



Hamilton

COMMITTEE OF ADJUSTMENT

City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5

Telephone (905) 546-2424, ext. 4221, 3935

E-mail: 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

APPLICATION NO.:	HM/A-23:66	SUBJECT PROPERTY:	125/127 YOUNG ST. & 122/126 AUGUSTA ST.
ZONE:	"E-3/S-1767 & D/S-1767" (Urban Protected Residential, & High-Density Multiple Dwelling)	ZONING BY-LAW:	Zoning By-law former City of Hamilton 6593, as Amended 19-102

APPLICANTS: **Owner:** 1955132 ONTARIO LTD. C/O MARIO NESCI
 Agent: URBANSOLUTIONS C/O MATT JOHNSTON

The following variances are requested:

Variances to portion of land zoned E-3/S-1767:

1. A maximum building height of 16.0m shall be permitted instead of the maximum permitted building height of 13.5m.

Variances to portion of land zoned D/S-1767:

2. A maximum building height of 14.0m and four (4) storeys shall be permitted instead of the maximum permitted building height of 14.0m and three (3) storeys.

Variances applicable for entire development:

3. No planting strip shall be provided whereas the by-law requires a planting strip to be provided between the parking area and an abutting Residential District.
4. A portion of the driveway providing access to a Multiple Dwelling use shall be located within a Residential zone which does not permit the use of a Multiple Dwelling.

PURPOSE & EFFECT: So as to permit the construction of two (2) new Multiple Dwelling buildings in accordance with DA-22-034:

Notes:

- i. These variances are necessary to facilitate Site Plan Control Application DA-22-034.
- ii. The northerly portion of this property is currently zoned “E-3/S-1767-H” whereas the remaining southerly portion is zoned “D/S-1767” of Hamilton Zoning By-law 6593 and as amended by By-law #19-102. The use of a Multiple Dwelling is permitted within the portion of the property zoned E-3/S-1767. Furthermore, Committee of Adjustment Decision HM/A-20:265 previously approved the use of a Three (3) storey Multiple Dwelling containing 12 dwelling units within the portion of the lot zoned ‘D/S-1767’.

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:

DATE:	Thursday, June 1, 2023
TIME:	9:45 a.m.
PLACE:	Via video link or call in (see attached sheet for details)
	2nd floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton
	To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment

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

- Visit www.hamilton.ca/committeeofadjustment
- Visit Committee of Adjustment staff at 5th 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 HM/A-23:66, you must submit a written request to cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.

HM/A-23:66

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 or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.



 **Subject Lands**

DATED: May 16, 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, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5

Telephone (905) 546-2424, ext. 4221, 3935

E-mail: 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 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

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. 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 (2nd 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 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.

AUGUSTA STREET



VARIANCES TO CITY OF HAMILTON ZONING BY-LAW 6593 AS AMENDED BY BY-LAW 19-102 WITH RESPECT TO ZONE "E-3/S-1767-H" FOR THE FOUR STOREY MULTIPLE DWELLING AND THE MOST RESTRICTIVE REQUIREMENTS OF BOTH "E-3/S-1767-H" AND "D/S-1767" ZONES FOR THE THREE STOREY MULTIPLE DWELLING

VARIANCE NO. 1: TO PERMIT A BUILDING HEIGHT OF 16.0 METRES AND FOUR (4) STOREYS, WHEREAS A MAXIMUM OF 13.5 METRES AND THREE (3) STOREYS ARE PERMITTED.

VARIANCE NO. 2: TO PROVIDE 0m PLANTING STRIP BETWEEN THE BOUNDARY OF THE PARKING AREA AND THE RESIDENTIAL DISTRICT WHERE AS A PLANTING STRIP IS REQUIRED.

VARIANCE NO. 3: TO PERMIT AN ACCESS DRIVEWAY SERVING A MULTIPLE DWELLING USE ON THE ABUTTING PROPERTY KNOWN AS 121 YOUNG STREET ZONED 'D'.

SITE STATISTICS

Existing Zoning: High Density Multiple Dwellings "E-3/S-1767" District, Modified & Urban Protected Residential - One and Two Family Dwellings, Etc. "D/S-1767" District

4 - Storey Multiple Dwelling Stats

Item	Required	Proposed
Max. Building Height	13.5 m	15.9 m
Max No. of Units	N/A	27
Min. Lot Frontage	N/A	35.5 m
Min. Front Yard	0.1 m	0.28 m
Min. Interior Side Yard	2.0 m	2.0 m
Loading Space	0	0
Min. Separation Distance for a Parking Area from a Residential District (directly west)	0.7 m	0.98 m
Min. Separation Distance for a Parking Area from a Residential District (directly east)	0.4 m	1.52 m
Min. Separation Distance for an access driveway from a residential district	0.0 m	0.0 m

*3 - Storey Multiple Dwelling Statistics

Item	Required	Proposed
Max. Building Height	12.3 m (3 Storeys)	12.0 m (4 Storeys)
Max No. of Units	12	12
Min. Lot Frontage	N/A	21.5 m
Min. Setback from Young St.	1.9 m	1.9 m
A projection of stairs into a required setback to Young St.	1.3 m	1.2 m
Min. Interior Side Yard, easterly	1.7 m	1.7 m
Min. Interior Side Yard, westerly	3.0 m	3.3 m
Loading Space	0	0

Entire Site Statistics

Item	Required	Proposed
Min. Distance Between Buildings	40.0 m	40.0 m
Min. Landscape Area	30%	31%
Total Parking Ratio	1.07 per unit = 42 spaces	42 spaces
(incl. Visitor Parking Ratio)	0.12 per unit = 5 spaces	5 spaces
Total Required Parking	42	42

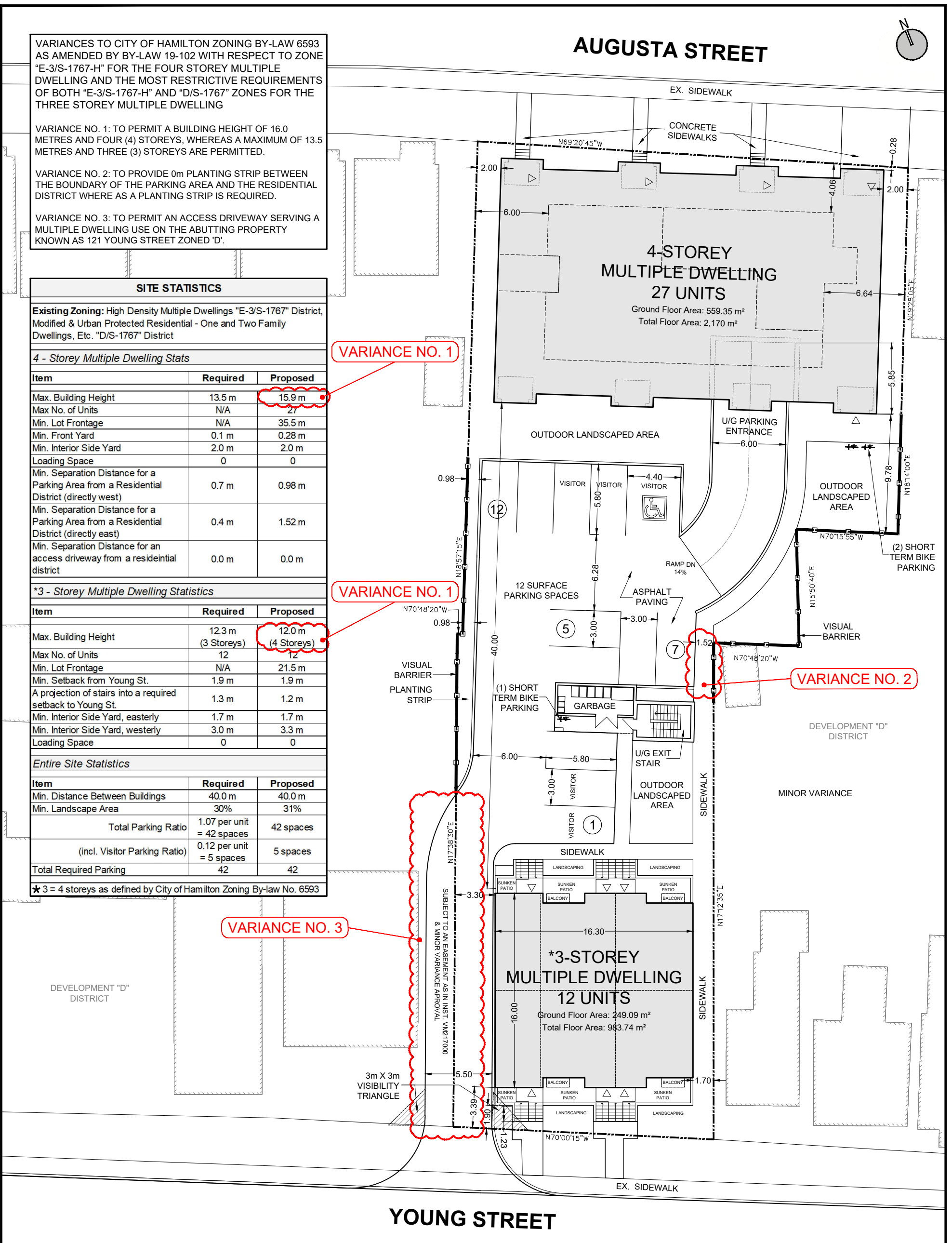
* 3 = 4 storeys as defined by City of Hamilton Zoning By-law No. 6593

VARIANCE NO. 1

VARIANCE NO. 1

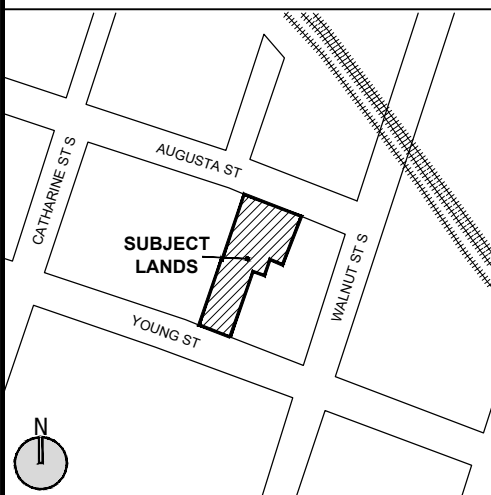
VARIANCE NO. 3

VARIANCE NO. 2



YOUNG STREET

KEY MAP - N.T.S.



LEGEND:

- SUBJECT LANDS
- PROPOSED BUILDING
- EXISTING BUILDING
- VISUAL BARRIER

SCALE 1:300
METRES



PREPARED BY:

URBANSOLUTIONS
PLANNING & LAND DEVELOPMENT
3 STUDEBAKER PLACE, UNIT 1
HAMILTON, ON L8L 0C8
905-546-1087 - urbansolutions.info

LINTACK ARCHITECTS
INCORPORATED

244 JAMES STREET SOUTH, HAMILTON, ONTARIO, L8P 3B3
T: 905.522.6145 F: 905.522.2209 E: information@lintack.com
www.lintack.com

NOT FOR CONSTRUCTION
ISSUED FOR REVIEW & COMMENTS ONLY

NOTES:
ALL DIMENSIONS SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

TITLE:

MINOR VARIANCE SKETCH

PROJECT:

122 & 126 AUGUSTA STREET &
125 & 127 YOUNG STREET
CITY OF HAMILTON

CLIENT:

1955132 ONTARIO LTD.

DESIGN BY: LINTACK ARCHITECTS

CHECKED BY: L. DRENNAN

DRAWN BY: S. ERICKSON

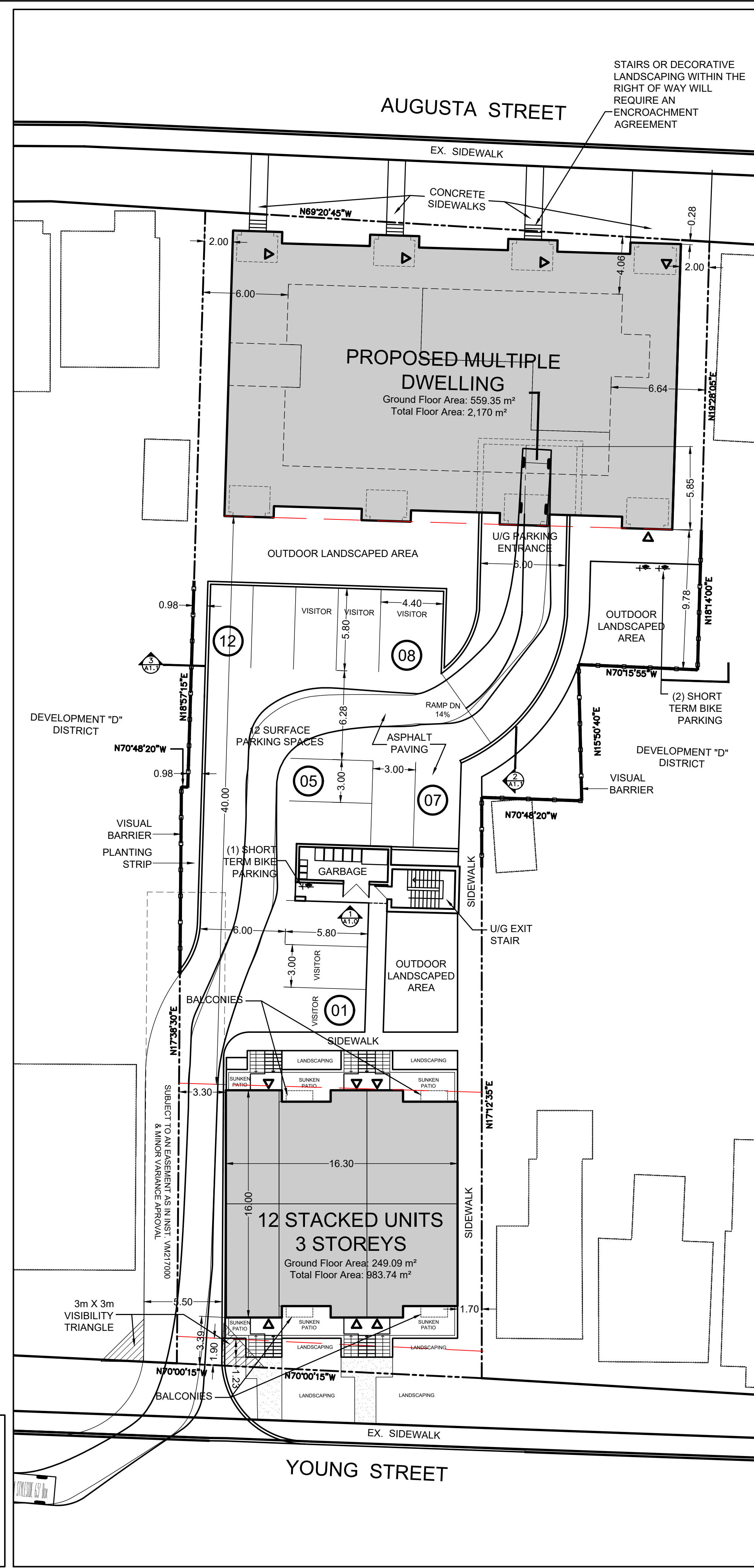
DATE: MARCH 14, 2023

U/S FILE NUMBER:

157-16

SHEET NUMBER:

1



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 7.5m UNLESS OTHERWISE STATED.
- ALL DRIVEWAYS FROM PROPERTY LINES FOR THE FIRST 7.5m 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 FIRE HYDRANT, TREE, SIGN, ETC.
 - 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:
 - 3.0 METRE BY 3.0 METRE VISIBILITY TRIANGLES IN WHICH THE MAXIMUM HEIGHT OF ANY OBJECT 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 DEVELOPMENT IS ELIGIBLE FOR MUNICIPAL WASTE COLLECTION SUBJECT TO MEETING THE CITY'S REQUIREMENTS.
- ALL FENCING SHALL CONFIRM TO HAMILTON FENCE BY-LAW NO 10-142.
- A MINIMUM 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.
- ENBRIDGE GAS
 - ENBRIDGE GAS HAS SERVICE LINES RUNNING WITHIN THE AREA WHICH MAY OR MAY NOT BE AFFECTED BY THE DEVELOPMENT. SHOULD THE SITE PLAN IMPACT THE SERVICES IT MAY BE NECESSARY TO RELOCATE THE LINES, ANY SERVICE RELOCATION WOULD BE AT THE COST OF THE PROPERTY OWNER.

