



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-23:287	SUBJECT PROPERTY:	551 and 553 Hughson St N, Hamilton
ZONE:	“D” (Urban Protected Residential – One- and Two-Family Dwellings and Etc.)	ZONING BY-LAW:	Zoning By-law former City of Hamilton 6593, as Amended 94-039

APPLICANTS: Owner: Eric Cardillo
Agent: A.J. Clarke & Associates Ltd. c/o Franz Kloibhofer

The following variances are requested:

1. A Multiple Dwelling containing a maximum of four dwelling units shall be permitted within a “D” District;
2. A minimum required rear yard of 5.0 metres shall be provided instead of the minimum required rear yard of 7.5 metres;
3. A minimum required front yard of 1.16 metres instead of the minimum required front yard of 6.0 metres;
4. A minimum of zero (0) parking spaces shall be provided instead of the required 0.8 of a space per Class A dwelling unit within area "A", shown on Schedule "H";
5. Parking devoted to the Multiple Dwelling shall be permitted within the Hughson Street North Municipal Right of Way.
6. Not less than 15% of the gross area of the front yard shall be used for landscaped area instead of the required 50% gross area of the front yard shall be used for landscaping.
7. A balcony encroachment of 1.5 metres within the rear yard shall be provided instead of the maximum balcony encroachment of 1 metre.
8. A balcony and porch encroachment of 1.2 metres within the front yard shall be provided instead of

HM/A-23:287

the maximum encroachment of 1 metre for a balcony and a minimum setback of 1.5 metres for a porch.

- 9. A manoeuvring space of 0 metres shall be provided instead of the required manoeuvring space aisle width of 6.0m.

PURPOSE & EFFECT: So as to permit a Multiple Dwelling notwithstanding that:

Notes:

- i. Be advised, as per Section 10. (3)(ii), a building or structure whose height exceeds 11.0 metres in height shall maintain side yards of a width each of at least 2.7 metres. Note, the side yards as provided to not meet the required side yard setback as 1.4 metres is provided. Should the required side yard of the proposed development not meet the requirements of Section 10.(3)(ii), additional variances may be required.
- ii. Be advised, the requested variance for the proposed balcony encroachment within the front yard has requested relief to the encroachment into a required yard, however no such request has been made for relief from the minimum setback of a balcony to a street line. It is noted that the staircase, which forms part of the balcony within the front yard, is indicated to be 1.16 metres from the street line whereas a minimum setback of 1.5 metres is required from a street line. Should the proposed balcony not meet both the requirements of Section 18.(3)(vi)(cc)(i), additional variances may be required.
- iii. Please note, a concurrent Zoning Compliance Review to Determine a Legally Established Non-Conforming Multiple Dwelling is currently under review and remains not finalized. As such, this Division cannot confirm the current recognized use of the property until such time that the review is completed. Furthermore, should the use be determined to be recognized as a Legally Established Non-Conforming Multiple Dwelling, this Minor Variance may still be required to establish the use and applicable variances requested above as demolition of the existing building and construction of a new building will result in the discontinuance of the use. As such, the variances and comments provided remain applicable to the proposed development.
- iv. Be advised, in reference to variance #5 above, a Residential Boulevard Parking Agreement may be required for any parking spaces located within the Hughson Street North road allowance.

Furthermore, any proposed work within the Hughson Street North road allowance, in particular the proposed Concrete Walkway, may be subject to an Encroachment Agreement with public works.

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, December 7, 2023
TIME:	9:50 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

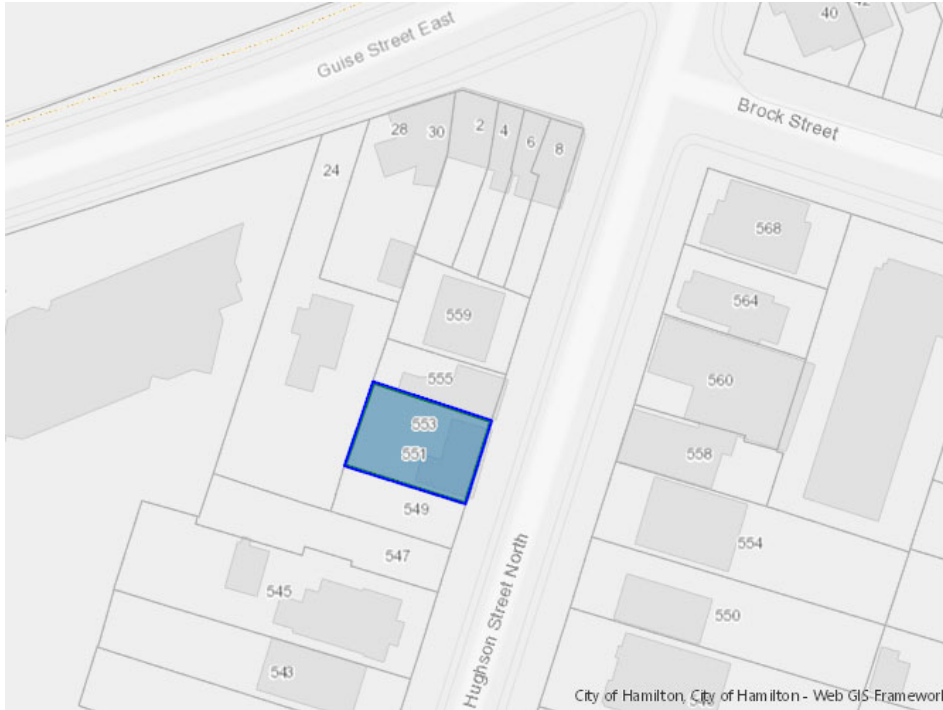
Written: If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Please see attached page for complete instructions, including deadlines for submitting to be seen by the Committee.

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-23:287, 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.



DATED: November 21, 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

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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.

SURVEYOR'S REAL PROPERTY REPORT-PART 1
**PLAN OF SURVEY OF
 PART OF LOT 2**
 BEING IN THE BLOCK BOUNDED BY HUGHSON,
 BURLINGTON, JAMES AND GUISE STREETS
 ACCORDING TO
JAMES HUGHSON SURVEY-UNREGISTERED
CITY OF HAMILTON
 REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH
 SCALE 1:150

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 PEARSON & PEARSON SURVEYING LTD. 2023
 Ontario Land Surveyors

Metric
 DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND
 CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

Part 2

DESCRIPTION OF LAND: PART OF LOT 2, BEING IN THE BLOCK BOUNDED
 BY HUGHSON, BURLINGTON, JAMES AND GUISE STREETS ACCORDING TO
 JAMES HUGHSON SURVEY-UNREGISTERED, CITY OF HAMILTON, REGIONAL
 MUNICIPALITY OF HAMILTON-WENTWORTH.

REGISTERED EASEMENTS AND/OR RIGHTS OF WAY: NO REGISTERED
 EASEMENTS OR RIGHTS OF WAY ON TITLE.

BOUNDARY FEATURES: NOTE ALL FENCES, HEDGES, OVERHEAD WIRES AND
 PORCH, STEPS, RETAINING WALLS ARE SHOWN IN RELATION TO THE
 BOUNDARY.

COMPLIANCE WITH MUNICIPAL ZONING BY-LAWS: THIS PLAN DOES NOT
 CERTIFY ZONING COMPLIANCE OR IDENTIFY WHAT ZONING RESTRICTIONS
 ARE INVOLVED.

