

## **NOTICE OF PUBLIC HEARING** **Minor Variance**

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**You are receiving this notice because you are either:**

- Assessed owner of a property located within 60 metres of the subject property
  - Applicant/agent on file, or
  - Person likely to be interested in this application
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**APPLICATION NO.:** HM/A-21:138

**APPLICANTS:** Owner Roxborough Park

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

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

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

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

1. A minimum rear yard of 1.20 metres shall be permitted for "Block 2", instead of the minimum 1.5 metres required for "Block 2".
2. A minimum setback of 2.75 metres to a condominium road shall be permitted for "Block 4" and "Block 4a", instead of the minimum setback of 4.5 metres required for "Block 4" and "Block 4a".
3. A minimum flankage yard of 2.65 metres shall be permitted for "Block 4" and "Block 4a", instead of the minimum 4.5 metres required for "Block 4" and "Block 4a".
4. Two (2) barrier free parking spaces shall be provided instead of the minimum required four (4) barrier free parking spaces.
5. A parking area shall be permitted to be located within 2.5 metres of a street line in the easterly portion of "Block 4" and "Block 4a", instead of the requirement that a parking area shall not be located within 3.0 metres of a street line.
6. A minimum 2.5 metre wide planting strip shall be provided between the street line and the parking spaces/aisle in the easterly portion of "Block 4" and "Block 4a", instead of the minimum 3.0 metre wide planting strip required between the street line and the parking spaces/aisle.
7. A transformer shall be permitted within a required planting strip/landscaped area, and further, that Section 4.9 shall not apply to any transformers located on this site.

**NOTE:**

1. Construction of the proposed development is subject to the issuance of a building permit in the normal manner. Be advised that Ontario Building Code regulations may require specific setbacks and construction types.

2. No elevation drawings were included as part of this application.
3. Specific details have not been provided regarding proposed yard encroachments. Further variances may be required if compliance with Section 4.6 and E696(b)(B)(1) & (2) cannot be achieved.
4. Specific details have not been provided regarding a proposed Architectural Wall or Feature within the required planting strip adjacent to the visitor parking area abutting the Reid Avenue South street line on "Block 4a". Further variances may be required if compliance with E696(g)(v)(l)(3) cannot be achieved.
5. The requested variances are necessary to facilitate Site Plan Application File No. DA-20-056

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

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<b>DATE:</b>	<b>Thursday, July 8th, 2021</b>
<b>TIME:</b>	<b>2:55 p.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b> <b>To be streamed at</b> <b><a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a></b> <b>for viewing purposes only</b>

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#### **PUBLIC INPUT**

**Written:** If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Please see attached page for complete instructions, including deadlines for submitting to be seen by the Committee.

**Orally:** If you would like to speak to this item at the hearing you may do so via video link or by calling in. Please see attached page for complete instructions, including deadlines for registering to participate.

