



Hamilton

COMMITTEE OF ADJUSTMENT

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

Telephone (905) 546-2424, ext. 4221

E-mail: cofa@hamilton.ca

NOTICE OF PUBLIC HEARING
Minor Variance

You are receiving this notice because you are either:

- Assessed owner of a property located within 60 metres of the subject property
- Applicant/agent on file, or
- Person likely to be interested in this application

APPLICATION NO.:	A-24:65	SUBJECT PROPERTY:	455 Jones Road, Stoney Creek
ZONE:	“RM3-44” (Multiple Residential)	ZONING BY-LAW:	Zoning By-law former City of Stoney Creek 3692-92, as Amended 12-253

APPLICANTS: Owner: Firas Al Dabbagh
Agent: Sahar Arfa

The following variances are requested:

1. A minimum of 1.0 parking space shall be permitted for each dwelling instead of the minimum 1.2 parking spaces required for each dwelling unit.

PURPOSE & EFFECT: To facilitate the development of six (6) single detached dwelling on the subject lands.

Notes:

The applicant shall ensure that no encroachments (i.e. stairs, bump-outs etc.) are proposed into the required 1.5m minimum distance separation area; otherwise, further variances may be required.

The applicant shall ensure that the required 4.0m wide minimum landscaped area is devoted solely to the growing of grass, ornamental shrubs or tress which may include fences and berms as defined; otherwise, further 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, May 7, 2024
TIME:	2:45 p.m.
PLACE:	Via video link or call in (see attached sheet for details)

A-24:65

	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

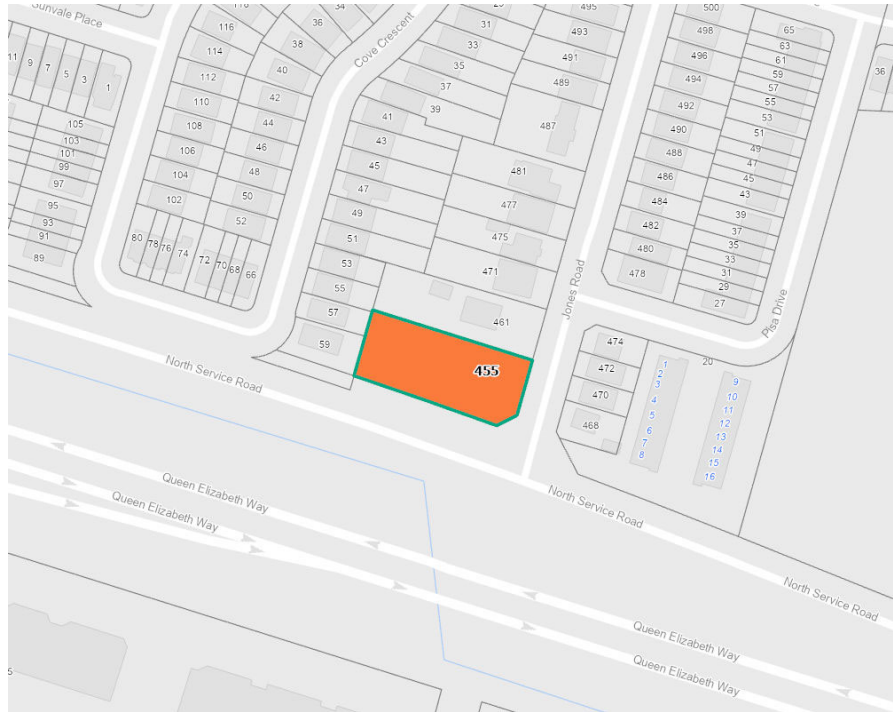
Written: If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Please see attached page for complete instructions, written comments must be received no later than noon May 3, 2024

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 noon May 6, 2024

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding A-24:65, 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: April 18, 2024

Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

Information respecting this application is being collected under the authority of the Planning Act, R.S.O., 1990, c. P. 13. All comments and opinions submitted to the City of Hamilton on this matter, including the name, address, and contact information of persons submitting comments and/or opinions, will become part of the public record and will be made available to the Applicant and the general public, and may include posting electronic versions.



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PARTICIPATION PROCEDURES

Written Submissions

Members of the public who would like to participate in a Committee of Adjustment meeting are able to provide comments in writing 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.



