



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-23:313	SUBJECT PROPERTY:	820 Rymal Road East, Hamilton
ZONE:	"RT-30/S-1752" (Street Townhouse)	ZONING BY-LAW:	Zoning By-law former City of Hamilton 6593, as Amended 17-218

APPLICANTS: Owner: 820 Rymal Inc. c/o Josh Giacomodonato
 Agent: Arcadis c/o Jared Marcus

The following variances are requested:

1. A minimum side yard of 1.1m shall be permitted for unit #9 and a minimum side yard of 0.9m shall be permitted for unit #14 instead of the minimum 2.0m side yard required for a street townhouse dwelling not exceed two storeys.
2. An open stairway may project a maximum of 1.1m into a required yard and therefore, may be located as close as 6.4m from the rear lot line instead of the maximum 1.0m rear yard encroachment permitted.
3. A minimum parking space size having a length of 5.8m shall be permitted for the surface visitor parking labelled 1 to 5 on the submitted site plan instead of the minimum 6.0m parking space length required.
4. The parking area shall be permitted to be located a minimum distance of 1.0m from the adjoining westerly Residential district whereas the zoning by-law requires no less than 1.5m setback from an adjoining Residential district.
5. The portion of the parking area located within 3.0m of the adjoining residential district shall be permitted to maintain a setback of 1.5m from the Rymal road street line whereas the Zoning By-law requires a setback of 12.0m from the street line for a parking area within 3.0m of the "AA" residential district.
6. A planting strip shall not be required between the parking area and the abutting westerly and

HM/A-23:313

southerly Residential districts whereas the zoning By-law requires a planting strip to be provided and maintained between every parking area and an abutting residential district.

7. The access driveway shall be permitted to be located as close as 1.0m from the westerly residential district instead of the minimum 1.5m setback required.

PURPOSE & EFFECT: To facilitate the construction for fourteen (14) street townhouse dwelling units fronting onto a private condominium road.

Notes:

These variances are necessary to facilitate Site Plan Control Application DA-18-123.

Previous approved Committee of Adjustment decision HM/A-18:06, permitted an access driveway to be located as close as 1.5m from the westerly residential district.

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, January 18, 2024
TIME:	12:15 p.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

HM/A-23:313

If you wish to be notified of future Public Hearings, if applicable, regarding HM/A-23:313, 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: January 2, 2024

Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

Information respecting this application is being collected under the authority of the Planning Act, R.S.O., 1990, c. P. 13. All comments and opinions submitted to the City of Hamilton on this matter, including the name, address, and contact information of persons submitting comments and/or opinions, will become part of the public record and will be made available to the Applicant and the general public, and may include posting electronic versions.



Hamilton

COMMITTEE OF ADJUSTMENT

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

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

E-mail: cofa@hamilton.ca

PARTICIPATION PROCEDURES

Written Submissions

Members of the public who would like to participate in a Committee of Adjustment meeting are able to provide comments in writing or via email in advance of the meeting. Comments can be submitted by emailing cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5. **Comments must be received by noon two days before the Hearing.**

Comment packages are available two days prior to the Hearing and are available on our website: www.hamilton.ca/committeeofadjustment

Oral Submissions

Members of the public are also able to provide oral comments regarding Committee of Adjustment Hearing items by participating Virtually through Webex via computer or phone or by attending the Hearing In-person. Participation Virtually requires pre-registration in advance. Please contact staff for instructions if you wish to make a presentation containing visual materials.

1. Virtual Oral Submissions

Interested members of the public, agents, and owners must register by noon the day before the hearing to participate Virtually.

To register to participate Virtually by Webex either via computer or phone, please contact Committee of Adjustment staff by email cofa@hamilton.ca. The following information is required to register: Committee of Adjustment file number, hearing date, name and mailing address of each person wishing to speak, if participation will be by phone or video, and if applicable the phone number they will be using to call in.

A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting the Wednesday afternoon before the hearing. The link must not be shared with others as it is unique to the registrant.

2. In person Oral Submissions

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

We hope this is of assistance and if you need clarification or have any questions, please email cofa@hamilton.ca or by phone at 905-546-2424 ext. 4221.

Please note: Webex (video) participation requires either a compatible computer or smartphone and an application (app/program) must be downloaded by the interested party in order to participate. It is the interested party's responsibility to ensure that their device is compatible and operating correctly prior to the Hearing.

