



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.:	SC/A-23:327	SUBJECT PROPERTY:	975 QUEENSTON RD, STONEY CREEK
ZONE:	"C5 (05-200) & G(6593) s-1054(88-20) and S-1053(88-19) (Mixed Use Medium Density and Neighbourhood Shopping)	ZONING BY-LAW:	Zoning By-law City of Hamilton 05-200, & former City of Hamilton 6593, as Amended as Amended 88-20 & 88-19

APPLICANTS: Owner: 1000147741 ONTARIO INC C/O JASON PROFETTO
 Agent: ALEX FEO
 Applicant: KELVIN LO

The following variances are requested:

1. To permit a minimum amount of 51 parking spaces instead of the required minimum amount of 56 parking spaces.
2. To permit a parking space to be located a minimum distance of 0.915 metres from a street line instead of the required minimum distance of 3.0 metres for parking space to a street line.
3. To permit a minimum width of 0.915 metres for a planting strip between the street line and the said parking spaces/aisle instead of the required minimum planting strip width of 3.0 metres.
4. To permit a loading space without a visual barrier in a required yard abutting a street and/or a residential/institutional zone.

PURPOSE & EFFECT: To facilitate a new parking layout for an existing retail commercial building.

Notes:

- i) The property municipally known as 975 Queenston Road is subject to dual zoning, "C5" Mixed Use Medium Density in the 05-200 Hamilton Zoning By-law and "G" Neighbourhood Shopping Centre in the 6593 Former Hamilton Zoning By-law. The property is also subject to the site specifics S-

SC/A-23:327

1054 (88-20) and S-1053 (88-19).

- ii) Please be advised due to the building and parking being located within more than one zone a dual zoning review was conducted and the most restrictive of the two zones is applied.

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:	12:45 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

If you wish to be notified of future Public Hearings, if applicable, regarding SC/A-23:327, you must submit a written request to cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.

If you wish to be provided a Notice of Decision, you must attend the Public Hearing and file a written request with the Secretary-Treasurer by emailing cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.



 Subject Lands

DATED: 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.



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PARTICIPATION PROCEDURES

Written Submissions

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

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

Oral Submissions

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

1. Virtual Oral Submissions

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

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

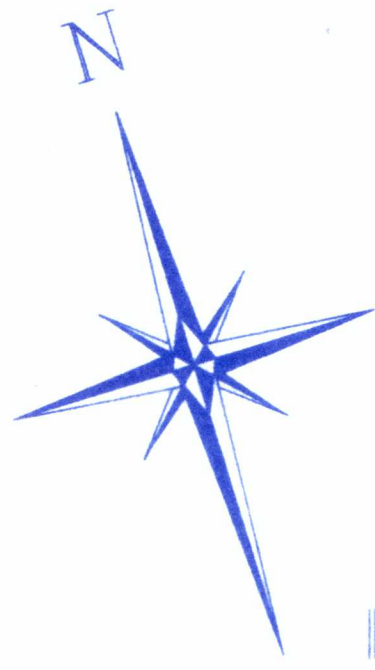
A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting the Wednesday afternoon before the hearing. The link must not be shared with others as it is unique to the registrant.

2. In person Oral Submissions

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

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

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



SURVEYOR'S REAL PROPERTY REPORT (PART 1)

PLAN
OF
PART OF LOT 24 - CONCESSION 2
IN THE
GEOGRAPHIC TOWNSHIP OF SALTFLEET
NOW PARTLY IN
THE CITY OF HAMILTON
AND PARTLY IN
THE CITY OF STONEY CREEK
IN THE
REGIONAL MUNICIPALITY OF
HAMILTON-WENTWORTH
SCALE 1 : 250



L. G. WOODS SURVEYING INC.
1999

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE
WITH THE SURVEYS ACT, THE SURVEYOR'S ACT AND THE
REGULATIONS MADE UNDER THEM.
2. THE SURVEY WAS COMPLETED MAY 10, 1999.

JUNE 10, 1999
DATE

L.G. Woods
L.G. WOODS, O.L.S.

