

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-24:07	SUBJECT PROPERTY:	300 ALBRIGHT ROAD, HAMILTON
ZONE:	"RT-20 / S-1829" (Townhouse - Maisonette)	ZONING BY-LAW:	Zoning By-law former City of Hamilton 6593, as Amended 23-104

APPLICANTS: Owner: VALSTAR (RED HILL) INC(TED VALERY)
Agent: MHBC PLANNING LTD.(DAVE ASTON)

The following variances are requested:

1. A maximum height of 5 storeys to a limit of 16.5 metres shall be permitted instead of the maximum requirement that no building or structure within the district shall exceed four storeys and 15.5m in height.

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

Notes:

- i. A Zoning Compliance Review has been conducted prior to the submission of this Minor Variance application and the applicant has indicated as per the signed acknowledgement clause that the plans provided have not been changed or modified from the plans reviewed through Zoning Compliance. Be advised however, the current plans provided appear to be modified with additional measurements, changes to building dimensions and visitor parking rates. As such, the requirements of the acknowledgement clause have not been fulfilled and a new review has been conducted through the Minor Variance process.
- ii. Please note, insufficient information has been provided to determine compliance regarding the required 1.5 metre landscape planting strip where a parking space abuts a residential district, in accordance with Section 18a(11) of Hamilton Zoning By-Law 6593. It is noted that a "Landscaped Visual Barrier" is proposed, however additional information is required to confirm if the proposed landscaped area complies with the requirements of a Planting Strip as defined as follows:

"Planting Strip - means an area of land growing ornamental shrubs or trees or both, suitable to the soil and climatic conditions of the area of land for the sole purpose of providing a visual barrier or buffer."

Furthermore, as per Section 18a(12),

"There shall be provided and maintained a visual barrier along the boundary of the residential district not less than 1.2 metres in height and not greater than 2.2 metres in height, except no visual barrier shall be required where a 1.5-metre-wide sidewalk for pedestrian access is provided to the westerly lot line."

It is noted within the Site Statistics table that a visual barrier is proposed to be provided in accordance with the requirements for a Visual Barrier. The detailed extent of the height of the Visual Barrier has not been provided and as such Zoning Compliance cannot be wholly confirmed. Should the proposed "Landscaped Visual Barrier" not achieve the requirements of the Sections mentioned above as they pertain to a Planting Strip and Visual Barrier, additional variances may be required.

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 27, 2024
TIME:	3:10 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 23, 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 26, 2024

FURTHER NOTIFICATION

HM/A-24:07

If you wish to be notified of future Public Hearings, if applicable, regarding HM/A-24:07, 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: February 8, 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.

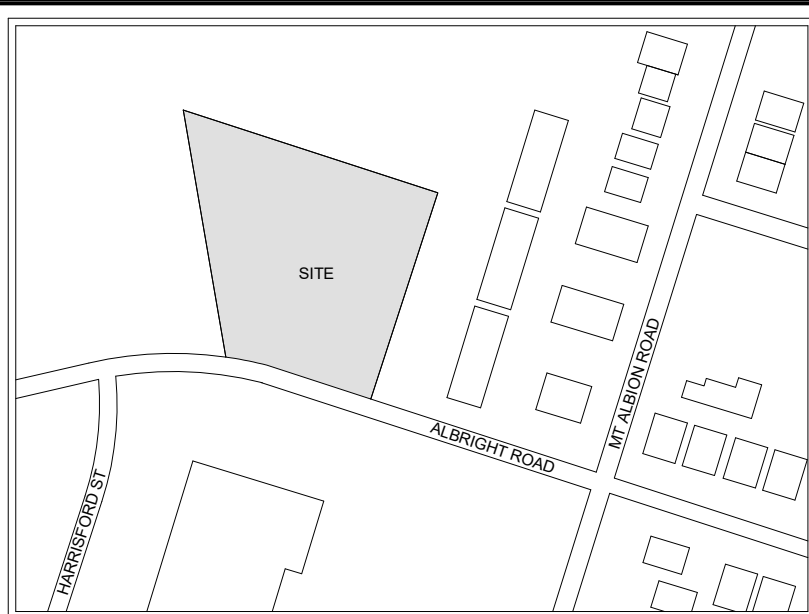
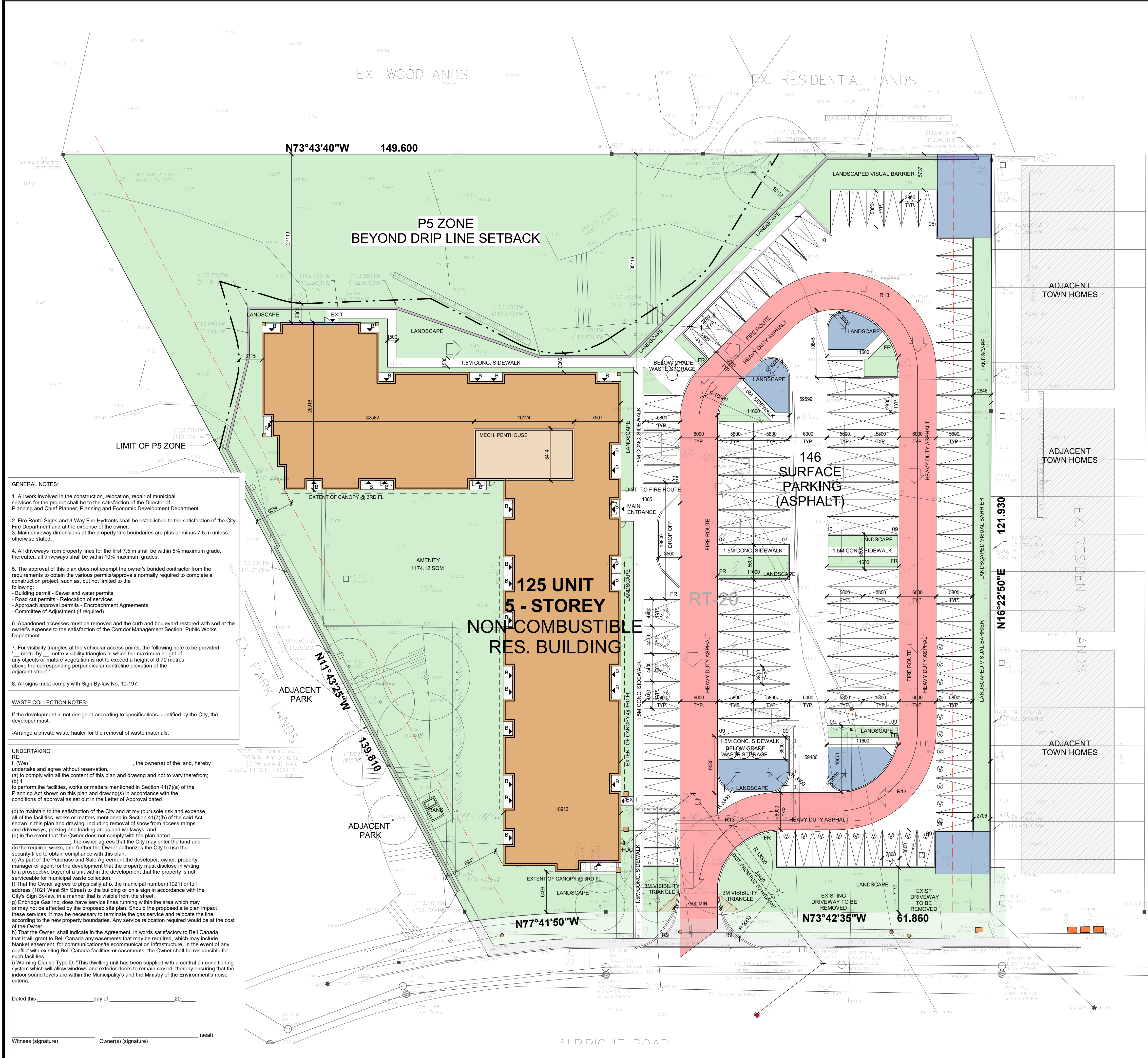
A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting one business day before the Hearing. Only those registered will be called upon to speak.

