



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

ANOTICE 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-25:133	SUBJECT PROPERTY:	40 Church Street, Ancaster
ZONE:	R2 (Low Density Residential - Large Lot)	ZONING BY-LAW:	Hamilton Zoning By-law 05-200

APPLICANTS: Owner: 40 Church Inc. c/o Joseph Veloce
Agent: UrbanSolutions Planning & Land Development Consultants Inc. c/o Matt Johnston

The following variances are requested:

Lot 5

1. A minimum Lot Area of 170.0 square metres shall be permitted instead of the minimum required Lot Area of 180.0 square metres;

PURPOSE & EFFECT: To permit the severance of the property to create six new parcels containing six (6) Street Townhouse Dwellings.

Notes:

- i. Please note, this application shall be heard in conjunction with Consent application B/25:042.
- ii. Please note, insufficient information has been provided to determine Parking requirements as it relates to parking space number, size, location. Furthermore, it is unclear if a garage is proposed; Section 5.3.2 shall apply to any proposed garage. All Parking Spaces and area shall be clearly indicated on the proposed Site Plan or should Parking not be in compliance with Section 5, additional variances may be required.
- iii. In addition to the comment above, insufficient information has been provided to determine the proposed Building Height of the Street Townhouse Dwellings. Should the proposed

A-25:133

Dwellings exceed the Maximum Building Height of 10.5 metres, 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:	Thursday, August 14, 2025
TIME:	3:15 p.m.
PLACE:	Via video link or call in (see attached sheet for details)
	City Hall Council Chambers (71 Main St. W., Hamilton)
	To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment

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

- Visit www.hamilton.ca/committeeofadjustment
- Visit Committee of Adjustment staff at 5th floor City Hall, 71 Main St. W., Hamilton

PUBLIC INPUT

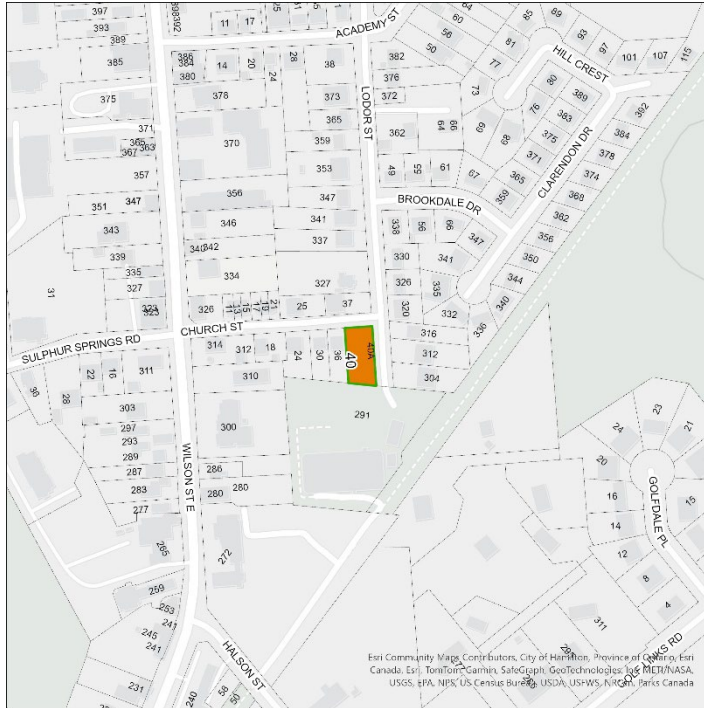
Written: If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Please see attached page for complete instructions, written comments must be received no later than noon August 12, 2025

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 August 13, 2025

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding A-25:133, 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: July 28, 2025

Justin Leung,
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 Submission Ahead of the Meeting

Members of the public who wish to provide input without speaking at the Hearing may submit written comments in advance of the meeting. Comments must be received by 12:00 p.m. (noon) on the date listed on the Notice of Public Hearing.

How to Submit Written Comments:

By Email:

Send to: cofa@hamilton.ca

By Mail:

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

All written comments received will be made available to the Committee and the public by the Tuesday prior to the Hearing.

Oral Submissions During the Hearing

Interested members of the public, agents, and owners may provide oral comments on Committee of Adjustment Hearing items either virtually via Webex (computer or phone) or by attending in person.

Speaking Time Limit:

All participants providing oral submissions, either in person or virtually are limited to a maximum of 5 minutes to speak. This is to ensure all parties have an equal opportunity to be heard and that the meeting runs efficiently.

In-Person Oral Submissions

To participate in person, attend Council Chambers on the date and time listed in the Notice of Public Hearing. You will be required to provide your name and address for the record. It is recommended you arrive at least 10 minutes prior to the scheduled start time.

