



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-24:128	SUBJECT PROPERTY:	575C Wilson Street, Hamilton
ZONE:	“D/S-1822” (Urban Protected Residential – One- and Two-Family Dwellings, Etc.)	ZONING BY-LAW:	Zoning By-law former City of Hamilton 6593, as Amended

APPLICANTS: Owner: Cielo Residential Inc. c/o Ryan Kotar
Agent: Amy Talukder & Jeff Jansen of Jansen Consulting

The following variances are requested:

1. A minimum westerly side yard of 0.70 metres shall be provided, instead of the minimum required side yard of 1.2 metres;
2. A minimum rear yard of 4.52 metres shall be provided, instead of the minimum required rear yard of 7.5 metres;
3. One (1) parking space shall be provided, instead of the three (3) parking spaces required.
4. A minimum of 45.3% of the gross area of the front yard shall be used for a landscaped area, instead of the 50% landscaped area required.

PURPOSE & EFFECT: So as to permit the development of a Single Family Dwelling containing one (1) Secondary Dwelling Unit, notwithstanding that:

Notes:

- i. This application is subsequent to Consent/Land Severance Application No. HM/B-22:756 which was granted to establish the subject lot (“Part 5”) as indicated on the submitted Site Plan. There is insufficient information available at this time to confirm the current status of the severance application. Should the lot not be established as indicated, additional variances may be required.
- ii. This application is subsequent to Minor Variance Application No. HM/A-22:256 which was granted to permit a minimum lot area of 190.0 square metres, instead of the minimum required lot area of

A-24:128

360.0 square metres, and a minimum lot width of 7.2 metres, instead of the minimum required lot width of 12.0 metres, for the subject lot (“Part 5”). The decision of the Committee became final and binding on September 15th, 2022.

- iii. Please note the eaves/gutters are indicated as projecting 0.30 metres. Therefore, should Variance No. 1 to permit a minimum westerly side yard of 0.70 metres and Variance No. 2 to permit a minimum rear yard of 4.52 metres be granted, the eaves/gutters as proposed shall comply with Sections 18(3)(vi)(b)(ii) and (iii).
- iv. The submitted Minor Variance Application provides two floor plan variations. Note that for the purpose of establishing the minimum number of required parking spaces and the variance(s) required, the floor plan(s) indicating the greater number of habitable rooms has been used.
- v. Please note that Variance No. 2, as it pertains to the minimum required rear yard, has been measured to the “landscape well” as indicated on the submitted Site Plan drawing, as this building feature is indicated as extending 8” or 0.20 metres above grade, and is therefore subject to the principle building setbacks.

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, July 2, 2024
TIME:	1:35 p.m.
PLACE:	Via video link or call in (see attached sheet for details)
	City Hall Council Chambers (71 Main St. W., Hamilton)
	To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment

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

- Visit www.hamilton.ca/committeeofadjustment
- Visit Committee of Adjustment staff at 5th floor City Hall, 71 Main St. W., Hamilton
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221

PUBLIC INPUT

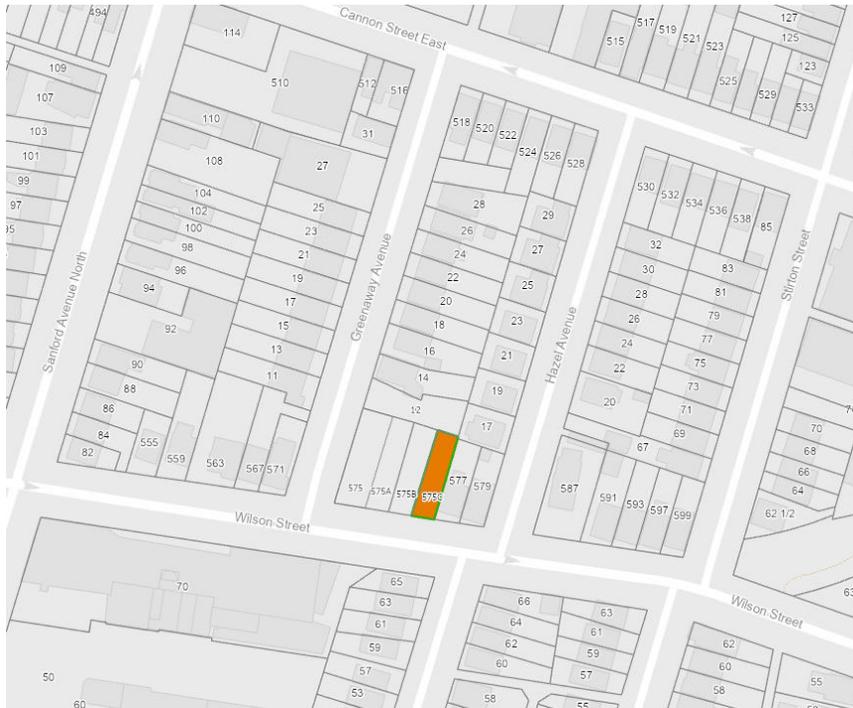
Written: If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Please see attached page for complete instructions, written comments must be received no later than noon June 28, 2024

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 June 28, 2024

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding A-24:128, 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: June 13, 2024

Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

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



Hamilton

COMMITTEE OF ADJUSTMENT

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

Telephone (905) 546-2424, ext. 4221

E-mail: cofa@hamilton.ca

PARTICIPATION PROCEDURES

Written Submissions

Members of the public who would like to participate in a Committee of Adjustment meeting are able to provide comments in writing advance of the meeting. Comments can be submitted by emailing cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5. **Comments must be received by noon on the date listed on the Notice of Public Hearing.**

Comments are available the Friday prior to the Hearing and are available on our website: www.hamilton.ca/committeeofadjustment

Oral Submissions

Members of the public are also able to provide oral comments regarding Committee of Adjustment Hearing items by participating Virtually through Webex via computer or phone or by attending the Hearing In-person. Participation Virtually requires pre-registration in advance. Please contact staff for instructions if you wish to make a presentation containing visual materials.

1. Virtual Oral Submissions

Interested members of the public, agents, and owners **must register by noon on the day listed on the Notice of Public Hearing** to participate Virtually.

To register to participate Virtually by Webex either via computer or phone, please contact Committee of Adjustment staff by email cofa@hamilton.ca. The following information is required to register: Committee of Adjustment file number, hearing date, name and mailing address of each person wishing to speak, if participation will be by phone or video, and if applicable the phone number they will be using to call in.

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

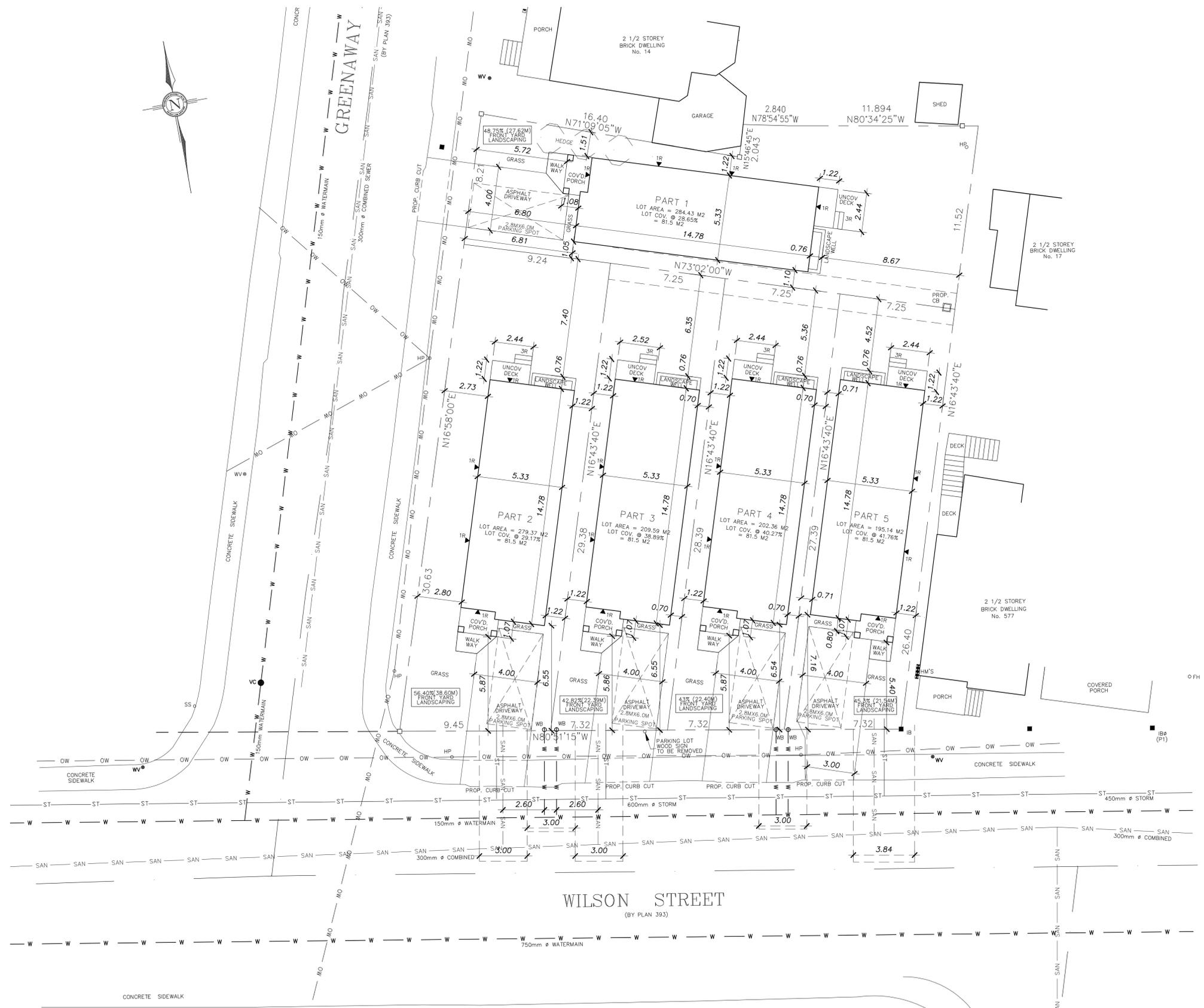
2. In person Oral Submissions

Interested members of the public, agents, and owners who wish to participate in person may attend Council Chambers on the date and time listed on the Notice of Public Hearing. Please note, you will be required to provide your name and address for the record. It is advised that you arrive **no less than 10 minutes** before the time of the Public Hearing as noted on the Notice of Public Hearing.

