



Hamilton

**COMMITTEE OF ADJUSTMENT**

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

Telephone (905) 546-2424, ext. 4221

E-mail: [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

**NOTICE OF PUBLIC HEARING**  
**Minor Variance**

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**You are receiving this notice because you are either:**

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

<b>APPLICATION NO.:</b>	<b>A-24:200</b>	<b>SUBJECT PROPERTY:</b>	73 Hughson Street North, Hamilton
<b>ZONE:</b>	D1, H17, H19 & H21 (Downtown Central Business District)	<b>ZONING BY-LAW:</b>	Zoning By-law City of Hamilton 05-200, as Amended 18-114

**APPLICANTS:**

Owner: 73 Hughson Project GP Inc. c/o Core Development Group Ltd. Postmedia Place  
Agent: A.J. Clarke & Associates Ltd. Franz Kloibhofer

The following variances are requested:

1. A minimum 1.5 metre setback shall be required from the building base façade height shown at 21.95 metres in height instead of the minimum required 3.0 metre setback from the building base façade height shown in Schedule “F” – Special Figure 15;
2. A Minimum 8.8 metres setback for any portion of the building above 44.0 metres in height from the Northerly side lot line shall be permitted instead of a minimum 12.5 metres setback for any portion of a building above 44.0 metres;
3. A Minimum 9.9 metres setback for any portion of the building above 44.0 metres in height from the Southerly side lot line shall be permitted instead of a minimum 12.5 metres setback for any portion of a building above 44.0 metres;
4. No maximum setback to a street line for any portion of a building below 6.5 metres in height shall be permitted instead of a maximum 4.5 metres for any portion of building below 11.0 metres in height
5. A maximum building height of 94.7 metres shall be permitted instead of the maximum building height of 94.0 metres;
6. A Minimum of 170 Parking Spaces shall be permitted instead of the minimum required 180 parking spaces.

**A-24:200**

**PURPOSE & EFFECT:** To permit the construction of a 30 storey Mixed-Use building.

**Notes:**

- i. Please note, the variances are required to facilitate Site Plan application DA-23-068 and Conditionally Approved on December 22, 2023.
- ii. Be advised, Variance #4 shall only apply to the portion of the building less than 6.5 metres in height. All other portions of the building between 6.5 m to 11.0 m in height shall comply with the maximum 4.5 metre setback requirement.

**This Notice must be posted by the owner of any land which contains seven or more residential units so that it is visible to all residents.**

This application will be heard by the Committee as shown below:

<b>DATE:</b>	<b>Tuesday, October 8, 2024</b>
<b>TIME:</b>	<b>1:45 p.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>City Hall Council Chambers (71 Main St. W., Hamilton)</b>
	<b>To be streamed (viewing only) at</b> <a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a>

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

- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Visit Committee of Adjustment staff at 5<sup>th</sup> floor City Hall, 71 Main St. W., Hamilton

**PUBLIC INPUT**

**Written:** If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Please see attached page for complete instructions, written comments must be received no later than noon October 4, 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 October 7, 2024

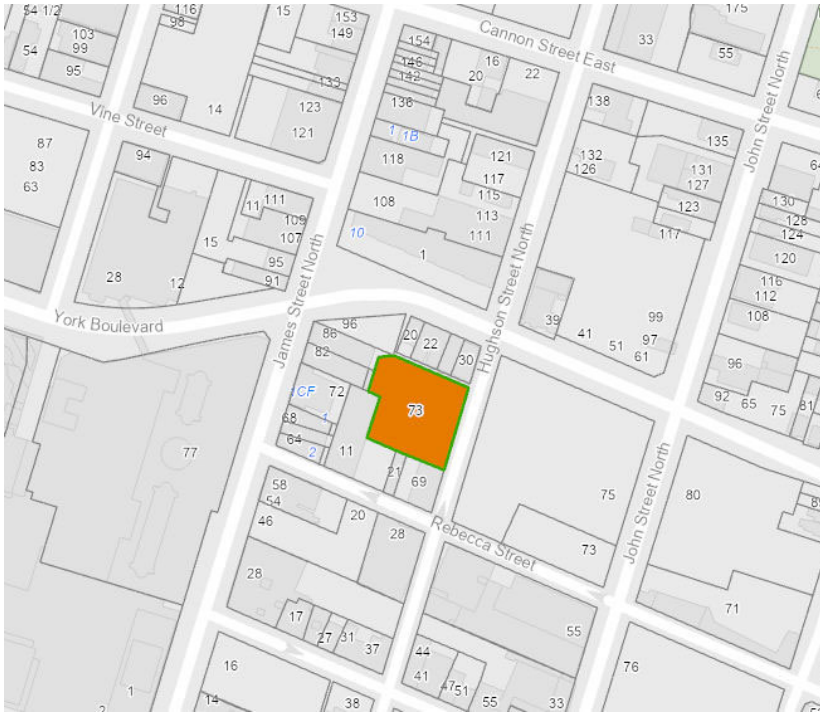
**FURTHER NOTIFICATION**

If you wish to be notified of future Public Hearings, if applicable, regarding A-24:200, you must submit a written request to [cofa@hamilton.ca](mailto:cofa@hamilton.ca) or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.

If you wish to be provided a Notice of Decision, you must attend the Public Hearing and file a written request with the Secretary-Treasurer by emailing [cofa@hamilton.ca](mailto:cofa@hamilton.ca) or by mailing the Committee of

**A-24:200**

Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.



 **Subject Lands**

DATED: September 19, 2024

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Jamila Sheffield,  
Secretary-Treasurer  
Committee of Adjustment

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



Hamilton

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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](mailto:cofa@hamilton.ca) or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5. **Comments must be received by noon on the date listed on the Notice of Public Hearing.**

Comments are available the Friday prior to the Hearing and are available on our website: [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)

#### Oral Submissions

Members of the public are also able to provide oral comments regarding Committee of Adjustment Hearing items by participating 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](mailto: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](mailto: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.

### PROJECT STATISTICS

Site Area (incl. Road Widening)	2,668.80 m <sup>2</sup>
Overall Area (incl. Road Widening)	34,438.50 m <sup>2</sup>
Total Area (incl. Underground car parking)	26,232.28 m <sup>2</sup>
Compliance	65.16%
Average grade	86.75 ASL
Total Access	1,591.50 m <sup>2</sup>
Residential Units (Overall)	1,600 Units
Residential Density	23.48 UPA
Residential Carparking	150 Cars
Residential Density	10.00 UPA
Total Units	1,600 Units

Unit Counts breakdown by unit type	100	100+	100++	100+++
Count	Count	Count	Count	Count
100	100	100	100	100
100+	100	100	100	100
100++	100	100	100	100
100+++	100	100	100	100
100++++	100	100	100	100

Required Parking Spaces	100	100+	100++	100+++
Count	Count	Count	Count	Count
100	100	100	100	100
100+	100	100	100	100
100++	100	100	100	100
100+++	100	100	100	100
100++++	100	100	100	100

### ZONING COMPLIANCE CHART

**Hamilton By-Law 22-200 Section 4.0 PERMITTED ROAD IMPROVEMENTS**

Provisions	Required	Proposed	Compliance
4.1 Part of any required road shall be... [text truncated]			Yes
4.2 The total projection of windows, signs, awnings, balconies, etc., shall not exceed... [text truncated]			Yes
4.3 Sidewalks may be provided... [text truncated]			Yes
4.4 Sidewalks shall be... [text truncated]			Yes
4.5 Sidewalks shall be... [text truncated]			Yes

**Hamilton By-Law 22-200 Section 6.0 PARKING**

Provisions	Required	Proposed	Compliance
6.1 Minimum parking shall be provided for each... [text truncated]			Yes
6.2 Minimum parking shall be provided for each... [text truncated]			Yes
6.3 Minimum parking shall be provided for each... [text truncated]			Yes

**Hamilton By-Law 22-200 Section 4.0 DEVELOPMENT GENERAL PROVISIONS**

Provisions	Required	Proposed	Compliance
4.1 Part of any required road shall be... [text truncated]			Yes
4.2 The total projection of windows, signs, awnings, balconies, etc., shall not exceed... [text truncated]			Yes
4.3 Sidewalks may be provided... [text truncated]			Yes

**Hamilton By-Law 22-200 Section 4.0 DEVELOPMENT GENERAL PROVISIONS**

Provisions	Required	Proposed	Compliance
4.1 Part of any required road shall be... [text truncated]			Yes
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4.3 Sidewalks may be provided... [text truncated]			Yes
4.4 Sidewalks shall be... [text truncated]			Yes
4.5 Sidewalks shall be... [text truncated]			Yes

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6.1 Minimum parking shall be provided for each... [text truncated]			Yes
6.2 Minimum parking shall be provided for each... [text truncated]			Yes
6.3 Minimum parking shall be provided for each... [text truncated]			Yes

**Hamilton By-Law 22-200 Section 4.0 DEVELOPMENT GENERAL PROVISIONS**

Provisions	Required	Proposed	Compliance
4.1 Part of any required road shall be... [text truncated]			Yes
4.2 The total projection of windows, signs, awnings, balconies, etc., shall not exceed... [text truncated]			Yes
4.3 Sidewalks may be provided... [text truncated]			Yes

**Hamilton By-Law 22-200 Section 4.0 DEVELOPMENT GENERAL PROVISIONS**

Provisions	Required	Proposed	Compliance
4.1 Part of any required road shall be... [text truncated]			Yes
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**Hamilton By-Law 22-200 Section 4.0 DEVELOPMENT GENERAL PROVISIONS**

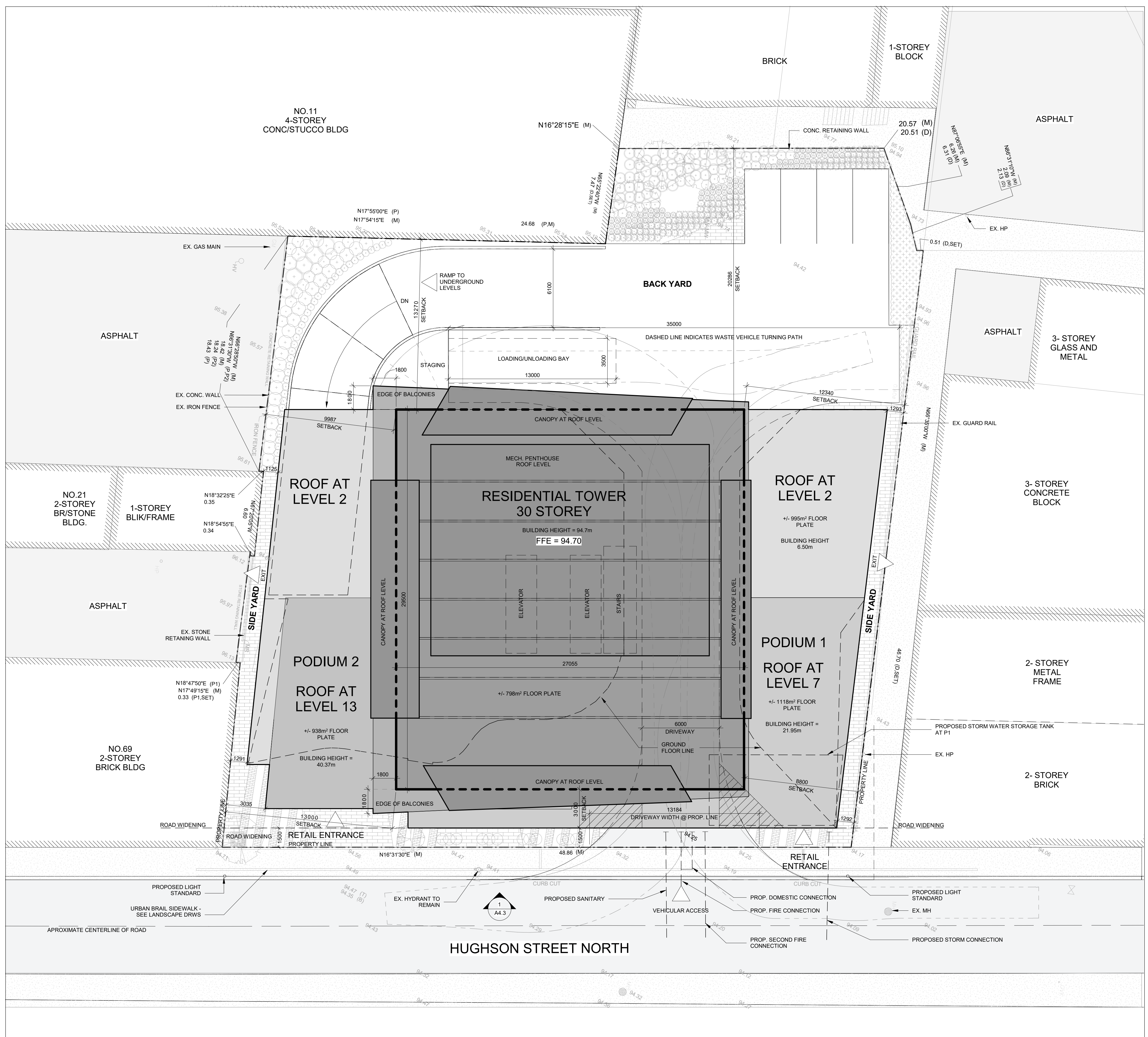
Provisions	Required	Proposed	Compliance
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4.2 The total projection of windows, signs, awnings, balconies, etc., shall not exceed... [text truncated]			Yes
4.3 Sidewalks may be provided... [text truncated]			Yes

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Provisions	Required	Proposed	Compliance
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4.2 The total projection of windows, signs, awnings, balconies, etc., shall not exceed... [text truncated]			Yes
4.3 Sidewalks may be provided... [text truncated]			Yes



PROJECT LOGO

TRUE NORTH CONSTRUCTION NORTH

KEY PLAN

1	ISSUED FOR MY APPLICATION	26/08/24
2	ISSUED FOR ZCR	09/05/24
3	CLIENT REVIEW	05/04/24
4	SPA SUBMISSION	18/06/23
5	DRP SUBMISSION	06/06/23
No. 1	DESCRIPTION	DATE

REVISIONS:

DISCREPANCIES MUST BE REPORTED IMMEDIATELY TO THE ARCHITECT/ENGINEER BEFORE PROCEEDING. ONLY RIGHTED DIMENSIONS MUST BE USED. THE CONTRACTOR MUST CHECK THE DIMENSIONS ON SITE. THE DRAWING IS PROTECTED BY COPYRIGHT. ALL DIMENSIONS ARE SHOWN IN MILLIMETERS. DO NOT SCALE THE DRAWINGS.

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905.526.6700  
www.mccallumsather.com

SEAL

CONSULTANTS:

PROJECT:  
**73 Hughson St. N**

**73 Hughson St. N, Hamilton, Ontario**

DRAWING TITLE:  
**SITE PLAN**

DRAWN BY: Author DATE: 09/02/19  
CHECKED BY: Checker SCALE: 1:150

PROJECT NO: **23007**

DRAWING NO: **A1.0**

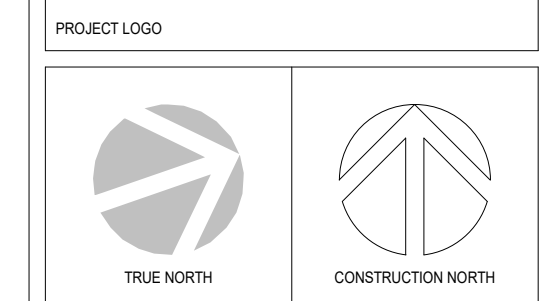
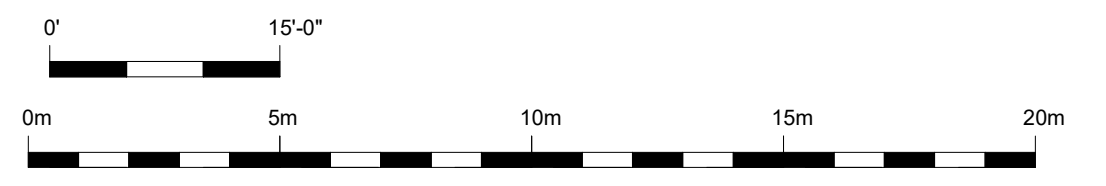
SIT PLAN 1  
1:150 A1.0



UNDERGROUND LEVEL P4 1:150 A2.1



UNDERGROUND LEVEL P2-P3 1:150 A2.1



KEY PLAN

No.	DESCRIPTION	DATE
1	ISSUED FOR MY APPLICATION	26/08/24
2	ISSUED FOR ZCR	03/05/24
3	CLIENT REVIEW	03/04/24
4	SPR SUBMISSION	18/06/23
5	DRP SUBMISSION	06/06/23

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PROJECT:  
**73 Hughson St. N**