Virtual Oral Submissions

To participate virtually, you must register by 12:00 p.m. (noon) on the date listed on the Notice of Public Hearing. To register, email cofa@hamilton.ca with the following information:

- Committee of Adjustment file number
- Hearing date
- Name and mailing address of each person wishing to speak
- Method of participation (phone or video), and, if applicable, the phone number to be used
- Each person must register separately

Registered participants will receive a Webex link one business day before the Hearing. Only those registered will be called upon to speak.

Presentations

All presentations are permitted at the discretion of the Committee.

Virtual Presentations:

Presenters participating virtually may be granted permission to share their screen during the Hearing. A copy of the presentation must be submitted to cofa@hamilton.ca no later than 12:00 p.m. (noon) on the business day prior to the Hearing. The submission must be one document in PDF format only.

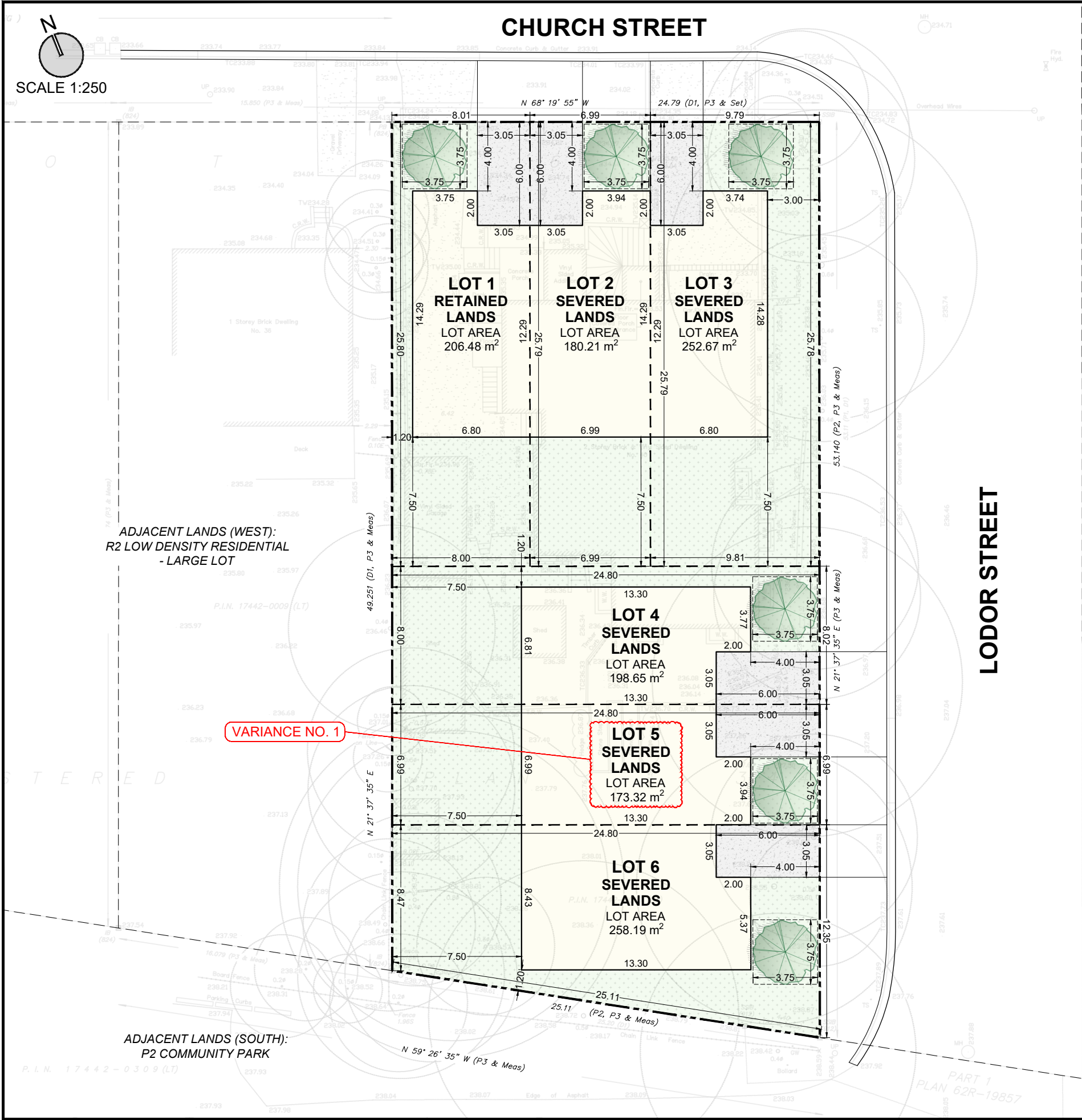
In-Person Presentations:

Presenters attending in person may be granted permission to use the presentation screen. Presentations must be brought on a USB device and opened by the owner/applicant. A copy of the presentation must also be sent to cofa@hamilton.ca by 12:00 p.m. (noon) on the business day prior to the Hearing in PDF format as a single document. Handouts are permitted only if the same content can be displayed on the presentation screen.

