



Hamilton

**COMMITTEE OF ADJUSTMENT**

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

Telephone (905) 546-2424, ext. 4221

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

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

**You are receiving this notice because you are either:**

- Assessed owner of a property located within 60 metres of the subject property
- Applicant/agent on file, or
- Person likely to be interested in this application

<b>APPLICATION NO.:</b>	<b>A-25:043</b>	<b>SUBJECT PROPERTY:</b>	46 Seabreeze Crescent, Stoney Creek
<b>ZONE:</b>	R2 (Low Density Residential – Large Lot)	<b>ZONING BY-LAW:</b>	Hamilton Zoning By-law 05-200

**APPLICANTS:** Owner: Rashmi and Honne Gowda

The following variances are requested:

1. A minimum Lot Width of 15.0 metres shall be provided whereas the by-law requires a minimum Lot Width of 18.0 metres.
2. A minimum setback of 1.2 metres from a Side Lot Line shall be provided instead of the minimum required 2.0 metres.
3. A maximum Building Height of 11.0 metres shall be provided whereas the by-law permits a maximum of 10.5 metres.

**PURPOSE & EFFECT:** To facilitate the creation of a new lot for the construction of a single detached dwelling.

**Notes:**

- i. These variances are necessary to facilitate consent application B-25:021.

**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:

## A-25:043

<b>DATE:</b>	<b>Thursday, September 25, 2025</b>
<b>TIME:</b>	<b>1:20 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**

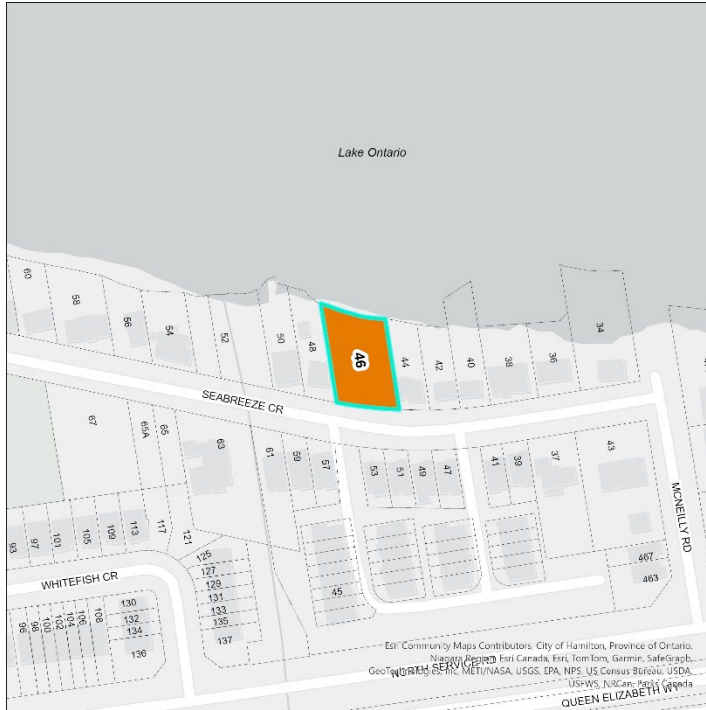
**Written:** If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Please see attached page for complete instructions, written comments must be received no later than noon September 23, 2025

**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 24, 2025

### **FURTHER NOTIFICATION**

If you wish to be notified of future Public Hearings, if applicable, regarding A-25:043, 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: September 8, 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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## 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. To register, email [cofa@hamilton.ca](mailto: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.