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.



- SITE PLAN LEGEND**
- B BALCONY ABOVE
 - ▲ BUILDING ENTRANCE/EXITS
 - # PARKING SPACE NUMBER
 - Ⓜ ACCESSIBLE PARKING SPACE (400mm x 5800mm)
 - Ⓢ VISITOR PARKING
 - FDC FIRE DEPARTMENT CONNECTION
 - FR FIRE ROUTE SIGNAGE
 - CB CATCH BASIN
 - EXTENT OF CANOPIES/ BALCONIES ABOVE
 - SETBACK LINES
 - SNOW STORAGE

- COLOUR HATCH KEY**
- PRINCIPAL BUILDING
 - BUILDING ABOVE
 - VISUAL BARRIER
 - DAYLIGHT TRIANGLE

SITE STATISTICS ("RT-20/5-1829") WITH SPECIAL PROVISIONS		
REGULATION	REQUIRED (min.)	PROVIDED
NUMBER OF BUILDINGS	-	1
GROUND FLOOR AREA	-	2,221 m ²
TOTAL RESIDENTIAL AREA	-	9,188 m ²
GFA (A)	-	10,302 m ²
PAVED SURFACE AREA	4 STOREYS (15.5m)	5,043 m ²
AREA REQUIREMENTS		
BUILDING HEIGHT (A)	230 m	14,287.00 m ²
LOT AREA	30 m	121.95 m
LOT DEPTH	23.0 m	84.5 m
YARD ABUTS A STREET	3.1 m	6.1 m
YARD ABUTTING ANY OTHER LOT	3.5m, (EXCEPT WHERE WINDOWS TO HABITABLE ROOM FACE YARD) ≥ 6.0m	6.1 m
FRONT (SOUTHERN) YARD	3.1 m	6.4 m
REAR (NORTHERN) YARD	6.0 m	27.1 m
INTERIOR (EASTERN) SIDE YARD	3.5 m	59.4 m
INTERIOR (WESTERN) SIDE YARD	3.0 m	6.5 m
SETBACK FROM (PS) ZONE	3.0 m	3.0 m
FLOOR AREA RATIO	-	0.72
PRIVACY AREAS		
VISUAL BARRIER HEIGHT	1.2 m - 2.2 m	1.8 m
VISUAL BARRIER DEPTH	1.2 m	1.5 m
LANDSCAPE OPEN SPACE	40%	48.10%
CANOPY		
1.5m ENCROACH, PROVIDED PROJECTION IS NO CLOSER THAN 0.5m FROM LOT LINE	-	-
PARKING (min)	1 PER CLASS A UNIT (125)	125 SPACES
VISITOR PARKING	0.16 PER CLASS A UNIT (20)	21 SPACES
BARRIER FREE PARKING SPACES	-	4 SPACES
LANDSCAPED PARKING AREAS		
LANDSCAPED AREA OF PARKING	10% OF OVERALL PARKING	(10.2%) 510.48 m ²
LANDSCAPED OPEN SPACE	MIN. 40% OF LOT AREA	48.10%

PRELIMINARY ZONING ANALYSIS CHART			
Regulation	Required	Provided	Compliance
Minimum Lot Area	-	14,287 m ²	Yes
Minimum Lot Width	-	84.5m	Yes
Minimum Lot Depth	30.0 m	121.95m	Yes
Minimum Street Line Setback of Yard Abutting Street	3.1 m	6.73m	Yes
Minimum Eastern Side Yard Setback	3.5 m	59.48m	Yes
Minimum Rear Yard Setback	where a yard abuts any other lot, a width or depth of not less than 3.0 metres, except where there are windows to a habitable room facing the yard, the width or depth of such yard shall not be less than 6.0 metres	27.13m	Yes
Minimum Setback from PS Zone	3.0 m	3.0m	Yes
Maximum Building Height	4 storeys (15.5 m)	5 storeys (16.4 m)	No*
Separation Distance of Buildings on the Same Lot	5.1 metres (11.48 feet) between two exterior walls containing no window or window;	N/A	Yes
Privacy Area	8.0 metres, between two exterior walls each of which contains any windows to a habitable room a privacy area for each dwelling unit that may include a balcony with a minimum depth of 1.2 metres, except no privacy area shall be required for lower level dwelling units	Yes	Yes
Minimum Landscaped Area	No part of any landscaped area provided under subsection 10 shall be used for parking space, maneuvering space, access and egress driveways or for any vehicular purpose of any kind.	40%	48.10%
Visual Barrier	For every parking area and loading space referenced in Subsection 10A (1), there shall be provided and maintained a visual barrier along the boundary of the residential district not less than 1.2 metres in height and not greater than 2.2 metres in height, except no visual barrier shall be required where a 1.5 metre wide sidewalk for pedestrian access is provided to the westerly lot line	Yes	Yes
Front Yard Projections	A roofed-over or screened but otherwise unenclosed porch, including eaves, gutters and steps may project into a required front yard provided that the projection is no closer than 0.5 metres from the front lot line	N/A	Yes
Minimum Parking Spaces	1 space per Class A dwelling unit Total Required: 125 spaces	125 spaces	Yes
Minimum Visitor Parking Spaces	0.16 spaces per Class A dwelling unit Total Required: 20 spaces	21 spaces	Yes
Barrier Free Parking Spaces	every required parking space, other than a parallel parking space, shall have dimensions not less than 2.8 metres wide and 5.8 metres long	4 Type A spaces	Yes
Parking Dimensions	All non-barrier-free parking spaces are sized 2.8 m by 5.8 m, conforms	0	Yes
Bicycle Parking	Minimum Loading Spaces	0	Yes

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 and Chief Planner, 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 - Sewer and water permits
 - Road cut permits - Relocation of services
 - Approach approval permits - Encroachment Agreements
 - Committee of Adjustment (if required)
- Abandoned accesses must be removed and the curb and boulevard restored with sod at the owner's expense to the satisfaction of the Corridor Management Section, Public Works Department.
- For visibility triangles at the vehicular access points, the following note to be provided:
 - metre by — metre visibility triangles in which the maximum height of any objects or mature vegetation is not to exceed a height of 0.70 metres above the corresponding perpendicular centreline elevation of the adjacent street.
- All signs must comply with Sign By-law No. 10-197.

