



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**

**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-24:237</b>	<b>SUBJECT PROPERTY:</b>	158 Broadway Avenue, Hamilton
<b>ZONE:</b>	(Low Density Residential (R1))	<b>ZONING BY-LAW:</b>	Zoning By-law City of Hamilton 05-200, as Amended by by-law 24-051

**APPLICANTS:**      Owner: Robert Hawkins  
                                 Applicant: Robert Hawkins

The following variances are requested:

1. A minimum 6.2 metre Rear Yard shall be permitted instead of the minimum required 7.5 metre setback.
2. A minimum 1.0 metre Side Yard shall be permitted instead of the minimum required 1.2 metre setback.

**PURPOSE & EFFECT:**      To construct an addition to a single detached dwelling and to establish three (3) Additional Dwelling Units (ADU's).

**Notes:**

- i) There is a landscaped area located in the southerly side yard which appears to be able to accommodate the required landscaped area for tree protection (3.75m x 3.75m) as per Section 4.35 of Hamilton Zoning By-law 05-200.

**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, January 21, 2025</b>
<b>TIME:</b>	<b>2:45 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 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-24:237, 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: January 2, 2025

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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.



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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.

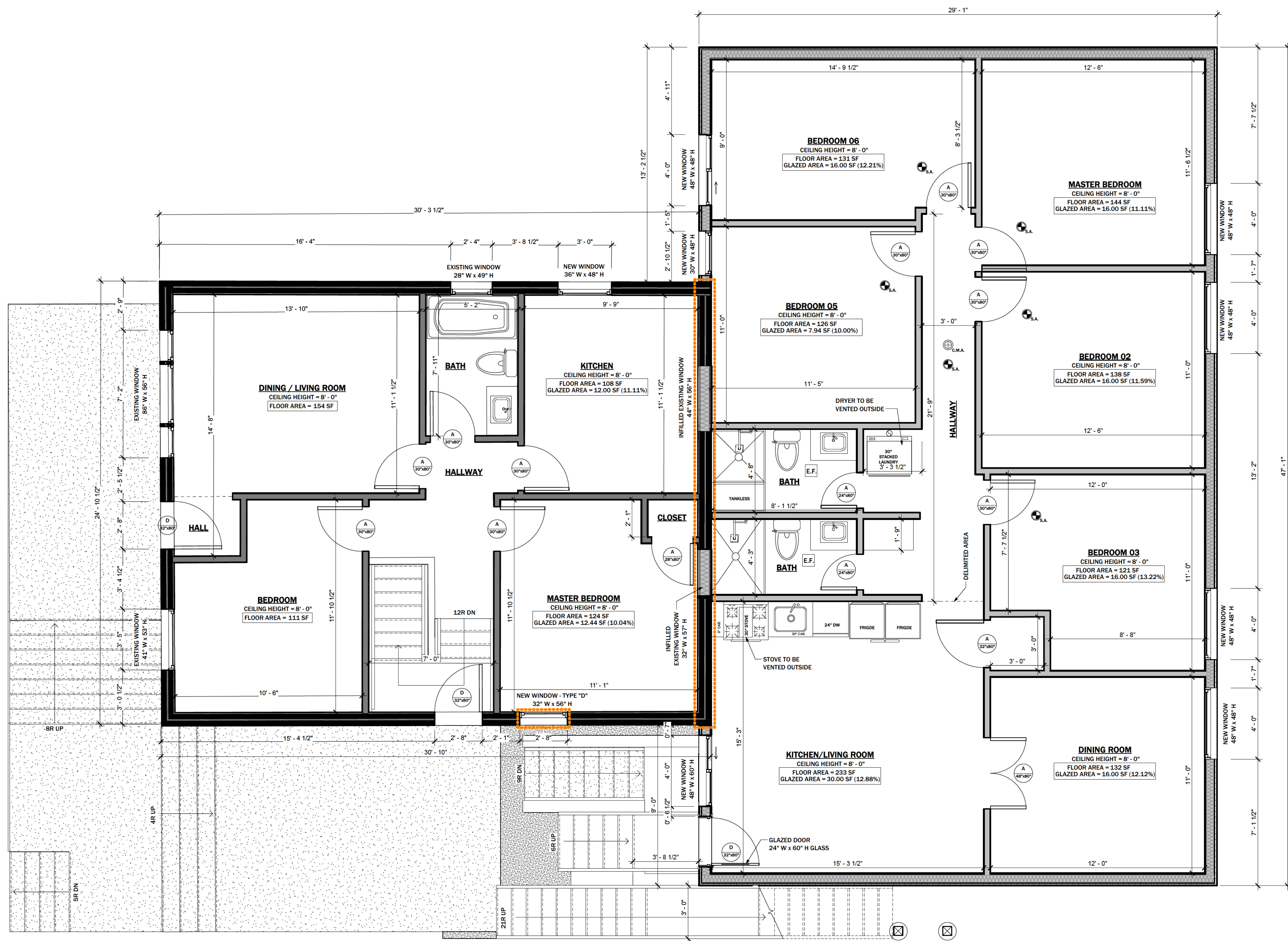












1 PROP. 1ST FLOOR  
 3/8" = 1'-0"

- GENERAL NOTE:**
- DO NOT SCALE DRAWINGS. FULL SCALE: 24" X 36"
  - ALL DIMENSIONS AND INFORMATION SHOWN ON THESE DRAWINGS MUST BE CHECKED AND VERIFIED ON SITE AND ANY DISCREPANCIES REPORTED TO THE DESIGNER PRIOR TO CONSTRUCTION AND FABRICATION OF ITS COMPONENTS. SHOULD EXISTING CONDITIONS OR SERVICES BE FOUND TO VARY FROM THAT INDICATED ON THE DRAWINGS, THE LEAD DESIGNER MUST BE NOTIFIED IMMEDIATELY.
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  - USE LATEST REVISED DRAWINGS.
  - ALL CONSTRUCTION TO MEET LATEST ONTARIO BUILDING CODE.
  - ALL DRAWINGS, SPECIFICATIONS, RELATED DOCUMENTS AND DESIGN ARE THE COPYRIGHT PROPERTY OF HOUGHTON & ASSOCIATES. REPRODUCTION OF THIS PROPERTY IN WHOLE OR IN PART IS STRICTLY PROHIBITED WITHOUT SRK & ASSOCIATES WRITTEN PERMISSION (SRK & ASSOCIATES ASSUMES NO RESPONSIBILITY OR LIABILITY FOR THIS PROPERTY UNLESS IT BEARS THE APPROPRIATE PEO NUMBER AND ORIGINAL SIGNATURE).
  - BUILDING OWNERS WILL BE RESPONSIBLE FOR HIRING A CERTIFIED CONTRACTOR TO PERFORM SCOPE OF WORK AS PER ISSUED PERMIT.
  - CONTRACTOR WILL BE RESPONSIBLE FOR ALL CONSTRUCTION AND SAFETY REQUIREMENTS ON SITE.

STAMP:

CONSULTANT:



PROJECT NUMBER:

PROJECT NAME/LOCATION:

**MULTI UNIT CONVERSION**  
 158 BROADWAY AVE | HAMILTON, ON |  
 L8S 2Y1

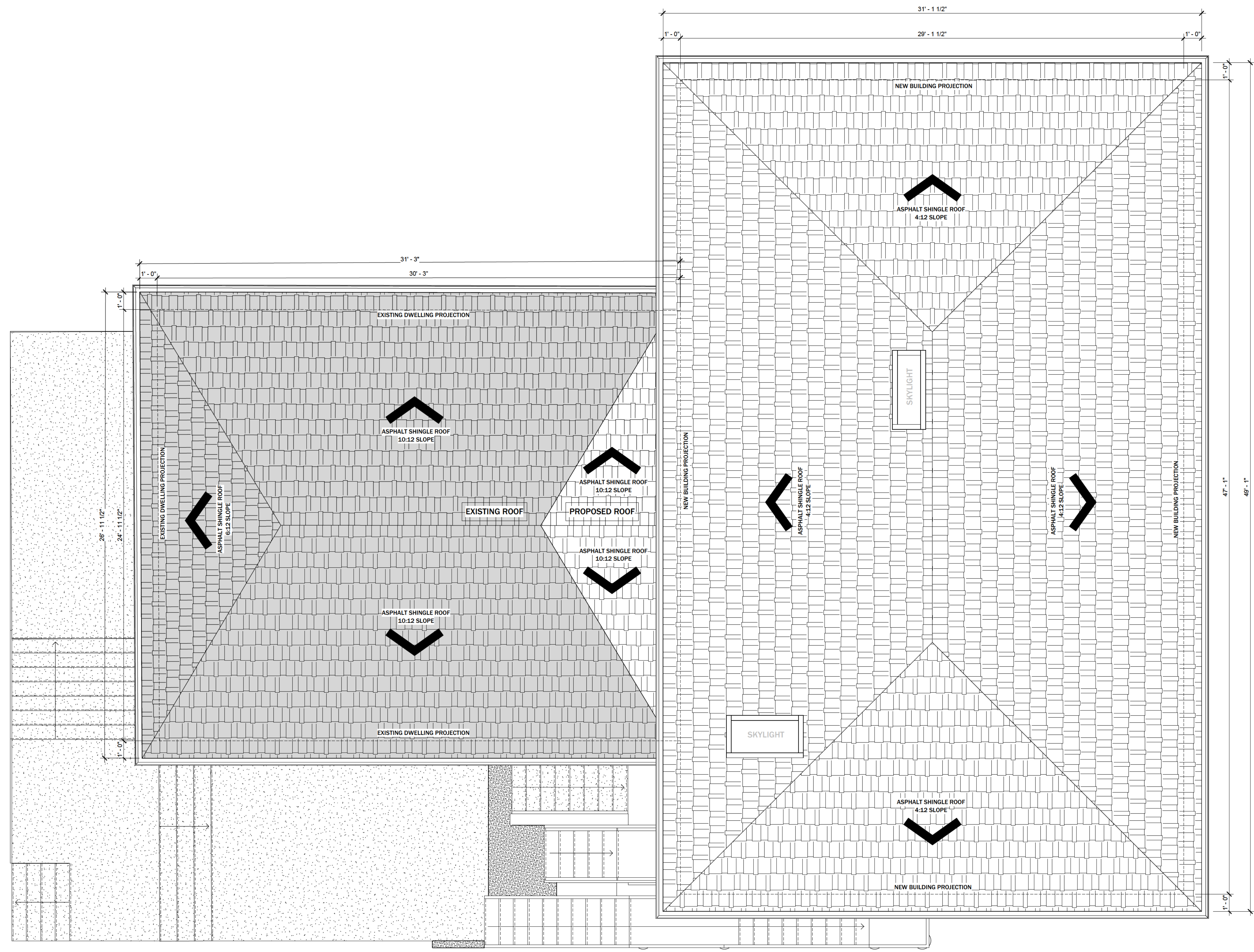
DESCRIPTION:  
 DRAWN BY: BEATRIZ TOSCHI  
 CHECKED BY: CHRISTOPHER HOUGHTON  
 APPROVED BY:

REVISION	DESCRIPTION	DATE

DRAWING SCALE: 3/8" = 1'-0"

DRAWING TITLE: PROPOSED FIRST FLOOR PLAN





① PROPOSED TOP OF ROOF  
3/8" = 1'-0"

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**STAMP:**


PROJECT NUMBER:

PROJECT NAME/LOCATION:

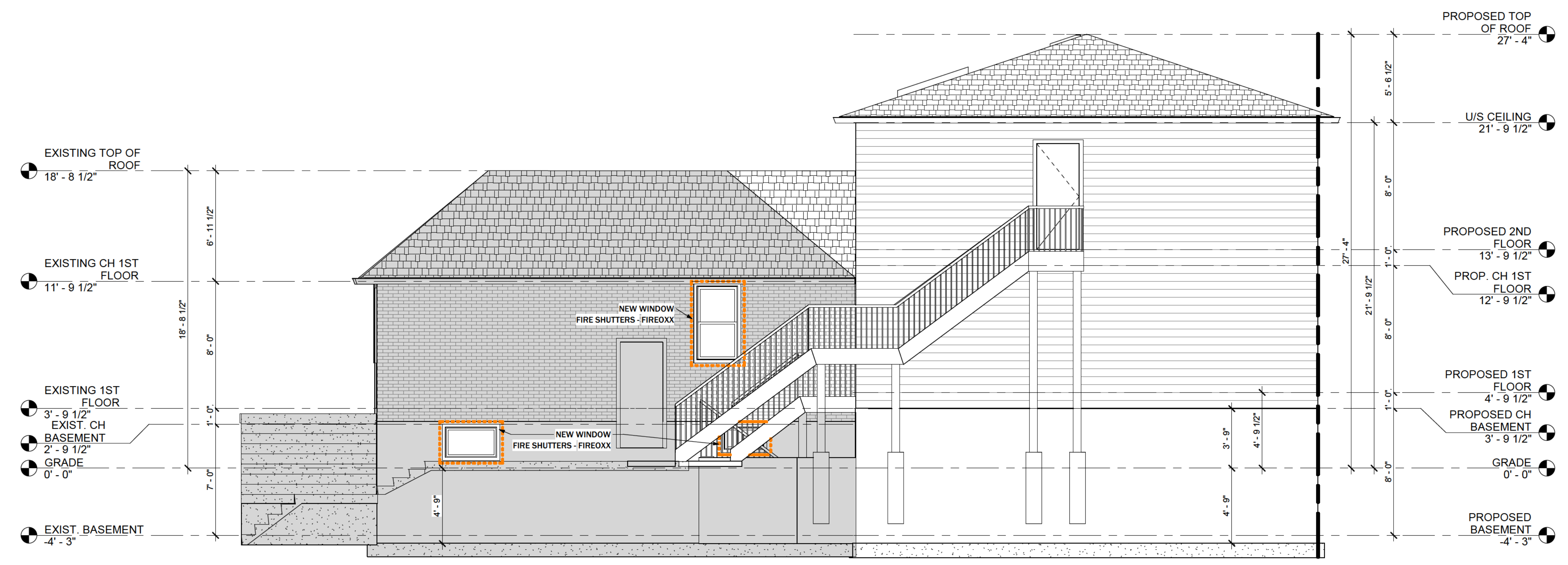
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158 BROADWAY AVE | HAMILTON, ON | L8S 2Y1

DESCRIPTION:		
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CHECKED BY:	CHRISTOPHER HOUGHTON	
APPROVED BY:		
REVISION	DESCRIPTION	DATE

DRAWING SCALE: 3/8" = 1'-0"

DRAWING TITLE: **PROPOSED ROOF PLAN**

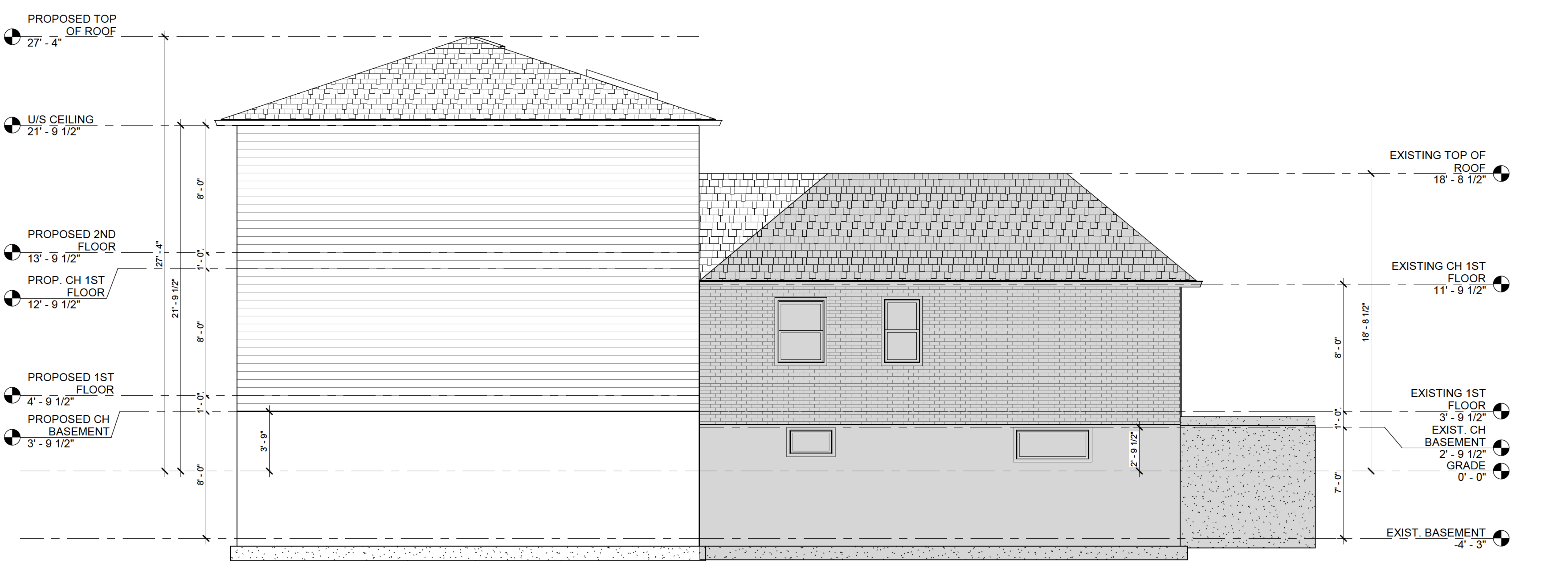
# A1.05



④ PROPOSED NORTH ELEVATION  
1/4" = 1'-0"

**FIRE RATED GLAZING**

VDS LITE FIRE FRAME @ 60 MINUTES CAN 4 S 106 NON OPERABLE FIRE WINDOW 1.00" (25.4mm) CONTRAFLAM 60 MINUTES FIRE RATED BARRIER TO HEAT WINDOW CAN 4 S 101 POWDER COATING INCLUDED COLOUR TBD EPOXY, INTERIOR APPLICATION, BARRIER TO HEAT



③ PROPOSED SOUTH ELEVATION  
1/4" = 1'-0"

