



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

E-mail: [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

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

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

- Assessed owner of a property located within 60 metres of the subject property
  - Applicant/agent on file, or
  - Person likely to be interested in this application
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<b>APPLICATION NO.:</b>	<b>DN/A-22:201</b>	<b>SUBJECT PROPERTY:</b>	25 ALMA STREET, DUNDAS
<b>ZONE:</b>	"I1" and "R2-FP" (Neighbourhood Institutional and Single-Detached Residential)	<b>ZONING BY-LAW:</b>	Zoning By-law Hamilton Zoning By-law 05-200 and Dundas Zoning By-law No. 3591-86, as Amended Hamilton 07-101 and Dundas 3581-86

**APPLICANTS:** Agent WEBB Planning Consultant  
Owner **HWCD SB**

The following variances are requested:

1. That the portion of the school property that is currently zoned "R2-FP" may continue to be used as an outdoor play area ancillary to the existing day nursery notwithstanding that the use is not permitted in the "R2-FP" zone

**PURPOSE & EFFECT:** To facilitate the use of a portion of the school property to be used as an outdoor play area ancillary to an existing day nursery.

**Notes:**

**This Notice must be posted by the owner of any land which contains seven or more residential units so that it is visible to all residents.**

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

<b>DATE:</b>	<b>Thursday, July 14, 2022</b>
<b>TIME:</b>	<b>3:45 p.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>2<sup>nd</sup> floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton</b>
	<b>To be streamed (viewing only) at</b> <b><a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a></b>

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

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

## 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, calling in, or attending in person. Please see attached page for complete instructions, including deadlines for registering to participate virtually.



 **Subject Lands**

DATED: June 28, 2022

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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, and may include posting electronic versions.

## **PARTICIPATION PROCEDURES**

### **Written Submissions**

Members of the public who would like to participate in a Committee of Adjustment meeting are able to provide comments in writing or via email in advance of the meeting. Comments can be submitted by emailing [cofa@hamilton.ca](mailto:cofa@hamilton.ca) or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5. **Comments must be received by noon two days before the Hearing.**

Comment packages are available two days prior to the Hearing and are available on our website: [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)

### **Oral Submissions**

Members of the public are also able to provide oral comments regarding Committee of Adjustment Hearing items by participating Virtually through Webex via computer or phone or by attending the Hearing In-person. Participation Virtually requires pre-registration in advance. Please contact staff for instructions if you wish to make a presentation containing visual materials.

#### **1. Virtual Oral Submissions**

**Interested members of the public, agents, and owners must register by noon the day before the hearing to participate Virtually.**

To register to participate Virtually by Webex either via computer or phone, please contact Committee of Adjustment staff by email [cofa@hamilton.ca](mailto:cofa@hamilton.ca). The following information is required to register: Committee of Adjustment file number, hearing date, name and mailing address of each person wishing to speak, if participation will be by phone or video, and if applicable the phone number they will be using to call in.

A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting the Wednesday afternoon before the hearing. The link must not be shared with others as it is unique to the registrant.