WASTE COLLECTION NOTES:

If the development is not designed according to specifications identified by the City, the developer must:

- Arrange a private waste hauler for the removal of waste materials.

UNDERTAKING

RE: _____ 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 drawing(s) in accordance with the conditions of approval as set out in the Letter of Approval dated _____;

(c) to maintain to the satisfaction of the City and at my (our) sole risk and expense, all of the facilities, works or matters mentioned in Section 41(7)(b) of the said Act, shown in this plan and drawing, including removal of snow from access ramps and driveways, parking and loading areas and walkways; and (d) in the event that the Owner does not comply with the plan dated _____, 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) As part of the Purchase and Sale Agreement the developer, owner, property manager or agent for the development that the property must disclose in writing to a prospective buyer of a unit within the development that the property is not serviceable for municipal waste collection.

f) That the Owner agrees to physically affix the municipal number (1021) or full address (1021 West 5th Street) to the building or on a sign in accordance with the City's Sign By-law, in a manner that is visible from the street.

g) Enbridge Gas Inc. does have service lines running within the area which may or may not be affected by the proposed site plan. Should the proposed site plan impact these services, it may be necessary to terminate the gas service and relocate the line according to the new property boundaries. Any service relocation required would be at the cost of the Owner.

h) That the Owner, shall indicate in the Agreement, in words satisfactory to Bell Canada, that it will grant to Bell Canada any easements that may be required, which may include blanket easement, for communications/telecommunication infrastructure. In the event of any conflict with existing Bell Canada facilities or easements, the Owner shall be responsible for such facilities.

i) Warning Clause Type D: "This dwelling unit has been supplied with a central air conditioning system which will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the Municipality's and the Ministry of the Environment's noise criteria."

Dated this _____ day of _____, 20____

Witness (signature) _____ Owner(s) (signature) _____ (seal)

DRAWING SETS ISSUED	No.	DATE (DD.MM.YY)	BY
ISSUED FOR CLIENT REVIEW	1.	25.04.23	KNYMH
ISSUED FOR REVIEW	2.	24.10.23	KNYMH
ISSUED FOR CLIENT REVIEW	3.	02.11.23	KNYMH
ISSUED FOR FC	4.	21.11.23	KNYMH

ALL PREVIOUS ISSUES OF THIS DRAWING ARE SUPERSEDED
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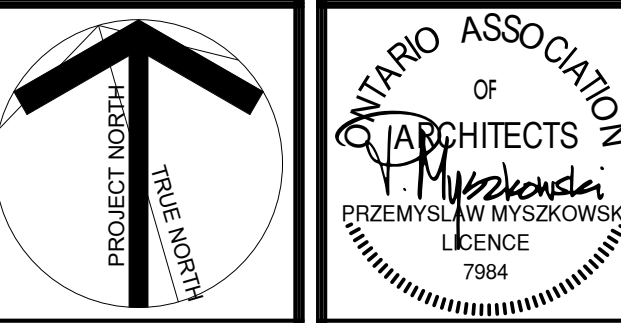
REVISIONS TO DRAWING	No.	DATE (DD.MM.YY)	BY

BUILDING PERMIT NUMBER: _____

NOT FOR CONSTRUCTION WITHOUT PERMIT

KNYMH
ARCHITECTURE • SOLUTIONS

KNYMH INC.
1006 SKYVIEW DRIVE • SUITE 101
BURLINGTON, ONTARIO • L7P 0V1
T 905.639.6595
F 905.639.0394
www.knymh.com info@knymh.com



VALERY GROUP

5-STOREY RESIDENTIAL

300 ALBRIGHT RD, HAMILTON, ON

DRAWING SHEET TITLE: SITE PLAN	
DRAWING SCALE: As indicated	PROJECT NUMBER: 21452
DRAWN BY: CHECKED BY:	DRAWING SHEET NUMBER: A001
PLOT DATE: 2024-01-04	

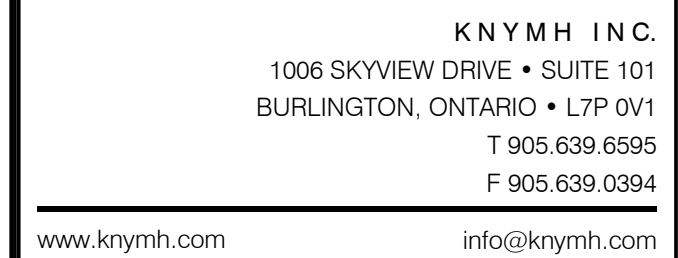


REVISIONS TO DRAWING	No.	DATE (DD,MM,YY)	BY
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ALL PREVIOUS ISSUES OF THIS DRAWING ARE SUPERSEDED

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BUILDING PERMIT NUMBER:
NOT FOR CONSTRUCTION WITHOUT PERMIT



300 ALBRIGHT RD, HAMILTON, ON

DRAWING SHEET TITLE:

1st FLOOR OVERALL
PLAN

DRAWING SCALE: 1 : 200		PROJECT NUMBER: 21452	
DRAWN BY: Author	CHECKED BY: Checker	DRAWING SHEET NUMBER: A201	
DRAWING VERSION:			
PLOT DATE: 2024-01-04			



DRAWING SCALE: 1 : 200		PROJECT NUMBER: 21452	
DRAWN BY: Author	CHECKED BY: Checker	DRAWING SHEET NUMBER: A202	
DRAWING VERSION:			
PLOT DATE: 2024-01-04			



NOTES:

ALL GUARDS TO MEET REQUIREMENTS OF THE O.B.C. 2012 MANUFACTURER/SUPPLIER TO PROVIDE ENGINEERED, STAMPED SHOP DRAWINGS COMPLYING WITH MOUNTING DETAILS.

GUARDS SHALL COMPLY WITH O.B.C. 3.3.1.17, 3.4.6.5 AND 4.1.10.

GUARDS SHALL COMPLY WITH O.B.C. 4.3.6.

ALL GLASS IN GUARDS TO COMPLY WITH O.B.C. 5B-18.3.

GLAZING LOCATED 1070 OR LESS ABOVE FINISHED FLOOR AND MORE THAN 600mm ABOVE GRADE SHALL BE DESIGNED AS A GUARD AND SHALL COMPLY WITH ALL REQUIREMENTS OF THE O.B.C.

ALL WINDOW, DOOR AND GLAZING SYSTEMS TO BE BY DELEGATED DESIGN BY A PROFESSIONAL ENGINEER INSURED AND LICENCED TO PRACTICE IN THE PROVINCE OF ONTARIO OR THE JURISDICTION FOR WHICH THE PROJECT IS LOCATED IN AND AS SUBJECT TO REQUIRED APPROVALS.

ALL WINDOW, DOOR AND GLAZING SYSTEMS NOTED AS 'GG' TO BE DESIGNED TO ACT AS GUARDS. THIS WILL INCLUDE WINDOW AND DOOR FRAMES, OPERABLE UNITS, SPANDREL PANELS, LOUVRES, WINDOW AND DOOR FRAMES, CONNECTIONS TO STRUCTURE AND OTHER ASSOCIATED SYSTEMS AS REQUIRED TO MEET REQUIRED CODES.

