



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**  
**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

<b>APPLICATION NO.:</b>	<b>B-25:061</b>	<b>SUBJECT PROPERTY:</b>	20 Canada Street, Hamilton
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**APPLICANTS:** Owner: Roderick Aaron Frank  
Applicant: Marina L. Fensham

**PURPOSE & EFFECT:** To permit the conveyance of a parcel of land to create a new residential building lot. The severed lands will contain a proposed 3-storey triplex, and the retained lands will contain the existing 2-storey brick building which is intended to remain.

	<b>Frontage</b>	<b>Depth</b>	<b>Area</b>
<b>SEVERED LANDS (LOT 2 #20B):</b>	7.6 m <sup>±</sup>	30.65 m <sup>±</sup>	235 m <sup>2</sup> <sup>±</sup>
<b>RETAINED LANDS (LOT 1 #20A):</b>	7.6 m <sup>±</sup>	30.65 m <sup>±</sup>	228 m <sup>2</sup> <sup>±</sup>

Associated Planning Act File(s): A-25:176

**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 25, 2025</b>
<b>TIME:</b>	<b>1:45 p.m.</b>
<b>PLACE:</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>

## **B-25:061**

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**

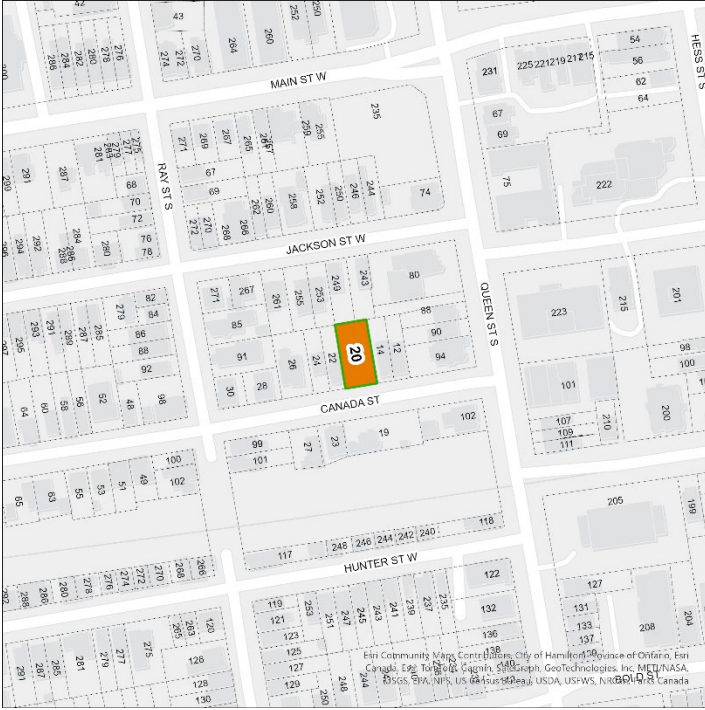
**Written:** If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Please see attached page for complete instructions, written comments must be received no later than noon **September 23, 2025**

**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 B-25:061, 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 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](mailto:cofa@hamilton.ca) or by mail through City Hall, 5th floor, 71 Main Street West, Hamilton, ON 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.

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.



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)

## 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**

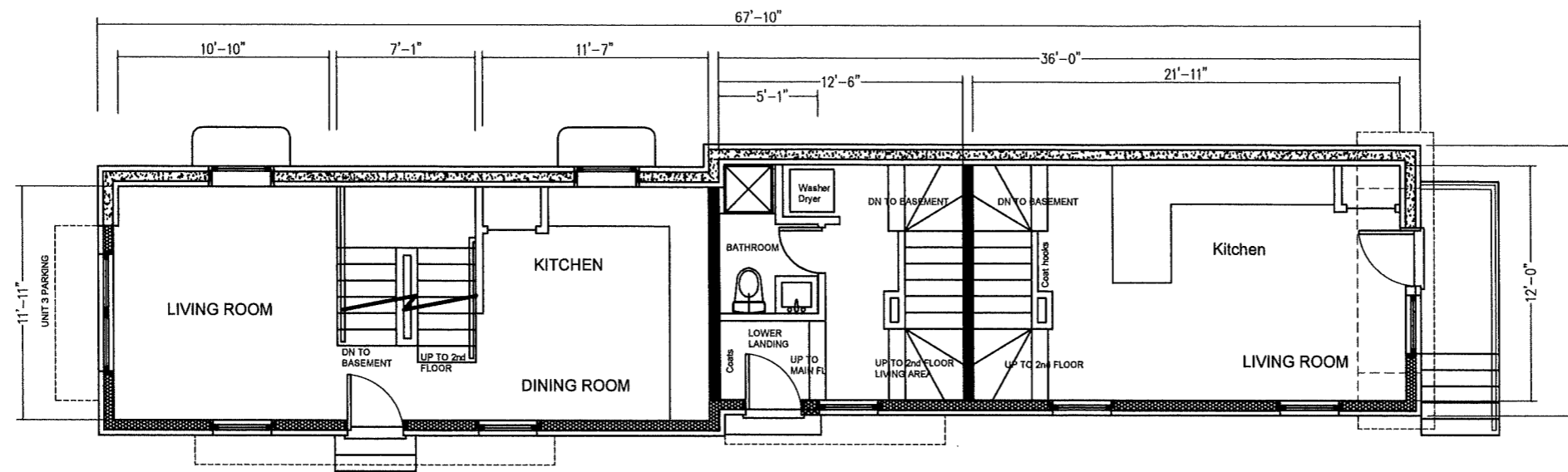
- Webex (video) participation requires a compatible computer or smartphone. The necessary application must be downloaded in advance.
- It is the interested party's responsibility to ensure their device is functional and compatible prior to the Hearing.

For any questions, contact staff at [cofa@hamilton.ca](mailto:cofa@hamilton.ca) or call 905-546-2424 ext. 4221.



CONTRACTOR IS TO CHECK AND VERIFY ALL DIMENSIONS ON THE JOB SITE AND NOTIFY DESIGNERS OF ALL DISCREPANCIES BEFORE INITIATING WORK. ALL DRAWINGS ARE THE PROPERTY OF THINKGIIRAFFE. DRAWINGS ARE NOT TO BE REPRODUCED WITHOUT WRITTEN PERMISSION FROM DESIGNERS. PRINTS ARE NOT TO BE SCALED.

Marina Fensham, Owner thinkGiraffe Design has reviewed and taken responsibility for the design activities described in this drawing set under OBC 2.17.4.7 (ii) BCIN: 21574 / 118384



MAIN FLOOR 363 Sq Ft  
Incl Stairs

**UNIT 2** 1-Bedroom  
MAIN FLOOR 190 Sq Ft  
Incl Stairs

**UNIT 1** 2-Bedroom  
MAIN FLOOR 262 Sq Ft  
Incl Stairs

All levels incl Basement & stairs = 1,054 Sq Ft  
137 Sq Ft Rooftop Amenity Space

All levels incl Basement excl stairs = 724 Sq Ft  
197 Sq Ft Rooftop Amenity Space

All levels incl Basement excl stairs = 1,008 Sq Ft  
150 Sq Ft Rooftop Amenity Space