Additional Notes

- Webex (video) participation requires a compatible computer or smartphone. The necessary application must be downloaded in advance.
- It is the interested party's responsibility to ensure their device is functional and compatible prior to the Hearing.

For any questions, contact staff at cofa@hamilton.ca or call 905-546-2424 ext. 4221.



DEVELOPMENT STATISTICS		
EXISTING ZONING: LOW DENSITY RESIDENTIAL – LARGE LOT (R2) ZONE		
LOT 1 RETAINED LANDS		
ITEM	REQUIRED	PROPOSED
MIN. LOT AREA	180 m ²	206.48 m ²
MIN. UNIT WIDTH	6.0 m	6.80 m
MIN. SETBACK FROM FRONT LOT LINE	4.0 m	4.00 m
MIN. SETBACK FROM SIDE LOT LINE	1.2 m	1.20 m
MIN. SETBACK FROM REAR LOT LINE	7.5 m	7.50 m
MIN. LANDSCAPED AREA IN THE FRONT YARD	50%	61.92%
LOT 2 SEVERED LANDS		
ITEM	REQUIRED	PROPOSED
MIN. LOT AREA	180 m ²	180.21 m ²
MIN. UNIT WIDTH	6.0 m	6.99 m
MIN. SETBACK FROM FRONT LOT LINE	4.0 m	4.00 m
MIN. SETBACK FROM REAR LOT LINE	7.5 m	7.50 m
MIN. LANDSCAPED AREA IN THE FRONT YARD	50%	56.36%
LOT 3 SEVERED LANDS		
ITEM	REQUIRED	PROPOSED
MIN. LOT AREA	180 m ²	252.67 m ²
MIN. UNIT WIDTH	6.0 m	6.79 m
MIN. SETBACK FROM FRONT LOT LINE	4.0 m	4.00 m
MIN. SETBACK FROM FLANKAGE LOT LINE	3.0 m	3.00 m
MIN. SETBACK FROM REAR LOT LINE	7.5 m	7.50 m
MIN. LANDSCAPED AREA IN THE FRONT YARD	50%	68.85%
LOT 4 SEVERED LANDS		
ITEM	REQUIRED	PROPOSED
MIN. LOT AREA	180 m ²	198.65 m ²
MIN. UNIT WIDTH	6.0 m	6.81 m
MIN. SETBACK FROM FRONT LOT LINE	4.0 m	4.00 m
MIN. SETBACK FROM SIDE LOT LINE	1.2 m	1.20 m
MIN. SETBACK FROM REAR LOT LINE	7.5 m	7.50 m
MIN. LANDSCAPED AREA IN THE FRONT YARD	50%	61.94%
LOT 5 SEVERED LANDS		
ITEM	REQUIRED	PROPOSED
MIN. LOT AREA	180 m ²	173.32 m ²
MIN. UNIT WIDTH	6.0 m	6.99 m
MIN. SETBACK FROM FRONT LOT LINE	4.0 m	4.00 m
MIN. SETBACK FROM REAR LOT LINE	7.5 m	7.50 m
MIN. LANDSCAPED AREA IN THE FRONT YARD	50%	56.37%
LOT 6 SEVERED LANDS		
ITEM	REQUIRED	PROPOSED
MIN. LOT AREA	180 m ²	258.19 m ²
MIN. UNIT WIDTH	6.0 m	8.42 m
MIN. SETBACK FROM FRONT LOT LINE	4.0 m	4.00 m
MIN. SETBACK FROM SIDE LOT LINE	1.2 m	1.20 m
MIN. SETBACK FROM REAR LOT LINE	7.5 m	7.50 m
MIN. LANDSCAPED AREA IN THE FRONT YARD	50%	74.68%

VARIANCES TO CITY OF HAMILTON ZONING BY-LAW NO. 05-200
LOW DENSITY RESIDENTIAL – LARGE LOT (R2) ZONE.

VARIANCE NO. 1: TO PERMIT A MINIMUM LOT AREA OF 170.0
SQUARE METRES, WHEREAS A MINIMUM LOT AREA OF 180.00
SQUARE METRES IS REQUIRED.

KEY MAP - N.T.S.

