



Hamilton

## COMMITTEE OF ADJUSTMENT

City Hall, 5<sup>th</sup> floor, 71 Main Street West, Hamilton, ON L8P 4Y5  
Telephone (905) 546-2424, ext. 4221, 3935 Fax (905) 546-4202  
E-mail: [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

# NOTICE OF PUBLIC HEARING

## Application for Consent/Land Severance

APPLICATION NUMBER: HM/B-21:46

SUBJECT PROPERTY: 276 Dunsmure Rd., Hamilton

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You are receiving this notice because you are either:

- Assessed owner of a property located within 60 metres of the subject property
  - Applicant/agent on file, or
  - Person likely to be interested in this application
- 

**APPLICANT(S):** Agent A.J. Clarke & Associates  
Owner Dunsmure Development Ltd.

**PURPOSE OF APPLICATION:** To permit the conveyance of a parcel of land and to retain a parcel of land for residential purposes.

**Severed lands:**  
13.4m<sup>±</sup> x 29.59m<sup>±</sup> and an area of 398m<sup>2±</sup>

**Retained lands:**  
Frontage of 83.7m<sup>±</sup> and an area of 7,052m<sup>2±</sup>

The Committee of Adjustment will hear this application on:

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**DATE:** Thursday, November 25th , 2021

**TIME:** 3:35 p.m.

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

To be streamed at  
[www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)  
for viewing purposes only

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### PUBLIC INPUT

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

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

## MORE INFORMATION

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

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

DATED: November 9th, 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.***

AREAS	
PART	AREA (sq.m.)
1	10.45
2	388.53
3	7030.51
4	14.00
5	8.57

I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT.

PLAN 62R-  
RECEIVED AND DEPOSITED

DATE: \_\_\_\_\_

DATE: \_\_\_\_\_

REPRESENTATIVE FOR LAND REGISTRAR FOR THE LAND TITLES DIVISION OF MONTREAL (No. 62)  
ONTARIO LAND SURVEYOR

SCHEDULE				
PART	LOT	PLAN/CONCESSION	P.I.N.	
1	PART OF LOT 29	REGISTERED PLAN 469	PART OF P.I.N. 17227-0002 (LT)	
2	PART OF LOTS 29 & 30	REGISTERED PLAN 469	PART OF P.I.N. 17227-0002 (LT)	
3	PART OF LOTS 29 & 30, LOTS 32, 33, 34, 35, 36, 37, 38, 39 & 40	REGISTERED PLAN 469	PART OF P.I.N. 17227-0002 (LT)	
	PART OF LOT 6	CONCESSION 2	PART OF P.I.N. 17227-0002 (LT)	
4	PART OF LOT 1	REGISTERED PLAN 489	PART OF P.I.N. 17227-0002 (LT)	
5	PART OF LOT 1	REGISTERED PLAN 489	PART OF P.I.N. 17227-0002 (LT)	

PARTS 1, 2, 3, 4 & 5: COMPRISE ALL OF P.I.N. 17227-0002 (LT).  
PARTS 4 & 5: SUBJECT TO A RIGHT OF WAY AS IN INST. No. CD1212

PLAN OF SURVEY OF  
PART OF LOT 6  
CONCESSION 2  
(GEOGRAPHIC TOWNSHIP OF BARTON)  
AND  
PART OF LOT 1  
REGISTERED PLAN 489  
AND  
LOTS 29, 32, 33, 34, 35,  
36, 37, 38, 39 & 40  
PART OF LOT 30  
REGISTERED PLAN 469  
CITY OF HAMILTON

SCALE 1:300  
0 5 10 15 20 25 METRES  
B.A. JACOBS SURVEYING LTD.  
ONTARIO LAND SURVEYOR

**LEGEND & NOTES:**

- DENOTES SURVEY MONUMENT FOUND
- DENOTES SURVEY MONUMENT PLANTED
- SB DENOTES STANDARD IRON BAR
- SSIB DENOTES SHORT STANDARD IRON BAR
- IB DENOTES IRON BAR
- IP DENOTES IRON PIPE
- CP DENOTES CONCRETE PIN
- WT DENOTES WITNESS
- IB# DENOTES ROUND IRON BAR
- WT# DENOTES WITNESS
- (OU) DENOTES ORIGIN UNKNOWN
- P1 DENOTES REGISTERED PLAN 469
- P2 DENOTES REGISTERED PLAN 489
- P3 DENOTES PLAN BY MACKAY & MACKAY (Y-5899)
- P4 DENOTES PLAN BY MACKAY & MACKAY (Y-6289)
- P5 DENOTES PLAN BY A.J. CLARKE LTD. (E-14158)
- D1 DENOTES INSTRUMENT No. BR9230
- D2 DENOTES INSTRUMENT No. CD1212
- N1 DENOTES CITY OF HAMILTON FIELD NOTES (AUG. 7, 2014)
- (1511) DENOTES G.V. CONSOLI O.L.S.
- (912) DENOTES A.J. CLARKE O.L.S.
- (655) DENOTES J.T. PETERS O.L.S.
- (1243) DENOTES E. BARICH O.L.S.
- (1353) DENOTES G.E. GIDDY O.L.S.
- (1629) DENOTES B.A. JACOBS O.L.S.

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

BEARINGS ARE UTM GRID, DERIVED FROM SPECIFIED CONTROL POINTS 02519950048 AND 02519950054, UTM ZONE 17, NAD83 (ORIGINAL).

DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.9997020.

ALL SET SSIB MONUMENTS WERE USED DUE TO LACK OF OVERBURDEN AND/OR PROXIMITY OF UNDERGROUND UTILITIES IN ACCORDANCE WITH SECTION 11 (4) OF O.R.G. 525/91.

FOR BEARING COMPARISONS, A ROTATION OF 1°40'40" COUNTER CLOCKWISE WAS APPLIED TO BEARINGS ON REGISTERED PLAN 469 AND REGISTERED PLAN 489.

SPECIFIED CONTROL POINTS (SCPs): UTM ZONE 17, NAD83 (ORIGINAL), COORDINATES TO URBAN ACCURACY PER SEC. 14 (2) OF O.R.G. 216/10.		
POINT ID	NORTHING	EASTING
SCP 02519950048	4788797.407	594711.103
SCP 02519950054	4788699.692	594988.167

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

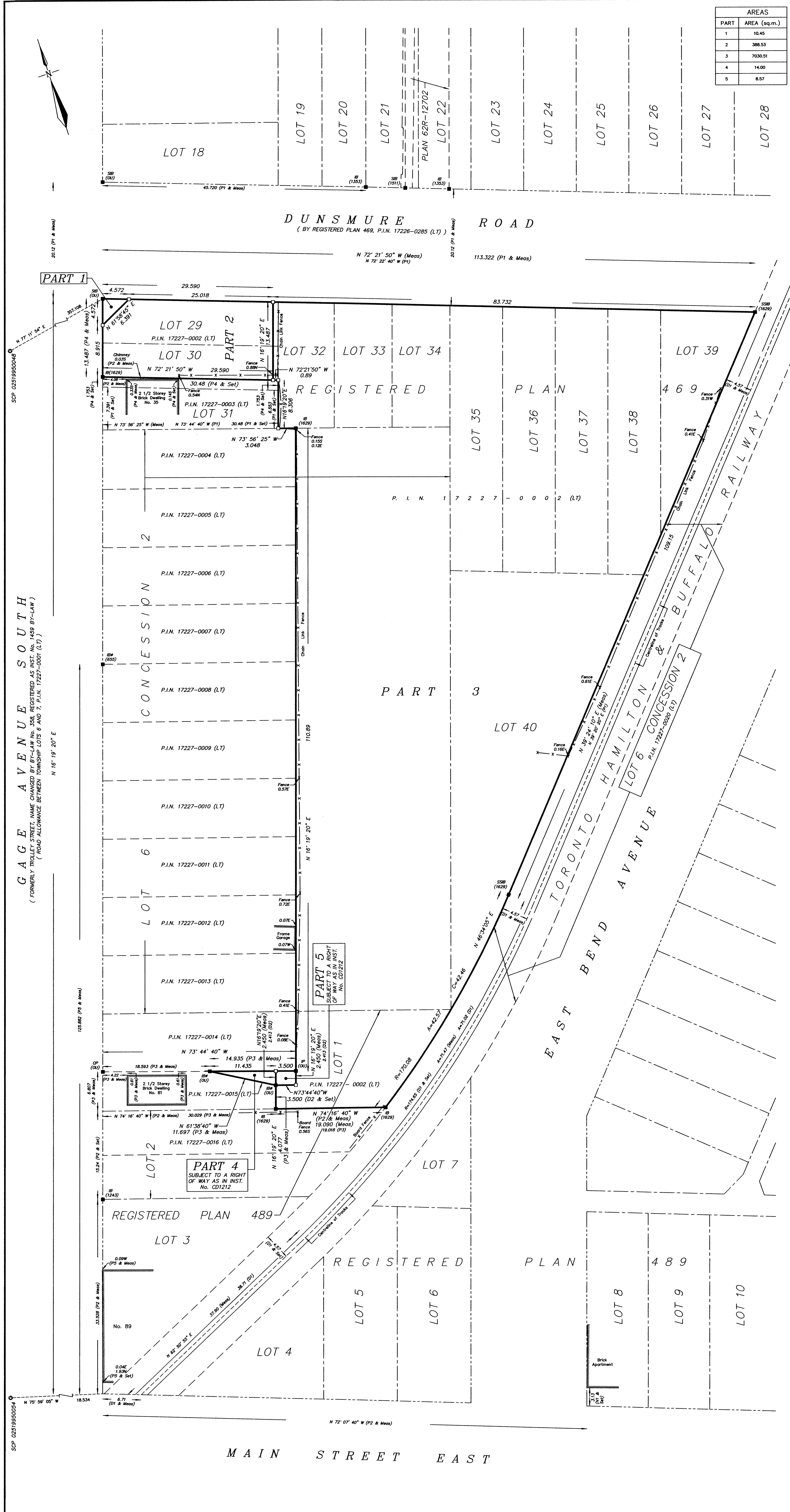
**SURVEYOR'S CERTIFICATE**

I CERTIFY THAT:

- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
- THE SURVEY WAS COMPLETED ON \_\_\_\_\_

DRAFT  
DATE \_\_\_\_\_  
BRYAN JACOBS  
ONTARIO LAND SURVEYOR

B.A. JACOBS SURVEYING LTD.  
152 JACKSON STREET EAST, SUITE 102  
HAMILTON, ONTARIO (L3M 1J3)  
PHONE: 905-521-1535 bjacobs@rangers.com



GAGE AVENUE SOUTH  
(FORMERLY TROLLEY STREET, NAME CHANGED BY BY-LAW No. 358, REGISTERED AS INST. No. 1459 BY-LAW)  
(ROAD ALLOWANCE BETWEEN TOWNSHIP LOTS 6 AND 7, P.I.N. 17227-0001 (LT))

SCP 02519950054  
N 75° 59' 05" W  
18.534

SCP 02519950048  
N 77° 11' 54" E  
357.106

SCP 02519950048  
N 16° 19' 20" E

SCP 02519950048

SCP 02519950048

SCP 02519950048

SCP 02519950048

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SCP 02519950048

SCP 02519950048



**GENERAL NOTES**

RE: THE OWNER(S) OF THE LAND, HEREBY UNDERTAKE AND AGREE WITHOUT RESERVATION TO COMPLY WITH ALL THE CONTENT OF THIS PLAN AND DRAWING AND NOT TO VARY THEREFROM.

(B) TO PERFORM THE FACILITIES, WORKS OR MATTERS MENTIONED IN SECTION 41(7)(A) OF THE PLANNING ACT (SHOWN ON THIS PLAN AND DRAWINGS) IN ACCORDANCE WITH THE CONDITIONS OF APPROVAL AS SET OUT IN THE LETTER OF APPROVAL DATED.

(C) TO MAINTAIN TO THE SATISFACTION OF THE CITY AND AT MY (OUR) SOLE RISK AND EXPENSE, ALL OF THE FACILITIES, WORKS OR MATTERS MENTIONED IN SECTION 41(7)(B) OF THE SAID ACT, SHOWN IN THIS PLAN AND DRAWINGS, INCLUDING REMOVAL OF SNOW FROM ACCESS RAMPS AND DRIVEWAYS, PARKING AND LOADING AREAS AND WALKWAYS; AND, (D) IN THE EVENT THAT THE OWNER AGREES TO PHYSICALLY AFFIX THE PLAN DATA AND LAND AND DO THE REQUIRED WORK AND FURTHER THE OWNER AUTHORIZES THE CITY TO USE THE SECURITY FILED TO OBTAIN COMPLIANCE WITH THIS PLAN.

E) THE OWNER INCLUDE ON ALL OFFERS OF PURCHASE AND SALE, A STATEMENT THAT ADVISES THE PROSPECTIVE PURCHASER:

1. THAT THE HOME/BUSINESS MAIL DELIVERY WILL BE FROM A DESIGNATED CENTRALIZED MAIL BOX. AND;

2. THAT THE DEVELOPERS / OWNERS BE RESPONSIBLE FOR OFFICIALLY NOTIFYING THE PURCHASERS OF THE EXACT CENTRALIZED MAIL BOX LOCATIONS PRIOR TO THE CLOSING OF ANY HOME SALES.

(F) THE OWNER AGREES TO THE FOLLOWING:

1. WORK WITH CANADA POST TO DETERMINE AND PROVIDE TEMPORARY SUITABLE CENTRALIZED MAIL BOX LOCATIONS WHICH MAY BE UTILIZED BY CANADA POST UNTIL THE CURBS, BOULEVARDS AND SIDEWALKS ARE IN PLACE IN THE REMAINDER OF THE DEVELOPMENT;

2. INSTALL A CONCRETE PAD IN ACCORDANCE WITH THE REQUIREMENTS OF AND IN LOCATIONS TO BE APPROVED BY CANADA POST TO FACILITATE THE PLACEMENT OF COMMUNITY MAIL BOXES;

3. IDENTIFY THE PADS ABOVE ON THE ENGINEERING SERVING DRAWINGS, SAID PADS ARE TO BE POURED AT THE TIME OF THE SIDEWALK AND/OR CURB INSTALLATION WITHIN EACH PHASE OF THE DEVELOPMENT;

4. DETERMINE THE LOCATION OF ALL CENTRALIZED MAIL RECEIVING FACILITIES IN CO-OPERATION WITH CANADA POST AND TO INDICATE THE LOCATION OF THE CENTRALIZED MAIL FACILITIES ON APPROPRIATE MAPS, INFORMATION BOARDS AND PLANS; AND, V. MAPS ARE ALSO TO BE PROMINENTLY DISPLAYED IN THE SALES OFFICES, SHOWING SPECIFIC CENTRALIZED MAIL FACILITY LOCATIONS;

(G) THAT THE OWNER SHALL GRANT TO BELL CANADA ANY EASEMENTS THAT MAY BE REQUIRED, WHICH MAY INCLUDE A BLANKET EASEMENT FOR COMMUNICATION / TELECOMMUNICATION INFRASTRUCTURE. IN THE EVENT OF ANY CONFLICT WITH EXISTING BELL CANADA FACILITIES OR EASEMENTS, THE OWNER SHALL BE RESPONSIBLE FOR THE RELOCATION OF SUCH FACILITIES OR EASEMENTS;

(H) THAT THE OWNER AGREES TO DISPLAY THE MUNICIPAL NUMBER (276) OR FULL ADDRESS (276 DUNSMURE ROAD) ON A SIGN NEAR THE ENTRANCE IN A MANNER THAT IS VISIBLE FROM THE STREET; (I) THAT THE OWNER AGREES TO PHYSICALLY AFFIX THE MUNICIPAL AND UNIT NUMBERS TO THE UNITS' INDIVIDUAL ENTRANCES IN THE MANNER SUCH AS (276-1) VIA ADDRESS PLACARDS;

(J) THAT THE OWNER INCLUDE THE FOLLOWING CLAUSE IN ALL OFFERS OF PURCHASE AND SALE OR LEASE: "WARNING: CANADIAN PACIFIC RAILWAY OR ITS ASSIGNS OR SUCCESSORS IN INTEREST HAS OR HAVE A RAILWAY RIGHT-OF-WAY LOCATED WITHIN 300 METRES FROM THE LAND SUBJECT HEREOF. THERE MAY BE ALTERATIONS OR EXPANSIONS OF THE RAILWAY FACILITIES AND / OR OPERATIONS IN THE FUTURE, WHICH ALTERATIONS OR EXPANSIONS MAY AFFECT THE LIVING ENVIRONMENT OF THE RESIDENTS IN THE VICINITY. NOTWITHSTANDING THE KNOWLEDGE OF ANY KNOCK AND VIBRATION ATTENUATION MEASURES IN THE DESIGN OF THE DEVELOPMENT AND INDIVIDUAL DWELLINGS. CPR WILL NOT BE RESPONSIBLE FOR CLAIMS ARISING FROM THE USE OF ITS FACILITIES AND / OR OPERATIONS."

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2021.

WITNESS (SIGNATURE) \_\_\_\_\_ (SEAL)  
OWNERS (SIGNATURE) \_\_\_\_\_  
WITNESS (PRINT) \_\_\_\_\_ OWNER (PRINT) \_\_\_\_\_  
ADDRESS OF WITNESS \_\_\_\_\_

1. ALL WORK INVOLVED IN THE CONSTRUCTION, RELOCATION, REPAIR OF MUNICIPAL SERVICES FOR THE PROJECT SHALL BE TO THE SATISFACTION OF THE DIRECTOR OF PLANNING AND CHIEF PLANNER, PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT.

2. FIRE ROUTE SCANS AND WALKS SHALL BE MADE TO THE SATISFACTION OF THE CITY FIRE DEPARTMENT AND AT THE EXPENSE OF THE OWNER.

3. MAIN DRIVEWAYS FROM PROPERTY LINES FOR THE FIRST 7.5 M SHALL BE WITHIN 5% MAXIMUM GRADE, THEREAFTER, ALL DRIVEWAYS SHALL BE WITHIN 10% MAXIMUM GRADES.