## Presentation Main Floor Plan

APPLICABLE LAW REVIEW: File #  
ZCR-25-124  
ISSUE FOR APPLICABLE LAW  
REVIEW: June 26, 2025

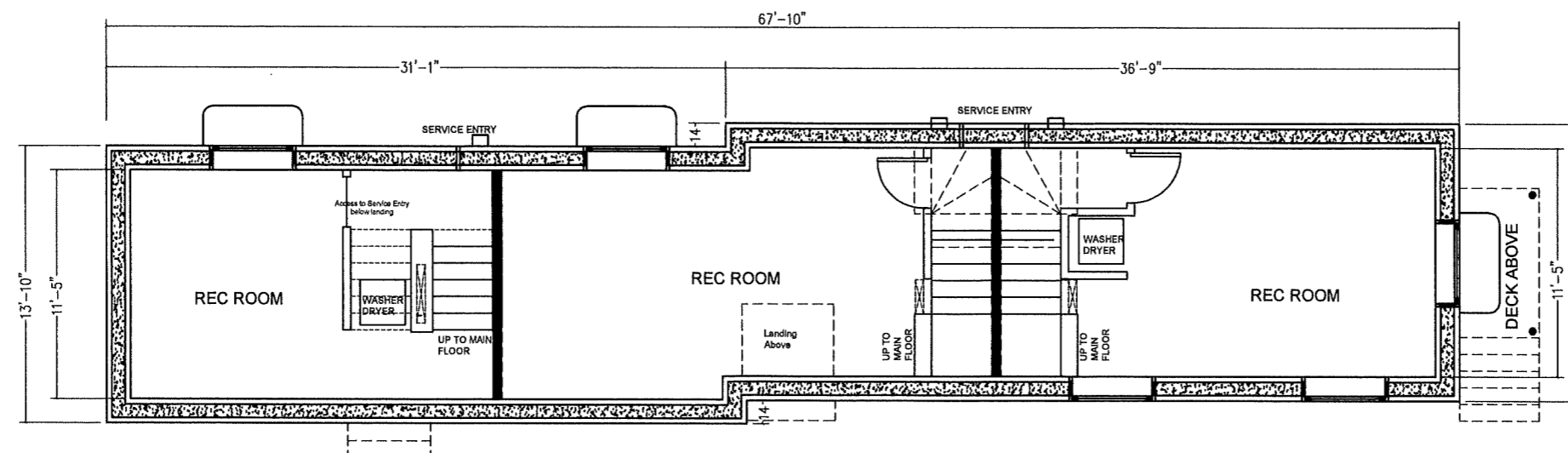
REMARKS	DATE	NO.
REVISIONS		

**thinkGiraffe**  
ENVIRONMENTAL DESIGN  
16 Sulphur Springs Road,  
Ancaster, ON, L8G 1L8  
905 304 1498  
thinkgiraffe@bellnet.ca

**PROJECT**  
  
PROPOSED TRIPLEX  
  
20 Canada Street  
Hamilton, ON  
L8P 1N7

**SHEET TITLE**  
Project Summary:  
FLOOR PLANS

<b>FOLDER</b>	<b>DRAWN BY</b> MLF
<b>FILE</b>	<b>SCALE</b> 1/4" = 1'-0"
<b>DATE</b>	<b>NUMBER</b>



**UNIT 3**  
BASEMENT 207 Sq Ft  
Excl Stairs

**UNIT 2**  
BASEMENT 278 Sq Ft  
Excl Stairs

**UNIT 1**  
BASEMENT 252 Sq Ft  
Excl Stairs

## Presentation Basement Plan

**A102**

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Marina Fensham, Owner thinkGiraffe Design has reviewed and taken responsibility for the design activities described in this drawing set under OBC 2.17.4.7 (0) BCIN: 21574 / 116364

ISSUE FOR VARIANCE & SEVERANCE: August 9, 2025

APPLICABLE LAW REVIEW: File # ZCR-25-124

ISSUE FOR APPLICABLE LAW REVIEW: June 26, 2025

REMARKS	DATE	NO.
REVISIONS		

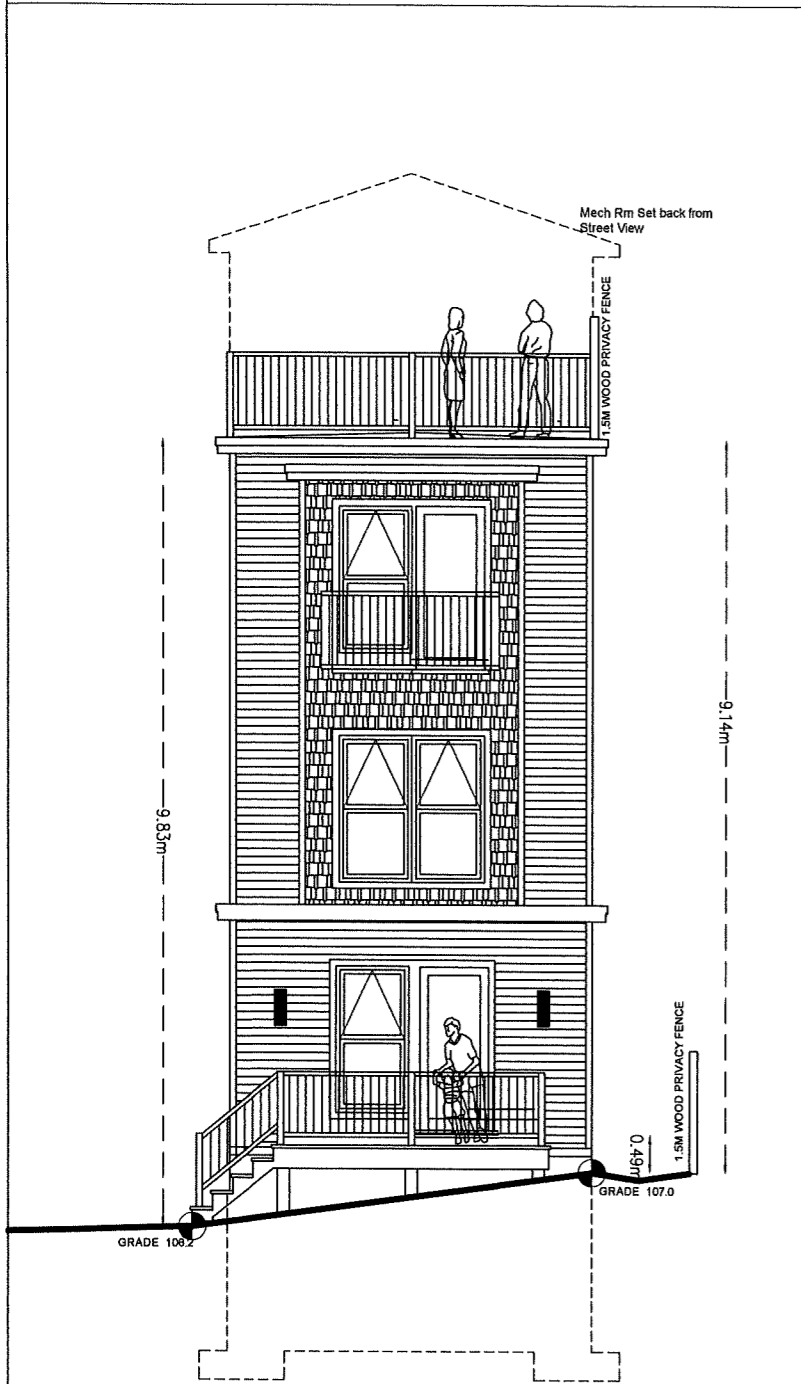
**thinkGiraffe**  
ENVIRONMENTAL DESIGN  
16 Sulphur Springs Road,  
Ancaster, ON, L9G 1L8  
905 304 1496  
thinkgiraffe@bellnet.ca