SCALE 1:250
METRES

LEGEND

- SUBJECT LANDS
- ZONING COMPLIANT BUILDING FOOTPRINT
- ASPHALT DRIVEWAY
- LANDSCAPE AREA
- 3.75m x 3.75m TREE PLANTING AREA
- SEVERANCE LINE

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: JUNE 23, 2025

URBAN SOLUTIONS
PLANNING & LAND DEVELOPMENT

3 STUDEBAKER PLACE, UNIT 1
HAMILTON, ON L8L 0C8
905-546-1087 - urbansolutions.info

PROJECT:
40 CHURCH STREET
CITY OF HAMILTON

TITLE:
COMMITTEE OF
ADJUSTMENT SKETCH

U/S FILE NUMBER: 523-25 SHEET NUMBER: 1

June 24, 2025

523-25

Via Email & Delivery

Justin Leung
Secretary-Treasurer of Committee of Adjustment
City of Hamilton
71 Main Street West
Hamilton, ON L8P 4Y5

Dear Mr. Leung,

RE: 40 CHURCH STREET, ANCASTER
Application for Consent to Sever & Minor Variance

Urban Solutions Planning & Land Development Consultants Inc. (UrbanSolutions) has been retained by 40 Church Inc., the owner of the lands at 40 Church Street, Ancaster, to assist with securing approval of Consent to Sever and Minor Variance applications. The subject lands currently contain an existing detached dwelling and three (3) accessory structures consisting of frame sheds and a detached garage.

The subject lands are currently designated '*Neighbourhoods*' on Schedule E – Urban Structure and Schedule E-1 – Urban Land Use in the Urban Hamilton Official Plan. Further, the lands fall within the Ancaster Wilson Street Secondary Plan Area, where they are designated '*Low Density Residential 1*' on Map B.2.8-1 – Land Use Plan Map. In addition, the lands are currently located within the 'Low Density Residential – Large Lot' (R2) Zone of the City of Hamilton Zong By-law 05-200.

Purpose of the Application

The purpose of the Consent Application is to sever the 40 Church Street property into six separate parcels. There is one (1) lot to be retained as labelled on the enclosed Committee of Adjustment Sketch. The breakdown of lot areas and frontages for the retained lot and all lots proposed to be severed are provided in the table below:

Lot #	Lot Area	Lot Frontage
Lot 1 (to be retained)	+/- 206.48 m ²	+/- 8.01 m
Lot 2 (to be severed)	+/- 180.21 m ²	+/- 6.99 m
Lot 3 (to be severed)	+/- 252.67 m ²	+/- 9.79 m
Lot 4 (to be severed)	+/- 198.65 m ²	+/- 8.02 m
Lot 5 (to be severed)	+/- 173.32 m ²	+/- 6.99 m
Lot 6 (to be severed)	+/- 258.19 m ²	+/- 12.35 m

The proposed development for the subject lands contemplates six (6) street townhouse dwellings contained within two (2) townhouse blocks. One townhouse block is proposed to front Church Street, while the other townhouse block will be oriented along Lodor Street. In order to create six freehold townhouse units for the two townhouse blocks proposed, a Consent to Sever application is required.

In addition to the Consent to Sever application, a Minor Variance application is required to accommodate one interior lot fronting Lodor Street, while all remaining proposed lots comply to the lot area and frontage requirements. Specifically, one (1) requested variance is required as follows:

- To permit a minimum lot area of 170.0 square metres, whereas a minimum interior lot area of 180.00 square metres is required.

Analysis

The Committee of Adjustment, under Section 45(1) of the *Planning Act*, may grant a minor variance to the provisions of a Zoning By-law, if in their opinion, the application satisfies all (four) of the following tests:

- 1) Is the variance in keeping with the general intent and purpose of the Official Plan?
- 2) Is the variance in keeping with the general intent and purpose of the Zoning By-law?
- 3) Is the variance minor in nature?
- 4) Is the variance desirable for the appropriate development or use of the land?

To assist in the evaluation of this application, please refer to the enclosed Committee of Adjustment Sketch. Justification for the proposed variance has been provided below in accordance with Section 45(1) of the *Planning Act*:

1. Is the proposed variance in keeping with the general intent and purpose of the Urban Hamilton Official Plan?

The proposed use of street townhouse dwellings is permitted within the ‘*Neighbourhoods*’ designation of the UHOP. However, street townhouse dwellings are not identified as a permitted use within the Secondary Plan designation of ‘*Low Density Residential 1*’. As previously noted, the existing zoning on the lands is ‘Low Density Residential – Large Lot (R2) Zone’, in which street townhouse dwellings are permitted. At the February 23, 2024 Planning Committee, City staff implemented new Low Density Residential Zones across the City, including the (R2) Zone applicable to the subject lands. As noted within City Staff Report PED22154(a), modifications to the General Policies within the UHOP were also implemented at the time to allow additional uses, densities and heights in Low Density Residential designations of Secondary Plans when the City approved the Low Density Residential Zones. As a result, the subject property is permitted to be developed with street townhouse dwellings and the proposal represents a built form which is in keeping with the intent of the Urban Hamilton Official Plan. The requested variance for lot area facilitates appropriate and compatible intensification of an underutilized site. This aligns with Chapter B, Section 2.4.1.3.c) of the UHOP which directs 30% of the City’s residential intensification to areas designated as ‘*Neighbourhoods*’. Accordingly, the proposed variance is in keeping with the general intent and purpose of the Urban Hamilton Official Plan.