4. THE APPROVAL OF THIS PLAN DOES NOT EXEMPT THE OWNERS BONDED CONTRACTOR FROM THE REQUIREMENTS TO OBTAIN THE VARIOUS PERMIT/APPROVALS NORMALLY REQUIRED TO COMPLETE A CONSTRUCTION PROJECT, SUCH AS, BUT NOT LIMITED TO THE FOLLOWING:

5. ABANDONED ACCESSES MUST BE REMOVED AND THE CURB AND BOULEVARD RESTORED WITH SOIL AT THE OWNERS EXPENSE TO THE SATISFACTION OF THE CORRIDOR MANAGEMENT SECTION, PUBLIC WORKS DEPARTMENT.

6. FOR VISIBILITY TRIANGLES AT THE VEHICULAR ACCESS POINTS, THE FOLLOWING NOTE TO BE PROVIDED:

8. ALL SIGNS MUST COMPLY WITH SIGN BY-LAW NO. 10-197.

9. BUILDING PERMIT, SEWER AND WATER PERMITS

10. ROAD CUT PERMITS - RELOCATION OF SERVICES

11. APPROACH APPROVAL PERMITS - ENCROACHMENT AGREEMENTS

12. COMMITTEE OF ADJUSTMENT (IF REQUIRED)

13. METRE BY METRE VISIBILITY TRIANGLES IN WHICH THE MAXIMUM HEIGHT OF ANY OBJECTS OR MATURE VEGETATION IS NOT TO EXCEED A HEIGHT OF 0.70 METRES ABOVE THE CORRESPONDING PERPENDICULAR CENTRELINE ELEVATION OF THE ADJACENT STREET.

14. ALL FENCING SHALL CONFORM TO HAMILTON FENCE BY-LAW NO. 10-142

15. CAUTION: NOTWITHSTANDING CURRENT SURFACE CONDITIONS, THE PROPERTY HAS BEEN DETERMINED TO BE AN AREA OF ARCHAEOLOGICAL POTENTIAL. ALTHOUGH AN ARCHAEOLOGICAL ASSESSMENT IS NOT REQUIRED BY THE CITY OF HAMILTON, THE PROPONENT IS CAUTIONED THAT DURING DEVELOPMENT ACTIVITIES, SHOULD DEEPLY BURIED ARCHAEOLOGICAL MATERIALS BE FOUND ON THE PROPERTY, THE ONTARIO MINISTRY OF TOURISM, CULTURE AND SPORT (MTCSS) SHOULD BE NOTIFIED IMMEDIATELY (416-314-7400). IN THE EVENT THAT HUMAN REMAINS ARE ENCOUNTERED DURING CONSTRUCTION, THE PROPONENT SHOULD IMMEDIATELY CONTACT BOTH MTCSS AND THE REGISTRAR OR DEPUTY REGISTRAR OF THE CEMETERIES REGULATION UNIT OF THE MINISTRY OF SMALL BUSINESS AND CONSUMER SERVICES (416-326-8262).

16. THIS PROPERTY IS ELIGIBLE FOR MUNICIPAL WASTE COLLECTION SERVICE SUBJECT TO MEETING THE CITY'S REQUIREMENTS.

17. UNION GAS (UNION GAS HAS SERVICE LINES RUNNING WITHIN THE AREA WHICH MAY OR MAY NOT BE AFFECTED BY THE DEVELOPMENT. SHOULD THE PLAN IMPACT THE SERVICES IT MAY BE NECESSARY TO RELOCATE THE LINES, ANY SERVICE RELOCATION WOULD BE AT THE COST OF THE PROPERTY OWNER.

18. WHERE ILLUMINATION IS PROVIDED FOR A PARKING AREA, THE ILLUMINATION SHALL BE DIRECTED TOWARDS OR ON THE LOT ON WHICH THE PARKING AREA IS LOCATED AND AWAY FROM ANY ADJACENT USE AND TO ANY HIGHWAY.

19. A PERMANENT DURABLE AND DUSTLESS SURFACE THAT IS GRADED, DRAINED, AND PAVED WITH CONCRETE OR ASPHALT OR A COMBINATION OF CONCRETE AND ASPHALT, SHALL BE PROVIDED AND MAINTAINED FOR EVERY PARKING AREA, MANOEUVRING SPACE, LOADING SPACE AND ACCESS DRIVEWAY.

**UTILITIES NOTES**

ELECTRA UTILITIES

1) RELOCATION, MODIFICATION, OR REMOVAL OF ANY EXISTING HYDRO FACILITIES, SHALL BE AT THE OWNERS EXPENSE

2) DO NOT EXCAVATE WITHIN 2M OF HYDRO POLE OR ANCHORS.

3) EXCAVATION WITHIN 1M OF UNDERGROUND HYDRO PLANT IS NOT PERMITTED UNLESS APPROVAL IS GRANTED BY AN ELECTRA UTILITIES REPRESENTATIVE AND IS PRESENT TO PROVIDE DIRECT SUPERVISION. COST ASSOCIATED WITH THIS TASK SHALL BE AT THE OWNERS EXPENSE.

4) ELECTRA UTILITIES MUST BE CONTACTED IF REMOVAL, ISOLATION OR RELOCATION OF EXISTING PLANT IS REQUIRED. ALL COST ASSOCIATED WITH THIS WORK WILL BE AT THE OWNERS EXPENSE

PROPERTY LOT			
DESCRIPTION	AREA (SM)	AREA (SF)	PERCENTAGE
BUILDING FOOTPRINT	7060.40 m <sup>2</sup>	75997 ft <sup>2</sup>	100.0%
PROPERTY LOT	7060.40 m <sup>2</sup>	75997 ft <sup>2</sup>	100.0%

SITE STATISTICS			
DESCRIPTION	AREA (SM)	AREA (SF)	PERCENTAGE
BUILDING FOOTPRINT	1562.64 m <sup>2</sup>	16820 ft <sup>2</sup>	22.1%
BUILDING FOOTPRINT	1562.64 m <sup>2</sup>	16820 ft <sup>2</sup>	22.1%

HARD LANDSCAPE			
DESCRIPTION	AREA (SM)	AREA (SF)	PERCENTAGE
ASPHALT	2129.09 m <sup>2</sup>	22917 ft <sup>2</sup>	30.1%
CURB	58.47 m <sup>2</sup>	629 ft <sup>2</sup>	0.8%
SIDEWALK	891.74 m <sup>2</sup>	9599 ft <sup>2</sup>	12.6%
SIDEWALK	3079.30 m <sup>2</sup>	33145 ft <sup>2</sup>	43.6%

SOFT LANDSCAPE			
DESCRIPTION	AREA (SM)	AREA (SF)	PERCENTAGE
LANDSCAPE	2425.89 m <sup>2</sup>	26112 ft <sup>2</sup>	34.3%
LANDSCAPE	2425.89 m <sup>2</sup>	26112 ft <sup>2</sup>	34.3%
LANDSCAPE	7067.82 m <sup>2</sup>	76077 ft <sup>2</sup>	100.0%

PARKING SCHEDULE		PARKING SCHEDULE - BICYCLE	
DESCRIPTION	COUNT	DESCRIPTION	COUNT
90° - 2.75mX6.0m	46	SHORT TERM BICYCLE PARKING	12
ACC - 90° - 2.4mX6.0m	1		
ACC - 90° - 3.4mX6.0m	1		
PARALLEL - 2.5mX6.7m	1		
VISITOR - 90° - 2.75mX6.0m	15		
	64		

ZONING INFORMATION			
ZONE CATEGORY	DE (LOW DENSITY) MULTIPLE DWELLING		
PARKING SPACES REQ. PER UNIT	1.25 SPACE PER CLASS A DWELLING UNIT		
PARKING SPACE REQ. VISITOR	0.25 SPACES PER UNIT		
PARKING SPACE REQ. VISITOR ACC.	2 ACCESSIBLE SPACES		
PARKING STALL - TYPICAL	2.7m X 6m		
PARKING STALL - ACCESSIBLE	3.4m X 6m (NO AISLE), 2.4m X 6m + 1.5m AISLE		
DRIVE AISLE / FIRE ROUTE	6m MIN REQ, 6M PROVIDED		
LOADING FACILITIES	5-30 DWELLING UNITS - 1 SPOT (9L TO 3.7w X 4.3H)		

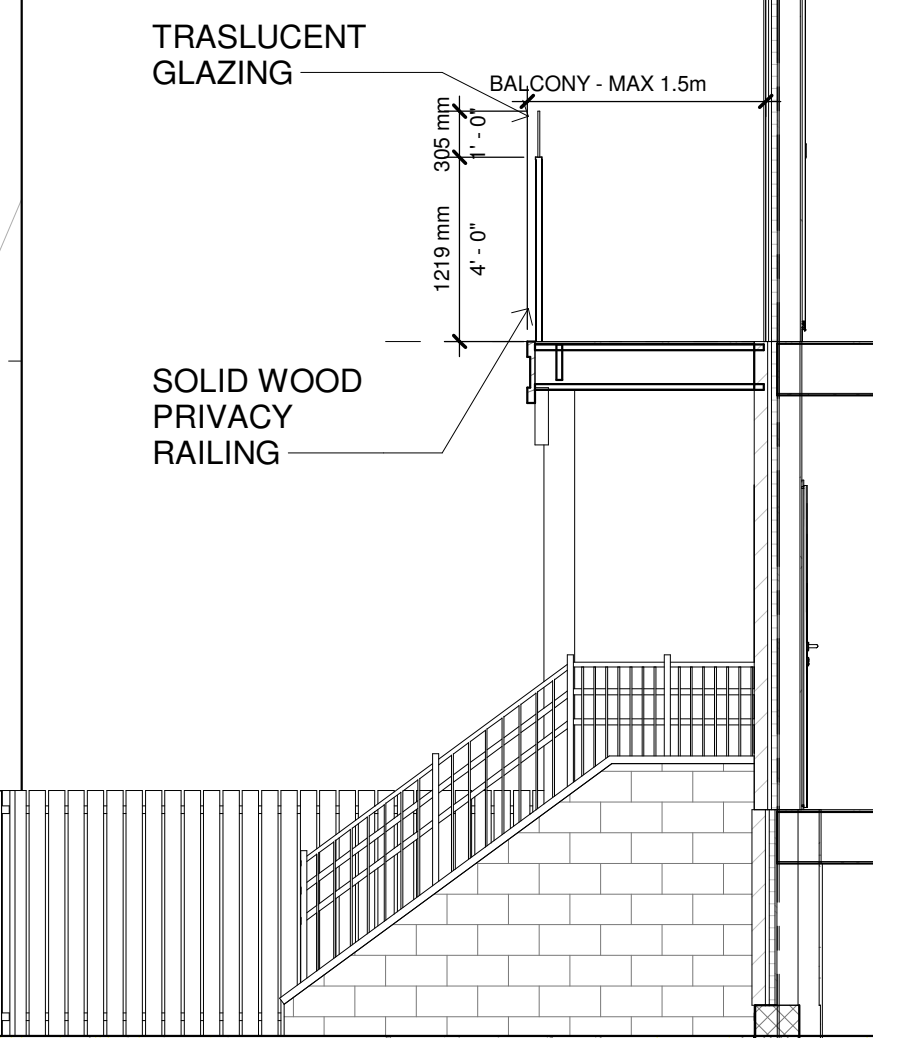
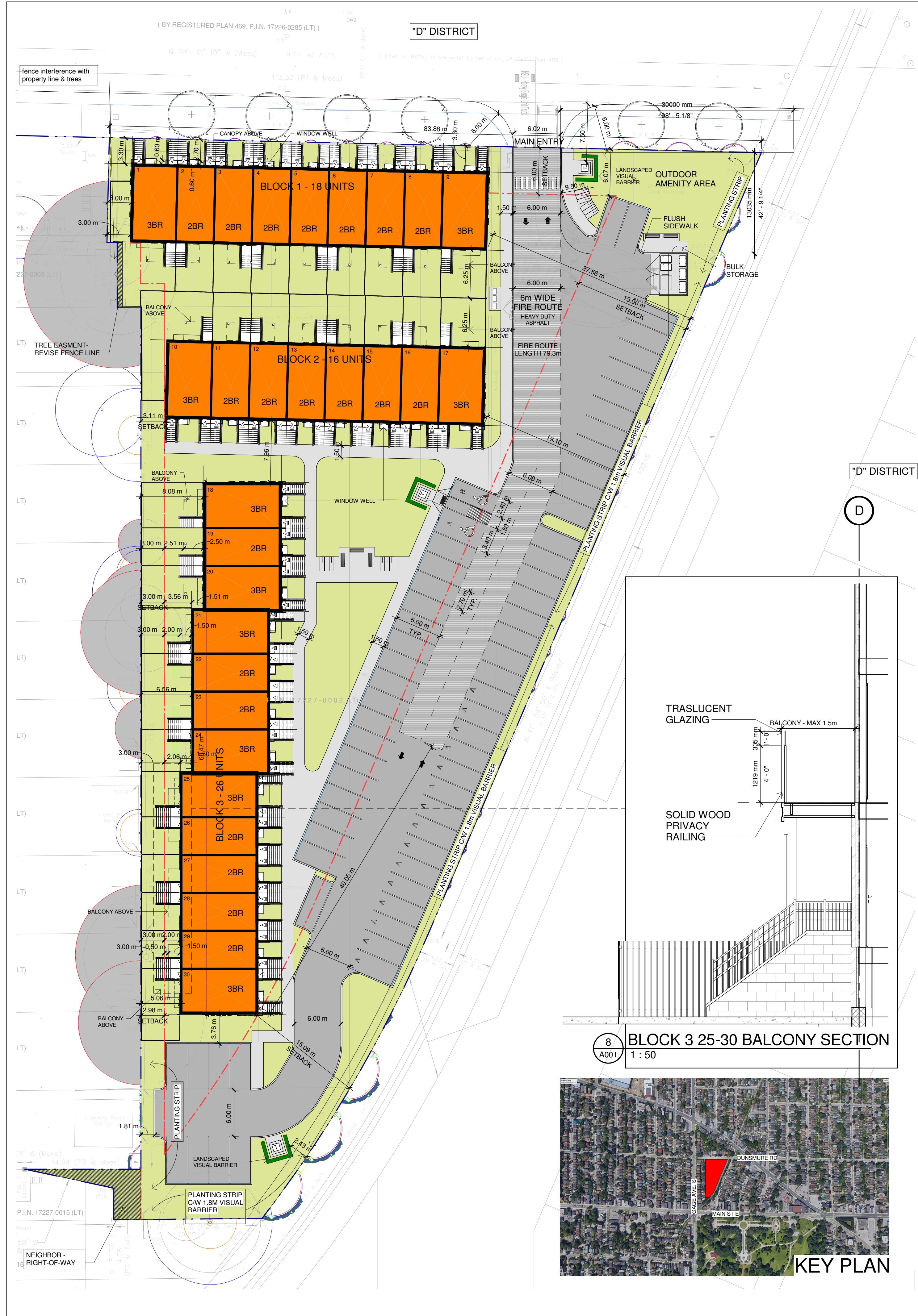
ZONING REQUIREMENTS			
	REQUIRED	PROVIDED	
NUMBER OF STOREYS	3	3	
BUILDING HEIGHT (T/O ROOF RIDGE)	3 STOREYS, 11m	10.49m	
FLOOR AREA RATIO (MAX.)	-	-	

SETBACKS			
	REQUIRED	PROVIDED	
FRONT YARD SETBACK (STREET)	6m	3.3m	
REAR YARD SETBACK	7.5m	26.4m	
SIDE YARD SETBACK (EAST)	3m	15m	
SIDE YARD SETBACK (WEST)	3m	3m	
LOT FRONTAGE (MIN.)	-	83.8m	

AMENITY SPACES			
	REQUIRED	PROVIDED	
OUTDOOR AREA	-	-	
INDOOR AREA	-	-	

**SITE PLAN LEGEND**

	ENTRANCE / EXIT		DESIGNATED BARRIER-FREE PARKING SPACE
	PROPERTY LINE		BARRIER FREE PARKING SIGN: POLE MOUNTED BARRIER-FREE PARKING SIGN, INCLUDE VAN ACCESSIBLE AT SPACES INDICATED.
	BUILDING SETBACK LINE		6m WIDE FIRE ROUTE WITH HEAVY DUTY ASPHALT
	SIAMESE CONNECTION		HEAVY DUTY ASPHALT
	FIRE HYDRANT		LANDSCAPE / SOD AREA
	LIGHT STANDARD		CONCRETE SIDEWALK
	LIGHT POST		PATIOS
	PROPOSED PAD MOUNTED TRANSFORMER		PEDESTRIAN CROSSING NOTE: PEDESTRIAN CROSSING TO CONFORM TO ONTARIO TRAFFIC MANUAL, BOOK 11
	BARRIER FREE DEPRESSED CURB REFER TO CITY STANDARD		TRAFFIC DIRECTION
	TACTILE STRIP		
	ACCESS AISLE WITH HIGH CONTRAST DIAGONL LINES		
	PARKING SPACE COUNT		



**8 A001** BLOCK 3 25-30 BALCONY SECTION  
1:50



**1 A001** Site Plan  
1:300

**Chamberlain** Architects  
Constructors  
Managers

Chamberlain Architect  
Services Limited

4671 Palladium Way (Unit 1)  
Burlington, Ontario L7M 0W9  
CANADA

Phone: 905.631.7777

www.chamberlainPD.com

NO.	ISSUED	DATE
1	SPA COORDINATION	2021-3-2
2	SPA COORDINATION	MAY 3 2021

CHAMBERLAIN ARCHITECT SERVICES LIMITED ACKNOWLEDGE THAT THE PRELIMINARY DESIGN AND CONCEPT FOR THE PROJECT WAS PROPOSED BY THEM / CURRAN ARCHITECTS INC.

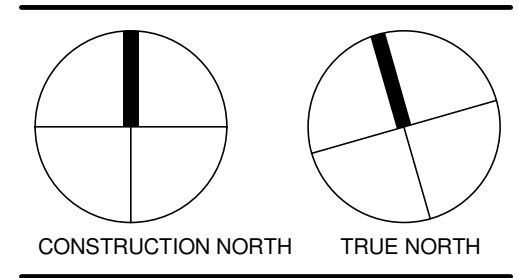
THIS SITE PLAN IS BASED UPON AND MUST BE READ IN CONJUNCTION WITH THE REGISTERED PLAN. CHAMBERLAIN ARCHITECT SERVICES LIMITED ACCEPTS NO RESPONSIBILITY FOR THE ACCURACY, OR COMPLETENESS OF THE DATA SUPPLIED AND SUCH DATA IS NOT INCLUDED UNDER SEALS OF CERTIFICATION IF ANY.