ALL WINDOWS SHALL HAVE RESTRICTORS PER CBC 3.3.4.8. 1)(X)(B) AND AS AMENDED.

ALL WINDOWS TO MEET THE REQUIREMENTS OF THE O.B.C. 2012 ARTICLE 3.3.4.8.

PROTECTION OF GLAZING IN APARTMENT BUILDINGS: WINDOW SUPPLIER TO PROVIDE ENGINEERED STAMPED SHOP DRAWINGS FOR REVIEW.

ALL DOOR AND WINDOW FRAMES AND SASHES TO MEET THE REQUIREMENTS OF THE O.B.C. 2012 ARTICLE 3.15.4. COMBUSTIBLE GLAZING AND SKYLIGHTS.

REFER TO NOICE IMPACT STUDY FOR ADDITIONAL GLAZING REQUIREMENTS.

ENSURE CO-ORDINATION WITH MECHANICAL DRAWINGS FOR EXHAUST WALL BOX LOCATIONS WITHIN ALUMINUM SCREENS.

ALL SPANDREL GLASS PANELS ARE TO HAVE A MINIMUM R-VALUE OF R-10, C/W METAL BACK PAN.

DOOR AND WINDOW LOCATIONS, DIMENSIONS, DETAILS AND BUILDING MATERIALS MAY VARY DEPENDING ON FINAL BUILDING LAYOUT, AND SHOWN FOR INFORMATION PURPOSES ONLY.

WINDOW SUPPLIER/INSTALLER IS TO PROVIDE DEFLECTION CONNECTION FOR ALL CURTAIN WALLS / WINDOW WALLS. (REFER TO STRUCTURAL DRAWINGS FOR REQUIRED DEFLECTION).

ALL WINDOWS AND GLASS DOORS TO MEET MINIMUM ENERGY RATING FOR WINDOWS IN ZONE 5 OF THE O.B.C. 5B-10.

NON-METAL FRAME WINDOWS/DOORS 0.25 MAX U VALUE

0.50 SOLAR HEAT GAIN COEFFICIENT

METAL FRAME (ALUM) WINDOWS

0.25 MAX U VALUE

0.35 SOLAR HEAT GAIN COEFFICIENT

METAL FRAME DOORS

0.35 MAX U VALUE

0.35 SOLAR HEAT GAIN COEFFICIENT

[illegible]

BUILDING PERMIT NUMBER:
NOT FOR CONSTRUCTION WITHOUT PERMIT

5-STOREY
RESIDENTIAL

300 ALBRIGHT RD, HAMILTON, ON

DRAWING SHEET TITLE:

ELEVATIONS

DRAWING SCALE: As indicated		PROJECT NUMBER: 21452	
DRAWN BY: -		CHECKED BY: -	
DRAWING VERSION: 000		DRAWING SHEET NUMBER: A400	
PLOT DATE: 2024-01-04			



NOTES:

ALL GUARDS TO MEET REQUIREMENTS OF THE O.B.C. 2012. MANUFACTURER/SUPPLIER TO PROVIDE ENGINEERED, STAMPED SHOP DRAWINGS COMPLETE WITH MOUNTING DETAILS.

GUARDS SHALL COMPLY WITH O.B.C. 3.3.1.17, 3.4.6.5 AND 4.1.10.

GUARDS SHALL COMPLY WITH O.B.C. 4.3.6.

ALL GLAZING IN COMPLIANCE WITH O.B.C. SB-13.

GLAZING LOCATED 1070 OR LESS ABOVE FINISHED FLOOR AND MORE THAN 600mm ABOVE GRADE SHALL BE DESIGNED AS A GUARD AND SHALL COMPLY WITH ALL REQUIREMENTS OF THE O.B.C.

ALL WINDOW, DOOR AND GLAZING SYSTEMS TO BE BY DELEGATED DESIGN BY A PROFESSIONAL ENGINEER INSURED AND LICENCED TO PRACTICE IN THE PROVINCE OF ONTARIO OR THE JURISDICTION FOR WHICH THE PROJECT IS LOCATED IN AND AS SUBJECT TO REQUIRED APPROVALS

ALL WINDOW, DOOR AND GLAZING SYSTEMS NOTED AS 'GG' TO BE DESIGNED TO ACT AS GUARDS. THIS WILL INCLUDE WINDOW AND DOOR FRAMES, OPERABLE UNITS, SPANDREL PANELS, LOUVRES, WINDOW AND DOOR FRAMES, CONNECTIONS TO STRUCTURE AND OTHER ACCESSORY SYSTEMS AS REQUIRED TO MEET REQUIRED CODES

ALL WINDOWS SHALL HAVE RESTRICTORS PER CBC 3.3.4.8. (1)(B) AND AS AMENDED.

ALL WINDOWS TO MEET THE REQUIREMENTS OF THE O.B.C. 2012 ARTICLE 3.3.4.8. PROTECTION OF WINDOWS IN APARTMENT BUILDINGS: WINDOW SUPPLIER TO PROVIDE ENGINEERED STAMP SHOP DRAWINGS FOR REVIEW.

ALL DOOR AND WINDOW FRAMES AND SASHES TO MEET THE REQUIREMENTS OF THE O.B.C. 2012 ARTICLE 3.1.5.4. COMBUSTIBLE GLAZING AND SKYLIGHTS.

REFER TO NOICE ACT STUDY FOR ADDITIONAL GLAZING REQUIREMENTS.

ENSURE CO-ORDINATION WITH MECHANICAL DRAWINGS FOR EXHAUST WALL BOX LOCATIONS WITH ALUMINUM SCREENS.

ALL SPANDREL GLASS PANELS ARE TO HAVE A MINIMUM R-VALUE OF R-10, C/W METAL BACK PAN.

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ALL WINDOWS AND GLASS DOORS TO MEET MINIMUM ENERGY RATING FOR WINDOWS IN ZONE 5 OF THE O.B.C. SB-10.

NON-METAL FRAME WINDOWS/DOORS 0.25 MAX U VALUE
0.35 SOLAR HEAT GAIN COEFFICIENT

METAL FRAME (ALUM.) WINDOWS 0.25 MAX U VALUE
0.35 SOLAR HEAT GAIN COEFFICIENT

METAL FRAME DOORS 0.35 MAX U VALUE
0.35 SOLAR HEAT GAIN COEFFICIENT

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www.knymh.com info@knymh.com



VALERY
GROUP

5-STOREY RESIDENTIAL

300 ALBRIGHT RD, HAMILTON, ON

DRAWING SHEET TITLE:

ELEVATIONS

DRAWING SCALE: As indicated		PROJECT NUMBER: 21452
DRAWN BY: -	CHECKED BY: -	DRAWING SHEET NUMBER: A401
DRAWING VERSION: 		
PLOT DATE: 2024-01-04		



ALL PREVIOUS ISSUES OF THIS DRAWING ARE SUPERSEDED

BUILDING PERMIT NUMBER

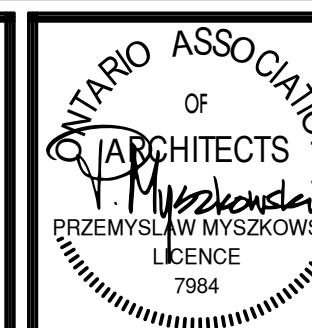
KNYMH
ARCHITECTURE • SOLUTIONS

KNYMH, INC.