#### 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.

**ISSUED FOR APPROVALS**

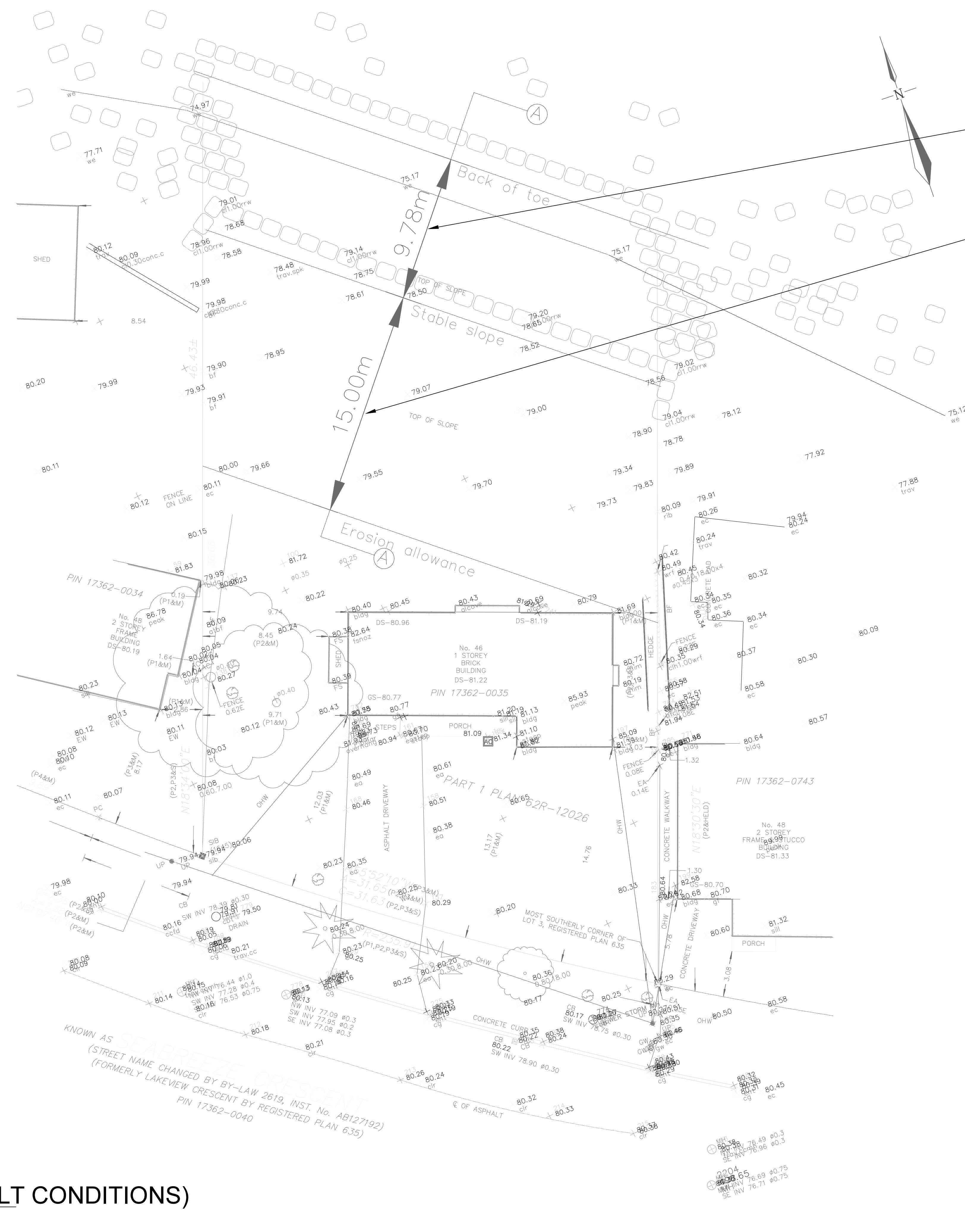
**NOTES:**

1. As-Built Based on work completed by Rankin Construction.
2. No overburden clayey silt fill is present along the coastline as a result of the grading activities in the rear yard and the shorewall construction
3. The upper portion of the slope adjacent to the shorewall is composed of native (stiff) clayey silt till and not loose fill material.
4. STABLE SLOPE BASED ON GEOTECH REPORT FROM TERRAPROBE FILE #7-229-01 (1/1.7 SLOPE DETERMINED)

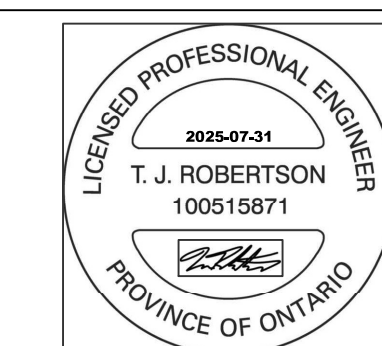
STABLE SLOPE ALLOWANCE  
78.5-72.75= 5.75  
(1/1.7 SLOPE = 5.75\*1.7 = 9.78M)

EROSION ALLOWANCE (15.00M)

50-YEAR DESIGN LIFE  
(50 X 0.3M/YR. = 15.00M)



