



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

Application for Consent/Land Severance

APPLICATION NUMBER: SC/B-20:80

SUBJECT PROPERTY: 5 Pleasant Ave., Stoney Creek

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): Owners: Robert Cardillo and Antonella Nucci
Agent: Urban in Mind c/o Terrance Glover

PURPOSE OF APPLICATION: To retain a lot containing an existing single detached dwelling and to permit the severance of parcel of land to facilitate the creation of a new lot for future residential development.

To be heard in conjunction with SC/A-20:250, SC/A-20:251 and SC/B-20:81.

Severed lands:

15.24m[±] x 44.38m[±] and an area of 673m²±

Retained lands:

15.24m[±] x 29.18m[±] and an area of 442m²±

The Committee of Adjustment will hear this application on:

DATE: Thursday, January 21st, 2021

TIME: 3:05 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: January 5th, 2021

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.



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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.: SC/A-20:250

APPLICANTS: Owner: R. Cardillo & A. Nucci
Agent: Urban in Mind c/o Terrance Glover

SUBJECT PROPERTY: Municipal address **5 Pleasant Avenue., Stoney Creek**

ZONING BY-LAW: Zoning By-law 3692-92, as Amended

ZONING: R2 district (Single Residential Zone)

PROPOSAL: To facilitate the creation of a new lot through severing a portion of the rear yard of the existing single detached dwelling and to recognize existing conditions notwithstanding;

1. A minimum lot area of 441 square metres shall be provided instead of the minimum required lot area of 460 square metres for an interior lot;
2. A minimum rear yard of 6.6 metres shall be provided instead of the minimum required rear yard of 7.5 metres; and,
3. A minimum westerly side yard of 1.22 metres shall be permitted instead of the minimum required side yard of 1.25 metres.

NOTES:

1. This variance is necessary to facilitate land severance application SC/B-20:80. The lands to be severed are to be added to an adjacent parcel of land created through land severance SC/B-20:81 to form the new lot.

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NOTICE OF PUBLIC HEARING

Application for Consent/Land Severance

APPLICATION NUMBER: SC/B-20:81

SUBJECT PROPERTY: 7 Pleasant Ave., Stoney Creek

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): Owners: Robert Cardillo and Antonella Nucci
Agent: Urban in Mind c/o Terrance Glover

PURPOSE OF APPLICATION: To retain a lot containing an existing single detached dwelling and to permit the severance of parcel of land to facilitate the creation of a new lot for future residential development.

To be heard in conjunction with SC/A-20:250, SC/A-20:251 and SC/B-20:80.

Severed lands:

15.24m[±] x 45.52m[±] and an area of 667m² ±

Retained lands:

15.24m[±] x 28.52m[±] and an area of 437m² ±

The Committee of Adjustment will hear this application on:

DATE: Thursday, January 21st, 2021

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DATED: January 5th, 2021

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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.: SC/A-20:251

APPLICANTS: Owner: Isimat Properties Inc. c/o R. Cardillo
Agent: Urban in Mind c/o Terrance Glover

SUBJECT PROPERTY: Municipal address **7 Pleasant Ave., Stoney Creek**

ZONING BY-LAW: Zoning By-law 3692-92, as Amended

ZONING: R2 district Single Residential

PROPOSAL: To permit a reduction in the depth of a lot and a reduced rear yard for an existing single detached dwelling, notwithstanding that

1. The minimum lot area shall be 436 square metres instead of the minimum required 505 square metres for a corner lot;
2. The minimum lot frontage shall be 15.0 metres instead of the minimum required 16.5 metres for a corner lot;

NOTES:

1. The proposed variance is intended to facilitate Consent Application SB/20:81 to allow for the creation of a severed parcel that would be merged with the severed portion of 5 Pleasant Avenue to create a new lot for residential infill development.
2. A similar minor variance application for 5 Pleasant Avenue is being addressed through Committee of Adjustment Application SC/A:20:250. The severance for 5 Pleasant Avenue is to be addressed through Consent Application SC/B-20:80.
3. The proposed driveway depth would require off-site manoeuvring for vehicles exiting the property.
4. The variances are written as requested by the applicant.

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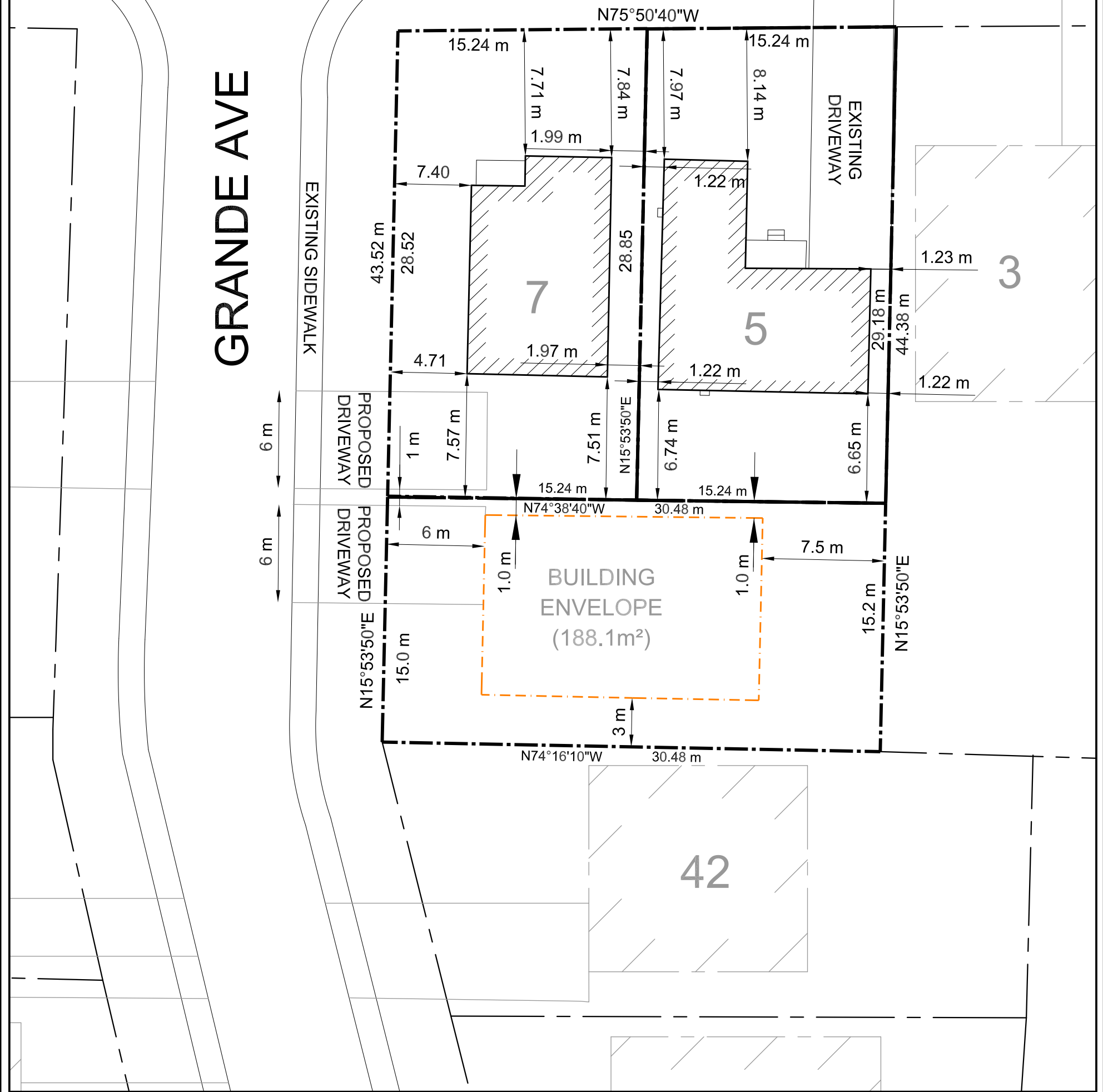
DATED: January 5th, 2021.

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PLEASANT AVE

GRANDE AVE



CONCEPT SITE PLAN

LOTS 18 & 19 REGISTERED PLAN 1081 IN THE CITY OF HAMILTON
5 & 7 PLEASANT AVE, STONEY CREEK

ZONING BY-LAW 3692-92 - R2	5 PLEASANT AVE. (GARAGE)	7 PLEASANT AVE (NO GARAGE)	PROPOSED LOT (44 GRANDE AVE)
MIN. LOT AREA (CORNER) - 505m ²	--	436.8 m ²	--
MIN. LOT AREA (INT.) - 460m ²	441.7 m ²	--	460.0 m ²
MIN. LOT FRONTAGE (COR.) - 16.5m	--	15.24 m	--
MIN. LOT FRONTAGE (INT.) - 15 m	15.24 m	--	15.0 m
MIN. FRONT YARD - 6 m	7.97 m	7.71 m	6.0 m
MIN. SIDE YARD** - 1.25 m	6.3.3.d.1 - 1.22 m	6.3.3.d.3 - 1.97 m	6.3.3.d.2 - 1m
MIN. REAR YARD - 7.5 m	6.65 m	7.51 m	7.5 m
MAX. BUILDING HEIGHT - 11 m	~ 4m	~ 4m	~ 4m
MAX. LOT COVERAGE - 40%	29.6 %	24.5 %	MAX BUILDING FOOTPRINT - 184 m ² = 40%
PARKING - 2 per dwelling unit	2	2	2

SCALE: 1:250
WHEN PRINTED ON 11 X 17

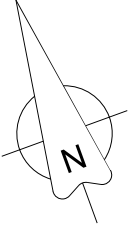
DATE:
FEBRUARY 24, 2020

PROJECT FILE NO.
2019-17

DRAWN BY: S.C.
REVIEWED BY: T.G.



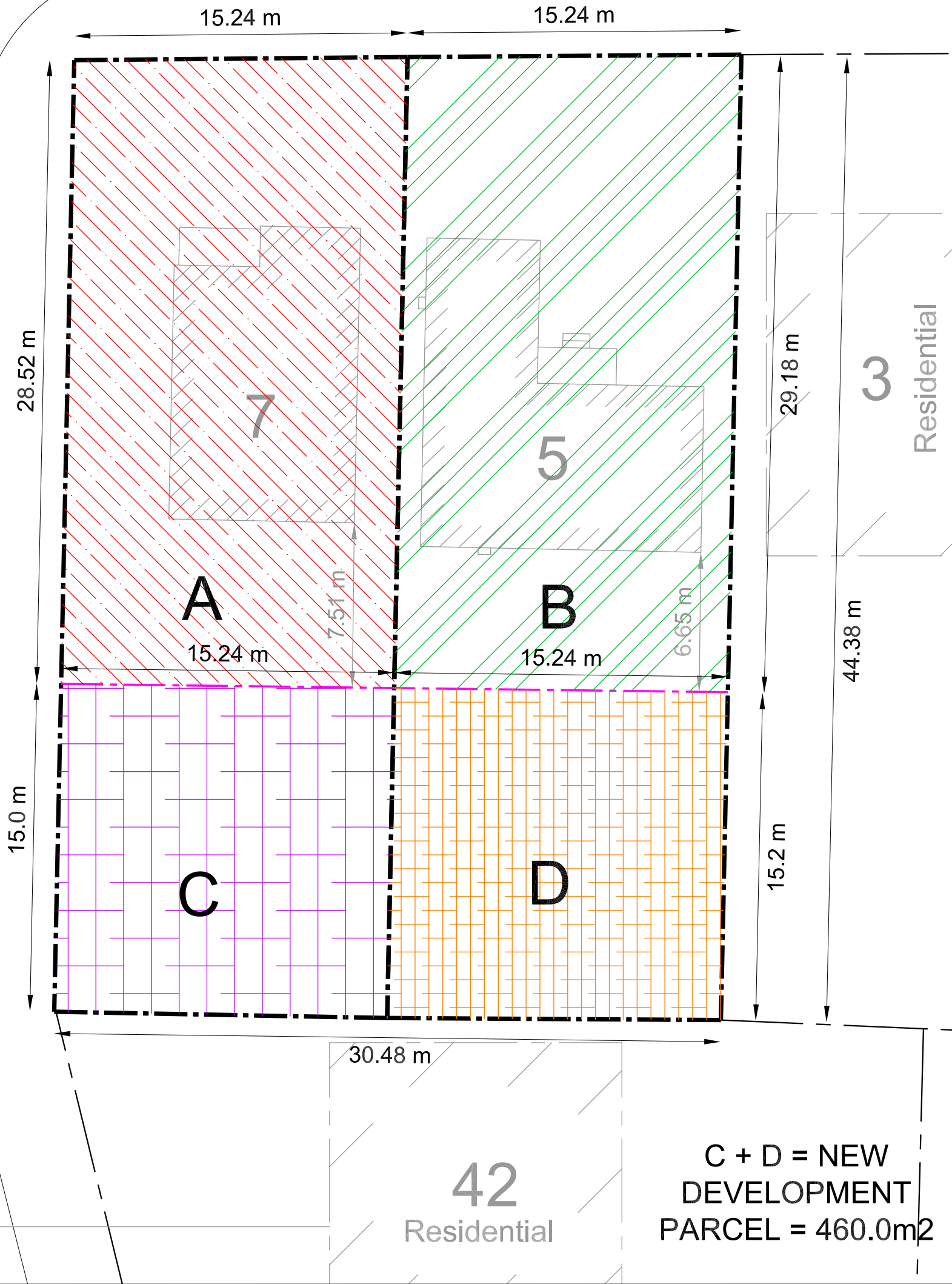
NOTE: DRAWING IS FOR DISCUSSION PURPOSES ONLY. BASED ON SURVEY 20-2610 DATED FEBRUARY 18, 2020 - BARICH GRENKIE SURVEYING LTD
** 6.3.3. MIN SIDE YARD - NO PART OF A DWELLING SHALL BE CLOSER THAN 1.25m EXCEPT CLAUSE 1, 2, 3
1. INT. LOT ATTACHED GARAGE PERMITTED UPTO 1m
2. INT. LOT, NO GARAGE - ONE SIDE SHALL BE 3m
3. CORNER LOT, FLANKING STREET, NO GARAGE - 3m
PARKING SPACE DIMENSIONS 2.75 X 5.8 m



PLEASANT AVE

GRANDE AVE

EXISTING SIDEWALK



SEVERANCE SKETCH

7 PLEASANT AVE, STONEY CREEK

- SUBJECT PROPERTY BOUNDARY
TOTAL SITE AREA: 666.13 m²
- PROPOSED SEVERANCE LINE
- A** LANDS TO BE RETAINED
SITE AREA: 436.8 m²
- C** LANDS TO BE SEVERED AND MERGED TO 'D' SITE AREA: 229.33 m²

5 PLEASANT AVE, STONEY CREEK

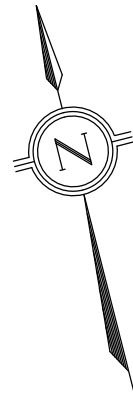
- SUBJECT PROPERTY BOUNDARY
TOTAL SITE AREA: 672.37 m²
- PROPOSED SEVERANCE LINE
- B** LANDS TO BE RETAINED
SITE AREA: 441.7 m²
- D** LANDS TO BE SEVERED AND MERGED WITH 'C' SITE AREA: 230.67 m²



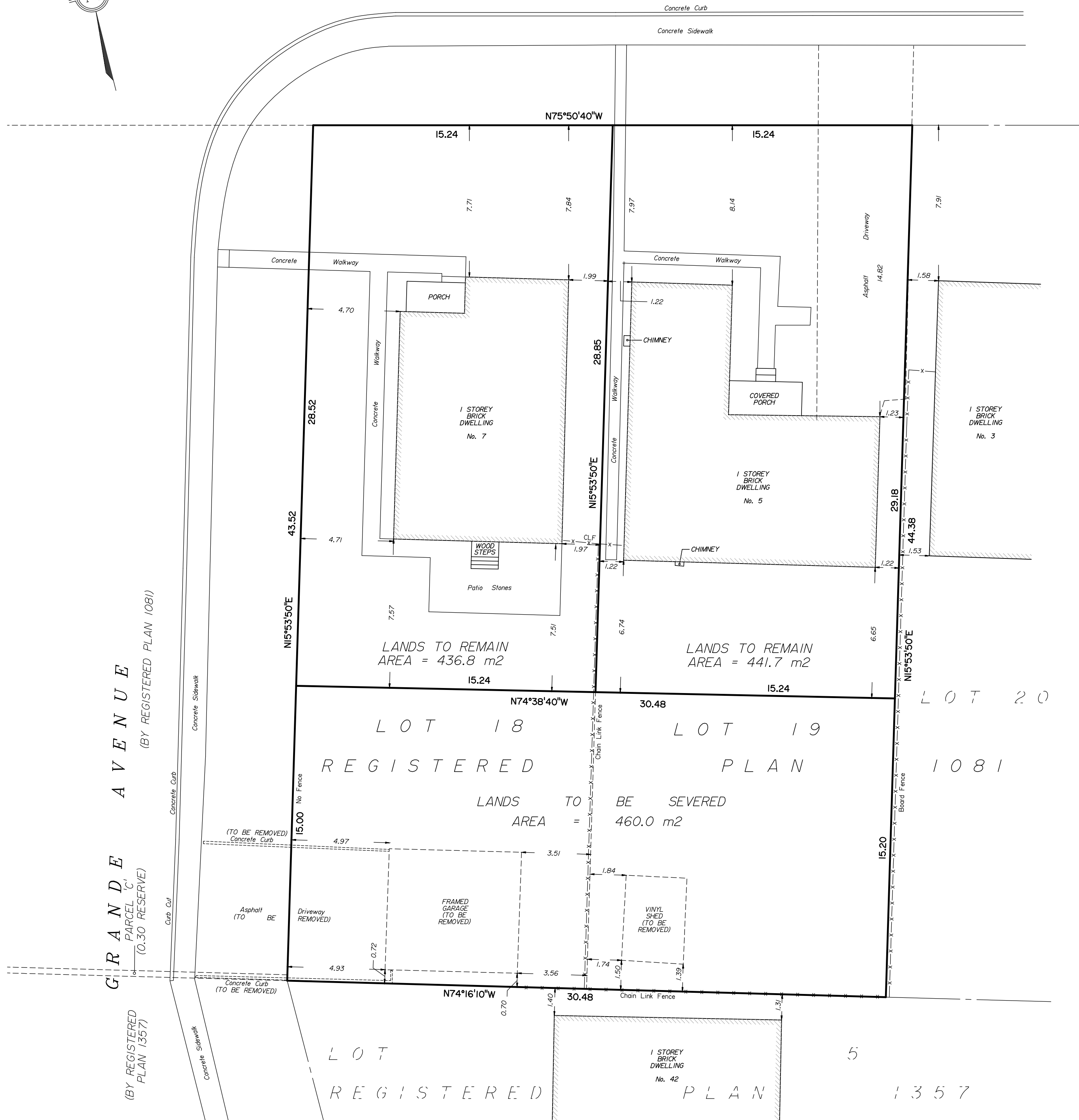
WWW.URBANINMIND.CA

SCALE: 1:200 <small>WHEN PRINTED ON 11 X 17</small>	DATE: FEBRUARY 24, 2020
PROJECT FILE NO. 2019 -17	DRAWN BY: S.C. REVIEWED BY: T.G.

