



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-22:04

SUBJECT PROPERTY: 1348 Barton St., 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 M. Annamalai & K. Uma Devi

PURPOSE OF APPLICATION: To sever the existing residential lot into two parcels, the severed lands will be a vacant residential building lot and the retained lands will contain the existing dwelling which is intended to be retained.

Severed lands:

13.94m[±] x 54.864m[±] and an area of 764m² [±]

Retained lands:

18.07m[±] x 54.864m[±] and an area of 992m² [±]

The Committee of Adjustment will hear this application on:

DATE: Thursday, February 17th, 2022

TIME: 2:55 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:

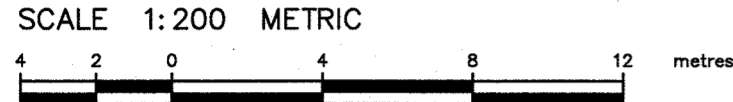
- Visit www.hamilton.ca/committeeofadjustment
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at cofa@hamilton.ca

DATED: February 1st, 2022

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.

SURVEYOR'S REAL PROPERTY REPORT
 PART 1, PLAN OF PART OF
LOT 3
CONCESSION 2
 GEOGRAPHIC
TOWNSHIP OF SALTFLILET
 IN THE
CITY OF HAMILTON



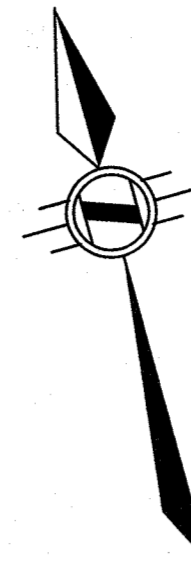
S.D. McLAREN, O.L.S. - 2021

SURVEYOR'S REAL PROPERTY REPORT
(PART 2)

PART OF LOT 3, CONCESSION 2
 AS ILLUSTRATED ON THE PLAN.
 THIS PLAN DOES NOT CERTIFY COMPLIANCE
 WITH ZONING BY-LAWS.
 THIS PLAN WAS PREPARED FOR
 MEIYA ANNAMALAI

ASSOCIATION OF ONTARIO
 LAND SURVEYORS
 PLAN SUBMISSION FORM
 2182596

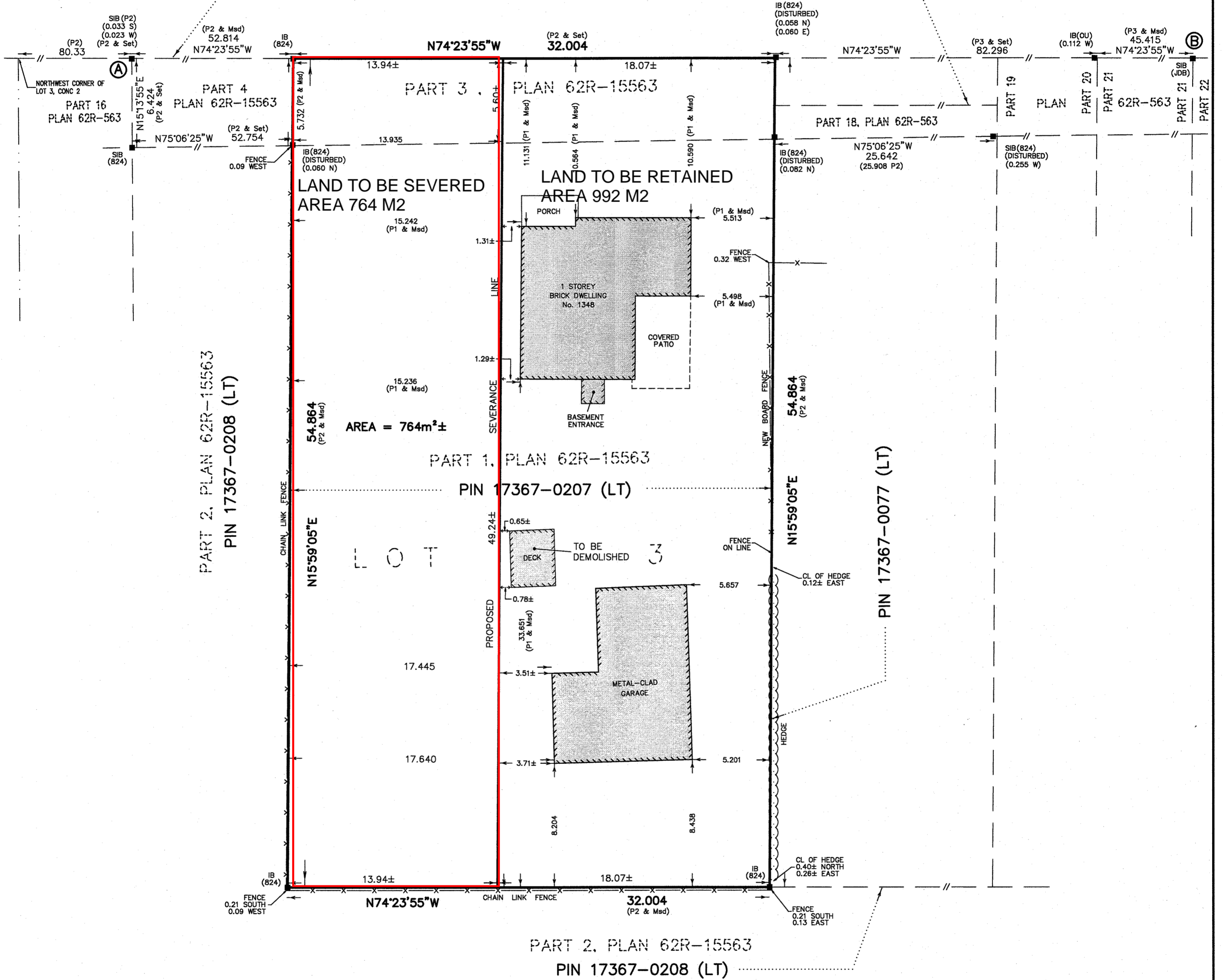
THIS PLAN IS NOT VALID
 UNLESS IT IS AN EMBOSSED
 ORIGINAL COPY
 ISSUED BY THE SURVEYOR
 IN ACCORDANCE WITH
 REGULATION 1026, SECTION 29(3).



