



Hamilton

## COMMITTEE OF ADJUSTMENT

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

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>A-24:55</b>	<b>SUBJECT PROPERTY:</b>	56 Highland Road West, Stoney Creek
<b>ZONE:</b>	"RM3-68(H)" (Multiple Residential)	<b>ZONING BY-LAW:</b>	Zoning By-law former City of Stoney Creek 3692-92, as Amended

**APPLICANTS:** Owner: NHDG (Highland) Inc.  
Agent: Urban Solutions Planning & Land Development Consultants Inc. c/o Matt Johnston

The following variances are requested:

1. To permit a maximum building height of 12.5 metres whereas the zoning by-law permits a maximum building height of 11.0 metres.

**PURPOSE & EFFECT:** So as to permit the construction of a new 43-unit townhouse development contained within a common element condominium.

**Notes:** N/A

**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, April 23, 2024</b>
<b>TIME:</b>	<b>2:30 p.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 5<sup>th</sup> floor City Hall, 71 Main St. W., Hamilton



## PUBLIC INPUT

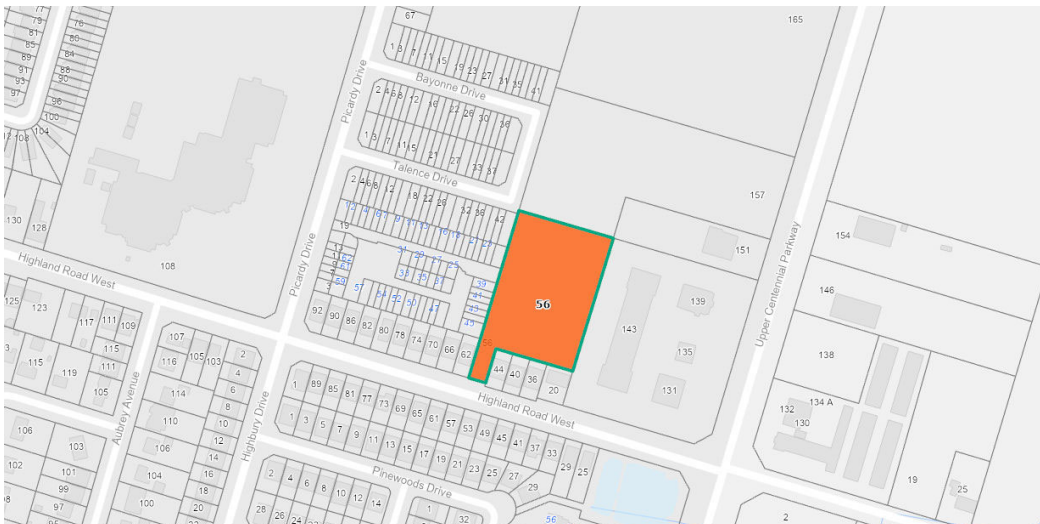
**Written:** If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Comments can be submitted by emailing [cofa@hamilton.ca](mailto:cofa@hamilton.ca) or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5. Written comments must be received no later than noon April 19, 2024

**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 per above.

## FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding A-24:55, 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.



**Subject Lands**

DATED: April 4, 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.





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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)



STATISTICS				
DATE: 06-Jun-22				
01. SITE AREA	(m <sup>2</sup> )	(ha)	(ft <sup>2</sup> )	(ac)
	10491.1	1.05	112925.15	2.59
02. MIN. LOT AREA (m <sup>2</sup> )				
	PROPOSED	By Law 3692-92 Zone RM3-68(H)		
INTERIOR UNIT	2 STY TOWNHOUSE	3 STY MAISONETTE	2 STY TOWNHOUSE	3 STY MAISONETTE
EXTERIOR UNIT	173.40	98.80	150	80
CORNER UNIT	207.60	127.90	175	95
	331.6	135.8	200	110
03. MIN. LOT FRONTAGE (m)				
	PROPOSED	By Law 3692-92 Zone RM3-68(H)		
INTERIOR UNIT	6.0	6.0		
EXTERIOR UNIT	7.2	7.2		
CORNER UNIT	10.2	7.5		
04. SETBACKS (m)				
	PROPOSED	By Law 3692-92 Zone RM3-68(H)		
FRONT YARD	2 STY TOWNHOUSE	3 STY MAISONETTE	2 STY TOWNHOUSE	3 STY MAISONETTE
	4.69	5.20	4.5	4.5
GARAGE	6.00	8.20	6.0	6.0
INTERIOR UNIT	0.00	0.00	0.0	0.0
EXTERIOR UNIT	1.20	1.9	1.2 except	1.5 except
	2.55	0.0	2.33 abutting 135 Centennial	0.0 common side lot line
	2.95		2.95 abutting 20 & 36 Highland	
CORNER UNIT	5.56	3.77	1.5 except	1.5 except
	0.0	0.0	0.0 common side lot line	0.0 common side lot line
REAR YARD	6.00	0.0	6.0	0.0
05. UNIT BREAKDOWN				
	PROPOSED	By Law 3692-92 Zone RM3-68(H)		
2 STOREY TOWNHOUSE	25			
3 STOREY MAISONETTE	18			
TOTAL	43			
06. MAX. BUILDING HEIGHT (m)				
	PROPOSED	By Law 3692-92 Zone RM3-68(H)		
2 STOREY TOWNHOUSE	9.33			
3 STOREY MAISONETTE	11			
07. MIN. LANDSCAPED OPEN SPACE				
	PROPOSED	By Law 3692-92 Zone RM3-68(H)		
2 STOREY TOWNHOUSE	31%			
3 STOREY MAISONETTE	17%			
08. MIN. PRIVATE AREA (m <sup>2</sup> )				
	PROPOSED	By Law 3692-92 Zone RM3-68(H)		
2 STOREY TOWNHOUSE	49.9			
3 STOREY MAISONETTE	14.9			
09. PARKING				
	PROPOSED	By Law 3692-92 Zone RM3-68(H)		
RESIDENTIAL	86			
VISITOR	19			
TOTAL	105			
10. ENCROACHMENTS				
	PROPOSED	By Law 3692-92 Zone RM3-68(H)		
SILLS, BELT COURSES, CHIMNEYS, BREASTS, BAY WINDOWS, DECORATIVE BRICK FACING OR PLASTER	<0.5m			
		ANY REQUIRED YARD: NO MORE THAN 0.5m		
RAVES OR GUTTERS	<0.5m			
		ANY REQUIRED YARD: NO MORE THAN 0.5m		
BALCONIES, CANOPIES, ENCLOSED PORCHES AND DECKS	N/A			
	2.5m			
		FRONT YARD: 1.5m		
		REAR YARD: 4.5m		

