTIC
- SITE PLAN
- BASEMENT FLOOR PLAN
- GROUND FLOOR PLAN
- ROOF PLAN
- FRONT ELEVATION
- REAR ELEVATION
- SIDE (NORTH) ELEVATION
- SIDE (SOUTH) ELEVATION

BYLAW 6593

386 B EAST 25th STREET
HAMILTON , ON

NEW 1-STOREY SINGLE FAMILY DWELLING

SITE STATISTICS		
ZONING DESIGNATION		
MINIMUM LOT AREA	360 M ²	
PROPOSED LOT AREA	3960 FT ² [367.9 M ²]	
MINIMUM LOT WIDTH	12 M	
(measured at 9.0 m from the front lot line)		
PROPOSED LOT WIDTH	9.85 M	
HEIGHT	MAX. PERMITTED	PROPOSED
BUILDING HEIGHT	MAX. 11.0 M	6.91 M
SETBACKS	MIN. REQUIRED	PROPOSED
FRONT YARD SETBACK/EAST	6.0 M	8.68 M
REAR YARD SETBACK /WEST	7.50 M	12.01 M
SIDE YARD SETBACK /NORTH	1.20 M	0.90 M
SIDE YARD SETBACK /SOUTH	1.20 M	1.21 M
GROSS FLOOR AREA CALCULATIONS		
FIRST FLOOR	117.63 SQM [1266.21SQF]	
LANDSCAPING AREA CALCULATIONS		
AREA OF FRONT YARD	87.8	SQM [945.0 SQF]
AREA OF DRIVEWAY	36.24	SQM [390.1 SQF] 41.28%
AREA OF FRONT YARD LANDSCAPE	51.55	SQM [554.9 SQF] 58.72%
[AREA FRONT YARD– AREA OF DRIVEWAY]		
AREA OF SOFT LANDSCAPE	48.75	SQM [524.8 SQF] 94.5%
		55.5% OF FRONT YARD
AREA OF HARD LANDSCAPE	2.8	SQM [30.1 SQF] 5.5%
TOTAL AREA OF SOFT LANDSCAPING	181.16	SQM [1950 SQF] 49.25%

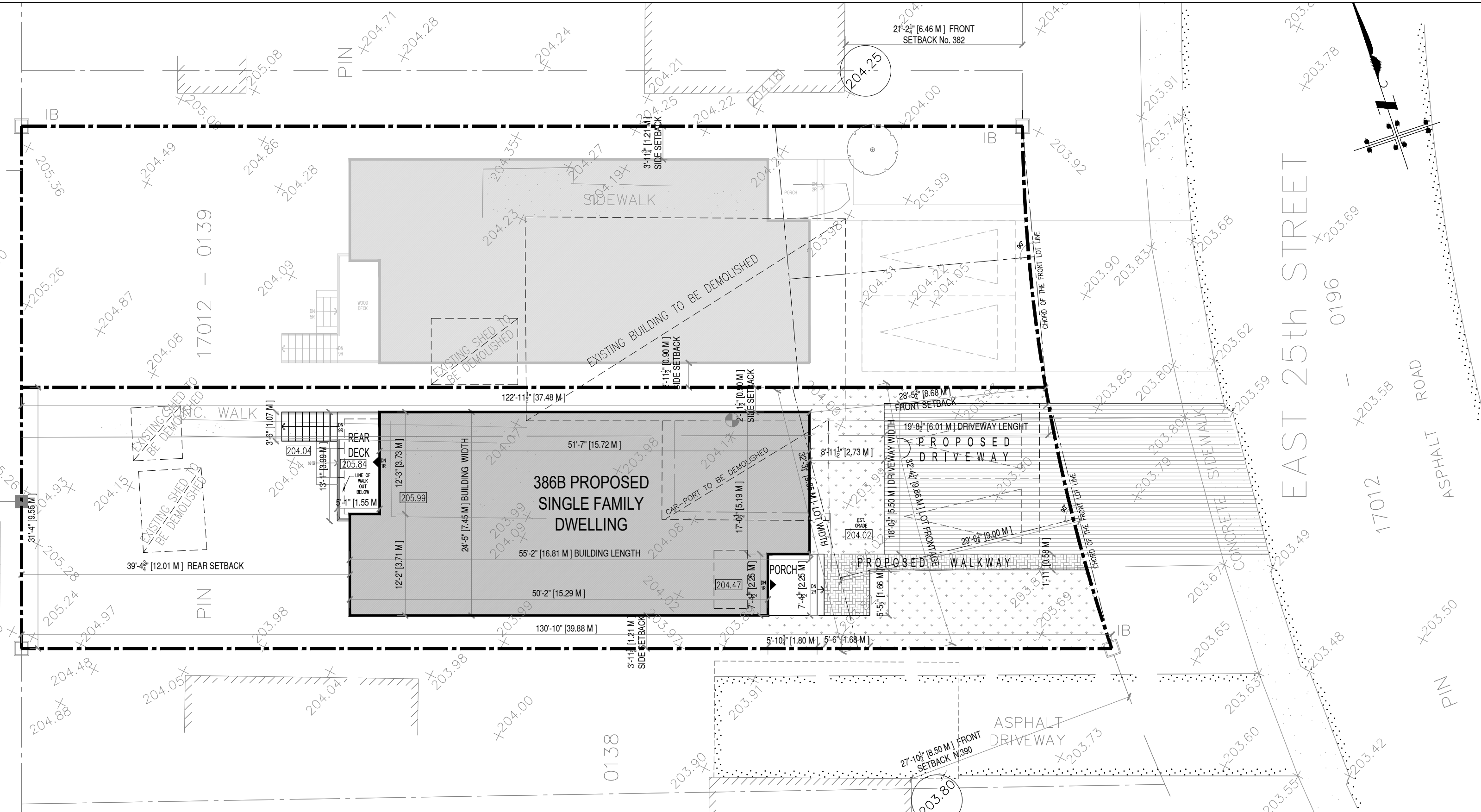
NO.	DATE	REVISION DESCRIPTION	NOTE
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STAMP	NORTH

