



Hamilton

COMMITTEE OF ADJUSTMENT

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

Telephone (905) 546-2424, ext. 4221

E-mail: cofa@hamilton.ca

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

APPLICATION NO.:	A-26:062	SUBJECT PROPERTY:	718 Rymal Road East, Hamilton
ZONE:	C/S-1822 (Urban Protected Residential Etc.) and AA (Agricultural)	ZONING BY-LAW:	Hamilton Zoning By-law 6593

APPLICANTS: Owner: 16931618 Canada Inc (Kemesha Alli)
 Applicant: Bright Hope Childcare Centre Inc (Kemesha Alli)
 Agent:

The following variances are requested:

PURPOSE & EFFECT: To facilitate the conversion of a Single Family Dwelling to a Child Care Centre.

1. Every required parking space, other than a parallel parking space, shall be permitted to have dimensions not less than 2.8 metres wide and 5.8 metres long, instead of the minimum required dimensions of 2.7 metres wide and 6.0 metres long.
2. The required area for parking, manoeuvring and access in respect of the Child Care Centre use within a residential district shall be permitted to occupy 58% of the gross area of the front yard, instead of the requirement that the required area for parking, manoeuvring and access shall not occupy more than 50% of the gross floor area of the front yard.
3. Not less than 43% of the gross area of the front yard shall be landscaped, instead of the requirement that not less than 50% of the gross area of the front yard shall be landscaped.

Notes:

- i. A Child Care Centre requires 1 parking space per 6 children who may be lawfully accommodated. The applicant has confirmed that there will be 57 children, which results in a requirement of 10 parking spaces.

- ii. The boundary of every parking area and loading space on a lot containing five or more parking spaces located on the surface of a lot adjoining a residential district shall be fixed and not less than 1.5 metres from the adjoining residential district boundary. The submitted site plan shows the westerly parking spaces located 1.0 metres from the adjoining residential district counter, which is non-conforming. The applicant has confirmed via email that the site plan shall be revised to meet this requirement. Additional variance shall be required if compliance cannot be achieved.
- iii. Between the boundary of the parking area and the residential district, an area landscaped with a planting strip shall be provided and maintained. The submitted site plan does not show an area landscaped with a planting strip between the parking area and the residential district. The applicant has confirmed via email that the site plan shall be revised to meet this requirement. Additional variance shall be required if compliance cannot be achieved.
- iv. Variance No. 2 indicates that the required area for parking, maneuvering and access shall occupy 58% of the gross area of the front yard, which was indicated as per the applicants submitted cover letter.
- v. Please be advised that Planning Act approvals may be required if a road widening and/or daylight triangle dedication is required as part of this application.
- vi. Insufficient information has been provided to determine compliance for the proposed accessory buildings (shed and shade structure) located at the rear of the property; therefore, additional variances may be required.
- vii. The lands are subject to Site Plan Control. As such, development or redevelopment may require application to Development Planning. For further information, please contact pdgeninq@hamilton.ca.

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

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

DATE:	Thursday, April 30, 2026
TIME:	11:40 a.m.
PLACE:	Via video link or call in (see attached sheet for details)
	City Hall Council Chambers (71 Main St. W., Hamilton)
	To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment

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

- Visit www.hamilton.ca/committeeofadjustment

A-26:062

- Visit Committee of Adjustment staff at 5th floor City Hall, 71 Main St. W., Hamilton

PUBLIC INPUT

Written: If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Please see attached page for complete instructions, written comments must be received no later than noon April 28, 2026.

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 April 29, 2026.

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding A-26:062, you must submit a written request to cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.

If you wish to be provided a Notice of Decision, you must attend the Public Hearing and file a written request with the Secretary-Treasurer by emailing 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: April 13, 2026

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.



Hamilton

COMMITTEE OF ADJUSTMENT

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

Telephone (905) 546-2424, ext. 4221

E-mail: cofa@hamilton.ca

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

By Mail:

Committee of Adjustment
City of Hamilton
71 Main Street West, 5th Floor
Hamilton, Ontario
L8P 4Y5

The following information is required with your written submission:

- Committee of Adjustment file number
- Full name and address of the person providing comments. Anonymous comments will not be accepted.

