



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-24:229	SUBJECT PROPERTY:	50 & 52 Spring Valley Crescent, Hamilton
ZONE:	D-H/S-1598 D/S-1822 (Urban protected residential - one- and two-family dwellings, etc.)	ZONING BY-LAW:	Zoning By-law former City of Hamilton 6593

APPLICANTS: Owner: Angros Enterprises Limited c/o Victor Fontana
Agent: Urban Solutions Planning & Land Developments Inc. c/o Matt Johnston

The following variances are requested:

Lands to be severed

1. A minimum lot width of 10.0m shall be permitted instead of the minimum 12.0m lot width required.
2. A parking space shall be permitted within the required front yard.

Lands to be retained

1. A minimum lot width of 10.0m shall be permitted instead of the minimum 12.0m lot width required.
2. A parking space shall be permitted within the required front yard.

PURPOSE & EFFECT: To facilitate the proposed severance of the subject lands.

Notes:

1. Variances written as requested by the applicant.

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, November 12, 2024
TIME:	3:10 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 November 6, 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 November 8, 2024

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding A-24:229, you must submit a written request to cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.

If you wish to be provided a Notice of Decision, you must attend the Public Hearing and file a written request with the Secretary-Treasurer by emailing cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.



Subject Lands

DATED: October 24, 2024

Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

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



Hamilton

COMMITTEE OF ADJUSTMENT

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

Telephone (905) 546-2424, ext. 4221

E-mail: cofa@hamilton.ca

