



Hamilton

**COMMITTEE OF ADJUSTMENT**

City Hall, 5<sup>th</sup> floor, 71 Main Street West, Hamilton, ON L8P 4Y5

Telephone (905) 546-2424, ext. 4221

E-mail: [cofa@hamilton.ca](mailto: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

<b>APPLICATION NO.:</b>	<b>HM/A-24:30</b>	<b>SUBJECT PROPERTY:</b>	26 WEST AVENUE S, HAMILTON
<b>ZONE:</b>	"D5" (Downtown Residential)	<b>ZONING BY-LAW:</b>	Zoning By-law City of Hamilton 05-200, as Amended

**APPLICANTS:** Owner: 26 WEST INC  
 Agent: GRACE WANG ARCHITECT INC.  
 Applicant: DAVID TOMAZIC

The following variances are requested:

1. A minimum rear yard of 2.8m shall be permitted instead of the minimum 7.5m rear yard required.
2. To permit a minimum 0.0m wide manoeuvring aisle whereas the zoning By-law requires a minimum 6.0m one-way and two way aisle width for 90.0 degree parking spaces.

**PURPOSE & EFFECT:** To facilitate the construction of a new one storey addition in the rear yard and three storey front yard addition to the existing building.

**Notes:**

The applicant requested a variance to permit no setback between the rear exterior stairway and the rear lot line. However, upon approval of the requested rear yard variance, the location of the exterior staircase will be in compliance; as such, the requested variance is not required.

These variances are necessary to facilitate Site Plan Application SPA-22-131.

**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:

<b>DATE:</b>	<b>Tuesday, March 26th, 2024</b>
<b>TIME:</b>	<b>9:30 a.m.</b>
<b>PLACE:</b>	<b>City Hall Council Chambers (71 Main St. W., Hamilton)</b>

For more information on this matter, including access to drawings illustrating this request and other information submitted:

- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Visit Committee of Adjustment staff at 5th floor City Hall, 71 Main St. W., Hamilton

## PUBLIC INPUT

Written: If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Comments can be submitted by emailing [cofa@hamilton.ca](mailto:cofa@hamilton.ca) or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5. Written comments must be received no later than noon March 22, 2024.

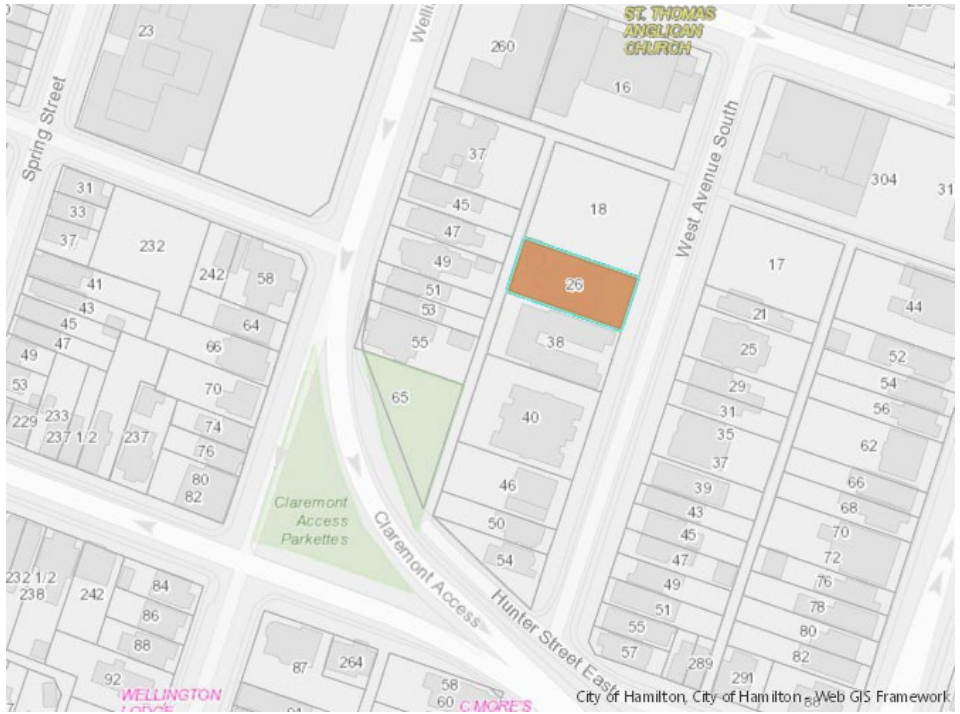
Comments are available the Friday prior to the Hearing and are available on our website: [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)

Orally: If you would like to speak to this item at the hearing you may do so by attending in person. 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](mailto:cofa@hamilton.ca)

## FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, you must submit a written request to [cofa@hamilton.ca](mailto: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](mailto:cofa@hamilton.ca) or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5..



DATED: March 12, 2024

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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

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E-mail: [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

### IN-PERSON 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](mailto: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](http://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 in person at the Hearing.