Comments can also be placed in the drop box which is located at the back of the 1st Floor of City Hall, 71 Main Street West. All written comments received by the deadline 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 with the following information:

- Committee of Adjustment file number
- Hearing date
- Full name and address of the person wishing to speak. Anonymous comments will not be accepted.
- 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 **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 **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 or call 905-546-2424 ext. 4221.

DEVELOPMENT STATISTICS			
ADDRESS:	718 RYMAL RD EAST		
ZONING BY-LAW:	22-195 (C/S-1822)	MINIMUM / MAXIMUM	OK / VARIANCE REQUIRED
EXISTING LOT AREA:	1286.91m ²	360m ² (MIN)	✓ / No
FRONT-YARD LANDSCAPED AREA:	241.28m ² / 572.52m ² = 42.14%	50% (MIN)	Yes
OCCUPANT LOAD:	57	57 (MAX)	✓ / No
PARKING SPACES:	10	10 (MIN)	✓ / No
BUILDING COVERAGE:	186.14m ² / 1286.91m ² = 14.46%		
GROSS FLOOR AREA:	306.19m ²		
BUILDING HEIGHT:	229.81m-220.27=9.54m (est.) (ROOF PEAK-AVERAGE APRON GRADE)		

LEGEND	
X 100.50	EXISTING ELEVATION
X 1100.50	EXISTING ELEVATION (CALCULATED)
0.00%	EXISTING SLOPE
⊠	EXISTING DOWNSPOUT
△	EXISTING ENTRANCE LOCATION
⊗ wv	EXISTING WATER VALVE
X (100.00)	PROPOSED ELEVATION
(100.00)	PROPOSED APRON ELEVATION
X S(100.00)	PROPOSED SWALE ELEVATION
0.00%	PROPOSED SLOPE
⊠	PROPOSED DOWNSPOUT
—	PROPOSED SWALE
—	PROPOSED SILT FENCE
△	PROPOSED ENTRANCE LOCATION



KEY PLAN N.T.S.

BENCHMARK NOTE:
 ELEVATION = 214.662 (CGVD-2013)
 MONUMENT: 0011965U074
 IRON PIPE WITH BRASS CAP ON SOUTH SIDE OF HIGHWAY NO. 53, 67.0 M WEST OF CENTRE LINE OF UPPER CAGE AVENUE, DIRECTLY OPPOSITE A TEXACO STATION AND VARIETY STORE, 36.5 M EAST OF EAST WALL OF HOUSE NO. 858, 17.8 M SOUTH OF CENTRE LINE OF HIGHWAY, 1.8 M NORTH OF FENCE, 1.2 M EAST OF POWER POLE, AT ROAD LEVEL.

SITE BENCHMARK:
 ELEVATION = 219.66m
 IRON BAR LOCATED AT THE NORTH WEST CORNER OF THE SITE, AS INDICATED ON THE PLAN.

- GENERAL NOTES:**
- TENDERER SHALL SATISFY THEMSELVES AS TO THE NATURE OF THE GROUND AND BID ACCORDINGLY.
 - ALL ROCK LINE INDICATIONS SHOWN ON THE PLAN MUST BE VERIFIED BY THE CONTRACTOR.
 - CONTRACTOR SHALL VERIFY LOCATIONS AND INVERTS OF ALL EXISTING SANITARY AND STORM SEWERS AND WATERMANS, PRIVATE DRAINS AND WATER SERVICES, GAS MAINS, CABLE TV, HYDRO AND TELEPHONE DUCTS ETC AT START OF CONSTRUCTION.

NO.	DATE:	DESCRIPTION:
3	2026-03-09	REVISED FOR ZONING COMPLIANCE REVIEW
1	2026-02-20	PER CLIENT UPDATES
0	2026-02-09	ISSUED FOR MINOR SITE PLAN APPLICATION

REVISIONS

LandSmith ENGINEERING & CONSULTING LTD.
 1059 UPPER JAMES STREET, SUITE 207
 HAMILTON, ON L9C 3A6
 ANDREW@LANDSMITHEC.COM
 289-309-3632