**SITE PLAN (AS-BUILT CONDITIONS)**  
SCALE 1:150



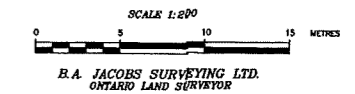
PROJECT:  
**As-Builds & Erosion Hazard Limit**  
46 Seabreeze Crescent

TITLE:  
**PERMIT DRAWING**

JOB No:  
DATE: JULY 31, 2025  
SCALE: VARIOUS

DRAWING INFORMATION  
DESIGNED BY: T. ROBERTSON P.ENG.  
CHECKED BY:  
DRAWN BY: T. ROBERTSON P.ENG.  
DRAWING No:

SURVEYOR'S REAL PROPERTY REPORT - PART 1  
 PLAN OF  
**PART OF LOT 3**  
**REGISTERED PLAN 635**  
 CITY OF HAMILTON

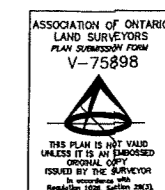


**METRIC NOTE:**  
 DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE  
 CONVERTED TO FEET BY DIVIDING BY 0.3048.

**BEARING NOTE:**  
 BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE  
 EASTERLY LIMIT OF PART 1 AS SHOWN ON PLAN 62R-12026  
 HAVING A BEARING OF N 18° 30' 30" E.

**ELEVATION NOTE:**  
 ELEVATIONS SHOWN ON THIS PLAN ARE REFERRED TO CITY OF  
 HAMILTON CONTROL MONUMENT No. 0772033022.  
 LOCATION: RIB WITH BRASS CAP AT THE SOUTHEAST CORNER  
 OF LEWIS ROAD AND SOUTH SERVICE ROAD, 8.5 m. SOUTH OF  
 THE CENTRELINE OF SOUTH SERVICE ROAD AND 21 m. EAST OF  
 LEWIS ROAD.  
 ELEVATION = 81.657 m. (CGVD28-78 ADJUSTMENT)

- LEGEND:**
- DENOTES SURVEY MONUMENT FOUND
  - SSB DENOTES STANDARD IRON BAR
  - SSSB DENOTES SHORT STANDARD IRON BAR
  - IB DENOTES IRON BAR
  - IRB DENOTES ROUND IRON BAR
  - PS DENOTES PLASTIC BAR
  - WIT DENOTES WITNESS
  - (N) DENOTES NOT IDENTIFIABLE
  - PI DENOTES PLAN BY MACKAY MACKAY & PETERS LTD  
 FILE: 21-440
  - P3 DENOTES PLAN 62R-19618
  - (655) DENOTES J.T. PETERS O.L.S.
  - (1379) DENOTES E.L. GREWKE O.L.S.
  - (1645) DENOTES J.P. WOOLLEY O.L.S.
  - (M&P) DENOTES MACKAY MACKAY & PETERS LTD
  - B.F. DENOTES BOARD FENCE
  - C.B. DENOTES CATCH BASIN
  - C.W. DENOTES CUI WIRE
  - M.H. DENOTES MANHOLE
  - T.C. DENOTES TOP OF CURB
  - T.W. DENOTES TOP OF WALL
  - U.P. DENOTES UTILITY POLE
  - W.V. DENOTES WATER VALVE
  - 0.39 DENOTES DIAMETER OF TREE

