



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.: AN/A-20:209

APPLICANTS: Sergio Manchia on behalf of the owner Paul Valeri

SUBJECT PROPERTY: Municipal address **223 Wilson St. E., Ancaster**

ZONING BY-LAW: Zoning By-law 05-200, as Amended by By-law 17-240

ZONING: "C5a and 570" (Mixed Use Medium Density - Pedestrian Focus) district

PROPOSAL: To permit the development of a new 398.44 m² one storey office building notwithstanding that;

1. A minimum westerly side yard of 2.7 m shall be provided instead of the minimum required 7.5 m side yard abutting a residential or institutional zone of lot containing a residential use; and
2. A minimum façade height of 4.7 m shall be provided whereas a minimum of 7.5 m façade height for any portion of a building along a street line is required; and
3. A maximum building height of 4.9 m shall be provided for the first storey whereas the By-Law states that the first storey shall have a minimum height of 3.6 m and a maximum height of 4.5 m; and
4. Tandem parking shall be permitted to be provided on site whereas all required parking shall be provided with adequate means of ingress to and from the street or laneway without the necessity of moving another motor vehicle.
5. To permit tandem parking whereas all required parking shall have a minimum manoeuvring space aisle width of 6.0 m for a parking space designed at 90° angle.

Notes:

These variances are necessary to facilitate Site Plan Control Application DA-20-024.

The applicant requested a variance for 0 short-term bicycle parking spaces; however, the GFA for the proposed office is less than 450.0 m²; therefore, as indicated under Section 5.7 d); no short-term bicycle parking shall be required. As such, this variance is not necessary.

Please be advised that a minimum of 60 % of the area of the ground floor façade facing the street shall be composed of doors and windows. The percentage of front façade which is comprised of windows and doors has not been indicated. Therefore, further variances may be required.

.../2

The By-Law states that where a property lot line abuts a property lot line within a Residential Zone or an Institutional Zone and not a Laneway, a minimum 1.5m wide Planting Strip shall be provided and maintained. A 1.5m wide planting strip as defined is required to be provided along the rear lot line. No planting strip is shown only a landscaped area; therefore, further variances may be required.

A visual barrier shall be required along any lot line abutting a Residential Zone, Institutional Zone, Downtown (D5) Zone or Downtown (D6) Zone property line in accordance with the requirements of Section 4.19 of this By-law. This property abuts an Institutional (I1) zone along the rear property line. No visual barrier has been illustrated; therefore, further variances may be required.

A 3.0m wide planting strip being required and permanently maintained between the street line and the said parking spaces or aisle. No details of a 3.0 m wide planting strip is shown between the parking spaces and the street line; therefore, further variances may be required.

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

DATE: Thursday, November 5th, 2020
TIME: 2:10 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:

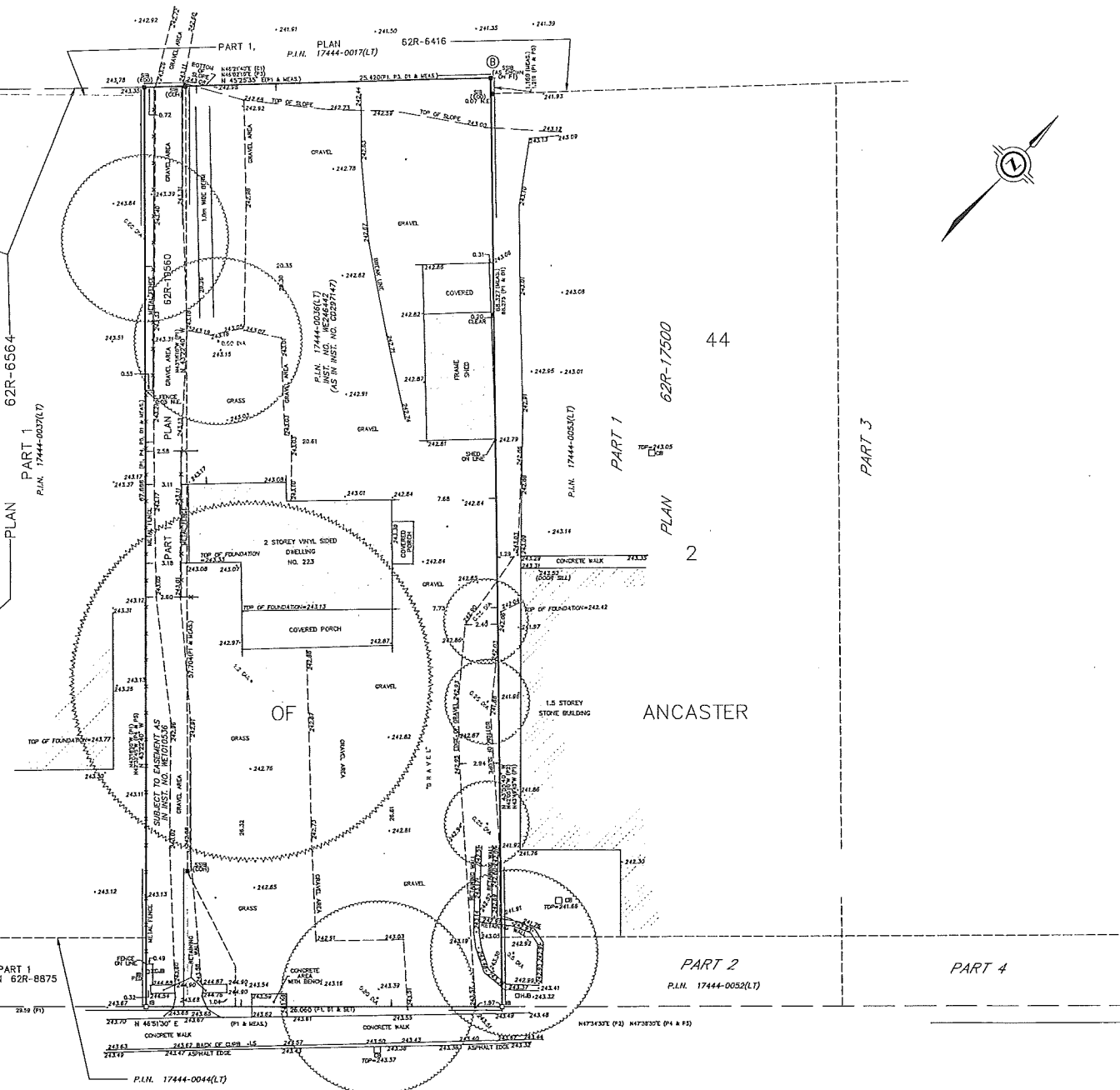
- Visit www.hamilton.ca/committeeofadjustment
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at cofa@hamilton.ca

DATED: October 20th, 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.

LOT
CONCESSION
TOWNSHIP



SURVEYOR'S REAL PROPERTY REPORT WITH TOPOGRAPHIC DETAILS
PART 1 - PLAN SHOWING
PART OF LOT 44,
CONCESSION 2
IN THE GEOGRAPHIC TOWNSHIP OF ANCASTER
CITY OF HAMILTON

SCALE 1 : 150

MATTHEWS, CAMERON, HEYWOOD - KERRY T. HOWE SURVEYING LTD.
© COPYRIGHT 2018

METRIC DISTANCES AND/OR COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

NOTES
BEARINGS ARE UTM GRID, DERIVED FROM OBSERVED EXTENSION POINTS A AND B. BY REAL TIME NETWORK (RTN) OBSERVATIONS, UTM ZONE 17, NAD83 (CORS) (2011-0).
DISTANCES ARE GRID-ED AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE CORRECTED SCALE FACTOR OF 0.999551.
ELEVATION NOTE
ELEVATIONS ARE OF GEODETIC GRIDS (CGD59-1928.76), AND ARE DERIVED FROM GROUND OBSERVATIONS AND NATIONAL RESOURCES CANADA'S GRID MODEL, 1928.76.

INTEGRATION DATA
OBSERVED REFERENCE POINTS (ORP): UTM ZONE 17, NAD83 (CORS) (2011-0).
COORDINATES TO URBAN ACCURACY PER SECTION 14 (2) OF REG. 216/10.

