



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**

**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

<b>APPLICATION NO.:</b>	<b>HM/A-22:160</b>	<b>SUBJECT PROPERTY:</b>	57 RYMAL RD W, HAMILTON
<b>ZONE:</b>	“C5, 318, T8” (Mixed Use Medium Density)	<b>ZONING BY-LAW:</b>	Zoning By-law City of Hamilton 05-200, as Amended

**APPLICANTS:**      Owner: Silvia Martins  
                              Applicant: John Martins  
                              Agent: Dusan Stupar c/o Plethovalent Architecture

The following variances are requested:

1. A minimum front yard of 16.7m shall be permitted instead of the minimum 18.0m front yard required.
2. No screening or fencing shall be required to be maintained for the outdoor storage of vehicles fronting onto a street whereas the zoning by-law states that an outdoor storage area fronting onto a street shall be screened or fenced from view.
3. This development shall be exempt from the requirement that a minimum of one principal entrance shall be provided within the ground floor façade that is closest to a street and the requirement that it shall be accessible from the building façade with direct access from the public sidewalk whereas the zoning By-law requires that minimum of one principal entrance shall be provided from the ground floor façade that is setback closest from a street and shall be accessible from the building façade with direct access from the public sidewalk.
4. A landscaped area having a minimum width of 2.9m shall be permitted to be maintained along the rear lot line instead of the minimum 1.5m wide planting strip required.
5. A landscaped area shall be permitted to be obstructed by an existing accessory building (shipping container) whereas the zoning By-law does not permit a landscaped area to be obstructed by buildings or structures.
6. A visual barrier (board fence) having a minimum height of 1.5m shall be permitted to be maintained along the entire rear lot line whereas the zoning By-law requires a visual barrier having a minimum

## HM/A-22:160

height of 1.8m to be maintained where a C5 zoned property lot line abuts a Residential Zone and where a parking lot abuts a Residential zone.

7. A minimum aisle width of 3.0m shall be permitted to be maintained for a one-way aisle abutting 45° parking spaces instead of the minimum required 4.5m width required.
8. No short-term bicycle parking shall be permitted to be maintained instead of the minimum five (5) short-term bicycle parking spaces required.
9. The existing accessory building (shipping container) shall be permitted to be located as close as 0.3m from the rear lot line instead of the minimum setback 0.6m required.
10. The existing tent located in the rear yard shall be permitted to be maintained and operate year-round whereas the zoning By-law permits a tent to operate a maximum of five (5) consecutive days.
11. The tent located in the rear yard shall be permitted to be maintained as close as 3.3m from the rear lot line instead of the minimum required 7.5m rear yard setback.
12. The existing tent located in the rear yard shall be permitted to be maintained as close as 1.9m from the westerly side lot line instead of the minimum 4.5m side yard required for a lot abutting a Residential zone.

**PURPOSE & EFFECT:** To facilitate the construction of a westerly addition to the existing Motor Vehicle Dealership.

### Notes:

These variances are required in order to facilitate Site Plan Control application SPA-20-020.

The applicant requested a variance to permit patio stones to be located within a landscaped area; however, patio stones are permitted in a landscaped area as defined.

The applicant requested variances to the existing fence along the easterly side lot line; however, this property does not abut a Residential or an Institutional zone or a residential use along the said lot line. Therefore, the requested variance is not required.

The applicant requested a variance to the height of the required visual barrier (fence) along the westerly side; however, it is noted that a 2.1m high board fence proposed to be maintained which confirms to the minimum required visual barrier height of 1.8m. Therefore, the requested variance is not required.

The applicant requested a variance to permit a “barbed wire” fence along the westerly, easterly and southerly lot lines. Please note that “barbed wire” is prohibited under the fence By-law 10-142. Therefore, the requested variances are not applicable under the Hamilton Zoning By-law 05-200.

The applicant requested variances to the setback for an accessory building (i.e. shed and shipping container) from a Residential zone. However, this is not a requirement in the zoning By-law; therefore, the requested variances are not applicable.

## HM/A-22:160

The applicant requested a variance to permit an existing shed to be located within a loading area; however, this is not a requirement in the zoning By-law. Therefore, the requested variance is not applicable.

The applicant shall ensure that compliance is achieved with the Hamilton Airport Zoning Height Regulations established by Transport Canada.

**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, January 19, 2023</b>
<b>TIME:</b>	<b>1:20 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)
- Visit Committee of Adjustment staff at 5<sup>th</sup> floor City Hall, 71 Main St. W., Hamilton
- 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 and instructions for check in to participate in person.



 Subject Lands

DATED: January 3, 2023

---

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.



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)

## 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.

"All drawings, specifications, related documents and design are the copyright property of the architect and must be returned upon request. Reproduction of the drawings, specifications, related documents and design in whole or in part is strictly forbidden without the architect's written permission."  
 This drawing shall not be used for construction purposes unless accompanied by: Steve Stupar, Architect

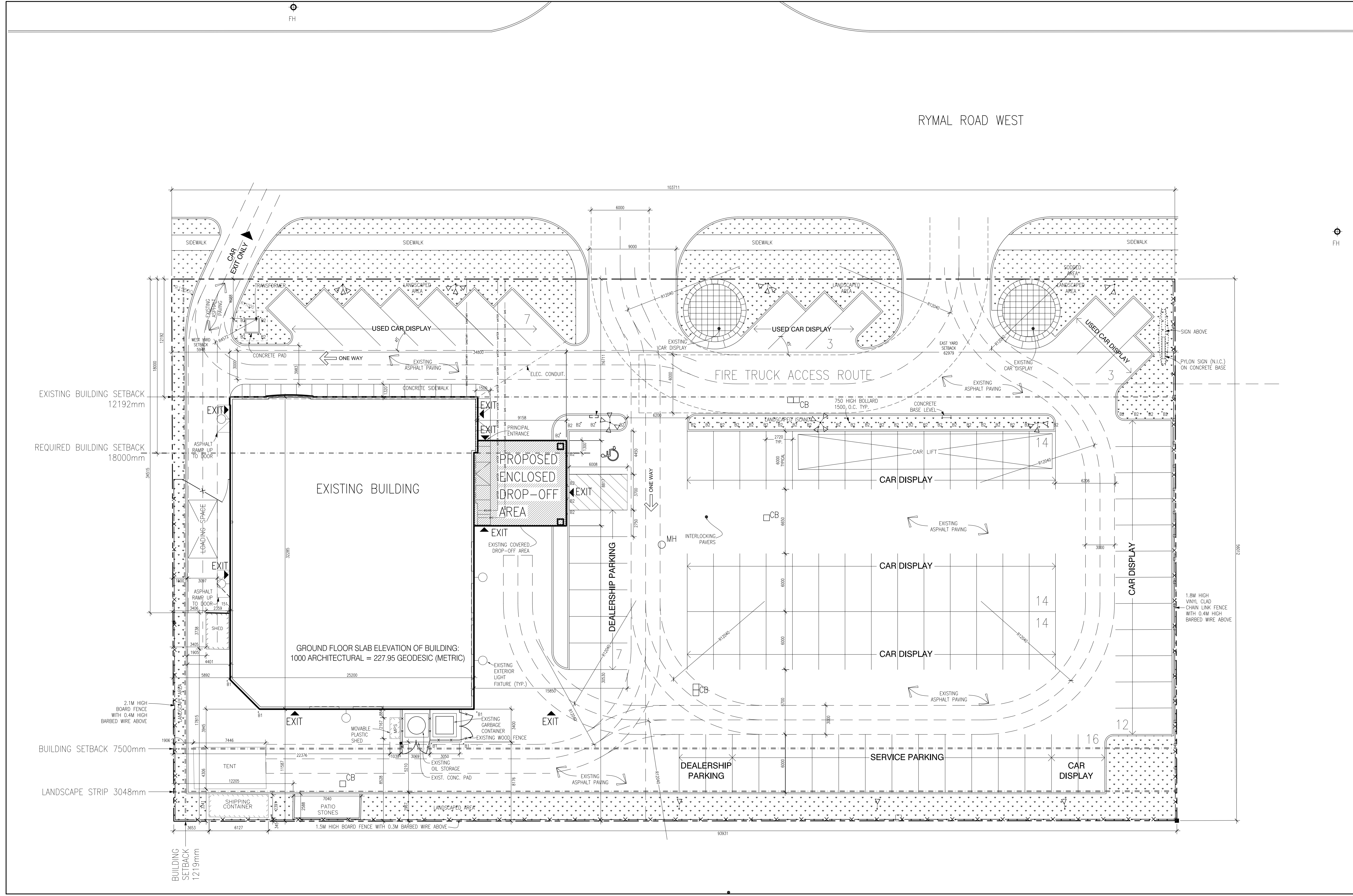
NO	ISSUED / REVISIONS	DATE
5	REVISED FOR MINOR VARIANCE APPLICATION	05 OCT 22
4	MINOR VARIANCE APP.	26 OCT 21
3	FOR REVIEW	23 JUL 21
2	AMENDMENT TO APPROVED SITE PLAN APPLICATION	24 DEC 19
1	FOR REVIEW	23 DEC 19