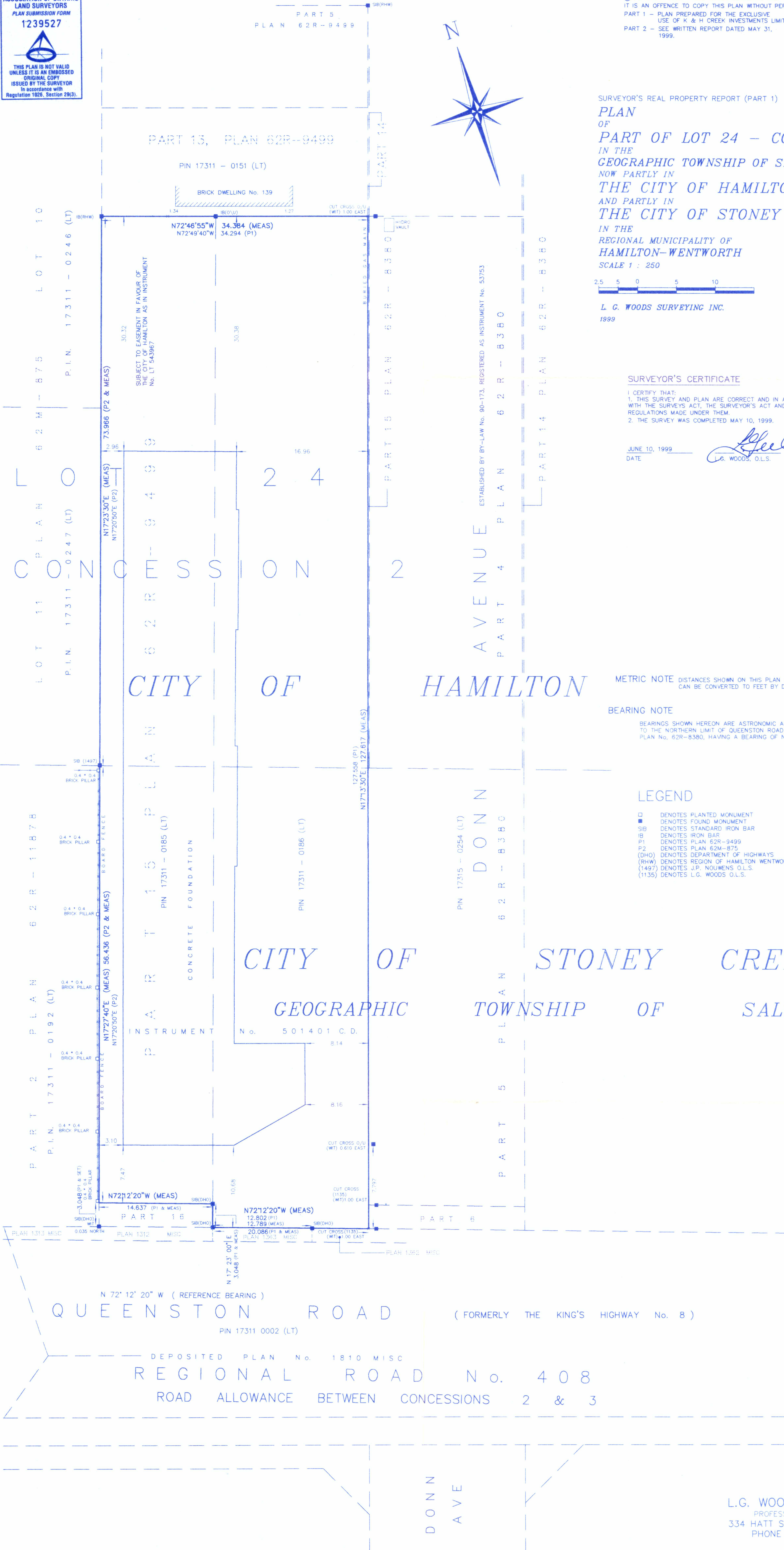
METRIC NOTE DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND
CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

BEARING NOTE

BEARINGS SHOWN HEREON ARE ASTRONOMIC AND ARE REFERRED
TO THE NORTHERN LIMIT OF QUEENSTON ROAD AS SHOWN ON
PLAN No. 62R-8380, HAVING A BEARING OF N 72° 12' 20" W

LEGEND

- DENOTES PLANTED MONUMENT
- DENOTES FOUND MONUMENT
- SIB DENOTES STANDARD IRON BAR
- IB DENOTES IRON BAR
- P1 DENOTES PLAN 62R-9499
- P2 DENOTES PLAN 62M-875
- (DHO) DENOTES DEPARTMENT OF HIGHWAYS
- (RHW) DENOTES REGION OF HAMILTON WENTWORTH
- (1497) DENOTES J.P. NOUWENS O.L.S.
- (1135) DENOTES L.G. WOODS O.L.S.



QUEENSTON ROAD (FORMERLY THE KING'S HIGHWAY No. 8)
PIN 17311 0002 (LT)
DEPOSITED PLAN No. 1810 MISC
REGIONAL ROAD No. 408
ROAD ALLOWANCE BETWEEN CONCESSIONS 2 & 3

L.G. WOODS SURVEYING INC.
PROFESSIONAL LAND SURVEYORS
334 HATT STREET, DUNDAS, L9H-2H9
PHONE (905) - 627-0978

THIS PLAN IS NOT VALID
UNLESS IT IS AN INSTRUMENT
ISSUED BY THE SURVEYOR
IN ACCORDANCE WITH
REGULATION 183, R.S.O. 1990.