DO NOT SCALE DRAWINGS. USE ONLY DRAWINGS MARKED "ISSUED FOR CONSTRUCTION". VERIFY CONFIGURATIONS AND DIMENSIONS ON SITE BEFORE BEGINNING WORK. NOTIFY ARCHITECT IMMEDIATELY OF ANY ERRORS, OMISSIONS OR DISCREPANCIES.

CHAMBERLAIN ARCHITECT SERVICES LIMITED AND CHAMBERLAIN CONSTRUCTION SERVICES LIMITED HAVE SIMILAR OWNERSHIP.

CHAMBERLAIN ARCHITECT SERVICES LIMITED HAS COPYRIGHT. CONSTRUCTING A SUBSTANTIALLY SIMILAR BUILDING WITHOUT PERMISSION MAY INFRINGE THE COPYRIGHT OWNERS RIGHTS. MARKING CHANGES TO PLANS DOES NOT NECESSARILY AVOID COPYRIGHT INFRINGEMENT. INDECENT INFRINGEMENT IS NOT A DEFENSE TO COPYRIGHT INFRINGEMENT. ©

SEAL



**DUNSMURE TOWNHOUSES**

276 DUNSMURE RD.  
HAMILTON, ONTARIO

SHEET NAME

**SITE PLAN**

START DATE	FEB 2021
DRAWN BY	ME / DM
CHECKED BY	JMC
SCALE	As indicated
PROJECT NO.	121001
DRAWING	

**A001**

C:\Users\amc\OneDrive\Documents\121001 - Dunsmure Townh. Site Plan\_2021-02-22.DWG\amc\A001.rvt







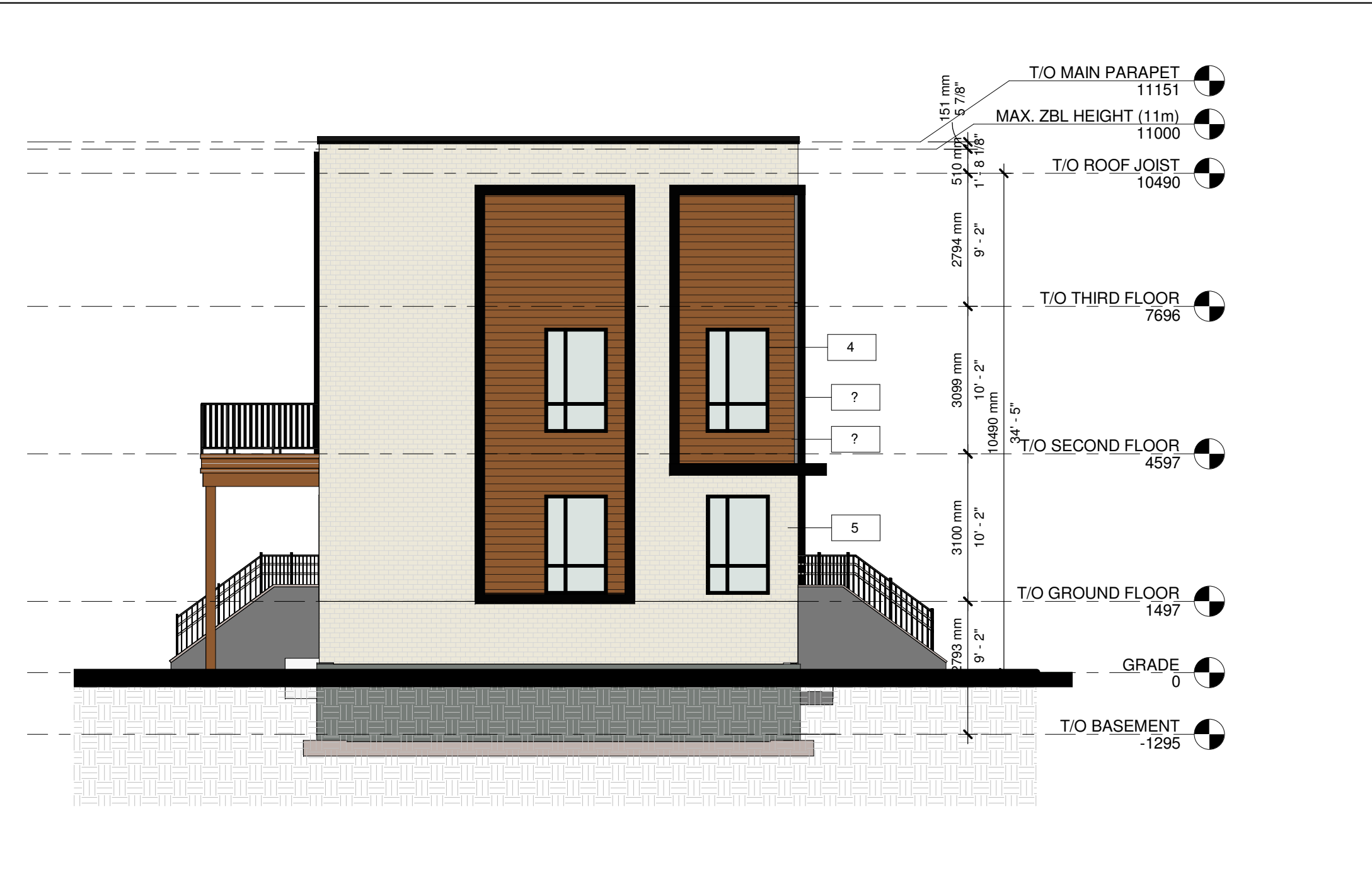
NO.	ISSUED	DATE
1	SPA COORDINATION	2021-3-2



**1** BLOCK 1 - NORTH ELEVATION  
A201 1 : 100



**2** BLOCK 1 - SOUTH ELEVATION  
A201 1 : 100



**3** BLOCK 1 - EAST ELEVATION  
A201 1 : 100



**4** BLOCK 1 - WEST ELEVATION  
A201 1 : 100

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SEAL

**DUNSMURE TOWNHOUSES**

276 DUNSMURE RD.  
HAMILTON, ONTARIO

SHEET NAME

**EXTERIOR ELEVATIONS - BLOCK 1**

START DATE FEB 2021

DRAWN BY ME

CHECKED BY JM

SCALE As indicated

PROJECT NO. 121001

DRAWING

**A201**

C:\Users\omunichy\Documents\121001 - Dunsmure Towns\_Site Plan\_2021-2-22\_DMArchitect\DWG.rvt 2021-05-03 4:40:57 PM



NO.	ISSUED	DATE
1	SPA COORDINATION	2021-3-2



**1 BLOCK 2 - NORTH ELEVATION**  
 A202 1 : 100



**2 BLOCK 2 - SOUTH ELEVATION**  
 A202 1 : 100



**3 BLOCK 2 - EAST ELEVATION**  
 A202 1 : 100



**4 BLOCK 2 - WEST ELEVATION**  
 A202 1 : 100

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**DUNSMURE TOWNHOUSES**

276 DUNSMURE RD.  
 HAMILTON, ONTARIO

SHEET NAME

**EXTERIOR ELEVATION - BLOCK 2**

START DATE FEB 2021

DRAWN BY ME

CHECKED BY JM

SCALE As indicated

PROJECT NO. 121001

DRAWING

**A202**

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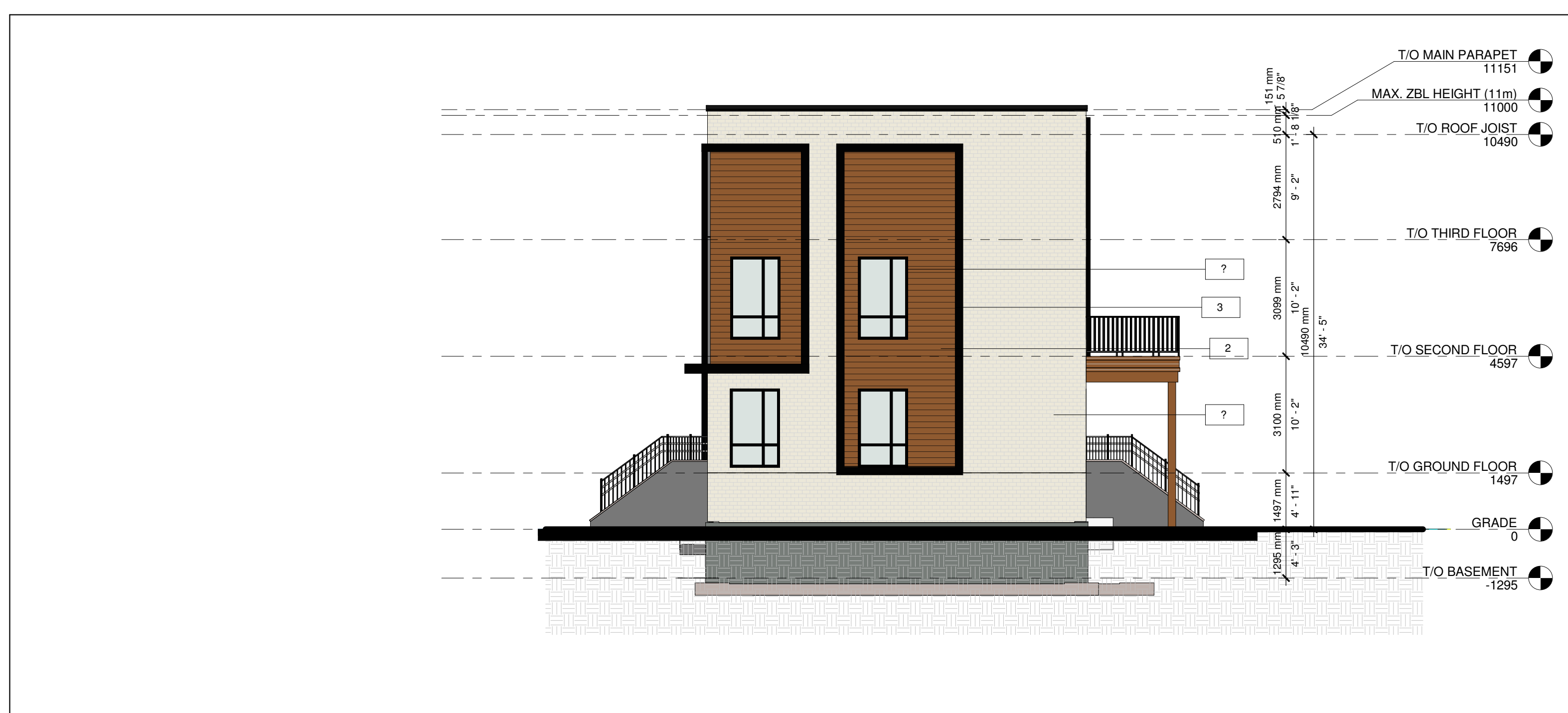
NO.	ISSUED	DATE
1	SPA COORDINATION	2021-3-2



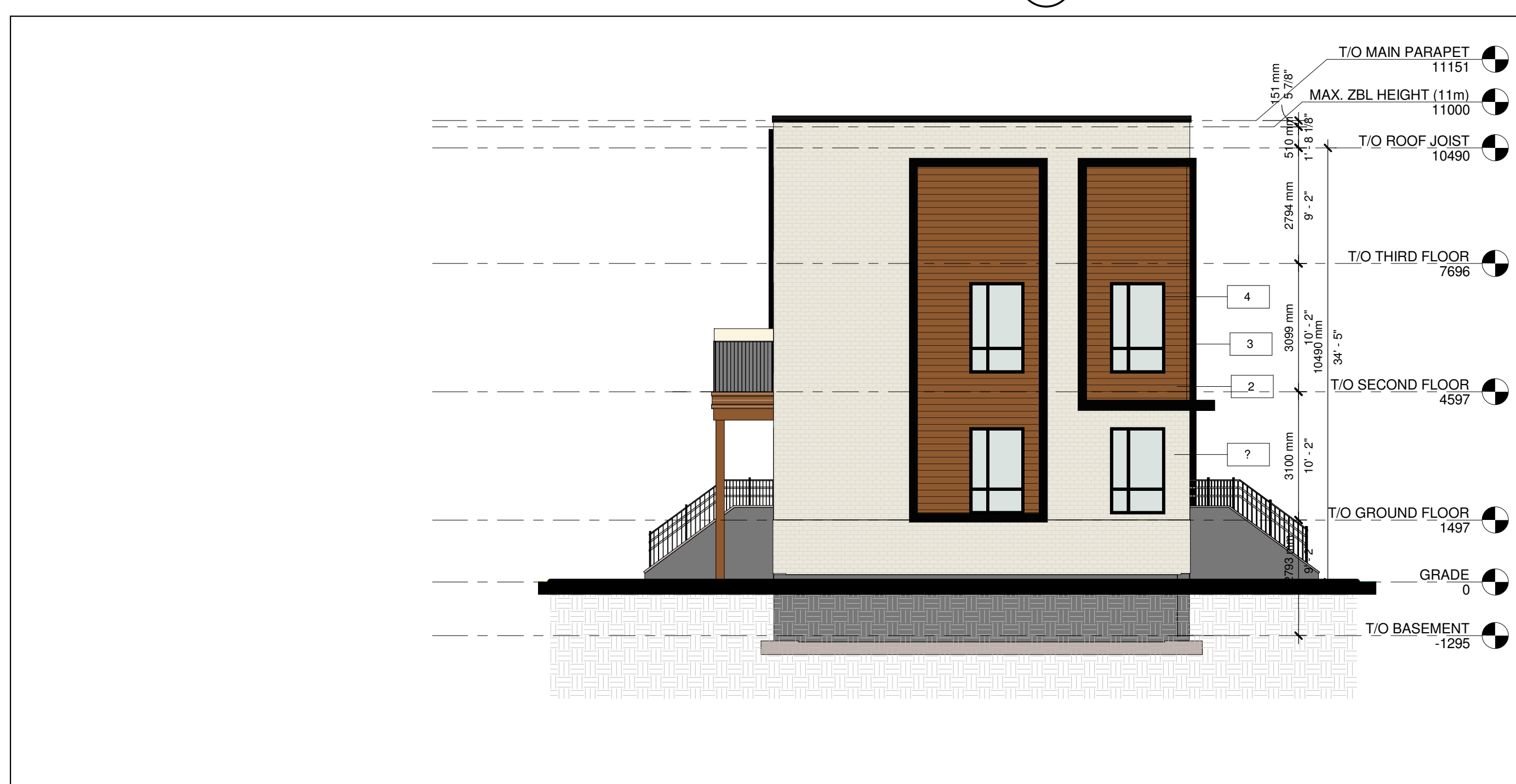
**1 BLOCK 3 - EAST ELEVATION**  
A203 1:100



**2 BLOCK 3 - WEST ELEVATION**  
A203 1:100



**3 BLOCK 3 - NORTH ELEVATION**  
A203 1:100



**4 BLOCK 3 - SOUTH ELEVATION**  
A203 1:100

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**DUNSMURE TOWNHOUSES**

276 DUNSMURE RD.  
HAMILTON, ONTARIO

SHEET NAME

**EXTERIOR ELEVATIONS - BLOCK 3**

START DATE FEB 2021

DRAWN BY ME

CHECKED BY JM

SCALE As indicated

PROJECT NO. 121001

DRAWING

**A203**

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UNIT AREA		
Level	Area	AREA - SQ
<b>LOWER UNIT</b>		
T/O BASEMENT	46 m <sup>2</sup>	497 SF
T/O GROUND FLOOR	44 m <sup>2</sup>	473 SF
LOWER UNIT: 2	90 m <sup>2</sup>	970 SF
<b>UPPER UNIT</b>		
T/O GROUND FLOOR	5 m <sup>2</sup>	55 SF
T/O SECOND FLOOR	49 m <sup>2</sup>	528 SF
T/O THIRD FLOOR	48 m <sup>2</sup>	517 SF
UPPER UNIT: 3	102 m <sup>2</sup>	1099 SF

NO.	ISSUED	DATE
1	CLIENT REVIEW	2021-02-09
2	SPA FOR COORDINATION	2021-3-2

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**DUNSMURE TOWNHOUSES 2BD UNIT**