1006 SKYVIEW DRIVE • SUITE 100

BURLINGTON, ONTARIO • L7R 0V1

F 905.639.039



300 ALBRIGHT RD. HAMILTON, ON

DRAWING SHEET TITLE:

DRAWING SCALE

PROJECT NUMBER:

DRAWING SHEET NUMBER

DRAWING VERSION:

DRAWING SHEET NUMBER

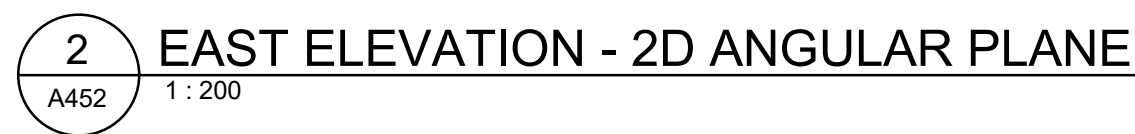
A450

PLOT DATE:

DATE: 2024.01.04



DRAWING VERSION:	A451
PLOT DATE: 2024-01-04	



	A452
PLOT DATE:	
2024-01-04	



PLANNING
URBAN DESIGN
& LANDSCAPE
ARCHITECTURE

January 5, 2024

Jamila Sheffield
Secretary-Treasurer - Committee of Adjustment
Hamilton City Hall
71 Main Street West, 5th Floor
Hamilton, Ontario, L8P 4Y5

Dear Jamila Sheffield:

**RE: Minor Variance Application Submission
300 Albright Road, Hamilton
OUR FILE 20348B**

On behalf of our client, Valstar (Red Hill) Inc., we are pleased to submit a minor variance application to permit the proposed multiple residential development at 300 Albright Road, in the City of Hamilton and hereinafter referred to as the 'subject lands'.

The subject lands are located in the Red Hill neighbourhood, northwest of the intersection of Albright Road and Mount Albion Road. The subject lands are 1.43 hectares in size and has approximately 84.5 metres of frontage along Albright Road. The subject lands are currently vacant and previously contained a school, which has since been demolished. The subject lands are bounded by residential to the east, a park and institutional uses to the west, conservation / hazard lands to the north, and institutional to the south of Albright Road.

POLICY FRAMEWORK AND BACKGROUND

The subject lands are designated "Neighbourhoods" and "Open Space" within the City of Hamilton Urban Official Plan (UHOP). A Zoning By-law Amendment to rezone the lands to Residential District: Townhouse – Maisonette with site specific provisions was approved by Council in June, 2023 by By-law 23-104 and 23-105.

The subject lands are zoned Residential District: Townhouse – Maisonette ("RT-20/S-1829"), permitting townhouses, maisonettes and multiple-dwellings built forms with specific building provisions. The RT-20/S-1829 zone permits an apartment building upto a maximum height of 15.5 m.

The northwest portion of the site containing woodlands was rezoned to Conservation/ Hazard Land ("P5") as part of the approved Zoning By-law Amendment.

REQUESTED MINOR VARIANCE

The purpose of the minor variance application is to facilitate the development of a 5-storey apartment building on the site containing 125 residential units, of which 29 units are 1-bed, 72 units are 2-bed, and the remaining 24 units are 3-bed suites. Please note a previous concept of the apartment buildings internal configuration included four (4) 3-bedroom units. 20 additional 3-bedroom units have been added to the proposed development to address comments provided by City staff through the Site Plan Formal Consultation process (FCSP-23-107).

The following variance is requested to permit the development as proposed:

- To permit a maximum height of 5 storeys to a limit of 16.5 metres, whereas the Zoning By-law No. 6593, as amended by By-law 23-104 and By-law 23-105, permits a maximum of 4 storeys to a building height limit of 15.5 metres;

ANALYSIS

In our opinion, the requested variances meets the four (4) tests of a minor variance under Section 45(1) of the *Planning Act*. Our analysis of the requested variances with respect to each of the four tests is detailed below.

1) Maintains the general intent and purpose of the Official Plan

The subject lands are designated as “Neighbourhoods” and “Open Space” on Schedule E1 of the Urban Hamilton Official Plan. The general objective of the Neighbourhoods designation is to develop compact, mixed-use, complete communities that facilitate a range of housing types and densities in a manner that is compatible with the character of the existing neighbourhood. The Neighbourhood designation permits residential intensification and permits a range of residential uses, open space and parks, local community facilities and services, and local commercial uses.

The UHOP identifies that residential intensification shall enhance and be compatible with the scale and character of the existing residential neighbourhood. The UHOP establishes a density target of 60-100 units per hectare with a maximum height of six storeys for land uses that are classified as medium density residential, such as multiple dwellings and including the proposed apartment building.

The proposed multiple dwelling apartment building contains approximately 125 units, with a density of approximately 88 units per hectare, and has a maximum height of five storeys. Furthermore, the apartment building supports residential intensification and is compatible with the scale and character of the existing residential neighbourhood, which contains a range and mix of housing types, including townhouses and apartment buildings.

The proposed development conforms to the OP as follows:

1. The use of multiple dwelling is permitted;
2. The development provides for compatible residential intensification and supports the development of a complete community; and,

3. A maximum height and density are not established by the Official Plan.

The requested variance is in-keeping with the Official Plan and the general intent and purpose of the Official Plan is maintained.

2) Maintains the general intent and purpose of the Zoning By-law

The subject lands are zoned Residential District: Townhouse – Maisonette with site-specific Exception 1829 (“RT-20/S-1829”) in the Former City of Hamilton Zoning By-law No. 6593. This zone permits townhouses, maisonette townhouses, and multiple dwellings. The development proposes a multiple dwelling use, which is permitted, in the Zoning By-law.

The intent of the maximum building height in this zone is to ensure a compatible and appropriate mid-rise built form. The overall area contains a range and mix of built forms, densities and heights, including high-rise multiple dwellings and low-rise single dwellings. An angular plane analysis and shadow study have been completed which demonstrate that minimal adverse impacts are anticipated on the surrounding land uses.

The requested increase in building height provides for a compatible, mid-rise built form that meets all zoning provisions, excluding the requested variance. There are no variances requested to setbacks, lot coverage, open space requirements, or parking to support the increased height. A Zoning Compliance Review has been completed and no other variances are required.

The requested variance maintains the general intent and purpose of the Zoning By-law.

3) Desirable for the appropriate use of the land, building or structure

The apartment use is appropriate for the lands. The height variance is desirable for the appropriate development of the building and the appropriate use of land, to permit a multiple dwelling with rental units. The number of units is 125, which is comparable to the previous townhouse concept for 101 units. The apartment concept allows for a more efficient built form, additional rental units, results in increased setbacks from adjacent residential uses, and maintains all other regulations within the zoning by-law.

The variance will facilitate the development of 125 rental units, with a range of bedroom sizes, including 1-bedroom, 2-bedroom and 3-bedroom suites, and will contribute to the overall range and mix of housing, including attainable rental units within the City. The requested variance is desirable to support the development of rental units within the City.