#### GENERAL NOTES

- ALL WORK INVOLVED IN THE CONSTRUCTION, RELOCATION, REPAIR OR MUNICIPAL SERVICES FOR THE PROJECT SHALL BE TO THE SATISFACTION OF THE DIRECTOR OF PLANNING, PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT.
- FIRE ROUTE SIGNS AND 3-WAY FIRE HYDRANTS SHALL BE ESTABLISHED TO THE SATISFACTION OF THE CITY FIRE DEPARTMENT AND AT THE EXPENSE OF THE OWNER.
- MAIN DRIVEWAY DIMENSIONS AT THE PROPERTY LINE BOUNDARIES ARE PLUS OR MINUS 7.5m UNLESS OTHERWISE STATED.
- ALL DRIVEWAYS FROM PROPERTY LINES FOR THE FIRST 7.5m 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 SERVICES
  - APPROACH APPROVAL PERMITS
  - ENCROACHMENT AGREEMENTS (IF REQUIRED)
  - COMMITTEE OF ADJUSTMENT
- ABANDONED ACCESS MUST BE REMOVED AND THE CURB BOULEVARD RESTORED WITH SOD AT THE OWNER'S EXPENSE TO THE SATISFACTION OF THE TRAFFIC ENGINEERING SECTION, PUBLIC WORKS DEPARTMENT.
- FOR VISIBILITY TRIANGLES AT THE VEHICULAR ACCESS POINTS, THE FOLLOWING NOTE MUST BE PROVIDED:  
"5 METRE BY 5 METRE VISIBILITY TRIANGLES IN WHICH A MAXIMUM HEIGHT OF ANY OBJECTS OR MATURE VEGETATION IS NOT TO EXCEED A HEIGHT OF 0.7 METRES ABOVE THE CORRESPONDING PERPENDICULAR CENTRELINE OF THE ADJACENT STREET."
- PROPOSED SIGNAGE SHALL CONFORM TO THE CITY'S SIGN AND OTHER DEVICES BY-LAW NO. 10-179
- LIGHTING MUST BE DIRECTED ON SITE AND MUST NOT SPILL OVER TO ADJACENT PROPERTIES OR STREETS.
- ALL FENCING SHALL BE IN ACCORDANCE WITH THE CITY'S FENCE BY-LAW NO. 10-142
- THE OWNER AGREES TO DISPLAY THE MUNICIPAL NUMBER AT THE FRONT ENTRANCE WITH EITHER THE MUNICIPAL NUMBER OR FULL ADDRESS IN A MANNER THAT IS VISIBLE FROM THE STREET
- ENRIDGE GAS INC., OPERATING AS UNION GAS, HAS SERVICE LINES RUNNING IN THE AREA WHICH MAY OR MAY NOT BE IMPACTED BY THE PROPOSED DEVELOPMENT. SHOULD THE PROPOSED DEVELOPMENT IMPACT THESE SERVICES, IT MAY BE NECESSARY TO TERMINATE THE GAS SERVICE AND RELOCATE THE LINE. ANY SERVICE RELOCATION WOULD BE AT THE COST OF THE PROPERTY OWNER. CALL BEFORE YOU DIG, ARRANGE FOR UNDERGROUND UTILITY LOCATES BEFORE BEGINNING CONSTRUCTION BY CONTACTING ONTARIO ONE CALL @ 1-800-400-2255