##### 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](mailto:cofa@hamilton.ca) or by phone at 905-546-2424 ext. 4221.

TOPOGRAPHIC SURVEY  
 OF PART OF  
**LOTS 52 & 55**  
 AND ALL OF  
**LOTS 53 & 54**  
**REGISTERED PLAN 223**  
 SOUTH SIDE OF KING STREET  
 IN THE  
**CITY OF HAMILTON**

SCALE 1:100 METRIC

S.D. McLAREN, O.L.S. - 2019



REGD PLAN 62R-15447

PIN 17177-0016 (LT)

**AREA UNDER CONSTRUCTION**

PART 2, PLAN 62R 15447

PIN 17177-0015 (LT)

LOT 54

PIN 17177-0014 (LT)

PIN 17177-0013 (LT)

- LEGEND:**
- DENOTES MONUMENT SET
  - MONUMENT FOUND
  - IRON BAR
  - PLASTIC BAR
  - CONCRETE PIN
  - C C CUT CROSS
  - trh STANDARD IRON BAR
  - trh SHORT STANDARD IRON BAR
  - A.T. McLAREN, O.L.S. MACKAY MACKAY & PETERS
  - ORIGN LBNCH-11 MEASURED
  - SR W STONE RETAINING WALL
  - PL PL
  - EDA EDGE OF ASPHALT
  - H HYDRO POLE
  - U- OVERHEAD UTILITY
  - ws WROUGHT IRON FENCE
  - ww WINDOW WELL
  - ROL ROLLERS
  - DS DOOR SILL
  - GV GAS VALVE
  - GM GAS METER
  - FF FIRE HYDRANT
  - WV WATER VALVE
  - MM MANHOLE
  - CSB CATCH BASIN
  - Ø DIAMETER

**BENCHMARK:**  
 MONUMENT 0011963U3497

CATHEDRAL SCHOOL ON THE  
 SOUTHEAST CORNER OF MAIN STREET  
 EAST AND EMERALD STREET SOUTH  
 TABLET IN THE NORTH FACE OF THE  
 STONE FOUNDATION UNDER THE  
 SECOND BUTTRESS EAST OF THE  
 NORTHWEST CORNER, 15 CM BELOW  
 STONE SIDING.

ELEVATION: 92.551 metre CGVD-1928:1978

**NOTE:**

UNDERGROUND SERVICE AND UTILITY LOCATIONS WERE DERIVED FROM  
 DRAWING BY REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH  
 DRAWING No. 75-W-563 (SHEET 2)

UNDERGROUND SERVICE AND UTILITY LOCATIONS MUST BE VERIFIED  
 PRIOR TO CONSTRUCTION

INVERTS MUST BE VERIFIED PRIOR TO CONSTRUCTION

**METRIC NOTE**

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

DATE: AUGUST 30, 2019

I.@

S. DAN McLAREN, O.L.S.

(S.D. McLAREN, O.L.S. - 2019. NO PERSON MAY COPY,  
 REPRODUCE, DISTRIBUTE OR ALTER THIS PLAN IN WHOLE OR IN  
 PART WITHOUT THE WRITTEN PERMISSION OF S.D. McLAREN, O.L.S.)

**A.T. McLaren Limited**  
 120-11-4th Street, Hamilton, ON L8N 3K7  
 905.572.1111  
 FAX 905.572.1112  
 www.atmclaren.com

**S. DAN McLAREN O.L.S.**  
 120-11-4th Street, Hamilton, ON L8N 3K7  
 905.572.1111  
 FAX 905.572.1112  
 www.atmclaren.com

RAM SM 1:100 Dwg No. 36095

7

1.9

UNDER A/C/N/L

FILE NO: SPA-22-131

I, (WE) \_\_\_\_\_ THE OWNER(S) OF THE LAND HEREBY UNDERTAKE AND AGREE WITHOUT RESERVATION,

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

(b) TO PERFORM THE UTILITIES, WORKS OR MATTERS MENTIONED IN SECTION 41(7)(A) OF THE PLANNING AND BUILDING ACT 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 UTILITIES, 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 DRIVEWAYS, PARKING AND LOADING AREAS AND WALKWAYS;

(d) IN THE EVENT THAT THE OWNER DOES NOT COMPLY WITH THE PLAN ENDED \_\_\_\_\_ THE OWNER AGREES THAT THE CITY MAY ENTER THE LAND AND DO THE NECESSARY WORKS AND FURTHER THE OWNER AUTHORIZES THE CITY TO DO SO; THE SIGNATURE FILED TO OBTAIN CONFORMANCE WITH THIS PLAN;

(e) THAT THE OWNER AGREES TO PHYSICALLY AFFIX THE MUNICIPAL NUMBER (26) OF ALL ADDRESSES (26 WEST AVENUE SOUTH) 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;

