



Hamilton

## COMMITTEE OF ADJUSTMENT

City Hall, 5<sup>th</sup> 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](mailto:cofa@hamilton.ca)

# NOTICE OF PUBLIC HEARING

## Application for Consent/Land Severance

APPLICATION NUMBER: HM/B-20:65

SUBJECT PROPERTY: 1280 Rymal Rd E. and 385 Nebo Rd., Hamilton

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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
- 

APPLICANT(S): Agent Ed Fothergill  
Owner 2531083 Ontario Inc.

PURPOSE OF APPLICATION: To create a mortgage/charge over a portion of the property to facilitate phased development.

To be heard in conjunction with HM/B-20:64, HM/B-20:66, and HM/B-20:67.

**Mortgage/charge area: (Part 2)**  
72m<sup>±</sup> x 43m<sup>±</sup> and an area of 0.34 ha<sup>±</sup>

**Retained area: (Parts 3-5)**  
112m<sup>±</sup> x 215m<sup>±</sup> and an area of 3.51 ha<sup>±</sup>

The Committee of Adjustment will hear this application on:

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DATE: Thursday, November 19th , 2020

TIME: 2:35 p.m.

PLACE: **Via video link or call in (see attached sheet for details)**

**To be streamed at**

[www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)

**for viewing purposes only**

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### 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](http://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](mailto:cofa@hamilton.ca)

DATED: November 3rd, 2020

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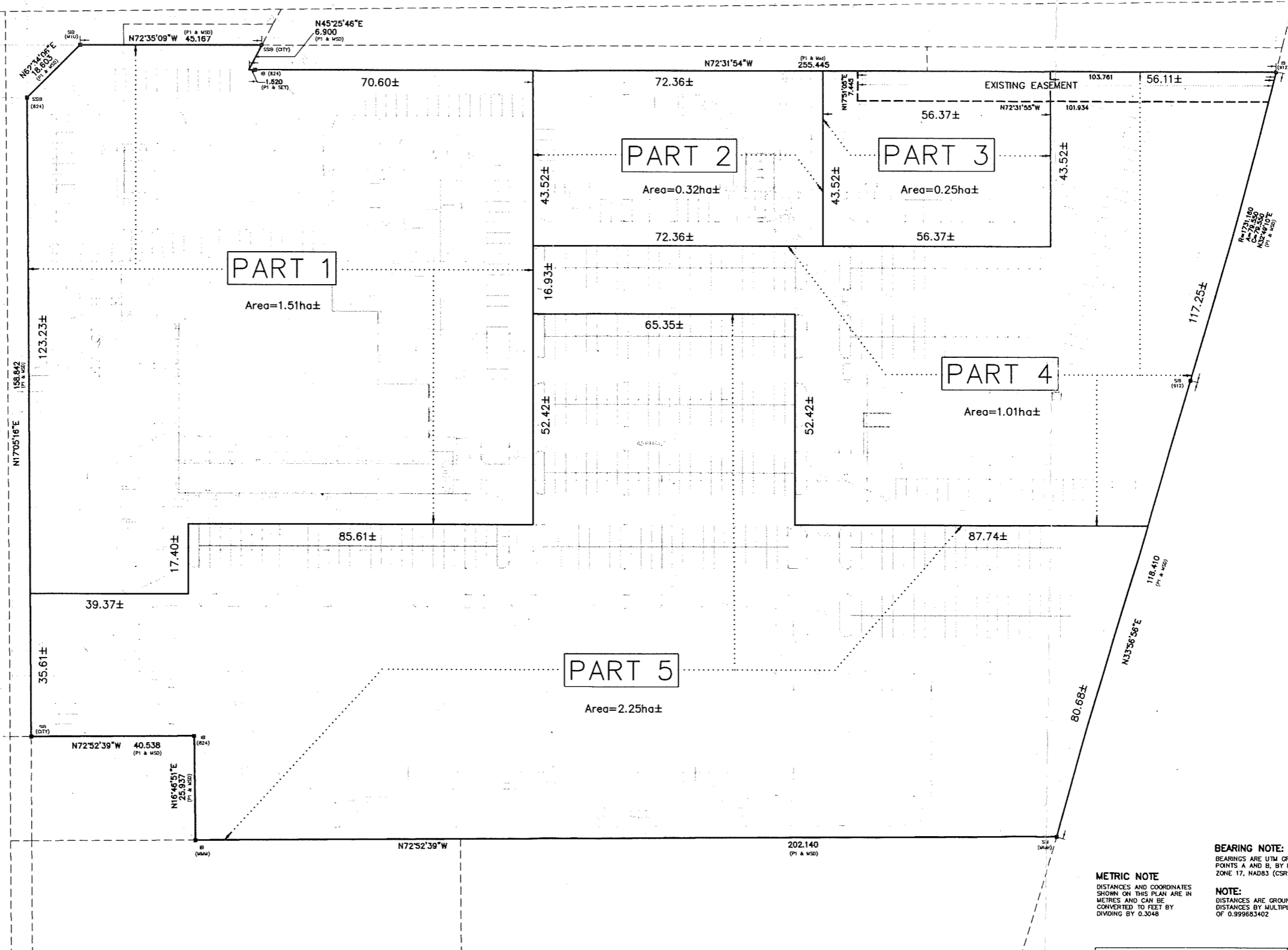
Jamila Sheffield,  
Secretary-Treasurer  
Committee of Adjustment

***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.***

SKETCH FOR SEVERANCE  
 OF PART OF  
**LOT 14, CONCESSION 1**  
 GEOGRAPHIC TOWNSHIP OF GLANFORD  
 IN THE  
**CITY OF HAMILTON**  
 SCALE 1:500 METRIC  
 S.D. McLAREN, O.L.S. - 2020

**RYMAL ROAD EAST**  
 (FORMERLY THE KING'S HIGHWAY NO 53)

ORIGINAL ROAD ALLOWANCE BETWEEN GEOGRAPHIC TOWNSHIPS OF BARTON AND GLANFORD



- LEGEND:**
- DEPICTS MONUMENT SET
  - MONUMENT FOUND
  - SB IRON BAR
  - SB STANDARD IRON BAR
  - SSB SHORT STANDARD IRON BAR
  - SB ROUND IRON BAR
  - SB A.T. McLAREN, O.L.S.
  - SB A.J. CLARKE, O.L.S.
  - SB CITY OF HAMILTON
  - SB MARSHALL, MADSEN, MOKRUSHAN
  - SB MINISTRY OF TRANSPORTATION, ONTARIO
  - SB MEASURED
  - SB PLAN 629-20293
  - SB DIAMETER

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

**METRIC NOTE:**  
 DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

**NOTE:**  
 DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID DISTANCES BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.999683402

SEPTEMBER 11, 2020  
 DATE

S.D. McLAREN, O.L.S.