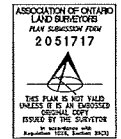
POINT ID	EASTING	NORTHING
ORP (A)	502 855.13	4 785 093.95
ORP (B)	502 879.59	4 785 187.19

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

- LEGEND
- SM DENOTES SURVEY MONUMENT FOUND
 - STB DENOTES STANDARD IRON BAR
 - SSE DENOTES SHORT STANDARD IRON BAR
 - ROF DENOTES ROLF BAR
 - MEAS DENOTES MEASURED
 - JDB DENOTES J.D. BARNES LIMITED
 - P1 DENOTES PLAN 62R-11250
 - P2 DENOTES PLAN 62R-17500
 - P3 DENOTES PLAN 62R-6416
 - P4 DENOTES PLAN 62R-4564
 - P5 DENOTES PLAN 62R-8876
 - COB DENOTES C.O.B. (CONCRETE ON BITUM) SIDE
 - INST. NO. (C0297147)
 - SOME NEARBY WOODS, O.L.S.
 - CITY OF HAMILTONC/DENOTES CANTONMENT
 - HTS DENOTES HYDRO TOWER
 - CH DENOTES CHUTE
 - HJ DENOTES HOIST JUNCTION BOX
 - FTS DENOTES FIRE TOWER
 - FTS DENOTES FIRE TOWER
 - CH DENOTES CABLE TV JUNCTION BOX
 - T.M. DENOTES TELEPHONE
 - F DENOTES FENCE

- DENOTES CONIFEROUS TREE
- ◯ DENOTES DECIDUOUS TREE

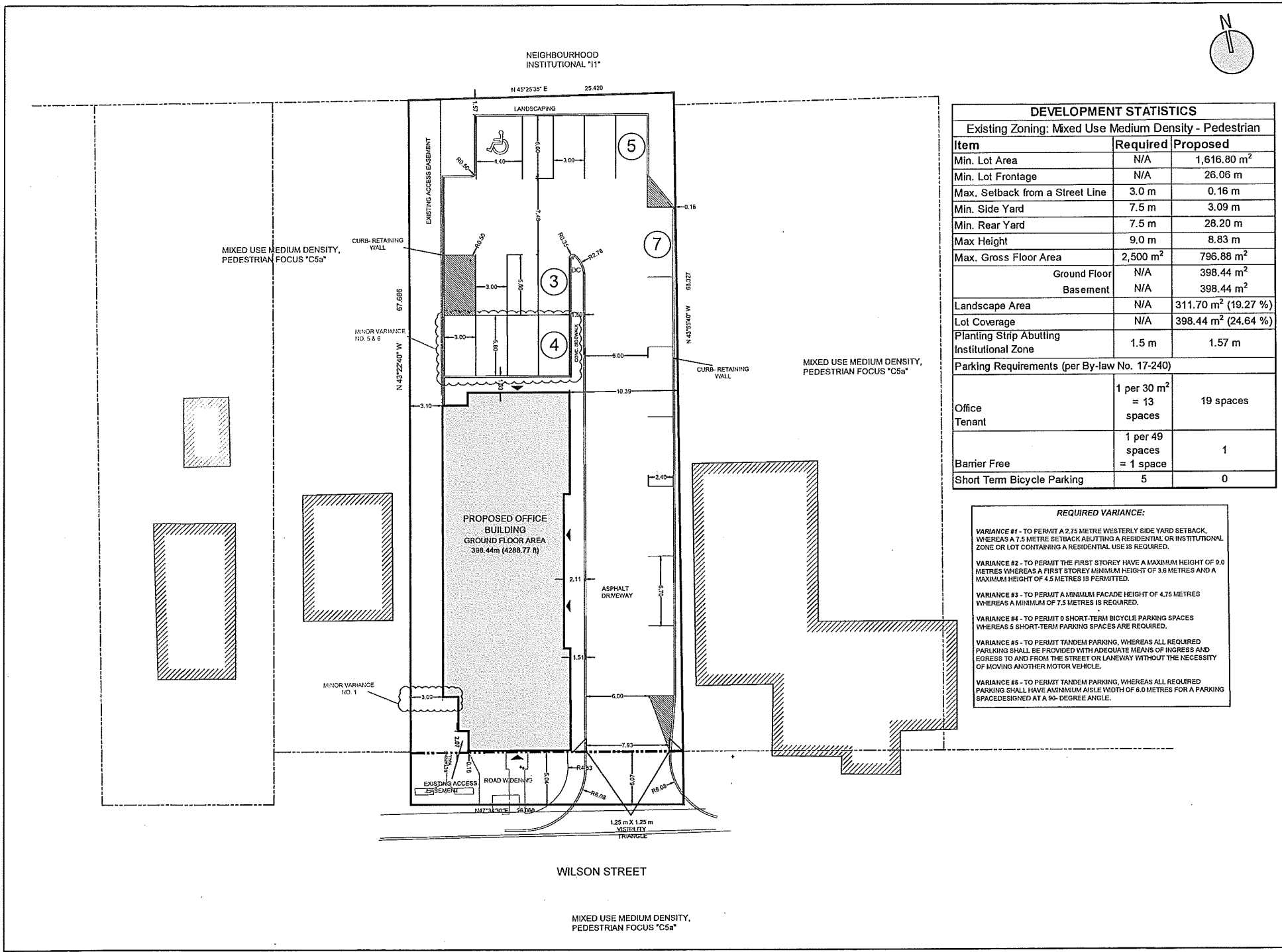
PART 2 - SURVEY REPORT
- DESCRIPTION
PART OF LOT 44, CONCESSION 2, GEOGRAPHIC TOWNSHIP OF ANCASTER, NOW IN THE CITY OF HAMILTON
- RECEIVED EASEMENTS AND/OR RIGHTS-OF-WAY
SUBJECT TO EASEMENT IN GROSS AS IN INST. NO. W61010528, PART 1, PLAN 62R-1959
- BOUNDARY FEATURES
AS SHOWN ON PLAN
- ADDITIONAL REMARKS
SURVEY WAS PREPARED FOR VALERY HOGES



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 APRIL 5, 2018.
3. TOPOGRAPHIC DETAIL COMPLETED ON MAY 9, 2018.

MAY 24, 2018 DATE BASIA PAGE ONTARIO LAND SURVEYOR
MATTHEWS, CAMERON
HEYWOOD - KERRY T. HOWE
REGISTERED LAND SURVEYORS
05/27/2018
18-16-059-00

WILSON STREET REGIONAL ROAD NO. 247
(FORMERLY THE KING'S HIGHWAY NO. 2, BY PART 1, PLAN 62R-403(P-1651-76)
(TRANSFERRED BY ORDER-IN-COUNCIL REGISTERED AS INST. NO. C41854, DATED APRIL 13, 1971)



DEVELOPMENT STATISTICS		
Existing Zoning: Mixed Use Medium Density - Pedestrian		
Item	Required	Proposed
Min. Lot Area	N/A	1,616.80 m ²
Min. Lot Frontage	N/A	26.06 m
Max. Setback from a Street Line	3.0 m	0.16 m
Min. Side Yard	7.5 m	3.09 m
Min. Rear Yard	7.5 m	28.20 m
Max Height	9.0 m	8.83 m
Max. Gross Floor Area	2,500 m ²	796.88 m ²
Ground Floor	N/A	398.44 m ²
Basement	N/A	398.44 m ²
Landscape Area	N/A	311.70 m ² (19.27 %)
Lot Coverage	N/A	398.44 m ² (24.64 %)
Planting Strip Abutting Institutional Zone	1.5 m	1.57 m
Parking Requirements (per By-law No. 17-240)		
Office Tenant	1 per 30 m ² = 13 spaces	19 spaces
Barrier Free	1 per 49 spaces = 1 space	1
Short Term Bicycle Parking	5	0

REQUIRED VARIANCE:

VARIANCE #1 - TO PERMIT A 2.75 METRE WESTERLY SIDE YARD SETBACK, WHEREAS A 7.5 METRE SETBACK ABUTTING A RESIDENTIAL OR INSTITUTIONAL ZONE OR LOT CONTAINING A RESIDENTIAL USE IS REQUIRED.