**HAMILTON VOLVO ADDITION**  
 57 RYMAL RD. W.  
 HAMILTON, ON

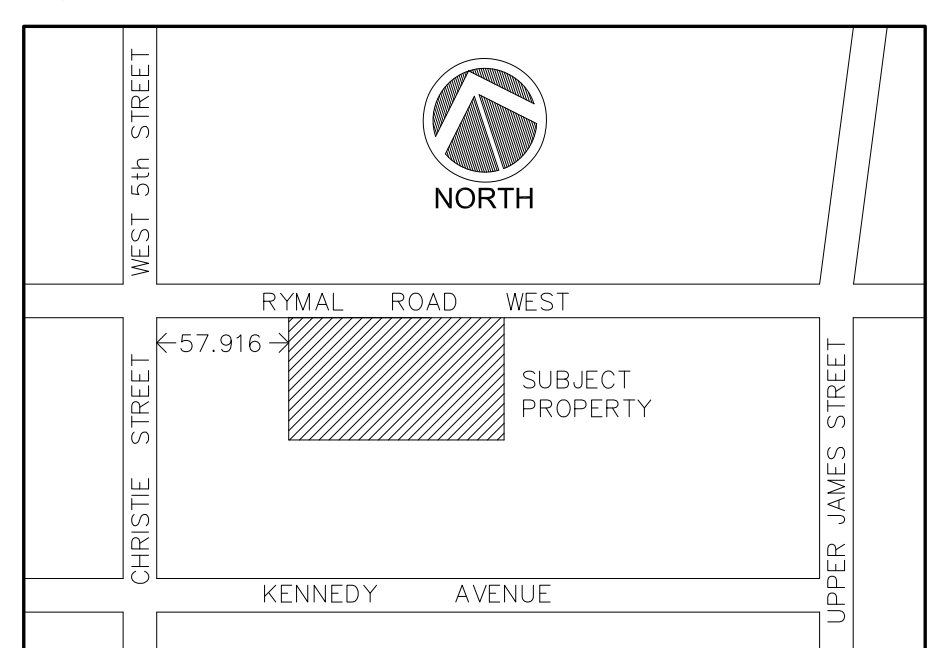
**LEGAL DESCRIPTION**  
 LEGAL DESCRIPTION  
 PLAN OF SURVEY SHOWING  
 PART OF LOT 5  
 CONCESSION 1

INFORMATION TAKEN FROM SURVEY  
 PREPARED BY: A.T. MCCLAREN LIMITED  
 69 JOHN ST. SOUTH,  
 SUITE 230, HAMILTON, ON.  
 DATE OF SURVEY COMPLETION:  
 MAY 15, 1998

**EXISTING BUILDING CLASSIFICATION**  
 GROUP D NON-SPRINKLERED  
 NON-COMBUSTIBLE CONSTRUCTION  
 GROUP E NON-SPRINKLERED  
 NON-COMBUSTIBLE CONSTRUCTION  
 GROUP F2 NON-SPRINKLERED  
 NON-COMBUSTIBLE CONSTRUCTION



1 SITE PLAN  
 SCALE: 1:200 (METRIC)



2 KEY PLAN  
 SCALE: N.T.S.

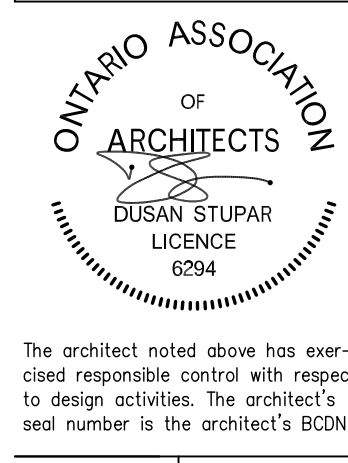
SITE STATISTICS									
ZONING	LOT NO:	PLAN NO:	LOT AREA	LOT FRONTAGE	LOT DEPTH				
CS AND HH/SS-1145 HH/SS-1145a	PART OF LOT 5, CONCESSION 1 TOWNSHIP OF CLANFORD NOW IN THE CITY OF HAMILTON		5,815.74 m <sup>2</sup>	103.711 m	56.071 m				
DESCRIPTION	EXISTING	EXISTING TO BE DEMOLISHED	ADDITION	TOTAL	% ALLOWED (MINIMUM)	%	SETBACKS	EXISTING	REQUIRED
LOT COVERAGE	812.09 m <sup>2</sup>		80.75 m <sup>2</sup>	892.84 m <sup>2</sup>			FRONT YARD	12.192 m	18.0 m
GROSS FLOOR AREA	812.09 m <sup>2</sup>		80.75 m <sup>2</sup>	892.84 m <sup>2</sup>			REAR YARD	11.587 m	7.5 m
LANDSCAPED AREA				707.37 m <sup>2</sup>	12.2		WEST SIDE YARD	5.892 m	0 m
NO. OF STORIES HEIGHT	1		1	1			EAST SIDE YARD	62.979 m	0 m

PARKING STATISTICS						
DESCRIPTION	GFA	GFA - OFFICE (ALL ZONES EXCEPT INDUSTRIAL ZONES)	GFA - COMMERCIAL (COMMERCIAL MOTOR VEHICLE SALES, RENTAL AND SERVICE ESTABLISHMENT)	SERVICE BAY COUNT	PARKING COUNT	NOTES
TOTAL	886.42 m <sup>2</sup>	50.89 m <sup>2</sup>	835.53 m <sup>2</sup>			PARKING CALCULATION BASED ON:
PARKING REQUIRED - OFFICE		50.89 m <sup>2</sup>			0	0 WHERE A USE IS LESS THAN 450.0 SQ. M. IN GROSS FLOOR AREA.
PARKING REQUIRED - COMMERCIAL			835.53 m <sup>2</sup>	6	20	1 FOR EACH 100.0 SQ. M. IN GROSS FLOOR AREA AND 2 FOR EACH SERVICE BAY.
PARKING REQUIRED TOTAL					20	
PARKING PROVIDED ACCESSIBLE					1	BY-LAW NO. 19-062
PARKING PROVIDED LOADING/UNLOADING					1	
PARKING PROVIDED TOTAL					92	THERE ARE 71 CAR DISPLAY PARKING SPOTS

**LEGEND**

- EXISTING LIGHTING POLE
- EXISTING FIRE HYDRANT
- EXISTING HYDRO POLE
- EXISTING MAN HOLE
- EXISTING ELEVATION
- PROPOSED ELEVATION
- EXISTING CATCH BASIN
- EXISTING TO BE DEMOLISHED/REMOVED
- PROPOSED LANDSCAPED AREA
- EXISTING LANDSCAPED AREA
- ACCESSIBLE PARKING SPACE
- EXISTING PARKING SPACE (2720 mm x 6000 mm)

SITE PLAN



The architect noted above has exercised responsible control with respect to design activities. The architect's seal number is the architect's BCIN.