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**A.T. McLaren Limited**  
 LEGAL AND ENGINEERING SURVEYS  
 66 JOHN STREET SOUTH, SUITE 230  
 HAMILTON, ONTARIO, L9M 2S8  
 PHONE (905) 527-6556 FAX (905) 527-0032

Drawn: [Signature] Scale: 1:500 Dwg. No. 35254-00





**FOTHERGILL PLANNING & DEVELOPMENT INC.**

62 DAFFODIL CRES. • HAMILTON, ON L9K 1E1 • PHONE: (905) 577-1077 • FAX: (905) 546-0545 • E-MAIL: edf@nas.net

October 7, 2020

Jamila Sheffield  
City of Hamilton  
Committee of Adjustment  
71 Main Street West, 5th Floor  
Hamilton, Ontario, L8P 4Y5

Dear Ms. Sheffield:

**Re: Applications for Consent for Financing  
1280 Rymal Road East and 385 Nebo Road**

Please find enclosed four applications for Consent for the purposes of financing to create 5 parts within a 5.5 hectare parcel of land at the corner of Nebo Road and Rymal Road East. I am assuming that with the approval of each of the four applications, the fifth parcel will be created essentially as a retained parcel. Can you please confirm. The intent of the owner is to retain ownership of the entire site but arrange for financing to be placed on the property on a staged basis as the project unfolds.


I have attached with each application a sketch to illustrate the size and location of each of the five parcels along with a copy of the approved site plan.

I have included a chain of emails between myself, yourself and Emily Coe which took place prior to submitting the applications to confirm that there is no need for a variance to consider the lot to be one parcel of land for the purposes of development.

We look forward to this application being brought forward to the first available meeting of the Committee of Adjustment.

Thank you very much.

Sincerely,  
**FOTHERGILL PLANNING & DEVELOPMENT INC.**



E.J. Fothergill, MCIP, RPP  
President

encl.

cc. Mohammed Ghaddar  
Hussein Ghaddar  
Saad Faraj  
Councillor Tom Jackson



**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

**APPLICATION FOR CONSENT TO SEVER LAND  
 UNDER SECTION 53 OF THE PLANNING ACT**

**Office Use Only**

Date Application Received:	Date Application Deemed Complete:	Submission No.:	File No.:
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**1 APPLICANT INFORMATION**

1.1, 1.2	NAME	ADDRESS	PHONE/FAX
<b>Registered Owners(s)</b>	2531083 ONTARIO INC. c/o HUSSEIN GHADDAR	[REDACTED]	<b>Business</b> [REDACTED] <b>Fax:</b> ( ) [REDACTED] <b>E-mail:</b> [REDACTED]
<b>Applicant(s)*</b>			<b>Business</b> ( ) [REDACTED] <b>Fax:</b> ( ) [REDACTED] <b>E-mail:</b> [REDACTED]
<b>Agent or Solicitor</b>	ED FOTHERGILL FOTHERGILL PLANNING & DEVELOPMENT INC.	[REDACTED]	<b>Business</b> [REDACTED] <b>Fax:</b> ( ) [REDACTED] <b>E-mail:</b> [REDACTED]

\* Owner's authorisation required if the applicant is not the owner.

1.3 All correspondence should be sent to  Owner  Applicant  Agent/Solicitor

**2 LOCATION OF SUBJECT LAND** Complete the applicable lines

2.1 Area Municipality	Lot	Concession	Former Township
HAMILTON	14	1	GLANFORD
Registered Plan N°.	Lot(s)	Reference Plan N°. 62R-20293	Part(s) 1, 2, 3, 5
Municipal Address	1280 RYMAL ROAD EAST AND 385 NEBO ROAD		Assessment Roll N°.

2.2 Are there any easements or restrictive covenants affecting the subject land?

Yes  No

If YES, describe the easement or covenant and its effect: **SERVICING**

**3 PURPOSE OF THE APPLICATION**

3.1 Type and purpose of proposed transaction: (check appropriate box)

a) Urban Area Transfer (do not complete Section 10):

- creation of a new lot
- addition to a lot
- an easement

- Other:  a charge  
 a lease  
 a correction of title

b) **Rural Area / Rural Settlement Area Transfer (Section 10 must be completed):**

- creation of a new lot  
 creation of a new non-farm parcel  
 ( i.e. a lot containing a surplus farm dwelling resulting from a farm consolidation)  
 addition to a lot
- Other:  a charge  
 a lease  
 a correction of title  
 an easement

3.2 Name of person(s), if known, to whom land or interest in land is to be transferred, leased or charged:

UNKNOWN FINANCIAL INSTITUTIONS

3.3 If a lot addition, identify the lands to which the parcel will be added:

**4 DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION**

4.1 Description of land intended to be **Severed**: **PART 2 OF 4**

Frontage (m)	Depth (m)	Area (m <sup>2</sup> or ha)
<b>72.36</b>	<b>43.52</b>	<b>0.34 ha</b>

Existing Use of Property to be severed:

- Residential  
 Agriculture (includes a farm dwelling)  
 Other (specify) \_\_\_\_\_
- Industrial  
 Agricultural-Related  
 Commercial  
 Vacant