FORMER CITY OF HAMILTON ZONING BY-LAW		
RT-30/S1752	REQUIRED	PROVIDED
MAXIMUM BUILDING HEIGHT	3 STOREYS (11.0m)	2 STOREYS 10.60m
FRONT YARD	3.0 m [BY-LAW 17-218]	3.30 m
REAR YARD	7.5 m	7.60 m
SIDE YARD ABUTTING A WALL THAT IS NOT A PARTY WALL, ALONG EACH SIDE LOT LINE [(4) (c), (d)]	(4) (c) (ii) 2.0 M FOR A 2 STOREY STREET TOWNHOUSE DWELLING	1.20m (UNIT 9) 1.03m (UNIT 14)
SIDE YARD FROM HYPOTENUSE OF THE DAYLIGHT TRIANGLE	(4) (d) (i) 3.0 M FOR EACH DWELLING UNIT FOR WHICH A GARAGE OR CARPORT IS NOT PROVIDED AS EITHER ATTACHED TO OR AS AN INTEGRAL PART OF THE STREET TOWNHOUSE	N/A
DISTANCE BETWEEN BUILDINGS	1 M [BY-LAW 17-218]	1.02 m
LOT AREA	NOT EXCEEDING 2 STOREY IN HEIGHT, OF NOT LESS THAN 3.5 M	21.88 m
LOT WIDTH	161 M ² [BY-LAW 17-218]	161.0 m ²
LOT DEPTH	5.95 M [BY-LAW 17-218]	5.95 m
MAX. DWELLING UNITS PER BUILDING	8 DWELLING UNITS	8
ENCROACHMENTS		
CANOPY, CORNICE, EAVES OR GUTTER	i) INTO A REQUIRED FRONT YARD: NO MORE THAN 1.5m PROVIDED THAT NO SUCH PROJECTION SHALL BE CLOSER TO A STREET LINE THAN 1.5m ii) INTO A REQUIRED REAR YARD: NOT MORE THAN 1.5m iii) INTO A REQUIRED SIDE YARD: NOT MORE THAN 1/2 OF ITS WIDTH, OR 1.0m, WHICHEVER IS THE LESSER	i) 0.6m ii) 0.12m iii) 0.3m
AN OPEN FIRE SCAPE OR OPEN STAIRWAY MAY PROJECT	i) INTO A REQUIRED REAR YARD NOT MORE THAN 1.0m ii) INTO A REQUIRED SIDE YARD NOT MORE THAN ONE-THIRD OF ITS WIDTH, OR 1.0m, WHICHEVER IS THE LESSER	i) 1.04m ii) N/A
ROOFED OVER OR SCREENED BUT OTHERWISE UNENCLOSED PORCH AT THE FIRST STOREY, INCLUDING EAVES AND GUTTERS	MAY PROJECT INTO A REQUIRED FRONT YARD OR REAR YARD: NO MORE THAN 3.0m, AND EVERY SUCH PROJECTING PORCH SHALL BE DISTANT AT LEAST 1.5m FROM THE FRONT LOT LINE	0.63m
THE ENCLOSURE OF SUCH A PORCH TO THE FOLLOWING EXTENT SHALL NOT BE DEEMED AN ENCLOSURE FOR THE PURPOSE OF THIS SECTION	i) THE PORCH MAY HAVE A SOLID GUARD AROUND THE PERIMETER OF THE PORCH NOT MORE THAN 1.0m IN HEIGHT MEASURED FROM THE FLOOR OF THE PORCH ii) THE ROOF MAY BE SUPPORTED ON COLUMNS OR PIERS HAVING MAXIMUM WIDTH OF 0.5m iii) THE BEAM, LINTEL OR CROWN OF AN ARCH SHALL BE NO MORE THAN 0.3m IN DEPTH iv) THE MINIMUM DISTANCE BETWEEN PIERS OR COLUMNS SHALL BE 1.0m AND IN THE CASE OF ARCHES, THE ARCHES SHALL HAVE A MINIMUM CLEAR WIDTH OF 1.0m	i) N/A ii) AS REQUIRED iii) N/A iv) AS REQUIRED
MAXIMUM NUMBER OF DWELLING UNITS	14 UNITS	14 UNITS
DRIVEWAYS ALONG RYMAL ROAD EAST	SHALL NOT BE PERMITTED	NONE PROPOSED
PARKING REQUIREMENTS		
MINIMUM NUMBER OF SPACES REQUIRED	1 SPACE PER UNIT [BY-LAW 17-218]	2 SPACES PER UNIT
MINIMUM VISITOR PARKING SPACES	7 PARKING SPACES [BY-LAW 17-218]	7 SPACES
MINIMUM PARKING SPACE SIZE	2.7m X 6.0m	2.8m X 5.8m
MANEUVERING SPACE	PROVIDED AND MAINTAINED ON THE COMMON ELEMENT ROAD [BY-LAW 17-218] ALL REQUIRED PARKING SPACES AND MANEUVERING SPACES SHALL HAVE ACCESS BY MEANS OF ONE OR MORE ACCESS DRIVEWAYS: A) LOCATED ON THE LOT B) LOCATED PARTLY ON THE LOT IN THE CASE OF A MUTUAL DRIVEWAY, OR, C) BY MEANS OF A RIGHT OF WAY PARKING SPACE WITHIN THE GARAGE MAY BE OBSTRUCTED BY ANOTHER PARKING SPACE PROVIDED ON THE ACCESS DRIVEWAY [BY-LAW 17-218]	AS REQUIRED
VISITOR PARKING	EACH SPACE SHALL: A) BE MAINTAINED FOR EXCLUSIVE USE OF VISITORS B) HAVE A SIGN APPURTENANT THERETO LEGIBLY MARKED THAT THE SPACE IS FOR EXCLUSIVE USE OF VISITORS C) BE MAINTAINED READILY ACCESSIBLE TO VISITORS AND FREE AND CLEAR OF ALL OBSTRUCTIONS EVERY DRIVEWAY SHALL PROVIDE EASY ACCESS FROM A HIGHWAY TO THE PARKING AREA TO WHICH THE ACCESS DRIVEWAY IS ACCESSORY	AS REQUIRED
DRIVEWAY AND PARKING LOCATION	EVERY PARKING AREA WHERE THERE ARE FIVE OR LESS PARKING SPACES SHALL HAVE NOT LESS THAN ONE ACCESS DRIVEWAY OR MUTUAL DRIVEWAY HAVING A WIDTH OF AT LEAST 2.8m WHERE A TOWNHOUSE DEVELOPMENT IS ADJACENT TO A RESIDENTIAL DISTRICT THAT DOES NOT PERMIT SUCH USES, EVERY ACCESS DRIVEWAY TO THE TOWNHOUSE DWELLING SHALL BE LOCATED NOT LESS THAN 3.0m FROM THE COMMON BOUNDARY BETWEEN THE DISTRICTS IN WHICH THE TOWNHOUSE DWELLING IS LOCATED AND THE DISTRICT THAT DOES NOT PERMIT SUCH USES WESTERLY ACCESS DRIVEWAY MAY BE 1.5m FROM THE WESTERLY LOT LINE [HM/A-18-288] THE BOUNDARY OF EVERY PARKING AREA AND LOADING SPACE ON A LOT CONTAINING FIVE OR MORE PARKING SPACES LOCATED ON THE SURFACE OF A LOT ADJOINING A RESIDENTIAL DISTRICT SHALL BE FIXED; a) NOT LESS THAN 1.5m FROM THE ADJOINING RESIDENTIAL DISTRICT OR BOUNDARY b) NOT CLOSER TO THE STREET LINE THAN THE MINIMUM DEPTH OF THE FRONT YARD REQUIRED TO BE PROVIDED IN THE ADJOINING RESIDENTIAL DISTRICT FOR THAT PORTION OF THE PARKING AREA WITHIN 3.0m OF A RESIDENTIAL DISTRICT FOR EVERY PARKING AREA AND LOADING SPACE REFERRED TO IN SECTION 18A(11) THERE SHALL BE PROVIDED AND MAINTAINED, a) BETWEEN THE BOUNDARY OF THE PARKING AREA AND THE RESIDENTIAL DISTRICT AN AREA LANDSCAPED WITH A PLANTING STRIP; b) BETWEEN THE BOUNDARY OF THE LOADING AREA AND THE RESIDENTIAL DISTRICT AN AREA LANDSCAPED WITH A PLANTING STRIP; AND c) A VISUAL BARRIER ALONG THE BOUNDARY OF THE LOT ABUTTING THE RESIDENTIAL DISTRICT NOT LESS THAN 1.2m IN HEIGHT AND NOT GREATER THAN 2.0m IN HEIGHT.	WESTERLY ACCESS DRIVEWAY: 1.05m NO PLANTING STRIP PROPOSED N/A 1.83m HEIGHT BOARD FENCE PROPOSED
ATTACHED GARAGE/PARKING SPACE	WHERE A PARKING SPACE FOR A TOWNHOUSE IS COVERED AND ATTACHED TO OR ENCLOSED WITHIN A DWELLING UNIT, THE ENTRANCE TO THE PARKING SPACE SHALL BE LOCATED NOT LESS THAN 6.0m FROM THE ENTRANCE TO THE INDIVIDUAL DRIVEWAY	6.0m
SURFACE MATERIAL	A PERMANENT DURABLE AND DUSTLESS SURFACE, THAT IS GRADED, DRAINED, AND PAVED WITH CONCRETE OR ASPHALT OR A COMBINATION OF CONCRETE AND ASPHALT SHALL BE PROVIDED AND MAINTAINED FOR EVERY PARKING AREAS, MANEUVERING SPACE, LOADING SPACE AND ACCESS DRIVEWAY.	AS REQUIRED