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MULTI UNIT CONVERSION  
158 BROADWAY AVE | HAMILTON, ON |  
L8S 2Y1

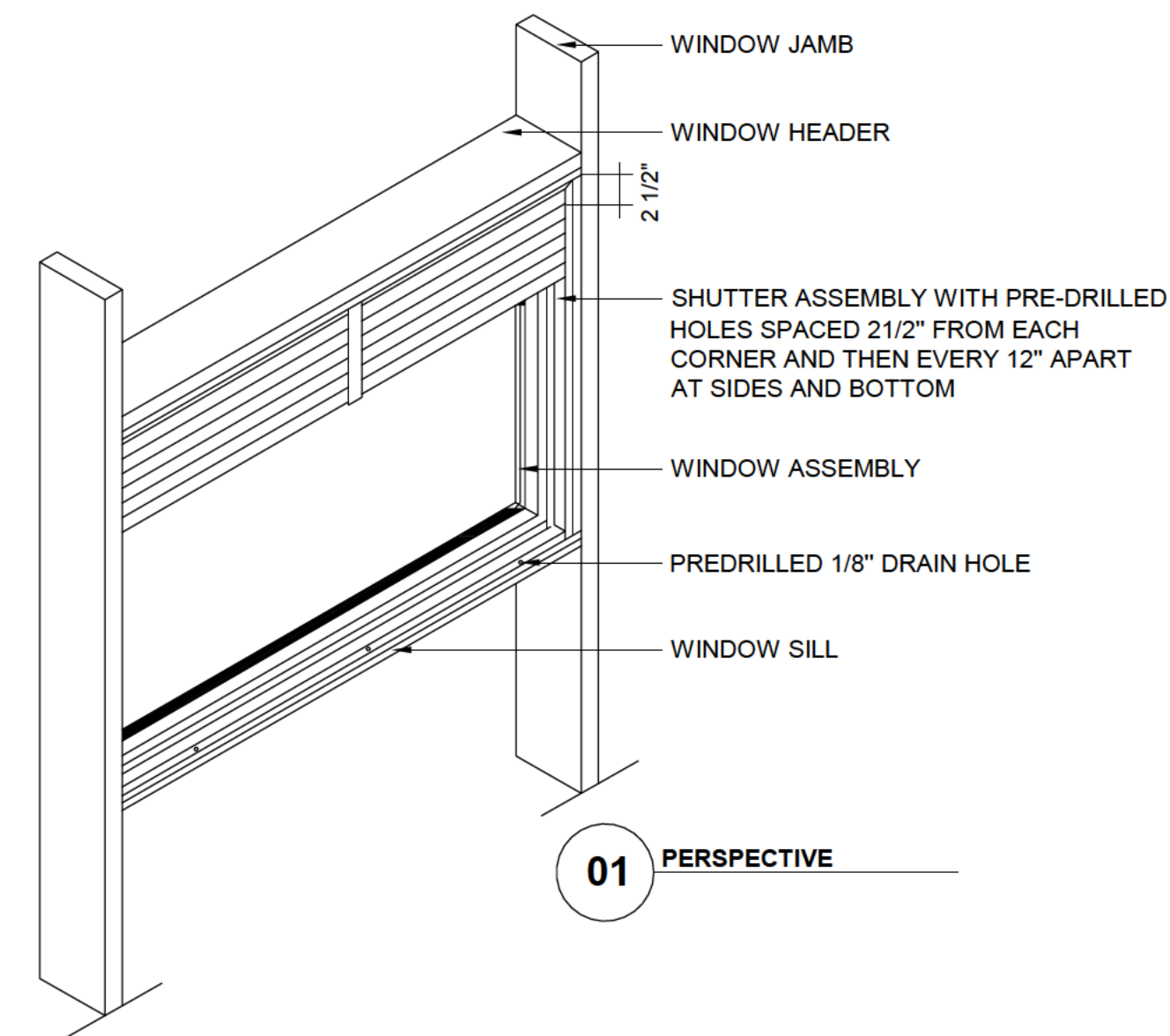
DESCRIPTION:		
DRAWN BY:	BEATRIZ TOSCHI	
CHECKED BY:	CHRISTOPHER HOUGHTON	
APPROVED BY:		
REVISION	DESCRIPTION	DATE

DRAWING SCALE: 1/4" = 1'-0"

DRAWING TITLE: PROPOSED ELEVATION

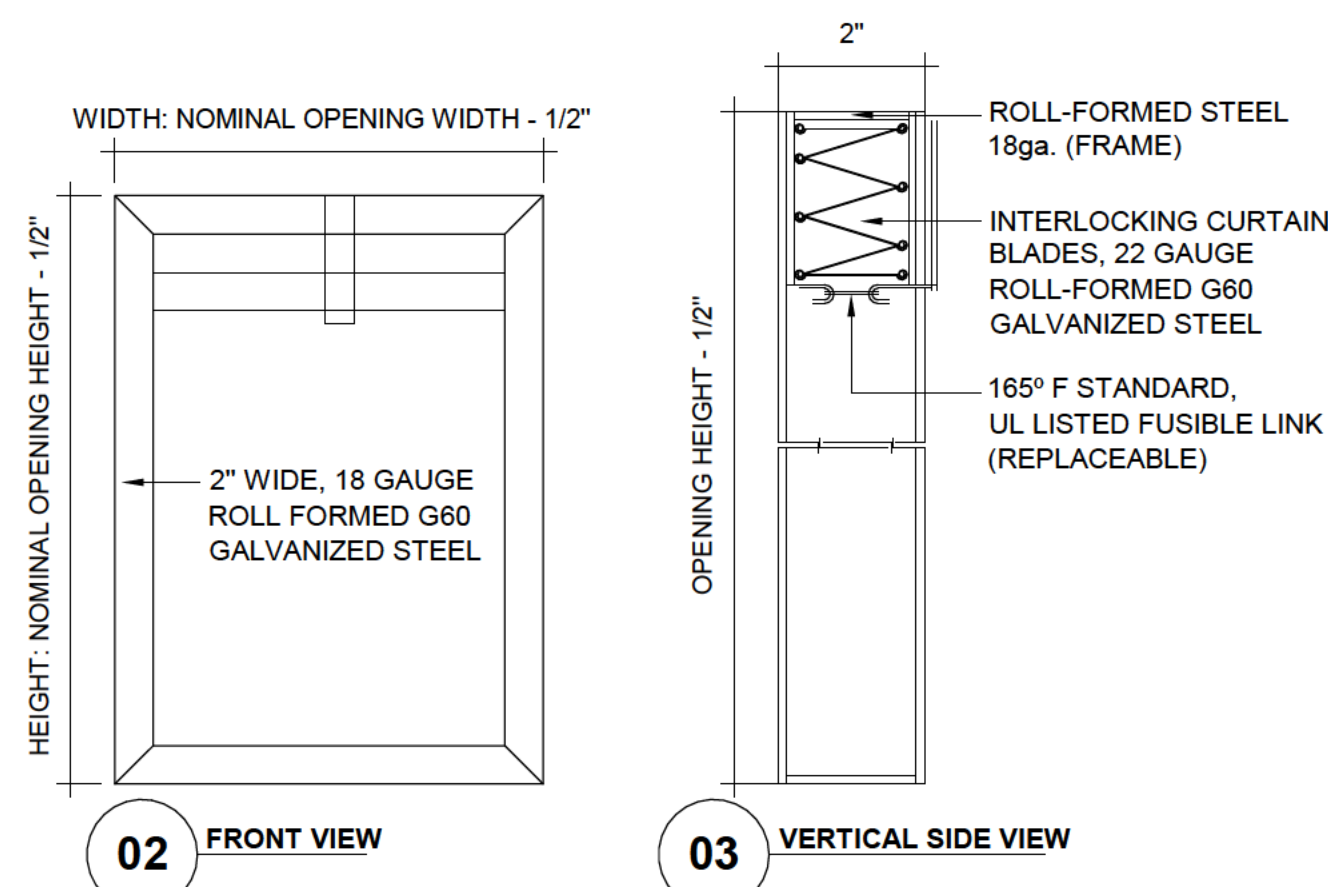
**A2.01**





01 PERSPECTIVE

**FIREOXX SHUTTER**  
**WARNOCK HERSEY**  
**LISTED 20 MINUTE**  
**RATED FIRE SHUTTER**  
**MEETS CAN/ULC**  
**S104-10**



02 FRONT VIEW

03 VERTICAL SIDE VIEW

**EXTERIOR JAMB MOUNTED FIRE SHUTTER INSTALLATION INSTRUCTIONS**

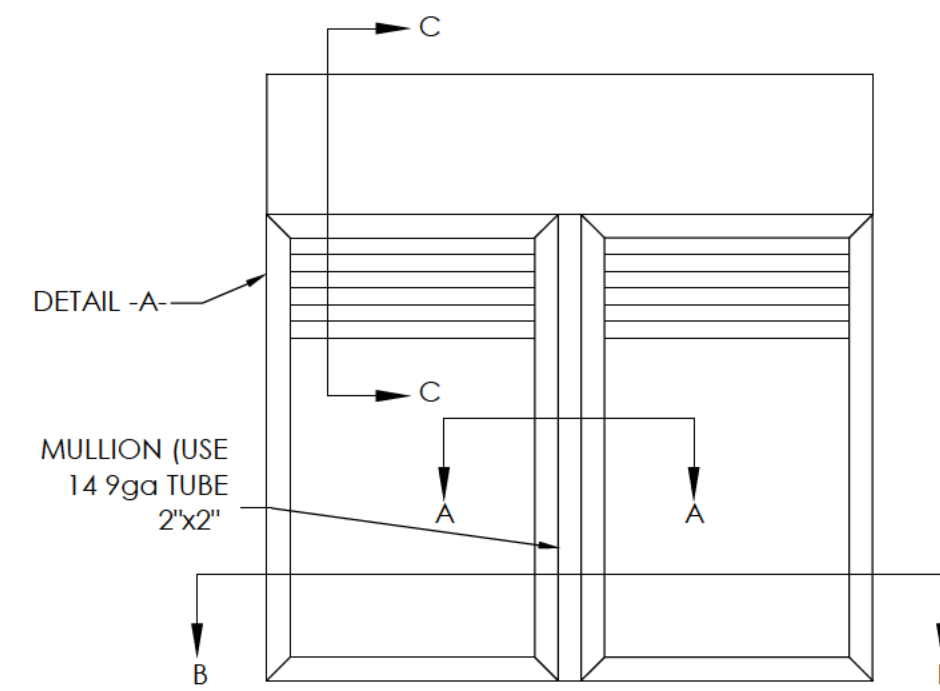
SHUTTER SIZES TO A MAXIMUM OF 42\"/>

1. PREPARE AND CLEAN THE EXTERIOR SIDE OF THE WINDOW OPENING.
2. PLACE FIRE SHUTTER WITH CORNER BRACKETS FACING THE WINDOW INTO THE WINDOW OPENING WITH A 1/4\"/>

NOTES  
 1. INSTALL IN ACCORDANCE WITH INSTRUCTIONS TO MAINTAIN APPROVED LISTING.

