

NOTICE OF PUBLIC HEARING
Consent/Land Severance

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.:	B-25:041	SUBJECT PROPERTY:	91 Jerseyville Road East, Ancaster
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APPLICANTS: Owner: Robert Wilkins
Applicant: Matthew Kuhlmann and Kirby Wilkins
Agent: Landwise c/o Jennifer Badley

PURPOSE & EFFECT: To permit the conveyance of a parcel of land to create a new residential building lot. The severed lands will be a vacant residential building lot and the retained lands will contain the existing dwelling and detached garage which are intended to remain.

	Frontage	Depth	Area
SEVERED LANDS (PART 2):	15.45 m [±]	42.88 m [±] (shortest)	604.10 m ² [±]
RETAINED LANDS (PART 1):	24.02 m [±]	39.26 m [±] (shortest)	905.12 m ² [±]

Associated Planning Act File(s): A-25:132

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:	1:45 p.m.
PLACE:	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:

B-25:041

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

PUBLIC INPUT

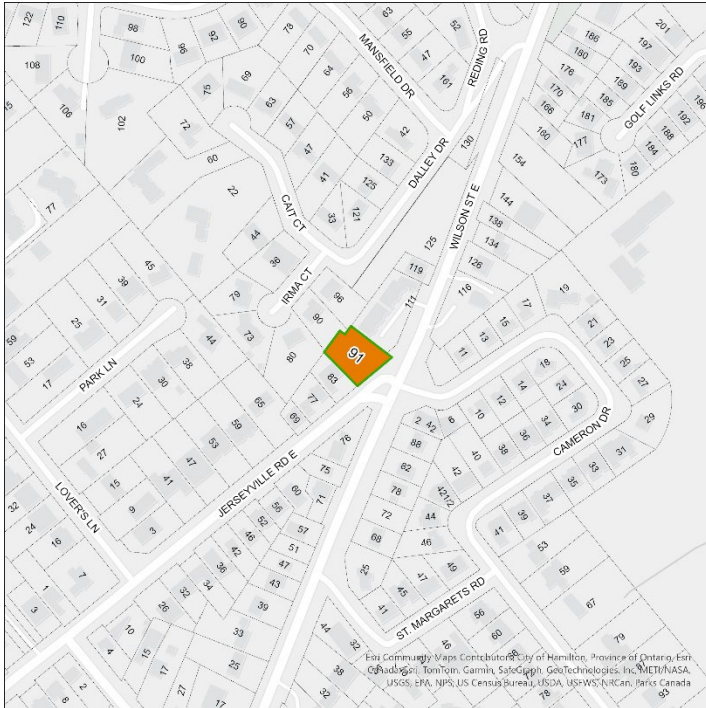
Written: If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Please see attached page for complete instructions, written comments must be received no later than noon **August 12, 2025**

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 B-25:041, 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 the Notice of Decision of the proposed consent, you must make a written request to the Secretary-Treasurer of The City of Hamilton Committee of Adjustment by email at cofa@hamilton.ca or by mail through City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5.



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.

If a person or public body that files an appeal of a decision of The City of Hamilton Committee of Adjustment in respect of the proposed consent does not make written submissions to The City of Hamilton Committee of Adjustment before it gives or refuses to give a provisional consent, the Ontario Land Tribunal may dismiss the appeal.



COMMITTEE OF ADJUSTMENT

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

Telephone (905) 546-2424, ext. 4221

E-mail: cofa@hamilton.ca

PARTICIPATION PROCEDURES

Written 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.

SITE STATISTICS:

SITE AREA 1,628m² (0.40ac)
SITE AREA AFTER R.O.W. WIDENING 1,509m² (0.37ac)

ZONING CHART

CITY OF HAMILTON ZONING BY-LAW 05-200
ZONE: LOW DENSITY RESIDENTIAL – LARGE LOT (R2) ZONE

PART 1 - LANDS TO BE RETAINED			
DESCRIPTION	REQUIRED	PROPOSED	CONFORMITY
MIN. LOT AREA	630.00m ²	±905.12m ²	YES
MIN. LOT FRONTAGE	18.00m	24.02m	YES
MIN. FRONT YARD	4.00m	10.74m	YES
MIN. SIDE YARD	2.00m	2.00m	YES
MIN. REAR YARD	7.50m	17.40m	YES
MAX. HEIGHT	10.50m	2 STOREYS	YES
MAX. LOT COVERAGE	35%	11.07%	YES
MIN. LANDSCAPED AREA	40%	TBD	TBD
MIN. PARKING SPACES	1/UNIT (PRA 3) 3+		YES

PART 2 - LANDS TO BE SEVERED			
MIN. LOT AREA	630.00m ²	±604.10m ²	VARIANCE PROPOSED
MIN. LOT FRONTAGE	18.00m	15.45m	VARIANCE PROPOSED
MIN. FRONT YARD	4.00m	MIN. 4.00m	YES
MIN. SIDE YARD	2.00m	MIN. 2.00m	YES
MIN. REAR YARD	7.50m	MIN. 7.50m	YES
MAX. HEIGHT	10.50m	MAX. 10.50m	YES
MAX. LOT COVERAGE	35%	TBD	TBD
MIN. LANDSCAPED AREA	40%	TBD	TBD
MIN. PARKING SPACES	1/UNIT (PRA 3) MIN. 1/UNIT		YES

LEGAL DESCRIPTION

PART OF
LOT 43
CONCESSION 2
IN THE GEOGRAPHIC
TOWNSHIP OF ANCASTER
IN THE
CITY OF HAMILTON

REVISIONS			

A	COA SUBMISSION	25-JUN-2025	HN
REV.	DESCRIPTION	DATE	INIT.

DISCLAIMER
THIS DRAWING IS THE INTELLECTUAL PROPERTY OF LANDWISE. AND IS PROTECTED UNDER COPYRIGHT. ANY DISCREPANCIES SHALL BE REPORTED TO LANDWISE. PRIOR TO THE START OF CONSTRUCTION. THIS DRAWING IS NOT TO BE USED FOR CONSTRUCTION UNLESS OTHERWISE INDICATED.

