



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-24:149	SUBJECT PROPERTY:	56 York Road, Dundas
ZONE:	“RM2” (Low Density Multiple Dwellings)	ZONING BY-LAW:	Zoning By-law former Town of Dundas 3581-86, as Amended

APPLICANTS: Owner: 56 York Rd Inc.
 Applicant: Harpreet Shoan
 Agent: SvN Architects & Planners Inc (Sandy McIntosh)

The following variances are requested:

1. A minimum Northerly Side Yard setback of 1.7 metres shall be permitted instead of the minimum 4.5 metre Minimum Side Yard.
2. A minimum Northerly Side Yard setback of 2.5 metres shall be permitted instead of the minimum 4.5 metre Minimum Side Yard.
3. A Maximum Building Height of 13.15 metres shall be permitted instead of the Maximum Building Height of 10.5 metres.
4. Three (3) Parking Spaces shall be permitted within the Front Yard instead of the requirement that Parking Spaces shall not be located in the Front Yard of an apartment building development site.

PURPOSE & EFFECT: So as to permit the construction of an Apartment Building notwithstanding that:

Notes:

- i) Please note, a previous Minor Variance application DN/A-19:406 was approved for the following variances and remains applicable to the subject property:
 1. A minimum lot area of 1339.0m² shall be permitted instead of the minimum 1380.0m² lot area required.

A-24:149

2. A minimum lot frontage of 22.7m shall be permitted instead of the minimum 30.0m lot frontage required.
3. No onsite loading space shall be permitted instead of the minimum one (1) loading space required.
4. The roofed-over unenclosed porches shall be permitted to be located as close as 3.0m from the southerly side lot line instead of the minimum 4.5m setback 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, July 23, 2024
TIME:	2:45 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 July 19, 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 July 22, 2024

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding A-24:149, 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.



DATED: July 4, 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.

1-2607

SURVEYOR'S REAL PROPERTY REPORT
PART 1

PLAN OF
LOT 2-REGISTRAR'S COMPILED PLAN No. 1387
CITY OF HAMILTON
SCALE 1:200

0 5 10 metres
G. G. ALDWORTH O.L.S.

SURVEYOR'S REAL PROPERTY REPORT
PART 1 - PLAN R-3919

PART 2
-THERE ARE NO EASEMENTS OR RIGHTS OF WAY ASSOCIATED WITH THIS PROPERTY
-A PORTION OF THE ASPHALT DRIVEWAY ASSOCIATED WITH THE LANDS TO THE SOUTH IS LOCATED ONTO THE SUBJECT LANDS BY A MAXIMUM OF 0.02 m
-A PORTION OF THE FRAME SUEZ ASSOCIATED WITH THE LANDS TO THE NORTH IS LOCATED ONTO THE SUBJECT LANDS BY A MAXIMUM OF 0.10 m
-REFER TO THE PLAN FOR THE SPECIFIC LOCATION OF FENCES
-NOTE THE PRESENCE OF OVERHEAD UTILITIES SERVING THE SUBJECT LANDS

THIS REPORT WAS PREPARED FOR
D. B. HOMES
TIES ARE TAKEN TO BRICK UNLESS OTHERWISE NOTED
(FR) DENOTES TIE TO FRAME
(AL) DENOTES TIE TO ALUMINUM SIDING
(ST) DENOTES TIE TO STUCCO

BENCH MARK.
ELEVATIONS SHOWN ON THIS PLAN ARE REFERRED TO THE HORIZONTAL CONTROL MONUMENT No. 07720100049. LOCATION: ROUND IRON BAR WITH BRASS CAP IS LOCATED AT THE EAST SIDE OF BAY FRONT PARK, 85 m WEST OF THE CENTRE LINE OF BAY STREET NORTH AND 22 m SOUTHWEST OF THE CENTRE LINE OF HARBOUR FRONT DRIVE. ELEVATION 85.277 m.

LEGEND
SAMH DENOTES SANITARY MANHOLE
STMH DENOTES STORM MANHOLE
GW DENOTES GUY WIRE
200# DENOTES GAS VALVE
○ DENOTES DECIDUOUS TREE
● DENOTES CONIFEROUS TREE

BEARINGS ARE ASTRONOMIC AND REFERRED TO THE SOUTHEASTERN LIMIT OF YORK STREET AS SHOWN ON PLAN 62R-8085 HAVING A BEARING OF N22°56'E

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

SURVEYOR'S CERTIFICATE:

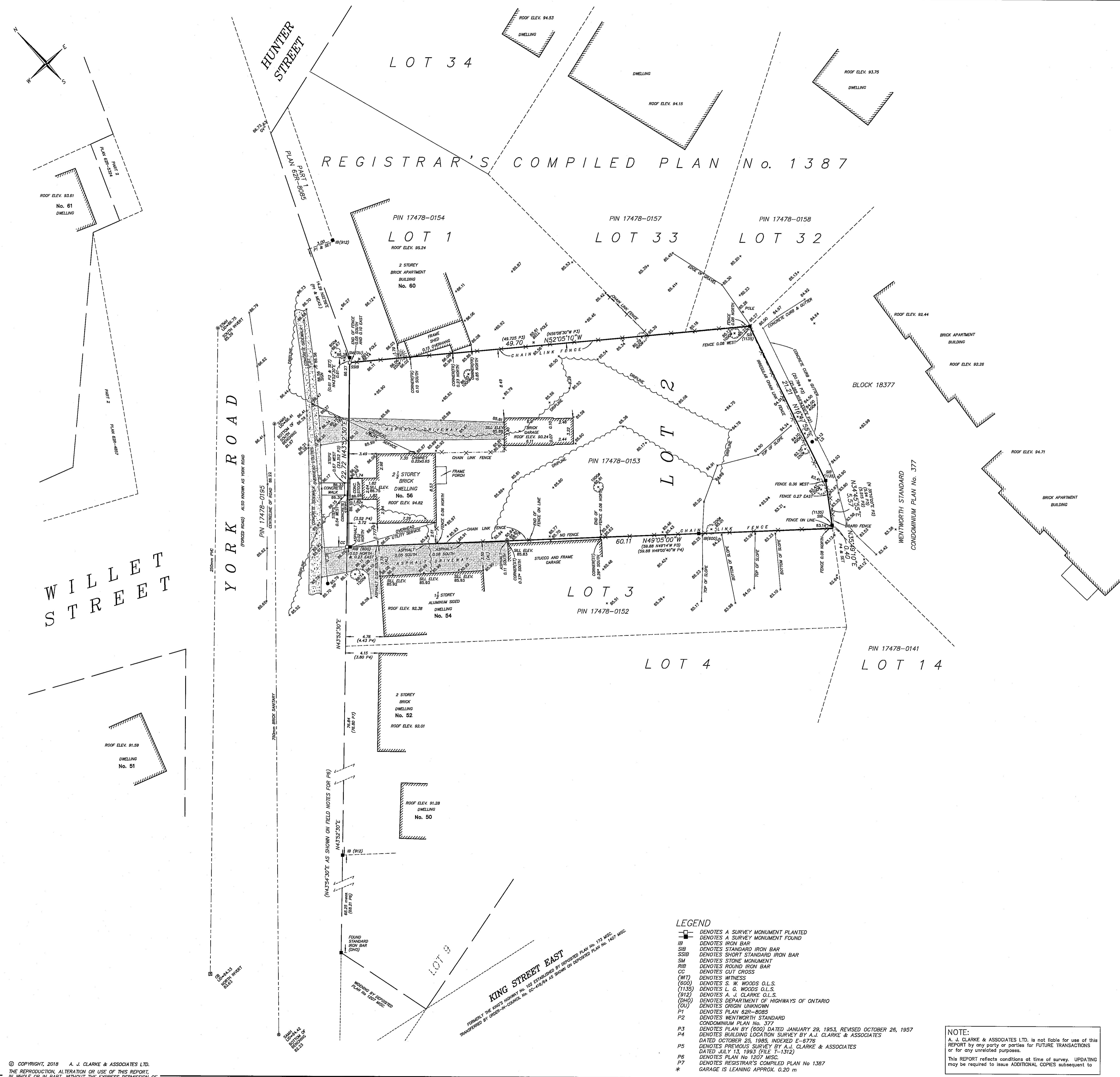
I CERTIFY THAT:
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEY ACT, THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.
2. THE SURVEY WAS COMPLETED ON THE 13th DAY OF NOVEMBER 2017
JANUARY 30, 2018
DATE
G. G. ALDWORTH
ONTARIO LAND SURVEYOR

A. J. Clarke and Associates Ltd.
SURVEYORS • PLANNERS • ENGINEERS
25 MAIN STREET WEST, SUITE 300
HAMILTON, ONTARIO, L8P 1H1
TEL. 905-528-8761 FAX 905-528-2289
email: a.jc@ajclarke.com

NOTE:
A. J. CLARKE & ASSOCIATES LTD. IS NOT LIABLE FOR USE OF THIS REPORT BY ANY PARTY OR PARTIES FOR FUTURE TRANSACTIONS OR FOR ANY UNRELATED PURPOSES.
THIS REPORT REFLECTS CONDITIONS AT TIME OF SURVEY. UPDATING MAY BE REQUIRED TO ISSUE ADDITIONAL COPIES SUBSEQUENT TO

LEGEND
□ DENOTES A SURVEY MONUMENT PLANTED
□ DENOTES A SURVEY MONUMENT FOUND
IB DENOTES IRON BAR
SIB DENOTES STANDARD IRON BAR
SSIB DENOTES SHORT STANDARD IRON BAR
SM DENOTES STONE MONUMENT
RIB DENOTES ROUND IRON BAR
CC DENOTES CUT CROSS
(WT) DENOTES WITNESS
(600) DENOTES S. W. WOODS O.L.S.
(1135) DENOTES L. G. WOODS O.L.S.
(912) DENOTES A. J. CLARKE O.L.S.
(DHO) DENOTES DEPARTMENT OF HIGHWAYS OF ONTARIO
(OU) DENOTES ORIGIN UNKNOWN
P1 DENOTES PLAN 62R-8085
P2 DENOTES WENTWORTH STANDARD CONDOMINIUM PLAN No. 377
P3 DENOTES PLAN BY (600) DATED JANUARY 29, 1953, REVISED OCTOBER 26, 1957
P4 DENOTES BUILDING LOCATION SURVEY BY A.J. CLARKE & ASSOCIATES DATED OCTOBER 25, 1985, INDEXED E-5776
P5 DENOTES PREVIOUS SURVEY BY A.J. CLARKE & ASSOCIATES DATED JULY 13, 1993 (FILE T-1312)
P6 DENOTES PLAN No. 1207 MISC.
P7 DENOTES REGISTRAR'S COMPILED PLAN No. 1387
* GARAGE IS LEANING APPROX. 0.20 m

KING STREET EAST
FORMERLY THE KING'S HIGHWAY No. 10 ESTABLISHED BY DEPOSED PLAN No. 173 MISC. TRANSFERRED BY 62R-8085, No. 62-416/88 AS SHOWN ON DEPOSED PLAN No. 1427 MISC.



