



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-20:138

APPLICANTS: Roxborough Park Inc.

SUBJECT PROPERTY: Municipal address **20 Reid Ave. N., Hamilton**

ZONING BY-LAW: Zoning By-law 05-200, as Amended by By-law 18-203

ZONING: "D6,E696" (Downtown Multiple Residential) district

PROPOSAL: To permit the construction of seventy-six (76) townhouse dwellings and eighty-eight (88) back to back townhouse dwellings accessed from either a municipal road or private condominium road, notwithstanding that:

1. A minimum rear yard of 1.20 metres shall be permitted for "Block 2", instead of the minimum 1.5 metres required for "Block 2".
2. A minimum setback of 2.75 metres to a condominium road shall be permitted for "Block 4" and "Block 4a", instead of the minimum setback of 4.5 metres required for "Block 4" and "Block 4a".
3. A minimum flankage yard of 2.65 metres shall be permitted for "Block 4" and "Block 4a", instead of the minimum 4.5 metres required for "Block 4" and "Block 4a".
4. Two (2) barrier free parking spaces shall be provided instead of the minimum required four (4) barrier free parking spaces.

NOTE:

1. Construction of the proposed development is subject to the issuance of a building permit in the normal manner. Be advised that Ontario Building Code regulations may require specific setbacks and construction types.
2. No elevation drawings were included as part of this application. Specific details have not been provided regarding proposed yard encroachments. Further variances may be required if compliance with Section 4.6 and E696(b)(B)(1) & (2) cannot be achieved.
3. Specific details have not been provided regarding proposed mechanical and unitary equipment. Further variances may be required if compliance with Section 4.9(a) & (b) cannot be achieved.

4. Specific details have not been provided regarding a proposed Architectural Wall or Feature within the required planting strip adjacent to the visitor parking area abutting the Reid Avenue South street line on "Block 4a". Further variances may be required if compliance with E696(g)(v)(l)(3) cannot be achieved.
5. The requested variances are necessary to facilitate Site Plan Application File No. DA-20-056

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

DATE: Thursday, September 17th, 2020
TIME: 1:45 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

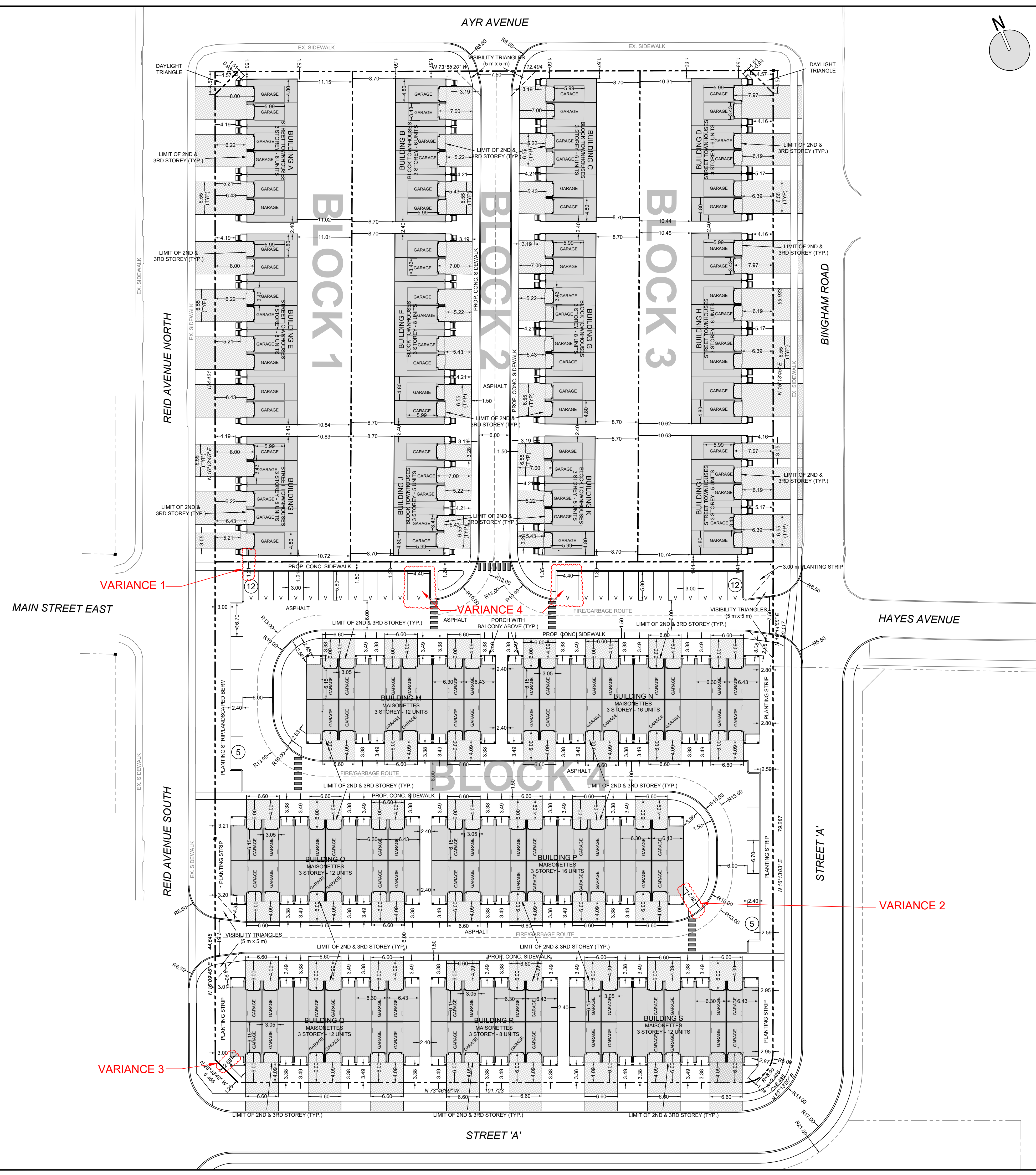
For more information on this matter, including access to drawings illustrating this request:

- Visit www.hamilton.ca/committeeofadjustment
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 4144
- Email Committee of Adjustment staff at cofa@hamilton.ca

DATED: September 1st, 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.



- ### GENERAL NOTES
- ALL WORK INVOLVED IN THE CONSTRUCTION, RELOCATION, REPAIR OF MUNICIPAL SERVICES FOR THE PROJECT SHALL BE TO THE SATISFACTION OF THE DIRECTOR AND CHIEF PLANNER OF THE PLANNING DIVISION, 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 7.5 M UNLESS OTHERWISE STATED.
 - ALL DRIVEWAYS FROM PROPERTY LINES FOR THE FIRST 7.5 M SHALL BE WITHIN 5% MAXIMUM GRADE, THEREAFTER, ALL DRIVEWAYS SHALL BE WITHIN 10% MAXIMUM GRADES.
 - THE APPROVAL OF THIS PLAN DOES NOT EXEMPT THE OWNER'S BONDED CONTRACTOR FROM THE REQUIREMENTS TO OBTAIN THE VARIOUS PERMITS/APPROVALS NORMALLY REQUIRED TO COMPLETE A CONSTRUCTION PROJECT, SUCH AS, BUT NOT LIMITED TO THE FOLLOWING:
 - BUILDING PERMIT
 - ROAD CUT PERMITS
 - APPROACH APPROVAL PERMITS
 - ENCROACHMENT AGREEMENTS (IF REQUIRED)
 - SEWER AND WATER PERMITS
 - RELOCATION OF SERVICES
 - COMMITTEE OF ADJUSTMENT
 - ABANDONED ACCESSES MUST BE REMOVED AND THE CURB AND BOULEVARD RESTORED WITH SOD AT THE OWNER'S EXPENSE TO THE SATISFACTION OF THE TRAFFIC ENGINEERING SECTION, PUBLIC WORKS DEPARTMENT.
 - ALL SIGNS MUST COMPLY WITH HAMILTON SIGN BY-LAW NO. 10-197.
 - ALL FENCES MUST COMPLY WITH HAMILTON FENCE BY-LAW NO. 10-142.

