



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
- 

<b>APPLICATION NO.:</b>	<b>SC/A-22:406</b>	<b>SUBJECT PROPERTY:</b>	110 GORDON DRUMMOND, STONEY CREEK, ON, L8J 1P5
<b>ZONE:</b>	"C2 & 579" (Neighbourhood Commercial)	<b>ZONING BY-LAW:</b>	Zoning By-law City of Hamilton 05-200, as Amended 17-240

**APPLICANTS:** Owner: 2128197 Ontario Inc. c/o Domenico Russumanno  
Agent: A.J. Clarke and Associates Ltd.

The following variances are requested:

1. A maximum building setback from the street line of 8.75 metres from Breezewood Road, 41.45 metres from daylight triangle at Breezewood Road and Gordon Drummond Avenue, and 12.3 metres from Gordon Drummond Avenue, whereas a maximum 3.0m building setback from a street line is permitted.
2. Parking spaces, aisles, and driveways shall be located between the building façade and the flankage lot line, whereas no parking, driveways, stacking lanes, or aisles shall be located between a building façade and the front and flankage lot lines is permitted;
3. A Minimum Setback of 1.05 metres to a street line for any parking area instead of the required Minimum Setback of 3.0 metres to a street line for parking spaces and aisles, giving direct access to abutting parking spaces.
4. A Planting Strip of 1.05 metres between the street line and the parking area instead of the required Minimum Setback of 3.0 metres between the street line and the said parking spaces or aisle.
5. A Principle Entrance with direct access from a public sidewalk shall not be required along Glenhollow Drive instead of the required minimum of one principle entrance with direct access from a public sidewalk along the Ground Floor Façade that is setback closest to a street.

**PURPOSE & EFFECT:** So as to permit the construction of an addition to a Day Nursery and alteration to the parking area notwithstanding that:

**Notes:**

- i. The variances are required to facilitate Site Plan application DA-22-041, conditionally approved on February 24, 2022.
- ii. Note, no mechanical equipment has been shown on the rooftop of the proposed building. Should rooftop mechanical equipment be proposed Section 10.2.3 i) i) shall apply and this equipment shall be screened from view from all abutting street lines. In addition, should rooftop mechanical equipment be proposed, the requirements of Section 10.2.3 a) iii) shall apply. Should the proposed rooftop mechanical equipment not meet the requirements of section 10.2.3 a) iii) and 10.2.3 i) i), additional variances may be required.
- iii. Be advised, the requested variance for a reduced Minimum Ground Floor Façade from 50% to 49.4% has not been included within the required list of variances as an additional review has determined that the building exceeds the Minimum Ground Floor Façade requirement of 50%. The Ground Floor Façade comprises 56.6% of the Front Lot Line and Flankage Lot Lines, prior to reductions provided through Section 10.2.3 i) iv).
- iv. Be advised, as per Variance #3 & #4, "Parking Area" shall refer to all parking spaces, access aisles and garbage enclosure area directed adjacent to a parking space, located within the parking lot.
- v. No principle entrance or direct access from a public sidewalk has been provided along the Ground Floor Façade closest to a street (building façade facing Glenhollow Drive). As such, a variance has been provided to address this.
- vi. Note, as per Section 5.2 a), a visual barrier shall be provided and maintained along that portion of the lot line that abuts a Residential Zone. The applicant has indicated a new board fence will be provided to replace the existing fence, however the extent of the new fence has not been shown on the submitted site plan. The applicant shall ensure the new board fence extends the entirety of the lot line that abuts the Residential Zone. Should the proposed new board fence not meet the requirements of Section 5.2 a), additional variances may be required.

**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, February 2, 2023</b>
<b>TIME:</b>	<b>1:40 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.

## **FURTHER NOTIFICATION**

If you wish to be notified of future Public Hearings, if applicable, regarding SC/A-22:406, you must submit a written request to [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.

If you wish to be provided a Notice of Decision, you must attend the Public Hearing and file a written request with the Secretary-Treasurer 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.



 **Subject Lands**

DATED: January 17, 2023

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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.



SKETCH SHOWING EXISTING CONDITIONS OVER  
110 GORDON DRUMMOND AVENUE

IN THE  
**CITY OF HAMILTON**  
SCALE 1:200

0 5 10 metres

G. G. ALDWORTH O.L.S.

(ESTABLISHED ACCORDING TO REGISTERED PLAN No 62M-725.)  
**GLENHOLLOW DRIVE**

**BREEZEWOOD ROAD**  
(ESTABLISHED ACCORDING TO REGISTERED PLAN No 62M-725.)

**BLOCK 156**  
REG'D. PLAN No 62M-725

**BLOCK 155**

REGISTERED PLAN No 62M-725

LOT 68

LOT 69

LOT 70

LOT 71

**BLOCK 154**

PART 3 PLAN 62R-2790

PART 3 PLAN 62R-2790

**M-167**

REGISTERED PLAN

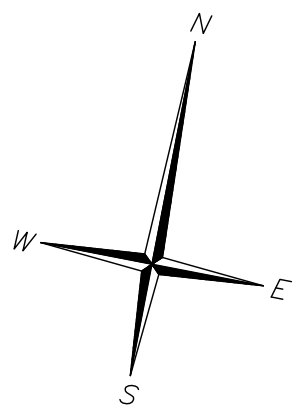
PART 6 PLAN 62R-11492

**LEGEND**  
BPD DENOTES BELL PEDESTAL  
CB DENOTES CATCH BASIN  
HYD DENOTES FIRE HYDRANT  
LS DENOTES LIGHT STANDARD  
SMM DENOTES SANITARY MANHOLE  
SMH DENOTES STORM MANHOLE  
PIPE DENOTES PLASTIC PIPE  
WV DENOTES WATER VALVE  
200W DENOTES 200mm DIAMETER  
DENOTES DECIDUOUS TREE  
DENOTES CONIFEROUS TREE