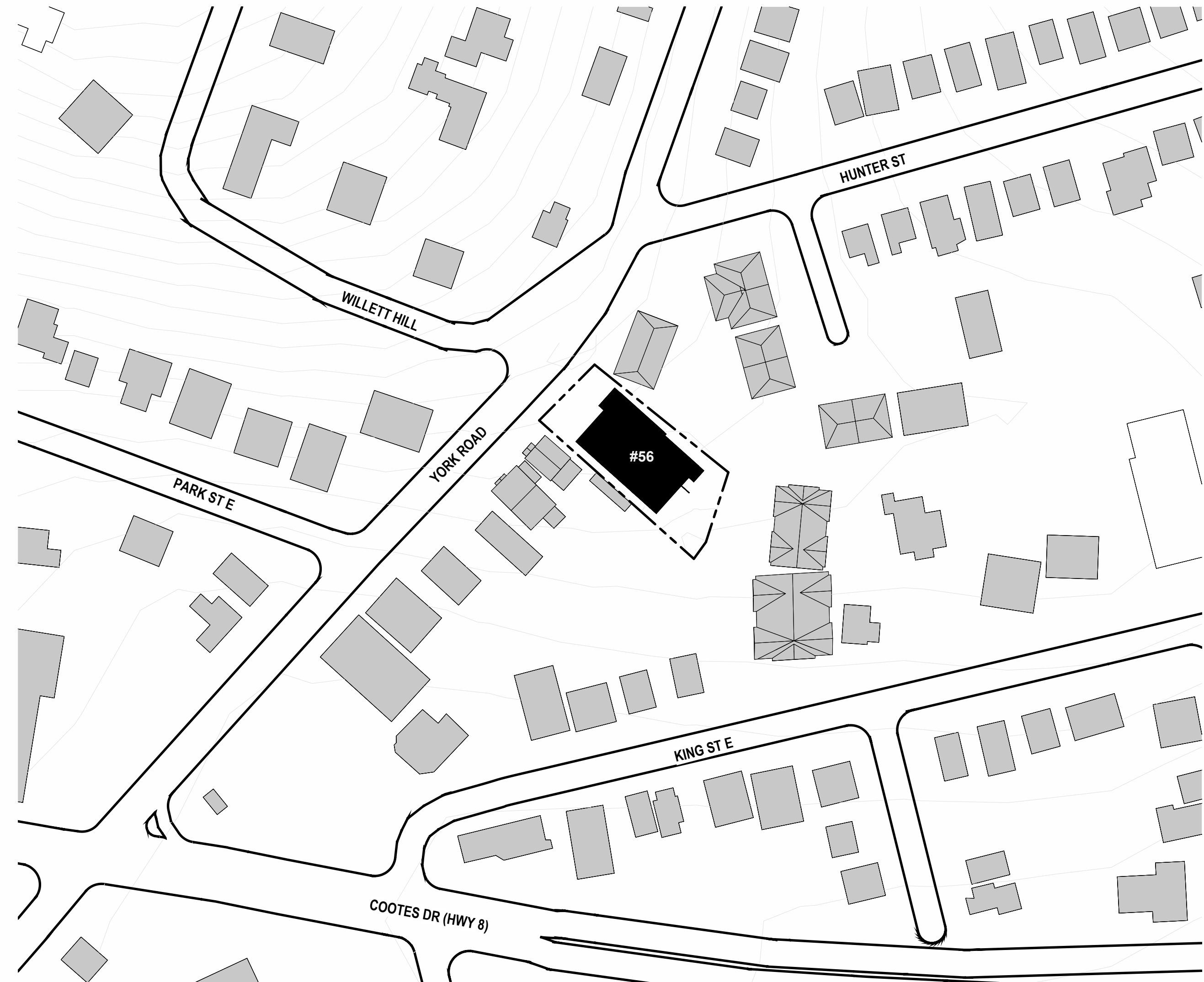
56 York Rd: 10-Unit Residential Infill

56 York Road, Hamilton, ON L9H 1L4

MINOR VARIANCE DRAWING SET



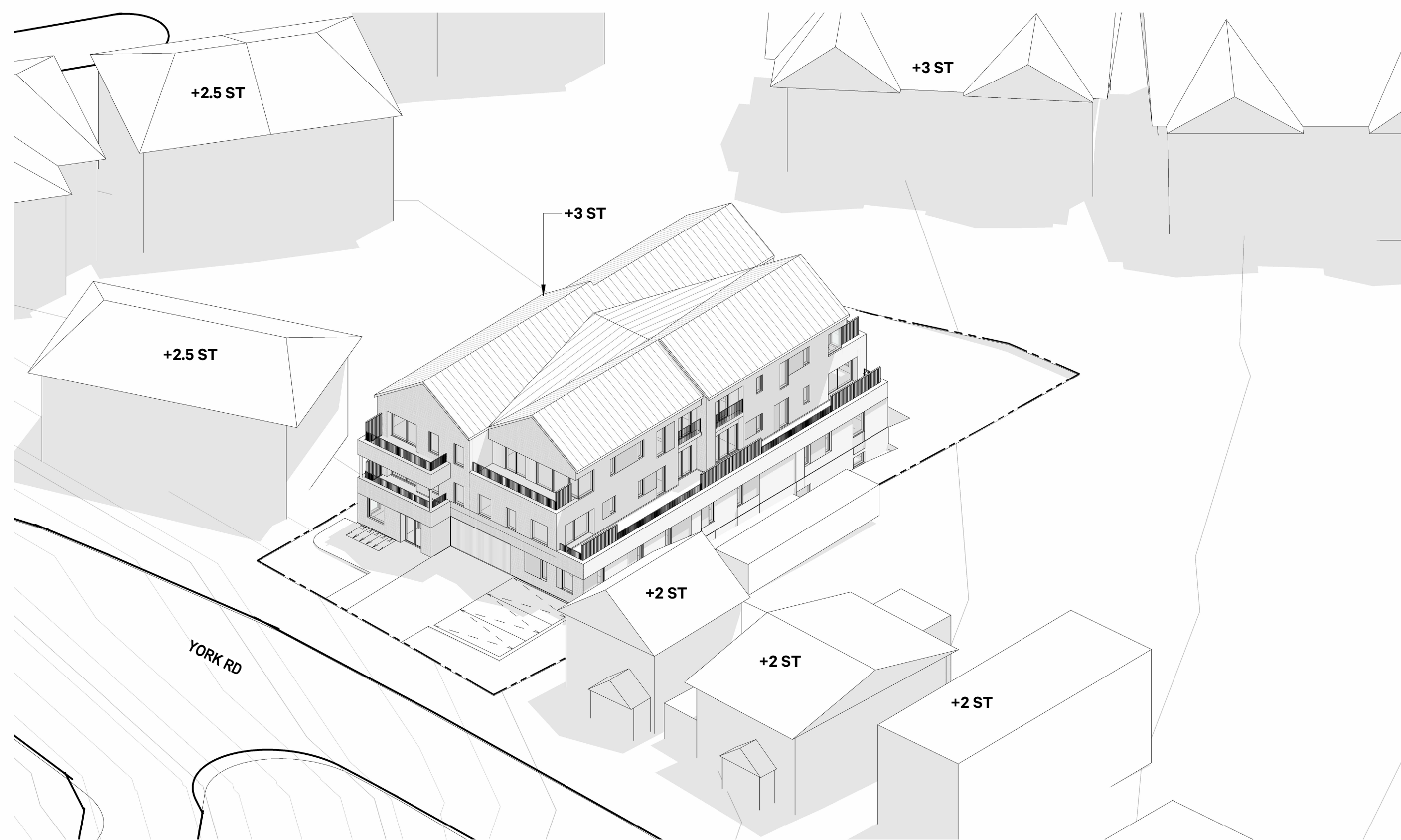
FRONT PERSPECTIVE VIEW FROM YORK RD



1 CONTEXT PLAN
A0.01/ 1: 1000

Sheet List

Sheet Number	Sheet Name
A0 - GENERAL	
A0.01	Cover Sheet
SP1.00	Survey
SP1.02	Site Plan
A1 - FLOOR PLANS	
A1.01	Basement Floor Plan
A1.02	Ground Floor Plan
A1.03	Second Floor Plan
A1.04	Third Floor Plan
A1.05	Roof Plan
A2 - ELEVATIONS	
A2.01	Elevations - North & South
A2.02	Elevations - East & West