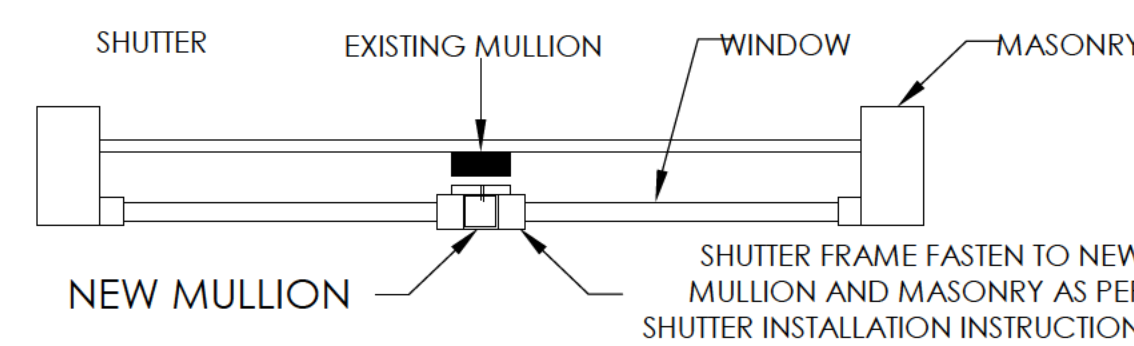
**TABLE 01**

OPENING MATERIAL	SCREW TYPE	OR EQUIVALENT	SCREW HEAD TYPE	MIN. PENETRATION
CONCRETE	#8 DX-KWIK	OR EQUIVALENT	FLAT HEAD	1 1/2"
LIGHT GAUGE STEEL	#8 KWIK-PRO SELF DRILLING	OR EQUIVALENT	FLAT HEAD	1/2"
MASONRY	#8 DX-KWIK	OR EQUIVALENT	FLAT HEAD	1 1/2"
STEEL	#8 KWIK-PRO SELF DRILLING	OR EQUIVALENT	FLAT HEAD	1/2"
WOOD	#8 ROBERTSON SCREW	OR EQUIVALENT	FLAT HEAD	1 1/2"



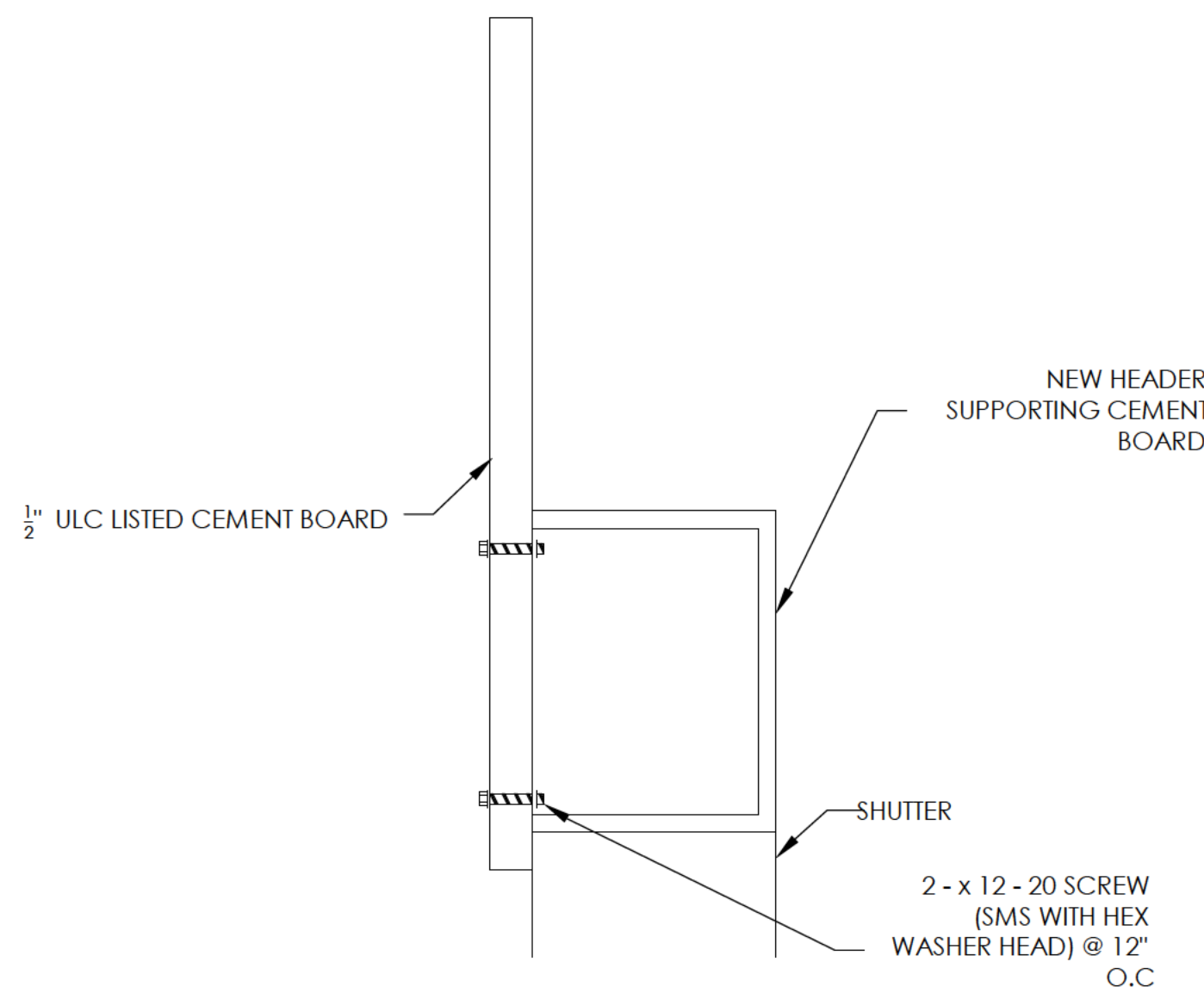
01

DETAIL -1  
GANG MOUNT OF SHUTTERS



03

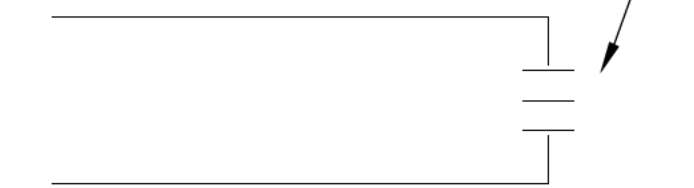
SECTION B-B



05

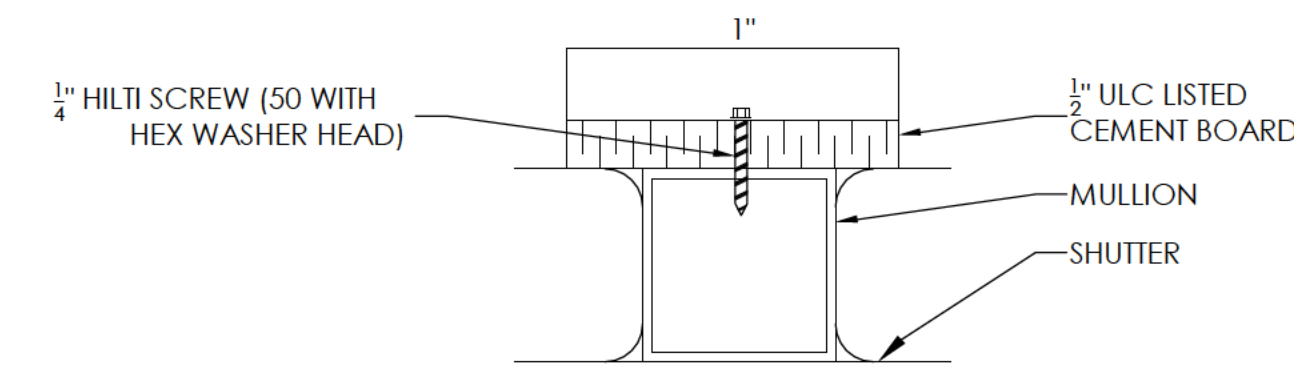
SECTION C-C

TRIM THE STUD FLANGE BEND THE WEB AND THE FASTEN TO THE BRICK VENEER WITH 3 - 1/4\"/>



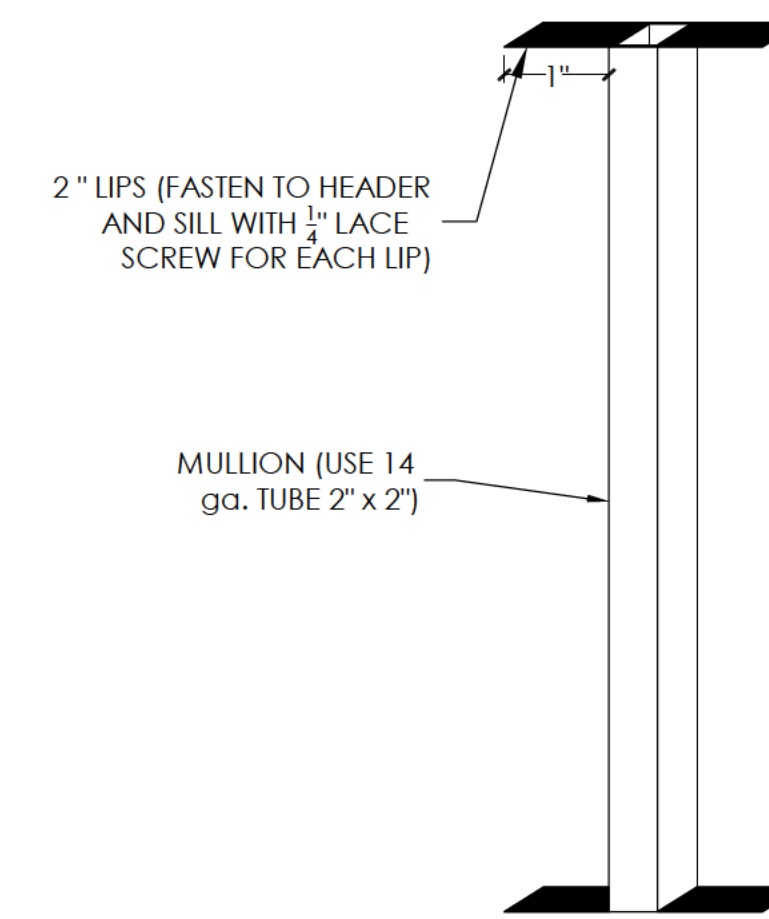
02

DETAIL -A-



04

SECTION A-A



06

MULLION DETAILS



LEGAL SECOND SUITES ARCHITECTURAL AND ENGINEERING SERVICES ARE OWNED AND OPERATED BY KING HOMES INC.  
**LEAD DESIGNER & CONSULTANT:** KEN BEKENDAM, B.A. BUSCOM, L.T.  
**CELL PHONE:** 905-965-0647  
 kenbekendam@gmail.com  
**OFFICE ADDRESS:** 500 WHITE SWAN RD, BRANTFORD, ON. **OFFICE PHONE:** 855-546-4467

The undersigned has reviewed and takes the responsibility for this design, and has the qualifications and meets the requirements set out in the Ontario Building Code to be a designer.