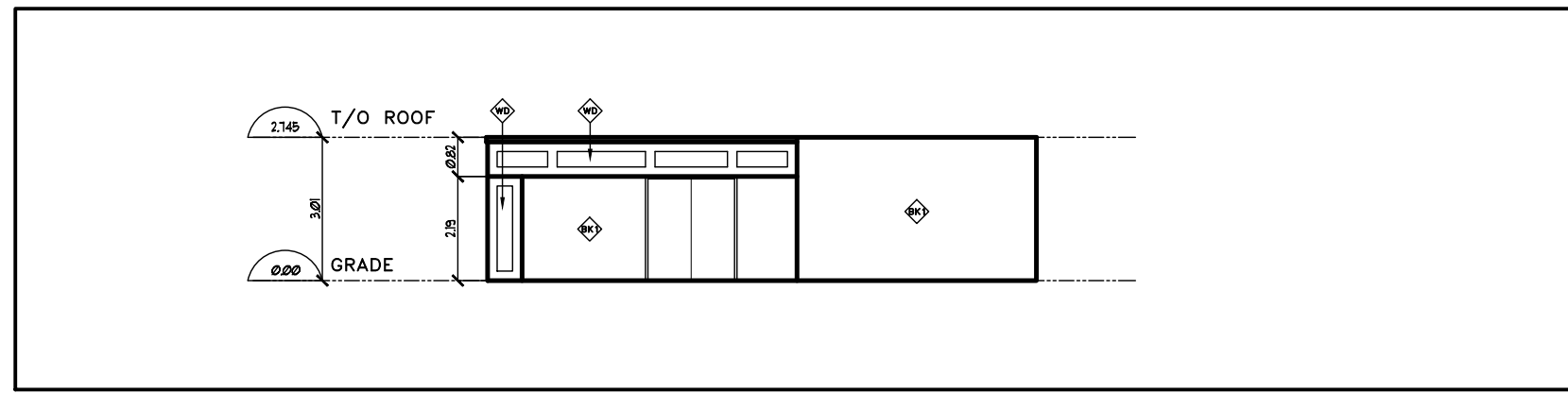
ALL DIMENSIONS ARE IN METERS UNLESS OTHERWISE NOTED.

UNDERTAKING FILE No. _____

- I, (WE) _____ THE OWNER(S) OF THE LAND, HEREBY UNDERTAKE AND AGREE WITHOUT RESERVATION,
- TO COMPLY WITH ALL THE CONTENT OF THIS PLAN AND DRAWING AND NOT TO VARY THEREFROM;
 - TO PERFORM THE FACILITIES, WORKS OR MATTERS MENTIONED IN SECTION 41(7)(A) OF THE PLANNING ACT SHOWN ON THIS PLAN AND DRAWING ON OR BEFORE _____;
 - 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,
 - THAT THE OWNER AGREES TO AFFIX ADDRESS PLAQUES TO EACH OF THE BUILDING ENTRANCES PROVIDING ACCESS TO RESIDENTIAL UNITS, INDICATING THE ASSIGNED UNIT NUMBERS ACCESSED VIA THE BUILDING THE BUILDING ENTRANCE, FOR THE 12-UNIT STACKED TOWNHOUSE DWELLING.
 - THE OWNER ACKNOWLEDGES AND AGREES TO CONVEY ANY EASEMENT(S) AS DEEMED NECESSARY BY BELL CANADA TO SERVICE THIS NEW DEVELOPMENT. THE OWNER FURTHER AGREES AND ACKNOWLEDGES TO CONVEY SUCH EASEMENTS AT NO COST TO BELL CANADA.
 - THE OWNER AGREES THAT SHOULD ANY CONFLICT ARISE WITH EXISTING BELL CANADA FACILITIES WHERE A CURRENT AND VALID EASEMENT EXISTS WITHIN THE SUBJECT AREA, THE OWNER SHALL BE RESPONSIBLE FOR THE RELOCATION OF ANY SUCH FACILITIES OR EASEMENTS AT THEIR OWN COST.
 - THAT THE OWNER AGREES TO INCLUDE IN ALL OFFERS OF PURCHASE AND SALE, A STATEMENT THAT ADVISES THE PURCHASER:
 - THAT THE HOME/BUSINESS MAIL DELIVERY WILL BE FROM A DESIGNATED CENTRALIZED MAILBOX.
 - THAT THE DEVELOPERS/OWNERS WILL BE RESPONSIBLE FOR OFFICIALLY NOTIFYING THE PURCHASERS OF THE EXACT CENTRALIZED MAIL BOX LOCATIONS PRIOR TO THE CLOSING OF ANY HOME SALES.
 - THAT THE OWNER AGREES TO ESTABLISH A CENTRALIZED MAIL FACILITY (LOOK BOX ASSEMBLY) AT THEIR OWN EXPENSE.
 - THE OWNER IS RESPONSIBLE FOR ALL WASTE REMOVAL UP UNTIL THE TIME THAT AN AGREEMENT FOR ON-SITE COLLECTION OF SOLID WASTE" IS FINALIZED, AND MUNICIPAL COLLECTION SERVICES ARE INITIATED.
 - FOR MUNICIPAL WASTE COLLECTION, THE OWNER MUST PROVIDE A SIGNED LETTER FROM A PROFESSIONAL ENGINEER CERTIFYING THAT THE ROAD BASE ALONG THE ACCESS ROUTE CAN SUPPORT AT LEAST 35,000 KILOGRAMS.
 - PRIOR TO THE START OF MUNICIPAL WASTE COLLECTION SERVICE, THE DEVELOPMENT MUST BE FREE OF CONSTRUCTION DEBRIS AND CONSTRUCTION RELATED ACTIVITIES.
 - IF THE DEVELOPMENT IS NOT DESIGNED ACCORDING TO MUNICIPAL WASTE COLLECTION SPECIFICATIONS, THE OWNER SHALL:
 - ARRANGE A PRIVATE WASTE HAULER FOR THE REMOVAL OF ALL WASTE MATERIALS.
 - AS PART OF THE PURCHASE AND SALE AGREEMENT, THE OWNER MUST DISCLOSE IN WRITING THAT THE PROPERTY IS NOT SERVICEABLE FOR MUNICIPAL WASTE COLLECTION.
 - THAT THE OWNER AGREES TO PHYSICALLY AFFIX THE MUNICIPAL NUMBER OR FULL ADDRESS TO THE BUILDING OR ON A SIGN IN ACCORDANCE WITH THE CITY'S SIGN BY-LAW, IN A MANNER THAT IS VISIBLE FROM THE STREET.
 - THIS DWELLING UNIT SHALL BE FITTED WITH A FORCED AIR HEATING SYSTEM AND THE DUCTING, ETC. SHALL BE SIZED TO ACCOMMODATE CENTRAL AIR CONDITIONING. INSTALLATION OF CENTRAL AIR CONDITIONING BY THE OWNER WILL ALLOW WINDOWS AND EXTERIOR DOORS TO REMAIN CLOSED, THEREBY ENSURING THAT THE INDOOR SOUND LEVELS ARE WITHIN THE WECP'S NOISE CRITERIA.
 - WARNING: CANADIAN PACIFIC RAILWAY COMPANY AND/OR METROLINK, GO TRANSIT AND UP EXPRESS, OR ITS ASSIGNS, OR SUCCESSORS IN INTEREST HAVE A RIGHTS-OF-WAY WITHIN 300m FROM THE LAND SUBJECT HEREOF. THERE MAY BE ALTERATIONS TO, OR EXPANSIONS OF, THE RAILWAY FACILITIES ON SUCH RIGHTS-OF-WAY IN THE FUTURE, INCLUDING THE POSSIBILITY THAT GO TRANSIT AND CP RAIL OR ANY RAILWAY ENTERING INTO AN AGREEMENT WITH GO TRANSIT TO SURE THE RIGHT-OF-WAY OR THEIR ASSIGNS OR SUCCESSORS AS AFORESAID MAY EXPAND ITS OPERATIONS, WHICH EXPANSION MAY AFFECT THE LIVING ENVIRONMENT OF THE RESIDENTS IN THE VICINITY, NOTWITHSTANDING THE INCLUSION OF ANY NOISE AND VIBRATION ATTENUATION MEASURES IN THE DESIGN OF THE DEVELOPMENT AND INDIVIDUAL DWELLINGS. CPR & METROLINK WILL NOT BE RESPONSIBLE FOR ANY COMPLAINTS OR CLAIMS ARISING FROM USE OF SUCH FACILITIES AND/OR OPERATIONS ON, OVER OR UNDER THE AFORESAID RIGHTS-OF WAY.
 - PRIOR TO ISSUANCE OF A BUILDING PERMIT(S), THE APPLICANT SHALL RETAIN THE SERVICES OF A QUALIFIED ACOUSTICAL CONSULTANT TO CERTIFY THAT THE REQUIRED NOISE CONTROL MEASURES HAVE BEEN INCORPORATED INTO THE BUILDING PLANS.
 - PRIOR TO ISSUANCE OF OCCUPANCY PERMIT(S), IT IS RECOMMENDED THE QUALIFIED ACOUSTICAL CONSULTANT CERTIFY THAT THE APPROVED NOISE CONTROL MEASURES HAVE BEEN PROFESSIONALLY INSTALLED.

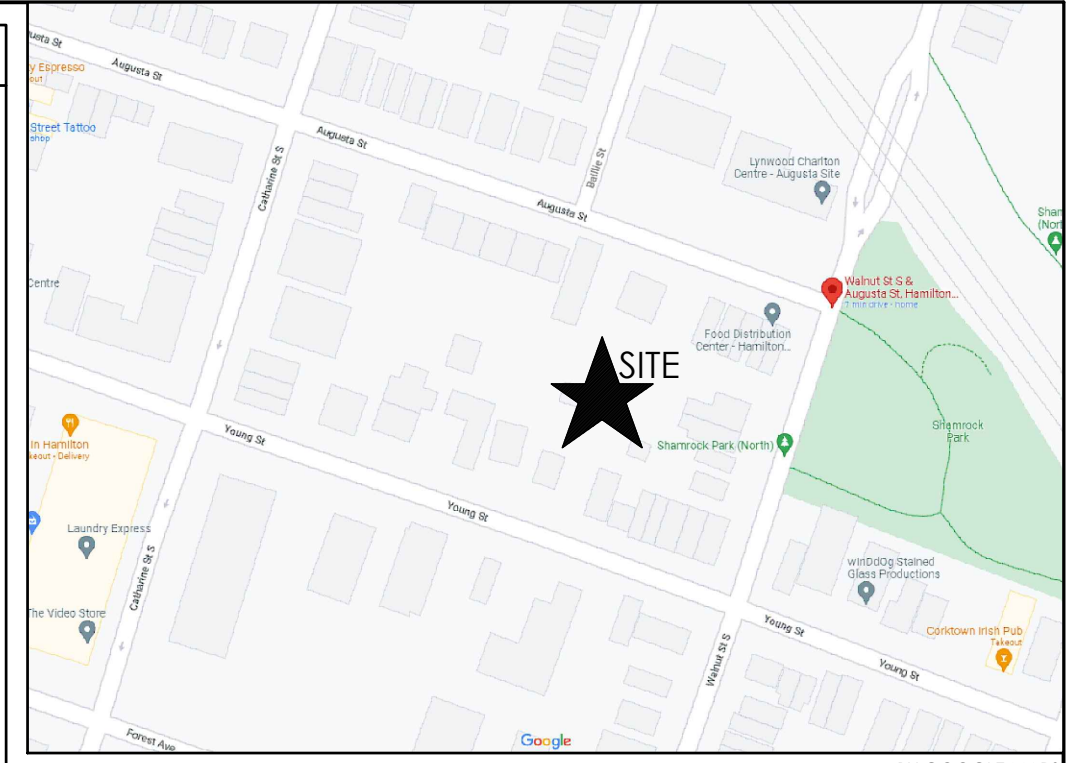
DATED THIS _____ DAY OF _____ 21
 WITNESS (SIGNATURE) _____ OWNER(S) (SIGNATURE) _____ (SEAL)
 WITNESS (PRINT) _____ OWNER (PRINT) _____
 ADDRESS OF WITNESS _____

LOT AREA: 2216.4m²



2 SOUTH ELEVATION - OUTDOOR GARBAGE ENCLOSURE & EXIT STAIR
A1.0 SCALE 1:150

1 SITE PLAN
A1.0 SCALE 1:200



KEY PLAN
N.T.S.
BY GOOGLE MAPS

SITE STATISTICS:
 EXISTING ZONING High Density Multiple Dwellings "E-3/5-1767" District, Modified & Urban Protected Residential - One and Two Family Dwellings, Etc. "D/S-1767" District