UNDERTAKING

820 RYMAL ROAD EAST FILE NO. DA-18-123

I, (WE), 820 RYMAL INC., THE OWNER(S) OF THE LAND, HEREBY UNDERTAKE AND AGREE WITHOUT RESERVATION,

(A) TO COMPLY WITH ALL THE CONTENT OF THIS PLAN AND DRAWING AND NOT TO VARY THEREFROM;

(B) TO PERFORM THE FACILITIES, WORKS OR MATTERS MENTIONED IN SECTION 41(7)(a) OF THE PLANNING ACT SHOWN ON THIS PLAN AND DRAWINGS IN ACCORDANCE WITH THE CONDITIONS AS APPROVED BY THE CITY OF HAMILTON LETTER DATED JULY 31, 2018;

(C) TO MAINTAIN TO THE SATISFACTION OF THE CITY AND AT MY (OUR) SOLE RISK AND EXPENSE, ALL FACILITIES, WORKS OR MATTERS MENTIONED IN SECTION 41(7)(b) OF THE SAID ACT, SHOWN IN THIS PLAN AND DRAWING, INCLUDING REMOVALS OF SNOW FROM ACCESS RAMPS AND DRIVEWAYS, PARKING AND LOADING AREAS, AND WALKWAYS;

(D) IN THE EVENT THAT THE OWNER DOES NOT COMPLY WITH THE PLAN DATED AUGUST 08, 2023, THE OWNER AGREES THAT THE CITY MAY ENTER THE LAND AND DO THE REQUIRED WORKS, AND FURTHER THE OWNER AUTHORIZES THE CITY TO USE THE SECURITY FILED TO OBTAIN COMPLIANCE WITH THIS PLAN.

(E) THAT THE OWNER AGREES TO PHYSICALLY AFFIX THE MUNICIPAL NUMBER (E.G. 824) OR FULL ADDRESS (E.G. 824 RYMAL ROAD EAST) TO EACH BUILDING OR ON A SIGN NEAR THE DRIVEWAY ENTRANCE IN ACCORDANCE WITH THE CITY'S SIGN BY-LAW, IN A MANNER THAT IS VISIBLE FROM THE STREET.

(F) THAT THE OWNER AGREES TO AFFIX ADDRESS PLAQUES TO EACH INTERNAL UNIT, INDICATING THE MUNICIPAL NUMBER OR FULL ADDRESS INCLUDING THE MAILING ADDRESS UNIT NUMBER IN ACCORDANCE WITH THE CITY'S SIGN BY-LAW, TO THE SATISFACTION OF THE DIRECTOR, GROWTH MANAGEMENT & CHIEF DEVELOPMENT ENGINEER IN A MANNER SUCH AS 824 RYMAL ROAD EAST OR 30 SULMONA DRIVE - UNIT 2 OR 30-UNIT 2.

(G) WARNING CLAUSES: THE FOLLOWING WARNING CLAUSES SHALL BE INCLUDED WITHIN ALL OFFERS AND AGREEMENTS OF PURCHASE AND SALE OR LEASE, FOR THE PROPOSED UNITS AS FOLLOWS:

ALL UNITS:
"PURCHASERS/TENANTS ARE ADVISED THAT SOUND LEVELS DUE TO INCREASING ROAD TRAFFIC MAY OCCASIONALLY INTERFERE WITH SOME ACTIVITIES OF THE DWELLING OCCUPANTS AS THE SOUND LEVELS EXCEED THE SOUND LEVEL LIMITS OF THE CITY OF HAMILTON AND THE MINISTRY OF ENVIRONMENT, CONSERVATION, AND PARKS."

UNITS 1-8:
"THIS DWELLING UNIT HAS BEEN DESIGNED WITH THE PROVISION FOR ADDING CENTRAL AIR CONDITIONING AT THE OCCUPANTS DISCRETION. INSTALLATION OF CENTRAL AIR CONDITIONING BY THE OCCUPANT IN LOW AND MEDIUM DENSITY DEVELOPMENTS WILL ALLOW WINDOWS AND EXTERIOR DOORS TO REMAIN CLOSED, THEREBY ENSURING THAT THE INTERIOR SOUND LEVELS ARE WITHIN THE SOUND LEVEL LIMITS OF THE CITY OF HAMILTON AND THE MINISTRY OF ENVIRONMENT, CONSERVATION, AND PARKS."