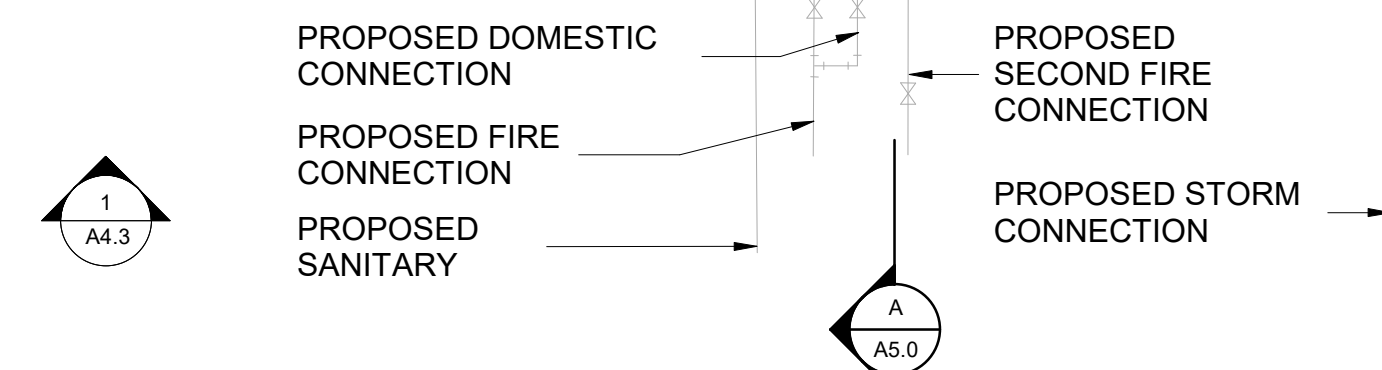
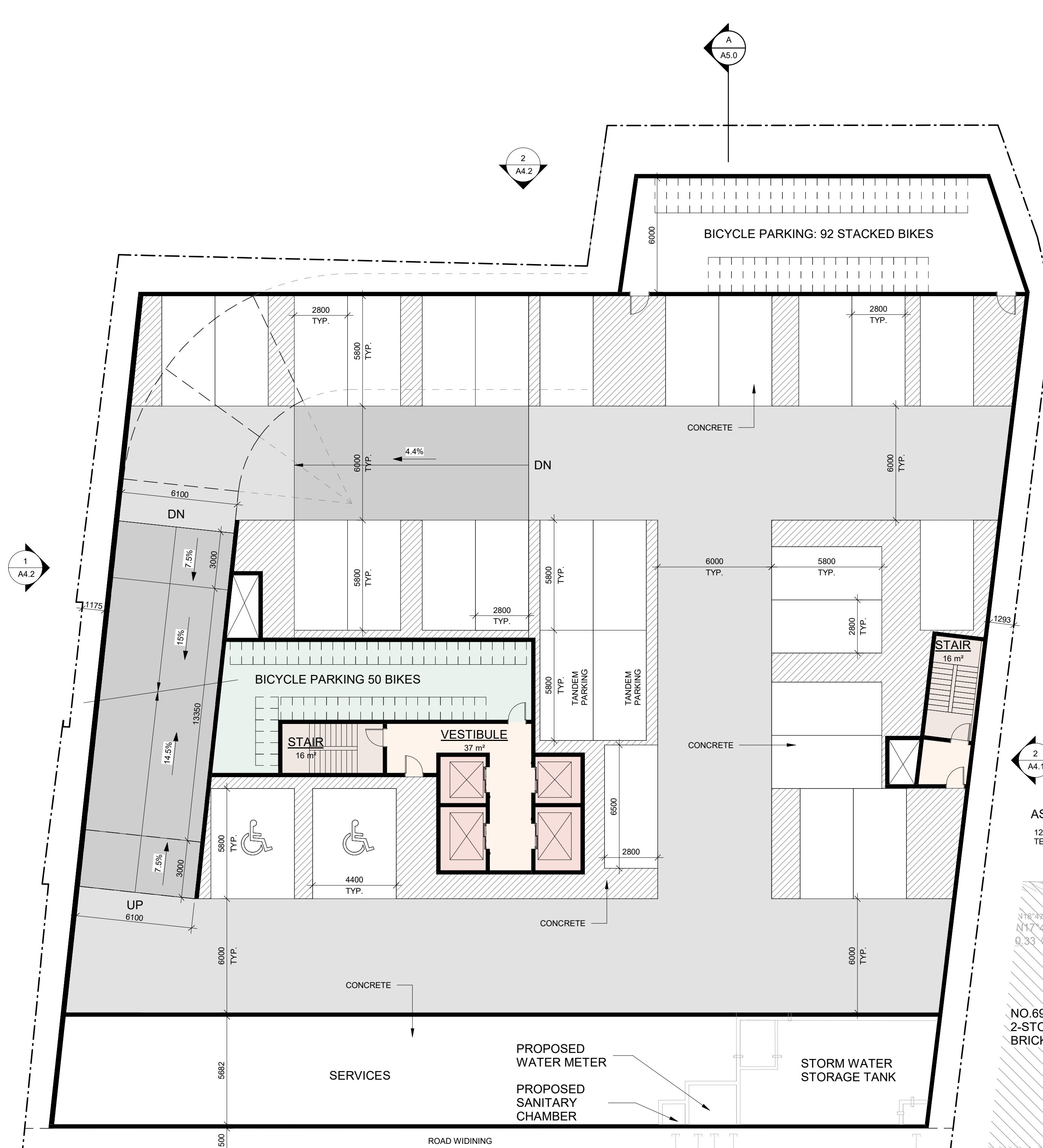
**73 Hughson St. N, Hamilton, Ontario**

DRAWING TITLE:  
**FLOOR PLAN - P4 + P2-P3**

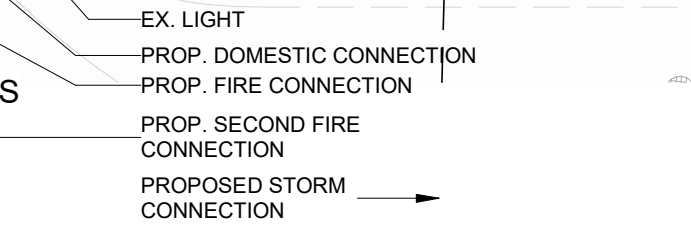
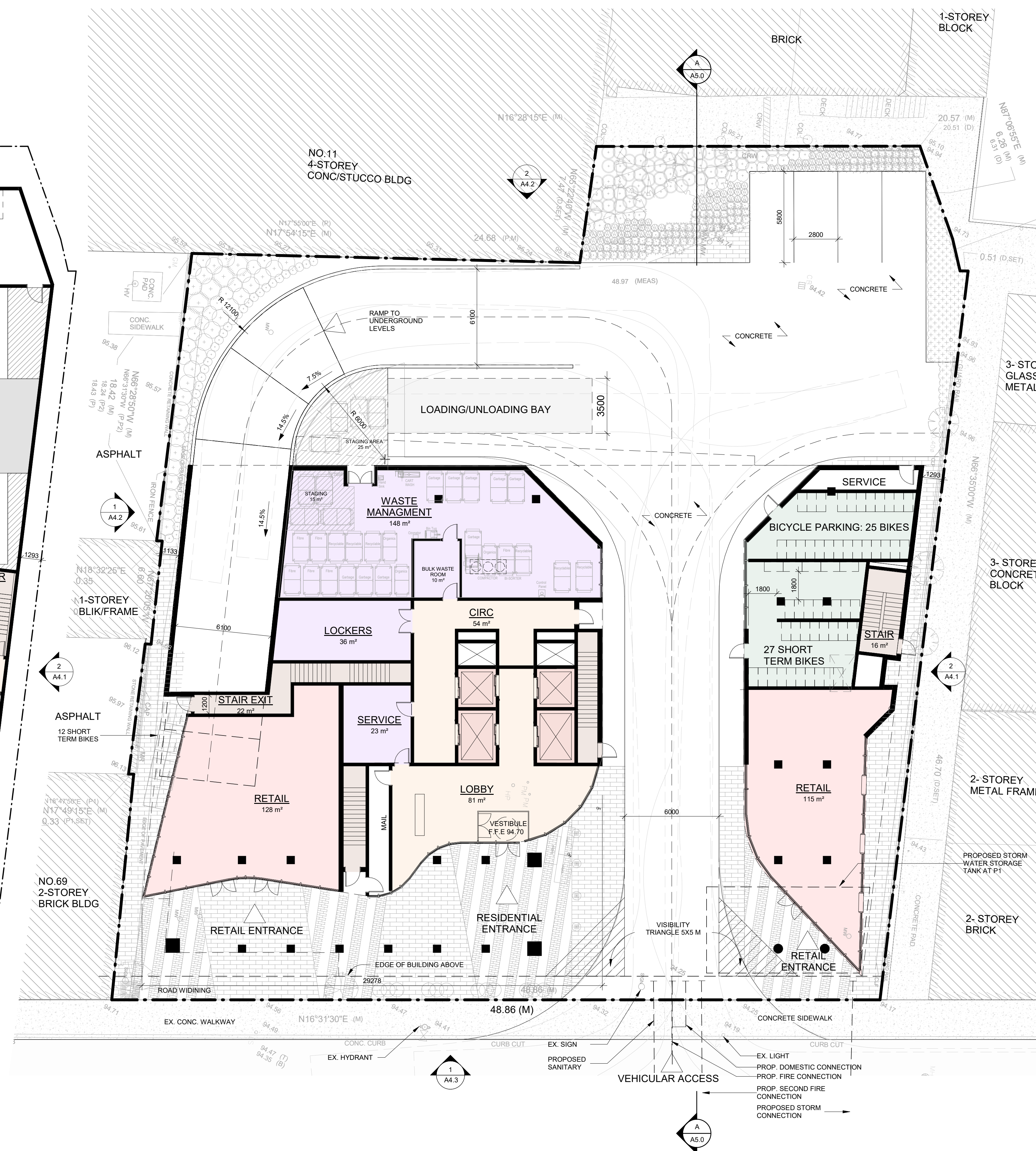
DRAWN BY: Author DATE: 09/02/19  
 CHECKED BY: Checker SCALE: 1:150

PROJECT NO: **23007**

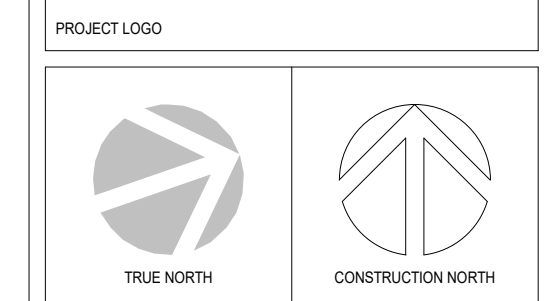
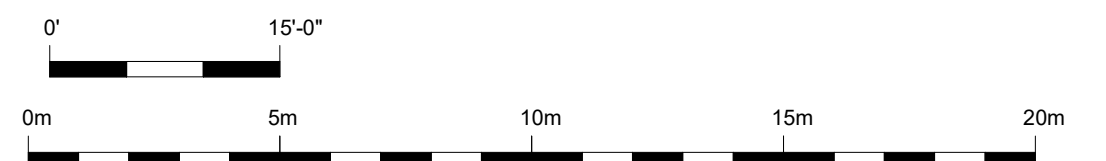
DRAWING NO: **A2.1**



UNDERGROUND LEVEL P1 1:150 A2.2



LEVEL 1 1:150 A2.2



KEY PLAN

3	ISSUED FOR MY APPLICATION	26/08/24
4	ISSUED FOR ZCR	03/05/24
1	CLIENT REVIEW	03/04/24
2	SPA SUBMISSION	15/06/23
	DRP SUBMISSION	06/06/23
No. 1	DESCRIPTION	DATE

REVISIONS:  
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PROJECT:  
**73 Hughson St. N**

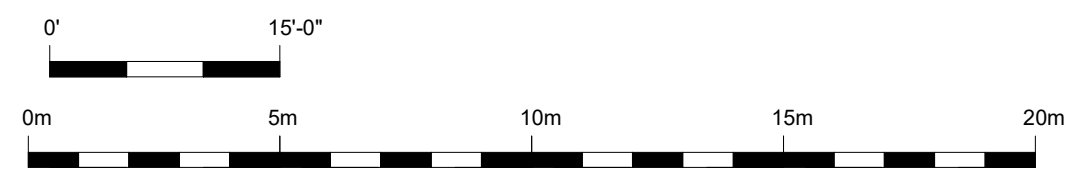
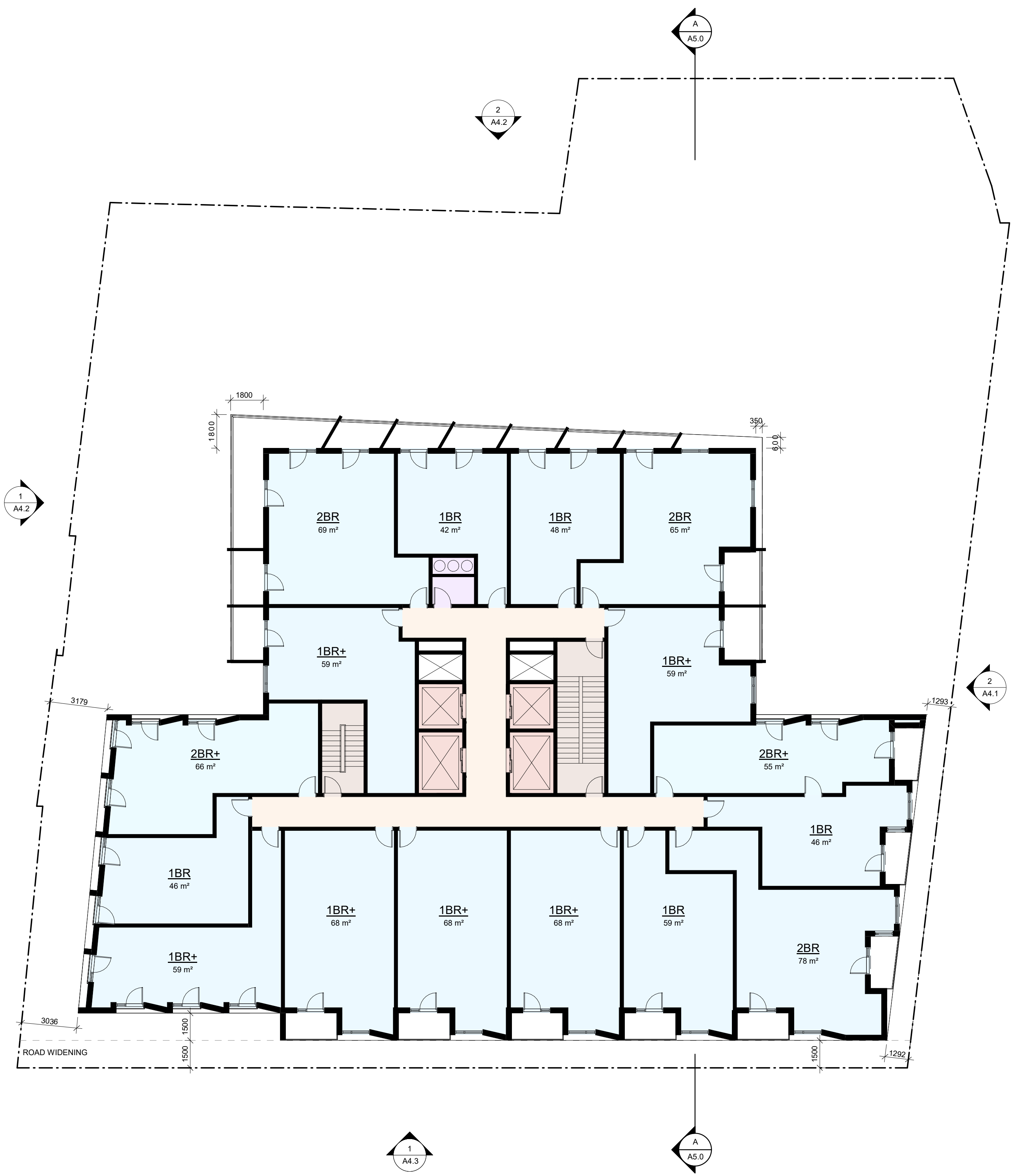
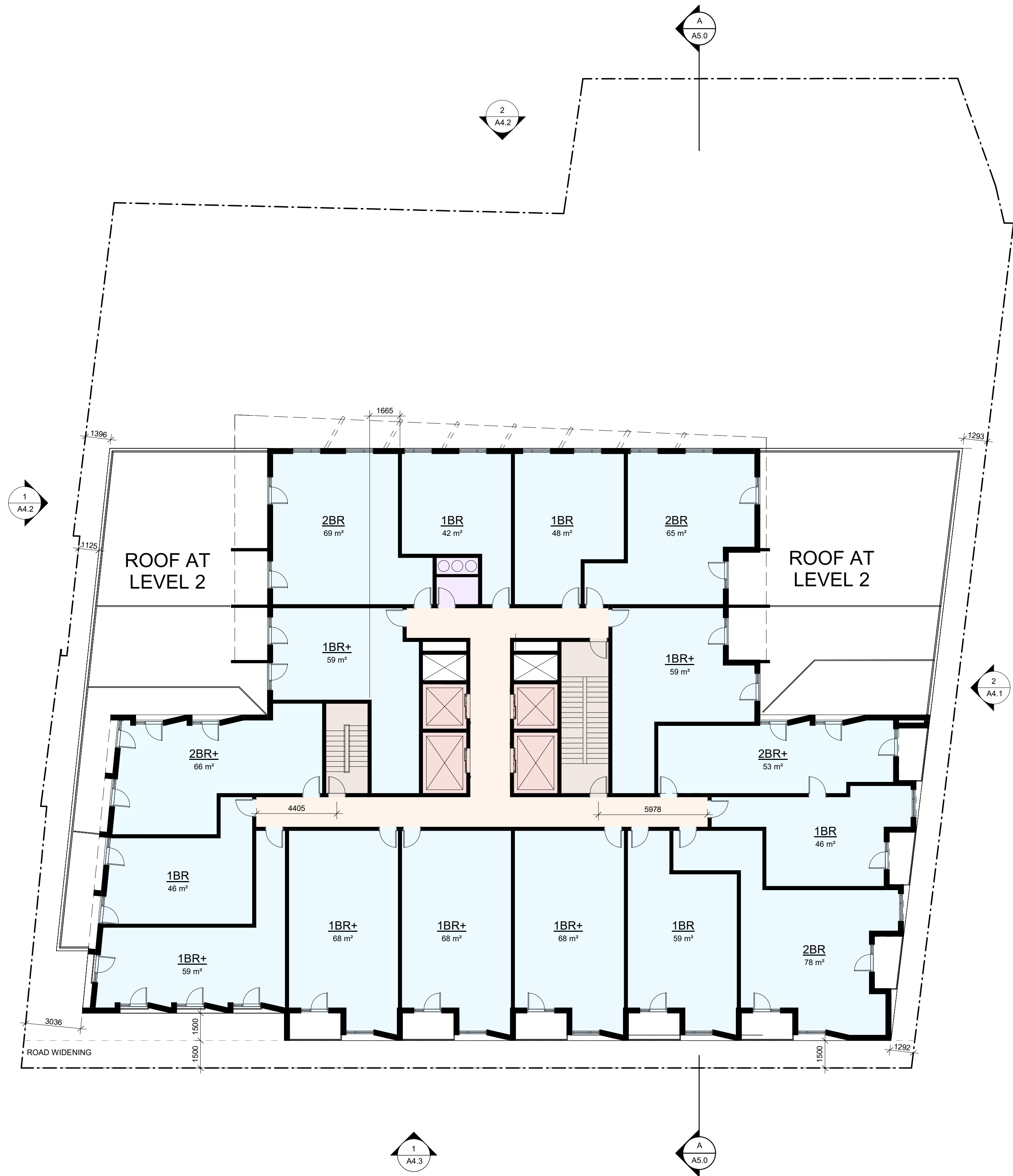
**73 Hughson St. N, Hamilton, Ontario**

