



Hamilton

COMMITTEE OF ADJUSTMENT

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

Telephone (905) 546-2424, ext. 4221

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-23:341	SUBJECT PROPERTY:	270 & 274 OTTAWA STREET S, HAMILTON
ZONE:	"R1a" (Low Density Residential – Small Lot)	ZONING BY-LAW:	Zoning By-law City of Hamilton 05-200, as Amended 22-197

APPLICANTS: Owner: MICHAEL PETERS
Agent: T. JOHNS CONSULTING GROUP LTD.(JOE GRAVINA)

The following variances are requested:

1. A minimum 0.4m side yard setback for an accessory building shall be provided instead of the minimum required 1.2m side yard setback for an accessory building;
2. A minimum 40% landscaped area in the front yard shall be provided instead of the minimum required 50% landscaped area in the front yard;
3. A deck, porch, and steps, shall be permitted within the front yard instead of the requirement that where a driveway is provided in the front yard, all other portions of the front yard shall be landscaped area;
4. A minimum aisle width of 4.0m for 90 degree parking shall be provided instead of the minimum required aisle width of 6.0m for 90 degree parking is required;
5. A minimum of 1 parking space for a Single Detached Dwelling shall be provided instead of the minimum required 2 parking spaces for a Single Detached Dwelling.

PURPOSE & EFFECT: So as to permit the severance of a property containing two existing single detached dwelling which have inadvertently merged in title, notwithstanding that:

Notes:

- i. This application shall be heard in conjunction with Consent application HM/B-23:95.

HM/A-23:341

- ii. Be advised, Appendix 'A' indicates parking to be provided within Accessory Buildings (Garages) however parking spaces are not indicated on Site Plan. It is noted that the exterior dimensions of the Garages indicate sufficient dimensions for a parking space however, should adequate parking dimensions not be provided within the interior of the Garage structures, additional variances may be required to permit reduced parking spaces sizes.
- iii. Be advised, an Encroachment Agreement is required to establish the proposed access easement on the mutually shared driveway, indicated as Part 3 and Part 4 on the attached Survey.

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:	Tuesday, February 13, 2024
TIME:	1:40 p.m.
PLACE:	Via video link or call in (see attached sheet for details)
	City Hall Council Chambers (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

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, written comments must be received no later than February 9, 2024

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, registration to participate virtually must be received no later than February 12, 2024

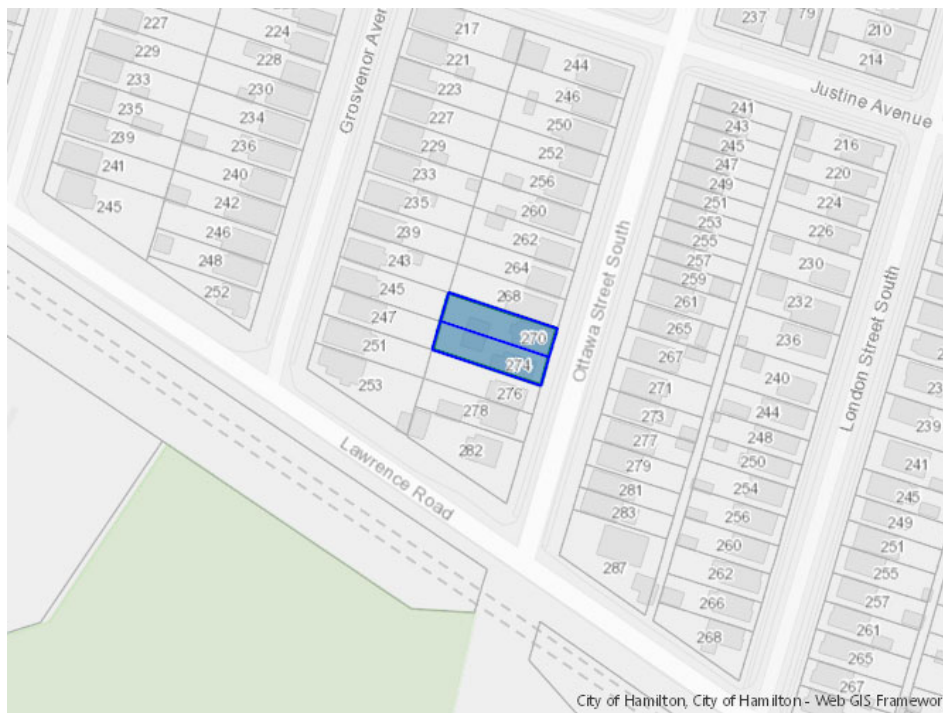
FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding HM/A-23:341, 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

HM/A-23:341

Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.