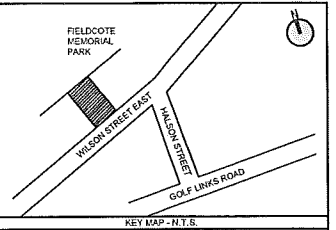
VARIANCE #2 - TO PERMIT THE FIRST STOREY HAVE A MAXIMUM HEIGHT OF 9.0 METRES WHEREAS A FIRST STOREY MINIMUM HEIGHT OF 3.6 METRES AND A MAXIMUM HEIGHT OF 4.5 METRES IS PERMITTED.

VARIANCE #3 - TO PERMIT A MINIMUM FACADE HEIGHT OF 4.75 METRES WHEREAS A MINIMUM OF 7.5 METRES IS REQUIRED.

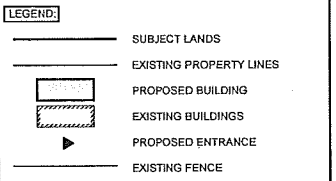
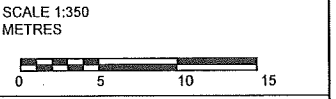
VARIANCE #4 - TO PERMIT 0 SHORT-TERM BICYCLE PARKING SPACES WHEREAS 5 SHORT-TERM PARKING SPACES ARE REQUIRED.

VARIANCE #5 - TO PERMIT TANDEM PARKING, WHEREAS ALL REQUIRED PARKING SHALL BE PROVIDED WITH ADEQUATE MEANS OF INGRESS AND EGRESS TO AND FROM THE STREET OR LANEWAY WITHOUT THE NECESSITY OF MOVING ANOTHER MOTOR VEHICLE.

VARIANCE #6 - TO PERMIT TANDEM PARKING, WHEREAS ALL REQUIRED PARKING SHALL HAVE A MINIMUM AISLE WIDTH OF 6.0 METRES FOR A PARKING SPACESIGNED AT A 90-DEGREE ANGLE.



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



DESIGN BY: N.Y.H.H. CHECKED BY: M. Johnson
DRAWN BY: L. Deegan DATE: September 28, 2020

NOT FOR CONSTRUCTION

PREPARED BY:

URBAN SOLUTIONS
PLANNING & LAND DEVELOPMENT
3 Studebaker Place, Unit 1
Hamilton, ON L8L 0C8
905-546-1087 - UrbanSolutions.info

PROJECT:

MINOR VARIANCE
SKETCH

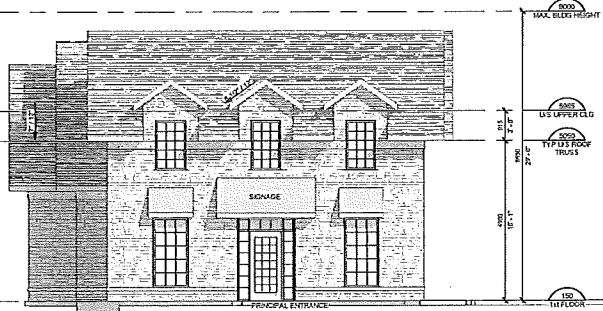
PROJECT:

223 Wilson Street
City of Hamilton

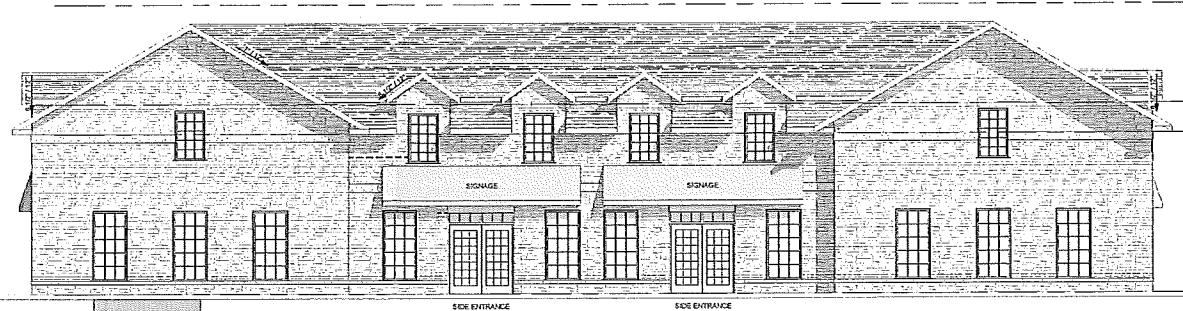
CLIENT:

Valery Homes

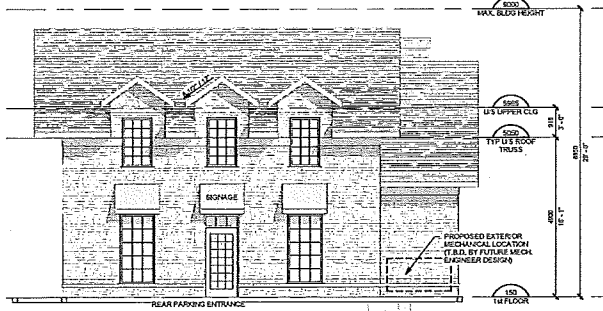
US FILE NUMBER: 288-18 SHEET NUMBER: 1



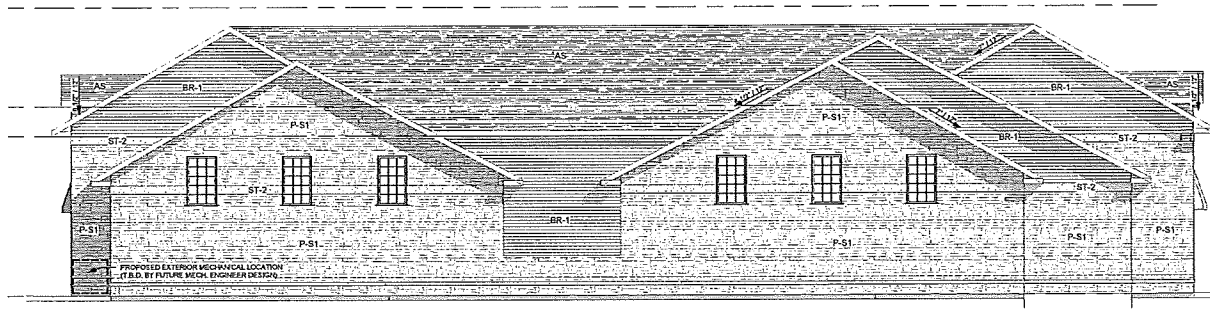
2 SOUTH ELEVATION
A400 1:75



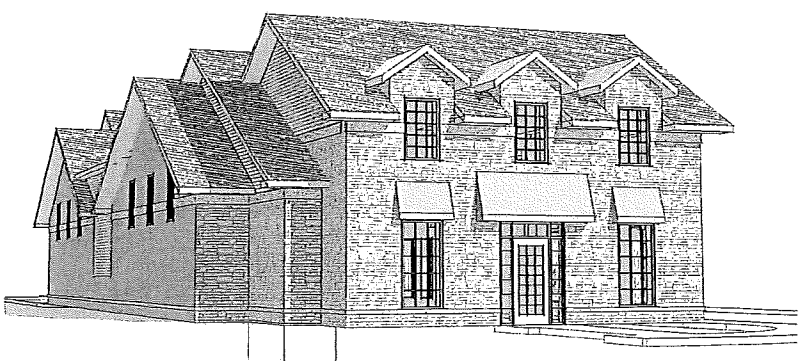
1 EAST ELEVATION
A400 1:75



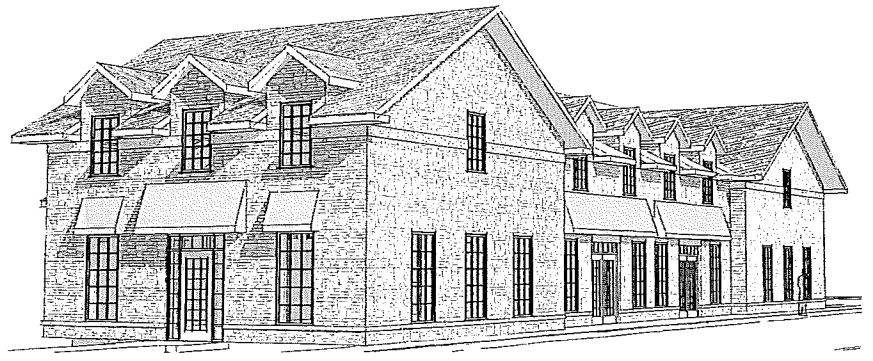
3 NORTH ELEVATION
A400 1:75



4 WEST ELEVATION
A400 1:75



6 VIEW - SW CORNER
A400



5 VIEW - SE CORNER
A400

THE CONTRACTOR SHALL CHECK ALL DIMENSIONS AND LOCATIONS OF ALL WORK BEFORE BEGINNING CONSTRUCTION.
ALL DIMENSIONS MAY BE SUBJECT TO CHANGE DUE TO REQUIREMENTS FROM A PROFESSIONAL ENGINEER OR ARCHITECT.
ALL DIMENSIONS SHALL BE TO FACE UNLESS OTHERWISE NOTED.
THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE EXISTING CONDITIONS AND DIMENSIONS OF ALL WORK BEFORE BEGINNING CONSTRUCTION.
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KEY TO DETAIL LOCATION

No.	DETAIL NUMBER
No.	DRAWING SHEET NUMBER

DRAWING SETS ISSUED	No.	DATE (DD-MY-YY)	BY

ALL PREVIOUS ISSUES OF THIS DRAWING ARE SUPERSEDED.

