



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

CORRECTED 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-24:163 | SUBJECT PROPERTY: | 393 Rymal Road West, Hamilton |
| ZONE: | “DE/S-664, DE/S-664a, DE/S-664b, DE/S-664c, DE/S-1023” (Low Density Multiple Dwellings) | ZONING BY-LAW: | Zoning By-law former City of Hamilton 6593, as Amended |

APPLICANTS: Owner: Zest Communities Inc. - Rob Baibcco
Agent: Baiocco Construction Corp. - Sally Yong-Lee

The following variances are requested:

1. A maximum height of 7.0m shall be permitted instead of the maximum 4.0m height permitted for accessory buildings.
2. The proposed accessory building shall be permitted to be located within a required side yard as close as 6.2m to a side lot line whereas the zoning By-law states that no accessory building shall be located within a required side yard.

PURPOSE & EFFECT: To facilitate the construction of a 372.0m² accessory building (pergola) for the existing Retirement Community.

Notes:

No elevation plans were included with this application; as such, the applicant shall ensure that the requested height variance is correct and as per the height definition in the zoning By-law.

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, August 6, 2024 |
| TIME: | 1:55 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

PUBLIC INPUT

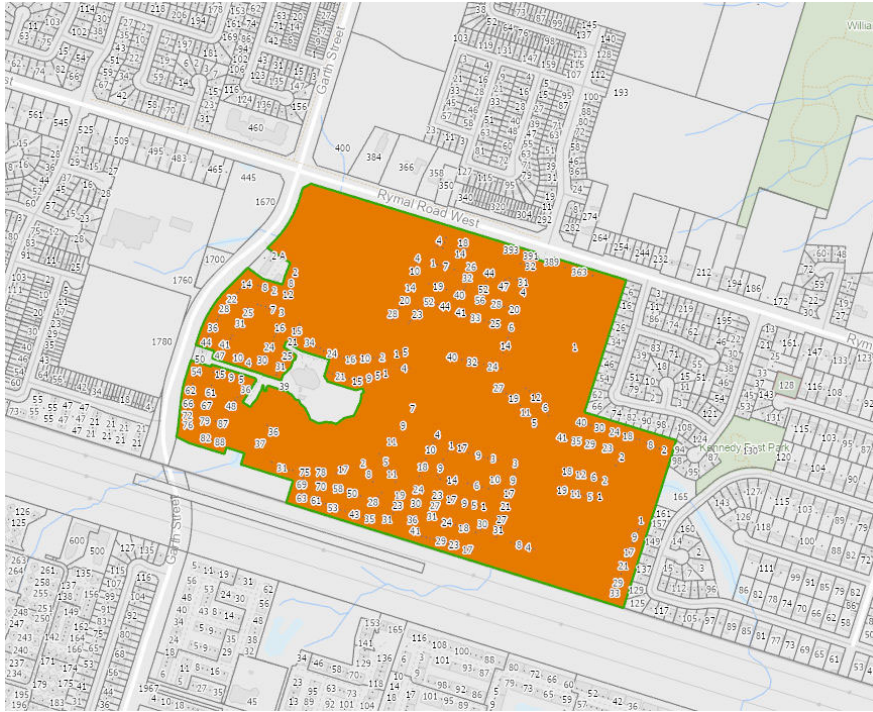
Written: If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Please see attached page for complete instructions, written comments must be received no later than noon August 2, 2024

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 August 2, 2024

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding A-24:163, 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: July 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.