PROJ./REV. NO.	306-20 EAST 25TH ST
SHEET TITLE	SITE STATISTIC
PROJECT	386B EAST 25TH STREET 386 EAST 25TH ST, HAMILTON, ON L8V 3B1

DWG NO.	A-0.0
DESIGN	 236 LESMILL ROAD, TORONTO ,ON, M3B 2T5 phone: 416.850.0021 info@urbanscaarchitect.com www.urbanscapearchitect.com

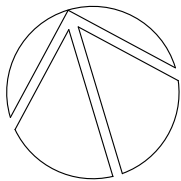


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NORTH



PROJ./REV. NO.

306-20 EAST 25TH ST

SHEET TITLE

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

PROJECT

386B EAST 25TH STREET
386 EAST 25TH ST, HAMILTON, ON L8V 3B1

DWG NO.

A-0.1

11"x17" SHEET SIZE

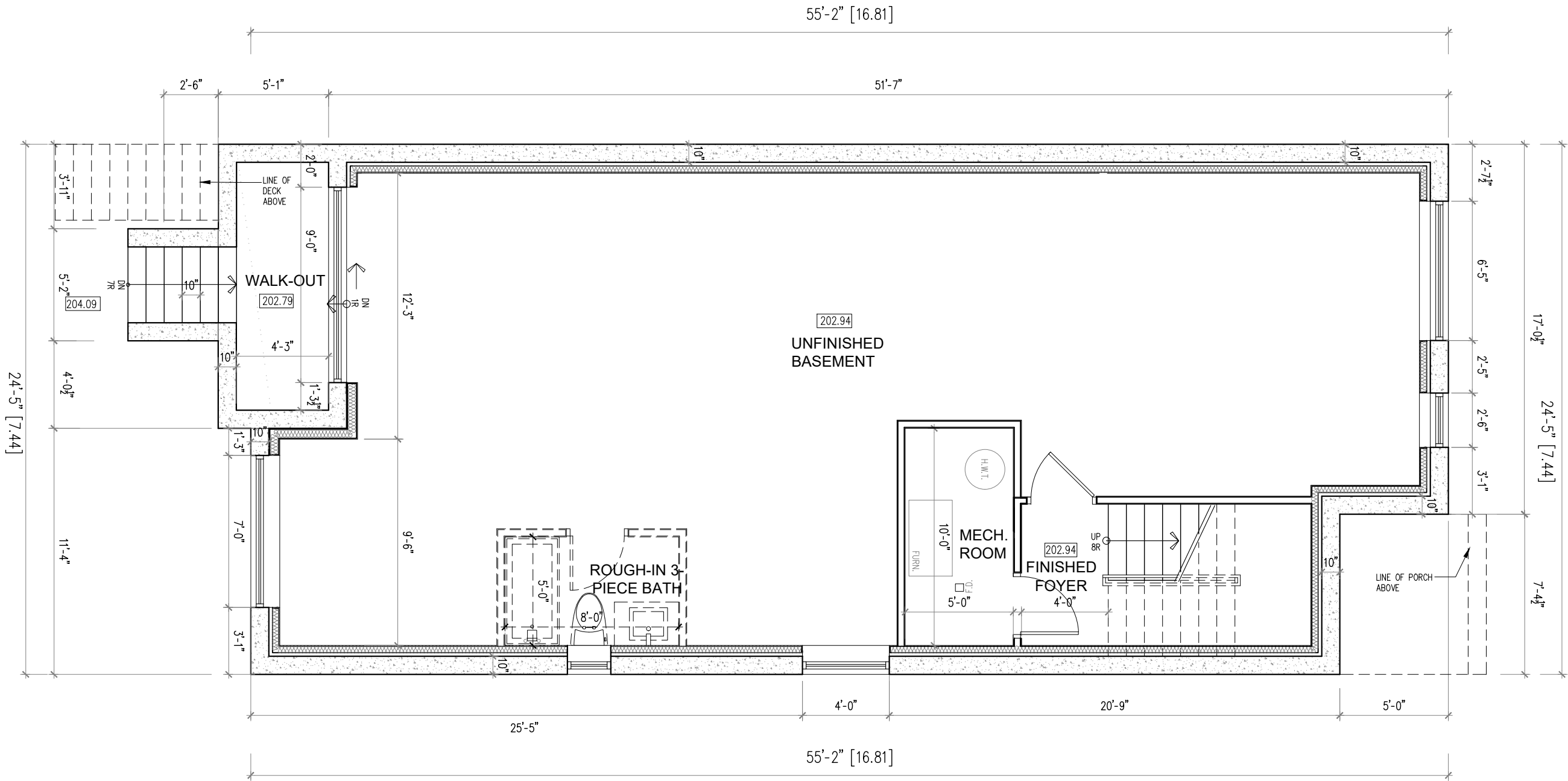
DESIGN



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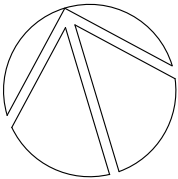
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PROJ./REV. NO.

306-20 EAST 25TH ST

SHEET TITLE

BASEMENT FLOOR PLAN
SCALE: 3/16"=1'-0"

PROJECT

386B EAST 25TH STREET
386 EAST 25TH ST, HAMILTON, ON L8V 3B1

DWG NO.