AXO VIEW FROM SOUTH-WEST

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NOTES

NO.	DATE	REVISION / COMMENT
01	24-01-29	ISSUED FOR ZONING REVIEW
02	24-05-30	ISSUED FOR MINOR VARIANCE



10-Unit Residential Infill
56 York Road, Hamilton, ON
L9H 1L4

High Margin Capital

Cover Sheet

PROJECT	4247	DRAWN	SH/CZ
SCALE	As Indicated	CHECKED	SM/BL
DATE	2024.05.30	PLOTTED	5/30/2024 11:42:24 AM

A0.01

ZONING (3581-86): RM2	LOT NO: LOT 2	PLAN NO: NO. 1387	LOT AREA: 1341.86 M ² REQUIRED (3581-86): 1380 M ²	LOT FRONTAGE: 22.7 M REQUIRED (3581-86): 30 M	LOT DEPTH: MIN. 49.70 M MAX. 60.11 M
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FRONT YARD LANDSCAPING	PROPOSED	%	REQUIRED	%	DESCRIPTION	PROPOSED	%	REQUIRED (3581-86)	%	SETBACKS	PROPOSED	REQUIRED (3581-86)
TOTAL FRONT YARD AREA	245 M ²				LOT COVERAGE	600 M ²	45%	NO REQ		FRONT YARD	8.9 M	7.5 M
VEHICLE OCCUPIED AREA	117 M ²				GROSS FLOOR AREA	1460 M ²		NO REQ		REAR YARD	8.7 M	7.5 M
SOFTSCAPE AREA	86.4 M ²	67%	>61 M ²	>50% TOTAL	LANDSCAPED AREA	564 M ² *	42%	403 M ²	30%	SIDE YARD (NORTH)	1.7 M (VARIES, SEE PLAN)	4.5 M
HARDSCAPE AREA	41.8 M ²	33%	61 M ²		BUFFER STRIPS	MIN. 1.0 M (VARIES, SEE PLAN)		NO REQ		SIDE YARD (SOUTH)	2.5 M	4.5 M
TOTAL LANDSCAPE AREA	128.2 M ²	52%	122.5 M ²	50%	NO. OF STORIES	3		NO REQ		UNIT AREAS		
					HEIGHT @ CURB (M)	12.5 M		10.5 M		FLOOR AREA (STUDIO)	N/A	42.0 M ²
					HEIGHT @ AVG GRADE (M)	13.1 M		10.5 M		FLOOR AREA (1B)	MIN. 57.2 M ²	55.0 M ²
					DENSITY	10 UNITS/1341.86 M ² = 74.52 UNITS/10000 M ²		75 UNITS/10000 M ²		FLOOR AREA (2B)	MIN. 86.5 M ²	65.0 M ²
					PARKING	12 RES (10 REGULAR + 2 SHORT) 3 VISITOR**		10 RES (1.00 / UNIT) 3 VISITOR (0.25 / UNIT)				
					BIKE PARKING	12 SECURED LONG-TERM (B1) 5 SHORT-TERM (GROUND)		NO REQ				

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- NOTES**
- EXISTING PROPERTY LINE INFORMATION AND EXISTING SITE GRADING INFORMATION FROM FIELD SURVEY BY A.J. CLARKE AND ASSOCIATES LTD. DATED JANUARY 30, 2018.
 - SITE SERVICING LOCATIONS AND STORMWATER MANAGEMENT APPROACH INDICATIVE ONLY. TO BE VERIFIED BY CIVIL DESIGNERS AT LATER DATE.
 - SITE GRADING, DRAINAGE AND SERVICING PLANS BY CIVIL DESIGNERS TO FOLLOW AT LATER DATE.
 - LANDSCAPE DESIGN AND PLANS TO FOLLOW AT A LATER DATE.

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TOTAL GROSS FLOOR AREA *

Level	Area	Area (sqft)
LEVEL B1	330.51 m ²	3,558 ft ²
LEVEL 01	154.05 m ²	1,658 ft ²
LEVEL 02	505.07 m ²	5,437 ft ²
LEVEL 03	470.37 m ²	5,063 ft ²
TOTAL GFA	1459.99 m²	15,715 ft²

* GFA AS DEFINED BY DUNDAS ZBL 3581-86

TOTAL GROSS CONSTRUCTED AREA

Level	Area	Area (sqft)
LEVEL B1	330.51 m ²	3,558 ft ²
LEVEL 01	595.72 m ²	6,412 ft ²
LEVEL 02	505.07 m ²	5,437 ft ²
LEVEL 03	470.37 m ²	5,063 ft ²
TOTAL GCA	1901.66 m²	20,469 ft²

TOTAL SALEABLE AREA

Level	Name	Area	Area (sqft)
LEVEL B1	UNIT 1	121.42 m ²	1,307 ft ²
LEVEL 02	UNIT 2	95.03 m ²	1,023 ft ²
LEVEL 02	UNIT 3	100.05 m ²	1,077 ft ²
LEVEL 02	UNIT 4	57.23 m ²	616 ft ²
LEVEL 02	UNIT 5	112.84 m ²	1,215 ft ²
LEVEL 02	UNIT 6	94.34 m ²	1,015 ft ²
LEVEL 03	UNIT 7	101.72 m ²	1,095 ft ²
LEVEL 03	UNIT 8	110.74 m ²	1,192 ft ²
LEVEL 03	UNIT 9	117.18 m ²	1,261 ft ²
LEVEL 03	UNIT 10	95.64 m ²	1,029 ft ²
TOTAL SALEABLE		1006.20 m²	10,831 ft²

LEGEND:

- TYPICAL VEHICLE PARKING STALL
- TYPICAL SMALL VEHICLE PARKING STALL
- TYPICAL HORIZONTAL BIKE PARKING STALL
- EXISTING TREES
- PROPOSED PLANTING
- SOFT LANDSCAPING
- LANDSCAPE MATERIAL PERMEABLE UNIT PAVERS
- LANDSCAPE MATERIAL PAVED CONCRETE WALKWAYS
- EXISTING GRADE ELEVATIONS
- PROPOSED GRADE ELEVATIONS

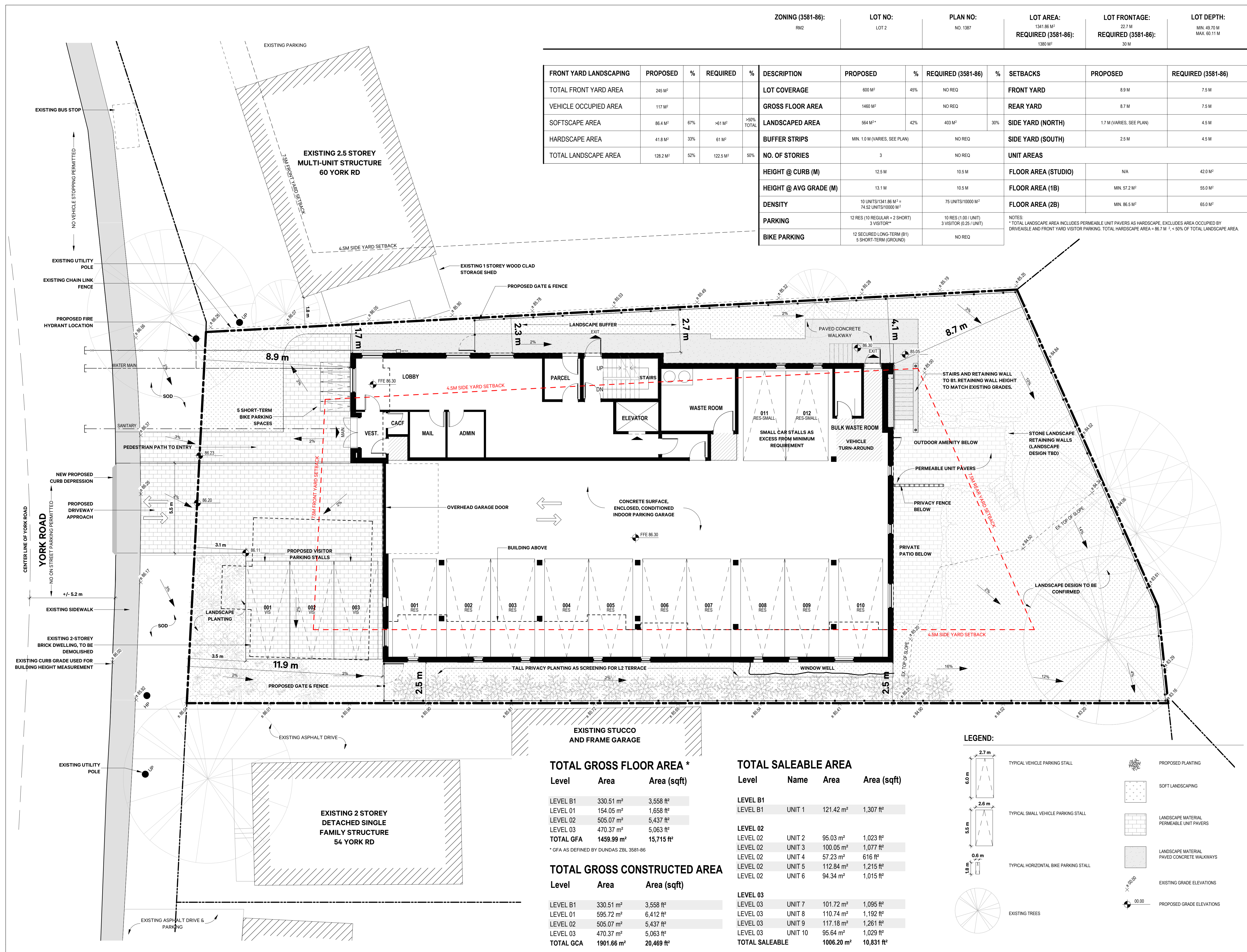
SvN
110 Adelaide St. E. Toronto, ON M5C 1A9
info@svn.com 416.593.6489

10-Unit Residential Infill
56 York Road, Hamilton, ON L9H 1L4
High Margin Capital