RM3-44 Zone	Required	Proposed
Lot Area	2600 m ²	2661.16 m ²
Lot Frontage	34 m	34.6 m
Front Yard	6 m	6 m
Side Yard	6 m	6 m
Rear Yard	5 m	5.2 m
Distance Between Buildings	1.5 m	1.68 m
Building Height	9.2 m max.	9 m
Landscaped Open Space	43%	44.06%
Landscape Strip	4 m abutting Jones Road	4 m
Tenant Parking	2 spaces/unit	2 spaces / unit
Visitor Parking	0.8 spaces/unit	0.8 spaces/unit
Common parking setback	1 m abutting north lot line	1 m / BY-LAW 12-143
Maximum Lot Coverage	35%	22.1%

GENERAL NOTES

IT IS THE CONTRACTOR'S RESPONSIBILITY TO:

- Use figured dimensions in preference to scaling
- Verify and check all dimensions prior to and during construction
- Determine locations of existing services / ONTARIO ONE CALL

ANY CHANGES, DISCREPANCIES or SUBSTITUTIONS SHALL BE REPORTED TO AND REVIEWED BY THE PROJECT CO-ORDINATOR & LANDSCAPE ARCHITECT BEFORE PROCEEDING.

REFER TO ENGINEER'S DRAWINGS FOR FINAL GRADES AND LOCATES OF CATCH BASINS AND SWALES

IN CASE OF CONFLICT NOTIFY PROJECT CO-ORDINATOR REFER TO ARCHITECT'S DRAWINGS FOR FINAL LAYOUT.

ANY CHANGES TO THE PLANTING ARE TO BE REQUESTED IN WRITING AND ARE TO BE APPROVED BY THE CITY PRIOR TO INSTALLATION. NO EXCEPTIONS.

GARBAGE COLLECTION Will be by private contract.

GARAGES Garages are intended for parking of vehicles. On-street parking is not guaranteed.

PROPOSED 5.0m BY 5.0m SIGHT TRIANGLE

*5 metre by 5 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.

WARNING

"PURCHASERS/TENANTS ARE ADVISED THAT DESPITE THE INCLUSION OF NOISE CONTROL FEATURES WITHIN THIS DEVELOPMENT AREA AND WITHIN THE BUILDING UNITS, SOUND LEVELS MAY ON OCCASIONS INTERFERE WITH SOME ACTIVITIES OF THE DWELLING OCCUPANTS AS THE SOUND LEVELS EXCEED THE MUNICIPALITY'S AND THE MINISTRY OF THE ENVIRONMENT'S NOISE CRITERIA.

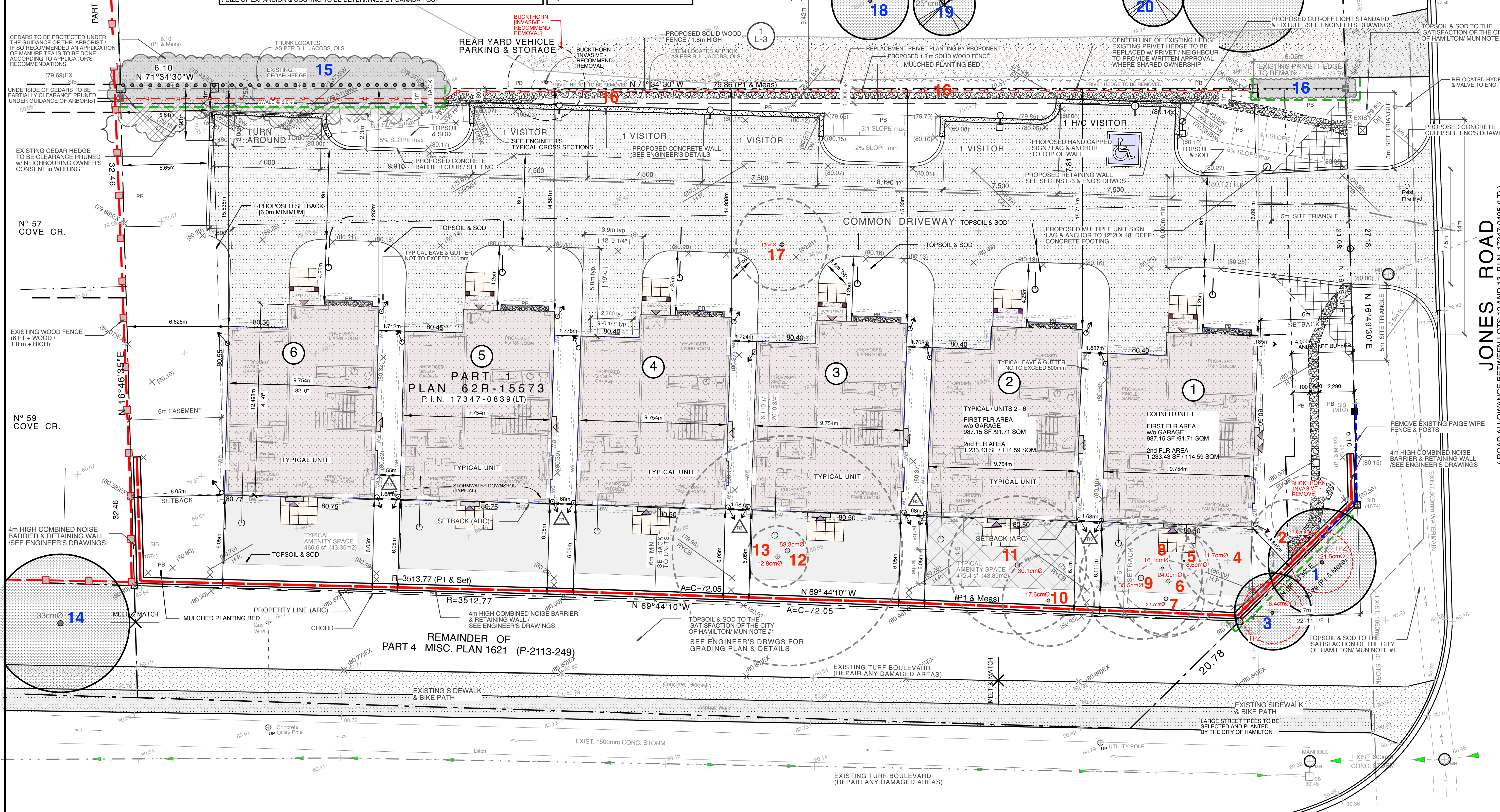
THESE DWELLING UNITS HAVE BEEN SUPPLIED WITH CENTRAL AIR CONDITIONING SYSTEMS WHICH WILL ALLOW WINDOWS AND EXTERIOR DOORS TO REMAIN CLOSED THEREBY ENSURING THAT THE INDOOR SOUND LEVELS ARE WITHIN THE MUNICIPALITY'S AND THE MINISTRY OF THE ENVIRONMENT'S NOISE CRITERIA.