REVISIONS TO DRAWING	No.	DATE (DD-MY-YY)

NOT FOR CONSTRUCTION WITHOUT PERMIT

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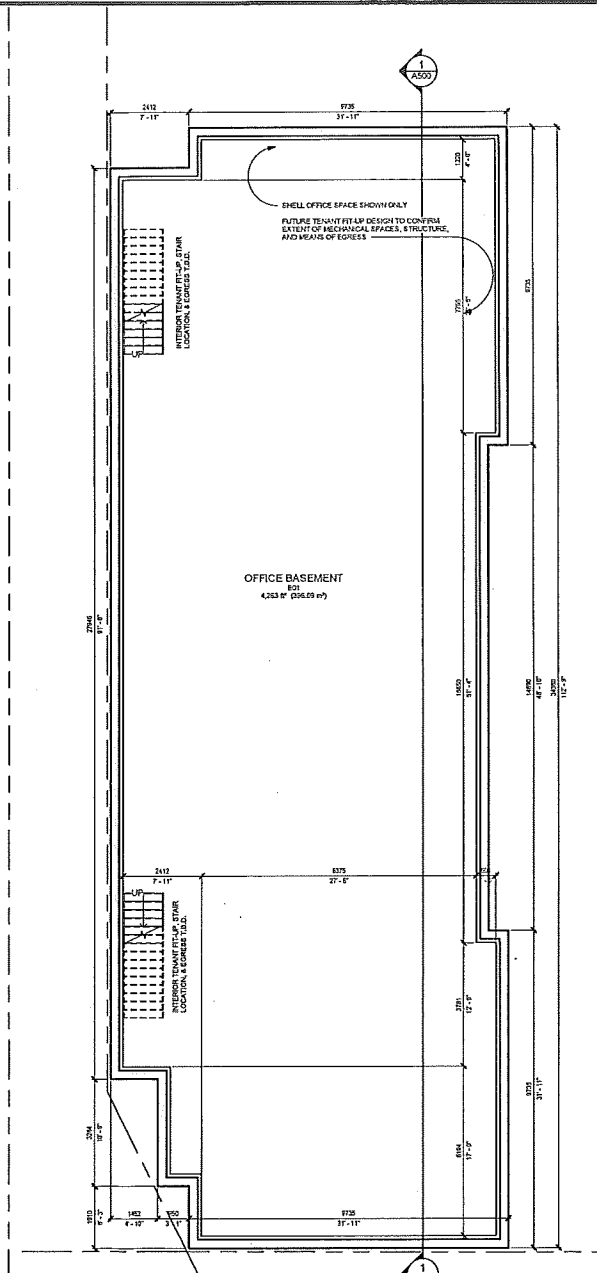
KNYMH INC.
1005 SKYVIEW DRIVE • SUITE 101
BURLINGTON, ONTARIO • L7P 0V1
T 905 670 8995
F 905 670 8224
www.knymh.com
Info@knymh.com

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OLD ANCASTER NEW OFFICE
223 WILSON ST EAST
ANCASTER, ONTARIO

DRAWING SHEET TITLE
BLDG 1 ELEVATIONS

DRAWING SCALE 1:75	PROJECT NUMBER 19026
DRAWN BY JMS	CHECKED BY SP
DRAWING VERSION 000	DRAWING SHEET NUMBER A400
PLOT DATE 2020-06-10	



1 BASEMENT FLOOR
A200 1:75

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No. DRAWING SHEET NUMBER

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REVISIONS TO DRAWING	No.	DATE (DD-MY-YY)	BY

BUILDING PERMIT NUMBER:
NOT FOR CONSTRUCTION WITHOUT PERMIT

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ARCHITECTURE + SOLUTIONS

KNYMH INC.
1006 SKYVIEW DRIVE • SUITE 101
BURLINGTON, ONTARIO • L7P 0V1
T 905.639.6695
F 905.639.0294
www.knymh.com info@knymh.com

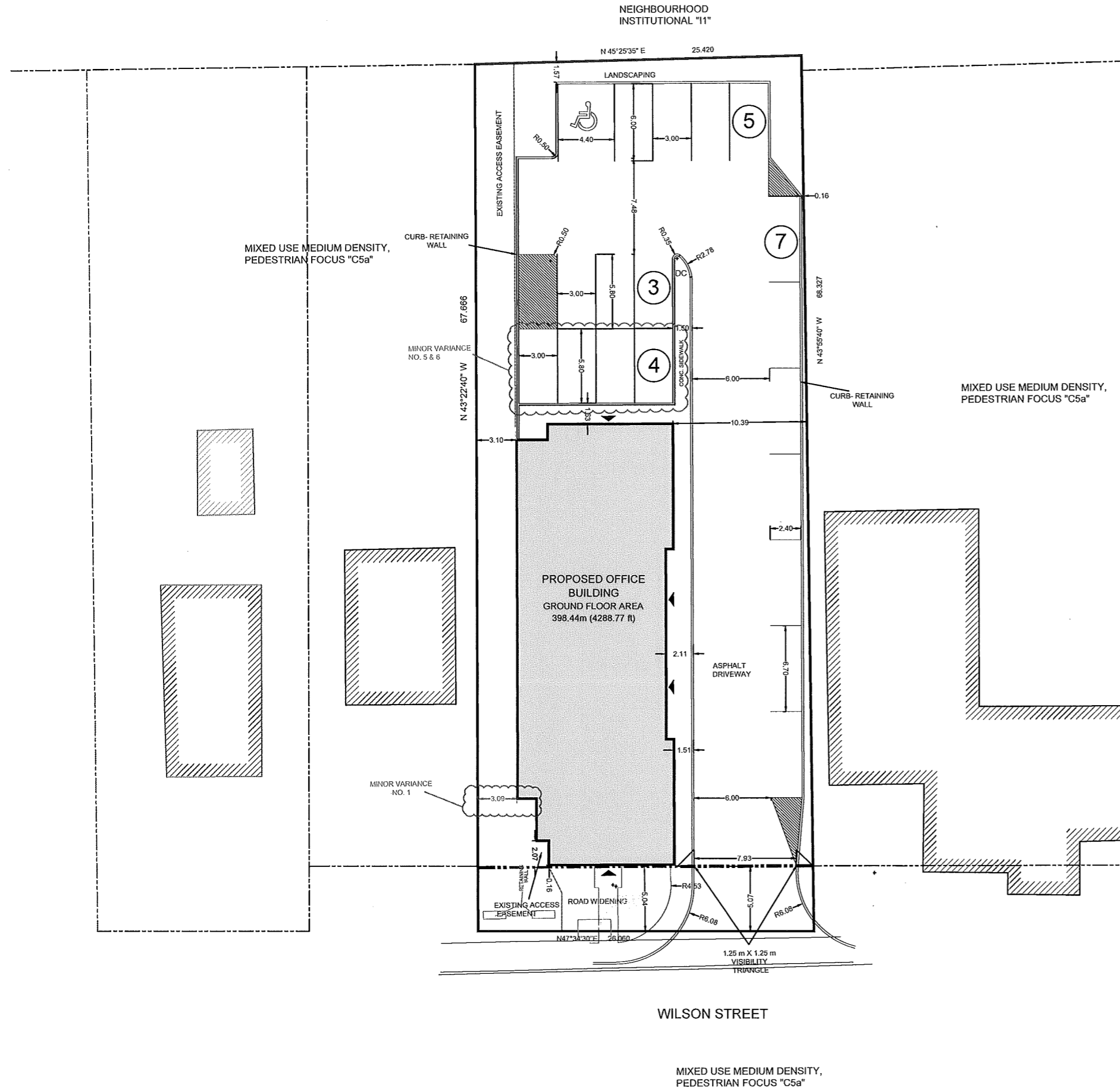
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OLD ANCASTER NEW OFFICE
223 WILSON ST EAST
ANCASTER, ONTARIO