THIS REPORT WAS PREPARED FOR ERIC CARDILLO AND THE UNDERSIGNED
 ACCEPTS. NO RESPONSIBILITY FOR ITS USE BY OTHER PARTIES.

ADDITIONAL REMARKS: NOTE THE TIN ENCLOSURE PROJECTS OVER
 THE NORTH LIMIT.

Bearing Note

BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE WESTERLY
 LIMIT OF HUGHSON STREET NORTH SHOWN ON PLAN 62R-8710 AS
 HAVING A BEARING OF N17°50'35"E.

Benchmark

ELEVATIONS ARE GEODETIC AND ARE REFERRED TO LEICA SMARTNET
 GPS NETWORK.

Note

TREE CALIPERS ARE NOT TO ARBORIST STANDARDS. FOR ARBORIST
 CALIPERS REFER TO ARBORIST REPORT.

Legend

■	DENOTES	SURVEY MONUMENT FOUND
□	DENOTES	SURVEY MONUMENT SET
SIB	DENOTES	STANDARD IRON BAR
SSIB	DENOTES	SHORT STANDARD IRON BAR
PB	DENOTES	PLASTIC BAR
IB	DENOTES	IRON BAR
CC	DENOTES	CUT CROSS
WT	DENOTES	WITNESS
OU	DENOTES	ORIGIN UNKNOWN
PRODN	DENOTES	PRODUCTION
S	DENOTES	SET
M	DENOTES	MEASURED
N/S/E/W	DENOTES	NORTH/SOUTH/EAST/WEST
P	DENOTES	PLAN 62R-2858
P1	DENOTES	PLAN 62R-4597
P2	DENOTES	PLAN 62R-8614
P3	DENOTES	PLAN 62R-8710
P4	DENOTES	PLAN 62R-20581
P5	DENOTES	PLAN OF SURVEY BY A. T. McLAREN LIMITED, O.L.S., DATED DECEMBER 20, 1982. BUILDING LOCATION SURVEY BY GLENN E. GIDDY, O.L.S., DATED OCTOBER 09, 1986. A. J. CLARKE, O.L.S. CITY OF HAMILTON
P6	DENOTES	B. A. JACOBS SURVEYING LTD., O.L.S. SIDNEY W. WOODS INC., O.L.S. NOTES AND RECORDS BY SIDNEY W. WOODS INC., O.L.S., DATED JANUARY 22, 1987.
912	DENOTES	BOARD FENCE
CITY	DENOTES	TIES TO CONCRETE FOUNDATION
BAJ	DENOTES	TIES TO BRICK
SWW	DENOTES	TIES TO FRAME
NR	DENOTES	TIES TO ALUMINUM CLD
		CONCRETE BLOCK RETAINING WALL
		STONE RETAINING WALL
		TOP OF WALL ELEVATION
		BOTTOM OF CURB ELEVATION
		OVERHEAD WIRES
		UTILITY POLE
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Ø	DENOTES	DIAMETER (ROUND)
DS	DENOTES	DOOR SILL ELEVATION
BC	DENOTES	BOTTOM OF CURB ELEVATION
⊙	DENOTES	DECIDUOUS TREE WITH TRUNK DIAMETER

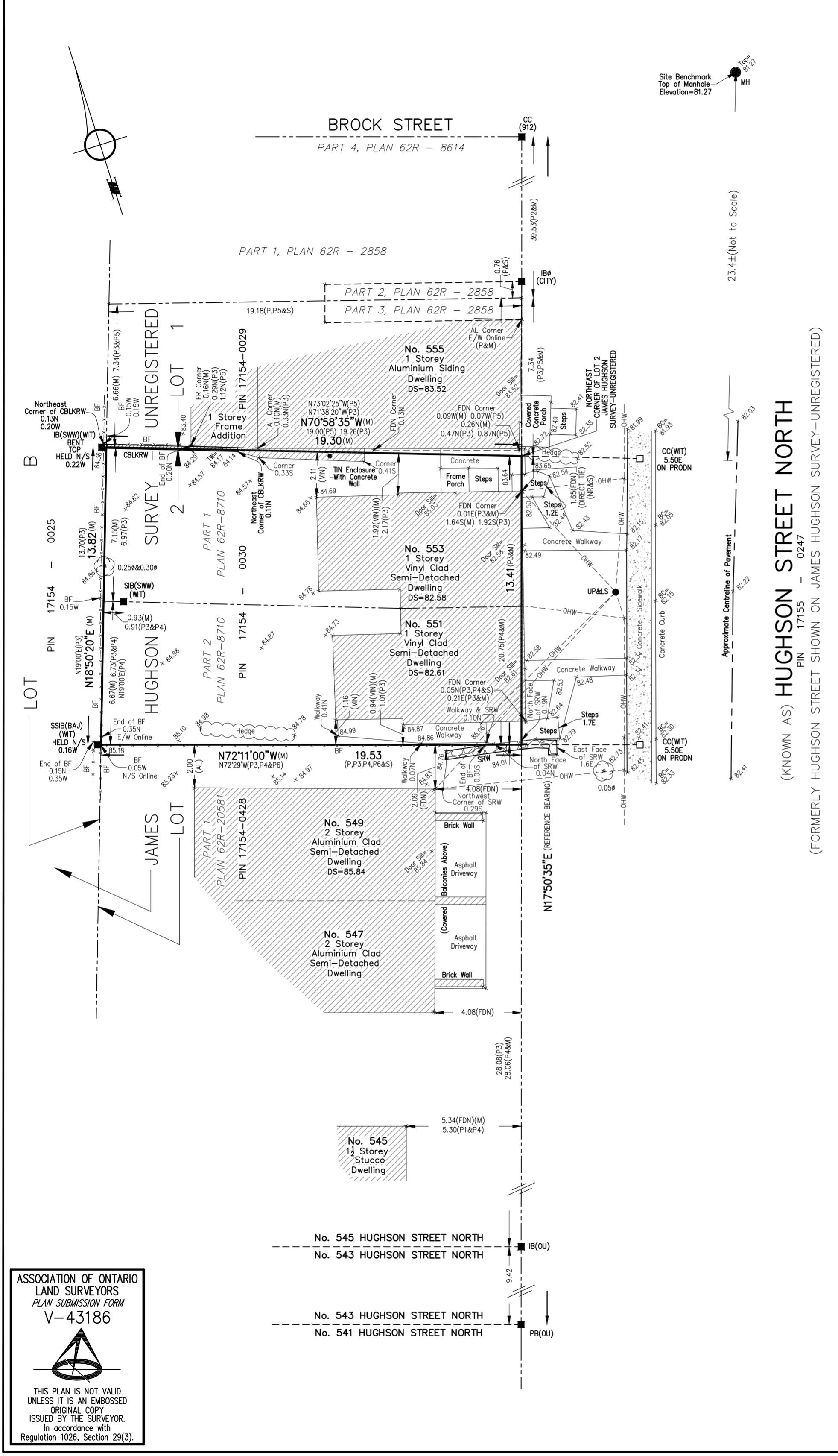
Surveyor's Certificate

I CERTIFY THAT :
 1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH
 THE SURVEYS ACT, THE SURVEYORS ACT AND THE REGULATIONS
 MADE UNDER THEM.
 2. THE SURVEY WAS COMPLETED ON THE 14TH DAY OF JULY, 2023.