We hope this is of assistance and if you need clarification or have any questions, please email cofa@hamilton.ca or by phone at 905-977-1654.

Please note: Webex (video) participation requires either a compatible computer or smartphone and an application (app/program) must be downloaded by the interested party in order to participate. It is the interested party's responsibility to ensure that their device is compatible and operating correctly prior to the Hearing.

SITE PLAN OF
 PART OF LOT 21
 REGISTERED PLAN No. 393
 AND
 PARK LOT 12
 REGISTERED PLAN No. 26
 CITY OF HAMILTON



WILSON STREET
 (BY PLAN 393)

HAZEL AVENUE

I, JEFF JANSEN DECLARE THAT I HAVE REVIEWED AND TAKE DESIGN RESPONSIBILITY FOR THE DESIGN WORK ON BEHALF OF JANSEN CONSULTING UNDER DIVISION C SUBSECTION 3.2.5 AND 3.2.4 OF THE BUILDING CODE. I AM QUALIFIED AND THE FIRM IS REGISTERED SET OUT BY THE O.R.C. QUALIFIED DESIGNER BCIN - 30272 FIRM BCIN - 110042
 DATE: OCT 12 23 SIGNATURE:



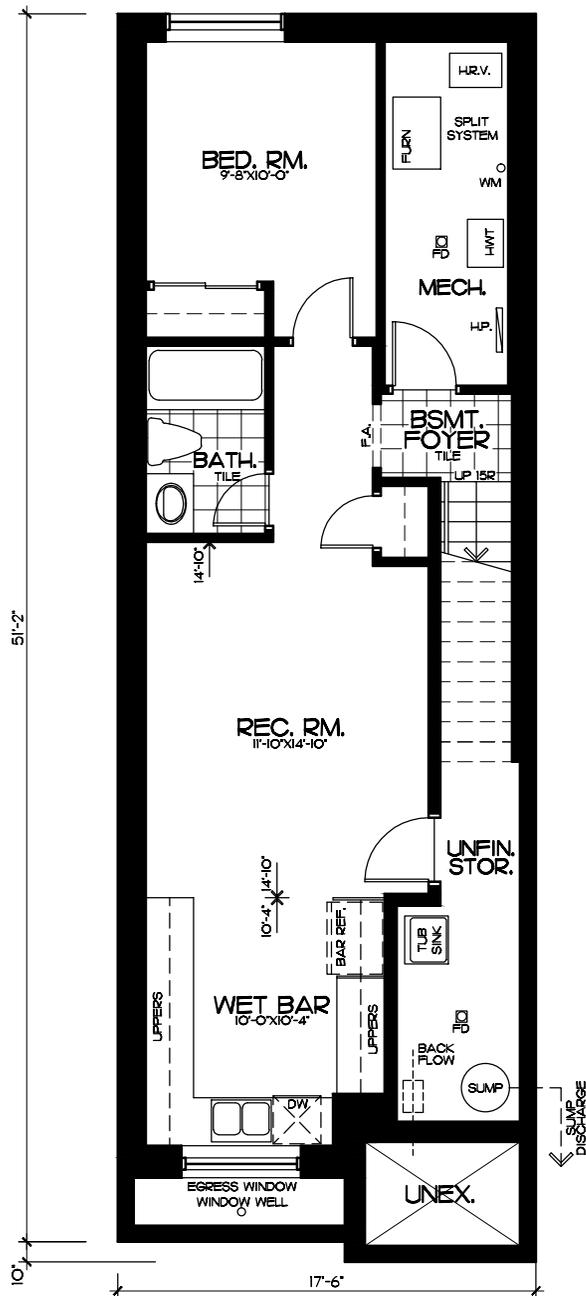
70 Main Street N, P.O. Box 38
 Campbellville, ON, L0P 1B0
 Ph. 905-854-9696
 Fax: 905-854-9559
 Cell: 905-815-3438
 EMAIL: jeffjansendesign@gmail.com

TYPE : H-031
 PROJECT :
 575 WILSON ST LOTS
 LOCATION :
 HAMILTON, ON

OWNERS INFORMATION :
 CIELO HOMES

DRAFT SITE PLAN

SCALE: H/S	DATE: OCT 12 23	PROJECT NO.: 2023-031
DRAWN BY: AS	CHECKED BY: AS	DRAWING NO.: S1
NO. DATE DESCRIPTION	FILE NAME: 2023-031	
REVISIONS:		



**LOWER FLOOR PLAN
ELEV. A & B**

LOWER FLOOR AREA (UNIT #1) = 643 SF.

DATE: _____

DESIGN DRAWINGS APPROVED BY: _____

PRINT: _____

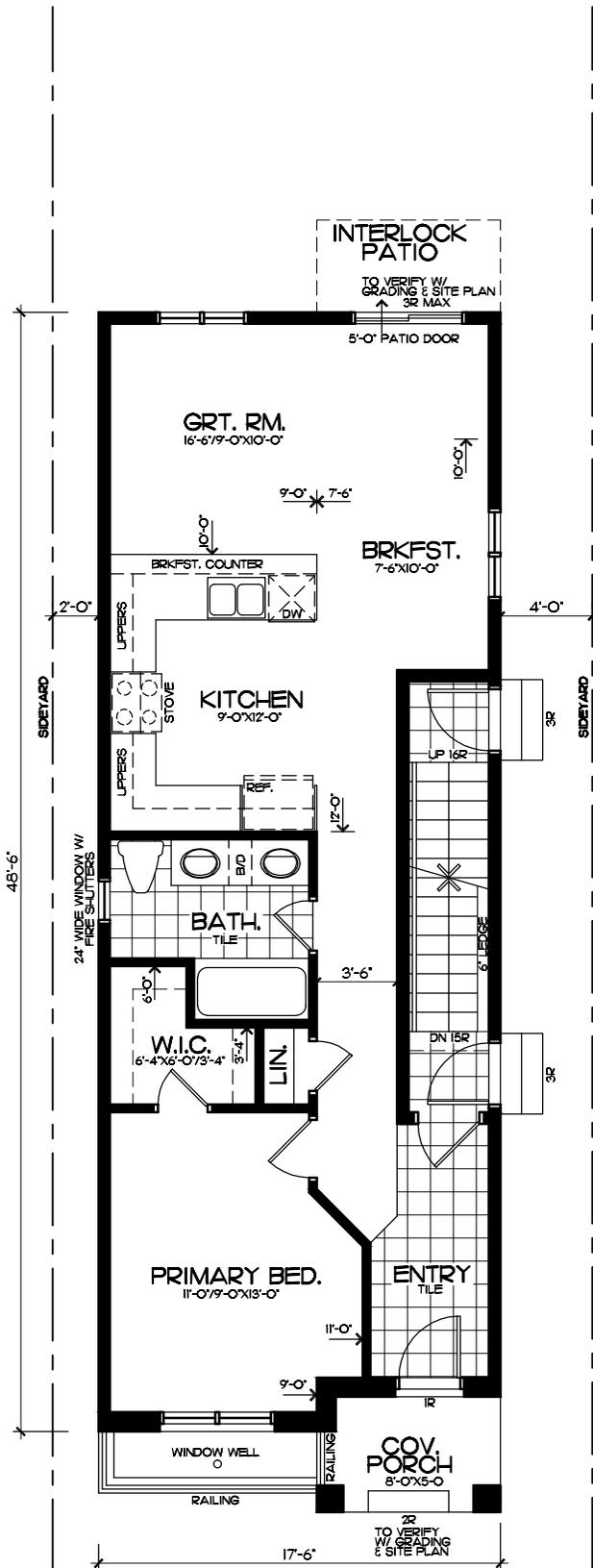
SIGN: _____



70 Main Street N., P.O. Box 38
Campbellville, ON, L0P 1B0
Ph. 905-854-9696
Fax 905-854-9559
Cell 905-815-3438
EMAIL : jeffjansendesign@gmail.com

OWNERS INFORMATION :
RYAN KOTAR
CIELO HOMES
575 WILSON STREET
HAMILTON, ON
ryan@cielohomes.ca (905-746-5835)

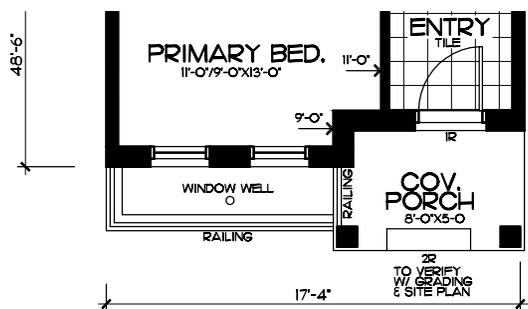
D01



NOTE:
9'-0" HIGH CEILING
THROUGH-OUT GROUND FL.

**MAIN FLOOR PLAN
2 BEDRM. PLAN
ELEV. A**

MAIN FLOOR AREA (UNIT #1) = 838 SF.



NOTE:
9'-0" HIGH CEILING
THROUGH-OUT GROUND FL.

**MAIN FLOOR PLAN
2 BEDRM. PLAN
ELEV. B**

MAIN FLOOR AREA (UNIT #1) = 838 SF.