SURVEYOR'S REAL PROPERTY REPORT (PART 1)
OF
PLAN
PART OF LOT 24 - CONCESSION 2
IN THE
GEOGRAPHIC TOWNSHIP OF SALTPEET
NOW PARTLY IN
THE CITY OF HAMILTON
AND PARTLY IN
THE CITY OF STONEY CREEK
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SCALE 1 : 250
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L.G. WOODS

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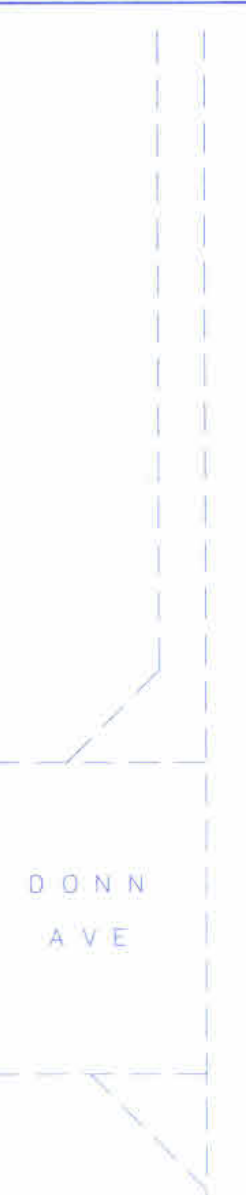
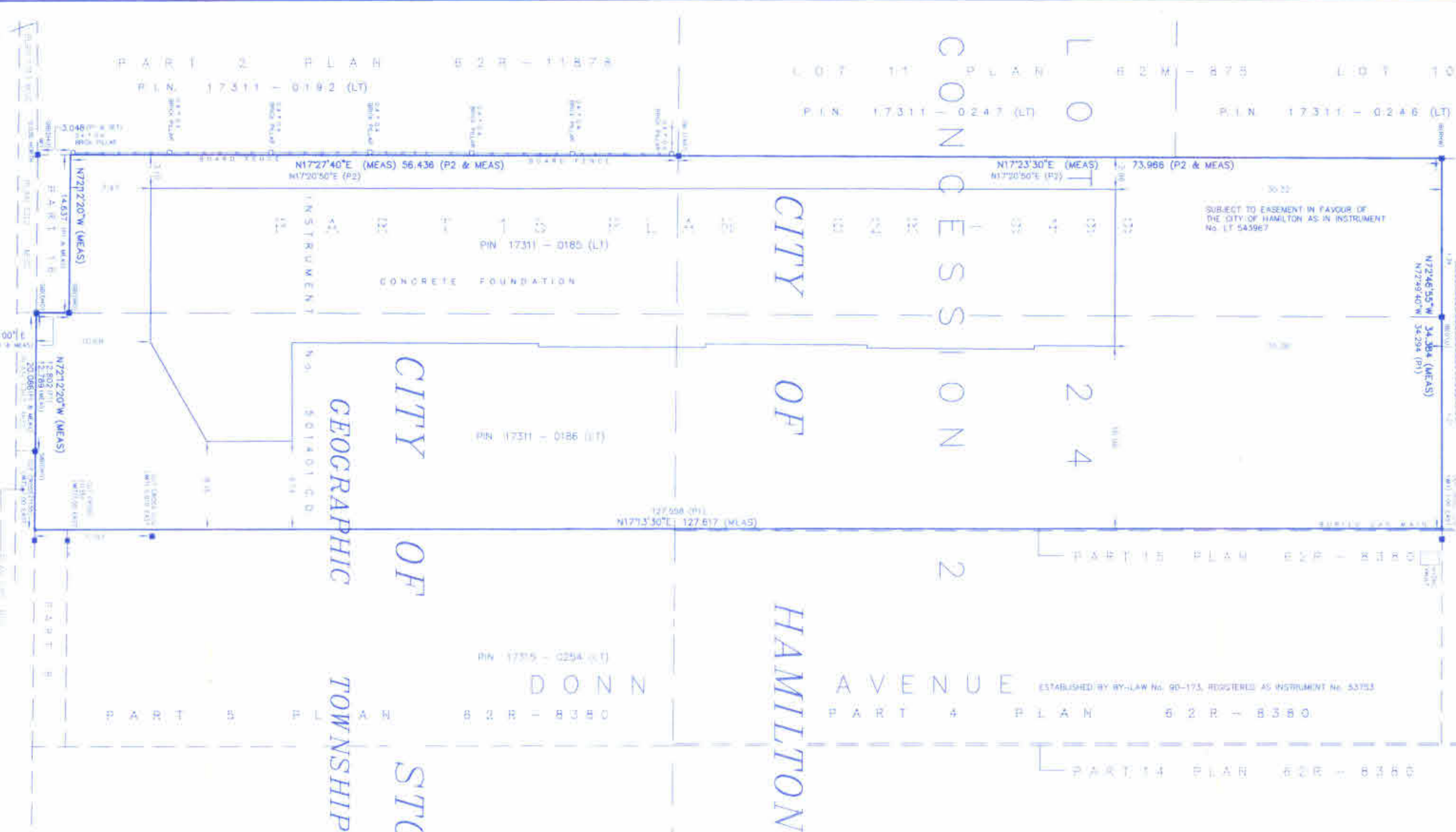
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CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

