



Hamilton

## COMMITTEE OF ADJUSTMENT

City Hall, 5<sup>th</sup> floor, 71 Main Street West, Hamilton, ON L8P 4Y5

Telephone (905) 546-2424, ext. 4221

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

### **NOTICE OF PUBLIC HEARING** **Minor Variance**

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**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
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<b>APPLICATION NO.:</b>	<b>A-25:116</b>	<b>SUBJECT PROPERTY:</b>	103 Emerald Street South, Hamilton
<b>ZONE:</b>	"E" Districts (Multiple Dwellings, Lodges, Clubs, etc.)	<b>ZONING BY-LAW:</b>	Hamilton Zoning By-law 6593

**APPLICANTS:** Owner: 2563239 Ontario Inc c/c Jon Pilon  
Agent: MHBC Planning c/o Andrew Hannaford and Gerry Tchisler

The following variances are requested:

1. The minimum number of required parking spaces shall be 0.8 spaces per dwelling unit instead of the minimum required 1.25 parking spaces per dwelling unit.
2. The minimum number of visitor parking spaces shall be 0.05 spaces per dwelling unit instead of the minimum required 0.25 visitor parking spaces per dwelling unit.
3. No loading facilities shall be provided instead of the minimum required one (1) loading space measuring 18.0 metres in length x 3.7 metres in width x 4.3 metres in height for a Multiple Dwelling consisting of 30 - 100 dwelling units.

**PURPOSE & EFFECT:** To permit the establishment of five (5) new dwelling units within the existing building.

**Notes:**

- i. The lands are subject to Site Plan Control

## A-25:116

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

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

<b>DATE:</b>	<b>Thursday, September 4, 2025</b>
<b>TIME:</b>	<b>1:35 p.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>City Hall Council Chambers (71 Main St. W., Hamilton)</b>
	<b>To be streamed (viewing only) at</b> <a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a>

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

- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Visit Committee of Adjustment staff at 5<sup>th</sup> floor City Hall, 71 Main St. W., Hamilton

### PUBLIC INPUT

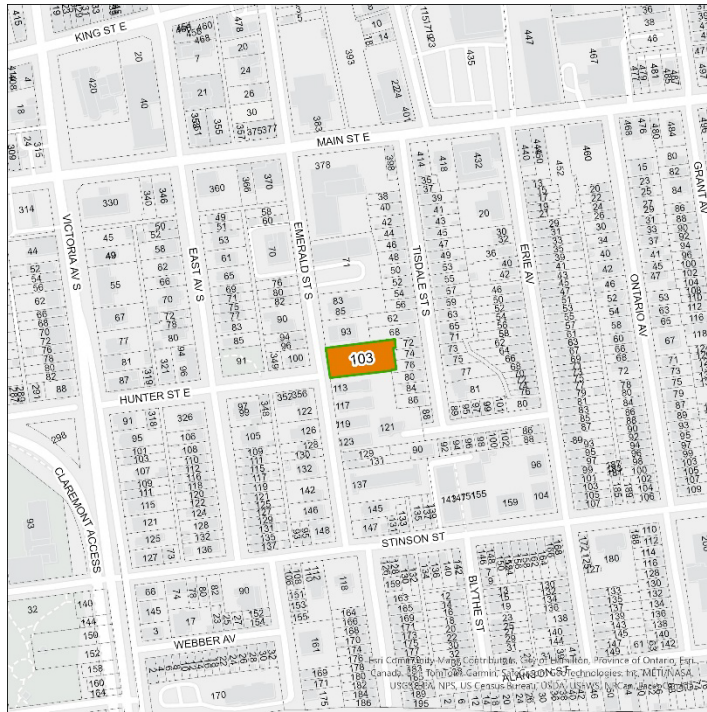
**Written:** If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Please see attached page for complete instructions, written comments must be received no later than noon September 2, 2025

**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 September 3, 2025

### FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding A-25:116, you must submit a written request to [cofa@hamilton.ca](mailto:cofa@hamilton.ca) or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.