DATE: _____

DESIGN DRAWINGS APPROVED
BY: _____

PRINT: _____

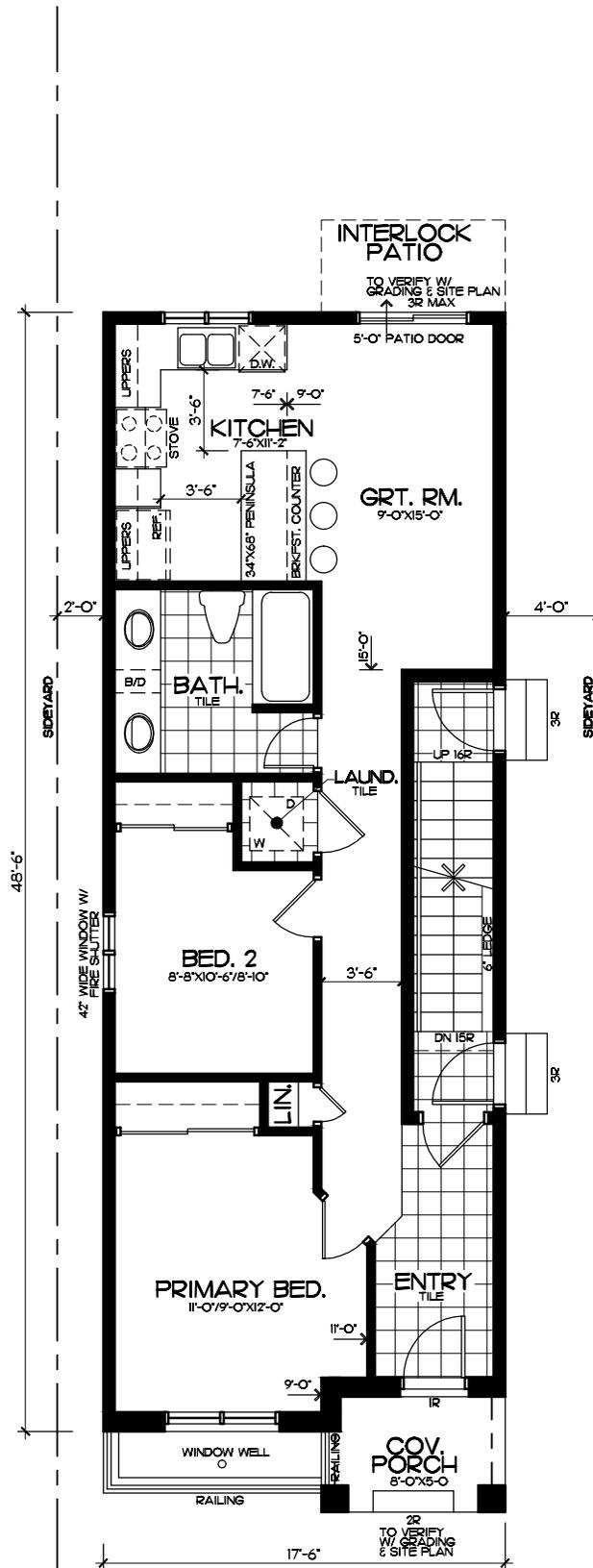
SIGN: _____



70 Main Street N., P.O. Box 38
Campbellville, ON, L0P 1B0
Ph. 905-854-9696
Fax 905-854-9559
Cell 905-815-3438
EMAIL : jeffjansendesign@gmail.com

OWNERS INFORMATION :
RYAN KOTAR
CIELO HOMES
575 WILSON STREET
HAMILTON, ON
ryan@cielohomes.ca (905-746-5835)

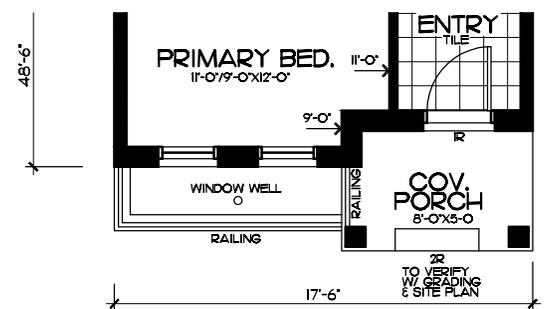
D02



NOTE:
9'-0" HIGH CEILING
THROUGHOUT GROUND FL.

**MAIN FLOOR PLAN
3 BEDRM. PLAN
ELEV. A**

MAIN FLOOR AREA (UNIT #1) = 838 S.F.



NOTE:
9'-0" HIGH CEILING
THROUGHOUT GROUND FL.

**MAIN FLOOR PLAN
3 BEDRM. PLAN
ELEV. B**

MAIN FLOOR AREA (UNIT #1) = 838 S.F.

DATE: _____

DESIGN DRAWINGS APPROVED
BY: _____

PRINT: _____

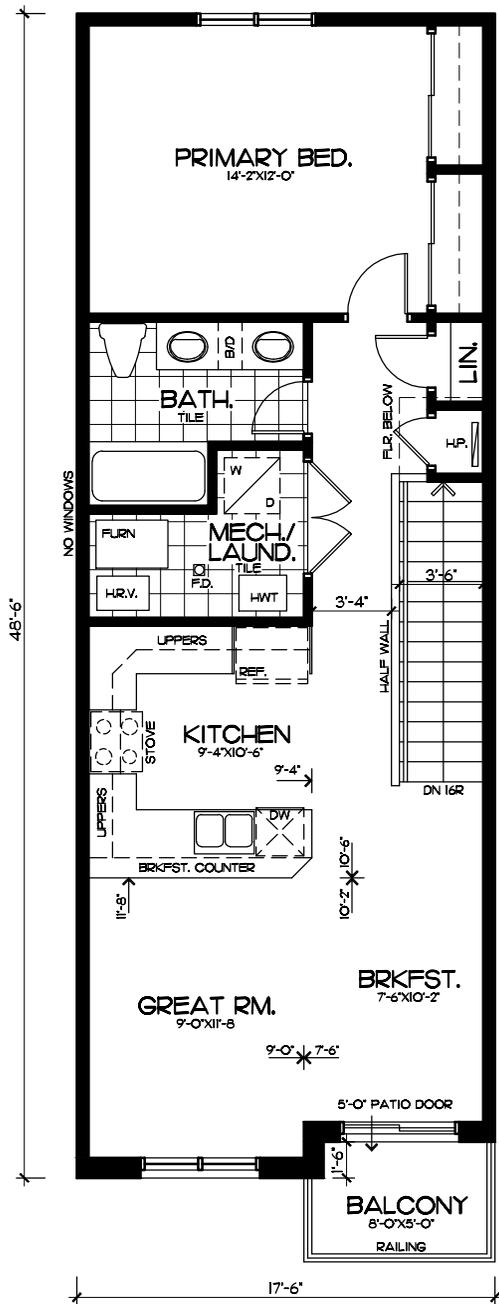
SIGN: _____



70 Main Street N., P.O. Box 38
Campbellville, ON, L0P 1B0
Ph. 905-854-9696
Fax 905-854-9559
Cell 905-815-3438
EMAIL : jeffjansendesign@gmail.com

OWNERS INFORMATION :
RYAN KOTAR
CIELO HOMES
575 WILSON STREET
HAMILTON, ON
ryan@cielohomes.ca (905-746-5835)

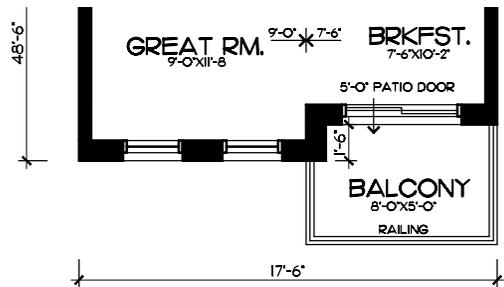
D03



NOTE:
8'-0" HIGH CEILING
THROUGHOUT SECOND FL.

**UPPER FLOOR PLAN
1 BEDRM. PLAN
(INCLUDES LOWER LANDING)
ELEV. A**

UPPER FLOOR AREA (UNIT #2) - 806 S.F.
(INCLUDES LOWER LANDING)



NOTE:
8'-0" HIGH CEILING
THROUGHOUT SECOND FL.

**UPPER FLOOR PLAN
1 BEDRM. PLAN
(INCLUDES LOWER LANDING)
ELEV. B**

UPPER FLOOR AREA (UNIT #2) - 806 S.F.
(INCLUDES LOWER LANDING)

DATE: _____

DESIGN DRAWINGS APPROVED
BY: _____

PRINT: _____

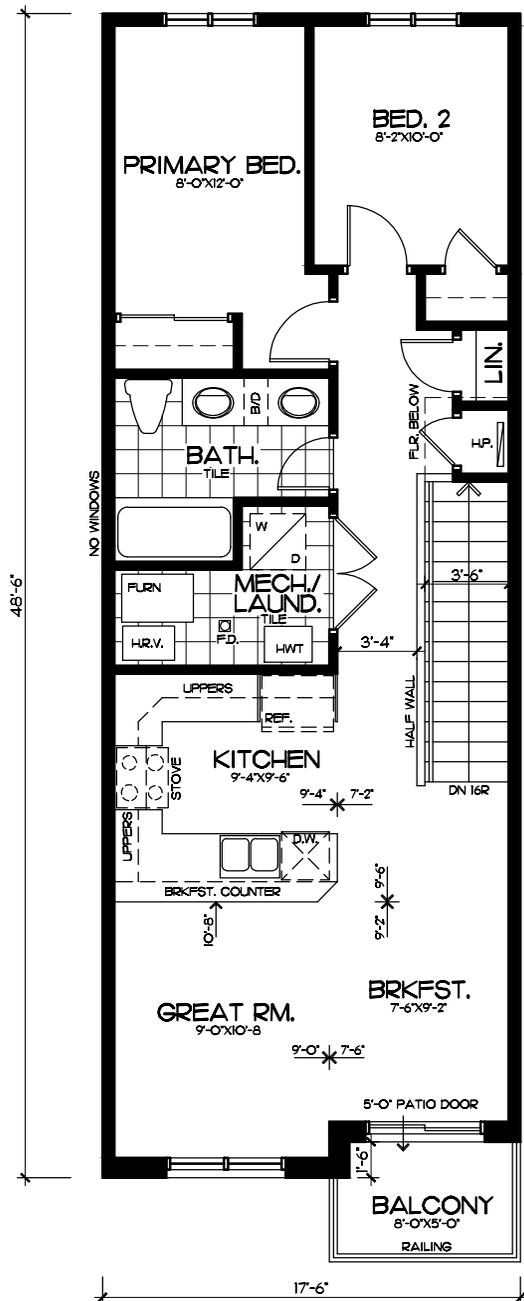
SIGN: _____



70 Main Street N., P.O. Box 38
Campbellville, ON, L0P 1B0
Ph. 905-854-9696
Fax 905-854-9559
Cell 905-815-3438
EMAIL : jeffjansendesign@gmail.com

OWNERS INFORMATION :
RYAN KOTAR
CIELO HOMES
575 WILSON STREET
HAMILTON, ON
ryan@cielohomes.ca (905-746-5835)

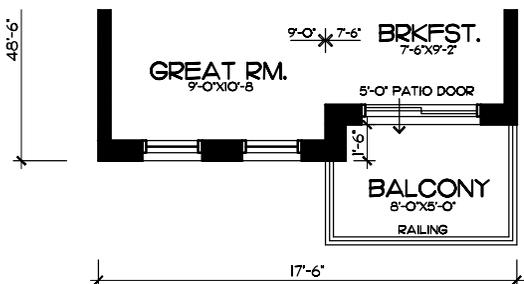
D04



NOTE:
8'-0" HIGH CEILING
THROUGHOUT SECOND FL.