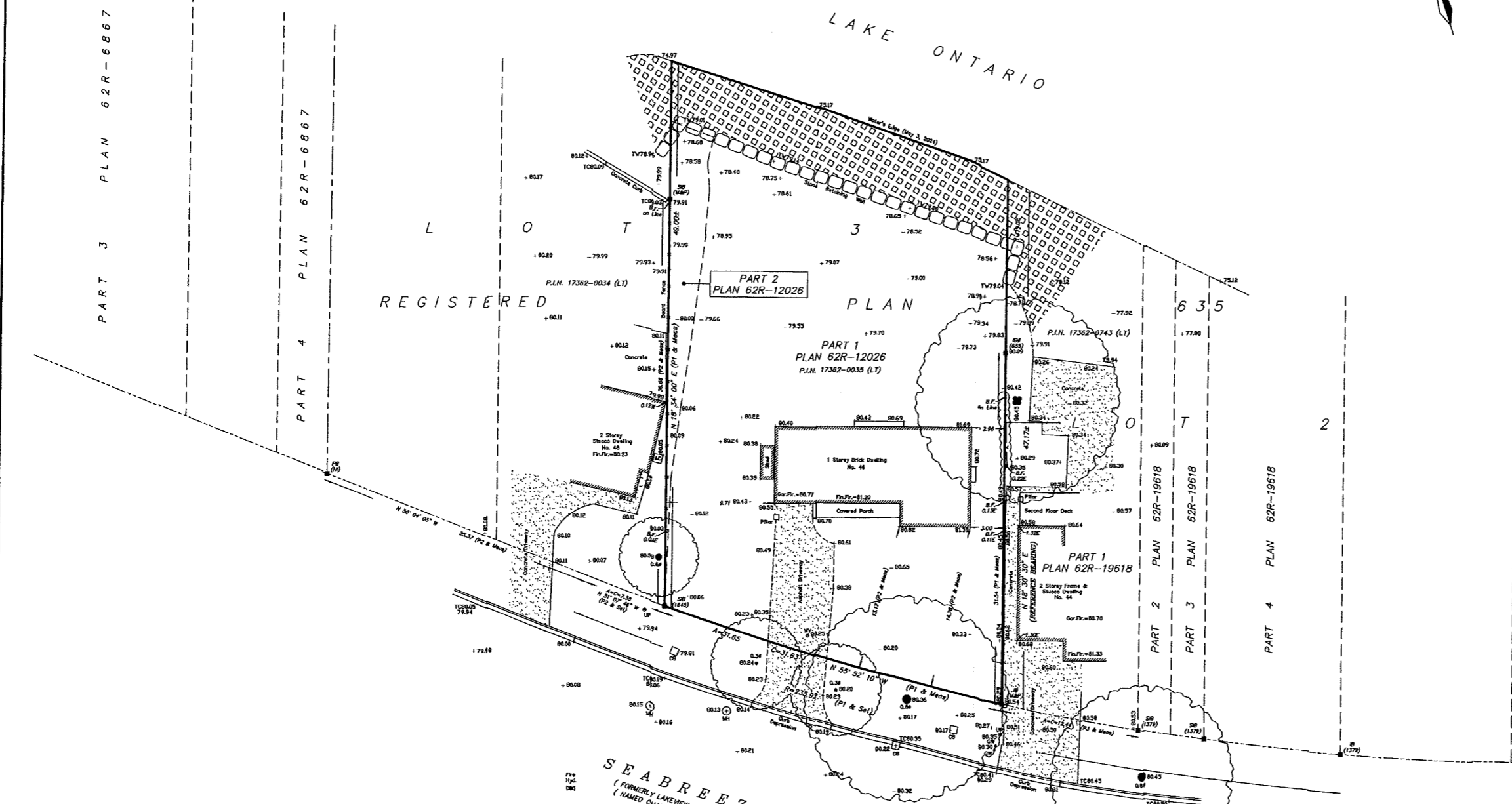


THIS REPORT WAS PREPARED FOR RASHMI AND HONNE GOWDA

**SURVEYOR'S CERTIFICATE**  
 I CERTIFY THAT:  
 1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE  
 WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE  
 REGULATIONS MADE UNDER THEM.  
 2. THE SURVEY WAS COMPLETED ON MAY 3, 2024.