276 DUNSMURE ROAD  
HAMILTON, ONTARIO

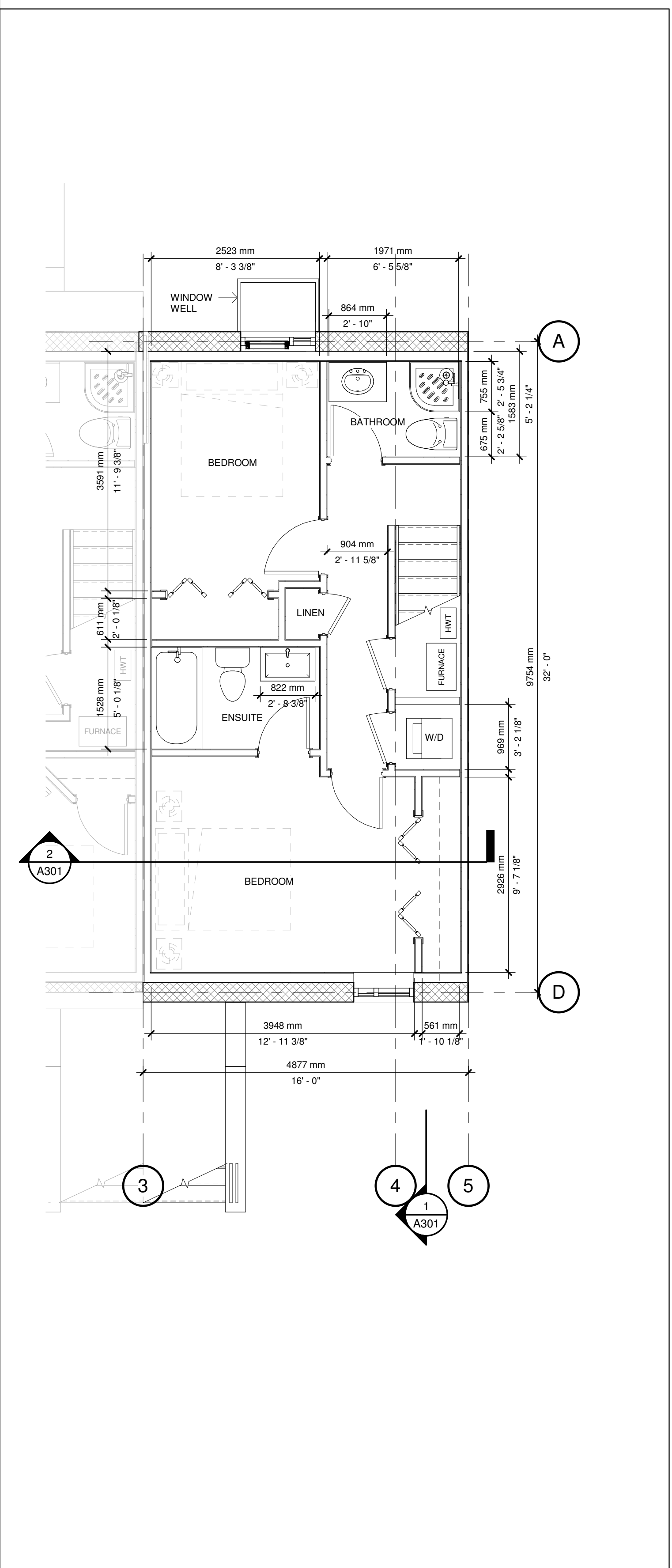
SHEET NAME

**OVERALL FLOOR PLANS**

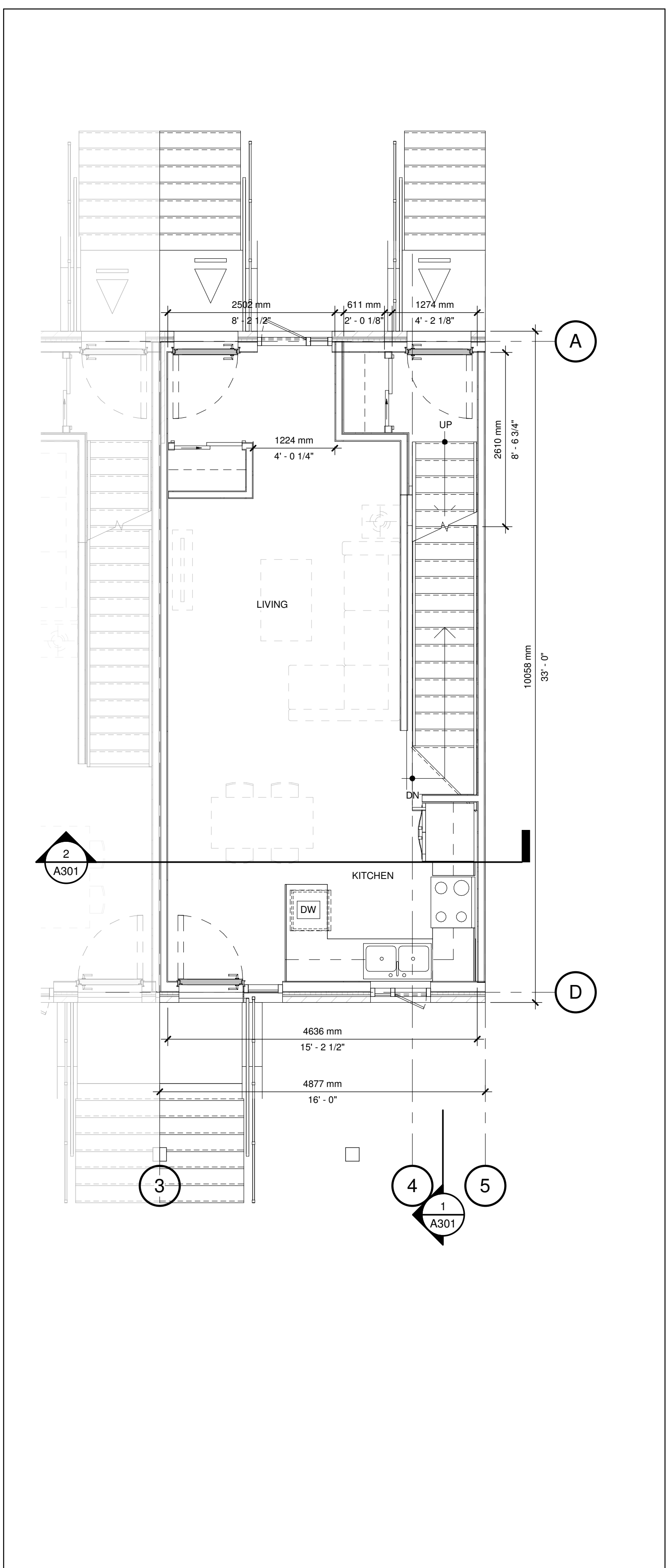
START DATE: FEB 2021  
DRAWN BY: DMC, ME  
CHECKED BY: JMC  
SCALE: 1 : 50  
PROJECT NO.: 121001

DRAWING

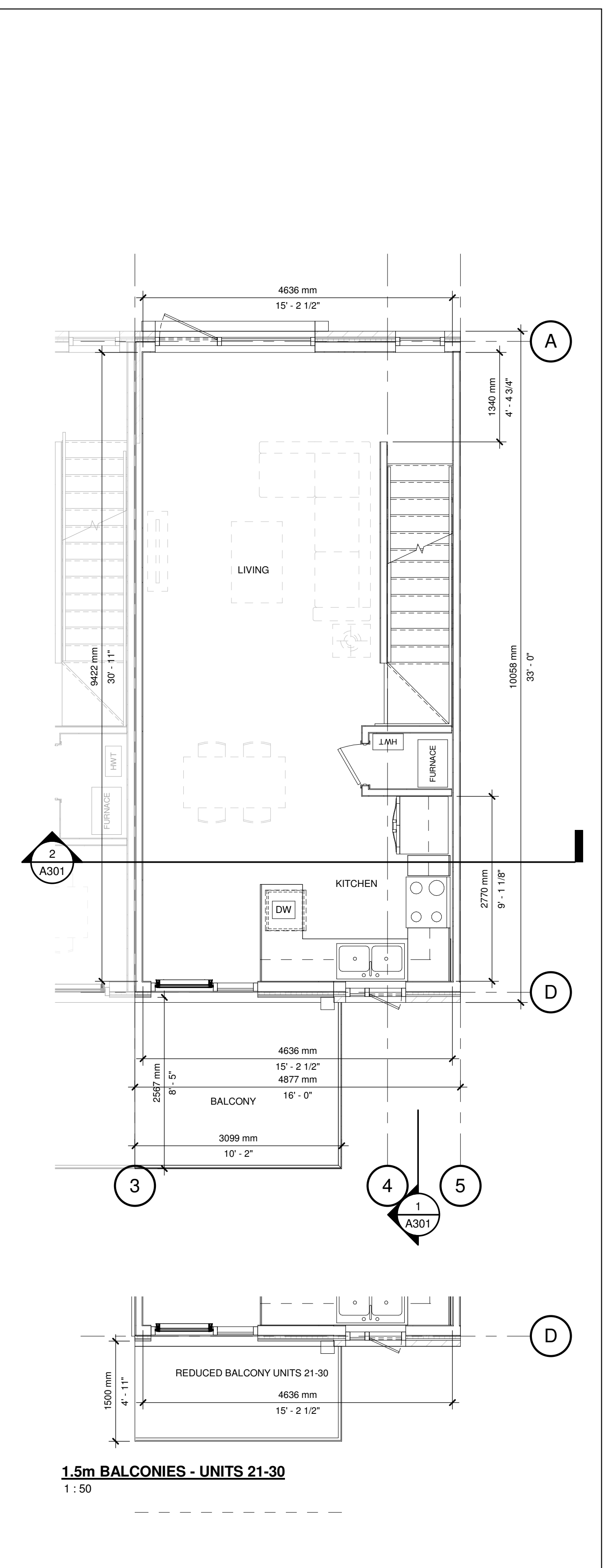
**A100**



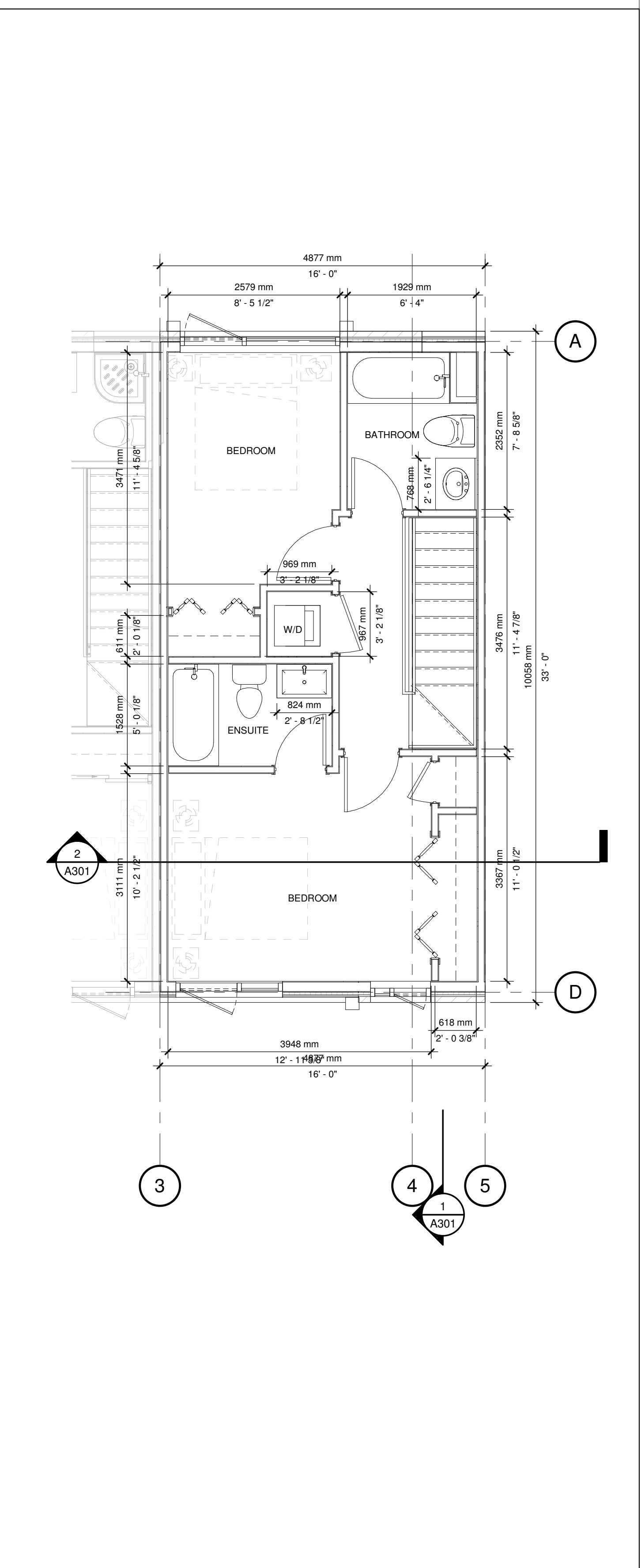
**1 BASEMENT FLOOR PLAN**  
A100 1 : 50



**2 GROUND FLOOR PLAN**  
A100 1 : 50



**3 SECOND FLOOR PLAN**  
A100 1 : 50



**4 THIRD FLOOR PLAN**  
A100 1 : 50

**1.5m BALCONIES - UNITS 21-30**  
1 : 50

C:\Users\dmcmurphy\Documents\2 BD TOWNHOUSE\DWG\A100\A100.dwg



NO.	ISSUED	DATE
1	SPA FOR COORDINATION	2021-3-2

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**DUNSMURE  
TOWNHOUSES  
2BD UNIT**

276 DUNSMURE ROAD  
HAMILTON, ONTARIO

SHEET NAME

**ROOF PLAN &  
DETAILS**

START DATE **FEB 2021**

DRAWN BY **ME**

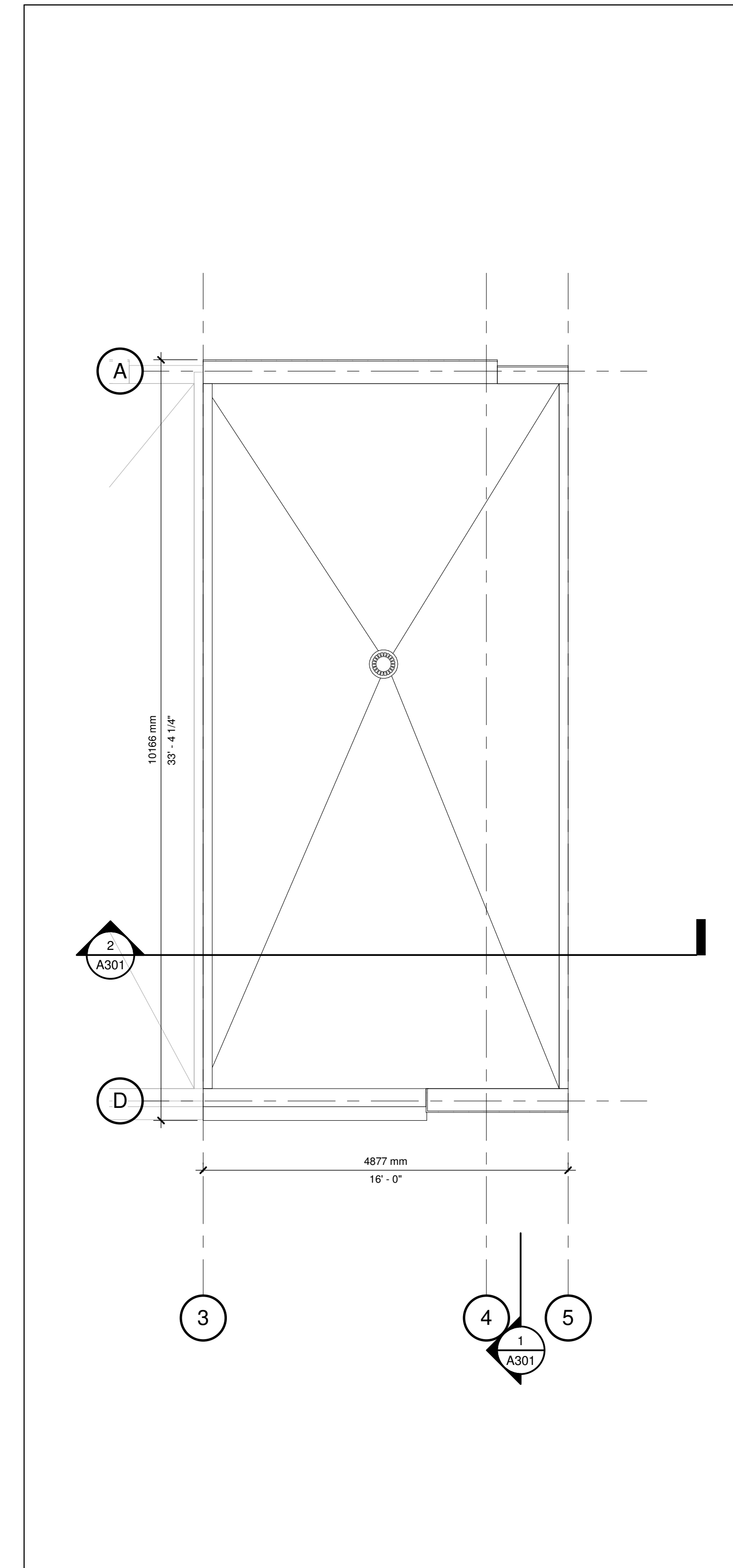
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SCALE **1 : 50**