July 14, 2023
 Date

Jason Chun-Ho Mo
 Ontario Land Surveyor

12011 KEELE STREET, UNIT #116, MAPLE ONTARIO, L6A 4R7 O. : (289) 553-5453 E. : michelepearson@pearsonandpearson.ca		
DRAWING : 2696-HughsonStreetNorth51-553-SRPR.DWG	PROJECT : 2696	
CALC. BY JM	DRAWN BY TM/JM	CHECKED BY MP/JM



ASSOCIATION OF ONTARIO
 LAND SURVEYORS
 PLAN SUBMISSION FORM
 V-43186

THIS PLAN IS NOT VALID
 UNLESS IT IS AN EMBOSSED
 ORIGINAL COPY
 ISSUED BY THE SURVEYOR.
 In accordance with
 Regulation 1026, Section 29(3).

SCOPE OF WORK
 PROPOSED FOUR-UNIT MULTIPLE DWELLING.
 EXISTING FOUR-UNIT MULTIPLE DWELLING TO BE DEMOLISHED

SITE STATISTICS

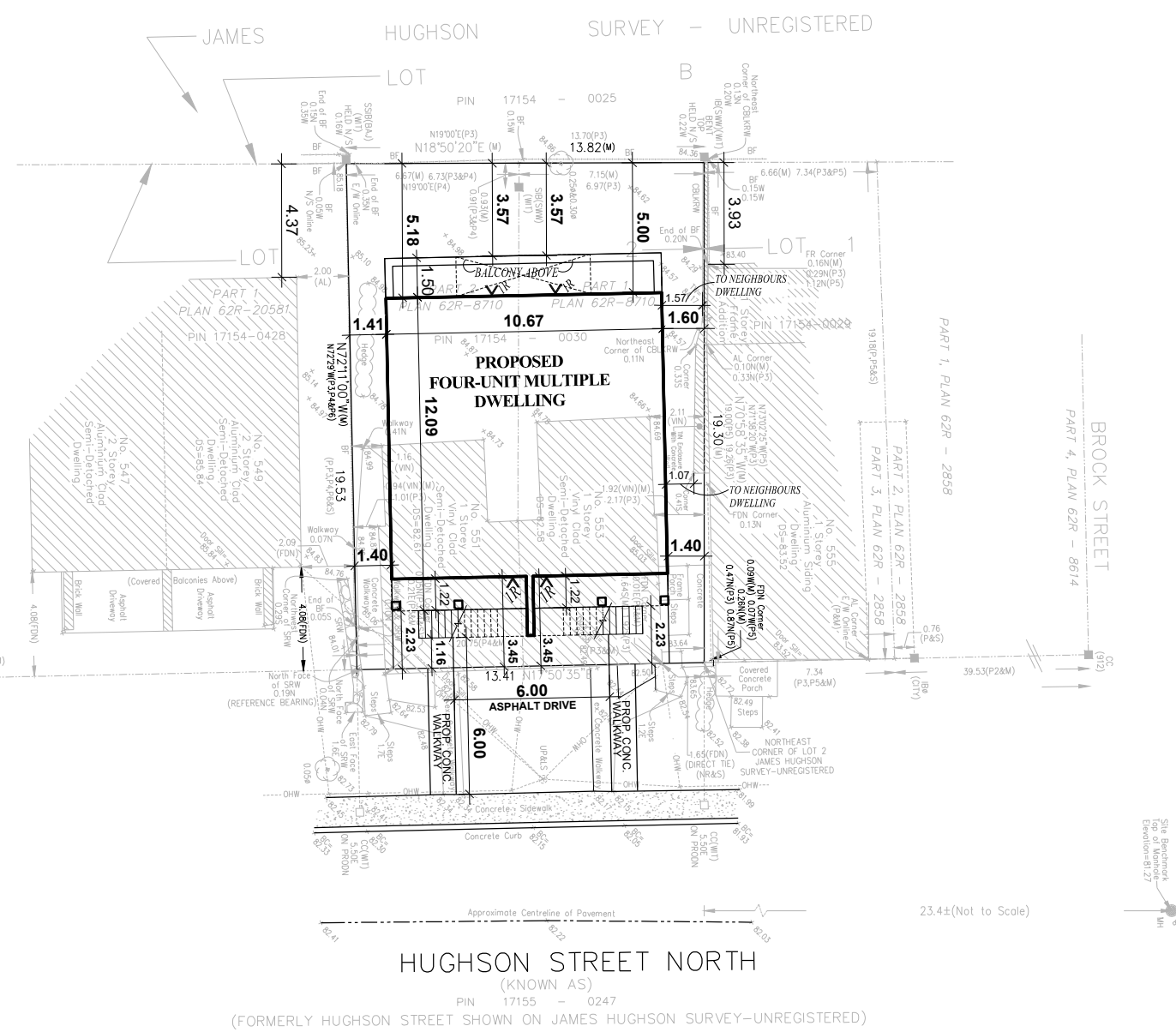
	IMPERIAL	METRIC
LOT AREA	2844.90 FT ²	264.30 M ²
MAIN FLOOR AREA	1248.00 FT ²	115.94 M ²
SECOND FLOOR AREA	1248.00 FT ²	115.94 M ²
GFA	2496.00 FT ²	231.88 M ²

URBAN PROTECTED RESIDENTIAL - ONE AND TWO FAMILY DWELLINGS, ETC.

	EXISTING	PROPOSED
MIN. FRONT YARD SETBACK	6.00M	PROPOSED 3.45M
MI. REAR YARD SETBACK	7.50 M	PROPOSED 5.00M
MIN. SIDE YARD SETBACK	2.70M	PROPOSED 1.40M
TOTAL LANDSCAPE SPACE	25% TOTAL LOT AREA	LOT AREA=264.30M ² PROPOSED LANDSCAPE AREA = 95.40M ² 95.40 / 264.30 = 36.09%
MIN. FRONT YARD LANDSCAPING	50%	PROPOSED 20.75% (9.63M ²) FRONT YARD AREA = 46.39M ²
MAX. HEIGHT	14.00M max	PROPOSED 11.86M (FRONT) PROPOSED 9.47M (REAR)



KEY PLAN
 NOT TO SCALE
 SURVEYOR'S REAL PROPERTY REPORT - PART 1
PLAN OF SURVEY OF PART OF LOT 2 BEING IN THE BLOCK BOUNDED BY HUGHSON, BURLINGTON, JAMES AND GUISE STREETS ACCORDING TO JAMES HUGHSON SURVEY-UNREGISTERED CITY OF HAMILTON REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH
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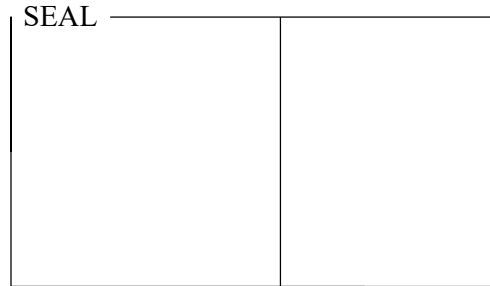
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BR	DENOTES	TIES TO FRAME
FR	DENOTES	TIES TO ALUMINUM CLD
AL	DENOTES	CONCRETE BLOCK RETAINING WALL
CBKRW	DENOTES	STONE RETAINING WALL
SRW	DENOTES	TOP OF WALL ELEVATION
TW	DENOTES	BOTTOM OF CURB ELEVATION
BC	DENOTES	OVERHEAD WIRES
OHW	DENOTES	UTILITY POLE
UP	DENOTES	LIGHT STANDARD
LS	DENOTES	DIAMETER (ROUND)
Ø	DENOTES	DOOR SILL ELEVATION
DS	DENOTES	BOTTOM OF CURB ELEVATION
BC	DENOTES	DECIDUOUS TREE WITH TRUNK DIAMETER
⊕	DENOTES	