PARTICIPATION PROCEDURES

Written Submissions

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

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

Oral Submissions

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

1. Virtual Oral Submissions

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

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

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

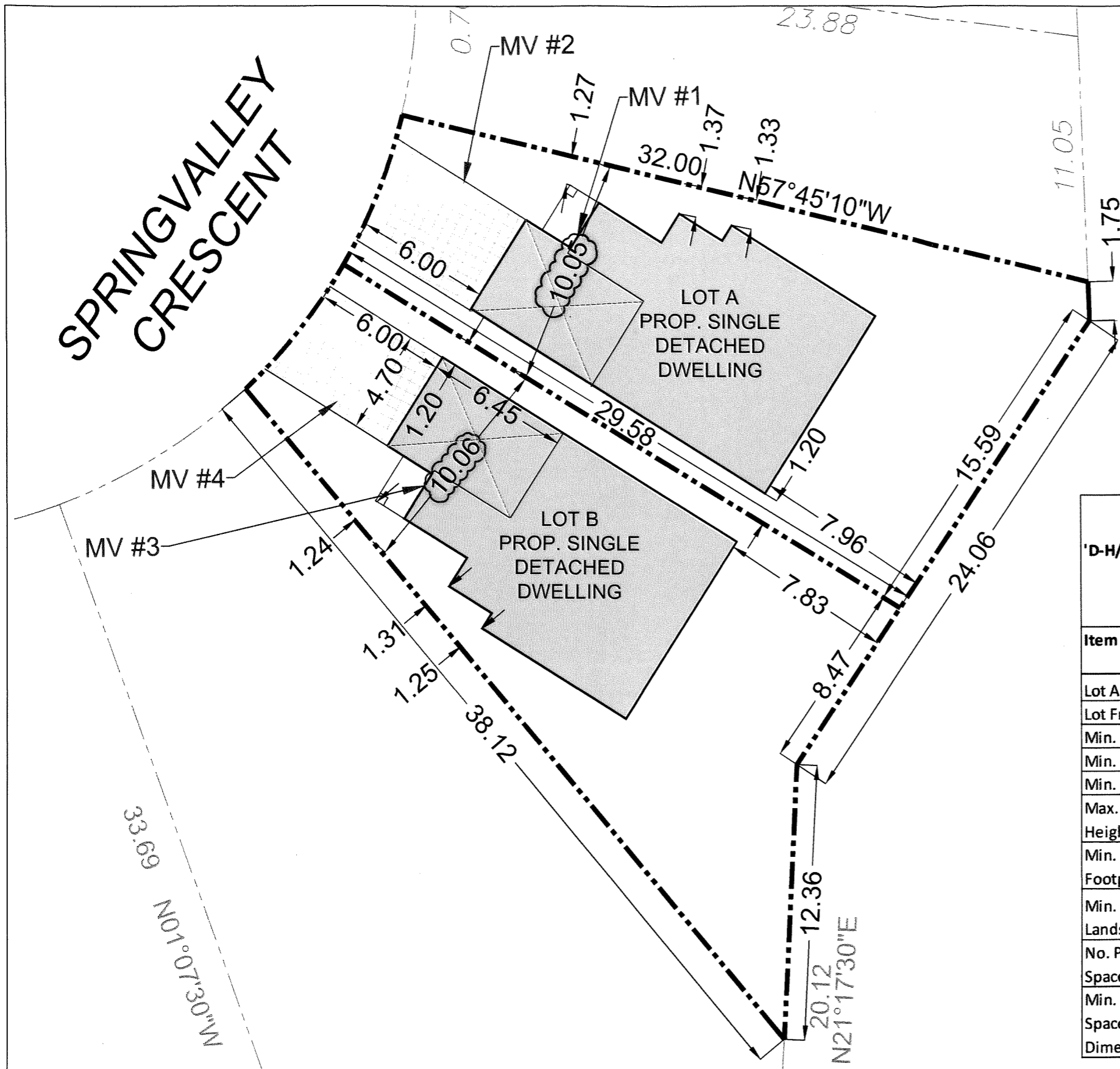
2. In person Oral Submissions

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

We hope this is of assistance and if you need clarification or have any questions, please email cofa@hamilton.ca.

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.

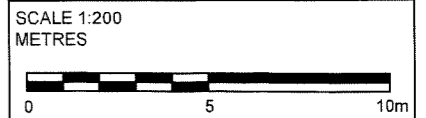
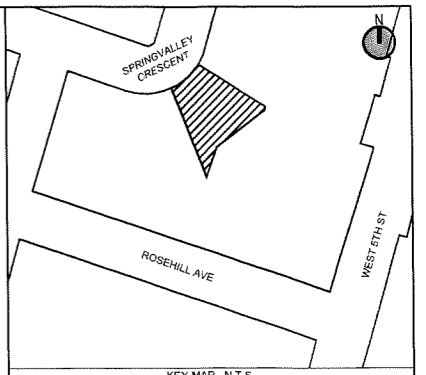
SPRINGVALLEY CRESCENT



- VARIANCES REQUIRED ON LOT A (LANDS TO BE RETAINED):**
- 1) TO PERMIT A LOT WIDTH OF 10.0 METRES WHEREAS 12.0 METRES IS REQUIRED.
 - 2) NOTWITHSTANDING SECTION 18A(14a) FRONT YARD PARKING SHALL BE PERMITTED.
- VARIANCES REQUIRED ON LOT B (LANDS TO BE SEVERED):**
- 3) TO PERMIT A LOT WIDTH OF 10.0 METRES WHEREAS 12.0 METRES IS REQUIRED.
 - 4) NOTWITHSTANDING SECTION 18A(14a) FRONT YARD PARKING SHALL BE PERMITTED.

DEVELOPMENT STATISTICS
'D-H/S-1598' & 'D/S-1822' Urban Protected Residential - One and Two Family Dwellings, Etc.
Single Detached Dwellings

Item	Required	Proposed Lot A	Proposed Lot B
Lot Area	360.0 m	372.92 m ²	390.28 m ²
Lot Frontage	12.0 m	10.05 m	10.06 m
Min. Front Yard	6.0 m	6.0 m	6.0 m
Min. Side Yard	1.2 m	1.20 m	1.20 m
Min. Rear Yard	7.5 m	7.96 m	7.83 m
Max. Building Height	3 storeys (14.0 m)	2 storeys	2 storeys
Min. Building Footprint	N/A	127.35 m	127.35 m
Min. Front Yard Landscaping	50%	34.56 m ² (65.01 %)	31.35 m ² (62.48 %)
No. Parking Spaces	2	2	2
Min. Parking Space Dimensions	2.7 m X 6.0 m	6.0 m X 4.72 m	6.0 m X 4.72 m