(f) THAT THE OWNER AGREES TO PHYSICALLY AFFIX THE FULL ADDRESS (26 WEST AVENUE SOUTH) TO THE REAR OF THE BUILDING IN ACCORDANCE WITH THE CITY'S SIGN BY-LAW, IN A MANNER THAT IS VISIBLE FROM THE ADJACENT PUBLIC ALLEY;

(g) THAT THE OWNER AGREES TO PHYSICALLY AFFIX THE ASSIGNED UNIT NUMBER AT THE ENTRANCE OF THE UNIT THAT IS VISIBLE FROM THE REAR OF THE BUILDING IN ACCORDANCE WITH THE CITY'S SIGN BY-LAW, IN A MANNER THAT IS VISIBLE FROM THE ADJACENT PUBLIC ALLEY;

(h) THAT THE OWNER AGREES TO AFFIX ADDRESS PLACARDS TO EACH INTERIOR UNIT INDICATING THE MAIN ADDRESS UNIT NUMBER TO THE SATISFACTION OF THE DIRECTOR OF BROWN MANAGEMENT;

(i) PRIOR TO THE START OF SERVICE, THE DEVELOPER MUST BE NOTIFIED OF CONSTRUCTION DEFECTS AND CONSTRUCTION RELATED ACTIVITIES;

(j) TO INCLUDE ON ALL OFFERS OF PURCHASE AND SALE, A SIX (6) MONTH WARRANTY OF THE PROSPECTIVE PURCHASER:

(1) THAT THE HOME/BUSINESS MAIL DELIVERY WILL BE FROM A DESIGNATED CENTRALIZED MAIL BOX;

(2) THAT THE DEVELOPERS/OWNERS BE RESPONSIBLE FOR OFFICIALLY NOTIFYING THE PURCHASERS OF THE EXACT CENTRALIZED MAIL BOX FACILITY PRIOR TO THE CLOSING OF ANY HOME SALES;

(k) THE OWNER FURTHER AGREES TO:

(1) WORK WITH CANADA POST TO DESIGN AND PROVIDE TEMPORARY SUITABLE CENTRALIZED MAIL BOX LOCATIONS WHICH MAY BE UTILIZED BY CANADA POST UNTIL THE CURBS, BULEVARDS AND SIDEWALKS ARE IN PLACE IN THE REMAINDER OF THE SUBDIVISION;

(2) INSTALL A COMMUNITY MAIL IN ACCORDANCE WITH THE REQUIREMENTS OF CANADIAN POST TO BE APPROVED BY CANADA POST TO FACILITATE THE PLACEMENT OF COMMUNITY MAIL BOXES;

(3) IDENTIFY THE MAIL ADDRESS OF THE ENGINEERING SERVICE DRAWINGS AND MAPS ARE TO BE PROVIDED AT THE TIME OF THE SIDEWALK AND/OR CURB INSTALLATION WITHIN EACH PHASE OF THE PLAN OF SUBDIVISION;

(4) BE WORKING THE LOCATION OF ALL CENTRALIZED MAIL FACILITIES IN CO-OPERATION WITH CANADA POST AND TO INDICATE THE LOCATION OF THE CENTRALIZED MAIL FACILITIES ON APPROPRIATE MAPS, INFORMATION BOARDS AND PLANS, MAPS ARE ALSO TO BE PROMINENTLY DISPLAYED IN THE SALES OFFICES, SHOWING SPECIFIC CENTRALIZED MAIL FACILITY LOCATIONS;

(5) MAPS ARE ALSO TO BE PROMINENTLY DISPLAYED IN THE SALES OFFICES SHOWING SPECIFIC CENTRALIZED MAIL FACILITY LOCATIONS;

(l) CANADA POST'S MULTI-UNIT POLICY WHICH REQUIRES THAT THE OWNER/DEVELOPER PROVIDE THE CENTRALIZED MAIL FACILITY ("LOOK BOX ASSEMBLY") AT THEIR OWN EXPENSE. (1) SINCE THAT 100 UNITS WILL REQUIRE A LOOK BOX ASSEMBLY AND MORE THAN 100 UNITS WILL REQUIRE A REAR LOADING LOOK BOX ASSEMBLY WHICH WILL REQUIRE A MAIL ROOM) WILL BE IN A REAR LOADING BUILDING AND COMPLY WITH A COMMON LOBBY, COMMON ENTRANCE OR NEIGHBORLY SMALL STAIRS; NOTWITHSTANDING CURRENT SURFACE CONDITIONS, THE PROPERTY HAS BEEN DETERMINED TO BE AN AREA OF ARCHAEOLOGICAL POTENTIAL. ALTHOUGH AN ARCHAEOLOGICAL ASSESSMENT IS NOT REQUIRED BY THE CITY OF HAMILTON, THE PROPOSER IS ADVISED THAT DURING DEVELOPMENT ACTIVITIES SHOULD CAREFULLY EXERCISE ARCHAEOLOGICAL WATERMARKS ON THE FRONT OF THE PROPOSED MINISTRY OF HERITAGE, SPORTS, TOURISM AND CULTURE INQUIRY (416-321-2300) BE NOTIFIED IMMEDIATELY (416-212-8886). IN THE EVENT THAT HUMAN REMAINS ARE DISCOVERED DURING CONSTRUCTION, THE PROPOSER SHOULD IMMEDIATELY CONTACT BOTH MRS. AND THE REGISTRAR OF DEPUTY REGISTRAR OF THE DEVELOPER REGULATION UNIT OF THE MINISTRY OF GOVERNMENT AND CONSUMER SERVICES (416-212-4444);