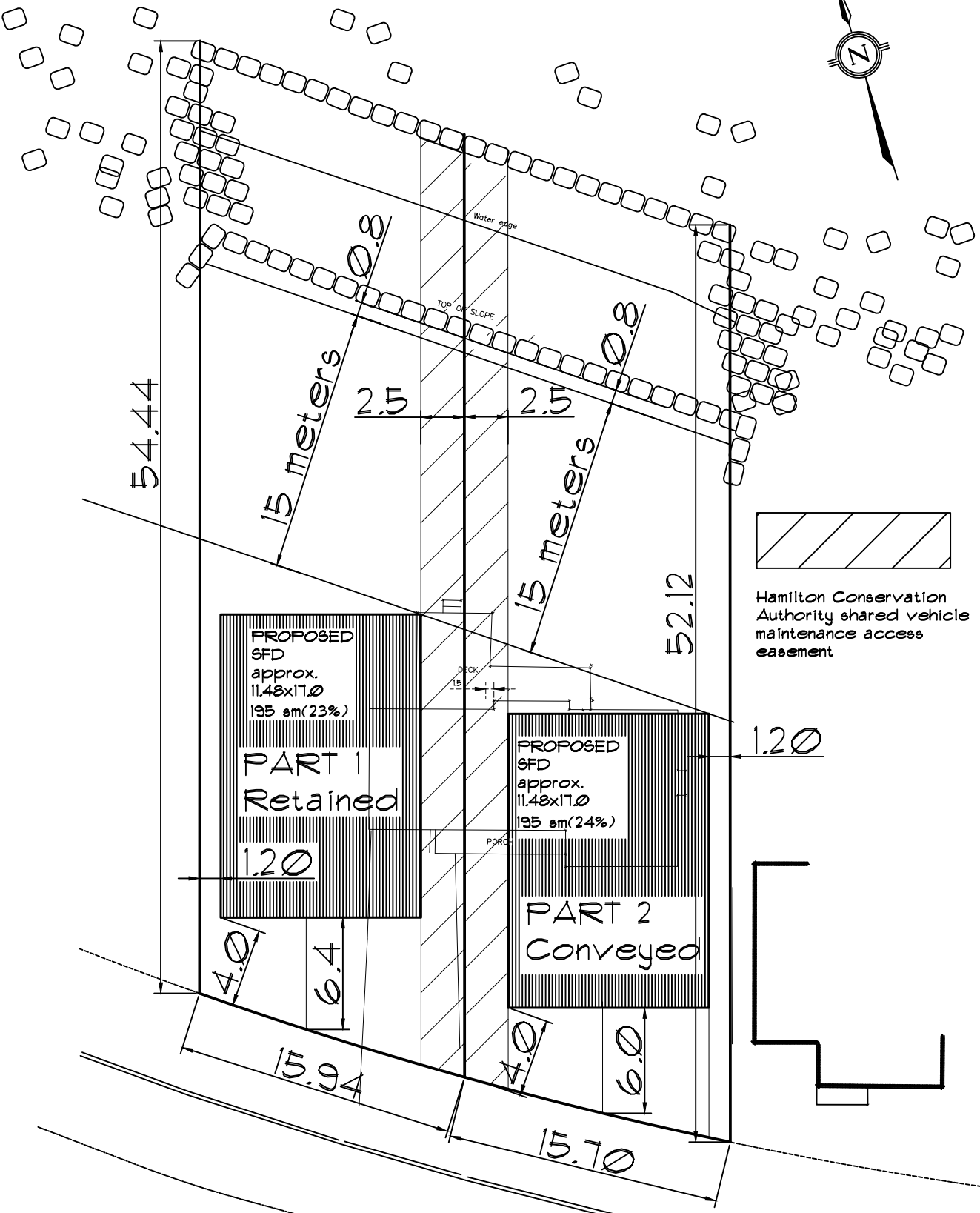
JUNE 17, 2024  
 DATE  
 BRYAN JACOBS  
 ONTARIO LAND SURVEYOR

B.A. JACOBS SURVEYING LTD.  
 158 JACKSON STREET EAST, SUITE 102  
 HAMILTON, ONTARIO (L8N 1L3)  
 PHONE 905-521-1535 bjacobs@regpro.com



**SURVEYOR'S REAL PROPERTY REPORT  
 PART 2 - REPORT SUMMARY**

<b>DESCRIPTION OF LAND</b> BEING PART OF LOT 3, REGISTERED PLAN 635, KNOWN AS MUNICIPAL No. 46 SEABREEZE CRESCENT, CITY OF HAMILTON
<b>REGISTERED EASEMENTS AND/OR RIGHTS OF WAY</b> NO EASEMENTS LISTED ON THE PARCEL REGISTER FOUND IN THE LAND REGISTRY OFFICE.
<b>BOUNDARY FEATURES</b> NOTE LOCATION OF THE FENCES AS THEY RELATE TO THE BOUNDARIES OF THE SUBJECT PROPERTY.
<b>COMPLIANCE WITH MUNICIPAL ZONING BY-LAWS</b> NOT CERTIFIED BY THIS REPORT



KNOWN AS SEABREEZE CRESCENT  
 (STREET NAME CHANGED BY BY-LAW 2619, INST. No. A8127192)  
 (FORMERLY LAKEVIEW CRESCENT BY REGISTERED PLAN 635)  
 PIN 17362-0040

PROPOSED LOT SEVERANCE

	Part 1	Part 2	RESIDENTIAL S.F.D.
Lot Area	826.86	813.51	46 Seabreeze Cres. Stoney Creek, On
Lot Cov.	195(23%)	195(24%)	
Lot Frnt.	15.94	15.70	Severance Sketch
Depth	54.44	52.12	SCALE : NTS
			AREA : -----SF.