#### UNDERTAKING

- (WE), NHDG (HIGHLAND) INC., THE OWNER(S) OF THE LAND, HEREBY UNDERTAKE AND AGREE WITHOUT RESERVATION.
  - (A) TO COMPLY WITH ALL THE CONTENT OF THIS PLAN AND DRAWING AND NOT TO VARY THEREFROM;
  - (B) TO PREFORM THE FACILITIES, WORKS OR MATTERS MENTIONED IN SECTION 41(7)(a) OF THE PLANNING ACT SHOWN ON THIS PLAN AND DRAWINGS IN ACCORDANCE WITH THE CONDITIONS AS APPROVED BY THE CITY OF HAMILTON LETTER DATED NOVEMBER 17, 2021;
  - (C) TO MAINTAIN TO THE SATISFACTION OF THE CITY AND AT MY (OUR) SOLE RISK AND EXPENSE. ALL FACILITIES, WORKS OR MATTERS MENTIONED IN SECTION 41(7)(b) OF THE SAID ACT, SHOWN IN THIS PLAN AND DRAWING, INCLUDING REMOVALS OF SNOW FROM ACCESS RAMPS AND DRIVEWAYS, PARKING AND LOADING AREAS, AND WALKWAYS;
  - (D) IN THE EVENT THAT THE OWNER DOES NOT COMPLY WITH THE PLAN DATED JULY 28, 2021, 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) THE OWNER AGREES TO PHYSICALLY AFFIX THE MUNICIPAL NUMBER OF THE FULL ADDRESS ON A SIGN IN ACCORDANCE WITH THE CITY'S SIGN BY-LAW, NEAR THE ENTRANCE IN A MANNER THAT IS VISIBLE FROM THE STREET;
  - (F) THAT THE OWNER AGREES TO PHYSICALLY AFFIX THE UNIT NUMBER TO EACH UNIT, IN A MANNER THAT IS VISIBLE FROM THE INTERNAL STREET;
  - (G) TO INCLUDE IN ALL OFFERS OF PURCHASE AND SALE, A STATEMENT THAT ADVISES THE PROSPECTIVE PURCHASER:
    - i) THAT THE HOME/BUSINESS MAIL DELIVERY SHALL BE FROM A DESIGNATED CENTRALIZED MAILBOX;
    - ii) THAT THE DEVELOPERS/OWNERS BE RESPONSIBLE FOR OFFICIALLY NOTIFYING PURCHASERS OF THE EXACT CENTRALIZED MAILBOX LOCATION PRIOR TO THE CLOSING OF ANY HOME SALES;
  - (H) THE OWNER FURTHER AGREES TO:
    - 1) WORK WITH CANADA POST TO DETERMINE AND PROVIDE TEMPORARY SUITABLE CENTRALIZED MAILBOX LOCATIONS WHICH MAY BE UTILIZED BY CANADA POST UNTIL CURBS, BOULEVARDS AND SIDEWALKS ARE IN PLACE FOR THE REMAINDER OF THE SUBDIVISION;
    - 2) INSTALL A CONCRETE PAD IN ACCORDANCE WITH THE REQUIREMENTS OF CANADA POST AND IN LOCATIONS TO BE APPROVED BY CANADA POST TO FACILITATE THE PLACEMENT OF COMMUNITY MAILBOXES;
    - 3) IDENTIFY THE PADS ABOVE ON THE ENGINEERING SERVICES DRAWINGS, SAID PADS ARE TO BE POURED AT THE TIME OF THE SIDEWALK AND/OR CURB INSTALLATION WITH EACH PHASE OF THE SITE;
    - 4) DETERMINE THE LOCATION OF ALL CENTRALIZED MAIL RECEIVING FACILITIES IN COOPERATION WITH CANADA POST AND TO INDICATE THE LOCATION OF THE CENTRALIZED MAIL FACILITIES ON APPROPRIATE MAPS, INFORMATION BOARDS AND PLANS;
    - 5) MAPS ARE ALSO TO BE PROMINENTLY DISPLAYED IN THE SALES OFFICE(S) SHOWING SPECIFIC CENTRALIZED MAIL FACILITY LOCATIONS;
  - (I) THE OWNER AGREES THAT SHOULD ANY CONFLICT ARISE WITH EXISTING BELL CANADA FACILITIES WHERE A CURRENT AND VALID EASEMENT EXISTS WITHIN THE SUBJECT AREA, THE OWNER SHALL BE RESPONSIBLE FOR THE RELOCATION OF ANY SUCH FACILITIES OR EASEMENTS AT THEIR OWN COST;
  - (J) ACKNOWLEDGEMENT: THE SUBJECT PROPERTY HAS BEEN DETERMINED TO BE IN AN AREA OF ARCHAEOLOGICAL POTENTIAL. IT IS REASONABLE TO EXPECT THAT ARCHAEOLOGICAL RESOURCES MAY BE ENCOUNTERED DURING ANY DEMOLITION, GRADING, CONSTRUCTION ACTIVITIES, LANDSCAPING, STAGING, STOCK PILING OR OTHER SOIL DISTURBANCES. THE PROPONENT IS ADVISED TO CONDUCT AN ARCHAEOLOGICAL ASSESSMENT PRIOR TO SUCH IMPACTS IN ORDER TO ADDRESS THESE CONCERNS AND MITIGATE THROUGH PRESERVATION OR RESOURCE REMOVAL AND DOCUMENTATION. ADVERSE IMPACTS TO ANY SIGNIFICANT ARCHAEOLOGICAL RESOURCES FOUND, MITIGATION, BE AN ONTARIO-LICENSED ARCHAEOLOGIST, MAY INCLUDE THE MONITORING OF ANY MECHANICAL EXCAVATION ARISING FROM THIS PROJECT. IF ARCHAEOLOGICAL RESOURCES ARE IDENTIFIED ON-SITE, FURTHER STAGE 3 SITE-SPECIFIC ASSESSMENT AND STAGE 3 MITIGATION OF DEVELOPMENT IMPACTS MAY BE REQUIRED AS DETERMINED BY THE MINISTRY OF HERITAGE, SPORT, TOURISM AND CULTURE INDUSTRIES.
  - (K) THIS PROPERTY IS INELIGIBLE FOR WEEKLY COLLECTION OF WASTE, RECYCLING, ORGANICS, AND LEAF AND YARD WASTE THROUGH THE CITY OF HAMILTON. AS CURRENTLY DESIGNED THIS DEVELOPMENT IS NOT SERVICEABLE FOR THE FOLLOWING REASONS:
    - THE SITE DESIGN DOES NOT ALLOW FOR CONTINUOUS FORWARD MOTION FOR THE WASTE COLLECTION VEHICLES FOR UNITS 31-35 AND 42-43
    - THE SITE PLAN IS MISSING INFORMATION REGARDING THE WASTE COLLECTION VEHICLES PROPOSED ROUTE. THE TRAVEL ROUTE MUST ALLOW FOR WASTE COLLECTION VEHICLES TO MOVE IN CONTINUOUS FORWARD MOTION
    - A "T" TURNAROUND AREA ALLOWING FOR A MAXIMUM THREE-POINT TURN MAY BE PROVIDED TO PERMIT THE WASTE COLLECTION
    - COMMON PILE FOR WASTE COLLECTION AREA NOT PERMITTED IN NEW DEVELOPMENTS

DATED THIS DAY OF 2022

WITNESS SIGNATURE OWNER(S) SIGNATURE

WITNESS (PRINT) NHDG (HIGHLAND) INC. OWNER(S) PRINT

ADDRESS OF WITNESS

#### TOPOGRAPHIC SURVEY

OF PART OF  
LOT 25  
CONCESSION 7  
GEOGRAPHIC TOWNSHIP OF SALT FLEET  
IN THE CITY OF HAMILTON  
REGIONAL MUNICIPALITY OF HAMILTON

A.T. McLaren Limited

LEGAL AND ENGINEERING SURVEYS  
69 JOHN STREET SOUTH, SUITE 230  
HAMILTON, ONTARIO L8N 2B9

TEL: (905) 527-8559

E-MAIL: admin@atmclaren.com

#### LIST OF DRAWINGS

- A.101 - Site Plan & Statistics
- A.401 - Blocks A, C & D Elevations 1
- A.402 - Blocks A, C & D Elevations 2
- A.403 - Block B Elevations 1
- A.404 - Block B Elevations 2
- A.405 - Block E Elevations
- A.406 - Block F Elevations

PART 2, PLAN 62R-17214

PIN 17090-0136 (LT)