DRAWING SHEET TITLE
BASEMENT LEVEL

DRAWING SCALE: 1:75
PROJECT NUMBER: 19026

DRAWN BY: JT CHECKED BY: SP
DRAWING VERSION: DRAWING SHEET NUMBER: A200
PLOT DATE: 2020-08-10



DEVELOPMENT STATISTICS		
Existing Zoning: Mixed Use Medium Density - Pedestrian		
Item	Required	Proposed
Min. Lot Area	N/A	1,616.80 m ²
Min. Lot Frontage	N/A	26.06 m
Max. Setback from a Street Line	3.0 m	0.16 m
Min. Side Yard	7.5 m	3.09 m
Min. Rear Yard	7.5 m	28.20 m
Max Height	9.0 m	8.83 m
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Office Tenant	1 per 30 m ² = 13 spaces	19 spaces
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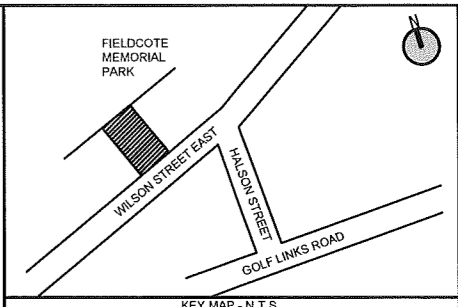
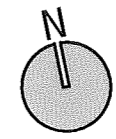
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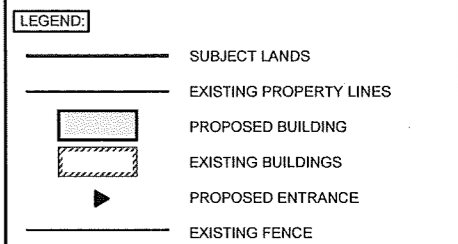
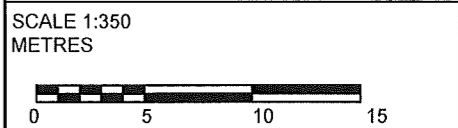
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PART OF LOT 5 CONCESSION 1
GEOGRAPHIC TOWNSHIP OF
GLANFORD
IN THE CITY OF HAMILTON



DESIGN BY: KMYWH
DRAWN BY: L. Dierman
CHECKED BY: M. Johnston
DATE: September 29, 2020

NOT FOR CONSTRUCTION

PREPARED BY:

URBAN SOLUTIONS
PLANNING & LAND DEVELOPMENT

3 Studebaker Place, Unit 1
Hamilton, ON L8L 0C8
905-546-1087 - UrbanSolutions.info

PROJECT:
MINOR VARIANCE SKETCH

PROJECT:
223 Wilson Street
City of Hamilton

CLIENT:
Valery Homes

US FILE NUMBER: 288-18
SHEET NUMBER: 1

CONTRACTOR MUST CHECK AND VERIFY ALL DIMENSIONS AND JOB CONDITIONS BEFORE PROCEEDING WITH WORK.
 ALL DIMENSIONS MAY BE SUBJECT TO CHANGE DUE TO COMMANDS FROM MUNICIPAL DEPARTMENTS AND OTHER AGENCIES WITH JURISDICTION.
 ALL DIMENSIONS AND SPECIFICATIONS ARE THE PROPERTY OF THE ARCHITECTS AND MUST BE RETAINED AT THE COMPLETION OF THE WORK.
 THE CONTRACTOR WILL BE RESPONSIBLE FOR ALL DIMENSIONS NOT SPECIFICALLY MARKED.
 THE CONTRACTOR MUST ASSUME FULL RESPONSIBILITY AND ACCEPT THE COSTS FOR ANY CORRECTIONS OR DAMAGES RESULTING FROM HIS OR HER WORK.

KEY TO DETAIL LOCATION

No.	DETAIL NUMBER
	DRAWING SHEET NUMBER

DRAWING SETS ISSUED	No.	DATE (DD,MM,YY)	BY

ALL PREVIOUS ISSUES OF THIS DRAWING ARE SUPERSEDED

REVISIONS TO DRAWING	No.	DATE (DD,MM,YY)	BY

NOT FOR CONSTRUCTION

BUILDING PERMIT NUMBER:
NOT FOR CONSTRUCTION WITHOUT PERMIT

KNYMH
 ARCHITECTURE • SOLUTIONS

K N Y M H I N C.
 1006 SKYVIEW DRIVE • SUITE 101
 BURLINGTON, ONTARIO • L7P 0V1
 T 905.639.6595
 F 905.639.0994
www.knymh.com info@knymh.com

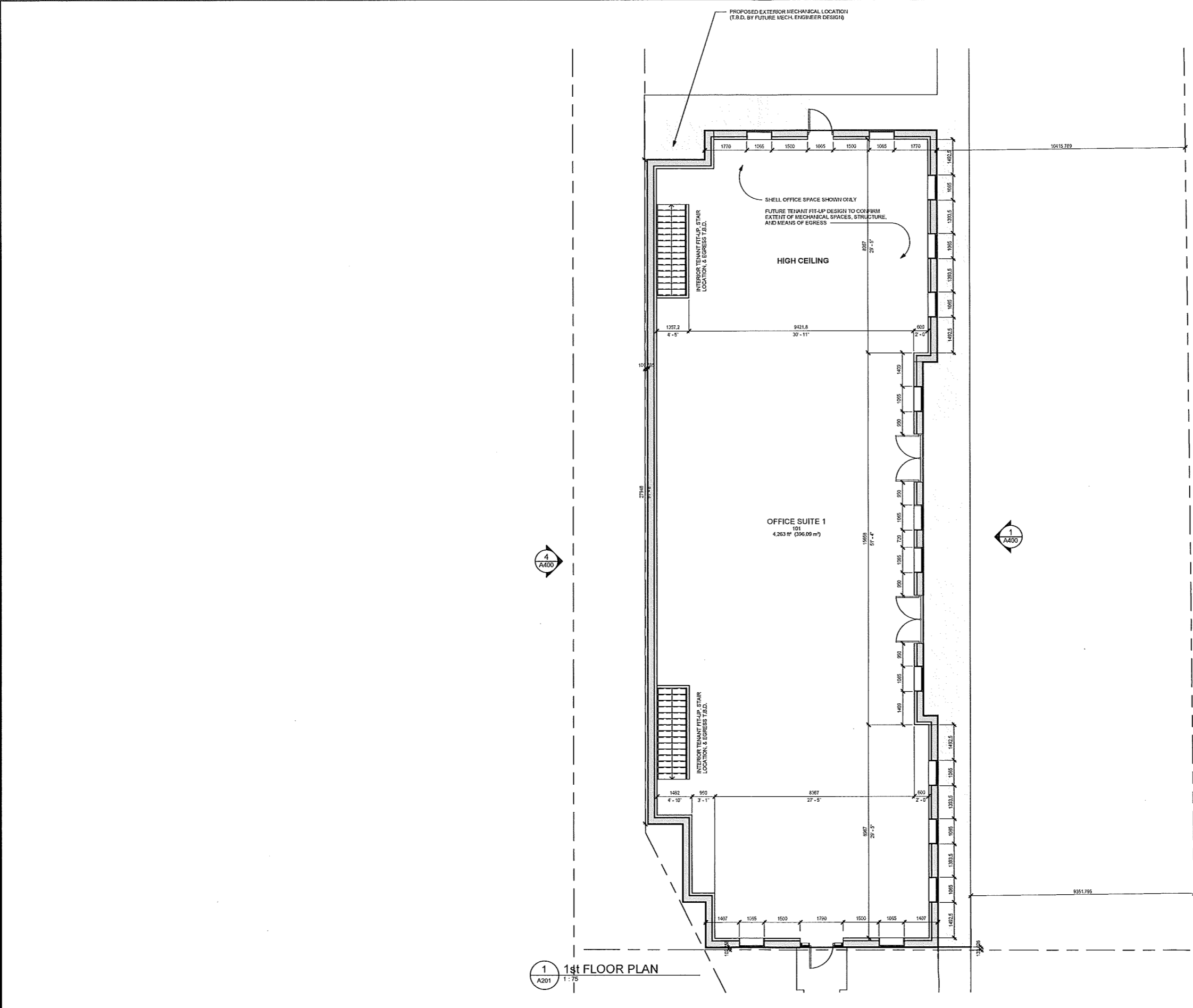
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OLD ANCASTER NEW OFFICE
 223 WILSON ST EAST
 ANCASTER, ONTARIO