PROJECT No: 19-138  
 SCALE: 1:200  
 DRAWN BY: DS  
 CHECKED BY: DS  
 PROJECT NORTH

FILE NUMBER: SPA-19-  
 DATE: SPA-19-  
**SP1.0**

NO	ISSUED / REVISIONS	DATE
4	REVISED FOR MINOR VARIANCE APPLICATION	05 OCT 22
3	MINOR VARIANCE APPLICATION	26 OCT 21
2	FOR REVIEW	23 JUL 21
1	FOR REVIEW	22 JUL 21

HAMILTON VOLVO ADDITION  
 57 RYMAL RD. W.  
 HAMILTON, ON

LEGAL DESCRIPTION  
 LEGAL DESCRIPTION  
 PLAN OF SURVEY SHOWING  
 PART OF LOT 5  
 CONCESSION 1

INFORMATION TAKEN FROM SURVEY  
 PREPARED BY: A.T. MCCLAREN LIMITED  
 69 JOHN ST. SOUTH,  
 SUITE 230, HAMILTON, ON.  
 DATE OF SURVEY COMPLETION:  
 MAY 15, 1998

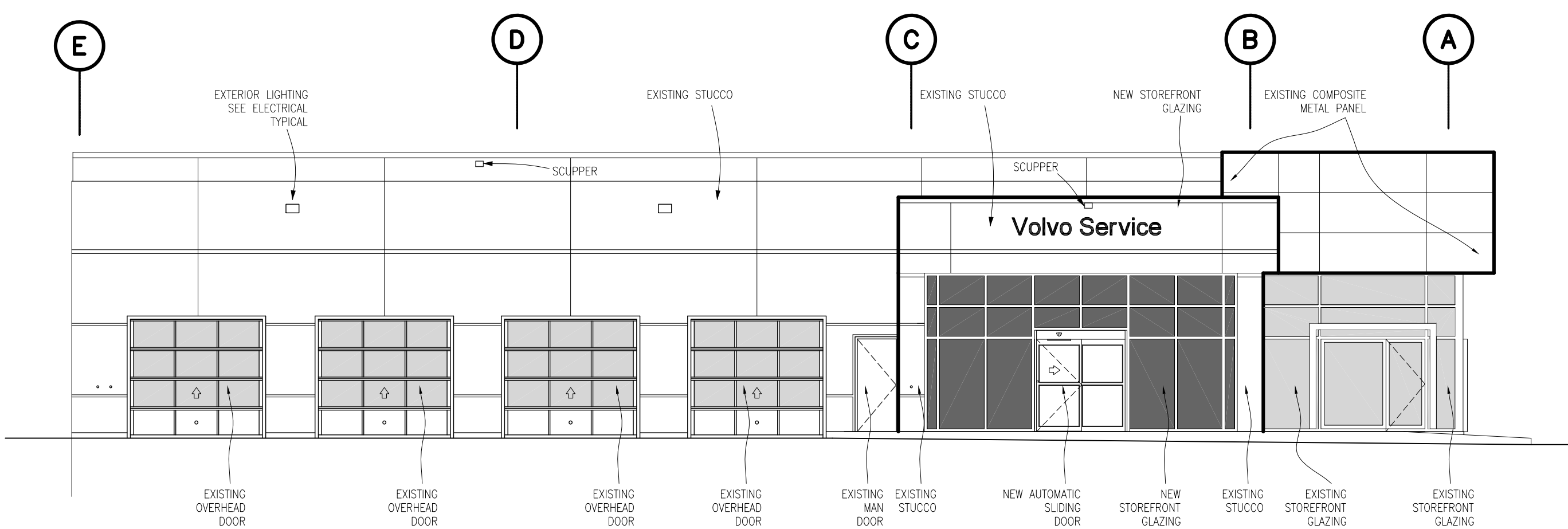
EXISTING BUILDING CLASSIFICATION  
 GROUP D NON-SPRINKLERED NON-COMBUSTIBLE CONSTRUCTION  
 GROUP E NON-SPRINKLERED NON-COMBUSTIBLE CONSTRUCTION  
 GROUP F2 NON-SPRINKLERED NON-COMBUSTIBLE CONSTRUCTION

ELEVATIONS

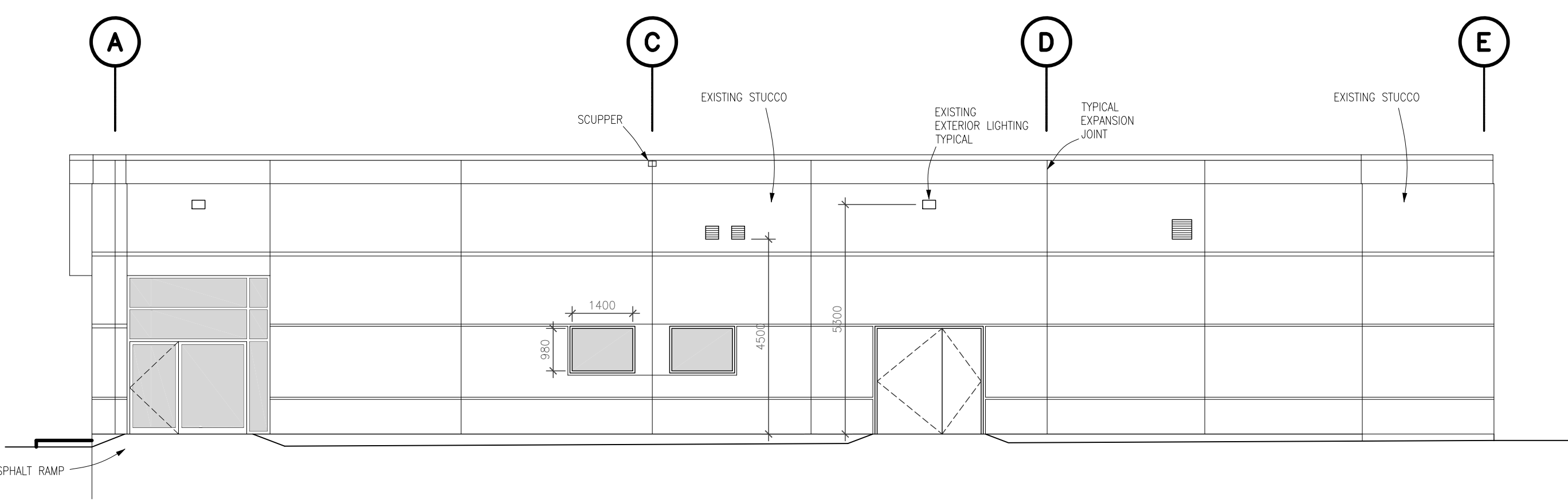


The architect noted above has exercised responsible control with respect to design activities. The architect's seal number is the architect's BCIN.