BARTON STREET

(ORIGINAL ROAD ALLOWANCE BETWEEN CONCESSIONS 1 & 2)

PIN 17368-0136 (LT)



C O N C E S S I O N 2

BEARING NOTE:

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

NOTE:

DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY
 MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.999740758

INTEGRATION DATA

OBSERVED REFERENCE POINTS (ORP's): UTM ZONE 17, NAD83 (CSRS) (2010.0), COORDINATES TO URBAN ACCURACY PER SEC. 14(2) OF O.REG. 216/10		
POINT ID	NORTHING	EASTING
ORP A	4785050.326	610155.158
ORP B	4784993.176	610359.818
COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.		

METRIC NOTE:

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

SURVEYOR'S CERTIFICATE:

I CERTIFY THAT:
 1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEY ACT, THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM
 2. THE SURVEY WAS COMPLETED ON THE 21st DAY OF OCTOBER, 2021

NOVEMBER 22, 2021
 DATE

S. DAN McLAREN, O.L.S.

LEGEND:

- DENOTES MONUMENT SET
- MONUMENT FOUND
- IB IRON BAR
- PB PLASTIC BAR
- CC CUT CROSS
- SIB STANDARD IRON BAR
- SSIB SHORT STANDARD IRON BAR
- 824 A.T. McLAREN, O.L.S.
- JB J.D. BARNES LIMITED
- OU ORIGIN UNKNOWN
- Med MEASURED
- P1 PLAN BY A.T. McLAREN, O.L.S.
- DATED JANUARY 24, 2001 FILE 29284
- P2 PLAN 62R-15563
- P3 PLAN 62R-563

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A.T. McLaren Limited
 LEGAL AND ENGINEERING SURVEYS
 69 JOHN STREET SOUTH, SUITE 230
 HAMILTON, ONTARIO, L8N 2B9
 PHONE (905) 527-8559 FAX (905) 527-0032

Drawn JB	Checked RBM	Crew Chief MWJ	Scale 1:200	Dwg.No. 36789
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Hamilton

Committee of Adjustment

City Hall, 5th Floor,

71 Main St. W.,

Hamilton, ON L8P4Y5

Phone: (905) 546-2424 ext. 4221

Email: 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.:
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1 APPLICANT INFORMATION

1.1, 1.2	NAME	ADDRESS	
Registered Owners(s)			
Applicant(s)*			
Agent or Solicitor			