PROJECT TITLE

91 JERSEYVILLE
ROAD EAST

ANCASTER, ONTARIO



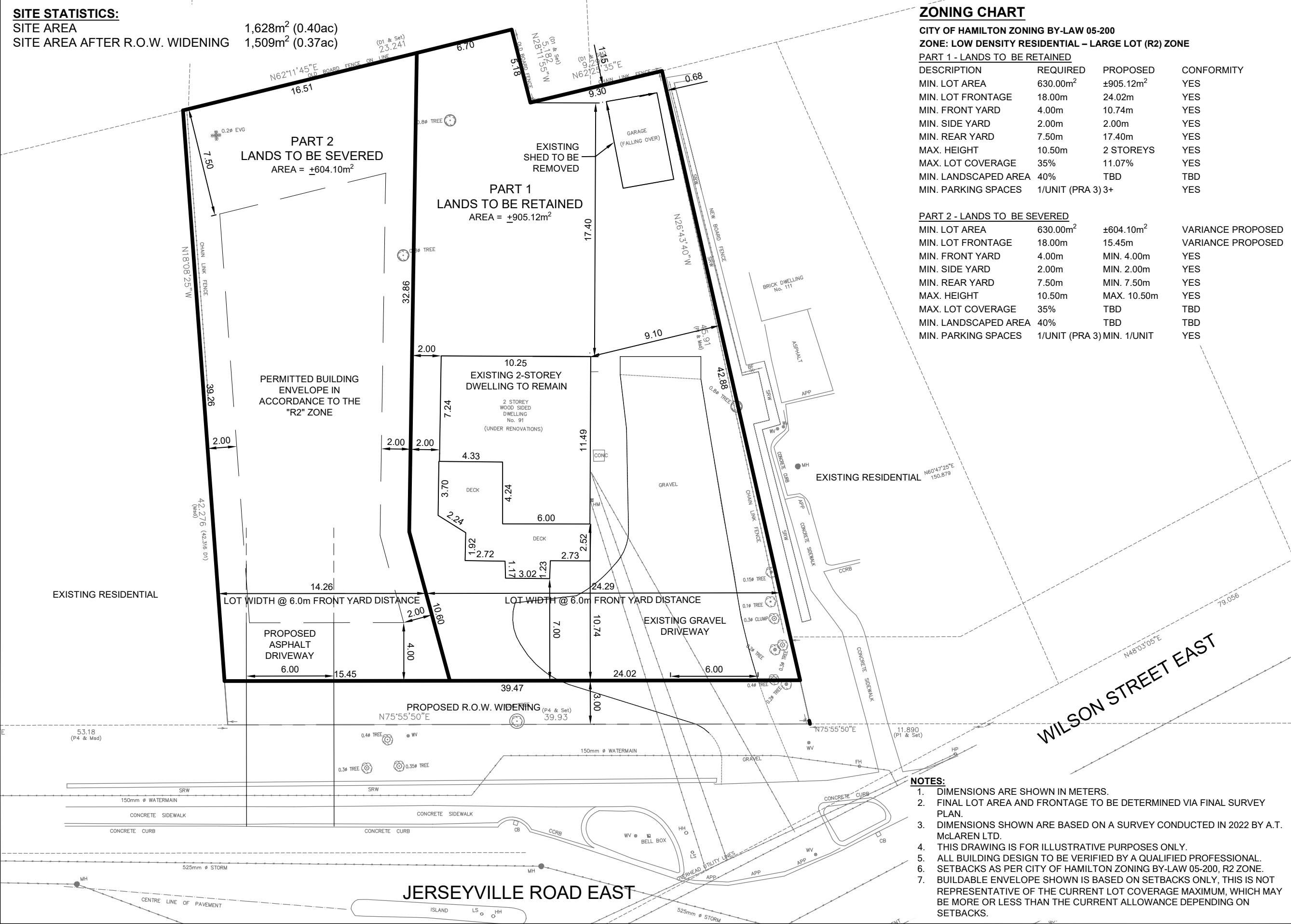
310 LIMERIDGE ROAD WEST, SUITE 6
HAMILTON ONTARIO, L8C 2V2

P 905-574-1993
W LANDWISE.CA

DRAWING TITLE

CONSENT SKETCH

PRINT DATE 25-JUN-2025	DRAWN BY HN
REVISION A	DESIGNED BY HN
SCALE 1:250	DRAWING NUMBER CS1-1



- NOTES:
1. DIMENSIONS ARE SHOWN IN METERS.
 2. FINAL LOT AREA AND FRONTAGE TO BE DETERMINED VIA FINAL SURVEY PLAN.
 3. DIMENSIONS SHOWN ARE BASED ON A SURVEY CONDUCTED IN 2022 BY A.T. McLAREN LTD.
 4. THIS DRAWING IS FOR ILLUSTRATIVE PURPOSES ONLY.
 5. ALL BUILDING DESIGN TO BE VERIFIED BY A QUALIFIED PROFESSIONAL.
 6. SETBACKS AS PER CITY OF HAMILTON ZONING BY-LAW 05-200, R2 ZONE.
 7. BUILDABLE ENVELOPE SHOWN IS BASED ON SETBACKS ONLY, THIS IS NOT REPRESENTATIVE OF THE CURRENT LOT COVERAGE MAXIMUM, WHICH MAY BE MORE OR LESS THAN THE CURRENT ALLOWANCE DEPENDING ON SETBACKS.

June 23, 2025

Via Digital Submission

Committee of Adjustment

c/o Mr. Justin Leung

City of Hamilton

71 Main Street West, 5th Floor

Hamilton, ON L8P 4Y5

Dear Mr. Leung,

**RE: 91 Jerseyville Road East, Ancaster
Minor Variance & Consent to Sever Applications**

Landwise was retained by the landowner of 91 Jerseyville Road East, Ancaster (“subject lands”) to submit the enclosed Minor Variance and Consent to Sever applications on their behalf.

Subject Lands Description

The subject lands are legally described as Part 1, Plan of Lot 43, Concession 2, in the Geographic Township of Ancaster, and municipally known as 91 Jerseyville Road East, Ancaster. The property is listed on the City’s Built Heritage Inventory. The subject lands are located immediately north of the Jerseyville Road East and Wilson Street West intersection.

91 Jerseyville Road East is irregularly shaped with a site area of 1,628 m² (0.16 ha/0.40 ac) and 39.93 m (131 ft) of frontage along Jerseyville Road East. The site is occupied by a 2-storey single detached dwelling, one (1) detached garage structure within the rear yard and several mature trees. The property has a retaining wall along its frontage and has fairly flat topography.

Planning Status

The Urban Hamilton Official Plan (“UHOP”) Volume 1 designates the subject lands “Community Nodes” (Schedule E) and “Neighbourhoods” (Schedule E-1) which permits a range of residential uses and forms, including single detached dwellings. The Ancaster Wilson Street Secondary Plan from UHOP Volume 2 designates the subject lands “Low Density Residential 1” where permitted uses are limited to single-detached and semi-detached dwellings.

The City of Hamilton Zoning By-law 05-200 zones the subject lands “Low Density Residential - Large Lot (R2) Zone”, which permits single-detached dwellings.

Proposed Applications

The Minor Variance and Consent to Sever applications are proposed to create one (1) new lot and to request relief from the zoning by-law provisions. The existing dwelling and east detached garage are proposed to remain. At this time, no new buildings or site alterations are proposed for the severed lot.

To facilitate the proposed development, the following applications are required:

- Consent to Sever to establish one (1) new lot;
- Minor Variance to reduce the lot frontage and lot area on the severed lot.

Please refer to the Consent Sketch and Planning Rationale for additional details.

Submission

Landwise respectfully requests the circulation of this letter along with the enclosed documents to all relevant departments.

Please find the enclosed:

- Minor Variance application with signatures;
- Consent to Sever application with signatures;
- Copy of the cheque in the amount of \$4,015.00 to satisfy the Minor Variance application fee, made payable to the City of Hamilton;
 - Note that the cheque was hand delivered to City Hall on June 17, 2025.
- Copy of the cheque in the amount of \$3,460.00 to satisfy the Consent to Sever application fee, made payable to the City of Hamilton;
 - Note that the cheque was hand delivered to City Hall on June 17, 2025.
- Consent Sketch;
- Planning Rationale; and
- Access Review.

Should you have any questions or require additional information, please do not hesitate to contact Jennifer Badley at 905-574-1993 ext. 204.

Respectfully submitted,
LANDWISE



Jennifer Badley, BA
Planner

Landwise has prepared the following Planning Rationale Report in support of the Consent and Minor Variance applications submitted for 91 Jerseyville Road East, Ancaster.

Description of Subject Lands and Surroundings

The subject lands are legally described as “Part of Lot 43, Concession 2 in the Township of Ancaster, in the City of Hamilton” and municipally known as 91 Jerseyville Road East, Ancaster (refer to **Figure 1 - Site Location**). The subject lands are located on the north side of the Jerseyville Road East and Wilson Street West intersection. The subject lands are an irregularly shaped lot, with a lot area of 1,628 m² (0.16 ha/0.40 ac) and 39.93 m (131 ft) of frontage along Jerseyville Road East. The subject property is occupied by a 2-storey single detached dwelling, detached garage, several mature trees, and a retaining wall along the front property line. The driveway is accessed from the intersection adjacent to the traffic lights. The property is listed on the City’s Built Heritage Inventory.

The surrounding context consists of a mix of uses, including residential and commercial uses. More specifically, the subject lands are immediately surrounded by the following use:

North: Low Density Residential (Single Detached Dwellings)

East: Low Density Residential (Townhouses)

South: Commercial Plaza (Restaurant, Retail and Offices) and Low Density Residential (Single Detached Dwellings)

West: Low Density Residential (Single Detached Dwellings)

Figure 1 - Site Location



Planning Status

The *Urban Hamilton Official Plan* (UHOP), *Volume 1* designates the subject lands as “Community Node” on Schedule E - Urban Structure, and “Neighbourhoods” on Schedule E-1 - Urban Land Use. The “Neighbourhoods” designation permits a range of residential uses, including single detached dwellings.