Subject Lands

DATED: January 25, 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

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 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 on the date listed on the Notice of Public Hearing.**

Comments are available the Friday 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 on the day listed on the Notice of Public 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.

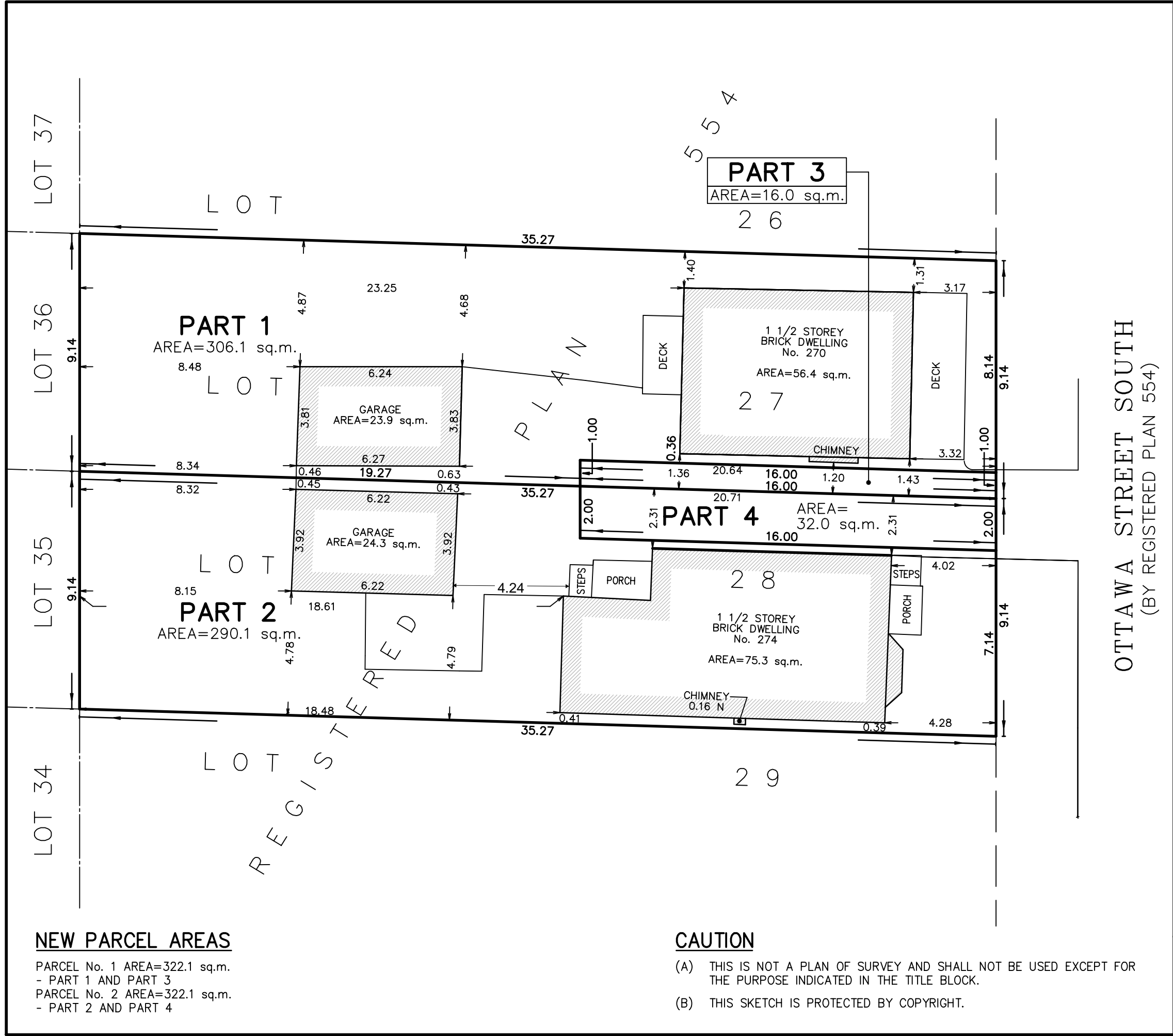
A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting one business day before the Hearing. Only those registered will be called upon to speak.