4) The variance is minor

The requested variance is minor in nature. The site has been designed to minimize the impacts of the proposed additional height, including shadowing and privacy concerns of surrounding residential homes.

As demonstrated on the Conceptual Site Plan, the site design places the mid-rise building closer to the westerly lot line, abutting the adjacent park, and maximizes the distance from adjacent residential uses. As demonstrated by the Angular Plane Section, the proposed development meets the 45 degree angular plane from property lines of adjacent residential lands.

As illustrated by the Shadow Impact Study, shadowing is minimal, and is generally contained within the subject lands, with minor encroachment of shadowing on the park to the west. The additional height will have minimal shadow impacts on surrounding lands and uses.

In summary, the requested variance is considered minor in nature because it is anticipated to have minimal impacts on surrounding land uses.

SUMMARY AND SUPPORTING MATERIALS

Based on the forgoing, it is our opinion that the requested variance satisfies Section 45(1) of the Planning Act. The variance maintains the general intent and purpose of the Official Plan, the Zoning By-law and is desirable for the appropriate use of the land, and is considered minor in nature.

In support of our application, please find enclosed the following:

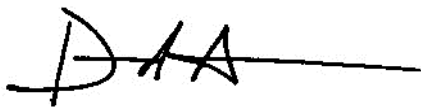
- Completed and signed Minor Variance Application Form;
- Architectural Plans, prepared by KNYMH Inc., dated January 4, 2024, including: Renderings, Site Plan, Floor Plans, Elevations, Angular Plane Sections, and Shadow Impact Study.

Please note the application fee in the amount of \$3,900, payable to the City of Hamilton, is provided under a separate cover.

We trust the enclosed is sufficient for acceptance of the minor variance application and request that the application be considered at the next available meeting of the Committee of Adjustment. Please do not hesitate to contact the undersigned should you require additional information.

Yours truly,

MHBC

A handwritten signature in black ink, appearing to read 'DAA', followed by a horizontal line.

Dave Aston, MSc, MCIP, RPP
Partner

cc. Amber Lindsay, Valery Homes



Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Planning Division
71 Main Street West, 5th Floor
Hamilton, Ontario, L8P 4Y5
Phone: 905-546-2424 x1355
www.hamilton.ca

December 19, 2023

FILE: ALR
FOLDER: 23-314840-00 ALR
ATTENTION OF: Liam Tapp
TELEPHONE NO: (905) 546-2424
EXTENSION: 6884-

2140 KING ST E
HAMILTON, ON L8K 1W6

Re: ZONING COMPLIANCE REVIEW
Present Zoning: RT-20/S-1829
Address: 300 Albright Road, Hamilton

A Zoning Compliance Review has been completed and the following comments are provided.

COMMENTS:

1. The applicant is proposing to construct a five-storey multiple dwelling containing 125 residential units including 146 surface parking spaces on the subject vacant lands
2. The use of a Multiple Dwelling is permitted within the RT-20/S-1829 District under Hamilton Zoning By-Law 6593 and defined as follows.

***“Multiple Dwelling** - shall mean a building comprising four or more self-contained Class A dwelling units, whether or not a private garage or any other accessory building is attached except a building comprising a Townhouse Dwelling or a Maisonette Dwelling.”*

3. Please note, the following Minor Variances are provided should the submitted material not be revised to be in compliance, as per the review table indicated below:
 - a. A maximum height of 16.4 metres shall be provided instead of the required maximum of four storeys and 15.5m in height.

Be advised, as per the review table provided below, additional variances may be required should the rear yard be 5.7 metres as indicated within the Site Statistics table. Additionally, where insufficient information has been provided to determine Zoning compliance, additional variances may be required should these areas not comply and an additional Zoning review will be required.

4. Please be advised that a portion of this property is within an area regulated by **Hamilton** Conservation Authority. Please contact (905) 525-2181 or nature@conservationhamilton.ca prior to any development.

Zoning Compliance Review
300 Albright Road, Hamilton

5. This is an interior lot. With reference to “front lot line” as defined, the front lot line shall mean the boundary line along the street. As such, the front lot line for this property is the lot line abutting the Albright Road street line.
6. Construction of the proposed Multiple Dwelling is subject to the issuance of a building permit in the normal manner. Be advised that Ontario Building Code regulations may require specific setback and construction types.
7. The proposed development has been reviewed and compared to the standards of the RT-20/S-1829 District under Hamilton Zoning By-Law 6593 as indicated in the following chart:

	Required By By-law – 6593	Provided	Conforming/Non-conforming
Zoning compliance Review for Section 10E – RT -20 District			
Residential Uses <i>[Section 10E (2)(a) of Hamilton Zoning By-law 6593 as amended by By-law 23-104]</i>	Amending By-law states the following: In addition to Subsection 10E.(2)(a), a Multiple Dwelling shall also be Permitted.	Multiple Dwelling	Conforms
Maximum height <i>[Section 10E (3) of Hamilton Zoning By-law 6593 as amended by By-law 23-104]</i>	Notwithstanding Section 10E.(3), no building or structure within the district shall exceed four storeys and 15.5m in height.	16.4 metres	Does not Comply
Area Requirements <i>[Section 10E (4) of Hamilton Zoning By-law 6593 and as amended by By-law 23-104]</i>	(a) Notwithstanding Subsection 10E. 4(a), where a yard abuts a street, a depth of not less than 3.1m shall be provided and maintained.	A yard of 6.732m is shown from the Albright Street line.	Conforms
	(b) where a yard abuts any other lot, a width or depth of not less than 3.0 metres (9.84 feet), except where there are windows to a habitable room facing the yard, the width or depth of such yard shall not be less than 6.0 metres.	A Westerly side yard of 6.254m is shown. A rear yard setback has not been indicated but appears to be more than 6.0 metres. Note: Site statistics table indicates a 5.7 metre rear yard setback however the site plan appears to indicate a larger setback. The applicant shall confirm all setbacks on the site plan conform to the requirements of the Zoning By-Law or seek relief through	Appears to Comply