LEGEND:

--- SUBJECT LANDS

--- EXISTING PROPERTY LINES

DESIGN BY: L. DRENNAN CHECKED BY: M. JOHNSTON
 DRAWN BY: L. DRENNAN DATE: OCTOBER 4, 2024

NOT FOR CONSTRUCTION

PREPARED BY:

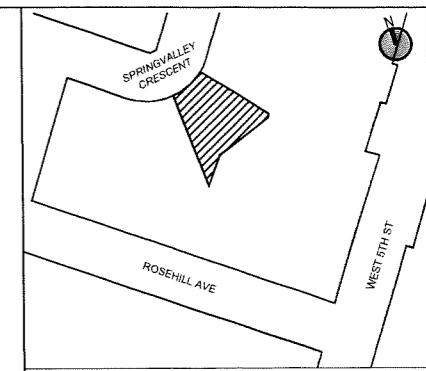
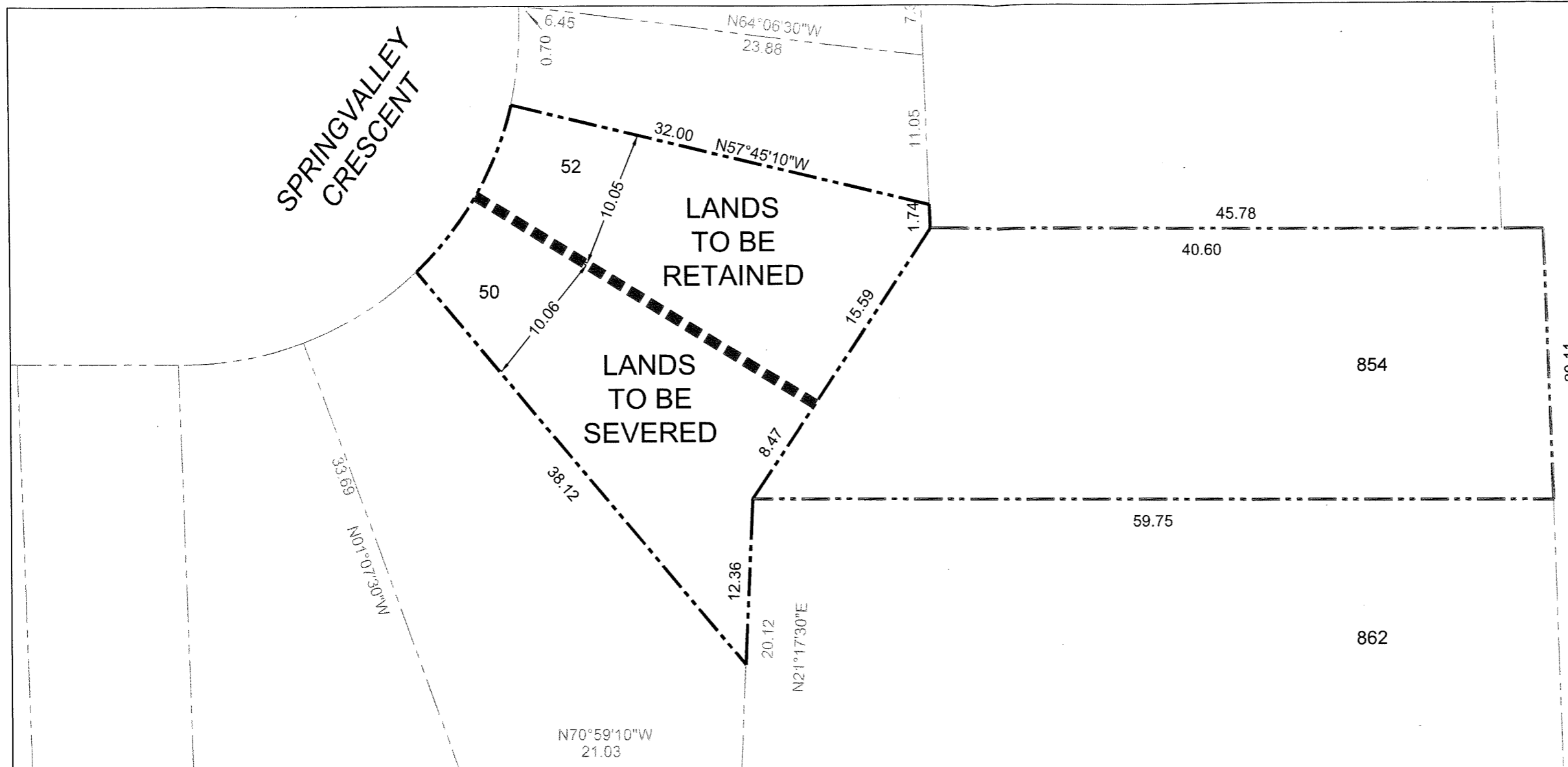
URBAN SOLUTIONS
 PLANNING & LAND DEVELOPMENT
 3 STUDEBAKER PLACE, UNIT 1
 Hamilton, ON L8L 0C8
 905-546-1087 - UrbanSolutions.info