**UPPER FLOOR PLAN
2 BEDRM. PLAN
(INCLUDES LOWER LANDING)
ELEV. A**

UPPER FLOOR AREA (UNIT #2) = 806 S.F.
(INCLUDES LOWER LANDING)



NOTE:
8'-0" HIGH CEILING
THROUGHOUT SECOND FL.

**UPPER FLOOR PLAN
2 BEDRM. PLAN
(INCLUDES LOWER LANDING)
ELEV. B**

UPPER FLOOR AREA (UNIT #2) = 806 S.F.
(INCLUDES LOWER LANDING)

DATE: _____

DESIGN DRAWINGS APPROVED
BY: _____

PRINT: _____

SIGN: _____



70 Main Street N., P.O. Box 38
Campbellville, ON, L0P 1B0
Ph. 905-854-9696
Fax 905-854-9559
Cell 905-815-3438
EMAIL : jeffjansendesign@gmail.com

OWNERS INFORMATION :
RYAN KOTAR
CIELO HOMES
575 WILSON STREET
HAMILTON, ON
ryan@cielohomes.ca (905-746-5835)

D05



FRONT ELEVATION ELEVATION A 1 BED & 2 BED. PLAN

DATE: _____
 DESIGN DRAWINGS APPROVED
 BY: _____
 PRINT: _____
 SIGN: _____

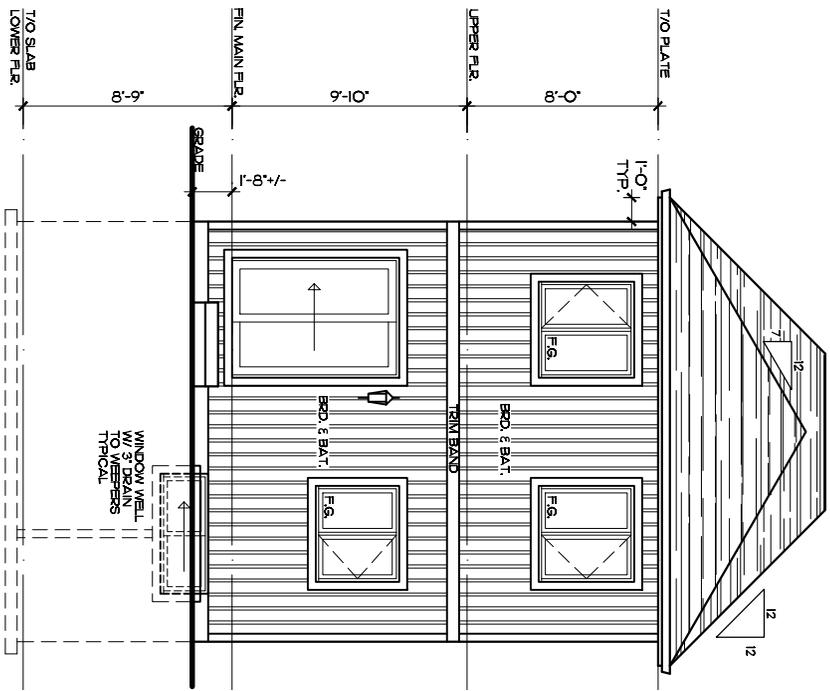


70 Main Street N., P.O. Box 38
 Campbellville, ON, L0P 1B0
 Ph. 905-854-9696
 Fax 905-854-9559
 Cell 905-815-3438
 EMAIL : jeffjansendesign@gmail.com

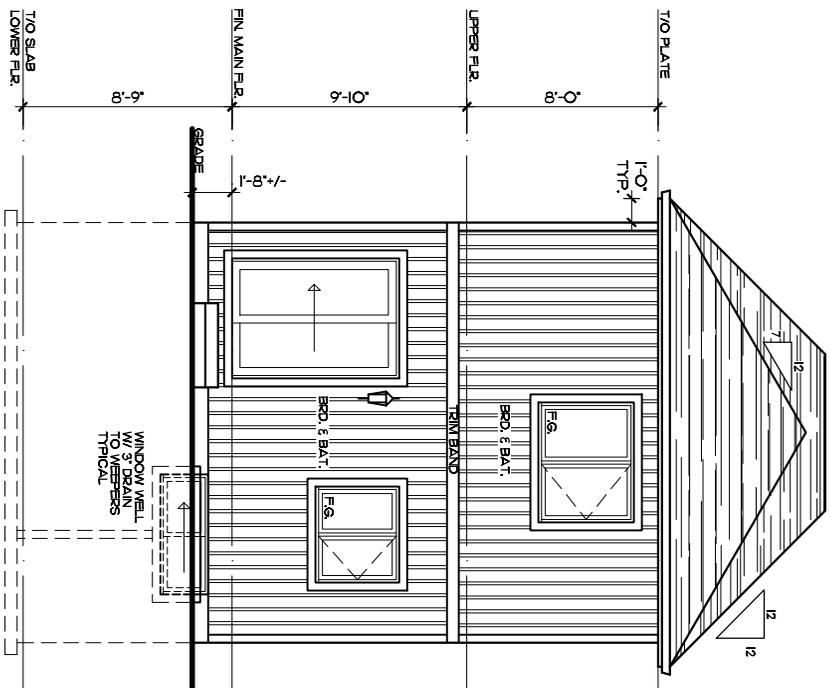
OWNERS INFORMATION :
 RYAN KOTAR
 CIELO HOMES
 575 WILSON STREET
 HAMILTON, ON
 ryan@cielohomes.ca (905-746-5835)

D06

**REAR ELEVATION
ELEVATION A
2 BED. PLAN**



**REAR ELEVATION
ELEVATION A
1 BED. PLAN**



DATE: _____

DESIGN DRAWINGS APPROVED BY: _____

PRINT: _____

SIGN: _____

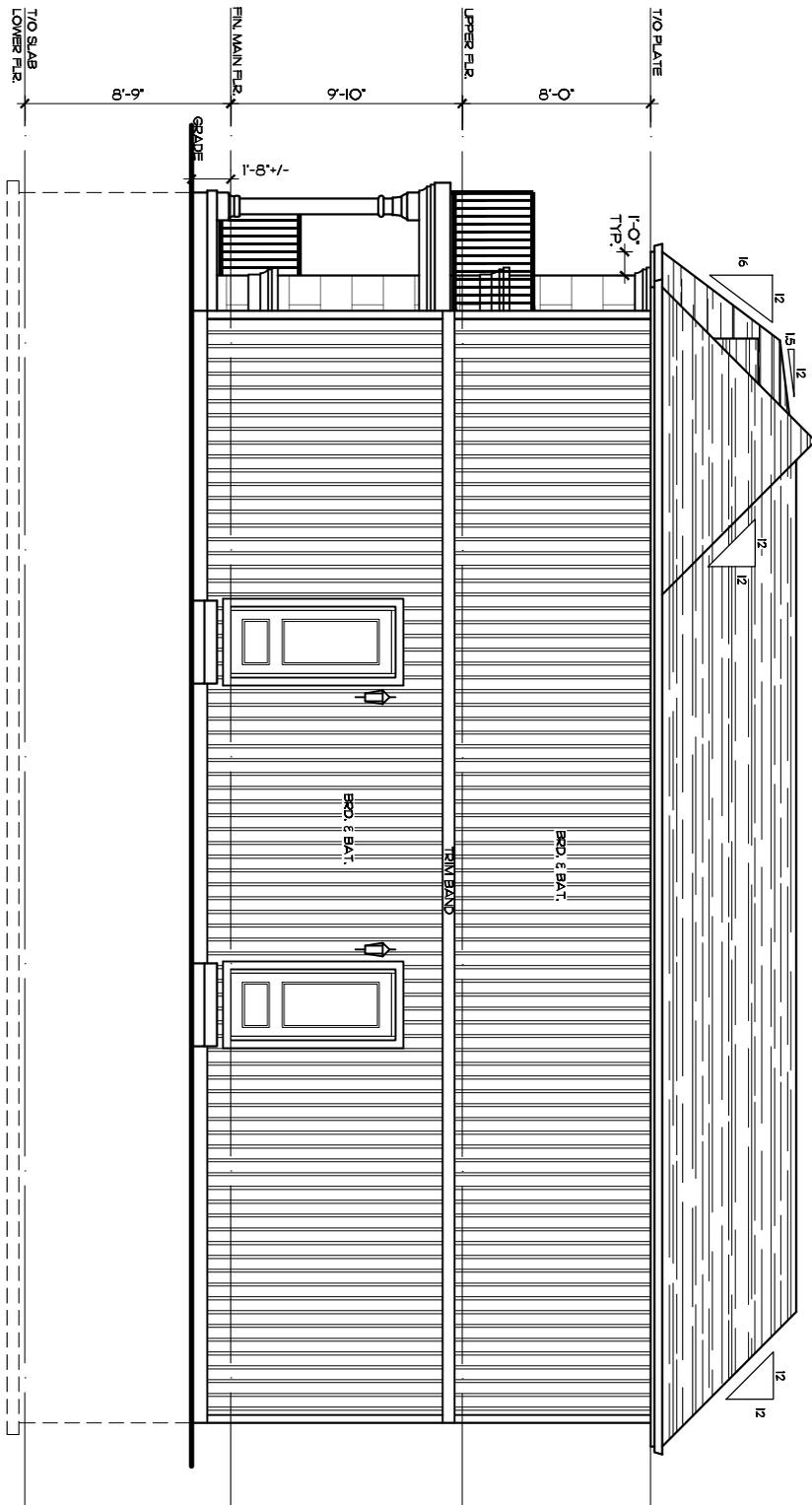


70 Main Street N., P.O. Box 38
Campbellville, ON, L0P 1B0
Ph. 905-854-9696
Fax 905-854-9559
Cell 905-815-3438
EMAIL : jeffjansendesign@gmail.com

OWNERS INFORMATION :
RYAN KOTAR
CIELO HOMES
575 WILSON STREET
HAMILTON, ON
ryan@cielohomes.ca (905-746-5835)

