



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)

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

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

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

<b>APPLICATION NO.:</b>	<b>A-24:178</b>	<b>SUBJECT PROPERTY:</b>	378 East 25th Street, Hamilton
<b>ZONE:</b>	R1 (Low Density Residential)	<b>ZONING BY-LAW:</b>	Hamilton Zoning By-law 05-200, as amended.

**APPLICANTS:** Owner: Tyrio Industries Inc. c/o Dennis Tyler  
Agent: A.J. Clarke and Associates Ltd. – Ryan Ferrari

The following variances are requested:

1. A minimum lot width of 8.6 metres shall be provided instead of the minimum required lot width of 9.0 metres.
2. Two additional dwelling units within a semi-detached dwelling unit shall be permitted instead of the maximum permitted one additional dwelling unit.

**PURPOSE & EFFECT:** To permit the construction of a new semi-detached dwelling each containing two (2) additional dwelling units, resulting in a total of three (3) units per lot.

**Notes:**

1. Please be advised insufficient information was provided to determine zoning compliance with Section 4.6 a). Additional variances may be required if zoning conformity cannot be achieved.
2. Please be advised insufficient information was provided to determine full zoning compliance for Section 5, (parking requirements). Additional variances may be required if zoning conformity cannot be achieved.
3. The proposed development shall be in accordance with Section 4.9 and 4.35 c) of Hamilton Zoning By-law 05-200.
4. Please be advised that the Electric Vehicle Parking requirements under By-law 24-052, remain

## A-24:178

under appeal and are not covered under Section 1.12 of the “Transitional Provisions” of the Hamilton Zoning By-law 05-200. At present, a review of the Electric Parking requirements has not been included in the following zoning chart. If the remaining portions of By-law 24-052 become final before issuance of a building permit, the Electric Vehicle Parking requirements will be applicable upon review for such building permit.

**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, November 26, 2024</b>
<b>TIME:</b>	<b>1:15 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**

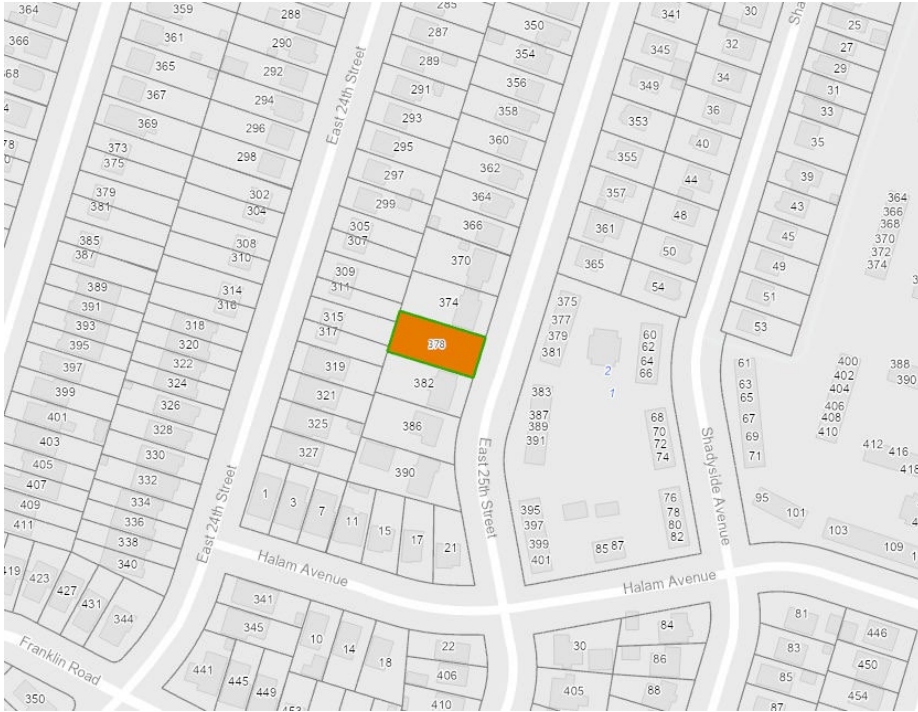
**Written:** If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Please see attached page for complete instructions, written comments must be received no later than noon November 22, 2024

**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 25, 2024

### **FURTHER NOTIFICATION**

If you wish to be notified of future Public Hearings, if applicable, regarding A-24:178, 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 Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.



 Subject Lands

DATED: November 12, 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.



378 East 25th Street Infill Housing  
 378 E 25th St  
 Hamilton, ON L8V 3R1

**DP AI**  
 Design Partners in  
 Architecture and Interiors

25 Main Street West, Hamilton, Ontario, Canada L8P 3H1  
 T: 905-522-0220

DRAWINGS ARE NOT TO BE SCALED.  
 CONTRACTOR MUST VERIFY ALL DIMENSIONS ON THE JOB AND REPORT ANY DISCREPANCY TO ARCHITECTS BEFORE PROCEEDING WITH WORK.