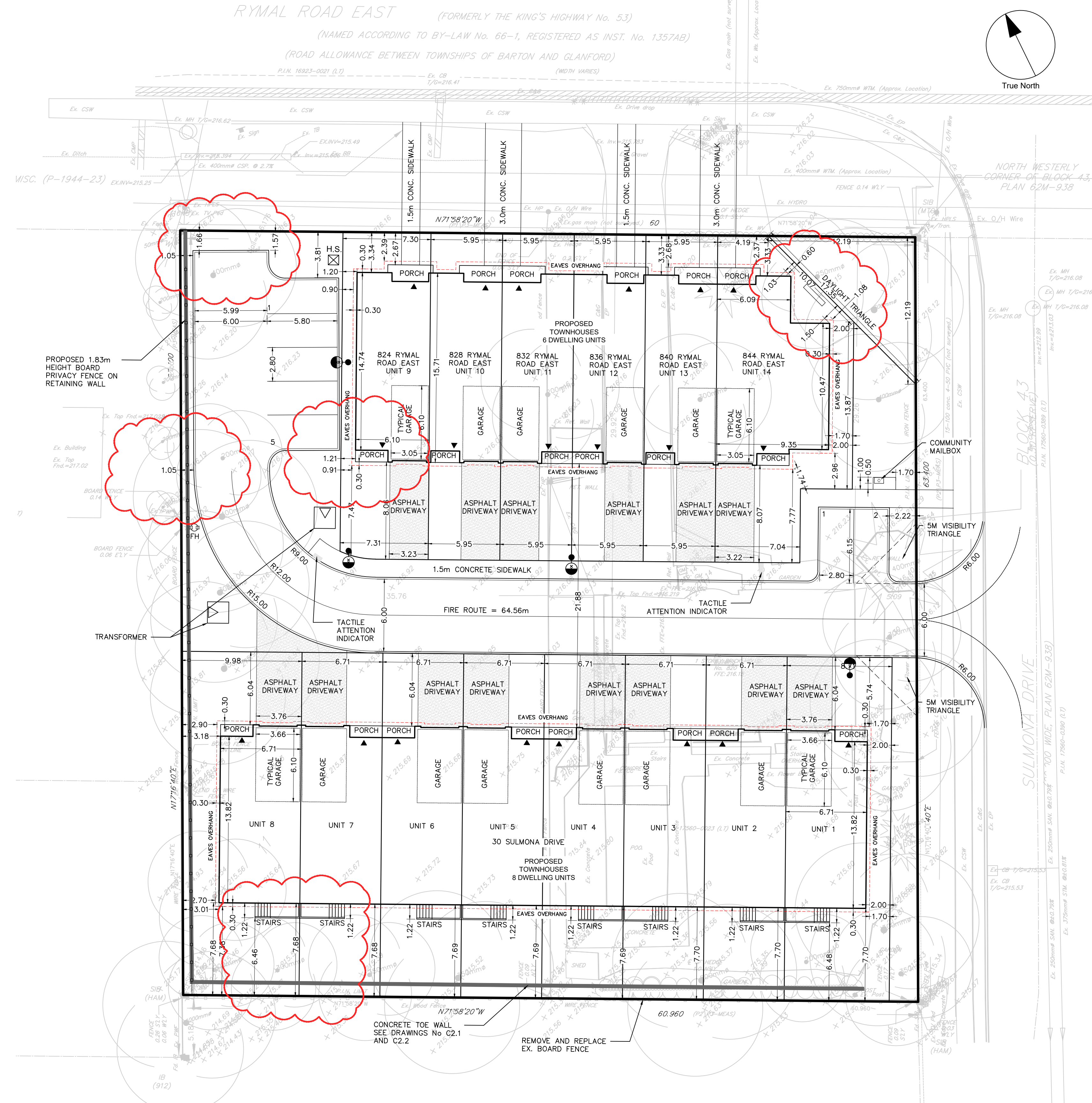
UNITS 9-14:
"THIS DWELLING HAS BEEN SUPPLIED WITH A CENTRAL AIR CONDITIONING SYSTEM WHICH WILL ALLOW WINDOWS AND EXTERIOR DOORS TO REMAIN CLOSED, AND THEREBY ENSURING THAT THE INTERIOR SOUND LEVELS ARE WITHIN THE SOUND LEVEL LIMITS OF THE CITY OF HAMILTON AND THE MINISTRY OF ENVIRONMENT, CONSERVATION, AND PARKS."

DATED THIS _____ DAY OF _____, 2023

WITNESS SIGNATURE _____ OWNER(S) SIGNATURE _____ (SEAL)

WITNESS (PRINT) _____ 820 RYMAL INC. OWNER (PRINT)

ADDRESS OF WITNESS _____



- GENERAL NOTES:**
- ALL WORK INVOLVED IN THE CONSTRUCTION, RELOCATION, REPAIR OF MUNICIPAL SERVICES FOR THE PROJECT SHALL BE TO THE SATISFACTION OF THE DIRECTOR OF PLANNING, PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT.
 - FIRE ROUTE SIGNS AND 3-WAY FIRE HYDRANTS SHALL BE ESTABLISHED TO THE SATISFACTION OF THE CITY FIRE DEPARTMENT AND AT THE EXPENSE OF THE OWNER.
 - MAIN DRIVEWAY DIMENSIONS AT THE PROPERTY LINE BOUNDARIES ARE PLUS OR MINUS 7.5 m UNLESS OTHERWISE STATED.
 - ALL DRIVEWAYS FROM PROPERTY LINES FOR THE FIRST 7.5 m SHALL BE WITHIN 5% MAXIMUM GRADE, THEREAFTER, ALL DRIVEWAYS SHALL BE WITHIN 10% MAXIMUM GRADES.
 - THE APPROVAL OF THIS PLAN DOES NOT EXEMPT THE OWNER'S BONDED CONTRACTOR FROM THE REQUIREMENTS TO OBTAIN THE VARIOUS PERMITS/APPROVALS NORMALLY REQUIRED TO COMPLETE A CONSTRUCTION PROJECT, SUCH AS, BUT NOT LIMITED TO THE FOLLOWING:
 - BUILDING PERMIT
 - ROAD CUT PERMITS
 - APPROACH APPROVAL PERMITS
 - COMMITTEE OF ADJUSTMENT
 - ABANDONED ACCESSES MUST BE REMOVED AND THE CURB AND BOULEVARD RESTORED WITH SOD AT THE OWNER'S EXPENSE TO THE SATISFACTION OF THE TRAFFIC ENGINEERING SECTION, PUBLIC WORKS DEPARTMENT.
 - FOR VISIBILITY TRIANGLES AT THE VEHICULAR ACCESS POINTS, THE FOLLOWING NOTE MUST BE PROVIDED:
 - 5 METRE BY 5 METRE VISIBILITY TRIANGLES IN WHICH A MAXIMUM HEIGHT OF ANY OBJECTS OR MATURE VEGETATION IS NOT TO EXCEED A HEIGHTS OF 0.7 METRES ABOVE THE CORRESPONDING PERPENDICULAR CENTRELINE OF THE ADJACENT STREET.
 - PROPOSED SIGNAGE SHALL CONFORM TO THE CITY'S SIGN AND OTHER DEVICES BY-LAW NO. 10-197
 - LIGHTING MUST BE DIRECTED ON SITE AND MUST NOT SPILL OVER TO ADJACENT PROPERTIES OR STREETS.
 - ALL FENCING SHALL BE IN ACCORDANCE WITH THE CITY'S FENCE BY-LAW NO. 10-142
 - THE OWNER AGREES TO DISPLAY THE MUNICIPAL NUMBER AT THE FRONT ENTRANCE WITH EITHER THE MUNICIPAL NUMBER OR FULL ADDRESS IN A MANNER THAT IS VISIBLE FROM THE STREET.
 - ENBRIDGE GAS INC., OPERATING AS UNION GAS, HAS SERVICES LINES RUNNING IN THE AREA WHICH MAY OR MAY NOT BE IMPACTED BY THE PROPOSED DEVELOPMENT. SHOULD THE PROPOSED DEVELOPMENT IMPACT THESE SERVICES, IT MAY BE NECESSARY TO TERMINATE THE GAS SERVICE AND RELOCATE THE LINE. ANY SERVICE RELOCATION WILL BE AT THE COST OF THE PROPERTY OWNER. CALL BEFORE YOU DIG, ARRANGE FOR UNDERGROUND UTILITY LOCATES BEFORE BEGINNING CONSTRUCTION BY CONTACTING ONTARIO ONE CALL @ 1-800-400-2255