2. In person Oral Submissions

Interested members of the public, agents, and owners who wish to participate in person may attend Council Chambers on the date and time listed on the Notice of Public Hearing. Please note, you will be required to provide your name and address for the record. It is advised that you arrive **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.



NOTE: THIS SKETCH IS NOT A PLAN OF SURVEY
SKETCH FOR PLANNING PURPOSES ONLY

270 & 274 OTTAWA STREET SOUTH
CITY OF HAMILTON

SCALE 1 : 150
2 0 2 4 6 8 metres

J.D. BARNES LIMITED
© COPYRIGHT 2023

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

KEY PLAN (not to scale)

OTAWA STREET SOUTH
JUSTINE AVENUE
LONDON STREET SOUTH
GOSNOLD AVENUE SOUTH
LAWRENCE ROAD
SUBJECT
CITY OF HAMILTON

LEGAL DESCRIPTION
LOTS 27 AND 28, REGISTERED PLAN 554.
BOUNDARY INFORMATION HAS BEEN DERIVED FROM A FIELD SURVEY
DATED AUGUST 16, 2023. THIS IS NOT A PLAN OF SURVEY.

DAVID RECCHIA
ONTARIO LAND SURVEYOR

DATE

J.D. BARNES LIMITED
SURVEYING
MAPPING
GIS
LAND INFORMATION SPECIALISTS
4318 PORTAGE ROAD - UNIT 2, NIAGARA FALLS, ON L2E 6A4
T: (905) 358-3693 F: (905) 358-6224 www.jdbarnes.com

DR	DRAWN
DR	CHECKED
DATED: 22-AUG-2023	
Ref. No. 23-16-196-00	

PLOTTED 8/22/2023

December 11, 2023
Via Digital Submission

ATTN: Jamila Sheffield, Secretary-Treasurer

Committee of Adjustment
City of Hamilton
Planning and Economic Development Department
71 Main Street West, 5th Floor
Hamilton, ON L8P 4Y5

RE: 270 & 274 Ottawa Street South, Hamilton
Minor Variance & Consent to Sever Applications

T. Johns Consulting Group (“T. Johns Consulting”) was retained by the landowner of 270 & 274 Ottawa Street South (“subject lands”) to submit the enclosed Minor Variance and Consent to Sever applications on their behalf.

Site Description

The subject lands are legally described as Lots 27 and 28, Registered Plan 554, municipally known as 270 & 274 Ottawa Street South, Hamilton. 270 & 274 Ottawa Street South are under the same ownership, and as a result have merged on title. The subject lands are located within the Delta West neighbourhood on the west side of Ottawa Street South, in the City of Hamilton.

The subject lands are rectangular in shape with an approximate site area of 647.50m² and +18.29m of frontage on Ottawa Street South with a depth of +35.30m. The site is an existing residential lot occupied by two (2) single detached dwellings and two (2) garages within the rear yard that are accessed via a shared driveway. All structures on the property were existing prior to the two lots merging on title.

Planning Status

The *Urban Hamilton Official Plan Volume 1* designates the subject lands “Neighbourhoods” which permits a range of residential uses and forms, including single detached dwellings.

The *City of Hamilton Zoning By-law No. 05-200* zones the subject lands “Low Density Residential - Small Lot (R1a) Zone”, which permits single detached dwellings.

Proposed Development

The Minor Variance and Consent to Sever applications are required to reestablish the previously existing property lines, prior to the lots merging on title, and to recognize the existing site conditions. The existing dwellings and accessory structures are proposed to be maintained, and no further development is proposed.

To facilitate the proposed development, the following applications are required:

- Consent to Sever to establish a new lot and to establish access easements;

- Minor Variance to reduce the side yard setback for an accessory building, reduce the minimum landscaped area in the front yard, allow the existing porch, deck and stairs within the front yard to remain, reduce the minimum drive aisle width, and reduce the minimum number of parking spaces.