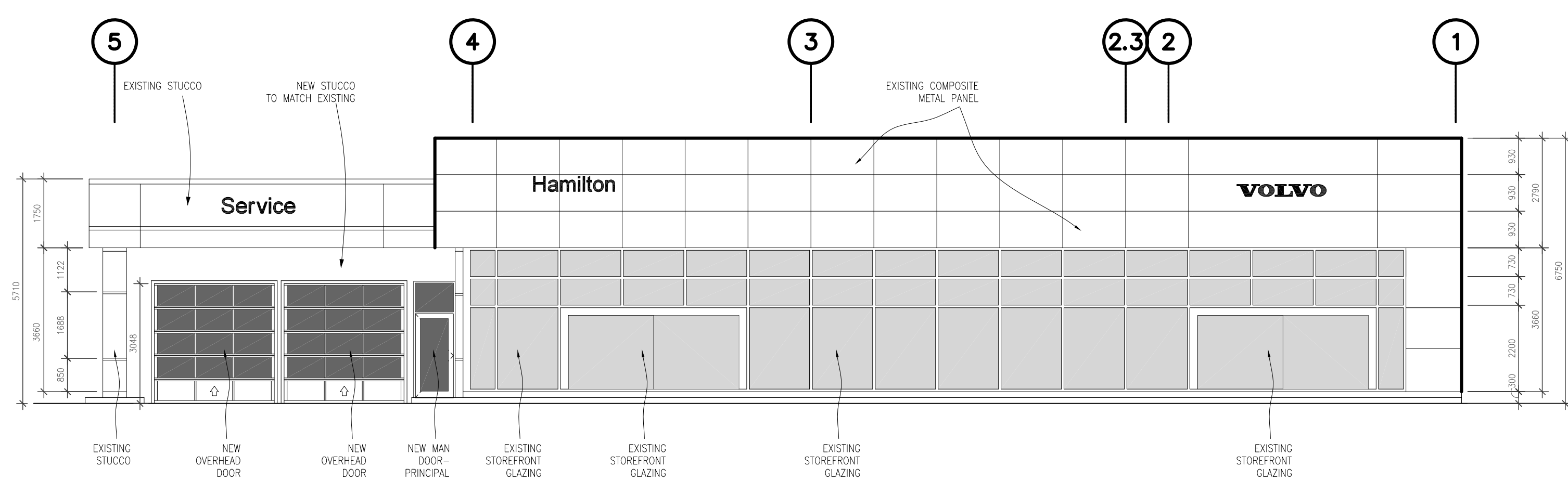
PROJECT No:	19-138
SCALE:	1:100
DRAWN BY:	DS
CHK'D BY:	SPA-19
DATE:	SPA-19-
PROJECT NORTH:	
FILE NUMBER:	SPA-19-
DATE:	SPA-19-



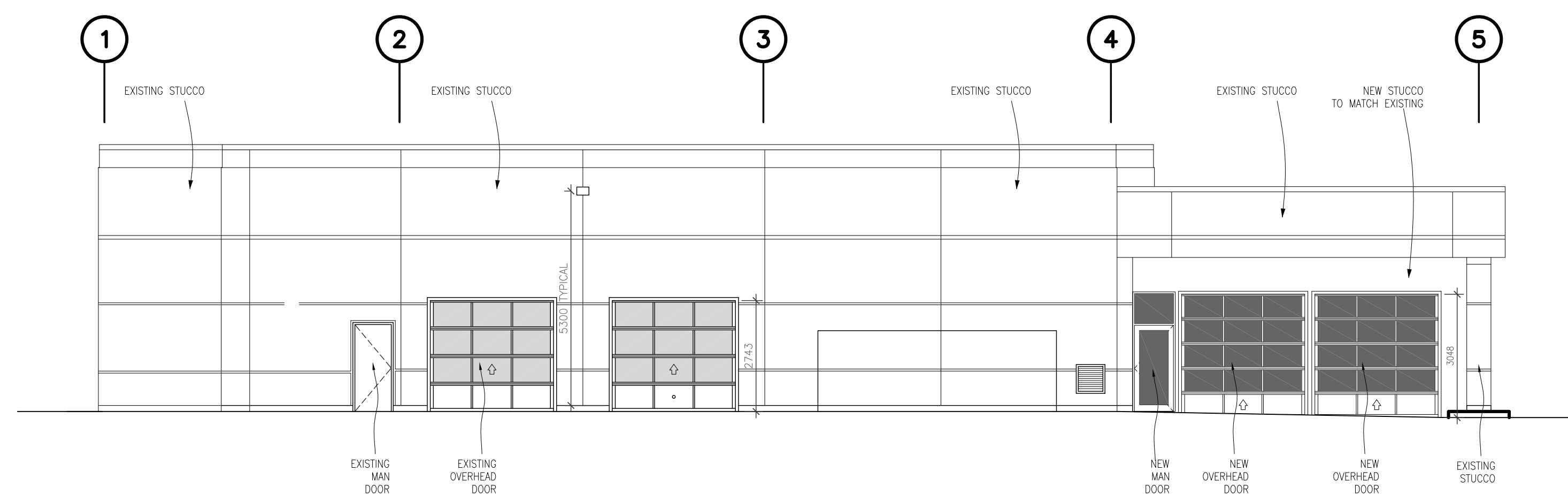
3 EAST ELEVATION  
 SCALE 1:100 (METRIC)



1 WEST ELEVATION  
 SCALE 1:100 (METRIC)



4 NORTH ELEVATION  
 SCALE 1:100



2 SOUTH ELEVATION  
 SCALE 1:100

## Minor Variance Application for 57 Rymal Road W

Item 4: Nature and relief applied for:

1. Front yard setback to be 16.7 m instead of 18.0 m required.
2. Existing accessory building SHED located in the westerly side yard to be permitted to be located in the loading area.
3. Existing accessory building SHED located in the westerly side yard to be permitted to be 3.4 m from a lot containing a Residential use instead of the 6.0 m required.
4. Existing accessory building SHIPPING CONTAINER located in the rear yard to be permitted to be located within the 3.0 m required planting strip.
5. Existing accessory building SHIPPING CONTAINER located in the rear yard to be permitted to be located 0.35 m from a Residential Zone instead of the 6.0 m required.
6. Existing accessory building SHIPPING CONTAINER located in the rear yard to be permitted to be 3.65 m from a lot containing a Residential use instead of the 6.0 m required.
7. Existing accessory building TENT located in the rear yard to be permitted to be located 3.34 m from a Residential Zone instead of the 6.0 m required.
8. Existing accessory building TENT located in the rear yard to be permitted to be 1.91 m from a lot containing a Residential use instead of the 6.0 m required.
9. Existing PATIO STONES (permeable paving) located in the rear yard to be permitted within the required 1.50 m Landscaped Area instead of the 1.5 m Landscaped Area required.
10. Existing 2.1 m high BOARD FENCE with 0.4m high BARBED WIRE above located along the westerly property line to be permitted instead of the 2.0 m maximum height permitted.
11. Existing 0.4 m high BARBED WIRE above the 2.1 m high BOARD FENCE located along the westerly property line to project vertically instead of projecting inwards towards the area enclosed by the fence.
12. Existing 0.3 m high BARBED WIRE above the 1.5 m high BOARD FENCE located along the southerly property line to project vertically instead of projecting inwards towards the area enclosed by the fence.
13. Existing 0.4 m high BARBED WIRE above the 1.8 m high VINYL CLAD CHAIN LINK FENCE located along the easterly property line to project vertically instead of projecting inwards towards the area enclosed by the fence.