PLAN 62R-14165

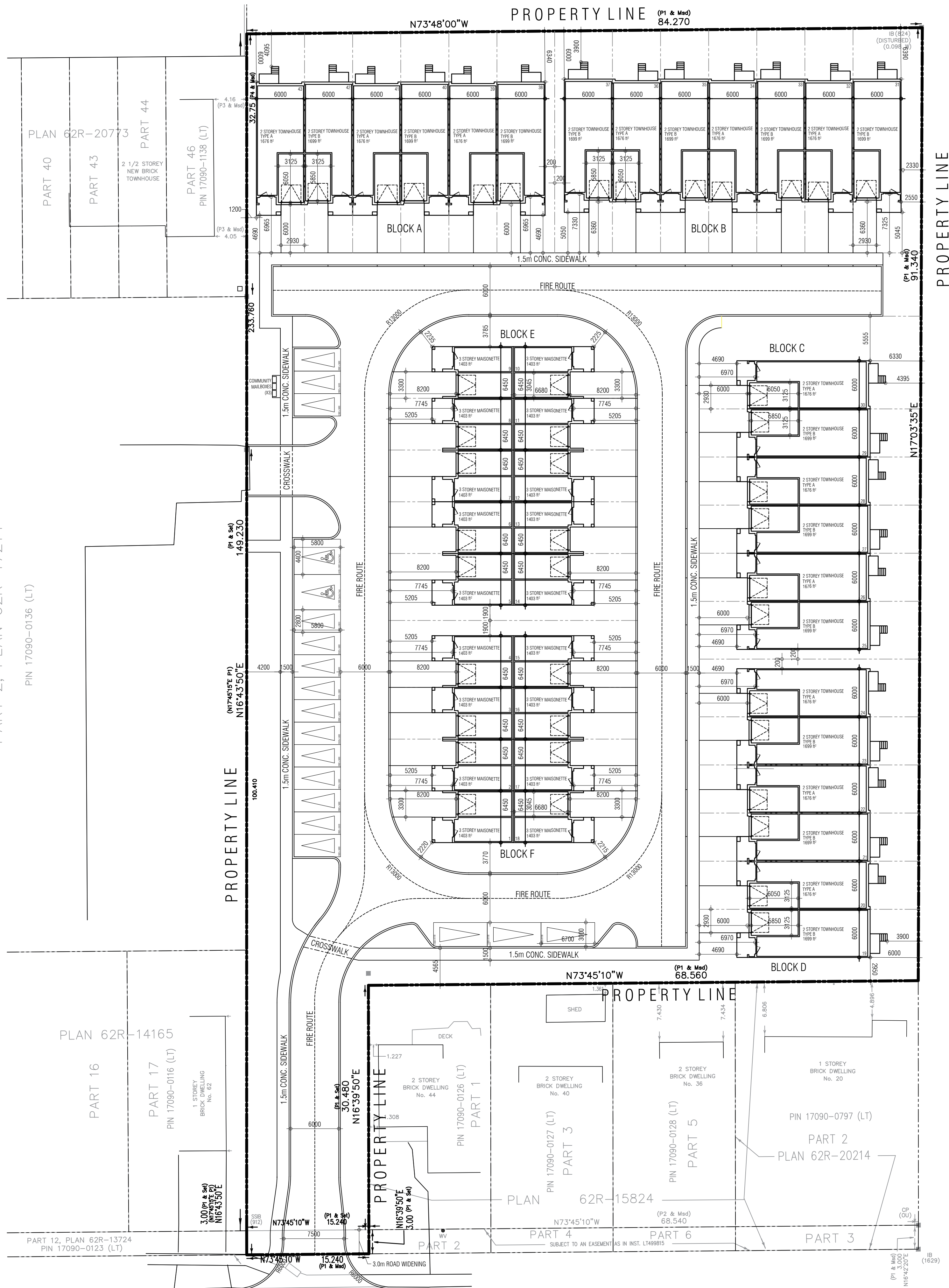
PART 17  
PIN 17090-0116 (LT)

1 STOREY  
BRICK DWELLING  
No. 62

PART 12, PLAN 62R-13724  
PIN 17090-0123 (LT)

3,000 (P1 & S4)  
N16°35'0"E

HIGHLAND ROAD WEST



THIS DRAWING, AS AN INSTRUMENT OF SERVICE, IS PROVIDED BY AND IS THE PROPERTY OF GRAZIANI-CORAZZA ARCHITECTS INC. THE CONTRACTOR MUST VERIFY AND ACCEPT RESPONSIBILITY FOR ALL DIMENSIONS AND CONDITIONS ON SITE AND MUST NOTIFY GRAZIANI-CORAZZA ARCHITECTS INC. OF ANY VARIATIONS FROM THE SUPPLIED INFORMATION. GRAZIANI-CORAZZA ARCHITECTS INC. IS NOT RESPONSIBLE FOR THE ACCURACY OF SURVEY, STRUCTURAL, MECHANICAL, ELECTRICAL, AND OTHER ENGINEERING INFORMATION SHOWN ON THIS DRAWING. REFERS TO THE APPROPRIATE ENGINEERING DRAWINGS BEFORE PROCEEDING WITH THE WORK. CONSTRUCTION MUST CONFORM TO ALL APPLICABLE CODES AND REQUIREMENTS OF THE AUTHORITIES HAVING JURISDICTION, UNLESS OTHERWISE NOTED. NO INVESTIGATION HAS BEEN UNDERTAKEN OR REPORTED ON BY THIS OFFICE IN REGARDS TO THE ENVIRONMENTAL CONDITION OF THIS SITE.

THIS DRAWING IS NOT TO BE SCALED. ALL ARCHITECTURAL SYMBOLS INDICATED ON THIS DRAWING ARE GRAPHIC REPRESENTATIONS ONLY.

CONDITIONS FOR ELECTRONIC INFORMATION TRANSFER:

ELECTRONIC INFORMATION IS SUPPLIED TO THE OTHER ASSOCIATED FIRMS TO ASSIST THEM IN THE EXECUTION OF THEIR WORK/REVIEW. THE RECIPIENT FIRMS MUST DETERMINE THE COMPLETENESS/APPROPRIATENESS/RELEVANCE OF THE INFORMATION IN RESPECT TO THEIR PARTICULAR RESPONSIBILITY.