D07

**RIGHT ELEVATION
ELEVATION A
1 BED. & 2 BED. PLAN**



DATE: _____

DESIGN DRAWINGS APPROVED BY: _____

PRINT: _____

SIGN: _____

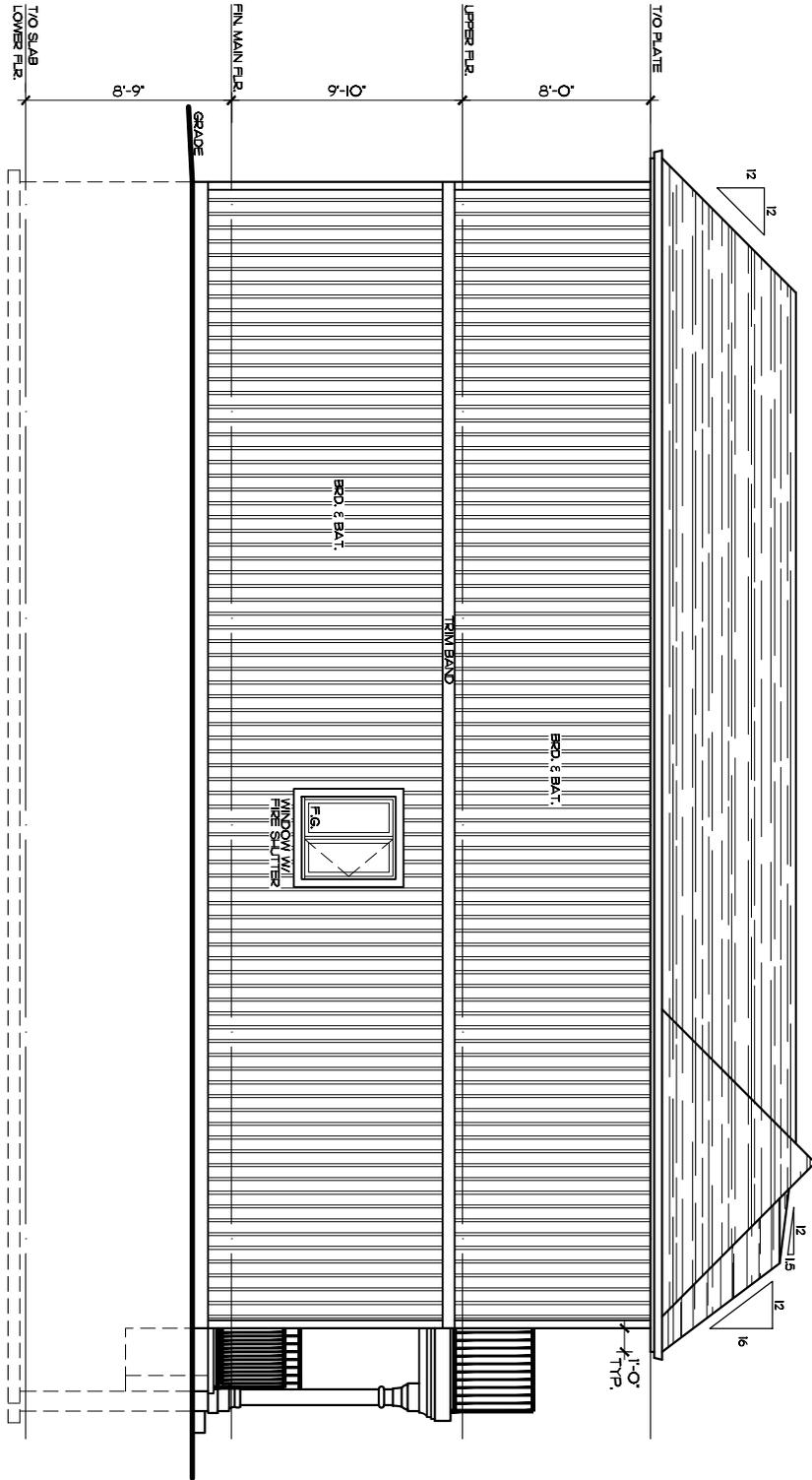


70 Main Street N., P.O. Box 38
Campbellville, ON, L0P 1B0
Ph. 905-854-9696
Fax 905-854-9559
Cell 905-815-3438
EMAIL : jeffjansendesign@gmail.com

OWNERS INFORMATION :
RYAN KOTAR
CIELO HOMES
575 WILSON STREET
HAMILTON, ON
ryan@cielohomes.ca (905-746-5835)

D08

**LEFT ELEVATION
ELEVATION A
2 BED. PLAN**



DATE: _____

DESIGN DRAWINGS APPROVED BY: _____

PRINT: _____

SIGN: _____

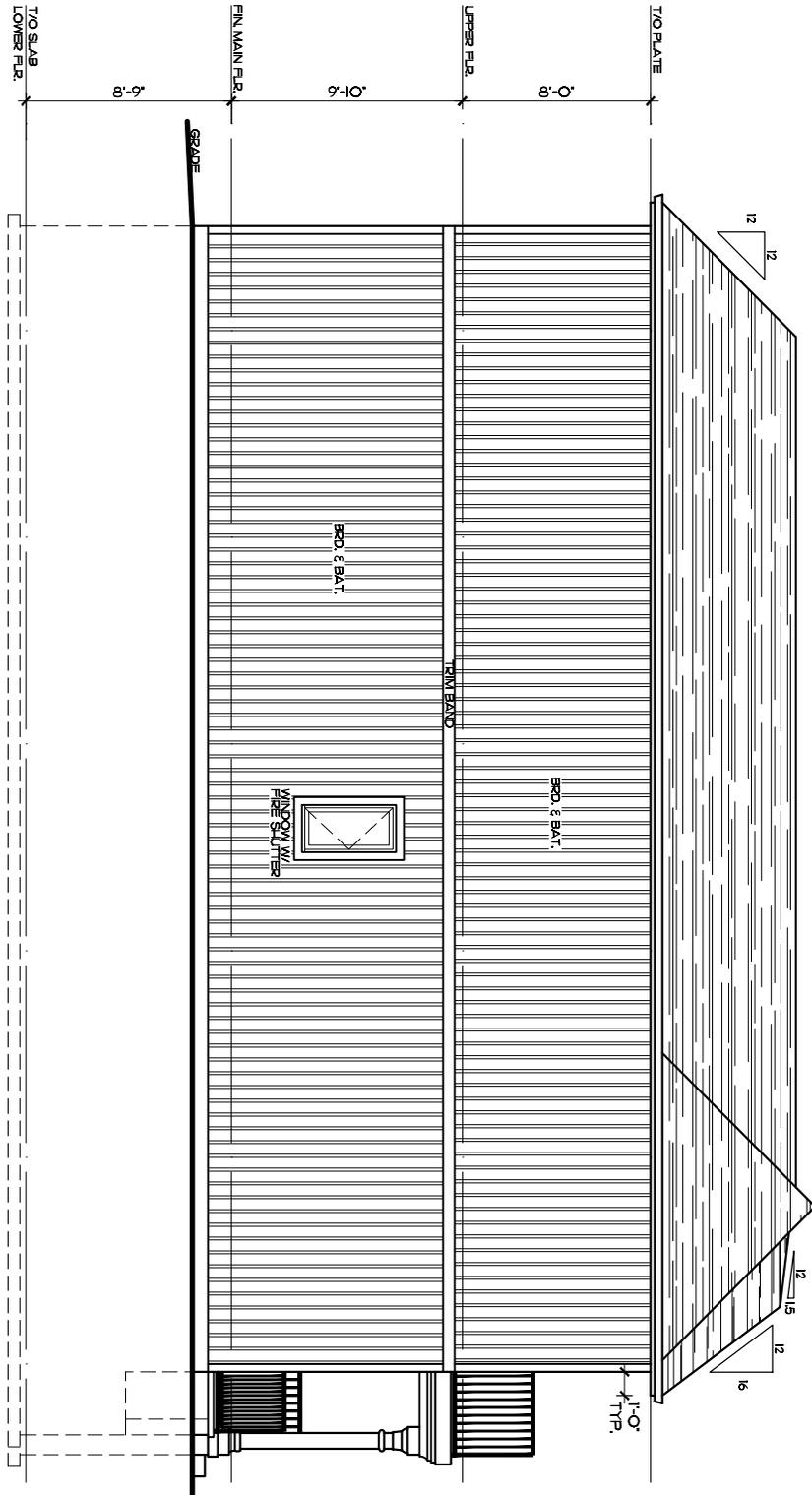


70 Main Street N., P.O. Box 38
Campbellville, ON, L0P 1B0
Ph. 905-854-9696
Fax 905-854-9559
Cell 905-815-3438
EMAIL : jeffjansendesign@gmail.com

OWNERS INFORMATION :
RYAN KOTAR
CIELO HOMES
575 WILSON STREET
HAMILTON, ON
ryan@cielohomes.ca (905-746-5835)

D09

**LEFT ELEVATION
ELEVATION A
1 BED. PLAN**



DATE: _____

DESIGN DRAWINGS APPROVED BY: _____

PRINT: _____

SIGN: _____



70 Main Street N., P.O. Box 38
Campbellville, ON, L0P 1B0
Ph. 905-854-9696
Fax 905-854-9559
Cell 905-815-3438
EMAIL : jeffjansendesign@gmail.com

OWNERS INFORMATION :
RYAN KOTAR
CIELO HOMES
575 WILSON STREET
HAMILTON, ON
ryan@cielohomes.ca (905-746-5835)

D10



FRONT ELEVATION ELEVATION B 1 BED. & 2 BED. PLAN

DATE: _____

DESIGN DRAWINGS APPROVED
BY: _____

PRINT: _____

SIGN: _____

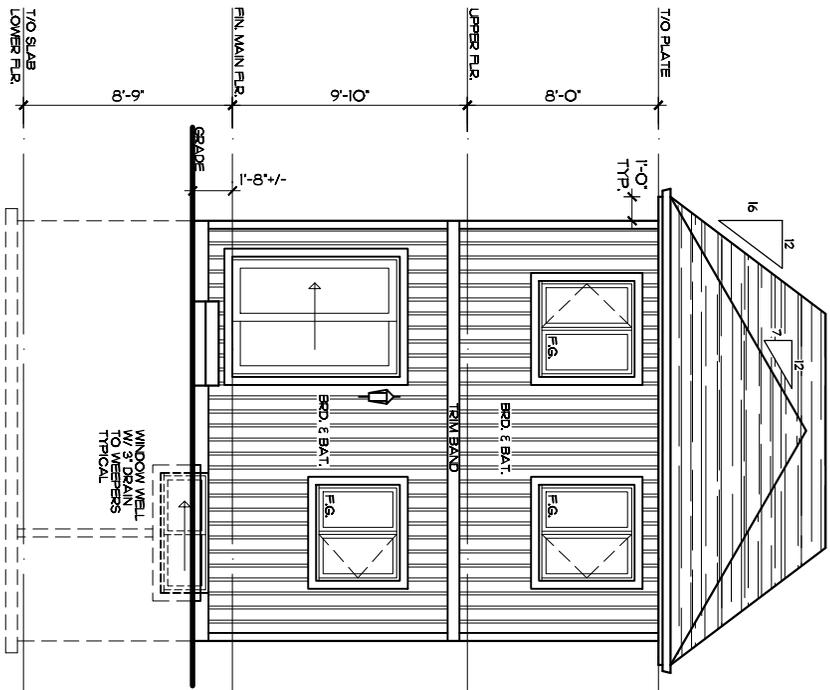


70 Main Street N., P.O. Box 38
Campbellville, ON, L0P 1B0
Ph. 905-854-9696
Fax 905-854-9559
Cell 905-815-3438
EMAIL : jeffjansendesign@gmail.com