(m) THE OWNER ACKNOWLEDGES AND AGREES TO CONVEY ANY EASEMENT(S) AS NECESSARY BY THE CITY OF HAMILTON TO THIS NEW DEVELOPMENT. THE OWNER FURTHER AGREES AND ACKNOWLEDGES TO CONVEY SUCH EASEMENT(S) AT NO COST TO THE CITY OF HAMILTON;

(n) THE OWNER AGREES THAT SHOULD ANY CONFLICT ARISE WITH EXISTING BELLS CANADA FACILITIES WHERE A CURRENT AND SAID EASEMENT EXISTS WITHIN THE SUBJECT AREA, THE OWNER SHALL BE RESPONSIBLE FOR THE RELOCATION OF ANY SUCH FACILITIES OR EASEMENTS AT THEIR OWN COST;

I HEREBY THIS \_\_\_\_\_ DAY OF \_\_\_\_\_

WITNESS (SIGNATURE) \_\_\_\_\_ OWNER(S) (SIGNATURE)

WITNESS (PRINT) \_\_\_\_\_ OWNER(S) (PRINT)

ADDRESS OF WITNESS \_\_\_\_\_

SITE STATISTICS

ZONING DESIGNATION: R1 (BYLAW 20-200) DOWNTOWN RESIDENTIAL ZONE

Table with 4 columns: USE, PERMITTED, EXISTING, PROPOSED. Rows include Front Yard Setback, Rear Yard Setback, Side Yard, Building Height, Lot Width, Lot Area, Landscaped Area, and Amenity Area.

SECTION 5.6 - PARKING REQUIREMENTS PER UNIT

USE: MULTIPLE DWELLING DWELLING UNITS: 14 TOTAL PROPOSED 2 UNITS (450M² IN GFA), 12 UNITS (450M² IN GFA) MINIMUM PARKING SPACES REQUIRED: 0 SPACE MAXIMUM PARKING SPACES PERMITTED (1.25X): 8 SPACES PARKING SPACES PROVIDED: 3 EXISTING SPACES TO REMAIN (WEST SIDE OFF ALLEYWAY)

SECTION 5.7 - BICYCLE PARKING

MINIMUM BICYCLE SPACES (MULTIPLE DWELLING) REQUIRED: 6 SPACES MIN. PROVIDED: 6 SPACES (AT DRIVE) LONG TERM SPACES (MULTIPLE DWELLING) REQUIRED: 7 SPACES MIN. (250MM) PROVIDED: 8 SPACES (SECURED AREA IN BUILDING @ BASEMENT LEVEL)