NOTE: DRAWING FOR DISCUSSION PURPOSES ONLY. BASED ON SURVEY 20-2610 BARICH GRENKI FEB 18, 2020



P L E A S A N T A V E N U E
(BY REGISTERED PLAN 1081)



KEY MAP

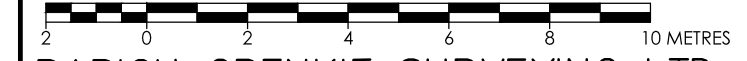


NOT TO SCALE

ADDRESS: 5 & 7 Pleasant Ave, Stoney Creek

**SEVERANCE SKETCH OF
LOTS 18 & 19
REGISTERED PLAN 1081
IN THE
CITY OF HAMILTON**

SCALE & NOTES
Scale 1:150



BARICH GRENKIE SURVEYING LTD.
A DIVISION OF GEOMAPLE
© COPYRIGHT 2020

METRIC

DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

ZONING R2			7 Pleasant Ave		
SITE STATISTICS			BYLAW	PROPOSED	
MIN FRONT YARD SETBACK	6.0 m			7.71 m(EX)	
MIN SIDE YARD SETBACK(WEST)	3.00 m			4.70 m(EX)	
MIN SIDE YARD SETBACK(EAST)	1.25 m			1.97 m(EX)	
MIN REAR YARD SETBACK	7.5 m			7.51 m	
MIN LOT WIDTH	16.5 m			15.24 m(EX)*	
MIN LOT AREA	505.0 m2			436.8 m2*	

ZONING R2			5 Pleasant Ave		
SITE STATISTICS			BYLAW	PROPOSED	
MIN FRONT YARD SETBACK	6.0 m			7.97 m(EX)	
MIN SIDE YARD SETBACK(WEST)	1.25 m			1.22 m(EX)*	
MIN SIDE YARD SETBACK(EAST)	1.25 m			1.22 m(EX)*	
MIN REAR YARD SETBACK	7.5 m			6.65 m*	
MIN LOT WIDTH	15.0 m			15.24 m(EX)	
MIN LOT AREA	460.0 m2			441.7 m2*	

ZONING R2			PROPOSED LOT - 44 Grande Ave.		
SITE STATISTICS			BYLAW	PROPOSED	
MIN LOT WIDTH	15.0 m			15.00 m	
MIN LOT AREA	460.0 m2			460.00 m2*	

* MINOR VARIANCE REQUIRED
EX - EXISTING

FEBRUARY 18, 2020

Matthew Di Cosmo

MATTHEW DI COSMO
ONTARIO LAND SURVEYOR

**Barich Grenkie
Surveying Ltd.**
297 HWY No. 8 (UNIT 101) - STONEY CREEK, ON
L8G 1E5 (905) 662-6767

DWN BY: EWA
CHK BY: MD
JOB No. 20-2610

A DIVISION OF GEOMAPLE

TOPOGRAPHIC PLAN OF
LOTS 18 & 19
REGISTERED PLAN 1081
 IN THE
CITY OF HAMILTON

SCALE & NOTES
 Scale 1:150

BARICH GRENKIE SURVEYING LTD.
 A DIVISION OF GEOMAPLE

© COPYRIGHT 2020

METRIC

DISTANCES AND ELEVATIONS SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

ELEVATION NOTE

ELEVATIONS ARE REFERRED TO THE CANADIAN GEODETIC VERTICAL DATUM (CGVD-1928:1978) AND ARE DERIVED FROM CITY OF HAMILTON BENCHMARK No. 0011965U141 HAVING AN ELEVATION OF 101.174 m.

BEARING NOTE

BEARINGS ARE UTM GRID, REFERRED TO THE CENTRAL MERIDIAN OF UTM ZONE 17 (81° 00' WEST LONGITUDE) NAD83 (CSRS) (2010.0).

HORIZONTAL DATUM NOTE

PROJECTION: UNIVERSAL TRANSVERSE MERCATOR
 (UTM, ZONE 17, CM 81°00'W)

DATUM: NAD83 (CSRS)(2010.0)

GRID SCALE CONVERSION

DISTANCES ON THIS PLAN MAY BE CONVERTED TO GRID DISTANCES BY MULTIPLYING BY A COMBINED SCALE FACTOR OF 0.999717.

NOTE

BEARING COMPARISONS SHOWN ARE WITH ASTRONOMIC BEARINGS ON UNDERLYING PLANS.

LEGEND

■	DENOTES	SURVEY MONUMENT FOUND
□	DENOTES	SURVEY MONUMENT PLANTED
IB	DENOTES	IRON BAR
SIB	DENOTES	STANDARD IRON BAR
OU	DENOTES	ORIGIN UNKNOWN
717	DENOTES	J. J. KISWAY, O.L.S.
1353	DENOTES	G. E. GIDDY, O.L.S.
P1	DENOTES	PLAN BY GLENN E. GIDDY, O.L.S. DATED MAY 29, 1987
P2	DENOTES	REGISTERED PLAN 1081
P3	DENOTES	PLAN BY H. B. ASHENHURST, O.L.S. DATED JANUARY 4, 1967
P4	DENOTES	PLAN BY GLENN E. GIDDY, O.L.S. DATED MARCH 19, 1992
P5	DENOTES	PLAN BY J. J. KISWAY, O.L.S. DATED JULY 22, 1957
P6	DENOTES	PLAN BY E. BARICH, O.L.S. DATED SEPTEMBER 9, 1985
P7	DENOTES	REGISTERED PLAN 1357
MH	DENOTES	MANHOLE
CB	DENOTES	CATCHBASIN
GUT	DENOTES	GUTTER
OH	DENOTES	OVERHEAD UTILITY CABLES
DT	DENOTES	DECIDUOUS TREE
CT	DENOTES	CONIFEROUS TREE
FF	DENOTES	FINISHED FLOOR ELEVATION
GF	DENOTES	GARAGE FLOOR ELEVATION
CLF	DENOTES	CHAIN LINK FENCE
BF	DENOTES	BOARD FENCE
WV	DENOTES	WATER VALVE
∅	DENOTES	DIAMETER

THIS PLAN WAS PREPARED FOR ROB CARDILLO AND THE UNDERSIGNED ASSUMES NO RESPONSIBILITY FOR USE BY OTHER PARTIES.

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 JANUARY 29, 2020.

FEBRUARY 11, 2020

Matthew Di Cosmo
 MATTHEW DI COSMO
 ONTARIO LAND SURVEYOR

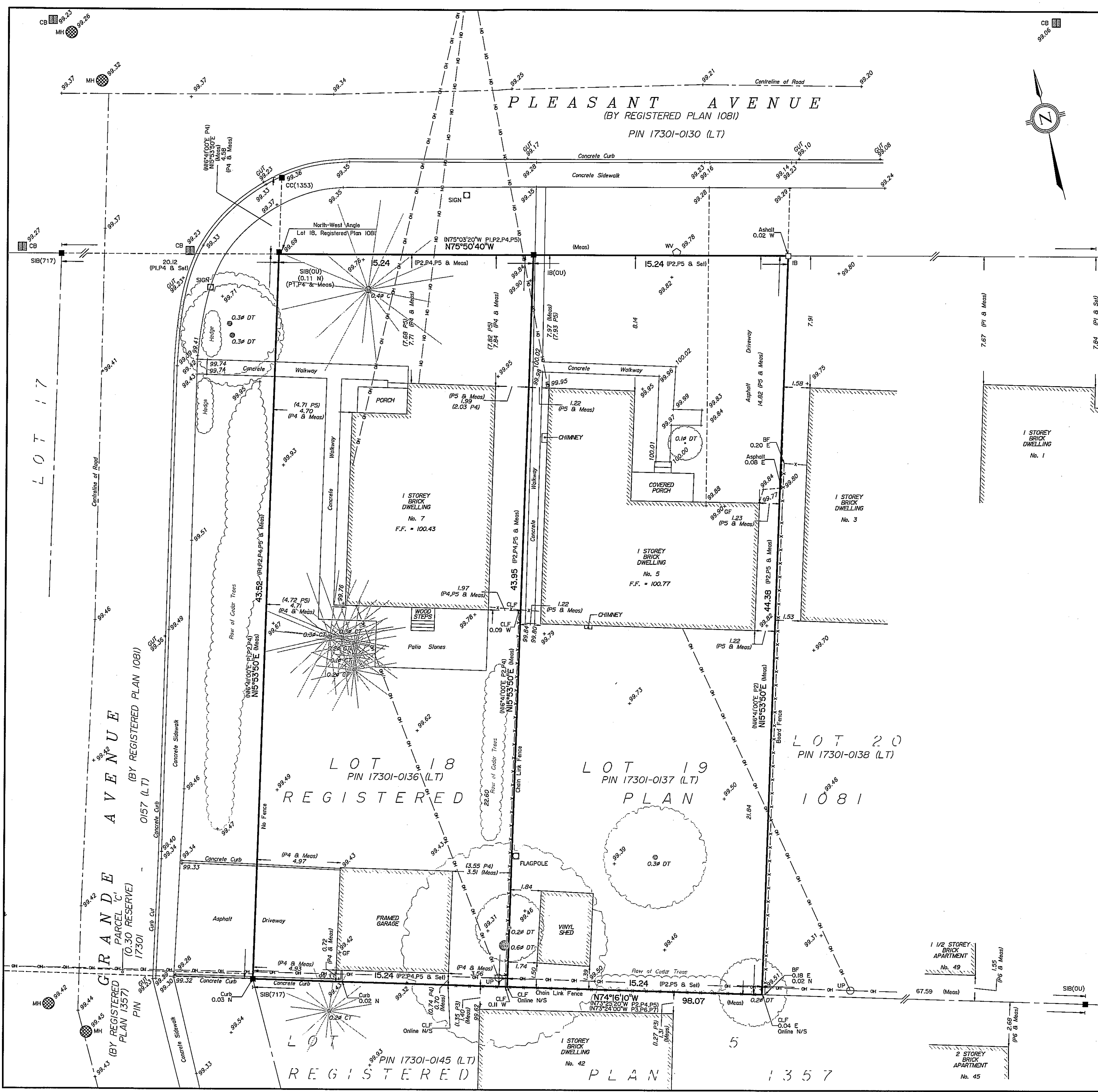
Barich Grenkie
Surveying Ltd.
 297 HWY No. 8 (UNIT 101) - STONEY CREEK, ON
 L8G 1E5 (905) 662-6767

DWN BY: EWA

CHK BY: MD

JOB No. 20-2610

A DIVISION OF GEOMAPLE



Z:\66492\66492\Subs_2020\20-2610 - 5 & 7 Phasal Avenue, Stoney Creek\Surveying\1081\TPO.dwg



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
Registered Owners(s)	Robert Cardillo & Antonella Nucci	[REDACTED]	Business [REDACTED] Fax: () [REDACTED] E-mail: [REDACTED]
Applicant(s)*	Urban in Mind Terrance Glover	[REDACTED]	Business [REDACTED] Fax: () [REDACTED] E-mail: [REDACTED]
Agent or Solicitor	Urban in Mind Terrance Glover	[REDACTED]	Business [REDACTED] Fax: () [REDACTED] E-mail: [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 City of Hamilton	Lot 19	Concession	Former Township Stoney Creek
Registered Plan N°. 1081	Lot(s)	Reference Plan N°.	Part(s)
Municipal Address 5 Pleasant Ave, Stoney Creek			Assessment Roll N°. 251800338006400

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:

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):**

- | | |
|---|--|
| <input type="checkbox"/> creation of a new lot | Other: <input type="checkbox"/> a charge |
| <input type="checkbox"/> creation of a new non-farm parcel
(i.e. a lot containing a surplus farm dwelling
resulting from a farm consolidation) | <input type="checkbox"/> a lease |
| <input type="checkbox"/> addition to a lot | <input type="checkbox"/> a correction of title |
| | <input type="checkbox"/> an easement |

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

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**:

Frontage (m)	Depth (m)	Area (m ² or ha)
15.24m	44.38 m	672.37 m ²

Existing Use of Property to be severed:

- | | | |
|---|---|-------------------------------------|
| <input checked="" type="checkbox"/> Residential | <input type="checkbox"/> Industrial | <input type="checkbox"/> Commercial |
| <input type="checkbox"/> Agriculture (includes a farm dwelling) | <input type="checkbox"/> Agricultural-Related | <input type="checkbox"/> Vacant |
| <input type="checkbox"/> Other (specify) _____ | | |

Proposed Use of Property to be severed:

- | | | |
|---|---|-------------------------------------|
| <input checked="" type="checkbox"/> Residential | <input type="checkbox"/> Industrial | <input type="checkbox"/> Commercial |
| <input type="checkbox"/> Agriculture (includes a farm dwelling) | <input type="checkbox"/> Agricultural-Related | <input type="checkbox"/> Vacant |
| <input type="checkbox"/> Other (specify) _____ | | |

Building(s) or Structure(s):

Existing: Single Detached Home

Proposed: Single Detached Home

Type of access: (check appropriate box)

- | | |
|---|--|
| <input type="checkbox"/> provincial highway | <input type="checkbox"/> right of way |
| <input type="checkbox"/> municipal road, seasonally maintained | <input type="checkbox"/> other public road |
| <input checked="" type="checkbox"/> municipal road, maintained all year | |

Type of water supply proposed: (check appropriate box)

- | | |
|--|--|
| <input checked="" type="checkbox"/> publicly owned and operated piped water system | <input type="checkbox"/> lake or other water body |
| <input type="checkbox"/> privately owned and operated individual well | <input type="checkbox"/> other means (specify) _____ |

Type of sewage disposal proposed: (check appropriate box)

- | |
|--|
| <input checked="" type="checkbox"/> publicly owned and operated sanitary sewage system |
| <input type="checkbox"/> privately owned and operated individual septic system |
| <input type="checkbox"/> other means (specify) _____ |

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

Frontage (m)	Depth (m)	Area (m ² or ha)
15.24 m	29.18 m	441.7 m ²

Existing Use of Property to be retained:

- | | | |
|---|---|-------------------------------------|
| <input checked="" type="checkbox"/> Residential | <input type="checkbox"/> Industrial | <input type="checkbox"/> Commercial |
| <input type="checkbox"/> Agriculture (includes a farm dwelling) | <input type="checkbox"/> Agricultural-Related | <input type="checkbox"/> Vacant |
| <input type="checkbox"/> Other (specify) _____ | | |

Proposed Use of Property to be retained:

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

Building(s) or Structure(s):

Existing: Single-Detached Home

Proposed: Single-Detached home

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) 'Neighbourhoods' designation on Schedule E

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

The proposed consent application would see two (2) conventional low-density residential lots converted into three (3) low-density residential lots. This proposal is well aligned with the policies of the Official Plan as it seeks to promote intensification within the 'built-up area' in a way that is compatible with the surrounding neighbourhood. Further, the proposal would increase the number of housing options within an established neighborhood and to help to promote the efficient use of existing infrastructure.

5.2 What is the existing zoning of the subject land?

If the subject land is covered by a Minister's zoning order, what is the Ontario Regulation Number? The Land are currently zones as 'R2'

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 type="checkbox"/>	
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 _____
- 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?
General knowledge of long-term existing use on site.
- 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

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

Appropriate scale of infill development within an established neighbourhood

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

Wise use of existing infrastructure and municipal services within a built-up area

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

Wise use of existing infrastructure and municipal services within a built-up area

- 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?
-

- 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 _____ Status _____

10 RURAL APPLICATIONS

- 10.1 **Rural Hamilton Official Plan Designation(s)**

- | | | |
|--|-------------------------------------|---|
| <input type="checkbox"/> Agricultural | <input type="checkbox"/> Rural | <input type="checkbox"/> Specialty Crop |
| <input type="checkbox"/> Mineral Aggregate Resource Extraction | <input type="checkbox"/> Open Space | <input type="checkbox"/> Utilities |
| <input type="checkbox"/> 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)

- | | |
|--|---------------------------|
| <input type="checkbox"/> Agricultural Severance or Lot Addition | } (Complete Section 10.3) |
| <input type="checkbox"/> Agricultural Related Severance or Lot Addition | |
| <input type="checkbox"/> Rural Resource-based Commercial Severance or Lot Addition | |
| <input type="checkbox"/> Rural Institutional Severance or Lot Addition | |



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.