**BENCHMARK**  
CITY OF HAMILTON  
MONUMENT No. 07720090010  
ROUND IRON BAR WITH BRASS CAP  
LOCATED IN HAMILTON IN ELEANORA PARK AT  
THE INTERSECTION OF EAGLEWOOD DRIVE  
AND PRESIDIO DRIVE, 22.0m SOUTH OF THE  
CENTRE LINE OF PRESIDIO DRIVE.  
ELEVATION = 219.220m (CGVD 28)

**METRIC:**  
DISTANCES AND ELEVATIONS SHOWN ON THIS PLAN ARE IN METRES AND  
CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

APRIL 25, 2018  
DATE



**A.J. Clarke and Associates Ltd.**  
SURVEYORS • PLANNERS • ENGINEERS  
25 MAIN STREET WEST, SUITE 300  
HAMILTON, ONTARIO, L8P 1H1  
TEL. 905-528-8761 FAX 905-528-2289  
email: ajc@ajclarke.com

PROJECT No. 188018

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THE REPRODUCTION, ALTERATION OR USE OF THIS REPORT,  
IN WHOLE OR IN PART, WITHOUT THE EXPRESS PERMISSION OF  
A. J. CLARKE & ASSOCIATES LTD. IS STRICTLY PROHIBITED.

FILE: 182162M12516471 March 22, 2018 110 Gordon Drummond (1)-2699.dwg

T-2699





SKETCH SHOWING EXISTING CONDITIONS OVER  
110 GORDON DRUMMOND AVENUE

IN THE  
**CITY OF HAMILTON**

SCALE 1:200

G. G. ALDORTH O.L.S.

TAKEN FROM SURVEY BY:

A. J. Clarke and Associates Ltd.

Setback 1.06m

Area 3.69m<sup>2</sup>

Setback 1.90m

Area 1.26m<sup>2</sup>

Street Lines

196.6 m

Front and  
Side Facade  
Length  
97.2 m

Setback 1.76m

Area 2.23m<sup>2</sup>

DETAILS OF DEVELOPMENT:

ZONING: BY-LAW 05-200 (NEIGHBORHOOD COMMERCIAL)	
'C2' ZONE - EXEMPT 579	
NET LOT AREA:	LOT AREA : 5152 S.M (0.515Ha)
BUILDING COVERAGE:	1207 SM
GROSS FLOOR AREA (ABOVE GRADE):	1345 SM
BUILDING HEIGHT:	1 STORIES ( 9.2M)
PARKING REQUIRED:	
PARKING : Day Nursery 1 per 125m2 of GFA	
1345m / 125m2 = 10.76 (10 SPACES) 1 BARRIER FREE	
PARKING PROVIDED:	
NO. OF PARKING SPACES ON GRADE:	31
NO. OF PARKING SPACES BELOW GRADE:	0
TOTAL PARKING PROVIDED:	-
BARRIER FREE PARKING SPACES PROVIDED =	1
NO. OF LOADING SPACE:	0
LANDSCAPED AREA (PROPOSED):	-S.M.

UNDERTAKING FILE No. DA-

- I, (WE) \_\_\_\_\_ THE OWNER(S) OF THE LAND,  
HEREBY UNDERTAKE AND AGREE WITHOUT RESERVATION,
- (a) TO COMPLY WITH ALL THE CONTENT OF THIS PLAN AND DRAWING AND NOT TO VARY THEREFROM;
- (b) TO PERFORM THE FACILITIES, WORKS OR MATTERS MENTIONED IN SECTION 41(7)(A) OF THE PLANNING ACT SHOWN ON THIS PLAN AND DRAWING(S) IN ACCORDANCE WITH THE CONDITIONS OF APPROVAL AS SET OUT IN THE LETTER OF APPROVAL DATED \_\_\_\_\_;
- (c) TO MAINTAIN TO THE SATISFACTION OF THE CITY AND AT MY (OUR) SOLE RISK AND EXPENSE, ALL OF THE FACILITIES, WORKS OR MATTERS MENTIONED IN SECTION 41(7)(B) OF THE SAID ACT, SHOWN IN THIS PLAN AND DRAWING, INCLUDING REMOVAL OF SNOW FROM ACCESS RAMPS AND DRIVEWAYS, PARKING AND LOADING AREAS AND WALKWAYS; AND,
- (d) IN THE EVENT THAT THE OWNER DOES NOT COMPLY WITH THE PLAN DATED \_\_\_\_\_ THE OWNER AGREES THAT THE CITY MAY ENTER THE LAND AND DO THE REQUIRED WORKS, AND FURTHER THE OWNER AUTHORIZES THE CITY TO USE THE SECURITY FILED TO OBTAIN COMPLIANCE WITH THIS PLAN.
- (e) THAT THE OWNER AGREES TO AFFIX THE MUNICIPAL NUMBER (110) OR FULL ADDRESS (110 GORDON DRUMMOND AVENUE) TO THE BUILDING OR ON A SIGN, THAT IS VISIBLE FROM THE STREET.
- (f) CAUTION: NOTWITHSTANDING CURRENT SURFACE CONDITIONS, THE PROPERTY HAS BEEN DETERMINED TO BE AN AREA OF ARCHAEOLOGICAL POTENTIAL. ALTHOUGH AN ARCHAEOLOGICAL ASSESSMENT IS NOT REQUIRED BY THE CITY OF HAMILTON, THE PROPONENT IS CAUTIONED THAT DURING DEVELOPMENT ACTIVITIES, SHOULD DEEPLY BURIED ARCHAEOLOGICAL MATERIALS BE FOUND ON THE PROPERTY, THE ONTARIO MINISTRY OF TOURISM, CULTURE AND SPORT (MTC) SHOULD BE NOTIFIED IMMEDIATELY (416.314.7134). IN THE EVENT THAT HUMAN REMAINS ARE ENCOUNTERED DURING CONSTRUCTION, THE PROPONENT SHOULD IMMEDIATELY CONTACT BOTH MTC AND THE REGISTRAR OR DEPUTY REGISTRAR OF THE CEMETERIES REGULATION UNIT OF THE MINISTRY OF SMALL BUSINESS AND CONSUMER SERVICES (416.328.8392).