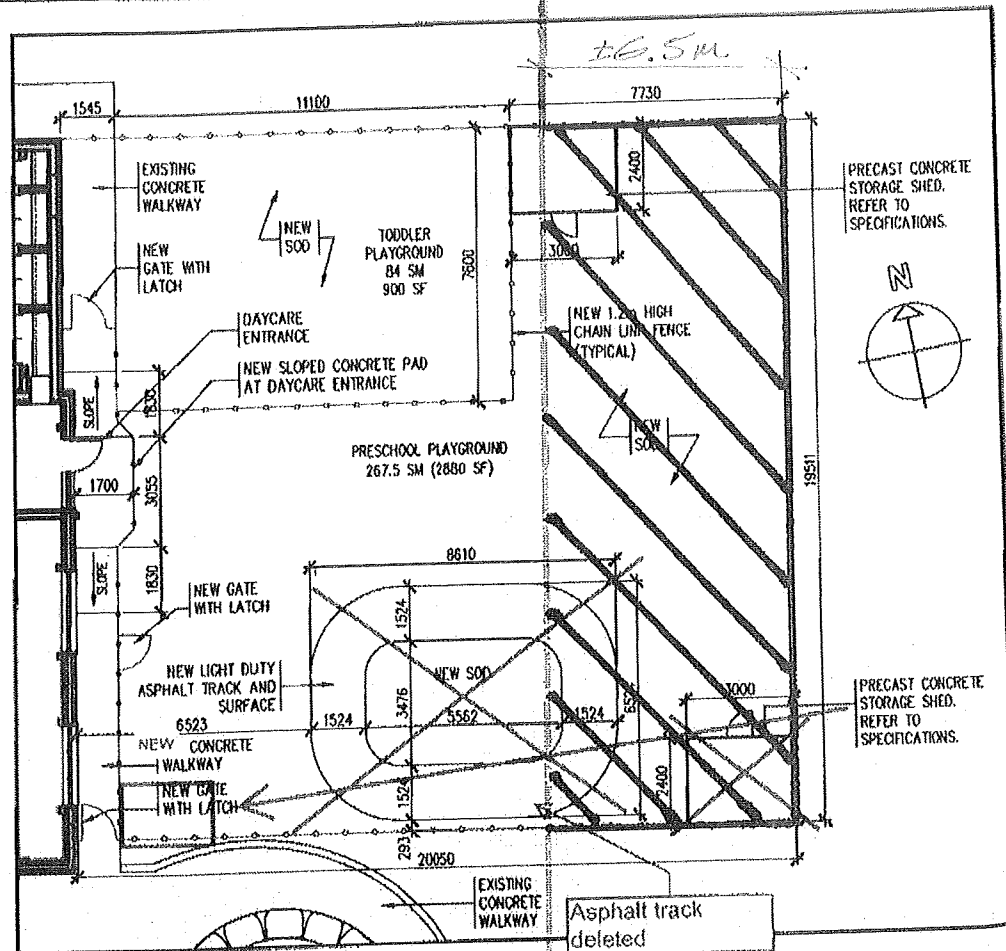
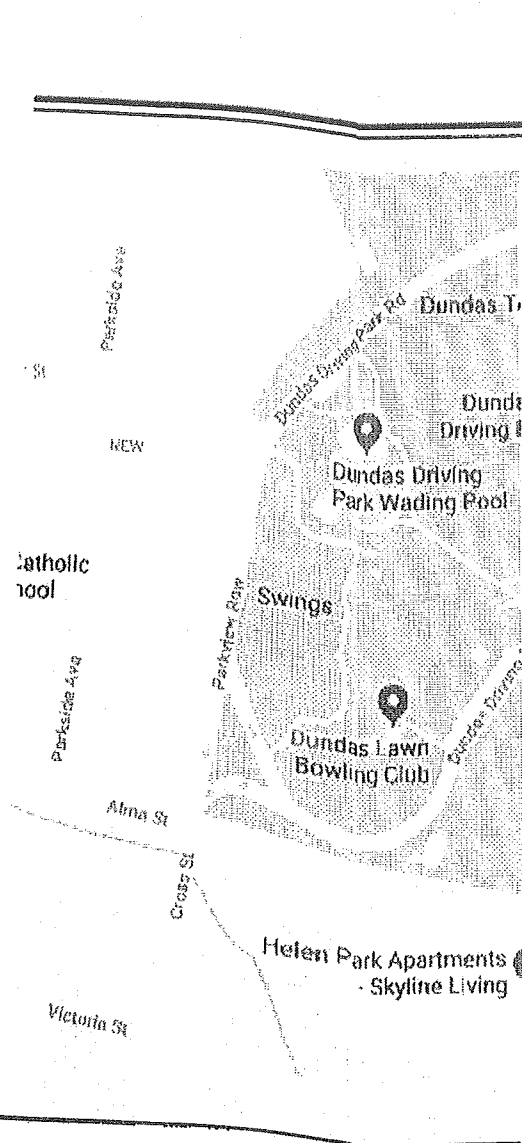
#### **2. In person Oral Submissions**

**Interested members of the public, agents, and owners who wish to participate in person must sign in at City Hall room 222 (2<sup>nd</sup> floor) no less than 10 minutes before the time of the Public Hearing as noted on the Notice of Public Hearing.**