Site Plan

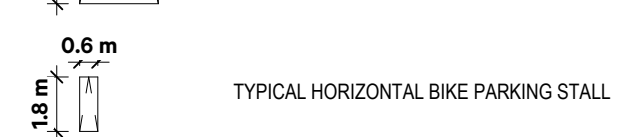
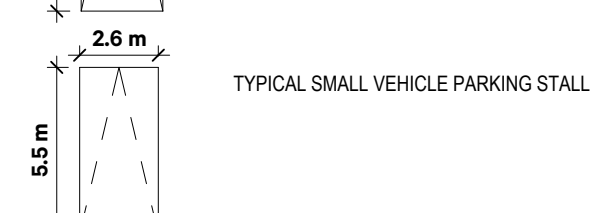
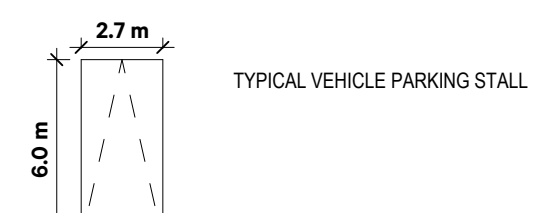
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DATE: 2024.05.30 PLOTTED: 5/30/2024 11:42:25 AM

SP1.02



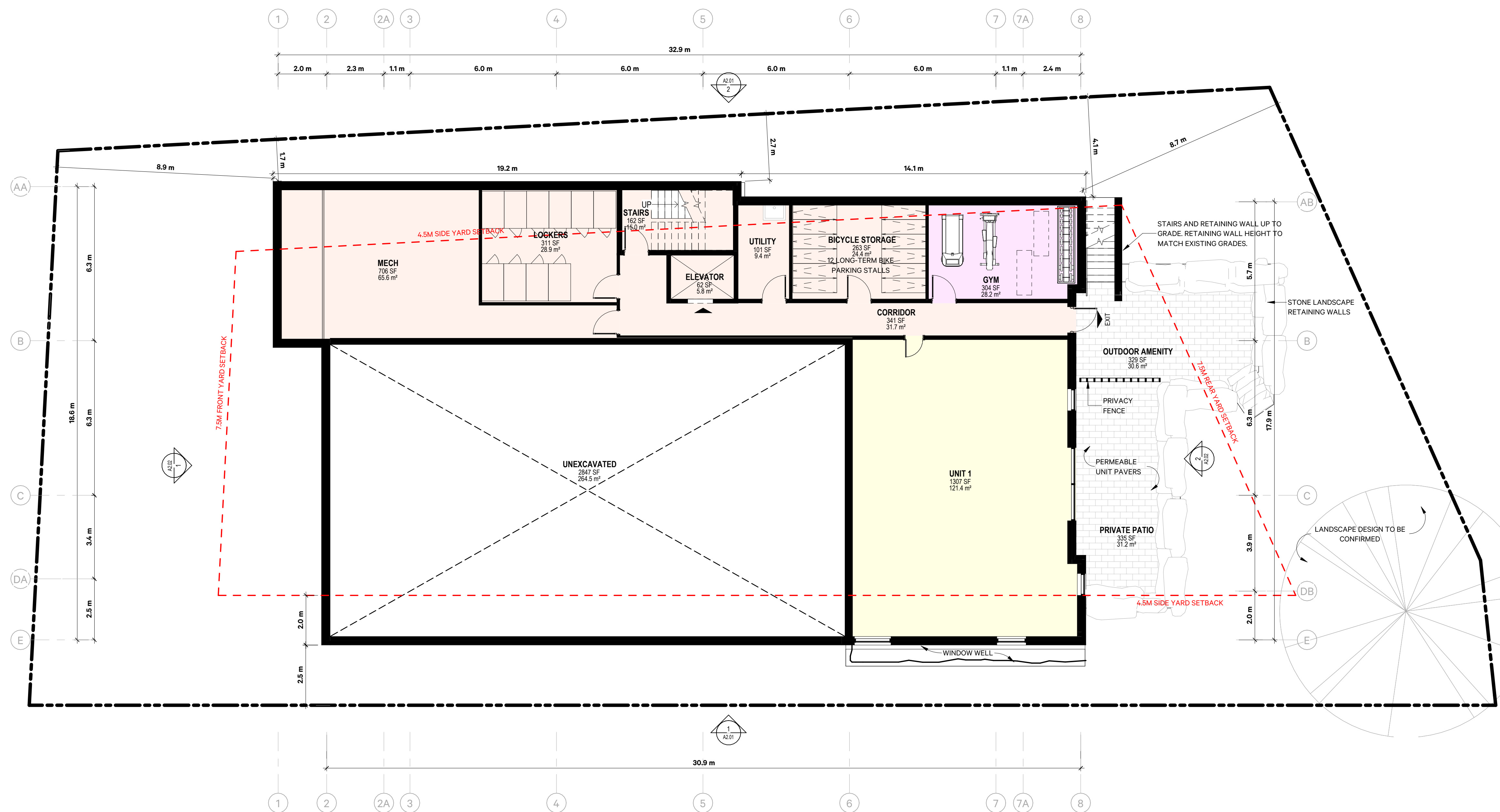
LEGEND:

- GFA DEDUCTIONS
- RESIDENTIAL GFA
- RENTABLE / SALEABLE RESIDENTIAL GFA
- INDOOR AMENITY (RESIDENTIAL GFA)



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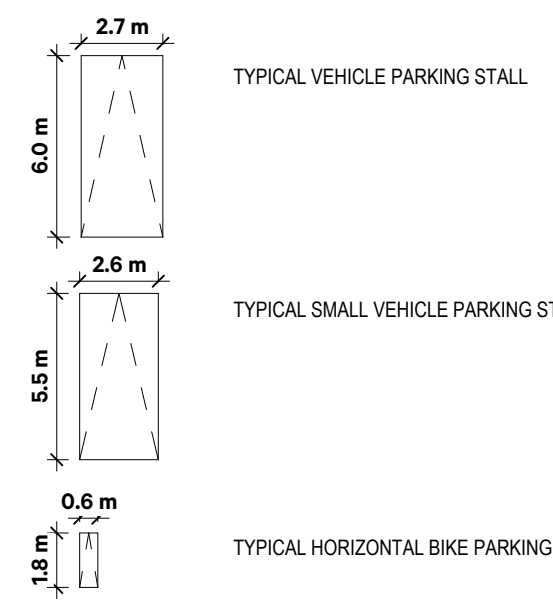
Basement Floor Plan

PROJECT	4247	DRAWN	SH/CZ
SCALE	As Indicated	CHECKED	SM/BL
DATE	2024.05.30	PLOTTED	5/30/2024 11:42:25 AM

A1.01

LEGEND:

- GFA DEDUCTIONS
- RESIDENTIAL GFA
- RENTABLE / SALEABLE RESIDENTIAL GFA
- INDOOR AMENITY (RESIDENTIAL GFA)