ALL DRAWINGS AND SPECIFICATIONS ARE THE PROPERTY OF THE ARCHITECT AND MUST BE RETURNED AT THE COMPLETION OF THE WORK.

SEALS

**GENERAL NOTES - SITE PLAN**

- GENERAL REQUIREMENTS**
  - CONTRACTOR SHALL CO-ORDINATE ALL WORK NOTED HERE WITH THE SPECIFICATION DOCUMENTS - FOR GENERAL REQUIREMENTS, EXISTING CONDITIONS, EXCAVATION & BACKFILLING, LANDSCAPING, ETC. AS REQUIRED FOR COMPLETE SITE RELATED WORK.
  - THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING ADEQUATE RECORDS OF CONSTRUCTION TO FACILITATE AS-BUILT DRAWINGS.
- PROJECT BOUNDARIES**
  - THE CONTRACT CONSISTS OF ALL WORK WITH-IN THE 'PROPERTY LINE' AND/OR 'SITE EXTENTS' LINE AS INDICATED PLUS ANY WORK SPECIFICALLY NOTED OUTSIDE OF THAT LINE OR AS REQUIRED TO DELIVER A OPERATIONAL, FUNCTIONING PROJECT.
  - THE TERM 'SITE EXTENTS' REFERS TO THE AREA THAT THE CONTRACTOR IS REQUIRED TO ENCLOSE WITH CONSTRUCTION FENCING FOR THE DURATION OF THE WORK.
  - ALL WORK DONE OUTSIDE OF THESE LIMITS MUST BE EXECUTED IN STRICT ACCORDANCE WITH THE STANDARDS OF THE MUNICIPALITY AND ALL OTHER AUTHORITIES HAVING JURISDICTION. MAKE GOOD AT NO ADDITIONAL COST TO THE OWNER OR MUNICIPALITY ANY DAMAGE CAUSED BY THIS CONSTRUCTION TO MATERIALS OR FINISHES BEYOND THE 'PROPERTY LINE' INDICATED.
- EXECUTION**
  - CONTRACTOR IS TO RESTRICT ALL WORK, EQUIPMENT AND MATERIALS STORAGE TO AREA(S) WITHIN THE 'PROPERTY LINE' EXCEPT WHERE NOTED OTHERWISE. PRIMARY SITE ACCESS POINT & CONSTRUCTION PARKING IS TO BE CONFIRMED WITH OWNER. NO PARKING IS PERMITTED IN THE MUNICIPAL RIGHT-OF-WAY.
  - LOCATE EXCAVATED MATERIALS & TOPSOIL PILES SO AS NOT TO IMPEDE PROGRESS OF THE WORK OR AS DIRECTED. 'DOUBLE HANDLING' OF MATERIALS AS A RESULT OF CONTRACTOR PLANNING OR EXECUTION OF THE WORK WILL NOT BE CONSIDERED AS A BASIS FOR CLAIM. AT COMPLETION OF THE PROJECT, ANY EXCESS MATERIAL IS TO BE REMOVED AND AREA MADE GOOD TO CONSULTANTS SATISFACTION.
  - FOR TRENCHING & BACKFILLING OF ALL SERVICE LINES AND DIVISION OF RESPONSIBILITY REFER TO APPROPRIATE SPECIFICATION SECTIONS AND DRAWINGS. TRENCHING & BACKFILLING NOT IDENTIFIED BY A PARTICULAR SUB-TRADE WILL BE THE RESPONSIBILITY OF THE GENERAL CONTRACTOR TO PROVIDE TRENCHING AND BACKFILLING. GRADE FINISHED WORK TO MATCH SURROUNDING SURFACES.
- LOCATION OF SERVICES**
  - NOTE THAT THE EXACT LOCATIONS OF ALL NEW MECHANICAL & ELECTRICAL ITEMS ARE APPROXIMATE UNLESS DIMENSIONS ARE GIVEN. ADJUST LOCATIONS AS REQUIRED AND AS APPROVED BY CONSULTANT TO SUIT SITE CONDITIONS.
  - NOTE THAT ALL MECHANICAL AND ELECTRICAL UNDERGROUND AND ABOVEGROUND SERVICE LINES INDICATED ON DRAWINGS ARE APPROXIMATE ONLY AND ARE INDICATED AS ACCURATELY AS POSSIBLE FROM INFORMATION SUPPLIED. CONTRACTOR SHALL BE RESPONSIBLE FOR DETERMINING EXACT TYPES, LOCATIONS, DEPTHS AND MARKING ALL UNDERGROUND AND ABOVEGROUND SERVICES WITHIN ALL AREAS OF CONSTRUCTION. THIS INCLUDES, BUT IS NOT LIMITED TO GAS LINES, WATER LINES, ELECTRICAL LINES, TELEPHONE, CABLE TV, ETC. VERIFY EXACT LOCATIONS WITH THE APPROPRIATE AUTHORITIES BEFORE EXCAVATING.
  - PRIOR TO COMMENCING WORK TO PLACE VERTICAL ELEMENTS SUCH AS FLAGPOLES AND LIGHT STANDARDS ENSURE ADEQUATE CLEARANCE FROM EXISTING ABOVE GROUND ELEMENTS SUCH AS OVERHEAD WIRES CABLES ETC. NOTIFY THE CONSULTANT OF ANY DISCREPANCIES PRIOR TO COMMENCEMENT OF WORK.
  - ALL FINISHED PAVING AND GRADING TO BE TO NEW LEVELS SHOWN. ALL DRAINAGE TO BE POSITIVE, LEAVING NO POCKETS IN FINISHED GRADE. FINISHED GRADING TO SLOPE MINIMUM 1:12 AND ASPHALT TO SLOPE MAX 1:10 AWAY FROM BUILDING UNLESS SHOWN OTHERWISE. NEW GRADES TO MEET EXISTING GRADES FALLING AWAY FROM BUILDING AND FEATHERED OUT EVENLY.