MUNICIPAL 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, Planning and Economic Development Department.
- Fire Route Signs and 3-Way Fire Hydrants shall be established to the satisfaction of the City Fire Department.
- 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 grade.

- 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 (if required)
 - Committee of Adjustment
- Abandoned accesses must be removed and the curb and the boulevard restored with topsoil and 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, a 5 metre by 5 metre visibility triangle, is to be dedicated, in which the maximum height of any objects or mature vegetation is not to exceed a height of 0.70 metres (2' - 4"), above the corresponding perpendicular centerline elevation of the adjacent street.

CITY OF HAMILTON APPROVAL



JONES ROAD (ROAD ALLOWANCE BETWEEN LOTS 12 AND 13, P.I.N. 17347-0405 (LT))

REFER TO THE FOLLOWING DRAWINGS:

ARBORIST ARB1.01 PLAN & REPORT + ARB1.02 ARCHITECTURAL A1.0 THRU A10.0
 CIVIL ENGINEER SP0.02, SP4.01 THRU SP4.05
 LANDSCAPE ARCHITECT L0.01 THRU L2.01

NORTH SERVICE ROAD
 PART 1 MISC. PLAN 1621 (P-2113-249)
 (DESIGNATED AS A CONTROLLED ACCESS HIGHWAY BY ORDER IN COUNCIL 2042/09, PLAN NO. 1808 MISC. (P-2113-331)
 P.I.N. 17347-0848 (LT))

NO	REVISIONS	DATE
3	RELOCATE UNITS AS PER CITY COMMENTS	19/02/2024
2	REVNS AS PER CITY COMMENTS	23/11/2023
1	RE-ISSUED FOR SUBMISSION	16/10/2023
	ISSUED FOR APPROVAL	5/07/2023

PROJECT CO-ORDINATOR: ARFA DESIGN INC. 44 WEDGEWOOD DRIVE TORONTO, ONTARIO M2M 2H6
 sahar@arfaesign.ca PHONE 416-880-4280

SURVEY AS PROVIDED BY: B.A. JACOBS SURVEYING LTD. 152 JACKSON STREET EAST, SUITE 102 HAMILTON, ONTARIO (L8N 1L3)
 PHONE 905-521-1535 FAX 905-521-0089

