



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-23:145	SUBJECT PROPERTY:	641 LIMERIDGE ROAD E, HAMILTON
ZONE:	"C" (Urban Protected Residential, Etc.)	ZONING BY-LAW:	Zoning By-law former City of Hamilton 6593, as Amended

APPLICANTS: **Owner:** 2652009 ONTARIO INC.
 Agent: FOTENN CONSULTANTS INC. C/O MILES WEEKES

The following variances are requested:

1. A minimum side yard setback of 0.9 metres shall be provided whereas the by-law requires a minimum side setback of 1.2 metres.
2. A minimum rear yard setback of 6.8 metres shall be provided whereas the by-law requires a minimum rear yard setback of 7.5 metres.
3. A minimum lot width of 7.9 metres and minimum lot area of 283.0 square metres be provided whereas the by-law requires a minimum lot width of 12.0 metres and a minimum lot area of 360 square metres.
4. A maximum encroachment of 0.63 metres shall be provided whereas the by-law requires a maximum encroachment of no more than half its width or 1.0 metres, (whichever is lesser).
5. A minimum gross area front yard landscaping of 21.7% shall be provided whereas the by-law requires a minimum gross area front yard landscaping of 50%.
6. That two required parking spaces be provided within the front yard whereas the by-law permits one required parking space within the front yard.

PURPOSE & EFFECT: So as to permit the construction of three single detached dwellings, each on their own individual lot.

Notes: N/A

HM/A-23:145

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 29, 2023
TIME:	10:55 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-23:145, 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.

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: June 13, 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.



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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

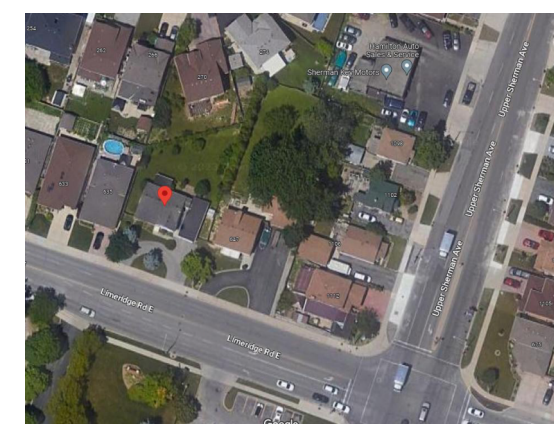
Interested members of the public, agents, and owners who wish to participate in person must sign in at City Hall room 222 (2nd floor) no less than 10 minutes before the time of the Public Hearing as noted on the Notice of Public Hearing.

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.

SHEETS - ARCH C 18X24	
Number	Name
AC-A0-00	COVER PAGE
AC-A0-04	STATISTICS
AC-A0-05	SITE PLAN
AC-A0-06	AREAS
AC-A0-07	LANDSCAPING
AC-A0-08	SURVEY
AC-A1-01	PROP. BASEMENT
AC-A1-02	PROP. GROUND FLOOR
AC-A1-03	PROP. SECOND FLOOR
AC-A1-04	PROP. ROOF
AC-A2-01	PROP. FRONT ELEVATION
AC-A2-02	PROP. REAR ELEVATION
AC-A2-03	PROP. SIDE ELEVATION - TYPE

NUMBER OF SHEETS: 13



KEY MAP

PROJECT INFO

PROJECT NAME	PROJECT NO.
641 LIMERIDGE	2307
PROJECT ADDRESS	
641 Limeridge Rd E, Hamilton, ON L8W 1A2	
CLIENT	
2652009 Ontario Inc	

DESIGNER'S INFO



DESIGNER: MA MEMARIAN

STAMP:

NOTES

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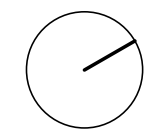
REVISIONS

NO.	DATE	DESCRIPTION
00	2023-04-05	ISSUED FOR SPA

DRAWING INFO.

SHEET NO. AC-A0-00	SHEET SCALE
SHEET NAME COVER PAGE	

NORTH





KEY MAP

PROJECT INFO

PROJECT NAME PROJECT NO.

641 LIMERIDGE 2307

PROJECT ADDRESS
641 Limeridge Rd E, Hamilton, ON L8W 1A2

CLIENT
2652009 Ontario Inc

DESIGNER'S INFO



CAUD STUDIOS T: 647 388 1001 EMAIL: INFO@CAUDSTUDIOS.COM WEB: WWW.CAUDSTUDIOS.COM

DESIGNER: MA MEMARIAN

STAMP:

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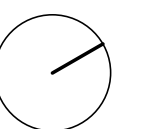
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DRAWING INFO.

SHEET NO. AC-A0-05 SHEET SCALE 1 : 100

SHEET NAME
SITE PLAN

NORTH

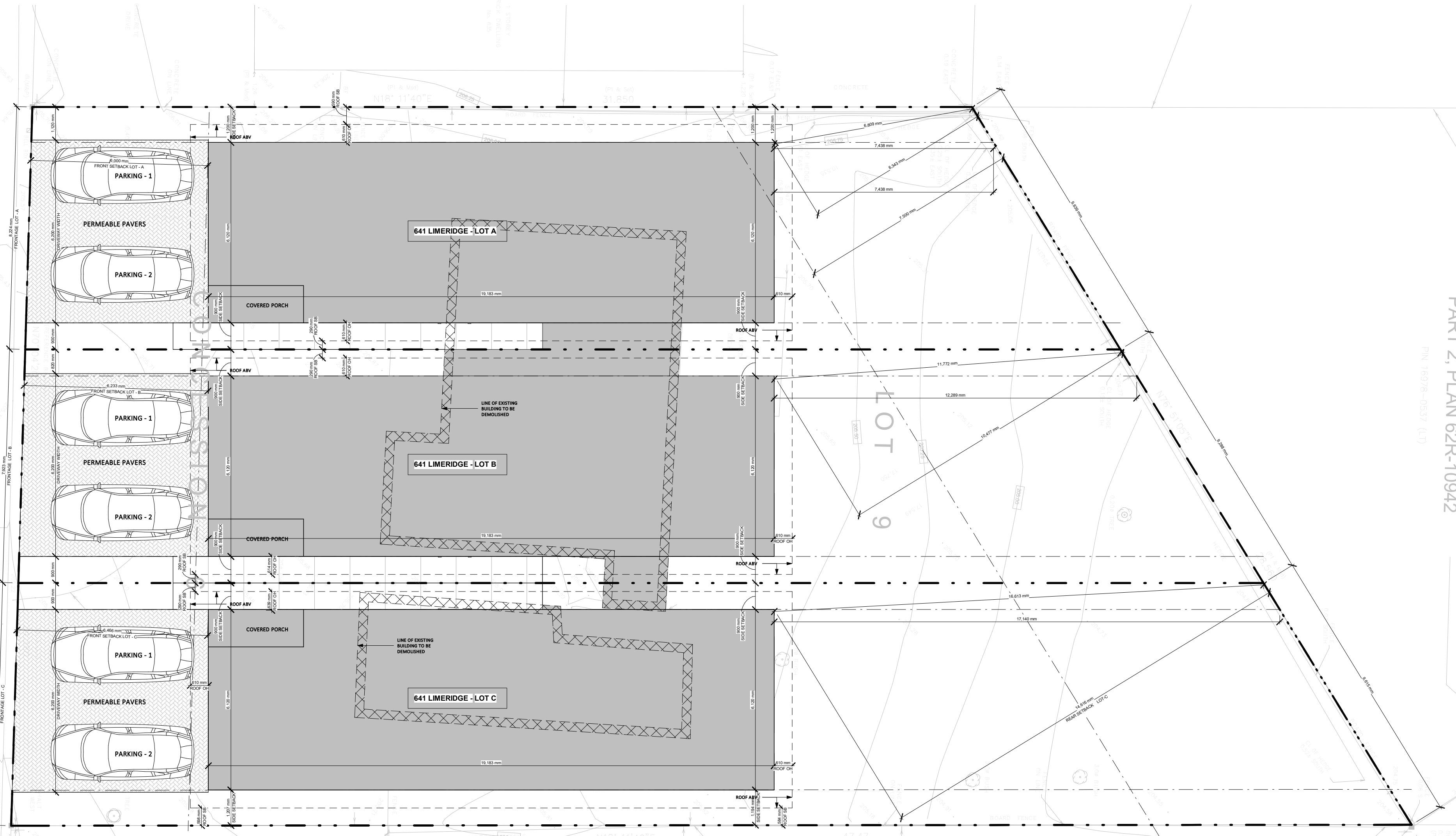


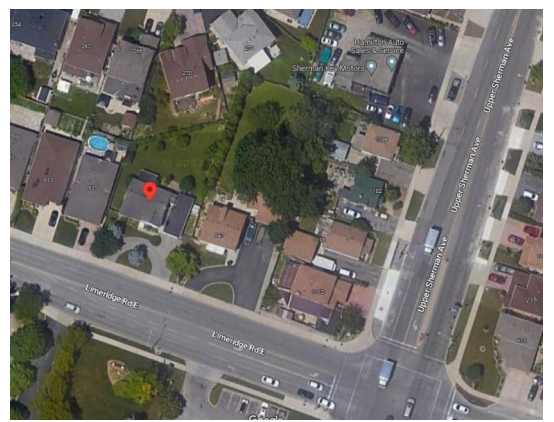
PART 2, PLAN 62R-10942

PIN: 16978-0537 (L7)

LOT 9

PIN: 16978-0531 (L7)





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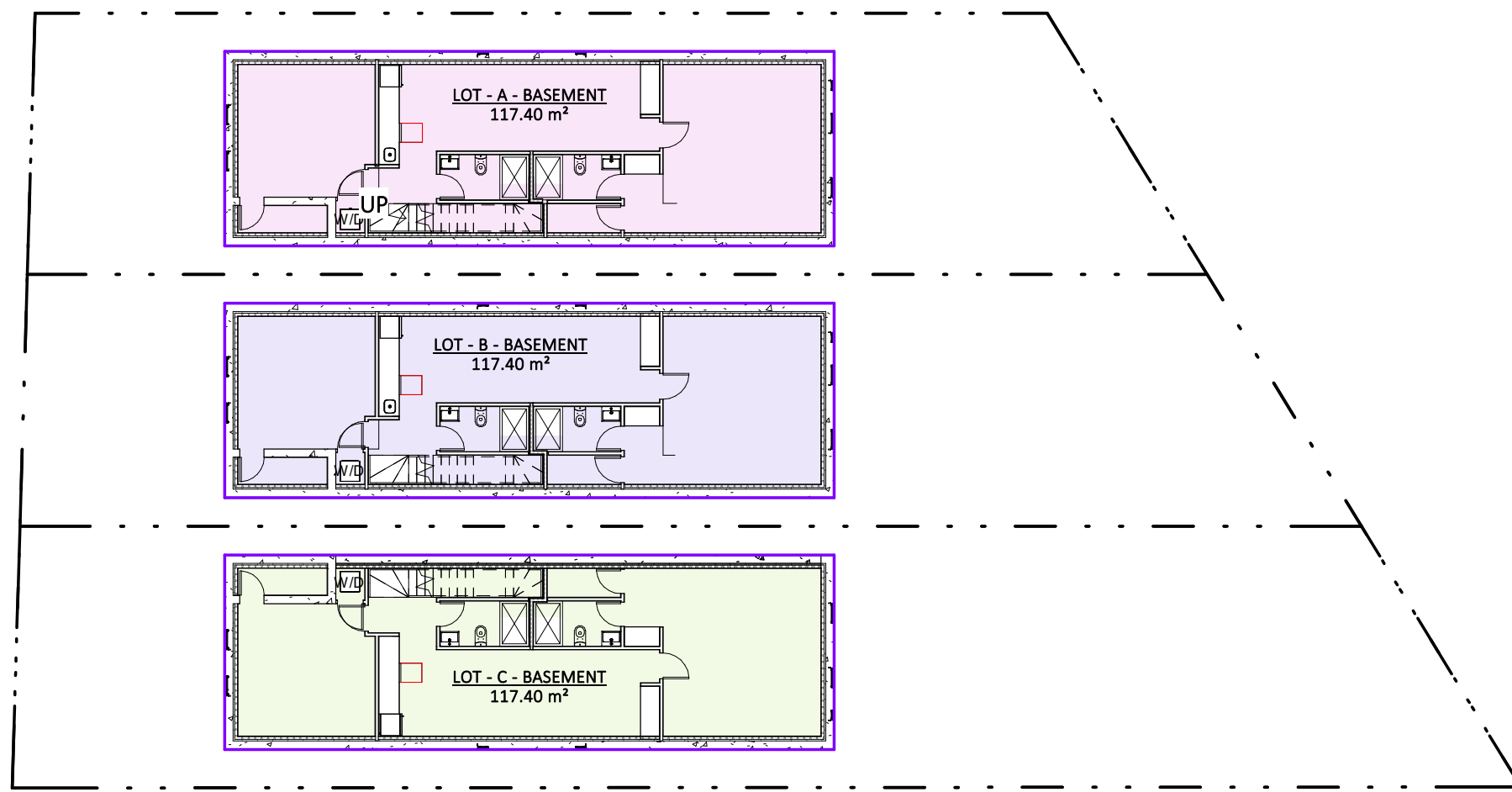
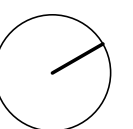
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DRAWING INFO.