No.	DATE:	REVISION
1	2023-09-12	PREPARED AND ISSUED FOR COMMITTEE OF ADJUSTMENT

NOTES
 THIS DRAWING, AS AN INSTRUMENT OF SERVICE, IS PROVIDED BY AND IS THE PROPERTY OF THE DESIGNER. THE CONTRACTOR MUST VERIFY AND ACCEPT RESPONSIBILITY FOR ALL DIMENSIONS AND CONDITIONS ON SITE AND NOTIFY THE DESIGNER OF ANY VARIATIONS FROM THE SUPPLIED INFORMATION. THE DESIGNER IS NOT RESPONSIBLE FOR THE ACCURACY OF SURVEY, MECHANICAL, ELECTRICAL INFORMATION SHOWN ON THIS DRAWING. REFER TO THE APPROPRIATE ENGINEERING DRAWINGS (I.E. FLOOR LAYOUT, TRUSS LAYOUT) BEFORE PROCEEDING WITH THE WORK. CONSTRUCTION MUST CONFORM TO ALL APPLICABLE CODES AND REQUIREMENTS OF AUTHORITIES HAVING JURISDICTION.
 DRAWINGS SHALL NOT BE SCALED. THESE DRAWINGS SHALL NOT BE USED FOR CONSTRUCTION PURPOSES UNTIL THE REQUIRED BUILDING PERMITS HAVE BEEN ISSUED.



SCHILLERCO
 340 CHURCH STREET
 OAKVILLE, ON L6J 1P1
 PHONE: 905-822-1666
 EMAIL: TRAVIS@SCHILLERCO.CA

CLIENT
 ICON CONTRACTING SERVICES INC

PROJECT
 551-553 HUGHSON ST N
 HAMILTON, ON

PAGE
 SITE PLAN

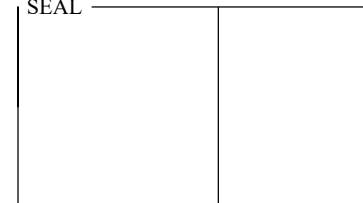
APPROVED BY:	TS	SP0.1
DATE:	AUG. 2023	
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PROJECT No.	2023SE174	

No.	DATE:	REVISION
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SEAL



SCHILLERCO

340 CHURCH STREET
 OAKVILLE, ON L6J 1P1
 PHONE: 905-822-1666
 EMAIL: TRAVIS@SCHILLERCO.CA

CLIENT

MR. ERIC CARDILLO

PROJECT

551-553 HUGHSON ST N
 HAMILTON, ON

PAGE

APPROVED BY:	TS
DATE:	AUG. 2023
PROJECT No.	2023SE174



551-553 HUGHSON ST.

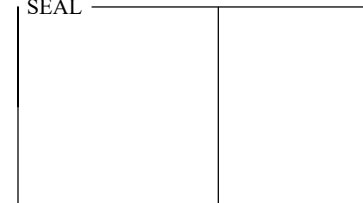
FRONT EAST ELEVATION
SCALE: 3/16" = 1'-0"

No.	DATE:	REVISION
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340 CHURCH STREET
 OAKVILLE, ON L6J 1P1
 PHONE: 905-822-1666
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CLIENT

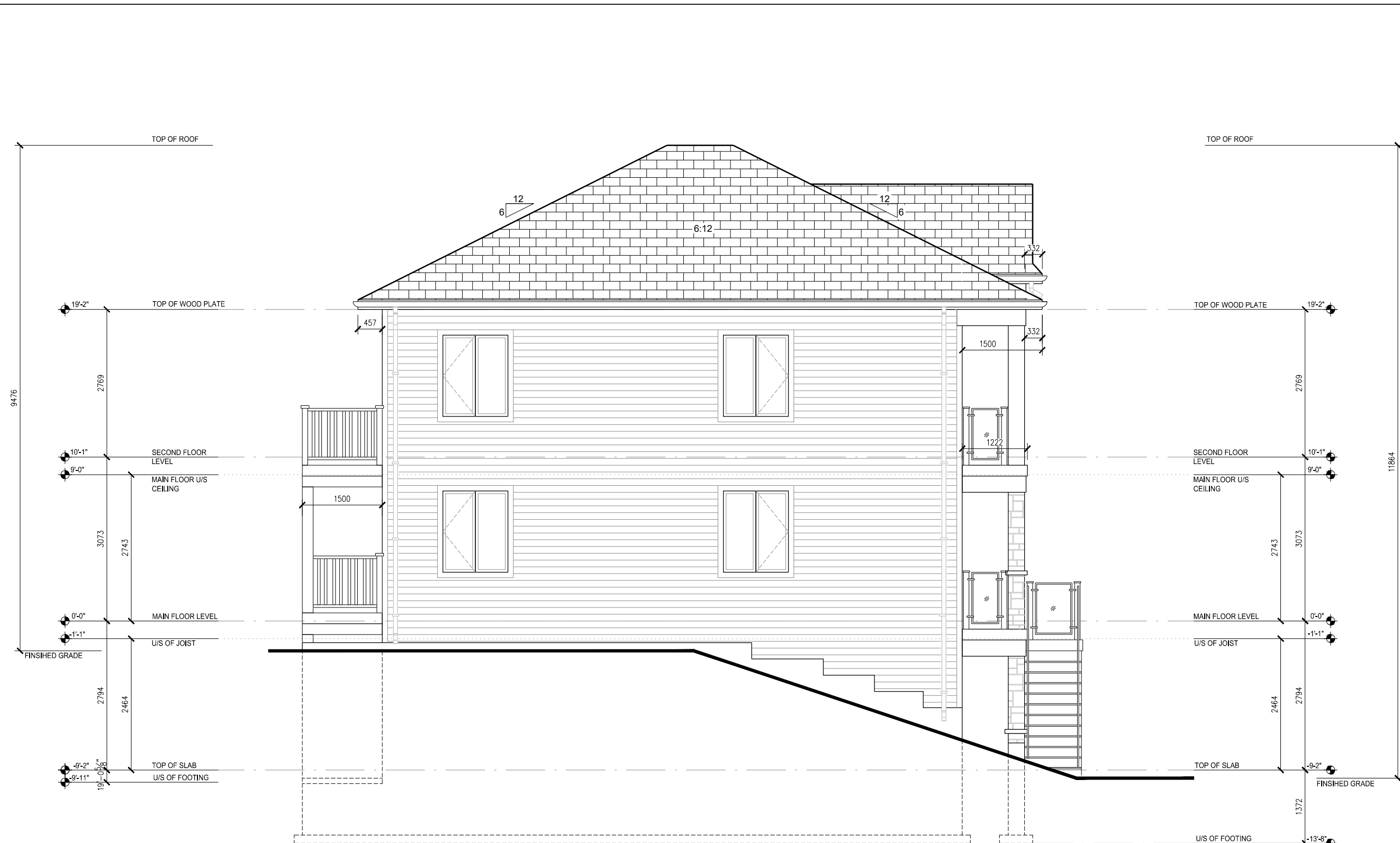
MR. ERIC CARDILLO

PROJECT

551-553 HUGHSON ST N
 HAMILTON, ON

PAGE

APPROVED BY: TS	
DATE: AUG. 2023	
PROJECT No. 2023SE174	



551-553 HUGHSON ST.