BEARING NOTE

BEARINGS SHOWN HEREON ARE ASTRONOMIC AND ARE REFERRED
TO THE MERIDIAN (LINES OF LONGITUDE) AND SHOWN ON
PLAN NO. 028-0188, HAVING A BEARING OF N 22° 13' 20" W

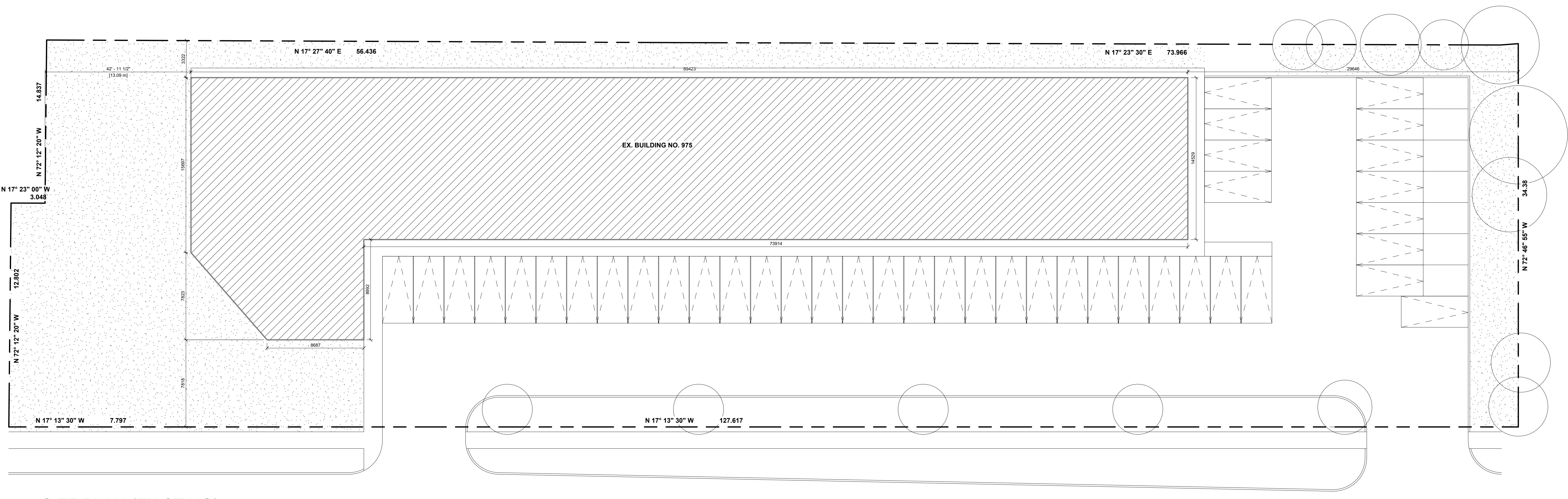
LEGEND

- DENOTES PLANTED MONUMENT
- DENOTES FOUND MONUMENT
- BB DENOTES FOUND MONUMENT
- BT DENOTES FOUND MONUMENT
- BT DENOTES FOUND MONUMENT
- P1 DENOTES PLAN E28-0488
- P2 DENOTES PLAN E28-0488
- DENOTES BEARING MONUMENT
- (443) DENOTES BEARING MONUMENT WENTWORTH
- (443) DENOTES BEARING MONUMENT WENTWORTH
- (435) DENOTES L.G. WOODS O.L.S.