4 - Storey Multiple Dwelling Stats

ITEM	REQUIRED	PROVIDED
Max. Building Height	13.5m	12.90m
Max. No. of Units	N/A	27
Min. Lot Frontage	N/A	35.5m
Min. Front Yard	0.0m	0.0m
Min. Interior Side Yard	2.0m	2.0m
Max. Projection located from a street lot line.	0.0m	0.0m
Loading Space	0	0
Min. Separation Distance for a Parking Area from a Residential District (directly west)	0.7m	0.7m
Min. Separation Distance for a Parking Area from a Residential District (directly east)	0.4m	0.4m
Min. Separation Distance for an access driveway from a residential district	0.0m	0.0m

3 - Storey Multiple Dwelling Stats

ITEM	REQUIRED	PROVIDED
Max. Building Height	12.3m	9.4m
Max. No. of Units	12	12
Min. Lot Frontage	N/A	21.5m
Setback from Young Street	1.9m	1.9m
Min. Interior Side Yard	2.0m	2.0m
A projection of stairs into a required setback to Young Street	1.3m	1.2m
Min. Interior Side Yard, easterly	1.7m	1.7m
Min. Interior Side Yard, westerly	3.0m	3.3m
Loading Space	0	0

Entire Site Statistics

ITEM	REQUIRED	PROVIDED
Min. Dist. Between Buildings	40.0m	40.0m
Min. Landscaped Area	30%	31%
Total Parking Ratio	1.08m	
(incl. Visitor Parking Ratio)	0.16	
Total Required Parking	42	42

ALECTRA UTILITIES

- RELOCATION, MODIFICATION, OR REMOVAL OF ANY EXISTING HYDRO FACILITIES SHALL BE AT THE OWNERS EXPENSE.
- DO NOT EXCAVATE WITHIN 2m OF HYDRO POLE ANCHORS.
- EXCAVATION WITHIN 1m OF UNDERGROUND HYDRO PLANT IS NOT PERMITTED UNLESS APPROVAL IS GRANTED BY A HORIZON UTILITIES REPRESENTATIVE AND IS PRESENT TO PROVIDE DIRECT SUPERVISION. COST ASSOCIATED WITH THIS TASK SHALL BE AT THE OWNER'S EXPENSE.
- ALECTRA UTILITIES MUST BE CONTACTED IF REMOVAL, ISOLATION OR RELOCATION OF EXISTING PLAN IS REQUIRED, ALL COST ASSOCIATED WITH THIS WORK WILL BE AT THE OWNERS EXPENSE.

LINTACK ARCHITECTS
 INCORPORATED
 244 JAMES STREET SOUTH, HAMILTON, ONTARIO, L8P 3B3
 T: 905.522.6165 • F: 905.522.2209 • E: info@lntack.com
 www.lntack.com



FOR SITE PLAN APPROVAL
 N.T.S.

No.	Revisions	Date
5	REVISED FOR SPA	MAR 10, 2023
4	REVISED FOR SPA	DEC 01, 2022
3	REVISED FOR SPA	SEP 23, 2022
2	REVISED FOR SPA	MAR 09, 2022
1	ISSUED FOR SPA	DEC 03, 2021

DA-22-034

PROPOSED:
AUGUSTA AND YOUNG
 AUGUSTA STREET & YOUNG STREET
 HAMILTON, ON

job no. 16.090

dwg. file

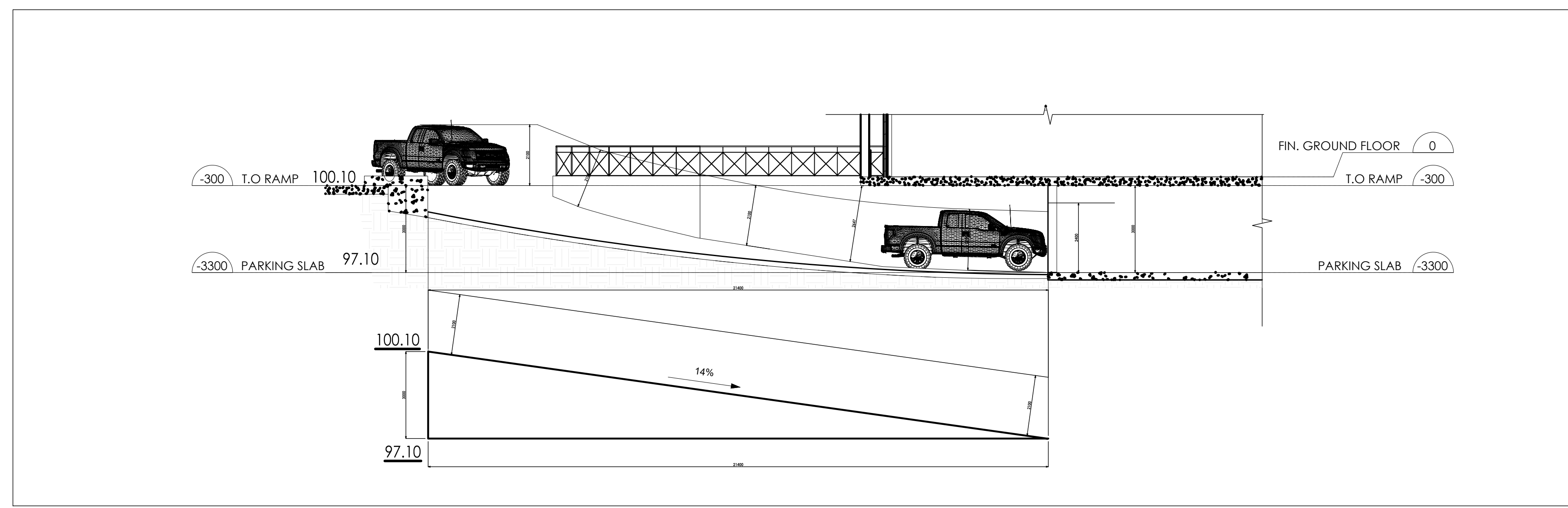
dwn. by JR

scale AS NOTED

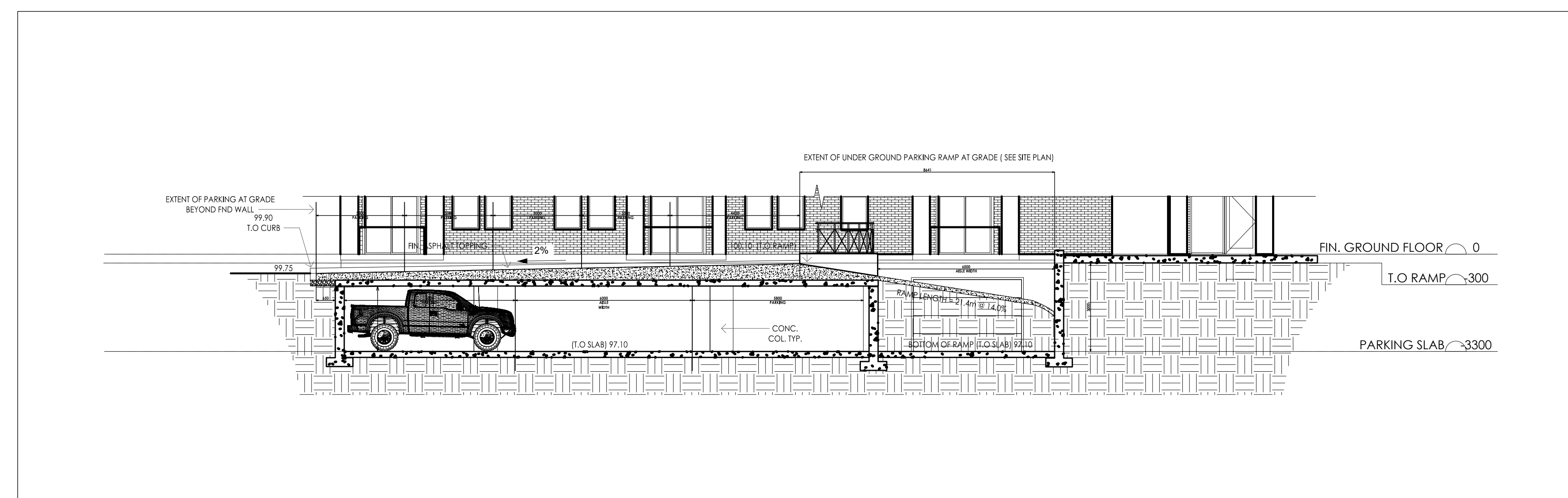
date OCT 2021

dwg. title
SITE PLAN

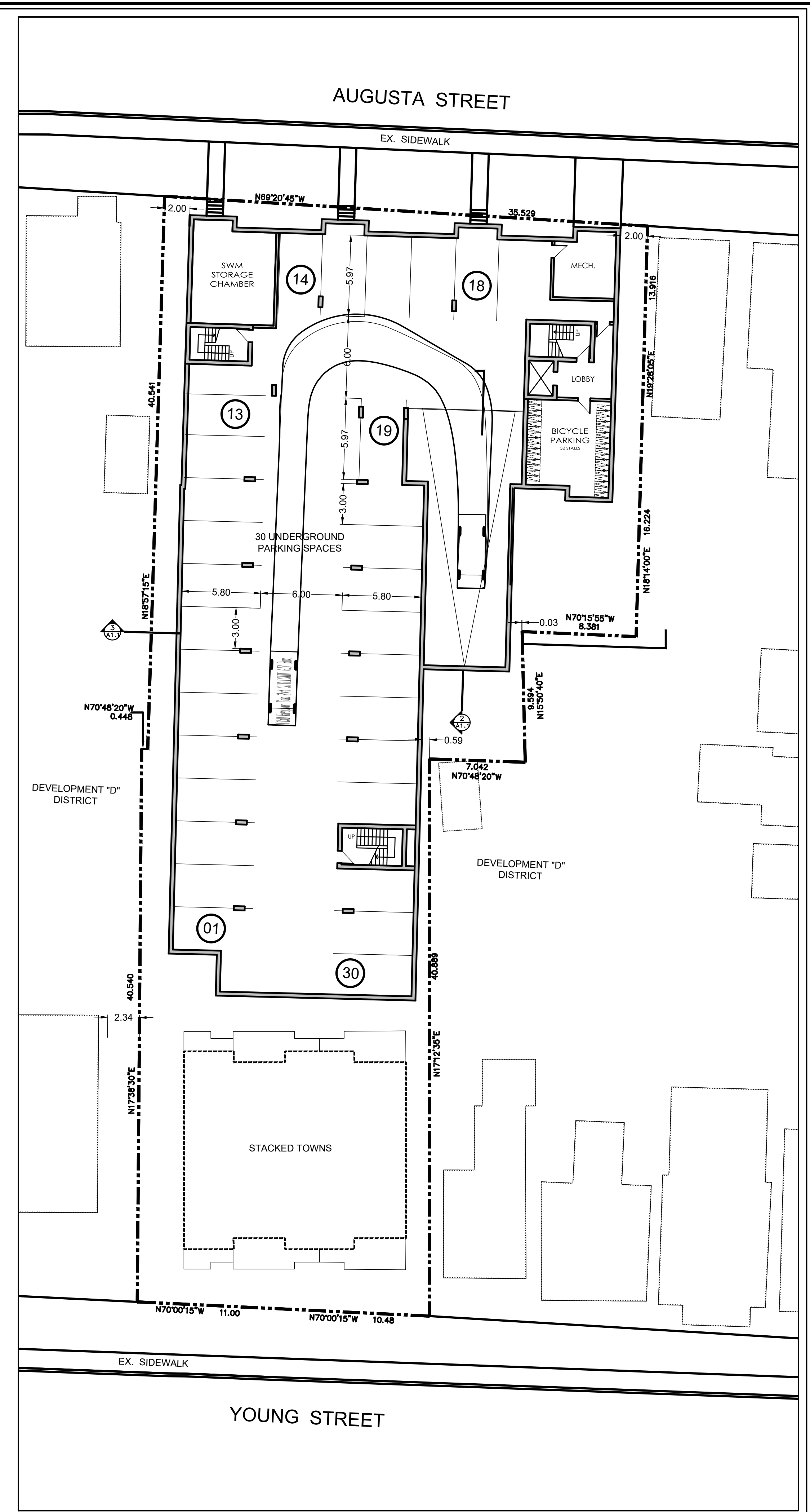
dwg. A1.0



2 UNDERGROUND PARKING & RAMP SECTION 1
A1.1 SCALE: NTS



3 UNDERGROUND PARKING & RAMP SECTION 2
A1.1 SCALE: NTS



1 UNDERGROUND PARKING PLAN
A1.1 SCALE: 1:200

LINTACK ARCHITECTS
INCORPORATED
244 JAMES STREET SOUTH, HAMILTON, ONTARIO, L8P 3B3
T: 905.522.6165 • F: 905.522.2029 • E: info@lntack.com
www.lntack.com

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, cutlines and levels prior to commencement of the work.
All errors and omissions are to be reported immediately to the Architect.