Proposed Use of Property to be severed:

- Residential  
 Agriculture (includes a farm dwelling)  
 Other (specify) \_\_\_\_\_
- Industrial  
 Agricultural-Related  
 Commercial  
 Vacant

Building(s) or Structure(s):

Existing: UNDER CONSTRUCTION

Proposed: SEE APPROVED SITE PLAN

Type of access: (check appropriate box)

- provincial highway  
 municipal road, seasonally maintained  
 municipal road, maintained all year
- right of way  
 other public road

Type of water supply proposed: (check appropriate box)

- publicly owned and operated piped water system  
 privately owned and operated individual well
- lake or other water body  
 other means (specify) \_\_\_\_\_

Type of sewage disposal proposed: (check appropriate box)

- publicly owned and operated sanitary sewage system  
 privately owned and operated individual septic system  
 other means (specify) \_\_\_\_\_

4.2 Description of land intended to be **Retained**:

Frontage (m)	Depth (m)	Area (m <sup>2</sup> or ha)
<b>240.48 Rymal</b> <b>170 Nebo</b>	<b>215</b>	<b>5.02</b>

Existing Use of Property to be retained:

- Residential  
 Agriculture (includes a farm dwelling)  
 Other (specify) \_\_\_\_\_
- Industrial  
 Agricultural-Related  
 Commercial  
 Vacant

Proposed Use of Property to be retained:

- Residential
- Industrial
- Agriculture (includes a farm dwelling)
- Agricultural-Related
- Other (specify) \_\_\_\_\_
- Commercial
- Vacant

Building(s) or Structure(s):

Existing: UNDER CONSTRUCTION

Proposed: SEE ATTACHED PLAN

Type of access: (check appropriate box)

- provincial highway
- municipal road, seasonally maintained
- municipal road, maintained all year
- right of way
- other public road

Type of water supply proposed: (check appropriate box)

- publicly owned and operated piped water system
- privately owned and operated individual well
- lake or other water body
- other means (specify) \_\_\_\_\_

Type of sewage disposal proposed: (check appropriate box)

- publicly owned and operated sanitary sewage system
- privately owned and operated individual septic system
- other means (specify) \_\_\_\_\_

4.3 Other Services: (check if the service is available)

- electricity
- telephone
- school bussing
- garbage collection

**5 CURRENT LAND USE**

5.1 What is the existing official plan designation of the subject land?

Rural Hamilton Official Plan designation (if applicable): Urban Hamilton Official Plan designation (if applicable) EMPLOYMENT - BUSINESS PARK

Please provide an explanation of how the application conforms with a City of Hamilton Official Plan.

ALLOWS FOR FINANCING TO IMPLEMENT APPROVED SITE PLAN

5.2 What is the existing zoning of the subject land? M3 AND M4

If the subject land is covered by a Minister's zoning order, what is the Ontario Regulation Number? NO

5.3 Are any of the following uses or features on the subject land or within 500 metres of the subject land, unless otherwise specified. Please check the appropriate boxes, if any apply.

Use or Feature	On the Subject Land	Within 500 Metres of Subject Land, unless otherwise specified (indicate approximate distance)
An agricultural operation, including livestock facility or stockyard	<input type="checkbox"/>	



A land fill	<input type="checkbox"/>	
A sewage treatment plant or waste stabilization plant	<input type="checkbox"/>	
A provincially significant wetland	<input type="checkbox"/>	
A provincially significant wetland within 120 metres	<input type="checkbox"/>	
A flood plain	<input type="checkbox"/>	
An industrial or commercial use, and specify the use(s)	<input checked="" type="checkbox"/>	COMMERCIAL
An active railway line	<input type="checkbox"/>	
A municipal or federal airport	<input type="checkbox"/>	

**6 PREVIOUS USE OF PROPERTY**

- Residential       Industrial       Commercial  
 Agriculture       Vacant       Other (specify)

- 6.1 If Industrial or Commercial, specify use PIPE MANUFACTURING
- 6.2 Has the grading of the subject land been changed by adding earth or other material, i.e., has filling occurred?  
 Yes     No     Unknown
- 6.3 Has a gas station been located on the subject land or adjacent lands at any time?  
 Yes     No     Unknown
- 6.4 Has there been petroleum or other fuel stored on the subject land or adjacent lands?  
 Yes     No     Unknown
- 6.5 Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?  
 Yes     No     Unknown
- 6.6 Have the lands or adjacent lands ever been used as an agricultural operation where cyanide products may have been used as pesticides and/or biosolids was applied to the lands?  
 Yes     No     Unknown
- 6.7 Have the lands or adjacent lands ever been used as a weapons firing range?  
 Yes     No     Unknown
- 6.8 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
- 6.9 If there are existing or previously existing buildings, are there any building materials remaining on site which are potentially hazardous to public health (e.g., asbestos, PCB's)?  
 Yes     No     Unknown
- 6.10 Is there reason to believe the subject land may have been contaminated by former uses on the site or adjacent sites?  
 Yes     No     Unknown
- 6.11 What information did you use to determine the answers to 6.1 to 6.10 above?  
OWNER, PREVIOUS REPORTS
- 6.12 If previous use of property is industrial or commercial or if YES to any of 6.2 to 6.10, 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    CLEAN UP OF SITE IS ONGOING

**7 PROVINCIAL POLICY**

- 7.1 a) Is this application consistent with the Policy Statements issued under subsection of the *Planning Act*? (Provide explanation)

Yes       No

\_\_\_\_\_  
\_\_\_\_\_

- b) Is this application consistent with the Provincial Policy Statement (PPS)?  
 Yes       No      (Provide explanation)

\_\_\_\_\_  
HELPS TO IMPLEMENT APPROVED SITE PLAN  
\_\_\_\_\_

- c) Does this application conform to the Growth Plan for the Greater Golden Horseshoe?  
 Yes       No      (Provide explanation)