GRAZIANI-CORAZZA ARCHITECTS INC. SHALL NOT BE RESPONSIBLE FOR:  
1. ERRORS, OMISSIONS, INCOMPLETENESS DUE TO LOSS OF INFORMATION IN WHOLE OR PART WHEN INFORMATION IS TRANSFERRED.  
2. TRANSMISSION OF ANY VIRUS OR DAMAGE TO THE RECEIVING ELECTRONIC SYSTEM WHEN INFORMATION IS TRANSFERRED.

- JUN.08.2022 ISSUED FOR SPA BG
- JUL.25.2022 ISSUED FOR SPA BG

issued for revisions

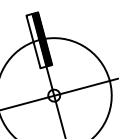


PROPOSED TOWNHOUSE DEVELOPMENT

#### 56 HIGHLAND ROAD WEST

HAMILTON 56 HIGHLAND ROAD WEST ONTARIO  
PROJECT ARCHITECT: B. Graziani  
ASSISTANT DESIGNER: RL  
DRAWN BY: SH  
CHECKED BY:  
PLOT DATE: JUL.25.2022  
JOB #: 1974.22

#### SITE PLAN



1:300

A101

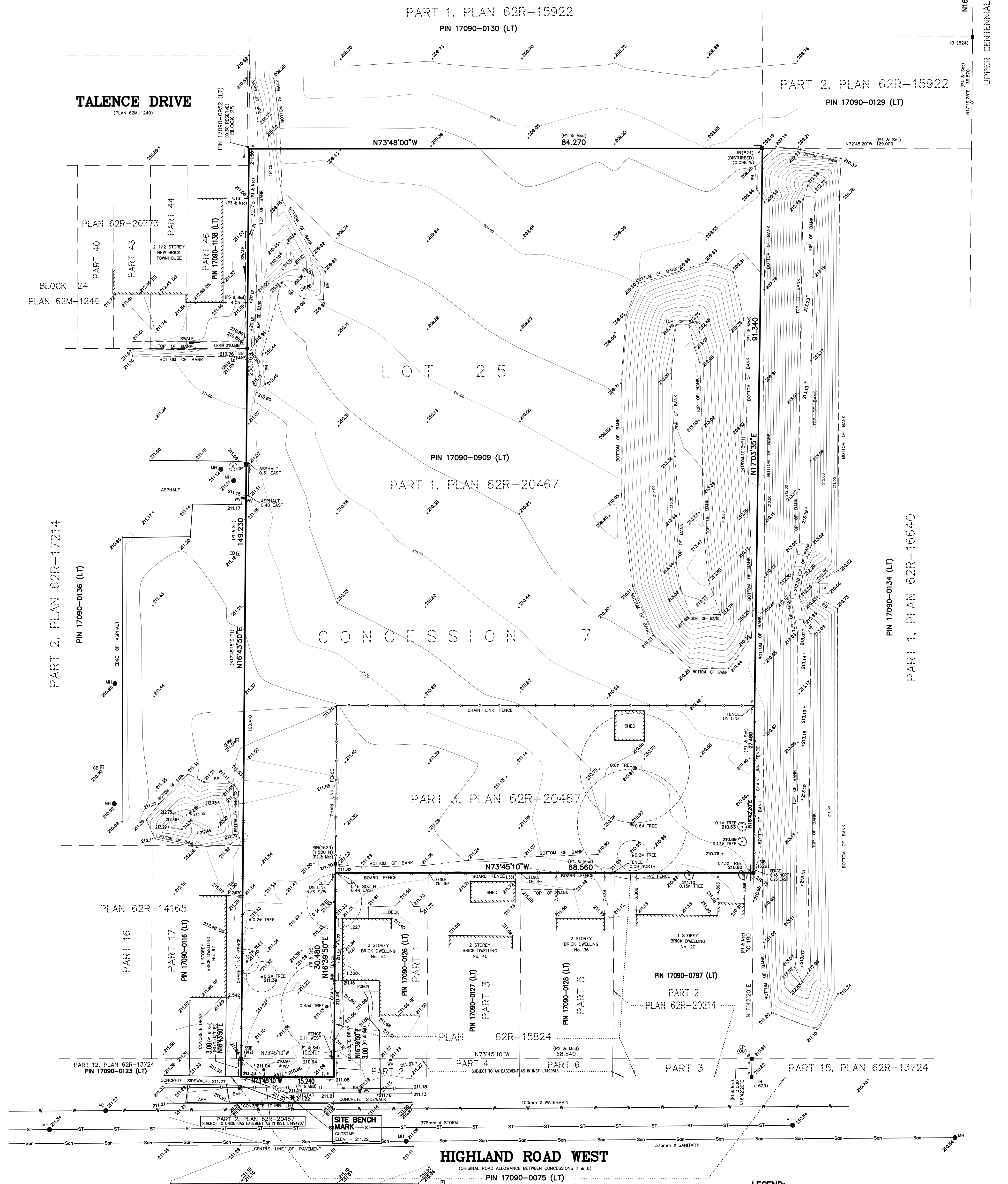
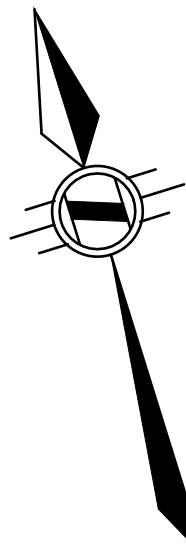
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TOPOGRAPHIC SURVEY  
OF PART OF  
LOT 25  
CONCESSION 7  
GEOGRAPHIC  
TOWNSHIP OF SALT FLEET  
IN THE  
CITY OF HAMILTON

SCALE 1:300 METRIC  
6 3 0 6 12 18 metres

S.D. McLAREN, O.L.S. - 2021



**BENCHMARK:**  
MONUMENT 07720020023  
ROUND IRON BAR WITH BRASS CAP  
LOCATED IN STONEY CREEK 8m NORTH  
OF CENTRELINE OF ISAAC BROCK DRIVE  
11m WEST OF CENTRELINE OF FIRST ROAD  
WEST & 4m SOUTH OF CENTRELINE OF  
SIDEWALK  
ELEVATION: 207.135 metres CGVD-1928:1978