FOR OFFICE USE ONLY.	
APPLICATION NO. _____	DATE APPLICATION RECEIVED _____
PAID _____	DATE APPLICATION DEEMED COMPLETE _____
SECRETARY'S SIGNATURE _____	

CITY OF HAMILTON
COMMITTEE OF ADJUSTMENT
HAMILTON, ONTARIO

The Planning Act

Application for Minor Variance or for Permission

The undersigned hereby applies to the Committee of Adjustment for the City of Hamilton under Section 45 of the *Planning Act*, R.S.O. 1990, Chapter P.13 for relief, as described in this application, from the Zoning By-law.

- Name of Owner Robert Cardillo & Antonella Nucci Telephone No. [REDACTED]
FAX NO. _____ E-mail address. [REDACTED]
- Address [REDACTED]
Postal Code [REDACTED]
- Name of Agent Terrance Glover Telephone No. [REDACTED]
FAX NO. _____ E-mail address. [REDACTED]
- Address [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:

RBC Royal Bank Postal Code _____
Toronto

Postal Code _____

6. Nature and extent of relief applied for:

Regulations	R2 Zoning	Proposed 5 Pleasant Ave Conditions	Proposed 7 Pleasant Ave Conditions	Proposed New Lot Conditions (44 Grande Ave)
Min. Lot Area	505 m ²		436.8 m ²	
Corner Lot	460 m ²	441.7 m ²		450.0 m ²
Interior Lot				
Min. Lot Frontage	16.5 m		15.24 m	
Corner Lot	15.0 m	15.24 m		15.0 m
Interior Lot				
Min. Front Yard	6.0 m	7.97 m	7.71 m	6.0 m
Min. Rear Yard	7.5 m	6.65 m	7.5 m	7.5 m
Min. Side Yard ***	1.25 m	1.22 m	1.97 m	1.0 m
Max. Building Height	11.0 m	4 m	4 m	4 m
Max. Lot Coverage	40 %	29.6 %	24.5 %	40%
Parking	2 / Unit	2	2	2

The applicant is requesting relief from ZB 3692-92 Part 6.3 Single Residential "R2" Zone as part of a consent application to support the creation of new development parcel fronting onto Grande Ave.

*The variance(s) that are highlighted in yellow apply to 5 Pleasant Ave.

Variance(s) Requested:

- To reduce the Corner Lot 'Minimum Lot Area' from 505 m² to 436.8 m² (Applicable to 7 Pleasant Ave)
- To reduce the Interior Lot 'Minimum Lot Area' from 460 m² to 441.7 m². (Applicable to 5 Pleasant Ave)
- To reduce the Corner Lot 'Minimum Lot Frontage' from 16.5 m to 15.24 m. (Applicable to 7 Pleasant Ave)
- To reduce the 'Minimum Rear Yard' from 7.5 m to 6.65 m. (Applicable to 5 Pleasant Ave)
- To reduce the 'Minimum Side Yard' from 1.25 m to 1.22 m. (Applicable to 5 Pleasant Ave & the proposed new lot)

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

5 Pleasant Ave is an existing residential lot within an established neighbourhood. The applicant is creating an opportunity for infill development within the confines of an existing lot of record.

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

Registered Plan N^o: 1081
Lot: 19

9. PREVIOUS USE OF PROPERTY

Residential Industrial Commercial

Agricultural Vacant

Other _____

9.1 If Industrial or Commercial, specify use

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

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?

This information is based on the long term residential use of the subject lands and likely the agricultural use prior to development.

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.

Nov 1 / 2020
Date

Robert Cardillo / Antonella Nacci
Print Name of Owner

10. Dimensions of lands affected:

Frontage	<u>15.24 m</u>
Depth	<u>19.18 m</u>
Area	<u>441.7 m²</u>
Width of street	<u>20 m</u>

11. Particulars of all buildings and structures on or proposed for the subject lands:

(Specify ground floor area, gross floor area, number of stories, width, length, height, etc.)

Existing:

1 storey single-detached residential dwelling with a building footprint approximately 131 m² (to be retained).

Proposed:

12. Location of all buildings and structures on or proposed for the subject lands;

(Specify distance from side, rear and front lot lines)

Existing:

Front Yard Setback: 7.97 m, Rear Yard: 6.65 m, Interior Side Yard, 1.22, Lot Area: 441.7 m² (post-severance conditions).

Proposed:

13. Date of acquisition of subject lands:

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

 Unknown (Likely 1960's)
15. Existing uses of the subject property: Residential

16. Existing uses of abutting properties: Residential

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

 Unknown
18. Municipal services available: (check the appropriate space or spaces)
 Water _____ Connected Yes _____
 Sanitary Sewer _____ Connected Yes _____
 Storm Sewers _____
19. Present Official Plan/Secondary Plan provisions applying to the land:
 Neighbourhoods' designation on Schedule E - Urban Structure

20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
 Under the former municipality of Stoney Creek, the subject property is

 zoned 'Residential' (R2) ZB 3692-92
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 _____ 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



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.:
----------------------------	-----------------------------------	-----------------	-----------

1 APPLICANT INFORMATION

1.1, 1.2	NAME	ADDRESS	PHONE/FAX
Registered Owners(s)	Isimat Properties Inc. Attn: Mr. Rob Cardillo	[REDACTED]	Business [REDACTED] Fax: () [REDACTED] E-mail: [REDACTED]
Applicant(s)*	Urban in Mind Terrance Glover	[REDACTED]	Business [REDACTED] Fax: () [REDACTED] E-mail: [REDACTED]
Agent or Solicitor	Urban in Mind Terrance Glover	[REDACTED]	Business [REDACTED] Fax: () [REDACTED] E-mail: [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 City of Hamilton	Lot 19	Concession	Former Township Stoney Creek
Registered Plan N°. 1081	Lot(s)	Reference Plan N°.	Part(s)
Municipal Address 7 Pleasant Ave, Stoney Creek			Assessment Roll N°. 251800338006400

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:

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:

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**:

Frontage (m)	Depth (m)	Area (m ² or ha)
15.24m	45.52 m	666.13 m ²

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: Single Detached Home

Proposed: Single Detached Home

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 ² or ha)
15.24 m	28.52 m	436.8 m ²

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
- Agriculture (includes a farm dwelling)
- Other (specify) _____
- Industrial
- Agricultural-Related
- Commercial
- Vacant

Building(s) or Structure(s):

Existing: Single-Detached Home

Proposed: Single-Detached home

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) 'Neighbourhoods' designation on Schedule E

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

The proposed consent application would see two (2) conventional low-density residential lots converted into three (3) low-density residential lots. This proposal is well aligned with the policies of the Official Plan as it seeks to promote intensification within the 'built-up area' in a way that is compatible with the surrounding neighbourhood. Further, the proposal would increase the number of housing options within an established neighborhood and to help to promote the efficient use of existing infrastructure.

5.2 What is the existing zoning of the subject land?

If the subject land is covered by a Minister's zoning order, what is the Ontario Regulation Number? The Land are currently zones as 'R2'

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 type="checkbox"/>	
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 _____
- 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?

 General knowledge of long-term existing use on site.
- 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

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

Appropriate scale of infill development within an established neighbourhood

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

Wise use of existing infrastructure and municipal services within a built-up area

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

Wise use of existing infrastructure and municipal services within a built-up area

- 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)



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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 Isimat Properties Inc. Telephone No. [REDACTED]
Attn: Mr. Rob Cardillo FAX NO. _____ E-mail address. [REDACTED]
2. Address [REDACTED] Postal Code [REDACTED]
3. Name of Agent Terrance Glover Telephone No. [REDACTED]
 FAX NO. _____ E-mail address. [REDACTED]
4. Address [REDACTED] Postal Code [REDACTED]

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:

TD Canada Trust Postal Code _____
Toronto

Postal Code _____

6. Nature and extent of relief applied for:

Regulations	R2 Zoning	Proposed 5 Pleasant Ave Conditions	Proposed 7 Pleasant Ave Conditions	Proposed New Lot Conditions (44 Grande Ave)
Min. Lot Area				
Corner Lot	505 m ²		436.8 m ²	
Interior Lot	460 m ²	441.7 m ²		450.0 m ²
Min. Lot Frontage				
Corner Lot	16.5 m		15.24 m	
Interior Lot	15.0 m	15.24 m		15.0 m
Min. Front Yard	6.0 m	7.97 m	7.71 m	6.0 m
Min. Rear Yard	7.5 m	6.65 m	7.5 m	7.5 m
Min. Side Yard ***	1.25 m	1.22 m	1.97 m	1.0 m
Max. Building Height	11.0 m	4 m	4 m	4 m
Max. Lot Coverage	40 %	29.6 %	24.5 %	40%
Parking	2 / Unit	2	2	2

The applicant is requesting relief from ZB 3692-92 Part 6.3 Single Residential "R2" Zone as part of a consent application to support the creation of new development parcel fronting onto Grande Ave.

*The variance(s) that are highlighted in yellow apply to 7 Pleasant Ave.

Variance(s) Requested:

- To reduce the Corner Lot 'Minimum Lot Area' from 505 m² to 436.8 m² (Applicable to 7 Pleasant Ave)
- To reduce the Interior Lot 'Minimum Lot Area' from 460 m² to 441.7 m² (Applicable to 5 Pleasant Ave)
- To reduce the Corner Lot 'Minimum Lot Frontage' from 16.5 m to 15.24 m. (Applicable to 7 Pleasant Ave)
- To reduce the 'Minimum Rear Yard' from 7.5 m to 6.65 m. (Applicable to 5 Pleasant Ave)
- To reduce the 'Minimum Side Yard' from 1.25 m to 1.22 m. (Applicable to 5 Pleasant Ave & the proposed new lot)

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

7 Pleasant Ave is an existing residential lot within an established neighbourhood. The applicant is creating an opportunity for infill development within the confines of an existing lot of record.

8. Legal description of subject lands (registered plan number and lot number or other legal description and where applicable, street and street number): Registered Plan N^o: 1081 Lot: 19

9. PREVIOUS USE OF PROPERTY

Residential Industrial Commercial

Agricultural Vacant

Other _____

9.1 If Industrial or Commercial, specify use

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

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?

This information is based on the long term residential use of the subject lands and likely the agricultural use prior to development.

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.

Nov 1/2020
Date

Signature Property Owner

ISimat Properties Inc
Print Name of Owner

10. Dimensions of lands affected: (Post Severance Conditions)

Frontage	<u>15.24 m</u>
Depth	<u>28.52 m</u>
Area	<u>436.8 m²</u>
Width of street	<u>20 m</u>

11. Particulars of all buildings and structures on or proposed for the subject lands: (Specify ground floor area, gross floor area, number of stories, width, length, height, etc.)

Existing:

1 storey single-detached residential building with an approximate building footprint of of 107.2 m² (to be retained).

Proposed:

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

Existing:

Front Yard Setback: 7.71 m, Rear yard: 7.5 m, Interior Side Yard: 1.97 m, Exterior Side Yard: 4.71 m, Lot Area: 436.8 m² (post-severance conditions)

Proposed:

13. Date of acquisition of subject lands:
 Unkown _____
14. Date of construction of all buildings and structures on subject lands:
 Unkown (likely 1960s) _____
15. Existing uses of the subject property: Residential _____

16. Existing uses of abutting properties: Residential _____

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

18. Municipal services available: (check the appropriate space or spaces)
 Water _____ x _____ Connected Yes _____
 Sanitary Sewer _____ x _____ Connected Yes _____
 Storm Sewers _____ x _____
19. Present Official Plan/Secondary Plan provisions applying to the land:
 'Neighbourhoods' designation on Schedule E - Urban Structure _____

20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
 The subject property is zoned 'Residential' (R2) ZB 3692-92 _____

21. Has the owner previously applied for relief in respect of the subject property?
 Yes _____ No x _____
 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 x _____ 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



Professional Urban Planning, Land Development & CPTED Consultants

Urban in Mind
3370 South Service Road, Unit 103
Burlington, ON L7N 3M6
www.UrbaninMind.ca

Date: November 4, 2020

To: City of Hamilton Planning Department

**RE: Application Submission Package for 5 Pleasant Ave.
Consent and Minor Variance(s)**

Urban in Mind is submitting the following package to fulfill the application submission requirements for a Consent and Minor Variance(s) for 5 Pleasant Ave in Stoney Creek.

Hard copies of the following have been included in this package:

Application Forms

- 5 Pleasant Ave Consent Application Form (2 copies)
- 5 Pleasant Ave Minor Variance Application Form (2 copies)

Cheques

- \$6147 Cheque (to cover the Consent and Minor Variance application fees for 5 Pleasant Ave)

Drawings

- Severance Sketch (1 copy in full scale size, 3 copies in 8.5 x 11 inches)
- Concept Site Plan (1 copy in full scale size, 3 copies in 8.5 x 11 inches)
- Survey (1 copy in full scale size, 3 copies in 8.5 x 11 inches)
- Topographic Survey (1 copy in full scale size, 3 copies in 8.5 x 11 inches)

Supporting Documentation

- Planning Justification Report (5 copies)
- Sanitary Servicing Letter (5 copies)

The electronic version of these documents have also been saved on the USB included in this package.

Should there be any concerns with the documents in this package, please reach out to Jacob Dickie at (519) 719-8721.

Best Regards,



Jacob Dickie, BURPI

Planner/Development Coordinator

Urban in Mind, Professional Urban Planning, Land Development & CPTED Consultants

PLANNING JUSTIFICATION REPORT – CONSENT, MINOR VARIANCE(S) AND SITE PLAN APPROVAL

OCTOBER 29, 2020

5 AND 7 PLEASANT AVE
STONEY CREEK, ON



Prepared by:

Urban in Mind,
Professional Urban Planning, Land Development & CPTED Consultants
www.UrbanInMind.ca

(905) 320-8120



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1.0 Introduction:

Urban in Mind has been retained by the Owner of 5 and 7 Pleasant Ave to obtain a consent and minor variance(s) to facilitate the creation of one (1) new development parcel from the two (2) subject properties. The newly created lot will permit the construction of a single detached home in character with the surrounding development of the neighbourhood.

In order to facilitate the creation of a new development parcel, a minor variance(s) for a (reduced lot size, rear yard and side yard) will be required for the existing homes of 5 and 7 Pleasant Ave to bring the proposed development into compliance with current planning policies. As part of the minor variance(s), the Owner is seeking relief from the Stoney Creek Zoning By-law 3692-92, as amended, as follows in **Table 1**:

Table 1:

Regulations	R2 Zoning	Proposed 5 Pleasant Ave Conditions	Proposed 7 Pleasant Ave Conditions	Proposed New Lot Conditions (44 Grande Ave)
Min. Lot Area				
Corner Lot	505 m ²		436.8 m ²	
Interior Lot	460 m ²	441.7 m ²		460.0 m ²
Min. Lot Frontage				
Corner Lot	16.5 m		15.24 m	
Interior Lot	15.0 m	15.24 m		15.0 m
Min. Front Yard	6.0 m	7.97 m	7.71 m	6.0 m
Min. Rear Yard	7.5 m	6.65 m	7.5 m	7.5 m
Min. Side Yard ***	1.25 m	1.22 m	1.97 m	1.0 m
Max. Building Height	11.0 m	4 m	4 m	4 m
Max. Lot Coverage	40 %	29.6 %	24.5 %	40%
Parking	2 / Unit	2	2	2

*** Subject to 6.3.3.d of Zoning By-Law 3692-92

Variance(s) Requested:

1. To reduce the Corner Lot 'Minimum Lot Area' from 505 m² to 436.8 m²
(Applicable to 7 Pleasant Ave)
2. To reduce the Interior Lot 'Minimum Lot Area' from 460 m² to 441.7 m².
(Applicable to 5 Pleasant Ave)
3. To reduce the Corner Lot 'Minimum Lot Frontage' from 16.5 m to 15.24 m.
(Applicable to 7 Pleasant Ave)
4. To reduce the 'Minimum Rear Yard' from 7.5 m to 6.65 m.
(Applicable to 5 Pleasant Ave)
5. To reduce the 'Minimum Side Yard' from 1.25 m to 1.22 m.
(Applicable to 5 Pleasant Ave & the proposed new lot)

1.1 Purpose of this Report:

This Report's purpose is to outline the proposed development, evaluate the development in context with applicable planning policies and regulations, and provide sound justification for the approval of the requested Consent, Minor Variance(s) and Site Plan Approval.

2.0 Subject Properties (Site Context):

2.1 5 & 7 Pleasant Ave:

The subject properties are municipally known as 5 and 7 Pleasant Ave in Hamilton (Stoney Creek), Ontario (**Figure 1**) and are located at the southeast corner of Pleasant Ave and Grande Ave.

5 Pleasant Ave, hereafter known as Subject Property 'A', is a rectangular lot with 15.24 metres (50.0 feet) of frontage along Pleasant Ave and a depth of 44.38 metres (145.6 feet) for a total lot area of 672.37 m² (0.16 acres, 0.07 ha). The property is occupied by one (1) single-detached, brick dwelling with an attached single bay garage. There is an accessory storage shed in the rear yard. Landscaping in the front yard is limited to shrubs and flowers contained within landscaping beds. The front yard consists of two deciduous trees. The property has a double wide driveway providing access onto Pleasant Ave, suitable for parking approximately four cars.

7 Pleasant Ave, hereafter known as Subject Property 'B', is a corner lot, rectangular in shape with 15.24 metres (50.0 feet) of frontage along Pleasant Ave and contains an exterior side yard of 43.52 metres (142.78 feet) for a total lot area of 666.13 m² (0.16 acres, 0.07 ha). The property is occupied by one (1) single-detached, brick dwelling with a detached garage located to the rear of the property. The double wide driveway offers site access to Grande Ave with parking for two cars in the driveway. Landscaping in the front yard consists of shrubbery, a large pine tree and a mature birch. Along the exterior side yard is a mature cedar hedge row. The rear yard contains a mature cedar hedge row along the interior side yard and one mature deciduous tree.