**PROJECT**  
PROPOSED TRIPLEX  
20 Canada Street  
Hamilton, ON  
L8P 1N7

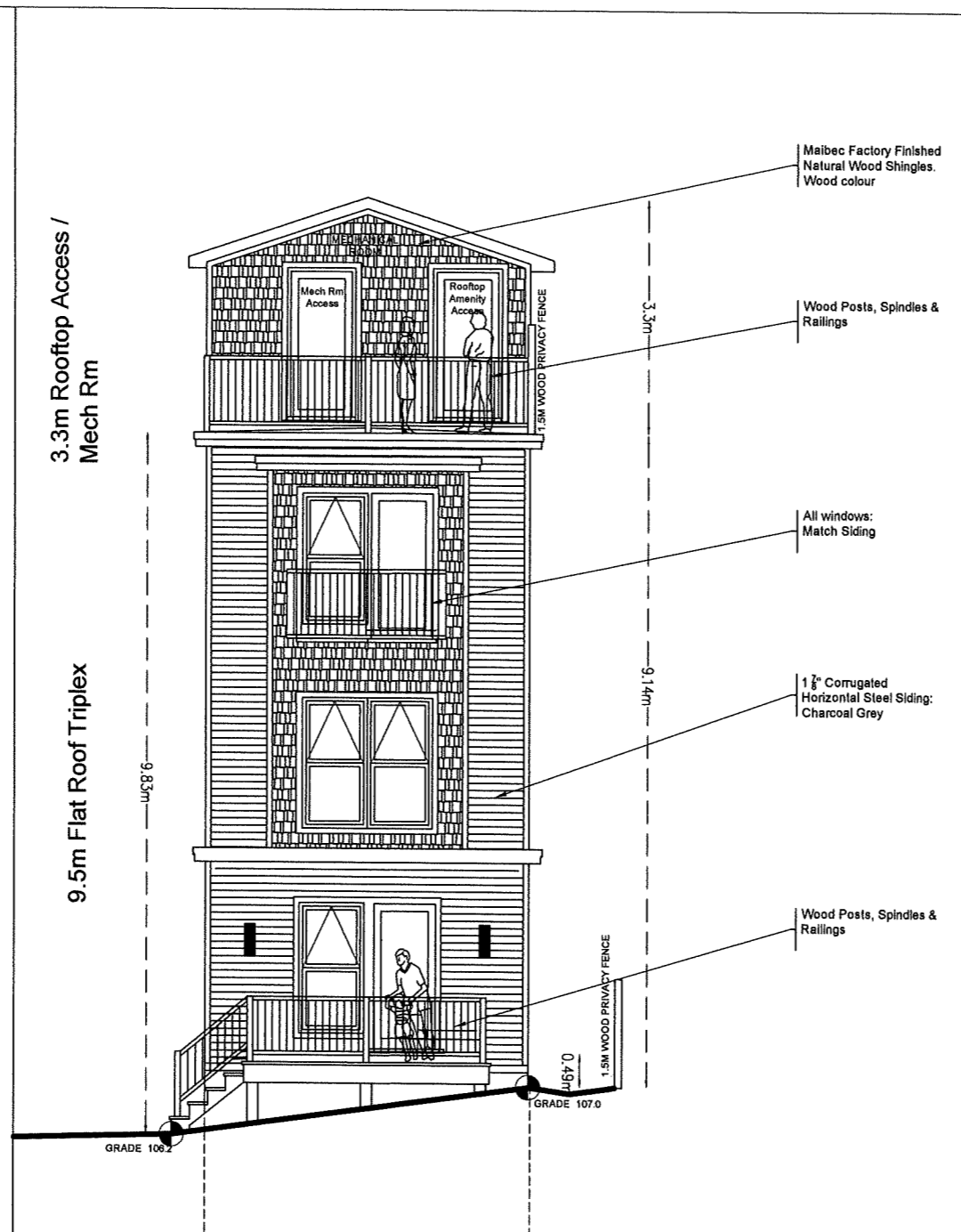
**SHEET TITLE**  
Front & Rear Elevations

<b>FOLDER</b>	<b>DRAWN BY</b> MLP
<b>FILE</b>	<b>SCALE</b> 1/4" = 1'-0"
<b>DATE</b>	<b>NUMBER</b>

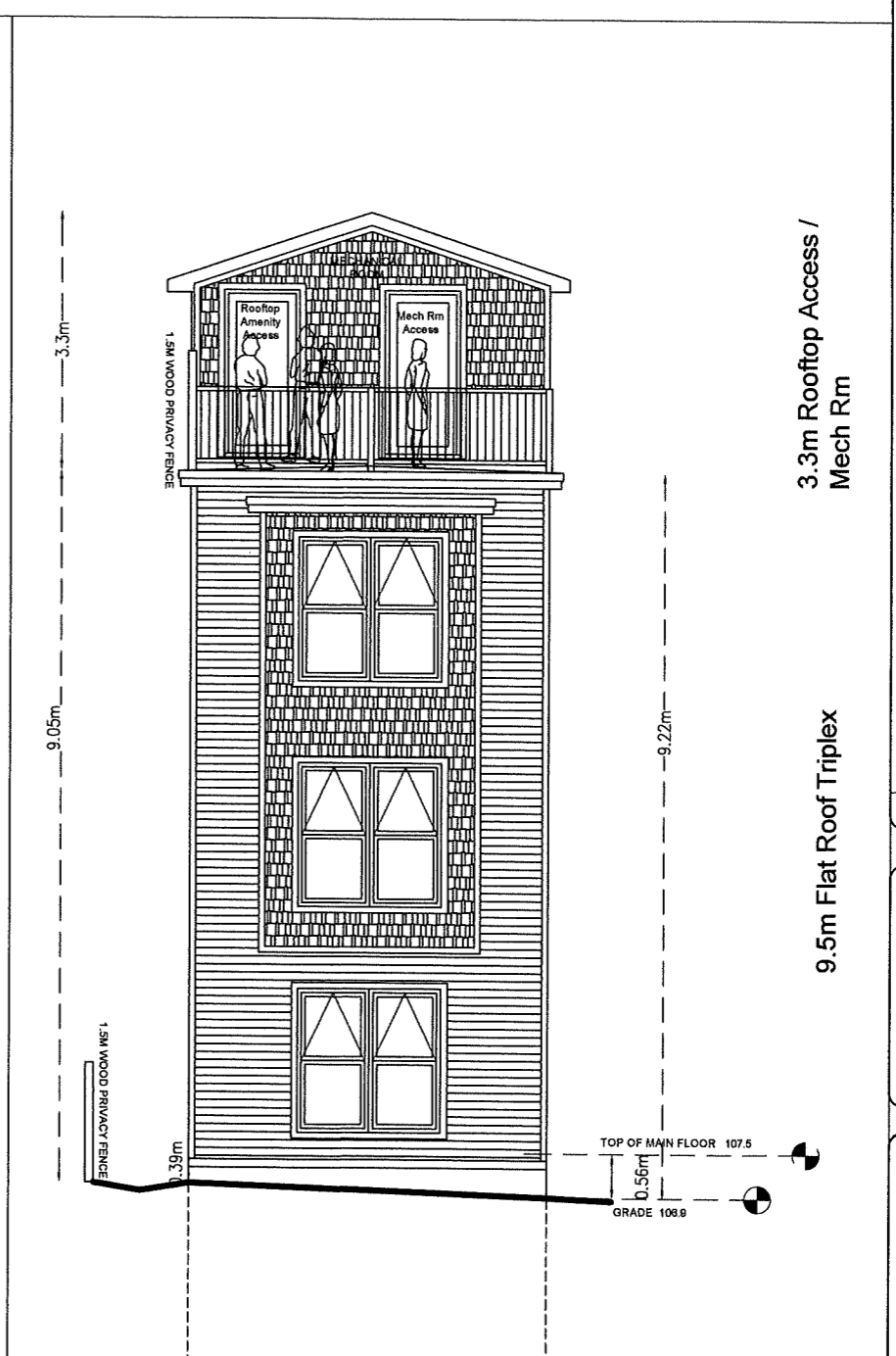
**A201**



Front Elevation  
View from Street



Front Elevation



Rear Elevation

3.3m Rooftop Access /  
Mech Rm

9.5m Flat Roof Triplex

3.3m Rooftop Access /  
Mech Rm

9.5m Flat Roof Triplex

CONTRACTOR IS TO CHECK AND VERIFY ALL DIMENSIONS ON THE JOB SITE AND NOTIFY DESIGNERS OF ALL DISCREPANCIES BEFORE INITIATING WORK. ALL DRAWINGS ARE THE PROPERTY OF THINKGIRAFFE. DRAWINGS ARE NOT TO BE REPRODUCED WITHOUT WRITTEN PERMISSION FROM DESIGNERS. PRINTS ARE NOT TO BE SCALED.