If you wish to be provided a Notice of Decision, you must attend the Public Hearing and file a written request with the Secretary-Treasurer by emailing [cofa@hamilton.ca](mailto:cofa@hamilton.ca) or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.



Subject Lands

DATED: August 18, 2025

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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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## COMMITTEE OF ADJUSTMENT

City Hall, 5<sup>th</sup> floor, 71 Main Street West, Hamilton, ON L8P 4Y5

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

## PARTICIPATING PROCEDURES

### 1. 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 deadline date for written comment submissions listed on the Notice of Public Hearing.

#### How to Submit Written Comments:

##### By Email:

Send to: [cofa@hamilton.ca](mailto: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.

### 2. 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.

### 3. 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.

#### 4. Virtual Oral Submissions

To participate virtually, you must register by 12:00 p.m. (noon) on the virtual oral submissions registration deadline date. This is listed on the Notice of Public Hearing.

- 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.

#### 5. 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](mailto:cofa@hamilton.ca) **by 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:**

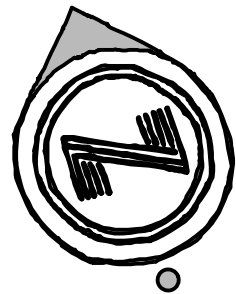
Presenters attending in person may be granted permission to use the presentation screen. Presentations must be brought on a USB device and opened by the owner/applicant. A copy of the presentation must also be sent to [cofa@hamilton.ca](mailto:cofa@hamilton.ca) **by 12:00 p.m. (noon) on the business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

#### 6. 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](mailto:cofa@hamilton.ca) or call 905-546-2424 ext. 4221.**

EMERALD STREET SOUTH



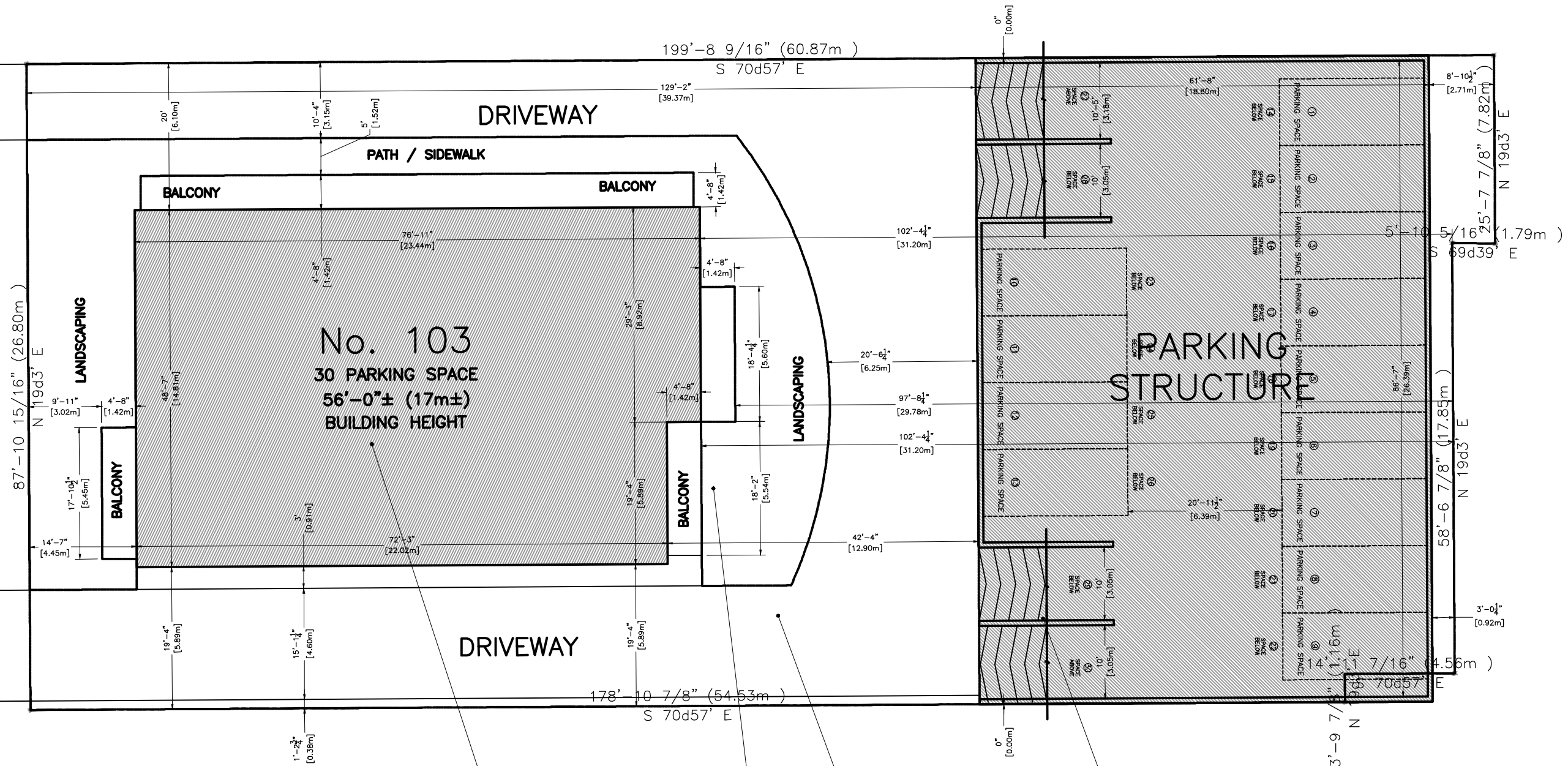
Site plan and COA notes:

All overhangs are 16" (0.41m) unless specifically noted.  
All eave troughs project an additional 5" (0.13m) beyond the roof overhangs.  
All garage doors are a min 8'x7' (2.44mx2.13m) opening.  
All garage doors project into the garage interior space by no more than 2" (0.05m).  
Typical garage steps into dwelling are 10" (0.25m) run (projection) and 48" (1.22m) wide.

A

V01

SCALE 1/16" = 1'-0"





June 6, 2025

Justin Leung, Secretary Treasurer  
Committee of Adjustment  
City of Hamilton  
71 Main Street West, 5<sup>th</sup> Floor  
Hamilton, Ontario L8P 4Y5

Dear Mr. Leung:

**RE: Application for Minor Variance  
103 Emerald Street South, Hamilton  
Our File: 25110A**

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On behalf of our client, Endless Property Holdings (the "Owner"), we are pleased to submit this application for Minor Variance for the property municipally addressed as 103 Emerald Street South in Hamilton (the "Subject Lands"). This letter provides an overview of the redevelopment proposal, as well as a justification and rationale in support of the requested variances. The proposal will, along with general building renovations, increase the number of residential dwelling units from 30 to 35 while maintaining the existing parking count of 30. The proposed renovations are to occur entirely within the existing building structure, with no other changes proposed to the site.

In support of these application, please find enclosed the following:

- One (1) copy of the completed Minor Variance Application form; and.
- One (1) copy of the Site Plan, prepared by Virtual Creations Inc.

Payment to the City of Hamilton in the amount of \$4,015.00 being the municipal application fee will be submitted following confirmation of application receipt.

### **Site Context**

The Subject Lands are located on the east side of Emerald Street, immediately east of Hunter Street, and between Main Street and Stinson Street. The Subject Lands have 26.75 metres of frontage along Emerald Street South, and a total area of 1591.9 square metres. The Subject Lands are currently occupied by an existing 6-storey (~17.0 metre) apartment building constructed in the 1960s. The existing building contains ~2,371.4 square metres of residential GFA, and 30 dwelling units. The existing building provides for 28 resident parking spaces and 2 visitor parking spaces in a small two level parking deck at the rear of the building, accessed by two one-way driveways from Emerald Street South which run along either side of the building.