\_\_\_\_\_  
HELPS TO IMPLEMENT APPROVED SITE PLAN  
\_\_\_\_\_

- d) Are the subject lands within an area of land designated under any provincial plan or plans? (If YES, provide explanation on whether the application conforms or does not conflict with the provincial plan or plans.)  
 Yes       No

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- e) Are the subject lands subject to the Niagara Escarpment Plan?  
 Yes       No

If yes, is the proposal in conformity with the Niagara Escarpment Plan?  
 Yes       No  
(Provide Explanation)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- f) Are the subject lands subject to the Parkway Belt West Plan?  
 Yes       No

If yes, is the proposal in conformity with the Parkway Belt West Plan?  
 Yes       No      (Provide Explanation)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- g) Are the subject lands subject to the Greenbelt Plan?  
 Yes       No

If yes, does this application conform with the Greenbelt Plan?  
 Yes       No      (Provide Explanation)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**8 HISTORY OF THE SUBJECT LAND**

8.1 Has the subject land ever been the subject of an application for approval of a plan of subdivision or a consent under sections 51 or 53 of the *Planning Act*?

- Yes  No  Unknown

If YES, and known, indicate the appropriate application file number and the decision made on the application.

8.2 If this application is a re-submission of a previous consent application, describe how it has been changed from the original application.

8.3 Has any land been severed or subdivided from the parcel originally acquired by the owner of the subject land?  Yes  No

If YES, and if known, provide for each parcel severed, the date of transfer, the name of the transferee and the land use.

8.4 How long has the applicant owned the subject land?  
NOVEMBER 20, 2016

8.5 Does the applicant own any other land in the City?  Yes  No

If YES, describe the lands in "11 - Other Information" or attach a separate page.

**9 OTHER APPLICATIONS**

9.1 Is the subject land currently the subject of a proposed official plan amendment that has been submitted for approval?  Yes  No  Unknown

If YES, and if known, specify file number and status of the application.

9.2 Is the subject land the subject of any other application for a Minister's zoning order, zoning by-law amendment, minor variance, consent or approval of a plan of subdivision?

- Yes  No  Unknown

If YES, and if known, specify file number and status of the application(s).

File number HM/A-19:368 Status APPROVED

**10 RURAL APPLICATIONS**

10.1 Rural Hamilton Official Plan Designation(s)

- Agricultural  Rural  Specialty Crop  
 Mineral Aggregate Resource Extraction  Open Space  Utilities  
 Rural Settlement Area (specify) \_\_\_\_\_

Settlement Area Designation

If proposal is for the creation of a non-farm parcel resulting from a farm consolidation, indicate the existing land use designation of the abutting or non-abutting farm operation.

10.2 Type of Application (select type and complete appropriate sections)

- Agricultural Severance or Lot Addition  
 Agricultural Related Severance or Lot Addition  
 Rural Resource-based Commercial Severance or Lot Addition  
 Rural Institutional Severance or Lot Addition
- } (Complete Section 10.3)

**Site Statistics Chart - 385 Hebo Road - HAMILTON, ON - CN**

Category	Area (sq. m)	Volume (cu. m)	Weight (kg)	Count
Concrete	1,200	1,200	24,000	120
Rebar	1,200	1,200	24,000	120
Formwork	1,200	1,200	24,000	120
Brick	1,200	1,200	24,000	120
Block	1,200	1,200	24,000	120
Tile	1,200	1,200	24,000	120
Paint	1,200	1,200	24,000	120
Other	1,200	1,200	24,000	120
<b>TOTAL</b>	<b>12,000</b>	<b>12,000</b>	<b>240,000</b>	<b>1,200</b>

**GENERAL NOTES:**

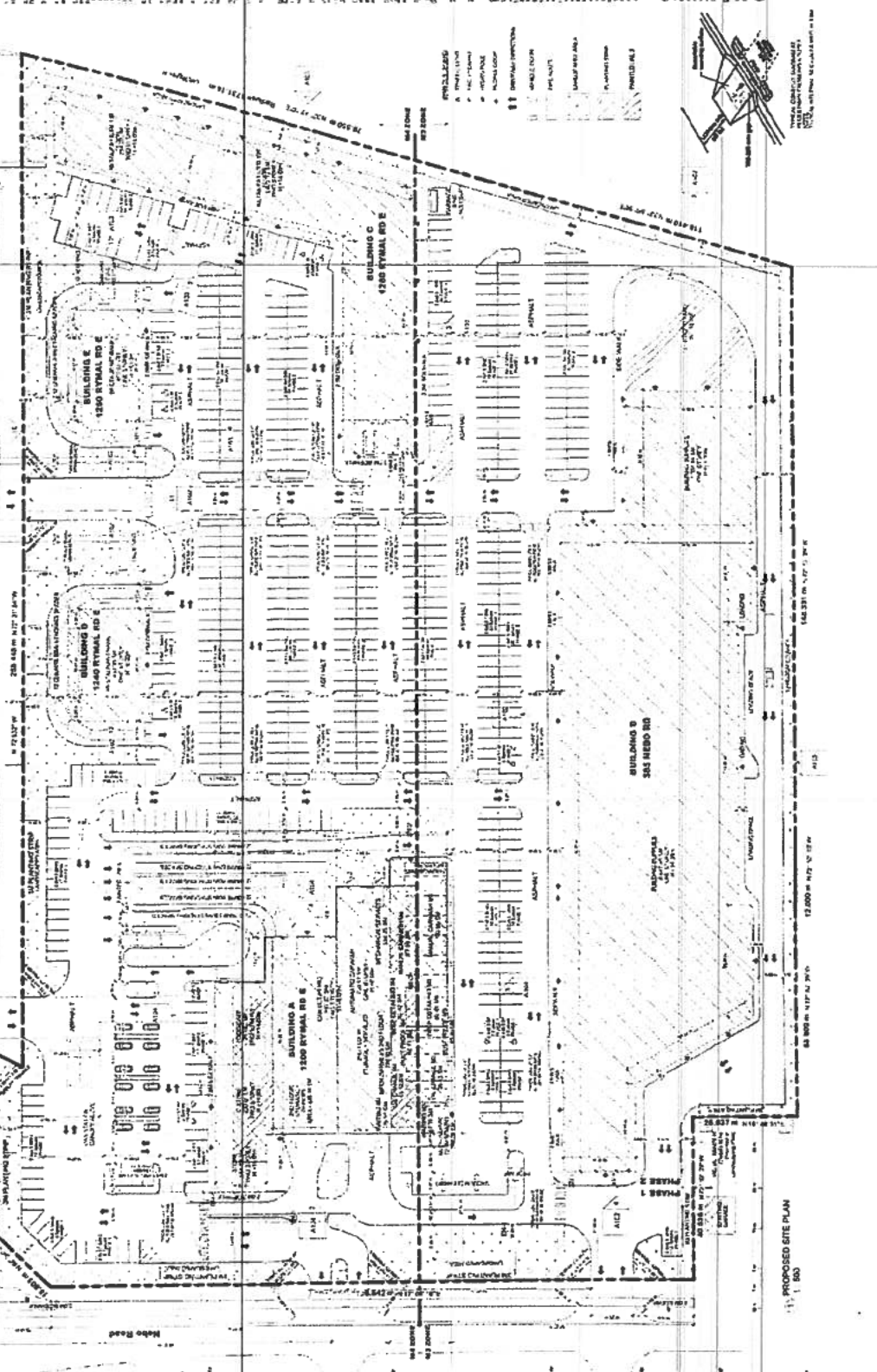
1. All dimensions are in meters unless otherwise specified.
2. All elevations are in meters above sea level unless otherwise specified.
3. All materials to be used shall be of the highest quality and shall conform to the specifications of the relevant standards.
4. All work shall be completed within the specified time frame.
5. All safety measures shall be strictly followed throughout the construction process.