Merina Fensham, Owner thinkGiraffe Design has reviewed and taken responsibility for the design activities described in this drawing set under OBC 2.17.4.7 (j) BCIN: 21574 / 116364

ISSUE FOR VARIANCE & SEVERANCE: August 9, 2025

APPLICABLE LAW REVIEW: File # ZCR-25-124

ISSUE FOR APPLICABLE LAW REVIEW: June 26, 2025

REMARKS	DATE	NO.
REVISIONS		

**thinkGiraffe**  
ENVIRONMENTAL DESIGN  
16 Sulphur Springs Road,  
Ancaster, ON, L9G 1L8  
905 304 1496  
thinkgiraffe@bellnet.ca

**PROJECT**

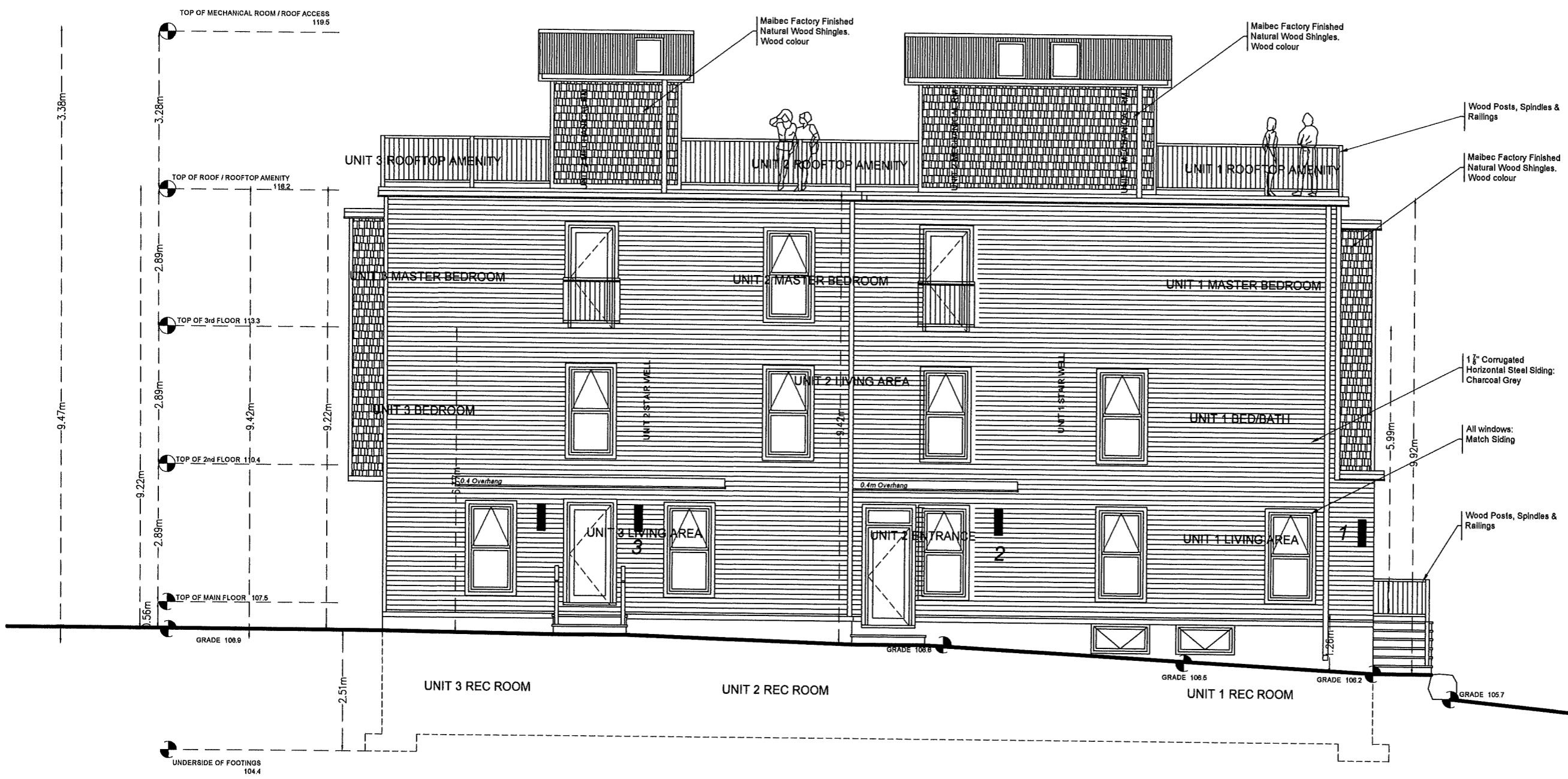
PROPOSED TRIPLEX

20 Canada Street  
Hamilton, ON  
L8P 1N7

**SHEET TITLE**  
Project Summary:  
WEST SECTION w/ SUPER-IMPOSED ELEVATION

FOLDER	DRAWN BY MLF
FILE	SCALE 1/4" = 1'-0"
DATE	NUMBER

**A202**



CONTRACTOR IS TO CHECK AND VERIFY ALL DIMENSIONS ON THE JOB SITE AND NOTIFY DESIGNERS OF ALL DISCREPANCIES BEFORE INITIATING WORK. ALL DRAWINGS ARE THE PROPERTY OF THINKGIRAFFE. DRAWINGS ARE NOT TO BE REPRODUCED WITHOUT WRITTEN PERMISSION FROM DESIGNERS. PRINTS ARE NOT TO BE SCALED.

Marina Fensham, Owner thinkGiraffe Design has reviewed and taken responsibility for the design activities described in this drawing set under OBC 2.17.4.7 (ii) BCIN: 21574 / 116364