CLIENT
820 RYMAL INC.

3170 HARVESTER RD. BURLINGTON

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This drawing has been prepared solely for the intended use, this any reproduction or distribution for any purpose other than authorized by Arcadis is forbidden. While drawings shall have precedence over spoken directions, contractors shall verify and be responsible for all dimensions and conditions on the job, and Arcadis shall be informed of any variations from the dimensions and conditions shown on the drawing. Shop drawings shall be submitted to Arcadis for general conformance before proceeding with fabrication.

Arcadis Professional Services (Canada) Inc.
a part of Arcadis

ISSUES	No.	DESCRIPTION	DATE
	1	REVISED SITE PLAN SUBMISSION	2023-09-08

NOT FOR CONSTRUCTION

KEY PLAN
SITE

BENCHMARK
ELEVATIONS SHOWN ARE REFERRED TO THE CITY OF HAMILTON CONTROL MONUMENT NO. 0772009003 ON THE INTERSECTION OF RYMAL ROAD EAST AND SULMONA DRIVE

SOURCE
BUILDING DESIGN AND LAYOUT OBTAINED FROM PRESTIGE DESIGNS, DWG No. A1 & A2, DATED JANUARY 2023.
TOPOGRAPHIC AND SURVEY INFORMATION OBTAINED FROM MTE OLS LTD., DWG No. 38599-200-SR1, DATED OCTOBER 3, 2013.

ARCADIS
360 James Street North - Suite 200
Hamilton ON L8L 1H5 Canada
tel 905 546 1010
www.arcadis.com

PROJECT
MYSTIQUE
820 RYMAL ROAD EAST, HAMILTON, ON

SCALE
3 1 0 2 4 8
1:200 (m)

PROJECT NO:
137511

DRAWN BY: M. ROJAS	CHECKED BY: J. MARCUS
PROJECT MGR: J. MARCUS	APPROVED BY: M. CROUGH

SHEET TITLE
**SITE PLAN
DA-18-123**

SHEET NUMBER SP 1.0	ISSUE 0
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FILE LOCATION: \\1137511_820_Rymal_Ro7_0_Production\03_Design\12_Planning\Sheets\137511SP-00g Last Saved: October 26, 2023, 4:09:05 PM by Janel Marcus Printed: Thursday, November 9, 2023 4:09:05 PM by Janel Marcus

Chair and Members of Committee of Adjustment c/o Ms. Jamila Sheffield
Secretary – Treasurer, Committee of Adjustment
City of Hamilton
71 Main Street West - 5th Floor
Hamilton ON, L8P 4Y5

Arcadis Professional Services (Canada) Inc.
Suite 200, East Wing – 360 James Street North
Hamilton, Ontario L8L 1H5
Canada
Phone: 905 546 1010
www.arcadis.com

Date: November 9, 2023

Our Ref: 137511

Subject: 820 RYMAL ROAD EAST, HAMILTON – MINOR VARIANCE APPLICATION

Dear Ms. Sheffield,

Arcadis Professional Services (Canada) Inc. (“Arcadis”) is the authorized planning agent for 820 Rymal Inc., who is the owner of lands municipally known as 820 Rymal Road East in the City of Hamilton. The Owner acquired the above noted property in March 2022. While the Owner’s vision is similar to the originally approved development for the subject site, File: DA-18-123, which consists of 14 two-storey townhouse dwellings on a private condominium road, there have been some notable changes to the site design that were undertaken to address technical comments from City departments; namely, the removal of the right in, right out driveway access from Rymal Road East, and changes to the parking orientation. On September 6th, 2023, Arcadis, on behalf of the Owner, submitted a revised Site Plan package in support of these changes. Included with the technical review package were zoning comments which noted that six (6) variances would be required to facilitate the proposed development.

1.0 SITE LOCATION AND CONTEXT

The subject site is municipally known as 820 Rymal Road East, Hamilton and is located at the southwest corner of the intersection at Rymal Road East and Sulmona Drive, as illustrated in **Figure 1**. The subject site is legally described as Part of Lot 11, Concession 1 Glanford, Part 1 ON 62R21267, within the City of Hamilton. Currently, the subject site has an approximate lot area of 3,881 square metres (0.39 hectares), a frontage of 61.09 metres along Rymal Road East, and a lot depth of 63.54 metres. The subject site is currently vacant as the previously existing single-storey single detached dwelling was demolished. Please refer to **Figure 2** for a Google Streetview image looking south towards the subject site.