The *Ancaster Wilson Street Secondary Plan* (Secondary Plan), in Volume 2 of the UHOP, designates the subject lands “Low Density Residential 1” (Map B.2.8-1) where permitted uses are limited to single detached and semi-detached dwellings. Additionally, the subject lands are identified in the Transition Area, a predominantly residential area linking the Secondary Plan’s Village Core and Uptown Core areas (Appendix A).

The City of Hamilton Zoning By-law No. 05-200 zones the subject lands “Low Density Residential - Large Lot (R2) Zone”, which permits single-detached dwellings.

Proposed Development

The Minor Variance and Consent to Sever applications are required to facilitate the creation of one (1) new lot for the future development of a new single detached dwelling. The existing dwelling, an Inventoried Heritage Property, detached garage and driveway are proposed to remain for the retained lot (Part 1) (refer to submitted **Concept Plan**). At this time, no new buildings or site alterations are proposed for the severed lot (Part 2), but it is intended for a future single detached dwelling. A right-of-way widening of approximately 3.0 m will be required, as confirmed by Transportation Planning Staff.

Access Review Letter

The landowners have retained Paradigm Transportation Solutions Limited (“Paradigm”) to conduct an Access Review for the proposed development, which includes retaining the existing driveway on the retained lot and establishing a new driveway on the severed lot. In summary, the letter expresses the retained and proposed driveways both provide adequate stopping sight distance and corner clearance for safe operations. The proposed single detached dwelling can be classified as a low-traffic generator and is expected to operate with minimal traffic delay. A right-in, right-out access is recommended for the proposed driveway on the severed lot to avoid conflict with the centre median for outbound-vehicles leaving the subject lands.

Refer to the full Access Review Letter prepared by Paradigm Transportation Solutions Limited, dated June 11, 2025, included in the Consent to Sever and Minor Variance application submission package.

Nature and Extent of Relief Applied For:

Two (2) Minor Variances are being sought from the City of Hamilton Zoning By-law No. 05-200, Low Density Residential - Large Lot (R2) Zone, to facilitate the Consent to Sever application. The Minor Variances are required for the severed lot only. The requested variances are as follows:

City of Hamilton Zoning By-law 05-200		
	Section	Purpose
1	15.3.2.1 a)	To allow a minimum lot area of 590.0m ² , whereas a minimum of 630.0m ² is required.
2	15.3.2.1 b)	To allow a minimum lot width of 14.0m, whereas a minimum of 18.0m is required.

PLANNING RATIONALE

Overall Conformity to the *Urban Hamilton Official Plan*

The *Urban Hamilton Official Plan (UHOP) Volume 1* identifies the subject lands as “Community Node” on Schedule E - Urban Structure and “Neighbourhoods” on Schedule E-1 - Urban Land Use Designations, which permits a range of residential uses, including single-detached dwellings (E.3.2.3). Schedule C - Functional Road Classification classifies Jerseyville Road East and Wilson Street West as a minor arterial and major arterial road, respectively.

The UHOP encourages residential intensification throughout the entire built-up area (B.2.4.1.1). Residential intensification is evaluated based on a number of criteria, including compatibility with the existing neighbourhood; contribution to the range of dwelling types and tenures; water, wastewater, and stormwater capacity availability; incorporation of sustainable elements and green infrastructure; supportive of transit and active transportation modes; community facilities/services accessibility; natural attributes retention/improvement; and, compliance with other applicable policies. The proposed development conforms with the criteria listed above through a residential lot that is compatible in scale and form and provides gentle intensification.

Policy F.1.14.3.1 outlines the criteria for lot creation within the Neighbourhoods designation. It requires both severed and retained lots to comply with UHOP policies including secondary plans, conform to the Zoning By-law or approved minor variance, the lots to reflect the general scale and character of the established development pattern in the surrounding area, be fully serviced by municipal water and wastewater systems, and have frontage on a public road. The proposed severance application and requested minor variance application are compatible with the surrounding neighbourhood fabric and designed in accordance with UHOP policies, including the *Ancaster Wilson Street Secondary Plan*. The lots are fully serviced by municipal water and wastewater systems and have frontage on public roads.

The *Ancaster Wilson Street Secondary Plan* designates the subject lands “Low Density Residential 1” where permitted uses are limited to single detached and semi-detached dwellings and a maximum height of 2.5 storeys (Vol. 2, B.2.8.7.3.a)). Additionally, the Secondary Plan Appendix “A” identifies the subject lands within the “Transition Area” and Jerseyville Road East as a “Special Character Road”. The Transition Area is envisioned to be primarily residential with limited commercial uses, while a Special Character Road encourages the existing road cross-section to be maintained to preserve the existing streetscape character and protect existing mature vegetation (Vol. 2, Ch.B.2.8.3, 2.8.13).

The Secondary Plan also directs residential infill development within established neighbourhoods to maintain and enhance the area’s character through architectural styles that are sympathetic and complementary with the existing surroundings (Vol. 2, Ch.B.2.8.7.2.a). While no new development is proposed for the severed lot at this time, future development will be required to meet policies of the Secondary Plan, including conforming to permitted uses, contributing to the characteristics of the Transition Area and Special Character Road through design, and minimizing loss of mature trees. As demonstrated on the submitted Consent Sketch, the severed lot can accommodate a buildable envelope that does not conflict with existing trees on the subject lands. Further, the property is subject to Ancaster Tree Protection By-law No. 2000-118 which will ensure the future protection of the existing trees.

The proposed creation of one (1) additional lot to facilitate a single detached dwelling along with requested variances, aligns with the policies of the UHOP and Ancaster Wilson Street Secondary Plan, and will contribute modestly to the City’s intensification targets. The proposed variances maintain the intent of the Urban Hamilton Official Plan.

Overall Conformity to the Intent of the *City of Hamilton Zoning By-law No. 05-200*

Section 15.3 of the *City of Hamilton Zoning By-law No. 05-200* includes an explanatory note for the Low Density Residential - Large Lot (R2) Zone, stating:

“The R2 Zone applies to low density residential areas where lots are predominantly larger than those in the R1 Zone and often located on roads with a rural cross section. The intent of the R2 Zone is to permit a range of low density residential housing types to meet the needs of the residents of the city.”

A Staff Report (PED22154(a)) presented to the City’s Planning Committee on February 23, 2024, explains that the R2 Zone was implemented to “recognize the established lot fabric and to maintain lot sizes in areas with rural cross sections where sufficient lot size is essential to maintain drainage patterns” (page 17 of 35). While the subject lands are in an urban/suburban setting with existing storm sewers and is not on a road with a rural cross

section, the requested variance to reduce the minimum lot area will not impact the provision of adequate landscaped area for proper drainage, upon development. As such, the variance aligns with the overall intent of the R2 Zone.

VARIANCE 1. To allow a minimum lot area of 590.0m², whereas a minimum of 630.0m² is required.

Why is it not possible to comply with the provision of the by-law?

Due to the lot's irregular shape and the location of the existing dwelling, a lot area of ±604.10m² is proposed. The proposed reduction in lot area can appropriately accommodate a single-detached dwelling. The request to further reduce the minimum lot area to 590.0m² is to provide more flexibility in the case the right-of-way widening dedication to the City is beyond 3 m in width.

1. Conformity to the Intent of the Zoning By-law

The R2 Zone permits single-detached dwellings on lots with a minimum area of 630.0m². The intent of the lot area regulation is to ensure the lot can appropriately accommodate the residential use, with sufficient setbacks, landscape area, and on-site parking, while maintaining a consistent lotting pattern. The existing streetscape consists of a variety of lot shapes and sizes. Along Jerseyville Road East between Lovers' Lane and Wilson Street East, the lot areas range from approximately ±434 m² to over ±2,000 m². The reduced lot area is not anticipated to have adverse impacts on the street and neighbourhood character. The proposed reduction in lot area maintains the intent of the Zoning By-law.

2. Is the Variance Minor?

The requested reduction in lot area from 630.0m² to 590.0m² is in keeping with the existing lot fabric and low density built form of the neighbourhood while providing sufficient space to support a future residential dwelling, promoting residential infill on serviced urban lands, and provides a safe distance between the proposed driveway and the intersection as supported in the Access Review letter prepared by Paradigm (June 11, 2025). The future residential development will be subject to the required yard setbacks and parking minimums. Accordingly, the requested variance is minor in nature.