SIDE SOUTH ELEVATION
 SCALE: 3/16" = 1'-0"

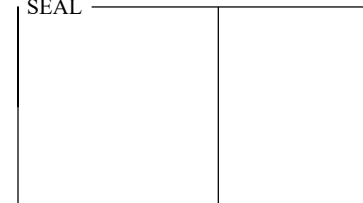
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 OAKVILLE, ON L6J 1P1
 PHONE: 905-822-1666
 EMAIL: TRAVIS@SCHILLERCO.CA

CLIENT

MR. ERIC CARDILLO

PROJECT

551-553 HUGHSON ST N
 HAMILTON, ON

PAGE

APPROVED BY: TS	
DATE: AUG. 2023	
PROJECT No. 2023SE174	

551-553 HUGHSON ST.

REAR WEST ELEVATION

SCALE: 3/16" = 1'-0"



551-553 HUGHSON ST.

SIDE NORTH ELEVATION
SCALE: 3/16" = 1'-0"

No.	DATE:	REVISION
1	2023-09-12	PREPARED AND ISSUED FOR COMMITTEE OF ADJUSTMENT
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NOTES

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SEAL

SCHILLERCO
340 CHURCH STREET
OAKVILLE, ON L6J 1P1
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City of Hamilton
Committee of Adjustment
71 Main Street West, 5th Floor
Hamilton, ON L8P 4Y5

October 19, 2023

Attn: Ms. Jamila Sheffield
Secretary Treasurer, Committee of Adjustment (email: Jamila.Sheffield@hamilton.ca)

**Re: 551-553 Hughson Street North
Minor Variance Application Submission**

Dear Ms. Sheffield:

A.J. Clarke and Associates Ltd. has been retained by the owner, Eric Cardillo, for the purposes of submitting the enclosed Minor Variance Application for the subject lands, municipally known as 551-553 Hughson Street North, in the City of Hamilton. Below is a summary of the materials submitted to your attention:

- One (1) electronic copy of the required filled and signed Minor Variance Application Form;
- One (1) cheque in the amount of \$3,735.00 representing the required Minor Variance Application fee;
- One (1) electronic copy of a Real Surveyor's Property Report (Plan of Survey), prepared by Pearson and Pearson Surveying Ltd.
- One (1) electronic copy of the proposed Site Plan and Elevations, prepared by Schillerco Ltd.

This analysis is in support of the Minor Variance Application submitted for the subject lands. The proposed use variance is to facilitate the reconstruction of an existing fourplex to improve the current conditions.

The subject lands are located on the west side of Hughson Street North between Guise Street, to the north, and Burlington Street East, to the south. The subject lands are a rectangular lot with a frontage of 13.41 metres, a maximum depth of 19.53 metres, and an overall area of 264.3 square metres. The lands are currently occupied with a 1-storey fourplex structure with an overall ground floor area of ±90.3 square metres.

The surrounding area in the North End East Neighbourhood is diverse not only in its land uses, but also in the wide array of housing styles, types, and built forms. The immediate neighbourhood contains single and semi-detached dwellings, street townhouses, the three-storey City Housing multiple dwelling at 10 Brock St (44 metres from subject lands), the six-storey Guise Street Co-operative (19 metres from subject lands), the 17-storey Ken Soble tower, (160 metres from subject lands), and the 19 and 22-storey Pier Towers (149 metres from the subject lands). This neighbourhood will also see significant development to the north along the waterfront with a proposed 45-storey tower, along with four-to-eight-storey mixed use structures.



This neighbourhood is characterized by unique lotting patterns and lot sizes, indicative of its long history with some lots lower than 100 square metres and many below 150 square metres. Narrow widths and frontages are also a characteristic of the neighbourhood, with many below 6.5 metres.

The site is in proximity to numerous public services and facilities including Pier 7, Pier 4, the new Copsps Pier Park, Harbour West Marina, Bayview Park, Bennetto Community Centre, Welcome Inn Community Centre, Eastwood Park and Arena, Bennetto Public Elementary School, St. Lawrence Catholic Elementary School, along with several places of worship. Multiple bus lines are also available within 200 metres of the subject lands along with the Go Transit Train Station less than one kilometre away.

The immediate surrounding land uses include:

North	Single-Detached Dwelling, 1-storey
South	Semi- Detached Dwelling, 2-storey
West	Single- Detached Dwelling, 2-storey
East	Single- Detached Dwelling, 1 and 2-storey

This site is in an odd predicament as it conforms to the Official Plan designation of ‘Neighbourhoods’ and the West Harbour Secondary Plan designation of ‘Medium Density Residential 1’ but does not comply with the current “D” District zoning in use or performance standards. It should be noted that this site, as shown on Map M-2: General Land Use, was specifically designated in the secondary plan to permit the existing density of ±150 units per hectare in the existing fourplex form. The Former City of Hamilton Zoning By-law 6593 recognizes fourplexes as a ‘multiple dwelling’ - the only use permitted in the ‘Medium Density Residential 1’ designation. While the secondary plan approved in 2012 recognized the existing use and purposefully designated it as such – the zoning by-law failed to be updated as a conformity exercise with the plan.

Within the West Harbour Secondary Plan, only multiple dwellings are permitted within lands designated as ‘Medium Density Residential 1’. However, a divide exists between the Urban Hamilton Official Plan (UHOP), Hamilton Zoning By-law 05-200 (ZBL 05-200), and the Former City of Hamilton Zoning By-law 6593 (ZBL 6593). ZBL 6593 defines a multiple dwelling as *“a building comprising four or more self-contained Class A dwelling units,...”* The current consolidation of the UHOP defines a multiple dwelling as *“a building or part thereof containing five or more dwelling units.”* ZBL 05-200 provides another varying definition and states multiple dwellings *“shall mean a building or part thereof containing three or more dwelling units but shall not include a street townhouse dwelling or semi-detached dwelling.”*

The expansion or enlargement or change in legal non-complying uses shall be permitted provided they maintain the intent and purpose of the Official Plan and the Zoning By-law. However, should these particular lands be redeveloped to a use that is in conformity with the Secondary Plan, they will be non-compliant with the Zoning By-law permitted uses and requirements and, alternately, if redeveloped to a use in compliance with Zoning By-law it will be non-conforming to the Secondary Plan. Changing the use to a zoning-compliant use would then require an Official Plan Amendment, which we believe to be highly unnecessary and a waste of resources considering the scale of the proposed development. Minor Zoning By-law Amendments, while still described in the UHOP, are no longer available as a planning tool in the City of Hamilton. Lastly, if redevelopment were forced to comply with the uses permitted in the “D” District of ZBL 6593 – there would be a reduction in rental units provided within the city.



To clear this matter as efficiently as possible, this proposal looks to merely add the permitted use of a fourplex on the subject lands to facilitate the improvement of current conditions of the existing fourplex structure; this will require several further minor variances to facilitate the proposed built form, most of which improve on the existing setback conditions.

The “D” District zoning permits uses such as: single family dwellings; two-family dwellings; foster homes; residential care facility or retirement home (of no more than 6 residents); day nurseries; school; seminary; and cultural, recreational, or community centre. As the proposed development is to introduce a built form not currently permitted in a “D” district, this application will utilize the requirements set in Section 10 A of Zoning By-law 6593. This section pertains to Low density Multiple Dwellings. A review of the applicable zone provisions is included below:

Regulation	Requirement “DE” District – Multiple Dwelling	Proposed Multiple Dwelling
Uses Permitted	Any Use in “D” + Multiple Dwellings	Fourplex (multiple dwelling)
Height	Max 3 storeys/ 11 metres in height	11.86 metres from grade
Front Yard Depth	6 metres	1.16 metres
Minimum Side Yard	3 metres	1.4 metres
Minimum Rear Yard	7.5 metres	5 metres at minimum
Min Lot Width	21 metres	13.41 metres
Min Lot area	720 square metres	264.3m ²

Again, the current land use is a four-unit multiple dwelling. The proposed new construction will facilitate the same use but will improve upon existing conditions and is designed in a manner not dissimilar to semidetached adjacent buildings or even large single-detached dwellings. As an exercise in built form conformity, the proposed development has also been examined using the standards for a two-family dwelling in a “D” District Zone.