GENERAL NOTES

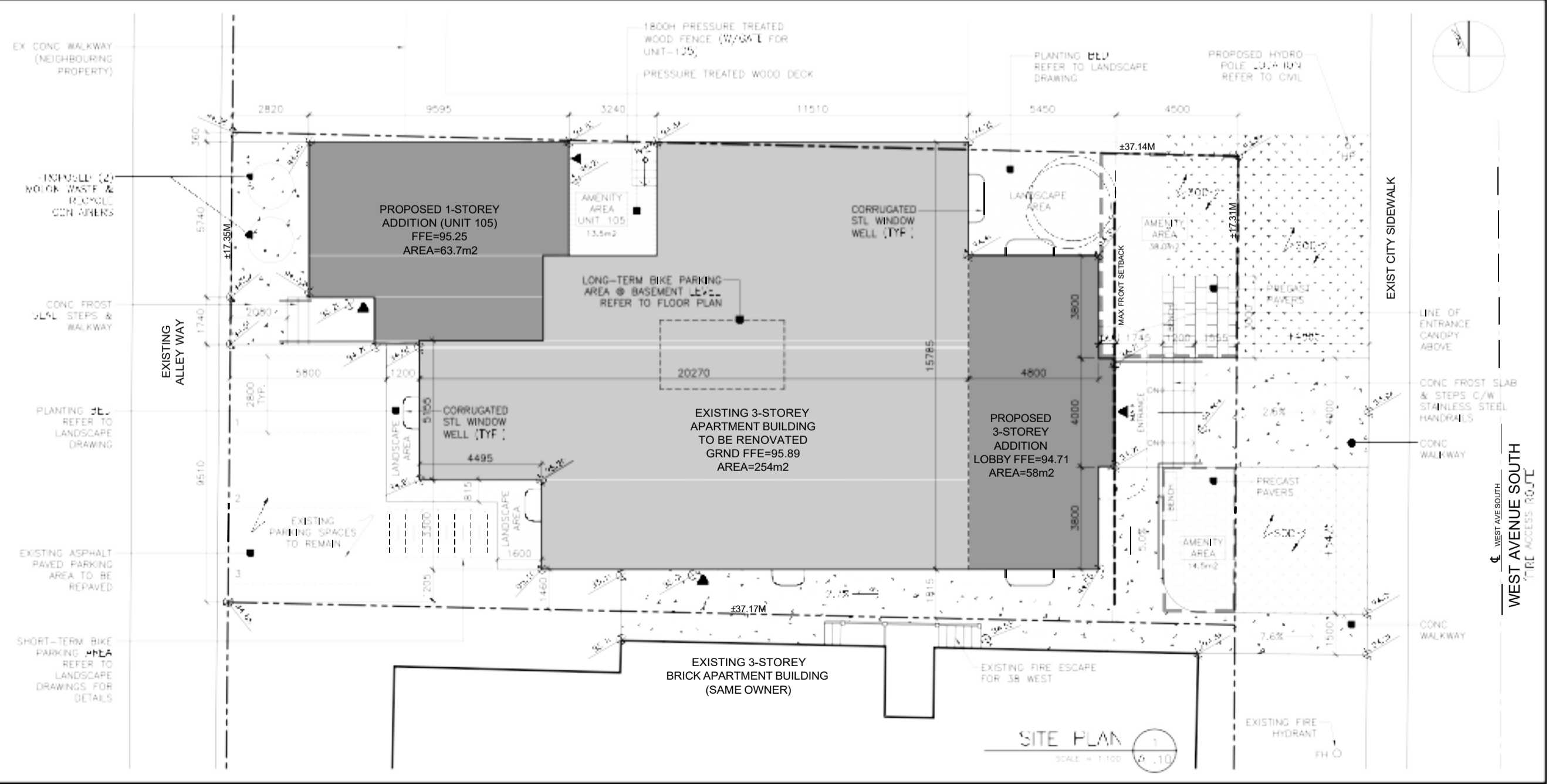
- 1. ALL WORK INVOLVE IN THE CONSTRUCTION, RELOCATION, REPAIR OF MUNICIPAL SERVICES FOR THE PROJECT SHALL BE TO THE SATISFACTION OF THE DIRECTOR OF PLANNING AND CHIEF PLANNING AND ECONOMIC DEVELOPMENT.
2. FIRE ROUTES SIGNS AND 3-WAY FIRE HYDRANTS SHALL BE ESTABLISHED TO THE SATISFACTION OF THE CITY FIRE DEPARTMENT AND AT THE EXPENSE OF THE OWNER.
3. MAIN DRIVEWAY DIMENSIONS AT THE PROPERTY LINE BOUNDARIES ARE PLUS OR MINUS 7.5M UNLESS OTHERWISE STATED.
4. ALL DRIVEWAYS FROM FROM PROPERTY LINES FOR THE FIRST 7.5M SHALL BE WITHIN 5% MAXIMUM GRADE. THEREAFTER, ALL DRIVEWAYS SHALL BE WITHIN 10% MAXIMUM GRADES.
5. 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)
6. ABANDONED ACCESSSES MUST BE REMOVED AND THE CURB AND BOULEVARD RESTORED WITH 500 AT THE OWNERS EXPENSE TO THE SATISFACTION OF THE CORRIDOR MANAGEMENT SECTION PUBLIC WORKS DEPARTMENT.
7. ALL SIGNS MUST COMPLY WITH BY-LAW NO. 10-197
8. A 1.5m SIDEWALK WILL BE MAINTAINED DURING CONSTRUCTION ACTIVITY.
9. A 1.2m SEPARATION FROM CITY ASSETS WITHIN THE BOULEVARD WILL BE MAINTAINED.

UNIT TYPE SUMMARY

Table with 3 columns: UNIT#, NFA, TYPE. Lists units 001 through 303 with their respective areas and types (e.g., A-2-BEDROOM, B-1-BEDROOM).



PERSPECTIVE VIEW (ARTISTIC RENDERING) 2 OF 10



Grace Wang Architect Inc. 31-175 Fiddlers Green Road, Ancaster, ON L9G 4J7 gracwangarchitect.ca

DO NOT SCALE DRAWING. DIMENSIONS ARE TO BE CHECKED AND VERIFIED BY THE CONTRACTOR ON SITE. ALL DRAWINGS, SPECIFICATIONS, AND RELATED DOCUMENTS ARE THE COPYRIGHT PROPERTY OF THE ARCHITECT AND MUST BE RETURNED UPON REQUEST. REPRODUCTION OF DRAWINGS, SPECIFICATIONS, AND RELATED DOCUMENTS IN WHOLE OR IN PART IS STRICTLY FORBIDDEN WITHOUT THE ARCHITECT'S WRITTEN PERMISSION.