SHEET NO. AC-A0-06	SHEET SCALE As indicated
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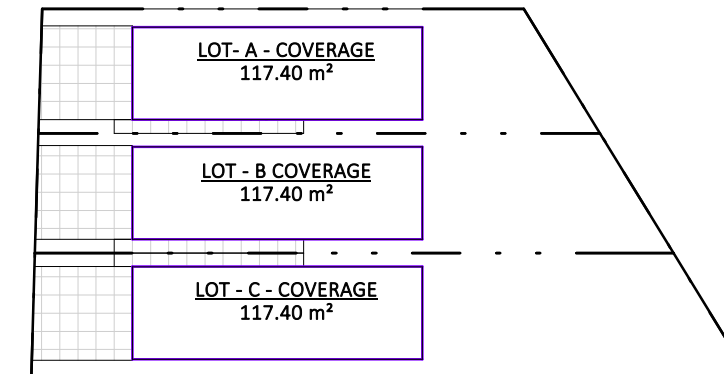
SHEET NAME
AREAS

NORTH



COLOR LEGEND
 LOT - A - BASEMENT
 LOT - B - BASEMENT
 LOT - C - BASEMENT

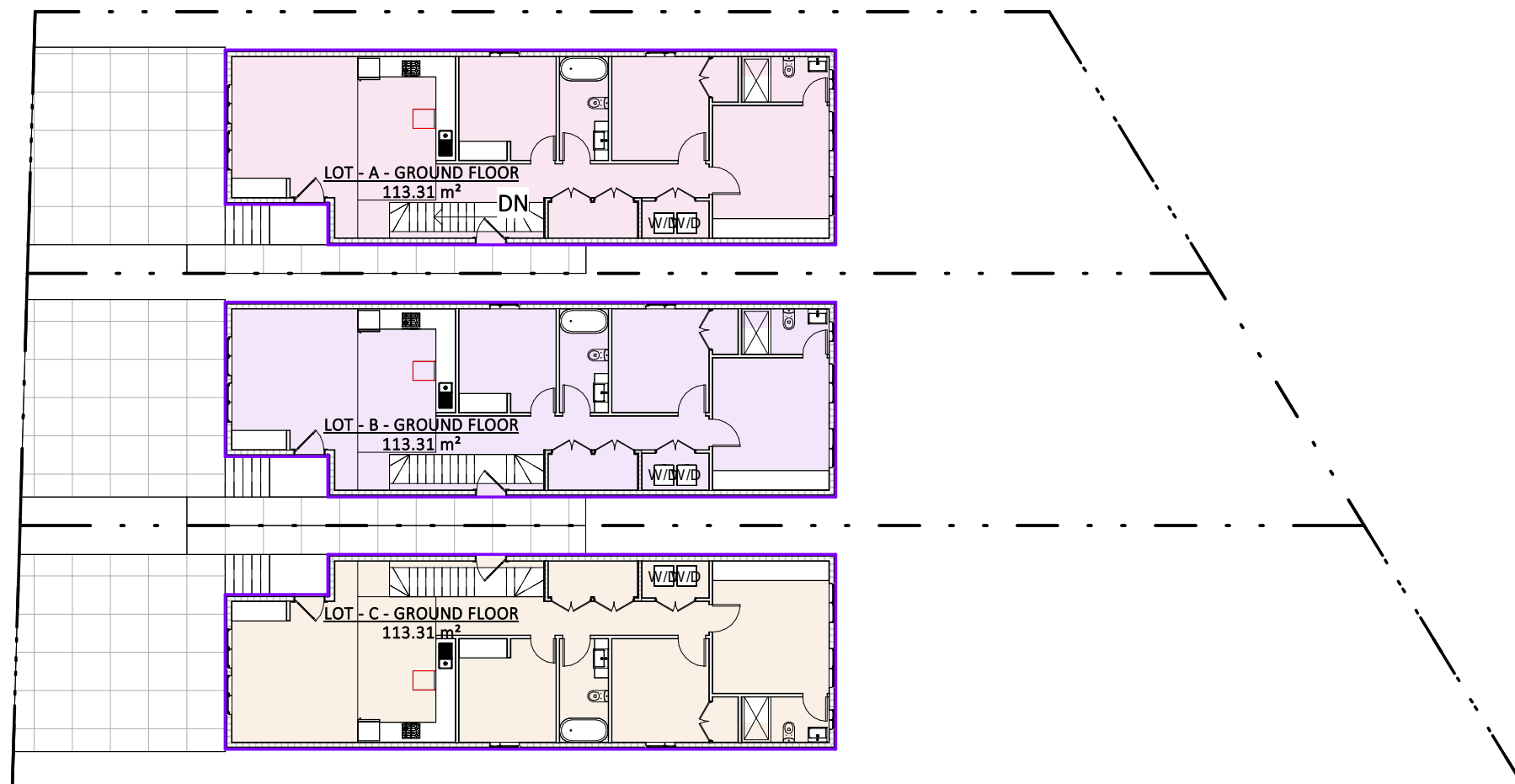
2 PROP. BASEMENT AREA
1 : 200



1 PROP. COVERAGE
1 : 500

Name	Area	Area (sf)
EXISTING LOT TO BE SEVERED	966.18 m ²	10399.89 ft ²
LOT A - 641 LIMERIDGE	283.52 m ²	3051.75 ft ²
LOT B - 641 LIMERIDGE	314.20 m ²	3381.99 ft ²
LOT C - 641 LIMERIDGE	368.47 m ²	3966.15 ft ²

ZONING - COVERAGE PROPOSED		
Name	Area	Area (sf)
LOT - A - COVERAGE	117.40 m ²	1263.66 ft ²
LOT - B - COVERAGE	117.40 m ²	1263.66 ft ²
LOT - C - COVERAGE	117.40 m ²	1263.66 ft ²
TOTAL COVERAGE PROPOSED	352.19 m ²	3790.97 ft ²



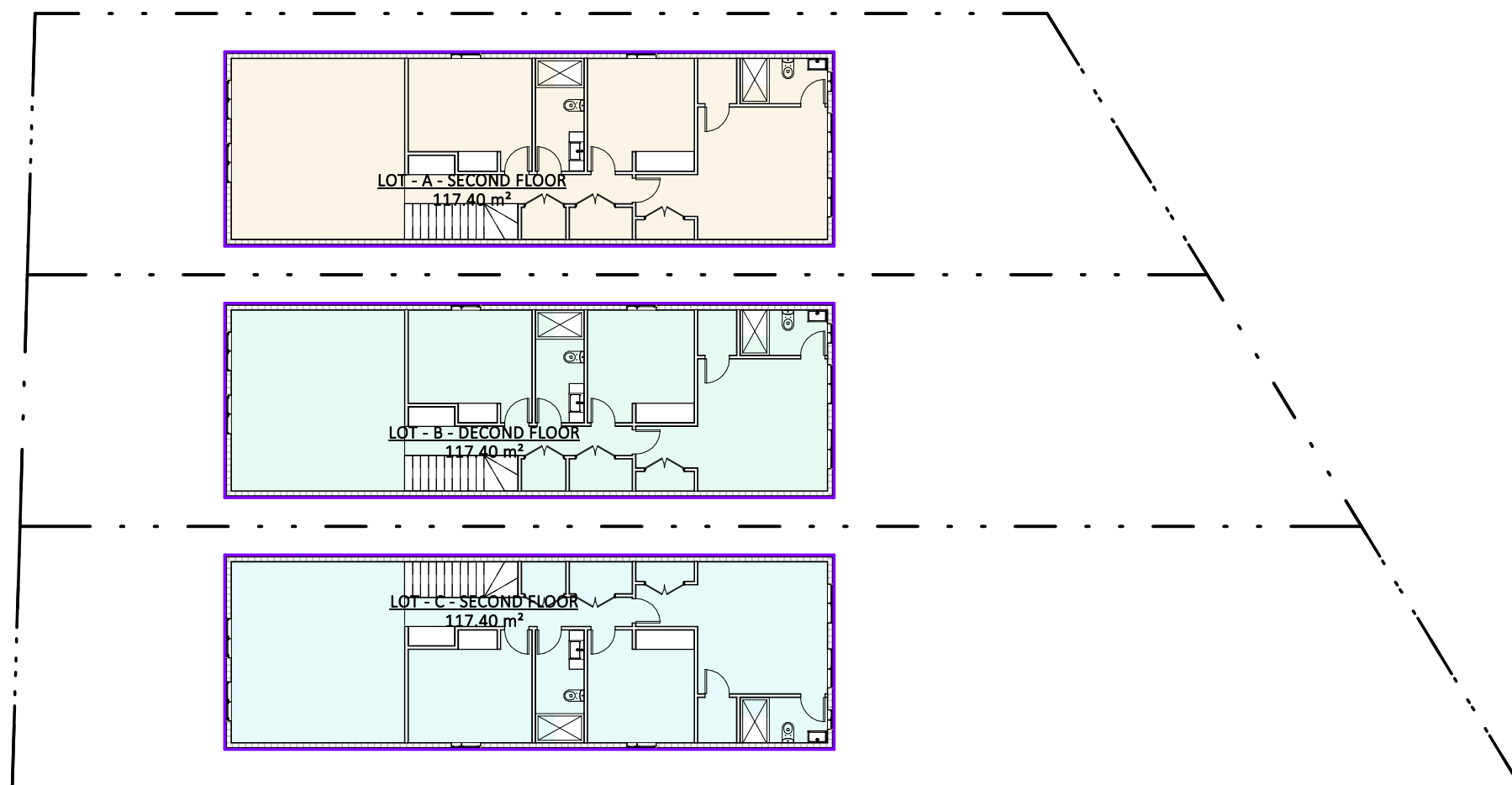
COLOR LEGEND
 LOT - A - GROUND FLOOR
 LOT - B - GROUND FLOOR
 LOT - C - GROUND FLOOR

3 PROP. GROUND FLOOR AREA
1 : 200

ZONING - LOT - A - FLOOR AREAS			
Name	Area	Area (sf)	Level
LOT - A - BASEMENT	117.40 m ²	1263.66 ft ²	BASEMENT
LOT - A - GROUND FLOOR	113.31 m ²	1219.63 ft ²	GROUND FLOOR
LOT - A - SECOND FLOOR	117.40 m ²	1263.66 ft ²	SECOND FLOOR
TOTAL PROPOSED AREA	348.10 m ²	3746.94 ft ²	