The existing building comprises 6 storeys with 30 existing units. The existing basement level contains no residential units, and provides for a utility room, workshop, management office, laundry room, and several large unfinished rooms. The basement level is largely vacant, and represents underutilized space which could be repurposed to provide a benefit to the community as additional space for housing.



Immediately north of the Subject Lands is a 5-storey apartment building. A mix of apartment, office, and institutional uses exist along Emerald Street towards Main Street to the north. Immediately south of the Subject Lands is a 4-storey apartment building, followed by a mix of apartment and single-detached residential uses to the south along Emerald Street towards Stinson Street. To the east of the Subject Lands (immediately to the rear) is Tisdale Street, which consists of a mix of single detached and apartment residential uses. The Subject Lands are located at the terminus of Hunter Street, which runs to the west and consists of a mix of single detached and apartment residential uses.

The Subject Lands are located within the Stinson Neighbourhood of the City of Hamilton. Within walking distance of the Subject Lands are several neighbourhood parks (Carter Park, Bishops Park, etc), community centres (Central Memorial), and schools (St. Patrick's Catholic Elementary). The Subject Lands are additionally located within walking distance of daily commercial needs, such as pharmacies, grocery stores, and restaurants. The Subject Lands are well served by existing transit, including HSR Route 1 along Main Street, and Routes 5 and 12 along Stinson Street. The Subject Lands are also a short 10-minute walk away from the future Wellington Street LRT Station.

### **Summary of the Proposal**

The proposed redevelopment intends to renovate unused and underutilized space within the basement of the existing building footprint, and replace this space with new residential units in order to increase the number of rental residential units provided. Within the basement, unused vacant, management office, and workshop space is to be replaced by 5 new rental residential units, with reconfigured utility and laundry rooms to continue to serve the existing building and units. New window wells are to be added to the basement level to serve the new lower level units, as detailed on the architectural plans provided.

Aside from general building renovations, no changes to the existing building structure or footprint are proposed to accommodate the new residential units. The existing supply of 30 vehicular parking spaces is to be maintained, with no new parking proposed or changes to the site proposed as part of the redevelopment.

### **Description of the Current Official Plan Designation and Zoning**

The Subject Lands are currently designated Neighbourhoods within the Urban Hamilton Official Plan, which permit medium and high density uses, including multiple dwellings.

The Subject Lands are zoned High Density Multiple Dwellings (E) in the former City of Hamilton Zoning By-law 6593. The E Zone permits multiple dwellings, with regulations for height, yard setbacks, density, landscaped area, and minimum parking.

As the existing buildings were constructed prior to the current consolidation of former By-law 6593, several of the existing site conditions, prior to redevelopment, do not comply with the applicable zone provisions. Accordingly, 4 variances are proposed, 3 of which regularize existing site conditions and are not associated with the proposed intensification. The remaining variance would be required to regularize existing site conditions, but is further impacted by the proposed intensification.

### **Description of the Requested Variances**

The purpose of this Minor Variance application is to obtain relief from several of the existing zoning provisions applicable to the Subject Lands in the former City of Hamilton Zoning By-law 6593, to recognize and permit existing site conditions, as well as minor reductions because of the proposed development.



1. To permit a minimum parking rate for multiple dwellings of 0.80 resident spaces per dwelling unit, whereas By-law 6593 requires a minimum parking rate of 1.25 resident spaces per dwelling unit.
2. To permit a minimum parking rate for multiple dwellings of 0.05 visitor spaces per dwelling unit, whereas By-law 6593 requires a minimum parking rate of 0.25 visitor spaces per dwelling unit.