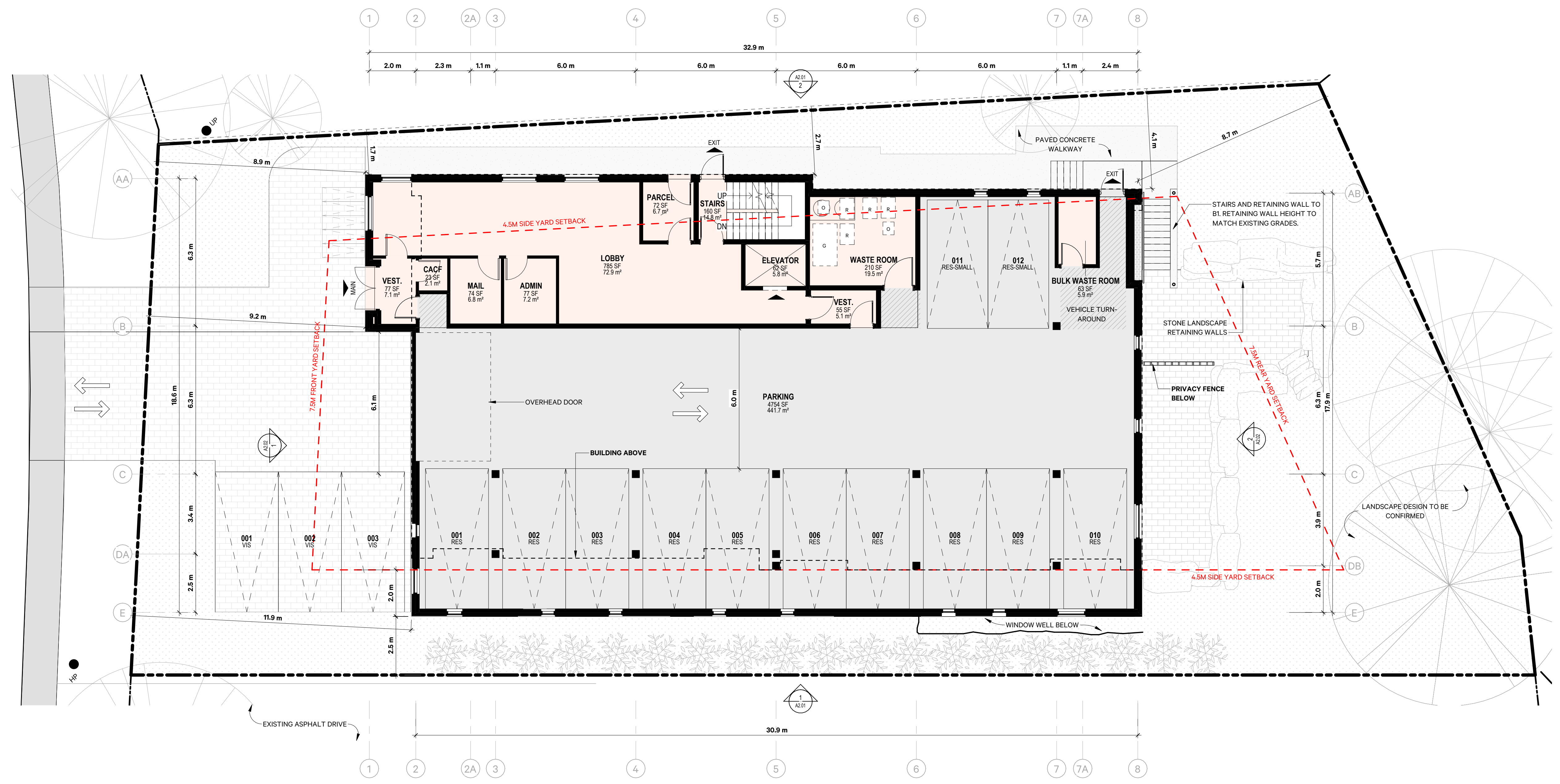


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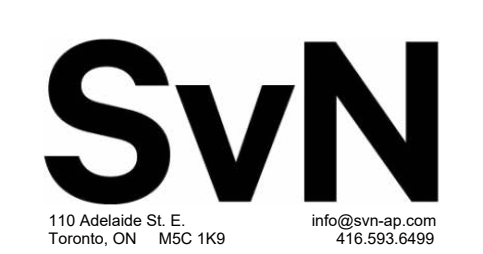
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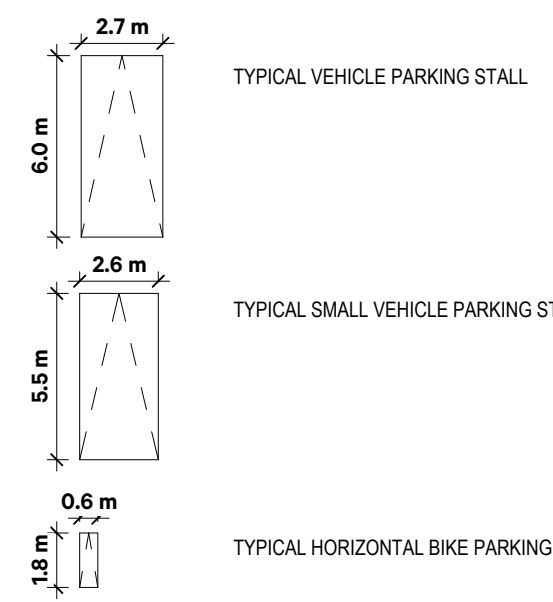
Ground Floor Plan

PROJECT	4247	DRAWN	SH/CZ
SCALE	As Indicated	CHECKED	SM/BL
DATE	2024.05.30	PLOTTED	5/30/2024 11:42:26 AM

A1.02

LEGEND:

- GFA DEDUCTIONS
- RESIDENTIAL GFA
- RENTABLE / SALEABLE RESIDENTIAL GFA
- INDOOR AMENITY (RESIDENTIAL GFA)

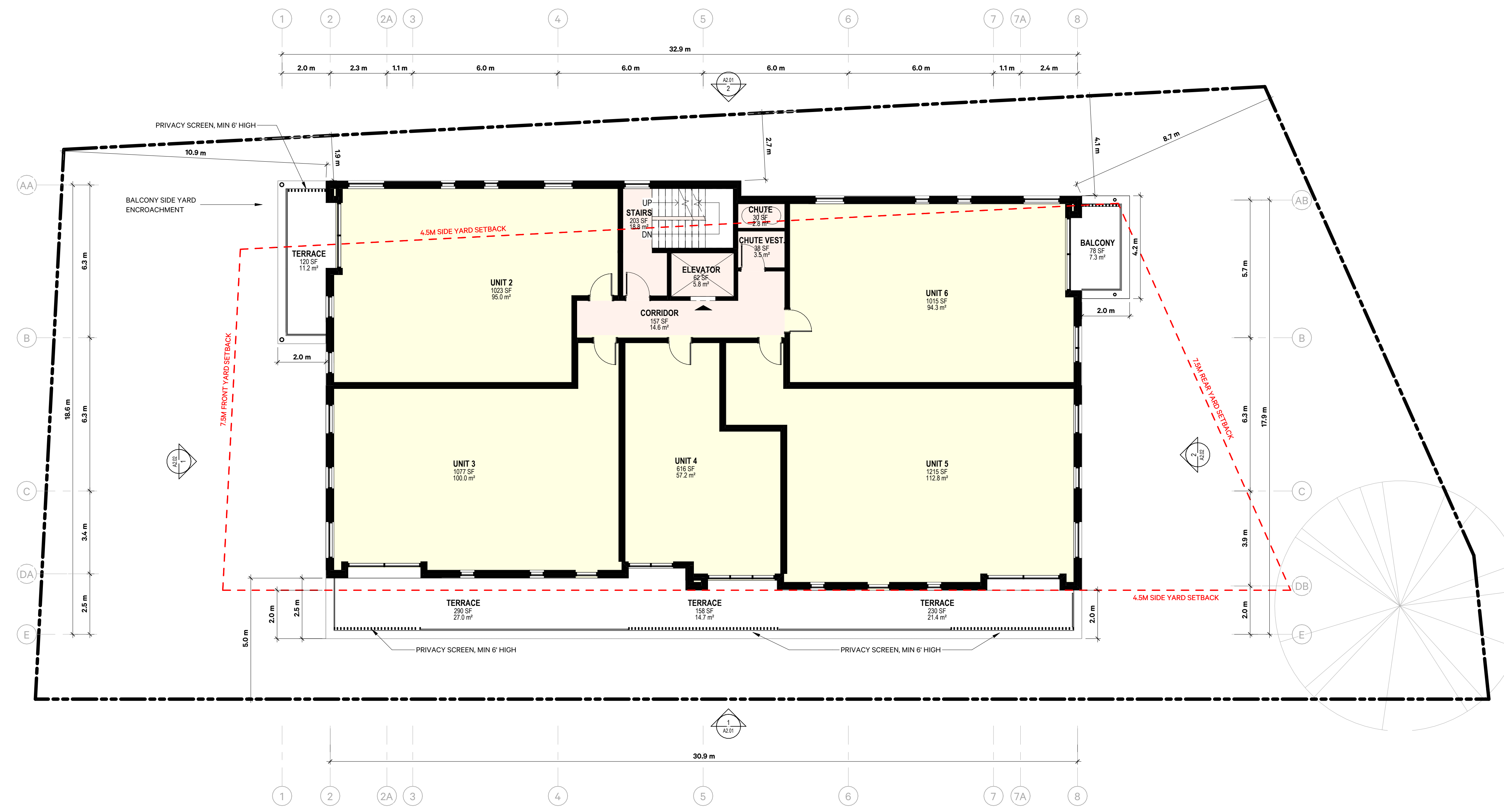


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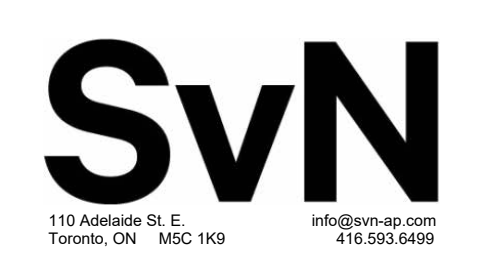
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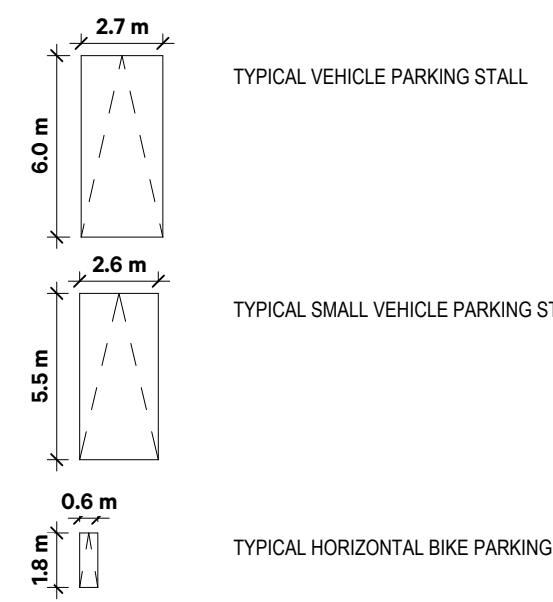
Second Floor Plan

PROJECT	4247	DRAWN	SH/CZ
SCALE	As Indicated	CHECKED	SM/BL
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A1.03

LEGEND:

- GFA DEDUCTIONS
- RESIDENTIAL GFA
- RENTABLE / SALEABLE RESIDENTIAL GFA
- INDOOR AMENITY (RESIDENTIAL GFA)



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NOTES



NO.	DATE	REVISION / COMMENT
01	24-01-29	ISSUED FOR ZONING REVIEW
02	24-05-30	ISSUED FOR MINOR VARIANCE



10-Unit Residential Infill
 56 York Road, Hamilton, ON
 L9H 1L4
 High Margin Capital