The development proposes to retain Part 1 and Part 3, and sever Part 2 and Part 4. Part 3 will establish an access easement in favour of 274 Ottawa Street South (Part 2 & Part 4). Part 4 will establish an access easement in favour of 270 Ottawa Street South (Part 1 & Part 3).

Please refer to the Consent Sketch, and Appendix A: Planning Rationale for additional details.

T. Johns respectfully requests the circulation of this letter along with the enclosed documents to all relevant departments in support of the Minor Variance and Consent to Sever applications.

Please find the enclosed:

- Minor Variance application with signatures;
- Consent to Sever application with signatures;
- Copy of the cheque in the amount of \$3,735.00 to satisfy the Minor Variance application fee, made payable to the City of Hamilton;
 - Note that the cheque was hand delivered to City Hall on December 11th, 2023.
- Copy of the cheque in the amount of \$3,220.00 to satisfy the Consent to Sever application fee, made payable to the City of Hamilton;
 - Note that the cheque was hand delivered to City Hall on December 11th, 2023.
- Consent Sketch; and
- Appendix A: Planning Rationale.

The application and all required documents have been submitted electronically, save and except the cheques that were submitted to the City of Hamilton December 11, 2023.

Should you have any questions or require additional information, please do not hesitate to contact Joe Gravina at 905-574-1993 ext. 204.

Respectfully submitted,
T. Johns Consulting Group Ltd.



Joe Gravina, CPT
Project Manager

T. Johns Consulting Group Ltd. ("T. Johns") has prepared the following Planning Rationale Report in support of the Minor Variance and Consent to Sever applications for 270 & 274 Ottawa Street South, Hamilton ("subject lands").

Description of Subject Lands

The subject lands are legally described as Lots 27 and 28, Registered Plan 554, municipally known as 270 & 274 Ottawa Street South, Hamilton (**Refer to Figure 1 - Site Location**). 270 & 274 Ottawa Street South are under the same ownership, and as a result have merged on title. The subject lands are located within the Delta West neighbourhood on the west side of Ottawa Street South, in the City of Hamilton.

The subject lands are rectangular in shape with an approximate site area of 647.50m² and ± 18.29 m of frontage on Ottawa Street South with a depth of ± 35.30 m. The site is an existing residential lot occupied by two (2) single detached dwellings and two (2) garages within the rear yard that are accessed via a shared driveway. All structures on the property were existing prior to the two lots merging on title.

Figure 1 - Site Location



Planning Status

The *Niagara Escarpment Plan* (“NEP”) designates the subject lands “Urban Areas”. The objective of the “Urban Area” is to minimize the impact and prevent further encroachment of urban growth on the Escarpment environment. The proposed Consent to Sever and Minor Variance will maintain the existing residential development and will not negatively impact the Escarpment environment.

The *Urban Hamilton Official Plan, Volume 1, Schedule E - Urban Structure* identifies the subject lands as “Neighbourhoods”, and *Schedule E-1 - Urban Land Use Designations* designates the subject lands as “Neighbourhoods”. The “Neighbourhoods” designation permits a range of residential uses, including the existing single detached dwellings.

The *City of Hamilton Zoning By-law No. 05-200* zones the subject lands “Low Density Residential - Small Lot (R1a) Zone”, which permits the use of single detached dwellings.

Proposed Development

The Minor Variance and Consent to Sever applications are required to reestablish the previously existing property lines, prior to the lots merging on title, and to recognize the existing site conditions. The existing dwellings and accessory structures are proposed to be maintained, and no further development is proposed.

To facilitate the proposed development, the following applications are required:

- Consent to Sever to establish a new lot and to establish access easements;
- Minor Variance to reduce the side yard setback for an accessory building, reduce the minimum landscaped area in the front yard, allow the existing porch, deck and stairs within the front yard to remain, reduce the minimum drive aisle width, and reduce the minimum number of parking spaces.

The development proposes to retain Part 1 and Part 3, and sever Part 2 and Part 4. Part 3 will establish an access easement in favour of 274 Ottawa Street South (Part 2 & Part 4). Part 4 will establish an access easement in favour of 270 Ottawa Street South (Part 1 & Part 3) (**refer to the attached Consent Sketch**).