A-1.1

11"x17" SHEET SIZE

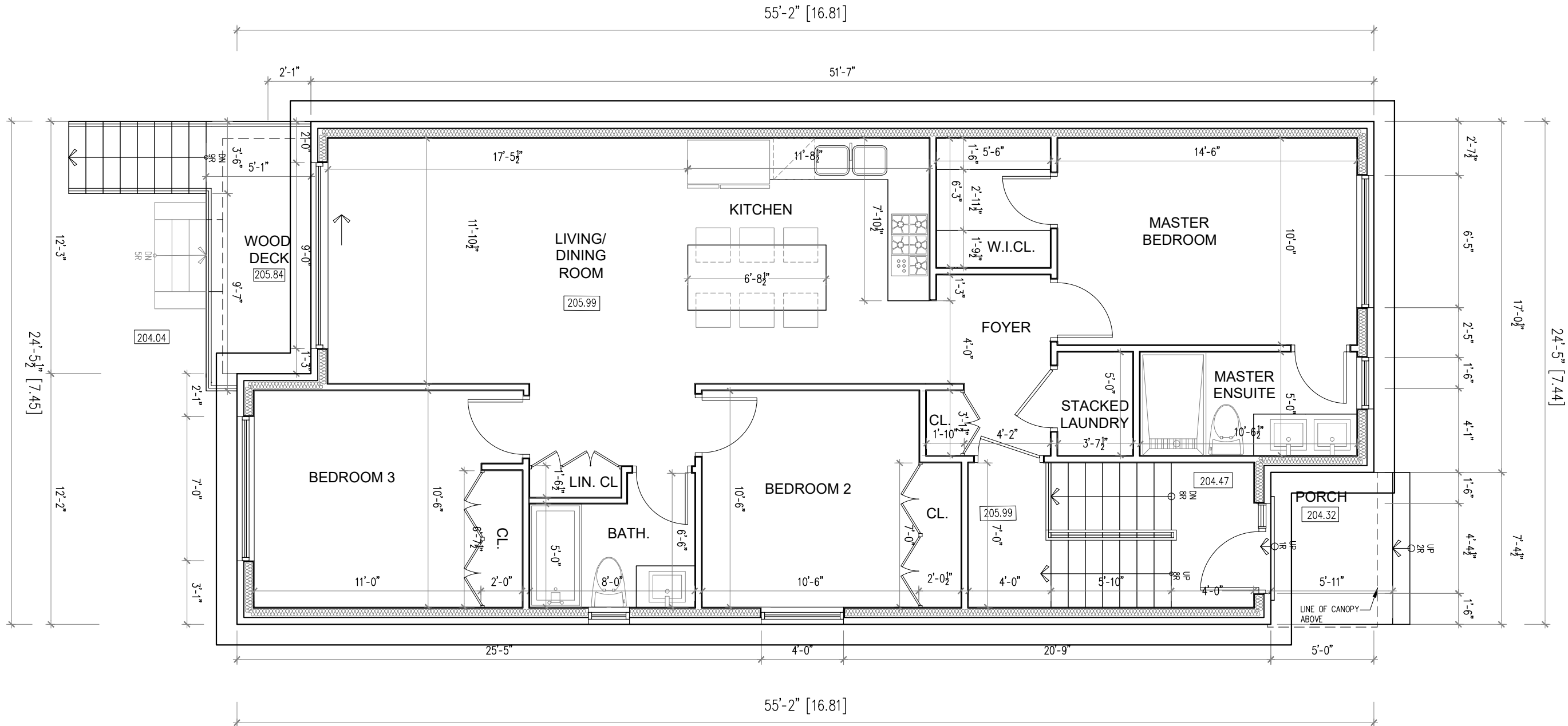
DESIGN

URBANSCAPE
ARCHITECTS

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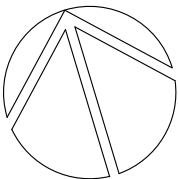


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PROJ./REV. NO.

306-20 EAST 25TH ST

SHEET TITLE

GROUND FLOOR PLAN
SCALE: 3/16"=1'-0"

PROJECT

386B EAST 25TH STREET
386 EAST 25TH ST, HAMILTON, ON L8V 3B1

DWG NO.

