



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-24:256	SUBJECT PROPERTY:	541 - 545 Fifty Road, Stoney Creek
ZONE:	R3-45 (Single Residential)	ZONING BY-LAW:	Zoning By-law Stoney Creek 3692-92, as Amended by By-law 22-153

APPLICANTS:

Owner: Fifty Road Inc.

Agent: Urban Solution Planning & Land Development Consultants Inc. c/o Matt Johnston

The following variances are requested:

1. A minimum lot area of 298.0 square metres for interior lots shall be permitted instead of the minimum required lot area of 370.0 square metres.
2. A minimum lot area of 300.0 square metres for corner lots shall be permitted instead of the minimum required lot area of 425.0 square metres.
3. A minimum lot frontage of 9.0 metres for a corner lot shall be permitted instead of the minimum required frontage of 13.75 metres.

PURPOSE & EFFECT: To facilitate fifteen (15) lots for the purpose of single detached dwelling.

Notes:

1. Please be advised variances have been written as requested by the applicant.
2. These variances are necessary to facilitate Site Plan Application SPA-24-034.
3. Please be advised that building envelopes have not been provided. Additional variances may be required if conformity with the Stoney Creek Zoning By-law 3692-92 cannot be achieved.

A-24:256

4. Be advised that insufficient information has been provided to determine parking requirements. Should parking not meet the requirements of Section 4.10, 6.1.8, 6.10.5, and site specific “R3-45” within the Stoney Creek Zoning By-law 3692-92, additional variances may be required.

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

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

DATE:	Tuesday, January 21, 2025
TIME:	1:55 p.m.
PLACE:	Via video link or call in (see attached sheet for details)
	City Hall Council Chambers (71 Main St. W., Hamilton)
	To be streamed (viewing only) at www.hamilton.ca/committeefadjustment

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

- Visit www.hamilton.ca/committeefadjustment
- 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 January 17, 2025


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 January 20, 2025

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding A-24:256, 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: January 2, 2025

Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

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



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PARTICIPATION PROCEDURES

Written Submissions

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

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

Oral Submissions

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

1. Virtual Oral Submissions

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

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

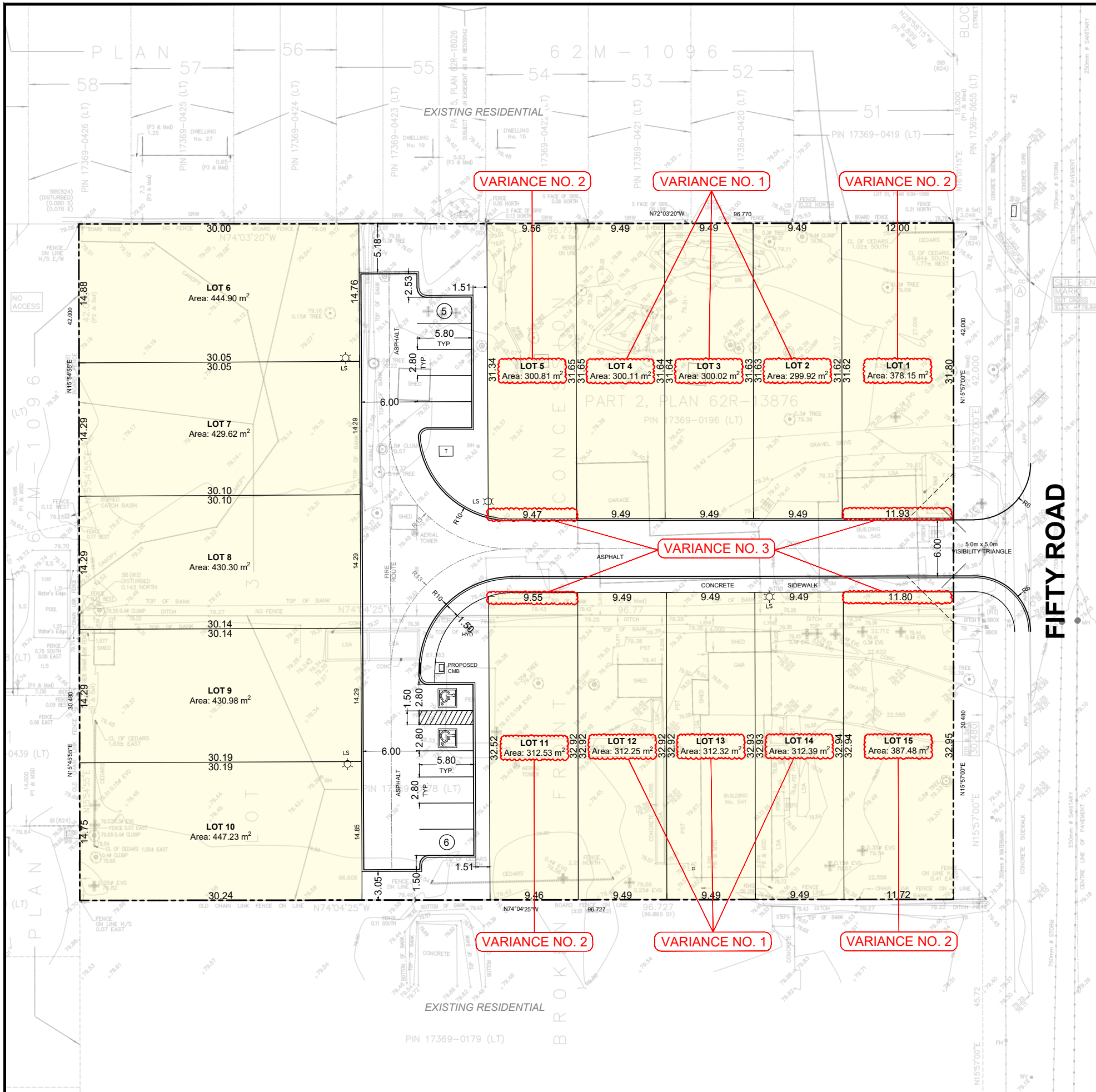
A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting one business day before the Hearing. Only those registered will be called upon to speak.

2. In person Oral Submissions

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

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

Please note: Webex (video) participation requires either a compatible computer or smartphone and an application (app/program) must be downloaded by the interested party in order to participate. It is the interested party's responsibility to ensure that their device is compatible and operating correctly prior to the Hearing.



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SCALE 1:450

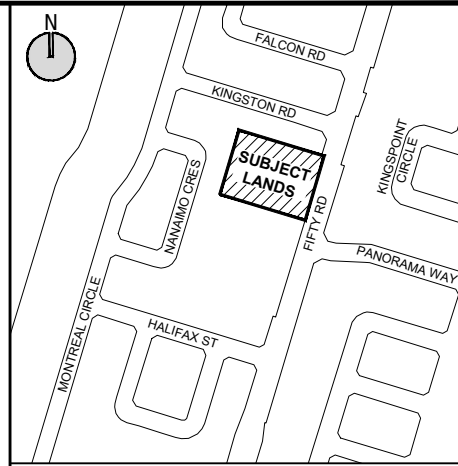
VARIANCES TO THE CITY OF STONEY CREEK ZONING BY-LAW NO. 3692-92, RESIDENTIAL "R3-46" ZONE.

VARIANCE NO. 1: TO PERMIT A MINIMUM LOT AREA OF 298.0 SQUARE METRES FOR INTERIOR LOTS, WHEREAS A MINIMUM LOT AREA OF 370.0 METRES IS REQUIRED.

VARIANCE NO. 2: TO PERMIT A MINIMUM LOT AREA OF 300.0 SQUARE METRES FOR CORNER LOTS, WHEREAS A MINIMUM LOT AREA OF 425.0 METRES IS REQUIRED.