Figure 1: Aerial image of subject site, retrieved from GeoWarehouse



Figure 2: View of the subject site looking south from Rymal Road East, retrieved from GoogleMaps

2.0 PROPOSED MINOR VARIANCES

The subject site is zoned Street – Townhouse (RT-30/S-1752) as per the City of Hamilton Zoning By-law 6593. The subject site is designated as Neighbourhoods within Schedule E-1” Urban Land use Designations of the Urban Hamilton Official Plan. The variances being applied for, made under Section 45 (1) of the *Planning Act*, are as follows:

1. A minimum side yard setback of 1.1m for Unit 9, and a 0.9m setback for Unit 14 shall be provided, whereas the Zoning By-law requires a minimum side yard setback of 2.0m abutting a non-party wall for a street townhouse dwelling not exceeding two (2) storeys in height;
2. A maximum rear yard encroachment of 1.1m shall be provided, whereas the Zoning By-law requires the stairway to project a maximum of 1.0m into the rear yard;
3. A minimum parking space size of 2.8m x 5.8m for Visitors Spaces 1 to 5 shall be provided, whereas the Zoning By-law requires a minimum parking space size of 2.7 m x 6.0 m;
4. A parking / drive aisle setback of 1.0m from the residential zone shall be provided, whereas the Zoning By-law requires a minimum of 1.5m;
5. A parking / drive aisle of 1.5m from Rymal Road East shall be provided, whereas the Zoning By-law requires a minimum of 3.0m; and,
6. A planting strip shall not be provided, whereas the Zoning By-law requires a planting strip between the parking / drive aisle and the abutting residential district.

Planning Act Section 45 (1) Compliance

Section 45 (1) of the *Planning Act* permits the Committee of Adjustment to grant Minor Variances from the Zoning By-law provided that they meet what is known at the four (4) tests. The four tests are:

1. Is the variance minor in nature?
2. Is the variance desirable and appropriate?
3. Does the variance maintain the general intent and purpose of the Official Plan? and,
4. Does the variance maintain the general intent and purpose of the Zoning By-law?

The following will provide an analysis of the proposed variances against the four tests.

2.1 Variance 1: Minimum Side Yard

The current zoning requires a minimum side yard setback of 2.0m abutting a non-party wall for a street townhouse dwelling not exceeding two (2) storeys in height. The proposed development requires a variance to permit a decreased minimum side yard setback of 1.1m abutting an internal lot line for Unit 9, and a side yard setback of 0.9m abutting the hypotenuse of the future daylight triangle lot line for Unit 14.

1. Is the variance minor in nature?

The determination of minor is not a matter of quantum of the variance, but rather a consideration of the overall impact of the proposed variance. The requested minor variance to the minimum side yard setback for Units 9 and 14 is reflective of the removal of the right in, right out driveway access from Rymal Road East and the reorientation of the visitor parking areas. The variance required for Unit 9 applies to the interior lot lines and the separation between the west side of Unit 9 and the adjacent residential use to the west of the subject site is greater than 14.5m. Notably, the side yard setbacks from the abutting walls comply for Units 1 to 8 and Units 10 to 13. The reduced setback for Unit 14 applies where the corner points of the

building abut the future daylight triangle land dedication, and the bulk of the structure would comply with the minimum yard setback requirement. It is our opinion that the variance is minor in nature, as it does not impact the overall character of the neighbourhood, nor will it cause any adverse impact to the adjacent lands.

2. Is the variance desirable and appropriate?

The requested variance is desirable and appropriate as it permits for the most efficient layout and utilization of the subject site and is compatible with the existing neighbourhood and current and future built form. As previously mentioned, the adjacent properties contain low density residential dwellings. Unit 9 will be separated from the adjacent residential property by the visitor parking spaces, and the driveway access which is greater than 14m separation, as well as the side yard setback of the adjacent single detached dwelling. The side of Unit 14 abuts a municipal right of way and appropriate sight lines will still be maintained. Therefore, the requested variance will not result in privacy and overlook concerns or create any adverse impact to the adjacent uses.

3. Does the variance maintain the general intent and purpose of the Official Plan? and,

The variance meets the general intent of the Official Plan. The variance will permit the townhouse, which is a permitted use that is compatible with the surrounding residential uses.

4. Does the variance maintain the general intent and purpose of the Zoning By-law?

The intent of the side setback is to ensure that there are no adverse impacts with adjacent land uses. The existing land uses adjacent to the subject site are residential. The reduced side yard setback for Unit 9 and Unit 14 will not create any adverse impacts with the use of the subject site. Therefore, the variance meets the general intent of the Zoning By-law, as the reduced minimum side yard setback does not create any adverse impact with the existing adjacent land uses.

2.2 Variance 2: Maximum Rear Yard Encroachment

The current zoning requires the stairway to project a maximum of 1.0m into the rear yard. The proposed development requires a variance to permit an increased maximum rear yard encroachment of 1.1m.

1. Is the variance minor in nature?

The determination of minor is not a matter of quantum of the variance, but rather a consideration of the overall impact of the proposed variance. It is our opinion that the requested minor variance to the maximum rear yard encroachment of the stairway is minor in nature, as it does not impact the overall character of the neighbourhood, nor will it cause any adverse impact to the adjacent lands.

2. Is the variance desirable and appropriate?

The requested variance is desirable and appropriate as it provides sufficient space for landscaping and outdoor amenity space while maintaining an adequate setback from the rear lot line. The variance is also compatible with the existing neighbourhood and current and future built form.

3. Does the variance maintain the general intent and purpose of the Official Plan? and,

The general intent and purpose of the applicable Official Plan policies is to ensure that there is adequate outdoor amenity space. The proposed variance meets that intent and purpose through the provision of adequate outdoor amenity space for the southern townhouse containing Units 1 to 8. Therefore, it is our opinion that the proposed variance meets the general intent and purpose of the Official Plan.

4. Does the variance maintain the general intent and purpose of the Zoning By-law?

The general intent and purpose of the maximum rear yard encroachment of stairways is to ensure that the proposed development provides an adequate setback from the rear lot line as well as landscaping and outdoor amenity space. The existing land uses adjacent to the south of the subject site are residential. The

increased maximum rear yard encroachment of the stairways will not result in any adverse impacts to those residential uses. The proposed variance also provides adequate landscaping and outdoor amenity space for the southern townhouse building containing Units 1 to 8. Therefore, it is our opinion that the proposed variance meets the general intent and purpose of the Zoning By-law.

2.3 Variance 3: Parking Space Size

The current zoning requires a parking space size of 2.7 m x 6.0 m. The proposed development requires a variance to permit a parking space size of 2.8m x 5.8m for Visitors Spaces 1 to 5.

1. Is the variance minor in nature?

The determination of minor is not a matter of quantum of the variance, but rather a consideration of the overall impact of the proposed variance. It is our opinion that the requested minor variance to the parking space size for Visitor Spaces 1 to 5 is minor in nature, as it will not cause any adverse impact to the adjacent land uses.