ISSUE FOR VARIANCE & SEVERANCE: August 9, 2025

APPLICABLE LAW REVIEW: File # ZCR-25-124

ISSUE FOR APPLICABLE LAW REVIEW: June 28, 2025

REMARKS	DATE	NO.
REVISIONS		

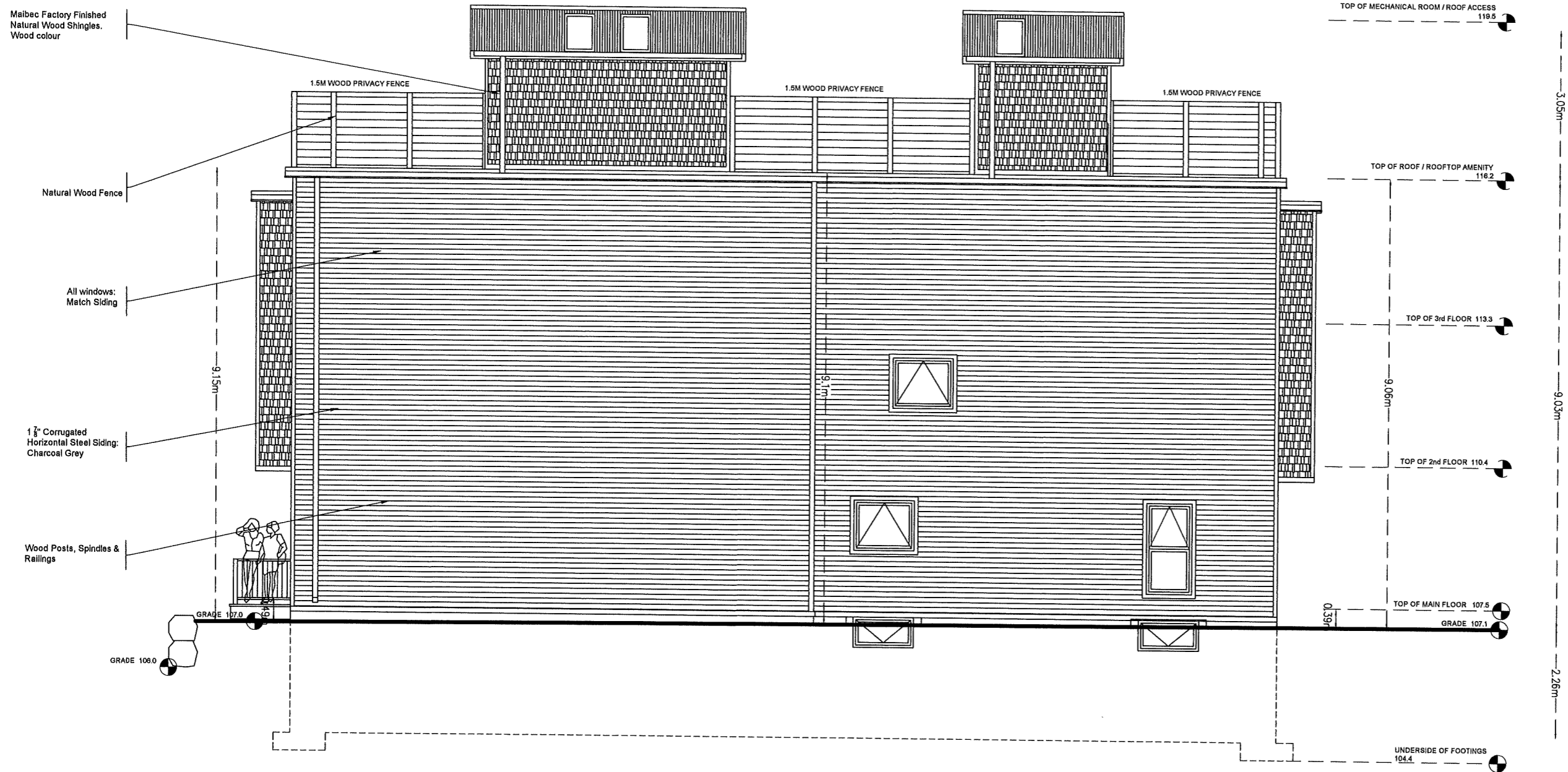
**thinkGiraffe**  
ENVIRONMENTAL DESIGN  
16 Sulphur Springs Road,  
Ancaster, ON, L9G 1L8  
905 304 1496  
thinkgiraffe@bellnet.ca

**PROJECT**  
PROPOSED TRIPLEX  
20 Canada Street  
Hamilton, ON  
L8P 1N7

**SHEET TITLE**  
East Side Elevation  
Super Imposed Section

FOLDER	DRAWN BY MLF
FILE	SCALE 1/4" = 1'-0"
DATE	NUMBER

**A203**



Mitbec Factory Finished Natural Wood Shingles. Wood colour

1.5M WOOD PRIVACY FENCE

1.5M WOOD PRIVACY FENCE

1.5M WOOD PRIVACY FENCE

Natural Wood Fence

All windows: Match Siding

1 3/8" Corrugated Horizontal Steel Siding: Charcoal Grey

Wood Posts, Spindles & Railings

TOP OF MECHANICAL ROOM / ROOF ACCESS 119.5

TOP OF ROOF / ROOFTOP AMENITY 116.2

TOP OF 3rd FLOOR 113.3

TOP OF 2nd FLOOR 110.4

TOP OF MAIN FLOOR 107.5

GRADE 107.1

UNDERSIDE OF FOOTINGS 104.4

3.05m

9.03m

2.26m

9.15m

9.15m

9.06m

0.39m

GRADE 106.0

GRADE 107.0



Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT  
Planning Division  
71 Main Street West, 5<sup>th</sup> Floor  
Hamilton, Ontario, L8P 4Y5  
Phone: 905-546-2424 x2719  
[www.hamilton.ca](http://www.hamilton.ca)

August 7, 2025

FILE: ZCR-25-124-02  
ATTENTION OF: Ashley Hladish  
TELEPHONE NO: (905) 546-2424  
EXTENSION: 1056

Marina Fensham



<b>Re:</b>	<b>Zoning District:</b>	<b>R1a (Low Density Residential – Small Lot Zone)</b>
	<b>Zoning By-law:</b>	<b>Hamilton Zoning By-law 05-200</b>
	<b>File Number:</b>	<b>ZCR-25-124</b>
	<b>Address:</b>	<b>20 Canada Street, Hamilton</b>

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**COMMENTS:**

1. The applicant is proposing to sever 228.7m<sup>2</sup> from the property located at 20 Canada Street. The severance will permit the creation of a new residential building lot for the construction of a new Triplex Dwelling. The retained lands include the existing Triplex Dwelling.
2. The proposed use of a Triplex Dwelling is permitted within the current R1a zone.
3. The existing structure located at 20 Canada Street was constructed prior to 1911 (as per McMaster Fire Insurance Plans). The building was recognized as a Two-Family Dwelling which required No parking at that time.

Please be advised that Microfilm Records indicate that the property was never legally converted to a Triplex Dwelling and is only recognized as a Two-Family Dwelling. As such, a permit through the building division will be required to recognize this property as a Triplex Dwelling.

Furthermore, as per Section 4.33.1.a.ii):

*A Duplex Dwelling shall be permitted to contain one Additional Dwelling Unit.*

The existing 'Two-Family Dwelling' is considered a 'Duplex Dwelling' within Hamilton Zoning By-law 05-200 and may be permitted to contain One (1) additional Dwelling unit.

4. The lands to be retained have been identified as '#20A' and the lands to be severed have been identified as '#20B' on the submitted site plan.

For the purpose of this review, the parcel to be retained has been reviewed as **Lot 1** and the parcel to be severed has been reviewed as **Lot 2**.