OWNER / CLIENT: FIRAS AL-DABBAGH

PROJECT TITLE: 455 JONES ROAD 6 UNIT DEVELOPMENT DA-13-147
 WINONA ONTARIO

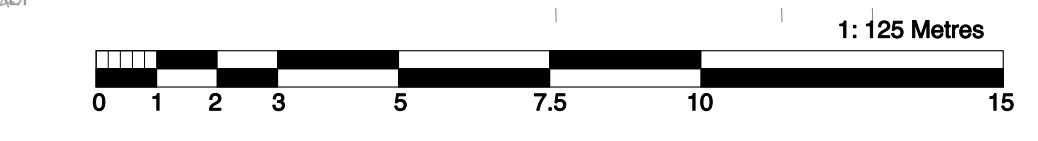
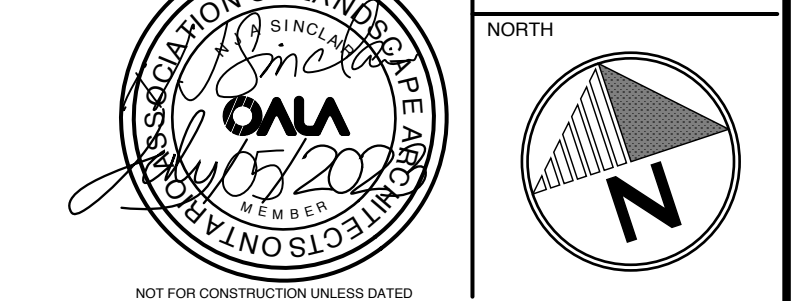
SCALE: 1:25 CHECKED: DATE: MAY 2013
 DRAWN BY: NJS DATE: PROJECT NO: 22-15

DESIGN BY: N.J. Sinclair, Landscape Architect OALA, CSLA

207-2435 SECOND STREET BURLINGTON, ONTARIO CANADA L7R 1E5 (905) 681-8535

SHEET TITLE: SITE PLAN & ZONING SCHEDULE
 SHEET NO: SP1.01

STAMP: NORTH REVN: -3-





Hamilton

December 08, 2023

FILE: ALR(REVISED)
FOLDER: 23-310182-01 ALR
ATTENTION OF: Victoria Brito
TELEPHONE NO: (905) 546-2424
EXTENSION: 7628

Sahar Arfa
191 SAINT GEORGE ST
TORONTO, ON M5R 2M6

Attention:

**Re: APPLICABLE LAW REVIEW – ZONING BYLAW IN SUPPORT OF A BUILDING PERMIT
Present Zoning: RM3-44 (MULTIPLE RESIDENTIAL)
Address: 455 JONES RD, STONEY CREEK, ON**

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

COMMENTS:

1. The applicant is proposing to construct six (6) single detached dwelling units on the subject lands.
2. The proposed is permitted. Amending By-law 12-253 permitted a “Dwelling Group” consisting of a maximum of six (6) single detached dwellings on the subject lands.
3. This is a corner lot as defined. Therefore, the front lot line is considered Jones Road being the shorter lot line abutting a street. The lot line along North Service Road shall be considered the flankage lot line including the hypotenuse of the daylight triangle and all other lot lines are considered interior side lot lines.
4. The adjacent lands are zoned as follows:
5. R1 (Single Residential) to the north
6. R3-4 (Single Residential) to the west
7. Due to the proximity of this property to the right of way limits of the Queen Elizabeth Highway, a development permit from the Ontario Ministry of Transportation may be necessary. Additionally, the Ministry of Transportation may also have development regulations which may affect the subject lands.

8. Any other encroachments shall comply with the requirements of Section 4.19 of the Stoney Creek Zoning By-law 3692-92.
9. Any proposed accessory buildings shall comply with the requirements of Section 6.1.4 of the Stoney Creek Zoning By-law 3692-92. Currently, the submitted plans show no accessory buildings as part of the proposal.
10. All mechanical equipment including “transformers” shall comply with the requirements of Section 4.16 of the Stoney Creek Zoning By-law 3692-92 and shall not be located within any required landscaped areas. Details regarding any proposed transformer have not been shown from which to determine compliance.
11. Details of the garbage facilities have not been shown; however, the applicant advises that private collection is proposed. Please note any fenced areas which are not roofed-over shall be subject to the fence by-law 10.142. Any garbage enclosures that are required to be roofed-over are considered to be an accessory building and shall subject to the requirements of 6.1.4 of the Stoney Creek Zoning By-law 3692-92.
12. Construction of the proposed development is subject to the issuance of a building permit in the normal manner. Be advised that Ontario Building Code regulations may require specific setbacks and constructions types.
13. All new signs proposed for this development must comply with the regulations contained within Hamilton Sign By-law 10-197. A building permit(s) is required for all signage.
14. All new fencing proposed for this development must comply with the regulations contained within Hamilton Sign By-law 10-142.
15. The designer shall ensure that the fire access route conforms to the Ontario Building Code.
16. The proposed development as shown on revised Site Plan has been reviewed and compared to the standards of the RM3-44 Zone, as indicated in the following chart:

By-law Requirement	Required	Provided	Conforms/ Non-conforming
Multiple Residential (RM3) Zone - Section 6.10.3 and 6.10.7			
Minimum Lot Area <i>Section 6.10.7(b)(a) of Stoney Creek Zoning By-law 3692-92</i>	2600.0 square metres	Lot area indicated as 2661.16m ² per Site Statistics chart.	Conforms
Minimum Lot frontage <i>Section 6.10.7 (b) (b) of Stoney Creek Zoning By-law 3692-92</i> <i>Lot frontage definition: In the case of a corner lot where a daylight triangle or a radius has been established the lot frontage is to be determined by measuring along the front lot line after the side lot line and the front lot line have been extended to the point of intersection of the two streets.</i>	34 metres	Site Statistics chart shows a lot frontage of 34.6m. The applicant shall ensure that the lot frontage was determined based on “Lot Frontage” as defined.	Conforms based on Site Statistics chart

By-law Requirement	Required	Provided	Conforms/ Non-conforming
Minimum Front yard <i>Section 6.10.7 (b) (c) of Stoney Creek Zoning By-law 3692-92</i>	6.0m	A front yard setback of 6.287m is shown.	Conforms
Minimum Side Yard for Dwelling Groups <i>Section 6.10.7 (b) (d) of Stoney Creek Zoning By-law 3692-92</i>	6.0m Note: There is no flankage yard requirement for this property.	A side yard setback of 6.0m is shown to the south. It is noted that each of the dwellings maintains a different yard setback to the north. The actual setback dimension to each dwelling is not shown; however, it is noted that a side yard setback greater than 6.0m is proposed for each dwelling.	Conforms
Minimum Rear Yard for Dwelling Groups <i>Section 6.10.7 (b) (f) of Stoney Creek Zoning By-law 3692-92</i>	5.0m	A rear yard setback of 5.235m is shown.	Conforms
Minimum Distance Between Buildings on the Same Lot <i>Section 6.10.7 (b)(h) of Stoney Creek Zoning By-law 3692-92</i>	1.5m	The proposal shows a distance of 1.5m measured to the chimney/gasfireplace projection between each building. Note: Encroachments into the required separation distance between buildings are not permitted.	Conforms
Maximum Density <i>Section 6.10.3 (i) of Stoney Creek Zoning By-law 3692-92</i>	40 units per hectare 49 units per hectare if 100 percent of required tenant parking is underground or enclosed within the main building	Not applicable to the proposed development.	N/A
Maximum Lot Coverage <i>Section 6.10.3 (k) of Stoney Creek Zoning By-law 3692-92</i>	35.0%	The proposal shows a total lot coverage of 22.1%.	Conforms
Minimum Privacy Area <i>Section 6.10.3 (l) of Stoney Creek Zoning By-law 3692-92</i>	Notwithstanding the yard requirements above, each maisonette and townhouse unit shall have at least one area which serves as a privacy area which shall be adjacent to the dwelling unit and shall have a minimum depth of 4.5 metres.	Not applicable to the proposed development.	N/A
Maximum Building Height <i>Section 6.10.7 (b) (j) of Stoney Creek Zoning By-law 3692-92</i> <i>Grade: Means the average level of the</i>	9.2m	The elevation plans show a building height dimension of 8.9m measured from "Grade" to the "Top of Roof" for all	Conforms Note: The height

By-law Requirement	Required	Provided	Conforms/ Non-conforming
<p><i>proposed or finished ground adjoining a building at all exterior walls.</i></p>		<p>proposed dwellings.</p>	<p>conforms based on the elevation plans. Building height is based on grade and will be confirmed at the building permit review stage.</p>
<p>Minimum Landscaped Open Space <i>Section 6.10.7 (b) (m) of Stoney Creek Zoning By-law 3692-92</i></p> <p>Landscaped Strip: <i>Means an area of land devoted solely to the growing of grass, ornamental shrubs or trees and may include fences and berms</i></p>	<p>1. Not less than 43% of the lot area for dwelling groups shall be landscaped, including privacy areas.</p> <p>3. A landscaped strip shall not be required between a privacy area and the southerly side lot line.</p> <p>4. A landscaped strip having a minimum width of 4.0 metres shall be provided and thereafter maintained adjacent to the front lot line, except for points of ingress and egress, and no landscaped strip shall be required along the southerly side lot line.</p>	<p>1. According to Site Statistics chart, the proposed landscaped open space is 44.06%.</p> <p>3. No landscaped strip is shown between a privacy area and the southerly side lot line.</p> <p>4. The site plan shows a 4.0m wide “landscaped buffer” along the front lot line. Per revised plan, the landscaped buffer area has been widened to accommodate a proposed barrier/retaining wall. The composition of the required landscaped strip is not very clear; as such, the applicant shall ensure that the required landscaped strip is composed of trees and other plantings as defined to properly incorporate the proposed river stone swale.</p>	<p>Conforms based on Site Statistics chart</p> <p>Conforms</p> <p>Appears it may conform</p>
<p>Parking Regulation - Section 6.10.5 and 6.1.8</p>			
<p>Minimum Number of Parking Spaces [per Section 6.10.5 (a) as amended by Section 6.10.7(c) (a), and Section 4.10.9 Schedule of Minimum Parking Requirements of the Stoney Creek Zoning By-law 3692-92]</p>	<p>A minimum of twelve (12) parking spaces shall be maintained.</p> <p>(a) Minimum Number of Parking Spaces:</p> <p>1. 2 parking spaces and 0.8 visitor parking spaces for each dwelling unit. Tandem parking is permitted for non-visitor parking spaces.</p> <p>Therefore, based on 6 single family dwelling units x 1.2 = 7.2 = 7 spaces (round down)</p> <p>Visitor parking 0.8 spaces per each single detached</p>	<p>(a) The revised site plan shows a total of eleven (11) parking spaces.</p> <p><u>Breakdown:</u></p> <ul style="list-style-type: none"> • One (1) within each of the private garages • One (1) within each of the private driveways • Five (5) surface parallel spaces <p><u>Please note that tandem parking is permitted for each of the dwelling units.</u></p>	<p>Non-conforming</p>