L.G. WOODS SURVEYING, INC.
PROFESSIONAL LAND SURVEYORS
334 HATT STREET, DUNDAS, 19H-2H9
PHONE (905) - 627-0978

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1 SITE PLAN (EXISTING)
1 : 175

DONN AVE

No.	Description	Date	By

PROPOSED NEW PARKING LOT LAYOUT
**975 QUEENSTON ROAD,
STONY CREEK**

**KCCL
Architect**
348 Hemlock Drive, Wychurch
Stouffville, ON L4A 5A7
email: info@kcclarchitect.ca
mobile: 416-602-9616

Project Status

CONTRACTOR SHALL CHECK DIMENSIONS

Drawn by	Author
Date	2023-06-19
Scale	1 : 175
Project Number	22324

DRAWING NAME
SITE PLAN

SHEET NUMBER
A1.1

2023-11-03 10:55:59 AM Z:\00 Project\2022\22324 - 975 Queenston Rd, Stony Creek (Commercial)\00 Revit & AutoCAD\22324 - 975 Queenston Rd, Stony Creek - option 3(revised) 2023-04-11.rvt



Hamilton

June 12, 2023

FILE: ALR
FOLDER: 23-104076-00 ALR
ATTENTION OF: Alyssa Vaccari
TELEPHONE NO: (905) 546-2424
EXTENSION: 2356-

Kelvin Lo
3575 14TH AVE UNIT 18
MARKHAM, ON L3R 0H6

Attention:

Re: APPLICABLE LAW REVIEW – ZONING BYLAW
Present Zoning: C5, G
Address: 975 QUEENSTON RD STONEY CREEK, ON

An Applicable Law Review respecting zoning bylaw compliance has been completed and the following comments are provided.

COMMENTS:

1. The applicant is proposing a new parking layout for an existing retail commercial building.
2. The property municipally known as 975 Queenston Road is subject to dule zoning being, “C5” Mixed Use Medium Density in the 05-200 Hamilton Zoning By-law and “G” Neighborhood Shopping Centre in the 6593 Former Hamilton Zoning By-law. The property is also subject to the site specifics S-1054 (88-20) and S-1053 (88-19).
3. The proposed parking lot is located within the “C5”, “G/S-1053” and “G/S-1054” Zone.
4. Please be advised due to the building and parking being located within more than one zone a dule zoning review was conducted and the most restrictive of the two zones is applied.
5. Our records indicate that the last recognized use is a multi-tenant commercial plaza which is permitted in both zones.
6. All signage shall conform to Hamilton Sign By-law 06-243. A building permit is required for all signage.
7. The designer shall ensure the fire access route conforms to the Ontario Building Code.

8. The proposed development has been reviewed and compared to the standards of the “C5” Zone in the Hamilton Zoning By-law 05-200 and the G/S-1053 Zone in the Former Hamilton Zoning By-law 6593 as indicated in the following chart:

Section 10 – Commercial and Mixed-Use Zones			
<i>In accordance with Section 10 of the Hamilton Zoning By-law 05-200</i>			
	Required By By-Law	Provided	Conforming/ Non-conforming
Regulations [as per section 10.5.3 of Hamilton Zoning By-law 05-200]	Please refer to Section 10.5.3 for regulations	Existing building to remain	
Section 13 – G District			
<i>In accordance with the applicable provisions of Section 13 in the Former Hamilton Zoning By-law 6593</i>			
Regulations [as per section 13 of Former Hamilton Zoning By-law 6593]	Please refer to Section 13 for regulations	Existing building to remain	
Section 5 – Parking			
<i>In accordance with the applicable provisions of Section 5 in the Hamilton Zoning By-law 05-200</i>			
Location [as per section 5.1 of Hamilton Zoning By-law 05-200]	<p>a) All Uses</p> <p>i) Required parking facilities shall be located on the same lot as the use requiring the parking.</p> <p>v) Unless otherwise regulated in this By-law, parking spaces and aisles, giving direct access to abutting parking spaces, excluding driveways extending directly from the street, shall be subject to the following:</p> <p>a) Shall not be located within 3.0 metres of a street line,</p> <p>b) Shall provide a 3.0 metre wide planting strip being required and permanently maintained between the street line and the said parking spaces or aisle, except for that portion of a lot line abutting the Red Hill Valley Parkway and the Lincoln</p>	<p>Located on the lot</p> <p>Appears to be less than 3.0m</p> <p>Appears to be less than 3.0m</p>	<p>Conforms</p> <p>Non-conforming</p> <p>Non-conforming</p>

