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**From:** Mikiya Hobbs <mhobbs@conservationhamilton.ca>  
**Sent:** Tuesday, September 23, 2025 9:58 AM  
**To:** Committee of adjustment  
**Cc:** Rashmi Gowda  
**Subject:** HCA Comments for A-25:043 & B-25:021 - 46 Seabreeze Cres  
**Attachments:** A-25-043 & B-25-021\_46 Seabreeze Cres\_September 25th COA.pdf

**External Email:** Use caution with links and attachments

Hello,

Thank you for circulating the Hamilton Conservation Authority (HCA) with the revised Minor Variances and Consent applications for the proposed development of the lands at 46 Seabreeze Crescent, Stoney Creek. Please find attached comments from HCA staff.

If you have any questions, please let me know.

Best regards,

**Mikiya Hobbs**

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**A Healthy Watershed for Everyone**

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**BY EMAIL**

**File no. A-25:043  
B-25:021**

September 23, 2025

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

Dear Mr. Leung:

**Re: Applications for Minor Variances, File No. A-25:043 and for Consent/Land Severance, File No. B-25:021 by Rashmi & Honne Gowda for Lands Located at 46 Seabreeze Crescent, Stoney Creek**

Thank you for circulating the Hamilton Conservation Authority (HCA) with the revised Minor Variances and Consent applications for the proposed development of the lands at 46 Seabreeze Crescent, Stoney Creek. HCA staff have reviewed the information provided in accordance with HCA's plan review and regulatory responsibilities under the *Conservation Authorities Act* and provide the following comments.

### **Proposal**

The applicant is requesting the following Minor Variances:

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 from a side lot line of 1.2 metres shall be provided whereas the by-law requires a minimum of 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.

HCA understands that the above Minor Variances are required to facilitate the requested Land Severance to permit the conveyance of a parcel of land to create a new residential building lot. Additionally, the Severance application seeks to establish an easement over a portion of land for access and maintenance purposes. HCA understands that the purpose of the applications is to facilitate the demolition of an existing single dwelling and the future construction of two single detached dwellings.

### **Plan Review Comments**

The subject property is affected by flooding and erosion hazards associated with Lake Ontario. HCA previously provided comments regarding these applications on April 9, 2025. In these

comments, HCA staff requested additional clarification regarding the stable slope allowance provided to demonstrate that there is sufficient developable land outside of the erosion hazards. HCA staff have since reviewed the following additional materials provided by the applicant:

- Site Plan, prepared by Rankin Coastal Engineering, revised July 31, 2025
- Development Setback, prepared by TRUE Consulting, revised July 2025

Based on a review of the above materials, HCA staff are satisfied that comments regarding the stable slope allowance have been addressed and have no concerns with the 9.78m stable slope allowance included in the revised Site Plan provided.

HCA also noted in previous comments that an easement would be required to establish the proposed 5m setback for erosion access allowance. As the revised Consent application includes a proposal to establish the easement, HCA staff are satisfied that the concerns regarding the erosion access allowance have been addressed.

The Provincial Planning Statement (PPS) generally directs development to areas outside of hazardous lands. Based on review of the materials submitted, the proposed single dwellings are outside the regulatory hazards associated with Lake Ontario. HCA is satisfied that the submitted Minor Variance and Consent applications are consistent with the natural hazard policies of the PPS.

### **Regulatory Comments**


The subject property is regulated by HCA pursuant to the *Conservation Authorities Act* and *Ontario Regulation 41/24 (Prohibited Activities, Exemptions, and Permits)*. The regulated area is associated with erosion and flooding hazards associated with Lake Ontario. Based on a review of the materials provided, the construction of two single detached dwellings are proposed within the HCA regulated area. Written permission from HCA will be required prior to any development within the HCA regulated area.

### **Summary**

Based on the above comments, HCA staff have no objections to the municipality granting the requested minor variances and severance.

Please contact the undersigned at (905) 525-2181 (ext. 148) should you have questions or if any clarification regarding these comments is required.

Sincerely,



Mikiya Hobbs

Planner  
Hamilton Conservation Authority

Cc: Rashmi Gowda (Applicant)