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20 \_\_\_\_\_ (SEAL)

WITNESS (SIGNATURE) \_\_\_\_\_ OWNER(S) (SIGNATURE) \_\_\_\_\_

WITNESS (PRINT) \_\_\_\_\_ OWNER (PRINT) \_\_\_\_\_

ADDRESS OF WITNESS \_\_\_\_\_

NOTES ON SITE PLAN:

- ALL WORK INVOLVED IN THE CONSTRUCTION, RELOCATION, REPAIR OF MUNICIPAL SERVICES FOR THE PROJECT SHALL BE TO THE SATISFACTION OF THE DIRECTOR OF PLANNING AND CHIEF PLANNER, PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT.
- FIRE ROUTE SIGNS AND 3-WAY FIRE HYDRANTS SHALL BE ESTABLISHED TO THE SATISFACTION OF THE CITY FIRE DEPARTMENT AND AT THE EXPENSE OF THE OWNER.
- MAIN DRIVEWAY DIMENSIONS AT THE PROPERTY LINE BOUNDARIES ARE PLUS OR MINUS 7.5 M UNLESS OTHERWISE STATED.
- ALL DRIVEWAYS FROM PROPERTY LINES FOR THE FIRST 7.5 M SHALL BE WITHIN 5% MAXIMUM GRADE, THEREAFTER, ALL DRIVEWAYS SHALL BE WITHIN 10% MAXIMUM GRADES.
- THE APPROVAL OF THIS PLAN DOES NOT EXEMPT THE OWNER'S BONDED CONTRACTOR FROM THE REQUIREMENTS TO OBTAIN THE VARIOUS PERMITS/APPROVALS NORMALLY REQUIRED TO COMPLETE A CONSTRUCTION PROJECT, SUCH AS, BUT NOT LIMITED TO THE FOLLOWING:
  - BUILDING PERMIT
  - SEWER AND WATER PERMITS
  - ROAD CUT PERMITS
  - RELOCATION OF SERVICES
  - APPROACH APPROVAL PERMITS
  - ENCROACHMENT AGREEMENTS
  - COMMITTEE OF ADJUSTMENT (IF REQUIRED)
- ABANDONED ACCESSES MUST BE REMOVED AND THE CURB AND BOULEVARD RESTORED WITH SOD AT THE OWNER'S EXPENSE TO THE SATISFACTION OF THE CORRIDOR MANAGEMENT SECTION, PUBLIC WORKS DEPARTMENT.
- FOR VISIBILITY TRIANGLES AT THE VEHICULAR ACCESS POINTS, THE FOLLOWING NOTE TO BE PROVIDED:  
"3.0m METRE BY 3.0m METRE VISIBILITY TRIANGLES IN WHICH THE MAXIMUM HEIGHT OF ANY OBJECTS OR MATURE VEGETATION IS NOT TO EXCEED A HEIGHT OF 0.70 METRES ABOVE THE CORRESPONDING PERPENDICULAR CENTRELINE ELEVATION OF THE ADJACENT STREET."
- ALL SIGNS MUST COMPLY WITH SIGN BY-LAW NO. 10-197.
- THIS PROPERTY IS NOT ELIGIBLE FOR WEEKLY COLLECTION OF GARBAGE, ORGANICS, RECYCLABLE MATERIAL, & LEAF AND YARD WASTE THROUGH THE CITY OF HAMILTON SUBJECT TO COMPLIANCE WITH SPECIFICATIONS INDICATED BY THE WASTE MANAGEMENT DIVISION. RECYCLING IS MANDATORY.
- SIGNAGE SHALL BE IN ACCORDANCE WITH THE CITY OF HAMILTON SIGN BY-LAW.
- A MINIMUM OF 1.2M SEPARATION MUST BE PROVIDED WITHIN THE CITY'S ROAD ALLOWANCE AREA BETWEEN DRIVEWAYS, A FENCE AND ANY POLE, UTILITY, FIRE HYDRANT, TREE, SIGN, ETC. ANY COSTS FOR TRAFFIC SIGN OR UTILITY RELOCATION ARE THE SOLE RESPONSIBILITY OF THE APPLICANT/OWNER.
- ROOFTOP EQUIPMENT SHALL BE SCREENED IN ACCORDANCE WITH ZONING BYLAW 05-200 SECTION 11.1.3 g i).
- NO MECHANICAL EQUIPMENT SHALL BE LOCATED IN THE REQUIRED FRONT YARD AS PER ZONING BYLAW 05-200 SECTION 4.9 a).