DRAWING TITLE:  
**FLOOR PLAN - P1 + LEVEL 1**

DRAWN BY: Author DATE: 09/02/19  
 CHECKED BY: Checker SCALE: 1:150

PROJECT NO: **23007**

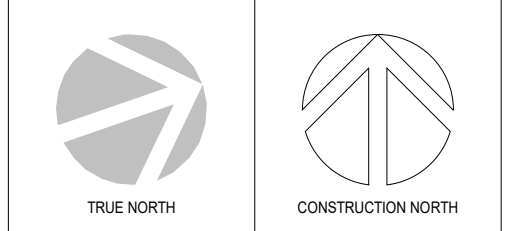
DRAWING NO: **A2.2**



LEVEL 2 1  
1:150 A2.3

LEVEL 3-6 2  
1:150 A2.3

PROJECT LOGO



KEY PLAN

No.	DESCRIPTION	DATE
5	ISSUED FOR MY APPLICATION	26/08/24
4	ISSUED FOR ZCR	03/05/24
3	CLIENT REVIEW	03/04/24
2	SPA SUBMISSION	18/06/23
1	DRP SUBMISSION	08/06/23

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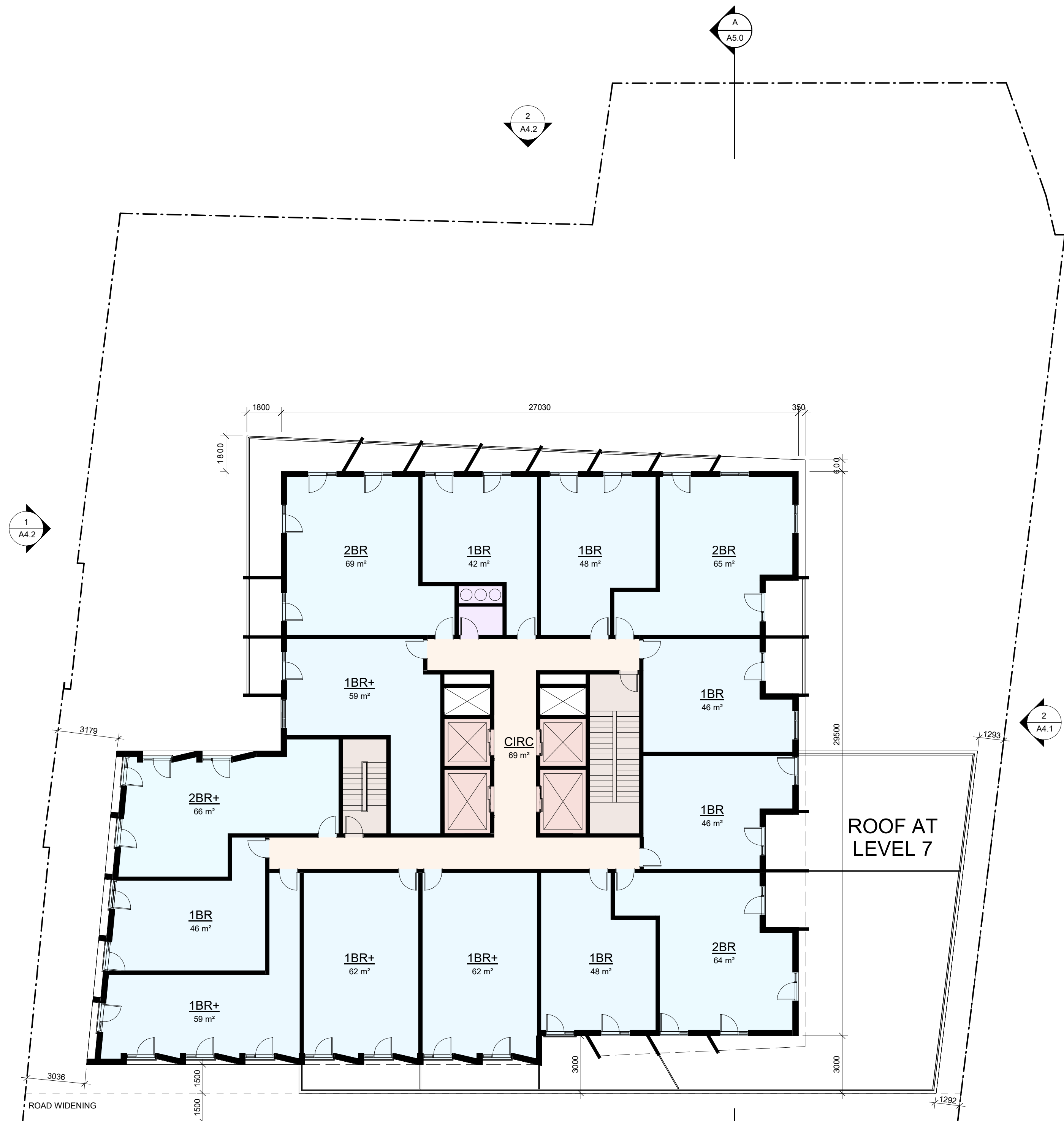
DRAWING TITLE:  
**LEVEL 2 & LEVEL 3 TO 6**

DRAWN BY: Author DATE: 09/02/19  
CHECKED BY: Checker SCALE: 1:150

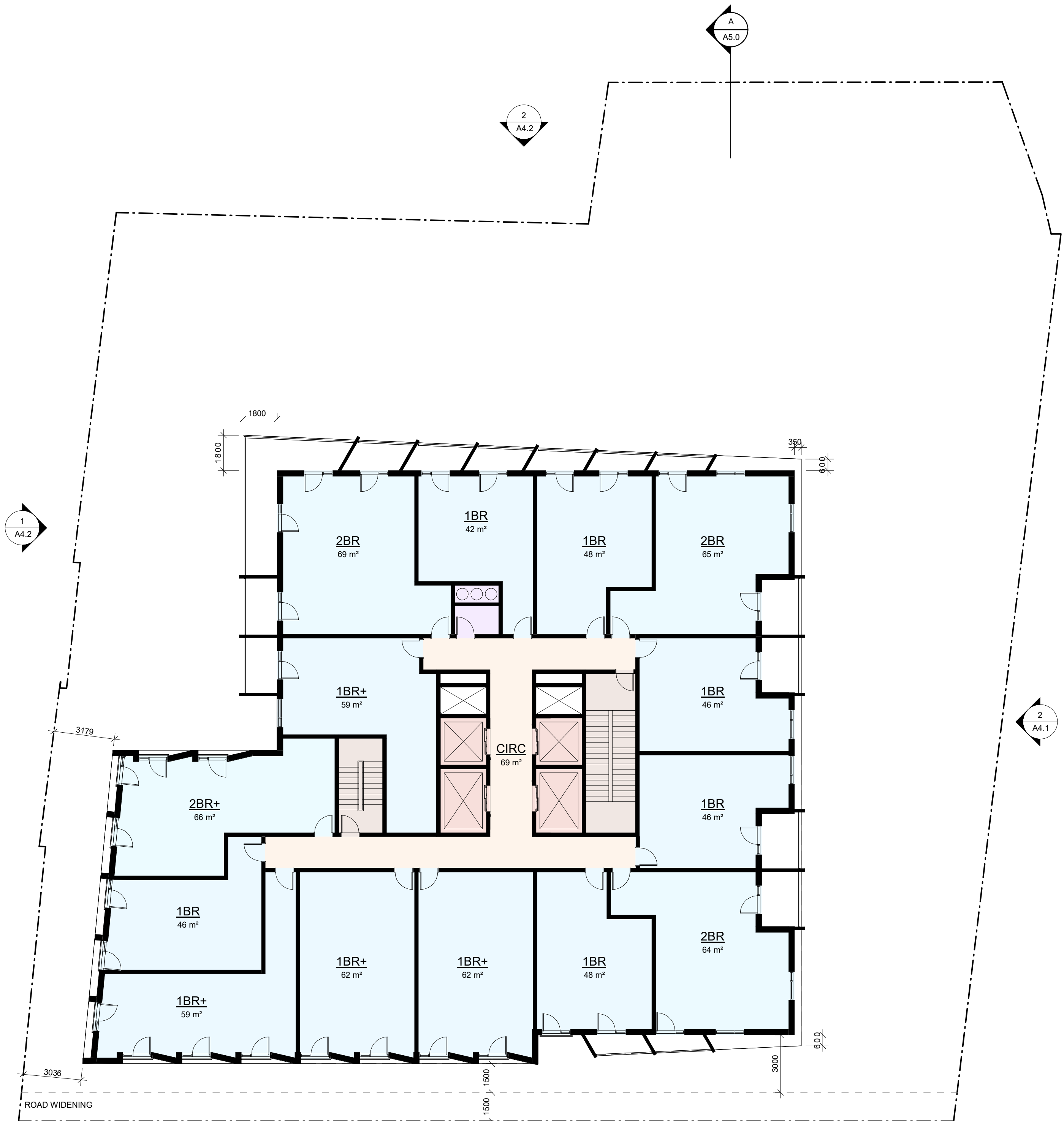
PROJECT NO: **23007**

DRAWING NO: **A2.3**

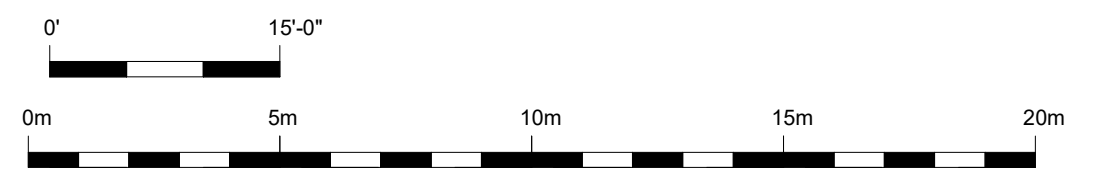




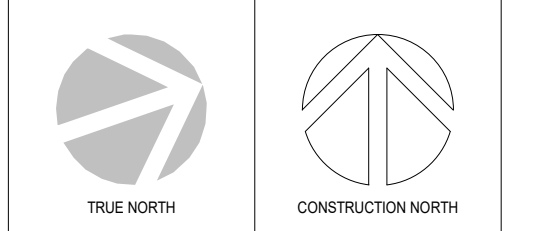
LEVEL 7 1:150 A2.4



LEVEL 8-12 1:150 A2.4



PROJECT LOGO



KEY PLAN

5	ISSUED FOR MY APPLICATION	26/08/24
4	ISSUED FOR ZCR	03/05/24
3	CLIENT REVIEW	03/04/24
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No.	DESCRIPTION	DATE