Zoning Compliance Review
300 Albright Road, Hamilton

		the applicable Planning Act application.	
	In addition to Subsection 10E.(4)(b), an easterly side yard width of at least 3.5 metre shall be provided and maintained.	An easterly side yard setback has not been provided but appears to be greater than 3.5 metres	Appears to Comply
Distance Between Buildings <i>[Section 10E (5) of Hamilton Zoning By-law 6593 and as amended by By-law 23-104]</i>	(a) a distance not less than 3.5 metres between two exterior walls containing no window or windows; Notwithstanding Subsections 10E.5(b) and 5(c), where there is more than one building on a lot, not less than 8.0 metres shall be provided and maintained between two exterior walls each of which contains any windows to a habitable room.	There are no other buildings proposed on the lot.	N/A
Intensity of use Requirements – minimum lot area and lot width <i>[Section 10E (6) of Hamilton Zoning By-law 6593]</i>	In an "RT-20" District, every lot or tract of land within the district, shall have a depth of not less than 30.0 metres	121.95 metres	Conforms
Intensity of use Requirements – minimum lot area and lot width <i>[Section 10E (7) of Hamilton Zoning By-law 6593]</i>	In an "RT-20" District, every lot or tract of land upon which, (a) a Townhouse Dwelling is erected, altered, extended, or enlarged shall have, (i) an area not less than 230.0 square metres for each single family dwelling unit (ii) a width of not less than 23.0 metres (b) a Maisonette Dwelling is erected, altered, extended or enlarged shall have, (i) an area not less than 165.0 square metres for each single family dwelling unit; (ii) a width of not less than 36.0 metres	Not Proposed	N/A
Privacy Areas <i>[Per Section 10E (8) of Hamilton Zoning By-law 6593 and amending By-law 23-104]</i>	In an "RT-20" District, there shall be provided and maintained a privacy area for each single family dwelling unit that, (a) is screened on two sides by means of a screen that is not less than 1.2 metres (3.94 feet) and not more than 2.0 metres (6.56 feet) in height, and (b) is not less than 2.5 metres in depth.	Not Proposed	N/A
	In addition to Subsection 10E.(8), there shall be provided and maintained a privacy area for each dwelling unit within a Multiple Dwelling that may include a balcony with a minimum depth of 1.2 metres, except no privacy area shall be required for lower level dwelling units.	Balcony/ Terrace with a minimum depth of 1.33 metres has been provided	Conforms
	(9) Where a privacy area is comprised of the whole or part of, (a) a required yard, or (b) a landscaped area, or (c) a required yard and a landscaped area, the required yard or landscaped area or both may be reduced by the privacy area.	N/A	N/A

Zoning Compliance Review
300 Albright Road, Hamilton

Landscaped Areas <i>[per Section 10E (10) of the Hamilton Zoning By-law 6593]]</i>	In an "RT-20" District, there shall be provided and maintained on the same lot and within the "RT-20" District, for one or more buildings or structures, an amount not less than 40% of the area of the lot on which the buildings or structures are situated, as landscaped area.	According to "Site Statistics" chart the proposal is to maintain a total of 48.10%.	Conforms
	<p>This lot has an area of 14,287.0m² x 40.0% = 5714.8m²</p> No part of any landscaped area provided under subsection 10 shall be used for parking space, manoeuvring space, access and egress driveways or for any vehicular purpose of any kind.	Provided Note: The applicant shall ensure any such obstruction is not located within a landscaped area	Conforms
Additional Requirements <i>[per Section 2 p) of Amending By-law 23-104]]</i>	In addition to Subsection 10E., a minimum setback of 3.0 metres shall be required from a Conservation / Hazard Land (P5) Zone (Zoning By-law No. 05-200) boundary line.	3.0 m (min)	Conforms
Parking Section 18A			
Minimum Number of Parking Spaces <i>[Per Section 18A(1)(a) and (b) Table 1 and Table 2 as amended by By-law 23-104]</i>	<p>A minimum of 125 parking spaces shall be maintained of which a minimum of 20 spaces shall be designated for visitor parking.</p> <p>Notwithstanding Subsection 18A(1)(a) and 18A-Table 1, Subsections 1.(d) and 1.(g), Parking Ratios for the following residential uses shall apply:</p> <p>a. Townhouse Dwelling: Minimum of 1 space per Class A dwelling unit</p> <p>b. Multiple Dwelling: Minimum of 1 space per Class A dwelling unit</p> <p><u>Breakdown:</u> 125 units x 1.0 = 125 parking spaces</p>	The proposal is for a total of 146 parking spaces.	Conforms
Minimum Number of visitor parking spaces <i>[per Sections 18A(1)(b) Table 2 as amended by By-law 23-104]</i>	<p>Notwithstanding Subsection 18A(1)(b) and 18A-Table 2, Subsections 3. And 5., a minimum of 0.16 visitor parking spaces per Class A dwelling unit shall be provided for a Townhouse Dwelling and Multiple Dwelling</p> <p><u>Breakdown:</u> 125 units x 0.16 = 20 visitors spaces</p>	20 Visitor parking spaces provided	Conforms
Minimum Number of Loading Spaces for Multiple Dwellings <i>[per Sections 18A (c)(d) and (e) (1) Table 3, Table 4 and Table 5 as amended by By-law 23-104]</i>	Notwithstanding Subsection 18A(1)(c) and 18A-Table 3, no loading spaces shall be required for a Multiple Dwelling.	Not proposed	Conforms
Minimum Manoeuvring	6.0m width	Provided	Conforms

Zoning Compliance Review
300 Albright Road, Hamilton

Space Aisle Width <i>[per Section 18A(1)(f) and Table 6]</i>	<u>Requirement:</u> <i>manoeuvring space abutting upon and accessory to each required parking space, having an aisle width mentioned in column 2 of Table 6 for each parking space having a parking angle mentioned in column 1,</i>		
Minimum Parking Space Size <i>[per Section 18A(7) as amended by By-law 23-104]</i>	<p>Notwithstanding Subsection 18A.(7), every required parking space, other than a parallel parking space, shall have dimensions not less than 2.8 metres wide and 5.8 metres long.</p> <p>Note: Please note the Hamilton Zoning By-law 6593 does not have requirements for barrier free parking spaces.</p>	<p>2.8m x 5.8m for standard parking</p> <p>4.4m x 5.8m for barrier free spaces</p>	Conforms
Location of parking loading and manoeuvring spaces <i>[per Sections 18A(9)]</i>	<p>The required parking, loading and manoeuvring spaces shall be provided and maintained only on the lot on which the principal building is located.</p>	<p>Provided</p>	Conforms
Parking Space Accessibility <i>[per Sections 18A(10) as amended by By-law 23-104]</i>	<p>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>Notwithstanding Subsections 18A.(10) and 18A.(22), the accessibility and manoeuvring space for the required parking space located within an attached garage of a townhouse dwelling may be obstructed by a required parking space located on an individual driveway.</p>	<p>Provided</p>	Conforms
Parking area adjoining a residential district containing five (5) or more parking spaces <i>[per Sections 18A(11) & (12) and Amending By-law 23-104]</i>	<p>The boundary of the parking area:</p> <p>Shall be not less than 1.5m from the adjoining residential districts and shall be landscaped with a planting strip.</p>	<p>Insufficient Information Provided</p> <p>Note: Applicant shall provide measurement for Landscaped Visual Barrier adjacent to Townhouse Homes to the East and Single Family Dwellings to the North from the Surface Parking area</p>	Unable to Determine Compliance
	<p>Notwithstanding Subsection 18A.(12)(c), for every parking area and loading space referenced to in Subsection 18A.(11), there shall be provided and maintained a visual barrier along the boundary of the residential district not less than 1.2 metres in height and not greater than 2.2 metres in height, except no visual barrier shall be required where a 1.5 metre wide sidewalk for pedestrian access is provided to the westerly lot line.</p>	<p>Visual Barrier indicated within Landscaped space</p> <p>Note: Applicant has indicated that the barrier conforms to Section requirements within Site Statistics Table. The applicant shall confirm on site plan the height of the Visual Barrier</p>	Appears to Comply