3. Is the Variance Desirable for the development of the property?

The requested variance is desirable as it will facilitate additional housing units on existing urban lands, make efficient use of existing municipal infrastructure, and contribute to the City of Hamilton's housing supply, without adversely impacting the surrounding neighbourhood.

VARIANCE 2. To allow a minimum lot width of 14.0 m, whereas a minimum of 18.0 m is required.

Why is it not possible to comply with the provision of the by-law?

The subject lands have an overall lot frontage of 39.93m. A ± 3.0 m Right of Way widening will result in a lot frontage of ± 39.47 m, which can accommodate two (2) lots with a minimum width of 18.0m. However, to preserve the Inventoried heritage building, an irregular severance line is proposed.

Under the Zoning By-law, the lot width is measured at the required front yard, or at a distance of 6.0m if the front yard is less than 6.0m. The lot width for the severed lot is 14.26m measured at 6.0m of the front yard distance. The request to reduce the minimum lot width to 14.0m provides flexibility until the right-of-way widening is determined.

Although the variance requested is 14.0m, the technical front lot line measures 15.45m, ensuring sufficient space for a driveway, landscaped area, and building setbacks. This adjustment allows for the creation of a proportional new lot, while preserving the heritage structure and maintaining a consistent streetscape.

1. Conformity to the Intent of the Zoning By-law

The R2 Zone permits single detached dwellings on lots with a minimum lot width of 18.0 m. The intent of the lot width provision is to ensure adequate access to the property from a public road, sufficient landscaped area for drainage, and sufficient width to accommodate appropriate setbacks. The existing lot widths along Jerseyville Road East, between Lovers' Lane and Wilson Street East, range from approximately ± 15.2 m to ± 26 m. The proposed lot width of 14.0m, assuming that the right-of-way widening is 3m in width, is sufficient to provide a driveway for vehicle parking, yard setbacks, landscaped area, and a feasible dwelling footprint. The proposed lot width of 14.0m maintains the intent of Zoning By-law.

2. Is the Variance Minor?

The requested lot width of 14.0m is minor in nature as it is similar to the varying lot widths within the neighbourhood. The requested reduction will facilitate the redevelopment of an underutilized residential lot that complies with all other regulations of the by-law, except lot area.

3. Is the Variance Desirable for the development of the property?

The requested variance is desirable as both the retained and severed lot will be able to achieve all other requirements as set out by the Zoning By-law, including parking, amenity area and landscaping minimums, except for lot area. The requested reduction in the lot width will facilitate gentle residential intensification within a walkable

neighbourhood without adversely impacting the character of the streetscape, while contributing to the Transition Area of the *Ancaster Wilson Street Secondary Plan*.

Conclusion

The proposed redevelopment of 91 Jerseyville Road East to facilitate the creation of one (1) new lot for a future single detached dwelling, will establish a lot fabric and use that is appropriately scaled within the neighbourhood, will efficiently use underutilized urban lands within a complete community, and contribute towards the City's housing supply. Additionally, the proposed residential infill will enhance the Transition Area of the Ancaster Wilson Street Secondary Plan, adding to the vision of the Secondary Plan area as a picturesque and historic community, while preserving the Inventoried heritage building. The severed lot and proposed driveway location is anticipated to maintain traffic safety and acceptable traffic operations, as supported by the Access Review letter by Paradigm (June 11, 2025).

Based on the reasons set out in this rationale, the requested variances maintain the intent of the Urban Hamilton Official Plan, Ancaster Wilson Street Secondary Plan, and the City of Hamilton Zoning By-law No. 05-200, are minor in nature, are desirable for the redevelopment of the property, and represent good land use planning.

Respectfully Submitted,
LANDWISE



Jennifer Badley, BA
Planner

2025-06-11
Project: 240730

Jennifer Badley
Planner
Landwise
6-310 Limeridge Road West
Hamilton, ON L9C 2V2

RE: 91 JERSEYVILLE ROAD, CITY OF HAMILTON – ACCESS REVIEW

Paradigm Transportation Solutions Limited (Paradigm) has been retained to conduct this Access Review for a proposed residential development at 91 Jerseyville Road East in the City of Hamilton (Ancaster). **Figure 1** (attached) illustrates the site location.

This Access Review provides a description of the proposed development and an assessment of the proposed development plan, including a review of agency requirements and applicable industry guidelines.

Development Description

The subject site is located on the north side of Wilson Street/Jerseyville Road East. The property owner currently has a single-detached dwelling and is proposing to sever the lot to create an additional parcel for a second single-detached home. The existing driveway is situated at the northwest corner of the Wilson Street and Jerseyville Road East intersection. As part of the severance, the applicant intends to maintain access to Wilson Street for the retained lot while establishing a new access point to Jerseyville Road for the newly created lot.

The proposed driveway for the severed lot is approximately 25 metres west of the Jerseyville Road and Wilson Street East intersection (curb return to curb return). **Figure 2** (attached) illustrates the site concept plan.

Existing Access

Access to the existing parcel is provided via a driveway connected to Wilson Street East, located just east of the Jerseyville Road intersection. Historical aerial imagery indicates that this driveway was the property's original access point.

It is important to note that the current access does not conform to the City's spacing requirements. However, the property owners have made several upgrades to enhance driveway operations, primarily by creating an on-site turnaround area. This improvement

allows vehicles to enter and exit the property in a forward motion, thereby increasing safety for residents.

Additionally, the property has added extra on-site parking areas to accommodate visitors, which helps reduce the likelihood of conflicts caused by vehicles inadvertently parking along Wilson Street East for short durations.

As the existing access will not have traffic volumes increase as a result of the severance proposal, the existing access to Wilson Street East does not create any remarkable differences with respect to traffic operations or traffic safety along Wilson Street East when compared to adjacent properties that are afforded access to Wilson Street East.

Roadway Characteristics

Jerseyville Road East is an east-west two-lane minor arterial roadway with a posted speed limit of 50 km/h. Sidewalks are present along the north side of the road; however, there are no dedicated cycling facilities along the roadway. The intersection of Jerseyville Road East with Wilson Street East and Cameron Drive is signalized and has auxiliary left-turn lanes on all approaches.

Traffic Projections

The Institute of Transportation Engineers (ITE) Trip Generation¹ methods are used to estimate the site trip generation. The following land use codes were referenced:

- LUC 210: Single-Family Detached Housing

Data for the peak hours of adjacent street traffic were used to estimate trip generation. The average rates have been applied as the number of units proposed does not meet the minimum value to consider using the equation rates. To remain conservative, no reductions in alternative modes of transportation, internal trips, or pass-by reductions have been applied.

Table 1 summarizes the projected trip generation associated with the development build-out, which is estimated to generate approximately one trip during the Weekday peak hours. The development can be classified as a low-traffic generator.

TABLE 1: TRIP GENERATION ESTIMATES

Land Use	Units	AM Peak Hour				PM Peak Hour			
		Rat	In	Out	Total	Rate	In	Out	Total
Single-Family Detached Housing - LUC 210	1	0.70	0	1	1	0.94	1	0	1

¹ Trip Generation Manual 11th Edition + Supplement Institute of Transportation Engineers Washington DC 2020



Access Review

To assist in determining the appropriateness of the access location, the Transportation Association of Canada (TAC) Geometric Design Guide for Canadian Roads (GDGCR)² was reviewed, as well as the City of Hamilton Residential Driveway Access Approval Guide (RDAAG)³. **Appendix A** includes the RDAGG.

Driveway Width

Driveways play a crucial role in ensuring the efficient operation of the road network and providing safe, orderly access to development. Driveway designs vary depending on the land use to accommodate the primary vehicles it serves. According to TAC-GDGCR, a two-way driveway for residential land uses requires a width between 2.0 m and 7.3 m. A review of the AAG identifies that the City standard for a double-wide driveway is 5.4 m and 6.1 m.

The proposed driveway, with a width of 6.0 m, meets the required City standard and TAC-GDGCR guideline to accommodate vehicle access to the site.

Sight Distance

The proposed driveway to Jerseyville Road has been reviewed to determine sight distance, sight line availability, and provisions. The assessment was based on the methodology in the Transportation Association of Canada (TAC) Geometric Design Guide for Canadian Roads⁴.