## Minor Variance Application for 57 Rymal Road W

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

1. The intent is to use the existing structure of canopy to support the facade.
2. Existing SHED location is the result of changes to the nature of the business over time. The shed is secured storage used for afterhours parts drop-off by outside suppliers.
3. The SHIPPING CONTAINER is storage for site maintenance equipment.
4. The vinyl TENT is used seasonally for the shelter of snow removal equipment/sand/salt during the late fall, winter and early spring months and temporary storage of tires during other times.
5. The PATIO STONES (permeable paving) area with picnic tables was added so that employees can have a designated outdoor eating area when the weather is favorable.
6. Trespassing and theft incidents were occurring after business hours. BARBED WIRE was added to the fences to deter and prevent theft.

Minor Variance Application for 57 Rymal Road W

Item 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: \_

**Motor Vehicle Dealership:** Ground Floor Area: 812.09 m<sup>2</sup>, Gross Floor Area: 812.09 m<sup>2</sup>, Number of Stories: 1, Width: 25.2 m, Length: 32.3 m, Height: 6.75 m

**Covered Drop-Off Drive-Through Structure (part of Motor Vehicle Dealership building):** Ground Floor Area: 80.75 m<sup>2</sup>, Gross Floor Area: 80.75 m<sup>2</sup>, Number of Stories: 1, Width 8.8 m, Length: 9.2 m<sup>2</sup>, Height: 5.72 m

**Garbage Container:** Ground Floor Area: 10.37 m<sup>2</sup>, Gross Floor Area: 10.37 m<sup>2</sup>, Number of Stories: 1, Width: 3.05 m, Length: 3.40 m, Height: 2.15 m

**Oil Storage:** Ground Floor Area: 10.43 m<sup>2</sup>, Gross Floor Area: 10.43 m<sup>2</sup>, Number of Stories: 1, Width: 3.07 m, Length: 3.40 m, Height: 2.15 m

**Movable Plastic Shed:** Ground Floor Area: 2.25 m<sup>2</sup>, Gross Floor Area: 2.25 m<sup>2</sup>, Number of Stories: 1, Width: 1.04 m, Length: 2.17 m, Height: 2.15 m

**Shed:** Ground Floor Area: 28.82 m<sup>2</sup>, Gross Floor Area: 8.82 m<sup>2</sup>, Number of Stories: 1, Width: 2.36 m, Length: 3.74 m, Height: 2.4 m

**Shipping Container:** Ground Floor Area: 32.1 m<sup>2</sup>, Gross Floor Area: 32.1 m<sup>2</sup>, Number of Stories: 1, Width: 4.31 m, Length: 7.45 m, Height: 2.6 m

**Tent:** Ground Floor Area: 14.65 m<sup>2</sup>, Gross Floor Area: 14.65 m<sup>2</sup>, Number of Stories: 1, Width: 2.39 m, Length: 6.13 m, Height: 2.9 m

Proposed:

**Motor Vehicle Dealership:** Ground Floor Area: 812.09 m<sup>2</sup>, Gross Floor Area: 812.09 m<sup>2</sup>, Number of Stories: 1, Width: 25.2 m, Length: 32.3 m, Height: 6.75 m

**Enclosed Drop-Off Drive-Through (part of Motor Vehicle Dealership building):** Ground Floor Area: 80.75 m<sup>2</sup>, Gross Floor Area: 80.75 m<sup>2</sup>, Number of Stories: 1, Width 8.8 m, Length: 9.2 m<sup>2</sup>, Height: 5.72 m

**Garbage Container:** Ground Floor Area: 10.37 m<sup>2</sup>, Gross Floor Area: 10.37 m<sup>2</sup>, Number of Stories: 1, Width: 3.05 m, Length: 3.40 m, Height: 2.15 m

**Oil Storage:** Ground Floor Area: 10.43 m<sup>2</sup>, Gross Floor Area: 10.43 m<sup>2</sup>, Number of Stories: 1, Width: 3.07 m, Length: 3.40 m, Height: 2.15 m

**Movable Plastic Shed:** Ground Floor Area: 2.25 m<sup>2</sup>, Gross Floor Area: 2.25 m<sup>2</sup>, Number of Stories: 1, Width: 1.04 m, Length: 2.17 m, Height: 2.15 m

**Shed:** Ground Floor Area: 28.82 m<sup>2</sup>, Gross Floor Area: 8.82 m<sup>2</sup>, Number of Stories: 1, Width: 2.36 m, Length: 3.74 m, Height: 2.4 m

**Shipping Container:** Ground Floor Area: 32.1 m<sup>2</sup>, Gross Floor Area: 32.1 m<sup>2</sup>, Number of Stories: 1, Width: 4.31 m, Length: 7.45 m, Height: 2.6 m

**Tent:** Ground Floor Area: 14.65 m<sup>2</sup>, Gross Floor Area: 14.65 m<sup>2</sup>, Number of Stories: 1, Width: 2.39 m, Length: 6.13 m, Height: 2.9 m

Minor Variance Application for 57 Rymal Road W

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

Existing:

**Motor Vehicle Dealership:** Distance from west side lot line: 5.95 m, distance from east side lot line: 72.14 m, distance from rear lot line: 11.59 m, distance from front lot line: 12.19 m

**Covered Drop-Off Drive-Through Structure (part of Motor Vehicle Dealership building):** Distance from west side lot line: 31.18 m, distance from east side lot line: 62.98 m, distance from rear lot line: 30.53 m, distance from front lot line: 16.71 m

**Garbage Container:** Distance from west side lot line: 26.49 m, distance from east side lot line: 73.96 m, distance from rear lot line: 8.18 m, distance from front lot line: 44.48 m

**Oil Storage:** Distance from west side lot line: 23.42 m, distance from east side lot line: 77.01 m, distance from rear lot line: 8.18 m, distance from front lot line: 44.48 m

**Movable Plastic Shed:** Distance from west side lot line: 22.38 m, distance from east side lot line: 80.08 m, distance from rear lot line: 8.53 m, distance from front lot line: 45.36 m

**Shed:** Distance from west side lot line: 3.41 m, distance from east side lot line: 97.93 m, distance from rear lot line: 17.82 m, distance from front lot line: 34.52 m

**Shipping Container:** Distance from west side lot line: 3.65 m, distance from east side lot line: 93.93 m, distance from rear lot line: 11.59 m, distance from front lot line: 0.35 m

**Tent:** Distance from west side lot line: 1.91 m, distance from east side lot line: 94.15 m, distance from rear lot line: 3.34 m, distance from front lot line: 48.43 m

Proposed:

**Motor Vehicle Dealership:** Distance from west side lot line: 5.95 m, distance from east side lot line: 72.14 m, distance from rear lot line: 11.59 m, distance from front lot line: 12.19 m

**Enclosed Drop-Off Drive-Through (part of Motor Vehicle Dealership building):** Distance from west side lot line: 31.18 m, distance from east side lot line: 62.98 m, distance from rear lot line: 30.53 m, distance from front lot line: 16.71 m

**Garbage Container:** Distance from west side lot line: 26.49 m, distance from east side lot line: 73.96 m, distance from rear lot line: 8.18 m, distance from front lot line: 44.48 m

**Oil Storage:** Distance from west side lot line: 23.42 m, distance from east side lot line: 77.01 m, distance from rear lot line: 8.18 m, distance from front lot line: 44.48 m