DRAWING SHEET TITLE
1st FLOOR PLAN

DRAWING SCALE: *As Indicated* PROJECT NUMBER: **19026**

DRAWN BY: *JH* CHECKED BY: *BF* DRAWING SHEET NUMBER: **A201**
 DRAWING VERSION: *000*
 PLOT DATE: *2020-09-10*



LEGEND

FIRE SEPARATIONS:
 X X X X X 3/4 HOUR FIRE SEPARATION
 O O O O O 1.0 HOUR FIRE SEPARATION
 W W W W W 1.5 HOUR FIRE SEPARATION
 Q Q Q Q Q 2.0 HOUR FIRE SEPARATION

REFLECTED CEILINGS:
 TYPICAL GYPSUM BULKHEAD (WITH 2100mm A.F.F. SEE A014 - CEILING TYPES)
 INSULATED BULKHEAD (WITH 2100mm A.F.F. SEE A014 - CEILING TYPES)
 TYPICAL GYPSUM BULKHEAD (WITH 2100mm A.F.F. SEE A014 - CEILING TYPES)

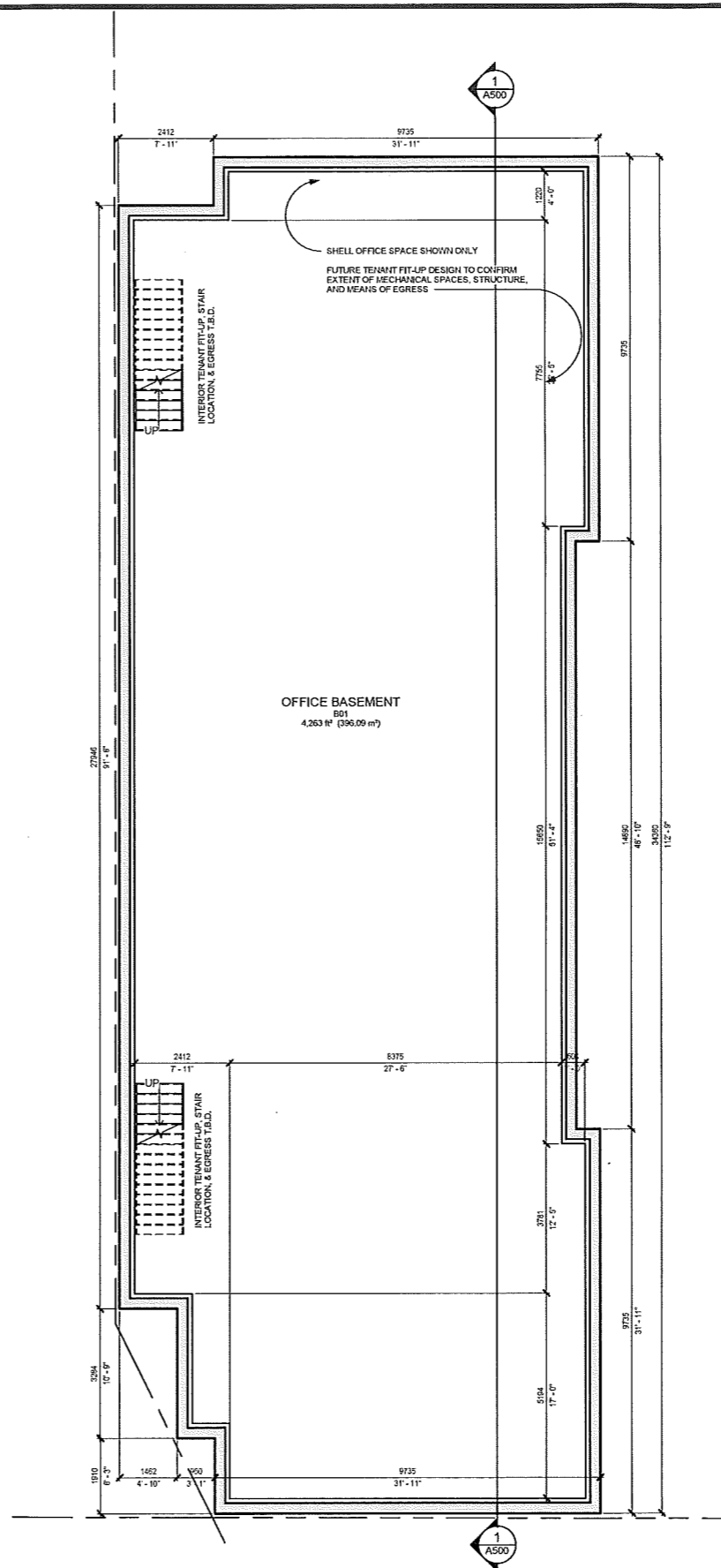
CONSTRUCTION TAGS:
 WINDOW TAGS SEE A015 - WALL TYPES
 CEILING TAGS SEE A016 - CEILING TYPES
 ROOM TAGS SEE A000 - ROOM SCHEDULE
 DOOR TAGS SEE A010 - DOOR SCHEDULE
 WINDOW TAGS SEE A020 - WINDOW ELEVATIONS
 LOCKER NUMBERS
 PARKING NUMBERS

NOTE: ALL DIMENSIONS SHOWN ON 200 SERIES DRAWINGS ARE TO FINISHED FACE OF GYPSUM BOARD UNLESS NOTED OTHERWISE

1st FLOOR PLAN
 1 : 75

TEMPLE MANIP 2020-09-10 2:58:02 PM P:\BAYFAC\10\10-1\10-1-223 Wilson-19026 RevA.dwg (3787501.dwg)

TIME: 1:48 PM 2020-08-10 5:28:50 PM FILEPATH: C:\root\Local\10026 - 223 Wilson - 2020\BA-19055706.dwg



1
A200 1:75
BASEMENT FLOOR

CONTRACTOR MUST CHECK AND VERIFY ALL DIMENSIONS AND JOB CONDITIONS BEFORE PROCEEDING WITH WORK.
ALL DIMENSIONS MAY BE TO FACE UNLESS OTHERWISE NOTED.
ALL DRAWINGS AND SPECIFICATIONS ARE THE PROPERTY OF THE ARCHITECT AND MUST BE RETURNED AT THE COMPLETION OF THE WORK.
THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FOR ANY CORRECTIONS OR DAMAGES RESULTING FROM HIS OWN NEGLIGENCE.

KEY TO DETAIL LOCATION

No.	DETAIL NUMBER
No.	DRAWING SHEET NUMBER

DRAWING SETS ISSUED	No.	DATE (DD,MM,YY)	BY

ALL PREVIOUS ISSUES OF THIS DRAWING ARE SUPERSEDED

REVISIONS TO DRAWING	No.	DATE (DD,MM,YY)

NOT FOR CONSTRUCTION

BUILDING PERMIT NUMBER:
NOT FOR CONSTRUCTION WITHOUT PERMIT

KNYMH
ARCHITECTURE • SOLUTIONS

KNYMH INC.
1008 SKYVIEW DRIVE • SUITE 101
BURLINGTON, ONTARIO • L7P 0V1
T 905.639.6595
F 905.639.0394
info@knymh.com

THIS DOCUMENT IS INCOMPLETE AND MAY BE USED FOR REGULARITY APPROVAL. PERMIT CONSTRUCTION SHALL BE FOR USE BY CONTRACTORS, SUBCONTRACTORS, OWNER AND CONTRACTORS TO PRODUCE AND BE RESPONSIBLE TO THE REGULATION OF THIS DOCUMENT.