UNDERTAKING

RE: DA-20-056

I, (WE) _____, THE OWNER(S) OF THE LAND, HEREBY UNDERTAKE AND AGREE WITHOUT RESERVATION,

(a) TO COMPLY WITH ALL THE CONTENT OF THIS PLAN AND DRAWING AND NOT TO VARY THEREFROM;

(b) TO PERFORM THE FACILITIES, WORKS OR MATTERS MENTIONED IN SECTION 41(7)(A) OF THE PLANNING ACT SHOWN ON THIS PLAN AND DRAWING(S) IN ACCORDANCE WITH THE CONDITIONS OF APPROVAL AS SET OUT IN THE LETTER OF APPROVAL DATED _____;

(c) TO MAINTAIN TO THE SATISFACTION OF THE CITY AND AT MY (OUR) SOLE RISK AND EXPENSE, ALL OF THE FACILITIES, WORKS OR MATTERS MENTIONED IN SECTION 41(7)(B) OF THE SAID ACT, SHOWN IN THIS PLAN AND DRAWING, INCLUDING REMOVAL OF SNOW FROM ACCESS RAMPS AND DRIVEWAYS, PARKING AND LOADING AREAS AND WALKWAYS; AND,

(d) IN THE EVENT THAT THE OWNER DOES NOT COMPLY WITH THE PLAN DATED _____, THE OWNER AGREES THAT THE CITY MAY ENTER THE LAND AND DO THE REQUIRED WORKS, AND FURTHER THE OWNER AUTHORIZES THE CITY TO USE THE SECURITY FILED TO OBTAIN COMPLIANCE WITH THIS PLAN.

DATED THIS _____ DAY OF _____ 20 _____

WITNESS (SIGNATURE) _____ OWNER(S) (SIGNATURE) _____ (SEAL)

WITNESS (PRINT) _____ OWNER (PRINT) _____

ADDRESS OF WITNESS _____

DEVELOPMENT STATISTICS

BLOCKS 1 & 3

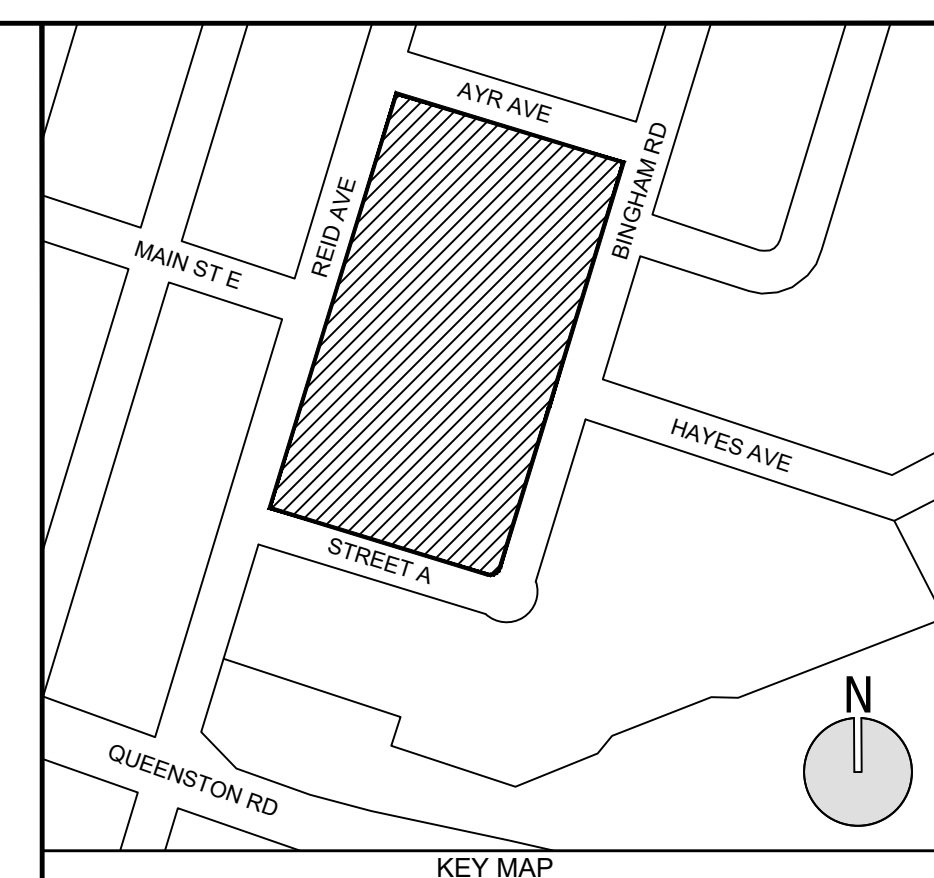
Item	Required	Proposed
Permitted Use	Street Towns	Street Towns
Min. Lot Area	120.00 m ²	129.01 m ²
Min. Unit Width	4.80 m	4.80 m
Min. Front Yard	To a Dwelling 4.50 m	6.22 m 8.00 m
Min. Side Yard	1.20 m	1.20 m
Min. Flankage Yard	1.50 m	1.50 m
Min. Rear Yard	7.00 m	10.31 m
Building Height	Minimum 9.00 m Maximum 12.00 m	N/A 10.40 m
Maximum No. of Units in a Row	8	8
Total No. of Units	N/A	38 Units
Parking Requirements	1 per unit	1 per unit