The former Hamilton By-law 6593 requires a minimum parking rate for Multiple Dwellings of 1.25 resident spaces and 0.25 visitor spaces per dwelling unit. 103 Emerald Street currently provides a parking rate of 0.93 resident spaces per unit and 0.06 visitor spaces per unit. With the introduction of 5 additional dwelling units through the proposed development, the provided parking rate will decrease to 0.85 resident spaces per unit and 0.05 visitor spaces per unit. The existing building currently provides less resident and visitor parking than the requirements of By-law 6593.

In 2023, the City of Hamilton approved reduced parking standards City-wide for all properties subject to Zoning By-law 05-200. These reduced standards remove the minimum residential parking requirement within Parking Rate Area 1 and reduce the required visitor parking to a minimum of 2 spaces plus 0.05 per unit. The Subject Lands, as they are subject to the former By-law 6593, were not subject to the reduced parking standards, however, the proposed modified parking rate is in general accordance with the new City-wide parking standards.

As the proposed development involves renovation of the existing building, no new parking spaces are proposed and the existing 30 parking spaces are proposed to remain. The Subject Lands are unable to accommodate any additional surface parking on site, therefore this variance seeks to permit the introduction of additional residential units without any increase in on-site parking. The Subject Lands are well-suited for a reduced parking requirement, not only as it is an existing site condition, but also due to their position within the City. The Stinson neighbourhood provides for frequent transit service, multiple transportation options including walking, cycling, bike share, e-scooters, and buses, as well as convenient access to community amenities and the downtown core as discussed above.

This variance therefore both seeks to regularize the existing site conditions, as well as permit a minor reduction in the required minimum parking rate in keeping with the existing site condition and the City's revised approach to minimum parking requirements in By-law 05-200.

3. To permit 0 loading spaces be provided for a multiple dwelling having greater than 30 units, whereas By-law 6593 requires a minimum of one loading space having minimum dimensions of 18.0 metres in length and 3.7 metres in width.

The former Hamilton By-law 6593 requires a minimum of one loading space for multiple dwellings with 30-100 dwelling units, having a minimum dimension of 18.0 metres in length and 3.7 metres in width. 103 Emerald Street currently provides for 0 loading spaces. As the proposed development involves renovation of the existing building, no new parking or loading spaces are proposed. The lack of a loading space is an existing condition which has been in place and functionally operating for several decades. It is further noted that the City's current Zoning By-law 05-200 contains no provisions requiring loading spaces for Multiple Dwellings. This variance seeks to regularize the existing site condition.

No additional variances are required to permit the proposed development.

## **Analysis and Justification**

Section 45(1) of the *Planning Act* identifies four tests which must be satisfied in order for the requested minor variances to be approved. The proposed variances both individually and cumulatively meet the four tests, as demonstrated in the analysis below.

### ***a) The variances maintain the general intent and purpose of the Official Plan***

The requested variances are required to permit the proposed intensification of the Subject Lands through the proposed interior renovations to accommodate 5 new rental residential units.

Of the requested variances, the majority are required to recognize the existing site conditions. The existing development conforms to the Urban Hamilton Official Plan, as the Subject Lands are designated Neighbourhoods and Medium Density Residential which permits the current multiple dwelling uses. The proposed renovation of underutilized interior space to new residential units will result in a slight reduction in the provided parking ratio, and will remain in conformity with the Official Plan.

Section A.2.1 of the UHOP notes that it is a primary direction of the City of Hamilton when guiding development to concentrate new development and infrastructure within existing built-up areas and within the urban boundary through intensification and adaptive re-use. Section B.3.2.1.6 of the UHOP notes that within the Urban Area it is the City's goal to increase the mix and range of housing types, forms, tenures, densities, and affordability levels throughout the City. Section A.2.1 of the UHOP further notes that it is a primary direction of the City to maximize the use of existing buildings, infrastructure, and vacant or abandoned land. The proposed development is in full alignment with this direction, by optimizing the use of the existing building to provide additional rental dwelling units while maintaining the current parking supply and site configuration.