OLD ANCASTER NEW OFFICE
223 WILSON ST EAST
ANCASTER, ONTARIO

DRAWING SHEET TITLE
BASEMENT LEVEL

DRAWING SCALE: 1:75	PROJECT NUMBER: 19026
DRAWN BY: JH	CHECKED BY: EF
DRAWING VERSION:	DRAWING SHEET NUMBER: A200
PLOT DATE: 2020-08-10	

SURVEYOR'S REAL PROPERTY REPORT WITH TOPOGRAPHIC DETAILS
PART 1 - PLAN SHOWING

**PART OF LOT 44,
CONCESSION 2**
IN THE
GEOGRAPHIC TOWNSHIP OF ANCASTER
CITY OF HAMILTON

SCALE 1 : 150

MATTHEWS, CAMERON, HEYWOOD - KERRY T. HOWE SURVEYING LTD
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METRIC DISTANCES AND/OR COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

NOTES

BEARINGS ARE UTM GRID, DERIVED FROM OBSERVED REFERENCE POINTS A AND B, BY REAL TIME NETWORK (RTN) OBSERVATIONS, UTM ZONE 17, NAD83 (CSRS) (2010.0).

DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.999651

ELEVATION NOTE

ELEVATIONS ARE OF GEOMETRIC ORIGIN (CGVD-1928-78), AND ARE DERIVED FROM GNSS OBSERVATIONS AND NATURAL RESOURCES CANADA'S GEOD MODEL HT2.0.

INTEGRATION DATA			
OBSERVED REFERENCE POINTS (ORP): UTM ZONE 17, NAD83 (CSRS) (2010.0).			
COORDINATES TO URBAN ACCURACY PER SECTION 14 (2) OF O. REG 216/10.			
POINT ID	EASTING	NORTHING	
ORP (A)	582 886.13	4 786 099.95	
ORP (B)	582 879.59	4 786 187.19	
COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.			

LEGEND

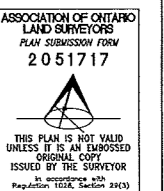
- DENOTES SURVEY MONUMENT FOUND
- DENOTES SURVEY MONUMENT SET
- SB DENOTES STANDARD IRON BAR
- SSB DENOTES SHORT STANDARD IRON BAR
- ID DENOTES IRON BAR
- MEAS DENOTES MEASURED
- JOB DENOTES J.D. BARNES LIMITED
- P1 DENOTES PLAN 62R-19560
- P2 DENOTES PLAN 62R-17500
- P3 DENOTES PLAN 62R-8416
- P4 DENOTES PLAN 62R-8564
- P5 DENOTES PLAN 62R-8875
- D1 DENOTES INST. NO. C0297447
- 600 DENOTES SIDNEY WILLIAM WOODS, O.L.S.
- 1135 DENOTES LAWRENCE GEORGE WOODS, O.L.S.
- COH DENOTES CITY OF HAMILTON
- CB DENOTES CATCHBASIN
- CHUB DENOTES HYDRO JUNCTION BOX
- LS DENOTES LIGHT STANDARD
- PEB DENOTES TELEPHONE PEDESTAL
- CB DENOTES CABLE TV JUNCTION BOX
- H DENOTES FIRE HYDRANT
- F DENOTES FENCE

- DENOTES CONIFEROUS TREE
- DENOTES DECIDUOUS TREE

PART 2 - SURVEY REPORT

- DESCRIPTION: PART OF LOT 44, CONCESSION 2, GEOGRAPHIC TOWNSHIP OF ANCASTER, NOW IN THE CITY OF HAMILTON
- REGISTERED EASEMENTS AND/OR RIGHTS-OF-WAY SUBJECT TO EASEMENT IN GROSS AS IN INST. NO. WE1010536, PART 1, PLAN 62R-19560
- BOUNDARY FEATURES AS SHOWN ON PLAN
- ADDITIONAL REMARKS: SURVEY WAS PREPARED FOR VALERY HOMES

2 STOREY STONE BUILDING NO. 245

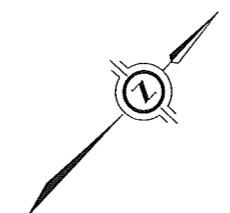
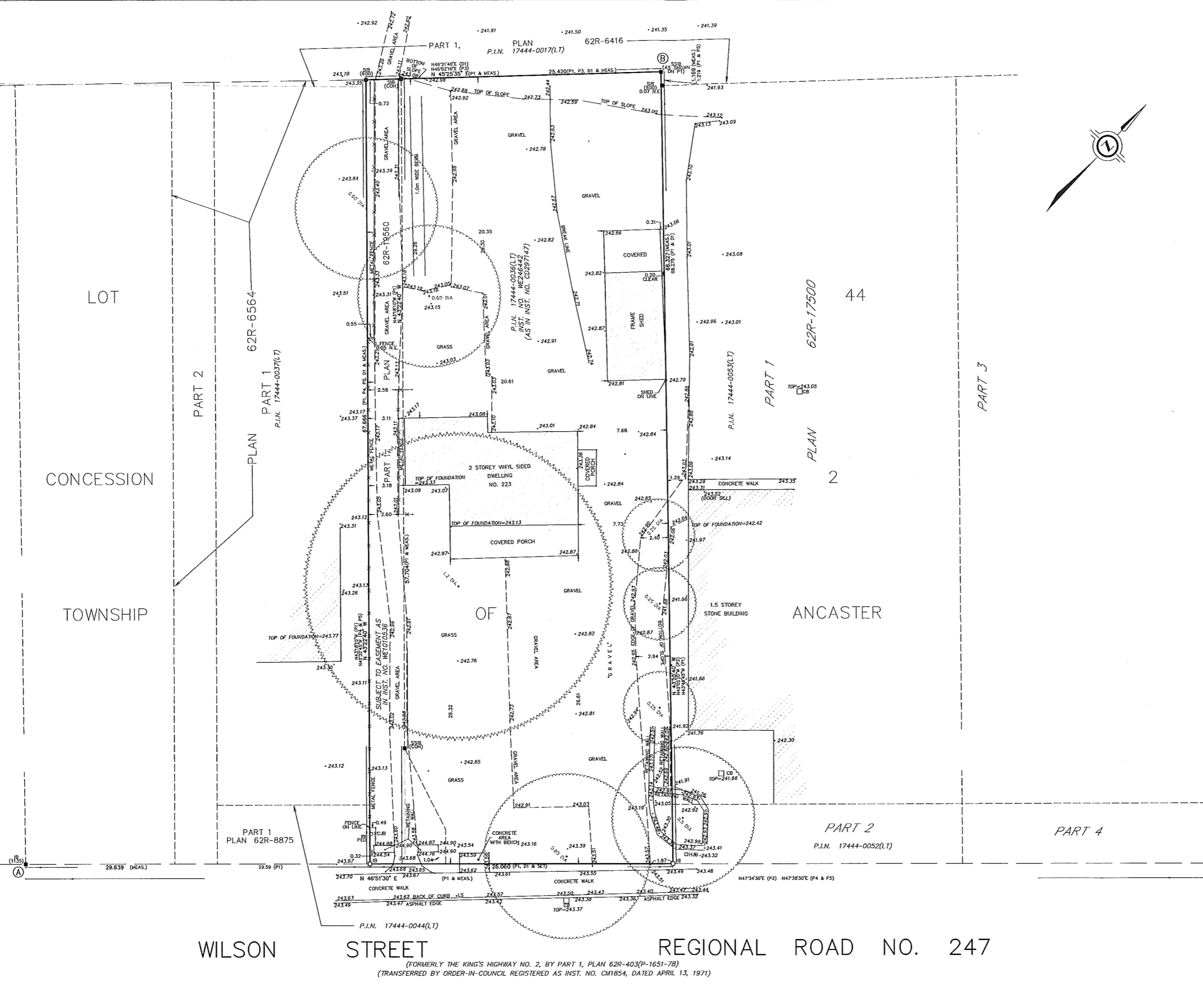


SURVEYOR'S CERTIFICATE

- I CERTIFY THAT:
- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYORS ACT, THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.
 - THE SURVEY WAS COMPLETED ON APRIL 5, 2018.
 - TOPOGRAPHIC DETAIL COMPLETED ON MAY 9, 2018.