It is the intent of the consent application for both 5 and 7 Pleasant Ave to sever their respective rear yard areas of both parcels and merge them together to create one (1) new development parcel. The owner of 5 and 7 Pleasant Ave (same owner), will retain the existing homes as they are and develop a new dwelling on the proposed new lot. The newly created parcel will be in the form of a single detached home that is in character with the adjacent and surrounding homes of the neighbourhood. The existing detached garage in the current rear of 7 pleasant Ave and the accessory structure in the current rear of 5 Pleasant Ave will be removed at part of a future development application.

Figure 1 – Air photo of 5 and 7 Pleasant Ave, Stoney Creek, Ontario.



2.2 Surrounding Land Uses:

The subject properties (**Figure 2: 5 Pleasant Ave & Figure 3: 7 Pleasant Ave**) are located at the south east corner of Pleasant Ave and Grande Ave. The immediate surrounding land uses include the following:

- North** – single detached homes (6, 8, 10 Pleasant Ave) **(Figure 3);**
- East** – single-detached home (3 Pleasant Ave) **(Figure 4);**
- South** – single-detached dwelling (42 Grande Ave) **(Figure 5)**
- West** – single-detached dwelling (9 Pleasant Ave) **(Figure 6);**

Figure 2 – street view of 5 Pleasant Ave, a single storey detached brick dwelling and garage.



Figure 3 – street view of 7 Pleasant Ave, a single detached brick dwelling.



Figure 4 – street view of 6, 8, 10 Pleasant Ave. (to the north of subject properties), single storey detached brick homes.

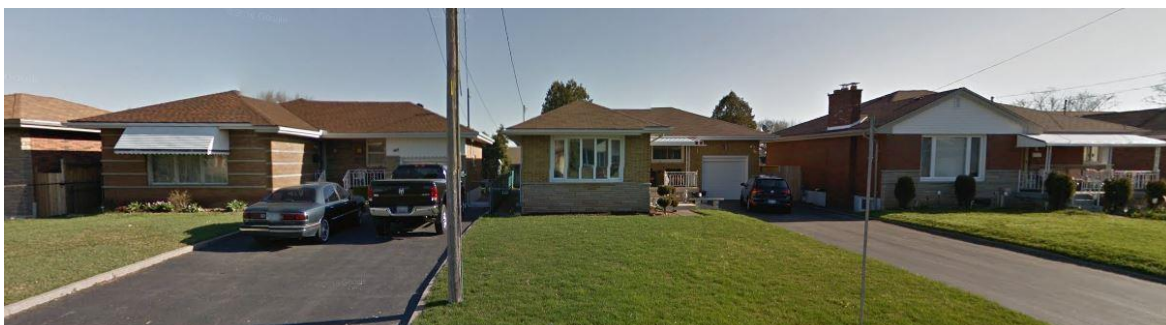


Figure 5 – street view of 3 Pleasant Ave, to the east of the subject properties, a one-storey single detached brick home.



Figure 6 – street view of 42 Grande Ave, to the south of the subject properties, a one-storey detached brick dwelling and garage.



Figure 7 – Street view of the 9 Pleasant Ave, to the west of the subject properties, a one-storey detached brick residential dwelling.



As shown above, the surrounding area is occupied by traditional low-density development in which the homes were all built around the same time, with similar styles of construction. The majority of the homes are of a one-storey ranch style or elevated ranch style construction, with some 1.5 and 2 storey homes mixed into the neighbourhood. The neighbourhood also includes some back / side splits and occasionally, a few two storey homes. The subject properties (A & B) are typical lots for the area that are on full municipal services.

3.0 Proposed Development & Planning Applications:

The subject properties consist of one-storey homes, which are typical for the area. The owner is applying for consent to sever the rear yards of both 5 and 7 Pleasant Ave, then merging the severed portions to create one (1) new residential development lot that fronts onto Grande Ave (**Figures 8 & 9**). As mentioned, the existing garage in the rear of 7 Pleasant Ave and the accessory building in the rear yard of 5 Pleasant Ave will be removed in preparation for the construction of a new residential dwelling on the newly created lot.

A minor variance(s) for each of the parcels will be required to bring the development into compliance with the 'R2' zoning regulations as outlined in (**Table 1**). Each of the development parcels have a slightly reduced lot area. 5 Pleasant Ave (subject property 'A;') will also require a reduced side yard to accommodate the existing conditions on site (**Figure 9**). The requested consent and minor variance(s) will permit the construction of single detached infill of an appropriate scale in line with the surrounding single detached homes in the neighbourhood. All other zoning regulations and standards of the 'R2' zone designation can be achieved.

Variance(s) Requested:

1. To reduce the Corner Lot 'Minimum Lot Area' from 505 m² to 436.8 m²
(Applicable to 7 Pleasant Ave)
2. To reduce the Interior Lot 'Minimum Lot Area' from 460 m² to 441.7 m².
(Applicable to 5 Pleasant Ave)
3. To reduce the Corner Lot 'Minimum Lot Frontage' from 16.5 m to 15.24 m.
(Applicable to 7 Pleasant Ave)
4. To reduce the 'Minimum Rear Yard' from 7.5 m to 6.65 m.
(Applicable to 5 Pleasant Ave)
5. To reduce the 'Minimum Side Yard' from 1.25 m to 1.22 m.
(Applicable to 5 Pleasant Ave & the proposed new lot)

Figure 8 – Severance Sketch

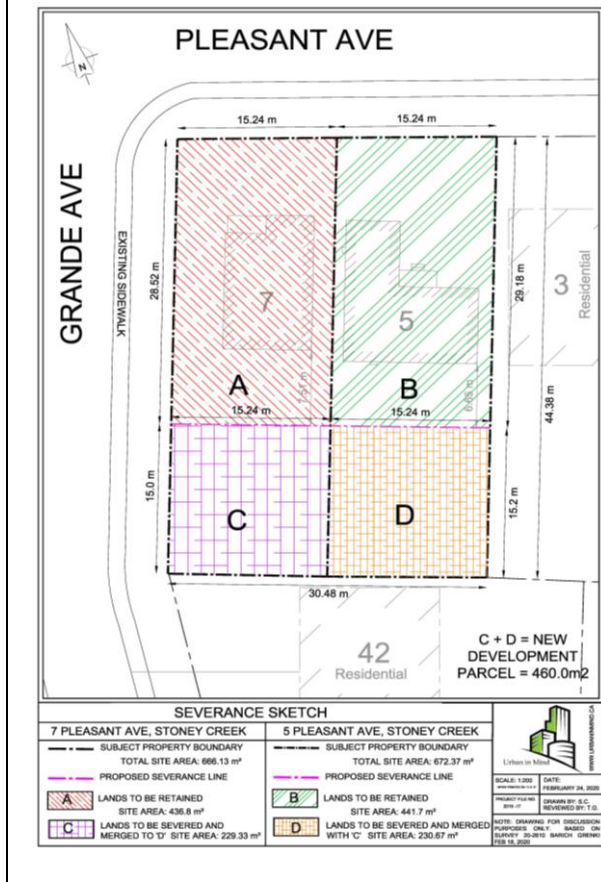
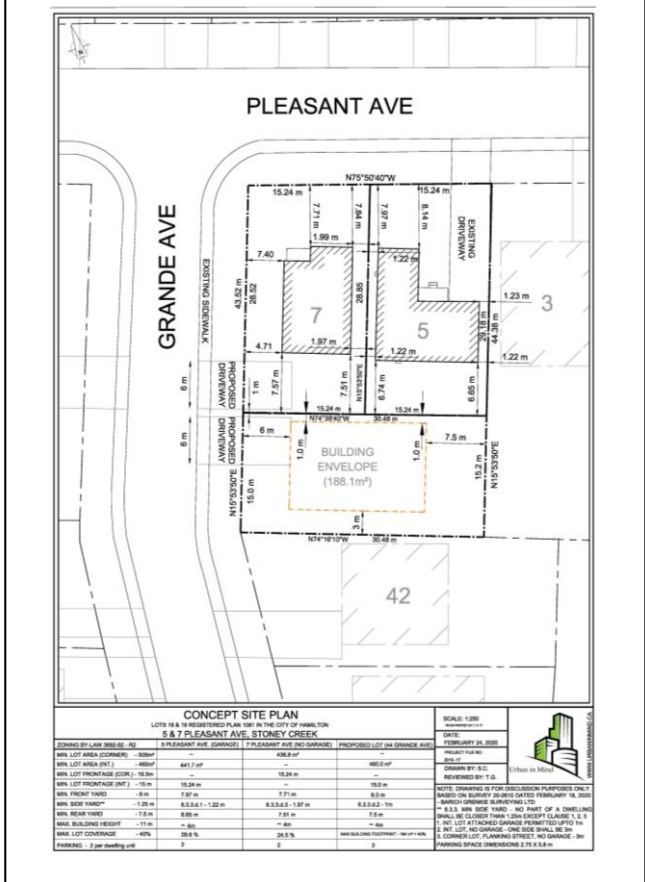


Figure 9 – Site Plan



4.0 Development Considerations:

4.1 Neighbourhood Character:

The area surrounding the subject properties is a typical 1960's style low-density residential neighbourhood that is comprised of well-maintained homes. Pleasant Ave and Grande Ave are both considered local roads, typically servicing only residents that live on either of these streets. The neighbourhood is comprised mainly of 1 – 1.5 storey homes with the odd two storey home scattered throughout. This residential neighbourhood is considered to be \ very walkable and is within 5-15 minutes (walking) to many retail, restaurant, personal service, and institutional uses. Retail options include grocery, banking, restaurants, personal services, big box stores, parks, schools, a sports complex and even a hospital. As a result, the neighbourhood is a very desirable location within Stoney Creek to live. Even though, the area has experienced very little change over the years, there are numerous opportunities for appropriate infill development and residential intensification such as the one being proposed.

In addition, Provincial and Regional policies encourage the intensification and infill of properties within the City's Urban Boundary. The proposed development will help to meet the City's intensification target as outlined in the Province's Growth Plan, while also providing for new residential units in this part of the City, thereby increasing options for local housing.

4.2 Transportation:

Both Pleasant Ave and Grande Ave are considered local roads and experience low volumes of traffic. The introduction of one (1) additional low density residential home into the neighbourhood will not have any significant impact on traffic flows within the neighbourhood.

There are no public transit routes running within the interior of this neighbourhood, however Route 58 and Route 77 run down Centennial Parkway, just meters away from the site, and provides connections to Hamilton Transit and GO Transit Systems (**Figure 10**).

Figure 10 – Public Transit



The surrounding area is predominately residential with commercial services available within walking distance at Queenston Road to the north and King Street West to the south of the subject properties.

4.3 Impact of Proposed Development:

The proposed consent/severance application(s) would see two (2) conventional low-density residential lots converted into three (3) low-density residential lots, each capable of supporting a single detached home with adequate private amenity space, parking and connections to municipal services. Given the small scale of the change to the neighbourhood, there should be no negative effects on the neighbourhood, and negligible impacts to the street as a result of the additional dwelling unit.

Appropriate fencing and landscaping will provide a buffer from the proposed development to the existing residential uses. Housing character, lot pattern and lot frontages will be maintained through the proposed consent which will result in little visual impact on streetscape (i.e. reconfiguring of the existing lot frontage). The anticipated finished height of the proposed development shall also be comparable to that of the surrounding houses and within the current permissions of the effective Zoning By-law.

Intensification within established neighbourhoods is generally supported by the provincial and regional policies that support and promote infill and intensification to facilitate efficient and balanced growth. The provincial 'Growth Plan' requires that 50% of residential growth and soon to be 60% by 2031, of residential growth to come from infill and intensification. The transition from two single detached dwellings to create one new lot should have very little if any direct impact on the surrounding or adjacent properties, and will assist the City in creating a more balanced community.

5.0 Existing Planning Policy and Regulatory Framework:

5.1 Provincial Policy Statement (PPS) (2020):

The Provincial Policy Statement (PPS) for the Province of Ontario was recently updated in May 2020. It provides provincial policy direction on matters of provincial interest related to land development under the Planning Act. The Goal of the PPS is to enhance the quality of life for all people living, working and/or playing in Ontario.

Simply put, when municipal governments develop land use policies (e.g. Official Plan, Secondary Plan, Zoning By-law, Site Plan, etc.) or consider planning applications under these policies, the PPS must first be considered.

Any contradiction of the PPS in terms of a development application will likely be denied as all development applications and government land use policies **MUST** conform to the PPS.

Applicable policies from the Provincial Policy Statement have been included as follows:

“1.1.2 Sufficient land shall be made available to accommodate an appropriate range and mix of land uses to meet projected needs for a time horizon of up to 25 years, informed by provincial guidelines. However, where an alternate time period has been established for specific areas of the Province as a result of a provincial planning exercise or a provincial plan, that time frame may be used for municipalities within the area.

Within settlement areas, sufficient land shall be made available through intensification and redevelopment and, if necessary, designated growth areas.

Nothing in policy 1.1.2 limits the planning for infrastructure, public service facilities and employment areas beyond a 25-year time horizon.

1.1.3 Settlement Areas

1.1.3.1 Settlement areas shall be the focus of growth and development.

1.1.3.2 Land use patterns within *settlement areas* shall be based on densities and a mix of land uses which:

- a) efficiently use land and resources;
- b) are appropriate for, and efficiently use, the *infrastructure* and *public service facilities* which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;’
- c) support *active transportation*;
- d) are *transit-supportive*, where transit is planned, exists or may be developed; and
- b) a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3, where this can be accommodated.

- 1.1.3.3 Planning authorities shall identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.
- 1.1.3.4 Appropriate development standards should be promoted which facilitate *intensification*, *redevelopment* and compact form, while avoiding or mitigating risks to public health and safety.
- 1.1.3.7 Planning authorities shall establish and implement phasing policies to ensure:
- a) that specified targets for *intensification* and *redevelopment* are achieved prior to, or concurrent with, new development within *designated growth areas*; and
 - b) the orderly progression of development within *designated growth areas* and the timely provision of the *infrastructure* and *public service facilities* required to meet current and projected needs.

1.4 Housing

- 1.4.3 Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area by:
- b) permitting and facilitating:
 - 1. all housing options required to meet the social, health, economic and well-being requirements of current and future residents, including special needs requirements and needs arising from demographic changes and employment opportunities; and
 - 2. all types of residential intensification, including additional residential units, and redevelopment in accordance with policy 1.1.3.3;
 - c) directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;
 - d) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed;
 - e) requiring transit-supportive development and prioritizing intensification, including potential air rights development, in proximity to transit, including corridors and stations; and
 - f) establishing development standards for residential intensification, redevelopment and new residential development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety.”

5.2 **A Place to Grow – Growth Plan for the Greater Golden Horseshoe (2019):**

The 'A Place to Grow Act' is legislation that enables the 'Growth Plan for the Greater Golden Horseshoe' policy. The Growth Plan for the Greater Golden Horseshoe (Growth Plan) policy was originally approved in 2006, updated in June 2019 with the most recent office consolidation being in 2020. Many of the changes to the document include wording updates to the existing Policies, but in many cases reduces the focus of environmental impact on development. These policy updates will be translated into municipal planning documents such as Official Plans and Zoning By-laws as municipalities update their policies.

'A Place to Grow' is a provincial policy that aims to direct growth and development within the Greater Golden Horseshoe area in a way that supports economic prosperity, generally protects the environment and improves the quality of life for all residents. It is the intent of 'A Place to Grow' to structure communities so that a good mix of residential, commercial and industrial opportunities exists, and that increased opportunities for walking, cycling and transit result. It also encourages intensification by directing a significant portion of new growth to the built-up areas of communities.

'A Place to Grow' sets regional standards for growth and development that must be incorporated into both Regional and Local municipal planning documents. The City of Hamilton has already incorporated Growth Plan (2006) policies into their Official Plan and will be updating the current Official Plan in the coming years to reflect the new (2019) Growth Plan policies.

The (2019) Growth Plan update, further enhances the provincial direction to locate new growth within existing settlement areas, support urban intensification, create complete communities, maximize utility efficiency, and encourage transit usage. As such the updated policies further support the official plan amendment, rezoning and development of the subject properties.

Supporting excerpts from the related Growth Plan policy are as follows:

"2.2.1 Managing Growth

1. Population and employment forecasts contained in Schedule 3 or such higher forecasts as established by the applicable upper- or single-tier municipality through its municipal comprehensive review will be used for planning and managing growth in the GGH to the horizon of this Plan in accordance with the policies in subsection 5.2.4.
2. Forecasted growth to the horizon of this Plan will be allocated based on the following:
 - a) the vast majority of growth will be directed to settlement areas that:
 - i. have a *delineated built boundary*;
 - ii. have existing or planned *municipal water and wastewater* systems;
and

- iii. can support the achievement of *complete communities*;
- c) within *settlement areas*, growth will be focused in:
- i. *delineated built-up areas*;
 - ii. *strategic growth areas*;
 - iii. locations with existing or planned transit, with a priority on *higher order transit* where it exists or is planned; and
 - iv. areas with existing or planned *public service facilities*;
- d) development will be directed to *settlement areas*, except where the policies of this Plan permit otherwise;
- e) development will be generally directed away from *hazardous lands*; and
- f) the establishment of new *settlement areas* is prohibited.
3. Upper and single-tier municipalities will undertake integrated planning to manage forecasted growth to the horizon of this Plan, which will:
- a) establish a hierarchy of *settlement areas*, and of areas within *settlement areas*, in accordance with policy 2.2.1.2;
 - b) be supported by planning for *infrastructure* and *public service facilities* by considering the full life cycle costs of these assets and developing options to pay for these costs over the long-term;
 - c) provide direction for an urban form that will optimize *infrastructure*, particularly along transit and transportation corridors, to support the achievement of *complete communities* through a *more compact built form*;
 - d) support the environmental and agricultural protection and conservation objectives of this Plan; and
 - e) be implemented through a *municipal comprehensive review* and, where applicable, include direction to lower-tier municipalities.
4. Applying the policies of this Plan will support the achievement of *complete communities* that:
- a) feature a diverse mix of land uses, including residential and employment uses, and convenient access to local stores, services, and *public service facilities*;
 - b) improve social equity and overall quality of life, including human health, for people of all ages, abilities, and incomes;
 - c) provide a diverse range and mix of housing options, including additional residential units and affordable housing, to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes;

- d) expand convenient access to:
 - i. a range of transportation options, including options for the safe, comfortable and convenient use of *active transportation*;
 - ii. *public service facilities*, co-located and integrated in community hubs;
 - iii. an appropriate supply of safe, publicly-accessible open spaces, parks, trails, and other recreational facilities; and
 - iv. healthy, local, and affordable food options, including through urban agriculture;
- e) provide for a more compact built form and a vibrant public realm, including public open spaces;
- f) mitigate and adapt to the impacts of a changing climate, improve resilience and reduce greenhouse gas emissions, and contribute to environmental sustainability; and
- g) integrate *green infrastructure* and *low impact development*.