VARIANCE NO. 3: TO PERMIT A MINIMUM LOT FRONTAGE OF 9.0 METRES FOR CORNER LOTS, WHEREAS 13.75 METRES IS REQUIRED.

DEVELOPMENT STATISTICS		
RESIDENTIAL "R3-46" ZONE		
IN THE CITY OF STONEY CREEK ZONING BY-LAW NO. 3692-92		
ITEM	REQUIRED	PROPOSED
NO. OF LOTS	N/A	15 Lots
MIN. LOT AREA	Interior Lot: 370.0 m ² Corner Lot: 425.0 m ²	Interior Lot: 299.92 m ² Corner Lot: 300.81 m ²
MIN. LOT FRONTAGE	Interior Lot: 9.0 m Corner Lot: 13.75 m	Interior Lot: 9.49 m Corner Lot: 9.47 m
PARKING REQUIREMENTS		
MIN. 4 OR MORE PARKING SPACES SETBACK TO LOT LINE	1.5 m	1.51 m
MIN. RESIDENTIAL PARKING SPACES	2 spaces / unit = 30 spaces	2 spaces / unit = 30 spaces
MIN. BARRIER FREE PARKING	1 % of required parking spaces = 1 space	2 spaces
MIN. BARRIER FREE PARKING DIMENSIONS	2.8 m x 5.8 m plus 1.5m painted aisle	2.8 m x 5.8 m plus 1.5m painted aisle



KEY MAP - N.T.S.

SCALE 1:450
METRES

LEGEND

- SUBJECT LANDS
- PROPOSED SINGLE DETACHED LOTS

NOT FOR CONSTRUCTION
ISSUED FOR REVIEW & COMMENTS ONLY

NOTES:
ALL DIMENSIONS SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

DESIGN BY: S. ERICKSON CHECKED BY: M. JOHNSTON
DRAWN BY: S. ERICKSON DATE: NOVEMBER 12, 2024


est. 2014
URBAN SOLUTIONS
PLANNING & LAND DEVELOPMENT
3 STUDEBAKER PLACE, SUITE 1
HAMILTON, ON L8L 0C8
905-546-1087 - urbansolutions.info

PROJECT:
541 & 545 FIFTY ROAD
CITY OF HAMILTON

CLIENT:
FIFTY ROAD INC.

TITLE:
MINOR VARIANCE SKETCH

U/S FILE NUMBER: 498-24 SHEET NUMBER: 1



November 12, 2024

498-24

Via Email & Delivered

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: 541 & 545 FIFTY ROAD, STONEY CREEK
Application for Minor Variance to the Stoney Creek Zoning By-law No. 3692-92**

UrbanSolutions Planning & Land Development Consultants Inc. (UrbanSolutions) have been retained by Fifty Road Inc., the registered owners of 541 and 545 Fifty Road, in the former Township of Stoney Creek. On their behalf, UrbanSolutions is pleased to submit this application for Minor Variance to the Zoning By-law.

The subject lands are comprised of a rectangularly-shaped, 0.679-hectare parcel with 72.48 metres of frontage along Fifty Road. The previous use of the lands was residential, with a single-detached dwelling on each lot. The subject lands are surrounded by low-density residential uses to all sides, with the predominant built form of the neighbourhood being single-detached dwellings.

Policy Context

The subject site is designated as *'Neighbourhoods'* on Schedule E - *Urban Structure* and Schedule E-1 - *Urban Land Use* within the Urban Hamilton Official Plan (UHOP) and designated as *'Low Density Residential 2b'* in the Urban Lakeshore Area Secondary Plan Land Use Plan Map B.7.3-1. An amendment to the UHOP is not necessary for the development of the lands as proposed. Further, the lands fall within a site-specific Single Residential (R3-45) Zone, Modified, in the City of Stoney Creek Zoning By-law No. 3692-92.