A-1.2

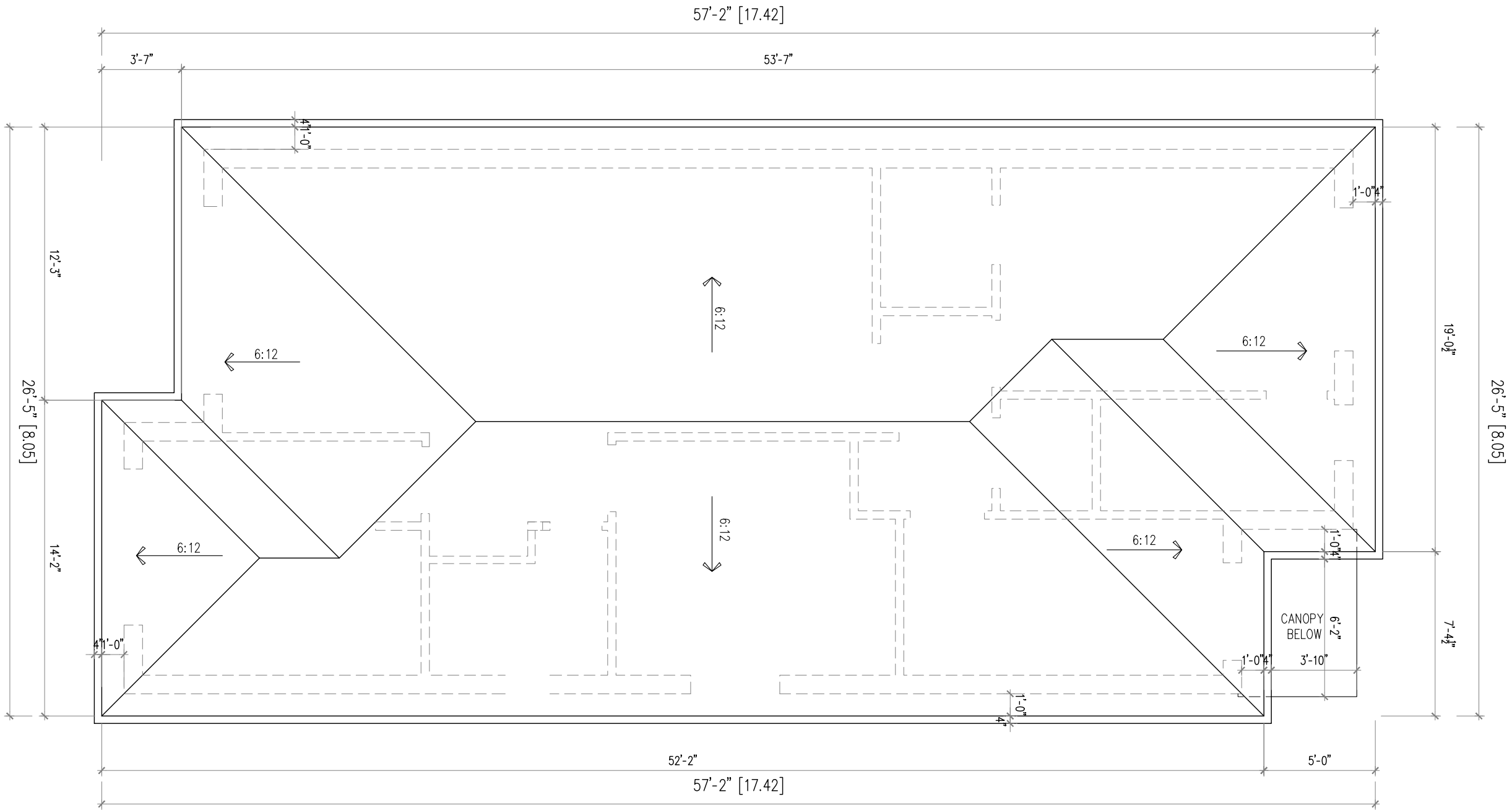
11"x17" SHEET SIZE

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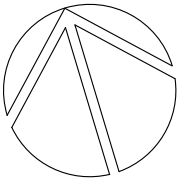


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PROJ./REV. NO.

306-20 EAST 25TH ST

SHEET TITLE