**REQUIRED PARKING CALCULATION FACTORS**

Level	Name	Area (sq. m)	Zone	By Area	By Unit
Level 1	Office	1,000	M	1.0	1.0
Level 2	Warehouse	2,000	W	0.5	0.5
Level 3	Garage	3,000	G	0.2	0.2
Level 4	Storage	4,000	S	0.1	0.1
Level 5	Workshop	5,000	W	0.8	0.8
Level 6	Office	6,000	M	1.0	1.0
Level 7	Warehouse	7,000	W	0.5	0.5
Level 8	Garage	8,000	G	0.2	0.2
Level 9	Storage	9,000	S	0.1	0.1
Level 10	Workshop	10,000	W	0.8	0.8
Level 11	Office	11,000	M	1.0	1.0
Level 12	Warehouse	12,000	W	0.5	0.5
Level 13	Garage	13,000	G	0.2	0.2
Level 14	Storage	14,000	S	0.1	0.1
Level 15	Workshop	15,000	W	0.8	0.8
Level 16	Office	16,000	M	1.0	1.0
Level 17	Warehouse	17,000	W	0.5	0.5
Level 18	Garage	18,000	G	0.2	0.2
Level 19	Storage	19,000	S	0.1	0.1
Level 20	Workshop	20,000	W	0.8	0.8
Level 21	Office	21,000	M	1.0	1.0
Level 22	Warehouse	22,000	W	0.5	0.5
Level 23	Garage	23,000	G	0.2	0.2
Level 24	Storage	24,000	S	0.1	0.1
Level 25	Workshop	25,000	W	0.8	0.8
Level 26	Office	26,000	M	1.0	1.0
Level 27	Warehouse	27,000	W	0.5	0.5
Level 28	Garage	28,000	G	0.2	0.2
Level 29	Storage	29,000	S	0.1	0.1
Level 30	Workshop	30,000	W	0.8	0.8
Level 31	Office	31,000	M	1.0	1.0
Level 32	Warehouse	32,000	W	0.5	0.5
Level 33	Garage	33,000	G	0.2	0.2
Level 34	Storage	34,000	S	0.1	0.1
Level 35	Workshop	35,000	W	0.8	0.8
Level 36	Office	36,000	M	1.0	1.0
Level 37	Warehouse	37,000	W	0.5	0.5
Level 38	Garage	38,000	G	0.2	0.2
Level 39	Storage	39,000	S	0.1	0.1
Level 40	Workshop	40,000	W	0.8	0.8
Level 41	Office	41,000	M	1.0	1.0
Level 42	Warehouse	42,000	W	0.5	0.5
Level 43	Garage	43,000	G	0.2	0.2
Level 44	Storage	44,000	S	0.1	0.1
Level 45	Workshop	45,000	W	0.8	0.8
Level 46	Office	46,000	M	1.0	1.0
Level 47	Warehouse	47,000	W	0.5	0.5
Level 48	Garage	48,000	G	0.2	0.2
Level 49	Storage	49,000	S	0.1	0.1
Level 50	Workshop	50,000	W	0.8	0.8
Level 51	Office	51,000	M	1.0	1.0
Level 52	Warehouse	52,000	W	0.5	0.5
Level 53	Garage	53,000	G	0.2	0.2
Level 54	Storage	54,000	S	0.1	0.1
Level 55	Workshop	55,000	W	0.8	0.8
Level 56	Office	56,000	M	1.0	1.0
Level 57	Warehouse	57,000	W	0.5	0.5
Level 58	Garage	58,000	G	0.2	0.2
Level 59	Storage	59,000	S	0.1	0.1
Level 60	Workshop	60,000	W	0.8	0.8
Level 61	Office	61,000	M	1.0	1.0
Level 62	Warehouse	62,000	W	0.5	0.5
Level 63	Garage	63,000	G	0.2	0.2
Level 64	Storage	64,000	S	0.1	0.1
Level 65	Workshop	65,000	W	0.8	0.8
Level 66	Office	66,000	M	1.0	1.0
Level 67	Warehouse	67,000	W	0.5	0.5
Level 68	Garage	68,000	G	0.2	0.2
Level 69	Storage	69,000	S	0.1	0.1
Level 70	Workshop	70,000	W	0.8	0.8
Level 71	Office	71,000	M	1.0	1.0
Level 72	Warehouse	72,000	W	0.5	0.5
Level 73	Garage	73,000	G	0.2	0.2
Level 74	Storage	74,000	S	0.1	0.1
Level 75	Workshop	75,000	W	0.8	0.8
Level 76	Office	76,000	M	1.0	1.0
Level 77	Warehouse	77,000	W	0.5	0.5
Level 78	Garage	78,000	G	0.2	0.2
Level 79	Storage	79,000	S	0.1	0.1
Level 80	Workshop	80,000	W	0.8	0.8
Level 81	Office	81,000	M	1.0	1.0
Level 82	Warehouse	82,000	W	0.5	0.5
Level 83	Garage	83,000	G	0.2	0.2
Level 84	Storage	84,000	S	0.1	0.1
Level 85	Workshop	85,000	W	0.8	0.8
Level 86	Office	86,000	M	1.0	1.0
Level 87	Warehouse	87,000	W	0.5	0.5
Level 88	Garage	88,000	G	0.2	0.2
Level 89	Storage	89,000	S	0.1	0.1
Level 90	Workshop	90,000	W	0.8	0.8
Level 91	Office	91,000	M	1.0	1.0
Level 92	Warehouse	92,000	W	0.5	0.5
Level 93	Garage	93,000	G	0.2	0.2
Level 94	Storage	94,000	S	0.1	0.1
Level 95	Workshop	95,000	W	0.8	0.8
Level 96	Office	96,000	M	1.0	1.0
Level 97	Warehouse	97,000	W	0.5	0.5
Level 98	Garage	98,000	G	0.2	0.2
Level 99	Storage	99,000	S	0.1	0.1
Level 100	Workshop	100,000	W	0.8	0.8