5. A consent application through the Committee of Adjustment will be required in order to facilitate the proposed land severance.
6. A mutual access driveway has been proposed, the appropriate agreements shall be established to permit the mutual access driveway.
7. This property is listed in the City of Hamilton's Inventory Heritage Buildings as a property of cultural heritage value or interest. Please contact a Cultural Heritage Planner at [culturalheritageplanning@hamilton.ca](mailto:culturalheritageplanning@hamilton.ca), or visit [www.hamilton.ca/heritageplanning](http://www.hamilton.ca/heritageplanning) for further information.
8. Please be advised that the Electric Vehicle Parking requirements under By-law 24-052, remain under appeal and are not covered under Section 1.12 of the "Transitional Provisions" of the Hamilton Zoning By-law 05-200. At present, a review of the Electric Parking requirements has not been included in the following zoning chart. If the remaining portions of By-law 24-052 become final before issuance of a building permit, the Electric Vehicle Parking requirements may be applicable upon review for such building permit.
9. The proposed Severance has been reviewed and compared to the standards of the current R1a zone as indicated in the following chart:

	Required By By-Law	Provided	Conforming/ Non-Conforming
<b>Section 15.2 (R1a) Low Density Residential – Small Lot</b>			
<b>Hamilton Zoning By-law 05-200</b>			
<b>Minimum Lot Area</b> As per Section 15.2.2.1 a) of Hamilton Zoning By-law 05-200	Triplex Dwelling - 270.0m <sup>2</sup>	<u>Lot 1</u> 228m <sup>2</sup>  <u>Lot 2</u> 235m <sup>2</sup>	<b>Non-Conforming</b>  <b>Minor Variance Required</b>
<b>Minimum Lot Width</b> As per Section 15.2.2.1 b) of Hamilton Zoning By-law 05-200	9.0 metres	<u>Lot 1</u> 7.6m  <u>Lot 2</u> 7.6m	<b>Non-Conforming</b>  <b>Minor Variance Required</b>
<b>Minimum Setback from the Front Lot Line</b> As per Section 15.2.2.1 c) of Hamilton Zoning By-law 05-200	4.0 metres	<i>Property is located within Special Figure 36.</i>	
	i) Notwithstanding Section 15.2.2.1 c) i), for lots identified on Figure 36 of Schedule "F" – Special Figures of this By-law, a building may be erected closer to the front lot line in accordance with the following:  1. Within 10 percent of the	<u>Lot 1</u> 1.9m  <u>Lot 2</u> 2.5m	<b>Non-Conforming</b>  <b>Minor Variance Required</b>

	Required By By-Law	Provided	Conforming/ Non-Conforming
	<p>average setback from the front lot line or flankage lot line of the two adjacent dwellings, or in the case of a corner lot, within 10% of the setback from the front lot line of the adjacent dwelling sharing a side lot line.</p> <p><u>Calculation of the two adjacent dwellings:</u></p> <p>No.20: 1.9 metres</p> <p>No. 14: 5.8 metres</p> <p><math>[(5.8+1.9)/2] = 3.85\text{m}</math> *average*</p> <p><math>3.85 \times 0.1 = 0.385</math> *10%*</p> <p><b>*3.4m – 4.2m setback*</b></p>		
	2. In no cases shall the setback from the front lot line be less than 0.5 metres.		
<b>Minimum Setback from a Side Lot Line</b> As per Section 15.2.2.1 d) of Hamilton Zoning By-law 05-200	1.2 metres	<u>Lot 1</u> 1.5m (east)  <u>Lot 2</u> 2.1m (west) 0.9m (east)	<b>Non-Conforming</b>  <b>Minor Variance Required for the setback abutting No.14</b>
<b>Minimum Setback from a Rear Lot Line</b> As per Section 15.2.2.1.f of Hamilton Zoning By-law 05-200	7.5m	<u>Lot 1</u> Existing Conditions  <u>Lot 2</u> 7.5m	<b>Conforming</b>
<b>Maximum Building Height</b> As per Section 15.2.2.1.g) of Hamilton Zoning By-law 05-200	10.5m	<u>Lot 1</u> Existing Conditions  <u>Lot 2</u> Approx. 9.5m	<b>Conforming</b>
<b>Minimum Landscaped Area</b> As per Section 15.2.2.1 h) of Hamilton Zoning By-law 05-200	30% <u>Lot 1</u> $235\text{m}^2 \times 0.30 = 70.5\text{m}^2$	<u>Lot 1</u> 87m <sup>2</sup>	<b>Conforming</b>

	Required By By-Law	Provided	Conforming/ Non-Conforming
	<u>Lot 2</u> 228m <sup>2</sup> x 0.30 = 68.4m <sup>2</sup>	<u>Lot 2</u> 80.3m <sup>2</sup>	Conforming
Within the landscaped area, the requirements of Section 4.35 of this By-law shall apply.			
<b>Section 4 – General Provisions</b> <b>Hamilton Zoning By-law 05-200</b>			
<b>Permitted Yard Encroachments</b> [as per section 4.6 of Hamilton Zoning By-law 05-200]	No part of any required yard shall be obstructed except as follows:		
	a) The usual projections of window sills, chimney breasts, belt courses, cornices, eaves, troughs and other similar architectural features, ductwork, venting and other similar appurtenances may be permitted in any required yard, provided that no such feature shall project more than 0.6 metres into the required yard, or to a maximum of half the distance of the required yard, whichever is the lesser;	Eaves and other associated Architectural features do not appear to encroach	<b>Appears to Comply</b>  <i>Please be advised that all encroachments are required to comply with the regulations of Section 4.6 of this By-law</i>
	b) A fire escape or exterior staircase may encroach into a required side or rear yard to a maximum of 1.5 metres, or to a maximum of half the distance of the required yard, whichever is the lesser;	<b>Applicant to Note.</b>	
	c) An unenclosed ramp for wheelchair access may encroach into any required yard to no maximum distance;		
	d) A porch, deck or canopy may encroach into any required yard to a maximum of 1.5 metres, or to a maximum of half the distance of the required yard, whichever is the lesser;  <i>The required front yard is 3.4m, the building itself encroaches into the required front yard 0.9 metres.</i>	<u>Lot 2</u> The front porch encroaches into the required front.	<b>Non-Conforming</b>  <b>Minor Variance Required</b>

	Required By By-Law	Provided	Conforming/ Non-Conforming
	e) A balcony may encroach into any required yard to a maximum of 1.0 metres, except into a required side yard of not more than one-third of its width or 1.0 metres, whichever is the lesser;	Juliette Balconies do not appear to encroach	Applicant to note
	f) A bay window or alcove, without foundation, may encroach into any required yard to a maximum of 0.6 metres, or half the distance of the required yard, whichever is the lesser. No such feature shall have a width greater than 3.0 metres.	N/A	
	g) An existing building may encroach, or further encroach, into a required yard to a maximum of 0.15 metres for the purpose of recladding the building.	N/A	
	h) Notwithstanding Section 4.6 d), e), and f) as it applies to the required front yard, for lots identified on Figure 36 of Schedule "F" – Special Figures of this By-law, the encroachment of a feature shall in no cases result in a front yard of less than 0.5 metres.	Applicant to note.	
<b>Mechanical and Unitary Equipment</b> [as per section 4.9 of Hamilton Zoning By-law 05-200]	Hot boxes, air conditioners and pumps (including heat pumps and swimming pool pumps) and other similar mechanical equipment shall be located only in accordance with the following regulations:		
	a) Within a required front yard, provided such equipment shall have a minimum setback of 3.0 metres from the street line, a minimum setback of 0.6 metres from a side lot line and is screened from the street by an enclosure or landscaping; and,  b) Within a required side yard or required rear yard provided such equipment has a minimum setback of 0.6 metres from the side lot line or rear lot line.	<u>Lot 1</u> Existing Conditions  <u>Lot 2</u> Mechanical and Unitary equipment has been proposed within a mechanical penthouse.	Conforming