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

PROJECT

386B EAST 25TH STREET
386 EAST 25TH ST, HAMILTON, ON L8V 3B1

DWG NO.

A-1.3

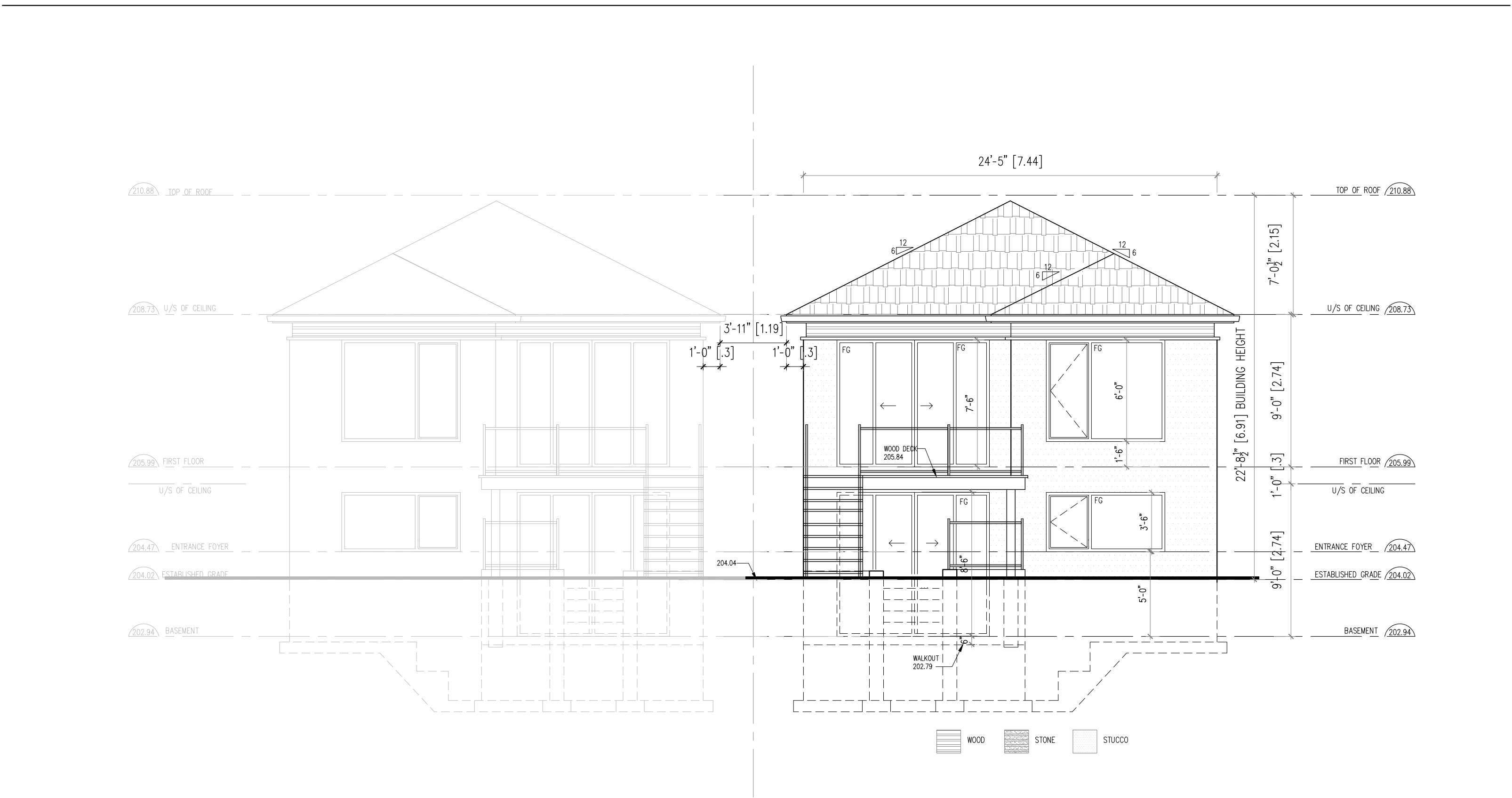
11"x17" SHEET SIZE

DESIGN



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PROJ./REV. NO.
306-20 EAST 25TH ST