PROJECT NO. **121001**

DRAWING

**A105**

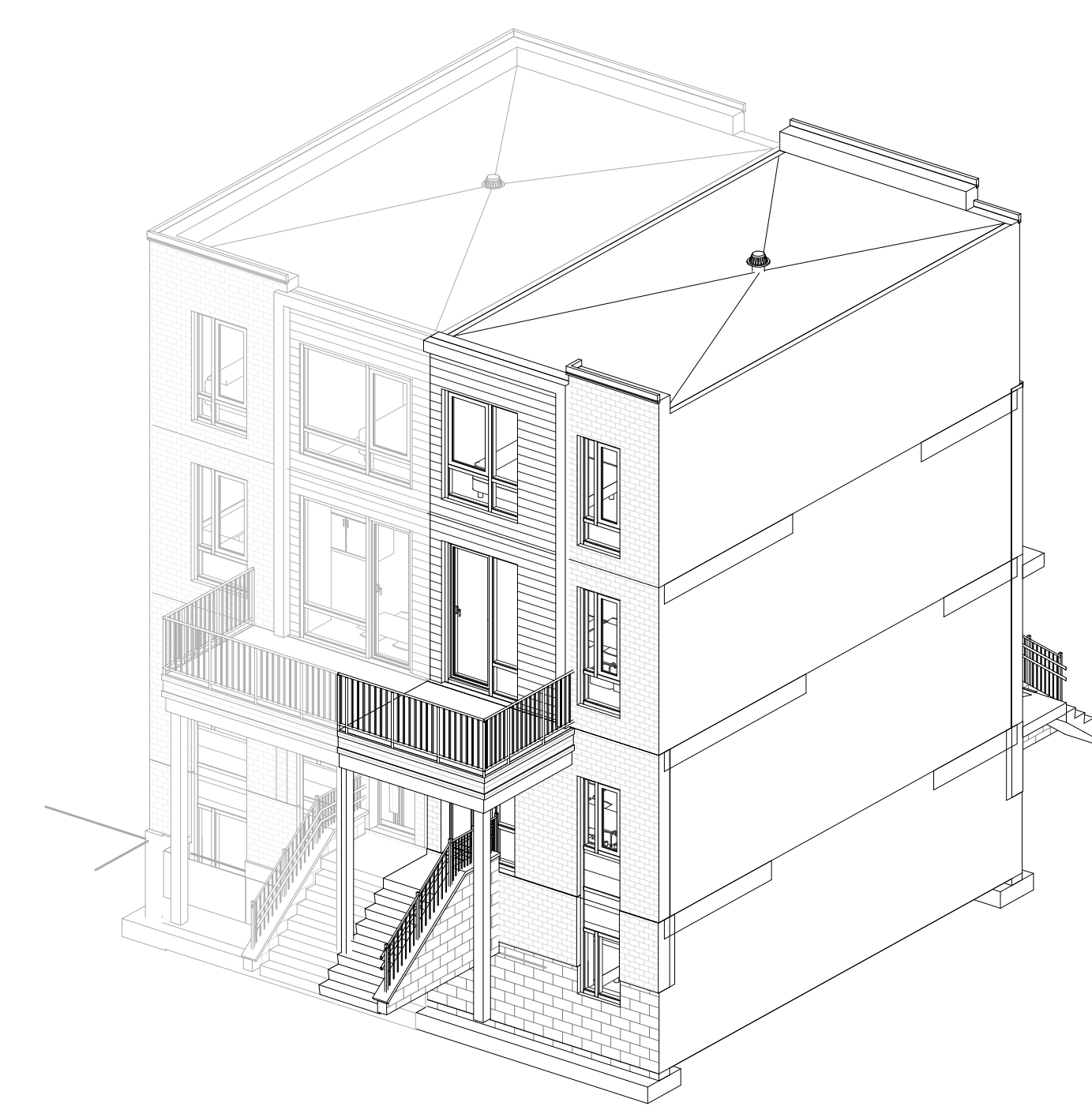


**1** ROOF PLAN  
A105 1 : 50

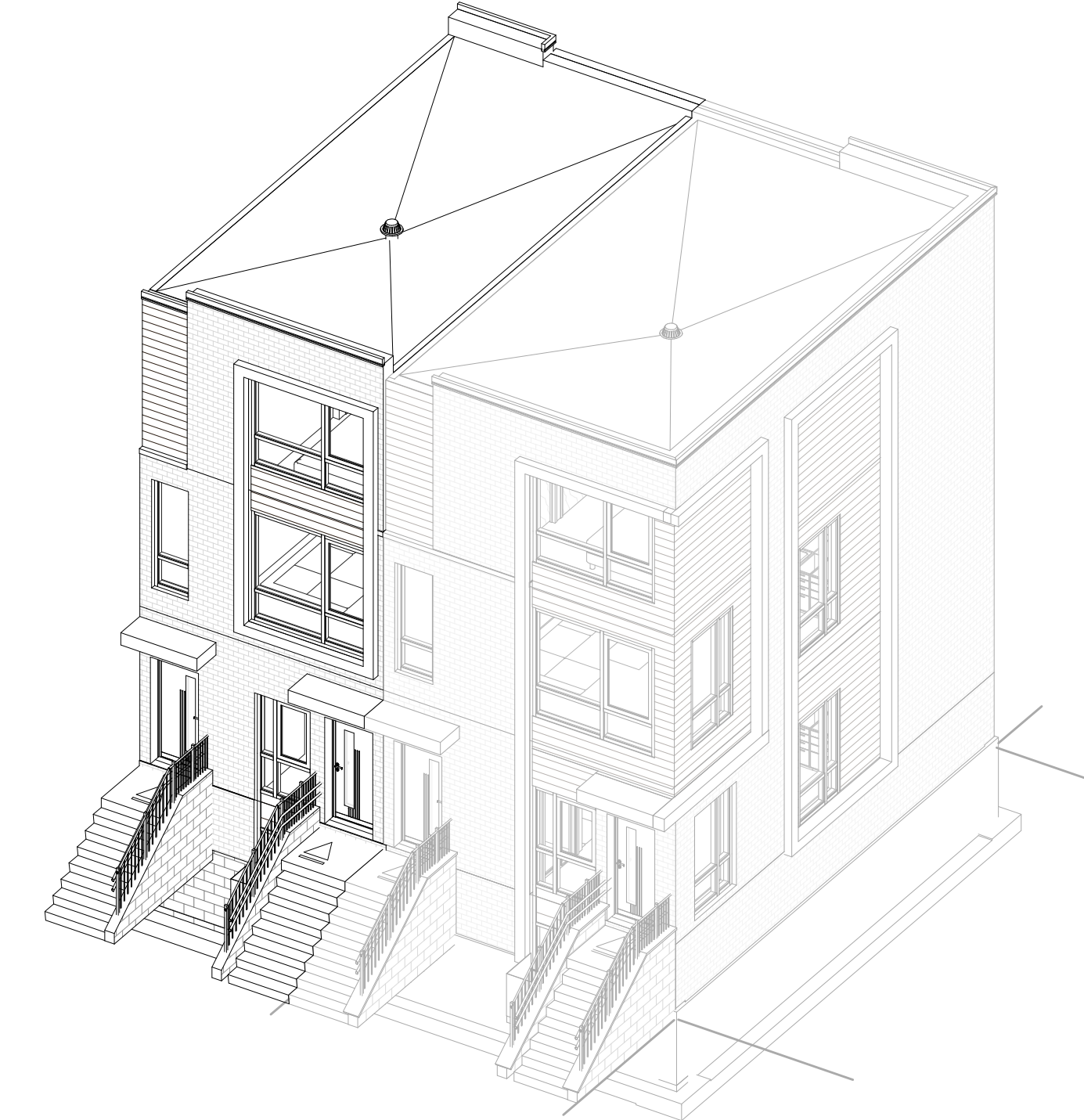
C:\Users\omunichy\Documents\2 BD RM - DUNSMURE\2BD UNIT.dwg 2021-03-22 2:38:11 PM



MATERIALS	
1	MASONRY FINISH
2	WOOD GRAIN FINISH
3	CHARCOAL FINISH
4	CHARCOAL MULLION
5	MASONRY FINISH



4 3D - AXO - REAR  
A201



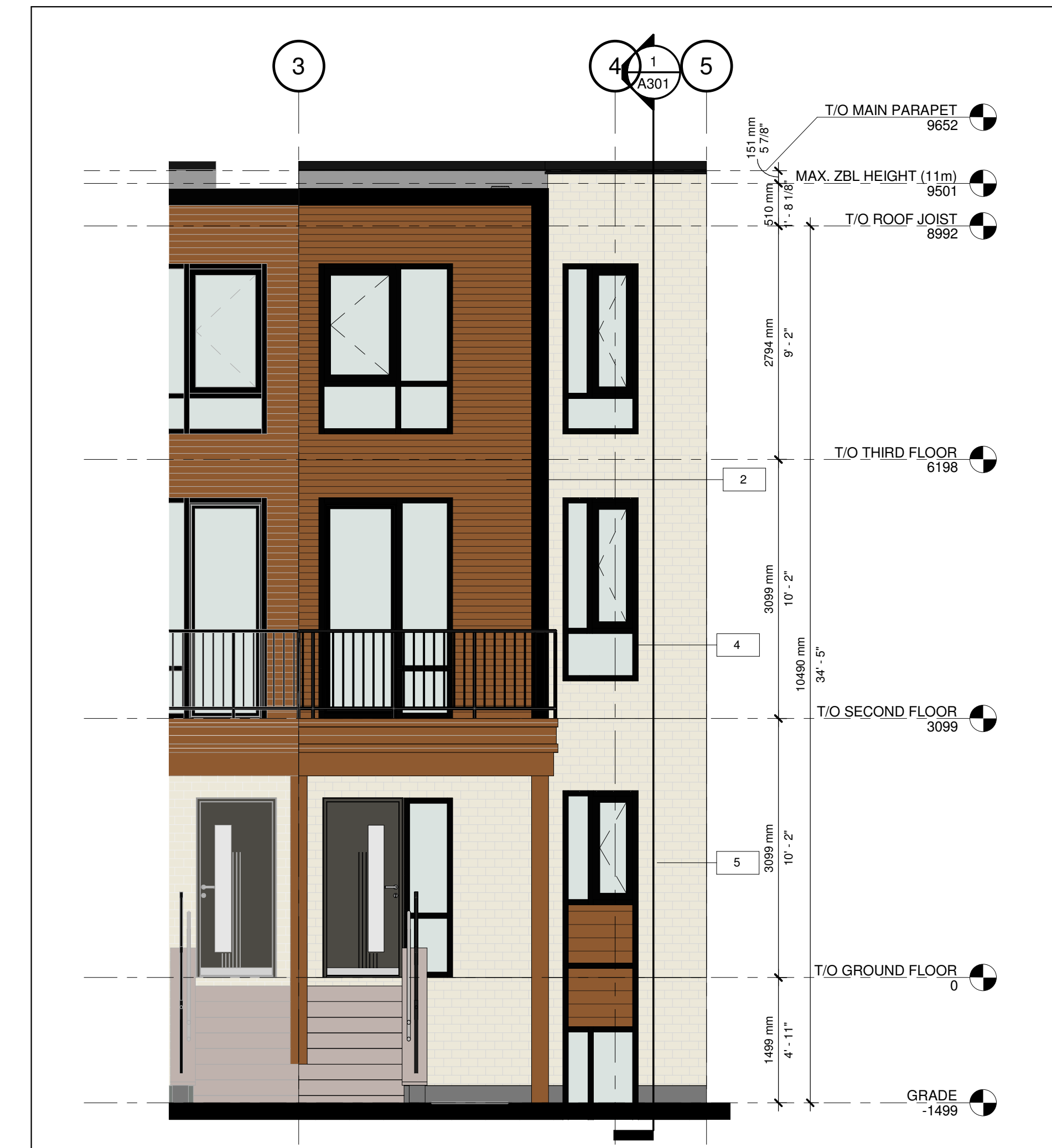
3 3D - AXO - FRONT  
A201

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2 SOUTH ELEVATION  
A201 1 : 50



1 NORTH ELEVATION  
A201 1 : 50

DUNSMURE TOWNHOUSES  
2BD UNIT

276 DUNSMURE ROAD  
HAMILTON, ONTARIO

SHEET NAME

EXTERIOR ELEVATION I

START DATE FEB 2021

DRAWN BY ME

CHECKED BY JMC

SCALE As indicated

PROJECT NO. 121001

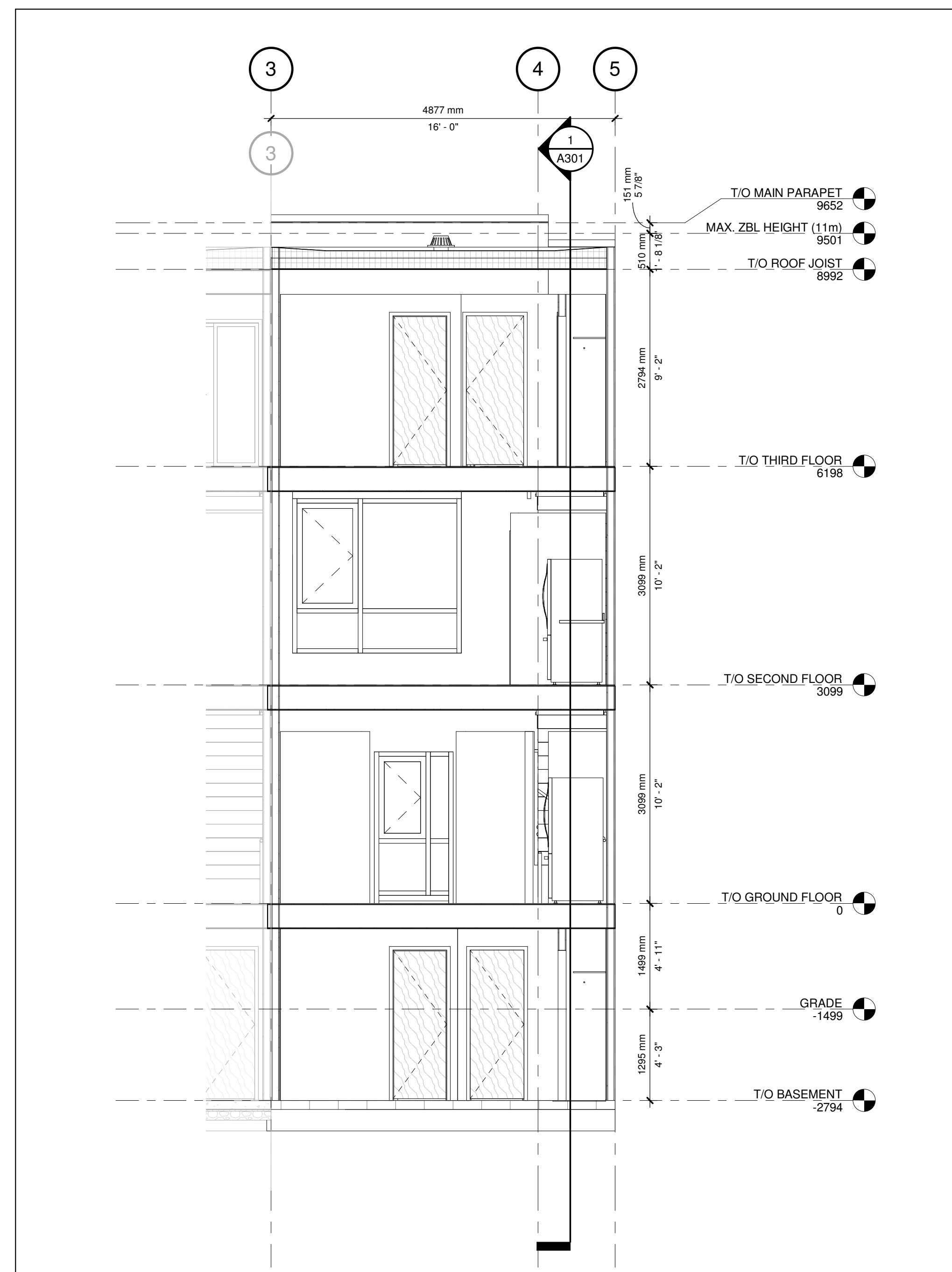
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A201

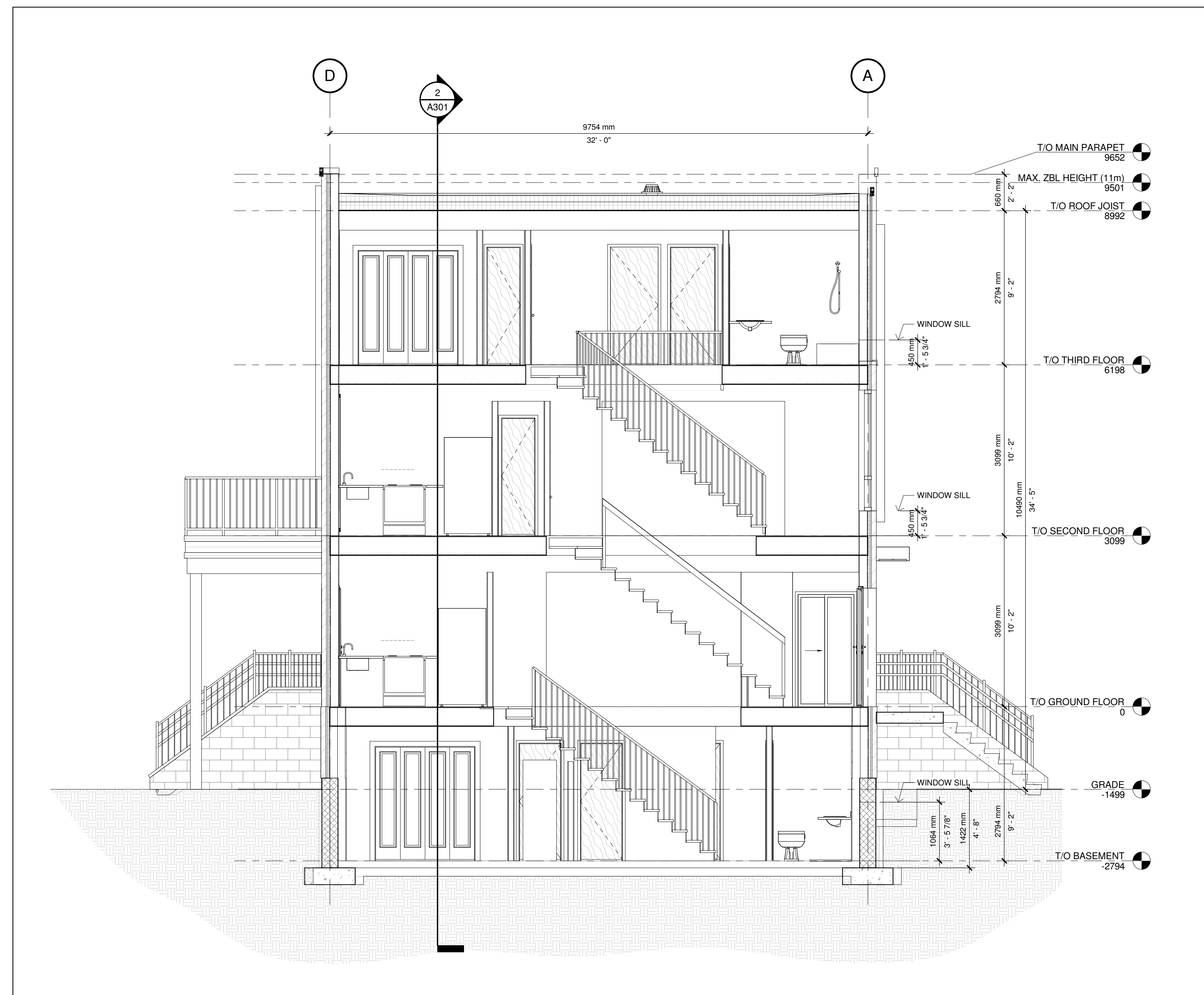
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NO.	ISSUED	DATE
1	SPA FOR COORDINATION	2021-3-2



**2** Section 2  
A301 1 : 50



**1** Section 1  
A301 1 : 50

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**DUNSMURE  
TOWNHOUSES  
2BD UNIT**