**Movable Plastic Shed:** Distance from west side lot line: 22.38 m, distance from east side lot line: 80.08 m, distance from rear lot line: 8.53 m, distance from front lot line: 45.36 m

**Shed:** Distance from west side lot line: 3.41 m, distance from east side lot line: 97.93 m, distance from rear lot line: 17.82 m, distance from front lot line: 34.52 m

**Shipping Container:** Distance from west side lot line: 3.65 m, distance from east side lot line: 93.93 m, distance from rear lot line: 11.59 m, distance from front lot line: 0.35 m

**Tent:** Distance from west side lot line: 1.91 m, distance from east side lot line: 94.15 m, distance from rear lot line: 3.34 m, distance from front lot line: 48.43 m



November 25, 2022

City of Hamilton  
COMMITTEE OF ADJUSTMENT  
71 Main Street West – 5th Floor  
Hamilton, Ontario, L8P 4Y5  
Tel: 905-546-2424 ext. 4221  
Email: cofa@hamilton.ca

Attention: Morgan Evans

**Re: File No. HM/A-22:160 - 57 Rymal Rd. West., Hamilton**

Dear Ms. Evans,

Plethovalent Architecture as agent is submitting the Minor Variance Application on behalf of the owner.

The owner's intent is to enclose the existing covered drop-off area of the automobile dealership/service center.

The existing building built in 1999 was designed to meet the zoning regulations of that period. According to current zoning by-laws the existing building is legal non-conforming however the proposed enclosure of the drop-off area contravenes the front yard setback requirement. This application is a plea for the relief of that variance.

Also, during the 20 plus years of operation of the automobile dealership/service center there have been some incremental minor changes to the site plan that allowed for the improvement of the day-to-day function of the dealership. Some of these have been found to contravene zoning by-laws. This application is a plea for the relief of these variances. A list is included with the application.

In reviewing the proposal, Zoning Staff had requested clarification and revisions to the Site Plan and Elevation Plan. Please see the email dated May 13, 2022 from Kim Roberts (attached). Our response has been provided on the email [in blue](#).

It should be noted that five additional minor variances have been added to the list.

We trust that the enclosed materials and responses above are complete and suitable for the continued processing of the application for Minor Variance. Please accept this request for this application to be placed in the next available agenda.

Yours Sincerely

Dusan Stupar, B.E.S., B.Arch, OAA, LEED AP

Page 1 of 1

**From:** dusan@plethovalent.com  
**Sent:** October 5, 2022 8:36 AM  
**To:** 'Roberts, Kim'  
**Cc:** 'John Martins'; 'cofa@hamilton.ca'  
**Subject:** RE: Minor Variance Application for 57 Rymal Rd W, Hamilton (File No. HM/A-22:160)  
**Attachments:** Minor Variance List-Additional Information.pdf; SP1.0-SITE PLAN.pdf; A2.01-ELEVATIONS.pdf; IMG\_20191217\_1244256.pdf; IMG\_20200527\_1534122.pdf

Hi Kim,

My apologies for the delay. Please the responses to your comments below in **(blue)**. Also please note that there are five additional zoning items we are seeking a relief from. The are as follows:

1. Existing PATIO STONES (permeable paving) located in the rear yard to be permitted within the required 1.50 m Landscaped Area instead of the 1.5 m Landscaped Area required.
2. Existing 2.1 m high BOARD FENCE with 0.4m high BARBED WIRE above located along the westerly property line to be permitted instead of the 2.0 m maximum height permitted.
3. Existing 0.4 m high BARBED WIRE above the 2.1 m high BOARD FENCE located along the westerly property line to project vertically instead of projecting inwards towards the area enclosed by the fence.
4. Existing 0.3 m high BARBED WIRE above the 1.5 m high BOARD FENCE located along the southerly property line to project vertically instead of projecting inwards towards the area enclosed by the fence.
5. Existing 0.4 m high BARBED WIRE above the 1.8 m high VINYL CLAD CHAIN LINK FENCE located along the easterly property line to project vertically instead of projecting inwards towards the area enclosed by the fence.

I have added them to the I Minor Variance Application-Additional Information page (Item 4).

Regards,  
Dusan

**Dusan Stupar, architect**  
B.E.S., B.Arch., O.A.A., M.R.A.I.C., LEED® AP BC+D

**PLETHOVALENT ARCHITECTURE**  
534 Concession Street, Unit No.5, Hamilton, Ontario, L8V 1A6  
T: 905-389-1030, M: 416-875-8946, F: 1-888-432-8203, E: [dusan@plethovalent.com](mailto:dusan@plethovalent.com)

(This e-mail transmission is strictly confidential and intended solely for the person or organization to whom it is addressed. This e-mail may contain privileged and confidential information and if you are not the intended recipient, you must not copy, distribute, or take any action in reliance on it)

-IF YOU HAVE RECEIVED THIS E-MAIL IN ERROR, PLEASE NOTIFY US AS SOON AS POSSIBLE AND DELETE IT -

---

**From:** Roberts, Kim <Kim.Roberts@hamilton.ca>  
**Sent:** May 13, 2022 3:53 PM  
**To:** Dusan Stupar <dusan@plethovalent.com>  
**Subject:** Minor Variance Application for 57 Rymal Rd W, Hamilton (File No. HM/A-22:160)

Hi Dusan

I am reviewing the plans submitted Minor Variance Application for 57 Rymal Rd W, Hamilton (File No. HM/A-22:160) and require the following revisions to the Site Plan and Elevation Plan:

1. Please revise the Site Plan to show the total number of service bays on the Site Plan as this information is necessary in order to determine the total number of required number of parking spaces.  
**Please see the revised on drawing SP1.0 - Site Plan attached. Parking for the service bays has been designated on the plan. Parking statistics have also been amended.**

Further, please specifically identify the exact parking spaces intended for the motor vehicle dealership which are not meant for car display.  
**Parking spots have been designated for the motor vehicle dealership.**

2. Please revise the Site Plan to identify each of the spaces for outdoor display as it is unclear which are intended for parking spaces as required for a Motor Vehicle Dealership and those spaces and which are for outdoor display.  
**Outdoor display spots have been designated on the revised on drawing SP1.0 - Site Plan.**

3. Please revise the Site Plan to show the width of the "landscaped area" along the rear lot line. Please be advised that a 1.5m wide planting strip is required along the southerly rear lot line. A planting strip is defined as:

*Shall mean an area of land growing ornamental shrubs or trees or both, suitable to the soil and climatic conditions of the area of land for the sole purpose of providing a buffer and may include low level architectural walls or features, and fire hydrants, but shall not include walkways, sidewalks, and charging stations.*

**The width of the "landscaped area" has been shown on the revised drawing SP1.0 – Site Plan. Please note that we are requesting an additional relief to permit the PATIO STONE (permeable paving) area located along the southerly required 1.5 m Landscaped Area. Reason: During the history of the dealership it was found that during nice weather the employees found the need of an outdoor eating area on site. This area was chosen and designated so that it would not be visible from the front of the building. Please see revised Item 4 attached.**

4. Please confirm the parking space sizes as there are different sizes shown on the Site Plan vs the Legend. The Site Plan indicates a typical width of 2.72m x 6.0m; however, the Legend indicates "Existing Parking Space (2600mm x 5500m) and "Proposed Parking Space (3000m x 5800mm). The Site Plan does not identify the "existing" and "proposed" spaces. If the space sizes in the Legend are incorrect, they should be removed from the Legend.  
**Please note that the legend has been amended to be consistent with the plan.**

Please note that any spaces being 2.6m wide x 5.5m long are considered small cars only and shall be identified on the site as such. Further, only 10% of the required parking spaces are permitted to be small cars only; therefore, if more than 10% of the required parking spaces are 2.6m wide x 5.5m long, a variance shall be required.