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 3	Concession 2	Former Township Saltfleet
Registered Plan N°. 62R-15563	Lot(s)	Reference Plan N°.	Part(s) 1 and 3
Municipal Address 1348 Barton Street, Stoney Creek, L8E 5L1			Assessment Roll N°. 003210264000000

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

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:

N/A

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) 13.94m	Depth (m) 54.864m	Area (m ² or ha) 764 m2
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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: None

Proposed: Single 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) 18.07m	Depth (m) 54.864m	Area (m ² or ha) 992 m2
-------------------------------	-----------------------------	--

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: Single detached dwelling

Proposed: Single detached dwelling

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) Residential

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

Within the Secondary Plan, the subject lands are designated as Low Density Urban Residential, which permits single family dwellings, such as the ones proposed for the subject lands.

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? Low Density Residential O/Reg 448/00

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?
The subject and neighbouring lands have historically been used for residential purposes.
- 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

On December 17, 2021 an Applicable Law Review has been completed and conforms all by-law requirements (see attached City of Hamilton's Applicable Law Review respecting zoning bylaw compliance dated December 17, 2021)

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

The proposed severance will result in modest intensification and will contribute to the City's intensification target and the supply of housing to meet forecasted needs. Future planning goals and policies of the community are not affected.

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

The Growth Plan directs growth to the urban areas where municipal infrastructure services are available. The proposed severance is within the built-up area and within the Urban boundary for the City of Hamilton and thereby conforms to the policies of the Growth Plan

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

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

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

N/A

- 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)

N/A

- 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)

N/A

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.

No

-
- 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?
4 years

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 | | |
| <input type="checkbox"/> Rural Settlement Area Severance or Lot Addition | | |
| <input type="checkbox"/> Surplus Farm Dwelling Severance from an Abutting Farm Consolidation | | (Complete Section 10.4) |
| <input type="checkbox"/> 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 ² 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 ² 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 ² 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 ² 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 ² 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 ² 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 ² 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 ² 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:

Habitable

Non-Habitable

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

Frontage (m): (from Section 4.2)	Area (m ² or ha): (from Section 4.2)
----------------------------------	---

Existing Land Use: _____ Proposed Land Use: _____

11 OTHER INFORMATION

Is there any other information that you think may be useful to the Committee of Adjustment or other agencies in reviewing this application? If so, explain below or attach on a separate page.

The severance of lots has been examined by the planning division and building division of the City of Hamilton. A separate application for Applicable Law Review has been submitted and the review conforms the proposed severance. Please find attached review from the City of Hamilton.

12 SKETCH (Use the attached Sketch Sheet as a guide)

12.1 The application shall be accompanied by a sketch showing the following in metric units:

- (a) the boundaries and dimensions of any land abutting the subject land that is owned by the owner of the subject land;
- (b) the approximate distance between the subject land and the nearest township lot line or landmark such as a bridge or railway crossing;
- (c) the boundaries and dimensions of the subject land, the part that is intended to be severed and the part that is intended to be retained;
- (d) the location of all land previously severed from the parcel originally acquired by the current owner of the subject land;
- (e) the approximate location of all natural and artificial features (for example, buildings, barns, railways, roads, watercourses, drainage ditches, banks of rivers or streams, wetlands, wooded areas, wells and septic tanks) that,
 - i) are located on the subject land and on land that is adjacent to it, and
 - ii) in the applicant's opinion, may affect the application;
- (f) the current uses of land that is adjacent to the subject land (for example, residential, agricultural or commercial);
- (g) the location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road or a right of way;
- (h) the location and nature of any easement affecting the subject land.

13 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.

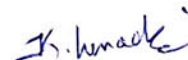
January 6, 2022

Date



Signature of Owner

Meiyappan
Annamalai



Uma Devi
Kasiviswanathan



Hamilton

December 17, 2021

FILE: ALR
 FOLDER: 21-162747-00 ALR
 ATTENTION OF: Victoria Brito
 TELEPHONE NO: (905) 546-2424
 EXTENSION: 7628

Meiyappan Annamalai
 87 PANNAHILL DR
 BRAMPTON, ON L6P 2Y4

Attention:

Re: APPLICABLE LAW REVIEW – ZONING BYLAW
Present Zoning: R2 (Single Residential)
Zoning By-law: Former Stoney Creek Zoning By-law 3692-92
Address: 1348 BARTON ST STONEY CREEK, ON

An Applicable Law Review respecting zoning bylaw compliance has been completed and the following comments are provided.