BLOCK 2

Item	Required	Proposed
Permitted Use	Block Towns	Block Towns
Min. Lot Width	12.00 m	> 12.00 m
Min. Front Yard	1.50 m	1.50 m
Max. Flankage Yard	3.00 m	N/A
Min. Side Yard	6.00 m	8.70 m
Min. Rear Yard	1.50 m	1.24 m (M/R)
Building Height	Minimum 9.00 m Maximum 12.00 m	N/A 10.40 m
Min. Setback to a Condo Road	4.50 m	5.22 m
Min. Distance Between End Walls	2.40 m	2.40 m
Total No. of Units	N/A	38 Units
Parking Requirements	Per Unit 1 per unit Visitor 0.25 per unit = 9.5	1 per unit = 38 10

BLOCK 4

Item	Required	Proposed
Permitted Use	Maisonettes	Maisonettes
Min. Lot Width	12.00 m	> 12.00 m
Min. Front Yard	3.00 m	3.00 m
Min. Rear Yard	2.00 m	N/A
Min. Side Yard	Northerly Lot Line 10.00 m Southerly Lot Line 4.50 m	19.66 m N/A
Min. Flankage Yard	4.50 m	2.65 m (M/R)
Building Height	Minimum 9.00 m Maximum 15.00 m	N/A 11.05 m
Min. Setback to a Condo Road	4.50 m	2.82 m (M/R)
Min. Distance Between End Walls	2.40 m	2.40 m
Min. Private Amenity Area	3.00 m ²	5.59 m ²
Min. Landscaped Area	10%	2,020 m ² (17%)
Min. Planting Strip Requirements	Front Lot Line 3.00 m Rear Lot Line 2.00 m	3.00 m 2.00 m
Total No. of Units	N/A	88 Units
Parking Requirements	Per Unit 1 per unit Visitor 0.25 per unit = 22 Barrier Free 4	1 per unit = 88 24 2 (M/R)



SITE PLAN

BLOCKS 1,2,3,4
DRAFT PLAN OF SUBDIVISION 25T-201802
CITY OF HAMILTON

SCALE 1:400
METRES

LEGEND:

- PROPERTY LINES
- PROPOSED BUILDINGS
- PROPOSED DRIVEWAY

DESIGN BY: S. MCKAY
DRAWN BY: S. MCKAY

CHECKED BY: S. MANCHIA
DATE: MARCH 24, 2020

DRAWING ISSUE RECORD

NO.	DATE	BY	DESCRIPTION
1	JULY 16, 2020	SM	BASED ON T. PLANNING COMMENTS
1	MAY 11, 2020	SM	BASED ON ZONING COMMENTS

APPROVALS

CARRIAGEGATE
home to new living

urbancore
DEVELOPMENTS

ROXBOROUGH PARK INC.

PROJECT: **ROXBOROUGH PARK**
PHASE 2 - TOWNS
CITY OF HAMILTON

FILE NUMBER: 146-16
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.**

20-173426

FOR OFFICE USE ONLY.	
APPLICATION NO. <u>Hm/A. 20:138</u>	DATE APPLICATION RECEIVED <u>July 2/20</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.