Sight distance requirements are considered for vehicles approaching the driveway (approach sight distance, also known as stopping sight distance) along Jerseyville Road. The sight distance measurements utilize a 60 km/h design speed (i.e., 10 km/h over the posted maximum speed limit on Jerseyville Road).

The main measurements for approaching traffic were taken from within the center of either travel lane on Jerseyville Road, assuming a vehicle position perpendicular to the proposed access driveway. **Table 2** summarizes the sight distance requirements for a 60 km/h design speed.

TABLE 2: REQUIRED SIGHT DISTANCE CRITERIA

Sight Distance Criteria	Sight Distance Requirement
	Design Speed (60 km/h)
Minimum Stopping Sight Distance ¹	85
Notes:	
1 TAC Guide. June 2017. Table 2.5.2: Stopping Sight Distance on Level Roadways for Automobiles	

² Geometric Design Guide for Canadian Roads, Transportation Association of Canada, 2017

³ City of Hamilton, Residential Driveway Access Approval Guide, 2025

⁴ Transportation Association of Canada Geometric Design Guide for Canadian Roads, 2017



For vehicles approaching the proposed driveway, the minimum stopping sight distance is the distance required for the approaching vehicle to stop safely and avoid a collision. Stopping sight distance is the sum of a motorist's distance during the perception and reaction time and the braking distance. Stopping sight distance is measured from the standard driver eye height of 1.05 metres to a fixed object 0.60 metres off the roadway's surface. **Table 3** summarizes the available and TAC-recommended sight distances for an approaching vehicle with a 60 km/h design speed. **Figure 3 (attached)** includes a visual depiction of the sight distance plots.

TABLE 3: SIGHT DISTANCE ANALYSIS

Driveway	Approaching Movement	Available Sight Distance Measured (m)	TAC Sight Distance Requirement (m)	Sight Distance Summary
Proposed Driveway	Eastbound Vehicle	170+	85	Adequate
	Westbound Vehicle (from Wilson)	70	85	Adequate ¹
	Westbound Vehicle (from Cameron)	85	85	Adequate
<p><i>Notes:</i></p> <p><i>1 To the east of the proposed driveway connection, Jerseyville Road terminates at the intersection with Wilson Street East. This section of roadway provides for unobstructed sight lines for left and right turning traffic from Wilson Street onto Jerseyville Road. Given the short segment length, the sight distance to the east of the driveways are noted to be adequate.</i></p>				

The following summarizes the review:

- ▶ Approaching from the west, the proposed driveway meets eastbound vehicles' approaching sight distance requirement.
- ▶ Approaching from the east (westbound drivers), the proposed driveways are located sufficiently to provide adequate sight distance for westbound drivers based on the following rationale:
 - Jerseyville Road intersects with Wilson Street East, providing a short length of approximately 25 metres until the first conflict point (Proposed Driveway) is encountered.
 - Unobstructed sight lines to Wilson Street East are provided.
 - The proposed development is noted to be a low-volume generator.
 - The available sight distance for the length of the segment should be sufficient to accommodate right and left turns from Wilson Street East onto Jerseyville Road. The typical assumption based on Chapter 9.9.2.3 of TAC-GDPCR (Case C2 – Left-and Right-Turn Maneuvers) is that drivers making a left and right turn without stopping will slow to a turning speed of 16 km/h, equating to an approaching sight distance of 34 metres. It is noted that the proposed driveway provides for stopping sight distance that meets this requirement.



Corner Clearance (TAC-GDGCR)

Section 8.8.1 of the TAC-GDGCR guidelines outlines that corner clearance is the distance from an intersection to the nearest access upstream or downstream. Corner clearance is measured from the near curb of the cross roadway to the near edge of the access throat. It consists of three components: the curb return radius at the intersection, the length of the tangent, and the curb return radius or flare dimension at the driveway.

Jerseyville Road is classified as an arterial roadway, so the minimum corner clearance permitted for the access is 70 m. The proposed access is 25 m west of the Wilson Street East and Cameron Drive intersection (measured curb return to curb return); it does not meet the TAC's minimum corner clearance guidelines.

Even though the corner clearance has not been met, the proposed access location has been designed to provide the maximum separation from the intersection of Wilson Street East and Jerseyville Road.

Given the property's limited frontage on Jerseyville Road, there are no other viable locations for access. It is recognized that this situation is not unusual for other sections along the Wilson Street East corridor:

- ▶ 240 Wilson Street East - Access to a commercial plaza has a driveway connection located 30 metres west of the Wilson Street East and Halson Street intersection, falling short of the 70-metre corner clearance guideline for signalized intersections.
- ▶ 111 Wilson Street East - Access to a 10-unit townhouse development has the driveway connection located 55 metres east of the Wilson Street East and Jerseyville Road intersection, falling short of the 70-metre corner clearance guideline for signalized intersections.
- ▶ 3 Wilson Street East—Access to a medical clinic has a driveway connection located 25 metres east of the Wilson Street East and Fiddlers Road intersection, which falls short of the 70-metre corner clearance guideline for signalized intersections.
- ▶ 5,9,11 Jerseyville Road - Access to three single-family detached dwellings share a single driveway connection to Jerseyville Road located 16 metres west of the Jerseyville Road and Fiddlers Green intersection, falling short of the 35-metre corner clearance guideline for stop-controlled intersections.

It is also worth noting that the TAC guidelines recognize that it may not be feasible to provide suggested minimum corner clearances with small corner parcel sizes and legal requirements for access provisions. In these situations, engineering judgement and understanding of traffic operations should be used to determine the most suitable access layout.



Corner Clearance at Minor Intersections (TAC-GDGCR)

Section 8.8.2 of the TAC-GDGCR guidelines outlines that minimum-use driveways are classified as land uses that generate less than 25 vehicles per day, such as those serving single-family residential land uses.

Short tangent separations are acceptable for these land uses as the driveway and roadway volumes are usually low. TAC-GDGCR outlines that the minimum corner clearance at minor intersections would be about 11 metres. As the proposed driveway is noted to provide a corner clearance of 25 metres, the corner clearance guideline for minor intersections is met.

Intersection Spacing (RDAGG)

The specific spacing criteria of the proposed driveway to Jerseyville Road were reviewed against the City's RDAGG. Page 2 of the RDAGG states the following concerning intersections/corner properties:

"No portion of the driveway is permitted within the sightline triangles, which is the greater of:

- ▶ *7.6 metres from the point of intersection of the projected curb lines, or;*
- ▶ *the following distances measured from the property line dividing the residential lot from the road allowance of an intersecting street.*
 - *4.5 metres (local road intersection with local road),*
 - *9.0 metres (collector road intersecting with local or collector)*
 - *15 metres (any intersection with an arterial road)"*

The proposed driveway is outside the sightline triangle at Jerseyville Road and Wilson Street East and more than 15 metres away from the arterial intersection of Jerseyville Road and Wilson Street East, which complies with the City's intersection spacing standard.

Operations

From an operational standpoint, the proposed driveway is expected to operate with acceptable operations and minimal delay, given that the severed lot can be classified as a low-volume traffic generator.

However, given the proposed driveways' location in relation to the centre median along Jerseyville Road and the angle of the eastbound left turn lane at Jerseyville Road and Wilson Street East, left-turning vehicles out of the driveway are likely unable to complete the left-turn movement adequately. This results from insufficient space to accommodate the vehicle's turning radii without conflicting with the centre median. As noted by TAC-GDGCR, the required space required to complete a U-turn type of movement for a typical passenger vehicle is 12.1 metres⁵. Additionally, the queues created by the Wilson Street East signal will likely spill back

⁵ Transportation Association of Canada Geometric Design Guide for Canadian Roads, 2017, Table 9.19.1



and block the Proposed Driveway, which may create long delays for vehicles exiting the development.

As a result, to avoid the potential for outbound vehicles to create unsafe movements along Jerseyville Road, it is recommended that the proposed driveway be restricted to right in/out access. This can be completed by extending the existing centre median along Jerseyville Road across the Proposed Driveway. Further, restricting the Proposed Driveway to the right in/out will not impact the development's site circulation as to the west, Fiddlers Green connects to Jerseyville Road, providing an alternative route to/from Wilson Street East.