COMMENTS:

1. The applicant is proposing to sever the property into two residential lots while retaining the existing dwelling on the retained lands.
2. A single detached dwelling is permitted under the current R2 (Single Residential) zone.
3. Our records show that these lands were formerly zoned ND-2 and were rezoned to the R2 pursuant to By-law 5225-00 which was passed on October 24th, 2000.
4. The proposed development has been reviewed and compared to the standards of the R2 zone as indicated in the following chart for the **retained lot:**

By-law Requirement	Required	Provided	Conforms/ Non-conforming
R2 zone (Single Residential Zone) Section 6.3 of the Stoney Creek Zoning By-law 3692-92			
Minimum Lot Area <i>[as per Section 6.3.3 (a)]</i>	460.0m ² for an interior lot.	The proposed lot area has not been indicated. However, based on the Site Plan sketch provided the lot area proposed for the retained lot is ±890.0m ²	Conforming
Minimum Lot Frontage <i>[as per Section 6.3.3 (b)]</i>	15.0m for an interior lot.	18.081m – based on Site Plan sketch	Conforming

By-law Requirement	Required	Provided	Conforms/ Non-conforming
Minimum Front Yard <i>[as per Section 6.3.3 (c)]</i>	6.0m	10.131m	Existing Conforming
Minimum Side Yard <i>[as per Section 6.3.3 (d)]</i>	No part of any dwelling shall be located closer than 1.25 metres except as provided in clauses 1, 2 and 3 below:	1.25m to the new westerly lot line.	Conforming
	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;	The existing dwelling contains no attached garage.	N/A
	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	5.240m to the easterly lot line	Existing – Conforming
	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.	This is not a corner lot.	N/A
Minimum Rear Yard <i>[as per Section 6.3.3 (e)]</i>	7.5m	The rear yard dimension is not shown on the submitted plan. However, it is significantly greater than 7.5m.	Existing – conforming
Maximum Building Height <i>[as per Section 6.3.3 (f)]</i>	11.0m	Existing one storey dwelling.	Existing – conforming
Maximum Lot Coverage <i>[as per Section 6.3.3 (g)]</i>	40.0% The actual proposed lot area was not provided from which to determine the proposed lot coverage for this lot. <i>Note: The e-mail provided dated September 9, 2021 indicates that the existing footprints are as follows:</i> 93.74m ² - existing dwelling 88.53m ² - existing garage <u>182.27m² - total coverage</u>	Details of the actual proposed lot coverage has not been provided. However, a lot coverage of less than 40.0% is proposed based on a lot area of ±890.0m ² .	Conforming

By-law Requirement	Required	Provided	Conforms/ Non-conforming
Regulations For Parking - Minimum Number of Parking Spaces <i>[as per Section 6.3.4]</i>	2 per dwelling of which only one may be provided in the required front yard. Tandem parking is permitted.	2 existing parking spaces shown	Conforming
Regulations For Accessory Buildings <i>[as per Section 6.3.5]</i>	Accessory buildings are permitted in accordance with Section 4.5 and 6.1.4	An existing accessory building (private garage) is intended to be maintained on the lands.	See compliance comments below Section 6.1.4
Regulations for Home Occupations <i>[as per Section 6.3.6]</i>	Home occupations are permitted in accordance with Section 4.8	Not shown to be proposed at this time	N/A
Regulations for Secondary Dwelling Units and Secondary Dwelling units – Detached <i>[as per Section 6.3.6.1]</i>	Secondary Dwelling units and Secondary Dwelling units-Detached are permitted in accordance with Section 6.1.7.	Not shown to be proposed at this time	N/A
General Provisions for All Zones Part 4.19 – Yard Encroachments			
Sills, belt courses, cornices, chimney breasts, bay windows, decorative brick facing or pilasters <i>[as per Section 4.19.1 (a)]</i>	May project into any required yard a distance of not more than 0.5 metres	No sills, belt courses, cornices, chimney breasts, bay windows, decorative brick facing or pilasters are shown to be existing to the dwelling specifically abutting the new westerly side lot line.	N/A
Eaves or gutters, for other than an accessory building <i>[as per Section 4.19.1 (b)]</i>	May project into any required yard a distance of not more than 0.5 metres <i>Therefore, eaves or gutters for the principle dwelling shall maintain a setback of:</i> 0.75m from the new westerly side lot line 2.5m to the easterly side lot line 6.5m to the rear lot line 5.5m to the front lot line	No details provided specifically to the new westerly side lot line.	Unable to determine compliance
Eaves or gutters for accessory buildings <i>[as per Section 4.19.1 (c)]</i>	may project into any required yard a distance of 0.25 metres; <i>Therefore, eaves or gutter for an accessory building shall maintain a setback of 0.25m from all lot lines based on a 0.5m setback required.</i>	The eaves or gutters for the existing accessory building located in the rear yard are not encroaching into a required yard or setback area.	Conforming