2. Is the proposed variance in keeping with the general intent and purpose of the Zoning By-law?

The proposed variance seeks to decrease the minimum lot area from 180.0 square metres to 170.0 square metres. The variance is required to recognize a single lot of the six lots proposed which falls just short of the minimum lot area required currently. The intent of the minimum lot area regulation is to maintain a lot fabric which is compatible with the surrounding neighbourhood, and to ensure adequate space is

available on site to accommodate stormwater management. The requested variance to lot area meets these intentions as it represents a minimal decrease in lot size that will not have a material impact on compatibility with the surrounding lot fabric or the ability to process stormwater on site. As noted within the City of Hamilton Staff Report during their implementation of the Low Density Residential Zones across the City, the intention behind the new Low Density Residential Zones was to eliminate exclusionary zoning to support additional opportunities for intensification. As such, the proposed variance maintains the intent and purpose of the Zoning By-law as it facilitates compatible intensification of the subject lands, while upholding effective stormwater management on site.

3. Is the proposed variance minor in nature?

The proposed variance is minor in nature as it represents a modest 10.0 square metre decrease in the current 180.0 square metre lot area required by the Zoning By-law. Of the six lots proposed to be created through the Consent to Sever application, all except one parcel exceed the minimum lot area prescribed. The proposed variance seeks to permit a 6% difference in total lot area for a single property, and does not present an adverse impact to the compatibility of the proposal in relation to the surrounding community. For these reasons, it is my professional opinion that the proposed reduction in minimum lot area is minor in nature.

4. Is the proposed variance desirable for the appropriate development or use of the land?

The requested variance will facilitate the proposed townhouse development, which will result in a built form that is in keeping with the character of the surrounding area and represents a land use that is permitted in the Urban Hamilton Official Plan and Zoning By-law 05-200. The UHOP defines compatibility as *“land uses and built forms that are mutually tolerant and capable of existing together in harmony within an area. Compatibility should not be narrowly interpreted to meant ‘the same as’ or even as ‘being similar to’”*. Given the existing low density residential built form, inclusive of townhouses in the surrounding area, the proposal is deemed to be compatible and represent good planning. Specifically, the proposed lot areas are in keeping with the pattern established by the existing dwellings that surround the subject lands, specifically further west on Church Street. Therefore, the application is desirable and appropriate for the development of the lands.

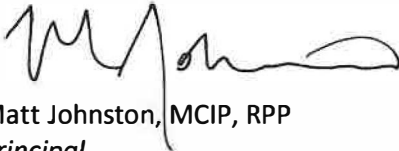
The proposal is aligned with municipal interests given its location within a built-up settlement area, reliance on existing available infrastructure, and compatible intensification of an underutilised urban property. Further, the requested variances satisfy the four tests outlined in Section 45(1) of the *Planning Act*, in that they meet the intent of the City of Hamilton Official Plan, Ancaster Wilson Street Secondary Plan, and the City of Hamilton Zoning By-law No. 05-200, are minor in nature, and are desirable and appropriate for the subject lands. The application also satisfies Section 53(1) of the *Planning Act*, R.S.O, 1990, as amended, as a plan of subdivision is not necessary for the proper and orderly development of the subject lands. Accordingly, the proposed applications represent good land use planning.

In support of this Application, the following is enclosed:

- One (1) copy of the completed Consent to Sever Application form;
- One (1) copy of the completed Minor Variance Application form;
- One (1) copy of the Committee of Adjustment Sketch prepared by UrbanSolutions;
- One (1) Cheque in the amount of **\$9,880.00** to cover the Consent to Sever application fee; and,
- One (1) Cheque in the amount of **\$4,015.00** to cover the Minor Variance application fee.

We look forward to working with City staff in the review of these applications. Should you have any questions or require anything further, please do not hesitate to contact the undersigned.

Kind regards,
UrbanSolutions



Matt Johnston, MCIP, RPP
Principal



Scott Beedie, MCIP, RPP
Senior Planner

cc: 40 Church Inc.



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 CONSENT TO SEVER LAND
and VALIDATION OF TITLE
UNDER SECTION 53 & 57 OF THE *PLANNING ACT***

Please see additional information regarding how to submit an application, requirements for the required sketch and general information in the Submission Requirements and Information.

1. APPLICANT INFORMATION

	NAME	MAILING ADDRESS	
Purchaser*	n/a		Phone:
			E-mail:
Registered Owners(s)	40 Church Inc. c/o Joseph Veloce		
Applicant(s)**	Same as Owner		
Agent or Solicitor	UrbanSolutions Planning & Land Development Consultants Inc. c/o Matt Johnston (UrbanSolutions)		

*Purchaser must provide a copy of the portion of the agreement of purchase and sale that authorizes the purchaser to make the application in respect of the land that is the subject of the application.