2.2.2 Delineated Built-up Areas

1. By the time the next municipal comprehensive review is approved and in effect, and for each year thereafter, the applicable minimum intensification target is as follows:
 - a) A minimum of 50 per cent of all residential development occurring annually within each of the Cities of Barrie, Brantford, Guelph, Hamilton, Orillia and Peterborough and the Regions of Durham, Halton, Niagara, Peel, Waterloo and York will be within the delineated built-up area; and
2. Until the next municipal comprehensive review is approved and in effect, the annual minimum intensification target contained in the applicable upper- or single-tier official plan that is approved and in effect as of July 1, 2017 will continue to apply.
3. All municipalities will develop a strategy to achieve the minimum intensification target and intensification throughout delineated built-up areas, which will:
 - a) identify strategic growth areas to support achievement of the intensification target and recognize them as a key focus for development;
 - b) identify the appropriate type and scale of development and transition of built form to adjacent areas;
 - c) encourage intensification generally throughout the delineated built-up area;
 - d) ensure lands are zoned and development is designed in a manner that supports the achievement of *complete communities*;
 - e) prioritize planning and investment in *infrastructure* and *public service facilities* that will support *intensification*; and

- f) be implemented through official plan policies and designations, updated zoning and other supporting documents.

2.2.6 Housing

1. Upper- and single-tier municipalities, in consultation with lower-tier municipalities, the Province, and other appropriate stakeholders, will:
 - a) support housing choice through the achievement of the minimum intensification and density targets in this Plan, as well as the other policies of this Plan by:
 - I. identifying a diverse range and mix of housing options and densities, including additional residential units and affordable housing to meet projected needs of current and future residents; and
 - II. establishing targets for *affordable* ownership housing and rental housing;
 - b) identifies mechanisms, including the use of land use planning and financial tools, to support the implementation of policy 2.2.6.1 a);
 - c) align land use planning with applicable housing and homelessness plans required under the Housing Services Act, 2011;
 - e) implement policy 2.2.6.1 a), b), c) and d) through official plan policies and designations and zoning by-laws.
2. Notwithstanding policy 1.4.1 of the PPS, 2020, in implementing policy 2.2.6.1, municipalities will support the achievement of complete communities by:
 - a) planning to accommodate forecasted growth to the horizon of this Plan;
 - b) planning to achieve the minimum intensification and density targets in this Plan;
 - c) considering the range and mix of housing options and densities of the existing housing stock; and
 - d) planning to diversify their overall housing stock across the municipality.
3. To support the achievement of complete communities, municipalities will consider the use of available tools to require that multi-unit residential developments incorporate a mix of unit sizes to accommodate a diverse range of household sizes and incomes.
4. Municipalities will maintain at all times where development is to occur, land with servicing capacity sufficient to provide at least a three-year supply of residential units. This supply will include, and may exclusively consist of, lands suitably zoned for intensification and redevelopment

5.2.4 Growth Forecasts

5. Within delineated built-up areas, municipalities may plan for development beyond the horizon of this Plan for strategic growth areas that are delineated in official plans and subject to minimum density targets, provided that:
 - a) integrated planning for *infrastructure* and *public service facilities* would ensure that the *development* does not exceed existing or planned capacity;

- b) the type and scale of built form for the *development* would be contextually appropriate; and
- c) the *development* would support the achievement of *complete communities*, including a diverse mix of land uses and sufficient open space.

5.2.5 Targets

6. In planning to achieve the minimum intensification and density targets in this Plan, municipalities will develop and implement urban design and site design official plan policies and other supporting documents that direct the development of a high quality public realm and compact built form.”

5.3 **Greenbelt Plan:**

The Greenbelt Act, S.O. 2005, c. 1, as amended, is legislation that enables the “Greenbelt Plan,” as a provincial policy, to preserve agricultural lands, and environmental natural areas in order to encourage a prosperous, and sustainable Ontario.

In June 2017, the Ontario Provincial Government announced minor changes to the Greenbelt Plan that came into effect on July 1, 2017. In general, these changes provide additional clarification to the existing policies, but also enlarge the greenbelt area in specific locations.

The subject properties are designated “Settlement Area Outside the Greenbelt” and as such the policies of Greenbelt Plan **do not apply**. (Appendix ‘A’)

5.4 **Niagara Escarpment Plan:**

The Niagara Escarpment Plan was originally approved on June 12, 1985 and was revised as a result of reviews that were initiated in 1990, 1999, and 2015. The purpose of the Niagara Escarpment Planning and Development Act (NEPDA), R.S.O. 1990, c. N.2 is “To provide for the maintenance of the Niagara Escarpment and land in its vicinity substantially as a continuous natural environment and to ensure only such development occurs as is compatible with that natural environment.” The NEPDA forms the legal basis for the Niagara Escarpment Plan (NEP), and Niagara Escarpment Commission (NEC) operations. It includes procedures for NEP reviews, hearings, amendments and appeals as well regulations for setting out the planning area, and establishing Development Permit requirements and exemptions. The NEPDA also sets out the relationship of the NEP with municipal planning direction, and land use policies of other public bodies.

The Ontario Provincial Government completed minor changes to the Niagara Escarpment Plan that came into effect on June 1, 2017. In general, these changes provide additional clarification to the existing policies. The purpose of this Plan is to provide for the maintenance of the Niagara Escarpment and land in its vicinity substantially as a continuous natural environment, and to ensure only such development occurs as is compatible with that natural environment.

According to the updated Niagara Escarpment Plan (2017), the subject properties are not located within an area controlled by the Niagara Escarpment Plan. As such, Niagara Escarpment protection policies **do not apply** to the subject properties.

5.5 Mid-Peninsula (Niagara to GTA) Highway Corridor:

The Mid-Peninsula (Hwy) Corridor was proposed in the 1950's, and is a planned tract of land that will eventually accommodate a new major highway system that will link Hwy 407, Hwy 403, and Hwy 401 in the Burlington/Hamilton area to a new twinned Peace Bridge crossing at the Canadian/USA Boarder in Fort Erie.

The Mid-Peninsula Corridor project has recently completed Stage 1 of the study (2013). Stage 2 of the study has not yet been initiated; however, it will scope a more detailed corridor, conceptually design transit-ways/linkages and goods movement connections, and conceptually design municipal/regional road connections. The development of this Highway system is not expected for a number of years and is subject to political intervention.

The subject properties are not included in any of the preliminary concept routes for this Mid-Peninsula Highway system. As such, Mid-Peninsula Highway Corridor protection policies **do not apply** to the subject properties.

5.6 Hamilton Conservation Authority:

The subject properties are located within the jurisdiction of the Hamilton Conservation Authority (HCA). However, the subject properties do not fall within any regulated areas of the conservation authority and therefore any development or site alteration of the subject properties **will not require** a conservation development permit (**Appendix 'B'**).

5.7 City of Hamilton Official Plan:

The City of Hamilton 'Urban' Hamilton Official Plan (UHOP) designates the subject properties as being within the 'Urban Boundary' of the City of Hamilton and within the 'Neighbourhoods' designation on Schedule E - Urban Structure (**Appendix 'C'**) of the UHOP. Schedule G – Local Housing market Zones identifies the subject properties as being 'just' within the Stoney Creek Neighbourhood (**Appendix 'D'**).

There are no natural heritage or significant woodland features impacting the subject properties. In addition, the subject properties are not located within any Secondary Plan Areas. Most of the City of Hamilton is considered to be within an area of 'high archaeological potential'. However, the subject properties fall within one of the small pockets identified by the City that **is not** considered to be an area of 'high archaeological potential'.

Both Pleasant Ave and Grande Ave are classified as 'local roads'.

Applicable excerpts from the City of Hamilton Urban Hamilton Official Plan (UHOP), as amended, give context to the planning permissions currently affecting the subject properties. The excerpts are as follow:

‘Chapter A – INTRODUCTION STRATEGIC DIRECTIONS

2.3 Growth Management

The Province of Ontario’s Places to Grow: Growth Plan for the Greater Golden Horseshoe (2006) (Growth Plan), sets out a vision to 2031 for how and how much growth should occur in the Greater Golden Horseshoe (GGH). This area is expected to grow by 3.7 million people by 2031 with Hamilton projecting to take a 1.7% share.

Residential Intensification Target

2.3.3.4 Hamilton is required to plan to achieve a minimum of 40% of all residential development occurring annually within its built-up area by 2015. A total of 26,500 units are to be accommodated within the built-up area between 2001 and 2031. The built-up area for Hamilton is identified on Appendix G.

CHAPTER B – COMMUNITIES

2.1 Urban Boundary

2.1.1 The urban boundary defines the area where all urban development occurs. Lands within the urban boundary are already serviced or planned to be serviced with major roads, transit and full municipal services. The land within the urban boundary includes both the area within the built-up area and greenfield area. Lands within the urban boundary represent a 20-year supply of designated urban land and are intended to accommodate the majority of the City’s projected growth.

2.4 Residential Intensification

Residential intensification is a key component of Hamilton’s growth strategy and is essential to meet our growth and employment targets. Intensification ensures land, urban services and the transportation network are used more efficiently and sufficient population is maintained to support existing community facilities. Successfully accommodating more residents within the existing built-up area reduces the need for development of greenfield lands and urban boundary expansions.

Intensification contributes to creating and maintaining vibrant neighbourhoods, nodes and corridors and can provide a wider range of housing types to meet the housing needs of Hamilton’s current and future population. This Plan supports the intensification of the existing built-up area of the City, with a focus on intensification of planned Urban Nodes and Urban Corridors described in Chapter E – Urban Systems and Designations.

While growth through residential intensification brings many benefits to communities and the City as a whole, it must be recognized that it also brings change in varying degrees across the City. In node and corridor areas targeted to receive intensification, greater changes in built form can be expected to occur.

Residential intensification is a key component in successfully developing and transforming targeted areas of the City. Intensification creates livable, vibrant,

compact communities; facilitates and enhance the node and corridor structure of the City, and makes efficient use of the City's public transit network and other infrastructure. For intensification to make a positive contribution to the City, careful consideration must be given to design and compatibility with existing uses, neighbourhood character, and cultural and natural heritage. Intensification must represent good planning and not cause unacceptable impacts.

General Residential Intensification Policies

- 2.4.1.1** Residential intensification shall be encouraged throughout the entire built-up area in accordance with the policies of Chapter E – Urban Systems and Designations and Chapter F – Implementation.
- 2.4.1.2** The City's primary intensification areas shall be the Urban Nodes and Urban Corridors as illustrated on Schedule E – Urban Structure and as further defined in secondary plans and corridor studies for these areas, included in Volume 2.
- 2.4.1.3** The residential intensification target specified in Policy A.2.3.3.4 shall generally be distributed through the built-up area as follows:
- a)** The Downtown Urban Growth Centre shall be planned to accommodate approximately 20% of the intensification target.
 - b)** The Urban Nodes and Urban Corridors identified in Section E.2.0 - Urban Structure, excluding the Downtown Urban Growth Centre, shall be planned to accommodate approximately 40% of the residential intensification target.
 - c)** 40% of the residential intensification target is anticipated to occur within the Neighbourhoods as illustrated on Schedule E – Urban Structure.
- 2.4.1.4** Residential intensification developments shall be evaluated based on the following criteria:
- a)** a balanced evaluation of the criteria in b) through g) as follows;
 - b)** the relationship of the proposal to existing neighbourhood character so that it maintains, and where possible, enhances and builds upon desirable established patterns and built form;
 - c)** the development's contribution to maintaining and achieving a range of dwelling types and tenures;
 - d)** the compatible integration of the development with the surrounding area in terms of use, scale, form and character. In this regard, the City encourages the use of innovative and creative urban design techniques;
 - e)** the development's contribution to achieving the planned urban structure as described in Section E.2.0 – Urban Structure;
 - f)** infrastructure and transportation capacity; and,
 - g)** the ability of the development to comply with all applicable policies.
- 2.4.2** Residential Intensification in the Neighbourhood Designation

- 2.4.2.1** Residential intensification within lands designated Neighbourhoods identified on Schedule E-1 - Urban Land Use Designations shall comply with Section E.3.0 – Neighbourhoods Designation.
- 2.4.2.2** When considering an application for a residential intensification development within the Neighbourhoods designation, the following matters shall be evaluated:
- a)** the matters listed in Policy B.2.4.1.4;
 - b)** compatibility with adjacent land uses including matters such as shadowing, overlook, noise, lighting, traffic, and other nuisance effects;
 - c)** the relationship of the proposed building(s) with the height, massing, and scale of nearby residential buildings;
 - d)** the consideration of transitions in height and density to adjacent residential buildings;
 - e)** the relationship of the proposed lot(s) with the lot pattern and configuration within the neighbourhood;
 - f)** the provision of amenity space and the relationship to existing patterns of private and public amenity space;
 - g)** the ability to respect and maintain or enhance the streetscape patterns including block lengths, setbacks and building separations;
 - h)** the ability to complement the existing functions of the neighbourhood;
 - i)** the conservation of cultural heritage resources; and,
 - j)** infrastructure and transportation capacity and impacts.

Facilitating Residential Intensification

- 2.4.5** The City shall establish zoning that permits residential intensification generally throughout the built-up area in accordance with this Plan.
- 2.4.6** The City shall prepare detailed design guidelines for residential intensification projects in a variety of contexts.

B.3.0 QUALITY OF LIFE AND COMPLETE COMMUNITIES

Complete communities provide convenient access to a mix of jobs, local services and shops, a full range of housing and community facilities such as schools, recreation facilities, open space, health care facilities, cultural facilities, and more. Complete communities enable residents to meet most of their daily needs within a short distance from their homes, facilitating ease of access and use of public transit and active modes of transportation.

Land Use and Infrastructure

- 3.1.1** The City shall strengthen its economy by:
- a)** directing business activity to suitable locations as identified on Schedules E - Urban Structure and E-1 – Urban Land Use Designations;
 - b)** preparing a new comprehensive Zoning By-law to implement the policies of the Official Plan;

- c) encouraging improved urban design and quality architecture, as well as improving the urban design elements of the public realm.

3.2.1 Urban Housing Goals

The following goals shall apply in the urban area:

- 3.2.1.1 Provide for a range of housing types, forms, and densities to meet the social, health and well-being requirements of all current and future residents.
- 3.2.1.2 Provide housing within complete communities.
- 3.2.1.5 Maintain a balance of primary rental and ownership housing stock as outlined in the Affordable Housing Strategy.
- 3.2.1.6 Increase the mix and range of housing types, forms, tenures, densities, affordability levels, and housing with supports throughout the urban area of the City.
- 3.2.2.1 In addition to projected housing needs based on population forecasts in Table B.3.2.1 – Housing Targets, the City has a substantial existing shortage of affordable rental housing. In particular, 12,650 renter households (1 in 5) are currently paying more than 50% of their income on rent (2006 Census) and are at risk of homelessness. This need shall be addressed through a target of 1,265 new annual rent supplements/housing allowances, over a period of ten years (2006 to 2016), in addition to the targets for future new rental housing shown in Table B.3.2.1 – Housing Targets. This need will require sustainable and predictable funding from senior levels of government to be met.

3.2.4 General Policies for Urban Housing

- 3.2.4.1 The development of a full range of housing forms, types, and densities shall be provided for and promoted throughout the City of Hamilton through residential intensification and new development. A full range of housing forms, types, and densities means the full spectrum of physical housing types including single detached dwellings, semi-detached dwellings, duplexes, townhouses of various types (street, block, stacked), apartments and other forms of multiple dwellings, and lodging houses, built at a range of densities.
- 3.2.4.2 The development of housing with a full range of tenure, affordability, and support services shall be provided for and promoted throughout the City. Where there are documented unmet needs for housing tenure, affordability levels or support services, priority shall be given to development applications that help meet those needs. Housing with a full range of tenure, affordability and support services in a full range of built housing forms means both ownership and primary rental housing with a full range of affordability, social housing, rent-geared-to-income housing, lodging houses, shared and/or congregate-living housing arrangements, housing with supports, emergency and transitional housing, and housing that meets all needs.

3.2.4.4 Second dwelling units shall be permitted within single and semi-detached dwellings in all Institutional, Neighbourhoods, Commercial and Mixed Use designations, as shown on Schedule E-1 – Urban Land Use Designations, and shall be subject to zoning regulations.

3.2.4.5 Subject to the City undertaking a study, in certain conditions it may be appropriate to permit new detached second dwelling units on lots of existing single detached dwellings.

3.3.1 Urban Design Policies

Urban Design Goals The following goals shall apply in the urban area:

3.3.1.1 Enhance the sense of community pride and identification by creating and maintaining unique places.

3.3.1.2 Provide and create quality spaces in all public and private development.

3.3.1.3 Create pedestrian oriented places that are safe, accessible, connected, and easy to navigate for people of all abilities.