The proposed development supports the direction of the Official Plan to intensify existing built-up areas and increase the mix and range of housing types and densities within the City. The proposed development results in one additional variance beyond those required to regularize current site conditions. Policy 4.2.5.1 of the Official Plan states that transportation demand management measures may include supporting transit and reduced vehicle dependency through reduced parking standards. The proposal accordingly provides for new rental units within an existing building, accessible by transit, and supportive of the goals and direction of the Official Plan.

Policy B.2.4.2.2 b) of the UHOP further states that when considering an application for a residential intensification development within Neighbourhoods, compatibility with adjacent land uses, such as shadowing, overlook, noise, lighting, traffic, and other nuisance effects shall be evaluated. The Subject Lands contain an existing 6-storey apartment building which has existed since the 1960's, and the proposed development consists of minor building renovations to utilize underutilized space within the existing building to provide new rental housing units. Policy C.4.5.15 of the UHOP notes that parking and loading regulations shall ensure adequate parking is provided while avoiding excess supply that can discourage transit and active transportation choices. Policy E.2.3.1.16 of the UHOP notes that reduced parking requirements shall be considered to encourage a broader range of uses and densities, and to support transit. The proposed introduction of 5 new rental units into the existing building will provide for additional residential density in proximity to existing and planned transit. The proposed variance therefore maintains the general intent and purpose of the Official Plan as it will support a broader range of density in a transit supportive form.

All of the requested variances therefore maintain the general intent and purpose of the Official Plan.

### ***b) The variances maintain the general intent and purpose of the Zoning By-law.***

Former Hamilton Zoning By-law 6593 is currently applicable to the Subject Lands, and the Subject Lands are located within the E Zone. The E Zone permits Multiple Dwelling uses.

#### Minimum Parking Rate

Former Hamilton By-law 6593, through Section 18A (Tables 1&2) requires a minimum parking rate for Multiple Dwellings of 1.25 resident spaces and 0.25 visitor spaces per dwelling unit. The existing building at 103 Emerald Street provides a parking rate of 0.93 resident and 0.20 visitor spaces per unit, which will decrease to 0.80 resident and 0.05 visitor spaces per unit through the addition of 5 new units.

The intent of the minimum parking rate provisions of the Zoning By-law is to ensure that sufficient parking is available for residents and visitors of the buildings. In 2023, the City of Hamilton approved reduced parking standards City-wide for all properties subject to Zoning By-law 05-200. These reduced standards remove the minimum residential parking requirement across the majority of the City and reduce the required visitor parking to a minimum of 2 spaces plus 0.05 per unit. The Subject Lands, as they are subject to the former By-law 6593, were not subject to the reduced parking standards, however, the proposed development has been developed in general accordance with the new City-wide parking standards.

The proposed development will provide for a total of 5 new residential units within the existing building footprint, therefore requiring two new visitor parking spaces. The proposed development does not propose any changes in site layout, and the existing 30 parking spaces currently occupy the entirety of available site area, with no ability to introduce additional parking.

The Subject Lands are unable to accommodate any additional surface parking on site, therefore this variance seeks to permit the introduction of additional residential units without any increase in on-site parking. The Subject Lands are well-suited for a reduced parking requirement, not only as it is an existing site condition, but also due to their position within the City. The Stinson neighbourhood provides for frequent transit service, multiple transportation options including walking, cycling, bike share, e-scooters, and buses, as well as convenient access to community amenities and the downtown core as discussed above. The site is also a 10-minute walk from the future Wellington Street LRT Station.

The proposed reduction in minimum resident and visitor parking is therefore in keeping with the general intent and purpose of the Zoning By-law.

#### Required Loading Spaces

Former Hamilton By-law 6593 requires a minimum of one loading space for residential developments having greater than 30 units, having minimum dimensions of 18.0 metres by 3.7 metres. 103 Emerald Street currently provides for 0 loading spaces to serve the existing 30 dwelling units. The proposed development does not propose to alter the existing loading configuration; therefore, this variance seeks to regularize the existing site condition. The intent of the required loading spaces provision is to ensure that adequate loading space is provided to service the buildings on site. Note that the current Hamilton By-law 05-200 has no minimum loading space requirement for apartment buildings, unlike the former By-law 6593 which still applies to the Subject Lands. Furthermore, the building is of a relatively small scale (30 units increasing to 35 units) which would have lower resident turn over than larger medium and high-density apartments that have a higher for loading activities.