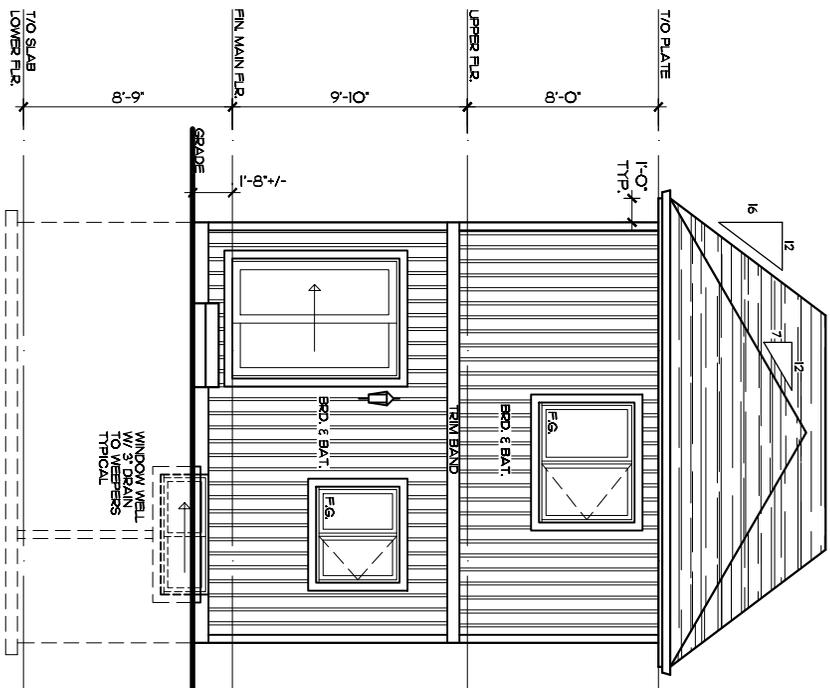
OWNERS INFORMATION :
RYAN KOTAR
CIELO HOMES
575 WILSON STREET
HAMILTON, ON
ryan@cielohomes.ca (905-746-5835)

D11

**REAR ELEVATION
ELEVATION B
2 BED. PLAN**



**REAR ELEVATION
ELEVATION B
1 BED. PLAN**



DATE: _____

DESIGN DRAWINGS APPROVED BY: _____

PRINT: _____

SIGN: _____

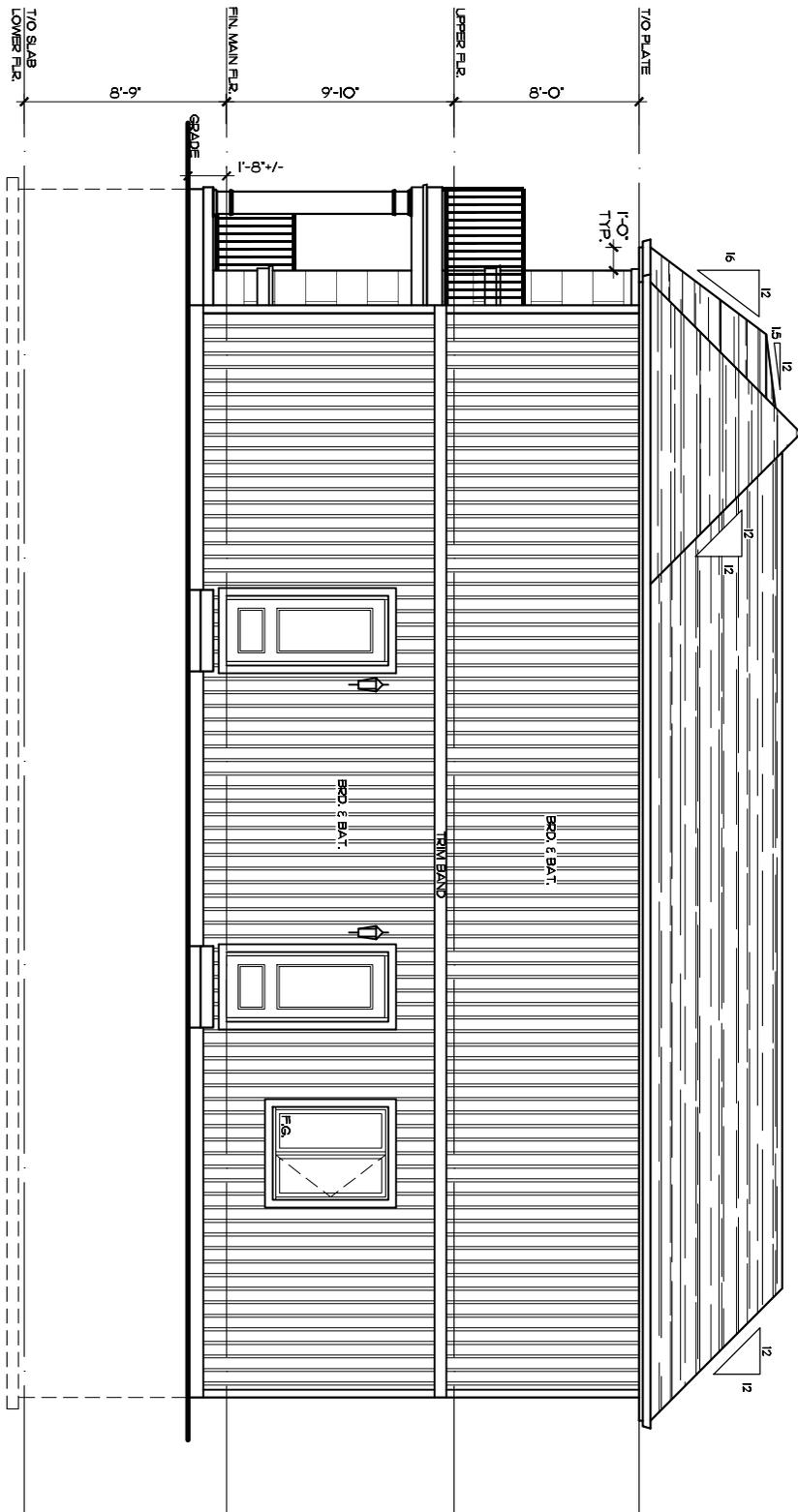


70 Main Street N., P.O. Box 38
Campbellville, ON, L0P 1B0
Ph. 905-854-9696
Fax 905-854-9559
Cell 905-815-3438
EMAIL : jeffjansendesign@gmail.com

OWNERS INFORMATION :
RYAN KOTAR
CIELO HOMES
575 WILSON STREET
HAMILTON, ON
ryan@cielohomes.ca (905-746-5835)

D12

**RIGHT ELEVATION
ELEVATION B
1 BED. & 2 BED. PLAN**



DATE: _____

DESIGN DRAWINGS APPROVED BY: _____

PRINT: _____

SIGN: _____

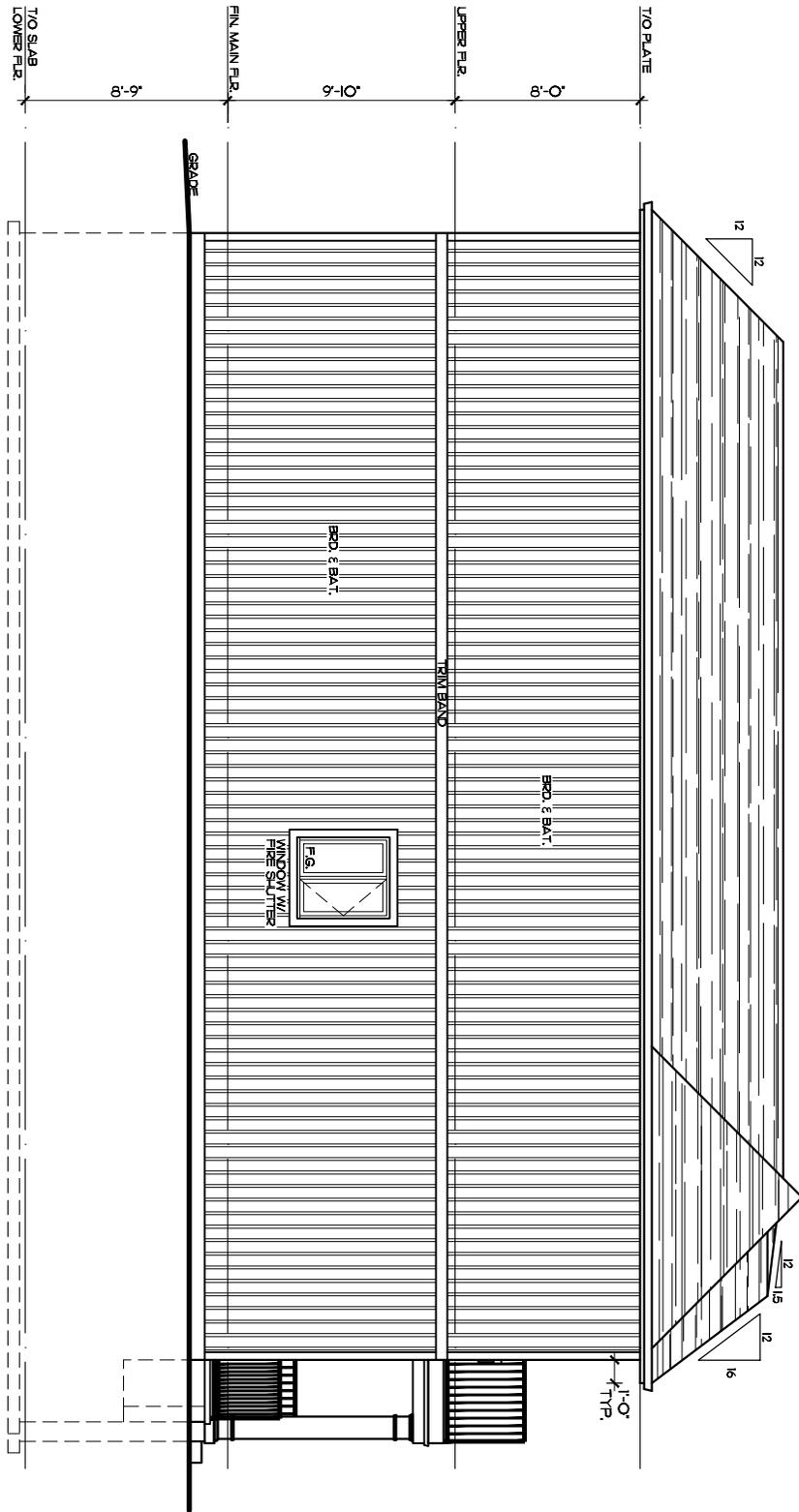


70 Main Street N., P.O. Box 38
Campbellville, ON, L0P 1B0
Ph. 905-854-9696
Fax 905-854-9559
Cell 905-815-3438
EMAIL : jeffjansendesign@gmail.com