Do not scale drawings. All dimensions must be site verified and report any discrepancies prior to starting any site work. All drawings remain the property of the designer and shall not be reproduced or reused without the written permission from the designer.

NO. REVISION	DATE
PROPOSED SEVERANCE	August 07

PROJECT # :  
 J468EA  
 SK  
 OF SHEETS 01  
 DUN BY: RG

August 28, 2025

Mr. Justin Leung  
Secretary Treasurer, Committee of Adjustment  
City of Hamilton  
71 Main Street West, 5th Floor  
Hamilton, ON L8P 4Y5

Dear Mr. Leung

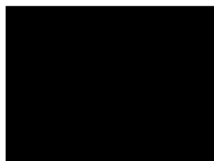
**Re: 46 Seabreeze Cres, Stoney Creek  
Application for Land Severance B-25:021 &  
Minor Variance A-25:043**

We are asking to have our two applications re-submitted to the Committee of Adjustment for the next available meeting.

We have completed further detailed analysis of our 2 applications with the Hamilton Conservation Authority (HCA) and believe that they are satisfied with the additional information that we have provided them with, and they are ready to recommend moving forward with our severance with some conditions that they will attach to the file. We are asking that the access easement that the HCA will be requesting be added to our application for severance as it will be a condition required by them. These easements are for future erosion vehicle access allowance, allowing each landowner reciprocal access over the adjacent land. Each easement is approximately 2.5 meters for a total of 5 meters in width by 42 meters long identified on the Proposed Lot Severance Sketch as the hatched area labelled "Hamilton Conservation Authority shared vehicle maintenance access easement.

Please find attached a detailed revised as built seawall survey detailing Development Setback engineered for the purposes of meeting HCA regulations. You will also find the Proposed lot severance Sketch that has been updated to reflect the new reduced building envelope to meet this new Development Setback.

Regards



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Rashmi Gowda

August 18, 2025

Mr. Justin Leung  
Secretary Treasurer, Committee of Adjustment  
City of Hamilton  
71 Main Street West, 5th Floor  
Hamilton, ON L8P 4Y5

Dear Mr. Leung

**Re: 46 Seabreeze Cres, Stoney Creek  
Application for Land Severance B-25:021 &  
Minor Variance A-25:043**

We are asking to have our two applications re-submitted to the Committee of Adjustment for the next available meeting.

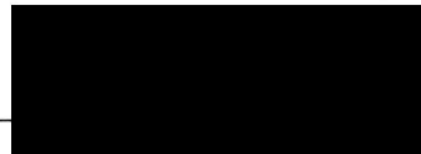
We have completed further detailed analysis of our 2 applications with the Hamilton Conservation Authority (HCA) and believe that they are satisfied with the additional information that we have provided them with, and they are ready to recommend moving forward with our severance with some conditions that they will attach to the file. We are asking that the access easement that the HCA will be requesting be added to our application for severance as it will be a condition required by them.

Please find attached a detailed revised as built seawall survey detailing Development Setback engineered for the purposes of meeting HCA regulations. You will also find the Proposed lot severance Sketch that has been updated to reflect the new reduced building envelope to meet this new Development Setback.

Regards



Rashmi Gowda



Honne Gowda

March 03, 2025

Ms. Jamila Sheffield  
Secretary Treasurer, Committee of Adjustment  
City of Hamilton  
71 Main Street West, 5th Floor  
Hamilton, ON L8P 4Y5

Dear Ms. Sheffield,

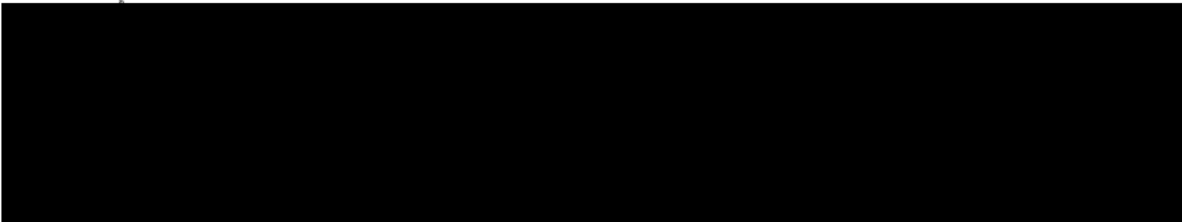
**Re: 46 Seabreeze Cres, Stoney Creek  
Application for Land Severance and Minor Variance**