**QUALIFICATION INFORMATION**  
 Required unless design is exempt under 2.17.5.1 of the building code

Name: \_\_\_\_\_ Signature: \_\_\_\_\_ BCIN: \_\_\_\_\_  
**REGISTRATION INFORMATION**  
 Required unless design is exempt under 2.17.5.1 of the building code  
 KING HOMES INC. 121307  
 Name: \_\_\_\_\_ BCIN: \_\_\_\_\_

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NO.	DATE	GENERAL DESCRIPTION	INITIALS
01			
02			
03			
04			

**NORTH POSITION:**

**ENGINEER'S STAMP:**

**PROJECT NAME/ADDRESS:**

158 BRADWAY AVE | HAMILTON, ON | L8S 2Y1

**SHEET NAME:**

**FIRE SHUTTER DETAILS**

**PROJECT NO.:** \_\_\_\_\_ **DATE:** 07/06/22

**SCALE:** 1/2" = 1'-0" **REVISION:**

**DRAWN BY:** Author **REVIEWED BY:** KEN BEKENDAM

**SHEET NO.:**

**A3.01**



September 30, 2024

FILE: ALR-00  
ATTENTION OF: Liam Tapp  
TELEPHONE NO: (905) 546-2424  
EXTENSION: 6884

Christopher Houghton  
180 Concesswion Street  
Hamilton, ON L9A1A8

**Attention:**

**Re: APPLICABLE LAW REVIEW – ZONING BYLAW**  
**Present Zoning: R1**  
**Address: 158 Broadway Avenue, Hamilton, ON**

An Applicable Law Review has been completed and the following comments are provided.

**COMMENTS:**

1. The applicant proposes to construct an addition within the rear yard of a Single Detached Dwelling and to establish an additional 3 dwelling units.
2. Be advised, Zoning By-Law Amendment 24-051 and 24-052 was passed on April 10, 2024 to amend Section 1: Administration, Section 3: Definitions, Section 4: General Provisions, Section 5: Parking regulations and Section 15: Residential Zones under Hamilton Zoning By-Law 05-200. As per OLT-24-000544, dated September 25, 2024, appeals to Zoning By-law Amendment 24-051 and 24-052 have been allowed and both Amendments are now Final and Binding, retroactive to April 10, 2024.

Furthermore, please be advised that the appeal to Electric Vehicle Parking remains under appeal, however as per Order [88]-[91] of the OLT hearing, a review for Electric Vehicle Parking is no longer required until such time that the appeal to this section has been resolved. As such, a dual review is no longer required for the proposed development and only the Low Density Residential (R1) Zone under Hamilton Zoning By-law 05-200 is applicable.

3. As per comment #2 the above, the property at 158 Broadway Avenue is within the Low Density Residential (R1) Zone subject to Zoning By-law 05-200. The proposed addition, containing 3 Additional Dwelling Units, to the Single Detached Dwelling is permitted within the R1 Zone under Hamilton Zoning By-law 05-200 and is defined as follows:

***“Additional Dwelling Unit - Shall mean a separate and self-contained Dwelling Unit located within the principal dwelling and shall not include a Farm Labour Residence.”***

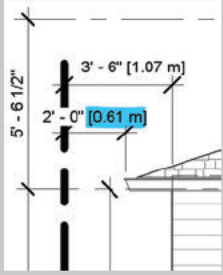
Be advised, as per Section 4.33 b) and notwithstanding Section 4.33.1 i), an existing Single Detached may be permitted to contain a fourth Additional Dwelling Unit, provided the Single Detached Dwelling has existing prior to the passing of the By-law on April 10, 2024. For the purpose of this review, the existing Single Detached Dwelling has existed prior to the passing of the By-law and may be permitted to contain 3 Additional Dwelling Units and totalling 4 Dwelling units on the property.



4. This is considered an interior lot. With respect to Front Lot Line as defined in Hamilton Zoning By-law 05-200, the lot line abutting Broadway Avenue is considered to be the front lot line.
5. Construction of the proposed Addition and Additional Dwelling Units are subject to the issuance of a building permit in the normal manner. Be advised that Ontario Building Code regulations may require specific setback and construction types.
6. All new fences proposed for this development must comply with the regulations contained within the Fence By-law 10-142.
7. The designer shall ensure that the fire access route conforms to The Ontario Building Code.
8. The proposed development has been reviewed and compared to the standards of the "R1" Zone under Hamilton Zoning By-law 05-200 as indicated in the following charts:

**"R1" Zone under Hamilton Zoning By-law 05-200 (24-051)**

Section	Required	Provided	Conforming/ Non-Conforming
<b>Section 15.1</b>			
<b>Minimum Lot Area</b> Section 15.1.2.1 a)	Single Detached - 360.0m <sup>2</sup>	Existing (511.55 m <sup>2</sup> )	<b>Conforms</b>
<b>Minimum Lot Width</b> Section 15.1.2.1 b)	12.0 metres	Existing (14.01 metres)	<b>Conforms</b>
<b>Minimum Setback from the Front Lot Line</b> Section 15.1.2.1 c)	4.0 metres	Existing (6.19 metres)  1.20m	<b>Conforms</b>  <b>COMPLIANT</b>
<b>Minimum Setback from a Side Lot Line</b> Section 15.1.2.1 d)	1.2 metres	<del>0.61 metres</del>	<b>Does not Comply</b>
<b>Minimum Setback from a Flankage Lot Line</b> Section 15.1.2.1 e)	3.0 metres;	Interior Lot	<b>N/A</b>
<b>Minimum Setback from the Rear Lot Line</b> Section 15.1.2.1 f)	7.5 metres;	6.2 metres	<b>Does not Comply</b>
<b>Maximum Building Height</b> Section 15.1.2.1 g)	10.5 metres;	8.36 metres	<b>Conforms</b>

<p><b>Minimum Landscaped Area</b> Section 15.1.2.1 h)</p>	<p>i) 30%</p>	<p>Insufficient Information Provided</p>	<p><b>Unable to Determine Compliance</b></p>
	<p>ii) Within the landscaped area, the requirements of Section 4.35 of this By-law shall apply.</p>	<p>See review of Section 4.35</p>	<p><b>See review below</b></p>
<p><b>Section 4</b></p>			
<p><b>Yard Encroachments</b> Section 4.6</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>Eaves indicated to be project more than 0.6 metres into required Side Yard and required Rear Yard due to building location within the required yards</p> <p><b>Note: Gutters have not been indicated however total eaves and gutters do not appear to exceed 0.4 metres</b></p>	<p><del>Does not Comply</del> <b>Compliant</b></p> 
	<p>b) A fire escape or exterior staircase may encroach into a required side or rear yard to a maximum of 1.5 metres, or to a maximum of half the distance of the required yard, whichever is the lesser;</p>	<p>Exit stairs do not project into required side yard</p>	<p><b>Conforms</b></p>
	<p>d) A porch, deck or canopy may encroach into any required yard to a maximum of 1.5 metres, or to a maximum of half the distance of the required yard, whichever is the lesser;</p>	<p>Concrete pad (porch) is existing</p>	<p><b>Deemed to Comply</b></p>
<p><b>Mechanical and Unitary Equipment</b> Section 4.9</p>	<p>See Section 4.9 of Hamilton Zoning By-Law 05-200</p>	<p>Not Indicated</p> <p><b>Note: Should Mechanical or Unitary equipment be proposed, they shall comply with the requirements of Section 4.9</b></p>	<p><b>N/A</b></p>
<p><b>Additional Dwelling Unit and Additional Dwelling Unit - Detached</b> Section 4.33</p>	<p>a) All the regulations of this By-law applicable to the principal dwelling shall continue to apply unless specifically provided in Section 4.33.</p>	<p>Applicant to note</p>	<p><b>Applicant to Note</b></p>

	b) A Single Detached Dwelling, Duplex Dwelling, or Triplex Dwelling built in conformity with this By-law, may be converted to contain a fourth Additional Dwelling Unit.	Three Additional Dwelling Units proposed	<b>Conforms</b>
	c) Notwithstanding any applicable regulations of this By-law, no more than four Dwelling Units shall be permitted on a lot that contains an Additional Dwelling Unit and/or Additional Dwelling Unit – Detached.	Four Dwelling Units proposed – including principal dwelling	<b>Conforms</b>
<b>Additional Dwelling Unit</b> Section 4.33.1	a) Additional Dwelling Units shall be permitted in accordance with the following:  i) A Single Detached Dwelling shall be permitted to contain up to two Additional Dwelling Units.	Not applicable as per Section 4.33 b) above	<b>N/A</b>
<b>Landscape Requirements</b> Section 4.35	a) A minimum 50% landscaped area in the Front Yard,	Existing	<b>Conforms</b>
	c) A single area within the required landscaped area for tree protection and/or tree planting, subject to the following: i) each side shall be a minimum 3.75 metres in length; and, ii) shall not contain hard landscaping or structures	<del>Designated Area Not indicated</del>	<del>Does not Comply</del>  <b>Compliant</b> <small>SEE SITE PLAN FOR INDICATED LANDSCAPE AREA</small>