	Required By By-Law	Provided	Conforming/ Non-Conforming
<b>Landscape Requirements</b> [as per section 4.35 of Hamilton Zoning By-law 05-200]	On lots containing a single detached dwelling, semi-detached dwelling, duplex dwelling, triplex dwelling, fourplex dwelling, or street townhouse dwelling in all zones, the following shall be provided:		
	a) A minimum 50% landscaped area in the Front Yard;	<u>Lot 1</u> 79% indicated	<b>Conforming</b>
		<u>Lot 2</u> 63% indicated	
	b) A minimum 50% landscaped area in the Flankage Yard; and,	<b>N/A</b>	
c) A single area within the required landscaped area for tree protection and/or tree planting, subject to the following:  i) each side shall be a minimum 3.75 metres in length; and,  ii) shall not contain hard landscaping or structures.	Landscaped area for tree protection and/or tree planting has not been identified on the submitted plans	<b>Non-Conforming</b>  <b>Minor Variance Required</b>	
<b>5.1 PARKING SUPPLY REQUIREMENTS AND RESTRICTIONS</b>			
<b>Minimum Number of Required Parking Spaces</b> [as per section 5.1.1 (a) of Hamilton Zoning By-law 05-200]	<p>The minimum number of required parking spaces which must be provided shall be the result of applying:</p> <p>i) The minimum amount in accordance with the Minimum Required Parking Rate Schedule in Section 5.7.1;</p> <p>ii) Any eligible exception in this Section; and,</p> <p>iii) Any eligible deductions in this Section</p> <p style="text-align: center;"><i>Parking Rate Area 1:</i></p> <p style="text-align: center;"><b>No Parking Spaces Required for a Triplex Dwelling</b></p>		
<b>Exception for Existing Buildings in All Zones</b> [as per section 5.1.1 (b) of Hamilton Zoning By-law 05-200]	<p>Notwithstanding Section 5.7.1, for any use located in all or part of a building existing on the effective date of this By-law, no parking spaces are required, provided that the number of parking spaces which existed on the effective date of this By-law shall continue to be provided, except that:</p> <p>i) a use shall not be required to provide additional parking beyond that which is required by Section 5.7.1; and,</p>	<p><i>The existing structure was constructed prior to 1911 (as per McMaster Fire Insurance Plans). The building was recognized as a Two-Family Dwelling which required No parking at that time.</i></p> <p><i>Microfilm Records indicate that the property was never legally converted to a Triplex Dwelling and is only recognized as a Two-Family Dwelling.</i></p>	

	Required By By-Law	Provided	Conforming/ Non-Conforming
	ii) where an addition, alteration or expansion of an existing building is proposed, the parking requirements of Section 5.7.1 shall only apply to the increased gross floor area of the building.		
<b>Required Parking to be Provided on Same Lot [as per section 5.1.1 (d) of Hamilton Zoning By-law 05-200]</b>	All required parking spaces shall be located on the same lot as the use for which they are required, unless the parking spaces are provided on another lot in compliance with Section 5.6.1.		
<b>Minimum Parking Space Dimensions [as per section 5.2.1 of Hamilton Zoning By-law 05-200]</b>	a) Minimum Parking Space Dimensions  Unless permitted by another regulation in this By-law, parking space sizes shall be a minimum of 2.8 metres in width and 5.8 metres in length.	<b>Parallel Parking indicated See Section 5.2.1.g) below</b>	
	<u>g) Minimum Parallel Parking Space Dimensions</u>  Notwithstanding Subsection 5.2.1 a), each parallel parking space shall have a minimum width of 2.4 metres and a minimum length of 6.7 metres, except that end spaces which have a clear, unobstructed approach, may have a minimum length of 5.5 metres.	One (1) Parallel Parking Space has been indicated.  Parking spaces measure 2.4m x 6.7m.  No Unobstructed approach.	<b>Conforming</b>
	<b>Applicant to note:</b>  <i>Notwithstanding Section 5.3.4 a), on a lot containing a residential use in a Residential Zone, any parking provided beyond that which is required by Section 5.7.1 of this By-law shall be maintained with permeable material and shall not be deemed landscaped area in the calculation of total landscaped area on a lot.</i>		
<b>Access Requirements [as per section 5.2.4 of Hamilton Zoning By-law 05-200]</b>	a) Access Design Requirements  Access to all parking shall:  i) be arranged so as to not interfere with normal public use of the street or laneway;  ii) be provided by means of an access driveway:  1. located on the lot; or,  2. located partly on the lot in the case of a mutual driveway; or,	Access does not interfere with normal public use of the street.  A Mutual Access Driveway indicated for both the new and existing buildings.  Mutual Access Driveway located partly on both lots.	<b>Conforming</b>

	Required By By-Law	Provided	Conforming/ Non-Conforming
	<p>3. by means of a Right-of-Way; and,</p> <p>iii) in the case of a Parking Lot, provide ingress and egress of vehicles to and from a street in a forward motion only.</p>		
	<p>b) Minimum Access Driveway Width</p> <p>The width of any driveway providing access to a parking space shall be a minimum of 2.7 metres</p>	<p>Access driveway measures 2.8m in width.</p>	<p><b>Conforming</b></p>
	<p>c) Tandem and Stacked Parking Restriction and Exceptions All parking spaces shall have adequate means of ingress and egress to and from the street or laneway without the necessity of moving any other motor vehicle, except:</p> <p>i) the accessibility to a maximum of one of the parking spaces for a Single Detached Dwelling may be obstructed by another motor vehicle; and,</p> <p>ii) where a parking attendant is on site or a valet service is provided in association with a Commercial Parking Facility or Hotel, parking spaces may</p>	<p>Not proposed</p>	<p><b>N/A</b></p>
<p><b>Locational and Landscaping and Driveway Requirements for Single Detached Dwellings, Semi-Detached Dwellings, Duplex Dwellings, Triplex Dwellings and Fourplex Dwellings in All Zones Except the Agriculture (A1) and Rural (A2) Zones [as per section 5.3.2 of Hamilton Zoning By-law 05-200]</b></p>	<p>a) On a lot containing a Single Detached Dwelling, Semi-Detached Dwelling, Duplex Dwelling, <b>Triplex Dwelling</b> or Fourplex Dwelling, in all Zones except the Agriculture (A1) and Rural (A2) Zone:</p> <p>i) The width of a driveway shall not exceed the width of an attached garage;</p> <p>ii) Notwithstanding Subsection 5.3.2 a) i), on a lot having an attached garage less than 5.0 metres in width, the driveway may extend beyond the width of the garage toward the side lot line to a maximum width of 5.0 metres and no closer than 0.6 metres to the side lot line, nearest to the garage;</p> <p>iii) In the case of a dwelling unit without an attached garage, the driveway width shall not exceed 50% of the lot width or 8.0 metres, whichever is less;</p>	<p>No Attached Garage.</p> <p>Driveway does not exceed the lot width.</p> <p>One Mutual Access Driveway proposed.</p>	<p><b>Conforming</b></p>

	Required By By-Law	Provided	Conforming/ Non-Conforming
	<p>iv) A maximum of one driveway shall be permitted for each dwelling unit, except in the case of:</p> <ol style="list-style-type: none"> <li>1. A corner lot where a maximum of one driveway may be permitted from each street.</li> <li>2. On a lot having a minimum width of 30.0 metres, a maximum of two driveways may be permitted.</li> </ol> <p>v) On a corner lot, no access driveway shall be permitted through a daylight triangle.</p>		
<b>Parking Facility Surface Material Requirements</b> <b>[as per section 5.3.4 of Hamilton Zoning By-law 05-200]</b>	<p>a) Parking Spaces, Driveways and Widening(s) in All Zones</p> <p>Parking spaces, driveways and widening(s) in all zones shall be provided and maintained with stable surfaces such as asphalt, concrete or other hardsurfaced material, crushed stone, permeable pavers or gravel, and shall be maintained in a dust free condition.</p> <p>i) Notwithstanding Section 5.3.4 a), on a lot containing a residential use in a Residential Zone, any parking provided beyond that which is required by Section 5.7.1 of this By-law shall be maintained with permeable material and shall not be deemed landscaped area in the calculation of total landscaped area on a lot.</p>	<p>Permeable Paving Indicated for the Access Driveway</p>	<p><b>Conforming</b></p>
<b>Parking Schedules</b> <b>[as per section 5.7 of Hamilton Zoning By-law 05-200]</b>	<p>a) Parking Rate Areas</p> <p>Where this By-law indicates that a Parking Rate Area (PRA) applies for the purpose of calculating a parking requirement or permission, such Parking Rate Area shall apply to lands and shall be indicated as Parking Rate Area (PRA1), (PRA2) and (PRA3) on Schedule "A" – Zoning Maps.</p> <p><u>b) Application of Parking Rate Areas</u></p> <p>Where a parking rate or requirement contained in this By-law does not contain reference to a Parking Rate Area (PRA), such parking rate shall apply to all lands throughout the City. Only where a parking rate refers to a specific Parking Rate Area, and where such use is located within that specified Parking Rate Area, shall there be any modification to the parking rate, and only in the manner prescribed.</p>		