MAY 24, 2018 DATE DASHA PAGE

MATTHEWS, CAMERON, HEYWOOD - KERRY T. HOWE SURVEYING LTD
A wholly owned subsidiary of J.D. Barnes Limited
SUBSIDIARY OFFICE, UNIT 10, 1000 BAYVIEW AVE. SCARBOROUGH, ONT. M1B 2Y3
T: (416) 291-1100 F: (416) 291-1101 www.jdh.com



G:\2018\18-000\300\Survey\18-000-00-SRPP-1000.dwg PLOTTED 5/24/2018



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.

20-186789

FOR OFFICE USE ONLY.	
APPLICATION NO. <u>AN/A-20:209</u>	DATE APPLICATION RECEIVED <u>Oct. 5/20</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 T. Valeri Construction Ltd. c/o Paul Valeri Telephone No.
-
- Name of Agent UrbanSolutions Planning & Land Development Consultants Inc. c/o Sergio Manchia Telephone No.
-

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.

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

Please refer to enclosed cover letter

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 44 Concession 2. Former Township of Ancaster

Municipal Address: 223 Wilson Street East

9. PREVIOUS USE OF PROPERTY

Residential Industrial Commercial

Agricultural Vacant

Other

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 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.

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. N/A

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.

July 30 2020
Date



Signature Property Owner

T. Valeri Construction Ltd. c/o Paul Valeri

Print Name of Owner

10. Dimensions of lands affected:

Frontage +/- 20.06 metres (85.5 feet)
Depth +/- 68.27 metres (224 feet)
Area +/- 1,616.80 square metres (+/-0.39 acres)
Width of street +/- 20.00 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:

Existing dwelling on subject lands ground floor area approximately 154.0 square metres. Existing buildings and structures to be demolished.

Proposed:

The proposed development entails a single storey office building with approximately 796.88 square metres of gross floor area. In addition, 19 surface parking spaces are to be provided including 1 barrier-free space. Please refer to enclosed Minor Variance Sketch for details.

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 dwelling on subject lands approximately 26.0 metres front yard setback. Existing buildings and structures to be demolished.

Proposed: Please refer to the enclosed Minor Variance Sketch for details.

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: Residential

16. Existing uses of abutting properties: North- Open Space, South- Commercial

 East- Commercial and West- Residential/ Commercial
17. Length of time the existing uses of the subject property have continued:

 Unknwon.
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:
 Urban Hamilton Official Plan: Mixed Use- Medium Density

 Ancaster Wilson Street Secondary Plan - Mixed Use Medium Density (Pedestrian Focused)
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
 City of Hamilton Zoning By-law No. 05-200 Mixed Use Medium Density- Pedestrian Focus "C5a" Zone

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 referred to in Section 5 and be accompanied by the appropriate fee in cash or by cheque made payable to the City of Hamilton.



October 1, 2020

288-18

Via Delivered

Jamila Sheffield
Secretary-Treasurer
Committee of Adjustment

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

Dear Ms. Sheffield,

**Re: 223 Wilson Street East, Town of Ancaster, Hamilton
Minor Variance Application Submission**

UrbanSolutions Planning & Land Development Consultants Inc. (UrbanSolutions) is the authorized planning consultant acting on behalf of T. Valeri Construction Ltd. (Owner), for the lands municipally known as 223 Wilson Street East, Town of Ancaster, in the City of Hamilton.

Conditional Site Plan approval has been granted for the development of a single-storey office building on the Subject Lands with 398.44 square metres of ground floor area (total GFA of 796.88 square metres) including 19 surface parking spaces (DA-20-024). A revised Site Plan was submitted on June 11, 2020 to incorporate additional parking spaces in tandem. This Minor Variance application is intended to facilitate the revised Site Plan and satisfy a condition of Site Plan approval.

The Subject Lands are designated Mixed Use-Medium Density Pedestrian Focused in the Ancaster Wilson Street Secondary Plan. In addition to the land use designation, the Subject Lands are zoned Mixed Use Medium Density-Pedestrian Focused (C5a) in the City of Hamilton Zoning By-law No. 05-200.

Purpose of the Application

This Minor Variance Application is required to achieve relief from the Mixed-Use Medium Density Pedestrian Focused (C5a) Zone to accommodate the site-specific characteristics of the development proposal. The following variances are required:

- Variance No. 1: To permit a 2.75 metre westerly side yard setback, whereas a 7.5 metre setback abutting a Residential or Institutional Zone or lot containing a residential use is required; and,
- Variance No. 2: To permit the first storey have a maximum building height of 9.0 metres whereas a first storey minimum height of 3.6 metres and a maximum height of 4.5 metres is permitted.

- Variance No. 3: To permit a minimum façade height of 4.75 metres whereas a minimum of 7.5 metres is required.
- Variance No. 4: To permit 0 short-term bicycle parking spaces whereas 5 short-term parking spaces are required.
- Variance No. 5: To permit tandem parking, whereas all required parking shall be provided with adequate means of ingress and egress to and from the street or laneway without the necessity of moving another motor vehicle.
- Variance No. 6: To permit tandem parking, whereas all required parking shall have a minimum aisle width of 6.0 metres for a parking space designed at a 90-degree angle.

Analysis

To assist in the evaluation of this 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 “Mixed-Use Medium Density” in the Urban Hamilton Official Plan. The purpose of this designation is to permit a range of retail, service commercial, entertainment and residential uses and scales to create a complete community. The proposed development will provide an office use which is compatible with the surrounding neighbourhood. Offices are a permitted use within the Mixed-Use Medium Density designation of the Urban Hamilton Official Plan. The Ancaster Wilson Street Secondary Plan divides Wilson Street into a sequence of Character Areas. The Subject Lands are identified in the Secondary Plan as being a part of the Village Core character area. The design guidelines for the Village Core area encourage a steeper pitched roof, balanced fenestration, and a 9.0 metre maximum building height. Additionally, this character area prefers a 2.5 storey appearance. For this reason, the proposed building was designed to have an increased first storey height.

The proposed development will provide an office use which is compatible with the surrounding neighbourhood. Offices are a permitted use within the Mixed Use Medium Density designation of the Urban Hamilton Official Plan. The proposal also implements the Urban Design policies of the Ancaster Wilson Street Secondary Plan – Transition Area applicable policies to the subject lands. For these reasons, it is 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 Mixed-Use Medium Density - Pedestrian Focused (C5a) Zone in the City of Hamilton Zoning By-law No. 05-200. The proposed office use is permitted. The minimum 7.5 metre setback abutting a Residential or Institutional Zone or lot containing a residential use is required to buffer sensitive land uses. The requested variance is for the westerly lot line which is abutting a property with a house that is currently being utilized for commercial purposes, therefore the intent of this zoning provision is maintained with the proposed Variance No. 1. Variance No. 2 seeks exception from the required short-term bicycle parking provision. The by-law does not require short-term bicycle parking where the office use is less than 450 square metres in gross floor area. While the total GFA of the proposed building exceeds 450 square metres, only the ground floor of the building will be used for the primary office function (whereas the basement will be dedicated to storage). The requested variance fulfills the general intent of the by-law as less than 450 square metres will be usable to employees. The City of Hamilton By-law 05-200 requires adequate and readily available access to and from the parking spaces. As the 4 proposed tandem parking spaces are surplus to the required 13 parking spaces, the tandem parking spaces shall not cause any adverse impacts on the function of the parking area. 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 variances will facilitate the Site Plan approval, which will result in a form of development that is more in keeping with the planned and existing character and function 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.

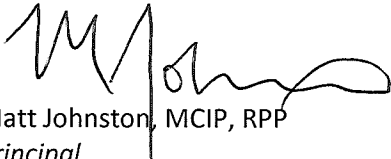
As such, the proposed variance satisfies the four tests outlined in Section 45(1) of the *Planning Act* as the relief requested is minor in nature, is desirable for the appropriate development of the lands, and meets the general intent and purpose of the Official Plan and Zoning By-law.

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 JD Barnes;
- One (1) copy of the Building Elevations and Floor Plans prepared by KNYMH;
- 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, BA
Planning Technician

cc: Messrs. Ted & Paul Valeri, T. Valeri Construction Ltd.
Mr. Sergio Manchia, UrbanSolutions Planning & Land Development Consultants Inc. (via email)