ZONING - LOT - B - FLOOR AREAS			
Name	Area	Area (sf)	Level
LOT - B - BASEMENT	117.40 m ²	1263.66 ft ²	BASEMENT
LOT - B - GROUND FLOOR	113.31 m ²	1219.63 ft ²	GROUND FLOOR
LOT - B - SECOND FLOOR	117.40 m ²	1263.66 ft ²	SECOND FLOOR
TOTAL PROPOSED AREA	348.10 m ²	3746.94 ft ²	

ZONING - LOT - C - FLOOR AREAS			
Name	Area	Area (sf)	Level
LOT - C - BASEMENT	117.40 m ²	1263.66 ft ²	BASEMENT
LOT - C - GROUND FLOOR	113.31 m ²	1219.63 ft ²	GROUND FLOOR
LOT - C - SECOND FLOOR	117.40 m ²	1263.66 ft ²	SECOND FLOOR
TOTAL PROPOSED AREA	348.10 m ²	3746.94 ft ²	

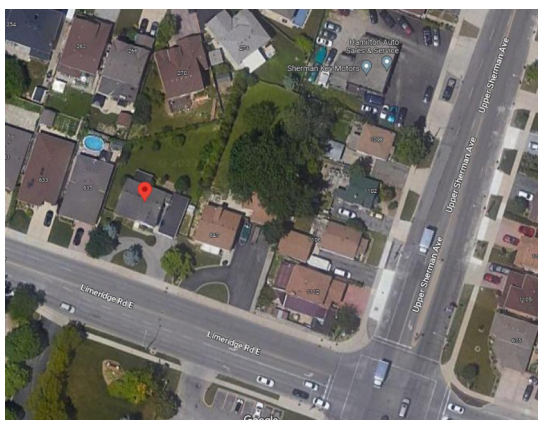


COLOR LEGEND
 LOT - A - SECOND FLOOR
 LOT - B - SECOND FLOOR
 LOT - C - SECOND FLOOR

4 PROP. SECOND FLOOR AREA
1 : 200



- FRONT YARD**
- LOT A - DRWY - FR
 - LOT A - HL - FR
 - LOT A - HL - SIDE
 - LOT A - SL - FR
 - LOT A - SL - REAR
 - LOT A - SL - SIDE
 - LOT B - DRWY - FR
 - LOT B - HL - FR
 - LOT B - HL - SIDE
 - LOT B - SL - FR
 - LOT B - SL - REAR
 - LOT B - SL - SIDE
 - LOT C - DRWY - FR
 - LOT C - HL - FR
 - LOT C - HL - SIDE
 - LOT C - SL - FR
 - LOT C - SL - REAR
 - LOT C - SL - SIDE



KEY MAP

PROJECT INFO

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641 LIMERIDGE	2307
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641 Limeridge Rd E, Hamilton, ON L8W 1A2	

CLIENT

2652009 Ontario Inc

DESIGNER'S INFO



CAUD STUDIOS T: 647 388 1001 EMAIL: INFO@CAUDSTUDIOS.COM WEB: WWW.CAUDSTUDIOS.COM

DESIGNER: MA MEMARIAN

STAMP:

1 LANDSCAPE PLAN
1 : 100

TOTAL YARD AREAS			
Name	Area	Area (sf)	%
LOT A - DRWY - FR	37.77 m ²	406.52 ft ²	6%
LOT A - HL - FR	8.06 m ²	86.73 ft ²	1%
LOT A - HL - SIDE	7.30 m ²	78.59 ft ²	1%
LOT A - SL - FR	11.20 m ²	120.54 ft ²	2%
LOT A - SL - REAR	75.79 m ²	815.80 ft ²	12%
LOT A - SL - SIDE	30.08 m ²	323.82 ft ²	5%
LOT B - DRWY - FR	39.21 m ²	422.07 ft ²	6%
LOT B - HL - FR	8.08 m ²	86.93 ft ²	1%
LOT B - HL - SIDE	7.29 m ²	78.46 ft ²	1%
LOT B - SL - FR	9.81 m ²	105.57 ft ²	2%
LOT B - SL - REAR	112.17 m ²	1207.40 ft ²	18%
LOT B - SL - SIDE	24.33 m ²	261.93 ft ²	4%
LOT C - DRWY - FR	40.67 m ²	437.78 ft ²	6%
LOT C - HL - FR	8.08 m ²	86.93 ft ²	1%
LOT C - HL - SIDE	7.29 m ²	78.46 ft ²	1%
LOT C - SL - FR	12.26 m ²	131.96 ft ²	2%
LOT C - SL - REAR	156.76 m ²	1687.40 ft ²	25%
LOT C - SL - SIDE	30.10 m ²	323.99 ft ²	5%
TOTAL FRONT YARD AREA	626.25 m²	6740.89 ft²	100%

LANDSCAPE - LOT A - FRONT YARD - TOTAL			
Name	Area	Area (sf)	%
LOT A - DRWY - FR	37.77 m ²	406.52 ft ²	66%
LOT A - HL - FR	8.06 m ²	86.73 ft ²	14%
LOT A - SL - FR	11.20 m ²	120.54 ft ²	20%
TOTAL FRONT YARD AREA	57.02 m²	613.79 ft²	100%
LANDSCAPE - LOT A - FRONT YARD - LANDSCAPING			
Name	Area	Area (sf)	%
LOT A - HL - FR	8.06 m ²	86.73 ft ²	42%
LOT A - SL - FR	11.20 m ²	120.54 ft ²	58%
TOTAL FRONT YARD AREA	19.26 m²	207.27 ft²	100%
LANDSCAPE - LOT A - SIDE YARD - LANDSCAPING			
Name	Area	Area (sf)	%
LOT A - HL - SIDE	7.30 m ²	78.59 ft ²	20%
LOT A - SL - SIDE	30.08 m ²	323.82 ft ²	80%
TOTAL FRONT YARD AREA	37.39 m²	402.41 ft²	100%
LANDSCAPE - LOT A - REAR YARD - LANDSCAPING			
Name	Area	Area (sf)	%
LOT A - SL - REAR	75.79 m ²	815.80 ft ²	100%
TOTAL FRONT YARD AREA	75.79 m²	815.80 ft²	100%

LANDSCAPE - LOT B - FRONT YARD - TOTAL			
Name	Area	Area (sf)	%
LOT B - DRWY - FR	39.21 m ²	422.07 ft ²	69%
LOT B - HL - FR	8.08 m ²	86.93 ft ²	14%
LOT B - SL - FR	9.81 m ²	105.57 ft ²	17%
TOTAL FRONT YARD AREA	57.10 m²	614.57 ft²	100%
LANDSCAPE - LOT B - FRONT YARD - LANDSCAPING			
Name	Area	Area (sf)	%
LOT B - HL - FR	8.08 m ²	86.93 ft ²	45%
LOT B - SL - FR	9.81 m ²	105.57 ft ²	55%
TOTAL FRONT YARD AREA	17.88 m²	192.50 ft²	100%
LANDSCAPE - LOT B - SIDE YARD - LANDSCAPING			
Name	Area	Area (sf)	%
LOT B - HL - SIDE	7.29 m ²	78.46 ft ²	23%
LOT B - SL - SIDE	24.33 m ²	261.93 ft ²	77%
TOTAL FRONT YARD AREA	31.62 m²	340.38 ft²	100%
LANDSCAPE - LOT B - REAR YARD - LANDSCAPING			
Name	Area	Area (sf)	%
LOT B - SL - REAR	112.17 m ²	1207.40 ft ²	100%
TOTAL FRONT YARD AREA	112.17 m²	1207.40 ft²	100%

LANDSCAPE - LOT C - FRONT YARD - TOTAL			
Name	Area	Area (sf)	%
LOT C - DRWY - FR	40.67 m ²	437.78 ft ²	67%
LOT C - HL - FR	8.08 m ²	86.93 ft ²	13%
LOT C - SL - FR	12.26 m ²	131.96 ft ²	20%
TOTAL FRONT YARD AREA	61.01 m²	656.68 ft²	100%
LANDSCAPE - LOT C - FRONT YARD - LANDSCAPING			
Name	Area	Area (sf)	%
LOT C - HL - FR	8.08 m ²	86.93 ft ²	40%
LOT C - SL - FR	12.26 m ²	131.96 ft ²	60%
TOTAL FRONT YARD AREA	20.34 m²	218.90 ft²	100%
LANDSCAPE - LOT C - SIDE YARD - LANDSCAPING			
Name	Area	Area (sf)	%
LOT C - HL - SIDE	7.29 m ²	78.46 ft ²	19%
LOT C - SL - SIDE	30.10 m ²	323.99 ft ²	81%
TOTAL FRONT YARD AREA	37.39 m²	402.45 ft²	100%
LANDSCAPE - LOT C - REAR YARD - LANDSCAPING			
Name	Area	Area (sf)	%
LOT C - SL - REAR	156.76 m ²	1687.40 ft ²	100%
TOTAL FRONT YARD AREA	156.76 m²	1687.40 ft²	100%

NOTES

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REVISIONS

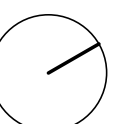
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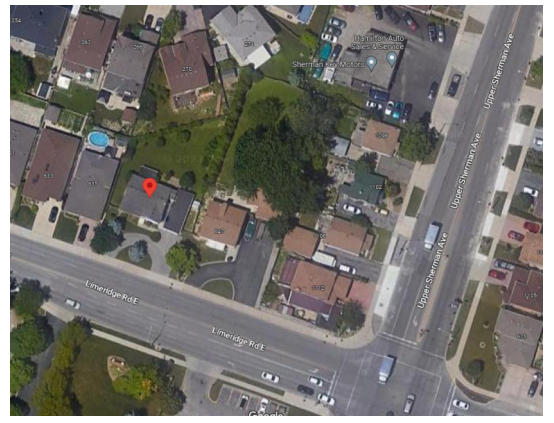
DRAWING INFO.

SHEET NO. AC-A0-07	SHEET SCALE 1 : 100
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SHEET NAME
LANDSCAPING

NORTH





KEY MAP

PROJECT INFO

PROJECT NAME	PROJECT NO.
641 LIMERIDGE	2307
PROJECT ADDRESS	
641 Limeridge Rd E, Hamilton, ON L8W 1A2	

CLIENT

2652009 Ontario Inc

DESIGNER'S INFO



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DESIGNER: MA MEMARIAN

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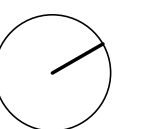
REVISIONS

NO.	DATE	DESCRIPTION
00	2023-04-05	ISSUED FOR SPA

DRAWING INFO.