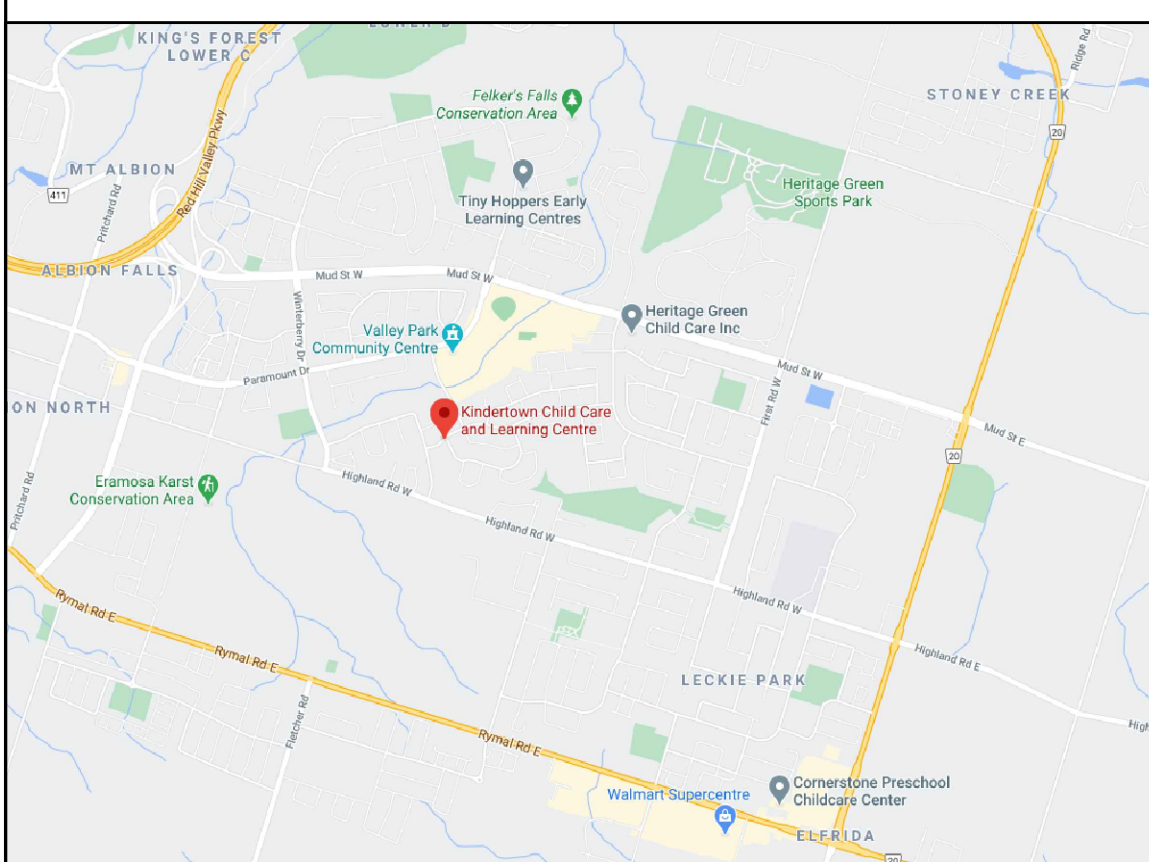
1.0 DRT REVIEW COMMENTS 02.17.22  
2.0 CIVIL COORDINATION 12.01.22

3.0 SPA - RESUBMISSION 05.04.22  
2.0 SPA 12.13.21  
1.0 DESIGN REVIEW 09.27.21





KEY PLAN:



SKETCH SHOWING EXISTING CONDITIONS OVER  
110 GORDON DRUMMOND AVENUE  
IN THE  
**CITY OF HAMILTON**  
SCALE 1:200

G. G. ALDWORTH O.L.S.

TAKEN FROM SURVEY BY:

A. J. Clarke and Associates Ltd.

DETAILS OF DEVELOPMENT:

ZONING: BY-LAW 05-200 (NEIGHBORHOOD COMMERCIAL) 'C2' ZONE - EXEMPT 579	
NET LOT AREA:	LOT AREA :
BUILDING COVERAGE:	5152 S.M (0.515Ha)
GROSS FLOOR AREA (ABOVE GRADE):	1207 SM
BUILDING HEIGHT:	1345 SM
PARKING REQUIRED:	1 STORIES ( 9.2M)
PARKING PROVIDED:	
NO. OF PARKING SPACES ON GRADE:	31
NO. OF PARKING SPACES BELOW GRADE:	0
TOTAL PARKING PROVIDED:	-
BARRIER FREE PARKING SPACES PROVIDED =	1
NO. OF LOADING SPACE:	0
LANDSCAPED AREA (PROPOSED):	-S.M.

UNDERTAKING FILE No. DA-

- I, (WE) \_\_\_\_\_ THE OWNER(S) OF THE LAND, HEREBY UNDERTAKE AND AGREE WITHOUT RESERVATION,
- (a) TO COMPLY WITH ALL THE CONTENT OF THIS PLAN AND DRAWING AND NOT TO VARY THEREFROM;
- (b) TO PERFORM THE FACILITIES, WORKS OR MATTERS MENTIONED IN SECTION 41(7)(A) OF THE PLANNING ACT SHOWN ON THIS PLAN AND DRAWING(S) IN ACCORDANCE WITH THE CONDITIONS OF APPROVAL AS SET OUT IN THE LETTER OF APPROVAL DATED \_\_\_\_\_
- (c) TO MAINTAIN TO THE SATISFACTION OF THE CITY AND AT MY (OUR) SOLE RISK AND EXPENSE, ALL OF THE FACILITIES, WORKS OR MATTERS MENTIONED IN SECTION 41(7)(B) OF THE SAID ACT, SHOWN IN THIS PLAN AND DRAWING, INCLUDING REMOVAL OF SNOW FROM ACCESS RAMPS AND DRIVEWAYS, PARKING AND LOADING AREAS AND WALKWAYS; AND,
- (d) IN THE EVENT THAT THE OWNER DOES NOT COMPLY WITH THE PLAN DATED \_\_\_\_\_ THE OWNER AGREES THAT THE CITY MAY ENTER THE LAND AND DO THE REQUIRED WORKS, AND FURTHER THE OWNER AUTHORIZES THE CITY TO USE THE SECURITY FILED TO OBTAIN COMPLIANCE WITH THIS PLAN.
- (e) THAT THE OWNER AGREES TO AFFIX THE MUNICIPAL NUMBER (110) OR FULL ADDRESS (110 GORDON DRUMMOND AVENUE) TO THE BUILDING OR ON A SIGN, THAT IS VISIBLE FROM THE STREET.
- (f) CAUTION: NOTWITHSTANDING CURRENT SURFACE CONDITIONS, THE PROPERTY HAS BEEN DETERMINED TO BE AN AREA OF ARCHAEOLOGICAL POTENTIAL. ALTHOUGH AN ARCHAEOLOGICAL ASSESSMENT IS NOT REQUIRED BY THE CITY OF HAMILTON, THE PROPONENT IS CAUTIONED THAT DURING DEVELOPMENT ACTIVITIES, SHOULD DEEPLY BURIED ARCHAEOLOGICAL MATERIALS BE FOUND ON THE PROPERTY, THE ONTARIO MINISTRY OF TOURISM, CULTURE AND SPORT (MTC) SHOULD BE NOTIFIED IMMEDIATELY (416.314.7134). IN THE EVENT THAT HUMAN REMAINS ARE ENCOUNTERED DURING CONSTRUCTION, THE PROPONENT SHOULD IMMEDIATELY CONTACT BOTH MTC AND THE REGISTRAR OR DEPUTY REGISTRAR OF THE CEMETERIES REGULATION UNIT OF THE MINISTRY OF SMALL BUSINESS AND CONSUMER SERVICES (416.326.8392).