Nature and extent of relief applied for:

Five (5) Minor Variances are being sought from the City of Hamilton Zoning By-law No. 05-200, in order to facilitate the proposed severance. The requested Minor Variances are as follows:

City of Hamilton Zoning By-law 05-200		
	Section	Purpose
1	4.8.1.1.d)ii)	To allow a minimum 0.4m side yard setback for an accessory building, whereas a minimum 1.2m side yard setback for an accessory building is required.
2	4.35	To allow a minimum 40% landscaped area in the front yard, whereas a minimum of 50% landscaped area in the front yard is required.

3	5.1.b)v)	To allow the front yard to include a deck, porch, and steps, where the driveway is provided in the front yard, whereas where the driveway is provided in the front yard, all other portions of the front yard shall be landscaped area.
4	5.2.i)	To allow a minimum aisle width of 4.0m for 90 degree parking, whereas a minimum aisle width of 6.0m for 90 degree parking is required.
5	15.2.2.1.h)	To allow a minimum of 1 parking space for a Single Detached Dwelling, whereas a minimum of 2 parking spaces for a Single Detached Dwelling is required.

PLANNING RATIONALE

Overall Conformity to the *Urban Hamilton Official Plan*

The Urban Hamilton Official Plan (“UHOP”) identifies the subject lands “Neighbourhoods” on *Schedule E - Urban Structure* and designates the subject lands “Neighbourhoods” on *Schedule E-1 - Urban Land Use Designations*, which permits a range of residential uses, along with local institutional and local commercial uses (E.3.2.3). The subject lands are situated on the west side of Ottawa Street South, identified as a collector road on *Schedule C - Functional Road Classification*.

The subject lands are located in a Low Density Residential area within the Neighbourhoods designation. Permitted uses in Low Density Residential areas include single detached with direct access to local streets (E.3.4.3, E.3.4.6.a). Buildings within the Low Density Residential areas may have a maximum height of 3 storeys (E.3.4.5). A mix of lot widths and sizes compatible with streetscape character, and a mix of dwelling unit types and sizes compatible in exterior design, including character, scale, appearance and design features, shall be encouraged. Development shall be subject to the Zoning By-law regulations for appropriate minimum lot widths and areas, yards, heights, and other zoning regulations to ensure compatibility (E.3.4.6.c).

Policy F.1.14.3.1 outlines the criteria for lot creation within the Neighbourhoods designation. It requires both of the severed and retained lots to comply with UHOP policies, conform to the Zoning By-law or approved minor variance, reflect the general scale and character of the established development pattern in the surrounding area, be fully serviced by municipal water and wastewater systems, and have frontage on a public road. The proposed consent to sever application is concurrent with a minor variance application to facilitate modifications to the zoning by-law, with regulations that are compatible with the surrounding neighbourhood fabric.

The proposed applications are intended to recognize the existing development on the site, and as such, respects the surrounding neighbourhood built-form and character, consistent with the objectives of the Neighbourhoods designation. The lands to be retained and lands to be severed have frontage along a public road and maintain access to municipal water and wastewater systems.

Accordingly, the proposed creation of one (1) additional lot to reestablish the previously existing property lines and to recognize the existing site conditions, align with the lot creation policies and maintains the intent of the Urban Hamilton Official Plan.

VARIANCE 1. To allow a minimum 0.4m side yard setback for an accessory building, whereas a minimum 1.2m side yard setback for an accessory building is required.

Why is it not possible to comply with the provision of the by-law?

The intent of the proposed applications is to reestablish the previously existing property lines prior to the lots merging on title, and to recognize the existing site conditions. The existing dwellings and accessory structures are proposed to be maintained, and no further development is proposed. All existing development on the subject lands was established prior to the adoption of Zoning By-law No. 05-200.

1. Conformity to the Intent of the Zoning By-law

The intent of the side yard setback requirement is to ensure appropriate building form, drainage and access. The accessory buildings are existing and provide adequate room for drainage and access purposes. Therefore, the proposed side yard setback maintains the general intent of the Zoning By-law.

2. Is the Variance Minor?

The proposed side yards are consistent with the neighbourhood context where minimal side yard setbacks for accessory buildings exist. The variance will allow the existing accessory buildings to remain upon the reestablishment of the former property lines. The reduction in side yard setback is required from the proposed southerly lot line of 270 Ottawa Street South and the proposed northerly lot line of 274 Ottawa Street South, while the other side yards maintain setbacks that far exceed the minimum requirement. Therefore, the reduction is not anticipated to have negative impacts to adjacent properties.