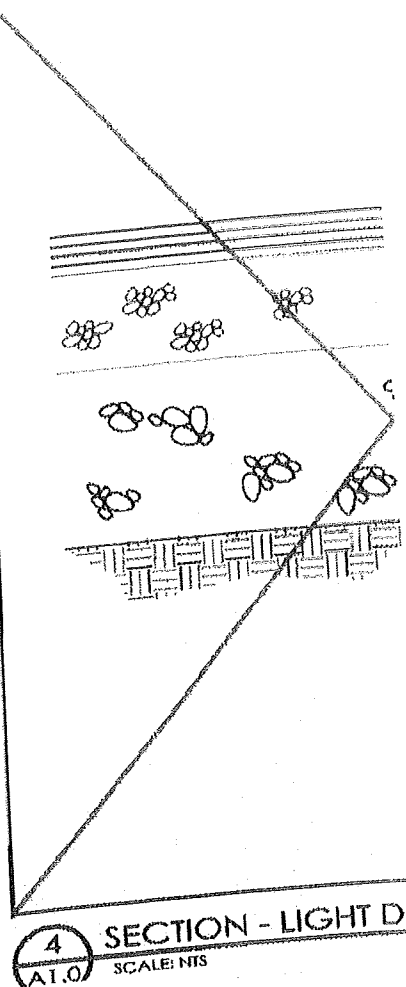
We hope this is of assistance and if you need clarification or have any questions, please email [cofa@hamilton.ca](mailto:cofa@hamilton.ca) or by phone at 905-546-2424 ext. 4221.

Please note: Webex (video) participation requires either a compatible computer or smartphone and an application (app/program) must be downloaded by the interested party in order to participate. It is the interested party's responsibility to ensure that their device is compatible and operating correctly prior to the Hearing.





2 SITE PLAN - SCOPE OF WORK  
 A1.0 SCALE: 1:150



→ R2-FP

Alterations To:  
**ST. AUGUSTINE CATHOLIC  
ELEMENTARY SCHOOL**  
25 Alma Street

PROJECT No. 18.031



ARCHITECT:  
**LINTACK ARCHITECTS INC.**  
244 JAMES STREET SOUTH  
HAMILTON, ONTARIO L8P 3B3  
PHONE: 905.522.6165 FAX: 905.522.2209

STRUCTURAL, MECHANICAL + ELECTRICAL ENGINEERING

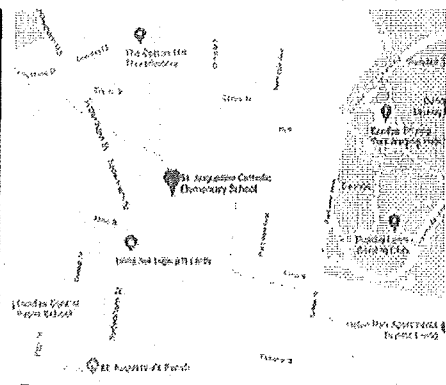
**MANTECON PARTNERS**  
15 FOUNDRY STREET  
DUNDAS, ONTARIO L9H 2V3  
PHONE: 905.646.0979 905.646.6647

**LINTACK ARCHITECTS INC.**  
244 JAMES STREET SOUTH  
HAMILTON, ONTARIO  
L8P 3B3  
905-522-6165  
ST. AUGUSTINE CATHOLIC ELEMENTARY SCHOOL - HWCDDB  
RENOVATION & ALTERATION FOR CHILD CARE CENTRE AND RELOCATED  
LEARNING COMMONS  
18.031.0010, based on