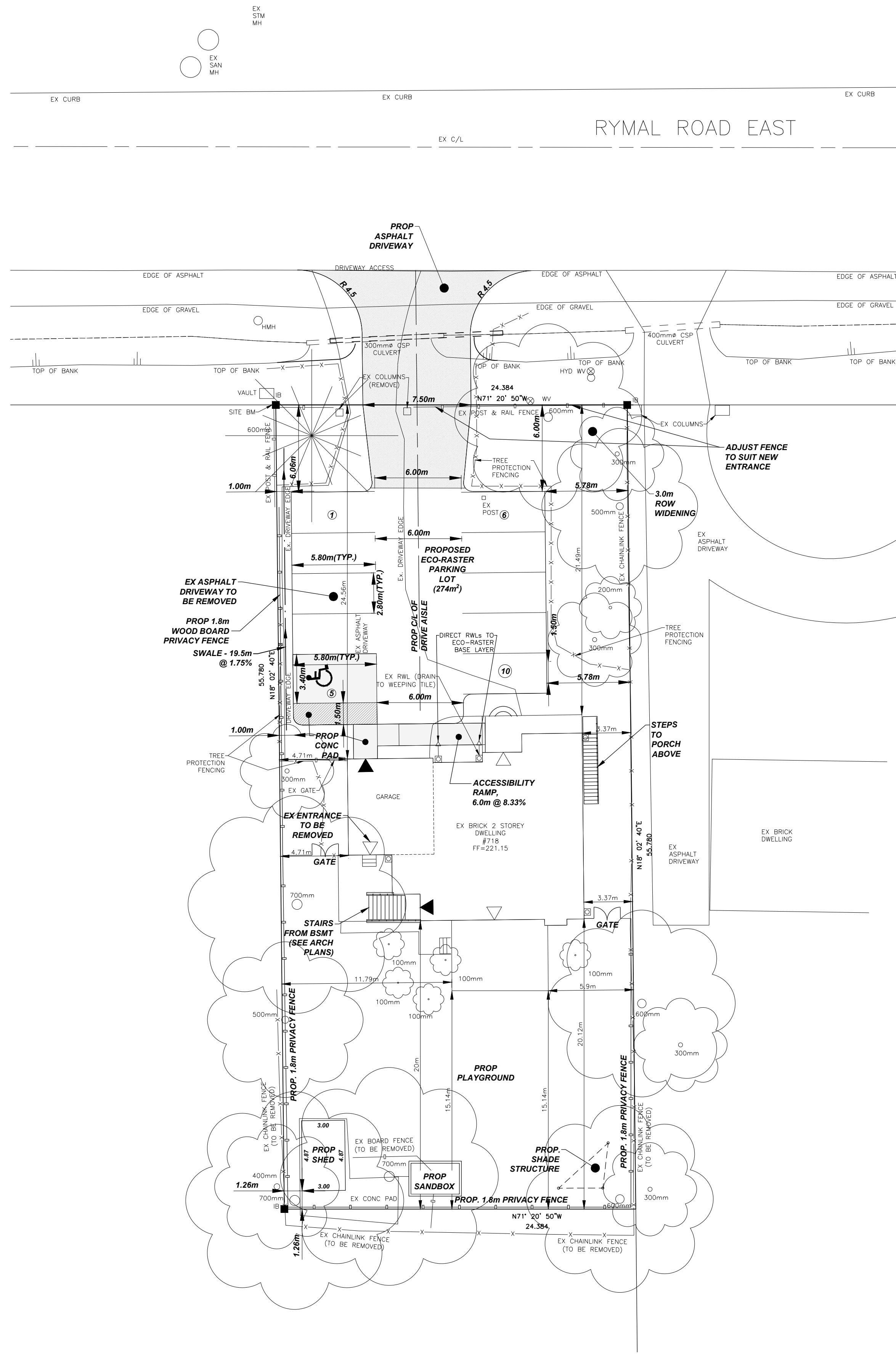
CLIENT:
 BRIGHT HOPE CHILD CARE CENTER

MUNICIPALITY:
 CITY OF HAMILTON

PROJECT NAME:
 718 RYMAL ROAD EAST

TITLE:
 SITE PLAN

SCALE:	1:200	DATE:	2025-12-09
CHECKED BY:	AS	DESIGNED BY:	OJ
DWG No:	25076Kem	SHEET No:	SP1



NOTES:

- LOCATIONS OF UNDERGROUND SERVICES ARE APPROXIMATE AND MUST BE FIELD VERIFIED PRIOR TO CONSTRUCTION.
- ANY DISCREPANCIES BETWEEN SERVICE LOCATIONS AND THESE ENGINEERING DRAWINGS MUST BE BROUGHT TO THE ATTENTION OF THE PROJECT ENGINEER.