Conclusions

The subject site, located on the northwest side of Wilson Street and Jerseyville Road, currently contains a single detached dwelling. The property owner proposes to sever the lot in order to create an additional parcel for a second single-detached home. The existing single-family detached dwelling on the east portion of the lands will continue to be accessed via the existing driveway connected to Wilson Street East, located just east of Jerseyville Road. The property owners have made improvements by adding an on-site turnaround, allowing for safer forward movement of vehicles. Additional parking areas have also been created to accommodate visitors and to reduce conflicts caused by parking on Wilson Street East. The proposed severance application will not affect the traffic volume at the existing driveway and will continue to operate as it does currently.

Access to the severed parcel will be provided through a single driveway connection to Jerseyville Road East, situated approximately 25 meters west of the intersection of Jerseyville Road and Wilson Street (curb return to curb return). During peak hours, the projected traffic at the proposed driveway is expected to be a one-vehicle trip. We have reviewed the proposed location for the driveway on Jerseyville Road and find it appropriate. Given that the development can be considered a low-volume generator, the location does not appear to create any significant impacts or issues related to traffic operations, design considerations, or traffic safety along Jerseyville Road.

However, the proposed driveway's placement relative to the center median on Jerseyville Road, along with the angle of the eastbound left turn lane at the intersection of Jerseyville Road and Wilson Street East, suggests that outbound vehicles wanting to proceed east along Jerseyville Road may have difficulty completing the maneuver safely. This challenge stems from the limited space available to accommodate the vehicle's turning radius without interfering with the center median.

To mitigate potential safety concerns arising from this left turn, access to the proposed driveway should be restricted to right-in/right-out turns only. This can be accomplished by extending the existing center median along the proposed driveway's frontage.



We trust that the preceding information addresses your requirements. Please do not hesitate to contact us if we can further assist.

