



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**  
**Minor Variance**

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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
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**APPLICATION NO.:** SC/A-20:236

**APPLICANTS:** Joe Laronga on behalf of the owner Paletta International

**SUBJECT PROPERTY:** Municipal address **67-113 Picardy Dr., Stoney Creek**

**ZONING BY-LAW:** Zoning By-law 3692-92, as Amended by By-laws 10-320 & 20-082

**ZONING:** "R5-10" (Residential) district

**PROPOSAL:** To permit the construction of 12 new semi-detached dwellings on Blocks 37-48 respectively for a total of 24 dwelling units, notwithstanding that;

1. A minimum rear yard of 6.0m shall be permitted instead of the minimum 7.5m rear yard required.
2. A maximum 50.0% lot coverage shall be permitted instead of the maximum 40.0% lot coverage permitted.

Notes: The zoning By-law requires a minimum lot area of 600.0m<sup>2</sup> for an interior lot and minimum lot area of 650.0m<sup>2</sup> for a corner lot on an undivided semi-detached lot. Furthermore, the zoning By-law requires a minimum lot frontage of 18.0m for an interior lot and a minimum lot frontage of 19.5m for a corner lot on an undivided semi-detached lot. It is unclear if the lands are intended to be further divided prior to the construction of the proposed dwellings. It should be noted that subject lands do not meet the minimum requirements for lot area and lot frontage for an undivided lot.

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

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**DATE:** Thursday, December 3rd, 2020  
**TIME:** 2:25 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 17th, 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.***

APPROVED UNDER SECTION 51 OF THE PLANNING ACT, R.S.O. 1990, c. P. 13 AS AMENDED, BY THE GENERAL MANAGER OF PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT OF THE CITY OF HAMILTON UNDER THE AUTHORITY OF BY-LAW 07-323.

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020

GENERAL MANAGER, PLANNING AND ECONOMIC DEVELOPMENT  
CITY OF HAMILTON



LOT	ARC	RADIUS	CHORD	BEARING
10	7.45	15.00	7.37	N58°27'35"W
11	8.75	15.00	8.62	N27°31'45"W
11	9.46	18.00	9.34	N25°50'30"W
12	11.11	18.00	10.94	N58°35'50"W
13	8.32	18.00	8.25	N89°31'40"W
14	8.32	18.00	8.25	N63°58'05"E
15	7.57	18.00	7.51	N38°40'20"E
16	7.90	18.00	7.84	N05°08'40"W
17	8.66	18.00	8.58	N31°30'30"W
18	8.56	18.00	8.48	N58°55'10"W
19	0.75	18.00	0.75	N73°44'05"W
32	6.03	18.00	6.00	N17°01'55"E
39	9.52	152.00	9.52	N17°38'55"E
39	7.77	122.00	7.77	N17°37'05"E
40	16.08	152.00	16.07	N22°28'25"E
40	12.91	122.00	12.90	N22°29'00"E
41	16.08	152.00	16.07	N28°32'05"E
41	12.91	122.00	12.90	N28°31'30"E
42	15.97	152.00	15.96	N34°34'30"E
42	12.82	122.00	12.81	N34°34'30"E

**PLAN 62M-**

I CERTIFY THAT THIS PLAN IS REGISTERED IN THE LAND LAND REGISTRY OFFICE FOR THE LAND TITLES DIVISION OF WENTWORTH (62) AT \_\_\_\_\_ O'CLOCK ON THE \_\_\_\_\_ OF \_\_\_\_\_, 2020 AND ENTERED IN THE PARCEL REGISTER FOR PROPERTY IDENTIFIER \_\_\_\_\_