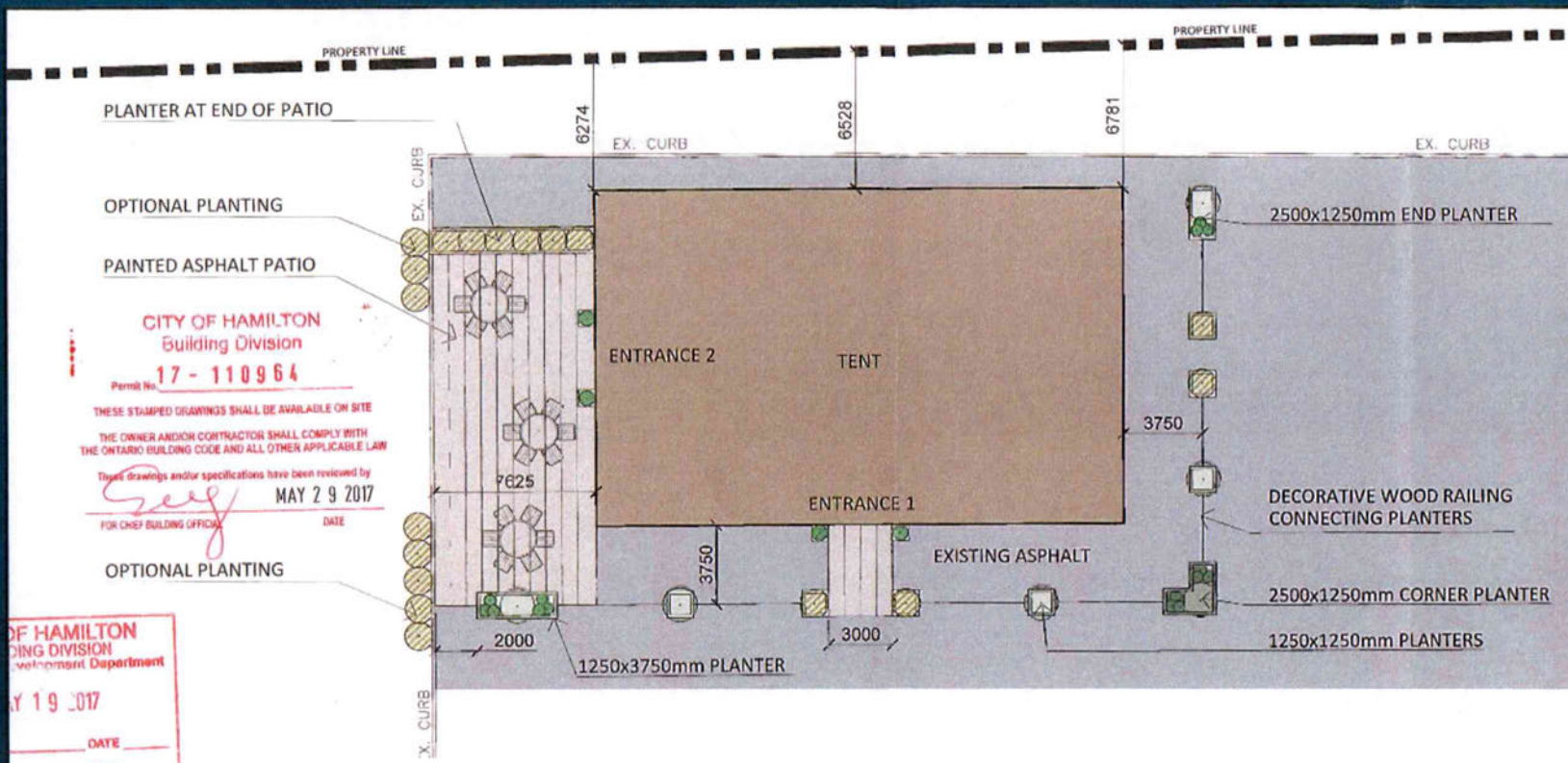
2. In person Oral Submissions

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.

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.

APPENDIX A



CITY OF HAMILTON
 Building Division
 Permit No. **17-110964**
 THESE STAMPED DRAWINGS SHALL BE AVAILABLE ON SITE
 THE OWNER AND/OR CONTRACTOR SHALL COMPLY WITH
 THE ONTARIO BUILDING CODE AND ALL OTHER APPLICABLE LAWS
 These drawings and/or specifications have been reviewed by
[Signature] **MAY 29 2017**
 FOR CHIEF BUILDING OFFICER DATE

CITY OF HAMILTON
 Planning Division
 Development Department
 MAY 19 2017
 DATE
 DATE
 DATE



KEY-PLAN

- PROPOSED LARGE CURB
- PROPOSED SMALL CURB
- PROPOSED SMALL CURB
- ASPHALT
- PAINTED ASPHALT
- PROPOSED DECORATIVE RAILING