Zoning Compliance Review
300 Albright Road, Hamilton

	shall not be 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.	7.177 metres	Conforms
Lighting of Parking Area [Per Section 18A(13)]	Lighting shall be directed towards or on the lot and away from adjacent uses and any highway	Applicant shall ensure that lighting shall be directed away from adjacent uses and any highway.	Applicant shall ensure Compliance
Location of parking as it relates to a required front yard. [per Section 18A(14g)]	No part of the required parking area in a residential district shall be located in a required front yard.	Not within required Front Yard	Conforms
Requirement for visitor parking [per Section 18A(16)]	Shall be maintained for the exclusive use of visitors Shall have a sign appurtenant thereto legibly marked that the parking space is for the exclusive use of visitors; and Be maintained readily accessible to visitors and free and clear of all obstructions.	Provided	Conforms
Location of Access Driveways [per Section 18A(21)]	All required parking spaces and manoeuvring spaces shall have access by means of one or more access driveways located on the lot or located partly on the lot in the case of a mutual driveway or by means of a right of way.	Provided	Conforms
Manoeuvring Spaces [per Section 18A(22)]	All manoeuvring spaces shall be maintained free and clear of all obstructions to permit unobstructed access to and egress from required parking spaces. Notwithstanding Subsections 18A.(10) and 18A.(22), the accessibility and manoeuvring space for the required parking space located within an attached garage of a townhouse dwelling may be obstructed by a required parking space located on an individual driveway.	Provided	Conforms
Parking area where there are more than 5 parking spaces [per Section 18A(24)(b)]	(i) Not less than one access driveway or mutual access driveway, having a width of at least 5.5m	One access driveway proposed with 7.5 m width	Conforms
	(ii) a separate ingress/egress driveway shall have a minimum width of 3.0m	Single Access proposed	N/A
	(iii) marking on the surface of the parking area delineating the separate parking spaces; and	Markings indicated	Conforms
	(iv) bumpers or wheel barriers to prevent physical encroachment beyond the parking area (except at the entrance/exit from the parking area)	(iv) Concrete curb provided	Conforms
Location of an access driveway [per Section 18A(25) and (26)]	Where a townhouse dwelling, maisonette dwelling or multiple dwelling is adjacent to a residential district that does not permit such uses, every access driveway to the townhouse dwelling, maisonette dwelling or multiple dwelling shall be located not less than 3.0 metres from the common boundary between the district in which the townhouse dwelling, maisonette dwelling or multiple dwelling is located and the district that does not permit such uses.	Greater than 3.0 metres	Conforms
Surface materials for Parking Area [per Section 18A(30)]	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 area, manoeuvring space, loading spaces and access driveway.	Heavy Duty Asphalt proposed for Fire Route Note Applicant shall	Unable to Determine Compliance

Zoning Compliance Review
300 Albright Road, Hamilton

		confirm materials for entire parking lot	
Loading Space Requirements <i>[per Section 18A(32) & (33)]</i>	Sufficient space additional to 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. 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.	Not Proposed	N/A
Encroachments on Yards (Section 18 (vi))			
A canopy, cornice, eaves or gutter projection <i>[per Section 18 (3)(vi)(b) as amended by By-law 22-175]</i>	(i) into a required front yard not more than 1.5 m provided that no such projection shall be closer to a street line than 1.5m. Therefore, based on the required 3.1m setback from the street, a canopy shall maintain a distance of 1.6m from the street lot line. (iii) into a required side yard not more than one half of its width, or 1.0m whichever is the lesser;	The canopy is shown to be located a distance of greater than 1.6m from the street line and not to be encroaching into the required yard. No encroachments into a side or rear yard shown.	Conforms
Balcony projection <i>[per Section 18 (3)(vi)(cc)]</i>	(i) into a required front yard not more than 1.0m provided that no such projection shall be closer to a street line than 1.5 metres. (ii) into a required rear yard not more than 1.0 metre (iii) into a required side yard not more than one-third of its width, or 1.0m whichever is the lesser,	No balcony projection into a required yard is shown.	Conforms
Unenclosed porch <i>[per Section 18 (3)(vi)(d) as amended by By-law 23-104]</i>	Notwithstanding Subsection 18(3)(vi)(d), a roofed-over or screened but otherwise unenclosed porch, including eaves, gutters and steps may project into a required front yard provided that the projection is no closer than 0.5 metres from the front lot line.	Not proposed	N/A

Yours truly



for the Manager of Zoning and Committee of Adjustment

**ACKNOWLEDGEMENT CLAUSE (FOR ZONING COMPLIANCE REVIEW
APPLICATIONS IN SUPPORT OF A ZONING BY-LAW AMENDMENT, SITE PLAN,
OR MINOR VARIANCE APPLICATION)**

I/We hereby acknowledge and understand the above noted comments and further acknowledge that the supporting documentation submitted with this Zoning Compliance Review application has not been changed or modified between the date of this letter and the date of application for the subsequent Zoning By-law Amendment, Site Plan, or Minor Variance application.

If the supporting documentation has been changed or modified, a new application for Zoning Compliance Review may be required prior to acceptance of a formal application for Zoning By-law Amendment, Site Plan, or Minor Variance application.

Owner

Owner Signature

Date

Applicant (I have the authority
to bind the Owner)

Applicant Signature

Date

DAVID ASTON



JAN 5/24

Agent (I have the authority
to bind the Owner)

Agent Signature

Date



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)	Valstar (Red Hill) Inc.
Applicant(s)	MHBC Planning
Agent or Solicitor	MHBC Planning

- 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	300 Albright Road		
Assessment Roll Number			
Former Municipality			
Lot		Concession	
Registered Plan Number		Lot(s)	
Reference Plan Number (s)		Part(s)	

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

☐ Yes ☒ No

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

3. PURPOSE OF THE APPLICATION

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

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

3.1 Nature and extent of relief applied for:

Please refer to coverletter.

☐ 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 coverletter.

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
84.5m	121.95m	14,287.00 sq. 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
Apartment Building	6.1 m	> 6.0 m	6.1 m from west lot line ; approx. 59 m from east lot line	

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
Apartment Building	2,221 sq. m.	10,302 sq. m.	5	16.4 m

- 4.4 Type of water supply: (check appropriate box)
- ☒ publicly owned and operated piped water system
- ☐ privately owned and operated individual well

- ☐ lake or other water body
- ☐ other means (specify)
- _____

- 4.5 Type of storm drainage: (check appropriate boxes)
- ☒ publicly owned and operated storm sewers
- ☐ swales

- ☐ ditches
- ☐ other means (specify)
- _____

4.6 Type of sewage disposal proposed: (check appropriate box)

- ☒ publicly owned and operated sanitary sewage
☐ system privately owned and operated individual
☐ septic system other means (specify) _____

4.7 Type of access: (check appropriate box)

- ☐ provincial highway
☐ municipal road, seasonally maintained
☒ municipal road, maintained all year
☐ right of way
☐ other public road

4.8 Proposed use(s) of the subject property (single detached dwelling duplex, retail, factory etc.):
multiple dwellings: apartment building

4.9 Existing uses of abutting properties (single detached dwelling duplex, retail, factory etc.):
residential to the east, open space to the west, conservation to the north, and institutional to the south

7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:

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

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:
school was demolished within the last year

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.

Please see cover letter.

7.6 What is the existing zoning of the subject land? ZAC-21-043

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: ZAC-21-043

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: 125

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

Please refer to submitted materials.

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

Angular Plane Drawings