SHEET NO. AC-A1-01	SHEET SCALE 1 : 75
SHEET NAME PROP. BASEMENT	

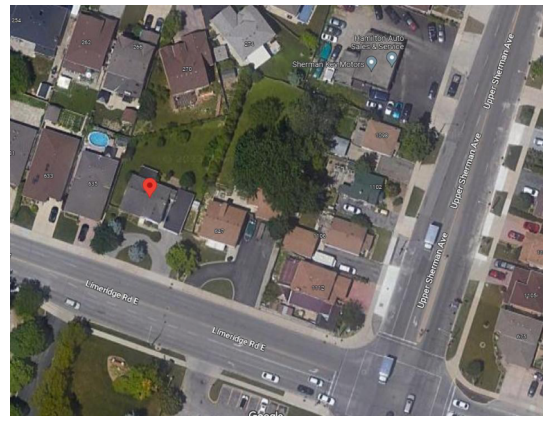
NORTH



641 LIMERIDGE - LOT A

641 LIMERIDGE - LOT B

641 LIMERIDGE - LOT C



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REVISIONS

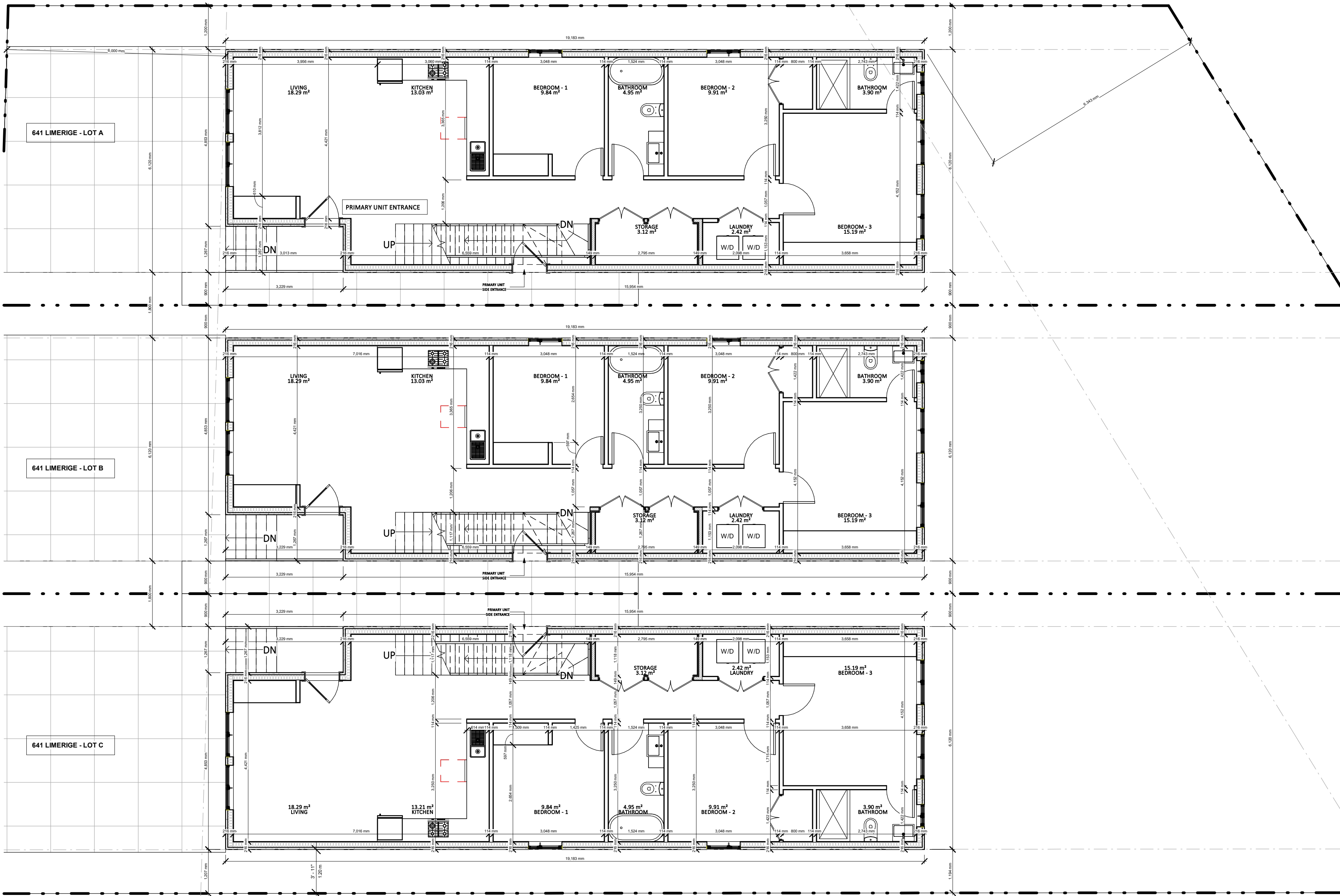
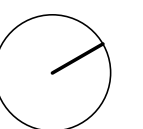
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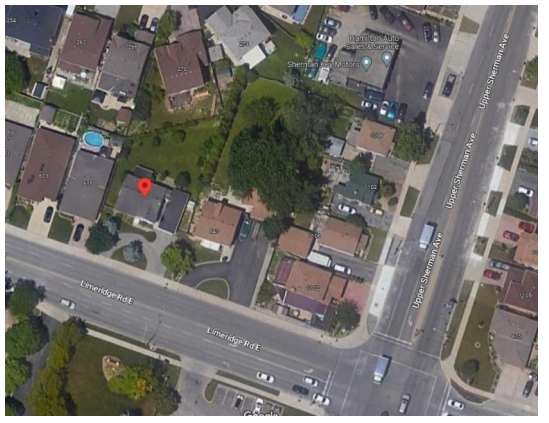
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SHEET NO. SHEET SCALE
AC-A1-02 1 : 75

SHEET NAME
PROP. GROUND FLOOR

NORTH





KEY MAP

PROJECT INFO

PROJECT NAME	PROJECT NO.
641 LIMERIDGE	2307

PROJECT ADDRESS
641 Limeridge Rd E, Hamilton, ON L8W 1A2

CLIENT

2652009 Ontario Inc

DESIGNER'S INFO



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DESIGNER: MA MEMARIAN

STAMP:

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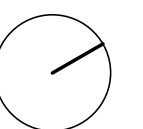
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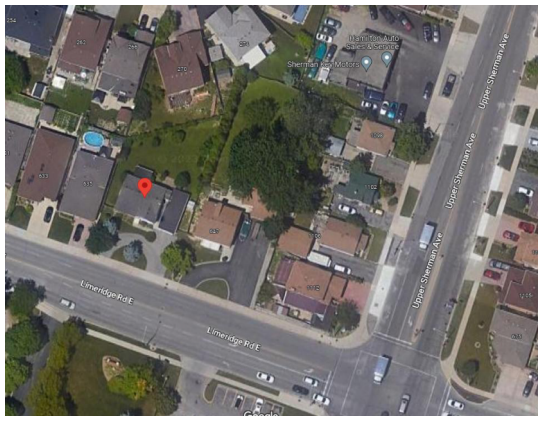
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SHEET NO. AC-A1-03	SHEET SCALE 1 : 75
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SHEET NAME
PROP. SECOND FLOOR

NORTH





KEY MAP

PROJECT INFO

PROJECT NAME	PROJECT NO.
641 LIMERIDGE	2307
PROJECT ADDRESS	
641 Limeridge Rd E, Hamilton, ON L8W 1A2	

CLIENT

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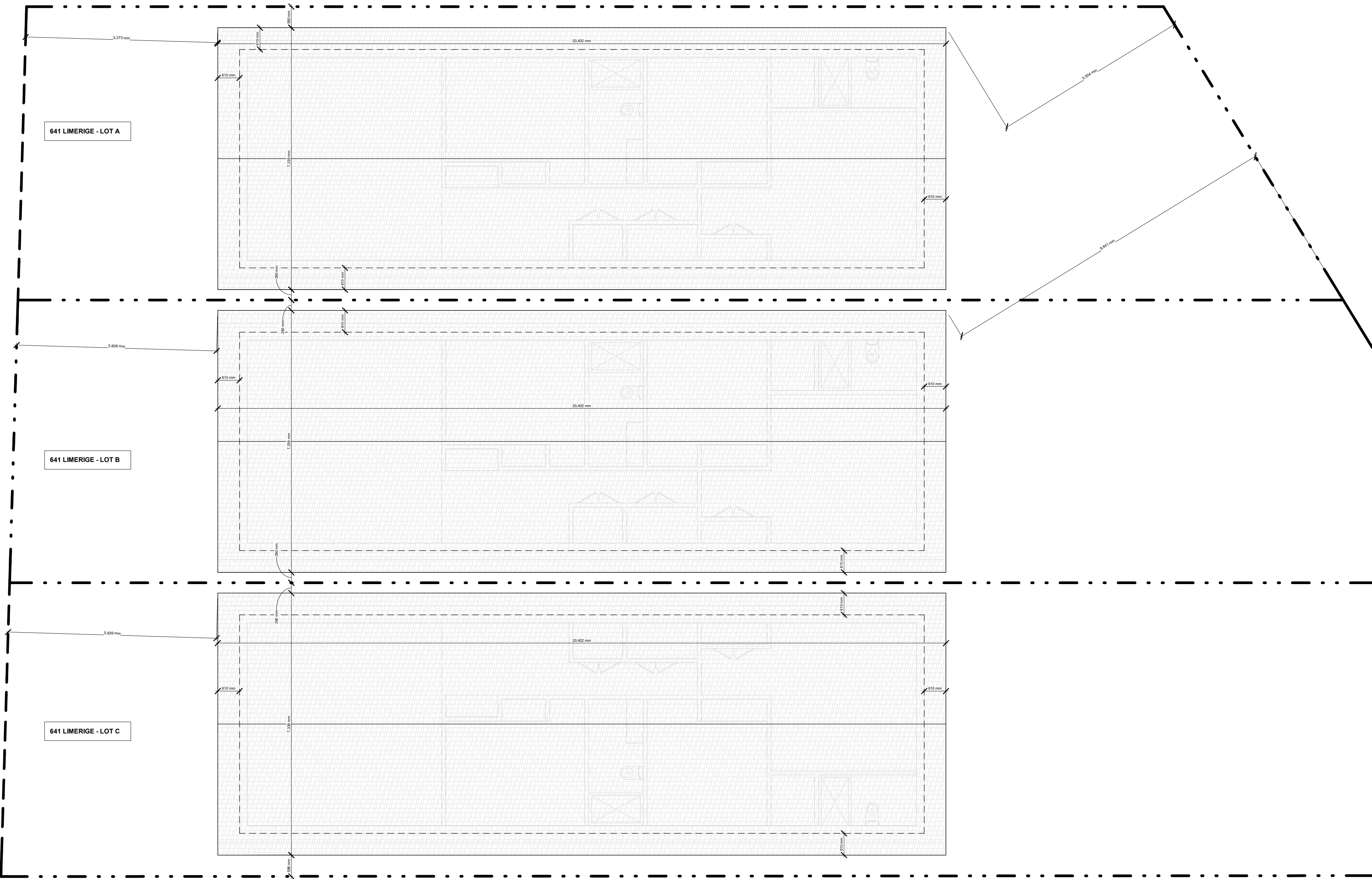
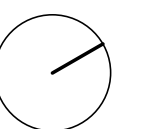
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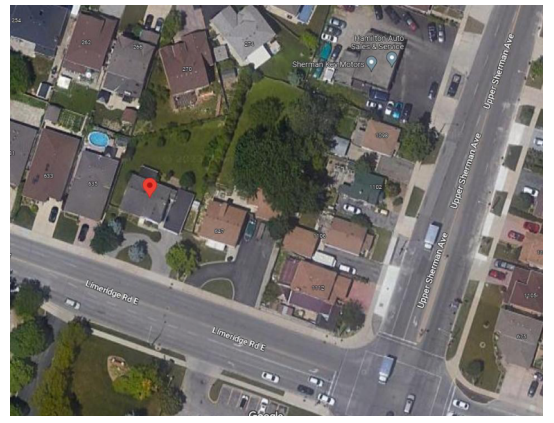
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SHEET NAME PROP. ROOF	