PROJECT:
MINOR VARIANCE SKETCH

PROJECT:
50 & 52 SPRINGVALLEY CRESCENT
 City of Hamilton

CLIENT:
ANGROS ENTERPRISES LIMITED

U/S FILE NUMBER: SHEET NUMBER:
 354-20 1



SCALE 1:350
METRES

LEGEND:

- SUBJECT LANDS
- - - EXISTING PROPERTY LINES
- - - - PROPOSED SEVERANCE LINE

DESIGN BY: L. DRENNAN CHECKED BY: M. JOHNSTON
DRAWN BY: L. DRENNAN DATE: OCTOBER 4, 2024

NOT FOR CONSTRUCTION

PREPARED BY:

URBAN SOLUTIONS
PLANNING & LAND DEVELOPMENT
3 STUDEBAKER PLACE, UNIT 1
Hamilton, ON L8L 0C8
905-546-1087 - UrbanSolutions.info

PROJECT:
SEVERANCE SKETCH

PROJECT:
50 & 52 SPRINGVALLEY CRESCENT
City of Hamilton

CLIENT:
ANGROS ENTERPRISES LIMITED

U/S FILE NUMBER: 354-20 SHEET NUMBER: 1

DEVELOPMENT STATISTICS			
Severance #2			
Zone: C/S-1822' Urban Protected Residential, Etc.			
Multiple Dwelling & 'D-H/S-1598' & D/S-1822' Urban Protected Residential - One and Two Family Dwellings, Etc.			
Single Detached Dwellings			
Item	Required	Proposed (Lands to be Retained)	Proposed (Lands to be Severed)
Min. Lot Area	360 m ²	372.92 m ²	390.28 m ²
Min. Lot Frontage	12.0 m	10.05 m	10.06 m



October 8, 2024

354-20

Via Email

Ms. Jamila Sheffield
Secretary Treasurer

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

Dear Ms. Sheffield,

**RE: Consent to Sever and Minor Variance Application
50 & 52 Springvalley Crescent, Hamilton, Ontario**

UrbanSolutions Planning & Land Development Consultants Inc. (UrbanSolutions) is the authorized planning consultant acting on behalf of Angros Enterprises Limited c/o Mr. Victor Fontana, the registered owner of the lands municipally known as 50 & 52 Springvalley Crescent in the City of Hamilton. On behalf of the owner, UrbanSolutions has prepared the enclosed Consent to Sever and Minor Variance applications and supporting materials.