Application History

On June 22nd, 2022, the owners of the lands received approval of a Zoning By-law Amendment (ZAC-21-045) which rezoned the lands from a *'Rural Residential (RR) Zone'* to a site-specific, *'Single Residential (R3-45) Zone'*. On July 13th, 2023, final-approval of a Site Plan consisting of 11 dwelling units (DA-22-156) was granted for the lands.

Purpose of the Application

A revised development concept consisting of 15 units has been prepared in response to fluctuating market conditions and the need for a more resilient supply of housing units. This revised concept received conditional Site Plan approval for a Site Plan Amendment on September 19, 2024 (SPA-24-038), and per Special Condition No. 1, the owner must apply for and receive final approval of a Minor Variance application to facilitate the conditionally-approved Site Plan. The required variances are as follows:

Variance No. 1 – To permit a minimum lot area of 298.0 square metres for interior lots, whereas a minimum lot area of 370.0 metres is required.

Variance No. 2 – To permit a minimum lot area of 300.0 square metres for corner lots, whereas a minimum lot area of 425.0 metres is required.

Variance No. 3 – To permit a minimum lot frontage of 9.0 metres for corner lots, whereas 13.75 metres is required.

As per Section 45(1) of the *Planning Act*, R.S.O, 1990, as amended, applications to the Committee to vary from the Zoning By-law must meet 4 tests as outlined below:

- The proposal meets the general intent and purpose of the Official Plan;
- The proposal meets the general intent and purpose of the Zoning By-Law;
- The variance is minor in nature; and,
- The proposal is desirable for the appropriate development or use of the land.

The Neighbourhoods designation on the lands encourages compatible residential intensification within the urban area. Compatible intensification is achieved by the proposal as the proposed built form is in keeping with the surrounding context but with more compact lot geometry. Further, the proposed development conforms to the applicable 29 unit per hectare density limit of the Low Density Residential 2b Designation in the Urban Lakeshore Area Secondary Plan. As the proposed variances will facilitate an appropriate built form within the Neighbourhoods designation while achieving compatible higher densities than traditional low-rise residential built forms in the community, the variances are in keeping with the general intent and purpose of the Official Plan.

The site-specific R3-45 zone regulations introduced through previous planning applications have regard for lots with 9-metre interior lot frontages, reduced setbacks to dwellings, and increased maximum lot coverage. These site-specific regulations generally facilitate the proposed built form of the 15-unit development concept with the exception of minimum lot area and corner lot frontage. The requested variances for minimum lot areas of 298 and 300 square metres and minimum corner lot frontage of 9.0 metres are in keeping with the approved site-specific zoning regulations. The intent of the lot area and frontage regulations are to control massing while ensuring engineering requirements can be met from a site servicing, grading, and stormwater management perspective. The proposal's compatibility from a massing perspective along with the engineering components of the site design have been satisfied via the

conditional Site Plan approval. Therefore, the variances meet the general intent and purpose of the Stoney Creek Zoning By-law.

The proposed variances will extend the existing permissions of the site-specific R3-45 zone for 9.0 metre frontages for interior lots to apply also to corner lots. This reduction in frontage for corner lots will not negatively affect the aesthetic or functionality of the proposal. The flankage yards along Fifty Road will remain at 3.0 metres and provide sufficient room for a daylight triangle with a further 3.0 metre setback to the proposed building footprint. Additionally, a 9.0 metre frontage will promote a more cohesive built form throughout the neighbourhood with similarly sized and sited dwellings along the private road. Further, the proposed building envelopes on the conditionally-approved Site Plan conform to all as-of-right yard setbacks and lot coverage, ensuring the requested variance in lot area does not result in an imbalanced proportion of the dwellings relative to their individual lots as contemplated in the approved zoning. As such, the requested variances are minor in nature.

The requested variances will serve to expand upon the approved built form for the lands and increase the density of the overall development. These variances, in turn, support the efficient utilization of the City's urban land base by introducing compatible residential intensification and will support the provision of additional residential units in a desirable location of the city. As such, the requested variances are desirable for the appropriate development of the lands.