**Please note that there are no spaces fitting the small car description.**

5. Please revise the Site Plan to show the width of the one-way aisle/driveway width between the existing building and the 7 space used car display and the one-way "car only exit" driveway at the west side of the lot.

**Please note that the dimension has been shown on the revised plan. The angle of the angled parking has been shown also. The one-way aisle/driveway for the angled parking does not meet the minimum 4.5 m width for 45 degree angled parking. As this is an existing condition since the original Site Plan Approval please advise if relief is required for the reduced width.**

6. Please confirm if a visual barrier, including its height, has been provided along the southerly rear lot line. It appears to be chain link fence which is not considered a visual barrier.

**Please note that the existing fence is a 1.5 m high board fence.**

7. Please confirm if rooftop equipment is intended on the addition. If so, please show on the Elevation Plans if it is screened from view.

**Please note that the intent is only to heat the space via a block unit heater that is to be installed inside the space. There is no intention of cooling the space during warm days.**

8. Can you please provide an Elevation Plan as the copy submitted to Committee of Adjustment staff is legible in order to determine the height of the proposed addition.

**Please see drawing A2.01 attached.**

9. Please identify the location of the principal entrance on the Elevation Plan. Is it the "new man door" on the addition?

**Please note that the "new man door" has been designated as the principal entrance. This has been updated on both drawings: A1.0 Site Plan and A2.10 ELEVATIONS**

10. Please confirm details about the accessory buildings, including:

- i) The uses within each accessory building (sheds and shipping container)

**Please note that the use of each accessory building is indicated in the sheets (letter size) appended to the application. Also attached with this email.**

- ii) The height of all accessory buildings (sheds and shipping container).

**Please note that the height of each accessory building is indicated in the sheets (letter size) appended to the application. Also attached with this email.**

- iii) The gross floor area of each shed and shipping container

**Please note that the area of each accessory building is indicated in the sheets (letter size) appended to the application. Also attached with this email.**

11. Please confirm the nature of the "tent". Is this a permanent tent? If not, how long is it up for? What is it used for? Provide any details on this tent.

1. **The tent material is vinyl (please see photo attached). It has been in place for approximately 20 years. It is used seasonally for the shelter of snow removal equipment/sand/salt during the late fall, winter and early spring months and temporary storage of tires during other times.**

In order for your application to be heard at the Committee of Adjustment hearing scheduled for June 9, 2022, I require this information no later than NOON on Tuesday, May 17, 2022. If the required information is received after the required date, your application may be held over to a future hearing as scheduled by Committee of Adjustment staff.

Regards,

**Kim Roberts**

Zoning Examiner  
Planning and Economic Development  
Planning Division, City of Hamilton  
(905) 546-2424 Ext.2581



Due to COVID-19, only the 1<sup>st</sup> and 2<sup>nd</sup> floors of City Hall are open to the public. Planning staff will continue to serve the community over the phone or by email. However, staff are working from home as a precautionary measure to protect both the public and staff, and we will endeavour to reply to your email as soon as possible. Please note that due to the high volume of inquiries, it may take 24-48 hours for a response.

We continue to receive requests for Zoning Verifications (regular service only) by mail/courier delivery or online. Online Zoning Verification applications can be completed at <https://zoningverification.hamilton.ca/>. In addition, there is a drop box outside of City Hall at the rear of the building where letters and small parcels can continue to be delivered.

Under these unprecedented service delivery constraints, we are doing our best to maintain timeframes for building permit applications, responding information, Zoning Verifications, and other requests for information/compliance

This message, including any attachments, is privileged and intended only for the person(s) named above. This material may contain confidential or personal information which may be subject to the provision of the Municipal Freedom of Information & Protection of Privacy Act and/or is confidential. Any other distribution, copying or disclosure is strictly prohibited. If you are not the intended recipient or have received this message in error, please notify me immediately by telephone, fax or e-mail and permanently delete the original transmission, including any attachments, without making a copy.



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)	Silvia Martins	[REDACTED]
Applicant(s)*	John Martins	
Agent or Solicitor	Dusan Stupar c/o Plethovalent Architecture	

**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:

**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:

Please see Document Labeled "Relief List" attached

- Second Dwelling Unit                       Reconstruction of Existing Dwelling

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

The intent is to use the existing structure of canopy to support the facade. This would also provide for a symmetrical elevation.  
Existing storage shed location is the result of changes of the nature of the business over

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**):

Part of Lot 5 Concession 1 Former Township of Glanford  
57 Rymal Road West, Hamilton, Ontario

7. PREVIOUS USE OF PROPERTY

Residential                       Industrial                       Commercial

Agricultural                       Vacant

Other \_\_\_\_\_

8.1 If Industrial or Commercial, specify use Motor Vehicle Dealership

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



Minor Variance Application for 57 Rymal Road W

Item 4: Nature and relief applied for:

1. Front yard setback to be 16.7 m instead of 18.0 m required.
2. Existing accessory building SHED located in the westerly side yard to be permitted to be located in the loading area.
3. Existing accessory building SHED located in the westerly side yard to be permitted to be 3.4 m from a lot containing a Residential use instead of the 6.0 m required.
4. Existing accessory building SHIPPING CONTAINER located in the rear yard to be permitted to be located within the 3.0 m required planting strip.
5. Existing accessory building SHIPPING CONTAINER located in the rear yard to be permitted to be located 0.35 m from a Residential Zone instead of the 6.0 m required.
6. Existing accessory building SHIPPING CONTAINER located in the rear yard to be permitted to be 3.65 m from a lot containing a Residential use instead of the 6.0 m required.
7. Existing accessory building TENT located in the rear yard to be permitted to be located 3.34 m from a Residential Zone instead of the 6.0 m required.
8. Existing accessory building TENT located in the rear yard to be permitted to be 1.91 m from a lot containing a Residential use instead of the 6.0 m required.

Minor Variance Application for 57 Rymal Road W

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

1. The intent is to use the existing structure of canopy to support the facade.
2. Existing shed location is the result of changes of the nature of the business over time. The shed is secured storage used for afterhours parts drop-off by outside suppliers.
3. The shipping container is storage for site maintenance equipment.
4. The tent is used seasonally for the shelter of snow removal equipment.

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?

Best to my knowledge.

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.