Third Floor Plan

PROJECT	4247	DRAWN	SH/CZ
SCALE	As Indicated	CHECKED	SM/TL
DATE	2024.05.30	PLOTTED	5/30/2024 11:42:27 AM

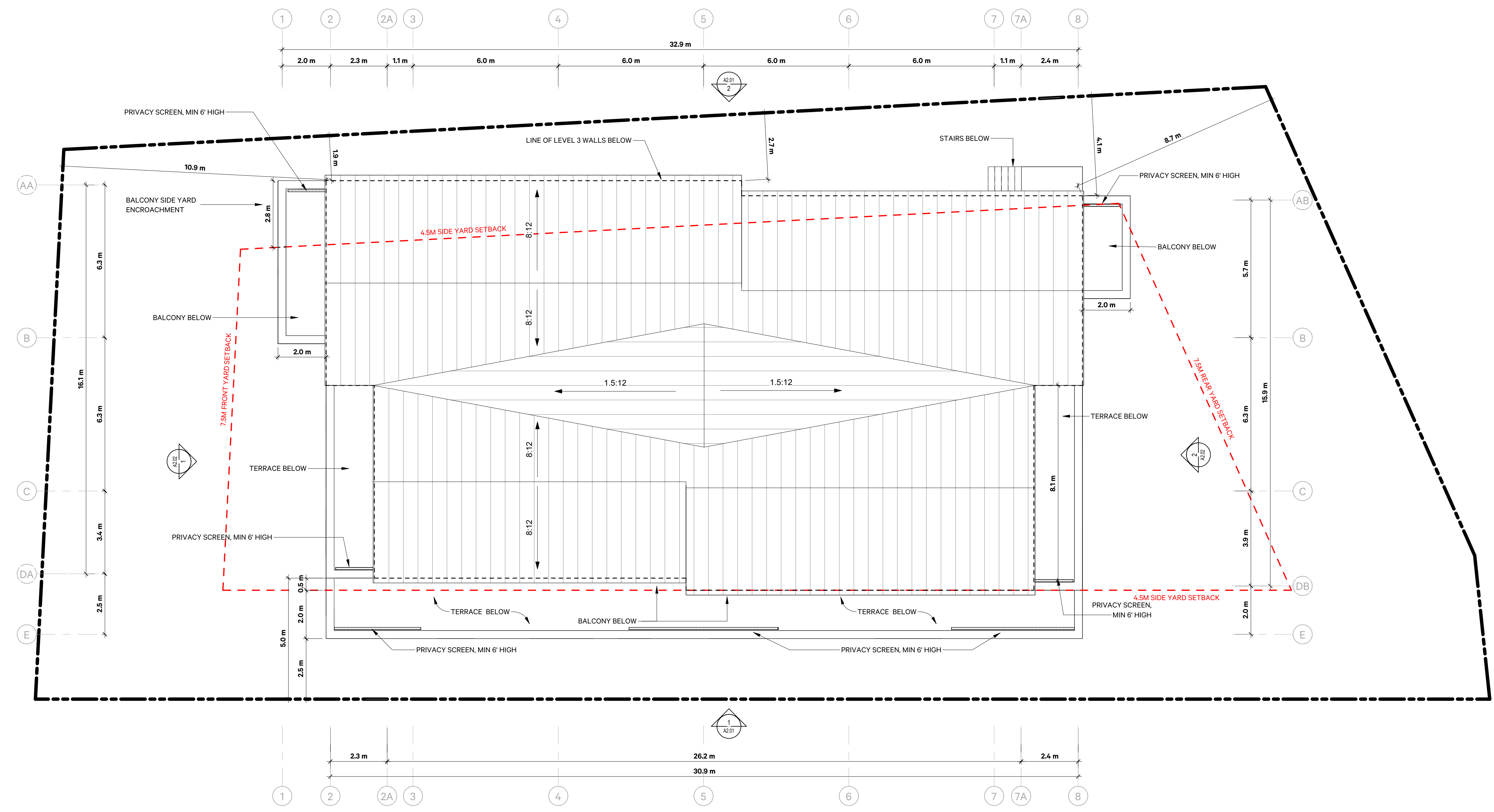
A1.04

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NOTES

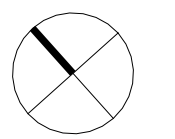


NO.	DATE	REVISION / COMMENT
01	24-01-29	ISSUED FOR ZONING REVIEW
02	24-05-30	ISSUED FOR MINOR VARIANCE



10-Unit Residential Infill
 56 York Road, Hamilton, ON
 L9H 1L4
 High Margin Capital

Roof Plan



PROJECT	42417	DRAWN	SH/CZ
SCALE	1:100	CHECKED	SM/BL
DATE	2024.05.30	PLOTTED	5/30/2024 11:42:27 AM

A1.05

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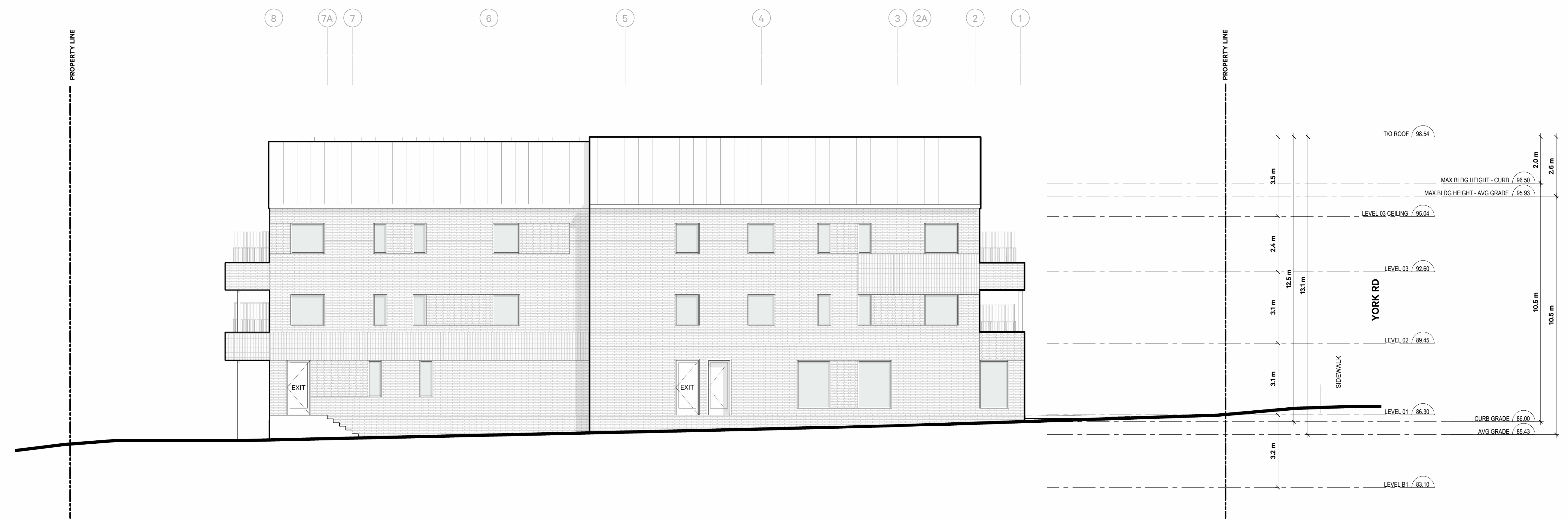
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NOTES



1 South Elevation
A2.01 1:100



2 North Elevation
A2.01 1:100

NO.	DATE	REVISION / COMMENT
01	24-01-29	ISSUED FOR ZONING REVIEW
02	24-05-30	ISSUED FOR MINOR VARIANCE



110 Adelaide St. E.
Toronto, ON M5C 1A9

10-Unit Residential Infill
56 York Road, Hamilton, ON
L9H 1L4

High Margin Capital

Elevations - North & South

PROJECT	42417	DRAWN	SH/CZ
SCALE	1:100	CHECKED	SM/BL
DATE	2024.05.30	PLOTTED	5/30/2024 11:42:45 AM

A2.01



1 West Elevation
A2.02 1:100



2 East Elevation
A2.02 1:100

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NOTES

NO.	DATE	REVISION / COMMENT
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02	24-05-30	ISSUED FOR MINOR VARIANCE



10-Unit Residential Infill
56 York Road, Hamilton, ON
L9H 1L4
High Margin Capital

Elevations - East & West

PROJECT	42417	DRAWN	SH/CZ
SCALE	1:100	CHECKED	SM/BL
DATE	2024.05.30	PLOTTED	5/30/2024 11:43:01 AM

A2.02



June 3, 2024

Committee of Adjustment
Planning and Development Division
City of Hamilton
71 Main Street West, 5th Floor
Hamilton, ON L8P 4Y5

**RE: 56 York Road, Dundas
Application for Minor Variance**

On behalf of High Margin Capital, SvN Architects + Planners (SvN) is pleased to submit the enclosed Minor Variance Application for the property municipally known as 56 York Road (the “site”) located within the community of Dundas.

The property has been subject to previous development approvals to permit infill residential development. The current development concept proposed on the site is for a low-rise apartment building with a height of approximately 12.5 metres (3-storeys) and a gross floor area of 1,460 square metres. A total of 10 units are proposed within the building. Private and secure residence parking is to be accommodated at grade-level within the building. Short-term Visitor parking is proposed at grade in front of the building. These parking spaces are to be differentiated from the drive aisle with landscape permeable paving and adequately screened from the street with attractive planting. A total of 12 long-term and 5 short-term bicycle parking spaces are also proposed. The development concept includes a landscaped area of 564 square metres and landscape buffer strips along the north and south edges of the property. These landscaped buffer strips intend to maintain privacy and compatibility between the proposed development and the surrounding low-rise residential uses.

The site is currently zoned as Medium Density Multiple Dwelling Zone (RM2) as per the Dundas By-law 3581-86 (the “Zoning By-law”), which permits the residential infill development on the site. The purpose of the RM2 zone is to provide for medium density residential development in the form of apartments. The site is also designated Neighbourhoods as per Schedule E-1 in the Urban Hamilton Official Plan (2023). Official Plan policies outlined for Neighbourhoods permit development applications for residential intensification which shall be reviewed in consideration with the local context (2.7.7). Sections B.2.4 – Residential Intensification and E3.0 – Neighbourhoods Designation provide policies which establish expectations for proposed residential infill intensification in Neighbourhoods. These policies state that residential infill applications will be evaluated for criteria such as maintaining compatibility with adjacent land uses, applying transitions in height and density to adjacent residential buildings, providing amenity space, and the ability to respect and maintain or enhance streetscape patterns. The proposed development aligns with the criteria outlined for residential infill intensification and reflects the planning objectives of Neighbourhoods described in the Official Plan by introducing a low-rise apartment building which maintains compatibility with the surrounding low-rise residential context, while also enhancing the public realm with adequate softscaping and an appropriately massed building that frames the streetscape.