SHEET TITLE
REAR ELEVATION
SCALE: 3/16"=1'-0"

PROJECT
386B EAST 25TH STREET
386 EAST 25TH ST, HAMILTON, ON L8V 3B1

DWG NO.

A-2.2

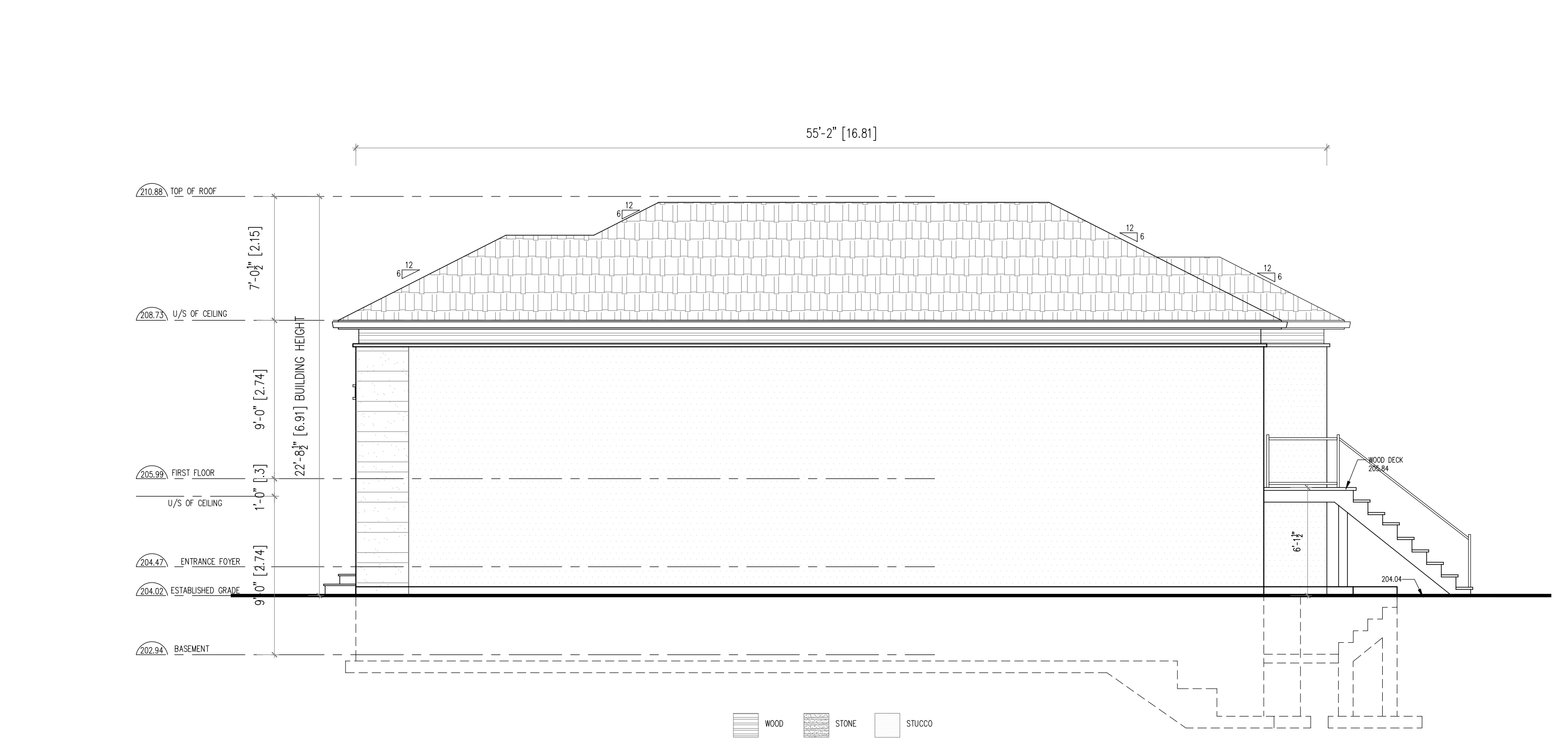
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STAMP	NORTH