#### **MORE INFORMATION**

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

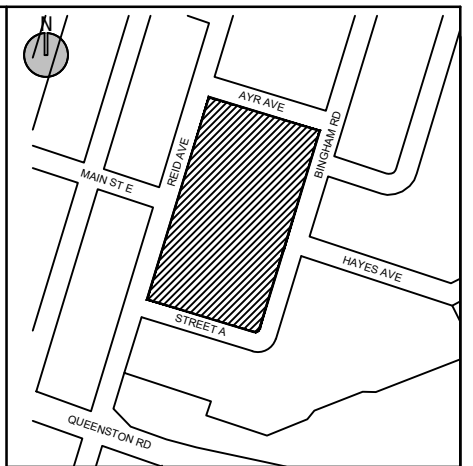
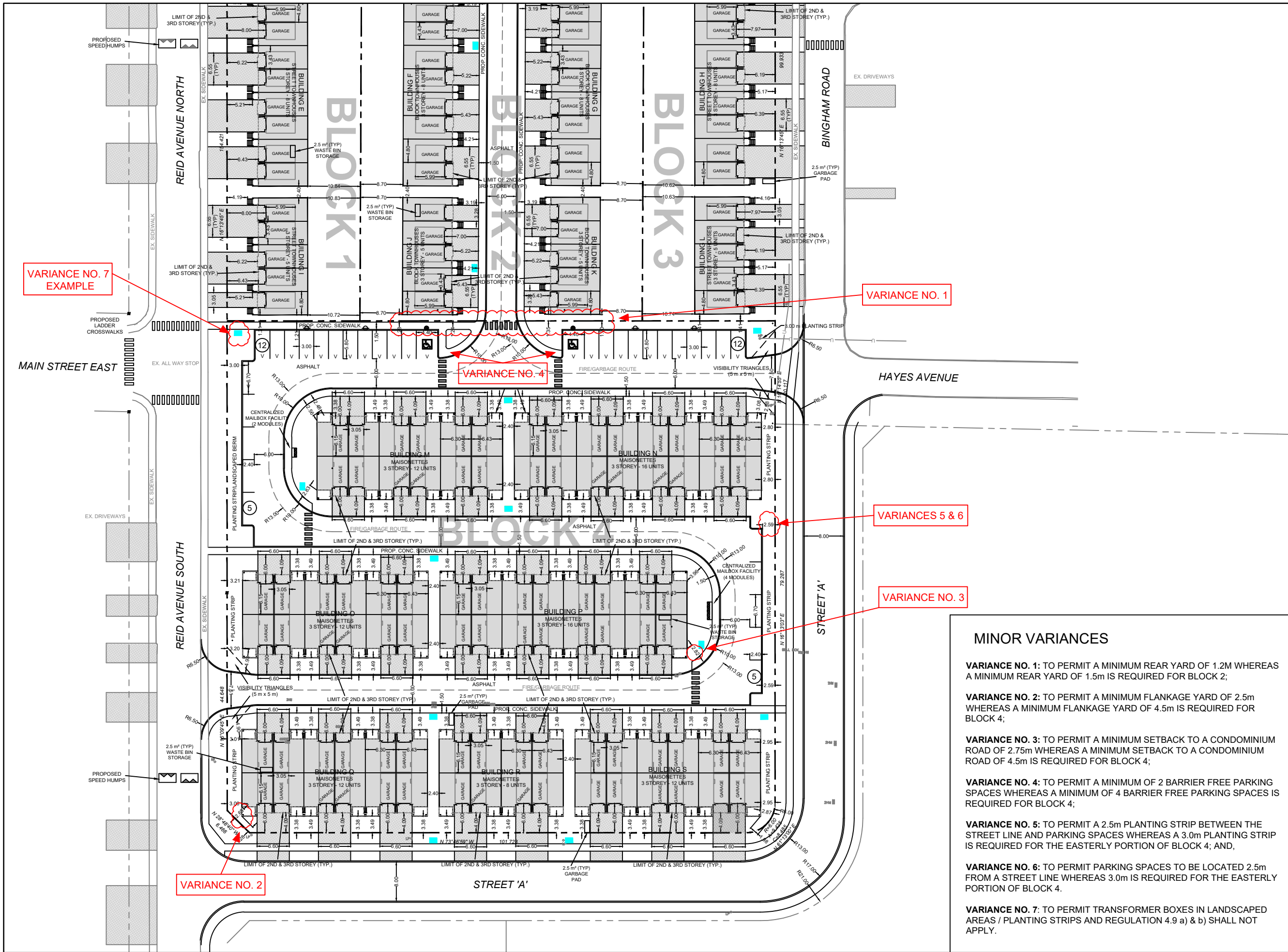
- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

DATED: June 22nd, 2021.

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Jamila Sheffield,  
Secretary-Treasurer  
Committee of Adjustment

***Information respecting this application is being collected under the authority of the Planning Act, R.S.O., 1990, c. P. 13. All comments and opinions submitted to the City of Hamilton on this matter, including the name, address, and contact information of persons submitting comments and/or opinions, will become part of the public record and will be made available to the Applicant and the general public.***



KEY MAP - N.T.S.

SCALE: 1:750

LEGEND:

- SUBJECT LANDS
- PROPOSED BUILDINGS
- EXISTING BUILDINGS
- TRANSFORMER BOXES (13)

NOT FOR CONSTRUCTION  
ISSUED FOR REVIEW & COMMENTS ONLY

NOTES:  
ALL DIMENSIONS SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

DESIGN BY: A. BARNETT	CHECKED BY: S. MANCHIA
DRAWN BY: A. BARNETT	DATE: MARCH 25, 2021

**URBANCORE DEVELOPMENTS**

3 STUDEBAKER PLACE, UNIT 1  
HAMILTON, ON L8L 0C8  
905-546-1087 – [urbansolutions.info](mailto:urbansolutions.info)

PROJECT:

**ROXBOROUGH PARK**

PHASE 2 TOWNHOUSES  
DA-20-056  
CITY OF HAMILTON

TITLE:

COMMITTEE OF  
ADJUSTMENT SKETCH  
REVISED MAY 17, 2021

U/S FILE NUMBER: 146-16	SHEET NUMBER: 1
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### MINOR VARIANCES

- VARIANCE NO. 1:** TO PERMIT A MINIMUM REAR YARD OF 1.2M WHEREAS A MINIMUM REAR YARD OF 1.5m IS REQUIRED FOR BLOCK 2;
- VARIANCE NO. 2:** TO PERMIT A MINIMUM FLANKAGE YARD OF 2.5m WHEREAS A MINIMUM FLANKAGE YARD OF 4.5m IS REQUIRED FOR BLOCK 4;
- VARIANCE NO. 3:** TO PERMIT A MINIMUM SETBACK TO A CONDOMINIUM ROAD OF 2.75m WHEREAS A MINIMUM SETBACK TO A CONDOMINIUM ROAD OF 4.5m IS REQUIRED FOR BLOCK 4;
- VARIANCE NO. 4:** TO PERMIT A MINIMUM OF 2 BARRIER FREE PARKING SPACES WHEREAS A MINIMUM OF 4 BARRIER FREE PARKING SPACES IS REQUIRED FOR BLOCK 4;
- VARIANCE NO. 5:** TO PERMIT A 2.5m PLANTING STRIP BETWEEN THE STREET LINE AND PARKING SPACES WHEREAS A 3.0m PLANTING STRIP IS REQUIRED FOR THE EASTERLY PORTION OF BLOCK 4; AND,
- VARIANCE NO. 6:** TO PERMIT PARKING SPACES TO BE LOCATED 2.5m FROM A STREET LINE WHEREAS 3.0m IS REQUIRED FOR THE EASTERLY PORTION OF BLOCK 4.
- VARIANCE NO. 7:** TO PERMIT TRANSFORMER BOXES IN LANDSCAPED AREAS / PLANTING STRIPS AND REGULATION 4.9 a) & b) SHALL NOT APPLY.



May 17, 2021

146-16

**Via Email**

Ms. Jamila Sheffield  
Secretary-Treasurer, Committee of Adjustment  
City of Hamilton,

71 Main Street West, 5<sup>th</sup> Floor  
Hamilton, ON L8P 4Y5

Dear Ms. Sheffield,

**RE: Blocks 1-4 (25T-201802) HM/A-20:138  
Minor Variance Application REVISION**

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

- Variance 1: A minimum rear yard of 1.20 metres shall be permitted for "Block 2", instead of the minimum 1.5 metres required for "Block 2".
- Variance 2: A minimum flankage yard of 2.5 metres shall be permitted for "Block 4" and "Block 4a", instead of the minimum 4.5 metres required for "Block 4" and "Block 4a".
- Variance 3: A minimum setback of 2.75 metres to a condominium road shall be permitted for "Block 4" and "Block 4a", instead of the minimum setback of 4.5 metres required for "Block 4" and "Block 4a".
- Variance 4: Two (2) barrier free parking spaces shall be provided instead of the minimum required four (4) barrier free parking spaces.
- Variance 5: A minimum planting strip of 2.5m shall be provided between the street line and parking spaces instead of the minimum required 3.0 metres for "Block 4" and "Block 4a".

- Variance 6: Parking shall be permitted a minimum of 2.5 metres from a street line instead of a minimum of 3.0 metres for "Block 4" and "Block 4a".
- Variance 7: Transformer Boxes shall be permitted in Landscaped Areas / Planting Strips and Regulation 4.9 a) & b) shall not apply.

In support of this revision please refer to the revised Committee of Adjustment Sketch.