** Owner's authorisation required if the applicant is not the owner or purchaser.

1.2 Primary contact

☐ Purchaser
☐ Applicant

☐ Owner
☒ Agent/Solicitor

1.3 Sign should be sent to

☐ Purchaser
☐ 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	40 Church Street		
Assessment Roll Number	251814025016000		
Former Municipality	Ancaster		
Lot		Concession	
Registered Plan Number	No. 344	Lot(s)	PT Lot 6
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:

n/a

3 PURPOSE OF THE APPLICATION

3.1 Type and purpose of proposed transaction: (check appropriate box)

☒ creation of a new lot(s)☐ concurrent new lot(s)☐ addition to a lot☐ a lease☐ an easement☐ a correction of title☐ validation of title (must also complete section 8)☐ a charge☐ cancellation (must also complete section 9)☐ creation of a new non-farm parcel (must also complete section 10)(i.e. a lot containing a surplus farm dwelling
resulting from a farm consolidation)

3.2 Name of person(s), if known, to whom land or interest in land is to be transferred, leased or charged:

N/A

3.3 If a lot addition, identify the lands to which the parcel will be added:

N/A

3.4 Certificate Request for Retained Lands: ☐ Yes*

* If yes, a statement from an Ontario solicitor in good standing that there is no land abutting the subject land that is owned by the owner of the subject land other than land that could be conveyed without contravening section 50 of the Act. (O. Reg. 786/21)

4. DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

	Retained (remainder)	Parcel 1	Parcel 2	Parcel 3	Parcel 4	Parcel 5
Identified on Sketch as:	Lot 1	Lot 2	Lot 3	Lot 4	Lot 5	Lot 6
Type of Transfer	N/A	Lot Creation	Lot Creation	Lot Creation	Lot Creation	Lot Creation
Frontage	8.01 m	6.99 m	9.79 m	8.02 m	6.99 m	12.35 m
Depth	25.78 m	25.78 m	25.78 m	24.79 m	24.79 m	24.79 m
Area	206 m2	180 m2	252 m2	199 m2	173 m2	258 m2
Existing Use	Residential	Residential	Residential	Residential	Residential	Residential
Proposed Use	Residential	Residential	Residential	Residential	Residential	Residential
Existing Buildings/ Structures	Single-Detached Dwelling & Shed	Single-Detached Dwelling & Shed	Single-Detached Dwelling & Shed	Single-Detached Dwelling & Shed	Single-Detached Dwelling & Shed	Single-Detached Dwelling & Shed
Proposed Buildings/ Structures	3-Unit Street Townhouse (A)	3-Unit Street Townhouse (A)	3-Unit Street Townhouse (A)	3-Unit Street Townhouse (B)	3-Unit Street Townhouse (B)	3-Unit Street Townhouse (B)
Buildings/ Structures to be Removed	All Existing	All Existing	All Existing	All Existing	All Existing	All Existing

4 DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

4.1 Description of subject land:

All dimensions to be provided in metric (m, m² or ha), attach additional sheets as necessary.

	Retained (remainder)	Parcel 1	Parcel 2	Parcel 3*	Parcel 4*
Identified on Sketch as:					
Type of Transfer					
Frontage					
Depth					
Area					
Existing Use					
Proposed Use					
Existing Buildings/ Structures					
Proposed Buildings/ Structures					
Buildings/ Structures to be Removed					

* Additional fees apply. Please refer to enclosed Application Form Addendum for above noted info.

4.2 Subject Land Servicing

a) Type of access: (check appropriate box)

- ☐ provincial highway
☐ municipal road, seasonally maintained
☒ municipal road, maintained all year

- ☐ right of way
☐ other public road

b) Type of water supply proposed: (check appropriate box)

- ☒ publicly owned and operated piped water system
☐ privately owned and operated individual well

- ☐ lake or other water body
☐ other means (specify)

c) 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) _____

4.3 Other Services: (check if the service is available)

- ☒ electricity ☒ telephone ☒ school bussing ☒ garbage collection

5 CURRENT LAND USE

5.1 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" (Sched. E & E-1)

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

Lands also fall within 'Low Density Residential 1' designation in the Ancaster Wilson Street Secondary Plan. Please refer to enclosed Cover Letter.

5.2 Is the subject land currently the subject of a proposed official plan amendment that has been submitted for approval?

☐ Yes ☒ No ☐ Unknown

If YES, and known, provide the appropriate file number and status of the application.

n/a

5.3 What is the existing zoning of the subject land? Low Density Residential - Large Lot (R2) Zon

If the subject land is covered by a Minister's zoning order, what is the Ontario Regulation Number?

n/a

5.4 Is the subject land the subject of any other application for a Minister's zoning order, zoning by-law amendment, minor variance, consent or approval of a plan of subdivision?

☒ Yes ☐ No ☐ Unknown

If YES, and known, provide the appropriate file number and status of the application.

Concurrent Minor Variance application - Pending assignment of municipal file no.