**NOTES**

- | No. | NOTE                            |
|-----|---------------------------------|
| 03  | CURB CUTS AT SIDEWALK           |
| 04  | APPROXIMATE CENTRELINE OF ROAD  |
| 05  | MUNICIPAL SIDEWALK              |
| 06  | EXISTING TREE TO REMAIN         |
| 07  | OUTLINE OF BALCONY ABOVE        |
| 08  | LANDSCAPED AREA                 |
| 10  | CONCRETE SLAB PATIO             |
| 11  | PATIO SCREEN                    |
| 12  | PAVING STONE PATH               |
| 15  | CONCRETE STEPS W/ METAL RAILING |
| 16  | ASPHALT DRIVEWAY                |
| 17  | PAVED WALKWAY                   |

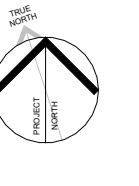
Project Statistics - Residential				
Zoning	Residential R1			
Plan No.	995			
Lot No.	49-50			
Net Lot Area	315.5			sqm
Lot Frontage	8.61			m
Building Coverage	130			sqm
Gross Floor Area				
Level 1	130			sqm
Level 2	130			sqm
Level 3	130			sqm
Total	390			sqm
Height	Required / Allowed	Proposed	Conforms	
	10.5 m MAX	10.5 m	yes	
Setbacks	Required / Allowed	Proposed	Conforms	
Front Yard	4 m MIN	7.9 m	Yes	
Side Yard South	1.2 m MIN	1.5 m	Yes	
Side Yard North	1.2 m MIN	1.5 m	Yes	
Rear Yard	7.5 m MIN	10.3 m	Yes	
Landscaped Soft Area	Required / Allowed	Proposed	Conforms	
	30 % MIN	50 %	Yes	

H	Minor Variance	09/24/24
G	Minor Variance	07/17/24
F	Issued for Zoning	06/19/24
E	Revised for Permit	xx/xx/24
D	Issued for Coordination	06/21/24
C	Issued for Permit	04/23/24
B	Issued for Coordination	04/17/24
A	Issued for Coordination	02/04/24

NO. ISSUES/REVISIONS DATE

DRAWING TITLE:

**SITE PLAN AND SITE STATISTICS**



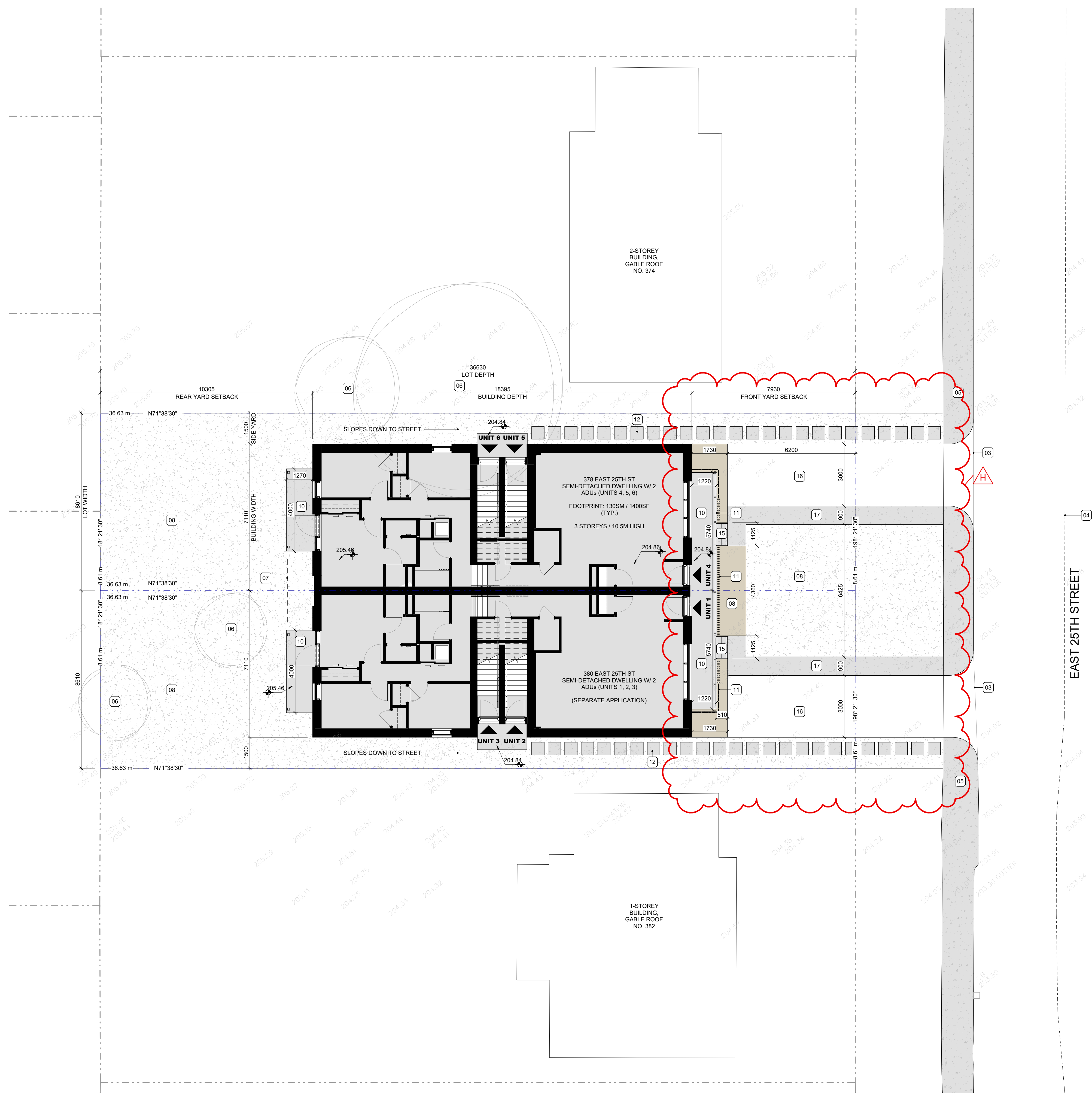
ISSUE DATE: 09/24/24

DRAWN BY: AF CHECKED BY: DP

PROJECT NO.: 12315 SCALE: As indicated

DRAWING NO.: REVISION:

**A01.02 H**



**1 SITE PLAN**  
 1 : 100

PLOT DATE: 2024-09-24 15:16:44 J



*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

September 24, 2024

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

**Re: 378 East 25<sup>th</sup> Street, Hamilton**  
**Minor Variance Application Resubmission**

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Dear Ms. Sheffield:

A.J. Clarke and Associates Ltd. has been retained by Tyrio Industries Inc. (owner) for the purposes of a submitting the enclosed Minor Variance Application for the subject lands, municipally known as 378 East 25<sup>th</sup> Street, in the City of Hamilton.

We are in receipt of the staff comments delivered on September 4, 2024. In response to the comments the following is being submitted:

- Revised Site Plan, prepared by DPAI Inc., dated September 24, 2024

By way of this submission we are requesting that Variances # 2, 3, and 4 be deleted from the application. The only variance request is as follows:

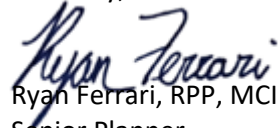
1. To permit a minimum lot width of 8.6m whereas a minimum lot width of 9.0m is required.

Per the previously submitted letter dated July 29, 2024, our opinion is that the variance meets the four (4) tests of the Planning Act. In staff's previous report, they concurred and recommended that the Committee support the variance.

The required recirculation fee will be paid by Credit Card over the phone.

We trust that these materials are in order. If there are any questions, please do not hesitate to contact the undersigned.

Sincerely,



Ryan Ferrari, RPP, MCIP  
Senior Planner

**A. J. Clarke and Associates Ltd.**



Hamilton

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