PROJ./REV. NO.	DWG NO.
306-20 EAST 25TH ST	A-2.3
SHEET TITLE	11"x17" SHEET SIZE
SIDE(NORTH) ELEVATION SCALE: 3/16"=1'-0"	
PROJECT	
386B EAST 25TH STREET 386 EAST 25TH ST, HAMILTON, ON L8V 3B1	

DESIGN

URBANSCAPE
ARCHITECTS

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phone: 416.850.0021
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SURVEYOR'S REAL PROPERTY REPORT
PLAN OF SURVEY WITH TOPOGRAPHY OF
PART OF LOTS 52 and 53
REGISTERED PLAN No. 995

BEING IN THE
CITY OF HAMILTON

SCALE 1:250



MackAY, MacKAY & PETERS LIMITED - ONTARIO LAND SURVEYORS
© 2020

KNOWN AS MUNICIPAL No. 386 EAST 25th STREET

REPORT SUMMARY (PART 2) (to be read in conjunction with Part 1)

LAND REGISTRY OFFICE, TITLE INFORMATION ON SUBJECT PROPERTY INCLUDING
BOUNDARIES, EASEMENTS AND RIGHT OF WAYS - DECEMBER 18, 2019

REGISTERED EASEMENTS AND/OR RIGHTS-OF-WAY:

NONE

ADDITIONAL REMARKS:

REFER TO PART 1 OF SURVEY FOR THE LOCATION OF BUILDINGS, STRUCTURES, FENCES AND UTILITIES.

Note:

MackAY, MacKAY & PETERS LIMITED grants EMIL JOSEPH ("The Client(s)"), their
solicitor and other related parties permission to use "Original Copies" of the Surveyor's
Real Property Report in transactions involving "The Client(s)".

"METRIC" DISTANCES SHOWN HEREON ARE IN METRES AND
CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

Benchmark Note:

GEODETIC SURVEY OF CANADA BENCHMARK No. 0011965U059 ELEVATION = 203.774 METRES
(CGVD 1928-1978 READJUSTMENT)

HAMILTON-WENTWORTH FRANKLIN ROAD SCHOOL, AT SOUTHWEST CORNER OF UPPER SHERMAN
AVENUE AND FRANKLIN ROAD, TABLET IN NORTH FRONT CONCRETE FOUNDATION WALL, 0.91
METRES FROM NORTHEAST CORNER, 1.21 METRES BELOW BRICK, 4.57 METRES EAST OF AND
OPPOSITE EAST EDGE OF EAST 28th STREET.

Bearing Reference:

BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE WEST LIMIT OF EAST 25th
STREET, HAVING A BEARING OF N18°21'30"E, AS SHOWN ON REGISTERED PLAN No. 995.

Legend:

- DENOTES A SURVEY MONUMENT PLANTED
- DENOTES A SURVEY MONUMENT FOUND
- SB DENOTES STANDARD IRON BAR
- IB DENOTES IRON BAR
- CM DENOTES CONCRETE MONUMENT
- OU DENOTES ORIGIN UNKNOWN
- PIN DENOTES PROPERTY IDENTIFICATION NUMBER
- R.P. DENOTES REGISTERED PLAN
- FFE DENOTES FINISHED FLOOR ELEVATION
- P1 DENOTES PLAN BY MACKAY & MACKAY, DATED AUGUST 2, 1955 (S-3096)
- P2 DENOTES PLAN 62R-21266
- H— DENOTES AERIAL HYDRO WIRES
- DENOTES DECIDUOUS TREE SCALED TO CANOPY, TRUNK SIZE SHOWN IN METRES

Surveyor's Certificate:

I CERTIFY THAT :

- 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.
- THE SURVEY WAS COMPLETED ON THE 6th DAY OF FEBRUARY, 2020.