By-law Requirement	Required	Provided	Conforms/ Non-conforming
	dwelling = 4.8 = 5 visitors parking (round up). <u>Total = 12 spaces (7 + 5)</u>		
Location of parking in relation to a Zone for Single detached, semi-detached or duplex dwellings. [per Section 6.10.5 (b) as amended by Section 6.10.7(b), of the Stoney Creek Zoning By-law 3692-92]	(b) No common parking space shall be located closer than 3 metres from a zone for single detached, semi-detached, or duplex dwellings, except that common parking spaces are permitted to be located a minimum of 1 metre from the northerly side lot line	(b) A setback of 1.0m and greater is shown from the surface parallel spaces to the northerly side lot line. The parking areas are located a distance greater than 3.0m from the adjacent residential boundary to the west.	Conforms
Location of parking spaces [per Section 6.10.5 (c) of the Stoney Creek Zoning By-law 3692-92]	For maisonettes or townhouses, only one of the required parking spaces per unit may be provided in the required front yard.	The proposal is for single detached dwellings.	N/A
Location of parking spaces [per Section 6.10.5(d) as amended by Section 6.10.7(c) (d), and Section 6.1.8 (c) of the Stoney Creek Zoning By-law 3692-92]	Sec. 6.1.10.5(d) Where the required minimum number of parking spaces is four or more, no parking space shall be provided closer than 3 metres to any lot line, except that common parking spaces are permitted to be located a minimum of 1 metre from the northerly side lot line.	Parking is shown as close as 1.0m to the northerly lot line and as close as 4.58m from the westerly boundary.	Conforms
	Sec. 6.1.8 (c) Where the required minimum number of parking spaces is four or more, no parking space shall be provided closer than 3 metres to any lot line or closer than 5 metres to any dwelling unit located on a lot other than the said lot except that the provisions of this clause shall not apply to any parking space located within a private garage or underground garage;		Meets the intent of the zoning by-law
Location of parking spaces [per Section 6.10.5 (e) of the Stoney Creek Zoning By-law 3692-92]	Where there is a grouping of three or more parking spaces, no parking space shall be provided closer than 3 metres to any dwelling unit located on the same lot, except that the provisions of this clause shall not apply to any parking space located	Parking spaces are shown a distance greater than 3.0m to any dwelling unit located on the same lot.	Conforms

By-law Requirement	Required	Provided	Conforms/ Non-conforming
	within an underground garage.		
<p>Minimum parking spaces sizes [per Section 6.1.8 (d), Section 4.10.3 and Section 4.10.4 (a) of the Stoney Creek Zoning By-law 3692-92]</p>	<p>Parking spaces shall have a width of not less than 2.75 metres and a length of not less than 5.8 metres and parking spaces for physically challenged persons shall have a width of not less than 4.4 metres and a length of not less than 5.8 metres, exclusive of any land used to permit ingress or egress to said parking spaces, maneuvering areas, driveways or aisles.</p> <p>One parking space within a private residential garage shall not be less than 3 metres in width or less than 6 metres in length;</p> <p>For other than 90.0° perpendicular parking shall have minimum 3.0m in width and no less than 6.0m in length.</p> <p>Note: Per Section 4.10.3, b) A single step, hose bibs, electrical devices and/or ductwork and closet enclosures may project not more than .3 metres into the required length or width of a parking space.</p>	<p>A typical size of 3.0m x 7.5m is shown for the parallel surface parking spaces.</p> <p>One parking space is shown to be designated for physically challenged person, showing a length of 7.5m and a width of 4.4m per “Tree Preservation & Removal” plan.</p> <p>The parking space sizes within the private garages are shown to have a width greater than 3.0m and a length greater than 6.0m per submitted floor plans.</p> <p>Note: Based on the submitted floor plans, no obstruction/encroachments shown.</p> <p>A typical parking space size of 5.8m x 2.76m is shown for the parking spaces within the private driveways.</p>	<p>Conforms</p> <p>Conforms</p> <p>Conforms</p> <p>Conforms</p>
<p>Minimum Access Driveway/indirect access [per Section 4.10.5 (b) and Section 6.1.8 (e) of the Stoney Creek Zoning By-law 3692-92]</p>	<p>Adequate access to a residential parking area, except those accessory to a single detached, semi-detached, converted, duplex, triplex, fourplex or street townhouse dwelling, shall be provided to permit ingress or egress of a motor vehicle from the street by means of a one-way driveway of at least 4.5 metres in width, or by means of a two-way driveway of at least 6 metres in width;</p>	<p>An access driveway is a accessory to a group of Single Detached dwellings.</p>	<p>N/A</p>