Yours very truly,

PARADIGM TRANSPORTATION SOLUTIONS LIMITED



Adam J. Makarewicz
Dipl. T., C.E.T., LET, MITE
Senior Project Manager



Professional Engineers
Ontario

Licensed Engineering Technologist

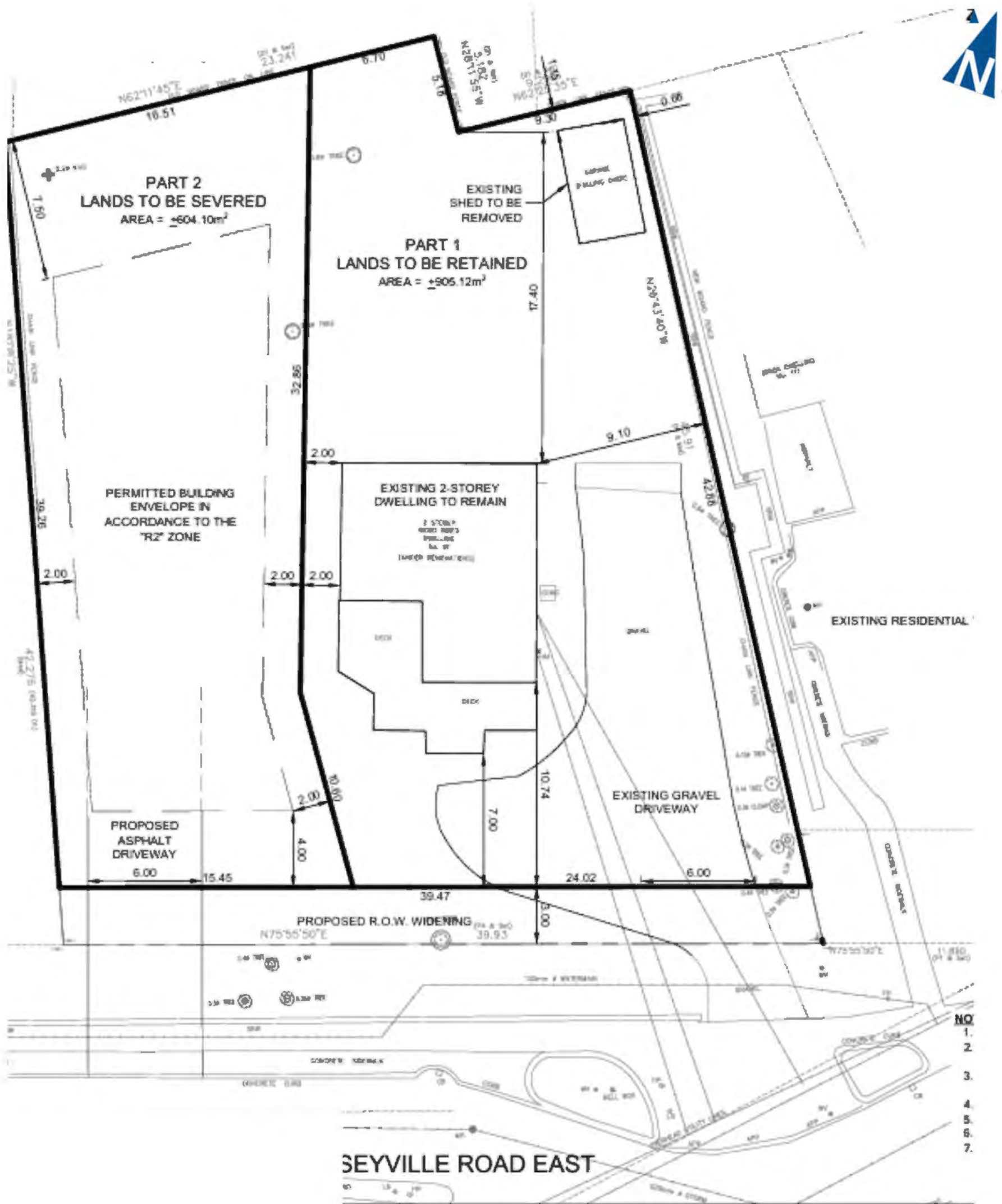
Name: A. J. MAKAREWICZ

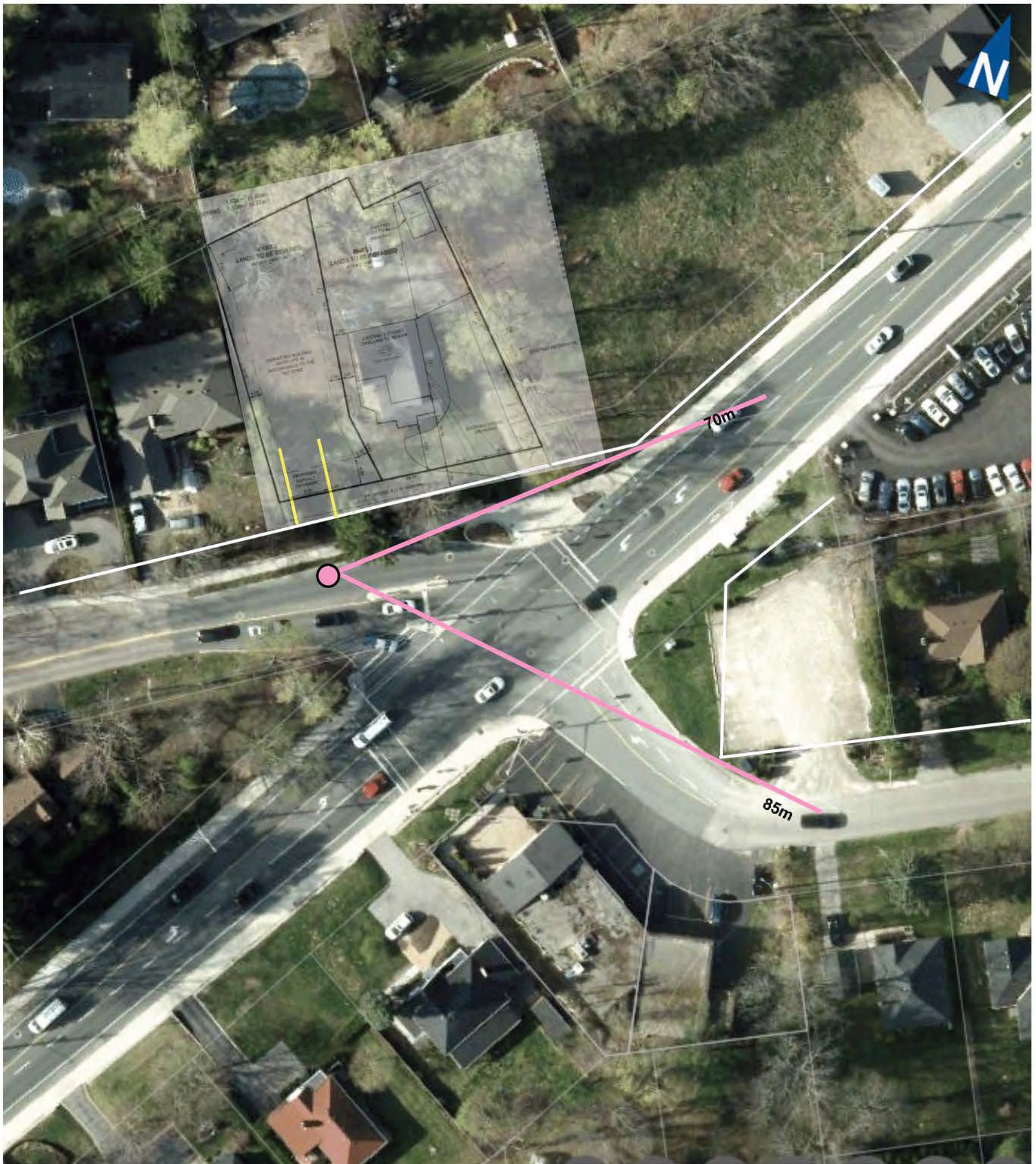
Number: 100574092

Limitations: Development of traffic impact and transportation planning studies, and reporting recommendations for associated transportation system improvements. **2025-06-11**

Association of Professional Engineers of Ontario







Not to Scale

Appendix A

CITY OF HAMILTON, RESIDENTIAL DRIVEWAY ACCESS APPROVAL GUIDE, 2025



Residents are required to obtain approval to construct or widen a driveway access across the municipal boulevard connecting legal parking spaces on your property to the City street.

All driveways, regardless of new construction or modification solely on your property, are subject to the zoning for your property. The issuance of access approval does not suggest the approval for property land use. It is the applicant's responsibility to determine the land use conforms to the Zoning Bylaws or is subject to Site Plan Control. Contact the Development Planning Section for clarification (905) 546-2424 ext. 1355 or 2799.

Typical Driveway Dimensions

Parking spaces are typically 2.7 – 3.0 metres wide by 6.0 metres long. Parking spaces must be accommodated entirely on your property*. Required parking spaces for site plans/building permits are subject to the Zoning requirements for your property.

City standards allow single wide driveway approaches 2.7 – 3.6 metres wide and double wide approaches 5.4 – 6.1 metres wide, not including flared transitions into the roadway. This applies to the portion of the driveway on City property, the portion of driveway on private property is subject to the Zoning By-Law.

The portion of the driveway on the municipal boulevard must be perpendicular to the road.

*If your property is in what was the City of Hamilton prior to amalgamation, you may be eligible to install a driveway with the parking space encroaching on the City boulevard. See the Boulevard Parking Requirements & Acknowledgement Form for more information.

Establish limitations for your property:

Determine your Zoning

- Enter your address in the search at the top of the [interactive map](#).
- Click somewhere on your property away from the address pin to open the zoning details. You will need your Zoning Code and Parent By-law Number.
- Click on the Parent By-law URL link to go to the City's Zoning By-laws where you can research the requirements for your Zone in your Zoning By-Law.

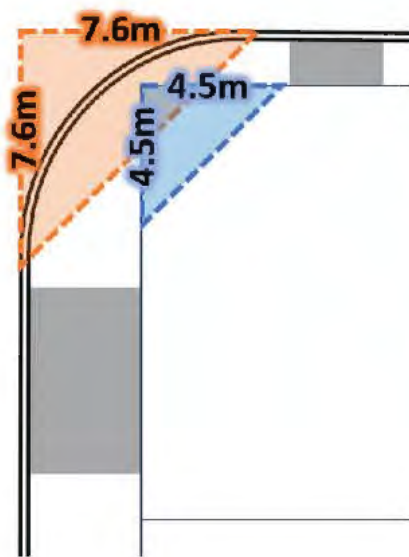
Determine your Property Lines

- Back on the Interactive Zoning Map, zoom into your property.
- Apply an Airphoto from the Basemap Gallery in the tool bar at the bottom of the map.

- Using the Measure function from the same tool bar, you can get an approximate measurement from the back of curb or back of sidewalk to your front property line. Similarly, your side property lines can be estimated by measuring from your house, fence, shed etc.
- Historic surveys or site plans may be available through the [land registry](#) for a nominal fee to facilitate more accurate determination of property lines.

Your driveway cannot cross the extension of your side lot line, in that your driveway cannot cut in front of the neighboring property.

Intersections/Corner Properties



No portion of the driveway is permitted within the sightline triangles, which is the greater of:

- 7.6 metres from the point of intersection of the projected curb lines, or;
- the following distances measured from the property line dividing the residential lot from the road allowance of an intersecting street.
 - 4.5 metres (local road intersection with local road),
 - 9.0 metres (collector road intersecting with local or collector)
 - 15 metres (any intersection with an arterial road)

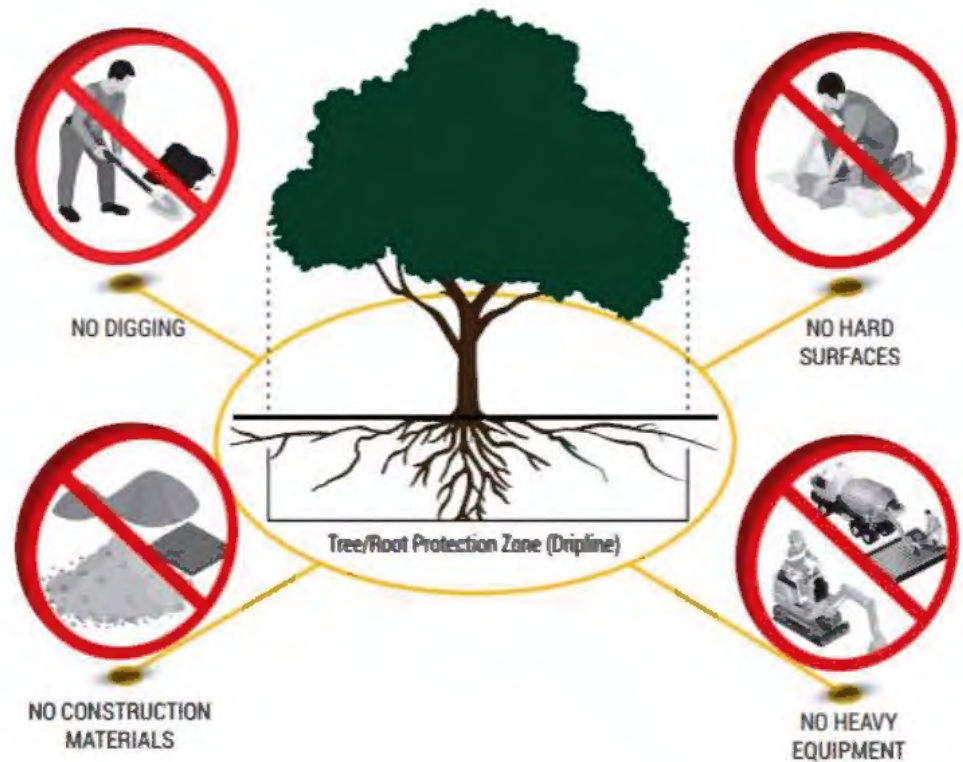
Public Infrastructure

Driveways are not permitted within 1.0 metre of public infrastructure including, but not limited to; fire hydrants, utility boxes, streetlight/utility poles and signs.

Trees

If there is a tree dripline within 1.0 metre of your proposed driveway that is:

- a City tree on the municipal boulevard.
- a private tree subject to either the Dundas Tree Protection By-Law or the Ancaster Tree Protection By-Law. (If you are unsure if one of these by-laws applies contact Property Standards at 905-546-2424 ext. 2782.)