**“Parking Regulations” Zone under Hamilton Zoning By-law 05-200 (24-052)**

<b>Section</b>	<b>Required</b>	<b>Provided</b>	<b>Conforming/ Non-Conforming</b>
<b>5.1 PARKING SUPPLY REQUIREMENTS AND RESTRICTIONS</b>			
<b>Rounding Calculations</b> [as per section 5.1.1 (c) of Hamilton Zoning By-law 05-200]	i) Where the application of the parking standards in Section 5.7.1, 5.7.2, 5.7.4, and 5.7.5 results in a numeric fraction, fractions shall be rounded down to the nearest whole number.  ii) Where the application of the minimum accessible parking standards in Section 5.7.3 results in a numeric fraction, fractions shall be rounded up to the nearest whole number.	Applicant to Note	<b>Applicant to Note</b>

	<p>iii) Where the calculations in Sections 5.7.1, 5.7.2, 5.7.3, 5.7.4 or 5.7.5 apply to multiple uses, rounding shall only be applied to the sum of the requirements for all uses on the lot.</p>		
<p><b>Required Parking to be Provided on Same Lot</b> [as per section 5.1.1 (d) of Hamilton Zoning By-law 05-200]</p>	<p>All required parking spaces shall be located on the same lot as the use for which they are required, unless the parking spaces are provided on another lot in compliance with Section 5.6.1.</p>	<p>Not provided</p> <p><del>Note: Parking Space indicated within right of way</del></p>	<p><del>Does not Comply</del></p> <p>Compliant</p> <p>PARKING STALL REMOVED</p>
<p><b>Maximum Permitted Number of Parking</b> [as per section 5.1.2 of Hamilton Zoning By-law 05-200]</p>	<p><u>a) Maximum Permitted Number of Parking Spaces</u></p> <p>Where Section 5.7.2 specifies a maximum permitted number of parking spaces, the number of parking spaces located on a lot shall not exceed that number.</p>	Applicant to Note	Applicant to Note
	<p><u>b) Reduction of Excess Parking Spaces</u></p> <p>Where the number of existing parking spaces exceeds the maximum permitted in accordance with Section 5.7.2, the parking spaces provided in excess of the maximum parking standard may be eliminated. However, in no case may the number of parking spaces provided be less than the minimum parking requirements in Section 5.7.1.</p>	Applicant to Note	Applicant to Note
<p><b>Minimum Required Number of Electric Vehicle Parking Spaces</b> [as per section 5.1.4 of Hamilton Zoning By-law 05-200]</p>	<p><u>a) Minimum Required Number of Electric Vehicle Parking Spaces</u></p> <p>Where parking spaces are provided, Electric Vehicle Parking Spaces shall be provided in accordance with:</p> <p>i) The minimum rates in accordance with the Parking Schedule in Section 5.7.4; and,</p> <p>ii) Any eligible exception in this Section.</p>	Applicant to Note	Applicant to Note
	<p><u>b) Exception for the Agriculture (A1) Zone, Rural (A2) Zone, and any Open Space and Park Zone</u></p> <p>The minimum requirement for Electric Vehicle Parking Spaces shall not apply to any parking space located within one of the following Zones:</p> <p>i) Agriculture (A1) Zone;</p> <p>ii) Rural (A2) Zone; and,</p> <p>iii) Any Open Space and Park Zone.</p>	Not Within Agriculture Zones	N/A

	<p><u>c) Exception for Existing Buildings in All Zones</u>                  Notwithstanding Section 5.7.4, for any use within any Zone, located in all or part of a building existing on the effective date of this By-law, no Electric Vehicle Parking Spaces are required, except that:</p> <p>i) where an addition or expansion of an existing building is proposed, the Electric Vehicle Parking requirements of Section 5.7.4 shall only apply to such addition or expansion.</p>	<p>Expansion proposed</p> <p><b>Note: As per OLT decision, Electrical Vehicle Parking space requirement shall not apply</b></p>	<p><b>N/A</b></p>
	<p><u>d) Exception for Existing Parking Lots in All Zones</u>                  Notwithstanding Section 5.7.4, for any Parking Lot or portion thereof within any Zone, existing on the effective date of this By-law, no Electric Vehicle Parking Spaces are required, except that: i) where an expansion or enlargement of such parking is proposed, the electric vehicle parking requirements of Section 5.7.4 shall only apply to such expansion or enlargement.</p>	<p>Not an Existing Parking Lot</p>	<p><b>N/A</b></p>
	<p><u>e) Regulations for Electric Vehicle Parking Spaces</u>                  Electric Vehicle Parking Spaces shall be subject to the regulations in Section 5.6.7.</p>	<p>Applicant to Note</p>	<p><b>Applicant to Note</b></p>
<p><b>5.2 FUNCTIONAL DESIGN REQUIREMENTS</b></p>			
<p><b>Minimum Parking Space Dimensions</b>                  [as per section 5.2.1 of Hamilton Zoning By-law 05-200]</p>	<p><u>a) Minimum Parking Space Dimensions</u>                  Unless permitted by another regulation in this By-law, parking space sizes shall be a minimum of 2.8 metres in width and 5.8 metres in length.</p>	<p><del>2.74 m x 6.0 m</del></p>	<p><b>Does not Comply</b>  <b>Compliant</b>                  PARKING STALL REMOVED</p>
	<p><u>b) Required Increase in Width due to Obstruction</u>                  Where a wall, column, or any other obstruction is located abutting or within any parking space, the minimum width of a parking space shall be increased by 0.3 metres for each side which is obstructed by a wall, column, or other obstruction;</p>	<p>Not Indicated</p>	<p><b>N/A</b></p>
	<p><u>c) Exceptions to Increase in Width due to Obstruction</u>                  Notwithstanding Subsection 5.2.1 b), an additional 0.3 metres shall not be</p>	<p>Not Indicated</p>	<p><b>N/A</b></p>

	<p>required provided all of the following conditions are met:</p> <p>i) the maximum length of the wall, column or other obstruction shall not exceed 1.15 metres, measured along the side of the parking space, from the front or rear of the space towards the side's midpoint;</p> <p>ii) the wall, column or other obstruction is located at the front, rear, or both ends of the parking space; and,</p> <p>iii) the wall, column or other obstruction does not project more than 0.15 metres into the width of the parking space.</p>		
	<p><u>d) Increase in Length Due to Stairs within an Attached Garage</u></p> <p>The length of each parking space in an attached garage of a dwelling unit shall be increased by an equivalent length of the step, steps or stairwell that extends into the parking space, except:</p> <p>i) an open stairway may project into the length of the required parking space not more than 0.75 metres provided the height of the stairway does not exceed 0.5 metres</p>	Not Indicated	<b>N/A</b>
	<p><u>e) Light Standards Not Considered Obstructions</u></p> <p>Notwithstanding Section 5.2.1 b), light standards, including the base, located at the intersection of four parking spaces shall not be considered as an obstruction.</p>	Not Indicated	<b>N/A</b>
	<p><u>f) Optional Reduction in Minimum Dimensions for Small Car Parking</u></p> <p>Notwithstanding Subsection 5.2.1 a), where 10 or more parking spaces are provided on a lot, the minimum parking space size of not more than 10% of such required parking spaces may 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.</p>	Not Indicated	<b>N/A</b>
	<p><u>g) Minimum Parallel Parking Space Dimensions</u></p> <p>Notwithstanding Subsection 5.2.1 a), each parallel parking space shall have a minimum width of 2.4 metres and a minimum length of 6.7 metres, except</p>	Not Indicated	<b>N/A</b>

	that end spaces which have a clear, unobstructed approach, may have a minimum length of 5.5 metres.																		
<b>Drive Aisle Requirements</b> [as per section 5.2.3 of Hamilton Zoning By-law 05-200]	<b>a) Minimum Drive Aisle Width</b> The drive aisle abutting any parking space shall be designed and provided in accordance with the following minimum width requirements	Private Driveway	N/A																
	<table border="1"> <thead> <tr> <th>Parking Angle Degree</th> <th>One-Way and Two-Way Aisle Width</th> </tr> </thead> <tbody> <tr> <td>0°</td> <td>3.7m</td> </tr> <tr> <td>15°</td> <td>3.7m</td> </tr> <tr> <td>30°</td> <td>3.7m</td> </tr> <tr> <td>45°</td> <td>4.5m</td> </tr> <tr> <td>60°</td> <td>5.5m</td> </tr> <tr> <td>75°</td> <td>6.0m</td> </tr> <tr> <td>90°</td> <td>6.0m</td> </tr> </tbody> </table>			Parking Angle Degree	One-Way and Two-Way Aisle Width	0°	3.7m	15°	3.7m	30°	3.7m	45°	4.5m	60°	5.5m	75°	6.0m	90°	6.0m
	Parking Angle Degree			One-Way and Two-Way Aisle Width															
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	60°			5.5m															
	75°			6.0m															
90°	6.0m																		
<b>Access Requirements</b> [as per section 5.2.4 of Hamilton Zoning By-law 05-200]	<b>a) Access Design Requirements</b> Access to all parking shall: i) be arranged so as to not interfere with normal public use of the street or laneway; ii) be provided by means of an access driveway: 1. located on the lot; or, 2. located partly on the lot in the case of a mutual driveway; or, 3. by means of a Right-of-Way; and, iii) in the case of a Parking Lot, provide ingress and egress of vehicles to and from a street in a forward motion only.	<del>Located within right of way</del>	<del>Does not Comply</del> Compliant PARKING STALL REMOVED																
	<b>b) Minimum Access Driveway Width</b> The width of any driveway providing access to a parking space shall be a minimum of 2.7 metres	More than 2.7 metres	Conforms																
	<b>c) Tandem and Stacked Parking Restriction and Exceptions</b> All parking spaces shall have adequate means of ingress and egress to and from the street or laneway without the	Tandem not indicated	N/A																