No.	Revisions	Date
5	REVISED FOR SPA	MAR 10, 2023
4	REVISED FOR SPA	DEC 01, 2022
3	REVISED FOR SPA	SEP 23, 2022
2	REVISED FOR SPA	MAR 09, 2022
1	ISSUED FOR SPA	DEC 03, 2021
No.	Issue	Date

DA-22-034

PROPOSED:
AUGUSTA AND YOUNG
AUGUSTA STREET & YOUNG STREET
HAMILTON, ON

job no. 16.090

dwg. file

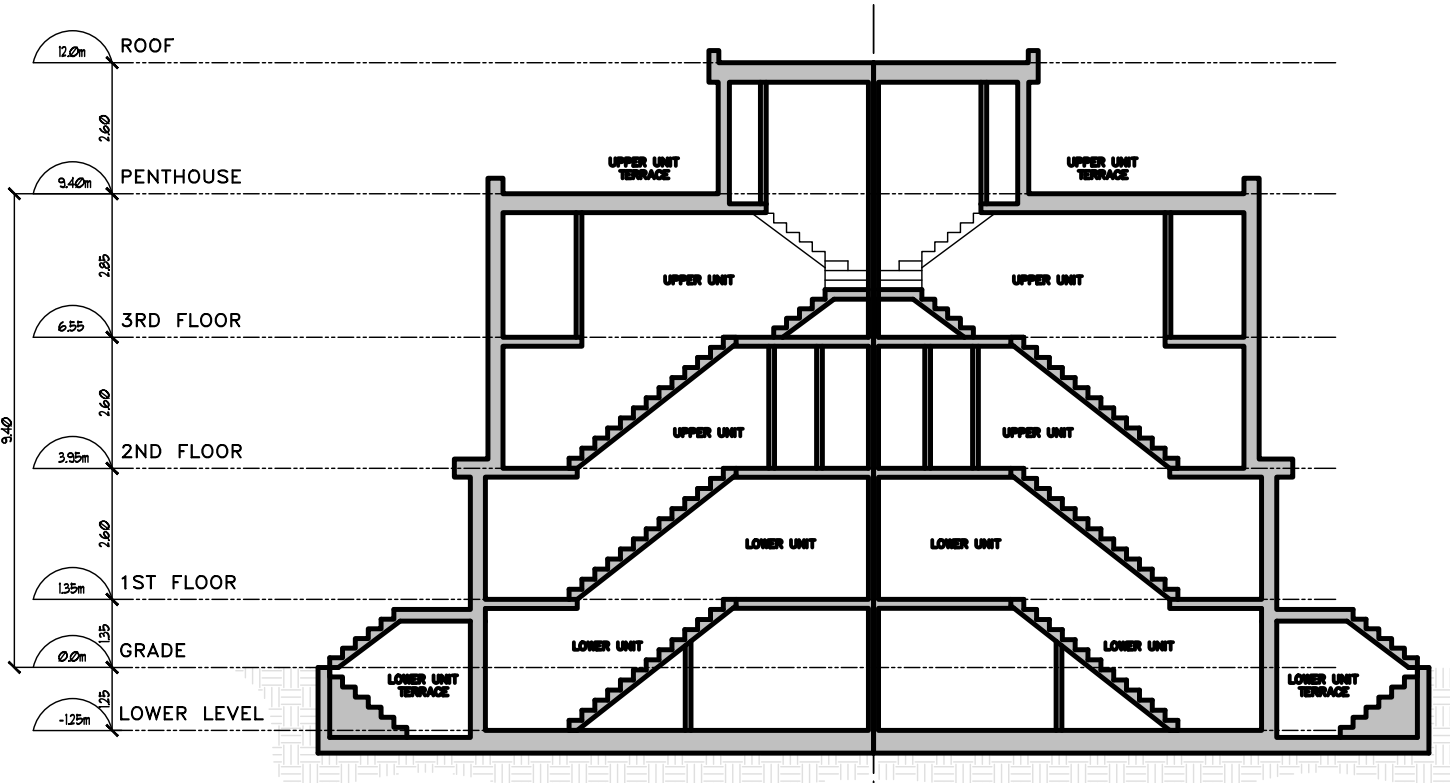
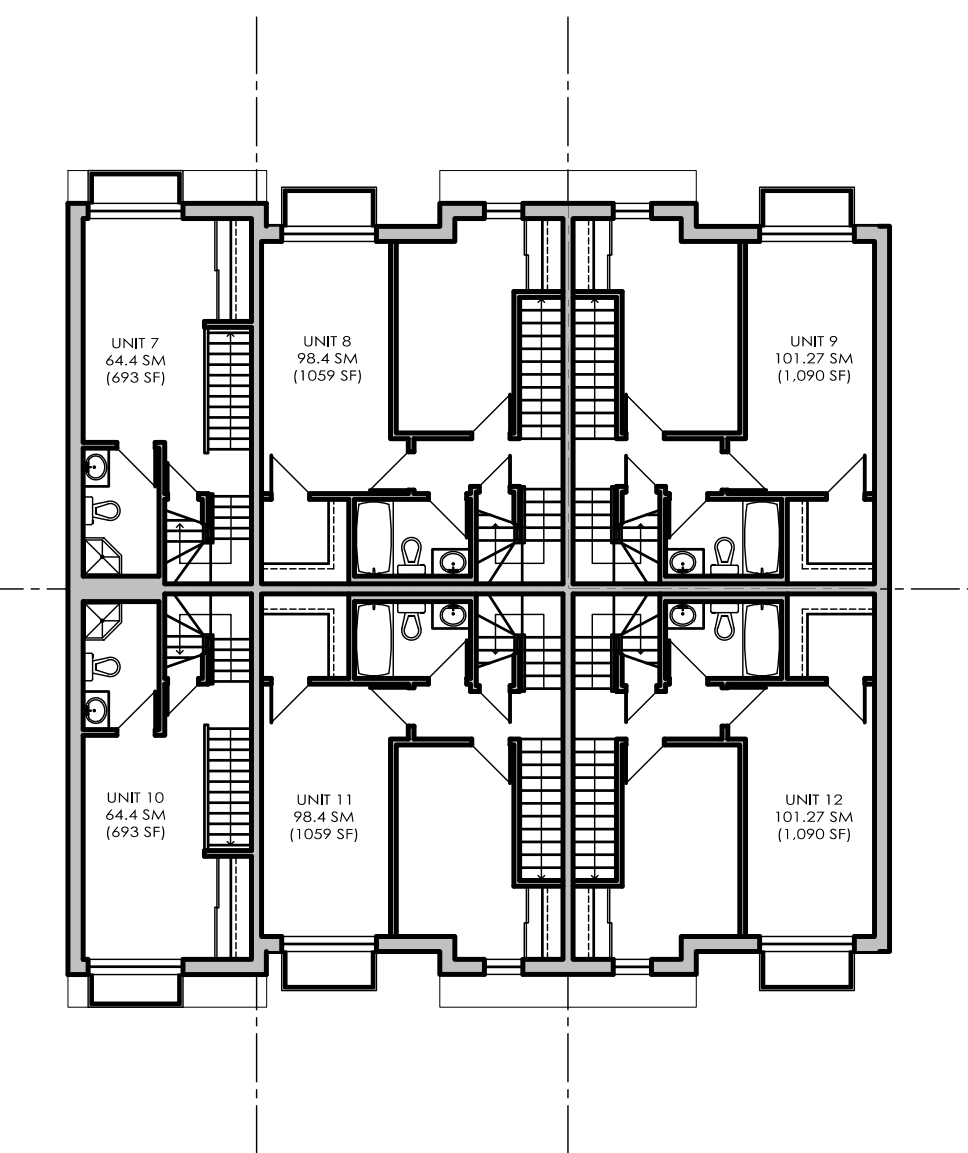
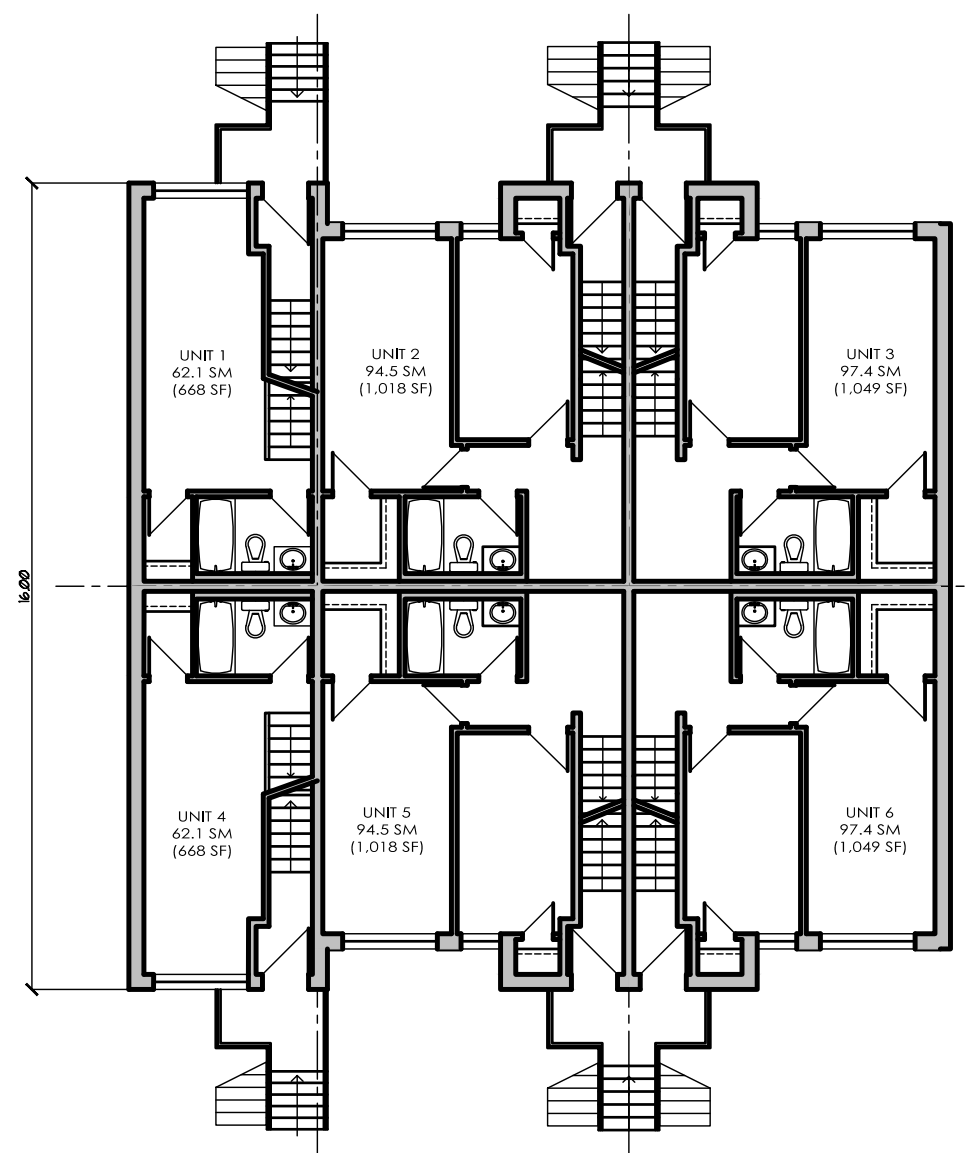
dwn. by JR

scale AS NOTED

date OCT 2021

dwg. title
UNDERGROUND PARKING PLAN

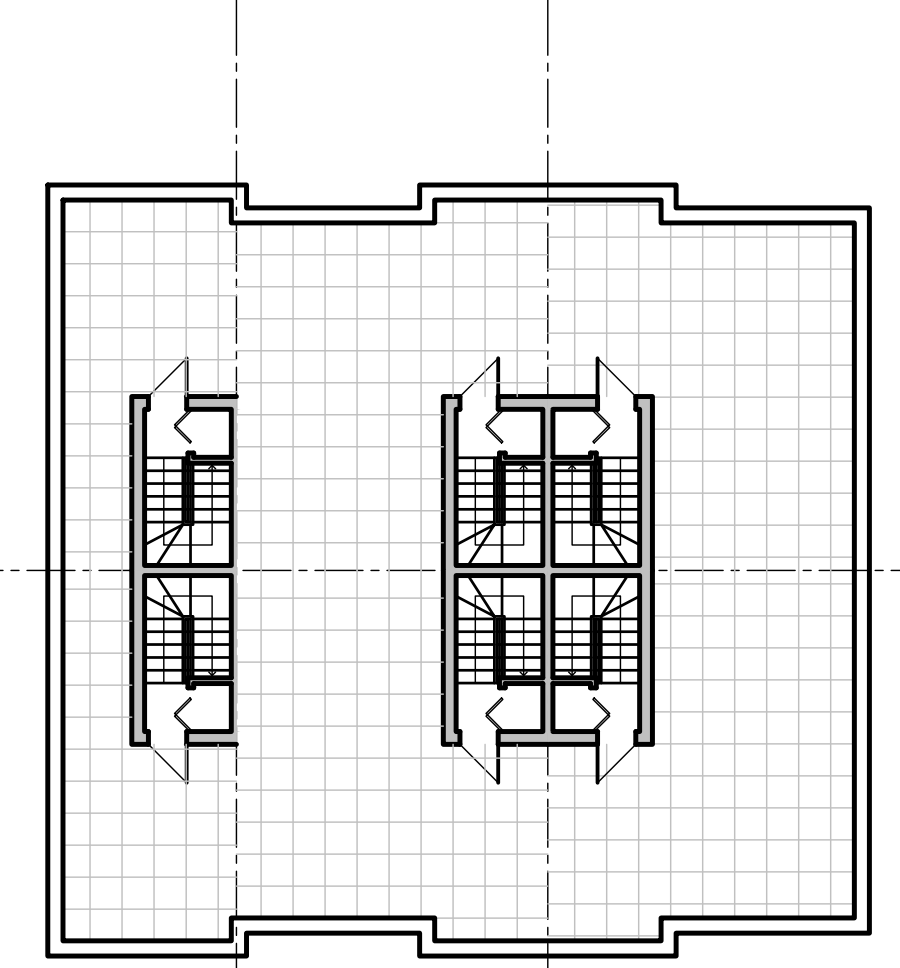
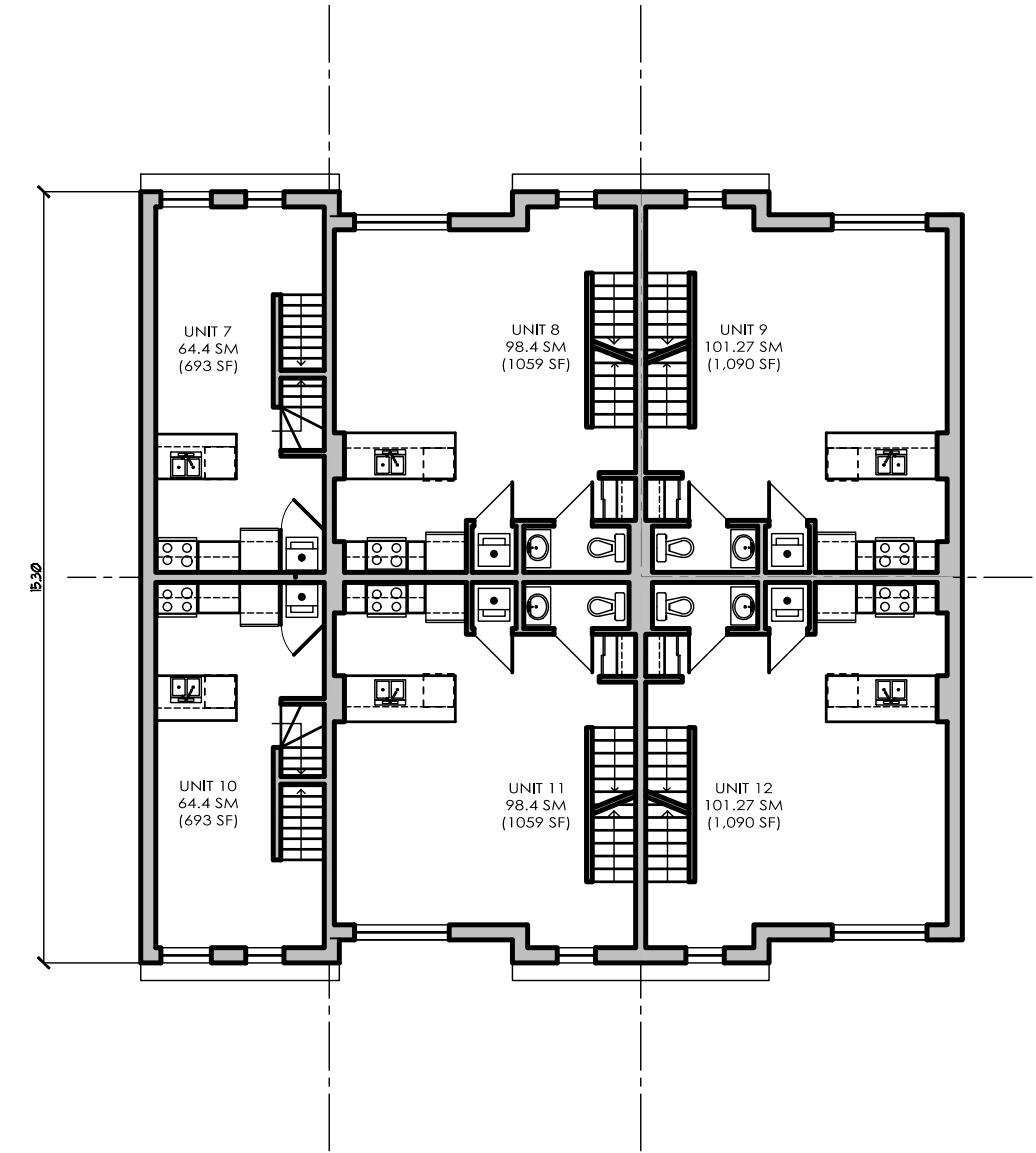
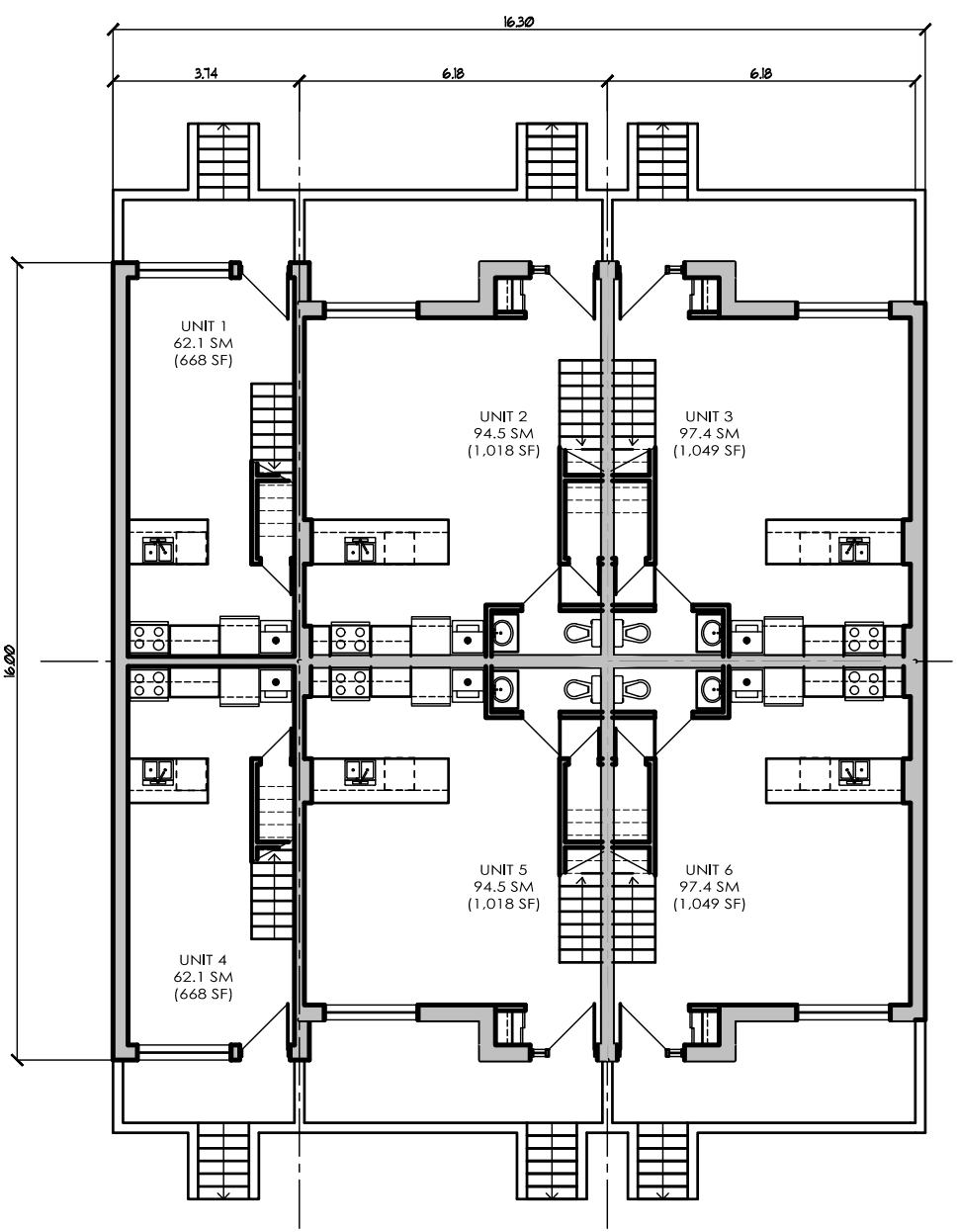
dwg. A1.1