**NOTE:**  
UNDERGROUND SERVICE AND UTILITY LOCATIONS  
WERE LOCATED BY WILLIAM L. SEARS AND  
ASSOCIATES LIMITED DRAWING No. 93-S-45-10  
UNDERGROUND SERVICE AND UTILITY LOCATIONS  
MUST BE VERIFIED PRIOR TO CONSTRUCTION  
INVERTS MUST BE VERIFIED PRIOR TO  
CONSTRUCTION

**BEARING NOTE:**  
BEARINGS ARE UTM GRID, DERIVED FROM OBSERVED  
REFERENCE POINTS A AND S, BY REAL TIME NETWORK  
OBSERVATIONS, UTM ZONE 17, NAD83 (CSRS) (2010.0)  
**NOTE:**  
DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY  
MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.9996937

OBSERVED REFERENCE POINTS (ORP's): UTM ZONE 17, NAD83 (CSRS) (2010.0)		
COORDINATES TO UTM ACCURACY PER SEC. 14(2) OF O.R.G. 216/10		
POINT ID	NORTHING	EASTING
ORP A	4781665.735	5996320.083
ORP B	4781764.031	599498.354
COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.		

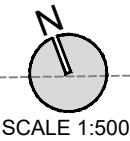
**METRIC NOTE:**  
DISTANCES SHOWN ON THIS  
PLAN ARE IN METRES AND  
CAN BE CONVERTED TO FEET  
BY DIVIDING BY 0.3048

**SURVEYOR'S CERTIFICATE:**  
I CERTIFY THAT:  
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH  
THE SURVEY ACT, THE SURVEYORS ACT AND THE REGULATIONS  
MADE UNDER THEM  
2. THE SURVEY WAS COMPLETED ON THE 10TH DAY OF JUNE, 2021  
JUNE 18, 2021  
DATE  
S. DAN McLAREN, O.L.S.

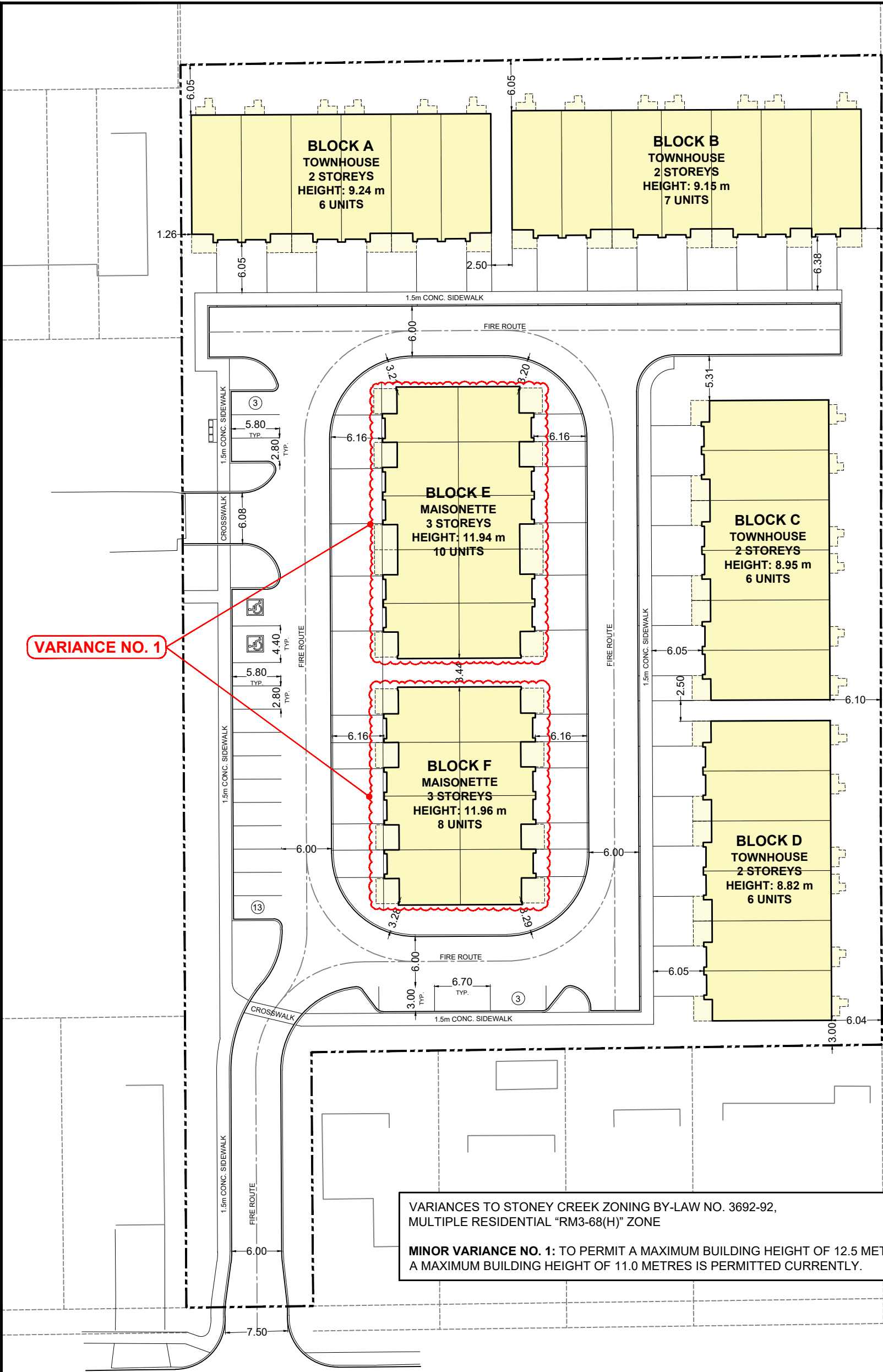
© S.D. McLAREN, O.L.S. - 2021. NO PERSON MAY COPY  
REPRODUCE, DISTRIBUTE OR ALTER THIS PLAN IN WHOLE OR IN  
PART WITHOUT THE WRITTEN PERMISSION OF S.D. McLAREN, O.L.S.  
**A.T. McLAREN Limited**  
LEGAL AND ENGINEERING SERVICES  
89 JOHN STREET SOUTH, SUITE 230  
HAMILTON, ONTARIO, L8N 2B9  
PHONE (905) 527-8559 FAX (905) 527-0032  
Drawn: JB  
Checked: DG  
Overlaid: DW  
Scale: 1:300  
Dwg No.: 38709