By-law Requirement	Required	Provided	Conforms/ Non-conforming
<p>Requirement for Parking Designated for barrier free spaces. [per Section 4.10.4 and Section 6.1.8 (d) of the Stoney Creek Zoning By-law 3692-92]</p>	<p>At least 1 percent of the required parking spaces, with a minimum of one parking space, on any lot having more than 10 parking spaces, shall:</p> <p>Therefore, a minimum of one (1) parking spaces shall be designated.</p> <p>(a) have minimum rectangular dimensions of 4.4 metres by 5.8 metres; and</p> <p>(b) be located on level ground readily accessible to an entrance to such building; and</p> <p>(c) be clearly identified and reserved for the exclusive use of barrier free parking.</p>	<p>(a) One parking space is shown to be designated for physically challenged person, showing a typical size of 4.4m wide x 7.5m long.</p> <p>(b) The parking space is located on level ground and appears to be readily accessible.</p> <p>(c) The plans show that the barrier free parking space has been identified and reserved for the exclusive use of barrier free parking.</p>	<p>Conforms</p> <p>Conforms</p> <p>Conforms</p>
<p>Minimum Direct Access [per Sections 4.10.5 (a) of the Stoney Creek Zoning By-law 3692-92]</p>	<p>Ingress and egress directly to and from every parking space shall be by means of a driveway, lane or aisle having a minimum width of 6.0m</p>	<p>A typical 6.0m width direct access to every parking space is shown throughout the site.</p>	<p>Conforms</p>
Special Setbacks – Section 4.13			
<p>Minimum Setbacks from Daylight Triangles [per Sections 4.10.5 (a) of the Stoney Creek Zoning By-law 3692-92]</p>	<p>Any lot located at the intersection of two or more roads or railway rights-of-way will require a minimum yard of 3 metres from the hypotenuse of the daylight triangle.</p>	<p>A setback of 3.89m is shown from the hypotenuse of the daylight triangle.</p>	<p>Conforms</p>
Mechanical Equipment – Section 4.16			
<p>Air conditioner pumps, transformers and other similar mechanical equipment [per Sections 4.16 of the Stoney Creek Zoning By-law 3692-92]</p>	<p>Air conditioners and pumps (including heat pumps and swimming pool pumps) and other similar mechanical equipment shall be located only in accordance with the following regulations:</p> <p>(a) Within a required front yard, provided such equipment shall have a minimum setback of 3.0 metres from the street line, a minimum setback of 0.6 metres from a side lot line</p>	<p>No transformers or other mechanical equipment are shown on the submitted plans.</p>	<p>N/A</p>

By-law Requirement	Required	Provided	Conforms/ Non-conforming
	<p>and is screened from the street by an enclosure or landscaping; and</p> <p>b) Within a required side yard or required rear yard provided such equipment has a minimum setback of 0.6 metres from the side lot line or rear lot line.</p>		
Yard Encroachments Section 4.19			
<p>Eave or gutter [per Sections 4.16 (b) of the Stoney Creek Zoning By-law 3692-92]</p>	<p>Eaves or gutters, for other than an accessory building, which may project into any required yard a distance of not more than 0.5 metres;</p> <p>Therefore, shall maintain a setback of 5.5m from a front lot line; and A setback of 5.5m from a side lot line; and A setback of 4.5m from a rear lot line; and A setback of 2.5m from the hypotenuse of the daylight triangle.</p>	<p>Setback dimensions not shown from the eaves or gutter to the lot lines; however, the "Roof" plan shows a 0.3048m eave width.</p>	Appears to conform
<p>Balconies, unenclosed porches and decks [per Sections 4.19.1 (d) of the Stoney Creek Zoning By-law 3692-92]</p>	<p>Balconies, canopies, unenclosed porches and decks, including a cold cellar underneath same, may project into any required front yard 1.5 metres. Balconies, canopies, unenclosed porches and decks may project into any required rear yard not more than 4 metres. Balconies and decks may project into a privacy area of a townhouse development not more than 4.5 metres.</p> <p>Notwithstanding the foregoing, any deck or patio which is less than .3 metres in height may be located in any required yard.</p>	<p>The proposal does not include any proposed balconies.</p> <p>All proposed front porches are located outside of the required yards.</p> <p>According to Site Plan drawing, it is noted that a concrete slab paving stone area is shown to the rear of each of the dwellings which is permitted. However, one riser is shown as part of the said concrete slab. According to the revised Site plan, each of the risers has a proposed height from 0.2m which risers are permitted in the proposed yard.</p>	<p>Conforms</p> <p>Conforms</p> <p>Conforms</p>
<p>Prohibition of windows [per Section 6.10.7 of the Stoney Creek Zoning By-law 3692-92]</p>	<p>No windows shall be permitted on the westerly most end elevation of the westerly most building above the 1st storey level.</p>	<p>Per submitted elevation plans, no widows are shown on the most westerly elevation of the most westerly building above the 1st storey.</p>	Conforms