The proposed reduction in required loading spaces is therefore in keeping with the general intent and purpose of the Zoning By-law.

***c) The variances are desirable and appropriate for the development and use of the land.***

The proposed creation of 5 new rental units within the existing building by renovating currently underutilized spaces will optimize the use of the existing building and provide for additional rental housing within Hamilton. It is the City of Hamilton's goal, as noted in the UHOP, to concentrate new development within the City's existing urban boundary through intensification as is proposed.

The majority of the variances proposed for 103 Emerald Street are to regularize existing site conditions, which have existed since construction of the building in the 1960's. These variances represent existing conditions, which the variances seek to explicitly permit to continue, and which are not altered by the proposed development. The remaining variance seeks to permit a reduced parking rate, which represents an existing condition which is impacted by the introduction of the additional residential units to the building. The City's Official Plan supports intensification as proposed, and no change to the physical footprint of the building is required to accommodate the new units. The City's Official Plan also supports reduced parking standards, as proposed, and as further supported by the City through the reduced City-wide parking standards introduced in 2023 to Zoning By-law 05-200. The proposed variances will not negatively or functionally impact adjacent parcels and will serve to support active transportation, existing transit services and future LRT. Therefore the proposed variances are desirable and appropriate for the development and use of the Subject Lands.

***d) The variances are minor in nature.***

The requested variances are minor in nature and will not result in any unacceptable or adverse impacts on the Subject Lands or surrounding area. No change to the physical footprint of the buildings is proposed for the proposed development. As no change to the physical footprint of either building is proposed for the proposed development, these variances to recognize existing conditions on site are minor in nature. The proposed variance to permit a reduction in visitor parking is a result of introducing additional dwelling units and supports the City's active transportation and transit goals. This approach is consistent with that of the broader neighbourhood which offers reduced parking on the basis good access to transit and surrounding land uses. Additionally, the total amount of parking provided on site is substantially higher than the City's new rates established through By-law 05-200 which, among other things, requires 0 parking for residents. Based on the above, the requested variances are minor in nature.

**Conclusion**

The requested variances both individually and cumulatively conform to the general intent and purpose of the Official Plan and Zoning By-law, are desirable for the use of the Subject Lands, and are minor in nature. For the reasons set out above, it can be concluded that the requested variances satisfy the four tests set out in Section 45 (1) of the Planning Act and should be approved.

We are pleased to submit additional information as required and respond to any questions you may have.

Yours truly,

**MHBC**

A stylized, handwritten signature in black ink, appearing to read 'Gerry Tchisler'.

Gerry Tchisler, M.Pl. MCIP, RPP  
Partner

A stylized, handwritten signature in black ink, appearing to read 'Andrew Hannaford'.