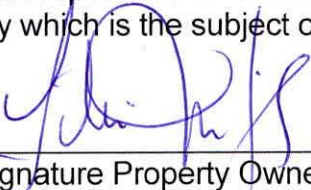
Is the previous use inventory attached? Yes  No

**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.

April 19, 2022

Date

  
Signature Property Owner(s)

Silvia Martins  
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage	103.71m
Depth	56.01m
Area	5,815.74 m2
Width of street	28.055m

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: \_

Please see attached sheet (Item 11)

Proposed

Please see attached sheet (Item 11)

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

Existing:

Please see attached sheet (Item 12) and Site Plan

Proposed:

Please see attached sheet (Item 12) and Site Plan

Minor Variance Application for 57 Rymal Road W

Item 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: \_

**Motor Vehicle Dealership:** Ground Floor Area: 812.09 m<sup>2</sup>, Gross Floor Area: 812.09 m<sup>2</sup>, Number of Stories: 1, Width: 25.2 m, Length: 32.3 m, Height: 6.75 m

**Covered Drop-Off Drive-Through Structure (part of Motor Vehicle Dealership building):** Ground Floor Area: 80.75 m<sup>2</sup>, Gross Floor Area: 80.75 m<sup>2</sup>, Number of Stories: 1, Width 8.8 m, Length: 9.2 m<sup>2</sup>, Height: 5.72 m

**Garbage Container:** Ground Floor Area: 10.37 m<sup>2</sup>, Gross Floor Area: 10.37 m<sup>2</sup>, Number of Stories: 1, Width: 3.05 m, Length: 3.40 m, Height: 2.15 m

**Oil Storage:** Ground Floor Area: 10.43 m<sup>2</sup>, Gross Floor Area: 10.43 m<sup>2</sup>, Number of Stories: 1, Width: 3.07 m, Length: 3.40 m, Height: 2.15 m

**Movable Plastic Shed:** Ground Floor Area: 2.25 m<sup>2</sup>, Gross Floor Area: 2.25 m<sup>2</sup>, Number of Stories: 1, Width: 1.04 m, Length: 2.17 m, Height: 2.15 m

**Shed:** Ground Floor Area: 28.82 m<sup>2</sup>, Gross Floor Area: 8.82 m<sup>2</sup>, Number of Stories: 1, Width: 2.36 m, Length: 3.74 m, Height: 2.4 m

**Shipping Container:** Ground Floor Area: 32.1 m<sup>2</sup>, Gross Floor Area: 32.1 m<sup>2</sup>, Number of Stories: 1, Width: 4.31 m, Length: 7.45 m, Height: 2.6 m

**Tent:** Ground Floor Area: 14.65 m<sup>2</sup>, Gross Floor Area: 14.65 m<sup>2</sup>, Number of Stories: 1, Width: 2.39 m, Length: 6.13 m, Height: 2.9 m

Proposed:

**Motor Vehicle Dealership:** Ground Floor Area: 812.09 m<sup>2</sup>, Gross Floor Area: 812.09 m<sup>2</sup>, Number of Stories: 1, Width: 25.2 m, Length: 32.3 m, Height: 6.75 m

**Enclosed Drop-Off Drive-Through (part of Motor Vehicle Dealership building):** Ground Floor Area: 80.75 m<sup>2</sup>, Gross Floor Area: 80.75 m<sup>2</sup>, Number of Stories: 1, Width 8.8 m, Length: 9.2 m<sup>2</sup>, Height: 5.72 m

**Garbage Container:** Ground Floor Area: 10.37 m<sup>2</sup>, Gross Floor Area: 10.37 m<sup>2</sup>, Number of Stories: 1, Width: 3.05 m, Length: 3.40 m, Height: 2.15 m

**Oil Storage:** Ground Floor Area: 10.43 m<sup>2</sup>, Gross Floor Area: 10.43 m<sup>2</sup>, Number of Stories: 1, Width: 3.07 m, Length: 3.40 m, Height: 2.15 m

**Movable Plastic Shed:** Ground Floor Area: 2.25 m<sup>2</sup>, Gross Floor Area: 2.25 m<sup>2</sup>, Number of Stories: 1, Width: 1.04 m, Length: 2.17 m, Height: 2.15 m

**Shed:** Ground Floor Area: 28.82 m<sup>2</sup>, Gross Floor Area: 8.82 m<sup>2</sup>, Number of Stories: 1, Width: 2.36 m, Length: 3.74 m, Height: 2.4 m

**Shipping Container:** Ground Floor Area: 32.1 m<sup>2</sup>, Gross Floor Area: 32.1 m<sup>2</sup>, Number of Stories: 1, Width: 4.31 m, Length: 7.45 m, Height: 2.6 m

**Tent:** Ground Floor Area: 14.65 m<sup>2</sup>, Gross Floor Area: 14.65 m<sup>2</sup>, Number of Stories: 1, Width: 2.39 m, Length: 6.13 m, Height: 2.9 m

Minor Variance Application for 57 Rymal Road W

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

Existing:

**Motor Vehicle Dealership:** Distance from west side lot line: 5.95 m, distance from east side lot line: 72.14 m, distance from rear lot line: 11.59 m, distance from front lot line: 12.19 m

**Covered Drop-Off Drive-Through Structure (part of Motor Vehicle Dealership building):** Distance from west side lot line: 31.18 m, distance from east side lot line: 62.98 m, distance from rear lot line: 30.53 m, distance from front lot line: 16.71 m

**Garbage Container:** Distance from west side lot line: 26.49 m, distance from east side lot line: 73.96 m, distance from rear lot line: 8.18 m, distance from front lot line: 44.48 m

**Oil Storage:** Distance from west side lot line: 23.42 m, distance from east side lot line: 77.01 m, distance from rear lot line: 8.18 m, distance from front lot line: 44.48 m

**Movable Plastic Shed:** Distance from west side lot line: 22.38 m, distance from east side lot line: 80.08 m, distance from rear lot line: 8.53 m, distance from front lot line: 45.36 m

**Shed:** Distance from west side lot line: 3.41 m, distance from east side lot line: 97.93 m, distance from rear lot line: 17.82 m, distance from front lot line: 34.52 m

**Shipping Container:** Distance from west side lot line: 3.65 m, distance from east side lot line: 93.93 m, distance from rear lot line: 11.59 m, distance from front lot line: 0.35 m

**Tent:** Distance from west side lot line: 1.91 m, distance from east side lot line: 94.15 m, distance from rear lot line: 3.34 m, distance from front lot line: 48.43 m

Proposed:

**Motor Vehicle Dealership:** Distance from west side lot line: 5.95 m, distance from east side lot line: 72.14 m, distance from rear lot line: 11.59 m, distance from front lot line: 12.19 m

**Enclosed Drop-Off Drive-Through (part of Motor Vehicle Dealership building):** Distance from west side lot line: 31.18 m, distance from east side lot line: 62.98 m, distance from rear lot line: 30.53 m, distance from front lot line: 16.71 m

**Garbage Container:** Distance from west side lot line: 26.49 m, distance from east side lot line: 73.96 m, distance from rear lot line: 8.18 m, distance from front lot line: 44.48 m

**Oil Storage:** Distance from west side lot line: 23.42 m, distance from east side lot line: 77.01 m, distance from rear lot line: 8.18 m, distance from front lot line: 44.48 m

**Movable Plastic Shed:** Distance from west side lot line: 22.38 m, distance from east side lot line: 80.08 m, distance from rear lot line: 8.53 m, distance from front lot line: 45.36 m

**Shed:** Distance from west side lot line: 3.41 m, distance from east side lot line: 97.93 m, distance from rear lot line: 17.82 m, distance from front lot line: 34.52 m

**Shipping Container:** Distance from west side lot line: 3.65 m, distance from east side lot line: 93.93 m, distance from rear lot line: 11.59 m, distance from front lot line: 0.35 m

**Tent:** Distance from west side lot line: 1.91 m, distance from east side lot line: 94.15 m, distance from rear lot line: 3.34 m, distance from front lot line: 48.43 m

13. Date of acquisition of subject lands:  
1998
14. Date of construction of all buildings and structures on subject lands:  
1999
15. Existing uses of the subject property (single family, duplex, retail, factory etc.):  
Motor Vehicle Dealership
16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):  
West: Professional Offices/SFD, South: Single family, East: Dog Grooming/Carwash
17. Length of time the existing uses of the subject property have continued:  
since original construction, approximately 23 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:
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:  

"C5,318" zone pursuant to Hamilton Zoning By-law No. 05-200
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:  

A-99:88
- 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)
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.