3. Is the Variance Desirable for the development of the property?

The proposed variance is required to facilitate the Consent to Sever to reestablish the former lot lines. The variance is desirable as it will bring the lot into conformity with Subsection 4.5.a) of Zoning By-law No. 05-200, which does not allow more than one single detached dwelling on a lot.

VARIANCE 2. To allow a minimum 40% landscaped area in the front yard, whereas a minimum of 50% landscaped area in the front yard is required.

VARIANCE 3. To allow the front yard to include a deck, porch, and steps, where the driveway is provided in the front yard, whereas where the driveway is provided in the front yard, all other portions of the front yard shall be landscaped area.

Why is it not possible to comply with the provision of the by-law?

The intent of the proposed applications is to reestablish the previously existing property lines prior to the lots merging on title, and to recognize the existing site conditions. The existing dwellings and accessory structures are proposed to be maintained, and no further development is proposed. All

existing development on the subject lands was established prior to the adoption of Zoning By-law No. 05-200.

1. Conformity to the Intent of the Zoning By-law

The intent of the landscaped area requirement is to maintain a high quality street presence, sufficient permeable surface, and amenity area. The reduction in front yard landscaped area is required to recognize the existing conditions of 270 Ottawa Street South. The front yard of 270 Ottawa Street south accommodates a front deck, access driveway and landscaped area. The driveway occupies 14.8% of the front yard, leaving the majority of the front yard for landscaping and other amenity space. Therefore, the proposed landscaped area maintains the general intent of the Zoning By-law.

2. Is the Variance Minor?

The proposed minor variance is required to recognize the existing conditions within the front yard. The proposed variance will not result in a change to the amount of permeable surface or the overall streetscape. Therefore, the proposed variance is minor.

3. Is the Variance Desirable for the development of the property?

The proposed variance is required to facilitate the Consent to Sever to reestablish the former lot lines. The variance is desirable as it will bring the lot into conformity with Subsection 4.5.a) of Zoning By-law No. 05-200, which does not allow more than one single detached dwelling on a lot.

VARIANCE 4. To allow a minimum aisle width of 4.0m for 90 degree parking, whereas a minimum aisle width of 6.0m for 90 degree parking is required.

Why is it not possible to comply with the provision of the by-law?

The intent of the proposed applications is to reestablish the previously existing property lines prior to the lots merging on title, and to recognize the existing site conditions. The existing dwellings and accessory structures are proposed to be maintained, and no further development is proposed. All existing development on the subject lands was established prior to the adoption of Zoning By-law No. 05-200.

1. Conformity to the Intent of the Zoning By-law

The intent of the minimum drive aisle width is to ensure sufficient maneuvering space and safe site circulation. The requested reduction is required to recognize the existing conditions of 274 Ottawa Street. Parking is provided within the existing garage and the drive aisle width is an existing site condition, that facilitates safe maneuvering.

2. Is the Variance Minor?

The proposed minor variance is required to recognize the existing site conditions. The existing drive aisle width allows for sufficient and safe maneuvering space from the existing garage to the shared driveway. Therefore, the proposed variance is minor.

3. Is the Variance Desirable for the development of the property?

The proposed variance is required to facilitate the Consent to Sever to reestablish the former lot lines. The variance is desirable as it will bring the lot into conformity with Subsection 4.5.a) of Zoning By-law No. 05-200, which does not allow more than one single detached dwelling on a lot.

VARIANCE 5. To allow a minimum of 1 parking space for a Single Detached Dwelling, whereas a minimum of 2 parking spaces for a Single Detached Dwelling is required.

Why is it not possible to comply with the provision of the by-law?

The intent of the proposed applications is to reestablish the previously existing property lines prior to the lots merging on title, and to recognize the existing site conditions. The existing dwellings and accessory structures are proposed to be maintained, and no further development is proposed. All existing development on the subject lands was established prior to the adoption of Zoning By-law No. 05-200.

1. Conformity to the Intent of the Zoning By-law

The intent of the minimum parking space requirement is to ensure there is a sufficient amount of parking to support the use. The requested reduction to a minimum of 1 parking space for a single detached dwelling is required to recognize the existing site conditions, where 1 parking space is provided within the existing garage. The reduction in parking will not negatively impact the parking demands in the neighbourhood and therefore meets the intent of the Zoning By-law.