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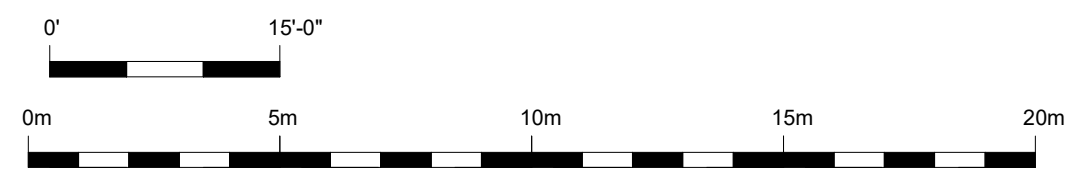
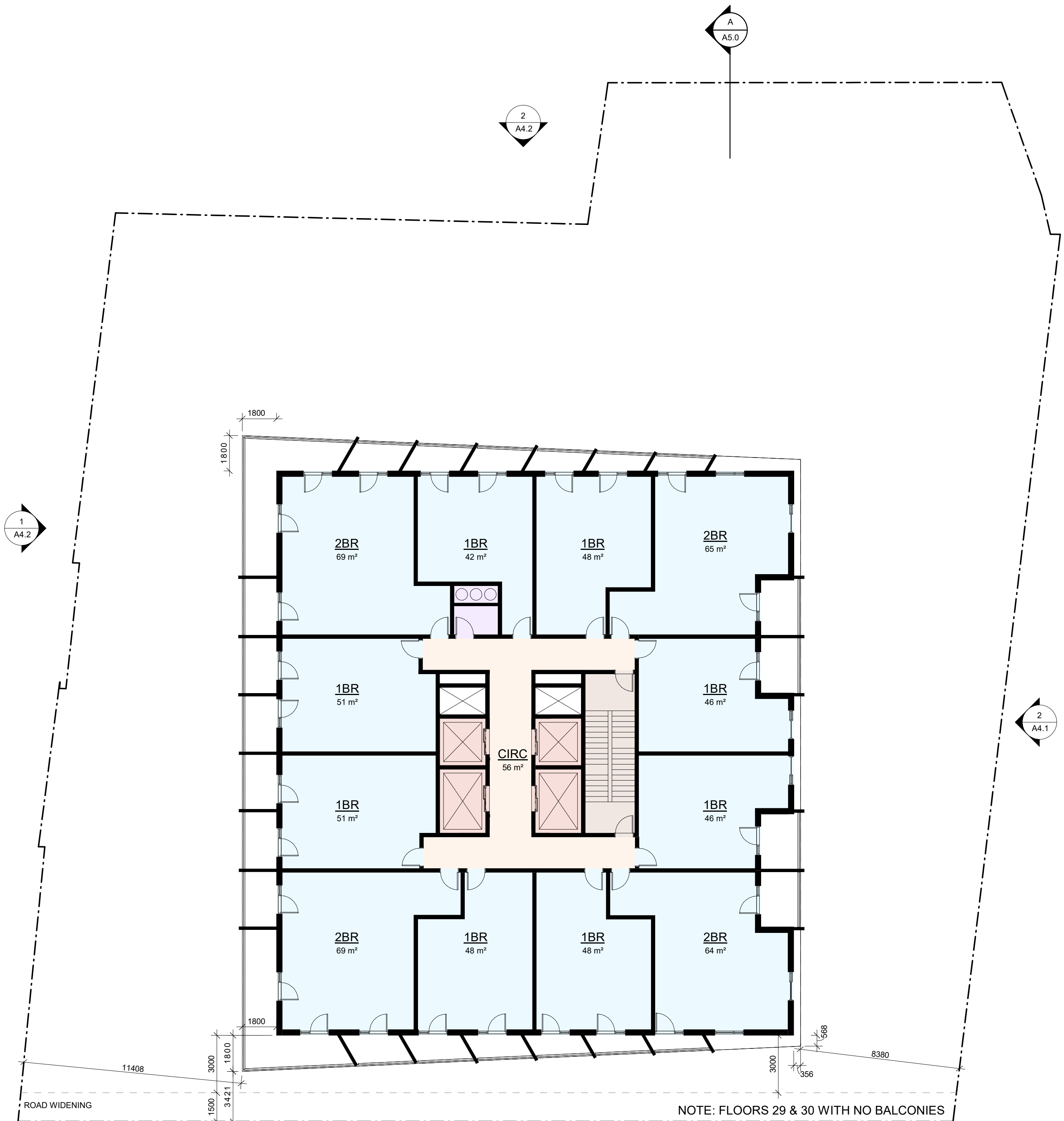
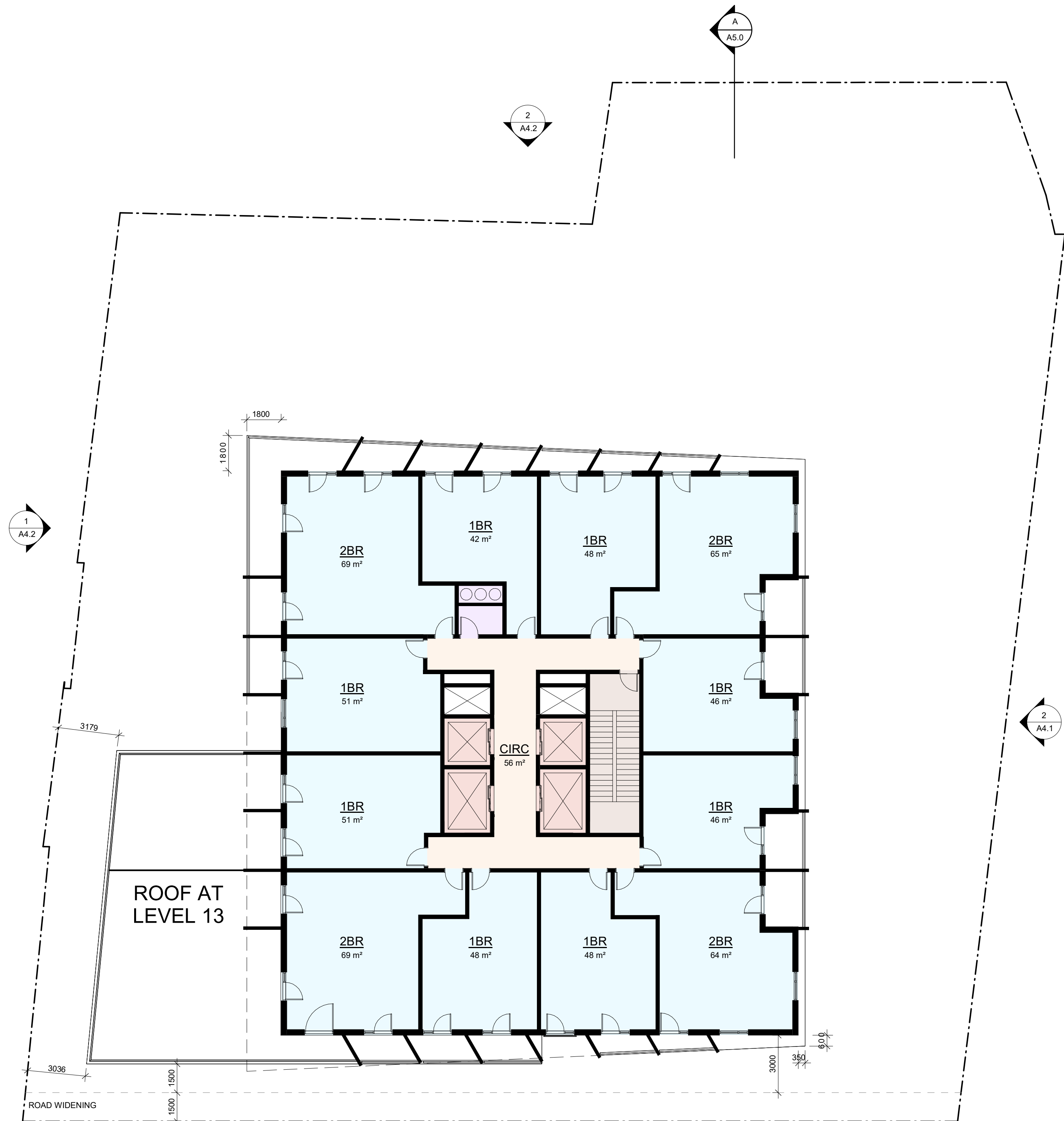
**73 Hughson St. N, Hamilton, Ontario**

DRAWING TITLE:  
**LEVEL 7 & LEVEL 8 TO 12**

DRAWN BY: Author DATE: 09/02/19  
 CHECKED BY: Checker SCALE: 1:150

PROJECT NO: **23007**

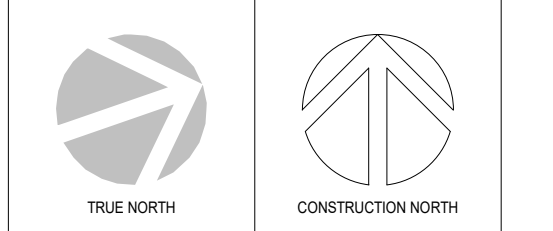
DRAWING NO: **A2.4**



LEVEL 13 1:150 A2.5

LEVEL 14-30 1:150 A2.5

PROJECT LOGO



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5	ISSUED FOR MY APPLICATION	26/08/24
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SEAL

CONSULTANTS

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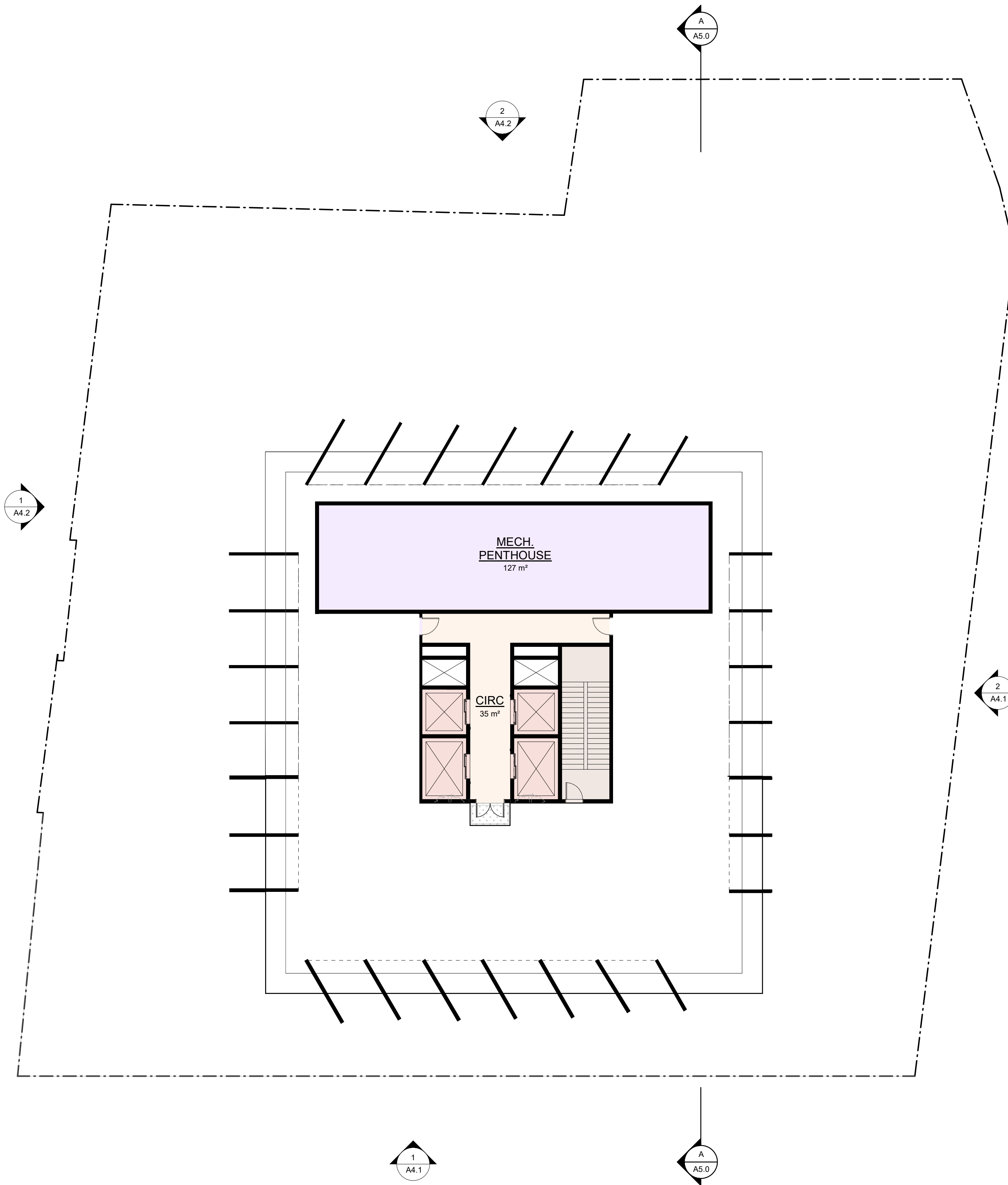
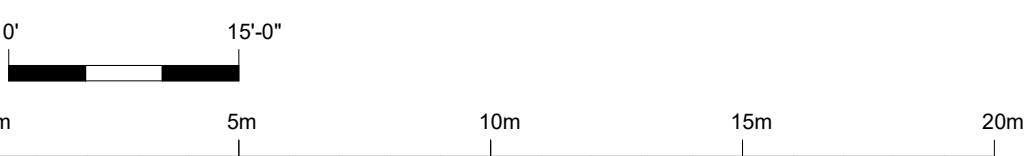
**73 Hughson St. N, Hamilton, Ontario**

DRAWING TITLE:  
**LEVEL 13 & LEVEL 14 TO 30**

DRAWN BY: Author DATE: 09/02/19  
 CHECKED BY: Checker SCALE: 1:150

PROJECT NO: **23007**

DRAWING NO: **A2.5**



ROOF LEVEL - MECH.P.H 1  
1:150 A3.0

PROJECT LOGO



KEY PLAN

5	ISSUED FOR MY APPLICATION	26/08/24
4	ISSUED FOR ZCR	03/05/24
3	CLIENT REVIEW	03/04/24
2	SPA SUBMISSION	18/06/23
1	DRP SUBMISSION	06/06/23
No.	DESCRIPTION	DATE

REVISIONS:  
DISCREPANCIES MUST BE REPORTED IMMEDIATELY TO THE ARCHITECT/ENGINEER BEFORE PROCEEDING.  
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**mcCallumSather**  
Westinghouse HQ, 2nd Floor  
286 Sanford Ave. N  
Hamilton, ON L8L 6A1  
905.526.6700  
www.mccallumsather.com

SEAL

CONSULTANTS

PROJECT:  
**73 Hughson St. N**

**73 Hughson St. N, Hamilton, Ontario**

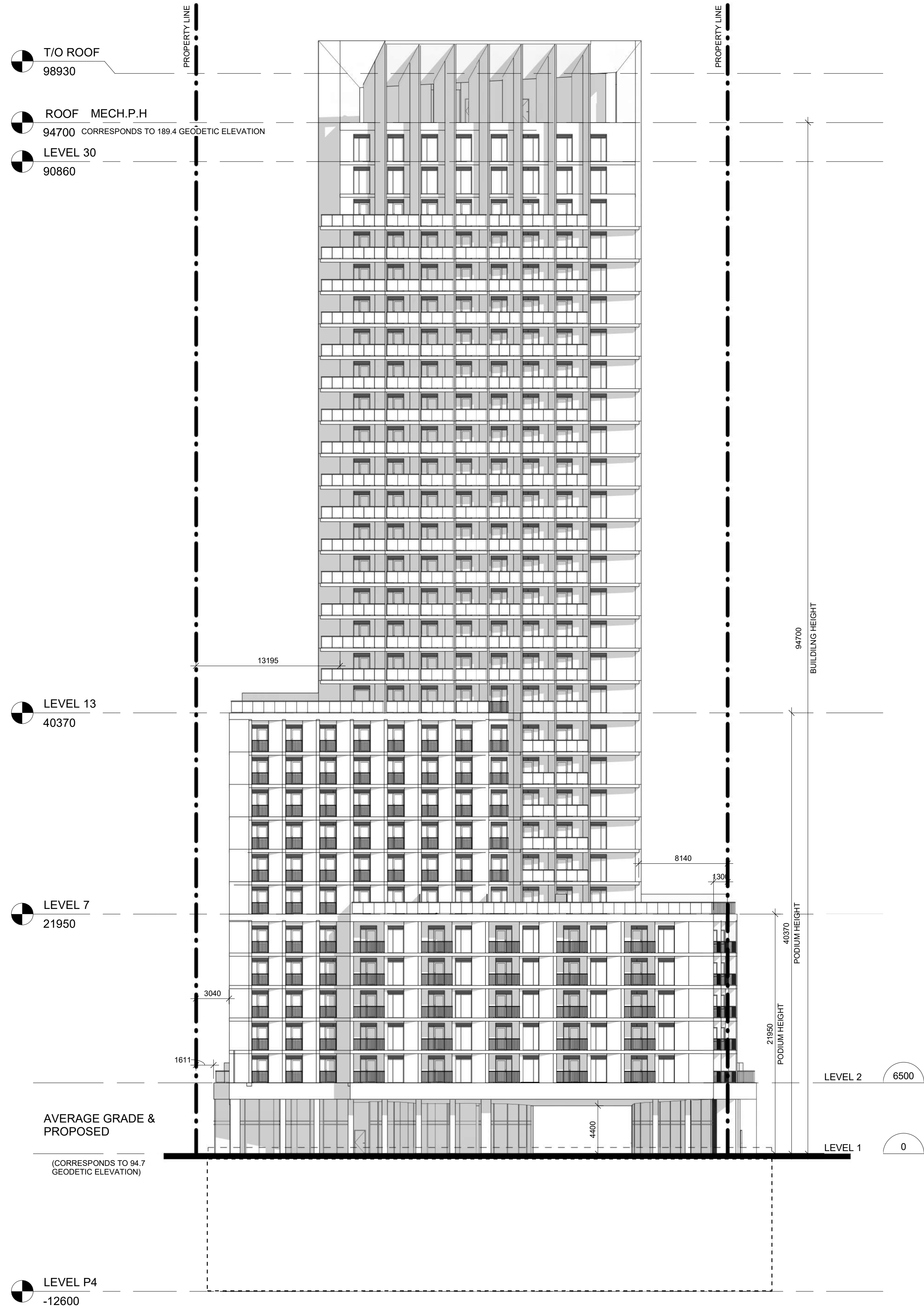
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DRAWN BY:	Author	DATE:	09/02/19
CHECKED BY:	Checker	SCALE:	1:150

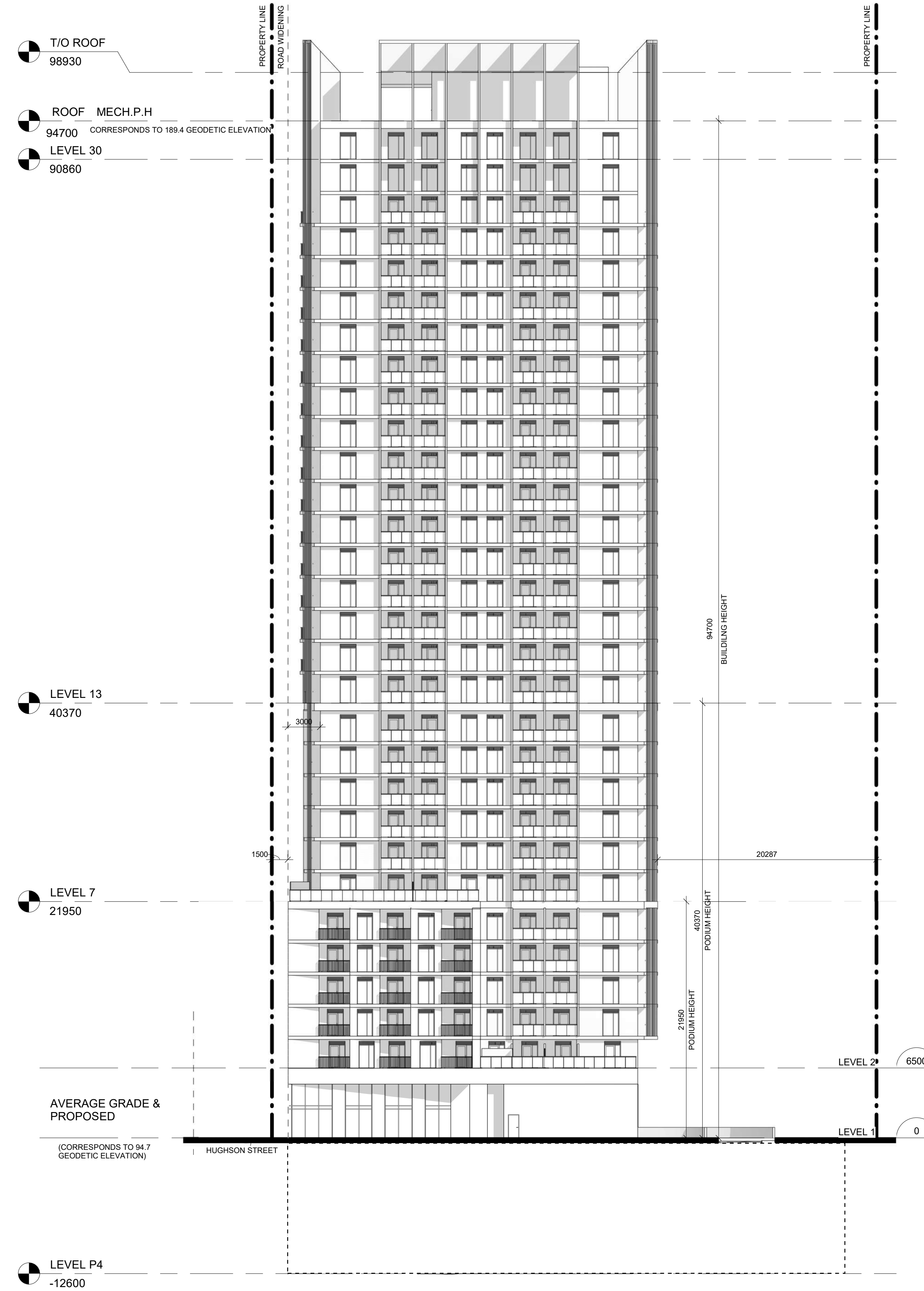
PROJECT NO: **23007**

DRAWING NO:

**A3.0**

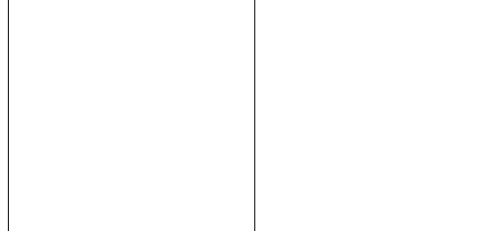


EAST ELEVATION 1  
1 : 250 A4.1



NORTH ELEVATION 2  
1 : 250 A4.1

PROJECT LOGO



KEY PLAN

No.	DESCRIPTION	DATE
5	ISSUED FOR MY APPLICATION	26/08/24
4	ISSUED FOR ZCR	03/05/24
3	CLIENT REVIEW	03/04/24
2	SPA SUBMISSION	18/06/23
1	DRP SUBMISSION	06/06/23

REVISIONS:

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SEAL

CONSULTANTS

PROJECT:  
**73 Hughson St. N**  
  
**73 Hughson St. N, Hamilton, Ontario**

DRAWING TITLE:  
**ELEVATIONS**

DRAWN BY: Author DATE: 09/02/19  
CHECKED BY: Checker SCALE: 1 : 250

PROJECT NO: **23007**

DRAWING NO: **A4.1**

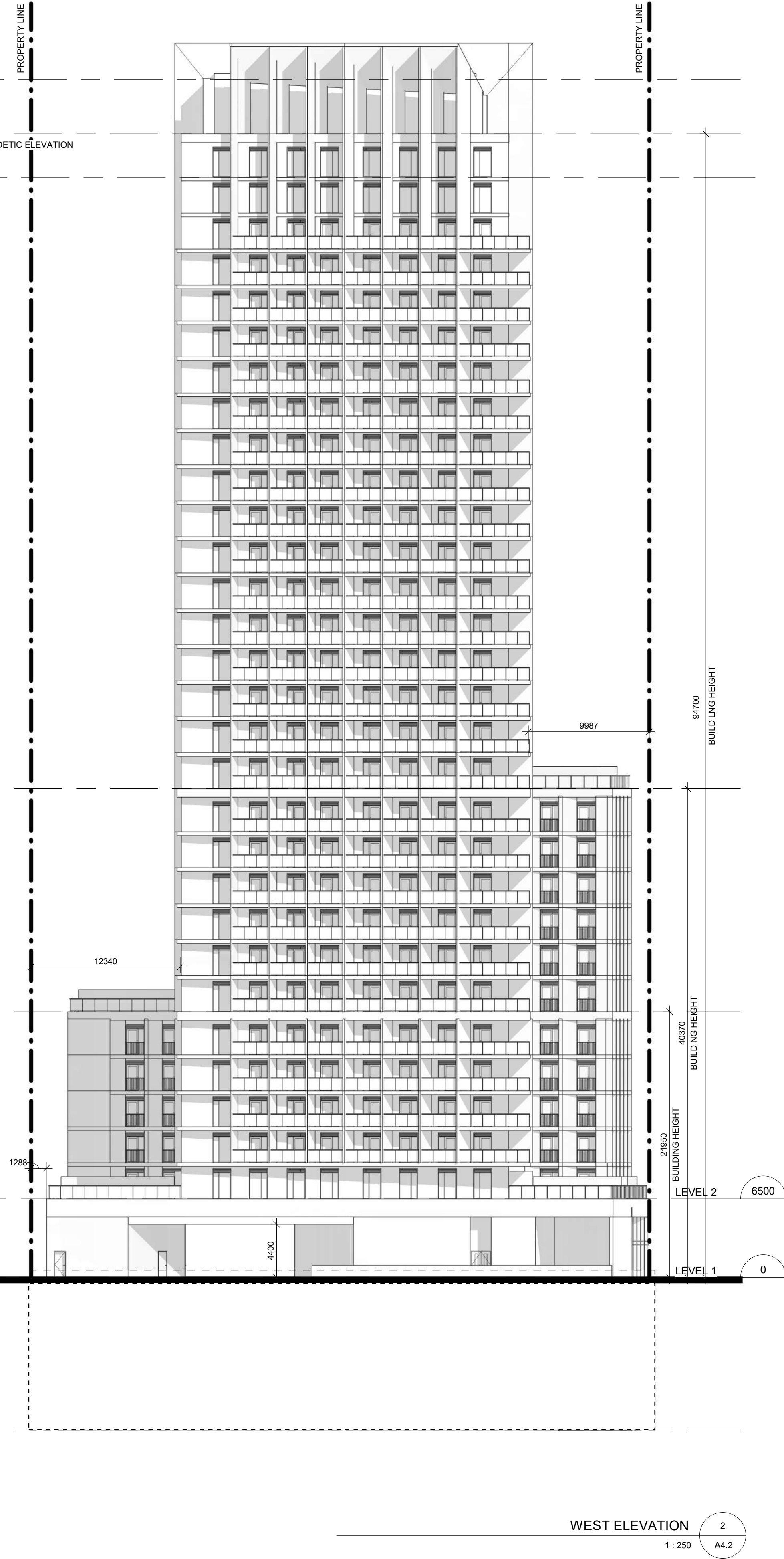
T/O ROOF  
 98930  
 ROOF MECH.P.H  
 94700 CORRESPONDS TO 189.4 GEODETIC ELEVATION  
 LEVEL 30  
 90860

LEVEL 13  
 40370

LEVEL 7  
 21950

AVERAGE GRADE &  
 PROPOSED  
 (CORRESPONDS TO 94.7  
 GEODETIC ELEVATION)

LEVEL P4  
 -12600



WEST ELEVATION 2  
 1:250 A4.2

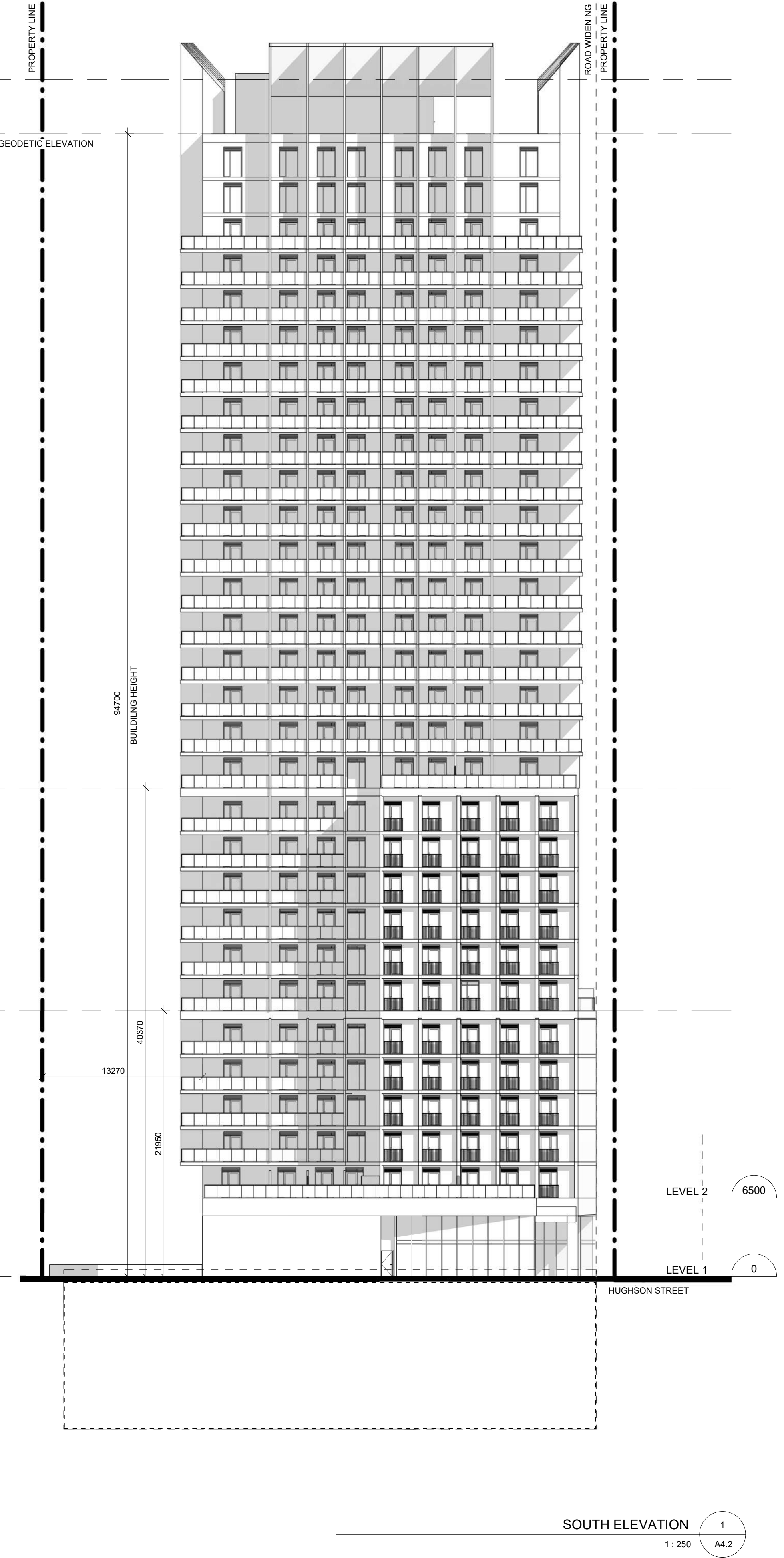
T/O ROOF  
 98930  
 ROOF MECH.P.H  
 94700 CORRESPONDS TO 189.4 GEODETIC ELEVATION  
 LEVEL 30  
 90860

LEVEL 13  
 40370

LEVEL 7  
 21950

AVERAGE GRADE &  
 PROPOSED  
 (CORRESPONDS TO 94.7  
 GEODETIC ELEVATION)

LEVEL P4  
 -12600



SOUTH ELEVATION 1  
 1:250 A4.2

PROJECT LOGO

KEY PLAN

5	ISSUED FOR MY APPLICATION	26/08/24
4	ISSUED FOR ZCR	03/05/24
3	CLIENT REVIEW	03/04/24
2	SPA SUBMISSION	15/06/23
1	DRP SUBMISSION	06/06/23
No.	DESCRIPTION	DATE

REVISIONS:  
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SEAL

CONSULTANTS

PROJECT:  
**73 Hughson St. N**

**73 Hughson St. N, Hamilton,  
 Ontario**

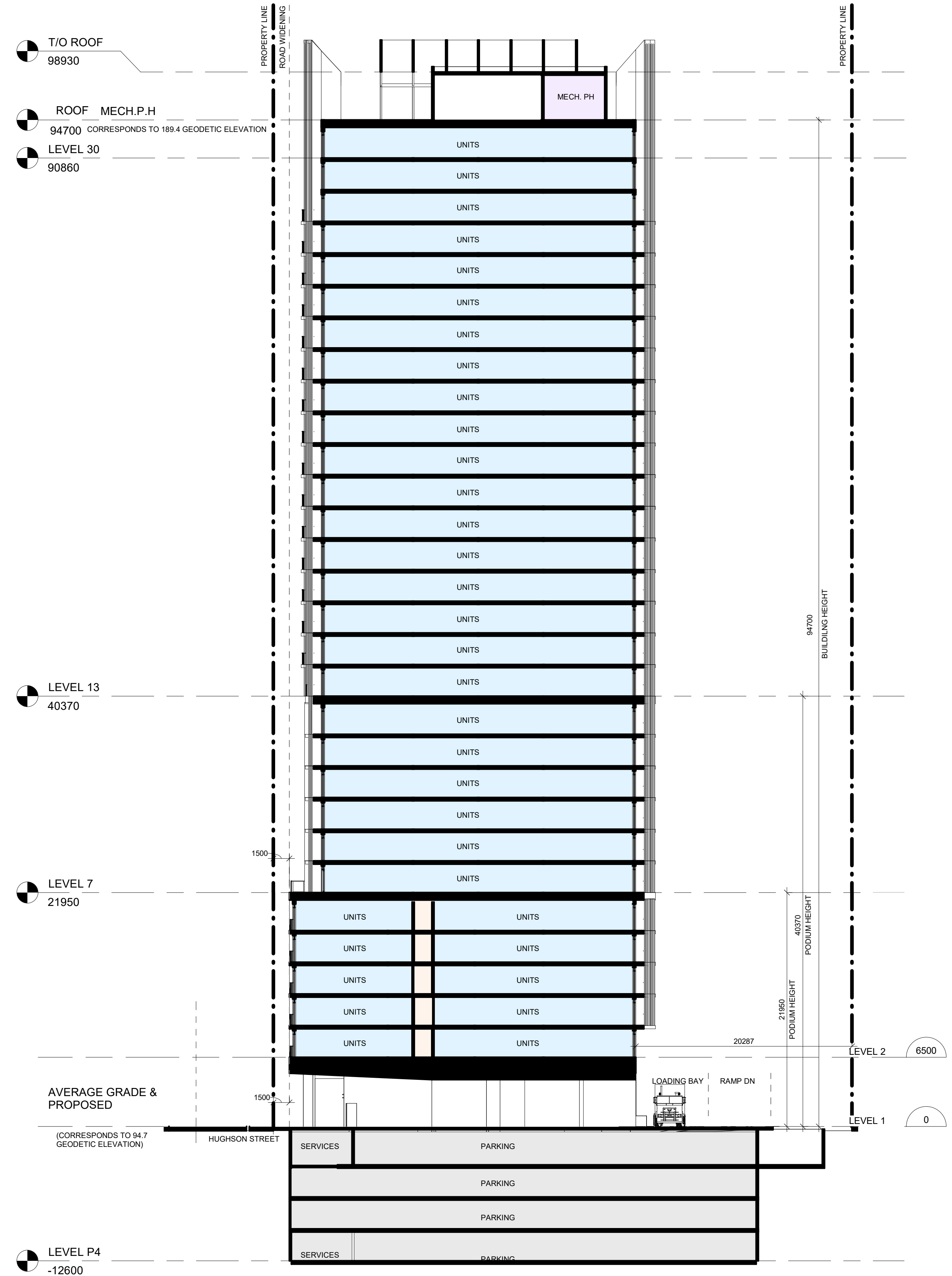
DRAWING TITLE:  
**ELEVATIONS**

DRAWN BY: Author DATE: 09/02/19  
 CHECKED BY: Checker SCALE: 1:250

PROJECT NO: **23007**

DRAWING NO:

**A4.2**



PROJECT LOGO

KEY PLAN

5	ISSUED FOR MY APPLICATION	26/08/24
4	ISSUED FOR ZCR	03/05/24
3	CLIENT REVIEW	03/04/24
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SEAL

CONSULTANTS

PROJECT:  
**73 Hughson St. N**  
  
**73 Hughson St. N, Hamilton, Ontario**

DRAWING TITLE:  
**MAIN SECTION**

DRAWN BY:	Author	DATE:	09/02/19
CHECKED BY:	Checker	SCALE:	1: 250

PROJECT NO: **23007**

DRAWING NO:

**A5.0**

BUILDING SECTION A-A  
 1: 250  
 A  
 A5.0



*A. J. Clarke and Associates Ltd.*

SURVEYORS • PLANNERS • ENGINEERS

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

August 26, 2024

Attn: Ms. Jamila Sheffield  
Secretary Treasurer, Committee of Adjustment (email: [Jamila.Sheffield@hamilton.ca](mailto:Jamila.Sheffield@hamilton.ca))

**Re: 73 Hughson Street North, Hamilton (the "Subject Lands")  
Minor Variance Application Submission**

---

Dear Ms. Sheffield:

A.J Clarke and Associates Ltd. has been retained by 73 Hughson Project GP Inc. for the purposes of submitting the enclosed Minor Variance Application for the Subject Lands.