	<p>necessity of moving any other motor vehicle, except:</p> <ul style="list-style-type: none"> <li>i) the accessibility to a maximum of one of the parking spaces for a Single Detached Dwelling may be obstructed by another motor vehicle; and,</li> <li>ii) where a parking attendant is on site or a valet service is provided in association with a Commercial Parking Facility or Hotel, parking spaces may</li> </ul>		
	<p><b><u>d) Minimum Floor Level for an Attached Garage</u></b></p> <p>Where an attached garage is provided for a Single Detached Dwelling, Semi-Detached Dwelling, Duplex Dwelling, Street Townhouse Dwelling, Triplex Dwelling or Fourplex Dwelling in any Zone except the Agriculture (A1) and Rural (A2) Zone, the finished floor level of the garage shall be a minimum of 0.3 metres above grade.</p>	<p>No Garage</p>	<p>N/A</p>
<b>5.3 LOCATIONAL, LANDSCAPING AND SURFACE MATERIAL REQUIRMENTS</b>			
<p><b>Locational and Landscaping Requirements for All Uses</b> [as per section 5.3.1 of Hamilton Zoning By-law 05-200]</p>	<p><b><u>a) Streetline Setback and Planting Strip Requirement</u></b></p> <p>Unless identified as exempt in Section 5.3.1 b), parking spaces and associated drive aisles, excluding driveways extending directly from the street, shall be subject to all of the following:</p> <ul style="list-style-type: none"> <li>i) Shall not be located within 3.0 metres of a street line;</li> <li>ii) Shall provide a 3.0 metre wide Planting Strip being required and permanently maintained between the street line and the parking spaces or aisle, except for that portion of a lot line;</li> </ul> <p>1. Notwithstanding 5.3.1 a) iii), no Planting Strip shall be required for any portion of a lot line abutting the Red Hill Valley Parkway or the Lincoln Alexander Parkway; and,</p> <ul style="list-style-type: none"> <li>iii) Where a Planting Strip is provided, as per 5.3.1 a) ii) above, any architectural wall or feature within the Planting Strip shall be limited to a maximum height of 0.6 metres.</li> </ul>	<p>See Review Below</p>	<p>See Review Below</p>
	<p><b><u>b) Exemption for Certain Uses</u></b></p> <p>The setback and Planting Strip requirements of Section 5.3.1 a) shall not</p>	<p>Exempt from Street Line setback and Planting Strip requirements</p>	<p><b>Conforms</b></p>



	<p>apply to parking provided in association with the following uses:</p> <ul style="list-style-type: none"> <li>i) Single Detached Dwelling;</li> <li>ii) Semi-Detached Dwelling;</li> <li>iii) Street Townhouse Dwelling; iv) Duplex Dwelling;</li> <li>v) Triplex Dwelling; and</li> <li>vi) Fourplex Dwelling.</li> </ul>		
	<p><u>c) Multiple Dwelling Front and Flankage Yard Parking Restriction</u></p> <p>In addition to Section 5.3.1 a), on a lot containing a Multiple Dwelling:</p> <ul style="list-style-type: none"> <li>i) With the exception of any visitor parking required by Section 5.7.1, required parking for Multiple Dwellings shall not be located between the façade and the front lot line or between the façade and flankage lot line. In no case shall any parking be located within the required front yard or required flankage yard or within 3.0 metres of a street line.</li> <li>ii) Visitor parking may be permitted between the façade and a street provided that no more than 50% of the front or flankage yard shall be used for visitor parking and access to such parking</li> </ul>	Not Indicated	<b>N/A</b>
	<p><u>d) Landscape Strip and Visual Barrier Requirement for Parking Lots</u></p> <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, the following 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:</p> <ul style="list-style-type: none"> <li>i) A minimum 1.5 metre wide landscape strip which shall contain a Visual Barrier in accordance with Section 4.19 of this By-law.</li> </ul>	Not Indicated	<b>N/A</b>
	<p><u>e) Landscaped Area and Landscaped Parking Island Requirements for Surface Parking Lots Containing 50 or More Parking Spaces in All Zones</u></p> <p>In addition to Section 5.3.1 b), the following requirements shall apply to surface Parking Lots in all zones which contain 50 or more parking spaces:</p>	Not Indicated	<b>N/A</b>

	<p>i) Landscaped Area(s) and Landscaped Parking Island(s) with a minimum combined area of 10% of the area of the Parking Lot and associated access driveway and manoeuvring areas shall be provided and maintained;</p> <p>ii) Each Landscaped Area and Landscaped Parking Island shall have a minimum area of 10.0 square metres;</p> <p>iii) The calculation for Landscaped Area(s) and Landscaped Parking Island(s) shall not include the area of landscaping provided to satisfy the minimum requirement of any other Section of this By-law;</p> <p>iv) A Landscaped Area or Landscaped Parking Island may be traversed by a pedestrian walkway; and,</p> <p>v) When calculating the minimum number of parking spaces in accordance with Section 5.7.1, such number may be reduced by the number needed to accommodate the minimum Landscaped Parking Island requirement of this section, up to a maximum of 10% of the required parking spaces.</p>		
<p><b>Locational and Landscaping and Driveway Requirements for Single Detached Dwellings, Semi-Detached Dwellings, Duplex Dwellings, Triplex Dwellings and Fourplex Dwellings in All Zones Except the Agriculture (A1) and Rural (A2) Zones</b> [as per section 5.3.2 of Hamilton Zoning By-law 05-200]</p>	<p>a) On a lot containing a Single Detached Dwelling, Semi-Detached Dwelling, Duplex Dwelling, Triplex Dwelling or Fourplex Dwelling, in all Zones except the Agriculture (A1) and Rural (A2) Zone:</p> <p>i) The width of a driveway shall not exceed the width of an attached garage;</p> <p>ii) Notwithstanding Subsection 5.3.2 a) i), on a lot having an attached garage less than 5.0 metres in width, the driveway may extend beyond the width of the garage toward the side lot line to a maximum width of 5.0 metres and no closer than 0.6 metres to the side lot line, nearest to the garage;</p> <p>iii) In the case of a dwelling unit without an attached garage, the driveway width shall not exceed 50% of the lot width or 8.0 metres, whichever is less;</p> <p>iv) A maximum of one driveway shall be permitted for each dwelling unit, except in the case of:</p> <p>1. A corner lot where a maximum of one driveway may be permitted from each street.</p>	Garage not proposed	N/A

	<p>2. On a lot having a minimum width of 30.0 metres, a maximum of two driveways may be permitted.</p> <p>v) On a corner lot, no access driveway shall be permitted through a daylight triangle.</p>		
<p><b>Parking Facility Surface Material Requirements</b> [as per section 5.3.4 of Hamilton Zoning By-law 05-200]</p>	<p><u>a) Parking Spaces, Driveways and Widening(s) in All Zones</u></p> <p>Parking spaces, driveways and widening(s) in all zones shall be provided and maintained with stable surfaces such as asphalt, concrete or other hardsurfaced material, crushed stone, permeable pavers or gravel, and shall be maintained in a dust free condition.</p> <p>i) Notwithstanding Section 5.3.4 a), on a lot containing a residential use in a Residential Zone, any parking provided beyond that which is required by Section 5.7.1 of this By-law shall be maintained with permeable material and shall not be deemed landscaped area in the calculation of total landscaped area on a lot.</p> <p>ii) Notwithstanding Section 5.3.4 a), in the Industrial Zones, where crushed stone or gravel is provided, the access driveway shall be designed such that a minimum of 10.0 metres extending from the streetline shall be constructed and maintained with asphalt, concrete or other hard surfaced material, and shall be maintained in a dust free condition.</p>	Asphalt	Conforms
	<p><u>b) Parking Lots in All Zones, except the Rural Zones</u></p> <p>Parking Lots in all zones, except the Rural Zones, shall be designed and maintained with stable surfaces such as asphalt, concrete, or other hardsurfaced material, or permeable pavers.</p>	Not Proposed	N/A
	<p><u>c) Parking Lots in the Rural Zones</u></p> <p>Parking lots in the Rural Zones shall be designed and maintained with stable surfaces such as asphalt, concrete or other hard-surfaced material, crushed stone, permeable pavers, or gravel, except that:</p> <p>i) Where crushed stone or gravel is provided, the access driveway shall be designed such that a minimum of 10.0 metres extending from the streetline shall</p>	R1 Zone	N/A


	be constructed and maintained with asphalt, concrete or other hard surfaced material, and shall be maintained in a dust free condition.		
<b>5.6 GENERAL PARKING REGULATIONS</b>			
<b>Electric Vehicle Parking Space Regulations</b> [as per section 5.6.7 of Hamilton Zoning By-law 05-200]	<u>a) Permission for Chargers to Encroach Within Required Landscaping Features and Planting Strips</u> Notwithstanding any other Section of this By-law, except Section 5.6.7 b) below, a charging device associated with an Electric Vehicle Parking Space, including any such space required by Section 5.1.4, may be located within any of the following required features and will not constitute a reduction of that feature's provision: i) Planting Strip; ii) Landscape Strip; iii) Landscaped Area; and, iv) Landscaped Parking Island.	Applicant to Note	Applicant to Note
	<u>b) Restrictions for Chargers Encroaching Within Required Landscaping Features and Planting Strips</u> Despite Section 5.6.7 a) above, the permission to encroach within the noted features shall not apply to any of the following: i) A transformer or mechanical enclosure other than a charging device; or, ii) A charging device with a hard-surfaced base exceeding an area of 1.0 square metres.	Applicant to Note	Applicant to Note
	<u>c) Permission for Chargers to Encroach Within any Required Yard</u> Notwithstanding any other Section of this By-law, a charging device associated with an Electric Vehicle Parking Space may be located within any required yard, except that any such charging device may not be located: i) less than 0.6 metres from any lot line; or, ii) within a visibility triangle.	Applicant to Note	Applicant to Note
<b>5.7 PARKING SCHEDULES</b>			