5.5 Are any of the following uses or features on the subject land or within 500 metres of the subject land, unless otherwise specified. Please check the appropriate boxes, if any apply.

Use or Feature	On the Subject Land	Within 500 Metres of Subject Land, unless otherwise specified (indicate approximate distance)
An agricultural operation, including livestock facility or stockyard * Submit Minimum Distance Separation Formulae (MDS) if applicable	☐	
A land fill	☐	
A sewage treatment plant or waste stabilization plant	☐	
A provincially significant wetland	☐	
A provincially significant wetland within 120 metres	☐	
A flood plain	☐	
An industrial or commercial use, and specify the use(s)	☐	
An active railway line	☐	
A municipal or federal airport	☐	

6 HISTORY OF THE SUBJECT LAND

6.1 Has the subject land ever been the subject of an application for approval of a plan of subdivision or a consent under sections 51 or 53 of the *Planning Act*?

☐ Yes ☒ No ☐ Unknown

If YES, and known, provide the appropriate application file number and the decision made on the application.

n/a

6.2 If this application is a re-submission of a previous consent application, describe how it has been changed from the original application.

n/a

6.3 Has any land been severed or subdivided from the parcel originally acquired by the owner of the subject land?

☐ Yes ☒ No

If YES, and if known, provide for each parcel severed, the date of transfer, the name of the transferee and the land use.

n/a

6.4 How long has the applicant owned the subject land?

Unknown

6.5 Does the applicant own any other land in the City? ☐ Yes ☒ No

If YES, describe the lands below or attach a separate page.

n/a

7 PROVINCIAL POLICY

7.1 Is this application consistent with the Policy Statements issued under Section 3 of the *Planning Act*?

☒ Yes ☐ No (Provide explanation)

Refer to enclosed Cover Letter.

7.2 Is this application consistent with the Provincial Policy Statement (PPS)?

☒ Yes ☐ No (Provide explanation)

Refer to enclosed Cover Letter.

7.3 Does this application conform to the Growth Plan for the Greater Golden Horseshoe?

☐ Yes ☐ No (Provide explanation)

n/a

7.4 Are the subject lands subject to the Niagara Escarpment Plan?

☐ Yes ☐ No (Provide explanation)

n/a

7.5 Are the subject lands subject to the Parkway Belt West Plan?

☐ Yes

☐ No

(Provide explanation)

n/a

7.6 Are the subject lands subject to the Greenbelt Plan?

☐ Yes

☐ No

(Provide explanation)

n/a

7.7 Are the subject lands within an area of land designated under any other provincial plan or plans?

☐ Yes

☐ No

(Provide explanation)

n/a

8 ADDITIONAL INFORMATION - VALIDATION

8.1 Did the previous owner retain any interest in the subject land?

☐ Yes

☐ No

(Provide explanation)

8.2 Does the current owner have any interest in any abutting land?

☐ Yes

☐ No

(Provide explanation and details on plan)

8.3 Why do you consider your title may require validation? (attach additional sheets as necessary)

9 ADDITIONAL INFORMATION - CANCELLATION

9.1 Did the previous owner retain any interest in the subject land?

☐ Yes

☐ No

(Provide explanation)

9.2 Does the current owner have any interest in any abutting land?

☐ Yes

☐ No

(Provide explanation and details on plan)

9.3 Why do you require cancellation of a previous consent? (attach additional sheets as necessary)

10 ADDITIONAL INFORMATION - FARM CONSOLIDATION

10.1 Purpose of the Application (Farm Consolidation)

If proposal is for the creation of a non-farm parcel resulting from a farm consolidation, indicate if the consolidation is for:

- ☐ Surplus Farm Dwelling Severance from an Abutting Farm Consolidation
- ☐ Surplus Farm Dwelling Severance from a Non-Abutting Farm Consolidation

10.2 Location of farm consolidation property:

Municipal Address			
Assessment Roll Number			
Former Municipality			
Lot		Concession	
Registered Plan Number		Lot(s)	
Reference Plan Number (s)		Part(s)	

10.3 Rural Hamilton Official Plan Designation(s)

If proposal is for the creation of a non-farm parcel resulting from a farm consolidation, indicate the existing land use designation of the abutting or non-abutting farm consolidation property.

10.4 Description of farm consolidation property:

Frontage (m):	Area (m ² or ha):
---------------	------------------------------

Existing Land Use(s): _____ Proposed Land Use(s): _____

10.5 Description of abutting consolidated farm (excluding lands intended to be severed for the surplus dwelling)

Frontage (m):	Area (m ² or ha):
---------------	------------------------------

10.6 Existing Land Use: _____ Proposed Land Use: _____

10.7 Description of surplus dwelling lands proposed to be severed:

Frontage (m): (from Section 4.1)	Area (m ² or ha): (from Section 4.1)
----------------------------------	---

Front yard set back: _____

a) Date of construction:

☐ Prior to December 16, 2004

☐ After December 16, 2004

b) Condition:

☐ Habitable

☐ Non-Habitable

11 COMPLETE APPLICATION REQUIREMENTS

11.1 All Applications

- ☒ Application Fee
- ☒ Site Sketch
- ☒ Complete Application Form
- ☒ Signatures Sheet

11.2 Validation of Title

- ☐ All information documents in Section 11.1
- ☐ Detailed history of why a Validation of Title is required
- ☐ All supporting materials indicating the contravention of the Planning Act, including PIN documents and other items deemed necessary.