2 LEVEL 1 PLAN - YOUNG STREET
A2.1 SCALE 1:150

4 LEVEL 3 PLAN - YOUNG STREET
A2.1 SCALE 1:150

6 BUILDING SECTION
A2.1 SCALE 1:150

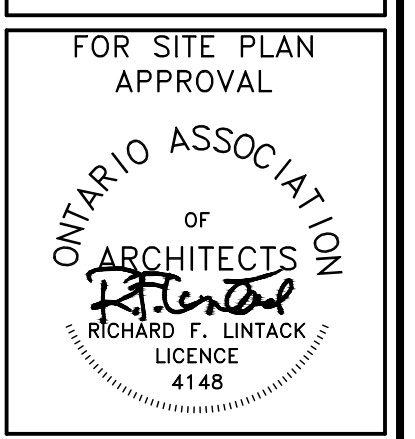


1 LOWER LEVEL PLAN - YOUNG STREET
A2.1 SCALE 1:150

3 LEVEL 2 PLAN - YOUNG STREET
A2.1 SCALE 1:150

5 PENTHOUSE LEVEL PLAN - YOUNG STREET
A2.1 SCALE 1:150

LINTACK ARCHITECTS
INCORPORATED
244 JAMES STREET SOUTH, HAMILTON, ONTARIO, L8P 3B3
T: 905.522.6165 • F: 905.522.2209 • E: info@lntack.com
www.lntack.com



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5	REVISED FOR SPA	MAR 10, 2023
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2	REVISED FOR SPA	MAR 09, 2022
1	ISSUED FOR SPA	DEC 03, 2021
No.	Issue	Date

DA-22-034

PROPOSED:
AUGUSTA AND YOUNG
AUGUSTA STREET & YOUNG STREET
HAMILTON, ON

job no. 16,090

dwg. file

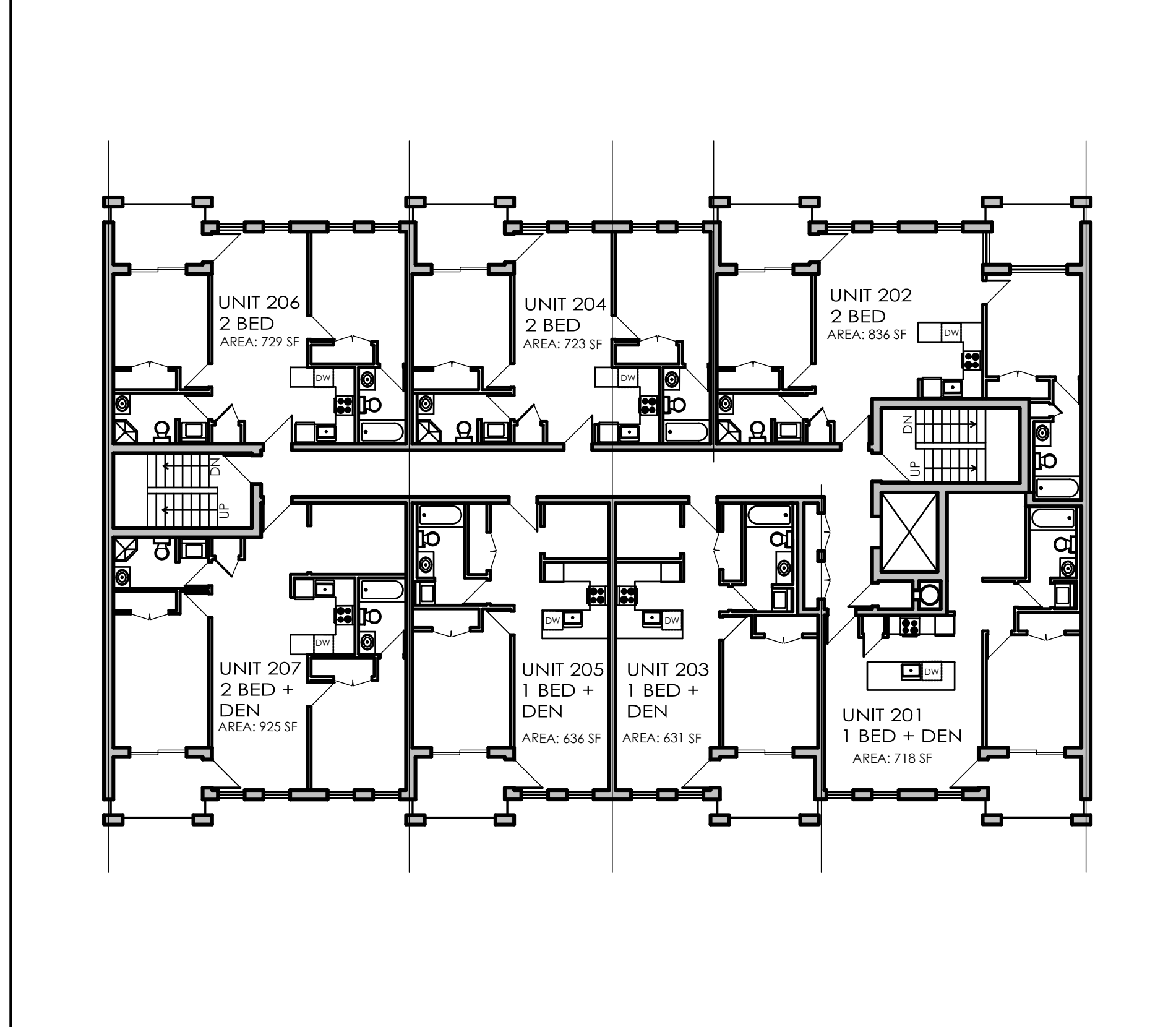
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scale AS NOTED