	<p>Alexander Parkway; and,</p> <p>c) Where a Planting Strip is provided, as per b) above, any architectural wall or feature within the Planting</p>	<p>Does not appear to be proposed</p>	<p>N/A</p>
<p>Design Standards [as per section 5.2 of Hamilton Zoning By-law 05-200]</p>	<p>b) Unless permitted by another regulation in this By-law, parking space sizes shall be:</p> <p>i) Minimum 2.8 metres in width and 5.8 metres in length;</p> <p>ii) Where a wall, column, or any other obstruction is located abutting or within any parking space within an above ground or underground parking structure, the minimum width of a parking space shall be increased by 0.3 metres for each wall, column, or obstruction;</p> <p>c) All required parking shall be provided as follows:</p> <p>i) With adequate means of ingress and egress to and from the street or laneway without the necessity of moving any other motor vehicle;</p> <p>ii) Shall be arranged so as to not interfere with normal public use of the street or laneway; iii) Shall be accessed by means of an access driveway:</p> <ol style="list-style-type: none"> 1. Located on the lot; or, 2. Located party on the lot in the case of a mutual driveway; or, 3. By means of a Right-of-Way. <p>iv) Any parking lot shall provide for ingress and egress of vehicles to and front a street in a forward motion only.</p> <p>d) Notwithstanding Subsection b) herein, in the case of parallel parking:</p>	<p>Please see below (Section 18A, 6593 Zoning By-Law)</p> <p>Does not appear to be obstructed</p> <p>Adequate means of ingress and egress is provided</p> <p>Located on the lot</p> <p>Provided in a forward</p>	<p>Appears to not apply</p> <p>Conforms</p> <p>Conforms</p>

	<p>i) Each parallel parking space shall have a minimum width of 2.4 metres and a minimum length of 6.7 metres. End spaces which have a clear, unobstructed approach, shall have a minimum length of 5.5 metres.</p>	<p>motion</p>	<p>Conforms</p>
	<p>e) i) Parking Spaces, Driveways and Widening(s) in All Zones a) Shall be provided and maintained with stable surfaces such as asphalt, concrete or other hard-surfaced material, crushed stone, permeable pavers or gravel, and shall be maintained in a dust free condition.</p>	<p>2.5m x 6.7m</p>	<p>Conforms</p>
	<p>ii) Parking Lots in All Zones, except the Rural Classification Zones a) Shall be designed and maintained with stable surfaces such as asphalt, concrete or other hard-surfaced material</p>	<p>Proposed asphalt and or concrete</p>	<p>Conform</p>
	<p>f) Notwithstanding Subsection b) herein, in the case of a barrier free parking, each parking space shall have a minimum width of 4.4 metres and a minimum length of 5.8 metres</p>	<p>Proposed asphalt and or concrete</p>	<p>Conforms</p>
	<p>i) Aisle Width: 90° = 6.0m</p>	<p>4.4m x 6m</p>	<p>Conforms</p>
		<p>6.0m</p>	<p>Conforms</p>
<p>Location of Loading Facilities [as per section 5.2.1 of</p>	<p>The location of loading doors and associated loading facilities shall be subject to the following:</p>	<p>Not located within a front</p>	

<p>Hamilton Zoning By-law 05-200]</p>	<p>a) Shall not be permitted within a Front Yard;</p> <p>b) Shall not be permitted in any yard abutting a street, except where screened from view by a Visual Barrier in accordance with Section 4.19 of this By-law; and,</p> <p>c) Shall not be permitted in a required yard abutting a Residential Zone or an Institutional Zone and shall be screened from view by a Visual Barrier in accordance with Section 4.19 of this By-law.</p>	<p>yard</p> <p>Located in the rear yard which abuts Donn Avenue. No visual barrier appears to be proposed</p> <p>Not screened from abutting residential zone</p>	<p>Conforms</p> <p>Non-conforming</p> <p>Non-conforming</p>
<p>Barrier Free Parking [as per section 5.5 of Hamilton Zoning By-law 05-200]</p>	<p>1-49 spaces required: minimum 1 space</p>	<p>1 space</p>	<p>Conforms</p>
<p>Parking Schedule [as per section 5.6 c) of Hamilton Zoning By-law 05-200]</p>	<p>Retail within a Commercial and mixed Use Zone:</p> <p>i) 0 where a use is less than 450.0 square metres in gross floor area;</p> <p>ii) 1 for each 17.0 square metres any gross floor area between 450.0 square metres and 4,000.0 square metres; and,</p> <p>iii) 1 for each 50.0 square metres of gross floor area greater than 4,000.0 square metres.</p> <p>Calculation:</p> <p>$1412m^2 - 450m^2 = 962m^2$</p> <p>$962m^2 / 17 = 56.5 = 56$ spaces</p>	<p>51 spaces</p>	<p>Non-conforming</p>
<p>Bicycle Parking [as per section 5.7 of Hamilton Zoning By-law 05-200]</p>	<p>a) Locational Requirements</p> <p>i) Long-term Bicycle Parking Space shall be located in a secure enclosed bicycle parking area.</p> <p>ii) Short-term Bicycle Parking Space shall be located within a bicycle parking area at grade</p> <p>c) In the Downtown (D1), (D2) and (D5) Zones, Transit Oriented Corridor Zones and Commercial and Mixed Use Zones short-term bicycle parking shall be provided in each and every building in the minimum quantity</p>		