<b>Parking Schedules</b> [as per section 5.7 of Hamilton Zoning By-law 05-200]	<u>a) Parking Rate Areas</u> Where this By-law indicates that a Parking Rate Area (PRA) applies for the purpose of calculating a parking requirement or permission, such Parking Rate Area shall apply to lands and shall be indicated as Parking Rate Area (PRA1), (PRA2) and (PRA3) on Schedule "A" – Zoning Maps.	Subject property located within PRA 1	<b>Applicant to Note</b>
	<u>b) Application of Parking Rate Areas</u> Where a parking rate or requirement contained in this By-law does not contain reference to a Parking Rate Area (PRA), such parking rate shall apply to all lands throughout the City. Only where a parking rate refers to a specific Parking Rate Area, and where such use is located within that specified Parking Rate Area, shall there be any modification to the parking rate, and only in the manner prescribed.	Applicant to Note	<b>Applicant to Note</b>
<b>Minimum Required Parking Rate Schedule</b> [as per section 5.7.1 of Hamilton Zoning By-law 05-200]	<u>a) Minimum Required Parking Rate Schedule</u> Parking spaces shall be provided in the minimum quantity specified in Column 2 hereunder for each use listed in Column 1: <b>Minimum 0 per unit</b> Refer to table in By-law 5.7.1	1 space provided	<b>Conforms</b>
<b>Maximum Permitted Parking Rate Schedule</b> [as per section 5.7.2 of Hamilton Zoning By-law 05-200]	<u>a) Maximum Permitted Parking Rate Schedule</u> For any use listed in Column 1, the number of parking spaces provided shall not exceed the number in Column 2: Refer to table in By-law 5.7.2	No Maximum	<b>N/A</b>
<b>Minimum Accessible Parking Rate Schedule</b> [as per section 5.7.3 a) of Hamilton Zoning By-law 05-200]	<u>a) Minimum Accessible Parking Rate Schedules</u> The minimum number of accessible parking spaces which must be provided shall be the greater minimum number resulting from the calculations in Sections 5.7.3 b) and 5.7.3 c) below, with numeric fractions rounded up in accordance with Section 5.1.1 c) ii) and iii).	Single Detached Dwelling not subject to Accessible Parking	<b>N/A</b>

<p><b>Minimum Accessible Parking Calculation 1 - Proportionate to Parking Provision</b> [as per section 5.7.3 b) of Hamilton Zoning By-law 05-200]</p>	<p><u>b) Minimum Accessible Parking Calculation 1 - Proportionate to Parking Provision</u> On a lot containing 5 or more parking spaces, a minimum number of the parking spaces provided shall meet the requirements of the Minimum Accessible Parking Rate Schedule below:</p> <table border="1" data-bbox="409 470 919 1247"> <thead> <tr> <th data-bbox="409 470 643 625"><u>Column 1</u> Total Number of Parking Spaces Provided</th> <th data-bbox="643 470 919 625"><u>Column 2</u> Minimum Number of Accessible Parking Spaces</th> </tr> </thead> <tbody> <tr> <td data-bbox="409 625 643 772">5 – 100 spaces</td> <td data-bbox="643 625 919 772">Minimum 4% of the total number of parking spaces provided;</td> </tr> <tr> <td data-bbox="409 772 643 919">101 – 200 spaces</td> <td data-bbox="643 772 919 919">Minimum 1 space + 3% of the total number of parking spaces provided;</td> </tr> <tr> <td data-bbox="409 919 643 1100">201 - 1000 spaces</td> <td data-bbox="643 919 919 1100">Minimum 2 spaces + 2% of the total number of parking spaces provided; and,</td> </tr> <tr> <td data-bbox="409 1100 643 1247">1000 or more spaces</td> <td data-bbox="643 1100 919 1247">Minimum 11 + 1% of the total number of required parking spaces.</td> </tr> </tbody> </table>	<u>Column 1</u> Total Number of Parking Spaces Provided	<u>Column 2</u> Minimum Number of Accessible Parking Spaces	5 – 100 spaces	Minimum 4% of the total number of parking spaces provided;	101 – 200 spaces	Minimum 1 space + 3% of the total number of parking spaces provided;	201 - 1000 spaces	Minimum 2 spaces + 2% of the total number of parking spaces provided; and,	1000 or more spaces	Minimum 11 + 1% of the total number of required parking spaces.	Single Detached Dwelling not subject to Accessible Parking	N/A
<u>Column 1</u> Total Number of Parking Spaces Provided	<u>Column 2</u> Minimum Number of Accessible Parking Spaces												
5 – 100 spaces	Minimum 4% of the total number of parking spaces provided;												
101 – 200 spaces	Minimum 1 space + 3% of the total number of parking spaces provided;												
201 - 1000 spaces	Minimum 2 spaces + 2% of the total number of parking spaces provided; and,												
1000 or more spaces	Minimum 11 + 1% of the total number of required parking spaces.												
<p><b>Minimum Accessible Parking Calculation 2 - Where Total Parking Provision is Reduced Pursuant to a Parking Rate Area or Downtown Zone</b> [as per section 5.7.3 c) of Hamilton Zoning By-law 05-200]</p>	<p><u>c) Minimum Accessible Parking Calculation 2 - Where Total Parking Provision is Reduced Pursuant to a Parking Rate Area or Downtown Zone</u> The minimum number of accessible parking spaces which must be provided shall be: i) In any Zone, except a Downtown Zone, the result of: a) applying the requirements of Section 5.7.1 to all uses, excluding the existing gross floor area within any existing building, and excluding the application of any Parking Rate Area or Downtown Zone, to produce a total number of parking spaces; and, b) applying the corresponding requirement listed in Column 2 of Schedule 5.7.3</p>	Single Detached Dwelling not subject to Accessible Parking	N/A										

	<p>b) to the total number of parking spaces resulting from the calculation in Section 5.7.3 c) i) a) immediately above to produce the minimum required number of accessible parking spaces.</p> <p>ii) In any Downtown Zone, the result of applying Column 2 hereunder for each use listed in Column 1, excluding any existing gross floor area within any existing building:  <b>Refer to table in By-law 5.7.3 c)</b></p>		
<p><b>Minimum Electric Vehicle Parking Rate Schedule</b>  [as per section 5.7.4 a) of Hamilton Zoning By-law 05-200]</p>	<p>a) Minimum Electric Vehicle Parking Rate Schedule Of the parking spaces provided on a lot, a minimum percentage shall be provided as Electric Vehicle Parking Spaces, as specified in Column 2 hereunder for each associated use listed in Column 1, and any such Electric Vehicle Parking Spaces shall be subject to Section 5.6.7:</p> <p><b>100% of all spaces intended for Single Detached, Semi-Detached and Street Townhouses shall be electric vehicle parking spaces</b>  <b>Refer to table in By-law 5.7.4</b></p>	<p>Not provided</p> <p><b>Note: As per OLT-24-000544, a review of electrical vehicle parking is not required</b></p>	<b>N/A</b>
<p><b>Minimum Bicycle Parking Rate Schedule</b>  [as per section 5.7.5 a) of Hamilton Zoning By-law 05-200]</p>	<p>a) Minimum Required Bicycle Parking Rate Schedule For each building containing one or more of the uses listed in Column 1 in the following schedule: i) Short-term Bicycle Parking Spaces shall be provided in the minimum quantity specified in Column 2 and subject to the regulations in Section 5.4.2; and ii) Long-term Bicycle Parking Spaces shall be provided in the minimum quantity specified in Column 3 and subject to the regulations in Section 5.4.2.</p> <p><b>Refer to table in By-law 5.7.5</b></p>	<p>Single Detached Dwelling not subject to Accessible Parking</p>	<b>N/A</b>

*Yours truly*



for the Manager of Zoning and Committee of Adjustment



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)	Robert Hawkins	
Applicant(s)	Robert Hawkins	
Agent or Solicitor		
		Phone:
		E-mail:

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	158 Broadway Ave Hamilton, ON L8S 2Y1		
Assessment Roll Number			
Former Municipality	Hamilton		
Lot	Lot 115	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:

## 3. PURPOSE OF THE APPLICATION

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

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

3.1 Nature and extent of relief applied for:

See Applicable Law Review with additional notes added

Second Dwelling Unit  Reconstruction of Existing Dwelling

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

Existing site constraints

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
14.01m	30.48m	511.55 m <sup>2</sup>	

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
Single Dwelling - Detached	6.19m	15.06m	4.44m	

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Fourplex	15.36m	6.20m	1.52m	

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
Single Dwelling - Detached	69.88m <sup>2</sup>	69.88m <sup>2</sup>	1	5.71m

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Fourplex	127.08m <sup>2</sup>	381.24m <sup>2</sup>	2	8.33m

- 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)

1. To permit a minimum setback from a rear lot line of 6.2m on the West elevation of the property whereas the zoning bylaw 05-500 (24-051) Section 15.1.2.1f) states that a 7.5m minimum setback from a rear lot line is required.

4.6 Type of sewage disposal proposed: (check appropriate box)

publicly owned and operated sanitary sewage

system privately owned and operated individual

septic system other means (specify) \_\_\_\_\_

4.7 Type of access: (check appropriate box)

provincial highway

right of way

municipal road, seasonally maintained

other public road

municipal road, maintained all year \_\_\_\_\_

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

Multi-unit dwelling

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

Single family dwelling

## 7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:

February 2020

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

Single Dwelling Unit - Detached

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

Single Dwelling Unit - Detached

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

65 years

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) Urban Hamilton Official Plan

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

Meets 4 test, and the variance we are seeking is minor in nature

7.6 What is the existing zoning of the subject land? R1

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: R1

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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: 1

8.2 Number of Dwelling Units Proposed: 4

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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