NORTH





KEY MAP

PROJECT INFO

PROJECT NAME	PROJECT NO.
641 LIMERIDGE	2307

PROJECT ADDRESS
641 Limeridge Rd E, Hamilton, ON L8W 1A2

CLIENT
2652009 Ontario Inc

DESIGNER'S INFO



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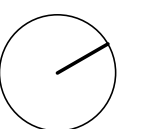
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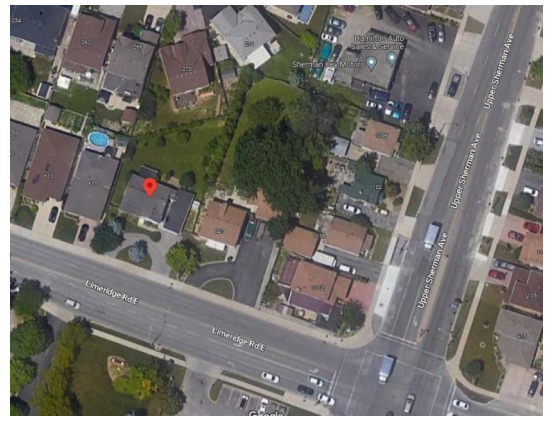
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SHEET NAME
PROP. FRONT ELEVATION

NORTH





KEY MAP

PROJECT INFO

PROJECT NAME	PROJECT NO.
641 LIMERIDGE	2307
PROJECT ADDRESS	
641 Limeridge Rd E, Hamilton, ON L8W 1A2	

CLIENT
2652009 Ontario Inc

DESIGNER'S INFO



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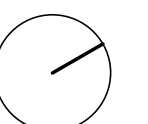
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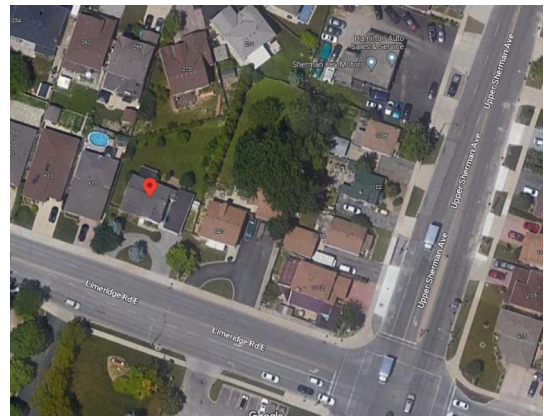
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SHEET NO. AC-A2-02	SHEET SCALE 1 : 75
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SHEET NAME
PROP. REAR ELEVATION

NORTH





KEY MAP

PROJECT INFO

PROJECT NAME	PROJECT NO.
641 LIMERIDGE	2307
PROJECT ADDRESS	
641 Limeridge Rd E, Hamilton, ON L8W 1A2	

CLIENT

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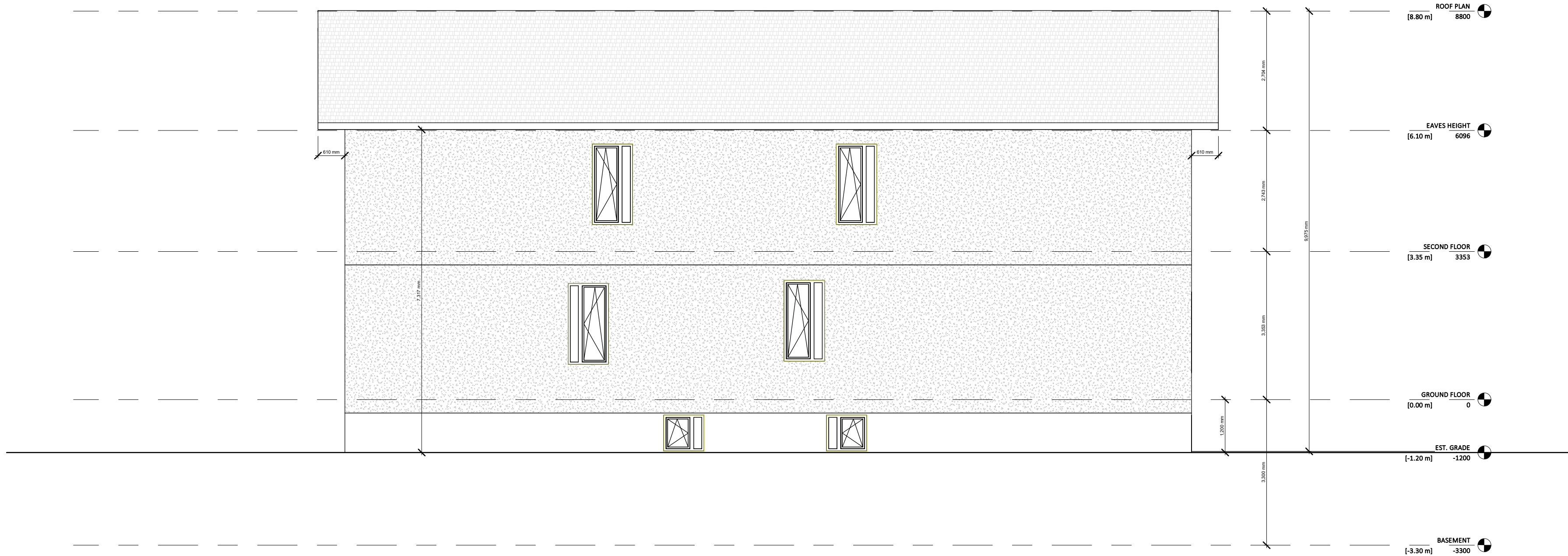
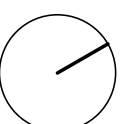
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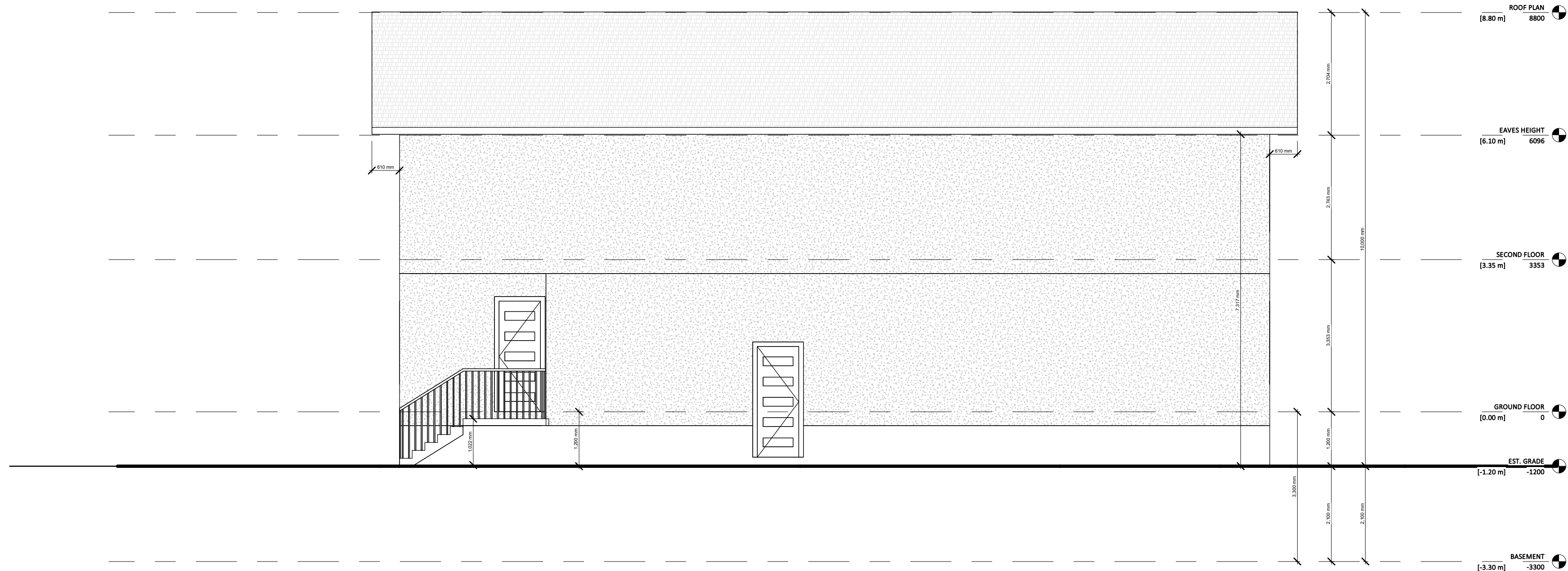
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SHEET NAME
PROP. SIDE ELEVATION - TYPE

NORTH



① SIDE ELEVATION TYPE
1 : 75



② SIDE ELEVATION - TYPE
1 : 75

COVER LETTER & PLANNING RATIONALE

641 LIMERIDGE ROAD EAST, HAMILTON

1

May 19, 2023

Committee of Adjustment

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

**RE: 641 Limeridge Road East, Hamilton
Cover Letter & Planning Rationale
Applications for Consent (severance) and Minor Variance**

Dear Chair and Members,

Fotenn Planning + Design has been retained to prepare this Planning Rationale in support of minor variance and consent applications for the property municipally known as 641 Limeridge Road East, in the City of Hamilton. The property is located within the Lawfield neighbourhood, north of the Lincoln M. Alexander Parkway, and currently contains a one-and-a-half storey single-detached house with semi-circular driveway.

The application seeks to sever the existing parcel to establish two additional lots and permit the construction of three detached dwellings on the existing lot. The minor variance application is required to obtain relief from yard setbacks, lot width and area, encroachment, landscaping and parking provisions of the Zoning By-law to permit the proposed three residential buildings.

The subject site is designated “Neighbourhoods”, as per Schedule E-1 of the City of Hamilton’s Official Plan. The lands are zoned ‘Urban Protected Residential (C/S-1822) Special Requirement’ under the former City of Hamilton By-law No.6593.

The following materials are submitted in support of the subject minor variance application:

- / This Cover Letter and Planning Rationale Letter
- / Signed and completed Application Forms
- / Application Fees in the amount of \$1,990 (consent) and \$3,735 (minor variance)
- / Architectural Drawing Package, dated April 5, 2023
- / Plan 62R-10942

The purpose of this letter is to provide an overview of the proposed development and review the policy and regulatory framework applicable to the subject lands.

SITE CONTEXT

The subject site is located in Ward 7, just west of the intersection of Upper Sherman Avenue and Limeridge Road East, and is municipally known as 641 Limeridge Road East, in the City of Hamilton. The subject property takes an irregular shape with an angled northern property line, having an area of $\pm 966 \text{ m}^2$ with $\pm 24 \text{ m}$ of frontage along Limeridge Road East. The site is occupied by an existing one-and-a-half storey dwelling with a semi-circular driveway.

The subject lands are located on the southern periphery of a residential neighbourhood primarily characterized by ground-oriented, single detached houses. The lands on the south side of Limeridge Road East feature a mix of commercial and institutional uses, as well as a 65-unit townhouse complex. The subject site is located ± 500 metres east of Cadillac Fairview (CF) Lime Ridge Mall – featuring hundreds of retail stores, restaurants, and entertainment.

Limeridge Road East is identified as a collector road and Upper Sherman Road is identified as a minor arterial road, as per Schedule C of the Official Plan, with walkable access to public transit services on Upper Sherman Avenue, and commercial amenities to the west at CF Limeridge Mall. The subject site is also located approximately ± 100 metres north of the Lincoln M. Alexander Parkway, with the nearest access ramps being located ± 750 metres west of the site.