**INTERNAL TRAFFIC CONTROL SIGNAGE**

Symbol	Count	Zone	Count
BN-1	120	PHASE 1	120
BN-2	120	PHASE 2	120
BN-3	120	PHASE 3	120
BN-4	120	PHASE 4	120
BN-5	120	PHASE 5	120
BN-6	120	PHASE 6	120
BN-7	120	PHASE 7	120
BN-8	120	PHASE 8	120
BN-9	120	PHASE 9	120
BN-10	120	PHASE 10	120
BN-11	120	PHASE 11	120
BN-12	120	PHASE 12	120
BN-13	120	PHASE 13	120
BN-14	120	PHASE 14	120
BN-15	120	PHASE 15	120
BN-16	120	PHASE 16	120
BN-17	120	PHASE 17	120
BN-18	120	PHASE 18	120
BN-19	120	PHASE 19	120
BN-20	120	PHASE 20	120
BN-21	120	PHASE 21	120
BN-22	120	PHASE 22	120
BN-23	120	PHASE 23	120
BN-24	120	PHASE 24	120
BN-25	120	PHASE 25	120
BN-26	120	PHASE 26	120
BN-27	120	PHASE 27	120
BN-28	120	PHASE 28	120
BN-29	120	PHASE 29	120
BN-30	120	PHASE 30	120
BN-31	120	PHASE 31	120
BN-32	120	PHASE 32	120
BN-33	120	PHASE 33	120
BN-34	120	PHASE 34	120
BN-35	120	PHASE 35	120
BN-36	120	PHASE 36	120
BN-37	120	PHASE 37	120
BN-38	120	PHASE 38	120
BN-39	120	PHASE 39	120
BN-40	120	PHASE 40	120
BN-41	120	PHASE 41	120
BN-42	120	PHASE 42	120
BN-43	120	PHASE 43	120
BN-44	120	PHASE 44	120
BN-45	120	PHASE 45	120
BN-46	120	PHASE 46	120
BN-47	120	PHASE 47	120
BN-48	120	PHASE 48	120
BN-49	120	PHASE 49	120
BN-50	120	PHASE 50	120
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BN-77	120	PHASE 77	120
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BN-95	120	PHASE 95	120
BN-96	120	PHASE 96	120
BN-97	120	PHASE 97	120
BN-98	120	PHASE 98	120
BN-99	120	PHASE 99	120
BN-100	120	PHASE 100	120