Subject Lands

As outlined on the enclosed Severance Sketch, the subject lands have an approximate total area of 763.2 m² and approximately 19.89 metres of frontage on Springvalley Crescent. The lands are currently vacant and are proposed to be developed with two single-detached dwellings. The lands are designated 'Neighbourhoods' on Schedule E-1 – Urban Land Use Designation of the Urban Hamilton Official Plan (UHOP) and are located in the "D-H/S-1598 and D/S-1822" (Urban Protected Residential – One and Two Family Dwellings, Etc.) District, Modified and the "C/S-1822" (Urban Protected Residential, Etc.) District, Modified in the Former City of Hamilton Zoning By-law No. 6593. A portion of the subject lands (the portion zoned "D/S-1822 and D/S-1822" (Urban Protected Residential – One and Two Family Dwellings, Etc.) District, Modified) comprises Part of Block 27 on Plan 62M-1102, representing Phase Two of the Fontana Gardens Plan of Subdivision.

Consent to Sever Application

The enclosed Consent to Sever application seeks to divide the subject lands into two separate lots to facilitate the development of a single-detached dwelling on each. The severed lot will have approximately 10.06 metres of frontage on Springvalley Crescent and a total area of +/- 390.28 m², while the retained lot will have approximately 10.05 metres of frontage on Springvalley Crescent and a total area of +/- 372.92 m². It should be noted that the viability of this application is contingent on the approval of the

concurrent consent application submitted (by our office) under separate cover for the abutting lands located at 854 West 5th Street. Collectively, these applications allow for the proper implementation of the land assembly necessary to facilitate the completion of the Fontana Gardens subdivision.

Consent to Sever Policy Considerations

This Consent to Sever application is in keeping with Section 53(1) of the *Planning Act, R.S.O., 1990, as amended*, as a plan of subdivision is not necessary for the proper and orderly development of the subject lands. Further, the resulting development of a single-detached dwelling on the severed and retained lot:

- is consistent with the Provincial Policy Statement (2020), as such will assist with the objective of focusing growth and development within settlement areas (Policy 1.1.3);
- conforms to the Growth Plan (2020), as such will aid the municipality in achieving at least 50% of growth within the delineated built-up area, and;
- conforms to the UHOP, as such will aid the City in achieving its objective of accommodating approximately 30% of its intensification target within the Neighbourhoods designation, while maintaining the existing built-form and character of the surrounding area.

Minor Variance Application

The purpose of the enclosed Minor Variance application is to address zoning non-conformities relating to minimum lot width resulting from the above-noted severance.

The following variances are required for 'Proposed Lot A', as labelled on the enclosed Minor Variance Sketch (labelled as 'Lands to be Retained' on the enclosed Severance Sketch):

1. To permit a minimum lot width of 10.0 metres, whereas 12.0 metres is currently required.
2. That notwithstanding Section 18A(14a), front yard parking shall be permitted.

The following variances are required for 'Proposed Lot B', as labelled on the enclosed Minor Variance Sketch (labelled as 'Lands to be Severed' on the enclosed Severance Sketch):

3. To permit a minimum lot width of 10.0 metres, whereas 12.0 metres is currently required.
4. That notwithstanding Section 18A(14a), front yard parking shall be permitted.

Minor Variance Policy Considerations

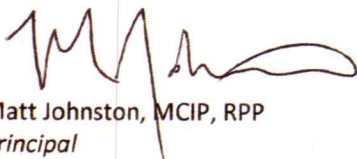
Section 45(1) of the *Planning Act, R.S.O. 1990, as amended* requires any Minor Variance application to satisfy four tests. As outlined above, the requested variances are required to facilitate the development of two (2) single-detached dwellings. This infill development represents an appropriate form of intensification that will maintain compatibility with existing built-forms present throughout the surrounding neighbourhood. As such, it is our professional opinion that the requested variances satisfy the four-tests in that they uphold the intent of the UHOP and the Former City of Hamilton Zoning By-law No. 6593; are minor in nature; and represent good land use planning.