276 DUNSMURE ROAD  
HAMILTON, ONTARIO

SHEET NAME

**BUILDING  
SECTIONS**

START DATE **FEB 2021**

DRAWN BY **ME**

CHECKED BY **JMC**

SCALE **1 : 50**

PROJECT NO. **121001**

DRAWING

**A301**

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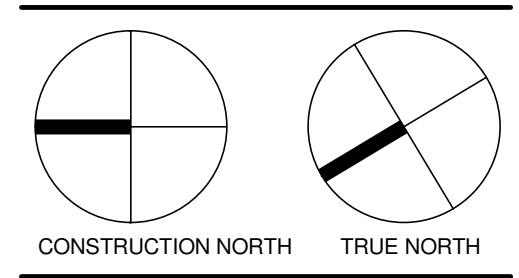
NO.	ISSUED	DATE
1	SPA FOR COORDINATION	2021-3-2

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**DUNSMURE TOWNHOUSES  
 2BD UNIT**

276 DUNSMURE ROAD  
 HAMILTON, ONTARIO

SHEET NAME

**RENDERS**

START DATE	FEB 2021
DRAWN BY	DMC / ME
CHECKED BY	JMC
SCALE	
PROJECT NO.	121001

DRAWING

**A800**



FRONT PERSPECTIVE RENDER



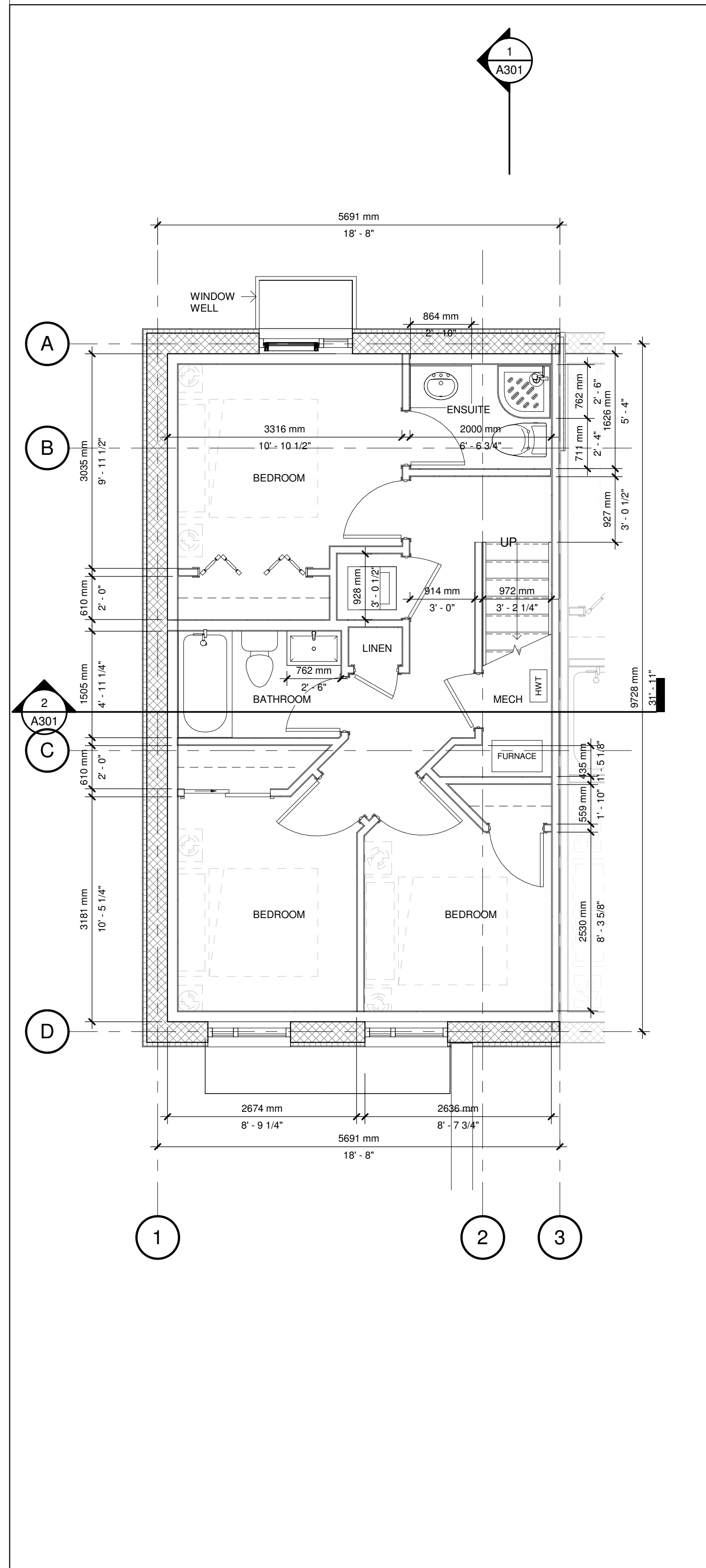
CORNER PERSPECTIVE RENDER

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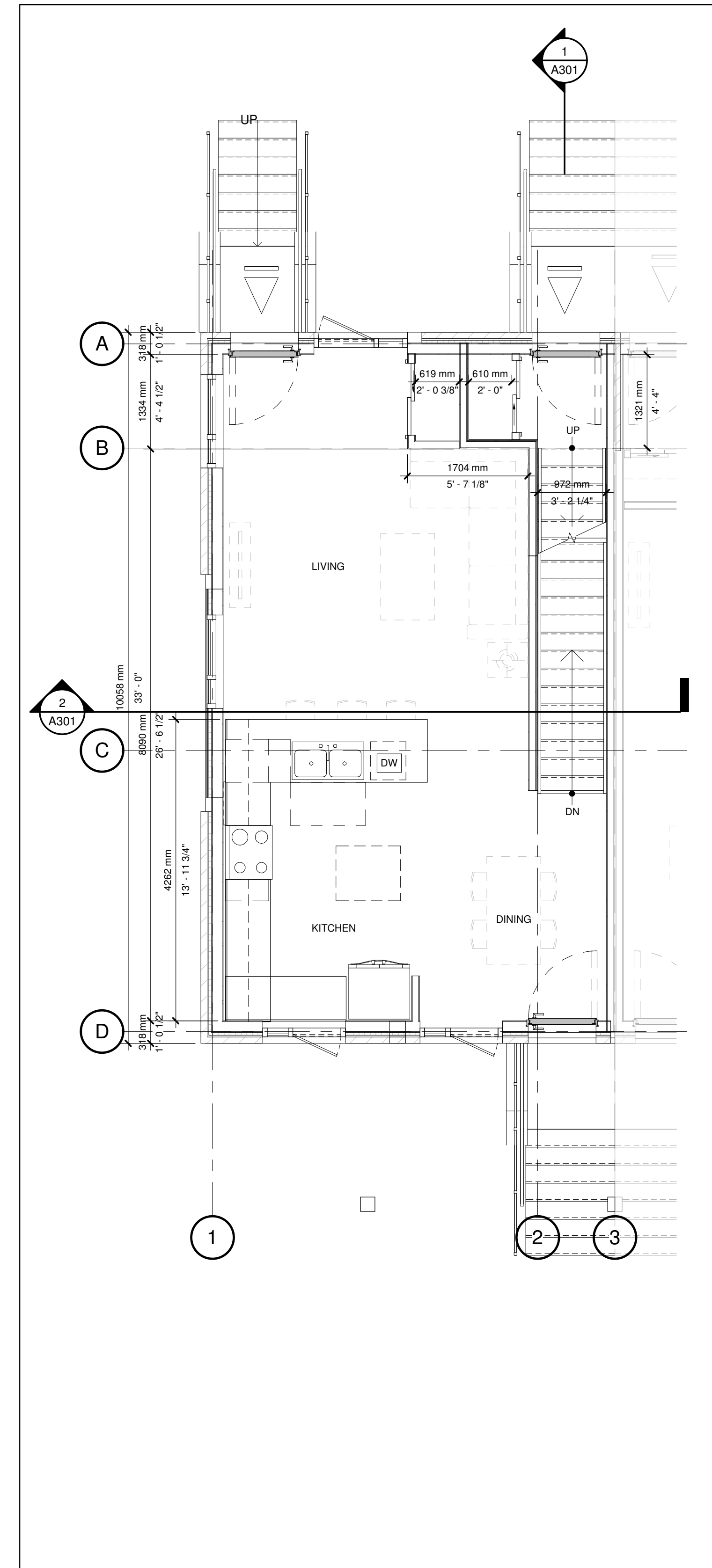


UNIT AREA		
Level	Area	AREA - SQ
<b>LOWER FLOOR</b>		
T/O BASEMENT	54 m <sup>2</sup>	580 SF
T/O GROUND FLOOR	53 m <sup>2</sup>	574 SF
LOWER FLOOR: 2	107 m <sup>2</sup>	1154 SF
<b>UPPER FLOOR</b>		
T/O THIRD FLOOR	58 m <sup>2</sup>	623 SF
T/O SECOND FLOOR	58 m <sup>2</sup>	627 SF
T/O GROUND FLOOR	5 m <sup>2</sup>	53 SF
UPPER FLOOR: 3	121 m <sup>2</sup>	1303 SF

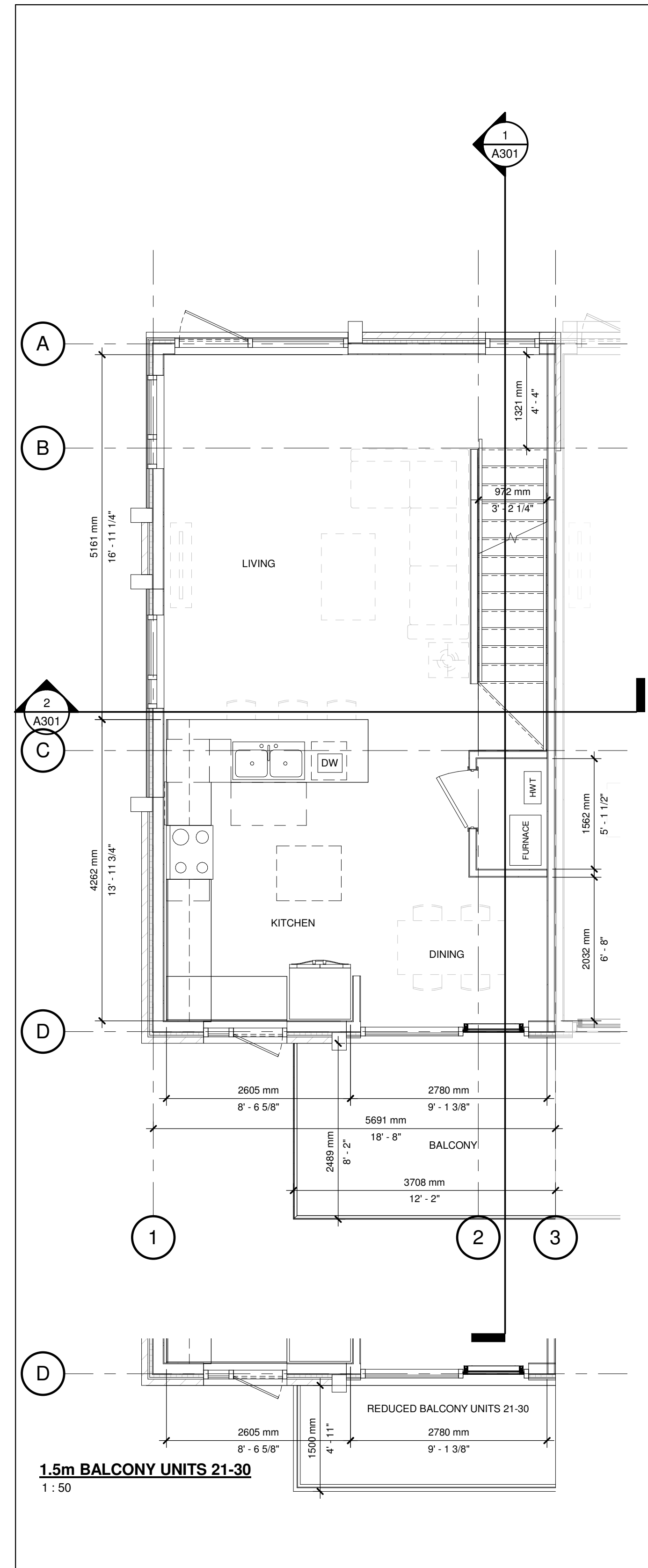
NO.	ISSUED	DATE
1	CLIENT REVIEW	2021-02-26
2	SPA FOR COORDINATION	2021-3-2



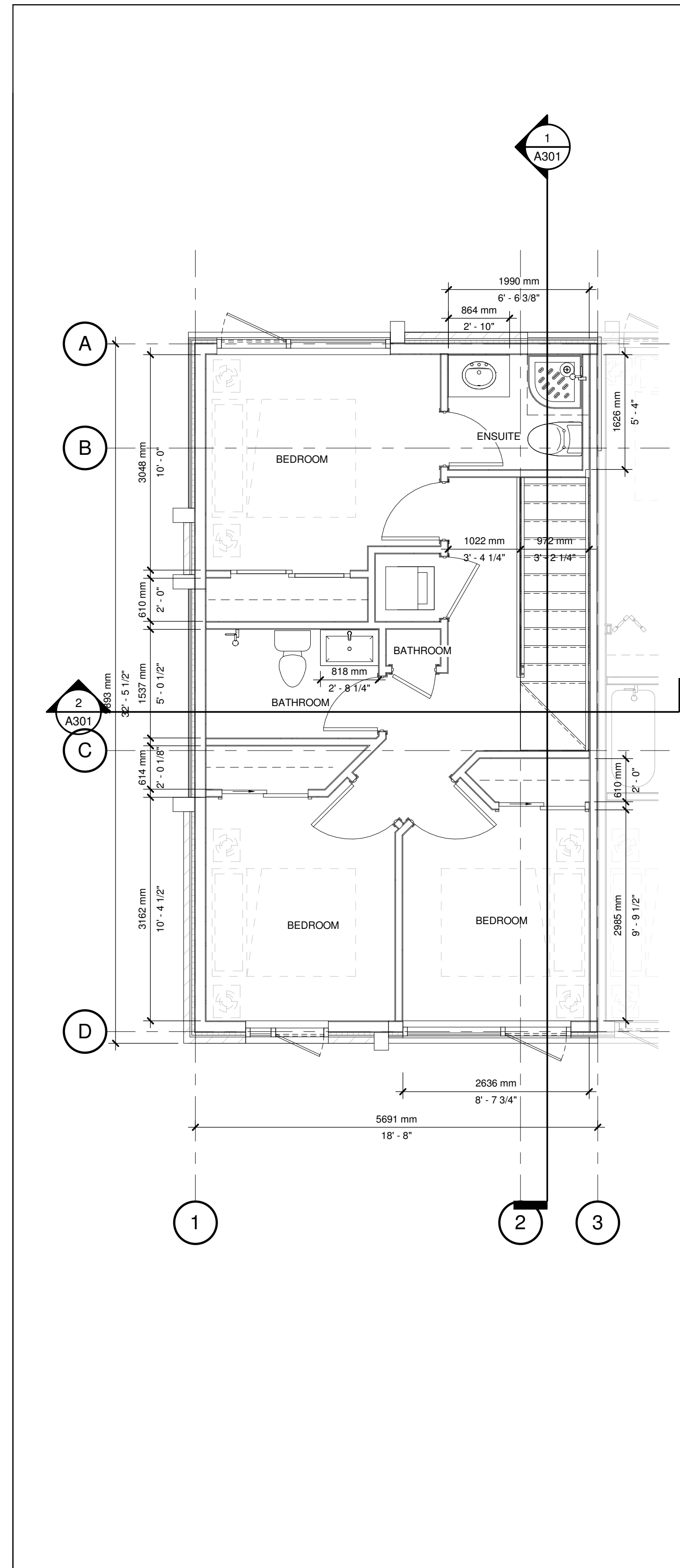
**2** BASEMENT FLOOR PLAN  
A100 1 : 50



**1** GROUND FLOOR PLAN  
A100 1 : 50



**3** SECOND FLOOR PLAN  
A100 1 : 50



**4** THIRD FLOOR PLAN  
A100 1 : 50

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**DUNSMURE TOWNHOUSES 3BD UNIT**

276 DUNSMURE ROAD  
HAMILTON, ONTARIO

SHEET NAME

**OVERALL FLOOR PLANS**

START DATE FEB 2021

DRAWN BY ME

CHECKED BY JMC

SCALE 1 : 50

PROJECT NO. 121001

DRAWING

**A100**

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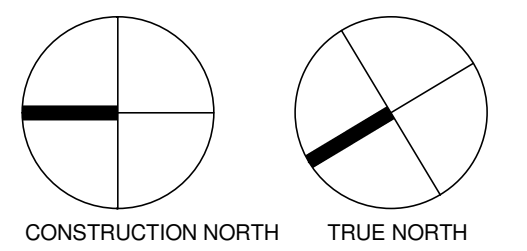
NO.	ISSUED	DATE
1	SPA FOR COORDINATION	2021-3-2

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**DUNSMURE  
TOWNHOUSES  
3BD UNIT**