2. Is the Variance Minor?

The proposed minor variance is required to recognize the existing site conditions. The existing lot provides a minimum of 1 parking space per single detached dwelling, therefore, the proposed variance is minor.

3. Is the Variance Desirable for the development of the property?

The proposed variance is required to facilitate the Consent to Sever to reestablish the former lot lines. The variance is desirable as it will bring the lot into conformity with Subsection 4.5.a) of Zoning By-law No. 05-200, which does not allow more than one single detached dwelling on a lot.

Conclusion

The proposed Minor Variance and Consent to Sever applications are required to reestablish the previously existing property lines prior to the lots merging on title, and to recognize the existing site conditions. Based on the reasons set out in this report, the requested variances maintain the intent of the Urban Hamilton Official Plan and the City of Hamilton Zoning By-law 05-200, are minor in nature, are desirable for the redevelopment of the property, and represent good land use planning.

Respectfully Submitted,
T. Johns Consulting Group Ltd.



Joe Gravina, CPT
Project Manager

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

1. APPLICANT INFORMATION

	NAME	MAILING ADDRESS
Registered Owners(s)		
Applicant(s)		
Agent or Solicitor		

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

1.3 Sign should be sent to ☐ Purchaser ☐ Owner
☐ Applicant ☒ Agent/Solicitor

1.4 Request for digital copy of sign ☒ Yes* ☐ No
 If YES, provide email address where sign is to be sent

1.5 All correspondence may be sent by email ☒ Yes* ☐ No

If Yes, a valid email must be included for the registered owner(s) AND the Applicant/Agent (if applicable). Only one email address submitted will result in the voiding of this service. This request does not guarantee all correspondence will sent by email.

2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	270 & 274 Ottawa Street South Hamilton, ON L8K 2G1		
Assessment Roll Number	251804029305360 & 251804029305390		
Former Municipality	Former City of Hamilton		
Lot	27 & 28	Concession	
Registered Plan Number	554	Lot(s)	
Reference Plan Number (s)		Part(s)	

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

☐ Yes ☒ No

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

3. PURPOSE OF THE APPLICATION

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

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

3.1 Nature and extent of relief applied for:

A Minor Variance is required to reduce the side yard setback for an accessory building, reduce the minimum landscaped area in the front yard, allow the existing porch, deck and stairs within the front yard to remain, reduce the minimum drive aisle width and reduce the minimum number of parking spaces. Please refer to the Planning Rationale for full details.

☐ Second Dwelling Unit

☐ Reconstruction of Existing Dwelling

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

The Minor Variance is required to facilitate a Consent to Sever to reestablish the previous property line, prior to the lots merging on title, and to recognize the existing site conditions. Please refer to the Planning Rationale for full details.

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
18.28m	35.27m	644.2m ²	+20.0m

4.2 Location of all buildings and structures on or proposed for the subject lands:
(Specify distance from side, rear and front lot lines)

Existing:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Single Detached Dwelling	3.17m	23.25m	1.31m (to existing lot lines)	Unknown
Single Detached Dwelling	4.02m	18.48m	0.39m (to existing lot lines)	Unknown
Garage	20.64m	8.34m	4.68m (to existing lot lines)	Unknown
Garage	20.71m	8.15m	4.78m (to existing lot lines)	Unknown

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
N/A				

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

Existing:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Single Detached Dwelling	56.4m ²	Unknown	1.5	Unknown
Single Detached Dwelling	75.3m ²	Unknown	1.5	Unknown
Garage	23.9m ²	23.9m ²	1	Unknown
Garage	24.3m ²	24.3m ²	1	Unknown

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
N/A				

- 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.):

Single detached 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:

#274: 1972. #270: ~1984.

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

Single detached dwellings.

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

Single detached dwellings.

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

Since before the date of acquisition.

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

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

Rural Settlement Area: N/A

Urban Hamilton Official Plan designation (if applicable) Neighbourhoods

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

Refer to planning rationale.

7.6 What is the existing zoning of the subject land? R1a

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: Concurrent consent application.

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: 2

8.2 Number of Dwelling Units Proposed: 2

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

Refer to planning rationale.

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