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20 \_\_\_\_\_ (SEAL)

WITNESS (SIGNATURE) \_\_\_\_\_ OWNER(S) (SIGNATURE) \_\_\_\_\_

WITNESS (PRINT) \_\_\_\_\_ OWNER (PRINT) \_\_\_\_\_

ADDRESS OF WITNESS \_\_\_\_\_

NOTES ON SITE PLAN:

- ALL WORK INVOLVED IN THE CONSTRUCTION, RELOCATION, REPAIR OF MUNICIPAL SERVICES FOR THE PROJECT SHALL BE TO THE SATISFACTION OF THE DIRECTOR OF PLANNING AND CHIEF PLANNER, PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT.
- FIRE ROUTE SIGNS AND 3-WAY FIRE HYDRANTS SHALL BE ESTABLISHED TO THE SATISFACTION OF THE CITY FIRE DEPARTMENT AND AT THE EXPENSE OF THE OWNER.
- MAIN DRIVEWAY DIMENSIONS AT THE PROPERTY LINE BOUNDARIES ARE PLUS OR MINUS 7.5 M UNLESS OTHERWISE STATED.
- ALL DRIVEWAYS FROM PROPERTY LINES FOR THE FIRST 7.5 M SHALL BE WITHIN 5% MAXIMUM GRADE, THEREAFTER, ALL DRIVEWAYS SHALL BE WITHIN 10% MAXIMUM GRADES.
- THE APPROVAL OF THIS PLAN DOES NOT EXEMPT THE OWNER'S BONDED CONTRACTOR FROM THE REQUIREMENTS TO OBTAIN THE VARIOUS PERMITS/APPROVALS NORMALLY REQUIRED TO COMPLETE A CONSTRUCTION PROJECT, SUCH AS, BUT NOT LIMITED TO THE FOLLOWING:
  - BUILDING PERMIT
  - ROAD CUT PERMITS
  - APPROACH APPROVAL PERMITS
  - COMMITTEE OF ADJUSTMENT (IF REQUIRED)
  - SEWER AND WATER PERMITS
  - RELOCATION OF SERVICES
  - ENCROACHMENT AGREEMENTS
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- ALL SIGNS MUST COMPLY WITH SIGN BY-LAW NO. 10-197.
- THIS PROPERTY IS NOT ELIGIBLE FOR WEEKLY COLLECTION OF GARBAGE, ORGANICS, RECYCLABLE MATERIAL, & LEAF AND YARD WASTE THROUGH THE CITY OF HAMILTON SUBJECT TO COMPLIANCE WITH SPECIFICATIONS INDICATED BY THE WASTE MANAGEMENT DIVISION. RECYCLING IS MANDATORY.
- SIGNAGE SHALL BE IN ACCORDANCE WITH THE CITY OF HAMILTON SIGN BY-LAW.
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- ROOFTOP EQUIPMENT SHALL BE SCREENED IN ACCORDANCE WITH ZONING BYLAW 05-200 SECTION 11.1.3 g) i).
- NO MECHANICAL EQUIPMENT SHALL BE LOCATED IN THE REQUIRED FRONT YARD AS PER ZONING BYLAW 05-200 SECTION 4.9 a).

**LINTACK ARCHITECTS**  
INCORPORATED

FOR SITE PLAN  
APPROVAL  
ONTARIO ASSOCIATION  
OF  
ARCHITECTS  
Richard F. Lintack  
LICENCE  
4148

This drawing must not be scaled.  
General Contractor shall verify all  
dimensions, columns and levels prior  
to commencement of the work.  
All errors and omissions are to be  
reported immediately to the Architect.

No.	Revisions	Date
1.0	DRT REVIEW COMMENTS	02.17.22
2.0	CIVIL COORDINATION	12.01.22
3.0	SPA - RESUBMISSION	05.04.22
2.0	SPA	12.13.21
1.0	DESIGN REVIEW	09.27.21
No.	Issue	Date



PROPOSED ADDITION TO:  
**KINDERTOWN**  
CHILD CARE & LEARNING CENTRE  
110 GORDON DRUMMOND AVENUE  
STONEY CREEK, ONTARIO, L8J 1P5

job no.