Professional seal for Ontario Assoc of Architects, Grace Wang, Ontario Professional Architect License #12878.

Revision table with columns: NO., DESCRIPTION, DATE. Includes entries for 'RE-ISSUE FOR SPA 2023/09/28', 'RE-ISSUE FOR SPA 2022/06/30', etc.

PROJECT NAME: 26 WEST AVE SOUTH APARTMENT BUILDING RENOVATION & ADDITION

PROJECT ADDRESS: 26 WEST AVE SOUTH HAMILTON, ONTARIO

PROJECT NO.: 19-18

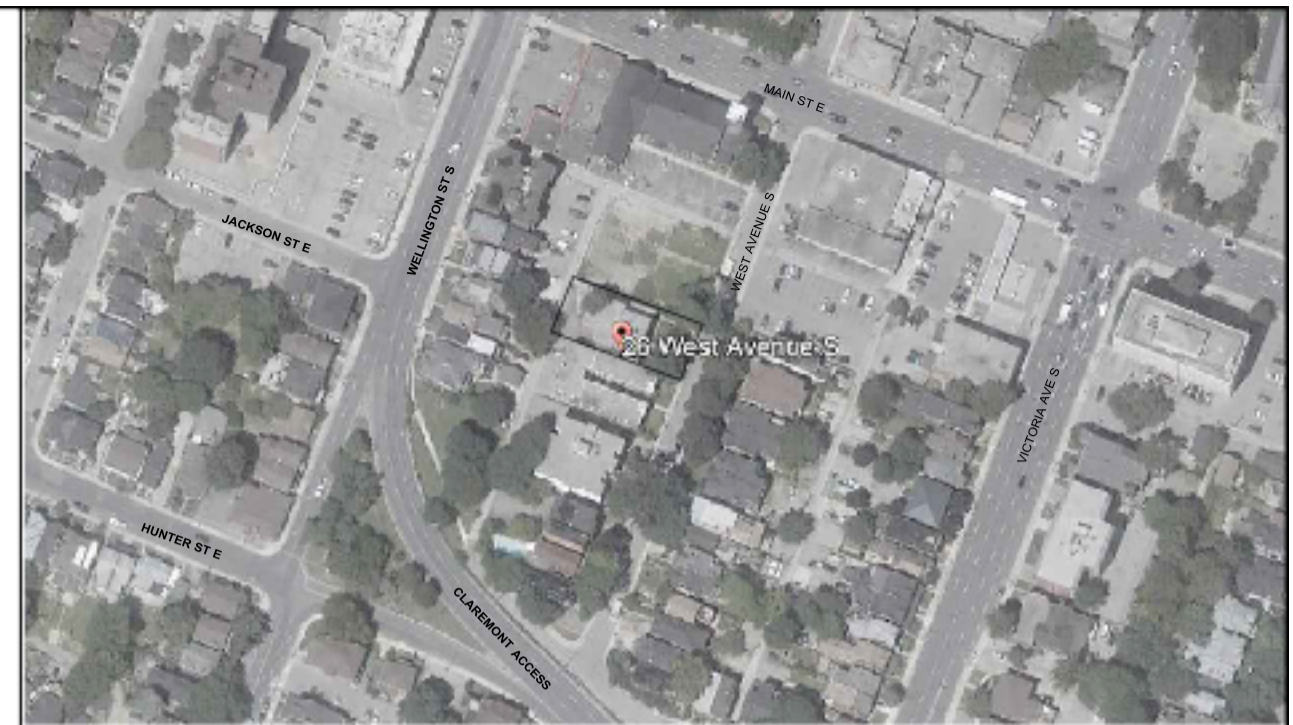
DRAWING TITLE: SITE PLAN CITY FILE: SPA-22-131