1. Name of Owner Roxborough Park Inc.

2.

3. Name of Agent N/A

FAX NO. _____ E-mail address _____

4. Address _____

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:

N/A

_____ Postal Code _____

_____ Postal Code _____

6. Nature and extent of relief applied for:

Please refer to enclosed cover letter and Minor Variance sketch.

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

Please refer to enclosed cover letter and Minor Variance sketch.

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

Blocks 1-4 on the approved Draft Plan of Subdivision (25T-201802).

9. PREVIOUS USE OF PROPERTY

Residential Industrial _____ Commercial _____

Agricultural _____ Vacant _____

Other Institutional - Former Roxborough School

9.1 If Industrial or Commercial, specify use

_____ N/A

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 x 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 x Unknown ___

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

We are the owners of subject lands.

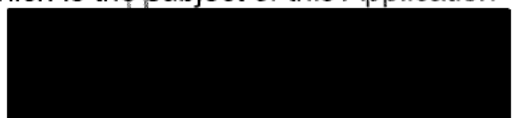
9.12 If previous use of property is industrial or commercial or if YES to any of 9.2 to 9.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.

Is the previous use inventory attached? Yes ___ No x

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.

July 2nd 2020
Date



Signature Property Owner

S. MANCHIA
Print Name of Owner

10. Dimensions of lands affected:

Frontage Varies (depends on block)
Depth Varies (depends on block)
Area Total = 22,848 m²
Width of street N/A

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: Two (2) 2-Storey Townhouses blocks and One (1) 1 storey Townhouse block to be demolished.

Proposed: Please refer to enclosed Minor Variance Sketch.

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

Existing: Existing Building are in the process of being demolished.

Proposed: Please refer to the enclosed Minor Variance sketch.

13. Date of acquisition of subject lands:

To be confirmed

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

Unknown

15. Existing uses of the subject property: Residential/Vacant

16. Existing uses of abutting properties: Residential

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

> 25 years

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

Water x Connected

Sanitary Sewer x Connected

Storm Sewers x

19. Present Official Plan/Secondary Plan provisions applying to the land:

The subject lands are designated as "Neighbourhoods" with a site specific policy area "UHN-25" in the Urban Hamilton Official Plan.

20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:

Downtown Multiple Residential (D6,696) Zone in the City of Hamilton Zoning By-law No. 05-200.

21. Has the owner previously applied for relief in respect of the subject property?

Yes

No

If the answer is yes, describe briefly.

N/A

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



August 6, 2020

146-16

Via Delivered

Ms. Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

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

Dear Ms. Sheffield,

**Re: Blocks 1-4, Draft Approved Plan of Subdivision (25T-201802)
Minor Variance Application Resubmission**

In keeping with ongoing discussions, the Site Plan (DA-20-056) has been revised based on discussions with Development Planning and Transportation Planning. As a result of the changes made to the Site Plan, the following variances are now required:

- Variance 1: A minimum rear yard of 1.20 metres shall be permitted for "Block 2", instead of the minimum 1.5 metres required for "Block 2".
- Variance 2: A minimum setback of 2.75 metres to a condominium road shall be permitted for "Block 4" and "Block 4a", instead of the minimum setback of 4.5 metres required for "Block 4" and "Block 4a".
- Variance 3: A minimum flankage yard of 2.65 metres shall be permitted for "Block 4" and "Block 4a", instead of the minimum 4.5 metres required for "Block 4" and "Block 4a".
- Variance 4: Two (2) barrier free parking spaces shall be provided instead of the minimum required four (4) barrier free parking spaces.

In support of this revision please find enclosed two (2) copies of the revised Minor Variance Sketch.



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

Regards,

Roxborough Park Inc.



Spencer McKay

cc: Councillor Merulla, Ward 4, City of Hamilton
Mr. Steve Robichaud, Chief Planner, City of Hamilton
Ms. Anita Fabac, City of Hamilton
Ms. Shannon McKie, City of Hamilton
Mr. Daniel Barnett, City of Hamilton
Messrs. S. Manchia & N. Carnicelli & D. Horwood, Roxborough Park Inc.