March 6, 2026

To: Secretary-Treasurer
Committee of Adjustment
City of Hamilton
Planning and Economic Development Department

Re: Minor Variance Application – 718 Rymal Road East, Hamilton

Applicant: Bright Hope Childcare Centre

Proposed Use: Day Nursery / Licensed Child Care Centre

Dear Committee Members,

Please accept this Minor Variance application for the property located at 718 Rymal Road East. The purpose of the variance is to permit a licensed child care centre (with licensed capacity of 57 children) within the existing single-detached dwelling, where the current performance standards of the zoning by-law cannot be fully met due to the age and configuration of the existing building.

The proposed use is permitted under the C/S-1822 – Urban Protected Residential zoning, and no additions or structural changes are being proposed. The variance is required solely to address technical site requirements related to parking configuration, setbacks, and site layout, which cannot reasonably be achieved without significant reconstruction. We are requesting:

1. To adjust the parking stall size from minimum dimensions of 2.7m (width) x 6.0m (length) as required by Section 18A(7) of By-law 6593, to 2.8m (width) x 5.8m (length) (note only the length is below the previous minimum, and that the desired size is consistent with City of Hamilton Bylaw 05-200 section 5.2.1a)
2. To adjust the required area for parking, maneuvering and access from 50% of the gross area of the front yard (maximum) as per Section 18A(38) of By-law 6593 to allow that 58% of the gross area of the front yard be occupied and conversely - to adjust the requirement that not less than 50% of the gross area of the front yard shall be landscaped as per Section 18A(38) of By-law 6593 to allow that only 42% of the gross area of the front yard shall be landscaped.

The project supports the City's goals of expanding access to licensed child care spaces and maintains the residential character of the neighbourhood. The accompanying Planning Justification demonstrates that the variance meets all four tests of the Planning Act and represents appropriate and desirable development.

Thank you for your consideration of this application. Should any further information be required, I would be pleased to provide it.

Sincerely,

Kemesha Alli
Bright Hope Childcare Centre Inc.

Planning Justification – Minor Variance Application

718 Rymal Road East, Hamilton L9W 1B3

Purpose of The Application

The purpose of this minor variance application is to permit the establishment of a licensed child care centre within the existing single-detached dwelling. The property is designated Neighbourhoods under the Urban Hamilton Official Plan and zoned **C/S-1822** – Urban Protected Residential under **By-law 6593**, as amended by **By-law 22-195**. A day nursery is a permitted use in this zone.

The existing dwelling was constructed prior to the introduction of modern zoning performance standards that apply to institutional and community-serving uses such as child care centres. No additions, expansions, or structural changes are proposed. However, the existing site layout does not fully comply with certain performance standards, including parking configuration, setback alignment, and site circulation requirements, all of which are directly related to the age and historic layout of the property.

The requested variance enables a permitted use to operate within the existing structure without unnecessary reconstruction or disruption to the established neighbourhood. The proposal maintains residential character, meets the intent of the Official Plan, and supports the City's goal of increasing access to licensed child care spaces.

This justification demonstrates that the variance is **minor, appropriate, and consistent with good planning practice**.

FOUR PLANNING ACT TESTS

Section 45(1) of the Planning Act requires a minor variance to satisfy four tests. The proposed variance meets all four:

1. Maintains the general intent and purpose of the Official Plan

- The property is designated Neighbourhoods, where community services such as child care facilities are permitted.
- The use will operate in the existing dwelling with no change to built form or neighbourhood character.
- The proposal supports the Official Plan's goals of providing accessible early years and child care services within neighbourhoods.

2. Maintains the general intent and purpose of the Zoning By-law

- The zoning (C/S-1822 – Urban Protected Residential) permits a day nursery as-of-right.
- The variance relates only to performance standards that the existing dwelling cannot meet due to its age and configuration.
- No new construction is proposed, and the essential intent of the zoning — residential form with compatible community uses — is upheld.

3. Is desirable for the appropriate development and use of the land

- The use is compatible with surrounding residential properties.
- No adverse impacts are anticipated on traffic, streetscape, or neighbouring lots.
- The variance allows the property to serve an urgent community need without altering its physical characteristics.

4. Is minor in nature

- The variance seeks relief only from technical performance standards, not from the permitted use.
- There are no physical changes to the building, lot size, or built form.
- The functional impact is minimal, and no negative impacts on neighbouring properties are expected.