- LEGEND:**
- |      |                         |              |
|------|-------------------------|--------------|
| □    | DENOTES                 | MONUMENT SET |
| ■    | MONUMENT FOUND          |              |
| ●    | IRON BAR                |              |
| ○    | PLASTIC BAR             |              |
| ✕    | CUT CROSS               |              |
| SB   | STANDARD IRON BAR       |              |
| SSB  | SHORT STANDARD IRON BAR |              |
| R24  | A.T. McLAREN, O.L.S.    |              |
| 912  | A.J. CLARKE, O.L.S.     |              |
| 1629 | B.A. JACOBS, O.L.S.     |              |
| M&P  | MACKAY MACKAY & PETERS  |              |
| OU   | ORIGIN UNKNOWN          |              |
| WT   | WITNESS                 |              |
| M&d  | MEASURED                |              |
| P1   | PLAN 62R-20467          |              |
| P2   | PLAN 62R-20214          |              |
| P3   | PLAN 62R-20214          |              |
| P4   | PLAN 62M-1240           |              |
- |     |                    |
|-----|--------------------|
| MH  | MANHOLE            |
| CB  | CATCH BASIN        |
| BMH | BELL MANHOLE       |
| FN  | FIRE HYDRANT       |
| WV  | WATER VALVE        |
| VC  | VALVE CHAMBER      |
| DS  | DOOR SILL          |
| GF  | GARAGE FLOOR       |
| FDN | FOUNDATION         |
| HV  | HYDRO VAULT        |
| APP | APPROACH           |
| HP  | HYDRO POLE         |
| U   | OVERHEAD UTILITIES |
| Ø   | DIAMETER           |





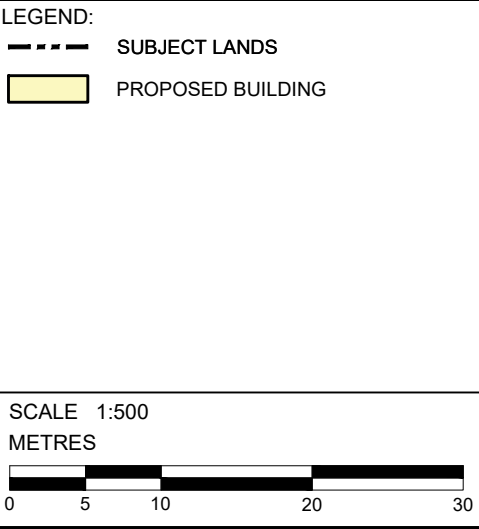
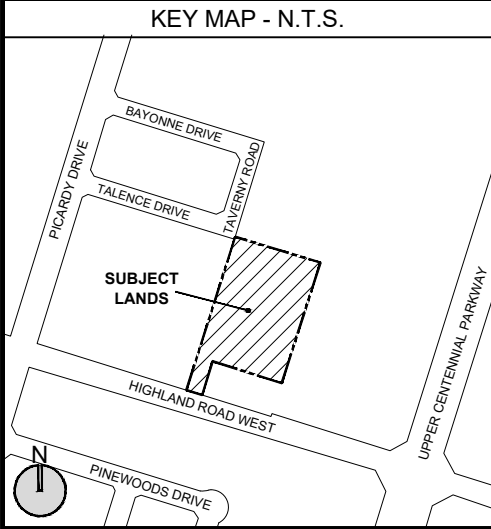
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VARIANCES TO STONEY CREEK ZONING BY-LAW NO. 3692-92,  
MULTIPLE RESIDENTIAL "RM3-68(H)" ZONE

**MINOR VARIANCE NO. 1:** TO PERMIT A MAXIMUM BUILDING HEIGHT OF 12.5 METRES WHEREAS  
A MAXIMUM BUILDING HEIGHT OF 11.0 METRES IS PERMITTED CURRENTLY.

HIGHLAND ROAD WEST



PREPARED BY:

**URBAN SOLUTIONS**  
PLANNING & LAND DEVELOPMENT

3 STUDEBAKER PLACE, UNIT 1  
HAMILTON, ON L8L 0C8  
905-546-1087 - urbansolutions.info

**NOT FOR CONSTRUCTION**  
ISSUED FOR REVIEW & COMMENTS ONLY

NOTES:  
ALL DIMENSIONS SHOWN ON THIS PLAN ARE IN METRES AND CAN BE  
CONVERTED TO FEET BY DIVIDING BY 0.3048.

TITLE: <b>MINOR VARIANCE SKETCH</b>	
PROJECT: <b>56 HIGHLAND ROAD WEST CITY OF HAMILTON</b>	
CLIENT: <b>NHDG (HIGHLAND) INC.</b>	
DESIGN BY: G+C ARCHITECTS	CHECKED BY: M. JOHNSTON
DRAWN BY: S. ERICKSON	DATE: FEBRUARY 13, 2024
U/S FILE NUMBER: 482-23	SHEET NUMBER: 1



February 29, 2024

482-23

**Via Email & Delivered**

Ms. Jamila Sheffield  
Secretary Treasurer, Committee of Adjustment

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

Dear Ms. Sheffield,

**RE: 56 Highland Road West, Hamilton  
Minor Variance Application**

UrbanSolutions Planning & Land Development Consultants Inc. (UrbanSolutions) is the authorized planning consultant for NHDG (Highland) Inc., the registered owner of the land municipally known as 56 Highland Road West, Hamilton (subject lands). On behalf of the owner, UrbanSolutions has prepared the enclosed Minor Variance application to the City of Hamilton.

The subject lands are designated as 'Neighbourhoods' in the Urban Hamilton Official Plan and are currently located in a Multiple Residential "RM3-68(H)" Zone, Modified in the Stoney Creek Zoning By-law No. 3692-92.

The subject site is proposed to be developed to accommodate 43 townhouse units contained within a common element condominium on the subject lands. After obtaining a Zoning Compliance Review from the City relating to the proposed development, one minor variance was identified as necessary to facilitate the proposed development. The proposed site design remains unchanged from that which received Conditional Site Plan approval (DA-21-124) on November 17, 2021, and what was considered when the site-specific Zoning By-law was adopted by Council on December 16, 2020.