MINOR VARIANCE APPLICATION

Variances are required to facilitate the proposed development. The variances are as follows:

1. A use variance to permit a fourplex (multiple dwelling) in a “D” District.
2. To permit a rear-yard depth of 5.0 metres; whereas a minimum of 7.5 metres is required.
3. To permit a front-yard depth of 1.16 metres; whereas a minimum of 6 metres is required.
4. To permit the provision of no on-site parking spaces.
5. To permit front yard parking within the municipal right-of-way.
6. To permit a front yard landscaping ratio of 15%; whereas 50% is required.
7. To permit a rear balcony encroachment into the required rear yard of 1.5 metres; whereas a maximum of 1 metre is permitted.
8. To permit a front yard balcony and porch encroachment of 1.2 metres into the required front yard; whereas a maximum of 1 metre is permitted.
9. To permit a manoeuvring space of 0 metres whereas the required manoeuvring space aisle width is 6.0m.



This Minor Variance application is made under the authority of Section 45(1) of the Planning Act. Accordingly, a Minor Variance must meet the requisite four tests as described in Section 45 (1) of the Planning Act. An analysis of these tests, and our professional planning opinion is provided below:

1. Do the proposed variances maintain the intent and purpose of the Urban Hamilton Official Plan?

The Urban Hamilton Official Plan (UHOP) is the guiding document that provides direction and guidance on the management of the communities, land use change and physical development of the City of Hamilton over the next 30 years.

The subject lands are designated 'Neighbourhoods' on Schedule E-1 – Urban Land Use Designations in the Urban Hamilton Official Plan (UHOP). The 'Neighbourhoods' designation permits uses such as; residential dwellings, including secondary dwelling units, and housing with supports, open space and parks, local community facilities/services, and local commercial uses.

The UHOP outlines the Urban Housing Goals in **Section 3.2.1 of Chapter B**. The following are applicable:

- B.3.2.1.1 Provide for a range of housing types, forms, and densities to meet the social, health and well-being requirements of all current and future residents.
- B.3.2.1.2 Provide housing within *complete communities*.
- B.3.2.1.5 Maintain a balance of *primary rental* and ownership housing stock as outlined in the Affordable Housing Strategy.

The proposed redevelopment maintains the range of housing types, forms, and densities provided in the established neighbourhood. This neighbourhood has access to numerous public service facilities (as described above), nearby shopping, and multiple forms of transportation and mass transit. The proposed rental units will continue to maintain a balance of rental and ownership in the area.

- B.3.2.4.1 The City shall plan for the full continuum of housing to ensure that an appropriate range and mix of housing forms, types, and densities to meet market-based and affordable housing needs of current and future residents through *residential intensification*, *new development*, and redevelopment is available. The full continuum of housing includes built form, tenure and affordability including single detached dwellings, semi-detached dwellings, duplexes, townhouses of various types (street, block, stacked), apartments and other forms of *multiple dwellings*, and lodging houses, built at a range of densities and ownership and rental tenures. (OPA 167)

The proposed redevelopment will result in the addition of rental units contained within a built form that is consistent with the balance of the neighbourhood, while also providing an efficient design and density.

- B.3.2.4.5 The existing stock of housing shall be retained wherever possible and kept in a safe and adequate condition through use of the City's Demolition Control bylaw, Property Standards by-law, and incentive programs financed by the City or by senior levels of government. (OPA 142)



The existing stock of housing is proposed to be retained, albeit in an updated building better equipped to suit the needs of the tenants, replacing the current aging structure. This includes providing more efficient access, parking, and more space per unit with a higher standard of living conditions for four, two-bedroom units.

Chapter B, Section 3.3 outlines policy directed toward Urban Design. The proposed redevelopment is supportive of the Urban Design Goals by enhancing the sense of community pride and identification by creating and maintaining unique, quality space that is compatible with and enhances the character of the existing environment and locale through innovative design. The proposed design will also look to maintain the existing topography and natural features.

Immediately south adjacent to the proposed redevelopment is a built form similar in height, setbacks, and balcony design facilitating semi-detached uses. The proposed redevelopment utilizes the same amount of space while providing for four dwelling units rather than two, which is a compact urban form with a density in conformity with the Secondary Plan. The proposed structure is not anticipated to create negative impact regarding shadow impact and overlook as two-to-three storey structures or higher are prevalent in the area.

Chapter E, Section 3.0 outlines policy in lands designated as ‘Neighbourhoods’ on Schedule E-1 – Urban Land Use Designations.

The goals of lands designated as ‘Neighbourhoods’ are outlined in Subsection 3.1. The proposed redevelopment conforms to the applicable goals in that it is a compact urban form located in an established complete community that utilizes a compatible built form to provide rental units at an efficient density in a manner that enhances and respects the character of the area.

Policy E.3.2.7 outlines the policies for quality urban and architectural design. This includes minimizing design that provides front yard surface parking, providing adequate and direct pedestrian access, improving the existing landscape features and overall landscape character of the surrounding area.

While the proposed redevelopment does propose boulevard parking in the front yard, this is essential in providing the required density proposed with as much parking as feasible on the subject lands. The existing lot fabric and topography creates incredible constraints. By improving the existing conditions which provides no parking, this application will also reduce the strain of on-street parking in the area. Direct pedestrian access is provided through a walkway from the public sidewalk to the front of the proposed development. The proposed design, while removing some of the existing yard space located within the boulevard, still provides sufficient planting space for landscape design and municipal tree planting. As a precedent, the neighbouring structure to the south has incorporated the same parking design. The proposed building will be similar to the neighbouring structure in size, setbacks, and proposed parking.

E.3.3.2 *Development or redevelopment* adjacent to areas of lower density shall ensure the height, massing, and arrangement of buildings and structures are *compatible* with existing and future uses in the surrounding area.

The proposed redevelopment while providing the designated density of ± 150 UPH, will be compatible with existing uses in the surrounding area as illustrated by the neighbouring structure to the south.

Policy E.2.2.6 also states that *“Intensification, redevelopment and compact form will be encouraged generally throughout the built-up area in accordance with appropriate development standards.”*

The proposed redevelopment utilizes a compact form within the built-up area.

The use is permitted in the Official Plan designation and would have typically been added through a Minor Zoning By-law Amendment, as described in Chapter F - Implementation, Policy F.1.5.8 and F.1.5.9:

1.5.8 A Minor Zoning By-law Amendment includes any or all of the following circumstances:
e) To add a use permitted by the Official Plans;

1.5.9 Council may, by By-law, delegate to the Chief Planner or other designated staff the authorization to pass a Minor Zoning By-law Amendment in accordance with policy F.1.5.8. (OPA 175)

This Minor Zoning By-law Amendment implementation tool is no longer available to be applied for – despite the specific language describing such circumstance. Applying for a full rezoning of the lands would be an unnecessary burden on the City’s and applicant’s resources. As such, a minor variance to add a use permitted within the ‘Neighbourhoods’ designated lands was suggested to permit the redevelopment of an existing fourplex (multiple dwelling).