AND REQUIRED CONSENTS ARE REGISTERED AS PLAN DOCUMENT NO. \_\_\_\_\_

REPRESENTATIVE FOR LAND REGISTRAR

THIS PLAN COMPRISES PIN 17090-0775 AND PART OF PIN 07090-0926

PLAN OF SUBDIVISION OF PART OF **LOTS 25 & 26 CONCESSION 7**

GEOGRAPHIC TOWNSHIP OF SALTFLILET

NOW IN THE

**CITY OF HAMILTON**

SCALE 1 : 750

MacKAY, MacKAY & PETERS LIMITED - 2020

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

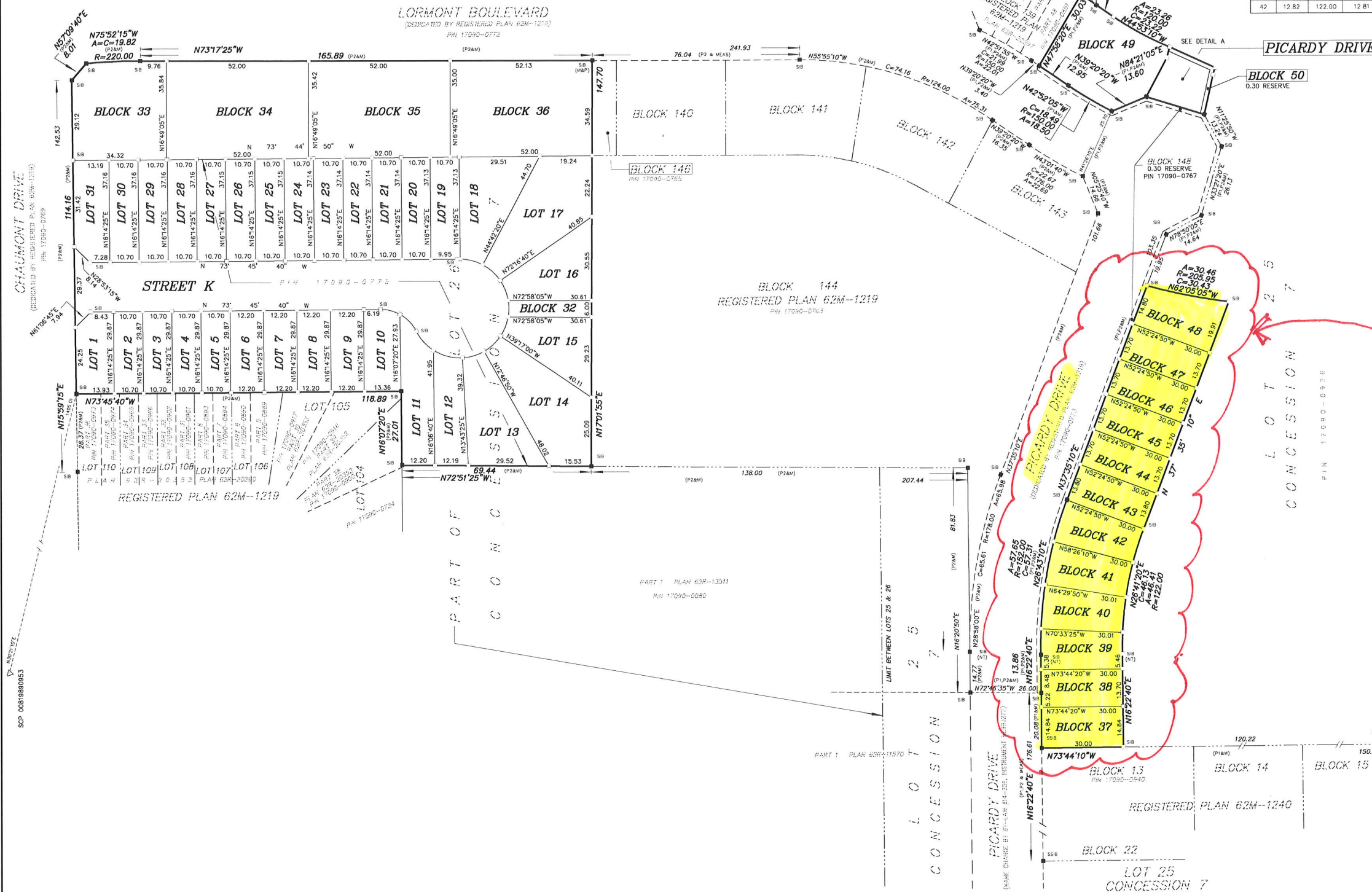
**INTEGRATION DATA**

SPECIFIED CONTROL POINTS (SCPs): U.T.M. ZONE 17, NAD 83 (ORIGINAL) COORDINATES ARE TO AN URBAN ACCURACY IN ACCORDANCE WITH SECTION 14(2) OF O.R.E.G. 216/10