OWNERS INFORMATION :
RYAN KOTAR
CIELO HOMES
575 WILSON STREET
HAMILTON, ON
ryan@cielohomes.ca (905-746-5835)

D13

**LEFT ELEVATION
ELEVATION B
2 BED. PLAN**



DATE: _____

DESIGN DRAWINGS APPROVED BY: _____

PRINT: _____

SIGN: _____

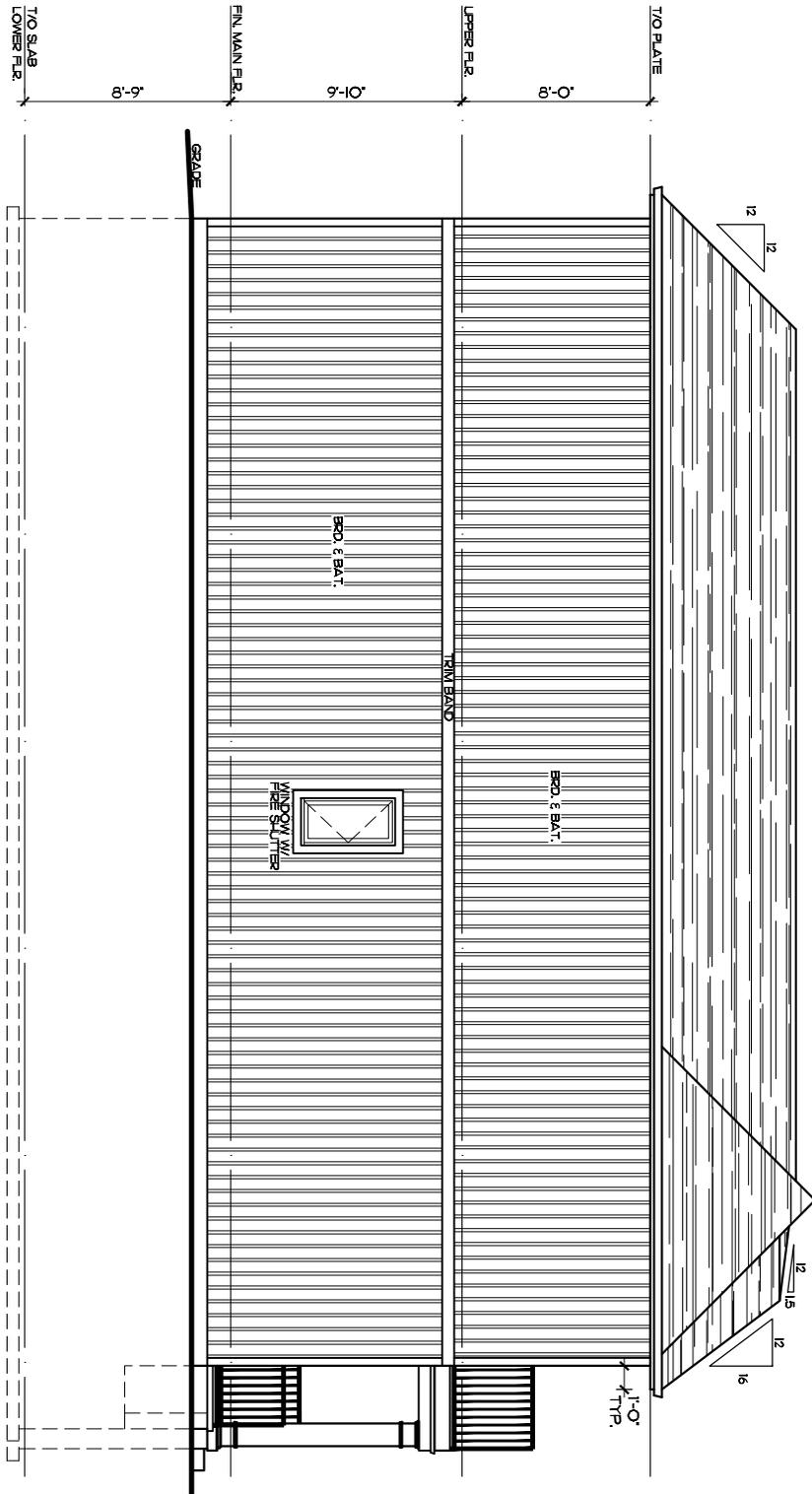


70 Main Street N., P.O. Box 38
Campbellville, ON, L0P 1B0
Ph. 905-854-9696
Fax 905-854-9559
Cell 905-815-3438
EMAIL : jeffjansendesign@gmail.com

OWNERS INFORMATION :
RYAN KOTAR
CIELO HOMES
575 WILSON STREET
HAMILTON, ON
ryan@cielohomes.ca (905-746-5835)

D14

**LEFT ELEVATION
ELEVATION B
1 BED. PLAN**



DATE: _____

DESIGN DRAWINGS APPROVED BY: _____

PRINT: _____

SIGN: _____



70 Main Street N., P.O. Box 38
Campbellville, ON, L0P 1B0
Ph. 905-854-9696
Fax 905-854-9559
Cell 905-815-3438
EMAIL : jeffjansendesign@gmail.com

OWNERS INFORMATION :
RYAN KOTAR
CIELO HOMES
575 WILSON STREET
HAMILTON, ON
ryan@cielohomes.ca (905-746-5835)

D15



Hamilton

March 13, 2024

FILE: ALR
FOLDER: 24-_____ALR
ATTENTION OF: Matthew Stavroff
TELEPHONE NO: (905) 546-2424
EXTENSION: 5716

AMY SCHAEFFER
70 MAIN STREET NORTH PO BOX 38
CAMBELLVILLE, ON. L0P 1B0

Attention:

RE: APPLICABLE LAW REVIEW – ZONING BYLAW COMPLIANCE REVIEW
PRESENT ZONING: D/S-1822 (HAMILTON ZONING BY-LAW 6593)
ADDRESS: 575 WILSON STREET, HAMILTON

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

COMMENTS:

1. The applicant is proposing to sever the existing property into five (5) separate lots and construct a two (2) family dwelling on each of the proposed lots.
2. This property is currently zoned 'D/S-1822' of Hamilton Zoning By-law 6593.
3. Please be advised that the use of a two (2) family dwelling or a Single Family Dwelling with a Secondary Dwelling Unit are both permitted uses in the current zoning designation.

The following review is based on a use of Single Family Dwelling each containing one (1) Secondary Dwelling Unit.

4. It has been indicated that the applicant/owner is currently in the process of obtaining/finalizing the severance application which is necessary to create each of the five (5) proposed lots.

There is insufficient information available at this time to confirm the current status of the severance application(s).

5. The City of Hamilton is continuing to develop Hamilton Zoning By-law 05-200 which encompasses the former City of Hamilton and the five (5) outlining municipalities. Please be advised that the next phase is the Residential Zones Project which will include Low Density Residential Zones. The subject property may be impacted by upcoming changes which was heard at the Planning Committee meeting of February 23, 2024.

As of today's date, this by-law has not yet been brought forward to city council.

Please visit <https://www.hamilton.ca/build-invest-grow/planning-development/zoning/residential-zones-project> or email rezoning@hamilton.ca for further information.

6. The proposed development has been reviewed and compared to the standards of the current D/S-1833 district as indicated in the following chart:

	Required By By-Law	Provided	Conforming/ Non-Conforming
Section 10 of Hamilton Zoning By-law 6593			
Maximum Building Height Section 10(2) of Hamilton Zoning By-law 6593	Three (3) Storeys	Two (2) Storeys	Conforms
	14.0m	+/-8.1m	Conforms
Minimum Front Yard Section 10(3)(i) of Hamilton Zoning By-law 6593	6.0m	5.75m	Non-Conforming
Yard Encroachment – Front Porch Section 18(3)(vi)(d) of Hamilton Zoning By-law 6593	A roofed-over or screened but otherwise unenclosed one-storey porch at the first storey level, including eaves and gutters, may project into a required front yard or rear yard to a distance of not more than 3.0 metres, and every such projecting porch shall be distant at least 1.5 metres from the front lot line	Porch setback: 5.4m 5.7m proposed front yard setback – 5.4m = 0.3m encroachment	Appears will Conform <i>Upon on a successfully approved minor variance to permit a minimum front yard setback of 5.7m</i>
Yard Encroachment – Front Balcony Section 18(3)(vi)(cc) of Hamilton Zoning By-law 6593	A balcony may project into a required front yard not more than 1.0 metre, provided that no such projection shall be closer to a street line than 1.5 metres	Balcony setback: 5.4m 5.7m proposed front yard setback – 5.4m = 0.3m encroachment	Appears will Conform <i>Upon a successfully approved minor variance to permit a minimum front yard setback of 5.7m</i>
Minimum Side Yard Section 10(3)(ii) of Hamilton Zoning By-law 6593	1.2m for buildings not over 2½ storeys or 11.0m	0.7m	Non-Conforming
	2.17m for any other buildings	These buildings do not exceed 2.5 storeys or 11.0m in height	Not Applicable
Minimum Rear Yard Section 10(3)(iii) of Hamilton Zoning By-law 6593	7.5m	5.2m	Non-Conforming
Yard Encroachment –	A terrace, uncovered porch,	Greater than 0.5m from a	Conforms