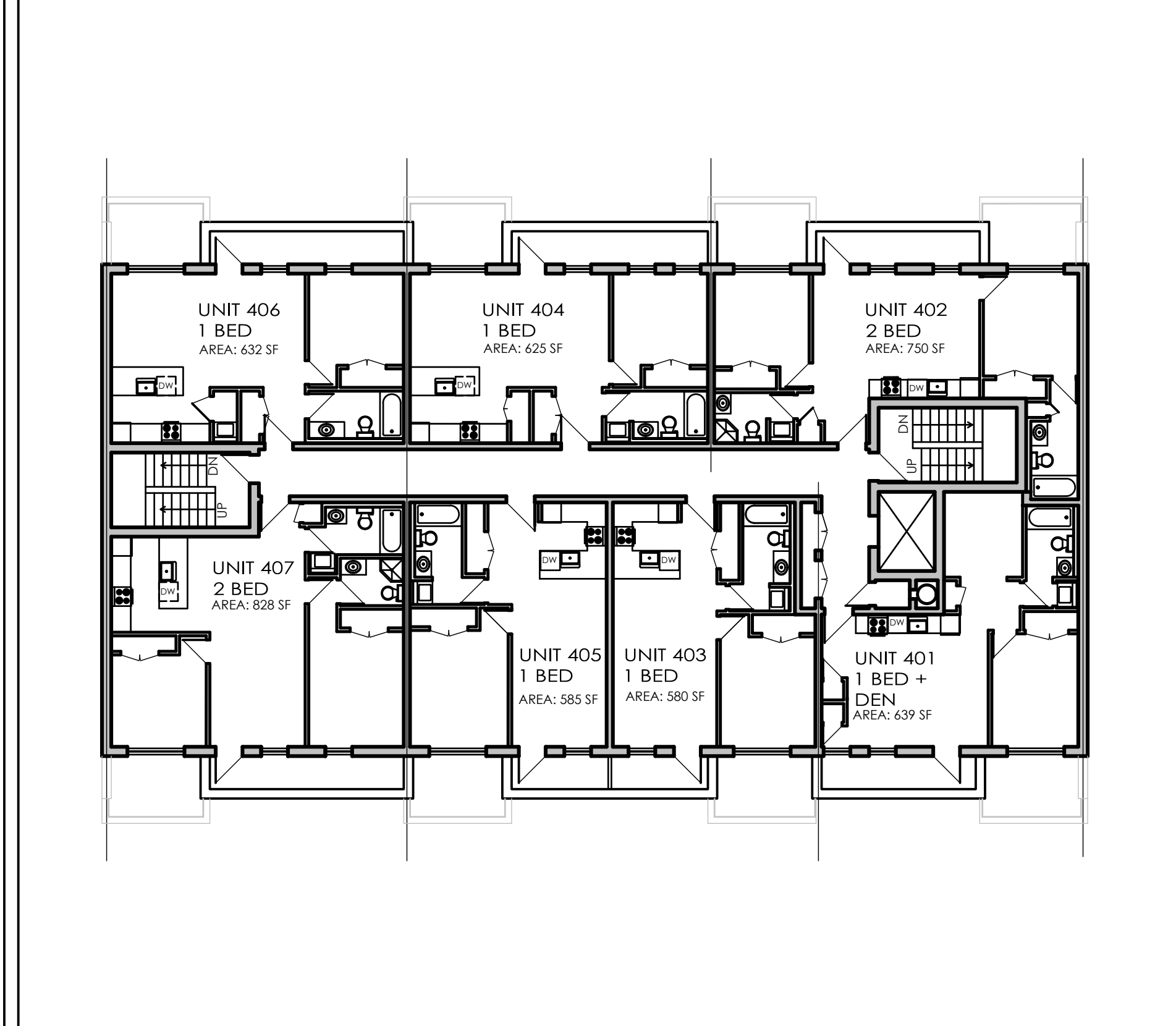
date OCT 2021

dwg. title
**FLOOR PLANS
YOUNG ST.**

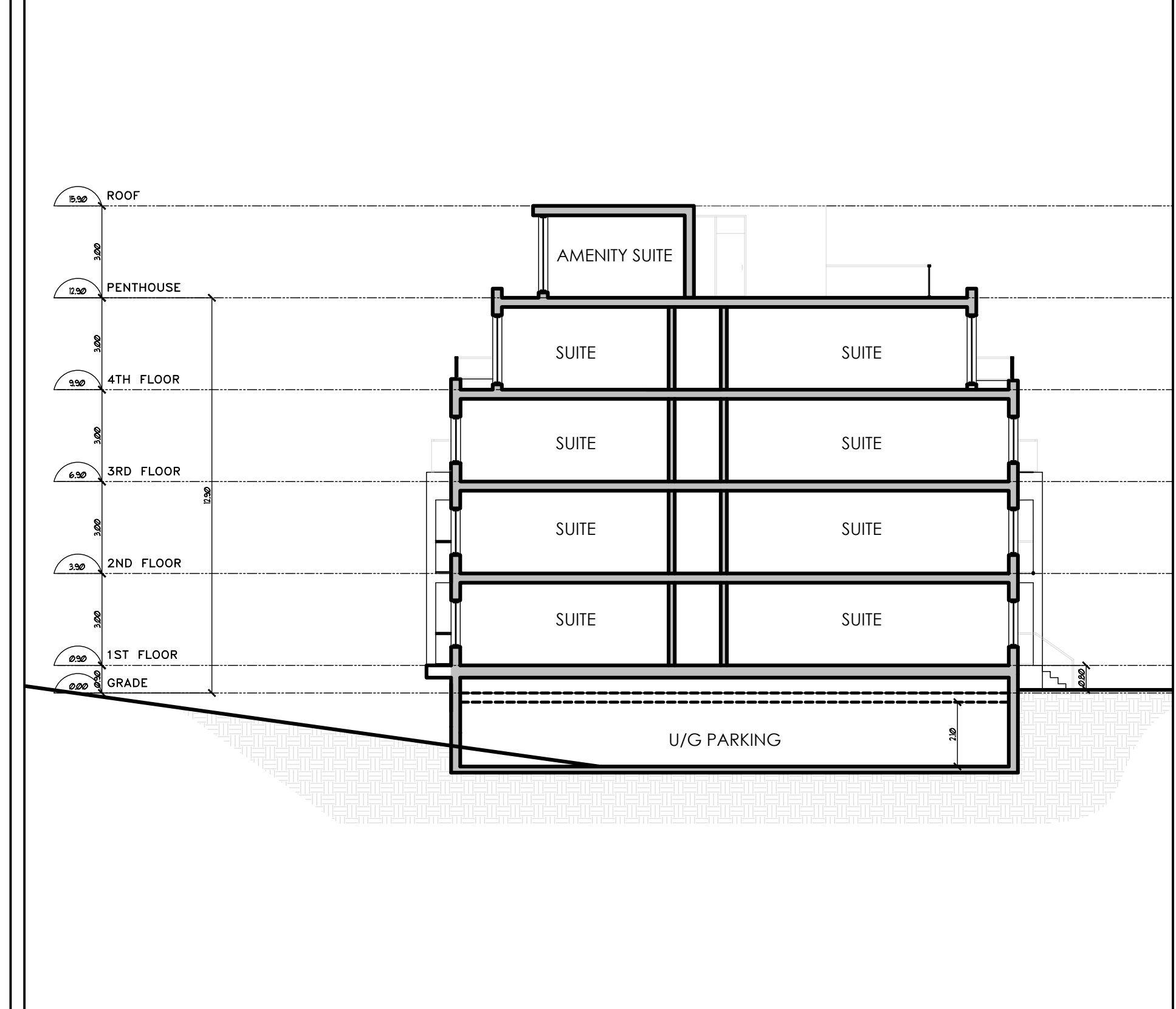
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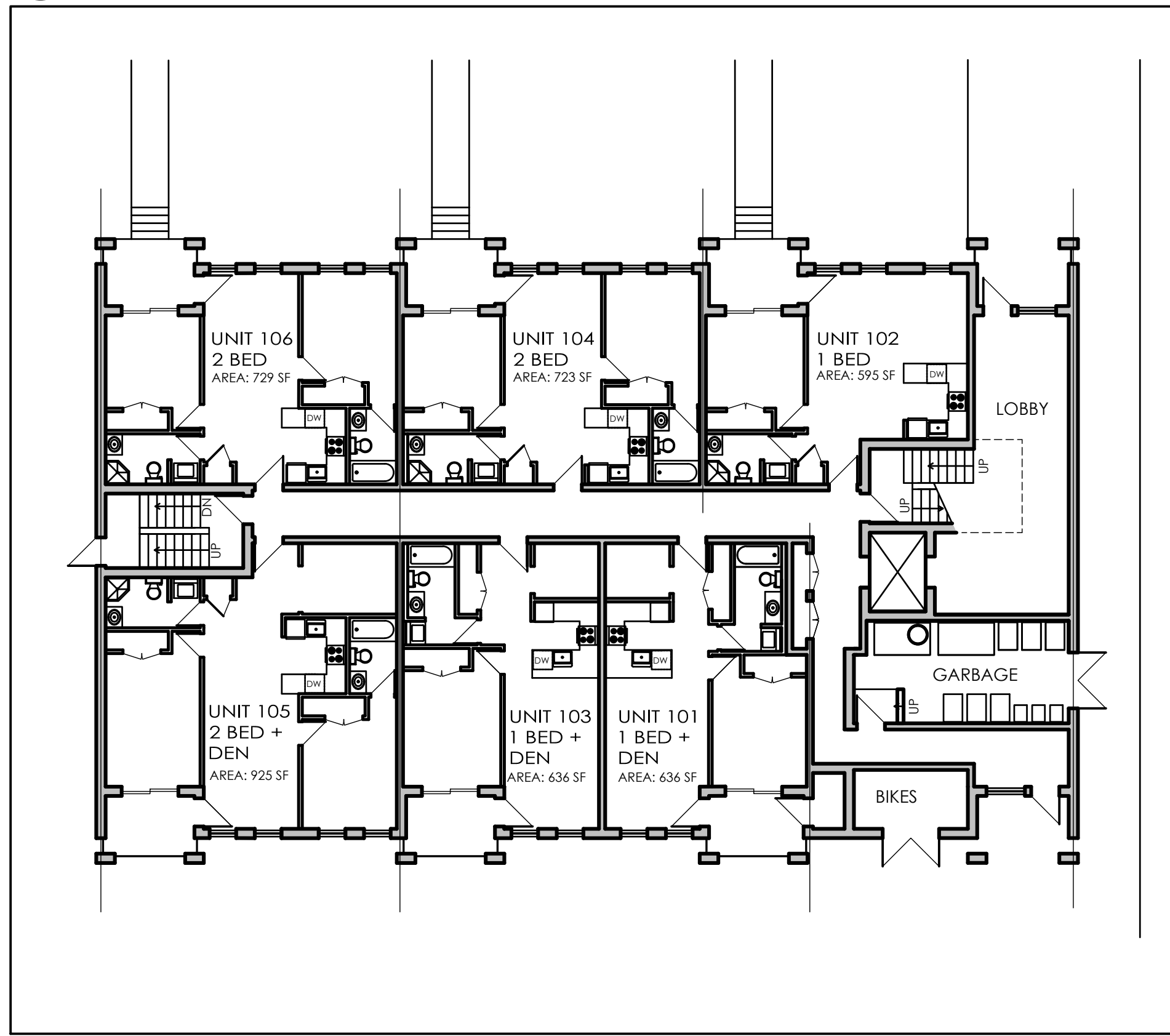
2 SECOND FLOOR PLAN - AUGUSTA STREET
SCALE 1:150



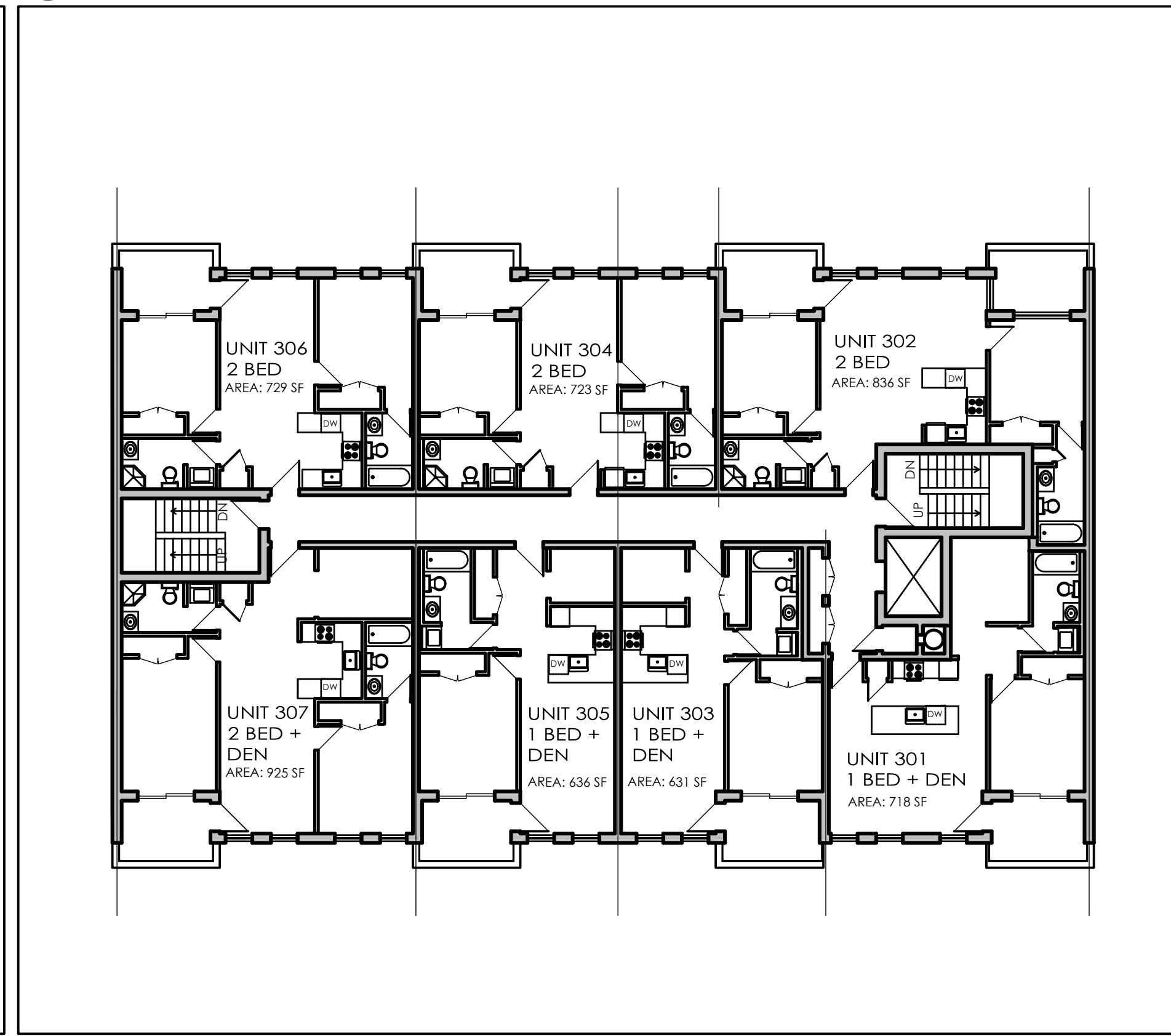
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SCALE 1:150



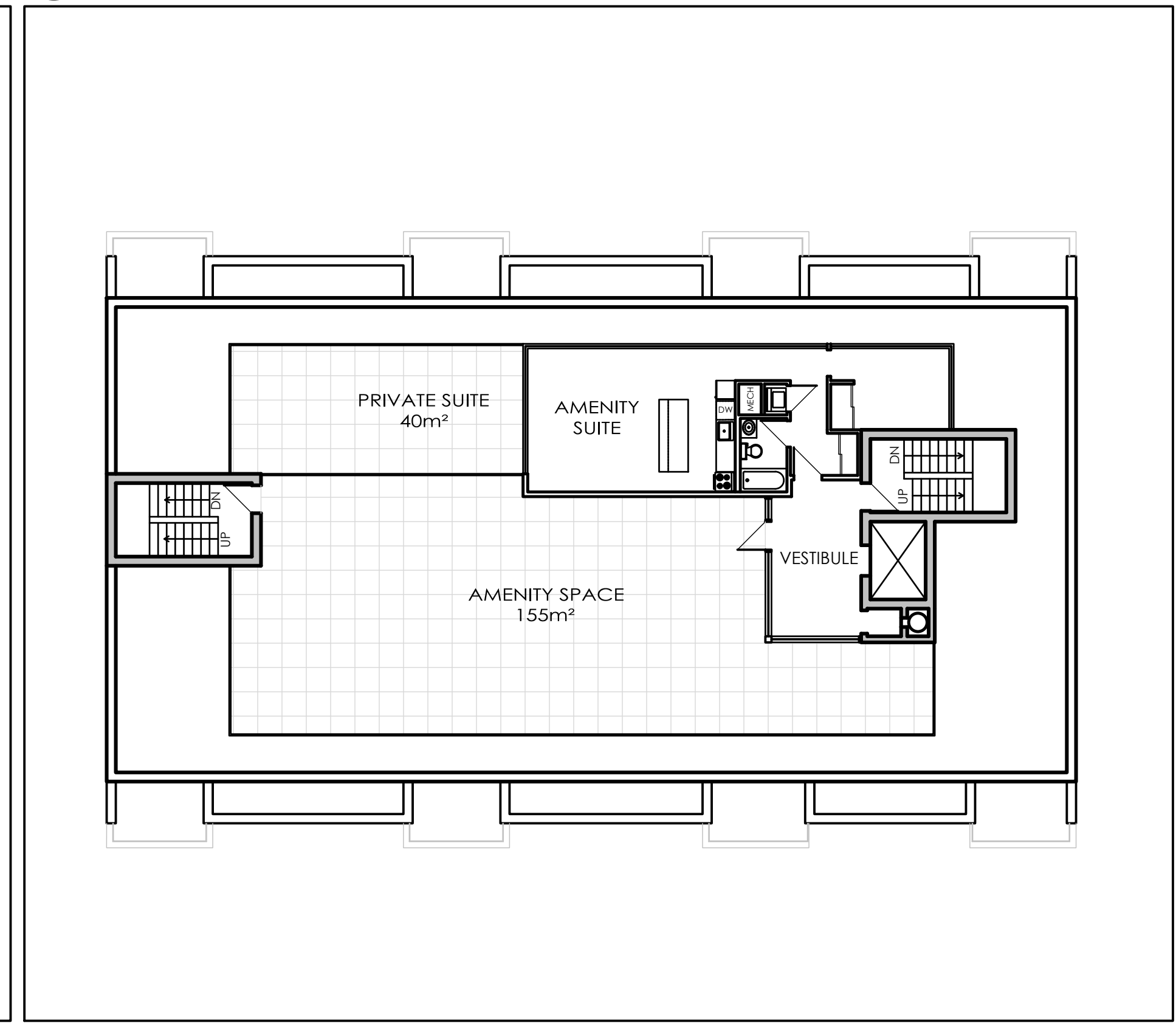
6 BUILDING SECTION - AUGUSTA STREET
SCALE 1:150