**REQUIRED PROVIDED CALCULATION FACTORS**

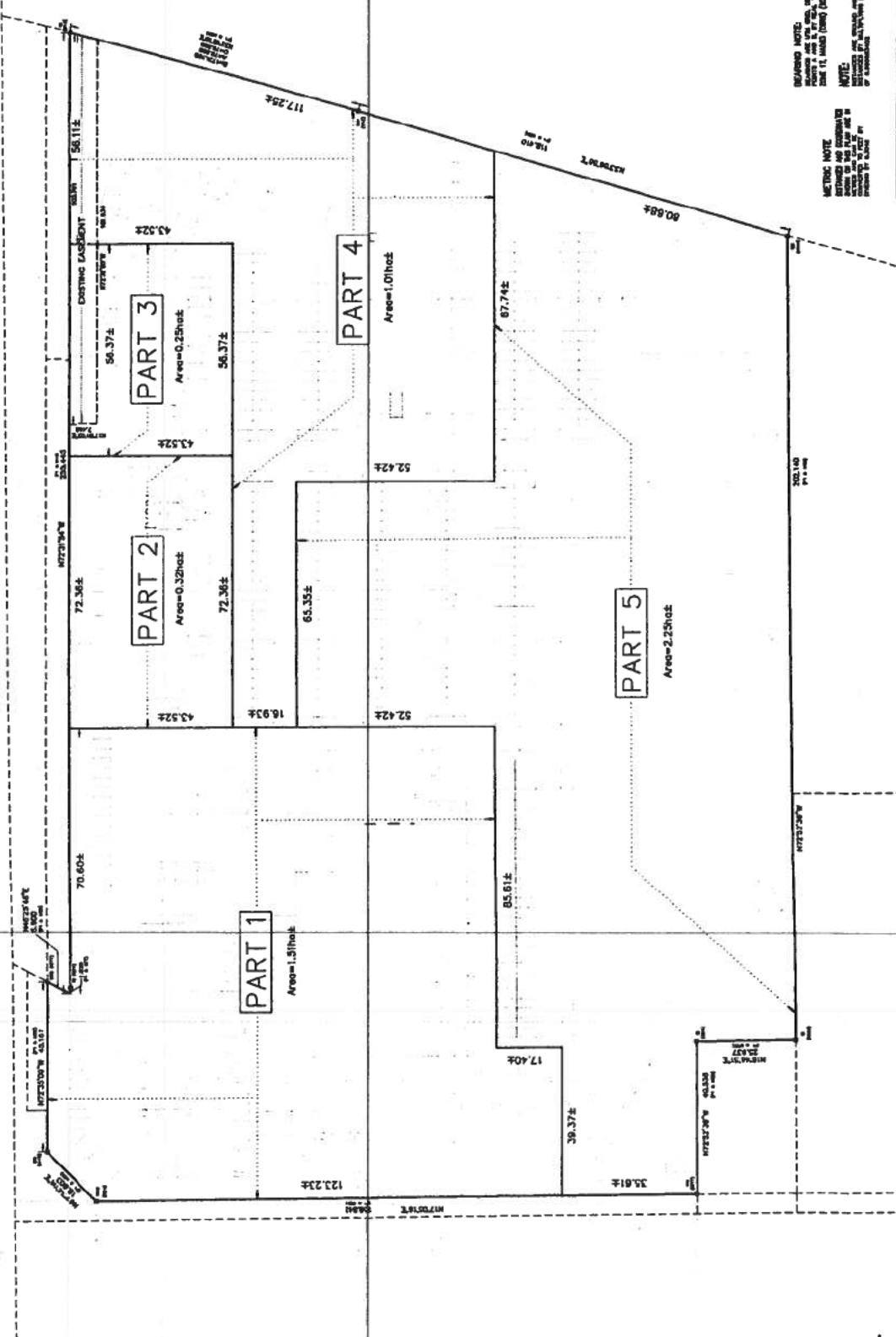
Level	Name	Area (sq. m)	Zone	By Area	By Unit
Level 1	Office	1,000	M	1.0	1.0
Level 2	Warehouse	2,000	W	0.5	0.5
Level 3	Garage	3,000	G	0.2	0.2
Level 4	Storage	4,000	S	0.1	0.1
Level 5	Workshop	5,000	W	0.8	0.8
Level 6	Office	6,000	M	1.0	1.0
Level 7	Warehouse	7,000	W	0.5	0.5
Level 8</					

SEVEN FOR SEVEN  
 LOT 15, CONCESSION 1  
 CITY OF HAMILTON  
 SCALE: 1:500

E.D. McLENNAN O.L.S. - 5050

**RYMAL ROAD EAST**  
 (FORMERLY THE KING'S HIGHWAY NO. 53)

CONVEYANCE AGREEMENT BETWEEN GEORGIAN TOWNSHIP OF HAMILTON AND CLARENDON



**WARNING NOTE:**  
 THIS PLAN IS A PRELIMINARY PLAN AND IS NOT TO BE USED FOR CONSTRUCTION OF ANY STRUCTURE OR FOR ANY OTHER PURPOSE WITHOUT THE WRITTEN APPROVAL OF THE ENGINEER OF RECORD.  
**NOTE:**  
 THE AREAS SHOWN ON THIS PLAN ARE APPROXIMATE AND ARE SUBJECT TO SURVEY ADJUSTMENTS AND TO THE CORRECTION OF ANY ERRORS.  
 THE ENGINEER OF RECORD IS NOT RESPONSIBLE FOR THE ACCURACY OF ANY INFORMATION NOT SHOWN ON THIS PLAN.

**LEGEND:**

- DISTINGUISHING LAYOUT
- EXISTING LAYOUT
- PROPOSED LAYOUT

**DATE:** 11/20/2024  
**SCALE:** 1:500  
**PROJECT:** RYMAL ROAD EAST  
**CLIENT:** CITY OF HAMILTON  
**ENGINEER:** E.D. McLENNAN O.L.S. - 5050

**From:** Coe, Emily <Emily.Coe@hamilton.ca>  
**Sent:** September 10, 2020 12:10 PM  
**To:** Sheffield, Jamila; 'Ed Fothergill'  
**Cc:** Mohammed Ghaddar; hussein-ghaddar@hotmail.com; 7D ASSOCIATES LTD.; Dan McLaren; Romano, Maria  
**Subject:** RE: Nebo & Rymal - Ghaddar

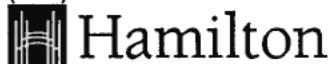
Thanks Jamila,

As long as the parcels are still held in identical ownership, then the consolidated lot development regulation in the Zoning By-law can be used. As such, there is no need for a variance to consider the lot to be one parcel of land for the purposes of development.

If the parcels are held in different ownership, then yes, the variance would be required.

**Emily Coe, BA, CPT**

Supervisor of Zoning  
Planning and Economic Development  
Building Division, City of Hamilton  
(905) 546-2424 Ext.2575



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**From:** Sheffield, Jamila <Jamila.Sheffield@hamilton.ca>  
**Sent:** September 10, 2020 11:44 AM  
**To:** 'Ed Fothergill' <edf@nas.net>; Coe, Emily <Emily.Coe@hamilton.ca>  
**Cc:** Mohammed Ghaddar <mghammer8@yahoo.ca>; hussein-ghaddar@hotmail.com; 7D ASSOCIATES LTD. <7dassociates@gmail.com>; Dan McLaren <dmclaren@atmclaren.com>; Romano, Maria <Maria.Romano@hamilton.ca>  
**Subject:** RE: Nebo & Rymal - Ghaddar

Good Morning,

The mortgage parcels are kind of a cross between an easement and a long term lease (from my understanding) the mortgage parcels are not able to be sold as legally conveyable lots, but the mortgage interest is (I don't know if I'm explaining this well enough). So, I believe they could be treated as one lot for development purposes, Emily please correct me if this is not correct.