The Subject Lands are located on the western flank of Hughson Street North between Rebecca Street and Wilson Street, within the Downtown Hamilton Urban Growth Centre. The Subject Lands are currently occupied by a commercial surface parking lot. The proposed development is to construct a 30-storey mixed use building containing a total of 380 dwelling units. In total, 170 vehicular parking spaces are provided to support the use, along with 268 long term bike storage spaces, 38 short term bike storage spaces.

This Minor Variance Application is submitted to facilitate Conditionally approved Site Plan Application DA-23-068. Since this time, our team has been working to clear various site plan conditions.

The following supporting materials are submitted to your attention, in support of the subject application:

- One (1) digital copy of the required filled and signed Minor Variance Application Form;
- One (1) digital copy of the Architectural Drawing Package, prepared by McCallum Sather Architects Inc., dated August 26, 2024;
- One (1) digital copy of a Zoning Conformity Review prepared by the City of Hamilton – Zoning Section;
- One (1) digital copy of a cheque of \$3,900.00 for the application fee

The subject lands have an approximate net area of 2,483.8 square metres and are currently occupied by a commercial surface parking lot. The subject lands have a net frontage of ±48.86 metres on Hughson Street North and a depth of ±54.3 metres. An existing 2.77m wide laneway is located just north of the property.

### **Required Variances**

The subject lands are Zoned D1 under Hamilton Zoning By-law 05-200, which permits only commercial uses at-grade and residential, commercial and limited institutional uses on the upper floors.



This development proposes a mixed-use building with commercial space on the ground floor and residential units above. The following Minor Variances are required to implement the proposed design as per the Site Plan Approval issued by City Staff.

To implement the approved design the following variances are required:

1. A minimum 1.5 metre stepback shall be required from the building base façade height shown at 21.95 metres; whereas, a 3.0 metre stepback from the building base façade height as shown in Schedule “F” – Special Figure 15 is required;
2. A Minimum 8.8 metres setback for any portion of a building above 44m from the Northerly side lot line shall be permitted; whereas, a minimum 12.5 metre setback for any portion of a building above 44m is required;
3. A Minimum 9.9 metre setback for any portion of a building above 44m from the Southerly side lot line shall be permitted; whereas, a minimum 12.5 metre setback for any portion of a building above 44m is required;
4. The maximum 4.5 metres setback for any portion of a building below 11.0 metres in height to a street line provision shall not apply to the portion of the building below 6.5 metres in height.
5. A maximum building height of 94.70 metres shall be permitted; whereas, a maximum building height of 94.0 metres is required; (This is equal to 189.40 metres above sea level on the site.)
6. A Minimum of 170 Parking Spaces shall be permitted; whereas, 180 parking spaces are required.

The proposed building design has been vetted through a Site Plan Approval process, including a review by the Design Review Panel.

### **Section 45.1 – Planning Analysis**

This minor variance application is made under the authority of Section 45(1) of the Planning Act. Accordingly, a minor variance must meet the requisite requirements as described in Section 45 (1) of the Act.

#### **1. Does the proposed variance maintain the intent and purpose of the Urban Hamilton Official Plan?**

The subject lands are designated ‘Downtown Urban Growth Centre’ on Schedule E - Urban Structure and ‘Downtown Mixed-Use Area’ on Schedule E-1 – Urban Land Use Designations. The Downtown Urban Growth Centre is the preeminent Node in the City of Hamilton and is the focus for intensification. It is intended to provide for a wide range and mix of uses at a higher scale and density than other surrounding areas of the City.

The ‘Downtown Mixed Use Area’ designation permits a wide range of uses, including Multiple Dwellings. As such, the proposed use is permitted. Ground floor commercial uses are also permitted. The subject lands fronts onto Hughson Street, which is a one-way road. A 1.5 metre road widening dedication is required along the Hughson Street frontage.





## Downtown Hamilton Secondary Plan

The subject lands are within the Downtown Hamilton Secondary Plan. The subject lands are designated as 'Downtown Mixed Use' on Map B.6.1-1 - Land Use Plan. The subject site is further designated as 'High-Rise 2', as per Map B.6.1-2, which permits a maximum 30 storeys of development. In addition to the 30-storey height limit, the Downtown Secondary Plan contains policies which limit the height of any building in the downtown area to the height of the Niagara Escarpment. Appendix D – Niagara Escarpment Height permits a maximum building height of 189.4m above sea level. This does not include parapets or the mechanical penthouse component of the development. As such, the proposed minor variance conforms to the maximum permitted height.

Section 6.0 of Volume 2 of the UHOP contains the policies that pertain to the Downtown Hamilton Secondary Plan. Subsection 6.1 contains the general development policies; the following policies are applicable:

*Pol 6.1.3.3 The Downtown Hamilton Secondary Plan supports creating new housing throughout the Downtown as well as improving the quality of the existing residential neighbourhoods. The Secondary Plan policies aim to ensure that new residential areas in the Downtown are compatible with the scale and character of nearby historical neighbourhoods. To achieve these objectives development shall:*

- a) Improve the linkages between the Downtown and surrounding residential areas through the development of vacant properties. Residential and mixed-use development on these sites shall create a transitional area on the edges of the Downtown.*
- b) Create a diversified housing supply in the Downtown geared to the needs of various age groups, household size, and income levels with increased opportunities for affordable housing.*
- c) Preserve and enhance the existing residential communities within the Downtown Hamilton Secondary Plan area.*
- d) Provide and maintain neighbourhood services such as local shopping areas, community centres, parks and open spaces, educational facilities, community gardens, cooling zones, and emergency shelters.*
- e) Residential development shall reflect urban design features compatible with a Downtown location and the heritage character of the area.*

The project is the development of a vacant property, providing new housing within the downtown core. The ground floor provides new space for small businesses, and the design has been realized to reflect it's context.

The subject lands are designated as 'High-Rise 2 – Up to 30 Storeys' as per Map B.6.1-2. As such, the policies within Volume 2 Chapter B Section 6.1.4.18 shall apply.

*Pol. 6.1.4.23 All tall buildings shall meet the following requirements:*

- a) the building base shall be designed to:*



- i. *fit harmoniously within the context of neighbouring streetwall heights. Where there is no consistent streetwall height context for the area, the streetwall height shall be established in a manner that maintains a comfortable pedestrian scale and appropriate street proportion;*
- b) *the building base may be required to setback at grade to achieve access to sunlight on sidewalks, parks, public and private open spaces, schoolyards and buildings, childcare centres, playgrounds, sitting areas, patios, and other similar uses;*
- c) *tall building development shall provide setbacks from the lot line to the building face of the tower and adequate separation distance between towers on the same lot. These lot line tower setbacks shall ensure that individual tall buildings within a city block and the cumulative effect of multiple tall buildings within a block contribute to creating a strong and healthy neighbourhood by fitting in with the existing and/or planned context. Providing adequate space between towers shall:*
  - i. *enhance the ability to provide a high-quality, comfortable public realm;*
  - ii. *protect development potential of other sites within blocks;*
  - iii. *provide access to sunlight on sidewalks, parks, public and private open spaces, school yards and buildings;*
  - iv. *provide access to natural light and a reasonable level of privacy for occupants of tall buildings;*
  - vii. *provide appropriate transitions to adjacent lower-scale planned context, built heritage resources, and cultural heritage landscapes.*



The proposed building design has been vetted through a Site Plan Approval process, including a review by the Design Review Panel. The approved design incorporates many features to enhance the public realm, provide for a visual transition to the adjacent lower-scale historical development. The design includes angled windows to direct the maximum natural light into the units for the future occupants.

The context of the subject lands is that they are surrounded by parcels that are either Registered or Inventoried Cultural Heritage Resources. It has been determined through a Cultural Heritage Impact Assessment that a reduction in setbacks will not impact the development potential of the neighbouring parcels.

The required variances, and the development facilitated by them, maintain the intent and purpose of the Urban Hamilton Official Plan.

## **2. Do the proposed variances maintain the intent and purpose of the Zoning By-law?**

The subject lands are zoned Downtown Central Business District (D1, H17, 19, 20) as per the City of Hamilton Zoning By-law 05-200. The “D1” zone permits a multiple dwelling and commercial uses.

Schedule F – Special Figures, Figure 1 of the Zoning By-law sets out the maximum permitted building height in metres for the site at 94.0 metres. Figure 15 sets out the maximum permitted base façade height of a new building. On this portion of Hughson Street permits a maximum base façade height of 16m.



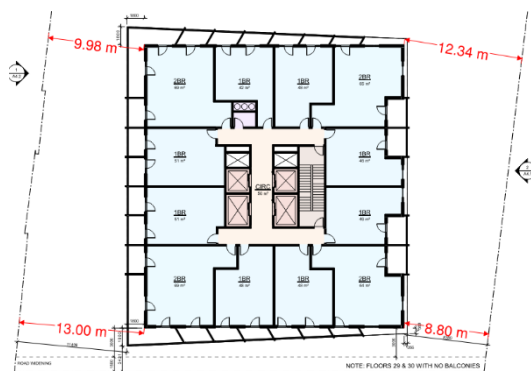
### Variance 1

The intent and purpose of the maximum façade height is to ensure that the massing of the building is appropriately integrated into the existing street scape. The approved design differs slightly from a typical podium and tower design as it has a third façade section that is visually different from the podium and tower. The existing provision requires a 3.0 metre stepback above 16 metres. The main podium façade steps back 3 metres to the tower at an elevation of 21.95 metres. The main podium also has a variegated design rather than a straight flat wall. The third façade section, which starts at ground level, is stepped back 1.5 metres up to 40.37 metres. The proposed minor variance will facilitate an architecturally creative design that appropriately integrates the building into the existing streetscape.

### Variations 2 & 3

The zoning by-law requires a 12.5 metre setback from any interior lotline to any portion of the building above 44.0 metres. The intent and purpose of this provision is to ensure that there is 25.0 metres of separation between towers, either on the same parcel or on abutting parcels.

As stated above, the site is surrounded by historically significant structures within a historically significant neighbourhood. The surrounding properties are of some historical significance and are not of an area suitable to accommodate a tall building as per the City of Hamilton - Tall Building Design Guidelines. A reduced tower setback is therefore appropriate in this instance, as it would not be appropriate to construct a tall building on any of the properties to the north or south of the subject lands, where reduced tower setbacks are requested.



### Variance 4

The intent and purpose of the maximum setback provision is to ensure that new development is connected to the streetscape and to the pedestrian realm in particular. The undulating nature of the ground floor setbacks range from 0 meters to 13.5 meters. The street in front of the site is quite narrow, the ultimate ROW including the roadway dedication will be 13.9 metres wide. The site lacks an alleyway for access, requiring all vehicular movement to come from Hughson Street North.

The undulating nature of the ground floor facade addresses and enhances the pedestrian realm, while increasing vehicular safety by incorporating a large sight triangle for vehicles entering and exiting the site. This design provides for a unique design that enhances the pedestrian realm and maintains a safe interaction between the pedestrian and vehicular realms. This will increase the pedestrian area and provide an expanded public space. Of note, the 2<sup>nd</sup> and 3<sup>rd</sup> floors meet the maximum setback requirement.

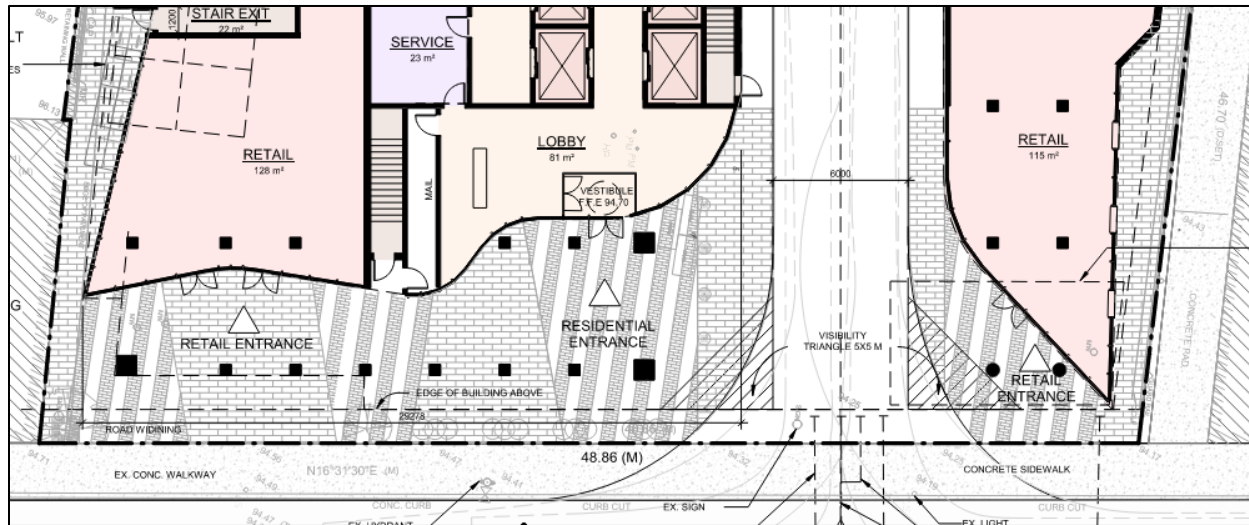


Figure 1: Ground Floor Facade facing Hughson Street North.

### Variance 5

The intent and purpose of the maximum height provision is to ensure that tall buildings do not pierce the maximum height requirement set out in the Secondary Plan. Detailed survey work has demonstrated that for this site a maximum height of 94.70 metres will exactly match the 189.40 metres above sea level specified in the Secondary Plan.

### Variance 6

The intent and purpose of minimum parking provision is to ensure that new developments have enough parking for their residents. The reduction in the requirement from 180 to 170 is supported by the Official Plan and by City staff.

It should be noted that Council Approved a city-wide amendment to Zoning By-Law 05-200, being By-Law 24-052. Implementation is held pending the resolution of appeals. The new parking provisions shall require zero parking spaces for the residents, zero parking spaces for the commercial units, and 21 Visitor parking spaces plus 8 Barrier-free parking spaces, or 29 spaces in total. The proposed 170 parking spaces shall greatly exceed this requirement.

The required variances maintain the intent and purpose of Zoning By-Law 05-200.

### 3. Are the proposed variances appropriate for the development of the subject lands?

The proposed Minor Variances will permit the development to fully and efficiently optimize the subject lands and allow the mixed-use high-rise residential building to appropriately integrate into the neighbourhood and the pedestrian realm in proximity to mass transit. The design has been fully vetted by a multitude of studies and a fulsome staff review to ensure that the proposed form, facilitated by the proposed variances, is appropriate for the subject lands.

The required variances are appropriate and necessary for the proper development of the subject lands.

### 4. Are the proposed variances minor in nature?



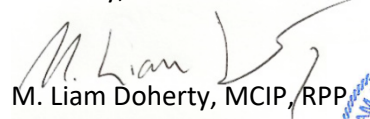
The proposed design uses a number of high-quality architectural design techniques to achieve the built form desired by the policy. The massing of the additional permitted façade height is softened by secondary façade which is set back from the ground level upwards. The sideyard setbacks are reflective of the non-square parcel fabric. The maximum permitted height increase of 0.70 metres represents a 0.74% increase. Lastly, the reduced parking provision is almost 6 times (172 vs 29) the provision required by the new incoming parking by-law. The required variances are minor in nature and will have no perceived negative impacts on the character of the neighbourhood.

### Conclusion

In my professional opinion the proposed Minor Variances maintain the intent and purpose of the Urban Hamilton Official Plan and the City of Hamilton Zoning By-Law 05-200. Further, the variances are appropriate for the development of the subject lands within the surrounding context and are minor in nature. As such, the application represents good planning and should be approved.

I trust that you will find the enclosed satisfactory for your purposes. Please confirm receipt of this submission and we look forward to being scheduled for the next available hearing date. If you have any questions or require additional information, please do not hesitate to contact our office.

Sincerely,



M. Liam Doherty, MCIP, RPP  
Senior Planner

A. J. Clarke and Associates Ltd.





Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT  
Building Division  
71 Main Street West  
Hamilton, Ontario, Canada, L8P 4Y5  
Phone: 905.546.2720 Fax: 905.546.2764  
[www.hamilton.ca](http://www.hamilton.ca)

June 12, 2024

FILE: ALR  
FOLDER: 01 ALR  
ATTENTION OF: Liam Tapp  
TELEPHONE NO: (905) 546-2424  
EXTENSION: 6884

A.J. Clarke and Associates Ltd., attention Liam Doherty (Core Developments)  
25 Main Street West, Suite 300  
Hamilton ON, L8P 1H1

**Re: ZONING COMPLIANCE REVIEW IN SUPPORT OF A MINOR VARIANCE**  
**Present Zoning: D1, H17, H19 and H21**  
**Address: 73 Hughson Street North, Hamilton**

A Zoning Compliance Review has been completed and the following comments are provided.

**COMMENTS:**

1. The applicant is proposing to construct a 30 storey tower with ground floor commercial retail and 380 residential units above including four (4) levels of underground parking.

Please note, the proposed development has received Conditional Approval for a mixed-use building consisting of a tower above a 7-storey podium, 247 square metres of at-grade retail and 380 residential units serviced by 4 levels of underground parking, on December 22, 2023. As such, all requirements of Hamilton Zoning By-law 05-200, existing at the time of Conditional Approval, shall be applicable to the proposed development as per Section 1.12 a) under Transitional Provision.