3.3.1.4 Create communities that are transit-supportive and promote active transportation.

3.3.1.5 Ensure that new development is compatible with and enhances the character of the existing environment and locale.

3.3.1.6 Create places that are adaptable and flexible to accommodate future demographic and environmental changes.

3.3.1.7 Promote development and spaces that respect natural processes and features and contribute to environmental sustainability.

3.3.1.8 Promote intensification that makes appropriate and innovative use of buildings and sites and is compatible in form and function to the character of existing communities and neighbourhoods.

Urban Design Policies

3.3.2.1 The physical design of a site shall:

- a. relate to its role in the overall urban structure of the City;
- b. enhance the function of the applicable urban structure element described in Section E.2.0 – Urban Structure; and,

Principles

3.3.2.3 Urban design should foster a sense of community pride and identity by:

- a) respecting existing character, development patterns, built form, and landscape;

- b)** promoting quality design consistent with the locale and surrounding environment;

3.3.2.4 Quality spaces physically and visually connect the public and private realms. Public and private development and redevelopment should create quality spaces by:

- a)** organizing space in a logical manner through the design, placement, and construction of new buildings, streets, structures, and landscaping;
- b)** recognizing that every new building or structure is part of a greater whole that contributes to the overall appearance and visual cohesiveness of the urban fabric;
- c)** using materials that are consistent and compatible with the surrounding context in the design of new buildings;
- d)** creating streets as public spaces that are accessible to all;
- e)** creating a continuous animated street edge in urban environments;
- f)** including transitional areas between the public and private spaces where possible through use of features such as landscaping, planters, porches, canopies, and/or stairs;
- g)** creating public spaces that are human-scale, comfortable, and publicly visible with ample building openings and glazing;
- h)** creating, reinforcing, and emphasizing important public vistas and view corridors; and,
- i)** minimizing excessive street noise and stationary noise source levels through the design, placement, and construction of buildings and landscaping.

3.3.2.6 Where it has been determined through the policies of this Plan that compatibility with the surrounding areas is desirable, new development and redevelopment should enhance the character of the existing environment by:

- a)** complementing and animating existing surroundings through building design and placement as well as through placement of pedestrian amenities;
- b)** respecting the existing cultural and natural heritage features of the existing environment by re-using, adapting, and incorporating existing characteristics;
- c)** allowing built form to evolve over time through additions and alterations that are in harmony with existing architectural massing and style;
- d)** complementing the existing massing patterns, rhythm, character, colour, and surrounding context; and,
- e)** encouraging a harmonious and compatible approach to infilling by minimizing the impacts of shadowing and maximizing light to adjacent properties and the public realm.

3.3.3 Built Form

Built form shapes the visual qualities of streets and open spaces but also affects how the public spaces around buildings are used, experienced, and perceived. Our city is built one building at a time and each building contributes to the overall design of the City, therefore attention to each building is an important step in the city building process. Built form plays a large role in defining the character of an area. New development shall serve to maintain and support existing character, or create and promote the evolution of the character in areas where transformations are appropriate and planned.

3.3.3.1 New development shall be located and organized to fit within the existing or planned context of an area as described in Chapter E – Urban Systems and Designations.

3.3.3.2 New development shall be designed to minimize impact on neighbouring buildings and public spaces by:

- a) creating transitions in scale to neighbouring buildings;
- b) ensuring adequate privacy and sunlight to neighbouring properties; and,
- c) minimizing the impacts of shadows and wind conditions.

3.3.3.3 New development shall be massed to respect existing and planned street proportions.

3.3.3.4 New development shall define the street through consistent setbacks and building elevations. Design directions for setbacks and heights are found in Chapter E – Urban Systems and Designations and in the Zoning By-law.

3.3.9 Access and Circulation

3.3.9.1 Joint access driveways shall be considered between adjacent sites to minimize disruption of the public sidewalk, maximize the areas available for landscaping, and minimize expanses of pavement.

CHAPTER C - CITY WIDE SYSTEMS AND DESIGNATIONS

Functional Classification

4.5.2 The road network shall be planned and implemented according to the following functional classifications and right-of-way widths:

f) Local roads, subject to the following policies:

- i. The primary function of a local road shall be to provide direct land accesses. The secondary function shall be to enable the movement of low volumes of traffic to collector roads.
- ii. The basic maximum right-of-way widths for local roads shall be 26.213 metres in designated Employment Areas and 20.117 metres in all other areas, unless specifically described otherwise in Schedule C-2 – Future Right-of-Way Dedications; (OPA 109)

- iii. The City recognizes that in older urban built up areas there are existing road right-of-way widths significantly less than 20.117 metres. Notwithstanding the other road right-of-way widening policies of this Plan, it is the intent of the City to increase these existing road rights-of ways to a minimum of 15.24 metres with daylight triangles at intersections instead of the minimum required 20.117 metre road right of-way width, provided all the required road facilities, municipal sidewalks and utilities can be accommodated in this reduced road right-of-way width.
- iv. Trucks shall be restricted from local roads, except for local deliveries and in Employment Areas.
- v. Sidewalks should be provided on both sides of the street. (OPA 109)
- vi. Horizontal and vertical traffic calming measures, including speed humps, may be implemented where appropriate subject to meeting City Traffic Calming warrants, except in designated Employment Areas.

Access Management

- 4.5.8.4** New development or redevelopment shall only be permitted on a property that has direct frontage on a publicly assumed road constructed to municipal standards

CHAPTER E – URBAN SYSTEMS AND DESIGNATIONS

1.0 Goals

The following goals shall apply to the urban systems and land use designations of this plan:

- a) Designate land uses to facilitate the development of a node and corridor based urban structure.
- b) Support and facilitate development and investment that contributes to the development of the overall urban structure.
- c) Develop compact, mixed use urban environments that support transit and active transportation.
- d) Develop complete communities where people can live, work, learn, and play.
- e) Plan and designate lands for a range of housing types and densities, taking into account affordable housing needs.
- f) Promote and support design which enhances and respects the character of existing neighbourhoods and creates vibrant, dynamic, and livable urban places.
- g) Promote and support appropriate residential intensification throughout the urban area and focused in Urban Nodes and Urban Corridors.

2.6 Neighbourhoods

Neighbourhoods are where the majority of Hamiltonians live, learn, shop, socialize, and play. A key component of Hamilton’s urban structure, the Neighbourhoods element is an all-encompassing element representing the

concept of complete community at the structural level. Neighbourhoods occupy the greatest proportion of the City, containing a mix of low, medium, and high-rise residential areas; various types of roads, parks, open spaces, and commercial areas; and institutions such as schools and places of worship.

The Neighbourhoods are bordered and bisected, in a number of locations by Urban Corridors. These corridors are a separate structural element from the Neighbourhoods, but in many locations function as an integral part of the surrounding Neighbourhood, often serving as the central focal point.

Hamilton's neighbourhoods are, by and large, regarded as stable. However, that does not mean these areas are static. These neighbourhoods will see some physical change over time. Neighbourhoods will evolve as older residents move out, younger residents and families move in, homes are renovated or rebuilt, infill development occurs, commercial areas are invigorated, or underutilized commercial areas redeveloped. Residential intensification within Neighbourhoods is part of the evolution of a neighbourhood and can happen at a range of scales and densities provided the intensification is compatible with and respects the built form and character of the surrounding neighbourhood.

Function

- 2.6.2** Neighbourhoods shall primarily consist of residential uses and complementary facilities and services intended to serve the residents. These facilities and services may include parks, schools, trails, recreation centres, places of worship, small retail stores, offices, restaurants, and personal and government services.
- 2.6.3** The Neighbourhood element of the urban structure shall be implemented through land use designations shown on Schedule E-1 – Urban Land Use Designations.
- 2.6.4** The Neighbourhoods element of the urban structure shall permit and provide the opportunity for a full range of housing forms, types and tenure, including affordable housing and housing with supports.
- 2.6.5** The Neighbourhoods element of the urban structure shall permit a range of commercial uses including retail stores and services. These commercial uses may be clustered into plaza forms or in main street configurations. Over time, some of these commercial areas may evolve into a mixed-use form, where appropriate. Commercial uses that cater to a broader regional market shall be directed to appropriate Urban Nodes. The Neighbourhoods element of the urban structure permits a broader range of commercial areas than the Neighbourhoods Designation. The different types of commercial areas are designated on Schedule E-1 – Land Use Designations. The policies of Section E.4.0 – Commercial and Mixed-Use Designations, Section E.3.0 – Neighbourhoods Designation, and applicable secondary plans of Volume 2 shall provide specific direction on the scale of commercial uses in the various commercial and mixed-use designations.
- 2.6.6** The Neighbourhoods element of the urban structure shall permit arterial commercial type uses in appropriate locations through specific land use designations as specified in Section E.4.0 – Commercial and Mixed-Use Designations and where designated on Schedule E-1 – Urban Land Use Designations. These uses include services catering to the traveling or drive-by consumer as well as retail stores, which are land extensive, require outdoor

storage, or have a warehouse-type character, and cannot be appropriately accommodated in the Urban Nodes.

Scale

2.6.7 Neighbourhoods shall generally be regarded as physically stable areas with each neighbourhood having a unique scale and character. Changes compatible with the existing character or function of the neighbourhood shall be permitted. Applications for development and residential intensification within Neighbourhoods shall be reviewed in consideration of the local context and shall be permitted in accordance with Sections B.2.4 – Residential Intensification, E.3.0 – Neighbourhoods Designation, E.4.0 – Commercial and Mixed-Use Designations, and, E.6.0 – Institutional Designation.

E.3.0 NEIGHBOURHOODS DESIGNATION

3.2 Neighbourhoods Designation – General Policies

3.1.2 Develop neighbourhoods as part of a complete community, where people can live, work, shop, learn, and play.

3.2.3 The following uses shall be permitted on lands designated Neighbourhoods on Schedule E-1 – Urban Land Use Designations:

- a) residential dwellings, including second dwelling units and housing with supports;
- b) open space and parks;
- c) local community facilities/services; and,
- d) local commercial uses.

3.2.4 The existing character of established Neighbourhoods designated areas shall be maintained. Residential intensification within these areas shall enhance and be compatible with the scale and character of the existing residential neighbourhood in accordance with Section B.2.4 – Residential Intensification and other applicable policies of this Plan

3.2.8 Proposals for supporting uses, except local commercial uses, within the Neighbourhoods designation shall be evaluated on the following criteria:

- a) compatibility with the surrounding area in terms of scale, massing, height, siting, orientation, setbacks, parking, and landscaping;
- b) access to a collector or major or minor arterial road shall be preferred;
- c) provision of adequate off-street parking with appropriate buffering and landscaping from residential uses;
- d) compliance with Section B.3.3 – Urban Design Policies and B.3.5 – Community Facilities/Services Policies; and,
- e) adjacency and integration with parks to provide an attractive extension of parks and maximize the use of parkland facilities.

3.2.13 The City supports residential intensification on lands within the Neighbourhoods designation in accordance with Section B.2.4 – Residential Intensification Policies, F.1.14 – Division of Land, and other applicable policies.

3.2.14 New housing with supports shall be permitted within the Neighbourhoods designation in accordance with the locational and design criteria of the residential category to which the density and built form best complies.

3.3 Residential Uses – General Policies

3.3.2 Development or redevelopment adjacent to areas of lower density shall ensure the height, massing, and arrangement of buildings and structures are compatible with existing and future uses in the surrounding area.

3.4 Low Density Residential Function

3.4.1 The preferred location for low density residential uses is within the interior of neighbourhoods.

3.4.2 Low density residential areas are characterized by lower profile, grade-oriented built forms that generally have direct access to each unit at grade.

3.4.3 Uses permitted in low density residential areas include single-detached, semidetached, duplex, triplex, and street townhouse dwellings.”

5.8 Former Municipality of Stoney Creek Zoning By-Law 3692-92:

The current City of Hamilton boundary is the result of the amalgamation of several communities; Ancaster, Dundas, Flamborough, Glanbrook, Hamilton and Stoney Creek. The subject properties are located within the former municipality of Stoney Creek and are still subject to the zoning provisions of the former municipality’s Zoning By-law.

Under the former municipality of Stoney Creek, the subject properties are zoned as ‘Single Residential’ (R2) (**Appendix ‘E’**).

Applicable excerpts from the Stoney Creek Zoning By 3692-92 as amended, give context to the planning permissions currently affecting the subject properties. The excerpts are as follows:

“Definitions

Dwelling Unit – Means a room or suite of rooms designed and intended for use by a family in which culinary and sanitary facilities are provided for the exclusive use of such family. Such a unit shall have a private entrance from outside the building or from a common hallway or stairway inside the building.

Dwelling – Means a building containing one or more dwelling units as a main use thereof.

Dwelling Unit – Accessory – Means a dwelling unit accessory to a permitted non-residential use on the same lot and occupied either by the owner of such lot or by a person employed thereon.

PART 4 GENERAL PROVISIONS FOR ALL ZONES

4.10.9 Schedule of Minimum Parking Requirements

- single detached, duplex, and semi-detached dwelling units 2 parking spaces for each dwelling, tandem parking is permitted

PART 6 RESIDENTIAL ZONES

SECTION 6.1 GENERAL PROVISIONS FOR ALL RESIDENTIAL ZONES

6.1.8 Parking Restrictions in Residential Zones

- c) Where the required minimum number of parking spaces is four or more, no parking space shall be provided closer than 3 metres to any lot line or closer than 5 metres to any dwelling unit located on a lot other than the said lot except that the provisions of this clause shall not apply to any parking space located within a private garage or underground garage;

SECTION 6.3 SINGLE RESIDENTIAL "R2" ZONE

6.3.1 Scope

No person shall within any Single Residential "R2" Zone, use any land or erect, alter or use any building or structure, except in accordance with the following provisions:

6.3.2 Permitted Uses for Each Lot

- a) A single detached dwelling
- b) Uses, buildings or structures accessory to a permitted use
- c) A Home Occupation

6.3.3 Zone Regulations

- a) Minimum Lot Area
 - Interior Lot - 460 square metres
 - Corner Lot - 505 square metres
- b) Minimum Lot Frontage
 - Interior Lot - 15 metres
 - Corner Lot - 16.5 metres
- c) Minimum Front Yard - 6 metres
- d) Minimum Side Yard - No part of any dwelling shall be located closer than 1.25 metres except as provided in clauses 1, 2 and 3 below:
 - 1. An attached garage or attached carport may be erected at a distance of not less than 1 metre from a side lot line which does not abut a flankage street;
 - 2. On an interior lot, where no attached garage or attached carport is provided, the minimum side yard on one side shall be 3 metres; and
 - 3. On a corner lot, the minimum side yard abutting the flankage lot line shall be 3 metres, except that an attached garage or attached carport

which fronts on the flankage lot line shall not be located within 5.5 metres of the flankage lot line.

- e) Minimum Rear Yard - 7.5 metres
- f) Maximum Building Height - 11 metres
- g) Maximum Lot Coverage - 40 percent

6.3.4 Regulations for Parking

Minimum number of parking spaces - 2 per dwelling of which only one may be provided in the required front yard. Tandem parking is permitted.

6.0 Planning Justification:

6.1 Site Suitability:

The subject properties are located within a low density residential neighbourhood which is in general considered to be a very walkable and desirable area. Within a 5 - 15 minute walk, residents can access numerous retail options including grocery, banking, restaurants, personal services, big box stores, parks, schools, a sports complex and even a hospital. The well-maintained homes and walkable, makes the Stoney Creek neighbourhood a very desirable community to live in. Even though this residential neighbourhood has experienced very little change over the years, there are opportunities for appropriate infill development and residential intensification (primary through lot assembly) in this neighbourhood that will help balance growth in the City, and create a more efficient community.

The subject properties and proposed lot offer connections to multi-model transportation options such as bus service, sidewalks, cycling routes, (future GO Transit trains) and vehicular travel options. The creation of one new development lot will provide the opportunity for an additional residential unit within and existing aged neighbourhood that is both appropriate and sensitive to the existing character. The addition of one dwelling unit will effectively utilize current infrastructure (i.e. hydro, water, sanitary, telephone, cable, gas, transit, etc.) for the wise and efficient use of existing service capacity.

The proposed consent application will involve the demolition of the existing detached garage to the rear of 7 pleasant Ave and the accessory building at the rear of 5 Pleasant Ave. The amalgamation of the severances from the rear yards of both 5 and 7 Pleasant Ave. will created a lot of comparable size to that of the rest of the neighbourhood. Orientation of the new proposed development onto Grande Ave will introduce minimal disruption to existing homes (as the rear yard driveway already exists), while offering a consistent development patterns to the historically established 1960's style neighbourhood. Once development of the new single detached home is completed it will seamlessly blend into the existing character of the residential neighbourhood. Despite minor variance(s) to accommodate the slightly reduced lot sizes and allow the

continuation of existing conditions, the newly created lot will accommodate a home of comparable size and character within this stable neighbourhood that meets both the intent of the Official plan and the goals of the Stoney Creek Zoning of the subject properties.

6.2 Provincial Policy Statement (2020):

The requested consent and minor variance(s) will allow for small scale residential intensification that is appropriate for this established neighbourhood. The creation of one new single detached lot within both the 'neighbourhood' designation and the limits of the 'Urban Boundary' of the City of Hamilton is an appropriate use and intensification opportunity.

The existing lot can easily accommodate the proposed conditions with enough land to meet the intent and goals of the PPS to help provide for a range of housing types within an established neighbourhood (1.1.3). The consent applications and minor variance(s) as laid out in the proposed site condition (**Table 1**) are also supported by the Provincial Policy Statement (PPS) as it helps to appropriately intensify a built-up area, better utilize existing infrastructure, and strengthen the settlement area through investment into an existing neighbourhood with adequate services (1.1.3.2).