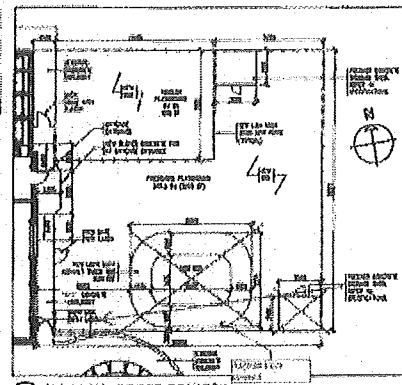


Item	Ontario Building Code Data Matrix Part II	OBC Reference
1	Project description: RENOVATION AND ALTERATION	Part 2, Part 3, Part 4
2	Age of Building (years): 120 YEARS - (ORIGINAL BUILT) 1900	11.1.1.1.1
3	Any Additions: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No (If yes) Age: 00	11.2.2
4a	Has Addition Be Affected: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	11.1.1.1.1
5	Demolition notes: R1 &	10.3.1.2 (11.2.1.1)
6	House Index (R1): R1 & House Index (R2): R2 &	10.3.1.2 (11.2.1.1)
7a	History Note: Original Architect: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	10.3.1.2 (11.2.1.1)
8	Number of Storeys: Above Grade: 2 Below Grade: 0	11.1.1.1
9	Height of Building: 11.0000	11.1.1.1
10	Number of Storeys/Storeys Below Grade: 1 (Excluded To Be Added)	11.1.1.1
11	Form Building: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	11.4.1.1 (11.4.1.2)
12	Structural Upgrade Required: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	10.3.2.2 (11.4.1.2)
13	Complete Alternative member 1/2	10.4.1 (11.4.1.2)
14	Early Warning & Consultation System Update Required: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	10.3.2.2 (11.4.1.2)
15	Construction Type: <input type="checkbox"/> Heavy Timber <input type="checkbox"/> Masonry <input checked="" type="checkbox"/> Steel-Frame <input type="checkbox"/> Concrete-Frame	10.1.1.1 (11.4.1.1)
16	Major Occupancy Classification: A2	11.2.1 10.1.1
17	Designated Level Classification: <input type="checkbox"/> 1st + 2nd Floor (1st) <input checked="" type="checkbox"/> 1st + 2nd Floor (2nd)	11.1.1.1
18	FBI Floor Area Maximum: N/A	10-6.1
19	FBI Floor Area: N/A	10-6.1
20	FBI Floor Area: 1/2 + 1/2 (Assumed) 1/2 + 1/2 (Assumed)	10-6.1
21	Number of Level C Units: 0	11.1.1.1 (11.1.1.2)
22	Building Area (m²): 29452 m²	11.1.2
23	Open Area (m²): 25953 m²	11.1.2
24	Open Area (m²): 170000	11.1.1
25	Open Area (m²): 170000	11.1.1
26	Performance Level Required: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	11.1.1.1
27	Performance Level Required: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	11.1.1

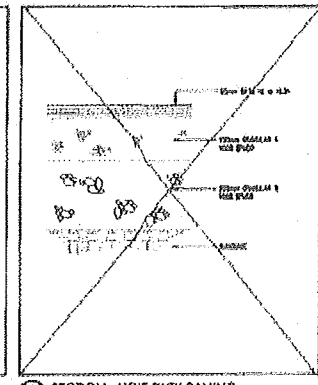
DRAWING LIST
1.01 COVER SHEET
1.02 QBC MATRIX
1.03 SITE PLAN
1.04 FLOOR PLAN
1.05 SECTION
1.06 ELEVATION
1.07 DETAIL
1.08 SCHEDULE
1.09 MATERIAL
1.10 FINISH
1.11 MECHANICAL
1.12 ELECTRICAL
1.13 PLUMBING
1.14 HEATING
1.15 COOLING
1.16 SOUND
1.17 VIBRATION
1.18 LIGHTING
1.19 FURNITURE
1.20 EQUIPMENT
1.21 ACCESSORIES
1.22 SIGNAGE
1.23 LANDSCAPE
1.24 EXTERIOR
1.25 INTERIOR
1.26 FINISH
1.27 MATERIAL
1.28 SCHEDULE
1.29 DETAIL
1.30 ELEVATION
1.31 SECTION
1.32 FLOOR PLAN
1.33 SITE PLAN
1.34 QBC MATRIX
1.35 COVER SHEET