Andrew Hannaford, BES, MCIP, RPP  
Associate



Hamilton

**Committee of Adjustment**

City Hall, 5<sup>th</sup> Floor,

71 Main St. W.,

Hamilton, ON L8P4Y5

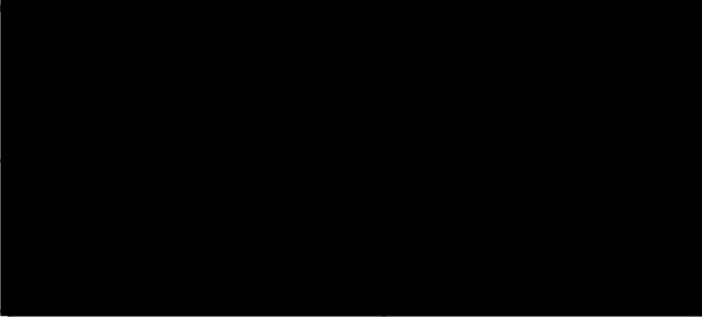
Phone: (905) 546-2424 ext. 4221

Email: [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

**APPLICATION FOR A MINOR VARIANCE/PERMISSION**

UNDER SECTION 45 OF THE *PLANNING ACT*

**1. APPLICANT INFORMATION**

	NAME	MAILING ADDRESS	
Registered Owners(s)	2563239 ontario inc c/o Jon Pilon		
Applicant(s)	MHBC Planning c/o Andrew Hannaford & Gerry Tchisler		
Agent or Solicitor			Phone:
			E-mail:

**1.2 Primary contact**

☒ Applicant

☐ Owner

☐ Agent/Solicitor

**1.3 Sign should be sent to**

☒ Applicant

☐ Owner

☐ Agent/Solicitor

**1.4 Request for digital copy of sign**

☒ Yes\*

☐ No

If YES, provide email address where sign is to be sent \_\_\_\_\_

**1.5 All correspondence may be sent by email**

☒ Yes\*

☐ No

If Yes, a valid email must be included for the registered owner(s) AND the Applicant/Agent (if applicable). Only one email address submitted will result in the voiding of this service. This request does not guarantee all correspondence will sent by email.

**1.6 Payment type**

☐ In person

☐ Cheque

☒ Credit over phone\*

\_\_\_\_\_  
\*Must provide number above

## 2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	103 Emerald Street South		
Assessment Roll Number	251803020401750		
Former Municipality	Hamilton		
Lot	14	Concession	
Registered Plan Number	1360	Lot(s)	8 & 9
Reference Plan Number (s)	626	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:

Please refer to attached Variance Letter for full description of relief sought. 1/2. Permit minimum parking rate of 0.80 resident and 0.05 visitor spaces per dwelling unit. 3. Permit 0 loading spaces.

☐ Second Dwelling Unit ☐ Reconstruction of Existing Dwelling

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

Propose to regularize existing site conditions. Proposed addition of 5 dwelling units requires variance to parking provisions as no space on site to provide additional parking.

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
~26.75m	~61.89m	~1591.9 sq.m.	16.0m



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
Apartment Building	~4.45m	~31.85m	~5.89m	1960's

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
n/a - existing structure	n/a - existing structure	n/a - existing structure	n/a - existing structure	n/a - existing structure

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
Apartment Building	~338.77 sq.m.	~2371.4 sq.m.	6	~17.0m

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
n/a - existing structure	n/a - existing structure	n/a - existing structure	n/a - existing structure	n/a - existing structure

- 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.):  
Multiple Dwelling

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

**7 HISTORY OF THE SUBJECT LAND**

7.1 Date of acquisition of subject lands: Sept 3rd 2024

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

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

7.4 Length of time the existing uses of the subject property have continued: since 1965

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 Variance Letter.

7.6 What is the existing zoning of the subject land? E (By-law 6593) \_\_\_\_\_

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: \_\_\_\_\_

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

☐ Yes

☒ No

If yes, please provide the file number: \_\_\_\_\_

## 8 ADDITIONAL INFORMATION

8.1 Number of Dwelling Units Existing: 30

8.2 Number of Dwelling Units Proposed: 5

8.3 Additional Information (please include separate sheet if needed):  
Please refer to Variance Letter included with this application.

## 11 COMPLETE APPLICATION REQUIREMENTS

### 11.1 All Applications

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

### 11.4 Other Information Deemed Necessary

- ☒ Cover Letter/Planning Justification Report
- ☐ Authorization from Council or Director of Planning and Chief Planner to submit application for Minor Variance
- ☐ Minimum Distance Separation Formulae (data sheet available upon request)
- ☐ Hydrogeological Assessment
- ☐ Septic Assessment
- ☐ Archeological Assessment
- ☐ Noise Study
- ☐ Parking Study

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