2. The proposed Multiple Dwelling is permitted within the D1 Zone under Hamilton Zoning By-law 05-200 and is defined as follows:

**Multiple Dwelling** – shall mean a building or part thereof containing five or more dwelling units but shall not include a street townhouse dwelling.

In addition to the above use, the proposed Retail use is permitted within the D1 Zone and is defined as follows:

**Retail** - Shall mean the sale or rental of goods or materials to the ultimate consumer which shall include but not be limited to Building or Contracting Supply Establishment, Building and Lumber Supply Establishment, Home Furnishing Retail Establishment, Home Improvement Supply Establishment, but shall not include a restaurant, farm implement dealership, the sale or rental of motor vehicles and the sale of motor vehicle fuel or major recreational equipment

3. Please note, as per the review provided below, should the alteration of the current site plan not be possible the following variances are recommended to permit the construction of the proposed development:

1. A minimum 1.5 metre setback shall be required from the building base façade height shown at 21.95 metres in height instead of the minimum required 3.0 metre setback from the building base façade height shown in Schedule "F" – Special Figure 15.;
2. A Minimum 8.8 metres setback from a Northerly side lot line instead of a minimum 12.5 metres from all side lot lines;
3. A Minimum 9.9 metres setback from a Southerly side lot line instead of a minimum 12.5 metres from all side lot lines;
4. A maximum \_\_\_\_ metres setback for any portion of a building below 11.0 metres in height to a street line shall be required instead of a maximum 4.5 metres for any portion of building below 11.0 metres in height
5. A maximum building height of 98.94 metres shall be required instead of the maximum building height of 94.0 metres;
6. A Minimum of 172 Parking Spaces shall be required instead of the minimum required 180 parking spaces.

Please note, the above variances are recommended to address items flagged that are not in compliance with Zoning By-law 05-200 and do not address areas where compliance could not be determined. Furthermore, please note that a variance for Section 6.1.3 (c)ii) has not been provided as there is insufficient information to determine if the façade below 11.0 metres in height maintains the minimum required 75% of the front lot line abutting Hughson Street North. Be advised, should variance #4 be granted, the building will be in compliance with Section 6.1.3 a)i) and should the building façade under 11.0 metres maintain a minimum of 75%, the proposed building shall be in compliance with Section 6.1.3 (c)ii).

4. Please note, through further correspondence following the initial Zoning Compliance Review of this development, dated June 11, 2024, the applicant has indicated an alternative design for the proposed development not provided within the plans submitted for review. The proposed alteration to the development indicates the complete removal of the Indoor Amenity Area located on the roof and measuring 98.94 metres in height from grade. As per an interpretation provided by Zoning Staff, should the Indoor Amenity Area located on the roof be completely removed from the proposed plan and only the building servicing the Mechanical Penthouse and access hallways be proposed, the portion of the building projecting above the roofline at Level 31 will not be included in the measurement of Building Height as defined in Section 3 of Hamilton Zoning By-law 05-200. Note however, the proposed access hallway shall not include any storage areas, locker space or similar uses associated with the Outdoor Amenity Area located on the roof line at Level 31 and shall only be permitted to provide access to the Mechanical Penthouse and Outdoor Amenity Area.

Furthermore, notwithstanding Minor Variance #5 under comment 4 above, the following Minor Variance is recommended to permit the Building Height as it relates to the alternative building design as described above.

5. A maximum building height of 94.43 metres shall be required instead of the maximum building height of 94.0 metres;

Be advised, this comment is for information purposes only. Until such time that the building design has been altered as described above in this comment, the building shall be considered to have a Building Height of 98.94 metres as indicated in the review chart below.

5. It is noted that a road widening has been indicated along the Hughson Street North lot line. The following comments will be based on the consideration of the proposed 1.5m wide road widening as shown.
6. Be advised, the property is subject to Holding Provision H17, H19 and H20 under Schedule D Holding of Hamilton Zoning By-Law 05-200

Please contact Development Planning regarding the removal of the above Holding Provision(s) and any potential impact it may have on the proposed development. Be advised, as per Conditional Approval Letter dated December 22, 2023, a Zoning By-law Amendment is required to remove Holding Provisions to the following requirements:

- i) *The landowner demonstrates to the satisfaction of the Director of Planning and Chief Planner, City of Hamilton, that sufficient land assembly has occurred to achieve the minimum lot area requirement and lot frontage requirement in accordance with Section 6.0 of this By-law.*
- ii) *That the landowner demonstrate that the proposal conforms to the policies of the Downtown Hamilton Secondary Plan by submitting the following studies to the satisfaction of the Director of Planning, and Chief Planner, City of Hamilton:*
  - 1. *Shadow Impact Study;*
  - 2. *Pedestrian Level Wind Study;*
  - 3. *Visual Impact Assessment;*
  - 4. *Traffic Impact Study; and,*
  - 5. *Functional Servicing Report.*
- iii) *That the landowner demonstrate that the proposed development does not exceed the height of the Niagara Escarpment to the satisfaction of the Director of Planning and Chief Planner, City of Hamilton.*
- iv) *That conditional site plan approval be received, which shall address matters including but not limited to Design Review Panel advice, to the satisfaction of the Director of Planning and Chief Planner, City of Hamilton.*

These comments are provided for information purposes only until such time that the removal of Holding Provision H17, H19 and H21 has been successfully completed or that such removal is not required for the proposed development.

- 5. Be advised, an Encroachment Agreement with Public Works may be required should any Balconies or other proposed structures encroach into the Public Right of Way along Hughson Street north.
- 6. This is an interior lot. Based on “front lot line” as defined shall mean the lot line abutting a public street. As such, the front lot line has been determined to be the lot line abutting Hughson Street North.
- 7. The following comments are provided based on the provisions of the D1 Zone:

Regulations	Required by By-law	Provided	Conforms/ Non-conforming
<b>Section 6.0 – Downtown Zones General Provisions</b>			



<p><b>General Downtown Provisions - Buildings Constructed After the By-law</b> [per Section 6.0 c)]</p>	<p>In the case of buildings constructed after the effective date of this By-law, for any building exceeding 44.0 metres in height the following special regulations shall also apply:</p> <p>i) A minimum 3.0 metre setback shall be required from the building base façade height shown in Schedule “F” – Special Figure 15.</p> <p><b>16 metres as per Special Figure 15</b></p>	<p>1.5 metre setback provided at 21.95 metres</p>	<p><b>Does not Comply</b></p>
	<p>ii) A minimum 3.0 metre setback shall be required for any portion of a building exceeding 22.0 metres in height from a side or rear lot line except any flankage lot line.</p>	<p>8.8 metres provided above 22.0 metres to Northerly Side Lot Line</p> <p>3.04 metres provided above 22.0 metres to Southerly Side Lot Line</p> <p>12.9 metres provided above 22.0 metres to Westerly Rear Lot Line</p>	<p><b>Conforms</b></p>
	<p>iii) The following additional setbacks shall be required for any portion of building exceeding 44.0 metres in height:</p> <p>1. Minimum of 9.5 metres from a lot line abutting a laneway; and,</p> <p>2. Minimum 12.5 metres from all side and rear lot lines except any flankage lot line.</p>	<p><b>8.8 metres provided above 44.0 metres to Northerly Side Lot Line</b></p> <p><b>9.9 metres provided above 44.0 metres to Southerly Side Lot Line</b></p> <p>12.9 metres provided above 44.0 metres to Westerly Rear Lot Line</p> <p>Does not abut a Laneway</p>	<p><b>Does not Comply</b></p>
	<p>iv) Notwithstanding Section 6.1.3 a) i) of this By-law, for lands zoned Downtown Central Business</p>	<p>Not Proposed</p>	<p><b>N/A</b></p>

	District (D1) Zone, a maximum 10.0 metre setback from a street line shall be permitted for a yard where an Urban Square with a minimum size of 135.0 square metres has been provided.		
	v) Notwithstanding Section 4.7 of this By-law a minimum lot frontage of 35.0 metres is required.	48.8 metres	<b>Conforms</b>
	vi) Notwithstanding Section 4.7 of this By-law a minimum lot area of 1,575.0 square metres is required.	2410.5 m2 after Road Widening	<b>Conforms</b>
<b>General Downtown Provisions - Heritage Character Zone</b> <i>[per Section 6.2.30 e)]</i>	<p>For the lots delineated as a Heritage Character Zone on Figure 2 of Schedule "F" – Special Figures, where construction and/or alteration to the façade of a building are proposed, the following regulations shall also apply:</p> <p>i) A minimum of 60% of the area of the ground floor façade shall be comprised of clear glazed windows and doors. Window and doorframes, clear glazed transoms and sidelights, doors with at least 50% clear glazing, and a sill up to 0.6m in height are permitted to be included in the calculation of the clear glazed area. Signage and opaque/spandrel glazing shall not be included in the calculation of the clear glazed area;</p>	Not within Heritage Character Zone	<b>N/A</b>

	<p>ii) A minimum of 25% and a maximum of 40% of the façade of the second and third storeys shall be composed of windows. Window and doorframes, clear glazed transoms and sidelights, doors with at least 50% clear glazing, and a sill up to 0.6m in height are permitted to be included in the calculation of the clear glazed area. Signage and opaque/spandrel glazing shall not be included in the calculation of the clear glazed area;</p>		
	<p>iii) The ground floor storey shall be no less than 3.6 metres in height and no greater than 4.5 metres in height. The second and third storeys shall each be no less than 3.0 metres in height and no greater than 4.0 metres in height; and,</p>		
	<p>iv) Exterior building cladding for the first three storeys, except decorative architectural features (such as window and door frames, sills, lintels, surrounds, and cornices), shall be of either one or a combination of no more than two of the following materials: 1. Brick; 2. Concrete panels; 3. Stone block, stone veneer or artificial stone; 4. Stucco; or, 5. Metal and metal panels, excluding aluminum siding or any metal variant thereof.</p>		

**Section 6.2– D2 Requirements**

<b>Building Setback from a Street Line</b> [as per section 6.1.3(a) of Hamilton Zoning By-law 05-200]	i) Maximum 4.5 metres for any portion of building below 11.0 metres in height, except where a visibility triangle shall be provided for a driveway access;	Per submitted floor plans, portions of the first storey are at 0.0m to 1.5m (measured to irregular most northerly wall and columns) from the Hughson Street lot line however, majority of first storey is setback greater than 4.5m from the street line;  Second and third storey are located as close as 0.0m and no more than 4.5m from the Hughson street lot line.	<b>Does not Comply</b>
	ii) Notwithstanding Section 6.1.3 a) i) above, a maximum setback of 6.0 metres for that portion of a building providing an access driveway to a garage.	Access Driveway provided between building façade to the rear of the building	<b>N/A</b>
	iii) Section 6.1.3 a) i) above, shall not apply for any portion of a building that exceeds the requirement established in Section 6.1.3 c) ii) or iii) below.		
	iv) Where a building(s) has been constructed and complies with Section 6.1.3 c) ii) or iii) below, additional buildings constructed on the subject property shall not be subject to Section 6.1.3 a) i) above, as it relates to the setback from a front lot line.	One building proposed	<b>N/A</b>
	v) Rooftop mechanical penthouse, stair tower and elevator bulkhead shall not be subject to Section 6.1.3 a) i) above.	Applicant to Note	<b>N/A</b>
	vi) Accessory buildings and structures shall not be subject to Section 6.1.3 a) i).	Not Proposed	<b>N/A</b>
<b>Building Height</b> [as per section 6.1.3(b) of Hamilton Zoning By-law 05-200]	i) Minimum 7.5 metres; and,	Taller than 7.5 metres	<b>Conforms</b>
	ii) Maximum Building Height shall be in accordance Figure 1 of Schedule "F" – Special Figures.  94 metre maximum	98.930 metres  <b>Note: Mechanical Penthouse and Amenity Facilities indicated within portion of building located at roof level. As such, this portion of building associated with the Amenity Area shall not be exempt from height.</b>  <b>In addition, elevation drawings appear to provide an angled perspective and the building is perceived to be above the total building height as indicated. The applicant shall ensure any additional building height is calculated within total measurement shown on building elevation drawings.</b>	<b>Does not Comply</b>

<b>Built Form for New Development</b> [as per section 6.1.3(c) of Hamilton Zoning By-law 05-200]	In the case of buildings constructed after the effective date of this By-law or additions to buildings existing as of the effective date of this By-law the following regulations shall apply:  i) Rooftop mechanical equipment shall be located and/or screened from view of any abutting street;	Located on roof within building	<b>Conforms</b>
	ii) For an interior lot or a through lot the minimum width of the ground floor façade facing the front lot line shall:  1. Be greater than or equal to 75% of the measurement of the front lot line; and,  2. Comply with Section 6.1.3 a) i) above.	Greater than 75% indicated within Site Statistics Chart  <b>Note: Due to the irregular design of the building at the ground level, it is noted that a majority of the building may be setback more than 4.5 metres and would therefore not comply with Section 6.1.3 a) i). Furthermore, it is indicated that support pillars are provided, however the width of such pillars has not been indicated and as such, façade calculations cannot be determined. The applicant shall provide setback dimensions and façade percentages for all sections of the ground floor façade as they relate to the requirements of Section 6.1.3 (c).</b>	<b>Unable to Determine Compliance/ Appears to not Comply</b>
	iii) For a corner lot the minimum combined width of the ground floor façade facing the front lot line and flankage lot line shall:  1. Be greater than or equal to 50% of the measurement of the front lot line and flankage lot line; and,  2. Comply with Section 6.1.3 a) i) above.	Interior Lot	<b>N/A</b>
	iv) Notwithstanding Section 6.1.3 c) ii) and iii) above, a driveway with a maximum width of 7.5 metres shall be permitted for ingress and egress.	6.0 metre driveway proposed	<b>Conforms</b>
	v) No parking or aisles shall be located between the required building façade and the front lot line or flankage lot line.	Not Proposed	<b>Conforms</b>
	vi) A minimum of one principal entrance shall be provided:  1. within the ground floor building façade setback the least distance from a street; and,  2. shall be accessible from the building façade with direct access from the public sidewalk.	Provided	<b>Conforms</b>

	vii) Notwithstanding the definition of a planting strip, a sidewalk shall be permitted where required by Section 6.1.3 c) vi) above.	Not proposed	N/A
<b>Outdoor Storage</b> [as per section 6.2.3(d) of Hamilton Zoning By-law 05-200]	i) No outdoor storage of goods, materials, or equipment shall be permitted.	Not proposed	N/A
	ii) Notwithstanding Section 6.1.3 d) i) above, the outdoor display of goods or materials for retail purposes accessory to a retail use shall only be permitted in a front yard or flankage yard.		
<b>Maximum Lot Coverage</b> [as per section 6.1.3(e) of Hamilton Zoning By-law 05-200]	85%	63.1% based on project statistics chart.	Conforms
<b>Minimum Amenity Area for Dwelling Units and Multiple Dwellings</b> [as per section 6.1.3(f) of Hamilton Zoning By-law 05-200]	<i>On a lot containing more than 10 dwelling units, the following Minimum Amenity Area requirements be provided:</i>  i) An area of 4.0 square metres for each dwelling unit; and,  Required - 1520.0 m <sup>2</sup>	4207.45 m <sup>2</sup>  3801.0 m <sup>2</sup> - Balconies 119.0 m <sup>2</sup> - Indoor rooftop amenity 287.45 m <sup>2</sup> - Outdoor rooftop amenity	Conforms
	ii) In addition to the definition of Amenity Area in Section 3: Definitions, an Amenity Area located outdoors shall be unobstructed and shall be at or above the surface, and exposed to light and air.	Provided	Conforms
<b>Green Roof for Multiple Dwelling</b> [as per section 6.1.3(g) of Hamilton Zoning By-law 05-200]	Notwithstanding Section 6.1.3 f) i) above, for every 0.5 square metres of Green Roof area provided, the required Amenity Area may be reduced by 1.0 square metre.	Not Proposed.	N/A
<b>Section 5 - Parking</b>			
<b>Parking Location</b> –  Section 5.1 a) i) of Hamilton Zoning By-law 05-200	Required parking facilities shall be located on the same lot as the use requiring the parking.	Provided	Conforms
<b>Parking Location</b> –  Section 5.1 a) ii) of Hamilton Zoning By-law 05-200	Notwithstanding Subsection 5.1 a) i), where the provision of parking on the same lot as the use requiring the parking is not possible, such off-site parking may be located on another lot	Located on lot	N/A