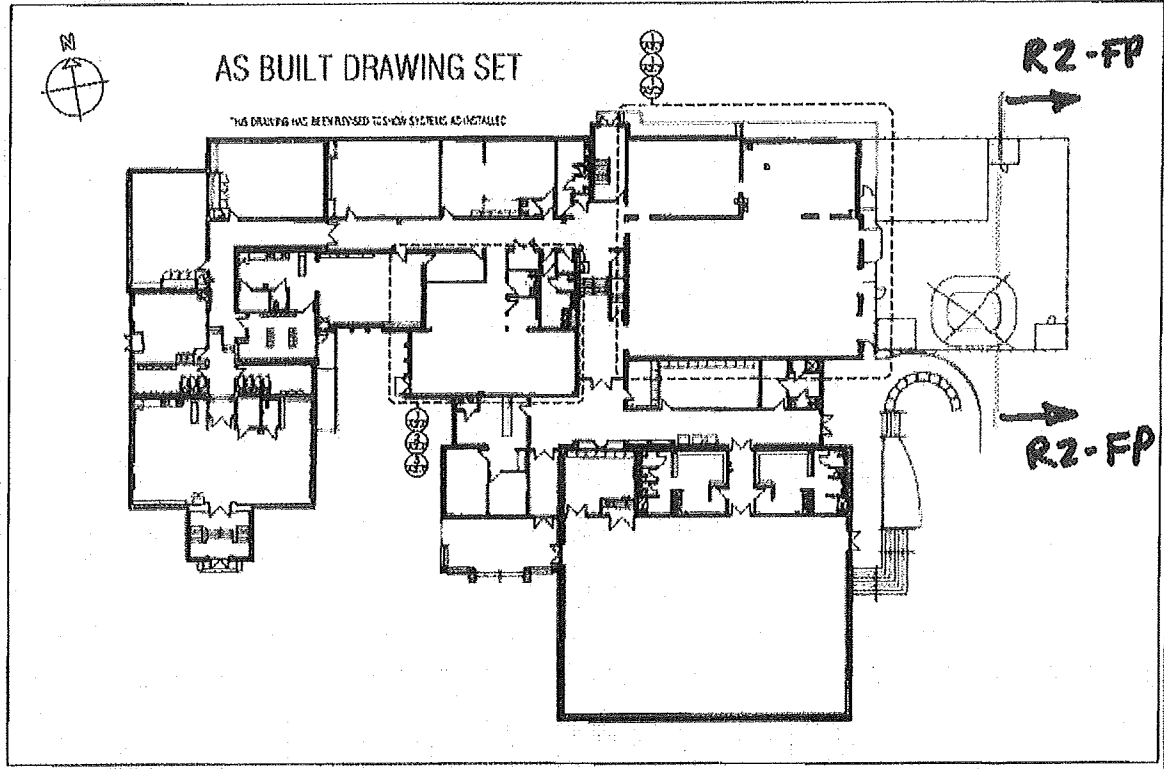
1.0 LOCATION PLAN



2.0 SITE PLAN - SCOPE OF WORK



3.0 SECTION - LIGHT DUTY PAVING



4.0 REFERENCE FLOOR PLAN

**LINTACK ARCHITECTS  
INCORPORATED**  
18.031.0010, based on

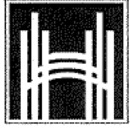


ST. AUGUSTINE CATHOLIC ELEMENTARY SCHOOL  
25 ALMA STREET  
HAMILTON, ONTARIO  
L8P 3B3  
905-522-6165



Alterations to:  
**St. Augustine Elementary School**  
**HWCDDB**  
25 Alma Street  
Hamilton, Ontario

Job No. 18.031  
Drawn By: [Signature]  
Scale: AS NOTED  
Date: FEB 2019  
Drawn By: [Signature]  
COVER SHEET  
QBC MATRIX  
SITE PLAN  
Drawn By: [Signature]



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 A MINOR VARIANCE

FOR OFFICE USE ONLY.

APPLICATION NO. \_\_\_\_\_ DATE APPLICATION RECEIVED \_\_\_\_\_

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

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

The Planning Act

Application for Minor Variance or for Permission

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

1, 2	NAME	MAILING ADDRESS
Registered Owners(s)	Hamilton Wentworth Catholic District School Board	
Applicant(s)*	Hamilton Wentworth Catholic District School Board	
Agent or Solicitor	WEBB Planning Consultants	

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

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

None



Additional sheets can be submitted if there is not sufficient room to answer the following questions. Additional sheets must be clearly labelled

4. Nature and extent of relief applied for:

To permit a portion of the school property that is currently zoned as R2-FP to continue to be used as an outdoor play area ancillary to the permitted uses on the adjoining lands  
Zoned as Neighbourhood Institutional

☐ Second Dwelling Unit                      ☐ Reconstruction of Existing Dwelling

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

Existing playground partially extends into portion of site zoned as R2-FP

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

25 Alma Street, Town of Dundas

7. PREVIOUS USE OF PROPERTY

Residential ☐                      Industrial ☐                      Commercial ☐  
Agricultural ☐                      Vacant ☐  
Other Subject lands in use as outdoor play area since acquisition and merging of title