You require approval from City Forestry, in writing, as part of your driveway application. Contact Forestry at urbanforest@hamilton.ca.

Damage to public trees can result in fines up to \$10,000.

Doors & Stairs

An unobstructed 1.0 meter minimum of clear space is required in front of the full width of an egress door, stair or ramp access. Your parking space cannot encroach on this area. E.g. if you wish to widen your driveway in front of your door, the section of driveway from the door would need to be at least 7 meters long from the door to the property line for a 6 meter long parking space.

Prepare your diagram:

All applications require a site plan/property diagram which must:

- Include the property address.
- Be fully legible when printed on a 8.5 x 11 page
- Be to scale, all components of the drawing must be proportional to one another.
- Clearly show all structures and landscaped features in proximity to the driveway, including the curb/street edge, sidewalks, trees, raised planting beds, porches, sheds, fences, garages etc.
- Show all property lines.

- Any right of way and/or easements.
- Include labels for all key features.
- Clearly distinguish between any existing driveway and the proposed.
- All key dimensions in **METRES** to one decimal place (e.g. 3.4 m), including but not limited to:
 - Width of driveway
 - Length of driveway from back of sidewalk to house/garage/end.
 - Length of driveway from property line to house/garage/end.
 - Width of driveway.
 - Shortest distance from driveway to nearest property line
 - Distance from driveway to any trees or utilities.

Complete the [application form](#) and submit to parking@hamilton.ca.

You will be required to pay a non-refundable application fee of \$472 (incl. HST) prior to your application being reviewed.

You will also be responsible for all costs associated with the City installing/modifying the approach ramp, in addition to any private costs incurred to construct/modify the driveway itself.

Upon issuance of an access permit, the City's Public Works Department will provide a cost estimate to install (or widen an existing) driveway access ramp. The cost estimate will be provided directly to the property owner. A single driveway approach ramps typically cost between \$1,500 and \$2,000 whereas a two-vehicle driveway approach ramp typically is between \$2,000 and \$2,500. The actual cost will vary depending on the work involved.

Approach ramps must be completed by the City. Applicants are not permitted to hire their own contractor for approach construction. Approach ramp construction is seasonal, generally from April to November. Applications submitted after August 1 are generally installed in the following year's construction season.

False information or missing information will result in delays as we clarify your application. Delays in approval of your application for Access Permit, can be mitigated by your diligence in following this guide.

Application Checklist

- ☐ Confirmed zoning requirements for your driveway including permitted width, parking space size, location with respect to the house/garage, and greenspace.

- ☐ Confirmed your property lines.
- ☐ Portion of driveway on the municipal boulevard is 2.7-3.6 m, or 5.4-6.1 m wide.
- ☐ Proposed driveway is not within an intersection sightline triangle.
- ☐ Checked requirements for any trees whose dripline is within 1.0 m of proposed work.
- ☐ Confirmed no public infrastructure within 1.0 m of proposed work.
- ☐ Property diagram meeting all listed requirements.

Submit to parking@hamilton.ca.



Hamilton

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

Phone: (905) 546-2424 ext. 4221
Email: cofa@hamilton.ca

APPLICATION FOR A MINOR VARIANCE/PERMISSION
UNDER SECTION 45 OF THE *PLANNING ACT*

1. APPLICANT INFORMATION

	NAME	
Registered Owners(s)	Robert Wilkins	
Applicant(s)	Matthew Kuhlmann Kirby Wilkins	
Agent or Solicitor	Landwise c/o Jennifer Badley	

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	91 Jerseyville Rd E		
Assessment Roll Number	14024045000000		
Former Municipality	Ancaster		
Lot	43	Concession	2
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:

1. To allow a minimum lot area of 590.0m², whereas a minimum of 630.0m² is required.
2. To allow a minimum lot frontage of 15.3m, whereas a minimum of 18.0m is required.

☐ Second Dwelling Unit

☐ Reconstruction of Existing Dwelling

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

Refer to the Planning Rationale

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
39.93m	±39.26m (shortest)	1,628m ²	Unknown

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 Detached	13.74m	20.53m	15.80m	Approx. 1850
Detached Garage	+36m	1.15m	0.98m	Unknown

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
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
Single Detached	±100m ²	Unknown	2	Unknown

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
N/A				

- 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.):
Residential; single detached dwelling

4.9 Existing uses of abutting properties (single detached dwelling duplex, retail, factory etc.):
North and west: single detached dwellings; East: townhouses; South: commercial plaza/ single detached dwellings

7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:

Since May 3, 2021

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

Single Detached Dwelling

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

Single Detached Dwelling

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

100+ 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) Neighbourhoods

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

Please refer to the Minor Variance Rationale prepared by Landwise

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

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: _____

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: To be submitted with a concurrent consent to sever application.

8 ADDITIONAL INFORMATION

8.1 Number of Dwelling Units Existing: 1

8.2 Number of Dwelling Units Proposed: 2

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

Please refer to Planning Rationale

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
-
-

**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	
Purchaser*	Matthew Kuhlmann Kirby Wilkins	
Registered Owners(s)	Robert Wilkins	
Applicant(s)**	Matthew Kuhlmann Kirby Wilkins	
Agent or Solicitor	Landwise c/o Jennifer Badley	

*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 ☐ Owner
☐ Applicant ☒ Agent/Solicitor

1.3 Sign should be sent to ☐ Purchaser ☐ Owner
☐ Applicant ☒ 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	91 Jerseyville Road East		
Assessment Roll Number	14024045000000		
Former Municipality	Ancaster		
Lot	43	Concession	2
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

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

- | | |
|---|--|
| <input checked="" type="checkbox"/> creation of a new lot(s) | <input type="checkbox"/> concurrent new lot(s) |
| <input type="checkbox"/> addition to a lot | <input type="checkbox"/> a lease |
| <input type="checkbox"/> an easement | <input type="checkbox"/> a correction of title |
| <input type="checkbox"/> validation of title (must also complete section 8) | <input type="checkbox"/> a charge |
| <input type="checkbox"/> cancellation (must also complete section 9) | |
| <input type="checkbox"/> 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:

Kirby Wilkins and Matthew Kuhlmann

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

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:	PART 1	PART 2			
Type of Transfer	N/A	Creation of a new lot			
Frontage	±24.02m	±15.45m			
Depth	±39.26m (shortest)	±42.88m (shortest)			
Area	±905.12m ²	±604.10m ²			
Existing Use	Residential	Residential			
Proposed Use	N/A	Residential			
Existing Buildings/ Structures	2-Story Single Detached / Detached Garage	None			
Proposed Buildings/ Structures	None	None			
Buildings/ Structures to be Removed	None	None			

* Additional fees apply.

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): _____

Rural Settlement Area: _____

Urban Hamilton Official Plan designation (if applicable) Neighbourhoods

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

The proposed residential intensification provides an appropriate housing form aligned infill policies and low-density residential policies of the Urban Hamilton Official Plan.

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) Zone

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.

To be submitted with a concurrent minor variance application.

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	<input type="checkbox"/>	
A land fill	<input type="checkbox"/>	
A sewage treatment plant or waste stabilization plant	<input type="checkbox"/>	
A provincially significant wetland	<input type="checkbox"/>	
A provincially significant wetland within 120 metres	<input type="checkbox"/>	
A flood plain	<input type="checkbox"/>	
An industrial or commercial use, and specify the use(s)	<input type="checkbox"/>	
An active railway line	<input type="checkbox"/>	
A municipal or federal airport	<input type="checkbox"/>	

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.

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

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.

6.4 How long has the applicant owned the subject land?

Since May 3, 2021

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.

159 Marigold Crt; 426 Wilson St E

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 Planning Rationale

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

☒ Yes ☐ No (Provide explanation)

Refer to Planning Rationale

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

☒ Yes ☐ No (Provide explanation)

Refer to Planning Rationale

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

☐ Yes ☒ No (Provide explanation)

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

☐ Yes

☒ No

(Provide explanation)

7.6 Are the subject lands subject to the Greenbelt Plan?

☐ Yes

☒ No

(Provide explanation)

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

☐ Yes

☒ No

(Provide explanation)

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):
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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)
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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
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