2.0 PROPOSED MINOR VARIANCES

It is our opinion the proposed variances are minor, appropriate, and satisfy the four tests under Section 45(1) of the Planning Act which states that the variances are minor in nature, desirable for the appropriate development or use of the land, and maintain the general intent and purpose of the Zoning By-law and the Official Plan. The following section outlines each of the requested variances and how they meet the four tests. Variances have been grouped where applicable to minimize repetition in describing / satisfying the four tests.

Variance #1: Reduced Side Yard Setbacks

A request for reduced side yard setbacks at the ground floor level is required to efficiently accommodate the ground floor program space required within the building envelope, including: the main entry, elevator and stair; a minimum of 10 resident parking spaces, vehicle access and maneuvering space, plus waste storage.

- A 1.7 metre proposed side yard setback at the north east corner of the building is closest the proposed development approaches the north property line.
- A consistent side yard setback of 2.5 metre is proposed along the south building facade at the ground floor level.

Although reduced to 1.7 metres at it's closest point to the north property line the setback will allow for a proposed privacy fence, access walk-way and landscape buffer. Extending east to the rear of the building, the irregular shaped property allows for a side yard setback of 4.1 metres at the rear north east corner of the building.

A setback of 2.5 metres is provided on the south side yard at the ground floor level which does not depart significantly from the permitted setback of 4.5 metres at the side yard outlined in the Zoning By-law. The setback accommodates the required parkings spaces, vehicle circulation, the main building entry, elevator & stair core plus waste storage at the ground floor level within the proposed development. The second and third storeys are to step back an additional 2 metres, meeting the 4.5 metres setback from the south property line above the 1st storey.

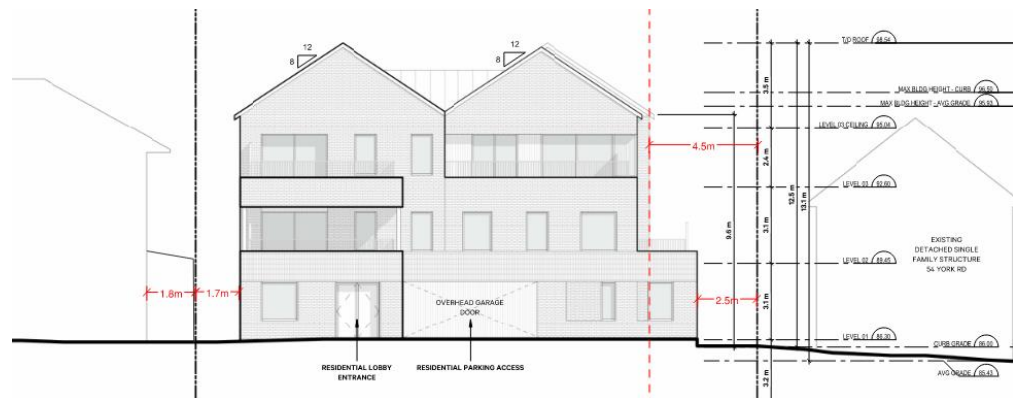


Figure Above: West (Front) Elevation

Balconies are only to be located on the west and east elevations facing York Road and the rear yard to manage overlook concerns for adjacent properties to the south and north. Architectural screen elements at balconies further minimize potential overlook concerns. Similarly, the second storey patio terrace facing south above the ground floor parking level will include be screened by all-season landscaping elements, including trees and shrubs plus architectural screen elements.

In each case the reduced side yard setback provides separation from the adjacent property without a significant reduction of the 4.5 metre Zoning By-law requirement.

Each reduced side yard setback maintains the ability to provide an appropriate separation and privacy from the adjacent residential properties, aligning with the objectives for residential infill intensification outlined in the Official Plan. Landscaped areas, trees, and shrubs along the perimeter of the site also contribute to maintaining privacy between properties. Overall, the reduced side yard setbacks help contribute to accommodating a greater number of units in a low-rise apartment building on the site, which adds much needed housing to a stable Neighbourhood designated area and aligns with the planning objectives outlined in the Official Plan for Neighbourhoods.

Variance #2: Maximum Building Height

A request for increasing the building height is required to align the proposed development with modern building standards that satisfy Ontario Building Code structural and thermal requirements, and to facilitate the delivery of a concealed elevator that provides accessibility to all levels of the building.

- An additional 2 metre height increase allowance is requested.

Building 3-storeys to modern standards satisfying current Ontario Building Code structural and thermal construction requirements, is challenging within the 10.5 metre height as outlined in Zoning By-law 3581-85. The proposed modest increase, allowing for an additional 2 metres in building height to 12.5 metres, does not depart significantly from the permitted height in the Zoning By-law and facilitates the of the proposed building which includes a thoughtfully designed sloped-roof. The sloped roof attic space will also intentionally conceal an elevator to provide accessibility to each level of the building.

The existing 2-1/2 storey brick dwelling is approximately 8.5 metres high and is to be removed to allow for new construction. The client and architect consultant team are proposing a new brick-clad 3-storey structure with a similar gable end inspired roof and building form, drawing inspiration from the traditional brick structures and homes typical of older historic Dundas neighbourhood fabric.

The property abutting the site to the north is an existing multi-residential (1950-1960s), 2-1/2 storey brick building which has 2 full storeys above grade and one partially above grade basement level. There are no openings on the south facing facade. The building is approx 10.4 metres in height. For comparison, the proposed roof eaves at 56 York Road are proposed at a sympathetic 9.6 metre height, measured from the curb.



Image Above: Existing 2-1/2 storey brick dwelling at 56 York Rd.



Image Above: Adjacent existing multi-residential 2-1/2 storey brick building at #60 York Rd

Two older (1960s) 3-1/2 storey brick multi-residential buildings (#89 and #99 York Road) are approximately 10.5 metres in height and were constructed at a time when current construction concerns did not need to be considered, including: energy efficiency (insulation), accessibility (elevator), and structural (wood framing / carbon footprint). The proposed modest request for increased height from 10.5 to 12.5 metres (3-storeys above grade) does not depart significantly from the existing Zoning By-law maximum height and facilitates modern construction and design demands for a modest scaled multi-residential infill development. This housing development will be built to a high standard and the design, form and character is both desirable, complimentary and appropriate within the surrounding community context.

Preliminary design studies recognize the size of the site and the project goals confirm and limit the development to a maximum of 10 residential suites and 3-storeys. The Official Plan does not provide a height limit for residential infill intensification in Neighbourhoods, and permits apartment buildings that are compact and low in scale. Overall, the proposed building height is in conformity with the principles outlined in the Official Plan.

Variance #3: Front Yard Visitor Parking

The proposed 10 residential unit development requires a minimum of 10 resident parking spaces and 3 visitor parking spaces to be provided on site as outlined in the applicable Zoning By-law. The proposed development is able to accommodate the private resident parking spaces within the building. Site constraints and building design informed the strategy to accommodate visitor spaces on site outside of the building envelope.

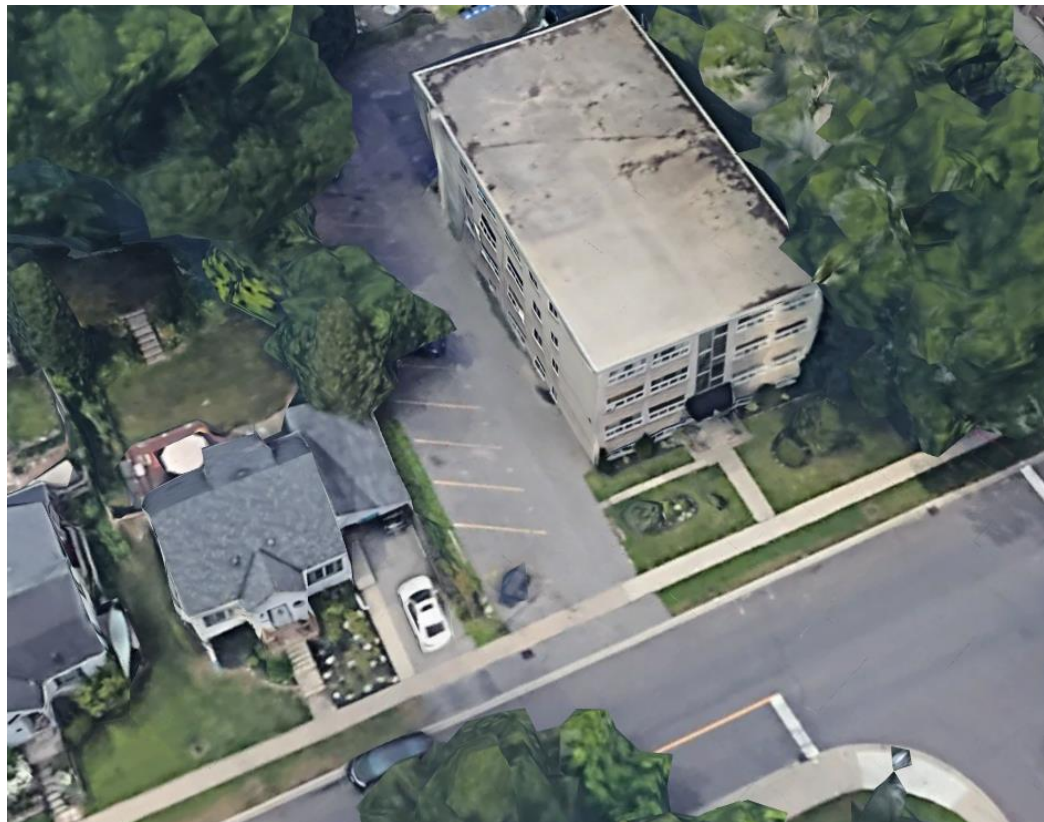
- A variance requesting to allow 3 (Visitor) parking spaces off the driveway in front of the building is proposed.