SCALE: 1:100
 DRAWN BY: AZ
 CHECKED BY: MM
 DATE: 03/29/17
 CONCEPT SKETCH
 ISSUED FOR REVIEW



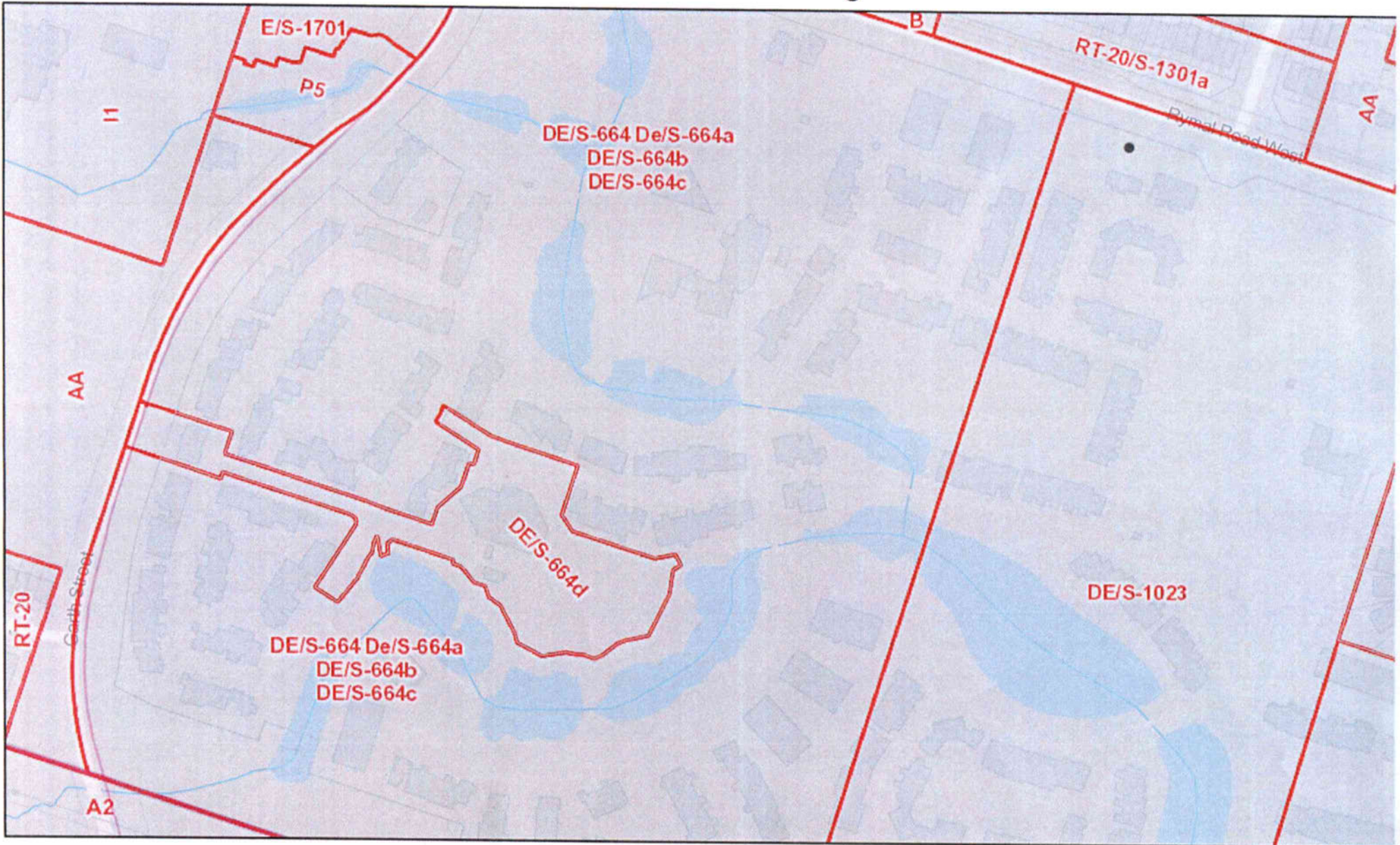
SER SPECIAL EVENTS TENT - ZEST

ST. ELIZABETH
 HOSPITAL
 HAMILTON

ZEST
 ENVIRONMENTAL

OMC
 LANDSCAPE ARCHITECTURE
 Innovative, Quality Planning
 270 Sherman Avenue North, Suite 215-102, Hamilton, ON L8L 6H4
 Telephone: 905.681.2504 Fax: 905.681.2944 www.omc.ca
 LANDSCAPE ARCHITECTURE - ENVIRONMENTAL PLANNING - RECREATION ANALYSIS