	<p>specified in accordance with the following requirements:</p> <p>Other commercial uses not listed: 5 short term spaces</p> <p>f) Notwithstanding Sections c) and e) above, for any use within a the Downtown (D1), (D2) and (D5) Zones, Transit Oriented Corridor Zones or the Commercial and Mixed Use Zones located in all or part of a building existing on the effective date of this By-law, no bicycle parking spaces are required, provided that the number of bicycle parking spaces which existed on the effective date of this By-law shall continue to be provided and maintained except a use shall not be required to provide additional bicycle parking beyond that which is required by Section c) and e) of this By-law. Where an addition, alteration or expansion of an existing building is proposed, the bicycle parking requirements of Section c) and e) above shall only apply to the increased gross floor area of the building.</p> <p>g) Notwithstanding Subsection 5.6 a) and c), for any use within the Commercial and Mixed Use (C4), (C5) and (C5a) Zones, the required motor vehicle parking may be reduced in accordance with the following regulations:</p> <p>i) 1 motor vehicle space for every 5 long term bicycle spaces is provided and maintained up to a maximum of 10% of the original motor vehicle parking requirement; and,</p> <p>ii) In addition to Subsection 5.7g)i), 1 motor vehicle space for every 15 square metres of gross floor area of locker, change room or shower facilities specifically accessible to all users of the secure long term bicycle spaces.</p>	<p>10 short term spaces located at grade</p>	<p>Conforms</p>
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Section 18A – Parking

In accordance with the applicable provisions in Section 18A of the Former Hamilton Zoning By-law 6593

<p>Parking</p> <p>[as per section 18A of Former Hamilton Zoning By-law 6593]</p>	<p>(7) Every required parking space, other than a parallel parking space, shall have dimensions not less than 2.7 metres wide and 6.0 metres long</p>	<p>2.8m x 6m</p>	<p>Conforms</p>
	<p>(9) Required parking space, loading space and manoeuvring space shall be provided and maintained only on the lot on which the principle use, building or structure is located.</p>	<p>Located on the lot</p>	<p>Conforms</p>
	<p>(10) Sufficient space additional to required parking space shall be provided and maintained on the same lot on which the parking space is located, in such a manner as to enable each and every parking space to be unobstructed and freely and readily accessible from within the lot, without moving any vehicle on the lot or encroaching on any designated parking or loading space</p>	<p>Spaces are unobstructed and accessible</p>	<p>Conforms</p>
	<p>(19) Where office space is provided in conjunction with retail commercial uses and the total floor area of such uses exceeds 9,300 square metres, parking for the office use shall be provided and maintained only for that portion of the office floor area that exceeds 20% of the total floor area of the retail commercial uses</p>	<p>No office space appears to be in conjunction with the retail</p> <p>Total GFA for existing building is 1412m²</p>	<p>Appears not applicable</p> <p>NOTE: Confirmation is needed If an office use is in conjunction with the retail</p>
	<p>(21) All required parking spaces and manoeuvring spaces shall have access by means of one or more access driveways, (a) located on the lot; or (b) located partly on the lot in the case of a mutual driveway; or (c) by means of a right of way. (84-45) 18A-8</p>	<p>Located on the lot</p>	<p>Conforms</p>
<p>(22) All manoeuvring spaces shall be maintained free and clear of all obstructions to permit unobstructed access to and egress from required parking spaces.</p>			

	<p>required loading space shall be provided and maintained on the same lot on which the loading space is located, in such a manner as to enable each and every loading space to be unobstructed and freely and readily accessible from within the lot, without moving any vehicle on the lot or encroaching on any designated parking or loading space. (97-112)</p> <p>(33) Every loading space shall be provided and maintained to permit commercial motor vehicles to move readily and without hindrance between the loading space and an access driveway</p>	<p>Proposed concrete or asphalt</p> <p>Loading is provided without the need to move a vehicle on the lot</p> <p>Appears the loading space is far enough away from the access driveway.</p>	<p>Conforms</p> <p>Conforms</p> <p>Appears to conform</p> <p>NOTE: confirmation is needed to ensure loading does not interfere with the access driveway</p>
<p>Required Parking [as per section 18A Table 1 of Former Hamilton Zoning By-law 6593]</p>	<p>(i) 1 space for every 31m² of floor area for each portion of the floor area between 450m² up to and including 3,700m² and additional</p> <p>(i) 1 space for every 17m² of floor area for that portion of the floor area between 3,700m² up to and including 12,800m² and an additional</p> <p>(ii) 1 space for every 20.0 square metres of floor area for that portion of the floor area in excess of 12,800 square metres</p>	<p>Please see above (Section 5, 05-220 Zoning By-law)</p>	