The following uses are immediately adjacent to the subject site:

- / **North:** Residential
- / **East:** Residential
- / **South:** Residential, Institutional, and Commercial
- / **West:** Residential

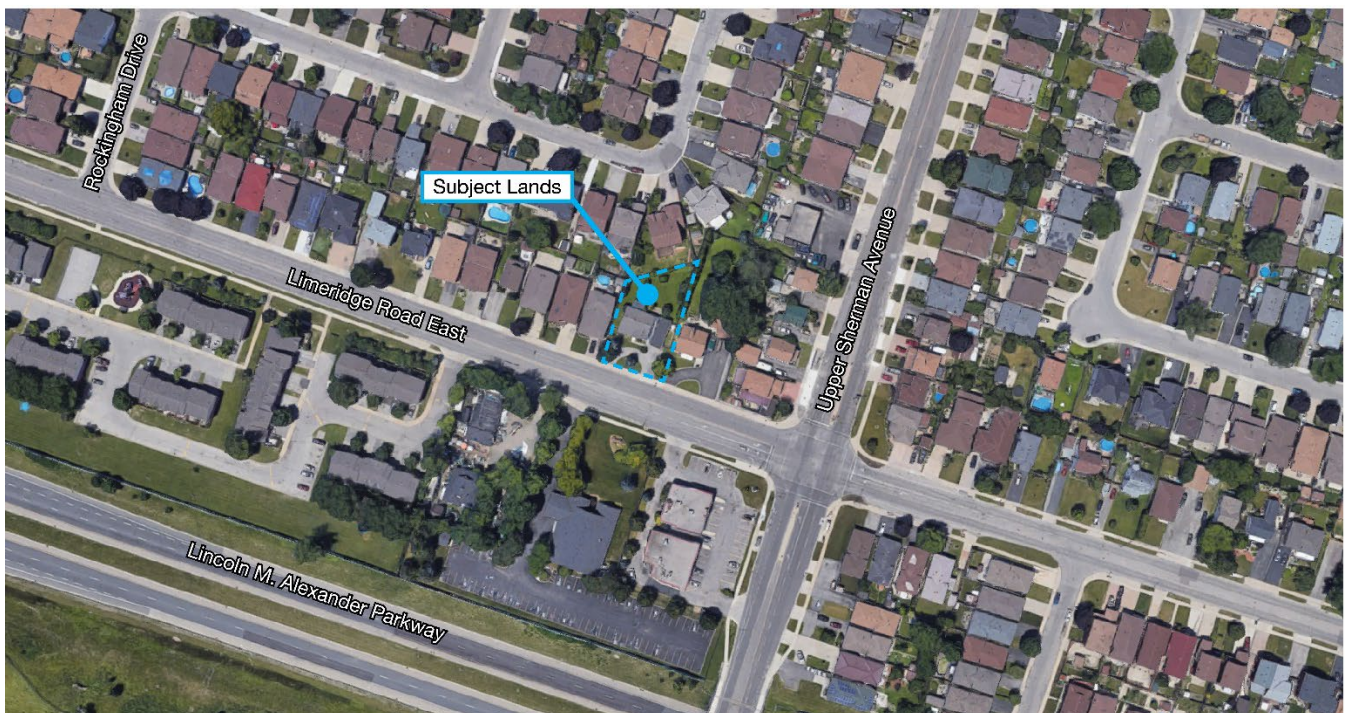


Figure 1: Subject Site (Source: Google Earth. Annotated by Fotenn).



Figure 2: Looking west on Limeridge Road East showing the subject property (Source: Google Earth. Annotated by Fotenn).

DEVELOPMENT PROPOSAL

The proposed development consists of applications for consent (severance) and minor variance, to permit the construction of three new single-detached dwellings. The proposed single-detached dwellings will be two-storeys in height, having a gross floor area of $\pm 117.4 \text{ m}^2$. Each unit will feature two (2) parking spaces, located at the front of the property. The proposed development will be serviced by municipal water and sewage services.

The proposed severance application would result in the creation of two (2) new lots, for a total of three (3) lots (including the retained parcel). The existing single-detached dwelling would be demolished to facilitate the proposed division of land.

Lot	Area	Frontage	Density
A	283.52 m ²	8.22 m	36 u/ha
B	314.20 m ²	7.92 m	32 u/ha
C	368.47 m ²	8.23 m	27 u/ha
Total	966.18 m²	24.38 m	31 u/ha



Figure 3: Massing of the proposal for three residential buildings at 641 Limeridge Road East (Source: CAUD Studios).

The proposed minor variance application is required to establish appropriate site-specific performance standards regarding setbacks, lot width, encroachment, lot area, landscaping, and parking.

POLICY + REGULATORY REVIEW

Bill 97 – The Helping Homebuyers, Protecting Tenants Act, 2023

On April 6, 2023, the Government of Ontario released the latest round of draft policy and legislative changes as part of the Province’s Housing Supply Action Plan – Bill 97, the Helping Homebuyers, Protecting Tenants Act, 2023. The Bill is intended to replace the existing Provincial Policy Statement (2020) and where it applies, the Growth Plan for the Greater Golden Horseshoe. At the time of writing of this Report, Bill 97 is undergoing a public commenting period, and as such is not yet in force and effect. Please note that some aspects of the provincial planning policy analysis contained herein may be subject to change pending the approval and finalized provisions of Bill 97.

Provincial Policy Statement (2020)

The 2020 Provincial Policy Statement (PPS) provides high-level land use policy direction on matters of Provincial Interest as they relate to land use planning in Ontario municipalities. The PPS sets out fundamental principles to ensure the long-term prosperity and social well-being of the Province, which are dependent on resilient communities for people of all ages. The 2020 PPS includes considerations to promote efficient development and land use patterns, accommodating a mix of residential types including single-detached housing, and promoting the integration of planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns. The PPS states that settlement areas shall be the focus of growth and development.

The proposed development supports a healthy, liveable, and safe community through the efficient use of land and built resources. The subject site represents the intensification of an existing settlement area and is within walking distance to compatible existing amenities such as municipal transit services and commercial amenities.

The proposed redevelopment is consistent with the 2020 Provincial Policy Statement in so far as it is located in proximity to existing transit services, represents good social planning considerations to support resilient communities, and represents efficient use of urban land and infrastructure resources.

Growth Plan for the Greater Golden Horseshoe (2020)

The Growth Plan for the Greater Golden Horseshoe (2020), hereafter referred to as “the Growth Plan”, together with the Greenbelt Plan, Oak Ridges Moraine Conservation Plan, and the Niagara Escarpment Plan, builds on the Provincial Policy Statement (PPS) to provide a long-term land use planning framework for where and how the region and its municipalities will grow. The vision of the Growth Plan is to achieve complete communities where residents have easy access to transit networks and support an increase in the amount and variety of housing availability. Section 1.2.1 of the Growth Plan outlines guiding principles to help with the successful realization of the Growth Plan’s vision, including prioritizing intensification and supporting a range and mix of housing options, including additional residential units to serve all sizes, incomes and ages of households. Section 2 of the Growth Plan emphasizes optimizing the use of existing urban land supply toward an “intensification first” approach, which focuses on efficiently using existing infrastructure and public service facilities to create strong and healthy communities.

The proposal for severance and development of three detached residential buildings will support the achievement of complete communities as the new residential units will contribute to a full range of housing in a convenient location where residents’ needs for daily living are able to be met. The subject site is in proximity to existing transit services at the intersection of Upper Sherman Avenue and Limeridge Road and nearby commercial amenities at CF Limeridge Mall, thereby taking advantage of existing amenities.

The proposed redevelopment is consistent with the Growth Plan (2020) in so far as it represents appropriate intensification within the settlement area and contributes to the existing supply of housing.

Urban Hamilton Official Plan (November 2022 Consolidation)

The Urban Hamilton Official Plan (UHOP) was adopted by Council in 2009, and last consolidated November 2022. The Official Plan provides direction and guidance on the management of its communities, land use change and physical change for the next three decades. Policies of the Plan express and enable change and transformation while balancing and respecting a sense of place, history and culture. The following sections of the UHOP are reviewed in relation to the proposed development:

- Section B: Communities
- Section E: Urban Designations

The subject site is located within the ‘Neighbourhoods’ urban structure designation as per Schedule E and is designated ‘Neighbourhoods’ as per Map E-1 of the Urban Hamilton Official Plan. The property is located along Limeridge Road East, which is identified as a collector road, and in proximity to the intersection of Upper Sherman Avenue, which is identified as a minor arterial road per Schedule C – Road Classification.

Section B.2.4 of the Urban Hamilton Official Plan (UHOP) speaks to residential intensification as a key component of Hamilton’s growth strategy. The UHOP encourages residential intensification throughout the entire built-up area and targets 40% of this intensification to occur within the *Neighbourhoods* urban structure designation. Where developments for residential intensification occurs, the UHOP outlines the following policy criteria:

B.2.4.1.4 Residential intensification developments shall be evaluated based on the following criteria:

-
- a) a balanced evaluation of the criteria in b) through l), as follows;*
- b) the relationship of the proposal to existing neighbourhood character so that it maintains, and where possible, enhances and builds upon desirable established patterns and built form;*
- c) the development's contribution to maintaining and achieving a range of dwelling types and tenures;*
- d) the compatible integration of the development with the surrounding area in terms of use, scale, form and character. In this regard, the City encourages the use of innovative and creative urban design techniques;*
- e) the development's contribution to achieving the planned urban structure as described in Section E.2.0 – Urban Structure;*
- f) infrastructure and transportation capacity; and,*
- g) the ability of the development to comply with all applicable policies.*
- h) the contribution of the proposed development to supporting and facilitating active transportation modes;*
- i) the contribution of the development to be transit-supportive and supporting the use of existing and planned local and regional transit services;*
- k) the ability of the development to retain and/or enhance the natural attributes of the site and surrounding community including, but not limited to native vegetation and trees; and,*
- l) compliance of the proposed development with all other applicable policies;*

The proposed development will result in the creation of three residential lots (including retained lot) which support the City's objectives for accommodating residential intensification and the creation of compact communities. The proposed development builds upon the established pattern of the neighbourhood, particularly to the west and north of the site, while promoting an appropriate form of moderate intensification. The surrounding neighbourhood features a mix of lot sizes, ranging from approximately 9 metres to 13 metres in width, with the majority of dwellings being single-detached typologies. The proposed development will support and contribute to the established neighbourhood character, by continuing the pattern of single-detached dwellings along the north side of Limeridge Road East. Although the proposed lots are slightly narrower than existing lot widths nearby, they nonetheless maintain the general established rhythm and pattern of housing throughout the neighbourhood. The proposal will add greater diversity to the mix of housing densities throughout the neighbourhood, increasing the available housing stock and in turn supporting overall rental and ownership affordability in the area.

As shown in the conceptual massing, the proposed residential buildings contain architectural design features such as a gable roof and multiple windows which make them compatible with the existing neighbourhood in its scale, form and character. The streetscape context on Limeridge Road East will be minimally affected, as the proposed dwellings are consistent with the housing typologies found along the north side of Limeridge Road East and will maintain a consistent setback of approximately 6 metres from the street line, thus resulting in minimal visual impacts and respecting the physical character of the surrounding area. Further, the proposed two-storey building height is consistent with the heights of its immediate neighbours, resulting in minimal visual impacts to the character of the streetscape.

The proposed development will allow for more efficient use of existing municipal servicing infrastructure. It will also support the efficient delivery of existing public transit services connections along Upper Sherman Avenue. The proximity of the site to a wide range of commercial and recreational spaces will promote the use of active transportation modes. A wide range of uses to meet the daily needs of residents are all available within a ± 1 kilometre radius of the site, including grocery stores, retail stores, restaurants, public parks, financial institutions, schools, and various places of worship.

Section B.2.4.2 of the UHOP provides further policy direction for residential intensification on lands designated Neighbourhoods, as per Schedule E-1.