In support of this application, I attached the following materials:

- One (1) copy of the completed Consent to Sever Application Form and Signature Page;
- One (1) copy of the Severance Sketch prepared by UrbanSolutions;
- One (1) copy of the completed Minor Variance Application Form and Signature Page;
- One (1) copy of the Minor Variance Sketch prepared by UrbanSolutions;
- One (1) cheque in the amount of **\$3,360.00** made payable to the City of Hamilton for the Consent to Sever Application Fee, and;
- One (1) cheque in the amount of **\$3,900.00** made payable to the City of Hamilton for the Minor Variance Application Fee.

We trust that the enclosed is in order; however, please feel free to contact the undersigned with any questions.

Kind Regards,
UrbanSolutions



Matt Johnston, MCIP, RPP
Principal



Matthew LeBlanc, MCIP, RPP
Planner

cc: Angros Enterprises Ltd. c/o Mr. Victor Fontana



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)	Agros Enterprises Limited c/o Mr. Victor Fontana
Applicant(s)	Same as Owner
Agent or Solicitor	UrbanSolutions Planning & Land Development Inc. c/o Matt Johnston

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

[Redacted]

1.5 All correspondence may be sent by email

Yes*

No

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

1.6 Payment type

In person

Cheque

Credit over phone*

*Must provide number above

2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	50 & 52 Springvalley Crescent		
Assessment Roll Number			
Former Municipality			
Lot		Concession	7
Registered Plan Number	62R-18496	Lot(s)	
Reference Plan Number (s)		Part(s)	24

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:

N/A

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:

Please refer to the enclosed 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?

Lot size and shape constraints. Please refer to the enclosed Cover Letter for more information

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
+/- 20.11 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: Subject lands are currently vacant

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
50 Springvalley: Single-Detached Dwelling	6.0 m	7.83 m	1.20 m & 1.24 m	TBD
52 Springvalley: Single-Detached Dwelling	6.02 m	7.96 m	1.20 m & ___ m	TBD

4.3. Particulars of all buildings and structures on or proposed for the subject lands (attach additional sheets if necessary):

Existing: Subject lands are currently vacant

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
50 Springvalley: Single-Detached Dwelling	+/- 127.35 m ²	+/- 254.7 m ²	2	2 Storeys
52 Springvalley: Single-Detached Dwelling	+/- 127.35 m ²	+/- 254.7 m ²	2	2 Storeys

- 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.):
 50 Springvalley Crescent: Single-Detached Dwelling
 52 Springvalley Crescent: Single-Detached Dwelling

- 4.9 Existing uses of abutting properties (single detached dwelling duplex, retail, factory etc.):
 North: Duplex Dwelling
 South: Single-Detached Dwelling

7 HISTORY OF THE SUBJECT LAND

- 7.1 Date of acquisition of subject lands:
 Unknown
- 7.2 Previous use(s) of the subject property: (single detached dwelling duplex, retail, factory etc)
 Vacant
- 7.3 Existing use(s) of the subject property: (single detached dwelling duplex, retail, factory etc)
 Vacant
- 7.4 Length of time the existing uses of the subject property have continued:
 Unknown
- 7.5 What is the existing official plan designation of the subject land?

Rural Hamilton Official Plan designation (if applicable): _____ N/A

Rural Settlement Area: _____ N/A

Urban Hamilton Official Plan designation (if applicable) _____ Neighbourhoods

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

Please refer to the enclosed Cover Letter

"D/S-1822" & "DH/S-1598" (Urban Protected Residential, Etc.)

District, Modified and "C/S-1822" (Urban Protected Residential, Etc.)

- 7.6 What is the existing zoning of the subject land? _____ District, Modified in Zoning By-law No. 6593

- 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: _____ N/A

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: _____ Not yet assigned by City

8 ADDITIONAL INFORMATION

8.1 Number of Dwelling Units Existing: _____ 0

8.2 Number of Dwelling Units Proposed: _____ 2

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

Please refer to the enclosed Cover Letter, Minor Variance Sketch, and Severance Sketch for more information

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