SCALE: AS SHOWN

DRAWN BY: CT CHECKED BY: GW

DWG CREATED ON: 2023-09-29

DRAWING NO.: A1.10



KEY PLAN 2  
SCALE: 1:100

**ACKNOWLEDGEMENT NOTES**

THE SUBJECT PROPERTY HAS BEEN DETERMINED TO BE AN AREA OF ARCHAEOLOGICAL POTENTIAL. IT IS REASONABLE TO EXPECT THAT ARCHAEOLOGICAL RESOURCES MAY BE ENCOUNTERED DURING ANY DEMOLITION, GRADING, CONSTRUCTION ACTIVITIES, CARPENTRY, STRONG, SHUTTLING OR OTHER SOIL DISTURBANCES. IF ARCHAEOLOGICAL RESOURCES ARE ENCOUNTERED, THE PROPOSITOR MAY BE REQUIRED TO OBTAIN AN ARCHAEOLOGICAL ASSESSMENT PRIOR TO FURTHER IMPACT IN ORDER TO ADDRESS THESE CONCERNS AND MITIGATE THROUGH PRESERVATION OR RESOURCE REMOVAL AND DOCUMENTATION. ADVERSE IMPACTS TO ANY SIGNIFICANT ARCHAEOLOGICAL RESOURCES FOUND MITIGATION BY AN OR 410-DILIGENT ARCHAEOLOGICAL RESOURCES AND IDENTIFIED ON-SITE. FURTHER STAGE 3 SITE-SPECIFIC ASSESSMENT AND STAGE 4 MITIGATION OF ADVERSE IMPACTS MAY BE REQUIRED AS DETERMINED BY THE OR 410-MINISTRY OF HERITAGE, CULTURE AND CULTURE INDUSTRIES (MHSIC). ALL ARCHAEOLOGICAL REPORTS SHALL BE SUBMITTED TO THE CITY OF HAMILTON FOR APPROVAL CONCURRENT WITH THEIR SUBMISSION TO THE MHSIC.

SHOULD DEEPLY BURIED ARCHAEOLOGICAL MATERIALS BE FOUND ON THE PROPERTY DURING ANY OF THE ABOVE DEVELOPMENT ACTIVITIES, THE MHSIC SHOULD BE NOTIFIED IMMEDIATELY (416-22-8886). IN THE EVENT THAT HUMAN REMAINS ARE FOUND (HRL) DURING CONSTRUCTION, THE PROPOSITOR SHOULD IMMEDIATELY CONTACT BOTH MHSIC AND THE REGISTER OF DEPUTY REGISTRAR OF THE CONSERVATION REGULATION UNIT OF THE MINISTRY OF GOVERNMENT AND CONSUMER SERVICES (1-877-382-4373).



**Grace Wang Architect Inc.**  
31-175 Fiddlers Green Road, Ancaster, ON L9G 4X7  
gracewangarchitect.ca

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SEAL:

NO.	DESCRIPTION	ISSUE DATE
5	MINOR VARIANCE	2023/09/25
4	RE-ISSUE FOR SPA	2022/06/30
3	RE-ISSUE FOR SPA	2021/11/30
2	ISSUE FOR COORD	2021/05/10
1	ISSUE FOR SPA	2021/03/03