B.2.4.2.2 When considering an application for a residential intensification development within the Neighbourhoods designation, the following matters shall be evaluated:

- a) the matters listed in Policy B.2.4.1.4;*
- b) compatibility with adjacent land uses including matters such as shadowing, overlook, noise, lighting, traffic, and other nuisance effects;*
- c) the relationship of the proposed building(s) with the height, massing, and scale of nearby residential buildings;*
- d) the consideration of transitions in height and density to adjacent residential buildings;*
- e) the relationship of the proposed lot(s) with the lot pattern and configuration within the neighbourhood;*
- f) the provision of amenity space and the relationship to existing patterns of private and public amenity space;*
- g) the ability to respect and maintain or enhance the streetscape patterns including block lengths, setbacks and building separations;*
- h) the ability to complement the existing functions of the neighbourhood;*
- i) the conservation of cultural heritage resources; and,*
- j) infrastructure and transportation capacity and impacts.*

As discussed above, the proposed development is appropriate within the context of the surrounding neighbourhood. The height of the proposed development is generally consistent with the height of dwellings found throughout the surrounding area and is therefore not anticipated to result in any significant adverse impacts on adjacent properties – such as shadowing, overlook, noise, traffic, and other nuisances (beyond that which can be reasonably anticipated within an urban context). Although the proposed lots are slightly narrower than other lots in the surrounding area, they generally maintain the established development pattern along Limeridge Road and represent appropriate intensification at the periphery of the neighbourhood, near the intersection of a collector road and minor arterial road. Ample private rear yard amenity space is provided for each unit for the benefit of future residents. The site is also located within walking distance to numerous public parks and recreational spaces. Each unit maintains a 6-metre front yard setback, consistent with (or exceeding) the typical setback of dwellings along Limeridge Road. There are no significant natural heritage or cultural heritage resources on or adjacent to the

subject lands – however 648 Limeridge Road East is listed on the City’s heritage inventory. The proposal is not anticipated to adversely impact infrastructure or transportation capacity in the area.

Section E.2.7 outlines the UHOP’s direction for the ‘Neighbourhoods’ urban structure, as identified on Schedule E. Neighbourhoods are intended to accommodate a full range of housing types, forms and densities within complete communities to meet the social health and well-being of all current and future residents. The Neighbourhoods are generally stable but are not static and will see physical change over time. The UHOP notes that residential intensification is part of the evolution of a neighbourhood and can occur at a range of scales and densities, provided the intensification is compactible with and respects the character of the broader neighbourhood. It is our opinion that the proposed development represents appropriate moderate intensification at the periphery of a stable neighbourhood, and is compatible with the character of the neighbourhood.

The subject lands are located within the ‘Neighbourhood’ land use designation per Schedule E-1 of the UHOP. The policy direction in Section E.3.0 states that these are areas which are generally regarded as physically stable but permits development for residential intensification that is compatible with the existing character or function. Policy goals for ‘Neighbourhoods’ direct these areas to develop as compact, mixed-use, transit-supportive and active transportation friendly neighbourhoods, promote a design that enhances and respects the character while allowing for their ongoing evolution, and support residential intensification of an appropriate scale in appropriate locations. Permitted uses in low density residential areas include single-detached dwellings and should align with the lower profile, grade-oriented built form character. With regards to scale, low density residential areas shall have a maximum net residential density of 60 units per hectare, and a maximum height of 3 storeys. Design policies state that development in areas dominated by low density residential uses shall be designed with a mix of lot widths and sizes that are compatible with streetscape character. The proposed development is consistent with the low density residential policies, in terms of the proposed land use, scale, built form, density, and function. A mix of lot widths and sizes compatible with the streetscape character is encouraged as per Policy E.3.4.6. The subject application proposes higher density residential uses in an appropriate location nearby the minor arterial road at Upper Sherman Avenue. The introduction of three residential units on a site which formerly housed one dwelling unit results in an overall net density of 31 units per hectare

Section F.1.14.3 of the UHOP provides policy direction for the division of land through consent within the urban area. The following conditions shall be met for consents for new lot creation in the ‘Neighbourhoods’ designation:

F.1.14.3.1 Consents for new lot creation, for both the severed and retained lands, for residential uses in the Neighbourhoods designation shown on Map E-1 – Urban Land Use Designation, shall be permitted provided the following conditions are met:

- a) The lots comply with the policies of this Plan, including secondary plans, where one exists;*
- b) The lots comply with existing Neighbourhood Plans;*
- c) The lots are in conformity with the Zoning By-law or a minor variance is approved;*
- d) The lots reflect the general scale and character of the established development pattern in the surrounding area by taking into consideration lot frontages and areas, building height, coverage, mass, setbacks, privacy and overview;*
- e) The lots are fully serviced by municipal water and wastewater systems; and,*
- f) The lots have frontage on a public road.*

The subject site is not located within an existing Secondary Plan or Neighbourhood Plan. Following approval of the subject minor variance application, the proposed lots will be in conformity with the Zoning By-law. As illustrated in the site plan and massing concept, the lots reflect the general scale and character of the established development pattern in the surrounding area, particularly to the west and north of the site, which shows a consistent pattern of narrower lot widths. The lots will be fully serviced by municipal water and wastewater systems, and will have frontage Limeridge Road, a public right-of-way.

The proposed redevelopment is consistent with the general intent and policies of the Official plan in so far as it represents an appropriate low density residential intensification that respects and reinforces the physical character of the neighbourhood.

Zoning By-Law 6593

The subject site is zoned Urban Protected Residential District (C/S-1822), Special Requirement per Former City of Hamilton Zoning By-law No.6593. As discussed earlier, the redevelopment proposes the creation of three lots (including retained). The existing dwelling would be demolished to facilitate the severance and construction of three new single-detached dwellings at 641 Limeridge Road East. The proposed lots and future dwellings require relief from yard setback, lot width, encroachment, and lot area standards, in addition to parking location and minimum landscaping requirements.

The following table compares the current zoning regulations against the existing conditions and the proposed redevelopment. Minor variances are identified where required to facilitate the proposed redevelopment.

Section	Regulation	Requirement	Proposed	Compliance?
9. (1)	Requirements as to Use – Residential	(i) Single family dwelling (ii) Semi-detached dwelling (iii) Two family dwelling (iv) Street townhouse dwelling	Single family dwelling	Yes
9. (2)	Height Requirements	Maximum 2.5 storeys or 11 m	2 storeys (10m)	Yes
9. (3)	Area Requirements	(i) Front yard: 6.0 m min	Front yard: 6.0 m	Yes
		(ii) Side yard: 1.2 m min	Side yard: 0.9 m	No
		(iii) Rear yard: 7.5m min	Rear yard: +/- 6.8 m	No
9. (4)	Intensity of Use	Lot width: 12.0 m min	Lot width: 7.9 m	No
		Lot area: 360 m ² min	Lot area: 283.52 m ²	No
18(3)(vi)(b)	Encroachments	(vi) Encroachments on Yards: Every part of a required yard shall be unobstructed from its lowest level upwards, except that (b) A canopy, cornice, eave or gutter may project, (i) into a required front yard not more than 1.5 metre (4.92 feet) provided that no such projection shall be closer to a street line than 1.5 metres (4.92 feet); (ii) into a required rear yard not more than 1.5 metre (4.92 feet);	Front yard roof overhang: 0.61 m Rear yard roof overhang: 0.61 m Side yard roof overhang: 0.63 m	Yes Yes No

Section	Regulation	Requirement	Proposed	Compliance?
		(iii) into a required side yard not more than one-half of its width, or 1.0 metre (3.28 feet), whichever is the lesser		
18(14)(i)	Landscaping	For any single family dwelling: (i) not less than 50% of the gross area of the front yard shall be used for a landscaped area excluding concrete, asphalt, gravel, pavers, or other similar materials	21.7%	No
18. A (7)	Minimum required manoeuvring space for parking areas	Parking dimensions Width: 2.7 m min Length: 6.0 m min	Per space: Width: 3.1 m Length: 6.0 m	Yes
18. A 14(H)		For the purpose of a single family dwelling, the following shall apply: (i) only one of the required parking spaces may be located in the front yard, and (ii) notwithstanding Subsection 10, only the accessibility to one of the required parking spaces may be obstructed by any other required parking spaces.	2 parking spaces proposed in front yard each for Lot A, B, C	No
18. A 24(A)		Driveway width: 2.8 m	Width: 6.2 m for 2 spaces (3.1 m per space)	Yes
Table 1	Minimum Required Parking for Residential Uses	(a) Single Family Dwelling: 2 parking spaces for each Class A dwelling unit, for the first 8 habitable rooms in the dwelling unit plus 0.5 parking space for each additional habitable room	2 spaces	Yes

OVERVIEW OF REQUESTED VARIANCES

Based on the foregoing zoning matrix, the following minor variances to Zoning By-law 6593 are anticipated to be required to permit the proposed redevelopment.

1) Section 9(3)(ii), By-law 6593

A minimum side yard setback of 1.2 metres is required on-site according to the current in-force and effect Zoning By-law 6593.

A minimum side yard setback of 0.9 metres is proposed.

2) Section 9(3)(iii), By-law 6593

A minimum rear yard setback of 7.5 metres is required on-site according to the current in-force and effect Zoning By-law 6593.

It is proposed that a minimum setback of 6.8 metres be permitted.

3) Section 9(4), By-law 6593

A minimum lot width of 12.0 metres and minimum lot area of 360.0 m² is required on-site according to the current in-force and effect Zoning By-law 6593.

It is proposed that a minimum lot width of 7.9 metres and minimum lot area of 283.0 m² be permitted.

4) Section 18(3)(vi)(b), By-law 6593

A maximum encroachment into a side yard of no more than one half of its width or 1.0 metres (whichever is lesser) is permitted according to the current in-force and effect Zoning By-law 6593.

It is proposed that a maximum encroachment of 0.63 metres be permitted into the side yard.

5) Section 18(14)(i), By-law 6593

A minimum of 50% of the gross area of the front yard is required for landscaping according to the current in-force and effect Zoning By-law 6593.

A minimum requirement of 21.7% of the gross area of the front yard for landscaping is proposed to be permitted.

6) Section 18(A)(14)(H), By-law 6593

Only one required parking space is permitted to be located within the front yard.

It is proposed that relief from zoning be provided to permit two parking spaces in the front yard.

PLANNING ACT – FOUR TESTS OF A MINOR VARIANCE

The proposed variances have been assessed based on the four tests for a minor variance, as described in Section 45(1) of the *Planning Act* as follows:

Test #1: Is the general intent and purpose of the Official Plan maintained?

Test #2: Is the general intent and purpose of the Zoning By-law maintained?

Test #3: Is the variance minor?

Test #4: Is the variance desirable for the appropriate development or use of the lands in question?

Test 1: Is the general intent and purpose of the Official Plan maintained?

The subject site is located within designated “Neighbourhoods”, as per Schedule E-1 of the City of Hamilton’s Official Plan. Based on the policy review provided in this letter (above), the City regards ‘Neighbourhoods’ as generally stable areas of the city, but not static, and recognizes physical change will occur over time through infill and redevelopment. The general intent of the UHOP for this land use designation is to accommodate evolution of these neighbourhoods at a range of scales and densities that is compatible and respectful of the built form and character of the surrounding neighbourhood. The UHOP is generally concerned in evaluating new residential intensification developments for their relationship with nearby buildings on height, massing and scale, considerations for height and density transitions, relationship of the lot pattern and configuration, relationship of existing patterns of private and public amenity space, maintaining and enhancing streetscape patterns, and complementing existing neighbourhood functions. The OP directs that built form of higher densities be located towards the periphery of the neighbourhood closer to where minor arterial roads or corridors are located.

The proposal is consistent with the general intent and purpose of the Official Plan as it will accommodate residential intensification within the city's existing built-up area, reducing the need for urban boundary expansions and greenfield development. The introduction of three residential dwellings on the subject site conforms to residential intensification policies in so far as the site is located at the periphery of an existing neighbourhood, along a collector road in proximity to the intersection of a minor arterial road and has nearby access to existing transit services and commercial amenities. Thus, the proposal will act as a visual transition in form and density towards the intersection of Upper Sherman Road and Limeridge Road East, an area planned to accommodate higher density and compact development.

The proposed redevelopment will increase the residential density on the site from 10 units per hectare to 31 units per hectare, which is consistent with the policy direction for Low Density Residential areas within the Neighbourhoods designation. The proposed development maintains the same rhythm of building along the streetscape while promoting gentle intensification that supports a compact, transit-supportive neighbourhood at an appropriate scale. Further, it supports an optimized use of existing municipal infrastructure including municipal water and wastewater services. This represents appropriate residential intensification in an urban context and the general intent and purpose of the zoning by-law is maintained.