The application for the creation would follow the same process for a consent for a new lot as a consent for mortgage purposes, one severed parcel is created for each application. So, you will need more than 1 application, but likely not 5, depending on how the mortgage parcels are configured.

These can be fairly tricky to wrap your head around, so I would suggest contacting the City's planner for this file, if it is part of an active site plan file. This would give them the opportunity to clarify things before the consent process and ensure everyone is on the same page.

If you need further clarification, just let me know.

Jamila

**From:** Ed Fothergill <edf@nas.net>  
**Sent:** September 9, 2020 3:59 PM  
**To:** Coe, Emily <Emily.Coe@hamilton.ca>  
**Cc:** Mohammed Ghaddar <mghammer8@yahoo.ca>; hussein-ghaddar@hotmail.com; 7D ASSOCIATES LTD. <7dassociates@gmail.com>; Dan McLaren <dmclaren@atmclaren.com>; Sheffield, Jamila <Jamila.Sheffield@hamilton.ca>; Romano, Maria <Maria.Romano@hamilton.ca>  
**Subject:** RE: Nebo & Rymal - Ghaddar

Dear Emily,

Thank you for your quick reply.

If we pursue a consent for the purposes of financing, technically we are not creating separate properties, but rather simply allowing financing to be put on each of the 5 parcels separately. I am not sure if that makes a difference from a zoning perspective.

I like your option of applying for a variance to consider the entire property as one lot for the purposes of development, as that is essentially what will happen as the development unfolds. That would address a number of matters all at once.

I look forward to comments from Maria and Jamila.

Ed Fothergill  
Fothergill Planning & Development Inc.  
62 Daffodil Cres., Ancaster, ON L9K 1E1  
T: 905-577-1077 E: [edf@nas.net](mailto:edf@nas.net)

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**From:** Coe, Emily [<mailto:Emily.Coe@hamilton.ca>]  
**Sent:** September 9, 2020 3:22 PM  
**To:** Ed Fothergill; Sheffield, Jamila; Romano, Maria  
**Cc:** Mohammed Ghaddar; hussein-ghaddar@hotmail.com; 7D ASSOCIATES LTD.; Dan McLaren  
**Subject:** RE: Nebo & Rymal - Ghaddar

Hi Ed,

If you are creating separate properties, in separate ownership, each would need to comply with zoning requirements. The other option is to apply for a variance to consider all of the properties to be one for the purposes of development (and then zoning would apply as it would have if it remained one property).

Otherwise if these are just long-term leases (?) then it would remain one parcel.

By way of this email, I will ask Maria to answer your zoning questions, as she is the one who reviewed the site plan file.

Maria, please see below – could you please assist Ed?

Thank you,

Emily

**Emily Coe, BA, CPT**

Supervisor of Zoning  
Planning and Economic Development  
Building Division, City of Hamilton  
(905) 546-2424 Ext.2575



Due to concerns related to COVID-19, only the 1<sup>st</sup> and 2<sup>nd</sup> floors of City Hall are open to the public. Although the Building Division offices remain closed to the public, the Building Division continues to operate as many of our services can still be accessed, including building permit inspections.

We can receive building permit applications and requests for Zoning Verifications (regular service only) by mail/courier delivery or online. Online building permit applications can be completed at [www.hamilton.ca/eplans](http://www.hamilton.ca/eplans) and Zoning Verifications at <https://zoningverification.hamilton.ca/>. In addition to the drop box outside of City Hall at the rear of the building (for letters and small parcels), items can also be dropped off at the 1<sup>st</sup> floor of City Hall during business hours of 8:30 AM to 4:30 PM. Please kindly note, the 1<sup>st</sup> floor is a drop-off/pick-up only and staff are not available to discuss or consult on Building Division-related matters.

Under these unprecedented service delivery constraints, we are doing our best to maintain timeframes for building permit applications, responding information, building inspections, Zoning Verifications, and other requests for information/compliance.

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**From:** Ed Fothergill <[edf@nas.net](mailto:edf@nas.net)>

**Sent:** September 9, 2020 3:13 PM

**To:** Sheffield, Jamila <[Jamila.Sheffield@hamilton.ca](mailto:Jamila.Sheffield@hamilton.ca)>; Coe, Emily <[Emily.Coe@hamilton.ca](mailto:Emily.Coe@hamilton.ca)>

**Cc:** Mohammed Ghaddar <[mghammer8@yahoo.ca](mailto:mghammer8@yahoo.ca)>; hussein-ghaddar@hotmail.com; 7D ASSOCIATES LTD. <[7dassociates@gmail.com](mailto:7dassociates@gmail.com)>; Dan McLaren <[dmclaren@atmclaren.com](mailto:dmclaren@atmclaren.com)>

**Subject:** Nebo & Rymal - Ghaddar

Dear Jamila and Emily:

Enclosed is a marked up copy of a site plan drawing for a site at 1280 Rymal Road East and 385 Nebo Road, which was approved under application DA-17-187.

The owner would like to consider submitting an application for consent for five separate parcels as shown on the attached plan for the purposes of financing. I understand that we can submit an application that will not create individual lots, but can be used for financing purposes only such that the owner can place separate financing on each of the 5 parcels. Can this be done with one application, or do we need to submit 5 separate applications with 5 separate fees?

If this is the case, does each parcel have to comply with zoning requirements, including parking?

Through a review of the site plan, it was determined that the stacking spaces for the car wash and detailing use could be considered as required parking. Emily, in terms of providing parking spaces, you will note that each of the buildings and parcels 2 and 3 which are drive through restaurants, provide 12 stacking spaces. Can these stacking spaces be applied to parking requirements of the by-law?

Can you have someone review the attached parking calculation chart I have prepared? It was agreed through the processing of the application that parking requirements for Parcel 1 will be based on the individual uses within that parcel. Parking requirements for the balance of the site will be based on the planned Business Centre at a ratio of 1 space for each 30 sq.m. of gross floor area.