	Required By By-Law	Provided	Conforming/ Non-Conforming
Rear Deck Section 10(3)(vi)(e) of Hamilton Zoning By-law 6593	platform or ornamental feature which does not extend more than 1.0 metre above the floor level of the first storey, may project into a required yard, if distant at least 0.5 metres from the nearest side lot line and at least 1.5 metres from the nearest street line;	lot line.	
Minimum Lot Area Section 10(4) of Hamilton Zoning By-law 6593	Single Family Dwelling – 360.0m ² Two Family Dwelling – 540.0m²	195.0m ²	Unable to Determine Compliance <i>It is noted on the submitted application that a Minor Variance has been obtained to permit a reduced lot area.</i> <i>Please be advised that insufficient information is available at this time to confirm the status/details of any previously approved Minor variances.</i>
Minimum Lot Width Section 10(4) of Hamilton Zoning By-law 6593	Single Family Dwelling – 12.0m Two Family Dwelling – 18.0m	7.3m	Unable to Determine Compliance <i>It is noted on the submitted application that a Minor Variance has been obtained to permit a reduced lot width.</i> <i>Please be advised that insufficient information is available at this time to confirm the status/details of any previously approved Minor variances.</i>
Section 18 – Additional Yard Encroachments			
Yard Encroachment – Eaves and Gutters Section 18(3)(vi)(cc) of	<i>Eaves or gutter may project;</i> (i) into a required front yard not	30.0cm typical projection indicated.	Conforms

	Required By By-Law	Provided	Conforming/ Non-Conforming
Hamilton Zoning By-law 6593	<p>more than 1.5 metre provided that no such projection shall be closer to a street line than 1.5 metres</p> <p>(ii) into a required rear yard not more than 1.5 metre;</p> <p>(iii) into a required side yard not more than one-half of its width, or 1.0 metre, whichever is the lesser;</p>		
Section 18A - Parking Requirements			
<p>Minimum Number of Parking Spaces Section 18A Table 1 of Hamilton Zoning By-law 6593</p>	<p><u>Single Family Dwelling:</u> One (1) parking space for the first eight (8) habitable rooms, plus an additional 0.5 spaces for each habitable room in excess of eight (8).</p> <p style="text-align: center;">PLUS</p> <p><u>Secondary Dwelling Unit:</u> One (1) parking space</p> <p><i>Therefore three (3) parking spaces are required for each lot.</i></p>	One (1) parking space proposed.	Non-Conforming
<p>Minimum Manoeuvring Space Section 18A(1)(f) and Table 6 of Hamilton Zoning By-law 6593</p>	6.0m	0.0m	Deem to Comply Pursuant to Section 18A(14h) below.
<p>Minimum Parking Space Size Section 18A(7) of Hamilton Zoning By-law 6593</p>	2.7m x 6.0m	2.8m x 5.8m	Non-Conforming
Section 18A(14a) of Hamilton Zoning By-law 6593	Except for single family dwellings, two family dwellings and three family dwellings erected prior to December 14, 1971, no part of a required parking space for a single family dwelling, two family dwelling or three family dwelling in a residential district shall be located in a required front yard and not less than 50% of the gross area of the front yard shall be used for a landscaped area excluding concrete, asphalt, gravel, pavers or other similar materials.	The percentage of the front yard intended as landscaping vs driveway paving has not been indicated.	<p>Unable to Determine Compliance <i>Please be advised that at least 50% of the front yard shall be landscaped (i.e lawn, planting etc.)</i></p>
Section 18A(14d) of Hamilton Zoning By-law 6593	For the purposes of clauses (14a)(14b)&(14h), the gross area of the front yard shall be calculated as the area between the front lot line and		

	Required By By-Law	Provided	Conforming/ Non-Conforming
	<p>the front of the principal dwelling and the area extending from the side lot line to side lot line but subtracting:</p> <ul style="list-style-type: none"> - unenclosed entrance porches - vestibules -ramps -front steps -chimneys -bay windows -ornamental projections -terraces -platforms -a walkway between the front entrance of the principal dwelling and the front lot line or driveway with a maximum width of 0.6m 		
Section 18A(14g) of Hamilton Zoning By-law 6593	Except as provided for in clauses (14a),(14b) and (14h), no part of the required parking area in a residential district shall be located in a required front yard.	Parking is proposed in the front yard.	Deemed to Comply <i>pursuant to Section 18A(14h) below.</i>
Section 18A(14h) of Hamilton Zoning By-law 6593	<p>For the purpose of a single family dwelling, the following shall apply:</p> <p>i) only one of the required parking spaces may be located in the front yard, and</p> <p>ii) notwithstanding subsection 10, only the accessibility to one of the required parking spaces may be obstructed by any other required parking spaces.</p>	One (1) parking space is proposed in the front yard.	Conforms
Section 18A(21) of Hamilton Zoning By-law 6593	<p>All required parking spaces and manoeuvring space shall have access by means of one or more access driveways,</p> <p>a) located on the lot, or</p> <p>b) located partly on the lot in the case of a mutual driveway</p> <p>c) by means of a right of way</p>	On the lot.	Conforms
Section 18A(22) of Hamilton Zoning By-law 6593	All manoeuvring space shall be maintained free and clear of all obstructions to permit unobstructed access to and from required parking spaces.	Free and Clear	Conforms
Section 18A(23) of Hamilton Zoning By-law 6593	Every access driveway shall provide easy access from a highway to the parking are to which the access driveway is accessory.	Direct access from a public right of way is provided for each lot/dwelling.	Conforms

	Required By By-Law	Provided	Conforming/ Non-Conforming
Section 18A(24) of Hamilton Zoning By-law 6593	Every parking area for a use where, a) There are <u>five or less</u> parking spaces shall have: not less than one access driveway or one mutual driveway, having a width of at least 2.8m	Minimum 2.8m wide access driveway.	Conforms
Section 18A(31) of Hamilton Zoning By-law 6593	A gravel or similar surface or other suitable paving shall be provided and maintained for every parking space and access driveway accessory to a single family dwelling, two family dwelling and to a street townhouse dwellings each having separate access driveways.	Surface treatment of the driveway has not been indicated.	Unable to Determine Compliance
Section 19 – Secondary Dwelling Unit Regulations			
Section 19(1)1 of Hamilton Zoning By-law 6593	(i) A maximum of one Secondary Dwelling Unit shall be permitted within a Single Detached Dwelling, a Semi-Detached Dwelling, or a Street Townhouse Dwelling on a divided or undivided lot and shall not result in a change to the defined dwelling type on the lot	One Secondary Dwelling Unit proposed for each.	Conforms
	(ii) All the regulations of this By-law applicable to the existing dwelling shall continue to apply unless specifically provided in Section 19.(1).1.	Reviewed in table above.	
	(iii) A Secondary Dwelling Unit shall contain a maximum of two bedrooms.	Each building contains at least one (1) unit having two (2) bedrooms or less.	Conforms
	(iv) There shall be no outside stairway above the first floor other than a required exterior exit.	No outside stairway above first level.	Conforms
	(v) A maximum of one entrance shall be permitted on the front façade of a dwelling containing a Secondary Dwelling Unit.	One (1) entrance at front façade.	Conforms

7. A building permit(s) will be required in the normal manner for the construction of the proposed dwellings.
8. All new signs proposed for this development must comply with the regulations contained within the Sign By-law 10-197.

9. All new fences proposed for this development must comply with the regulation contained within the Fence By-law 10-142.

10. This review is based on the plans submitted with the application.

Yours truly

A handwritten signature in black ink that reads "Matt Stumm". The signature is written in a cursive style with a large, sweeping initial "M".

for the Manager of Zoning and Committee of Adjustment



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)	CIELO RESIDENTIAL INC. c/o RYAN KOTAR
Applicant(s)	AMY TALUKDER JEFF JANSEN OF JANSEN CONSULTING
Agent or Solicitor	
	Phone:
	E-mail:

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*

*M

2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	5750 WILSON ST., HAMILTON		
Assessment Roll Number	2518 03023358490		
Former Municipality	FORMER HAMILTON		
Lot	21 Pt. 12	Concession	
Registered Plan Number	↓ 393	↓ 26	Lot(s)
Reference Plan Number (s)		Part(s)	

* APP FOR "PM1T 5" LABELLED ON SITE PLAN *

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:

• MINIMUM SIDE YARD : 0.7M (1.2M REQ.)

• MINIMUM REAR YARD : 4.52M (7.5M REQ.)

• PARKING SPACES: 1 PROVIDED (REQ. - ~~REQ.~~ STREET PARKING FOR REST)

• FRONT YARD LANDSCAPING: 45.3% (50% REQ.)

Second Dwelling Unit

Reconstruction of Existing Dwelling

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

DUE TO SEVERANCE, LOT SIZE IS SMALLER MAKING IT MORE DIFFICULT TO COMPLY TO ZONING REQ'S. 2 UNITS ALSO PROPOSED PER LOT (SINGLE FAMILY DWELLING + SECONDARY DWELLING UNIT) REDUCING SPACE ~~NECESSARY TO COMPLY.~~

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
7.32M	27.39M	195.17 M2	17.7M

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
N/A - EMPTY LOT				

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
SFD	5.40 M (TO REAR)	4.52 M	0.71 M + 1.22 M	2024/2025

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
N/A				

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
SFD	77.85 M ²	212.5 M ²	2	8 M

4.4 Type of water supply: (check appropriate box)

- publicly owned and operated piped water system
 privately owned and operated individual well

- lake or other water body
 other means (specify)

4.5 Type of storm drainage: (check appropriate boxes)

- publicly owned and operated storm sewers
 swales

- ditches
 other means (specify)

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

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

4.7 Type of access: (check appropriate box)

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

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

SINGLE DETACHED DWELLING W/ SECONDARY UNIT

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

SINGLE DETACHED DWELLINGS

7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:

MARCH 11, 2022

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

PARKING LOT

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

PARKING LOT

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): _____

Rural Settlement Area: _____

Urban Hamilton Official Plan designation (if applicable) URBAN PROTECTED RESIDENTIAL

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

• SFD per lot w/ secondary units complies to what is allowed per lot in this designation, providing more affordable housing.

7.6 What is the existing zoning of the subject land? D/S-1822

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: HM/1A-22:256 ~~256~~ + HM/1B-22:75

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: HM/B - 22:76 + HM/B - 22:77

8 ADDITIONAL INFORMATION

8.1 Number of Dwelling Units Existing: 0

8.2 Number of Dwelling Units Proposed: 2

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

- ① SINGLE FAMILY DWELLING
- ② SECONDARY UNIT^w

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
-
-