2. Is the variance desirable and appropriate?

The requested variance is desirable and appropriate as it allows for the functional and compact arrangement of parking spaces. The drive aisle operates as a two-way system, and the spaces are placed to allow free and clear access.

3. Does the variance maintain the general intent and purpose of the Official Plan? and,

The general purpose of the Official Plan is to ensure that adequate off-street parking is available for visitors at a level appropriate for each use. The requested variance would maintain the general intent and purpose of the Official Plan as the difference in parking space size is necessary to maintain adequate parking for visitors. Therefore, it is our opinion that the proposed variance does meet the general intent and purpose of the Official Plan.

4. Does the variance maintain the general intent and purpose of the Zoning By-law?

The requested variance will bring the parking space size in line with the design criteria of Zoning By-law 05-200, which is already in effect for most of the City and will be in effect over the subject lands once the City completes the new Residential Zone review. The purpose of the required parking space size is to ensure that there is adequate space for parking and vehicular access. The proposed variance will comply with the size required in the 05-200 Zoning By-law and meets that intent and purpose through the provision of adequate parking spaces for Visitor Spaces 1 to 5. Therefore, it is our opinion that the proposed variance meets the general intent and purpose of the Zoning By-law.

2.4 Variance 4: Parking / Drive Aisle Setback from Adjacent Residential Use

The current zoning requires a parking / drive aisle setback of 1.5m from adjacent residential uses. The proposed development requires a variance to permit a reduced setback of 1.0m.

1. Is the variance minor in nature?

The determination of minor is not a matter of quantum of the variance, but rather a consideration of the overall impact of the proposed variance. The requested minor variance is also reflective of the removal of the right in, right out driveway access from Rymal Road East and the reorientation of the parking areas, which was done to address staff concerns during the Site Plan review. The requested variance will still allow an appropriate separation between the drive aisle and the adjacent residential uses. It is our opinion that the requested minor variance to the parking / drive aisle setback from the adjacent residential use to west is minor in nature, as it does not impact the overall character of the neighbourhood, nor will it cause any adverse impact to the adjacent land.

2. Is the variance desirable and appropriate?

The requested variance is required to permit the layout of the proposed development as currently contemplated, which would represent the most appropriate use and development of the subject site. The proposed development itself further represents a use and density that is desirable given the intent and permissions of the applicable policy as well as the surrounding neighbourhood context. It is our opinion that the proposed variance is desirable and appropriate.

3. Does the variance maintain the general intent and purpose of the Official Plan? and,

The general intent of the Official Plan is to ensure the proposed development is compatible with the surrounding area and does not result in any adverse impacts. It is our opinion that the proposed variance would maintain an appropriate setback between the parking / drive aisle and the adjacent residential use. The proposed variance meets the general intent and purpose of the Official Plan.

4. Does the variance maintain the general intent and purpose of the Zoning By-law?

The intent of the parking / drive aisle setback is to ensure that there are no adverse impacts to the adjacent residential uses. The proposed development provides sufficient separation as well as a wood fence to mitigate and minimize any potential visual or nuisance impacts. Therefore, the variance meets the general intent of the Zoning By-law, as the reduced parking / drive aisle setback does not create any adverse impact with the existing adjacent residential land uses.

2.5 Variance 5: Parking / Drive Aisle Setback from Rymal Road East

The current zoning requires a parking / drive aisle setback of 3.0m from Rymal Road East. The proposed development requires a variance to permit a reduced setback of 1.5m.

1. Is the variance minor in nature?

The determination of minor is not a matter of quantum of the variance, but rather a consideration of the overall impact of the proposed variance. It is our opinion that the requested minor variance to the parking / drive aisle setback from Rymal Road East to north is minor in nature, as it does not impact the overall character of the neighbourhood, nor will it cause any adverse impact to the adjacent lands.

2. Is the variance desirable and appropriate?

The requested variance is required to permit the layout of the proposed development as currently contemplated, which would represent the most appropriate use and development of the subject site. The proposed development itself further represents a use and density that is desirable given the intent and permissions of the applicable policy as well as the surrounding neighbourhood context. It is our opinion that the proposed variance is desirable and appropriate.

3. Does the variance maintain the general intent and purpose of the Official Plan? and,

The general intent of the Official Plan is to ensure the proposed development is compatible with the surrounding area and does not result in any adverse impacts. It is our opinion that the proposed variance would maintain an appropriate setback between the parking / drive aisle and Rymal Road East. The proposed variance meets the general intent and purpose of the Official Plan.

4. Does the variance maintain the general intent and purpose of the Zoning By-law?

The intent of the parking / drive aisle setback from Rymal Road East is to ensure there is an appropriate buffer from the public realm. Rymal Road East already contains a municipal boulevard of approximately 9m which provides an appropriate separation from the proposed drive aisle. In addition, the associated parking spaces are setback from the street line by 3.8m and would meet the required separation. To mitigate any potential impact, the Landscape Plan will also be updated to include additional plantings for screening. Furthermore, as an entrance was originally proposed in this area and the removal of the entrance as

required by staff review has resulted in the dead-end scenario. The variance is required as a result of efforts to address staff concerns with the driveway entrance.

2.6 Variance 6: Planting Strip

The current zoning requires a planting strip between the parking area and the abutting residential district. The proposed development requires a variance to not provide a planting strip.

1. Is the variance minor in nature?

The determination of minor is not a matter of quantum of the variance, but rather a consideration of the overall impact of the proposed variance. It is our opinion that the requested minor variance to not provide a planting strip is minor in nature, as it does not impact the overall character of the neighbourhood, nor will it cause any adverse impact to the adjacent lands.

2. Is the variance desirable and appropriate?

As noted previously, the driveway and parking areas were reoriented to address staff concerns with access from Rymal Road, which resulted in the slight reduction in separation of the drive aisle from the adjacent property. The requested variance is appropriate as it is reflective of the requested variance to permit a reduced drive aisle setback of 1.0m from adjacent residential uses. Due to site engineering constraints a retaining wall is proposed between the parking area and the abutting residential district. As such, there is no place to provide a planting strip. To mitigate potential concerns a wood privacy fence is proposed on top of the retaining wall.

3. Does the variance maintain the general intent and purpose of the Official Plan? and,

The general intent of the Official Plan is to ensure the proposed development is compatible with the surrounding area and does not result in any adverse impacts. A buffer between the parking area and the abutting residential district will ensure compatibility. Although a planting strip is not provided there is an adequate buffer between the parking area and abutting residential district due and a retaining wall with a wood privacy fence on top are proposed. The proposed variance meets the general intent and purpose of the Official Plan.