dwg. file

dwn. by

scale

date

dwg. title

SITE PLAN

dwg. A1

NOT TO BE USED  
FOR CONSTRUCTION

1 SITE PLAN  
A1 SCALE 1:200 (METRIC)





1 NORTH WEST PERSPECTIVE  
SCALE: NTS



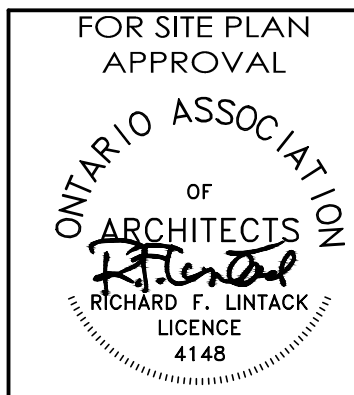
2 SOUTH EAST PERSPECTIVE  
SCALE: NTS

NOT TO BE USED  
FOR CONSTRUCTION

LINTACK ARCHITECTS

I N C O R P O R A T E D

244 JAMES STREET SOUTH, HAMILTON, ONTARIO, L8P 3B3  
T: 905.522.6165 • E: info@lntack.com  
www.lntack.com



This drawing must not be scaled.  
General Contractor shall verify all  
dimensions, columns and levels prior  
to commencement of the work.  
All errors and omissions are to be  
reported immediately to the Architect.

No.	Revisions	Date
2.0	SPA - RESUBMISSION	05.04.22
1.0	SPA	12.13.21
Nil	Issue	Date

KINDERTOWN  
CHILD CARE & LEARNING CENTRE  
110 GORDON DRUMMOND AVENUE  
STONE CREEK, ONTARIO, L8J 1P5

job no.
dwg. file
dwn. by
scale
date
dwg. title
PERSPECTIVES
dwg. A4

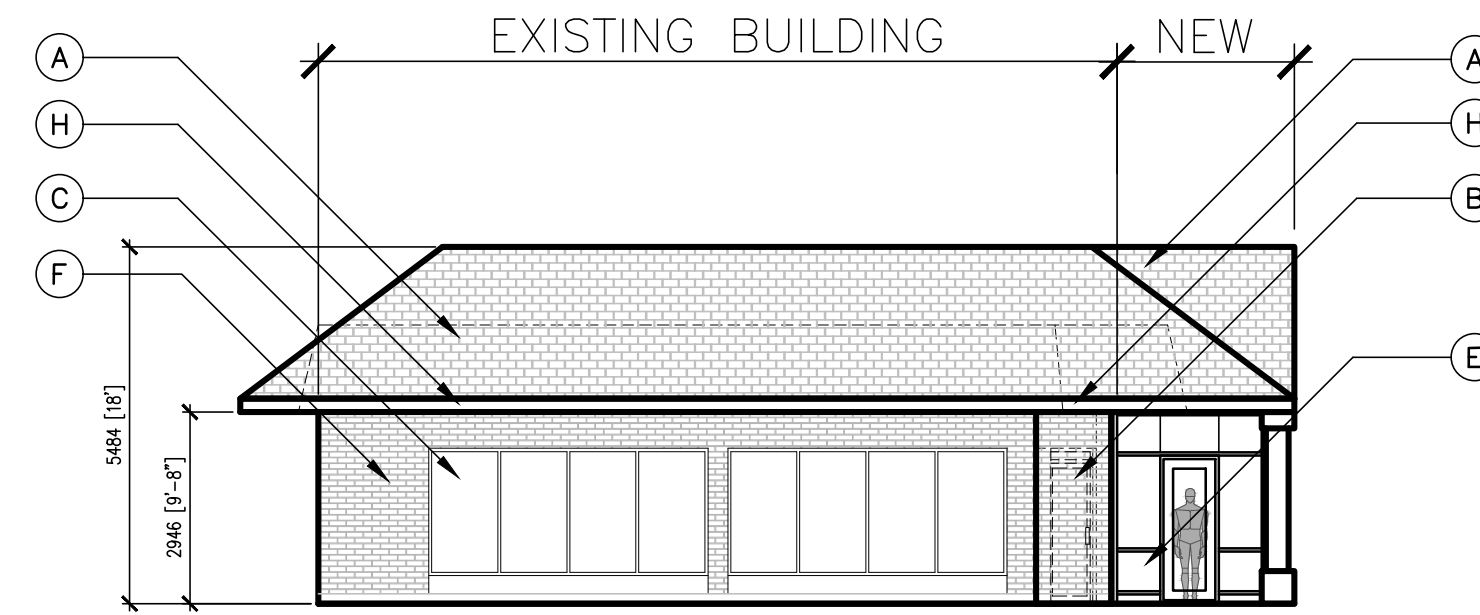








WEST ELEVATION



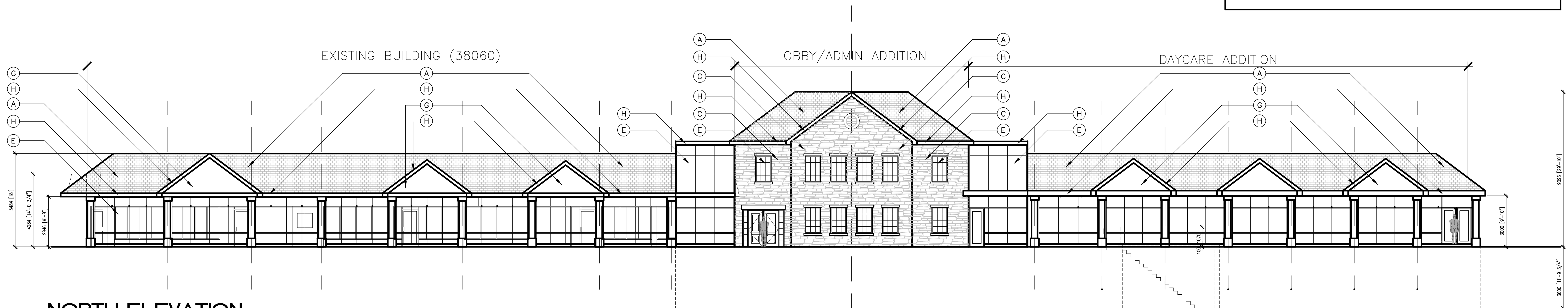
EAST ELEVATION

EXTERIOR FINISH LEGEND:

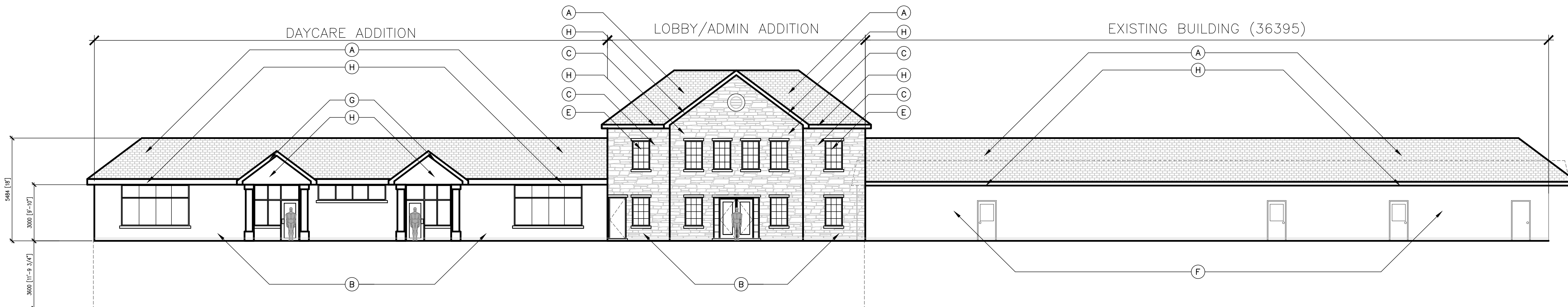
- (A) - NEW FIBERGLAS ARCHITECTURAL SHINGLES
- (B) - NEW BRICK VENEER
- (C) - NEW STONE VENEER
- (D) - EXISTING WINDOWS
- (E) - NEW THERMALLY BROKEN DOUBLE GLAZED WINDOWS & DOOR ASSEMBLIES
- (F) - EXISTING BRICK TO REMAIN
- (G) - ARCYLIC STUCCO FINISH SYSTEM (EIFS)
- (H) - PREFINISHED METAL FASCIA/GUTTER

NOTES ON ELEVATION PLAN:

DOOR AND WINDOW LOCATIONS, DIMENSIONS, DETAILS AND BUILDING MATERIALS MAY VARY DEPENDING ON FINAL BUILDING LAYOUT, AND ARE SHOWN FOR INFORMATION PURPOSES ONLY.



NORTH ELEVATION



SOUTH ELEVATION

LINTACK ARCHITECTS  
INCORPORATED

244 JAMES STREET SOUTH, HAMILTON, ONTARIO, L8P 3B3  
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No.	Revisions	Date
1.0	CIVIL COORDINATION	11.11.22
2.0	SPA - RESUBMISSION	05.04.22
1.0	SPA	12.13.21
No.	Issue	Date



PROPOSED ADDITION TO:  
**KINDERTOWN**  
CHILD CARE & LEARNING CENTRE  
1110 GORDON DRUMMOND AVENUE  
STONEY CREEK, ONTARIO, L8J 1P5

job no.
dwg. file
dwn. by
scale
date
dwg. title
ELEVATIONS
dwg. A3





*A. J. Clarke and Associates Ltd.*

SURVEYORS • PLANNERS • ENGINEERS

December 14, 2022

The City of Hamilton  
71 Main Street West  
Hamilton, Ontario  
L8P 4Y5

*Sent via email*  
**cofa@hamilton.ca**

Attn: Committee of Adjustment  
5th Floor

**Re: Minor Variance Application (as required by DA-22-041)**  
**110 Gordon Drummond Avenue, Stoney Creek (Ward 09)**

A.J Clarke and Associates Ltd. is retained by the owners of Kindertown Child Care & Learning Centre and I am tasked to continue expediting the project. Approval of Minor Variances is one of the conditions to bring the proposed development into zoning compliance.

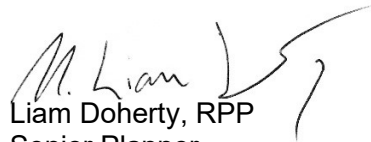
The following Minor Variance application materials are attached:

- Survey Plan
- Site Plan
- Site Plan with Required Variances Illustrated
- Elevation & Perspective Drawings
- Floor Plans
- Application Form, Signed & Unsigned
- Photo of cheque to pay application fee

The fee will be paid via cheque mailed to the City.

If there are any issues with the files, please contact me directly.