6.3 Growth Plan for the Greater Golden Horseshoe (2017):

The proposed infill development is within an established residential neighbourhood (i.e. 'built-up area' of the City) and helps to support Growth Plan intensification goals by strengthening the mix of residential dwellings (2.2.1-4.c) that will help to support local commercial uses and create additional opportunities to better utilize walking and cycling and potential transit (2.2.1-4. d. i).

Redevelopment will also assist the City in meeting its required residential growth targets (2.2.1-4. e, 2.2.2 & 5.2.4). The proposed development can also be considered a wise use of services that not only help to meet the minimum intensification target but is a well-designed compact form of development.

Redevelopment will also offer improvements the public realm (5.2.4-6), (i.e. clean up the existing rear yard frontage), and aid in the creation of a continuous streetscape that will benefit the surrounding properties.

6.4 City of Hamilton Official Plan:

The City of Hamilton supports residential intensification within the built-up areas similar to that of the proposed development. Within the parameters of the neighbourhood designation, considerations are made with respect to the scale and massing of the proposed development and its relationship to surrounding developments (B2.4.2). The proposed development will be of both an appropriate scale and massing in comparison to neighbouring houses. The transition of the site from two (2) to three (3) single detached residential units, can be viewed as an appropriate level of intensification within an established neighbourhood that will contribute to meeting the required residential intensification target (B2.4.1.3.c) within neighbourhoods. Site intensification will better

utilize existing infrastructure, provide alternative housing opportunities for the local community (B3.2.4.1, E3.2.13) and bring more people to the area to support local businesses and transit initiatives. Residential intensification is generally supported throughout the built-up areas of the Official Plan (B2.4.5).

The subject properties are currently designated as “neighbourhood” use. Residential intensification and redevelopment are key components of Hamilton’s growth strategy (B.2.4). “Currently” 40% of all residential intensification is anticipated to occur within the neighbourhood designation (B.2.4.1.3.c) which will soon be increased to 60% as directed by “A Place to Grow” policy. Development that occurs within the neighbourhood designation should have consideration for an appropriate massing and scale (E2.6.7, E3.1.5) and provide opportunities for a variety of housing types and tenures (B2.4.1.4.c). The required 40% intensification target cannot be achieved without first allowing appropriate intensification into these “Neighbourhood” areas.

The proposed intensification of the site has regard for urban housing goals (B3.2.1) and the adjacent residential neighbourhoods. Considerations have been made through site specific design elements for the surrounding neighbourhood (B2.4.2.2) and traffic access management (C4.5.8).

6.5 Stoney Creek Zoning By-law 3692-92:

The subject properties fall within the former municipality of Stoney Creek and as such are subject to Zoning By-law 3692-92. Under the applicable zoning the subject properties are designated under the Single Residential ‘R2’ Zone. The proposed consent aims to meet the requirements of the current ‘R2’ zoning, however, the existing site conditions of the homes of both 5 and 7 Pleasant Ave require a minor variance(s) to bring their existing conditions into compliance with the R2 zoning provisions as laid out in **Table 1**. The proposed infill development is otherwise in line with the general intent of applicable zoning. The City of Hamilton Zoning By-law and more specifically the former municipality of Stoney Creek zoning generally supports residential intensification and redevelopment within residential zoning designations.

7.0 Analysis of the Application:

The subject properties are located within the “Urban Area Boundary” of the City of Hamilton and also identifies the subject properties as being within the “Neighbourhood” designation (**Appendix ‘C’**). The former Stoney Creek Zoning By-Law 3692-92 (Under the Authority of the City of Hamilton) designates the subject properties as “Single Residential (R2). The existing designations on the subject properties generally support residential intensification in appropriate locations with adequate service such as the proposed development.

Consistent with the Provincial Policy Statement (2020) - Yes No

The purpose of the proposed consent is to permit the creation of a new development parcel within an established residential neighbourhood. The minor variance(s) will help to rectify existing conditions on 5 and 7 Pleasant Ave, bringing all three properties into conformity with existing regulations. The consent and minor variance(s) will ultimately permit the creation of one new low density lot and the construction of one single detached home.

Policy 1.1.3.2 of the Provincial Policy Statement (PPS) 2020 states that land use patterns within settlement areas are to be based on densities which are appropriate for, and efficiently use, infrastructure and public service facilities that are planned or available. Further, Policy 1.1.3.4 also states that appropriate development standards should be promoted to help facilitate intensification, redevelopment and a compact form, while avoiding or mitigating risks to public health and safety. The proposed Consent and Minor Variance(s) would intensify development within a Settlement Area and as such are consistent with these policies of the PPS.

Consistent with the Provincial Growth Plan (2017) - Yes No

For the proposed Consent and Minor Variance(s) application, Policy 2.2.1 of the Growth Plan states the following:

2.2.1 Managing Growth

1. Population and employment forecasts contained in Schedule 3 will be used for planning and managing growth in the *GGH* to the horizon of this Plan in accordance with the policies in subsection 5.2.4.
2. Forecasted growth to the horizon of this Plan will be allocated based on the following:
 - a) the vast majority of growth will be directed to settlement areas that:
 - i. have a *delineated built boundary*;
 - ii. have existing or planned *municipal water and wastewater* systems;
 - iii. can support the achievement of *complete communities*;

The proposed additional residential unit, resulting from the proposed consent and minor variance(s) is supported by this policy.

Conforms with the City of Hamilton Official Plan, - Yes No

The City of Hamilton Official Plan designates the subject properties as being within the 'Built-up' Area and being within the "Neighbourhood" designation. The application for residential intensification, under the current designation of the UHOP for the subject properties does conform to the Official Plan. The "Neighbourhood" designation permits residential intensification of an appropriate scale and intensity within the built-up boundary. The proposed infill development is small in nature and will provide one

additional residential unit of a compact nature to complement and enhance the existing neighbourhood while helping to meet the minimum density target.

Policy 2.4 supports the redevelopment of the subject lands through the following:

2.4 Residential Intensification

Residential intensification is a key component of Hamilton's growth strategy and is essential to meet our growth and employment targets. Intensification ensures land, urban services and the transportation network are used more efficiently and sufficient population is maintained to support existing community facilities. Successfully accommodating more residents within the existing built-up area reduces the need for development of greenfield lands and urban boundary expansions.

Residential intensification is a key component in successfully developing and transforming targeted areas of the City. Intensification creates livable, vibrant, compact communities; facilitates and enhance the node and corridor structure of the City, and makes efficient use of the City's public transit network and other infrastructure. For intensification to make a positive contribution to the City, careful consideration must be given to design and compatibility with existing uses, neighbourhood character, and cultural and natural heritage. Intensification must represent good planning and not cause unacceptable impacts.

- 2.4.1** General Residential Intensification Policies 2.4.1.1 Residential intensification shall be encouraged throughout the entire built-up area, in accordance with the policies of Chapter E – Urban Systems and Designations and Chapter F – Implementation.

The City of Hamilton Official Plan supports infill development and the intensification of land uses within the designated built area in order to promote the efficient use of existing infrastructure, support transportation initiatives and to provide for an increase in housing options. As such, in the Author's opinion, the proposed consent, creating the opportunity for infill development in conjunction with the proposed minor variance(s) meets the general intent of the Official Plan.

Complies with the Stoney Creek Zoning By-law 3692-92 - Yes No

The Former City of Stoney Creek Zoning By-law 3692 designates the subject properties as 'R2'. As such, only minor variations from the current zoning provisions affecting the subject properties are required to facilitate the proposed development. Given the current Official Plan and Provincial policies governing the subject properties, the current conditions of the site could be optimized to offer a more efficient use of the available lands. The minor variance(s) will provide for a slight reduction in lot area for both the retained lands and the amalgamated severed lot and correct existing site conditions (**Table 1**). As a result, the proposed minor variance(s) would provide for a more efficient

use of the lands and existing services (**Figure 8 & 9**). As such, in the Author's opinion, the proposed consent and minor variance(s) applications will bring the proposed lot and subject properties into conformity with the general intent of Zoning By-law No. 3692-92.

Conforms to Section 2, 51(24) and 53(12), Planning Act - Yes No

As per Section 2, 51(24) and 53(12) of the *Planning Act*, the proposed development for 5 and 7 Pleasant Ave. provides an appropriate scale of infill development that is in the public interest, has regard to the suitability of the land, and the dimension and shape of the proposed lot and development.

8.0 Conclusion:

It is the Author's professional planning opinion as a Registered Professional Planner, that given the respective Provincial and City policies, and surrounding existing conditions, the proposed development is considered '**Good Planning,** is in the public interest, is consistent with the Provincial Policy Statement and the Growth Plan for the Greater Golden Horseshoe, conforms with both the Region of Niagara, and City of Hamilton Official Plans, and maintains and compliments the character of the existing neighbourhood.

I hereby certify that this Planning Justification Report was prepared and reviewed by Registered Professional Planner (RPP), within the meaning of the *Ontario Professional Planners Institute Act, 1994*.

Terrance Glover, RPP, CPT

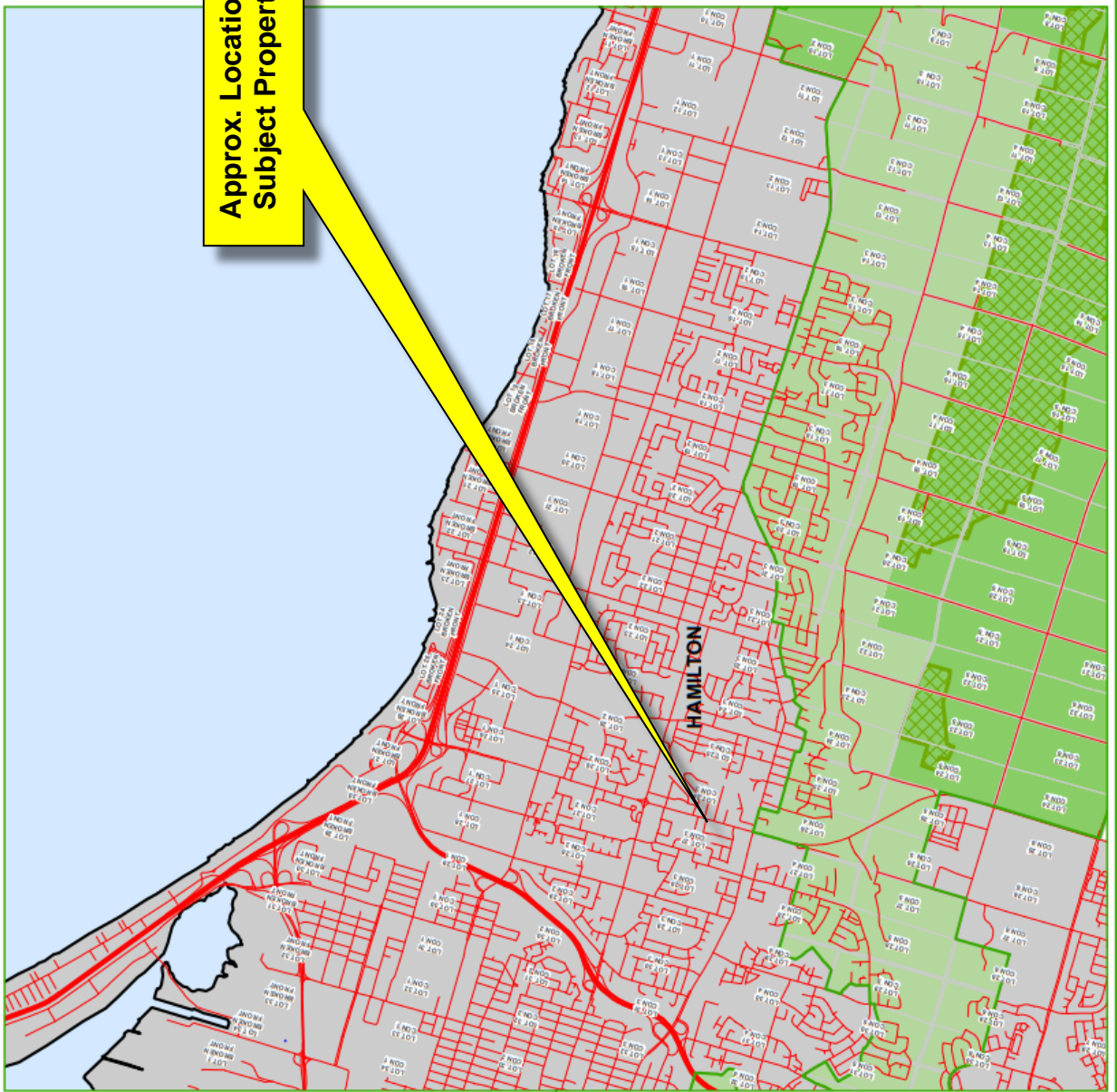
Principal

Urban in Mind, Professional Urban Planning, Land Development & CPTED Consultants

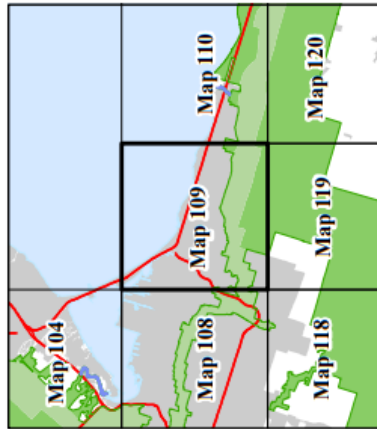
Appendix "A"
(Greenbelt Plan – Map 109)

Map 109

Greenbelt Plan, map division and enlargement



greenbelt



LEGEND

- Greenbelt Area*
- Protected Countryside
- Natural Heritage System
- Towns & Villages
- Urban River Valleys
- Niagara Escarpment Plan Area
- Oak Ridges Moraine Area
- External Connections
- Settlement Areas Outside the Greenbelt
- Upper Tier Municipal Boundaries
- Lower & Single Tier Municipal Boundaries
- Lots and Concessions
- Major Road or Highway
- Minor Road
- First Nations

* Ontario Regulation 59/05, as amended.

This information displayed on this map has been compiled from various sources. While every effort has been made to accurately depict the information, the map should not be relied on as being a precise indicator of locations of features or roads nor as a guide to navigation.

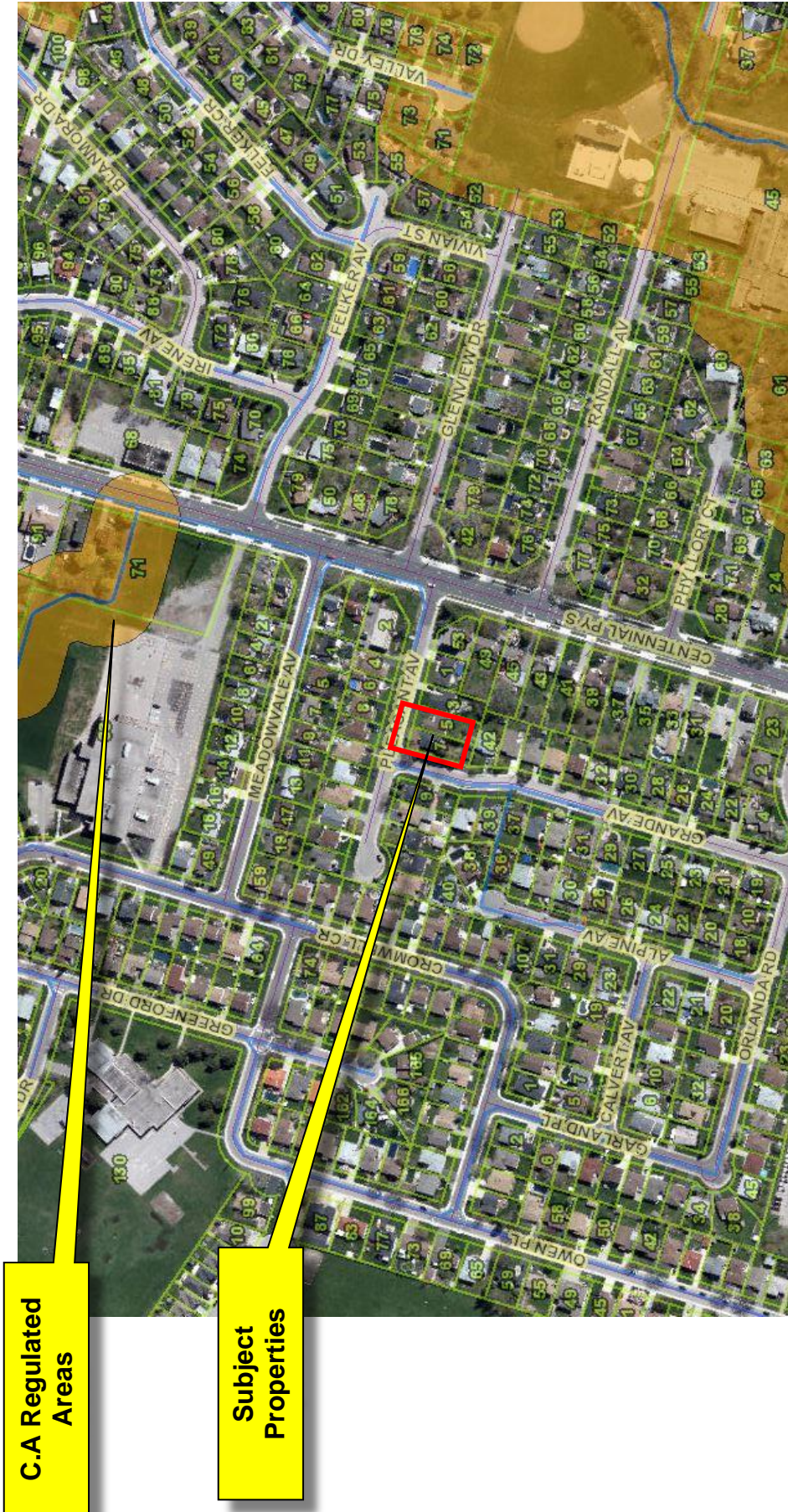
Settlement boundaries generally reflect information provided by the relevant municipalities. The Greenbelt Plan was prepared in consultation with the relevant municipalities (Niagara Falls, Hamilton and Hamilton) the appropriate municipalities should be consulted.