POINT ID	NORTHING	EASTING
SCP 00819860625	4781954.183	599804.472
SCP 00819890953	4781089.901	598415.635

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

**SUBJECT PROPERTY**  
CITY FILE # 25T-200908R  
BLOCKS 37 TO 48  
SEMI-DETACHED UNITS.  
ON PICARDY DRIVE



**Legend**

- DENOTES A SURVEY MONUMENT FOUND
- DENOTES A SURVEY MONUMENT PLANTED
- SB DENOTES STANDARD IRON BAR
- SSB DENOTES SHORT STANDARD IRON BAR
- IB DENOTES IRON BAR
- WIT DENOTES WITNESS
- PIN DENOTES PROPERTY IDENTIFICATION NUMBER
- NT DENOTES NON-TANGENTIAL
- P1 DENOTES REGISTERED PLAN 62M-1240
- P2 DENOTES REGISTERED PLAN 62M-1219

ALL PLANTED BARS ARE IB'S UNLESS OTHERWISE NOTED  
ALL FOUND SURVEY MONUMENTS ARE M&P UNLESS OTHERWISE NOTED

**Bearing Reference**

BEARINGS ARE UTM GRID, DERIVED FROM SPECIFIED CONTROL POINTS 00819860625 & 00819890953, U.T.M. ZONE 17, NAD83 (ORIGINAL)  
DISTANCES ON THIS PLAN ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.9999634

**Owner's Certificate**

THIS IS TO CERTIFY THAT:  
1. LOTS 1 TO 31, INCLUSIVE, BLOCKS 32 TO 49, INCLUSIVE, BLOCK 50 (0.30 RESERVE), THE STREETS NAMELY PICARDY DRIVE AND STREET K HAVE BEEN LAID OUT IN ACCORDANCE WITH OUR INSTRUCTIONS.  
2. THE STREETS ARE HEREBY DEDICATED AS PUBLIC HIGHWAYS.

DATED AT BURLINGTON, ONTARIO  
THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020  
ANGELO PALLETTA  
I HAVE THE AUTHORITY TO BIND THE CORPORATION  
PALLETTA INTERNATIONAL (2000) INC.

**Surveyor's Certificate**

I CERTIFY THAT  
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYORS ACT, THE SURVEYS ACT, THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM  
2. THIS SURVEY WAS COMPLETED ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020

DATE \_\_\_\_\_  
ROY C. MAYO  
ONTARIO LAND SURVEYOR  
FOR MACKAY, MACKAY & PETERS LIMITED

CAO FILE: F:\2007\07-120 - Highland Road\M3\07-120-M3.dwg

**MMP**  
MacKay, MacKay & Peters Limited  
LAND SURVEYORS & MAPPERS  
SINCE 1906

3380 South Service Road  
Unit 101  
Burlington, ON  
L7R 3T5  
905-639-1375  
hilton@mmplimited.com  
mmpsurveyors.ca  
mmplicators.ca

DATE: \_\_\_\_\_  
PARTY: \_\_\_\_\_  
CHECKED BY: \_\_\_\_\_  
PROJECT NO: \_\_\_\_\_  
07-120-M3



Hamilton

Planning and Economic Development Department  
Planning Division

**Committee of Adjustment**

City Hall  
5<sup>th</sup> 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.**

<b>FOR OFFICE USE ONLY.</b>	
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.

- Name of Owner Paletta International (2000) Inc. Telephone No. [REDACTED]  
FAX NO. [REDACTED] E-mail address. [REDACTED]
- Address [REDACTED]  
[REDACTED] Postal Code [REDACTED]
- Name of Agent Joe Laronga (Haven-Ridge Homes Inc.) Telephone No. [REDACTED]  
FAX NO. [REDACTED] E-mail address. [REDACTED]
- Address [REDACTED]  
[REDACTED] Postal Code [REDACTED]

**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:  
NOT APPLICABLE  
\_\_\_\_\_  
Postal Code \_\_\_\_\_  
\_\_\_\_\_  
Postal Code \_\_\_\_\_

6. Nature and extent of relief applied for:
- 1) Proposed Rear Yard Setback of 6.0m, whereas R5 Zone, of Zoning By-law No. 3692-92 (Stoney Creek) requires a minimum of 7.5m.
  - 2) Proposed Lot Coverage of 50%, whereas R5 Zone, of Zoning By-law No. 3692-92 (Stoney Creek) requires a maximum of 40%.

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

Subsection 6.6.7: "Special Exemptions" of Section 6.6 Residential "R5" Zone, of Zoning By-law No. 3692-92 (Stoney Creek), was amended as follows: "In addition to By-law No. 10-320 (OMB), the "R5-10" Zone shall be modified as follows: the Minimum Lot Area for a Divided Semi-Detached Interior Lot to be miin.190 square meters.