As outlined on the enclosed Minor Variance Sketch, the following variance is required:

- **Minor Variance No. 1:** To permit a maximum building height of 12.5 metres whereas a maximum building height of 11.0 metres is permitted currently.

Section 45(1) of the *Planning Act* sets out four tests which all variances must satisfy for approval. The variance must meet the general intent and purpose of the Official Plan and Zoning By-law, as well as be considered minor in nature and desirable for the appropriate development of the land.

The requested variance is necessary to accommodate the proposed building height of the townhouses on the lands. While the townhouses will be a maximum of 11.96 metres in height, a variance to permit 12.5



metres in height is requested to account for changes in average grade and ensure zoning conformity is maintained. The subject lands have previously received approval for a site specific Zoning By-law Amendment to facilitate the development proposal, obtained conditional Site Plan approval as well as conditional Draft Plan of Subdivision approval. Accordingly, these previous planning approvals have demonstrated that the proposed height, which has remained unchanged, is considered to be consistent with the intent and purpose of both the Urban Hamilton Official Plan and Stoney Creek Zoning By-law No. 3692-92. The modest increase in permitted height will not present adverse impacts to the surrounding neighbourhood character and is consistent with the built form which received conditional Site Plan approval from City staff. Approval of the requested variance will facilitate the proposed development, which is intended to provide 43 residential units contained in townhouse dwellings – a land use which is permitted and envisioned for the subject lands. As such, it can be concluded that the requested variance is desirable for the appropriate development of the site. As previously noted, the requested variance is solely required to facilitate the conditionally approved site design via DA-21-124.

As such, it is our opinion that the requested variance satisfies the four tests outlined in Section 45(1) of the *Planning Act*, in that it meets the intent of the Urban Hamilton Official Plan and the Stoney Creek Zoning By-law No. 3692-92, is minor in nature, and is desirable and appropriate for the subject lands. Therefore, the requested variance represents good land use planning.

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

- One (1) copy of the completed Minor Variance application form;
- One (1) copy of the Minor Variance Sketch prepared by UrbanSolutions,
- One (1) copy of the Topographic Survey prepared by A.T. McLaren; and,
- One (1) copy of the Site Plan Architectural package prepared by G+C Architects.
- Please note that a cheque in the amount of **\$3,900.00** payable to the City of Hamilton in support of the Minor Variance application was submitted to City Hall on February 20, 2024.

We trust that the enclosed is in order; however, please feel free to contact the undersigned with any questions.

Regards,  
**UrbanSolutions**



Matt Johnston, MCIP, RPP  
*Principal*



Scott Beedie, MCIP, RPP  
*Planner*

cc: NHDG (Highland) Inc.





Hamilton

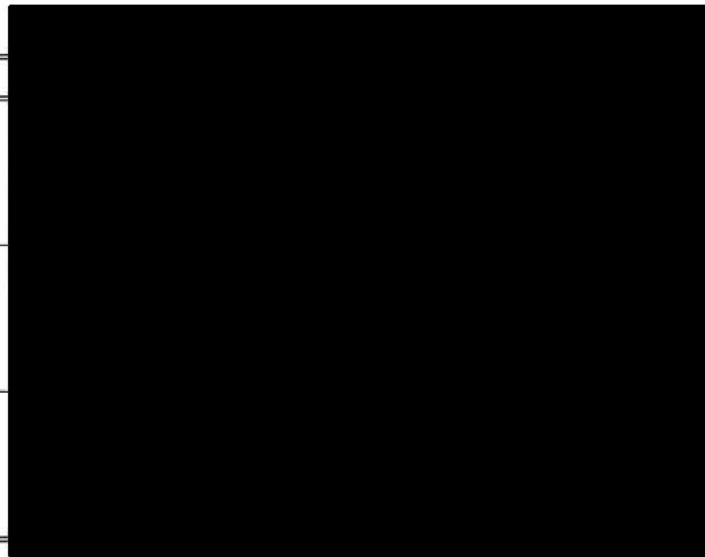
Committee of Adjustment  
City Hall, 5<sup>th</sup> Floor,  
71 Main St. W.,  
Hamilton, ON L8P4Y5

Phone: (905) 546-2424 ext. 4221  
Email: [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

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

**1. APPLICANT INFORMATION**

	NAME
Registered Owners(s)	NHDG (Highland) Inc.
Applicant(s)	Same as above
Agent or Solicitor	UrbanSolutions Planning & Land Development Consultants Inc. c/o Matt Johnston



**1.2 Primary contact**

☐ Applicant

☐ Owner

☒ Agent/Solicitor

**1.3 Sign should be sent to**

☐ Applicant

☐ Owner

☒ 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.

**1.6 Payment type**

☐ In person

☐ Credit over phone\*

☒ Cheque

\_\_\_\_\_  
\*Must provide number above



## 2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	56 Highland Road West		
Assessment Roll Number			
Former Municipality	Saltfleet		
Lot	Part of Lot 25	Concession	7
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:

Bell Canada Easement

## 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 cover letter.

☐ Second Dwelling Unit

☐ Reconstruction of Existing Dwelling

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

Please refer to cover letter.

3.3 Is this an application 45(2) of the Planning Act.

☐ Yes

☒ No

If yes, please provide an explanation:

N/A

## 4. DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

4.1 Dimensions of Subject Lands:

Lot Frontage	Lot Depth	Lot Area	Width of Street
+/- 15.2 m	+/- 149.2 m	+/- 10,491.1 sq.m.	+/- 23.1 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)

Refer to enclosed Topographic Survey and Site Plan Architectural package

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

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

Refer to enclosed Topographic Survey and Site Plan Architectural package

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

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.):  
 Townhouse dwellings

- 4.9 Existing uses of abutting properties (single detached dwelling duplex, retail, factory etc.):  
 North - Vacant // South - Single Detached Dwelling // East - Retail // West - Townhouse Dwellings

## 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)
- 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:  
 Unknown
- 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 refer to cover letter.

- 7.6 What is the existing zoning of the subject land? Multiple Residential RM3-68(H)
- 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: Zoning By-law No. 20-262



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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: N/A

## 8 ADDITIONAL INFORMATION

8.1 Number of Dwelling Units Existing: 0

8.2 Number of Dwelling Units Proposed: 43

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

Please refer to cover letter.



## 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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