276 DUNSMURE ROAD  
HAMILTON, ONTARIO

SHEET NAME

**ROOF PLAN &  
DETAILS**

START DATE **FEB 2021**

DRAWN BY **Author**

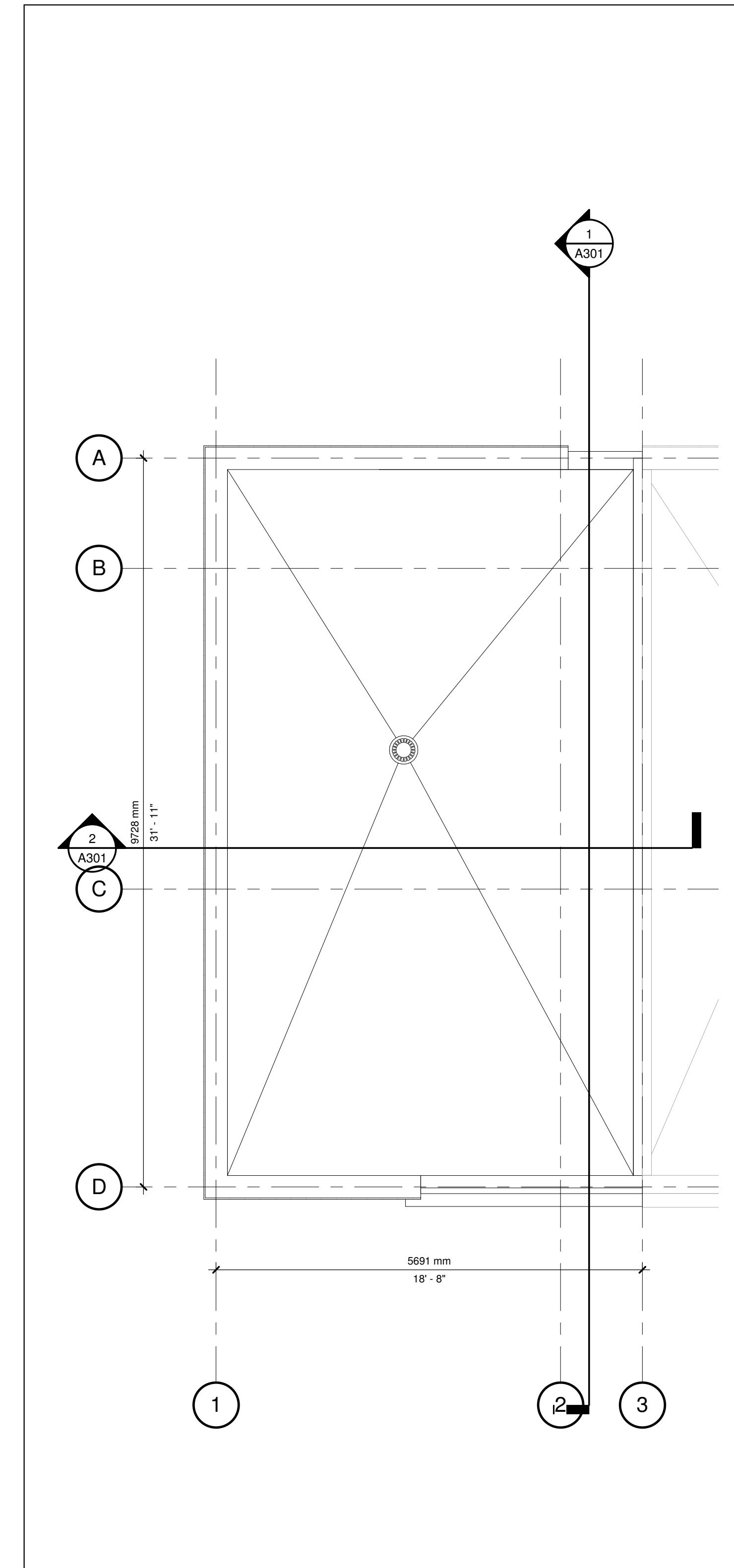
CHECKED BY **Checker**

SCALE **1 : 50**

PROJECT NO. **121001**

DRAWING

**A105**



**1** ROOF PLAN  
A105 1 : 50

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NO.	ISSUED	DATE
1	CLIENT REVIEW	2021-02-09
2	SPA FOR COORDINATION	2021-3-2

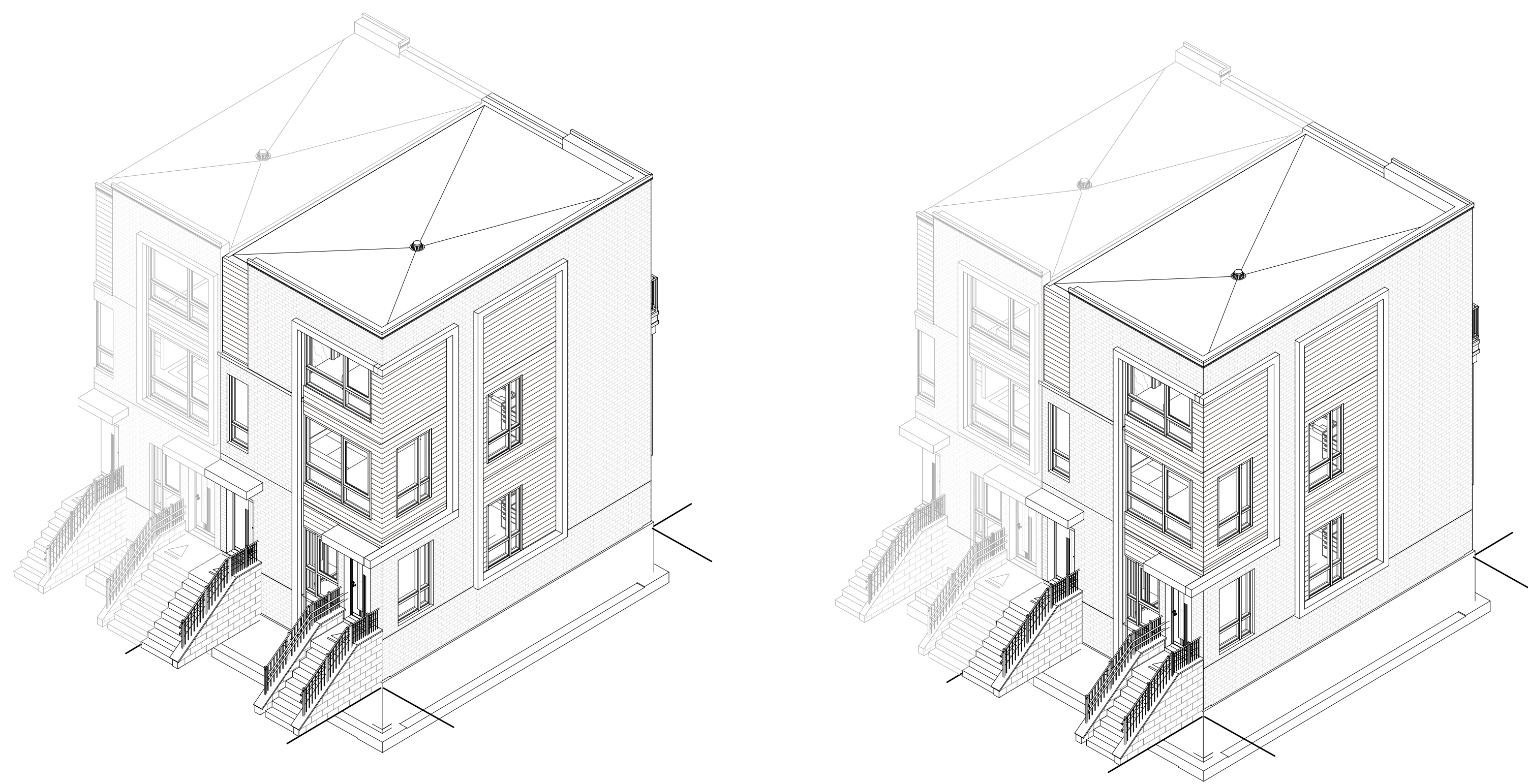
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**MATERIALS**

1	MASONRY FINISH
2	WOOD GRAIN FINISH
3	CHARCOAL FINISH
4	CHARCOAL MULLION



2 3D - AXO - REAR  
A201

3 3D - AXO - FRONT  
A201



10 SOUTH ELEVATION  
A201 1:50



4 WEST ELEVATION  
A201 1:50



1 NORTH ELEVATION  
A201 1:50

**DUNSMURE TOWNHOUSES 3BD UNIT**

276 DUNSMURE ROAD  
HAMILTON, ONTARIO

SHEET NAME

**EXTERIOR ELEVATION I**

START DATE FEB 2021

DRAWN BY ME

CHECKED BY JMC

SCALE As indicated

PROJECT NO. 121001

DRAWING

**A201**

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NO.	ISSUED	DATE
1	SPA FOR COORDINATION	2021-3-2

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**DUNSMURE  
TOWNHOUSES  
3BD UNIT**

276 DUNSMURE ROAD  
HAMILTON, ONTARIO

SHEET NAME

**BUILDING  
SECTIONS**

START DATE **FEB 2021**

DRAWN BY **ME**

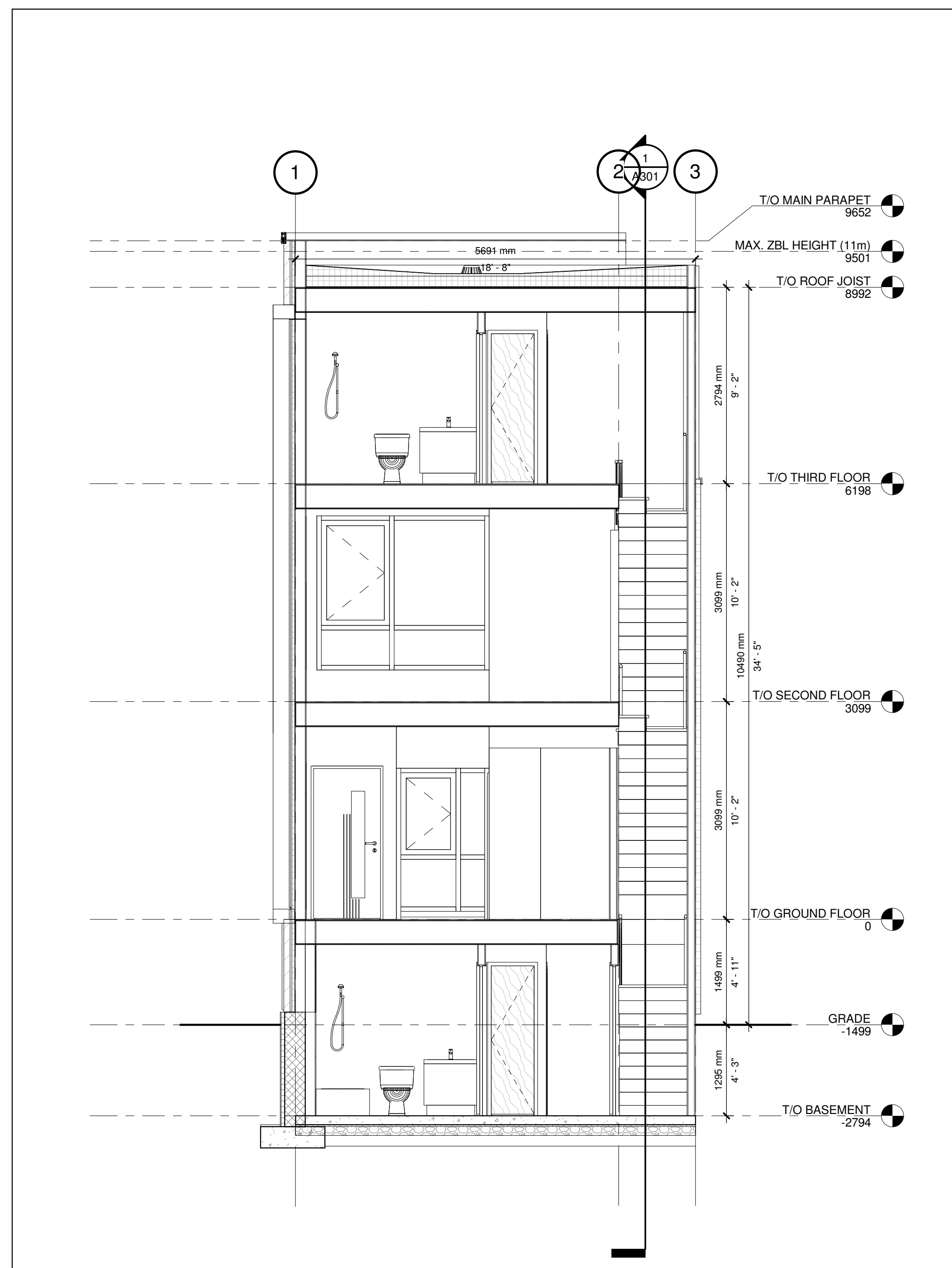
CHECKED BY **JMC**

SCALE **1 : 50**

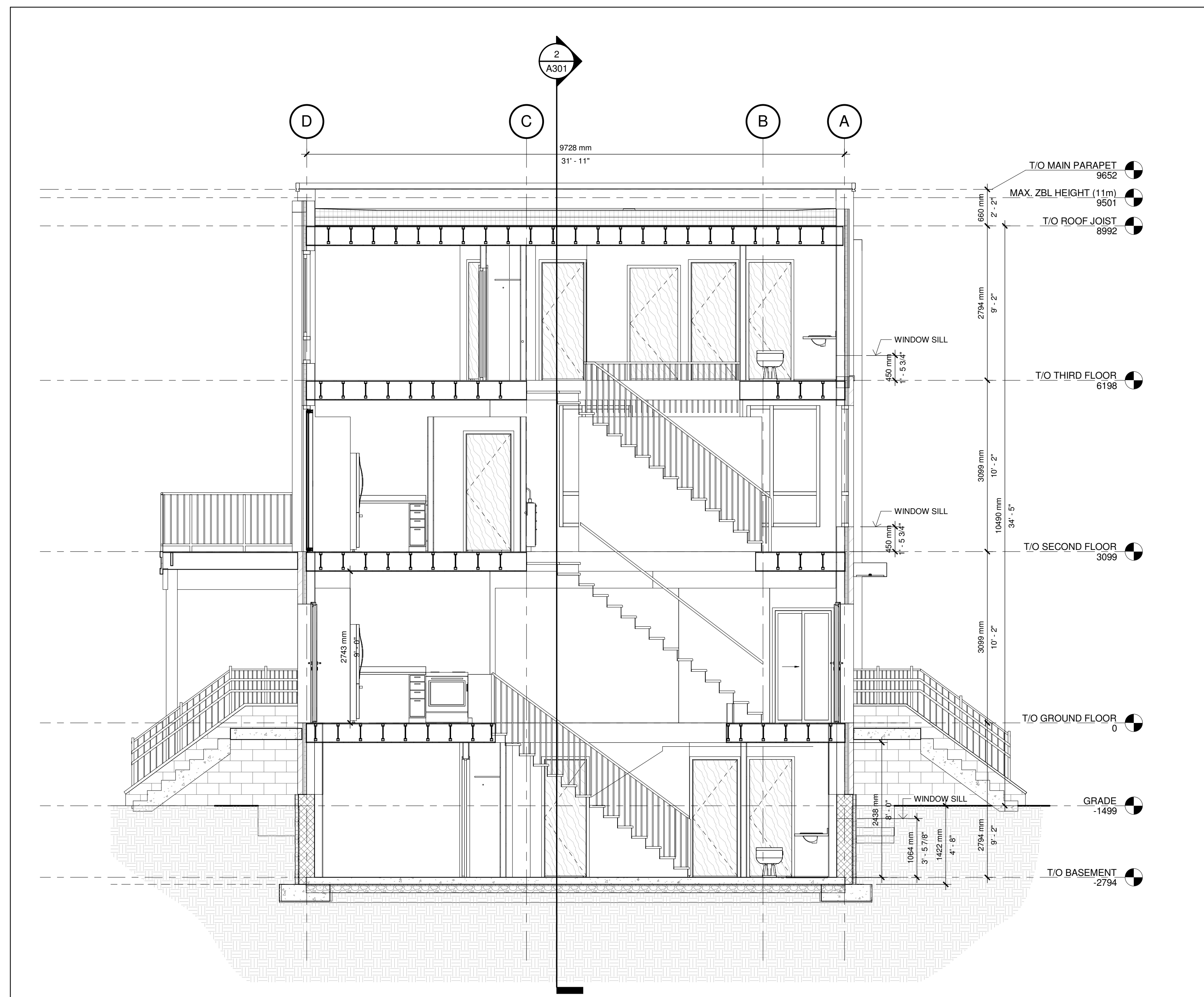
PROJECT NO. **121001**

DRAWING

**A301**



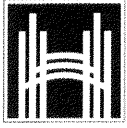
**2** Section 2  
A301 1 : 50



**1** Section 1  
A301 1 : 50

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Hamilton

Committee of Adjustment  
City Hall, 5<sup>th</sup> Floor,  
71 Main St. W.,  
Hamilton, ON L8P4Y5

Phone: (905) 546-2424 ext. 4221  
Email: [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

**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	
<b>Registered Owners(s)</b>	Dunsmure Developments Ltd. c/o Savan Chandaria		
<b>Applicant(s)*</b>	A.J. Clarke & Associates Ltd. c/o Franz Kloibhofer		
<b>Agent or Solicitor</b>	same as applicant		<b>Phone:</b>
			<b>E-mail:</b>

\* 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 Hamilton	Lot Pt Lot 6	Concession 2	Former Township Barton
Registered Plan N°. <b>489/469</b>	Lot(s) Lt. 1, 29, 32-40	Reference Plan N°. <b>TBD</b>	Part(s) <b>2 and 3</b>
Municipal Address 276 Dunsmure Road			Assessment Roll N°.

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

Yes  No

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

ROW Easement in favor of 81 Gage Avenue

**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

Other:  a charge

- addition to a lot
- an easement

- 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:

TBD

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

N/A

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

4.1 Description of land intended to be **Severed**:

Frontage (m)	Depth (m)	Area (m <sup>2</sup> or ha)
13.4	29.59	398 m <sup>2</sup>

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: Vacant 1 Storey Office Building

Proposed: Future Semi-Detached Dwelling

Type of access: (check appropriate box)

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

Type of water supply proposed: (check appropriate box)

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

Type of sewage disposal proposed: (check appropriate box)

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

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

Frontage (m)	Depth (m)	Area (m <sup>2</sup> or ha)
83.7m	Irregular	7052m <sup>2</sup>

Existing Use of Property to be retained:

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



Proposed Use of Property to be retained:

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

Building(s) or Structure(s):

Existing: Former Industrial Buildings to be demolished

Proposed: 60 Townhouse Dwellings as per Site Plan File# DA-19-107

Type of access: (check appropriate box)

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

Type of water supply proposed: (check appropriate box)

- publicly owned and operated piped water system
  lake or other water body  
 privately owned and operated individual well
  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

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

See attached cover letter.