11.3 Cancellation

- ☐ All information documents in Section 11.1
- ☐ Detailed history of when the previous consent took place.
- ☐ All supporting materials indicating the cancellation subject lands and any neighbouring lands owned in the same name, including PIN documents and other items deemed necessary.

11.4 Other Information Deemed Necessary

- ☒ Cover Letter/Planning Justification Report
- ☐ Minimum Distance Separation Formulae (data sheet available upon request)
- ☐ Hydrogeological Assessment
- ☐ Septic Assessment
- ☐ Archeological Assessment
- ☐ Noise Study
- ☐ Parking Study



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	MAILING ADDRESS
Registered Owners(s)	40 Church Inc. c/o Joseph Veloce	
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 ☒ AgentSolicitor

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	40 Church Street		
Assessment Roll Number	251814025016000		
Former Municipality	Ancaster		
Lot		Concession	
Registered Plan Number	No. 344	Lot(s)	PT Lot 6
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:

n/a

3. PURPOSE OF THE APPLICATION

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

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

3.1 Nature and extent of relief applied for:

Please refer to 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
9.63 m	31.22 m	315.41 sq.m.	9.3 m

4.2 Location of all buildings and structures on or proposed for the subject lands:
(Specify distance from side, rear and front lot lines)

Existing:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Duplex Dwelling	7.42 m	17.06 m	3.52m (East), 6.39m (West)	Unknown
Detached Garage & Shed 1	n/a	n/a	n/a (East), 0.57 m (West)	Unknown
Shed 2 (Upper)	n/a		n/a	Unknown
Shed 3 (Lower)	n/a		21 m (East), 0.02 m (West)	Unknown

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
3-Unit Townhouse (North)	4.00 m	7.50 m	1.20 m / 3.0 m	n/a
3-Unit Townhouse (South)	4.00 m	7.50 m	1.20 m	n/a

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
Duplex Dwelling	+/- 300 m2	+/- 600 m2	2	7.0 m
Detached Garage & Shed 1	+/- 65 m2	+/- 65 m2	1	3.0 m
Shed 2 (Upper)	+/- 15 m2	+/- 15 m2	1	3.0 m
Shed 3 (Lower)	+/- 15 m2	+/- 15 m2	1	3.0 m

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
3-Unit Townhouse (North)	+/- 294 m2	+/- 294 m2	3	10.5 m
3-Unit Townhouse (South)	+/-295 m2	+/- 295 m2	3	10.5 m

- 4.4 Type of water supply: (check appropriate box)
- ☒ publicly owned and operated piped water system
- ☐ privately owned and operated individual well

- ☐ lake or other water body
- ☐ other means (specify)
- _____

- 4.5 Type of storm drainage: (check appropriate boxes)
- ☒ publicly owned and operated storm sewers
- ☐ swales

- ☐ ditches
- ☐ other means (specify)
- _____

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

☒ publicly owned and operated sanitary sewage

☐ system privately owned and operated individual

☐ septic system other means (specify) _____

4.7 Type of access: (check appropriate box)

☐ provincial highway

☐ right of way

☐ municipal road, seasonally maintained

☐ other public road

☒ municipal road, maintained all year _____

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

Street Townhouse

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

Single Detached Dwelling Duplex, Open Space

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)

Street Townhouse

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

Single Detached Dwelling Duplex

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

Unknown

7.5 What is the existing official plan designation of the subject land?

Rural Hamilton Official Plan designation (if applicable): n/a

Rural Settlement Area: n/a

Urban Hamilton Official Plan designation (if applicable) "Neighbourhoods"

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

Please refer to enclosed Cover Letter.

7.6 What is the existing zoning of the subject land? Low Density Residential - Large Lot (R2) Zone,
Hamilton Zoning By-law No. 05-200

7.8 Has the owner previously applied for relief in respect of the subject property?
(Zoning By-law Amendment or Minor Variance)

☐ Yes

☒ No

If yes, please provide the file number: n/a

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

☒ Yes

☐ No

If yes, please provide the file number: Concurrent application - Pending assignment of municipal file no.

8 ADDITIONAL INFORMATION

8.1 Number of Dwelling Units Existing: 2

8.2 Number of Dwelling Units Proposed: 6

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

Please refer to enclosed Cover Letter.

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