We the owners of 46 Seabreeze Crescent in the former City of Stoney Creek, are submitting two applications for our property for consideration by the Committee of Adjustment. Both the Consent to Sever land and the Minor Variance are necessary for the creation of 1 additional building lot. The current use of the property is single family residential with a main 1 storey structure approximately in the middle of the entire property. We have approximately 31.6 meters of frontage and an average lot depth of 53 meters for a total of .41 acres of land.

Our property is surrounded by a variety of mixed density residential from the typical R1, R2 but also R3, R4, RM2, and RM3, which clearly suits the additional single lot proposal we are putting forward. We believe the additional single lot still meets the general purpose of the Official Plan and our Zoning By-Law. We are maintaining the general look of the current homes in our near vicinity with a 15-meter-wide single-family home, so we therefore believe that it is the appropriate development of our land.

Even though the very recent zoning By-Law change encourages residential intensification and development within the current urban area, we find ourselves in need of asking for some minor variances. We submit that these are minor in nature and are in line with many current residential properties in our neighborhood. We have provided detailed sketches of the proposed severance along with a current survey. You will also see attached a detailed new as built seawall survey detailing development setback engineered for the purposes of meeting HCA regulations.

Regards





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	
<b>Registered Owners(s)</b>	Rashmi & Honne Gowda	Phone: E-mail:
<b>Applicant(s)</b>	Rashmi Gowda Honne Gowda	
<b>Agent or Solicitor</b>		Phone: E-mail:

1.2 Primary contact

- Applicant
  Owner
  Agent/Solicitor

1.3 Sign should be sent to

- Applicant
  Owner
  Agent/Solicitor

1.4 Request for digital copy of sign  Yes\*  No

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

1.5 All correspondence may be sent by email  Yes\*  No

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

1.6 Payment type

- In person
  Credit over phone\*
  Cheque

\*Must provide number above

## 2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	46 seabreeze Cres.		
Assessment Roll Number	003.020.25800.0000		
Former Municipality	Stoney Creek		
Lot	Part of Lot 3	Concession	
Registered Plan Number	635	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:

To allow for a minimum lot frontage of 15 meter instead of 18 meter

To allow for a minimum side yard of 1.2 meter instead of 2 meter

To allow for a maximum building height of 11 meters instead of 10.5 meter

Second Dwelling Unit

Reconstruction of Existing Dwelling

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

New zoning does not allow for 15 meter wide lot frontage

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
31.64 m	54.44 m	1640.43 m	20 m

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

Existing:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Single Family Dwelling	13.17 m	22 m	3 m	

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Part 1	4 m	21.6 m (min HCA)	1.2 m	
Part 2	4 m	21.6 m (min HCA)	1.2 m	

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 Family Dwelling	136 sm		1	5.2 m

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Single Family Dwelling	208 sm		2	11
Single Family Dwelling	208 sm		2	11

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

- lake or other water body  
 other means (specify)  
 \_\_\_\_\_

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

- ditches  
 other means (specify)  
 \_\_\_\_\_

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

- publicly owned and operated sanitary sewage
- system privately owned and operated individual
- septic system other means (specify) \_\_\_\_\_

4.7 Type of access: (check appropriate box)

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

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

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

## 7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:  
Purchased September 2021 (3 1/2 years)

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:  
Unknown

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

Rural Hamilton Official Plan designation (if applicable): Low Density Residential

Rural Settlement Area: \_\_\_\_\_

Urban Hamilton Official Plan designation (if applicable) \_\_\_\_\_

Please provide an explanation of how the application conforms with the Official Plan.  
Current lot and severed lot meet all Criteria under the Urban Hamilton Official Plan

7.6 What is the existing zoning of the subject land? R2 Zoning Bylaw 05-22

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: ~~R2 Zoning Bylaw 05-22~~

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

Yes

No

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

**8 ADDITIONAL INFORMATION**

8.1 Number of Dwelling Units Existing: 1

8.2 Number of Dwelling Units Proposed: 2

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

## 11 COMPLETE APPLICATION REQUIREMENTS

### 11.1 All Applications

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

### 11.4 Other Information Deemed Necessary

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