It is our professional opinion that the requested variances maintains the general intent and purpose of the Urban Hamilton Official Plan.

Test 2: Is the general intent and purpose of the Zoning By-law maintained?

The subject lands are zoned 'Urban Protected Residential District (C/S-1822) Special Requirement' under the former City of Hamilton By-law No.6593. As noted in the zoning matrix (above), the proposed development does not conform to all applicable regulations of By-law 6593. The variances are generally required to facilitate a severance to permit the creation of three lots and the construction of three detached dwellings. Six (6) variances are required to address deficiencies in matters pertaining to yard setbacks, lot width and area, sideyard encroachment, minimum landscaped area and parking space location.

Side Yard Setback

Section 9(3)(ii) of the Zoning By-law requires a minimum sideyard setback of 1.2 metres for residential uses, whereas the proposed development features a minimum sideyard setback of 0.9 metres. The general intent and purpose of providing for a sideyard setback is to ensure that a dwelling is liveable and can meet minimum functional requirements for the day-to-day operation of the future household, such as adequate access to the rear yard and having adequate space to conduct maintenance and repair of the dwelling when needed. To a lesser extent, sideyard setbacks are also implemented to ensure that new development is generally in-keeping with the existing streetscape pattern, through offering a consistent visual separation between buildings. The proposed variance represents a relatively minor decrease to the minimum sideyard setback requirement, which is not anticipated to impact the proper function of the sideyard. It should be noted that the sideyard relief will not result in appreciable impacts on existing adjacent properties at 635 and 647 Limeridge Road East, as a 1.2 metre setback will be maintained to these neighbouring sites. Further, the proposed variance is not anticipated to impact the character of the streetscape, as it is our opinion that a 0.3 metre deficiency in sideyard setback will be a largely imperceptible change from the public realm along Limeridge Road. As such, the general intent and purpose of the Zoning By-law is maintained.

Rear Yard Setback

Section 9(3)(iii) of the Zoning By-law requires a minimum rear yard setback of 7.5 metres for residential uses, whereas the proposed development features a minimum rear yard setback of 6.8 metres. The general intent and purpose of providing for a rear yard setback is to ensure that the property is liveable and the functional needs of future residents are met through the provision of adequate private amenity space for personal enjoyment. Rear

yards also ensure appropriate separation is provided from adjoining land uses to the rear of a property. The noted rear yard deficiency is largely a technical matter, resulting from the angled orientation of the rear property line. The rear yard setback gradually increases for each lot, up to a setback of approximately 11 metres at the eastern-most corner of the property. It should be noted that Lot A has a rear yard setback deficiency, as the eastern two lots will exceed the minimum requirement. It is our opinion that the requested variance maintains the overall intent and purpose of the Zoning By-law and will not have a significant impact on the overall function of the site, nor adversely impact adjacent sites.

Lot Width and Lot Area

Section 9(4) of the Zoning Bylaw requires a minimum lot width of 12 metres and a minimum lot area of 360 m², whereas the proposed development proposes a minimum 7.9 metre lot width (Lot B) and a minimum lot area of 283 m² (Lot A). The general intent and purpose of a minimum lot width and lot area requirements is to ensure that new development is consistent with the established fabric of the neighbourhood in terms of lot configuration, as well as to ensure that all lots meet the minimum functional requirements for a dwelling. Further, minimum lot area requirements ensure that functional needs for stormwater management are met through providing appropriate areas for water drainage.

The proposed variance to permit reduced lot widths will not adversely impact the character of the streetscape. It should be noted that the current streetscape along Limeridge Road is not uniform, as it features a mix of residential, commercial and institutional uses. Among residential uses, the street features both single-detached dwellings and rear-lotted townhouse dwellings. As such, the character of the streetscape is one which features a diversity of uses, building typologies, and lot sizes. Although the development will result in slightly smaller lot widths and areas, these reductions will blend in with the character of the streetscape – particularly in so far as they maintain the rhythm of single-detached dwellings along the north side of Limeridge Road. Accordingly, the proposed reduction to the lot width and lot area will not adversely impact the predominant character of the streetscape.

Encroachments

Section 18(3)(vi)(b) of the Zoning By-law permits encroachments into a required side yard of no more than one half of its width of 1.0 metres, whichever is the lesser, whereas the proposed development proposes a roof encroachment into the side yard of 0.63 metres. The general intent and purpose of the encroachment requirement is to ensure that the new development is consistent with the established fabric of the neighbourhood in terms of residential design.

The proposed variance represents a relatively minor increase to the permitted encroachment at an additional 0.13 metres of roof overhang, which is not anticipated to result in an appreciable visual impact to the streetscape character. It is noted that there are some properties on Limeridge Road with minimal roof overhang resulting in a varied streetscape character and as such, the proposed variance will not have a significant impact on the neighbourhood character, and the general intent and purpose of the Zoning By-law is maintained.

Landscaped Area

Section 18(14)(i) of the Zoning By-law requires a minimum of 50% of the front yard area to be landscaped, whereas the proposed development features a rate of 21.7%. The general intent and purpose of providing a minimum 50% of front yard landscaping is to ensure that new developments are in-keeping with character of the surrounding area through maintaining a pleasant streetscape feel from the public realm. It should also be noted that many of the dwellings along Limeridge Road East feature front yard landscaped areas which are clearly less than the minimum required 50%. The noted deficiency in landscaped area is a result of accommodating an additional required parking space in the front yard, however shared landscaping areas between driveways will maintain the character of the streetscape and help to blend the proposed development into the fabric of the neighbourhood. As such, the general intent and purpose of the Zoning By-law is maintained.

Parking in the Front Yard

Section 18(A)(14)(H) of the Zoning By-law permits one required parking space in the front yard, whereas the proposed development features two front yard parking spaces. The general intent and purpose of the minimum one parking space requirement within the front yard is to maintain the prevailing character of development in the neighbourhood and minimize paved surfaces. When assessing the general front yard characteristics of existing properties on Limeridge Road, it is noted that the number of parking spaces for many existing dwellings ranges between 1 to 4 spaces.. Many dwellings along the north side of Limeridge Road East feature double-wide driveways, with front yard parking conditions that accommodate two or more vehicles. As such, the general streetscape character is varied and the proposed variance will not have a significant impact on the streetscape or surrounding area. In this regard, the general intent and purpose of the Zoning By-law is maintained.

It is our professional opinion that the requested variances maintain the general intent and purposes of the City of Hamilton Zoning By-law 6593.

Test 3: Is the variance minor?

The determination of whether an application is minor is not a mathematical consideration. Rather, this test is intended to assess the degree of any impacts resulting from the minor variance application, including the cumulative impact of multiple variances.

The proposed variances are required to facilitate the proposed severance to accommodate three single-detached buildings. The proposed single detached typology and architectural treatment is modest and remains consistent with the existing built form context of the streetscape on the north side of Limeridge Road East, which is comprised of single-detached buildings.

The variance requested for relief to the sideyard and rear yard setbacks, encroachment, minimum landscaping and parking location will not result in a significant perceptible change in the streetscape rhythm or character. The variance requested for lot width and lot area will result in a change in the streetscape, however the proposed intensification of the lot with an additional 2 parcels is in keeping with the evolving needs of the community and is appropriate at this location given its proximity to public transit infrastructure and commercial amenities, contributing to reduced automobile dependency.

When examined cumulatively, the proposed variances will not negatively impact the appearance or function of the site and surrounding area, nor will they result in significant adverse functional impacts to adjacent lands. Accordingly, the proposed variances are considered minor in nature and will largely maintain the established nature of development in the surrounding neighbourhood.

It is our professional opinion that the proposed variances are minor in nature.

Test 4: Is the variance desirable for the appropriate development of the lands in question?

The requested variances are required to facilitate a consent to sever application to create two additional lots (three lots total), and permit the construction of three single-detached buildings. The proposed development represents an efficient and desirable use of lands, which are located at the periphery of a residential neighbourhood and in proximity to a collector and minor arterial road. As such, the site represents an ideal opportunity to initiate a transition in density towards areas where uses of a higher scale and intensity in built form are anticipated under policy direction. Given the subject lands' proximity to more intensified residential built forms on the south side of Limeridge Road East, the property at 641 Limeridge Avenue represents a logical site for residential intensification.

Further, approval of the requested variances would facilitate the provision of additional dwelling units within an existing neighbourhood. This is desirable for numerous reasons including the efficient use of land and existing municipal servicing in the built-up area, adding to the municipality's existing housing supply, and contributing to the development of responsive, compact built form which supports the creation of complete neighbourhoods.

It is our professional opinion that the requested variances are desirable for the appropriate development of the subject lands.

CONCLUSION

The Applicant is seeking approval from the City of Hamilton Committee of Adjustment for relief from zoning standards and approval for a severance application at the property municipally known as 641 Limeridge Road East. The proposed redevelopment will sever the property to create a total of three parcels to construct three 2-storey single-detached buildings.

The proposed intensification does not meet zoning requirements for yard setbacks, lot width, lot area, encroachment, parking location and minimum landscaped area. In order to facilitate the proposal, a minor variance application is required to address these various zoning deficiencies.

The proposed variances will establish appropriate standards for the site, while considering the locational and context and existing physical constraints on-site. It is our opinion that the proposed variances maintain the general intent and purpose of the Official Plan and of the Zoning By-law, are minor in nature, and are desirable for the appropriate development of the subject lands for the following reasons:

- / Maintains functional needs of residents of a future household;
- / Efficient use of land in the built-up area which optimizes municipal services and infrastructure;
- / Contributes to the City's housing supply;
- / Proximity to public transportation services and commercial amenities;
- / No significant impact to the character of the area or the established streetscape.

It is our opinion that the proposed minor variance application is appropriate and represents good land use planning. Should you have any questions or require any additional information, please do not hesitate to contact the undersigned at 416.789.4530 x 11 or via e-mail at weekes@fotenn.com.

Respectfully,

Reviewed by:



Miles Weekes, MCIP, RPP
Senior Planner
Fotenn Planning + Design

Written by:



Yuki Naganuma, BURPI.
Planner
Fotenn Planning + Design



Hamilton

Committee of Adjustment
City Hall, 5th Floor,
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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 [REDACTED]

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	641 Limeridge Road East		
Assessment Roll Number	251807065206240		
Former Municipality	Hamilton		
Lot	9	Concession	6
Registered Plan Number		Lot(s)	
Reference Plan Number (s)		Part(s)	

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:

Please refer to concurrently submitted 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 concurrently submitted 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
24.38 m	47.47 m	+966 m	+23 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
Single-detached	11 m	10.2 m	3.3m (west) and 2.5 (east)	

Proposed:

lot A
lot B
lot C

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Single-detached	6.0 m	6.8 m	1.2m (west) and 0.9m (east)	
Single-detached	6.2 m	11.77 m	0.9m (west) and 0.9m (east)	
Single-detached	6.4 m	16.6 m	0.9m (west) and 1.19m (east)	

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
Single-detached	+192 sq m	Unknown	1.5	Unknown

Proposed:

lot A
lot B
lot C

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Single-detached	113.31 sq m	348.10 sq m	2	10 m
Single-detached	113.31 sq m	348.10 sq m	2	10 m
Single-detached	113.31 sq m	348.10 sq m	2	10 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.):
single-detached

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

7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:

January 2023

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-detached

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 (Schedule E-1)

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

Please refer to concurrently submitted cover letter.

7.6 What is the existing zoning of the subject land? C/S-1822 per Zoning By-law 6593

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: Unknown - concurrently submitted

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: 1

8.2 Number of Dwelling Units Proposed: 3

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

Please refer to concurrently submitted cover letter.

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