1 GROUND FLOOR PLAN - AUGUSTA STREET
SCALE 1:150



3 THIRD FLOOR PLAN - AUGUSTA STREET
SCALE 1:150



5 AMENITY ROOF PLAN - AUGUSTA STREET
SCALE 1:150

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DA-22-034

PROPOSED:
AUGUSTA AND YOUNG
AUGUSTA STREET & YOUNG STREET
HAMILTON, ON

job no. 16,090

dwg. file

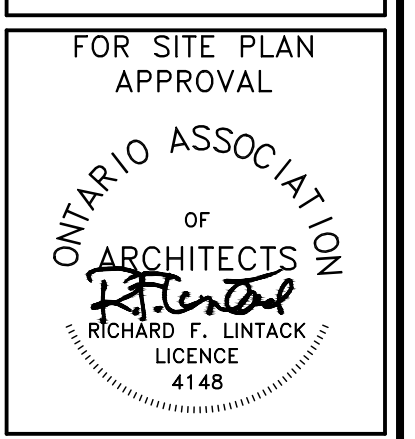
dwn. by JR

scale AS NOTED

date OCT 2021

dwg. title
FLOOR PLANS & SECTION AUGUSTA ST.

dwg. A2.2



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DA-22-034

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job no. 16.090

dwg. file

dwn. by JR

scale AS NOTED

date OCT 2021

dwg. title
**ELEVATIONS
YOUNG ST.**

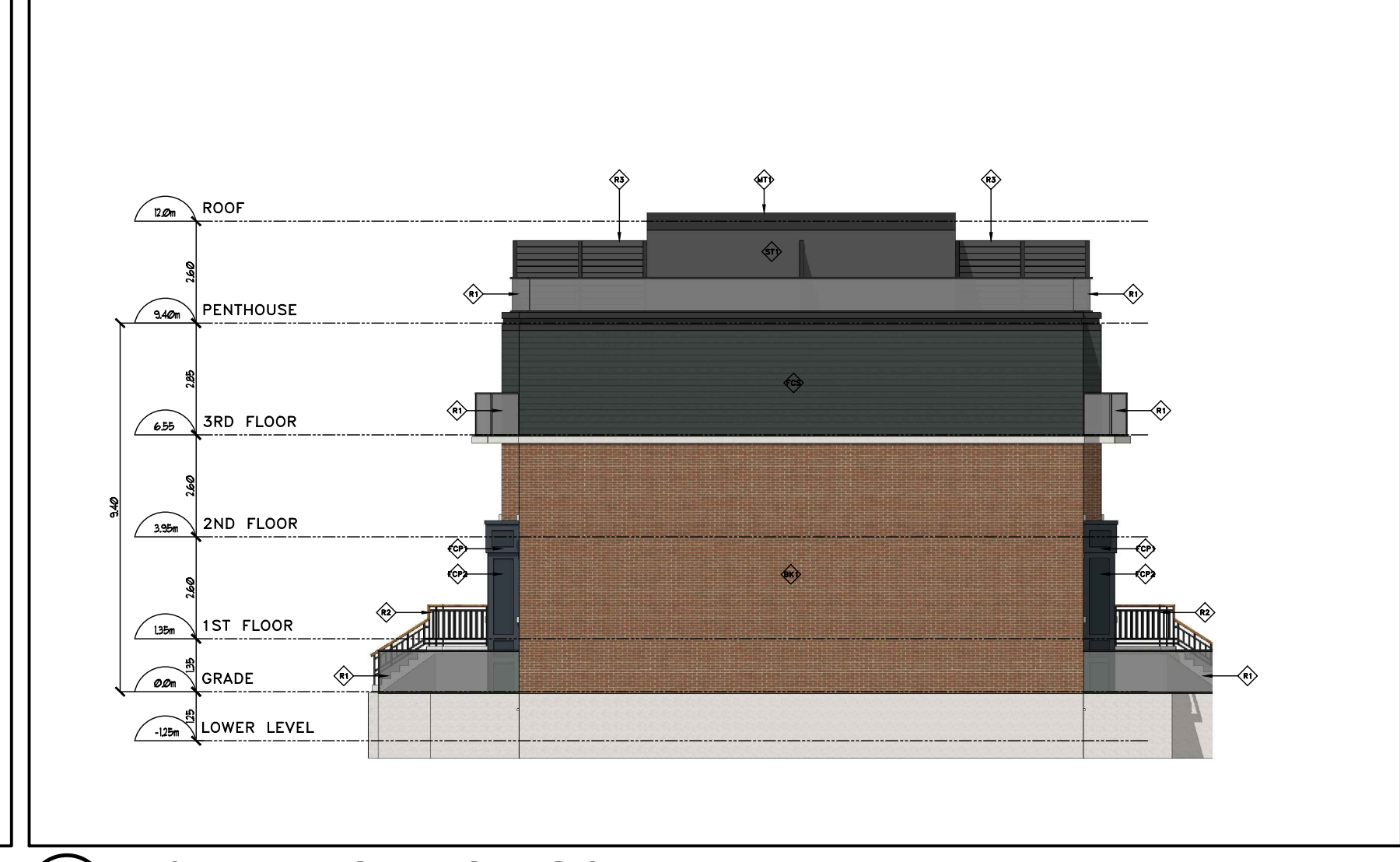
dwg. A3.1

MATERIAL LEGEND

- (BK1) CLAY BRICK MASONRY RAINSCREEN TYPE-1
EQUAL TO CANADA BRICK TRINITY
- (BK2) CLAY BRICK MASONRY RAINSCREEN TYPE-2
EQUAL TO CANADA BRICK PORTLAND
- (SV) STONE VENEER
EQUAL TO ARRSORAFT NITEG - CAMBRIDGE
RENAISSANCE
- (CF1) HARD/PANEL FIBRE CEMENT PANELS
COLOUR: BOOTHBAY BLUE
- (CF2) HARD/PANEL FIBRE CEMENT PANELS
COLOUR: EVENING BLUE
- (CS) FIBRE CEMENT SIDING
HARD/PLANK LAP SIDING SMOOTH
COLOUR: LAST EMBERS
- (ST) ACRYLIC STUCCO FINISH
EQUAL TO STO COLOUR 3100 BLACK FINE FINISH
- (MT) PRE-FINISHED METAL SOFFIT AND FASCIA
COLOUR: BLACK
- (R1) DARK TINTED TEMPERED GLASS RAILINGS
EQUAL TO GRECO GLASS RAILING SYSTEMS
SERIES GC500, COLOUR: BLACK
- (R2) PRE-FINISHED METAL RAILINGS CAJ WOOD HANDRAIL
EQUAL TO FORTRESS FA26 RAILING SYSTEMS
RAILING COLOUR: BLACK
TOP RAIL: WOOD OR COMPOSITE WOOD
- (R3) ROOFTOP TERRACE PARTITIONING
EQUAL TO FORTRESS BYVOLVER ALUMINUM FRAMED
COMPOSITE FENCING
COLOUR: BLACK SAND
- (MF) PREFINISHED METAL FLASHING
COLOUR: BLACK
- (OH) OVERHEAD ROLLER DOOR
COLOUR: MEDIUM GREY



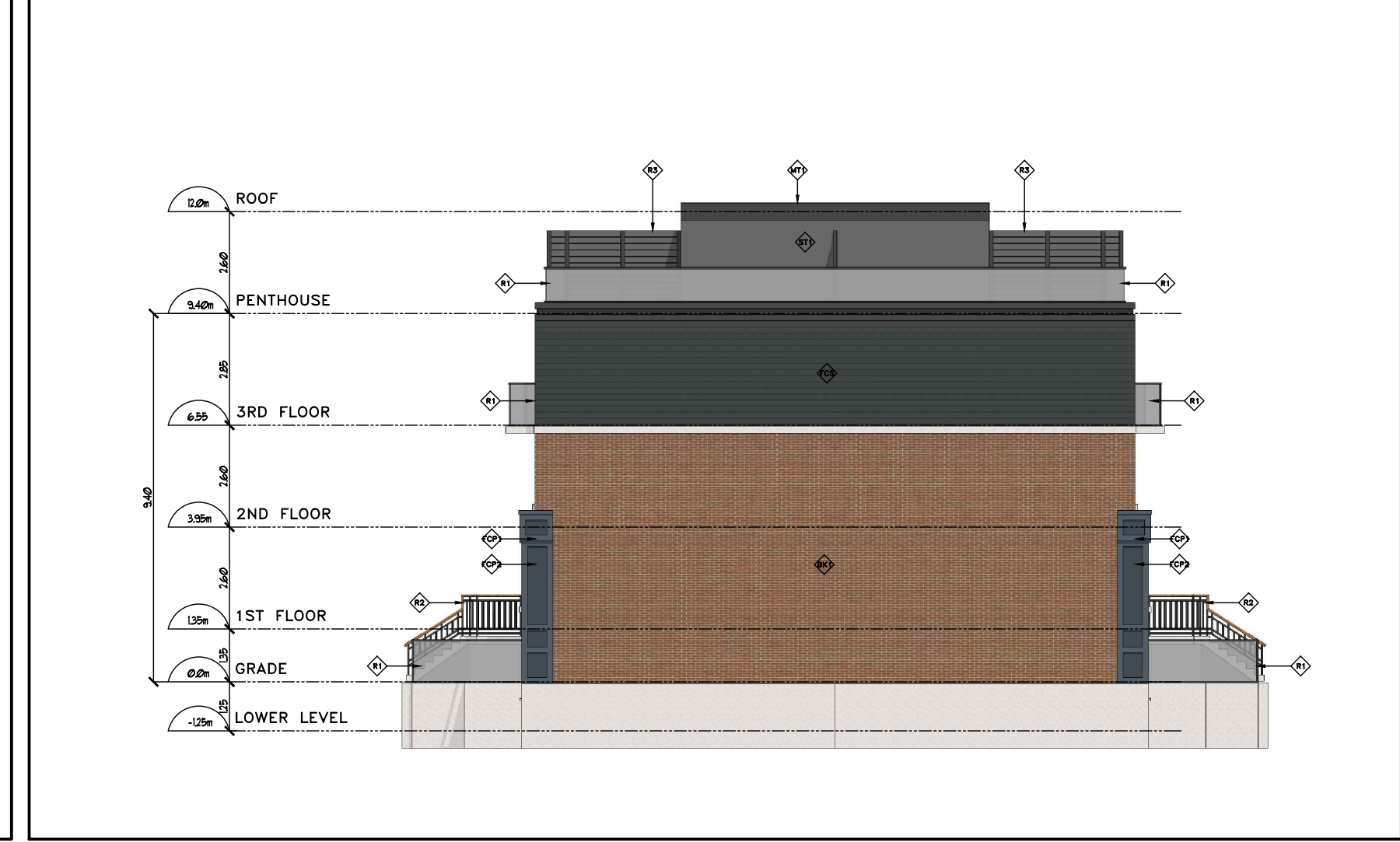
2 NORTH ELEVATION - YOUNG STREET
SCALE 1:150



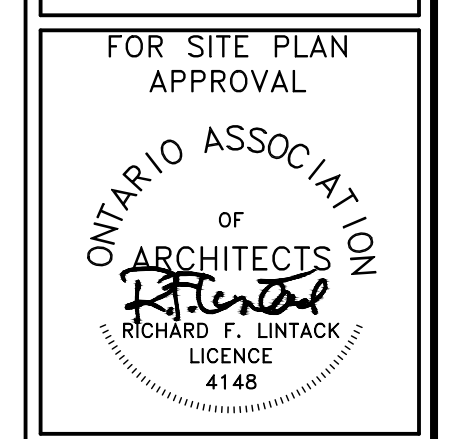
4 EAST ELEVATION - YOUNG STREET
SCALE 1:150



1 SOUTH ELEVATION - YOUNG STREET
SCALE 1:150



3 WEST ELEVATION - YOUNG STREET
SCALE 1:150



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DA-22-034

PROPOSED:
AUGUSTA AND YOUNG
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HAMILTON, ON