PROJECT NAME:  
**26 WEST AVE SOUTH APARTMENT BUILDING RENOVATION & ADDITION**

PROJECT ADDRESS:  
**26 WEST AVE SOUTH HAMILTON, ONTARIO**

PROJECT NO.:  
**19-18**

DRAWING TITLE:  
**SITE DEMO PLAN**

SCALE:  
**1:100**

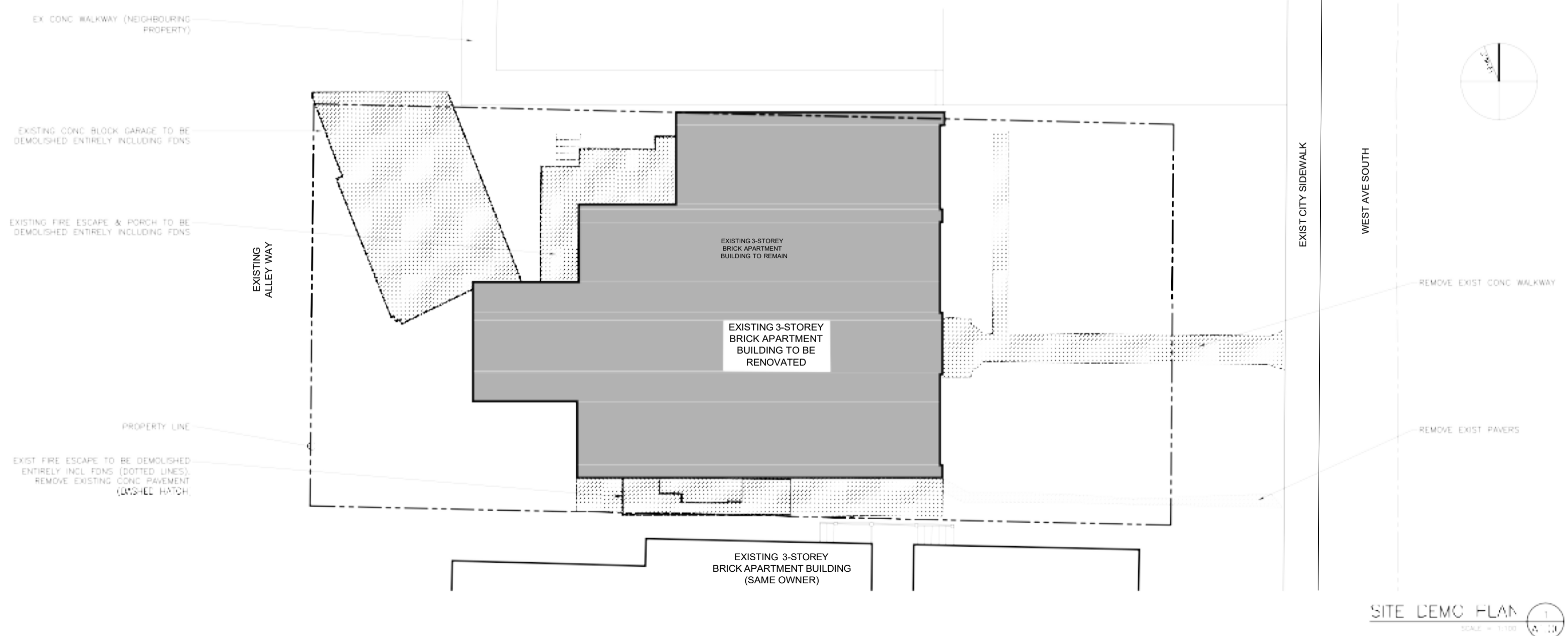
DRAWN BY:  
**JW**

CHECKED BY:  
**GW**

DWG CREATED ON:  
**2023-10-02**

DRAWING NO.:

**A1.00**



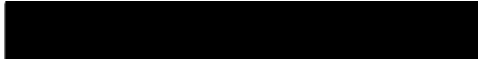
SITE DEMO PLAN 1  
SCALE: 1:100

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

**1. APPLICANT INFORMATION**

	NAME
<b>Registered Owners(s)</b>	26 West Inc.
<b>Applicant(s)</b>	David Tomazic
<b>Agent or Solicitor</b>	Grace Wang Architect Inc.

- 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	26 West Avenue South, Hamilton, ON L8N 2S1		
Assessment Roll Number			
Former Municipality	City of Hamilton		
Lot		Concession	
Registered Plan Number	223	Lot(s)	54
Reference Plan Number (s)	PIN 17177-0015	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:

- 1.) To reduce the minimum required rear yard setback from 7.5 metres to 2.8 metres;
- 2.) To permit no setback between the proposed rear stairway and rear lot line;
- 3.) To permit no on-site maneuvering space for the proposed parking spaces.

Second Dwelling Unit       Reconstruction of Existing Dwelling

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

Existing site restriction for a re-development project.

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
17.3m	37.17m	643.5 s m	17.3m/minus 7m

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
3-Storey Apartment	9.8m	0m	0m North, 0.8m South	1920

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Existing 3-Storey Apartment & Additions	4.5m	2.8m	0m North, 1.4m South	TBD

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
3-Storey Apartment	291 sqm	774sqm	3	11.3m

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Existing 3-Storey Apartment & Additions	375 sqm	1214.4sqm	3	13.7m

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.):  
 Multi-unit Residential Dwelling

4.9 Existing uses of abutting properties (single detached dwelling duplex, retail, factory etc.):  
 Multi-unit Residential Dwelling

**7 HISTORY OF THE SUBJECT LAND**

- 7.1 Date of acquisition of subject lands:  
 unknown
- 7.2 Previous use(s) of the subject property: (single detached dwelling duplex, retail, factory etc)  
 Multi-unit Residential Dwelling
- 7.3 Existing use(s) of the subject property: (single detached dwelling duplex, retail, factory etc)  
 Multi-unit Residential Dwelling
- 7.4 Length of time the existing uses of the subject property have continued:  
 Early-20th century circa 1920

7.5 What is the existing official plan designation of the subject land?  
 Rural Hamilton Official Plan designation (if applicable): \_\_\_\_\_  
 Rural Settlement Area: \_\_\_\_\_

Urban Hamilton Official Plan designation (if applicable) Downtown Mixed Used Area

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

Existing low rise multi-unit residential building being maintained

7.6 What is the existing zoning of the subject land? Zone D<sup>5</sup> Downtown Residential

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: \_\_\_\_\_

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

Yes       No

If yes, please provide the file number: \_\_\_\_\_

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

Yes       No

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

## 8 ADDITIONAL INFORMATION

8.1 Number of Dwelling Units Existing: 8 \_\_\_\_\_

8.2 Number of Dwelling Units Proposed: 14 \_\_\_\_\_

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

## 11 COMPLETE APPLICATION REQUIREMENTS

### 11.1 All Applications

- Application Fee
- Site Sketch
- Complete Application form
- Signatures Sheet

### 11.4 Other Information Deemed Necessary

- Cover Letter/Planning Justification Report
  - Authorization from Council or Director of Planning and Chief Planner to submit application for Minor Variance
  - Minimum Distance Separation Formulae (data sheet available upon request)
  - Hydrogeological Assessment
  - Septic Assessment
  - Archeological Assessment
  - Noise Study
  - Parking Study
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