547-549 Hughson Street North: neighbouring 2-storey semi-detached building with two front-yard paved parking spaces providing enough room for landscaping and street tree plantings.



West Harbour Secondary Plan

A.6.3.3.1.2 The City will ensure development and redevelopment in neighbourhoods and lands surrounding West Harbour respect the type, scale and character of development identified in this plan.

The proposed redevelopment respects the type, scale and character of the development identified in this plan as well as prevailing characteristics of the established neighbourhood.

As previously mentioned, the subject site has specifically been outlined as a property with the 'Medium Density Residential 1' designation, as per Schedule M-2: General Land Use. The guidelines for this designation are primarily outlined in Policy A.6.3.3.1.13, as described below:

A.6.3.3.1.13 In Medium Density Residential 1 areas:

i. multiple dwellings are permitted;

The proposed is a multiple dwelling, as defined by both ZBL 6593 and ZBL 05-200.

ii. the density of development shall be in the range of 60 – 150 units per gross hectare;

The density of the proposed development is 151 UPH.

iii. the height of buildings shall range from 3 to 5 storeys;

Again, the topography of the site adds to the uniqueness of the project as the building, as defined by ZBL 6593 is technically a two-storey development, with the lowest level sitting more than 50% below the mean grade of the land surrounding the structure.

iv. existing grid patterns of streets, blocks and open spaces, and/or those proposed by this plan, shall be respected;

The existing grid pattern of the block and street will not be impacted.

v. front yard setbacks shall be generally consistent with the setbacks of adjacent buildings;

The front yard setback is consistent with the setbacks of adjacent buildings to the south and north. The existing structure on the lands and structure to the north adjacent parcel encroach the right of way.

vi. for streets where a road allowance widening is required, the setback under the zoning by-law must be taken from the widened road allowance;

No road widening is required.

vii. parking areas generally shall be provided at the rear of sites or underground, with access from public streets or laneways;

viii. direct driveway access to individual units, garages fronting public streets and front yard parking shall not be permitted;

While the secondary plan states that parking areas will generally be located at the rear of sites or underground, and that individual driveways, front elevation garages, and front yard parking are not



permitted; these guidelines suggest development of low-rise apartments rather than the form proposed in this application. The site constraints also limit any feasibility of meeting the parking guidelines. Further, this established neighbourhood evidently has the characteristic of providing front yard parking with 526, 528, 530, 531, 535, 547, 549, 558, 560, 564 Hughson Street North all provide parking within a front yard driveway, all are located within the municipal right-of-way. Numerous other lots within this block provide a front yard drive, leading to driveways, facing the right-of-way. Lastly, by providing two spaces as proposed, the development will reduce the strain of on-street parking demands as there is currently no on-site parking provided.

ix. the main entrances to buildings shall face public streets;

The main entrance is provided in the front façade facing the street.

x. private amenity space shall be provided on balconies and terraces, at the front or rear of individual ground-floor units, and/or within internal courtyards outdoors and indoors;

xi. common amenity space shall be consolidated on the site to create useable spaces;

Amenity space is provided in shared rear yard as well as private rear and front yard facing balconies.

xii. the design and massing of buildings shall minimize shadow and wind impacts on the public realm; and

xiii. the design of new developments shall have respect for the light, views and privacy enjoyed by residents in adjacent buildings and areas.

No shadow or wind impacts are expected from the proposed structure as it is consistent with the built forms of the area with a proposed height permitted of single-detached dwellings.

It is my professional opinion that the proposed variances maintain the intent and purpose of the Urban Hamilton Official Plan and West Harbour Secondary Plan.

2. Do the proposed variances maintain the intent and purpose of the City of Hamilton Zoning By-law 05-200?

The subject lands are zoned “D” District – (Urban Protected Residential, Etc) within the Former City of Hamilton By-Law No. 6593 as per Zoning Map E1.

The “D” District zone permits uses such as: single family dwellings; two-family dwellings; foster homes; residential care facility or retirement home (of no more than 6 residents); day nurseries; school; seminary; and cultural, recreational, or community centre.

On August 12th, 2022, the City of Hamilton rezoned much of the existing low-density residential zones including “B-1”, “B-2”, “C”, “R-4”, “D”, and “R-2” Zones. This was to facilitate more comprehensive and inclusive low-density residential zones into R1 and R1a zones while promoting a more compact lot fabric and built form to increase the housing supply and density within the built boundary of the city. By-Law 22-195 amended “B-1”, “B-2”, “C”, “R-4”, “D”, and “R-2” Zones that did not get rezoned into the R1 and R1a zones with a Site Specific “S-1822”. Unfortunately, any neighbourhoods contained within secondary plans, such as the subject lands, were not recognized in this city-wide rezoning exercise.



Furthermore, by excluding secondary plan areas, the lands were also not included in the updated Section 19 Residential Conversion Policies which set zoning standards that promote a more compact built form and intensification in existing neighbourhoods through conversions of existing dwellings. Lands zoned “D District” outside of Secondary Plans are afforded the permission to convert existing dwellings to contain up to four dwelling units, as per by-law 22-195, Section 4.a).i):

“For the purpose of Section 4 to this By-law, a converted dwelling shall mean a single detached or two-family dwelling, existing as of August 12, 2022, converted to contain greater than two but no more than four Dwelling Units.”

This permits any other “D District” residential dwelling to not only contain up to four units, but as per Official Plan Policy, these additional dwelling units shall not be included in density calculations, as per Policy E.3.3.3 which states, “Secondary dwelling units shall not be included in the calculation of residential density (OPA 142).” Were Secondary Plans included in the City’s rezoning exercise, a fourplex in this zone would be permitted and would not affect the calculated density of the lands and would not be required to provide any additional parking until the fourth unit.

A purpose-built structure not dissimilar to the dimensions of semi-detached dwellings is proposed that contains four residential dwelling units. The current land use recognized by the Secondary Plan is an existing fourplex (multiple dwelling). Further, an increase in parking is proposed in a manner that is compatible and characteristic of the immediate neighbourhood.

When regarding the request for a reduced front yard depth, the immediate neighbourhood should be examined. The structure currently existing on the subject lands encroaches the public right-of-way as does the neighbour to the north. The lot to the south also has a reduced front yard of 4 metres, not including the 2.4-metre-deep balconies located 1.67 metres from the front lot line. Once again, a characteristic of the existing neighbourhood is shallow front yards with some nearly abutting the front lot line. This reduced front yard also allows for the proposed structure to increase the rear yard amenity space on a lot that is constrained in its size. This increase in rear yard should also ensure the existing tree on site can be maintained.

When regarding the rear yard setback, the neighbourhood once again shows this to be a common occurrence. The lots to the north and south feature similar rear yard depths. As mentioned above, the depth will allow for the existing tree(s) to be conserved and provide for sufficient shared amenity space in combination with private balconies.

Front yard/ boulevard parking is proposed for the redevelopment. This will provide the site with two parking spaces where there are currently none provided, for the same land use. As per the discussion above regarding the intent of the official plan, the proposed parking is characteristic of the area and streetscape. It will further reduce on-street parking demands.

The reduced landscaping ratio is required to implement the proposed parking and like the parking proposed, is characteristic of the area. The south adjacent lot provides front yard parking and still allows for sufficient planting area for street tree plantings.



Based on the discussion above, it is my professional opinion that the proposed variances maintain the intent and purpose of the Zoning By-law.