	Required By By-Law	Provided	Conforming/ Non-Conforming
<b>Minimum Required Parking Rate Schedule [as per section 5.7.1 of Hamilton Zoning By-law 05-200]</b>	a) Minimum Required Parking Rate Schedule  Parking spaces shall be provided in the minimum quantity specified in Column 2 hereunder for each use listed in Column 1:  Refer to table in By-law 5.7.1  <p style="text-align: center;"><b>Parking Rate Area 1:</b></p> <p style="text-align: center;"><b>No Parking Required for the new Triplex Dwelling</b></p> <p><u>Lot 1</u>   <i>No Parking is required for the existing building (as per Section 5.1.1.b)</i></p> <p><u>Lot 2</u>   <i>No parking spaces are required for the new Triplex Dwelling</i></p>	<p><u>Lot 1</u> No parking indicated for the existing building.</p> <p><u>Lot 2</u> One space indicated for the new triplex dwelling.</p> <p>Parking and associated access has been indicated as permeable paving.</p>	<b>Conforming</b>
	<p><b>Applicant to Note:</b></p> <p><b>As per Section 5.3.4.a.i) – Parking Facility Surface Material Requirements:</b></p> <p><b>Notwithstanding Section 5.3.4 a), on a lot containing a residential use in a Residential Zone, any parking provided beyond that which is required by Section 5.7.1 of this By-law shall be maintained with permeable material and shall not be deemed landscaped area in the calculation of total landscaped area on a lot.</b></p>		

10. Any future accessory buildings shall comply with the requirements of Section 4.8 of Hamilton Zoning By-law 05-200. A building permit may be required in the normal manner for the proposed construction.
11. All new signs proposed for this development must comply with the regulations contained within the Sign By-law 10-197.
12. All new fences proposed for this development must comply with the regulation contained within the Fence By-law 10-142.
13. The designer shall ensure that the fire access route conforms to the Ontario Building Code.

Yours truly

*Ashley Hladish*  
 for the Manager of Zoning and Committee of Adjustment



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)	Roderick Aaron Frank		
Applicant(s)	Marina L Fensham		
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 [REDACTED]

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	20 Canada Street		
Assessment Roll Number	S21 801 009 455 640		
Former Municipality	Hamilton		
Lot	8	Concession	
Registered Plan Number		Lot(s)	
Reference Plan Number (s)		Part(s)	1

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:

Severance: See File ZCR-25-124 Attached

Lot 2 Min Lot Area / Lot 2 Min Lot Width / Lot 2 Front Yard Setback / Lot 2 Side yard Abutting # 14 / Lot 2 Front Porch Encroaches / Lot 2 Additional tree areas

Second Dwelling Unit  Reconstruction of Existing Dwelling

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

New lot is slightly under the required size

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
15.186m	30.65m	463m <sup>2</sup>	7.4m

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
2 storey brick century building	1.9m	8.1m	0.1m & 9.1m	01/01/1910

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
3 storey siding triplex	2.5m	7.5m	0.9m adjacent to # 14	01/01/2026

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

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
3 Storey Siding Triplex	87m2	261m2	3	9.5m

- 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.):  
Triplex
- 4.9 Existing uses of abutting properties (single detached dwelling duplex, retail, factory etc.):  
PRESUMED SINGLE FAMILY

**7 HISTORY OF THE SUBJECT LAND**

- 7.1 Date of acquisition of subject lands:  
1996
- 7.2 Previous use(s) of the subject property: (single detached dwelling duplex, retail, factory etc)  
Triplex
- 7.3 Existing use(s) of the subject property: (single detached dwelling duplex, retail, factory etc)  
Triplex
- 7.4 Length of time the existing uses of the subject property have continued:  
Circa 1970
- 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.

7.6 What is the existing zoning of the subject land? R1a

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: R1a

---

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: 0

8.2 Number of Dwelling Units Proposed: 3

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

Zoning is Low Density Residential - Small Lot

#20 is a double lot and once severed, the new lot and triplex will respect the existing streetscape. The east portion current is vacant with no significant trees or landscaping.

The following measures have been taken to create a sympathetic design:

- The triplex height is only 9.5m - the allowable height is 10.5m
- The front elevation has large double hung windows and a bump out that resembles the adjacent bay window. A front porch, front door and large front window create an interface between the building and the street.
- The 2.8m Right of Way has 0.6m strips on either side and the existing and new buildings are min 4m apart to prevent the existing century building from being crowded

## 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
- \_\_\_\_\_
- \_\_\_\_\_



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

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

**1. APPLICANT INFORMATION**

	NAME	MAILING ADDRESS	
Purchaser*			Phone:
			E-mail:
Registered Owners(s)	Roderick Aaron Frank		
Applicant(s)**	Marina L Fensham thinkGiraffe Design Inc		
Agent or Solicitor			Phone:
			E-mail:

\*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 [REDACTED]

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	20 Canada Street		
Assessment Roll Number	521 801 009 455 640		
Former Municipality	Hamilton		
Lot	8	Concession	
Registered Plan Number		Lot(s)	
Reference Plan Number (s)		Part(s)	1

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)<br>( i.e. a lot containing a surplus farm dwelling<br>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:

Current Owner: Roderick Aaron Frank

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

---

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, m<sup>2</sup> or ha), attach additional sheets as necessary.

	Retained (remainder)	Parcel 1	Parcel 2	Parcel 3*	Parcel 4*
Identified on Sketch as:	Lot 1 # 20A	Lot 2 #20B			
Type of Transfer	N/A				
Frontage	7.6m	7.6m			
Depth	30.65m	30.65m			
Area	228m <sup>2</sup>	235m <sup>2</sup>			
Existing Use	Duplex + SDU	Empty			
Proposed Use	Duplex + SDU	New Triplex			
Existing Buildings/ Structures	2 Storey Brick Building	Empty			
Proposed Buildings/ Structures	None	3-Storey Triplex			
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) ~~R1a~~ Neighbourhoods

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

Low Density - Small Lot Zone. This is a double lot and once severed will match the existing streetscape. The eastern portion to be severed is vacant.

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.

5.3 What is the existing zoning of the subject land? R1a See Zoning Review File ZCR-25-124

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

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.

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?

July 26, 1996 in Spouse Amalia Frank. To Rod Frank after her death on March 25, 2014

---

- 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.
- 

## 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)
- 

- 7.2 Is this application consistent with the Provincial Policy Statement (PPS)?  
 Yes       No      (Provide explanation)
- 

- 7.3 Does this application conform to the Growth Plan for the Greater Golden Horseshoe?  
 Yes       No      (Provide explanation)

Urban Intensification in keeping with the streetscape

---

- 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)

No Validation Required

## 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 <sup>2</sup> 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 <sup>2</sup> or ha):
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**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 <sup>2</sup> 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

New Triplex Architectural Plans, Elevations Included

See Zoning Review File ZCR-25-124 attached