Yours truly



for the Manager of Zoning and Committee of Adjustment

VB/vb



Hamilton

Committee of Adjustment

City Hall, 5th Floor,

71 Main St. W.,

Hamilton, ON L8P4Y5

Phone: (905) 546-2424 ext. 4221

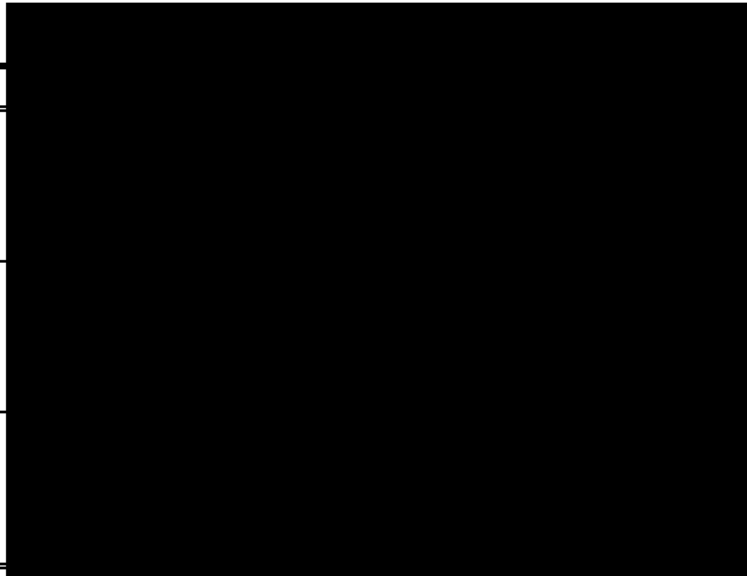
Email: cofa@hamilton.ca

APPLICATION FOR A MINOR VARIANCE/PERMISSION

UNDER SECTION 45 OF THE *PLANNING ACT*

1. APPLICANT INFORMATION

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



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

Cheque

Credit over phone*

*Must provide number above

2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	455 Jones Rd Hamilton, ON L8E 5C3		
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:

WE ARE CONSTRUCTING 6 DETACHED HOUSE. WE NEED 12 PARKING SPACE

Second Dwelling Unit Reconstruction of Existing Dwelling

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

WE DONT HAVE ENOUGH SPACE FOR 12 PARKING. BUT ONLY FOR 11 PARKING

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

Yes No

If yes, please provide an explanation:

4. DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

4.1 Dimensions of Subject Lands:

Lot Frontage	Lot Depth	Lot Area	Width of Street
34.6	79.86	2661.16	

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
VACANT				

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
TWO STOREY DETACHED HOUSE	6	5.2	6	05/01/2024

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
vacant				

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
TWO STOERY DETACHED HOUSE	116.12	89.42	2	9

- 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)

STILL NO CONNECTION

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

- ditches
- other means (specify)

STILL NO CONNECTION

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

STILL NO CONNECTIC

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

6 DETACHED SINGLE FAMILY DWELLING UNIT

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

VACANT

7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:

N/A

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

VACANT

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

Evvacant

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

N/A

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) "Neighborhoods

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

7.6 What is the existing zoning of the subject land? RM3-44

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: RM3-44

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: _____

8 ADDITIONAL INFORMATION

8.1 Number of Dwelling Units Existing: 0

8.2 Number of Dwelling Units Proposed: 6

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

the lot is totally vacant. no previous building. no previous water, sewer connection whatsoever

we are in the process to get approval for the development and construction of 6 detached house. we applied for zoning compliances and we find out that we need 12 parking spot for the 6 detached house. we dont have enough space to propose 12 parking. instead we proposed 11 parking. thats why we are hoping to decrease the parking mandate from 12 to 11

Regards

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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