The Semi-detached divided lots are very narrow and shallow, Lot Width = 6.85m (22'-5") Lot Depth = 30m (98'-5")

With such a small Lot Area, no consideration was given to amend Lot Coverage and Rear Yard Setback. You are left with virtually no building envelope to design a functional home.

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

City File # 25T-200908R (Address - 198 First Road West )

Blocks 37 to 48 on Picardy Drive as shown on Plan of Subdivision of Lots 25 & 26, Concession 7

Geographic Township of Saltfleet, now in the City of Hamilton.

9. PREVIOUS USE OF PROPERTY

Residential \_\_\_\_\_ Industrial \_\_\_\_\_ Commercial \_\_\_\_\_

Agricultural \_\_\_\_\_ Vacant  X

Other \_\_\_\_\_

9.1 If Industrial or Commercial, specify use  
Not Applicable

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

Yes \_\_\_\_\_ No  X  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  X  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  X  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  X  Unknown \_\_\_\_\_

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

Yes \_\_\_\_\_ No  X  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  X  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  Unknown

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

Owner's Personal Knowledge.

Note: The Semi-Detached Blocks are Vacant Residential Blocks within a future Plan of Subdivision yet to be registered.

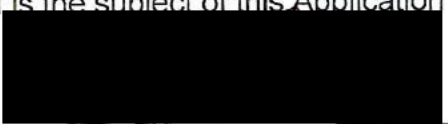
9.12 If previous use of property is industrial or commercial or if YES to any of 9.2 to 9.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.

Is the previous use inventory attached? Yes  No

**ACKNOWLEDGEMENT CLAUSE**

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

October 5, 2020  
Date

  
Signature Property Owner

Angelo Paletta  
Print Name of Owner

10. Dimensions of lands affected:

Frontage 6.85 m (for a subdivided semi-detached lot)

Depth(m) 30 m

Area (m2) Min. Lot Area = 190 square meters (for a subdivided semi-detached lot)

Width of street (m) Picardy Drive = 26 m

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: Vacant Land for future Semi-detached (Residential Single Family Dwelling)  
\_\_\_\_\_  
\_\_\_\_\_

Proposed: Lot Area = 190 square meters (minimum for a subdivided semi-detached lot)  
Number of Units = 24 units (i.e. 12 Semi-detached Lots - Block # 37 to 48 to be subdivided)  
Unit GFA = 160.25 m2 (1725 sq.ft) ; # Storeys = 2 ; Lot Coverage = 50% maximum  
Unit Width = 5.56 m (18'-3') ; Unit Length = 17.88 m (58'-8") ; Building Height = 11 m max.

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

Existing: Vacant Land for future Semi-detached (Residential Single Family Dwelling)  
\_\_\_\_\_  
\_\_\_\_\_

Proposed: Interior Side Yard Setback = 1.25 m  
Front Yard Setback = 6.0 m  
Rear Yard Setback = 6.0 m  
\_\_\_\_\_  
\_\_\_\_\_

- 13. Date of acquisition of subject lands:  
January 2006  
\_\_\_\_\_
- 14. Date of construction of all buildings and structures on subject lands:  
Not Applicable - Vacant Land for Residential Semi-detached units  
\_\_\_\_\_
- 15. Existing uses of the subject property: \_\_\_\_\_  
Not Applicable - Vacant Land for Residential Semi-detached units  
\_\_\_\_\_
- 16. Existing uses of abutting properties: North = Future Townhouse Block ; West= Picardy Dr.  
East = Future Single Detached Lots ; South = Existing Townhouse Block  
\_\_\_\_\_
- 17. Length of time the existing uses of the subject property have continued:  
Vacant Residential Townhouse Blocks Since February 2017 (i.e. 3 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:  
Residential - Single Family  
\_\_\_\_\_
- 20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:  
Zoning By-law No. 3692-92, R5 Zone, Note: "Special Exemptions" of Section 6.6 Residential "R5"  
Zone, of Zoning By-law No. 3692-92 "In addition to By-law No. 10-320 (OMB), the "R5-10" Zone  
\_\_\_\_\_
- 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*?  
 Yes Draft Plan of Subdivision  No  
City File # 25T-200908R
- 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.