job no. 16,090

dwg. file

dwn. by JR

scale AS NOTED

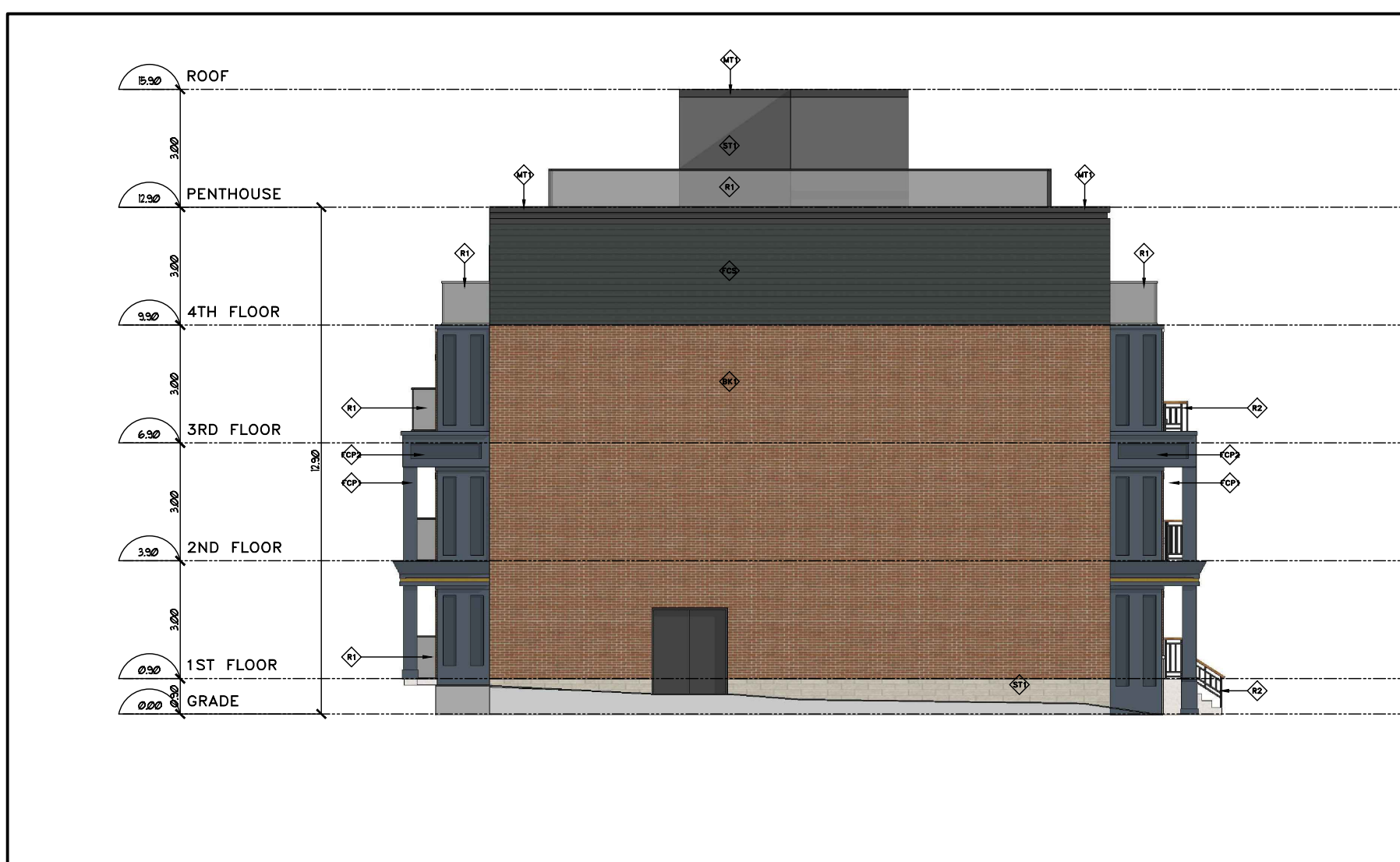
date OCT 2021

dwg. title
**ELEVATIONS
AUGUSTA ST.**

dwg. A3.1



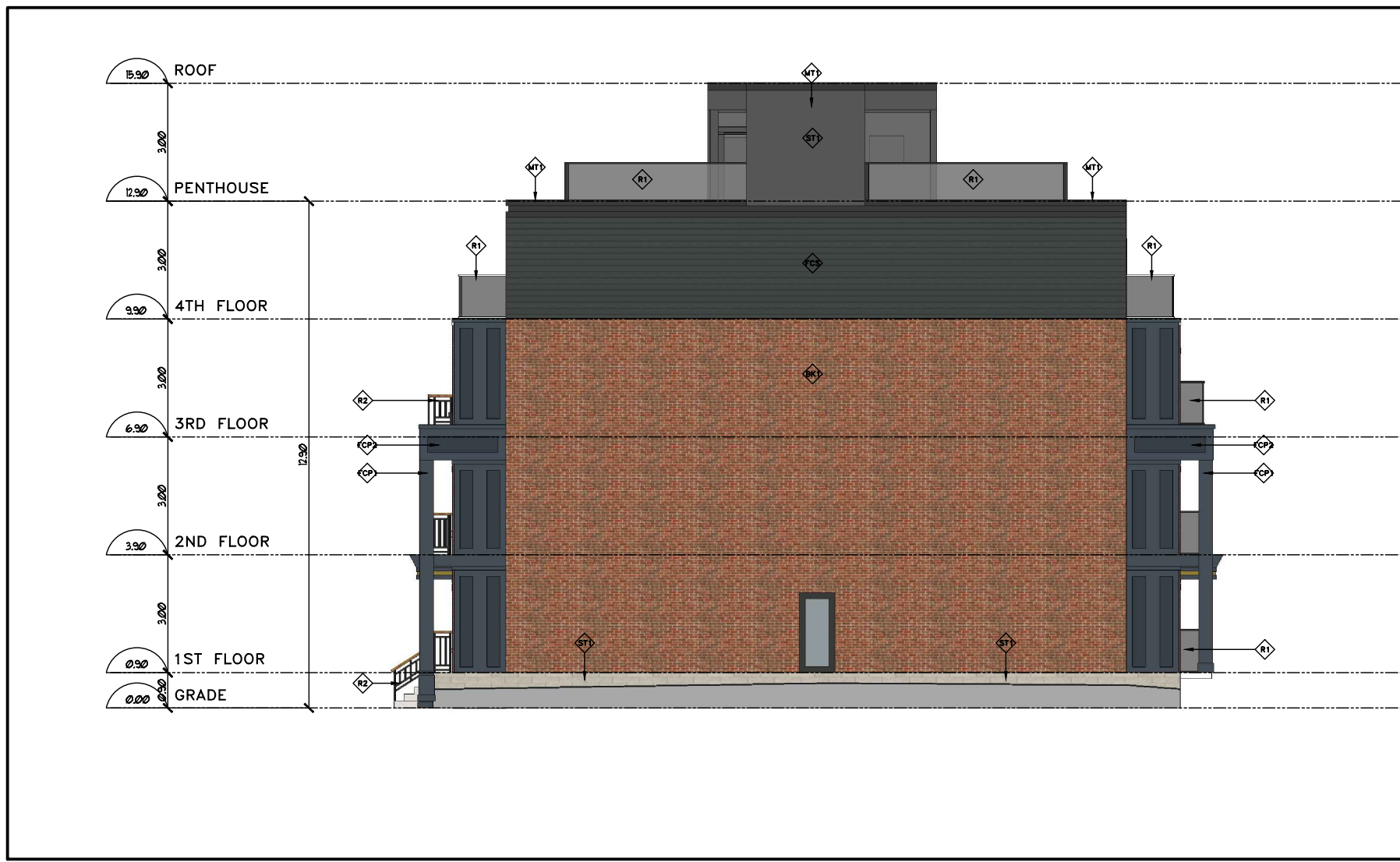
2 NORTH ELEVATION - AUGUSTA STREET
SCALE 1:150



4 EAST ELEVATION - AUGUSTA STREET
SCALE 1:150



1 SOUTH ELEVATION - AUGUSTA STREET
SCALE 1:150



3 WEST ELEVATION - AUGUSTA STREET
SCALE 1:150

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HARD/PLANK LAP SIDING, SMOOTH
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EQUAL TO ST10 COLOUR 31000 BLACK FINE FINISH
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COLOUR: BLACK
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EQUAL TO GRECO GLASS RAILING SYSTEMS
SERIES GCS000, COLOUR: BLACK
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EQUAL TO FORTRESS F206 RAILING SYSTEMS
RAILING COLOUR: BLACK
TOP RAIL: WOOD OR COMPOSITE WOOD
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EQUAL TO FORTRESS EVOLVER ALUMINUM FRAMED
COMPOSITE FENCING
COLOUR: BLACK SAND
- (MF) PRE-FINISHED METAL FLASHING
COLOUR: BLACK
- (OH) OVER-HEAD ROLLER DOOR
COLOUR: MEDIUM GREY

March 17, 2023

157-16

Via Email and Delivered

Ms. Jamila Sheffield
Secretary-Treasurer
Committee of Adjustment

City of Hamilton
71 Main Street West, 5th Floor
Hamilton, ON, L8P 4Y5

Dear Ms. Sheffield,

**Re: 125 & 127 Young St. and 122 & 126 Augusta St., Hamilton
Minor Variance Application Submission (DA-22-034)**

UrbanSolutions Planning & Land Development Consultants Inc. (UrbanSolutions) is the authorized planning consultants acting on behalf of Mr. Mario Nesci and 1955132 Ontario Ltd., the registered owner of the lands municipally known as 125 & 127 Young Street and 122 & 126 Augusta Street, in the City of Hamilton (subject lands). On behalf of the owner, UrbanSolutions has prepared the enclosed Minor Variance Application to the City of Hamilton.

Background

The subject lands are zoned "E-3/S-1767-H" & "D/S-1767" in Hamilton Zoning By-law 6593 as amended by By-law 19-102 wherein 2019 Planning Committee approved a Zoning Bylaw Amendment application ZAC-18-013. A previous Minor Variance application HM/A-20:265 was granted by the Committee of Adjustment and became final and binding on September 30, 2021 to permit the use of a Three (3) storey Multiple Dwelling containing 12 dwelling units within the portion of the lot zoned "D/S-1767".

The approval of HM/A-20:265 lead to UrbanSolutions submitting Site Plan Application DA-22-034 which is proposing a 4 storey multiple dwelling with 27 units fronting Augusta Street and a 3* storey multiple dwelling with 12 units fronting Young Street. This application introduced below grade parking to the proposal along with grade level parking yielding a total parking count of 43 spaces, reserving 5 spaces for visitor parking and a bicycle parking count of 32 spaces. Access is proposed off Young Street via 5.5 metre drive aisle necessitating an expanded easement on the subject lands. The drive aisle will remain accessible to the neighbouring property at 121 Young Street to provide continued access to their rear yard. Site Plan Application DA-22-034 received conditional approval February 22nd, 2022.

Purpose of the Application

A Minor Variance application is required as a condition of Site Plan approval for conditionally approved Site Plan Application DA-22-034. This Minor Variance application is intended to achieve relief from the City of Hamilton Zoning By-law 6593 as amended by By-law 19-102 with respect to zone “E-3/S-1767-H” for the 4 storey multiple dwelling and the most restrictive requirements of both “E-3/S-1767-H” and “D/S-1767” zones for the 3* storey multiple dwelling. As such, variances are required as noted below:

- **Variance No. 1:** To permit a building height of 16.0 metres and four (4) storeys, whereas a maximum of 13.5 metres and three (3) storeys are permitted.
- **Variance No. 2:** To provide 0 metre planting strip between the boundary of the parking area and the residential district whereas a planting strip is required.
- **Variance No. 3:** To permit an access driveway serving a Multiple Dwelling use on the abutting property known as 121 Young Street zoned ‘D’.

Variance No. 1 applies to both 3* storey multiple dwelling fronting onto Young Street and the 4 storey multiple dwelling fronting onto Augusta Street. The multiple dwelling fronting onto Young Street is partially within the “DH/S-1767”, “D/S-1822” zone. The reasoning for the asterisk (*3) is because the development is purposing 3 storeys as well as a level that is partially below ground and as noted in the zoning comments issued as part of the Site Plan DA-22-034, more than half of the lower level is located above grade and therefore considered a “basement” rather than a “cellar” and therefore technically 4 storeys. While the building height of this 3* storey multiple dwelling does not exceed the permitted height in metres, only 3 storeys is permitted and therefore a minor variance is required. In addition, the multiple dwelling fronting onto Augusta is within the “E-3/S-1767-H” Zone. The Concept Plan initially proposed only stairs to an outdoor rooftop patio, now the concept has evolved to an amenity suite on the rooftop. The maximum permitted building height is 4 storeys and 13.5 metres to a maximum of 16.5 metres, only stairs and a rooftop patio are permitted up until 16.5 metres, dwelling units are only permitted to 13.5 metres and therefore a minor variance is required. Variance No. 1 is technical in nature and meets the intent of the Official Plan and Zoning By-law. In addition, the variance is minor and desirable development.

Variance No. 2 is required as there is a parking space and drive aisle to the underground parking ramp abutting the residential zone without a planting strip. In the area abutting the parking space there is a sidewalk proposed for pedestrian connections on site. The purpose of this by-law provision is to provide a buffer from the vehicles to the residential lots however in this area there is a proposed visual barrier proposed and will serve as a buffer. The general purpose and intent of the Official Plan and Zoning By-law is maintained and with the visual barrier. The variance is minor in nature and development is desirable.

The proposal conforms to all other zoning provisions and therefore the overall intent of the Zoning By-law is maintained. As such, the proposed variances satisfy the four tests outlined in Section 45(1) of the

Planning Act as the relief requested is minor in nature, is desirable for the appropriate development of the lands, and meets the general intent and purpose of the Official Plan and Zoning By-law.

In support of this application, please find the enclosed the following:

- One (1) copy of the completed Minor Variance Application form;
- One (1) copy of the Architectural Package prepared by Lintack Architects;
- One (1) copy of the Minor Variance Sketch prepared by UrbanSolutions; and,
- One (1) cheque payable to the City of Hamilton in the amount of **\$3,735.00**.

We trust the enclosed is in order; however, please feel free to contact the undersigned with any questions.

Regards,

UrbanSolutions



Matt Johnston, MCIP, RPP
Principal



Laura Drennan, CPT
Planning Technician

Cc: Mr. Mario Nesci, 1955132 Ontario Ltd.



Hamilton

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

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

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

1. APPLICANT INFORMATION

	NAME	MAILING ADDRESS
Registered Owners(s)		
Applicant(s)		
Agent or 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	122 & 126 Augusta Augusta Street and 125 & 127 Young Street		
Assessment Roll Number			
Former Municipality	Hamilton		
Lot	10	Concession	
Registered Plan Number	48	Lot(s)	
Reference Plan Number (s)		Part(s)	Lots 9, 11 & 17

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:

N/A

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:

Please refer to Cover Letter.

Second Dwelling Unit

Reconstruction of Existing Dwelling

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

Please refer to 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
35.53m & 21.47m	+/-80.97m	2213.29m ²	+/-20m

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: **Please refer to Survey.**

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction

Proposed: **Please refer to enclosed Minor Variance Sketch.**

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction

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

Existing: **Please refer to Survey.**

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height

Proposed: **Please refer to enclosed Minor Variance Sketch.**

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height

- 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
Local

4.8 Proposed use(s) of the subject property (single detached dwelling duplex, retail, factory etc.):

To permit a four storey, 27 unit multiple dwelling and four stoe, 12 unti stacked townhouse dwellings.

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

Single Detached, multiple dwelling, townhouse

7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:

Unknown

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

Single Detached

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

Single Detahced

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

Unknown

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

Rural Hamilton Official Plan designation (if applicable): N/A

Rural Settlement Area: N/A

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? Site Specific E-3/S-1767-H
Site Specific E-3/S-1767
Site Specific D/S-1767-H

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: ZAC-18-013 HM/A-20:265

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: N/A

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 [By-law 19-102 Passed May 8, 2019](#)

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: 2

8.2 Number of Dwelling Units Proposed: 39

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

[Please refer to the enclosed Cover Letter and Minor Variance Sketch.](#)

11 COMPLETE APPLICATION REQUIREMENTS

11.1 All Applications

- Application Fee
- Site Sketch
- Complete Application form
- Signatures Sheet

11.4 Other Information Deemed Necessary

- Cover Letter/Planning Justification Report
- Authorization from Council or Director of Planning and Chief Planner to submit application for Minor Variance
- Minimum Distance Separation Formulae (data sheet available upon request)
- Hydrogeological Assessment
- Septic Assessment
- Archeological Assessment
- Noise Study
- Parking Study