Conclusion

As all four tests are satisfied, the requested variance represents good planning and should be approved.



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

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

1. APPLICANT INFORMATION

Table with columns: NAME, MAILING ADDRESS. Rows: Registered Owner(s), Applicant(s), Agent or Solicitor. Includes contact info fields like Phone and E-mail.

Please include contact person's name if applying as a company or organization.

1.2 Primary contact [X] Applicant [] Owner [] Agent/Solicitor

1.3 Sign should be sent to [X] Applicant [] Owner [] Agent/Solicitor

1.4 Request for digital copy of sign [X] Yes* [] No

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

1.5 All correspondence may be sent by email [X] 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 [X] Credit card over phone* [] Cheque

*Must provide phone number above

2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	718 Rymal Road East, Hamilton L8W 1B3		
Assessment Roll Number			
Former Municipality	Hamilton (Township of Glanford)		
Lot	10	Concession	1
Registered Plan Number		Lot(s)	
Reference Plan Number (s)		Part(s)	

2.2 Are there any easements or restrictive covenants affecting the subject land?

Yes No

If YES, describe the easement or covenant and its effect:

3. PURPOSE OF THE APPLICATION

Additional sheets can be submitted if there is not sufficient room to answer the following questions. Additional sheets must be clearly labelled

All dimensions in the application form are to be provided in metric units (millimetres, metres, hectares, etc.)

3.1 Nature and extent of relief applied for:

To permit the establishment of a licensed child care centre within the existing single-detached dwelling where the existing site layout and building conditions do not fully comply with the performance standards of the zoning by-law for a day nursery use. No additions or structural expansions are proposed.

Additional Dwelling Unit Reconstruction of Existing Dwelling

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

The dwelling was constructed many years before the current zoning performance standards were introduced. Certain requirements such as parking configuration, setbacks, and site layout cannot be met without unnecessary reconstruction /renovation to the existing building and neighbourhood. The use is permitted under the zoning, and the variance simply enables the permitted use to operate in the existing structure.

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 (in metric):

Lot Frontage	Lot Depth	Lot Area	Width of Street
24.384	55.78	1,360	

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

Existing:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Single Detached	24.38	Greater than 7.5 metres	4.71 metres, 3.37 metres	03/06/2002

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Single Detached	24.38	Greater than 7.5 metres	4.71 metres, 3.37 metres	08/07/2026

4.3. Particulars of all buildings and structures on or proposed for the subject lands. All dimensions to be provided in metric (m, m² or ha); attach additional sheets as necessary.

Existing:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Single Detached	174.45	306.19	2	9.54m

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Single Detached	174.45	306.19	2	9.54m

- 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
 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.):
Licensed child care centre within the existing single-detached dwelling.

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

5. HISTORY OF THE SUBJECT LAND

5.1 Date of acquisition of subject lands:

July 17, 2025

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

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

5.4 Length of time the existing uses of the subject property have continued:
Over 20 Years.

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

Rural Hamilton Official Plan designation (if applicable): N/A

Rural Settlement Area: _____

Urban Hamilton Official Plan designation (if applicable) Urban Hamilton Official Plan Neighbourhood

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

The proposed child care centre is permitted within the Neighbourhoods designation of the Urban Hamilton Official Plan. The variance allows the use to operate within the existing dwelling without altering neighbourhood character, consistent with the Official Plan's policies supporting accessible community services.

5.6 What is the existing zoning of the subject land? C/S-1822 – Urban Protected Residential under By-Law Section 9

5.7 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: _____

5.8 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: _____

6. ADDITIONAL INFORMATION

6.1 Number of Dwelling Units Existing: 1

6.2 Number of Dwelling Units Proposed: 1

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

The property is zoned C/S-1822—Urban Protected Residential under Section 9 of Zoning By-law 6593, as amended by By-law 22-195. A day nursery is a permitted use in this district. No additions or structural changes are proposed. The need for the variance arises solely from performance standards that did not exist when the dwelling was constructed. The requested variance allows a permitted community use to operate safely within the existing building while maintaining neighbourhood character and supporting the City’s need for additional licensed child care spaces. The minor site plan application was submitted February 27, 2026, and the variance is required to finalize that process. Including the particulars as it relates to Building Permit Application Number 25-104182. Thank you.

7. COMPLETE APPLICATION REQUIREMENTS

7.1 All Applications

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

7.2 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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