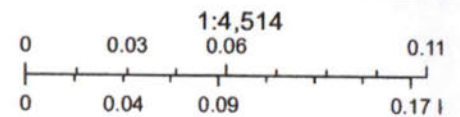
Interactive Zoning



2/6/2024, 11:52:35 AM

- Ward Boundary
- Community Boundary
- City Boundary
- Urban Boundary
- Property Parcels
- Zoning Compliance Review Required

- Zoning Boundaries
- Interim Control By-laws



APPENDIX B



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) | Zest Communities Inc. <i>Rob Baiocco</i> | |
| Applicant(s) | Baiocco Construction Corp. - Sally Yong-Lee | |
| 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 Credit over phone*
 Cheque

*Must provide number above

2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

| | | | |
|---------------------------|-----------------------------|------------|--|
| Municipal Address | 393 RYMAL RD W , HAMILTON | | |
| Assessment Roll Number | 2518081101081610000 Ward 08 | | |
| 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:

Storm Water Ponds

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:

Application to increase the current height variance (4m) to 7m - the height of existing tent structure. Reference Permit #23 137847 00TE.

Second Dwelling Unit

Reconstruction of Existing Dwelling

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

The tent structure has a height of 7m at peak.

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

Yes

No

If yes, please provide an explanation:

Tent (pergola) is an accessory structure providing a social gathering space for residents. We are seeking a variance for the height.

4. DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

4.1 Dimensions of Subject Lands:

| | | | |
|--------------|--------------|--------------|-----------------------|
| Lot Frontage | Lot Depth | Lot Area | Width of Street |
| Approx. 660m | Approx. 600m | Approx. 55ha | Private Internal Road |

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 |
|----------------------|----------------------------|-------------------|--------------------|----------------------|
| Tent Frame (Pergola) | 6.2 - 6.7 (See Appendix A) | See Appendix A | See Appendix A | 10/20/2023 |
| | | | | |
| | | | | |

Proposed:

| Type of Structure | Front Yard Setback | Rear Yard Setback | Side Yard Setbacks | Date of Construction |
|-------------------|--------------------|-------------------|--------------------|----------------------|
| See Above | See Above | See Above | See Above | 10/20/2023 |
| | | | | |
| | | | | |

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 |
|----------------------|-------------------|------------------|-------------------|--------|
| Tent Frame (Pergola) | 372m | 372m | 1 | 7m |
| | | | | |
| | | | | |

Proposed:

| Type of Structure | Ground Floor Area | Gross Floor Area | Number of Storeys | Height |
|----------------------|-------------------|------------------|-------------------|--------|
| Tent Frame (Pergola) | 372m | 372m | 1 | 7m |
| | | | | |
| | | | | |

4.4 Type of water supply: (check appropriate box)

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

- lake or other water body
 other means (specify)

4.5 Type of storm drainage: (check appropriate boxes)

- publicly owned and operated storm sewers
 swales

- ditches
 other means (specify)

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

publicly owned and operated sanitary sewage

system privately owned and operated individual

septic system other means (specify) _____

4.7 Type of access: (check appropriate box)

provincial highway

right of way

municipal road, seasonally maintained

other public road

municipal road, maintained all year _____

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

Office building, retirement residences, bungalow garden homes

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

Residential

7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:

Approximately 2013

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

Office building, retirement residences, bungalow garden homes

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

Office building, retirement residences, bungalow garden homes

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

Over 40 years

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) Neighbourhoods

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

7.6 What is the existing zoning of the subject land? Mixed - See Appendix B

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: ~~Mixed - See Appendix B~~

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: 600

8.2 Number of Dwelling Units Proposed: 0

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

Existing Dwelling Units are in excess of 600.

The Tent Frame (Pergola) is intended to provide flexible, enclosed space for ongoing resident activities, programs and events during suitable seasons.

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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