<p>Required Loading Space [as per section 18A Table 4 of Former Hamilton Zoning By-law 6593]</p>	<p>Building Floor Area: Greater than 900 to 1850 – 1 space (9m long x 3.7m wide x 4.3m height)</p>	<p>1 loading space proposed 3.7m wide x 19.6m long Appears to have no height obstruction</p>	<p>Conforms</p>
<p>Minimum Required Manoeuvring Space [as per section 18A Table 6 of Former Hamilton Zoning By-law 6593]</p>	<p>90° = 6.0m</p>	<p>6.0m</p>	<p>Conforms</p>

Yours truly



for the Manager of Zoning and Committee of Adjustment



Hamilton

Committee of Adjustment

City Hall, 5th Floor,

71 Main St. W.,

Hamilton, ON L8P4Y5

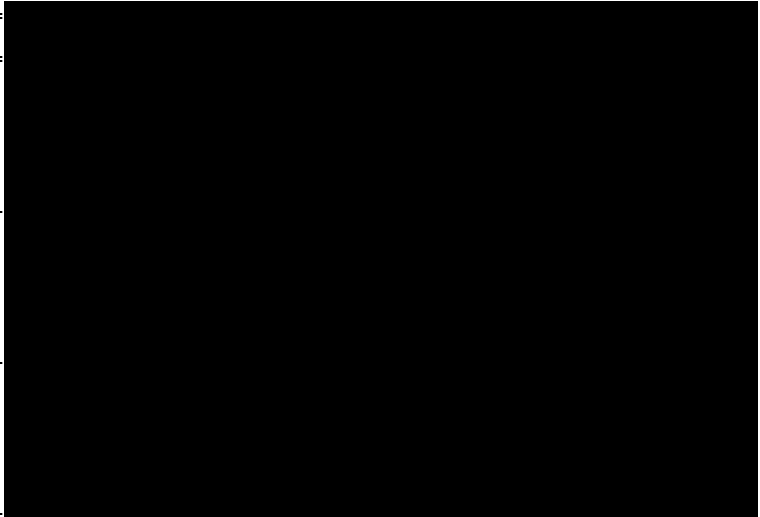
Phone: (905) 546-2424 ext. 4221

Email: cofa@hamilton.ca

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

1. APPLICANT INFORMATION

Table with 2 columns: Category (Registered Owners(s), Applicant(s), Agent or Solicitor) and Name (1000147741 Ontario Inc, Kelvin Lo, Alex Feo)



1.2 All correspondence should be sent to [checkbox] Purchaser [checkbox] Owner [checkbox checked] Applicant [checkbox] Agent/Solicitor

1.3 Sign should be sent to [checkbox] Purchaser [checkbox] Owner [checkbox checked] Applicant [checkbox] AgentSolicitor

1.4 Request for digital copy of sign [checkbox checked] Yes* [checkbox] No

If YES, provide email address where sign is to be sent [Redacted]

1.5 All correspondence may be sent by email [checkbox checked] Yes* [checkbox] 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	975 Queenston Rd, Stoney Creek		
Assessment Roll Number			
Former Municipality	Hamilton		
Lot	Part of Lot 24	Concession	2
Registered Plan Number	62R-9499	Lot(s)	
Reference Plan Number (s)		Part(s)	15

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- Parking space quantity (5 less than required) 2- Parking space location too close to street (915mm instead of 3m) 3- Planting Strip (3m req,915mm prop) 4 -Loading area to be screened from street and abutting residential lot (no screening provided)

Second Dwelling Unit Reconstruction of Existing Dwelling

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

Proposed parking spaces are 5 less and no more room to accommodate. PPlus planting strip cannot be provided either, along with screening of loading area.

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
34.384	127.617	4614.05	10.5

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
Commercial Plaza	7.81m	3.32m	13.09m & 29.64m	n/a

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
no new structure	-	-	-	-

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
Commercial Plaza	1412 m2	1412 m2	1	6.5m approx

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
no new structure	-	-	-	-

- 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.):

Commercial Plaza

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

Residential

7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:

May 13, 2022

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

Commercial

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

Commercial

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

since 1996 or older

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) Commercial

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

Existing use remains same

7.6 What is the existing zoning of the subject land? C5, G

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: C5, G

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: - _____

8.2 Number of Dwelling Units Proposed: - _____

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

Separate Sheet With Variance requested included

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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