By-law Requirement	Required	Provided	Conforms/ Non-conforming
<p>Balconies, canopies, unenclosed porches and decks, including a cold cellar underneath same [as per Section 4.19.1 (d)]</p>	<p>May project into any required front yard 1.5 metres.</p> <p>Balconies, canopies, unenclosed porches and decks may project into any required rear yard not more than 4 metres.</p> <p>Notwithstanding the foregoing, any deck or patio which is less than .3 metres in height may be located in any required yard.</p>	<p>No such yard encroachments/projections are shown to the existing dwelling based on the submitted plan, specifically along the new westerly side lot line.</p>	<p>Conforming</p>
<p>Accessory Buildings in Residential Zones Section 6.1.4</p>			
<p>Location regulations [as per Section 6.1.4 (a)]</p>	<p>An accessory building may be located in any yard except the front yard.</p> <p>Shall be located a minimum distance of 8 metres from the front lot line, 0.5 metres from any other lot line,</p> <p>Except that a detached garage or detached carport which fronts on the flankage lot line shall be located at least 5.5 metres from the flankage lot line.</p>	<p>The existing accessory building is located in the rear yard.</p> <p>A distance significantly greater than 8.0m is maintained from the front lot line. The accessory building is located:</p> <ul style="list-style-type: none"> - A distance of 3.221m to the proposed to the new westerly side lot line - A distance of 5.7m to be maintained to the easterly side lot line. - A distance of 8.488m to be maintained to the rear lot line. <p>This is not a corner lot. Therefore, it does not abut a flankage lot line.</p>	<p>Conforming</p> <p>Conforming</p> <p>N/A</p>
<p>Maximum height [as per Section 6.1.4 (a)]</p>	<p>The maximum building height shall be 4.5 metres</p>	<p>This is an existing one storey accessory building.</p>	<p>Existing</p>
<p>Maximum lot coverage [as per Section 6.1.4 (b)]</p>	<p>The total lot coverage for all accessory buildings shall not exceed 10 percent of the total lot area but in no case shall the total lot coverage of all buildings on a lot exceed</p>	<p>No details provided.</p> <p><i>Note: The e-mail provided dated September 9, 2021 indicates that the existing accessory building footprint is 88.53m².</i></p>	<p>Unable to determine compliance</p>

By-law Requirement	Required	Provided	Conforms/ Non-conforming
	the maximum lot coverage permitted in the respective zone; The actual proposed lot area was not provided from which to determine the proposed lot coverage for accessory buildings for this lot.		

5. The proposed development has been reviewed and compared to the standards of the R2 zone as indicated in the following chart for the **severed lot**:

By-law Requirement	Required	Provided	Conforms/ Non-conforming
R2 zone (Single Residential Zone) Section 6.3 of the Stoney Creek Zoning By-law 3692-92			
Minimum Lot Area <i>[as per Section 6.3.3 (a)]</i>	460.0m ² for an interior lot.	The proposed lot area has not been indicated. However, based on the Site Plan sketch provided the lot area proposed for the retained lot is ±684.0m ²	Conforming
Minimum Lot Frontage <i>[as per Section 6.3.3 (b)]</i>	15.0m for an interior lot.	13.935m – based on Site Plan sketch	Conforming

6. **All other regulations under the Stoney Creek Zoning By-law 3692-92, shall be reviewed for compliance at building permit stage of the development for the severed lot.**
7. Construction of the proposed dwelling on the severed lands is subject to the issuance of a building permit in the normal manner. Be advised that Ontario Building Code regulations may require specific setback and construction types.
8. Conversions, renovations, alterations, additions or new buildings are subject to the issuance of a building permit from the Building Division.
9. Sign details have not been provided. All signage shall conform to Hamilton Sign By-law 06-243. A building permit is required for all signage.
10. The designer shall ensure that the fire access route conforms to the Ontario Building Code.

Yours truly



for the Manager of Building Engineering and Zoning

VB/vb

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