	<p>within 300.0 metres of the lot containing the use requiring the parking, provided:</p> <p>a) Such off-site parking shall only be permitted within a zone in which the use requiring such parking is permitted;</p> <p>b) Such off-site parking shall be subject to Subsection 5.1 a) iii); and,</p> <p>c) Subsection 5.1 a) ii) shall not apply to any Residential Zone.</p>		
<p><b>Parking Location</b> –</p> <p>Section 5.1 a) iii) of Hamilton Zoning By-law 05-200</p>	<p>Where the required parking is provided in accordance with Subsection ii) above, the owners of both lots shall enter into an agreement with the City to be registered against the title of both the lot upon which parking is to be provided and the lot containing the use requiring the parking. The lot upon which the parking is located, pursuant to the agreement, shall continue to be so used only for such purposes until alternate parking spaces in conformity with the regulations of this By-law are provided.</p>	Located on lot	<b>N/A</b>
<p><b>Parking Location</b> –</p> <p>Section 5.1 a) iv) of Hamilton Zoning By-law 05-200</p>	<p>Parking as provided for in Subsection iii) may be transferred to another lot in accordance with Subsection ii), provided that an agreement as required by Subsection iii) is registered on title of said other lot.</p>	Located on lot	<b>N/A</b>
<p><b>Parking Location</b> –</p> <p>Section 5.1 a) v) of Hamilton Zoning By-law 05-200</p>	<p>Unless otherwise regulated in this By-law, parking spaces and aisles, giving direct access to abutting parking spaces, excluding driveways extending directly from the street, shall be subject to the following:</p> <p>a) Shall not be located within 3.0 metres of a street line,</p>	Located in underground parking and rear of lot	<b>Conforms</b>
	<p>b) Shall provide a 3.0 metre wide planting strip being required and permanently maintained between the street line and the said parking spaces or aisle, except for that portion of a lot line abutting the Red Hill Valley</p>	Located in underground parking and rear of lot	<b>N/A</b>

	Parkway and the Lincoln Alexander Parkway and,		
	c) Where a Planting Strip is provided, as per b) above, any architectural wall or feature within the Planting Strip shall be limited to a maximum height of 0.6 metres	Not Indicated	N/A
<p><b>Parking – Design Standards</b></p> <p>Section 5.2 a) of Hamilton Zoning By-law 05-200</p> <p>Parking Lot: Shall mean an area located on a lot which contains five or more parking spaces.</p>	Where a parking lot is situated on a lot which abuts a Residential Zone, Settlement Residential (S1) Zone, Downtown D5 or Downtown D6 Zone, a visual barrier shall be provided and maintained along that portion of the lot line that abuts a Residential Zone, Settlement Residential (S1) Zone, Downtown D5 Zone or Downtown D6 Zone in accordance with Section 4.19 of this By-law;	<p>Located underground</p> <p>Additional 4 spaces located at ground level and do not constitute a Parking Lot as defined.</p> <p>Does not abut residential zone</p>	N/A
<p><b>Parking – Design Standards</b></p> <p>Section 5.2 b) i) of Hamilton Zoning By-law 05-200</p>	<p>Unless permitted by another regulation in this By-law, parking space sizes shall be:</p> <p>i) Minimum 2.8 metres in width and 5.8 metres in length;</p>	Provided	Conforms
<p><b>Parking – Design Standards</b></p> <p>Section 5.2 b) ii) of Hamilton Zoning By-law 05-200</p>	Where a wall, column, or any other obstruction is located abutting or within any parking space within an above ground or underground parking structure, the minimum width of a parking space shall be increased by 0.3 metres;	<p>Not Indicated</p> <p><b>Note: Should a pillar, column or wall be located directly adjacent to a parking space, Section 5.2 b) ii) shall apply</b></p>	N/A
<p><b>Parking – Design Standards</b></p> <p>Section 5.2 b) iii) of Hamilton Zoning By-law 05-200</p>	<p>Notwithstanding Subsection ii), an additional 0.3 metres shall not be required provided:</p> <p>1. the maximum length of the wall, column or any other obstruction shall not exceed 1.15 metres;</p> <p>2. the wall, column or any other obstruction is located at the front, rear, or both ends of the parking space; and,</p>	<p>Not Indicated</p> <p><b>Note: Should a pillar, column or wall be located directly adjacent to a parking space, Section 5.2 b) iii) shall apply</b></p>	N/A



	3. the wall, column or any other obstruction does not project more than 0.15 metres into the width of the parking space.		
<b>Parking – Design Standards</b>  Section 5.2 b) vi) of Hamilton Zoning By-law 05-200	Notwithstanding Subsection i) herein, where 10 or more parking spaces are required on a lot, the minimum parking space size of not more than 10% of such required parking spaces shall be a width of 2.6 metres and a length of 5.5 metres, provided that any such parking space is clearly identified as being reserved for the parking of small cars only; and,	Not Indicated	<b>N/A</b>
<b>Parking – Design Standards</b>  Section 5.2 b) vii) of Hamilton Zoning By-law 05-200	Notwithstanding Subsection b) ii) and iii), light standards, including the base, located at the intersection of 4 parking spaces shall not be considered as an obstruction.	Applicant to Note	<b>Applicant to Note</b>
<b>Parking – Design Standards</b>  Section 5.2 c) of Hamilton Zoning By-law 05-200	All required parking shall be provided with adequate means of ingress and egress to and from the street or laneway without the necessity of moving any other motor vehicle, and shall be arranged so as not to interfere with normal public use of the street or laneway. Any parking lot shall provide for ingress and egress of vehicles to and from a street in a forward motion only.	Provided	<b>Conforms</b>
<b>Parking – Design Standards</b>  Section 5.2 d) of Hamilton Zoning By-law 05-200	Notwithstanding Subsection b) herein, in the case of parallel parking:  i) Each parallel parking space shall have a minimum width of 2.4 metres and a minimum length of 6.7 metres. End spaces which have a clear, unobstructed approach, shall have a minimum length of 5.5 metres.	No parallel parking spaces have been indicated.	<b>N/A</b>
<b>Parking – Design Standards</b>  Section 5.2 e) i) a) of Hamilton Zoning By-law 05-200	<b>Parking Spaces, Driveways and Widening(s) in All Zones:</b>  Shall be provided and maintained with stable surfaces such as asphalt, concrete or other hard-surfaced material, crushed stone or gravel, and shall be maintained in a dust free condition;	Insufficient Information provided	<b>Unable to Determine Compliance</b>

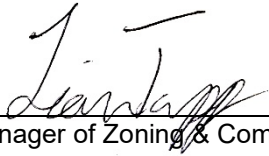
<p><b>Parking – Design Standards</b></p> <p>Section 5.2 f) of Hamilton Zoning By-law 05-200</p>	<p>Notwithstanding Subsection b) herein, in the case of a barrier free parking, each parking space shall have a minimum width of 4.4 metres and a minimum length of 5.8 metres;</p>	<p>Provided</p>	<p><b>Conforms</b></p>
<p><b>Parking – Design Standards</b></p> <p>Section 5.2 i) of Hamilton Zoning By-law 05-200</p>	<p>For 90° parking a minimum aisle width of 6.0 metres is required to be provided</p>	<p>No aisles proposed; direct access to spaces from street</p>	<p><b>N/A</b></p>
<p><b>Parking – Loading</b></p> <p>Section 5.2.1 of Hamilton Zoning By-law 05-200</p>	<p>The location of loading doors and associated loading facilities shall be subject to the following:</p> <p>a) Shall not be permitted within a Front Yard;</p> <p>b) Shall not be permitted in any yard abutting a street, except where screened from view by a Visual Barrier in accordance with Section 4.19 of this By-law; and,</p> <p>c) Shall not be permitted in a required yard abutting a Residential Zone or an Institutional Zone and shall be screened from view by a Visual Barrier in accordance with Section 4.19 of this By-law.</p>	<p>6.0 metres (min) provided</p>	<p><b>Conforms</b></p>
<p><b>Parking – Required Barrier Free Parking</b></p> <p>Section 5.5 of Hamilton Zoning By-law 05-200</p>	<p><u>101-200 required parking spaces</u></p> <p>Minimum 1 space + 3% of the total number of required parking spaces;</p> <p>6.4 spaces = 6 required spaces</p>	<p>7 spaces provided</p>	<p><b>Conforms</b></p>
<p><b>Parking – Required Parking</b></p> <p>Section 5.6 a) of Hamilton Zoning By-law 05-200</p>	<p><u>Retail</u></p> <p>No parking shall be required unless specifically listed in the subsection below.</p> <p><b>0 parking spaces required</b></p>	<p>172 spaces indicated</p> <p><b>Note: Site Statistics indicate 176 spaces provided however floor plans indicate 172 parking spaces. Applicant to confirm parking calculations.</b></p>	<p><b>Does not Comply</b></p>
<p><u>Multiple Dwelling</u></p>	<p><u>Minimum.</u></p>	<p><u>Maximum.</u></p>	

<p><b>NOTE:</b> Where there are four or more dwelling units, the parking requirements of a Multiple Dwelling shall apply to the proposed Dwelling Unit(s)</p>	<p>i) Dwelling Units less than 50.0 square metres in gross floor area</p> <p>Units 1-12 <u>0 required</u></p>	<p>0 per unit</p>	<p>1.25 per unit</p>		
	<p>13+</p> <p><u>45.6 required</u></p>	<p>0.3 per unit</p>	<p>1.25 per unit</p>		
	<p>ii) Dwelling Units greater than 50.0 square metres in gross floor area</p> <p>Units 1-12 <u>0 required</u></p>	<p><b>0 per unit</b></p>	<p>1.25 per unit</p>		
	<p>Units 13-50 <u>19 required</u></p>	<p><b>0.5 per unit</b></p>	<p>1.25 per unit</p>		
	<p>Units 51+ <u>116.2 required</u></p>	<p><b>0.7 per unit</b></p>	<p>1.25 per unit</p>		
	<p><b>180 Parking Spaces (Min)</b></p> <p><b>475 Parking Spaces (Max)</b></p>				
<p><b>Parking – Bicycle Parking</b></p> <p>Section 5.7 a) of Hamilton Zoning By-law 05-200</p>	<p>Locational Requirements</p> <p>i) Long-term Bicycle Parking Space shall be located in a secure enclosed bicycle parking area.</p> <p>ii) Short-term Bicycle Parking Space shall be located within a bicycle parking area at grade.</p>	<p>No Bike Parking Provided</p>		<p><b>N/A</b></p>	

<p><b>Required Short Term Bicycle Parking</b></p> <p>Section 5.7 c) of Hamilton Zoning By-law 05-200</p>	<p>Multiple Dwelling – 5</p> <p>Retail – 0 (under 450 m2)</p>	<p>12 short term Bicycle Parking provided</p> <p><b>Note: See review of Section 5.7 f)</b></p>	<p><b>Conforms</b></p>
<p><b>Required Long Term Bicycle Parking</b></p> <p>Section 5.7 e) of Hamilton Zoning By-law 05-200</p>	<p>Multiple Dwelling – 0.5 per Dwelling Unit (190)</p> <p>Retail – 0 (under 450 m2)</p>	<p>190 long term Bicycle Parking provided</p> <p><b>Note: See review of Section 5.7 f)</b></p>	<p><b>Conforms</b></p>
<b>Section 4: General Provisions</b>			
<p><b>Frontage on a Street</b></p> <p>Section 4.3 a)</p>	<p>No lot shall have built upon it a building for any purpose in any zone unless the lot abuts a street for a minimum of 4.5 metres. Provided, however, that where a lot is separated from a street by land owned by the City or the Province of Ontario which land is held by such public agency for future road widening purposes or as a 0.3 metre reserve, a building may be erected upon such lot if registered rights-of-way giving access to a street have been granted and such access scheme is part of a Development Agreement pursuant to the Planning Act.</p>	<p>Provided</p>	<p><b>Conforms</b></p>
<p><b>Permitted Yard Encroachments</b></p> <p>Section 4.6 of Hamilton Zoning By-law 05-200</p>	<p>a) The usual projections of window sills, chimney breasts, belt courses, cornices, eaves, troughs and other similar architectural features, ductwork, venting and other similar appurtenances may be permitted in any required yard, provided that no such feature shall project more than 0.6 metres into the required yard, or to a maximum of half the distance of the required yard, whichever is the lesser;.</p>	<p>Not Indicated</p>	<p><b>N/A</b></p>
	<p>e) A balcony may encroach into any required yard to a maximum of 1.0 metres, except into a required side yard of not more than one-third of its width or 1.0 metres, whichever is the lesser; and,</p>	<p>No required yard</p>	<p><b>N/A</b></p>

<p><b>Mechanical and Unitary Equipment</b></p> <p>Section 4.9 of Hamilton Zoning By-law 05-200</p>	<p>Air conditioners and pumps (including heat pumps and swimming pool pumps) and other similar mechanical equipment shall be located only in accordance with the following regulations:</p> <p>a) Within a required front yard, provided such equipment shall have a minimum setback of 3.0 metres from the street line, a minimum setback of 0.6 metres from a side lot line and is screened from the street by an enclosure or landscaping; and,</p> <p>b) Within a required side yard or required rear yard provided such equipment has a minimum setback of 0.6 metres from the side lot line or rear lot line</p>	<p>Mechanical Penthouse</p>	<p><b>Conforms</b></p>
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Yours truly



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For the Manager of Zoning & Committee of Adjustment

**ACKNOWLEDGEMENT CLAUSE (FOR ZONING COMPLIANCE REVIEW APPLICATIONS IN SUPPORT OF A ZONING BY-LAW AMENDMENT, SITE PLAN, OR MINOR VARIANCE APPLICATION)**

I/We hereby acknowledge and understand the above noted comments and further acknowledge that the supporting documentation submitted with this Zoning Compliance Review application has not been changed or modified between the date of this letter and the date of application for the subsequent Zoning By-law Amendment, Site Plan, or Minor Variance application.

If the supporting documentation has been changed or modified, a new application for Zoning Compliance Review may be required prior to acceptance of a formal application for Zoning By-law Amendment, Site Plan, or Minor Variance application.

\_\_\_\_\_  
Owner

\_\_\_\_\_  
Owner Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Applicant (I have the authority to bind the Owner)

\_\_\_\_\_  
Applicant Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Agent (I have the authority to bind the Owner)

\_\_\_\_\_  
Agent Signature

\_\_\_\_\_  
Date



Hamilton

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

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

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

**1. APPLICANT INFORMATION**

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

1.2 Primary contact

- Applicant
  Owner  
 Agent/Solicitor

1.3 Sign should be sent to

- Applicant
  Owner  
 Agent/Solicitor

1.4 Request for digital copy of sign

- Yes\*
  No

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

1.5 All correspondence may be sent by email

- Yes\*
  No

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

1.6 Payment type

- In person
  Credit over phone\*  
 Cheque

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

## 2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	73 Hughson Street North		
Assessment Roll Number	251802015355760 (PIN 171650027)		
Former Municipality	Hamilton		
Lot	14	Concession	2 Barton
Registered Plan Number		Lot(s)	55, 58, Part of 56 & 57
Reference Plan Number (s)		Part(s)	

2.2 Are there any easements or restrictive covenants affecting the subject land?

Yes  No

If YES, describe the easement or covenant and its effect:

## 3. PURPOSE OF THE APPLICATION

**Additional sheets can be submitted if there is not sufficient room to answer the following questions. Additional sheets must be clearly labelled**

All dimensions in the application form are to be provided in metric units (millimetres, metres, hectares, etc.)

3.1 Nature and extent of relief applied for:

1.A minimum 1.5 metre stepback shall be required from the building base façade height shown at 21.95 metres in height instead of the minimum required 3.0 metre stepback from the building base façade height shown in Schedule "F" – Special Figure 15.; 2.A Minimum 8.8 metres stepback from a Northerly side lot line instead of a minimum 12.5 metres from all side lot lines; 3.A Minimum 9.9 metres stepback from a Southerly side lot line instead of a minimum 12.5 metres from all side lot lines; 4.The maximum 4.5 metres setback for any portion of a building below 11.0 metres in height to a street line provision shall not apply to the portion of the building below 6.5 metres in height. 5.A maximum building height of 94.70 metres shall be required instead of the maximum building height of 94.0 metres; 6.A Minimum of 172 Parking Spaces shall be required instead of the minimum required 180 parking spaces.

Second Dwelling Unit

Reconstruction of Existing Dwelling

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

The desired and appropriate development of the site has different massing than as fully permitted by the standard zoning provisions.

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
48.86	54.7	0.2496	Approx. 12.5m



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
None				

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Mixed Use Tower	0.0 m	20.28 m	1.29 & 1.29	

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
None				

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Mixed Use Tower	858 msq	26,237 msq	30	94.7 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.):  
30 Storey Mixed-use Condominium, with ground floor commercial and residential units above.

4.9 Existing uses of abutting properties (single detached dwelling duplex, retail, factory etc.):  
High-density residential, commercial.

## 7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:

November 30, 2022

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

Agriculture, Factory, Warehouse, Retail, Grocery Store, Auto Repair, Print Shop.

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:

Since 1986.

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) \_\_\_\_\_

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

The project provides the uses, form and density desired and permitted by the OP.

7.6 What is the existing zoning of the subject land? \_\_\_\_\_

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: \_\_\_\_\_

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7.9 Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*?

Yes       No

If yes, please provide the file number: \_\_\_\_\_

## 8 ADDITIONAL INFORMATION

8.1 Number of Dwelling Units Existing: 0

8.2 Number of Dwelling Units Proposed: 380

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

Formal Consultation File # FC-22-106.

Design Review Panel July 13th, 2023.

Site Plan Approval Application File # DA-23-068.

Site Plan Conditional Approval issued December 22nd, 2023.

Zoning Compliance Review Application, Report issued June 12, 2024.

## 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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