8.1 If Industrial or Commercial, specify use \_\_\_\_\_

8.2 Has the grading of the subject land been changed by adding earth or other material, i.e. has filling occurred?  
Yes ☐                      No ☐                      Unknown ☒

8.3 Has a gas station been located on the subject land or adjacent lands at any time?  
Yes ☐                      No ☒                      Unknown ☐

8.4 Has there been petroleum or other fuel stored on the subject land or adjacent lands?  
Yes ☐                      No ☒                      Unknown ☐

8.5 Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?  
Yes ☐                      No ☐                      Unknown ☒

8.6 Have the lands or adjacent lands ever been used as an agricultural operation where cyanide products may have been used as pesticides and/or sewage sludge was applied to the lands?  
Yes ☐                      No ☒                      Unknown ☐

8.7 Have the lands or adjacent lands ever been used as a weapon firing range?  
Yes ☐                      No ☒                      Unknown ☐

8.8 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 ☐

8.9 If there are existing or previously existing buildings, are there any building materials remaining on site which are potentially hazardous to public health (eg. asbestos, PCB's)?  
Yes ☐                      No ☒                      Unknown ☐

APPLICATION FOR A MINOR VARIANCE (January 1, 2022)

Page 2 of 6

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

Yes ☐

No ☒

Unknown ☐

8.11 What information did you use to determine the answers to 8.1 to 8.10 above?

Site inspection, discussion with property owner

8.12 If previous use of property is industrial or commercial or if YES to any of 8.2 to 8.10, 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

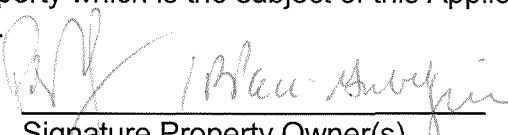
☐

## 9. 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.

May 25 / 22

Date



P. Daly/ P. Pace-Gubekjian

Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage 86 metres (Alma Street)

Depth Apx. 90 metres (irregular)

Area 1.01 ha

Width of street 20.0 metres (Alma Street)

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

Existing: \_

Two storey catholic elementary school, measured building height of 10.1 metres

Proposed

No changes to the existing building are proposed

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

Existing:

FY: 27.8 m (Alma Street), RY: 9.0 m, East SY: 15.0 m, West SY: 7.5 m

Proposed:

No changes to the existing building are proposed

13. Date of acquisition of subject lands:  
In excess of 75 years, R2-FP portion added in 1959
14. Date of construction of all buildings and structures on subject lands:  
In excess of 50 years for original building, Gymnasium addition completed 2006
15. Existing uses of the subject property (single family, duplex, retail, factory etc.):  
Catholic Elementary School with integrated day care
16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):  
primarily low density residential, mix of single detached and multiple dwellings
17. Length of time the existing uses of the subject property have continued:  
In excess of 75 years
18. Municipal services available: (check the appropriate space or spaces)  
Water yes Connected yes  
Sanitary Sewer yes Connected yes  
Storm Sewers yes
19. Present Official Plan/Secondary Plan provisions applying to the land:  
UHOP - Neighbourhoods, No Secondary Plan in effect
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:  
Dual Zoning - I1 per By-law 05-200 and R2-FP - Dundas ZBL 3581-86
21. Has the owner previously applied for relief in respect of the subject property? (Zoning By-law Amendment or Minor Variance)  
☐ Yes ☒ No  
If yes, please provide the file number:
- 21.1 If a site-specific zoning by-law amendment has been received for the subject property, has the two-year anniversary of the by-law being passed expired?  
☐ Yes ☐ No
- 21.2 If the answer is no, the decision of Council, or Director of Planning and Chief Planner that the application for Minor Variance is allowed must be included. Failure to do so may result in an application not being "received" for processing.
22. Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*?  
☐ Yes ☒ No
23. Additional Information (please include separate sheet if needed)  
Please refer to cover letter for broader explanation of the proposed Variance to recognize the use of the existing outdoor play area associated with the day care use.
24. The applicant shall attach to each copy of this application a plan showing the dimensions of the subject lands and of all abutting lands and showing the location, size and type of all buildings and structures on the subject and abutting lands, and where required by the Committee of Adjustment such plan shall be signed by an Ontario Land Surveyor.