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

Regards,  
**Roxborough Park Inc.**



Ava Barnett, BA (Hons)  
*Planning Technician*

cc: Ms. Shannon McKie, City of Hamilton  
Mr. Daniel Barnett, City of Hamilton  
Messrs. N. Carnicelli, D. Horwood & S. Manchia, Roxborough Park Inc. (cover letter only)



Hamilton

Planning and Economic Development Department  
Planning Division

**Committee of Adjustment**

City Hall  
5<sup>th</sup> floor 71 Main Street West  
Hamilton, Ontario L8P 4Y5

Phone (905) 546-2424 ext.4221  
Fax (905) 546-4202

**PLEASE FILL OUT THE FOLLOWING PAGES AND  
RETURN TO THE CITY OF HAMILTON PLANNING  
DEPARTMENT.**

20-173426

**FOR OFFICE USE ONLY.**

APPLICATION NO. Hm/A. 20:138 DATE APPLICATION RECEIVED July 2/20

PAID \_\_\_\_\_ DATE APPLICATION DEEMED COMPLETE \_\_\_\_\_

SECRETARY'S  
SIGNATURE \_\_\_\_\_

**CITY OF HAMILTON  
COMMITTEE OF ADJUSTMENT  
HAMILTON, ONTARIO**

***The Planning Act***

**Application for Minor Variance or for Permission**

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

1. Name of Owner Roxborough Park Inc.

2.

3. Name of Agent N/A

FAX NO. \_\_\_\_\_ E-mail address \_\_\_\_\_

4. Address \_\_\_\_\_

**Note: Unless otherwise requested all communications will be sent to the agent, if any.**

5. Names and addresses of any mortgagees, holders of charges or other encumbrances:

N/A

\_\_\_\_\_  
Postal Code \_\_\_\_\_

\_\_\_\_\_  
Postal Code \_\_\_\_\_

6. Nature and extent of relief applied for:

Please refer to enclosed cover letter and Minor Variance sketch.

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

Please refer to enclosed cover letter and Minor Variance sketch.

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

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

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9. PREVIOUS USE OF PROPERTY

Residential ☒ Industrial ☐ Commercial ☐

Agricultural ☐ Vacant ☐

Other Institutional - Former Roxborough School

9.1 If Industrial or Commercial, specify use

N/A

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

Yes ☒ No ☐ Unknown ☐

9.3 Has a gas station been located on the subject land or adjacent lands at any time?

Yes ☐ No ☒ Unknown ☐

9.4 Has there been petroleum or other fuel stored on the subject land or adjacent lands?

Yes ☐ No ☒ Unknown ☐

9.5 Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?

Yes ☐ No ☒ Unknown ☐

9.6 Have the lands or adjacent lands ever been used as an agricultural operation where cyanide products may have been used as pesticides and/or sewage sludge was applied to the lands?

Yes ☐ No ☒ Unknown ☐

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

Yes ☐ No ☒ Unknown ☐

9.8 Is the nearest boundary line of the application within 500 metres (1,640 feet) of the fill area of an operational/non-operational landfill or dump?

Yes ☐ No ☒ Unknown ☐

9.9 If there are existing or previously existing buildings, are there any building materials remaining on site which are potentially hazardous to public health (eg. asbestos, PCB's)?

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

9.10 Is there any reason to believe the subject land may have been contaminated by former uses on the site or adjacent sites?

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

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

\_\_\_\_\_  
We are the owners of subject lands.  
\_\_\_\_\_

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

Is the previous use inventory attached? Yes \_\_\_\_\_ No X

#### ACKNOWLEDGEMENT CLAUSE

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

July 2nd 2020  
Date

  
Signature Property Owner

S. MANCHIA  
Print Name of Owner

10. Dimensions of lands affected:

Frontage Varies (depends on block)

Depth Varies (depends on block)

Area Total = 22,848 m<sup>2</sup>

Width of street N/A

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

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

Proposed: Please refer to enclosed Minor Variance Sketch.

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

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

Proposed: Please refer to the enclosed Minor Variance sketch.

13. Date of acquisition of subject lands:

To be confirmed

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

Unknown

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

16. Existing uses of abutting properties: Residential

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

> 25 years

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

Water                     x                     Connected                     

Sanitary Sewer           x                     Connected                     

Storm Sewers           x                    

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

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

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

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

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

Yes

**No**

If the answer is yes, describe briefly.

N/A

22. Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*?

Yes

**No**

23. The applicant shall attach to each copy of this application a plan showing the dimensions of the subject lands and of all abutting lands and showing the location, size and type of all buildings and structures on the subject and abutting lands, and where required by the Committee of Adjustment such plan shall be signed by an Ontario Land Surveyor.

**NOTE: It is required that two copies of this application be filed with the secretary-treasurer of the Committee of Adjustment together with the maps**