3. Are the proposed variances appropriate for the development of the subject lands?

As noted above, the variances are intended to facilitate the redevelopment of an existing use that is a desirable built form within an urban neighbourhood, on full municipal services. The proposed built form and use is consistent with the Planning Act, Provincial Policy Statement, and Growth Plan and maintains the intent of the Urban Hamilton Official Plan, The West Harbour Secondary Plan, and the Former City of Hamilton Zoning By-law 6593. The planning policy housing objectives of the Planning Act, PPS, Growth Plan, and the Official Plans are all promoted through this application. As noted above, the proposed variances are highly compatible and consistent with the established character of the neighbourhood and streetscape and is therefore appropriate for the development of the subject lands.

The variances requested are not dissimilar to those granted by the committee of adjustment for the neighbouring development in February of 2018 (City File Nos. HM/A-17:55 and HM/A-17:56). The variances granted to permit the newly constructed at 547 and 549 Hughson St North include:

1. A Front Yard depth of 1.2 metres, whereas 6 metres is required
2. Side Yard depths of 1.2 metres and 0.6 metres; whereas 2.7 was required
3. A Rear Yard Depth of 1.5 metres
4. No onsite parking shall be provided
5. No front yard landscaping shall be provided whereas 50% is required

Based on the analysis it is my professional opinion that the proposed variances are appropriate for the development of the subject lands.

4. Are the proposed variances minor in nature?

The proposed variances reflect the scale and character of this neighbourhood. There are no perceived impacts stemming from the use variance to permit the redevelopment of a legal, non-complying use which currently occupies the subject lands. The reduction to front yard and rear yard depths are a characteristic of the established neighbourhood. It should further be noted that the direction of Hamilton zoning appears to permit reduced front yard depths as seen through the introduction of the R1 and R1a low-density residential zoning, as well as the proposed R3 and R3a Medium Density zoning. The rear yard still provides space as a shared amenity in addition to the private balcony amenity spaces. Providing front yard parking within the boulevard is typical of the street. The front yard landscaping reduction from 50% to 15% still provides enough space for green space and street tree plantings. We feel these reductions are minor, especially when examining the surrounding neighbourhood.

As such, the minor variances and use variance requests of this application are appropriate for the subject lands. Official Plan or Zoning By-law Amendment applications would be an unnecessary process to remedy a situation where the city recognized the existing use in the West Harbour Secondary Plan, while not simultaneously providing the appropriate zoning change. The proposed redevelopment is an optimal form that bridges this inconsistency between the designation of 'Multiple Dwelling' and the zoning, which would permit the conversion in a "D" District outside of Secondary Plans, in a manner that should not



create any negative impacts to the surrounding area. The application has sufficient regard for the matters listed under Section 51 (24) of the *Planning Act*, represents good planning and should be approved.

I trust that you will find the enclosed satisfactory for your purposes. Please confirm receipt of this submission and we look forward to being scheduled for the next available hearing date. If you have any questions or require additional information, please do not hesitate to contact our office.

Sincerely,

James Thomas, MBA
Planner
A. J. Clarke and Associates Ltd.

Reviewed by:

Franz Kloibhofer, MCIP, RPP, BES (Hons.)
Principal, Project Manager
A. J. Clarke and Associates Ltd.

Encl.

Copy via email: Eric Cardillo (eric@iconcontracting.ca)



Hamilton

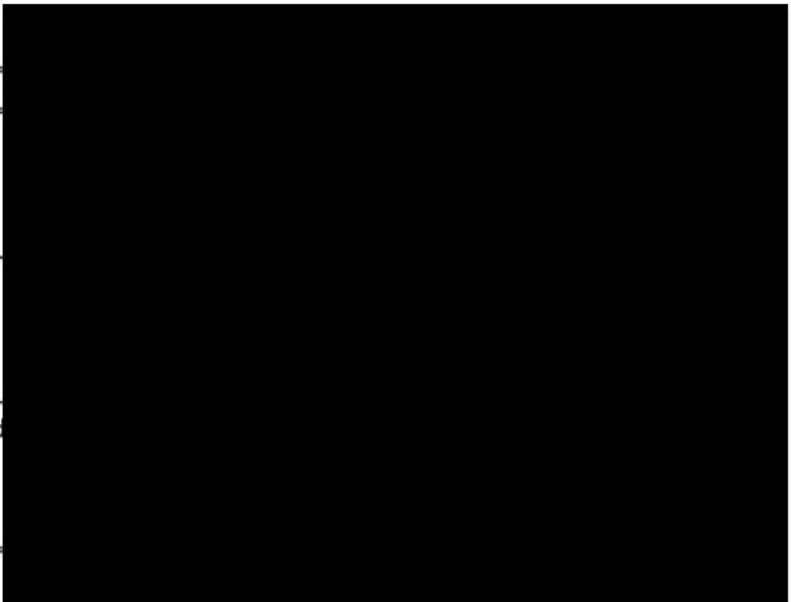
Committee of Adjustment
City Hall, 5th Floor,
71 Main St. W.,
Hamilton, ON L8P4Y5

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
Registered Owners(s)	Eric Cardillo
Applicant(s)	same as above
Agent or Solicitor	A.J. Clarke & Associates Ltd c/o Franz Kloibhofer



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	551 and 553 Hughson Street North		
Assessment Roll Number	02016402350		
Former Municipality	City of Hamilton (Barton)		
Lot	14	Concession	Broken Front
Registered Plan Number	62R-8710	Lot(s)	Pt Lt 2
Reference Plan Number (s)		Part(s)	Parts 1 and 2

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 see attached justification brief.

Second Dwelling Unit

Reconstruction of Existing Dwelling

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

Please see attached justification brief.

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
13.41m	19.53m	264.3m ²	±20.1m

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
four-unit multiple dwelling	encroaches ROW 0.2m	±9.8m	0.94m (south), 1.6m (north)	unknown

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
four-unit multiple dwelling	1.16m	5m	1.4m	

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
four-unit multiple dwelling	90.4m ²		1	±6

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
four-unit multiple dwelling	115.94m ²	231.88m ²	3	11.86m(front), 9.5 (rear/side)

- 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 right of way
- municipal road, seasonally maintained other public road
- municipal road, maintained all year _____
- 4.8 Proposed use(s) of the subject property (single detached dwelling duplex, retail, factory etc.):
fourplex
- 4.9 Existing uses of abutting properties (single detached dwelling duplex, retail, factory etc.):
semi-detached dwelling, single-detached dwelling

7 HISTORY OF THE SUBJECT LAND

- 7.1 Date of acquisition of subject lands:
2023
- 7.2 Previous use(s) of the subject property: (single detached dwelling duplex, retail, factory etc)
fourplex 'multiple dwelling'
- 7.3 Existing use(s) of the subject property: (single detached dwelling duplex, retail, factory etc)
fourplex 'multiple dwelling'
- 7.4 Length of time the existing uses of the subject property have continued:
since built
- 7.5 What is the existing official plan designation of the subject land?

Rural Hamilton Official Plan designation (if applicable): _____

Rural Settlement Area: _____

Urban Hamilton Official Plan designation (if applicable) Neighbourhoods

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

Designated 'Medium Density Residential 1' in Secondary Plan. Please see attached justification cover letter.

- 7.6 What is the existing zoning of the subject land? "D" District (Hamilton ZBL 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: _____

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: 4

8.2 Number of Dwelling Units Proposed: 4

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

Please see attached justification cover letter regarding proposed development and 'Four Tests'

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

Elevations