Produced by and using data sources from the Ministry of Municipal Affairs, Ministry of Natural Resources and Forestry and the Ministry of Agriculture, Food and Rural Affairs.

Projection: UTM Zone 17 NAD83
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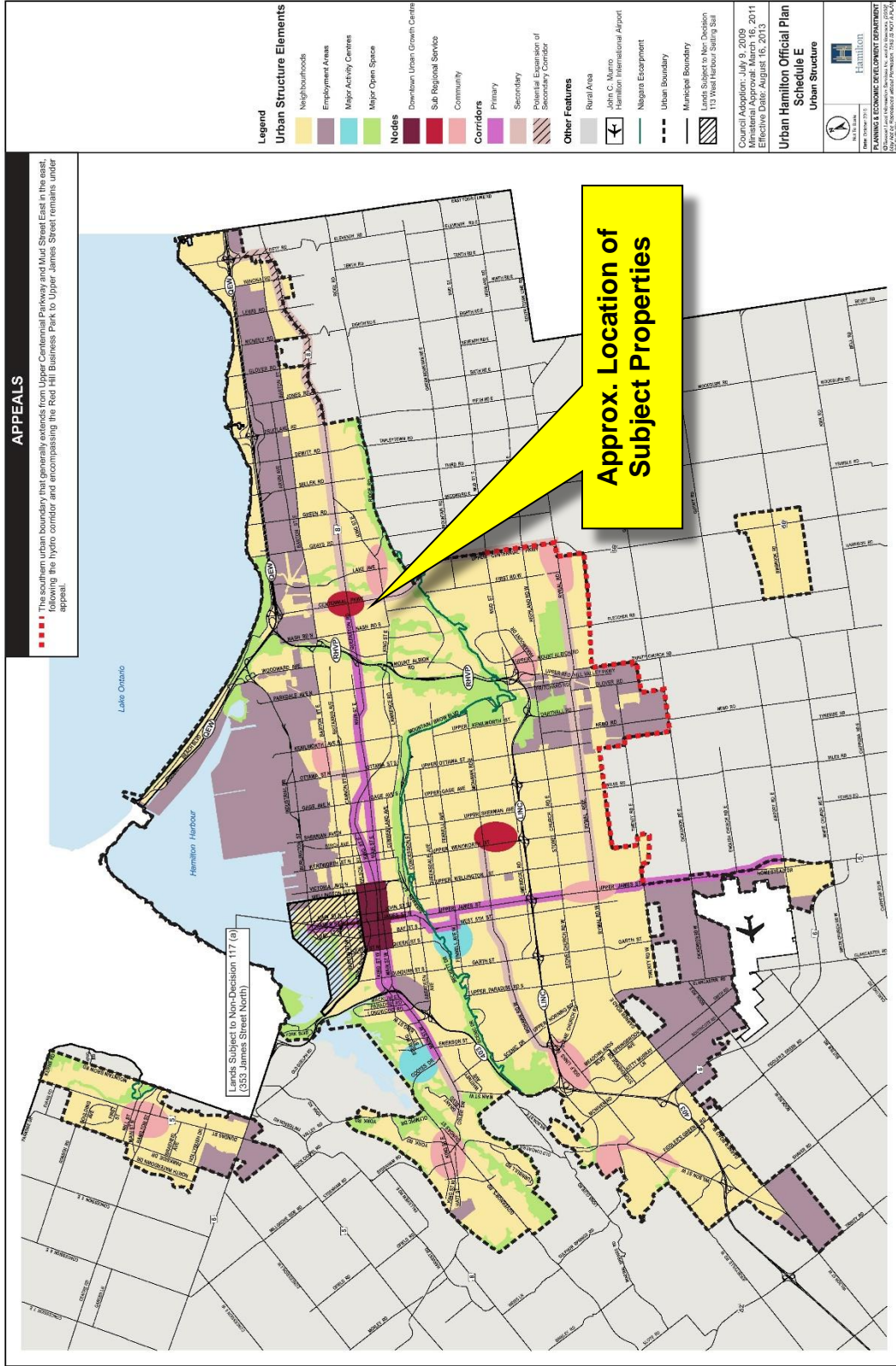
0 0.25 0.5 1 1.5 Kilometres

Appendix "B"
(Hamilton Conservation Authority – Regulation Mapping)

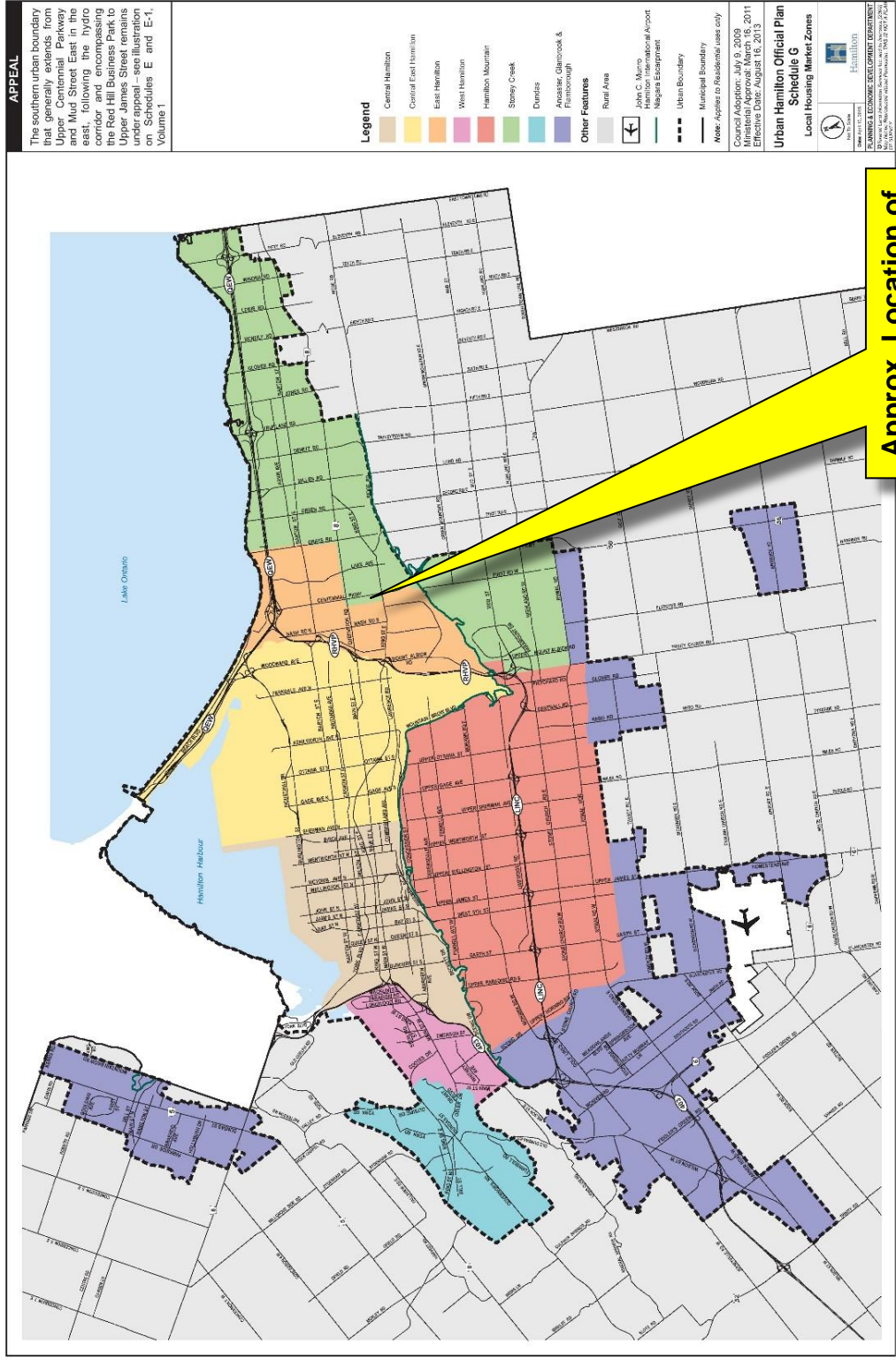


Appendix "C"

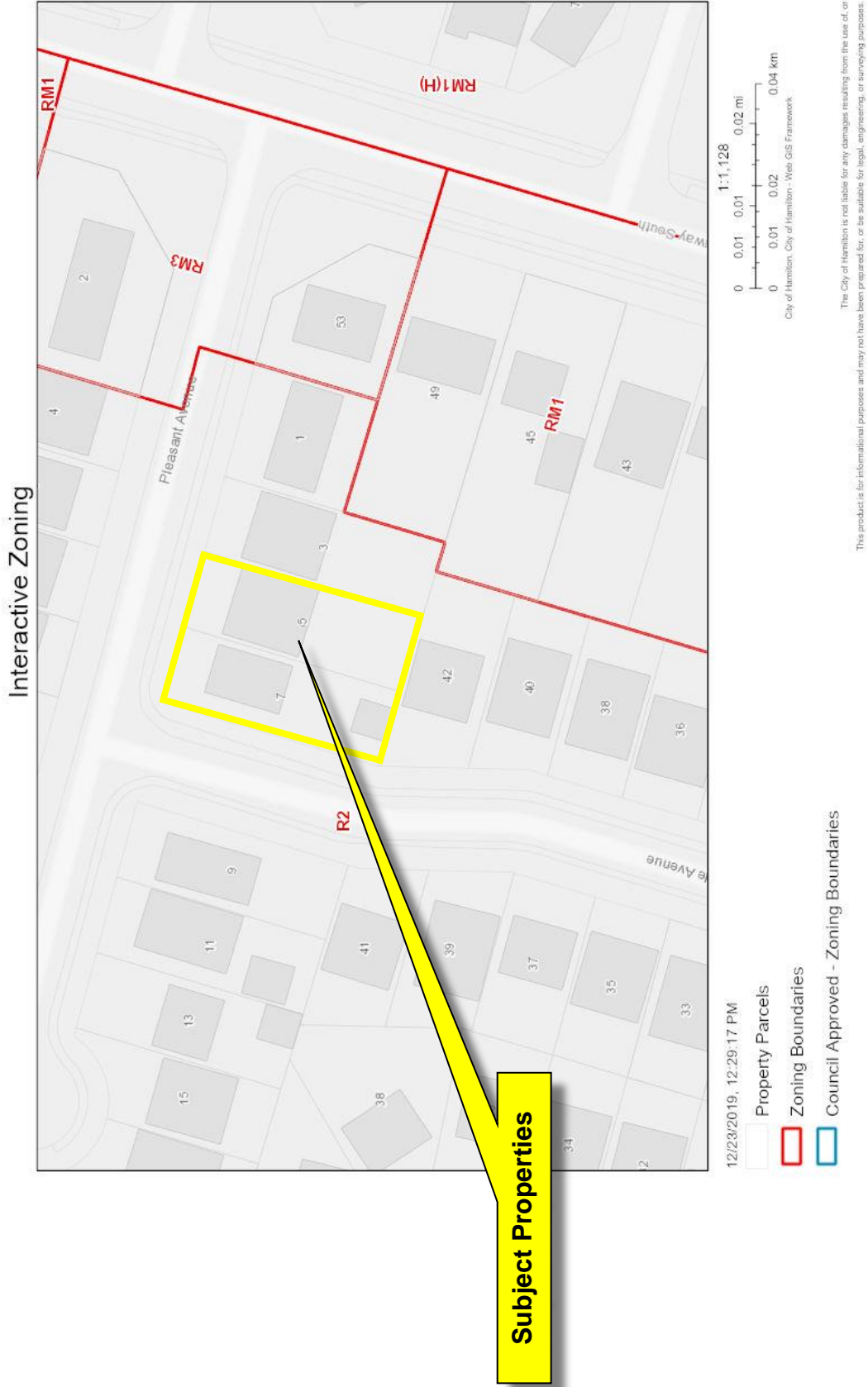
(City of Hamilton Official Plan – UHOP Schedule E: Urban Structure)



Appendix "D"
 (City of Hamilton Official Plan – UHOP
 Schedule G – Major Transportation Facilities and Routes)



Appendix "E"
 (City of Hamilton: Former Municipality of
 Stoney Creek Zoning By-law 3692-92)





S. LLEWELLYN & ASSOCIATES LIMITED
CONSULTING ENGINEERS

October 16, 2020
Project 20097

City of Hamilton
71 Main Street West, 6th Floor
Hamilton, ON
Phone – 905 546 2424 Ext 1322
L8E 2X4

Attention: Mr. Binu Korah, MBA, P.Eng.
Manager, Development Approvals

Dear Mr. Korah;

**RE: PROPOSED SANITARY SEWER EXTENSION
5-7 PLEASANT AVENUE, STONEY CREEK**

S. Llewellyn & Associates Limited (SLA) has been retained to provide consulting engineering services for the proposed development located at 5-7 Pleasant Avenue. The proposed development is to create a new residential lot by severing the rear portions of 5 and 7 Pleasant Avenue to create an additional lot fronting Grande Avenue.

Based on the formal consultation meeting with the City of Hamilton on August 7, 2020, the City of Hamilton had noted that there is no existing municipal sanitary sewer fronting the proposed lot (to be created) on Grande Avenue. As such, the City of Hamilton had requested that the existing municipal sanitary sewer be extended to the proposed south limit of the new lot.

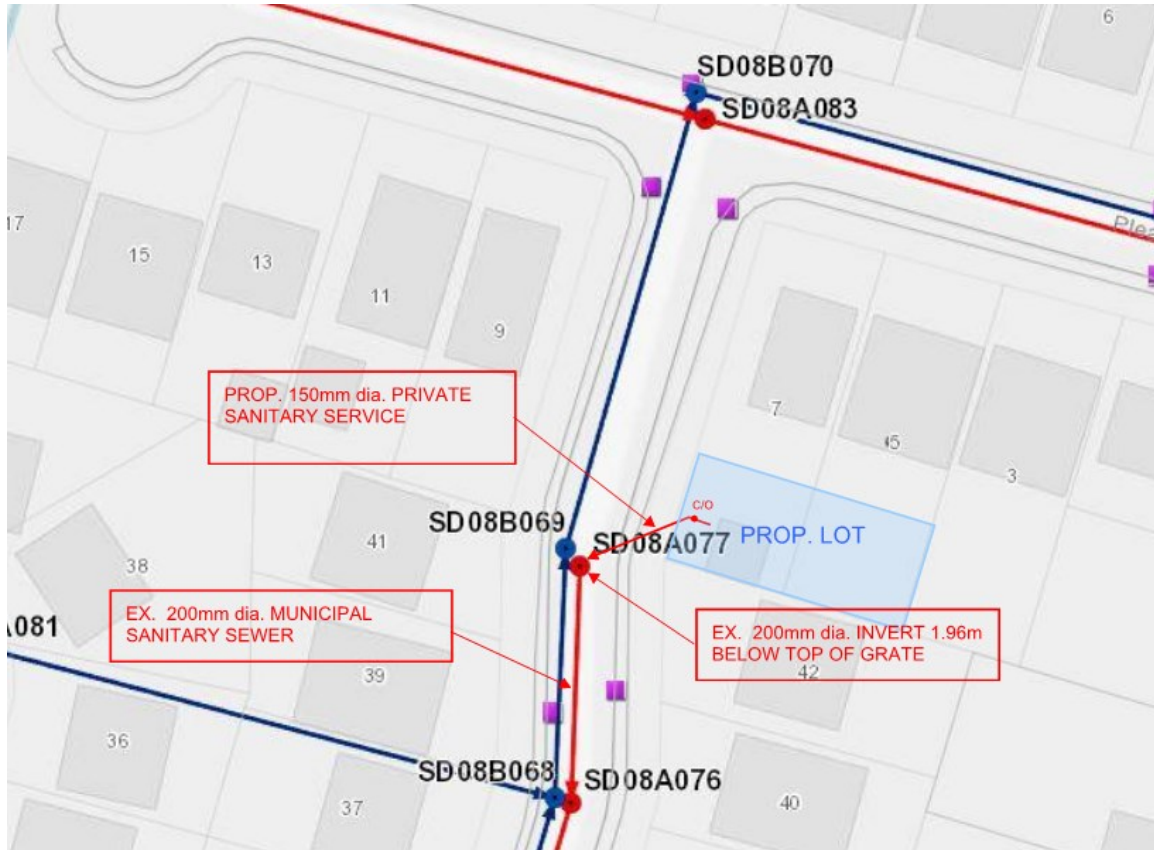
SLA has reviewed the existing available engineering drawings previously prepared for Grande Avenue, reviewed the City of Hamilton's GIS iMapper system and note that the existing sanitary sewer at the top reach of Grande Avenue is a 200mm dia. (8") with a slope of approximately 0.4%.

SLA staff have also visited the site and measured the invert of the existing 200mm dia. sanitary sewer and have recorded the depth to the approximately 1.96m below centre line of road elevation. This depth is less than the current City of Hamilton's design standards of 2.75m below centre line of road.

For the purpose of servicing the newly created lot fronting Grande Avenue, it is recommended that the proposed 150mm dia. (6") private sanitary service be connected directly to the most upstream sanitary manhole located approximately 5 meters south of the southerly property line. This will aid in reducing the loss of cover over the private

sanitary service at the proposed property line while ensuring that no new municipal sanitary sewer main is constructed at a substandard depth.

Please refer to the schematic sanitary service sketch below.



If you have any questions, please do not hesitate to contact the undersigned.

Yours truly,

S. LLEWELLYN & ASSOCIATES LIMITED

S. Frankovich, P.Eng.