5.2 What is the existing zoning of the subject land? "DE" (Low Density Multiple Dwellings) District and "D" (Urban Protected Residential etc.) District

If the subject land is covered by a Minister's zoning order, what is the Ontario Regulation Number? \_\_\_\_\_

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"/>	

<b>A provincially significant wetland within 120 metres</b>	<input type="checkbox"/>	
<b>A flood plain</b>	<input type="checkbox"/>	
<b>An industrial or commercial use, and specify the use(s)</b>	<input type="checkbox"/>	
<b>An active railway line</b>	<input type="checkbox"/>	
<b>A municipal or federal airport</b>	<input type="checkbox"/>	

**6 PREVIOUS USE OF PROPERTY**

- Residential                       Industrial                       Commercial  
 Agriculture                       Vacant                       Other (specify)

- 6.1 If Industrial or Commercial, specify use Former Lumber Mill
- 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?  
Property owner information. Future RSC to be submitted through File DA-19-107
- 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

See attached cover letter.



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

See attached cover letter.

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

See attached cover letter.

- 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.

TBD

8.4 How long has the applicant owned the subject land?

2017

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 DA-19-107

Status Clearing Conditions of Approval

**10 RURAL APPLICATIONS**

10.1 Rural Hamilton Official Plan Designation(s)

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

Settlement Area

Designation

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

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

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

Surplus Farm Dwelling Severance from an Abutting Farm Consolidation (Complete Section 10.4)

Surplus Farm Dwelling Severance from a Non-Abutting Farm Consolidation (Complete Section 10.5)

10.3 Description of Lands

a) Lands to be Severed:

Frontage (m): (from Section 4.1)	Area (m <sup>2</sup> or ha): (from in Section 4.1)
----------------------------------	--

Existing Land Use: \_\_\_\_\_ Proposed Land Use: \_\_\_\_\_



b) Lands to be Retained:

Frontage (m): (from Section 4.2)	Area (m <sup>2</sup> or ha): (from Section 4.2)
----------------------------------	---

Existing Land Use: \_\_\_\_\_ Proposed Land Use: \_\_\_\_\_

10.4 **Description of Lands (Abutting Farm Consolidation)**

a) Location of abutting farm:

\_\_\_\_\_  
(Street) (Municipality) (Postal Code)

b) Description abutting farm:

Frontage (m):	Area (m <sup>2</sup> or ha):
---------------	------------------------------

Existing Land Use(s): \_\_\_\_\_ Proposed Land Use(s): \_\_\_\_\_

c) Description of consolidated farm (excluding lands intended to be severed for the surplus dwelling):

Frontage (m):	Area (m <sup>2</sup> or ha):
---------------	------------------------------

Existing Land Use: \_\_\_\_\_ Proposed Land Use: \_\_\_\_\_

d) Description of surplus dwelling lands proposed to be severed:

Frontage (m): (from Section 4.1)	Area (m <sup>2</sup> or ha): (from Section 4.1)
----------------------------------	---

Front yard set back: \_\_\_\_\_

e) Surplus farm dwelling date of construction:

Prior to December 16, 2004  After December 16, 2004

f) Condition of surplus farm dwelling:

Habitable  Non-Habitable

g) Description of farm from which the surplus dwelling is intended to be severed (retained parcel):

Frontage (m): (from Section 4.2)	Area (m <sup>2</sup> or ha): (from Section 4.2)
----------------------------------	---

Existing Land Use: \_\_\_\_\_ Proposed Land Use: \_\_\_\_\_

10.5 **Description of Lands (Non-Abutting Farm Consolidation)**

a) Location of non-abutting farm

\_\_\_\_\_  
(Street) (Municipality) (Postal Code)

b) Description of non-abutting farm

Frontage (m):	Area (m <sup>2</sup> or ha):
---------------	------------------------------

Existing Land Use(s): \_\_\_\_\_ Proposed Land Use(s): \_\_\_\_\_

c) Description of surplus dwelling lands intended to be severed:

Frontage (m): (from Section 4.1)	Area (m <sup>2</sup> or ha): (from Section 4.1)
----------------------------------	---

Front yard set back: \_\_\_\_\_

d) Surplus farm dwelling date of construction:

Prior to December 16, 2004  After December 16, 2004

e) Condition of surplus farm dwelling:



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

May 14, 2021

Attn: Ms. Jamila Sheffield  
Secretary Treasurer, Committee of Adjustment (email: [Jamila.Sheffield@hamilton.ca](mailto:Jamila.Sheffield@hamilton.ca))

**Re: 260 & 276 Dunsmure Road  
Minor Variance and Severance Application Submission**

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Dear Ms. Sheffield:

A.J Clarke and Associates Ltd. has been retained by Tibro Properties Ltd. for the purposes of submitting the enclosed Minor Variance and Consent Applications for the subject lands, municipally known as 276 Dunsmure Road. These applications will facilitate the approval of Site Plan Application File # DA-19-107, which was conditionally approved on July 9, 2020.

The subject lands are located southwest of Dunsmure Road and Gage Avenue South. The property known as 276 Dunsmure Road is proposed to be redeveloped for 60 Stacked Townhouse Units (defined as Multiple Dwellings as per the Zoning By-law). A number of variances are required to facilitate the desired built form for the development. The lands municipally known as 260 Dunsmure Road are proposed to be severed from the remainder of the 276 Dunsmure lands. An application for severance is required to facilitate conveyance of this portion of the subject lands. A general concept of the proposal is provided on page two, below.

The following supporting materials are submitted to your attention, in support of the subject application:

- 1) One (1) copy of the required filled and signed Minor Variance Application Form;
- 2) One (1) copy of the required filled and signed Severance Application Form;
- 3) One (1) digital copy of the Site Plan.
- 4) One (1) digital copy of the Draft Reference Plan.

Application fees will be paid over the phone, as per staff's instructions.

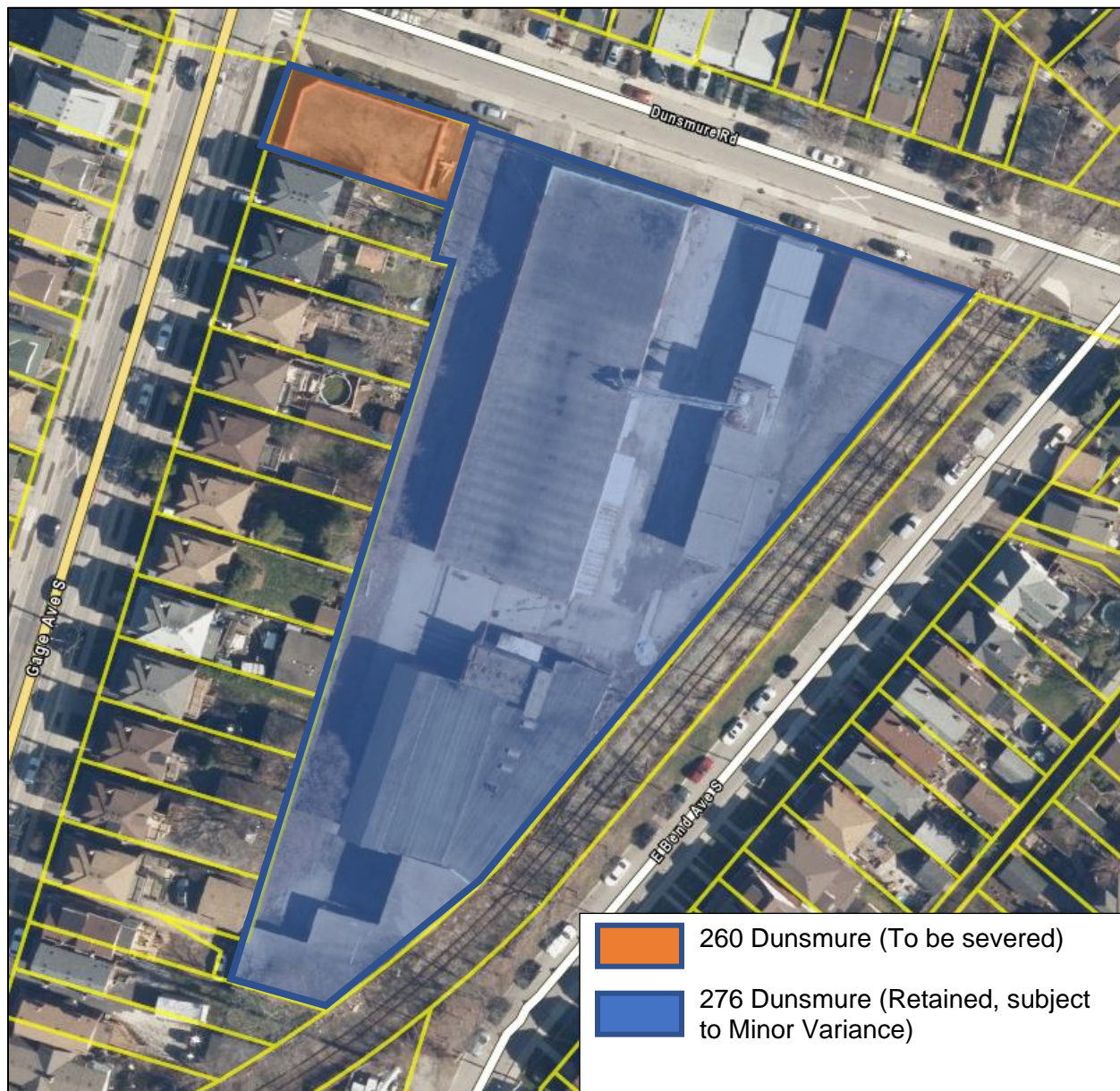
The subject lands are designated "Neighbourhoods" on Schedule E-1 in the Urban Hamilton Official Plan. The Neighbourhoods designation permits a range of residential uses.

The lands municipally known as 276 Dunsmure are zoned "DE" Urban Protected Residential Multiple Dwelling, Low Density District and the lands municipally known as 260 Dunsmure are zoned "D" (One and Two Family Dwellings) District in City of Hamilton Zoning By-law No. 6593.





## Concept Plan



### **Minor Variance**

A number of variances are requested to facilitate the built form that has been established through the Site Plan process. The variances are as follows:

1. To permit the proposed multiple dwelling (stacked townhouses) to have a maximum height of 4 storeys, whereas the By-law permits a maximum height of 3 storeys for Multiple Dwellings (Stacked Townhouses).



2. To permit a front yard setback of 3.3m whereas the By-law requires a minimum front yard setback of 6.0m
3. To permit a minimum lot area of 7056m<sup>2</sup> for 60 dwelling units on a lot whereas the By-law requires a minimum lot area of 8400m<sup>2</sup> for 60 dwellings units on a lot.
4. To permit a total of 64 parking spaces inclusive of visitor parking spaces which represents a parking ratio of 1.06 whereas the By-law requires a minimum of 90 parking spaces inclusive of 15 visitor spaces, representing a parking ratio of 1.5 per unit.
5. To permit no loading spaces to be provided on site, whereas the By-law requires a minimum of 1 loading space on site.

This minor variance application is made under the authority of Section 45(1) of the Planning Act. Accordingly, a minor variance must meet the requisite four tests as described in Section 45 (1) of the Act. The tests and professional opinion are outlined below:

**1. Do the proposed variances maintain the intent and purpose of the Urban Hamilton Official Plan.**

The subject lands are located within a dense urban neighbourhood, with nearby amenities and services such as parks, a hospital, schools and the nearby Ottawa Street shopping district. Further, the proposed redevelopment represents the redevelopment of a Brownfield site. The proposed variances will facilitate the establishment of a desirable built form out of the former industrial site and will further allocate density to a neighbourhood with existing services and amenities. Accordingly, TDM measures such as short-term bicycle parking, nearby transit and the close proximity of a SoBi bike station make the property an ideal candidate for a parking reduction. The proposal fits into the established neighbourhood character and the proposed density is compatible with the existing neighbourhood. Accordingly, the proposed variances maintain the purpose and intent of the Urban Hamilton Official Plan.

**2. Do the proposed variances maintain the intent and purpose of the City of Hamilton Zoning By-law No. 6593.**

The required variances to City of Hamilton Zoning By-law No. 6593 are intended to facilitate a desirable built form which is compatible with the existing neighbourhood.

**Height**

The proposed townhouses are three (3) storeys in height; however, a height variance is necessary as the proposed stacked townhouses contain units within a Basement as defined by the Zoning By-law. As the basement is considered a storey, the townhouses are considered to be four (4) storeys in height. It should also be noted that the maximum permitted height for a stacked townhouse is 11m, to which the proposed townhouses are 10.5m in height. The proposed stacked townhouses are in keeping with the height of existing dwellings in this neighbourhood, which range from 1.5 to 3 storeys in height.





Accordingly, the variances maintain the purpose and intent of the zoning by-law.

### **Front Yard**

A variance is required to the minimum front yard setback for the Block of townhouses that directly front onto Dunsmure. Historically, the surrounding neighbourhood is characterized by dwellings which have minimal front yards and dwellings that face the street. The proposed built form will provide for a consistent streetscape of urban walk ups that are complimentary to the existing streetscape. Further, despite the reduction, there remains room for a combination of plantings along the Dunsmure Road frontage. Accordingly, the proposed reduction in front yard setback is appropriate and compatible with the existing streetscape and maintains the intent of the Zoning By-law.

### **Lot Size**

A reduction in required lot size is required to facilitate the construction of 60 dwelling units on the subject lands. The purpose of this provision is to prevent the overbuilding of lands and to ensure that adequate space is provided for on site amenity and parking. Adequate on-site parking is provided as well as on site amenity space. Further, Gage Park is located just to the south of the subject property which will provide additional amenity space for the future occupants. As adequate parking and amenity is provided, the reduction in lot size does not hinder the amount of amenity space on site or the availability of parking. Through the site plan application process, staff have vetted the proposed design and the density has not been considered as a potential issue. Further, this provision predates the new Urban Hamilton Official Plan, which considers greater density within neighbourhoods. The development balances the need for housing and on site amenity and parking. Accordingly, the intent of the Zoning By-law is maintained.

### **Parking and Loading**

Variances are required to reduce the number of parking spaces on site and to eliminate the requirement for a loading space on site.

As the lands are located within a dense urban neighbourhood with adequate amenity space both on site and in the nearby neighbourhood, the reduction in parking is appropriate. This neighbourhood has a number of amenities within walking distance and further a number of TDM measures such as on site bicycle parking and nearby SoBi bike stations will allow the future occupants to use other modes of transportation to and from the site. The lands are within walking distance to future rapid transit along King Street and existing HSR Bus Routes along both King Street and Main Street. As a requirement of the conditional site plan approval, a parking and TDM study was submitted to the satisfaction of the City. Accordingly, the study noted that the site was in proximity to public transit and had other modes of parking, such as on-street parking to offset the reduction in parking on site. Accordingly, the site is estimated to generate a parking demand of 42 spaces, to which the provided number of on site parking exceed this requirement.

A variance to eliminate the required loading space on site is also requested. As the site is residential in nature, large vehicles are not anticipated to frequent the site, and further there are parking spaces



which can accommodate the occasional delivery vehicles that will access the site for residential deliveries.

The intent of the Zoning By-law is to provide for an adequate number of parking spaces to support the demand that the use is generating, as such the proposed reductions maintain the purpose and intent of the Zoning By-law.

### **3. Are the proposed variances appropriate for the development of the subject lands?**

As noted above, the variances are intended to facilitate a desirable built form within a dense urban neighbourhood. The variances will give rise to a residential development that will see the remediation of a brownfield site that has been vacant since approximately 2013. As noted above, the proposed variances are consistent within the established neighbourhood and reductions to parking and loading are supported by a concurrently submitted parking and TDM Study submitted through the site plan application process. The variances will facilitate the approval of a site plan control application. Accordingly, the variances are appropriate for the development of the subject lands.

### **4. Are the proposed variances minor in nature?**

The proposed variances reflect the scale and character of this neighbourhood. There are no perceived impacts stemming from the variances to loading, front yard, lot size and height of the proposed townhouses as they are in keeping with the general built form found within this neighbourhood. The reduction in on site parking has been vetted by a parking study that was prepared as a condition of site plan approval. The study indicated the demand that the site will generate is approximately 42 spaces, for which the proposed redevelopment exceeds in the number of parking spaces. As such, there are no perceived impacts on the neighbourhood stemming from the proposed development and accordingly, the variances are minor in nature.

### **Severance**

The proposed severance application will sever a lot having an area of 388m<sup>2</sup> and approximate frontage of 13.4 m along Gage Avenue South and 29.5m along Dunsmure Road. A future severance and minor variance application will be submitted in order to facilitate the development of this proposed lot. Accordingly, the following policies are applicable to the proposed severance:

*F.1.14.3.1 Consents for new lot creation, for both the severed and retained lands, for residential uses in the Neighbourhoods designation shown on Map E-1 – Urban Land Use Designation, shall be permitted provided the following conditions are met:*

*a) The lots comply with the policies of this Plan, including secondary plans, where one exists;*

*b) The lots comply with existing Neighbourhood Plans;*





- c) The lots are in conformity with the Zoning By-law or a minor variance is approved;*
- d) The lots reflect the general scale and character of the established development pattern in the surrounding area by taking into consideration lot frontages and areas, building height, coverage, mass, setbacks, privacy and overview;*
- e) The lots are fully serviced by municipal water and wastewater systems; and,*
- f) The lots have frontage on a public road.*

In accordance with the above criteria, the proposed lot conforms to the Zoning By-law in terms of lot frontage and area, have access to full municipal services. No variances will be required to facilitate the creation of the lot as the existing building on the subject lands will be demolished in favour of the redevelopment. The lot is generally in keeping with the lot sizes and frontages in the immediate vicinity of the neighbourhood. The lot to the south of the proposed lot is approximately 269m<sup>2</sup> and there are lots directly to the north along Dunsmure that are approximately 169m<sup>2</sup> to 250m in size with frontages ranging from 7m to 8m.

As such, the proposed lot is appropriate for the development of the subject lands and has sufficient regard for the matters listed under Section 51 (24) of the Planning Act.

I trust that you will find the enclosed satisfactory for your purposes. Please confirm receipt of this submission and we look forward to being scheduled for the next available hearing date. If you have any questions or require additional information, please do not hesitate to contact our office.

Sincerely,

Franz Kloibhofer, MCIP, RPP  
Principal Planner  
**A. J. Clarke and Associates Ltd.**

Encl.

Cc: Dunsmure Developments Ltd. c/o Savan Chandaria