York Road does not allow on street parking between King Street East to the south and Hunter Street to the north. The proposed front yard parking provides safe off-street pick-up, drop-off, delivery and temporary short term Visitor parking only and minimizes traffic disruption along York Road.

The site allows for the proposed development and building design to be appropriately set back from the street and the front (west) property line. The front yard space is able to accommodate driveway access, landscape area percentage requirements and short term Visitor parking spaces. The Visitor parking spaces are to be constructed with permeable paving. A 3 metre landscape planting buffer zone between the property line and the front yard parking provides an appropriate screen for the short term parking. A sod covered boulevard space between the property line and the sidewalk further extends the landscape separation of the Visitor parking spaces from the street. The landscape planting, permeable pavers contribute to meeting sustainability objectives outlined in the Official Plan. Overall, the proposed visitor parking spaces in the front yard of the site do not depart significantly from the provisions in the Zoning By-law and existing adjacent property non-conforming examples of front yard parking. Appropriate landscape planting will serve to enhance the streetscape environment and serve as a traffic calming measure, which aligns with the objectives of public realm improvement outlined in the Official Plan.



Images Above: #60 York Rd - Existing front yard parking

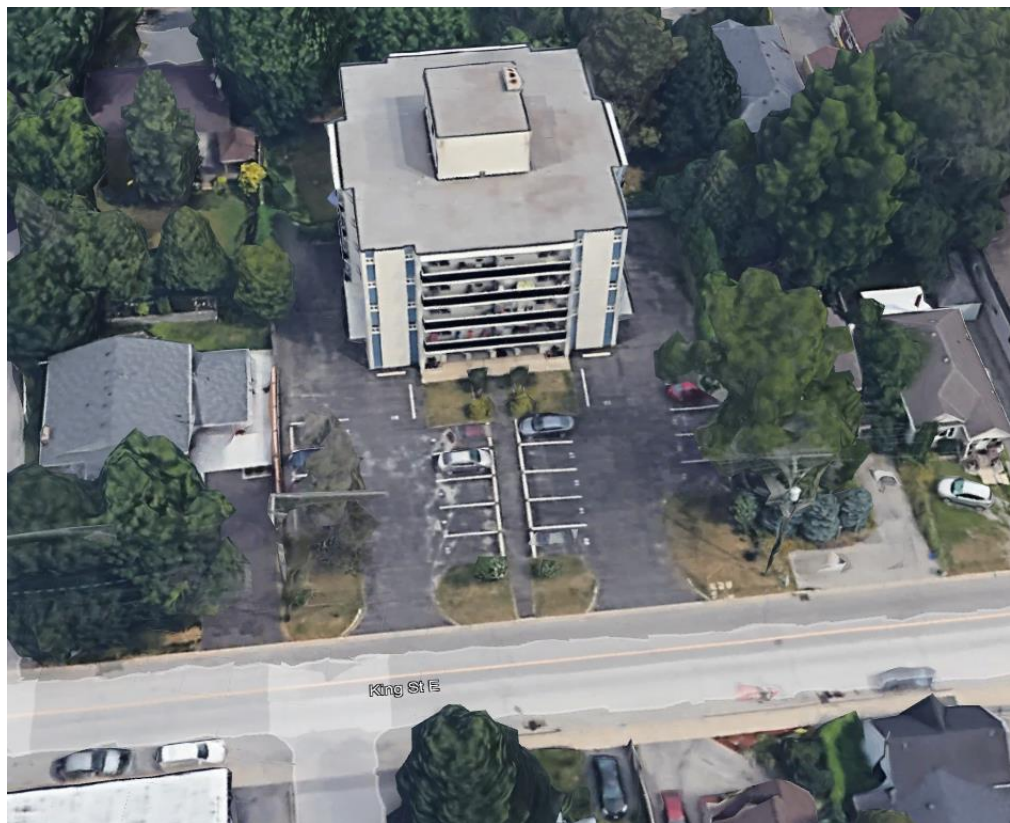


Images Above: #89 York Rd - Existing front yard parking



Images Above: #99 York Rd - Existing front yard parking

Other existing Multi-Residential Apartment buildings with Front Yard parking in the neighbourhood



Images Above: 101 King St E., Dundas – Existing Front Yard Parking

3.0 LIST OF SUBMISSION MATERIALS

The following materials prepared by SvN Architects + Planners are submitted in support of this Minor Variance application:

- Cover Letter
- Application for Minor Variance
- Existing Site Surveyor Drawing;
- Simplified Site Sketch (11x17)
- Architectural Schematic Design Drawings, including:
 - A0.01 Cover Sheet
 - SP1.02 - Site Plan
 - A1.01 – Basement Floor Plan
 - A1.02 – Ground Floor Plan
 - A1.03 – Second Floor Plan
 - A1.04 – Third Floor Plan
 - A1.05 – Roof Plan
 - A2.01 – Elevations – North & South
 - A2.02 – Elevations – East & West

4.0 CONCLUSION

The variances outlined in this letter are minor in nature, desirable residential development, and maintain the general intent of the Zoning By-law and Official Plan. The proposed development on the site contributes to meeting planning and design objectives for residential infill intensification in Neighbourhoods. The proposed low-rise apartment building also intensifies the site with a compact built form which appropriately frames the streetscape and maintains compatibility with surrounding low-rise residential uses. Potential privacy impacts are mitigated through the provision of architectural screening elements and soft landscaping, which serves to also benefit the enhancement of the public realm and contribute to sustainability objectives.

Yours very truly,



Aaron Budd, Principal
SvN Architects + Planners

cc. Sandy McIntosh (SvN)
Hary Shoan (High Margin Capital)



Hamilton

Committee of Adjustment

City Hall, 5th Floor,
71 Main St. W.,
Hamilton, ON L8P4Y5

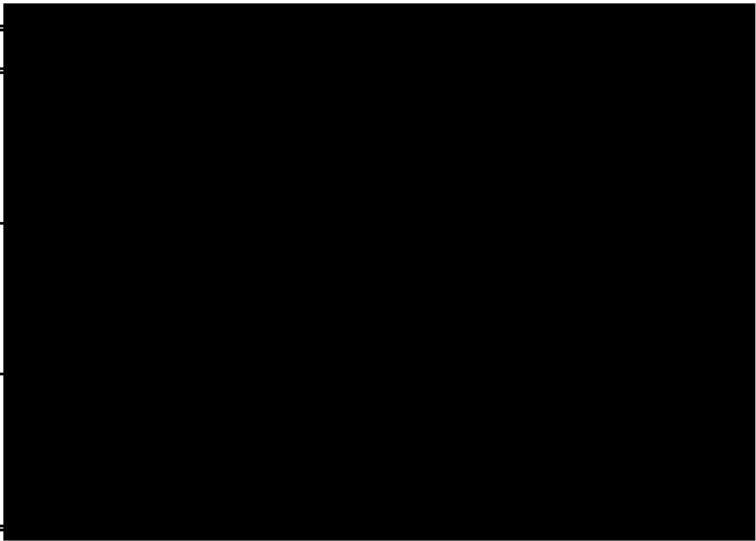
Phone: (905) 546-2424 ext. 4221

Email: cofa@hamilton.ca

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

1. APPLICANT INFORMATION

	NAME
Registered Owners(s)	56 York Rd Inc
Applicant(s)	Harpreet Shoan
Agent or Solicitor	SvN Architects & Planners Inc (Sandy McIntosh)



1.2 Primary contact

- Applicant
 Owner
 Agent/Solicitor

1.3 Sign should be sent to

- Applicant
 Owner
 Agent/Solicitor

1.4 Request for digital copy of sign

- Yes*
 No

If YES, provide email address where sign is to be sent

1.5 All correspondence may be sent by email

- Yes*
 No

If Yes, a valid email must be included for the registered owner(s) AND the Applicant/Agent (if applicable). Only one email address submitted will result in the voiding of this service. This request does not guarantee all correspondence will sent by email.

1.6 Payment type

- In person
 Credit over phone*
 Cheque

*Must provide number above

2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	56 York Rd		
Assessment Roll Number	251826024010800		
Former Municipality	Dundas		
Lot	2	Concession	
Registered Plan Number	1387	Lot(s)	
Reference Plan Number (s)	3919	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:

SEE ATTACHED COVER LETTER

Second Dwelling Unit Reconstruction of Existing Dwelling

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

SEE ATTACHED COVER LETTER

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
22.72 M	60.11 M	1342 M2	18 M

4.2 Location of all buildings and structures on or proposed for the subject lands:
(Specify distance from side, rear and front lot lines)

Existing:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
EXISTING GARAGE (DEMOLISHED)	19 M	27 M	8.5 M	
EXISTING DWELLING (TO BE DEMOLISHED)	1.75 M	47 M	2.6 M	01/01/1924

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
MULTI-UNIT RESIDENTIAL	8.9 M	8.7 M	N-1.7M S-2.5M	

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
EXISTING GARAGE (DEMOLISHED)	29 M2	29 M2	1	4.5 M
EXISTING DWELLING (TO BE DEMOLISHED)	67 M2	134 M2	2.5	9 M

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
MULTI-UNIT RESIDENTIAL	600 M2	1460 M2	3	12.5 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

right of way

municipal road, seasonally maintained

other public road

municipal road, maintained all year _____

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

4.9 Existing uses of abutting properties (single detached dwelling duplex, retail, factory etc.):
MULTI-UNIT RESIDENTIAL AND SINGLE FAMILY DWELLING

7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:
2018

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

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

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

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.
SEE ATTACHED COVER LETTER

7.6 What is the existing zoning of the subject land? RM2 (DUNDAS 3581-86)

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:

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: 1

8.2 Number of Dwelling Units Proposed: 10

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

SEE ATTACHED COVER LETTER

11 COMPLETE APPLICATION REQUIREMENTS

11.1 All Applications

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

11.4 Other Information Deemed Necessary

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