FEBRUARY 6, 2020
DATE

Roy C. Mayo
ROY C. MAYO
ONTARIO LAND SURVEYOR
FOR MACKAY, MACKAY & PETERS LIMITED

ASSOCIATION OF ONTARIO
LAND SURVEYORS
PLAN SUBMISSION FORM
2114106



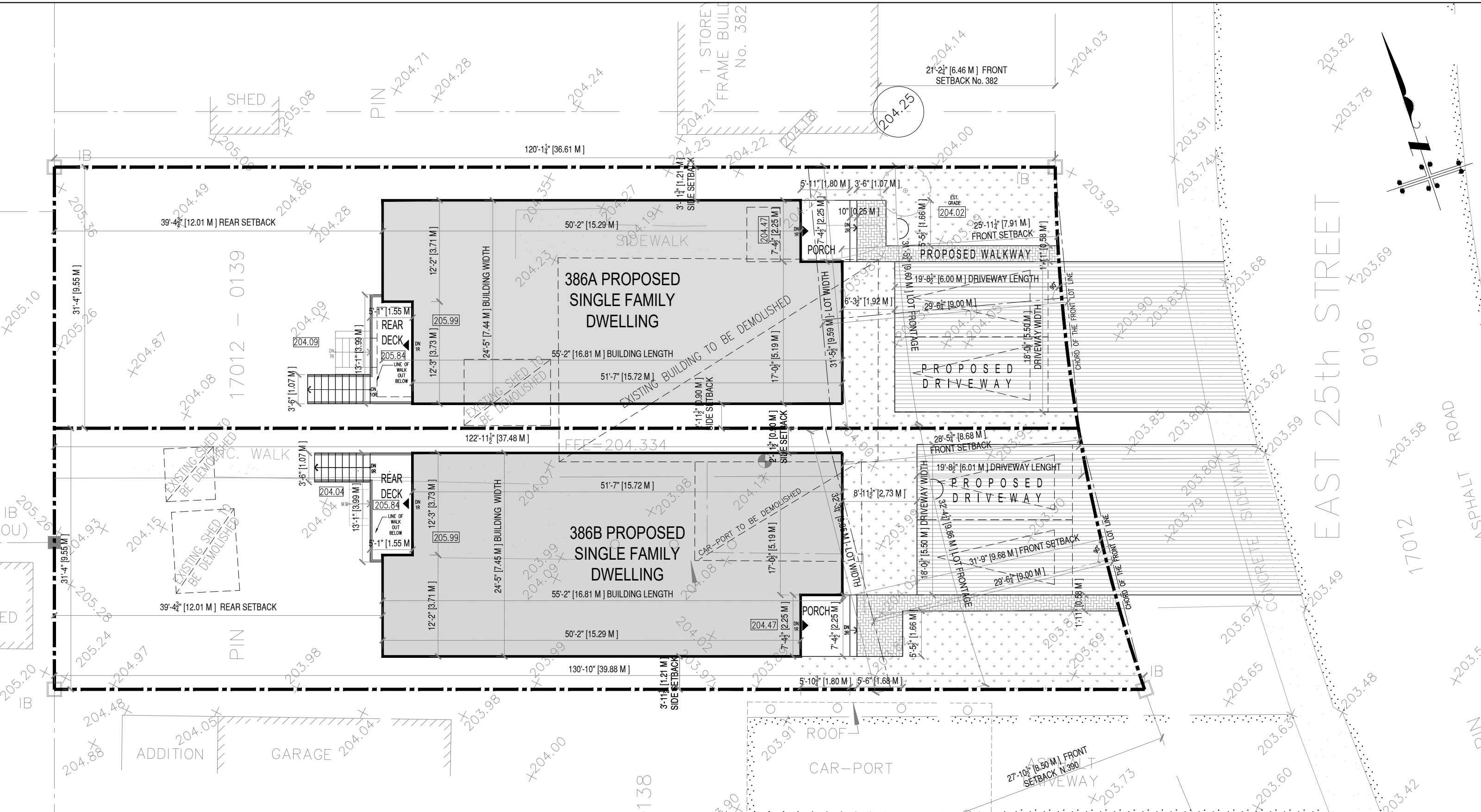
THIS PLAN IS NOT VALID
UNLESS IT IS AN EMBOSSED
ORIGINAL COPY
ISSUED BY THE SURVEYOR
In accordance with
Regulation 1026, Section 29(3)

CAD FILE: E:\(62) Hamilton-Wentworth\Registered Plans\RP0995\LOT 52-53\19-305\19-305-SRPR.dwg

MMP
MackAY, MacKAY & Peters Limited
LAND SURVEYORS & MAPPERS
SINCE 1906

3380 South Service Road
Unit 101
Burlington, ON
L7N 3J5
(905) 639-1375
halton@mmplimited.com
mmpsveyors.ca
mmplocators.ca

DRAWN BY: S.R.M.
PARTY CHIEF: N.C.
CHECKED BY: *Rum*
PROJECT NO: 19-305

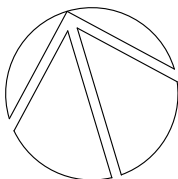


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STAMP

NORTH



PROJ./REV. NO.

306-20 EAST 25TH ST

SHEET TITLE

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

PROJECT

386 EAST 25TH STREET
386 EAST 25TH ST, HAMILTON, ON L8V 3B1

DWG NO.

S-0.1

11"x17" SHEET SIZE

DESIGN



236 LESMILL ROAD, TORONTO, ON, M3B 2T5

phone: 416.850.0021

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