4. Does the variance maintain the general intent and purpose of the Zoning By-law?

The intent of the planting strip is to provide a buffer between the parking area and the abutting residential district. A retaining wall and wood privacy screen are proposed between the parking area and abutting residential district which will provide appropriate visual screening to ensure that there is no adverse impact on the adjacent land use. The requested variance ensure that the general intent and purpose of the Zoning By-law is met.

Ms. Jamila Sheffield
City of Hamilton
November 9, 2023

3.0 CONCLUSION

Based on our review of the proposed variances and the planning justifications provided for each in the foregoing sections, it is our opinion that the proposed variances should be approved. Each proposed variance has regard for both the policies of the Rural Hamilton Official Plan and the City of Hamilton Zoning By-law 05-200. As previously analyzed, the impact of each of the requested variances would be minor. Each variance outlined in this letter meets the four tests for a minor variance as prescribed under Section 45(1) of the *Planning Act*.

Should you have any questions, or wish to discuss further, please do not hesitate to contact the undersigned.

Sincerely,
Arcadis Professional Services (Canada) Inc.



Jared Marcus, CPT
Associate – Manager, Planning



Isabelle Ilagan
Planner

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Ms. Jamila Sheffield, ACST
Secretary Treasurer, Committee of Adjustment
City of Hamilton
71 Main Street West, 5th Floor
Hamilton, ON L8P 4Y5

Subject: 820 Rymal Road East, Hamilton – DA-18-123 – Minor Variance Application
Date: November 9, 2023

Dear Ms. Sheffield,

On behalf of our client, 820 Rymal Inc., we are pleased to submit a Minor Variance application in support of the above noted development. The subject lands are conditionally approved through Site Plan Control application DA-18-123 to permit the development of 14 two-storey townhouse dwellings on a private condominium road, and the proposed variances will implement that approval. The development is also subject to conditionally approved Draft Plan of Subdivision and Draft Plan of Common Element Condominium applications which will implement the desired tenure of the development. The application seeks to permit the following variances:

1. A minimum side yard setback of 1.1m for Unit 9, and a 0.9m setback for Unit 14, instead of the required of 2.0m;
2. A maximum rear yard encroachment of 1.1m shall be provided, instead of the required 1.0m;
3. A minimum parking space size of 2.8m x 5.8m;
4. A parking / drive aisle setback of 1.0m from the residential zone, instead of the required 1.5m;
5. A parking / drive aisle setback of 1.5m from Rymal Road East, instead of the required of 3.0m; and,
6. A planting strip shall not be required between the parking / drive aisle and the abutting residential district.

In support of the Minor Variance application please find enclosed the following information:

- A digital copy of the completed Minor Variance application form;
- A digital copy of the Site Plan drawing; and,
- A digital copy of the Planning opinion memo.

Please note that the required application review fee will be delivered under separate cover.

Should you require any additional information please do not hesitate to contact me.

Regards,

A handwritten signature in black ink, appearing to read "Jared Marcus", with a stylized flourish at the end.

Jared Marcus, CPT
Associate – Manager, Planning



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)	820 Rymal Inc. c/o Josh Gial
Applicant(s)	Same as Agent
Agent or Solicitor	Arcadis c/o Jared Marcus

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

1.3 Sign should be sent to Purchaser Owner
 Applicant AgentSolicitor

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	820 Rymal Road East, Hamilton		
Assessment Roll Number			
Former Municipality	Hamilton		
Lot	PT LT 11	Concession	CON 1
Registered Plan Number		Lot(s)	
Reference Plan Number (s)	62R21267	Part(s)	PART 1

2.2 Are there any easements or restrictive covenants affecting the subject land?

Yes No

If YES, describe the easement or covenant and its effect:

3. PURPOSE OF THE APPLICATION

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

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

3.1 Nature and extent of relief applied for:

1. A minimum side yard setback of 1.1m for Unit 9, and a 0.9m setback for Unit 14 shall be provided, whereas the Zoning By-law requires a minimum side yard setback of 2.0m abutting a non-party wall for a street townhouse dwelling not exceeding two (2) storeys in height;
2. A maximum rear yard encroachment of 1.1m shall be provided, whereas the Zoning By-law requires the stairway to project a maximum of 1.0m into the rear yard;
3. A minimum parking space size of 2.8m x 5.8m for Visitors Spaces 1 to 5 shall be provided, whereas the Zoning By-law requires a minimum parking space size of 2.7 m x 6.0 m;
4. A parking / drive aisle setback of 1.0m from the residential zone shall be provided, whereas the Zoning By-law requires a minimum of 1.5m;
5. A parking / drive aisle of 1.5m from Rymal Road East shall be provided, whereas the Zoning By-law requires a minimum of 3.0m; and,
6. A planting strip shall not be provided, whereas the Zoning By-law requires a planting strip between the parking / drive aisle and the abutting residential district.

Second Dwelling Unit Reconstruction of Existing Dwelling

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

Please refer to Cover Letter prepared by Arcadis.

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
61.09 m along Rymal Rd	63.54 m	3,881 sq m (0.39 ha)	20 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

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Two-storey townhouse dwellings	3.30 m	7.60 m	1.20 m (Unit 9)	

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

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Two-storey townhouse dwellings			2	9.14 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

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.):

14 two-storey townhouse dwellings

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

Single detached dwellings

7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:

March 16, 2022

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

Single detached dwelling

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

Vacant

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

Vacant for less than 1 year

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.

Please refer to Cover Letter prepared by Arcadis.

7.6 What is the existing zoning of the subject land? RT-30/S-1752

7.8 Has the owner previously applied for relief in respect of the subject property?

(Zoning By-law Amendment or Minor Variance)

Yes

No

If yes, please provide the file number: _____

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

Yes No

If yes, please provide the file number: _____

7.10 If a site-specific Zoning By-law Amendment has been received for the subject property, has the two-year anniversary of the by-law being passed expired?

Yes No

7.11 If the answer is no, the decision of Council, or Director of Planning and Chief Planner that the application for Minor Variance is allowed must be included. Failure to do so may result in an application not being “received” for processing.

8 ADDITIONAL INFORMATION

8.1 Number of Dwelling Units Existing: 0

8.2 Number of Dwelling Units Proposed: 16

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

Please refer to Cover Letter prepared by Arcadis.

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
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