Regards,



Liam Doherty, RPP  
Senior Planner

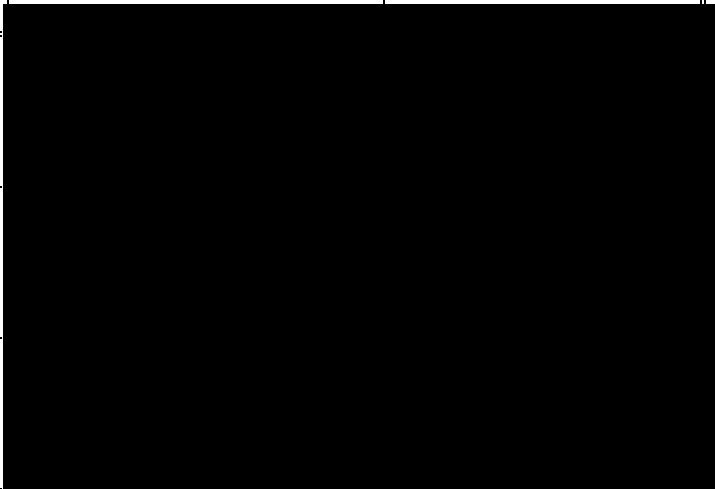
905-528-8761 ext. 287

liam.doherty@ajclarke.com



**APPLICATION FOR A MINOR VARIANCE/PERMISSION**  
UNDER SECTION 45 OF THE *PLANNING ACT*

**1. APPLICANT INFORMATION**

	NAME
<b>Registered Owners(s)</b>	
<b>Applicant(s)</b>	
<b>Agent or Solicitor</b>	

1.2 All correspondence should be sent to ☐ Owner ☐ Applicant  
☒ Agent/Solicitor

1.2 All correspondence should be sent to ☐ Purchaser ☐ Owner  
☐ Applicant ☒ Agent/Solicitor

1.3 Sign should be sent to ☐ Purchaser ☒ Owner  
☐ Applicant ☐ Agent/Solicitor

1.4 Request for digital copy of sign ☐ Yes\* ☒ No  
If YES, provide email address where sign is to be sent \_\_\_\_\_

1.5 All correspondence may be sent by email ☒ Yes\* ☐ No  
If Yes, a valid email must be included for the registered owner(s) AND the Applicant/Agent (if applicable). Only one email address submitted will result in the voiding of this service. This request does not guarantee all correspondence will sent by email.

**2. LOCATION OF SUBJECT LAND**

2.1 Complete the applicable sections:



Municipal Address	110 Gordon Drummond Avenue		
Assessment Roll Number	251800376045000		
Former Municipality	Stoney Creek		
Lot		Concession	
Registered Plan Number	M-167	Lot(s)	Block Y
Reference Plan Number (s)	62R-2790	Part(s)	3

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

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

All dimensions in the application form are to be provided in metric units (millimetres, metres, hectares, etc.)

3.1 Nature and extent of relief applied for:

- 1) Increase of Maximum Street Setback from 3 metres to 41.5 metres.
- 2) Reduction of Minimum Ground Floor Facade from 50% to 49.4%.
- 3) Permit parking, driveway and aisles between building facade and the flankage lot line.
- 4) Reduction of Minimum Setback to a Streetline and Minimum Planting Strip Width abutting a streetline for a parking space from 3 metres to 1.05 metres.

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

Please see accompanying cover letter.

3.3 Is this an application 45(2) of the Planning Act.

☐ Yes

☒ No

If yes, please provide an explanation:

### 4. DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

4.1 Dimensions of Subject Lands:

Lot Frontage	Lot Depth	Lot Area	Width of Street
19.19 m	93.3 m+ (irregular)	5152 m2	20.1 m

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

Existing:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
1 storey Day Nursery	42.1 m	13.7 m	21.4 & 19.6	Pre-1995

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
1 storey Day Nursery	1.5 m	12.3 m	3.0 & 9.7 m	Addition proposed

4.3. Particulars of all buildings and structures on or proposed for the subject lands (attach additional sheets if necessary):

Existing:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
1 storey Day Nursery	464m <sup>2</sup>	464m <sup>2</sup>	1	6.2 m

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
1 & 2 storey Day Nursery	1,198m <sup>2</sup>	1,340m <sup>2</sup>	2	9.2 m

- 4.4 Type of water supply: (check appropriate box)  
☒ publicly owned and operated piped water system  
☐ privately owned and operated individual well

- ☐ lake or other water body  
☐ other means (specify)
- 

- 4.5 Type of storm drainage: (check appropriate boxes)  
☒ publicly owned and operated storm sewers  
☐ swales

- ☐ ditches  
☐ other means (specify)
- 

- 4.6 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) \_\_\_\_\_

4.7 Type of access: (check appropriate box)

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

4.8 Proposed use(s) of the subject property (single detached dwelling duplex, retail, factory etc.):  
Day Nursery and Commercial School (Learning Centre for school aged children).

4.9 Existing uses of abutting properties (single detached dwelling duplex, retail, factory etc.):  
Single detached dwelling, Park.

## 7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:  
2007

7.2 Previous use(s) of the subject property: (single detached dwelling duplex, retail, factory etc)  
Vacant

7.3 Existing use(s) of the subject property: (single detached dwelling duplex, retail, factory etc)  
Day Nursery

7.4 Length of time the existing uses of the subject property have continued:  
Since 2007

7.5 What is the existing official plan designation of the subject land?

Rural Hamilton Official Plan designation (if applicable): \_\_\_\_\_

Rural Settlement Area: \_\_\_\_\_

Urban Hamilton Official Plan designation (if applicable) Neighbourhoods

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

7.6 What is the existing zoning of the subject land? C2-E579 Mixed Use Medium Density

7.8 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:

---

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

☐ Yes ☒ No

If yes, please provide the file number:

---

7.10 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

7.11 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.

## 8 ADDITIONAL INFORMATION

8.1 Number of Dwelling Units Existing: 0

8.2 Number of Dwelling Units Proposed: 0

8.3 Additional Information (please include separate sheet if needed):

This application is in support of an expansion of the existing day nursery establishment, Kindertown Child Care and Learning Centre. A Minor Variance Approval is a condition of the Site Plan Approval , Application #DA-22-041. The Site Plan was Conditionally Approved on February 25, 2022.

The variances are those identified by Building Department that could not be remedied by design changes. The 41.5 metre street line setback is to the second sight triangle line at Breezewood Road and Gordon Drummond Ave. The facade width facing the front & flankage lot lines is slightly less than 50% of the total front & flankage & rear lot lines that abut a street.

The daycare play area needs to be separated from streets and parking, thus the parking needs to be in the flankage side yard.

The additional parking will allow the facility to expand its services to include a learning centre (Commercial School) which is a permitted use. There are only three parking spaces that infringe on the 3 metre setback/planting strip along a street line, for a total of 7.35 metres square of parking and curb within the 3 metre strip.