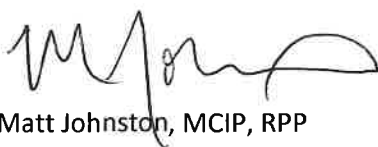
In support of this application please find enclosed the following:

- One (1) copy of the completed Minor Variance application form;
- One (1) copy of the Minor Variance sketch prepared by UrbanSolutions; and,
- One (1) cheque in the amount of **\$3,900.00** made payable to the City of Hamilton.

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

Regards,

UrbanSolutions



Matt Johnston, MCIP, RPP
Principal



Stefano Rosatone, BES
Planner

cc: Fifty Road Inc. c/o Peter DeSantis (Owner)



Hamilton

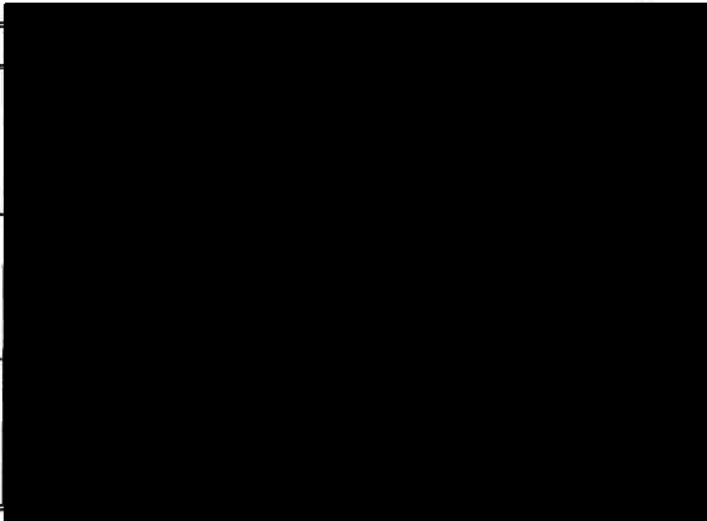
Committee of Adjustment
City Hall, 5th Floor,
71 Main St. W.,
Hamilton, ON L8P4Y5

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)	Fifty Road Inc.
Applicant(s)	Same as Owner
Agent or Solicitor	UrbanSolutions Planning & Land Development Consultants Inc. c/o Matt Johnston (UrbanSolutions)



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	541 & 545 Fifty Road, Stoney Creek		
Assessment Roll Number			
Former Municipality	Stoney Creek		
Lot		Concession	
Registered Plan Number		Lot(s)	
Reference Plan Number (s)		Part(s)	

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

Yes No

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

Blanket Easements: WE1692669 (Alectra), WE1696679 (Bell), WE1698493 (Enbridge), WE1699825 (Cogeco), WE1700044 (Rogers)

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 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?

Please refer to enclosed Cover Letter.

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

Yes

No

If yes, please provide an explanation:

N/A

4. DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

4.1 Dimensions of Subject Lands:

Lot Frontage	Lot Depth	Lot Area	Width of Street
72 480 metres	96 770 metres	0 67861 hectares	+/- 24 metres

**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
		N/A		

Please refer to enclosed Minor Variance sketch

Proposed:

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

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
		N/A		

Please refer to enclosed Minor Variance Sketch.

Proposed:

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

- 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
- municipal road, seasonally maintained
- municipal road, maintained all year
- right of way
- other public road

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

15 Single Detached Dwellings

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

Single Detached Dwellings

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)

2 Single Detached Dwellings

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 (Schedule E-1, Volume 1)
- Low Density Residential 2b (Urban Lakeshore Area Secondary Plan)

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

Please refer to enclosed Cover Letter.

7.6 What is the existing zoning of the subject land? Single Residential (R3-45) Zone, Modified

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: ZAC-21-045

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: N/A

8 ADDITIONAL INFORMATION

8.1 Number of Dwelling Units Existing: 0

8.2 Number of Dwelling Units Proposed: 15

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

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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